

VARIANCE APPLICATION

Dunwoody
Smart people - Smart city

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: SEC 20-6
Nature of Request: REQUEST FOR SIDE SETBACK TO BE REDUCED

* **Project:**

Name of Project / Subdivision: JONES / VILLAGE MILL Zoning: R-100
Property Address / Location: 1822 ODE VILLAGE RUN
District: 18 Land Lot: 361 Block: H Property ID: _____

* **Owner Information:**

Owner's Name: SUE JONES
Owner's Address: 1822 ODE VILLAGE RUN, DUNWOODY, 30338
Phone: 770.396.5921 Fax: - Email: leonsue.jones@aol.com

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

Contact Name: CONSTRUCTION AHEAD, INC.
Address: 2644 WOODWIN RD., DORAVILLE, GA 30260
Phone: (770) 234-0911 Fax: (770) 234-0243 Email: austin@constructionahead.net

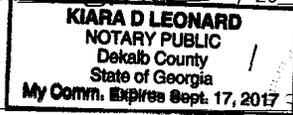
* **Terms & Conditions:**

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: Austin Foster
Applicant's Signature: _____ Date: 10/1/14

* **Notary:**

Sworn to and subscribed before me this 1st Day of October, 20 14
Notary Public: Kiara D Leonard
Signature: _____
My Commission Expires: Sept 17, 2017



* **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**

Dunwoody
Smart people - Smart city

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Phone: (678) 382-6800 | Fax: (770) 396-4828

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:	SUSAN JONES		
Signature:	<i>Susan Jones</i>	Date:	
Address:	1822 ADE VILLAGE RUN		
Phone:	770.300.5922	Fax:	
Email:	leorbie.jones@aol.com		
Sworn to and subscribed before me this	30th	Day of	September, 2014
Notary Public:	<div style="border: 1px solid black; padding: 5px; display: inline-block;">ALENA ANTON NOTARY PUBLIC Fulton County - State of Georgia My Comm. Expires June 12, 2015</div> <i>Alena Anton</i>		

*** 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:			

ABBREVIATIONS ~

ABL = ABELIA	HOS = HOSTA
AUC = AUCUBA	HLY = HOLLY
AHY = AMERICAN HOLLY	HYD = HYDRANGEA
AZ = AZALEA	IMP = IMPATIENS
BB = BARBERRY	IPF = IRON PIN FOUND
BE = BEECH	JAS = JASMINE
BEG = BEGONIA	JHY = JAPANESE HOLLY
BHY = BURFORD HOLLY	JM = JAPANESE MAPLE
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BW = BOXWOOD	LL = LAWN LIMITS
CAL = CALADIVUM	MAG = MAGNOLIA
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CE = COTONEASTER	NAN = NANDINA
CED = CEDAR	OGH = OREGON GRAPE HOLLY
CHY = CHERRY	OLL = OTTOLUYKEN LAUREL
CH = CHINESE HOLLY	P = PINE
CHN = CHESTNUT	PHO = PHOTINIA
CHO = CHESTNUT OAK	POP = POPLAR
CL = CHERRY LAUREL	RHO = RHODODENDRON
CO = CLEAN OUT	RO = RED OAK
CM = GRAPE MYRTLE	RT = RED TIP
DC = DWARF GARDENIA	SG = SHEET GUM
DS = DOWNSPOUT	SP = SPRUCE
DW = DOGWOOD	SFK = SPRINKLER
EL = ELAEAGNUS	SW = SORROWWOOD
EM = ELECTRIC METER	UDS = UNDERGROUND DOWNSPOUT
FF = FINISH FLOOR	UNK = UNKNOWN
FOR = FORSYTHIA	VN = VINCA
GF = GOLDEN EUONYMUS	VLR = VARIEGATED LIRIOPE
GLF = GROUND LIGHT FIXTURE	VP = VARIEGATED PRIVET
GM = GAS METER	WAO = WATER OAK
HB = HACKBERRY	WLO = WILLOW OAK
HEM = HEMLOCK	WL = WILLOW
HIC = HICKORY	WO = WHITE OAK
HH = HELLERI HOLLY	WP = WHITE PINE

GENERAL NOTES~

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS AN ANGULAR ERROR OF 5 SECONDS PER ANGLE POINT AND A PRECISION RATIO OF 1 IN 14,819. IT HAS BEEN ADJUSTED USING THE COMPASS RULE.

EQUIPMENT USED TO OBTAIN THESE MEASUREMENTS WAS A TOPCON GTS-235.

THE DATA SHOWN ON THIS PLAT HAS A CLOSURE PRECISION RATIO OF 1 IN 118,065.

ALL I.P.'s ARE 1/2" REBAR, UNLESS OTHERWISE INDICATED.

BEARINGS ARE CALCULATED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.

ACCORDING TO THE CURRENT "F.I.A. OFFICIAL FLOOD HAZARD MAP", COMMUNITY PANEL NO. 13089C 0005 J, DATED MAY 16, 2013, THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

ALL MATTERS OF TITLE ARE EXCEPTED.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH. THERE MAY BE EASEMENTS OR OTHER ENCUMBRANCES NOT SHOWN.

THE SURVEY AND PLAT SHOWN HEREON IS NOT INTENDED FOR USE OR RELIANCE BY ANY PARTIES OR ENTITIES NOT SPECIFICALLY LISTED IN THE TITLE. UNAUTHORIZED THIRD PARTIES SHALL INDEMNIFY AND HOLD DELTA 1 LAND SURVEYING, LLC HARMLESS AGAINST ANY AND ALL LIABILITY FOR ANY LOSS ARISING OUT OF, OR RELATED TO, RELIANCE BY ANY THIRD PARTY ON ANY WORK PERFORMED THEREUNDER, OR THE CONTENTS OF THE SURVEY.

* = PER DEED AND PLAT RECORDS; NO MONUMENT FOUND.

REFERENCE: DB 23961, PG. 81

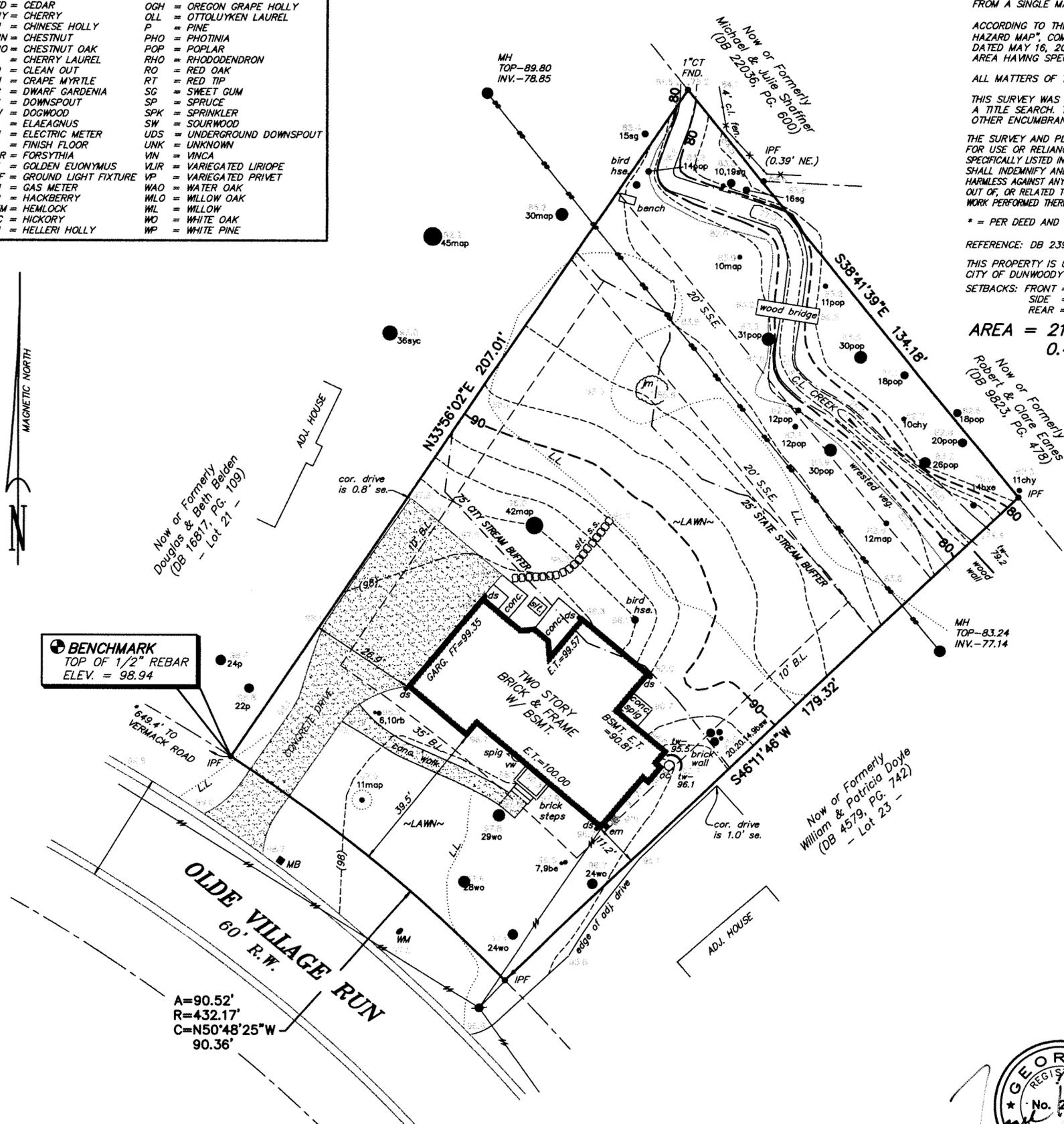
THIS PROPERTY IS CURRENTLY ZONED R-100 PER THE CITY OF DUNWOODY ZONING MAP.

SETBACKS: FRONT = 35 FEET
SIDE = 10 FEET
REAR = 40 FEET

**AREA = 21,153 SQ. FT.
0.486 ACRE**



BENCHMARK
TOP OF 1/2" REBAR
ELEV. = 98.94



A=90.52'
R=432.17'
C=N50°48'25"W
90.36'

ADDRESS:
1822 OLDE VILLAGE RUN
DUNWOODY, GA 30338

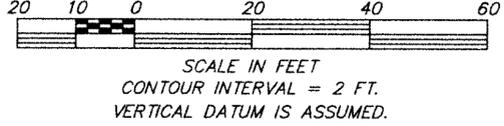
LEGEND

●	IPF	=	1/2" REBAR FND.
○	IPS	=	1/2" REBAR SET
—	R.W.	=	RIGHT OF WAY
---	SSE	=	SANITARY SEWER EASEMENT
- - -	DE	=	DRAINAGE EASEMENT
---	L.L.L.	=	LAND LOT LINE
---	C.L.	=	CENTERLINE
●	CT	=	CRIMP TOP PIPE
●	OT	=	OPEN TOP PIPE
—	CMP	=	CORRUGATED METAL PIPE
—	RCP	=	REINFORCED CONCRETE PIPE
—	DI	=	DROP INLET
□	JB	=	JUNCTION BOX
○	MH	=	MANHOLE
○	CB	=	CATCH BASIN
●	BM	=	BENCHMARK
●	PP	=	POWER POLE
●	FH	=	FIRE HYDRANT
●	CMF	=	CONCRETE MONUMENT FND.
—	B.C.	=	BACK OF CURB
—	E.P.	=	EDGE OF PAVEMENT
—	FEN	=	FENCE
—	O.H.	=	OVERHEAD ELEC. SERVICE LINE
—	B.L.	=	BUILDING LINE
—	U.G.	=	UNDERGROUND POWER LINE
□	TX	=	TRANSFORMER

**BOUNDARY & TOPOGRAPHIC SURVEY FOR
SUSAN JONES**

(BEING LOT 22, BLOCK "H", UNIT TWO, VILLAGE MILL)

LOCATED IN LAND LOT 361
18th DISTRICT, CITY OF DUNWOODY
DEKALB COUNTY, GEORGIA
MAY 24, 2014 1"=20'



I HEREBY CERTIFY THAT 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.

Travis Durham
TRAVIS DURHAM, GA. R.L.S. No. 2950

JOB # 14-014 DRAWN BY: TD FIELD CREW: TD/JO
FIELD DATE: 5-24-14 PLAT PREPARED: 5-28-14

DELTA 1
LAND SURVEYING, LLC

361 WESTCHESTER WAY
CANTON, GEORGIA 30115
PHONE: (770) 597-3533

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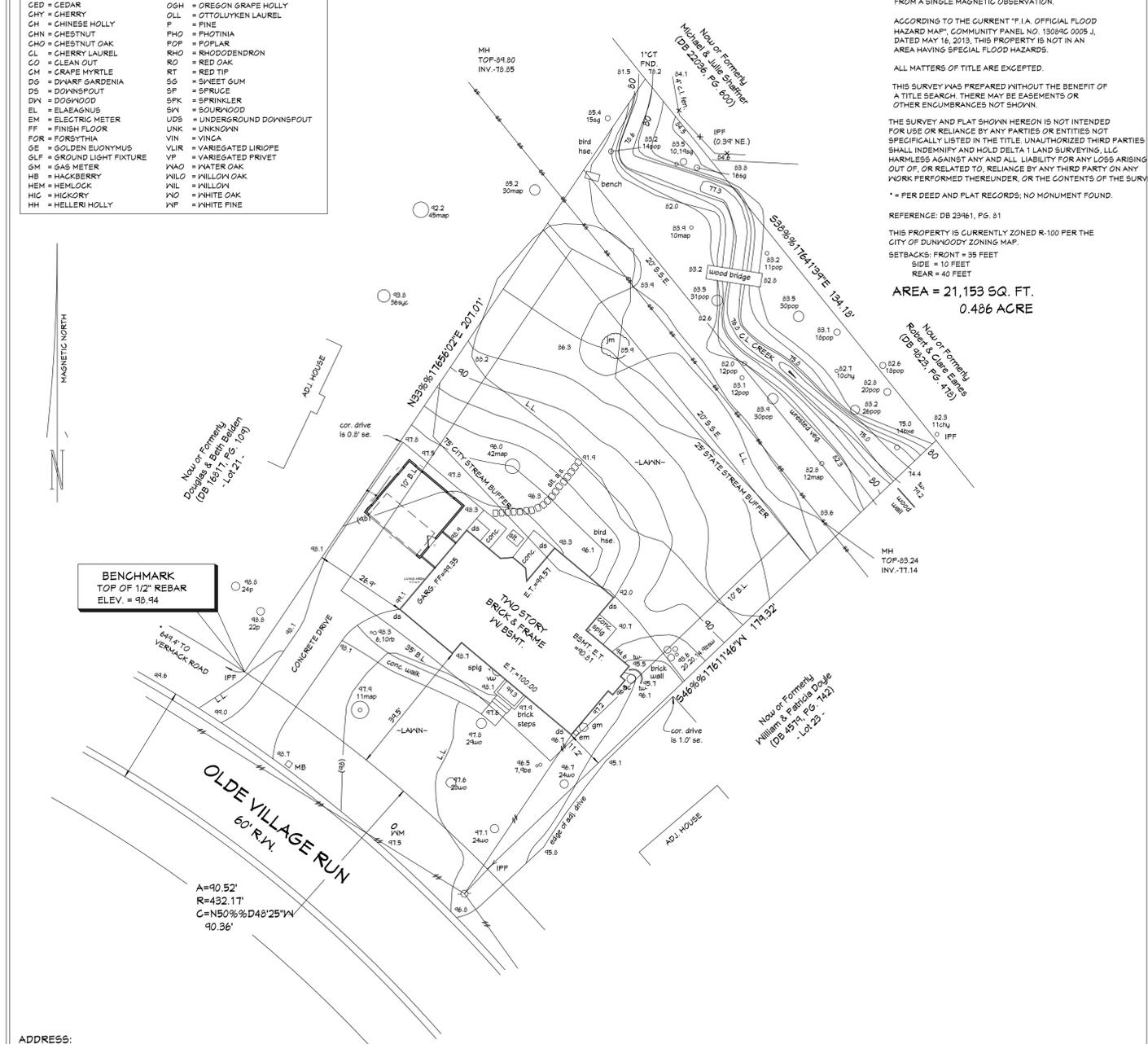
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REFERENCE: DB 23961, PG. 31

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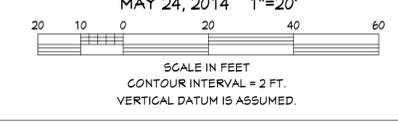


ADDRESS:
1822 OLDE VILLAGE RUN
DUNWOODY, GA 30338

LEGEND	
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JOB #	14-014	DRAWN BY:	TD	FIELD CREW:	TD/JO
FIELD DATE:	5-24-14	PLAT PREPARED:	5-28-14		

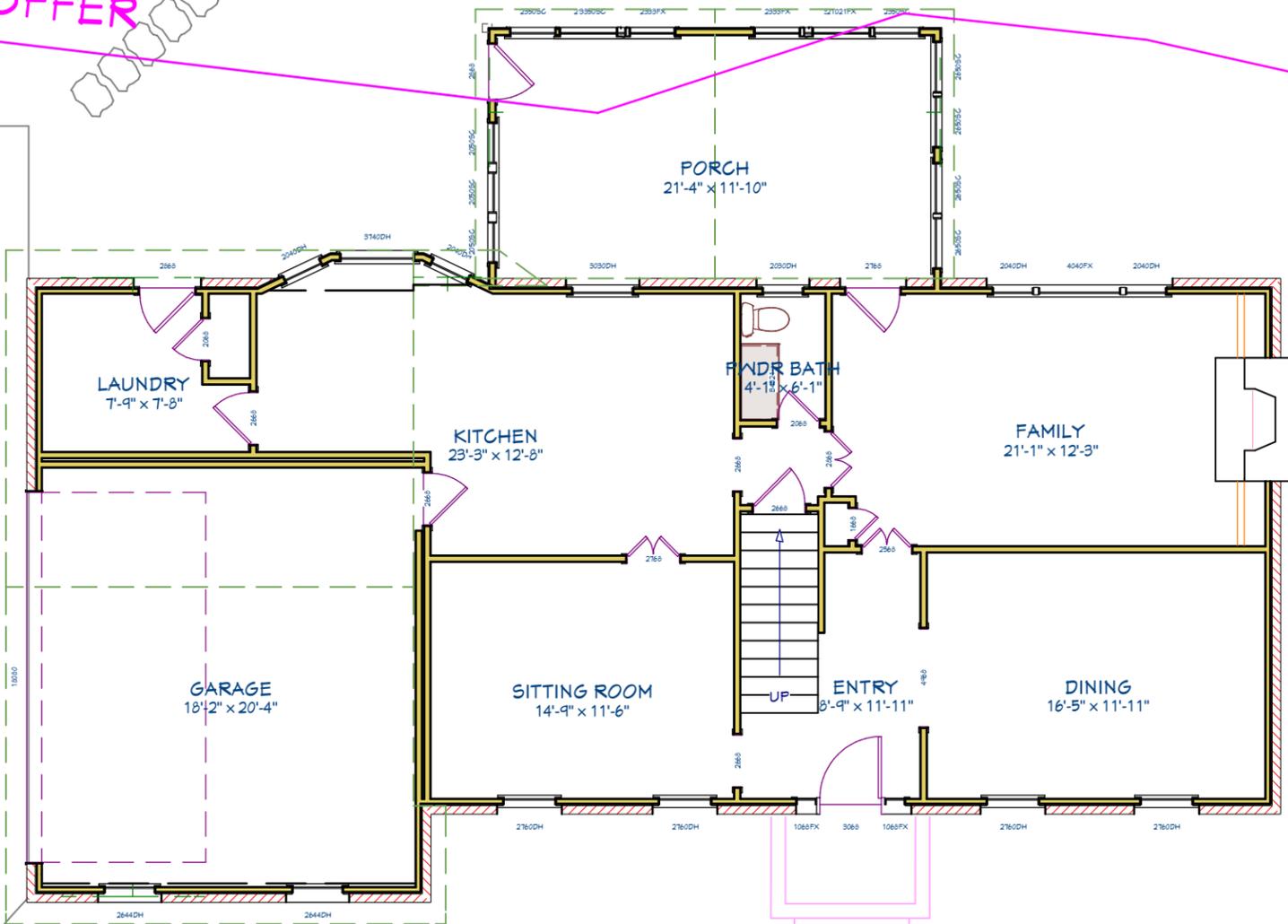
TRAVIS DURHAM, GA. R.L.S. No. 2450

DELTA 1
LAND SURVEYING, LLC

361 WESTCHESTER WAY
CANTON, GEORGIA 30115
PHONE: (770) 597-3533

75' CITY STREAM BUFFER

EXISTING FIRST FLOOR



JONES

Construction Ahead, Inc.
2644 Woodwin Road
Doraville, GA, 30360
770-234-0911



PROJECT: HOUSE REMODEL

SUSAN JONES
1822 OLDE VILLAGE RUN
DUNWOODY, GA 30338
770-396-5921

DATE: 9/29/2014

SCALE: 1/8"=1'-0"

DRAWN: KAB

JOB: JONES

REVISED DATE:

SHEET:

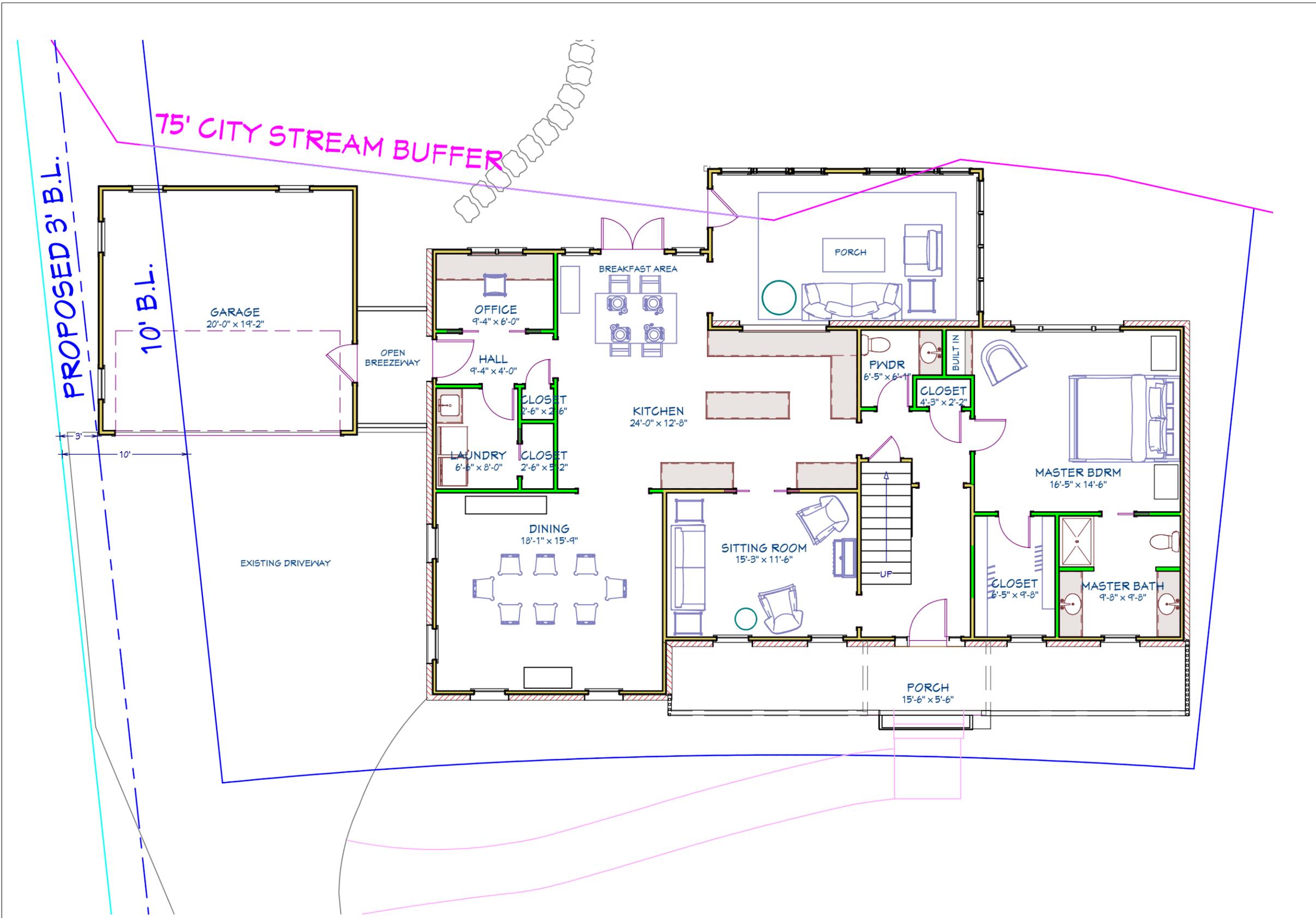
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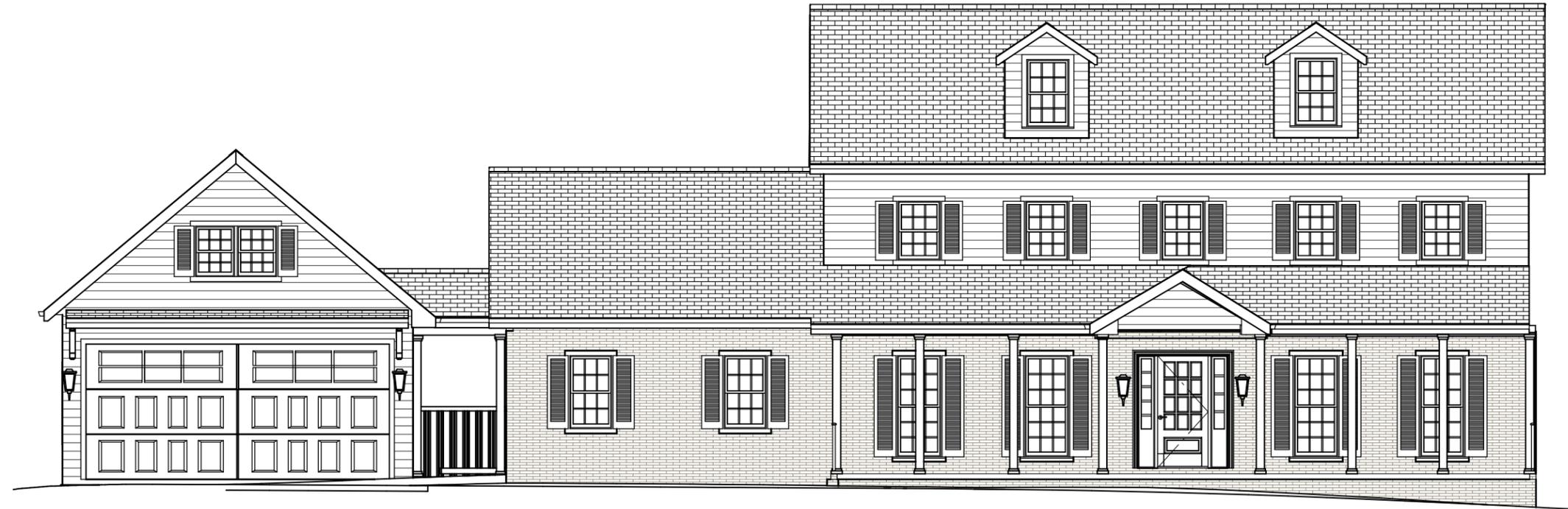
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SUSAN JONES
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770-396-5921

DATE: 9/29/2014
SCALE: 1/8"=1'-0"
DRAWN: KAB
JOB: JONES
REVISED DATE:
SHEET:



PROPOSED FIRST FLOOR PLAN



PROPOSED FRONT ELEVATION

JONES

Construction Ahead, Inc.
 2644 Woodwin Road
 Doraville, GA, 30360
 770-234-0911



PROJECT: HOUSE REMODEL

SUSAN JONES
 1822 OLDE VILLAGE RUN
 DUNWOODY, GA 30338
 770-396-5921

DATE: 9/29/2014

SCALE: 1/8"=1'-0"

DRAWN: KAB

JOB: JONES

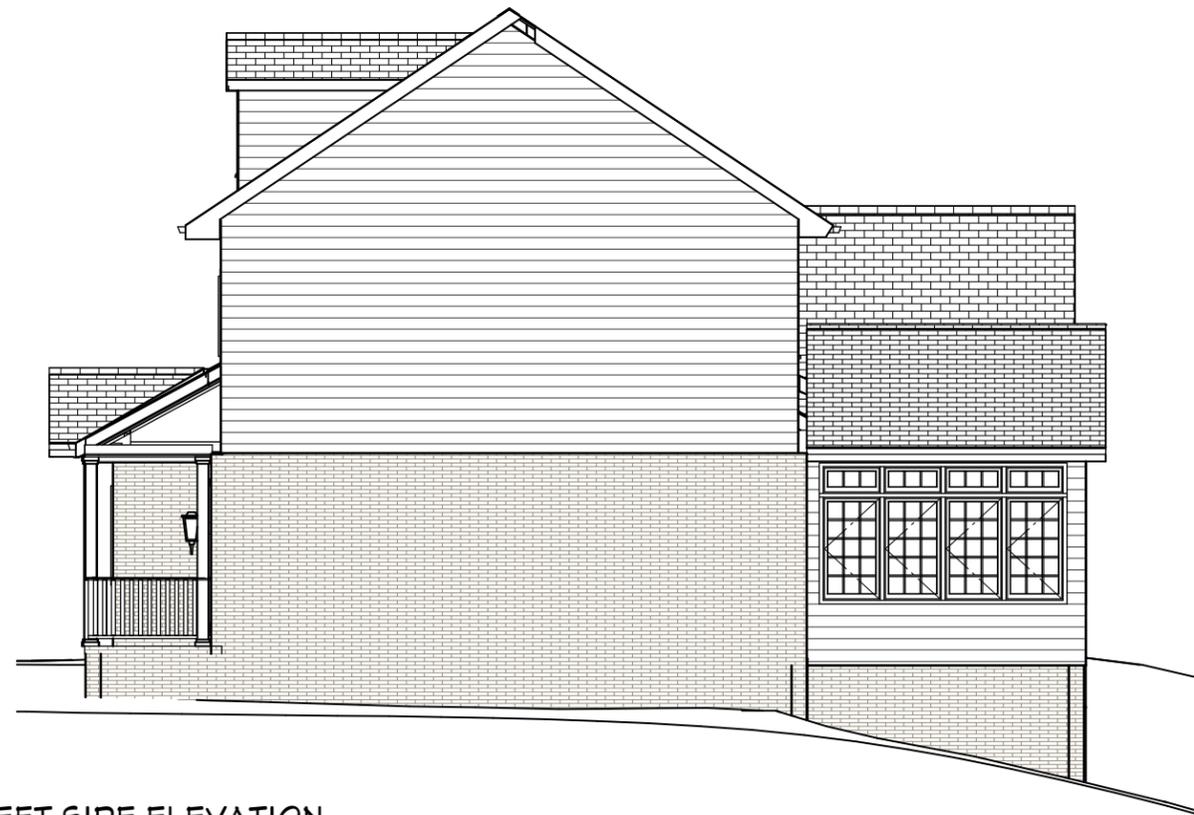
REVISED DATE:

SHEET:

PAGE
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RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

PROPOSED SIDE ELEVATIONS

JONES

Construction Ahead, Inc.
 2644 Woodwin Road
 Doraville, GA, 30360
 770-234-0911



PROJECT: HOUSE REMODEL

SUSAN JONES
 1822 OLDE VILLAGE RUN
 DUNWOODY, GA 30338
 770-396-5921

DATE: 9/29/2014

SCALE: 1/8"=1'-0"

DRAWN:KAB

JOB: JONES

REVISED DATE:

SHEET:

PAGE
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PROPOSED REAR ELEVATION

JONES

Construction Ahead, Inc.
 2644 Woodwin Road
 Doraville, GA, 30360
 770-234-0911



PROJECT: HOUSE REMODEL

SUSAN JONES
 1822 OLDE VILLAGE RUN
 DUNWOODY, GA 30338
 770-396-5921

DATE: 9/29/2014

SCALE: 1/8"=1'-0"

DRAWN: KAB

JOB: JONES

REVISED DATE:

SHEET:

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PROPOSED PERSPECTIVE VIEW

JONES

Construction Ahead, Inc.
 2644 Woodwin Road
 Doraville, GA, 30360
 770-234-0911



PROJECT: HOUSE REMODEL

SUSAN JONES
 1822 OLDE VILLAGE RUN
 DUNWOODY, GA 30338
 770-396-5921

DATE: 9/29/2014

SCALE: NTS

DRAWN: KAB

JOB: JONES

REVISED DATE:

SHEET:

PAGE
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Planning and Zoning Board
Community Development Department
41 Perimeter Center East, Suite 250
Dunwoody, GA 30346

RE: Legal description for 1822 Olde Village Run

All that tract or parcel of land lying and being in Land Lot 361 of the 18th District of Dekalb County, Georgia, being Lot 22, Block H, unity Two, Village Mill Subdivision, as per plat by Ansel Poe and Associates, Inc., dated September 13, 1968, revised January 17, 1969, January 27, 1969 and January 16, 1970, recorded in Plat Book 54, page 69, Dekalb County Records, and being more particularly described as follows"

BEGINNING at a point marked by an iron pin on the northeasterly side of Olde Village Run six hundred forty-nine and four-tenths (649.4) feet northeasterly, easterly and southeasterly as measured along the northwesterly, northerly and northeasterly side of Olde Village Run, and following the curvature thereof, from the corner formed by the intersection of the northwesterly side of Old Village Run and the northeasterly side of Vermack Road; running thence northeasterly along the southeasterly side of Lot 21 of said Block two hundred seven and six-tenths (207.6) feet to an iron pin; thence southwesterly one hundred thirty-five (135) feet to an iron pin; thence southwesterly along the northwesterly side of Lot 23 of said Block one hundred seventy-nine and eight-tenths (179.8) feet to an iron pin on the northeasterly side of Olde Village Run; thence northwesterly along the northeasterly side of Old Village Run and following the curvature thereof, ninety (90) feet to the point of beginning; being improved property know as 1822 Old Village Run, N.E.

This property is conveyed subject to easements and restrictions of record.

Planning and Zoning Board
Community Development Department
41 Perimeter Center East, Suite 250
Dunwoody, GA 30346

RE: Variance Request for 1822 Olde Village Run

Dear Esteemed Board Members:

Our family moved to the wonderful Village Mill neighborhood in Dunwoody in May, 1970, and has resided there ever since. We raised our children here, and always been active in neighborhood, community, and church activities. Once Dunwoody became its own city, we felt our decision to stay in the same house was validated, because we liked the idea of more local control and living in a place where the elected and appointed leaders care about the area.

Sadly, my husband died very unexpectedly last year, and after dealing with the grief and shock of losing him, I realized I needed to prepare for living the last part of my life alone. I initially thought about moving, but when I considered my many friendships of 40+ years, I knew those relationships would not be easily replaced. Also, I have wonderful, happy memories of life at 1822 Olde Village Run, and I was not ready to leave those behind. My husband was a "part-time farmer" and planted many things in our yard, and I can still feel such closeness to him when I am outdoors. Some people talk to plants; I talk to Leon about his plants!

I have now realized the need for a downstairs bedroom in this house. I have a chronic lung condition that often causes me problems when I climb the stairs; I also had a significant shoulder injury a few years ago and will be more comfortable not having to tote things up and down a staircase.

I would like to build a detached garage in order to create a master suite on the main floor. The new garage will be within 3 feet of my next-door neighbor's property line, and this is the reason for my request for a variance.

We are requesting relief from the City of Dunwoody Zoning Ordinance 2C-6, asking that the Side Yard setback be reduced from 10' to 3'.

The variance is requested to accommodate plans to create a Master on Main. This would enable me to stay in my current home for good. A master suite on main floor is a desirable, and sometimes required, feature of the homes in the Dunwoody area. Additionally, updating the home will increase the property value and marketability.

My lot backs up to the north fork of Nancy Creek, where the City of Dunwoody requires a 75' setback - 50' more than the State of Georgia stream buffer. This situation combined with the steep slope of the rear yard creates a hardship. We are not able to add a new garage in the backyard, without a stream buffer variance, as many others in Dunwoody would be able to do. We felt it best to ask for a side yard variance instead. **In this case, because of the exceptional conditions and shape of our property, and by reason of exceptional topographic conditions, which were not created by us, the strict application**

of the requirements of this Chapter would deprive us the rights and privileges enjoyed by other property owners in the same zoning district

The sharp grade of the hill in the rear of the house, as well as my desire to retain the curb appeal for us and our neighbors makes it impossible to expand any of the rooms in front and makes a side addition the only suitable option. Due to the stream buffer setback, it will be impossible to add the needed space on the side yard without a variance. **The requested variance does not go beyond the minimum necessary to afford relief.** Many homeowners in Dunwoody have been granted side yard variances and therefore do not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which our property is located.

The neighboring lots will not suffer any degradation in their views or aesthetics to their lots. **The neighbor to the left of my house will be impacted the most, but has indicated that he is OK with the proposed variance.**

The proposed renovations are not detrimental to the property and the intent is to improve the interior living space, the outside aesthetics of the home, and the overall appearance of the property.

Obviously, the granting of the 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, as we are looking to improve the home and raise the property value.

In this case, **the literal interpretation and strict application of section 2C-6 from the City of Dunwoody Zoning Ordinance (see section below) would cause undue and unnecessary hardship; both from the strict application of the code as well as the fact that this is a property with unique site conditions that limit the owners ability to add on without this variance**

Again, **in this case, the requested variance would be consistent with the spirit and purpose of this Chapter and the City of Dunwoody Comprehensive Plan text,** because we seek only to add a garage addition, refurbish the existing interior, and to develop the home to housing standards found in surrounding communities.

Finally, although economic considerations must be taken into consideration as a hardship, they are not, of themselves, be the sole criteria upon which we seek this variance. Our intentions are to remodel this house into a home up to standards with similar properties in the Dunwoody area that will provide increased property values for our neighbors and a better quality of life for everyone in Dunwoody.

I respectfully ask for your kind consideration in this matter.

Sincerely,

Susan S. Jones

Sec. 2C-6. Lot Width; Lot Area; Setbacks.

The following requirements shall apply to all lots and structures in the R-100 (Single-family Residential) District:

- (a) Lot width: All lots shall have at least one hundred (100) feet of frontage as measured along the public street frontage, except that lots fronting on the cul-de-sac of a street shall have at least thirty-five (35) feet of frontage as measured along the public street and shall have at least one hundred (100) feet of frontage as measured at the required front yard building setback line.
- (b) Minimum lot area: Fifteen thousand (15,000) square feet.
- (c) Minimum yard adjacent to public street:
 - (1) From major thoroughfares: Fifty (50) feet.
 - (2) From minor thoroughfares: Forty (40) feet.
 - (3) From collector streets: Thirty-five (35) feet.66 LIT\1055102.1
 - (4) From other streets: Thirty-five (35) feet.
- (d) Interior side yard setbacks: Ten (10) feet.
- (e) Rear yard: Forty (40) feet.