

# SPECIAL LAND USE PERMIT APPLICATION



41 Perimeter Center East | Dunwoody, GA 30346  
Phone: (678) 382-6800 | Fax: (770) 396-4828

**\* Applicant Information:**

Company Name: JK Family Trust  
 Contact Name: c/o Dennis J. Webb, Jr., Smith, Gambrell & Russell, LLP  
 Address: 1230 Peachtree St., NE, Ste. 3100, Atlanta, GA 30309  
 Phone: 404-815-3620 Fax: 404-685-6920 Email: djwebb@sgrlaw.com  
 Pre-application conference date (required): May 26, 2016

**\* Owner Information:**  Check here if same as applicant

Owner's Name: JK Family Trust  
 Owner's Address: 300 Galleria Parkway, 12th Floor, Atlanta, GA 30339  
 Phone: 770-951-2434 Fax: 770-951-0054 Email: jeff.kerker@tscg.com

**\* Property Information:**

Property Address: 1660 Mount Vernon Hwy. Parcel ID: 18-366-07-013  
 Zoning Classification: O-1  
 Requested Use of the Property: Shopping Center

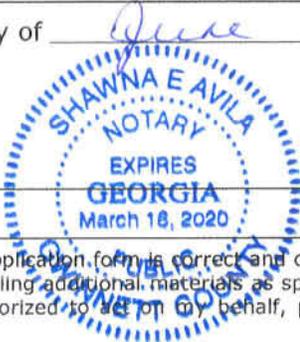
**\* Applicant Affidavit:**

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that I, the applicant (if different), am authorized to act on the owner's behalf, pursuant to this application and associated actions.

Applicant's Name: Dennis J. Webb, Jr.  
 Applicant's Signature: [Signature] Date: 6-7-16

**\* Notary:**

Sworn to and subscribed before me this 7<sup>th</sup> Day of June, 2016  
 Notary Public: Shawna E. Avila  
 Signature: [Signature]  
 My Commission Expires: 3-16-20



**\* Owner Affidavit:**

I hereby certify that to the best of my knowledge, this special land use application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I certify that the applicant(s) (if different) are authorized to act on my behalf, pursuant to this application and associated actions.

Property Owner's Name: JK Family Trust  
 Property Owner's Signature: [Signature] Date: 6/6/16

**\* Notary:**

Sworn to and subscribed before me this 6 Day of June, 2016  
 Notary Public: Lori Taft  
 Signature: [Signature]  
 My Commission Expires: 4-13-18











**FIRST AMENDED STATEMENT OF INTENT**

and

Other Material Required by  
City of Dunwoody Zoning Ordinance  
For the  
Special Land Use Permit Application  
(Application No. SLUP-16-081)

of

JK Family Trust

for

±0.82 Acres of Land located in  
Land Lot 366, 18th District

1660 Mount Vernon Road  
Dunwoody, Georgia 30338

Submitted for Applicant by:

Dennis J. Webb, Jr.  
Vickie B. Chung  
Smith, Gambrell & Russell, L.L.P.  
Promenade, Suite 3100  
1230 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
404-815-3500

## I. INTRODUCTION

This Application seeks two Special Land Use Permits (“SLUPs”) in order to redevelop ±0.82 acres of land located in Land Lot 366, 18th District of DeKalb County (the “Subject Property”), which is located in the Dunwoody Village Overlay District at the intersection of Mount Vernon Road and Dunwoody Village Parkway.<sup>1</sup> The Applicant seeks to transform an old, two-story, 6,800 square foot drive-through bank building into a small-scale shopping center with retail and/or restaurant uses on the ground floor and office uses on the second floor. The Applicant will completely renovate the existing building without expanding the current footprint, bringing it into greater compliance with the regulations and overall goals of the Dunwoody Village Overlay. In addition to eliminating an oversaturated use in Dunwoody in favor of one that is more pedestrian-oriented, the proposed use also has a favorable effect on traffic, as the expected traffic for a shopping center is actually less than that for a drive-in bank. The SLUPs requested in this Application are:

- (1) To decrease the 12’ sidewalk requirement of Section 27-97(i)(1) of the Code to 6’ on Dunwoody Village Parkway, which is necessary in order to preserve the mature trees on the eastern boundary of the Subject Property; and
- (2) To reduce the minimum distance requirement of Section 27-97(g)(2) from 30’ to 20’ and allow the existing off-street parking to remain in front of the existing building.

These SLUPs are requested because the Applicant anticipates exceeding the compliance thresholds of Section 27-97(c) of the Code. Section 27-97(c) requires full compliance with the Dunwoody Village Overlay requirements if the cost of exterior remodeling is 15% or more of the county tax assessor’s 100% assessed value of the existing improvements (Section 27-97(c)(1)(c))

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<sup>1</sup> In addition to this SLUP application, the Applicant has also submitted a rezoning application to rezone the Subject Property from O-I to C-1 (Application No. RZ-16-081).

and if the cost of interior remodeling is 25% or more of the county tax assessor's 100% assessed value of the existing improvements (Section 27-97(c)(1)(d)). Although exact construction cost estimates are not available at this point in the project, the Applicant anticipates that the value of the exterior renovations will exceed \$166,860 (15% x the Current Assessed Value) and the value of the interior renovations will exceed \$278,100 (25% x the Current Assessed Value), triggering full compliance under Section 27-97(c).

## **II. IMPACT ANALYSIS**

The criteria considered by the City in granting a SLUP are listed in Article V, Division 3, Section 27-359 of the Code. The requested SLUPs should be granted because all applicable criteria are met.

### **A. Whether the proposed use is consistent with the policies of the comprehensive plan.**

The Subject Property is located within the Dunwoody Village Character Area of the Comprehensive Plan and within the Dunwoody Village Overlay under the Code. The Subject Property is not currently in compliance with the Overlay requirements, but the proposed renovation will bring the Subject Property closer to compliance and advance the goals of the Overlay. Furthermore, the proposed redevelopment is entirely consistent with these designations, which encompass high quality mixed-use developments that provide shopping, dining and other services to community members. In particular, the proposed redevelopment will further the following stated policies of the Comprehensive Plan:

- (a) Promoting redevelopments "focused on pedestrian and bicycle amenities";
- (b) Promoting redevelopments that will "draw community members to shopping, dining and entertainment"; and

- (c) Promoting mixed-use developments “containing a mix of office, retail and residential, including both either vertical or horizontal mixed-use”

The Subject Property is designated for “Village Center Mixed-Use” under the Dunwoody Village Master Plan. The proposed redevelopment is consistent with this designation and will further the goals of the Dunwoody Village Master Plan, in particular:

- (a) Making the area “safer and more accommodating for pedestrians”; and
- (b) Encouraging “high-quality redevelopment of the underutilized areas, primarily the east, “back” side of Dunwoody Village Shopping Center”; and
- (c) Creating a “more walkable, vibrant Village Center with area appropriate goods and services.”

**B. Whether the proposed use complies with the requirements of this zoning ordinance.**

In addition to its SLUP request, the Applicant also seeks a rezoning of the Subject Property from O-I (Office-Institutional) to C-1 (Local Commercial). The proposed site plan complies with all lot and building regulations of the C-1 zoning district. In particular, the following requirements are met: minimum lot area of 20,000 square feet; minimum lot frontage of 100 feet; minimum front setback of 50 feet; minimum side setback of 50 feet; minimum side interior setback of 20 feet; minimum rear setback of 30 feet; maximum lot coverage of 80%; maximum building height of two stories or 35 feet; maximum building square footage of 50,000 square feet.

The Applicant requests a SLUP to decrease the Dunwoody Village Overlay’s requirement of a 12’ sidewalk on Dunwoody Village Parkway to allow for the existing 6’ sidewalk to remain. The purpose of this SLUP is to preserve the 8 mature trees currently on site,

which would have to be removed if the sidewalk on Dunwoody Village Parkway (the “eastern sidewalk”) were expanded to 12’. The Applicant has conferred with the Planning staff regarding this SLUP and has been advised that tree preservation is of higher priority to the City.

The Applicant also requests a SLUP to reduce the minimum distance requirement of Section 27-97(g)(2) from 30’ to 20’ and allow the existing off-street parking to remain in front of the existing building. Removing the existing parking in the front of the building would cause the Applicant to lose almost half of the available parking on site, which would cause a parking shortage for the new shopping center. Although the City has progressively been moving towards being more walkable, the reality is that commercial uses need adequate parking in order to succeed. This is evident in the fact that all of the buildings directly adjacent to the Subject Property on Mount Vernon Road have parking in front of the building, including the SunTrust, Urgent Care facility, Montessori School and Dunwoody Commons Center directly to the east and the Wells Fargo and PNC Bank directly to the west. Allowing the Applicant to maintain the existing parking on site would facilitate the redevelopment of the existing bank into a small, upscale shopping center, a much-needed service in the area.

**C. Whether the proposed site provides adequate land area for the proposed use, including provision of all required open space, off-street parking and all other applicable requirements of the subject zoning district.**

There is more than adequate land area to accommodate the proposed use. The Subject Property is ± 0.82 acres. The C-1 zoning district allows for buildings of up to 50,000 square feet in size and up to 80% lot coverage. The Applicant will renovate the existing 6,800 square foot building without expanding the building’s footprint, staying within the allowable lot coverage. The Applicant will comply with all open space requirements of the Code.

**D. Whether the proposed use is compatible with adjacent properties and land uses, including consideration of:**

- a. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the proposed use;**

No. The Subject Property is adjoined by other commercial and office uses and will not create any adverse impacts due to noise, smoke, odor, dust or vibration.

- b. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;**

No. Hours of use will mirror those of the existing businesses in the Dunwoody Village commercial core.

- c. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;**

No. Retail, office and restaurant uses have existed near the Subject Property for many years with no adverse impact on the surrounding properties.

- d. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the character of vehicles or the volume of traffic generated by the proposed use;**

No. The proposed project will have an insignificant effect on traffic in the area, and could lessen the number of trips generated under the current use. The Institute of Traffic Engineers (ITE) Trip Generation Manual (Ninth Edition) (Code 820)(subspecially Shopping Center) was used to calculate vehicle trips for this development. For a roughly 7,000 square foot shopping center, an average of 7 trips is anticipated for the morning weekday peak period and an

average of 26 trips is anticipated for the evening weekday peak period. In contrast, a drive-in bank, which the Subject Property is currently zoned for, would generate an average of 26 trips for the morning weekday peak period and an average of 54 trips for the evening weekday peak period for a bank with 10 employees.

**e. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings;**

Yes. The existing building on the Subject Property is appropriate in terms of its size, scale and massing compared to other buildings in the Dunwoody Village commercial core. It complies with the Code's maximum height regulations and is well beneath the allowable square footage.

**f. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources;**

The Applicant knows of no historic buildings, sites, districts, or archaeological resources either on the Subject Property or located in the immediate vicinity that would suffer adverse impacts from the requested SLUP.

**E. Whether public services, public facilities and utilities—including motorized and nonmotorized transportation facilities—are adequate to serve the proposed use.**

The proposal for the site in question will have minimal effects on city streets, infrastructure or schools. As noted above, the expected traffic generation for the proposed use is minimal, and projected to decrease when compared with traffic generated by the bank use currently allowed as-of-right. There is sufficient utility, water and sewer capacity to supply this site. The proposed redevelopment will have no effect on surrounding schools.

**F. Whether adequate means of ingress and egress are proposed, with particular reference to non-motorized and motorized traffic safety and convenience, traffic flow and control and emergency vehicle access.**

The proposed shopping center will be serviced by existing driveways on Mount Vernon Road and on Dunwoody Village Parkway. Ingress, egress and traffic flow for the proposed use will not a problem.

**G. Whether adequate provision has been made for refuse and service areas.**

Yes. See the attached site plan.

**H. Whether the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.**

No.

### **III. PRESERVATION OF CONSTITUTIONAL RIGHTS**

The Applicant respectfully submits that the Zoning Ordinance of the City of Dunwoody lacks adequate standards for the City Council to exercise its power to grant special land use permits. In essence, the standards are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the City Council, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters of zoning. The Zoning Resolution also violates Article I, Section III, Paragraph 1; and Article I, Paragraphs 1 and 2 of the Constitution of State of Georgia, 1983.

The City Council is granted the power to zone pursuant to Article IX, Section II,

Paragraph 4 of the Constitution of the State of Georgia, 1983. It is a power which must be fairly exercised. Based on this element of fairness, the Zoning Ordinance of the City of Dunwoody violates Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983.

The Zoning Ordinance presently in effect is contrary to the best interest of the health and welfare of the citizens of the City of Dunwoody, and constitutes an arbitrary and capricious act. As a result, the Zoning Ordinance is in violation of Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983. Furthermore, the Zoning Ordinance violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

In addition, the Zoning Ordinance presently in effect is unconstitutional in that it renders this property unusable and destroys its marketability. Therefore, the Zoning Ordinance constitutes a taking of applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitutional and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

Any limitation on the time for presentation of the issues before the City Council who have the power to zone and rezone is a violation of the guarantees of free speech under Article I, Section I, Paragraph 5 of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America. Further, said limitations are in violation of the right to petition and assemble, in violation of Article I, Section I, Paragraph IX of the Constitution of Georgia, 1983 and the First Amendment of the Constitution of the United States

of America as well as the due process clauses of the Constitution of Georgia, 1983 and the Constitution of the United States of America.

The Zoning Ordinance of the City of Dunwoody is unlawful, null and void in that its adoption and map adoption/maintenance did not comply with the requirements of its predecessor ordinance and/or the Zoning Procedures Law, O.C.G.A. § 36-66-1, et seq.

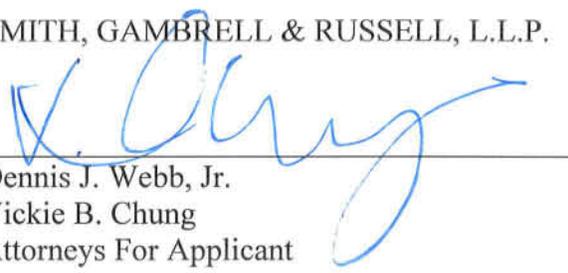
#### IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the SLUPs at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 7<sup>th</sup> day of June, 2016.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, L.L.P.

  
\_\_\_\_\_  
Dennis J. Webb, Jr.  
Vickie B. Chung  
Attorneys For Applicant

Promenade II, Suite 3100  
1230 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
404-815-3500

## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 366 of the 18th District, City of Dunwoody, DeKalb County, Georgia and being more particularly described as follows:

Beginning at a 1/2" rebar set at the southwesterly end of the mitered intersection of the westerly right of way of Dunwoody Village Parkway (right of way varies) and the northwesterly right of way of Mount Vernon Road (right of way varies); thence proceeding along said right of way of Mount Vernon Road along a curve to the left with a radius of 2596.48 feet and an arc length of 111.56 feet (said curve having a chord bearing of South 73 degrees 55 minutes 32 seconds West and a chord distance of 111.55 feet) to a 1/2" rebar found; thence leaving said right of way of Mount Vernon Road and proceeding North 18 degrees 48 minutes 43 seconds West a distance of 223.21 feet to a 1/2" rebar found; thence proceeding North 73 degrees 56 minutes 18 seconds East a distance of 181.75 feet to a 1/2" rebar found on the westerly right of way of Dunwoody Village Parkway; thence proceeding along said right of way of Dunwoody Village Parkway the following courses and distances: along a curve to the left with a radius of 1289.17 feet and an arc length of 168.61 feet (said curve having a chord bearing of South 10 degrees 05 minutes 11 seconds East and a chord distance of 168.49 feet) to a 1/2" rebar found, South 11 degrees 13 minutes 49 seconds East a distance of 29.78 feet to a 1/2" rebar set and South 40 degrees 52 minutes 46 seconds West a distance of 47.06 feet to the Point of Beginning.

## JK Family Trust

### SUMMARY OF NEIGHBORHOOD COMMUNICATIONS

1. *Efforts to notify neighbors about the proposal (how and when notification occurred, and who was notified):* We mailed a written notice to all properties owners within 1,000 feet. The mailing list and postcard are attached. We also ran an advertisement in the Dunwoody Crier as required by ordinance. Attached is a copy of that ad.
2. *Meeting location, date and time:* Monday, June 6, 2016 at 7:00 p.m. St. Luke's Presbyterian Church, 1978 Mt. Vernon Rd., Dunwoody, GA
3. *Who was involved in the discussions:* Den Webb and Jeff Kerker presented to the 5 persons in attendance (see attached sign-in sheet)
4. *Suggestions and concerns raised by neighbors:* The application was well received. The neighbors raised no real concerns and indicated they supported all SLUP changes, including the efforts to preserve the existing trees on Dunwoody Village Parkway. They did ask, however, that the applicant limit certain C-1 uses (i.e. "We Buy Gold" type establishments).
5. *What specific changes to the proposal were considered and/or made as a result of the meeting:* See above.

## COMMUNITY MEETING

**Application to rezone property located at 1660 Mt. Vernon Rd, Dunwoody from OI to C-1 for the purpose of redeveloping an existing building for use as a small scale shopping center with restaurant, retail and office uses.**

Date: Monday, June 6, 2016  
Time: 7:00 p.m. to 8:00 pm  
Place: St. Luke's Presbyterian Church  
1978 Mt. Vernon Rd.  
Dunwoody, Georgia 30338

**What is a Community Rezoning Meeting?** Community rezoning meetings are designed to inform the surrounding communities of current rezoning and special use permit applications. It's an opportunity for the community to learn about the proposed project, ask questions, present concerns, and make suggestions.

\*Saint Luke's Presbyterian Church has no interest, material or otherwise, regarding this zoning issue. The use of the facilities of Saint Luke's Presbyterian Church does not imply any relationship to the parties involved.

5/17/16 15962

Schroeder, Harold A.  
Schroeder, Lora E.  
1421 Mockwell Ct.  
Dunwoody, GA 30338-4210

Henderson, Peter  
Henderson, Allison  
1443 Mockwell Ct.  
Dunwoody, GA 30338-4210

Neel, Joseph N. IV  
Neel, Susan O.  
1436 Vernon Village Ct.  
Dunwoody, GA 30338-4220

Anderson, Deborah C.  
1354 Vernon North Dr.  
Dunwoody, GA 30338

Wynn, Mary S.  
Wynn, Edward M. Jr.  
1322 Vernon North Dr.  
Dunwoody, GA 30338-4214

Chang, Ae Sok  
Chang, Su Kil  
1319 Vernon North Dr.  
Dunwoody, GA 30338

Vernon N LLC  
5718 Bend Creek Rd.  
Dunwoody, GA 30338

C Q Dunwoody Village Court LLC  
1532 Dunwoody Village Pkwy #200  
Dunwoody, GA 30338-4136

Collins, Patrick D.  
Collins, Lillian W.  
4178 Chestnut Ridge Dr.  
Dunwoody, GA 30338-4678

Daniels, David A.  
Daniels, Susan D.  
1427 Mockwell Ct.  
Dunwoody, GA 30338-4210

Bhardwaj, Jitender  
Sharma, Pankaj  
1368 Vernon North Dr.  
Dunwoody, GA 30338

Radloff, Robert W.  
Radloff, Debra S.  
1437 Vernon Village Ct.  
Dunwoody, GA 30338-4220

Nall, Terry W.  
Nall, Donna C.  
1344 Vernon North Dr.  
Atlanta, GA 30338-4214

Targovnik, Harris  
Targovnik, Tara  
1314 Vernon North Dr.  
Dunwoody, GA 30338-4214

Stevens, Robert Paul  
Stevens, Dana Morella  
1327 Vernon North Drive  
Dunwoody, GA 30338

Bishop, Michael G.  
Bishop, Cynthia P.  
1351 Vernon North Dr.  
Dunwoody, GA 30338-4213

Scott, Paul J.  
Scott, Pamela L.  
4194 Chestnut Ridge Dr.  
Dunwoody, GA 30338-4678

Alyea, Fred N.  
Alyea, Charlotte  
4170 Chestnut Ridge Dr.  
Dunwoody, GA 30338-4678

Lambert, Jerry S.  
Bunker, Patti L.  
1435 Mockwell Ct.  
Dunwoody, GA 30338-4210

Nettles, David B.  
Nettles Kelly F.  
1442 Vernon Village Ct.  
Dunwoody, GA 30338

Zyla, Marie T.  
Fennell, Robert Sean  
1441 Vernon Village Ct.  
Dunwoody, GA 30338-4220

Gottlieb, Hulda M. Living Trust  
Gottlieb, Hulda M.  
1334 Vernon North Dr.  
Dunwoody, GA 30338-4214

Victory, Stefan  
Victory, Elizabeth C.  
1311 Vernon North Dr.  
Dunwoody, GA 30338-4213

Salas, Alexander  
Salas, Crystal  
1335 Vernon North Dr.  
Dunwoody, GA 30338-4213

Benson, Martin J.  
Benson, Lisa A.  
1359 Vernon North Dr.  
Dunwoody, GA 30338-4213

Shiran LYL LLC  
1583 Withmere Ln.  
Atlanta, GA 30388

Solomon, Darrell  
4162 Chestnut Ridge Dr.  
Dunwoody, GA 30338-4678

Syribey, Philip John  
Syribey, Floredia Lauren  
4154 Chestnut Ridge Dr.  
Dunwoody, GA 30338

Markou, Christos  
Makarouni, Spiridoula  
1407 Joberry Ct.  
Dunwoody, GA 30338-4606

Stinnett, Robert Jr.  
4126 Chestnut Ridge Dr.  
Dunwoody, GA 30338-4604

Immerman, Leon Andrew  
Immerman Joan Marie  
4165 Chestnut Ridge Dr.  
Dunwoody, GA 30338-4603

City of Dunwoody  
41 Perimeter Ctr E 250  
Dunwoody, GA 30346

Magnuson, John A.  
Magnuson, Louise J.  
1230 Village Terrace Ct.  
Dunwoody, GA 30338-2317

Benator, Donald  
Benator, Cynthia  
1218 Village Terrace Ct.  
Dunwoody, GA 30338-2317

Tallent, Michael Warren  
Tallent, Susan Bryant  
1408 Joberry Ct.  
Dunwoody, GA 30338-4606

Jackson, Christine S.  
Jackson, Michael E.  
4142 Chestnut Ridge Dr.  
Dunwoody, GA 30338-4604

James, William Harlan  
James, Jane Neall  
4121 Chestnut Ridge Dr.  
Atlanta, GA 30338-4603

Anstey, Neil  
Anstey, Erica  
4179 Chestnut Ridge Dr.  
Dunwoody, GA 30338

Bellsouth  
P.O. Box 182333  
Columbus, OH 43218-2333

Dorfman, Tracy A.  
1226 Village Terrace Ct.  
Atlanta, GA 30338-2317

Braxton, Thomas M. Jr.  
Braxton, Julia M.  
1214 Village Terrace Ct.  
Dunwoody, GA 30338

Hill, Joseph  
1400 Joberry Ct.  
Dunwoody, GA 30338-4606

Lavin, Michael K.  
4134 Chestnut Ridge Dr.  
Dunwoody, GA 30338-4604

Gaudet, Richard B.  
Nunn, Judith A.  
4151 Chestnut Ridge Dr.  
Dunwoody, GA 30338

Overstreet, Lisa Kathryn  
4187 Chestnut Ridge Dr.  
Dunwoody, GA 30338-4603

Berry, Walter Douglas III  
Berry Cecelia R.  
1234 Village Terrace Ct # M6  
Dunwoody, GA 30338-2317

Layne, Shirley  
1222 Village Terrace Ct. # M3  
Dunwoody, GA 30338-2317



Ty Flynn

**Alexander Tinsley Flynn** (Ty) died on May 13, 2016 in a tragic fall in Atlanta.

He is survived by his beloved parents, Marcella (Marnie) Ellis Fulton and David (Dave) Michael Flynn, his wonderful brother, Harrison Flynn, his loving stepfather, Christopher Fulton and his grandparents, Judith and Tinsley Ellis of Fort Lauderdale and Atlanta. He was pre-deceased by his paternal grandparents, Martha and Alexander Flynn of Huntsville. He is also survived by his aunts and uncles, Tinsley Ellis, Jr. and Kelley, David Ellis and Lynn Kay, Ralph W. Ellis, Audrey Thomas, Mary Toomey and Pat, Bob Flynn, Tony Flynn and Mary Lynn and his cousins, Trey, Genny, and David Soong Ellis, Katie Dormant and Josh, Matthew Thomas and Bridget

and Patrick Toomey.

Ty was born on April 16, 1997 in Seoul, South Korea. He was a member of Dunwoody United Methodist Church. He attended school at Mount Vernon Presbyterian School, Peachtree Middle School and was a graduate of Dunwoody High School, class of 2015. He had just completed his freshman year at Georgia College and State University where he was pursuing a business/pre-law degree.

He was a talented musician, photographer, outdoorsman and served as captain of the debate team in high school.

He spent ten beloved summers at Camp Rockmont in Black Mountain, N.C. where he earned the top ranking of Paladin.

Ty was dearly loved by all of his family and many friends. He was truly a blessing to each life he touched. Memorial gifts can be made to Camp Rockmont in the name of the Ty Flynn Memorial Scholarship, 375 Lake Eden Rd, Black Mountain, N.C. 28711.

Family and friends attended a celebration of Ty's life at Brook Run Park in Dunwoody on Sunday.

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## Public Notice

There will be a neighborhood meeting regarding an application to rezone property located at 1660 Mt. Vernon Road, Dunwoody, Georgia from O-1 to C-1 for the purpose of redeveloping an existing building for use as a small scale shopping center with restaurant, retail and office uses. Meeting to be held on Monday, June 6, 2016 at 7:00 p.m. at St. Luke's Presbyterian Church, 1978 Mt. Vernon, Rd., Dunwoody, GA.

## OBITUARIES

**Suzanne Gill Miller** passed away May 10, 2016 at the age of 83.

Suzanne was born Feb. 9, 1933 in Pittsburgh to the late Frank Corydon Gill and Margaret Swindell Gill. She was raised in Fairfield, N.C., and Wilson, N.C. At the age of 15, Suzanne was dealt a setback as she was a part of the "polio epidemic of 1948" and was paralyzed, losing the use of her legs. She spent the next six months in a hospital in Portsmouth, Va., before coming to Warm Springs for the next 18 months. Her time at Warm Springs prepared her for life without the use of her legs. She saw other patients at Warm Springs that were in far worse shape than she was and she left prepared to rise above anything.

She returned home to Wilson, N.C. and finished high school graduating in 1951 and continued her education at Atlantic Christian College graduating in 1955.



Suzanne Miller

In 1956, she was working as a school teacher in Wilson when she met the love of her life, Dick Miller of Woodstock, Va. Dick Miller was playing pro baseball for the minor league team located in Wilson when they met at the ballpark. They soon married and started a family.

Suzanne and Dick lived in

North Carolina, Virginia and Florida before they moved to Dunwoody in 1970. They became faithful members of Kingswood United Methodist Church and became involved in everything from little league sports at Murphy-Candler park; swim and tennis teams at Kingsley Swim & Racquet Club and Peachtree High School football. Suzanne was the team mom for not just some of the teams, but all of the teams that her kids were a part of. Suzanne and Dick were strong supporters of the University of Georgia and the University of North Carolina. They were season ticket holders for UGA football since the 1980s and those Saturdays in Athens were truly special.

Suzanne will be remembered as the most loving woman you could ever meet. She lived life to the fullest and was a wonderful daughter, sister, wife, mother, grandmother and great friend to all the people that she touched throughout her life. Our greatest memories of Suzanne are tied to those decades living in Dunwoody and the wonderful relationships made along the way that made all of our lives so special.

Suzanne Miller was preceded in death by her parents; her husband, Dick Miller, and her youngest sister, Helen Gill Keasler. She is survived by two daughters, Meg Miller and Lisa Britton; a son, Rick Miller and his wife, Stephanie Miller; two grandchildren, Brooke Miller & Jake Miller; a sister, Nancy Scott; and a brother, Frank Gill.

Memorial service to be held Saturday, June 4 at 2 p.m. at Kingswood United Methodist Church, 5015 Tilly Mill Road. Visitation with the family to follow the service in the Fellowship Hall at Kingswood. In lieu of flowers, please make contributions to Kingswood United Methodist Church or to the Easter Seals Foundation in honor of Suzanne Miller.

## DRESSLER'S

JEWELRY FUNERAL CARE  
Atlanta Born ~ Atlanta Owned ~ Atlanta Managed



Helen Scherrer-Diamond  
770.289.8964  
Community Outreach Director  
Helen@JewishFuneralCare.com

### Ask us about:

- ◊ Planning a funeral
- ◊ Cemetery options
- ◊ Fixing costs and how pre-payment works
- ◊ Out-of-town funeral planning
- ◊ Traditional and non-traditional options

Prepayment discounts available



Edward Dressler  
770.451.4999

## NOTICE OF FILMING

Stalwart Films, LLC. will be filming near Perimeter Center, Dunwoody. Our Filming work is scheduled to take place on May 26 and 27.

Our Crew, Work Truck and Basecamp parking will be self-contained on the property. We will not be doing any lane or street closures, so we will not interfere with traffic.

Stalwart Films LLC., is very sensitive to the impact that filming can have on a community. It is with these issues in mind that we approach the logistical needs of the production so we can effectively work to minimize any inconveniences to those in the neighborhood.

On behalf of Stalwart Films, LLC., thank you for your patience and cooperation; it is greatly appreciated. If you have any questions you can reach us at the production office (404)-662-4050.

## SEND US YOUR

Community News:  
community news@  
criernewspapers.com

Letters to the Editor  
thecrier@mindspring.com

Birth and Bridal  
Announcements:  
community news@

criernewspapers.com

Your travel photos with The Crier:  
whereintheworld@  
criernewspapers.com

Obituaries  
jhart@criernewspapers.com

... or via our website  
thecrier.net

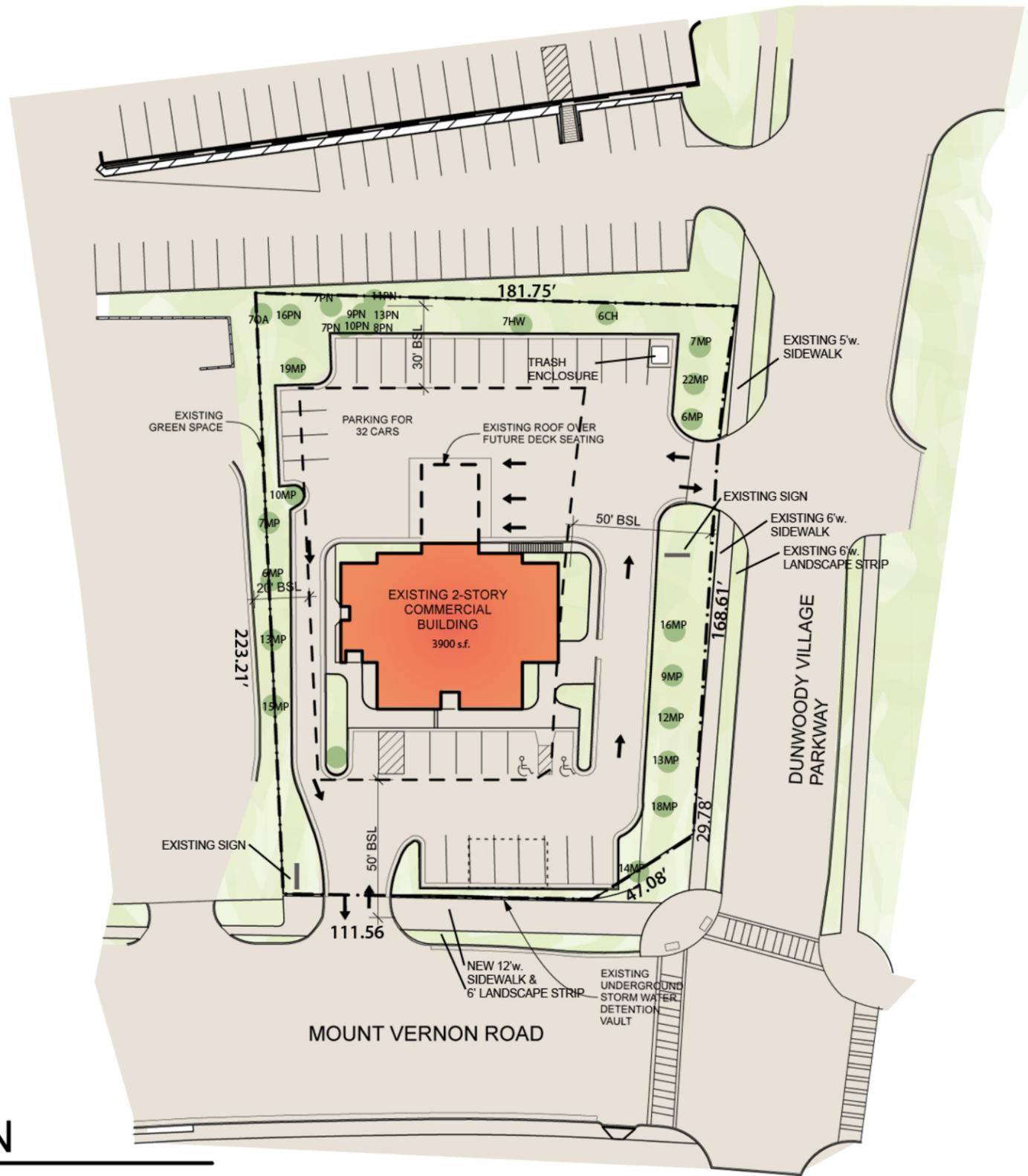
READ THE CRIER ONLINE  
[www.thecrier.net](http://www.thecrier.net)

# JK FAMILY TRUST

June 6, 2016 @ 7:00 p.m.

COMMUNITY MEETING

NAME	ADDRESS	E-MAIL/PHONE NUMBER
Den Weiss	1236 Redtree St 30309	djweiss@ssjrlan.com
JEFF KERKER	3944 Tuxedo Rd	Jkerker@aol.com
BILL GROSSMAN	5061 HIDDEN BRANCHES DR 30978	BILL.GROSSMAN@COMCAST.NET
Kathy Carlsen	1709 Womack Rd	770/285-5064
Nancy Hawthorne	1919 Womack Rd	nancy.hawthorne@comcast.net
NEIL ANSED	4179 CHESTNUT CROSS DR	
Judy Wilson	1439 Vernon N Dr.	Judy.wilson@comcast.net



# SITE PLAN

SCALE: 1" = 50'

## PROJECT DATA

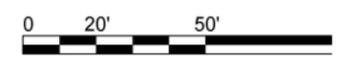
ACREAGE:	.82 ACRES = 35,719.20 sf
EXISTING BUILDING AREA:	3900 S.F.
EXISTING BLG HEIGHT:	2- STORIES < 35'
PROPOSED ZONING:	C-1
PROPOSED USE:	RETAIL / OFFICE
BUILDING SETBACKS:	
FRONT	50'
SIDE	20'
REAR	30'
LOT COVERAGE	
ALLOWABLE (80%):	28,575 SF
PROVIDED (75%):	26,656 SF
PARKING SPACES-	32 TOTAL (EXISTING)
	30 REGULAR
	2 HANDICAP

## NOTES:

1. ALL SITE PLAN INFORMATION IS BASED ON BOUNDARY & TOPOGRAPHIC SURVEY PREPARED BY TRAVIS FRUITT & ASSOCIATES INC ENTITLED 'WELLS FARGO DUNWOODY' DATED 6.3.2011, AND PARCEL MAP PROVIDED BY CITY OF DUNWOODY.
2. ALL TREES SHOWN ON SITE PLAN ARE EXISTING AND ARE INTENDED TO REMAIN. ALL TREE SAVE FENCING WILL BE SHOWN ON BUILDING / LAND DISTURBANCE PERMIT DRAWINGS.



NORTH



1660 MOUNT VERNON RD. | SITE PLAN

17 JUNE 2016