

City of Norcross

65 Lawrenceville Street
Norcross, GA 30071



Meeting Agenda

Thursday, September 25, 2025
6:30 PM

2nd Floor Conference Room
Zoning Board of Appeals

Michael Walsh, Chair

Bob Evely

Taylor Walker

Naim Harrison

- I. **Call to Order**
PLEASE SILENCE ALL CELL PHONES AND ELECTRONIC DEVICES
- II. **Presentation of previous meeting minutes for acceptance.**
Zoning Board of Appeals - Zoning Board of Appeals - Aug 28, 2025 6:30 PM
- III. **Old Business**
- IV. **New Business**
 1. [25-7457](#) **ZBA2025-011 146 Barton Street**
Request variances from Chapter 200, Article I, sections 201-6 (b), regarding the minimum front setback required and the maximum impervious coverage allowance.

[Staff Report - ZBA2025-011](#)

[Application ZBA2025-011](#)
- V. **ADDITIONAL INPUT AND/OR DISCUSSION NOT OTHERWISE ADDRESSED BY THIS AGENDA**
- VI. **Adjourn**

City of Norcross

65 Lawrenceville Street
Norcross, GA 30071



Meeting Minutes

Thursday, August 28, 2025
6:30 PM

2nd Floor Community Room
Zoning Board of Appeals

Michael Walsh, Chair

Bob Evely

Taylor Walker

DaVida Cole

Naim Harrison

I. Call to Order

Zoning Board of Appeals was called to order at 6:42 PM by Chair Michael Walsh

Attendee Name	Title	Status	Arrived
Michael Walsh	Chair	Present	
Bob Evely	Vice Chair	Present	
Taylor Walker	Board Member	Present	
DaVida Cole	Boardmember	Present	
Naim Harrison	Board Member	Present	

II. Presentation of previous meeting minutes for acceptance.

Zoning Board of Appeals - Zoning Board of Appeals - Jul 24, 2025, 6:30 PM

III. Old Business

IV. New Business

1. 25-7425: Zba2025-010 296 Sunset Drive

1. Debby Rogoff-Ezra, Community Development and Planning Director, presented the findings for the ZBA2025-010.

What was mentioned during her presentation (46 minutes):

- Proposed Height, Proposed Square Footage, Roof pitch, the Historic two-story home, 2022 renovation permit, the proposed swimming pool, stormwater management, vegetation, landscape screening, administrative variance procedure, the two contradicting code sections, the September 2nd council meeting, and subcommittee for accessory dwelling units, alternatives for development, permitted by right options, impervious surface, design guidelines, the criterion used for variance requests, and whether a variance is legitimate or not.

Board Member Bob Evely:

- Addressed the Planning Director and had some questions about the report and height of accessory structures.
- The conversation shifted towards policy and changing the code, and why the UDO is contradicting.

The applicant, Stephen Murray of 296 Sunset Drive, presented to the ZBA:

- The applicant presented his findings for approval.
- The recent accessory dwelling units that have been approved.
- He mentioned that he did not have a garage for cars, and that all cars are parked in the driveway.
- Why the alternatives to his proposal would not work.
- His attorney spoke on behalf of the applicant and touched on
 - Stormwater
 - Visibility
 - Comparison of an ADU to an attached structure

The opposition led by Don Purvis of 278 Sunset Drive presented to the ZBA:

- Spoke about why the applicant did not have an unnecessary hardship.

Chairman Walsh closed the public hearing and started discussion among the ZBA:

Walsh addressed the audience and gave remarks about the community and the importance of being neighbors.

Minutes Acceptance: Minutes of Aug 28, 2025 6:30 PM (Presentation of previous meeting minutes for acceptance.)

Board Member Naim Harrison: Harrison spoke about how the architecture was had been approved by the ARB back in May.

Conversation shifted towards landscape buffers and mitigating factors, and whether tabling the request would be appropriate.

Motion

A motion to deny application ZBA2025-010, based on no identified unnecessary hardships.

RESULT:	DENY [2 TO 3]
MOVER:	Michael Walsh, Chair
SECONDER:	Bob Evely, Vice Chair
AYES:	Bob Evely, Taylor Walker
NAYS:	Michael Walsh, DaVida Cole, Naim Harrison

Motion

A motion to Approve application ZBA2025-010 for a relief from the maximum height allowed for an accessory dwelling unit, with a condition for vegetation.

RESULT:	APPROVE [3 TO 2]
MOVER:	Michael Walsh, Chair
SECONDER:	DaVida Cole
AYES:	Michael Walsh, DaVida Cole, Naim Harrison
NAYS:	Bob Evely, Taylor Walker

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

VI. Adjourn

Chair Walsh moved to adjourn the meeting at 8:34 PM, seconded by Taylor Walker, vote: 5-0.

Minutes Acceptance: Minutes of Aug 28, 2025 6:30 PM (Presentation of previous meeting minutes for acceptance.)



City of Norcross

Legislation Details (With Details)

65 Lawrenceville Street
Norcross, GA 30071

770-448-2122

770-242-0824

File#: 25-7457 **Version:**

Type: Agenda Item **Status:** Agenda Ready

File Created: 9/18/2025 **In Control:** Zoning Board of Appeals

On Agenda: 9/25/2025 6:30 PM **Status:** Scheduled

Title: ZBA2025-011 146 Barton Street

Sponsors:

Code Sections:

Attachments:

1. [ZBA2025-011 Staff Report](#)
2. [ZBA2025-011 Application](#)

Title
ZBA2025-011 146 Barton Street

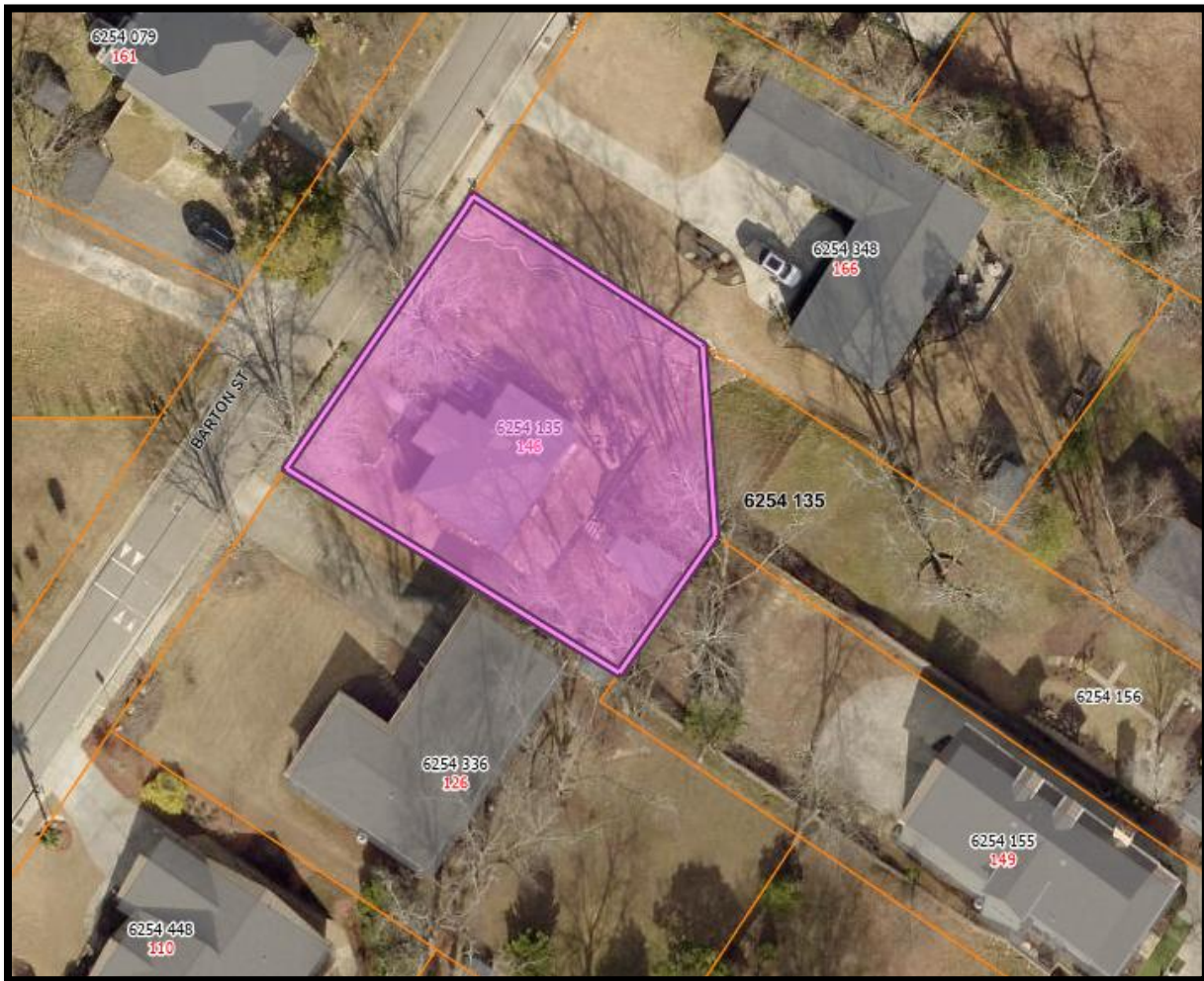
Drafter
LeDarius Scott



Meeting Date: September 25, 2025 at 6:30pm Petition Number: ZBA2025-011

Property Location: 146 Barton Street
Tax Parcel ID: 6254 135
Petitioner: Susan Tanner
Petitioner's Request: Request variances from Chapter 200, Article I, section 201-6 (b), minimum front setback required and maximum impervious coverage allowance.

Vicinity Map:



Attachment: ZBA2025-011_Staff Report (25-7457 : ZBA2025-011 146 Barton Street)

PROPERTY INFORMATION	
Property Location	146 Barton Street
Acreage	0.30 acres (13,266 sf)
Existing Zoning/Land Use	R100 (Single Family Residence)
Character Area	4 North Peachtree Street Neighborhoods
Existing Lot Dimensions	Frontage: Approximately 104 ft on Barton Street, Depth is 147.25 ft
Proposed Building Dimensions	Approximately 3800 square feet
Topography	High Point: 1,062 Low Point: 1,052
Elevation	High Point: Eastern Side Low Point: Western Side
Encumbrances:	The site is located in the National Historic District

EXISTING ZONING AND LAND USE OF PROPERTIES WITHIN 500 FEET			
Location relative to subject property	Zoning/Land Use	Address(es)	Land Area (acres) (Approximate)
North	R100 / Single Family Residence	161 Barton Street	0.39 AC
South	R100 / Single Family Residence	126 Barton Street	0.43 AC
East	R100/ Single Family Residences	149 North Peachtree Street and 161 North Peachtree Street	0.38 AC and 0.34 AC
West	C1 / City Owned Property	145 Barton Street	0.61 AC

Attachment: ZBA2025-011_Staff Report (25-7457 : ZBA2025-011 146 Barton Street)

Project Description:

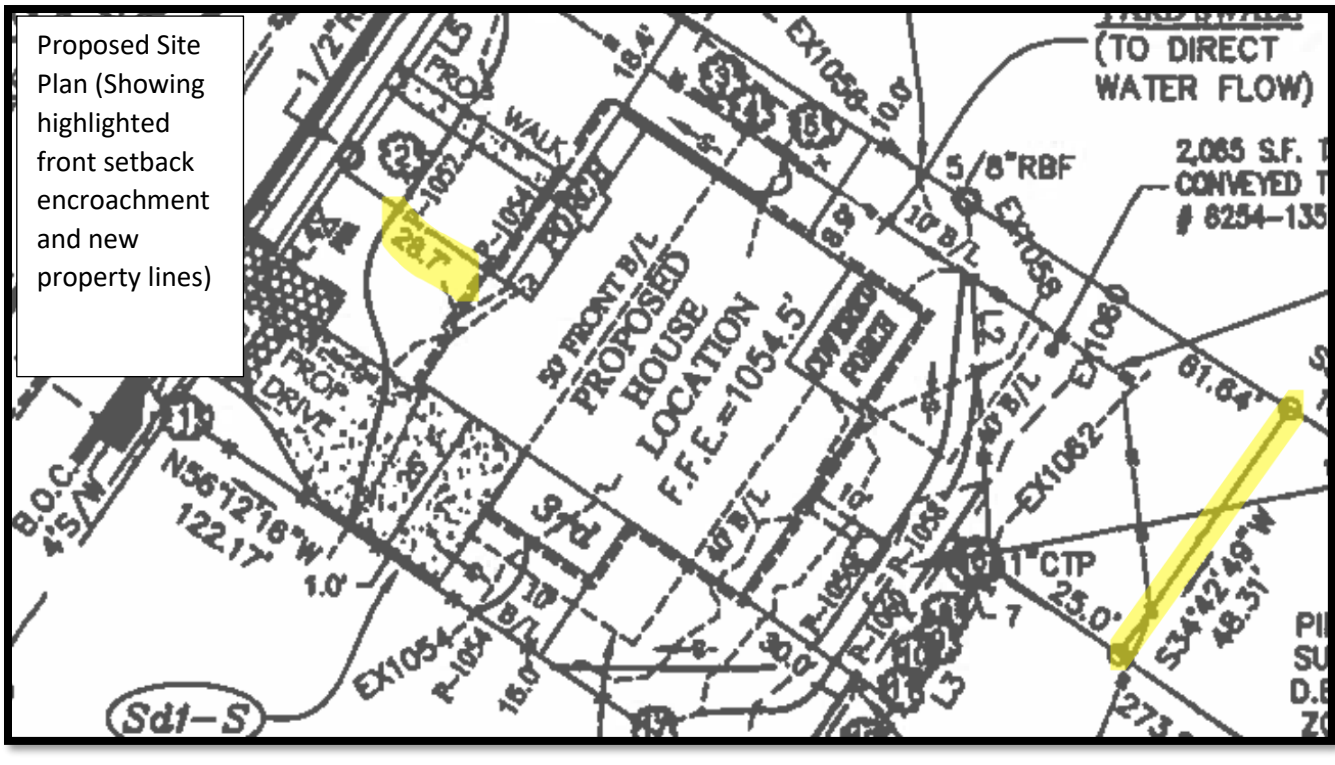
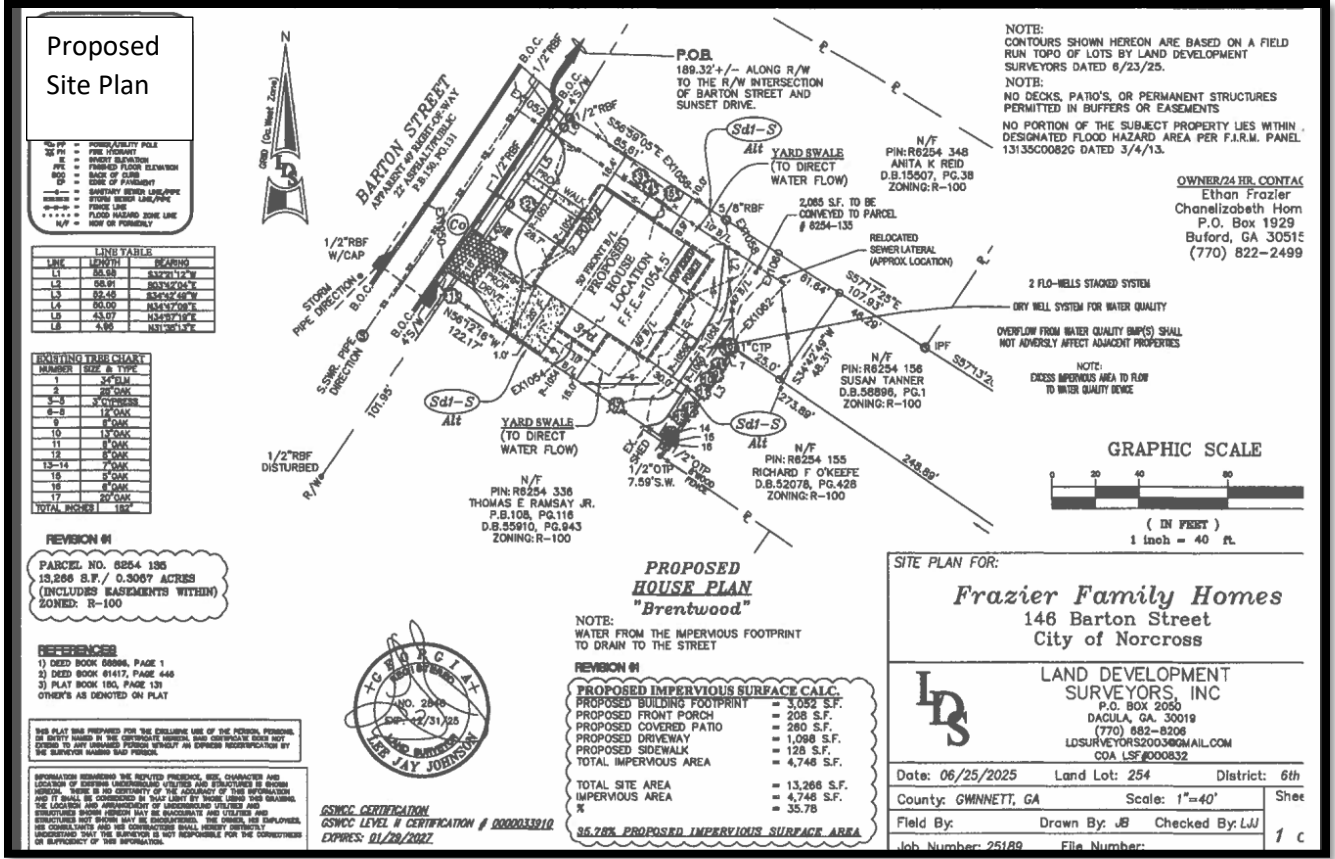
The applicant seeks two variances for an encroachment of the required front setback and to exceed the maximum impervious coverage allowance for a proposed new house as outlined in Chapter 200, Article I, section 201-6 (b), R100 lot development standards. This code section requires a minimum 50-foot front setback and allows a 35 percent maximum impervious coverage. The applicant is seeking to reduce the front setback from the code required 50 feet to 28.7 feet, and to increase the impervious coverage allowance from code maximum of 35 percent to 35.78 percent to accommodate for the construction of a new house. The applicant received an administrative variance (AV2025-011) to reduce the rear setback from code required 40 feet to proposed 30 feet, due to the size of the property which is 2,000 square feet under the minimum required 15,000 square feet for R100 properties. The subject parcel is considered to be legal non-conforming due to its small size.

Existing Conditions:

The property is currently developed as a single-family residence, which was built in 1920. Since the home was built prior to 1950 and is in the National Historic District, the applicant is the process of seeking approval of a historic demolition. The historic demolition process requires approval from the Architectural Review Board, and Mayor and Council.

Zoning Analysis:

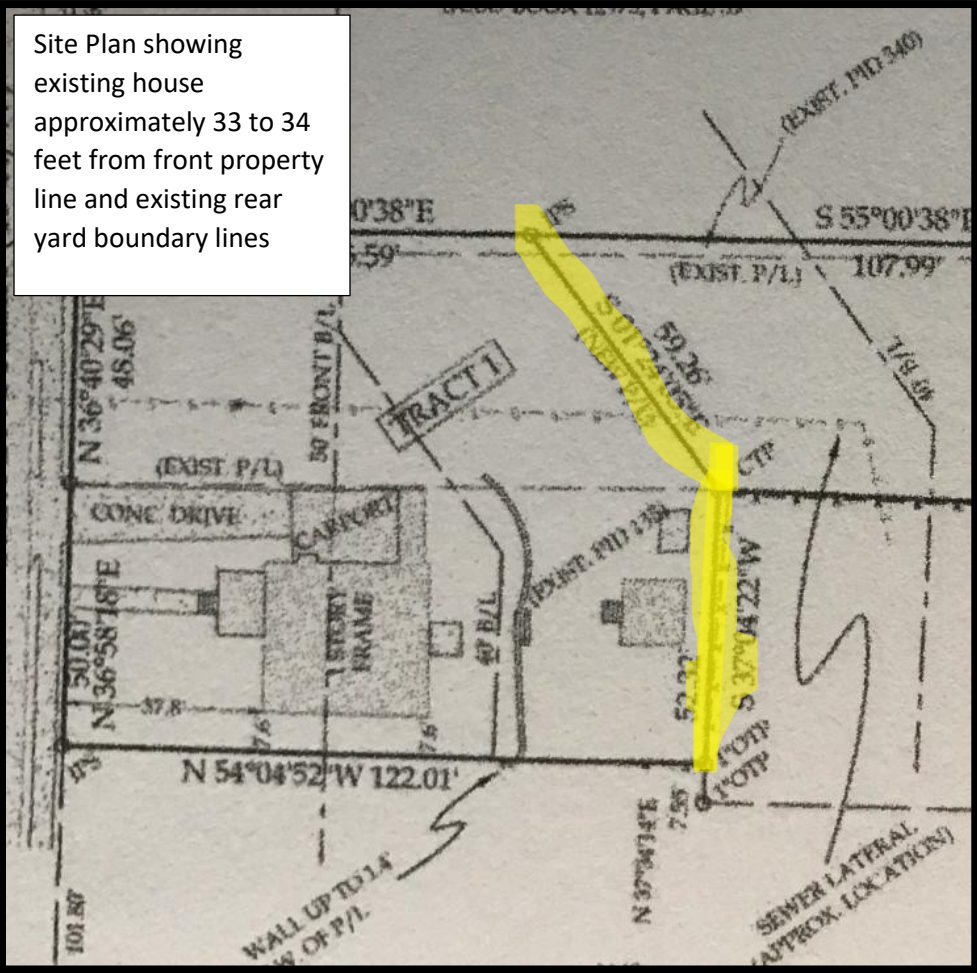
The Unified Development Ordinance (UDO) was adopted in 2019 and Chapter 200, Article I, section 201-6 (b), outlines R100 development standards and more specifically the minimum front yard setback requirement and maximum impervious coverage allowance.



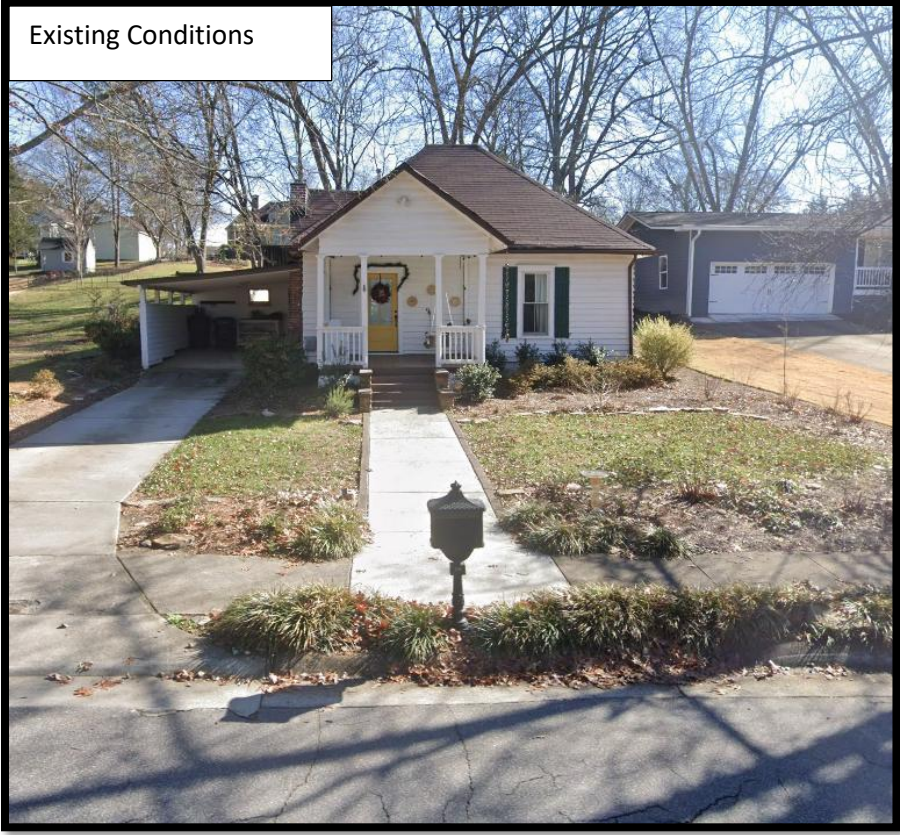
Attachment: ZBA2025-011_Staff Report (25-7457 : ZBA2025-011 146 Barton Street)

PROPOSED IMPERVIOUS SURFACE CALC.	
PROPOSED BUILDING FOOTPRINT	= 3,052 S.F.
PROPOSED FRONT PORCH	= 208 S.F.
PROPOSED COVERED PATIO	= 260 S.F.
PROPOSED DRIVEWAY	= 1,098 S.F.
PROPOSED SIDEWALK	= 128 S.F.
TOTAL IMPERVIOUS AREA	= 4,746 S.F.
TOTAL SITE AREA	= 13,266 S.F.
IMPERVIOUS AREA	= 4,746 S.F.
%	= 35.78
35.78% PROPOSED IMPERVIOUS SURFACE AREA	

Site Plan showing existing house approximately 33 to 34 feet from front property line and existing rear yard boundary lines



Existing Conditions



Proposed Front Elevation



Attachment: ZBA2025-011_Staff Report (25-7457 : ZBA2025-011 146 Barton Street)

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.

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

There are extraordinary and exceptional conditions pertaining to the particular property in question due to size, shape or topography. The rear yard of the lot is insufficiently deep due to the existing southern boundary line, making it difficult to accommodate the required 40-foot setback for the proposed home. To mitigate the rear yard encroachment, the applicant shifted the proposed home up two (2') feet from 28 feet to 30 feet to become eligible for an administrative variance for the rear yard setback, which all adjoining property owners provided written notarized consent for. The proposed home meets the prescribed side yard setbacks for a R100 lot, which requires 10 feet on one side, but a total of 25 feet. Built in 1920, the existing home is legal non-conforming, meeting the 50-foot front setback requirement would have required shifting it 13 to 15 feet back, which would have caused it to encroach on the 40-foot rear setback like the proposed home. Since the applicant shifted property lines along the southern boundary with the adjoining property she owns at 161 North Peachtree Street, the proposed home will now meet the rear yard setback of 40 feet on the left side of the rear yard, with the administratively approved rear yard setback of 30 feet on the right side of the rear yard. Adjusting the property lines also increased the size of the lot, from 10,890 square feet to now 13,266 square feet which reduces the impervious coverage of the new home and also creates a deeper rear yard.

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

Meeting all prescribed R100 setbacks would mean the applicant would have to build a smaller home with a smaller footprint, smaller than the existing 896 square foot home that is currently situated on the lot. The application of the UDO to this particular piece of property would create unnecessary hardship due to the shape of the property which creates an insufficient and irregular rear yard. The size of the lot, which is considered legal non-conforming, also is an unnecessary hardship. With the recordation of the exemption plat, the lot's size will increase from 10,890 square feet to 13,266 square feet which is still under the required 15,000 square feet for a R100 lot.

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

Due to the size of the lot, and to address building setbacks and impervious coverage concerns associated with the new, larger home, the applicant utilized the exemption plat process to adjust property lines between the subject property and the adjoining property at 161 North Peachtree Street, which resulted in a reduction of the impervious coverage from 40.99 percent to 35.78 percent and a deeper rear yard. Although some are encroaching upon their respective front yard setbacks due to legal non-conformance status, most of the lots in the vicinity of the subject property have rear yards deep enough to accommodate compliance with both the prescribed front yard and rear yard setbacks for the R100 zoning district.

Based upon the size and shape of the property, the conditions are considered peculiar to the particular property in question.

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

Such conditions are not the result of any actions of the property owner. The applicant is in process of seeking approval of a historic demolition of the existing home, which was built in year 1920. The applicant intends to rebuild a new single-family home.

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

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

Recommendation:

Staff recommends **approval** of the applicant's request. This request if approved, should be predicated on the following occurring:

1. Site plan dated 6/25/2025, which shows the front setback encroachment and proposed 35.78 percent impervious coverage for the lot;
2. ARB recommendation of approval of the building elevations corresponding to the site plan submitted with the variance;
3. Mayor and Council approval of the historic demolition in accordance with UDO code section 307-6;
4. If conditions 2&3 are unsuccessful, the variance approval from the Zoning Board of Appeals is null and void.



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

PROPERTY OWNER INFORMATION

Owner's Name: Susan Tanner
Owner's Address: 161 N Peachtree St, Norcross, GA 30071
Phone: 404-452-6319 Email: susantannermd@gmail.com

APPLICANT INFORMATION

Contact Name: Susan Tanner
Company Name:
Phone: 404-452-6319 Email: susantannermd@gmail.com

PROPERTY INFORMATION FOR REQUESTED VARIANCE

Tax Parcel Number: R6254-135 Size in Acres: 0.25 Number of existing structures: 1
Current Zoning: Residential Project Name:
Address: 146 N Barton St., Norcross, GA 30071

DESCRIPTION OF REQUESTED VARIANCE

Reduction in front set back by to 28.8 feet and increase in impervious area by 1%.

ACTION REQUESTED FROM THE BOARD OF APPEALS

To approve the above variances due to hardship created by size, shape, and configuration of lot.

August 11, 2025

To Whom It May Concern:

As the owner of 146 N Barton Street, Norcross, GA, I request approval from the Planning and Zoning Board for a front setback reduction and increased impervious surface percentage to construct a new home. The configuration of the lot as it stands does not allow for a suitable or desirable home to be built under the current guidelines and codes. The lot has very limited depth, which presents a hardship. While my front setback request to 28.8 feet would be less than the adjacent properties which have much deeper lots, it will be equal to or greater than several of the historic properties that are along Barton Street on the opposite side.

The requested increase in impervious area is by 1 %.

The new construction is intended to match the design and appearance of the historical district and blend with the neighborhood.

Thank you for your time and consideration in this matter,



Susan Tanner

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: _____

APPLICANT'S SIGNATURE

Susan Janner _____ 8/11/2025 _____
Signature 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

Attachment: ZBA2025-011_Application (25-7457 : ZBA2025-011 146 Barton Street)

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.

The lot is shallow, and implementation of a plan to build a house suitable for the neighborhood with proper drainage without significant increase in impervious requires an increase in lot size

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

Yes, it would require a much smaller house

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

Yes, this lot was subdivided from 161 N Peachtree St lot by previous owners.

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, the plans derived will be compatible,
and is in conformance with comprehensive research.