



## VA200016 - STAFF REPORT

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### PROJECT SUMMARY:

Applicant is requesting a rear setback variance of 21 feet to allow a rear setback to be 4 feet rather than the required 25 feet.

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### IMPORTANT DATES:

Application for Board Consideration Submit Date: 04/24/2020  
Zoning Board of Appeals (ZBA) Public Hearing Date: 06/02/2020

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### CONTACT INFORMATION:

#### APPLICANT

Aurelio Mallamace  
Edita Mallamace  
4710 Davis Farms Drive  
Cumming GA 30040

#### ATTORNEY REPRESENTATION

#### OWNER(S)

Aurelio Mallamace

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### PROPERTY INFORMATION:

#### LOCATION:

The property is located in Davis Farms subdivision, Lot #62, 4710 Davis Farms Drive.

BOC District: 3

Current Zoning: RES3

Tax Map & Parcel #'s (PINs):

Total Acreage: 0.2320

Associated Application #: ZA3650

104-517

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### UDC PERFORMANCE STANDARDS - RES3:

Lot size connected to approved sewer system - 14,750 sq. feet  
Maximum density connected to approved sewer system - 1.8 units per acre  
Lot width (feet) - 80 feet  
Front or side building setback/ yard from right-of-way - 25 feet  
Side building setback / yard - 10 feet  
Rear building setback / yard - 25 feet  
Exterior setback - 50 feet

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### INTENT OF CODE:

Rear setback: establishes a yard between the buildable area and the rear property line. A rear yard provides spatial separation between structures on abutting properties and allows distance that may help mitigate noise, light, glare, or other nuisances.

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### STAFF COMMENTS:

#### CURRENT PLANNING COMMENTS:

Aurelio and Edita Mallamace purchased 4710 Davis Farms Drive in 2019, with the existing dwelling, which was constructed in 2019. Aurelio and Edita Mallamace are requesting a rear setback variance of 21 feet to construct a 34' x 16' swimming pool 4 feet from the rear property line rather than the required 25 feet. The site plan depicts the proposed pool equipment on the east corner of the existing dwelling.