

# VARIANCE APPLICATION

### **Community Development**

4800 Ashford Dunwoody Road | Dunwoody, GA 30338 Phone: (678) 382-6800 | Fax: (770) 396-4828

Project #: Type:	Date Received: _
Type of Request:	Chapter 16-Streams □ Chapter 16-Other □ Chapter 20-Signs ☑ Chapter 27-Zoning
Code section from	which variance is sought: Chapter 16-78 and Chapter 27-58
Nature of Request	dd a screened in porch( 41'x16' with 33' covered and screened) to replace current deck and a fraction (35'x8') that will encroach slightly on the setback facing the culdesac.
	ici (55 x6 ) that will encroach signly on the setback racing the concessor.
Project:	
Name of Project /	Subdivision: _ Mount Vernon North Zoning: R-100 Single Fam
Property Address	Location: 1400 Vernon Ridge Close Dunwoody Georgia 30338
District: 18th	Land Lot: _ 8 Block: D Property ID:1836606021
Owner Informat	
Owner's Name:	Richard Brently Mauldin and Kelly M Thames
Owner's Address:	1400 Vernon Ridge Close Dunwoody Georgia 30338
Phone: 678-596	814 Fax:_ Email: mauldinrb@bellsouth.net
Applicant Inform	ation: [2] Check here if same as Property Owner
Contact Name:	
Address:	
Phone: _	Fax:_ Email:
Terms & Conditi	ns:
understand that I am res	best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessar- possible for filling additional materials as specified by the City of Dunwoody Zoning Ordinance. I understand that failure to sup- er the relevant Applicant Checklists and Requirements of the Dunwoody Zoning Ordinance) will result in the rejection of the Dunwoody Zoning Ordinance.
Applicant's Name	Kelly M Thames
Applicant's Signat	re: KlhMller 9-18-2024
Notary:	III COLEMAN MIL
Sworn to and sub	cribed before me this _ /8 Day of Strange 4 , 2024
Notary Public: -1	ustal D. Coleman
Signature: _ \	Hemri AUBLI AUBLIA
My Commission E	DITES: _ MAYON 19. 2028 11 MARCH 19 74 11
Office Use:	W. Congran
☐ Application Fee	Paid ☐ Public Notice Fee Paid (\$450) Fee: \$
Payment: Cash	
	proved w/ Conditions  Denied Date:

## ADDITIONAL VARIANCES



### **Community Development**

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Type:

Type of Request: 🛽 Chapter 16-Streams 🗆 Chapter 16-Other 🗎 Chapter 20-Signs 🗆 Chapter 2	7-Zoning
Code section from which variance is sought: 16-78	
Nature of Request: Remove current deck and stairs and replace with a larger screened in porch 41'x' stairs.	16' and exterior
Туре:	
Type of Request: ☐ Chapter 16-Streams ☐ Chapter 16-Other ☐ Chapter 20-Signs ☑ Chapter 2	7-Zoning
Code section from which variance is sought: 27-58	
Nature of Request:Add a front porch like our neighbors, 20 feet of the 35'x8' porch will encroach on the culdesac ranging in 1' to a maximum of 4' into set back due to curved nature of culture.	ne setback from Idesac.
Туре:	
Type of Request: ☐ Chapter 16-Streams ☐ Chapter 16-Other ☐ Chapter 20-Signs ☐ Chapter 2	7-Zoning
Code section from which variance is sought:	
Nature of Request:	
Туре:	
Type of Request: ☐ Chapter 16-Streams ☐ Chapter 16-Other ☐ Chapter 20-Signs ☐ Chapter 2	7-Zoning
Code section from which variance is sought:	
Nature of Request:	
Туре:	
Type of Request: □ Chapter 16-Streams 🗀 Chapter 16-Other 🛭 Chapter 20-Signs 🗅 Chapter 2	7-Zoning
Code section from which variance is sought:	
Nature of Request:	
Туре:	
Type of Request: ☐ Chapter 16-Streams ☐ Chapter 16-Other ☐ Chapter 20-Signs ☐ Chapter 2	/-Zoning
Type of Request: □ Chapter 16-Streams □ Chapter 16-Other □ Chapter 20-Signs □ Chapter 2 Code section from which variance is sought:	7-Zoning



### Property Owner(s) Notarized Affidavit

#### Community Development

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

Property Owner (If Applicable):			
Owner Name: Richard Brently Mauldin			
Signature: Richal Brotz Mando	di Date:		
Address: 1400 Vernon Ridge Close Dunwood			
Phone: _ 678-358-8010		bellsouth.net	
sworn to and subscribed before me this COLE	MANBER Day of September	, 20_24	
Notary Public: A Domon & Joseph	ARL SE		
1000 Em 21 F	- 188 180 180		
EN. PIL	BN BE		
THE WAR	HIP A CHE		
Property Owner (If Applicable):	OANILA		
Owner Name: Kelly M Thames	1111		
	Datas	9-18-2024	
Signature: Selle McCo.  1400 Vernon Ridge Close Dunwood		, , 0	
.11	MIIIII.	hallacuth nat	
Phone: 678-596-7814 Fax:	OLEMAN Email: mauldinrow	bellsouth.net	
Sworn to and subscribed before me this	OTHER LESS OF SEPTEMBER	, 20_24	
Notary Public:	0		
	PUBLIC OF		
	4RCH 19 9		
"ini	COUNTAIN		
Property Owner (If Applicable):			
Owner Name:			
Signature:	Date:		
Address:			
Phone: Fax:	Email:	-	
Sworn to and subscribed before me this	Day of	, 20_	
Notary Public:			
		Page 9	



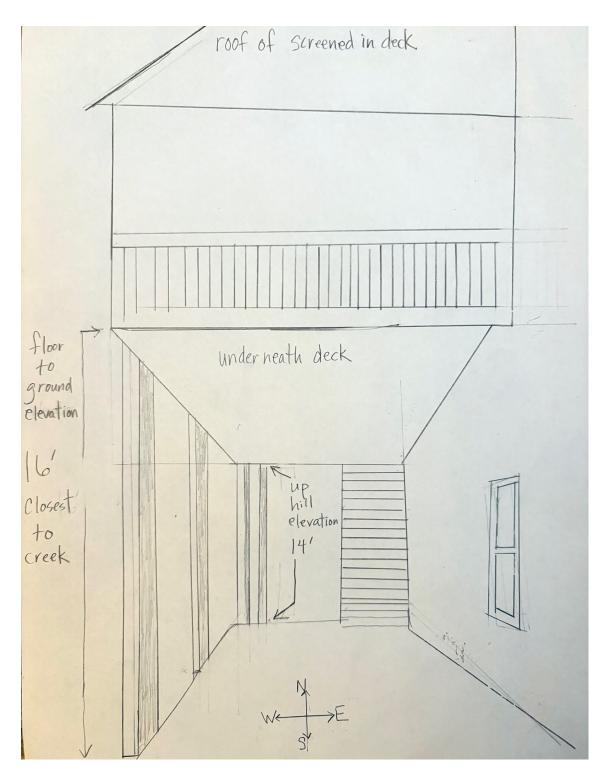
## Campaign Disclosure Statement

4800 Ashford Dunwoody Road | Dunwoody, GA 30338 Phone: (678) 382-6800 | Fax: (770) 396-4828

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

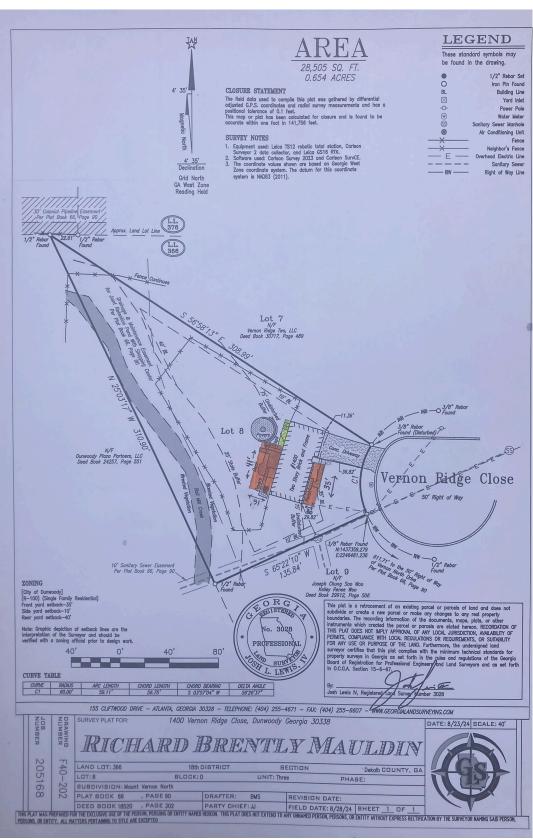
	: Kells Winn 1400 Vernon Ridge Close Dun	woody GA 30338	Date: 9-18-	-2024					
If the answer above is yes, please complete the following section:									
Date	Government Official	Official Position	Description	Amount					
	*								
		9							
		con one dependent							



Due to slope of backyard the height of deck will be 16' closest to creek measures from floor of deck and 14' on northside.



Elevation on Southside closest to creek will be 2' and elevation on Northside will be 6'' due to slope.



Orange areas represent new addition of screened in deck 16'x41' and front porch 8'x35'. Yellow represents outside stairs to backyard.



Neighbors at 1408 Vernon Ridge Close Dunwoody GA 30338



Front porch

Back deck and screened in porch along entire length of house

Neighbors at 1407 Vernon Ridge Close Dunwoody GA 30338



Front porch

Back screened in porch and open deck running along creek





Creek side view.

Richard Brently Mauldin and Kelly M Thames 1400 Vernon Ridge Close Dunwoody GA 30338

Letter of Intent for Zoning Variances (Chapter 27):

- 1) The grant of the variance will not be detrimental to the public health, safety or welfare or injurious to property or improvements. The addition of a front porch across the front of the house 35'x8' will not be detrimental to public health or welfare. It will occupy an area that already has a small front porch and half of a walkway.
- 2) The variance request is based on conditions that (1) are unique to the subject property (2) are not generally applicable to other properties in the same zoning district and (3) were not created by the owner or applicant. The variance request is to add a porch that is like the porches on the houses directly to either side of the property. The small encroachment on the setback is due to the curvature of the culde-sac. Only 20' will encroach due to curvature it will range in less than 1' in smallest area to almost 4' at the largest area that will connect closest to the driveway.
- 3) Because of the particular conditions, shape, size, orientation or topographic conditions, the strict application of the requirements of this zoning ordinance would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners. Neighbors to each side have this style of covered porch. This covered porch would also help block blinding morning sun that heats the house because it faces east. A covered porch will also assist in shielding us from rain as well.
- 4) The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other similarly situated properties. Both houses on each side have full length porches like the one we propose on our home.
- 5) The literal interpretation and strict application of the applicable provisions or requirements of this zoning ordinance would cause undue hardship or practical difficulty, as distinguished from a mere inconvenience. The addition of a covered porch, 35'x8' would make our house look more like the houses in the cul-de-sac as well as block blinding morning sun which heats house as well as fades furniture and carpeting. It will also allow people and packages a safe haven from rain and other precipitation.
- 6) The requested variance would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan. Yes, this would be consistent with purpose of zoning in that this addition will make house more energy efficient as well as continue with style of other houses on the street.

Letter of Intent for Land Development Variances (Chapter 16): Please describe your situation and how your variance request is a result of all of the following conditions: 1) By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, the strict application of Article 16 would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners in the same zoning district. All of the properties on our cul-de-sac except ours and on other have an enclosed or screened in porch that runs along the back of the house. The additional 4 feet at largest portion of the screened deck and an additional 8' towards end of house towards creek will be elevated above the stream and will not cause any damage to it or its vegetation or wildlife.

- 2) By reason of the shape or topographical conditions of a parcel of property which were not created by the owner or applicant, there is no opportunity for development under any design configuration allowed by these subdivision regulations unless a variance is granted. When the house was built it was not in violation of any ordinances and the additions, we want to make would have been within DeKalb Counties ordinances. When Dunwoody became a city and changed the ordinances our whole house is now in violation.
- 3) The requested variance does not go beyond the minimum necessary to afford relief and does not constitute the grant of a special privilege inconsistent with the limitations upon other property owners in the zoning district in which the subject property is located. All but one neighbor in this cul-de-sac have a screened in porch, so we would be equal to the properties that we share property lines with as well as neighbors along the cul-de-sac. We also border a large wooded area and creek that is home to many mosquitos. We are unable to enjoy our current deck due to the uncontrollable mosquito population. Pest control companies cannot spray our area as well as the retention pond and easement areas, so we are over run each year with the threat of West Nile as well as just bites that can itch and last for days.
- 4) The requested 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. The addition of a screened in porch along the back of house will improve our public health against mosquitos and the illnesses they transmit. A portion of the area we want to install a screened in deck is already occupied by pavers and or decking. Making it 17' longer and 4' wider will allow us to include an additional doorway from the dining room and make it more of a livable space so we can enjoy the backyard.
- 5) The requested variances will not in any manner vary the provisions of the city zoning ordinance, the city comprehensive plan or the zoning map of the city. No

Letter of Intent for Stream Buffer Variances (Chapter 16): Please describe your situation and how your variance request is a result of all of the following conditions:

1) The request, while not strictly meeting the requirements of this chapter, will be, in the judgment of the zoning board of appeals, at least as protective of natural resources and Page 6

of 11 the environment as would a plan which met the strict application of these requirements. In making such a judgment, the zoning board of appeals must examine whether the request will be at least as protective of the natural resources and the environment with regard to the following factors: a. Stream bank or soil stabilization; b. Trapping of sediment in surface runoff; c. Removal of nutrients, heavy metals, pesticides and other pollutants from surface runoff; d. Terrestrial habitat, food chain, and migration corridor; e. Buffering of flood flows; f. Infiltration of surface runoff; g. Noise and visual buffers; h. Downstream water quality; and i. Impact on threatened and endangered species, as those species are designated by law or federal or state regulation. The additions of a screened in porch will not impact the vegetation or soil in the immediate are. It will be high off the ground and proper gutters and water runoff will relegated to current water runoff areas. There will not be pollutants, pesticides, or trapping of sediment.

- 2) By reason of exceptional topographic or other relevant physical conditions of the subject property that were not created by the owner or applicant, there is no opportunity for any development under any design configuration unless a variance is granted. Once Dunwoody became a city and changed the Dekalb County Stream buffer ordinances half of our house became a violation. Creating a screened in porch along the full length of the house will allow us to be equal with our neighbors' screened in porches, help us enjoy a backyard that is usually over run with mosquitos due to the stream, and wooded easement, and allow us to add an area that we can access from our dining room as well as kitchen.
- 3) The request does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privileges inconsistent with the limitations upon other properties that are similarly situated. Our addition would be equal to what our current neighbors on both sides currently have.
- 4) The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the area in which the property is located. The addition will improve our health by reducing the threat of mosquitoes and the viruses they carry. It will not injure anyone's property or jeopardize public health.
- 5) The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause an extreme hardship, provided the hardship was not created by the owner. The hardship is that our current deck is small, and it is impossible to contain the mosquito population in the stream and wooded area behind the house. We would like to update our home, so it is equal to our neighbors' homes with a screened in porch that would connect with two doorways from kitchen and living room.











