

May 10, 2019

El Mina Inc
c/o John Eshun
6062 Buford Highway, Suite 205
Norcross, GA 30071

RE: Special Administrative Permit Application for 5025 Oakhurst Walk (AP 19-03)

Dear Mr. Eshun:

Staff has reviewed your submittal for an administrative permit for an increase in the maximum retaining wall height and a reduction of the minimum retaining wall setback requirement.

Pursuant to Section 27-441, "Administrative permits may be approved by the community development director only when the community development director determines that any specific approval criteria associated with the authorized administrative permit and the following general approval criteria have been met:

- 1) "The grant of the administrative permit will not be detrimental to the public health, safety or welfare of the public or injurious to the property or improvements;
- 2) The requested administrative permit 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; and
- 3) The requested administrative permit is consistent with all relevant purpose and intent statements of this zoning ordinance."

Pursuant to Section 27-436, the community development director is authorized to approve the following as an administrative permit in accordance with the procedures listed above:

"Increase in the maximum retaining wall height, as allowed by section 27-269"

"Reduction of the minimum retaining wall setback requirement, as allowed by section 27-269"

Analysis

Staff analyses of the submitted site plan indicate the grant of the administrative permit is not considered to be materially detrimental to the public welfare or injurious to the property or improvements in the subject property's zoning district. It can also be determined that the scope of work does not go beyond the minimum necessary to complete the project, nor would it grant a special privilege unavailable to other properties. Furthermore, because the request was applied for to facilitate a residential use in a residential district, granting the permit will not compromise the purpose and intent of the zoning ordinance.

Based upon the subsequent review and approval criteria listed above, your application has been **approved with the following conditions:**

- The work shall be consistent with the site plan dated 03/26/19 and the wall detail dated 03/26/19.
- New wall shall meet material standards of Sec. 27-272 of the Dunwoody Municipal Code.
- No trees shall be damaged or removed. Any trees damaged or removed as a result of the installation of the wall shall be replaced as approved by the City Arborist.
- If the work authorized by this action is not permitted within one year, this approval shall be void.

Please attach this approval to all future permit requests related to this project. This does not serve as your construction permit approval. Contact the Community Development Department for information regarding permitting at 678-382-6800.

Should you have any questions, please contact the Community Development Department at 678-382-6800.

Sincerely,



Richard McLeod
Community Development Director
City of Dunwoody, Georgia