



**City of Lilburn
Special Called Zoning Board of Appeals Meeting Agenda**

**March 5, 2025
Lilburn City Hall, 340 Main St., Lilburn, GA 30047**

*Board Members:
Calum Lewis, Chair
John Calhoun, Vice-Chair
David Hull
Angie Ballard
George Churchill*

I. Call to Order

II. Roll Call

III. Approval of Agenda

IV. Approval of Minutes

1. Draft August 24th, 2024 Zoning Board of Appeals Meeting Minutes

Documents:

[DRAFT ZBA MINUTES - 2024-08-24.PDF](#)

V. Old Business

1. LV-2025-01

Application by Aztlan Engineering LLC, obo Iglesia Casa de Oracion Shalom for a variance to reduce the required number of parking spaces from 50 to 25 for the development of a new 4,985 square-foot church. The property is located in District 6 at Land Lot 147, and Parcel 032 with an acreage of 0.82. The property is zoned CB (Commercial Business). This hearing was originally advertised for a January 22, 2025 hearing that was canceled due to inclement weather.

Documents:

[LV-2025-01 APPLICATION PACKAGE.PDF](#)

[LV-2025-01 - STAFF REPORT AND RECOMMENDATION - 01.15.25.DOCX](#)

VI. New Business

VII. Adjournment

As set forth in the Americans with Disabilities Act of 1990, the City of Lilburn does not discriminate on the basis of disability in the admission or access to, or treatment or employment in its programs or activities. The City Clerk, 340 Main Street, Lilburn, GA 30047 has been designated to coordinate compliance with the non-discrimination requirements contained in section 35.107 of the Department of Justice regulations, information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA coordinator.

The City of Lilburn will assist citizens with special needs given proper notice (seven working days).

Any requests for reasonable accommodations required by individuals to fully participate in any open meeting, program or activity of the City of Lilburn should be directed to the City Clerk, 340 Main Street, Lilburn, GA 30047, telephone number 770-921-2210.



**City of Lilburn
Zoning Board of Appeals Meeting Minutes**

DRAFT

**August 28, 2024
Lilburn City Hall, 340 Main St., Lilburn, GA 30047**

Board Members:

Calum Lewis, Chair

John Calhoun, Vice-Chair

Angie Ballard

David Hull

George Churchill

A work session was held prior to the regular scheduled meeting, at 7:00 p.m., to allow the board members to discuss this evening's agenda items. No other items were discussed and no actions were taken.

8/28/2024 - Minutes

I. Call to Order

Chairman Calls to order at 7:30pm

II. Roll Call

Present:

- Chairman Calum Lewis
- George Churchill
- David Hull
- Angie Ballard

III. Approval of Agenda

Chair asks for motion

George C. motions to approve the August 28, 2024 ZBA Meeting Agenda as presented

Seconded by Angie Ballard

All for

Motion carries 4-0

IV. Approval of Minutes

Chair asks for motion

George C. motions to approve the March 27, 2024 ZBA Meeting Minutes as presented

Seconded by David Hull

All for

Motion carries 4-0

- 1. **DRAFT March 27, 2023 Zoning Board of Appeals Meeting Minutes**

V. Old Business

VI. New Business

- 1. **LV-2024-02**

Chair asks Planning Manager to describe the case.

Planning Manager describes the zoning history and location of the subject parcel.

Planning Manager outlines the application received for the requested variance as well as pertinent building and site plans.

Planning Manager reads into the record the criteria for granting a variance and provides staff's responses to the criteria in the context of the requested Variance. Describes the risk of precedent from approving such variance. States there are no characteristics peculiar to the property and no hindrances, though at the same time the conditions are to no fault of their own. Further points out that this would allow a type of building that is not allowed in the city. Describes the importance of architecture moving forward in the future for the city. Continues to detail lack of reasons according to the variance approval criteria. Describes that based on the approval criteria, staff recommends denial of the variance. Planning Manager describes the recommended conditions should ZBA approve the variance anyway. Mentions that no public comments had been received on the proposed variance.

Chair opens the floor to the applicant.

John Post, Jr. owner of the property is welcomed to speak and describes the plans and intent for the project. Mr. Post describes his and his family's history with the city and history of the property as well as some future construction plans of a new home. Mr. Post further describes the plans around this project as well as the intended use of the proposed barn structure. Mr. Post says that the equipment and vehicles that will be stored in the proposed barn will be primarily for the maintenance of the property. States that he is not asking special consideration but would rather be asking for reasonability within the verbiage of the code of ordinances, while understanding its importance for the city. States how he wants the barn structure to be visually appealing. Also describes his understanding of the need for greater financial investment to ensure it looks visually appealing. Mr. Post further describes his willingness to construct the barn in a way that is cohesive with the look of the city.

David Hull asks Mr. Post to clarify if the barn structure will be a customizable product so that the façade will be visually appealing.

Mr. Post responds that his decision on façade color has not been made yet because he would like it to be cohesive with the future new home construction.

George Churchill voices his concern to Mr. Post regarding the color represented in the submitted building example and its visibility to neighboring properties.

Mr. Post states that unfortunately he is not a committed to a color, although ensures that the representation submitted will not be the look of the final product, but rather the structure.

David Hull speaks on the fact of how, with this product supposed to be customizable, part of the position of the board is to consider exceptions to the rules. Voices his acknowledgment of concern from Mayor and City Council on architectural standards for the city. States how position of the proposed barn being far from public visibility, would allow some lenience for Mr. Post as well. Mr. Hull voices his questions on whether or not this would have been approved with different construction materials.

Mr. Turner describes the precedent set of granting this variance in generality and the regulations on the building materials and reiterates the precedent that could be set and reiterates the point for which the variance was requested.

David Hull states his continued point of doubt that not many other properties in the city will be seeking a similar variance. And that the setting in this situation provides that the proposed barn will not be visible or impactful on anyone.

Planning Manager reiterates the decision is on the board and of the risk of precedent.

David Hull states an analogy of how electing a black woman as president will not mean that only black women will be elected as president.

Chairman Lewis describes the position of the Planning Department to enforce the code.

David Hull acknowledges the role of the Planning Manager and the Department to do their jobs and how then cases like this would go to the board for their decision on whether or not the code should apply to this case.

Chair acknowledges the boards position and Mr. Hull's notion on their position.

George C. states his continued concern of the future colors of the façade of the barn structure and its visibility to neighboring properties.

David Hull asks the Planning Manager if conditions could be added for certain colors to be used. And asks Mr. Post if he has an idea of the color range.

Planning Manager confirms that conditions for variance approval are at the discretion of the members of the board.

George Churchill makes a point to ask who would add such conditions to the variance and when.

Planning manager and chair confirm that such decision would be made in the current meeting.

George Churchill asks the applicant if he has any color options ready to present.

Mr. Post shows the Board Members recently taken photos of the existing barn that would be located next to the proposed barn. Mr. Post asks a question for Mr. Turner that if in the future he would want to build something like a pool house, he would be prohibited due to the recommended conditions from staff upon approval.

Mr. Turner clarifies that this is accurate.

Angie Ballard asks the Planning Manager to clarify that, if the board were to approve the variance to build the metal barn, a pool house that would have brick siding matching the primary structure would not be allowed due to the staff recommended conditions for variance approval.

Planning Manager confirms that this would be accurate if the variance were approved with conditions as recommended are adopted.

Mr. Post asks to clarify that if conditions were adopted, no further structures would be allowed.

Chair confirms with Mr. Post that either recommended conditions, additional conditions, different conditions, or no conditions could be adopted as the final decision of the board.

States his opinion that condition number 2 should be stricken from the conditions of approval.

Chair opens the floor for public comment

Nicky Nocera comes to the podium, clarifies that the material was the point of the variance application, and describes her recent interest and research into economic ways of building different barn structures. She further questions the approval process of structures built in the past that are similar to the proposed structure and the approval process of the board for this variance, as well as any conditions that may be applied.

Chair clarifies and answers Nikki's question outlining their power to adopt, change, or remove staff recommended conditions.

Linda (Diane) McCLung, owner of 452 Greg Dr, comes to the podium to speak and voices her concern of the visibility of the proposed building from her property, its maintenance, and how it may negatively affect their property value.

Chair asks Ms. Diane if the existing barn is visible from her property.

Diane M. confirms that the current barn is visible from her property.

George C. speaks asking Ms. Diane to clarify her concern is the visibility of the structure and its future maintenance.

Diane M. confirms this is her concern.

David Hull asks Diane to clarify where her property is located in reference to the proposed and existing barn.

Diane M. confirms the barn is visible from the fence line along her property boundary.

Planning Manager shows the board where Diane's property in relation the applicant and the proposed barn.

Mr. Post comes to the podium again and speaks upon Diane's concerns of any effect on property value. Insists that the work he is performing on the property should only benefit the land, area, and property value.

No further questions from board members.

Chairs asks for motion to approve with the condition to strike staff-recommended condition of approval # 2

David Hull motions to approve the variance with the condition to strike staff-recommended condition of approval # 2

Seconded by Angie Ballard

All for

Motion carries 4-0

VII. Adjournment

Chair asks for motion to adjourn

David Hull motions to adjourn the August 28, 2024 ZBA meeting

Seconded by Angie Ballard

All for

Motion carries 4-0

Chair adjourns at 8:13pm

Approved this _____ day of _____, 20__.

Jon Stallsmith, Chairperson

ATTEST:

Joellen Wilson, Secretary



Variance Application

Zoning Board of Appeals OR Administrative Variance

PERMIT NUMBER: TBD

Please type or print using BLACK ink

Applicant: Aztlan Engineering LLC	Property Owner: Iglesia Casa de Oración Shalom
Address: 355 Jennings Mill Pkwy, Unit 1018	Address: 377 Hillcrest Road NW
City, State & Zip: Athens, GA 30606	City, State & Zip: Lilburn, GA 30047
Phone & Email: (229) 881-1771 Contact@AztlanEngineering.com	Phone & Email: (404) 396-6451 alexander.shalom@hotmail.com
Contact Person: Azael Garza, PE	Contact Business Phone:
Contact Email: A.Garza@AztlanEngineering.com	Contact Cell Phone:

APPLICANT IS THE Owner's Agent Property Owner Contract Purchaser

ADDRESS OF PROPERTY: 377 Hillcrest Road NW, Lilburn, GA 30047

SUBDIVISION OR PROJECT NAME: Iglesia Casa de Oración Shalom

LAND DISTRICT: 6 LAND LOT(S): 147 PARCEL(S): 032 ACRE(S): 0.82 ac.

PROPOSED DEVELOPMENT: The proposed development is a church building and associated hardscapes meant to be a permanent home for the church body.

BUILDING PERMIT NUMBER (if construction has begun): N/A

VARIANCE REQUESTED: A reduction in required parking spaces from 1 space per 100 square feet of building floor space to a proposed 25 parking spaces.

Applicant has filed or intends to file any other variance, rezoning or waiver applications? YES NO.

If YES, please describe: _____

LETTER OF INTENT REQUIRED

Please attach a "LETTER OF INTENT" explaining what is proposed.

APPLICANT CERTIFICATION

The undersigned below is authorized to make this application and is aware that no application or reapplication affecting the same property shall be acted upon within twelve (12) months from the date of last action by the Mayor and Council, unless waived by the Mayor and Council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of last action by the Mayor and Council. Further, no application may be withdrawn once advertised and must receive final action by the Mayor and Council.

Azael Garza
Signature of Applicant

12-12-24
Date

Azael Garza, PE
Type or Print Name

Principal Civil Engineer
Title

Jenny Lazaro
Notary Public
(Seal)

12-12-24
Date



PROPERTY OWNER CERTIFICATION

The undersigned below, or as attached, is the record owner of the property considered in this application and is aware that if an application is denied by the Mayor and Council, no application or reapplication affecting the same land shall be acted upon within twelve (12) months from the date of last action by the Mayor and Council, unless waived by the Mayor and Council. In no case shall an application or reapplication be acted upon in less than six (6) months from the date of last action by the Mayor and Council. Further, no application may be withdrawn once advertised and must receive final action by the Mayor and Council.

[Signature]
Signature of Owner

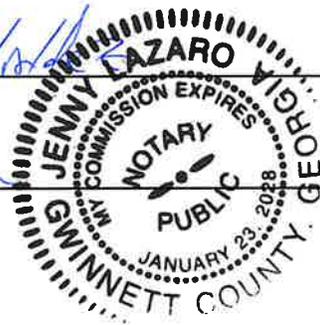
12-12-24
Date

Alexander Volk
Type or Print Name

Property Owner
Title

Jenny Lazaro
Notary Public
(Seal)

12-12-24
Date



ADMINISTRATIVE USE ONLY		
CASE NUMBER: <u>LV-2025-01</u>	DATE COMPLETE: <u>12/12/24</u>	RECEIVED BY: <u>[Signature]</u>
APPLICATION FEE: <u>\$900</u>	PAID BY/RECEIPT#: <u>123456</u>	HEARING DATE: <u>1/23/24</u>
ADMINISTRATIVE VARIANCE DIRECTOR'S APPROVAL/DATE: _____		

Conditions of Approval: _____



City of Lilburn – Special Exception Variance Letter of Intent

INTRODUCTION

Variance requested: One (1) special exception variance is requested to allow a reduction in required parking spaces from the City of Lilburn Zoning Appendix A - Ordinance Article 8. Section 812, Table 8.1, the Minimum Parking Required for Places of Assembly of “One space for each 100 square feet of gross floor area” to 25 total spaces for the construction of a church building.

Property Address: 377 Hillcrest Road NW, Lilburn, GA 30047

Parcel Information: 6147 032

Existing / Proposed Zoning: CB / CB

Existing / Proposed Use: Vacant / Church (Place of Assembly)

VARIANCE REQUEST NARRATIVE

The proposed project would be the construction of an approximately 4,950 square-foot church building including a main-level sanctuary and basement kitchen with various rooms intended for Sunday School use. The congregation currently rents the neighboring church building to the west (387 Hillcrest Road) with its limited parking (approximately 18 spaces) and although the parking count is suitable, the church body has purchased the 377 Hillcrest Road property with the intention of adding a building to be a permanent home that more comfortably serves the church body.

While the property offers a multitude of challenges, including the narrow shape and extreme topography that would require extensive earthwork, placing a modestly-sized church building on the site is possible – however, the City of Lilburn Zoning Table 8.1 requirement would dictate that the church building, regardless of occupancy, would be required to have *50 parking spaces on site*.

After accounting for the non-efficient geometry of the property, the open space requirements (15% of the parcel for CB – Commercial Business), setbacks (10’ on the sides and a 40’ Residential-adjacent back buffer for a single residential property), and landscape strip (10’ on the front of the property) required by the zoning and the Lawrenceville Highway (U.S. 29) Overlay District, only about 33 parking spaces would fit on the site *if nothing but parking* were to be constructed on the site.

In light of this, we request a variance to allow the proposed project of the church building to be constructed with 25 parking spaces.

In addition to the 25 spaces, an interparcel agreement between the neighboring church (that is utilized at different, non-overlapping hours) is proposed to allow both churches use of both parking lots for their respective church services. To coincide with this, a pedestrian access between the two properties is proposed to allow access between the two parking lots. This would provide a *total effective parking count of approximately 43 parking spaces* for the proposed project – more than doubling the current parking that is needed by the church body.





City of Lilburn – Special Exception Variance Letter of Intent

While joint use of the properties would not meet the quantity required by the zoning ordinance, the utilization of joint-use parking lots would allow the project to meet over 85% of the parking requirements set forth by the zoning ordinance.

STANDARDS FOR SPECIAL EXCEPTION VARIANCE APPROVAL

Pursuant to City of Lilburn Appendix A - Zoning Ordinance Article 10. Section 1005-3, 2., the Zoning Board of Appeals have the power to authorize variances from the terms of the Zoning Resolution when a literal enforcement of the Zoning Resolution will, in an individual case, result in unnecessary hardship upon a finding by the Zoning Board of Appeals that:

- a. There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.
 - The narrow shape of the property combined with the overlay district's requirement that no more than 20% of parking be placed in front of the building prevents efficient addition of parking areas while maintaining required fire access.
- b. A literal interpretation of the provisions of this Article would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located, resulting in unnecessary hardship.
 - Requiring parking in the amount listed on Table 8.1 would effectively prevent the church from constructing a building of any reasonable size for its modestly-sized congregation to be built on the property at all.
- c. Such conditions are peculiar to the particular piece of property involved.
 - The size and narrow shape of the property provides a particular challenge in developing with the amount parking spaces listed in Table 8.1 when combined with the required drive widths in the development standards.
- d. The special circumstances are not the result of any actions of the property owner.
 - The site is undeveloped and has not been altered by the property owner at all.
- e. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.
 - Most of the surrounding properties, including the existing church building to the west of the property, do not comply with the modern standards of required parking, and the proposed parking count would be closer to approaching the current development standards with the proposed parking count of 25.
- f. The requested variance will be in harmony with the purpose and intent of this Article and will not be injurious to the neighborhood or to the general welfare.
 - The variance will enable the development of the property that is currently overgrown, vacant, and without use (due to extreme topography though the center of the site). The requested variance would enable development within the Lawrenceville Highway (U.S. 29) Overlay District to fulfil the intent of improving the *appearance of the community that is portrayed to the traveling public, of enhancing the viability and livability of the area, and the purpose of achieving and maintaining a unified and pleasing*





City of Lilburn – Special Exception Variance Letter of Intent

visual aesthetic/visual quality in landscaping, architecture and signage. As such, the neighborhood would benefit from an additional community gathering location and the public resources made available by places of assembly.

- g. The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the zoning district in which the development is located.
- The variance on parking requirements would be necessary for essentially any sized building that would meet the needs of a congregation – no matter the modesty of the size of the congregation – due to the limitations of the property geometry, the requirements of the overlay district, the fire access safety requirements, and other zoning requirements by City of Lilburn. Variances on other requirements of the Development Standards would be unnecessary and would prove inconsequential for the development of the site – the parking variance, however, would allow the project to occur and for the land to be developed to the benefit of the community.

ADJACENT PROPERTIES

WEST: CB – Commercial Business (Existing Church Building)

SOUTHWEST 1: R2 – Medium-Density Residential District (Approximately 10' of shared property line)

SOUTHWEST 2: CB

SOUTHWEST 3: CB

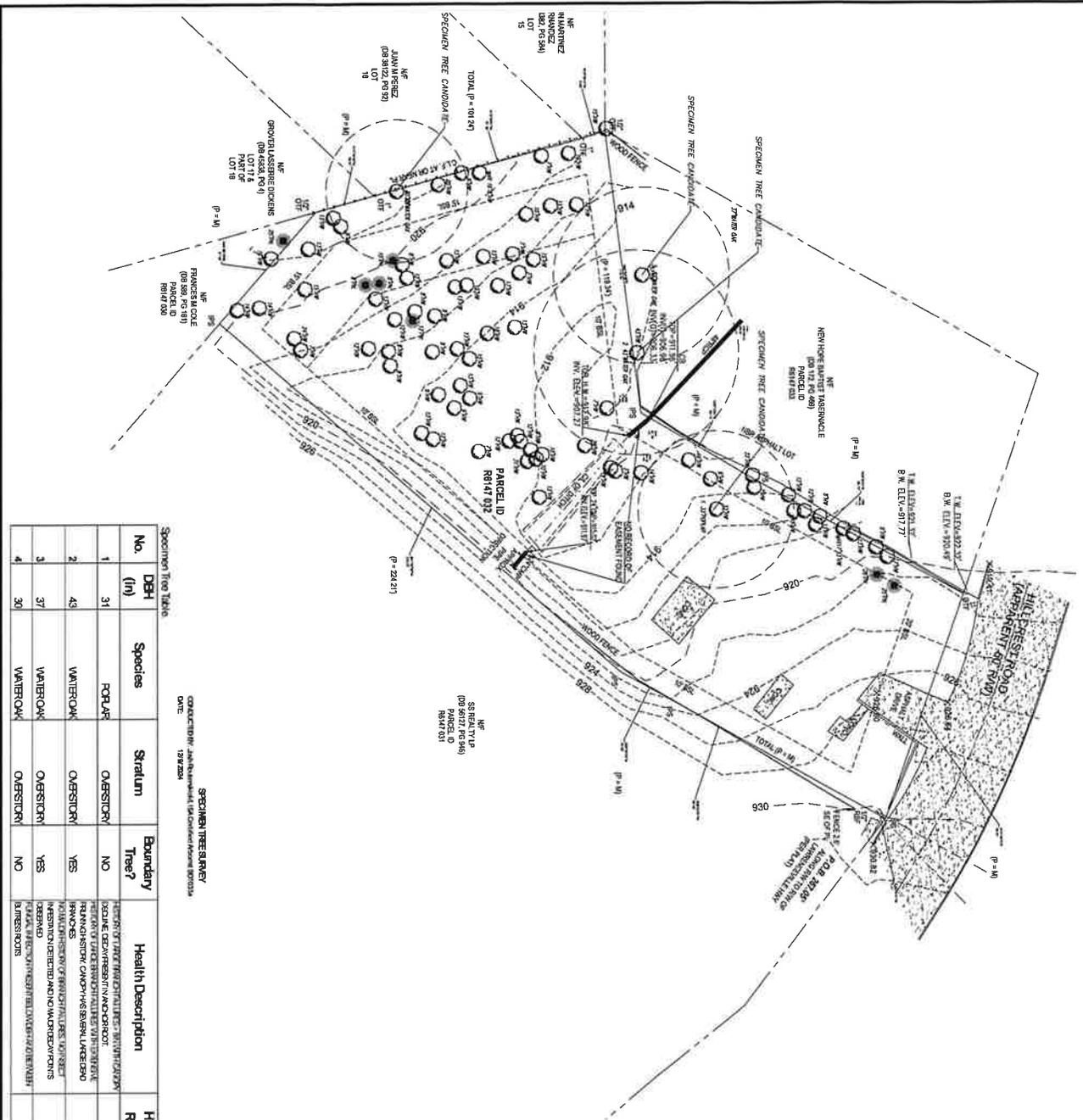
SOUTH: CB

EAST: CB (Advance Auto Parts)

CONCLUSION

While the property at 377 Hillcrest Road may not provide the most optimal conditions for development, the construction of the Church would provide a great benefit to the community as well as aid the City of Lilburn in achieving their goals set forth in the Lawrenceville Highway (U.S. 29) Overlay District initiative. Considering the challenges associated with the size, geometry, and topography of the property, development of the vacant overgrown lot is unlikely by anyone outside of the church body, who is looking for a permanent home with the opportunity to serve the community around them. Granting a special exception variance to allow the project to proceed with the 25 proposed parking spaces will be a significant relief and meet the standards outlined for approval.





SPECIMEN TREE SURVEY
CONDUCTED BY: JUAN W. PEREZ
DATE: 12/28/2024

No.	DH1 (in)	Species	Stratum	Boundary Tree?	Health Description	Health Rating	Status
1	31	POPLAR	OVERSTORY	NO	HEALTHY TO TIGHTLY PRUNED; LEAVES GREEN; BARK CRACKING	POOR	REMOVE
2	43	WATEROAK	OVERSTORY	YES	HEALTHY TO TIGHTLY PRUNED; LEAVES GREEN; BARK CRACKING	FAIR	PRESERVE
3	37	WATEROAK	OVERSTORY	YES	HEALTHY TO TIGHTLY PRUNED; LEAVES GREEN; BARK CRACKING	GOOD	PRESERVE
4	30	WATEROAK	OVERSTORY	NO	HEALTHY TO TIGHTLY PRUNED; LEAVES GREEN; BARK CRACKING	FAIR	PRESERVE

CALL BEFORE YOU DIG!

Georgia 811
Contact 811 before you dig.

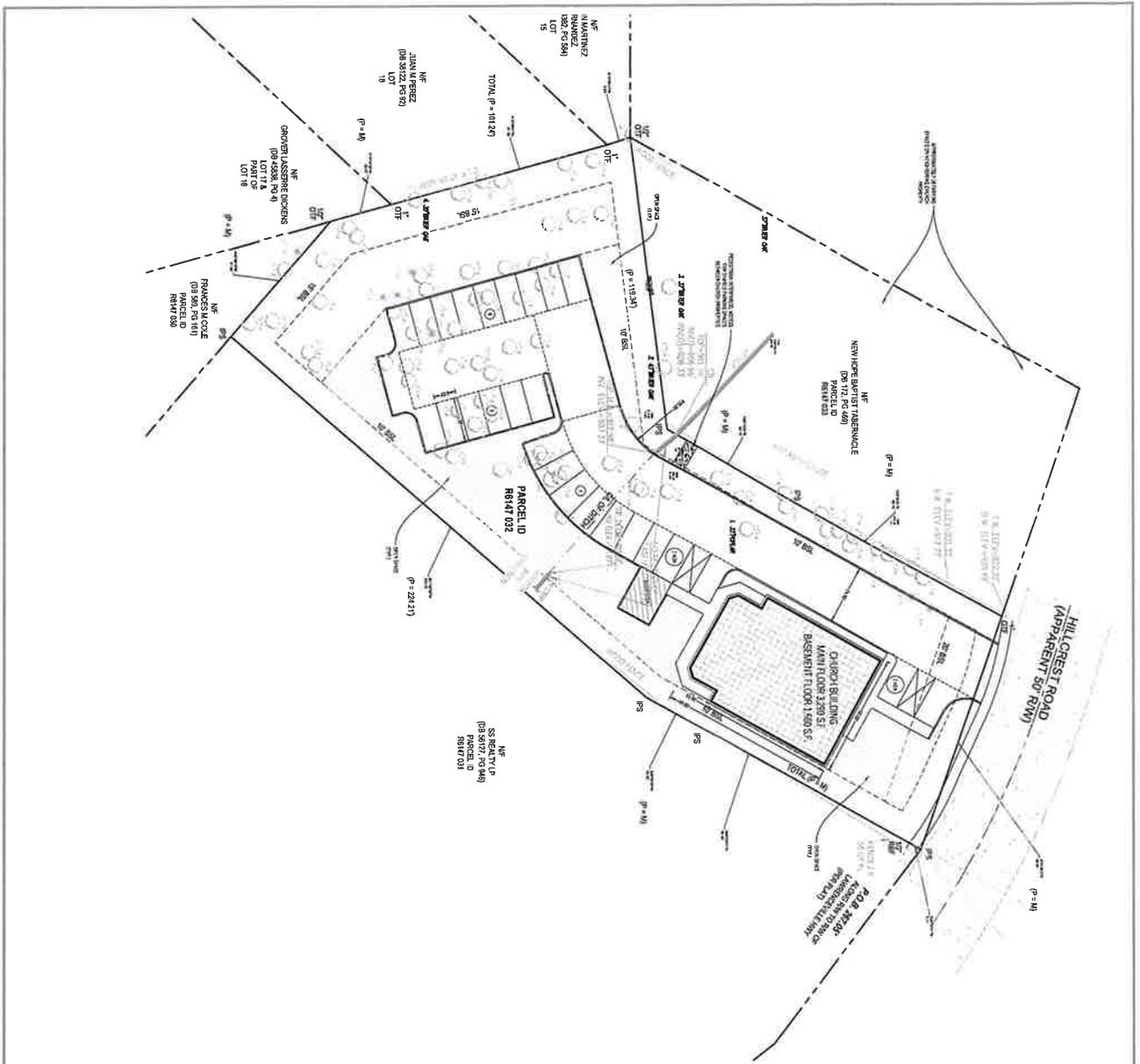
DO NOT DUPLICATE OR BREAK

ORIENTATION & GRAPHIC SCALE

UTILITY LOCATION NOTES

1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.
2. UTILITIES NOT SHOWN MAY BE PRESENT. CONTACT 811 FOR MORE INFORMATION.
3. UTILITIES SHOWN ARE NOT TO BE USED FOR CONSTRUCTION.
4. UTILITIES SHOWN ARE NOT TO BE USED FOR CONSTRUCTION.

ATZLAN ENGINEERING LLC - Honoring a heritage of engineering Engineering Consulting Civil Site Design Phone: (229) 881-1771 Proudly based out of Athens, GA AtzlanEngineering.com		IGLESIA CASA DE ORACIÓN SHALOM 377 HILLCREST ROAD LILBURN, GA 30047	NOT ISSUED FOR CONSTRUCTION PROFESSIONAL SEAL CONSULTANT
C-001 SHEET NO.	SPECIMEN TREE SURVEY SHEET TITLE	DATE: 2024-12-11 AE PROJECT NO.: 241001	SUBMITTALS NO. OF SHEETS: 1 NO. OF SHEETS SUBMITTED: 1



<p>PARKING SUMMARY</p> <p>12 SPACES</p> <p>1. 12 SPACES</p> <p>2. 12 SPACES</p> <p>3. 12 SPACES</p> <p>4. 12 SPACES</p> <p>5. 12 SPACES</p> <p>6. 12 SPACES</p> <p>7. 12 SPACES</p> <p>8. 12 SPACES</p> <p>9. 12 SPACES</p> <p>10. 12 SPACES</p> <p>11. 12 SPACES</p> <p>12. 12 SPACES</p>	<p>UTILITY LOCATION NOTES</p> <p>1. 12 SPACES</p> <p>2. 12 SPACES</p> <p>3. 12 SPACES</p> <p>4. 12 SPACES</p> <p>5. 12 SPACES</p> <p>6. 12 SPACES</p> <p>7. 12 SPACES</p> <p>8. 12 SPACES</p> <p>9. 12 SPACES</p> <p>10. 12 SPACES</p> <p>11. 12 SPACES</p> <p>12. 12 SPACES</p>	<p>ORIENTATION & GRAPHIC SCALE</p> <p>12 SPACES</p>	<p>DO NOT DUPLICATE OR BREAK</p> <p>12 SPACES</p>
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	<p>Engineering Consulting Civil Site Design</p> <p>Phone: (229) 881-1771</p> <p>Proudly based out of Athens, GA AztlanEngineering.com</p>	<p>IGLESIA CASA DE ORACIÓN SHALOM 377 HILLCREST ROAD LILBURN, GA 30047</p> <p>DATE: 2024-12-11 PROJECT: 241001 SITE LAYOUT PLAN C-200</p>	<p>NOT ISSUED FOR CONSTRUCTION</p>
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Small town. Big difference.

Staff Report and Recommendation

Variance Case: LV-2025-01

Date of Report: January 10, 2025

Report by: Reid Turner, Planner Manager

Hearing Date: Wednesday, January 22, 2025

GENERAL INFORMATION

Applicant:	Aztlan Engineering LLC
Owner:	Iglesia Casa de Oracion Shalom
Size:	0.82 +/- Acre, District 6, Land Lot 147, Parcel 032
Location:	377 Hillcrest Rd, Lilburn, GA, 30047
Existing Zoning:	CB, Commercial Business

EXISTING LAND USES & ZONING DISTRICTS

To the North:	Commercial Business	CB
To the East:	Commercial Business	CB
To the South:	Commercial Business	CB
To the West:	Commercial Business	CB

ZONING HISTORY

The subject site fronts Hillcrest Road, is surrounded by Commercial zoning, and is within the U.S. 29 Overlay District. According to city records, the subject site was initially zoned *R-100 Single Family Residential* according to the 2007 Official Zoning Map. Subsequently, the property was updated to the *Commercial Retail* land use in the cities Future Land Use Map, a component of the 2008 Comprehensive Plan Update. The property was proactively rezoned in 2008 to spur additional commercial development along U.S. 29. The property was never redeveloped to commercial standards, and the original residential home remained on the property until April of 2023.

The property was purchased in October of 2022 and in April of 2023 a Stop Work Order was placed on the property for construction without a permit. After a year of attempting to bring

the property into compliance, the owner opted to demolish the structure and sell the property to the current applicant and property owner. The property has had no Variances, Special Use Permits, or Rezoning applied for or granted.

APPLICANT'S INTENT

The applicant is requesting a variance from the requirements of the Lilburn Code of Ordinances, *Appendix A, Art. 8, § 812 - Minimum and maximum on-site parking spaces*, to allow for the construction of a 4,950 square-foot religious assembly space. The Variance requested would reduce the total number of required spaces from 50 spaces to 25 spaces, a 50% reduction from standard parking requirements.

The Applicant met with staff multiple times to determine the pathway that accomplishes the city's goals and ensures the success of the church. In discussing the proposal with the applicant, multiple options for Variances were proposed. Both staff and the applicant agree that the parking variance allows for the goals of the U.S. 29 Overlay District and the City as a whole to be accommodated while allowing for a development that functions for the intended use.

Additionally, to ensure that the reduced parking does not impact adjacent properties, the applicant is pursuing a shared parking agreement with the parcel next door in the event that the needs of the congregation grow beyond the scope of the proposed parking.

ANALYSIS OF VARIANCE REQUEST

Article 10. Section 1005. – Variances details the criteria to be considered when granting a variance, staff responses are below in red.

Variances will be considered only in the following cases:

- a. There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district. **The orientation of the lot prohibits flexibility in building placement. A stormwater ditch bisects the lot prohibiting the placement of a structure in the middle of the lot. Further, the site/parking requirements of the U.S. 29 Overlay District prohibit the placement of parking lots in the front yards of parcels and incentivize building façade frontages along the ROW to provide for a more pedestrian-friendly relationship with the public space.**
- b. A literal interpretation of the provisions of this Article would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located, resulting in unnecessary hardship. **Granting this Variance allows the**

applicant to prioritize the size of the structure while providing the parking necessary for their specific use case.

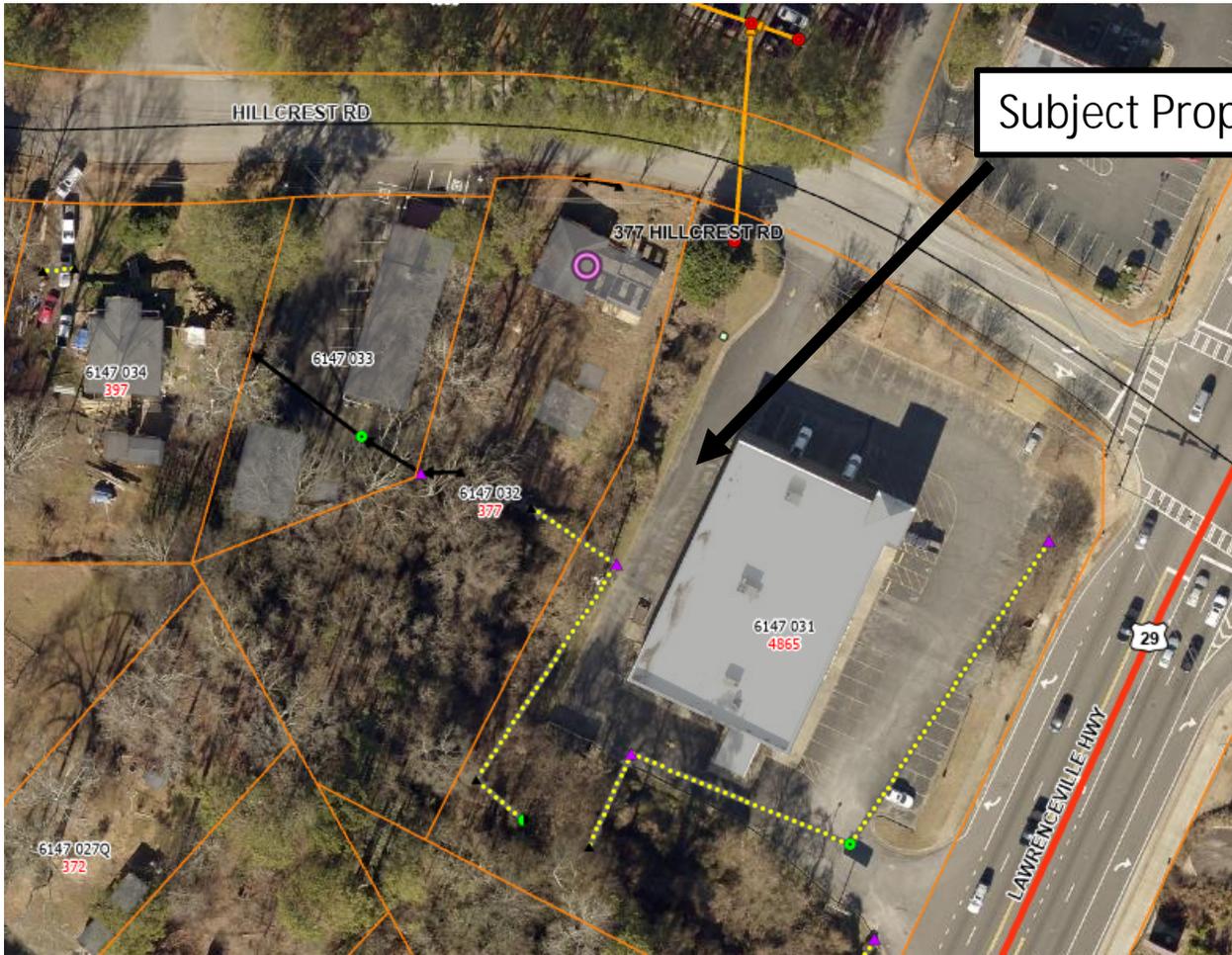
- c. Such conditions are peculiar to the particular piece of property involved. The property is bisected by a Stormwater Ditch with an easement prohibiting building construction in this area.
- d. The special circumstances are not the result of any actions of the property owner. This Variance request is an effort to develop the site thoughtfully and is not a problem caused by the property owner.
- e. Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located. Granting the Variance request would allow the property to develop a building that serves their needs. No special privileges result from this, and the applicant is pursuing a shared parking agreement with the adjacent property to accommodate unmet parking demands.
- f. The requested variance will be in harmony with the purpose and intent of this Article and will not be injurious to the neighborhood or to the general welfare. A major goal of the City of Lilburn Comprehensive Plan is to create a pedestrian-oriented environment that encourages multi-modal transit options and reduces dependence on cars. Reducing parking minimums achieves the goals of City Leadership while ensuring that the relationship of the building to the public ROW encourages engagement and provides vegetation and screening desired by City Council.
- g. The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the zoning district in which the development is located. The applicant's letter of intent correctly states that the Applicant is prioritizing landscaping and open space instead of parking to ensure the site is thoughtfully developed and contributes to the built environment in the City of Lilburn. This Variance request is the result of the applicant working with staff to determine the least injurious Variance possible to the City.

Based on the criteria for approval of a Variance, **Staff recommends APPROVAL of the requested variance.** Should the Zoning Board of Appeals decide to Approve the Variance request, staff recommends the following conditions:

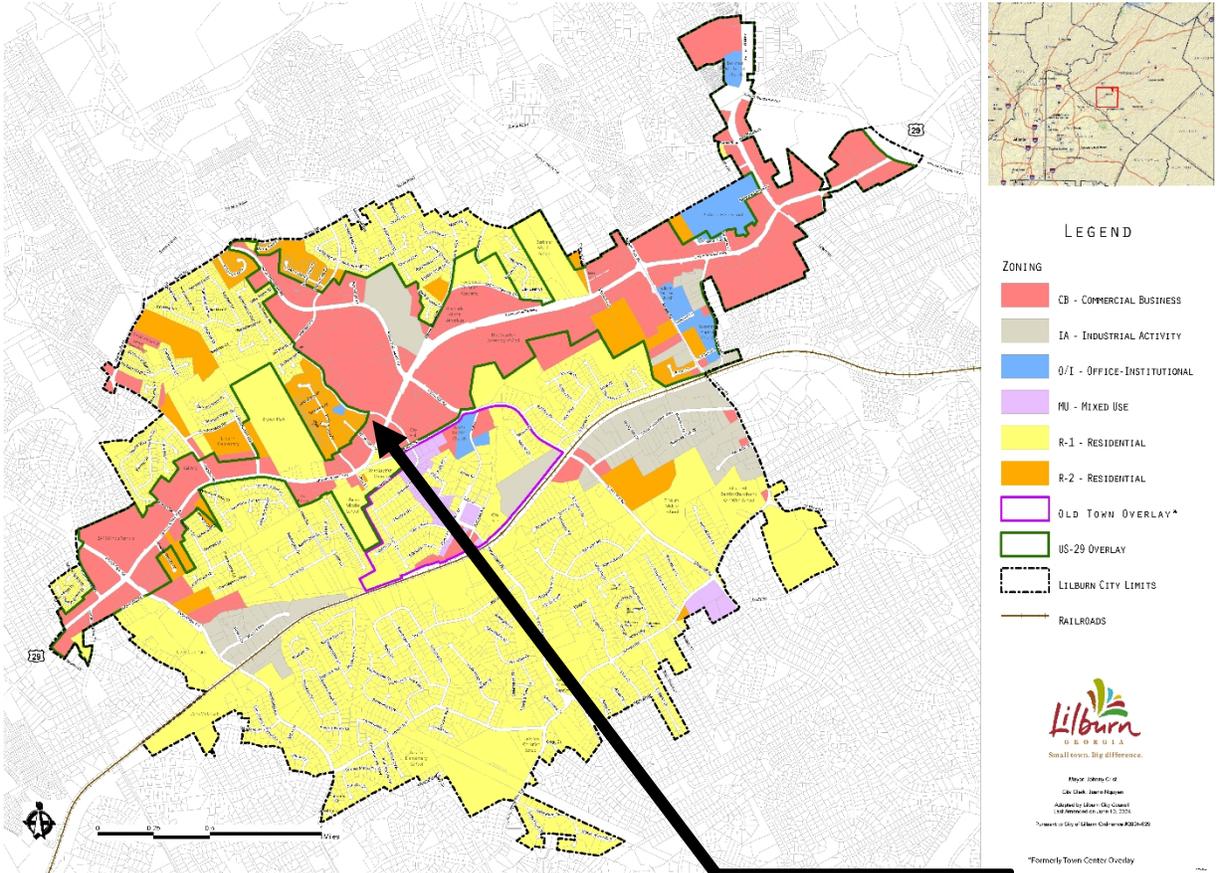
1. There shall be no modifications granted for Water Quality or Runoff Reduction.
2. The applicant shall be required to provide pedestrian access between the adjacent parcel (PIN 6147 033)

3. The property owner shall provide the shared parking agreement to be retained within City Archives.
4. The property shall be developed in accordance with the submitted site plan prepared by Aztlan Engineering dated 12/11/24.

GIS Aerial of Subject Site

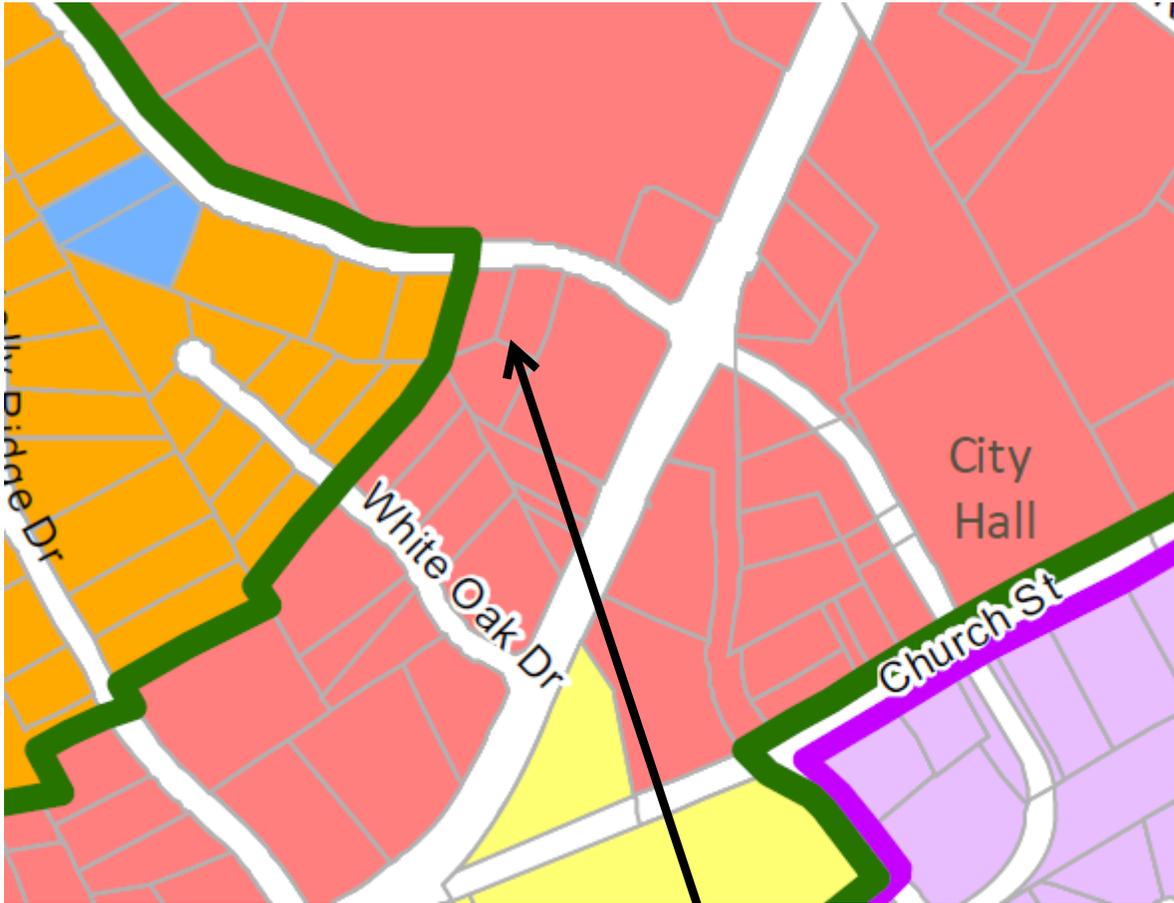


Official 2024 Zoning Map



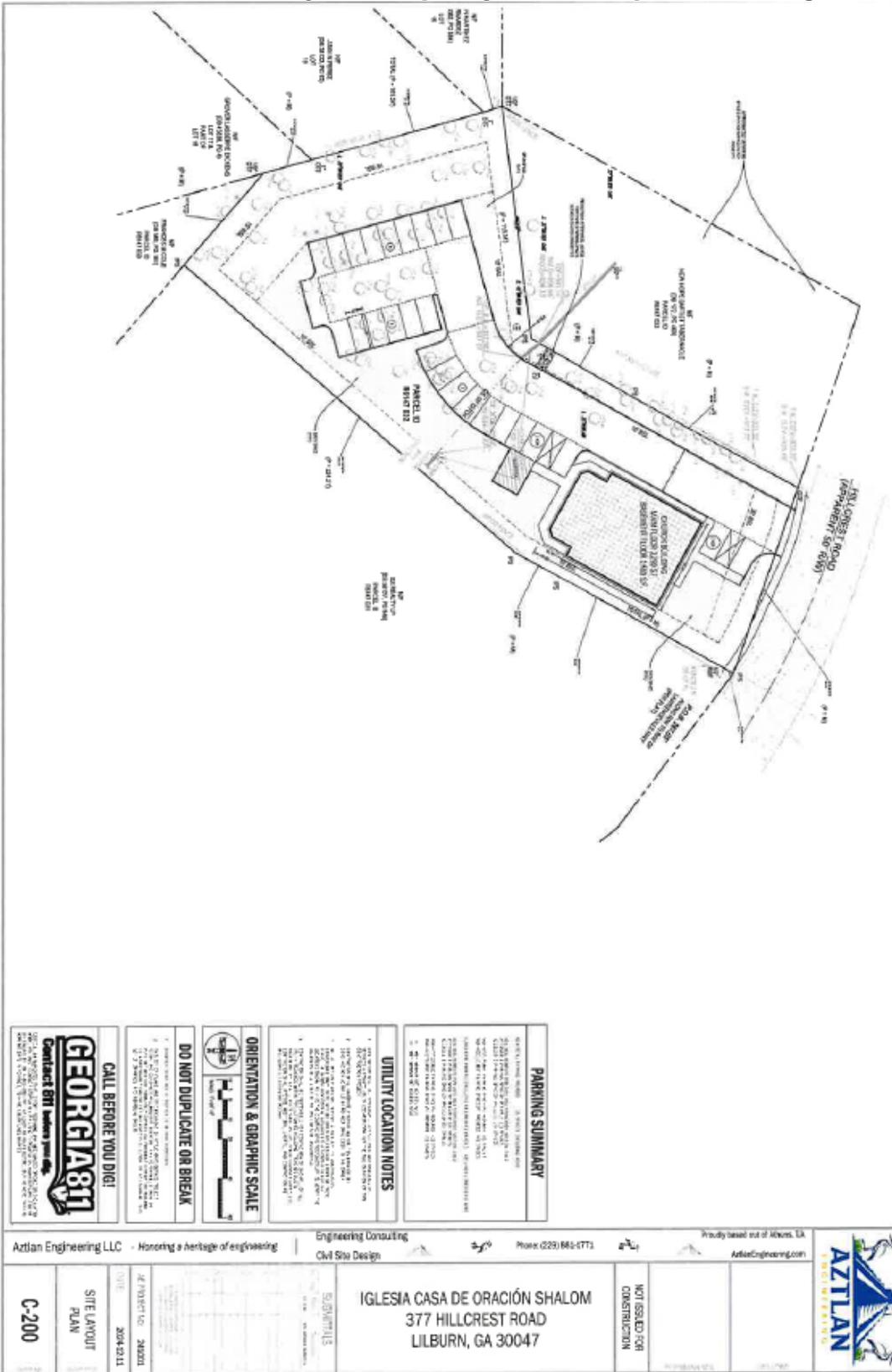
Subject Property

Official Zoning Map cont.



Subject Property

Site Plan for Subject Property with Proposed Garage



<p>PARKING SUMMARY</p> <p>1. TOTAL NUMBER OF SPACES: 10</p> <p>2. TOTAL NUMBER OF SPACES: 10</p> <p>3. TOTAL NUMBER OF SPACES: 10</p> <p>4. TOTAL NUMBER OF SPACES: 10</p> <p>5. TOTAL NUMBER OF SPACES: 10</p> <p>6. TOTAL NUMBER OF SPACES: 10</p> <p>7. TOTAL NUMBER OF SPACES: 10</p> <p>8. TOTAL NUMBER OF SPACES: 10</p> <p>9. TOTAL NUMBER OF SPACES: 10</p> <p>10. TOTAL NUMBER OF SPACES: 10</p>	<p>UTILITY LOCATION NOTES</p> <p>1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.</p> <p>2. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.</p> <p>3. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.</p> <p>4. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.</p> <p>5. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.</p> <p>6. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.</p> <p>7. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.</p> <p>8. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.</p> <p>9. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.</p> <p>10. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY.</p>	<p>ORIENTATION & GRAPHIC SCALE</p> <p>North Arrow</p> <p>Graphic Scale: 1" = 10'</p>	<p>DO NOT DUPLICATE OR BREAK</p> <p>1. THIS DRAWING IS THE PROPERTY OF AZTLAN ENGINEERING LLC.</p> <p>2. THIS DRAWING IS THE PROPERTY OF AZTLAN ENGINEERING LLC.</p> <p>3. THIS DRAWING IS THE PROPERTY OF AZTLAN ENGINEERING LLC.</p> <p>4. THIS DRAWING IS THE PROPERTY OF AZTLAN ENGINEERING LLC.</p> <p>5. THIS DRAWING IS THE PROPERTY OF AZTLAN ENGINEERING LLC.</p> <p>6. THIS DRAWING IS THE PROPERTY OF AZTLAN ENGINEERING LLC.</p> <p>7. THIS DRAWING IS THE PROPERTY OF AZTLAN ENGINEERING LLC.</p> <p>8. THIS DRAWING IS THE PROPERTY OF AZTLAN ENGINEERING LLC.</p> <p>9. THIS DRAWING IS THE PROPERTY OF AZTLAN ENGINEERING LLC.</p> <p>10. THIS DRAWING IS THE PROPERTY OF AZTLAN ENGINEERING LLC.</p>
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