Variance Application

Community Development
Dunwoody
Smart people – Smart city
41 Perimeter Center East | Dunwoody, GA 30346
Phone: (678) 382-6800 | Fax: (770) 396-4828

If for any reason you cannot meet all the standards and regulations of the Code of Ordinances, you may be entitled to present a request for a Variance before the Dunwoody Zoning Board of Appeals (ZBA). A Variance is a relaxation of the strict terms of the Zoning/Land Development/Sign Ordinances (such as building setbacks, number of parking spaces or other regulations) for a specific property to permit construction or use in a manner that would otherwise be prohibited because of the particular physical surroundings, shape or topographical conditions.

Application Requirements:

Item #	Required Item	Number of Copies
1	Variance Application	1 electronic copy + 1 hardcopy
2	Property Owner Affidavit(s)	1 electronic copy
3	Campaign Disclosure Statement	1 electronic copy
4	Site plan (drawn to scale)	1 electronic copy + 2 hardcopies
5	Written legal description of the property	1 electronic copy
6	Site photos	1 electronic copy
7	Letter of Intent	1 electronic copy
8	Payment	Pay with cash, check or credit card

Please submit the entirety of your application submittal electronically, saved as a single PDF.

You will need to complete and submit your Variance Application by the 1st Thursday of the month in order for the Variance request to be heard at the next available scheduled meeting. The Zoning Board of Appeals meets the first Thursday of each month at 6:00 p.m. in the Dunwoody City Hall, located at 41 Perimeter Center East, Dunwoody, GA 30346.

Application Deadline	Meeting Date
January 7, 2016	March 3, 2016
February 4, 2016	April 7, 2016
March 3, 2016	May 5, 2016
April 7, 2016	June 2, 2016
May 5, 2016	July 7, 2016
June 2, 2016	August 4, 2016
July 7, 2016	September 1, 2016
August 4, 2016	October 6, 2016
September 1, 2016	November 3, 2016
October 6, 2016	December 1, 2016
November 3, 2016	January 5, 2017
December 1, 2016	February 2, 2017

You must present your request to the Board in the form of a hardship that you will experience if the strict application of the zoning regulation is enforced. The process is very similar to the Zoning process, and when granting a Variance, the Zoning Board of Appeals may impose requirements and conditions to protect adjacent properties and the public interest. Any application for a Variance must be supported by written verification pursuant to the questions below. If a variance application is denied, an application to vary the same zoning ordinance provision for the same portion of the subject property may not be resubmitted for 24 months from the date of the denial.

- **Letter of Intent for Zoning Variances (Chapter 27):** Please describe your situation and how your variance request is a result of **all** of the following conditions:
    1) The grant of the variance will not be detrimental to the public health, safety or welfare or injurious to property or improvements;
    2) The variance request is based on conditions that (1) are unique to the subject property (2) are not generally applicable to other properties in the same zoning district and (3) were not created by the owner or applicant;
    3) Because of the particular conditions, shape, size, orientation or topographic conditions, the strict application of the requirements of this zoning ordinance would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners;
    4) The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other similarly situated properties;
    5) The literal interpretation and strict application of the applicable provisions or requirements of this zoning ordinance would cause undue hardship or practical difficulty, as distinguished from a mere inconvenience; and
    6) The requested variance would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan.
- **Letter of Intent for Sign Variances (Chapter 20):** Please describe your situation and how your variance request is a result of **all** of the following conditions:
    1) Where the proximity of existing signs on adjoining lots causes the subject property to be ineligible, due to spacing requirements, for a sign of the type sought; or
    2) Where visibility of a conforming sign from the proposed street and within 50 feet of the proposed sign would be substantially impaired by existing trees, plants, natural features, signs, buildings or structures on a different lot; and
        a. Placement of the sign elsewhere on the lot would not remedy the visual obstruction;
        b. Such visibility obstruction was not created by the owner of the subject property; and
        c. The variance proposed would not create a safety hazard to vehicular traffic or pedestrians.

    Variances shall be limited to the minimum relief necessary to overcome the hardship. No variances shall be granted to allow a greater number of signs than would be allowed if the hardship did not exist. No variance shall transfer to a new owner or occupant of the property.
- **Letter of Intent for Land Development Variances (Chapter 16):** Please describe your situation and how your variance request is a result of **all** of the following conditions:
    1. By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, the strict application of Article 14 would deprive the property owner of rights and

VARIANCE APPLICATION

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Project #: _____ Date Received: _____

*** Type:**

Type of Request: ☒ Chapter 16-Streams ☒ Chapter 16-Other ☐ Chapter 20-Signs ☒ Chapter 27-Zoning

Code section from which variance is sought: _____

Nature of Request: To replace existing deck

*** Project:**

Name of Project / Subdivision: Mneimneh Zoning: _____

Property Address / Location: 4935 Mill Stream Court

District: _____ Land Lot: 361 Block: H Property ID: 18 361 06 004

*** Owner Information:**

Owner's Name: Allison S Mneimneh

Owner's Address: 4935 Mill Stream Court 30338

Phone: 404-345-2072 Fax: _____ Email: jamil.mneimneh@gmail.com

*** Applicant Information:** ☒ Check here if same as Property Owner

Contact Name: Jamil Mneimneh

Address: _____

Phone: _____ Fax: _____ Email: _____

*** Terms & Conditions:**

I hereby certify that to the best of my knowledge, this 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 understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Dunwoody Zoning Ordinance) will result in the rejection of this application.

Applicant's Name: Allison + Jamil Mneimneh

Applicant's Signature: Allison S Mneimneh Date: 5/23/16

*** Notary:**

Sworn to and subscribed before me this 23rd Day of May 2016

Notary Public: Gwinnett County

Signature: Arnita Louise Hires

My Commission Expires: February 17th 2018

ARNITA LOUISE HIRES
MY COMMISSION EXPIRES
NOTARY PUBLIC
FEBRUARY 17, 2018
GWINNETT COUNTY, GEORGIA

*** Office Use:**

☐ Application Fee Paid ☐ Sign Fee Paid ($135 x number of signs required) Fee: $ _____

Payment: ☐ Cash ☐ Check ☐ CC Date: _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied Date: _____

privileges enjoyed by other similarly situated property owners in the same zoning district;

2. By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, there is no opportunity for development under any design configuration allowed by these subdivision regulations unless a variance is granted;
3. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute the grant of a special privilege inconsistent with the limitations upon other property owners in the zoning district in which the subject property is located;
4. The requested variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located; and
5. The requested variances will not in any manner vary the provisions of the city zoning ordinance, the city comprehensive plan or the zoning map of the city.

- **Letter of Intent for Stream Buffer Variances (Chapter 16):** Please describe your situation and how your variance request is a result of **all** of the following conditions:

1) The request, while not strictly meeting the requirements of this chapter, will be, in the judgment of the zoning board of appeals, at least as protective of natural resources and the environment as would a plan which met the strict application of these requirements. In making such a judgment, the zoning board of appeals must examine whether the request will be at least as protective of the natural resources and the environment with regard to the following factors:
   a. Stream bank or soil stabilization;
   b. Trapping of sediment in surface runoff;
   c. Removal of nutrients, heavy metals, pesticides and other pollutants from surface runoff;
   d. Terrestrial habitat, food chain, and migration corridor;
   e. Buffering of flood flows;
   f. Infiltration of surface runoff;
   g. Noise and visual buffers;
   h. Downstream water quality; and
   i. Impact on threatened and endangered species, as those species are designated by law or federal or state regulation.
2) By reason of exceptional topographic or other relevant physical conditions of the subject property that were not created by the owner or applicant, there is no opportunity for any development under any design configuration unless a variance is granted.
3) The request does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privileges inconsistent with the limitations upon other properties that are similarly situated.
4) The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the area in which the property is located.
5) The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause an extreme hardship, provided the hardship was not created by the owner.

Campaign Disclosure Ordinance

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Campaign Disclosure Ordinance
Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a Rezoning, Concurrent Variance, or Conditional Use.

GA Citation/Title
GA Code 36-67A-3, Disclosure of campaign contributions
*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS
(Current through 2000 General Assembly)

36-67A-3 Disclosure of campaign contributions.

a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

   1) The name and official position of the local government official to whom the campaign contribution was made; and
   2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating $250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:

   1) The name and official position of the local government official to whom the campaign contribution was made; and
   2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the
first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 – 2000 State of Georgia.

Campaign Disclosure Statement

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Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating $250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission? ☐ YES ☒ NO

* Applicant / Owner:

Signature: Allison S Wiemnich Date: 5/25/16

Address: 4935 Mill Stream Ct Dunwoody, GA 30338

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

Property Owner(s) Notarized Certification

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The owner and petitioner acknowledge that this application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for variance(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

*** Property Owner (If Applicable):**

Owner Name: Allison S. Mneimneh
Signature: Allison S. Mneimneh Date: June 13, 2016
Address: 4935 Mill Stream Ct. Dunwoody, GA 30338
Phone: 678 438 1240 Fax: — Email: allison.mneimneh@gmail.com
Sworn to and subscribed before me this 13th Day of June, 2016
Notary Public:

C. Roberts
NOTARY PUBLIC
GWINNETT COUNTY GEORGIA expires 12/18/18
C. Roberts 6/13/16

*** Property Owner (If Applicable):**

Owner Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____
Notary Public:

*** Property Owner (If Applicable):**

Owner Name: _____
Signature: _____ Date: _____
Address: _____
Phone: _____ Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____
Notary Public:

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 361, 18TH DISTRICT, DEKALB COUNTY, GEORGIA AND BEING KNOWN AS LOT 3, BLOCK H, UNIT 3 OF VILLAGE MILL SUBDIVISION AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION FORMED BY THE SOUTHERLY RIGHT OF WAY OF WOMACK ROAD AND THE EASTERLY RIGHT OF WAY OF MILL STREAM COURT (IF EXTENDED); THENCE SOUTHERLY ALONG THE EASTERLY RIGHT OF WAY OF MILL STREAM COURT 240.0 FEET TO A 1/2 INCH REBAR FOUND AT THE COMMON CORNER OF LOTS 2 AND 3 AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 37 MINUTES 00 SECONDS EAST ALONG THE LINE COMMON TO LANDS NOW OR FORMERLY OWNED BY DANIEL & JENNIFER GEIST, 150.15 FEET TO A 1/2 INCH REBAR FOUND; THENCE SOUTH 00 DEGREES 25 MINUTES 29 SECONDS WEST ALONG THE LINE COMMON TO LANDS NOW OR FORMERLY OWNED BY JASON BIRNBAUM, STEVEN CHERWIN AND PATRICIA COOPER, 183.00 FEET TO A 18 INCH TREE; THENCE NORTH 54 DEGREES 32 MINUTES 51 SECONDS WEST ALONG THE LINE COMMON TO PROPERTY NOW OR FORMERLY OWNED BY LOUIS DOUGLASS, 163.94 FEET TO A 1/2 INCH REBAR FOUND ON THE EASTERLY RIGHT OF WAY OF MILL STREAM COURT; THENCE ALONG SAID RIGHT OF WAY AND FOLLOWING A CURVE TO THE LEFT 83.06 FEET TO A POINT, SAID CURVE HAVING A RADIUS OF 50.00 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 11 DEGREES 45 MINUTES 01 SECONDS WEST FOR 73.83 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 00 DEGREES 43 MINUTES 25 SECONDS WEST 16.83 FEET TO THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND BEING 0.419 ACRES OF LAND AS SHOWN ON A PLAT PREPARED BY BOUNDARY ZONE INC., DATED 1/12/16.

Mneimneh Aerial

0 5 10 20 30 40 Feet

Date Printed: 3/10/2016

N

DeKalb County GIS Disclaimer
The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.

Mneimneh Aerial

0 5 10 20 30 40 Feet

Date Printed: 3/10/2016

N

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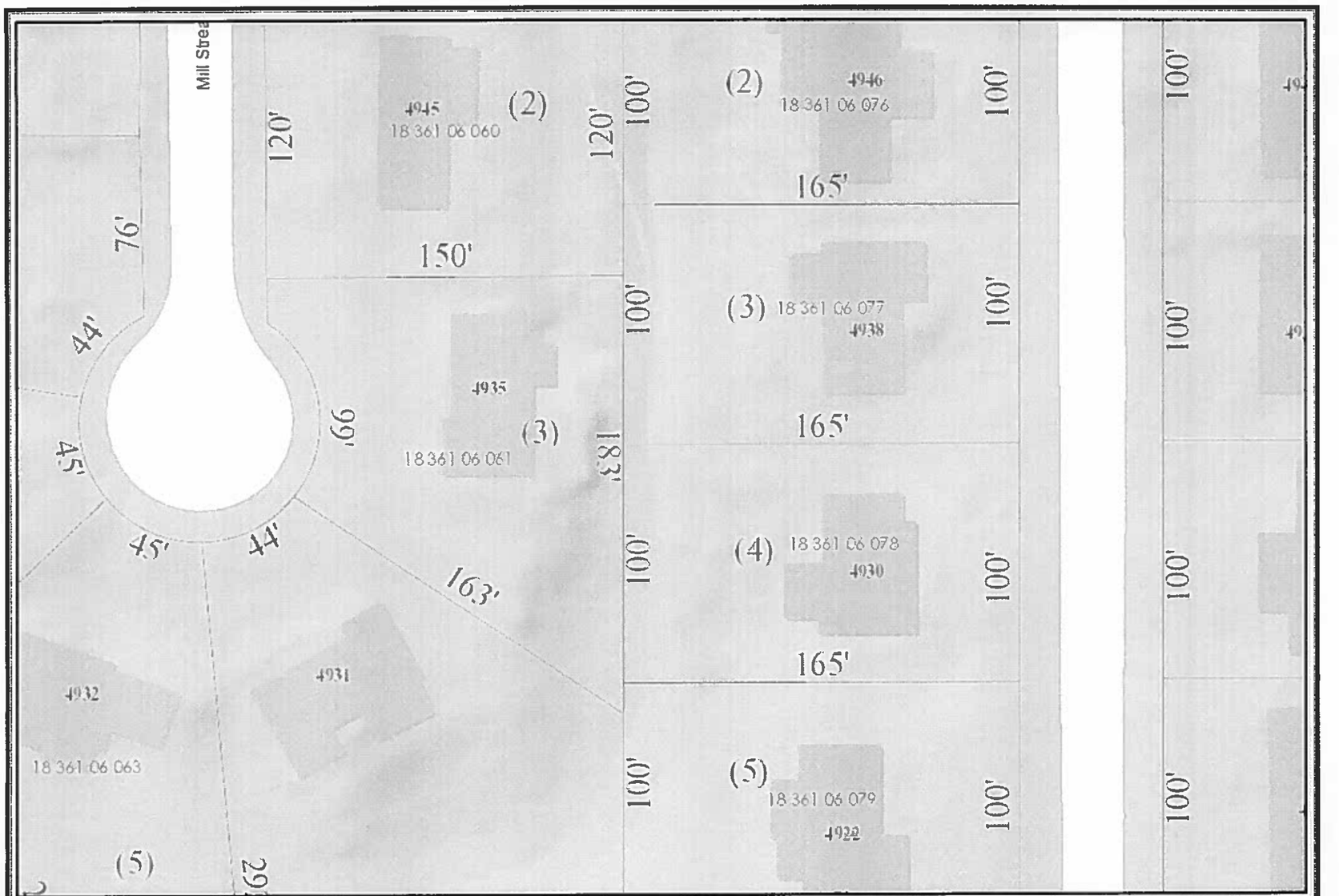

Mneimneh

0 12.5 25 50 75 100 Feet

Date Printed: 3/10/2016

N

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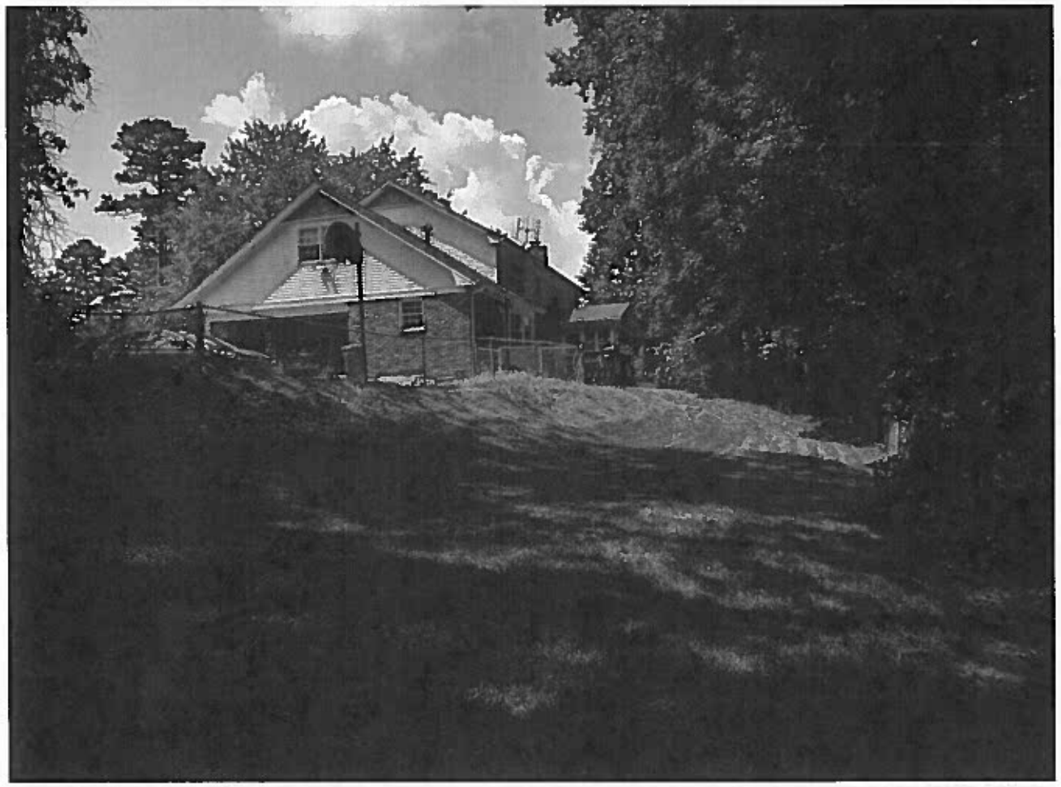


RA

OutBack Deck, Inc.

NEHEMIAH

19 May 2016

Re: Jamil Mneimneh
4935 Mill Stream Court
Dunwoody, GA 30338

Dear Dunwoody Variance Board,

Attached please find the application for Variance for permit application # 2016-11496. Please accept this as the required letter of intent.

The Mneimneh's contracted with Outback Deck to demolish and rebuild a deck on their property in December 2015. A permit was applied for through Dunwoody in January 2016.

Since the original build of the home at 4935 Mill Stream Court, the rear set-back for this lot has changed to 40'. The 40' set-back goes through the existing home, as seen on the included site plan. There was also originally an issue with a plotted "stream" which has since been resolved as it is a run off/drainage area – not a stream.

Since the set-back has changed on the property, and goes through the home – the deck encroaches by more than 10 feet, which eliminates the possibility of applying for an SAP rather than the variance. The granting of this variance will not be detrimental to public health, safety or welfare or injurious to the property. It will replace an existing deck that is in need of replacement. The homeowners had no control over the set-backs being changed which has basically eliminated the ability to perform any work in their backyard, due to where the house was built – which followed the applicable codes at the time.

We are not requesting any special privileges, simply that we be allowed to replace the existing deck, which was in place before the set-backs changed. We feel this situation is more than an inconvenience, it is a safety issue.

We have enclosed the proposed scope of work, as well as the requested site plan, photographs, etc to provide all information possible for your consideration of this request. We are available for any questions, and look forward to your approval. Thank you for your time.

Best Regards,
Theda Quinn
Outback Deck

Jamil Mneimneh
Homeowner

RA RENOVATION ASSOCIATES

OutBack Deck, Inc.
301 Hickory Ridge Trail
Suite 140
Woodstock, GA 30188
678-262-4113

NEHEMIAH
SIDING • WINDOWS • GUTTERS

DETAILED SCOPE OF WORK FOR THE DECK PROJECT

1. Provide all necessary documentation for permitting, and procure building permit for the project, with the exception of a survey.
2. A full set of level 1 architectural drawings will be completed for the permitting process. Drawings will be property of Outback deck until the project completion.
3. The entire project will be completed to the 2012 IRC code specifications which will include the DCA-6 Prescriptive Residential Wood Deck Construction Guide published by the American Wood Council and adopted as part of the Georgia amendments to the 2012 IRC code specifications. All mechanical fasteners will be Simpson Strong-Tie connectors, unless otherwise noted, and will be installed per the manufacturer's installation instructions as listed in their Deck Connection and Fastening Guide. All fasteners will be galvanized exterior rated fasteners or other exterior rated material.
4. Place a wheeled dumpster in area to rear of driveway for removal of off-cuts and other deck debris
5. Haul away the waste material from the new deck construction. Remove and haul away the existing deck, steps, and rails.
6. Receive new materials for deck (also in your driveway)
7. Haul materials to rear of property and locate a "staging area" for all goods, cutting of materials and storage of equipment/tools for the duration of the project
8. Build a new deck structure approximately 364sqft in a new larger layout to include new steps, and deck. The substructure will be Prowood #2 pressure treated wet decking material. There will be a double 2x10 band beam installed to support the joist. Joist will be 2x10 placed 16" on center where decking is run in a straight laid pattern. Support post will be 6x6 PT ground contact rated post with stand-off post base connectors and post top connectors. There will be 11 support post. Double shear joist hangers will be installed at the end of each joist and properly fastened with the correct size nails. All wood to wood connections will have mechanical fasteners. There will be 13 concrete footings poured to support the deck. Concrete footings will be poured using 3000psi air entrained concrete mix and will be between 12"-16" deep. All fasteners will be installed per the manufactures installation instructions. This structure will be free standing and supported by 2x10 double drop beams and not attached to the home. The footings that are within 5' of the home foundation will be installed at a depth equal to that of the foundation in that area. If an engineer's letter is required by the city for the footings, there will be an additional charge for that work. The concrete patio will be cut to allow installation of the new footings for the deck.

CCV NADRA

RA RENOVATION ASSOCIATES KITCHEN AND BATH

OutBack | Deck, Inc.

301 Hickory Ridge Trail
Suite 140
Woodstock, GA 30188
678-262-4113

NEHEMIAH

9. ~~Install Prowood Select pressure treated decking in a straight laid pattern on the deck, steps, and landings. The decking will be secured using color coated exterior rated decking screws and two screws per board per joist will be installed.~~
10. Install a standard colonial rail using pressure treated 4x4 guard rail post mounted to the inside of the deck band using DTT-2Z hold down fasteners and two ½" through bolts on each post. All top and bottom rails will be pressure treated 2x4's. Powder coated aluminum balusters will be installed using PVC baluster connectors. All rail boards will be attached to the guard rail post using a PVC rail connector.
11. Install steps as shown on the sketch attached to the contract that terminate on a new concrete landing pad 4" thick poured with 3000psi concrete mix. The concrete will be poured with the new concrete patio work. A stringer hanger will be installed to support each stringer and stringers will be spaced no more than 16" apart. Risers will be closed and will have a matching riser board installed on each step. Steps will vary no more than 1/8" between each step. There will be an aluminum black powder coated graspable rail installed on the steps. Steps will be 4' wide and will have a matching guard rail.
12. The top step on each set of brick steps will be removed and the brick hauled off. The patio and remaining brick steps will stay in place.
13. Remove the brick pavers in the area where the deck will be located and reinstall them at the base of the steps or sidewalk.
14. Clean up entire work area and haul off all debris. The area will be magnetically swept to remove any metal debris.
15. PLANS WILL BE APPROVED BY THE OWNER PRIOR TO PERMITTING. IF THE SCOPE OF WORK IS REQUIRED TO BE ALTERED AS A RESULT OF MUNICIPALITY, CODE INTERPRETATION REQUIREMENTS, OR SITE REQUIREMENTS THEN A MODIFICATION TO THE SCOPE OF WORK AND PRICING MAY BE REQUIRED PRIOR TO WORK BEIGN COMPLETED.

TM

NADRA

RA RENOVATION ASSOCIATES KITCHEN AND BATH

OutBack Deck, Inc.

301 Hickory Ridge Trail
Suite 140
Woodstock, GA 30188
678-262-4113

NEHEMIAH SIDING · WINDOWS · GUTTERS

OPTIONS:

1. **Option 1.** Install Cali Bamboo 3-G decking in place of the pressure treated decking on the upper deck and steps. The decking will be installed using a hidden fastening system and all decking will be installed based upon the manufactures installation instructions listed in this proposal.
2. ~~**Option 2.** Install Fiberon Horizon composite decking in place of the pressure treated decking on the upper deck and steps. The decking will be installed using a hidden fastening system and all decking will be installed based upon the manufactures installation instructions listed in this proposal.~~
3. ~~**Option 3.** Install Fortress Fe26 iron railing on the deck and steps in place of the standard colonial rail system. The new rail will be installed with Fortress 2" post and kits and will be installed based upon the manufacture installation instructions listed in this proposal.~~
4. **Option 4.** Cap off the existing hose bib under the deck and install a new hose bib and cut off from the kitchen sink to the new deck at a height above the deck level.

Incl.

Incl.

FC JM

CCN

NADRA

Code Compliance Review Comments

Community Development
Dunwoody
* Smart people – Smart city

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

Project #: 2016-11496
Plan Review #: 5456
Date: 02/04/2016
Area: 364 SF

☐ Compliant
☒ Resubmit

Project: New deck
Location: 4935 Mill Stream Ct, Dunwoody GA 30338
Description: Construction of a new deck
Reviewers:

Fire:	Patrick Couch	Email:	patrick.couch@dunwoodyga.gov	Phone:	678-382-6800
Building:	Patrick Couch	Email:	patrick.couch@dunwoodyga.gov	Phone:	678-382-6800
Site:	James Bassett	Email:	james.bassett@dunwoodyga.gov	Phone:	678-382-6806
Planning:	Rebecca Keefer	Email:	rebecca.keefer@dunwoodyga.gov	Phone:	678-382-6811
Arborist:	Christie Berkowitz	Email:	christie.berkowitz@dunwoodyga.gov	Phone:	678-318-1070
Engineering:	James Bassett	Email:	james.bassett@dunwoodyga.gov	Phone:	678-382-6852

The steps below must be followed for the resubmittal to be accepted.

Re-submittal Instructions:

1. Provide a written response in 'red' to each comment in this document and submit with your revised plans. Comments should explain the corrective action taken and include sheet references.
2. All modifications and edits to any plan sheet (graphic and text) shall be 'clouded'. All modified sheets are to be inserted into the City's submittal set(s) at our office. Voided sheets are to be removed and left with the City.
3. A revised electronic copy of the full set shall be submitted with the revised sheets. The electronic file is to include all original and amended sheets, in proper order, as a single PDF document.
4. No other changes shall be made unless they are clearly listed/identified in the written description in #1 above.

Notes:

1. Following the third rejection of plans, the design professional of record shall be required to meet with the plans examiner, in person, prior to any further review.
2. These comments are not guaranteed to address every detail of non-compliance with all applicable codes and standards. There may be additional comments after corrections have been made.

Fire Plan Corrections List			
No.	Sheet	Description	Code Section
		N/A	

Building Plan Corrections List			
No.	Sheet	Description	Code Section
		N/A	

Site Plan Corrections List			
No.	Sheet	Description	Code Section
		N/A	

Planning Corrections List			
No.	Sheet	Description	Code Section
		Denied with comments: • Show 40' rear setback, 10' side setback. on new plat • Proposed construction not permitted to encroach 75' stream buffer. Variance application - not stream • Submit post-construction impervious surface ratio. - no change • Outdoor lighting not permitted to be installed, unless specs of fixtures are submitted and approved (Chapter 27, Article IV, Division 3). - N/A • Any proposed walls are not approved as a function of this review; a separate building permit shall be obtained. - N/A	

Arborist Corrections List			
No.	Sheet	Description	Code Section
		Approved.	

Engineering Corrections List			
No.	Sheet	Description	Code Section
		Denied with comments: • Encroachment into the stream buffer is not permitted. Variance application	

Email chain - confirming no stream

Theda Quinn

From: Jamil Mneimneh <jamil.mneimneh@gmail.com>
Sent: Friday, March 11, 2016 4:23 PM
To: Rebecca Keefer; Theda Quinn
Cc: David Elliott
Subject: Re: Introduction

Rebecca,

Thank you so much for sending folks out to take a look!!!

Offhand, do you know if this would allow us to proceed with a SAP vs. a a Variance if we are lengthening the deck, not widening it? We're not moving any further back toward the property line than we already are, just getting the deck to run along a little further on the backside of our house similar to a lot of our neighbors on the other side of the property line.

I've gone ahead and CC'ed Theda to follow up with new options (if any) we have now that we are no longer looking at a stream buffer setback issue.

Thank you again for looking at this for me! Have a great weekend!

-Jamie

On Fri, Mar 11, 2016 at 3:44 PM, Rebecca Keefer <rebecca.keefer@dunwoodyga.gov> wrote:

Hi Jamie,

I wasn't aware the channel was paved based on the data currently available to us—that makes a lot of difference. Our consultants got back to us and determined that the stream is ephemeral and does not require a buffer. There still may be an issue with the rear setback that will require a variance based on the amount the proposed deck is encroaching—check with your contractor for the next steps. I'll be available for additional assistance; don't hesitate to ask. Thanks, and have a great weekend.

Rebecca

Dunwoody
*Smart people – Smart city

Rebecca Keefer, AICP

City Planner/Director of Sustainability

City of Dunwoody

41 Perimeter Center East, Suite 250, Dunwoody, GA 30346

(678) 382-6811 direct

(770) 396-4828 fax

From: Jamil Mneimneh [mailto:jamil.mneimneh@gmail.com]
Sent: Wednesday, March 09, 2016 10:56 AM
To: David Elliott
Cc: Rebecca Keefer
Subject: Re: Introduction

As a side note, this doesn't affect me requesting a variance, I'm still planning on doing that, just wanting to make sure you guys take a look at this part of the map as part of the study if you haven't already.

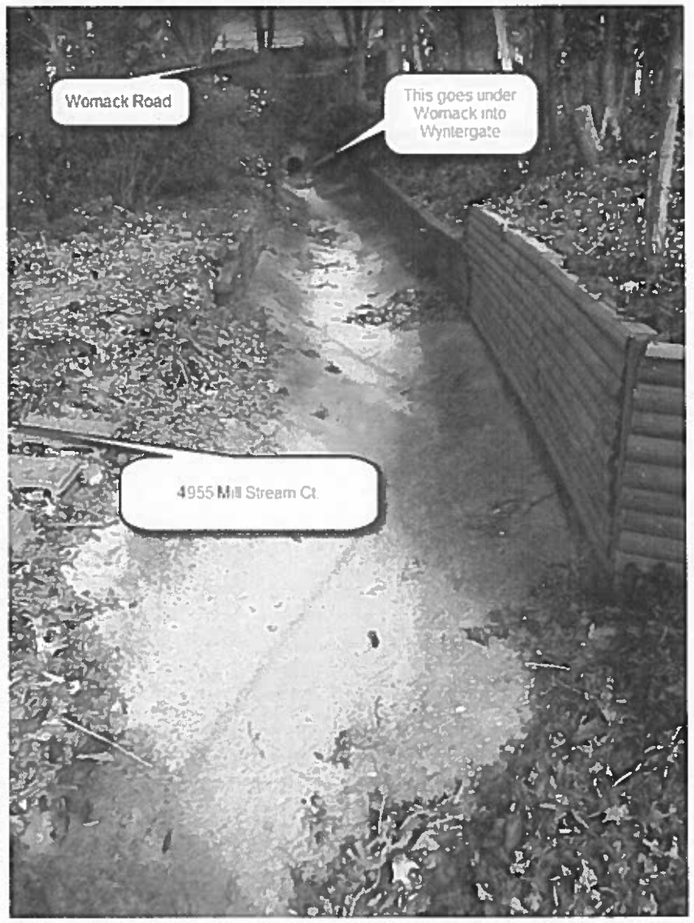
Thanks!

-Jamie

On Wed, Mar 9, 2016 at 10:54 AM, Jamil Mneimneh <jamil.mneimneh@gmail.com> wrote:

Ah OK, it must have been raining recently or something or there's another active tributary that flows in.

I went ahead and snapped some photos...there's some pretty rough areas along this route as well that have disintegrated / haven't been paved, I just noted the areas that look like public works and the corresponding addresses I took them from. The one on the left starts at Womack at the end of my "L" from earlier (Further North from me), the one on the right is from my neighbors yard past my house (further South), both are looking North. Hopefully you guys take a look / have looked at this area and note that we're just drainage in our backyards...not any sort of actual creek or stream or whatever.


Womack Road
This goes under Womack into Wyntergate
4955 Mill Stream Ct

On Wed, Mar 9, 2016 at 9:55 AM, David Elliott <David.Elliott@dunwoodyga.gov> wrote:

Jamil,

We replaced a concrete flume downstream of Village Creek Drive a year or two ago. At that point there was a presence of consistent flow and would be called a state water, but you are further upstream. One of the main purposes of the study we are in the process of wrapping up is to specifically determine the starting point of State Waters. It should be completed in the next few weeks.

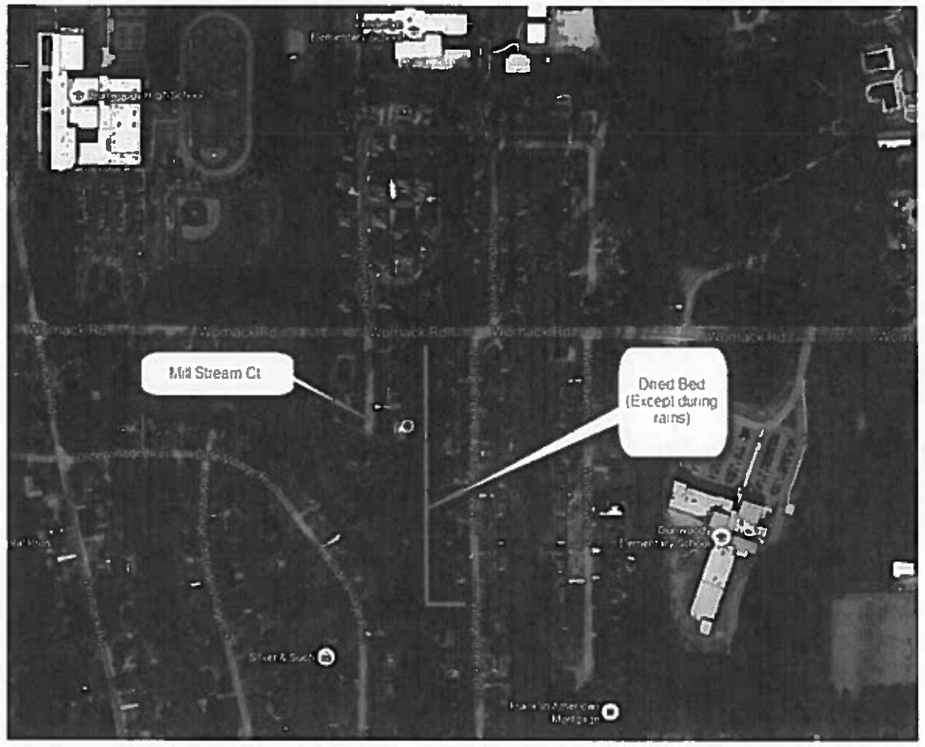
Thank you,

From: Jamil Mneimneh [mailto:jamil.mneimneh@gmail.com]
Sent: Wednesday, March 09, 2016 8:57 AM
To: David Elliott <David.Elliott@dunwoodyga.gov>
Cc: Rebecca Keefer <rebecca.keefer@dunwoodyga.gov>
Subject: Re: Introduction

Rebecca & David,

When chatting with Outback Decks they mentioned they had been working with you (Rebecca) and you've been extremely helpful, I'm glad to have your email now!

My property is at 4935 Mill Stream Ct, we're planning on moving forward with the variance request (Outback will be helping me with the process), but David, if you have any insight into this particular area in Dunwoody (and if it might be subject to changing) it would be appreciated. I know there was a public works project at the bottom of the runoff channel (L intersection) to funnel water across Village Creek Dr last year (lots of construction) so maybe you were involved in that?



On Wed, Mar 9, 2016 at 8:37 AM, David Elliott <David.Elliott@dunwoodyga.gov> wrote:

Rob,

Permitting is handle through Community Development, Rebecca Keefer (cc'd) can help you with any questions regarding this issue. There are fairly stringent regulations/laws when it comes to working near streams.

I can offer that the city is in the process of completing a study that more specifically defines the location of streams in Dunwoody. This may have an effect on whether the drainage you mention is determined to be a stream (state water with buffer) or not. This study should be completed in the next few weeks.

Thank you,

From: Rob Babb [mailto:rob.babb@gmail.com]
Sent: Tuesday, March 08, 2016 4:01 PM

To: David Elliott <David.Elliott@dunwoodyga.gov>; Jamil Mneimneh <jamil.mneimneh@gmail.com>
Subject: Introduction

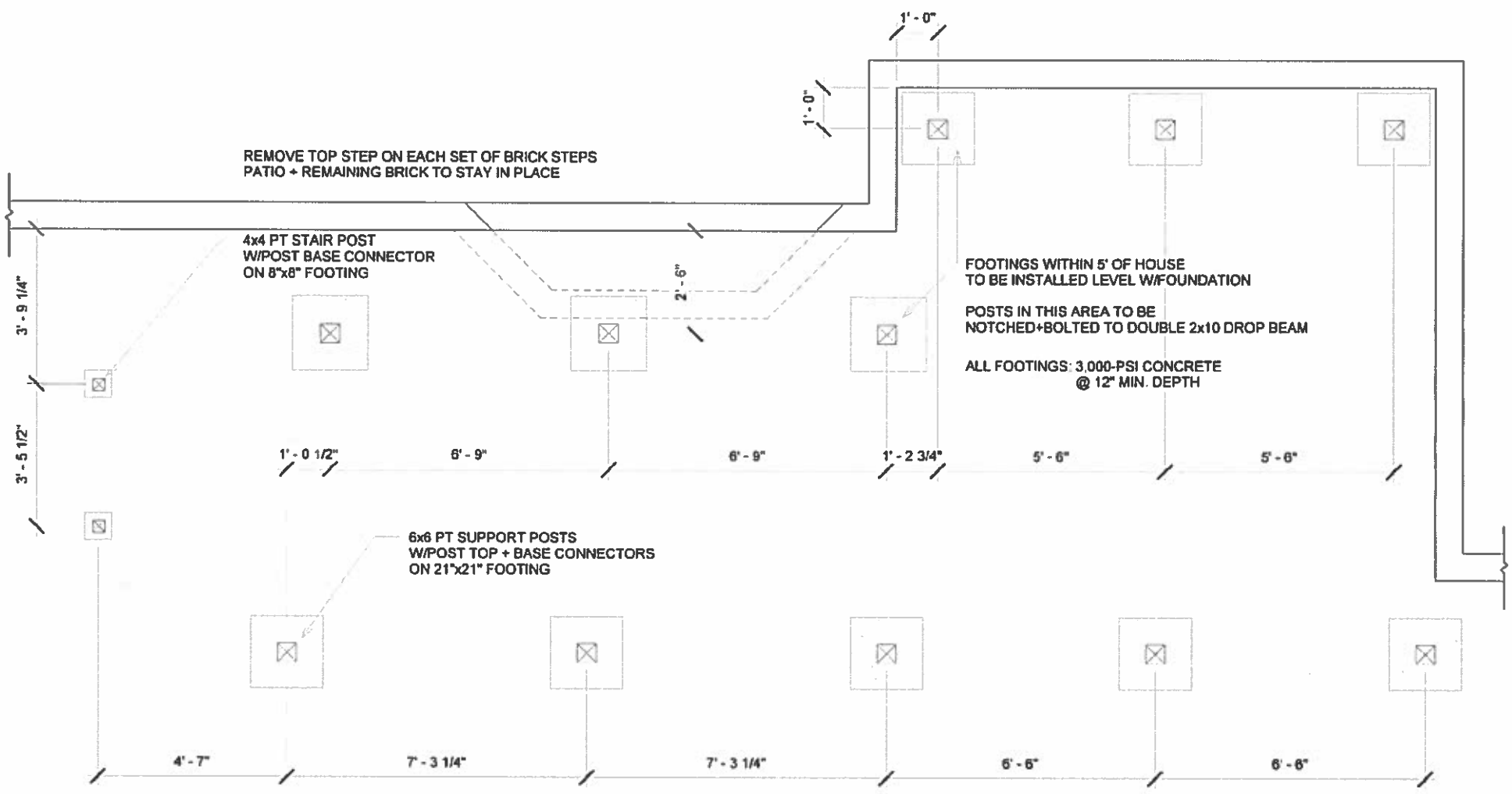
Hi David,

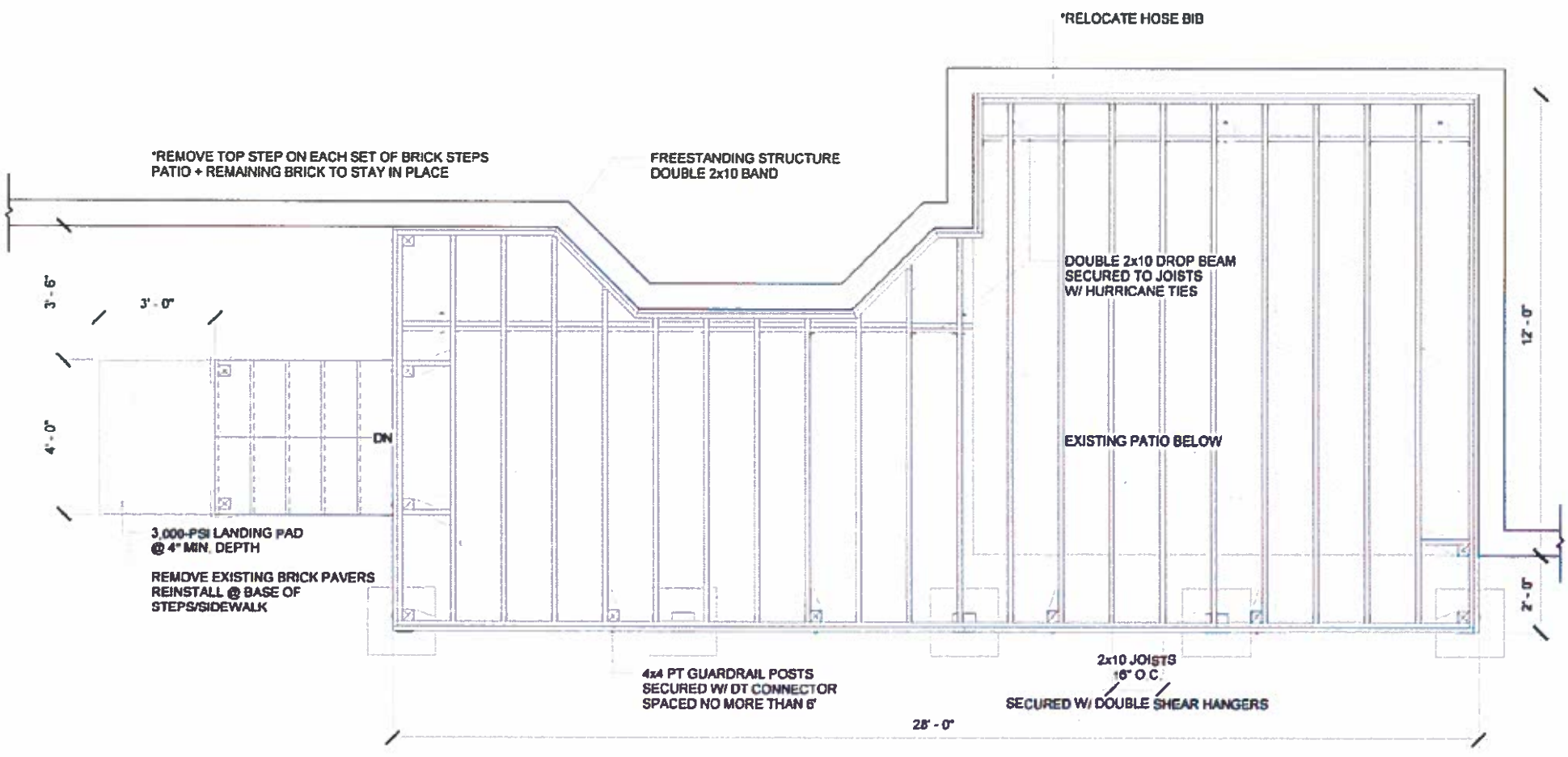
My friend Jamil and his wife Allison live in Dunwoody off of Womack. They have been looking to replace the deck on the back of their home due to wear and tear. While working with their contractor they've run into some snags in the building code as there's a natural drainage ditch/creek behind their home. I think the majority of the purpose of ditch is to drain from the homes and street, but the city has it labeled as a creek (but it's dry unless it rains).

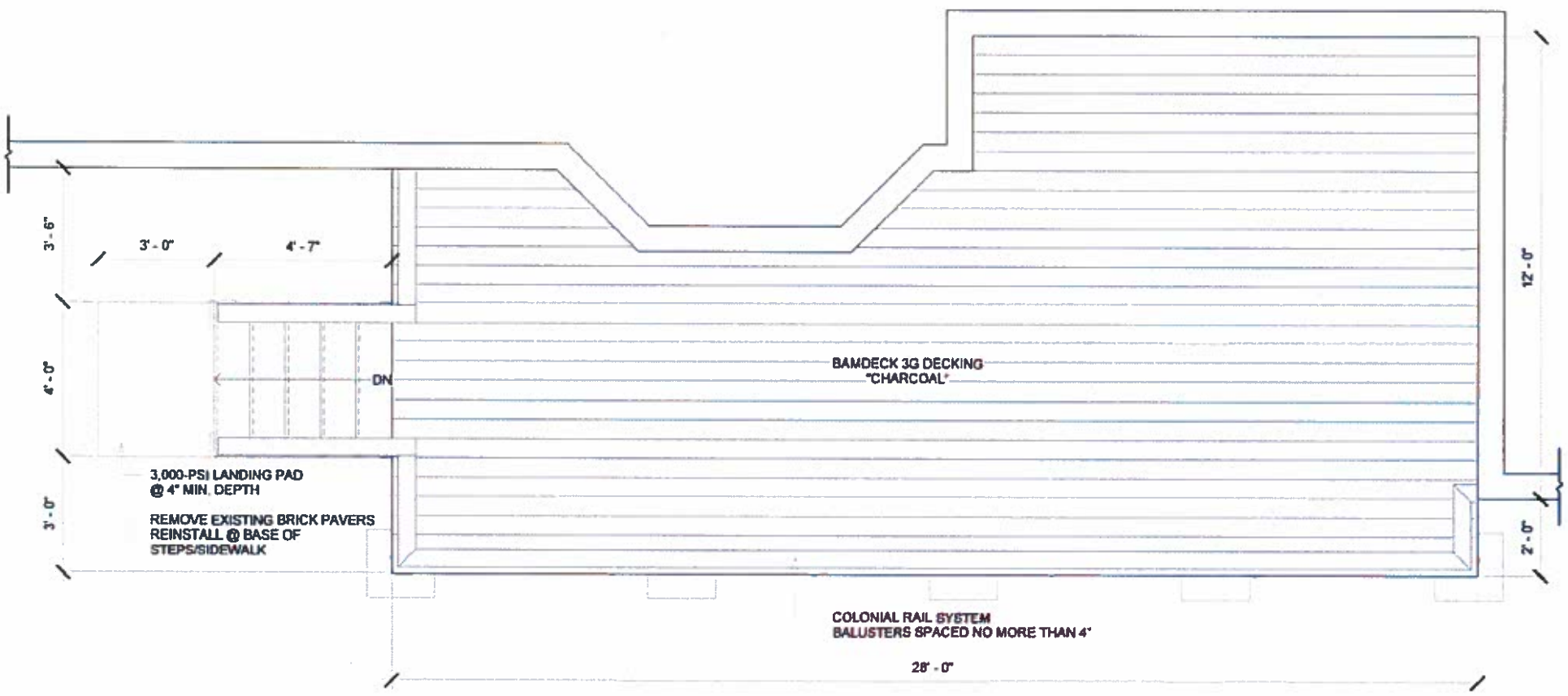
I don't know how much of this might fall in your domain, but I thought it might be good to introduce you two in case there's some way you could be of assistance.

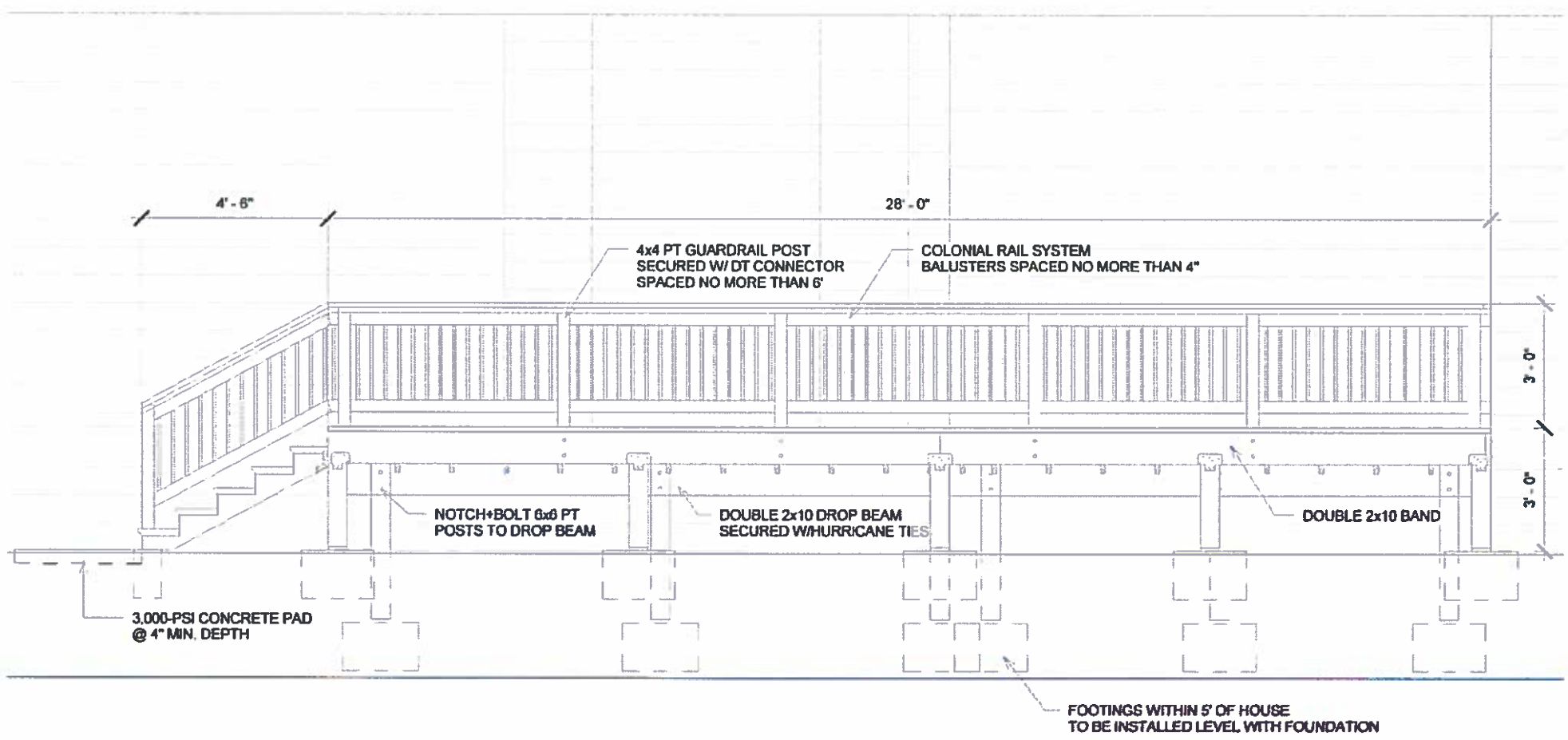
Regards,

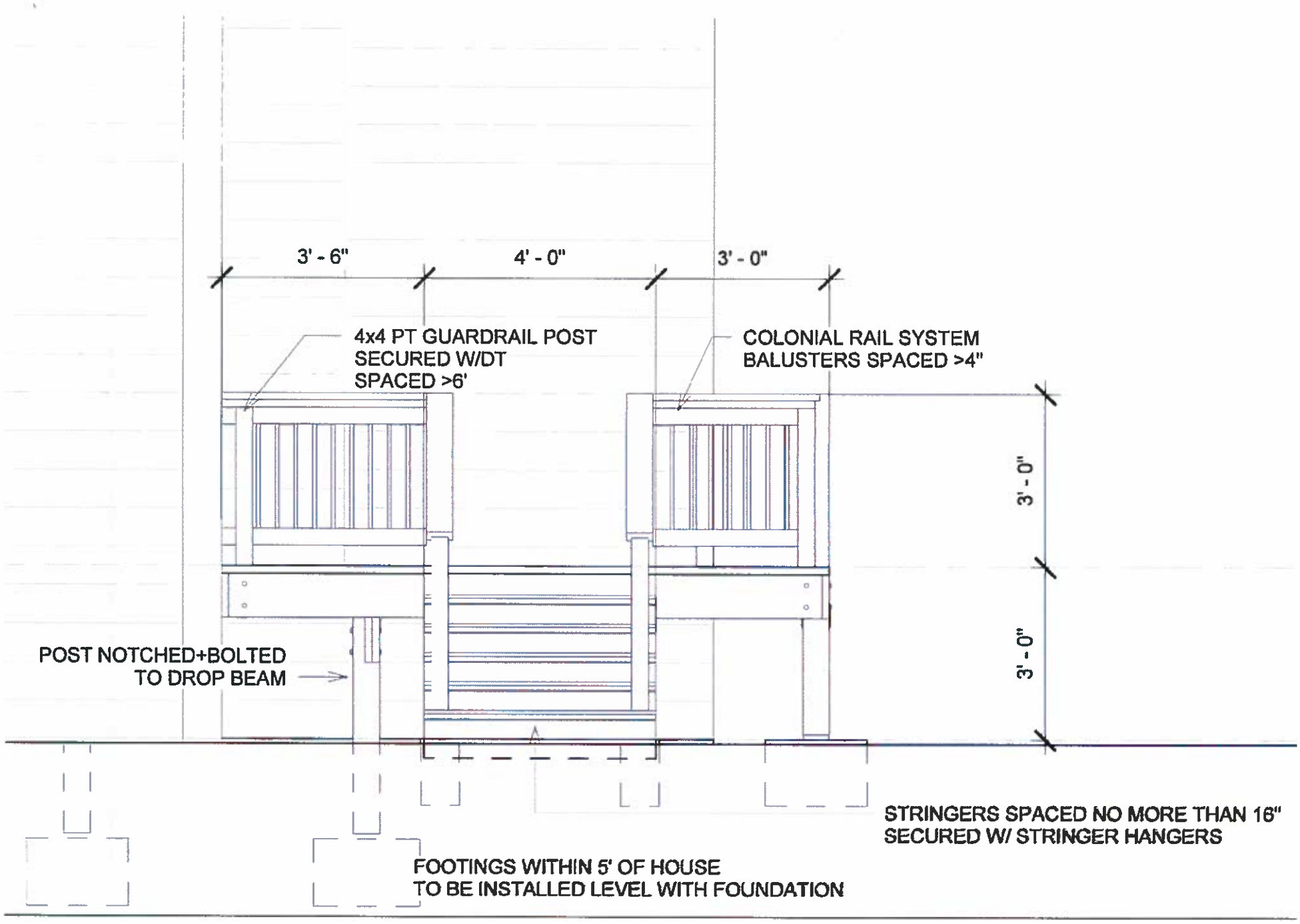
Rob Babb

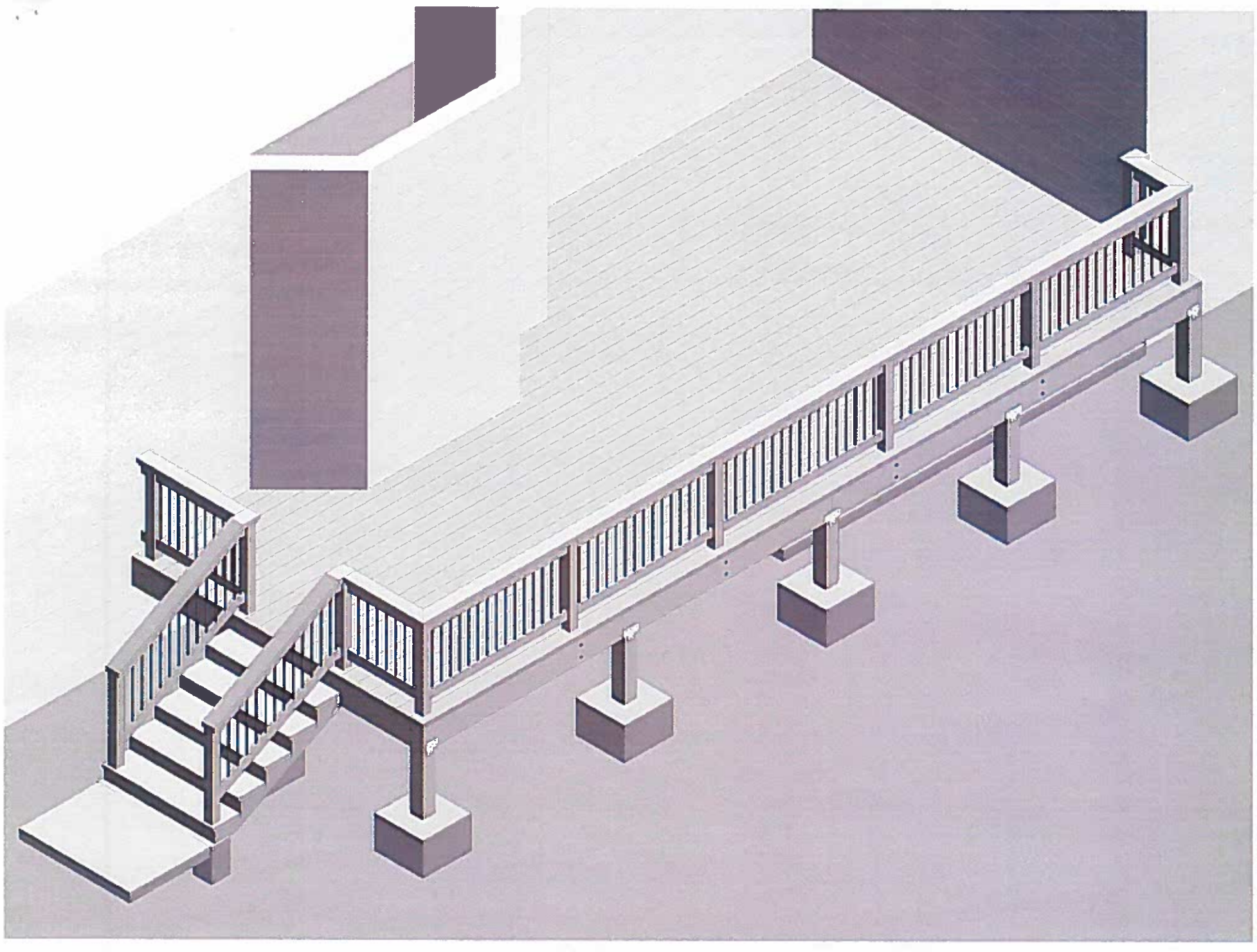

1' - 0"
1' - 0"
REMOVE TOP STEP ON EACH SET OF BRICK STEPS
PATIO + REMAINING BRICK TO STAY IN PLACE
4x4 PT STAIR POST
W/POST BASE CONNECTOR
ON 8"x8" FOOTING
2' - 6"
FOOTINGS WITHIN 5' OF HOUSE
TO BE INSTALLED LEVEL W/FOUNDATION
POSTS IN THIS AREA TO BE
NOTCHED+BOLTED TO DOUBLE 2x10 DROP BEAM
ALL FOOTINGS: 3,000-PSI CONCRETE
@ 12" MIN. DEPTH
3' - 9 1/4"
3' - 5 1/2"
1' - 0 1/2"
6' - 9"
6' - 9"
1' - 2 3/4"
5' - 6"
5' - 6"
6x6 PT SUPPORT POSTS
W/POST TOP + BASE CONNECTORS
ON 21"x21" FOOTING
4' - 7"
7' - 3 1/4"
7' - 3 1/4"
6' - 6"
6' - 6"

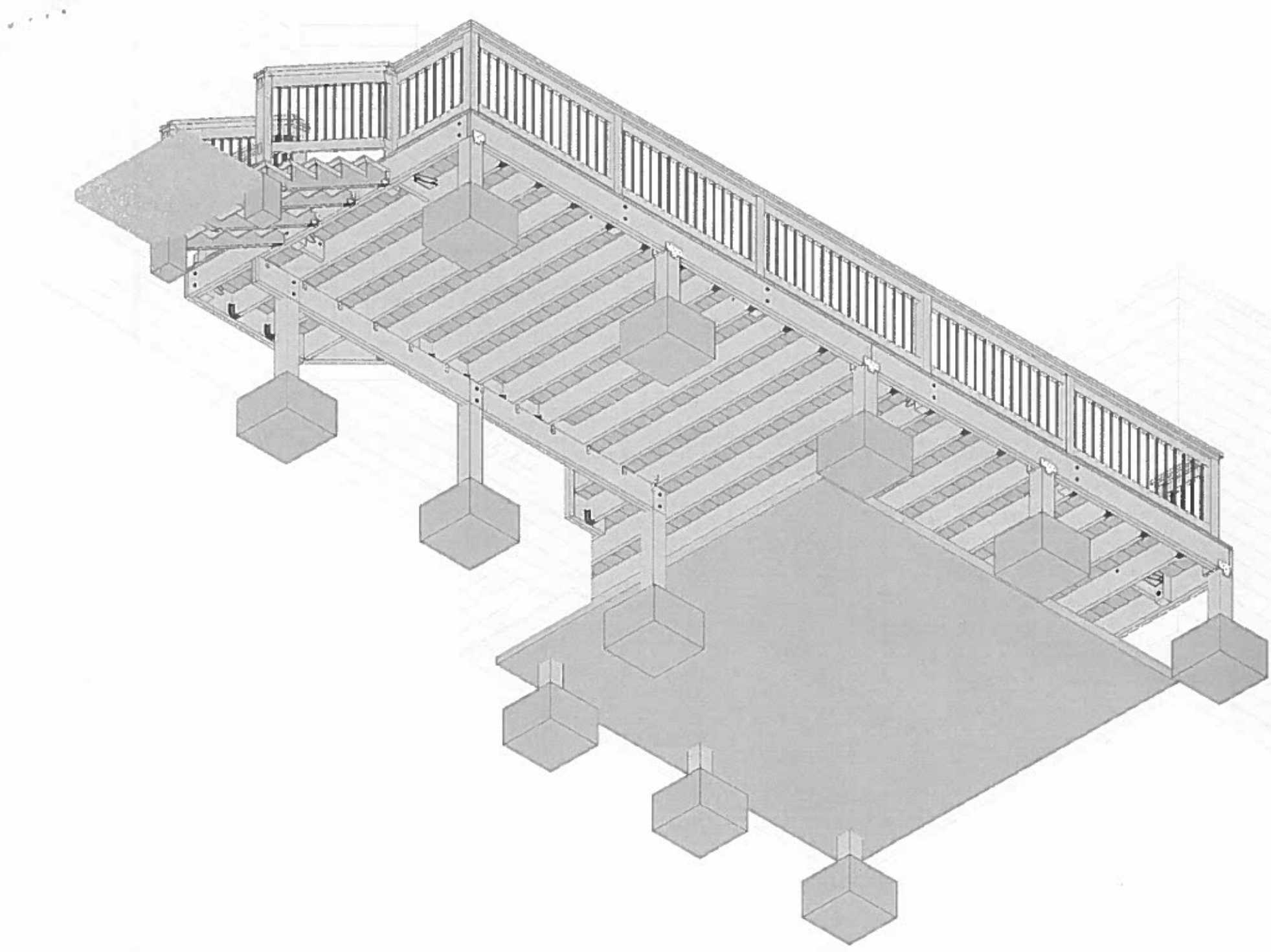

*RELOCATE HOSE BIB
*REMOVE TOP STEP ON EACH SET OF BRICK STEPS
PATIO + REMAINING BRICK TO STAY IN PLACE
FREESTANDING STRUCTURE
DOUBLE 2x10 BAND
DOUBLE 2x10 DROP BEAM
SECURED TO JOISTS
W/ HURRICANE TIES
3' - 6"
3' - 0"
4' - 0"
DN
12' - 0"
EXISTING PATIO BELOW
3,000-PSI LANDING PAD
@ 4" MIN. DEPTH
REMOVE EXISTING BRICK PAVERS
REINSTALL @ BASE OF
STEPS/SIDEWALK
2' - 0"
4x4 PT GUARDRAIL POSTS
SECURED W/ DT CONNECTOR
SPACED NO MORE THAN 6'
2x10 JOISTS
16" O.C.
SECURED W/ DOUBLE SHEAR HANGERS
28' - 0"


3' - 6"
3' - 0"
4' - 7"
4' - 0"
DN
3' - 0"
3,000-PSI LANDING PAD
@ 4" MIN. DEPTH
REMOVE EXISTING BRICK PAVERS
REINSTALL @ BASE OF
STEPS/SIDEWALK
BAMDECK 3G DECKING
"CHARCOAL"
12' - 0"
2' - 0"
COLONIAL RAIL SYSTEM
BALUSTERS SPACED NO MORE THAN 4"
28' - 0"


4' - 6"
28' - 0"
4x4 PT GUARDRAIL POST
SECURED W/ DT CONNECTOR
SPACED NO MORE THAN 6'
COLONIAL RAIL SYSTEM
BALUSTERS SPACED NO MORE THAN 4"
3' - 0"
3' - 0"
NOTCH+BOLT 6x6 PT
POSTS TO DROP BEAM
DOUBLE 2x10 DROP BEAM
SECURED W/HURRICANE TIES
DOUBLE 2x10 BAND
3,000-PSI CONCRETE PAD
@ 4" MIN. DEPTH
FOOTINGS WITHIN 5' OF HOUSE
TO BE INSTALLED LEVEL WITH FOUNDATION

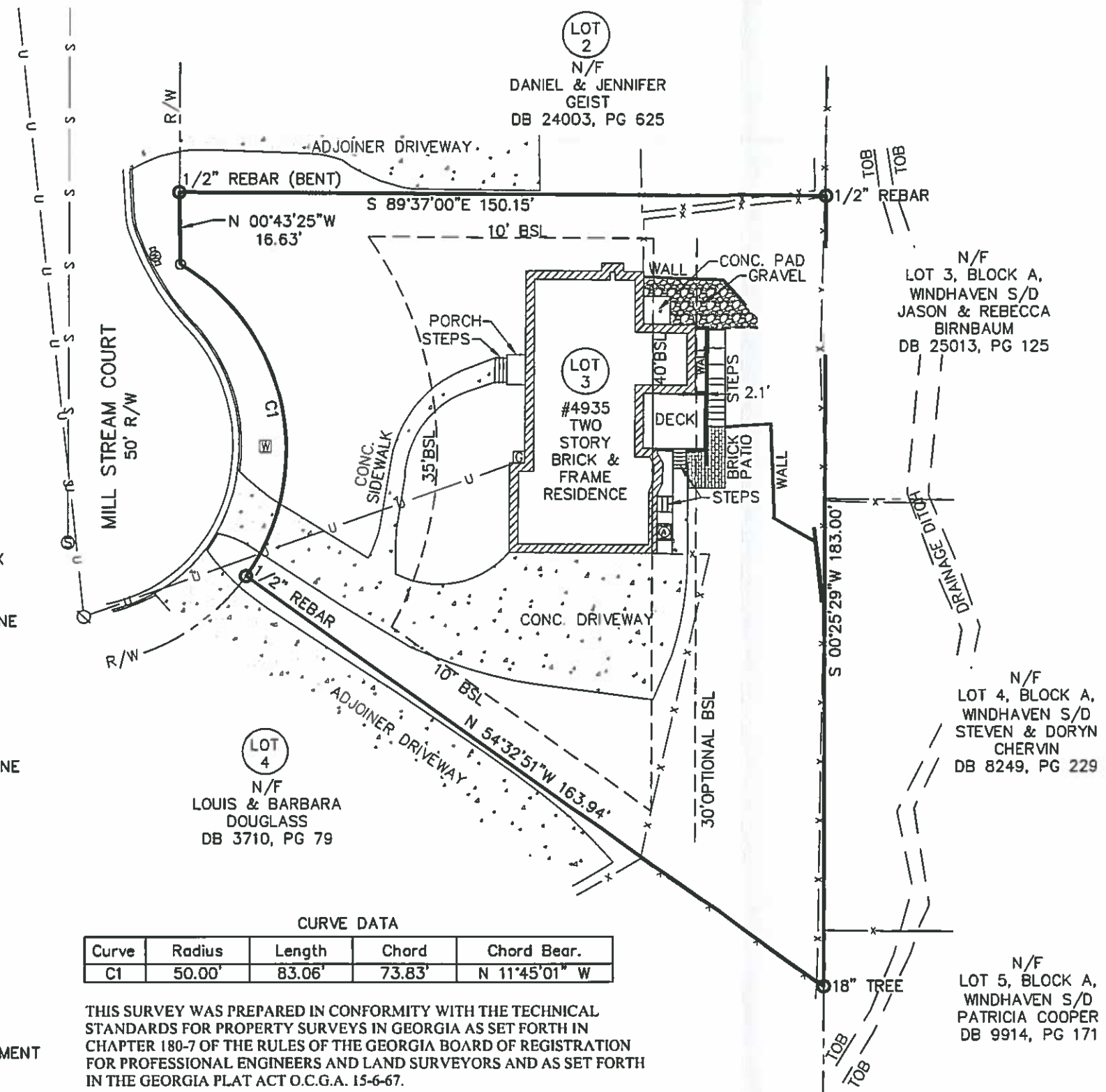

3' - 6"
4' - 0"
3' - 0"
4x4 PT GUARDRAIL POST
SECURED W/DT
SPACED >6'
COLONIAL RAIL SYSTEM
BALUSTERS SPACED >4"
3' - 0"
3' - 0"
POST NOTCHED+BOLTED
TO DROP BEAM
STRINGERS SPACED NO MORE THAN 16"
SECURED W/ STRINGER HANGERS
FOOTINGS WITHIN 5' OF HOUSE
TO BE INSTALLED LEVEL WITH FOUNDATION





LEGEND:

- PROPERTY CORNER FOUND (AS NOTED)
- 1/2" REBAR WITH CAP SET LSF# 839
- CALCULATED POINT
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- POWER POLE
- LIGHT POLE
- POWER/LIGHT POLE
- GUY WIRE
- POWER METER
- POWER BOX
- A/C UNIT
- MANHOLE
- CLEAN OUT
- CATCH BASIN
- JUNCTION BOX
- OUTFLOW STRUCTURE
- DRAINAGE INLET
- GAS METER
- GAS VALVE
- CABLE BOX
- TELEPHONE BOX
- SIGNAL CONTROL BOX
- SIGN
- —W— WATER LINE
- —U— OVERHEAD UTILITY LINE
- —S— SEWER LINE
- —G— GAS LINE
- —C— CABLE LINE
- —T— TELEPHONE LINE
- —X— FENCE LINE
- —920— CONTOUR LINE
- BSL BUILDING SETBACK LINE
- CONC. CONCRETE
- EOP EDGE OF PAVEMENT
- L.L. LAND LOT
- N/F NOW OR FORMERLY
- P/L PROPERTY LINE
- R/W RIGHT-OF-WAY
- D.E. DRAINAGE EASEMENT
- O.H. OVERHANG
- CNT CANTILEVER
- DB DEED BOOK
- PB PLAT BOOK
- PG PAGE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT



CURVE DATA

Curve	Radius	Length	Chord	Chord Bear.
C1	50.00'	83.06'	73.83'	N 11°45'01" W

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.

PRE-CONSTRUCTION LOT AREA SUMMARY

AREA	Sq.Ft.
LOT AREA	18,236
EXISTING HOME	2,153
EXISTING DRIVE AND WALK	2,639
EXISTING CONCRETE PORCH/PATIO	165
EXISTING DECK	180
EXISTING STEPS	128
EXISTING WALLS	67
OTHER	
TOTAL COVERAGE	5,332
	29.2%

ENCROACHMENT OF 40' SETBACK
EXISTING ENCROACHMENT AREA = 343 S.F.

NORTH PER PB 54, PG 112

SCALE: 1" = 30'

EXISTING CONDITIONS

PREPARED FOR: ALLISON MNEIMNEH
LOT 3, BLOCK H, VILLAGE MILL
SUBDIVISION, UNIT 3,
LAND LOT 361, 18TH DISTRICT,
DEKALB COUNTY, GEORGIA - 02/16/16

GEORGIA REGISTERED No. 2294 LAND SURVEYOR BEN E. BUTTERWORTH

6/1/16

NOT VALID WITHOUT ORIGINAL SIGNATURE

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.

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TOTAL AREA: 0.419 ACRES / 18,236 SQUARE FEET

BOUNDARY REFERENCE: DEED BOOK 24012, PAGE 239, PLAT BOOK 54, PAGE 112, FIELDWORK PERFORMED ON 01/05/16.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 109,506 FEET.

THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5603 ROBOTIC TOTAL STATION.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 34,985 FEET, AND ANGULAR ERROR OF 03 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

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4195 SOUTH LEE STREET, SUITE 1
BUFORD, GEORGIA 30518

ATLANTA
235 PEACHTREE STREET NE, SUITE 400
ATLANTA, GEORGIA 30303

MARIETTA
1870 THE EXCHANGE, SUITE 100
MARIETTA, GA 30339

RALEIGH
2205-C CANDUN DRIVE, APEX
NORTH CAROLINA 27523

GRAPHIC SCALE - IN FEET

15 0 30 60

PROJECT 1680401

SHEET 1 OF 1

W:\16804\dwg\1680401 REV #4 6-1-16B.dwg, 6/1/2016 2:24:38 PM, CutePDF Writer

LEGEND:

- PROPERTY CORNER FOUND (AS NOTED)
- 1/2" REBAR WITH CAP SET LSF# 839
- CALCULATED POINT
- FIRE HYDRANT
- WATER METER
- WATER VALVE
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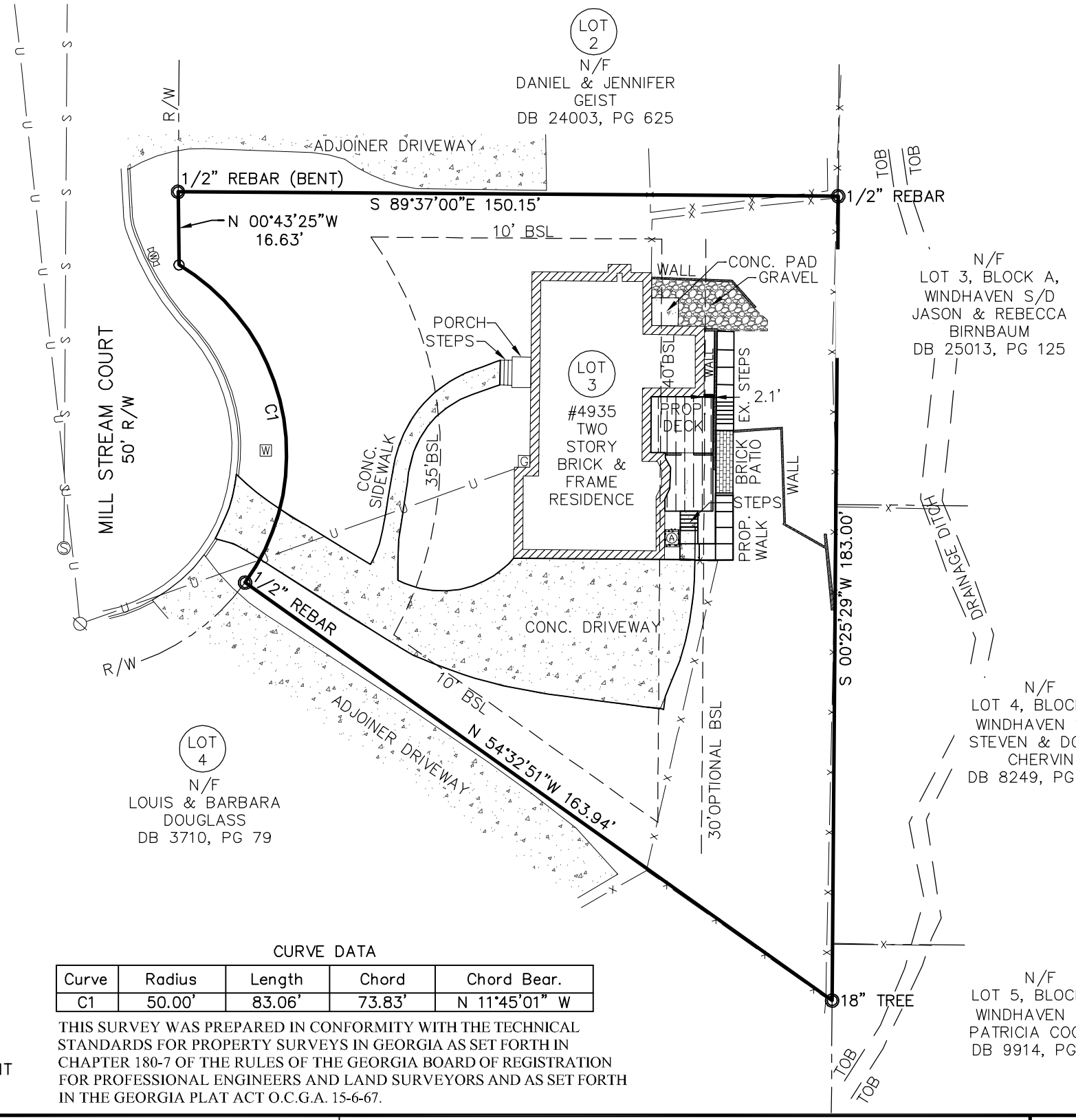

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PRE-CONSTRUCTION LOT AREA SUMMARY

AREA	Sq.Ft.
LOT AREA	**18,236**
EXISTING HOME	2,153
EXISTING DRIVE	2,187
EXISTING CONCRETE FRONT PORCH	30
FRONT & REAR WALK	319
EXISTING STEPS FRONT & REAR	27
EXISTING WALLS	93
EXISTING BRICK PATIO	94
EXISTING A/C PAD	12
TOTAL COVERAGE	**4,915**
	27.0%

ENCROACHMENT OF 40' SETBACK
EXISTING ENCROACHMENT AREA = 940 S.F.

POST-CONSTRUCTION LOT AREA SUMMARY

AREA	Sq.Ft.
LOT AREA	**18,236**
EXISTING HOME	2,187
EXISING DRIVE	2,187
EXISTING CONCRETE FRONT PORCH	30
FRONT & REAR WALK	319
EXISTING STEPS FRONT & REAR	27
EXISTING WALLS	93
EXISTING BRICK PATIO	94
EXISTING A/C PAD	12
PROPOSED WALK	80
TOTAL COVERAGE	**5,029**
	27.6%

ENCROACHMENT OF 40' SETBACK
PROPOSED ENCROACHMENT AREA = 1049 S.F.

NORTH PER PB 54, PG 112

SCALE: 1" = 30'

SITE PLAN

PREPARED FOR: **ALLISON MNEIMNEH**
LOT 3, BLOCK H, VILLAGE MILL
SUBDIVISION, UNIT 3,
LAND LOT 361, 18TH DISTRICT,
DEKALB COUNTY, GEORGIA - 02/16/16
REVISION: 06-15-16

NOT VALID WITHOUT ORIGINAL SIGNATURE

GEORGIA REGISTERED No. 879 LANDSCAPE ARCHITECT GREGORY L. DEAN

6/15/16

FOR THE FIRM
BOUNDARY ZONE, INC.
NOT VALID WITHOUT ORIGINAL SIGNATURE

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MARIETTA, GA 30339

RALEIGH
2205-C CANDUN DRIVE, APEX
NORTH CAROLINA 27523

GRAPHIC SCALE - IN FEET

15 0 30 60

PROJECT
1680404

SHEET
1 OF 1