



P&Z STAFF REPORT

Board of Appeals Hearing; January 14, 2016

Case: **V15-0045 – 380 Montevallo Drive**

Staff Contact: Brittany Anderson (banderson@sandyspringsga.gov)

Report Date: December 30, 2015

REQUEST

Variance from Section 6.4.3.C of the City of Sandy Springs Zoning Ordinance to encroach six (6) feet into the required ten (10) foot side yard setback to allow for an existing carport; and Variance from Section 6.4.3.C of the City of Sandy Springs Zoning Ordinance to encroach one and a half (1.5) feet into the required ten (10) foot side yard setback to allow for an existing home and a proposed second floor addition.

APPLICANT

Property Owner: Thomas & Emily Followill	Petitioner: Thomas & Emily Followill	Representative: N/A
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PROPERTY INFORMATION

Location:	380 Montevallo Drive
Council District:	5; Tiberio DeJulio
Road frontage:	Approximately 100 feet along Montevallo Drive
Acreage:	0.513 acre
Existing Zoning:	R-3 (Single Family Dwelling District)
Existing Land Use:	Single Family Dwelling
Overlay District:	N/A
Special Planning Area:	N/A
Future Land Use Designation:	R1-2 (1-2 units per acre)

SUMMARY

The applicant is proposing to expand the existing home by adding a second story. Currently, there are two non-conforming conditions related to the existing structure. The existing carport currently encroaches six (6) feet into the required ten (10) foot side yard setback and a portion of the existing home encroaches one and a half (1.5) feet into the required ten (10) foot side yard setback. Before the applicant can be permitted to build the proposed second story addition, variances are required to bring the non-conforming structure into compliance.

RECOMMENDATION

Department of Community Development

Approval conditional of the variance requests

AERIAL IMAGE



ZONING MAP

380 Montevallo Dr



VARIANCE CONSIDERATION

Per article 22.3.1. Variance Considerations of the Zoning Ordinance, primary variances and concurrent variances shall only be granted upon showing that:

A. Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,

B. The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

Request: (6.4.3.C) Request to allow an encroachment of six (6) feet into the required ten (10) foot minimum side yard setback for an existing carport; and to allow an encroachment of one and half (1.5) feet into the required ten (10) foot minimum side yard setback to allow for an existing home and a proposed second floor addition.

Finding: The existing house pre-dates the City and the applicant is proposing to remodel the existing home and add a second story to the structure that would sit on top of the existing footprint. The existing carport encroaches six (6) feet into the required ten (10) foot minimum side yard setback and a portion of the existing home encroaches one and half (1.5) feet into the required ten (10) foot minimum side yard setback. The proposed second story addition would not increase the non-conformity of the structure nor will the proposed work encroach further into the minimum side yard setback than it is already.

Staff recommends **APPROVAL CONDITIONAL**

COMMENTS FROM OTHER PARTIES

None received

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff has reviewed the request relative to the variance standards contained in Section 22.3.1 of the Sandy Springs Zoning Ordinance. Based upon this review, staff recommends **APPROVAL CONDITIONAL** of variance request V15-0045 to allow an existing carport to encroach six (6) feet into the required ten (10) foot minimum side yard setback and the existing home and second story addition to encroach one and a half (1.5) feet into the required ten (10) foot minimum side yard setback.

Should the Board of Appeals choose to approve the requests, staff recommends the following condition:

1. To allow an existing carport and existing home and a proposed second story addition to encroach into the required ten (10) foot minimum side yard setback, as shown on the site plan and design plan dated received October 30, 2015 by the Department of Community Development.
2. Any revisions of the submitted site plan must be reviewed and approved by Staff.

V15-0045



VARIANCE PRE-APPLICATION REVIEW

TYPE OF VARIANCE:

Administrative: ☐	Administrative Minor: ☐	Minor: ☐
Primary: ☒	Secondary/Interpretation: ☐	River Corridor: ☐
Subdivision Regulations: ☐	Other: ☐	

Applicant: Thomas + Emily FollowillPhone: 404.786.4508 - Emily cellEmail: emilyfollowill@mac.comSubject Property Address: 380 Montevallo Dr.Existing Zoning: R-3Land Lot(s): 67Subdivision Name: Montevallo

Unit/Phase: _____

Total Acreage: -513 acresLot Frontage: 100'Owner: Thomas + Emily FollowillPhone: 404.786.4508Email: emilyfollowill@mac.comRepresentative: same as above

Phone: _____

Email: _____

Topo Map Required? _____

Stream(s) within 100' of subject property Yes ☐No ☒City Arborist visit required to verify Streams (Michael Barnett 770-206-1572) Yes ☐ No ☒Notified applicant of required plans Yes ☒ No ☐Verified compliance with other regulations Yes ☒ No ☐Planner Initials BAAddress: 380 Montevallo Dr. ATL 30342

Fax: _____

Tax PIN(s): _____

Zoning Case History: _____

District: 17Lot No. (s): 4 Block A

Council District: _____

Future Land Use: _____

Address: 380 Montevallo Dr. ATL 30342

Fax: _____

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Address: _____

City Of Sandy Springs

Fax: _____

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Overlay District (if applicable): _____

REQUESTED VARIANCES:

Article/Section: 6.4.3c Request: Request to encroach 6 feet into the
Required Side Yard - left side (carport)

Article/Section: 6.4.3c Request: Request to encroach 1.5 feet into the
Required Side Yard - Right side

Article/Section: _____ Request: _____

Article/Section: _____ Request: _____

ADDITIONAL INFORMATION: providing photographs of playground

ATTENDANCE IS REQUIRED AT THE FOLLOWING MEETINGS: BOA

APPLICANT'S SIGNATURE: To the best of my knowledge, this pre-application review is correct and complete. If additional variances are determined to be necessary, I understand that I am responsible for filing an appeal as specified by Article XXII of the City of Sandy Springs Zoning Ordinance.

Applicant: [Signature] Date: 10/28/15

Planner: [Signature] Date: 10/28/15

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SANDY SPRINGS GEORGIA

VARIANCE APPLICATION

ALL APPLICABLE ITEMS ARE DUE AT THE TIME OF FILING.
AN INCOMPLETE APPLICATION WILL NOT BE ACCEPTED.

ITEM #	REQUIRED ITEM	NUMBER OF COPIES	CHECK ✓
PRIMARY/SECONDARY VARIANCE:			
1	Pre-Application Review Form	1 copy	✓
2	Variance Application	1 original plus 1 additional copy if petition includes a concurrent variance	✓
3	Fee	See attached schedule	
4	Site Plan drawn to scale; one of the required copies must be 8 1/2" x 11"; for sign variances 11"x17"	1 copy of scaled site plan and 2 copies of 8 1/2" x 11" site plan; plus 1 additional copy if petition includes a concurrent variance; electronic copy of scaled site plan	✓
5	Survey with Topography & Trees; one of the required copies must be 8 1/2" x 11"; for sign variances 11"x17"	1 copy	✓
6	Legal Description of Property Metes & Bounds	1 copy plus 1 additional copy if petition includes a concurrent variance	✓
7	Letter of Appeal	2 copies; plus 1 additional copy if petition includes a concurrent variance; plus 1 additional copy if project includes a DRI or MARTA review	✓
8	Sign or wall elevations with dimensions (if applicable)	1 copy; plus 1 additional copy if petition includes a concurrent variance	N/A
9	Site Plan Checklist	1 original	✓
10	Sign Posting Requirements	1 original	✓
MINOR/ADMINISTRATIVE/ADMINISTRATIVE MINOR VARIANCE:			
1	Pre-Application Review Form	1 copy	
2	Variance Application	1 original	
3	Fee		
4	Site Plan (drawn to scale); one of the required copies must be 8 1/2" x 11"	1 copy of each size	
5	Survey with Topography & Trees	1 copy	
6	Legal Description of Property Metes & Bounds	1 copy plus 1 additional copy if petition includes a concurrent variance	
7	Letter of Appeal	1 copy	
8	Letters from Adjacent Property Owners (Minor variance only)	1 original	
9	Site Plan Checklist	1 original	
10	Sign Posting Requirements	1 original	

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- ITEM 1. **PREAPPLICATION REVIEW MEETING AND FORM:** Prior to submitting an application, all applicants are required to meet with a current planner who will review the applicant's proposal and site plan and complete a Pre-application Review Form. This meeting must be completed by the Friday before Tuesday's filing deadline. Applicants are required to bring the site plan, property address, and tax parcel identification number(s) to the meeting. Call 770-730-5600 to schedule an appointment.
- ITEM 2. **APPLICATION FORM:** Original and notarized signatures of the property owner(s) and applicant(s) or notarized statement by the applicant as to ownership are required.
- ITEM 3. **FEE:** See attached fee schedule.
- ITEM 4. **SITE PLAN:** Site plans should be no larger than 30" x 42" (one should be 8 1/2" x 11") and drawn to scale.
- ITEM 5. **SURVEY WITH TOPOGRAPHY & TREES:** Topography maps may be required by the Department
- ITEM 6. **LEGAL DESCRIPTION:** The legal description must be a *metes and bounds* description of the property that establishes a point of beginning and gives directions (bounds) and distances (metes) of property lines. If the property consists of more than one parcel, all parcels must be combined into one legal description.
- ITEM 7. **LETTER OF APPEAL:** The Letter of Appeal should state the hardship, background and justification for the variance request and any additional information to support the request. The hardship should address the property's limitations preventing compliance with the zoning standards. Refer to Article 22, Section of the City of Sandy Springs Zoning Ordinance for additional information. Detail must be based on one of three variance considerations as follows:
- 22.3.1. **VARIANCE CONSIDERATIONS.** Variances may be considered in all districts. Primary variances and concurrent variances shall only be granted upon showing that:
- A. Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,
 - B. The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or,
 - C. Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements can not be read from an adjoining public road.
- ITEM 8. **SIGN OR WALL ELEVATIONS.** If the requested modification is pertinent to signage, sign and/or wall elevations and other details shall be required as appropriate.
- ITEM 9. **SITE PLAN CHECKLIST:** The site plan checklist details the minimum requirements for site plans submitted with variance applications. Prior to submitting an application, a review of the site plan and sign-off by the Department of Community Development is required.

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CHECK ONE OF THE FOLLOWING REQUESTED VARIANCE TYPES IN SECTION I OR II:

SECTION I. VARIANCES REQUIRING A PUBLIC HEARING BY THE BOARD OF APPEALS.

- ☒ 1) **PRIMARY VARIANCE:** Seeks relief from the Zoning Ordinance and other City Ordinances.
- ☐ 2) **SECONDARY VARIANCE:** Interpretations, relief of an adverse decision by any official of the City of Sandy Springs, or relief from Minor, Administrative or Administrative Minor requests.

SECTION II. MINOR, ADMINISTRATIVE & ADMINISTRATIVE MINOR VARIANCES (NO PUBLIC HEARING IS REQUIRED).

- ☐ 1) **MINOR VARIANCE:** Relief from the minimum yard requirements not to exceed 10% of the required setback (e.g. 35-foot front yard = 3.5 foot variance).
- ☐ 2) **ADMINISTRATIVE VARIANCE.** Relief from the requirements of Article XXXIV, Development Regulations.
- ☐ 3) **ADMINISTRATIVE MINOR VARIANCE.** Relief of 1 foot or less from the required building setback.

SECTION III. DESCRIPTION OF VARIANCE REQUEST. Please provide details of the requested variance.

ORDINANCE: 6.4.3c. ARTICLE: _____ SECTION: 6.4.3c PARAGRAPH: _____
Request to encroach 6 feet into the required side yard - rearport/right side

ORDINANCE: _____ ARTICLE: _____ SECTION: 6.4.3c PARAGRAPH: _____
request to encroach 1.5 feet into the required side yard - left side

ORDINANCE: _____ ARTICLE: _____ SECTION: _____ PARAGRAPH: _____

ORDINANCE: _____ ARTICLE: _____ SECTION: _____ PARAGRAPH: _____

ORDINANCE: _____ ARTICLE: _____ SECTION: _____ PARAGRAPH: _____

SECTION IV. LEGAL DESCRIPTION OF PROPERTY.

PROPERTY ADDRESS: 380 Montevillo Dr. Atlanta, GA 30342

TAX ID#: _____ UNIT/PHASE: _____

LAND LOT(S): 67 DISTRICT: 17

SUBDIVISION NAME: Montevillo Subd.

LOT(S): 4 Block A, plat book 60, page 49

LEGAL ROAD FRONTAGE: N 73° 09' 59" W

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SECTION IV.**OWNER/PETITIONER**

NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:

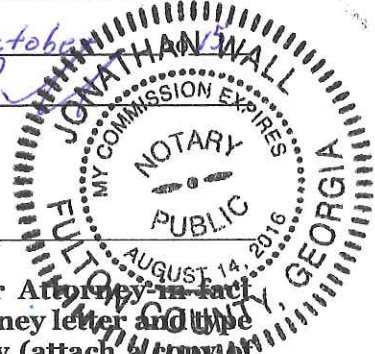
- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application.

Part 1. 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.

Emily Jenkins Followill
TYPE OR PRINT OWNER'S NAME
380 Montevale Dr.
ADDRESS
Atlanta GA 30342
CITY & STATE ZIP CODE
[Signature] 404.786.4508
OWNER'S SIGNATURE PHONE NUMBER

Sworn to and subscribed before me this the

Day of October
[Signature]
NOTARY PUBLIC



PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

Sworn to and subscribed before me this the

TYPE OR PRINT PETITIONER'S NAME
ADDRESS
CITY & STATE ZIP CODE
PETITIONER'S SIGNATURE PHONE NUMBER

Day of _____ 20____
NOTARY PUBLIC

SECTION V.**ATTORNEY / AGENT**

Check One: ☐ Attorney ☐ Agent

TYPE OR PRINT ATTORNEY / AGENT NAME
SIGNATURE OF ATTORNEY / AGENT
ADDRESS
CITY & STATE ZIP CODE
PETITIONER'S SIGNATURE PHONE NUMBER

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SITE PLAN CHECKLIST

Site plans for variance must be folded, drawn to scale, no larger than 30" x 42", and shall, at a minimum, include the following information:

ITEM #	DESCRIPTION	CHECK
1.	Key and/or legend and site location map with North arrow	✓
2.	Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning	✓
3.	Acreage of subject property	✓
4.	Location of land lot lines and identification of land lots	✓
5.	Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property	✓
6.	Proposed streets on the subject site	✓
7.	Posted speed limits on all adjoining roads	✓
8.	Current zoning of the subject site and adjoining properties	✓
9.	Existing buildings with square footages and heights (stories and feet), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property	✓
10.	List of all variances requested and location on property	✓
11.	Location of proposed buildings with total square footage; if proposed is an addition to an existing building include floor plan	✓
12.	Layout and minimum lot size of proposed single family residential lots	✓
13.	Topography (surveyed or County) on subject site and adjacent property within 200 feet as required to assess runoff effects	✓
14.	Location of major overhead and underground electrical and petroleum transmission/conveyance lines	✓
15.	Required and/or proposed setbacks	✓
16.	100 year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps	✓
17.	Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed	✓
18.	Required and proposed parking spaces; Loading and unloading facilities	✓
19.	Lakes, streams and other waters on the site and associated buffers	✓
20.	Proposed stormwater management facilities	✓
21.	Tree lines, woodlands and open fields on subject site	✓
22.	For variances related to stream buffers, include an Impervious Surface Chart with square footages of: _____ Total area of existing encroachments, calculated by buffer (0'-25', 25'-75', and 50'-75' buffers); _____ Total area of proposed encroachments, calculated by buffer (0'-25', 25'-75', and 50'-75' buffers); _____ Total area of increased encroachments, calculated by buffer (0'-25', 25'-75', and 50'-75' buffers)	N/A
23.	A Development Statistics Summary Chart with percentage (%) of total site coverage: _____ Total area of site (total acres or sq. feet = 100%); _____ Buildings (sq. feet and %); _____ Parking spaces (number and %); _____ Total impervious surface (sq. feet and %); _____ Landscaping (sq. feet and %); _____ Flood plain (sq. feet and %); _____ Undeveloped and/or open space (sq. feet and %)	✓
24.	For variances related to zoning and/or stream buffers, include limits of disturbance.	✓

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Office use only:

I hereby certify that I have completed a preliminary review of the site plan for this project and determined that it meets the minimum standards specified.

Staff signature: B. Anderson

Date: 10/30/15

Planning & Zoning Division
Department of Community Development

Staff printed name: B. Anderson

The undersigned acknowledges that the site plan is submitted in accordance with Article 28.5.2 of the City of Sandy Springs Zoning Ordinance and failure to comply shall render my application incomplete which may result in delay in the process of this application.

Applicant signature: Emily J. Followill

Date: 10/30/15

Applicant printed name: Emily J. Followill

Variances and Fees		
MINOR VARIANCE, ADMINISTRATIVE VARIANCE, ADMINISTRATIVE MINOR VARIANCE, PRIMARY VARIANCE, SECONDARY VARIANCE, BUILDING CODE VARIANCE	Single-Family Residential Zoning Districts and AG-1 District for Residential uses only	\$250 plus \$50 for each additional variance request on the same piece of property
	Multi-Family Districts, Non- Residential Districts, and Commercial Uses in Residential or AG-1 Districts	\$350 plus \$100 for each additional variance request
	All Signs	\$350 plus \$100 for each additional variance request

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City of Sandy Springs Sign Posting Information

The Planner will provide sign pickup date and posting deadlines.

Once you are notified:

1. The sign(s) shall be picked up at time of application from staff.
2. The signs are roughly 9 square feet (3 x 3). Please be prepared to obtain some type of posts that will secure the signs in the ground.
3. The signs must be posted by 8:30 a.m. on the deadline day.
4. Should the petition be deferred, the petitioner is required to post an updated sign with new hearing dates twenty (20) days prior to the next scheduled hearing date. When a land use petition is deferred for less than twenty (20) days, posting an updated sign is not required. Sign posting on trees and utility poles is not allowed.
5. The failure of a petitioner or agent on two (2) consecutive occasions to post notice as required by the Zoning Ordinance in connection with a petition shall be considered willful disregard of the petitioner's obligation to comply with this Zoning Ordinance. In such event, the petition shall be denied and shall be subject to all provisions herein relating to denied petitions.
6. The applicant shall submit a date stamped photograph of the sign as posted to the Department of Community Development.
7. Please be advised that the applicant is responsible for removing the posted sign (s) within forty-eight (48) hours after the case process is fully completed. A citation will be issued for signs not removed within the forty-eight (48) hours.
8. The cost of each sign is \$25.00

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Community Development



PLANNER SIGNATURE



APPLICANT SIGNATURE

emily
jenkins
followill

PHOTOGRAPHER

EMILY JENKINS FOLLOWILL
PHOTOGRAPHER

380 MONTEVALLO DRIVE
ATLANTA, GEORGIA
30342

TEL: 404.255.4045

EMAIL:
emily@emilyfollowill.com
www.emilyfollowill.com

Board of Appeals
City of Sandy Springs
7840 Roswell Road, Building 500
Sandy Springs, GA 30350

October 21, 2015

Dear Board of Appeals,

My husband and I are writing to request a variance for our property located at 380 Montevallo Drive, Atlanta, GA 30342. We have lived in our home since 1999. We love our neighborhood, but we would like to remodel our home to give our family more space. Bradley Heppner has drawn us a beautiful home which will add a second story to the existing structure.

We are requesting a Primary Variance. The existing home has two non-conforming conditions. The existing carport to the west and a small portion of the house to the east are currently within the building setback. Our proposed design calls for constructing a second story addition on top of this existing footprint, enclosing the existing carport to create a secure garage, and an extension to the rear of the existing carport in order to develop a secondary means of ingress and egress to the upper floor and a porch. This extension would remain aligned with the existing carport and would not increase the existing non-conformity.

The proposed plan is very much in keeping with current and recent renovations and new construction within the neighborhood. By providing a secondary means of egress to the bedrooms on the second floor, it preserves and improves upon the functional layout of the house. The proposed improvements do not restrict access to the property, nor restrict light, and air circulation to the property and adjacent homes. The improvements enhance the value of the property and protect against future blight within the neighborhood, and maintain a standard of living that is consistent with the spirit and intent of the neighborhood.

Please consider our application and attached plans, as we are eager to further enhance our neighborhood, with a home that adds value to the community and provides a safe and updated dwelling in which to raise our children.

Many thanks,

Emily Followill

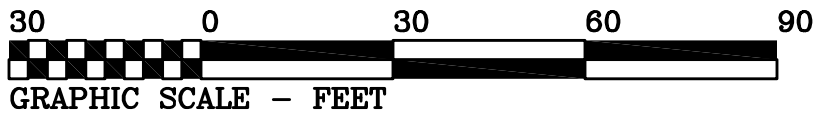
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MAGNETIC NORTH

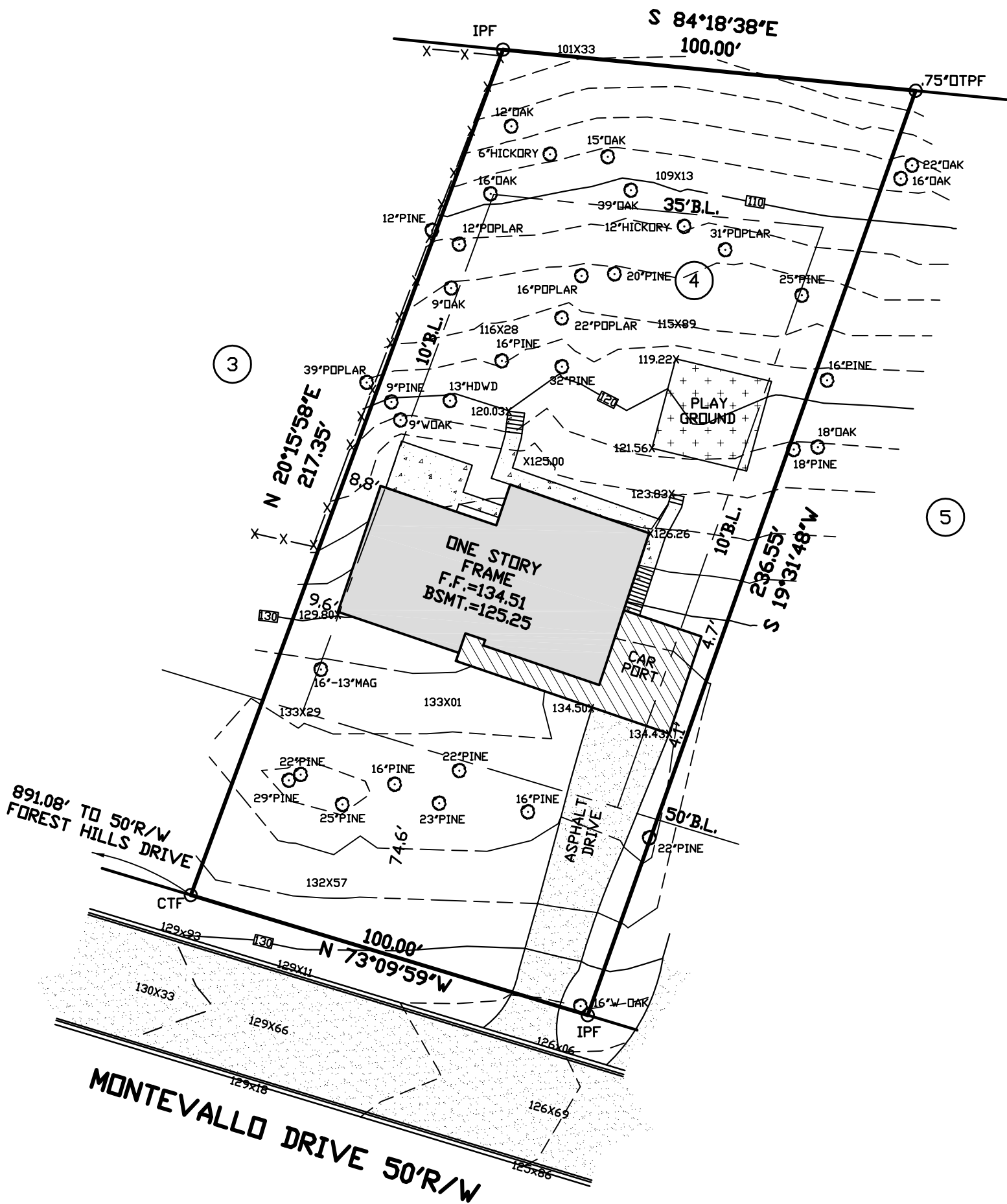
- LEGEND
- IPF. IRON PIN FOUND (1/2" REBAR)
 - IP.S. IRON PIN SET (1/2" REBAR)
 - OT.P. OPEN TOP PIPE
 - CT.P. CRIMPED TOP PIPE
 - U.S.C.M.F. U.S. CORP. MONUMENT FOUND
 - C.M.F. CONCRETE MONUMENT FOUND
 - A.X.F. AXLE FOUND
 - R/W. RIGHT OF WAY
 - P.L. PROPERTY LINE
 - C.L. CENTER LINE
 - B.L. BUILDING LINE
 - L.L. LAND LOT
 - L.L.L. LAND LOT LINE
 - G.M.D. GEORGIA MILITIA DISTRICT
 - P.P. POWER POLE
 - P- POWER LINE
 - X- FENCE LINE
 - XTW. CROSS TIE WALL
 - Rad. RADIUS
 - Chd. CHORD
 - Arc. ARC LENGTH
 - Tan. TANGENT
 - N/F. NOW OR FORMERLY
 - P.B. PLAT BOOK
 - D.B. DEED BOOK
 - P.G. PAGE
 - D.E. DRAINAGE EASEMENT
 - S.S.E. SANITARY SEWER EASEMENT
 - F.H. FIRE HYDRANT
 - M.H. MANHOLE
 - U.M.H. UTILITY MANHOLE
 - C.B. CATCH BASIN
 - J.B. JUNCTION BOX
 - D.I. DROP INLET
 - N. NEIGHBORS
 - 899.0 E. EXISTING SPOT ELEVATION
 - 999.0 P. PROPOSED SPOT ELEVATION
 - F.F.E. FINISHED FLOOR ELEVATION
 - SURFACE DRAINAGE FLOW



AREA=
22,332 SQ. FT.
0.513 ACRES

NOTE:
ELEVATIONS ARE ASSUMED AND NOT
TIED INTO MEAN SEA LEVEL.

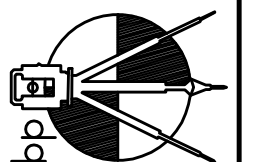
PARCEL ID: 17 006700010375
ZONING: R-3 (AS PER CITY
OF SANDY SPRINGS)



NO. 380 MONTEVALLO DRIVE
ATLANTA, GEORGIA 30342



BUSBEE & POSS
LAND SURVEYING COMPANY
3408 HOWELL STREET, SUITE A
DULUTH, GEORGIA 30096
770.497.9866
FAX: 770.497.9881
www.busbeeposs.com



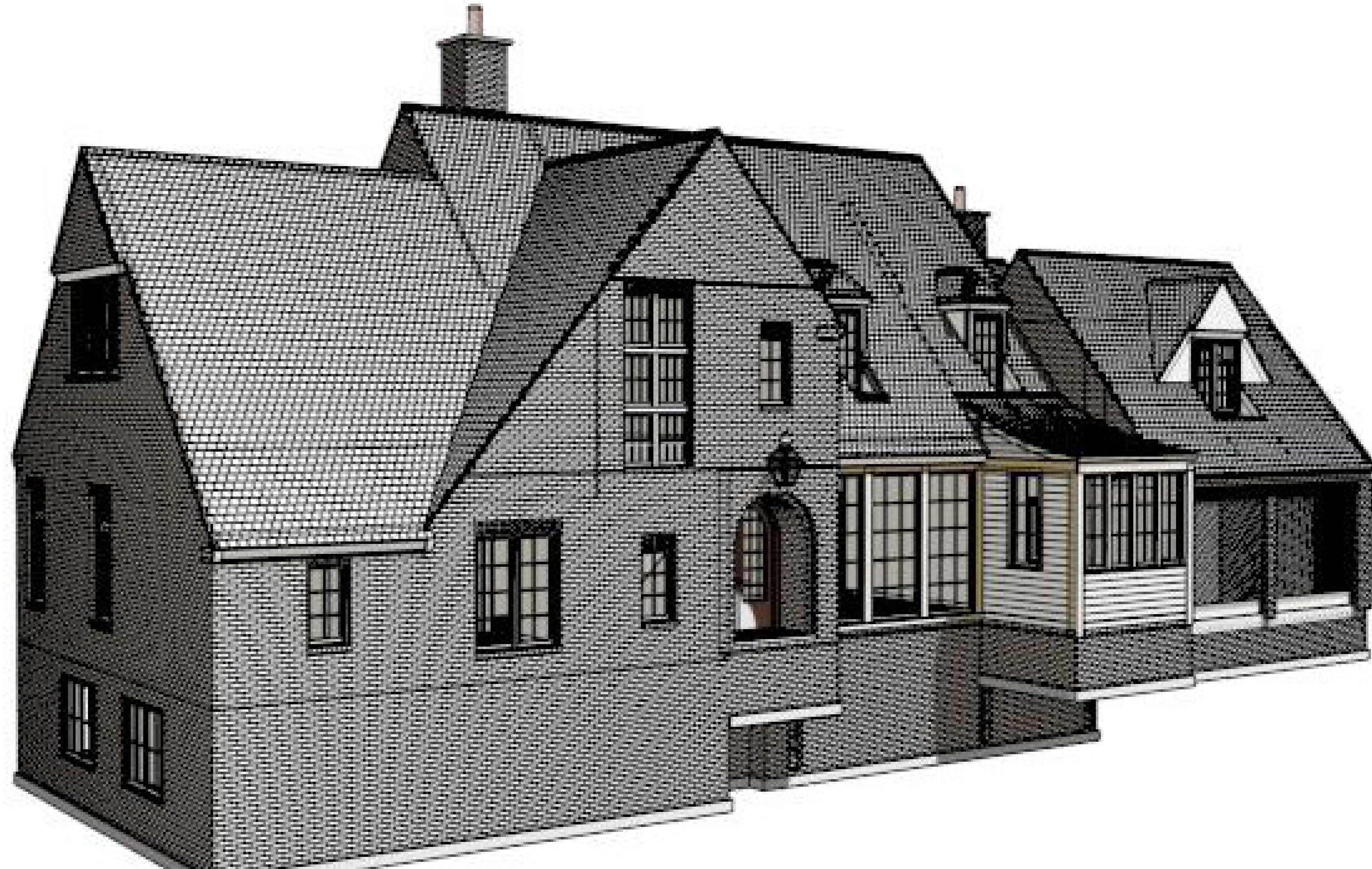
TOPOGRAPHIC / TREE SURVEY FOR:

EMILY J. FOLLOWILL & THOMAS C. FOLLOWILL
LOT 4 BLOCK 'A' MONTEVALLO SUBD.
PLAT BOOK 60, PAGE 49
LAND LOT 67, 17th DISTRICT
FULTON COUNTY, GEORGIA
SCALE: 1"=30' DATE: SEPTEMBER 30th, 2015

THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD
HAZARDS AS PER COMMUNITY PANEL NO. 13121C0144 F, DATED
SEPTEMBER 18th, 2013, ZONE 'X'.

RICKY C. BUSBEE, GEORGIA R.L.S. 2497 - BUSBEE & POSS LAND SURVEYING, L.S.F. 0596
THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY
SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE BOARD RULES OF THE GEORGIA
BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH
IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.
THIS SURVEY WAS NOT PREPARED WITH THE AID OF A TITLE SEARCH AND IS SUBJECT TO ANY
RESTRICTIONS OR EASEMENTS THAT MAY BE RECORDED.
THIS TRAVERSE HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE
FOOT IN 'OPEN' FEET. EQUIPMENT USED: TOPCON GTS-225
FIELD WORK -RB/DM- 9/22/15 DRAWN BY SG J.N. BP12430 - IND.

Architect
Bradley E. Heppner Architecture
574 Hascall Rd.
Atlanta Georgia
404-734-6687



The Followill Residence

Note to contractor:
Any discrepancies, inconsistencies, or ambiguities found within the drawings, or between the drawings, specifications, and site conditions shall be immediately reported to the architect in writing. The architect will promptly correct the same in writing. Work done by the contractor after discovery of such discrepancies, inconsistencies or ambiguities shall be done at the contractor's risk.

This drawing is the property of Bradley E. Heppner Architecture, LLC and is not to be reproduced or copied in whole or in part, the dimensions of which are 24" x 36". It is only to be used for the project and site specifically identified herein and is not to be used on any other project without written permission from the architect. The contractor is responsible for verifying all field measurements, quantities, dimensions, and related field construction data.

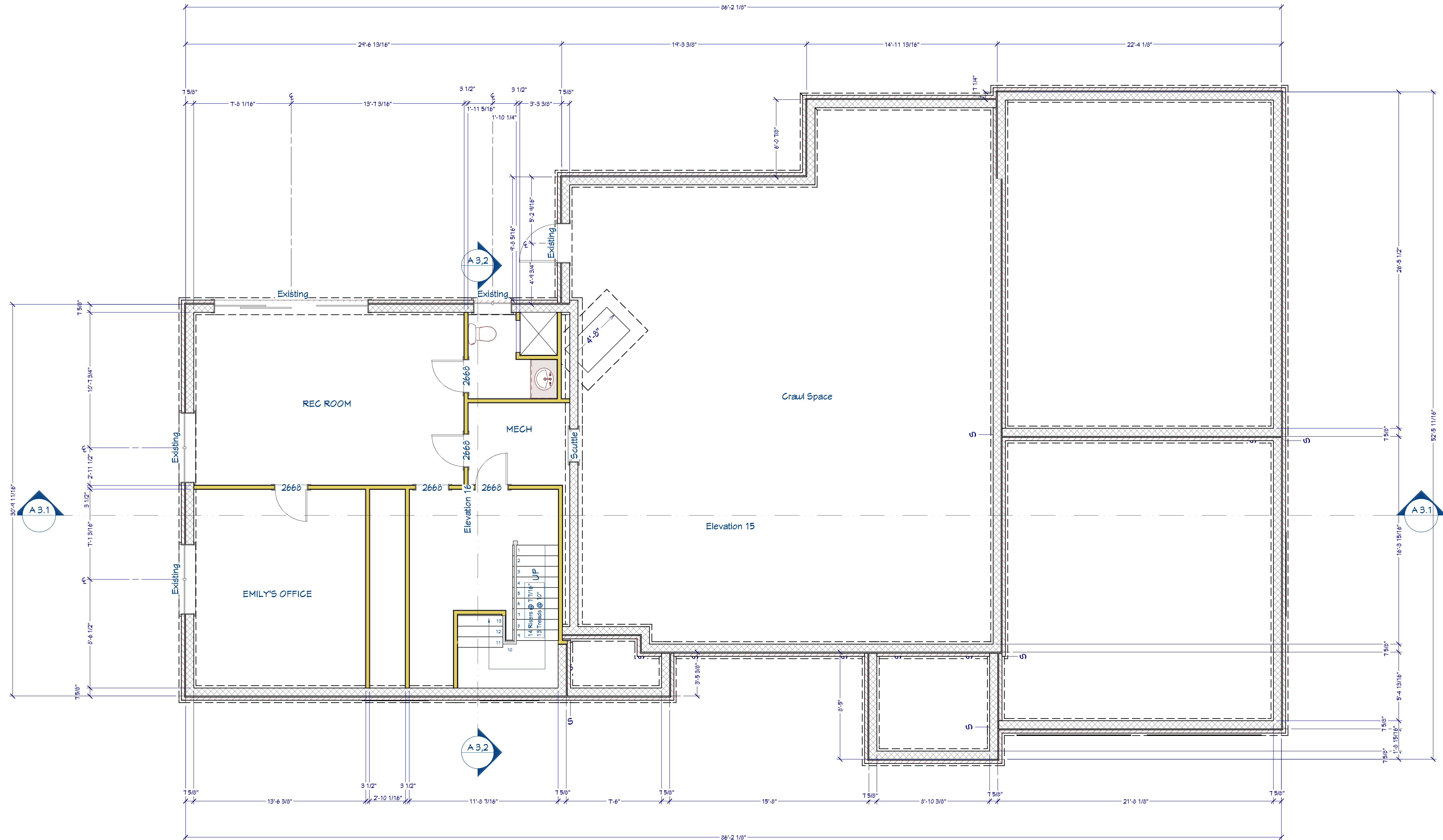
Bradley E. Heppner
ARCHITECTURE
Limited Liability Company
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Atlanta, GA 30309
brad@bradleyheppner.com
(c) 404.745.9339
(m) 404.734.6687

A Renovation and Improvements for:
The Followill Residence
380 Montevalo Drive, Sandy Springs, Georgia 30342

Title Sheet

SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015		

T1.1



Basement Plan

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

Note to contractor:
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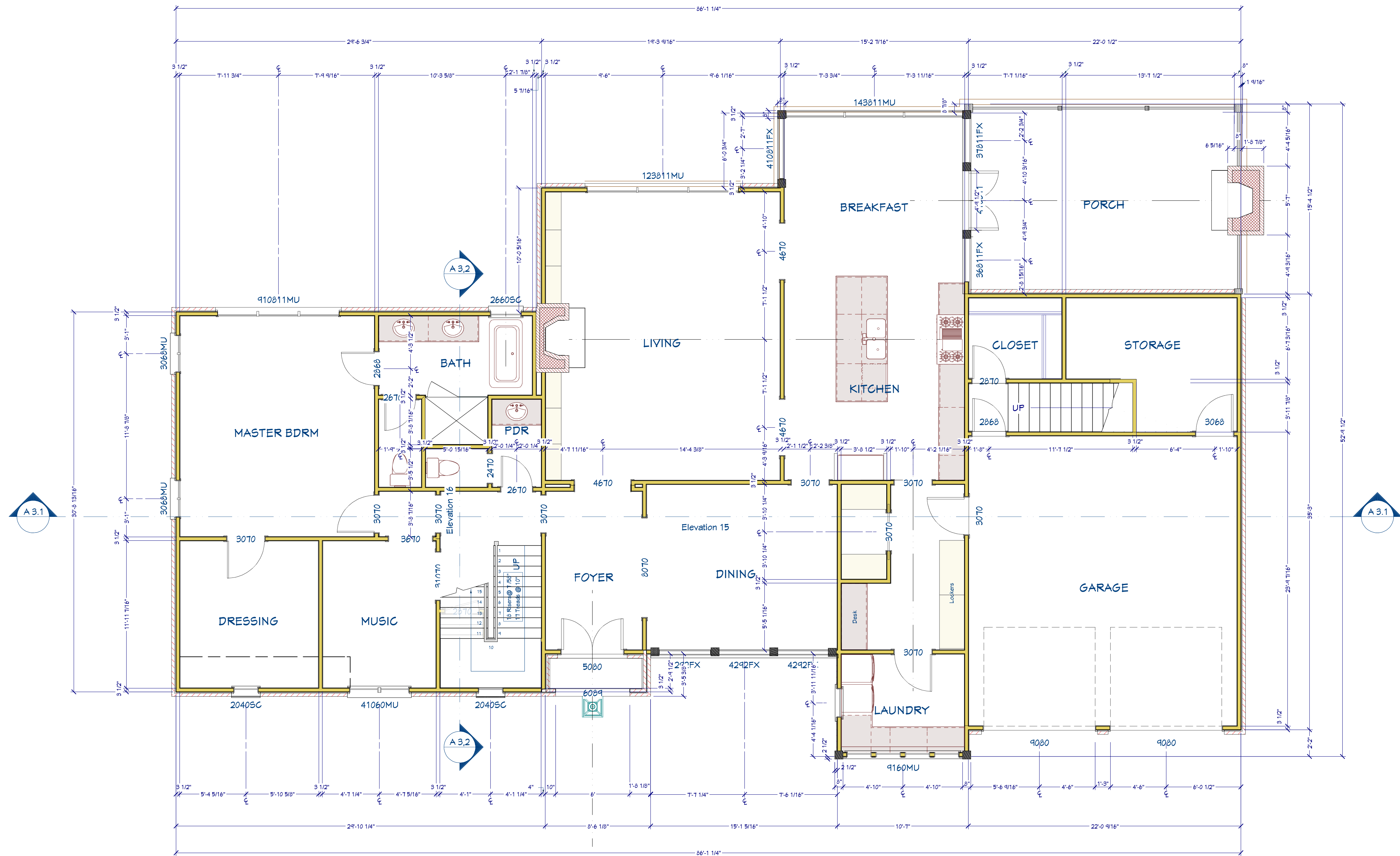
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A Renovation and Improvements for:
The Followill Residence
380 Montevalo Drive, Sandy Springs, Georgia 30342

Basement Plan

SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015		

A 1.0



First Floor Plan
Scale: 1/4" = 1'-0"

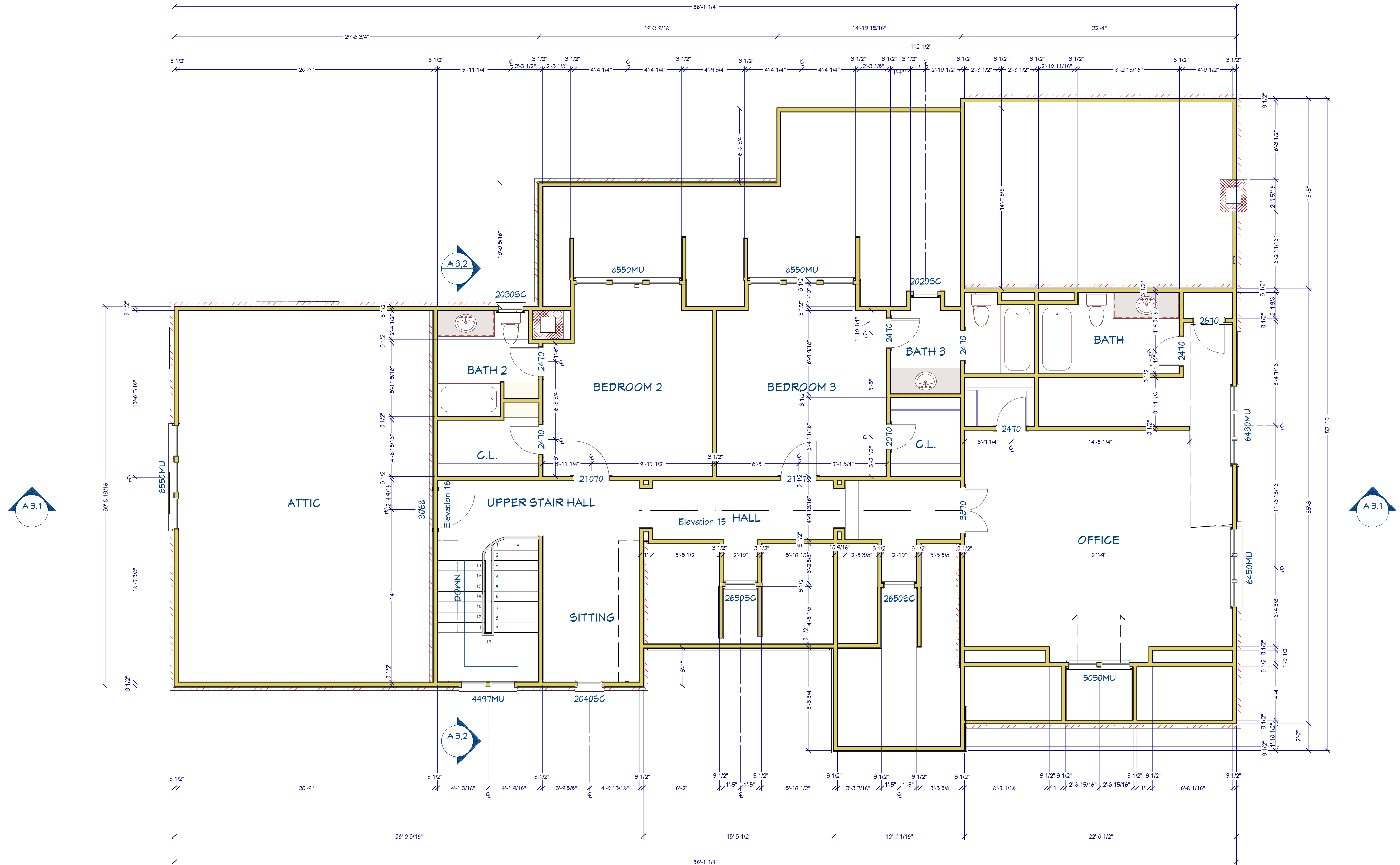
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A Renovation and Improvements for:
The Follwill Residence
380 Montevalo Drive, Sandy Springs, Georgia 30342

First Floor Plan		
SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015		A 1.1



Second Floor Plan
Scale: 1/4" = 1'-0"

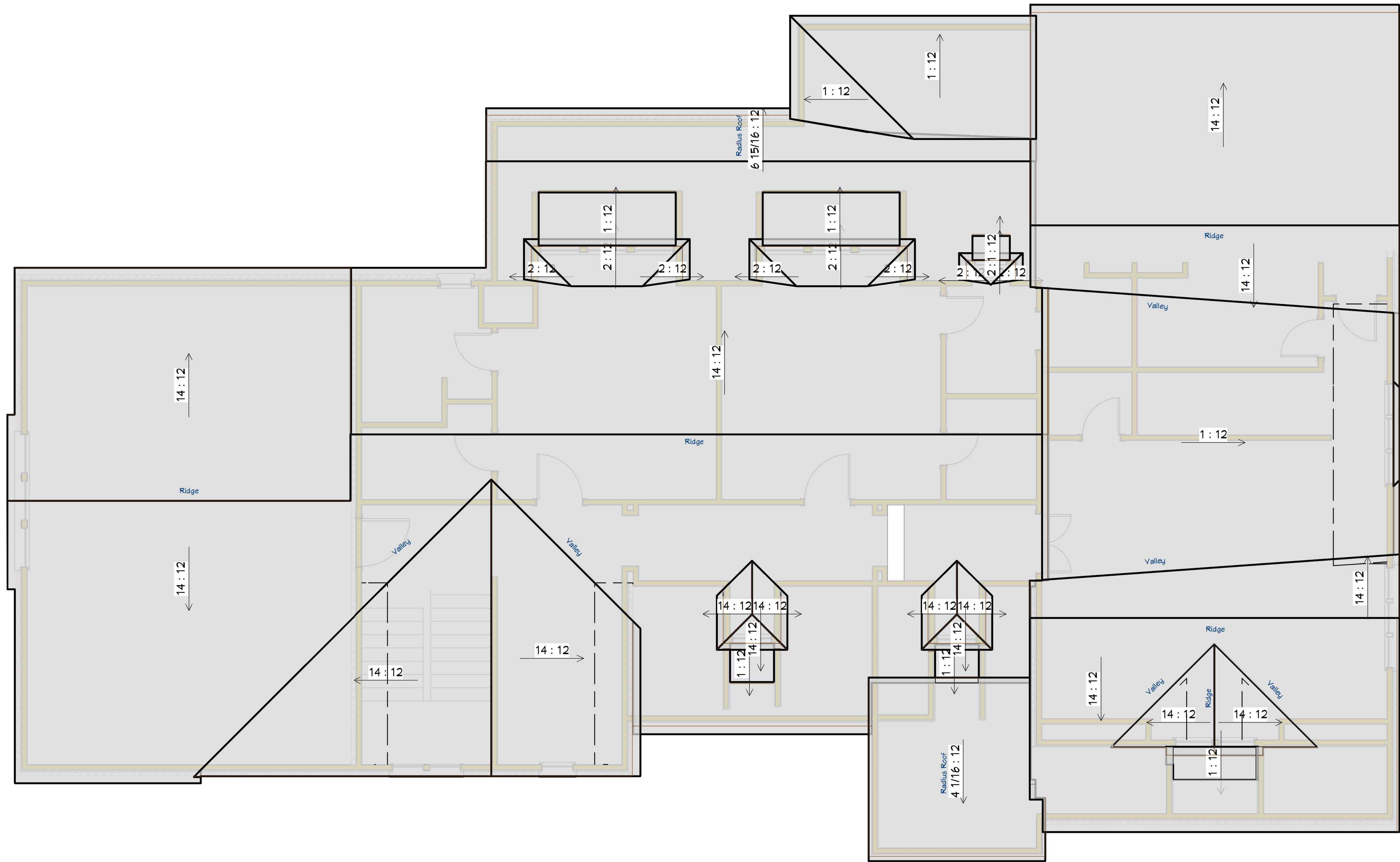
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A Renovation and Improvements for:
The Followill Residence
380 Montevalo Drive, Sandy Springs, Georgia 30342

Second Floor Plan		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015		A 1.2



Roof Plan

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

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A Renovation and Improvements for:
The Followill Residence
380 Montevalo Drive, Sandy Springs, Georgia 30342

Roof Plan		
SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSW
DATE: 9-21-2015		A 1.3



Front Elevation

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

Note to contractor:
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A Renovation and Improvements for:
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Front Elevation

SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015		

A 2.1



Right and Left Elevations
Scale: 1/4" = 1'-0"

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A Renovation and Improvements for:
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Side Elevations		
SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015		A 2.2



Rear Elevation

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

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A Renovation and Improvements for:
The Followill Residence
380 Montevalo Drive, Sandy Springs, Georgia 30342

Rear Elevation		
SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015		A 2.3



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A Renovation and Improvements for:
The Followill Residence
380 Montevalo Drive, Sandy Springs, Georgia 30342

Cross Section

SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015		

A 3.1



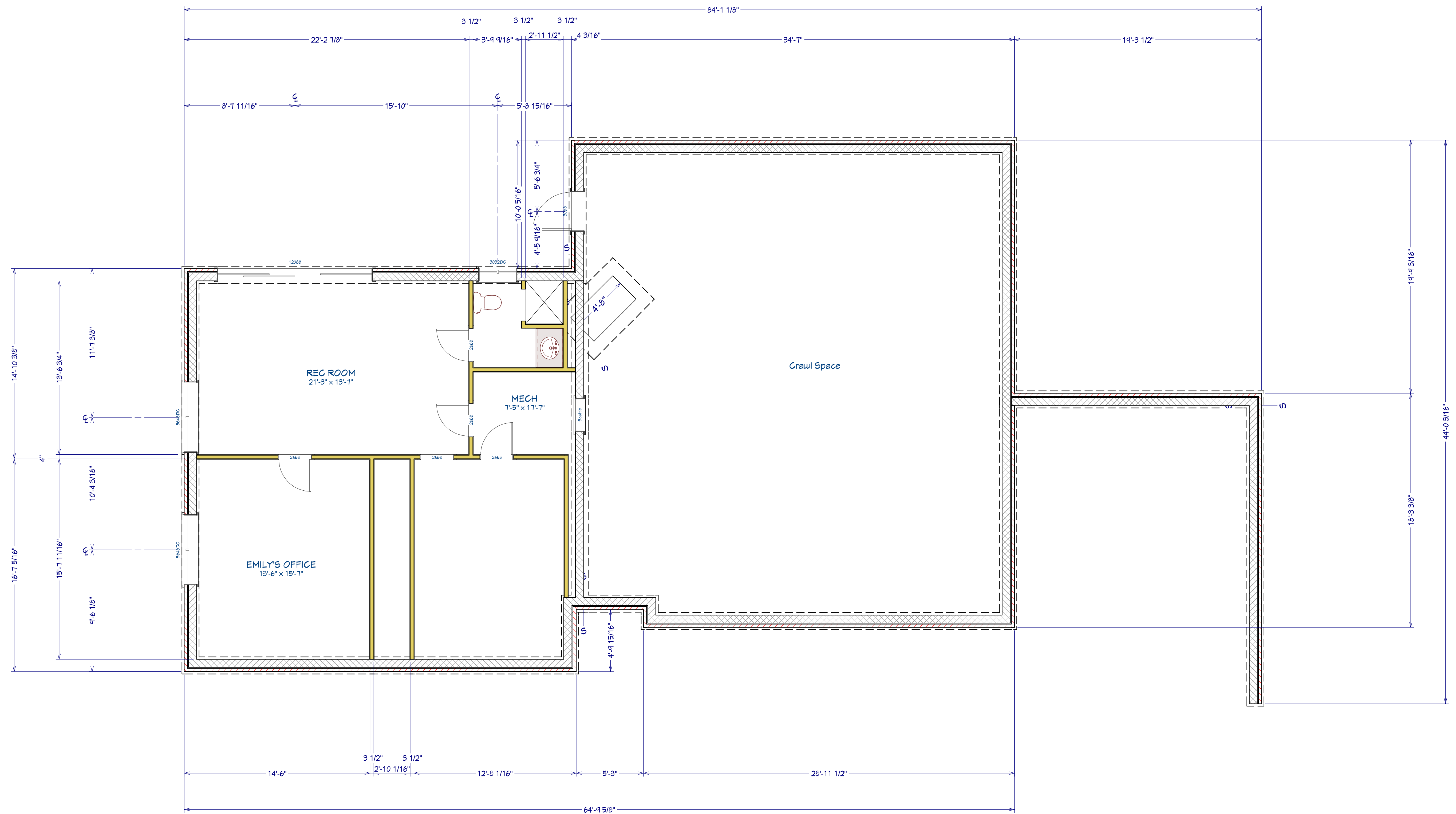
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A Renovation and Improvements for:
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Cross Section		
SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015		A 3.2



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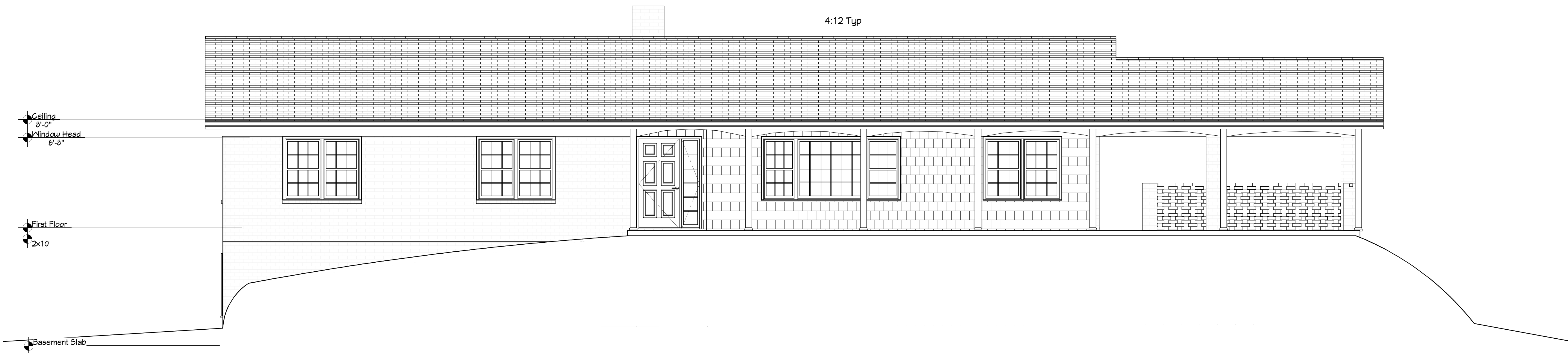
574 Hascall Road (o) 404.74
Atlanta, GA 30309 (m) 404.73

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A Renovation and Improvements for:

The Followill Residence
380 Montevalo Drive, Sandy Springs, Georgia 30342

Basement Plan		
SCALE: 1/4" = 1' 0" DATE: 9-21-2015	APPROVED BY:	DRAWN BY: R5N
_____ _____ _____ _____ _____ _____	_____ _____ _____ _____ _____ _____	AB 1.0



As-Built Front Elevation
Scale: 1/4" = 1'-0"

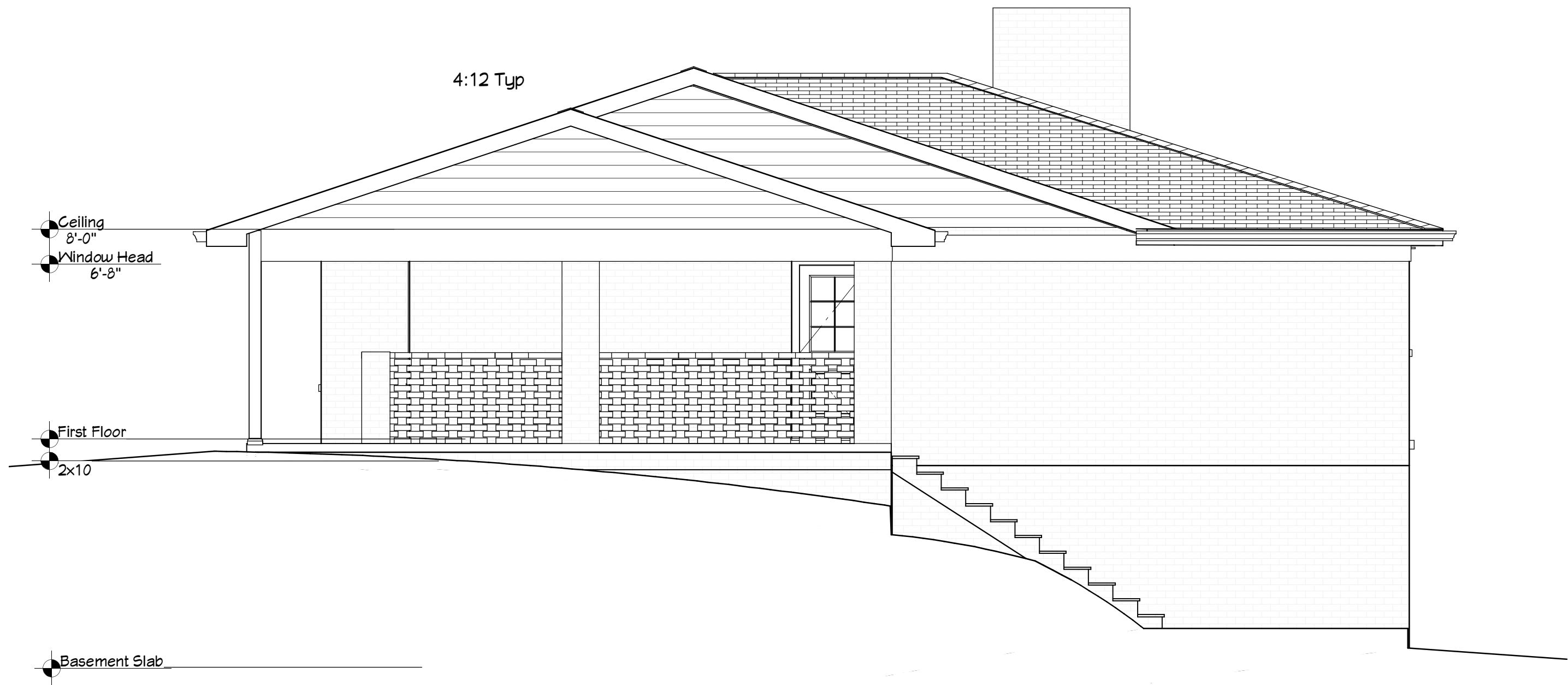
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A Renovation and Improvements for:
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380 Montevalo Drive, Sandy Springs, Georgia 30342

Front Elevation		
SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015		AB 2.1



As-Built Right Side Elevation
Scale: 1/4" = 1'-0"

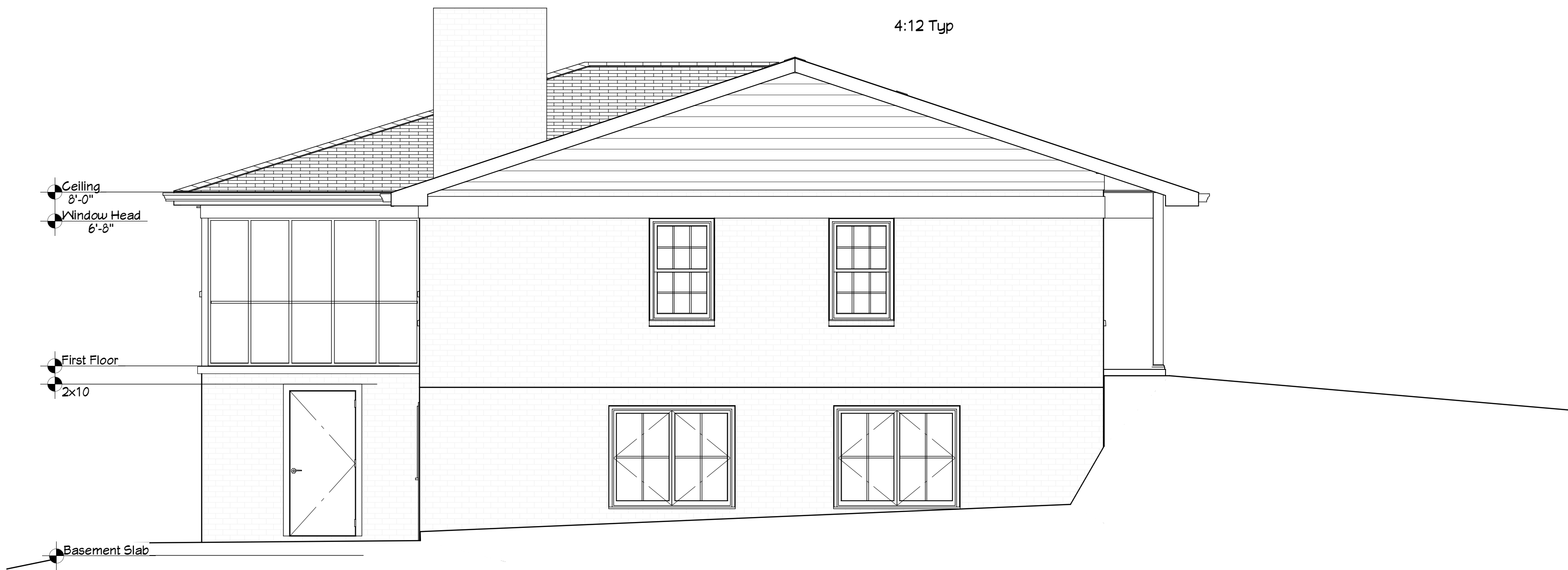
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A Renovation and Improvements for:
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Right Side Elevation		
SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2015	REVISIONS	AB 2.2



As Built Left Side Elevation
Scale: 1/4" = 1'-0"

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A Renovation and Improvements for:
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Left Side Elevation		
SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2023	REVISIONS	AB 2.3



As-Built Rear Elevation
Scale: 1/4" = 1'-0"

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A Renovation and Improvements for:
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Rear Elevation		
SCALE: 1/4" = 1' 0"	APPROVED BY:	DRAWN BY: RSN
DATE: 9-21-2023	REVISIONS	AB 2.4



NOTICE OF VARIANCE PETITION

Petition Number:

V15-0045

Property Location:

380 MONTEVALLO DRIVE

Request:

TO ENCROACH INTO MINIMUM
SIDE YARDS FOR EXISTING HOME
& 2ND STORY ADDITION

Public Hearings:

Board of Appeals

JANUARY 14, 2016

at 7:00 p.m.

Location:

Sandy Springs City Hall
Morgan Falls Office Park
7840 Roswell Road, Building 500
Sandy Springs, Georgia 30350

For additional information, please contact Planning & Zoning
at 770-730-5600 or visit www.sandyspringsga.gov.

12/29/2015 04:11 PM



12/29/2015 04:11 PM



12/29/2015 04:12 PM



P&Z STAFF REPORT

Board of Appeals Hearing; January 14, 2015

Case: **V15-0046 – 220 Abington Drive**
Staff Contact: Kristin Byars (kbyars@sandyspringsga.gov)
Report Date: January 4, 2016

REQUEST

Variance from Section 4.3.4.B.2 of the Zoning Ordinance to allow an encroachment of three and a half (3.5) feet into the required play equipment setback of ten (10) feet.

APPLICANT

Property Owner: Ross & Kacy Homans	Petitioner: Ross & Kacy Homans	Representative: -
---------------------------------------	-----------------------------------	----------------------

PROPERTY INFORMATION

Location:	220 Abington Drive
Council District:	3; Graham McDonald
Road frontage:	Approximately 109 feet along Abington Drive
Acreage:	0.681 acre
Existing Zoning:	R-3 (Single Family Dwelling District) per 1962Z-0028
Existing Land Use:	Single Family Dwelling
Overlay District:	N/A
Special Planning Area:	
Future Land Use Designation:	R1-2 (1-2 units per acre)

SUMMARY

The property owners of 220 Abington Drive installed the play structure without obtaining a permit, and were cited by Code Enforcement to either seek a variance or remove the structure (Case WWP-000306-2015). Section 4.3.4.B.2 of the Zoning Ordinance addresses play structures, specifying that “in no instance shall the equipment be set back less than ten (10) feet from any side or rear property line,” with a maximum height of fifteen (15) feet. The structure measures approximately ten (10) feet in height and is approximately 6’ - 8” from the property line at its greatest encroachment. The structure is a wooden, octagonal platform surrounding a tree, with stairs and an attached slide.

RECOMMENDATION

Department of Community Development

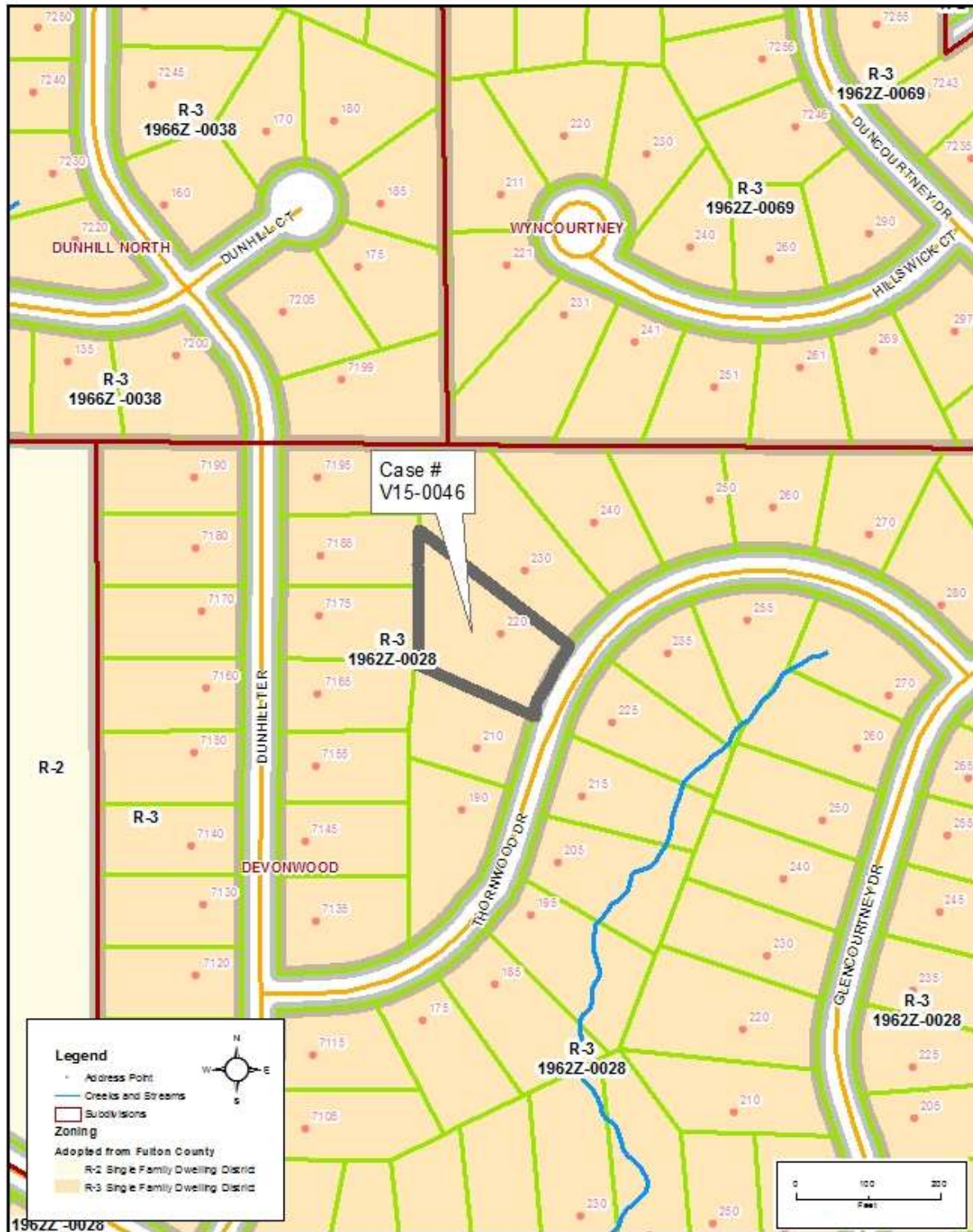
DENIAL of the variance request

AERIAL IMAGE



ZONING MAP

220 Abington Dr



VARIANCE CONSIDERATION

Per article 22.3.1. Variance Considerations of the Zoning Ordinance, primary variances and concurrent variances shall only be granted upon showing that:

A. Relief, if granted, would be in harmony with, or, could be made to be in harmony with, the general purpose and intent of the Zoning Ordinance; or,

B. The application of the particular provision of the Zoning Ordinance to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public.

Request No.1: (4.3.4.B.2) Request to allow an encroachment of three and a half (3.5) feet into the required play equipment setback of ten (10) feet.

Finding: A hardship is defined in Article III of the Zoning Ordinance as “the existence of extraordinary and exceptional conditions pertaining to the size, shape, or topography of a particular property, because of which the property *cannot be developed* in strict conformity with the provisions of the Zoning Ordinance.” The property faces no hardship due to the size, shape, or topography of the lot which would limit its ability to be developed in strict conformity with the provisions of the ordinance. The section of the property upon which the play structure and additional play equipment are currently situated is relatively flat, with space outside of the 10’ setback to install additional equipment. Estimates show that approximately 4,500 square feet of usable space exists in the backyard, although not all potential locations for the structure would allow it to be situated around a tree.

The general purpose and intent, Article II, of the Zoning Ordinance seeks to promote desirable living conditions, protect property from blight and depreciation, and encourage the most appropriate use of land throughout the City. It additionally considers the character of the districts and their peculiar suitability for particular uses. Within the R-3 Single Family Dwelling Districts, homes maintain spacious setbacks with ten foot side yards and thirty-five foot rear yards. The play structure lessens the privacy of the rear neighbor, at 7185 Dunhill Terrace, as its height and proximity to the lot line allows a direct line of sight to the neighbor’s rear yard over the six foot privacy fence. The requested variance is not in harmony with the intent of the Zoning Ordinance.

Staff recommends **DENIAL**

COMMENTS FROM OTHER PARTIES

None received

DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Staff recommends **DENIAL** of the variance request to allow an encroachment of three and a half (3.5) feet into the required play equipment setback of ten (10) feet.