

April 11, 2019

ML Terraces LLC  
3500 Lenox Road NE, Suite 1800  
Atlanta, GA 30326

RE: ZBA 18-09 - Variance Application for 400 Perimeter Center Terrace

To Whom It May Concern:

This letter serves to inform you that at the Zoning Board of Appeals Meeting on April 10, 2019, your application for **variances** from Chapter 16, Sec. 16-78 to encroach the City's 75-foot stream buffer for construction related to improvements to a hardscape and amenities area, was **approved** with the conditions presented by staff:

1. Development shall remain consistent with the site plan dated 04.10.2019.
2. Applicant shall maintain the existing specimen tree as detailed on the "South Terrace Overlook" plans dated 10.03.18. Any work within the root zone shall be done with approval of the City Arborist. Should the tree be removed or damaged within two (2) years of the granting of this variance, applicant shall replace the tree in agreement with the City Arborist.
3. The applicant shall meet all conditions issued with the grant of the stream buffer variance by the Georgia Environmental Protection Division's Watershed Protection Branch on January 18, 2019.
4. The Applicant owns a strip of land of varying widths between its parking deck and parking spaces and public right of way along its Ashford Dunwoody Road frontage. Applicant understands the City (i) plans to implement bicycle paths for portions of Perimeter Center, including along this Ashford Dunwoody Road frontage; and (ii) will request, in the near future, a permanent easement and/or right-of-way to implement a trail along this strip of land. Upon the presentation of a more detailed proposal for such an easement and/or right-of-way, Applicant is willing to grant such an easement and/or right-of-way with terms acceptable to both City and Applicant.

Please attach this approval to all future permit requests. 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 me at (678) 382-6800.

Sincerely,



Ronnie Kurtz  
Planner II  
City of Dunwoody, Georgia

Cc: ZBA File