

Michael L. Thurmond

Chief Executive Officer

DeKalb County Zoning Board of Appeals

Department of Planning & Sustainability 330 Ponce De Leon Avenue, Suite 300 Decatur, GA 30030

October 13, 2021 at 1:00 PM

Planning Department Staff Analysis

D3 Case No: A-21- 1245150 Parcel ID(s): 18-054-06-001



Commission District 02 Super District 06

Applicants: Dave Price

1595 Nottingham Way Atlanta, GA 30309

Owner: David and Elizabeth Finnerty Martin

1136 Lullwater Road Atlanta, GA 30307

Project Name: 1176 Lullwater Road

Location: Property is located approximately 180 feet south east of the intersection of North Decatur and Lullwater

Road.

REQUEST: Applicant requests variances from Chapter 27:

1) Section 5.2.5 (D) 2 to increase the elevation of the dwelling threshold from 874.2-feet to 883.1-feet, to construct a house.

2) Section 2.2.1 to reduce the south side yard setback from 8.5-feet to 5-feet, within the R-85 zoning district

Update:

Application was deferred from the September 9 ZBOA meeting to "allow the county time to clarify and report on the elimination of the floodplain and state waters buffer requirements." Staff received an updated "State Waters Determination Form" on Monday, October 4, 2021.





Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Andrew A. Baker, AICP

STATE WATER DETERMINATION FORM

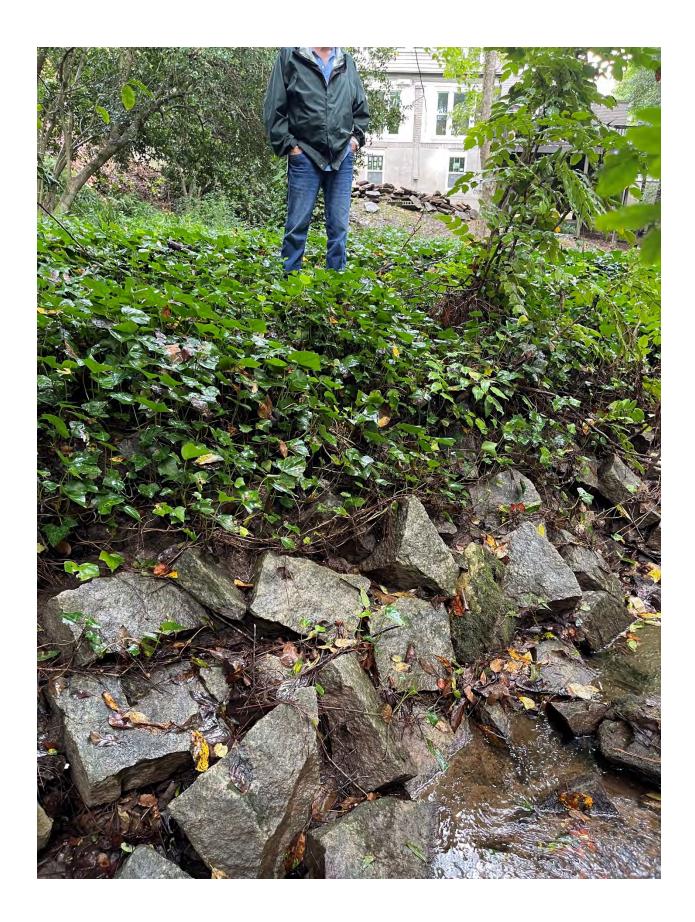
| | | _{AP#} 955316 |
|--|--|---|
| | | FEE PAID: XYES ☐ NO ☐ NO FEE APF |
| 18 (| 054 06 001 | 09/02/2021 |
| Parcel I.D. Number: | | Date: |
| 1176 LUL | LWATER RD, A | TLANTA, GA 30307 |
| Site Address: | | AND ELIZABETH F MARTIN |
| Property Owner/Requeste | od Bv. | AND ELIZABETTT WANTIN |
| DA' | VID MARTIN O | WNER |
| | | |
| | | |
| | | |
| 404 308 0071 | | Fav |
| Phone #:1136 LULLWA | ATER RD. ATLA | NTA. GA 30307 |
| | | |
| | | |
| | | |
| Tune of Water Features F | Perennial S | Stream Site Visited By: B. Ford |
| Type of water Feature: | | Site visited by: |
| | | |
| ⊐ River ■ Stream □ Cree | ek □ Branch □ Lak | ke □ Reservoir □ Pond □ Drainage System □ Spring □ Well |
| □ River ■ Stream □ Cree | ek □ Branch □ Lal | ke □ Reservoir □ Pond □ Drainage System □ Spring □ Well |
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| Is there flow? | | ¥ Yes □ No (if yes) ★ Surface □ Subsurface Yes, however, a small portion of south bank lacks wrested vegetation due to rock wall |
| Is there flow? | | X Yes □ No (if yes) ★ Surface □ Subsurface Yes, however, a small portion of south bank lacks wrested vegetation due to rock wall |
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| □ River ■ Stream □ Cree Is there flow? Is there wrested edge vege Is there a defined channel Is it confined entirely on o Are hyrdric soils present? Is wetland vegetation present Final Determination: | etation? ? wner's property? sent? ** State Wa ** Buffers R | X Yes |
| Is there flow? Is there wrested edge vegous there a defined channel is it confined entirely on our Are hyrdric soils present? Is wetland vegetation presents in all Determination: | etation? ? wner's property? sent? | X Yes |

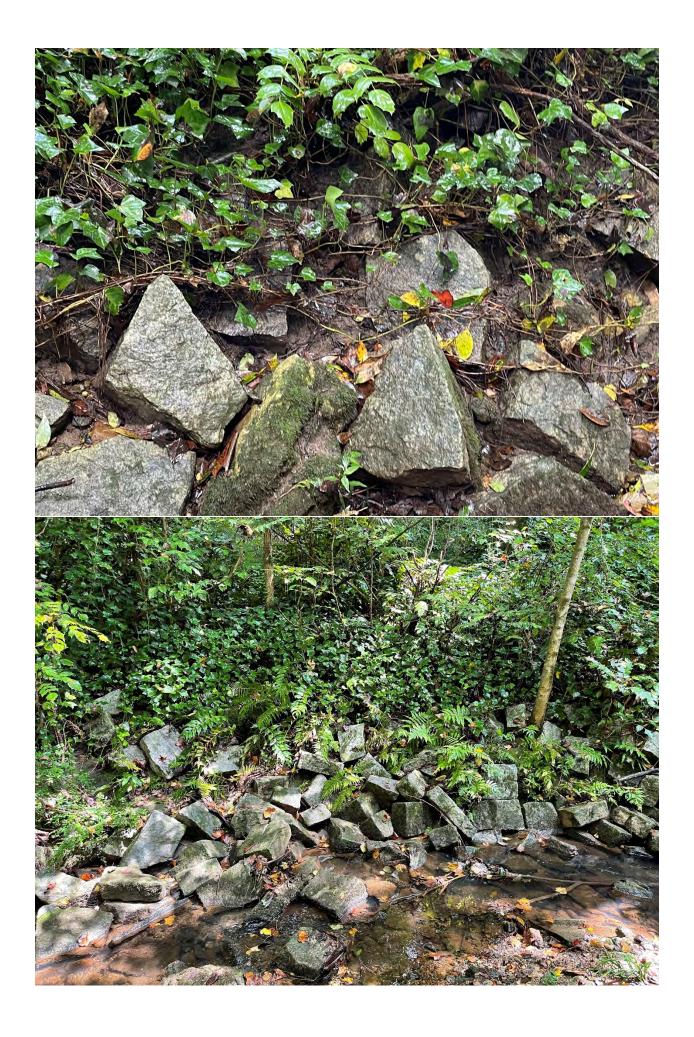
**This form is only good for 12 months from Date Site Visited. Date Site Visited must be within 6 months of any Land Disturbing Activity Permit Application

STATE WATER DETERMINATION FORM

| Parcel I.D. Number: | | | Date: <u>9/24/21</u> | | | |
|---|----------|--------|--|--|--|--|
| Site Address: 1176 Lullwater Rd., Decatur, GA 30307 | | | | | | |
| Property Owner Name: <u>David Martin</u> | | | | | | |
| Name/Title of Agent: Peggy Hibbert (Realtor |) | | | | | |
| IF NOT OWNER, requested by: | | | | | | |
| Phone Number: (404) 308-0071 | Ema | il: da | vid@basismedical.com | | | |
| Your Address: 1595 Nottingham Way, Atlanta | | | | | | |
| | ==== | ===== | | | | |
| Type of Water Feature: <u>Creek</u> | | Sit | e Visited By: Gregory K. Hubbard | | | |
| Type of trace. Feature: | | _ | e visited by: <u>Gregory in riabbara</u> | | | |
| ☐ River ☐ Stream ☑ Creek ☐ Branch ☐ Lake ☐ | ⊐ Rese | ervoir | \square Pond \square Drainage System \square Spring \square Well | | | |
| Is there flow? ☑ Yes ☐ No If yes: ☑ | í Surf | face | ☐ Subsurface | | | |
| | | | | | | |
| | Υ | / N | Comments | | | |
| Is there wrested edge vegetation? | | ✓ | Rock-lined channel | | | |
| Is there a defined channel? | ✓ | | | | | |
| Is it confined entirely on owner's property? | | ✓ | | | | |
| Are hydric soils present? | √ | | | | | |
| Is wetland vegetation present? | | ✓ | Ivy covering rock wall | | | |
| | | | | | | |
| Final Determination Comments | | | | | | |
| ☐ State Water | | | | | | |
| ☐ Buffers Required | | | | | | |
| ☐ No State Water Observed | | | | | | |
| ☑ State Water, No Buffer Rock-lined ch | nanne | el | | | | |
| ☐ Concrete-lined | | | | | | |
| Comments:This property has been approve | ed for | const | ruction by DeKalb Historical District. Plans | | | |
| have been submitted to DeKalb County Plann | | | | | | |
| lined channels. Owner requests State EPD inpu | ut. Pic | tures | attached. | | | |

^{*} THIS FORM IS ONLY GOOD FOR 12 MONTHS FROM THE DATE SITE VISITED. DATE SITE VISITED MUST BE WITHIN 6 MONTHS OF ANY LAND DISTURBING ACTIVITY PERMIT APPLICATION. *







DeKalb County Department of Planning & Sustainability

Hon. Michael Thurmond Chief Executive Officer

Andrew Baker, AICP, Director

ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING (VARIANCES, SPECIAL EXCEPTIONS, APPEALS OF ADMINISTRATIVE DECISIONS)

| | | BOA No. | |
|--|-----------------------------------|----------------------|-------------------------------|
| Applicant and/or Authorized Representative Dave Price - Price | ce Residential Design | | |
| Mailing Address: 1595 Nottingham Way | | | |
| City/State/Zip Code: Atlanta, Georgia | 30309 | | |
| Email: dave@priceresidentialdesign.com | m | | |
| Telephone Home: 404-245-4244 | Business: 404-245-4 | 244 | |
| OWNER OF Owner: | RECORD OF SUBJECT nerty Martin | PROPERTY | |
| Address (Mailing): 1136 Lullwater Road | Atlanta, Georgia | 30307 | |
| Email: | | | |
| Telephone Home: | Business: | | |
| ADDRESS/L | OCATION OF SUBJECT | PROPERTY | |
| Address: 1176 Lullwater Road | _ _{City:} <u>Atlanta</u> | _{State:} GA | Zip: 30307 |
| District(s): 18 Land Lot(s): 2 | Block: <u>1</u> | 3 | Parcel: <u>18 054 06 0</u> 01 |
| Zoning Classification: R-85 | Commission Dis | strict & Super Dis | trict:_D:2 SD:6 |
| CIRCLE TYPE OF HEARING REQUESTED: | | | |
| VARIANCE (From Development Standards can | using undue hardship upo | on owners of prop | perty.) |
| • SPECIAL EXCEPTIONS (To reduce or waive of | off-street parking or loadir | ng space requirer | ments.) |
| • OFFICIAL APPEAL OF ADMINISTRATIVE DE | CISIONS. | | |
| * PLEASE REVIEW THE FILING GUIDELINES IN SCHEDULING DELAYS. * | ON PAGE 4. FAILURE | TO FOLLOW GU | JIDELINES MAY RESULT |
| TO BE COMPLETED BY PLANNING AND | SUSTAINABILITY DE | PARTMENT: | |
| Date Received: | Fee | Paid: | |





ZONING BOARD OF APPEALS APPLICATION AUTHORIZATION OF THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals

To inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property subject to the application.

17212

| DATE: 8-5-2021 | Applicant: | | | | | |
|----------------|---|--|--|--|--|--|
| | Signature applicant, representing owner | | | | | |
| DATE: | Applicant: | | | | | |
| | Signature | | | | | |



ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION TO REPRESENT THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

DATE: 8-5-2021

Applicant/Agent: Description of the property and that I authorize the applicant/agent to apply for a hearing to the ZoningBoard of Appeals for the requests as shown in this application.

Applicant/Agent:

| TO WHOM IT MAY CONCERN: | 1- 1 | 72 1 |
|-------------------------|----------------------|-------------|
| David Martin | / Elizabeth Finnerty | Martin |
| (Name of Owners) | 7 | 1 deservice |
| (Marie di Onders) | V | |

Signature

being (owner/owners) of the property described below or attached hereby delegate authority to: David Price of Price Residential Design

| Avery Public Sylvania FEB | 0/mer |
|---------------------------|--------------------------|
| Notary Public 107ABY PUB | Elizabeth Fennely Martin |
| Notary Public TEB 23 2022 | Owner |

Price Residential Design

1595 Nottingham Way Atlanta, Georgia 30309 dave@priceresidentialdesign.com 404-245-4244

August 5, 2021

Zoning Board of Appeals
DeKalb County Planning and Sustainability Department
330 W. Ponce de Leon Avenue -- Third Floor
Decatur, GA 30030

RE: 1176 Lullwater Road - Request for Variance from DeKalb County Zoning Ordinance Section 27-2.2.1 Dimensional Requirements to reduce the south side yard setback from 8.5' to 5' and, Section 27-5.2.5(D)(2) to increase the elevation of the dwelling threshold from 874.2' (average natural grade at 35' front setback - setback averaging does not apply on this lot) to 883.1' elevation for this vacant lot.

Dear Board members and staff:

We believe this request conforms to the criteria set forth in code and ask that the Board grant relief in this unique case.

(1) by reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), 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.

The lot slopes steeply from south to north with a flood hazard area (Base Flood Elevation of 870.7) along the rear and northern side to create a buildable area which narrows considerably as you move towards the rear of the lot. It is a vacant conforming lot and is located in the Druid Hills Historic District and therefore new construction is limited to what is considered an appropriate size and location by the DeKalb County Historic Preservation Commission per its guidelines. The DeKalb County Tree Protection Ordinance also prohibits the removal of any trees from the flood hazard zone per Section 14-39(g)(10) with some exceptions (we must remove one pine tree infested with termites). The exceptional topography was not created by the owners and these variances are the only method of allowing a new single-family home appropriate to the Historic 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 variance does not constitute a grant of special privilege or go beyond the minimum necessary to afford relief because the HPC guidelines 7.2 require that any new home must be consistent with the other properties in the district, including having a consistent building orientation, setback, directional emphasis, shape, massing, proportion, and scale to maintain the rhythm along the streetscape. The project was approved on July 19th, 2021, by the HPC based on the attached site plan, which creates the largest possible front setback, to align as closely as possible with the neighboring property's setback while also having the same orientation (slightly skewed versus the lot line) as the neighbor. The front left corner of the house will be 7.5' from the property line so it will only get close to the 5' proposed setback at two points. The threshold elevation will simply bring us into the pattern with the other existing properties along Lullwater Road. The existing southern neighbor's threshold elevation is 885.8', ours is proposed to be 883.1', and the elevation at the existing public sidewalk at future driveway is 881.5'. The grade along Lullwater Road drops slightly as you go north so the proposed threshold is in line with the existing pattern.

(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.

The granting of the variance would not be detrimental to the public welfare or injurious to the surrounding properties because, while we are closer than 8.5' to the lot line, a five-foot setback will be far enough from the property line to avoid any special fire separation considerations as per IRC section R302. Also, we are to the north of our only neighbor on Lullwater Road, so there will be no loss of sunlight to the neighbor's vegetation due to the proposed construction.

(4) the literal interpretation and strict application of the applicable provisions or requirements of this Chapter would cause undue and unnecessary hardship.

The literal interpretation and strict application of the Zoning Ordinance would cause undue and unnecessary hardship because the flood hazard area has a BFE of 870.7, which county officials have told us we must be 3' above with our lowest floor, the garage. With a garage ceiling height lowered to the lowest possible, at 7.8', while still allowing the track of an overhead garage door, the lowest main floor threshold possible on this lot is 883.1'. This threshold elevation is consistent with the pattern along Lullwater Road. If a full 8.5' side setback is required, we would be changing either the massing/scale/proportion of the proposed and HPC-approved home or moving it closer to the street where the buildable area gets slightly wider, against HPC guideline for consistent front setback, or removing trees within the floodplain by moving the structure north, which is expressly prohibited by code except in specific exceptions. The only method of complying with the multiple layers of regulations which govern this specific lot is this request for modest relief from the Zoning Code.

(5) the requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text since the purpose of the variance process is to encourage flexibility when dealing with odd or non-conforming existing conditions which occasionally occur. Both proposed variances are modest and will allow a project consistent with the existing pattern on Lullwater Road as encouraged both by the goals of the Historic Preservation Commission and the DeKalb County Comprehensive Plan.

Thank you for your consideration,

David W. Price, Applicant



Dekalb County Historic Preservation Commission 330 Ponce De Leon Avenue, Suite 300 Decatur, GA 30030 (404) 371-2155 or (404) 371-2813 (Fax)



Michael L. Thurmond Chief Executive Officer

CERTIFICATE OF APPROPRIATENESS

July 20, 2021

Site Address:

1176 LULLWATER RD

ATLANTA, GA30307-

Parcel ID:

18-054-06-001

Application Date:

Applicant:

Dave Price

Mailing Address:

1595 Nottingham Way

Atlanta, Georgia 30309

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON July 19, 2021, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Approval

- 1. Builda new house on a wooded lot. The house will be a two-story ColonialRevival-style house with an attic and basement. The basement will be aboveground at the rear and right side. Thehouse will be clad with brick, except for the granite front terrace andbasement level, and cement-fiber lap siding in the gables, on the dormers andon the rear wing. The roof will be sidegabled with three gabled dormers on the front roof slope. The roof will be clad with fiberglassshingles. The front entry portion of theterrace will have a hipped roof supported by tapered columns. An arched opening on the front of thebasement level will lead to a one-car garage door set back more than 8' behindthe front façade. A wooden deck andscreened porch will be at the rear of the house. All windows will be wood with simulateddivided lights.
- 2. A10'3" wide concrete driveway will enter at the southeast corner of the lot and curveacross to the basement level garage. Aturnaround will be installed at the curve in the driveway. The distance between the end of the turnaround and the opposite side of the driveway will be 23'. A 1.5' high boulder wall will be installed along a portion of the driveway near the house. A 4' wide walkway will run from the driveway to the frontterrace.
- 3. Tentrees will be removed. Two3"-5"American beech trees will be planted in the front yard. Naturalistic plantingsof native shrubs will be installed beside the sidewalk and flanking the driveway near the house.
- 4. Thesouth side setback of 5' will require a zoning variance from the required8.5'. The commission notes that othercounty departments may require further study of the floodplain and streambuffer.

DeKalb County Historic Preservation Commission

Monday, July 19, 2021- 6:00 P.M.

Staff Report

New Construction Agenda

R. 1176 Lullwater Road, Price Residential Design. Build a new house on a wooded lot. 1245085

Undeveloped. (18 054 06 001)

This property is in the Emory Grove National Register Historic District and Emory Grove Character Area.

7-18 1176 Lullwater Road (DH), John Carpentier. Comment only on a proposed house location. 1235073 For comment only

This lot was split off from the original lot (to the north) in 1993 or 1994. It has never been developed and is heavily wooded. It is much smaller than other lots in the area.

The buildable area is restricted by topographical problems. A small stream runs across the rear of the property and diagonally away from the property on the north side. The grade on the south (left) side of the lot is the same as that of the adjacent house, but then drops off to the right and drops off steeply to the rear. A portion of the property is in the floodplain. While this limits development, it does not prohibit it. The stream runs between stone walls ("seawalls"). Because of these walls, the county and the Georgia Environmental Protection Division have determined that a stream buffer is not required. Staff recommends the commission accept EPD's determination and not require the 75' setback set out in the Design Manual. The State Waters Determination is included in the application material on pages 16 and 17.

The grade drops about 7' from the left front corner of the unbuildable area to the right front corner. The adjacent house, 1166 Lullwater, is set back about 93' from the right-of-way. The setbacks of nearby houses on Lullwater are all more than 93', with those across the street all over 100'. The next house on the north side faces North Decatur Road and its rear is about 130' from the proposed building site.

Summary

Applicant proposes to build a new house on a wooded lot. Although this lot has some atypical characteristics, the owner has the right to build on it.

Part of the left side of the house will be screened from the right-of-way by the neighboring house, while the north side will be visible only from a limited area because of the screening provided **by the neighbor's** evergreen hedge along the sidewalk.

1. The applicant states the proposed location will minimize grading and tree loss. The location will maximize the use of the topography, as there are few flat areas on the lot. The applicant has submitted a state water determination form that states no buffer is required, due to the concrete/brick wall along the stream. The house will be set back 75 feet from the right-of-way and 13' closer to the street than the adjacent house. The house will be set 5' from the property line on that side. It adheres closely to the south side property line to make the best of the topography.

The side setback will require a variance from the 8.5' required by the zoning code. The side of the house will be just over 37' from the side of the neighbor's house. The first floor (FFE) will be 2' lower than that of the neighbor.

2. The house will be a two-story Colonial Revival house with an attic and basement. The basement will be above ground at the rear. The house will have a side gabled roof which will be clad with fiberglass shingles and will have a chimney on the north elevation. A hipped-roof dormer will be set into the center of the roof on the front elevation. (Applicant has also provided an elevation with three gabled dormers, but he prefers the hipped gable.) A cornice with dentils will extend from the front elevation to both side elevations.

Most of the house will be clad in brick in a running bond pattern. The front porch/terrace, garage entry, and front foundation will be clad with granite. Both gables and the projecting wing at the rear will be clad with cement fiber lap siding. All windows will be wood with simulated divided lights. Most will be double-hung sash with 6/6 or 4/4 light patterns. There will also be some casement and fixed windows, mostly on the sides and rear. The roof will be clad with fiberglass shingles.

The windows on the front will be spaced evenly across the façade. Those on the first floor will have decorative cast stone lintels. The window above the front entrance will be paired, six-light casement windows. A terrace will run across the front of the facade, becoming a screened porch at the right end. The deck of the terrace will be seven steps above grade at the entry, with the slope rising to the left. A metal railing will be installed between the piers on the front of the porch, but is not shown in the drawing. The front entrance will have a hipped roof, with a dentil cornice and tapered columns. An arched opening beneath the screened porch will lead to a one-car garage door set back a little more than 8' behind the front façade.

A wooden deck will be set at the rear of the house. The deck will be on the first floor and a screened porch will be beneath it on the basement level.

- 3. A **10'3"** wide concrete driveway will enter the parcel at the high point of the lot, in the southeast corner. The driveway will curve across the front of the lot to the basement level garage at the northeast corner of the house. The grade to the left will be higher as the driveway approaches the garage so a 1.5' high boulder wall will retain the soil. At the curve in front of the garage the driveway will widen and extend into a turnaround with a curb at the outer end. The applicant says the ditance from end of the turnaround to the boulder wall on the opposite side of the driveway will be about 23'. He says this is too small to park a car and still leave room for another car to pass. The garage will have a one-car wide entry, but room to park at least two cars inside. A 4' wide sidewalk will run from the driveway to the front terrace.
- 4. A tree evaluation report by an arborist is in the application material on pages 12 through 15. The tree plan shows 28 existing trees on the site including 8 specimen-sized trees. The applicant proposes removing 10 trees (1,7,10,11,12,13,14,15,22,23 in the tree evaluation) three of which

R. 1176 Lullwater Road, Price Residential Design Page 3

are specimen trees (1,12,13). Two of the specimen trees (1 and 12) are unhealthy, based on the submitted documentation. The third specimen **tree to be removed is a 41" dbh beech** near the high point of the property. The applicant proposes planting two new 3"-5" American beech trees in the front yard.

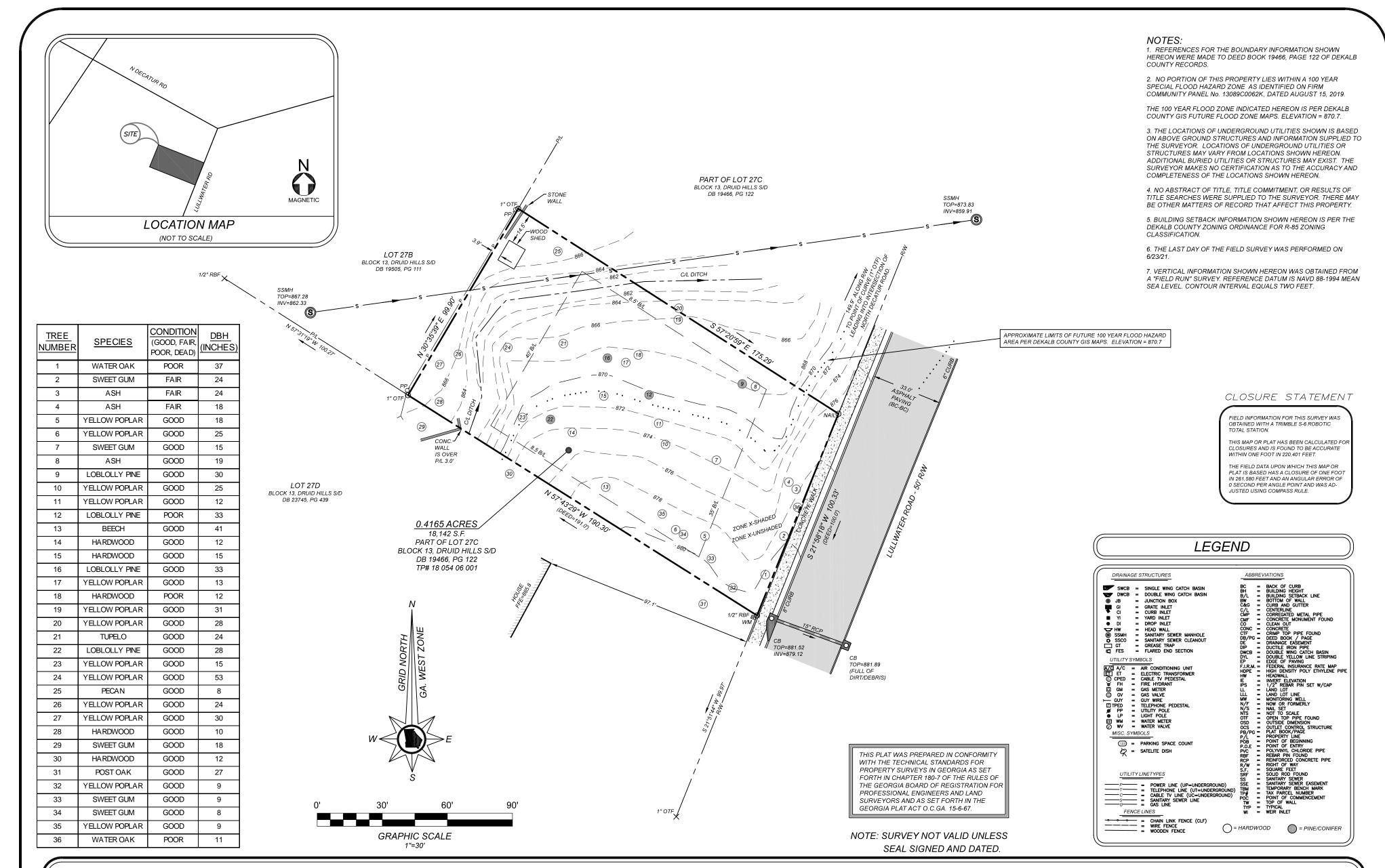
5. The end of the neighbor's all evergreen hedge extends a short distance onto the property. The applicant says he intends to retain it. He also proposes installing naturalistic plantings of either native shrubs in areas beside the sidewalk and flanking the driveway near the house. The purpose of the first (A on the site plan) is to provide screening for the house and the second (B on the site plan) is to screen the garage entry.

Recommendation

- 1. Approve. Due to the topography of the lot, this appears to be the most appropriate location for construction of a house (7.3.2.).
- 2. Approve with the condition that the dormers be the provided design of three, gable-roofed dormers as they are more appropriate than the central, hipped roof gable. The height of the house is appropriate as it uses the topography to minimize the scale of the building. It is consistent with the dominate pattern of scale in the area and appears to conform to the heights of existing structures in the area of influence (7.2.7). The proposed design also appears to comply with the guidelines regarding massing (7.2.4), proportion (7.2.5) and rhythm (7.2.6). The architectural details, including the dentils and materials support the Colonial Revival style of the building (6.1.2 and 7.2.8). The proposed new construction is also compatible with the design patterns of its historic neighbors, including building orientation, setback, height, scale, and massing (7.3.2).
- 3. Approve. Due to the topography of the site, the front of the house is the only reasonable location for a garage. When front yard parking is necessary, it should be added in a manner that does not destroy the unbroken landscaped character of the front yard spaces in Druid Hills. This is accomplished by the construction of the basement level garage, which will not distract from the overall design of the district (9.5). For a similar historic design, see the house around the corner at 1526 N Decatur Rd.
- 4. Approve. These materials are commonly found throughout the area of influence and are appropriate (6.1.1 and 6.1.2).
- 5. Approve.

Relevant Guidelines

- 5.0 Design Review Objective (p45) When making a material change to a structure that is <u>in view from a public right-of-way</u>, a higher standard is required to ensure that design changes are compatible with the architectural style of the structure and retain character-defining features.
- 6.1.1 Exterior Materials (p50) <u>Guideline</u> Original masonry should be retained to the greatest extent possible without the application of any surface treatment, including paint. Repointing of mortar joints should only be undertaken when necessary, and the new mortar should duplicate the original material in composition, color, texture, method of application, and joint profile. Repaired joints should not exceed the width of original joints. The use of electric saws and hammers in the removal of old mortar is strongly discouraged as these methods can seriously damage adjacent bricks.
- 6.1.1 Exterior Materials (p51) <u>Guideline</u> Original stucco should be retained to the greatest extent possible without the application of any surface treatment including paint. Stucco facing requires periodic maintenance and should be repaired with a stucco mixture that matches the original material in both appearance and texture.



| DATE: OCTOBER 25, 2016 | | ISSUE | | | |
|-------------------------------|-----|--------------|---------|--|--|
| SCALE: 1" = 30' | NO. | DESCRIPTION | DATE | | |
| ACREAGE: 0.4165 | R-1 | REVISE TREES | 6/29/21 | | |
| LAND LOT(S): 2 | R-2 | REVISE TREES | 8/5/21 | | |
| DISTRICT: 18th | | | | | |
| CITY: | | | | | |
| COUNTY: DEKALB STATE: GEORGIA | | | | | |
| SURVEYED: MAF DRAWN: MWR | | | | | |
| CHECKED: WGH APPROVED: CAM | | | | | |
| PROJECT #: 16-257 | | | 4 | | |

BOUNDARY, TOPOGRAPHIC, AND TREE SURVEY FOR:

1176 LULLWATER ROAD

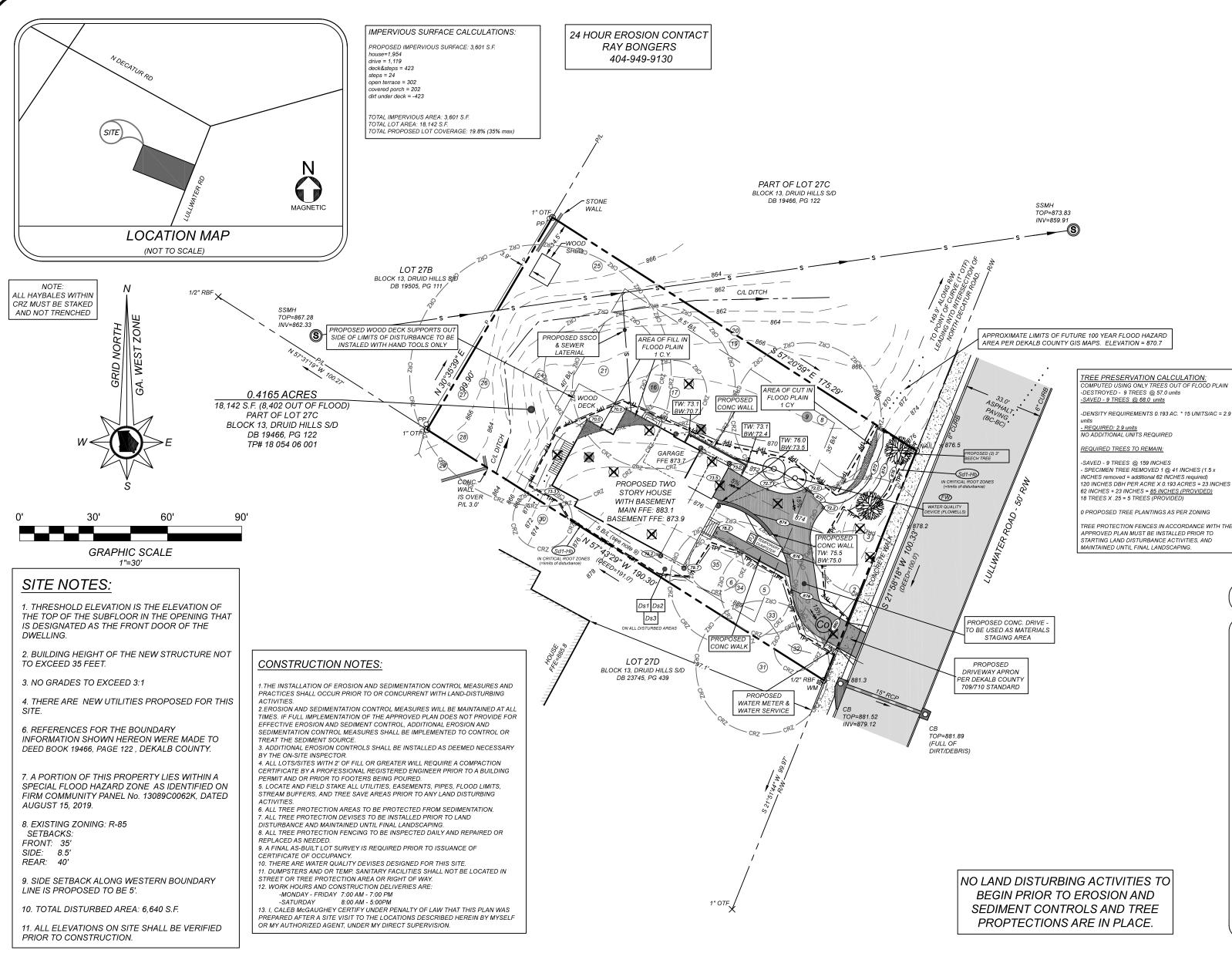
PART OF LOT 27C, BLOCK 13, DRUID HILLS S/D LAND LOT 2, 18th DISTRICT, DEKALB COUNTY, GEORGIA TAX PARCEL No. 18 054 06 001





GA LAND SURVEYOR, LLC

3355 ANNANDALE LANE, STE 1 SUWANEE, GA 30024 SHEET 1 OF 1



TREE NOTES:

DDH: DEAD, DISEASED, OR HAZARDOUS

IN FLOOD: TREE LOCATED IN FLOOD PLAIN

OFF SITE: TREE LOCATED OUTSIDE PARCEL BOUNDARY

NOTE: TREE NUMBERS 2, 3, 5, 6, & 16 HAVE OVER 20% IMPACTION AND REQUIRE AN ARBORIST PRESCRIPTION

| TREE NUMBER | <u>SPECIES</u> | (GOOD, FAIR, POOR, DEAD) | DBH (INCHES) | DENSITY UNITS | REMAIN / REMOVE | CRZ (FEET) (IF TREE IS TO REMAIN) | MPACT ON CRZ |
|----------------|----------------|-----------------------------|-----------------|------------------|--------------------|---|-----------------|
| 1 | WATER OAK | POOR | POOR (37) | DDH | REMOVE | 11211111 | ONTOR |
| 2 | SWEET GUM | FAIR | 24 | 6.0 | REMAIN | 24 | 24.7 |
| 3 | ASH | FAIR | 24 | 6.0 | REMAIN | 24 | 24.4 |
| 4 | ASH | FAIR | 18 | 4.8 | REMOVE | | |
| 5 | YELLOW POPLAR | GOOD | 18 | 4.8 | REMAIN | 18 | 28.2 |
| 6 | YELLOW POPLAR | GOOD | 25 | 6.8 | REMAIN | 25 | 30.1 |
| 7 | SWEET GUM | GOOD | 15 | 4.0 | REMOVE | | |
| 8 | ASH | GOOD | IN FLOOD | | REMAIN | 19 | 0 |
| 9 | LOBLOLLY PINE | GOOD | IN FLOOD | | REMAIN | 30 | 9.8 |
| 10 | YELLOW POPLAR | GOOD | 25 | 6.8 | REMOVE | | |
| 11 | YELLOW POPLAR | GOOD | 12 | 3.2 | REMOVE | | |
| 12 | LOBLOLLY PINE | POOR | POOR (33) | DDH | REMOVE | | |
| 13 | BEECH | GOOD | 41 | 18.4 | REMOVE | | |
| 14 | HARDWOOD | GOOD | 12 | 3.2 | REMOVE | | |
| 15 | HARDWOOD | GOOD | 15 | 4.0 | REMOVE | | |
| 16 | LOBLOLLY PINE | GOOD | 33 | 11.8 | REMAIN | 33 | 25.2 |
| 17 | YELLOW POPLAR | GOOD | IN FLOOD | 4.0 | REMAIN | 13 | 1.3 |
| 18 | HARDWOOD | POOR | IN FLOOD | DDH | REMOVE | | |
| 19 | YELLOW POPLAR | GOOD | IN FLOOD | 10.4 | REMAIN | 31 | 0 |
| 20 | YELLOW POPLAR | GOOD | IN FLOOD | 8.6 | REMAIN | 28 | 0 |
| 21 | TUPELO | GOOD | IN FLOOD | | REMAIN | 24 | 9.8 |
| 22 | LOBLOLLY PINE | GOOD | 28 | 8.6 | REMOVE | | |
| 23 | YELLOW POPLAR | GOOD | 15 | 4.0 | REMOVE | | |
| 24 | YELLOW POPLAR | GOOD | IN FLOOD | | REMAIN | 53 | 14.7 |
| 25 | PECAN | GOOD | IN FLOOD | | REMAIN | 8 | 0 |
| 26 | YELLOW POPLAR | GOOD | IN FLOOD | | REMAIN | 24 | 0 |
| 27 | YELLOW POPLAR | GOOD | IN FLOOD | | REMAIN | 30 | 0 |
| 28 | HARDWOOD | GOOD | IN FLOOD | | REMAIN | 10 | 0 |
| 29 | SWEET GUM | GOOD | OFF SITE | | REMAIN | 18 | 0 |
| 30 | HARDWOOD | GOOD | OFF SITE | | REMAIN | 12 | 0 |
| 31 | POST OAK | GOOD | OFF SITE | | REMAIN | 27 | 3.4 |
| 32 | YELLOW POPLAR | GOOD | 9 | 2.4 | REMAIN | 9 | 0 |
| 33 | SWEET GUM | GOOD | 9 | 2.4 | REMAIN | 9 | 0 |
| 34 | SWEET GUM | GOOD | 8 | 2.4 | REMAIN | 8 | 0 |
| 35 | YELLOW POPLAR | GOOD | 9 | 2.4 | REMAIN | 9 | 19.7 |
| 36 | WATER OAK | POOR | POOR (11) | DDH | REMOVE | | |
| тот | AL OUT OF FLOC | DD PLAIN= 18 | TREES (| @ 125.0 un | iits | | |

LEGEND

BBREVIATIONS

BACK OF CURB
BUILDING HEIGHT
BUILDING SETBACK LINE
BOTTOM OF WALL
CHARLES AND GUTTER
CENTERLINE
CENTERLINE
CONCRETE MONUMENT FOUND
CLEAN OUT
CCONCRETE MONUMENT FOUND
CCEAN OUT
CCONCRETE
CONCRETE
C SWCB = SINGLE WING CATCH BASIN
DWCB = DOUBLE WING CATCH BASIN = JUNCTION BOX = GRATE INLET = CURB INLET = YARD INLET = DROP INLET SSMH = SANITARY SEWER MANHOLE
 SSCO = SANITARY SEWER CLEANOUT
 GT = GREASE TRAP
 FES = FLARED END SECTION UTILITY SYMBOLS ## ACT ACC AIR CONDITIONING UNIT LET ET = LECTRIC TRANSFORMER

© CPED CABLE TV PEDESTAL

F FH FIRE HYDRANT

G GW = GAS METER

G GV = GAS VALVE

GUY = GUY WIRE

FIPED TELEPHONE PEDESTAL

F PP = UTILITY POLE

LP = LIGHT POLE

W = WATER METER MISC. SYMBOLS 123 = PARKING SPACE COUNT = SATELITE DISH UTILITY LINETYPES FENCE LINES = HARDWOOD = PINE/CONIFER

ISSUE DESCRIPTION DATE SCALE: 1" = 30' NO. ACREAGE: 0.4165 LAND LOT(S): 2 DISTRICT: 18th COUNTY: DEKALB STATE: GEORGIA DRAWN: MWR SURVEYED: MAF

SITE PLAN FOR:

1176 LULLWATER ROAD

PART OF LOT 27C, BLOCK 13, DRUID HILLS S/D LAND LOT 2, 18th DISTRICT, DEKALB COUNTY, GEORGIA TAX PARCEL No. 18 054 06 001





GA LAND SURVEYOR, LLC

3355 ANNANDALE LANE, STE 1 SUWANEE, GA 30024

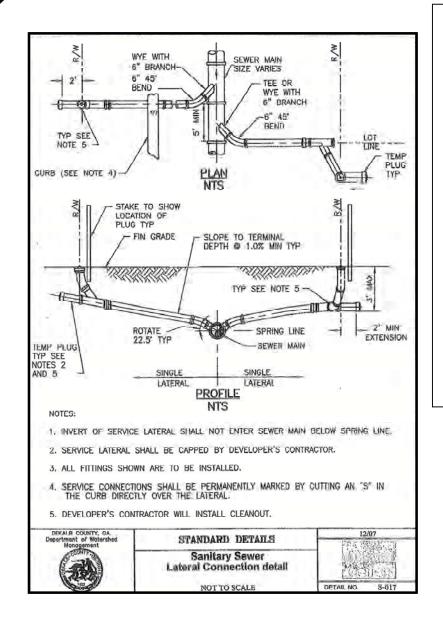
SHEET OF

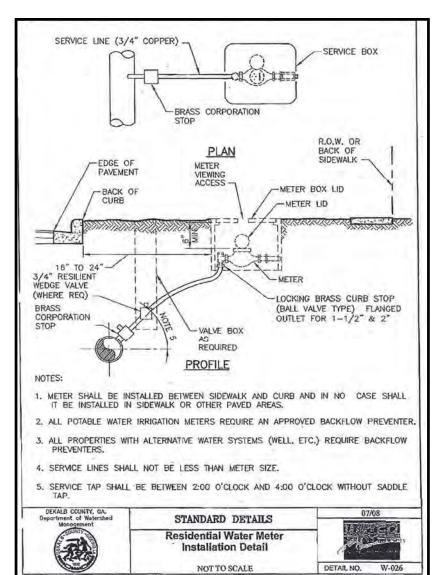
APPROVED: CAM

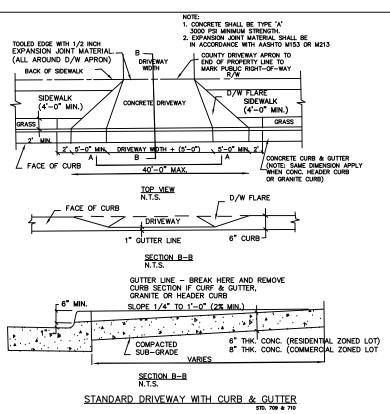
DATE: AUGUST 5, 2021

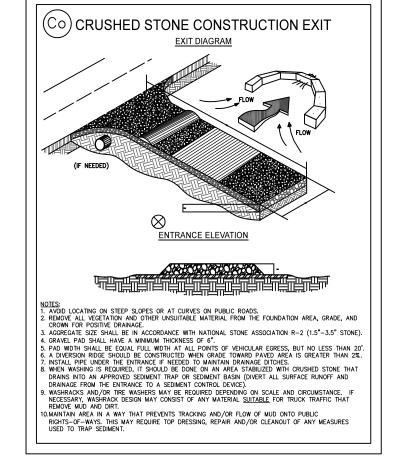
CHECKED: WGH

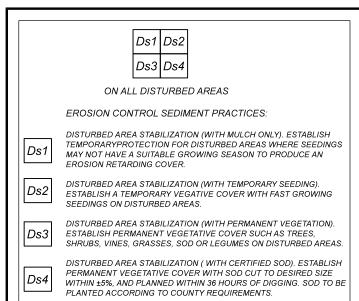
PROJECT #: 16-257

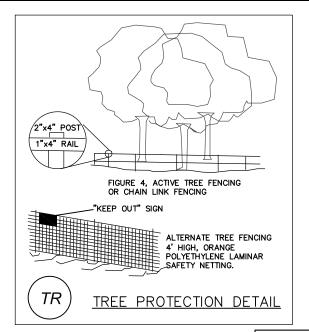


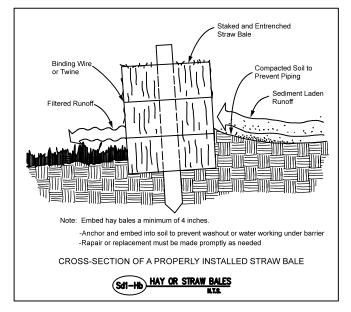


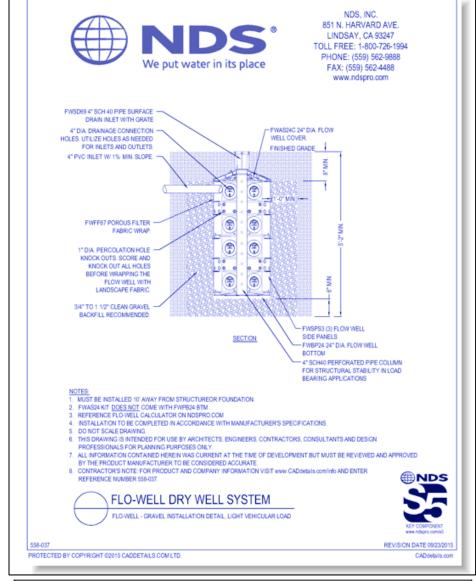


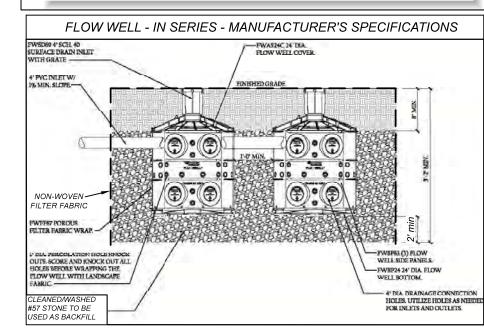


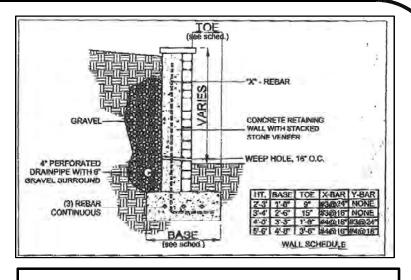








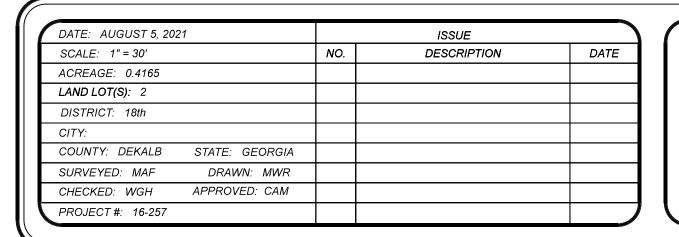




NDS Flo-Well Calculator



| Yeluma of water to be stered | 2526 337.7 | Gallona Cubic feet |
|------------------------------|------------------|-----------------------|
| # of Fie-Wells Needed (| 4) 2) DOU | BLE STACK |
| Amount of Gravel Heeded | 26.18 1 | Cubic yards |



SITE PLAN FOR:

1176 LULLWATER ROAD

PART OF LOT 27C, BLOCK 13, DRUID HILLS S/D LAND LOT 2, 18th DISTRICT, DEKALB COUNTY, GEORGIA TAX PARCEL No. 18 054 06 001





(Dimension B) 4.5

GA LAND SURVEYOR, LLC

3355 ANNANDALE LANE, STE 1 SUWANEE, GA 30024



0.19 _{CPS}

1125 Oak Brook Way, Atlanta, Georgia 30319 404-444-5824

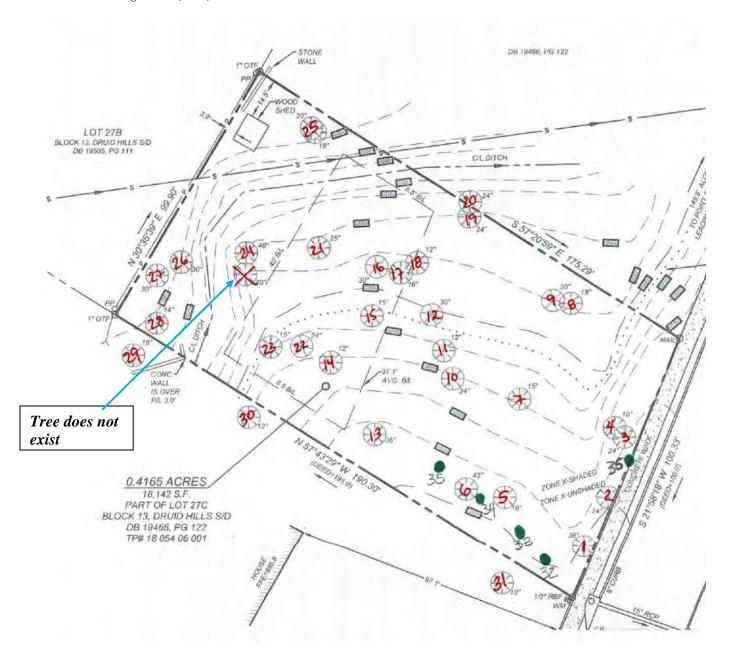
Tree Evaluation Report

1176 Lullwater Road, DeKalb County July 6, 2021

Description of property:

This is a vacant undeveloped lot with proposed new construction. Twenty-eight trees exist on the site with three boundary trees noted. There are eight specimen-sized trees on the property and one off site.

Observations: All observations were visual and made from the ground. No invasive tests, underground or aerial inspections were performed. The site visit was conducted on July 1, 2021. Diameters were measured at breast height, 4½ feet above the ground (DBH) and current conditions noted.



1125 Oak Brook Way, Atlanta, Georgia 30319 404-444-5824

PAGE 2 1176 Lullwater Road, DeKalb County

| Tree # | Species | Actual DBH | Condition | Specimen | Dead | Buffer | Boundary | Target |
|-----------|---------------|---------------|---|----------|------|--------|----------|--------|
| 1 | Water Oak | 37" | Bifurcated upper trunk, Covered in vines | Υ | N | N | N | Υ |
| 2 | Water Oak | 24" | Covered in vines | N | N | N | N | Υ |
| 3 | Ash | 24" | Covered in vines | N | N | N | N | Υ |
| 4 | Ash | 18" | Covered in vines | N | N | N | N | Υ |
| 5 | Yellow-poplar | 18" | Appears Healthy | N | N | N | N | Υ |
| 6 | Yellow-poplar | 25" | Appears Healthy | N | N | N | N | N |
| 7 | Sweetgum | 15" | Appears Healthy | N | N | N | N | N |
| 8 | Ash | 19" | Appears Healthy | N | N | Υ | N | N |
| 9 | Loblolly Pine | 30" | Appears Healthy | Υ | N | Υ | N | N |
| 10 | Yellow-poplar | 25" | Appears Healthy | N | N | N | N | N |
| 11 | Yellow-poplar | 12" | Appears Healthy | N | N | N | N | N |
| 12 | Loblolly Pine | 33" | Termites at the base, <20% LCR | Υ | N | Υ | N | N |
| 13 | Beech | 41" | 1 broken limb, Appears Healthy | Υ | N | N | N | Υ |
| 14 | Hardwood | 12" | Appears Healthy | N | N | N | N | N |
| 15 | Hardwood | 15" | Appears Healthy | N | N | N | N | N |
| 16 | Loblolly Pine | 33" | Appears Healthy | Υ | N | Υ | N | N |
| 17 | Yellow-poplar | 13" | Appears Healthy | N | N | Υ | N | N |
| 18 | Hardwood | 12" | Lean >20 degrees, decay in main trunk | N | N | Υ | N | N |
| 19 | Yellow-poplar | 31" | Appears Healthy | Υ | N | N | N | N |
| 20 | Yellow-poplar | 28" | Appears Healthy | N | N | N | N | N |
| 21 | Tupelo | 24" | Appears Healthy | N | N | Υ | N | N |
| 22 | Loblolly Pine | 28" | Appears Healthy | N | N | N | N | Υ |
| 23 | Yellow-poplar | 15" | Appears Healthy | N | N | N | N | Υ |
| 24 | Yellow-poplar | 53" | Appears Healthy | Υ | N | Υ | N | N |
| 25 | Pecan | 8" | Appears Healthy | N | N | Υ | N | N |
| 26 | Yellow-poplar | 24" | Roots starting to become eroded, Appears Healthy | N | N | Υ | N | N |
| 27 | Yellow-poplar | 30" | Appears Healthy | Υ | N | Υ | N | Υ |
| 28 | Hardwood | 10" | Appears Healthy | N | N | Υ | N | N |
| 29 | Sweetgum | ~18" | Appears Healthy | N | N | Υ | Υ | Υ |
| 30 | Hardwood | 12" | Appears Healthy | N | N | N | Υ | Υ |
| 31 | Post Oak | 27" | Appears Healthy | N | N | N | Υ | Υ |

Highlighted trees are of specimen size for DeKalb County

| 32 | Yellow-poplar | 9" | Appears Healthy, Outcompeted | N | N | N | N | N |
|----|---------------|-----|---|---|---|---|---|---|
| 33 | Sweetgum | 9" | Appears Healthy, Outcompeted | N | N | N | N | N |
| 34 | Sweetgum | 8" | Appears Healthy, Outcompeted | N | N | N | N | N |
| 35 | Yellow-poplar | 9" | Appears Healthy, Outcompeted | N | N | N | N | N |
| 36 | Water Oak | 11" | Significant lean over street, unbalanced crown weight | N | N | N | N | Υ |

Trees (#32-36) not on original site plan

1125 Oak Brook Way, Atlanta, Georgia 30319 404-444-5824

PAGE 3 1176 Lullwater Road, DeKalb County

Pictures (not in good condition):



Tree 12



Tree 18





Tree 26

1125 Oak Brook Way, Atlanta, Georgia 30319 404-444-5824

PAGE 4 1176 Lullwater Road, DeKalb County



Final Notes:

Consult with the International Society of Arboriculture for specific guidelines on tree removal, pruning and planting, www.isa-arbor.com.

This letter serves as an assessment of the specified trees. I certify that all the statements in this letter are true, complete, and correct to the best of my knowledge and belief, and that they are made in good faith. All trees will fail. No arborist can state exactly when, where, or how a tree will fail. Live trees that appear healthy may fall as an "act of God" or with significant weather or environmental conditions that cannot be controlled. All recommendations made in this letter are the sole responsibility of the homeowner to address, thus assuming any risk associated with not performing such recommendations.

This information was generated by Heidi Rieckermann Harrington, Certified Arborist (ISA #NY-1074A), Certified Forester (SAF #2756), HRH Trees, LLC.



Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030



Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Andrew A. Baker, AICP

STATE WATER DETERMINATION FORM

| | | | AP# | | |
|---------------------------------|---|-------------------|--------------------|----------|------------------|
| | | | FEE PAID: YE | S □ NO | ☐ NO FEE APPLIED |
| Parcel I.D. Number: | | Date: | | | |
| Site Address: | | | | | |
| Property Owner/Requested By | v: | | | | |
| Name/Title of Agent: | | | | | |
| F NOT OWNER, Requested By: | : | | | | |
| Phone #: | | Fax: | | | |
| Address: | | | | | |
| | | | | | |
| Type of Water Feature: | | Site Visite | ed By: | | |
| □ River □ Stream □ Creek □ | Branch 🗆 Lake | □ Reservoir □ Pon | d □ Drainage Syste | em 🗆 Spr | ing □ Well |
| s there flow? | | □ Yes □ No (if | yes) 🗆 Surface 🗆 | Subsurfa | ce |
| s there wrested edge vegetati | on? | □ Yes □ No | | | |
| s there a defined channel? | | □ Yes □ No | | | |
| ls it confined entirely on owne | r's property? | □ Yes □ No | | | |
| Are hyrdric soils present? | | □ Yes □ No | | | |
| s wetland vegetation present? | ? | □ Yes □ No | | | |
| Final Determination: | □ State Wate□ Buffers Red□ No State W | auirod | | | |
| Comments: | | | | | |
| | | | | | |

**This form is only good for 12 months from Date Site Visited. Date Site Visited must be within 6 months of any Land Disturbing Activity Permit Application

DeKalb County Planning & Development Department

STATE WATER DETERMINATION FORM

| | | А | P# 9 | 31464 |
|---|----------------|------------------|--------------|-----------------------|
| | FE | E PAID: YES | □ NO | ☐ NO FEE APPLIED |
| Parcel I.D. Number: 18 - 054 - | 06-001 | | ate: | MO FEE APPLIED |
| Site Address: 1/76 Gull W | / | RI Ath | 7 30 | 307 |
| Property Owner Name: //////// | N È | Elmaloth | 4 - 1 | Wing fan |
| Name/Title of Agent: / / ///// | Mantin | j | | 1 (800) |
| IF NOT OWNER, Requested By: | | | | |
| Phone Number: 404 308- | 007/ | Fax: | | 1 |
| Your Address: 1136 / Will | vater | \mathbb{Z}_{l} | | |
| Att, GA 30 | 7301 | | | 1 |
| Type of Water Feature: | | Site Visited By: | 94/ |) III) au |
| GRiver OStream Ocreek GBranch i | Clake O Resi | avoir [Pond [| | 5-15-19 |
| Is there flow? (Circle) (less or No (if y | 6: 11 6 | r v | Drainage Sys | tem LI Spring LI Well |
| (iii) | es Circle) Sur | face / Subsurf | ace | |
| ļ | | | | ! ! |
| | Y/N | | Comments | |
| Is there wrested edge vegetation? | X | CALLET | 010-11 | LAII Alowa Lleck |
| Is there a defined channel? | X | 11 | CIRDER | DAIT HIODA LICAK |
| ls it confined entirely on owner's proper | ty? | | | |
| Are hydric soils present? | X | | | |
| s wetland vegetation present? | V | | | |
| • | | | Comments | |
| inal Dotorminati | | | | |
| inal Determination: State Water | | STATE WATE | 1. NO B | uffer AT WALL |
| ☐ Buffers Require | | | , , , | |
| 🚨 No State Wate | r Observed | | | |
| | | | | j |
| Comments: | 4/04/0. | T Ca | | |
| 10 01 | I) CPICO | +06 | (DUNL) | DIAWAGE |
| | | - $EA3e$ | MOUT. | |

*THIS FORM IS ONLY GOOD FOR 12 MONTHS FROM THE DATE SITE VISITED. DATE SITE VISITED MUST
BE WITHIN 6 MONTHS OF ANY LAND DISTURBING ACTIVITY PERMIT APPLICATION.*



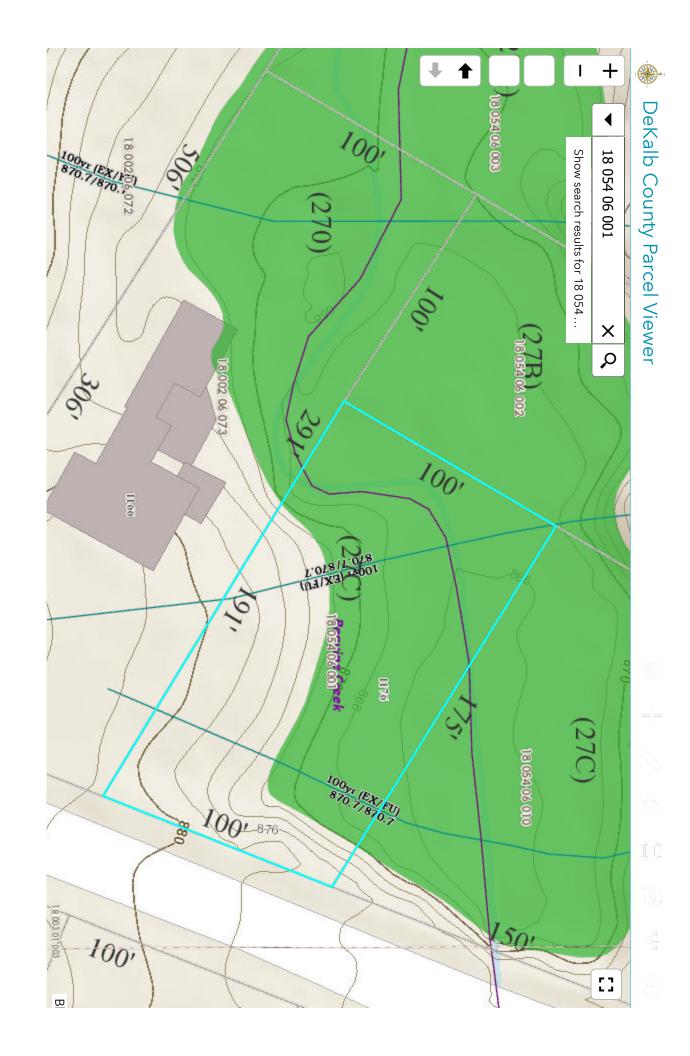
DeKalb County Planning & Development Department

Burrell Ellis Chief Executive Officer

STATE WATER DETERMINATION FORM

| Parcel I.D. Number:18-002 | Date: 9-20-16 |
|---|--|
| Site Address: 1176 Luliwater | 20 |
| Name: GARY VAKENTIN | Title: Develop Ivsp. II |
| Property Owner/Requested By The Lee | AZimi: LAND DevelopMENT |
| Phone #: | Fax: |
| Address: | |
| Type of Water Feature: LowAlord STATE | Tewater / site visited By: GATY VALENTIED |
| □ River □ Stream | Reservoir Pond Drainage System Spring Well |
| Is there flow? | Yes No (if yes) to Surface D Subsurface |
| Is there wrested edge vegetation? | Yes to No Sea WAII Aloug Creek |
| Is there a defined channel? — SeA WAII | Yes No proposed work zone |
| s it confined entirely on owner's property? | □ Yes ► No |
| Are hyrdric soils present? | □ Yes & No |
| s wetland vegetation present? | □ Yes ₺ No |
| Final Determination: State Water Determination: No State Water | |
| comments: NO Buffe Portion of | C Along SEA WALL |

late Site visited: This form is only good for 12 months from Date Site Visited. Date Site 9-20-16 isited must be within 6 months of any Land Disturbing Activity Permit Application.



5/15/2021, 12:08 AM

1 of 1

0

20

40ft

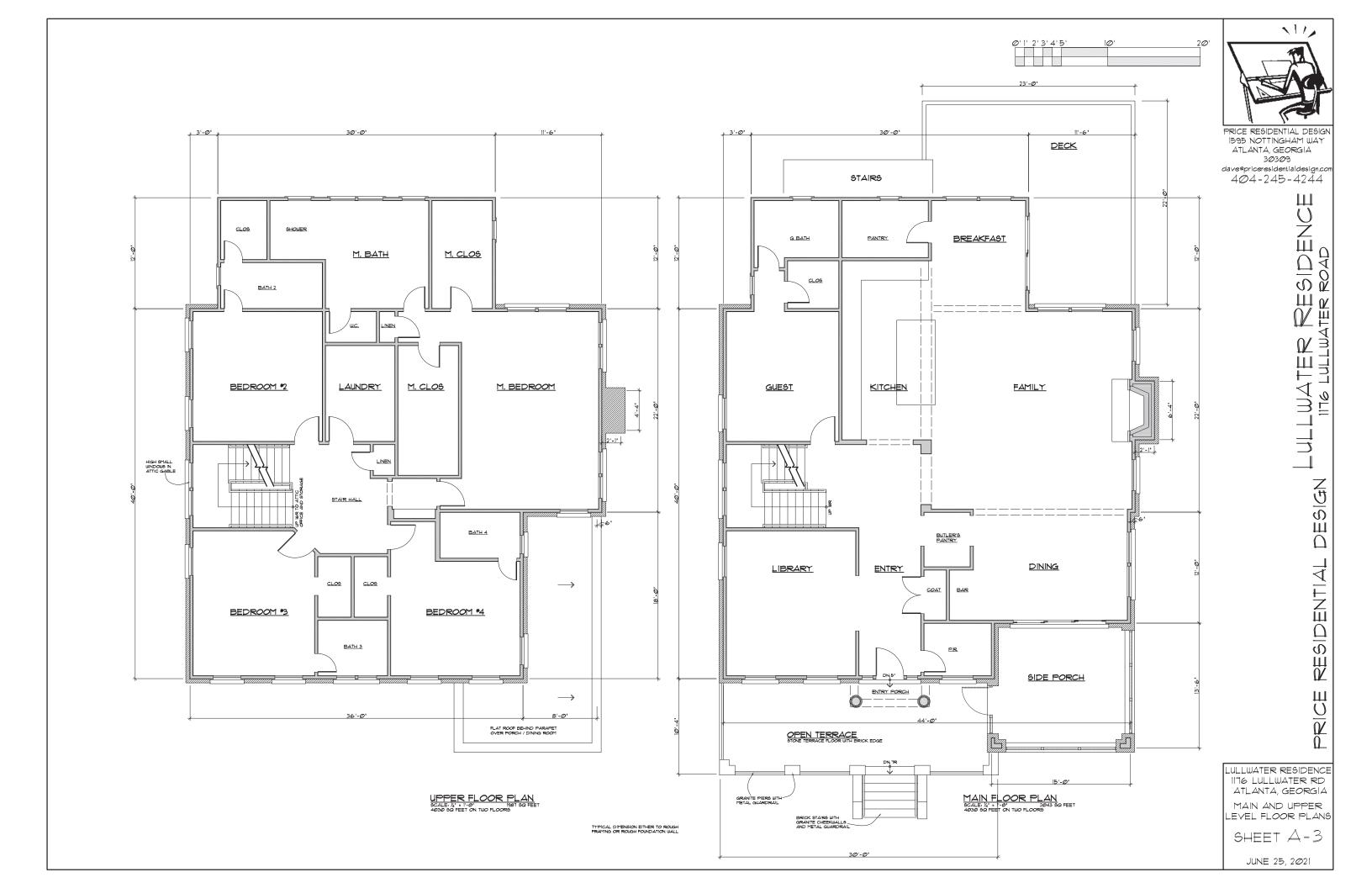
-84.3291 33.7872 Degrees

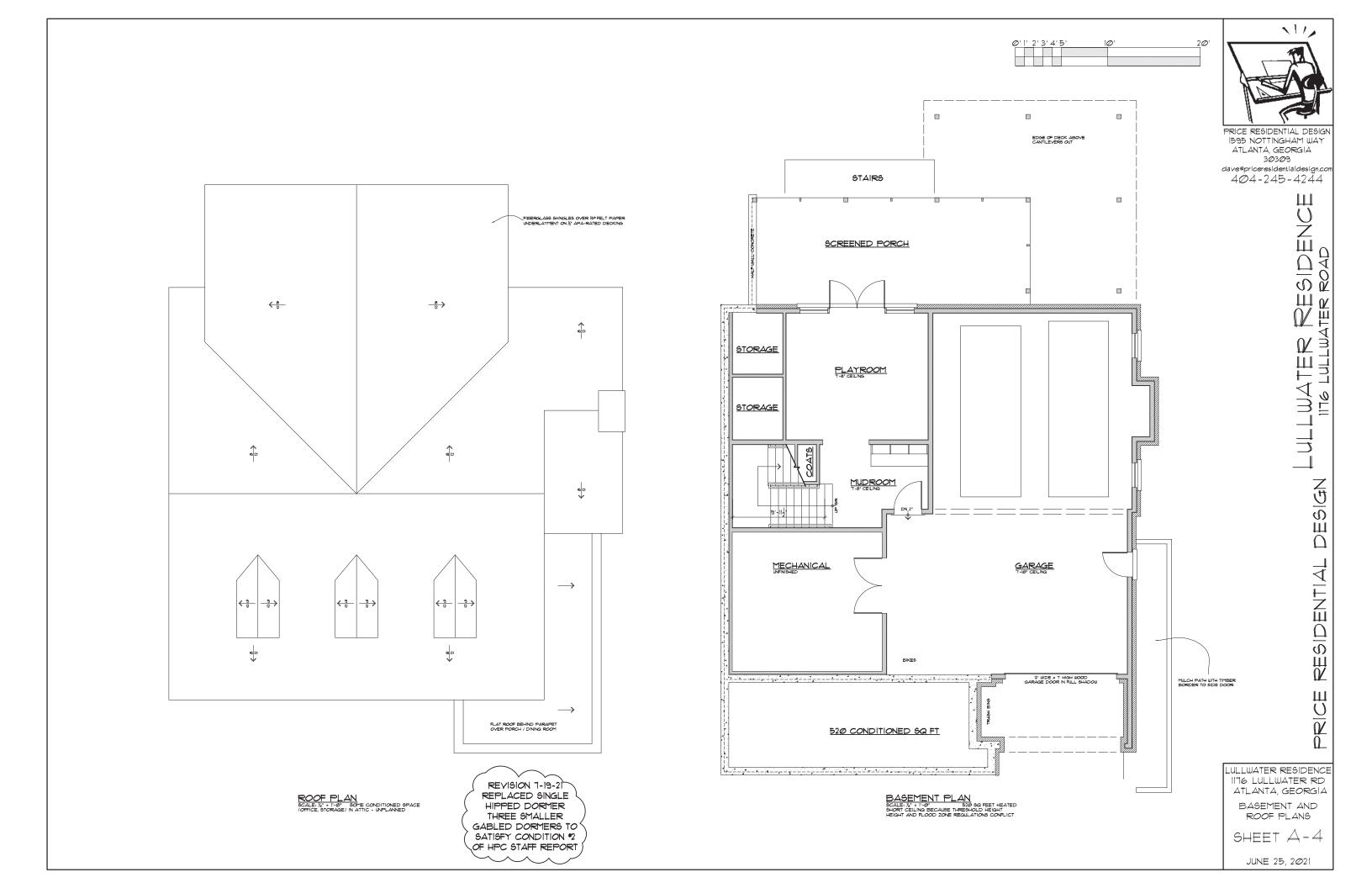


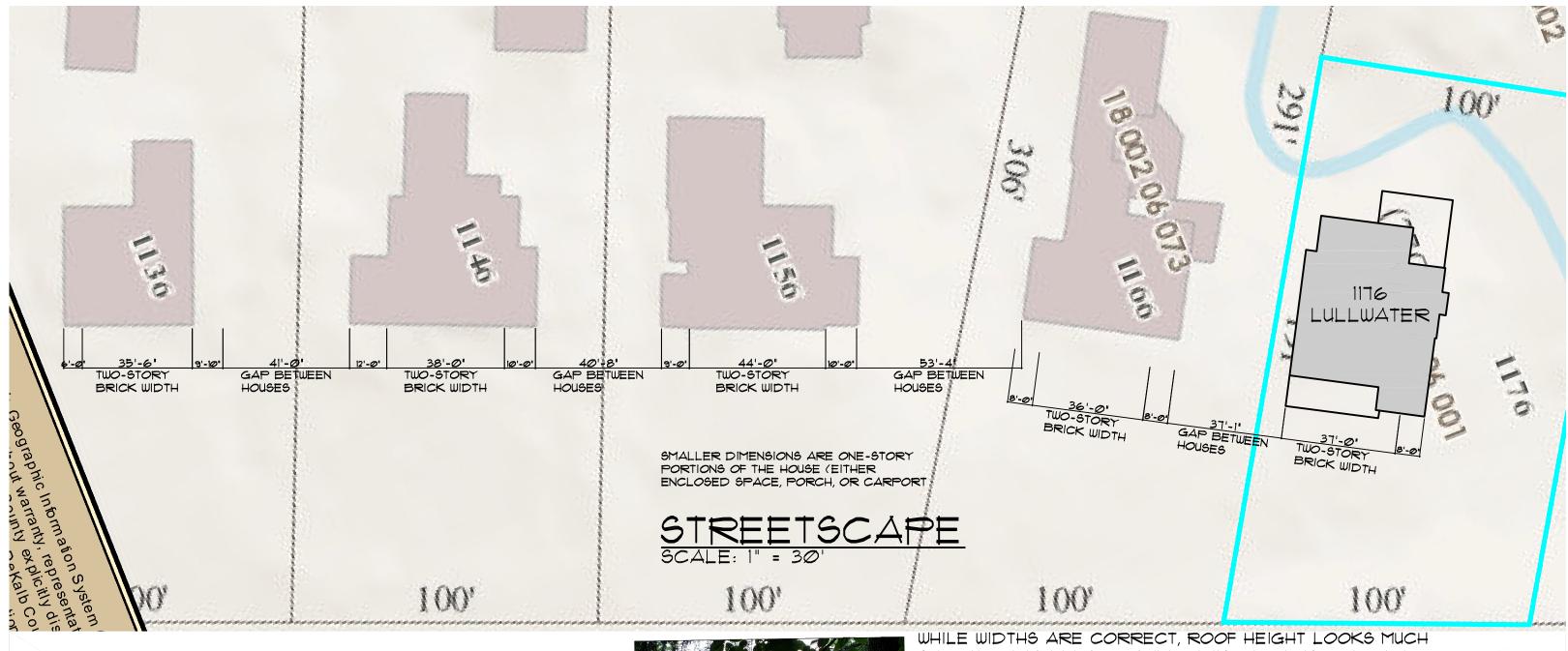
SHEET A-2

GABLED DORMERS TO SATISFY CONDITION *2 OF HPC STAFF REPORT

JUNE 25, 2021











1136

1146

GRADE CALCULATED USING DEKALB GIS MAP INFORMATION

FRONT WALL BRICK HEIGHT: 17'-1" (FROM MAIN FLOOR)



1156 NO WAY TO TAKE A STRAIGHT PHOTO

FRONT WALL BRICK HEIGHT: 17'-10"

WHILE WIDTHS ARE CORRECT, ROOF HEIGHT LOOKS MUCH SHORTER THAN IN A DRAWING. THIS RIDGE IS OVER 10' ABOVE EAVE, CALCULATED BY COUNTING BRICKS.



1166

FRONT WALL BRICK HEIGHT: 17'-4"



1176

FRONT WALL BRICK HEIGHT: 18'-4" Dekalb Zoning Board of Appeals Meeting September 9, 2021

New Item: N2; A-21-1245150; 18-054-06-001; 1176 Lullwater Road, Atlanta, GA 30307

RE: Application to reduce side yard setback:

Objection to Reducing Side Yard Setback:

My name is Virginia Tate, and I own the house at 1166 Lullwater Road, Atlanta, GA 30307. It is my side yard that Dave Price is requesting a reduction of the setback from 8 to 3 feet. I strenuously object to this reduction as the house will be extremely close to mine and it simply is not necessary. Mr. Price's drawings are completely inaccurate and misrepresent the distance between the two houses. (1176 Lullwater Drawing attached). On p. 4 of his drawings, he shows that there is 37.2 feet between the houses towards the back. However, the distance does not take into account the 12 foot wide sun room and deck. (Picture attached)

I have attached my survey for 1166 Lullwater Road. It shows 32.8 feet from the two-story portion of the house to the side property line towards the back and 30.5 feet at the front of the house. Reducing the distance by 12 feet for the sun room and deck means there is only 20.8 feet at the back and 18.5 feet at the front. When you add in the 3 feet Mr. Price is requesting, then you have a paltry 23.8 feet between the two houses at the back and 21.5 feet at the front. The typical distance between houses on the street is 40-50 feet.

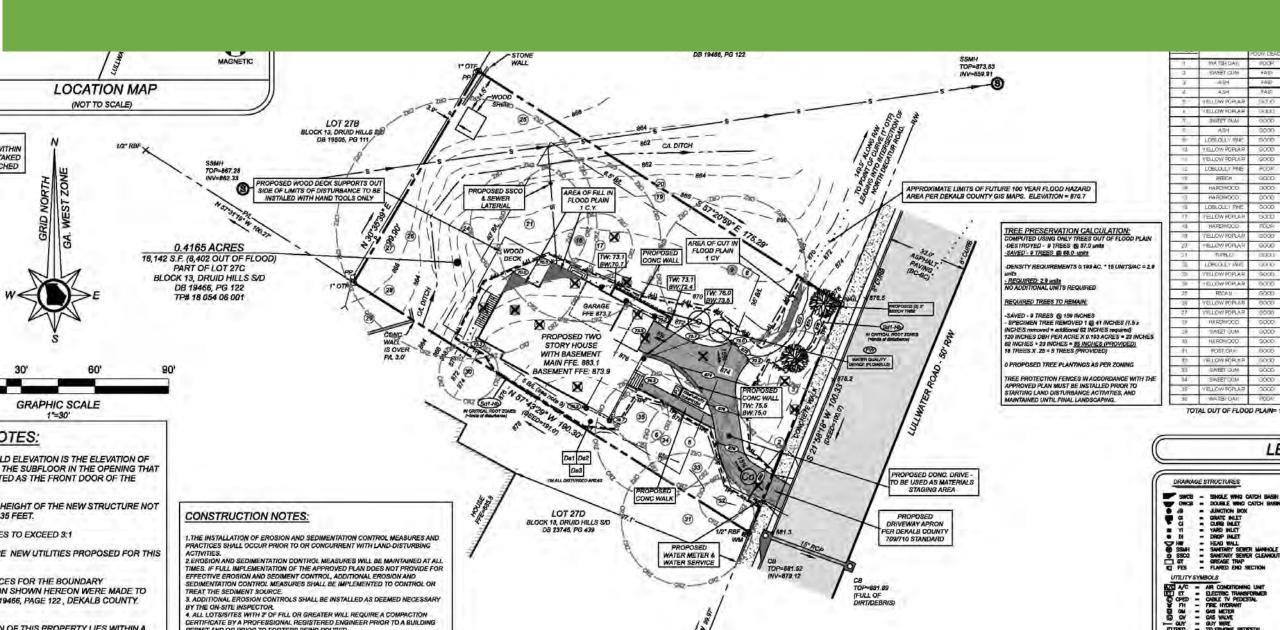
As stated, I strenuously object to the reduction of the set back. It significantly encroaches upon my property and is completely unnecessary. To suggest that it is needed to build a bigger house is not a valid point.

Respectfully submitted,

Virginia Tate 1166 Lullwater Road Atlanta, GA 30307 (404) 314-7075

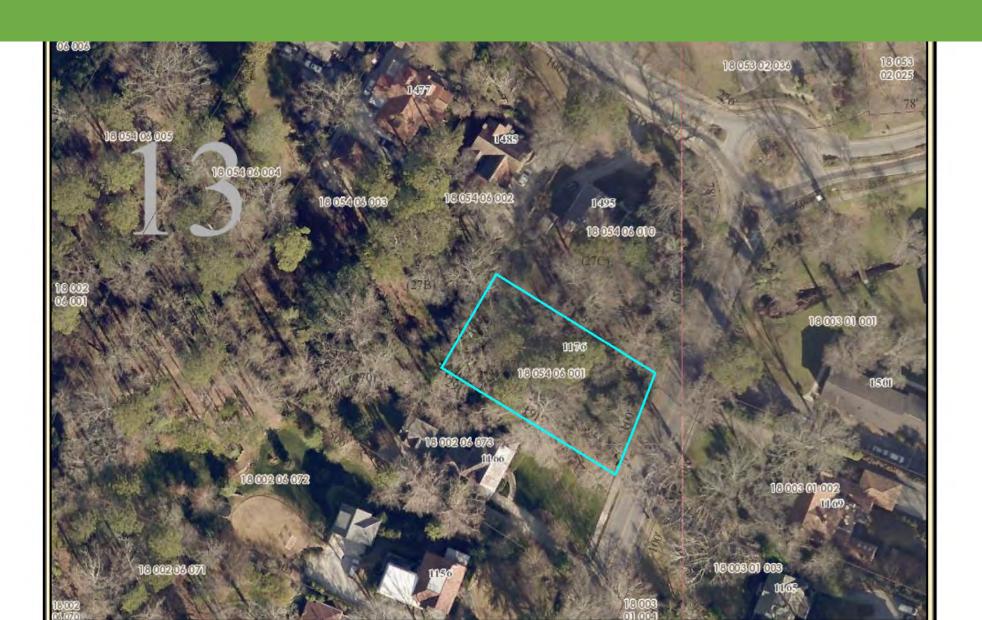
1176 Lullwater Road

Site Plan



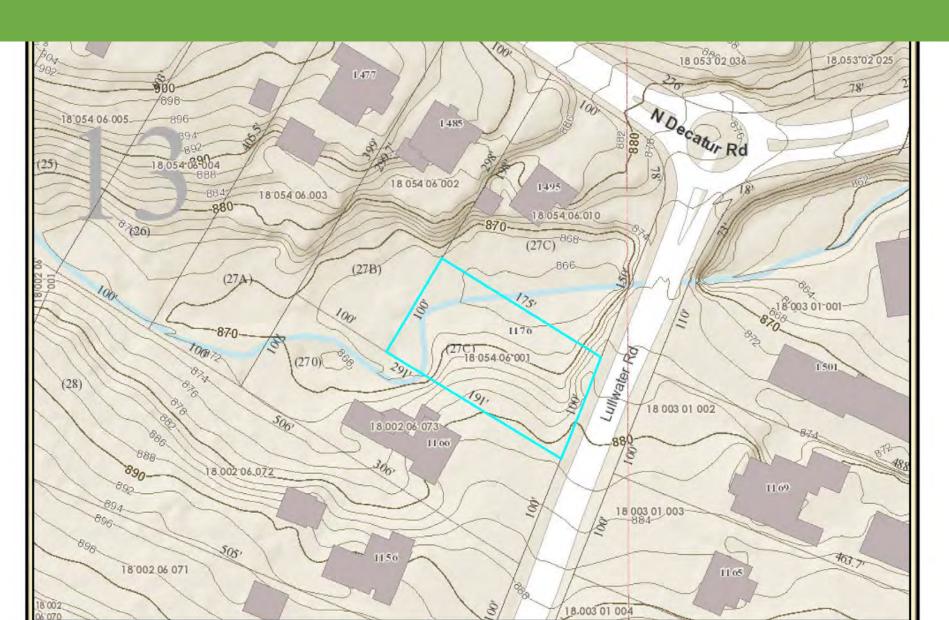
1176 Lullwater Road

Aerial



1176 Lullwater Road

Topo Map



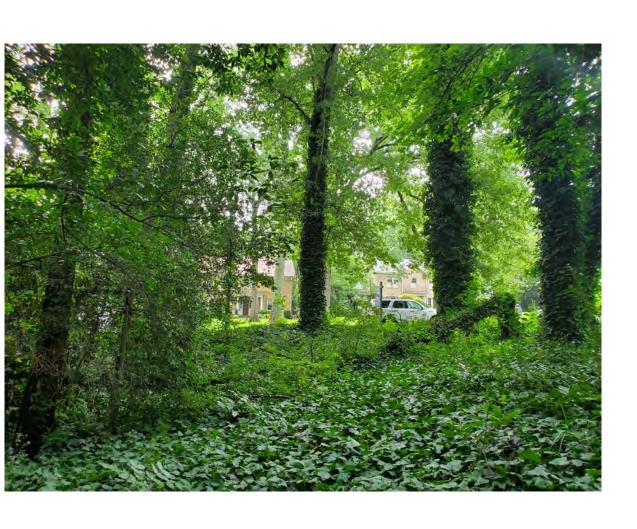
1176 Lullwater Road

Floodplain



N2. 1176 Lullwater Road

Site Photo





1176 Lullwater Road

Site Photos

