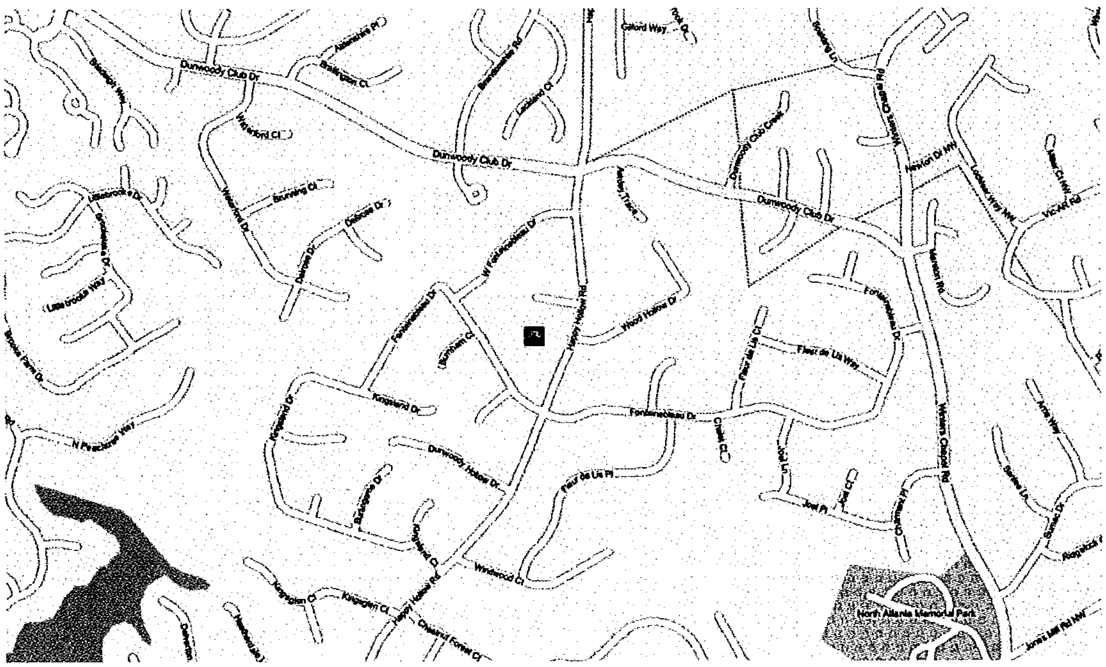
Hearing Date:	**November 5, 2009**
Property Location	**5258 Happy Hollow Road (LL 359)**
Owner/Petitioner	**C.W. Lichirie, Owner 5258 Happy Hollow Road Dunwoody, Georgia 30360**
Variance Requests	**Increase the allowable aggregate square footage, decrease required minimum set-backs and increase maximum height of multiple accessory structures.**

Vicinity Map



The site is located on the west side of Happy Hollow Road, south of its intersection with Wood Hollow Drive. The applicant indicates that the property comprises 1.73 acres. The property is zoned R-100 (Single-Family Residential district). The applicant's request is to increase the allowable aggregate square footage of accessory structures on a lot of between 1 acre and 4.99 acres. The current code allows 1,200 square feet; the applicant is requesting to be allowed an area in excess of 1,200 square feet (that cannot be accurately determined) to accommodate the construction of a new accessory detached garage.

History

The applicant's property was first brought to the attention of the Code Compliance officer, Tom LaPenna, in May of 2009. On May 21, 2009 Mr LaPenna visited the site and found that there was unpermitted construction --of an approximately 600-square foot accessory garage-- occurring on the site. A stop work order was issued that day. The following day, the applicant applied to- and received from- the community development department a conditional approval to continue construction on the structure.

The site plan submitted by the applicant for the building permit was not to a common scale and has been found to be inaccurate, in that it did not reflect that there was already on site a large (by staff's estimation approximately 2,000 square feet) multi-story structure in the rear of the lot, as well as no fewer than five (5) temporary accessory structures comprising approximately 160 square feet each. The condition of approval for the accessory structure was that the foundation could not be located closer than ten (10) feet from the side property line, and that the height of the structure had to be less than the height of the principal structure already on the lot. Had the existence of accessory structures been known, the permit would not have been issued, because the addition of 600 square feet would surely have been non-compliant with chapter 27, article 4 of the zoning ordinance.

During one of the inspections for the newly permitted garage, it was discovered that: (1) the building was constructed too close to the side lot line; (2) the building was built too tall; (3) there were multiple accessory structures already existing on the lot, meaning the total of the aggregate square footages exceeded the maximum allowable accessory structure square footage of 1,200 square feet.

Staff understands construction of the structure has not continued, since the work thus far has not been approved and therefore the building will never be able to receive a certificate of occupancy. Also, the applicant has alluded to the idea that the already existing permanent structure in the rear of the lot was drawn, approved, permitted, built and C/O'd in June of 2005. Staff has just now, as a function of this application, received the copy of the DeKalb County Certificate of Occupancy from the applicant. Staff believes it was issued in error, and if it wasn't issued in error, it should now be revoked, for the structure does not meet the minimum requirements of life safety and the building code.

Efforts have been attempted this summer by the applicant to alleviate the number and intensity of his non-conformities, but the solutions presented by the applicant will not render the property conforming by the current day's standards. For instance, one proposal was for the smaller of the two permanent accessory structures to be attached to the principal structure via breezeway. This would potentially eliminate the site's non-conformities related to building heights, and to an extent lessen the degree of non-conformity related to aggregate floor area of accessory structures. Unfortunately, the proposal would still not work, as the entire structure would need to conform to the building setbacks for principal structures, and the new addition is still too close to the side setback lines.

In September of this year, the applicant received a letter from the Community Development staff that summarized his zoning code violations, and proposed scenarios of how he could bring his property into compliance. The applicant has declined to undertake any of those proposed solutions, and instead has chosen to seek a variance to his accessory structure issues to make the site compliant.

Conditions of the Zoning Ordinance

The applicant seeks a variance to the following section of the city Zoning Ordinance:

Sec. 2C-4. Accessory Uses, Buildings and Structures.

"Accessory buildings and structures shall not exceed twenty (20) feet in height or the height of the principal structure, whichever is less, and shall comply with the requirements of **Section 4-1**."

Sec. 4-1. Accessory Buildings, Structures, and Uses.

"(c) ...No accessory building or structure shall be located closer than ten (10) feet to a side or rear lot line in any district."

"(j) The floor area of an accessory building(s) in single-family and two- and three-family residential districts shall not exceed the following maximum floor areas:

TABLE INSET:

Property Size	Maximum Floor Area
0 to 0.999 acres	900 square feet
1 to 4.999 acres	**1,200 square feet**
5 to 9.999 acres	2,000 square feet
10 or more acres	No size limit"

Article 27, Section 5D-14 identifies the following criteria for evaluation that shall be examined when determining the appropriateness of a variance:

a) Variances from the provisions or requirements of this Chapter shall be authorized only upon making all of the following findings:

1. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic conditions, which were not created by the owner or applicant, the strict application of the requirements of this Chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district; *There are no unique natural*

nor man-made conditions associated with this site. The strict application of the requirements of this Chapter would not deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.

2. 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 properties in the zoning district in which the subject property is located; *The request does not exceed the minimum required, as the applicant seeks only to be able to keep the structures he has existing, or complete the half-completed structures. However, affording the applicant the permission to construct these structures would be a special privilege not available to other properties in the zoning district.*

3. The grant 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; *Staff has identified public safety concerns with the existing structures related to this request, neighboring property owners can be affected detrimentally by the presence, location and condition of these structures.*

4. The literal interpretation and strict application of the applicable provisions or requirements of this Chapter would cause undue and unnecessary hardship; *Any hardship, real or perceived, would be neither an undue nor an unnecessary hardship, as the site conditions that lead to these and future actions was self-created by the applicant.*

   and

5. The requested variance would be consistent with the spirit and purpose of this Chapter and the City of Dunwoody Comprehensive Plan text. *The applicant's requests are completely inconsistent with the spirit and purpose of the zoning ordinance, yet its effect on the Comprehensive Plan is seemingly negligible.*

Recommendation

Staff **does not support** the requested variances, due to their deleterious impact on the neighborhood.

Attachments

1. Application, including letters of intent and letters from neighbors in support of the requests.
2. Plat (boundary survey), dated 07/27/09 entitled 'Plat prepared for Bill Lichirie'.
3. Aerial photograph showing approximate proximity to neighboring structures.
4. Record of City of Dunwoody permits, including site plans submitted for permits.

Happy Hollow Rd

Fontainebleau
Hollow Rd
Happy Hollow Rd
Happy Hollow Rd

Happy Hollow Rd
Hap

Happy Hollow Rd

ARTICLE IV. SUPPLEMENTAL REGULATIONS

The regulations contained within this Article IV shall apply to all zoning districts within DeKalb County except as otherwise specified herein.

(Ord. No. 99-11, Pt. 1, 4-13-99)

DEKALB CO. ORDINANCE:

Sec. 27-731. Accessory buildings, structures, and uses.

The following provisions apply to accessory buildings, structures, and uses of land that are incidental to authorized and permitted uses:

(a) All accessory buildings, accessory structures, and accessory uses of land, including off-street parking, shall be located on the same lot as the principal building(s) to which they are accessory.

(b) No accessory building or structure shall be constructed upon a lot until construction of the principal building has commenced.

(c) All accessory buildings or structures shall be located in the rear yard of the lot. No accessory building or structure shall be located closer than ten (10) feet to a side or rear lot line in any district. Basketball goals attached to the principal residential structure or erected adjacent to and abutting the driveway of the principal residential structure shall be allowed in the front yard but not within the right-of-way of a public street. No such basketball goal shall be erected in such a manner that the play area for the basketball goal is located within any portion of a public right-of-way.

(d) No accessory building or structure in a nonresidential district shall be used by other than employees of the owner, lessee or tenant of the premises, unless otherwise allowed by provisions of this chapter.

(e) Except as otherwise provided herein within the R-200 district, accessory buildings in single-family residential districts shall not be used as separate dwelling units and shall not contain a bedroom or kitchen or other food preparation facility of any kind. Further no such accessory building shall be rented or occupied for gain, and no accessory structure or building shall be used for a home occupation.

(f) Where the rear yard of a corner lot adjoins the side yard of a lot in a residential district, no accessory building or structure shall be located closer than twenty-five (25) feet to the rear property line and no closer to the side street right-of-way line than the principal building.

(g) Where an accessory building or structure is attached to the principal building by a breezeway, passageway or similar means, the accessory building or structure shall comply with the yard requirements of the principal building to which it is accessory.

(h) Swimming pools, as accessory structures in a residential district, shall be measured from the decking or closest part of the pool structure to the applicable property line. Accessory swimming pools shall be authorized only after written approval from the board of health pursuant to applicable regulations. (See section 13-181 et seq.)

(i) Accessory buildings, structures and uses authorized in an apartment complex include a leasing office, post office, club room, health club or exercise facilities, laundry facilities, child care center and similar facilities for the use of residents of the complex.

(j) The floor area of an accessory building(s) in single-family and two- and three-family residential districts shall not exceed the following maximum floor areas:

TABLE INSET:

Property Size	Maximum Floor Area
0 to 0.999 acres	900 square feet
1 to 4.999 acres	1,200 square feet
5 to 9.999 acres	2,000 square feet
10 or more acres	No size limit

(Ord. No. 99-11, Pt. 1, 4-13-99; Ord. No. 99-43, §§ XIV, XV, 8-24-99)

Effective DATES

ZBA 09.103

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BY

Variance Application

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

Type

Type of Request: ☑ Variance (BZA) ☐ Variance (Administrative)

Concurrent Variance(s)? ☐ Yes ☐ No If yes, please provide rezoning case #:

	Square Feet	Acre	Minimum Setback Requirements		Proposed Setback Requirements	
Total Area of Lot		1.73	Front	35'	Front	35'
Building Footprint		600	Side	10'	Side	6.12'
# of Parking Spaces			Rear	40'	Rear	40'
Height		1 STORY	Other		Other	

Project

Name of Project/Subdivision: NEW SHED

Property Address/Location: 5258 HAPPY HOLLOW Rd.

Land Lot: 310 & 311 | District: 6TH | Section: | Property ID: 06310020002

Lot Number: | Block: | Present Zoning: R-100 | Proposed Zoning: R-100

Applicant Information

Name: C. W. LICHIRIE

Company:

Address: 5258 HAPPY HOLLOW Rd. DUNWOODY

Phone: | Fax:

Cell: 404 358 3555 | Email:

Representative

Name:

Company:

Address:

Phone: | Phone:

Cell: | Cell:

Affidavit

To the best of my knowledge, this variance 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. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included with the Application.

Applicant's Signature: C. W. Lichirie | Date: 10-1-09

Representative's Signature: | Date:

Notary

Sworn to and subscribed before me this 1 Day of Oct. 20 09

Notary Public: Karine Roy

Signature: Karine Roy

Date: 10/1/09

KARINE ROY NOTARY PUBLIC EXP. JAN 14, 2008 FULTON COUNTY GA

Office Use

Fee: $ 350.00 Receipt # 9860 | Payment: ☐ Cash ☐ Check ☒ CC – Visa/MC | Date: 10/1/09

☐ Approved ☐ Denied | By: | Date:

Variance Application

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

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Request

Please explain the reason for the request and attach additional information as necessary.

SEE ATTACHED MATERIAL

Orientation

Prior to the submission of a variance application, the applicant is required to schedule an orientation meeting with the appropriate planner in the Planning and Zoning Division of the Community Development Department. The purpose of this meeting is to determine the number and nature of the variances requested, become familiar with the appeals process and obtain preliminary input from staff. A meeting date before the Board of Zoning Appeals will be scheduled upon a determination of completeness and compliance of the application. The applicant or representative must attend the meeting and make the presentation. An Orientation Meeting is NOT required for an Administrative Variance.

Orientation Meeting Date:

Board Meeting Date:

Remarks

Zoning Director Comments:

Planning & Zoning Director: Date:

Campaign Disclosure Ordinance

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

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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 ho 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

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

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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: C. W. LICHIRIE
	Address: 5258 HAPPY HOLLOW Rd. DUN.
	Date: 10-1-09

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

Date	Government Official	Official Position	Description	Amount

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September 30, 2009
Bill Lichirie
5258 Happy Hollow Rd.
Dunwoody, Georgia 30338
Cell: 404 358 3555

Building Permit # 2009-742-751
Date: May 22, 2009
Tax ID # 06310002002
Square Feet: 600
Front: 35 feet
Side: 10 feet
Rear 40 feet
New Construction

SONOPSIS

Ladies and Gentlemen of the Dunwoody Zoning Board of Appeals:

You may recognize my name as a chainsaw volunteer during the 1998 Tornado disaster; I spent over 4 months every other weekend cutting in the Happy Hollow area and, another five years helping Mr. Wichser rebuild his destroyed home. .

Perhaps we met this year while my son, Nicholas, and I were working on his Eagle Scout project at Ebenezer Primitive Baptist Church.

The rear most accessory structure was permitted in 2003 and Certificate of Occupancy was issued by Dekalb County Planning and Development Department on 6-21-2005.

My 1956 two and one half car garage roof sprung a massive leak in the roof.
Short story: We had to tear the building down due to Tornado damage and rot.

May 22, 2009, a stop work order was issued, and we were told we would need a building permit. I obtained a building permit from the the City of Dunwoody Zoning Department that very day.

June 15th, 2009 meeting, the City of Dunwoody Planning Department said they made a mistake in issuing a building permit and the City could not be held liable for the mistake regardless due to their error.

Chapter 27, Section 4-1 (c): The shed is four feet too close to the property line.
Chapter 27, Section 4-1 (j): The two accessory buildings exceeds the total square footage limit for my 1.73 acres by 558.5 square feet.
Chapter 27, Section 2C-4: The new shed is about six feet taller than the primary structure.

I will agree, as part of an over all settlement of all mentioned code violations by the City of Dunwoody Zoning and Planning Department, to remove the tent structures, and further agree the shed to be listed as attached to my house for tax purposes.

DeKalb County Planning & Development Department

Residential Certificate of Occupancy

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Project

Type: Residential Permit Number: 1043HB46508 Project: ACCESSORY STRUCTURES

Work Type: ADDITIONS TO EXISTING STRUCTUR Construction Type:

Occupancy Type: ACCESSORY STRUCTURES

Property

Address: 5258 HAPPY HOLLOW RD DORAVILLE,GA 30360- Parcel ID: 06 310 02 002 Lot #:

Zoning: R-100 Rezoning: N/A Land Use: N/A Census: 212.11 District: 01 06

Applicant

Owner: N/A Address: N/A

The structure has been inspected for compliance with the requirements of all codes for the occupancy and division of occupancy and the use for which the proposed occupancy is classified and the structure has been erected, to the best of the county's knowledge and belief, in compliance with all applicable county codes at the time of issuance of this certificate of occupancy. Occupancy shall be limited to the area defined by the building permit indicated above for which this certificate is issued.

In accordance with chapter 7, article ii, division 3, section 7-33(f) of the DeKalb county code, this certificate may be revoked by the director of development or his/her duly authorized representative for either one or more of the following:

(1) changes or alterations in the type of permitted use or occupancy without approval.

(2) changes or violations of the conditions of the certificate without approval.

(3) alterations, additions, or improvements to the building, structure, or systems without approval.

Special Stipulations and/or Condititons (If Applicable)

Date: 06/22/2005

Issued By: Adah Silver _____

Permits, Zoning & Plans Review Supervisor

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September 30, 2009
Bill Lichirie
5258 Happy Hollow Rd.
Dunwoody, Georgia 30338
Cell: 404 358 3555

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Building Permit # 2009-742-751
Date: May 22, 2009
Tax ID # 06310002
Square Feet: 600
Front: 35 feet
Side: 10 feet
Rear 40 feet
New Construction

Ladies and Gentlemen of the Dunwoody Zoning Board of Appeals:

You may recognize my name as a former candle maker with Minka Candles which were used in Dunwoody Luminarias at Christmas time for over 20 years, or more likely as a chainsaw volunteer during the 1998 Tornado disaster. I spent three months every other weekend cutting in the Happy Hollow area, another four weekends cutting in Mr. Tom Wichser's back yard, and another five years helping Mr. Wichser rebuild his destroyed home which lost the roof, back half of the house, kitchen, and 50% of the drywall in the house. I moved to Happy Hollow after my divorce as it was close to Nicholas and Brian, my two Boys, 9 and 10 years old respectively.
In addition, I knew and liked the people and area of Happy Hollow from my chainsawing days.
Perhaps we met this year while my son, Nicholas, and I were working on his Eagle Scout project at Ebenezer Primitive Baptist Church. I suspect I would rather help others in need than deal with my own issues; I find it much more rewarding.

The rear most accessory structure was permitted in 2003 and Certificate of Occupancy was issued by Dekalb County Planning and Development Department on 6-21-2005 prior to the City of Dunwoody incorporation; a copy is enclosed. Accordingly, this structure was legally built and Grandfathered. Please see Exhibit A

The rain this year has been my downfall. It all started in the beginning of April when I noticed rain pouring through the roof of my 1956 two and one half car garage which later became the shed in question (Please see photo # 1). I suspect the shingles were original to the roof. I covered up as best I could under the circumstances.
The next day, we stripped off the shingles only to find broken rafters, and rotted, multi-colored painted boards which I am sure were salvaged from a previous building. Between the Tornado, 53 years of shingle deterioration, and umteen years water damage, we realized it would it would be faster and easier to remove the entire roof, and roof framing and rebuild. Fools step in where Angels fear to tread.
Needless to say, **I was panicked** as the garage was full of woodworking equipment, chainsaws, and assorted candle making equipment.
We moved the light equipment, but the ground was too soft to move the heavy

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equipment which covered at least 50% of the space, so we covered it up and built around it. Believe me, it is really difficult to build with 50% of the space occupied.

We removed the roof and rafters only to find the concrete blocks had been held in place by the joists, rafters and roof. The blocks were like Jello, and so unstable as to be dangerous to life and limb. Now **I was really panicked!**
So, on the way to Home Depot to pick up wood and roofing material, I decided it was simply too dangerous to work on the concrete block walls and decided to take the walls down to the foundation.
I am not the brightest bulb in the room and I have been known to do dangerous activities, but I am intelligent enough to know one doesn't risk other people's lives to fix a roof.
Lesson learned: Never, ever buy a concrete block building with cracked mortar and loose block.

The rest is history. Being unaware of the 50% rule (If you tear down more than 50% of a building to make a repair, you need a building permit.), we tore the blocks down to original foundation and were in the process of rebuilding the shed when
Mr. Tom LaPenna, Code Compliance Officer, was informed by a disgruntled neighbor of the rebuilding. May 22, 2009, a stop work order was issued, and we were told we would need a building permit. I obtained a building permit from the the City of Dunwoody Zoning Department that very day. About ten days later, another stop work order was issued, citing setback and excess total square footage in two accessory structures.

June 15th, 2009, Ken Levy, my attorney, and I met with Howard Koontz, Michael Nier, Tom LaPenna, and Brian Anderson, City Attorney, at their office. In essence, the discussion centered around the City of Dunwoody Planning Department having made a mistake in issuing a building permit and the City could not be held liable for the mistake regardless of my incurred expenses due to their error.
In addition, they made several suggestions to remedy my code violations.

I have spent several months in the following thought process working my way through this can of worms trying to untangle the problem and find an equitable solution which does not depreciate my neighborhood, or home, and does not include emptying the meager bank account of a retired person:

Chapter 27, Section 4-1 (c): The shed is four feet too close to the property line, please see photo # 2.
Chapter 27, Section 4-1 (j): The two accessory buildings exceeds the total square footage limit for my 1.73 acres by 558.5 square feet.

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Chapter 27, Section 2C-4: The new shed is about six feet taller than the primary structure, and is located 196.4 feet from the roadway; it is a rose compared to the old shed which was a true eye sore. Please see attached photo # 3.
Moving the small shed will cost over $3,500.00, excluding tree cutting, labor, site preparation, and new concrete foundation; the total could well exceed the cost of all materials and labor above the foundation.
I contend the repair did not exceed the 50% repair rule which was quoted.
The new shed stands head and shoulders above the old shed which was a true eyesore.
Enclosed are letters from my two closest neighbors who would be most affected with their reflections concerning the new shed and its location.

Besides the fact the small shed was properly permitted and legal:

1.) Cutting off the rear 4 feet of the small shed structure to obtain the 10 foot setback would be insanely dangerous, labor and time intensive, extremely expensive, potentially disastrous, and insanity construction on my part.

2.) Removing this shed in its entirety is out of the question, labor and time intensive, extremely expensive, and the height of financial stupidity on my part.

3.) Moving the shed an additional 4 feet away from the boundary line and building a very expensive 65 foot covered breezeway when only 10% or less of the breezeway would be visible from the street is a huge, sinful, unnecessary waste of my resources in these dire economic times, a financial burden on a 68 year old retired person, and would decrease the value of my neighborhood and home. In addition, I would have to construct a fence around the breezeway to keep my dog from entanglement and possible strangulation, which would make the breezeway totally useless. I might as well throw thousands of dollars in the street.

4.) Moving the shed to the right side of my home will decrease the length of the breezeway to five feet, make a functionally obsolete 1956 home stand out like a black eye next to a rose, and decrease the value of my neighborhood and home.
In addition, the following 12 mature trees would be cut down to facilitate moving the building, site preparation, construction of the new concrete foundation, and access to the rear most storage building:
One 27.5 inches in diameter Oak, estimated, (Photo 4.)
One 25 foot tall Bradford Pear, estimated, (Photo 5.)
Two 10 foot tall Cherry trees, estimated, (Photo 5. and 6.)
Seven 30 foot tall Leland cypress trees, estimated, (Photo 6.)
One 20 foot Dogwood, estimated, estimated, (Photo 4)

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I would like to thank everyone in the Dunwoody City Zoning Department for their good humor, courtesy, and effort they have devoted to this issue. I sincerely apologize for the added work load I put on their plate.

Clearly I made a huge error in rebuilding the shed on its original foundation.
Had I known what I know today, and not panicked, I would have put a blue tarp over the equipment and analyzed the situation. Today, with 20-20 hindsight, I would obtain a demolition and new construction permit from the City of Dunwoody, and then I would remove my carport, excavated a basement and built an attached 1200 square foot garage. As I stated previously, I am not the brightest bulb in the pack.

I will agree, as part of an over all settlement of all mentioned code violations by the City of Dunwoody Zoning and Planning Department, to remove the tent structures, and further agree to having the small shed listed as attached to my house for tax purposes. I will be more than grateful if the Board accepts this settlement.

Members of the Board, please consider my settlement offer. I believe it to be equitable, a win-win situation, and more importantly, will not decrease the value of my neighborhood and home. After all is considered, what is the purpose of zoning other than creating the tax roll, preserve, protect, and increase the city financially, maintaining and improve quality of life, and lastly preserving the value of our neighborhoods, homes and business investments.. These past four months have been one of the most stressful in my life; I am sure if you were in my place you would share my emotions and desire to improve and protect our city, neighborhoods, and home. Certainly, we can all agree the new shed is a vast improvement over the 1956 garage, worthy of a magazine cover, and a credit to the neighborhood.

Thank you ever so much for your kind, honest consideration.

Respectfully,

Bill Lichirie

Bill Lichirie

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Attachments: Letters, Exhibits and Photos

Neighbor letters, Left Neighbor, Mr. John Head
Right Neighbor, Ms. Fabiola Yepes

Exhibits: A.) Certificate of Occupancy.
B.) Survey of 5258 Happy Hollow Rd.
C.) Legal description of 5258 Happy Hollow Rd.
D.) Letter, Dunwood Zoning Department, Sept. 21, 2009
E.) Letter, Dunwood Zoning Department, Sept. 25, 2009

Photos: 1.) and 3.), Before and after shots of 2½ car garage.
2.) Google Earth, 5258 Happy Hollow Rd., and surrounding neighborhood.
4.- 6.) Listed trees above.

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PHOTO 1.

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PHOTO 2.

RECEIVED
OCT 01 2009

PHOTO 3.

PHOTO 4.

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By

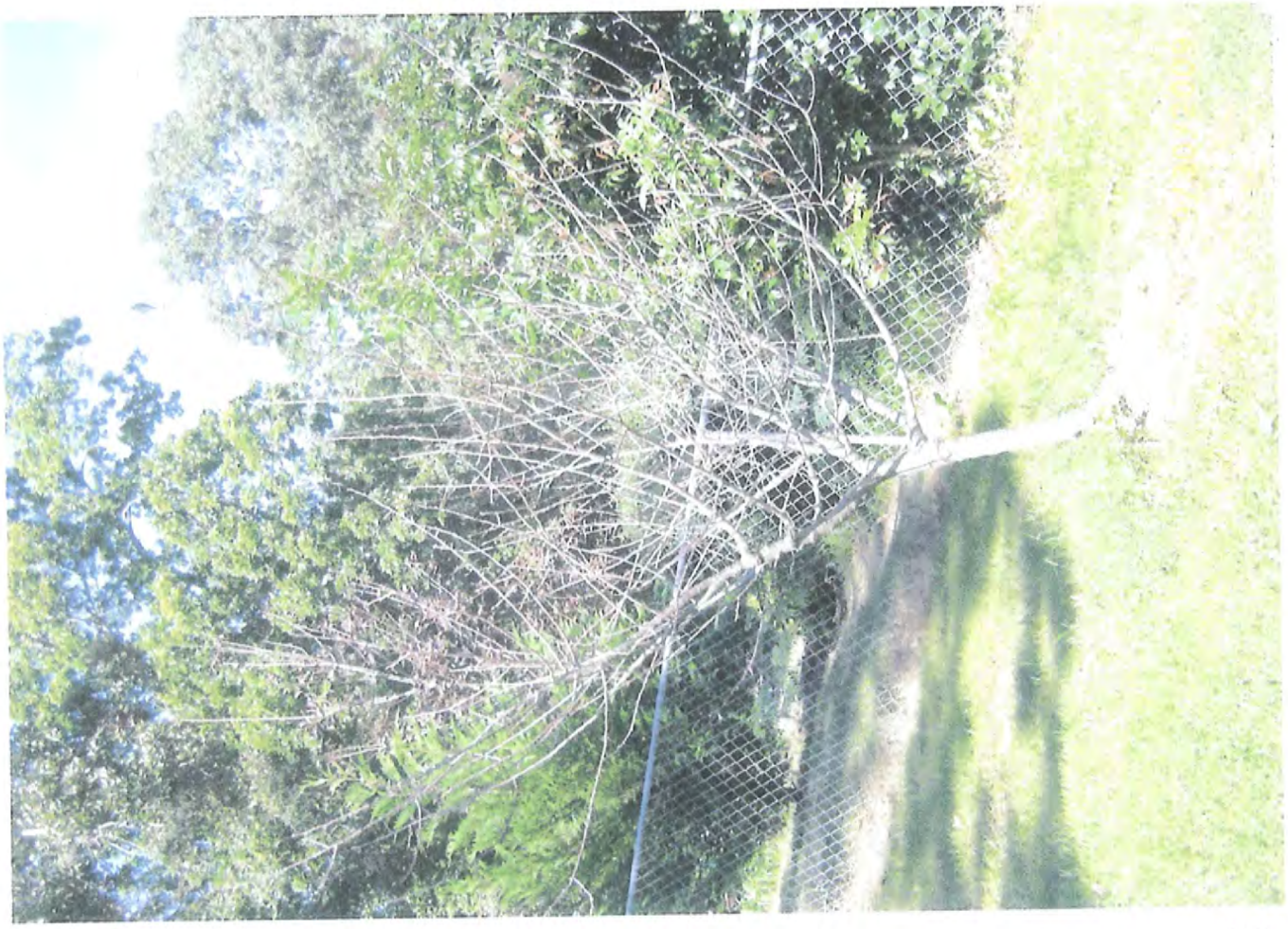

PHOTO 5.

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By

Photo 6

DV230X

DeKalb County Planning & Development Department

Residential Certificate of Occupancy

RECEIVED
OCT 01 2009
By

Project

Type: Residential Permit Number: 1043HB46508 Project: ACCESSORY STRUCTURES

Work Type: ADDITIONS TO EXISTING STRUCTUR Construction Type:

Occupancy Type: ACCESSORY STRUCTURES

Property

Address: 5258 HAPPY HOLLOW RD DORAVILLE,GA 30360- Parcel ID: 06 310 02 002 Lot #:

Zoning: R-100 Rezoning: N/A Land Use: N/A Census: 212.11 District: 01 06

Applicant

Owner: N/A Address: N/A

The structure has been inspected for compliance with the requirements of all codes for the occupancy and division of occupancy and the use for which the proposed occupancy is classified and the structure has been erected, to the best of the county's knowledge and belief, in compliance with all applicable county codes at the time of issuance of this certificate of occupancy. Occupancy shall be limited to the area defined by the building permit indicated above for which this certificate is issued.

In accordance with chapter 7, article ii, division 3, section 7-33(f) of the DeKalb county code, this certificate may be revoked by the director of development or his/her duly authorized representative for either one or more of the following:

(1) changes or alterations in the type of permitted use or occupancy without approval.

(2) changes or violations of the conditions of the certificate without approval.

(3) alterations, additions, or improvements to the building, structure, or systems without approval.

Special Stipulations and/or Condititons (If Applicable)

Date: 06/22/2005

Issued By: Adah Silver _____

Permits, Zoning & Plans Review Supervisor

EXHIBIT A.

Book 12279 Pg 434
Linda Carter
Linda Carter
Clerk of Superior Court Dekalb Cty. Ga.

RECEIVED
OCT 01 2009
By

01-572C

EXHIBIT "A" "C"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 310 AND 311 OF THE 6TH DISTRICT OF DEKALB COUNTY, GEORGIA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

TO REACH THE POINT OF BEGINNING, START AT THE INTERSECTION OF THE NORTHEAST RIGHT OF WAY OF FOUNTAINEBLEAU DRIVE (60 R/W) AND THE NORTHWEST RIGHT OF WAY OF HAPPY HOLLOW ROAD (R/W VARIES); THENCE RUNNING NORTHEASTERLY ALONG THE SAID NORTHWEST RIGHT OF WAY OF HAPPY HOLLOW ROAD A DISTANCE OF 215.00 FEET TO A POINT AND THE POINT OF BEGINNING. THENCE FROM THE POINT OF BEGINNING RUNNING NORTH 50 DEGREES 10 MINUTES 7 SECONDS WEST A DISTANCE OF 194.57 FEET TO A POINT; THENCE RUNNING NORTH 39 DEGREES 14 MINUTES 25 SECONDS WEST A DISTANCE OF 395.28 FEET TO AN IRON PIN; THENCE RUNNING NORTH 48 DEGREES 3 MINUTES 30 SECONDS EAST A DISTANCE EOF 113.60 FEET TO AN IRON PIN; THENCE RUNNING SOUTH 45 DEGREES 0 MINUTES 0 SECONDS EAST A DISTANCE OF 517.30 FEET TO A POINT LOCATED ON THE SAID NORTHWEST RIGHT OF WAY OF HAPPY HOLLOW ROAD; THENCE RUNNING SOUTH 19 DEGREES 50 MINUTES 0 SECONDS WEST ALONG THE SAID NORTHWEST RIGHT OF WAY OF HAPPY HOLLOW ROAD A DISTANCE OF 149.80 FEET TO A POINT AND THE POINT OF BEGINNING. SAID TRACT CONTAINING 1.74 ACRES AND BEING MORE FULLY SHOWN ON SURVEY OF PROPERTY OF RON MANOAH, PREPARED BY MCCLUNG SURVEYING, INC., DATED 11/12/97.

EXHIBIT C.

John H. Head
5240 Happy Hollow Road
Dunwoody, GA 30360
Jhead30360@aol.com
(770) 393-0714

RECEIVED
OCT 08 2009
By

October 9, 2009

Ladies and Gentlemen of the Dunwoody Zoning Board of Appeals:

My wife and I have resided at this address since 1978. I am very pleased to have Mr. Bill Lichirie as my next-door neighbor. Both of our lots are somewhat large and have been targets for developers desiring to erect cluster homes where our houses are. In spite of the great amounts of money they were offering, I refused to sell. I felt that the type of homes they were planning would have destroyed the integrity of my home and those of my neighbors. When Bill moved in, we were all delighted to see that he intended to live in the existing house and add work areas he would need for his tools and materials.

Bill has been an exceptional neighbor and friend. He is always willing to help when he is needed – regardless of the task. A year ago I fell and broke my left shoulder. I have over an acre of lawn to maintain. During my recovery Bill and his sons mowed my lawn at least three times and refused to take any compensation.

Regarding the building in question, let me say that I am very pleased with the new structure. The old garage was over fifty years old and had had little maintenance by the past three or four owners. It came as no surprise that the rains we have endured this summer damaged it. The new structure I find attractive, and it was professionally built and is a welcome change from the old building.

Bill has demonstrated to me to be a man of high ethical and moral character. I do not believe he would knowingly violate any zoning rules. Surely some compromise can be reached that would not put such a financial burden on this retiree living on fixed income.

I am very grateful for the zoning laws we have to protect our property. I also appreciate the work you do in overseeing them. I hope you can see your way clear to assisting Mr. Lichirie in resolving this problem. I do not believe that this structure creates any negative effect on any of our property values. If I can be of any further help please don't hesitate to contact me.

Sincerely yours,

John H. Head

LEFT NEIGHBOR

Fabiola Yepes
5252Happy Hollow Road
Dunwoody, Georgia 30350
fabiolayepes@bellsouth.net
Cell: 404 - 444 - 0602
October 11, 2009

RECEIVED
OCT 12 2009
By

To: Dunwoody Zoning Board of Appeal

Re: Zoning Bill Lichirie house, 5258 Happy Hollow Road.

Ladies and Gentlemen,

I am from Colombia, South America. I am a realtor.

I live next door to Bill Lichirie 4 years. He is a good neighbor.

He help me with all problem with my house. He is a good friend and like a brother.

He rush home to open door for my brother when I am at work. He cut trees in my yard.

He help my daughter and her husband.

I am happy with the new building. It is not to close to my fence. It is not to tall.

New building is pretty. I do not care he has two building with to much square feet.

It does not bother me in any way.

Old building was ugly and fall apart. I plant 7 Cypress trees to cover view of old ugly building.

Sincerely,

Fabiola Yepes.

Fabiola Yepes

RIGHT NEIGHBOR

Ken Wright – Mayor
Denis Shortal – City Council Post 1
Adrian Bonser – City Council Post 2
Tom Taylor – City Council Post 3
Robert Wittenstein – City Council Post 4
Danny Ross – City Council Post 5
John Heneghan – City Council Post 6

Warren Hutmacher – City Manager
Brian Anderson – City Attorney

September 21, 2009

Bill Lichirie
5258 Happy Hollow Road
Atlanta, Georgia 30360

Mr. Lichirie,

In reference to the multiple accessory structures located in the rear yard of your property located at 5258 Happy Hollow Road, staff has determined that these structures constitute multiple zoning violations.

Based on repeated site visits to your property, staff has noted there are too many accessory structures that exist on your lot. This presents code violations in the following areas:

1. Structure size: **Chapter 27, Section 4-1(j)** states: "The floor area of an accessory building(s) in single-family and two- and three-family residential districts shall not exceed the following maximum floor areas: 1 to 4.999 acres -- 1,200 square feet" Currently the rear-most building is estimated to be 1,200 square feet alone, not inclusive of the aggregate square footages of the remaining temporary and permanent structures.
2. Both the rear-most and front accessory structures are taller than the primary residence, a condition prohibited by the City code. **Chapter 27, Section 2C-4** reads: "Accessory uses, buildings and structures shall be located within the rear yard. Accessory buildings and structures shall not exceed twenty (20) feet in height or the height of the principal structure, whichever is less, and shall comply with the requirements of **Section 4-1**."
3. Structure location: The front storage shed was removed, and subsequently rebuilt (larger) at a distance of 6.12 feet off the side property line. **Chapter 27, Section4-1(c)** reads: "No accessory building or structure shall be located closer than ten (10) feet to a side or rear lot line in any district."

Due to the fact that there are multiple structures and multiple violations, each offers its own challenge to a resolution. We recommend the following as options to remedy the current code violations:

A.
1. Remove approximately 4 feet of the front storage shed, closest to the property line, to obtain the 10 foot setback required, and attach that front storage shed to primary structure with previously submitted breezeway.
2. Remove the remaining tent-like accessory structures from the property.

City of Dunwoody
41 Perimeter Center East, Suite 250 – Dunwoody, GA 30346
P: 678-382-6700 - F: 678-382-6701 - www.dunwoodyga.gov

EXHIBIT D

Ken Wright – Mayor
Denis Shortal – City Council Post 1
Adrian Bonser – City Council Post 2
Tom Taylor – City Council Post 3
Robert Wittenstein – City Council Post 4
Danny Ross – City Council Post 5
John Heneghan – City Council Post 6

Warren Hutmacher – City Manager
Brian Anderson – City Attorney

B.

3. Remove the front storage shed in its entirety (this reduces the square footage of accessory structures on the property), and lower the roofline of the rear-most structure.
4. Remove the tent-like accessory structures from the property.

C.

5. Move the front storage shed 10 feet away from the property line, attach it to the primary structure with previously submitted breezeway.
6. Remove the tent-like accessory structures from the property.

If, upon completion of the above solutions, the building height of the detached accessory structures remains taller than the building height of the primary structure, and/or the aggregate square footage of detached accessory structures exceeds 1,200 square feet, then additional measures must be undertaken to remedy those issues.

Additionally, the City has no record for a certificate of occupancy ever having been issued for the rear-most accessory structure on your lot. Prior to use of that structure, if you plan to occupy the structure for any reason in person or with personal possessions, you must first have the structure inspected and approved for occupancy by the City of Dunwoody Building Official or his/her designee following established procedure.

If you have any questions, I can be reached at (678) 382-6810.

Sincerely,

Howard Koontz
City Planner
City of Dunwoody

Cc: Michael Nier, Tom LaPenna, Brian Anderson

City of Dunwoody
41 Perimeter Center East, Suite 250 – Dunwoody, GA 30346
P: 678-382-6700 - F: 678-382-6701 - www.dunwoodyga.gov

Ken Wright – Mayor
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Danny Ross – City Council Post 5
John Heneghan – City Council Post 6

Warren Hutmacher – City Manager
Brian Anderson – City Attorney

RECEIVED
OCT 08 2009
By

September 25, 2009

Bill Lichirie
5258 Happy Hollow Road
Atlanta, Georgia 30360

Re: Tree Removal Permit

Mr. Lichirie,

In reference to the tree removal permit you filed in our office on the 9th of this month, staff is yet unable to approve the application as presented. Community Development staff would like more specific visual confirmation of the diameter of the tree's trunk at a height four and one-half feet above the ground.

Pictures you have submitted previously to this office do not coincide with the information indicated on your tree removal application that the tree has a 25" diameter at breast height (DBH).

As you may be aware, deciduous trees in excess of 30" in diameter qualify by ordinance as specimen trees. Specimen trees require special care and consideration when they are the subject of removal.

If you should have any questions, please do not hesitate to call me at (678) 382-6810.

Thank you,

Howard J. Koontz

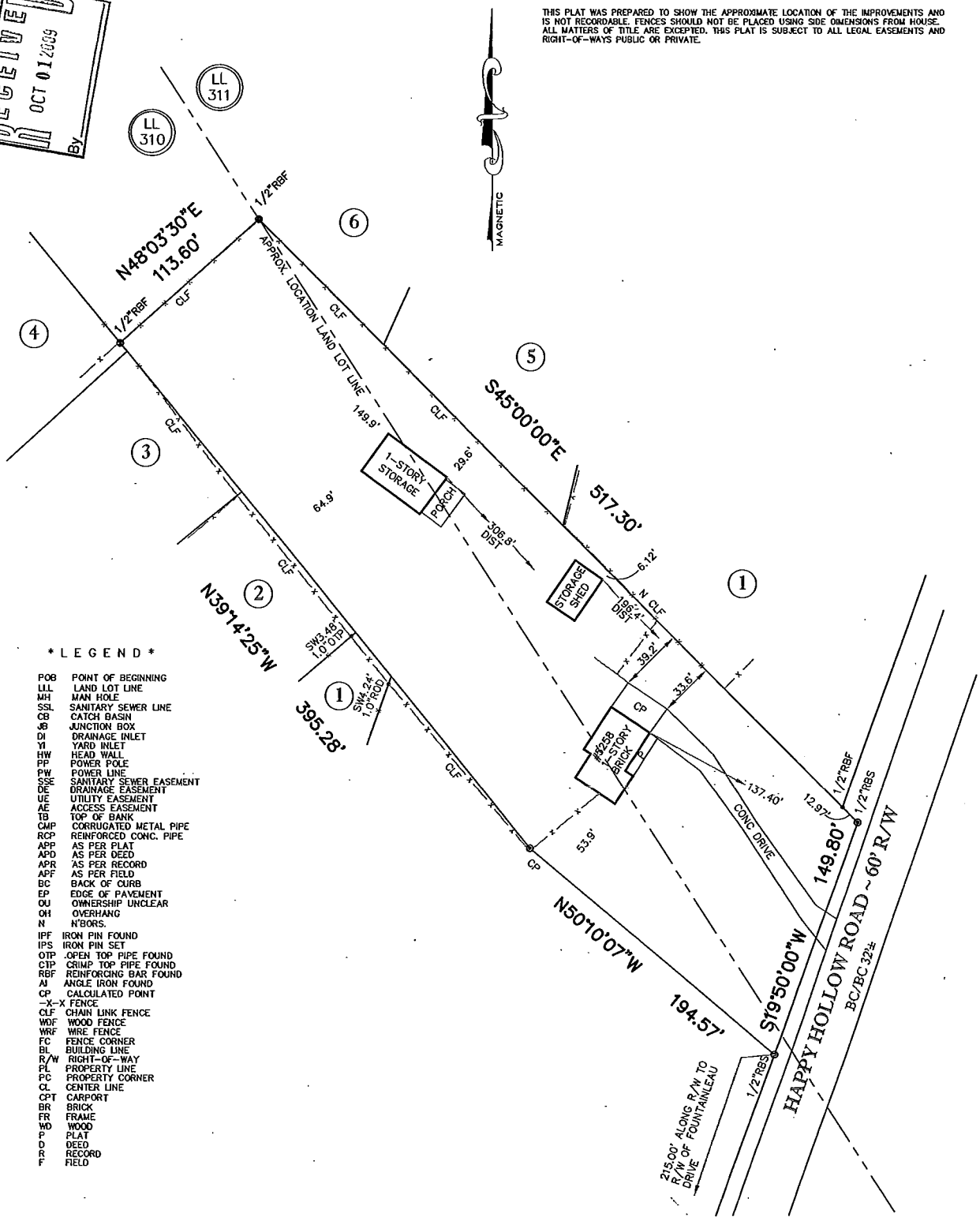
Howard J. Koontz
City Planner / City Arborist
City of Dunwoody, Georgia

City of Dunwoody
41 Perimeter Center East, Suite 250 – Dunwoody, GA 30346
P: 678-382-6700 - F: 678-382-6701 - www.dunwoodyga.gov

EXHIBIT E

RECEIVED OCT 01 2009 BY

THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAYS PUBLIC OR PRIVATE.



* LEGEND *

POB	POINT OF BEGINNING
LLL	LAND LOT LINE
MH	MAN HOLE
SSL	SANITARY SEWER LINE
CB	CATCH BASIN
JB	JUNCTION BOX
DI	DRAINAGE INLET
YI	YARD INLET
HW	HEAD WALL
PP	POWER POLE
PW	POWER LINE
SSE	SANITARY SEWER EASEMENT
DE	DRAINAGE EASEMENT
UE	UTILITY EASEMENT
AE	ACCESS EASEMENT
TB	TOP OF BANK
CMP	CORRUGATED METAL PIPE
RCP	REINFORCED CONC. PIPE
APP	AS PER PLAT
APD	AS PER DEED
APR	AS PER RECORD
APF	AS PER FIELD
BC	BACK OF CURB
EP	EDGE OF PAVEMENT
OU	OWNERSHIP UNCLEAR
OH	OVERHANG
N	N'BORS.
IPF	IRON PIN FOUND
IPS	IRON PIN SET
OTP	OPEN TOP PIPE FOUND
CTP	CRIMP TOP PIPE FOUND
RBF	REINFORCING BAR FOUND
AI	ANGLE IRON FOUND
CP	CALCULATED POINT
—X—X	FENCE
CLF	CHAIN LINK FENCE
WDF	WOOD FENCE
WRF	WIRE FENCE
FC	FENCE CORNER
BL	BUILDING LINE
R/W	RIGHT-OF-WAY
PL	PROPERTY LINE
PC	PROPERTY CORNER
CL	CENTER LINE
CPT	CARPORT
BR	BRICK
FR	FRAME
WD	WOOD
P	PLAT
D	DEED
R	RECORD
F	FIELD

PROPERTY ADDRESS:
5258 HAPPY HOLLOW RD
ATLANTA, GA 30360

LAND AREA:
1.73 AC

PLAT PREPARED FOR:

BILL LICHIRIE

LOT	BLOCK	UNIT
SUBDIVISION		
LAND LOT 310 & 311	6TH DISTRICT	SECTION
DEKALB COUNTY, GEORGIA		
FIELD WORK DATE JULY 25, 2009	PRINTED/SIGNED JULY 27, 2009	
PLAT BOOK ,PAGE DEED BOOK 12279 ,PAGE 433	ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	

GEORGIA REGISTERED No. 2852 PROFESSIONAL LAND SURVEYOR JOHN B. COMMANDER, JR.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

0 60
SCALE 1" = 60'

COORD #07240902
DWG #07240902

JOHN B COMMANDER JR.
LAND SURVEYING SERVICES COORDINATION
DONE BY: SURVEY LAND EXPRESS INC

P.O. BOX 420316
ATLANTA, GA 30342
FAX 404-601-0941
24-HR CONTACT 404-375-2727
SurveyLandExpress@GMAIL.COM

Building Permit Application

City of Dunwoody
400 Northridge Road, Suite 1250
Atlanta, GA 30350
Phone: (678) 382-6800
Fax: (678) 382-6701

	Permit #:	Issue Date:	Zoning:	
Applicant Information	Name: C. W. LICHIRIE (BILL)			
	Contact Name: SAME			
	Address: 5258 HAPPY HOLLOW Rd.			
	Phone: 404 358 3555	Fax:	Email:	
Property Owner	Owner's Name: SAME			
	Owner's Address: SAME			
	Phone: SAME	Fax:	Email:	
Construction Information	Type:	Building:	Addition:	Alterations:
	Demolition:	Building Type:	Building Usage:	Tax Parcel #:
	Property Address:		Suite/Lot #:	
	Property Setbacks Lines ~ Front:	Back:	Left:	Right:
	Lot Width:	Lot Depth:	No. of Units:	
	Bldg. Width:	Bldg. Depth:	Bldg. Height:	Historic District:	# of Stories:
	Total Floor Area: 600	Total Conditioned Area:	Exterior Type:	Construction Value:
	Details of Construction: Re-build			
Architect / Engineer	Company Name:			
	Contact Name:			
	Address:			
	Phone:	Fax:	Email:	
General Contractor	Company Name: C. W. LICHIRIE			
	Contact Name:			
	Address: 5258 HAPPY HOLLOW Rd			
	Phone: 404 358 3555	Fax:	Email:	
Authorized Signatures	The undersigner, upon oath, states that the above information is true and correct, understands that the Permit issued is only for construction as stated and that occupancy of the structure is not permissible until all requirements are met and a Certificate of Occupancy has been issued by the City.			
	Applicant's Name:			
	Applicant's Signature:		Date:	
	Property Owner's Name: C. W. LICHIRIE			
	Property Owner's Signature: C. W. Lichirie		Date:	
	This document ☐ was/ ☐ was not signed in the presence of:			
	City Personnel:		Date:	
Fees	Permit Fee:	C/O Fee:	Total:	
	Received By:	Date:	Receipt #:	

Homeowner Declaration

City of Dunwoody
400 Northridge Road, Suite 1250
Atlanta, GA 30350
Phone: (678) 382-6800
Fax: (678) 382-6701

The undersigned herby applies for consideration as a property owner desiring to perform construction on his/her residence. In making this request for a "home owner" permit, the undersigned states the following to be true.

1. Applicant resides or intends to reside on premises.
2. Property described in permit application is currently owned by applicant.
3. Applicant will serve as the building contractor and accept inherent responsibilities for the work authorized by the approved permit.
4. Applicant agrees to hire **properly licensed contractors** for work that is further sub-contracted. All plumbing, electrical and HVAC work will require separate permits.
5. Applicant agrees to perform all work in accordance with all applicable codes and strictly adhere to the inspection requirements. The undersigned acknowledges that all required inspections must be performed in an established sequence and that any work done in violation of the codes must be corrected or may be ordered to remove.
6. Applicant acknowledges that he/she is aware that a permit issued under the provisions of the code may be revoked for false statements or misrepresentation as to the material fact in the application on which the permit was based.
7. Applicant further acknowledges that he/she is aware that any knowingly false statements made in the permit application will subject said applicant to possible prosecution. Georgia Criminal Code, Section 16-10-71 (False Swearing).

Applicant's Name: C. W. LACHIRIE

Applicant's Signature: C. W. Lachirie

Date:

Property Address: 5258 HAPPY HOLLOW Rd.

Type of work to be performed:

Fix storm damage

CITY OF DUNWOODY
PO BOX 888074
ATLANTA, GA 3035600000
6783826700

Store #1001202750

05/22/09 02:28:10 PM

MO/TO Sale

Billing Address	**Shipping Address**
Cornelius Lichirie	Cornelius Lichirie
5258 happy hollow rd	5258 happy hollow rd
dunwoody, GA 30338	dunwoody, GA 30338

Credit Card Information

CREDIT CARD NUMBER:	Mastercard 1487
SWIPE CARD:	No
STATUS:	APPROVED - 04305Z
ORDER NUMBER:	BP-CW Lichirie
PO NUMBER:	BP-CW Lichirie

Qty	Unit Cost	Extended Cost
1	121.00	121.00
	SUBTOTAL:	**$121.00**
	TOTAL:	**$121.00**

I AGREE TO PAY ABOVE AMOUNT ACCORDING TO CARD ISSUER.

SIGNATURE X_____
Cornelius Lichirie

CommunityDevelopmentPartner

Home | System Admin | Land Admin | Compliance | Planning | Building | Reporting | Help | Logout

Logged in as: joberholtzer

Find Address

- Parcel --> 06 310 02 002
  - 5258 HAPPY HOLLOW RD
    - Complaints(1)
    - Projects(3)
      - Project New Shed
      - Project Garage Finis
      - Project Roof
    - Owners(1)

- Project --> New Shed
  - Fees(1)
  - Schedules(0)
  - Permits(1)
  - Plans(0)

Quick Tasks:

Attachments

Comments

Permit Template

People

Project | Plans | Fees | Permits | Inspections | Deposits | Reports | Documents

Update Project

Project Info: Project Number 2009-742 ... Title New Shed

	Tax ID	Tract	Lot
Parcel:	06 310 02 002		

	Number	Street	Type	Dir	Apt	Suite	Building	Zipcode	
*Address:	5258	HAPPY HOLLOW	RD					30360	Find Clear

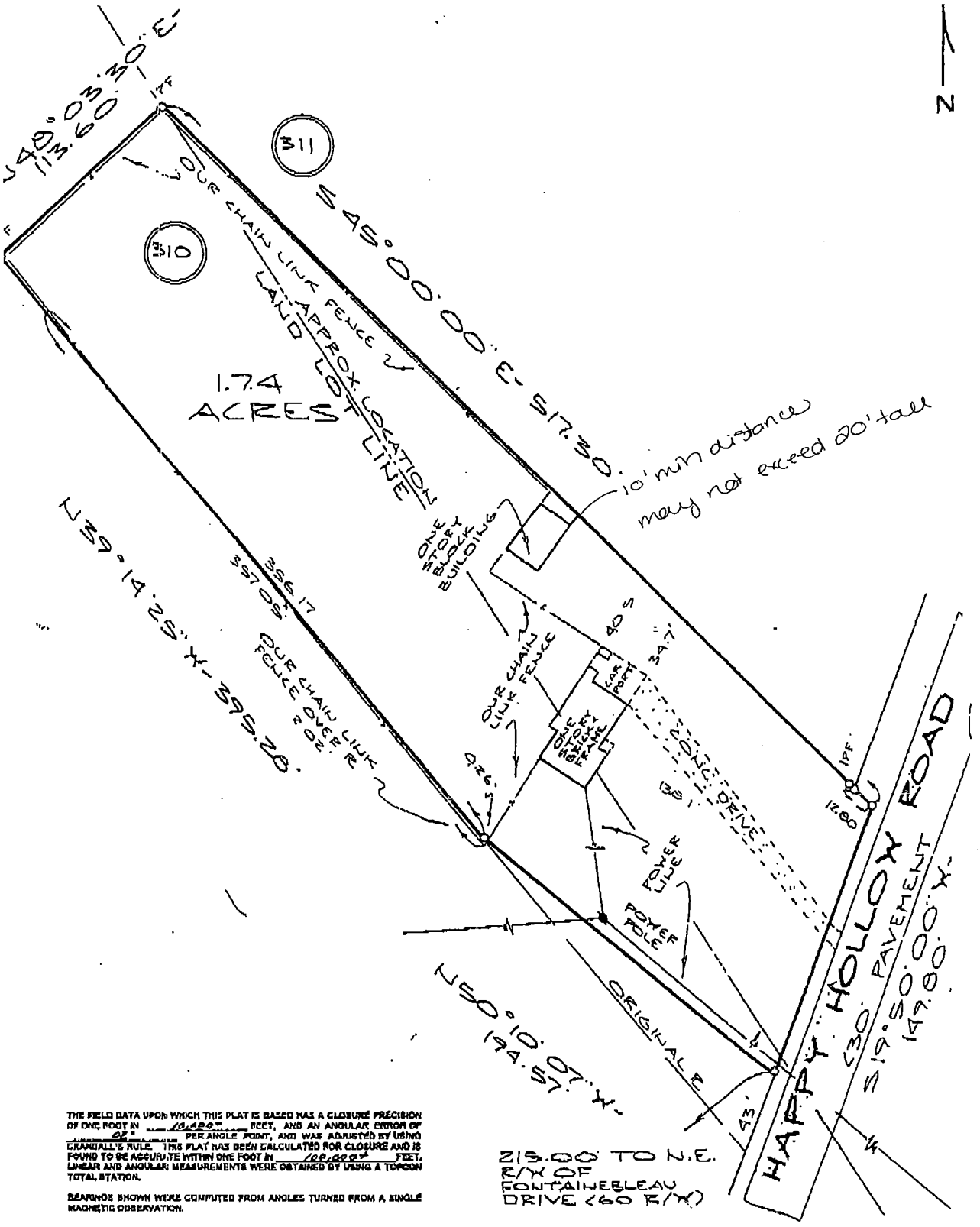
Description * RESIDENTIAL - non-component. Rebuilding an accessory storage shed.

ProjectCode	BLD	Acceptor Date *	22 May 2009	Complete Date	
Class Type	101	Issue Date	22 May 2009	Value	12000
Account	Fee	UseType	Residential	Cons. Sq.Ft.	600.00
Status	Active	Bldg. Type	S2StorageLowHaza	Garage Sq.Ft	
Occupancy	S-2	Const. Type	VB	Deposit Threshhold	0 %

Applicant *	CORNELIUS LICHIRIE	Heated Space	
Architect		Unheated Space	600
Contractor	CORNELIUS LICHIRIE	Subcontractor - Electrical	
Depositor		Subcontractor - Plumbing	
Engineer		Subcontractor - HVAC	
Acceptor *	Oberholtzer, Jerry	Floors	
Coordinator *	Oberholtzer, Jerry	Units	
Center Coordinator	Select Center Coordinator	Sprinkler	☐

Project 742 was successfully retrieved.

©GovPartner 2009:: CDP



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 100,000+ FEET, AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED BY USING CRANDALL'S RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.

BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.

5258 HAPPY HOLLOW ROAD
ATLANTA, GA.

McCLUNG SURVEYING INC.

This property [redacted] (is not) located in a Federal Flood Area as indicated by F.I.R.M Official Flood Hazard Maps.

In my opinion this plat is a correct representation of the land platted

Perry E. McClung, Surveyor

GEORGIA REGISTERED NO. 1541 LAND SURVEYOR PERRY E. McCLUNG

Fences should not be placed using side dimensions from house

PROPERTY OF
ROW MANOAH

LAND LOTS 310 + 311
DISTRICT 6TH SECTION
COUNTY DEKALB DB6193 PG155
GEORGIA

PB	PG
R.S	

DATE 11-12-97 SCALE 1" = 50'

Building Permit Application

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

Project

Name of Project: INCLOSE CARPORT

Description: FOR GARAGE

Street Address: 5258 HAPPY HOLLOW Rd. | Suite #:

Applicant Information

Name: C. W. LICHIRIE

Contact Name: BILL

Address: 5258 HAPPY HOLLOW Rd.

Phone: 404 358 3555 | Fax: | Email:

Property Owner

Owner's Name: C. W. LICHIRIE

Owner's Address: 5258 HAPPY HOLLOW Rd.

Phone: 404 358 3555 | Fax: | Email:

Construction Information

Use Type: | Building Type: | Construction Type:

Zoning: | Tax Parcel ID #:

Property Setbacks Lines ~ Front: | Back: | Left: | Right:

Lot Width: | Lot Depth: | No. of Units:

Bldg. Width: | Bldg. Depth: | Bldg. Height: | Historic District: | # of Stories:

Total Floor Area: | Total Conditioned Area: | Exterior Type: | Construction Value:

Details of Construction:

Architect / Engineer

Company Name:

Contact Name:

Address:

Phone: | Fax: | Email:

General Contractor

Company Name:

Contact Name:

Address:

Phone: | Fax: | Email:

Authorized Signatures

The undersigned, upon oath, states that the above information is true and correct, understands that the Permit issued is only for construction as stated and that occupancy of the structure is not permissible until all requirements are met and a Certificate of Occupancy has been issued by the City.

This permit is granted on the express condition that the said construction shall, in all respects, conform to the ordinances of this jurisdiction including the zoning ordinance, regulating the construction and use of buildings, and may be revoked at any time upon violation of any provisions of said ordinances.

A complete set of approved plans must be furnished to the City on all non-residential projects. Construction will begin no later than six months from the issue date of the permit.

Applicant's Name:

Applicant's Signature: | Date:

Property Owner's Name:

Property Owner's Signature: | Date:

Fees

Permit #: | Issue Date: | Fee: $

Received By: | Date: | Receipt #:

Homeowner Declaration

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

The undersigned herby applies for consideration as a property owner desiring to perform construction on his/her residence. In making this request for a "home owner" permit, the undersigned states the following to be true.

1. Applicant resides or intends to reside on premises.
2. Property described in permit application is currently owned by applicant.
3. Applicant will serve as the building contractor and accept inherent responsibilities for the work authorized by the approved permit.
4. Applicant agrees to hire **properly licensed contractors** for work that is further sub-contracted. All plumbing, electrical and HVAC work will require separate permits.
5. Applicant agrees to perform all work in accordance with all applicable codes and strictly adhere to the inspection requirements. The undersigned acknowledges that all required inspections must be performed in an established sequence and that any work done in violation of the codes must be corrected or may be ordered to remove.
6. Applicant acknowledges that he/she is aware that a permit issued under the provisions of the code may be revoked for false statements or misrepresentation as to the material fact in the application on which the permit was based.
7. Applicant further acknowledges that he/she is aware that any knowingly false statements made in the permit application will subject said applicant to possible prosecution. Georgia Criminal Code, Section 16-10-71 (False Swearing).

Applicant's Name: C. W. LICHIRIE

Applicant's Signature: C. W. Lichirie

Date: 8-19-09

Property Address: 5258 HAPPY HOLLOW RD
DUNWOODY, GA 30360

Type of work to be performed:

Enclose carport

CITY OF DUNWOODY
PO BOX 888074
ATLANTA, GA 3035600000
6783826700

Store #1001202750

08/19/09 03:03:54 PM

MO/TO Sale

Billing Address	Shipping Address
Cornelius Lichirie	Cornelius Lichirie
5258 Happy Hollow Rd	5258 Happy Hollow Rd
Dunwoody, GA 30360	Dunwoody, GA 30360

Credit Card Information

CREDIT CARD NUMBER:	Mastercard 1487
SWIPE CARD:	No
STATUS:	APPROVED - 00633Z
ORDER NUMBER:	BP 9622
PO NUMBER:	BP 9622

Qty	Unit Cost	Extended Cost
1	172.04	172.04
	SUBTOTAL:	**$172.04**
	TOTAL:	**$172.04**

I AGREE TO PAY ABOVE AMOUNT ACCORDING TO CARD ISSUER.

SIGNATURE X_____
Cornelius Lichirie

CommunityDevelopmentPartner

Home | System Admin | Land Admin | Compliance | Planning | Building | Reporting | Help | Logout

Logged in as: joberholtzer

Find Address

- Parcel --> 06 310 02 002
  - 5258 HAPPY HOLLOW RD
    - Complaints(1)
    - Projects(3)
      - Project New Shed
      - Project Garage Finis
      - Project Roof
    - Owners(1)

- Project --> Garage Finish
  - Fees(2)
  - Schedules(1)
  - Permits(1)
  - Plans(0)

Quick Tasks:

Attachments

Comments

Permit Template

People

Project | Plans | Fees | Permits | Inspections | Deposits | Reports | Documents

Update Project

Project Info: Project Number 2009-1058 ... Title Garage Finish

	Tax ID	Tract	Lot
Parcel:	06 310 02 002		

	Number	Street	Type	Dir	Apt	Suite	Building	Zipcode	
*Address:	5258	HAPPY HOLLOW	RD					30360	Find Clear

Description * RESIDENTIAL - Non-Component. Garage to be enclosed and become part of the house.

ProjectCode	BLD	Acceptor Date	* 19 Aug 2009	Complete Date	
Class Type	101	Issue Date	19 Aug 2009	Value	18379.04
Account	Fee	UseType	Residential	Cons. Sq.Ft.	464.00
Status	Active	Bldg. Type	R3 1 & 2 Family	Garage Sq.Ft	
Occupancy	R-3	Const. Type	VB	Deposit Threshhold	0 %

Applicant	* CORNELIUS LICHIRIE	Heated Space	
Architect		Unheated Space	
Contractor	CORNELIUS LICHIRIE	Subcontractor - Electrical	
Depositor		Subcontractor - Plumbing	
Engineer		Subcontractor - HVAC	
Acceptor	* Oberholtzer, Jerry	Floors	
Coordinator	* Oberholtzer, Jerry	Units	
Center Coordinator	GPAdmin, GovPartner	Sprinkler	☐

Project 1058 was successfully retrieved.

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APPROVED* City Official	CITY OF DUNWOODY Date
City Planner	08/19/09
H. Koontz	

* to enclose carport to create garage

N

N 48°03'30" E
113.60'

IPF

IPF

311

310

S 45°00'00" E - 517.30'

OUR CHAIN LINK FENCE

APPROX. LOCATION LAND LOT LINE

1.74 ACRES

10' min distance may not exceed 20' tall

ONE STORY BLOCK BUILDING

N 39°14'25" W - 395.20'

356.17
357.05'

OUR CHAIN LINK FENCE OVER 2.02'

OUR CHAIN LINK FENCE

40.5

CAR PORT

34.7

ONE STORY BRICK BLOCK

0.26'

30'

DRIVE

IPF

1260

POWER LINE

POWER POLE

N 50°10'07" W
194.57'

ORIGINAL

43'

HAPPY HOLLOW ROAD

<30' PAVEMENT

N 19°50'00" W
147.00'

215.00' TO N.E. R/W OF FONTAINEBLEAU DRIVE <60 R/W>

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,400+ FEET, AND AN ANGULAR ERROR OF 05" PER ANGLE POINT, AND WAS ADJUSTED BY USING CRANDALL'S RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.

BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.

Building Permit Application

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

Project

Name of Project: ROOFING
Description: ROOFING
Street Address: 5258 HAPPY HOLLOW | Suite #:

Applicant Information

Name:
Contact Name:
Address: SAME
Phone: | Fax: | Email:

Property Owner

Owner's Name: C. W. LICHIRIE
Owner's Address: 5258 HAPPY HOLLOW Rd.
Phone: 404 358 3555 | Fax: | Email:

Construction Information

Use Type: | Building Type: | Construction Type:
Zoning: | Tax Parcel ID #:
Property Setbacks Lines ~ Front: | Back: | Left: | Right:
Lot Width: | Lot Depth: | No. of Units:
Bldg. Width: | Bldg. Depth: | Bldg. Height: | Historic District: | # of Stories:
Total Floor Area: | Total Conditioned Area: | Exterior Type: | Construction Value:
Details of Construction:

Architect / Engineer

Company Name:
Contact Name:
Address:
Phone: | Fax: | Email:

General Contractor

Company Name:
Contact Name:
Address:
Phone: | Fax: | Email:

Authorized Signatures

The undersigned, upon oath, states that the above information is true and correct, understands that the Permit issued is only for construction as stated and that occupancy of the structure is not permissible until all requirements are met and a Certificate of Occupancy has been issued by the City.

This permit is granted on the express condition that the said construction shall, in all respects, conform to the ordinances of this jurisdiction including the zoning ordinance, regulating the construction and use of buildings, and may be revoked at any time upon violation of any provisions of said ordinances.

A complete set of approved plans must be furnished to the City on all non-residential projects. Construction will begin no later than six months from the issue date of the permit.

Applicant's Name: C. W. LICHIRIE
Applicant's Signature: C. W. Lichirie | Date: 9-2-09
Property Owner's Name: C. W. LICHIRIE
Property Owner's Signature: C. W. Lichirie | Date:

Fees

Permit #: | Issue Date: | Fee: $
Received By: | Date: | Receipt #:

Return to Console | Print Receipt

City of Dunwoody Sales Receipt

Wednesday September 02, 2009

Permit #

Order # 1803

Transaction Date: 9/2/2009 2:57:32 PM

Transaction Status: APPROVED

Transaction Amount: 25.00

Payment Method: CASH

☐ Collapse All Rows

Description	Quantity	Amount	Tran #

Signature

Homeowner Declaration

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

The undersigned herby applies for consideration as a property owner desiring to perform construction on his/her residence. In making this request for a "home owner" permit, the undersigned states the following to be true.

1. Applicant resides or intends to reside on premises.
2. Property described in permit application is currently owned by applicant.
3. Applicant will serve as the building contractor and accept inherent responsibilities for the work authorized by the approved permit.
4. Applicant agrees to hire **properly licensed contractors** for work that is further sub-contracted. All plumbing, electrical and HVAC work will require separate permits.
5. Applicant agrees to perform all work in accordance with all applicable codes and strictly adhere to the inspection requirements. The undersigned acknowledges that all required inspections must be performed in an established sequence and that any work done in violation of the codes must be corrected or may be ordered to remove.
6. Applicant acknowledges that he/she is aware that a permit issued under the provisions of the code may be revoked for false statements or misrepresentation as to the material fact in the application on which the permit was based.
7. Applicant further acknowledges that he/she is aware that any knowingly false statements made in the permit application will subject said applicant to possible prosecution. Georgia Criminal Code, Section 16-10-71 (False Swearing).

Applicant's Name: C. W. LICHIRIE

Applicant's Signature: C. W. Lichirie

Date: 9-2-09

Property Address: 5258 Happy Hollow Rd

Type of work to be performed:

Roofing

CommunityDevelopmentPartner

Home | System Admin | Land Admin | Compliance | Planning | Building | Reporting | Help | Logout

Logged in as: joberholtzer

Find Address

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      - Project Roof
    - Owners(1)

- Project --> Roof
  - Fees(1)
  - Schedules(0)
  - Permits(1)
  - Plans(0)

Quick Tasks:

Attachments

Comments

Permit Template

People

Project | Plans | Fees | Permits | Inspections | Deposits | Reports | Documents

Update Project

Project Info: Project Number 2009-1105 Title Roof

	Tax ID	Tract	Lot
Parcel:	06 310 02 002		

	Number	Street	Type	Dir	Apt	Suite	Building	Zipcode	
*Address:	5258	HAPPY HOLLOW	RD					30360	Find Clear

Description * RESIDENTIAL - Non-Component. New Roof

ProjectCode	BLD	Acceptor Date	* 02 Sep 2009	Complete Date	
Class Type	101	Issue Date	02 Sep 2009	Value	
Account	Fee	UseType	Residential	Cons. Sq.Ft.	
Status	Active	Bldg. Type	R3 1 & 2 Family	Garage Sq.Ft	
Occupancy	R-3	Const. Type	VB	Deposit Threshhold	0 %

Applicant	* CORNELIUS LICHIRIE	Heated Space	
Architect		Unheated Space	
Contractor	CORNELIUS LICHIRIE	Subcontractor - Electrical	
Depositor		Subcontractor - Plumbing	
Engineer		Subcontractor - HVAC	
Acceptor	* Oberholtzer, Jerry	Floors	
Coordinator	* Oberholtzer, Jerry	Units	
Center Coordinator	Select Center Coordinator	Sprinkler	☐

Project 1105 was successfully retrieved.

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