

VARIANCE APPLICATION



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

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: Section 27-267

Nature of Request: I would like to add an 8 foot privacy fence at the rear of my yard, which backs up to Manhasset Dr.

*** Project:**

Name of Project / Subdivision: Dunwoody Club Forest Zoning: R3

Property Address / Location: 1714 Wilder Court Dunwoody GA 30338

District: 18 Land Lot: 374 Block: M Property ID: 18 374 03 009
18 375 02 015

*** Owner Information:**

Owner's Name: David Lee Corbett & Aynsley M Corbett

Owner's Address: 1714 Wilder Ct Dunwoody GA 30338

Phone: 404 775 0224 Fax: _____ Email: david.lee.corbett@gmail.com

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

Contact Name: _____

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: David Lee Corbett

Applicant's Signature: [Signature] Date: 10/5/2016

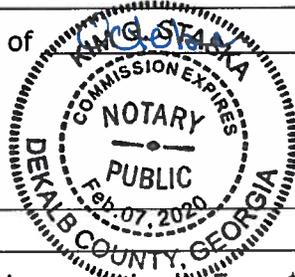
*** Notary:**

Sworn to and subscribed before me this 5 Day of NOVEMBER, 20 16

Notary Public: Kir P. Stawski

Signature: [Signature]

My Commission Expires: 2/7/20



*** 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: _____

Property Owner(s) Notarized Certification

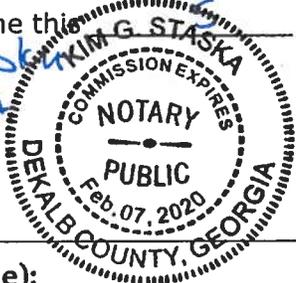


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The owner and petitioner acknowledge that this application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for variance(s), and authorization of an applicant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

* Property Owner (If Applicable):

Owner Name: <u>David Lee Corbett</u>
Signature: <u>[Signature]</u> Date: <u>10/5/2016</u>
Address: <u>1714 Wilder Ct Dunwoody GA 30338</u>
Phone: <u>404 775 0224</u> Fax: _____ Email: <u>david.lee.corbett@gmail.com</u>
Sworn to and subscribed before me this _____ Day of <u>October</u> , 20 <u>16</u>
Notary Public: <u>Kim G. Staska</u> <u>Kim G. Staska</u>



* 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: _____

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.

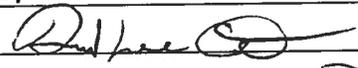
Campaign Disclosure Statement



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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:  Date: 10/5/2016
 Address: 1714 Wilder Ct Dunwoody GA 30338

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

Date	Government Official	Official Position	Description	Amount

LOI Amendment_10.10.16

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:

[I am requesting a variance to install an 8-foot tall wooden privacy fence along the back line of my property located at 1714 Wilder Court, Dunwoody, GA 30338 (Parcel ID 18 374 03 009). I am also requesting for the same reasons via this variance application the same variance for an adjacent lot that I own at 1720 Manhasset Drive, Dunwoody, GA 30338 (Parcel ID 18 375 02 015) so that I can continue the fence that would start on the 1714 Wilder Court lot and continue down the property line on the 1720 Manhasset Drive lot. I think looking at the plat and the surveys will make clear what I am describing.]

This property backs directly up to Manhasset Drive, which although a neighborhood street, is fairly heavily trafficked with vehicles traveling over the posted speed limit. I would like the fence to enhance the privacy of my yard from the traffic on the street and those walking on the sidewalk on Manhasset. This should also help with the noise of traffic and provide some protection for my two young daughters and dog from running out into the street and threats that direct sight of and access to my property from the street could bring.

It is important to note that for much of the property line running along Manhasset Dr. there is a downward slope running from Manhasset Dr. and the sidewalk down into my yard. So for practical purposes, with the fence offset from the sidewalk at the edge of my property line, an 8-foot fence would appear at many points from the street-level to be a ~6-foot high fence, a 6-foot high fence would appear to be a 4-foot high fence and a 4-foot high fence would appear to a 2-foot high fence, etc. This is rough math and the terrain varies, but this hopefully illustrates the point I am making and why it is important for an 8-foot fence for this purpose.

According to the previous owner, my home has been burglarized in the past entering from the rear of the home and backyard and I suspect having easy view and ready access to the house from Manhasset Dr. did not help. It is important to note that my neighbor has a fence somewhat similar to what I am requesting along Manhasset Dr., although it is technically on the side of their yard versus the rear that I am requesting.

1) The grant of the variance will not be detrimental to the public health, safety or welfare or injurious to property or improvements;

[Adding a fence as described will not be detrimental to the public health, safety or welfare or injurious to property or improvements, it will simply provide privacy for my backyard and the only impact to the public will be that it cannot see the back of my house anymore. It will not impede pedestrians walking down the sidewalk in any way nor impact any 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;

[The fact that my back yard is directly adjacent to a busy neighborhood street is very unusual, making this unique to my property and generally not applicable to other properties in the zoning district – the vast majority of which have back yards that are not directly adjacent to a busy street, but instead another residential lot, woods, etc. I did not create the condition – there just happens to unfortunately be a road right behind my house from which I am seeking some privacy.]

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;

[In a similar vein to question 2, the vast majority of single family residence owners in Dunwoody have the ability to enjoy privacy in their backyard, deck, etc. without viewing cars speeding by and the associated noise, onlookers having an unobstructed view of my yard/home and the risks that can bring and the ability to restrict access of their children and pets from rushing into a busy road.]

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;

[The fence requested by this variance is only way I can determine to provide the privacy and security I desire for my family and pet. As noted, my lot(s) have a very unique situation in that they back up to a busy neighborhood street and the ability to have some level of privacy and security in my backyard is not a special privilege in my mind.]

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

[I believe that the lack of a privacy fence in my backyard given the level of both vehicle and pedestrian traffic on Manhasset causes an undue hardship and practical difficulty relative to other Dunwoody residents, who can enjoy privacy and peace in their backyard. It is my understanding from the previous owners of my house that it has been broken into in the past from the back side of the home and I suspect that having a plain view of the home from Manhasset Dr. and ready access to the road contributed to that crime.]

6) The requested variance would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan.

[I believe that the requested variance would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan in that it is requested to provide the same type of backyard privacy and ultimately security afforded to most all of Dunwoody's residents in single family homes.]

This fence would not harm other residents and would aesthetically be in line with similar fences along Manhasset Dr. such as my neighbor's.]

EXHIBIT "A"

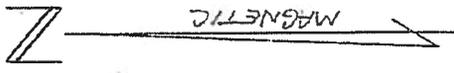
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 374 of the 18th District, DeKalb County, Georgia, being Lot 9, Block M, Dunwoody Club Forest Subdivision, Unit One, as per plat recorded in Plat Book 53, Page 146, DeKalb County, Georgia Records, which plat is incorporated herein by reference and made a part of this description. Said property being known as 1714 WILDER COURT according to the present system of numbering property in DeKalb County, Georgia.

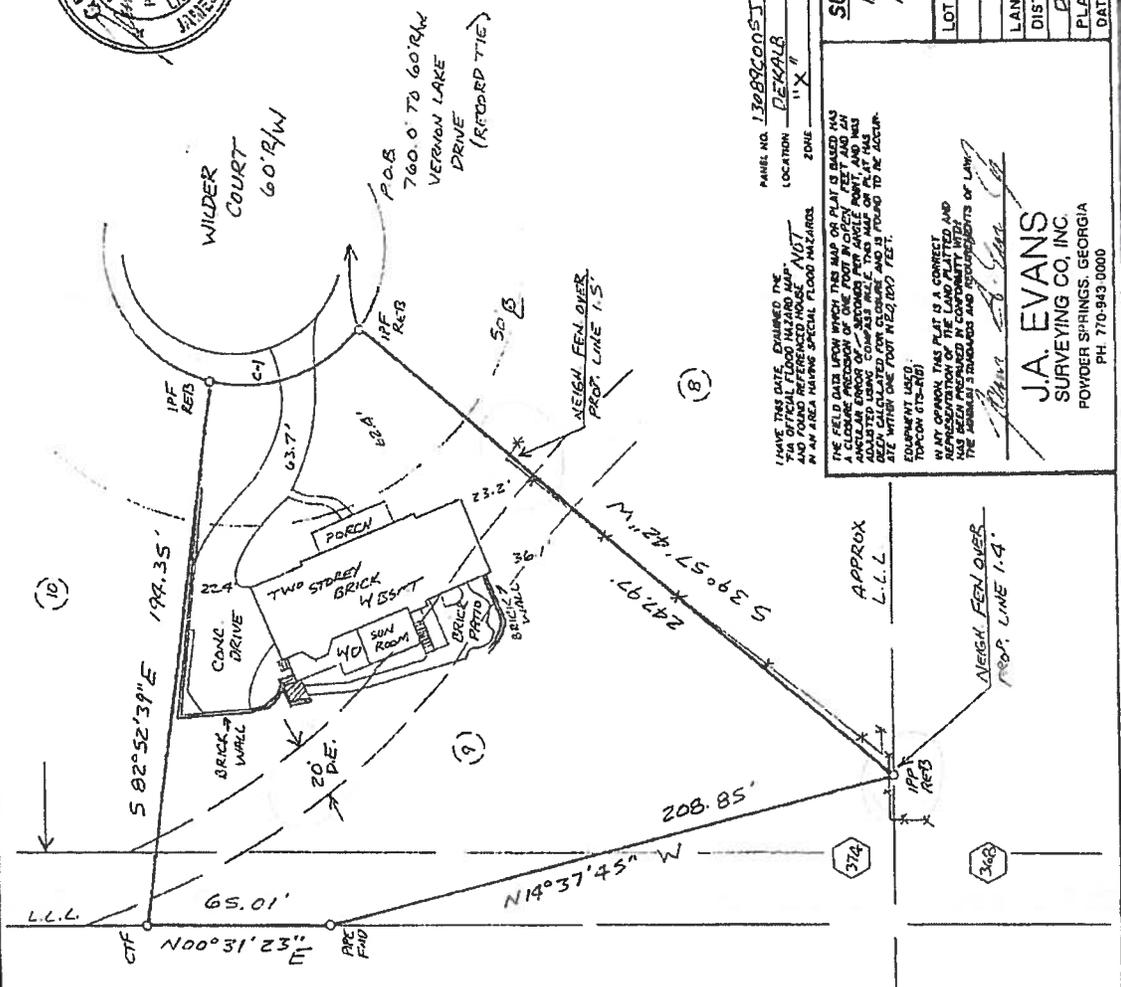
"Exhibit A"

Legal Description

All that parcel of land being in Land Lot 375 of the 18th District of DeKalb County, Georgia. Improved property known as 1720 MANHASSET DR; tax parcel 18 375 02 015 per records of the GIS Department. This being the same property on Tax Deed 7995, Page 697 dated December 7, 1993.



AREA = 0.7473 ACRE
1714 WILDER COURT



PANEL NO. 13083CONS1
LOCATION DEKALB
ZONE "X"

I HAVE THIS DATE, EXAMINED THE
FIELD DATA UPON WHICH THIS MAP IS BASED, HAS
THE FIELD DATA UPON WHICH THIS MAP IS BASED, HAS
BEEN OBTAINED BY ME OR BY A LICENSED SURVEYOR,
AND I AM NOT AWARE OF ANY SPECIAL FLOOD HAZARD
IN ANY AREA WITHIN THE FLOOD HAZARD ZONE.

THE FIELD DATA UPON WHICH THIS MAP IS BASED HAS
BEEN OBTAINED BY ME OR BY A LICENSED SURVEYOR,
AND I AM NOT AWARE OF ANY SPECIAL FLOOD HAZARD
IN ANY AREA WITHIN THE FLOOD HAZARD ZONE.

IN MY OPINION, THIS PLAN IS A CORRECT
REPRESENTATION OF THE LAND PLATTED, AND
THE MEASUREMENTS AND CALCULATIONS OF LAW,
AND I AM NOT AWARE OF ANY SPECIAL FLOOD HAZARD
IN ANY AREA WITHIN THE FLOOD HAZARD ZONE.

J.A. EVANS
SURVEYING CO., INC.
POWDER SPRINGS, GEORGIA
PH. 770-943-0000

SURVEY FOR:
DAVID L. CORBETT
ANSLEY CORBETT

LOT #	BLK. 'M' UNIT ONE	REVISIONS
1	DINWOODY CLUB	
2	FOREST	
3	LAND LOT 374	
4	DISTRICT 18 TH SECTION	
5	DEKALB COUNTY GEORGIA	
6	PLAT BOOK 53 PAGE 146	
7	DATE: 8-5-13	SCALE: 1" = 40'
8		
9		
10		

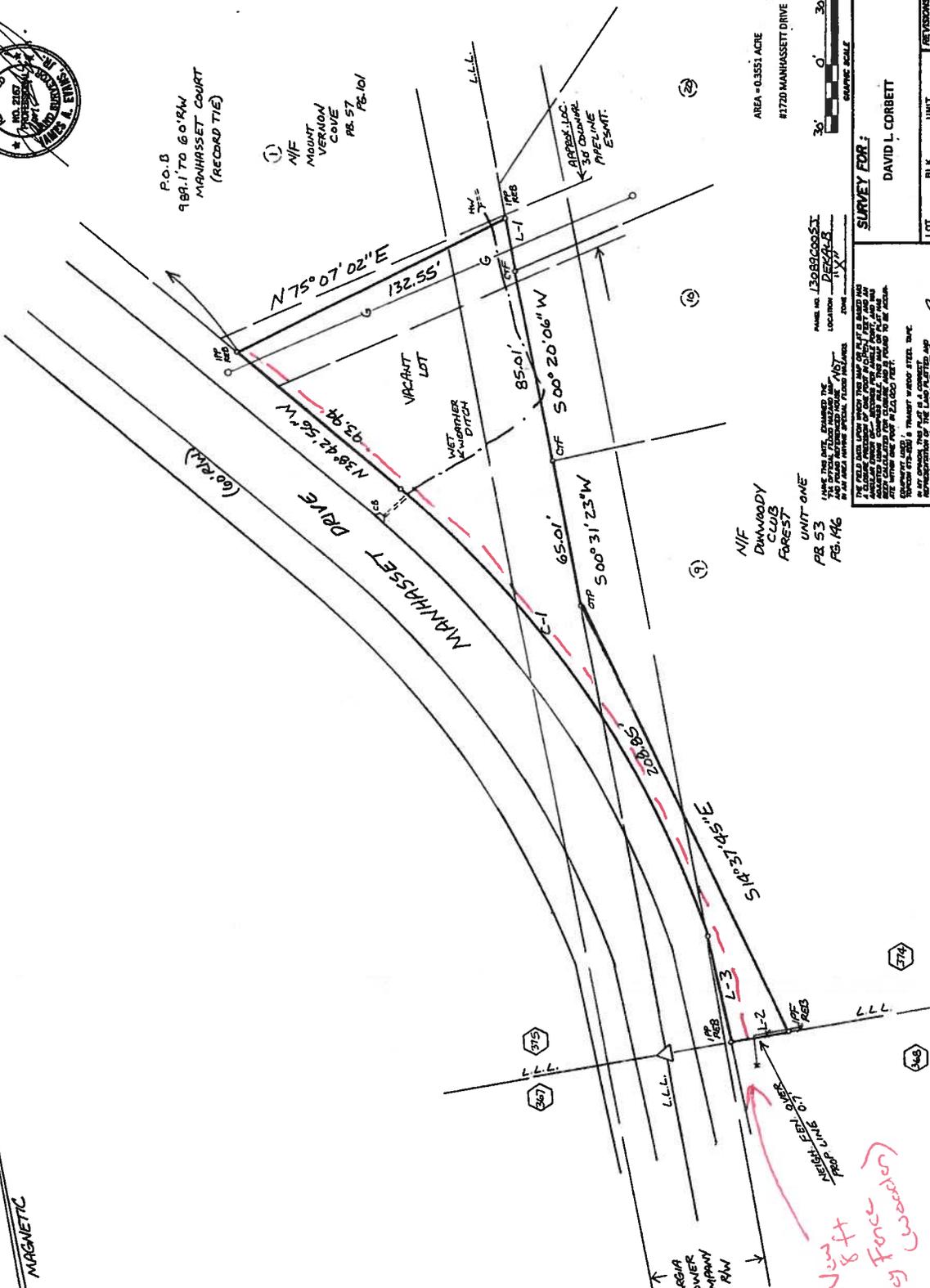
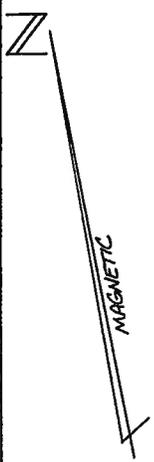
C-12 S 19°19'57"E 56.09'-CH
59.55'-A 50.0'-RAD

NAIR-1



P.O.B.
989.1 TO 60' RW
MANHASSET COURT
(RECORD TIE)

(1) N/E
MOUNT
VERNON
CAVE
PB. 57
PB. 101



AREA = 0.551 ACRE
#1720 MANHASSET DRIVE



NAME: 1308000051
LOCATION: DEKALB
COUNTY: DEKALB
DATE: 8-30-16
SCALE: 1" = 30'

N/E
DUNWOODY
CLUBS
FOREST
UNIT ONE
PB. 53
PB. 146

SURVEY FOR:

DAVID L. CORBETT

LOT	BLK.	UNIT	REVISIONS
LAND LOTS 374 & 375			
DISTRICT 18 TH			
SECTION 36			
DEKALB COUNTY, GEORGIA			
PLAT BOOK PAGE 1009			
DATE 8-30-16			
SCALE 1" = 30'			
PLAT NO. 273-76-3			

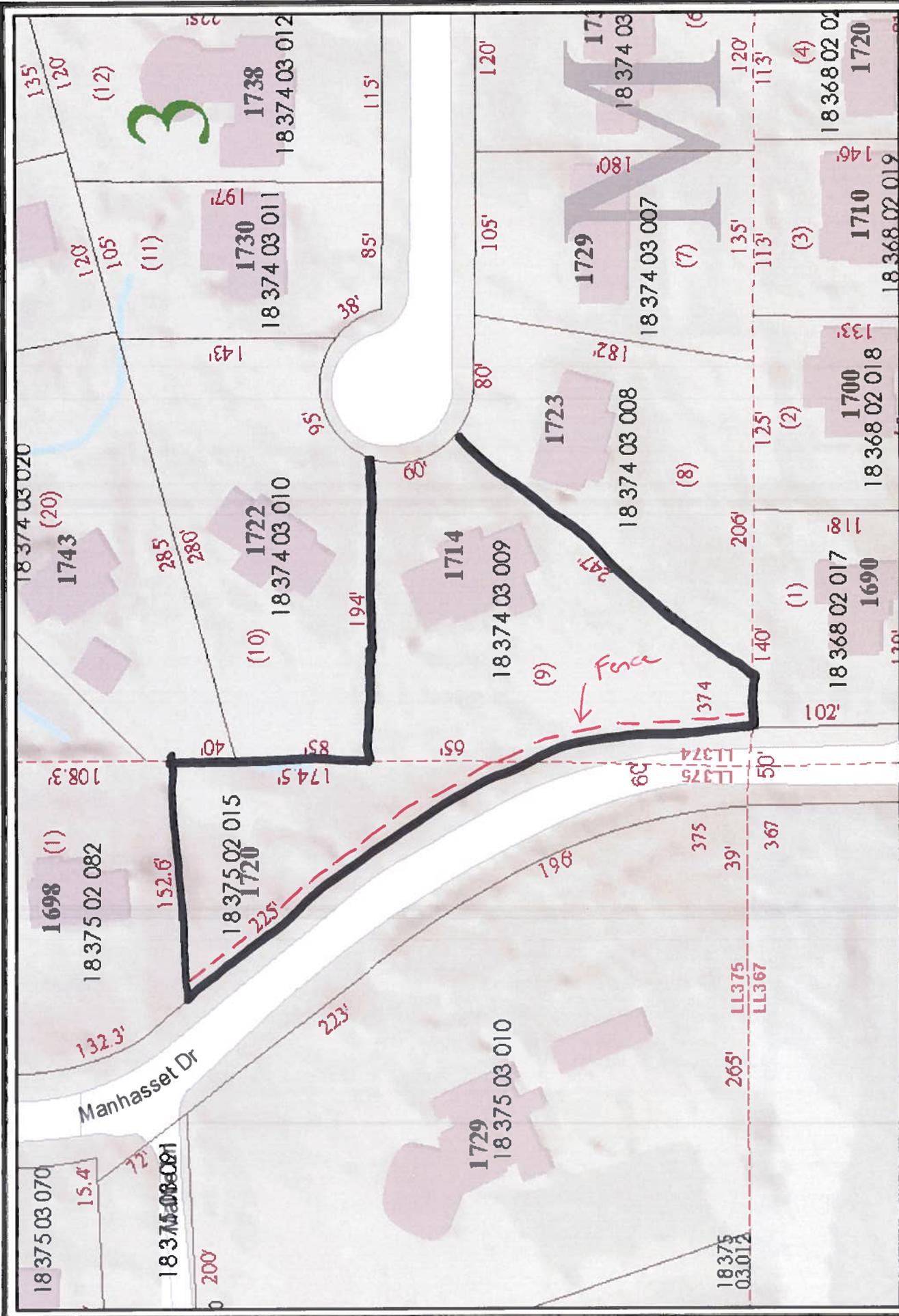
DAVID L. CORBETT
SURVEYING CO., INC.
POWDER SPRINGS, GEORGIA
PH. 770-943-0000

L-1 = S 00° 58' 08" W 23.95'
L-2 = N 88° 40' 26" W 25.88'
L-3 = N 01° 08' 38" W 47.64'
C-1 = N 23° 02' 37" W 239.53'-CH.
242.47'-A. 453.79'-RAD.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO ANY AND ALL DISCLOSURES THAT A TITLE SEARCH MAY PRODUCE.

This survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia set forth in Chapter 180-7 of the Regulations of the State Board of Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. § 47-5-47.

Handwritten: N 8 ft
Right of Way (enclosed in a red circle)



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 torts, 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 consulted 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.



DeKalb County Parcel Map



Date Printed: 10/5/2016





Adjacent neighbor's fence along Manhasset Dr.



View down Manhasset Dr. along the backside of my yard. The fence would run along the edge of my property parallel to the sidewalk.



Another view of the adjacent neighbor's fence along Manhasset Dr.



Another view of Mahasset Dr. along the edge of my backyard.



View of my backyard and house from Manhasset Dr.



View of Mahasset Dr. from the edge of my yard.



View of Mahasset Dr. from my backyard.