

PICTURES



336 Whitlock Avenue



Recommended Action:

Denial. Elizabeth A. Nusser, owner of 336 Whitlock Avenue, is requesting a variance for a newly installed driveway on her property. The subject property and all surrounding properties are zoned R-3 (Single Family Residential – 3 units per acre) and contain single family detached residences.

The applicant has recently removed the existing paved driveway and had a longer, slate driveway installed. Section 716.08 (B) does not permit the use of any surface other than brick, concrete, or asphalt for parking or driving vehicles. The applicant indicates that an advantage of a slate driveway over a traditional surface is that it will allow water to infiltrate, an important feature for properties that contain large trees such as this one. The use of a pervious surface material at the site should not negatively impact nearby properties or the community as a whole.

The subject property is located on a heavily traveled and highly visible corridor, and the driveway has been noticed by many people as they drive along Whitlock Avenue. The City's Public Works Department has had trouble in the past with loose fill surfaces such as gravel spilling out into the right of way by exiting cars. If it were to occur in this location, it could create quite a problem due to the heavy traffic on Whitlock Avenue. The City's Public Works Department has made the following recommendation, should the Board consider approving the requested variance:

- *If the slate drive surface is allowed, then at least a 20' (or the distance from existing edge of paving to the right-of-way, whichever is greater) concrete apron from Whitlock Avenue should be installed, and the area frequently swept to prevent rock from entering Whitlock Avenue.*

There is also an issue whether a permit for the driveway installation is required from Georgia Department of Transportation (GDOT), since Whitlock Avenue is a state highway. Staff has notified the applicant to contact GDOT to determine if this permit will be necessary, if this variance request is approved.

The Board of Zoning Appeals has heard and approved similar requests to use a surface treatment other than what is listed in the ordinance. Most recently a request (V2013-13) approved in March 2013 for the property at 405 Saint Mary's Lane. In that case, the Board approved a variance to allow the use of slate chips for a driveway, with the stipulation that a concrete apron with a minimum length of 16,' measured from where the slate driveway meets the curb, be installed. These cases may become more common as more environmentally friendly paving surfaces become popular, and other property owners within the City may wish to install similar driveways, should the Board decide to grant this variance.

Additionally, the Board of Zoning Appeals has heard and approved similar requests for gravel or slate driveways in the past, although this is the first case in which such a request has been made for a single family residential property on a state highway that is as heavily traveled as Whitlock Avenue.

Case #	Address	Zoning
V-95052	1014 Industrial Park Dr	LI
V-96042	2032 Airport Ct	LI
V-98023	Dickson Rd	LI
V-98029	424 Glover St	LI
V2000-31	2068 Airport Ind Pk Dr	LI
V2001-01	279 Washington Ave	OI
V2001-03	1551 West Oak Dr	CRC
V2008-17	1018 Powder Springs St	R-2
V2013-08	33 Garrison Rd	OIT

In summary, *staff recommends denial of this variance.*

However, if the Board does wish to approve this variance, Staff strongly recommends that the following stipulations be included:

1. *If the slate drive surface is allowed, then at least a 20' (or the distance from existing edge of paving to the Right-Of-Way whichever is greater) concrete apron from Whitlock Avenue should be installed, and the area frequently swept to prevent rock from entering Whitlock Avenue.*
2. *A permit obtained from GDOT, if necessary.*