



**SANDY SPRINGS**  
GEORGIA

**BOARD OF APPEALS**

Mel Mobley, Chair  
Sherri Allen  
Fred Jewell  
Alvin Johnson  
Nathan Kongthum  
Justin Sparano  
Bill Thackston

**Wednesday, August 3, 2022**

**Regular Meeting**

**6:00 p.m**

The Board of Appeals meeting will be held in the Studio Theatre at Sandy Springs City Hall  
(1 Galambos Way, Sandy Springs, GA 30328)

|                        |                                                                                                                                                                                                                              |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Live-stream:</b>    | <b>Public Meeting Portal (CivicClerk):</b> <a href="https://sandyspringsga.civicclerk.com">https://sandyspringsga.civicclerk.com</a><br><b>Zoom Webinar:</b> <a href="http://spr.gs/boameeting">http://spr.gs/boameeting</a> |
| <b>Teleconference:</b> | <b>Phone:</b> (646) 558-8656 <b>Webinar ID:</b> 849 7891 9503                                                                                                                                                                |
| <b>Public Comment:</b> | <a href="http://spr.gs/publiccomment">http://spr.gs/publiccomment</a>                                                                                                                                                        |

**I. Call to Order**

**II. Roll Call and General Announcements**

**III. Approval of Meeting Agenda**

**IV. Approval of Meeting Minutes**

A. June 8, 2022 Board of Appeals Meeting  
*(Presented by Samantha Wiltz, Planning and Zoning Coordinator)*

**V. Cases**

A. **BOA 2022-0013** V22-0013 -Deferred  
**6575 Roswell Road** - Request for a variance from Sec. 8.2.7. to  
remove all buffer requirements along the Southern and Eastern  
boundaries of the property where abutting TR-3 property.  
*(Presented by Matthew Anspach, Senior Planner)*

*Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in a public meeting, or who have questions regarding the accessibility of the meeting or facilities should contact the City Clerk at 770-730-5600 promptly for assistance.*

*The City will make reasonable accommodations for those persons.*

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## SANDY SPRINGS

GEORGIA

**B. BOA 2022-0015** V22-0022

**1450 Northwold Drive** - Request for a variance from Sec. 9.4.2.G.3.A, Sec. 9.4.3.C.2.A, and Sec. 6.1.2.B.3.a. to install a pool and corresponding retaining wall within the rear grading setback, and to allow for encroachment of mechanical equipment into the setback.

*(Presented by Matthew Anspach, Senior Planner)*

**C. BOA 2022-0016** V22-0023

**10 Glenlake Parkway** - Request for a variance from Division 9.2. to encroach into the 25' State Waters Impervious Surface Setback and 50' State Waters City Undisturbed Buffer for the construction of an outdoor amenity space.

*(Presented by Laquita Williams, Planner Technician)*

**D. BOA 2022-0017** V22-0024

**55 Wembley Lane** – Request for a variance from Sec 6.1.2.B. to allow for encroachment of an enclosed deck into the rear setback.

*(Presented by Matthew Anspach, Senior Planner)*

**VI. Ongoing Business**

**VII. New Business**

**VIII. Adjournment**

*Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in a public meeting, or who have questions regarding the accessibility of the meeting or facilities should contact the City Clerk at 770-730-5600 promptly for assistance.*

*The City will make reasonable accommodations for those persons.*

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**Meeting of the City of Sandy Springs Board of Appeals – SUMMARY MINUTES**  
**Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference**  
**June 8, 2022, at 6:00 p.m.**  
**Page 1 of 3**

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**Meeting of the Sandy Springs Board of Appeals was held on June 8, 2022, at 6:00 p.m., Chair Mel Mobley presiding.**

**I. Call to Order**

Chair Mel Mobley called the meeting to order at 6:00 pm.

**II. Roll Call and General Announcements**

**Members Present:** Chair Mel Mobley, Vice Chair Sherri Allen, Member Fred Jewell, Member Alvin Johnson, Member Justin Sparano, Member Bill Thackston

**Members Absent:** Member Nathan Kongthum

**III. Approval of Meeting Agenda**

A motion was made by Vice Chair Sherri Allen, seconded by Board Member Bill Thackston, to approve the June 8, 2022 Board of Appeals meeting minutes. The motion carried by unanimous vote.

**IV. Approval of Meeting Minutes**

**A. May 4, 2022 Board of Appeals Meeting**

A motion was made by **Vice Chair Sherri Allen**, seconded by Board Member Justin Sparano, to approve the meeting agenda. The motion carried by unanimous vote.

**V. Cases**

**A. BOA 2022-0009 V22-0006 80 Idlewood Court**

There were no public comments. **Chair Mel Mobley** closed the public hearing.

**B. BOA 2022-0013 V22-0013 6575 Roswell Road**

**Chair Mel Mobley** opened the public hearing.

**Support**

1. Beth Jones- 300 Galleria Parkway, Atlanta

**Opposition**

1. Mark Wallace- 6552 Cherry Tree Lane, Sandy Springs
2. Ethan Wang- 370 Provenance Drive, Sandy Springs

Chair Mobley closed the public hearing.

**Meeting of the City of Sandy Springs Board of Appeals – SUMMARY MINUTES**  
**Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference**  
**June 8, 2022, at 6:00 p.m.**  
**Page 2 of 3**

A motion was made by Board Member Bill Thackston, seconded by Vice Chair Sherri Allen, to defer Case No. V22-0013 to the August 3, 2022 Board of Appeals meeting.

**Chair Mobley** closed the public hearing.

**C. BOA 2022-0014**

V22-0016 6825 Heathfield Drive

**Chair Mel Mobley** opened the public hearing for V22-0016.

## Support

1. Phillip Crammer- 6825 Heathfield Drive, Atlanta
2. Bill Caldwell- 85 Wing Mill Rd, Sandy Springs

**Chair Mel Mobley** closed the public hearing for V22-0016.

A motion was made by Board Member Alvin Johnson, seconded by Board Member Fred Jewell, to deny Case No. V22-0016. The motion carried by majority vote.

**Passed Yes 5, No 1, Abstained 0**

**Years: Chair Mel Mobley, Vice Chair Sherri Allen, Member Fred Jewell, Member Alvin Johnson, Member Justin Sparano.**

**Nays:** Member Bill Thackston.

#### D. BOA 2022-0012

AP22-00001 7840 Roswell Road, Building 500

**Chair Mel Mobley** opened the public hearing.

## Support

1. Christopher Campbell- Division Chief / Fire Marshall

**Appellant**

- ## 1. Ben Dolorto

Chair Mel Mobley closed the public hearing.

A motion was made by **Vice Chair** Sherri Allen, seconded by Board Member Bill Thackston, that the board not uphold the determination of the City Fire Marshall, or go against the staff's recommendation on Case No. AP22-00001, for the reasons stated by the board and thereby granting the appeal.

**Passed Yes 6, No 0, Abstained 0**

**Meeting of the City of Sandy Springs Board of Appeals – SUMMARY MINUTES**  
**Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference**  
**June 8, 2022, at 6:00 p.m.**  
**Page 3 of 3**

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**Yeas:** Chair Mel Mobley, Vice Chair Sherri Allen, Member Fred Jewell, Member Alvin Johnson, Member Justin Sparano, Bill Thackston.

**VI. Ongoing Business**

There was no ongoing business to discuss.

**VII. New Business**

There was no new business to discuss.

**VIII. Adjournment**

There being no further business, the meeting adjourned at 7:31pm.

Approved: August 3, 2022

\_\_\_\_\_  
Mel Mobley, Chair

\_\_\_\_\_  
Board Secretary



**SANDY SPRINGS**  
GEORGIA

**P&Z STAFF REPORT**

Board of Appeals Meeting, June 8, 2022

Case: **V22-0013 – 6575 Roswell Road**  
Staff Contact: Helen Owens (howens@sandyspringsga.gov)  
Report Date: May 27, 2022

**REQUEST**

Request for a variance from Sec. 8.2.7. to remove all buffer requirements along the Southern and Eastern boundaries of the property where abutting TR-3 property.

**APPLICANT**

|                                      |                                         |                                  |
|--------------------------------------|-----------------------------------------|----------------------------------|
| Property Owners:<br>PDR Capital, LLC | Petitioner:<br>Peacock Partnership, Inc | Representative:<br>Steve Farrier |
|--------------------------------------|-----------------------------------------|----------------------------------|

**RECOMMENDATIONS**

**Department of Community Development**

Staff recommends **Denial** of **Variance(s)** V22-0013.

**MATERIALS SUBMITTED AND REVIEWED**

**Materials:**

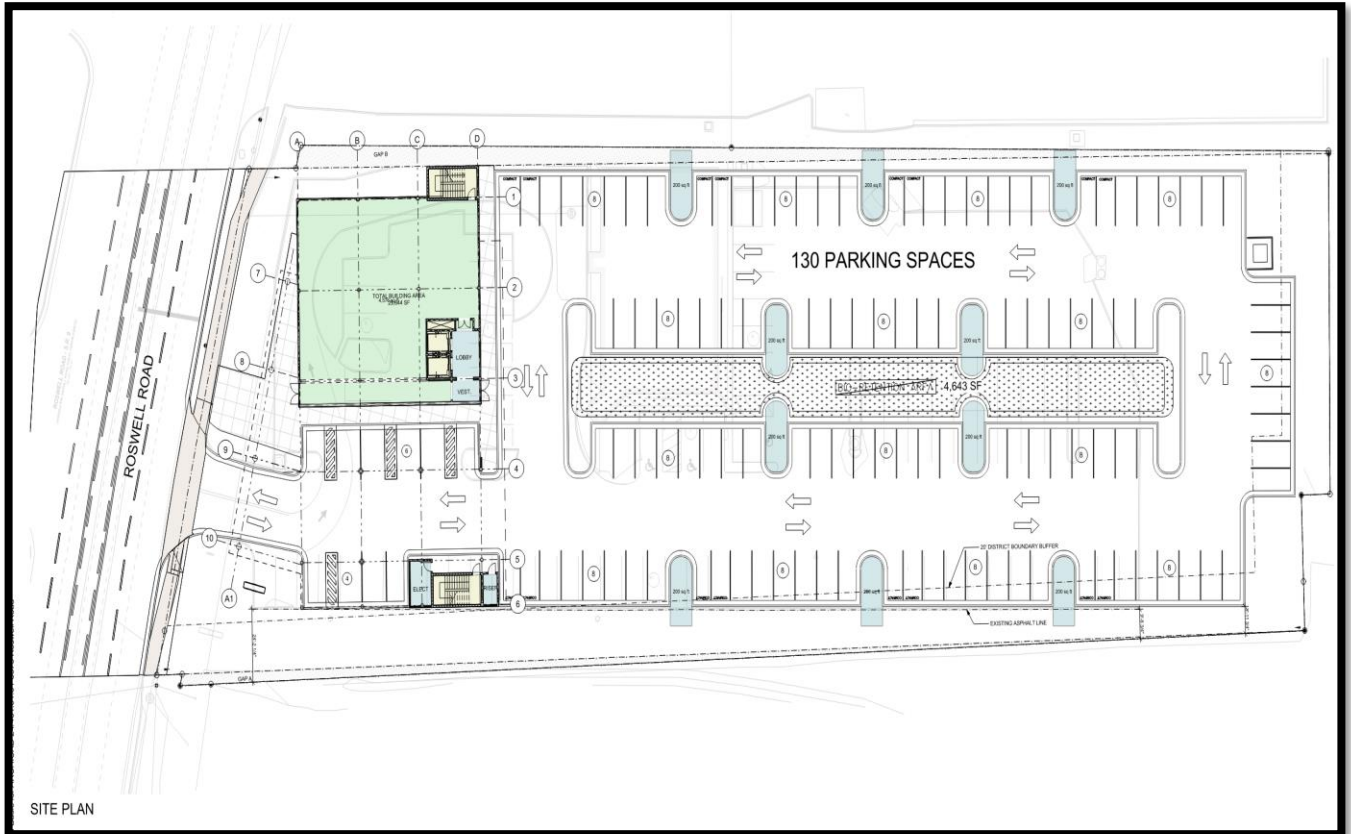
1. V22-0013 Application, received April 26, 2022

**Plans:**

1. “Site Plan” prepared by Peacock Partnership, Inc, Peacock Architects, with all information taken from survey provided by McClung Surveying dated November 04, 2021. Field verified by Sears Smith & Associates on December 09, 2021. Received December 15, 2021.
2. “Survey” prepared by McClung Surveying Services, Inc. Signed and sealed by Land Surveyor Michael R. Noles, dated April 23, 2019. Received December 15, 2021



**SITE PLAN** (received April 26, 2022)



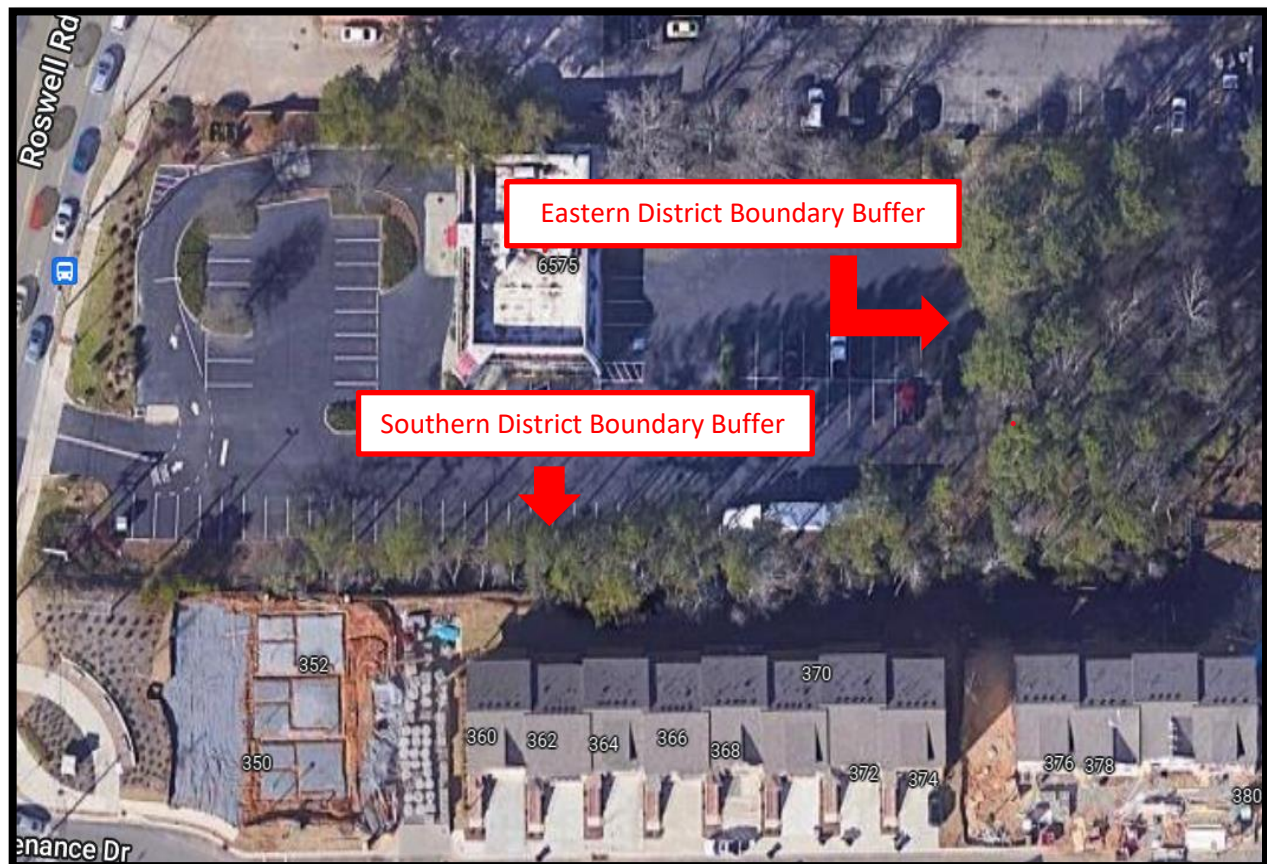
**PROPOSED DEVELOPMENT** (received April 26, 2022)

The 1.8-acre subject property, CX-3 (Commercial Mixed-Use – 3 story maximum) property is developed. The property was formerly the site of a restaurant (Steak ‘n Shake), but is now a vacant parking lot as the former restaurant has been demolished. The property is located off Roswell Road between an oil service station to the north and single unit residential attached townhouses to the south. There is currently significant vegetative growth on both the southern and eastern property lines. The applicants are seeking variances from Sec. 8.2.7. to remove all District Boundary Buffer requirements along the southern and eastern boundaries of the property where the site abuts Urban Neighborhood (TR-3) property, which otherwise requires installation of a District Boundary Buffer.

Per the Development Code Section 8.2.7.A.1

- A district boundary buffer is required when any of the following districts share a common lot line:
  - a. Any RM- district, Corridor & Node district or Perimeter Center district abutting any RT or RU-district.

*Aerial photo of 6575 Roswell Road.*





PROPERTY IMAGES 6575 ROSWELL ROAD

*The entrance into the property off Roswell Road.*



*The eastern and southern boundary of the property (6575 Roswell Road).*





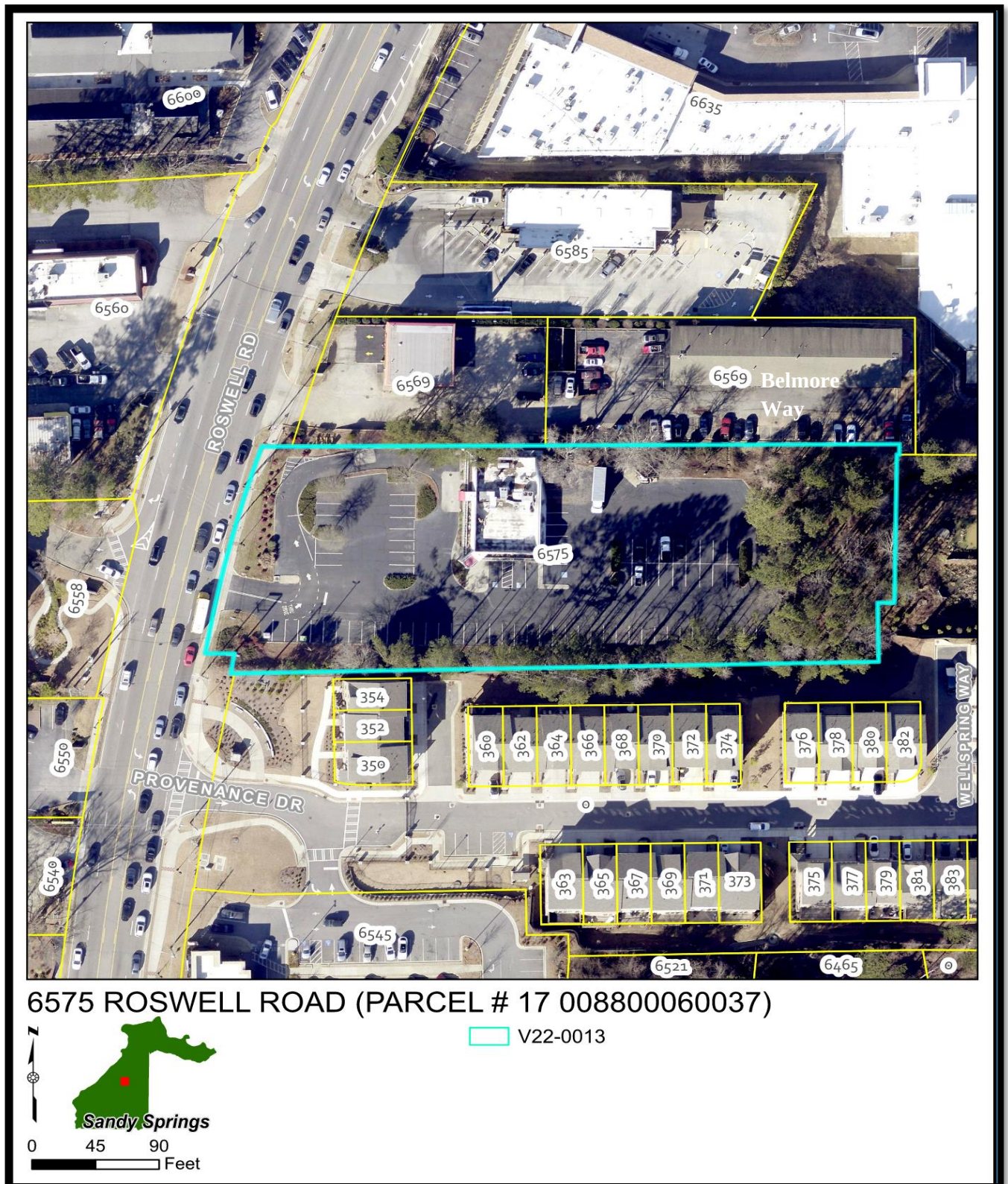
*Looking west toward Roswell Road, the adjacent oil service center is to the north.*



| <b>EXISTING ZONING AND LAND USES OF PROPERTY IN THE VICINITY</b> |                               |                     |                                        |
|------------------------------------------------------------------|-------------------------------|---------------------|----------------------------------------|
| <b>Location relative to subject property</b>                     | <b>Zoning / Land use</b>      | <b>Address(es)</b>  | <b>Land area (acres) (approximate)</b> |
| North                                                            | CX-3/ Commercial Mixed Use    | 6569 Roswell Road   | .38 Acres                              |
| North                                                            | CX-3/ Commercial Mixed Use    | 6569 Roswell Road B | .60 Acres                              |
| Northwest                                                        | CX-3/ Commercial Mixed Use    | 6560 Roswell Road   | 1.55 Acres                             |
| West                                                             | CX-3/ Commercial Mixed Use    | 6550 Roswell Road   | .47 Acres                              |
| West                                                             | RM-3/8 Residential Multi-Unit | 6558 Roswell Rd     | 7.70 Acres                             |
| West                                                             | --                            | Roswell Rd          | --                                     |
| South                                                            | RT-3/ Residential Townhouse   | 6555 Roswell Road   | 3.24 Acres                             |
| East                                                             | RT-3/ Residential Townhouse   | 6555 Roswell Road   | 1.1 Acres                              |
| <b>PROPOSED DEVELOPMENT</b>                                      |                               |                     |                                        |
| North                                                            | CX-3/ Commercial Mixed Use    | 6575 Roswell Rd     | 1.8 Acres                              |



AERIAL IMAGE





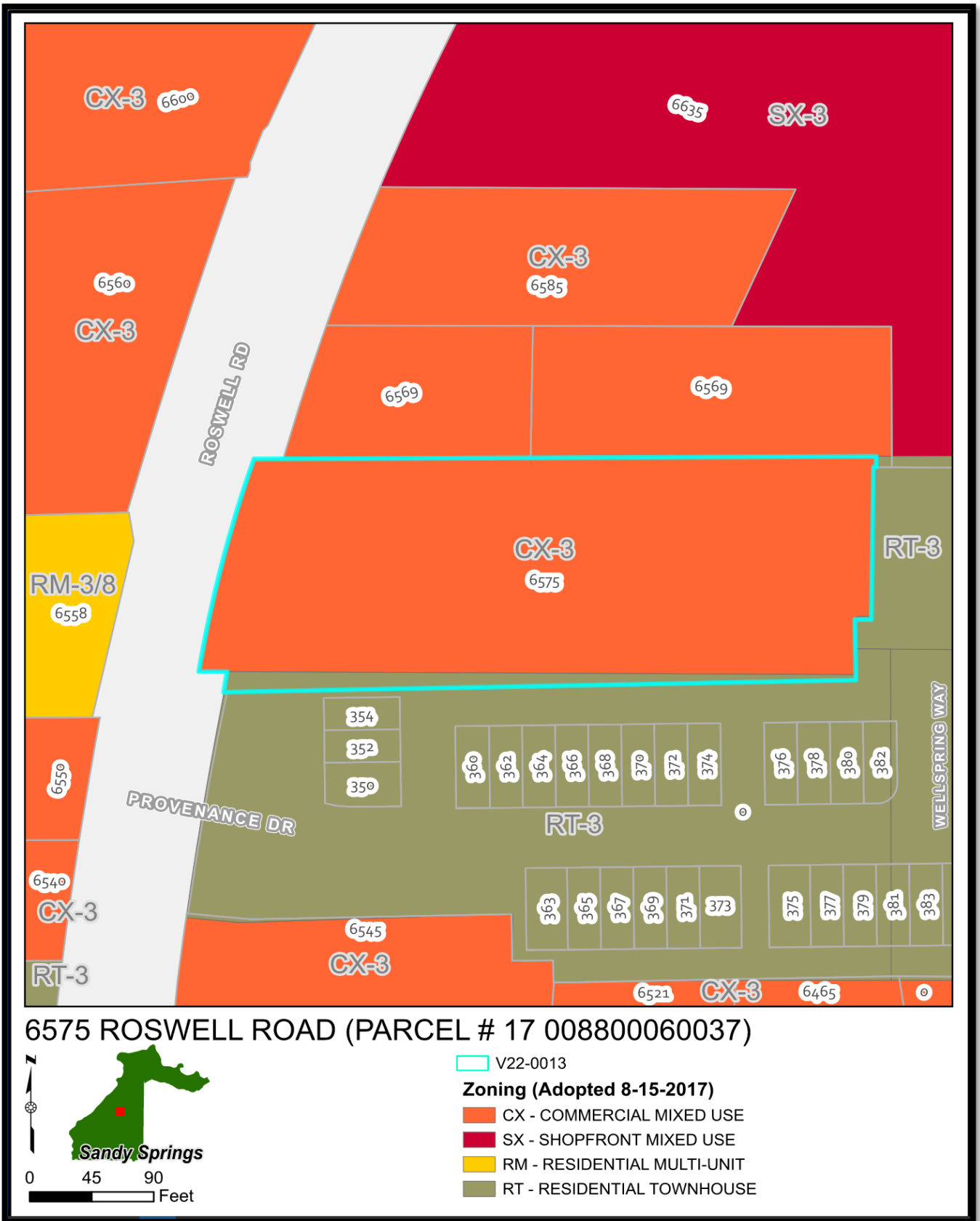
*The vegetative buffer between townhouse property to the south (side).*



*The eastern (rear) boundary of the property.*

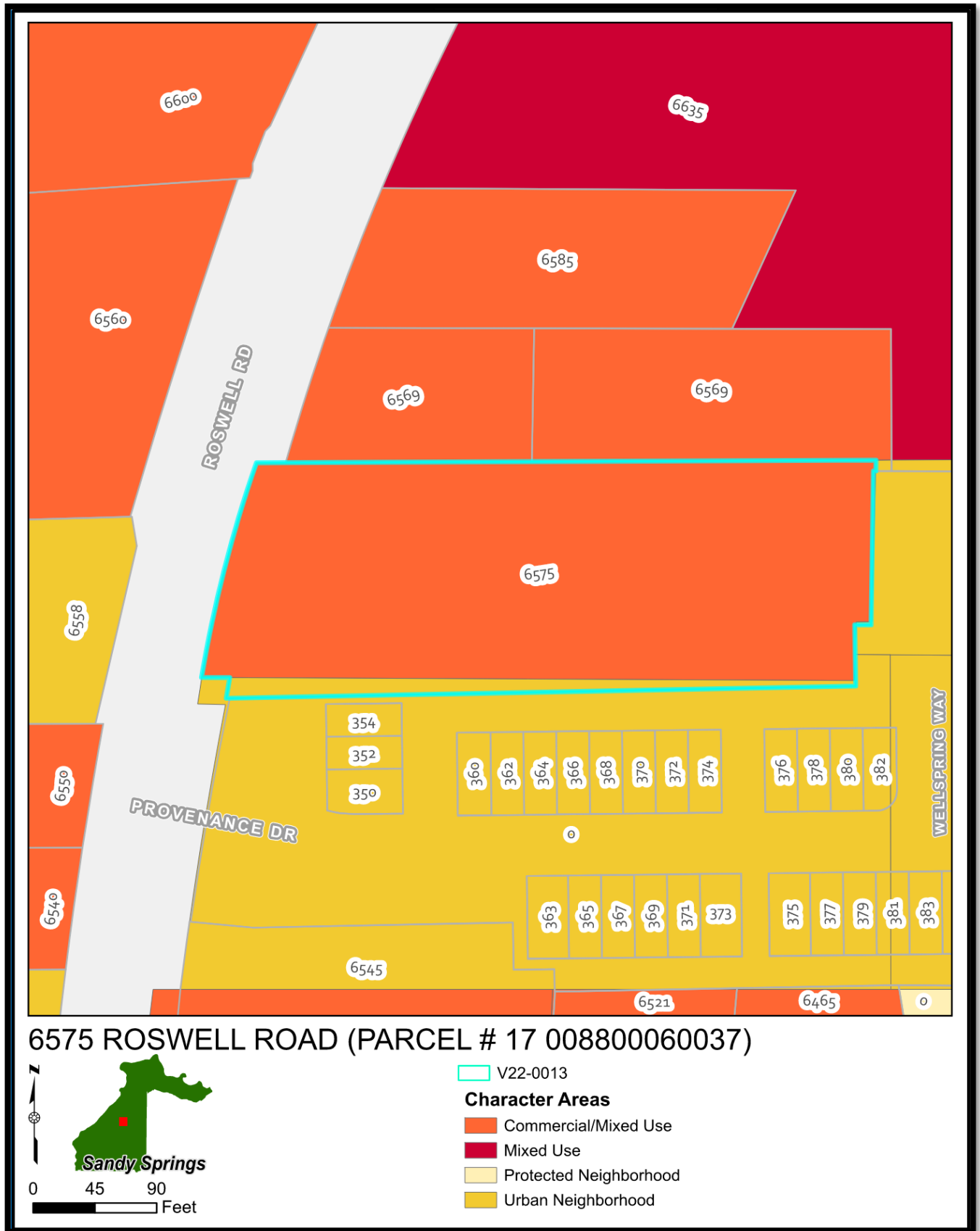


# ZONING MAP





# CHARACTER AREA MAP



## V22-0013 VARIANCE CONSIDERATIONS

Per Sec. 11.6.2.G. of the Development Code, the following list of approval criteria for a Variance provides guidance for making decisions on approval:

**1. Variances will only be granted upon showing that:**

- a. The application of this Development Code would create an unnecessary hardship, and not merely an inconvenience to the applicant; or**

Finding: It is Staff's view that the application of the Development Code would not create an unnecessary hardship. Rather, it is Staff's opinion that the installation of the District Boundary Buffer would honor the Development Code, and by extension the vision laid out by the citizenry in *The Next Ten Comprehensive Plan*. The proposed project for the site will significantly overhaul the current state of the lot. The installation of a 20' border, including a required buffer wall and prescribed plantings would not increase the scope of work in a substantial way.

- b. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties;**

Finding: The subject property is relatively large, rectangular, and primarily flat. For these reasons, it is Staff's view that there are no extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties.

**2. Further, the application must demonstrate that:**

- a. Such conditions are not the result of action or inaction of the current property owner; and**

Finding: The size, shape, and topography of the subject property are not the result of action or inaction of the current property owners. The lot was previously developed as is by the previous property owner. The current layout and general character of the property has nothing to do with the current property owner or applicant, beyond the former restaurant structure being demolished.

- b. The Variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and**

Finding: The Variance request would not provide the minimum relief necessary to make possible the reasonable use of the property. The installation of the required District Boundary Buffer would not prohibit the reasonable use of the property. Therefore, it is Staff's view that relief, minimal or otherwise is not necessary or merited.

- c. The Variance request would result in development that is consistent with the general intent of this Development Code, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare.**

Finding: The Variance request would not result in development that is consistent with the general intent of the Development Code or *The Next Ten*. The Development Code requires a district boundary buffer when any of the following districts share a common lot line: Any RM-district, Corridor & Node district or Perimeter Center district abutting any RT or RU- district. A request to eliminate the district boundary buffer requirements, is inconsistent with the Development Code.

A major feature of *The Next Ten* is to protect and preserve the City's neighborhoods, and a way in which that is codified is through building setback and other regulations governing the location and screening of buildings and structures. Thus, the request would not result in development that is consistent with *The Next Ten*, either.

**COMMENTS FROM OTHER PARTIES****Sandy Springs Public Works:**

No comment provided.

**Sandy Springs City Engineer:**

No comment provided

**Sandy Springs Chief Environmental Compliance Officer:**

No comment provided.

**Sandy Springs Arborist:**

No comment provided

**Sandy Springs Sustainability Manager:**

No comment provided.

**Sandy Springs Building Official:**

I do not see a hardship.

**Sandy Springs Fire Marshal:**

No comment provided.

**Sandy Springs Land Development Manager:**

No comment provided

**Sandy Springs Transportation Planner**

- Interparcel connection to the northern property should be considered
- Frontage should be improved per requirements in the code

**Correspondence Received:**

The applicant provided letters in favor of the variance, signed by the owners of the five closest neighbors, which are included in this package.



|                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATIONS</b>                                                                                                                                                                                                                  |
| Following review, and based on the findings, Staff recommends <b>Denial</b> of <b>Variance V22-0013</b> . Request for a variance from Sec. 8.2.7. to remove all buffer requirements along the southern and eastern boundaries of the property where abutting TR-3 property. |

**Received**

July 12, 2022, 4:55 PM



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Case No.: **V22-00013**  
Planner's initials: **H.O.**

PROJECT INFORMATION SHEET

|                 |                                      |                                   |
|-----------------|--------------------------------------|-----------------------------------|
| <b>PROPERTY</b> | Address(es): 6575 Roswell Road       |                                   |
|                 | Parcel Tax ID(s): 17 008800060037    |                                   |
|                 | Total acreage: 1.8                   | Council District: 4               |
|                 | Current zoning: CX-3                 | Current use: former Steak & Shake |
|                 | Character Area: Commercial/Mixed Use |                                   |

|                    |                                                                                                                                                                                                                                                                                                  |                               |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| <b>APPLICATION</b> | Detailed request (include Code Section No.): Sec. 8.2.7 - District Boundary Buffers                                                                                                                                                                                                              |                               |
|                    | Petitioner requests a Variance from the Development Code between the subject property that is zoned CX-3 and the adjacent townhome property zoned TR-3. The subject property was previously developed as a restaurant (Steak & Shake) prior to the the adjoining property being rezoned to TR-3. |                               |
|                    | See attached Letter of Intent and associated exhibits for further information and detail.                                                                                                                                                                                                        |                               |
|                    |                                                                                                                                                                                                                                                                                                  |                               |
|                    | Petitioner:                                                                                                                                                                                                                                                                                      | Peacock Partnership, Inc      |
|                    | Petitioner's address:                                                                                                                                                                                                                                                                            | 5525 Interstate North Parkway |
|                    |                                                                                                                                                                                                                                                                                                  | Sandy Springs, GA 30328       |

|              |                                                                                                                                         |  |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>OWNER</b> | Property owner: PDR Capital, LLC (Daniel Refai, managing member)                                                                        |  |
|              | Owner's address: 5240 Northside Drive NW Sandy Springs, GA 30327                                                                        |  |
|              |                                                                                                                                         |  |
|              | Signature (authorizing initiation of the process):  |  |

*If the property is under contract, provide a copy of the contract*

- TO BE FILLED OUT BY P&Z STAFF -

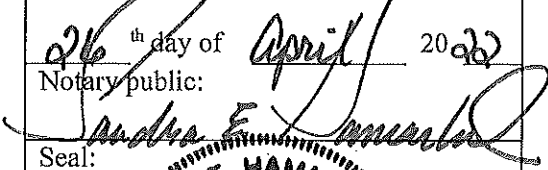
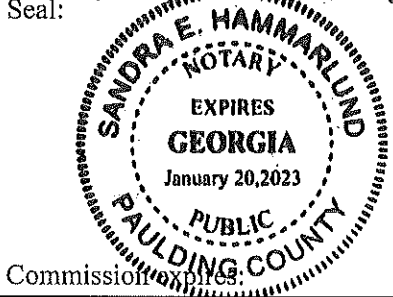
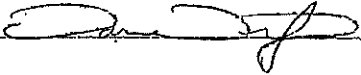
|                                         |                                                 |
|-----------------------------------------|-------------------------------------------------|
| Pre-Application Meeting date:           | Anticipated Application date: <b>03/31/2022</b> |
| Anticipated BOA date: <b>06/08/2022</b> |                                                 |
| <b>ADDITIONAL INFORMATION NEEDED:</b>   |                                                 |
|                                         |                                                 |
|                                         |                                                 |
|                                         |                                                 |
|                                         |                                                 |
|                                         |                                                 |



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**AUTHORIZATION FORM – PART I**

A- The property owner must fill out the following section and have it notarized. If a property has multiple owners, each owner must separately fill out a copy of the Authorization Form.

|                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this Application. |                                                                                                                                                                                                                                                                                                                                               |
| Owner's name: PDR Capital, LLC                                                                                                                        | <div>Sworn and subscribed before me this<br/><u>26</u><sup>th</sup> day of <u>April</u> 20<u>22</u><br/>Notary public:<br/><br/>Seal:<br/><br/>Commission expires:</div> |
| Address:<br>                                                         |                                                                                                                                                                                                                                                                                                                                               |
| City, State, Zip Code:<br>Sandy Springs, GA 30327                                                                                                     |                                                                                                                                                                                                                                                                                                                                               |
| Email address:                                                       |                                                                                                                                                                                                                                                                                                                                               |
| Phone number:                                                        |                                                                                                                                                                                                                                                                                                                                               |
| Owner's signature:<br>                                               |                                                                                                                                                                                                                                                                                                                                               |

B- If the Applicant is *not* the owner of the subject property:

Fill out the following section, check the appropriate statement and have it notarized.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant states under oath that:<br><input type="checkbox"/> He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner ( <i>attach a copy of the contract</i> ); or<br><input type="checkbox"/> He/she has an option to purchase the subject property ( <i>attach a copy of the contract</i> ); or<br><input type="checkbox"/> He/she has an estate of years which permits the Applicant to apply ( <i>attach a copy of the lease</i> ) |                                                                                                                                                                                       |
| Applicant's name:                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <div>Sworn and subscribed before me this<br/><br/><u>    </u><sup>th</sup> day of <u>    </u> 20<u>    </u><br/>Notary public:<br/><br/>Seal:<br/><br/><br/>Commission expires:</div> |
| Company name:                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                       |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                       |
| City, State, Zip Code:                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                       |
| Email address:                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                       |
| Phone number:                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                       |
| Applicant's signature:                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                       |



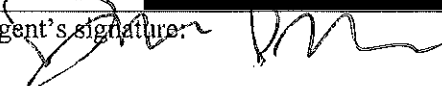
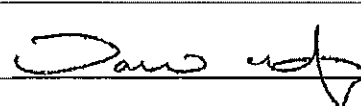
## SANDY SPRINGS™

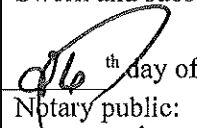
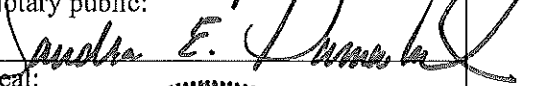
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### AUTHORIZATION FORM – PART II

C- If an agent or attorney will represent the owner and/or the Applicant:

Fill out the following section and have it notarized.

|                                                                                                           |
|-----------------------------------------------------------------------------------------------------------|
| Agent's name: Dean Peacock                                                                                |
| Company: Peacock Partnership, Inc                                                                         |
| Address:<br>5525 Interstate North Parkway                                                                 |
| City, State, Zip Code:<br>Sandy Springs, GA 30328                                                         |
| Email address: [REDACTED]                                                                                 |
| Phone number: [REDACTED]                                                                                  |
| Agent's signature:       |
| Applicant's signature:  |

|                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sworn and subscribed before me this<br> th day of <u>April</u> 20 <u>22</u> |
| Notary public:<br>                                                          |
| Seal:<br>                                                                  |
| Commission expires:                                                                                                                                           |





## SANDY SPRINGS

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May 17, 2021

H. Dean Peacock  
Peacock Partnership, Inc  
5525 Interstate North Parkway  
Atlanta, GA 30328

Subject: Zoning Certification for 6575 Roswell Road, Parcel# 17 008800060037

Dear H. Dean Peacock,

Please be advised that 6575 Roswell Road is currently zoned CX-3 (Commercial Mixed Use) and may be subject to conditions under Fulton County Rezoning Case 1963Z-0003. Please see the following Section 1.1.9 Prior Approval Conditions in the Development Code:

### Sec. 1.1.9. Prior Approval Conditions

A. The adoption of an Official Zoning Map implementing this Development Code will remove all prior conditions of rezoning, with the exception of:

1. Buffers or setbacks adjacent to Protected Neighborhoods that exceed the requirements in this Development Code;
2. Any provision for preservation or donation of park or open space land; and
3. Development of Regional Impact (DRI) transportation conditions that exceed the requirements imposed by this Development Code.
4. Any conditions that restrict the provision of ballfield or playground lighting or sound amplification.
5. Any provision in an approved condition or site plan that restricts vehicular access to or from a particular direction.

B. Relief from any prior rezoning condition must be granted through the Planning Commission and City Council under the procedures for Legislative Review (see Div. 11.3.).

Please find enclosed a copy of the conditions, if any, and a copy of the current zoning district regulations currently in effect.

Adjacent properties are zoned as follows:

North: CX-3 (Commercial Mixed Use)



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South: CX-3 (Commercial Mixed Use)

East: RD-18 (Residential Detached)

West: HWY 9

There are no known zoning code violations, building code violations, or legal nonconforming issues at this time; however, there may be issues unknown to staff that may impact the compliance of the property.

The following section of the Development Code shall apply to nonconforming structures:

### Sec. 11.7.2. Nonconforming Structure

#### A. Defined

A building or structure that does not conform with the requirements of this Development Code. For the purposes of this Section, any building legally constructed prior to the adoption of this Development Code that exceeds the zoning district height limit established in this Development Code will be considered a conforming structure, and not subject to the requirements of this nonconforming structure Section.

#### B. Continuance

A nonconforming structure is allowed to continue legally even though the structure does not conform with the provisions of this Development Code, subject to the following provisions:

1. Regular maintenance and repairs to a nonconforming structure are allowed.
2. A nonconforming structure may be expanded, altered or rebuilt where such expansion, alteration or rebuilding conforms with all the applicable requirements of this Development Code.
3. No new nonconformity may be created by any expansion, alteration or rebuilding.
4. Expansion on the vertical plane, such as the addition of another story to a nonconforming structure that does not meet the district setback, is considered an expansion of the nonconformity and therefore prohibited. Expansion on the vertical plane in conformance with all the applicable requirements of this Development Code is allowed.
5. The nonconforming structure may not be rebuilt, altered or repaired after damage or deterioration exceed 75% of its replacement cost at the time of destruction, except in conformity with this Development Code. Where a residential structure is damaged or destroyed through natural catastrophe, the Director may allow it to be reconstructed without regard to the extent of damage, provided that the extent of any prior structure nonconformity remains the same or is reduced for the new structure.
6. A permit to begin such restoration shall be applied for no later than 6 months from the date the damages were incurred. At the request of the applicant, the Director may grant



## SANDY SPRINGS

GEORGIA

one extension of a maximum of 6 months, upon demonstration of extenuating circumstances outside of the owner's control. The applicant must request an extension in writing, no later than 30 days prior to the expiration of the grace period.

7. This section does not apply to signs. See Sec. 11.7.5.

8. A request to expand, alter or rebuild an existing nonconforming structure may be brought before the Board of Appeals as a request for a variance.

The Development Code in its entirety is available online at:

[https://library.municode.com/ga/sandy\\_springs/codes/development\\_code](https://library.municode.com/ga/sandy_springs/codes/development_code).

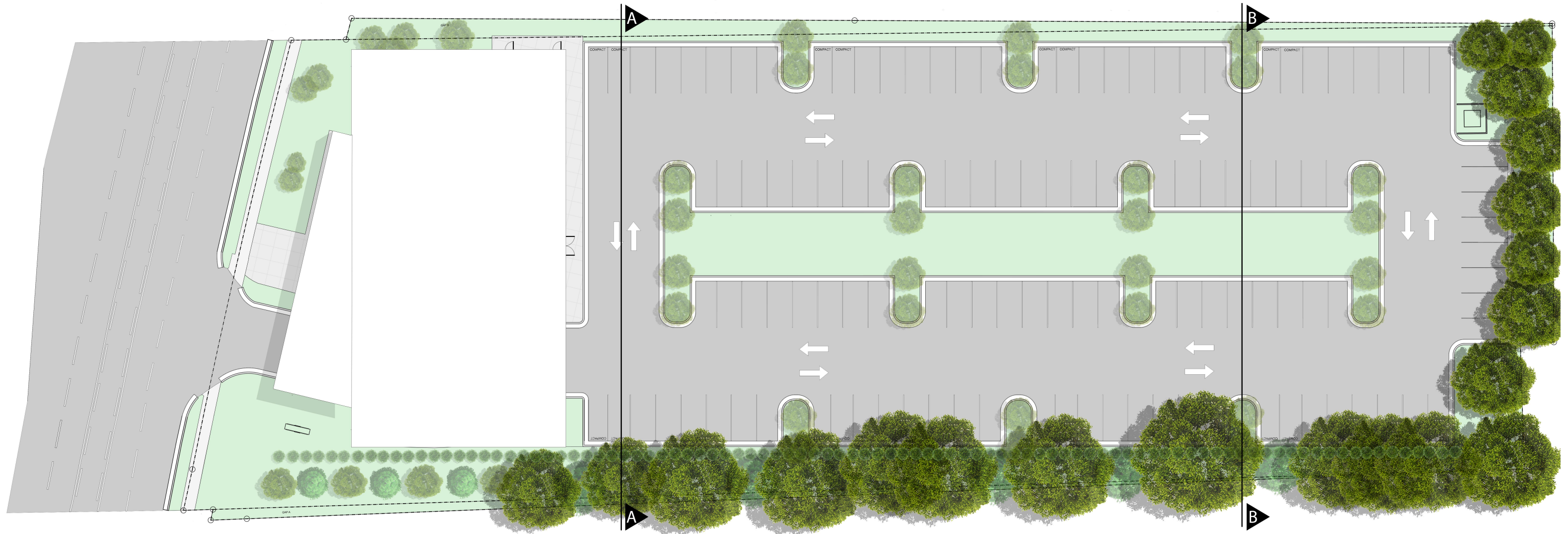
If you have any questions, please contact Planning & Zoning at (770) 730-5600.

Sincerely,

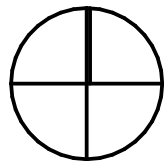
*Ginger Sottile*

Ginger Sottile  
Director of Community Development  
GS/lg

## Exhibit B



**N**



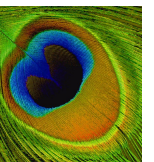
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4/25/2022

### SITE WITH PROPOSED VARIANCE RELIEF

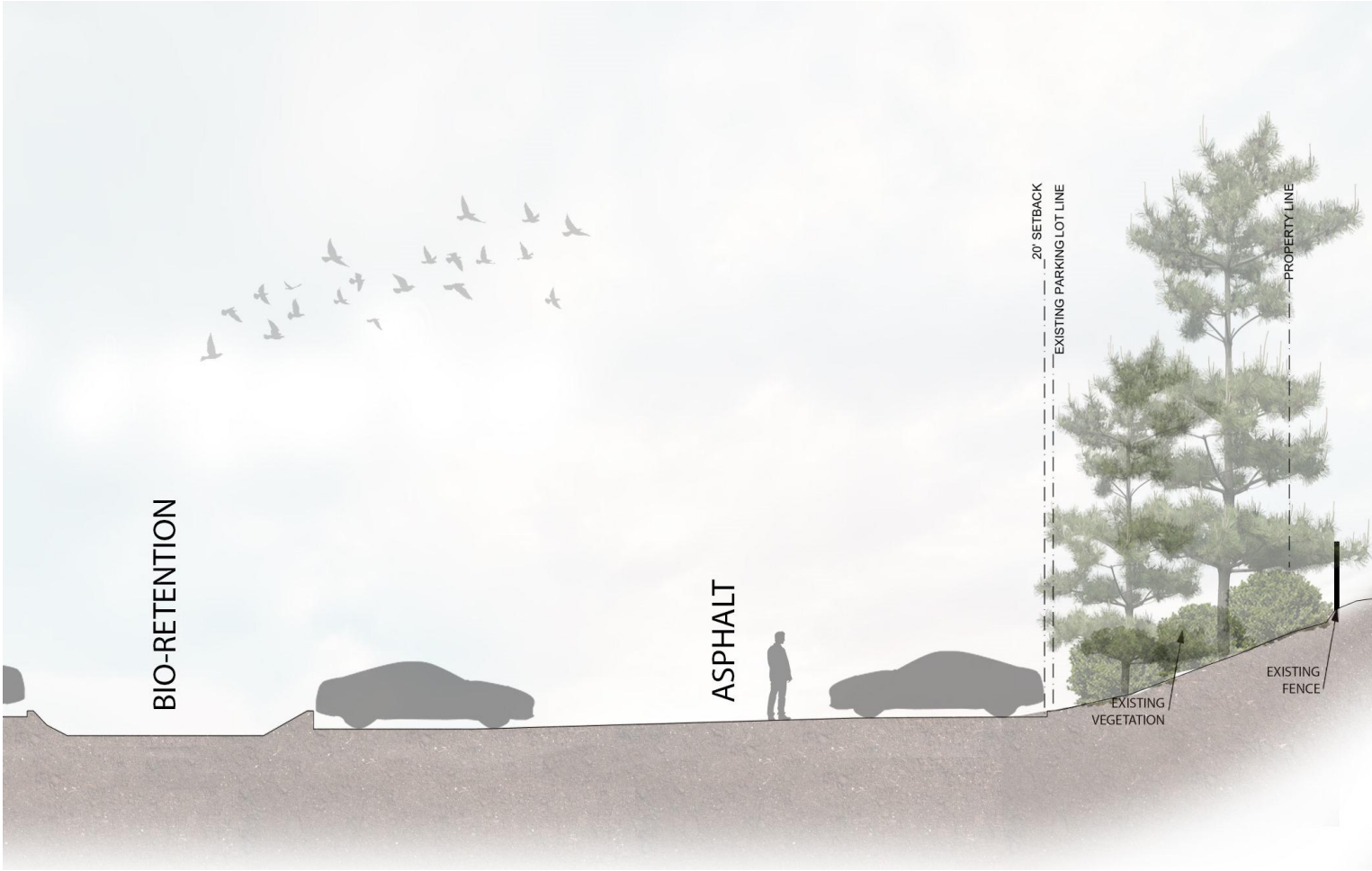
6575 ROSWELL ROAD

SANDY SPRING, GA

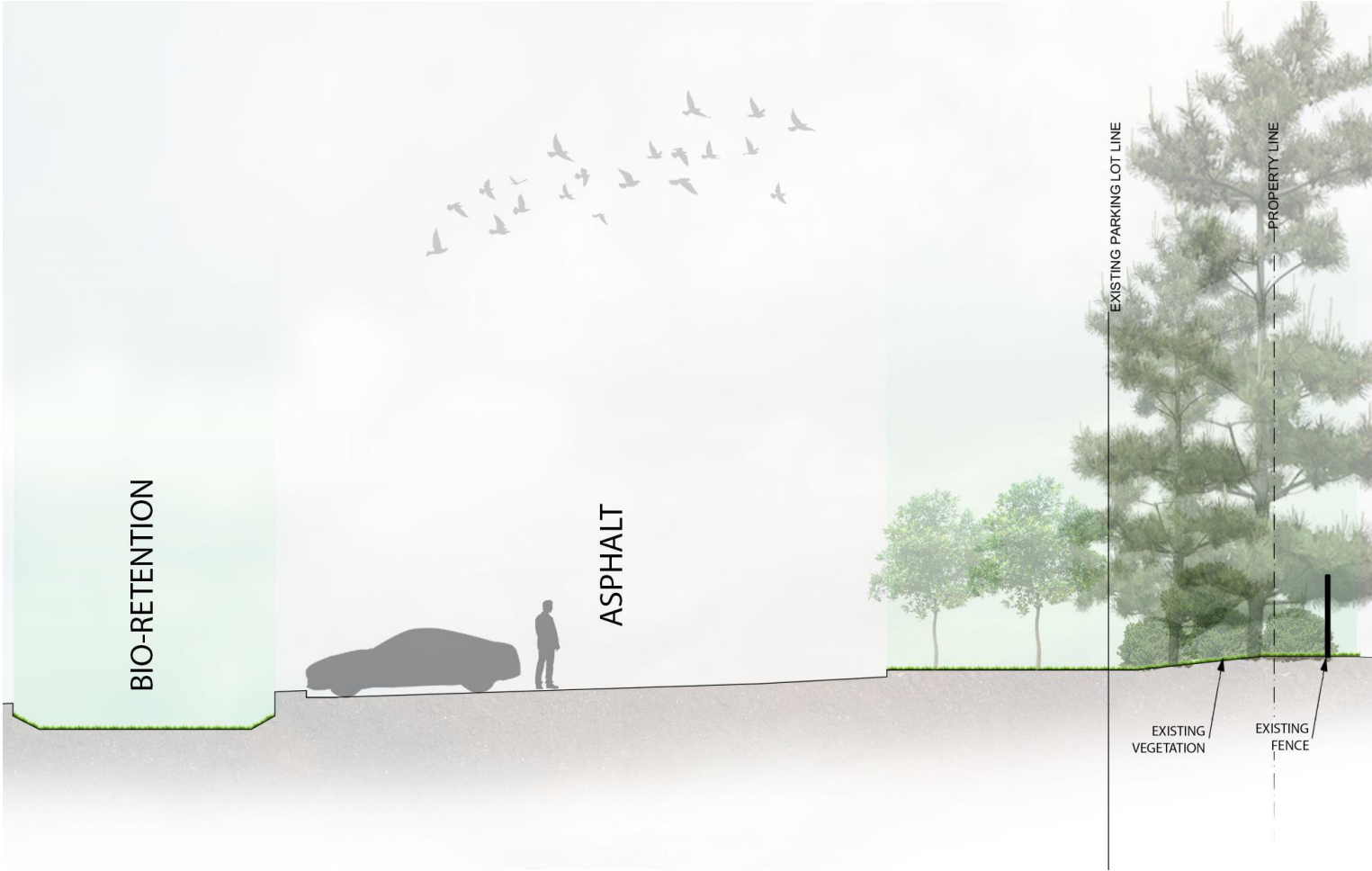


PEACOCK  
ARCHITECTS  
Page 26 of 204

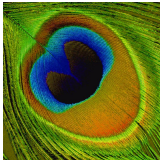


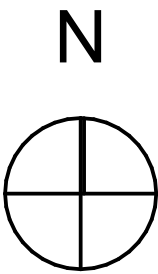
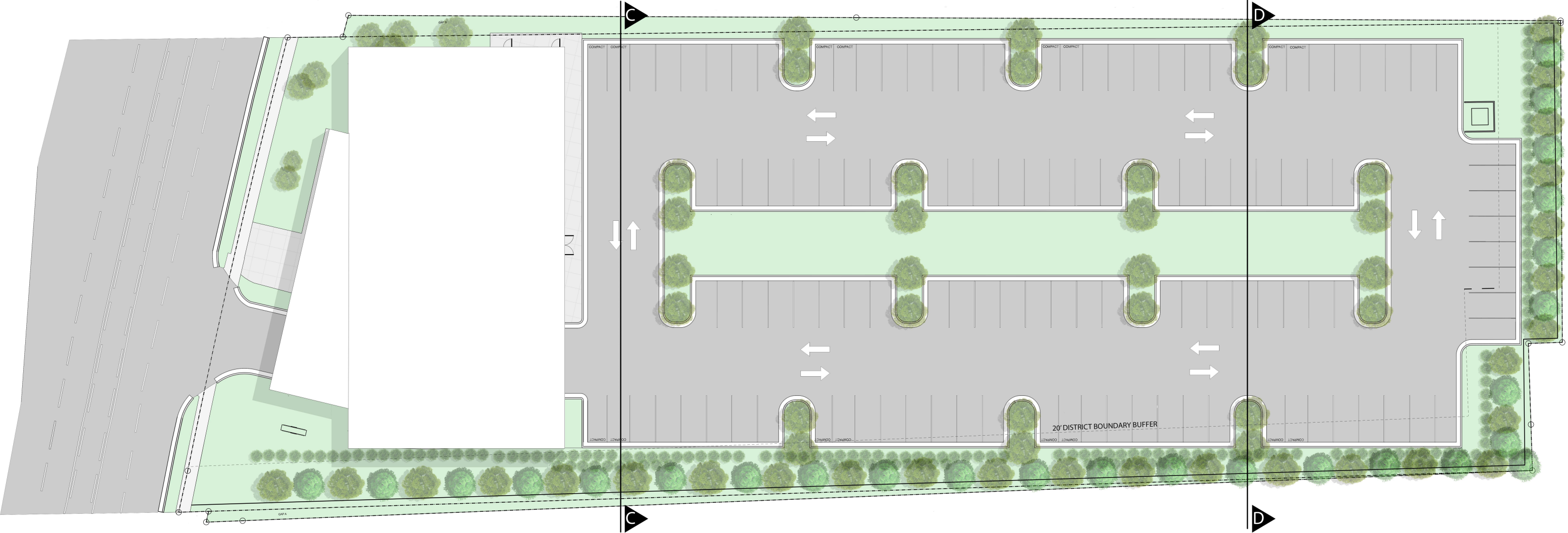


SECTION A



SECTION B

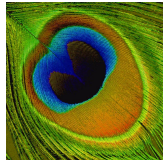


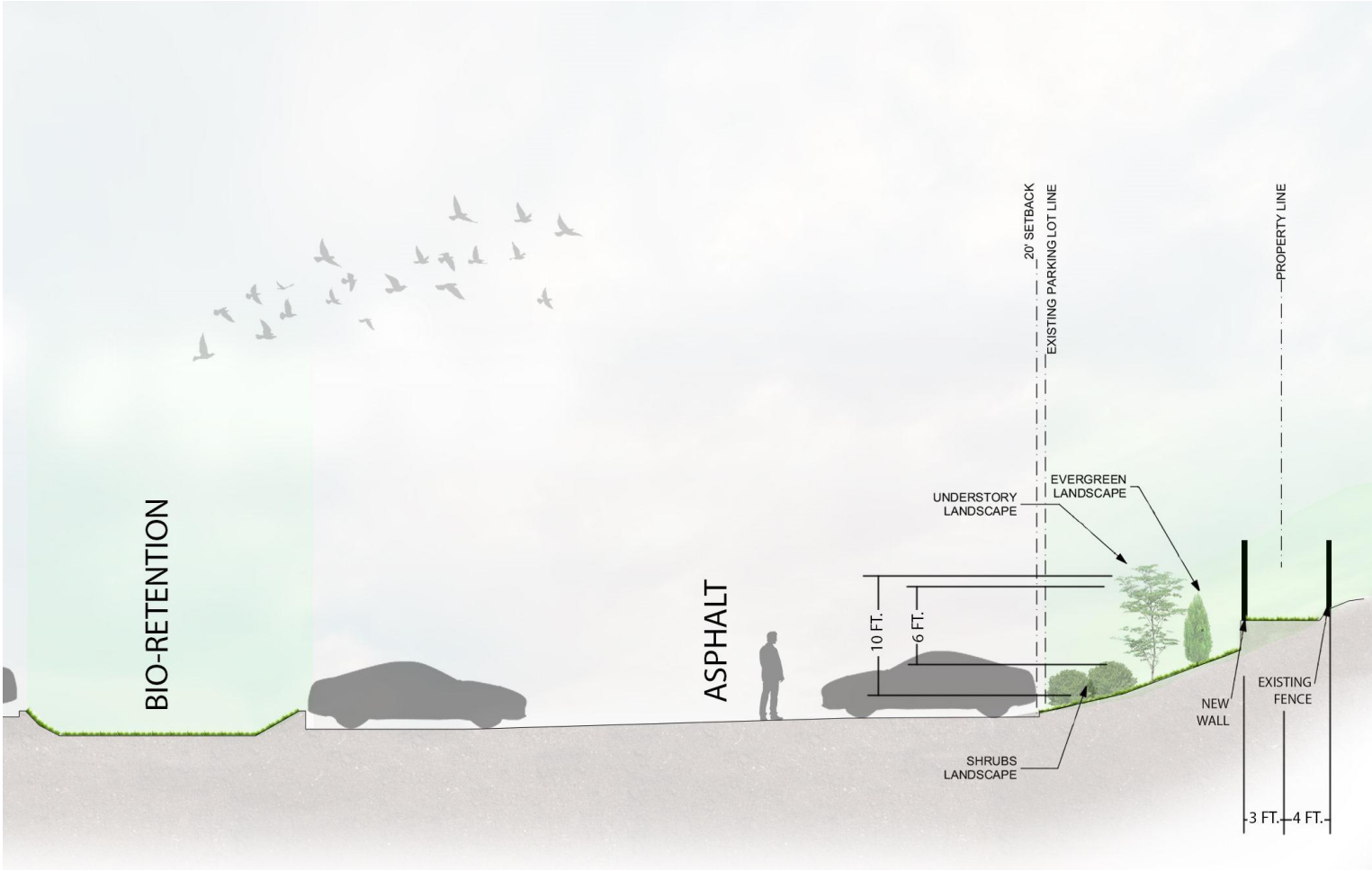


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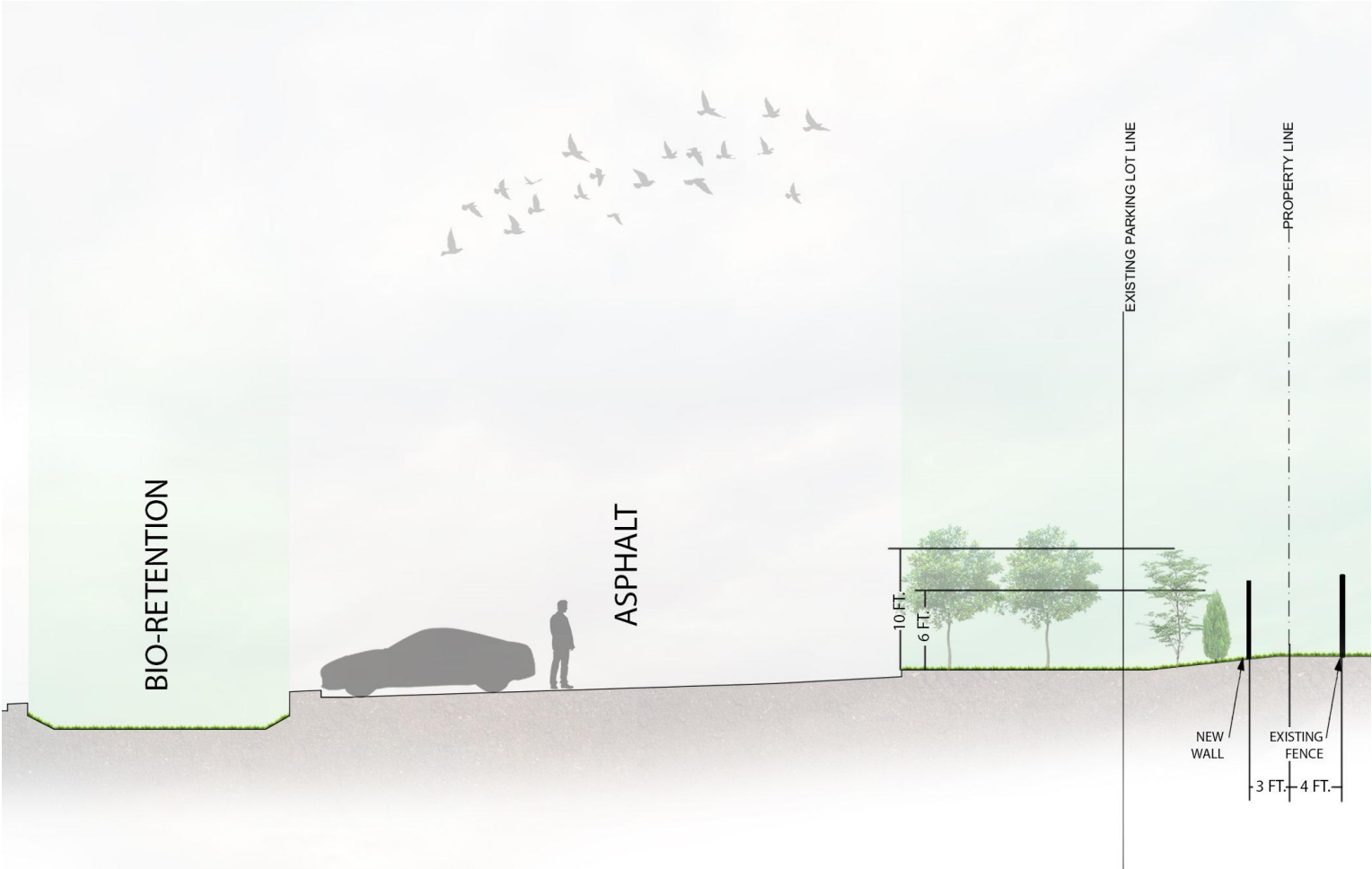
4/25/2022

REJECTED  
SITE WITH ALTERNATIVE DESIGN  
6575 ROSWELL ROAD  
SANDY SPRING, GA





SECTION C



SECTION D

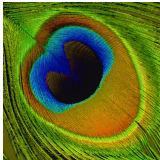




Exhibit F





Exhibit G





Exhibit H





Exhibit J





Exhibit K





Exhibit L





Exhibit M



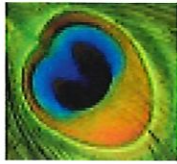


Exhibit N









Peacock Partnership, Inc. • 5525 Interstate North Parkway • Atlanta, Georgia 30328 • (O) (404) 214-5200 (F) (404) 214-5208

April 26, 2022

Sandy Springs Board of Appeals

Hon. Mel Mobley, Chair  
Hon. Sherri Allen, Vice Chair  
Nathan Kongthum  
Colin Lichtenstein  
Bill Thackston  
Alvin Johnson

Sandy Springs City Hall  
1 Galambos Way  
Sandy Springs, Georgia 30328

Re: Letter of Intent for V22-0013 – Variance Application for 6575 Roswell Road

Dear Chairman Mobley and Members of the Board of Appeals:

The purpose of this letter of intent for Variance Application V22-0013 is to articulate the variance requested, the relief sought, and the proposed alternative from the Development Code.

### **Variance Requested**

The applicant requests a variance from Development Code Section 8.2.7 – District Boundary Buffers between the subject property and the property zoned TR-3 (Provenance Townhomes et al.). The subject property abuts the adjacent TR-3 to the South (townhome area) and to the East (retention pond area). While this application contemplates one variance request, the two areas are unique in their characteristics and challenges, hence each will be addressed separately as the Southern and Eastern boundary lines for clarity.

**Southern Boundary Line** - Applicant requests relief from Code Section 8.2.7 along the Southern boundary line. Applicant proposes to utilize the line of the existing parking lot curb and gutter along the boundary for the new parking lot. The parking lot will encroach into what would be the buffer area for approximately 240 LF ranging in depth from zero feet (0') to eleven feet (11') along this line.

Applicant proposes to retain the specimen trees along the Southern boundary line, to remove smaller unsightly trees and shrubs and underbrush, and to plant at least the required quantity of 6' high evergreens. The Townhome Association would prefer more



evergreens to be utilized as a sound and visual buffer in this area rather than understory trees. Applicant will plant as many 3' high shrubs as practical in this area as the existing sloping topography and specimen tall pines trees in this area limit the quantity of understory trees and 3' high shrubs that can be planted.

Eastern Boundary Line – Applicant requests relief from Code Section 8.2.7 along the Eastern boundary line. A portion of the parking lot will encroach into the buffer area approximately six feet (6') for approximately 53 LF along this line.

Applicant proposes to retain as many specimen tall pine trees as possible along Eastern Boundary Line, plant the requisite number of evergreen trees, and plant as many understory trees and shrubs as possible.

Applicant has provided as Exhibits B and C, plans and sections that illustrate the variance requested.

### **Factual Details**

The subject property located at 6575 Roswell Road is a 1.8-acre parcel that is zoned CX-3 and falls within Council District 4. The property was formerly used as a Steak & Shake restaurant. The property is bounded by property zoned CX-3 to the North (Take-5 Oil Change and Mr. Transmission), and property zoned TR-3 to the South and East (Provenance Townhomes).

The proposed development on the subject property is a single 30,000 GSF 3-story medical office building with 130 parking spaces. Anticipated hours of operation would be 7am to 6pm Monday through Friday and 8am to 1pm on Saturday.

### **Alternative Designs**

Applicant explored alternative designs that would apply the Development Code as written. These designs resulted in extensive removal of the existing tall pine tree line, excavation that could destabilize the soil and foundations of the existing townhomes, require retaining walls and associated ground water management and drainage solutions requiring significant financial expenditures. Consequently, these designs were rejected as not being practical or feasible.

Applicant has provided as Exhibits D and E, plans and sections for an alternative design that incorporated Code Section 8.2.7 (B)(3)(4) and (5). This plan was not agreeable to the Townhome association as the height of the trees did not provide the necessary buffer due to the difference in height of the properties.

Consultation with Board members of the Provenance Townhome Association led us to the requested Variance Application before you today.



## Analysis of the Variance

**Hardship** - The application of the Development Code creates an unnecessary hardship (please note that Webster's dictionary defines hardship as "a condition that causes difficulty or suffering") for the following reasons:

1. Prior to purchasing the subject property, applicant requested, paid for, and received a Zoning Certification Letter from the Sandy Springs Department of Community Development stating that the adjacent properties to the North and South of the subject property were zoned CX-3 (see Exhibit A).

Applicant relied upon this Zoning Certification Letter in its decision to purchase the subject property. Had applicant received a Zoning Certification Letter stating that the adjacent properties to the South and East were zoned TR-3, applicant would not have purchased the subject property.

2. A reduction in the project scope creates a financial suffering on the owner due to a higher cost per square foot as a direct return from the land basis (i.e. less usable land to develop).
3. The buffer along the Sothern boundary line will have the following effects:
  - a. Result in the loss of approximately 33 tall pine trees, 17 understory trees and other foliage that act as a natural buffer between the subject property and the townhomes to the South (see Exhibits F, G, H, J, K, L, M, N and P.
  - b. Require excavation of earth that may cause soil instability affecting the integrity of the soils near the existing fence owned by the townhome association and the foundations of the adjacent townhomes due to the topography of the boundary line (see Exhibit M).

The difference in elevation between the subject property and the adjacent TR-3 property has a mean difference in elevation of six feet (6') ranging from one foot (1') to eight feet (8') (see Exhibits B and C for plans and sections and Exhibits F, G, H, J, K, L, and M). From a practical perspective, this wall serves no function as the top of the wall is considerably lower than the top of the existing fence owned by the townhome association.
  - c. Require a wall to be constructed in a location where ground water runoff from the townhomes will undercut the foundation of the wall.
  - d. Essentially require the installation of a retaining wall (rather than a buffer wall) along the boundary line, the height of such wall requiring fabric/geogrid reinforcing that would require the removal of the fence owned by the townhomes (see Exhibits F, G, H and M) and destabilizing the soil;
  - e. Result in a reduction in the quantity and size of trees along the boundary line. There are currently 33 tall pine trees (7.23 per 100 LF) and 17 understory trees (3.71 per 100LF). The Code calls for four evergreen trees at least 6' high and four understory trees with a 2" caliper per 100 LF; and



- f. Create an area that is inaccessible for maintenance between the buffer wall and the existing fence owned by the townhome association due to the topography.
4. The buffer along Eastern Boundary Line will have the following effects:
  - a. Require a wall to be constructed in a location where the outflow from the retention pond (owned by the townhome association) that will 1) undercut the foundation of the buffer wall, and 2) cause pooling between the outflow and the wall resulting water spilling over onto the adjacent property to the North (Mr. Transmission).
  - b. Serve no real purpose as a buffer as the area adjacent property is utilized as a retention pond.
5. The size and shape of the property create a hardship when applying the Development Code as written due to the constraints in regard to stormwater, emergency services access, parking, greenspace, etc. The existing topography makes the full application of the Development Code difficult and onerous.

**Conditions Not Caused by Applicant** - The conditions at the property are not the result of any action or inaction of the property owner. The owner used due care in obtaining a Zoning Certification Letter prior to purchasing the property, the letter stating that the property along Boundary Line A was zoned CX-3.

**Minimum Relief Necessary** - This variance request provides the minimum relief necessary to make possible the reasonable use of the property. The topography of the subject property will present challenges for any proposed development.

**Consistency with the Intent of the Development Code** - The variance request results in a development that is consistent with the general intent of the Development Code and Comprehensive Plan policies. The Development Code section 8.2.7 is intended to provide a buffer between zoning districts. The proposed variance request provides a buffer between the subject CX-3 property and the adjacent TR-3 property that 1) enhances the existing boundary, 2) provides additional landscaping that acts as a visual and noise buffer, 3) contemplates the challenges of the existing topography, and 4) whereby the proposed extent parking lot does not encroach any further into the Southern boundary area adjacent to the townhomes than the existing parking lot.

The current Character Area Map shows this corridor as primarily CX-3 and commercial zoning. The adjacent townhomes and another townhome development on the East side of Roswell Road are the only TR zoned properties nearby. Additionally, the adjacent TR-3 townhome property was rezoned in 2016 from C-1 to R-3. At that time the subject property was utilized as a restaurant (Steak & Shake). Despite the use of the subject property as a restaurant, the adjacent townhome development proceeded to be constructed without any additional buffers.

## Conclusion

In respect to the foregoing, including all other documents filed or to be filed by the Applicant in connection herewith, the Applicant respectfully requests that this Application be granted in full.

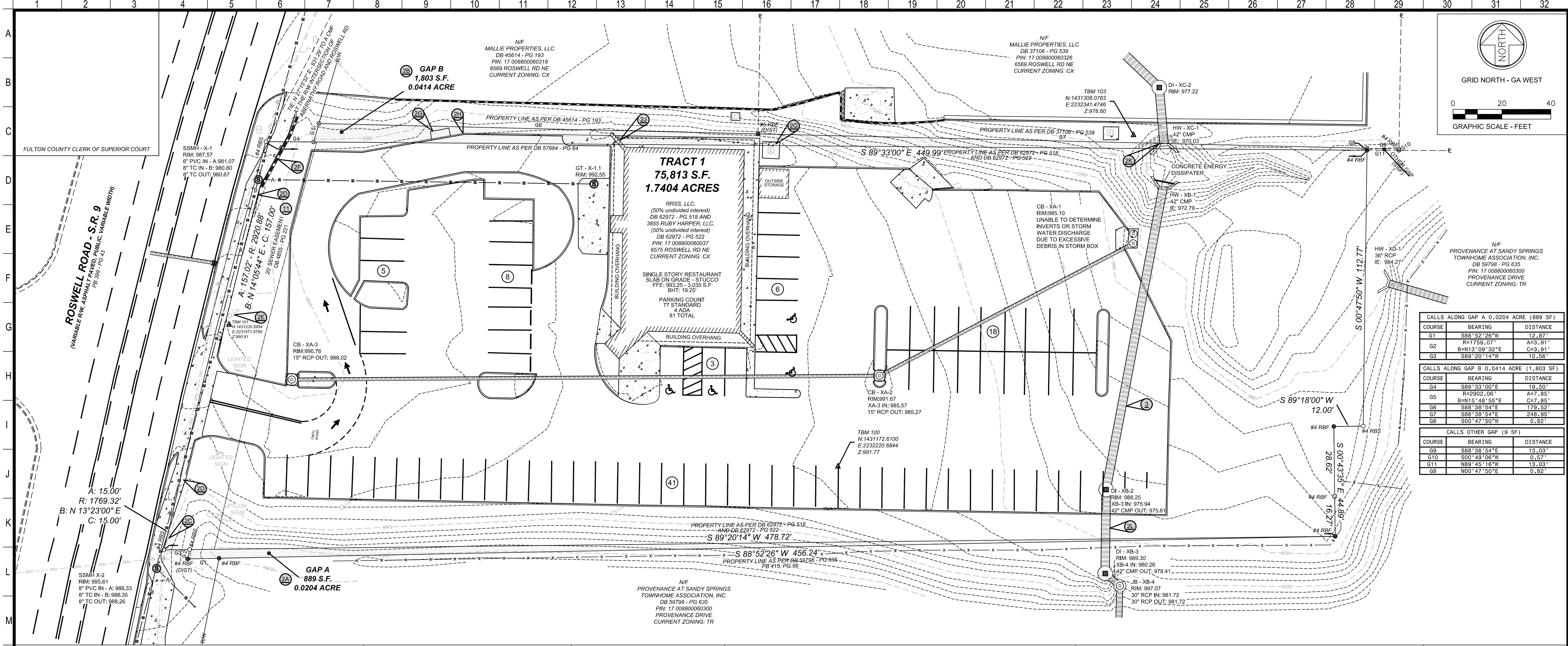
Sincerely,



Dean Peacock  
PEACOCK PARTNERSHIP, INC.

Enclosures (14)





**USE AND PURPOSE:**

THE PURPOSE OF THIS PLAT IS AN ALTA/NSPS LAND TITLE SURVEY, ON AN EXISTING TRACT KNOWN AS TAX MAP PARCEL 17 008800060037, FULTON COUNTY, GEORGIA. THE SOURCE OF TITLE DESCRIPTION IS PER DEED BOOK 62972, PAGE 518 AND DB 52972, PAGE 522, AFORESAID COUNTY. THE CURRENT OWNER, AS PER THE BESTED TITLE RECORDS IS PDR CAPITAL, LLC. THE PROPERTY ADDRESS IS 6575 ROSWELL RD, SANDY SPRINGS, GA 30328.

- SURVEY NOTES:**
1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1" IN 61416" AND AN ANGULAR ERROR OF 00°00'00.8" PER ANGLE POINT AND WAS ADJUSTED USING THE CARLSON SURVNET LEAST SQUARES METHOD.
  2. THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAT WERE TAKEN WITH A TOPCON PS 103A ROBOTIC TOTAL STATION. FIELD WORK WAS COMPLETED ON 12/18/2018 AND REVISED ON 06/03/2021.
  3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1" IN 187,528".
  4. THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH AS SHOWN HEREON. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.
  5. THE DATUM FOR THIS SITE WAS ESTABLISHED UTILIZING GLOBAL POSITIONING SYSTEMS, AND BASED ON POSITIONAL VALUES FOR THE VIRTUAL REFERENCE STATION NETWORK DEVELOPED BY EGPS SOLUTIONS. THE HORIZONTAL REFERENCE FRAME IS NAD 83 - STATE PLANE COORDINATE SYSTEM OF GEORGIA - WEST ZONE. THE VERTICAL REFERENCE FRAME IS NAVD83.
  6. THE PUBLIC RECORDS REFERENCED HEREON REFLECT THOSE RECORDS PROVIDED IN FIRST AMERICAN TITLE INSURANCE COMPANY, INC., COMMITMENT NUMBER: 5, ISSUING OFFICE FILE NUMBER: 21-0261, COMMITMENT DATE: 06/23/2021.
  7. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON FIELD RUN DATA. ELEVATIONS SHOWN ARE BASED ON NAVD88 (COMPUTED USING GEOID12B).
  8. NO EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS WITHIN RECENT MONTHS WAS NOTED ON THE SUBJECT SITE.
  9. NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LAND FILL WAS NOTED ON THE SUBJECT SITE.
  10. NO VISIBLE EVIDENCE OF EXISTING TANKS OR DRAINAGE FIELDS WAS OBSERVED ON SITE.
  11. THE SURVEYOR IS UN-AWARE OF ANY IMPENDING ROW CHANGES IN CONNECTION WITH THE SUBJECT PROPERTY.

**FLOOD NOTE:**

ACCORDING TO FLOOD INSURANCE RATE MAP NO.: 13121C0142F, DATED SEPTEMBER 09, 2013 FOR FULTON COUNTY, GEORGIA, AND INCORPORATED AREAS THE PROPERTY SHOWN HEREON LIES WITHIN ZONE X AND IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA.

**WETLANDS NOTE:**

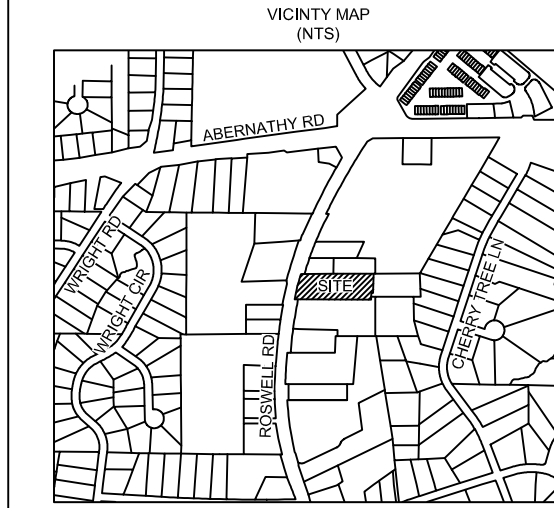
ACCORDING TO THE US FISH AND WILDLIFE SERVICE - NATIONAL WETLANDS INVENTORY, NO WETLANDS WERE IDENTIFIED ON THE SUBJECT PROPERTY. IN ADDITION NO EVIDENCE OF POTENTIAL WETLANDS WERE OBSERVED ON THE SUBJECT PROPERTY AT THE TIME THE SURVEY WAS CONDUCTED.

**UTILITY NOTES & INFORMATION:**

THE UTILITY INFORMATION SHOWN ON THIS PLAT IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. UTILITIES SHOWN ARE BASED ON ABOVE GROUND VISIBLE EVIDENCE ONLY. SURVEYOR DOES NOT WARRANT THE EXACT SIZE, TYPE, LOCATION OF UTILITIES SHOWN AND NO GUARANTEE IS MADE THAT OTHER UTILITIES MAY EXIST ON SITE THAT MAY NOT BE SHOWN. THE ENGINEER, CONTRACTOR, ARCHITECT, OWNER AND THEIR AGENTS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATIONS AS TO THE ACTUAL SIZE, TYPE AND LOCATION OF UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO.

**FIRST AMERICAN TITLE INSURANCE COMPANY, INC.**  
COMMITMENT FOR TITLE INSURANCE  
COMMITMENT NUMBER: 5, ISSUING OFFICE NUMBER: 21-0261  
COMMITMENT DATE: 06/23/2021

- SCHEDULE B, PART II**  
Exceptions
1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
  2. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
  3. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
  4. INTENTIONALLY OMITTED.
  5. INTENTIONALLY OMITTED.
  6. INTENTIONALLY OMITTED.
  7. INTENTIONALLY OMITTED.
  8. Taxes or assessments not yet due and payable in 2021 or subsequent years.
  9. Any additional taxes, interest and/or penalties which may be assessed for current and/or prior tax years by virtue of adjustment, re-appraisal, re-assessment, appeal or other amendment to the tax records of the city or county in which the subject property is located.
  10. No insurance is afforded as to the exact amount of acreage contained in the land.
  11. Sewer Easement from John G. Wilmer and Mary F. Wilmer to Fulton County, dated January 18, 1968, filed February 8, 1968 and recorded in Deed Book 4855 Page 221, Fulton County, Georgia records. (AFFECTS SUBJECT PROPERTY AS SHOWN)
  12. Underground Easement from Red Lobster Inns of America, Inc., a Florida corporation, to Georgia Power Company, dated January 27, 1971, filed March 4, 1971 and recorded in Deed Book 5355 Page 221, aforesaid records.
  13. Easement from Steak N Shake, Inc. to Georgia Power Company, dated January 8, 1975, filed February 13, 1975 and recorded in Deed Book 6217 Page 200, aforesaid records.
  14. (ITEM AFFECTS: BLANKET IN NATURE - UNABLE TO PLOT), INTENTIONALLY OMITTED.
  15. All matters per that certain ALTA/NSPS Land Title Survey for PDR Capital, LLC, First American Title Insurance Company and Reginald A. Hudspeth, LLC by Georgia Civil, Certified By Brian Slate GRLS No. 2629, dated 7/29/2021, and last revised 08/23/2021, which include:
    - a. 2A - 0.0204 ACRE (889 SF) TITLE GAP, AS SHOWN.
    - b. 2B - 0.0414 ACRE (1,803 SF) TITLE GAP, AS SHOWN.
    - c. 2C - OVERHEAD UTILITY ENCROACHMENT, AS SHOWN.
    - d. 2D - CONCRETE WALK ENCROACHMENT, AS SHOWN.
    - e. 2E - LIGHT POLE ENCROACHMENT, AS SHOWN.
    - f. 2F - RETAINING WALL ENCROACHMENT, AS SHOWN.
    - g. 2G - CONCRETE ENCROACHMENT, AS SHOWN.
    - h. 2H - CURB AND ASPHALT ENCROACHMENT, AS SHOWN.
    - i. 2J - BUILDING AND OVERHANG ENCROACHMENT, AS SHOWN.
    - j. 2K - HEAD WALL AND 42" CMP ENCROACHMENT, AS SHOWN.
    - k. 2L - 42" CMP ENCROACHMENT, AS SHOWN.



**ZONING NOTES:**

**SOURCES OF ZONING INFORMATION:**

THE CODE OF THE CITY OF SANDY SPRINGS, GEORGIA  
https://gis.sandyspringsga.gov

**THE CURRENT ZONING CLASSIFICATION:** CX - COMMERCIAL MIXED USE

**SUMMARY OF DIMENSIONAL STANDARDS:**

- A. BUILDING HEIGHT: MAX HEIGHT 40 FEET/3 STORIES
- B. LOT COVERAGE: MAX 85%
- C. BUILD TO ZONE: 80% FACADE, 3' MIN, 20' MAX
- D. SIDE SETBACK: 0 FEET
- E. REAR SETBACK: 0 FEET
- F. MINIMUM LOT AREA: 7,500 S.F.
- G. MINIMUM LOT FRONTAGE: 75 FEET
- H. REQUIRED OFF STREET PARKING: 1 PER 150 S.F.

**AS SURVEYED LEGAL DESCRIPTION GAP A**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17TH LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA, CONTAINING 0.0204 ACRE, (889 SF) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE FROM A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD - S.R.9 (VARIABLE R/W) THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A #4 REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD; THENCE PROCEED ALONG THE ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD, THE FOLLOWING: ALONG A CURVE TURNING TO THE LEFT HAVING AN ARC LENGTH OF 157.02'; A RADIUS OF 2920.88'; A CHORD BEARING OF S 14°05'44" W, AND A CHORD LENGTH OF 157.00'; THENCE ALONG A COMPOUND CURVE TO THE LEFT HAVING AN ARC LENGTH OF 15.00'; A RADIUS OF 1769.32'; A CHORD BEARING OF N 13°23'00" E, AND A CHORD LENGTH OF 15.00" TO A #4 REBAR SET; THENCE DEPARTING SAID RIGHT OF WAY, PROCEED N 89°20'14" E A DISTANCE OF 10.56" TO A #4 REBAR SET AND THE TRUE POINT OF BEGINNING.

THENCE, FROM SAID TRUE POINT OF BEGINNING, PROCEED THE FOLLOWING: N 89°20'14" E A DISTANCE OF 468.16' TO A #4 REBAR FOUND; THENCE S 88°52'26" W A DISTANCE OF 456.24' TO A #4 REBAR; THENCE S 88°52'26" W A DISTANCE OF 12.87' TO A #4 REBAR FOUND; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 3.91', WITH A RADIUS OF 1758.07', WITH A CHORD BEARING OF N 13°09'32" E, AND A CHORD LENGTH OF 3.91' TO A #4 REBAR SET AND THE TRUE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 0.0204 ACRE, (889 SF).

**AS SURVEYED LEGAL DESCRIPTION GAP B**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17TH LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA, CONTAINING 0.0414 ACRE, (1,803 SF) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE FROM A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD - S.R.9 (VARIABLE R/W) THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A #4 REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD; THENCE S 89°33'00" E A DISTANCE OF 449.99' TO A #4 REBAR SET; THENCE S 89°33'00" E A DISTANCE OF 112.77' TO A #4 REBAR SET; THENCE S 89°18'00" W A DISTANCE OF 12.00' TO A #4 REBAR FOUND; THENCE S 00°43'35" E A DISTANCE OF 44.89' TO A #4 REBAR SET; THENCE S 89°20'14" W A DISTANCE OF 478.72' TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9; THENCE ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9 WITH A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 15.00'; A RADIUS OF 1769.32'; A CHORD BEARING OF N 13°23'00" E, AND A CHORD LENGTH OF 15.00'; THENCE CONTINUING ALONG THE AFORESAID RIGHT OF WAY LINE WITH A COMPOUND CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 157.02'; A RADIUS OF 2920.88'; A CHORD BEARING OF N 14°05'44" E, AND A CHORD LENGTH OF 157.00" TO A TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9, SAID POINT BEING THE TRUE POINT OF BEGINNING.

Being the Same Property as:  
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17TH LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA, CONTAINING 1.7404 ACRES, (75,813 SF) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD - S.R.9 (VARIABLE R/W) THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A #4 REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING THE AFORESAID RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9; THENCE ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9 WITH A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 157.02'; A RADIUS OF 2920.88'; A CHORD BEARING OF N 14°05'44" E, AND A CHORD LENGTH OF 157.00" TO A TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9, SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 0.0414 ACRE, (1,803 SF).

**SURVEYOR'S CERTIFICATE**

TO: PDR CAPITAL, LLC, First American Title Insurance Company, Inc. and Reginald A. Hudspeth, LLC;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5, 6A, 6B, 7A, 7B, 8, 9, 10A, 11B, 13, 14, 16, 17, 18, 19 AND 21 OF TABLE THEREOF. THE FIELD WORK WAS COMPLETED ON 12/21/2018 AND REVISED ON 06/03/2021.

DATE OF PLAT OR MAP: 12/21/2018, 08/13/2021 REVISED ON 08/23/2021

*Brian Slate*  
G. BRIAN SLATE, GA RLS: 2629

THE PROPERTY DESCRIBED AND SHOWN HEREON IS THE SAME PROPERTY AS DESCRIBED IN THE FIRST AMERICAN TITLE INSURANCE COMPANY, INC. COMMITMENT NUMBER: 5, ISSUING OFFICE FILE NUMBER: 21-0261, EFFECTIVE DATE: 06/23/2021.

PURSUANT TO RULE 180-6.09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED ON FACTS AND KNOWLEDGE KNOWN TO THE LAND SURVEYOR AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

**AS PROVIDED LEGAL DESCRIPTION**

FIRST AMERICAN TITLE INSURANCE COMPANY, INC.  
COMMITMENT NUMBER: 5, ISSUING OFFICE FILE NUMBER: 21-0261, EFFECTIVE DATE: 06/23/2021.

Exhibit "A" - Legal description

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17TH LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD - S.R.9 (VARIABLE R/W) THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING THE AFORESAID RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9; THENCE ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9 WITH A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 157.02'; A RADIUS OF 2920.88'; A CHORD BEARING OF N 14°05'44" E, AND A CHORD LENGTH OF 157.00" TO A TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9, SAID POINT BEING THE TRUE POINT OF BEGINNING.

Being the Same Property as:  
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17TH LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA, CONTAINING 1.7404 ACRES, (75,813 SF) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD - S.R.9 (VARIABLE R/W) THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A #4 REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING THE AFORESAID RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9; THENCE ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9 WITH A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 157.02'; A RADIUS OF 2920.88'; A CHORD BEARING OF N 14°05'44" E, AND A CHORD LENGTH OF 157.00" TO A TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9, SAID POINT BEING THE TRUE POINT OF BEGINNING.

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17TH LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD - S.R.9 (VARIABLE R/W) THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A #4 REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING THE AFORESAID RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9; THENCE ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9 WITH A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 157.02'; A RADIUS OF 2920.88'; A CHORD BEARING OF N 14°05'44" E, AND A CHORD LENGTH OF 157.00" TO A TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9, SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 1.7404 ACRES, (75,813 SF) PER ALTA/NSPS LAND TITLE SURVEY FOR PDR CAPITAL, LLC, FIRST AMERICAN TITLE INSURANCE COMPANY AND REGINALD A. HUDSPETH, LLC, BY GEORGIA CIVIL, CERTIFIED BY BRIAN SLATE GRLS No. 2629, DATED 7/29/2021, AND LAST REVISED 08/23/2021 AND IS THE SAME PROPERTY DESCRIBED IN THE FIRST AMERICAN TITLE INSURANCE COMPANY, INC. COMMITMENT NUMBER: 5, ISSUING OFFICE FILE NUMBER: 21-0261, EFFECTIVE DATE: 06/23/2021.

| ABBREVIATION LEGEND |                             |
|---------------------|-----------------------------|
| RFB                 | REBAR FOUND                 |
| CMF                 | CONCRETE MONUMENT           |
| IPS                 | IRON PIN SET (CAPPED REBAR) |
| R/W                 | RIGHT OF WAY                |
| B.S.L.              | BUILDING SETBACK LINE       |
| N/F                 | NOW OR FORMERLY             |
| DB                  | DEED BOOK                   |
| PB                  | PLAT BOOK                   |
| PG                  | PAGE                        |
| P.O.C.              | POINT OF COMMENCEMENT       |
| P.O.B.              | POINT OF BEGINNING          |
| GDOT                | GA DEPT. OF TRANSPORTATION  |
| ARC                 | ARC LENGTH                  |
| R                   | RADIUS                      |
| B                   | CHORD BEARING               |
| C                   | CHORD LENGTH                |
| TBM                 | SITE BENCHMARK              |
| FFE                 | FINISH FLOOR ELEVATION      |
| PP                  | UTILITY POLE                |
| LP                  | LIGHT POLE                  |
| CB                  | CATCH BASIN                 |
| DI                  | DROP INLET                  |
| HW                  | HEADWALL                    |
| RCP                 | REINFORCED CONCRETE PIPE    |
| CMF                 | CORRUGATED METAL PIPE       |
| ISMH                | INVERT ELEVATION            |
| SSMH                | SANITARY SEWER MANHOLE      |
| C                   | CLEANOUT                    |
| TC                  | CLAY PIPE                   |
| PVC                 | POLYVINYL CHLORIDE          |

| SYMBOL LEGEND    |                             |
|------------------|-----------------------------|
| ○                | IRON PIN FOUND              |
| ●                | IRON PIN SET (CAPPED REBAR) |
| ▲                | SITE BENCHMARK              |
| ■                | STORM DRAIN MANHOLE         |
| ▣                | DROP INLET                  |
| ▤                | HEADWALL                    |
| ▥                | WATER METER                 |
| ▦                | SANITARY MANHOLE            |
| ○ <sup>10'</sup> | LIGHT POLE                  |
| +                | GUY ANCHOR                  |
| ✱                | POWER POLE                  |
| □                | TRANSFORMER BOX             |
| —S—              | SANITARY SEWER              |
| —X—              | FENCE                       |
| —OH—             | OVERHEAD UTILITY            |
| ▬                | CONCRETE                    |

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THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE 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, AUTHORITY O.C.G.A. SECS.15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

**PDR CAPITAL, LLC, FIRST AMERICAN TITLE INSURANCE COMPANY, INC. AND REGINALD A. HUDSPETH, LLC**  
1.7404 ACRES  
LOCATED IN LAND LOT 88, 17TH LAND DISTRICT, IN THE CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA

| PROJECT NO.: | 18CP005                |
|--------------|------------------------|
| FIELD DATE:  | 06/03/2021             |
| SCALE:       | 1" = 20'               |
| FIELD:       | SPK                    |
| DATE:        | 07/29/2021             |
| DRAWN BY:    | KRS / GBS              |
| CHECKED BY:  | GBS                    |
| REVISIONS    |                        |
| DATE         | DESCRIPTION            |
| 02/15/2019   | ADDRESS TITLE COMMENTS |
| 03/11/2021   | SURVEY UPDATE          |
| 06/03/2021   | FIELD SURVEY           |
| 07/29/2021   | UPDATE ALTA/NSPS       |
| 08/23/2021   | REVISED ALTA/NSPS      |

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SHEET TITLE  
**ALTA/NSPS LAND TITLE SURVEY**  
SHEET NUMBER

**TS-1.1**

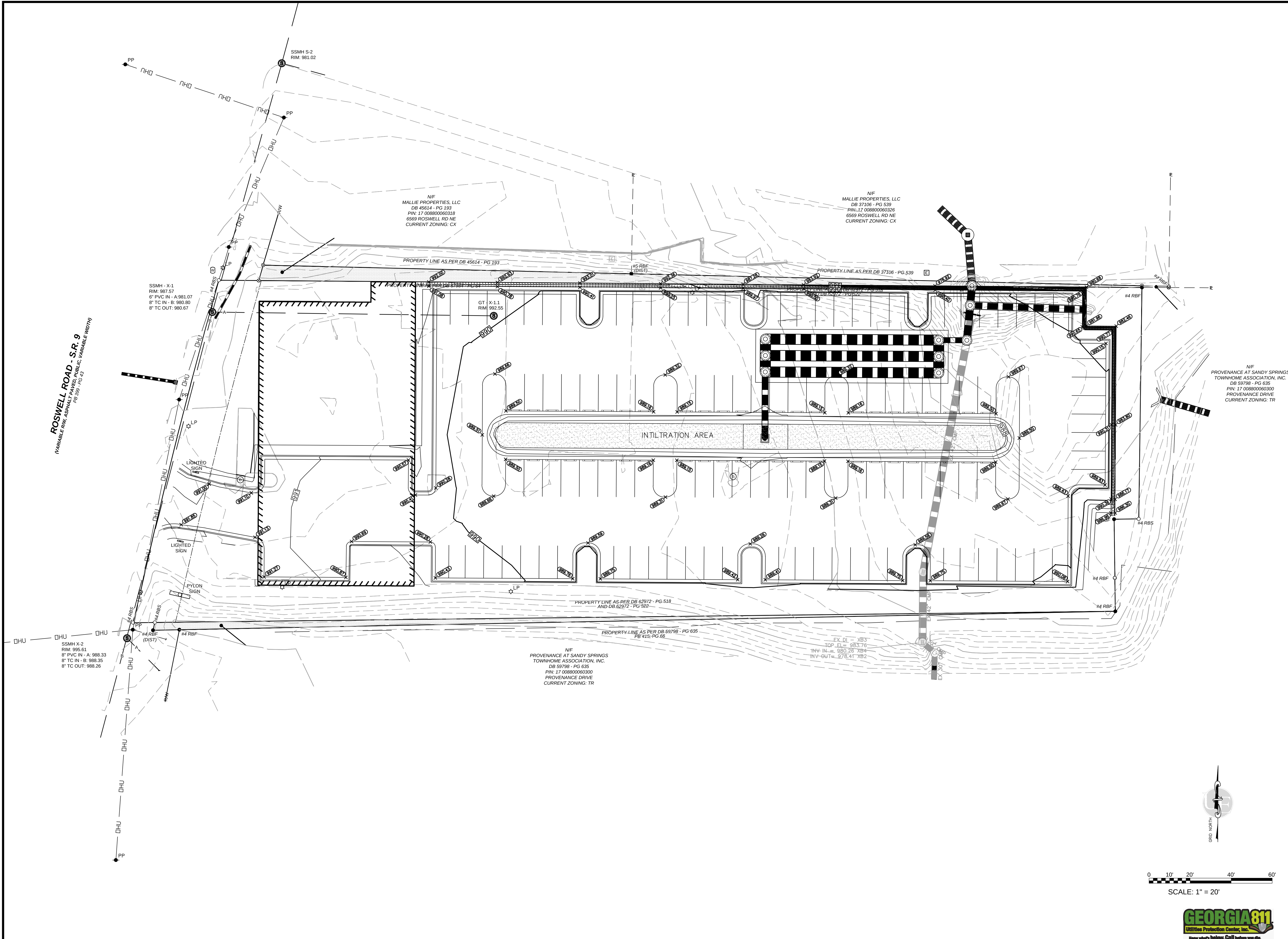


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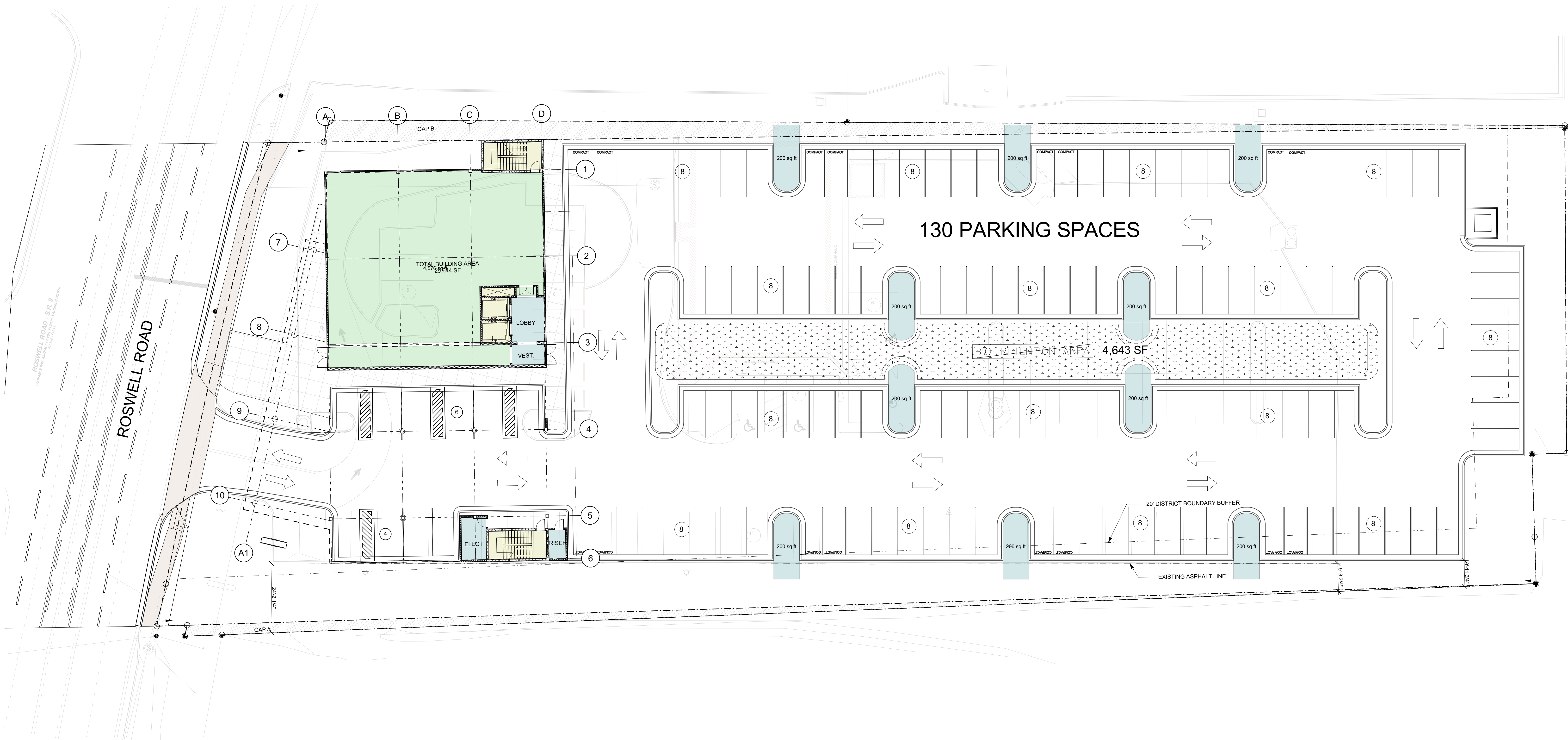
|                                                                   |
|-------------------------------------------------------------------|
| GRADING & DRAINAGE                                                |
| MEDICAL OFFICE BUILDING<br>6575 ROSWELL ROAD<br>SANDY SPRINGS, GA |

|              |            |
|--------------|------------|
| PROJECT No.  | U22008J5   |
| LAND LOT(S): | 88         |
| DISTRICT:    | 17TH       |
| COUNTY:      | FULTON     |
| SCALE:       | 1" = 20'   |
| DATE:        | 03-30-2022 |

DRAWING NO.:  
C-5.0



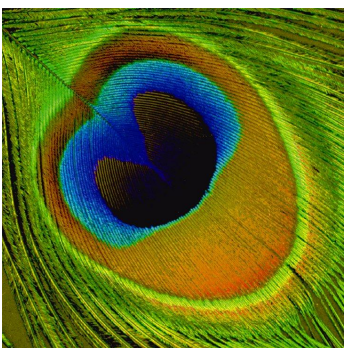




SITE PLAN

# PDR CAPITAL BUILDING

SANDY SPRING, GA



PEACOCK  
architects



**EXHIBIT "A"**

ALL THAT TRACT OF PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17<sup>TH</sup> LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD – S.R.9 (VARIABLE R/W) THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A CAPPED #4 REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD – S.R.9, SAID POINT BEING THE **TRUE POINT OF BEGINNING**; THENCE LEAVING THE AFORESAID RIGHT OF WAY S 89°33'00" E A DISTANCE OF 19.50' TO A POINT; THENCE TURNING AND RUNNING ALONG THE EASTERN RIGHT OF WAY LINE OF THE AFORESAID ROSWELL ROAD, ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 7.85', WITH A RADIUS OF 2902.06', WITH A CHORD BEARING OF N 15°48'55" E AND A CHORD LENGTH OF 7.85' TO A POINT; THENCE DEPARTING SAID RIGHT OF WAY AND RUNNING ALONG THE COMMON BOUNDARY LINE OF THE PROPERTY NOW OR FORMERLY OF MALLIE PROPERTIES, LLC, AS PER DEED BOOK 45614, PAGE 193, FULTON COUNTY, GEORGIA RECORDS (PER DEED SAID CALL IS, S89°32'41" E A DISTANCE OF 179.53) PER SURVEY SAID CALL IS, S 88°38'54" E A DISTANCE OF 179.52'; THENCE RUNNING ALONG THE COMMON BOUNDARY LINE OF THE PROPERTY NOW OR FORMERLY OF MALLIE PROPERTIES, LLC, AS PER DEED BOOK 37106, PAGE 539, AFORESAID RECORDS (PER DEED SAID CALL IS, S88°31'15"E A DISTANCE OF 261.97 TO #4 REBAR FOUND) PER SURVEY SAID CALL IS, S88°38'54"E A DISTANCE OF 248.95' #4 REBAR FOUND; THENCE RUNNING ALONG THE COMMON BOUNDARY LINE OF THE PROPERTY NOW OR FORMERLY OF PROVENANCE AT SANDY SPRINGS TOWNHOME ASSOCIATION, INC., AS PER DEED BOOK 59798, PAGE 635, AFORESAID RECORDS, S 00°47'50" W A DISTANCE OF .82'; THENCE CONTINUING ALONG SAID COMMON BOUNDARY LINE, S 00°47'50" W A DISTANCE OF 112.77' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID COMMON BOUNDARY LINE S 89°18'00" W A DISTANCE OF 12.00' TO A #4 REBAR SET; THENCE

TURNING AND CONTINUING ALONG SAID COMMON BOUNDARY LINE S 00°43'35" E A DISTANCE OF 44.89 TO A #4 REBAR FOUND; THENCE TURNING AND CONTINUING ALONG SAID COMMON BOUNDARY LINE, S 88°52'26" W A DISTANCE OF 456.24' TO A #4 REBAR FOUND, AS SHOWN ON PLAT BOOK 415, PAGE 66, AFORESAID RECORDS; THENCE CONTINUING ALONG SAID COMMON BOUNDARY LINE, S88°52'26" W A DISTANCE OF 12.87' TO A #4 REBAR FOUND; THENCE TURNING AND RUNNING ALONG SAID COMMON BOUNDARY LINE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 3.91', WITH A RADIUS OF 1759.07', WITH A CHORD BEARING OF N 13°09'32" E, AND A CHORD LENGTH OF 3.91' TO A #4 REBAR SET; THENCE TURNING AND CONTINUING ALONG SAID COMMON BOUNDARY LINE, S 89°20'14" W A DISTANCE OF 10.56 TO #4 REBAR SET ALONG THE EASTERN RIGHT OF WAY OF ROSWELL ROAD – S.R.9; THENCE TURNING AND RUNNING ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD – S.R.9 WITH A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 15.00', A RADIUS OF 1769.32', A CHORD BEARING OF N 13°23'00" E, AND A CHORD LENGTH OF 15.00' TO A POINT; THENCE CONTINUING ALONG THE AFORESAID RIGHT OF WAY LINE WITH A COMPOUND CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 157.02', A RADIUS OF 2920.88', A CHORD BEARING OF N 14°05'44" E, AND A CHORD LENGTH OF 157.00' TO A #4 CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD – S.R.9, SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

SAID PARCEL HAVING AN AREA OF 78,746 SQUARE FEET, OR 1.8077 ACRES AND IS THE SAME PROPERTY SHOWN ON THAT CERTAIN ALTA/NSPS LAND TITLE SURVEY FOR: CORNERPOINT PARTNERS, LLC AND FIRST AMERICAN TITLE INSURANCE COMPANY, PREPARED BY GEORGIA CIVIL, G. BRIAN SLATE, GRLS NO. 2629, DATED DECEMBER 21, 2018.

**Legal Description Continues on Next Page**



**EXHIBIT "A"****LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17TH LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD - S.R.9 (VARIABLE WM THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING THE AFORESAID RIGHT OF WAY LINE S 89°33'00" E A DISTANCE OF 449.99' TO A #4 REBAR FOUND; THENCE S 00°47'50" W A DISTANCE OF 112.77' TO A POINT; THENCE S 89°18'00" W A DISTANCE OF 12.00' TO A #4 REBAR FOUND; THENCE S 00°43'35" E A DISTANCE OF 44.89' TO A #4 REBAR FOUND; THENCE S 89°20'14" W A DISTANCE OF 478.72' TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9; THENCE ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9 WITH A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 15.00', A RADIUS OF 1769.32', A CHORD BEARING OF N 13°23'00" E, AND A CHORD LENGTH OF 15.00'; THENCE CONTINUING ALONG THE AFORESAID RIGHT OF WAY LINE WITH A COMPOUND CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 157.02', A RADIUS OF 2920.88', A CHORD BEARING OF N 14°05'44" E, AND A CHORD LENGTH OF 157.00' TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R. 9, SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 75,813 SQUARE FEET, OR 1.7404 ACRES AND IS THE SAME PROPERTY DESCRIBED IN THE FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NUMBER: 1019.0070(0), EFFECTIVE DATE: NOVEMBER 27, 2018 AT 5:00 P.M.

**BEING FURTHER DESCRIBED AS:****AS SURVEYED LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17TH LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD - S.R.9 (VARIABLE R/W) THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING THE AFORESAID RIGHT OF WAY LINE S 88°29'01" E A DISTANCE OF 448.05' TO A #4 REBAR FOUND; THENCE S 00°47'50" W A DISTANCE OF 112.77' TO A POINT; THENCE S 89°18'00" W A DISTANCE OF 12.00' TO A #4 REBAR FOUND; THENCE S 00°43'35" E A DISTANCE OF 44.89' TO A #4 REBAR FOUND; THENCE S 88°48'58" W A DISTANCE OF 479.75' TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9; THENCE ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R.9 WITH A CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 19.48', A RADIUS OF 1148.66', A CHORD BEARING OF N 13°08'25" E, AND A CHORD LENGTH OF 19.48' TO A POINT; THENCE CONTINUING ALONG THE AFORESAID RIGHT OF WAY LINE WITH A COMPOUND CURVE TURNING TO THE RIGHT HAVING AN ARC LENGTH OF 165.60', A RADIUS OF 3080.52', A CHORD BEARING OF N 14°05'44" E, AND A CHORD LENGTH OF 165.58' TO A TO A CAPPED REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD - S.R. 9, SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 78,746 SQUARE FEET, OR 1.8077 ACRES AND IS THE SAME PROPERTY DESCRIBED IN THE FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NUMBER: 1019.0070(O)(R), EFFECTIVE DATE: DECEMBER 31, 2018 AT 5:00 P.M.

**AND****AS SURVEYED LEGAL DESCRIPTION GAP A**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17TH LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA, CONTAINING 0.0204 ACRE, (889 SF) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE FROM A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD - S.R.9 (VARIABLE R/W) THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A #4 REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD; THENCE PROCEED ALONG THE ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD, THE FOLLOWING: ALONG A CURVE TURNING TO THE LEFT HAVING AN ARC LENGTH OF 157.02', A RADIUS OF 2920.88', A CHORD BEARING OF S 14°05'44" W, AND A CHORD LENGTH OF 157.00' TO A POINT; THENCE ALONG A COMPOUND CURVE TO THE LEFT HAVING AN ARC LENGTH OF 15.00', A RADIUS OF 1769.32', A CHORD BEARING OF N 13°23'00" E, AND A CHORD LENGTH OF 15.00' TO A #4 REBAR SET; THENCE DEPARTING SAID RIGHT OF WAY, PROCEED N 89°20'14" E A DISTANCE OF 10.56' TO A #4 REBAR SET AND THE TRUE POINT OF BEGINNING

THENCE, FROM SAID TRUE POINT OF BEGINNING, PROCEED THE FOLLOWING: N 89°20'14" E A DISTANCE OF 468.16' TO A #4 REBAR FOUND; THENCE S 88°52'26" W A DISTANCE OF 456.24' TO A #4 REBAR; THENCE S 88°52'28" W A DISTANCE OF 12.87' TO A #4 REBAR FOUND; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 3.91', WITH A RADIUS OF 1759.07', WITH A CHORD BEARING OF N 13°09'32" E, AND A CHORD LENGTH OF 3.91' TO A #4 REBAR SET AND THE TRUE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 0.0204 ACRE, (889 SF).

**Legal Description Continues on Next Page**

AND

---

AS SURVEYED LEGAL DESCRIPTION GAP B

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 88, 17TH LAND DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA, CONTAINING 0.0414 ACRE, (1,803 SF) AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

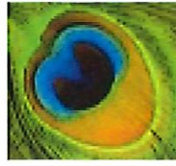
TO FIND THE TRUE POINT OF BEGINNING, COMMENCE FROM A CONCRETE MONUMENT FOUND AT THE RIGHT OF WAY INTERSECTION OF ABERNATHY ROAD (VARIABLE R/W) AND ROSWELL ROAD - S.R 9 (VARIABLE R/W) THENCE S 27°15'32" W A DISTANCE OF 931.29' TO A #4 REBAR SET ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD; THENCE S 89°33'00" E A DISTANCE OF 19.50' TO A POINT AND THE TRUE POINT OF BEGINNING.

THENCE, FROM SAID TRUE POINT OF BEGINNING, CONTINUE ALONG THE EASTERN RIGHT OF WAY LINE OF ROSWELL ROAD, ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 7.85', WITH A RADIUS OF 2902.06', WITH A CHORD BEARING OF N 15°48'55" E AND A CHORD LENGTH OF 7.85' TO A POINT; THENCE DEPARTING SAID RIGHT OF WAY, PROCEED PROCEED THE FOLLOWING: S 88°38'54" E a distance of 179.52' TO A #5 REBAR FOUND; THENCE S 88°38'54" E A DISTANCE OF 248.95' TO A POINT; THENCE S 00°47'50" W a distance of 0.82' TO A #4 REBAR FOUND; THENCE N 89°33'00" W A DISTANCE OF 430.49' BACK TO THE TRUE POINT OF BEGINNING.

SAID PARCEL HAVING AN AREA OF 0.0414 ACRE, (1,803 SF)

**End of Legal Description**





Peacock Partnership, Inc. • 5525 Interstate North Parkway • Atlanta, Georgia 30328 • (O) (404) 214-5200 (F) (404) 214-5208

July 12, 2022

Sandy Springs Board of Appeals

Hon. Mel Mobley, Chair  
Hon. Sherri Allen, Vice Chair  
Nathan Kongthum  
Justin Sparano  
Bill Thackston  
Fred Jewell

Sandy Springs City Hall  
1 Galambos Way  
Sandy Springs, Georgia 30328

Re: Revised Letter of Intent for V22-0013 – Variance Application for 6575 Roswell Road

Dear Chairman Mobley and Members of the Board of Appeals:

The purpose of this revised letter of intent for Variance Application V22-0013 is to articulate the variance requested, the relief sought, and the proposed alternative from the Development Code.

### **Variance Requested**

The applicant requests a variance from Development Code Section 8.2.7 – District Boundary Buffers between the subject property and the property zoned TR-3 (Provenance Townhomes et al.). The subject property abuts the adjacent TR-3 to the South (townhome area) and to the East (retention pond area). While this application contemplates one variance request, the two areas are unique in their characteristics and challenges, hence each will be addressed separately as A) the Southern and B) the Eastern boundary lines for clarity.

A - Southern Boundary Line - Applicant requests relief from Code Section 8.2.7(B)(2) along the Southern boundary line. The variance request is specifically for relief from constructing a 6' to 8' tall wall along the boundary.

Applicant proposes to retain the existing specimen trees, tall pines and understory trees in lieu of the required understory trees along the Southern boundary line and to plant at least the required quantity of 6' high evergreens and 3' high shrubs. The adjacent

Townhome Association and residents desire that the existing tall pines and understory trees remain as they create a visual and noise buffer.

B - Eastern Boundary Line – Applicant requests relief from Code Section 8.2.7(B)(2) along the Eastern boundary line. The variance request is specifically for relief from constructing a 6' to 8' tall wall along the boundary.

Applicant has provided as Exhibits B and C, plans and sections that illustrate the variance relief requested.

### **Factual Details**

The subject property located at 6575 Roswell Road is a 1.8-acre parcel that is zoned CX-3 and falls within Council District 4. The property was formerly used as a Steak & Shake restaurant. The property is bounded by property zoned CX-3 to the North (Take-5 Oil Change and Mr. Transmission), and property zoned TR-3 to the South and East (Provenance Townhomes).

The proposed development on the subject property is a single 29,580 GSF 3-story medical office building with 129 parking spaces. Anticipated hours of operation would be 7am to 6pm Monday through Friday and 8am to 1pm on Saturday.

### **Alternative Designs**

Applicant explored alternative designs that would apply the Development Code as written. These designs resulted in extensive removal of the existing tall pine tree line, excavation that could destabilize the soil and foundations of the existing townhomes, require retaining walls and associated ground water management and drainage solutions requiring significant financial expenditures. Consequently, these designs were rejected as not being practical or feasible.

Applicant has provided as Exhibits D and E, plans and sections for an alternative design that incorporated Code Section 8.2.7 (B)(3)(4) and (5). This plan was not agreeable to the Townhome association as the height of the trees did not provide the necessary buffer due to the difference in height of the properties (the elevation of the townhomes is approximately 8 feet higher than the subject property).

Applicant explored moving the location of the wall (per Sec. 8.2.5 – The Director may determine an alternate location for the required wall within the buffer based on existing natural vegetation and site topography). The existing tall pines and understory trees are staggered within the buffer area, leaving no clear line for the wall to be constructed without removing existing trees.



## Analysis of the Variance

**Hardship** - The application of the Development Code creates an unnecessary hardship (please note that Webster's dictionary defines hardship as "a condition that causes difficulty or suffering") for the following reasons:

1. Prior to purchasing the subject property, applicant requested, paid for, and received a Zoning Certification Letter from the Sandy Springs Department of Community Development stating that the adjacent properties to the North and South of the subject property were zoned CX-3 (see Exhibit A).

Applicant relied upon this Zoning Certification Letter in its decision to purchase the subject property. Had applicant received a Zoning Certification Letter stating that the adjacent properties to the South and East were zoned TR-3, applicant would not have purchased the subject property.

The imposition of restrictions (the district boundary buffer) on the subject property due to the faulty zoning certification letter constitutes a deprivation of use of the imposed boundary area.

Additionally, the townhome property (6555 Roswell Road), which was three separate parcels consisting of one CX-3 and two RD-18 parcels which is now one Parcel #17 00800060300, was rezoned from C-1 and R-3 to RT in October of 2016 (the planning & zoning meeting was held September 15, 2016 and the council meeting on October 18, 2016).

Sandy Springs adopted and amended the Character Area Map on November 21, 2017. Sandy Springs then adopted the Citywide and Council District Zoning Maps on April 17, 2018. These Maps both indicate that the 6555 Roswell Road property was characterized as:

- a. CX-3 for the portion adjacent to the South boundary of the subject property, and
- b. RD-18 for the portion adjacent to the East boundary of the subject property.

Since the Citywide and Council District Zoning Maps were adopted after the rezoning of the 6555 Roswell Road property, 6555 Roswell Road should have the CX-3 characterization. It should be note that the CX-3 zoning includes provisions for townhome development.

2. Construction of the required 6' to 8' tall district buffer boundary wall along the Sothern boundary line will have the following effects:



- a. Result in the loss of approximately 33 tall pine trees and 17 understory trees that act as a natural buffer between the subject property and the townhomes to the South (see Exhibits F, G, H, J, K, L, M, N and P).
  - b. Require excavation of earth that may cause soil instability affecting the integrity of the soils near the existing fence owned by the townhome association and the foundations of the adjacent townhomes due to the topography of the boundary line (see Exhibit M). The difference in elevation between the subject property and the adjacent TR-3 property has a mean difference in elevation of six feet (6') ranging from one foot (1') to eight feet (8') (see Exhibits B and C for plans and sections and Exhibits F, G, H, J, K, L, and M). From a practical perspective, this difference in height renders the wall useless as a buffer as the top of the wall is considerably lower than the top of the existing fence owned by the townhome association.
  - c. Require a wall to be constructed in a location where ground water runoff from the townhomes may undercut the foundation of the wall.
  - d. Essentially require the installation of a retaining wall (rather than a buffer wall) along the boundary line, the height of such wall requiring fabric/geogrid reinforcing that would require the removal of the fence owned by the townhomes (see Exhibits F, G, H and M) and destabilizing the soil;
  - e. Result in a reduction in the quantity and size of trees along the boundary line. There are currently 33 tall pine trees (7.23 per 100 LF) and 17 understory trees (3.71 per 100LF). The Code calls for four (4) evergreen trees at least 6' high and four (4) understory trees with a 2" caliper per 100 LF; and
  - f. Create an area that is inaccessible for maintenance between the buffer wall and the existing fence owned by the townhome association due to the sloping topography.
3. The buffer along Eastern Boundary Line will have the following effects:
    - a. Require a wall to be constructed in a location where the outflow from the retention pond (owned by the townhome association) that may 1) undercut the foundation of the buffer wall, and 2) cause pooling between the outflow and the wall resulting water spilling over onto the adjacent property to the North (Mr. Transmission).
    - b. Serve no real purpose as a buffer as the area adjacent property is utilized as a retention pond.
  4. The size and shape of the property create a hardship when applying the Development Code as written due to the constraints in regard to stormwater, emergency services access, parking, greenspace, etc. The existing topography makes the full application of the Development Code difficult and onerous.

**Conditions Not Caused by Applicant** - The conditions at the property are not the result of any action or inaction of the property owner. The owner used due care in obtaining a Zoning Certification Letter prior to purchasing the property, the letter stating that the property along Boundary Line A was zoned CX-3.

**Minimum Relief Necessary** - This variance request provides the minimum relief necessary to make possible the reasonable use of the property. The topography of the subject property will present challenges for any proposed development.

**Consistency with the Intent of the Development Code** - The variance request results in a development that is consistent with the general intent of the Development Code and Comprehensive Plan policies. The Development Code section 8.2.7 is intended to provide a buffer between zoning districts. The proposed variance request provides a buffer between the subject CX-3 property and the adjacent TR-3 property that 1) enhances the existing boundary, 2) provides additional landscaping that acts as a visual and noise buffer, 3) contemplates the challenges of the existing topography, and 4) whereby the proposed extent parking lot does not encroach any further into the Southern boundary area adjacent to the townhomes than the existing parking lot.

## **Conclusion**

In respect to the foregoing, including all other documents filed or to be filed by the Applicant in connection herewith, the Applicant respectfully requests that this Application be granted in full.

Sincerely,



Dean Peacock  
PEACOCK PARTNERSHIP, INC.

Enclosures (14)







# Board of Appeals

Deferred from June 8, 2022



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GEORGIA

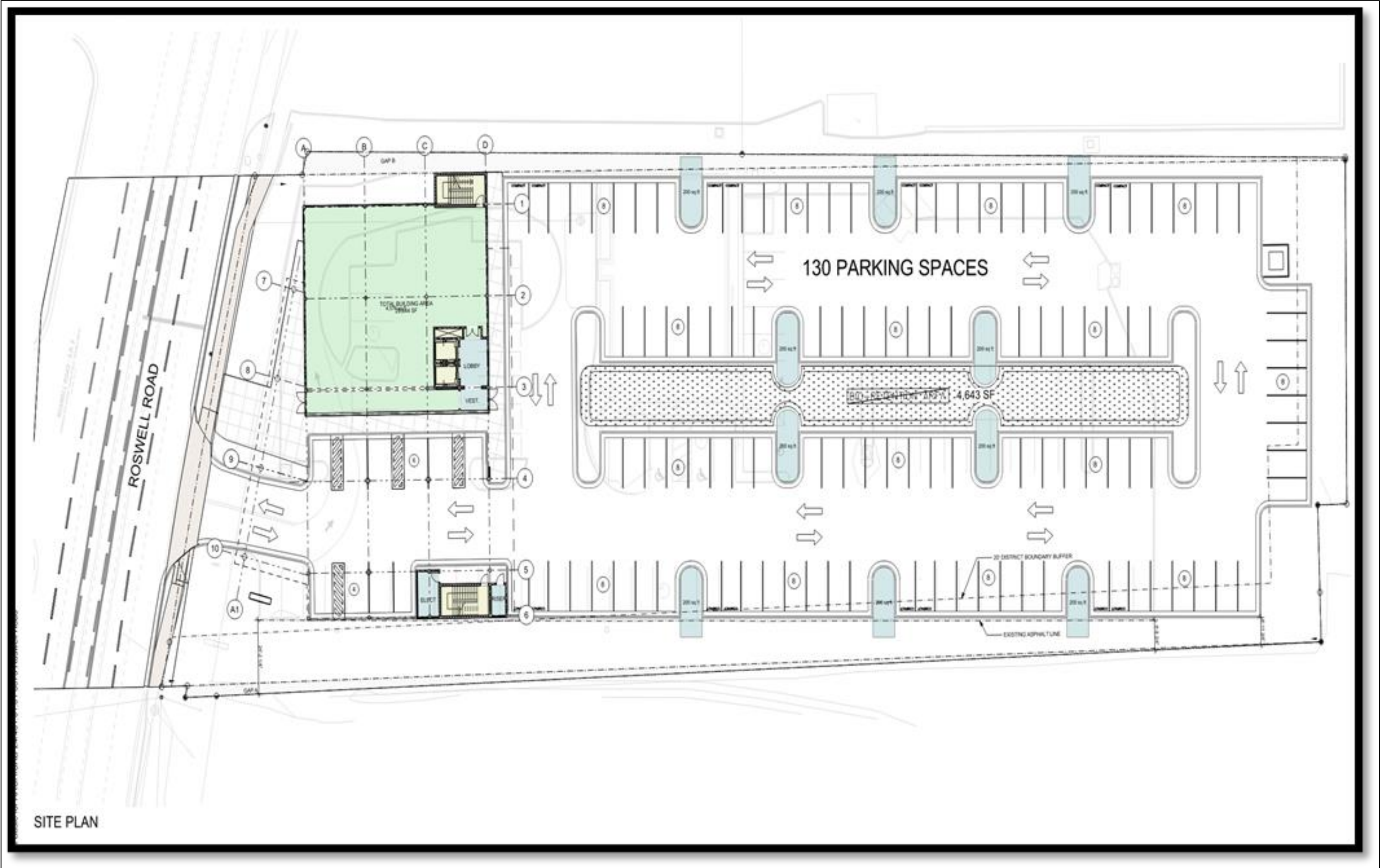


# Intent

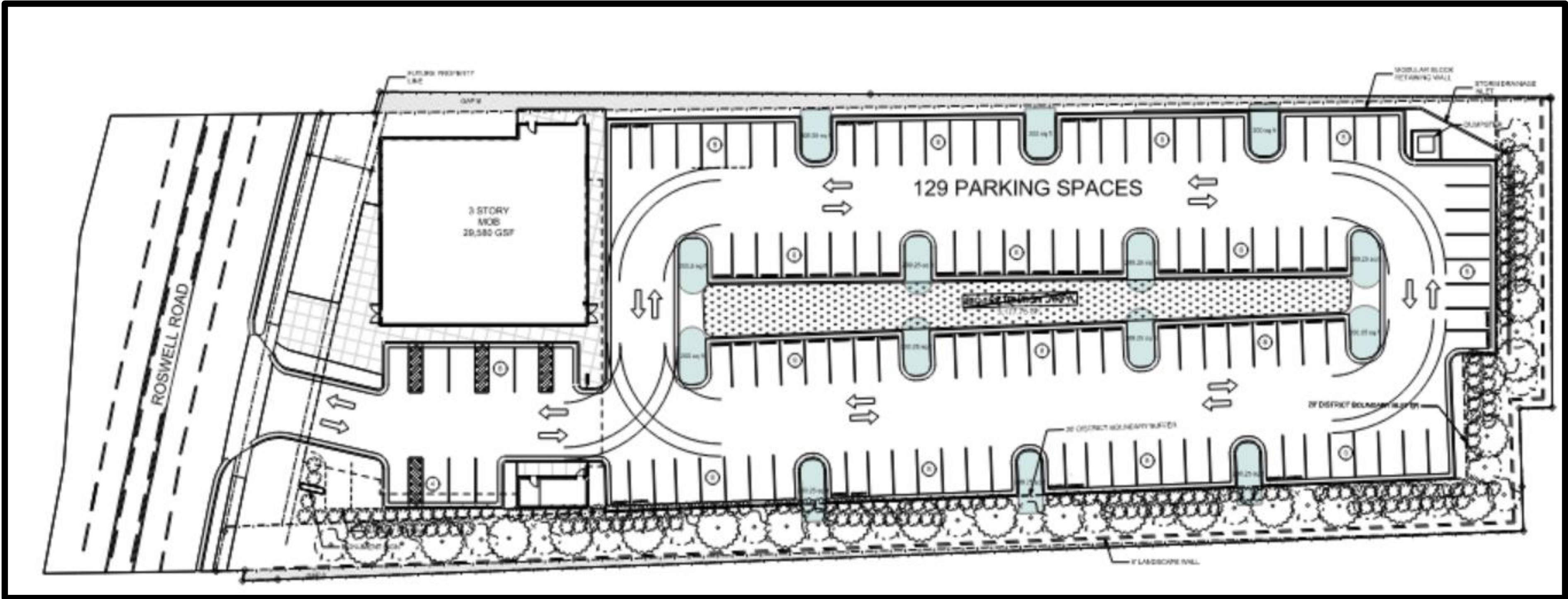
Applicants are requesting relief from 8.2.7.B.2 constructing a 6' to 8' wall along the Southern boundary line and the Eastern boundary line of 6575 Roswell Road.



# Initial Site Plan



# Revised Site Plan







**SANDY SPRINGS**  
GEORGIA

**P&Z STAFF REPORT**

Board of Appeals Meeting, August 3, 2022

Case: **V22-0022 – 1450 Northwold Drive**  
Staff Contact: Helen Owens (howens@sandyspringsga.gov)  
Report Date: July 27, 2022

**REQUEST**

Request for a variance from Sec. 9.4.2.G.3.A; Sec. 9.4.3.C.2.A; and Sec. 6.1.2.B.3.a. to install a pool and corresponding retaining wall within the rear grading setback, and to allow for encroachment of mechanical equipment into the setback.

**APPLICANT**

|                                    |                          |                              |
|------------------------------------|--------------------------|------------------------------|
| Property Owners:<br>Stephanie Huff | Petitioner:<br>Brad Huff | Representative:<br>Brad Huff |
|------------------------------------|--------------------------|------------------------------|

**RECOMMENDATIONS**

**Department of Community Development**

Staff recommends **Denial** of **Variance(s)** V22-0022.

**MATERIALS SUBMITTED AND REVIEWED**

**Materials:**

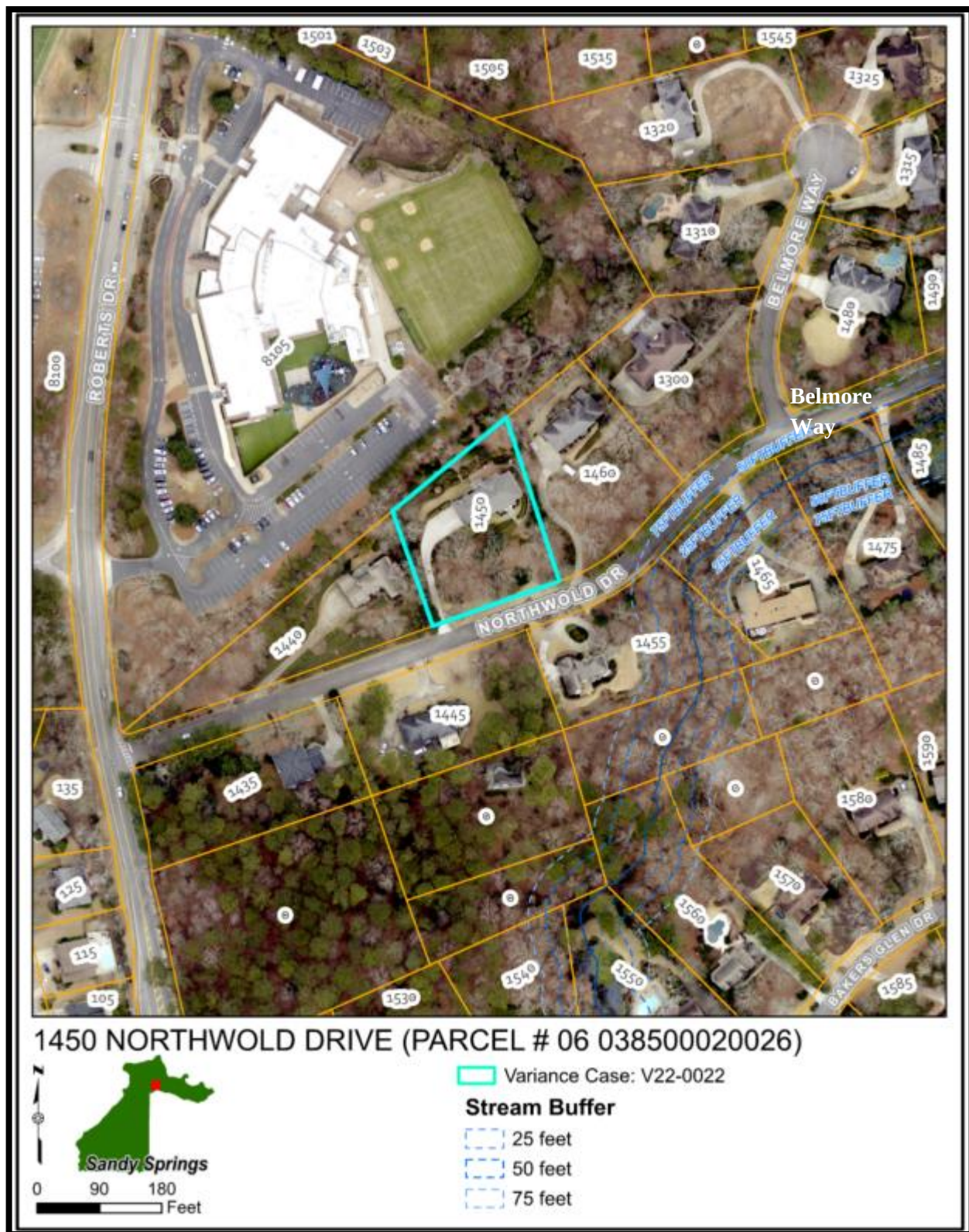
1. V22-0022 Application, received June 24, 2022

**Plans:**

1. “Site Plan” prepared by United Land Surveying, with all information taken from survey provided by Hardee Surveying, dated May 13, 2022, received June 22, 2022.
2. “Survey” prepared by United Land Surveying, LLC. Signed and sealed by Land Surveyor Cullen Preston Hardee, dated May 13, 2022, received June 22, 2022.

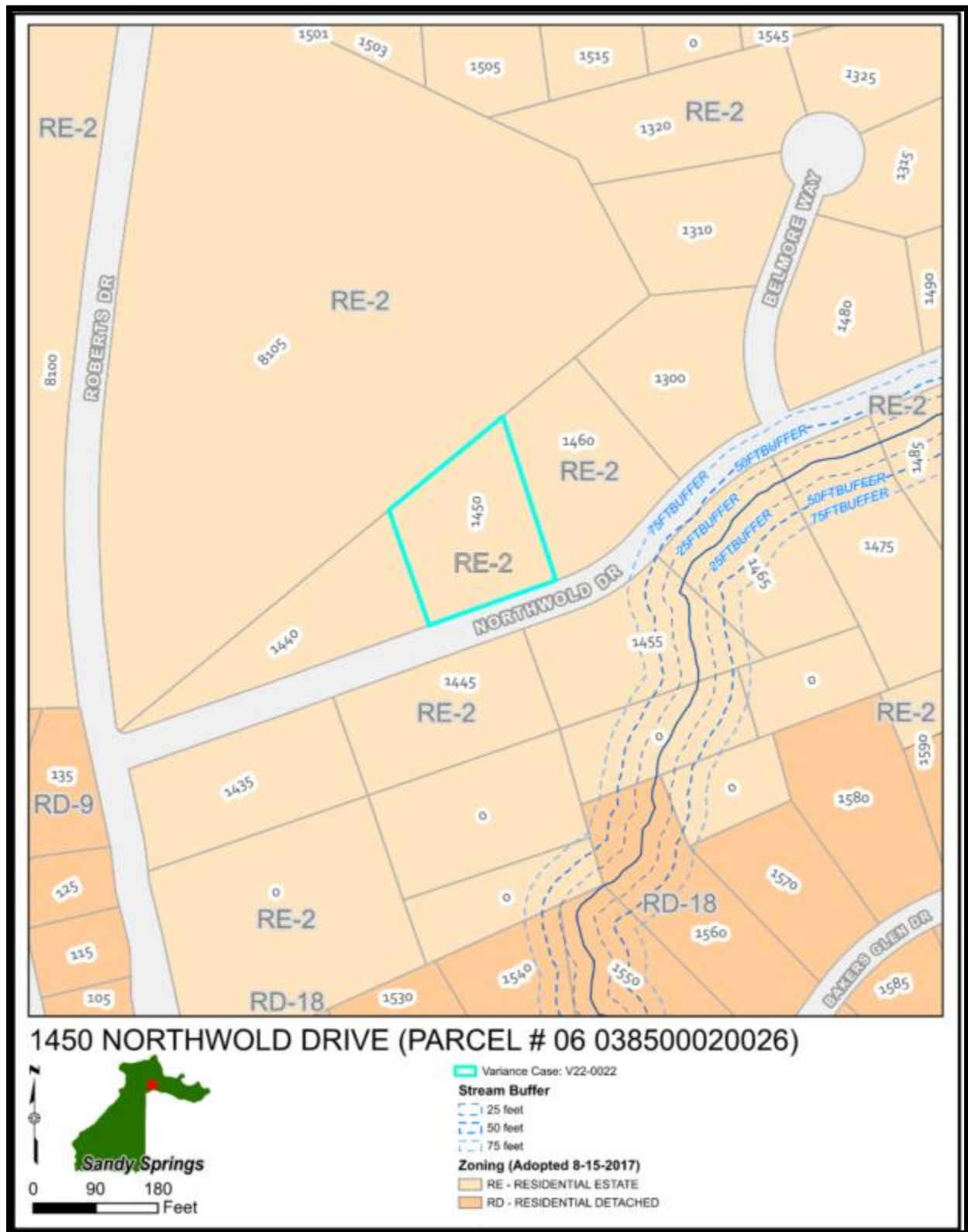
| <b>PROPERTY INFORMATION</b> |                                                    |
|-----------------------------|----------------------------------------------------|
| Location:                   | 1450 Northwold Drive (Parcel # 06 038500020026)    |
| Council District:           | 1 – John Paulson                                   |
| Neighborhood:               | --                                                 |
| Road frontage:              | 193 feet of frontage on Northwold Drive            |
| Lot Depth                   | Varies: between approximately 175 feet to 250 feet |
| Acreage:                    | 1.03 acres                                         |
| Current Zoning              | RE-2                                               |
| Existing Land Use:          | Residential                                        |
| Previous Zoning Cases:      | N/A                                                |
| Character Area:             | Protected Neighborhood                             |

| <b>EXISTING ZONING AND LAND USES OF PROPERTY IN THE VICINITY</b> |                          |                         |                                        |
|------------------------------------------------------------------|--------------------------|-------------------------|----------------------------------------|
| <b>Location relative to subject property</b>                     | <b>Zoning / Land use</b> | <b>Address(es)</b>      | <b>Land area (acres) (approximate)</b> |
| North                                                            | RE-2/ Private School     | 8105 Roberts Drive      | 10.86 Acres                            |
| East                                                             | RE-2/ Residential Estate | 1460 Northwold Drive NE | 1.00 Acres                             |
| South                                                            | RE-2/ Residential Estate | 1445 Northwold Drive NE | 1.01 Acres                             |
| South                                                            | RE-2/ Residential Estate | 1455 Northwold Drive NE | 1.00 Acres                             |
| West                                                             | RE-2/ Residential Estate | 1440 Northwold Drive NE | 1.04 Acres                             |
| <b>PROPOSED DEVELOPMENT</b>                                      |                          |                         |                                        |
| --                                                               | RE-2/ Residential Estate | 1450 Northwold Drive NE | 1.8 Acres                              |

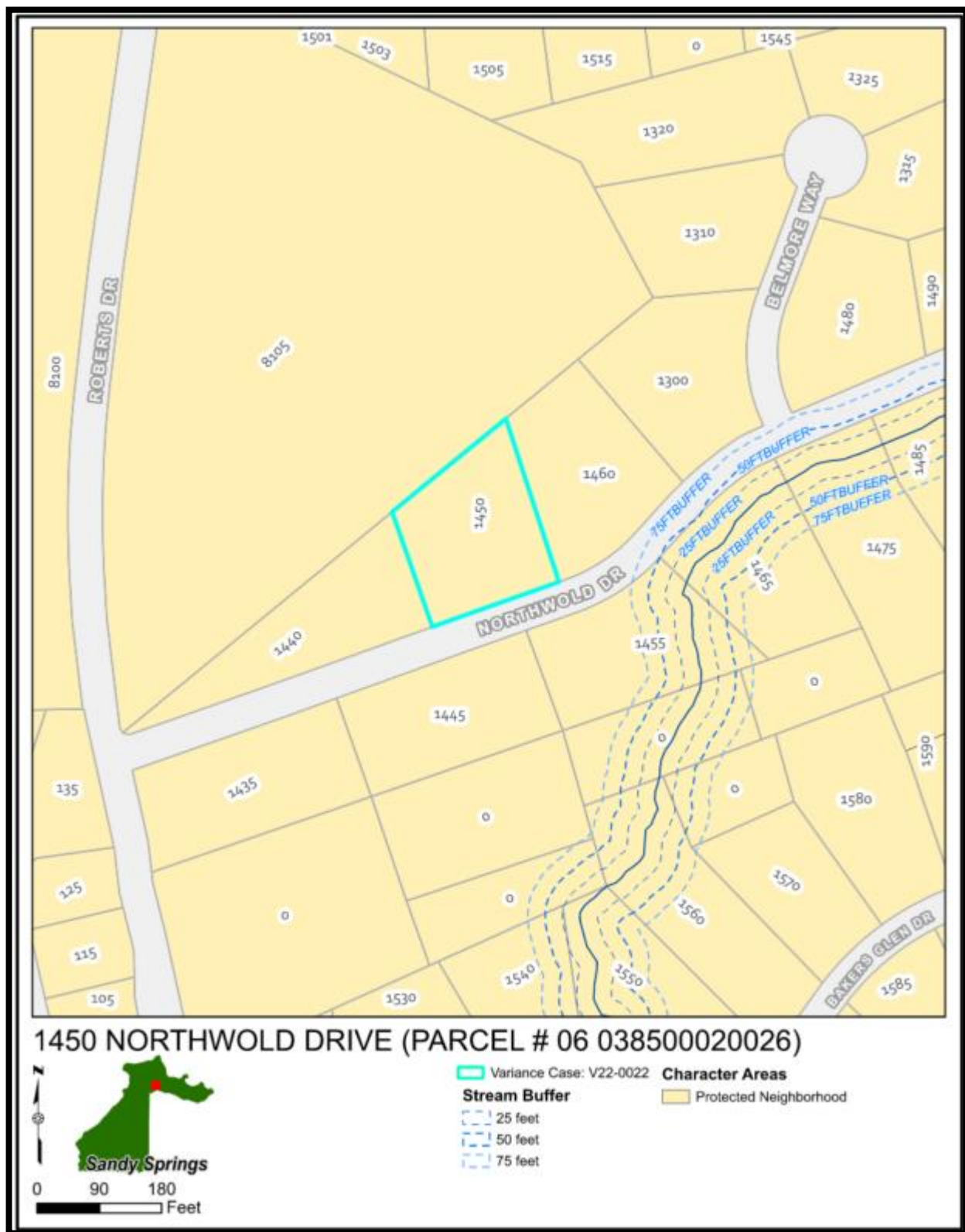


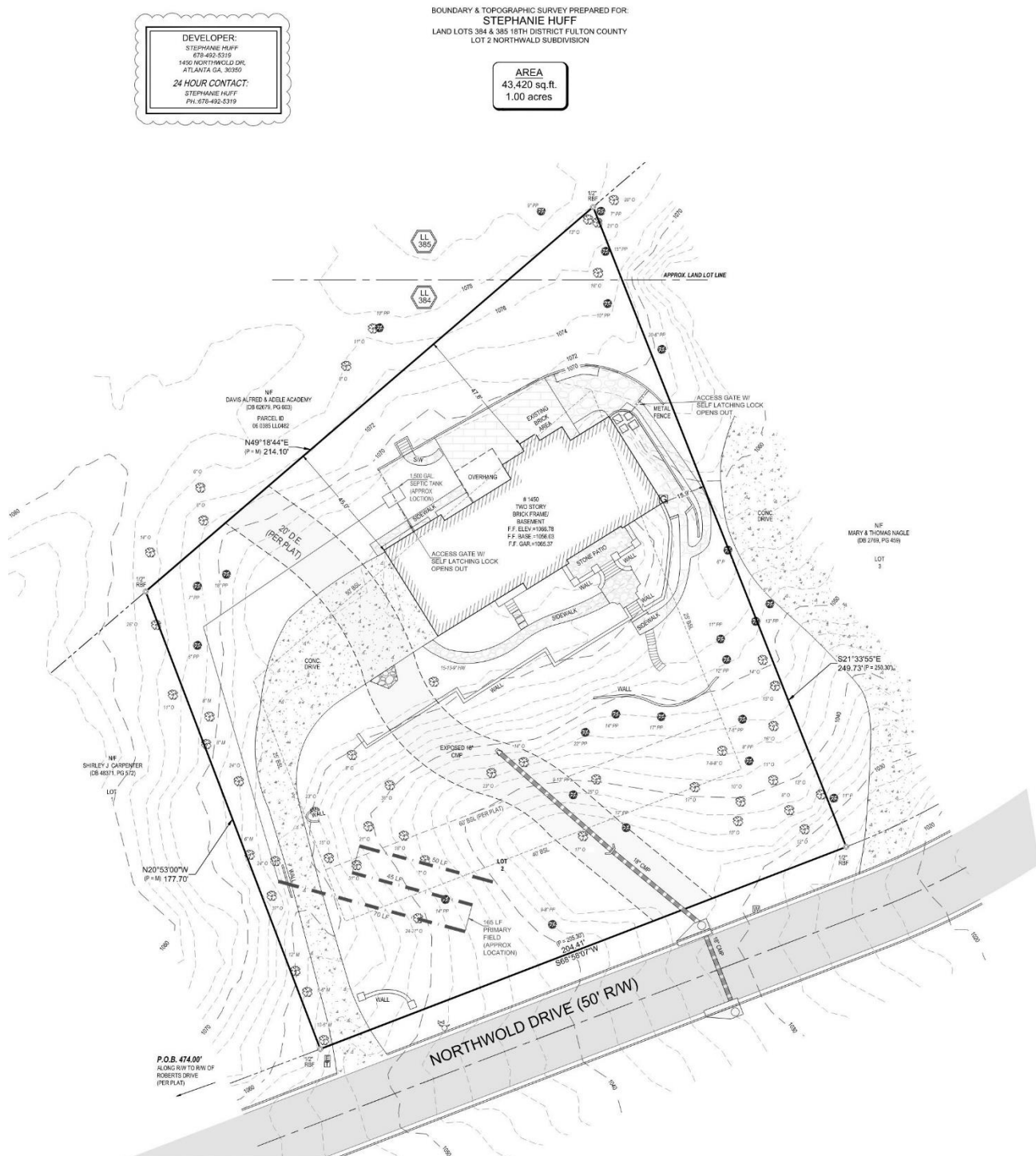


# ZONING MAP



## CHARACTER AREA MAP



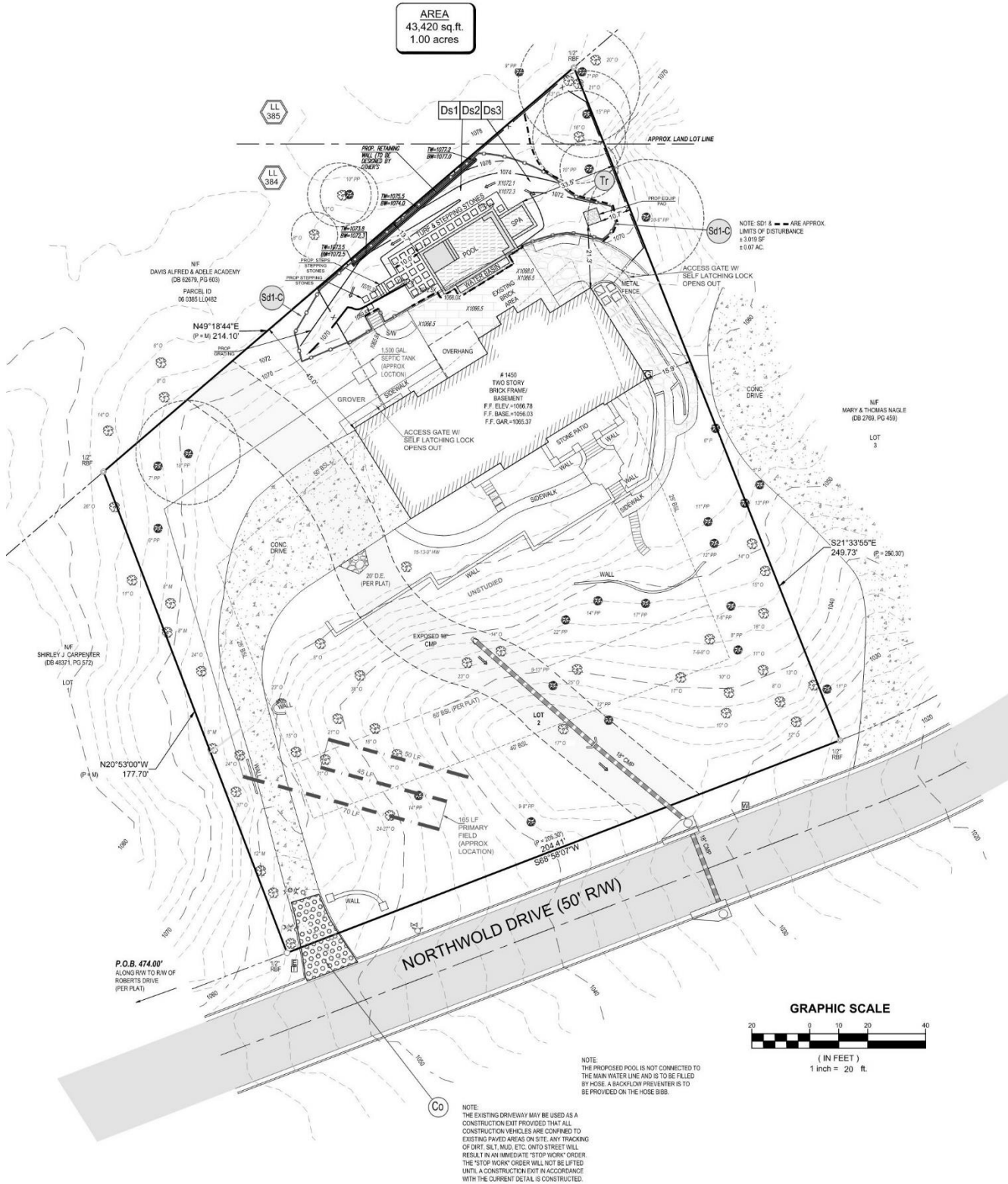




## SITE PLAN (received June 24, 2022)

BOUNDARY & TOPOGRAPHIC SURVEY PREPARED FOR:  
**STEPHANIE HUFF**  
LAND LOTS 384 & 385 18TH DISTRICT FULTON COUNTY  
LOT 2 NORTHWALD SUBDIVISION

**AREA**  
43,420 sq.ft.  
1.00 acres



## EXISTING DEVELOPMENT

Currently, the site is developed on an RD-27 lot, with a single unit detached, ranch style home at the top northern portion of the parcel. The house was built in 1983 and the current owner purchased the property in early 2021. The property slopes significantly to the north and west, leveling off to a relatively gentle slope where the house is situated.







**View of rear yard, with gentle slope past brick patio (*top*) -from applicant  
Rear of the site with view of existing conditions, facing northeast (*bottom*)**







Rear yard from western side, facing east (*top*)  
 Area where pool is proposed behind brick patio at back of house, facing southeast (*bottom*)



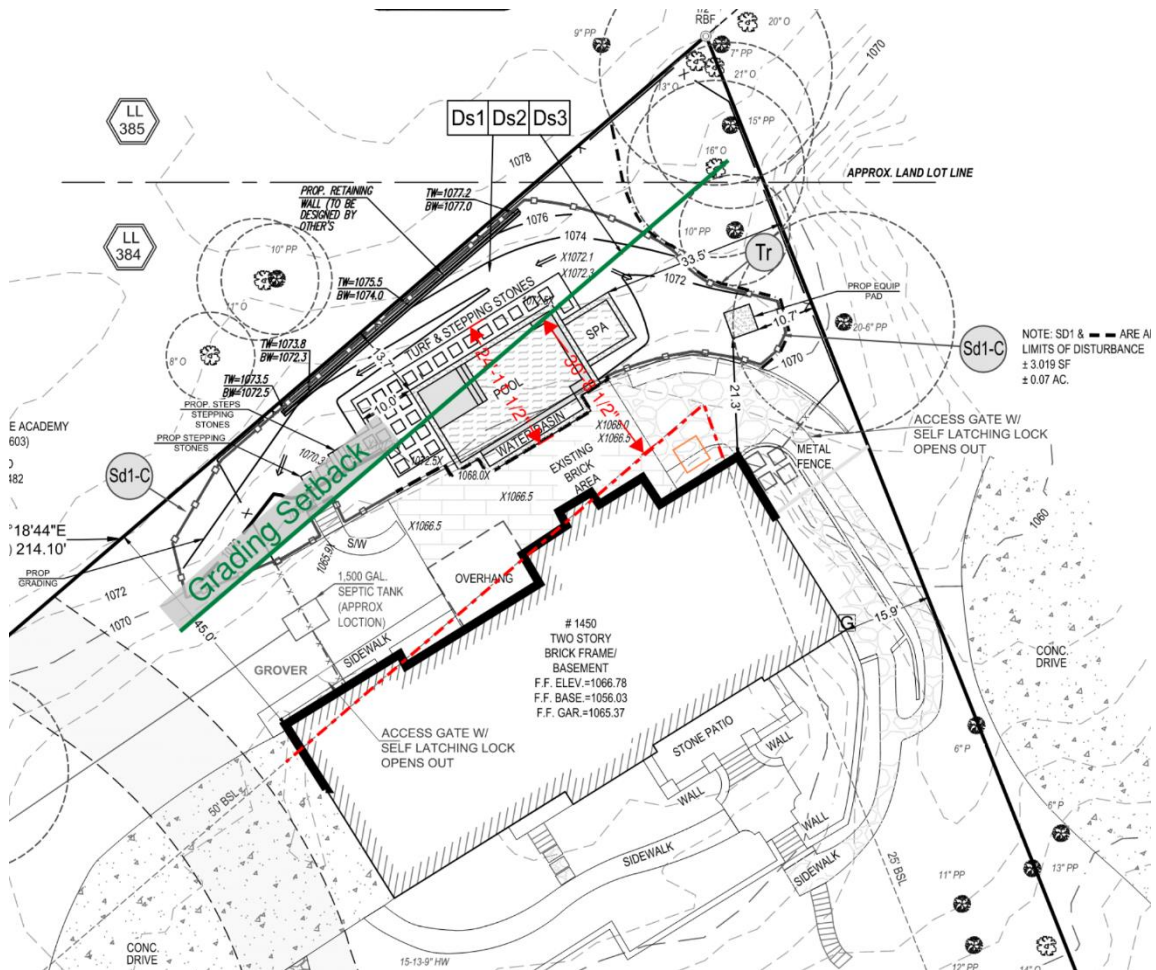


## PROPOSED DEVELOPMENT / ANALYSIS

The 1.3-Acre subject property is zoned RE-2 (Residential Estate-Protected Neighborhood). The property is located at 1450 Northwold Drive, directly south of The Davis Academy. The property topography in the front of the house is relatively steep, making the logical location of the house further back toward the rear lot line. The applicants are seeking variances from Sec. 9.4.2.G.3.A, Sec. 9.4.3.C.2.A, and Sec. 6.1.2.B.3.a. to install a pool and corresponding retaining wall within the rear grading setback and to allow for encroachment of mechanical equipment into the setback.

Per the Development Code Section 9.4.2.G.3.A; 9.4.3.C.2.A; and 6.1.2.B.3.a

- Variance from Section 9.4.2.G.3.A. In all RE-districts, no grading is allowed within 20 feet of the rear lot line.
- Variance from Section 9.4.3.C.2.A. In all RE-districts, no retaining walls are allowed within 20 feet of the rear lot line.
- Variance from Section 6.1.2.B.3.a. Mechanical equipment such as HVAC units and generators cannot encroach into any required setback.



As illustrated on the previous page, the applicant seeks to install a pool within the northern rear portion of their lot. The pool would be located behind an existing brick patio which buffers part of the rear footprint of the home. A gentle to moderate slope from the patio retaining wall to the property line creates a significant enough elevation change that a retaining wall be required to create the needed flat area surrounding the pool as proposed.

Additionally, the applicant proposes to locate the pool equipment within the rear and side setbacks, which also requires a variance. Though there are certainly few options in terms of space for mechanical equipment within the buildable area at the subject site, there is space at the northern face of the northeast corner of the house. Beyond this location, much of the house footprint is directly bounded by or even encroaching into the rear and right-side common lot line setbacks.

Staff in its analysis added some illustrative measurements overlaying the site plan to help determine if the proposed pool and decking area could be located somewhere else in the rear yard without adjusting any proposed dimensions. It is Staff's opinion that the applicant could integrate the pool and decking area into the existing developed area (brick patio) and avoid needing to request a variance.

Staff determined the pool and decking area to be approximately 25' in depth. From the Grading setback line to the nearest point of the footprint of the house, the depth is no less than 30'. Staff believes this illustrates that there is ample space to achieve the same size pool and surroundings, within a Code conforming set of parameters. Staff also realizes that moving the proposed pool location would likely take away the implied aesthetics with the infinity wall lining the existing patio area. And facing the home. We would view this to amount to more of an inconvenience however, and not extraordinary or exceptional, or proving a hardship.



## V22-0022 VARIANCE CONSIDERATIONS

Per Sec. 11.6.2.G. of the Development Code, the following list of approval criteria for a Variance provides guidance for making decisions on approval:

**1. Variances will only be granted upon showing that:**

- a. The application of this Development Code would create an unnecessary hardship, and not merely an inconvenience to the applicant; or**

Finding: It is Staff's view that the application of the Development Code would not create an unnecessary hardship. It is also Staff's opinion that the requested variances for this particular pool configuration reflect more of an inconvenience than a hardship.

- b. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties;**

Finding: The subject property's front yard is relatively steep, likely influencing the location of the house toward the rear of the lot, resulting in a smaller backyard given the size of the lot. It is Staff's view that the applicant still has sufficient space to install a pool and its apparatus in the rear of their lot without requesting a variance.

**2. Further, the application must demonstrate that:**

- a. Such conditions are not the result of action or inaction of the current property owner; and**

Finding: The size, shape, and topography of the subject property are not the result of inaction of the current property owners. The home was built in 1983, according to the Fulton County Tax Assessors.

- b. The Variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and**

Finding: It is Staff's position that the reasonable use of the property is currently being had as a single-family house, with its curtilage exist and are used in a normal residential detached setting and fashion. Furthermore, the applicant has adequate space in the rear yard to install a pool without requiring a variance.

- c. The Variance request would result in development that is consistent with the general intent of this Development Code, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare.**

Finding: Staff believes that the type of development proposed is consistent with the intent of the Code and Next Ten, but that it does not meet the letter of the Code as it would necessitate grading and installation of a retaining wall within 20 feet of the rear lot line; mechanical equipment is prohibited from being located outside the buildable area of a lot. It is worth mentioning that the neighbor to the north is not a residential use, but rather a school and as such lessens any impacts imposed upon the most directly affected property owner should a variance be granted.

## COMMENTS FROM OTHER PARTIES

**Sandy Springs Public Works:**

No comment provided.

**Sandy Springs City Engineer:**

No comment provided

**Sandy Springs Chief Environmental Compliance Officer:**

No comment provided.

**Sandy Springs Arborist:**

Keep in mind that if this variance gets approved and a permit is submitted, the critical root zones of the trees will need to be represented at 1.25' per 1" of diameter. They are currently shown at 1' per 1" of diameter. It does not appear that any surrounding trees will be significantly impacted.

**Sandy Springs Sustainability Manager:**

No comment provided.

**Sandy Springs Building Official:**

While we are interested in safeguarding the Health, Safety, and Welfare of our customers, this does not require a swimming pool in the back yard. Aside from that I do not have any objections to this proposed plan. The Applicants should realize that there will be additional Building Plan comments during regular plan review, which do not have any bearing on the Variance.

**Sandy Springs Fire Marshal:**

No comment provided.

**Sandy Springs Land Development Manager:**

There appears to be sufficient space to the back right of the house to locate a pool within the allowable grading and retaining wall setbacks.

**Sandy Springs Transportation Planner**

No comment provided.

**Correspondence Received:**

N/A.

## DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATIONS

Following review, and based on the findings, Staff recommends Denial of Variance V22-0022, request for a Variance from Sec. 9.4.2.G.3.A, Sec. 9.4.3.C.2.A, and Sec. 6.1.2.B.3.a. to install a pool and corresponding retaining wall within the rear grading setback and to allow for encroachment of mechanical equipment into the setback.



# Received

06/23/2022 1:50 pm



**SANDY SPRINGS™**  
GEORGIA

Case No.: V22-0022  
Planner's initials: LSW

## PROJECT INFORMATION SHEET

|          |                                                   |                          |
|----------|---------------------------------------------------|--------------------------|
| PROPERTY | Address(es): 1450 Northwold Dr, Atlanta, GA 30350 |                          |
|          | Parcel Tax ID(s): 06 038500020026                 |                          |
|          | Total acreage: 1.03                               | Council District: 1      |
|          | Current zoning: RE-2                              | Current use: Residential |
|          | Character Area: Protect Neighborhood              |                          |

|             |                                                                                                                                                                                                       |        |  |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--|
| APPLICATION | Detailed request (include Code Section No.):                                                                                                                                                          |        |  |
|             |                                                                                                                                                                                                       |        |  |
|             | Requesting a variance to Code 9.4.2.G.3.a (Pool & Retaining Wall Grading) that states "In all RE-districts, no grading is allowed within 20 feet of the rear lot line".                               |        |  |
|             | Requesting a variance to Code 9.4.3.C.2.a (Retaining Wall Placement) that states "In all RE-districts, no retaining walls are allowed within 20 feet of the rear lot line".                           |        |  |
|             | Requesting a variance to Code 6.1.2.B.a (Building Placement for Mechanical Equipment) that states "Mechanical equipment such as HVAC units and generators cannot encroach into any required setback". |        |  |
|             | These variances are needed to install a pool in the back yard area of our home.                                                                                                                       |        |  |
|             | Petitioner: Brad Huff                                                                                                                                                                                 |        |  |
|             | Petitioner's address: 1450 Northwold Dr. Atlanta, GA 30350                                                                                                                                            |        |  |
|             |                                                                                                                                                                                                       |        |  |
| Phone:      |                                                                                                                                                                                                       | Email: |  |

|                                                                          |                                                       |        |
|--------------------------------------------------------------------------|-------------------------------------------------------|--------|
| OWNER                                                                    | Property owner: Stephanie Huff                        |        |
|                                                                          | Owner's address: 1450 Northwold Dr, Atlanta, GA 30350 |        |
|                                                                          |                                                       |        |
|                                                                          | Phone:                                                | Email: |
|                                                                          | Signature (authorizing initiation of the process):    |        |
| <i>If the property is under contract, provide a copy of the contract</i> |                                                       |        |

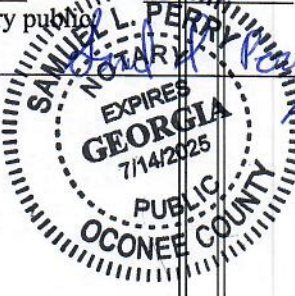
- TO BE FILLED OUT BY P&Z STAFF -

|                                       |                               |
|---------------------------------------|-------------------------------|
| Pre-Application Meeting date:         | Anticipated Application date: |
| Anticipated BOA date:                 |                               |
| <b>ADDITIONAL INFORMATION NEEDED:</b> |                               |
|                                       |                               |
|                                       |                               |
|                                       |                               |
|                                       |                               |
|                                       |                               |

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**AUTHORIZATION FORM – PART I**

A- The property owner must fill out the following section and have it notarized. If a property has multiple owners, each owner must separately fill out a copy of the Authorization Form.

|                                                                                                                                                       |                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this Application. |                                                                                           |
| Owner's name: <u>Stephanie Huff</u>                                                                                                                   | Sworn and subscribed before me this                                                       |
| Address: <u>1450 Northwold Dr</u>                                                                                                                     | <u>13</u> <sup>th</sup> day of <u>June</u> 20 <u>22</u>                                   |
| City, State, Zip Code: <u>Atlanta GA 30350</u>                                                                                                        | Notary public: <u>Samuel L. Perry</u>                                                     |
| Email address: <u>[REDACTED].com</u>                                                                                                                  | Seal:  |
| Phone number: <u>[REDACTED]</u>                                                                                                                       | Commission expires: <u>07/14/25</u>                                                       |
| Owner's signature: <u>Stephanie Huff</u>                                                                                                              |                                                                                           |

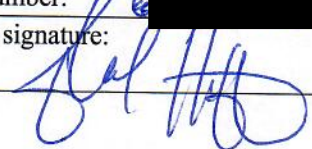
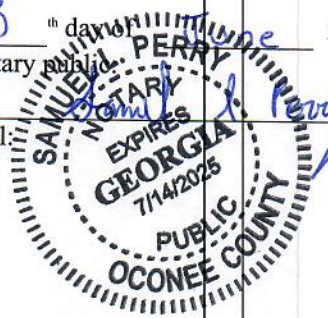
B- If the Applicant is *not* the owner of the subject property:

Fill out the following section, check the appropriate statement and have it notarized.

|                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| Applicant states under oath that:                                                                                                                                                                                                                                                                                                                                                                                            |                                                                   |
| <input type="checkbox"/> He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner ( <i>attach a copy of the contract</i> ); or<br><input type="checkbox"/> He/she has an option to purchase the subject property ( <i>attach a copy of the contract</i> ); or<br><input type="checkbox"/> He/she has an estate of years which permits the Applicant to apply ( <i>attach a copy of the lease</i> ) |                                                                   |
| Applicant's name:                                                                                                                                                                                                                                                                                                                                                                                                            | Sworn and subscribed before me this                               |
| Company name:                                                                                                                                                                                                                                                                                                                                                                                                                | <u>      </u> <sup>th</sup> day of <u>      </u> 20 <u>      </u> |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                     | Notary public: <u>      </u>                                      |
| City, State, Zip Code:                                                                                                                                                                                                                                                                                                                                                                                                       | Seal: <u>      </u>                                               |
| Email address:                                                                                                                                                                                                                                                                                                                                                                                                               | Commission expires: <u>      </u>                                 |
| Phone number:                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                   |
| Applicant's signature: <u>      </u>                                                                                                                                                                                                                                                                                                                                                                                         |                                                                   |

AUTHORIZATION FORM – PART I

A- The property owner must fill out the following section and have it notarized. If a property has multiple owners, each owner must separately fill out a copy of the Authorization Form.

|                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this Application.                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                            |
| Owner's name: <u>JOHN BRADLEY HUFF</u><br>Address: <u>1450 NORTHWOOD DR</u><br>City, State, Zip Code: <u>ATLANTA, GA 30350</u><br>Email address: <span style="background-color: black; color: black;">[REDACTED]</span> <u>MAIL@CORE</u><br>Phone number: <span style="background-color: black; color: black;">[REDACTED]</span><br>Owner's signature:  | Sworn and subscribed before me this<br><u>13</u> <sup>th</sup> day of <u>June</u> 20 <u>22</u><br>Notary public: <u>Samuel L. Perry</u><br>Seal: <br>Commission expires: <u>07/14/25</u> |

B- If the Applicant is *not* the owner of the subject property:

Fill out the following section, check the appropriate statement and have it notarized.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Applicant states under oath that:<br><input type="checkbox"/> He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner ( <i>attach a copy of the contract</i> ); or<br><input type="checkbox"/> He/she has an option to purchase the subject property ( <i>attach a copy of the contract</i> ); or<br><input type="checkbox"/> He/she has an estate of years which permits the Applicant to apply ( <i>attach a copy of the lease</i> ) |                                                                                                                                   |
| Applicant's name:<br>Company name:<br>Address:<br>City, State, Zip Code:<br>Email address:<br>Phone number:<br>Applicant's signature:                                                                                                                                                                                                                                                                                                                             | Sworn and subscribed before me this<br>_____ <sup>th</sup> day of _____ 20 ____<br>Notary public:<br>Seal:<br>Commission expires: |



Dear Members of the Zoning Board of Appeals;

I'm writing to request approval of three (3) variances for the installation of a residential pool at my single-family home, which is located at 1450 Northwold Dr, Atlanta, GA 30350.

1. 9.4.2.G.3.a (Pool & Retaining Wall Grading) that states "In all RE-districts, no grading is allowed within 20 feet of the rear lot line".
2. 9.4.3.C.2.a (Retaining Wall Placement) that states "In all RE-districts, no retaining walls are allowed within 20 feet of the rear lot line".
3. 6.1.2.B.a (Building Placement for Mechanical Equipment) that states "Mechanical equipment such as HVAC units and generators cannot encroach into any required setback".

The proposal details include the following:

- Swimming Pool 580sf
- Spa 95sf
- Water Basin 144sf
- Landing & Steps 28sf
- Stepping Stones 12sf
- Equipment Pad 24sf
- Total Proposed 883sf

We did explore the option of locating a pool behind the existing garage. After researching what would go into installing a pool in this location, there were two (2) factors that went into not moving forward with this location. The first being

1. The requirement from the Davis Academy (neighbor to our North) to keep a clear path from their property through ours to the street (Northwold Dr) for emergency purposes. As this gate serves for students and staff to exit the property if other areas are blocked off.
2. During the purchase of the property the seller disclosed that the property was on sewer, but after completing our due diligence for the pool we discovered the septic tank and its location in this area. On the west side of our property there is also an existing 20' Drainage Easement, from the Davis Academy property. Relocating the septic tank to the other side of this easement would present major challenges.



Thanks for your time and consideration.

Sincerely,

Brad & Stephanie Huff

Dear Members of the Zoning Board of Appeals;

I'm writing to request approval of three (3) variances for the installation of a residential pool at my single-family home, which is located at 1450 Northwold Dr, Atlanta, GA 30350.

According to current zoning codes

1. 9.4.2.G.3.a (Pool & Retaining Wall Grading) that states "In all RE-districts, no grading is allowed within 20 feet of the rear lot line".
2. 9.4.3.C.2.a (Retaining Wall Placement) that states "In all RE-districts, no retaining walls are allowed within 20 feet of the rear lot line".
3. 6.1.2.B.a (Building Placement for Mechanical Equipment) that states "Mechanical equipment such as HVAC units and generators cannot encroach into any required setback".

The approval of the above-mentioned variances is needed to install a pool in the backyard area. Due to three (3) existing hardships we are not able to place a pool on our property without the approval of all these variances.

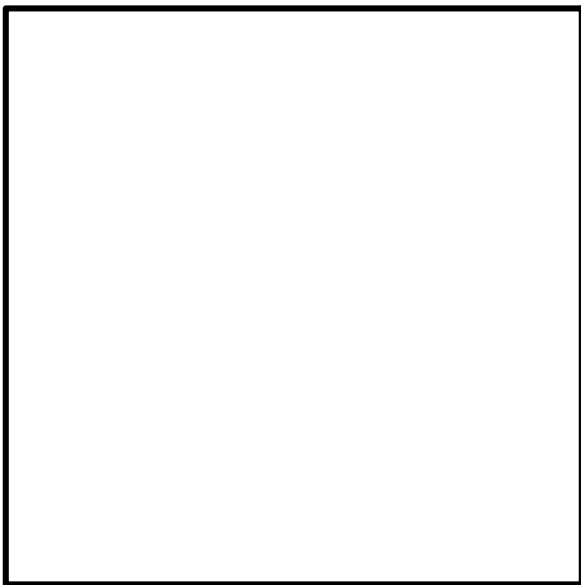
1. Due to the topography of our lot, our home was built in the back third of the lot. There are portions of the road frontage on Northwold Dr that sits around an elevation of 1030.00 while the home finish floor elevation is 1066.78, and the rear of the lot around the proposed pool location rises to an elevation of 1076. Due to these elevation changes it is not possible to keep the grading 20' from the property line. In the proposed pool area, the elevation rises approx. 6' towards the rear of the lot.
2. With the challenges of our existing lot, in preparing for initial construction of the home in and around 1980, I assume a variance was requested at the time since the existing structure sits within 50' BSL from the rear of the property and within the 25' BSL on the east side of the property. Our home currently sits at its closet point 45' from the rear property line and 15.9' from the east property line. Not only is our home sitting within the side setback, all of the existing HVAC equipment also sits within this setback.  
With the existing structure sitting so far back into the property, there is very limited space for a pool. As our desire is to be able to use and enjoy more of our back yard more than we can today.
3. Our neighbor to the North of us, is the Davis Academy. During the construction and planning of this Academy, a gate was placed by the Davis Academy between our properties (the only gate on the south side of their property). In speaking with the Davis Academy about our proposed pool, they provided an explanation for the gate and a single request. This is to keep a clear path from their property through ours to the street (Northwold Dr) for emergency purposes. As this gate serves for students and staff to exit the property if other areas are blocked off. In the attached we reference a letter from the school stating this.  
Due to this hardship, we are not able to locate a pool in the flatter area of our lot, located directly behind our garage. Before reaching out to the Academy, this area was an option for a pool. But placing a pool in this area would eliminate an easy and clear path to the street (Northwold Dr) from the Academy.

Due to the above-mentioned hardships, we believe the only location to install a pool on our lot is in the proposed area. In the attached pages, we provide additional details around the hardships mentioned with photos and number references to approximate location of photo taken.

Thanks for your time and consideration.

Sincerely,

Brad & Stephanie Huff



THIS BLOCK RESERVED FOR THE  
CLERK OF THE SUPERIOR COURT

SURVEY NOTES

- EQUIPMENT USED : TOPCON ROBOTIC D2 TOTAL STATION - TOPCON RTK GPS ROVER.
- THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AN ANGULAR ERROR OF  $\frac{1}{100}$  PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.
- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 762.645 FEET.
- THIS PROPERTY IS SUBJECT TO ALL ZONING ORDINANCES, SETBACK LINES AND EASEMENTS OF RECORD LYING WITHIN.

FLOOD NOTE

THIS SITE IS NOT LOCATED WITHIN A ZONE [A, AE, SHADED X] AS DEFINED BY F.I.R.M. COMMUNITY PANNEL 13121C0152G FOR UNINCORPORATED FULTON COUNTY GEORGIA. (USE SEPTEMBER 18, 2013 MAP)

CURRENT ZONING

ZONED: RE-2 (CITY OF SANDY SPRINGS)  
MIN. YARD ADJACENT TO PUBLIC STREET  
FRONT YARD: 40 FEET  
SIDE YARD: 25 FEET  
REAR YARD: 60 FEET

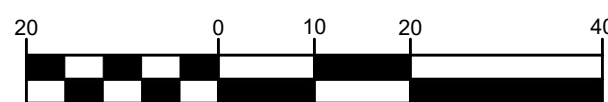
TREE LEGEND

O: OAK  
M: MAGNOLIA  
PP: POPLAR  
P: PINE  
HW: HARDWOOD

LEGEND

- POWER POLE
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- JUNCTION BOX
- SANITARY SEWER MANHOLE
- DROP INLET
- R/W MONUMENT
- SINGLE WING CATCH BASIN
- DOUBLE WING CATCH BASIN
- CURB INLET
- HEADWALL
- GAS METER
- GAS VALVE
- ELECTRIC TRANSFORMER
- TELEPHONE PEDESTAL
- LIGHT POST
- 1/2 IRON PIN SET (IPS)
- REBAR FOUND (RBF)
- CONC. MONUMENT FOUND (CMF)
- CALCULATED POINT
- CHAIN LINK FENCE
- CRIMP TOP PIPE FOUND
- OPEN TOP PIPE FOUND
- IRON PIN OR OR ROD FOUND

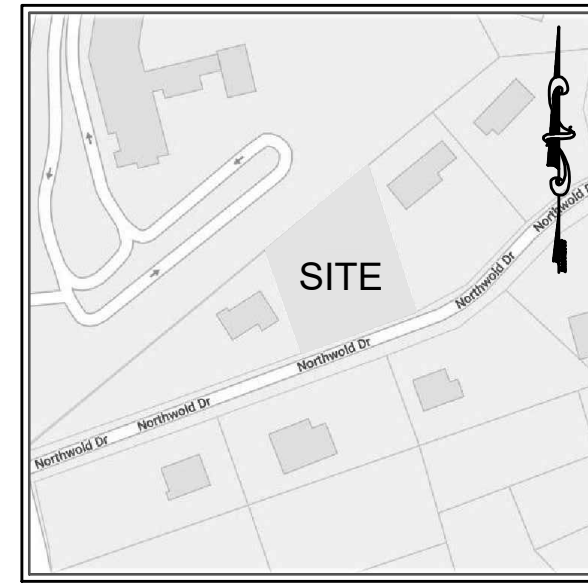
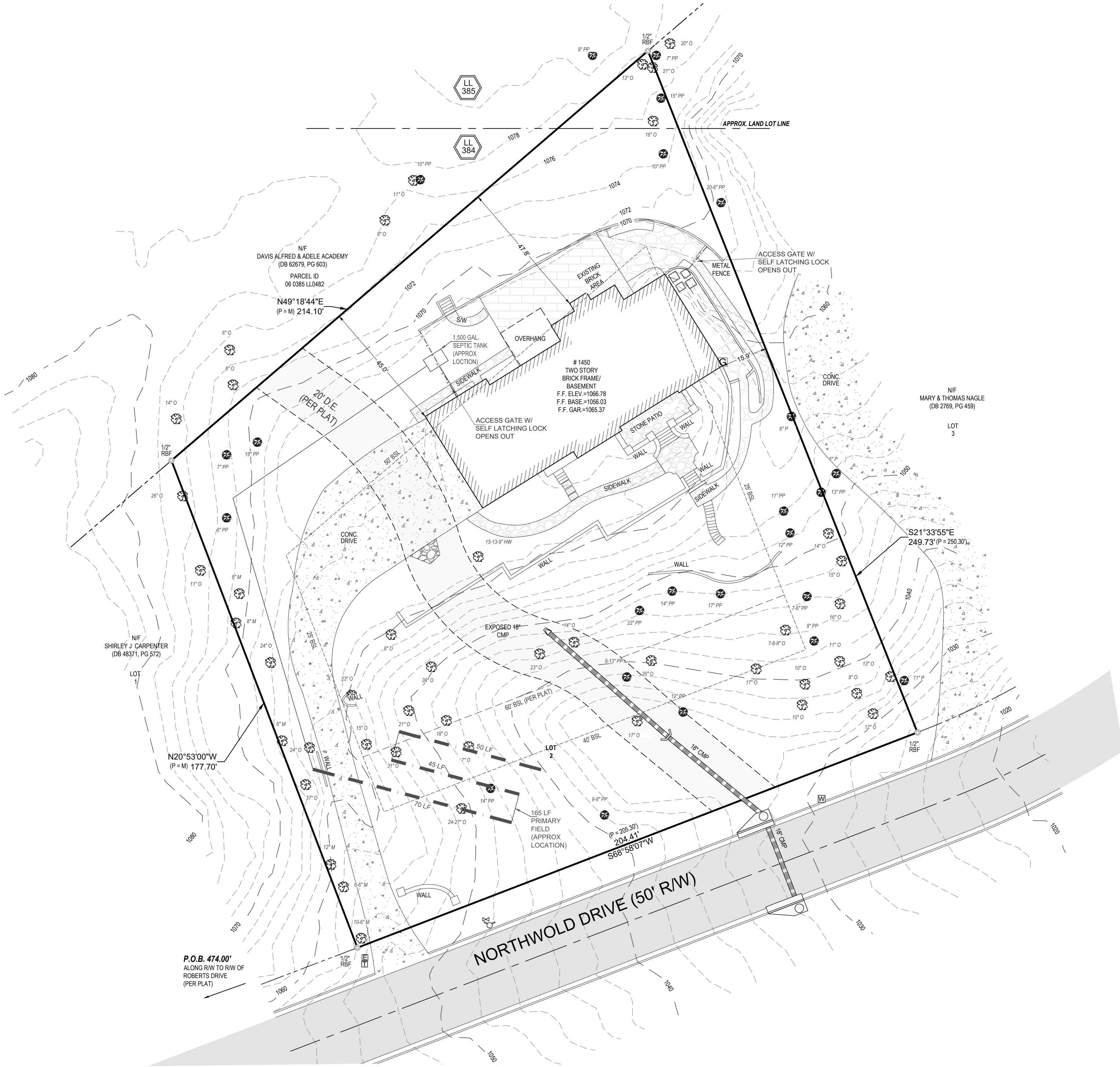
GRAPHIC SCALE



(IN FEET)  
1 inch = 20 ft.

BOUNDARY & TOPOGRAPHIC SURVEY PREPARED FOR:  
**STEPHANIE HUFF**  
LAND LOTS 384 & 385 18TH DISTRICT FULTON COUNTY  
LOT 2 NORTHWOLD SUBDIVISION

AREA  
43,420 sq.ft.  
1.00 acres



VICINITY MAP  
N.T.S.

BOUNDARY & TOPOGRAPHIC SURVEY

FOR:

**STEPHANIE HUFF**  
1450 NORTHWOLD DRIVE  
LOT 2, BLOCK A, NORTHWOLD SUBDIVISION  
LAND LOTS 384 & 385, 18TH DISTRICT  
FULTON COUNTY, GEORGIA

REVISIONS

| NO. | DATE    | CITY COMMENTS |
|-----|---------|---------------|
| 1.  | 6/30/22 |               |
| 2.  |         |               |
| 3.  |         |               |
| 4.  |         |               |

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE  
HEREON. SAID CERTIFICATE DOES NOT EXTEND TO ANY  
UNNAMED BY THE SURVEYOR MAKING SAID PERSON.

DATE: 5/13/2022  
SCALE: 1" = 20'  
FILE NUMBER: 21-373  
DRAWN BY: W.F.M.  
REVIEWED BY: M.A.M.



SHEET NUMBER

1 OF 3

SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

*Cullen Preston Hardee*  
CULLEN PRESTON HARDEE  
REGISTERED LAND SURVEYOR #3144, LSF 001321

REVISED - 6/30/2022  
DATE



THIS BLOCK RESERVED FOR THE  
CLERK OF THE SUPERIOR COURT

DEVELOPER:  
STEPHANIE HUFF  
678-492-5319  
1450 NORTHWOLD DR.  
ATLANTA GA, 30350  
  
24 HOUR CONTACT:  
STEPHANIE HUFF  
PH. 678-492-5319

- SURVEY NOTES**
- EQUIPMENT USED - TOPCON ROBOTIC D2 TOTAL STATION - TOPCON RTK GPS ROVER.
  - THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AN ANGULAR ERROR OF 92" PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE.
  - THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 762.645 FEET.
  - THIS PROPERTY IS SUBJECT TO ALL ZONING ORDINANCES, SETBACK LINES AND EASEMENTS OF RECORD LYING WITHIN.

**FLOOD NOTE**

THIS SITE IS NOT LOCATED WITHIN A ZONE [A, AE, SHADED X] AS DEFINED BY F.I.R.M. COMMUNITY PANNEL 13121C0152G FOR UNINCORPORATED FULTON COUNTY GEORGIA. (USE SEPTEMBER 16, 2013 MAP)

**CURRENT ZONING**

ZONED: RE-2 (CITY OF SANDY SPRINGS)  
MIN. YARD ADJACENT TO PUBLIC STREET  
FRONT YARD: 40 FEET  
SIDE YARD: 25 FEET  
REAR YARD: 60 FEET

- LEGEND**
- POWER POLE
  - FIRE HYDRANT
  - WATER VALVE
  - WATER METER
  - JUNCTION BOX
  - SANITARY SEWER MANHOLE
  - DROP INLET
  - R/W MONUMENT
  - SINGLE WING CATCH BASIN
  - DOUBLE WING CATCH BASIN
  - CURB INLET
  - HEADWALL
  - GAS METER
  - GAS VALVE
  - ELECTRIC TRANSFORMER
  - TELEPHONE PEDESTAL
  - LIGHT POST
  - 1/2" IRON PIN SET (IPS)
  - REBAR FOUND (RBF)
  - CONC. MONUMENT FOUND (CMF)
  - CALCULATED POINT
  - C.L.F. CHAIN LINK FENCE
  - CTF CRIMP TOP PIPE FOUND
  - OTF OPEN TOP PIPE FOUND
  - IPF IRON PIN OR OR ROD FOUND

- NOTES**
- CONTACT THE DEPARTMENT OF COMMUNITY DEVELOPMENT THROUGH THE PORTAL TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE SITE INSPECTOR PRIOR TO ANY DISTURBANCE.
  - BE AWARE THAT A FOUNDATION FORM SURVEY IS REQUIRED FOR ALL NEW CONSTRUCTION/NEW ADDITIONS WHERE THE BUILDING IS LOCATED WITHIN 5 FEET OF ANY SETBACK, EASEMENT, OR BUFFER. THE FOUNDATION SURVEY SHALL BE SIGNED BY A SURVEYOR LICENSED IN THE STATE OF GEORGIA.
  - ALL STORMWATER RUNOFF REDUCTION, WATER QUALITY, AND GREEN INFRASTRUCTURE BMPs WILL REQUIRE INSPECTION AND CERTIFICATION BY THE DESIGN PROFESSIONAL PRIOR TO THE FINAL SITE INSPECTION APPROVAL. AS-BUILT DRAWINGS MUST INCLUDE THIS CERTIFICATION, BMP DIMENSIONS (LENGTH, WIDTH & DEPTH) AND AS-BUILT COORDINATES (GEORGIA STATE PLANE - WEST ZONE).
  - STOCKPILE AREAS SHALL BE KEPT ENTIRELY WITHIN THE LIMITS OF DISTURBANCE AS SHOWN ON THESE PLANS. IF MATERIALS ARE PLACED OUTSIDE OF HTE LIMITS OF DISTURBANCE, AS SHOWN, AN IMMEDIATE STOP WORK ORDER SHALL BE ISSUED AND A PERMIT REVISION SHALL BE REQUIRED PRIOR TO COMMENCEMENT OF FURTHER WORK. THE PERMIT REVISION SHALL REQUIRE AN AS-BUILT SURVEY OF THE NEW LIMITS OF DISTURBANCE BY A REGISTERED LAND SURVEYOR.
  - ANY TRACKING OF DIRT, SILT, MUD, ETC. ONTO STREET WILL RESULT IN AN IMMEDIATE 'STOP WORK' ORDER.
  - PROVIDE POOL ALARMS ON ALL LIGHTS WITH A SILL HEIGHT OF 48 INCHES OR LESS ABOVE THE FINISH FLOOR THAT OPEN ONTO THE POOL ENCLOSURE, AS WELL AS ALL DOORS THAT OPEN ONTO THE POOL ENCLOSURE. NOTE THAT ALARMS MUST COMPLY WITH UL2017. (TYPICAL HOME SECURITY ALARMS DO NOT MEET THE REQUIREMENTS)

**EnviroSoil**  
Soil and Environmental Consultants  
1191 BERRYHILL DRIVE, LITTONIA, GA 30058  
PH: 678-415-8970  
Email: envirosoil@gmail.com

**Soil Investigation Report**

Report Date: 7/27/21 Field Investigation Date: 7/26/21 Level of Study: III  
Site: 1450 NORTHWOLD DR SANDY SPRINGS, GA 30350  
Client/Owner/Sponsor: Phone: \_\_\_\_\_  
County: FULTON Land lot: 384/385 District: 18th Subdivision: \_\_\_\_\_  
Certified by: Joshua Reed Georgia DPH Certified Soil Classifier #500

**SOIL INTERPRETIVE DATA ON-SITE SYSTEM MANAGEMENT**

| Soil Units | Slope % | Depth to Bedrock (in) | Depth to SHWT* (in) | Adsorption Rate (Min/in) @ Trench Depth | Recommend/ Optimum Trench Depth (in) | Soil Suitability Code |
|------------|---------|-----------------------|---------------------|-----------------------------------------|--------------------------------------|-----------------------|
| GROVER     | 2-8     | >72                   | >72                 | 45                                      | 24-49                                | A                     |
| GROVER     | 2-8     | >72                   | >72                 | 45                                      | 24-48                                | A                     |
|            |         |                       |                     |                                         |                                      |                       |
|            |         |                       |                     |                                         |                                      |                       |
|            |         |                       |                     |                                         |                                      |                       |
|            |         |                       |                     |                                         |                                      |                       |
|            |         |                       |                     |                                         |                                      |                       |
|            |         |                       |                     |                                         |                                      |                       |
|            |         |                       |                     |                                         |                                      |                       |
|            |         |                       |                     |                                         |                                      |                       |

• AUGER REFUSAL DEPTH

**Soil Notes**

The recommendations set forth in this report are based on site/soil conditions at the time of this study & professional judgement of soil scientists/classifier. They are merely professional opinions & imply no guarantee or warranty of performance of any particular system installed.

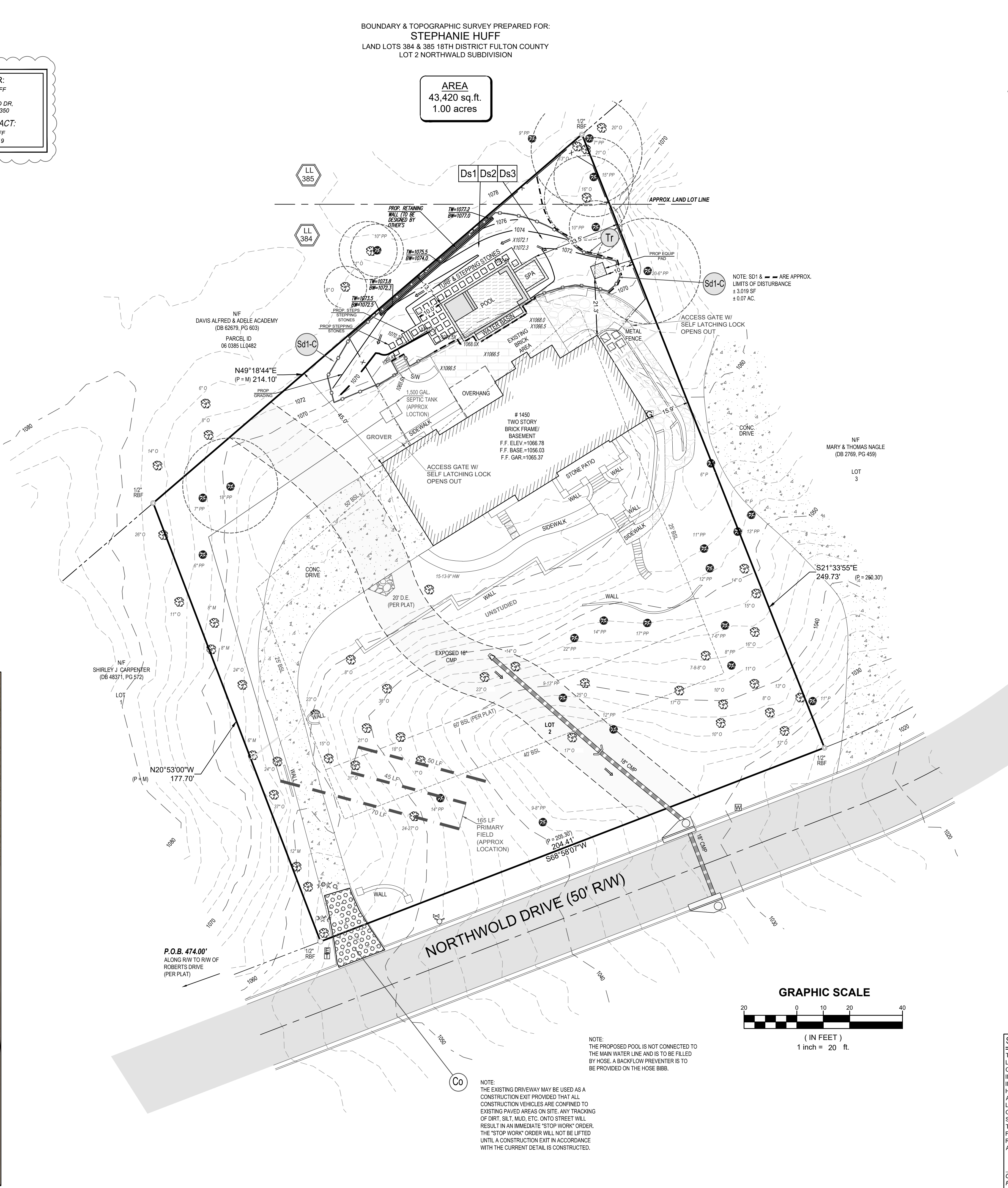
**Soil Suitability Legend**

ES1\_A THESE SOILS ARE SUITABLE FOR INSTALLATION OF ONSITE SYSTEMS WITH PROPER SYSTEM DESIGN, AND MAINTENANCE.

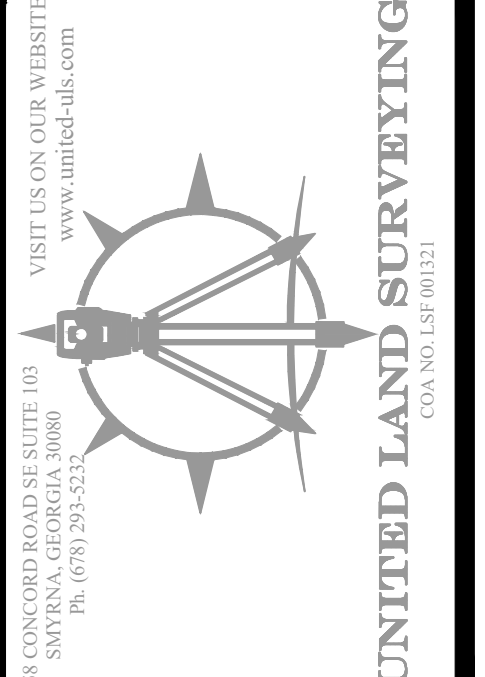
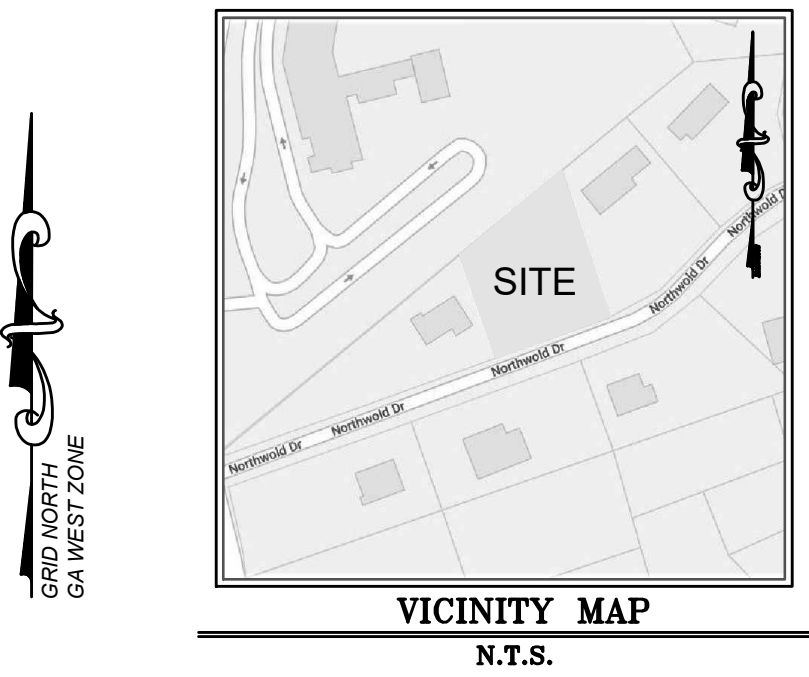
**General Notes:**

All Gutters and Surface water Flow shall/should be directed away from the septic tank(s) and Drain field systems  
All Borings are located with Trimble GEOXT Handheld.  
The boundary is produced from tax record or client; so the lot size may vary due to GPS locating devices.

**CPSS**  
Certified Professional  
Soil Scientist  
JOSHUA AKEEM REED  
37089



| EXISTING LOT COVERAGE                 |                    |
|---------------------------------------|--------------------|
| CONCRETE DRIVE                        | 3,634 SF           |
| FRONT STONE WALK AND STEPS            | 363 SF             |
| FRONT PORCHES & STEPS                 | 278 SF             |
| DWELLING (FOOTPRINT)                  | 3,625 F            |
| FRONT WALLS                           | 360 SF             |
| SIDE STONE WALK                       | 1,193 SF           |
| SIDE AND REAR WALLS                   | 113 SF             |
| REAR STONE WALK AND STEPS             | 203 SF             |
| REAR BRICK PATIO                      | 628 SF             |
| REAR COVERED PATIO                    | 210 SF             |
| AC UNITS                              | 28 SF              |
| TOTAL EXISTING =                      | 11,014 SF (25.37%) |
| EXISTING LOT COVERAGE (TO BE REMOVED) |                    |
| REAR PATIO                            | 175 SF             |
| REAR WALL                             | 19 SF              |
| TOTAL EXIST. TO BE REMOVD. =          | 194 SF             |
| NET EXIST. LOT COVERAGE TO REMAIN =   | 10,820 SF (24.92%) |
| PROPOSED LOT COVERAGE                 |                    |
| PROPOSED SWIMMING POOL                | 910 SF             |
| PROP. SPA                             | 86 SF              |
| PROP. WATER BASIN                     | 72 SF              |
| PROP. STEPS                           | 12 SF              |
| PROP. STEPPING STONES                 | 124 SF             |
| PROP. EQUIPMENT PAD                   | 24 SF              |
| PROP. WALL                            | 56 SF              |
| TOTAL PROPOSED =                      | 893 SF (2.06%)     |
| TOTAL COMBINED LOT COVERAGE =         | 11,713 SF (26.98%) |
| 35% LOT COVERAGE =                    | 15,107 SF          |
| SF UNDER 35% =                        | 3,494 SF           |



**SITE PLAN FOR:**  
**STEPHANIE HUFF**  
**1450 NORTHWOLD DRIVE**  
**LOT 2, BLOCK A, NORTHWOLD SUBDIVISION**  
**LAND LOTS 384 & 385, 18TH DISTRICT**  
**FULTON COUNTY, GEORGIA**

| REVISIONS |                         |
|-----------|-------------------------|
| NO.       | DESCRIPTION             |
| 1.        | 6/30/22 - CITY COMMENTS |
| 2.        |                         |
| 3.        |                         |
| 4.        |                         |

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE SURVEYOR. IT IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR. ANY REPRODUCTION OR OTHER USE OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR IS PROHIBITED. ANY REPRODUCTION OR OTHER USE OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR IS PROHIBITED.

|              |           |
|--------------|-----------|
| DATE:        | 5/13/2022 |
| SCALE:       | 1" = 20'  |
| FILE NUMBER: | 21-373    |
| DRAWN BY:    | W.F.M.    |
| REVIEWED BY: | M.A.M.    |



**SHEET NUMBER**  
**2 OF 3**

**SURVEYORS CERTIFICATION**

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*Cullen Preston Hardee*  
CULLEN PRESTON HARDEE  
REGISTERED LAND SURVEYOR #3144, LSF 001321

REVISED - 6/30/2022  
DATE



# View from the NE corner





# View from the existing steps area





View from existing steps area



View of rear property line. Holly tress are actually on Davis Academy property



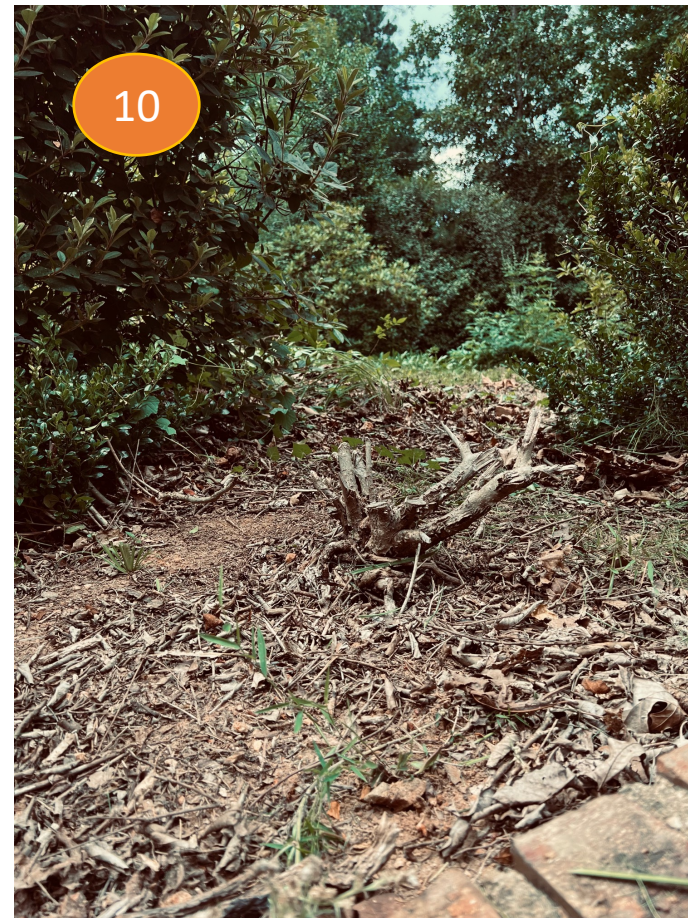
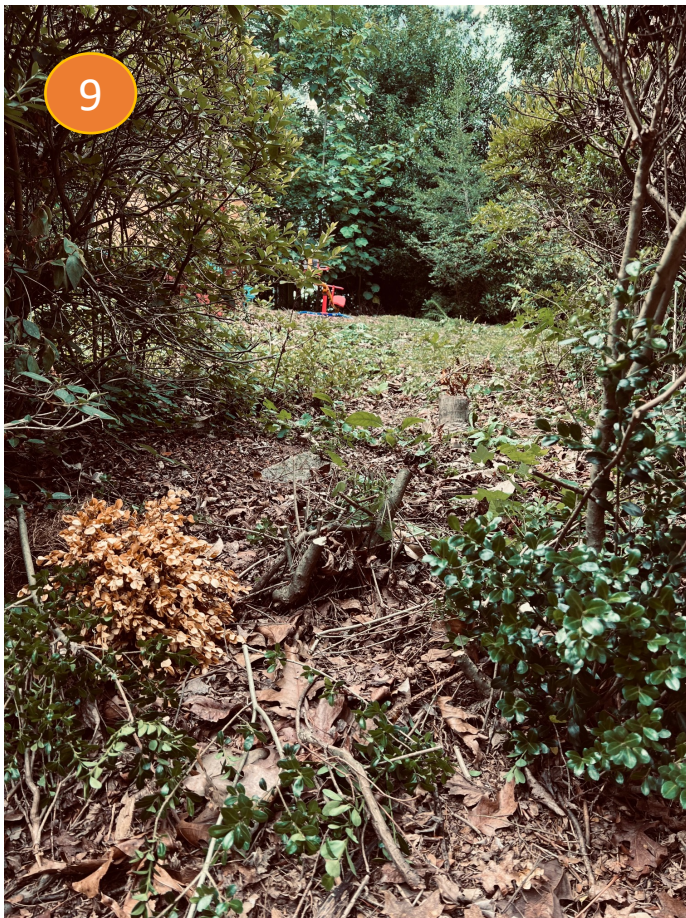


# View of gate access from Academy





# View from existing patio





# View from 2<sup>nd</sup> floor of home





# View from 2<sup>nd</sup> floor of home





# View from the front





# Board of Appeals

August 3, 2022



**SANDY SPRINGS™**  
GEORGIA



**V22-0022**

**1450 Northwold Drive**

**STAFF RECOMMENDATION:  
DENIAL**

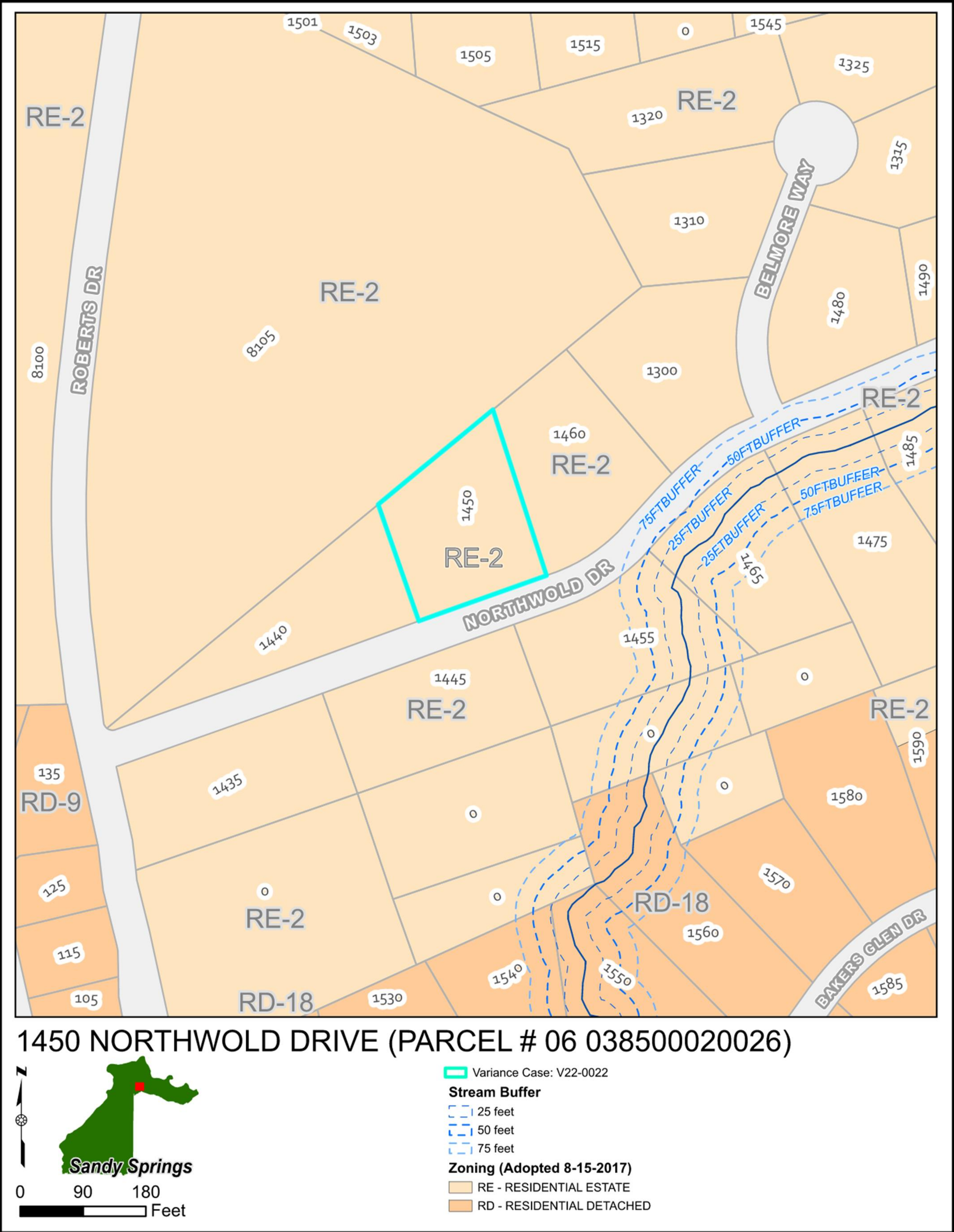


# Request

- Request for a variance from Sec. 9.4.2.G.3.A, Sec. 9.4.3.C.2.A, and Sec. 6.1.2.B.A to install a pool and retaining wall in the rear grading setback and to allow encroachment of equipment into the rear setback.

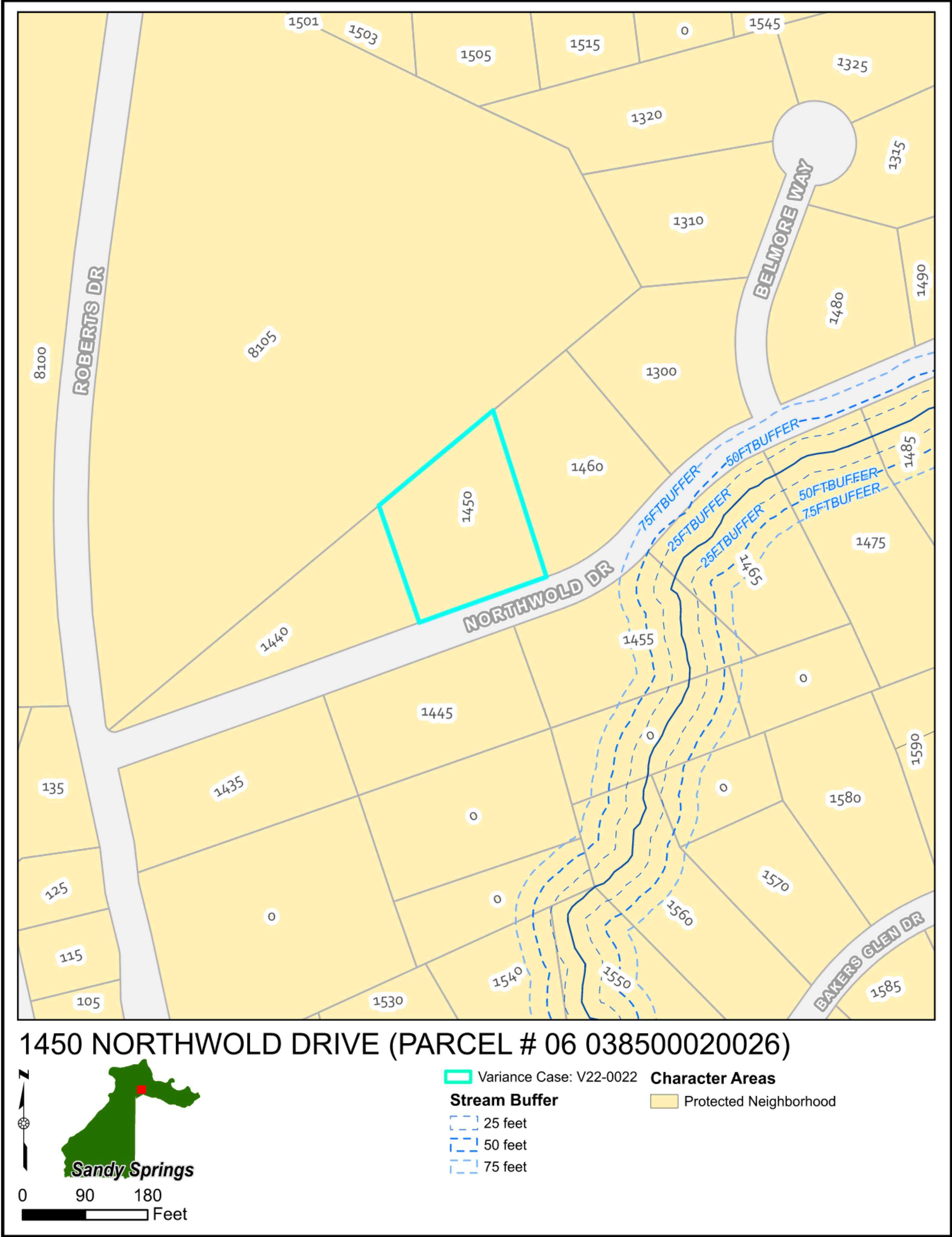


# Zoning Map



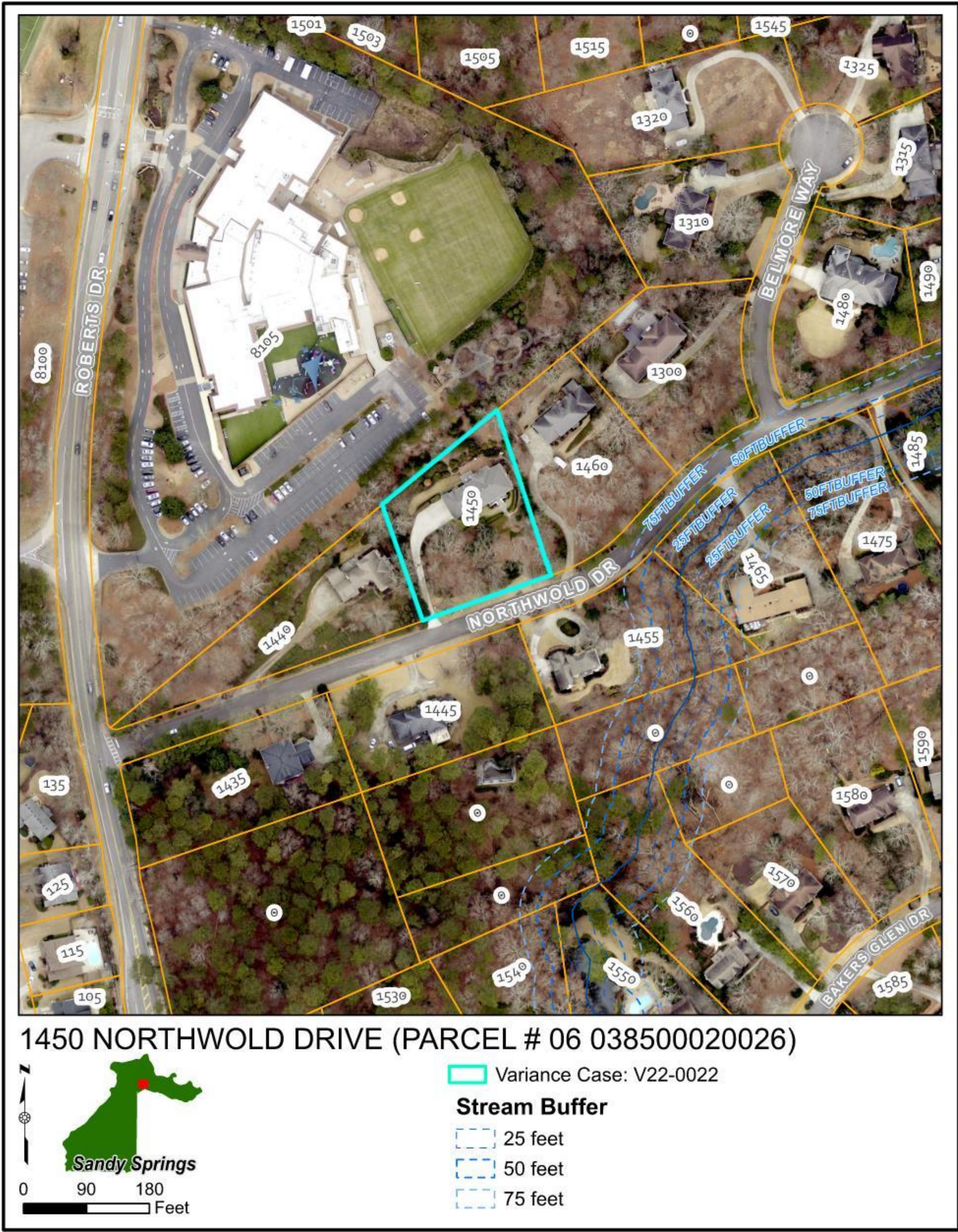


# Character Area Map



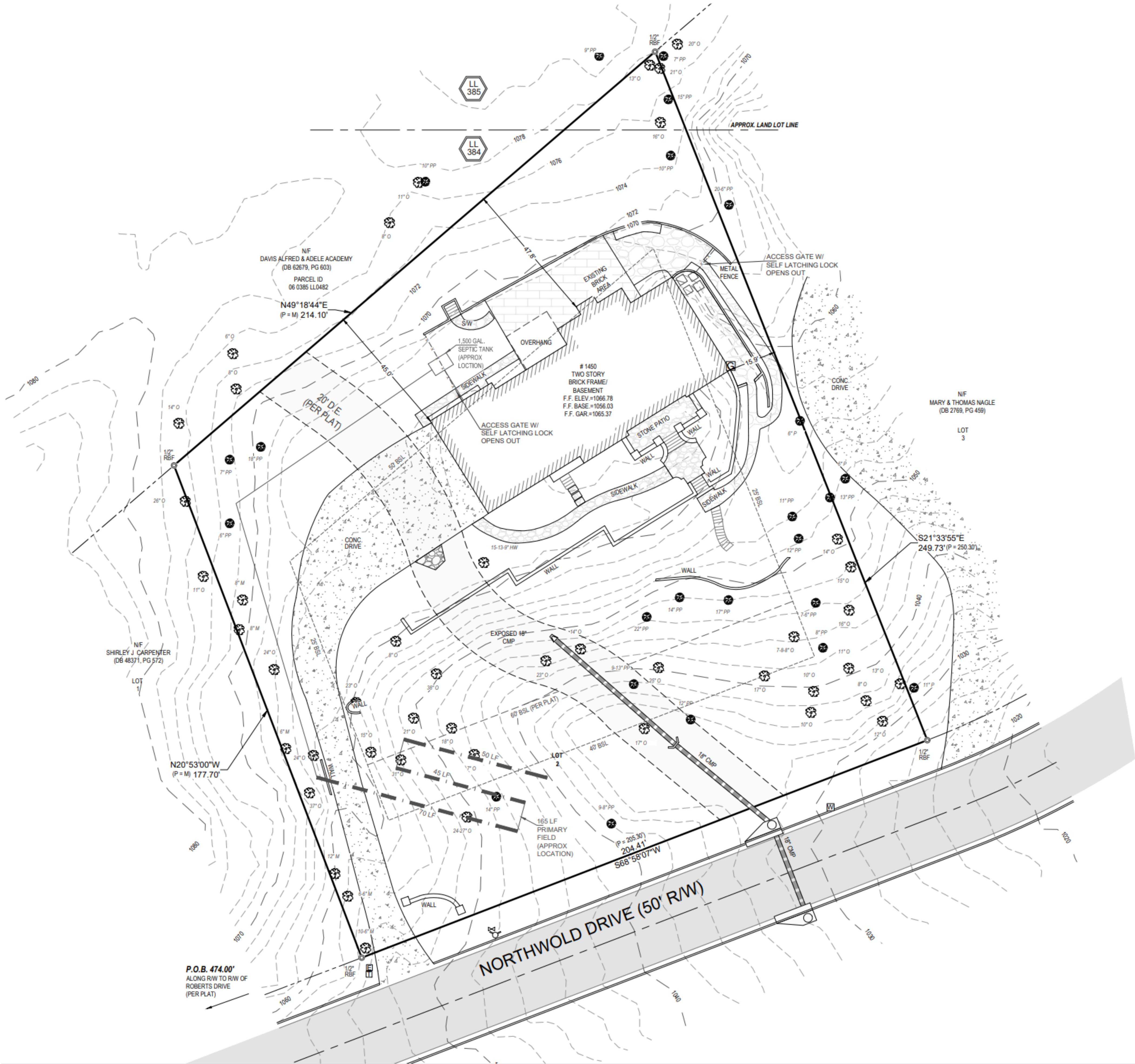


# Aerial Image





# Survey





# Existing Conditions





# Existing Conditions

*The Proposed location of the pool (where the playset sits).*



*The Proposed location of the pool at 1450 Northwold Drive.*



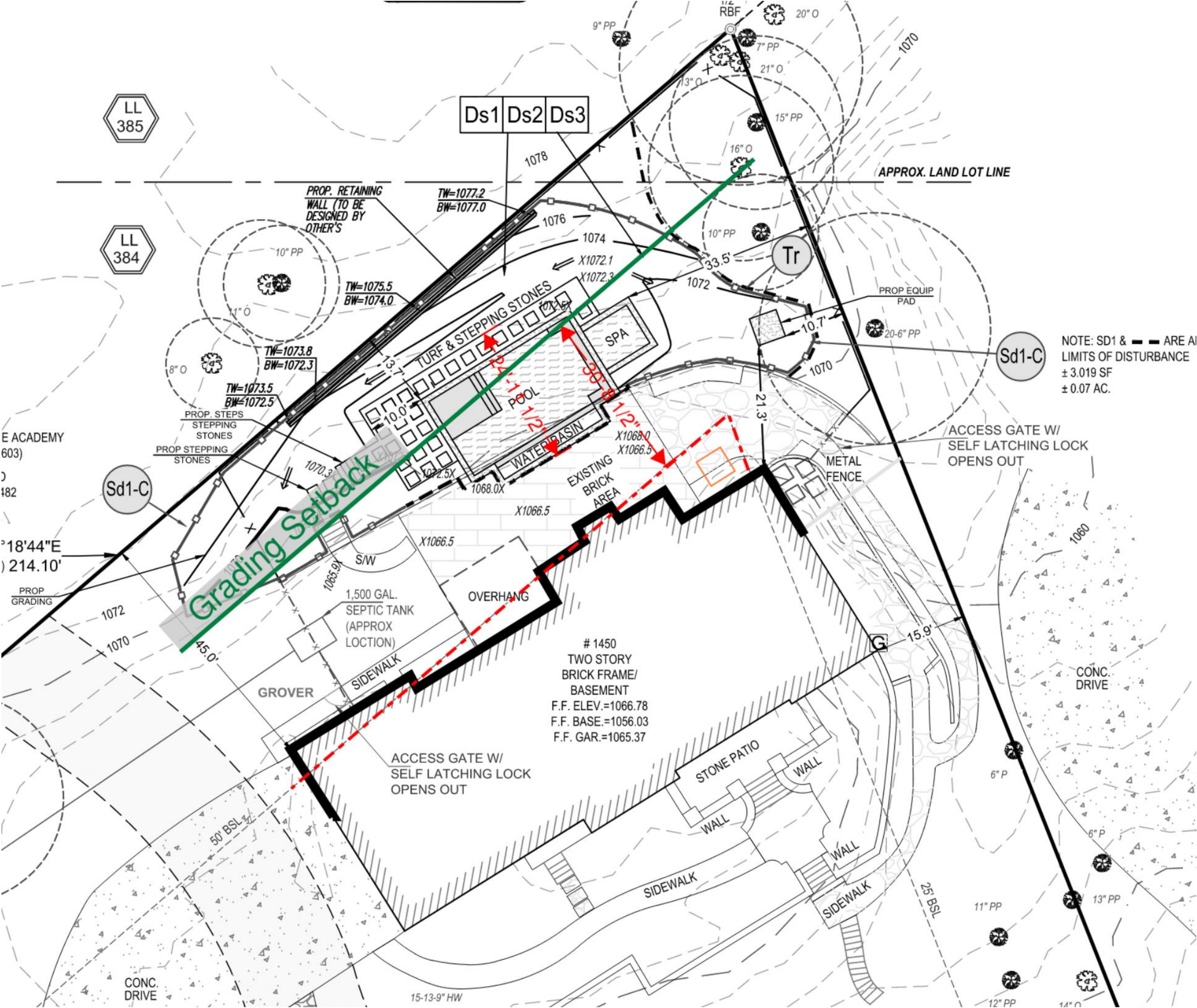


# Proposed Development

- The applicant proposes to construct a pool to include a spa, retaining wall, and related mechanical equipment
- The location of the pool and its apparatus is proposed to be situated between the rear property line and an existing brick retaining wall utilized for an existing brick patio area
- This proposed location is within a 20' grading setback; the mechanical equipment is proposed within the general setback



# Site Plan





# V22-0022 Variance Considerations

- It is Staff's view that the application of the Development Code would not create an unnecessary hardship.
- The rear yard though small, has ample space to install a pool and its apparatus to the rear of their home without requesting a variance.
- The Variance request would not result in development that is consistent with the general intent of the Development Code or The Next Ten.
- The property does abut a more intense use, a school, thus lowering potential impacts of a loss of screening and canopy between parcels at the rear.



# Recommendation

- Staff recommends **Denial of Variance V22-0022.**





**SANDY SPRINGS**  
GEORGIA

**P&Z STAFF REPORT**

Board of Appeals Meeting, August 3, 2022

Case: **V22-0023 – 6575 10 Glenlake Parkway**  
Staff Contact: LaQuita Williams (lwilliams@sandyspringsga.gov)  
Report Date: June 30, 2022

**REQUEST**

Request for a variance from Division 9.2. to encroach into the 25' state waters impervious surface setback and the 50' city waters buffer for the construction of a new outdoor amenity and recreational space.

**APPLICANT**

|                                         |                                    |                                        |
|-----------------------------------------|------------------------------------|----------------------------------------|
| Property Owners:<br>Highwood Properties | Petitioner:<br>Highwood Properties | Representative:<br>Highwood Properties |
|-----------------------------------------|------------------------------------|----------------------------------------|

**RECOMMENDATIONS**

**Department of Community Development**

Staff recommends **Coniditonal Approval** of **Variance(s)** V22-0023.

**MATERIALS SUBMITTED AND REVIEWED**

**Materials:**

1. V22-0023 Application, received June 26, 2022.

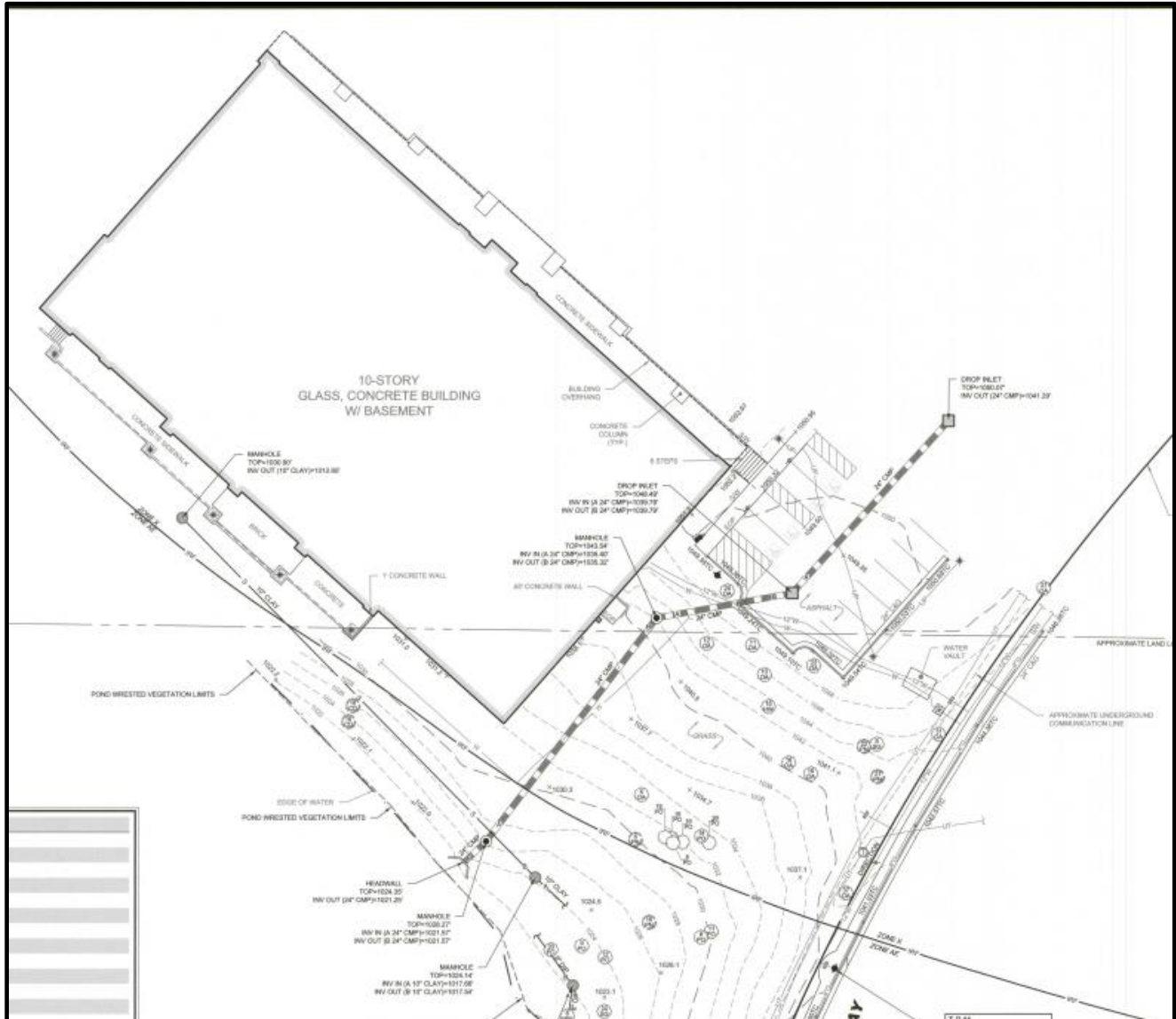
**Plans:**

1. "10 GlenLake-ConceptPlan-2022.01.28" prepared by Barclift Associates dated January 28, 2022.

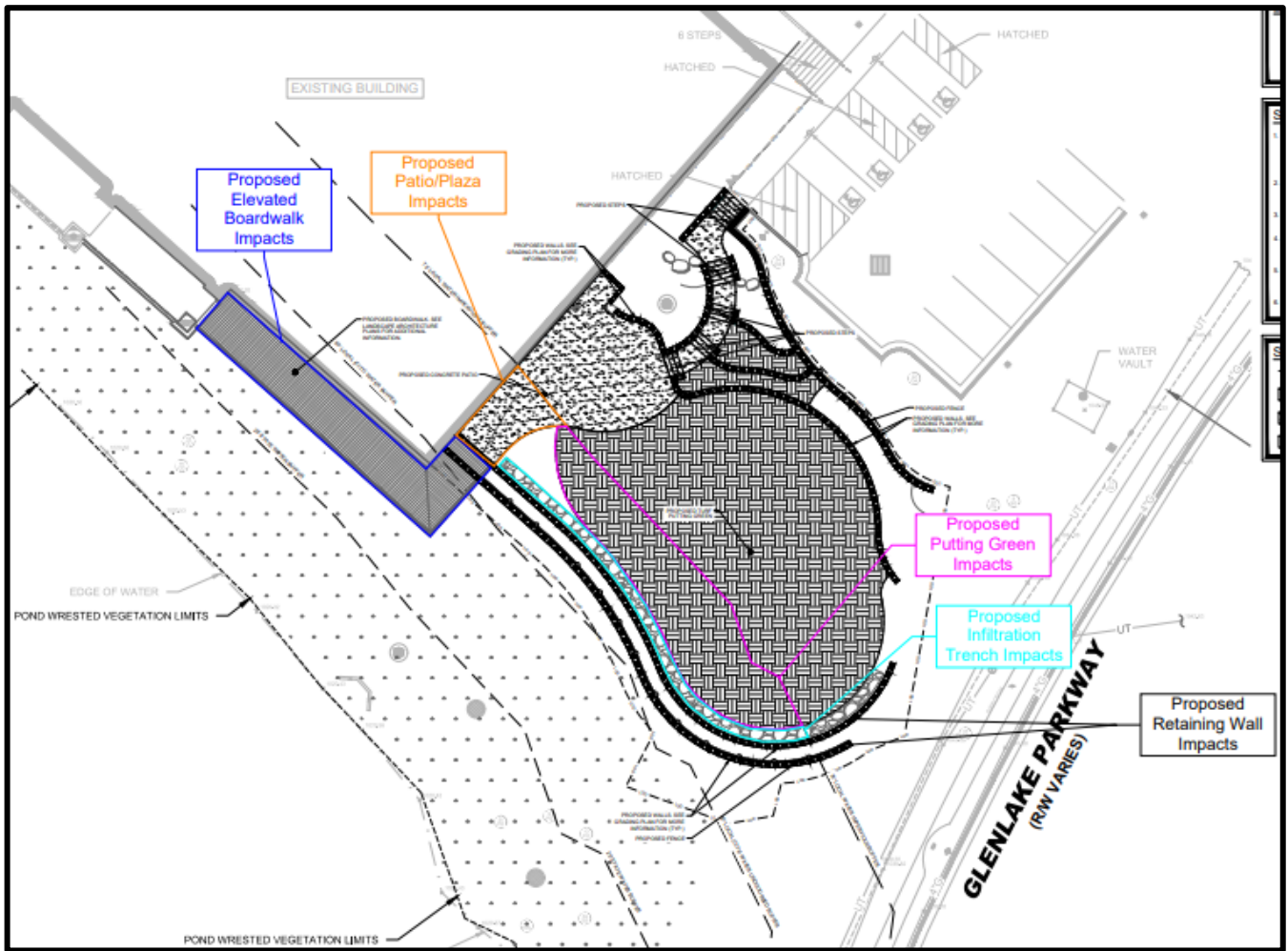


| <b>PROPERTY INFORMATION</b> |                                                                                    |
|-----------------------------|------------------------------------------------------------------------------------|
| Location:                   | 10 Glenlake Parkway (Parcel #17 0034 LLC02)                                        |
| Council District:           | 4 – Jody Reichel                                                                   |
| Neighborhood:               | --                                                                                 |
| Road frontage:              | Approximately 950 feet                                                             |
| Lot Depth                   | 600 feet and greater                                                               |
| Acreage:                    | 12.28 acres                                                                        |
| Current Zoning              | PX-10/12 (Perimeter Mixed Use-10 stories base height/ up to 12 stories with bonus) |
| Existing Land Use:          | Office                                                                             |
| Previous Zoning Cases:      | None                                                                               |
| Character Area:             | Perimeter Center                                                                   |











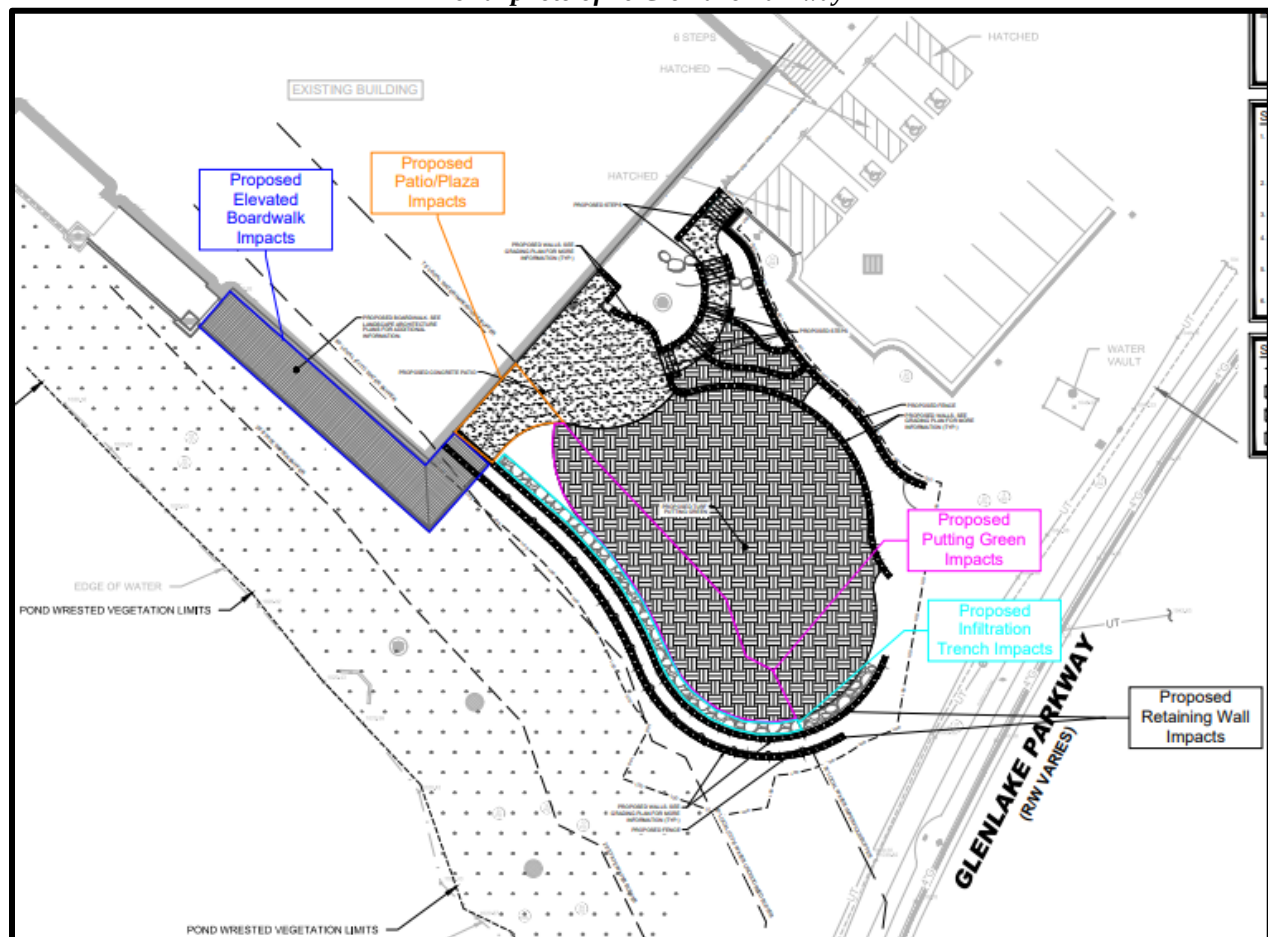
## PROPOSED DEVELOPMENT

The 12.28-acre subject property, PX 10/12 (Perimeter Mixed Use) is developed with office towers and structural parking. The purpose of the project is to provide an outdoor amenity and recreational space for tenants of the adjacent office towers. The site contains a single retention pond at the corner of Abernathy Road and Glenlake Parkway, which is identified as a water of the incurs State and City buffered water. The pond on-site is one of three (3) stormwater ponds located adjacent to Abernathy Road which drain west for approximately 0.4-miles before converging with Marsh Creek. The planned residential development, Aria, borders the subject property to the northwest. A Kaiser Permanente office campus is located to the north; additional Glenlake office towers to the east; and the Mercedes Benz headquarters across Abernathy Road to the south. The proposed outdoor amenity and recreational space is located on the southwest and southeast corner of the building site. The applicants are proposing a total of 1,650 square feet in the 25' City Impervious Surface Setback and, a total of 700 square feet in the 25' City Waters Buffer which is 2,350 square feet. As part of the mitigation plan, applicants are proposed to restore 9,400 square feet of revegetation.

Per the Development Code Section 9.2.4.B.3. *Environmental Protection State Waters Buffer Protection Land Development Requirements*: Variances will be considered only in the following cases:

- a. When a property's shape, topography or other physical conditions existing on December 12, 2005, prevents land development unless a buffer or setback variance is granted.
- b. Unusual circumstance when strict adherence to the minimal buffer and setback requirements in this Division would create an extreme hardship.

*Aerial photo of 10 Glenlake Parkway*







**View looking North with office towers to the left and the parking lot North (*top*)**  
**View looking South facing Abernathy Road and pond (*bottom*)**







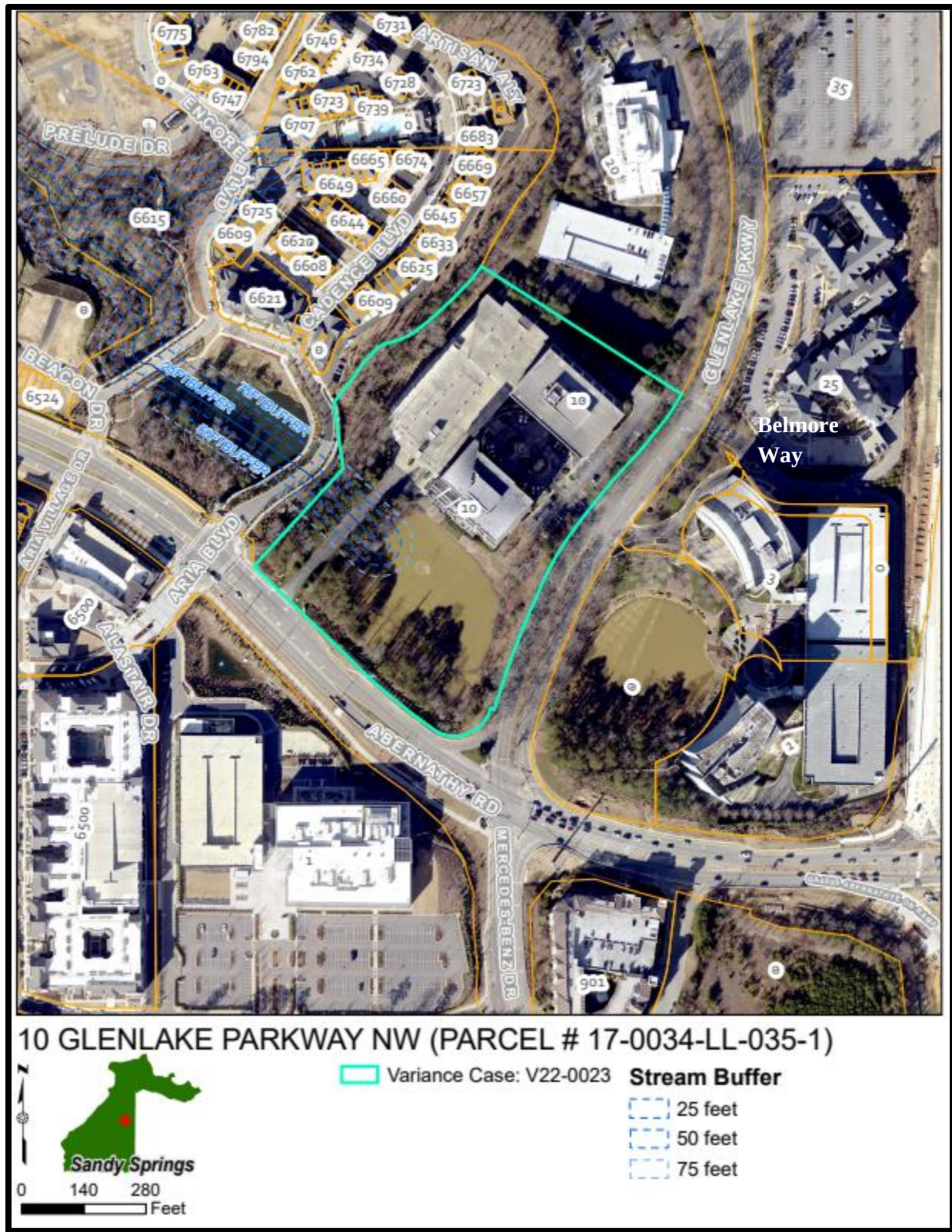
Current view of vegetative site that will be replanted (*top*)  
View of pond facing South (*bottom*)





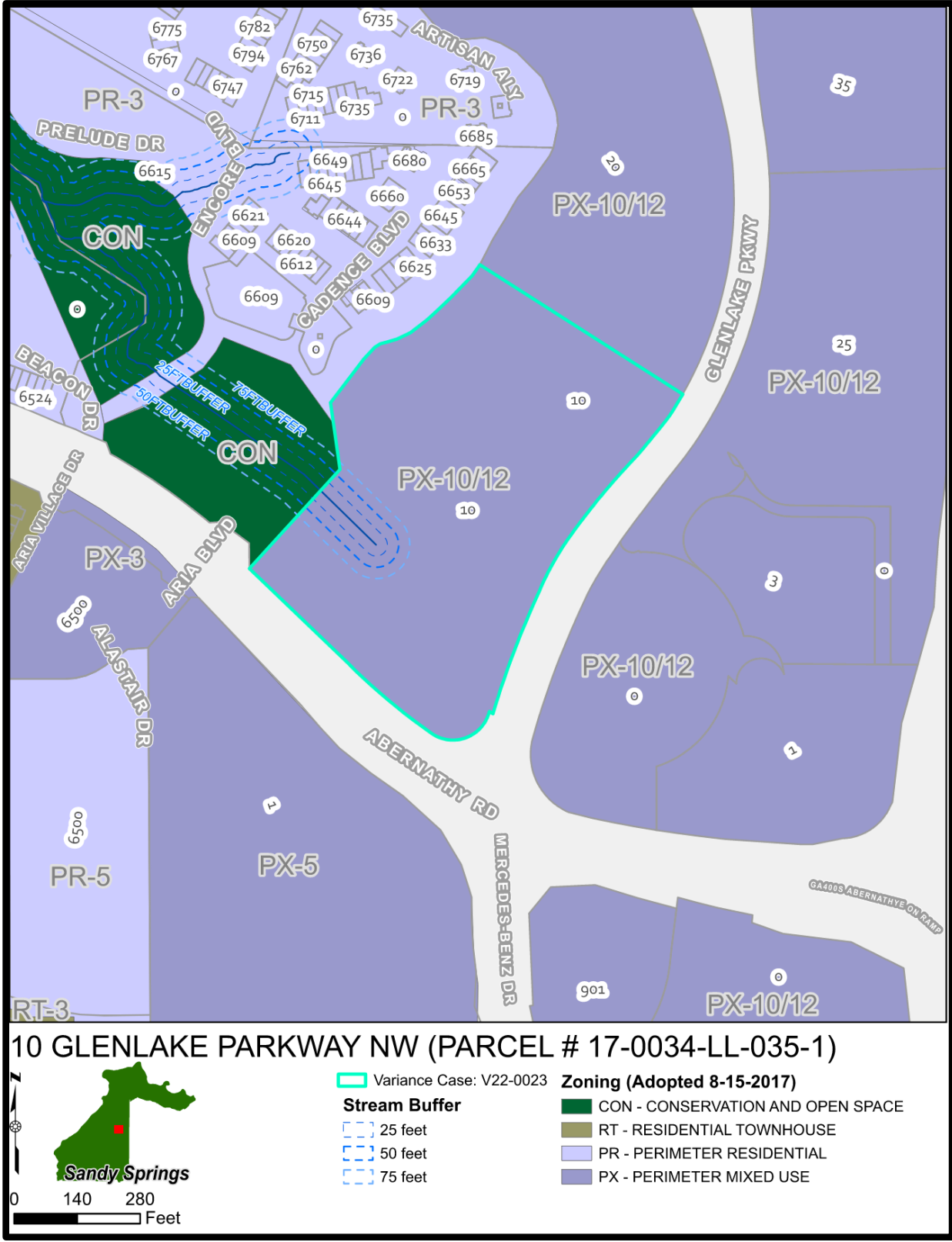
| <b>EXISTING ZONING AND LAND USES OF PROPERTY IN THE VICINITY</b> |                                      |                       |                                        |
|------------------------------------------------------------------|--------------------------------------|-----------------------|----------------------------------------|
| <b>Location relative to subject property</b>                     | <b>Zoning</b>                        | <b>Address(es)</b>    | <b>Land area (acres) (approximate)</b> |
| North                                                            | PX-10/12 Perimeter Mixed Use/Office  | 20 Glenlake Parkway   | 15.00 Acres                            |
| East                                                             | PX-10/12/ Perimeter Mixed Use/Office | 3 Glenlake Parkway    | 2.77 Acres                             |
| South                                                            | PX-5/ Perimeter Mixed Use/Office     | 1 Mercedes-Benz Drive | 12.04 Acres                            |
| West                                                             | CON/ Conservation and Open Space     | 6615 Glenridge Drive  | 15.77 Acres                            |
| <b>PROPOSED DEVELOPMENT</b>                                      |                                      |                       |                                        |
| -                                                                | PX-10/12 Perimeter Mixed Use/ Office | 10 Glenlake Parkway   | 11.90 Acres                            |



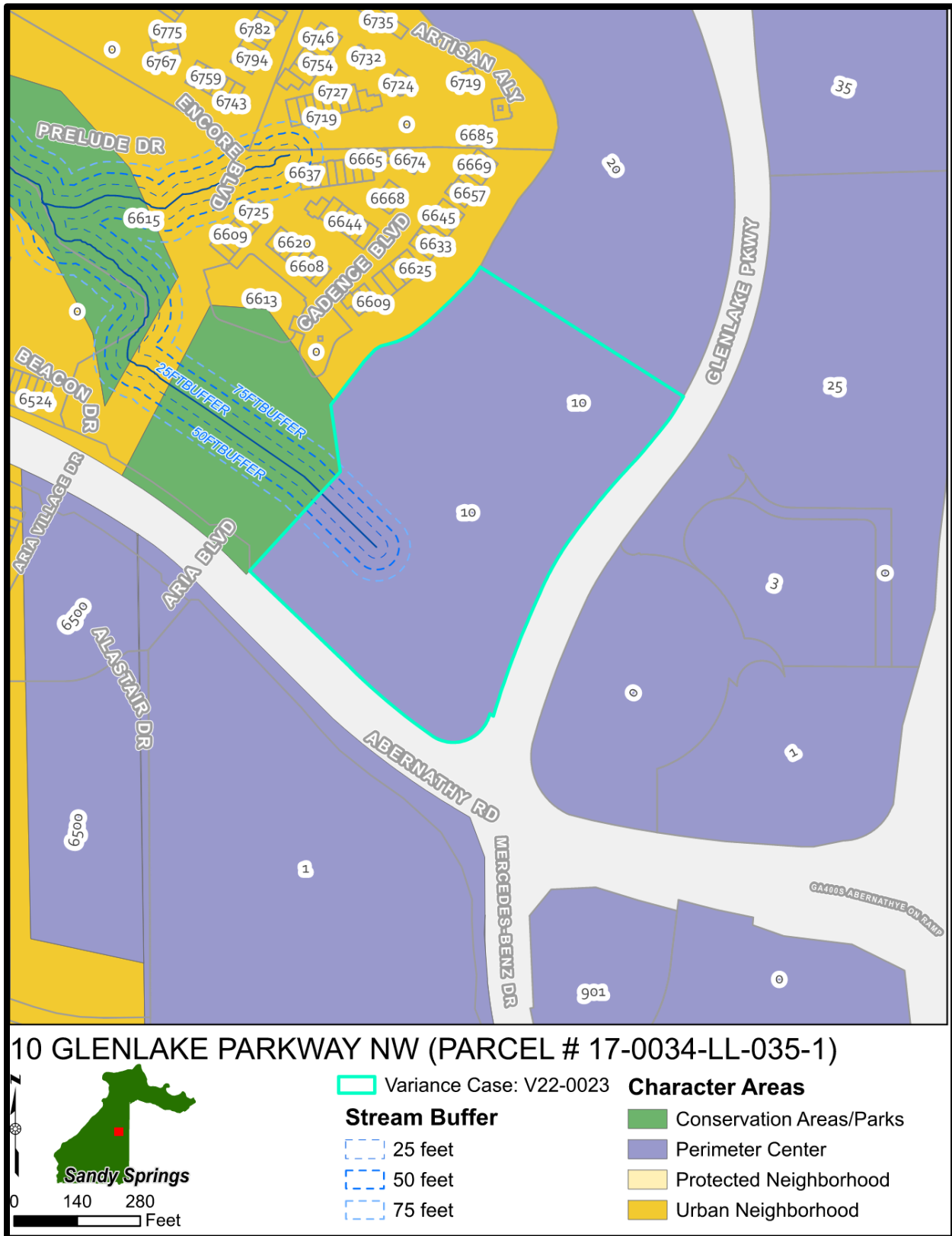




# ZONING MAP









## V22-0013 VARIANCE CONSIDERATIONS

Per Sec. 9.2.4.B.3. and Sec. 9.2.4.B.4. of the Development Code, variances may be considered for land development activity following list factors will be considered for providing guidance when making decisions about issuing variances:

**1. Variances will only be granted upon showing that:**

- a. The property's shape, topography or other physical conditions existing on December 12, 2005 prevent land development unless a buffer or setback Variance is granted;**

Finding: It is staff's view that the physical conditions, due to the site's original development, prevents site improvement development within the subject area.

- a. Unusual circumstances when strict adherence to the minimal buffer and setback requirements would create an extreme hardship.**

Finding: Staff believes that strict adherence to the requirements would create a hardship in that the current development was designed to interact with and compliment the hydrology elements on site. The proposal work to the site, while serving as an amenity for tenants, would also vastly improve the water quality and the overall retention of water.

**Variances will not be considered when actions of any property owner of a given property after December 12, 2005 have created conditions of a hardship on that property.**

Finding: The size, shape, and topography and the hydrology on the subject property existed prior to December 12, 2005.

**The following factors will be considered in determining whether to issue a variance:**

- a. The shape size, topography, slope soils, vegetation and other physical characteristics of the property;**

Findings: It is staff's view that the physical conditions due to the sites original development prevents site improvement development within the subject area. The current vegetation is an invasive species, and the land is currently disturbed due to construction of the office towers that was before December 12, 2005.

- b. The locations of all state waters wetlands, floodplain boundaries ad other natural features on the property, including along property boundaries, as determined by field survey;**

Findings: The pond is located on the corner of Glenlake Parkway and Abernathy Road, south of the office towers. The boundary of the pond has invasive species that will be hand removed and be replanted by hand with native species in the buffers.

- c. The location and extent of the proposed buffer or setback intrusion;**

Findings: The current office towers encroaches into the 25 impervious surface setback and the city waters buffer.

- d. Whether alternative designs are possible which require less intrusion or no intrusion;**

Findings: Alternative designs that were presented demonstrated intrusive impact to the 25' state waters buffer and the 50' city waters buffer.

- e. The long-term and water quality impacts of the proposed variance; and**

Findings: Currently the property has invasive species and practically no access to the pond. The proposed development includes improvement of the vegetation and access to pond. With the Staff's



proposed conditions, constructing an under deck drain system, revegetation, and the infiltration trench; Staff believes this will improve conditions of the existing property.

***f. Whether issuance of the variance is at least as protective of natural resources and the environment.***

Finding: Staff believes the applicant's proposals will not necessarily protect natural resources and the environment; however, the applicant will utilize best management practices for stormwater runoff during permit process.



**COMMENTS FROM OTHER PARTIES****Sandy Springs Public Works:**

No comment provided.

**Sandy Springs City Engineer:**

Putting Green Turf would be considered impervious unless manufacturer's data shows sufficient porosity (30" per hour , min.) allowable drainage through the fabric. If sufficient porosity is available, turf would typically be considered as permeable.

**Sandy Springs Chief Environmental Compliance Officer:**

No comment provided.

**Sandy Springs Arborist:**

Please be aware that based on the scope of work, \$7,200 will be owed into the tree fund and six 2.5" large canopy shade trees will need to be proposed. There are only three large canopy shade trees proposed to be planted on this plan. If the applicant explores reducing the putting green to half its size, multiple trees could be saved. It seems counter-intuitive to remove trees from a buffer and replace it with turf.

**Sandy Springs Sustainability Manager:**

The proposed planting plan would result in better habitat than currently present.

**Sandy Springs Building Official:**

No comment provided.

**Sandy Springs Fire Marshal:**

No comment provided.

**Sandy Springs Land Development Manager:**

No comment provided.

**Sandy Springs Transportation Planner:**

No comment provided.

**Correspondence Received:**

N/A



|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Following review, and based on the findings, Staff recommends <b>Conditional Approval</b> of <b>Variance V22-0023</b> . Request for a variance from Division 9.2. to encroach into the 25' Impervious Surface Setback and the 50' State Waters City Buffer for the construction of new outdoor amenity space, with the following conditions:                                                                                                                                                                                         |
| <ol style="list-style-type: none"><li>1. Construction of permeable surfaces to the City's Specifications</li><li>2. Construction of under deck drain system convey to run off water reduction</li><li>3. Construction of exterior drainage system around the putting green</li><li>4. Applicant's tree revegetation must be approved by City Arborist and comply with the Development Code at permitting</li><li>5. That the project be built substantially similar to the site plan provided as part of this application.</li></ol> |





June 24, 2022

Mr. Matthew Anspach  
Senior Planner  
City of Sandy Springs  
1 Galambos Way  
Sandy Springs, GA 30328

**RE:    *Stream Buffer Variance Application***  
         ***10 Glenlake Parkway***  
         ***City of Sandy Springs, Fulton County, Georgia***

Dear Matthew,

On behalf of our client, Highwood Properties, please find enclosed an application for a City of Sandy Springs Stream Buffer Variance for your review and approval. The proposed project is situated on approximately 11.9-acres of land containing unavoidable impacts to the 50-ft and 75-ft City buffers. The purpose of the project is to provide an outdoor amenity and recreational space for tenants of the adjacent commercial and office buildings.

By way of this correspondence, we request your review and authorization of this buffer variance application. Please do not hesitate to contact Colter Williams or me at your convenience if you have any questions.

Respectfully,

**KIMLEY-HORN AND ASSOCIATES, INC.**

A handwritten signature in blue ink, appearing to read "M. A. Rubenstein".

Marcus Rubenstein, CPESC  
Senior Project Manager

A handwritten signature in blue ink, appearing to read "Colter Williams".

Colter Williams, PWS  
Project Manager



## Attachments

Attachment A: Letter of Intent

Attachment B: Stream Buffer Variance Analysis Supplemental Information

Attachment C: Project Figures

- Figure 1: Vicinity Map
- Figure 2: Aerial Location
- Figure 3: USGS Topographic Map
- Figure 4: National Wetlands Inventory Map
- Figure 5: NRCS Soils Map
- Figure 6: FEMA Floodplain Map
- Figure 7: Existing Survey
- Figure 8: Demolition Plan
- Figure 9: Proposed Site Plan
- Figure 10: Stormwater Management Plan
- Figure 11: Erosion Control and Mitigation Plan
- Figure 12: Revegetation Plan

Attachment D: Site Photos



# Received

06/26/2022 10:32 pm



**SANDY SPRINGS™**  
GEORGIA

Case No.: V22-0023  
Planner's initials: LSW

## APPLICATION

### STREAM BUFFER VARIANCE

#### Application Checklist:

| Page No. | Item                                                         | Completed/<br>Included in Submittal                                 |
|----------|--------------------------------------------------------------|---------------------------------------------------------------------|
| 2        | Project Information Sheet                                    | <input checked="" type="checkbox"/>                                 |
| 3-4      | Detailed Process and Instructions                            | N/A                                                                 |
| 5-6      | Authorization Forms                                          | <input checked="" type="checkbox"/>                                 |
| 7        | Letter of Intent                                             | <input checked="" type="checkbox"/>                                 |
| 7        | Stream Buffer Variance Analysis                              | <input checked="" type="checkbox"/>                                 |
| 7        | Chattahoochee River Corridor Certificate                     | <input type="checkbox"/> or N/A <input checked="" type="checkbox"/> |
| 8        | Stormwater Management Plan                                   | <input checked="" type="checkbox"/> or N/A <input type="checkbox"/> |
| 8        | Georgia Environmental Protection Division (EPD) Approval     | <input type="checkbox"/> or N/A <input checked="" type="checkbox"/> |
| 8-9      | 8½" x 11" copy of Survey                                     | <input checked="" type="checkbox"/>                                 |
| 8-9      | 8½" x 11" copy of Site Plan                                  | <input checked="" type="checkbox"/>                                 |
| 8-9      | 11" x 17" copy of Survey                                     | <input checked="" type="checkbox"/>                                 |
| 8-9      | 11" x 17" copy of Site Plan                                  | <input checked="" type="checkbox"/>                                 |
| 8-9      | Two (2) full-scale copies of Survey                          | <input checked="" type="checkbox"/>                                 |
| 8-9      | Two (2) full-scale copies of Site Plan                       | <input checked="" type="checkbox"/>                                 |
| 8        | 8½" x 11" copy of Legal Description (must be in Word format) | <input checked="" type="checkbox"/>                                 |
| 9        | Mitigation Plan                                              | <input checked="" type="checkbox"/>                                 |
|          | 11" x 17" copy of Elevations                                 | <input type="checkbox"/> or N/A <input checked="" type="checkbox"/> |
| 10       | Meeting Schedule                                             | N/A                                                                 |
| 11       | Fee Schedule                                                 | N/A                                                                 |
| 11       | Fee Payment                                                  | <input type="checkbox"/>                                            |
| 12       | Sign Specifications                                          | N/A                                                                 |
|          | All documents in electronic form (email)                     | <input type="checkbox"/>                                            |

The Director reserves the right to request additional information deemed necessary to analyze the request. Incomplete applications will not be accepted.

Planner's initials: LSW





**SANDY SPRINGS™**  
GEORGIA

Case No.: **V22-0023**  
Planner's initials: **LSW**

PROJECT INFORMATION SHEET

|                 |                                                        |                              |
|-----------------|--------------------------------------------------------|------------------------------|
| <b>PROPERTY</b> | Address(es): 10 Glenlake Parkway NW, Atlanta, GA 30328 |                              |
|                 | Parcel Tax ID(s): <b>17-0034-LL-035-1</b>              |                              |
|                 | Total acreage: 11.9                                    | Council District: 4          |
|                 | Current zoning: PX - Perimeter Mixed-Use               | Current use: Office Building |
|                 | Character Area: Perimeter Center                       |                              |

|                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>APPLICATION</b> | Detailed request (include Code Section No.):                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                   |
|                    | The project includes a request for development of an outdoor amenity and recreational space adjacent to a State and City buffered pond. (Section 9.2.2)                                                                                                                                                                                                                                                                                                                                                     |                   |
|                    | The project will include the construction of a boardwalk in the 50ft buffer, and the construction of a patio, retaining wall, putting green in the 75ft buffer. The project will propose to mitigate the encroachment through the installation of a post-construction stormwater quality management device and revegetation of the buffers with native riparian species. The project is requesting relief from Section 9.2 to encroach into the 25ft impervious setback and the 50 foot undisturbed buffer. |                   |
|                    | Petitioner: Highwood Properties                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                   |
|                    | Petitioner's address: 3500 Lenox Road, Suite 850, Atlanta, GA, 30326                                                                                                                                                                                                                                                                                                                                                                                                                                        |                   |
|                    | Phone: [REDACTED]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Email: [REDACTED] |

|              |                                                                                                                                         |                   |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>OWNER</b> | Property owner: Highwood Properties                                                                                                     |                   |
|              | Owner's address: 3500 Lenox Road, Suite 850, Atlanta, GA, 30326                                                                         |                   |
|              | Phone: [REDACTED]                                                                                                                       | Email: [REDACTED] |
|              | Signature (authorizing initiation of the process):  |                   |
|              | If the property is under contract, provide a copy of the contract                                                                       |                   |

- TO BE FILLED OUT BY P&Z STAFF -

|                                             |                               |
|---------------------------------------------|-------------------------------|
| Pre-Application Meeting date:               | Anticipated Application date: |
| Anticipated BOA date: <b>August 3, 2022</b> |                               |
| <b>ADDITIONAL INFORMATION NEEDED:</b>       |                               |
|                                             |                               |
|                                             |                               |
|                                             |                               |
|                                             |                               |
|                                             |                               |



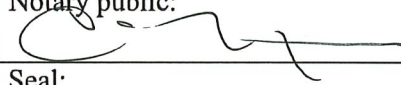
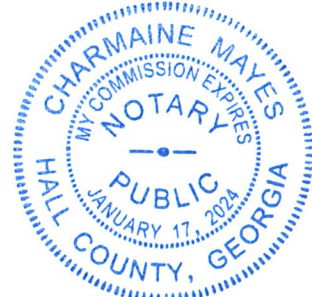
**SANDY SPRINGS™**  
GEORGIA

AUTHORIZATION FORM – PART II

C- If an agent or attorney will represent the owner and/or the Applicant:

Fill out the following section and have it notarized.

|                                                                                                           |
|-----------------------------------------------------------------------------------------------------------|
| Agent's name: <b>Marcus Rubenstein</b>                                                                    |
| Company: <b>Kimley-Horn</b>                                                                               |
| Address: <b>11720 Amber Park Drive</b>                                                                    |
| City, State, Zip Code:<br><b>Alpharetta, GA 30009</b>                                                     |
| Email address: [REDACTED]                                                                                 |
| Phone number: [REDACTED]                                                                                  |
| Agent's signature:       |
| Applicant's signature:  |

|                                                                                                      |
|------------------------------------------------------------------------------------------------------|
| Sworn and subscribed before me this<br><br>17 <sup>th</sup> day of <u>JUNE</u> 20 <u>22</u>          |
| Notary public:<br> |
| Seal:<br>         |
| Commission expires:                                                                                  |



### **10 GlenLake South**

The “South Unit” as established under and pursuant to the terms and provisions of that certain Declaration of Condominium for 10 GlenLake, a Condominium, dated October 24, 2016, and recorded in Deed Book 56773, Page 209, at the Office of the Clerk of the Superior Court of Fulton County, Georgia (as same may be hereinafter amended and modified, the “Declaration”), and as depicted on and described in that certain Condominium Plat for 10 GlenLake, a Condominium, prepared by Jamie F. Higgins, Georgia Land Surveyor No. 2802, of Travis Pruitt & Associates, Inc., recorded in Condominium Plat Book 24, Page 42, of the aforesaid records (as same may be hereinafter amended and modified, the “Plat”), together with such unit’s appurtenant undivided interest in the common elements of such condominium as provided for and described in the Declaration and Plat.

**EXHIBIT B-1**  
**Legal Description of Property**

The "North Unit," the "South Unit," and the "Common Elements," each as depicted on and described in the Condominium Plat by Jaime F. Higgins, Georgia Registered Land Surveyor No. 2802, of Travis Pruitt & Associates, Inc., recorded in Condominium Plat Book 24, Page 42, Fulton County, Georgia records. The Property is also described in metes and bounds as follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 34 AND 35 OF THE 17TH DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA.

**BEGINNING** AT A 5/8" REBAR FOUND AT THE NORTHEASTERN END OF THE MITERED INTERSECTION OF THE WESTERN RIGHT OF WAY OF GLENLAKE PARKWAY (RIGHT OF WAY VARIES) AND THE NORTHERN RIGHT OF WAY OF ABERNATHY ROAD (RIGHT OF WAY VARIES); THENCE PROCEEDING ALONG SAID RIGHT OF WAY OF ABERNATHY ROAD THE FOLLOWING COURSES AND DISTANCES: NORTH 79 DEGREES 03 MINUTES 38 SECONDS WEST A DISTANCE OF 5.50 FEET TO A 1/2" REBAR SET, ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 83.33 FEET AND AN ARC LENGTH OF 165.78 FEET (SAID CURVE HAVING A CHORD BEARING OF SOUTH 67 DEGREES 55 MINUTES 51 SECONDS WEST AND A CHORD DISTANCE OF 139.76 FEET) TO A 1/2" REBAR SET, ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1364.83 FEET AND AN ARC LENGTH OF 242.33 FEET (SAID CURVE HAVING A CHORD BEARING OF NORTH 49 DEGREES 59 MINUTES 27 SECONDS WEST AND A CHORD DISTANCE OF 242.02 FEET) TO A NAIL FOUND, NORTH 46 DEGREES 11 MINUTES 03 SECONDS WEST A DISTANCE OF 89.95 FEET TO A NAIL SET AND NORTH 44 DEGREES 55 MINUTES 47 SECONDS WEST A DISTANCE OF 242.39 FEET TO A 1/2" REBAR FOUND; THENCE LEAVING SAID RIGHT OF WAY OF ABERNATHY ROAD AND PROCEEDING NORTH 43 DEGREES 47 MINUTES 20 SECONDS EAST A DISTANCE OF 327.00 FEET TO A 1/2" REBAR FOUND; THENCE PROCEEDING NORTH 01 DEGREES 03 MINUTES 50 SECONDS EAST A DISTANCE OF 233.52 FEET TO A 5/8" REBAR FOUND; THENCE PROCEEDING NORTH 67 DEGREES 32 MINUTES 13 SECONDS EAST A DISTANCE OF 36.27 FEET TO A 5/8" REBAR FOUND; THENCE PROCEEDING NORTH 59 DEGREES 50 MINUTES 19 SECONDS EAST A DISTANCE OF 44.51 FEET TO A 5/8" REBAR FOUND; THENCE PROCEEDING NORTH 53 DEGREES 46 MINUTES 38 SECONDS EAST A DISTANCE OF 90.09 FEET TO A 5/8" REBAR FOUND; THENCE PROCEEDING NORTH 49 DEGREES 51 MINUTES 42 SECONDS EAST A DISTANCE OF 48.48 FEET TO A 5/8" REBAR FOUND; THENCE PROCEEDING NORTH 46 DEGREES 26 MINUTES 24 SECONDS EAST A DISTANCE OF 47.50 FEET TO A 5/8" REBAR FOUND; THENCE PROCEEDING NORTH 38 DEGREES 40 MINUTES 39 SECONDS EAST A DISTANCE OF 58.58 FEET TO A 5/8" REBAR FOUND; THENCE PROCEEDING NORTH 29 DEGREES 12 MINUTES 31 SECONDS EAST A DISTANCE OF 9.36 FEET TO A 1/2" REBAR FOUND; THENCE PROCEEDING SOUTH 58 DEGREES 27 MINUTES 05 SECONDS EAST A DISTANCE OF 578.41 FEET TO A NAIL SET ON THE WESTERN RIGHT OF WAY OF GLENLAKE PARKWAY; THENCE PROCEEDING ALONG SAID RIGHT OF WAY OF GLENLAKE PARKWAY THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 783.39 FEET AND AN ARC LENGTH OF 129.19 FEET (SAID CURVE HAVING A CHORD BEARING OF SOUTH 34 DEGREES 51 MINUTES 22 SECONDS WEST AND A CHORD DISTANCE OF 129.04 FEET) TO A 1/2" REBAR SET, SOUTH 39 DEGREES 26 MINUTES 45 SECONDS WEST A DISTANCE OF 51.71 FEET TO A 1/2" REBAR SET, SOUTH 41 DEGREES 06 MINUTES 15 SECONDS WEST A DISTANCE OF 164.46 FEET TO A NAIL SET, ALONG A CURVE TO THE LEFT WITH A RADIUS OF 749.20 FEET AND AN ARC LENGTH OF 274.60 FEET (SAID CURVE HAVING A CHORD BEARING OF SOUTH 30 DEGREES 36 MINUTES 15 SECONDS WEST AND A CHORD DISTANCE OF 273.06 FEET) TO A 5/8" REBAR FOUND, SOUTH 20 DEGREES 06 MINUTES 15 SECONDS WEST A DISTANCE OF 133.98 FEET TO A 1/2" REBAR SET AND ALONG A CURVE TO THE LEFT WITH A RADIUS OF 749.20 FEET AND AN ARC LENGTH OF 85.38 FEET (SAID CURVE HAVING A CHORD BEARING OF SOUTH 16 DEGREES 50 MINUTES 15 SECONDS WEST AND A CHORD DISTANCE OF 85.33 FEET) TO THE **POINT OF BEGINNING**.



**EXHIBIT B-2**  
**Legal Description of North Unit**

The "North Unit," as depicted on and described in the Condominium Plat by Jaime F. Higgins, Georgia Registered Land Surveyor No. 2802, of Travis Pruitt & Associates, Inc., recorded in Condominium Plat Book 44, Page     , Fulton County, Georgia records. The North Unit is also described in metes and bounds as follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 34 AND 35 OF THE 17TH DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA.

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 5/8" REBAR FOUND AT THE NORTHEASTERN END OF THE MITERED INTERSECTION OF THE WESTERN RIGHT OF WAY OF GLENLAKE PARKWAY (RIGHT OF WAY VARIES) AND THE NORTHERN RIGHT OF WAY OF ABERNATHY ROAD (RIGHT OF WAY VARIES); THENCE PROCEEDING ALONG SAID RIGHT-OF-WAY OF GLENLAKE PARKWAY THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 749.20 FEET AND AN ARC LENGTH OF 85.38 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 16 DEGREES 50 MINUTES 15 SECONDS EAST AND A CHORD DISTANCE OF 85.33 FEET TO AN IRON PIN SET (1/2" REBAR); THENCE NORTH 20 DEGREES 06 MINUTES 15 SECONDS EAST A DISTANCE OF 133.98 FEET TO AN IRON PIN FOUND (5/8" REBAR); THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 749.20 FEET AND AN ARC LENGTH OF 274.60 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 30 DEGREES 36 MINUTES 15 SECONDS EAST AND A CHORD DISTANCE OF 273.06 FEET TO A NAIL FOUND; THENCE NORTH 41 DEGREES 06 MINUTES 15 SECONDS EAST A DISTANCE OF 164.46 FEET TO AN IRON PIN SET (1/2" REBAR); THENCE NORTH 39 DEGREES 26 MINUTES 45 SECONDS EAST A DISTANCE OF 51.71 FEET TO AN IRON PIN SET (1/2" REBAR); THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 783.39 FEET AND AN ARC LENGTH OF 129.19 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 34 DEGREES 51 MINUTES 22 SECONDS EAST AND A CHORD DISTANCE OF 129.04 FEET TO A NAIL SET; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 79 DEGREES 46 MINUTES 18 SECONDS WEST A DISTANCE OF 138.89 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING AS THUS ESTABLISHED, THENCE SOUTH 41 DEGREES 58 MINUTES 34 SECONDS WEST A DISTANCE OF 36.50 FEET TO A POINT; THENCE NORTH 48 DEGREES 01 MINUTES 11 SECONDS WEST A DISTANCE OF 0.80 FEET TO A POINT; THENCE SOUTH 41 DEGREES 58 MINUTES 34 SECONDS WEST A DISTANCE OF 3.30 FEET TO A POINT; THENCE SOUTH 48 DEGREES 01 MINUTES 11 SECONDS EAST A DISTANCE OF 0.80 FEET TO A POINT; THENCE SOUTH 41 DEGREES 58 MINUTES 34 SECONDS WEST A DISTANCE OF 72.40 FEET TO A POINT; THENCE NORTH 48 DEGREES 01 MINUTES 27 SECONDS WEST A DISTANCE OF 3.60 FEET TO A POINT; THENCE SOUTH 41 DEGREES 58 MINUTES 37 SECONDS WEST A DISTANCE OF 5.50 FEET TO A POINT; THENCE NORTH 48 DEGREES 01 MINUTES 26 SECONDS WEST A DISTANCE OF 88.00 FEET TO A POINT; THENCE NORTH 41 DEGREES 58 MINUTES 36 SECONDS EAST A DISTANCE OF 2.20 FEET TO A POINT; THENCE NORTH 48 DEGREES 01 MINUTES 26 SECONDS WEST A DISTANCE OF 7.10 FEET TO A POINT; THENCE SOUTH 41 DEGREES 58 MINUTES 34 SECONDS WEST A DISTANCE OF 6.30 FEET TO A POINT; THENCE NORTH 48 DEGREES 01 MINUTES 28 SECONDS WEST A DISTANCE OF 11.40 FEET TO A POINT; THENCE NORTH 41 DEGREES 58 MINUTES 34 SECONDS EAST A DISTANCE OF 6.30 FEET TO A POINT; THENCE NORTH 48 DEGREES 01 MINUTES 26 SECONDS WEST A DISTANCE OF 7.10 FEET TO A POINT; THENCE SOUTH 41 DEGREES 58 MINUTES 36 SECONDS WEST A DISTANCE OF 2.20 FEET TO A POINT; THENCE NORTH 48 DEGREES 01 MINUTES 26 SECONDS WEST A DISTANCE OF 90.00 FEET TO A POINT; THENCE SOUTH 42 DEGREES 26 MINUTES 51 SECONDS WEST A DISTANCE OF 13.14 FEET TO A POINT; THENCE SOUTH 48 DEGREES 21 MINUTES 46 SECONDS EAST A DISTANCE OF 2.00 FEET TO A POINT; THENCE SOUTH 41 DEGREES 38 MINUTES 15 SECONDS WEST A DISTANCE OF 278.70 FEET TO A POINT; THENCE NORTH 47 DEGREES 59 MINUTES 33 SECONDS WEST A DISTANCE OF 139.30 FEET TO A POINT; THENCE NORTH 01 DEGREES 04 MINUTES 51 SECONDS EAST A DISTANCE OF 69.36 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 15 SECONDS EAST A DISTANCE OF 343.00 FEET TO A POINT; THENCE SOUTH 48 DEGREES 21 MINUTES 45 SECONDS EAST A DISTANCE OF 42.00 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 14 SECONDS EAST A DISTANCE OF 15.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 21 MINUTES 45 SECONDS EAST A DISTANCE OF 48.30 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 14 SECONDS EAST A DISTANCE OF 4.20 FEET TO A POINT; THENCE SOUTH 48 DEGREES 21 MINUTES 52 SECONDS EAST A DISTANCE OF 2.00 FEET TO A POINT; THENCE SOUTH 41 DEGREES 38 MINUTES 17 SECONDS WEST A DISTANCE OF 1.60 FEET TO A POINT; THENCE SOUTH 48 DEGREES 21 MINUTES 46 SECONDS EAST A DISTANCE OF 8.50 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 17 SECONDS EAST A DISTANCE OF 1.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 21 MINUTES 46 SECONDS EAST A DISTANCE OF 10.70 FEET TO A POINT; THENCE SOUTH 41 DEGREES 38 MINUTES 08 SECONDS WEST A DISTANCE OF 1.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 21 MINUTES 46 SECONDS EAST A DISTANCE OF 8.50 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 17 SECONDS EAST A DISTANCE OF 1.60 FEET TO A POINT; THENCE SOUTH 48 DEGREES 21 MINUTES 46 SECONDS EAST A DISTANCE OF 2.00 FEET TO A POINT; THENCE SOUTH 41 DEGREES 38 MINUTES 15 SECONDS WEST A DISTANCE OF 4.20 FEET TO A POINT; THENCE SOUTH 48 DEGREES 21 MINUTES 45 SECONDS EAST A DISTANCE OF 43.00 FEET TO A POINT; THENCE SOUTH 41 DEGREES 38 MINUTES 15 SECONDS WEST A DISTANCE OF 15.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 21 MINUTES 44 SECONDS EAST A DISTANCE OF 17.21 FEET TO A POINT; THENCE NORTH 41 DEGREES 58 MINUTES 34 SECONDS EAST A DISTANCE OF 11.55 FEET TO A POINT; THENCE SOUTH 48 DEGREES 01 MINUTES 26 SECONDS EAST A DISTANCE OF 56.50 FEET TO A POINT; THENCE NORTH 41 DEGREES 58 MINUTES 39 SECONDS EAST A DISTANCE OF 1.40 FEET TO A POINT; THENCE SOUTH 48 DEGREES 01 MINUTES 26 SECONDS EAST A DISTANCE OF 151.70 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 2.249 ACRES OR 97,982 SQUARE FEET.

**EXHIBIT B-3**  
**Legal Description of South Unit**

The "South Unit," as depicted on and described in the Condominium Plat by Jaime F. Higgins, Georgia Registered Land Surveyor No. 2802, of Travis Pruitt & Associates, Inc., recorded in Condominium Plat Book 24, Page 42, Fulton County, Georgia records. The South Unit is also described in metes and bounds as follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 34 AND 35 OF THE 17TH DISTRICT, CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA.

TO FIND THE POINT OF BEGINNING, COMMENCE AT A 5/8" REBAR FOUND AT THE NORTHEASTERN END OF THE MITERED INTERSECTION OF THE WESTERN RIGHT OF WAY OF GLENLAKE PARKWAY (RIGHT OF WAY VARIES) AND THE NORTHERN RIGHT OF WAY OF ABERNATHY ROAD (RIGHT OF WAY VARIES); THENCE PROCEEDING ALONG SAID RIGHT-OF-WAY OF GLENLAKE PARKWAY THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 749.20 FEET AND AN ARC LENGTH OF 85.38 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 16 DEGREES 50 MINUTES 15 SECONDS EAST AND A CHORD DISTANCE OF 85.33 FEET TO AN IRON PIN SET(1/2" REBAR); THENCE NORTH 20 DEGREES 06 MINUTES 15 SECONDS EAST A DISTANCE OF 133.98 FEET TO AN IRON PIN FOUND (5/8" REBAR); THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 749.20 FEET AND AN ARC LENGTH OF 274.60 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 30 DEGREES 36 MINUTES 15 SECONDS EAST AND A CHORD DISTANCE OF 273.06 FEET TO A NAIL FOUND; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 89 DEGREES 40 MINUTES 15 SECONDS WEST A DISTANCE OF 138.79 TO A POINT, SAID POINT BEING THE **POINT OF BEGINNING**.

FROM SAID POINT OF BEGINNING AS THUS ESTABLISHED, THENCE SOUTH 41 DEGREES 39 MINUTES 28 SECONDS WEST A DISTANCE OF 113.40 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 32 SECONDS WEST A DISTANCE OF 56.00 FEET TO A POINT; THENCE SOUTH 41 DEGREES 40 MINUTES 32 SECONDS WEST A DISTANCE OF 2.50 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 17 SECONDS WEST A DISTANCE OF 4.70 FEET TO A POINT; THENCE NORTH 41 DEGREES 41 MINUTES 21 SECONDS EAST A DISTANCE OF 0.60 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 38 SECONDS WEST A DISTANCE OF 25.30 FEET TO A POINT; THENCE SOUTH 41 DEGREES 38 MINUTES 47 SECONDS WEST A DISTANCE OF 1.10 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 46 SECONDS WEST A DISTANCE OF 4.70 FEET TO A POINT; THENCE NORTH 41 DEGREES 39 MINUTES 39 SECONDS EAST A DISTANCE OF 2.10 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 27 SECONDS WEST A DISTANCE OF 25.30 FEET TO A POINT; THENCE SOUTH 41 DEGREES 39 MINUTES 39 SECONDS WEST A DISTANCE OF 2.10 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 17 SECONDS WEST A DISTANCE OF 4.70 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 47 SECONDS EAST A DISTANCE OF 1.10 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 38 SECONDS WEST A DISTANCE OF 25.30 FEET TO A POINT; THENCE SOUTH 41 DEGREES 41 MINUTES 21 SECONDS WEST A DISTANCE OF 0.60 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 17 SECONDS WEST A DISTANCE OF 4.70 FEET TO A POINT; THENCE NORTH 41 DEGREES 41 MINUTES 21 SECONDS EAST A DISTANCE OF 0.60 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 39 SECONDS WEST A DISTANCE OF 12.40 FEET TO A POINT; THENCE SOUTH 41 DEGREES 38 MINUTES 01 SECONDS WEST A DISTANCE OF 1.00 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 29 SECONDS WEST A DISTANCE OF 13.60 FEET TO A POINT; THENCE NORTH 41 DEGREES 39 MINUTES 30 SECONDS EAST A DISTANCE OF 32.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 20 MINUTES 14 SECONDS EAST A DISTANCE OF 1.30 FEET TO A POINT; THENCE NORTH 41 DEGREES 39 MINUTES 27 SECONDS EAST A DISTANCE OF 76.60 FEET TO A POINT; THENCE NORTH 48 DEGREES 20 MINUTES 14 SECONDS WEST A DISTANCE OF 1.30 FEET TO A POINT; THENCE NORTH 41 DEGREES 39 MINUTES 14 SECONDS EAST A DISTANCE OF 4.70 FEET TO A POINT; THENCE SOUTH 48 DEGREES 20 MINUTES 28 SECONDS EAST A DISTANCE OF 5.80 FEET TO A POINT; THENCE SOUTH 41 DEGREES 35 MINUTES 44 SECONDS WEST A DISTANCE OF 0.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 20 MINUTES 33 SECONDS EAST A DISTANCE OF 80.20 FEET TO A POINT; THENCE NORTH 41 DEGREES 35 MINUTES 44 SECONDS EAST A DISTANCE OF 0.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 20 MINUTES 46 SECONDS EAST A DISTANCE OF 4.70 FEET TO A POINT; THENCE SOUTH 41 DEGREES 40 MINUTES 52 SECONDS WEST A DISTANCE OF 0.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 20 MINUTES 55 SECONDS EAST A DISTANCE OF 6.90 FEET TO A POINT; THENCE NORTH 41 DEGREES 38 MINUTES 39 SECONDS EAST A DISTANCE OF 3.60 FEET TO A POINT; THENCE SOUTH 48 DEGREES 20 MINUTES 30 SECONDS EAST A DISTANCE OF 11.50 FEET TO A POINT; THENCE SOUTH 41 DEGREES 38 MINUTES 39 SECONDS WEST A DISTANCE OF 3.60 FEET TO A POINT; THENCE SOUTH 48 DEGREES 20 MINUTES 35 SECONDS EAST A DISTANCE OF 6.90 FEET TO A POINT; THENCE NORTH 41 DEGREES 40 MINUTES 18 SECONDS EAST A DISTANCE OF 0.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 20 MINUTES 46 SECONDS EAST A DISTANCE OF 4.70 FEET TO A POINT; THENCE SOUTH 41 DEGREES 45 MINUTES 26 SECONDS WEST A DISTANCE OF 0.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 20 MINUTES 33 SECONDS EAST A DISTANCE OF 80.20 FEET TO A POINT; THENCE NORTH 41 DEGREES 40 MINUTES 18 SECONDS EAST A DISTANCE OF 0.50 FEET TO A POINT; THENCE SOUTH 48 DEGREES 20 MINUTES 51 SECONDS EAST A DISTANCE OF 5.80 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT CONTAINS 0.538 ACRES OR 23,444 SQUARE FEET.





Attachment A: Letter of Intent

**10 Glenlake Parkway  
Stream Buffer Variance Application  
State Waters Buffer Protection - Development Code Section 9.2  
Letter of Intent**

**June 28, 2022**

Site Description

The project is located on an approximately 11.9-acre site which currently contains two (2) office buildings and an associated parking garage at the intersection of Abernathy Road and Glenlake Parkway in the City of Sandy Springs, Fulton County, Georgia. The site contains a single open water pond adjacent to Abernathy Road and Glenlake Parkway which is identified as a State and City buffered water. The pond on-site is one of three (3) stormwater ponds located adjacent to Abernathy Road which drain west for approximately 0.4-miles before converging with Marsh Creek.

The property shape is rectangular, and the topography generally slopes south towards the buffered pond on site. Currently, the site contains a mix of pine and hardwood trees of various sizes and ages and areas that are actively landscaped. The overall site proposed for development is currently characterized by previous development including offices, parking garages, parking spaces, and the buffered pond.

Figures illustrating the existing conditions and physical characteristics of the property can be found in Attachment C.

Proposed Project

The project proposes the construction of an outdoor recreational and amenity space which includes new elevated boardwalks, putting green, patio seating area, and retaining walls in the 50ft and 75ft buffer. The purpose of the project is to provide outdoor recreational and amenity space with a view of the open water pond for the tenants of the existing office buildings.

The following table summarizes the type and amount of land disturbance proposed within the stream buffer:

| Buffer/Impervious Setback       | Existing Encroachment | Stream Buffer Encroachment (Square-Feet) |                                   |                                     |                                      |                                | Total Proposed Encroachment | Difference (Square-Feet) (+) |
|---------------------------------|-----------------------|------------------------------------------|-----------------------------------|-------------------------------------|--------------------------------------|--------------------------------|-----------------------------|------------------------------|
|                                 |                       | Proposed Elevated Boardwalk (Pervious)   | Proposed Patio/Plaza (Impervious) | Proposed Putting Surface (Pervious) | Proposed Retaining Wall (Impervious) | Infiltration Trench (Pervious) |                             |                              |
| State Buffer: 25'               | 0                     | 0                                        | 0                                 | 0                                   | 0                                    | 0                              | 0                           | 0                            |
| City buffer: 50'                | 0                     | 700                                      | 0                                 | 0                                   | 0                                    | 0                              | 700                         | 700                          |
| City setback: 75'               | 0                     | 65                                       | 210                               | 943                                 | 227                                  | 205                            | 1,445                       | 1,445                        |
| <b>Total Buffer Disturbance</b> | <b>0</b>              | <b>765</b>                               | <b>210</b>                        | <b>943</b>                          | <b>227</b>                           | <b>205</b>                     | <b>2,350</b>                | <b>2,350</b>                 |

The inherent location of the proposed outdoor recreational and amenity space which intends to utilize the existing pond as an aesthetic back drop of the project will unavoidably impact portions of the City buffers. It is the intent of the applicant to allow tenants of the office buildings to use and experience this area while improving the conditions of the stream buffer. The buffers are currently dominated by maintained grass areas, landscaping, and invasive species including Chinese privet (*Ligustrum sinense*) and English ivy (*Hedera helix*) along the banks. The proposed project will include the hand revegetation of the State and City buffers with native riparian species and hand removal of invasive species within the entire pond buffer.

Mitigation

The proposed mitigation will include approximately 9,400-square feet of buffer revegetation by hand within the State and City buffers surrounding the proposed project. Additionally, the applicant proposes to hand remove all invasive species currently located in the State and City buffers of the pond. The proposed mitigation efforts will serve to ensure that activities within the buffer are at least as protective of natural resources and the environment.



The construction of the new amenity space will result in the unavoidable removal of existing trees on site which will be mitigated for in the replanting plan. A site plan illustrating the impacted trees is included in Attachment B. The areas within the 25-foot, 50-foot, and 75-foot buffers surrounding the project will be replanted by hand with a variety of native, riparian, multi trophic species. The planting will mitigate project impacts while improving the ecological function of the buffer and will include approximately 9,400 SF of revegetation. The revegetation area for the canopy has been reduced to 8,200 SF given the presence of existing canopy species to allow for successful establishment of newly planted species. A list of plantings is included in Attachment B – Figure 12.

The hand revegetation and invasive species removal will result in more diversity of native vegetation than the existing conditions within the buffer and overall ecological and water quality improvement in comparison to existing conditions.

### Alternatives

The proposed location of the project components minimizes impacts to the buffers the fullest extent practicable while meeting the overall needs of the Project.

Given the constraints by the majority of the property being developed and the desire for the open water body to be utilized as an aesthetic feature of the project, the design was limited to the area proposed.

One (1) alternative design was considered, which did not include the use of retaining walls for the project. The alternative proposed the use of structural grading instead of retaining walls would have resulted in greater impacts to the City buffers as well as impacts to the State buffers. The project ultimately decided to utilize retaining walls to minimize impacts the furthest extent practicable while placing the proposed outdoor amenity and recreational space as far away from State and City buffers, and as close to existing office building as possible.

An alternative design that resulted in no impact to buffers was not practicable given the proposed project is designed in the only remaining undeveloped area on the property, the area is constrained significantly by existing infrastructure and buffers, the project intends to utilize the open water features as an aesthetic back drop, and the project intends to connect the proposed amenity and outdoor space to the existing outdoor patios for Americans with Disabilities Act (ADA) compliance and accessibility.

The alternative designs were not selected as they would result in greater impacts to the State and City buffers or would not meet the needs of the project.



Attachment B: Stream Buffer Variance Analysis Supplemental Information



## Variance Analysis (9.2.4.B)

***a. The property's shape, topography or other physical conditions existing on December 12, 2005 prevent land development unless a buffer or setback Variance is granted***

Shape – The property is rectangular and bound by Glenlake Parkway to the east, Abernathy Drive to the south, and existing residential and commercial developments to the north and west.

Topography – The area of the site that is currently developed is flat and was graded out for the construction of the existing buildings. The site generally slopes to the south towards Abernathy Road NE and the buffered pond.

Physical Conditions – The property is approximately 11.9-acres and include two (2) office buildings and associated parking garage, parking lots, and ingress/egress driveways that were constructed prior to December 12, 2005. The site contains one (1) buffered pond adjacent to Abernathy Rd NE and Glenlake Parkway NE. The buffered pond drains northwest towards Marsh Creek and is identified on the FEMA FIRMet as a Regulatory Floodway. The existing structures and buffered pond encompass a majority, if not all, of the developable space on property.

***b. Unusual circumstances when strict adherence to the minimal buffer and setback requirements would create an extreme hardship.***

The previous development of the property has significantly limited the developable space remaining on the site. The construction of the two office buildings, associated parking garage, and surface parking lots have constrained the space available for any additional development on the property. Additionally, the existence of the property boundary setbacks further limits the developable space that remains on the property today.

Strict adherence to the minimal buffer and setback requirements would ultimately require the removal of existing infrastructure in order to construct the proposed outdoor amenity space which is not a feasible or practicable option. The project is proposed to be constructed in the only remaining undeveloped portion of the property while avoiding buffer and boundary setbacks to the furthest extent practicable. Furthermore, the project will be providing mitigation through stormwater management and revegetation to improve the surrounding buffer conditions while utilizing the aesthetic of the open water pond for the project.

Additionally, strict adherence to the minimal buffer and setback requirements would not allow for the construction of the elevated boardwalk which will be utilized as the Americans with Disability Act (ADA) access point to the outdoor recreational and amenity area.

Based on the above-described physical settings and project components the strict adherence to the City's minimal buffer and setback requirements would create an extreme hardship for the applicant.

**a. *The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;***

The property is rectangular and is approximately 11.9-acres located at the intersection of Abernathy Road NE and Glenlake Parkway NE in the City of Sandy Springs, Fulton County, Georgia. The topography of the site generally slopes south towards the buffered pond.

The property contains two office buildings and associated parking garage, parking lots, and ingress/egress driveways. The site contains one (1) buffered pond adjacent to Abernathy Rd NE and Glenlake Parkway NE. The buffered pond drains northwest towards Marsh Creek and is identified on the FEMA FIRMette as a Regulatory Floodway. The existing structures and buffered pond encompass a majority, if not all, of the remaining developable space on property.

Soils on the site include (CaA – Cartecay-Toccoa complex), (CeC2 – Cecil sandy loam), (ReD – Rion sandy loam), and (Ub – Urban Land).

Currently, the site contains a mix of pine and hardwood trees of various sizes and ages, and areas that are actively landscaped and maintained. Vegetative species include loblolly pine (*Pinus taeda*), white oak (*Quercus alba*), red maple (*Acer rubrum*), sweetgum (*Liquidambar styraciflua*), and tulip poplar (*Liriodendron tulipifera*). Invasive species such as Chinese privet (*Ligustrum sinense*) and English ivy (*Hedera helix*) are also present along edge of the pond within the buffers.

**b. *The locations of all state waters, wetlands, floodplain boundaries and other natural features on the property, including along property boundaries, as determined by field survey;***

There is one buffered State water located on site and FEMA mapped regulatory floodways are identified on the buffered pond. The buffered State water and regulatory floodways are illustrated in Attachment C.

Open Water 1 is an approximately 2.4-acre pond located in the southern portion of the property. The pond receives hydrologic inputs from the adjacent pond to the east and drains northwest to an additional stormwater pond before entering an open channel and draining to Marsh Creek.

A review of the FEMA FIRMette (13121C0161F, Effective Date September 18, 2013) identified Open Water 1 as being located within Regulatory Floodway. The project will not be located within the regulated floodplain or floodway. The extent of the floodplain on site is shown on the attached FEMA FIRMette in Attachment C.

The project does not propose to construct any new structures that will affect the regulatory floodway.



**c. The location and extent of the proposed buffer or setback intrusion;**

The location and extent of each component of the proposed buffer intrusion is described below and included in detail on the attached site plan (Attachment C – Figure 9).

Elevated Boardwalk

The proposed elevated boardwalk will allow for connection to the existing patio at the rear of the building and for access to the proposed outdoor amenity space. The raised boardwalk will allow for vegetative species to establish underneath the boardwalk and utilize pervious materials in the 50ft buffer. The boardwalk will also be utilized as the American with Disabilities Act (ADA) access point for the proposed outdoor amenity space.

- *Pervious Surface*
  - 50-foot buffer = 700 SF
  - 75-foot buffer = 65 SF

Plaza / Patio

The proposed plaza and patio space will be located adjacent to the building in order to allow for logistical entrances to the outdoor amenity space from the proposed boardwalk access and the proposed stairway access. The proposed stairway will connect with existing sidewalks to allow for access from the front of the office buildings and existing parking lots. The plaza patio area will be constructed using permeable pavers to allow for infiltration of stormwater.

- *Impervious Surface*
  - 75-foot buffer = 210 SF

Putting Surface

The proposed putting surface will be constructed with pervious materials and will be underlain with pervious grading material to allow for infiltration of stormwater.

- *Pervious Surface*
  - 75-foot buffer = 943 SF

Retaining Wall

A retaining wall is proposed to be used along the southern portion of the proposed outdoor amenity space in order to remove grading impacts to the 50-foot buffer.

- *Impervious Surface*
  - 75-foot buffer = 227 SF

Infiltration Trench

An infiltration trench is proposed to be installed between the putting surface and retaining walls to be utilized for stormwater quality management.

- *Pervious Surface*
  - 75-foot buffer = 205 SF

The following buffer impact totals are proposed for the project:

- 700 square feet of pervious surface is proposed in the 50-foot buffer,
- 1,213 square feet of pervious surface is proposed in the 75-foot buffer
- 437 square feet of impervious surface is proposed in the 75-foot buffer

***d. Whether alternative designs are possible which require less intrusion or no intrusion;***

In an effort to balance project needs with buffer disturbance, the following alternatives were considered.

The No-Build scenario was considered. While this option would result in no disturbance to onsite stream buffers, it would not satisfy the needs of the applicant to create outdoor amenity space while also enhancing the logistical pedestrian connections around the office building. Additionally, a no-build option does not fulfil the need to enhance and revegetate the buffers surrounding the pond with native riparian species.

The Alternative 1 site plan option was considered to utilize grading along the southern portion of the amenity space instead of a retaining wall. The use of grading to support the proposed amenity space would have allowed for a more aesthetic view from the proposed amenity down to the pond, however, would have resulted in impacts to the 25-foot State buffer, and 50-ft City buffer. This alternative was ultimately deemed un-practical as the use of retaining walls significantly reduced impacts to buffers.

The Alternative 2 site plan (Preferred Site Plan) was considered to be the preferred design as the amenity space can utilize the pond as an aesthetic back drop, the impacts to the 50-foot City buffer have been significantly reduced, and the project can implement mitigation to enhance and revegetate the buffers with native riparian species.

***e. The long-term and water quality impacts of the proposed Variance.***

The propose project intends to utilize elevated boardwalks, pervious surfaces, an infiltration trench, and the revegetation of multitrophic native riparian species to maintain and improve long-term water quality and ecological conditions on site. The pervious surfaces, infiltration trench, and revegetation will provide water quality benefits such as runoff reduction and pollutant removal and will detain, infiltrate, and treat stormwater runoff. Figures of the pervious surfaces, infiltration trench, and revegetation can be found in Attachment B.

***f. Whether issuance of the Variance is at least as protective of natural resources and the environment.***

The following are proposed mitigation efforts on site that will serve to ensure that activities within the buffer are at least as protective of natural resources and the environment as existing conditions.

Stormwater Management

Stormwater quality management will be achieved on-site through the installation of pervious surfaces the City stream buffers. Installation of the pervious surfaces will be utilized to improve water quality



throughout the City buffers and improve runoff reduction rates. Additionally, the project proposes the installation of a infiltration trench to capture, treat, and detain excess stormwater leaving the proposed amenity space.

The post construction stormwater management will be designed in accordance with City of Sandy Springs Stormwater Management Ordinances (Article 9; Div. 9.6), and stormwater quality management details will be included with Land Disturbance Permit (LDP) application.

#### Stream Buffer Revegetation

The proposed project will result in the removal of 12 existing trees within the buffers on site which will be replaced with native riparian multitrophic species. In total, approximately 9,400 SF of revegetation and new planting will occur within the 25, 50, and 75-foot buffers by hand. Given the presence of existing canopy species, the buffer revegetation area for the canopy has been reduced to 8,200 SF to not overcrowd the canopy and allow for successful establishment of vegetation.

The revegetation and planting will utilize multi-trophic native riparian species and quantities will be adjusted to account for existing canopy coverage. While canopy species will be replanted, the revegetation will predominantly utilize shrub and ground story revegetation between the pond and the retaining walls to maintain the future visibility of the pond as a backdrop for the proposed outdoor amenity space.

The new vegetative species will result in more diversity of vegetation, improved aquatic and terrestrial ecology, and enhanced water quality through infiltration than the existing conditions which consists of maintained lawn and pine straw mulch. The revegetation will also result in a proposed project that is at least as protective of natural resources and the environment over existing conditions.

Additionally, invasive species removal will occur within the 25, 50, and 75-foot revegetation area of the pond by hand. Invasive species to be removed include but are not limited to Chinese privet, and English ivy.

A list of impacted trees is included in the *Attachment B – Figure 8*

A list of plantings is included in *Attachment B – Figure 12*.

A detailed landscaping plan will be included as part of the Land Disturbance Permit (LDP) and will comply with the City's State Waters Buffer Restoration Standards.

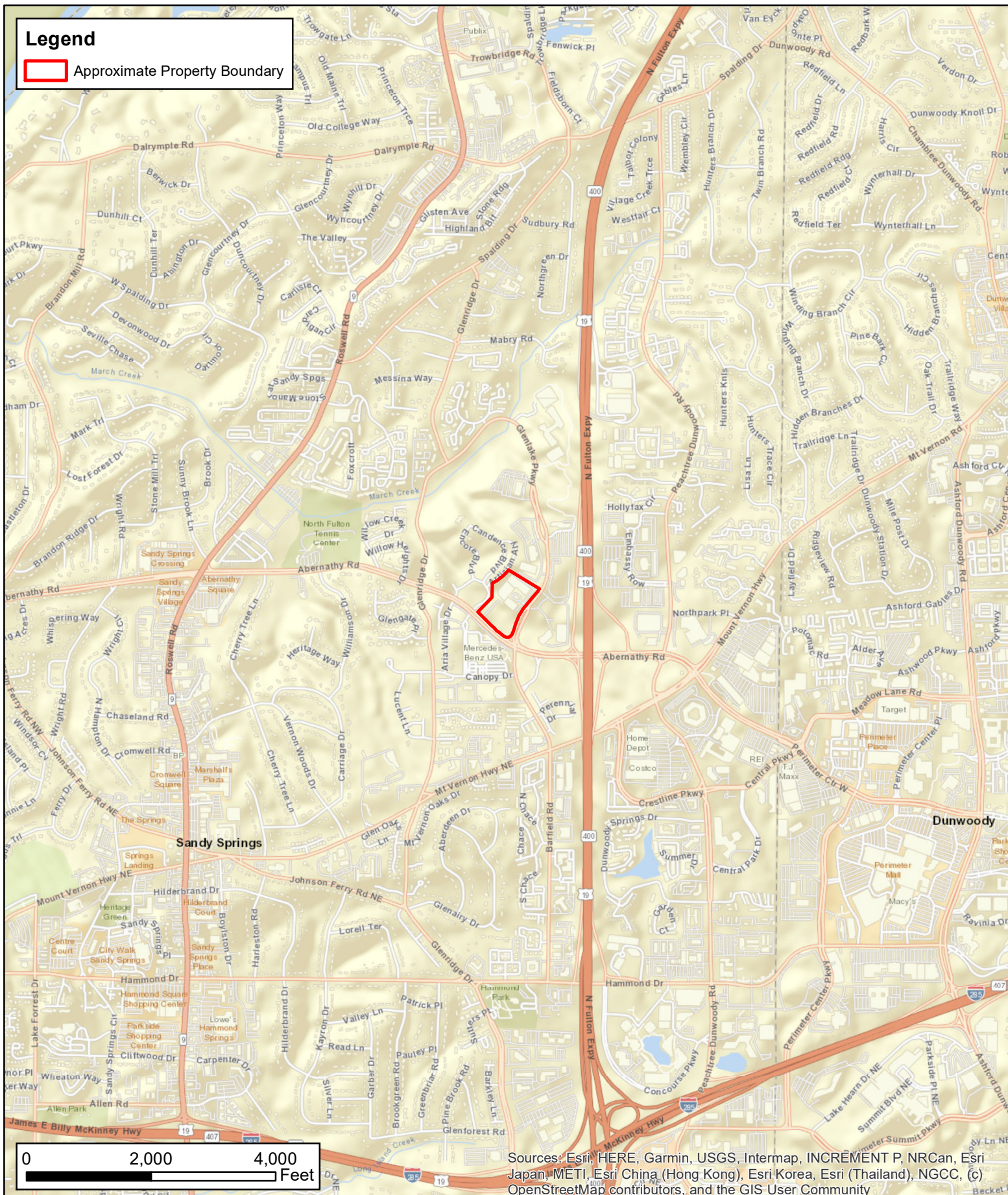


## Attachment C: Project Figures



# Legend

Approximate Property Boundary





**Legend**

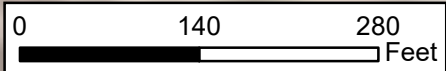
 Approximate Property Boundary





**Legend**

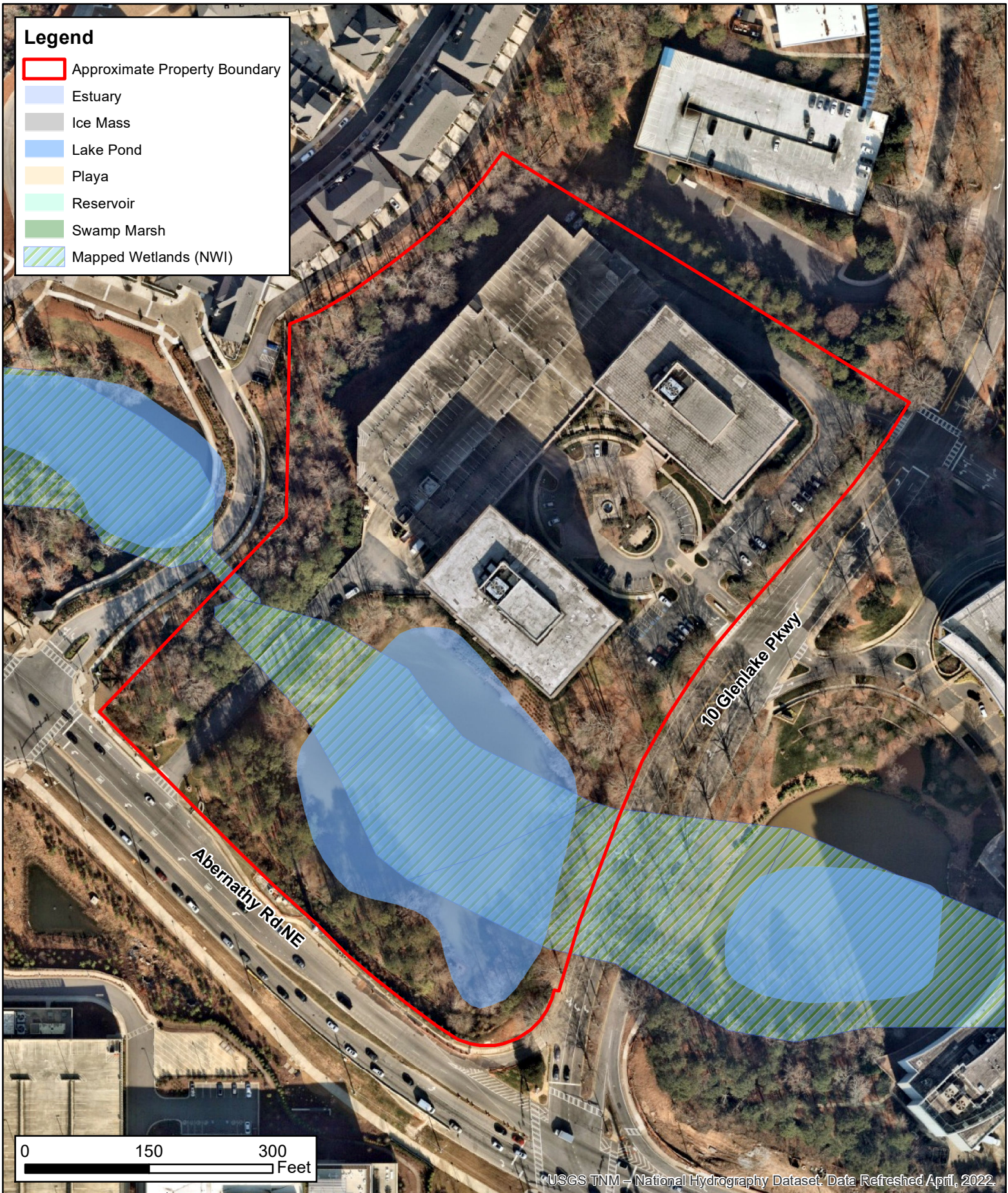
 Approximate Property Boundary



Copyright:© 2013 National Geographic Society, i-cubed







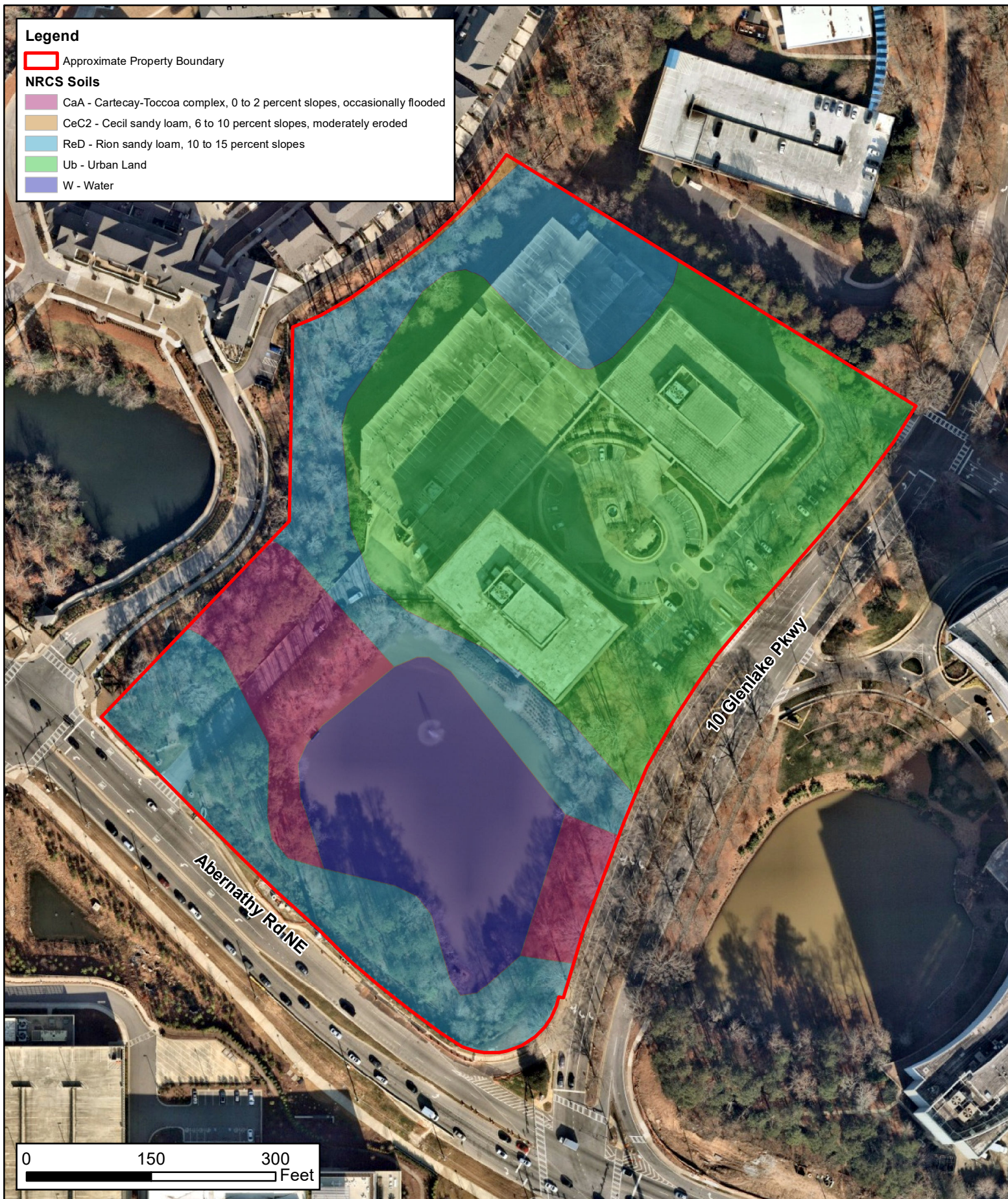


**Legend**

 Approximate Property Boundary

**NRCS Soils**

-  CaA - Cartecay-Toccoa complex, 0 to 2 percent slopes, occasionally flooded
-  CeC2 - Cecil sandy loam, 6 to 10 percent slopes, moderately eroded
-  ReD - Rion sandy loam, 10 to 15 percent slopes
-  Ub - Urban Land
-  W - Water







Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

| SPECIAL FLOOD HAZARD AREAS                                                            |                                                                                                                                                                   |
|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | Without Base Flood Elevation (BFE)<br>Zone A, V, A99                                                                                                              |
|    | With BFE or Depth Zone AE, AO, AH, VE, AR                                                                                                                         |
|    | Regulatory Floodway                                                                                                                                               |
| OTHER AREAS OF FLOOD HAZARD                                                           |                                                                                                                                                                   |
|    | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
|    | Future Conditions 1% Annual Chance Flood Hazard Zone X                                                                                                            |
|    | Area with Reduced Flood Risk due to Levee. See Notes. Zone X                                                                                                      |
|    | Area with Flood Risk due to Levee Zone D                                                                                                                          |
| OTHER AREAS                                                                           |                                                                                                                                                                   |
|    | NO SCREEN Area of Minimal Flood Hazard Zone X                                                                                                                     |
|    | Effective LOMRs                                                                                                                                                   |
|    | Area of Undetermined Flood Hazard Zone D                                                                                                                          |
| GENERAL STRUCTURES                                                                    |                                                                                                                                                                   |
|    | Channel, Culvert, or Storm Sewer                                                                                                                                  |
|    | Levee, Dike, or Floodwall                                                                                                                                         |
| OTHER FEATURES                                                                        |                                                                                                                                                                   |
|    | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation                                                                                                 |
|    | 17.5                                                                                                                                                              |
|    | 8 Coastal Transect                                                                                                                                                |
|    | Base Flood Elevation Line (BFE)                                                                                                                                   |
|    | Limit of Study                                                                                                                                                    |
|    | Jurisdiction Boundary                                                                                                                                             |
|   | Coastal Transect Baseline                                                                                                                                         |
|  | Profile Baseline                                                                                                                                                  |
|  | Hydrographic Feature                                                                                                                                              |
| MAP PANELS                                                                            |                                                                                                                                                                   |
|   | Digital Data Available                                                                                                                                            |
|  | No Digital Data Available                                                                                                                                         |
|  | Unmapped                                                                                                                                                          |

 The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

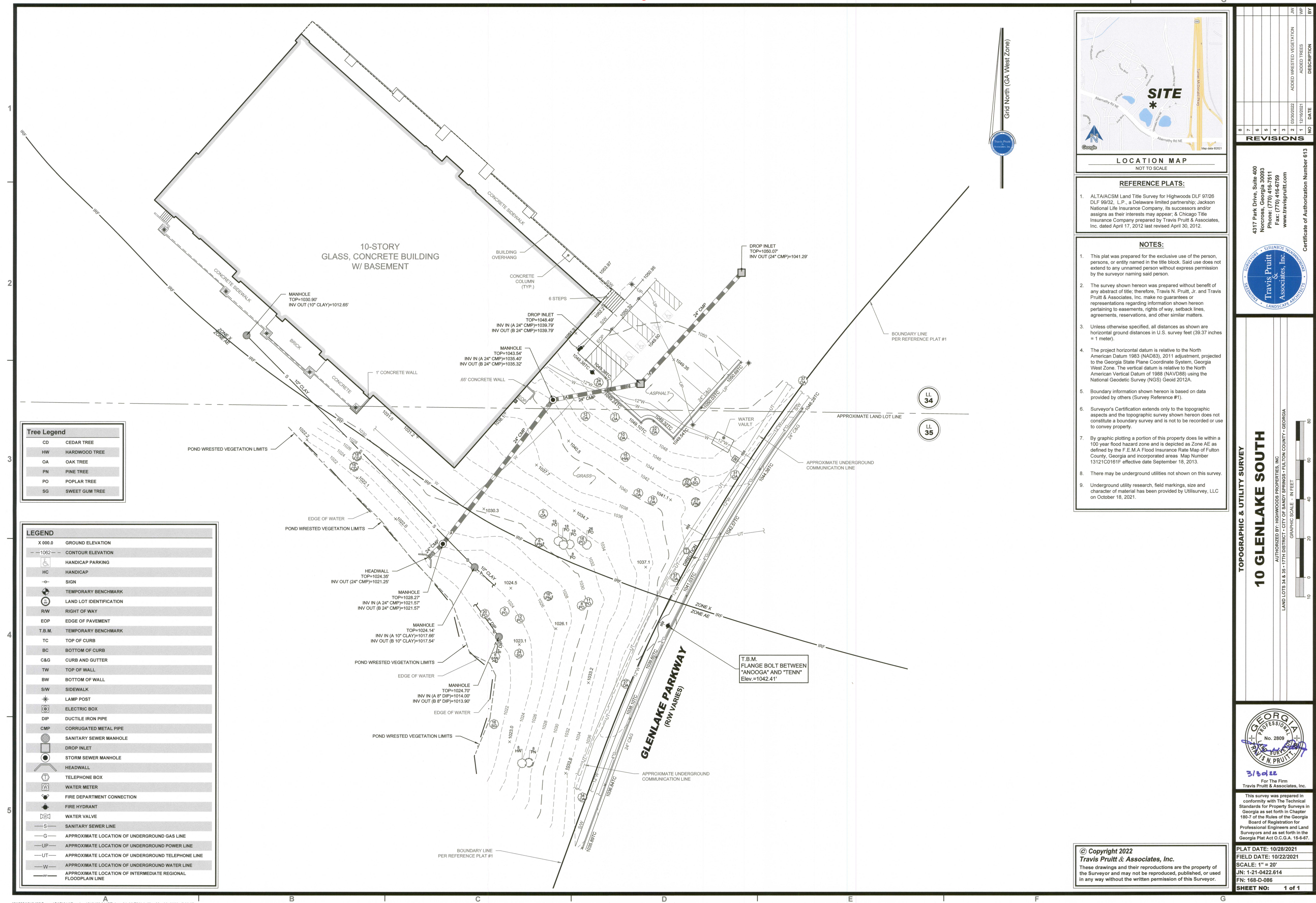
**This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards**

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **6/10/2022 at 12:49 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



### Figure 7





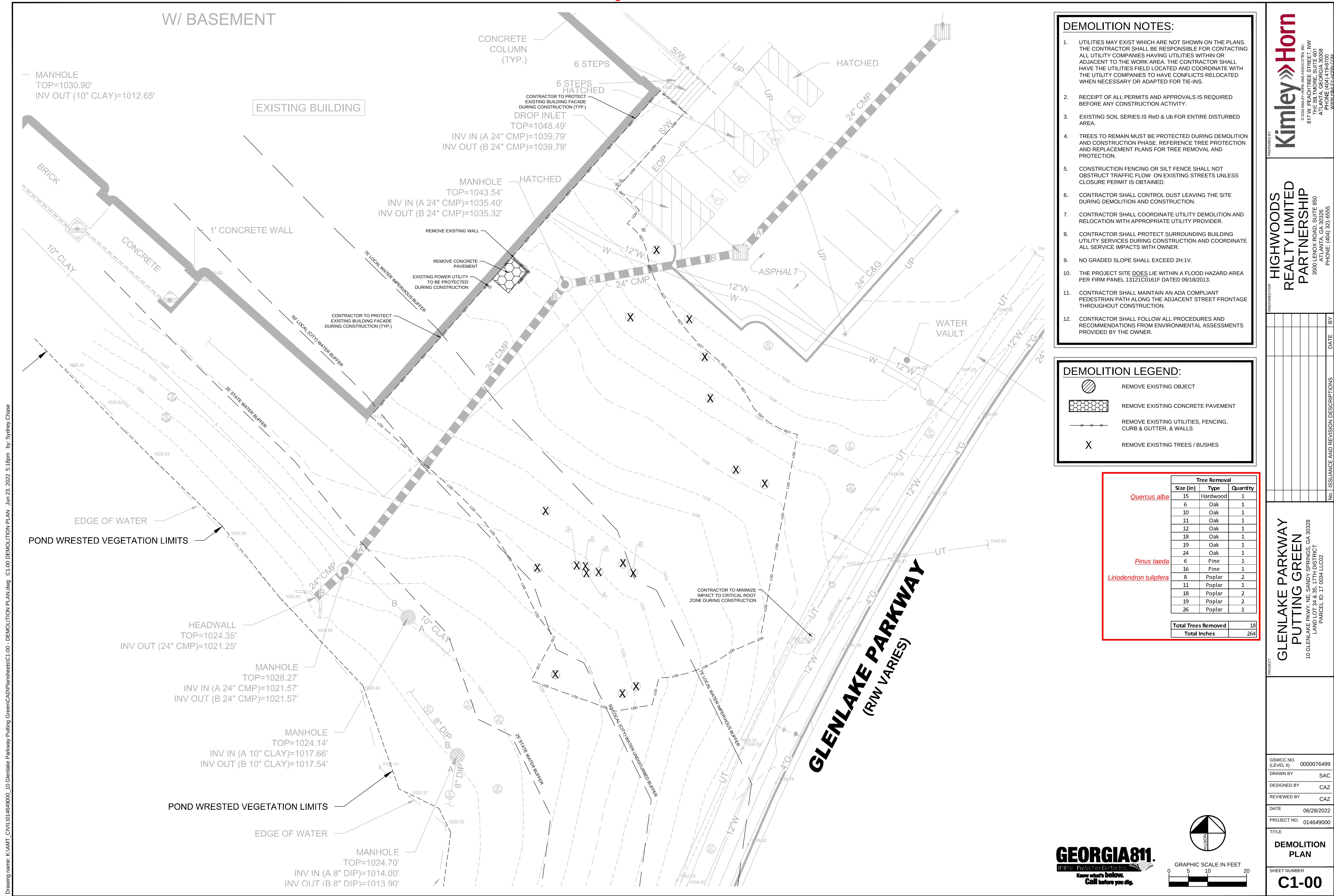
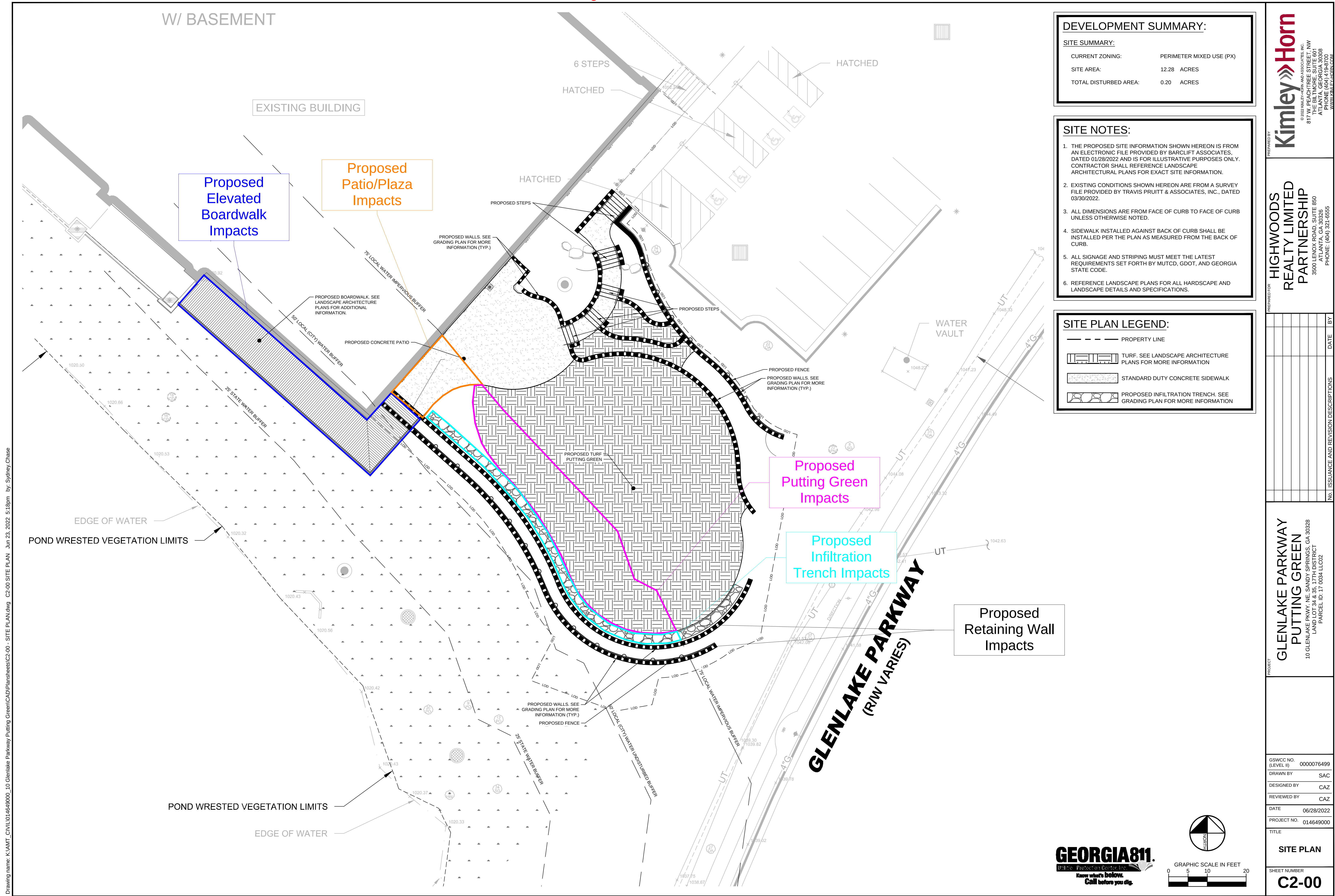


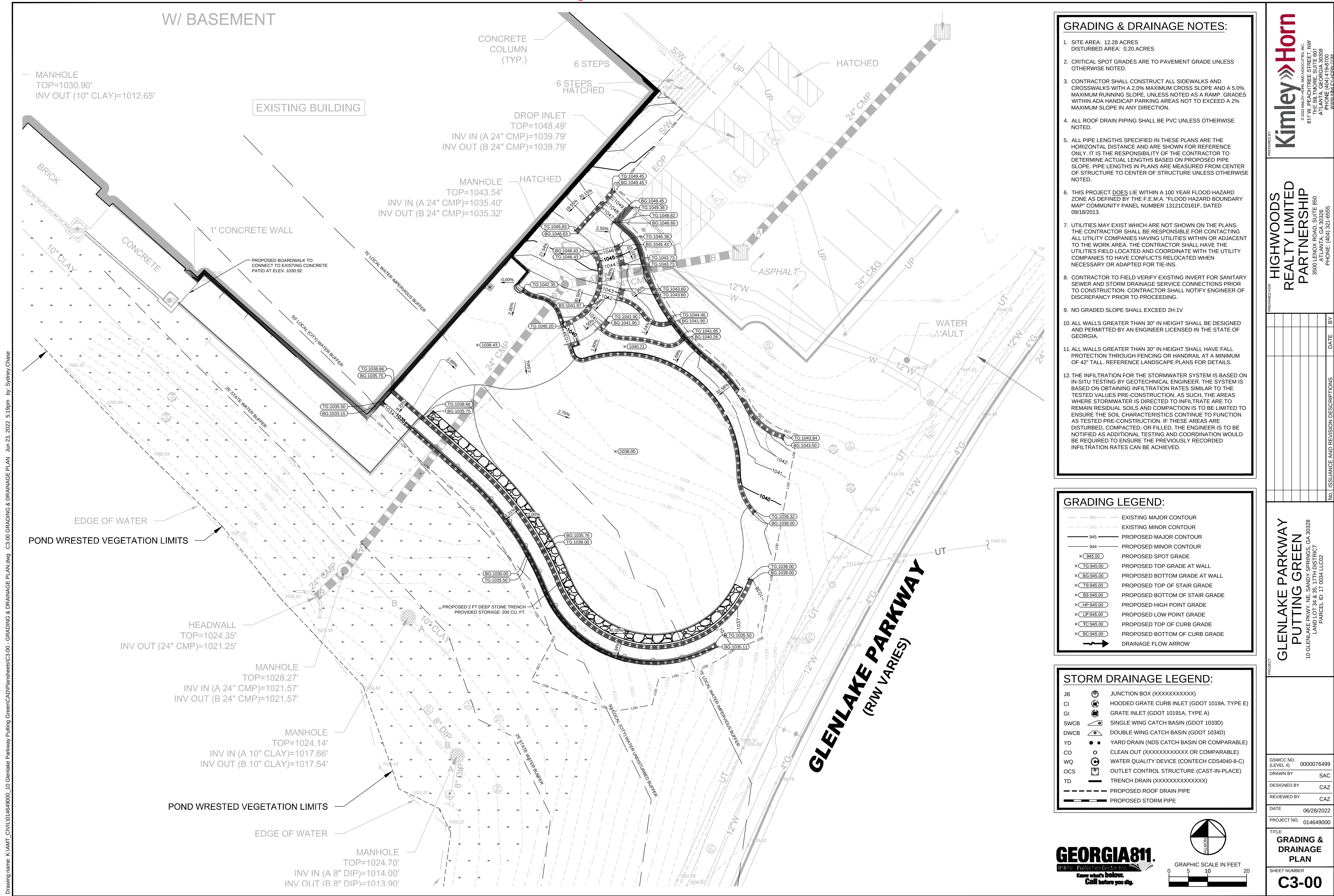


Figure 9





### Figure 10









Ds1 MULCHING

|     |                   |
|-----|-------------------|
| Ds2 | TEMPORARY SEEDING |
|-----|-------------------|

|     |                   |
|-----|-------------------|
| Ds2 | TEMPORARY SEEDING |
|-----|-------------------|

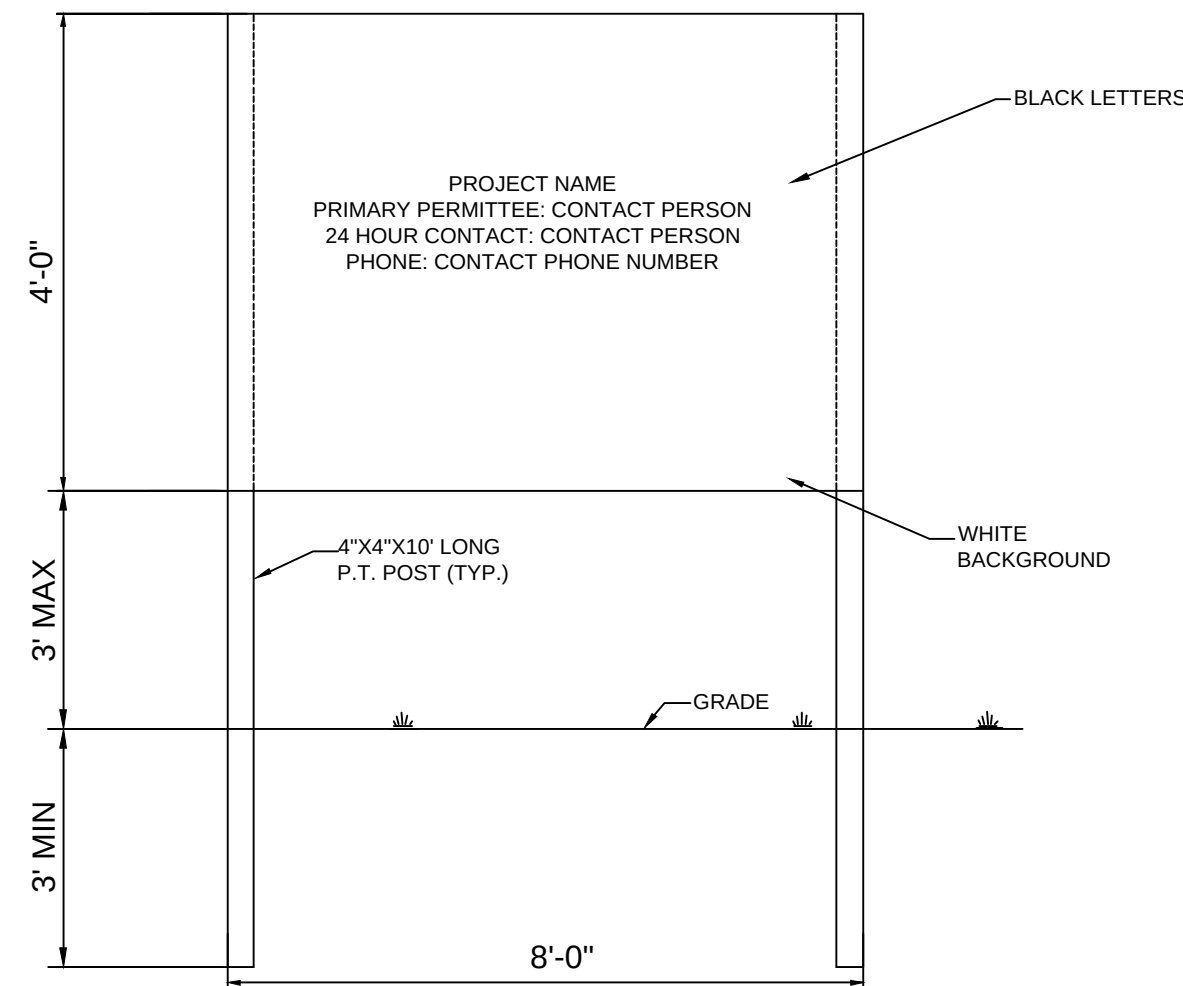


|     |                    |
|-----|--------------------|
| Ds3 | PERMANENT GRASSING |
|-----|--------------------|



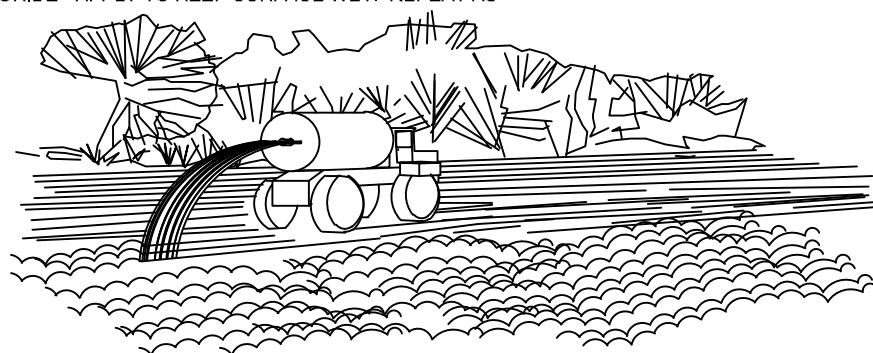


## NPDES INFORMATION SIGN DETAIL



## NPDES INFORMATION SIGN DETAIL

|                                                                                                                           |                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| TEMPERATURE METHOD:<br>POLYMER- REF TO D61 (DISTURBED AREA STABILIZATION)                                                 | PERMANENT METHODS:<br>PERMANENT VEGETATION - REF TO D63 (DISTURBED AREA STABILIZATION WITH PERMANENT VEGETATION) |
| VEGETATIVE COVER - REF TO D62 (DISTURBED AREA STABILIZATION WITH PERMANENT VEGETATION)                                    | TOPDRESSING - COVERING THE SURFACE WITH A LESS EROSION SOIL MATERIAL                                             |
| TILLAGE - ROUGHEN AND BRING CLOSD TO THE SURFACE BY USE OF CHISEL-TYPE PLOWS SPACING ABOUT 12 INCHES APART                | STONE - SURFACE WITH CRUSHED STONE OR COARSE SILEX (SEE D-7 CONSTRUCTION ROAD STABILIZATION)                     |
| IRRIGATION - SILEX SPRINKLED WITH WATER UNTIL WET. REPEAT AS NEEDED                                                       |                                                                                                                  |
| BARRIERS - FENCES, HAY BALES, AND CRATE WALLS PLACED AT INTERVALS 15 TIMES THEIR HEIGHT AND PERPENDICULAR TO AER CURRENTS |                                                                                                                  |
| CALCIUM CHLORIDE - APPLY TO KEEP SURFACE WET. REPEAT AS NEEDED                                                            |                                                                                                                  |



 DUST CONTROL ON DISTURBED AREAS (Du)

[illegible]

**GLENLAKE PARKWAY  
PUTTING GREEN**  
10 GLENLAKE PKWY. NE, SANDY SPRINGS, GA 30328  
LAND LOT 34 & 35, 17TH DISTRICT  
PARCEL ID: 17 0034 LLC02

|                         |            |
|-------------------------|------------|
| GSWCC NO.<br>(LEVEL II) | 0000076499 |
| DRAWN BY                | SAC        |
| DESIGNED BY             | CAZ        |
| REVIEWED BY             | CAZ        |
| DATE                    | 06/28/2022 |
| PROJECT NO.             | 014649000  |

TITLE  
**EROSION  
CONTROL  
DETAILS**

SHEET NUMBER  
**C5-81**

PREPARED BY

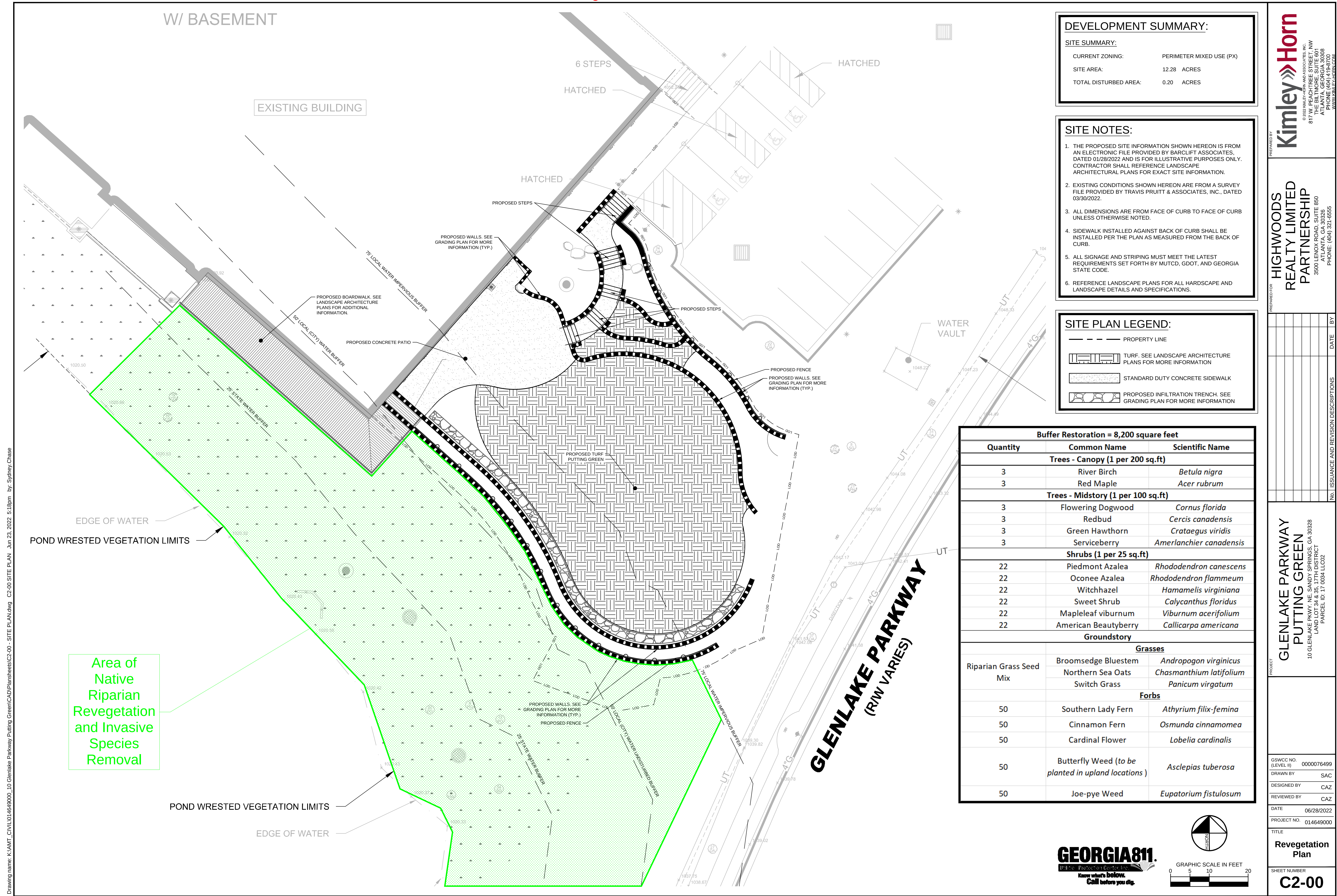
**Kimley»Horn**

© 2022 KIMLEY-HORN AND ASSOCIATES, INC.  
817 W. PEACHTREE STREET, NW  
THE BILTMORE, SUITE 601  
ATLANTA, GEORGIA 30308  
PHONE (404) 419-3700

FOR **HIGHWOODS  
REALTY LIMITED  
PARTNERSHIP**  
3500 LENOX ROAD, SUITE 950  
ATLANTA, GA 30326  
PHONE: (404) 321-6555



Figure 9







## Attachment D: Project Photographs





**Site Photographs**  
**10 Glenlake Parkway**  
City of Sandy Springs, Fulton County, Georgia  
June 2022

**Kimley»Horn**







**Site Photographs**  
**10 Glenlake Parkway**  
City of Sandy Springs, Fulton County, Georgia  
June 2022

**Kimley»Horn**







**Site Photographs**  
**10 Glenlake Parkway**  
City of Sandy Springs, Fulton County, Georgia  
June 2022

**Kimley»Horn**





# Board of Appeals

August 3, 2022



**SANDY SPRINGS™**  
GEORGIA



# V22-0023

## 10 Glenlake Parkway

**STAFF RECOMMENDATION:**  
Approval

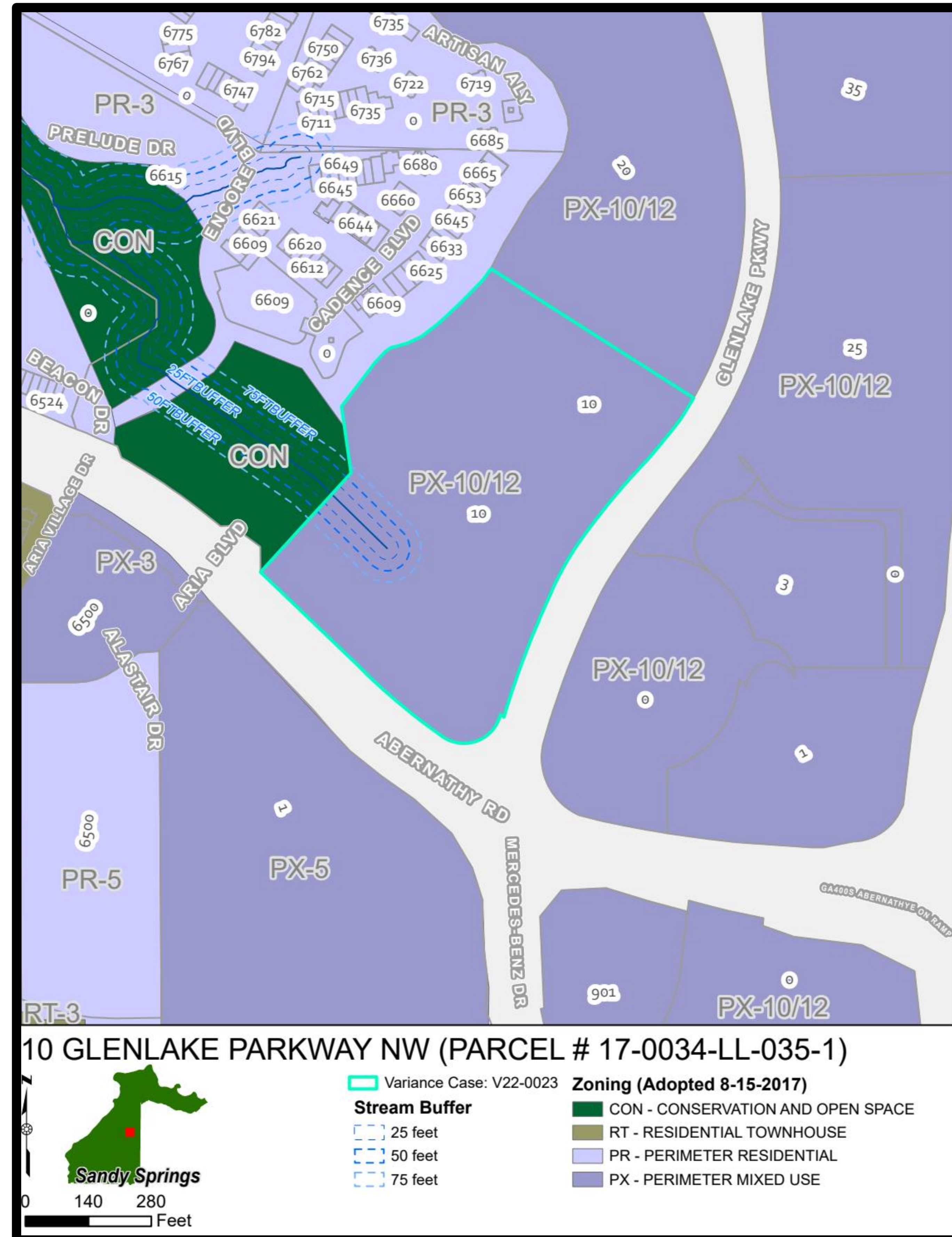


# Request

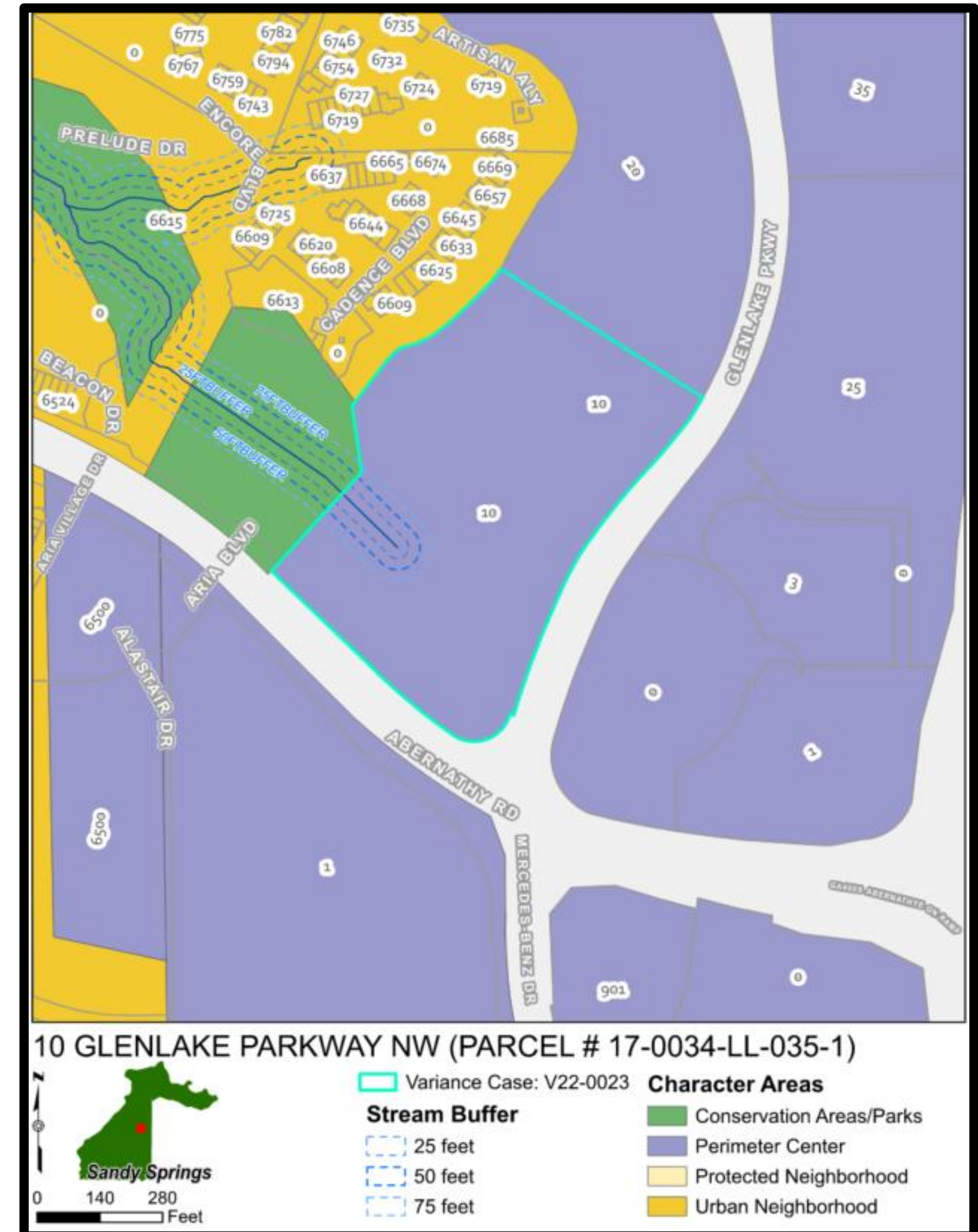
- Request for a variance from Division 9.2. to encroach into the State Waters, 25' City Impervious Surface Setback and the State Waters 50' City Buffer for the construction of a new outdoor amenity and recreational space.



# Zoning Map

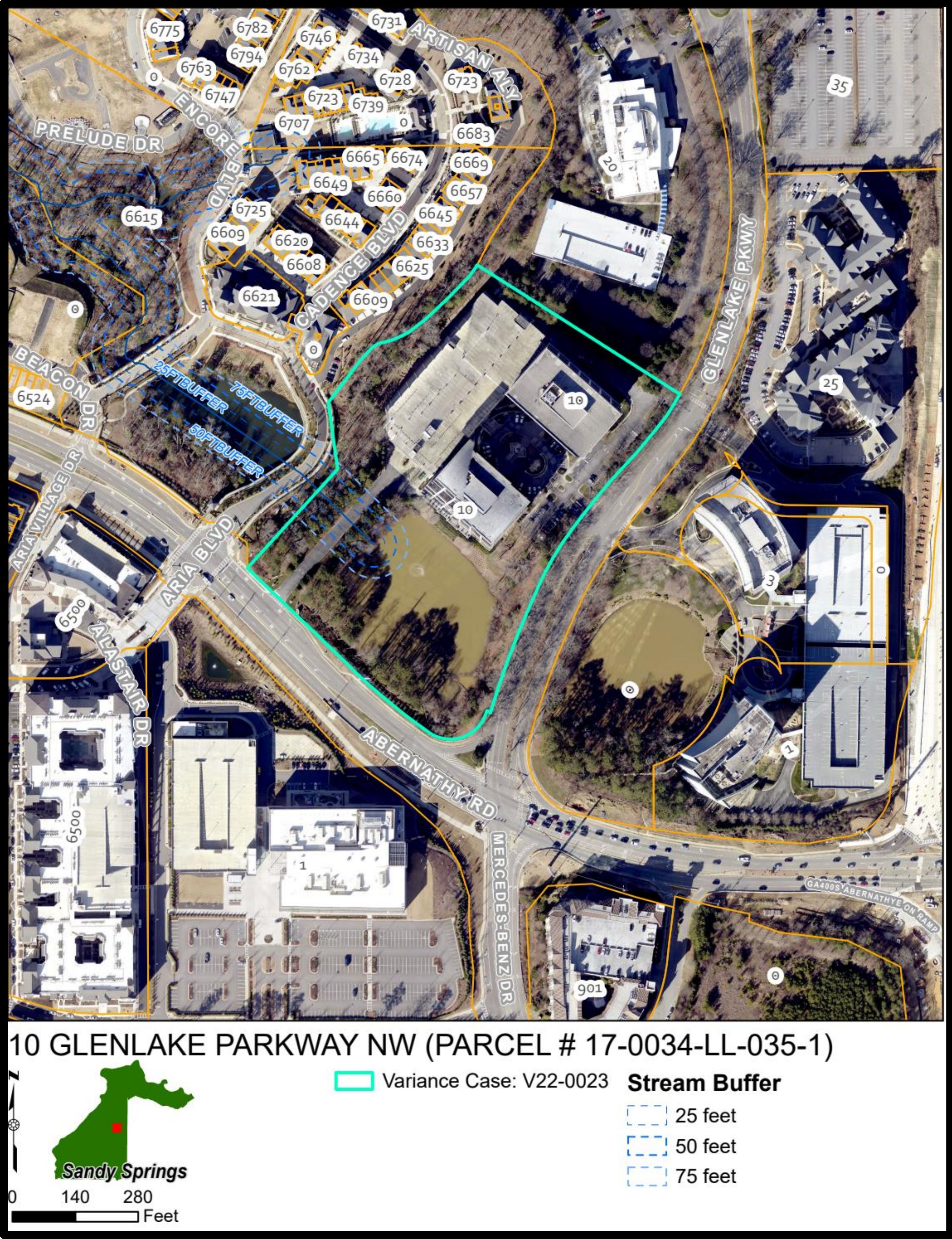


# Character Area Map





# Aerial Image

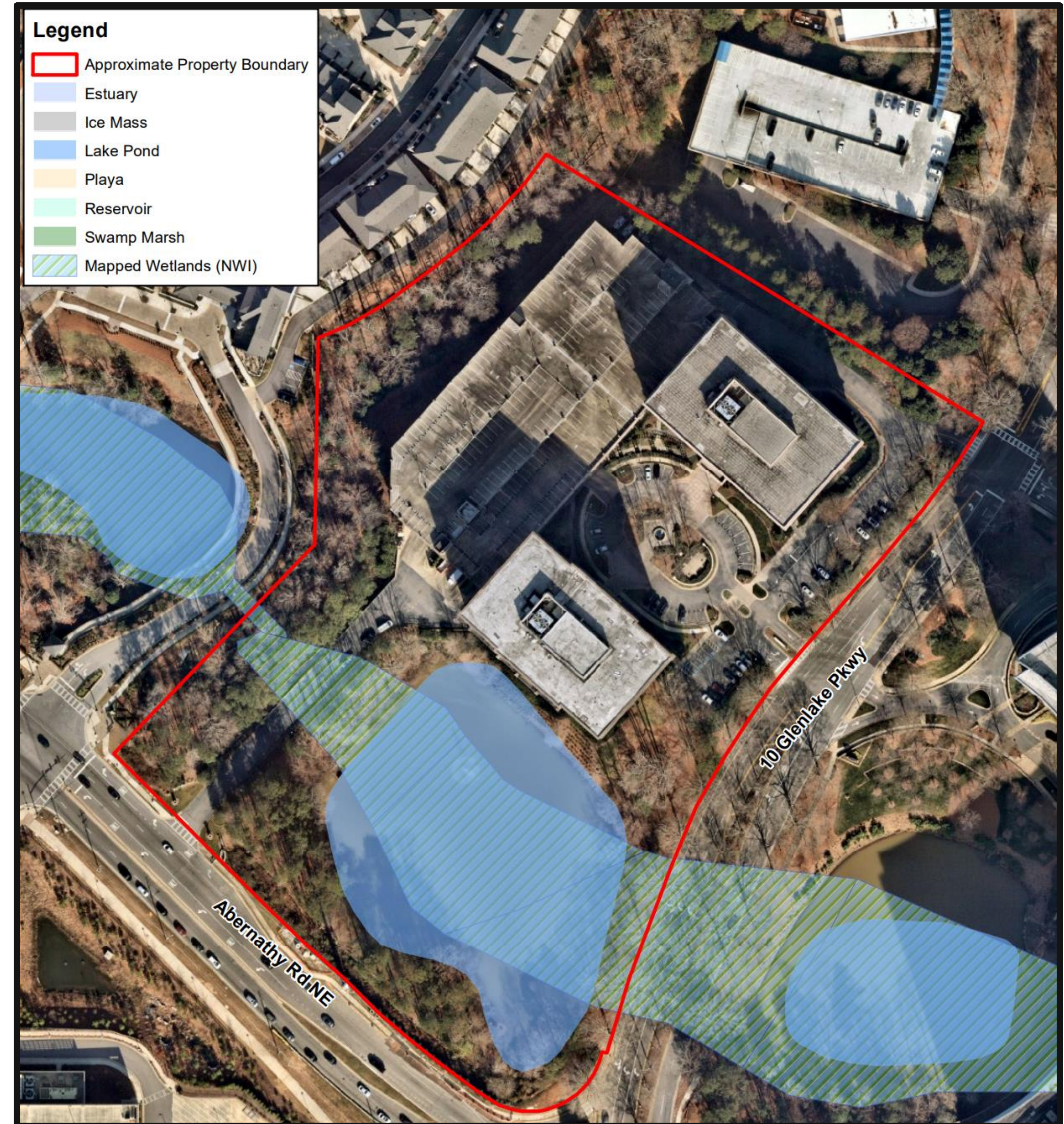




# Existing Conditions

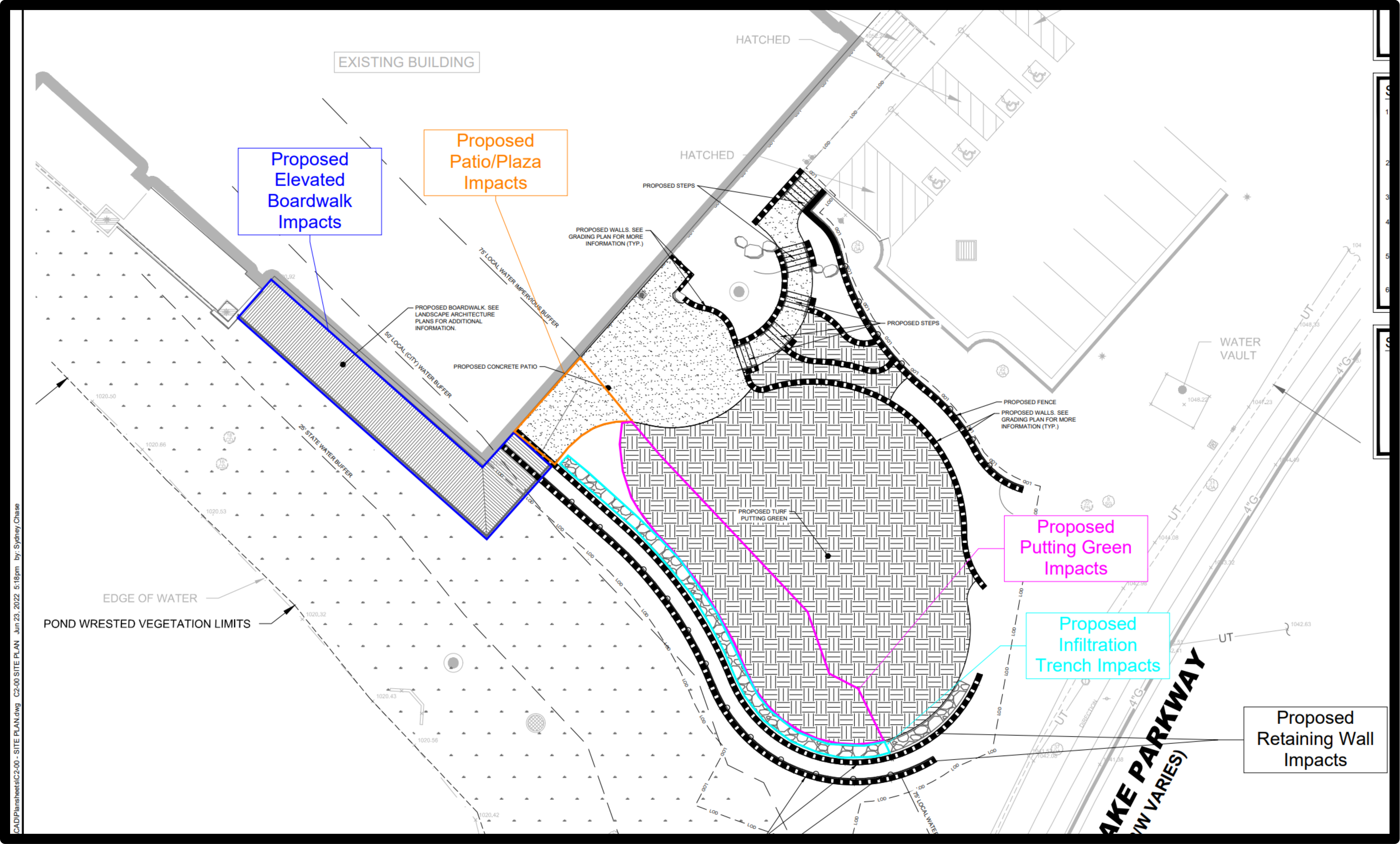
The approximately 12-acre subject property, zoned as PX 10/12 (Perimeter Mixed Use – 6 stories minimum) is developed as office spaces. The purpose of the project is to provide an outdoor amenity and recreational space for tenants of the office building.

The site contains a single open water pond adjacent to Abernathy Road and Glenlake Parkway which is identified as a State and City buffered water. The pond on-site is one of three (3) stormwater ponds located adjacent to Abernathy Road which drain west for approximately 0.4-miles before converging with Marsh Creek.





# Proposed Site Plan





# Existing Conditions



*View looking south*



*View looking north*



# Existing Conditions



*Current view of vegetative site that will be replanted*



*View of pond facing South*



# V22-0023 Variance Considerations

- **The property's shape, topography or other physical conditions existing on December 12, 2005, prevent land development unless a Stream Buffer Variance is granted;**
  - It is staff's view that the physical conditions, due to the site's original development, prevents site improvement development within the subject area.
- **Unusual circumstances when strict adherence to the minimal buffer and setback requirements would create an extreme hardship**
  - Staff believes that strict adherence to the requirements would create a hardship. The current development was designed to interact with and compliment the hydrological elements on site.
  - The proposed work to the site, while serving as an amenity for tenants, would also ultimately improve the water quality and the overall retention of water.
  - Complying with the stream buffer code would not allow for the construction of the elevated boardwalk which will be utilized as the ADA access point to the outdoor space and the outdoor amenities in general.



# Recommendation

Staff recommends **Approval** with the following **Conditions** V22-0023.

1. Construction of permeable surfaces to the City's Specifications
2. Construction of under deck drain system covey to run off reduction
3. Construction of exterior drainage system around the putting green
4. Applicant's tree revegetation must be approved by City Arborist and comply with the Development Code at permitting
5. That the project be built substantially similar to the site plan provided as part of this application.





## P&Z STAFF REPORT

Board of Appeals Meeting, August 3, 2022

Case: **V22-0024 – 55 Wembley Lane**  
Staff Contact: Helen Owens (howens@sandyspringsga.gov)  
Report Date: July 27, 2022

### REQUEST

Request for a variance from Sec. 6.1.2.B.1.c. to allow for an encroachment of an enclosed deck into the rear setback.

### APPLICANT

|                                               |                                          |                                    |
|-----------------------------------------------|------------------------------------------|------------------------------------|
| Property Owners:<br>Andrew & Allison Labovitz | Petitioner:<br>Andrew & Allison Labovitz | Representative:<br>Andrew Labovitz |
|-----------------------------------------------|------------------------------------------|------------------------------------|

### RECOMMENDATIONS

#### Department of Community Development

Staff recommends **Approval** of **Variance** V22-0024.

### MATERIALS SUBMITTED AND REVIEWED

#### **Materials:**

1. V22-0024 Application, received June 28, 2022

#### **Plans:**

1. “Site Plan” prepared by TREY LUCAS ARCHITECTURE, with all information taken from survey provided by John W. Stanzilis, Jr. Surveying dated February 01, 07. Field verified by Weissan, Nowack, Curry & Wilco, P.C &, on February 01, 2007. received June 22, 2022.
2. “Survey” prepared by McClung Surveying Services, Inc., signed and sealed by Land Surveyor Michael R. Noles, dated April 23, 2019. received June 22, 2022



| <b>PROPERTY INFORMATION</b> |                                                                  |
|-----------------------------|------------------------------------------------------------------|
| Location:                   | 55 Wembley Lane (Parcel # 17 012200040060)                       |
| Council District:           | 4 – Andy Bauman                                                  |
| Neighborhood:               | Wembley Park                                                     |
| Road frontage:              | 388 feet                                                         |
| Lot Depth                   | Varies, approximately 190 feet                                   |
| Acreage:                    | 0.71                                                             |
| Current Zoning              | RD-27 (Residential Detached 27,000 square foot minimum lot size) |
| Existing Land Use:          | Single unit detached dwelling                                    |
| Previous Zoning Cases:      | N/A                                                              |
| Character Area:             | Protected Neighborhood                                           |

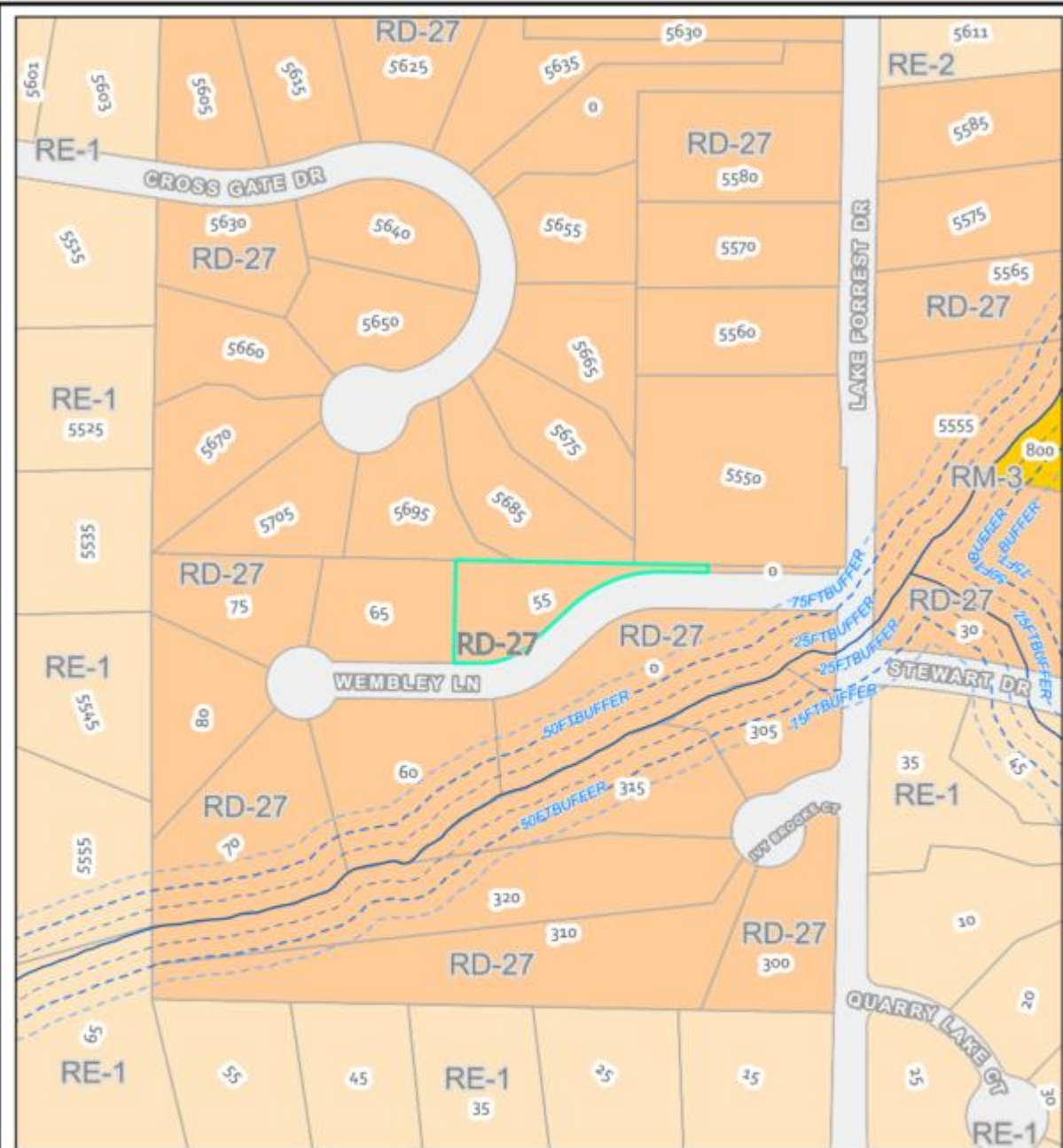
| <b>EXISTING ZONING AND LAND USES OF PROPERTY IN THE VICINITY</b> |                             |                         |                                        |
|------------------------------------------------------------------|-----------------------------|-------------------------|----------------------------------------|
| <b>Location relative to subject property</b>                     | <b>Zoning / Land use</b>    | <b>Address(es)</b>      | <b>Land area (acres) (approximate)</b> |
| Northwest                                                        | RD-27/ Residential Detached | 5695 Cross Gate Drive   | 0.62 Acres                             |
| North                                                            | RD-27/ Residential Detached | 5685 Cross Gate Drive   | 0.66 Acres                             |
| Northeast                                                        | RD-27/ Residential Detached | 5550 Lake Forrest Drive | 1.61 Acres                             |
| East                                                             | RD-27/ Residential Detached | 0 Wembley Lane          | 0.08                                   |
| South                                                            | RD-27/ Residential Detached | 60 Wembley Lane         | 1.14 Acres                             |
| South                                                            | RD-27/ Residential Detached | 0 Wembley Lane          | 1.43 Acres                             |
| West                                                             | RD-27/ Residential Detached | 65 Wembley Lane         | 0.63 Acres                             |
| <b>PROPOSED DEVELOPMENT</b>                                      |                             |                         |                                        |
| --                                                               | RD-27/ Residential Detached | 55 Wembley Lane         | 0.71 Acres                             |



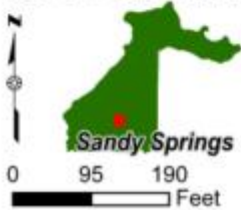




## ZONING MAP



55 WEMBLEY LANE (PARCEL # 17 012200040060)



Variance Case: V22-0024

### Stream Buffer

25 feet

50 feet

75 feet

**Zoning (Adopted 8-15-2017)**

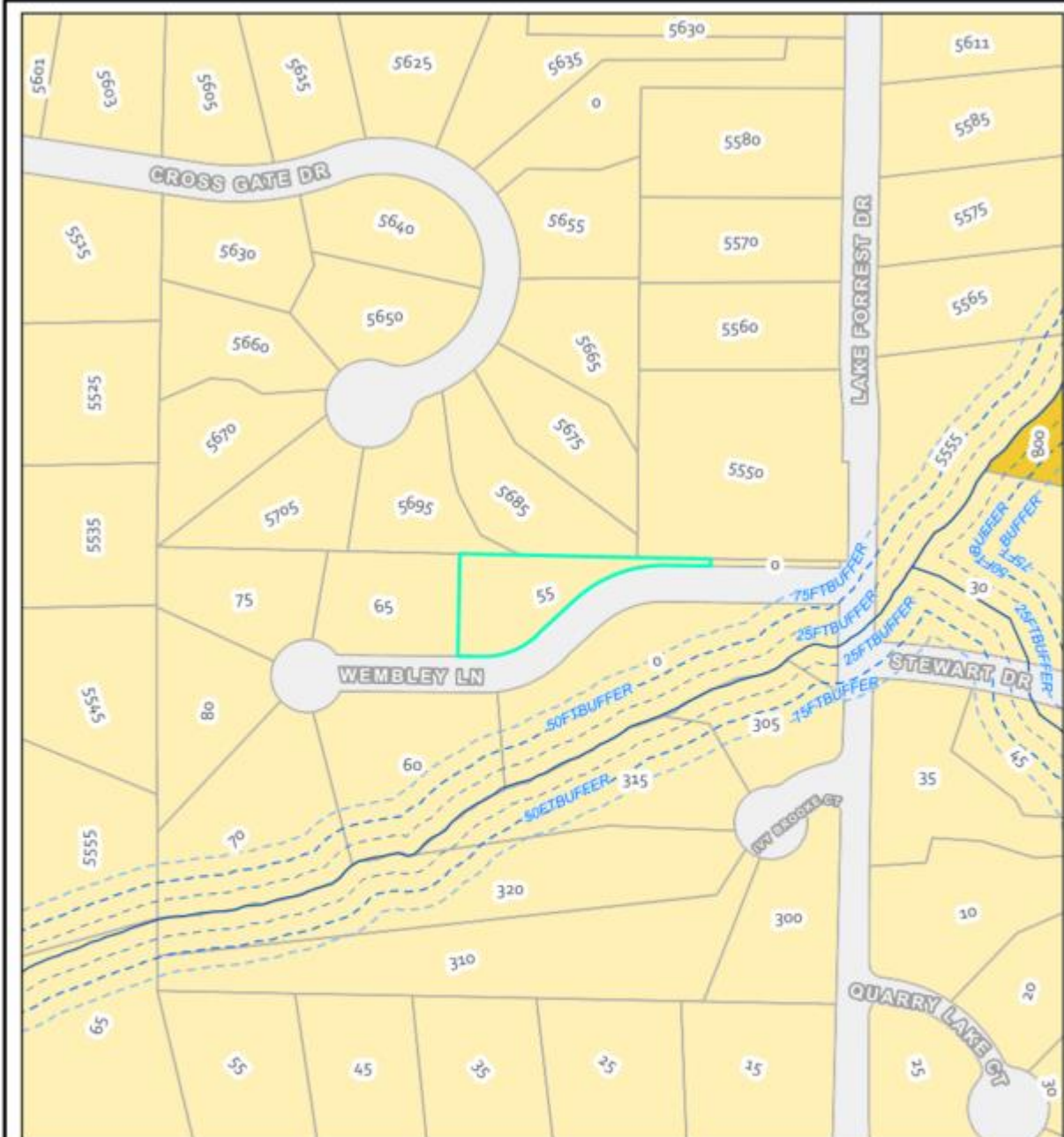
RE - RESIDENTIAL ESTATE

RD - RESIDENTIAL DETACHED

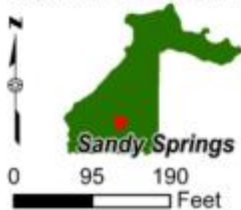
RM - RESIDENTIAL MULTI-UNIT



## CHARACTER AREA MAP



55 WEMBLEY LANE (PARCEL # 17 012200040060)



 Variance Case: V22-0024

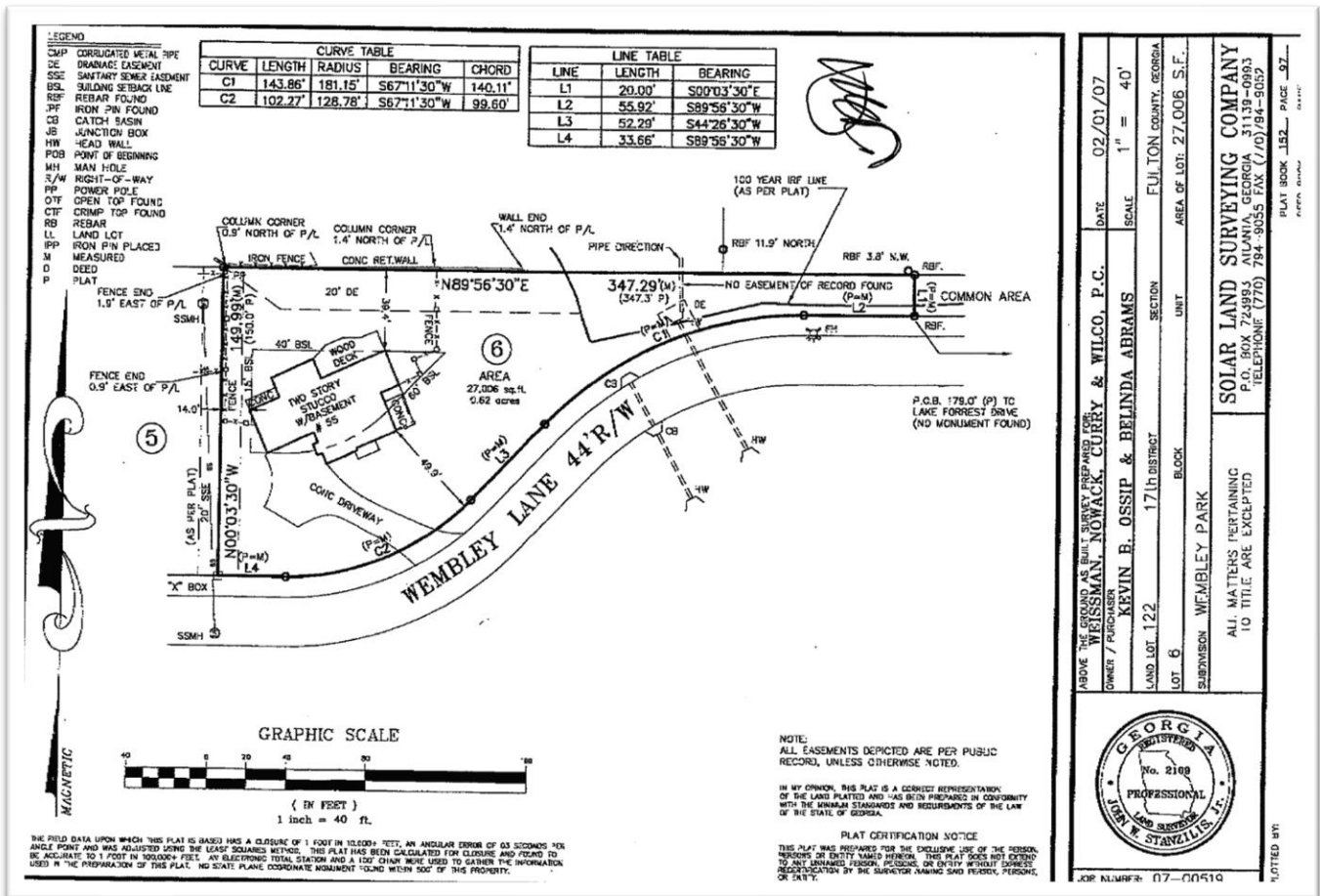
### Stream Buffer

-  25 feet  
 50 feet  
 75 feet

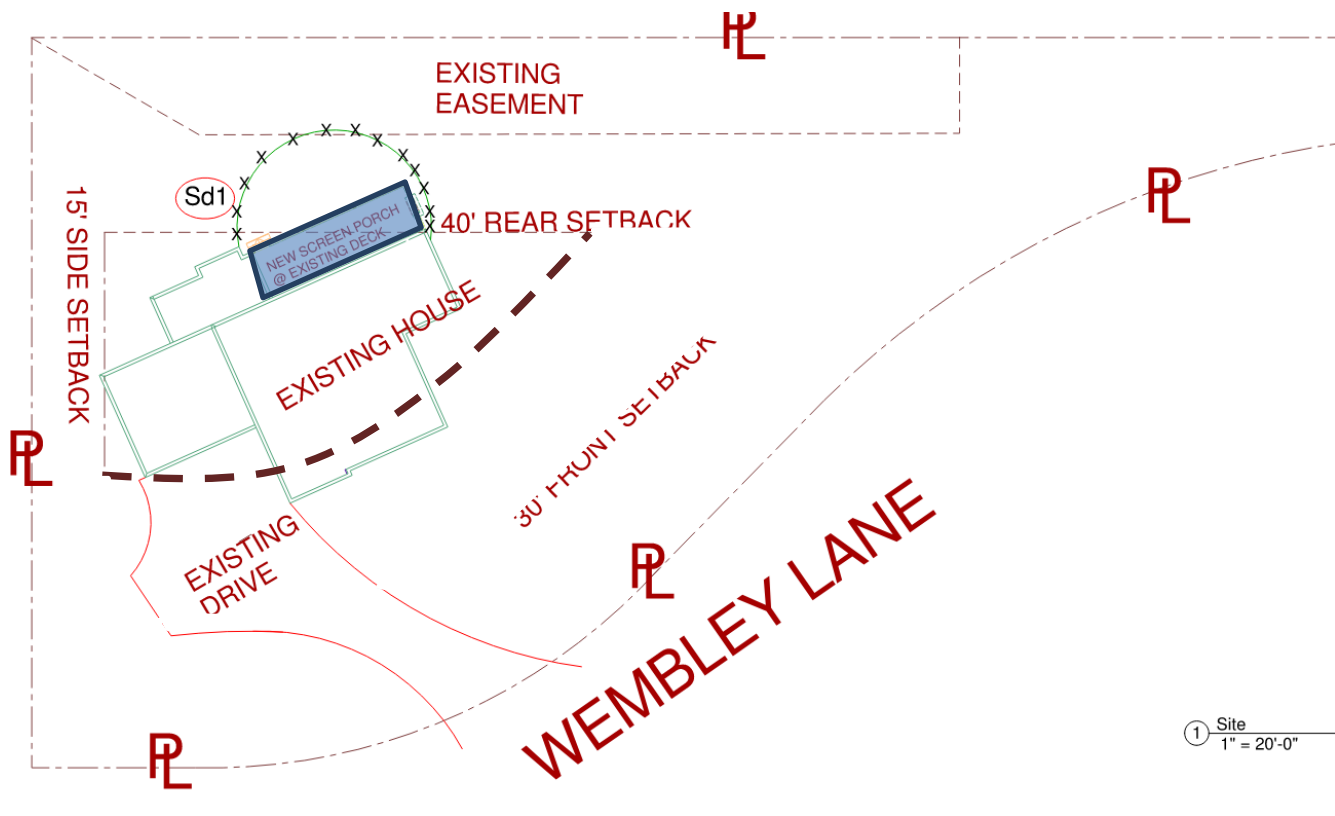
### Character Areas

-  Protected Neighborhood  
 Urban Neighborhood











## EXISTING DEVELOPMENT

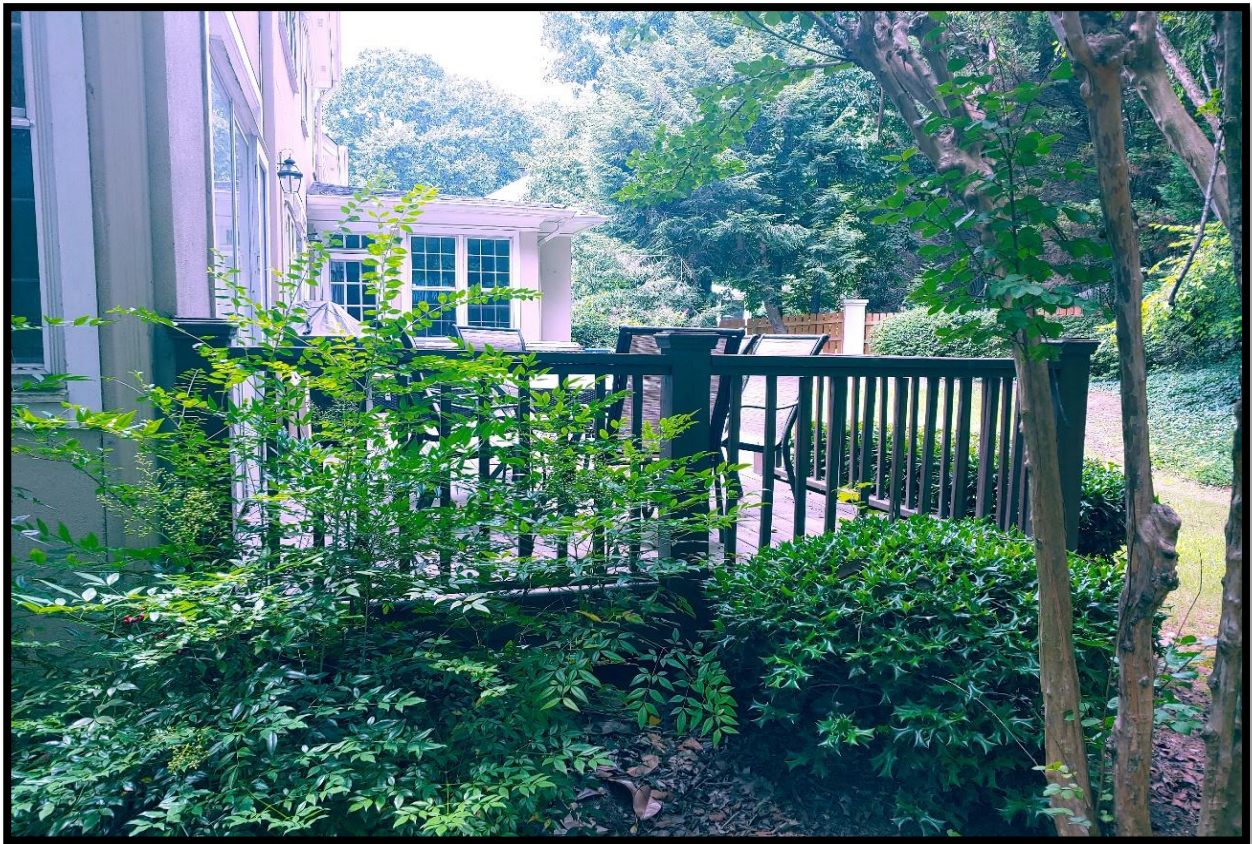
The 0.71-acre subject property is developed with a single unit detached house. The house has an existing deck that encroaches into the rear setback a total of about 130 square feet. The existing deck, currently uncovered, is aging and in need of repair. The code allows an uncovered deck to encroach into the rear setback. However, an enclosed deck is not permitted. The applicant is seeking a variance from Sec. 6.1.2.B.I.c. to add a roof and screening to an unenclosed deck that encroaches into the rear setback.

More specifically, per the Development Code Section 6.1.2.B.I.c., unenclosed decks are permitted within a rear setback, yet enclosed decks are not listed as permitted structures within rear setbacks which makes them prohibited.



**Above: The uncovered deck in the rear yard of 55 Wembley Lane.**





**View of patio deck from right side yard, facing southwest (top)**  
**View of patio deck from rear yard, facing northeast (bottom)**

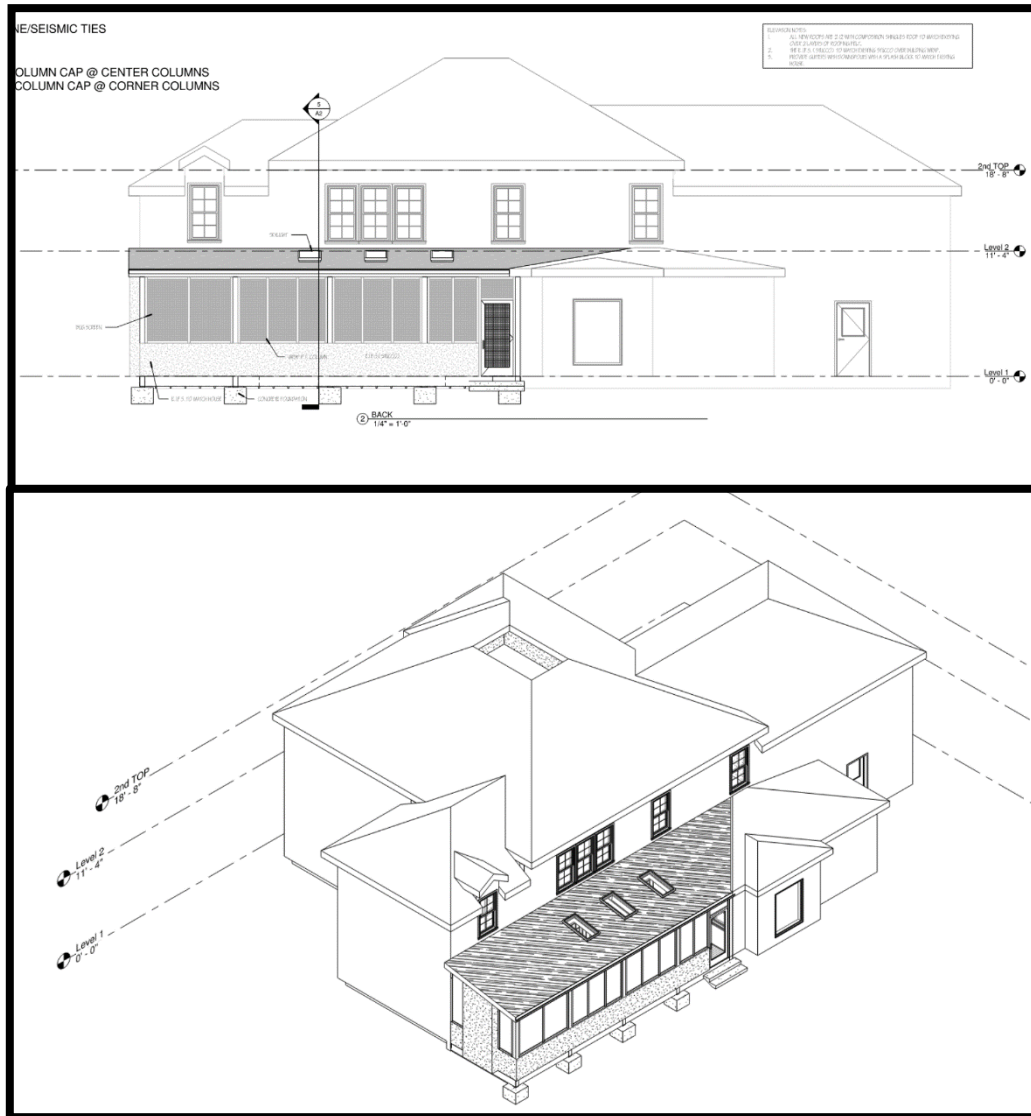




## PROPOSED DEVELOPMENT

The proposed development seen below would enclose an existing deck of approximately 355 square feet---a portion of which is located within the rear setback totaling approximately 128 square feet (36% of the total deck). The encroachment into the rear setback is the portion of the project that would require a variance.

The enclosure design is compatible with the existing enclosed portion of the primary residence that juts out and connects to the deck toward the rear. Because the deck is low to the ground, it does not significantly alter or impose on neighboring parcels in view from the rear yard.





| V22-0024 VARIANCE CONSIDERATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Per Sec. 11.6.2.G. of the Development Code, the following list of approval criteria for a Variance provides guidance for making decisions on approval:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>1. Variances will only be granted upon showing that:</b></p> <p><b>a. The application of this Development Code would create an unnecessary hardship, and not merely an inconvenience to the applicant; or</b></p> <p>Finding: It is Staff’s view that the application of the development code which prohibits enclosing any portion of a deck within a setback does not create a hardship. A significant portion of the current deck footprint could be enclosed without requesting a variance.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>b. There are extraordinary and exceptional conditions due to the size, shape, or topography, which are specific to the subject property and not generally found in similar properties;</b></p> <p>Finding: Staff is of the opinion that the subject property’s shape is unique, and that its unique shape creates an extraordinary or exceptional condition that is specific to the subject property. While the property is standard size for the zoning district, significant portion of it is unbuildable due to its shape as similar to a panhandle. The thicker portion of the lot is curvilinear and thus has atypical amount of Primary Street frontage and thus a large Primary Street Setback, further reducing the buildable area of the lot.</p> <p>On a more typical 90-degree shaped lot, one could expect to have as much as ten times the buildable area as the subject lot in the RD-27 zoning district.</p>                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>2. Further, the application must demonstrate that:</b></p> <p><b>a. Such conditions are not the result of action or inaction of the current property owner; and</b></p> <p>Finding: The size, shape, and topography of the subject property are not the result of inaction of the current property owners. The property was developed in 1986, while the current owners, the applicants purchased the property in 2017.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>b. The Variance request would provide the minimum relief necessary to make possible the reasonable use of the property; and</b></p> <p>Finding: The Variance request would not provide the minimum relief necessary to make possible the reasonable use of the property as reasonable use of the property is presently manifest. However, Staff does see that the request would incur minimal impacts based on its low elevation in relation to the total size of the house, and its small footprint.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><b>c. The Variance request would result in development that is consistent with the general intent of this Development Code, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety and welfare.</b></p> <p>Finding: The Variance request would not result in development that is consistent with the general intent of the Development Code, but that is generally consistent with the wider vision of <i>The Next Ten</i> to promote redevelopment and encourage reinvestment. The Development Code requires common side and rear setbacks in all residential zoning districts and while “unenclosed patios, decks, terraces, or fire escapes may encroach into a common side or rear setback only, provided that such extension is at least five feet from the vertical plane of any common side lot line and 10 feet from any rear lot line,” an enclosed deck is not listed as an permitted encroachment outside the buildable area.</p> <p>However, a major goal of <i>The Next Ten</i> is to protect and preserve the City’s neighborhoods, and maintenance, reinvestment, and redevelopment of properties play a major part in preserving the city’s neighborhoods. In certain situations, a variance may be warranted to best meet the goals of the city.</p> |



| COMMENTS FROM OTHER PARTIES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Sandy Springs Public Works:</b><br/>No comment provided.</p> <p><b>Sandy Springs City Engineer:</b><br/>No comment provided</p> <p><b>Sandy Springs Chief Environmental Compliance Officer:</b><br/>No comment provided.</p> <p><b>Sandy Springs Arborist:</b><br/>No comment provided</p> <p><b>Sandy Springs Sustainability Manager:</b><br/>No comment provided.</p> <p><b>Sandy Springs Building Official:</b><br/>I do not see a hardship.</p> <p><b>Sandy Springs Fire Marshal:</b><br/>No comment provided.</p> <p><b>Sandy Springs Land Development Manager:</b><br/>No comment provided</p> <p><b>Sandy Springs Transportation Planner</b><br/>No comment provided</p> <p><b>Correspondence Received:</b><br/>N/A</p> |

| DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Following review, and based on the findings, Staff recommends <b>Approval</b> of <b>Variance V22-0024</b>. Request for a variance from Section 6.1.2.B.1.c. to add a roof and screening to an unenclosed deck that encroaches into the rear setback, with the following condition:</p> <ul style="list-style-type: none"> <li>• That the project footprint be limited to that illustrated on the site plan submitted to staff as a part of the variance application package.</li> </ul> |



Received

June 22, 2022, 8:58 AM



**SANDY SPRINGS™**  
GEORGIA

Case No.: **V22-0024**

Planner's initials: **AB**

PROJECT INFORMATION SHEET

|          |                                                 |                                    |
|----------|-------------------------------------------------|------------------------------------|
| PROPERTY | Address(es): 55 Wembley Lane, Atlanta, GA 30342 |                                    |
|          | Parcel Tax ID(s): 17 012200040060               |                                    |
|          | Total acreage: 0.7117                           | Council District: 6                |
|          | Current zoning: RD-27                           | Current use: Single Unit Residence |
|          | Character Area: Protected Neighborhood          |                                    |

|                                                          |                                                                                                 |        |  |
|----------------------------------------------------------|-------------------------------------------------------------------------------------------------|--------|--|
| APPLICATION                                              | Detailed request (include Code Section No.):                                                    |        |  |
|                                                          | Request to add roof and screens to existing unenclosed deck that currently partially encroaches |        |  |
|                                                          | upton rear setback line. Sec. 6.1.2.B.1.c.                                                      |        |  |
|                                                          |                                                                                                 |        |  |
|                                                          |                                                                                                 |        |  |
|                                                          |                                                                                                 |        |  |
|                                                          |                                                                                                 |        |  |
|                                                          | Petitioner: Andrew Labovitz and Allison Labovitz                                                |        |  |
| Petitioner's address: 55 Wembley Lane, Atlanta, GA 30342 |                                                                                                 |        |  |
|                                                          |                                                                                                 |        |  |
| Phone:                                                   |                                                                                                 | Email: |  |

|                                                                          |                                                                           |  |        |  |
|--------------------------------------------------------------------------|---------------------------------------------------------------------------|--|--------|--|
| OWNER                                                                    | Property owner: Andrew Labovitz and Allison Labovitz                      |  |        |  |
|                                                                          | Owner's address: 55 Wembley Lane, Atlanta, GA 30342                       |  |        |  |
|                                                                          |                                                                           |  |        |  |
|                                                                          | Phone:                                                                    |  | Email: |  |
|                                                                          | Signature (authorizing initiation of the process): <i>Andrew Labovitz</i> |  |        |  |
| <i>If the property is under contract, provide a copy of the contract</i> |                                                                           |  |        |  |

- TO BE FILLED OUT BY P&Z STAFF -

|                                |                               |
|--------------------------------|-------------------------------|
| Pre-Application Meeting date:  | Anticipated Application date: |
| Anticipated BOA date:          |                               |
| ADDITIONAL INFORMATION NEEDED: |                               |
|                                |                               |
|                                |                               |
|                                |                               |
|                                |                               |
|                                |                               |



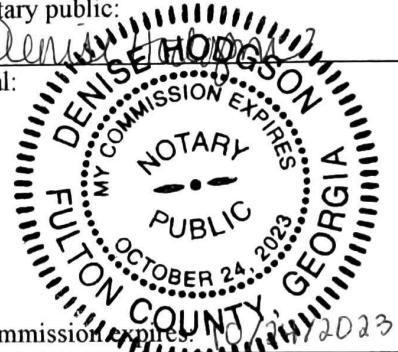


# SANDY SPRINGS™

GEORGIA

## AUTHORIZATION FORM – PART I

A- The property owner must fill out the following section and have it notarized. If a property has multiple owners, each owner must separately fill out a copy of the Authorization Form.

|                                                                                                                                                       |                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this Application. |                                                                                                                                                                                                                                                           |
| Owner's name: Andrew Labovitz                                                                                                                         | Sworn and subscribed before me this<br><u>20</u> <sup>th</sup> day of <u>June</u> 20 <u>22</u><br>Notary public:<br><br>Seal:<br>Commission expires: <u>10/24/2023</u> |
| Address:<br>55 Wembley Lane                                                                                                                           |                                                                                                                                                                                                                                                           |
| City, State, Zip Code:<br>Atlanta, GA 30342                                                                                                           |                                                                                                                                                                                                                                                           |
| Email address: [REDACTED]                                                                                                                             |                                                                                                                                                                                                                                                           |
| Phone number: [REDACTED]                                                                                                                              |                                                                                                                                                                                                                                                           |
| Owner's signature: <u>Andrew Labovitz</u>                                                                                                             |                                                                                                                                                                                                                                                           |

B- If the Applicant is *not* the owner of the subject property:

Fill out the following section, check the appropriate statement and have it notarized.

|                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| Applicant states under oath that:                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                   |
| <input type="checkbox"/> He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner ( <i>attach a copy of the contract</i> ); or<br><input type="checkbox"/> He/she has an option to purchase the subject property ( <i>attach a copy of the contract</i> ); or<br><input type="checkbox"/> He/she has an estate of years which permits the Applicant to apply ( <i>attach a copy of the lease</i> ) |                                                                                                                                   |
| Applicant's name:                                                                                                                                                                                                                                                                                                                                                                                                            | Sworn and subscribed before me this<br>_____ <sup>th</sup> day of _____ 20 ____<br>Notary public:<br>Seal:<br>Commission expires: |
| Company name:                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                   |
| Address:                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                   |
| City, State, Zip Code:                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                   |
| Email address:                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                   |
| Phone number:                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                   |
| Applicant's signature:                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                   |



Sandy Springs, Georgia  
Attn: Board of Appeals  
1 Galambos Way  
Sandy Springs, GA 30328

Re: Letter of Intent - Variance Application for 55 Wembley Lane

To the Sandy Springs Board of Appeals:

This letter serves as a Letter of Intent requesting a Variance of Sandy Springs Code 6.1.2.B. We are the property owners of 55 Wembley Lane, a single unit residence located in RD-27. The Parcel Tax ID of the property is 17 012200040060, and the total acreage of the property is 0.7117.

We are requesting the Variance of Code 6.1.2.B in order to add a roof and screens to an existing unenclosed deck that currently encroaches upon the rear setback line of the property. The deck was already in place when we purchased the property in June 2017.

The existing deck, currently uncovered, is aging and in need of replacement. Upon replacement of this deck, we are proposing to add a roof and screens. The deck currently encroaches the rear setback by approximately 10' 10" at its furthest point, and the proposed roof would not increase the length of the encroachment.

The new enclosed deck would provide necessary relief from the sun that shines directly onto the deck for much of the year, including all summer, as well as a protected refuge from mosquitos and other insects, to which multiple family members have severe reactions.

We believe that a Variance is merited due to the unique shape of the property (as noted by the city planner in our pre application meeting). The house was built and shaped in the only way it could legally fit within the various setback lines of the property. There is no other feasible way or shape for an enclosed outdoor space to fit anywhere else on the property, except in place of the current deck.

Additionally, we believe that granting this Variance would be consistent with the general intent of the Development Code, as many of the surrounding properties currently have screened-in and covered decks, including 5696 Cross Gate Drive, for which a Variance was approved in 2020 for a similar project that encroaches 7' further into their setback than would our proposed space (Variance V20-0020).

We look forward to answering any questions or concerns the Board of Appeals may have and are happy to provide any further information required for the Board of Appeals to make their decision.

Sincerely,

Allison and Andrew Labovitz

Allison: [REDACTED]

Andrew: [REDACTED]



Sandy Springs, Georgia  
Attn: Board of Appeals  
1 Galambos Way  
Sandy Springs, GA 30328

Re: Variance Analysis - Variance Application for 55 Wembley Lane

To the Sandy Springs Board of Appeals:

The following serves as our Variance Analysis for 55 Wembley Lane, as it pertains to the Variance Request of Sandy Springs Code 6.1.2.B.

Due to the unique layout of the property, which follows a curve of the Wembley Lane street and pretty drastically changes the shape of our property layout vis a vis the other houses on the street, the house was built in the only shape in which it could fit within the parameters set by the front, side and rear setback lines. Combined with the fact that the existing deck that already encroaches the rear setback line was built by previous owners, there is no feasible way to allow for an enclosed outdoor space that would fit completely within the setback lines of the property, either within the existing deck space or anywhere else on the property. This creates a hardship that is not found elsewhere with similar properties, as the vast majority of houses in the vicinity have enclosed outdoor spaces that either fit within property setback lines, or have already been granted variances for similar requests.

As stated above, the existing deck that we are looking to enclose was built by previous owners of the property and was built in such a fashion that it already extends over the rear setback line in a triangular fashion. Due to the directional alignment of the house as it sits on the property, the deck sits in direct line of the sun from throughout Daylight Savings Time, rendering it nearly unusable during daylight hours during summer months. This Variance request would provide the minimum relief necessary to make the backyard more usable, and we have no intention of expanding the size of the encroachment or changing any of the existing landscaping that already exists. No additional land would be used for this project, and it would not affect the tree canopy in any way. It would promote reinvestment for our neighborhood as we have every intention of remaining on this property for many years to come.

Furthermore, we believe the Variance request would result in development that is consistent with the general intent of the Development Code, as a similar variance request to allow an enclosed deck to be built was approved for a house with which we share a property line in 2020 (Variance V20-0020). In no way do we believe the addition of a roof over the existing deck would be detrimental to the public good, safety and welfare.

Please let us know if there is any additional information that we can provide.



## =====

SOLAR LAND SURVEYING COMPANY  
P.O. Box 723993  
Atlanta, GA 31139-0993  
Phone: (770) 794-9055 Fax: (770) 794-9052

=====

AMOUNT DUE \$350.00

CLIENT WEISSMAN NOWACK CURRY AND WILCO

INVOICE DATE: 02/02/2007

ORDER DATE: 01/30/2007

JOB #: 07-519

LENDER: BARBARA P-4-926-4871 F-4-926-4671

PURCHASER: OSSIF KEVIN AND BELINDA ADAMS

LAND LOT: 122

DISTRICT: 17

SECTION:

COUNTY: FULTON

LOT: 6

BLOCK:

UNIT:

PHASE:

SUBDIVISION: WEMBERLY PARK

STREET ADDRESS: WEMBLEY LANE 55 ATLANTA 30342

SURVEY DESC: ASBUILT 11X17

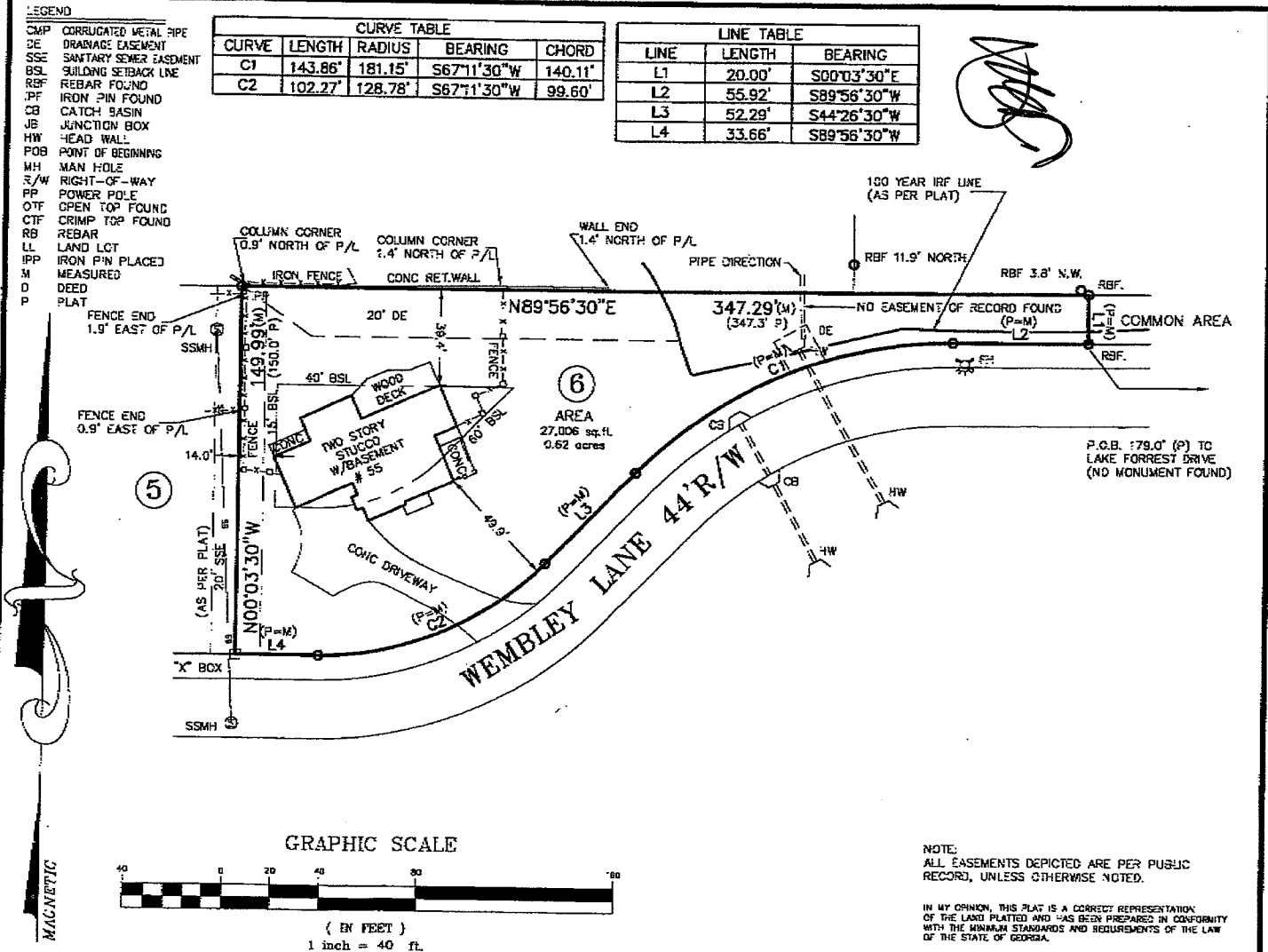
=====

DATE PAID: CHECK

AMOUNT PAID: \$0.00

BALANCE DUE: \$350.00





NOTE:  
ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW OF THE STATE OF GEORGIA.

**PLAT CERTIFICATION NOTICE**

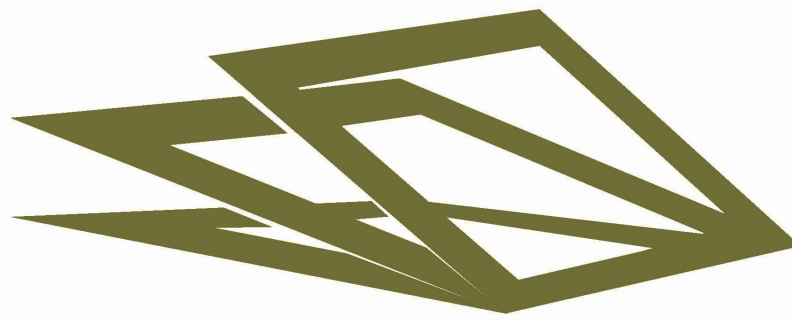
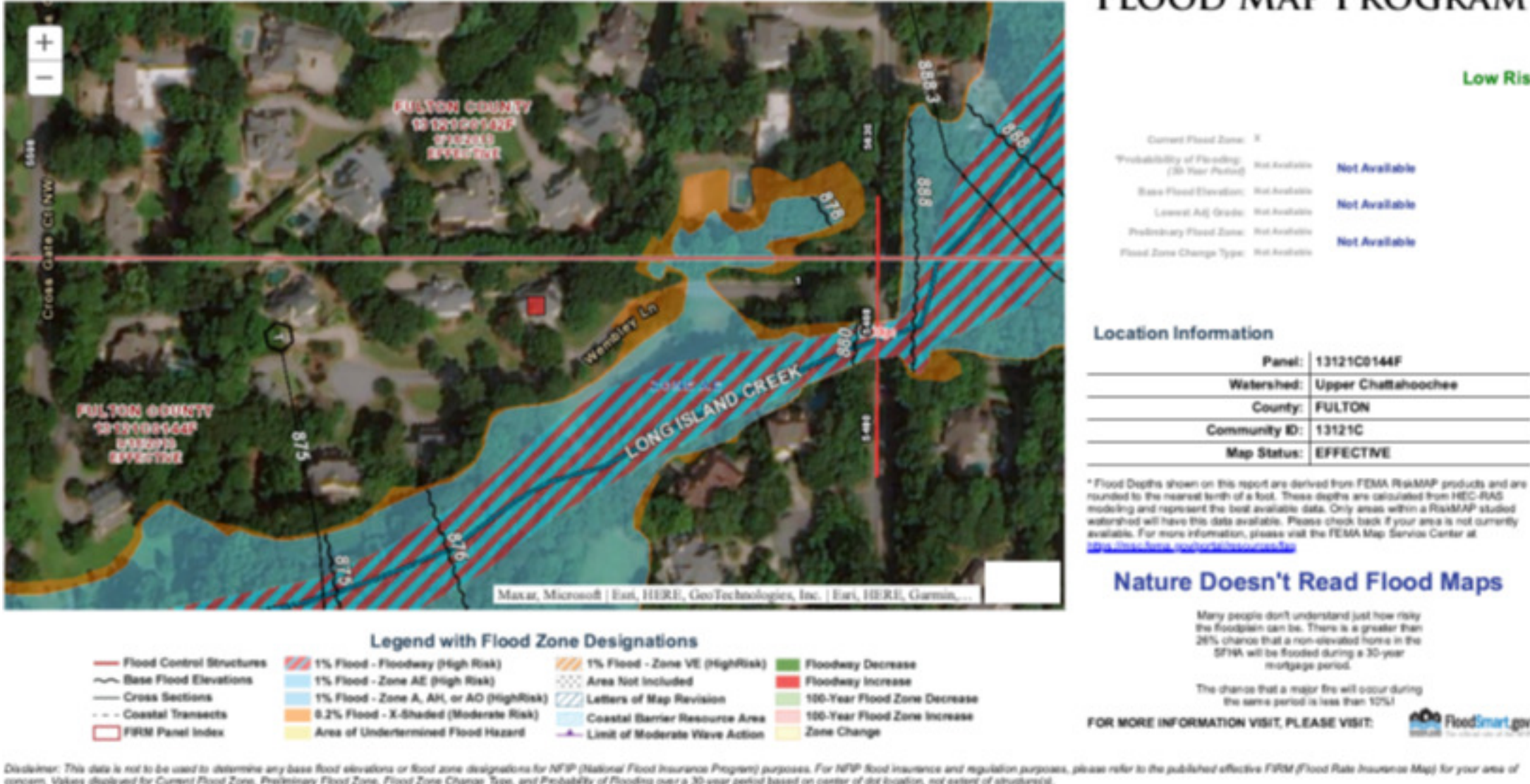
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS REDEMPTION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

|                                                   |               |                                                                                            |         |
|---------------------------------------------------|---------------|--------------------------------------------------------------------------------------------|---------|
| DATE 02/01/07                                     |               | SCALE 1" = 40'                                                                             |         |
| OWNER / PURCHASER KEVIN B. OSSIP & BELINDA ABRAMS |               | FULTON COUNTY, GEORGIA                                                                     |         |
| LAND LOT 122                                      | 17th DISTRICT | SECTION                                                                                    | UNIT    |
| LOT 6                                             | BLOCK         | AREA OF LOT: 27,006 S.F.                                                                   |         |
| SUBDIVISION WEMBLEY PARK                          |               | SOLAR LAND SURVEYING COMPANY                                                               |         |
| ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED      |               | P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993<br>TELEPHONE (770) 794-9055 FAX (770) 794-9052 |         |
| NOTED BY:                                         |               | PLAT BOOK 152                                                                              | PAGE 97 |
| DEED BOOK                                         |               | PAGE                                                                                       |         |



JOB NUMBER: 07-00519





## TREY LUCAS ARCHITECTURE

324 Eastland Drive  
Decatur, GA 30030

o: 404.378.7431

c: 403.307.0771

e: [trey@treylucas.com](mailto:trey@treylucas.com)

[www.treylucas.com](http://www.treylucas.com)

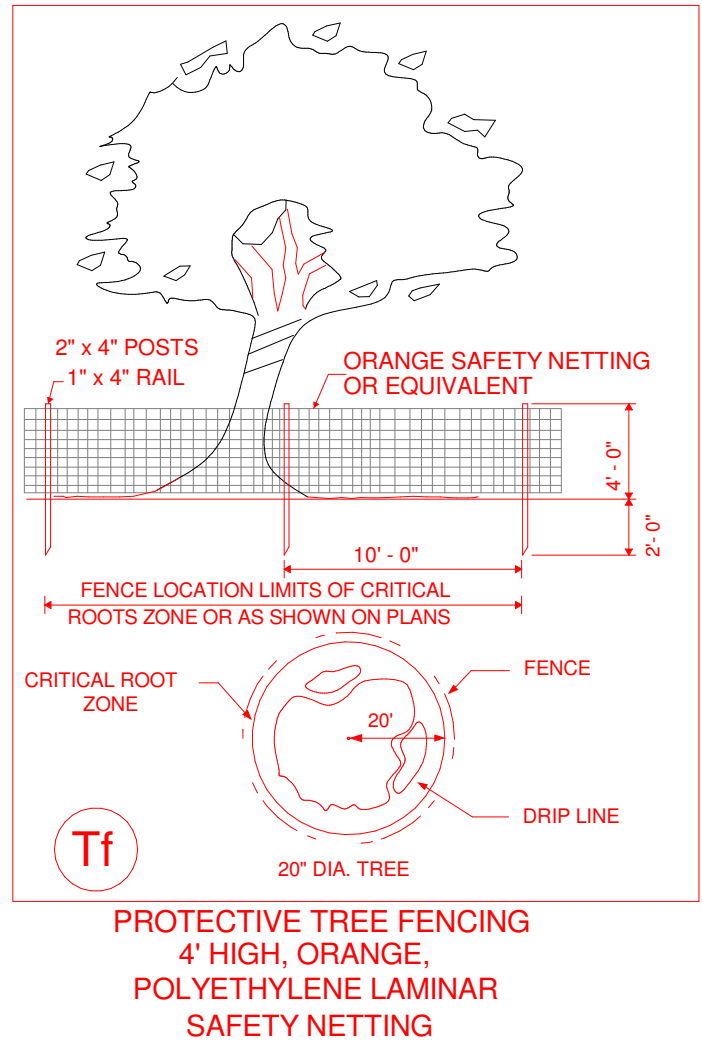
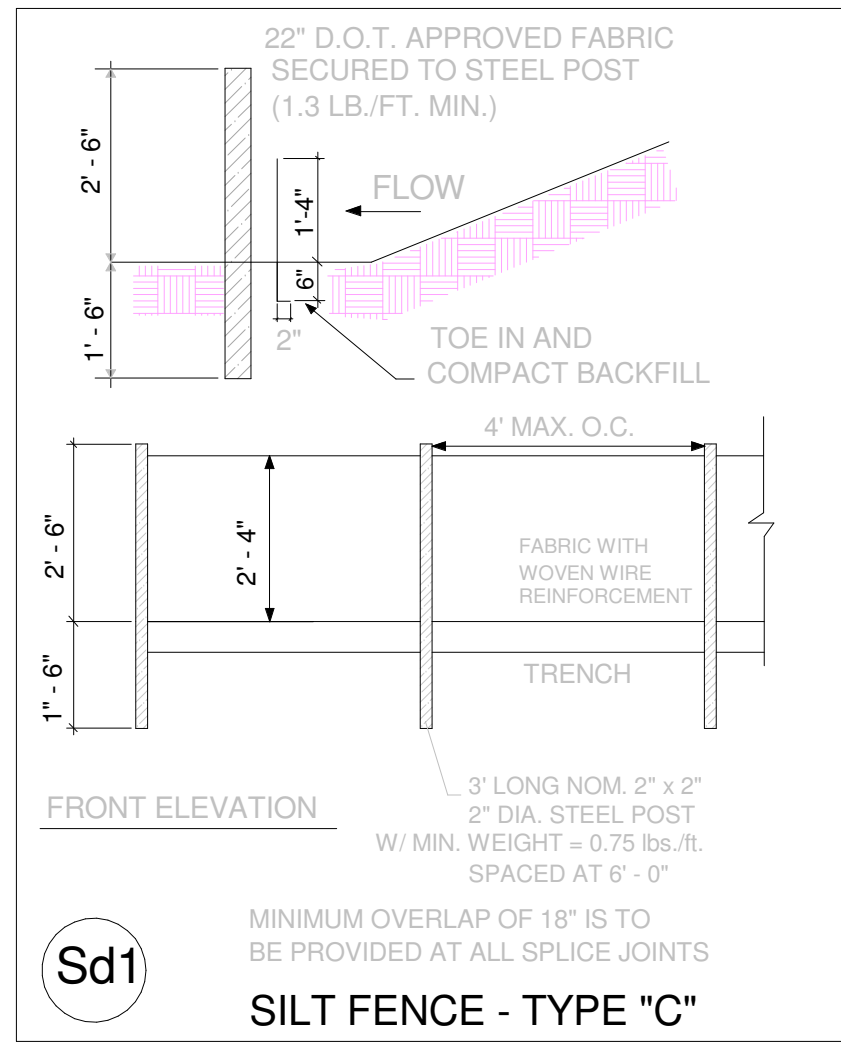
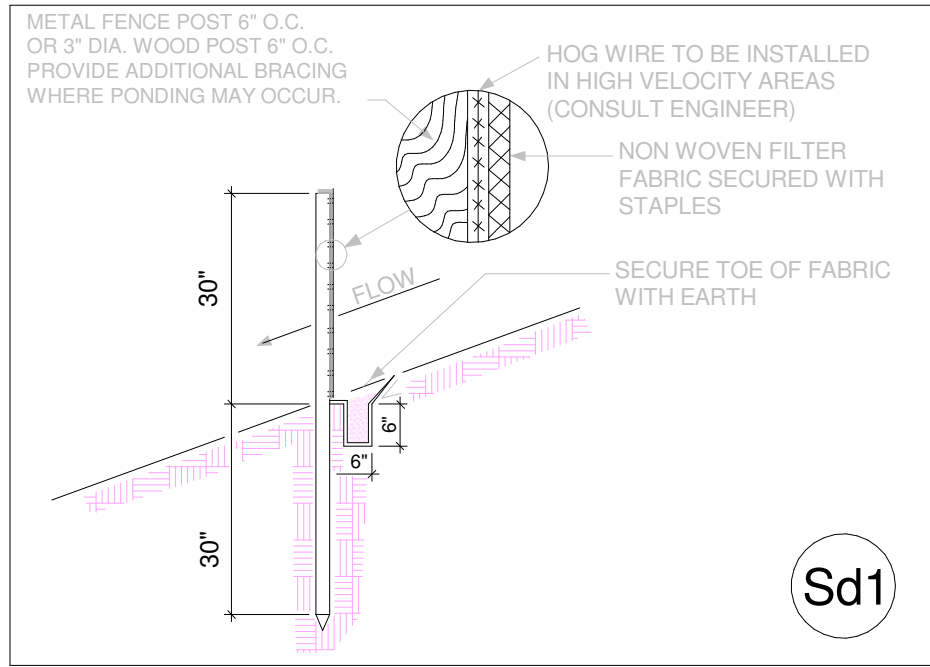
### Co CONSTRUCTION EXIT/ENTRANCE

THE EXISTING DRIVEWAY MAY BE USED AS A CONSTRUCTION EXIT PROVIDED THAT ALL CONSTRUCTION VEHICLES ARE CONFINED TO EXISTING PAVED AREAS ON SITE. ANY TRACKING OF DIRT, SILT, MUD, ETC. ONTO STREET WILL RESULT IN AN IMMEDIATE "STOP WORK" ORDER. THE "STOP WORK" ORDER WILL NOT BE LIFTED UNTIL A CONSTRUCTION EXIT IN ACCORDANCE WITH THE CURRENT DETAIL IS CONSTRUCTED"

|     |                                                        |     |                                                                                                                                     |
|-----|--------------------------------------------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------|
| Ds1 | DISTURBED AREA STABILIZATION (W/ MULCHING ONLY)        | Ds1 | A TEMPORARY COVER PLANT RESIES APPLIED TO THE SOIL SURFACE FOR A PERIOD OF (6) MONTHS OR LESS WHEN SEEDING NOT PRACTICAL.           |
| Ds2 | DISTURBED AREA STABILIZATION (W/ TEMPORARY SEEDING)    | Ds2 | ESTABLISHING A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS ON DISTURBED AREAS. SEE EROSION CONTROL NOTES.                 |
| Ds3 | DISTURBED AREA STABILIZATION (W/ PERMANENT VEGETATION) | Ds3 | ESTABLISHING PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES. SEE OF LEGUMES ON DISTURBED AREA. SEE ENLARGED PLAN. |
| Ca  | CONSTRUCTION EXIT                                      |     |                                                                                                                                     |
| Sd  | SEDIMENT BARRIER (TYPE "C")                            |     |                                                                                                                                     |
| VEA | GROUND COVER TO REMAIN                                 |     |                                                                                                                                     |

| FERTILIZER REQUIREMENTS FOR PERMANENT VEGETATION (DS3) |               |                    |                   |               |                   |
|--------------------------------------------------------|---------------|--------------------|-------------------|---------------|-------------------|
| TYPES OF SPECIES                                       | PLANTING YEAR | FERTILIZER (N-P-K) | RATES (LBS./ACRE) | N TO DRESSING | RATE (LBS./ACRES) |
| COOL SEASON GRASS                                      | FIRST         | 6-12-12            | 1500              | 50-100        | ---               |
|                                                        | SECOND        | 6-12-12            | 1000              | ---           | ---               |
| COOL SEASON GRASSES & LEGUMES                          | MAINTENANCE   | 10-10-10           | 400               | 30            | ---               |
|                                                        | FIRST         | 6-12-12            | 1500              | 0-100         | ---               |
| WARM SEASON GRASSES                                    | SECOND        | 0-10-10            | 1000              | ---           | ---               |
|                                                        | MAINTENANCE   | 0-10-10            | 400               | ---           | ---               |
| WARM SEASON GRASSES & LEGUMES                          | FIRST         | 6-12-12            | 1500              | 50-100        | ---               |
|                                                        | SECOND        | 6-12-12            | 1000              | ---           | ---               |
| WARM SEASON GRASSES                                    | MAINTENANCE   | 10-10-10           | 400               | 30            | ---               |
|                                                        | FIRST         | 6-12-12            | 1500              | 50            | ---               |
| WARM SEASON GRASSES & LEGUMES                          | SECOND        | 0-10-10            | 1000              | ---           | ---               |
|                                                        | MAINTENANCE   | 0-10-10            | 400               | ---           | ---               |

| SOME TEMP. PLANT SPECIES, SEEDING RATES & PLANTING DATES (DS2) |                       |                |                          |   |   |
|----------------------------------------------------------------|-----------------------|----------------|--------------------------|---|---|
| SPECIES                                                        | RATE PER 1,000 SQ.FT. | RATES PER ACRE | PLANTING DATES BY REGION |   |   |
|                                                                |                       |                | M-L                      | P | C |



### EARTHWORK STATEMENT

THERE WILL BE NO MAJOR EARTH MOVING ON THE PROJECT. EARTHWORKS WILL BE LIMITED TO THAT REQUIRED FOR CONSTRUCTION OF A SINGLE FAMILY HOUSE AND APPROPRIATE LANDSCAPING.

THERE WILL BE APPROXIMATELY 0 CUBIC YARDS OF DIRT CUT AND 0 CUBIC YARDS OF FILL. NO GRADED SLOPE SHALL EXCEED 2H: 1V.

### LEGEND

--- PROPERTY LINE  
--- TREE PROTECTION  
--- SILT FENCE (Sd1)

### EARTHWORK STATEMENT

THERE WILL BE NO MAJOR EARTH MOVING ON THE PROJECT. EARTHWORKS WILL BE LIMITED TO THAT REQUIRED FOR CONSTRUCTION OF A SINGLE FAMILY HOUSE AND APPROPRIATE LANDSCAPING.

THERE WILL BE APPROXIMATELY 0 CUBIC YARDS OF DIRT CUT AND 0 CUBIC YARDS OF FILL. NO GRADED SLOPE SHALL EXCEED 2H: 1V.

### EROSION CONTROL NOTES

- SEPARATE PERMIT IT'S REQUIRED FOR SIDEWALK AND/OR DRIVEWAY CONSTRUCTION IN THE PUBLIC RIGHT-OF-WAY.
- DISTURBED AREAS LEFT IDLE SHALL BE STABILIZED WITH TEMPORARY VEGETATION AFTER 14 DAYS; AFTER 30 DAYS PERMANENT VEGETATION SHALL BE ESTABLISHED.
- SILT FENCE SHALL MEET THE REQUIREMENTS OF SECTION 177.1 TEMPORARY SILT FENCE, OF THE GEORGIA STANDARD SPECIFICATIONS, 1993 EDITION AND BE WIRE REINFORCED.
- MAINTENANCE STATEMENT - EROSION CONTROL MEASURES WILL BE INSPECTED WEEKLY, AFTER EACH RAIN AND REPAIRED BY THE GENERAL CONTRACTOR.
- NO GRADED SLOPE SHALL EXCEED 2:1.
- THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND-DISTURBING ACTIVITIES.
- EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.

ALLISON LABOVITZ, THE HOME OWNER, AT 646-709-3444 OR [allison.labovitz@gmail.com](mailto:allison.labovitz@gmail.com) WILL BE THE 24-HOUR CONTACT FOR SEDIMENT CONTROL.

ALL TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO ANY GRADING OR LAND DISTURBANCE.

#### GENERAL SITE NOTES:

- Topography is based on field run data by (Company) on (date). The field run topography date should not be earlier than the Sites Final Plat date.
- No decks, patios, or permanent structures permitted in buffers or easements.
- Non-exempt activities shall not be conducted within the 25 or 50-Foot undisturbed buffers as measured from the point of wrested vegetation without first acquiring the necessary variances and permits.
- Waste materials shall not be discharged to waters of the State, except as authorized by a Section 404 Permit.
- The escape of sediment from the Site shall be prevented by the installation of Erosion and Sediment Control measures and practices prior to land disturbing activities.
- Erosion and Sediment Control measures shall be maintained at all times. If full implementation of the approved Plan does not provide for effective erosion control, additional Erosion and Sediment Control measures shall be implemented to control or treat the sediment source.
- Any disturbed area left exposed for a period greater than 14 days shall be stabilized with mulch or temporary seeding.
- The Design Professional whose signed and dated Seal appears hereon, affirms that the Site was visited prior to the preparation of this Site Plan by Trey Lucas. March 07, 2022 2160 Satellite Blvd NW Suite 300 Duluth, GA 30097 Page 1 of 2 PERMIT CORRECTIONS REPORT (BR22-00196)
- Contact the Department of Community Development through the portal to schedule a Pre-Construction Meeting with the site inspector prior to any land disturbance. (The cut-off time for next day inspection is 2pm.)

#### LIMITS OF DISTURBANCE:

5 - 18"x18"x12 FOOTINGS FOR A TOTAL OF 11.25 SQUARE FEET

#### CONSTRUCTION ENTRANCE:

The existing driveway may be used as a Construction Exit provided that all construction vehicles are confined to the existing paved areas on Site. Any tracking of Dirt, Silt, Mud, etc. onto street will result in an immediate "Stop Work" Order. The "Stop Work" Order will not be lifted until a Construction Exit is constructed in accordance with the current Detail.

### CONSTRUCTION DOCUMENTS RELEASED FOR CONSTRUCTION

3.14.22

## ARCHITECTURAL SITE PLAN

Project Number Project Number

Date 3.14.22

Drawn By IIII

Checked By Checker

2.1

Scale 1" = 20'-0"



[illegible]

**100%** DOOR NUMBER TAG

**100** ROOM NUMBER TAG

**R** WINDOW NUMBER TAG

**2** WALL TAG

**1** NOTE TAG

**1** REVISION TAG

**K 1**  
**A2.1** LETTER/NUMBER COMBINATION INDICATES ELEVATION OR DETAIL

**1**  
**A5** DETAIL

**A1**  
**A3** DRAWING DESIGNATION

**1**  
**A3** BUILDING SECTION

**1**  
**A5** SHEET DESIGNATION

**1**  
**A5** WALL SECTION

**A**  
**D**  
**A5**  
**C** ELEVATION

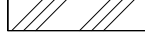
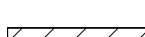
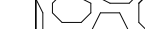
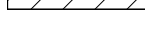
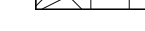
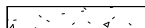
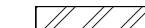
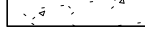
**#** COLUMN LINE

USE NUMBERS HORIZONTALLY, LEFT TO RIGHT; LETTERS VERTICALLY, TOP TO BOTTOM

**EXISTING WALLS & DOORS**

**NEW WALLS & DOORS**

**DEMOLITION WALLS & DOORS**

|                                                                                     |                            |                                                                                     |                        |
|-------------------------------------------------------------------------------------|----------------------------|-------------------------------------------------------------------------------------|------------------------|
|  | ALUMINUM                   |  | PLYWOOD<br>LARGE SCALE |
|  | BRICK (SECTION)            |  | POROUS FILL            |
|  | CONCRETE                   |  | STEEL                  |
|  | C.M.U.                     |  | WOOD BLOCKING          |
|  | EARTH OR<br>COMPACTED FILL |  | WOOD SHIMS             |
|  | INSULATION BATTS           |  | WOOD FINISH            |
|  | INSULATION RIGID           |                                                                                     |                        |

**OWNER**  
Allison Labovitz  
**Contact:** Allison Labovitz  
**c: 646.709.3444**  
**e: allison.labovitz@gmail.com**

**ARCHITECT**  
Trey Lucas Architecture  
Contact: Fred R. Lucas, III aka Trey, R.A.  
324 Eastland Drive  
Decatur, GA 30030  
Phone: 404.378.7431  
Cell: 404.307.0771  
e: [trey@treylucas.com](mailto:trey@treylucas.com)

**Surveyor:**  
**Solar Land Surveying Company**  
**o: 770.794.9055**  
**e: solarlandsurvey@yahoo.com**

**SCOPE OF WORK:**  
SCREEN IN EXISTING DECK FOR A  
SCREEN PORCH.



2018 INTERNATIONAL RESIDENTIAL CODE WITH GEORGIA AMENDMENTS  
2018 INTERNATIONAL MECHANICAL CODE WITH GEORGIA AMENDMENTS  
2018 INTERNATIONAL FUEL GAS CODE WITH GEORGIA AMENDMENTS  
2018 INTERNATIONAL PLUMBING CODE WITH GEORGIA AMENDMENTS  
2020 NEC NATIONAL ELECTRIC CODE WITH NO GEORGIA AMENDMENTS  
2019 INTERNATIONAL ENERGY CONSERVATION CODE WITH GA SUPPLEMENTS & AMENDMENTS

OCCUPANCY:  
RESIDENTIAL SINGLE-FAMILY HOME WITH A 2- CAR GARAGE.

|                   |   |
|-------------------|---|
| CONSTRUCTION TYPE | V |
|-------------------|---|

EXISTING GROSS AREA:  
EXISTING 2-STORY HOUSE  
EXISTING FIRST FLOOR w/ 2 CAR GARAGE:

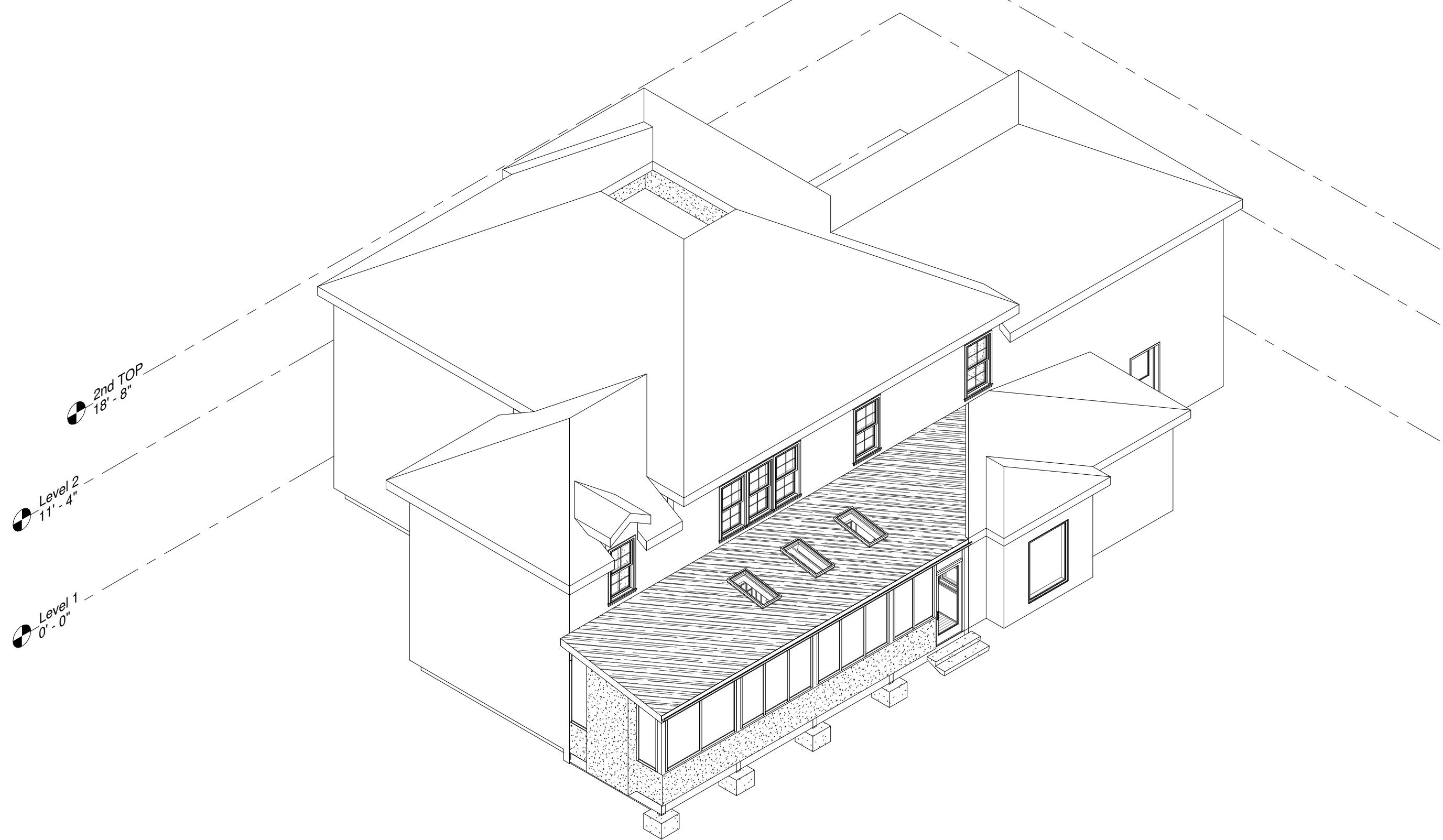
NEW DESIGNED AREA

NEW DESIGNED AREA  
SCREEN PORCH AT EXISTING DECK: 388 SF

[illegible]

- Contract documents to be utilized for the purpose of this project will be the AIA (Associated General Contractors) standard form of agreement between owner & contractor and AIA (Associated General Contractors) contract for construction.
- Under no conditions shall we rely on the Sub-Contractor. Failure to utilize the Sub-Contractor shall not relieve the Contractor of any responses or responsibilities resulting from that failure.
- The Contractor is responsible for the selection of all necessary building permits, licenses & Certifications of Occupancy. Copies of permits are to be posted prior to commencing work. One approved set of drawings shall be kept at the premises at all times.
- All Sub-Contractors are to receive full working Construction Documents from the General Contractor. The General Contractor is responsible for the coordination of all trades.
- All installations shall comply with all local & national codes and with the requirements of the Owner. All work shall include the completion of such details not mentioned or shown as an omission for the Contractor to complete.
- The General Contractor or Sub-Contractors wishing to substitute materials must submit 2 sets of shop drawings or specifications to the Owner & Architect.
- All work to be completed for 1 year or according to the manufacturer's warranties, whichever is longer, except for A/C unit compressor which shall be warranted for a minimum of 5 years.

324 Eastland Drive  
Decatur, GA 30030  
o: 404.378.7431  
c: 403.307.0771  
e: trey@treylucas.com  
www.treylucas.com



Allison Labovitz Screen Porch  
55 Wembley Lane,  
Sandy Springs GA 30342

**CONSTRUCTION DOCUMENTS**  
RELEASED FOR CONSTRUCTION

2.1.22

# 1.1

Project Number

Date 2.1.22

Drawn By \_\_\_\_\_ III

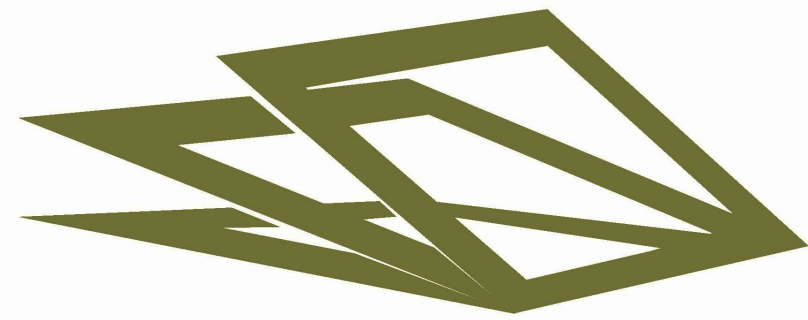
|            |         |
|------------|---------|
| Checked By | Checker |
|            |         |

11

## References

Scale  $12'' = 1'-0''$





TREY LUCAS  
ARCHITECTURE

324 Eastland Drive  
Decatur, GA 30030  
o: 404.378.7431  
c: 403.307.0771  
e: trey@treylucas.com  
www.treylucas.com

EARTHWORK STATEMENT

THERE WILL BE NO MAJOR EARTH MOVING ON THE PROJECT. EARTHWORKS WILL BE LIMITED TO THAT REQUIRED FOR CONSTRUCTION OF A SINGLE FAMILY HOUSE AND APPROPRIATE LANDSCAPING.

THERE WILL BE APPROXIMATELY 1-2 CUBIC YARDS OF DIRT CUT AND 1-2 CUBIC YARDS OF FILL. NO GRADED SLOPE SHALL EXCEED 2H: 1V.

EROSION CONTROL NOTES

- SEPARATE PERMIT IT'S REQUIRED FOR SIDEWALK AND/OR DRIVEWAY CONSTRUCTION IN THE PUBLIC RIGHT-OF-WAY.
- DISTURBED AREAS LEFT IDLE SHALL BE STABILIZED WITH TEMPORARY VEGETATION AFTER 14 DAYS; AFTER 30 DAYS PERMANENT VEGETATION SHALL BE ESTABLISHED.
- SILT FENCE SHALL MEET THE REQUIREMENTS OF SECTION 171- TEMPORARY SILT FENCE, OF THE GEORGIA STANDARD SPECIFICATIONS, 1993 EDITION AND BE WIRE REINFORCED.
- MAINTENANCE STATEMENT - EROSION CONTROL MEASURES WILL BE INSPECTED WEEKLY, AFTER EACH RAIN AND REPAIRED BY THE GENERAL CONTRACTOR.
- NO GRADED SLOPE SHALL EXCEED 2:1.
- THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND-DISTURBING ACTIVITIES.
- EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES, IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.

Allison Labovitz Screen Porch  
55 Wembley Lane,  
Sandy Springs GA 30342

CONSTRUCTION DOCUMENTS  
RELEASED FOR CONSTRUCTION

2.1.22

ARCHITECTURAL  
SITE PLAN

Project Number Project Number

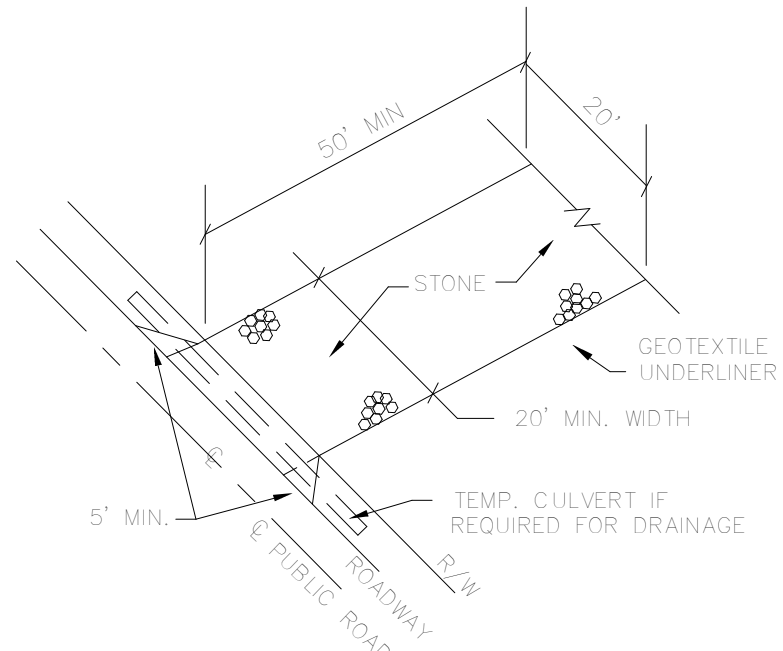
Date 2.1.22

Drawn By Author

Checked By Checker

2.1

Scale 1" = 20'-0"



NOTES:  
1. FABRIC THICKNESS 6"  
2. MIN. SIZE 20'x50'  
3. W/NECESSARY, INCLUDE  
4. BACKFILL/PERIODIC TOP DRESSING WITH 2"  
5. STONE/MAINTAIN IN A CONDITION WHICH WILL  
6. PREVENT/CONTROL FLOW OF MUD ONTO PUBLIC  
7. ROADS.

CONSTRUCTION EXIT

NOT TO SCALE

|     |                                                                 |     |                                                                                                                                              |
|-----|-----------------------------------------------------------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------|
| Ds1 | DISTURBED AREA<br>STABILIZATION<br>(W/ MULCHING ONLY)           | Ds1 | A TEMPORARY COVER PLANT<br>RESIDUE APPLIED TO THE SOIL SURFACE<br>FOR A PERIOD OF (6) MONTHS OR LESS<br>WHEN SEEDING NOT PRACTICAL.          |
| Ds2 | DISTURBED AREA<br>STABILIZATION<br>(W/ TEMPORARY<br>SEEDING)    | Ds2 | ESTABLISHING A TEMPORARY<br>VEGETATIVE COVER WITH FAST<br>GROWING SEEDLINGS ON DISTURBED<br>AREAS. SEE EROSION CONTROL NOTES.                |
| Ds3 | DISTURBED AREA<br>STABILIZATION<br>(W/ PERMANENT<br>VEGETATION) | Ds3 | ESTABLISHING PERMANENT VEGETATIVE<br>COVER SUCH AS TREES, SHRUBS,<br>VINES, GRASSES, SOO OF LEGUMES ON<br>DISTURBED AREA. SEE ENLARGED PLAN. |
| Co  | CONSTRUCTION<br>EXIT                                            |     |                                                                                                                                              |
| Sd  | SEDIMENT BARRIER<br>(TYPE "C")                                  |     |                                                                                                                                              |
| VEG | GROUND COVER TO REMAIN                                          |     |                                                                                                                                              |

Project and Site Data

Owner: Allison Labovitz

Street Address: 55 Wembley Lane

Total Site Area: 27,006 square feet = .62 acre

Existing Conditions: residence located on property

Zoning: RD=37

State Waters: There are no State Waters located  
on or immediately adjacent to property.

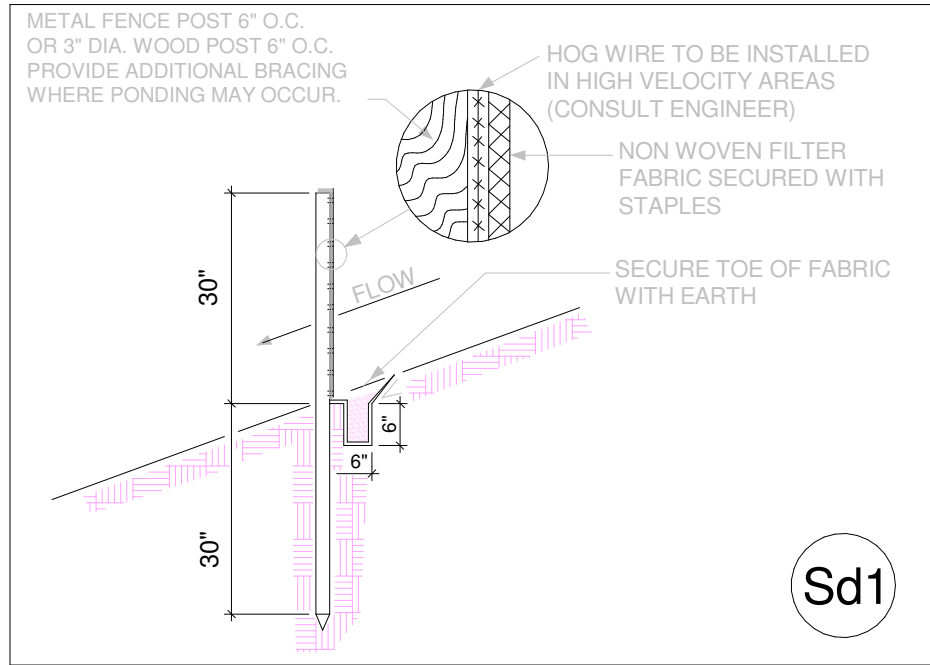
Trees on Site: not surveyed

Co CONSTRUCTION EXIT/ENTRANCE

THE EXISTING DRIVEWAY MAY BE USED AS A  
CONSTRUCTION EXIT PROVIDED THAT ALL  
CONSTRUCTION VEHICLES ARE CONFINED TO  
EXISTING PAVED AREAS ON SITE. ANY TRACKING  
OF DIRT, SILT, MUD, ETC. ONTO STREET WILL  
RESULT IN AN IMMEDIATE "STOP WORK" ORDER.  
THE "STOP WORK" ORDER WILL NOT BE LIFTED  
UNTIL A CONSTRUCTION EXIT IN ACCORDANCE  
WITH THE CURRENT DETAIL IS CONSTRUCTED"

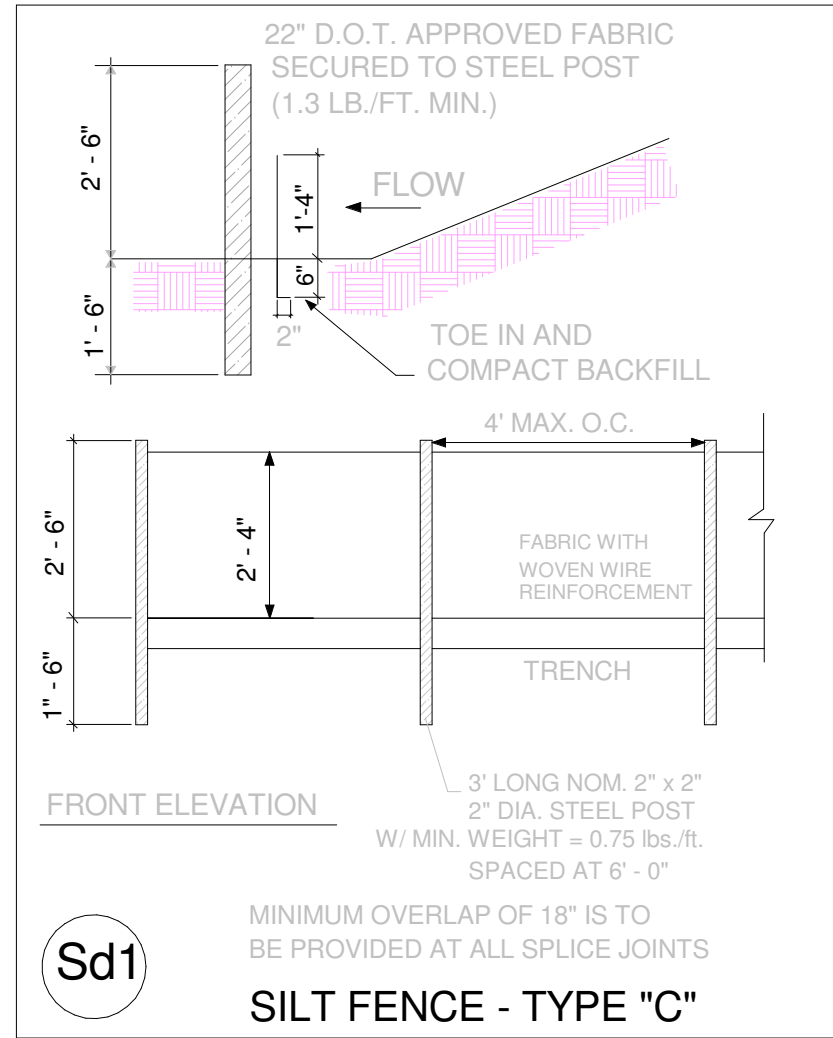
| FERTILIZER REQUIREMENTS FOR PERMANENT VEGETATION (DS3) |               |                    |                   |                                 |  |
|--------------------------------------------------------|---------------|--------------------|-------------------|---------------------------------|--|
| TYPES OF SPECIES                                       | PLANTING YEAR | FERTILIZER (N-P-K) | RATES (LBS./ACRE) | N TO DRESSING RATE (LBS./ACRES) |  |
| COOL SEASON GRASS                                      | FIRST         | 6-12-12            | 1500              | 50-100                          |  |
|                                                        | SECOND        | 6-12-12            | 1000              | ---                             |  |
|                                                        | MAINTENANCE   | 10-10-10           | 400               | 30                              |  |
| COOL SEASON GRASSES & LEGUMES                          | FIRST         | 6-12-12            | 1500              | 0-100                           |  |
|                                                        | SECOND        | 0-10-10            | 1000              | ---                             |  |
|                                                        | MAINTENANCE   | 0-10-10            | 400               | ---                             |  |
| WARM SEASON GRASSES                                    | FIRST         | 6-12-12            | 1500              | 50-100                          |  |
|                                                        | SECOND        | 6-12-12            | 1000              | 50-100                          |  |
|                                                        | MAINTENANCE   | 10-10-10           | 400               | 30                              |  |
| WARM SEASON GRASSES & LEGUMES                          | FIRST         | 6-12-12            | 1500              | 50                              |  |
|                                                        | SECOND        | 0-10-10            | 1000              | ---                             |  |
|                                                        | MAINTENANCE   | 0-10-10            | 400               | ---                             |  |

| SOME TEMP. PLANT SPECIES, SEEDING RATES & PLANTING DATES (DS2) |                       |                |                          |   |   |
|----------------------------------------------------------------|-----------------------|----------------|--------------------------|---|---|
| SPECIES                                                        | RATE PER 1,000 SQ.FT. | RATES PER ACRE | PLANTING DATES BY REGION |   |   |
|                                                                |                       |                | M-L                      | P | C |



ALL TREE PROTECTION MEASURES SHALL  
BE INSTALLED PRIOR TO ANY  
GRADING OR LAND DISTURBANCE.

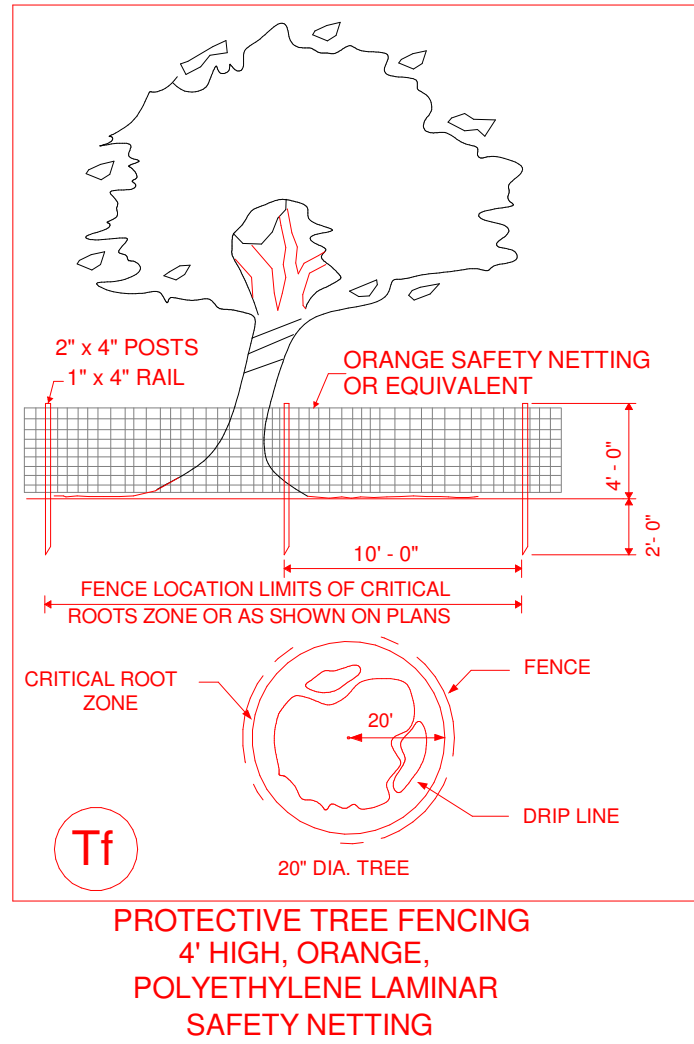
CONTACT SANDY SPRINGS DEVELOPMENT DEPARTMENT  
(770-730-5600) TO ARRANGE A PRE-CONSTRUCTION  
CONFERENCE WITH THE CITY PRIOR TO ANY LAND  
DISTURBANCE.



EARTHWORK STATEMENT

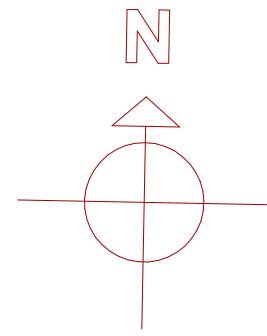
THERE WILL BE NO MAJOR EARTH MOVING ON THE  
PROJECT. EARTHWORKS WILL BE LIMITED TO THAT  
REQUIRED FOR CONSTRUCTION OF A SINGLE FAMILY  
HOUSE AND APPROPRIATE LANDSCAPING.

THERE WILL BE APPROXIMATELY 0 CUBIC YARDS  
OF DIRT CUT AND 0 CUBIC YARDS OF FILL.  
NO GRADED SLOPE SHALL EXCEED 2H: 1V.



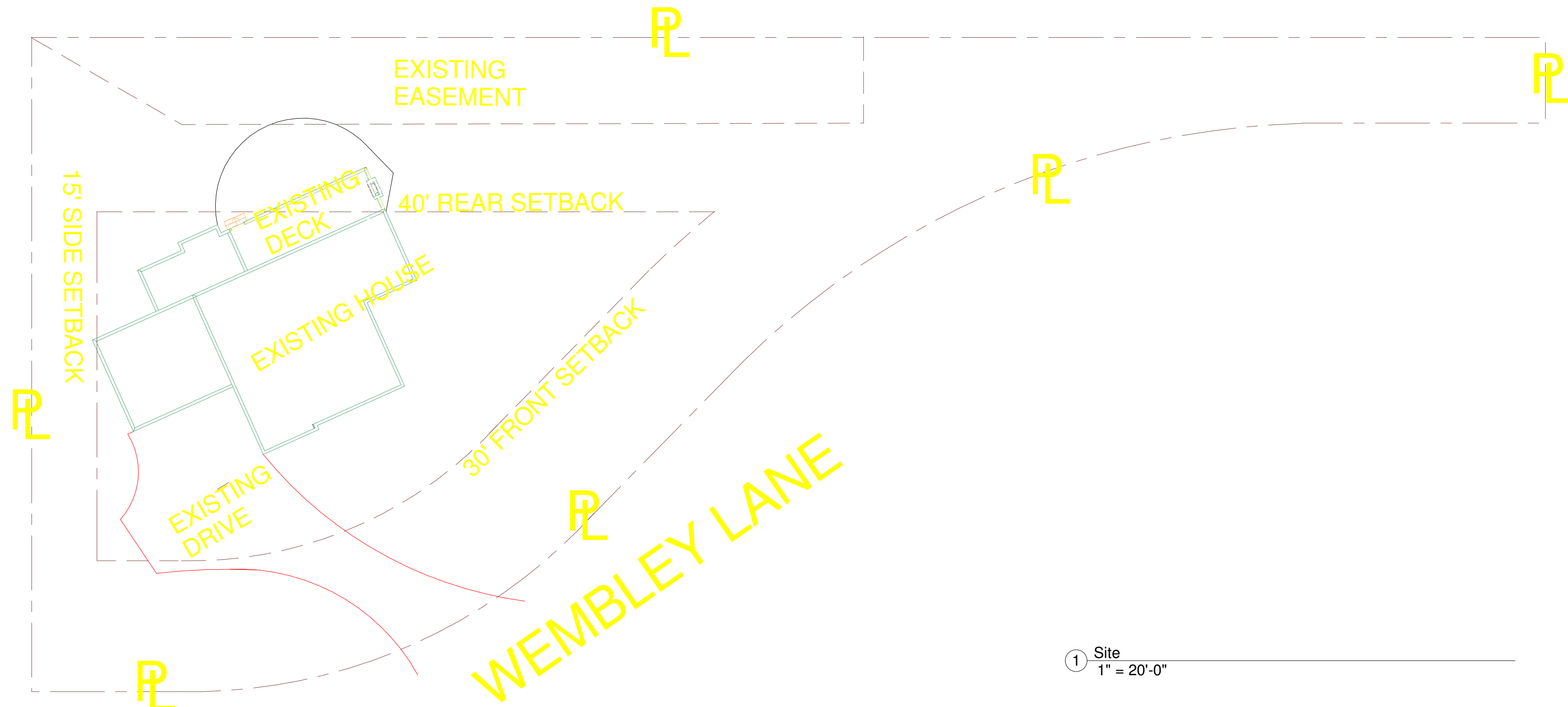
LEGEND

- PROPERTY LINE
- TREE PROTECTION
- SILT FENCE



#55 WEMBLEY LANE  
2-STORY STUCCO HOUSE

ZONED RD-27



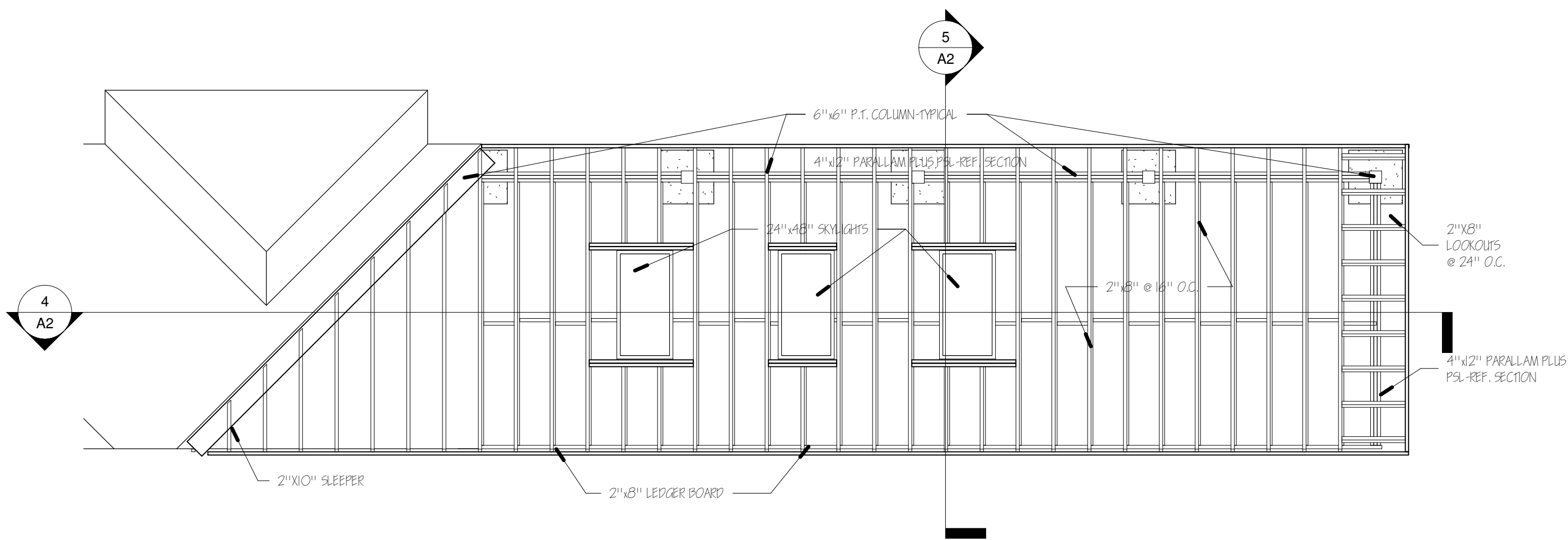
1 Site  
1" = 20'-0"



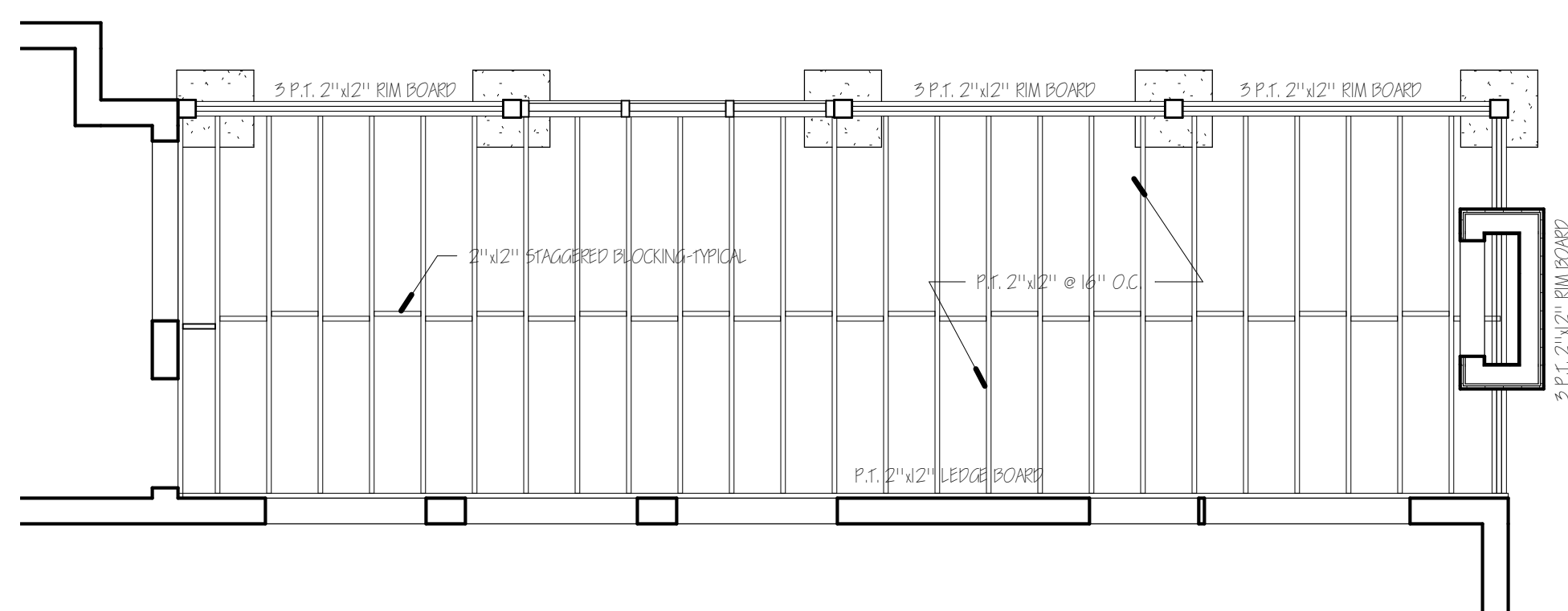


324 Eastland Drive  
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55 Wembley Lane,  
Sandy Springs GA 30342



5 ROOF FRAMING PLAN  
1/4" = 1'-0"



④ FLOOR FRAMING PLAN  
1/4" = 1'-0"

## GENERAL NOTES:

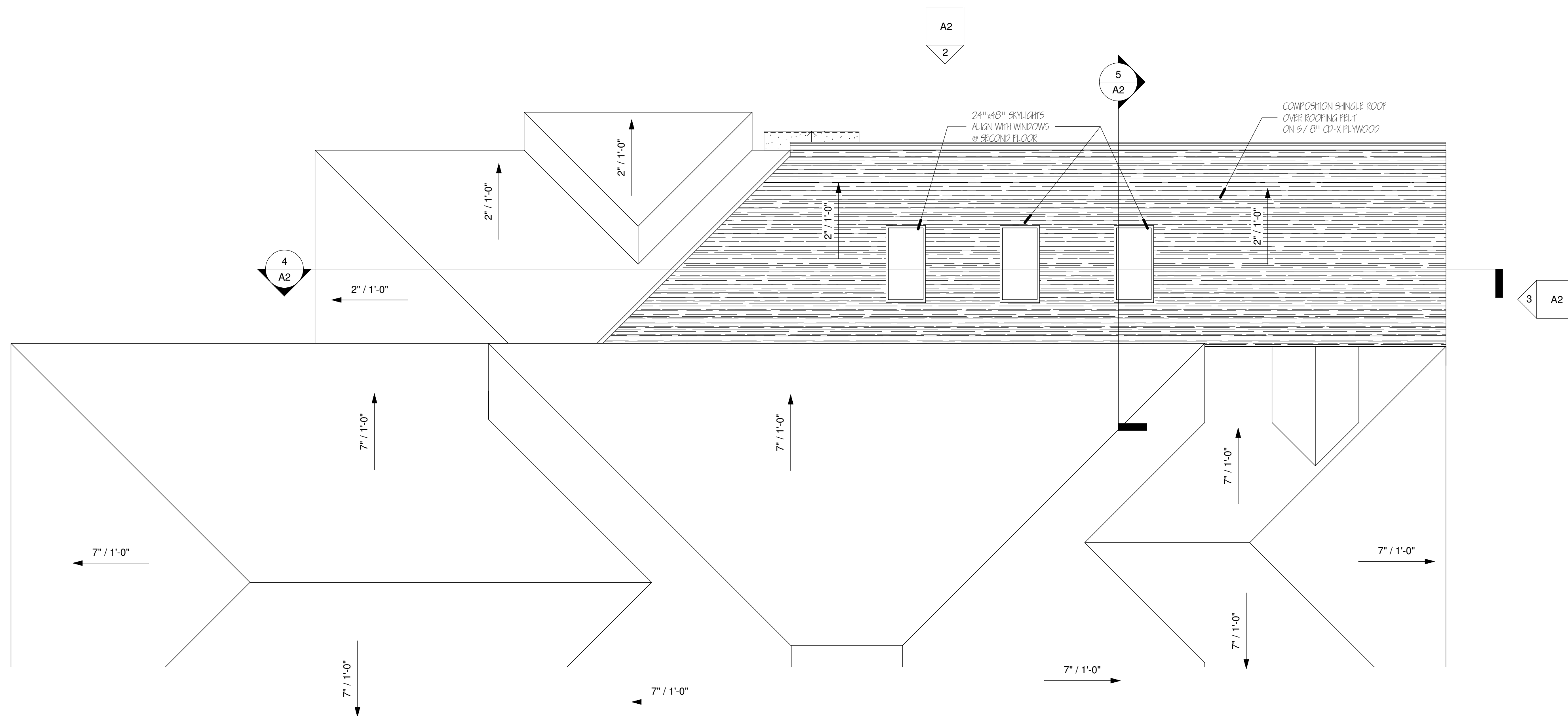
- 11 IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS AND THE CONDITIONS PRIOR TO CONSTRUCTION.  
12 CONSTRUCTION SHALL CONFORM WITH ALL APPLICABLE CODES & ORDINANCES.  
13 PROVIDE WOOD BLOCKING/BRACING PER CALLS/PLAN.  
14 ALL CONCRETE SHALL HAVE A MIN. 28-DAY COMPRESSIVE STRENGTH OF 5,000 PSI.  
15 ALL BEAM AND HEADER MATERIAL SHALL BE #2 OR BETTER. ALL PAPER AND JOINT MATERIAL SHALL BE #9 OR BETTER UNLESS OTHERWISE NOTED.  
16 ALL SIDES SHALL BE 5/8" GUSSET OR BETTER OR 2" X 4" OR BETTER AND INTERIOR LAP BRACING SHALL BE 2" X 4" OR BETTER UNLESS OTHERWISE NOTED.  
17 SIDING WALLS 1'-0" OR BEAMS SHALL BE 2"x6", 2"x8" OR 4" x 4" UNLESS OTHERWISE NOTED.  
18 ALL JOINT FORMING TO BEAM SHALL BE SUPPORTED BY 2"x4" OR 4" x 4" SIDING MATERIAL.  
19 ALL BEAMS PRIOR TO BEAM SHALL BE SUPPORTED BY SIMPSON 5/16" TIE WITH METAL HANGERS.  
20 ALL BEAMS PRATTING TO WALLS AND TO BE FULLY SUPPORTED BY A MIN. OF 2" (2" OR 2" OR 2" 2x6 SIDING UNLESS OTHERWISE NOTED).  
21 WOOD LAMS AND FRAMING SHALL BE 10% IN EXCESS PER MANUFACTURER'S SPECIFICATIONS.  
22 THE FASTENING LOG RECORDS IS TO BE AND TO REMAIN.  
23 THE NUMBER AND SIZE OF NAILS USED TO FASTEN WOOD MEMBERS SHALL BE ACCORDING TO TABLE IN INTERNATIONAL RESIDENTIAL CODE.  
24 MULTIPLE STUDS SHALL BE VALUED WITH 16d NAILS @ 24" OC.  
25 MULTIPLE JOIST SHALL BE VALUED WITH 16d NAILS @ 24" OC.  
26 MULTIPLE STUDS SHALL BE VALUED WITH 16d NAILS @ 24" OC.  
27 CONTRACTOR SHALL OBTAIN PAY A RETAINING DURING THE CONSTRUCTION PERIOD. WORKMAN'S COMPENSATION INSURANCE & GENERAL LIABILITY INSURANCE.  
28 BEAM W/ 7' 1/2" APA DEEPER PARTNERS TO STUDS W/ BUALS @ 4" OC. PERMITTER & OPENINGS @ 6" OC. AT INTERMEDIATE SUPPORT.  
29 CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

ROOF NOTES:

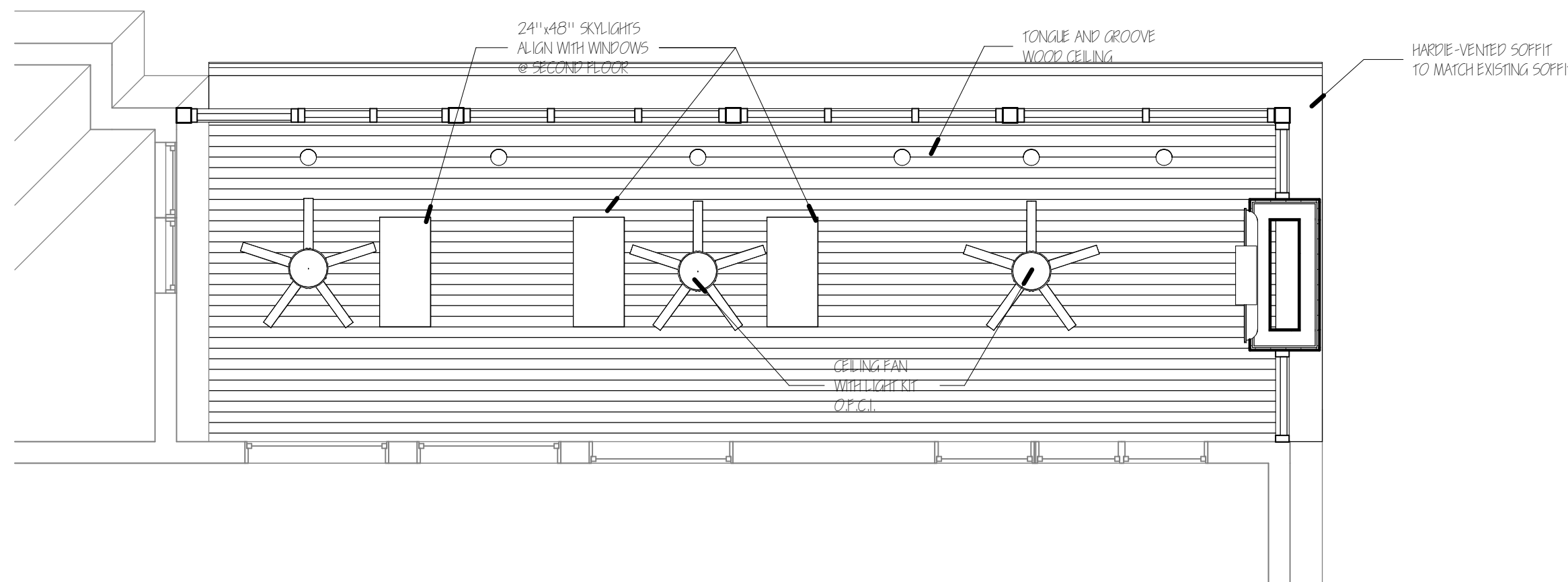
1. ALL NEW ROOF ARE: 21/2 SLOPE.
2. PROVIDE CE & WATER SHIELD TO 24" INSIDE OF BUILDING ENVELOPE AND VALLEYS.
3. PROVIDE 90 GRAD ARCHITECTURAL APPLICATOR SHINGLES TO MATCH EXISTING ROOF. ON 2 LAYERS OF 50# ROOFING FELT.
4. PROVIDE GUTTER ARE: 4" DOWNWARD-SLOPING DRAINAGE.
5. PROVIDE FLASHING BACK AT DOWNPOUTS.
6. PROVIDE 1/8" SPACERS TO 24" PL W/WOOD FINISHES FASTER TO WOOD FINISHING WITH BURNALS @ 1/2" AT PERIMETER AND INTERIORS.
7. WATER SHIELD TO PERIMETER.
8. WATER SHIELD TO ROOFING FELT AT 21/2 SLOPE APPLICATOR SHINGLES.
9. ALL ROOF OVERLAP ARE: 1/2" CLAP EXISTING ROOF UNO.
10. PROVIDE IMPROVED 34" HIGHER CLIPS AT EVERY ROOF JOINTS TRAINING MEMBER.
11. PROVIDE 1/2" SLOPE DRAINAGE TO THE ROOF DRAINING CLIPS.

GENERAL FRAMING NOTES:

- |     |                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                   |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| 9.  | THE STRUCTURE DESIGN IS BASED ON THE INTERNATIONAL BUILDING CONVENTIONAL CODE 2012 EDITION. THE DESIGN LOADS ARE AS FOLLOWS:<br>ROOF LIVE LOAD = 30 PSF<br>FLOOR LIVE LOAD = 40 PSF<br>WIND SPEED = 90 MPH                                                                                                                                                                                                           |                                                   |
| 10. | FOOTINGS SHALL BE DESIGNED USING A SOIL BEARING PRESSURE OF 2,500 PSF. FOOTING DESIGN PARAMETERS SHALL BE VERIFIED BY QUALIFIED GEOTECHNICAL ENGINEER PRIOR TO CONSTRUCTION.                                                                                                                                                                                                                                         |                                                   |
| 11. | THE CONTRACTOR SHALL TEMPORARILY BRACE THE STRUCTURE AND ITS COMPONENTS TO RESIST ALL LATERAL FORCES DURING CONSTRUCTION.                                                                                                                                                                                                                                                                                            |                                                   |
| 12. | THE CONTRACTOR SHALL VERIFY THE DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION AND SHALL REPORT ALL DISCREPANCIES TO THE ARCHITECT PRIOR TO PROCEEDING. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL SUBMIT TO THE ARCHITECT A CONSTRUCTION METHOD STATEMENT (CMS) DESCRIBING THE SEQUENCE OF CONSTRUCTION, THE ORDER OF ERECTION, THE WEIGHT AND CONFORM OF MATERIALS, AND THE PLACING OF CONNECTIONS. | AGREEMENT SHALL BE NORMAL                         |
| 13. | 6" COLD PILING, PARSATION C-PLANS, C-CHANNELS, REINFORCING STEEL SHALL CONFORM TO ASTM A36, GRADE 50.                                                                                                                                                                                                                                                                                                                |                                                   |
| 14. | 6" COLD PILING, PARSATION C-PLANS, C-CHANNELS, REINFORCING STEEL SHALL CONFORM TO ASTM A36, GRADE 50.                                                                                                                                                                                                                                                                                                                |                                                   |
| 15. | STEEL MEMBERS SHALL CONFORM TO AISC MANUAL, 3RD EDITION AND ASTM A588 (PLAINS & ANGLES). CONNECTION BOLTS SHALL CONFORM TO ASTM A325 AND SHALL CONFORM TO AISC MANUAL, 3RD EDITION AND ASTM A588 (PLAINS & ANGLES).                                                                                                                                                                                                  | ASTM A325 AND 12" O.C. AT INTERMEDIATE SUPPORTS   |
| 16. | WALL SHEATHING SHALL BE 1/2" APA RATED PLYWOOD. ATTACH SHEATHING TO WALL FRAMING WITH 6d COMMON NAILS SPACED 6" O.C. AT PANEL EDGES AND 12" O.C. AT INTERMEDIATE SUPPORTS.                                                                                                                                                                                                                                           |                                                   |
| 17. | ROOF WOOD FRAMING SHALL BE SCIENTIFIC TIMBER NO. 2 AND CONFORM TO NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION.                                                                                                                                                                                                                                                                                              |                                                   |
| 18. | ROOF WOOD FRAMING SHALL BE SCIENTIFIC TIMBER NO. 2 AND SELECTED ACCORDING TO SPECIFICATIONS OF THE RULES JOINT COMMISSION, EBF. THEIR FRAMING PLANS.                                                                                                                                                                                                                                                                 |                                                   |
| 19. | WALL FRAMING SHALL BE SCIENTIFIC TIMBER, SELECT GRADE.                                                                                                                                                                                                                                                                                                                                                               |                                                   |
| 20. | SIMPSON CONNECTIONS SHALL BE INSTALLED IN ACCORDANCE WITH THE SPECIFICATIONS OF THE SIMPSON STRONG-TIE COMPANY, INC. USE THE SIZE AND NUMBER OF REQUIRED FASTENERS AS                                                                                                                                                                                                                                                | NUMBER OF REQUIRED FASTENERS AS                   |
| 21. | WALL WOOD SHEATHING SHALL BE 1/4" APA RATED OSB PLYWOOD. ATTACH SHEATHING TO WALL JOISTS WITH 10d COMMON NAILS SPACED 6" O.C. AT PANEL EDGES AND 12" O.C. AT INTERMEDIATE SUPPORTS.                                                                                                                                                                                                                                  | PANEL EDGES AND 12" O.C. AT INTERMEDIATE SUPPORTS |
| 22. | ROOF WOOD SHEATHING SHALL BE 5/8" APA RATED PLYWOOD. ATTACH SHEATHING TO ROOF JOISTS WITH 10d COMMON NAILS SPACED 6" O.C. AT PANEL EDGES AND 12" O.C. AT INTERMEDIATE SUPPORTS.                                                                                                                                                                                                                                      | EDGES AND 12" O.C. AT INTERMEDIATE SUPPORTS       |



③ ROOF  
1/4" = 1'-0"

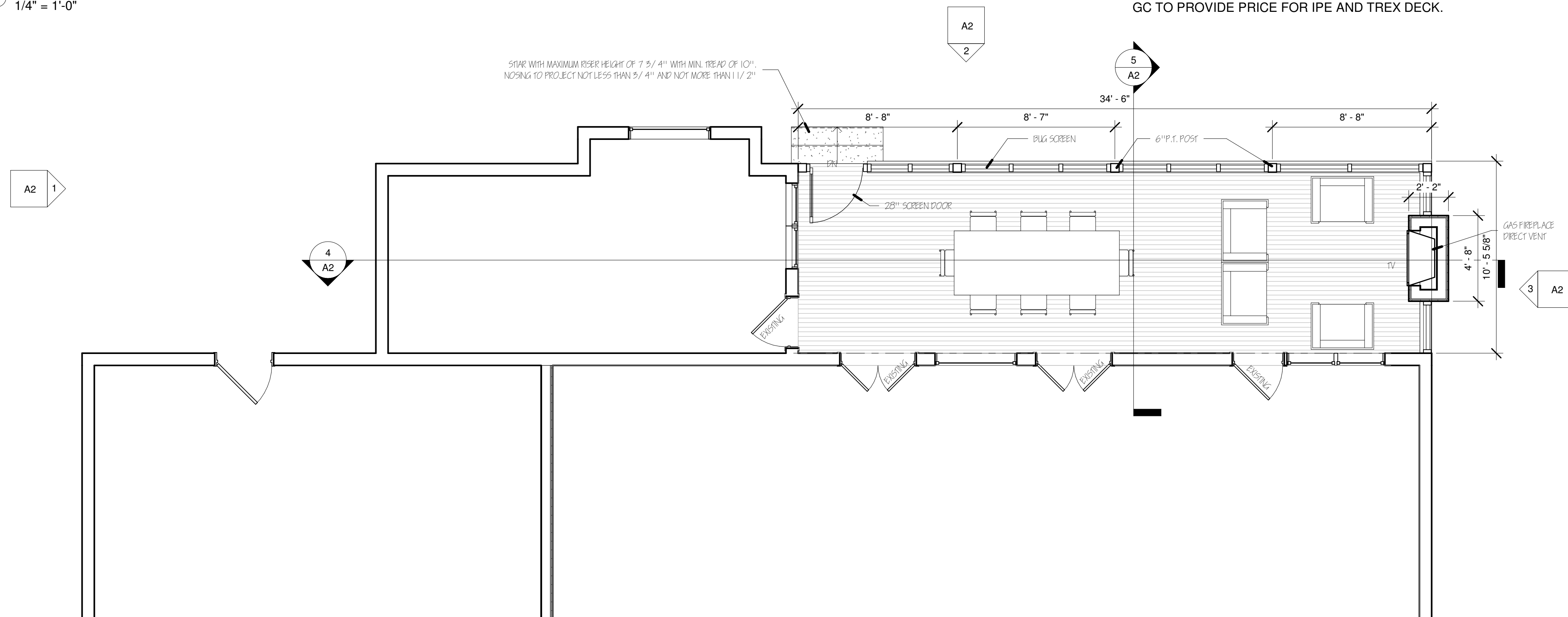


② Level 1  
1/4" = 1'-0"

| FASTENER SCHEDULE FOR WOOD MEMBERS                |                                                                            |
|---------------------------------------------------|----------------------------------------------------------------------------|
| CONNECTION                                        | FASTENERS                                                                  |
| ROOF RAFTERS TO RIDGE, VALLEY OR HIP RAFTERS      | 4-16d (TOE NAIL), 3-16d (FACE NAIL)                                        |
| RAFTER TO TOP PLATE, TOE NAIL                     | 4-8d PER RAFTER                                                            |
| CEILING JOIST TO TOP PLATE, TOE NAIL              | 4-8d PER JOIST                                                             |
| CEILING JOIST TO PARALLEL RAFTER, FACE NAIL       | 6-16d EA. LAP                                                              |
| CEILING JOIST LAPS OVER PARTITIONS, FACE NAIL     | 6-16d EA. LAP                                                              |
| BLOCKING TO RAFTER, TOE NAIL                      | 4-8d EA. END                                                               |
| RIM BOARD TO RAFTER, END NAIL                     | 2-16d EA. END                                                              |
| TOP PLATE TO TOP PLATE, FACE NAIL                 | 2-16d PER FT.                                                              |
| TOP PLATES AT INTERSECTIONS, FACE NAIL            | 4-16d EA. SIDE                                                             |
| STUD TO STUD, FACE NAIL                           | 2-16d @ 24" O.C.                                                           |
| HEADER TO HEADER, FACE NAIL                       | 16d @ 16" O.C. ALONG EDGES                                                 |
| TOP OR BOTTOM PLATE TO STUD, END NAIL             | 2-16d(2x4), 3-16d(2x6), 4-16d(2x8) PER STUD                                |
| BOT. PLATE TO FLOOR JOIST OR RIM BOARD, FACE NAIL | 2-16d PER FT.                                                              |
| JOIST TO SILL, TOP PLATE OR GIRDER, TOE NAIL      | 4-8d PER JOIST                                                             |
| BRIDGING TO JOIST, TOE NAIL                       | 2-8d EA. END                                                               |
| BLOCKING TO JOIST, TOE NAIL                       | 2-8d EA. END                                                               |
| BLOCKING TO SILL OR TOP PLATE, TOE NAIL           | 3-16d EA. BLOCK                                                            |
| LEDGER STRIP TO BEAM, FACE NAIL                   | 3-16d EA. JOIST                                                            |
| JOIST ON LEDGER TO BEAM, TOE NAIL                 | 3-8d PER JOIST                                                             |
| BAND JOIST TO JOIST, END NAIL                     | 3-16d PER JOIST                                                            |
| BAND JOIST TO SILL OR TOP PLATE, TOE NAIL         | 2-16d PER FT.                                                              |
| LVL BEAM TO LVL BEAM                              | 3-16d @ 12" O.C. EA. SIDE                                                  |
| PLYWOOD ROOF SHEATHING TO FRAMING                 | 10d COMMON NAIL, (6" O.C. @ PANEL EDGES, 12" O.C. @ INTERMEDIATE SUPPORTS) |
| PLYWOOD WALL SHEATHING TO FRAMING                 | 8d COMMON NAIL, (6" O.C. @ PANEL EDGES, 12" O.C. @ INTERMEDIATE SUPPORTS)  |
| PLYWOOD SUBFLOOR TO FRAMING                       | 8d COMMON NAIL, (6" O.C. @ PANEL EDGES, 12" O.C. @ INTERMEDIATE SUPPORTS)  |
| GYPSUM WALL SHEATHING TO FRAMING                  | 5d COOLER NAIL, (4" O.C. @ PANEL EDGES, 8" O.C. @ INTERMEDIATE SUPPORTS)   |

NOTE: ALL NAILS ARE COMMON NAILS, UNLESS NOTED OTHERWISE.

⑥ WOOD FASTENER SCHEDULE  
1/4" = 1'-0"



① Level 1  
1/4" = 1'-0"

**CONSTRUCTION DOCUMENTS  
RELEASED FOR CONSTRUCTION**

## SCREEN PORCH PLANS

|                |                |
|----------------|----------------|
| Project Number | Project Number |
|----------------|----------------|

|      |        |
|------|--------|
| Date | 2.1.22 |
|------|--------|

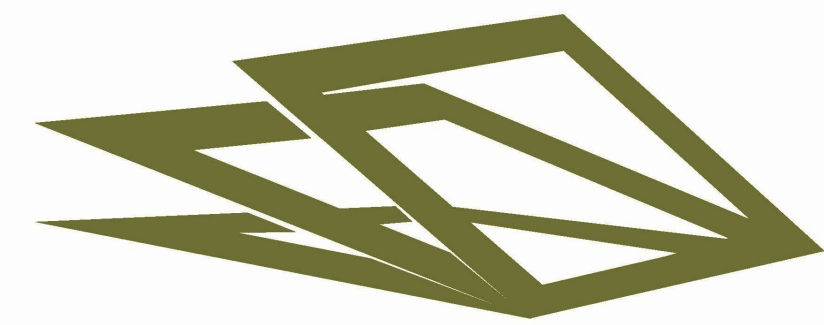
|          |     |
|----------|-----|
| Drawn By | III |
|----------|-----|

|            |         |
|------------|---------|
| Checked By | Checker |
|------------|---------|

# A1

Scale  $1/4" = 1'-0"$





TREY LUCAS  
ARCHITECTURE

324 Eastland Drive  
Decatur, GA 30030  
o: 404.378.7431  
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Allison Labovitz Screen Porch  
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CONSTRUCTION DOCUMENTS  
RELEASED FOR CONSTRUCTION

EXTERIOR  
ELEVATIONS

Project Number Project Number

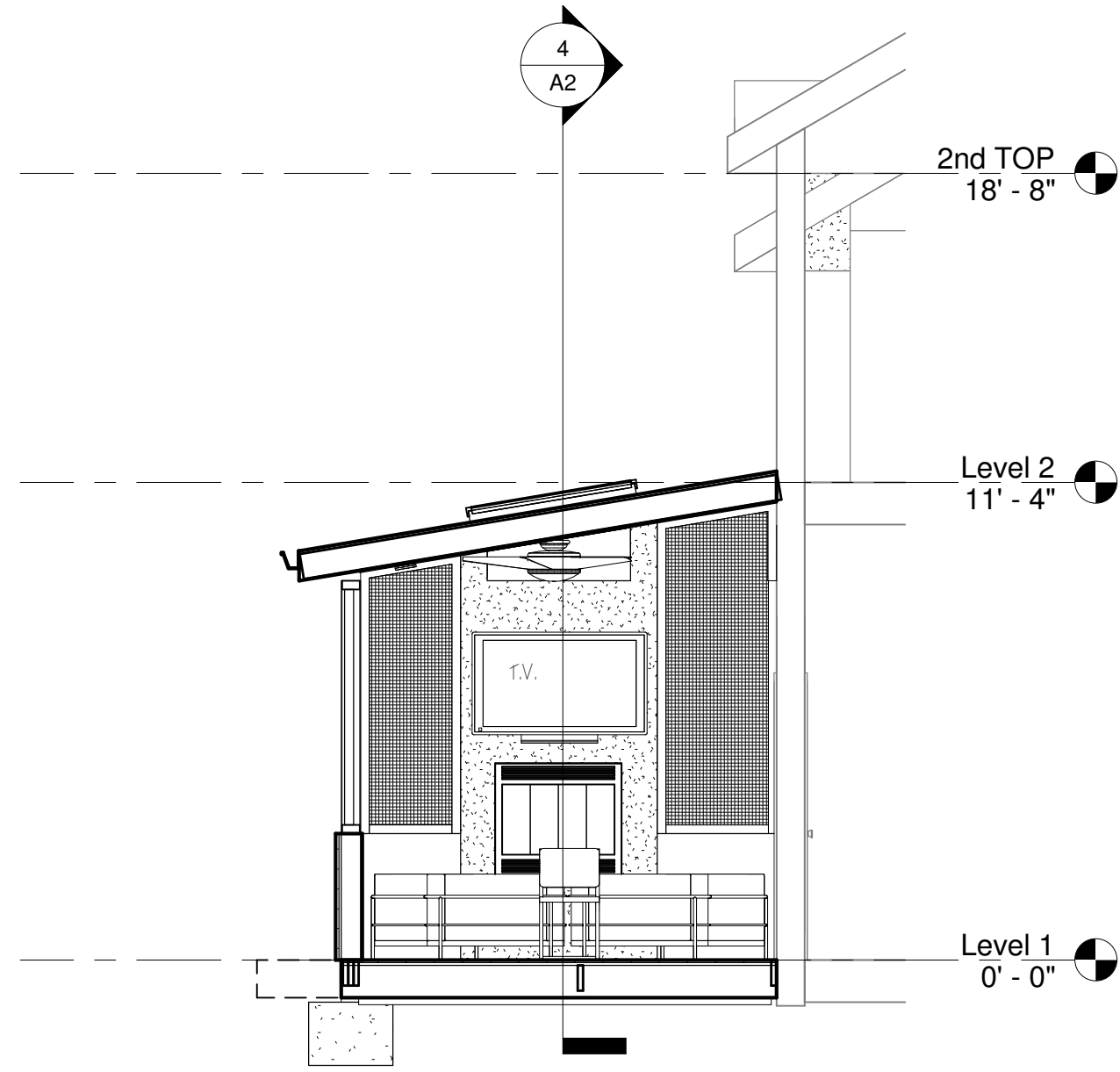
Date 2.1.22

Drawn By III

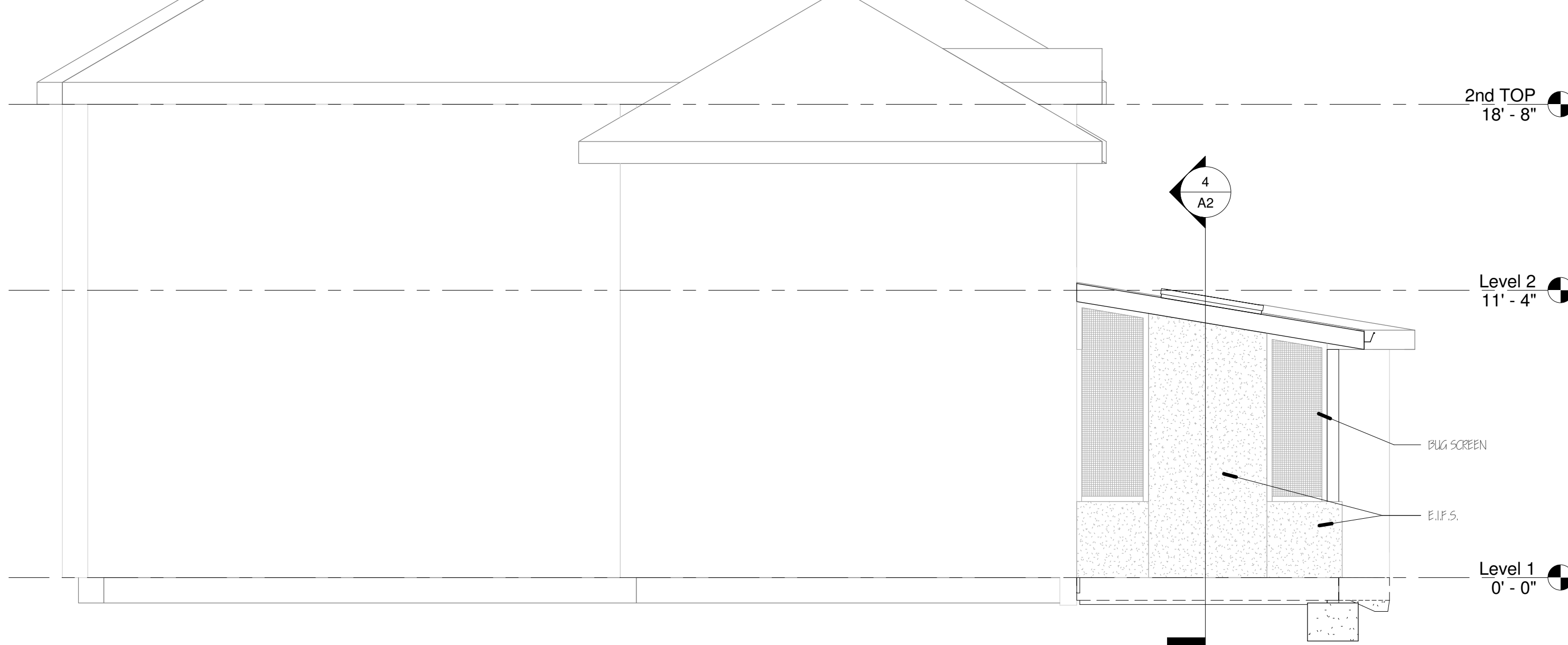
Checked By Checker

A2

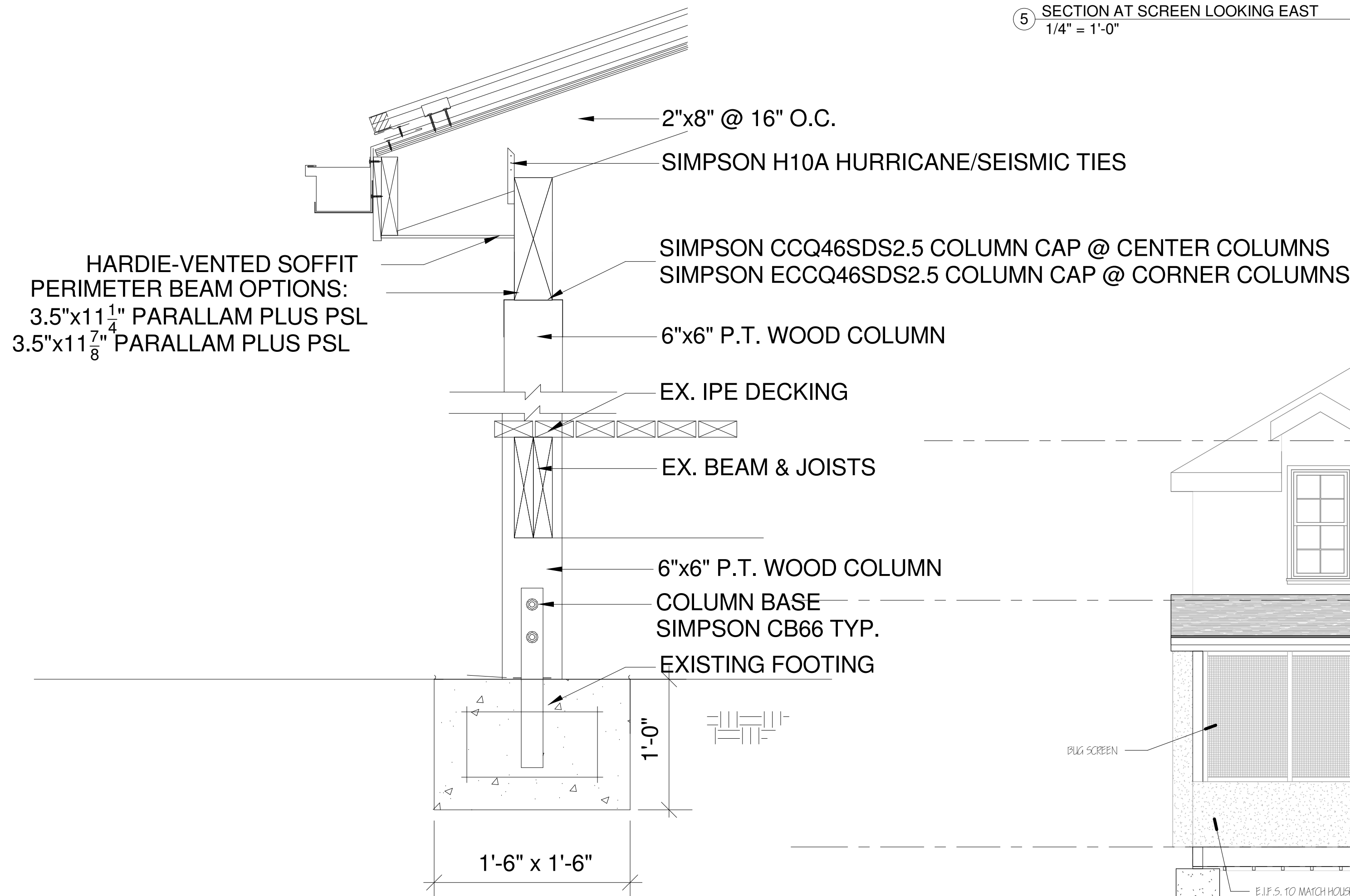
Scale As indicated



5 SECTION AT SCREEN LOOKING EAST  
1/4" = 1'-0"



3 EAST  
1/4" = 1'-0"



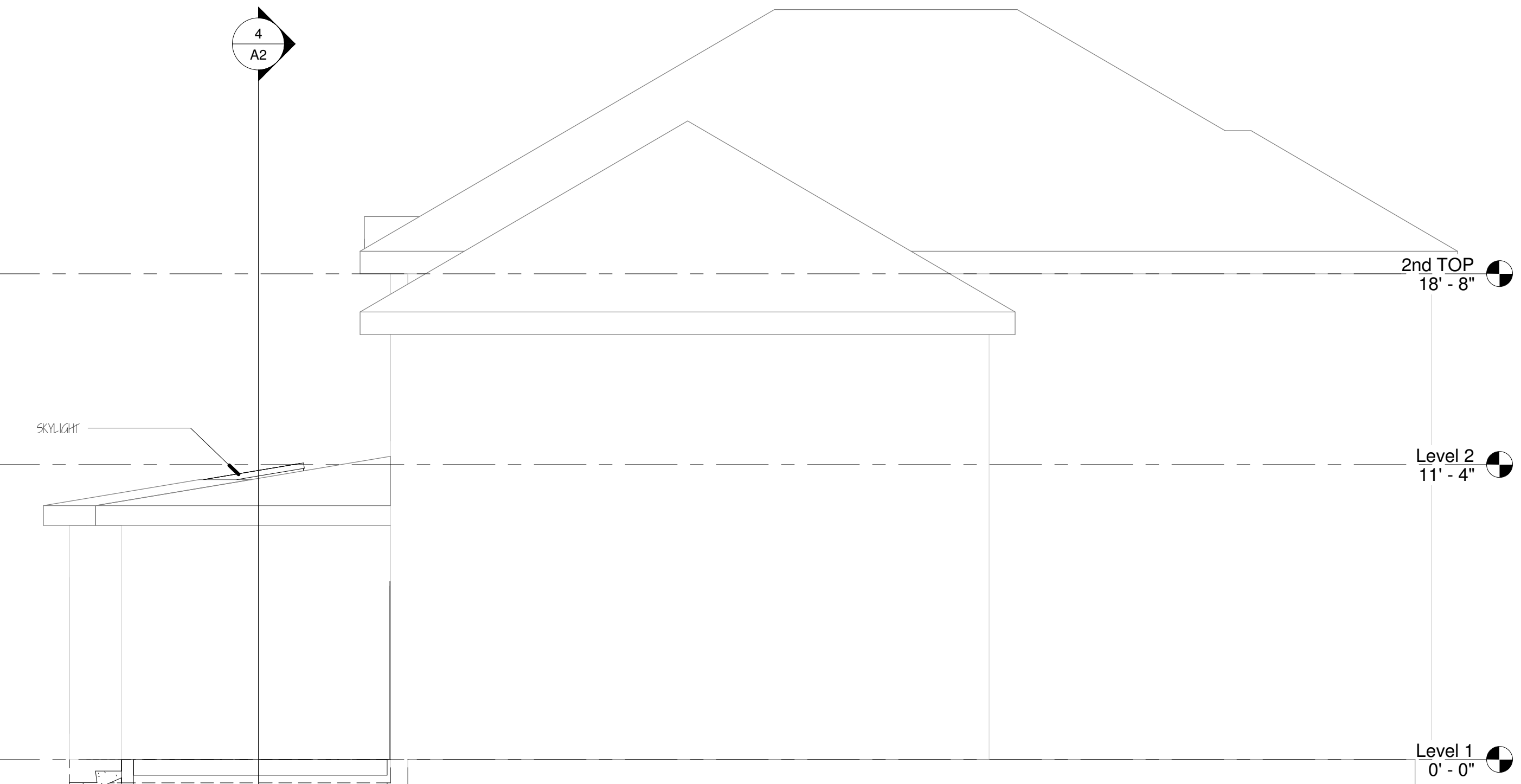
6 SCREEN PORCH SECTION  
1 1/2" = 1'-0"



2 BACK  
1/4" = 1'-0"



4 SECTION @ SCREEN PORCH  
1/4" = 1'-0"



1 WEST  
1/4" = 1'-0"

2.1.22





## PERMIT CORRECTIONS REPORT (BR22-00196) FOR TYLER TECHNOLOGIES

**PERMIT ADDRESS:** 55 WEMBLEY LN  
Sandy Springs, GA 30342  
**PARCEL:** 17 012200040060

**APPLICATION DATE:** 02/18/2022 **SQUARE FEET:** 432.00 **DESCRIPTION:** SCREENING 432 SF EXISTING DECK  
**EXPIRATION DATE:** **VALUATION:** \$55,000.00

| CONTACTS             | NAME             | COMPANY | ADDRESS                                    |
|----------------------|------------------|---------|--------------------------------------------|
| Applicant            | Allison Labovitz |         | 55 Wembley lane<br>Sandy springs, GA 30342 |
| Contractor (General) | Allison Labovitz |         | 55 Wembley lane<br>Sandy springs, GA 30342 |
| Property Owner       | Allison Labovitz |         | 55 Wembley lane<br>Sandy springs, GA 30342 |

### Building Residential Decks & Covered Porches

| REVIEW ITEM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | STATUS             | REVIEWER                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------------------------------------------------------|
| Arborist v.1<br><br>Arborist                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Approved           | James Sanders Ph: 770-730-5600 email: jsanders@sandyspringsga.gov   |
| Building Residential v.1<br>Building                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Approved           | Brenda Page Ph: 770-730-5600 email: bpage@sandyspringsga.gov        |
| Planning and Zoning v.1<br><br>Planning and Zoning                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Denied             | Akeenan Bridges Ph: 770-730-5600 email: abridges@sandyspringsga.gov |
| Site v.1<br>Site                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Revisions Required | Jon Amsberry email: jamsberry@sandyspringsga.gov                    |
| <p>Correction: General - Jon Amsberry (3/7/22) - Not Resolved</p> <p>Corrective Action: 1. Label and quantify limits of disturbance.</p> <ol style="list-style-type: none"><li>Call out Erosion Control BMPs with Symbols as required in the Erosion and Sediment Control Manual for Georgia.</li><li>Provide finished floor elevation of proposed deck and show Full Drainage Easement for this property. This site has a detention pond located on it. The deck must be a minimum of 3 feet above the 100-year High Water Elevation for the detention pond.</li><li>Show the FEMA Floodplain and the City of Sandy Springs Future Conditions Floodplain on the plan.</li><li>Add the following note to the site plan:<br/>"The existing driveway may be used as a Construction Exit provided that all construction vehicles are confined to existing paved areas on Site. Any tracking of Dirt, Silt, Mud, etc. onto street will result in an immediate 'Stop Work' Order. The 'Stop Work' Order will not be lifted until a Construction Exit is constructed in accordance with the current Detail."</li><li>Add the following General Notes:<ol style="list-style-type: none"><li>Topography is based on field run data by (Company) on (date).<br/>The field run topography date should not be earlier than the Site's Final Plat date.</li><li>No decks, patios, or permanent structures permitted in buffers or easements.</li><li>Non-exempt activities shall not be conducted within the 25 or 50-Foot undisturbed buffers as measured from the point of wrested vegetation without first acquiring the necessary variances and permits.</li><li>Waste materials shall not be discharged to waters of the State, except as authorized by a Section 404 Permit.</li><li>The escape of sediment from the Site shall be prevented by the installation of Erosion and Sediment Control measures and practices prior to land disturbing activities.</li><li>Erosion and Sediment Control measures shall be maintained at all times. If full implementation of the approved Plan does not provide for effective erosion control, additional Erosion and Sediment Control measures shall be implemented to control or treat the sediment source.</li><li>Any disturbed area left exposed for a period greater than 14 days shall be stabilized with mulch or temporary seeding.</li><li>The Design Professional whose signed and dated Seal appears hereon, affirms that the Site was visited prior to the preparation of this Site Plan by (himself / herself) or (his / her) authorized Agent under (his / her) supervision.</li></ol></li></ol> |                    |                                                                     |



## PERMIT CORRECTIONS REPORT (BR22-00196)

- i. Contact the Department of Community Development through the portal to schedule a Pre-Construction Meeting with the site inspector prior to any land disturbance.

(The cut-off time for next day inspection is 2pm.)

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TREY LUCAS  
ARCHITECTURE  
& CONSTRUCTION

3.14.22

Sandy Springs  
Building & Zoning Department  
2160 Satellite Blvd NW  
Suite 300  
Duluth, GA 30097

Re: parcel 17 012200040060 located at 55 Wembley Lane, Sandy Springs, GA 30342. The scope of work is to remove the existing deck and it's foundation which is to be replaced with the same footprint with new footings, decking and screen walls with a new roof.

To whom it concerns:

1. A total of 5 new concrete footings (18"x18"x12") along with removal of existing footings are the limits of disturbance. For a total disturbance of 12-15 s.f..
2. sd1 label has been added to the silt fence indicated on the site plan.
3. The finish floor for the deck will remain the same as existing deck along with finish floor of existing house. Added flood plain map.
4. The Flood plain won't change. We aren't adding any more impervious surfaces, just replacing worn out deck with new covered screen porch.
5. Added another note stating the existing driveway may be used as Construction Entrance.

Trey Lucas Architecture & Construction  
324 Eastland Drive, Decatur, GA 30030  
T: 404.378.7431 trey@treylucas.com



6. Add 9 general comments to the site plan.

As always, please contact me with any questions, comments or complaints.

Sincerely,

Fred R. Lucas III aka Trey Lucas

RA17454

Allison Labovtiz, homeowner



# Board of Appeals

August 3, 2022



**SANDY SPRINGS™**  
GEORGIA



**V22-0024**  
**55 Wembley Lane**

**STAFF RECOMMENDATION:**  
**Approval**

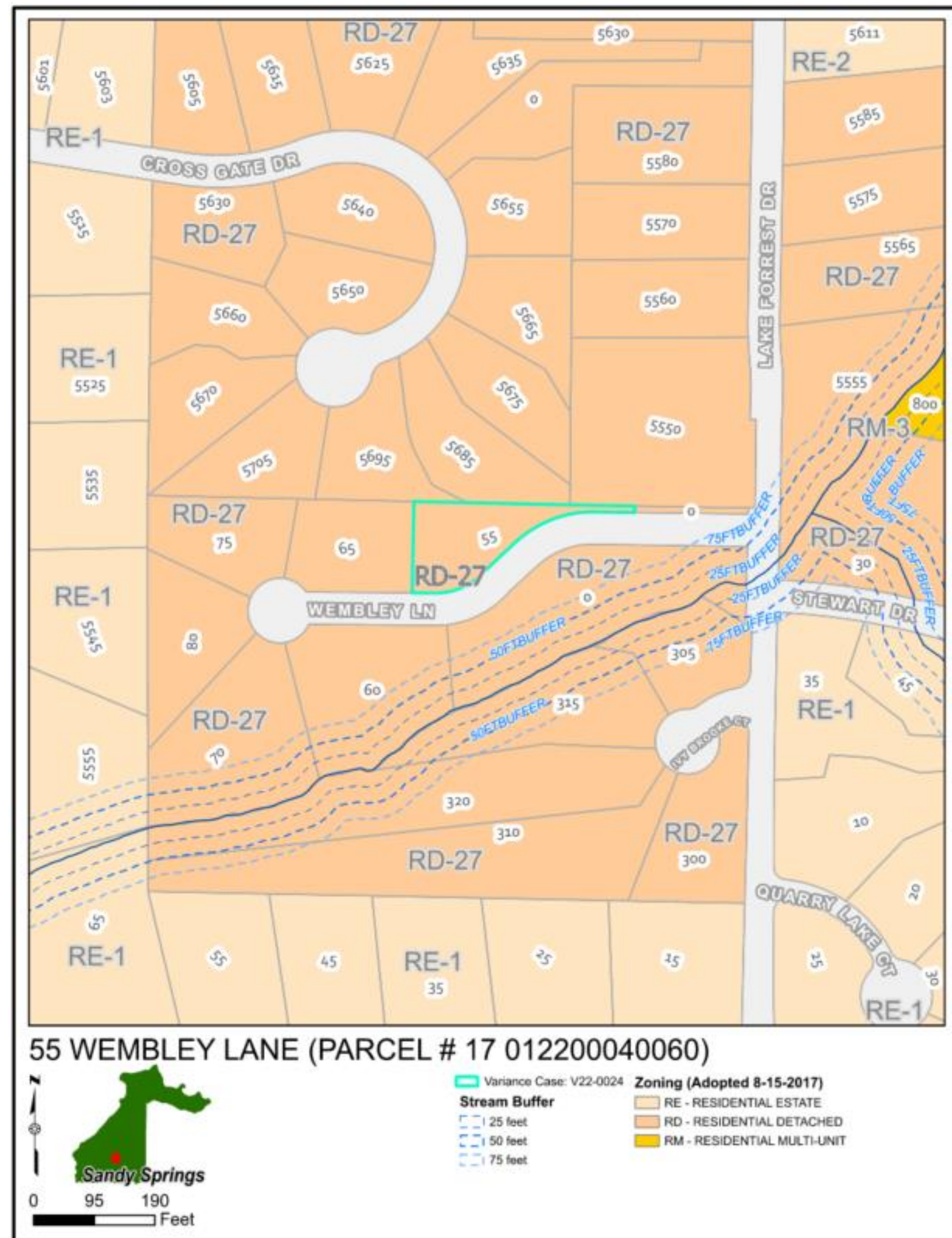


# Request

- Request for a variance from Sec. 6.1.2.B.1.c. to allow for an encroachment of an enclosed deck into the rear setback.

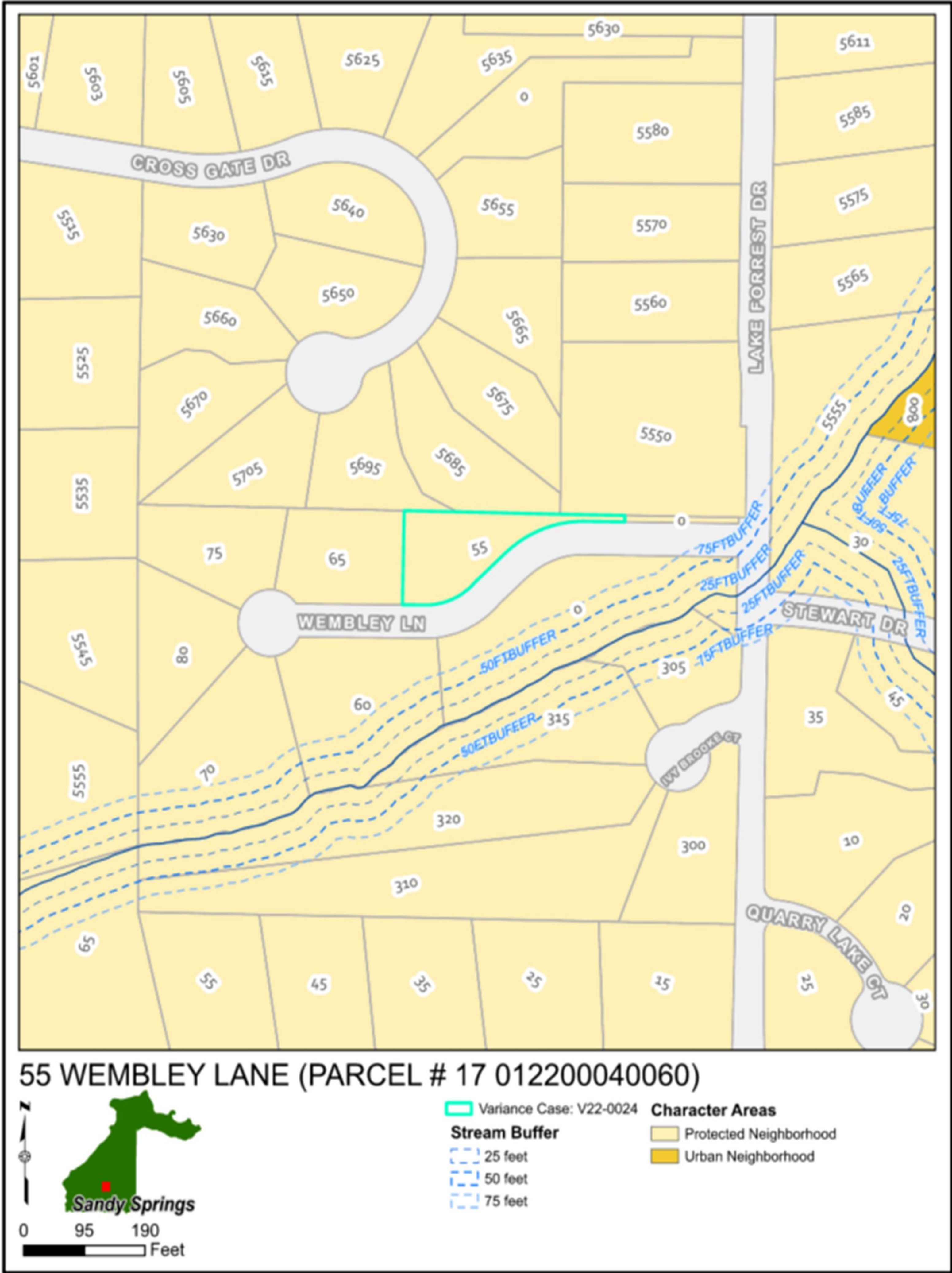


# Zoning Map



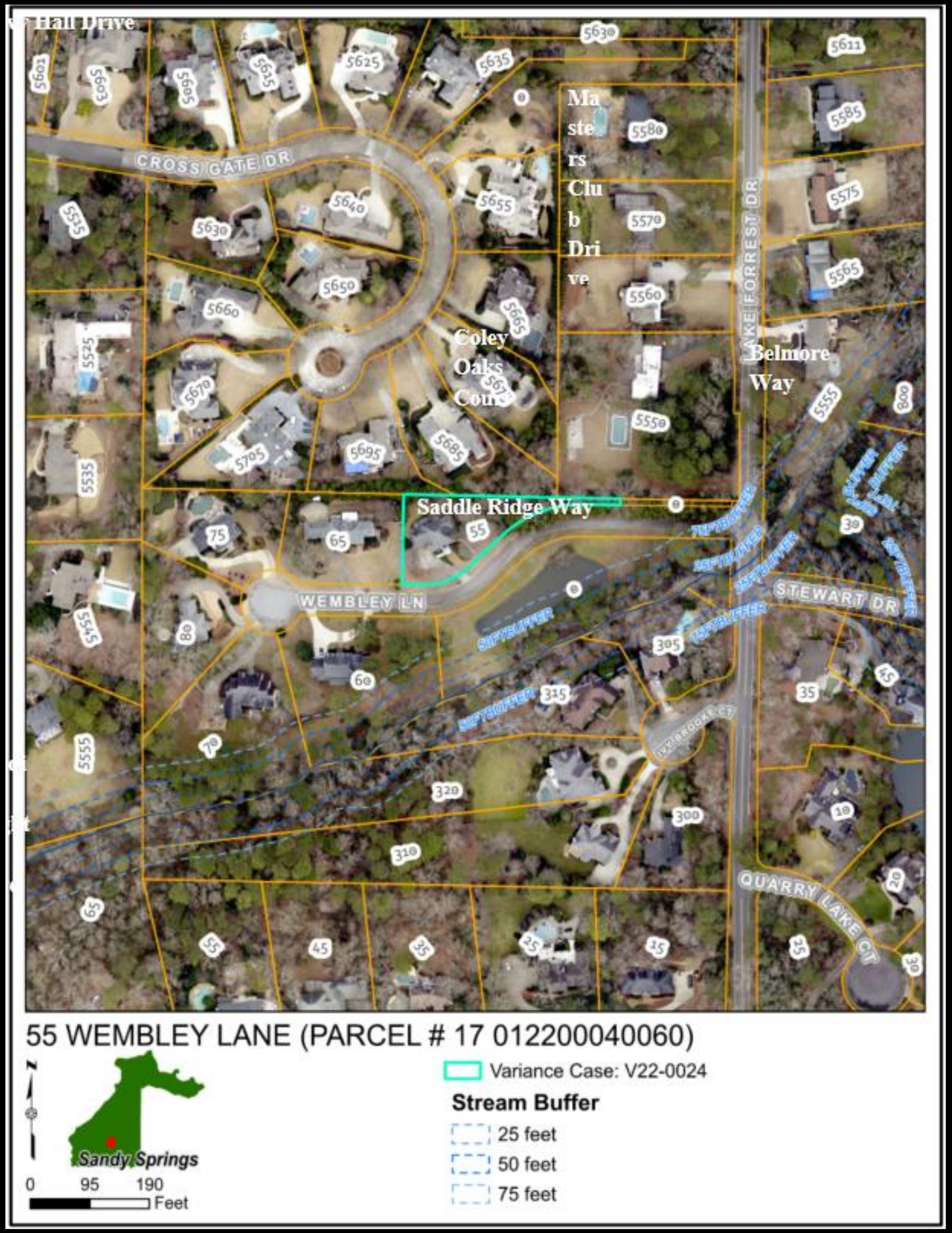


# Character Area Map



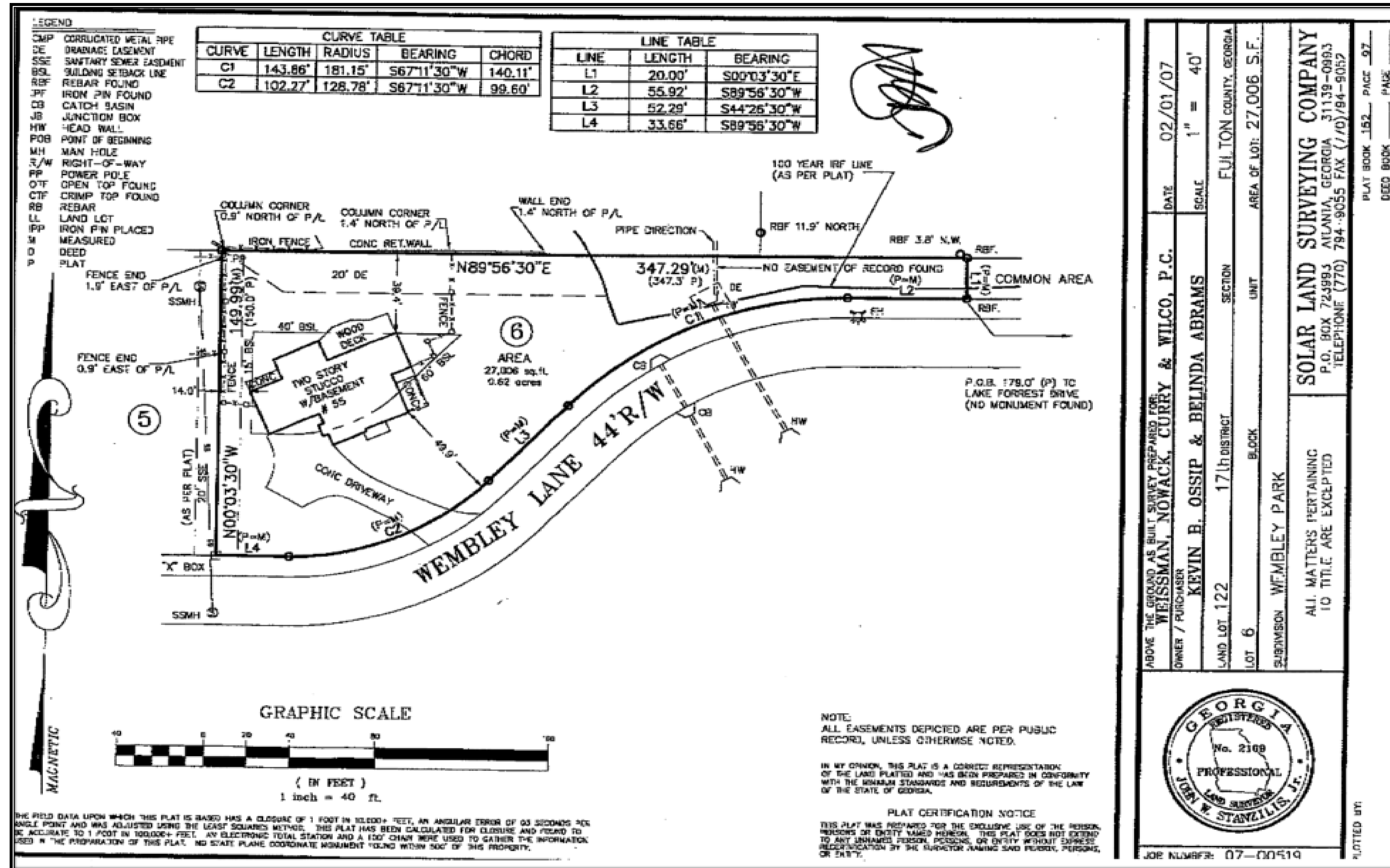


# Aerial Image





# Survey



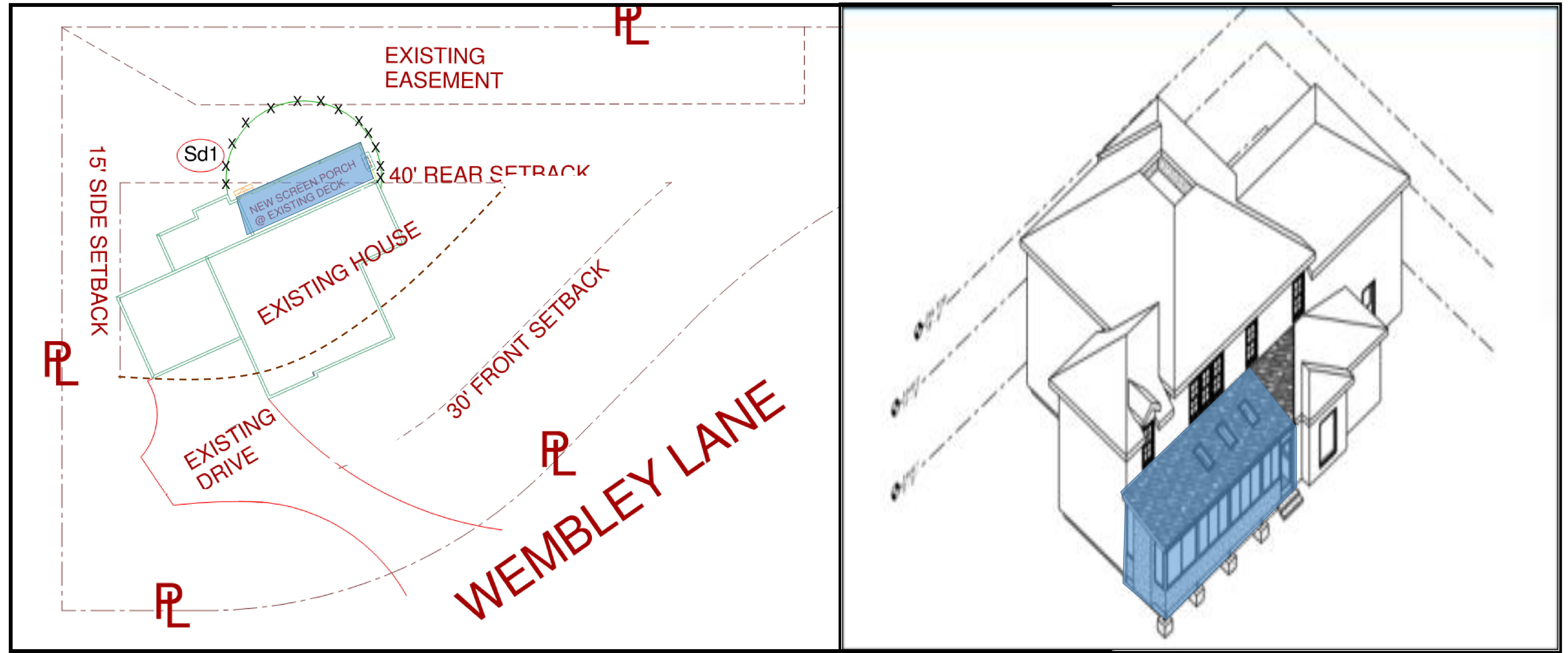


# Existing & Proposed Development

- The 0.71-acre subject property, RD-27 (Residential Detached) property is developed with a two-story house.
- The house has an existing deck that encroaches into the rear setback up to 10' 10."
- The applicant is seeking to add a roof and screening to the existing deck which would create an enclosed deck which is not permitted in a rear setback.



# Proposed Development





# Existing Conditions





# V22-0024 Variance Considerations

- **There are extraordinary and exceptional conditions to the size, shape, or topography of the property:**
  - The property is 3/4 of an acre in total size; however, it is atypical in that a large portion of the lot consists of an unbuildable strip.
  - It also has an overabundant primary street setback due to the sweeping curvilinear street frontage
  - This unusual shape reduces the buildable area of lot to approximately a tenth of the normal buildable area
  - The distance to the nearest neighboring structure is approximately 60' and the property is well screened with natural vegetation
  - The deck as it is proposed is also moderately elevated and not as imposing as a typical basement deck



# Recommendation

- Staff recommends **Approval of Variance V22-0024**, with the following condition:
  - That the development be constructed substantially similar to the site plan which was provided as a part of the application package.