



6/28/2023

To: Mayor and Council

RE: Staff Recommendations - 312 Johnson Street –Variance

---

The applicant has submitted a variance application for development standards listed below.

**Sec. 74-265 – Accessory uses and structures**

(11) Accessory buildings in residential districts shall not exceed the following accumulative areas:

**The accumulative floor size of accessory buildings in any residential (R) district shall not exceed two percent of the size of the property.** The size of the property shall be determined by a signed and sealed survey, final plat signed by the mayor of the City of Senoia or through Coweta County tax records. Accessory buildings shall be limited to two stories; however at no time shall the height of an accessory building exceed the height of the primary structure. **No more than two accessory buildings will be allowed on any residential lot.**

The applicant began work on this project prior to permitting and was issued as stop work order until staff could evaluate the proposed improvements for compliance with city ordinances and permitting procedures. During this evaluation staff discovered that the applicant has more accessory structures (3 existing) and more square footage of accessory structures than allowed by ordinance and was in the process of making one of those existing structures larger. In order to increase the existing non-conforming use the applicant will need a variance.

| <b>FLOOR AREA OF ACESSORY BUIDLIGNS IN RESIDENTIAL DISTRICT</b> |                                      |   |                                      |
|---|--------------------------------------|---|--------------------------------------|
| <b>Max Allowed Number of Structures</b>                         | <b>Proposed Number of Structures</b> | <b>Max Allowed Floor Area (Sq. Ft.)</b> | <b>Proposed Floor Area (Sq. Ft.)</b> |
| 2   | 3                                    | 1,825                                   | 3,482                                |

William "Dub" Pearman, III  
Mayor

Harold Simmons  
City Manager



**STAFF RECOMMEND APPROVAL OF VARIANCE AS REQUESTED**

- A hardship does **NOT** exist,
- No negative impacts are recognized by approving this variance,
- Applicant meets all other ordinance requirements and will be required to obtain a Certificate of Appropriateness prior to permit issuance.

See attached supporting documentation.

6/13/2023

Paulette Skantz  
312 Johnson Street  
Senoia GA 30276

Re: Permit and Zoning Violations  
312 Johnson Street

This letter shall serve as the notice of violation for the following City of Senoia ordinances and regulations related to the recent stop work order issued June 12, 2023.

**Violations:**

1. **Buildings Regulations – Sec. 14-4 – Permits** -No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, convert or demolish any building or structure within the city, or cause the same to be done, without first obtaining a permit for such building or structure from the building official. Separate permits are required for grading, electrical, plumbing, mechanical, and low-voltage;
2. **Zoning Ordinance - Sec. 74.265 (11)** –Accessory buildings in residential districts shall not exceed the following accumulative areas: The accumulative floor size of accessory buildings in any residential (R) district **shall not exceed two percent of the size of the property.** The size of the property shall be determined by a signed and sealed survey, final plat signed by the mayor of the City of Senoia or through Coweta County tax records. Accessory buildings shall be limited to two stories; however at no time shall the height of an accessory building exceed the height of the primary structure. **No more than two accessory buildings will be allowed on any residential lot.**
3. **Zoning Ordinance Sec. 74-60 –Alteration of non-conforming use.** A non-conforming use or structure shall not be rebuilt or altered or repaired except as provided herein:
  - (1) If the structure is altered or repaired, said alterations or repairs shall be in conformity with the building codes in force at the time of said alterations or repairs; provided, **however, that said alteration or repair shall not extend or enlarge the structure being altered or repaired.**
  - (2) If the structure's floor area is damaged 50 percent or more, the structure cannot be rebuilt as to the non-conforming use. However, if the actual owner of the structure may rebuild regardless of the amount of destruction. The structure must conform to the zoning district.

William "Dub" Pearman, III  
Mayor



Harold Simmons  
City Manager

As of June 12, 2023 you were put on notice to stop work until the City conducts a site inspection to determine all violations and recommend a course of action for correction. Please be advised that the City has the right to issue citations for violations per Sec. 14-11 below.

**Building Regulations - Sec. 14-11. - Penalty for violation** - Any person, firm, corporation or agent who shall violate any provision of the state minimum standard codes, or the permissive codes and construction standards adopted by this article, or fails to comply therewith, or with any of the requirements thereof, or who shall erect, construct, alter, install, demolish or move any building, structure, electrical, gas, mechanical, or plumbing system, or has erected, constructed, altered, repaired, moved or demolished any building, structure, or system therein in violation of this article shall be cited to appear before the municipal court of this city. Upon trial, if convicted, such violation shall carry a fine not to exceed \$1,000.00 per day. Each and every day, or portion thereof, during which any violation of this article is committed or continued shall be deemed a separate and distinct offense.

Violations of this article are hereby further declared to be public nuisances, harmful to the public health, safety, and welfare; and, in addition to all other remedies provided by law, are subject to abatement or injunction in a court of appropriate jurisdiction.

However, the city desires to resolve this matter without a citation or court hearing. In order to bring this site into compliance the following items are required to be submitted within 30 days of this notice.

1. Provide an Engineer's letter on the framing, slab/foundation, and block wall that have been added without a permit,
2. Provide an Engineer's recommendation on the framing of the roof,
3. Provide stamped building plans for all improvements,
4. Provide a site plan showing compliance with zoning district requirements,
5. File a variance application for a third accessory structure on a residential lot and for the cumulative floor size of accessory structures exceeding 2% of the lot size,
6. File for Certificate of Appropriateness (COA) on proposed building materials.

Once the Variances, COA, Building plans and Site plans are approved and no issues are unresolved relating to the Engineer's letter and recommendations referenced above then you may proceed to obtain the building permit and commence work.

You will be charged \$300 for the variance and you can expect to be assessed a penalty in addition to normal building permits fees on the proposed improvements once the approvals are issued.

Sincerely,

*J. Curtis Hindman*

Interim Community Development Director







