

City of Norcross

65 Lawrenceville Street

Norcross, GA 30071



Meeting Agenda

Thursday, August 27, 2026

6:30 PM

2nd Floor Conference Room

Zoning Board of Appeals

Michael Walsh, Chair

Bob Evely, Vice Chair

Naim Harrison

Taylor Walker

Eleanor Gilchrist

- A. **Call to Order**
- B. **Roll Call**
- C. **Presentation of previous meeting minutes for acceptance and acceptance of the agenda as presented for the scheduled meeting.**

Zoning Board of Appeals — Regular Meeting Minutes — July 23, 2026 6:30 PM

D. Ongoing Business

E. New Business

- 1. **2026-293: ZBA2026-004 — Request for Variance (727 Sunset Dr & Parcel 6273 191)**
Chapter 200-Land Use and Zoning, Article 1-Zoning Districts and Use Provisions, Division 2-Single-Family Residential Districts, Section 201-6-R100 Single-Family Residence, b-R100 lot development standards, requesting relief from the minimum lot width requirement.

Attachments:

- 1. Staff Report
- 2. Redacted Application
- 3. Proposed Plat
- 4. Lot 1 Legal Description
- 5. Lot 2 Legal Description
- 6. Lot 3 Legal Description

- 2. **2026-294: ZBA2026-006 — Request for Variance (53 Born Street)**
Chapter 200-Land Use and Zoning, Article 1-Zoning Districts and Use Provisions, Division 2- Single-Family Residential Districts, Section 201-7-R75 Single-Family Residence, b-R75 lot development standards, requesting relief from the maximum height allowed and minimum side yard setback for an accessory structure

Attachments:

- 1. Staff Report
- 2. Redacted Application
- 3. Redacted Owners Affidavit

F. ADDITIONAL INPUT AND/OR DISCUSSION NOT OTHERWISE ADDRESSED BY THIS AGENDA

G. Adjourn

City of Norcross

65 Lawrenceville Street

Norcross, GA 30071



Meeting Minutes

Thursday, July 23, 2026

6:30 PM

2nd Floor Conference Room

Zoning Board of Appeals

Michael Walsh, Chair

Bob Evely, Vice Chair

Naim Harrison

Taylor Walker

Eleanor Gilchrist

A. Call to Order

The meeting was called to order at 6:34 PM by Chair Michael Walsh.

B. Roll Call

Attendee Name	Title	Status	Arrived
Michael Walsh	Chair	Present	
Bob Evely	Vice Chair	Not Present	
Naim Harrison	Board member	Present	
Eleanor Gilchrest	Board member	Present	
Taylor Walker	Board member	Present	

C. Presentation of previous meeting minutes for acceptance and acceptance of the agenda as presented for the scheduled meeting.

A motion to approve the June 25, 2026, Zoning Board of Appeals Meeting Minutes.

RESULT: APPROVED [UNANIMOUS] 4-0

MOVER: Michael Walsh, Chair

SECONDER: Taylor Walker, Board Member

AYES: Walsh, Walker, Harrison, Gilchrest

ABSENT: Bob Evely, Board Member

D. Ongoing Business — None

E. New Business

1. 2026-267: Appeal of Community Development Director's Decision (2090 Beaver Ruin Road)

Item Summary

The appellant is seeking to appeal the Community Development and Planning Director's decision regarding the interpretation that personal service uses, such as barbershops and beauty parlors, are not legal nonconforming uses at 145 Autry Street. The appeal concerns the denial of Certificates of Occupancy for Suites One (1) and Two (2) and the property's nonconforming status under the Unified Development Ordinance.

Staff Presentation

Staff received a request for two Certificates of Occupancy for 145 Autry Street, Suites One (1) and Two (2), which house both barbers and cosmetologists. Personal service uses, which include barbers and cosmetologists, are not permitted as-of-right uses in the M1-Light Industry District. According to the Finance Department, the last active occupational tax certificate on file for a barber/beauty shop use at 145 Autry Street was issued in 2015. The email correspondence is attached to this analysis.

Pursuant to Unified Development Ordinance Code Section 206-3: Nonconforming Uses, a business can lose its nonconforming status if it fails to obtain a new occupational tax certificate within six months of the closure of the previous nonconforming use or fails to renew an existing occupational tax certificate in accordance with the City's prescribed renewal schedule.

The Certificates of Occupancy for Suites One (1) and Two (2) are not tied to any active business licenses on file; therefore, staff denied both requests because the nonconforming status was lost. Pursuing a Special Use Permit for such uses in the M1-Light Industry District can remedy the nonconformity for the current and future users.

On July 23, 2026, staff granted a temporary Certificate of Occupancy for 120 days. The property owner, Hopewell Missionary Baptist Church, applied for a Special Use Permit for the subject parcel on July 20, 2026, which can rectify the existing nonconforming uses operating at 145 Autry Street. The Special Use Permit is scheduled to be heard before the temporary Certificate of Occupancy expires.

Board Action/Motion

The Zoning Board of Appeals voted to continue the request to the December hearing to allow the Special Use Permit to proceed through the public hearing process. The motion passed unanimously.

RESULT: APPROVED [UNANIMOUS] 4-0

MOVER: Michael Walsh, Chair

SECONDER: Taylor Walker, Board Member

AYES: Walsh, Walker, Harrison, Gilchrest

ABSENT: Bob Evelyn, Board Member

2. 2026-268: Appeal of Community Development Director's Decision (5386 Buford Highway)

Item Summary

The appellant is seeking to appeal the Community Development and Planning Director's decision regarding the interpretation that motor vehicle-related sales and service operations are not permitted as-of-right uses in the C2 General Business District. The appeal concerns the denial of a Certificate of Occupancy for 2090 Beaver Ruin Road, Suite 900.

Staff Presentation

Staff received a request for a Certificate of Occupancy for 2090 Beaver Ruin Road, Suite 900. According to the Finance Department, the last active business license for auto repair was terminated by the property owner on August 26, 2025. The email correspondence is attached to this analysis.

Motor vehicle service uses are considered both permitted as-of-right and special uses in the C2 General Business District. When there is a discrepancy in the Unified Development Ordinance, the more restrictive provision prevails, which means the applicant would need to file for a Special Use Permit. Alternatively, the property could be rezoned, as the future land use designation supports auto-related businesses. However, both a rezoning and a Special Use Permit require consideration by Mayor and Council.

Board Action/Motion

The Zoning Board of Appeals voted to overrule staff's interpretation, determining that the auto repair shop is a legal nonconforming use. The motion passed unanimously.

RESULT: APPROVED [UNANIMOUS] 4-0

MOVER: Michael Walsh, Chair

SECONDER: Taylor Walker, Board Member

AYES: Walsh, Walker, Harrison, Gilchrest

ABSENT: Bob Evelyn, Board Member

3. 2026-269: Appeal of Community Development Director's Decision (145 Autry Street)**Item Summary**

The appellant is seeking to appeal the Community Development and Planning Director's decision regarding the interpretation that motor vehicle-related sales and service operations are not legal nonconforming uses at 5386 Buford Highway. The appeal concerns the proposed use of the property for a glass auto repair facility.

Staff Presentation

Motor Vehicle Repair and Maintenance is not a permitted as-of-right use in the BH, Buford Highway District. The appellant is seeking to operate a glass auto repair facility at the subject property. There is an active auto service business license on file for the property, which is attached to this analysis.

Staff's initial interpretation was based on Unified Development Ordinance Section 206-3(a)(5), which states that the lawful use of any building, structure, or land existing at the time of the enactment or amendment of this article may be continued, even though such use does not conform with the provisions of this article, except that the nonconforming use shall not be changed to another nonconforming use.

After further review, staff determined that this is not a change to another nonconforming use, as both the prior and proposed uses are considered motor vehicle repair and maintenance uses. However, a new building and site plan are not supported by Unified Development Ordinance Section 206-3(a)(1)-(3), Nonconforming Uses:

1. The nonconforming use shall not be extended to occupy a greater area of land.
2. The nonconforming use must continue in the original building, structure, or land area that was originally occupied by the nonconforming use.
3. No such nonconforming use shall be moved, in whole or in part, to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption of this UDO.

Board Action/Motion

The Zoning Board of Appeals voted to table the request indefinitely, allowing the applicant additional time to meet with staff regarding the proposed project. The motion passed unanimously.

RESULT: APPROVED [UNANIMOUS] 4-0

MOVER: Michael Walsh, Chair

SECONDER: Taylor Walker, Board Member

AYES: Walsh, Walker, Harrison, Gilchrest

ABSENT: Bob Evelyn, Board Member

F. ADDITIONAL INPUT AND/OR DISCUSSION NOT OTHERWISE ADDRESSED BY THIS AGENDA

G. Adjourn

The meeting adjourned at 7:58 PM by Chair Michael Walsh, seconded by Naim Harrison. The vote was unanimous, 4-0.



Variance

Case Number	ZBA2026-004
Hearing Date	August 27, 2026
Petitioner	Ly Phillips
Property Location	727 Sunset Drive and Parcel 6273 191
Current Zoning	R100 (Single-Family Residential)
Proposed Zoning	N/A
Character Area	Character Area 4: North Peachtree Street Neighborhoods
Site Acreage	2.097 acres (91,348 square feet)
District	6
Land Lot	273
Parcel #	6273 097, 6273 191
Taxes Paid	N/A
Historic District	N/A

Requested Variances: Chapter 200-Land Use and Zoning, Article 1-Zoning Districts and Use Provisions, Division 2-Single-Family Residential Districts, Section 201-6-R100 Single-Family Residence, b-R100 lot development standards, requesting relief from the minimum lot width requirement.

COMMUNITY DEVELOPMENT AND PLANNING DEPT. RECOMMENDATIONS

Findings:

1. The granting of the variance may cause substantial detriment to the public good or impair the purpose and intent of the UDO.
2. There are no known extraordinary and exceptional conditions pertaining to the particular property in question due to size, shape or topography.

Staff recommends **DENIAL**.

Variance Criteria:

Please see below for the staff interpretation of the variance criteria. The applicant has also prepared answers to the variance criteria that can be viewed in the application.

Factor: (1) Whether there are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography.

Analysis: There are no known extraordinary and exceptional conditions pertaining to the particular property in question due to size, shape or topography.

Supports Requested Use: No

Factor: (2) Whether the application of the UDO to this particular piece of property would create unnecessary hardship.

Analysis: Application of the UDO to this particular piece of property would not create an unnecessary hardship. The property owner is pursuing a preliminary plat to subdivide two (2) existing single-family lots into three (3). The proposed width deficiency for Lot 2 is created by the property owner, so therefore no unnecessary hardship exists.

Supports Requested Use: No

Factor: (3) Whether such conditions are peculiar to the particular piece of property involved.

Analysis: The R100 lots in the North Peachtree Street Neighborhoods area have compliant lot width. While the lot width reduction may be considered peculiar to the subdivision proposed by the applicant, the condition is created by the applicant subdividing the two existing lots.

Supports Requested Use: No

Factor: (4) Whether such conditions are the result of any actions of the property owner.

Analysis: The applicant is requesting to subdivide two (2) existing single-family lots, and both lots have a combined width of 276 feet so the creation of a third lot will result in a lot width deficiency regardless of how the three (3) lots are configured. Lot 2's proposed width is 73 feet, which is 27 feet short of the minimum lot width that code requires for a R100, single-family residential lot. The conditions are the result of the actions of the property owner pursuing a preliminary plat.

Supports Requested Use: No

Factor: (5) Whether the requested relief, if granted, would cause substantial detriment to the public good or impair the purpose and intent of the UDO.

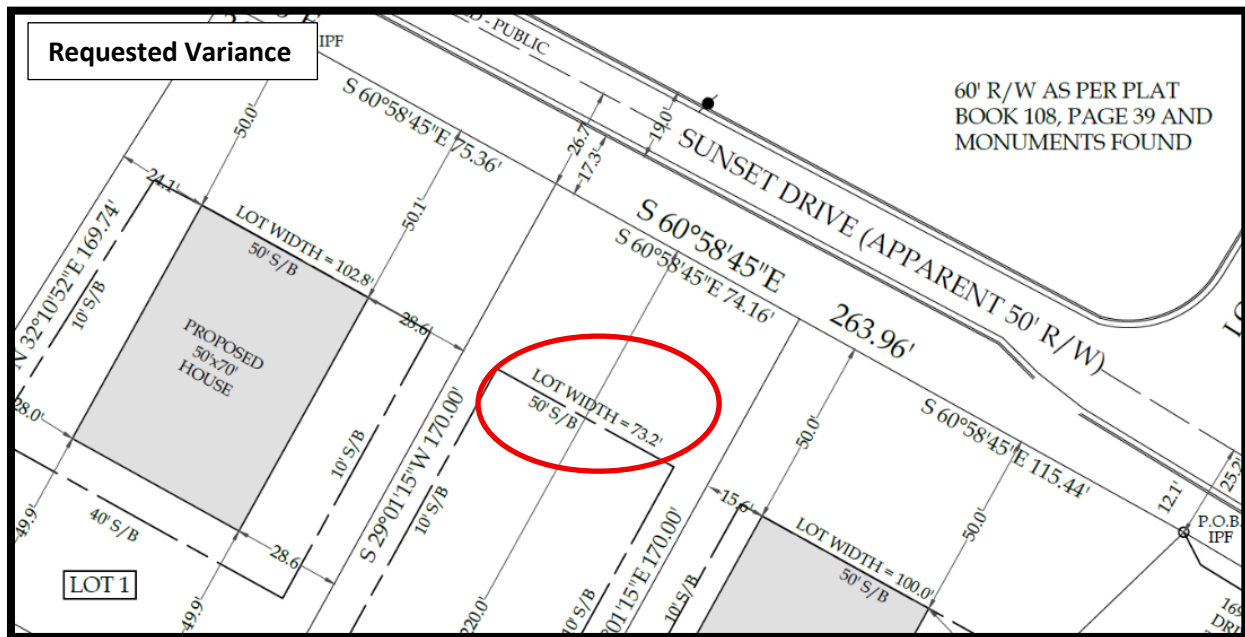
Analysis: The requested relief, if granted, may cause substantial detriment to the public good or impair the purpose and intent of the UDO. The requested variance for Lot 2's width reduction would impair the purpose and intent of the UDO and result in a development that is incompatible with the intended character of the area and lot development standards prescribed for a R100 zoning district. Minimum lot width helps to preserve the spacing of lots along Sunset Drive, and the proposed narrower lot can create a residential development pattern that differs from the character of the North Peachtree Street Neighborhoods.

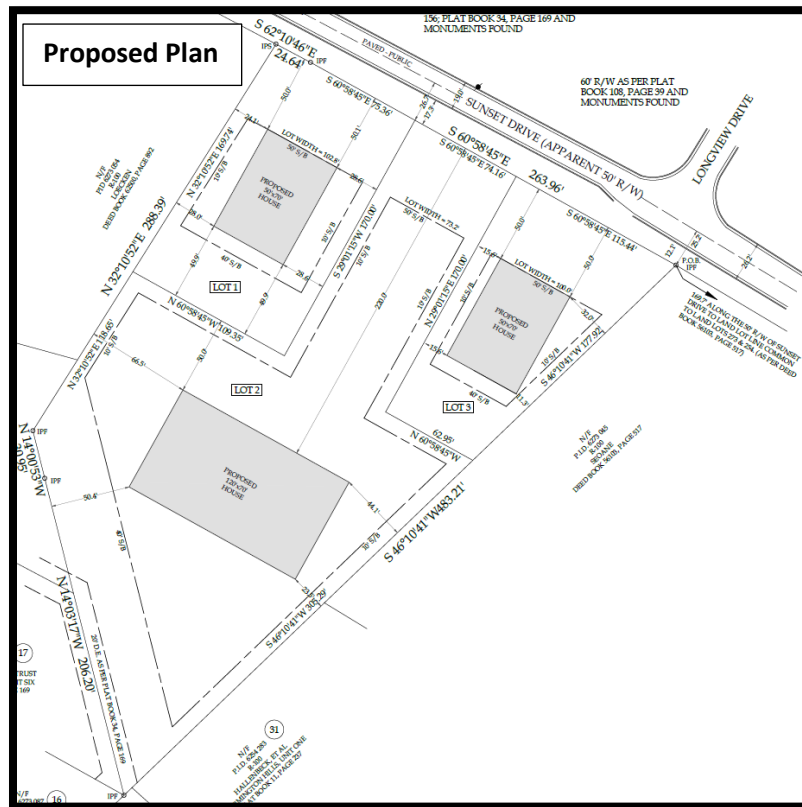
Supports Requested Use: No



Summary of the applicant's proposal

The applicant is seeking to subdivide two (2) existing single-family R100 lots into three (3). The applicant is requesting a variance to reduce the lot width from code required 100 feet to 73 feet for Lot 2. Lot Width is measured at the front building line setback as depicted below. All other use limitations prescribed for a R100 lot will be met for all three lots. The preliminary plat and final plat will require review from Mayor and Council through a public meeting process.





Quick Facts about the Plat Proposal:

Lot 1:

- **Proposed Lot Size:** 17,786 square feet (Minimum requirement is 15,000 square feet)
- **Proposed Frontage:** 100 feet (Minimum requirement is 50 feet)
- **Proposed Lot Width:** 102.8 feet (Minimum requirement is 100 feet)
- **Proposed Setbacks:** The proposed house footprint meets the minimum setback requirements, which are 10 feet on one side, but a total of 25 feet. The side setback labels will need to be corrected during the preliminary plat process.

Lot 2:

- **Proposed Lot Size:** 58,398 square feet (Minimum requirement is 15,000 square feet)
- **Proposed Frontage:** 74.16 feet (Minimum requirement is 50 feet)
- **Proposed Lot Width:** 73.2 feet (Minimum requirement is 100 feet)
- **Proposed Setbacks:** The proposed house footprint meets the minimum setback requirements, which are 10 feet on one side, but a total of 25 feet. The side setback labels will need to be corrected during the preliminary plat process.

Lot 3:

- **Proposed Lot Size:** 15,163 square feet (Minimum requirement is 15,000 square feet)

- **Proposed Frontage:** 115.44 square feet (Minimum requirement is 50 feet)
- **Lot Width:** 100 feet (Minimum requirement is 50 feet)
- **Proposed Setbacks:** The proposed house footprint meets the minimum setback requirements, which are 10 feet on one side, but a total of 25 feet. The side setback labels will need to be corrected during the preliminary plat process.

Current zoning district for the property

The R100 single-family residence zoning district is intended primarily for single family residences and related uses on large sized lots in the city. Listed in the chart below are the development standards prescribed for a R100 lot.

Sec. 201-6. - R100 single-family residence.		🔗 🖨 📄 ✉ 🔗
(a) <i>R100 purpose.</i> The R100 single-family residence zoning district is intended primarily for single family residences and related uses on large sized lots in the city.		
(b) <i>R100 lot development standards.</i>		EXPAND
Lot dimensions		
Minimum lot area	18,000 square feet 15,000 square feet if sewerred	
Minimum lot width	100'	
Minimum lot frontage	50'	
Minimum setbacks		
<i>Principal building</i>		
Front (from right-of-way)	50'	
Side	10' one side / 25' total	
Rear	40'	



APPLICATION FOR A VARIANCE TO THE PLANNING AND ZONING BOARD OF APPEALS

PROPERTY OWNER INFORMATION

Owner's Name: Ly Phillips
Owner's Address: 727 Sunset Dr, Norcross, GA 30071
Phone: [REDACTED] Email: [REDACTED]

APPLICANT INFORMATION

Contact Name: Ly Phillips
Company Name: N/A
Phone: same Email: same

PROPERTY INFORMATION FOR REQUESTED VARIANCE

Tax Parcel Number: R6273 097 Size in Acres: 2.097 Number of existing structures: 1
Current Zoning: R100 Project Name: 727 Development
Address: 727 Sunset Dr, Norcross, GA 30071

DESCRIPTION OF REQUESTED VARIANCE

Subdividing 2 lots into 3 lots. I am missing about 10ft for the middle back lot. The 2 lots at the front is 100 ft each

ACTION REQUESTED FROM THE BOARD OF APPEALS

Subdividing 2 lots in to 3. Need relief from Sec. 201-6 lot dimension min lot width for lot #2. Requesting [100 ft of linear feet] as lot width. the house will be ±144 feet from existing the property line.

REQUIRED ATTACHMENTS

- ☒ Site plan (to scale) of subject property indicating area of variance ☒ Legal description ☐ Vicinity Map
☒ Include a narrative that explains the reason for the requested variance

STATEMENT

Has the subject property been before the Mayor and Council, Downtown Development Authority, Architectural Review Board, Board of Appeals, Planning and Zoning Board, or any other City Board in the past 24 months? ☒ YES ☒ NO

If yes, list the board and reference number: Today I have took a layout to the development authority for their approval and steps to divide into lots.

APPLICANT'S SIGNATURE

L. Phillips
Signature: L. Phillips Date: 4/6/2026

CITY USE ONLY BELOW THIS LINE

Date received: _____ Receipt Number: _____ Application Number: _____
Fee Paid: \$ _____ Meeting Date: _____

DEADLINE AND HEARING SCHEDULE

See calendar on the Community Development website for pre-application conference deadlines, application submission deadlines and scheduled meeting dates.

(THE PROPERTY OWNER OR APPLICANT'S ATTENDANCE AT EACH PUBLIC HEARING IS REQUIRED)

CRITERIA FOR EVALUATING VARIANCE REQUESTS

1. Whether there are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography.

This variance request is for 3 lots. I am missing 10ft roughly for Lot 2, therefore asking for approval of a variance.

2. Whether the application of UDO to this particular piece of property would create an unnecessary hardship.

no

3. Whether such conditions are peculiar to the particular piece of property involved

no

4. Whether such conditions are the result of any actions of the property owner

There is not anything condition based on the survey

5. Whether the requested relief, if granted, would cause substantial detriment to the public good or impair the purpose and intent of the UDO

No It would improve the value of the city and neighborhood.

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et seq. Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

L. Phillips 4/6/2026 Ly Phillips - owner
SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

SIGNATURE OF APPLICANT'S DATE
ATTORNEY OR REPRESENTATIVE

TYPE OR PRINT NAME AND TITLE

DISCLOSURE OF CAMPAIGN CONTRIBUTION

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a City of Norcross Mayor/Council Member or a Member of the Planning and Zoning Board

NO (YES or NO)
Ly Phillips

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250.00 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN THE LAST TWO YEARS)

Attach additional sheets if necessary to disclose or describe all
contributions

Owner's Affidavit

Community Development Department Phone: 678-421-2027 65
Lawrenceville Street Norcross, GA 30071

Section I. Land Ownership

I, Ly Phillips, hereby attest to ownership of the property located at
727 Sunset Drive, Parcel ID# R6273097 for which this Application is submitted.
The Ownership, as recorded on the deed, is in the name of Ly Phillips.

Section II. Type of Ownership

☒ Individual ☐ Corporation/LLC ☐ Partnership ☐ Government ☐ Homeowner

Corporation/LLC/Partnership Name: City of Norcross

Secretary of State Registration Number:

Registered Agent Name:

Provide Names of all Officers/Members/General Partners (If applicable):

Registered Agent Address:

Registered Agent Phone #:

COMPLETE BY OWNER

As the owner of the above designated property for which this affidavit is submitted, I wish to allow _____
(applicant's name) to apply for a _____ for the address mentioned in Section I of this form.
I attest that the application is made in good faith and that any information contained in the application is accurate and
complete to the best of my knowledge and belief.

NOTARY

Owner states under oath that he/she is the owner of the
property described under Section I, which is made part of
this Application.

Name: Ly Phillips

Address: 727 Sunset Drive

City, State, Zip Code: Norcross, GA 30071

Email address: [REDACTED]

Phoner Number: [REDACTED]

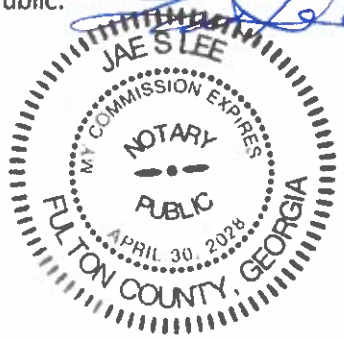
Owner's signature:

Ly Phillips

Sworn and subscribed before me this 8 day
of April, 2026.

Notary Public:

Seal:



Commission expires: 04/30/2028

IV. Acknowledgement.

• Individual

L. Phillips
Signature

Print Name: Ly Phillips
Address: 327 Sunset Dr
Norcross, GA 30071
Phone #: [REDACTED]

• Government Entity

Print Government Name _____

By: _____
Signature

Print Name: _____
Title: _____
Department: _____

• Corporation/LLC

Print Corporation/LLC Name _____

By: _____
Signature

Print Name: _____
Its: _____
Address: _____
Phone #: _____

• Partnership

Print Partnership Name _____

By: _____
Signature

Print Name: _____
Its: _____
Address: _____
Phone #: _____

NOTARY INFORMATION (Please use appropriate block.)

STATE OF GEORGIA
COUNTY OF Gwinnett

• Individual

Before me, this _____ day of _____, 20____, personally appeared _____ who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

• Government Entity

Before me, this _____ day of _____, 20____, personally appeared _____ as _____ and on behalf of _____ who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

• Corporation/LLC

Before me, this _____ day of _____, 20____, personally appeared _____ of _____ a _____ corporation/ (State) LLC, on behalf of the corporation/ LLC, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

• Partnership

Before me, this _____ day of _____, 20____, Of _____, personally appeared _____ partner/agent on behalf of _____ a partnership, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

Signature of Notary

Janneth Nidez
Print Notary Name

NOTARY STAMP:

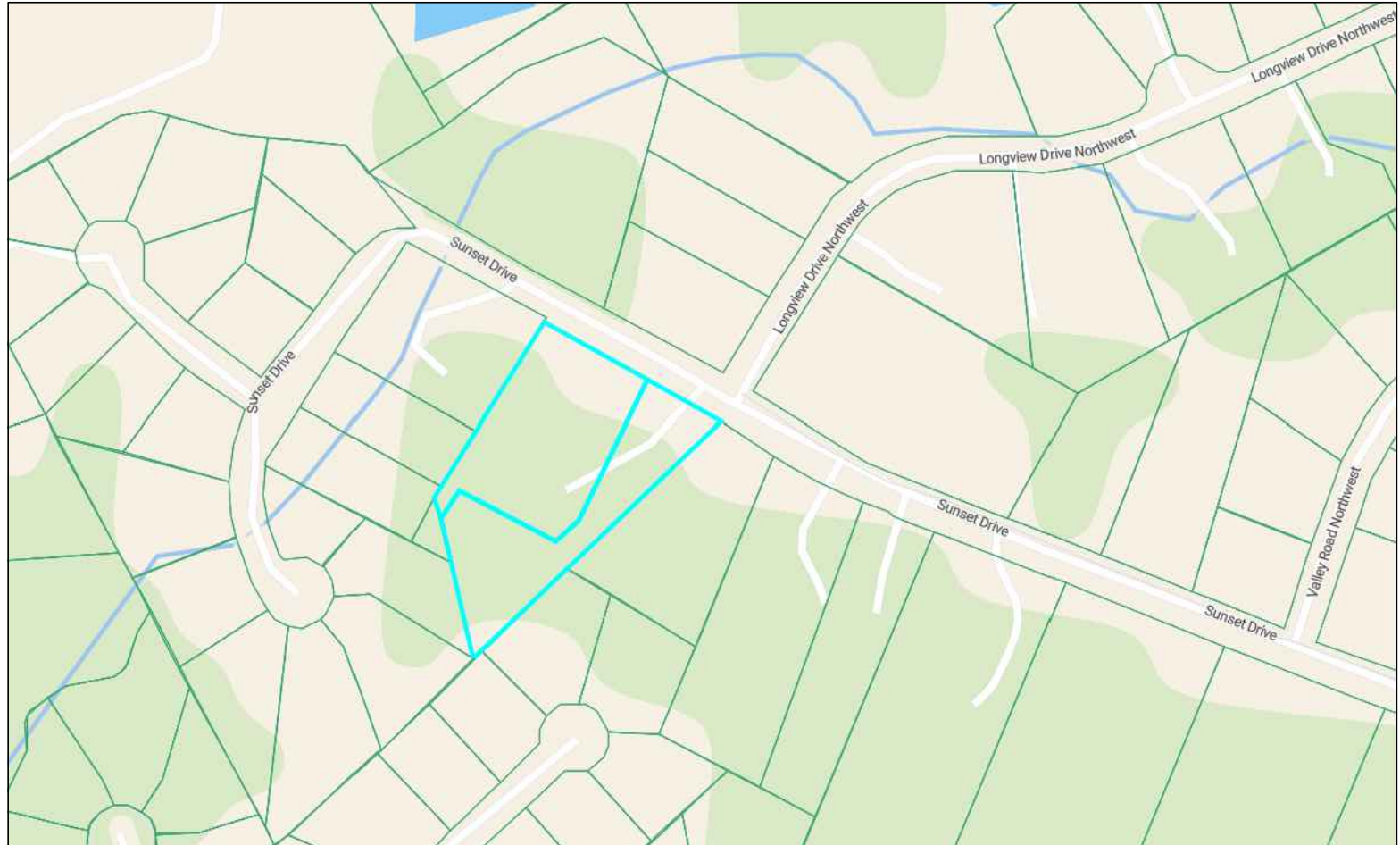
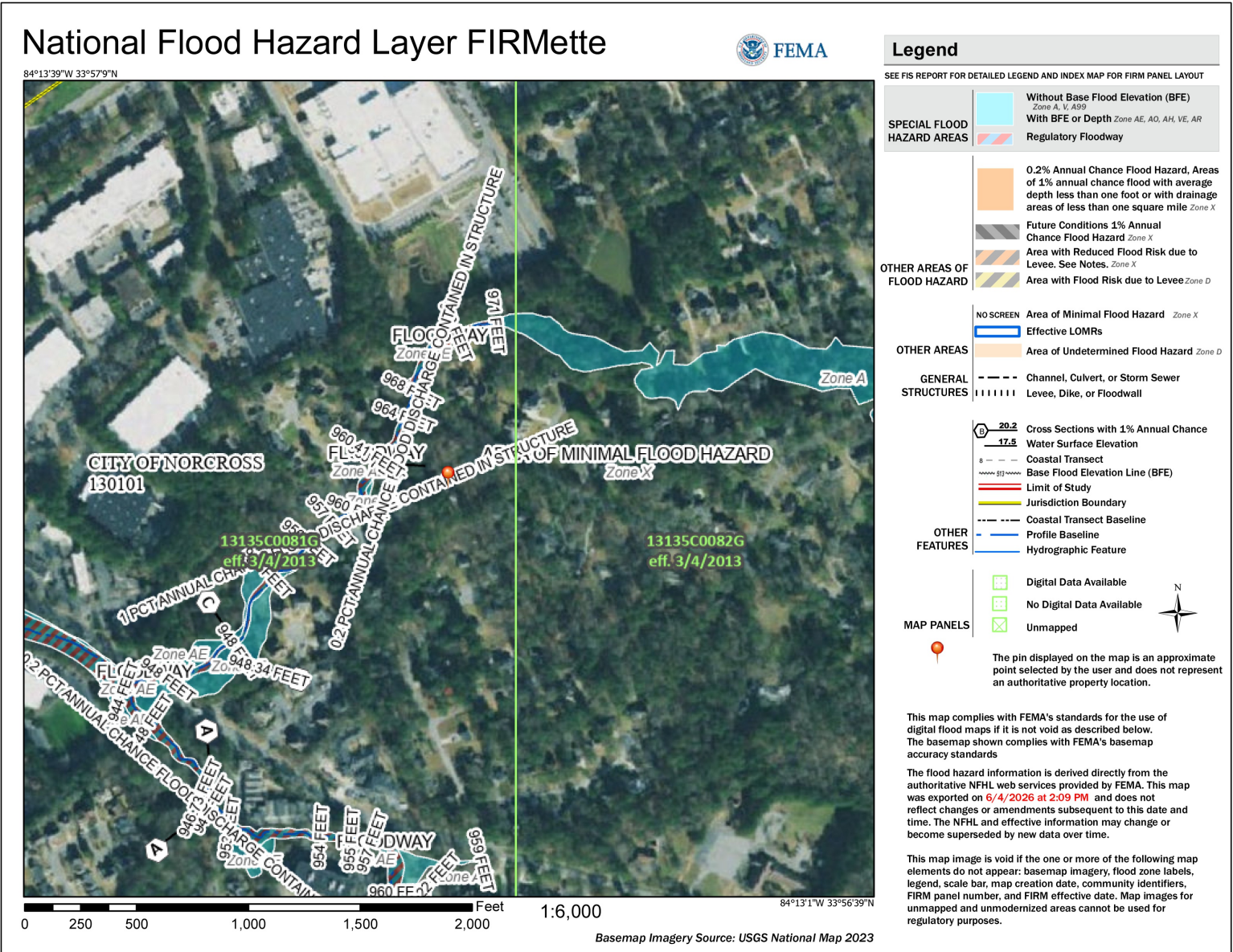
My commission expires: _____

Identification Method: _____

Janneth Nidez
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
My Commission Expires 03/06/2029
Produced I.D. - Type: _____

City of Norcross, 65 Lawrenceville Street, Norcross, GA 30071 Community Development Department, 678-421-2027

THIS BLOCK IS RESERVED FOR THE CLERK OF SUPERIOR COURT.



LEGEND

IPF	= IRON PIN FOUND (1/2" REBAR)
IPS	= IRON PIN SET (1/2" REBAR)
NS	= NAIL SET
NF	= NAIL FOUND
OTF	= OPEN TOP PIPE
USCMF	= U.S. CORP. MONUMENT FOUND
CMF	= CONCRETE MONUMENT FOUND
AXF	= AXLE FOUND
R/W	= RIGHT OF WAY MONUMENT
R/W	= RIGHT OF WAY
P/L	= PROPERTY LINE
C/L	= CENTER LINE
B/L	= BUILDING LINE
L/L	= LAND LOT
L.L.	= LAND LOT LINE
G.M.D.	= GEORGIA MUDDA DISTRICT
P.P.	= POWER POLE
-TSF-	= TREE SAVE FENCE
-W-	= WATER LINE
-S-	= SEWER LINE
-X-	= FENCE LINE
-SF-	= SILT FENCE LINE
-D-	= GUARD RAIL
XTW	= CROSS TIE WALL
Rd	= RADIUS
Chd.	= CHORD
ARC.	= ARC LENGTH
N/O	= NOW OR FORMERLY
P.B.	= PLAT BOOK
D.B.	= DEED BOOK
P.G.	= PAGE
D.E.	= DRAINAGE EASEMENT
S.S.E.	= SANITARY SEWER EASEMENT
F.H.	= FIRE HYDRANT
M.H.	= MANHOLE
U.M.H.	= UTILITY MANHOLE
C.B.	= CATCH BASIN
J.B.	= JUNCTION BOX
D.I.	= DROP INLET
N.	= NEIGHBORS
999.0 E.	= EXISTING SPOT ELEVATION
999.0 P.	= PROPOSED SPOT ELEVATION
F.F.E.	= FINISHED FLOOR ELEVATION
-FLOW-	= SURFACE DRAINAGE FLOW

ZONING: R-100 (SINGLE-FAMILY RESIDENTIAL):

MINIMUM LOT AREA 15,000 ft²
MINIMUM LOT WIDTH 100 FEET
MINIMUM LOT FRONTAGE 50 FEET

SETBACKS:
FRONT 50 FEET
SIDE 10 FEET ONE SIDE / 25 FEET TOTAL
REAR 40 FEET

MAXIMUM BUILDING HEIGHT 35 FEET
MAXIMUM IMPERVIOUS 35%

OWNER/DEVELOPER LY PHILLIPS
PO BOX 81937
ATLANTA, GA 30366

DESIGNER THE KELLE GROUP
65 GREEN VALLEY CIRCLE
McDONOUGH, GA 30252
770-560-9488
THEKELLEGROUP@GMAIL.COM

SURVEYOR BUSBEE AND POSS LAND SURVEYING COMPANY
3408 HOWELL STREET
SUITE B
DULUTH, GA 30096
RICKY C. BUSBEE, PLS 2497
770-497-9866
INFO@BP.LAND

HLP - HOUSE LOCATION PLAN

A House Location Plan shall be required to be approved by the Department of Planning and Development prior to issuance of a Building Permit on those lots labeled "HLP". A House Location Plan is a scale drawing submitted by the builder at the time of the permit application. It is not required that this plan be prepared by an authorized registered professional. The purpose of this plan is to ensure that the house is properly located on the lot.

Lot layout plan is required on each lot to be approved by the Department of Planning and Development prior to a Building Permit being issued. This lot layout plan must be drawn to scale on a copy of a certified boundary survey of the lot. It must show all proposed improvements and easements on the lot and must indicate compliance with the requirements of Title 2 of this UDO and conditions of zoning approval. It shall be the builder's responsibility to ensure that the house is staked out on the site to match the approved lot layout plan.

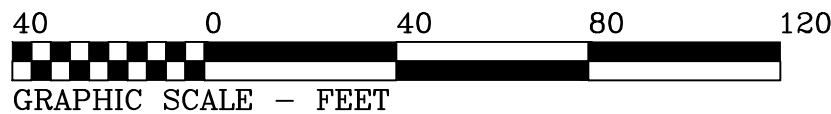
N/F
P.I.D. 6273 057
R-100
TUCKER, ET AL
PLAT BOOK 42, PAGE 75-A

N/F
P.I.D. 6273 088
R-100
JANOS & O'DONNELL TRUST
NORCROSS HILLS, UNIT SIX
PLAT BOOK 34, PAGE 169

N/F
P.I.D. 6273 087
R-100
JANOS & O'DONNELL TRUST
NORCROSS HILLS, UNIT SIX
PLAT BOOK 34, PAGE 169

N/F
P.I.D. 6273 288
R-100
HALLINCK ET AL
FARMINGTON HILLS, UNIT ONE
PLAT BOOK 11, PAGE 237

N/F
P.I.D. 6273 284
R-100
FARMINGTON HILLS, UNIT ONE
PLAT BOOK 11, PAGE 237



I hereby submit this Preliminary Plat as authorized agent/owner of all property shown thereon and certify that all contiguous property under my ownership or control is included within the boundaries of this Preliminary Plat, as required by the Unified Development Ordinance.

Signature of Authorized Agent/Owner _____ Date _____



THIS IS A PRELIMINARY PLAT.

SITE DATA:

PARENT ADDRESS 727 SUNSET DRIVE
NORCROSS, GA 30071
PARENT P.I.D. 6273 097
6273 191
TOTAL AREA 91,348 ft² (2.097 ACRES)
NUMBER OF LOTS 3

LOT 1:
ADDRESS "TBD" SUNSET DRIVE
NORCROSS, GA 30071
P.I.D. 6273 "TBD"
AREA 17,786 ft² (0.408 ACRES)

LOT 2:
ADDRESS "TBD" SUNSET DRIVE
NORCROSS, GA 30071
P.I.D. 6273 "TBD"
AREA 58,398 ft² (1.341 ACRES)

LOT 3:
ADDRESS "TBD" SUNSET DRIVE
NORCROSS, GA 30071
P.I.D. 6273 "TBD"
AREA 15,163 ft² (0.348 ACRES)

Notes:

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 38-7 OF THE BOARD RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

THIS SURVEY WAS NOT PREPARED WITH THE AID OF A TITLE SEARCH AND IS SUBJECT TO ANY RESTRICTIONS OR EASEMENTS THAT MAY BE RECORDED.

THIS TRAVELER HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET. EQUIPMENT USED: TOPCON GTS-225

FLOOD NOTE:

THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS AS PER COMMUNITY PANEL NO. 1315087C, DATED MARCH 4th 2013, JUNE 'X'.

WINNETT COUNTY ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SURVEYOR'S PLAT.

STREAM BUFFER EASEMENTS ARE TO REMAIN IN A NATURAL AND UNDISTURBED CONDITION.

STRUCTURES ARE NOT ALLOWED IN DRAINAGE EASEMENTS.

THERE ARE NOT STATE WATERS WITHIN 100 FEET OF THIS SITE.

THIS SURVEY IS NOT SUBJECT TO ANY PRIVATE COVENANTS.

1	REVISE LOTS 2 AND 3, ADD LOT WIDTHS	6/24/26

REV: DESCRIPTION: DATE:

REVISION NOTES

bp BUSBEE & POSS LAND SURVEYING COMPANY

3408 HOWELL STREET, SUITE A
DULUTH, GEORGIA 30096
770.497.9866
FAX: 770.497.9881
www.busbeendposs.com

LEGAL: LAND LOT 273, 6th DISTRICT
CITY OF NORCROSS
GWINNETT COUNTY, GEORGIA

TOTAL AREA: 91,348 ft² (2.097 ACRES)

SURVEY FOR: SUNSET DRIVE LOTS 1-3

LICENSING: BUSBEE & POSS LAND SURVEYING CO., G.A. L.S.F. # 1056
RICKY C. BUSBEE, G.A. P.L.S. # 2497
MICHAEL W. POSS JR, G.A. P.L.S. # 3387

SITE ADDRESS: 727 SUNSET DRIVE
NORCROSS, GA 30071

TYPE OF SURVEY: PRELIMINARY PLAT

SCALE AT ANSI B 1 INCH = 40 FEET	PLAT DATE: 06/03/26	FIELD CREW: RB/DM	FIELD DATE: 01/15/19
DRAWN BY: MP	JOB NUMBER: BP13744	SHEET #: 1 of 1	

Lot 1

Legal Description

All that tract or parcel of land lying and being in Land Lot 273, 6th District, City of Norcross, Gwinnett County, Georgia, and being more particularly described as follows:

COMMENCING at a point at the intersection of the southwesterly right-of-way of Sunset Drive (Apparent 50' R/W) and the Land Lot Line common to Land Lots 273 & 254;

THENCE northwesterly along said right-of-way a distance of 169.7' to an Iron Pin Found (IPF);

THENCE continuing along said right-of-way N 60°58'45" W a distance of 107.51' to a point;

THENCE N 60°58'45" W a distance of 81.08' to a point and the POINT OF BEGINNING;

THENCE leaving said right-of-way S 29°01'15" W a distance of 170.00' to a point;

THENCE N 60°58'45" W a distance of 109.35' to a point;

THENCE N 32°10'52" E a distance of 169.74' to an Iron Pin Set (IPS);

THENCE S 62°10'46" E a distance of 24.64' to an Iron Pin Found (IPF);

THENCE S 60°58'45" E a distance of 75.36' to a point and the POINT OF BEGINNING.

Said tract contains 17,786 ft² (0.408 Acres) and is more particularly shown as Lot 1 on a Preliminary Plat for Sunset Drive Lots 1-3, prepared by Busbee & Poss Land Surveying Company, dated June 3rd, 2026.

Lot 2

Legal Description

All that tract or parcel of land lying and being in Land Lot 273, 6th District, City of Norcross, Gwinnett County, Georgia, and being more particularly described as follows:

COMMENCING at a point at the intersection of the southwesterly right-of-way of Sunset Drive (Apparent 50' R/W) and the Land Lot Line common to Land Lots 273 & 254;

THENCE northwesterly along said right-of-way a distance of 169.7' to an Iron Pin Found (IPF);

THENCE continuing along said right-of-way N 60°58'45" W a distance of 107.51' to a point and the POINT OF BEGINNING.

THENCE leaving said right-of-way S 29°01'15" W a distance of 170.00' to a point;

THENCE S 60°58'45" E a distance of 55.03' to a point;

THENCE S 46°10'41" W a distance of 305.29' to an Iron Pin Found (IPF);

THENCE N 14°03'17" W a distance of 206.20' to an Iron Pin Found (IPF);

THENCE N 14°00'53" W a distance of 30.95' to an Iron Pin Found (IPF);

THENCE N 32°10'52" E a distance of 118.65' to a point;

THENCE S 60°58'45" E a distance of 109.35' to a point;

THENCE N 29°01'15" E a distance of 170.00' to a point on said right-of-way;

THENCE along said right-of-way S 60°58'45" E a distance of 81.08' to a point and the POINT OF BEGINNING.

Said tract contains 59,745 ft² (1.372 Acres) and is more particularly shown as Lot 2 on a Preliminary Plat for Sunset Drive Lots 1-3, prepared by Busbee & Poss Land Surveying Company, dated June 3rd, 2026.

Lot 3

Legal Description

All that tract or parcel of land lying and being in Land Lot 273, 6th District, City of Norcross, Gwinnett County, Georgia, and being more particularly described as follows:

COMMENCING at a point at the intersection of the southwesterly right-of-way of Sunset Drive (Apparent 50' R/W) and the Land Lot Line common to Land Lots 273 & 254;

THENCE northwesterly along said right-of-way a distance of 169.7' to an Iron Pin Found (IPF) and the POINT OF BEGINNING;

THENCE leaving said right-of-way S 46°10'41" W a distance of 177.92' to a point;

THENCE N 60°58'45" W a distance of 55.03' to a point;

THENCE N 29°01'15" E a distance of 170.00' to a point on said right-of-way;

THENCE along said right-of-way S 60°58'45" E a distance of 107.51' to an Iron Pin Found (IPF) and the POINT OF BEGINNING.

Said tract contains 13,816 ft² (0.317 Acres) and is more particularly shown as Lot 3 on a Preliminary Plat for Sunset Drive Lots 1-3, prepared by Busbee & Poss Land Surveying Company, dated June 3rd, 2026.



Variance

Case Number	ZBA2026-006
Hearing Date	August 27, 2026
Petitioner	David Morelock
Property Location	53 Born Street
Current Zoning	R75 (Single-Family Residential)
Proposed Zoning	N/A
Character Area	Character Area 7A: Historic Downtown Norcross
Site Acreage	.43 Acres
District	6
Land Lot	255
Parcel #	6255 068
Taxes Paid	N/A
Historic District	Yes

Requested Variances: Chapter 200-Land Use and Zoning, Article 1-Zoning Districts and Use Provisions, Division 2- Single-Family Residential Districts, Section 201-7-R75 Single-Family Residence, b-R75 lot development standards, requesting relief from the maximum height allowed and minimum side yard setback for an accessory structure.

COMMUNITY DEVELOPMENT AND PLANNING DEPT. RECOMMENDATIONS

Findings:

1. The granting of the variance may not cause substantial detriment to the public good or impair the purpose and intent of the UDO.

Should the ZBA decide to grant approval, Staff recommends the following conditions:

Conditions:

1. Reduce the setback for an accessory structure (proposed garage) from code required five (5') feet to three (3') feet along the northern property line as shown on submitted site plan;
2. Increase the maximum height allowed for an accessory structure (proposed garage) from the maximum height allowed of 12 feet to a proposed top of the roof height of 22' 11".

Variance Criteria:

Please see below for the staff interpretation of the variance criteria. The applicant has also prepared answers to the variance criteria that can be viewed in the application.

Factor: (1) Whether there are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography.

Analysis: There are no known extraordinary and exceptional conditions pertaining to the particular property in question due to size, shape or topography.

Supports Requested Use: No

Factor: (2) Whether the application of the UDO to this particular piece of property would create unnecessary hardship.

Analysis: Such conditions for the siting of the accessory garage are not considered peculiar to the particular piece of property involved. The shape, size, or topography of the property does not create any unnecessary hardships.

Supports Requested Use: No

Factor: (3) Whether such conditions are peculiar to the particular piece of property involved.

Analysis: Such conditions are not peculiar to the particular piece of property involved. South of Wingo Street, several existing R75 lots have rear yards that are sufficiently wide and deep to accommodate the construction of an accessory structure within the required five (5') foot setbacks, such as a detached garage.

Supports Requested Use: No

Factor: (4) Whether such conditions are the result of any actions of the property owner.

Analysis:

Setback Variance: As shown on the site plan, the applicant is proposing to connect the proposed garage to the end of the asphalt driveway. There is also an existing hardwood tree to the rear of the property that may be impacted if the garage was installed within the code required five (5') foot setbacks or directly behind the home.

Height Variance: From an architectural perspective, to mimic the roofline and eave style of primary structures, particularly older units with more historic architecture, a 15-foot height limit is more

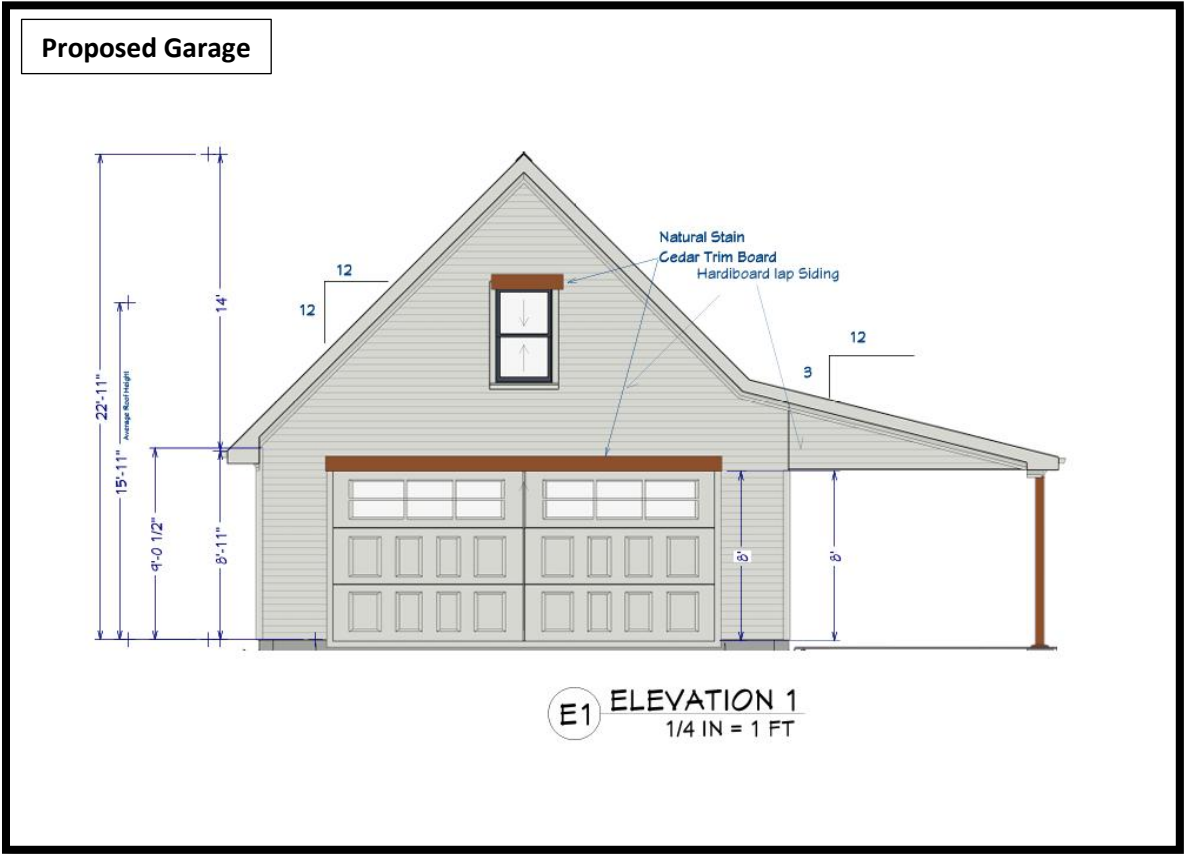
appropriate. To comply with the code's maximum of 12 feet, the applicant could do a shorter structure, but it may impact the design and functionality.

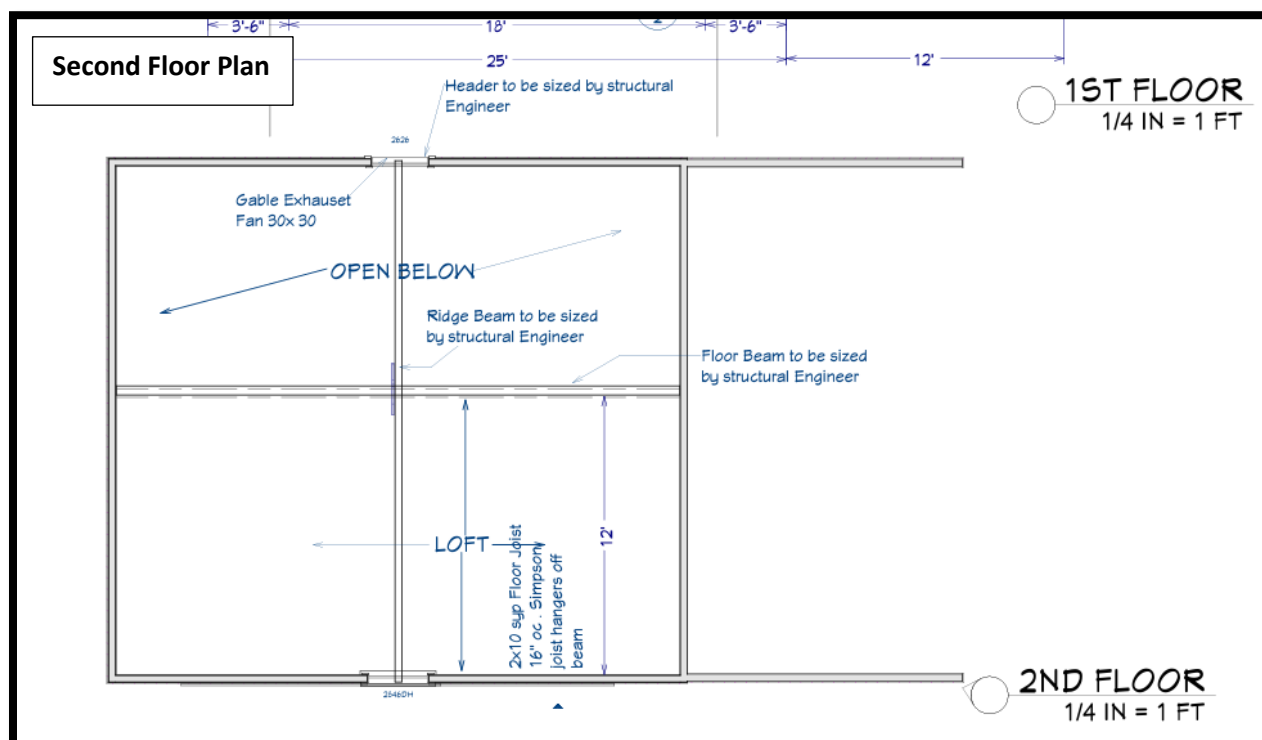
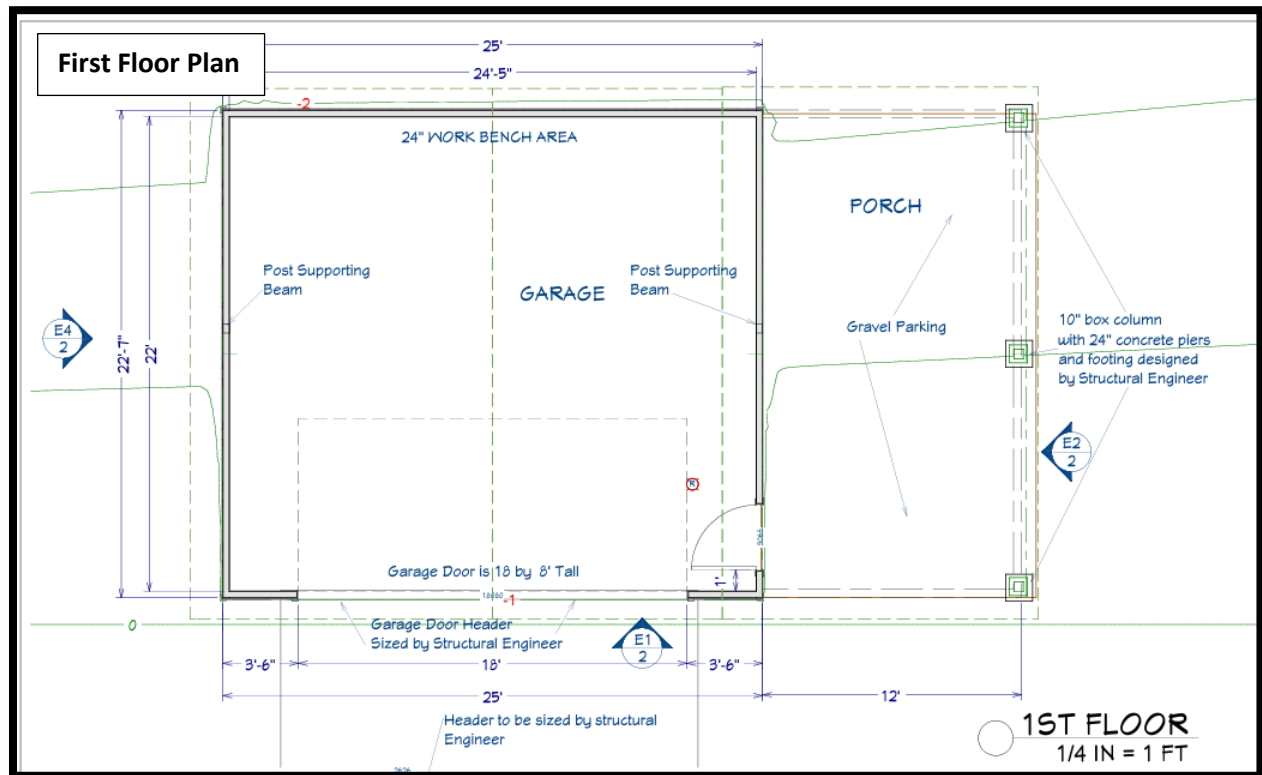
Supports Requested Use: No

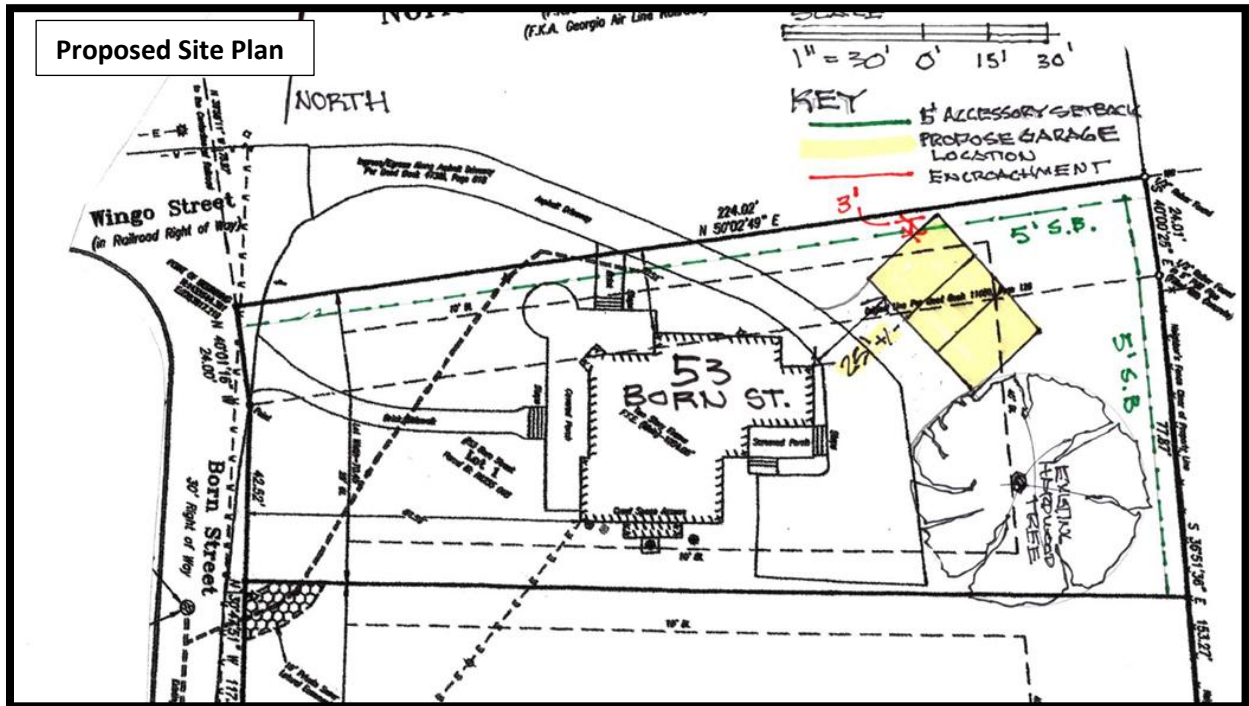
Factor: (5) Whether the requested relief, if granted, would cause substantial detriment to the public good or impair the purpose and intent of the UDO.

Analysis: The requested relief, if granted, may not cause substantial detriment to the public good or impair the purpose and intent of the UDO.

Supports Requested Use: Yes







Summary of the applicant's proposal

The applicant is requesting two variances for a proposed garage. The first request is to reduce the setback along the northern property line from code required five (5') feet to three (3') feet. The second request is to allow an accessory structure to have an average height of 15' 11", in lieu of code's maximum height of 12 feet. According to the Unified Development Ordinance, *Height of building* means the vertical distance measured from the average grade plane to the highest finished roof surface in the case of flat roofs, or to a point at the average height of the highest roof in the case of a roof having a pitch.

The architectural component of the garage (COA2026-011) went before the Architectural Review Board on August 18, 2026.

Current zoning district for the property

The R75 single-family residence zoning district is intended primarily for single-family residences and related uses on medium sized lots in the city.

Prescribed Use Limitations for Accessory Structures

Sec. 202-3. - Accessory uses or structures.

modified

(a) *General.* In general, unless otherwise permitted by this section:

- (1) Accessory uses or structures shall be permitted only in rear yards.
- (2) An accessory use or structure shall be set back not less than five feet from any lot line.
- (3) No accessory building shall be erected on a lot prior to the time of construction of the principal building to which it is an accessory.
- (4) In residential districts the total square footage of accessory structures shall not exceed one-half the size of the principal structure.
- (5) If an accessory building exceeds 500 square feet, it shall be sided in wood, stucco or brick. Metal or vinyl siding is not permitted.
- (6) Accessory structures over 32 square feet shall require a building permit.



APPLICATION FOR A VARIANCE TO THE PLANNING AND ZONING BOARD OF APPEALS

PROPERTY OWNER INFORMATION

Owner's Name: David Morelock
Owner's Address: 53 Bern Street Norcross
Phone: [REDACTED] Email: [REDACTED]

APPLICANT INFORMATION

Contact Name: ROBERT FORRO
Company Name: A-O CONSTRUCTION LLC.
Phone: [REDACTED] Email: [REDACTED]

PROPERTY INFORMATION FOR REQUESTED VARIANCE

Tax Parcel Number: RL0255064 Size in Acres: 1/2 Number of existing structures: 1
Current Zoning: D-75 Project Name: GARAGE ACCESSORY
Address: 53 BORN ST.

DESCRIPTION OF REQUESTED VARIANCE

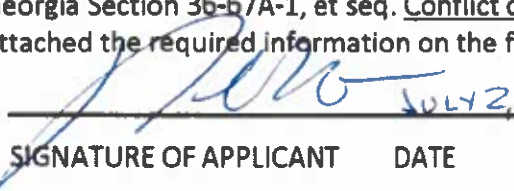
1. ONE CORNER ENCRACHES 3' INTO ONE SIDEYARD
2. HEIGHT (AVERAGE HEIGHT) EXCEED CODE BY 4' TO
ACCOMIDATE A ROOF PITCH CLOSER TO EXISTING HISTORIC
HOUSE ADJACENT TO GARAGE

ACTION REQUESTED FROM THE BOARD OF APPEALS

TO APPROVE REQUESTED VARIANCES
ON SIDEYARD AND HEIGHT

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et seq. Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

 JULY 2, 2026 ROBERT A. FORERO
 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE

 SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

DISCLOSURE OF CAMPAIGN CONTRIBUTION

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a City of Norcross Mayor/Council Member or a Member of the Planning and Zoning Board

NO (YES or NO)

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250.00 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN THE LAST TWO YEARS)

Attach additional sheets if necessary to disclose or describe all contributions

CRITERIA FOR EVALUATING VARIANCE REQUESTS

1. Whether there are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography.

GARAGE ROOF PITCH BY CODE IS TOO LOW TO MATCH EXISTING HISTORICAL HOUSE'S ROOF PITCHES. THIS VARIANCE WILL BE MORE CONGRUENT TO HISTORICAL ARCHITECTURAL STYLE.

2. Whether the application of UDO to this particular piece of property would create an unnecessary hardship.

YES

3. Whether such conditions are peculiar to the particular piece of property involved

YES

4. Whether such conditions are the result of any actions of the property owner

NO

5. Whether the requested relief, if granted, would cause substantial detriment to the public good or impair the purpose and intent of the UDO

NO

REQUIRED ATTACHMENTS

☒ Site plan (to scale) of subject property indicating area of variance ☐ Legal description ☐ Vicinity Map

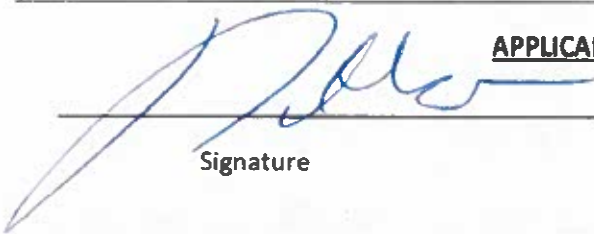
☐ Include a narrative that explains the reason for the requested variance

STATEMENT

Has the subject property been before the Mayor and Council, Downtown Development Authority, Architectural Review Board, Board of Appeals, Planning and Zoning Board, or any other City Board in the past 24 months? ☒ YES ☐ NO

If yes, list the board and reference number: PRIOR OWNER HAD ORIGINAL LOT SUBDIVIDED BY EXEMPTION PLAT

APPLICANT'S SIGNATURE



Signature

JULY 2, 2026

Date

CITY USE ONLY BELOW THIS LINE

Date received: _____ Receipt Number: _____ Application Number: _____

Fee Paid: \$ _____ Meeting Date: _____

DEADLINE AND HEARING SCHEDULE

See calendar on the Community Development website for pre-application conference deadlines, application submission deadlines and scheduled meeting dates.

(THE PROPERTY OWNER OR APPLICANT'S ATTENDANCE AT EACH PUBLIC HEARING IS REQUIRED)

Variances Justification for 53 Born Street Proposed Garage Addition Accessory Structure

1. **Variance one.....**To allow a 3' encroachment into north side yard set back on one corner of the garage.

Justification

This property currently has no covered parking or garage. The owner would like to build a garage in the rear yard off the existing driveway. In order to place the garage in such a way that will allow him to back out of garage without having to back all the way down his long existing driveway he wants to angle the garage to do so. Also, he wants to avoid impacting the existing large tree which prevents him from moving the garage further away from the side yard. The impact to the side neighbor which is Southern Railroad ROW and existing buffer is minimal and will pose no adverse affect to their existing buffer and set back.

2. **Variance two....**To allow a steeper roof pitch on the garage to match the roof pitches on the existing historical home.

Justification

This variance will allow the garage to better match the existing historical homes steep roof pitches(see attached photo of house) and more congruent to the existing victorian architectural character of the existing house. The additional 4' in height requested will not be visible from the the other adjacent property(Gwinnett Board of Education). The property to the rear and sides of this property are already heavily buffered by existing tree canopies and grade changes.

DS
DM

initial
CLPRE

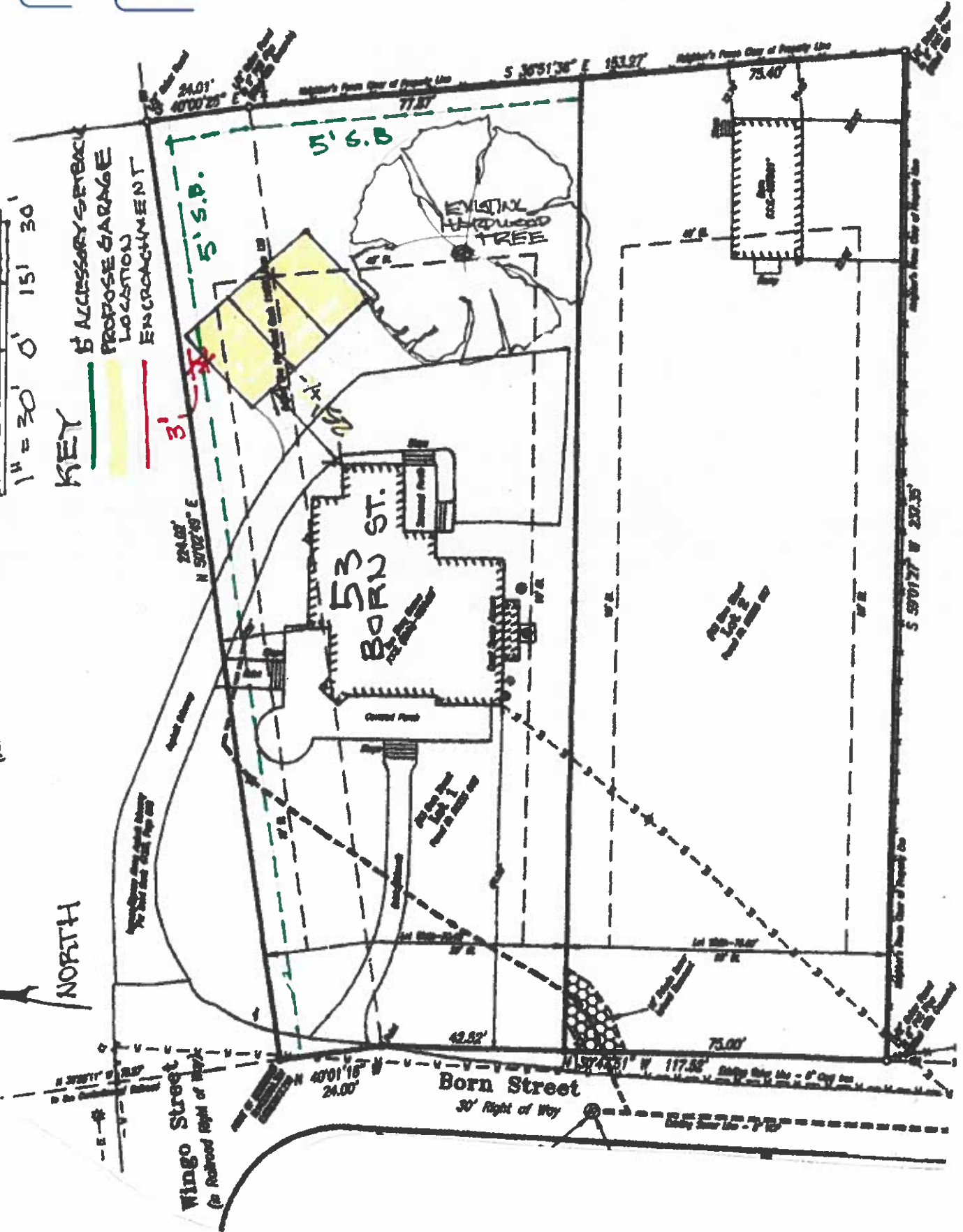
SITE PLAN
53 BORN STREET
GARAGE ADDITION

SCALE
1" = 30' 0' 15' 30'

KEY
B ACCESSORY DRIVE
PROPOSED GARAGE
LOCATION
ENCROACHMENT

Norfolk Southern Railroad
(F.R.A. Southern Railroad)
(F.R.A. Georgia N.E. Line Railroad)

NORTH





Owner's Affidavit

Community Development Department Phone: 678-421-2027 65
Lawrenceville Street Norcross, GA 30071

Section I. Land Ownership

I, Lisa Morelock, hereby attest to ownership of the property located at
53 Born St, Parcel ID# 6255 068 for which this Application is submitted.
The Ownership, as recorded on the deed, is in the name of Lisa Morelock.

Section II. Type of Ownership

☐ Individual ☐ Corporation/LLC ☐ Partnership ☐ Government ☒ Homeowner

Corporation/LLC/Partnership Name:

Secretary of State Registration Number:

Registered Agent Name:

Provide Names of all Officers/Members/General Partners (If applicable):

Registered Agent Address:

Registered Agent Phone #:

COMPLETE BY OWNER

As the owner of the above designated property for which this affidavit is submitted, I wish to allow Robert Forro
(applicant's name) to apply for a ARB/Variance applications for the address mentioned in Section I of this form.

I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief.

NOTARY

Owner states under oath that he/she is the owner of the property described under Section I, which is made part of this Application.

Sworn and subscribed before me this 2nd day
of JULY, 2026.

Notary Public: Joseph Carballo Reyes
Seal: Joseph R

Name: Lisa Morelock

Address: 53 Born St

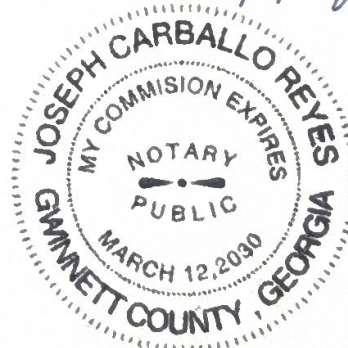
City, State, Zip Code: Norcross, GA, 30071

Email address: [REDACTED]

Phoner Number: [REDACTED]

Owner's signature:

Lisa Morelock



Commission expires: March - 12 - 2030