

**JASPER COUNTY
BOARD OF ZONING APPEALS**

June 15, 2023

Case Number: 2022-V-011
Name of Applicant: Randal Lane
Address of Property: 355 Templeton Circle
Tax Parcel: 014B 072 003
Commissioner District: 5 (Five)

Request: Variance Request for a reduction of a side property line setback. The current required side setback is 30 feet. The request is for a reduction to the side setback from 30' to the just inside the northern side property line.

Applicable Standard: Section 119-224 Development standards—Agriculture zoning districts. (Chapter 119 - Zoning Ordinance)

Purpose of Request: To construct a garage

Size of Property: 0.22 acre

Present Zoning: R1 (Residential)

Present Use: Existing home

Potential Effects

On County: No negative effect anticipated.

HISTORY: On December 15, 2022 the petition was heard by the Board of Appeals and was tabled to allow the applicant and the neighboring property owner time to work out some concerns. The applicant has requested the petition be put back on the agenda for the May 18, 2023 meeting.

On May 18, 2023 a Public Hearing was held by the Board of Appeals for the petition. Both the applicant and the opposition brought legal counsel. At the end of the Public Hearing both sides requested a 30-day table. The Board of Appeals granted the table and scheduled the next meeting date for 06/15/2023 at 6 p.m.

Staff Analysis:

As per Section 119-421 of the Jasper County Zoning Ordinance, such variances may be granted in individual cases of practical difficulty or unnecessary hardship upon a finding by the Board that the following exists. Staff has provided the criteria below for your reference.

- 1. That the special circumstances or conditions applying to the building or land in question are peculiar to such premises and do not apply generally to other land or buildings in the vicinity.**

- 2. That the granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.**

- 3. That the condition from which relief or a variance is sought did not result from action by the applicant.**

- 4. That the authorizing of the variance will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion in public streets, or increase the danger of fire, or imperil the public safety, or unreasonably diminish or impair established property values within the surrounding areas, or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the county.**

- 5. That the granting of the variance will be in harmony with the general purpose and intent and policies of the comprehensive plan.**

- 6. That the granting of the variance will not allow a structure or use in a district in which that structure or use is prohibited.**

ORDINANCE SECTION:

Section 119-224 Development standards—Agriculture and residential districts.
(Chapter 119 - Zoning Ordinance)

Item	R-1	RL
Minimum side yard	30 ft.	30 ft.

RECOMMENDED CONDITIONS

Should this petition be approved by the Jasper County Board of Appeals, it should be approved subject to the owner’s agreement to the following enumerated conditions. Where these conditions conflict with the stipulations and offerings contained in the Letter of Intent, these conditions shall supersede unless specifically stipulated by the Board of Appeals:

1. Variance 22-011 is for the garage only.
2. The Variance is valid for a period of 2 years. If the structure is not completed within that time frame this Variance shall be considered void.
3. Any additional conditions the Appeals Board may feel necessary

LOCATION MAP



AERIAL MAP



SIGN



APPLICANT'S INFORMATION

**VARIANCE APPLICATION
JASPER COUNTY ZONING ORDINANCE**

DATE RECEIVED 11/08/22 2022 VAR 011
ADDRESS/LOCATION OF TRACK 355 Templeton Cir / Manstfield TAX MAP 014B-072-003
30055
ACRES 0.22 CURRENT ZONING _____

APPLICANT Randal Lane OWNER Randal + Elizabeth Lane
ADDRESS 186 + 355 Templeton Cir ADDRESS 355 Templeton Cir / Manstfield, GA
PHONE 404-374-1932 PHONE 404-374-1932 / 1933
EMAIL rlanebigcatdaddy@gmail.com EMAIL rlanebigcatdaddy@gmail.com

THE FOLLOWING DOCUMENTS MUST BE ATTACHED BEFORE APPLICATION CAN BE ACCEPTED:

1. A PLAT OF PROPERTY SHOWING ITS LOCATION, AREA, EXISTING STRUCTURES, AND CURRENT ZONING DISTRICT OF THE PROPERTY AND ALL ABUTTING PROPERTIES.
2. A DEED WITH LEGAL DESCRIPTION SHOWING TITLE OF THE PROPERTY.
3. A LETTER OF INTENT DESCRIBING THE REASON FOR REQUEST.
4. FILING FEE OF **\$500** PAYABLE TO JASPER COUNTY ZONING OFFICE.
5. A "DISCLOSURE OF CAMPAIGN CONTRIBUTIONS AND GIFTS" FORM.
6. IF PROPERTY OWNER AND APPLICANT ARE NOT THE SAME, AN AGENT AUTHORIZATION FORM.

I HEREBY AUTHORIZE THE JASPER COUNTY BOARD OF APPEALS AND STAFF TO INSPECT THE ABOVE-DESCRIBED PROPERTY. IN SIGNING THIS APPLICATION, I HEREBY STATE ALL INFORMATION GIVEN BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I AGREE TO ABIDE BY ALL LAWS AND ORDINANCES REGULATING USE OF PROPERTY IN JASPER COUNTY.

SIGNATURE OF APPLICANT [Signature] DATE 11-7-22

PUBLIC HEARING BEFORE JASPER COUNTY BOARD OF COMMISSIONERS _____

RECOMMENDATION _____ CHARIMAN/DATE _____

APPROVED _____ DENIED _____ CONDITIONS? _____

NOTES:

VARIANCE APPLICATION
(rvsd 5-11-2022)

LETTER OF INTENT

Randal Lane, Elizabeth Lane

355 Templeton Circle
Mansfield, GA 30055
(404) 374-1932 / 1933

November 2022

To: Jasper County GA Planning & Zoning

Subject: Variance Request for Single Car Attached Garage

Summary:

We are requesting a variance for the rear outside corner of a proposed single car attached garage to be just inside our property boundary. The front outside corner is approximately 4 feet off the same boundary line.

Background:

We purchased the home on Jackson Lake located at 355 Templeton Circle in September of 2016 with the intent of enjoying it during the summer and primarily on weekends and holidays. However, and during the Covid pandemic, we decided to sell our home in Henry County and relocate full time to our lake house. In addition, we relocated both our elderly moms to nearby homes so we could continue to monitor their health and help them when needed. Not surprisingly, and given when the home was originally constructed, the lake house required a number of improvements and renovations - some of which were needed to address pre-existing structural problems. We undertook this in order to make the home a safe, convenient, and enjoyable full time place to live that could accommodate our entire family. One planned improvement was to add a small, attached garage that could be accessed from inside the home.

Based on this, I applied for and received a permit to construct the attached garage in early 2022 based on a preliminary site plan that matches the current location of a concrete parking pad that was intended to serve as the pad and foundation for the proposed garage. However, Jasper County Planning & Zoning stopped work when the new Planning & Zoning Director became aware that the back rear corner of my structure would be closer than 4 feet to my property boundary. As a result, I was informed that I would need to initiate a "Variance Request" application in order to get approval for the garage.

Relevant Considerations:

1. A level, concrete parking pad that matches the exact dimensions as specified on the attached site plan is already completed and in place.
2. Although the rear corner of the proposed garage is just inside our property boundary, we share that boundary with Lot 7. Lot 7 is a relatively narrow sliver of real estate that was originally intended to access a community boat ramp, but it is no longer able to be used for that purpose. No one has ever paid property taxes on Lot 7 and there is no recorded

ownership of it. Based on this, and even though the rear corner of our proposed structure is just inside this boundary, it is approximately 29 feet from our neighbor's actual boundary (Lot 8). Said another way, the effective set-back from any actual owner of record's boundary is approximately 29 feet at the rear corner and 22 feet at the front corner of the proposed garage as a result of the unique circumstances involving Lot 7.

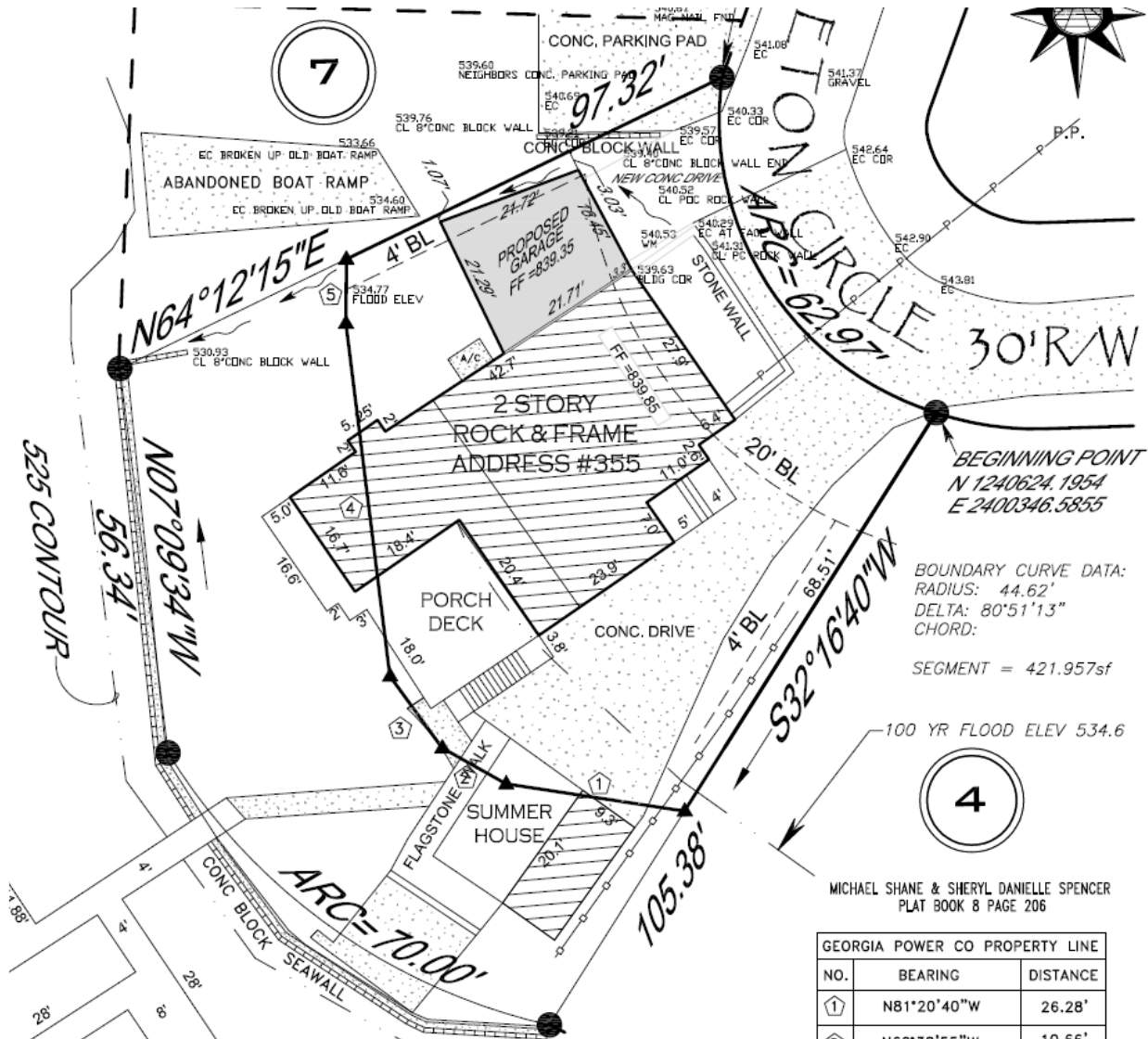
3. The primary reason that the rear corner of the parking pad is within 4 feet of our boundary line is because we pulled the front outside corner of the parking pad out toward the street so the entry and exit approach angles for vehicles would not interfere with or require us to access or drive across any portion of a pre-existing parking pad that is located on Lot 7 that our Lot 8 neighbors use for their parking.
4. The layout of the interior of our home will provide an ideal access point from the rear of the proposed garage requiring minimal demolition and prep to accommodate a new entry/exit door at that part of the home.
5. Our lake house is on a lot that is smaller than 0.25 acre. Based on this and in light of Georgia Power's boundary off the lake, we have very limited options in terms of where we can locate a small, attached garage. Further, the street side of the home is not a viable option because the front of our home is within 15 feet of the street. On the other side of the house where the original driveway is located, the grade or slope is overly steep and would have required a significant expenditure to prepare the area for a level garage at the necessary elevation. The boundary line on that side of the home also angles back toward the front of the house making entry and exit vehicle approach angles into a potential garage on that side of the home difficult to navigate. In addition, and based on the interior layout and design of our home, there was not an obvious or easy location for an entry-exit door required to access the garage on that side of the home.
6. At any given time, we have as many as 5 family members living in our home all of who own and/or drive motor vehicles. Based on this, parking and a place to store things you would typically put in a garage, are at a real premium. Further, and as mentioned previously, we are attempting to future-proof our home in the likely event that we have to eventually move one of our elderly moms into our home on a more permanent basis. An attached garage with easy access to and from the inside of the home would be a great way to help prepare for this.
7. To date, we have made significant improvements and upgrades to the home - all of which have been done in a tasteful and aesthetically pleasing fashion adding significant value to not only our home, but to the other homes in our neighborhood as well which ultimately grows and benefits the property tax base for the county. For example, our property taxes for our home alone increased nearly 70% this past year. The construction quality and exterior appearance of the proposed garage will be consistent and in keeping with our entire remodel and improvement approach to date.

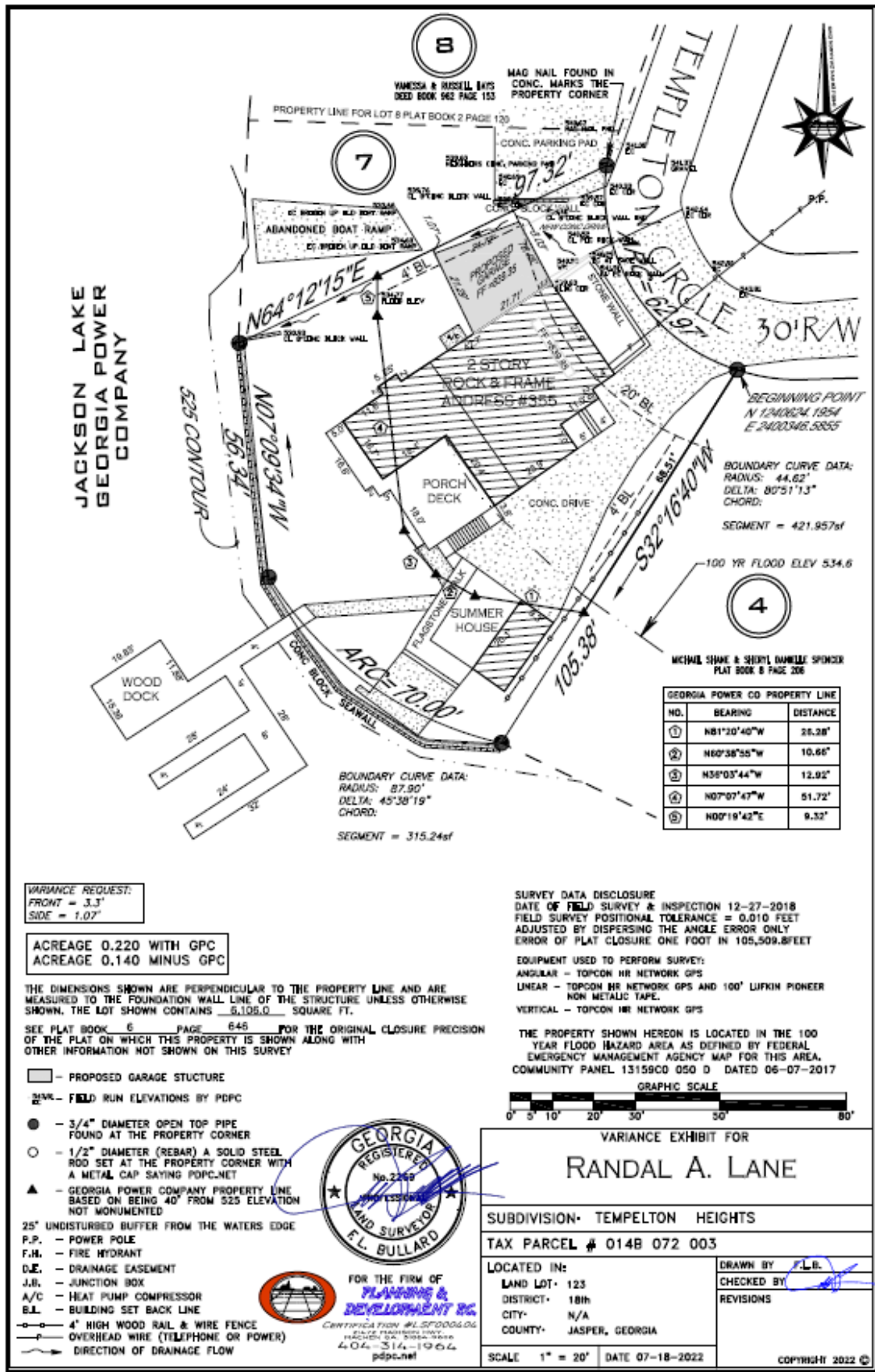
Sincerely,



Randal A. Lane & Elizabeth R. Lane

SITE PLAN







11/7/22, 1:42 PM

PXL_20221107_183702744.jpg



11/7/22, 1:42 PM

PXL_20221107_183631308.jpg

