



Michael L. Thurmond
Chief Executive Officer

DeKalb County Zoning Board of Appeals
Department of Planning & Sustainability
178 Sams Street
Decatur, GA 30030



Wednesday, March 13, 2024

DeKalb County's Response to Appeal

N4. Case No: A-24-1246840 Parcel ID(s): 18 054 06 001

Commission District 2 Super District 6

Appeal of: Administrative Decision to Approve a Stream Buffer Variance within the Outer 25-feet of the DeKalb County Stream Buffer

Appellant: Virginia Tate, 1166 Lullwater Road, Atlanta, GA 30307

Project Name: 1176 Lullwater Road – New Construction of Single Family Detached Dwelling

Location: 1176 Lullwater Road, Atlanta, GA 30307

Appeal: Appellant Virginia Tate appeal the decision to approve a stream buffer variance within the outer 25 feet of the 75-foot DeKalb County buffer based on the claim that the Chief Building Official erred in the following ways:

- 1) the Administrative Official acted in an arbitrary manner and there was an erroneous finding of material fact
- 2) the Applicant failed to appeal to the ZBOA as required, therefore the current approval should be rendered invalid
- 3) there has been an absolute denial of due process and transparency

Standard: Thedecisions made by public officials are presumed to be valid and just...An appeal shall be sustained only upon an expressed finding by the zoning board of appeals that the administrative official's action was based on an erroneous finding of a material fact, erroneously applied the zoning ordinance to the facts, or that the administrative official acted in an arbitrary manner. In exercising its powers, the zoning board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and to that end shall have all the powers of the administrative official from whom the appeal was taken and may issue or direct the issuance of a permit, provided all requirements imposed by any applicable laws are met. Section 27-7-5 *et seq.* Code of DeKalb County, as Revised 1988.

DeKalb County's

Position: The Chief Building Official's decision to approve a stream buffer variance within the outer 25 feet of the 75-foot DeKalb County buffer in this case complied with applicable law and the Zoning Board of Appeals should affirm the decision of the Chief Building Official.

DEKALB COUNTY'S RESPONSE TO SPECIFIC ALLEGATIONS

Appellant(s) Issue 1: The Administrative Official acted in an arbitrary manner and there was an erroneous finding of material fact.

DeKalb County's Response: The December 11 approval was based on the revised plans which addressed the concerns that were identified during review of previously submitted applications.

Appellant(s) Issue 2: The Applicant failed to appeal to the ZBOA as required, therefore the current approval should be rendered invalid.

DeKalb County's Response: Section 14-44.4 Administrative variance criteria allows for administrative review and approval "for variances within the twenty-five (25) feet of the county stream buffer farthest from the stream, but not within the twenty-five (25) feet of the state buffer adjacent to waters of the state or within the twenty-five feet (25) feet of the county stream buffer nearest the stream."

Appellant(s) Issue 3: There has been an absolute denial of due process and transparency.

DeKalb County's Response: The county through the open records request has made every attempt to ensure that all inquiries regarding the stream buffer variance process were provided. On January 19, 2024 all documentation was obtained and submitted as requested and letters to the abutting properties were sent out on January 16, 2024

Appellant(s) Issue 4: No stream buffer variance shall be granted if it is for new construction on a vacant lot 14.44.1(b)2.

DeKalb County's Response: Per the ordinance vacant lots existing and validly platted in the real estate records of the Clerk of the Superior Court of DeKalb County prior to February 24, 2008, that would otherwise be unbuildable as a result of the stream buffer restriction set forth may obtain a stream buffer variance to encroach into the county buffer. The stream buffer variance application provided documentation showing that the applicants purchased the lot known as 1176 Lullwater Road in 2006. The deed was recorded in the Superior Court of DeKalb County deed records at Deed Book 19466, Page 122

Appellant(s) Issue 5: No stream buffer variance shall be approved with the existing or year 2025 built-out condition flood plain 14.44.4 (h).

DeKalb County's Response: The provided site plans delineates the limits of the future 100-year flood plain elevation of 870.0 and the proposed location of the house is outside of the flood plain and the elevation of the proposed basement FFE 873.9 3ft above the base flood elevation of 870.0

Appellant(s) Issue 6: New construction shall not be allowed within the limits of the future-condition flood plan 14.44.4

DeKalb County's Response: The provided site plans delineates the limits of the future 100-year flood plain elevation of 870.0 and the proposed location of the house is outside of the flood plain and the elevation of the proposed house is being shown at 874.00

Appellant(s) Issue 7: *Whether the variance would be materially detrimental to the public welfare or injurious to the property in the area.*

DeKalb County's Response: The provided site plans delineates the limits of the future 100-year flood plain elevation of 870.0 and the proposed location of the house is outside of the flood plain and the elevation of the proposed house is being shown at 874.00. Granting the variance would not be detrimental, the proposed scope of work is outside of the future flood plain.

Appellant(s) Issue 8: *The director must consider whether the request would be at least as protective of natural resources and environment as strict application.*

DeKalb County's Response: No disturbance will occur in the first 50 feet of the buffer from the line of wretched vegetation and no trees will be removed within the area. The proposed scope of work will be outside of the delineated flood plain .

CONCLUSION

For all these reasons, the Zoning Board of Appeals should affirm the decision of Chief Building Official to approve a stream buffer variance within the outer 25-feet of the 75-foot DeKalb County buffer.



Development Services Center
178 Sams Street
Decatur, GA 30030
www.dekalbcountyga.gov/planning
404-371-2155 (o); 404-371-4556 (f)

Chief Executive Officer **DEPARTMENT OF PLANNING & SUSTAINABILITY** Interim Director
Michael Thurmond Cedric Hudson

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

Applicant and/or Authorized Representative: Virginia Tate
Mailing Address: 1166 Lullwater Road
City/State/Zip Code: Atlanta, GA 30307
Email: vctate1@outlook.com
Telephone Home: 404-314-7075 Business: same

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: David Martin and Beth Finnerty
Address (Mailing): 1136 Lullwater Road, Atlanta, GA 30307
Email: bfinnerty@skylandtrail.com Telephone Home: _____ Business: 678-686-5930

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 1176 Lullwater Road City: Atlanta State: GA Zip: 30307
District(s): 18 Land Lot(s): 054 Block: 06 Parcel: 001
Zoning Classification: R-85 Commission District & Super District: 2 & 6

CHECK TYPE OF HEARING REQUESTED:

- VARIANCE (From Development Standards causing undue hardship upon owners of property.)
- SPECIAL EXCEPTIONS (To reduce or waive off-street parking or loading space requirements.)
- OFFICIAL APPEAL OF ADMINISTRATIVE DECISIONS.

PLEASE REVIEW THE FILING GUIDELINES ON PAGE 4. FAILURE TO FOLLOW GUIDELINES MAY RESULT IN SCHEDULING DELAYS.

Email plansustain@dekalbcountyga.gov with any questions.

APPEAL NUMBER 1246840

Letter of Intent to Appeal Administrative Decision on a Stream Buffer Variance for 1176 Lullwater Road

Appellant, Virginia Tate, is appealing the grant of a stream buffer variance, Application 1246723, by an Administrative Official pursuant to Code 7.5.3.

Background:

The Applicants, David Martin and Beth Finnerty, have been attempting to obtain approvals to build on the lot at 1176 Lullwater Road for the last 2 ½ years and it has been heavily contested. There was a seventh hearing before the ZBOA on December 13, 2023. It's has been before the HPC for a COA at least four or five times. It has been before the BOC as recently as December 5 when the BOC reversed the HPC grant of a COA. The applicants refiled for a COA with the HPC and that was granted on January. That will be appealed again to the BOC.

The applicants previously applied for an administrative stream buffer variance which was denied on September 13, 2023 by Interim Director Cedric Hudson. The letter denying the variance states that the applicant would need to appeal to the ZBOA if they disagreed with the ruling. Instead, the applicants re-applied for an administrative variance on October 16 and then resubmitted it on October 24. An administrative variance was granted in a one-page letter on December 11. However, no one knew about that approval except the applicant.

Soon after the applicant filed their second application, on November 3, I sent an Open Records Request to Planning and Sustainability regarding this request for an administrative variance specifically requesting any documentation and decisions. I never received anything for weeks. After several follow up emails, I finally was able to obtain a copy of the application form that submitted, 42 days after my open records request, but nothing else.

It wasn't until early January, in reading through applicant's application to the HPC for a COA, that I discovered that an approval of the stream buffer variance was issued in December. There has been no sign posting stating that a variance was granted and listing the appeal date, and there have been no mailings of that approval to abutting landowners. Despite my very specific Open Records Request and numerous follow-up emails, I was never provided anything other than the application form. It wasn't until I copied my Commissioner on one of the requests and wrote Interim Director Hudon on two occasions regarding the lack of due process and transparency, that finally on January 8, I was provided with an electronic copy of the one- page approval. I still have not received the documentation that supplements the application form despite my many requests.

Those of us who have been engaged in the numerous hearings and filings regarding this new construction have absolutely no insight or input into what has happened with the administrative variance. Further, it took numerous follow-up requests to even get a copy as there was no notice whatsoever. This is an egregious lack of due process and transparency.

Further, the one page variance approval does not address any of the issues raised by the staff in the September 13 denial of the variance request and other considerations. It doesn't address new construction on a vacant lot, building within the 2025 built out condition flood plain, or that a variance would be materially detrimental to the public welfare or injurious to the property in the area.

1) The Administrative Official Acted in An Arbitrary Manner and There Was An Erroneous Finding of Material Fact.

Mr. Sheppard in the December 11 approval acted in an arbitrary manner and there was an erroneous finding of material fact. Therefore, ZBOA should reverse the approval. Code 7.5.3.

The administrative variance failed to address any of the substantive findings of the September 13 denial. In that denial, the staff found:

STAFF FINDINGS: Staff has denied stream buffer application AP# 1246497 because the application would allow new residential construction on vacant land, the subject property is within the existing or year 2025 built-out condition flood plain, and approval of the variance would be materially detrimental to the public welfare or injurious to the property or improvements in the area. Additionally, this application does not address many of the criteria and is incomplete. The variance request fails to comply with criteria 14.44.1 (b) 2, 14.44.1 (b) 7, 14.44.3, 14.44.4 (h), 14.44.1-(i) 1, 14.44.1-(i) 4, 14.44.1-(i) 5.

There are numerous reasons why the variance should be denied, some of which were in the finding of the September 13 denial.

- **No stream buffer variance shall be granted if it is for new construction on a vacant lot. Ordinance Section 14-44.1(b).** This is new construction on a vacant lot.
- **No stream buffer variance shall be approved with the existing or year 2025 built-out condition flood plain. Section 14-44.4(h).** The property is within the 2025 built-out condition flood plain.
- **New construction shall not be allowed within the limits of the future-conditions floodplain. Section 14-432(a).** It is within the limits of the floodplain.
- **Whether the variance would be materially detrimental to the public welfare or injurious to the property in the area. Section 14-44.1(i).** Granting the variance would be detrimental because it would allow development in the future flood plain. As the staff found in its September denial, "No development shall be allowed within the future-condition floodplain that could result in: raising the base flood elevation or future-conditions flood elevation, reduce the base flood or future-condition flood storage capacity, change the flow characteristics, create hazardous or erosion-producing velocities or resulting in excessive sedimentation."
- **The director must consider whether the request would be at least as protective of natural resources and the environment as a strict application. Section 14-44.1(i).** By its very nature, the proposal is not protective of the natural resources and environment as it affects the flood plain and the tributary that flows into an already fragile Peavine Creek.

The administrative approval did not address any of the above. The December 11 approval was arbitrary and not based on material facts. Accordingly, the approval should be reversed.

2) Applicant Failed to Appeal to the ZBOA as Required, Therefore the Current Approval Should Be Rendered Invalid.

As stated in the September 13 denial, Interim Director Hudson states that the applicant has the right to appeal the denial to the ZBOA.

Appeals. Appeals shall be made to the zoning board of appeals and shall be administered in accordance with the notice requirements, criteria and procedural requirements set forth in section 27-901 et seq.

Section 27-5.2. B. Appeals of decisions of administrative officials. Appeals of decisions of administrative officials may be filed by (1) any person aggrieved by; (2) any elected member of the DeKalb County Governing Authority affected by; or (3) an owner of property within two hundred fifty (250) feet of the nearest property line of the property that is the subject of any final order, requirement, or decision of an administrative official, based on or made in the enforcement of this zoning ordinance, or as otherwise authorized by local law or the Code of DeKalb County as Revised 1988. by filing with the secretary of the zoning board of appeals an application for appeal, specifying the grounds thereof, within fifteen (15) days after the action was taken by the official that is the subject of the appeal.

However, the applicant failed appeal to the ZBOA and instead refiled their application for an administrative variance. Because applicant failed to properly follow the correct procedure, the December 11 approval should be considered invalid or reversed.

3) There Has Been An Absolute Denial of Due Process and Transparency.

The applicant originally had the stream buffer variance request in front of the ZBOA which would have allowed for due process. At some point, they withdrew that request and submitted a request for an administrative variance. The administrative variance apparently does not allow for any parties other than the applicant to provide input even though this has been a highly contested build.

As stated, I filed an open records request on November 3 and followed up numerous times to get a copy of the application, supporting documentation and any decision that may have been rendered. It was virtually impossible to get a response and then I only received a copy of the application form with no supporting documentation. I still haven't received any of that documentation. When the applicant mentioned at a December 13 ZBOA hearing that they were expecting an approval, I made more requests regarding any decision. Nothing. I finally received an electronic copy after much ado on January 8. Meanwhile, there was no sign posting stating there was an approval and the appeal date and nothing was mailed to the abutting landowners with a copy of the approval. In fact, to date, neither has happened.

Due to the absolute and egregious lack of due process and transparency, the ZBOA should either render invalid or reverse the variance.

Respectfully submitted,

Virginia Tate

1166 Lullwater Road

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

TO: Battle Law

FROM: Mr. Cedric Hudson, Interim Director
DeKalb County Department of Planning & Sustainability
178 Sams Street, Suite A3607
Atlanta, Georgia 30030

DATE: September 13, 2023

SUBJECT: DeKalb County's SBV Response Letter under the Provisions of DeKalb County Ordinance, Chapter 14, Article II, Section 14-44(1-5) and Article IV. Section 14-432.
1176 Lullwater Road
Atlanta, GA 30307

The DeKalb County Inspections Division of the Department of Planning & Sustainability has reviewed your stream buffer variance application for the 1176 Lullwater Road. The review was conducted to consider the potential impacts of the proposed project's encroachment on the buffers to State waters as factored within Georgia Erosion and Sedimentation Act (GESA) and Georgia's National Pollutant Discharge Elimination System (NPDES).

Stream Buffer application AP# 1246497 was received 7/10/2023 for the proposed construction of a new single family detached home that will encroach 25' into the 75' county buffer. Your application for an administrative variance was reviewed on 7/26/2023 and has been denied. The reason for the denial is that the proposed request violates DeKalb County ordinance Sec. 14-44.1(b)2, 14-44.4 (h) and 14-432 (a).

Section 14-44.1 (b) No stream buffer variance shall be granted by the director within the county buffer if the applicant is construction a structure on vacant land.

- *Parcel 18 054 06 001 (1176 Lullwater Road) is currently vacant, and the applicant proposed to construct a new structure.*

Section 14-44.4 (h) No variance from the provisions of sections 14-44.1 et seq. may be authorized except as specifically authorized herein or specifically authorized in another section of chapter 14. No stream buffer variance shall be approved within the existing or year 2025 built-out condition flood plain.

- *Parcel 18 054 06 001 (1176 Lullwater Road) is within the existing or year 2025 built-out condition flood plain.*

Section 14-432 (a) New construction or substantial improvements of principal buildings (residential or nonresidential), including manufactured homes, shall not be allowed within the limits of the future-conditions floodplain.

DEPARTMENT OF PLANNING & SUSTAINABILITY

- *The new construction proposed at Parcel 18 054 06 001 (1176 Lullwater Road) is within the limits of the future condition's floodplain.*

You have the right to appeal this decision before DeKalb County Zoning Board of Appeals. Should you choose to appeal this decision, please go to the ZBOA website, and fill out the ZBOA application:

<https://www.dekalbcountyga.gov/planning-and-sustainability/zoning-board-appeals-guidelines-checklists-and-calendars>)

You will also find the filing and meeting dates for ZBOA, as well as the contact email information.

If you have any questions, please contact Kennisha Collins, Land Development Inspections Division, at 470-829-1523.

Cedric Hudson

Cedric G. Hudson
Interim Director

Stream Buffer Variance Written Decision

Stream Buffer Variance Application Number:1246497 **Parcel ID:** 18 054 06 001

Commission District 02 Super District 06

Applicant: Battle Law

Owner:

Project Name: 1176 Lullwater Road- New Construction of Single Family Detached Dwelling

Location: The property has approximately 100 feet of street frontage on the western side of Lullwater Road, approximately 150 feet south of the intersection with North Decatur Road.

Request: Variances from Section 14-44.1 and 14-432 to reduce the DeKalb County Stream Buffer within a future- condition flood plain from 50 feet to 25 feet under the criteria described in Section 14-44.4.

Staff Determination: Denial. Staff has denied stream buffer application AP# 1246497 because the application would allow new residential construction on vacant land, the subject property is within the existing or year 2025 built-out condition flood plain, and approval of the variance would be materially detrimental to the public welfare or injurious to the property or improvements in the area. Additionally, this application does not address many of the criteria and is incomplete. The variance request fails to comply with criteria 14.44.1 (b) 2, 14.44.1 (b) 7, 14.44.3, 14.44.4 (h), 14.44.1-(i) 1, 14.44.1-(i) 4, 14.44.1-(i) 5.

Report: The DeKalb County Inspections Division of the Department of Planning & Sustainability received the subject stream buffer variance request, Application # 124697, received on 07/10/2023. Staff conducted the review to consider the potential impacts of the proposed project's encroachment on the buffers to State waters as factored within Georgia Erosion and Sedimentation Act (GESA) and Georgia's National Pollutant Discharge Elimination System (NPDES).

The DeKalb County Land Development Ordinance describes the Administrative variance criteria, standard of review and process in [Section 14-44.4](#). Below are the relevant criteria from Section 14-44.1 and 44.4 used to evaluate the requested variance along with staff findings regarding those criteria.

Sec. 14.44.1 (b) Authorized stream buffer encroachments. Encroachments within the stream buffer shall be allowed only in the following manner in the following areas:

(1) General requirements. No encroachments shall be allowed in the state buffer without a variance from the director of EPD. No stream buffer variances shall be granted by the director within the twenty-five (25)

DEPARTMENT OF PLANNING & SUSTAINABILITY

feet of the county buffer nearest the stream. No stream buffer variance shall be granted by the planning commission. Any sketch plat, preliminary plat or final plat, that contains a delineation, drawing or language construed to be a stream buffer variance shall be void and of no effect. The only method by which a stream buffer variance may be obtained by an applicant is to comply with the requirements of section 14-44.1 et seq

STAFF FINDINGS: The request is to encroach into the outer 25 feet buffer, the application meets this requirement.

(2) New construction/new development. No stream buffer variance shall be granted by the director within the county buffer if the applicant is constructing a structure on vacant land. However, vacant lots existing and validly platted in the real estate records of the Clerk of the Superior Court of DeKalb County prior to February 24, 2009, that would otherwise be unbuildable as a result of the stream buffer restrictions set forth in section 14-44.1 et seq. may obtain a stream buffer variance from the director to encroach into the county buffer so long as the applicant complies with all of the requirements for the variance as set forth in section 14-44.1 et seq.

STAFF FINDINGS: The applicant proposes to construct a structure on vacant land. The application does not address the date the lot was platted or if the lot would otherwise be unbuildable as a result of the stream buffer restrictions. Therefore, this variance shall not be approved.

(3) Lot coverage. No stream buffer variance shall be granted by the director if the proposed encroachment created by the variance shall allow an applicant to exceed the allowable maximum lot coverage for the property at issue.

STAFF FINDINGS: The site plan included with the application states a proposed 18.4% lot coverage, which is less than the 35% maximum.

(4) General variance requirements for redevelopment of any kind of existing structures.

STAFF FINDINGS: Not Applicable (NA), there is no existing structure.

(5) Redevelopment of existing multifamily residential, commercial or institutional structures.

STAFF FINDINGS: Not Applicable (NA), there is no existing structure.

(6) Redevelopment or addition to existing single-family residential structures.

STAFF FINDINGS: Not Applicable (NA), there is no existing structure.

(7) [Compliance.] No stream buffer variance shall be granted by the director if the applicant has not complied with all of the applicable requirements set forth in section 14-44.1 et seq.

STAFF FINDINGS: The applicant has not submitted sufficient information regarding 14-44.1 (b) (2) to determine compliance with these requirements.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Sec. 14-44.2. - Exemptions. The following specific activities and properties are exempt from having to comply with the provisions of section 14-44.1 and are not required to obtain a stream buffer variance:

STAFF FINDINGS: The proposed scope of work does not fall within these describe specific activities and properties.

Sec. 14-44.3- Administrative variance application requirements. Applications for variances shall be made in writing to the director and shall contain materials and documents required by the director that are necessary to demonstrate that said request meets the criteria for granting variances. The director may waive certain application requirements for variance requests associated with construction on an existing, single-family, owner occupied residential structure. At a minimum, and in order to be considered complete, a variance request shall include all of the following information in writing:

STAFF FINDINGS: The application is incomplete and failed to include the following information:

- (4) Documentation of unusual hardship should the buffer be maintained.
- (5) At least one alternative plan, which does not include a buffer intrusion, or an explanation of why such an alternative site plan is not possible.
- (7) A calculation of the total area, length and width of the proposed intrusion.
- (8) A stormwater management site plan, if applicable.
- (9) Delineation of all state waters located on or within two hundred (200) feet of the project site.
- (11) Identification of the project receiving waters and description of adjacent areas such as streams, lakes, drainage ditches, residential areas, which might be affected.
- (13) Show double-row type C silt fence between land-disturbing activity and state waters, wetlands, and/or intermediate regional flood (IRF).
- (15) Illustration of soil series and their delineation.
- (16) Show limits of disturbance on erosion and sediment control plans (E&SC plans).
- (18) Provide name and phone number of twenty-four-hour local erosion and sediment control contact.
- (19) Show certification number, signature and seal of qualified plan designer.
- (20) Provide vegetative plan for all temporary and permanent vegetative practices, including species, planting dates and seeding.

(21) Proposed mitigation plan. All proposed mitigation plans shall be designed and stamped by Georgia-licensed design professionals. Proposed mitigation plans shall be nonstructural and designed to improve the quality of the stream and the associated buffer. Mitigation plans shall include planting schedule, channel protection design and enhancement/improvement as approved the director. Mitigation plans that relate to multiuse trials shall negate the impact of the trail and improve the quality of life of the affected stream.

Sec. 14-44.4. - Administrative variance criteria, standard of review and process. Includes but is not limited to the following:

(d) The director is only authorized to consider applications for variances within the twenty-five (25) feet of the county stream buffer farthest from the stream, but not within the twenty-five (25) feet of the state buffer adjacent to waters of the state or within the twenty-five feet (25) feet of the county stream buffer

DEPARTMENT OF PLANNING & SUSTAINABILITY

nearest the stream.

STAFF FINDINGS: The application meets this criterion.

(h) No variance from the provisions of section 14-44.1 et seq. may be authorized except as specifically authorized herein or specifically authorized in another section of chapter 14. No stream buffer variance shall be approved within the existing or year 2025 built-out condition flood plain.

STAFF FINDINGS: The subject property is within the existing or year 2025 built-out condition flood plain. Therefore, this stream buffer variance shall NOT be approved.

(i) In considering a request for a variance to the terms of this article, the director shall consider all of the following criteria:

(1) Whether the request, while not strictly meeting the requirements of chapter 14, will, in the judgment of the director, be at least as protective of natural resources and the environment as would a plan which met the strict application of these requirements. In making such a judgment, the director shall examine whether the request will be at least as protective of the natural resources and the environment and shall consider the following factors:

STAFF FINDINGS: The application did not address these factors and did not provide enough information for staff to make a positive determination.

(2) Whether by reason of exceptional topographic or other relevant physical conditions of the subject property that was not created by the owner or applicant, there is no opportunity for any development under any design configuration unless a variance is granted.

STAFF FINDINGS: There are exceptional topographic conditions on the property that were not caused by the owner. Additionally, the subject parcel is within the Druid Hills Historic District which has guidelines regarding the scale, location, and design further regulating any development at this location.

(3) Whether the request goes beyond the minimum necessary to afford relief and constitutes a grant of special privileges inconsistent with the limitations upon other properties that are similarly situated.

STAFF FINDINGS: Because the application is not complete, staff is unable to determine if the request is the minimum necessary to afford relief.

(4) Whether the grant of the variance will be materially detrimental to the public welfare or injurious to the property or improvements in the area in which the property is located.

STAFF FINDINGS: Granting this variance may be materially detrimental to the public welfare or injurious to the property or improvements in the area because granting it will allow development in the future flood plain. No development shall be allowed within the future-condition floodplain that could result in: raising the base flood elevation or future-conditions

DEPARTMENT OF PLANNING & SUSTAINABILITY

flood elevation, reduce the base flood or future-condition flood storage capacity, change the flow characteristics, create hazardous or erosion-producing velocities or resulting in excessive sedimentation.

(5) Whether the applicant has provided a mitigation plan designed and stamped by Georgia-licensed design professionals and whether that proposed mitigation plan is:

STAFF FINDINGS: The applicant has not provided a mitigation plan.

(6) Whether the literal interpretation and strict application of the applicable provisions or requirements of chapter 14 would cause an extreme hardship, so long as the hardship is not created by the owner. The applicant is responsible for providing proof of hardship. The proof shall demonstrate the difficult site conditions and possible alternate designs. The director shall not grant any stream buffer variances if the actions of the property owner of a given property have created the conditions of hardship on the property.

STAFF FINDINGS: The property owner has not created the extreme topographic change or the stream buffer.

(j) The director shall decide whether to grant or deny the variance and his decision shall be in writing, shall state the basis for the decision, and shall be made no more than forty-five (45) days following receipt of a complete application. In the decision, the director shall specifically reference and describe the factors listed in subsection (i) above that were considered and utilized in making the variance decision.

STAFF FINDINGS: Staff has denied stream buffer application AP# 1246497 because the application would allow new residential construction on vacant land, the subject property is within the existing or year 2025 built-out condition flood plain, and approval of the variance would be materially detrimental to the public welfare or injurious to the property or improvements in the area. Additionally, this application does not address many of the criteria and is incomplete. The variance request fails to comply with criteria 14.44.1 (b) 2, 14.44.1 (b) 7, 14.44.3, 14.44.4 (h), 14.44.1-(i) 1, 14.44.1-(i) 4, 14.44.1-(i) 5.

Sec. 14-44.5. - Notice requirements and appeals of stream buffer administrative variance decisions.

(a) Commissioner notification. District and super district commissioners of the districts within which the property is located shall be notified in writing or by email by the director within three (3) working days of receipt of a complete variance application.

STAFF FINDINGS: Commissioners for Districts 2 and 6 were notified.

(b) Posting. Property where an administrative stream buffer variance is requested shall be posted with a sign within forty-eight (48) hours of submittal of a complete stream buffer variance application request to the director. The sign shall be posted by the applicant. The posted sign shall be a minimum of twenty-two (22) inches by twenty-four (24) inches in size and shall contain the following information: address, nature of variance request, date of submittal of application; and planning and development department contact information. Applicants shall notify the director of the completed posting and shall provide the director with a dated photograph of the posted notice as evidence of the posting within forty-eight (48) hours of

DEPARTMENT OF PLANNING & SUSTAINABILITY

posting.

STAFF FINDINGS: Staff has not received photo confirmation of sign posting.

(c) Written notification of initial decision. The director shall send written notification of the stream buffer variance application and the director's written decision to the applicant and to abutting property owners. Abutting property owners are those persons listed in the tax records of the county as the owners of such abutting property on the date such notifications are required to be sent by the director.

STAFF FINDINGS: Staff mailed written notice to the applicant and abutting property owners on September 13, 2023.

(d) Appeals. Appeals shall be made to the zoning board of appeals and shall be administered in accordance with the notice requirements, criteria and procedural requirements set forth in section 27-901 et seq.

Section 27-5.2. B. Appeals of decisions of administrative officials. Appeals of decisions of administrative officials may be filed by (1) any person aggrieved by; (2) any elected member of the DeKalb County Governing Authority affected by; or (3) an owner of property within two hundred fifty (250) feet of the nearest property line of the property that is the subject of any final order, requirement, or decision of an administrative official, based on or made in the enforcement of this zoning ordinance, or as otherwise authorized by local law or the Code of DeKalb County as Revised 1988. by filing with the secretary of the zoning board of appeals an application for appeal, specifying the grounds thereof, within fifteen (15) days after the action was taken by the official that is the subject of the appeal.

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

TO: Linda Dunlavy
245 N. Highland Ave, NE
Suite 230 #905
Atlanta, GA 30307

FROM: Mr. Robert Sheppard, Chief Building Official
DeKalb County Department of Planning & Sustainability
178 Sams Street, Suite A1406
Atlanta, Georgia 30030

DATE: December 11, 2023

SUBJECT: DeKalb County's Letter of Approval under the Provisions of DeKalb County ordinance Chapter 14, Article II, Section 14-44(1-5).
Lullwater Stream Buffer
Permit 1246723
1176 Lullwater Road
Atlanta, GA 30307

The DeKalb County Inspections Division of the Department of Planning & Sustainability has reviewed your stream buffer variance application for the property located at '1176 Lullwater Road'. The review was conducted to consider the potential impacts of the proposed project's encroachment on the buffers to State waters as factored within Georgia Erosion and Sedimentation Act (GESA) and Georgia's National Pollutant Discharge Elimination System (NPDES).

This review, and the variance granted, is limited to only the request(s) in the application that was submitted by you, the applicant and/or your agent, for permission to conduct land-disturbing activities within the 75-foot buffered area of the State waters where vegetation has been wrested by normal stream flow or wave action.

You are hereby authorized and granted encroachment within the outer 25 ft of the 75-foot buffer of DeKalb County, for the proposed new single-family residence, driveway and retaining wall. The total area of the encroachment is not to exceed 1857 square feet and there is to be not grading/filling in the floodplain. Impacts affecting the buffer, in this request, must be completed within 5 years of the date of this approval letter.

Please adhere to the following contingencies and conditions:

- I. All slopes must be properly protected until permanent vegetative is established.
- II. Land clearance should be kept to a minimum.
- III. All disturbed areas must be protected until permanent vegetation is established.
- IV. Double row of type "C" silt fence or approved high performance silt fence must be installed between the disturbed land area and the State water.
- V. The project must be conducted in a strict manner and in accordance with the 'approved' erosion and sedimentation control plan'.

If you have any questions, please contact Kennisha Collins, Land Development Inspections Division, at 470-829-1523.

Robert Sheppard,
Chief Building Official

vctate1@outlook.com

From: virginia tate
Sent: Tuesday, January 2, 2024 4:17 PM
To: Collins, Kennisha A.
Cc: Bragg, Rachel L.; Rowden, Jeanette; Robert R. Sheppard; Rob Kincheloe
Subject: RE: Open Records Request 1176 Lullwater Road

Hi Ms. Collins. This is what you sent before. It is only the filled out application form. It doesn't include the attached documents supporting the application. That is what I'm requesting as well as any decision. Can you please send? Thanks. Virginia Tate

From: Collins, Kennisha A. <kacollins@dekalbcountyga.gov>
Sent: Tuesday, January 2, 2024 3:44 PM
To: virginia tate <vctate1@outlook.com>
Cc: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>; Rowden, Jeanette <jrowden@dekalbcountyga.gov>; Robert R. Sheppard <rrsheppard@dekalbcountyga.gov>; Rob Kincheloe <rkincheloe@metareps.com>
Subject: RE: Open Records Request 1176 Lullwater Road

Good Afternoon Ms. Tate,

Per your request please find attached a copy of the stream buffer variance application.

Thank you and have a great day,

Kennisha Collins

Department of Planning & Sustainability
Environmental & Compliance Inspections Supervisor
178 Sams Street, Suite A1505
Decatur, GA 30030
Cell: 470.829.1523
Email: kacollins@dekalbcountyga.gov

From: virginia tate <vctate1@outlook.com>
Sent: Friday, December 29, 2023 10:46 AM
To: virginia tate <vctate1@outlook.com>; Collins, Kennisha A. <kacollins@dekalbcountyga.gov>
Cc: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>; Rowden, Jeanette <jrowden@dekalbcountyga.gov>; Robert R. Sheppard <rrsheppard@dekalbcountyga.gov>; Rob Kincheloe <rkincheloe@metareps.com>
Subject: RE: Open Records Request 1176 Lullwater Road

Ms. Collins, as previously requested, could you please send the attachments to the application and any decision on the Variance request. Thank you. Virginia Tate

From: virginia tate <vctate1@outlook.com>

Sent: Wednesday, December 20, 2023 2:26 PM

To: Collins, Kennisha A. <kacollins@dekalbcountyga.gov>

Cc: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>; Rowden, Jeanette <jrowden@dekalbcountyga.gov>; Robert R. Sheppard <rrsheppard@dekalbcountyga.gov>

Subject: Re: Open Records Request 1176 Lullwater Road

Ms. Collins, can you please send the attachments that were submitted with the application? Thank you! Virginia Tate

On Dec 15, 2023, at 3:20 PM, Collins, Kennisha A. <kacollins@dekalbcountyga.gov> wrote:

Good Afternoon,

Please find attached a copy of the stream buffer variance application that was uploaded by the Dunlavy Law Group on October 24, 2023.

Please advise if any additional information will be needed.

Kennisha Collins

Department of Planning & Sustainability

Environmental & Compliance Inspections Supervisor

178 Sams Street, Suite A1505

Decatur, GA 30030

Cell: 470.829.1523

Email: kacollins@dekalbcountyga.gov

From: Rowden, Jeanette <jrowden@dekalbcountyga.gov>

Sent: Friday, December 15, 2023 1:21:02 PM

To: virginia tate <vctate1@outlook.com>; Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>

Cc: Plansustain <plansustain@dekalbcountyga.gov>; Collins, Kennisha A.

<kacollins@dekalbcountyga.gov>; Katharine Butler <katharine.butler@comcast.net>; Wells, Debora M

<dmwells@dekalbcountyga.gov>; Enloe, Caroline <cienloe@dekalbcountyga.gov>

Subject: RE: Open Records Request 1176 Lullwater Road

Ms. Tate,

Included on this email is Kennisha Collins at kacollins@dekalbcountyga.gov, who may best assist you with information pertaining to Stream Buffer Variances.

Best Regards,

<image001.png>

JEANETTE ROWDEN | ADMINISTRATIVE SPECIALIST
DeKalb County Government | Planning & Sustainability
178 Sams Street, Decatur, GA 30030
Cell Phone# 404-272-7798
jrowden@dekalbcountyga.gov
www.dekalbcountyga.gov

From: virginia tate <vctate1@outlook.com>
Sent: Wednesday, December 13, 2023 8:31 PM
To: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Cc: Plansustain <plansustain@dekalbcountyga.gov>; Rowden, Jeanette <jrowden@dekalbcountyga.gov>; Collins, Kennisha A. <kacollins@dekalbcountyga.gov>; Katharine Butler <katharine.butler@comcast.net>; Wells, Debora M <dmwells@dekalbcountyga.gov>; Enloe, Caroline <clenloe@dekalbcountyga.gov>
Subject: Re: Open Records Request 1176 Lullwater Road

Hello all, can someone please respond? It's my understanding from the applicant that an approval is forthcoming, so I need that also. It's only a 15 day appeal time frame so it's imperative that I get that as soon as it is issued. Thanks! Virginia Tate

Sent from my iPad

On Dec 12, 2023, at 11:19 AM, Bragg, Rachel L. <RLBragg@dekalbcountyga.gov> wrote:

Hi Virginia,

I do not have the stream buffer variance application, as this is handled by another Planning and Sustainability division.

You have contacted the ORR staff (cc'd) and other staff on this email who may be able to assist.

Thank you,

<image001.png>

From: virginia tate <vctate1@outlook.com>
Sent: Monday, December 11, 2023 9:49 PM
To: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Cc: Plansustain <plansustain@dekalbcountyga.gov>; Rowden, Jeanette <jrowden@dekalbcountyga.gov>; Collins, Kennisha A. <kacollins@dekalbcountyga.gov>; Katharine Butler <katharine.butler@comcast.net>; Wells, Debora M <dmwells@dekalbcountyga.gov>; Enloe, Caroline <clenloe@dekalbcountyga.gov>
Subject: Re: Open Records Request 1176 Lullwater Road

Hi Rachel, I still haven't received anything on this and my request was on November 3. The Applicant, Beth Finnerty, states in her renewed application to the ZBOA for Wednesday's hearing that they will be getting an administrative variance on the stream buffer. This is news to me. How do I find out more about this? I can't seem to get a response from anyone. Thanks. Virginia Tate

Sent from my iPad

On Dec 4, 2023, at 5:40 PM, virginia tate <vctate1@outlook.com> wrote:

Hi Rachel. I still haven't received anything pursuant to my request. Can someone please respond? Thanks! Virginia Tate

On Nov 6, 2023, at 10:24 AM, Bragg, Rachel L. <RLBragg@dekalbcountyga.gov> wrote:

Thanks Virginia.

<image001.png>

From: virginia tate <vctate1@outlook.com>
Sent: Friday, November 3, 2023 11:21 AM
To: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>; Plansustain <plansustain@dekalbcountyga.gov>
Cc: Rowden, Jeanette <jrowden@dekalbcountyga.gov>; Collins, Kennisha A. <kacollins@dekalbcountyga.gov>; Katharine Butler <katharine.butler@comcast.net>; Wells, Debora M <dmwells@dekalbcountyga.gov>
Subject: RE: Open Records Request 1176 Lullwater Road

Hi Rachel and all. Please see new ORR on 1176 Lullwater. I'm specifically looking on anything to do with the renewed application for an administrative variance on the stream buffer. Thanks so much. Virginia Tate

From: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Sent: Tuesday, October 17, 2023 5:23 PM
To: virginia tate <vctate1@outlook.com>
Cc: Rowden, Jeanette <jrowden@dekalbcountyga.gov>; Collins, Kennisha A. <kacollins@dekalbcountyga.gov>; Katharine Butler <katharine.butler@comcast.net>;

Wells, Debora M <dmwells@dekalbcountyga.gov>

Subject: RE: Open Records Request?

Hi Virginia,

Okay great, understood. We just received a photo of this posting and notice the variance was submitted. Let us pull it together and we will send you a copy.

Thank you,

<image001.png>

From: virginia tate <vctate1@outlook.com>

Sent: Tuesday, October 17, 2023 4:31 PM

To: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>

Cc: Rowden, Jeanette <jrowden@dekalbcountyga.gov>;

Collins, Kennisha A. <kacollins@dekalbcountyga.gov>;

Katharine Butler <katharine.butler@comcast.net>

Subject: Re: Open Records Request?

Hi Rachel, yes I'm looking for anything related to an Administrative Variance request regarding the stream buffer. See photo of notice just posted. I would like a copy of that application and any subsequent documentation regarding review, consideration and decision. Thanks so much! Virginia

<image002.jpg>

Sent from my iPhone

On Oct 17, 2023, at 1:42 PM, Bragg,

Rachel L.

<RLBragg@dekalbcountyga.gov> wrote:

Good afternoon,

I understand you recently requested some documents from us, but there was some confusion about exactly what you were looking for. Can you let me know and I'll assist?

Thanks!

<image001.png>

<1176 LULLWATER ROAD SBV 1246723.pdf>

vctate1@outlook.com

From: virginia tate
Sent: Monday, January 8, 2024 4:22 PM
To: Collins, Kennisha A.
Cc: Bragg, Rachel L.; White, Brandon L.
Subject: RE: Lullwater Stream Buffer Requested information

Ms. Collins, Rachel and Mr. White, please note that this is the first time Dekalb County Planning has provided me with a copy of the December 11 Approval after repeated requests pursuant to my Open Records Request sent on November 3. Thus, December 11 cannot be the official date on record for the approval. Furthermore, no mailing was made to abutting landowners as required. There may be others who wish to file an appeal but don't know that an approval has actually been issued. In addition, the photo of the sign postage is simply that an application was filed. There has been no sign posting stating that an approval was granted and the date for appeal.

I still have not received the accompanying documentation for the application.

Please provide the name and contact information for the attorney for Planning and Sustainability as I would like to further discuss this matter. Thanks. Virginia Tate

From: Collins, Kennisha A. <kacollins@dekalbcountyga.gov>
Sent: Monday, January 8, 2024 4:07 PM
To: virginia tate <vctate1@outlook.com>
Cc: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>; White, Brandon L. <BLWhite@dekalbcountyga.gov>
Subject: Lullwater Stream Buffer Requested information

Good Afternoon Ms. Tate,

As a follow up to your open records request I have provided the following information:

- Picture of the posted signage
- The submitted application
- Letter of Approval
- Response Letter

I apologize for the delay and additional information regarding the Zoning Board of Appeals will be forthcoming.

Please feel free to contact me should you need any additional assistance.

Thank you and have a great day,

Kennisha Collins

Department of Planning & Sustainability

Environmental & Compliance Inspections Supervisor

178 Sams Street, Suite A1505

Decatur, GA 30030

Cell: 470.829.1523

Email: kacollins@dekalbcountyga.gov

LINDA
DUNLAVY
COMMENTS

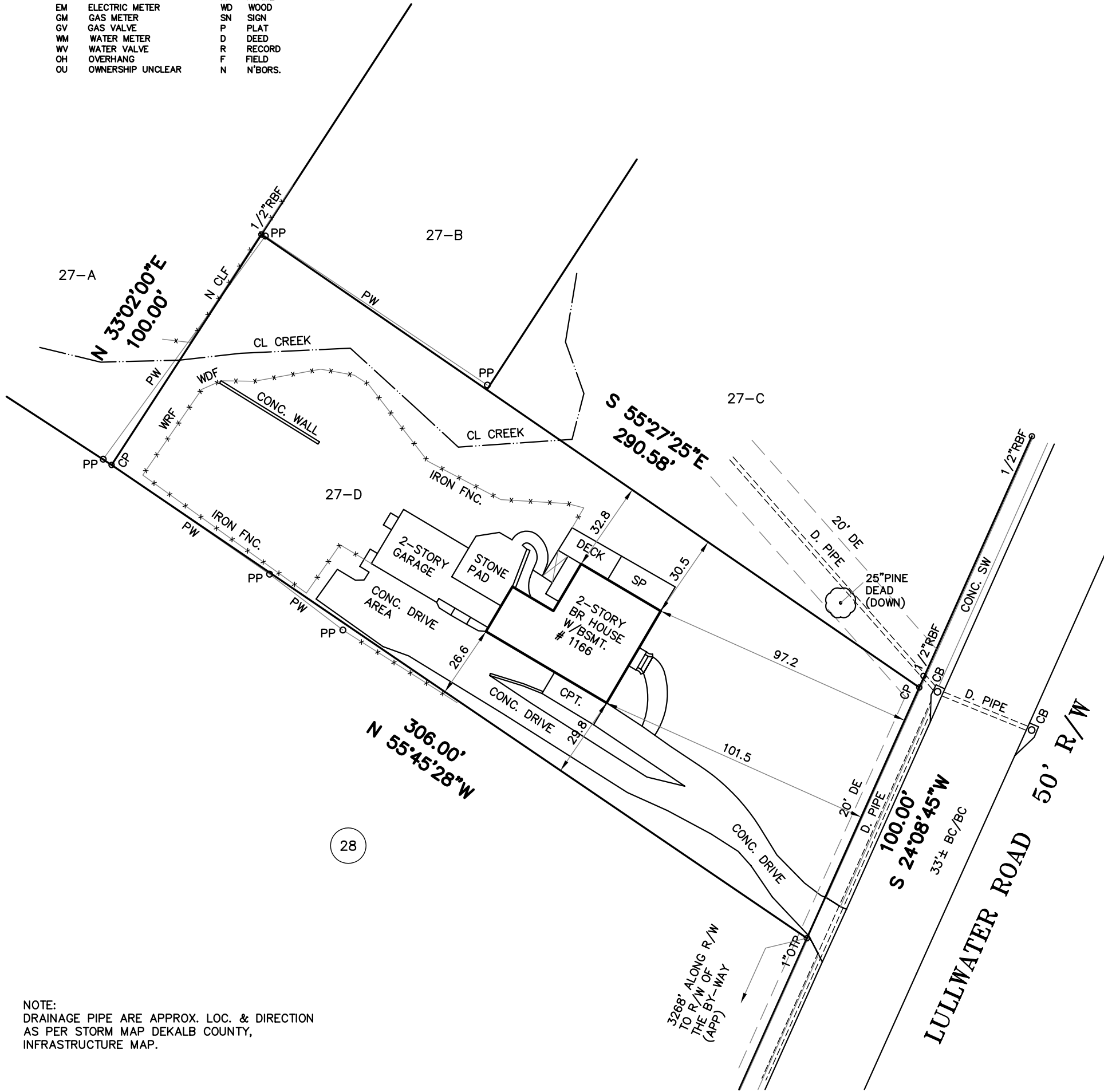
*** LEGEND ***

- | | | | |
|-----|-----------------------|------|-----------------------|
| POB | POINT OF BEGINNING | IP | IRON PIN FOUND |
| LL | LAND LOT LINE | IPS | IRON PIN SET |
| MH | MAN HOLE | OTP | OPEN TOP PIPE FOUND |
| SSL | SANITARY SEWER LINE | CTP | CRIMP TOP PIPE FOUND |
| CO | SAN SEWER CLEANOUT | RB | REINFORCING BAR FOUND |
| CB | CATCH BASIN | RBS | REINFORCING BAR SET |
| JB | JUNCTION BOX | MAG | MAGNETIC READING IP |
| DI | DRAINAGE INLET | AI | ANGLE IRON FOUND |
| YI | YARD INLET | CP | CALCULATED POINT |
| HW | HEAD WALL | -X-X | FENCE |
| PP | POWER POLE | CLF | CHAIN LINK FENCE |
| PW | POWER LINE | WDF | WOOD FENCE |
| SSE | SANITARY SEWER ESMT. | WRF | WIRE FENCE |
| DE | DRAINAGE EASEMENT | WW | WET WEATHER |
| UE | UTILITY EASEMENT | FC | FENCE CORNER |
| AE | ACCESS EASEMENT | BL | BUILDING LINE |
| TB | TOP OF BANK | R/W | RIGHT-OF-WAY |
| CMP | CORRUGATED METAL PIPE | PL | PROPERTY LINE |
| RCP | REINFORCED CONC. PIPE | PC | PROPERTY CORNER |
| APP | AS PER PLAT | CL | CENTER LINE |
| APD | AS PER DEED | CPT | CARPORT |
| APR | AS PER RECORD | SP | SCREEN PORCH |
| APF | AS PER FIELD | P | PORCH |
| BC | BACK OF CURB | FH | FIRE HYDRANT |
| EP | EDGE OF PAVEMENT | BR | BRICK |
| EB | ELECTRIC POWER BOX | FR | FRAME |
| EM | ELECTRIC METER | WD | WOOD |
| GM | GAS METER | SN | SIGN |
| GV | GAS VALVE | P | PLAT |
| WM | WATER METER | D | DEED |
| WV | WATER VALVE | R | RECORD |
| OH | OVERHANG | F | FIELD |
| OU | OWNERSHIP UNCLEAR | N | N'BORS. |

 INDICATES STAIRS

SURVEY NOTES:

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, TELEPHONE, ELECTRIC, WATER AND SEWER, GAS COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
2. THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE LOCATED USING SIDE DIMENSIONS FROM THE HOUSE. ALL MATTERS OF THE TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAY PUBLIC OR PRIVATE.
3. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD RECORDED AND NOT RECORDED, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED. PROPERTY OWNER OR PERSON ORDERING THE SURVEY IS RESPONSIBLE TO CONTACT CLOSING ATTORNEY OR TITLE COMPANY FOR A FULL TITLE SEARCH AND COMMITMENT INCLUDING ALL THE EXCEPTION.
5. SURVEY LAND EXPRESS, INC IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, TELEPHONE CONVERSATION WITH ZONING OFFICE AT THE COUNTY OR CITY, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.
6. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS, ENTITY.



NOTE:
DRAINAGE PIPE ARE APPROX. LOC. & DIRECTION
AS PER STORM MAP DEKALB COUNTY,
INFRASTRUCTURE MAP.

PROPERTY ADDRESS:
1166 LULLWATER ROAD, NE
ATLANTA, GA 30307

LAND AREA:
0.979 AC

PLAT PREPARED FOR:

VIRGINIA TATE

LOT 27-D BLOCK "13"
SUBDIVISION DRUID HILLS UNIT
LAND LOT 2 18TH DISTRICT SECTION
DEKALB COUNTY, GEORGIA

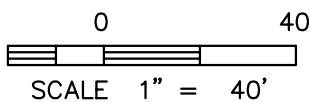
FIELD WORK DATE MAR 04, 2015 PRINTED/SIGNED MAR 09, 2015

PLAT BOOK 18 ,PAGE 99 ALL MATTERS PERTAINING
DEED BOOK 23745 ,PAGE 439 TO TITLE ARE EXCEPTED

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.



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.



COORD # 20150299
DWG # 20150299

SURVEY LAND EXPRESS, INC.
LAND SURVEYING SERVICES

70 LENOX POINTE,
ATLANTA, GA 30324
FAX 404-601-0941
TEL 404-252-5747
INFO@SURVEYLANDEXPRESS.COM

Name of Applicant: David Martin and Beth Finnerty

Address of Property: 1176 Lullwater Road
Atlanta, Georgia 30307

Site Plan Designer: Caleb A. McGaughey

Contractor: Ray Bongers

Nature of Administrative Variance Request:

Reduce 75' Stream Buffer to 50'
(except in flood plain area)
to construct new single-family home

AP Number: _____

Date of Application Submittal: 10/ /2023

Planning and Development Department Contact Information:

Department of Planning & Sustainability

DeKalb County Government Service Center

178 Sams Street Decatur, GA 30030

Phone: 404-371-2155

Email: plansustain@dekalbcountyga.gov

www.dekalbcountyga.gov/planning-and-sustainability

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant: _____ Dave Price, Price Residential Design _____

Address of Property: _____ 1176 Lullwater Rd _____

Date(s) of hearing if any: _____ November 15, 2021 _____

Case Number: _____ 1245291 _____

Approved Denied Deferred

Approval: The Historic Preservation Commission, having considered the submissions made on behalf of the applicant and all other matters presented to the Preservation Commission finds that the proposed change(s) will not have a substantial adverse effect on the aesthetic, historic, or architectural significance and value of the historic district and hereby approves the issuance of a certificate of appropriateness.

Any conditions or modifications are shown below.

Pursuant to Code of DeKalb County, § 13.5-8(3), the Preservation Commission has considered the historical and architectural value and significance; architectural style; scale; height; setback; landscaping; general design; arrangement; texture and materials of the architectural features involved and the relationship of such texture and materials to the exterior architectural style; pertinent features of other properties in the immediate neighborhood, as prescribed generally by county code and specifically by the district design guidelines.

This application relates to an existing building, pursuant to the authority granted to the Preservation Commission by Code of DeKalb County, § 13.5-8(3), the Preservation Commission has also used the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guideline for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings therein as guidelines. The Preservation Commission finds that all relevant guidelines have been met.

Additional pertinent factors:

Application is approved with conditions or modifications /without conditions or modifications

Conditions or modifications (if applicable):

Denial: The Preservation Commission has determined that the proposed material changes in appearance would have a substantial adverse effect on the aesthetic, historic or architectural significance and value of the historic property or the historic district / or, the applicant has not provided sufficient information for the Preservation Commission to approve the application . Specifically, the Preservation Commission finds as follows:

The proposed new house does not comply with guidelines 5.0, 7.2.1, 7.2.2, 7.2.3, 7.2.4, 7.2.5, 7.2.7, 7.2.8, 8.2,8.3, 9.5, and 9.7.

Deferral: The Preservation Commission has deferred action on this application for the following reasons:

The application will be re-heard by the Historic Preservation Commission at its meeting on

_____.

Date: 11/18/21

Signature: 

**Chair, DeKalb County
Historic Preservation Commission**

July 18, 2023

NOTICE OF DENIAL

SITE ADDRESS: 1176 LULLWATER RD
PARCEL ID: 18-052-05-035

APPLICANT: Elizabeth Finnerty c/o Battle Law, P.C.
MAILING ADDRESS: 3562 Habersham at Northlake
Tucker, GA 30324

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS PUBLIC MEETING ON July 17, 2023 REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: DENIAL

The preservation commission determined that the proposed house does not comply with guideline 7.2.6 and would have a substantial adverse effect on the historic district.

This decision is in accord with the sections of the DeKalb County Code and the Druid Hills Design Manual listed below.

Sec. 13.5-8(1) Application for Certificate of appropriateness. Owners of historic property or of property in a historic district, or their duly authorized agents, must make application for a certificate of appropriateness on forms and according to procedures promulgated by the preservation commission for such purpose. All applications for certificates of appropriateness shall be accompanied by drawings, photographs, plans and documentation as required by the preservation commission. Notarized authorization of the property owner shall be required if the applicant is not the owner of record.

Sec. 13.5-8(3) Review of Applications When reviewing applications for certificates of appropriateness, the preservation commission shall consider, in addition to any other pertinent factors, the historical and architectural value and significance; architectural style; scale, height, setback, landscaping; general design; arrangement, texture and

DEPARTMENT OF PLANNING & SUSTAINABILITY

materials of the architectural features involved and the relationship thereof to the exterior architectural style and pertinent features of other properties in the immediate neighborhood. When considering applications for existing buildings, the Secretary of the Interior's *Standards for Historic Preservation Projects*, including the *Standards for Rehabilitation* shall be used as a guideline.

The Design Manual for the Druid Hills Local Historic District

7.2.6 Rhythm (p71) Guideline - New construction in a historic area should respect and not disrupt existing rhythmic patterns in the area of influence, if such patterns are present.



Heather Shuster, Chair

7/21/2023

Date



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

September 20, 2023

Site Address: 1176 LULLWATER RD
ATLANTA, GA 30307-

Parcel ID: 18-054-06-001

Applicant: Elizabeth Finnerty c/o Battle Law, P.C.

Mailing Address: 3562 Habersham at Northlake
Tucker, GA 30324

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Modified Approval

Build a house as shown in the architectural drawings with the modifications that the granite shown on the front and left side of the house will be replaced with brick and the small window on the right side of the front elevation will be replaced by a larger window matching the others on the façade.

DeKalb County Historic Preservation Commission

Monday, November 15, 2021- 6:00 P.M.

Staff Report

New Construction Agenda

O. 1176 Lullwater Road, Price Residential Design. Modify previously approved COA reduce the footprint of the house and to decrease the overall size. 1245291

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**

7-21 1176 Lullwater Road, Price Residential Design. Build a new house on a wooded lot. 1245085 **Approved**

Summary

Background

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 but is a legal lot.

In July the HPC approved a COA for construction of a new house on this property. The main difference between that application and this one is the location of the house. The approved house was located 75' from the street right-of-way (ROW) and the proposed house will be 35' from the right-of-way. The proposed house is smaller and simpler than the plan approved in July but is otherwise generally similar.

One of the factors considered in the placement of the house in July was that state and county stream buffer would not be required. Since then, the DeKalb County Land Development Division has reassessed their decision about the buffer, determining that the "seawalls" previously believed to run along the streambank do not exist. Since there are no seawalls, the 75' stream buffer is required. The applicant, the county, and the state EPD are addressing the problem but have not come to a conclusion. This application is based on the premise that the 75' stream buffer will remain in place.

House

The house will be a two-story, side gabled, brick Colonial Revival with an attic and a basement. The basement will be above ground on the right side. Three gabled dormers will be set on the front roof slope. A cornice with dentils will extend across all four elevations.

The house will be 39' wide and 39' deep (the 38' shown on the plans is the interior measurement). The height will be 33'7" from the first-floor elevation (FFE). The first floor is shown as being 2' above grade at the right front corner and 11' 1³/₄" above grade at the right front corner. A 24' wide terrace will extend 9' from the front of the house and a 23' wide wooden deck will project 12' from the rear of the house. The deck will be set in 10' from the left side of the house and 5' from the right side.

Most of the house will be clad in brick, but the front terrace will be clad with granite. The front steps will be brick with granite cheek walls. A metal railing will be installed between the granite piers on the

front of the porch but is not shown in the drawing. The deck of the terrace will be seven steps above grade at the entry. The front entrance will be set on the terrace and will have a hipped roof, with a dentil cornice and tapered columns. The roof will be clad with fiberglass shingles and the gables, and the dormers 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 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. The windows on the south side are grouped in an unusual pattern. A stair window is centrally located with double hung sash nearby on both sides, resulting in an "X" arrangement. Another pair of windows will be set on the ground floor near the rear

A two-car garage will be set in the right side in the exposed basement. The driveway will enter the property near the left front corner, sweep in front of the house and curve around to the garage. Part of the driveway will be supported by a stacked boulder retaining wall, rising no more than 28" above grade. A 4' wide sidewalk will run from the steps to the driveway.

The house will not be visible from rights-of-way on the rear and north, and will be partially screened by the neighbor's hedge on northeast along Lullwater Rd.

Location on the lot

The buildable area is restricted by topographical conditions. 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 small stream runs across the rear of the property and diagonally away from the property on the north side. The 75' stream buffer extends from the top of the streambank into the property, taking in much of the otherwise buildable area. Land use in the stream buffer is limited to unpaved footpaths and utility or roadway crossings. Most of the property is also in the floodplain. While this restricts development, it does not prohibit it.

The applicant proposes that the right front (northeast) corner of the house be set back 35' from the right-of-way and the left front corner set back an another 3'-4'. The front terrace will project an additional 9' toward the street and steps will lead down from the terrace. The left rear corner will be 5' from the property line and the left front corner will be about 8'6" from the property line.

Floodplain regulations require the lowest first floor to be at least 3' above the base flood elevation and the applicant has placed the house accordingly. The basement floor cannot be lower than is shown in the drawings. The FFE at the front door will be about 4' higher than the existing elevation, placing it at about the same elevation as the road at the right front corner of the lot. The grade falls away from the street, then rises to the house site, while also falling toward the stream on the north.

Environmental

The applicant says there are 32 trees on the property, of which 13 are specimen trees. (An overstory tree is considered a specimen if it is 30" or more in diameter.) He states 13 trees will be removed, 3 of which will be specimen trees. The tree survey identifies 36 existing trees with a diameter of 8" or more. The table identifies the trees by species, diameter, and which will be removed. The largest tree to be removed is a 41" beech at the high point of the property. The applicant says two new 3"-5" diameter beech trees will be planted in the front yard. 13 out of 32 trees will be removed. (Replacement of mature trees that have been removed is not always appropriate. In this case the property is heavily wooded with a dense canopy, and it would be difficult for new plantings to thrive.)

The applicant will retain the portion of the northern neighbor's evergreen hedge along the sidewalk that extends onto this property. The applicant says shrubs will be installed along the south property line to screen the side of the house. Naturalistic plantings of native shrubs will be planted beside the sidewalk. All shrubs will be chosen from the list of native plants in the Recommended plant list in the Design Manual, and all will have a mature height between 4' and 6'.

Comparisons

Based on research conducted by staff in July, the adjacent house, 1166 Lullwater, is set back about 97' from the right-of-way. The setbacks of nearby houses on this side of Lullwater Rd are all more than 93', and those across the street are all over 100'. The next house on the north side faces North Decatur Road and its rear is about 130' from the proposed property. The rear of the proposed house will be 74'± from the right-of-way, or about 17'7" in front of the neighboring house.

The proposed house will be 39' wide. The applicant has provided an illustration showing the width of the next four houses to the right. Each of these houses are two stories tall and have one story wings on both sides. The comparative widths are shown in this table:

Address	2-story width	1-story width	Total width
1176 proposed	39'	--	39'
1166	44'	16'	60'
1156	44'	19'	63'
1146	38'	22'	60'
1136	35' to 36'	15' to 16'	50' to 52'

The distance between the proposed house and the house is next door is substantially less than the distance between the other four houses. The distance between the house next door (1166) and its neighbor is almost twice that of the proposed house and 166. Distance between houses (based on numbers taken from the applicant's illustration):

- Between 1136 and 1146 – 41'
- Between 1146 and 1156 – 40'8"
- Between 1156 and 1166 – 53' to 54'
- Between 1166 and 1176 – 27'

The FFE will be about 2' lower than that of the adjacent house, but the roof ridge will be at a similar height or slightly higher.

O. 1176 Lullwater Road, Price Residential Design
Page three

Required variances

Zoning variances will be needed to decrease the left side yard setback and to raise the threshold elevation. The rear deck projects into the stream buffer, so a stream buffer variance will be required. The driveway extends into both the stream buffer and the floodplain. A variance will be needed for the buffer and the encroachment into the floodplain will need to be reviewed for compliance with floodplain regulations.

The applicant proposes that the house be set back 5 feet from the south property line. While this was appropriate when the house was setback a similar distance as the adjacent house, it is not appropriate when the house is set forward of the adjacent house.

In a note on the site plan, the applicant says, "The HPC has the power to allow an uncommon setback in this peculiar situation due to the conflicting stream buffer ordinance creating a hardship." This is a reference to DeKalb County code section 13.5.11, which allows the commission to make exceptions in unusual circumstances or where strict adherence to the guidelines would cause undue hardship. (The full code section is quoted below the Recommendation.)

Recommendation

Deny. Knowing if there is a stream buffer is necessary before making a decision this application. Staff recommends denial for insufficient information.

Deny. Alternatively, if the commission decides to review the application on its merits, staff recommends denial. Because of its location on the lot, the house would have a substantial adverse effect on the area of influence and the historic district.

1. The house would be located 35' from the right-of-way, compared with 97' for house next door and an average of the nearby house of 93' on the same side of the street and 100' on the opposite side. The rear of the proposed house would be closer to the street than the front of the adjacent house. Because of its location beside the front yard of the adjacent house, as well as the reduced side setback and the height, the left side of the house will be fully visible across the neighbor's yard. (The 5' side setback was less of a concern when the house was 75' from the street, but set forward as proposed, the reduced setback exacerbates the visual encroachment of the house on adjoining yard.) The setback from the street does not comply with guidelines 7.2.1 *Building Orientation and Setback*, 7.2.6 *Rhythm*, and 7.3.2 *New Construction and Subdivision Development*.
2. By being similar in height to the nearby houses, the narrower footprint gives this house a vertical emphasis rather than horizontal as found on the nearby houses. This does not comply with guidelines 7.2.2 *Directional Emphasis*, 7.2.4 *Massing*, 7.2.5 *Proportion*, 7.2.6 *Rhythm*, and 7.3.2 *New Construction and Subdivision Development*.

3. Because the left side is so visible the unusual window pattern of that side is easily visible. This conflicts with the historic location of windows. This does not comply with guideline *7.2.8 Individual Architectural Elements*.

As detailed above, the proposed house would not comply with guidelines 7.2.1, 7.2.2, 7.2.4, 7.2.5, 7.2.6, and 7.3.2 and would have a substantial adverse effect on the historic district. Staff recommends denial.

O. 1176 Lullwater Road, Price Residential Design
Page four

DeKalb County Code

Sec. 13.5-11. Exceptions.

Where by reason of unusual circumstances, the strict application of any provision of this chapter would result in exceptional practical difficulty or undue hardship upon any owner of any specific property, the preservation commission in passing upon applications shall have power to vary or modify strict adherence to said provisions or to interpret the meaning of said provisions so as to relieve such difficulty or hardship; provided such variance, modifications, or interpretation shall remain in harmony with the general purpose and intent of said provisions so that the architectural or historical integrity or character of the property shall be conserved and substantial justice done. In granting variations, the preservation commission may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this chapter. An undue hardship shall be a situation beyond the control of the applicant, which is a problem unique to a specific property or in order to comply with this chapter, the person will violate another ordinance of DeKalb County. The burden of demonstrating the existence of the hardship by a preponderance of evidence shall be with the applicant.

Relevant Guidelines

- 5.0 *Design Review Objective* (p45) - When making a material change to a structure that is in view from a public right-of-way, a higher standard is required to ensure that design changes are compatible with the architectural style of the structure and retain character-defining features.
- 7.1 *Defining the Area of Influence* (p64) Guideline - In considering the appropriateness of a design for a new building or addition in a historic district, it is important to determine the area of influence. This area should be that which will be visually influenced by the building, i.e. the area in which visual relationships will occur between historic and new construction.
- 7.2 *Recognizing the Prevailing Character of Existing Development* (p65) Guideline - When looking at a series of historic buildings in the area of influence, patterns of similarities may emerge that help define the predominant physical and developmental characteristics of the area. These patterns must be identified and respected in the design of additions and new construction.
- 7.2.1 *Building Orientation and Setback* (p66) Guideline - The orientation of a new building and its site placement should appear to be consistent with dominant patterns within the area of influence, if such patterns are present.
- 7.2.2 *Directional Emphasis* (p67) Guideline - A new building's directional emphasis should be consistent with dominant patterns of directional emphasis within the area of influence, if such patterns are present.

O. 1176 Lullwater Road, Price Residential Design

Page five

- 7.2.3 *Shape: Roof Pitch* (p68) Guideline - The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are present.
- 7.2.3 *Shape: Building Elements* (p68) Guideline - The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are present.
- 7.2.3 *Shape: Porch Form* (p68) Guideline - The shape and size of a new porch should be consistent with those of existing historic buildings within the area of influence, if dominant patterns are present.
- 7.2.4 *Massing* (p69) Guideline - The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are present.
- 7.2.5 *Proportion* (p70) Guideline - The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are present.
- 7.2.6 *Rhythm* (p71) Guideline - New construction in a historic area should respect and not disrupt existing rhythmic patterns in the area of influence, if such patterns are present.
- 7.2.7 *Scale/Height* (p72) Guideline - New construction in historic areas should be consistent with dominant patterns of scale within the area of influence, if such patterns are present. Additions to historic buildings should not appear to overwhelm the existing building.
- 7.2.7 *Scale/Height* (p72) Guideline - A proposed new building should appear to conform to the floor-to-floor heights of existing structures if there is a dominant pattern within the established area of influence. Dominant patterns of cornice lines, string courses, and water tables can be referenced to help create a consistent appearance.
- 7.2.8 *Individual Architectural Elements* (p73) Guideline - New construction and additions should be compatible and not conflict with the predominant site and architectural elements—and their design relationships—of existing properties in the area of influence.
- 7.3.2 *New Construction and Subdivision Development* (p75) Guideline - To be compatible with its environment, new construction should follow established design patterns of its historic neighbors, including building orientation, setback, height, scale, and massing.
- 9.5 *Parking* (p90) Guideline - Parking should be addressed in a manner that does not distract from the overall character of the district. Parking to serve private residential lots should be accommodated on-site, when at all possible, using the pathway of original drives and parking. Front yard parking should not be allowed unless it is a public safety issue. 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. Rear yard spaces should be considered for expansion of parking areas.
- 9.5 *Parking* (p90) Guideline - Curb cuts should not be added or expanded in order to protect the character of the district's streets.
- 9.7 *Residential Landscape Design* (p91) Recommendation - For residential yards, created without the assistance of landscape designers, historic landscape plans for other residential lots within the district should be used for guidance. These plans can be interpreted to create a new landscape plan that is based on historic traditions. Care should be taken to select designs for yards of similar size containing houses of similar style and scale.

O. 1176 Lullwater Road, Price Residential Design

Page six

- 8.2 *Trees* (p78) Recommendation - The mature hardwood forest within the Druid Hills Local Historic District should be perpetuated through a district-wide replanting program. Trees should be replaced when mature trees are lost to age or damage or are removed for safety reasons. Replacement trees should be of identical or similar varieties to the original trees. A diversity of tree types is recommended to perpetuate the existing character of most tree groupings. Replacement trees of adequate size (1.5" caliper minimum) are recommended. Existing ordinances that provide for the protection and replacement of the district's tree resources should be applied to development activities within Druid Hills.
- 8.3 *Protection of the Historic Watershed Design and Design Concept* (p79) - Guideline - All construction within the Druid Hills Local Historic District should follow a 75' setback requirement from the top of bank of creek corridors and drainage ways, as delineated on the official "Historic District Map."

**WRITTEN JUSTIFICATION IN SUPPORT OF STREAM BUFFER VARIANCE
APPLICATION OF DAVID MARTIN AND ELIZABETH FINNERTY FOR 1176
LULLWATER ROAD**

INTRODUCTION AND BACKGROUND FACTS

The owners of 1176 Lullwater Road (“Subject Property”) submit this written justification in support of their application for a stream buffer variance to allow for the construction of a single-family home. The variance is needed as without it, the lot is rendered unbuildable. David and Elizabeth lived at 1495 North Decatur Road (a property adjoining the Subject Property to the north) between 1991 and 2013. They were renters of that property until 1994 when they purchased it. Prior to their purchase, the then owner of 1495 North Decatur, R. Pierce Head, Jr., divided 1495 into two lots, thereby creating 1176 Lullwater. In so doing he was careful to create a lot that complied with development standards in effect at the time. In 2006, Mr. Head decided to sell the lot and the Applicants purchased it. They did so only after conducting some due diligence which included meeting with David Cullison, Planner who advised them that the lot was “buildable” as a recognized lot of record. Quite some time after purchasing the lot, the Applicants attempted to secure the necessary approvals for construction of a new residence on the Subject Property. They obtained a Certificate of Appropriateness in July of 2021 to build a home. At that time, there was no delineated stream or buffer area on the Subject Property. There has been a series of buffer determinations made on the Subject Property over the years. On September 20, 2016, May 16, 2019, and October 2, 2020, state water determinations were made on the Subject Property by the County. Every one of them determined that because of the presence of a “sea wall” extending along the length of the stream, there was no wrested vegetation at the wall and thus no stream buffers required adjacent to the wall. However, over the years, the wall deteriorated and breaks in the wall occurred. As such, on September 2, 2021, the County made a state waters determination wherein it found that buffering was required. *See historic state waters determination forms included with this application.* This determination was reaffirmed at the request of Applicants in January of 2023. *See attached DeKalb Report about buffered areas.*

Prior to the 2021 state waters determination, the Applicants had received approval for the design of a proposed single-family home on the Subject Property. This is a necessary first step for any construction on the Subject Property because it lies within the Druid Hills Historic District. The Historic Preservation Ordinance requires that any material changes to the exterior appearance of properties such as new construction within the District be approved by the Historic Preservation Commission. That Commission only approves applications for such changes that it finds complies with the Guidelines for the District and that do not have a substantial adverse impact on the District or historical properties within it. *See Chapter 13.5 of the DeKalb County Code of Ordinances.* The Guidelines address, among other things, appropriate setbacks for newly constructed homes. The approved setbacks must be compatible with setbacks in the immediate neighborhood. *See Guidelines 7.2.1 and 7.2.6 for example.* The 2021 approval however was effectively undermined by the September 2021 buffer determination because the approved site plan included construction within what are now designated stream buffer areas. After the state waters determination in September of 2021, the Applicants attempted to get alternative plans approved by the HPC. The first plan removed the proposed house entirely out of the designated stream buffer areas. However, the HPC denied that plan largely because the Applicants had sited the home much further forward on the lot (35-foot front yard setback) than was standard in the

neighborhood (75 foot plus) and therefore was found incompatible with the setbacks in the area of influence. *See Staff report from November 2021 and Decision Form from HPC included with this application.* The Applicants tried again with a different plan in July of 2023. That application was denied by the HPC also. *See Decision form from July of 2023 finding that house was not compatible with rhythm along street.* After tweaking the plan yet again providing for encroachment into the outer 25 feet of the County stream buffer, the HPC finally approved the site plan and home design. *See approval form included with this application.* For the HPC approved plan to become a reality, the Applicants must secure a stream buffer variance to allow for construction and disturbance within the outer 25-foot stream buffer area. For this reason, the Applicants file the current application. They submit contemporaneously with the application a site plan and buffer mitigation plan showing, inter alia, calculations of the total area, length and width of the proposed intrusion, a stormwater management site plan, delineation of all state waters located on or within two hundred (200) feet of the project site, identification of the project receiving waters and description of adjacent areas such as streams, lakes, drainage ditches, residential areas, which might be affected, double-row type C silt fence between land-disturbing activity and state waters, illustration of soil series and their delineation, limits of disturbance on erosion and sediment control plans (E&SC plans), name and phone number of twenty-four-hour local erosion and sediment control contact, certification number, signature and seal of qualified plan designer, vegetative plan for all temporary and permanent vegetative practices, including species, planting dates and seeding.

VARIANCE CRITERIA AND EVIDENCE IN SUPPORT OF SAME

Vacant lots predating 2009

As a preliminary matter Section 14-44.1(b)(2) provides in relevant part that:

Vacant lots existing and validly platted in the real estate records of the Clerk of the Superior Court of DeKalb County prior to February 24, 2009, that would otherwise be unbuildable as a result of the stream buffer restrictions set forth in section 14-44.1 et seq. may obtain a stream buffer variance from the director to encroach into the county buffer so long as the applicant complies with all of the requirements for the variance as set forth in section 14-44.1 et seq.

The Applicants purchased the lot known as 1176 Lullwater Road in 2006. *See deed included herein.* The deed was recorded in the Superior Court of DeKalb County deed records at Deed Book 19466, Page 122. The Applicants purchased the lot from their predecessor pursuant to a survey in 1994. *A copy of that survey is included herein.* This survey was recorded in the Superior Court records on September 14, 2000, in a quit claim deed between the Applicants' predecessors at Deed Book 11595, Page 404. *See included deed and recorded survey herein.* The Tax Assessor has taxed the Applicants on this lot since their purchase in 2006 as a separate legal lot and currently values the property at \$187, 000.

Based on this evidence applicants clearly are permitted to seek a stream buffer variance from the director to encroach into the county buffer per Section 14-44.1(b)(2).

Criteria in Section 14-44.4

Section 14-44.4 of the Code sets forth the elements the director must consider for the granting of a stream buffer encroachment application. Specifically, it states that the director shall examine whether the request will be **at least as protective of the natural resources and the environment and shall consider the following factors**¹:

a. Stream bank or soil stabilization.

No disturbance will occur in the first 50 feet of buffer from the line of wretched vegetation and no trees will be removed within that area but for one diseased tree within the flood zone. The rain garden will capture 100% of surface run off. Both woody and herbaceous plants in the ponding area provide vegetative uptake of runoff and pollutants and serve to stabilize surrounding soils.

b. Trapping of sediment in surface runoff.

The first 1.2” of rainfall on impervious surface is directed to the proposed rain garden. It also provides 100% surface runoff, and 85% trapping of sediment and other pollutants. Bioretention areas are presumed to be able to remove 85% of the total suspended solids (TSS) load in typical urban post-development runoff when sized, designed, constructed, and maintained in accordance with the recommended specifications.

c. Removal of nutrients, heavy metals, pesticides, and other pollutants from surface runoff.

The proposed mitigation plan provides for a rain garden to the north of the proposed driveway. All roof water and trench water will drain to this garden and be naturally treated, thereby removing pollutants, and improving water quality. Other pollutants bioretention areas can remove include Phosphorus, Nitrogen, metals (such as Cadmium, Copper, Lead, and Zinc), and Pathogens (such as Fecal Coliform)

d. Terrestrial habitat, food chain, and migration corridor.

Any terrestrial habitat, food chain, and migration corridor will remain largely intact due to lack of disturbance in the first two buffer areas closest to the stream and due to the limited tree removal. Only 7 trees will be removed within the outer 25-foot buffer and a total of 58.8 units will remain on site –exceeding the units required under the Tree Ordinance by almost 48 units. This remaining vegetation will continue to support and foster any terrestrial habitat, food chain and migration corridor on the Subject Property.

¹ The factors for consideration under the ordinance appear in bold black and the applicants provide information relevant to these factors in regular type.

e. Buffering of flood flows.

The mitigation plan with rain garden provides 100% of the surface runoff for the first 1.2 inches of rainfall.

f. Infiltration of surface runoff.

The mitigation plan with rain garden provides 100% of the surface runoff for the first 1.2 inches of rainfall.

g. Noise and visual buffers.

The lack of disturbance in the first 50 feet of stream buffer area along with the remaining vegetation on site will provide adequate noise and visual barriers.

h. Downstream water quality.

A bioretention area is an excellent stormwater treatment practice due to its variety of pollutant removal mechanisms. Each of the components of the bioretention area is designed to perform a specific function. The grass filter strip (or grass channel) pretreatment component reduces incoming runoff velocity and filters particulates from the runoff. The ponding area provides for temporary storage of stormwater runoff prior to its evaporation, infiltration, or uptake and provides additional settling capacity. The organic or mulch layer provides filtration as well as an environment conducive to the growth of microorganisms that degrade hydrocarbons and organic material. The planting soil in the bioretention area acts as a filtration system, and clay in the soil provides adsorption sites for hydrocarbons, heavy metals, nutrients, and other pollutants. Both woody and herbaceous plants in the ponding area provide vegetative uptake of runoff and pollutants and serve to stabilize surrounding soils.

i. Impact on threatened and endangered species, as those species are designated by law or federal or state regulation. The shape, size, topography, slope, soils, vegetation, and other physical characteristics of the property.

There are no known endangered or threatened species on the Subject Property. It is a vacant conforming lot approximately 100 feet wide and 175 feet deep. It is significantly shallower than other lots in the immediate vicinity which have depths of close to 300 feet. The Subject Property is rectangular in shape and approximately .4615 acres/18,142 square feet. Only 8,402 square feet is out of the flood plain (Future 100-year flood hazard). 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. There is 1479 square feet of inaccessible non-buffer area on the northwest side of the stream in addition to the 9665 square foot buffer area such that less than 47% of the lot is “buildable” without a variance.

It is heavily treed. The DeKalb County Tree Protection Ordinance prohibits the removal of any trees from the flood hazard zone per Section 14-39(g)(10) with some exceptions. One pine tree infested with termites needs to be removed. Otherwise, all existing trees within the flood plain will remain and the site will exceed the requirements of the Tree Ordinance with respect to tree preservation outside of the flood plain.

j. The locations of all streams on the property, including along property boundaries.

The stream runs along the rear $\frac{1}{4}$ of the Subject Property from east to west as more specifically depicted in the site plan filed with this application.

k. The location and extent of the proposed buffer or setback intrusion.

Applicants do not propose any disturbance in the inner 50 feet of buffer area but propose intrusion into the outer 25 feet of 1857 square feet to construct the proposed home and driveway. The lot area is 18142 sq feet. 9665 square feet is inside the 75' stream buffer and 2730 square feet of that is in the outer 25' of the required stream buffer area.

l. Whether alternative designs are possible which require less intrusion or no intrusion.

Due to the competing regulatory requirements encumbering this property, there are no alternative designs possible. The HPC rejected a design in November of 2021 which removed all encroachments and development from the required stream buffer areas. To comply with the requirements of the Historic Preservation Ordinance, setbacks from the right of way require encroachment into the stream buffers. In July of 2023, the HPC rejected a plan providing for a 68 -foot front yard setback. The current plan approved by the HPC provides for a 72-foot setback. That is the minimal setback the HPC will approve.

m. The long-term and construction water-quality impacts of the proposed variance.

See response to (h) above.

Whether by reason of exceptional topographic or other relevant physical conditions of the subject property that was not created by the owner or applicant, there is no opportunity for any development under any design configuration unless a variance is granted.

Due to the competing regulatory requirements of the stream buffer ordinance and the Historic Preservation Ordinance combined with the relatively small lot area and the amount of lot area consumed by the stream buffers and flood plain, there is no realistic opportunity for any development under any design configuration unless a variance is granted. Moreover, the exceptional topography was not created by the Applicants and the variance is the only means of providing for a new single-family home appropriate to the Historic District.

Whether the request goes beyond the minimum necessary to afford relief and constitutes a grant of special privileges inconsistent with the limitations upon other properties that are similarly situated.

The Applicants have tweaked the proposed plan for construction of a residence on the Subject Property numerous times. They have changed the proposed front yard setbacks to satisfy the HPC by increasing them; they have reduced the size of the home; they have shifted the site orientation of the home and the shifted the proposed garage from a side entry garage to a front entry garage to reduce the extent of encroachment into the stream buffers and more. The degree of encroachment is limited to the outer 50-foot buffer and comprises only 10% of the overall lot area. Moreover, the proposed plan does not involve construction and filling within the flood plain and minimizes tree removal to a single diseased tree. Contrary to a recent administrative denial issued last month for Application # 124697, there is no work proposed within the existing or year 2025 built-out condition flood plain.² No variances from other development standards except for a threshold elevation variance to raise the proposed home to a position similar to those adjoining is needed to effectuate the building plan. This request for elevation of the threshold is currently pending before the ZBA. The lot coverage proposed is below the 35% maximum at 18.4% lot coverage.

It would not constitute the grant of a special privilege to allow the requested encroachment because, among other things, the Druid Hills Historic Guidelines at Section 7.2 require any new home 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. This is why the HPC insisted upon a much larger than standard front yard setback of 72 feet thereby forcing the home construction further back on the lot and into stream buffer areas. The lot comprising the Subject Property is smaller than all others encumbered with the same stream. It is only 175 feet deep compared to other lots that are on average 290+ ft deep. Thus, the Applicants have significantly less wriggle room in construction of their home. *See enclosed tax map.*

Finally, it should be noted that adjoining homes to the Subject Property are within less than 75 feet from the centerline of the same stream that traverses the Subject Property. 1166 Lullwater appears to have part of its main structure (the garage) less than 23 feet from stream while 1495 North Decatur seems to be less than 65 feet from centerline of the stream. Under such circumstances it cannot be said that granting the encroachment would constitute a special privilege.

² Admittedly the site plan may be confusing regarding the flood plain issue. There is an area of the site plan north of the rain garden and south of the line labeled "50' from w.v." where there is flood plain more than 50' from wretched vegetation. The site plan shows the silt fence going around that flood area because the Applicants propose zero work in the flood plain anywhere (they are attaching a sewer lateral to the sewer main on the NW corner of the lot but that is exempted) but it may appear that the Applicants are including flood plain area in the variance request—that is not the case.

Whether the grant of the variance will be materially detrimental to the public welfare or injurious to the property or improvements in the area in which the property is located.

In deciding and approving the Certificate of Appropriateness the HPC expressly found that the proposed plan did not have a substantial adverse impact on the historic district or any historic properties within the District. *See Decision Form enclosed.* The mitigation plan provided effectively addresses all storm water, stream buffer, and other environmental concerns. Allowance of a variance here to provide for the development of a long recognized legal lot of record with an attractive contributing structure will promote, rather than detract from the public welfare.

Whether the applicant has provided a mitigation plan designed and stamped by Georgia-licensed design professionals and whether that proposed mitigation plan is:

As noted above the plan provides for the installation of a rain garden to the north of the proposed driveway stamped by licensed design professionals.

a. Nonstructural;

The rain garden is non-structural. It provides for bioretention of the surface run off, roof and trench water and will capture 100% of the first 1.2 inches of rainfall.

b. Designed to improve the quality of the stream and the associated buffer; and

Yes, see responses in (a) above.

c. Includes a planting schedule and channel protection design.

Yes, a planting schedule is included with Sheet 2 of the “Buffer Variance/Mitigation Plan” filed contemporaneously with this Justification. See responses to (a) and (b) on page 3 above for channel protection design summary.

Whether the literal interpretation and strict application of the applicable provisions or requirements of chapter 14 would cause an extreme hardship, so long as the hardship is not created by the owner. The applicant is responsible for providing proof of hardship. The proof shall demonstrate the difficult site conditions and possible alternate designs.

“Hardship” is not defined in Chapter 14 of the Code but is defined in the Zoning Ordinance as follows:

Hardship: A condition of significant practical difficulty in developing a lot because of physical problems relating solely to the size, shape, or topography of the lot in question, which are not economic difficulties, and which are not self-imposed.

The information provided above and in the included documentation makes it clear that this is a classic case of undeniable hardship that was not created by the Applicants. The Applicants purchased a “buildable lot” within a historic district more than 17 years ago. Intervening regulatory changes have effectively rendered the lot unbuildable without the variance

requested. The Applicants did not create this hardship. The hardship has been created by competing and conflicting regulatory schemes adopted by the County.

Any Applicant on this property will not be able to comply with the competing set of regulations set forth in the Guidelines while attempting to comply with stream buffer requirements. Such a hardship is recognized in the case of *United Unions, Inc. v. District of Columbia Board of Zoning Adjustment*, 554 A. 2d. 313 (1989). In that case, the Federal Court of Appeals for the District of Columbia was faced with a question concerning whether variances were needed to build an addition to the Corcoran Art Gallery. On land adjacent to the Gallery, the applicant sought to build a seven-story office addition to the original Corcoran building which included a below ground 142 space parking garage. In the face of considerable opposition to the construction of the addition, the Court of Appeals sustained the District Court's finding that the applicant had demonstrated the "hardship" necessary for the granting of a variance. In so doing, the Court of Appeals noted that the "special qualities of the original Corcoran building and the space on which it was erected" required "special treatment in the planning of contiguous structures and additions" which created "peculiar difficulties...that variances were designed to surmount". Applicants submit that the same is true in the present situation. The location of the Subject Property within a historic district coupled with the stream buffer and flood plain regulations create the epitome of "hardship". The type of hardship identified in *United Unions* has been expressly recognized by the Georgia Supreme Court in *Emory University v. Levitas*, 260 Ga. 894 (1991) and should be similarly recognized here.

The director shall not grant any stream buffer variances if the actions of the property owner of a given property have created the conditions of hardship on the property.

This matter is addressed in detail above.

For all the foregoing reasons, there can be no rational basis for denying the stream buffer variance requested herein.

From: [Price Residential Design](#)
To: [Linda Dunlavy](#)
Subject: Re: 1176 Lullwater Road stream buffer variance redlines
Date: Friday, February 16, 2024 11:54:29 AM

Virginia Tate's home on the lot to our south is on top of the hill that drains generally northwest from their lot onto ours on the way to the stream. Their main floor finished floor elevation (FFE) is at 885.8 and our FFE will be 883.1. The highest (2 ft interval) contour shown on our topographic survey is 880 so it is reasonable to say the highest point is at approximately 881. DeKalb County GIS topo base map shows the highest elevation on her lot at approximately 887. It is ridiculous to say that a proposed new home (3303 total lot coverage) with minimal grading (the path of the driveway only) that is both downhill and downstream from a home with over 7600 sq feet of lot coverage* will somehow cause flooding to the higher property. There will be no development within the floodplain so, with the stream bed shown below the 862 contour, the stream would have to flood at least 8.7' deep to reach the level where any construction activity is proposed (and the lowest interior slab is 3 feet above that base flood elevation). If a catastrophic flood similar to this ever occurs, it will also flood onto the northern portions of our southern neighbor's lot but it will have nothing to do with the work we propose, nothing to do with a buffer variance which specifically prohibits any cut or fill within the floodplain, and this flood could occur at any time with the current vacant lot just the same as a built lot (such a flood would, of course, not affect the proposed home).

*= Virginia Tate submitted a 2015 survey of her lot along with at least one of her many opposition packets to ZBA staff and that survey also shows less than 30' from the centerline of her stream to the corner of an addition that was built between 2/2/2008 and 1/12/2009 per DeKalb Co Tax Assessor website pictometry.

On Fri, Feb 16, 2024 at 7:42 AM Linda Dunlavy <ldunlavy@dunlavylawgroup.com> wrote:
Looks good. Can you add something that addresses the relation of development on subject property to Tate's property and the fact that water generally does not run uphill?!
Sent from my iPhone

On Feb 15, 2024, at 10:41 PM, Price Residential Design
<dave@priceresidentialdesign.com> wrote:

Hey Linda - You had asked for a narrative about the existing / year 2025 built-out condition floodplain and I am connecting to this email thread because at the beginning of the thread is the Kennisha's redline comments attachment, which may be helpful as a reference (see PDF "1176 Lullwater SBV 1246723") but perhaps not necessary.

Something like: Neither the site plans included with first submittal (denied on Sept 13) or the subsequent approved site plans (final revision date 11-28-2023) had any structure or grading within the the existing / year 2025 built-out condition floodplain but the second submittal clarified the request beyond any misunderstanding by: 1) the graphic line delineating the 100-year EX/FU elevation of 870.7 (as per DeKalb County GIS map) was not dark enough to be read on the earlier submittal so the original dotted line was replaced with a

heavy-lineweight dashed line. 2) it was made explicit that the disturbed area (the area bounded by the silt fencing on the plan) encroaching the 75' buffer is the maximum limit of our buffer relief. This proposed disturbed area does not include any portion of the 100-year floodplain although floodplain exists within the outer 25 ft of the 75-foot buffer which is the subject of the variance request. The approved site plan (specifically, the "buffer variance / mitigation plan") states the dimensions and area of the proposed intrusion (1857 s.f.). 3) a site plan note was added "there is to be no grading/filling in the floodplain". None had been proposed. 4) the Letter of Approval from DeKalb County dated Dec 11, 2023 echoes #2 and 3 stating: "The total area of the encroachment is not to exceed 1857 square feet and there is to be no grading / filling in the floodplain".

The approved site plan verifies no new construction has been allowed in the 100-yr existing / future conditions floodplain by this approval. Due to it being made clear there is no development in the floodplain, the expert staff at DeKalb County determined the variance application met all criteria for approval, including that it is not "materially detrimental to the public welfare or injurious to the property or improvements in the area in which the property is located" and that it is "at least as protective of natural resources and the environment as would a plan which met the strict application of these requirements".

Feel free to edit as desired - Dave

On Wed, Nov 29, 2023 at 5:13 PM <dave@priceresidentialdesign.com> wrote:

I asked Caleb to fix, don't know how fast it will happen. The impervious calculations on sheet 1 of 2 of the **mitigation plan** should be the same as sheet 1 of 2 of the site plan. The site plan is correct. The water quality calculations are correct on all plans. The revised driveway was 74 sq ft smaller.

Price Residential Design

404.245.4244 www.priceresidentialdesign.com

From: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>

Sent: Wednesday, November 29, 2023 5:08 PM

To: dave@priceresidentialdesign.com

Subject: RE: 1176 Lullwater Road stream buffer variance redlines

I have resubmitted as of a couple minutes ago. I will email Kennisha and let her know this. Fingers crossed. I cut and pasted comments from you below into docx.

From: dave@priceresidentialdesign.com
<dave@priceresidentialdesign.com>
Sent: Wednesday, November 29, 2023 4:55 PM
To: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Subject: RE: 1176 Lullwater Road stream buffer variance redlines

Revisions reflected on site plan and mitigation plans in response to County redlines dated November 8, 2023 (all revisions are marked with delta symbols and revisions to existing text are further marked with a revision cloud):

1. File notice of intent and notice of termination with GA. E.P.D. and DeKalb Co: As per recent emails with Reviewer Collins, this item is not applicable to this lot.
2. names of commissioners: provided at lower right of each plan, just above the surveyor's stamp
3. names of abutting property owners: provided on each abutting property, supplementing the lot ID numbers.

Notes on plans

4. Erosion control note is revised on note #1 "Construction Notes"
5. Cut and fill note revised on note #3 of "Site Notes"
6. Certification provided at upper left on each plan, adjacent to the "Location Map" in a new text box called "Stream Buffer Variance Notes"
7. Inspection note provided at upper left on each plan, adjacent to the "Location Map" in a new text box called "Stream Buffer Variance Notes"
8. The floodplain boundary line, previously a dotted line, is now a thick bold dashed line and the note "no grading/filling in the floodplain" has been added to the text box at each end of the floodplain boundary line.
9. Rain Garden has been relocated outside the 75 ft county buffer. Driveway turnaround shifted south to allow relocation of water garden.

Price Residential Design

404.245.4244 www.priceresidentialdesign.com

From: dave@priceresidentialdesign.com
<dave@priceresidentialdesign.com>
Sent: Wednesday, November 29, 2023 4:33 PM
To: 'Linda Dunlavy' <ldunlavy@dunlavylawgroup.com>
Subject: RE: 1176 Lullwater Road stream buffer variance redlines

I just think he will put a revision cloud around every revision and it will look insane and unreadable

Price Residential Design

404.245.4244 www.priceresidentialdesign.com

From: dave@priceresidentialdesign.com
<dave@priceresidentialdesign.com>
Sent: Wednesday, November 29, 2023 4:31 PM
To: 'Linda Dunlavy' <ldunlavy@dunlavylawgroup.com>
Subject: RE: 1176 Lullwater Road stream buffer variance redlines

Do you think I could write a description of where on the page the changes are located for each item in text for the resubmittal email and take it off Caleb's shoulders? I think he is pissed – not at us exactly - but we have been leaning hard on him throughout this whole thing

Price Residential Design

404.245.4244 www.priceresidentialdesign.com

From: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Sent: Wednesday, November 29, 2023 4:23 PM
To: dave@priceresidentialdesign.com
Subject: RE: 1176 Lullwater Road stream buffer variance redlines

I DO hate to ask him to do this if he is really busy so if he pushes back we can just submit as is.

From: dave@priceresidentialdesign.com
<dave@priceresidentialdesign.com>
Sent: Wednesday, November 29, 2023 4:18 PM
To: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Subject: RE: 1176 Lullwater Road stream buffer variance redlines

He has a delta (triangle) mark next to all changes and if we must cloud all revisions, he must also cloud around the revised rain garden which will make the plan almost impossible to read. I think it is fine as is.

Price Residential Design

404.245.4244 www.priceresidentialdesign.com

From: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Sent: Wednesday, November 29, 2023 4:16 PM
To: dave@priceresidentialdesign.com
Subject: RE: 1176 Lullwater Road stream buffer variance redlines

Yes, that is correct. However, I think at one point in the filing process I had to add Caleb as design professional. That said, I am happy to file once he puts bubbles around revisions per my last email.

From: dave@priceresidentialdesign.com
<dave@priceresidentialdesign.com>
Sent: Wednesday, November 29, 2023 4:13 PM
To: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Subject: RE: 1176 Lullwater Road stream buffer variance redlines

You did the original submittal of the variance application so I assume it is you?

Price Residential Design

404.245.4244 www.priceresidentialdesign.com

From: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Sent: Wednesday, November 29, 2023 4:09 PM
To: Price Residential Design <dave@priceresidentialdesign.com>
Subject: RE: 1176 Lullwater Road stream buffer variance redlines

Oops! Please see my email with comments before doing that. and is Caleb resubmitting or am I. I can't remember who is authorized.

From: Price Residential Design <dave@priceresidentialdesign.com>
Sent: Wednesday, November 29, 2023 4:04 PM
To: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Subject: Re: 1176 Lullwater Road stream buffer variance redlines

I think this looks good so you can resubmit asap!!

On Wed, Nov 29, 2023 at 4:02 PM Price Residential Design <dave@priceresidentialdesign.com> wrote:

Thank so much for doing this quickly and good lord I hope this is finally the key to get this lock open!!

On Wed, Nov 29, 2023 at 1:09 PM Caleb McGaughey <cam@galandsurveyor.com> wrote:

Revised attached.

Thanks,

Caleb McGaughey, PLS, President

Ga Land Surveyor, LLC

404-384-9577

cam@galandsurveyor.com

www.galandsurveyor.com

From: dave@priceresidentialdesign.com
<dave@priceresidentialdesign.com>
Sent: Monday, November 27, 2023 6:33 PM
To: Caleb McGaughey <cam@galandsurveyor.com>
Cc: grey hunter <grey@galandsurveyor.com>; 'Linda Dunlavy'
<ldunlavy@dunlavyllawgroup.com>
Subject: RE: 1176 Lullwater Road stream buffer variance redlines

To be clear, I do NOT want to show any boulder wall north of the driveway in this revised drawing; I'm just complaining.

Price Residential Design

404.245.4244 www.priceresidentialdesign.com

From: Price Residential Design <dave@priceresidentialdesign.com>
Sent: Monday, November 27, 2023 5:08 PM
To: Linda Dunlavy <ldunlavy@dunlavyllawgroup.com>
Cc: Caleb McGaughey <cam@galandsurveyor.com>; grey hunter
<grey@galandsurveyor.com>
Subject: Re: 1176 Lullwater Road stream buffer variance redlines

This is what I am thinking for the turnaround. In reality, we might have to put a boulder wall to the north of the driveway right there to lower the rain garden enough that everything can flow in correctly but for now I think something like this is what we need. Sorry to throw this in your hands again.

Here is a remainder of the nit-picky stuff:

NOTES (must exactly match their language) on both site plan and mitigation plan:

A. You have it for tree save fencing (Construction note #8) BUT:

Erosion and sediment control measures and practices to be inspected daily.

B. On Site note #3:

Cut and fill slopes shall not exceed 3H: 1V on residential projects and lots, and lots shall not exceed 2H: 1V on all other projects.

C. add -

"I certify that the permittee's erosion, sedimentation and pollution control plan provides for an appropriate and comprehensive system of best management practices required by the Georgia Water Quality Control Act and the document 'Manual for Erosion and Sediment Control in Georgia', published by the State Soil and Water Conservation Commission as of January of the year in which the land disturbing activity was permitted, provides for the sampling of the receiving water(s) or the sampling of the storm water outfalls and the designed system of Best Management Practices and sampling methods is expected to meet the requirements contained in the General NPDES Permit NO. Gar 10000-."(1,2 or 3).

D. add -

Inspections by qualified personnel provided by the primary permittee and the associated records shall be kept on site in compliance with Gar.10000- (1,2 or 3).

FLOODPLAIN LINE on site plan and mitigation plan: reviewer having trouble seeing the dotted line. Can we add a color highlight (probably yellow? - other ideas?) and add a text note inside the floodplain saying NO GRADING/FILLING IN THE FLOODPLAIN

ADD to survey, site plan, and mitigation plan: names of abutting property owners (use N/F if desired) -

northern (Part of lot 27C) 1495 North Decatur Road Richard E Green

western (lot 27B) 1485 North Decatur Road Kimberly D Manning

southern (lot 27D) 1166 Lullwater Road Terri I Tenhoor and Virginia C Tate

and wherever it fits on all three drawings: "Property is located within District 2, Commissioner Michelle Long Spears, and Super District 6, Commissioner Edward "Ted" Terry"

On Mon, Nov 27, 2023 at 4:57 PM Linda Dunlavy
<ldunlavy@dunlavylawgroup.com> wrote:

Ok, thanks.

From: Caleb McGaughey <cam@galandsurveyor.com>
Sent: Monday, November 27, 2023 2:54 PM
To: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>;
dave@priceresidentialdesign.com
Cc: grey hunter <grey@galandsurveyor.com>
Subject: Re: 1176 Lullwater Road stream buffer variance redlines

I don't ever specifically recall encountering g this requirement, new to me as well.

Caleb

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Sent: Monday, November 27, 2023 2:50:31 PM
To: dave@priceresidentialdesign.com
<dave@priceresidentialdesign.com>; Caleb McGaughey
<cam@galandsurveyor.com>
Cc: grey hunter <grey@galandsurveyor.com>

Subject: RE: 1176 Lullwater Road stream buffer variance redlines

Weird! Great minds think alike! I just emailed Kennisha again. I cannot for the life of me find where the rain garden would not be allowed within the 75 foot outer county buffer. Caleb? Grey? Have you ever encountered this before? Thoughts?

From: dave@priceresidentialdesign.com

<dave@priceresidentialdesign.com>

Sent: Monday, November 27, 2023 2:18 PM

To: 'Caleb McGaughey' <cam@galandsurveyor.com>

Cc: 'Grey Hunter' <grey@galandsurveyor.com>; Linda Dunlavy

<ldunlavy@dunlavylawgroup.com>

Subject: RE: 1176 Lullwater Road stream buffer variance redlines

Hi guys – Linda, have we received any communication from Kennisha Collins for the two head-scratcher questions? Caleb and Grey, what do you think? We have got to resolve this in some way in the next 2-3 days and resubmit. I hate to move the driveway turnaround to get the rain garden out of the original 75’ buffer for no reason at all but we might have to. Thanks - Dave

Price Residential Design

404.245.4244 www.priceresidentialdesign.com

From: Price Residential Design <dave@priceresidentialdesign.com>

Sent: Saturday, November 18, 2023 4:37 PM

To: Caleb McGaughey <cam@galandsurveyor.com>

Cc: Grey Hunter <grey@galandsurveyor.com>; Linda Dunlavy

<ldunlavy@dunlavylawgroup.com>

Subject: 1176 Lullwater Road stream buffer variance redlines

Hey Caleb and Grey: attached is the DeKalb reviewer's comments - we need to address and resubmit as soon as possible (really fast) so we can stay on track for their 45-day deadline for a decision. There are two things we are questioning the reviewer on, but I want to hear your

thoughts on those head-scratchers:

1. File notice of intent and notice of termination with GA. E.P.D. and DeKalb Co., if land disturbance is one (1) acre or more or within 200 feet of state waters. Submission must be 14 days prior to start of land disturbance activities. CALEB - DO YOU KNOW WHAT IS NORMALLY DONE WITH THIS? SHOULD WE GO AHEAD AND CONTACT EPD?

2. reviewer writes that "water quality facilities are not allowed within county's 75' buffer" but we are trying to question that by pointing out that a rain garden is non-structural and, while it is permanent, it is an erodible structure so it should be allowed as per the actual text of the variance application: *No permanent non erodible structure can be placed within the 75' Dekalb County Stream Buffer.

We can move the driveway turnaround up towards the road to move the rain garden out of the original 75' buffer BUT don't do it yet unless you think the reviewer is correct and we do need to move it.

EASY STUFF THAT YOU CAN DO RIGHT AWAY:

NOTES (must exactly match their language) on both site plan and mitigation plan:

A. You have it for tree save fencing (Construction note #8) BUT:

Erosion and sediment control measures and practices to be inspected daily.

B. On Site note #3:

Cut and fill slopes shall not exceed 3H: 1V on residential projects and lots, and lots shall not exceed 2H: 1V on all other projects.

C. add -

"I certify that the permittee's erosion, sedimentation and pollution control plan provides for an appropriate and comprehensive system of best management practices required by the Georgia Water Quality Control Act and the document 'Manual for Erosion and Sediment Control in Georgia', published by the State Soil and Water Conservation Commission as of January of the year in which the land disturbing activity was permitted, provides for the sampling of the

receiving water(s) or the sampling of the storm water outfalls and the designed system of Best Management Practices and sampling methods is expected to meet the requirements contained in the General NPDES Permit NO. Gar 10000-."(1,2 or 3).

D. add -

Inspections by qualified personnel provided by the primary permittee and the associated records shall be kept on site in compliance with Gar.10000- (1,2 or 3).

FLOODPLAIN LINE on site plan and mitigation plan: reviewer having trouble seeing the dotted line. Can we add a color highlight (probably yellow? - other ideas?) and add a text note inside the floodplain saying NO GRADING/FILLING IN THE FLOODPLAIN

ADD to survey, site plan, and mitigation plan: names of abutting property owners (use N/F if desired) -

northern (Part of lot 27C) 1495 North Decatur Road Richard E Green

western (lot 27B) 1485 North Decatur Road Kimberly D Manning

southern (lot 27D) 1166 Lullwater Road Terri I Tenhoor and Virginia C Tate

and wherever it fits on all three drawings: "Property is located within District 2, Commissioner Michelle Long Spears, and Super District 6, Commissioner Edward "Ted" Terry"

I think we are pretty close to getting it done but they are making sure every nit is picked. Thanks - Dave

--



www.priceresidentialdesign.com

--



www.priceresidentialdesign.com

--



www.priceresidentialdesign.com

--



www.priceresidentialdesign.com

--



www.priceresidentialdesign.com

--



www.priceresidentialdesign.com

From: [Collins, Kennisha A.](#)
To: [Linda Dunlavy](#)
Cc: [White, Brandon L.](#); [Price Residential Design](#); [Beth Finnerty](#); [Bragg, Rachel L.](#)
Subject: RE: 1176 Stream buffer denial
Date: Thursday, September 21, 2023 11:41:56 AM

I would recommend that you file an entirely new application.

Kennisha Collins

Department of Planning & Sustainability
Environmental & Compliance Inspections Supervisor
178 Sams Street, Suite A1505
Decatur, GA 30030
Cell: 470.829.1523
Email: kacollins@dekalbcountyga.gov

From: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Sent: Thursday, September 21, 2023 11:40 AM
To: Collins, Kennisha A. <kacollins@dekalbcountyga.gov>
Cc: White, Brandon L. <BLWhite@dekalbcountyga.gov>; Price Residential Design <dave@priceresidentialdesign.com>; Beth Finnerty <BFinnerty@skylandtrail.org>; Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Subject: RE: 1176 Stream buffer denial

Is it best to file an entirely new application or supplement the old one given that parts of it has already been reviewed by staff?? Please advise

From: Collins, Kennisha A. <kacollins@dekalbcountyga.gov>
Sent: Thursday, September 21, 2023 10:21 AM
To: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>
Cc: White, Brandon L. <BLWhite@dekalbcountyga.gov>; Price Residential Design <dave@priceresidentialdesign.com>; Beth Finnerty <BFinnerty@skylandtrail.org>; Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Subject: 1176 Stream buffer denial

Good Morning Ms. Dunlavy,

Please be advised that per your request, we allow for you to resubmit.

Feel free to contact me should you need any additional assistance.

Thank you and have a great day,

Kennisha Collins

Department of Planning & Sustainability

Environmental & Compliance Inspections Supervisor

178 Sams Street, Suite A1505

Decatur, GA 30030

Cell: 470.829.1523

Email: kacollins@dekalbcountyga.gov

From: Linda Dunlavy <ldunlavy@dunlavylawgroup.com>

Sent: Friday, September 15, 2023 1:06 PM

To: Hudson, Cedric <chudson@dekalbcountyga.gov>; Collins, Kennisha A. <kacollins@dekalbcountyga.gov>

Cc: White, Brandon L. <BLWhite@dekalbcountyga.gov>; Price Residential Design <dave@priceresidentialdesign.com>; Beth Finnerty <BFinnerty@skylandtrail.org>

Subject: RE: 1176 Stream buffer denial

Kanasha:

I understand you were the primary person processing the above application. As such, please review and respond to below ->

From: Linda Dunlavy

Sent: Friday, September 15, 2023 12:21 PM

To: Hudson, Cedric <chudson@dekalbcountyga.gov>

Cc: blwhite@dekalbcountyga.gov; Price Residential Design <dave@priceresidentialdesign.com>; Beth Finnerty <BFinnerty@skylandtrail.org>

Subject: RE: 1176 Stream buffer denial

Importance: High

In my preliminary review of this matter, I note that one of the basis for denial of the stream buffer variance application was that the required documentation was not submitted. See attached Staff Findings regarding required documentation at 14-44.4 (i) and (j). If that is indeed true, can I go ahead and resubmit with the required documentation? We have the documentation and not really sure why it was not submitted with the original application. Moreover, given that it was allegedly highly incomplete, it would seem that it should not have been accepted for processing per Section 14-44.3 which requires a complete application to contain the documents called out in the denial decision before the application is processed. Moreover, Section 14-44.4 (j) provides that a decision will be made within 45 days of the receipt of a **complete** application. Since this application was so incomplete apparently, it should not have been processed. That said, can I submit the required application materials and have staff reconsider its decision based upon the complete information that we have available and that I believe addresses the missing documentation noted by staff? Please advise ASAP. I would like to avoid an unnecessary appeal to the ZBA if at all possible. According to communications from your staff and Battle Law Group, the appeal deadline is 9-22-23. Thanks,

Linda

From: Linda Dunlavy

Sent: Friday, September 15, 2023 11:14 AM

To: Hudson, Cedric <chudson@dekalbcountyga.gov>

Cc: blwhite@dekalbcountyga.gov; Price Residential Design <dave@priceresidentialdesign.com>;
Beth Finnerty <BFinnerty@skylandtrail.org>

Subject: 1176 Stream buffer denial

Importance: High

Cedric:

I have been asked to assist the applicants for the above-referenced stream buffer with an appeal to the ZBA but need some clarification from you first—the attached denial letter is dated August 25th but the letter was not received by Battle Law Group until September 8, 2023. So using that latter date, according to my calculations the appeal deadline for a ZBA filing would be September 25th (15 days plus the intervening weekend because the 15th day falls on a Saturday). Can you please confirm this? Thanks,

Linda

STATEMENT IN OPPOSITION TO
APPEAL OF VIRGINIA TATE CHALLENGING APPROVAL OF
STREAM BUFFER ENCROACHMENT

FOR

DAVID MARTIN and BETH FINNERTY

Property Location:

1176 LULLWATER ROAD

(Tax Parcel I.D. 18-054-06-001)

Submitted for Property Owners, Dave Martin and Beth Finnerty by:

Linda I. Dunlavy
Dunlavy Law Group, LLC
245 North Highland Avenue
Suite 230 #905
Atlanta, Georgia 30307
(404) 371-4101 Office
(404) 664-0895 Mobile
ldunlavy@dunlavylawgroup.com

I. INTRODUCTION AND HISTORY

Subject Property.

The Subject Property is located in the local Druid Hills Historic District at 1176 Lull water Road (Tax parcel ID #18-054-06-001). The property is within the Druid Hills Local Historic District. It is on the west side of Lullwater Road between North Decatur Road and the ByWay. It is an undeveloped single family residential lot in the R-75 zoning district. David and Elizabeth lived at 1495 North Decatur Road (a property adjoining the Subject Property to the north) between 1991 and 2013. They were renters of that property until 1994 when they purchased 1495 North Decatur. Prior to their purchase, the then owner of 1495 North Decatur, R. Pierce Head, Jr., divided 1495 into two lots, thereby creating 1176 Lullwater. In so doing he was careful to create a lot that complied with development standards in effect at the time. *A copy of that survey is included herein.* This survey was recorded in the Superior Court records on September 14, 2000, in a quit claim deed between the Applicants' predecessors at Deed Book 11595, Page 404. *See included deed and recorded survey herein.* In 2006, Mr. Head decided to sell the 1176 Lullwater lot and David and Beth purchased it. They did so only after conducting some due diligence which included meeting with David Cullison, Planner who advised them that the lot was "buildable" as a recognized lot of record. *See deed included herein.* The deed was recorded in the Superior Court of DeKalb County deed records at Deed Book 19466, Page 122. They purchased the lot from their predecessor pursuant to a survey the predecessor had secured in 1994. The Tax Assessor has taxed the Applicants on this lot since their purchase in 2006 as a separate legal lot and currently values the property at \$187, 000.

1176 Lullwater is a smaller lot than others along this stretch of Lullwater. While it is 100 feet in width at the street, it is only 175 to 191 feet in depth compared with others on both sides of Lullwater which, on average, have more than 400 feet in depth. *See included tax map.* The rear of the property is traversed its entire width by state waters which, without variance, require a 75-foot buffer on either side of the stream, thereby significantly reducing available buildable area.

Procedural History.

Quite some time after purchasing the lot, the Applicants attempted to secure the necessary approvals for construction of a new residence on the Subject Property. They obtained a Certificate of Appropriateness from the HPC in July of 2021 to build a home with a 75-foot front yard setback with a single front facing garage door and that approval was not appealed. At that time, there was no delineated stream or buffer area on the Subject Property. There has been a series of buffer determinations made on the Subject Property over the years. On September 20, 2016, May 16, 2019, and October 2, 2020, state water determinations were made on the Subject Property by the County. Every one of them determined that because of the presence of a "sea wall" extending along the length of the stream, there was no wrested vegetation at the wall and thus no stream buffers required adjacent to the wall. However, on September 2, 2021, the County made a state waters determination wherein it found that buffering was required. *See historic state*

waters determination forms included with this application. This determination was reaffirmed at the request of Applicants in January of 2023. See attached DeKalb Report about buffered areas.

After the state waters determination in September of 2021, the Applicants attempted to get alternative plans approved by the HPC. The first attempt was to modify the COA by relocating the home entirely out of the designated stream buffer areas. It also provided for a side entry garage and a driveway with a turnaround at the side. However, the HPC denied that plan largely because the property owners had sited the home much further forward on the lot (35-foot front yard setback) than was standard in the neighborhood (75 foot plus) and therefore was found incompatible with the setbacks in the area of influence. *See Staff report from November 2021 and Decision Form from HPC included with this opposition.* The Property Owners tried again in July of 2023 with a slightly narrower design than the original 2021 COA approved front elevation but the rear wall angled to encroach only into the outer 25 feet of the County stream buffer and a 68-foot front yard setback was provided. That application was denied by the HPC also. *See Decision form from July of 2023 finding that house was not compatible with rhythm along street.* After reducing the footprint of the home yet again to increase the front setback nearly to the original 2021 approved 75-foot setback, the HPC finally approved the site plan and home design. *See approval form included with this opposition.* This approved plan provided for a 72-foot front yard setback, approximately 29 feet closer than the setback for the adjoining house. While this plan was rejected by the Board of Commissioners on December 15, 2023, a similar but different plan was ultimately approved yet again by the HPC on January 16, 2024. *See Decision Form from HPC included with this opposition.* For the HPC approved plan to become a reality, the Property Owners needed to secure a stream buffer variance to allow for construction and disturbance within the outer 25-foot stream buffer area. A previous application had been denied as deficient by the DeKalb County Planning and Sustainability staff on September 13, 2023. *See notice of denial included with this opposition.* However, the Property Owners reapplied for a variance and corrected all the noted deficiencies on October 16, 2023. Per DeKalb County Code of Ordinances, a sign was posted on the Subject Property notifying interested residents of the application. *Photographs of the sign posted are included herein.*

Along with a lengthy narrative in support of the stream buffer encroachment application, submitted contemporaneously with the application was a site plan and buffer mitigation plan showing, *inter alia*, calculations of the total area, length and width of the proposed intrusion, a stormwater management site plan, delineation of all state waters located on or within two hundred (200) feet of the project site, identification of the project receiving waters and description of adjacent areas such as streams, lakes, drainage ditches, residential areas, which might be affected, double-row type C silt fence between land-disturbing activity and state waters, illustration of soil series and their delineation, limits of disturbance on erosion and sediment control plans (E&SC plans), name and phone number of twenty-four-hour local erosion and sediment control contact, certification number, signature and seal of qualified plan designer, vegetative plan for all temporary and permanent vegetative practices, including species, planting dates and seeding. *A complete copy of those application materials is attached hereto.* The site plan does not provide for any structure or grading within the existing / year 2025 built-out condition floodplain. This is made clear by: 1) the graphic line delineating the 100-year EX/FU elevation of 870.7 (as per DeKalb County GIS map) depicted on the plan by a heavy-line weight dashed line; 2) depiction of the disturbed area (the area bounded by the silt fencing on the plan) encroaching the 75' buffer is the maximum limit of the buffer relief sought. This proposed

disturbed area does not include any portion of the 100-year floodplain although floodplain exists within the outer 25 ft of the 75-foot buffer which is the subject of the variance request; 3) a notation on the site plan that "there is to be no grading/filling in the floodplain". None has been proposed.

After submission of the encroachment application, staff posed a number of questions and provided redline comments. Responses to all these comments were provided to the satisfaction of staff and approval of the requested stream buffer encroachment was finally issued on December 11, 2023. *See letter of approval attached along with email threads concerning redline comments.* The approved site plan (specifically, the "buffer variance / mitigation plan") states the dimensions and area of the proposed intrusion (1857 square feet) and verifies that no new construction has been allowed in the 100-yr existing / future conditions floodplain by this approval. The expert staff at DeKalb County determined the stream buffer encroachment application met all criteria for approval, including that it is not "materially detrimental to the public welfare or injurious to the property or improvements in the area in which the property is located" and that it is "at least as protective of natural resources and the environment as would a plan which met the strict application of these requirements". *See Letter of Approval dated December 11, 2023.*

The Property Owners are without knowledge as to if and when mailings were sent by the County to the abutting property owners notifying them of the encroachment approval. The duty of mailing is placed on County staff, not on the applicant and does not specify exactly when that notice is required. However, Ms. Tate had actual knowledge of the approval at least as of December 13, 2023, when the approval of the encroachment was announced by Rachel Bragg during a staff presentation before the ZBA, which meeting Ms. Tate attended and verbally acknowledged Ms. Bragg's announcement. *See recording of ZBA hearing at https://dekalbcountyga.zoom.us/rec/share/Tn3xoTNLRe-3vUMdPfgLqQjTkgiU92rErevC-szwYxcur_nn04UbmWNKyFDAmovX.At3affJ2S-oojV_b Passcode: K@AeJ?1g.* Despite this knowledge, it appears that Ms. Tate did not appeal the encroachment decision until January 17, 2024.

Virginia Tate's home is on the lot at 1166 Lullwater Road to the south of the Subject Property. It is on top of a hill that drains generally northwest from her lot onto the Subject Property on the way to the stream. The main floor finished floor elevation (FFE) for the Tate residence is 885.8 and the FFE for the proposed Martin/Finnerty residence will be 883.1. The highest (2 ft interval) contour shown on the Martin/Finnerty topographic survey is 880 so it is reasonable to say the highest point is at approximately 881. DeKalb County GIS topo base map shows the highest elevation on Ms. Tate's lot at approximately 887. *See GIS topo included along with surveys of both the Tate and the Subject Property.* No development within the floodplain is proposed. In fact, the buffer variance approval specifically prohibits any cut or fill within the floodplain. With the stream bed shown below the 862 contour, the stream would have to flood at least 8.7' deep to reach the level where any construction activity is proposed and the lowest interior slab is 3 feet above that base flood elevation. As such, it is clearly factually implausible to say, as Ms. Tate does, that the proposed new home with just over 18% of lot coverage and minimal grading (the path of the driveway only) that is both downhill and downstream from the Tate home will somehow cause flooding to her higher property.

II. STANDARD OF REVIEW FOR STREAM BUFFER VARIANCES AND ADMINISTRATIVE APPEALS

The DeKalb County of Ordinances, in relevant part, provide at Section 14-44(b)(2) that:

No stream buffer variance shall be granted by the director within the county buffer if the applicant is constructing a structure on vacant land. However, vacant lots existing and validly platted in the real estate records of the Clerk of the Superior Court of DeKalb County prior to February 24, 2009, that would otherwise be unbuildable as a result of the stream buffer restrictions set forth in section 14-44.1 et seq. may obtain a stream buffer variance from the director to encroach into the county buffer so long as the applicant complies with all of the requirements for the variance as set forth in section 14-44.1 et seq.

In turn, Section 14-44(i) provides the criteria for granting a stream buffer variance as follows:

In considering a request for a variance to the terms of this article, the director shall consider all of the following criteria:

(1) Whether the request, while not strictly meeting the requirements of [chapter 14](#), will, in the judgment of the director, be at least as protective of natural resources and the environment as would a plan which met the strict application of these requirements. In making such a judgment, the director shall examine whether the request will be at least as protective of the natural resources and the environment and shall consider 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.*

i. Impact on threatened and endangered species, as those species are designated by law or federal or state regulation. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property.

j. The locations of all streams on the property, including along property boundaries.

k. The location and extent of the proposed buffer or setback intrusion.

l. Whether alternative designs are possible which require less intrusion or no intrusion.

m. The long-term and construction water-quality impacts of the proposed variance.

(2) Whether by reason of exceptional topographic or other relevant physical conditions of the subject property that was not created by the owner or applicant, there is no opportunity for any development under any design configuration unless a variance is granted.

(3) Whether the request goes beyond the minimum necessary to afford relief and constitutes a grant of special privileges inconsistent with the limitations upon other properties that are similarly situated.

(4) Whether the grant of the variance will be materially detrimental to the public welfare or injurious to the property or improvements in the area in which the property is located.

(5) Whether the applicant has provided a mitigation plan designed and stamped by Georgia-licensed design professionals and whether that proposed mitigation plan is:

a. Nonstructural;

b. Designed to improve the quality of the stream and the associated buffer; and

c. Includes a planting schedule and channel protection design.

(6) Whether the literal interpretation and strict application of the applicable provisions or requirements of chapter 14 would cause an extreme hardship, so long as the hardship is not created by the owner. The applicant is responsible for providing proof of hardship. The proof shall demonstrate the difficult site conditions and possible alternate designs. The director shall not grant any stream buffer variances if the actions of the property owner of a given property have created the conditions of hardship on the property.

Notice of the application and action on it are required per Section 14-44.5 (b) and (c) as follows:

Property where an administrative stream buffer variance is requested shall be posted with a sign within forty-eight (48) hours of submittal of a complete stream buffer variance application request to the director. The sign shall be posted by the applicant. The posted sign shall be a minimum of twenty-two (22) inches by twenty-four (24)

inches in size and shall contain the following information: address, nature of variance request, date of submittal of application; and planning and development department contact information. Applicants shall notify the director of the completed posting and shall provide the director with a dated photograph of the posted notice as evidence of the posting within forty-eight (48) hours of posting.

Written notification of initial decision. The director shall send written notification of the stream buffer variance application and the director's written decision to the applicant and to abutting property owners. Abutting property owners are those persons listed in the tax records of the county as the owners of such abutting property on the date such notifications are required to be sent by the director.

Subsection (d) of that same section provides with respect to appeals of stream buffer variance decisions that they be made to the ZBA in accordance with the procedural requirements of the Zoning Ordinance. Section 7.5.2 (B) of the Zoning Ordinance requires appeals to be filed “*within fifteen (15) days after the action was taken by the official that is the subject of the appeal.*” And Section 7.5.2 (G) provides the standard of review for such an appeal as follows:

An appeal shall be sustained only upon an expressed finding by the zoning board of appeals that the administrative official's action was based on an erroneous finding of a material fact, erroneously applied the zoning ordinance to the facts, or that the administrative official acted in an arbitrary manner.

III. APPLICATION OF STANDARDS TO TATE’S APPEAL

The Appellant, Virginia Tate, maintains that the approval of the stream buffer variance was in error because: 1) It was allegedly based on erroneous findings of material fact and was arbitrary; 2) the Property Owners were somehow required to appeal the September 13, 2023, buffer variance denial and did not; 3) The Appellant has been denied due process and transparency. Upon close examination of the Record and facts in this case, there is **no merit to any of the Appellant’s assertions and the appeal must thus be denied.**

A. The Administrative Decision Was Based on Sound Findings of Fact and Was Not Arbitrary

The Appellant states that the Director failed to address certain requirements. Specifically, she complains that consideration of the requirements found in Sections 14-44.1(b), 14-44.4(h), 14-432(a) and 14-44.1(i) of the Code of Ordinances and thus acted in an arbitrary manner. However, the Letter of Approval issued by Robert Sheppard, Chief Building Official, is specially limited to the items requested in the application and the information found within that application. The comprehensive application submitted by the Property Owners addressed in detail all of the issues raised by Ms. Tate in her appeal.

1. The Subject Property is a vacant lot predating 2009 and thus allowed to seek a stream buffer variance per Section 14-44.1 (b)(2)

The stream buffer variance application materials specifically provided details to establish that the Opponents were allowed to seek a stream buffer variance. *See Page 2 of the written justification submitted as part of the application.* In this narrative, it was noted that :

The Applicants purchased the lot known as 1176 Lullwater Road in 2006. See deed included herein. The deed was recorded in the Superior Court of DeKalb County deed records at Deed Book 19466, Page 122. The Applicants purchased the lot from their predecessor pursuant to a survey in 1994. A copy of that survey is included herein. This survey was recorded in the Superior Court records on September 14, 2000, in a quit claim deed between the Applicants' predecessors at Deed Book 11595, Page 404. See included deed and recorded survey herein. The Tax Assessor has taxed the Applicants on this lot since their purchase in 2006 as a separate legal lot and currently values the property at \$187, 000.

And supporting evidence for these statements was provided. *See application materials herein.*

2. It is clear from the Record that no development is proposed or permitted within the existing or year 2025 built out condition flood plain.

The Letter of Approval specifically states that: "There is to be not (sic) grading/filling in the floodplain." Moreover, the Record clearly shows on the site plan that the proposed disturbed area does not include any portion of the 100-year floodplain although floodplain exists within the outer 25 ft of the 75-foot buffer. Additionally, there is a specific notation on the site plan that "there is to be no grading/filling in the floodplain". None has been proposed. And finally email exchanges between the design team and Kennisha Collins, the plan reviewer, make it clear that she considered carefully whether there was any development proposed within the existing or year 2025 built out conditions flood plain and found there was not. *See email exchange and reviewer notes included herein.*

Ms. Tate claims that because the development would be in the flood plain, it is materially detrimental to the public welfare or injurious to the property in the area. This argument must fail because clearly the proposed development is not within the flood plain, the encroachment is expressly limited to 1857 square feet and grading/filling in the flood plain is prohibited, per the Letter of Approval. Moreover, there is no evidence that the proposed development would result in the ills alleged by Ms. Tate, especially where her property is clearly uphill from any storm water flows.

3. There is no evidence in the Record that the proposed development affects the flood plain negatively or that it impacts the tributary of Peavine Creek negatively.

The only evidence in the Record demonstrates that there will be no negative effect on the flood plain or the stream at issue. On the contrary the evidence shows the following:

- No disturbance will occur in the first 50 feet of buffer from the line of wretched vegetation and no trees will be removed within that area but for one diseased tree within the flood zone. The rain garden will capture 100% of surface run off. Both woody and herbaceous plants in the ponding area provide vegetative uptake of runoff and pollutants and serve to stabilize surrounding soils.
- The development provides for a rain garden on site to the north of the driveway and outside of the stream buffer. The first 1.2” of rainfall on impervious surfaces will be directed to this rain garden. It also provides for 100% surface runoff, and 85% trapping of sediment and other pollutants. Bioretention areas are presumed to be able to remove 85% of the total suspended solids (TSS) load in typical urban post-development runoff when sized, designed, constructed, and maintained in accordance with the recommended specifications.
- All roof water and trench water will drain to the rain garden and be naturally treated, thereby removing pollutants, and improving water quality. Other pollutants bioretention areas can remove include Phosphorus, Nitrogen, metals (such as Cadmium, Copper, Lead, and Zinc), and Pathogens (such as Fecal Coliform)
- There will be no disturbance within the first 50 feet of the stream buffer.
- One pine tree infested with termites needs to be removed. Otherwise, all existing trees within the flood plain will remain and the site will exceed the requirements of the Tree Ordinance with respect to tree preservation outside of the flood plain.

4. The property owners demonstrated that there are no alternative designs possible which require less intrusion or no intrusion into the stream buffer.

Due to the competing regulatory requirements encumbering this property, there are no alternative designs possible. The HPC rejected a design in November of 2021 which removed the proposed home location from the required stream buffer areas. To comply with the requirements of the Historic Preservation Ordinance, setbacks from the right of way require encroachment into the stream buffers. In July of 2023, the HPC rejected a plan providing for a 68 -foot front yard setback. The current plan approved by the HPC provides for a 72-foot setback. That is the minimal setback the HPC will approve. The location of the Subject Property within a historic district coupled with the stream buffer and flood plain regulations

create an environment such that there are no alternative designs that would be less impactful than that approved by both the HPC and the chief Building Official. There is no evidence to the contrary.

B. The Failure to Appeal the September 13th Denial Did Not Preclude the Filing of a New Stream Buffer Variance Application

Unlike in other sections of the DeKalb County Code of Ordinances, there is no “bar” or “estoppel” which precludes and applicant like the property owners herein from electing to file a new application for an administrative stream buffer variance rather than appeal a negative decision to the ZBA¹, as asserted by the Appellant. Appeal of the September 13th denial of the previous stream buffer variance application was just one of the options available to the property owners. This question was actually asked of staff by the below signed counsel for the Property Owners prior to filing the stream buffer variance application at issue. Counsel was advised by the Environmental & compliance Inspections supervisor for the Department of Planning and Sustainability that “we allow for you to resubmit.” *See email thread included with these response materials.*

C. Any Alleged Denial of Due Process and Transparency is Mooted by the Consideration of this Appeal

In her appeal to the ZBA, Ms. Tate complains that she has been denied due process because an administrative variance “does not allow for any parties other than the applicant to provide input”, because no sign was posted notifying her of the approval and the appeal date and nothing was mailed to abutting property owners of the approval. Her assertions are factually and legally incorrect. First, the complete stream buffer variance application was filed on October 24, 2023. A sign was posted on the property the following day—*see attached time stamped photograph*. The clear purpose of the sign posting requirement in Section 14-44.5 of the code is to allow for input. However, apparently Ms. Tate did not see the sign or decided not to provide input. Secondly, there is no requirement that a sign be posted notifying the public of an approval. Finally, the Property Owners have no obligation to notify abutting owners of the approval decision and have no knowledge as to whether the County staff did or did not provide such notice, nor is there a requirement that a sign posting of approval or a complete copy of the application be provided abutting owners.² Regardless, Ms. Tate gained actual knowledge of the fact of an approval on December 13, 2023, during a ZBA hearing and acknowledges in her appeal receiving the approval notice on January 7, 2024. She has now

¹ See for example, Section 27-7.2 H prohibits the resubmittal of rejected or denied applications for rezoning, variance, or special land use permit within 24 months of a final decision on such application is. No such parallel provision can be found in Chapter 14, that chapter of the Code dealing with stream buffer encroachment applications.

² See *City of Dunwoody v. Discovery Management Inc.*, 338 Ga. App. 135 (2016) holding that courts will not imply a notice requirement not explicit in a local ordinance where actual notice and an opportunity to be heard have been provided.

exercised her right to appeal that decision and provide input on the stream buffer variance decision.

Ms. Tate's appeal is clearly untimely, per Section 27-7.5.2(B) which required an appeal within 15 days after the issuance of the approval letter. That appeal period expired on December 26th. Even if the 15 days were calculated from the date of Ms. Tate's actual knowledge of the approval, that period would have expired on December 28th. Instead, Ms. Tate waited until fully 35 days after her actual knowledge of the approval to appeal. Nonetheless, this appeal is being processed and being heard. As such, her arguments with respect to the alleged "lack of transparency" and "due process" are thus now moot. She is getting her "day in court," her process and nothing more is required.

It may be (the property owners are without any specific knowledge) that the County did not notify abutting owners of the approval of the stream buffer variance approval as per Section 14-44.5 (c). However, the County substantially complied with the notice requirements. As noted in the case of *DeKalb County v. Buckler*, 288 Ga. App. 346 (2007):

*In Georgia, "[a] substantial compliance with any statutory requirement, especially on the part of public officers, shall be deemed and held sufficient, and no proceeding shall be declared void for want of such compliance, unless expressly so provided by law." OCGA § 1-3-1 (c). This can be so even if the statutory requirement is expressed with the word "shall." See, e.g., Thebaut v. Ga. Bd. of Dentistry, 235 Ga. App. 194 (509 SE2d 125) (1998). In Thebaut, this Court upheld an agency decision despite the fact that the decision was procedurally [***6] deficient. In that case, a dentist argued that the Georgia Board of Dentistry's administrative proceeding against him was invalid because the Board failed to comply with OCGA § 50-13-17 (c), which mandated that each agency "shall" render a final decision within 30 days. Although the Board's decision was rendered considerably later than the 30-day mandate, this Court followed OCGA § 1-3-1 (c) and held that the statute at issue did not explicitly state that invalidation was the penalty for noncompliance. This Court added that "in the absence of injury to the defendant and in the absence of a penalty for failure to comply with the statute, 'shall' denotes simply futurity rather than a command." (Punctuation and [*349] footnote omitted.) Id. at 195 (1). See also Classic City Bonding Co. v. State of Ga., 256 Ga. App. 577 (568 SE2d 834) (2002) (where statute requiring notification within ten days following an event contained no penalty for failure to comply, two-days-late notice constitute substantial compliance; if the General Assembly intended strict compliance, it would have been expressed in the statute). Compare McClure v. Davidson, 258 Ga. 706, 710 (3) (373 SE2d 617) (1988) (OCGA § 36-66-2 [***7] implies that legislature intended for courts to invalidate zoning decisions in which notice of an upcoming hearing was not given).*

The ordinance in question does not specify when the notice to abutting owners of approval needs to be given, nor does it indicate any consequences for failure to provide such notice. And finally, despite its untimely nature, Ms. Tate's appeal is being heard by this body

so no harm can be said to have occurred to her because of any lack of strict compliance with the unclear notice provisions of Section 14-44.5.

IV. SUMMARY AND CONCLUSION

The existing proposal meets the specific requirements for a stream buffer variance as set forth in Sections 14-44.1 through .5. There has been no erroneous finding of material fact nor any arbitrariness in the actions of the Director's designee (the Chief Building Official). On the contrary, the application materials submitted address all the relevant substantive criteria and for all the reasons set forth above, the appeal of Ms. Tate should be denied and the decision of the Chief Building Official granting a stream buffer variance sustained in its entirety.

V. PRESERVATION OF CONSTITUTIONAL RIGHTS

The Property Owners respectfully submit that, should the ZBA refuse to uphold the administrative decision challenged, such an action would be unconstitutional as a taking of property without just compensation, a denial of equal protection, an arbitrary and capricious act, and a denial of due process of law under the United States Constitution and the Constitution of the State of Georgia.

Refusal to affirm the administrative decision of the Chief Building Official herein would deprive the Property Owners of any reasonable use and development of the Subject Property without just compensation and would be insubstantially related to the health and welfare of the public while substantially harming the Property owners.

Applicants specifically object to the standing of Ms. Tate as she cannot demonstrate any special injury as the result of the granting of the stream buffer encroachment pursuant to the substantial interest-specially aggrieved citizen standing test for appeals such as this.

This day of February, 2024.

Respectfully submitted,



Linda I. Dunlavy
Attorney for the Property Owners
Dave Martin and Beth Finnerty

Dunlavy Law Group, LLC
245 North Highland Avenue
Suite 230 #905
Atlanta, Georgia 30307

(404) 371-4101 Office
(404) 664-0895 Mobile
ldunlavy@dunlavylawgroup.com

QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF DEKALB


Jeanette Rozier
Clerk of Superior Court DeKalb Cty, Ga.
I HEREBY CERTIFY THAT THIS DEED WAS FILED FOR RECORD IN THE CLERK'S OFFICE OF THE SUPERIOR COURT OF DEKALB COUNTY, GEORGIA, ON SEPTEMBER 18, 2000 AT 4:44 PM.

THIS INDENTURE, made this 14 day of September, 2000, between REUBEN PIERCE HEAD, JR., a/k/a REUBEN P. HEAD, JR., an individual resident of the State of Georgia, County of DeKalb, of the first part, hereinafter called Grantor, and JEANNE STOKES HEAD, an individual resident of the State of Georgia, County of DeKalb, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, personal representatives, successors, and assigns where the contest requires or permit).

WITNESSETH THAT:

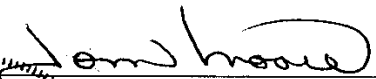
Grantor, for an in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey, and forever QUITCLAIM unto the said Grantee all of Grantor's interest in the following described property:

That unimproved property known at 1176 Lullwater Road, according to the present system of numbering houses in DeKalb County, Georgia, and being more particularly shown and described by the survey prepared by Joseph C. King, Land Surveyor, dated September 24, 1987, attached hereto as Exhibit "A".

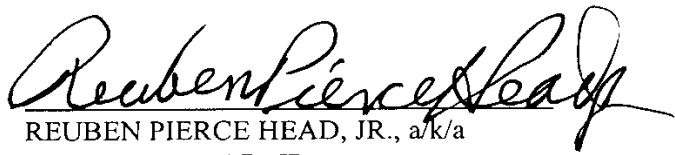
TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim, or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed the day and year first above written.

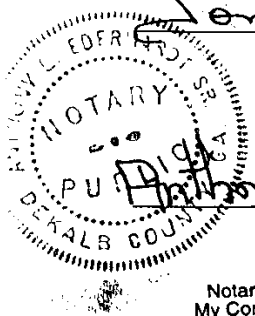
Signed, Sealed, and Delivered
In the presence of:

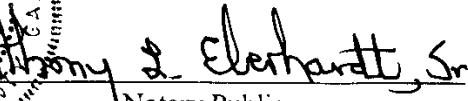


Witness



REUBEN PIERCE HEAD, JR., a/k/a
REUBEN P. HEAD, JR.





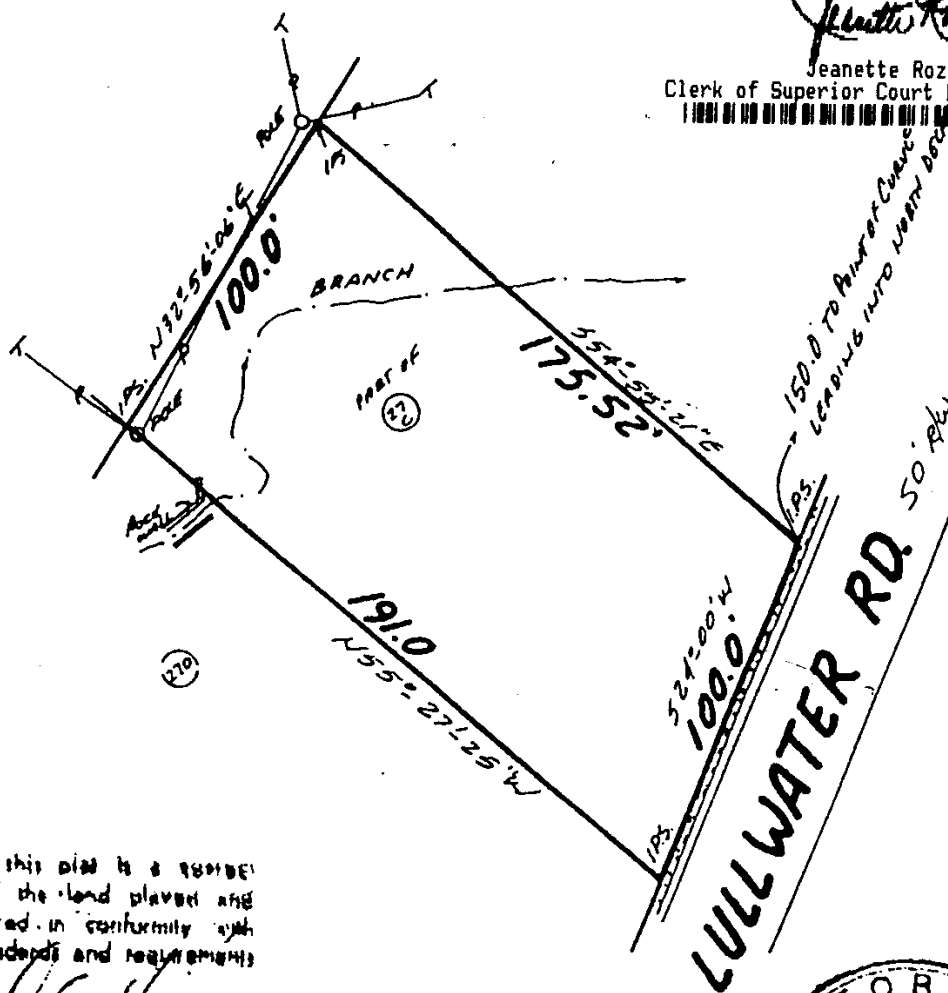
Notary Public

Notary Public, DeKalb County, Georgia
My Commission Expires October 31, 2000

EXHIBIT "A"

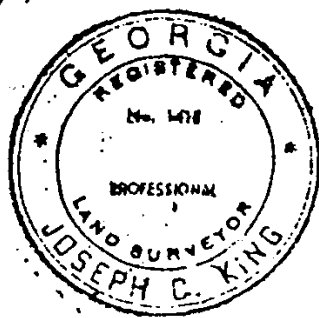
Jeanette Rozier

Jeanette Rozier
Clerk of Superior Court DeKalb Cty. Ga.



In my opinion, this plan is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.

Joseph C. King
Member Ga. Surv. Reg. Land Surveyor



SURVEY FOR
R. PIERCE HEAD, JR.
200 DEED 2 FC BLOCK B DAVID HIRTS 310
ALSO LOT 2 - 18TH DISTRICT DEKALB COUNTY GEORGIA
DATE: 2-24-87 - SCALE 1" = 50'

Joseph C. King, Land Surveyor

209-5254



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 Lullwater Rd

Name: GARY VALENTINE Title: Develop Insp. III

Property Owner/Requested By: In House: Lee Azimi: LAND DEVELOPMENT

Phone #: _____ Fax: _____

Address: _____

Type of Water Feature: CONTAINED STATE WATER / SITE VISITED BY: GARY VALENTINE

- River
- Stream
- Creek
- Branch
- Lake
- Reservoir
- Pond
- Drainage System
- Spring
- Well

Is there flow? Yes No
(if yes) Surface Subsurface

Is there wretched edge vegetation? Yes No

Is there a defined channel? — SEA WALL Yes No SEA WALL ALONG CREEK THE LENGTH OF THE PROPOSED WORK ZONE.

Is it confined entirely on owner's property? Yes No

Are hydric soils present? Yes No

Is wetland vegetation present? Yes No

Final Determination: State Water STATE WATER CONTAINED BY SEA WALL ALONG PROPOSED WORK SITE.
 ~~NO~~ (buffers required)
 No State Water observed

Comments: NO BUFFER ALONG SEA WALL PORTION OF SITE.

Site visited: 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. 9-20-16

DeKalb County Planning & Development Department

STATE WATER DETERMINATION FORM

AP# 931464

FEE PAID: YES NO NO FEE APPLIED

Parcel I.D. Number: 18-054-06-001 Date: _____

Site Address: 1176 Lullwater Rd Atl. 30307

Property Owner Name: David A & Elizabeth F Martin

Name/Title of Agent: David Martin

IF NOT OWNER, Requested By: _____

Phone Number: 404 308-0071 Fax: _____

Your Address: 1136 Lullwater Rd Atl, GA 30307

Type of Water Feature: Stream Site Visited By: gy Dull GM

River Stream Creek Branch Lake Reservoir Pond Drainage System Spring Well

Is there flow? (Circle) Yes or No (if yes Circle) Surface / Subsurface

	Y/N	Comments
Is there wretched edge vegetation?	<input checked="" type="checkbox"/>	
Is there a defined channel?	<input checked="" type="checkbox"/>	<u>concrete/rock wall along creek.</u>
Is it confined entirely on owner's property?	<input checked="" type="checkbox"/>	<u>" "</u>
Are hydric soils present?	<input checked="" type="checkbox"/>	
Is wetland vegetation present?	<input checked="" type="checkbox"/>	

	Comments
Final Determination: <input checked="" type="checkbox"/> State Water	<u>STATE WATER, *NO Buffer AT wall.</u>
<input type="checkbox"/> Buffers Required	
<input type="checkbox"/> No State Water Observed	

Comments: 10 FT EASEMENT, FOR COUNTY DRAINAGE EASEMENT.

*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. *GM 5-15-19

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

STATE WATER DETERMINATION FORM

AP# _____

FEE PAID: YES NO NO FEE APPLIED

Parcel I.D. Number: _____ Date: _____

Site Address: _____

Property Owner/Requested By: _____

Name/Title of Agent: _____

IF NOT OWNER, Requested By: _____

Phone #: _____ Fax: _____

Address: _____

Type of Water Feature: _____ Site Visited By: _____

River Stream Creek Branch Lake Reservoir Pond Drainage System Spring Well

Is there flow? Yes No (if yes) Surface Subsurface

Is there wretched edge vegetation? Yes No _____

Is there a defined channel? Yes No _____

Is it confined entirely on owner's property? Yes No _____

Are hydric soils present? Yes No _____

Is wetland vegetation present? Yes No _____

Final Determination: State Waters _____

Buffers Required _____

No State Water observed _____

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**

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

TO: Linda Dunlavy
245 N. Highland Ave, NE
Suite 230 #905
Atlanta, GA 30307

FROM: Mr. Robert Sheppard, Chief Building Official
DeKalb County Department of Planning & Sustainability
178 Sams Street, Suite A1406
Atlanta, Georgia 30030

DATE: December 11, 2023

SUBJECT: DeKalb County's Letter of Approval under the Provisions of DeKalb County ordinance Chapter 14, Article II, Section 14-44(1-5).
Lullwater Stream Buffer
Permit 1246723
1176 Lullwater Road
Atlanta, GA 30307

The DeKalb County Inspections Division of the Department of Planning & Sustainability has reviewed your stream buffer variance application for the property located at '1176 Lullwater Road'. The review was conducted to consider the potential impacts of the proposed project's encroachment on the buffers to State waters as factored within Georgia Erosion and Sedimentation Act (GESA) and Georgia's National Pollutant Discharge Elimination System (NPDES).

This review, and the variance granted, is limited to only the request(s) in the application that was submitted by you, the applicant and/or your agent, for permission to conduct land-disturbing activities within the 75-foot buffered area of the State waters where vegetation has been wrested by normal stream flow or wave action.

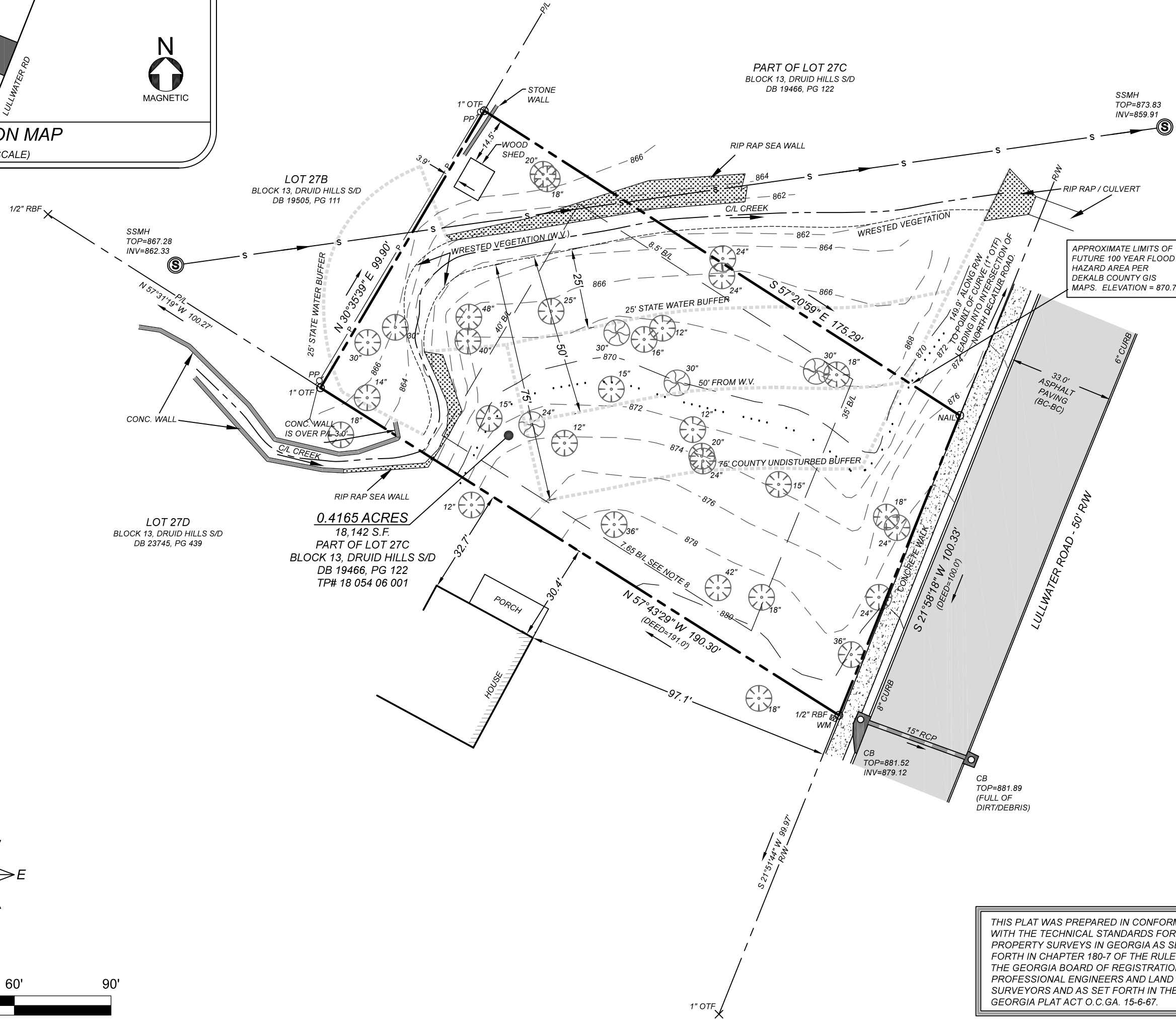
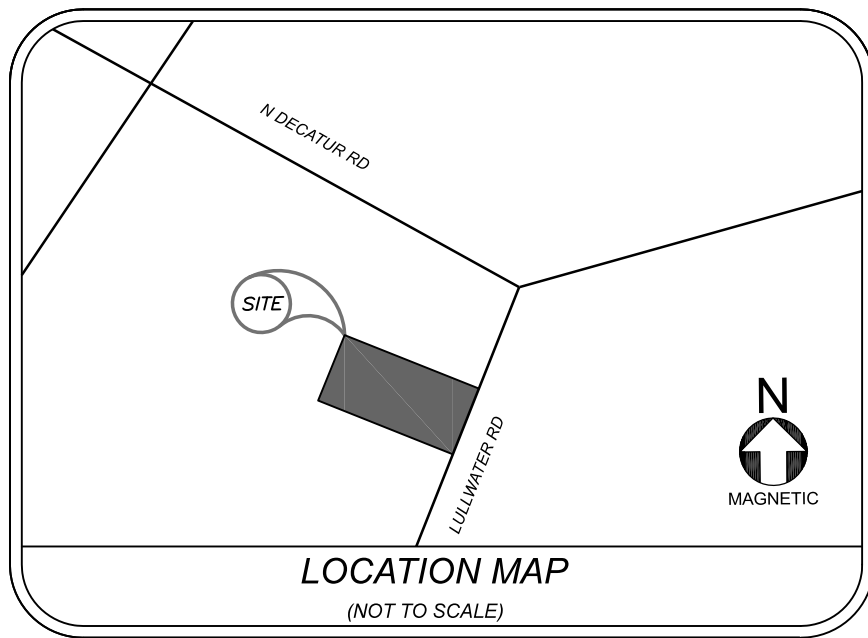
You are hereby authorized and granted encroachment within the outer 25 ft of the 75-foot buffer of DeKalb County, for the proposed new single-family residence, driveway and retaining wall. The total area of the encroachment is not to exceed 1857 square feet and there is to be not grading/filling in the floodplain. Impacts affecting the buffer, in this request, must be completed within 5 years of the date of this approval letter.

Please adhere to the following contingencies and conditions:

- I. All slopes must be properly protected until permanent vegetative is established.
- II. Land clearance should be kept to a minimum.
- III. All disturbed areas must be protected until permanent vegetation is established.
- IV. Double row of type "C" silt fence or approved high performance silt fence must be installed between the disturbed land area and the State water.
- V. The project must be conducted in a strict manner and in accordance with the 'approved' erosion and sedimentation control plan'.

If you have any questions, please contact Kennisha Collins, Land Development Inspections Division, at 470-829-1523.

Robert Sheppard,
Chief Building Official



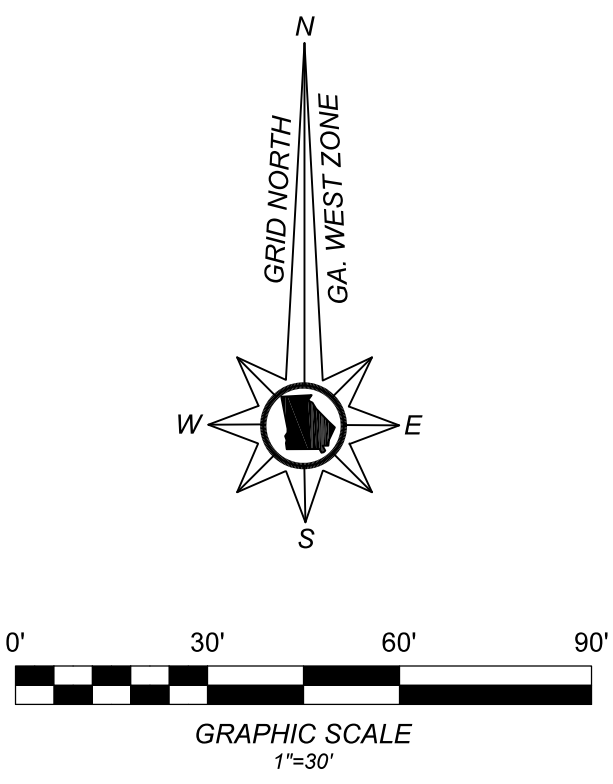
- NOTES:**
1. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122 OF DEKALB COUNTY RECORDS.
 2. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13089C0062K, DATED AUGUST 15, 2019.
 3. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN IS BASED ON ABOVE GROUND STRUCTURES AND INFORMATION SUPPLIED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES OR STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES OR STRUCTURES MAY EXIST. THE SURVEYOR MAKES NO CERTIFICATION AS TO THE ACCURACY AND COMPLETENESS OF THE LOCATIONS SHOWN HEREON.
 4. NO ABSTRACT OF TITLE, TITLE COMMITMENT, OR RESULTS OF TITLE SEARCHES WERE SUPPLIED TO THE SURVEYOR. THERE MAY BE OTHER MATTERS OF RECORD THAT AFFECT THIS PROPERTY.
 5. BUILDING SETBACK INFORMATION SHOWN HEREON IS PER THE DEKALB COUNTY ZONING ORDINANCE FOR R-85 ZONING CLASSIFICATION.
 6. THE LAST DAY OF THE FIELD SURVEY WAS PERFORMED ON 1/27/2023.
 7. VERTICAL INFORMATION SHOWN HEREON WAS OBTAINED FROM A "FIELD RUN" SURVEY. REFERENCE DATUM IS NAVD 88-1994 MEAN SEA LEVEL. CONTOUR INTERVAL EQUALS TWO FEET.
 8. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS LINE IS 7.65' PER ADMINISTRATIVE VARIANCE #AV-22-1246498.

CLOSURE STATEMENT

FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A TRIMBLE S-6 ROBOTIC TOTAL STATION.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 220,401 FEET.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 261,580 FEET AND AN ANGULAR ERROR OF 0.5 SECOND PER ANGULAR POINT AND WAS ADJUSTED USING COMPASS RULE.



THIS PLAT WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

NOTE: SURVEY NOT VALID UNLESS SEAL SIGNED AND DATED.

LEGEND

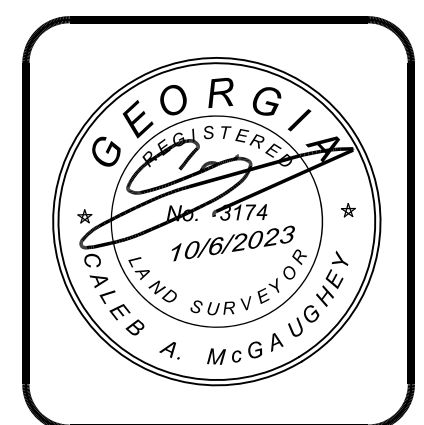
DRAINAGE STRUCTURES		ABBREVIATIONS	
	SWCB = SINGLE WING CATCH BASIN	BC	BACK OF CURB
	DWCB = DOUBLE WING CATCH BASIN	BH	BUILDING HEIGHT
	JB = JUNCTION BOX	B/L	BUILDING SETBACK LINE
	GI = GRATE INLET	B/W	BOTTOM OF WALL
	CI = CURB INLET	C&G	CURB AND GUTTER
	YI = YARD INLET	C/L	CURB LINE
	DI = DROP INLET	CMP	CORRUGATED METAL PIPE
	HW = HEAD WALL	CMF	CONCRETE MONUMENT FOUND
	SSMH = SANITARY SEWER MANHOLE	CO	CLEAN OUT
	SSCO = SANITARY SEWER CLEANOUT	CONC	CONCRETE
	GT = GREASE TRAP	CT	CRIMP TOP PIPE FOUND
	FES = FLARED END SECTION	DB/PG	DEED BOOK / PAGE
UTILITY SYMBOLS		DE	DRAINAGE EASEMENT
	A/C = AIR CONDITIONING UNIT	DIP	DOUBLE WING CATCH BASIN
	ET = ELECTRIC TRANSFORMER	DL	DOUBLE YELLOW LINE STRIPING
	CPE = CABLE TV PEDESTAL	EP	EDGE OF PAVING
	FH = FIRE HYDRANT	F.I.R.M.	FEDERAL INSURANCE RATE MAP
	GM = GAS METER	HDPE	HIGH DENSITY POLY ETHYLENE PIPE
	GV = GAS VALVE	HW	HEADWALL
	GUY = GUY WIRE	IE	INVERT ELEVATION
	TPED = TELEPHONE PEDESTAL	IPS	1/2" REBAR PIN SET W/CAP
	PP = UTILITY POLE	LL	LAND LOT
	LP = LIGHT POLE	LLL	LAND LOT LINE
	WM = WATER METER	MW	MONITORING WELL
	WV = WATER VALVE	N/O	NOW OR FORMERLY
MISC. SYMBOLS		N/S	NAL SET
	P = PARKING SPACE COUNT	NTS	NOT TO SCALE
	SD = SATELLITE DISH	OTF	OPEN TOP PIPE FOUND
UTILITY LINETYPES		OSD	OUTSIDE DIMENSION
	P = POWER LINE (UP=UNDERGROUND)	OC	OUTLET CONTROL STRUCTURE
	T = TELEPHONE LINE (UT=UNDERGROUND)	PLB/PP	PLAT BOOK/PAGE
	C = CABLE TV LINE (UC=UNDERGROUND)	P/L	PROPERTY LINE
	S = SANITARY SEWER LINE	POB	POINT OF BEGINNING
	G = GAS LINE	P.O.E.	POINT OF ENTRY
FENCE LINES		PVC	POLYVINYL CHLORIDE PIPE
	CLF = CHAIN LINK FENCE (CLF)	REB	REINFORCED CONCRETE PIPE
	WF = WIRE FENCE	R/W	RIGHT OF WAY
	WD = WOODEN FENCE	S.F.	SQUARE FEET
	H = HARDWOOD	SSE	SANITARY SEWER EASEMENT
	P = PINE/CONIFER	TBM	TEMPORARY BENCH MARK

DATE:	ISSUE		
SCALE:	NO.	DESCRIPTION	DATE
OCTOBER 25, 2016	1	ADDED STREAM BUFFERS	2/1/2023
1" = 30'	2	ADDED HOUSE LOCATION	10/6/2023
ACREAGE: 0.4165		UPDATE TO FLOOD MAPPING	10/6/2023
LAND LOT(S): 2			
DISTRICT: 18th			
CITY:			
COUNTY: DEKALB STATE: GEORGIA			
SURVEYED: MAF DRAWN: MWR			
CHECKED: WGH APPROVED: CAM			
PROJECT #: 16-257			

BOUNDARY, TOPOGRAPHIC, AND TREE SURVEY FOR:

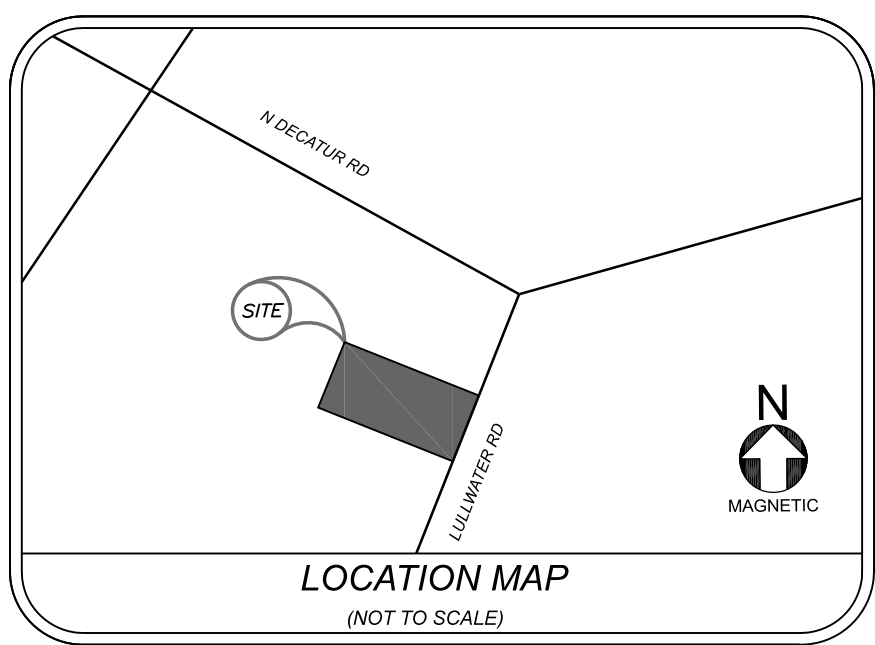
1176 LULLWATER ROAD

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
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET
1
OF
1



IMPERVIOUS SURFACE CALCULATIONS:
 PROPOSED IMPERVIOUS SURFACE: 3,377 S.F.
 house=1,750
 drive = 1,114
 steps = 35
 open terrace = 163
 covered porch = 169
 concrete walk = 146

TOTAL IMPERVIOUS AREA: 3,377 S.F.
 TOTAL LOT AREA: 18,142 S.F.
 TOTAL PROPOSED LOT COVERAGE: 18.6% (35% max)

24 HOUR LOCAL EROSION & SEDIMENT CONTROL CONTACT
RAY BONGERS
 404-949-9130

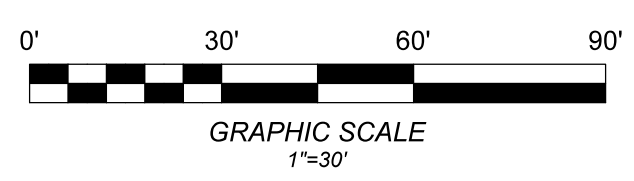
- CONSTRUCTION NOTES:**
1. THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES.
 2. EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION AND SEDIMENT CONTROL, ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
 3. ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
 4. ALL LOTS/SITES WITH 2' OF FILL OR GREATER WILL REQUIRE A COMPACTION CERTIFICATE BY A PROFESSIONAL REGISTERED ENGINEER PRIOR TO A BUILDING PERMIT AND OR PRIOR TO FOOTERS BEING POURED.
 5. LOCATE AND FIELD STAKE ALL UTILITIES, EASEMENTS, PIPES, FLOOD LIMITS, STREAM BUFFERS, AND TREE SAVE AREAS PRIOR TO ANY LAND DISTURBING ACTIVITIES.
 6. ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
 7. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING.
 8. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
 9. A FINAL AS-BUILT LOT SURVEY IS REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
 10. THERE ARE WATER QUALITY DEVICES DESIGNED FOR THIS SITE.
 11. DUMPSTERS AND OR TEMP. SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.
 12. WORK HOURS AND CONSTRUCTION DELIVERIES ARE:
 - MONDAY - FRIDAY 7:00 AM - 7:00 PM
 - SATURDAY 8:00 AM - 5:00 PM
 13. I, CALEB MCGAUGHEY CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

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% IMPACT AND REQUIRE AN ARBORIST PRESCRIPTION

0.4165 ACRES
 18,142 S.F. (8,402 OUT OF FLOOD)
 PART OF LOT 27C
 BLOCK 13, DRUID HILLS S/D
 DB 19466, PG 122
 TPN# 18 054 06 001

PART OF LOT 27C
 BLOCK 13, DRUID HILLS S/D
 DB 19466, PG 122

ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN



APPROXIMATE LIMITS OF FUTURE 100 YEAR FLOOD HAZARD AREA PER DEKALB COUNTY GIS MAPS. ELEVATION = 870.7

TREE PRESERVATION CALCULATION:
 COMPUTED USING ONLY TREES OUT OF FLOOD PLAIN
 -DESTROYED - 11 TREES @ 66.2 units
 -SAVED - 7 TREES @ 58.8 units

-DENSITY REQUIREMENTS 0.193 AC * 15 UNITS/AC = 2.9 units
 -REQUIRED: 2.9 units
 NO ADDITIONAL UNITS REQUIRED

REQUIRED TREES TO REMAIN:
 -SAVED - 7 TREES @ 125 INCHES
 -SPECIMEN TREE REMOVED 1 @ 41 INCHES (1.5 x INCHES removed = additional 62 INCHES required)
 120 INCHES DBH PER ACRE X 0.193 ACRES = 23 INCHES
 62 INCHES + 23 INCHES = 85 INCHES (PROVIDED)
 18 TREES X 25 = 45 TREES (PROVIDED)

0 PROPOSED TREE PLANTINGS AS PER ZONING

TREE PROTECTION FENCES IN ACCORDANCE WITH THE APPROVED PLAN MUST BE INSTALLED PRIOR TO STARTING LAND DISTURBANCE ACTIVITIES, AND MAINTAINED UNTIL FINAL LANDSCAPING.

TREE NUMBER	SPECIES	CONDITION (GOOD, FAIR, POOR, DEAD)	DBH (INCHES)	DENSITY UNITS	REMAIN/REMOVE	CRZ (FEET) (IF TREES TO REMAIN)	% IMPACT ON CRZ
1	WATER OAK	POOR	POOR (37)	DDH	REMOVE		
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	32.5%
6	YELLOW POPLAR	GOOD	25	6.8	REMOVE		
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	DDH	REMAIN	13	1.3
18	HARDWOOD	POOR	IN FLOOD	DDH	REMAIN		
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	REMOVE		
36	WATER OAK	POOR	POOR (11)	DDH	REMOVE		

TOTAL OUT OF FLOOD PLAIN= 18 TREES @ 125.0 units

- SITE NOTES:**
1. THRESHOLD ELEVATION IS THE ELEVATION OF THE TOP OF THE SUBFLOOR IN THE OPENING THAT IS DESIGNATED AS THE FRONT DOOR OF THE DWELLING.
 2. BUILDING HEIGHT OF THE NEW STRUCTURE NOT TO EXCEED 35 FEET.
 3. NO GRADES TO EXCEED 3:1
 4. THERE ARE NEW UTILITIES PROPOSED FOR THIS SITE.
 6. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122, DEKALB COUNTY.
 7. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13089C0062K, DATED AUGUST 15, 2019.
 8. EXISTING ZONING: R-85
 SETBACKS:
 FRONT: 35'
 SIDE: 8.5'
 REAR: 40'
 9. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS LINE IS 7.65' PER ADMINISTRATIVE VARIANCE #AV-22-1246498.
 10. TOTAL DISTURBED AREA: 5,300 S.F.
 11. ALL ELEVATIONS ON SITE SHALL BE VERIFIED PRIOR TO CONSTRUCTION.
 12. NO DISTURBANCE LOCATED WITHIN THE 25' OR 50' BUFFER.
 13. THE RAIN GARDEN IS THE MITIGATION PLAN
 14. RECEIVING WATERS FOR THIS PROJECT IS PEAVINE CREEK AREA ADJACENT TO LOT CONSIST OF EXISTING HOUSES AS WELL AS EXISTING STREAM WITH VEGETATIVE BUFFER.
 15. AS-BUILT WATER QUALITY CERTIFICATION AND LOT AS-BUILT IS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
 16. OVERFLOW FROM WATER QUALITY BMP(S) SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

APPROXIMATE LIMITS OF FUTURE 100 YEAR FLOOD HAZARD AREA PER DEKALB COUNTY GIS MAPS. ELEVATION = 870.7

- RAIN GARDEN MAINTENANCE NOTES**
1. IRRIGATE VEGETATION AS NEEDED IN FIRST SEASON.
 2. REMOVE WEEDS.
 3. REPLACE UNSUCCESSFUL PLANTINGS.
 4. REFRESH MULCH.
 5. REPAIR ERODED AREAS.
 6. RAISE CLOGGED SURFACE TO RESTORE INFILTRATION.
 7. MONITOR RAIN GARDEN FOR APPROPRIATE DRAINAGE TIMES. IF GARDEN DOES NOT DRAIN AN UNDERDRAIN MAY BE NECESSARY.

WATER QUALITY CALCULATIONS:
 DRAINAGE AREA = 18,142 S.F.
 NEW IMPERVIOUS AREA = 3,377 S.F.
 $WQv = 1.2 \times Rv \times \text{Drainage Area} / 12$
 $Rv = 0.05 + 0.009(3,377 / 18,142) \times 100 = .217$
 DRAINAGE AREA x (1.2"/12) = REQUIRED STORAGE VOLUME
 18,142 SF x (1.2"/12) x 0.217 = 395 CF

REQUIRED WATER STORAGE = 395 CF
 EQUIVALENT DRAINAGE AREA = 395 CF X 12/1.2" = 3950 S.F.
 DEPTH OF AMENDED SOILS = 30" (2.5')
 AREA OF RAIN GARDEN REQUIRED = 3950 S.F. X 0.05 = 198 S.F.
 AREA OF RAIN GARDEN PROPOSED = 206 S.F.

PROPOSED TWO STORY HOUSE WITH BASEMENT
 MAIN FFE: 883.1
 BASEMENT FFE: 873.9
 GARAGE FFE: 873.7
 3' ABOVE BFE

PROPOSED CONC. DRIVE - TO BE USED AS MATERIALS STAGING AREA

PROPOSED DRIVEWAY APRON PER DEKALB COUNTY 709/710 STANDARD

PROPOSED WATER METER & WATER SERVICE

OWNER:
 DAVID MARTIN &
 ELIZABETH FINNERTY MARTIN
 1136 LULLWATER DR
 ATLANTA, GEORGIA 30307

DEVELOPER:
 BONGERS HOMEBUILDERS
 RAY BONGERS
 404-557-9747
 445 MT PARAN ROAD
 ATLANTA, GEORGIA 30327

DeKalb County Historic Preservation Commission
 389 Peachtree Lane Avenue, Suite 300
 Decatur, GA 30030
 (404) 372-2226 or (404) 372-2823 (Fax)

CERTIFICATE OF APPROPRIATENESS

September 20, 2023

Site Address: 1176 LULLWATER DR ATLANTA, GA 30307
 Parcel ID: 18-054-06-001

Applicant: Elizabeth Finnerty C/o Betty Lee, P.C.
 Mailing Address: 3542 Montclair at Northlake Tucker, GA 30084

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Modified Approval

Build a house as shown in the architectural drawings with the modifications that the granite shown on the front and left side of the house will be replaced with brick and the small window on the right side of the front elevation will be replaced by a larger window matching the others on the facade.

NO LAND DISTURBING ACTIVITIES TO BEGIN PRIOR TO EROSION AND SEDIMENT CONTROLS AND TREE PROTECTIONS ARE IN PLACE.

LEGEND

DRAINAGE STRUCTURES

- SWCB = SINGLE WING CATCH BASIN
- B/C = BUILDING CATCH BASIN
- JB = JUNCTION BOX
- GI = GRATE INLET
- CI = CURB INLET
- YI = YARD INLET
- DI = DROP INLET
- HI = HEAD WALL
- SSMH = SANITARY SEWER MANHOLE
- SSCO = SANITARY SEWER CLEANOUT
- GT = GATE TRAP
- FES = FLARED END SECTION

UTILITY SYMBOLS

- A/C = AIR CONDITIONING UNIT
- ET = ELECTRIC TRANSFORMER
- CPED = CABLE TV PEDESTAL
- FH = FIRE HYDRANT
- GM = GAS METER
- GV = GAS VALVE
- GUY = GUY WIRE
- TPED = TELEPHONE PEDESTAL
- LP = LIGHT POLE
- WM = WATER METER
- WV = WATER VALVE

MISC. SYMBOLS

- PS = PARKING SPACE COUNTER
- SD = SATELLITE DISH

UTILITY LINETYPES

- P = POWER LINE (UP-UNDERGROUND)
- T = TELEPHONE LINE (UT-UNDERGROUND)
- C = CABLE TV LINE (UC-UNDERGROUND)
- CS = SANITARY SEWER LINE
- G = GAS LINE

FENCE LINES

- CLF = CHAIN LINK FENCE (CLF)
- WF = WIRE FENCE
- WF = WOODEN FENCE

ABBREVIATIONS

- BC = BACK OF CURB
- BH = BUILDING HEIGHT
- B/L = BUILDING SETBACK LINE
- BW = BOTTOM OF WALL
- C&G = CURB AND GUTTER
- C/L = CENTERLINE
- CMF = CORRUGATED METAL PIPE
- CMF = CONCRETE MONUMENT FOUND
- CO = CLEAN OUT
- CONC = CONCRETE
- C/P = CRIMP TOP PIPE FOUND
- DB = DETAIL BOOK / PAGE
- DE = DRAINAGE EASEMENT
- DIP = DUCTILE IRON PIPE
- DYLB = DOUBLE WING CATCH BASIN
- DYL = DOUBLE YELLOW LINE STRIPING
- EP = EDGE OF PAVING
- F.I.R.M. = FEDERAL INSURANCE RATE MAP
- HDP = HIGH DENSITY POLY ETHYLENE PIPE
- HW = HEADWALL
- IE = INVERT
- IPS = INVERT SET W/CAP
- LL = LAND LOT LINE
- LL = LAND LOT LINE
- M/S = MONITORING
- N/F = NOW OR FORMERLY
- NW = NOT TO SCALE
- OTD = OPEN TOP PIPE FOUND
- OSD = OUTSIDE DIMENSION
- OCS = OUTLET CONTROL STRUCTURE
- PB/PAGE = PLAT BOOK/PAGE
- PROPERTY LINE
- P/L = POINT OF BEGINNING
- P.O.E. = POINT OF ENTRY
- PVC = POLYVINYL CHLORIDE PIPE
- RFB = REBAR PIN FOUND
- RCP = REINFORCED CONCRETE PIPE
- R/W = RIGHT OF WAY
- S.F. = SQUARE FEET
- SRF = SOLID ROD FOUND
- SS = SANITARY SEWER
- SSE = SANITARY SEWER EASEMENT
- TBM = TEMPORARY BENCH MARK
- TN = TAX PARCEL NUMBER
- POC = POINT OF COMMENCEMENT
- TYP = TYPICAL
- TV = TOP OF WALL
- WI = WEIR INLET

DATE:	ISSUE	NO.	DESCRIPTION	DATE
AUGUST 5, 2021				
SCALE: 1" = 30'				
ACREAGE: 0.4165	1	ADDED STREAM BUFFERS	02/01/2023	
LAND LOT(S): 2	2	UPDATED HOUSE PLAN	05/30/2023	
DISTRICT: 18th	3	UPDATED HOUSE PLAN	10/6/2023	
CITY:				
COUNTY: DEKALB STATE: GEORGIA				
SURVEYED: MAF DRAWN: MWR				
CHECKED: WGH APPROVED: CAM				
PROJECT #: 16-257				

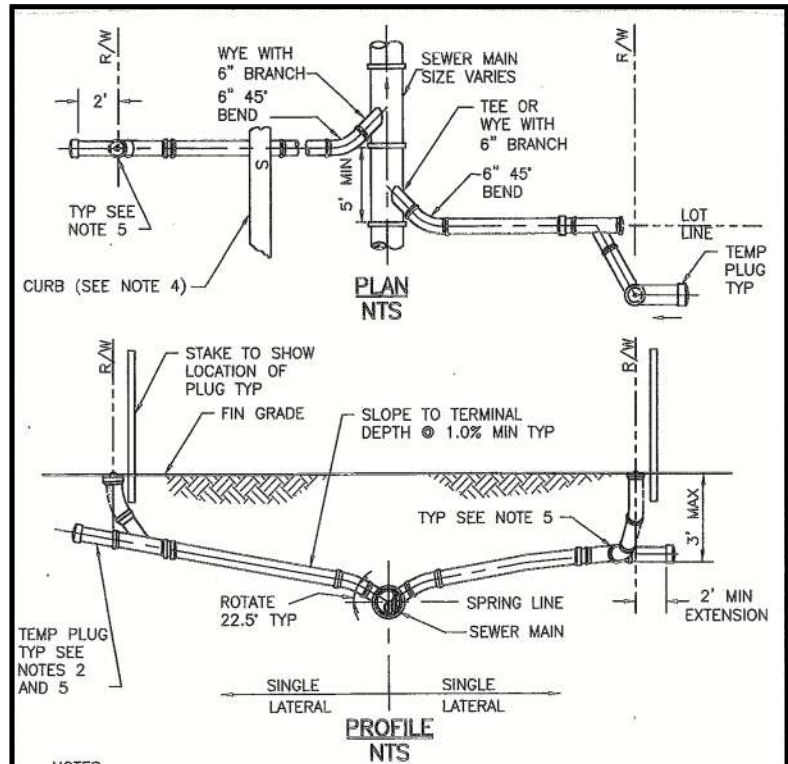
SITE PLAN FOR:
1176 LULLWATER ROAD

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
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET 1 OF 2



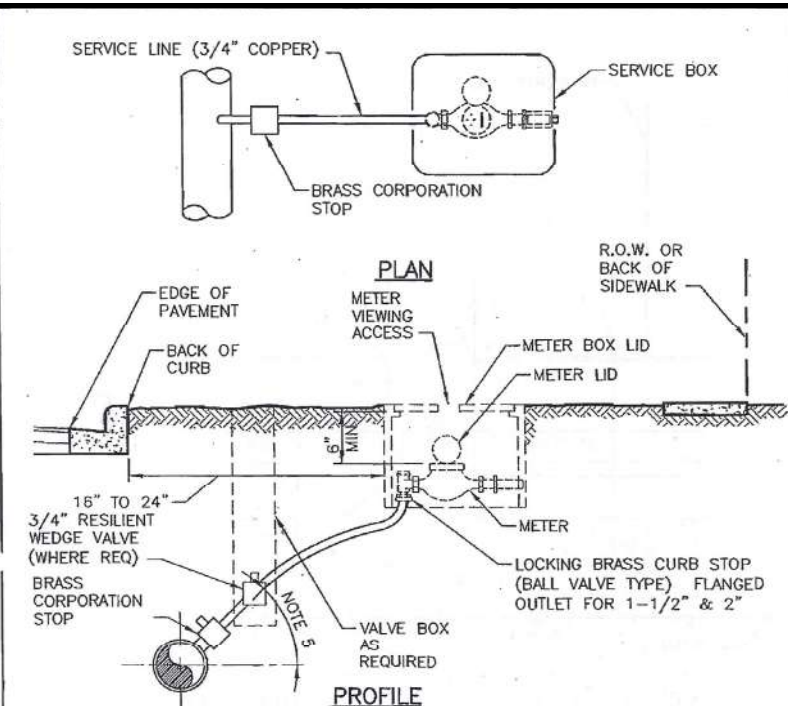
- NOTES:
1. INVERT OF SERVICE LATERAL SHALL NOT ENTER SEWER MAIN BELOW SPRING LINE.
 2. SERVICE LATERAL SHALL BE CAPPED BY DEVELOPER'S CONTRACTOR.
 3. ALL FITTINGS SHOWN ARE TO BE INSTALLED.
 4. SERVICE CONNECTIONS SHALL BE PERMANENTLY MARKED BY CUTTING AN "S" IN THE CURB DIRECTLY OVER THE LATERAL.
 5. DEVELOPER'S CONTRACTOR WILL INSTALL CLEANOUT.

DEKALB COUNTY, GA
Department of Watershed Management

STANDARD DETAILS
Sanitary Sewer Lateral Connection detail

NOT TO SCALE

DETAIL NO. S-017



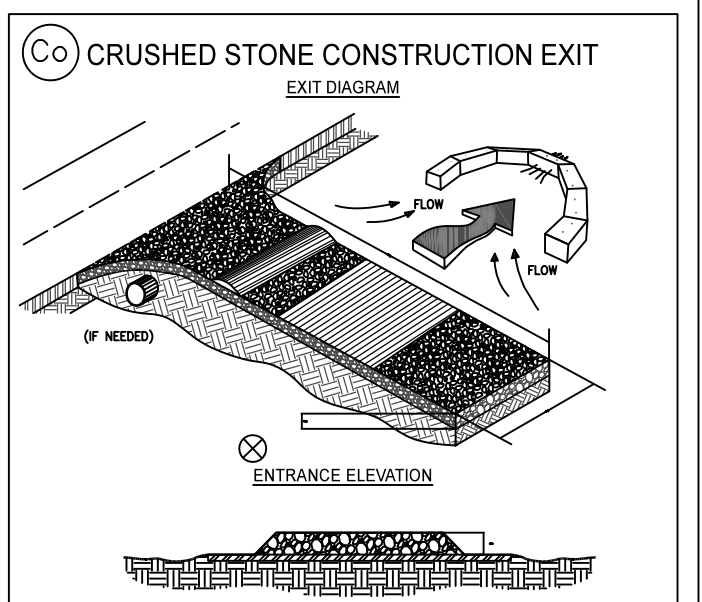
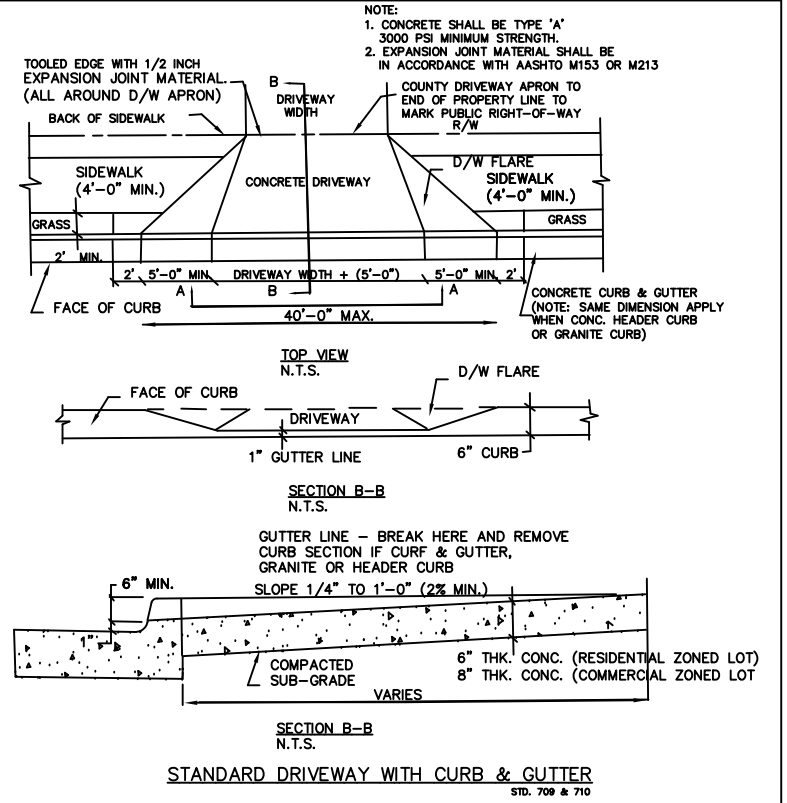
- NOTES:
1. METER SHALL BE INSTALLED BETWEEN SIDEWALK AND CURB AND IN NO CASE SHALL IT BE INSTALLED IN SIDEWALK OR OTHER PAVED AREAS.
 2. ALL POTABLE WATER IRRIGATION METERS REQUIRE AN APPROVED BACKFLOW PREVENTER.
 3. ALL PROPERTIES WITH ALTERNATIVE WATER SYSTEMS (WELL, ETC.) REQUIRE BACKFLOW PREVENTERS.
 4. SERVICE LINES SHALL NOT BE LESS THAN METER SIZE.
 5. SERVICE TAP SHALL BE BETWEEN 2:00 O'CLOCK AND 4:00 O'CLOCK WITHOUT SADDLE TAP.

DEKALB COUNTY, GA
Department of Watershed Management

STANDARD DETAILS
Residential Water Meter Installation Detail

NOT TO SCALE

DETAIL NO. W-026



- NOTES:
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 8".
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20".
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (OVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
 9. WASHRACKS AND/OR THE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRACK DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

ON ALL DISTURBED AREAS

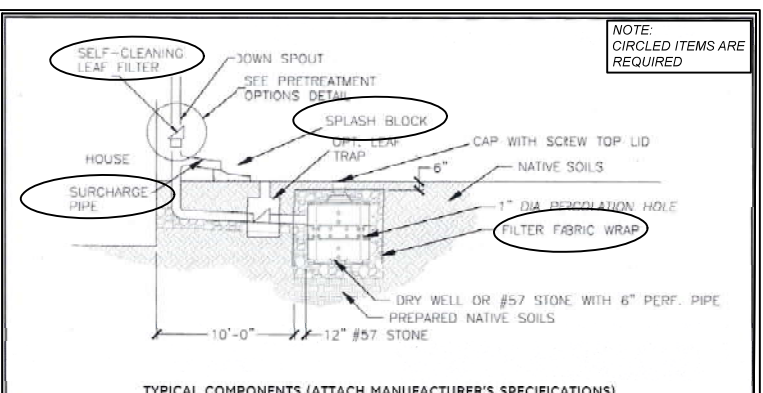
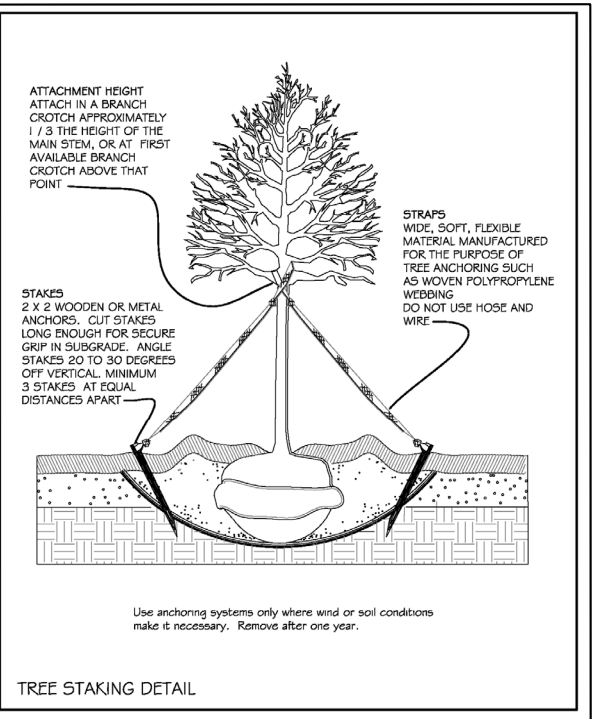
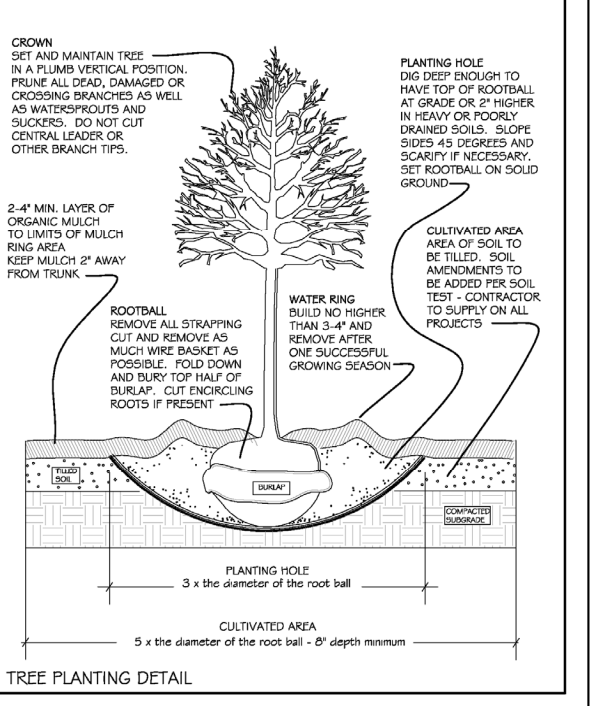
EROSION CONTROL SEDIMENT PRACTICES:

Ds1 DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.

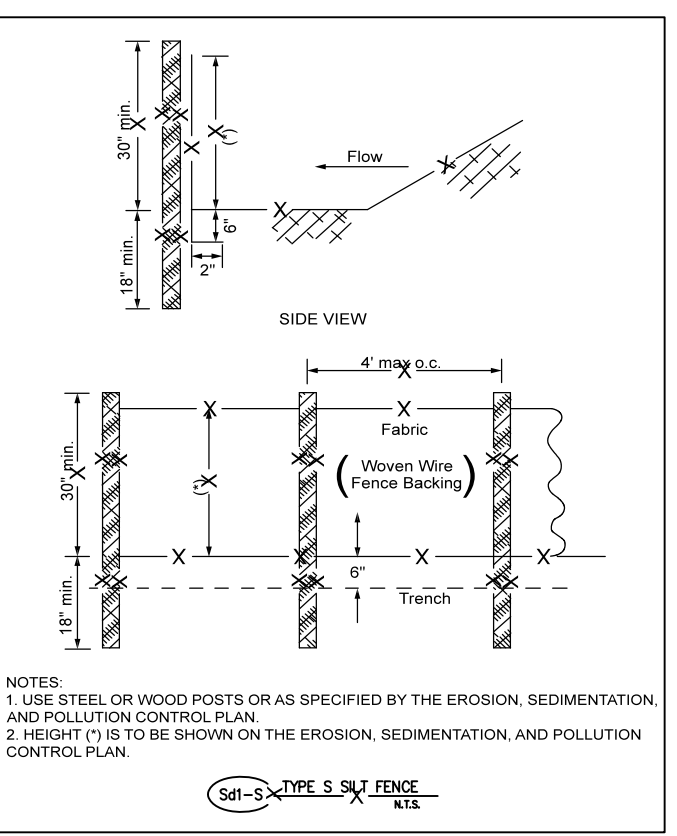
Ds2 DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS ON DISTURBED AREAS.

Ds3 DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.

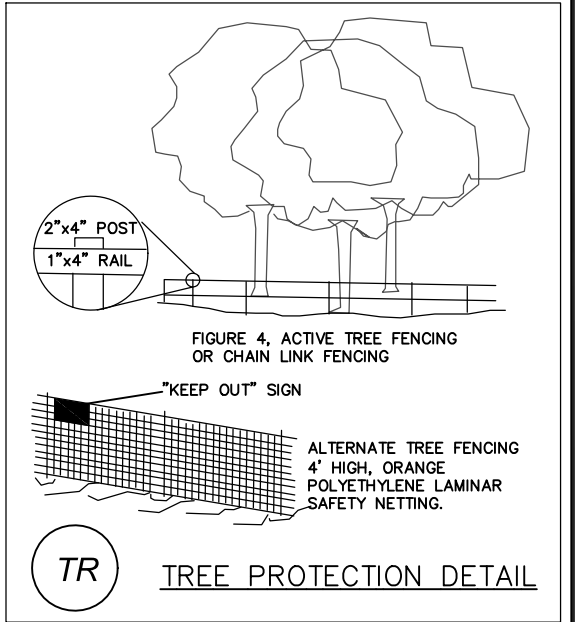
Ds4 DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 15% AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



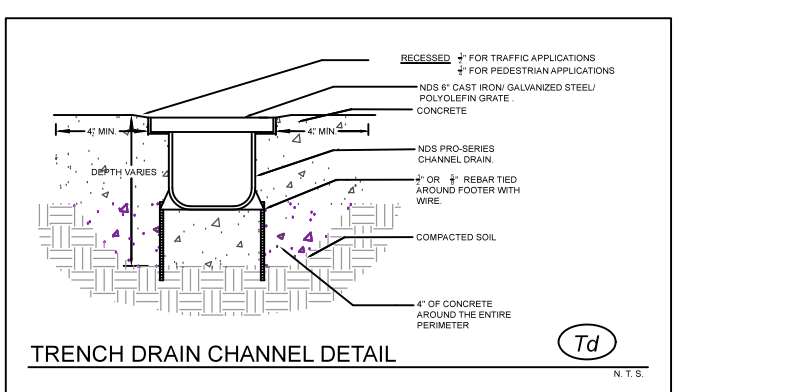
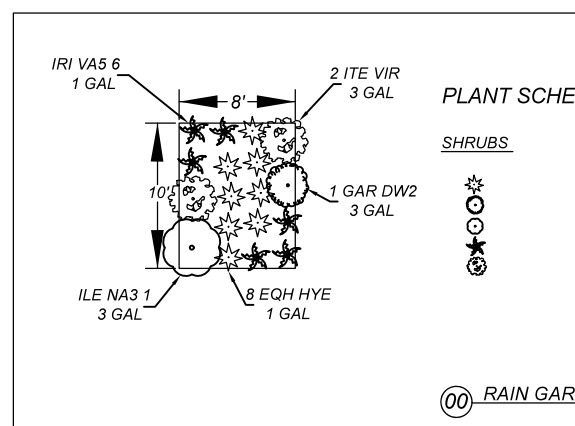
- CONSTRUCTION STEPS:
1. Review potential dry well areas and layout. Dry wells should not be located: (1) beneath an impervious (paved) surface; (2) above an area with a water table or bedrock less than two feet below the trench bottom; (3) over other utility lines; or (4) above a septic field. Insure outlet daylight at least ten feet from property line.
 2. Measure the area draining to the dry well and determine required size from the table on the next page.
 3. If soil is a concern perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr this method cannot be used. If the rate is more than 0.50 in/hr the storage volume may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and dig the hole to the required dimensions. Scarify the bottom soil surface 3".
 5. Place and tamp 6" to 12" of #57 gravel in bottom. Pea gravel can be substituted for leveling purposes in the upper three inch layer below the tank.
 6. Place and secure filter cloth down sides of the excavation leaving enough to fold over the top below the soil and turf.
 7. Place tank and install piping. Bond top of tank in place.
 8. Cut and route downspouts or other rainwater delivery components. (leaf screen optional) chosen (circle selected options in Pretreatment Options Detail figure). Strap and support as needed.
 9. Create a safe overflow at least 10 feet from your property edge and insure it is protected from erosion.
 10. Test connections with water flow.
 11. Fill with gravel jacket around tank and place permeable fabric above between gravel and soil.
 12. Backfill with soil/sod or pea gravel.
 13. Consider aesthetics as appropriate and erosion control for overflow.



- NOTES:
1. USE STEEL OR WOOD POSTS OR AS SPECIFIED BY THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.
 2. HEIGHT (H) IS TO BE SHOWN ON THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.



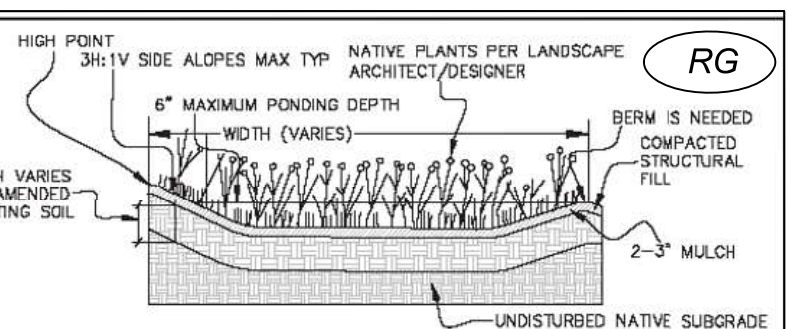
ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN



SIZING CALCULATIONS

CONTRIBUTING DRAINAGE AREA (SF)	DEPTH OF AMENDED SOIL (INCHES)			
	18	24	30	36
100	8.8	6.7	5.1	4.8
500	35	30	25	23
1000	65	60	50	45
2000	135	115	100	90
3000	200	170	150	140
4000	260	230	200	185
5000	330	280	255	230

MEASURE CONTRIBUTING DRAINAGE AREA AND READ AREA FOR GIVEN MEDIA DEPTH.



- RAIN GARDEN CONSTRUCTION NOTES**
1. Locate rain garden(s) where downspouts or driveway runoff can enter garden flowing away from the home. Locate at least 10 feet from foundations, not within the public right of way, away from utility lines, not over septic fields, and not near a steep hill edge.
 2. Measure the area draining to the planned garden and determine required rain garden surface area from the table on the next page and your planned excavation depth.
 3. Optionally, perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr an underdrain will be necessary. If the rate is more than 0.50 in/hr the size of the garden may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and stake out the garden to the required dimensions ensuring positive flow into garden, the overflow elevation allows for six inches of ponding, and the perimeter of the garden is higher than the overflow point. If the garden is on a gentle slope a berm at least two feet wide can be constructed on the downhill side and the garden can be dug into the hillside taking greater care for erosion control at the garden knee(s).
 5. Remove turf or other vegetation in the area of the rain garden. Excavate garden, being careful not to compact soils in the bottom of the garden. Level bottom of garden as much as possible to maximize infiltration area.
 6. Mix compost, topsoil, and some of the amended soil together to make the amended soil. The soil mix should be 1/3 compost, 2/3 native soil (topsoil and subsoil combined).
 7. Fill rain garden with the amended soil, leaving the surface eight inches below your highest surrounding surface. Eight inches allows for 8 inches ponding and 2" of mulch. The surface of the rain garden should be as close to level as possible.
 8. Build a berm at the downhill edge and allow of the rain garden with the remaining subsoil. The top of the berm needs to be level, and set at the maximum ponding elevation.
 9. Plant the rain garden using a selection of plants from elsewhere in this manual.
 10. Mulch the surface of the rain garden with two to three inches of non-floating organic mulch. The best choice is finely shredded hardwood mulch. Pine straw is also an option.
 11. Water all plants thoroughly. As in any new garden or flower bed, regular watering will likely be needed to establish plants during the first growing season.
 12. During construction build the inlet feature as a pipe directly connected to a downspout or use a rock lined swale with a gentle slope. Use of an impermeable liner under the rocks at the end of the swale near the house is recommended to keep water from soaking in at that point. Test the drainage of water from the source to the garden prior to finishing.
 13. Create an overflow at least 10 feet from your property edge and insure it is protected from erosion.

PLANT SCHEDULE - (PER 80 SF OF RAIN GARDEN)

SHRUBS	CODE	QTY	BOTANICAL NAME/COMMON NAME	SIZE
	EQH HYE	8	EQUISETUM HYEMALE/HORSETAIL REED GRASS	1 GAL
	GARDW2	1	GARDENIA RADICANS/DWARF GARDENIA	3 GAL
	ILENA3	1	ILEX GLABRA NANA/DWARF INK BERRY	3 GAL
	IRIVAS	6	IRIS ENSATA VARIETAS VARIETIGATA JAPANESE IRIS	1 GAL
	ITE VIR	2	ITEA VIRGINICA 'HENRY'S GARNET' HENRY'S GARNET SWEETSPICE	3 GAL

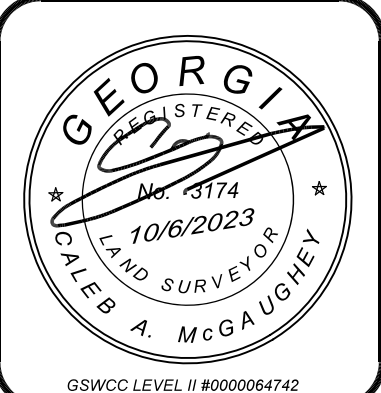
00-RAIN GARDEN - TYPICAL PLANTING - 80 sf

DATE:	ISSUE
AUGUST 5, 2021	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: MWR	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

SITE PLAN FOR:

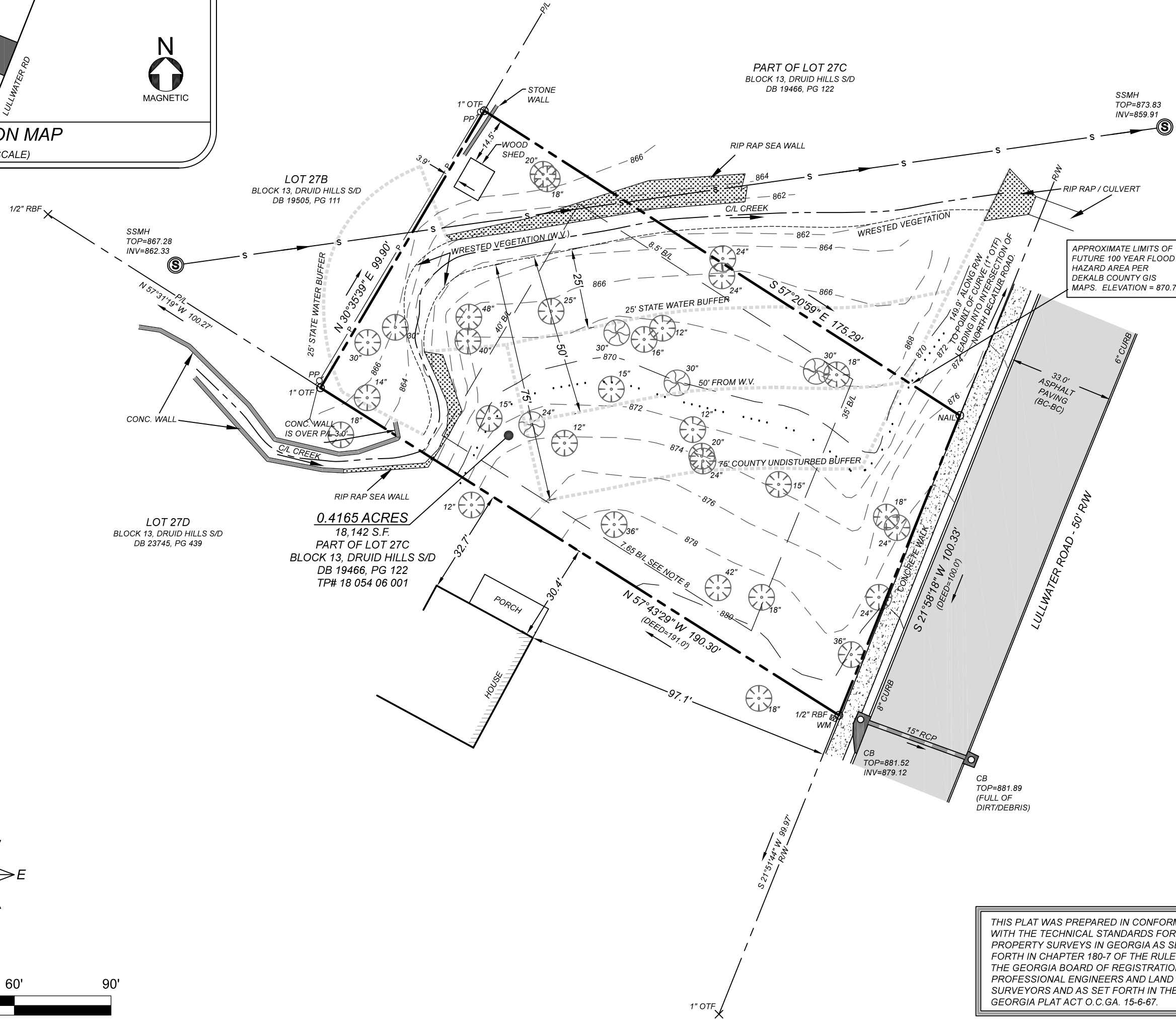
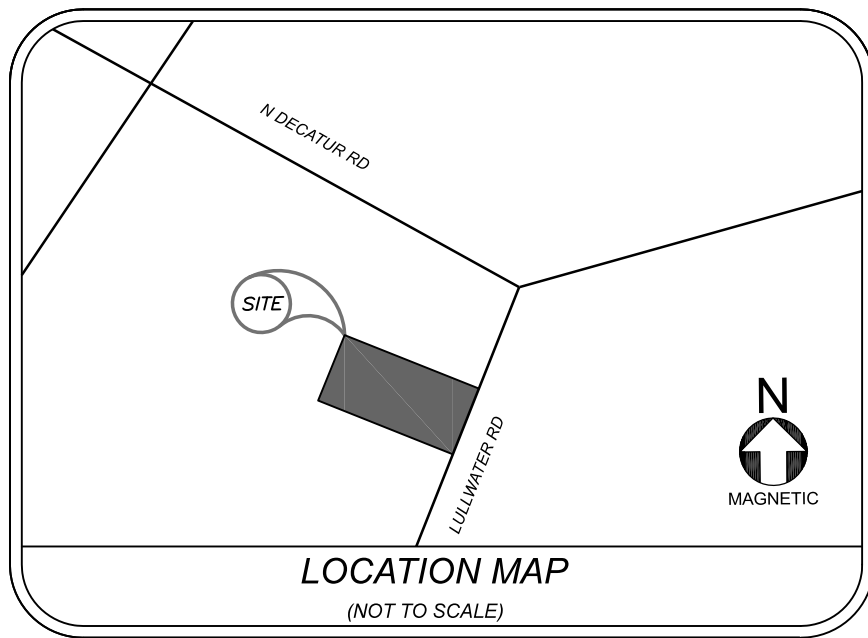
1176 LULLWATER ROAD

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
404-384-9577
GA LAND SURVEYOR, LLC
3355 ANNANDALE LANE, STE 1
SUWANEE, GA 30024

SHEET
2
OF
2



- NOTES:**
1. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122 OF DEKALB COUNTY RECORDS.
 2. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13089C0062K, DATED AUGUST 15, 2019.
 3. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN IS BASED ON ABOVE GROUND STRUCTURES AND INFORMATION SUPPLIED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES OR STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES OR STRUCTURES MAY EXIST. THE SURVEYOR MAKES NO CERTIFICATION AS TO THE ACCURACY AND COMPLETENESS OF THE LOCATIONS SHOWN HEREON.
 4. NO ABSTRACT OF TITLE, TITLE COMMITMENT, OR RESULTS OF TITLE SEARCHES WERE SUPPLIED TO THE SURVEYOR. THERE MAY BE OTHER MATTERS OF RECORD THAT AFFECT THIS PROPERTY.
 5. BUILDING SETBACK INFORMATION SHOWN HEREON IS PER THE DEKALB COUNTY ZONING ORDINANCE FOR R-85 ZONING CLASSIFICATION.
 6. THE LAST DAY OF THE FIELD SURVEY WAS PERFORMED ON 1/27/2023.
 7. VERTICAL INFORMATION SHOWN HEREON WAS OBTAINED FROM A "FIELD RUN" SURVEY. REFERENCE DATUM IS NAVD 88-1994 MEAN SEA LEVEL. CONTOUR INTERVAL EQUALS TWO FEET.
 8. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS LINE IS 7.65' PER ADMINISTRATIVE VARIANCE #AV-22-1246498.

CLOSURE STATEMENT

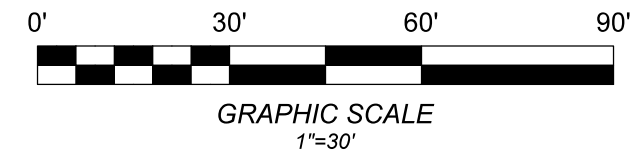
FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A TRIMBLE S-6 ROBOTIC TOTAL STATION.
 THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 220,401 FEET.
 THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 261,580 FEET AND AN ANGULAR ERROR OF 0.5 SECOND PER ANGULAR POINT AND WAS ADJUSTED USING COMPASS RULE.

LEGEND

DRAINAGE STRUCTURES		ABBREVIATIONS	
	SWCB = SINGLE WING CATCH BASIN	BC	BACK OF CURB
	DWCB = DOUBLE WING CATCH BASIN	BH	BUILDING HEIGHT
	JB = JUNCTION BOX	B/L	BUILDING SETBACK LINE
	GI = GRATE INLET	BW	BOTTOM OF WALL
	CI = CURB INLET	C&G	CURB AND GUTTER
	YI = YARD INLET	C/L	CURB LINE
	DI = DROP INLET	CMP	CORRUGATED METAL PIPE
	HW = HEAD WALL	CMF	CONCRETE MONUMENT FOUND
	SSMH = SANITARY SEWER MANHOLE	CO	CONCRETE
	SSCO = SANITARY SEWER CLEANOUT	CONC	CONCRETE
	GT = GREASE TRAP	CT	CONCRETE TOP PIPE FOUND
	FES = FLARED END SECTION	DB/PG	DEED BOOK / PAGE
UTILITY SYMBOLS		DE	DRAINAGE EASEMENT
	A/C = AIR CONDITIONING UNIT	DIP	DOUBLE WING CATCH BASIN
	ET = ELECTRIC TRANSFORMER	DL	DOUBLE YELLOW LINE STRIPING
	CPE = CABLE TV PEDESTAL	EP	EDGE OF PAVING
	FH = FIRE HYDRANT	F.I.R.M.	FEDERAL INSURANCE RATE MAP
	GM = GAS METER	HDPE	HIGH DENSITY POLY ETHYLENE PIPE
	GV = GAS VALVE	HW	HEADWALL
	GUY = GUY WIRE	IE	INVERT ELEVATION
	TPED = TELEPHONE PEDESTAL	IPS	1/2" REBAR PIN SET W/CAP
	PP = UTILITY POLE	LL	LAND LOT
	LP = LIGHT POLE	LLL	LAND LOT LINE
	WM = WATER METER	MW	MONITORING WELL
	WV = WATER VALVE	N/O	NOW OR FORMERLY
MISC. SYMBOLS		N/S	NAL SET
	P = PARKING SPACE COUNT	NTS	NOT TO SCALE
	SD = SATELLITE DISH	OTF	OPEN TOP PIPE FOUND
UTILITY LINETYPES		OSD	OUTSIDE DIMENSION
	P = POWER LINE (UP=UNDERGROUND)	OC	OUTLET CONTROL STRUCTURE
	T = TELEPHONE LINE (UT=UNDERGROUND)	PLB/PP	PLAT BOOK/PAGE
	C = CABLE TV LINE (UC=UNDERGROUND)	P/L	PROPERTY LINE
	S = SANITARY SEWER LINE	POB	POINT OF BEGINNING
	G = GAS LINE	P.O.E.	POINT OF ENTRY
FENCE LINES		PVC	POLYVINYL CHLORIDE PIPE
	CLF = CHAIN LINK FENCE (CLF)	REB	REBAR PIN FOUND
	WF = WIRE FENCE	RCP	REINFORCED CONCRETE PIPE
	WF = WOODEN FENCE	R/W	RIGHT OF WAY
	H = HARDWOOD	S.F.	SQUARE FEET
	P = PINE/CONIFER	SF	SANITARY SEWER
		SSE	SANITARY SEWER EASEMENT
		TBM	TEMPORARY BENCH MARK
		TP#	TAX PARCEL NUMBER
		POC	POINT OF COMMENCEMENT
		TW	TOP OF WALL
		TYP	TYPICAL
		WI	WEIR INLET

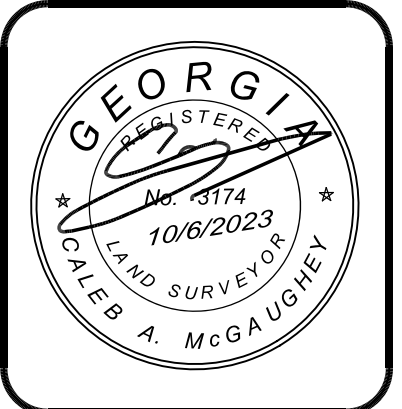
THIS PLAT WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

NOTE: SURVEY NOT VALID UNLESS SEAL SIGNED AND DATED.



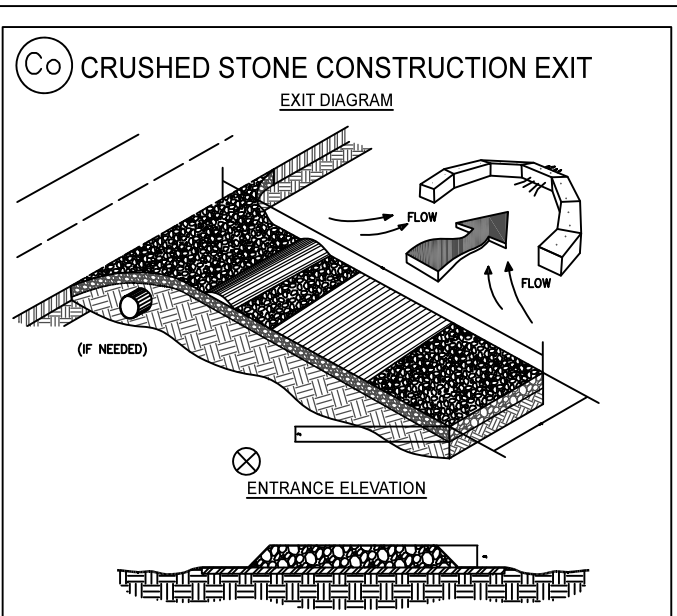
DATE:	ISSUE		
SCALE:	NO.	DESCRIPTION	DATE
OCTOBER 25, 2016	1	ADDED STREAM BUFFERS	2/1/2023
1" = 30'	2	ADDED HOUSE LOCATION	10/6/2023
ACREAGE: 0.4165		UPDATE TO FLOOD MAPPING	10/6/2023
LAND LOT(S): 2			
DISTRICT: 18th			
CITY:			
COUNTY: DEKALB STATE: GEORGIA			
SURVEYED: MAF DRAWN: MWR			
CHECKED: WGH APPROVED: CAM			
PROJECT #: 16-257			

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
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

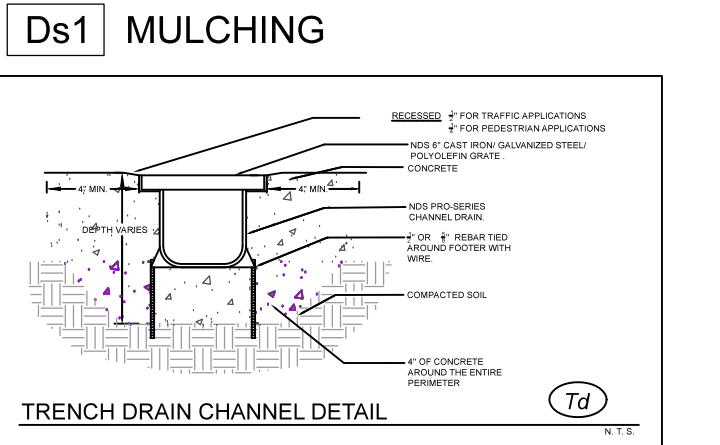
SHEET
1
OF
1



- NOTES:
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSTING DRAINAGE.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 6".
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20'.
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (DIVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
 9. WASHRACKS AND/OR TIRE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRACK DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD INTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

MATERIAL	QUANTITY
DRY STRAW OR HAY	2" - 4" DEPTH
WOOD WASTE (SAWDUST, BARK, CHIPS)	2" - 3" DEPTH
CUTBACK ASPHALT (SLOW CURING)	1200 GAL. PER ACRE (1/4 GAL PER SQ. YD.)
POLYETHYLENE FILM	COMPLETELY COVERING EXPOSED AREA. TRENCHED IN AT OUTER EDGES.

STRAW OR HAY MULCH SHALL BE ANCHORED IMMEDIATELY AFTER APPLICATION. MULCH MAY BE ANCHORED BY MECHANICALLY PRESSING INTO SURFACE. IF SPREAD WITH BLOWER EQUIPMENT, MULCH SHALL BE ANCHORED WITH EMULSIFIED ASPHALT (GRADE AE-5 OR SS-1)-100 GAL. ASPHALT + 100 GAL. WATER PER TON OF MULCH. NETTING SHALL BE USED TO ANCHOR WOOD WASTE AND CHIPS. POLYETHYLENE SHALL BE TRENCHED IN AT EDGES.



PLANT, PLANTING RATES, AND PLANTING DATES FOR TEMPORARY COVER OR COMPANION CROPS 1/

Species	Broadcast Rates 2/ - PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Remarks
BARLEY (Hordeum vulgare)	3 bu. (144 lbs.) 12 bu. (576 lbs.)	P	F M A M J J A S O N D	14,000 seed per pound. Winterkilling Use on productive soils.
LESPEDEZA ANNUAL (Lespedeza striata)	40 lbs. 0.9 lb. 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	200,000 seed per pound. May volunteer for several years. Use inoculant.
MILLET, BROWNTOP (Panicum fasciculatum)	40 lbs. C 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	137,000 seed per pound. Quick dense cover. Will provide low-maintenance cover. Inoculate if seeded at high rates.
MILLET, PEARL (Pennisetum glaucum)	50 lbs. 1.1 lb.	P	F M A M J J A S O N D	88,000 seed per pound. Quick dense cover. May reach 5 feet height. Not recommended for midures.
SODS (Avena sativa)	4 bu. (128 lbs.) 1 bu. (32 lbs.)	P	F M A M J J A S O N D	13,000 seed per pound. Use on productive soils. Not as winterhard as rye or barley.
RYE (Secale cereale)	3 bu. (144 lbs.) 12 bu. (576 lbs.)	P	F M A M J J A S O N D	18,000 seed per pound. Quick dense cover. Inoculate and winterkill.
RYEGRASS, ANNUAL (Elymus repens)	40 lbs. 0.9 lb. 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	227,000 seed per pound. Dense cover. Very competitive and is good to be used in.
SUDANGRASS (Sorghum Sudanese)	60 lbs. 1.4 lb.	P	F M A M J J A S O N D	55,000 seed per pound. Good on droughty sites. Not recommended for midures.

Species	Broadcast Rates 2/ - PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Remarks
BERMUDA (Cynodon dactylon)	1500 lbs./ac.	P	F M A M J J A S O N D	1500 lbs./ac. seed per pound. Use on productive soils. Inoculate and winterkill.
BAHIA (Paspalum notatum)	1500 lbs./ac.	P	F M A M J J A S O N D	1500 lbs./ac. seed per pound. Use on productive soils. Inoculate and winterkill.
CENTPEDE (Dactyloctenium aegyptium)	1500 lbs./ac.	P	F M A M J J A S O N D	1500 lbs./ac. seed per pound. Use on productive soils. Inoculate and winterkill.
ZOYSIA (Zoysia tenuifolia)	1500 lbs./ac.	P	F M A M J J A S O N D	1500 lbs./ac. seed per pound. Use on productive soils. Inoculate and winterkill.
TALL FESCUE (Festuca arvensis)	1500 lbs./ac.	P	F M A M J J A S O N D	1500 lbs./ac. seed per pound. Use on productive soils. Inoculate and winterkill.

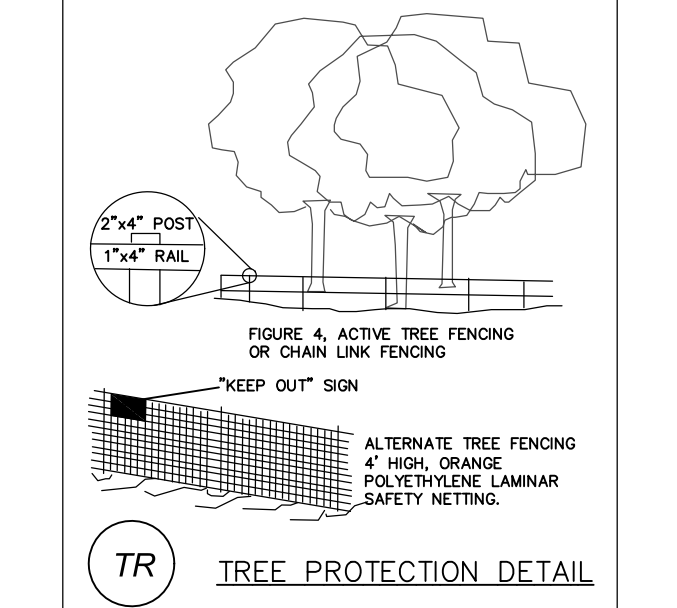
Ds2 STABILIZATION WITH TEMPORARY SEEDING

TYPE OF SPECIES	YEAR	ANALYSIS OR EQUIVALENT N-P-K	RATE	N TOP DRESSING RATE
1. Cool season grasses	First	6-12-12	1500 lbs./ac.	50-100 lbs./ac. 1/2'
	Maintenance	6-12-12	1000 lbs./ac.	30
2. Cool season grasses and legumes	First	6-12-12	1500 lbs./ac.	0-50 lbs./ac. 1'
	Maintenance	6-12-12	1000 lbs./ac.	30
3. Ground covers	First	10-10-10	400 lbs./ac.	30
	Maintenance	10-10-10	400 lbs./ac.	30
4. Pine seedlings	First	10-10-10	1300 lbs./ac. 3'	30
	Maintenance	10-10-10	1100 lbs./ac. 3'	30
5. Shrub Lespedeza	First	10-10-10	one 21-gram pellet per seedling placed in the closing hole	30
	Maintenance	10-10-10	700 lbs./ac.	30
6. Temporary cover crops seeded alone	First	10-10-10	700 lbs./ac. 4'	30 lbs./ac. 5'
	Maintenance	10-10-10	500 lbs./ac.	30
7. Warm season grasses	First	6-12-12	1500 lbs./ac.	50-100 lbs./ac. 2/6'
	Maintenance	6-12-12	800 lbs./ac.	50-100 lbs./ac. 2'
8. Warm season grasses and legumes	First	6-12-12	400 lbs./ac.	30lbs./ac.
	Maintenance	6-12-12	1500 lbs./ac.	50 lbs./ac. 6'
	Maintenance	10-10-10	1000 lbs./ac.	400 lbs./ac.

- 1/ Apply in spring following seeding.
- 2/ Apply in split applications when high rates are used.
- 3/ Apply in 3 split applications.
- 4/ Apply when plants are mowed.
- 5/ Apply to grass species only.
- 6/ Apply when plants grow to a height of 2 to 4 inches.

FERTILIZER RATES FOR PERMANENT VEGETATION (Ds-3)

- ON ALL DISTURBED AREAS
- EROSION CONTROL SEDIMENT PRACTICES:**
- Ds1** DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.
- Ds2** DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS ON DISTURBED AREAS.
- Ds3** DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.
- Ds4** DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 45%, AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



Ds3 STABILIZATION WITH PERMANENT VEGETATION

APPROPRIATE SOD VARIETIES FOR ATLANTA

GRASS	VARIETY	GROWING SEASON
BERMUDA	COMMON TIFWAY, TIFGREEN, TIFLAWN	WARM WEATHER
BAHIA	PENSACOLA	WARM WEATHER
CENTPEDE	---	WARM WEATHER
ZOYSIA	EMERALD MEYER	WARM WEATHER
TALL FESCUE	KENTUCKY	COOL WEATHER

SOIL PREPARATION
BRING SOIL SURFACE TO FINAL GRADE. CLEAR SURFACE OF TRASH, WOODY DEBRIS, STONES AND CLODS LARGER THAN 1". APPLY SOD TO SOIL SURFACES ONLY AND NOT FROZEN SURFACES, OR GRAVEL TYPE SOILS.
MIX FERTILIZER INTO SOIL SURFACE. FERTILIZE BASED ON SOIL TESTS OR GENERAL APPLICATION OF 10-10-10 @ 1000 LBS PER ACRE (1 LB /40 SQ. FT.)
AGRICULTURAL LIME SHOULD BE APPLIED BASED ON SOIL TESTS OR AT A RATE OF 1 TO 2 TONS / ACRE.

GRASS TYPE	PLANTING YEAR	FERTILIZER (NPK)	RATE (LBS/ACRE)	NITROGEN TOP DRESSING (LBS/ACRE)
COOL SEASON GRASSES	1ST	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12 10-10-10	1000 400	---
WARM SEASON GRASSES	1ST	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12 10-10-10	800 400	50-100 30

Ds4 STABILIZATION WITH SODDING

PLANTS, PLANTING RATES, AND PLANTING DATES FOR PERMANENT COVER

Species	Broadcast Rates 2/ - PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Remarks
BERMUDA (Cynodon dactylon)	1500 lbs./ac.	P	F M A M J J A S O N D	1500 lbs./ac. seed per pound. Use on productive soils. Inoculate and winterkill.
BAHIA (Paspalum notatum)	1500 lbs./ac.	P	F M A M J J A S O N D	1500 lbs./ac. seed per pound. Use on productive soils. Inoculate and winterkill.
CENTPEDE (Dactyloctenium aegyptium)	1500 lbs./ac.	P	F M A M J J A S O N D	1500 lbs./ac. seed per pound. Use on productive soils. Inoculate and winterkill.
ZOYSIA (Zoysia tenuifolia)	1500 lbs./ac.	P	F M A M J J A S O N D	1500 lbs./ac. seed per pound. Use on productive soils. Inoculate and winterkill.
TALL FESCUE (Festuca arvensis)	1500 lbs./ac.	P	F M A M J J A S O N D	1500 lbs./ac. seed per pound. Use on productive soils. Inoculate and winterkill.

DeKalb County Historic Preservation Commission
330 Peachtree Lane, Suite 300
Decatur, GA 30030
(404) 371-2355 or (404) 371-2833 (Fax)

CERTIFICATE OF APPROPRIATENESS

September 20, 2023

Site Address: 1176 LULLWATER RD ATLANTA, GA 30307

Parcel ID: 18 054 06 001

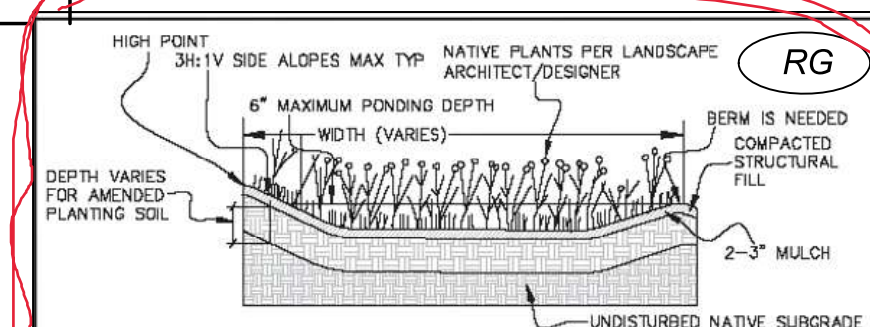
Applicant: Elizabeth Henry's Law Office, P.C.
3542 Heberham at Northlake
Tucker, GA 30084

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Modified Approval

Build a house as shown in the architectural drawings with the modifications that the graphic shown on the front and left side of the house will be replaced with brick and the small window on the right side of the front elevation will be replaced by a larger window matching the others on the facade.

Page 1 of 1



PLANT SCHEDULE - (PER 80 SF OF RAIN GARDEN)

SHRUBS	CODE	QTY	BOTANICAL NAME/Common Name	SIZE
★	EQUHYE	8	EQUISETUM HYEMALE/HORSETAIL REED GRASS	1 GAL
★	GARDW2	1	GARDENIA RADICANS/DWARF GARDENIA	3 GAL
★	ILENA3	1	ILEXGLABRA NANA/DWARF INKBERRY	3 GAL
★	IRIVAS	6	IRIS ENSATA VARIEGATA/VARIEGATED JAPANESE IRIS	1 GAL
★	ITE VIR	2	ITE VIRGINICA 'HENRY'S GARNET'/HENRY'S GARNET SWEETSPICE	3 GAL

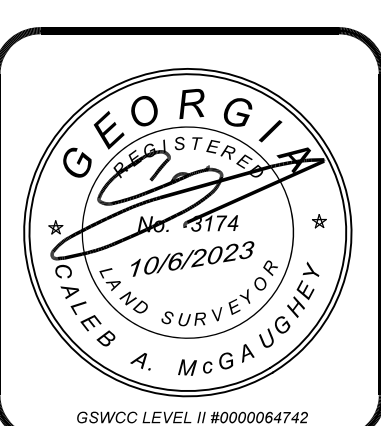
00 RAIN GARDEN - TYPICAL PLANTING - 80 sf

DATE:	ISSUE
OCTOBER 6, 2023	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: WGH	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

BUFFER VARIANCE / MITIGATION 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

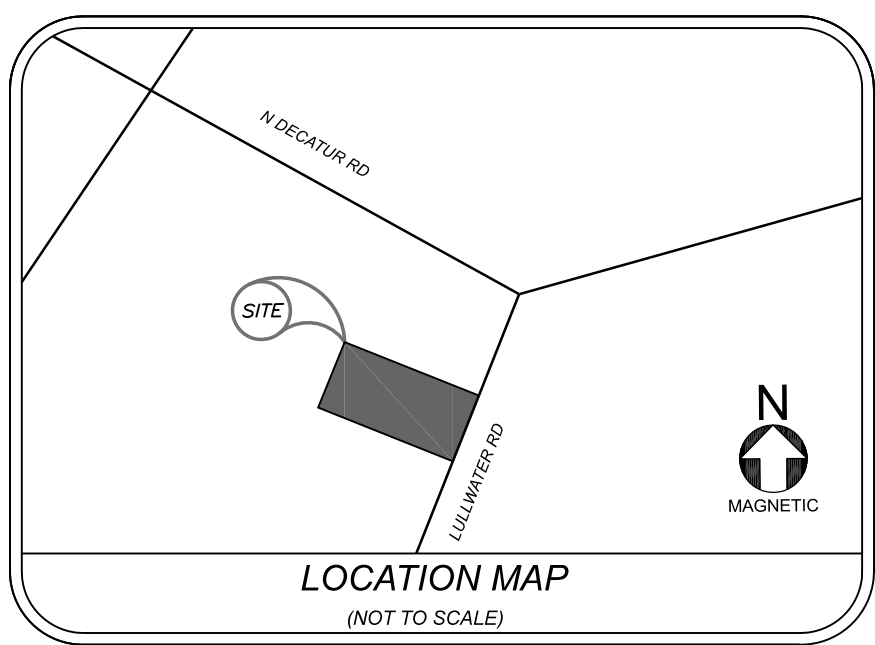


GA LAND SURVEYOR

404-384-9577

GA LAND SURVEYOR, LLC
3355 ANNANDALE LANE, STE 1
SUWANEE, GA 30024

SHEET 2 OF 2



IMPERVIOUS SURFACE CALCULATIONS:
 PROPOSED IMPERVIOUS SURFACE: 3,377 S.F.
 house=1,750
 drive = 1,114
 steps = 35
 open terrace = 163
 covered porch = 169
 concrete walk = 146

TOTAL IMPERVIOUS AREA: 3,377 S.F.
 TOTAL LOT AREA: 18,142 S.F.
 TOTAL PROPOSED LOT COVERAGE: 18.6% (35% max)

24 HOUR LOCAL EROSION & SEDIMENT CONTROL CONTACT
RAY BONGERS
 404-949-9130

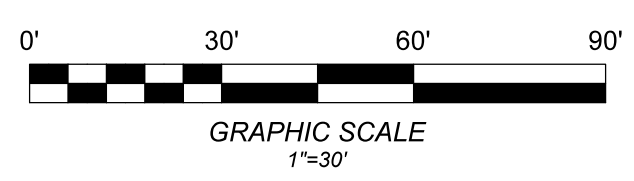
- CONSTRUCTION NOTES:**
1. THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES.
 2. EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION AND SEDIMENT CONTROL, ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
 3. ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
 4. ALL LOTS/SITES WITH 2' OF FILL OR GREATER WILL REQUIRE A COMPACTION CERTIFICATE BY A PROFESSIONAL REGISTERED ENGINEER PRIOR TO A BUILDING PERMIT AND OR PRIOR TO FOOTERS BEING POURED.
 5. LOCATE AND FIELD STAKE ALL UTILITIES, EASEMENTS, PIPES, FLOOD LIMITS, STREAM BUFFERS, AND TREE SAVE AREAS PRIOR TO ANY LAND DISTURBING ACTIVITIES.
 6. ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
 7. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING.
 8. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
 9. A FINAL AS-BUILT LOT SURVEY IS REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
 10. THERE ARE WATER QUALITY DEVICES DESIGNED FOR THIS SITE.
 11. DUMPSTERS AND OR TEMP. SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.
 12. WORK HOURS AND CONSTRUCTION DELIVERIES ARE:
 - MONDAY - FRIDAY 7:00 AM - 7:00 PM
 - SATURDAY 8:00 AM - 5:00 PM
 13. I, CALEB MCGAUGHEY CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

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% IMPACT AND REQUIRE AN ARBORIST PRESCRIPTION

0.4165 ACRES
 18,142 S.F. (8,402 OUT OF FLOOD)
 PART OF LOT 27C
 BLOCK 13, DRUID HILLS S/D
 DB 19466, PG 122
 TPN# 18 054 06 001

PART OF LOT 27C
 BLOCK 13, DRUID HILLS S/D
 DB 19466, PG 122

ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN



APPROXIMATE LIMITS OF FUTURE 100 YEAR FLOOD HAZARD AREA PER DEKALB COUNTY GIS MAPS. ELEVATION = 870.7

TREE PRESERVATION CALCULATION:
 COMPUTED USING ONLY TREES OUT OF FLOOD PLAIN
 -DESTROYED - 11 TREES @ 66.2 units
 -SAVED - 7 TREES @ 58.8 units

-DENSITY REQUIREMENTS 0.193 AC * 15 UNITS/AC = 2.9 units
 -REQUIRED: 2.9 units
 NO ADDITIONAL UNITS REQUIRED

REQUIRED TREES TO REMAIN:
 -SAVED - 7 TREES @ 125 INCHES
 -SPECIMEN TREE REMOVED 1 @ 41 INCHES (1.5 x INCHES removed = additional 62 INCHES required)
 120 INCHES DBH PER ACRE X 0.193 ACRES = 23 INCHES
 62 INCHES + 23 INCHES = 85 INCHES (PROVIDED)
 18 TREES X 25 = 45 TREES (PROVIDED)

0 PROPOSED TREE PLANTINGS AS PER ZONING

TREE PROTECTION FENCES IN ACCORDANCE WITH THE APPROVED PLAN MUST BE INSTALLED PRIOR TO STARTING LAND DISTURBANCE ACTIVITIES, AND MAINTAINED UNTIL FINAL LANDSCAPING.

TREE NUMBER	SPECIES	CONDITION (GOOD, FAIR, POOR, DEAD)	DBH (INCHES)	DENSITY UNITS	REMAIN/REMOVE	CRZ (FEET) (IF TREES TO REMAIN)	% IMPACT ON CRZ
1	WATER OAK	POOR	POOR (37)	DDH	REMOVE		
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	32.5%
6	YELLOW POPLAR	GOOD	25	6.8	REMOVE		
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	DDH	REMAIN	13	1.3
18	HARDWOOD	POOR	IN FLOOD	DDH	REMAIN		
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	REMOVE		
36	WATER OAK	POOR	POOR (11)	DDH	REMOVE		

TOTAL OUT OF FLOOD PLAIN = 18 TREES @ 125.0 units

- SITE NOTES:**
1. THRESHOLD ELEVATION IS THE ELEVATION OF THE TOP OF THE SUBFLOOR IN THE OPENING THAT IS DESIGNATED AS THE FRONT DOOR OF THE DWELLING.
 2. BUILDING HEIGHT OF THE NEW STRUCTURE NOT TO EXCEED 35 FEET.
 3. NO GRADES TO EXCEED 3:1
 4. THERE ARE NEW UTILITIES PROPOSED FOR THIS SITE.
 6. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122, DEKALB COUNTY.
 7. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13089C0062K, DATED AUGUST 15, 2019.
 8. EXISTING ZONING: R-85
 SETBACKS:
 FRONT: 35'
 SIDE: 8.5'
 REAR: 40'
 9. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS LINE IS 7.65' PER ADMINISTRATIVE VARIANCE #AV-22-1246498.
 10. TOTAL DISTURBED AREA: 5,300 S.F.
 11. ALL ELEVATIONS ON SITE SHALL BE VERIFIED PRIOR TO CONSTRUCTION.
 12. NO DISTURBANCE LOCATED WITHIN THE 25' OR 50' BUFFER.
 13. THE RAIN GARDEN IS THE MITIGATION PLAN
 14. RECEIVING WATERS FOR THIS PROJECT IS PEAVINE CREEK. AREA ADJACENT TO LOT CONSIST OF EXISTING HOUSES AS WELL AS EXISTING STREAM WITH VEGETATIVE BUFFER.
 15. AS-BUILT WATER QUALITY CERTIFICATION AND LOT AS-BUILT IS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
 16. OVERFLOW FROM WATER QUALITY BMP(S) SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

APPROXIMATE LIMITS OF FUTURE 100 YEAR FLOOD HAZARD AREA PER DEKALB COUNTY GIS MAPS. ELEVATION = 870.7

- RAIN GARDEN MAINTENANCE NOTES**
1. IRRIGATE VEGETATION AS NEEDED IN FIRST SEASON.
 2. REMOVE WEEDS.
 3. REPLACE UNSUCCESSFUL PLANTINGS.
 4. REFRESH MULCH.
 5. REPAIR ERODED AREAS.
 6. RAKE CLOGGED SURFACE TO RESTORE INFILTRATION.
 7. MONITOR RAIN GARDEN FOR APPROPRIATE DRAINAGE TIMES. IF GARDEN DOES NOT DRAIN AN UNDERDRAIN MAY BE NECESSARY.

WATER QUALITY CALCULATIONS:
 DRAINAGE AREA = 18,142 S.F.
 NEW IMPERVIOUS AREA = 3,377 S.F.
 $WQv = 1.2 \times Rv \times \text{Drainage Area} / 12$
 $Rv = 0.05 + 0.009(3,377 / 18,142) \times 100 = .217$
 DRAINAGE AREA x (1.2"/12) = REQUIRED STORAGE VOLUME
 18,142 SF x (1.2"/12) x 0.217 = 395 CF

REQUIRED WATER STORAGE = 395 CF
 EQUIVALENT DRAINAGE AREA = 395 CF X 12/1.2" = 3950 S.F.
 DEPTH OF AMENDED SOILS = 30" (2.5')
 AREA OF RAIN GARDEN REQUIRED = 3950 S.F. X 0.05 = 198 S.F.
 AREA OF RAIN GARDEN PROPOSED = 206 S.F.

OWNER:
 DAVID MARTIN &
 ELIZABETH FINNERTY MARTIN
 1136 LULLWATER DR
 ATLANTA, GEORGIA 30307

DEVELOPER:
 BONGERS HOMEBUILDERS
 RAY BONGERS
 404-557-9747
 445 MT PARAN ROAD
 ATLANTA, GEORGIA 30327

DeKalb County Historic Preservation Commission
 389 Peachtree Lane Avenue, Suite 300
 Decatur, GA 30030
 (404) 372-2226 or (404) 372-2823 (Fax)

CERTIFICATE OF APPROPRIATENESS

September 20, 2023

Site Address: 1176 LULLWATER DR ATLANTA, GA 30307
 Parcel ID: 18-054-06-001

Applicant: Elizabeth Finnerty C/o Betty Lee, P.C.
 Mailing Address: 3542 Montclair at Northlake Tucker, GA 30084

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Modified Approval

Build a house as shown in the architectural drawings with the modifications that the granite shown on the front and left side of the house will be replaced with brick and the small window on the right side of the front elevation will be replaced by a larger window matching the others on the facade.

NO LAND DISTURBING ACTIVITIES TO BEGIN PRIOR TO EROSION AND SEDIMENT CONTROLS AND TREE PROTECTIONS ARE IN PLACE.

LEGEND

DRAINAGE STRUCTURES

- SWCB = SINGLE WING CATCH BASIN
- B/C = BUILDING CATCH BASIN
- JB = JUNCTION BOX
- GI = GRATE INLET
- CI = CURB INLET
- YI = YARD INLET
- DI = DROP INLET
- HI = HEAD WALL
- SSMH = SANITARY SEWER MANHOLE
- SSCO = SANITARY SEWER CLEANOUT
- GT = GATE TRAP
- FES = FLARED END SECTION

UTILITY SYMBOLS

- A/C = AIR CONDITIONING UNIT
- ET = ELECTRIC TRANSFORMER
- CPED = CABLE TV PEDESTAL
- FH = FIRE HYDRANT
- GM = GAS METER
- GV = GAS VALVE
- GUY = GUY WIRE
- TPED = TELEPHONE PEDESTAL
- LP = LIGHT POLE
- WM = WATER METER
- WV = WATER VALVE

MISC. SYMBOLS

- PS = PARKING SPACE COUNTER
- SD = SATELLITE DISH

UTILITY LINETYPES

- = POWER LINE (UP-UNDERGROUND)
- = TELEPHONE LINE (UT-UNDERGROUND)
- = CABLE TV LINE (UC-UNDERGROUND)
- = SANITARY SEWER LINE
- = GAS LINE

FENCE LINES

- = CHAIN LINK FENCE (CLF)
- = WIRE FENCE
- = WOODEN FENCE

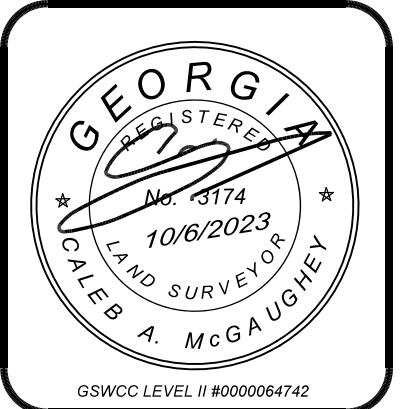
ABBREVIATIONS

- BC = BACK OF CURB
- BH = BUILDING HEIGHT
- B/L = BUILDING SETBACK LINE
- BW = BOTTOM OF WALL
- CA = CURB AND GUTTER
- C/L = CENTERLINE
- CMF = CORRUGATED METAL PIPE
- CMF = CONCRETE MONUMENT FOUND
- CO = CLEAN OUT
- CONC = CONCRETE
- C/P = CRIMP TOP PIPE FOUND
- DB = DETAIL BOOK / PAGE
- DE = DRAINAGE EASEMENT
- DIP = DUCTILE IRON PIPE
- DYLB = DOUBLE YELLOW LINE STRIPING
- EP = EDGE OF PAVING
- F.I.R.M. = FEDERAL INSURANCE RATE MAP
- HDP = HIGH DENSITY POLY ETHYLENE PIPE
- HW = HEADWALL
- IE = INVERT
- IPS = INVERT SET W/CAP
- LL = LAND LOT LINE
- LL = LAND LOT LINE
- M/S = MONITORING
- N/F = NOW OR FORMERLY
- NW = NOT TO SCALE
- NP = NAIL SET
- OTD = OPEN TOP PIPE FOUND
- OSD = OUTSIDE DIMENSION
- OCS = OUTLET CONTROL STRUCTURE
- PB/PAGE = PLAT BOOK/PAGE
- PL = PROPERTY LINE
- POB = POINT OF BEGINNING
- P.O.E. = POINT OF ENTRY
- PVC = POLYVINYL CHLORIDE PIPE
- RFB = REBAR PIN FOUND
- RCP = REINFORCED CONCRETE PIPE
- R/W = RIGHT OF WAY
- S.F. = SQUARE FEET
- SRF = SOLID ROD FOUND
- SS = SANITARY SEWER
- SSE = SANITARY SEWER EASEMENT
- TBM = TEMPORARY BENCH MARK
- TN = TAX PARCEL NUMBER
- POC = POINT OF COMMENCEMENT
- TR = TYPICAL
- TY = TYPICAL
- WI = WEIR INLET

DATE:	ISSUE	NO.	DESCRIPTION	DATE
AUGUST 5, 2021				
SCALE: 1" = 30'				
ACREAGE: 0.4165	1	ADDED STREAM BUFFERS	02/01/2023	
LAND LOT(S): 2	2	UPDATED HOUSE PLAN	05/30/2023	
DISTRICT: 18th	3	UPDATED HOUSE PLAN	10/6/2023	
CITY:				
COUNTY: DEKALB STATE: GEORGIA				
SURVEYED: MAF DRAWN: MWR				
CHECKED: WGH APPROVED: CAM				
PROJECT #: 16-257				

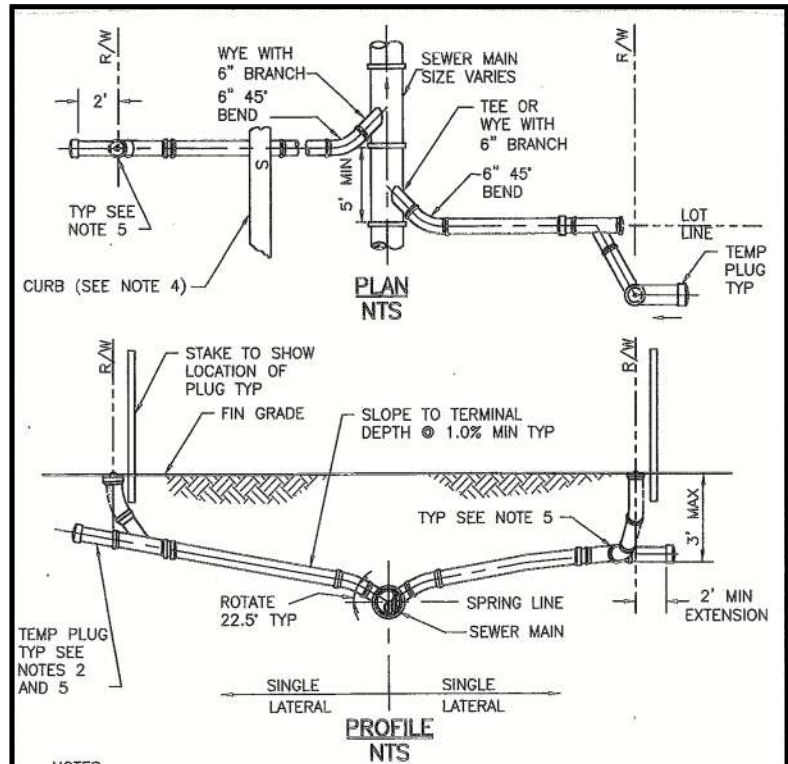
SITE PLAN FOR:
1176 LULLWATER ROAD

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
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET
1
OF
2



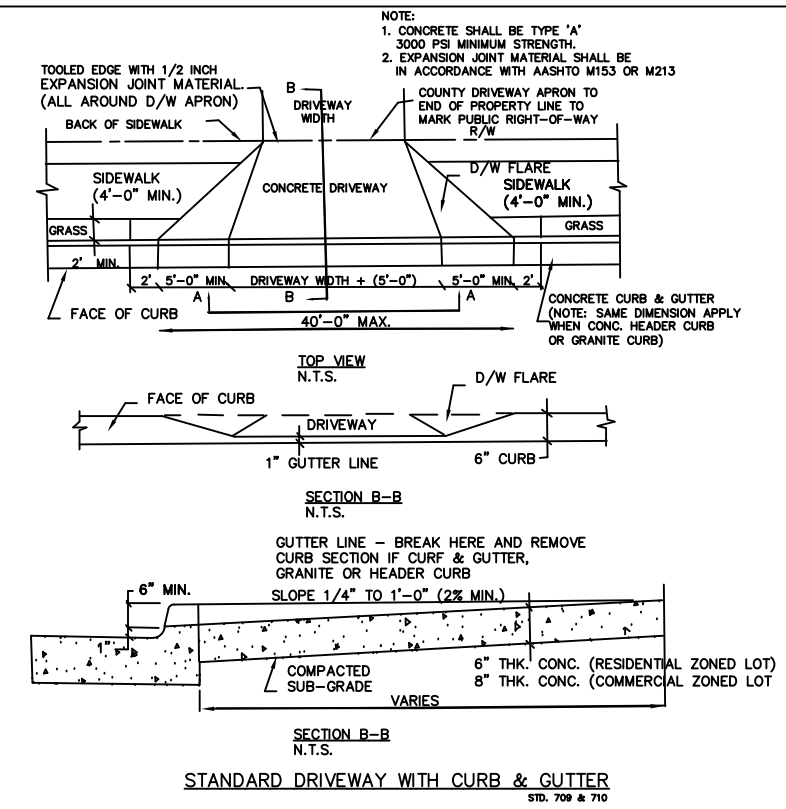
- NOTES:
1. INVERT OF SERVICE LATERAL SHALL NOT ENTER SEWER MAIN BELOW SPRING LINE.
 2. SERVICE LATERAL SHALL BE CAPPED BY DEVELOPER'S CONTRACTOR.
 3. ALL FITTINGS SHOWN ARE TO BE INSTALLED.
 4. SERVICE CONNECTIONS SHALL BE PERMANENTLY MARKED BY CUTTING AN "S" IN THE CURB DIRECTLY OVER THE LATERAL.
 5. DEVELOPER'S CONTRACTOR WILL INSTALL CLEANOUT.

DEKALB COUNTY, GA
Department of Watershed Management

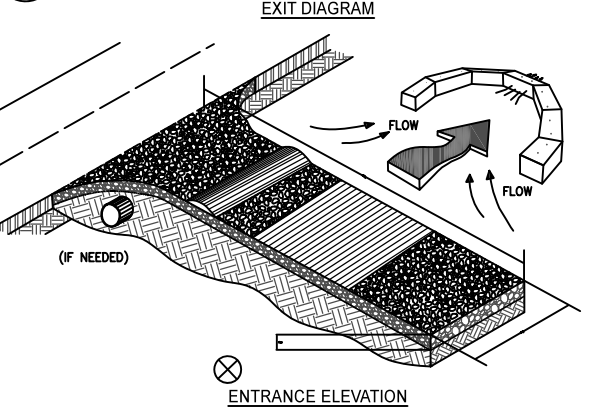
STANDARD DETAILS
Sanitary Sewer Lateral Connection detail

NOT TO SCALE

DETAIL NO. S-017



Co CRUSHED STONE CONSTRUCTION EXIT

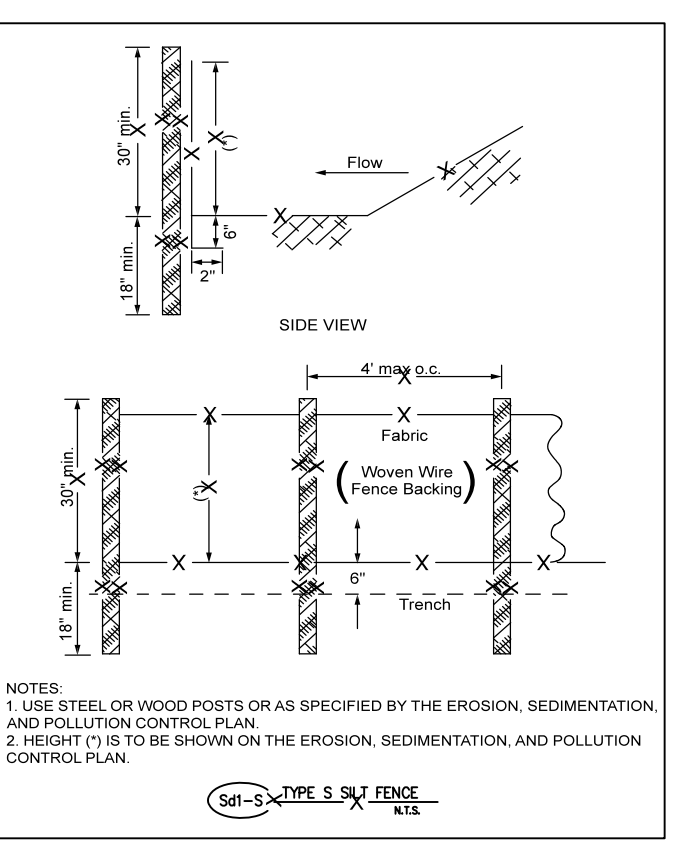
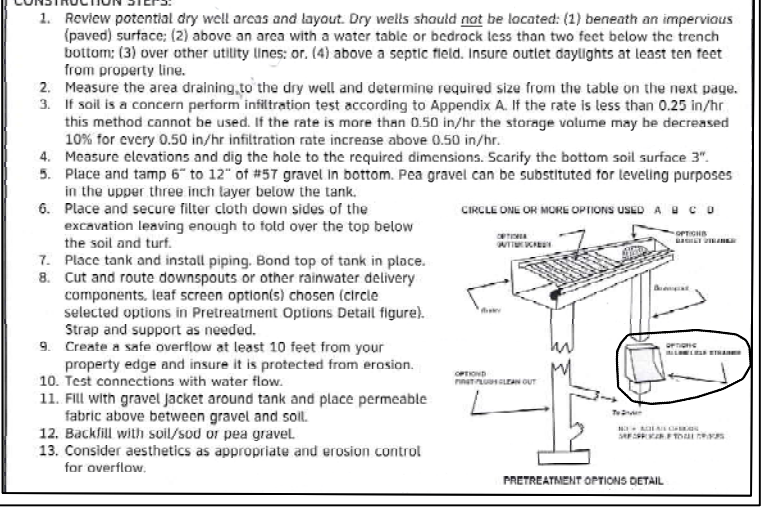
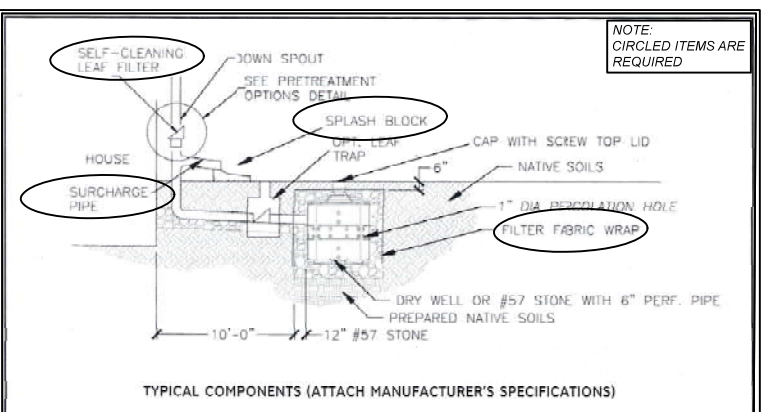
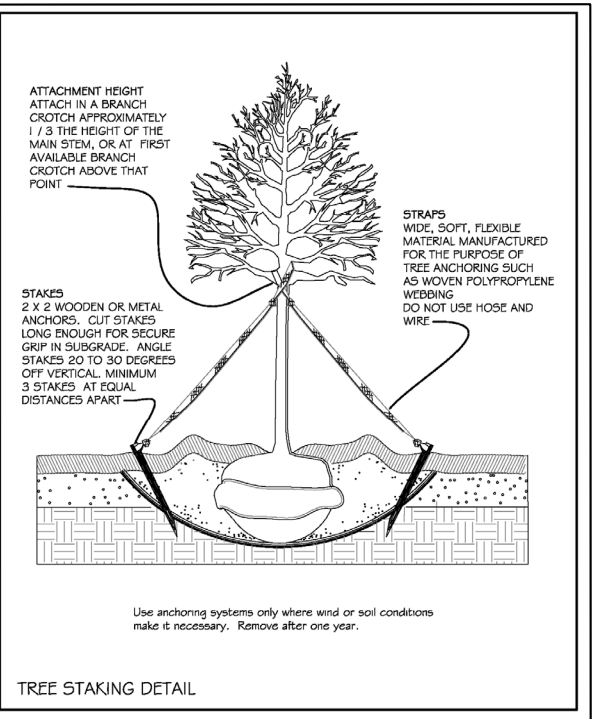
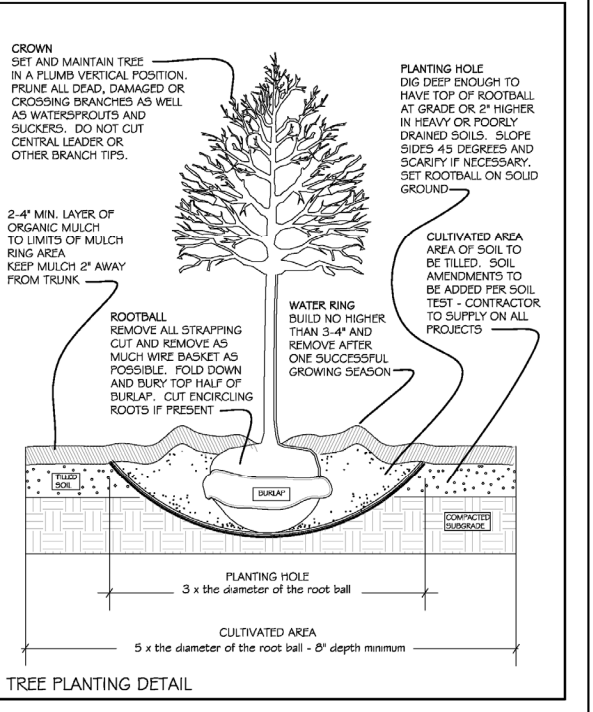


- NOTES:
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 8".
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20".
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (OVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
 9. WASHRACKS AND/OR THE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRACK DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

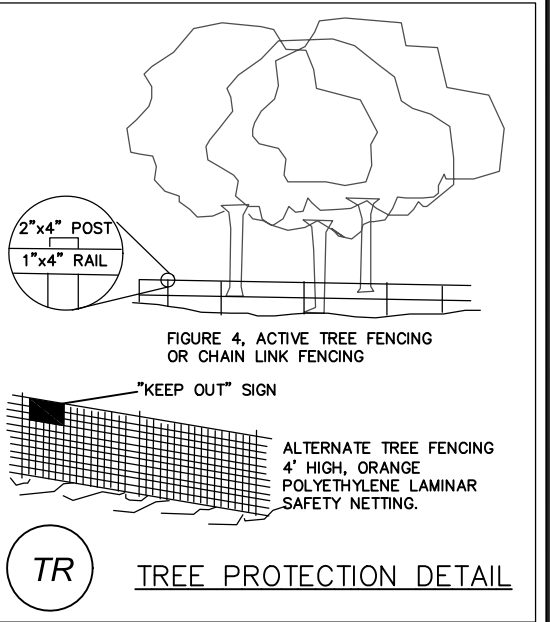
Ds1	Ds2
Ds3	Ds4

ON ALL DISTURBED AREAS

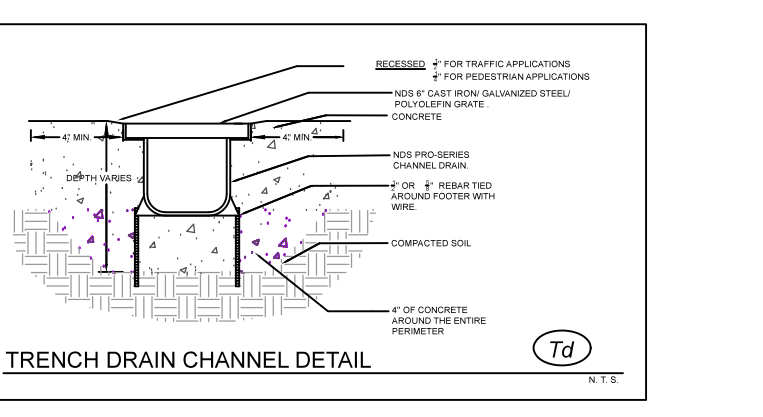
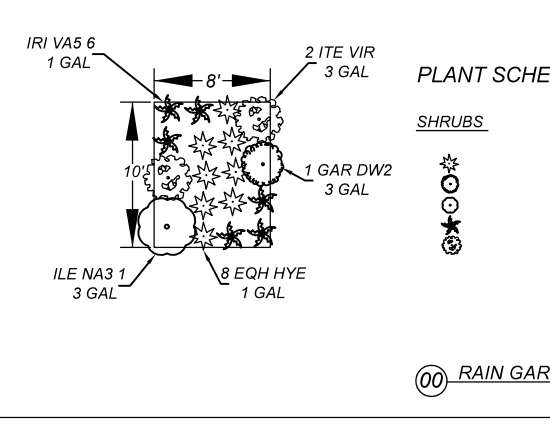
- EROSION CONTROL SEDIMENT PRACTICES:**
- Ds1** DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.
- Ds2** DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST-GROWING SEEDINGS ON DISTURBED AREAS.
- Ds3** DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.
- Ds4** DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 15% AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



- NOTES:
1. USE STEEL OR WOOD POSTS OR AS SPECIFIED BY THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.
 2. HEIGHT (H) IS TO BE SHOWN ON THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.



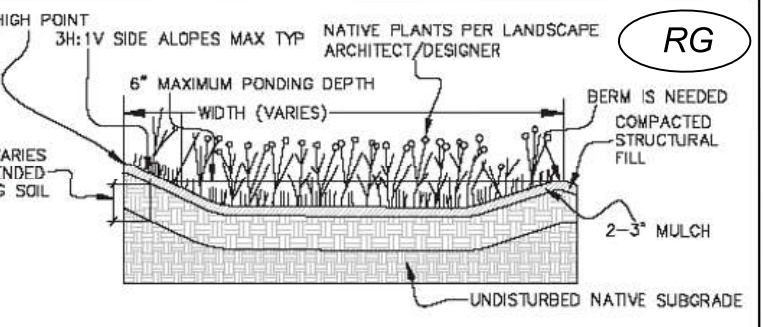
ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN



SIZING CALCULATIONS

CONTRIBUTING DRAINAGE AREA (SF)	DEPTH OF AMENDED SOIL (INCHES)			
	18	24	30	36
100	8.8	6.7	5.1	4.8
500	35	30	25	23
1000	65	60	50	45
2000	135	115	100	90
3000	200	170	150	140
4000	260	230	200	185
5000	330	280	255	230

MEASURE CONTRIBUTING DRAINAGE AREA AND READ AREA FOR GIVEN MEDIA DEPTH.



- RAIN GARDEN CONSTRUCTION NOTES**
1. Locate rain garden(s) where downspouts or driveway runoff can enter garden flowing away from the home. Locate at least 10 feet from foundations, not within the public right of way, away from utility lines, not over septic fields, and not near a steep hill edge.
 2. Measure the area draining to the planned garden and determine required rain garden surface area from the table on this page and your planned excavation depth.
 3. Optionally, perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr an underdrain will be necessary. If the rate is more than 0.50 in/hr the size of the garden may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and stakes out the garden to the required dimensions ensuring positive flow into garden, the overflow elevation allows for six inches of ponding, and the perimeter of the garden is higher than the overflow point. If the garden is on a gentle slope a berm at least two feet wide can be constructed on the downhill side and the garden can be dug into the hillside taking greater care for erosion control at the garden knee(s).
 5. Remove turf or other vegetation in the area of the rain garden. Excavate garden, being careful not to compact soils in the bottom of the garden. Level bottom of garden as much as possible to maximize infiltration area.
 6. Mix compost, topsoil, and some of the amended soil together to make the amended soil. The soil mix should be 1/3 compost, 2/3 native soil (topsoil and subsoil combined).
 7. Fill rain garden with the amended soil, leaving the surface eight inches below your highest surrounding surface. Eight inches allows for 8 inches ponding and 2" of mulch. The surface of the rain garden should be as close to level as possible.
 8. Build a berm at the downhill edge and allow of the rain garden with the remaining subsoil. The top of the berm needs to be level, and set at the maximum ponding elevation.
 9. Plant the rain garden using a selection of plants from elsewhere in this manual.
 10. Mulch the surface of the rain garden with two to three inches of non-floating organic mulch. The best choice is finely shredded hardwood mulch. Pine straw is also an option.
 11. Water all plants thoroughly. As in any new garden or flower bed, regular watering will likely be needed to establish plants during the first growing season.
 12. During construction build the inlet feature as a pipe directly connected to a downspout or use a rock lined swale with a gentle slope. Use of an impermeable liner under the rocks at the end of the swale near the house is recommended to keep water from soaking in at that point. Test the drainage of water from the source to the garden prior to finishing.
 13. Create an overflow at least 10 feet from your property edge and insure it is protected from erosion.

PLANT SCHEDULE - (PER 80 SF OF RAIN GARDEN)

SHRUBS	CODE	QTY	BOTANICAL NAME/COMMON NAME	SIZE
	EQH HYE	8	EQUISETUM HYEMALE/HORSETAIL REED GRASS	1 GAL
	GARDW2	1	GARDENIA RADICANS/DWARF GARDENIA	3 GAL
	ILENA3	1	ILEX GLABRA NANA/DWARF INK BERRY	3 GAL
	IRIVAS	6	IRIS ENSATA VARIETAS/VARIEGATED JAPANESE IRIS	1 GAL
	ITE VIR	2	ITEA VIRGINICA 'HENRY'S GARNET'/HENRY'S GARNET SWEETSPICE	3 GAL

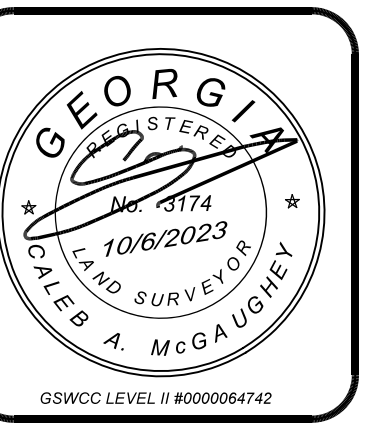
00-RAIN GARDEN - TYPICAL PLANTING - 80 sf

DATE:	ISSUE
AUGUST 5, 2021	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: MWR	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

SITE PLAN FOR:

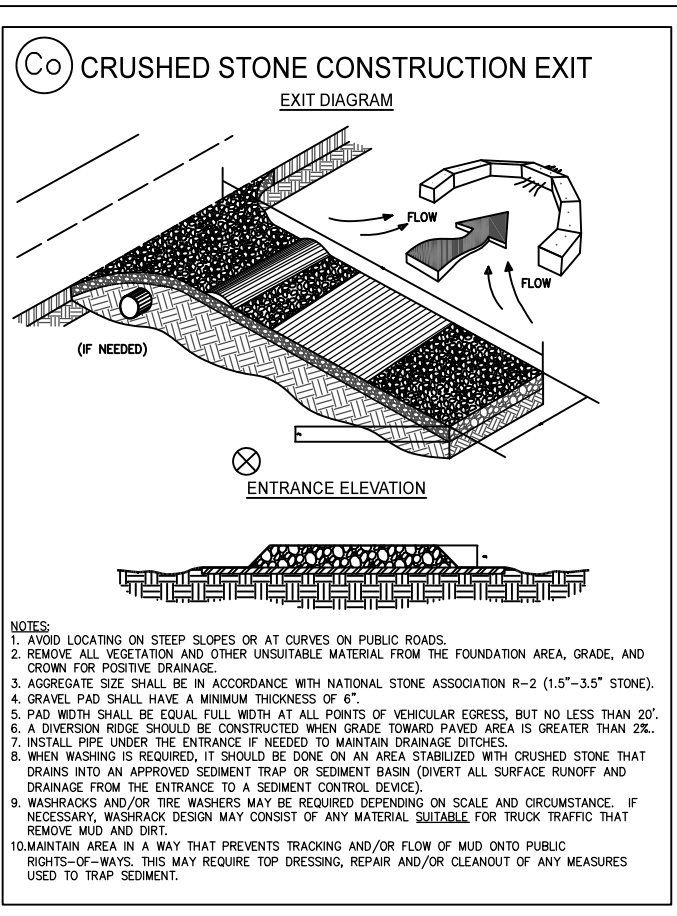
1176 LULLWATER ROAD

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



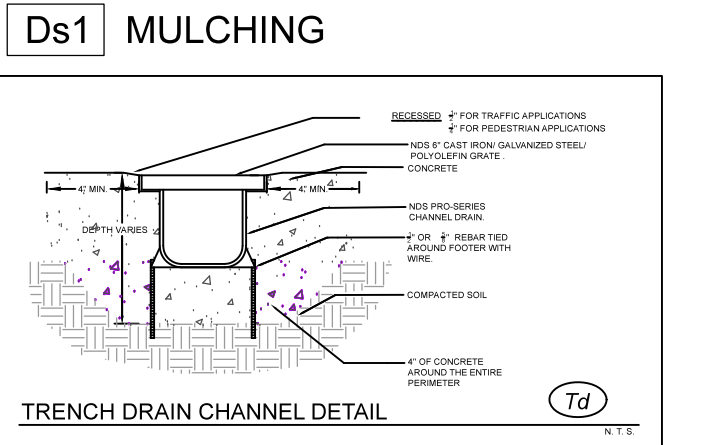
GA
LAND SURVEYOR
404-384-9577
GA LAND SURVEYOR, LLC
3355 ANNANDALE LANE, STE 1
SUWANEE, GA 30024

SHEET
2
OF
2



MATERIAL	QUANTITY
DRY STRAW OR HAY	2" - 4" DEPTH
WOOD WASTE (SAWDUST, BARK, CHIPS)	2" - 3" DEPTH
CUTBACK ASPHALT (SLOW CURING)	1200 GAL. PER ACRE (1/4 GAL PER SQ. YD.)
POLYETHYLENE FILM	COMPLETELY COVERING EXPOSED AREA. TRENCHED IN AT OUTER EDGES.

STRAW OR HAY MULCH SHALL BE ANCHORED IMMEDIATELY AFTER APPLICATION. MULCH MAY BE ANCHORED BY MECHANICALLY PRESSING INTO SURFACE. IF SPREAD WITH BLOWER EQUIPMENT, MULCH SHALL BE ANCHORED WITH EMULSIFIED ASPHALT (GRADE AE-5 OR SS-1)-100 GAL. ASPHALT + 100 GAL. WATER PER TON OF MULCH. NETTING SHALL BE USED TO ANCHOR WOOD WASTE AND CHIPS. POLYETHYLENE SHALL BE TRENCHED IN AT EDGES.



Fertilizer Requirements				
TYPE OF SPECIES	YEAR	ANALYSIS OR EQUIVALENT N-P-K	RATE	N TOP DRESSING RATE
1. Cool season grasses	First	6-12-12	1500 lbs./ac.	50-100 lbs./ac. 1/2"
	Maintenance	6-12-12	1000 lbs./ac.	30
2. Cool season grasses and legumes	First	6-12-12	1500 lbs./ac.	0-50 lbs./ac. 1"
	Maintenance	6-12-12	1000 lbs./ac.	
3. Ground covers	First	10-10-10	400 lbs./ac. 3'	
	Maintenance	10-10-10	1300 lbs./ac. 3'	
4. Pine seedlings	First	10-10-10	1100 lbs./ac.	
	Maintenance	10-10-10	1100 lbs./ac.	
5. Shrub Lespedeza	First	0-10-10	700 lbs./ac.	
	Maintenance	0-10-10	700 lbs./ac. 4'	
6. Temporary cover crops seeded alone	First	10-10-10	500 lbs./ac.	30 lbs./ac. 5'
	Maintenance	10-10-10	500 lbs./ac.	
7. Warm season grasses	First	6-12-12	1500 lbs./ac.	50-100 lbs./ac. 2/6"
	Maintenance	6-12-12	800 lbs./ac.	50-100 lbs./ac. 2'
8. Warm season grasses and legumes	First	10-10-10	400 lbs./ac.	30lbs./ac.
	Maintenance	6-12-12	1500 lbs./ac.	50 lbs./ac. 6'

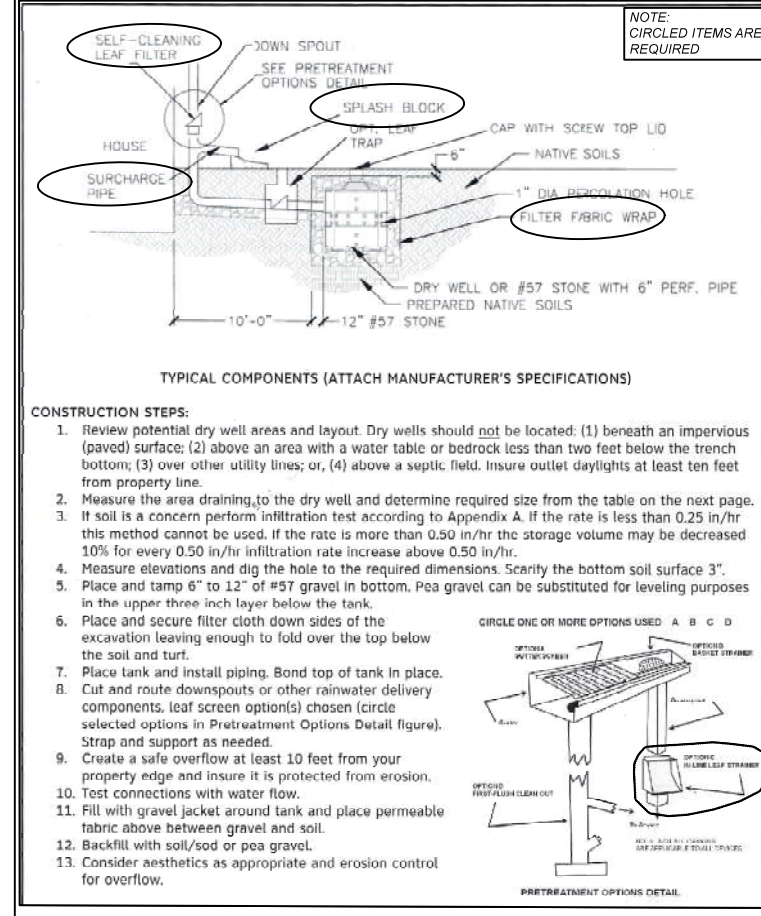
1/ Apply in spring following seeding.
 2/ Apply in split applications when high rates are used.
 3/ Apply in 3 split applications.
 4/ Apply when plants are mowed.
 5/ Apply to grass species only.
 6/ Apply when plants grow to a height of 2 to 4 inches.

APPROPRIATE SOD VARIETIES FOR ATLANTA

GRASS	VARIETY	GROWING SEASON
BERMUDA	COMMON TIFWAY, TIFGREEN, TIFLAWN	WARM WEATHER
BAHIA	PENSACOLA	WARM WEATHER
CENTPEDE	---	WARM WEATHER
ZOYSIA	EMERALD MEYER	WARM WEATHER
TALL FESCUE	KENTUCKY	COOL WEATHER

SOIL PREPARATION
 BRING SOIL SURFACE TO FINAL GRADE. CLEAR SURFACE OF TRASH, WOODY DEBRIS, STONES AND CLODS LARGER THAN 1". APPLY SOD TO SOIL SURFACES ONLY AND NOT FROZEN SURFACES, OR GRAVEL TYPE SOILS.
 MIX FERTILIZER INTO SOIL SURFACE. FERTILIZE BASED ON SOIL TESTS OR GENERAL APPLICATION OF 10-10-10 @ 1000 LBS PER ACRE (1 LB /40 SQ. FT.)
 AGRICULTURAL LIME SHOULD BE APPLIED BASED ON SOIL TESTS OR AT A RATE OF 1 TO 2 TONS / ACRE.

GRASS TYPE	PLANTING YEAR	FERTILIZER (NPK)	RATE (LBS/ACRE)	NITROGEN TOP DRESSING (LBS/ACRE)
COOL SEASON GRASSES	1ST MAINTENANCE	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12	1000	---
WARM SEASON GRASSES	1ST MAINTENANCE	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12	800	50-100



Ds1 Ds2 Ds3 Ds4

ON ALL DISTURBED AREAS

EROSION CONTROL SEDIMENT PRACTICES:

Ds1 DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.

Ds2 DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS ON DISTURBED AREAS.

Ds3 DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.

Ds4 DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 5%, AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.

PLANT, PLANTING RATES, AND PLANTING DATED FOR TEMPORARY COVER OR COMPANION CROPS 1/

Species	Broadcast Rates 2' - PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Remarks
BARLEY (Hordeum vulgare)	3 bu. (144 lbs.) 12 bu. (576 lbs.)	P	F M A M J J A S O N D	14,500 seed per pound. Winterhardy. Use on productive soils.
LESPEDEZA ANNUAL (Lespedeza striata)	40 lbs. 0.9 lb. 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	200,000 seed per pound. May volunteer for several years. Use in no-till areas.
MILLET, BROWNTOP (Panicum fasciculatum)	40 lbs. C 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	137,000 seed per pound. Quick dense cover. Will provide low-maintenance cover. Inoculate if seeded at high rates.

PLANT, PLANTING RATES, AND PLANTING DATED FOR TEMPORARY COVER OR COMPANION CROPS 1/

Species	Broadcast Rates 2' - PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Remarks
MILLET, PEARL (Pennisetum glaucum)	50 lbs. 1.1 lb.	P	F M A M J J A S O N D	88,000 seed per pound. Quick dense cover. May reach 5 feet height. Not recommended for mid-lanes.
RYE (Secale cereale)	4 bu. (128 lbs.) 1 bu. 0.7 lb. (32 lbs.)	P	F M A M J J A S O N D	18,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
RYEGRASS, ANNUAL (Lolium temulentum)	3 bu. 3.9 lb. 12 bu. 0.6 lb. (28 lbs.)	P	F M A M J J A S O N D	227,000 seed per pound. Dense cover. Very competitive and is good to be used in.
SUDANGRASS (Sorghum Sudanese)	40 lbs. 0.9 lb. 60 lbs. 1.4 lb.	P	F M A M J J A S O N D	55,000 seed per pound. Good on droughty sites. Not recommended for mid-lanes.

PLANTS, PLANTING RATES, AND PLANTING DATES FOR PERMANENT COVER

Species	Broadcast Rates 2' - PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Remarks
BERMUDA (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not forming dense cover. Inoculate with rhizomes. Use on productive soils. Do not use in no-till areas.
BERMUDA, COMMON (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not forming dense cover. Inoculate with rhizomes. Use on productive soils. Do not use in no-till areas.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not forming dense cover. Inoculate with rhizomes. Use on productive soils. Do not use in no-till areas.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not forming dense cover. Inoculate with rhizomes. Use on productive soils. Do not use in no-till areas.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not forming dense cover. Inoculate with rhizomes. Use on productive soils. Do not use in no-till areas.

DeKalb County Historic Preservation Commission
 330 Peachtree Lane, Suite 300
 Decatur, GA 30030
 (404) 371-2155 or (404) 371-2833 (Fax)

CERTIFICATE OF APPROPRIATENESS

September 20, 2023

Site Address: 1176 LULLWATER RD ATLANTA, GA 30307

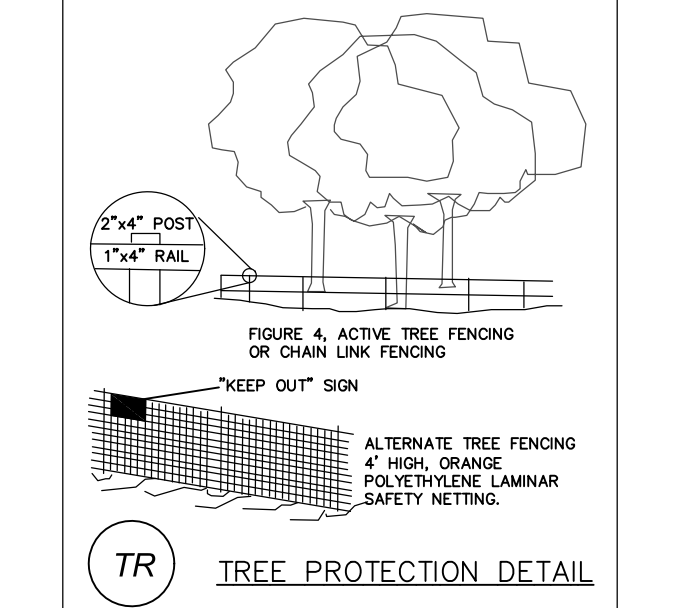
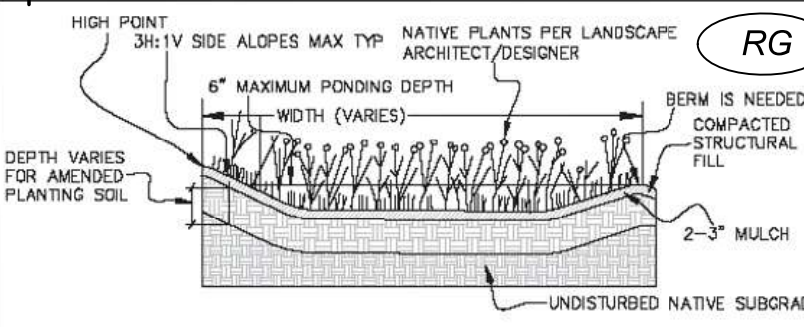
Parcel ID: 18 054 06 001

Applicant: Elizabeth Finney c/o Bette Law, P.C.
 Mailing Address: 3542 Netherham at Northlake Tucker, GA 30034

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

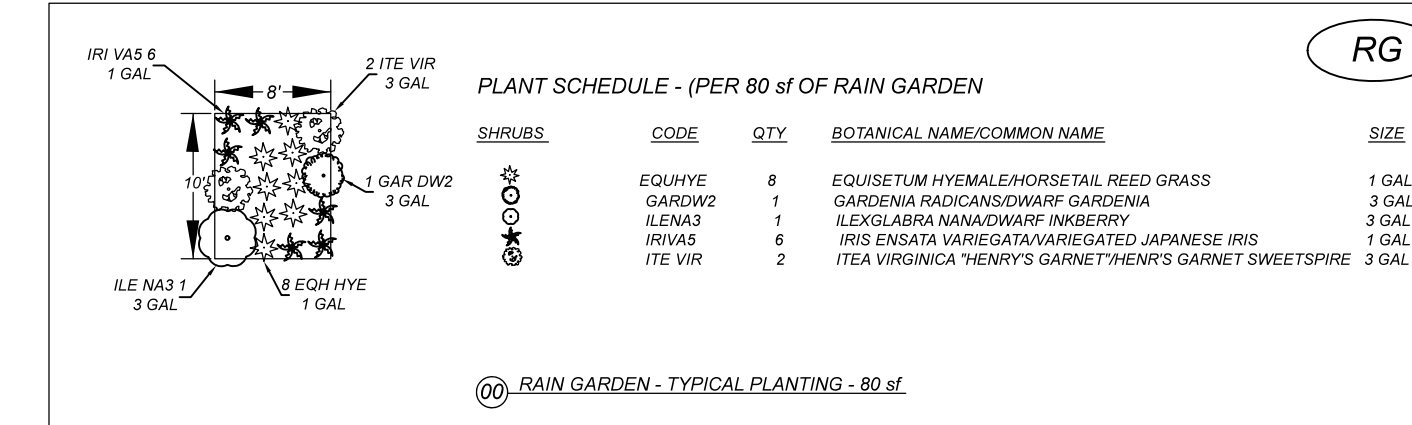
ACTION: Modified Approval

Build a house as shown in the architectural drawings with the modifications that the graphic shown on the front and left side of the house will be replaced with brick and the small window on the right side of the front elevation will be replaced by a larger window matching the others on the facade.



Ds2 STABILIZATION WITH TEMPORARY SEEDING

Ds3 STABILIZATION WITH PERMANENT VEGETATION

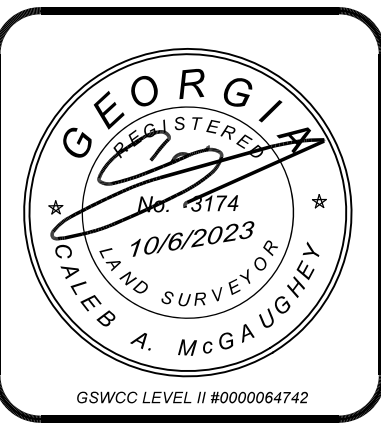


DATE:	ISSUE
OCTOBER 6, 2023	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: WGH	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

BUFFER VARIANCE / MITIGATION 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



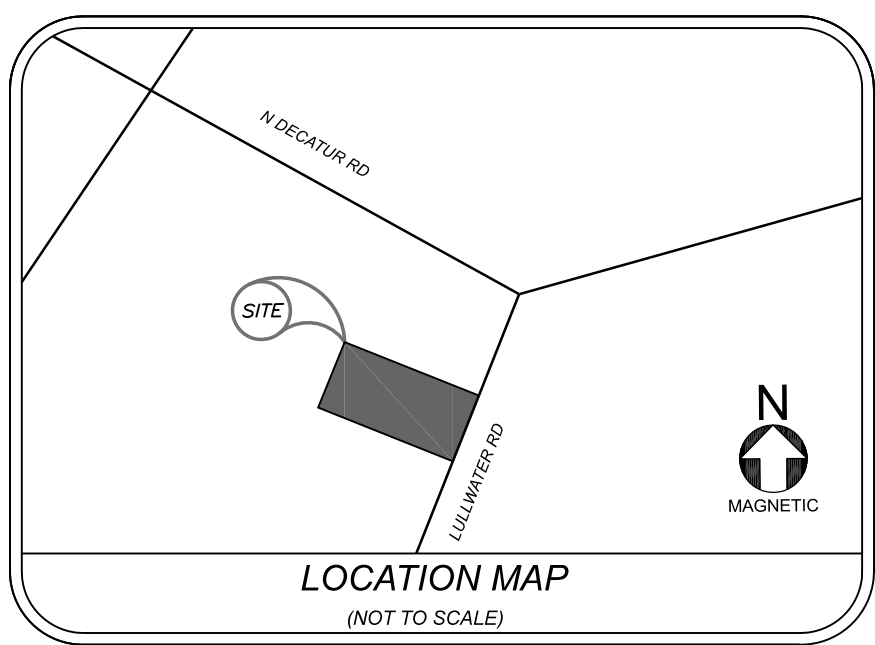
GA LAND SURVEYOR

404-384-9577

GA LAND SURVEYOR, LLC

3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET 2 OF 2



IMPERVIOUS SURFACE CALCULATIONS:
 WITH LAND-DISTURBING ACTIVITIES:
 PROPOSED IMPERVIOUS SURFACE: 3,377 S.F.
 house=1,750
 drive = 1,114
 steps = 35
 open terrace = 163
 covered porch = 169
 concrete walk = 146

TOTAL IMPERVIOUS AREA: 3,377 S.F.
 TOTAL LOT AREA: 18,142 S.F.
 TOTAL PROPOSED LOT COVERAGE: 18.6% (35% max)

24 HOUR LOCAL EROSION & SEDIMENT CONTROL CONTACT
RAY BONGERS
 404-949-9130

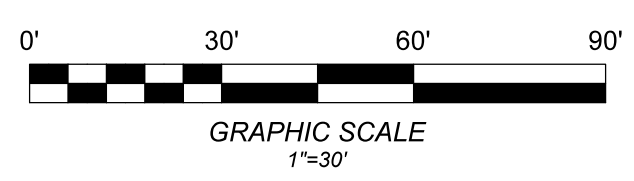
- CONSTRUCTION NOTES:**
1. THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES.
 2. EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION AND SEDIMENT CONTROL, ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
 3. ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
 4. ALL LOTS/SITES WITH 2" OF FILL OR GREATER WILL REQUIRE A COMPACTION CERTIFICATE BY A PROFESSIONAL REGISTERED ENGINEER PRIOR TO A BUILDING PERMIT AND OR PRIOR TO FOOTERS BEING POURED.
 5. LOCATE AND FIELD STAKE ALL UTILITIES, EASEMENTS, PIPES, FLOOD LIMITS, STREAM BUFFERS, AND TREE SAVE AREAS PRIOR TO ANY LAND DISTURBING ACTIVITIES.
 6. ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
 7. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING.
 8. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
 9. A FINAL AS-BUILT LOT SURVEY IS REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
 10. THERE ARE WATER QUALITY DEVICES DESIGNED FOR THIS SITE.
 11. DUMPSTERS AND OR TEMP. SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.
 12. WORK HOURS AND CONSTRUCTION DELIVERIES ARE:
 - MONDAY - FRIDAY 7:00 AM - 7:00 PM
 - SATURDAY 8:00 AM - 5:00 PM
 13. I, CALEB MCGAUGHEY CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

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% IMPACT AND REQUIRE AN ARBORIST PRESCRIPTION

0.4165 ACRES
 18,142 S.F. (8,402 OUT OF FLOOD)
 PART OF LOT 27C
 BLOCK 13, DRUID HILLS S/D
 DB 19466, PG 122
 TPN# 18 054 06 001

PART OF LOT 27C
 BLOCK 13, DRUID HILLS S/D
 DB 19466, PG 122

ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN



APPROXIMATE LIMITS OF FUTURE 100 YEAR FLOOD HAZARD AREA PER DEKALB COUNTY GIS MAPS. ELEVATION = 870.7

TREE PRESERVATION CALCULATION:
 COMPUTED USING ONLY TREES OUT OF FLOOD PLAIN
 -DESTROYED - 11 TREES @ 66.2 units
 -SAVED - 7 TREES @ 58.8 units

-DENSITY REQUIREMENTS 0.193 AC * 15 UNITS/AC = 2.9 units
 -REQUIRED: 2.9 units
 NO ADDITIONAL UNITS REQUIRED

REQUIRED TREES TO REMAIN:
 -SAVED - 7 TREES @ 125 INCHES
 -SPECIMEN TREE REMOVED 1 @ 41 INCHES (1.5 x INCHES removed = additional 62 INCHES required)
 120 INCHES DBH PER ACRE X 0.193 ACRES = 23 INCHES
 62 INCHES + 23 INCHES = 85 INCHES (PROVIDED)
 18 TREES X 25 = 45 TREES (PROVIDED)

0 PROPOSED TREE PLANTINGS AS PER ZONING

TREE PROTECTION FENCES IN ACCORDANCE WITH THE APPROVED PLAN MUST BE INSTALLED PRIOR TO STARTING LAND DISTURBANCE ACTIVITIES, AND MAINTAINED UNTIL FINAL LANDSCAPING.

TREE NUMBER	SPECIES	CONDITION (GOOD, FAIR, POOR, DEAD)	DBH (INCHES)	DENSITY UNITS	REMAIN/REMOVE	CRZ (FEET) (IF TREES TO REMAIN)	% IMPACT ON CRZ
1	WATER OAK	POOR	POOR (37)	DDH	REMOVE		
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	32.5%
6	YELLOW POPLAR	GOOD	25	6.8	REMOVE		
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	DDH	REMAIN	13	1.3
18	HARDWOOD	POOR	IN FLOOD	DDH	REMAIN		
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	REMOVE		
36	WATER OAK	POOR	POOR (11)	DDH	REMOVE		

TOTAL OUT OF FLOOD PLAIN = 18 TREES @ 125.0 units

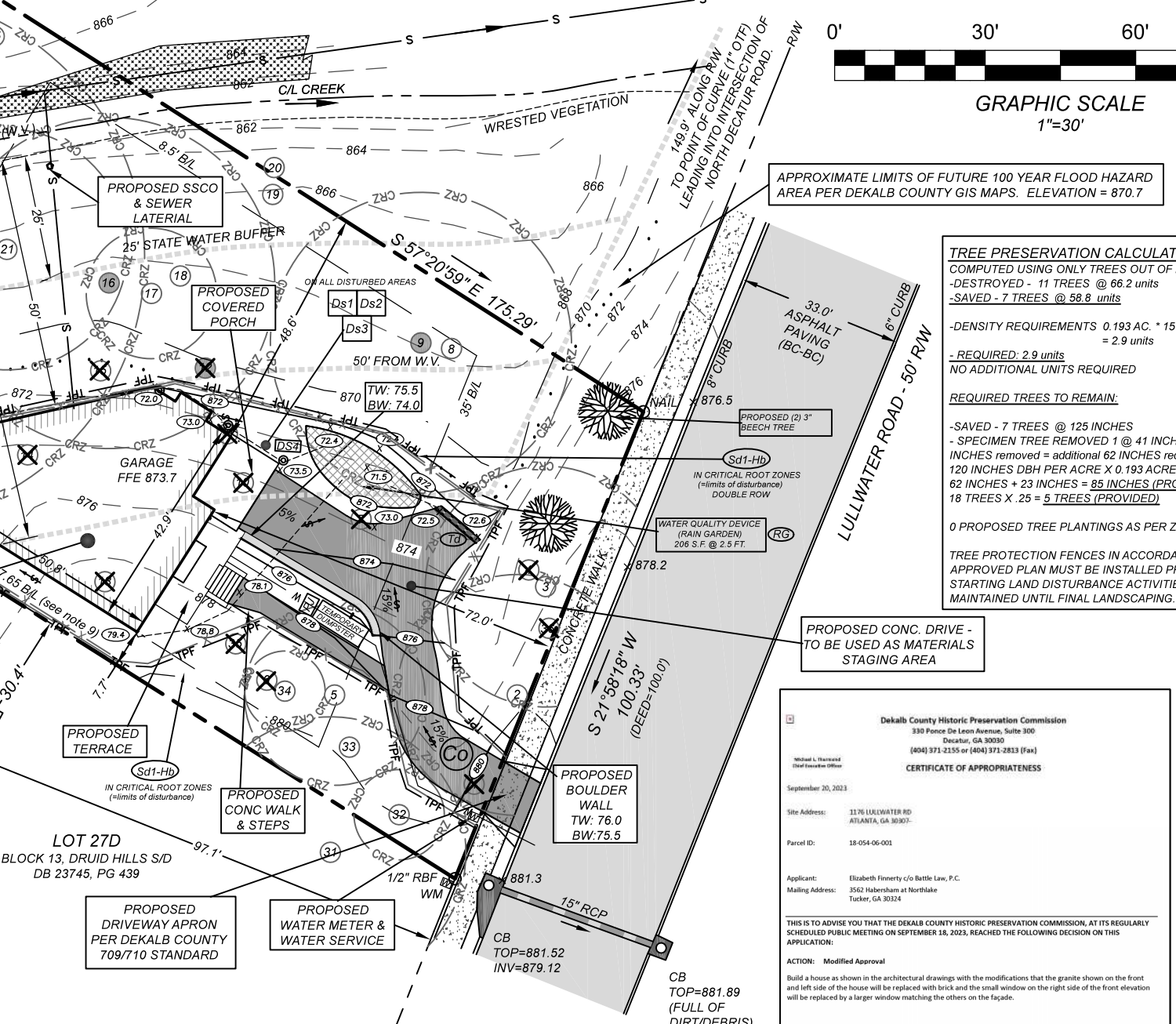
- SITE NOTES:**
1. THRESHOLD ELEVATION IS THE ELEVATION OF THE TOP OF THE SUBFLOOR IN THE OPENING THAT IS DESIGNATED AS THE FRONT DOOR OF THE DWELLING.
 2. BUILDING HEIGHT OF THE NEW STRUCTURE NOT TO EXCEED 35 FEET.
 3. NO GRADES TO EXCEED 3:1
 4. THERE ARE NEW UTILITIES PROPOSED FOR THIS SITE.
 6. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122, DEKALB COUNTY.
 7. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13089C0062K, DATED AUGUST 15, 2019.
 8. EXISTING ZONING: R-85
 SETBACKS:
 FRONT: 35'
 SIDE: 8.5'
 REAR: 40'
 9. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS LINE IS 7.65' PER ADMINISTRATIVE VARIANCE #AV-22-1246498.
 10. TOTAL DISTURBED AREA: 5,300 S.F.
 11. ALL ELEVATIONS ON SITE SHALL BE VERIFIED PRIOR TO CONSTRUCTION.
 12. NO DISTURBANCE LOCATED WITHIN THE 25' OR 50' BUFFER.
 13. THE RAIN GARDEN IS THE MITIGATION PLAN
 14. RECEIVING WATERS FOR THIS PROJECT IS PEAVINE CREEK. AREA ADJACENT TO LOT CONSIST OF EXISTING HOUSES AS WELL AS EXISTING STREAM WITH VEGETATIVE BUFFER.
 15. AS-BUILT WATER QUALITY CERTIFICATION AND LOT AS-BUILT IS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
 16. OVERFLOW FROM WATER QUALITY BMP(S) SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

APPROXIMATE LIMITS OF FUTURE 100 YEAR FLOOD HAZARD AREA PER DEKALB COUNTY GIS MAPS. ELEVATION = 870.7

- RAIN GARDEN MAINTENANCE NOTES**
1. IRRIGATE VEGETATION AS NEEDED IN FIRST SEASON.
 2. REMOVE WEEDS.
 3. REPLACE UNSUCCESSFUL PLANTINGS.
 4. REFRESH MULCH.
 5. REPAIR ERODED AREAS.
 6. RAKE CLOGGED SURFACE TO RESTORE INFILTRATION.
 7. MONITOR RAIN GARDEN FOR APPROPRIATE DRAINAGE TIMES. IF GARDEN DOES NOT DRAIN AN UNDERDRAIN MAY BE NECESSARY.

WATER QUALITY CALCULATIONS:
 DRAINAGE AREA = 18,142 S.F.
 NEW IMPERVIOUS AREA = 3,377 S.F.
 $WQv = 1.2 \times Rv \times \text{Drainage Area} / 12$
 $Rv = 0.05 + 0.009(3,377 / 18,142) \times 100 = .217$
 DRAINAGE AREA x (1.2"/12) = REQUIRED STORAGE VOLUME
 18,142 SF x (1.2"/12) x 0.217 = 395 CF

REQUIRED WATER STORAGE = 395 CF
 EQUIVALENT DRAINAGE AREA = 395 CF X 12/1.2" = 3950 S.F.
 DEPTH OF AMENDED SOILS = 30" (2.5')
 AREA OF RAIN GARDEN REQUIRED = 3950 S.F. X 0.05 = 198 S.F.
 AREA OF RAIN GARDEN PROPOSED = 206 S.F.



DeKalb County Historic Preservation Commission
 389 Peachtree Lane Avenue, Suite 300
 Decatur, GA 30030
 (404) 372-2226 or (404) 372-2823 (Fax)

CERTIFICATE OF APPROPRIATENESS

September 20, 2023

Site Address: 1176 LULLWATER DR ATLANTA, GA 30307
 Parcel ID: 38-054-06-003

Applicant: Elizabeth Finnelly c/o Bette Lee, P.C.
 Mailing Address: 3542 Manhattan at Northlake Tucker, GA 30084

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Modified Approval

Build a house as shown in the architectural drawings with the modifications that the granite shown on the front and left side of the house will be replaced with brick and the small window on the right side of the front elevation will be replaced by a larger window matching the others on the facade.

OWNER:
DAVID MARTIN & ELIZABETH FINNERTY MARTIN
 1136 LULLWATER DR
 ATLANTA, GEORGIA 30307

DEVELOPER:
BONGERS HOMEBUILDERS RAY BONGERS
 404-557-9747
 445 MT PARAN ROAD
 ATLANTA, GEORGIA 30327

NO LAND DISTURBING ACTIVITIES TO BEGIN PRIOR TO EROSION AND SEDIMENT CONTROLS AND TREE PROTECTIONS ARE IN PLACE.

LEGEND

DRAINAGE STRUCTURES

- SWCB = SINGLE WING CATCH BASIN
- DWCB = DOUBLE WING CATCH BASIN
- JB = JUNCTION BOX
- GI = GRATE INLET
- CI = CURB INLET
- YI = YARD INLET
- DI = DROP INLET
- HI = HEAD WALL
- SSMH = SANITARY SEWER MANHOLE
- SSCO = SANITARY SEWER CLEANOUT
- GT = GATE TRAP
- FES = FLARED END SECTION

UTILITY SYMBOLS

- A/C = AIR CONDITIONING UNIT
- ET = ELECTRIC TRANSFORMER
- CPED = CABLE TV PEDESTAL
- FH = FIRE HYDRANT
- GM = GAS METER
- GV = GAS VALVE
- GUY = GUY WIRE
- TPED = TELEPHONE PEDESTAL
- LP = LIGHT POLE
- WM = WATER METER
- WV = WATER VALVE

MISC. SYMBOLS

- PS = PARKING SPACE COUNTER
- SD = SATELLITE DISH

UTILITY LINETYPES

- P = POWER LINE (UP-UNDERGROUND)
- T = TELEPHONE LINE (UT-UNDERGROUND)
- C = CABLE TV LINE (UC-UNDERGROUND)
- CS = SANITARY SEWER LINE
- G = GAS LINE

FENCE LINES

- CLF = CHAIN LINK FENCE (CLF)
- WF = WIRE FENCE
- WF = WOODEN FENCE

ABBREVIATIONS

- BC = BACK OF CURB
- BH = BUILDING HEIGHT
- B/L = BUILDING SETBACK LINE
- BW = BOTTOM OF WALL
- CRG = CURB AND GUTTER
- C/L = CENTERLINE
- CMF = CORRUGATED METAL PIPE
- CMF = CONCRETE MONUMENT FOUND
- CO = CLEAN OUT
- CONC = CONCRETE
- C/P = CRIMP TOP PIPE FOUND
- DB = DETAIL BOOK / PAGE
- DE = DRAINAGE EASEMENT
- DIP = DUCTILE IRON PIPE
- DWCB = DOUBLE WING CATCH BASIN
- DYL = DOUBLE YELLOW LINE STRIPING
- EP = EDGE OF PAVING
- F.I.R.M. = FEDERAL INSURANCE RATE MAP
- HDP = HIGH DENSITY POLY ETHYLENE PIPE
- HW = HEADWALL
- IE = INVERT
- IPS = INVERT SET W/CAP
- LL = LAND LOT LINE
- LL = LAND LOT LINE
- M/S = MONITORING
- N/F = NOW OR FORMERLY
- NW = NOT TO SCALE
- NP = NAIL SET
- OTF = OPEN TOP PIPE FOUND
- OSD = OUTSIDE DIMENSION
- OCS = OUTLET CONTROL STRUCTURE
- PB/PAGE = PLAT BOOK/PAGE
- PL = PROPERTY LINE
- POB = POINT OF BEGINNING
- P.O.E. = POINT OF ENTRY
- PVC = POLYVINYL CHLORIDE PIPE
- RFB = REBAR PIN FOUND
- RCP = REINFORCED CONCRETE PIPE
- R/W = RIGHT OF WAY
- S.F. = SQUARE FEET
- SRF = SOLID ROD FOUND
- SS = SANITARY SEWER
- SSE = SANITARY SEWER EASEMENT
- TBM = TEMPORARY BENCH MARK
- TN = TAX PARCEL NUMBER
- POC = POINT OF COMMENCEMENT
- TYP = TYPICAL
- WI = WEIR INLET

DATE:	ISSUE	NO.	DESCRIPTION	DATE
AUGUST 5, 2021				
SCALE: 1" = 30'				
ACREAGE: 0.4165	1	ADDED STREAM BUFFERS	02/01/2023	
LAND LOT(S): 2	2	UPDATED HOUSE PLAN	05/30/2023	
DISTRICT: 18th	3	UPDATED HOUSE PLAN	10/6/2023	
CITY:				
COUNTY: DEKALB STATE: GEORGIA				
SURVEYED: MAF DRAWN: MWR				
CHECKED: WGH APPROVED: CAM				
PROJECT #: 16-257				

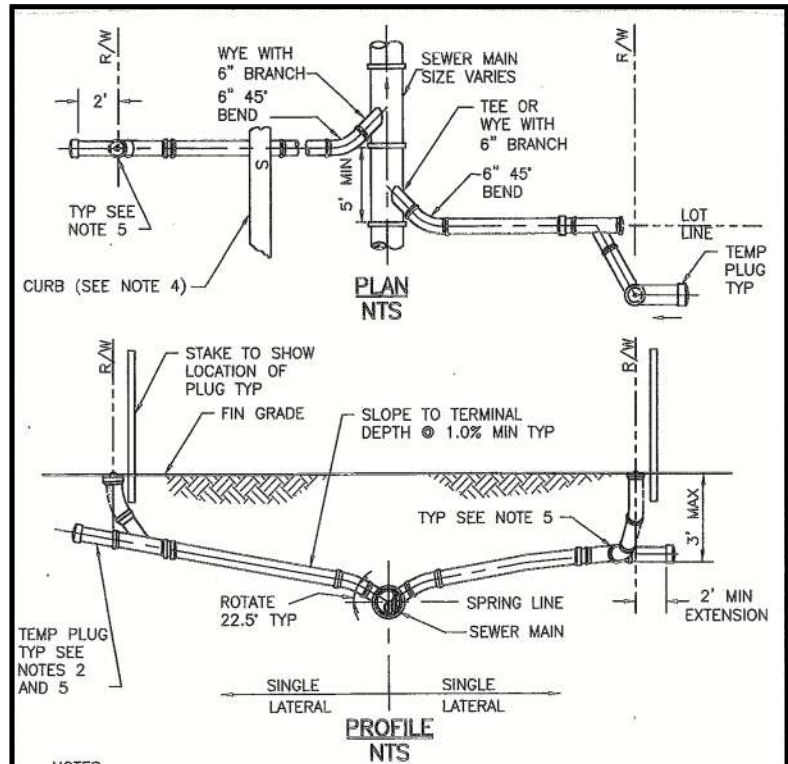
SITE PLAN FOR:
1176 LULLWATER ROAD

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
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET
1
OF
2



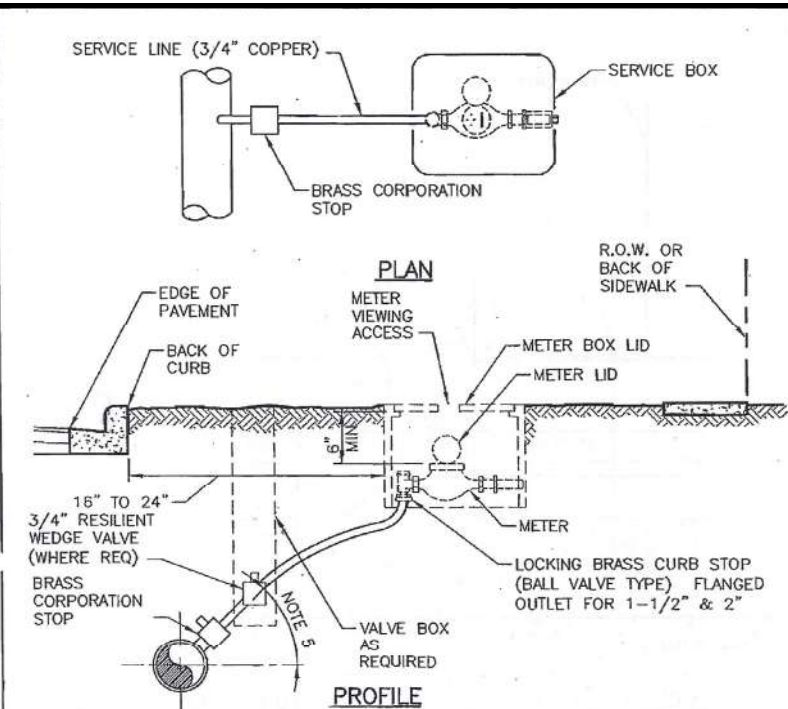
- NOTES:
1. INVERT OF SERVICE LATERAL SHALL NOT ENTER SEWER MAIN BELOW SPRING LINE.
 2. SERVICE LATERAL SHALL BE CAPPED BY DEVELOPER'S CONTRACTOR.
 3. ALL FITTINGS SHOWN ARE TO BE INSTALLED.
 4. SERVICE CONNECTIONS SHALL BE PERMANENTLY MARKED BY CUTTING AN "S" IN THE CURB DIRECTLY OVER THE LATERAL.
 5. DEVELOPER'S CONTRACTOR WILL INSTALL CLEANOUT.

DEKALB COUNTY, GA
Department of Watershed Management

STANDARD DETAILS
Sanitary Sewer Lateral Connection detail

NOT TO SCALE

DETAIL NO. S-017



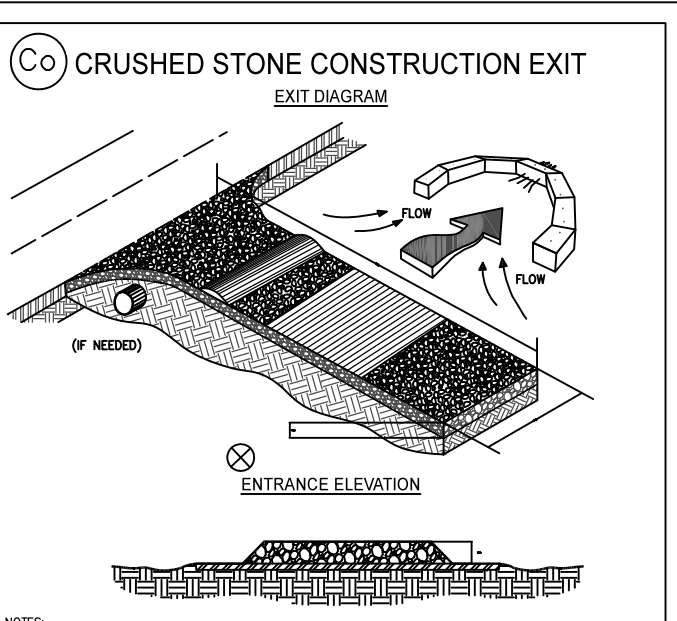
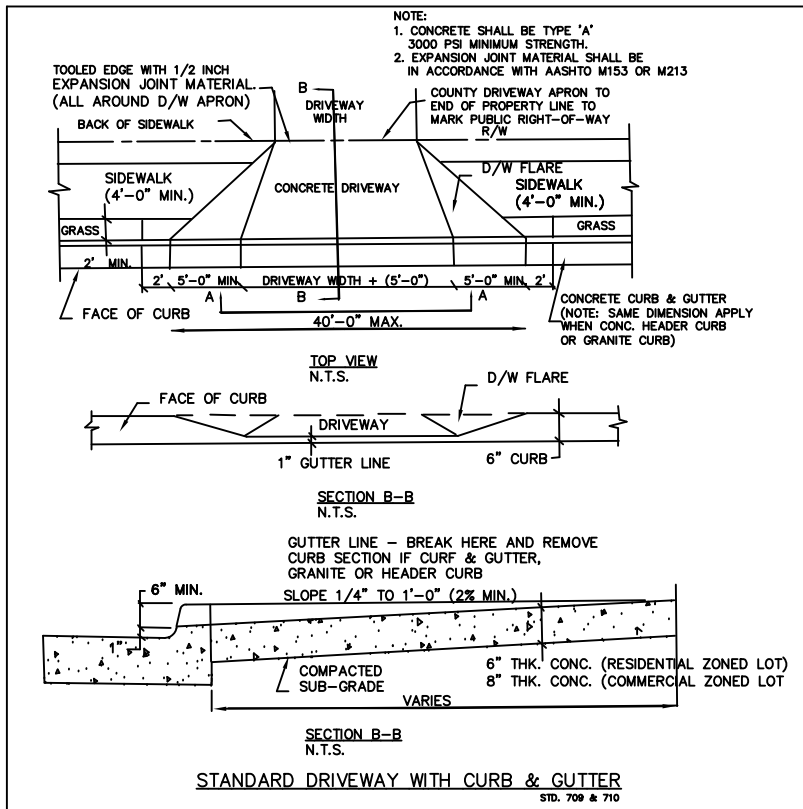
- NOTES:
1. METER SHALL BE INSTALLED BETWEEN SIDEWALK AND CURB AND IN NO CASE SHALL IT BE INSTALLED IN SIDEWALK OR OTHER PAVED AREAS.
 2. ALL POTABLE WATER IRRIGATION METERS REQUIRE AN APPROVED BACKFLOW PREVENTER.
 3. ALL PROPERTIES WITH ALTERNATIVE WATER SYSTEMS (WELL, ETC.) REQUIRE BACKFLOW PREVENTERS.
 4. SERVICE LINES SHALL NOT BE LESS THAN METER SIZE.
 5. SERVICE TAP SHALL BE BETWEEN 2:00 O'CLOCK AND 4:00 O'CLOCK WITHOUT SADDLE TAP.

DEKALB COUNTY, GA
Department of Watershed Management

STANDARD DETAILS
Residential Water Meter Installation Detail

NOT TO SCALE

DETAIL NO. W-026



- NOTES:
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 8".
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20".
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (OVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
 9. WASHRACKS AND/OR THE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRACK DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

ON ALL DISTURBED AREAS

Ds1	Ds2
Ds3	Ds4

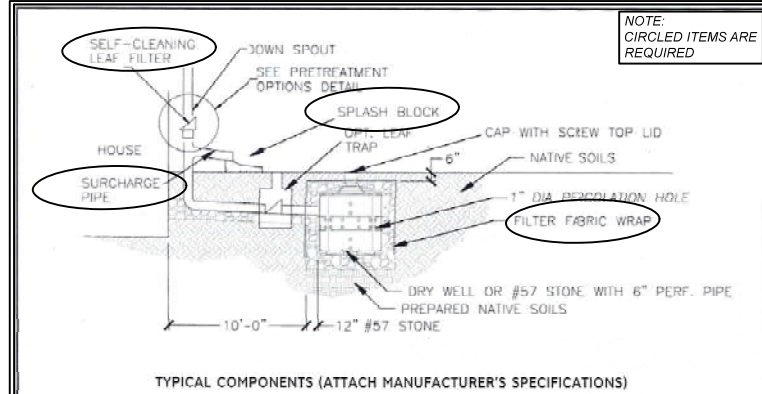
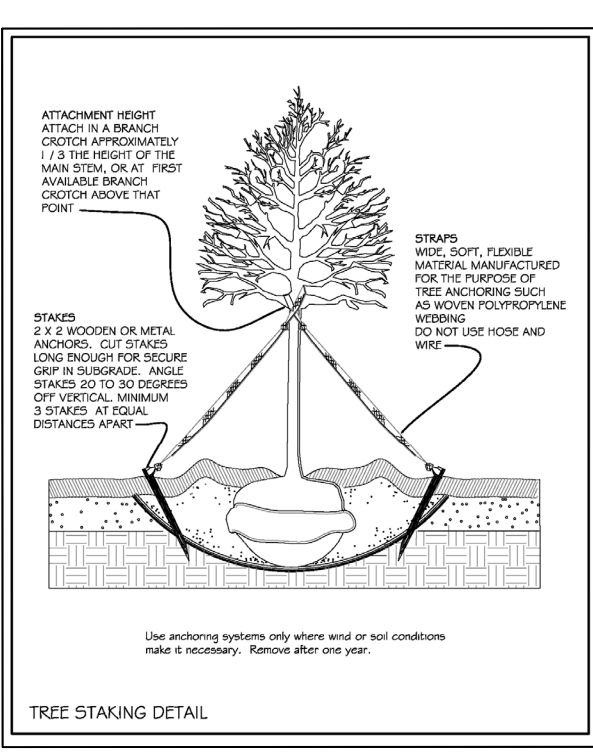
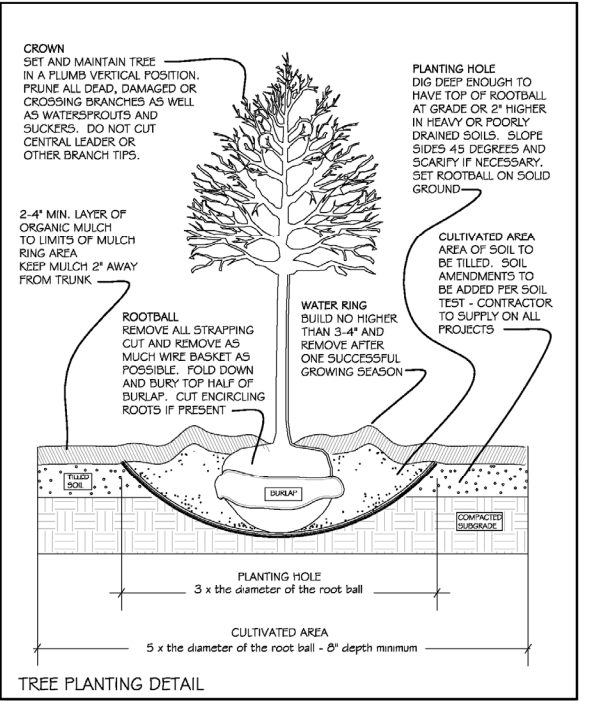
EROSION CONTROL SEDIMENT PRACTICES:

Ds1 DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.

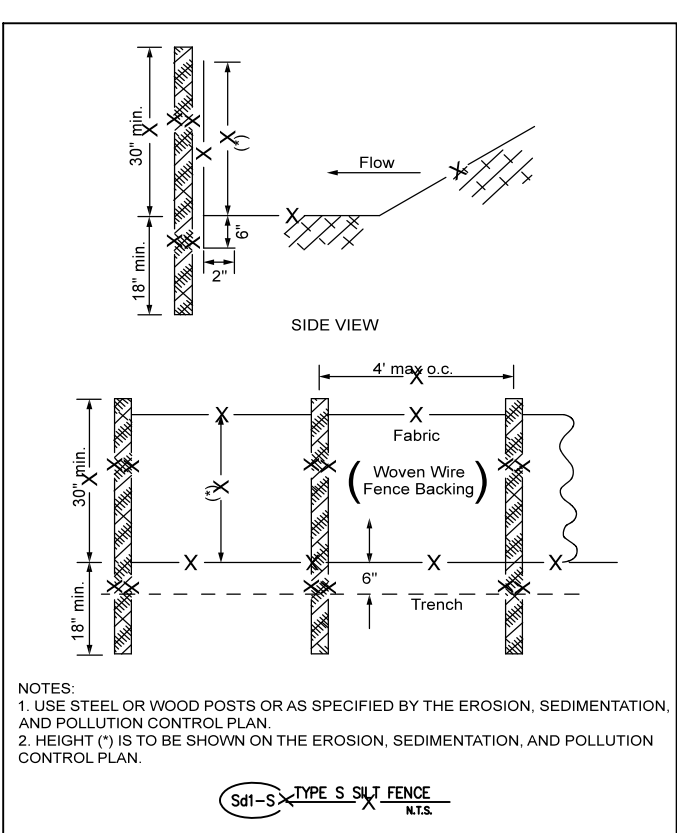
Ds2 DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST-GROWING SEEDINGS ON DISTURBED AREAS.

Ds3 DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.

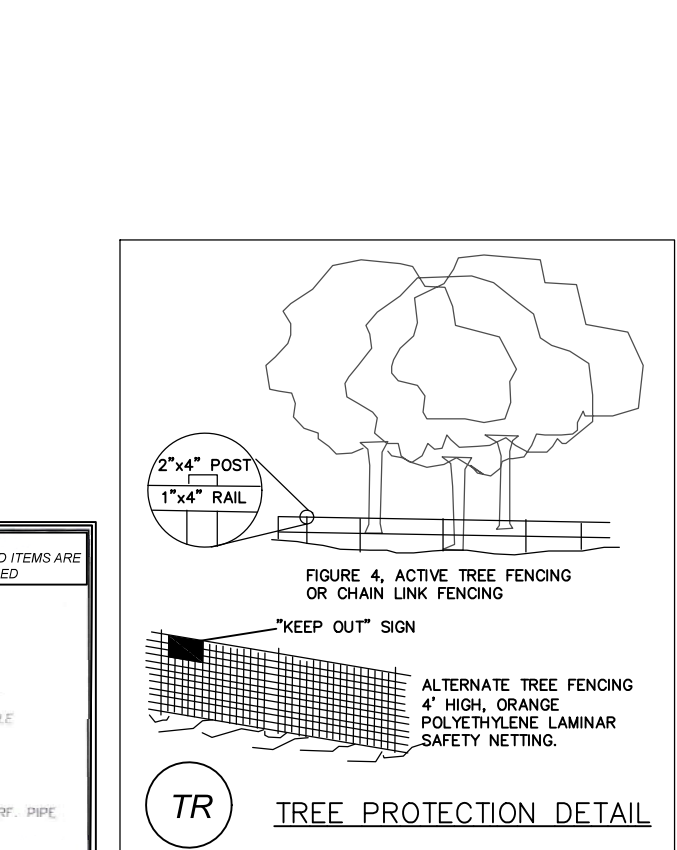
Ds4 DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 15% AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



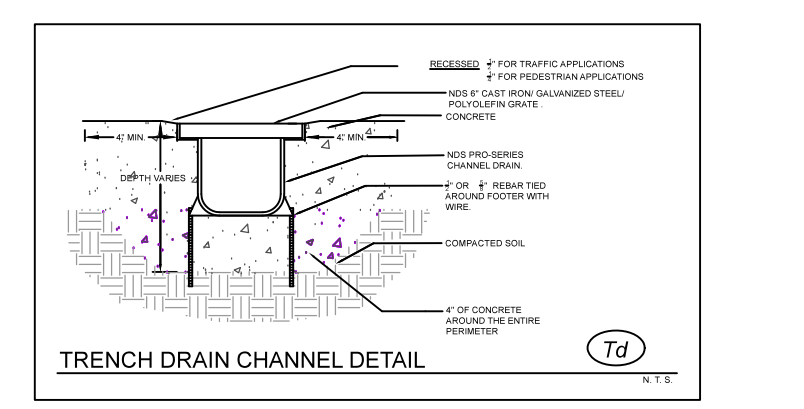
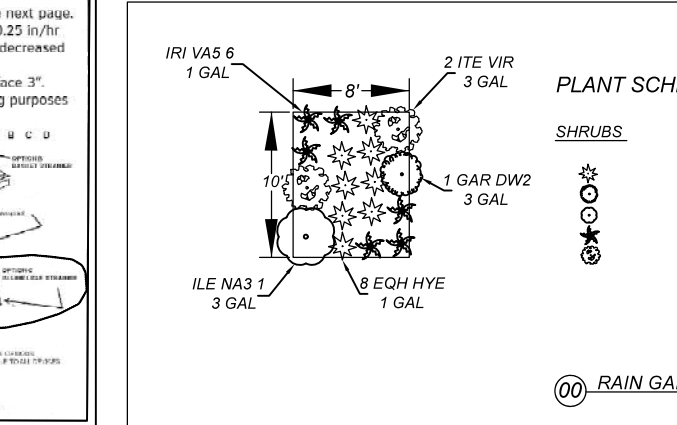
- CONSTRUCTION STEPS:
1. Review potential dry well areas and layout. Dry wells should not be located: (1) beneath an impervious (paved) surface; (2) above an area with a water table or bedrock less than two feet below the trench bottom; (3) over other utility lines; or (4) above a septic field. Insure outlet daylight at least ten feet from property line.
 2. Measure the area draining to the dry well and determine required size from the table on the next page.
 3. If soil is a concern perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr this method cannot be used. If the rate is more than 0.50 in/hr the storage volume may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and dig the hole to the required dimensions. Scarify the bottom soil surface 3".
 5. Place and tamp 6" to 12" of #57 gravel in bottom. Pea gravel can be substituted for leveling purposes in the upper three inch layer below the tank.
 6. Place and secure filter cloth down sides of the excavation leaving enough to fold over the top below the soil and turf.
 7. Place tank and install piping. Bond top of tank in place.
 8. Cut and route downspouts or other rainwater delivery components. (leaf screen optional) chosen (circle selected options in Pretreatment Options Detail figure). Strap and support as needed.
 9. Create a safe overflow at least 10 feet from your property edge and insure it is protected from erosion.
 10. Test connections with water flow.
 11. Fill with gravel jacket around tank and place permeable fabric above between gravel and soil.
 12. Backfill with soil/sod or pea gravel.
 13. Consider aesthetics as appropriate and erosion control for overflow.



- NOTES:
1. USE STEEL OR WOOD POSTS OR AS SPECIFIED BY THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.
 2. HEIGHT (H) IS TO BE SHOWN ON THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.



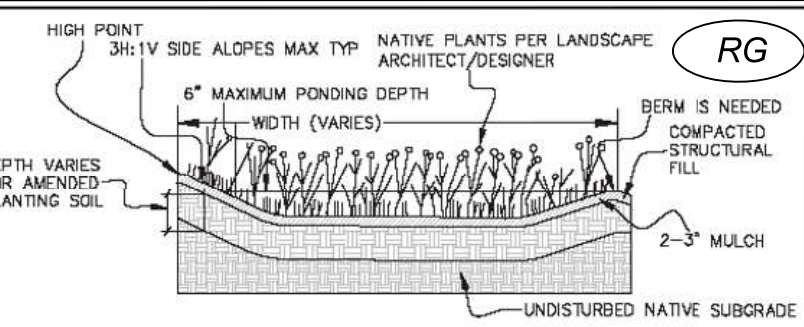
ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN



SIZING CALCULATIONS

CONTRIBUTING DRAINAGE AREA (SF)	DEPTH OF AMENDED SOIL (INCHES)			
	18	24	30	36
100	8.8	6.7	5.1	4.8
500	35	30	25	23
1000	65	60	50	45
2000	135	115	100	90
3000	200	170	150	140
4000	260	230	200	185
5000	330	280	255	230

MEASURE CONTRIBUTING DRAINAGE AREA AND READ AREA FOR GIVEN MEDIA DEPTH.



- RAIN GARDEN CONSTRUCTION NOTES**
1. Locate rain garden(s) where downspouts or driveway runoff can enter garden flowing away from the home. Locate at least 10 feet from foundations, not within the public right of way, away from utility lines, not over septic fields, and not near a steep hill edge.
 2. Measure the area draining to the planned garden and determine required rain garden surface area from the table on the next page and your planned excavation depth.
 3. Optionally, perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr an underdrain will be necessary. If the rate is more than 0.50 in/hr the size of the garden may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and stakes out the garden to the required dimensions ensuring positive flow into garden, the overflow elevation allows for six inches of ponding, and the perimeter of the garden is higher than the overflow point. If the garden is on a gentle slope a berm at least two feet wide can be constructed on the downhill side and the garden can be dug into the hillside taking greater care for erosion control at the garden knee(s).
 5. Remove turf or other vegetation in the area of the rain garden. Excavate garden, being careful not to compact soils in the bottom of the garden. Level bottom of garden as much as possible to maximize infiltration area.
 6. Mix compost, topsoil, and some of the amended soil together to make the amended soil. The soil mix should be 1/3 compost, 2/3 native soil (topsoil and subsoil combined).
 7. Fill rain garden with the amended soil, leaving the surface eight inches below your highest surrounding surface. Eight inches allows for 8 inches ponding and 2" of mulch. The surface of the rain garden should be as close to level as possible.
 8. Build a berm at the downhill edge and allow of the rain garden with the remaining subsoil. The top of the berm needs to be level, and set at the maximum ponding elevation.
 9. Plant the rain garden using a selection of plants from elsewhere in this manual.
 10. Mulch the surface of the rain garden with two to three inches of non-floating organic mulch. The best choice is finely shredded hardwood mulch. Pine straw is also an option.
 11. Water all plants thoroughly. As in any new garden or flower bed, regular watering will likely be needed to establish plants during the first growing season.
 12. During construction build the inlet feature as a pipe directly connected to a downspout or use a rock lined swale with a gentle slope. Use of an impermeable liner under the rocks at the end of the swale near the house is recommended to keep water from soaking in at that point. Test the drainage of water from the source to the garden prior to finishing.
 13. Create an overflow at least 10 feet from your property edge and insure it is protected from erosion.

PLANT SCHEDULE - (PER 80 SF OF RAIN GARDEN)

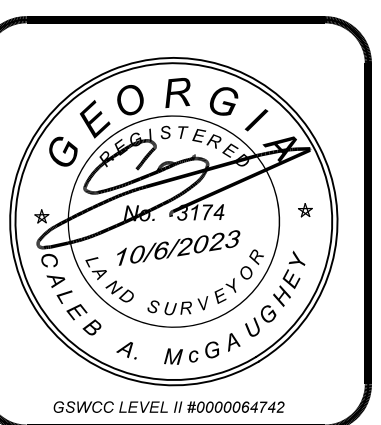
SHRUBS	CODE	QTY	BOTANICAL NAME/COMMON NAME	SIZE
	EQH HYE	8	EQUISETUM HYEMALE/HORSETAIL REED GRASS	1 GAL
	GARDW2	1	GARDENIA RADICANS/DWARF GARDENIA	3 GAL
	ILENA3	1	ILEX GLABRA NANA/DWARF INK BERRY	3 GAL
	IRIVAS	6	IRIS ENSATA VARIETATA/VARIEGATED JAPANESE IRIS	1 GAL
	ITE VIR	2	ITEA VIRGINICA 'HENRY'S GARNET'/HENRY'S GARNET SWEETSPICE	3 GAL

RAIN GARDEN - TYPICAL PLANTING - 80 sf

DATE:	ISSUE
AUGUST 5, 2021	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: MWR	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

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
404-384-9577
GA LAND SURVEYOR, LLC
3355 ANNANDALE LANE, STE 1
SUWANEE, GA 30024

SHEET
2
OF
2

Return to:
EDNA HAWES
McCURDY & CANDLER
P. O. BOX 57
DECATUR, GA 30031

Deed Book 19466 Pg 122
Filed and Recorded Dec-13-2006 08:56am
2006-0226894
Real Estate Transfer Tax \$129.00
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia

EXECUTOR'S DEED—STATE OF GEORGIA, COUNTY OF DEKALB

THIS INDENTURE made this 30th day of November in the Year of our
Lord Two Thousand and Six, Between
Reuben Pierce Head, Jr.
duly constituted Executor of the Last Will and Testament of
Jeanne Stokes Head
, deceased, as Grantor, and
David Martin and Elizabeth Finnerty Martin
the Grantee.

In this deed, wherever the context so requires, the masculine gender includes feminine and/or neuter and the singular number includes the plural. Wherever herein a verb, pronoun or other part of speech is used in the singular, and there be more than one Grantor or Grantee, said singular part of speech shall be deemed to read as the plural, and each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein. Wherever herein Grantor or Grantee is used, the same shall be considered to mean as well, the heirs, executors, administrators, successors, representatives and assigns of the same.

Witnesseth: That pursuant to and in conformity with the powers and authority granted in the Last Will and Testament of the deceased, duly probated in solemn form in the Probate Court of DeKalb County, Georgia, and in consideration of the sum of One Hundred Twenty Nine Thousand and no/100 Dollars (\$ 129,000.00), cash in hand paid at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, Grantor has bargained and sold and by these presents does grant, bargain, sell and convey unto the said Grantee the following described property:

(For Legal Description, see Exhibit "A" attached hereto and made a part hereof.)

This deed and the conveyance hereby made is given subject to all restrictions and easements of record, if any.

TO HAVE AND TO HOLD the said tract of land together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining to the only proper use, benefit and behoof of the said Grantee in FEE SIMPLE in as full and as ample a manner as the same was possessed or enjoyed by the deceased in his lifetime.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

(Seal)
Reuben Pierce Head, Jr.
Reuben Pierce Head, Jr.

(Seal)

Signed, sealed and delivered in the presence of: _____ as Executor of the Last Will and Testament of the
deceased Jeanne Stokes Head

Witness _____
Jerry Cantley
Notary Public (Affix stamp & seal)

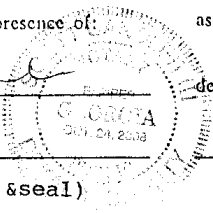
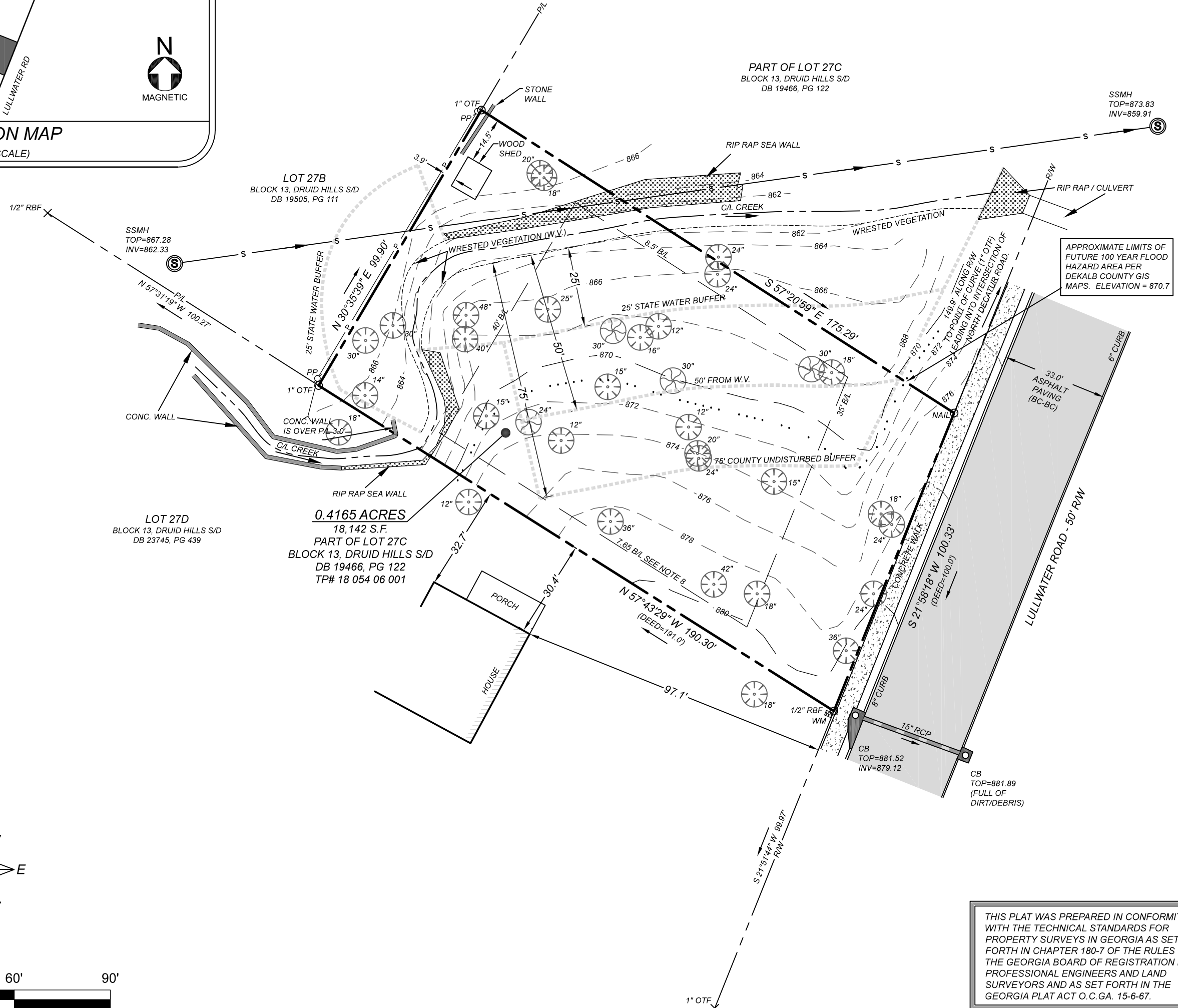
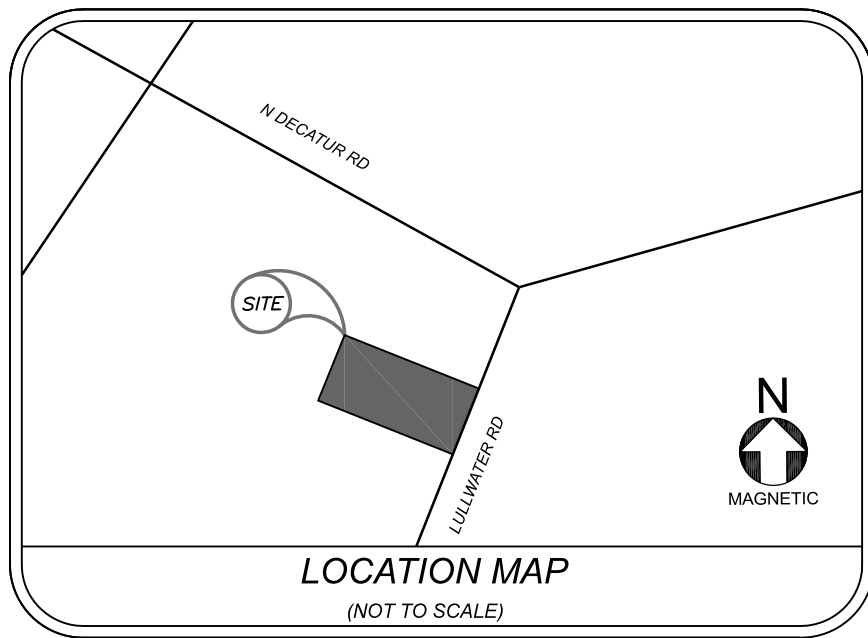


EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 2 of the 18th District of DeKalb County, Georgia, being described according to survey prepared by Joseph C. King, Registered Land Surveyor, for Reuben Pierce Head, Jr., and more particularly described as follows:

Beginning at an iron pin set located on the northwesterly side of Lullwater Road (50' R/W), 150.0 feet southwesterly as measured along the right of way of Lullwater Road, from a point of curve where the right of way of Lullwater Road leads into North Decatur Road; running thence South 24 degrees 00 minutes West as measured along the right of way of Lullwater Road a distance of 100.0 feet to an iron pin set; running thence North 55 degrees 27 minutes 25 seconds West a distance of 191.0 feet to an iron pin set; running thence North 32 degrees 56 minutes 06 seconds a distance of 100.0 feet to an iron pin set; running thence South 54 degrees 55 minutes 21 seconds East a distance of 175.52 feet to iron pin set located on the northwesterly side of the right of way of Lullwater Road and the point of beginning; being known as No. 1176 Lullwater Road, according to the current system of numbering in DeKalb County, Georgia.



- NOTES:**
1. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122 OF DEKALB COUNTY RECORDS.
 2. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13089C0062K, DATED AUGUST 15, 2019.
 3. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN IS BASED ON ABOVE GROUND STRUCTURES AND INFORMATION SUPPLIED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES OR STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES OR STRUCTURES MAY EXIST. THE SURVEYOR MAKES NO CERTIFICATION AS TO THE ACCURACY AND COMPLETENESS OF THE LOCATIONS SHOWN HEREON.
 4. NO ABSTRACT OF TITLE, TITLE COMMITMENT, OR RESULTS OF TITLE SEARCHES WERE SUPPLIED TO THE SURVEYOR. THERE MAY BE OTHER MATTERS OF RECORD THAT AFFECT THIS PROPERTY.
 5. BUILDING SETBACK INFORMATION SHOWN HEREON IS PER THE DEKALB COUNTY ZONING ORDINANCE FOR R-85 ZONING CLASSIFICATION.
 6. THE LAST DAY OF THE FIELD SURVEY WAS PERFORMED ON 1/27/2023.
 7. VERTICAL INFORMATION SHOWN HEREON WAS OBTAINED FROM A "FIELD RUN" SURVEY. REFERENCE DATUM IS NAVD 88-1994 MEAN SEA LEVEL. CONTOUR INTERVAL EQUALS TWO FEET.
 8. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS LINE IS 7.65' PER ADMINISTRATIVE VARIANCE #AV-22-1246498.

CLOSURE STATEMENT

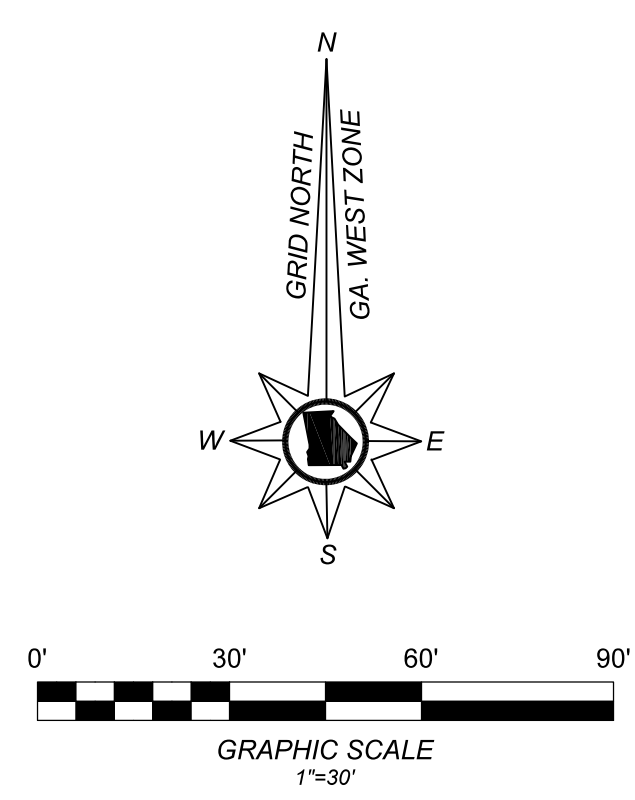
FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A TRIMBLE S-6 ROBOTIC TOTAL STATION.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 220,401 FEET.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 261,580 FEET AND AN ANGULAR ERROR OF 0.5 SECOND PER ANGULAR POINT AND WAS ADJUSTED USING COMPASS RULE.

LEGEND

DRAINAGE STRUCTURES		ABBREVIATIONS	
	SWCB = SINGLE WING CATCH BASIN	BC	BACK OF CURB
	DWCB = DOUBLE WING CATCH BASIN	BH	BUILDING HEIGHT
	JB = JUNCTION BOX	B/L	BUILDING SETBACK LINE
	GI = GRATE INLET	B/W	BOTTOM OF WALL
	CI = CURB INLET	C&G	CURB AND GUTTER
	YI = YARD INLET	C/L	CORRUGATED METAL PIPE
	DI = DROP INLET	CMF	CONCRETE MONUMENT FOUND
	HW = HEAD WALL	CO	CLEAN OUT
	SSMH = SANITARY SEWER MANHOLE	CONC	CONCRETE
	SSCO = SANITARY SEWER CLEANOUT	CT	CRIMP TOP PIPE FOUND
	GT = GREASE TRAP	DB/PG	DEED BOOK / PAGE
	FES = FLARED END SECTION	DE	DRAINAGE EASEMENT
	A/C = AIR CONDITIONING UNIT	DIP	DOUBLE WING CATCH BASIN
	ET = ELECTRIC TRANSFORMER	EL	EDGE OF PAVING
	C/PED = CABLE TV PEDESTAL	F.I.R.M.	FEDERAL INSURANCE RATE MAP
	FH = FIRE HYDRANT	HDPE	HIGH DENSITY POLY ETHYLENE PIPE
	GM = GAS METER	HW	HEADWALL
	GV = GAS VALVE	IE	INVERT ELEVATION
	GUY = GUY WIRE	IPS	1/2" REBAR PIN SET W/CAP
	TPED = TELEPHONE PEDESTAL	LL	LAND LOT
	PP = UTILITY POLE	LLL	LAND LOT LINE
	LP = LIGHT POLE	MW	MONITORING WELL
	WM = WATER METER	N/O	NOW OR FORMERLY
	WV = WATER VALVE	N/S	NAL SET
	P = PARKING SPACE COUNT	NTS	NOT TO SCALE
	SD = SQUARE FEET	OTF	OPEN TOP PIPE FOUND
	S = SATURATED SAND	OSD	OUTSIDE DIMENSION
	SSE = SANITARY SEWER EASEMENT	OC	OUTLET CONTROL STRUCTURE
	TBM = TEMPORARY BENCH MARK	P.B./P.P.	PLAT BOOK/PAGE
	TP# = TAX PARCEL NUMBER	P/L	PROPERTY LINE
	POC = POINT OF COMMENCEMENT	POB	POINT OF BEGINNING
	TW = TYPICAL	P.O.E.	POINT OF ENTRY
	WI = WEIR INLET	PVC	POLYVINYL CHLORIDE PIPE
	CLF = CHAIN LINK FENCE	RF	REINFORCED CONCRETE PIPE
	WF = WIRE FENCE	R/W	RIGHT OF WAY
	WF = WOODEN FENCE	S.F.	SQUARE FEET
	H = HARDWOOD	SF	SANITARY SEWER
	P = PINE/CONIFER	SSE	SANITARY SEWER EASEMENT



THIS PLAT WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

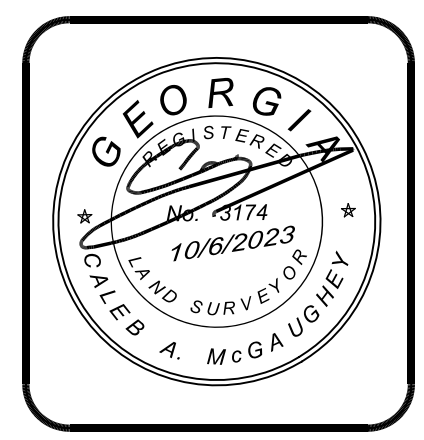
NOTE: SURVEY NOT VALID UNLESS SEAL SIGNED AND DATED.

DATE:	ISSUE		
SCALE:	NO.	DESCRIPTION	DATE
OCTOBER 25, 2016			
1" = 30'			
ACREAGE: 0.4165	1	ADDED STREAM BUFFERS	2/1/2023
LAND LOT(S): 2	2	ADDED HOUSE LOCATION	10/6/2023
DISTRICT: 18th		UPDATE TO FLOOD MAPPING	10/6/2023
CITY:			
COUNTY: DEKALB STATE: GEORGIA			
SURVEYED: MAF DRAWN: MWR			
CHECKED: WGH APPROVED: CAM			
PROJECT #: 16-257			

BOUNDARY, TOPOGRAPHIC, AND TREE SURVEY FOR:

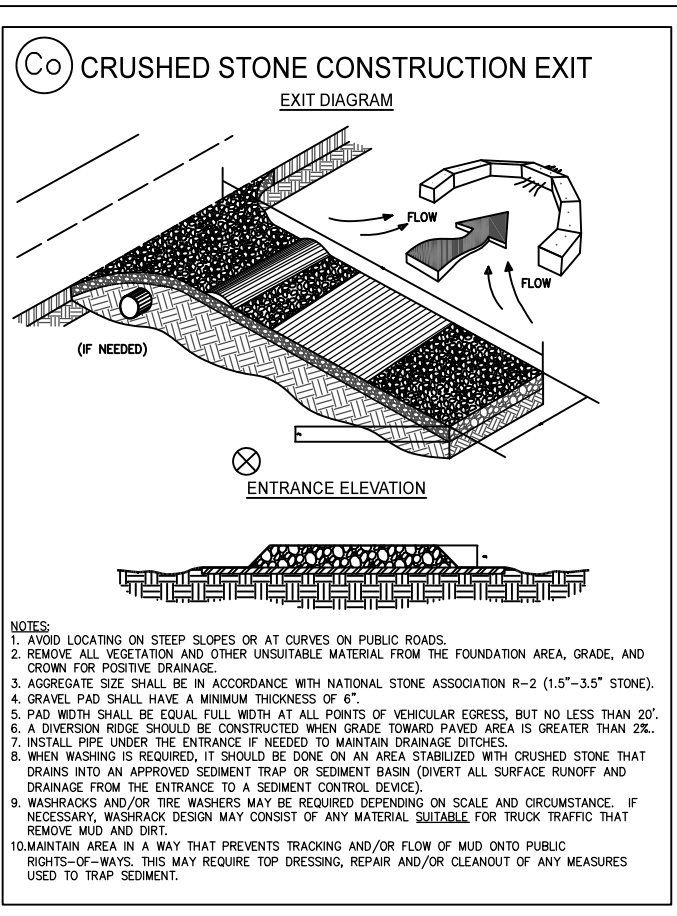
1176 LULLWATER ROAD

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



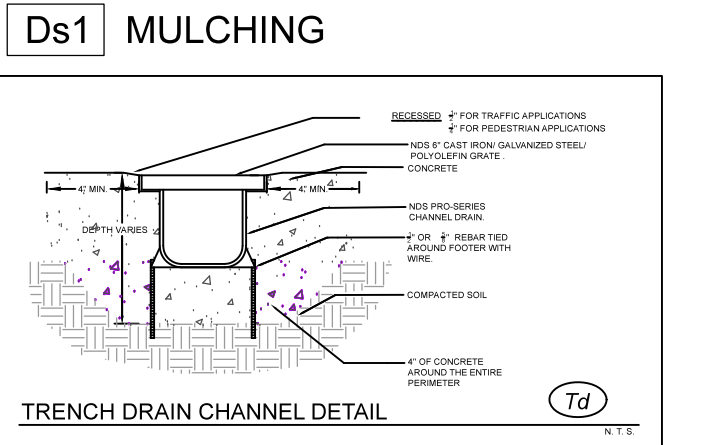
GA
 LAND SURVEYOR
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET
1
OF
1



MATERIAL	QUANTITY
DRY STRAW OR HAY	2" - 4" DEPTH
WOOD WASTE (SAWDUST, BARK, CHIPS)	2" - 3" DEPTH
CUTBACK ASPHALT (SLOW CURING)	1200 GAL. PER ACRE (1/4 GAL PER SQ. YD.)
POLYETHYLENE FILM	COMPLETELY COVERING EXPOSED AREA. TRENCHED IN AT OUTER EDGES.

STRAW OR HAY MULCH SHALL BE ANCHORED IMMEDIATELY AFTER APPLICATION. MULCH MAY BE ANCHORED BY MECHANICALLY PRESSING INTO SURFACE. IF SPREAD WITH BLOWER EQUIPMENT, MULCH SHALL BE ANCHORED WITH EMULSIFIED ASPHALT (GRADE AE-5 OR SS-1)-100 GAL. ASPHALT + 100 GAL. WATER PER TON OF MULCH. NETTING SHALL BE USED TO ANCHOR WOOD WASTE AND CHIPS. POLYETHYLENE SHALL BE TRENCHED IN AT EDGES.



Fertilizer Requirements				
TYPE OF SPECIES	YEAR	ANALYSIS OR EQUIVALENT N-P-K	RATE	N TOP DRESSING RATE
1. Cool season grasses	First	6-12-12	1500 lbs./ac.	50-100 lbs./ac. 1/2'
	Maintenance	6-12-12	1000 lbs./ac.	30
2. Cool season grasses and legumes	First	6-12-12	1500 lbs./ac.	0-50 lbs./ac. 1'
	Maintenance	6-12-12	1000 lbs./ac.	
3. Ground covers	First	10-10-10	400 lbs./ac. 3'	
	Maintenance	10-10-10	1300 lbs./ac. 3'	
4. Pine seedlings	First	10-10-10	1100 lbs./ac.	
	Maintenance	10-10-10	400 lbs./ac.	
5. Shrub Lespedeza	First	0-10-10	700 lbs./ac.	
	Maintenance	0-10-10	700 lbs./ac. 4'	
6. Temporary cover crops seeded alone	First	10-10-10	500 lbs./ac.	30 lbs./ac. 5'
	Maintenance	10-10-10	500 lbs./ac.	
7. Warm season grasses	First	6-12-12	1500 lbs./ac.	50-100 lbs./ac. 2/6'
	Maintenance	6-12-12	800 lbs./ac.	50-100 lbs./ac. 2'
8. Warm season grasses and legumes	First	10-10-10	400 lbs./ac.	30lbs./ac.
	Maintenance	6-12-12	1500 lbs./ac.	50 lbs./ac. 6'

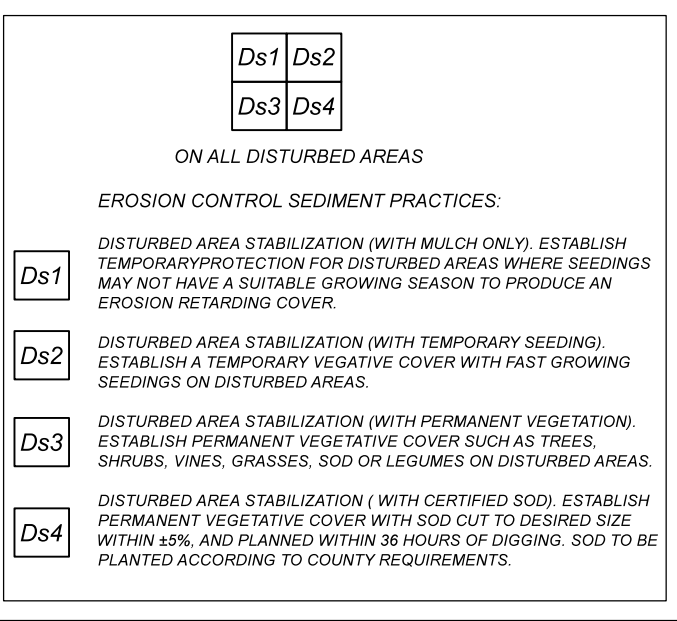
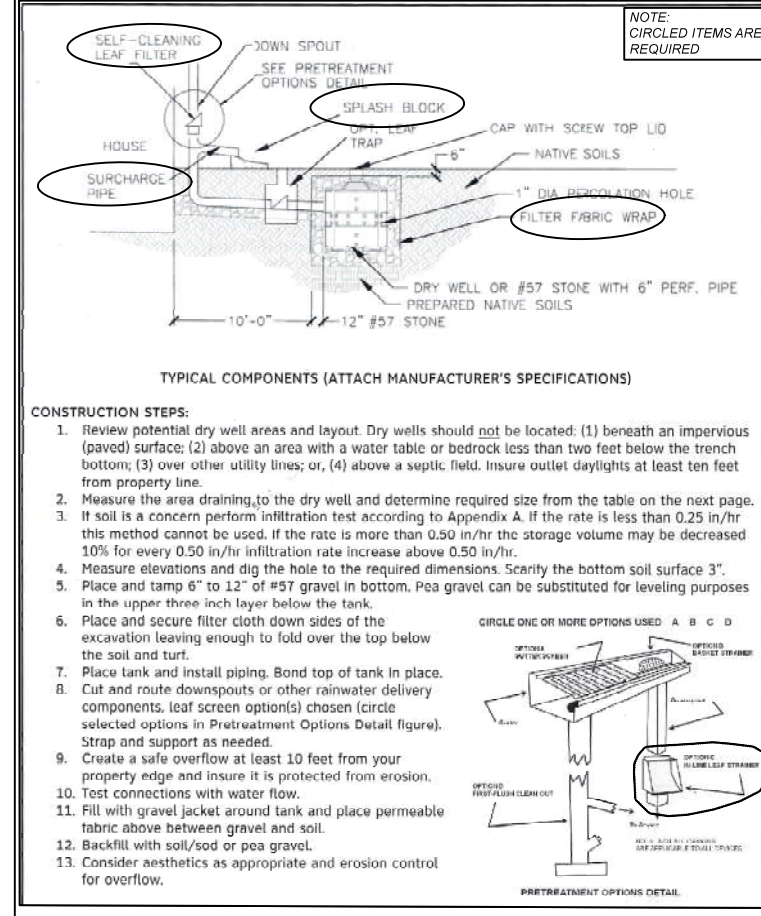
1/ Apply in spring following seeding.
 2/ Apply in split applications when high rates are used.
 3/ Apply in 3 split applications.
 4/ Apply when plants are mowed.
 5/ Apply to grass species only.
 6/ Apply when plants grow to a height of 2 to 4 inches.

APPROPRIATE SOD VARIETIES FOR ATLANTA

GRASS	VARIETY	GROWING SEASON
BERMUDA	COMMON TIFWAY, TIFGREEN, TIFLAWN	WARM WEATHER
BAHIA	PENSACOLA	WARM WEATHER
CENTPEDE	---	WARM WEATHER
ZOYSIA	EMERALD MEYER	WARM WEATHER
TALL FESCUE	KENTUCKY	COOL WEATHER

SOIL PREPARATION
 BRING SOIL SURFACE TO FINAL GRADE. CLEAR SURFACE OF TRASH, WOODY DEBRIS, STONES AND CLODS LARGER THAN 1". APPLY SOD TO SOIL SURFACES ONLY AND NOT FROZEN SURFACES, OR GRAVEL TYPE SOILS.
 MIX FERTILIZER INTO SOIL SURFACE. FERTILIZE BASED ON SOIL TESTS OR GENERAL APPLICATION OF 10-10-10 @ 1000 LBS PER ACRE (1 LB /40 SQ. FT.)
 AGRICULTURAL LIME SHOULD BE APPLIED BASED ON SOIL TESTS OR AT A RATE OF 1 TO 2 TONS / ACRE.

GRASS TYPE	PLANTING YEAR	FERTILIZER (NPK)	RATE (LBS/ACRE)	NITROGEN TOP DRESSING (LBS/ACRE)
COOL SEASON GRASSES	1ST MAINTENANCE	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12	1000	---
WARM SEASON GRASSES	1ST MAINTENANCE	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12	800	50-100



PLANT, PLANTING RATES, AND PLANTING DATED FOR TEMPORARY COVER OR COMPANION CROPS 1/

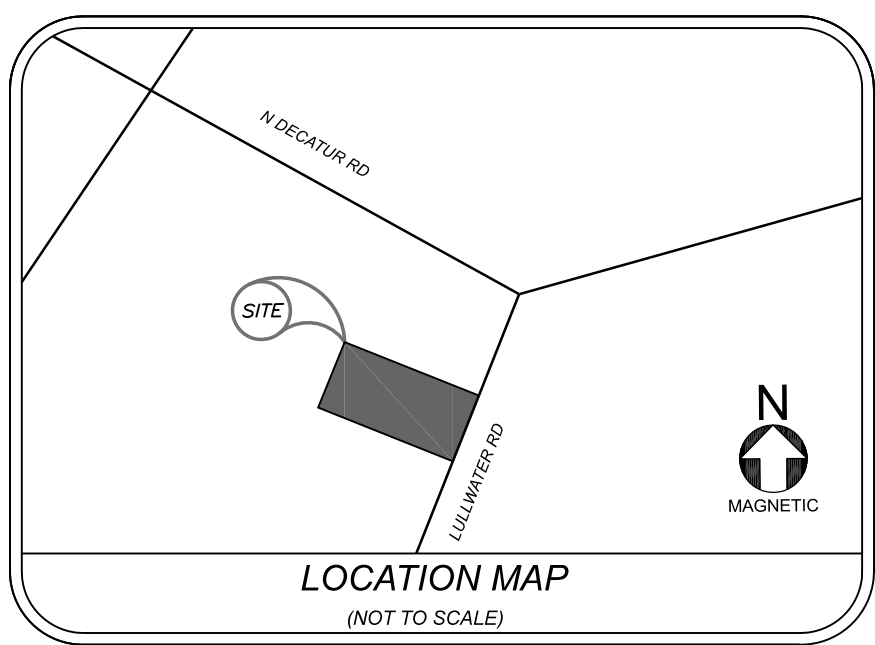
Species	Broadcast Rates 2/ - PLS 3/	Resource Area 4/	Planting Dates by Resource Area	Remarks
BARLEY (Hordeum vulgare)	3 bu. (144 lbs.) 12 bu. (576 lbs.)	P	F M A M J J A S O N D	14,500 seed per pound. Winterhardy. Use on productive soils.
LESPEDEZA ANNUAL (Lespedeza striata)	40 lbs. 0.9 lb. 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	200,000 seed per pound. May volunteer for several years. Use in wooded areas.
MILLET, BROWNTOP (Panicum fasciculatum)	40 lbs. C 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	137,000 seed per pound. Quick dense cover. Will provide low-maintenance cover. Inoculate if seeded at high rates.

PLANT, PLANTING RATES, AND PLANTING DATED FOR TEMPORARY COVER OR COMPANION CROPS 1/

Species	Broadcast Rates 2/ - PLS 3/	Resource Area 4/	Planting Dates by Resource Area	Remarks
MILLET, PEARL (Pennisetum glaucum)	50 lbs. 1.1 lb.	P	F M A M J J A S O N D	88,000 seed per pound. Quick dense cover. May reach 5 feet height. Not recommended for midures.
RYE (Secale cereale)	3 bu. 3.9 lb. 12 bu. 15.6 lb.	P	F M A M J J A S O N D	18,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
RYEGRASS, ANNUAL (Lolium temulentum)	40 lbs. 0.9 lb. 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	227,000 seed per pound. Dense cover. Very competitive and is good to be used in.
SUDANGRASS (Sorghum Sudanese)	60 lbs. 1.4 lb.	P	F M A M J J A S O N D	55,000 seed per pound. Good on droughty sites. Not recommended for midures.

PLANTS, PLANTING RATES, AND PLANTING DATES FOR PERMANENT COVER

Species	Broadcast Rates 2/ - PLS 3/	Resource Area 4/	Planting Dates by Resource Area	Remarks
BERMUDA (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not forming tiller to establish. Use on productive soils. Use in wooded areas and slopes. Use in wet areas.
BERMUDA, COMMON (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not forming tiller to establish. Use on productive soils. Use in wooded areas and slopes. Use in wet areas.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not forming tiller to establish. Use on productive soils. Use in wooded areas and slopes. Use in wet areas.
BERBERIS (Berberis thunbergii)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	Provide wildlife food and cover.
DOGWOOD (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, RED (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, WHITE (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
DOGWOOD, YELLOW (Cornus florida)	20 lbs. 0.5 lb.	P	F M A M J J A S O N D	1,000,000 seed per



IMPERVIOUS SURFACE CALCULATIONS:
 WITH LAND-DISTURBING ACTIVITIES:
 PROPOSED IMPERVIOUS SURFACE: 3,377 S.F.
 house=1,750
 drive = 1,114
 steps = 35
 open terrace = 163
 covered porch = 169
 concrete walk = 146

TOTAL IMPERVIOUS AREA: 3,377 S.F.
 TOTAL LOT AREA: 18,142 S.F.
 TOTAL PROPOSED LOT COVERAGE: 18.6% (35% max)

24 HOUR LOCAL EROSION & SEDIMENT CONTROL CONTACT
RAY BONGERS
 404-949-9130

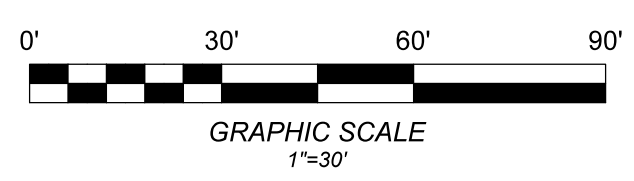
- CONSTRUCTION NOTES:**
1. THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES.
 2. EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION AND SEDIMENT CONTROL, ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
 3. ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
 4. ALL LOTS/SITES WITH 2' OF FILL OR GREATER WILL REQUIRE A COMPACTION CERTIFICATE BY A PROFESSIONAL REGISTERED ENGINEER PRIOR TO A BUILDING PERMIT AND OR PRIOR TO FOOTERS BEING POURED.
 5. LOCATE AND FIELD STAKE ALL UTILITIES, EASEMENTS, PIPES, FLOOD LIMITS, STREAM BUFFERS, AND TREE SAVE AREAS PRIOR TO ANY LAND DISTURBING ACTIVITIES.
 6. ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
 7. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING.
 8. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
 9. A FINAL AS-BUILT LOT SURVEY IS REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
 10. THERE ARE WATER QUALITY DEVICES DESIGNED FOR THIS SITE.
 11. DUMPSTERS AND OR TEMP. SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.
 12. WORK HOURS AND CONSTRUCTION DELIVERIES ARE:
 - MONDAY - FRIDAY 7:00 AM - 7:00 PM
 - SATURDAY 8:00 AM - 5:00 PM
 13. I, CALEB MCGAUGHEY CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

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% IMPACT AND REQUIRE AN ARBORIST PRESCRIPTION

0.4165 ACRES
 18,142 S.F. (8,402 OUT OF FLOOD)
 PART OF LOT 27C
 BLOCK 13, DRUID HILLS S/D
 DB 19466, PG 122
 TPN# 18 054 06 001

PART OF LOT 27C
 BLOCK 13, DRUID HILLS S/D
 DB 19466, PG 122

ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN



APPROXIMATE LIMITS OF FUTURE 100 YEAR FLOOD HAZARD AREA PER DEKALB COUNTY GIS MAPS. ELEVATION = 870.7

TREE PRESERVATION CALCULATION:
 COMPUTED USING ONLY TREES OUT OF FLOOD PLAIN
 -DESTROYED - 11 TREES @ 66.2 units
 -SAVED - 7 TREES @ 58.8 units

-DENSITY REQUIREMENTS 0.193 AC * 15 UNITS/AC = 2.9 units
 -REQUIRED: 2.9 units
 NO ADDITIONAL UNITS REQUIRED

REQUIRED TREES TO REMAIN:
 -SAVED - 7 TREES @ 125 INCHES
 -SPECIMEN TREE REMOVED 1 @ 41 INCHES (1.5 x INCHES removed = additional 62 INCHES required)
 120 INCHES DBH PER ACRE X 0.193 ACRES = 23 INCHES
 62 INCHES + 23 INCHES = 85 INCHES (PROVIDED)
 18 TREES X 25 = 45 TREES (PROVIDED)

0 PROPOSED TREE PLANTINGS AS PER ZONING

TREE PROTECTION FENCES IN ACCORDANCE WITH THE APPROVED PLAN MUST BE INSTALLED PRIOR TO STARTING LAND DISTURBANCE ACTIVITIES, AND MAINTAINED UNTIL FINAL LANDSCAPING.

TREE NUMBER	SPECIES	CONDITION (GOOD, FAIR, POOR, DEAD)	DBH (INCHES)	DENSITY UNITS	REMAIN/REMOVE	CRZ (FEET) (IF TREES TO REMAIN)	% IMPACT ON CRZ
1	WATER OAK	POOR	POOR (37)	DDH	REMOVE		
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	32.5%
6	YELLOW POPLAR	GOOD	25	6.8	REMOVE		
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	DDH	REMAIN	13	1.3
18	HARDWOOD	POOR	IN FLOOD	DDH	REMAIN		
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	REMOVE		
36	WATER OAK	POOR	POOR (11)	DDH	REMOVE		

TOTAL OUT OF FLOOD PLAIN= 18 TREES @ 125.0 units

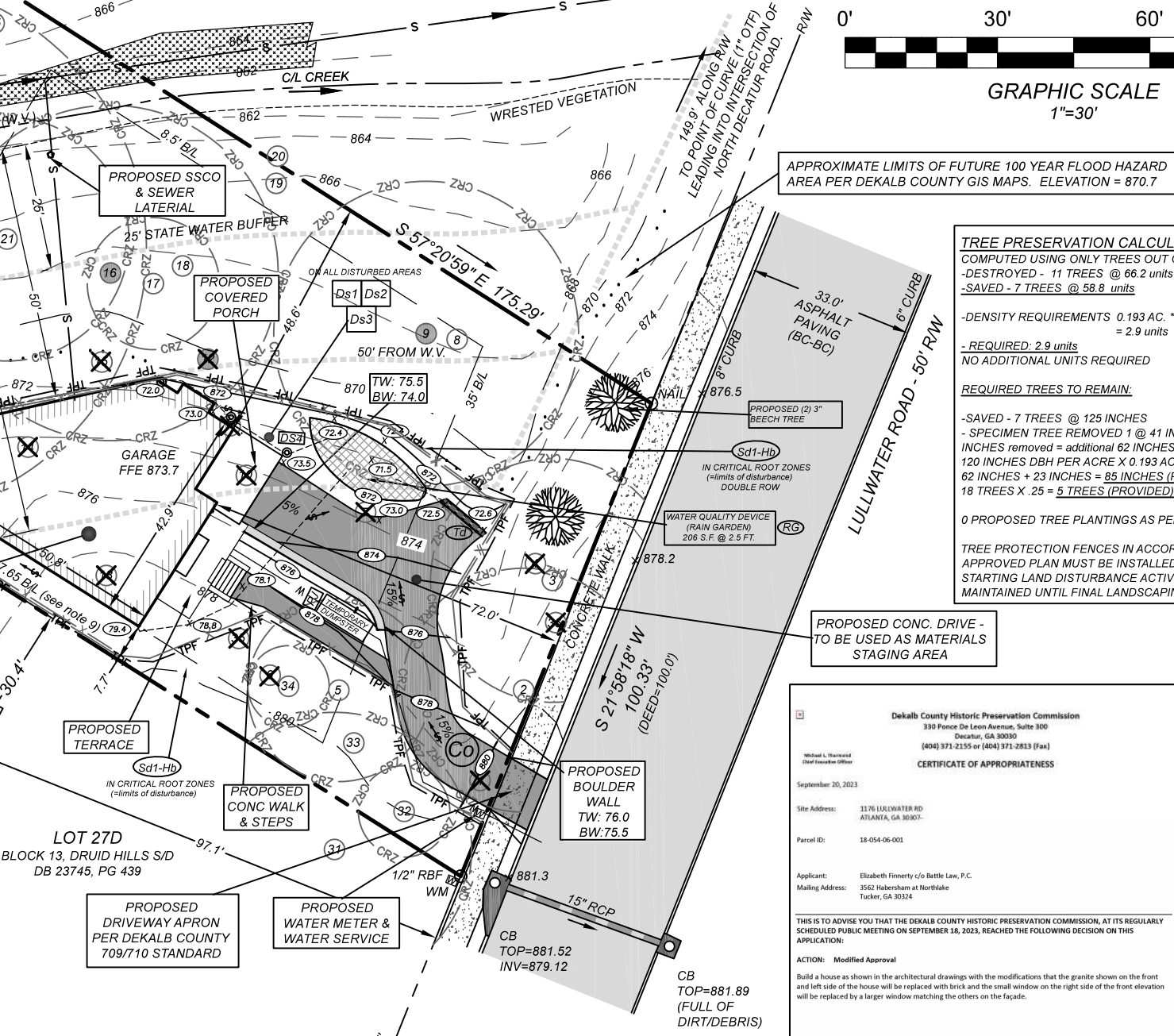
- SITE NOTES:**
1. THRESHOLD ELEVATION IS THE ELEVATION OF THE TOP OF THE SUBFLOOR IN THE OPENING THAT IS DESIGNATED AS THE FRONT DOOR OF THE DWELLING.
 2. BUILDING HEIGHT OF THE NEW STRUCTURE NOT TO EXCEED 35 FEET.
 3. NO GRADES TO EXCEED 3:1
 4. THERE ARE NEW UTILITIES PROPOSED FOR THIS SITE.
 6. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122, DEKALB COUNTY.
 7. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13089C0062K, DATED AUGUST 15, 2019.
 8. EXISTING ZONING: R-85
 SETBACKS:
 FRONT: 35'
 SIDE: 8.5'
 REAR: 40'
 9. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS LINE IS 7.65' PER ADMINISTRATIVE VARIANCE #AV-22-1246498.
 10. TOTAL DISTURBED AREA: 5,300 S.F.
 11. ALL ELEVATIONS ON SITE SHALL BE VERIFIED PRIOR TO CONSTRUCTION.
 12. NO DISTURBANCE LOCATED WITHIN THE 25' OR 50' BUFFER.
 13. THE RAIN GARDEN IS THE MITIGATION PLAN
 14. RECEIVING WATERS FOR THIS PROJECT IS PEAVINE CREEK AREA ADJACENT TO LOT CONSIST OF EXISTING HOUSES AS WELL AS EXISTING STREAM WITH VEGETATIVE BUFFER.
 15. AS-BUILT WATER QUALITY CERTIFICATION AND LOT AS-BUILT IS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
 16. OVERFLOW FROM WATER QUALITY BMP(S) SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

APPROXIMATE LIMITS OF FUTURE 100 YEAR FLOOD HAZARD AREA PER DEKALB COUNTY GIS MAPS. ELEVATION = 870.7

- RAIN GARDEN MAINTENANCE NOTES**
1. IRRIGATE VEGETATION AS NEEDED IN FIRST SEASON.
 2. REMOVE WEEDS.
 3. REPLACE UNSUCCESSFUL PLANTINGS.
 4. REFRESH MULCH.
 5. REPAIR ERODED AREAS.
 6. RAISE CLOGGED SURFACE TO RESTORE INFILTRATION.
 7. MONITOR RAIN GARDEN FOR APPROPRIATE DRAINAGE TIMES. IF GARDEN DOES NOT DRAIN AN UNDERDRAIN MAY BE NECESSARY.

WATER QUALITY CALCULATIONS:
 DRAINAGE AREA = 18,142 S.F.
 NEW IMPERVIOUS AREA = 3,377 S.F.
 $WQv = 1.2 \times Rv \times \text{Drainage Area} / 12$
 $Rv = 0.05 + 0.009(3,377 / 18,142) \times 100 = .217$
 DRAINAGE AREA x (1.2"/12) = REQUIRED STORAGE VOLUME
 18,142 SF x (1.2"/12) x 0.217 = 395 CF

REQUIRED WATER STORAGE = 395 CF
 EQUIVALENT DRAINAGE AREA = 395 CF X 12/1.2" = 3950 S.F.
 DEPTH OF AMENDED SOILS = 30" (2.5')
 AREA OF RAIN GARDEN REQUIRED = 3950 S.F. X 0.05 = 198 S.F.
 AREA OF RAIN GARDEN PROPOSED = 206 S.F.



DeKalb County Historic Preservation Commission
 389 Peachtree Avenue, Suite 300
 Decatur, GA 30030
 (404) 372-2220 or (404) 372-2823 (Fax)

CERTIFICATE OF APPROPRIATENESS

September 20, 2023

Site Address: 1176 LULLWATER DR ATLANTA, GA 30307
 Parcel ID: 18-054-06-001

Applicant: Elizabeth Finnelly c/o Bette Lee, P.C.
 Mailing Address: 3542 Manhattan at Northlake Tucker, GA 30084

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Modified Approval

Build a house as shown in the architectural drawings with the modifications that the granite shown on the front and left side of the house will be replaced with brick and the small window on the right side of the front elevation will be replaced by a larger window matching the others on the facade.

OWNER:
DAVID MARTIN & ELIZABETH FINNERTY MARTIN
 1136 LULLWATER DR
 ATLANTA, GEORGIA 30307

DEVELOPER:
BONGERS HOMEBUILDERS RAY BONGERS
 404-557-9747
 445 MT PARAN ROAD
 ATLANTA, GEORGIA 30327

NO LAND DISTURBING ACTIVITIES TO BEGIN PRIOR TO EROSION AND SEDIMENT CONTROLS AND TREE PROTECTIONS ARE IN PLACE.

LEGEND

DRAINAGE STRUCTURES	ABBREVIATIONS
SWCB	DOUBLE WING CATCH BASIN
BH	BUILDING HEIGHT
B/L	BUILDING SETBACK LINE
BW	BOTTOM OF WALL
CRG	CURB AND GUTTER
C/L	CENTERLINE
CMF	CORRUGATED METAL PIPE
CMF	CONCRETE MONUMENT FOUND
CO	CLEAN OUT
CONC	CONCRETE
C/P	CRIMP TOP PIPE FOUND
DB	DETAILED BOOK / PAGE
DE	DRAINAGE EASEMENT
DE	DUCTILE IRON PIPE
DWC	DOUBLE WING CATCH BASIN
DYL	DOUBLE YELLOW LINE STRIPING
EP	EDGE OF PAVING
F.I.R.M.	FEDERAL INSURANCE RATE MAP
HDP	HIGH DENSITY POLY ETHYLENE PIPE
HW	HEADWALL
IE	INVERT
IPS	INVERT ELEVATION
LL	LAND LOT LINE
LL	LAND LOT LINE
N/S	MONITORING
N/S	NOW OR FORMERLY
M/W	MONITORING WELL
NP	NOT TO SCALE
OTF	OPEN TOP PIPE FOUND
OSD	OUTSIDE DIMENSION
OCS	OUTLET CONTROL STRUCTURE
PB/PAGE	PLAT BOOK/PAGE
P/L	PROPERTY LINE
POB	POINT OF BEGINNING
P.O.E	POINT OF ENTRY
PVC	POLYVINYL CHLORIDE PIPE
RFB	REBAR PIN FOUND
RCP	REINFORCED CONCRETE PIPE
R/W	RIGHT OF WAY
S.F.	SQUARE FEET
SRF	SOLID ROD FOUND
SS	SANITARY SEWER
SSE	SANITARY SEWER EASEMENT
TBM	TEMPORARY BENCH MARK
TN	TAX PARCEL NUMBER
POC	POINT OF COMMENCEMENT
TYP	TYPICAL
TV	TOP OF WALL
WI	WEIR INLET

UTILITY SYMBOLS

A/C	AIR CONDITIONING UNIT
ET	ELECTRIC TRANSFORMER
CPED	CABLE TV PEDESTAL
FH	FIRE HYDRANT
GM	GAS METER
GV	GAS VALVE
GUY	GUY WIRE
TPED	TELEPHONE PEDESTAL
LP	LIGHT POLE
WM	WATER METER
WV	WATER VALVE

MISC. SYMBOLS

○	PARKING SPACE COUNTER
⊗	SATELLITE DISH

UTILITY LINETYPES

—	POWER LINE (UP-UNDERGROUND)
—	TELEPHONE LINE (UT-UNDERGROUND)
—	CABLE TV LINE (UC-UNDERGROUND)
—	SANITARY SEWER LINE
—	GAS LINE

FENCE LINES

—	CHAIN LINK FENCE (CLF)
—	WIRE FENCE
—	WOODEN FENCE

○ = HARDWOOD
 ● = PINE/CONIFER

DATE:	ISSUE	NO.	DESCRIPTION	DATE
AUGUST 5, 2021				
SCALE: 1" = 30'				
ACREAGE: 0.4165	1	ADDED STREAM BUFFERS	02/01/2023	
LAND LOT(S): 2	2	UPDATED HOUSE PLAN	05/30/2023	
DISTRICT: 18th	3	UPDATED HOUSE PLAN	10/6/2023	
CITY:				
COUNTY: DEKALB STATE: GEORGIA				
SURVEYED: MAF DRAWN: MWR				
CHECKED: WGH APPROVED: CAM				
PROJECT #: 16-257				

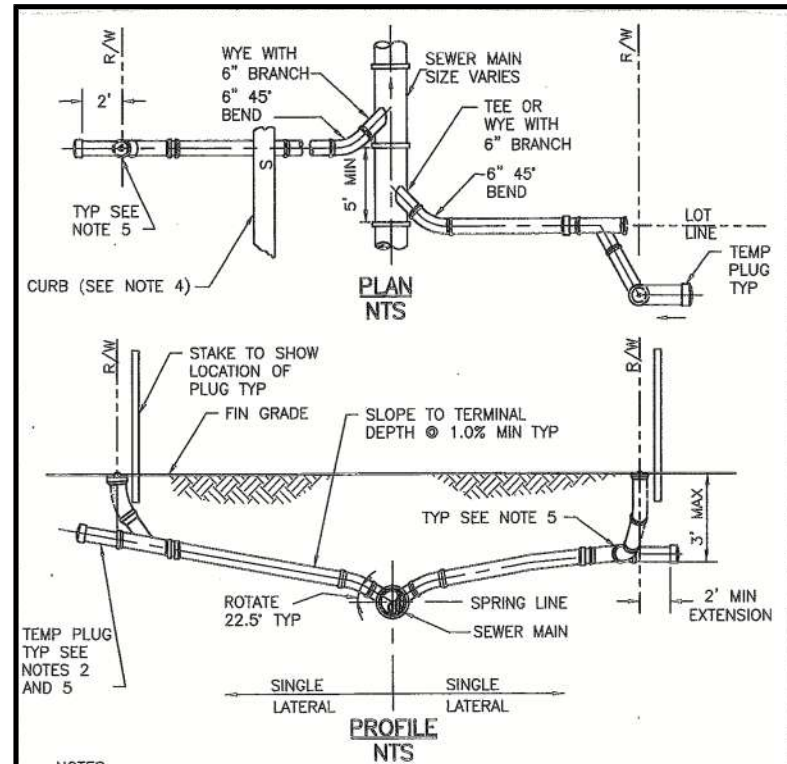
SITE PLAN FOR:
1176 LULLWATER ROAD

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
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET
1
OF
2



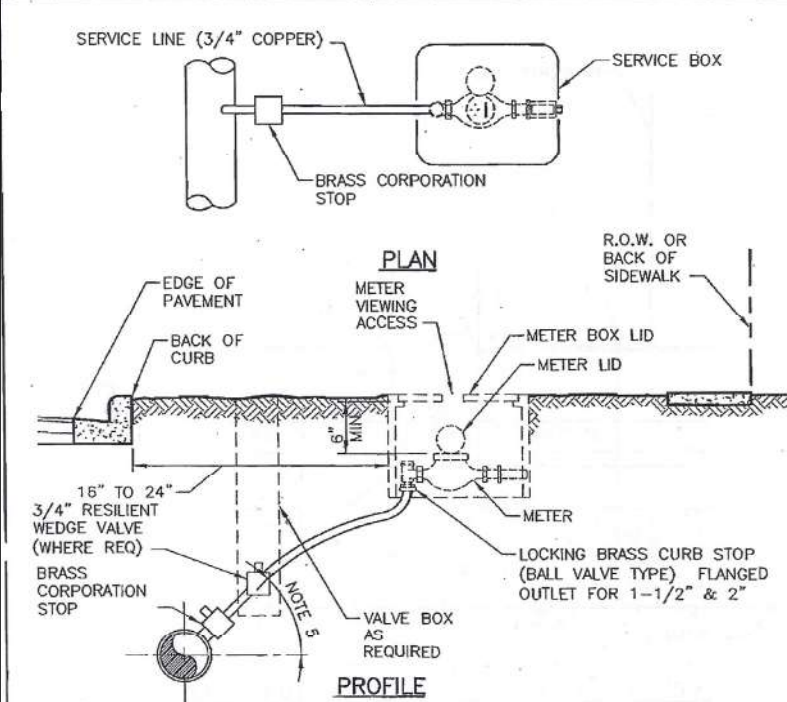
- NOTES:
1. INVERT OF SERVICE LATERAL SHALL NOT ENTER SEWER MAIN BELOW SPRING LINE.
 2. SERVICE LATERAL SHALL BE CAPPED BY DEVELOPER'S CONTRACTOR.
 3. ALL FITTINGS SHOWN ARE TO BE INSTALLED.
 4. SERVICE CONNECTIONS SHALL BE PERMANENTLY MARKED BY CUTTING AN "S" IN THE CURB DIRECTLY OVER THE LATERAL.
 5. DEVELOPER'S CONTRACTOR WILL INSTALL CLEANOUT.

DEKALB COUNTY, GA
Department of Watershed Management

STANDARD DETAILS
Sanitary Sewer Lateral Connection detail

NOT TO SCALE

DETAIL NO. S-017



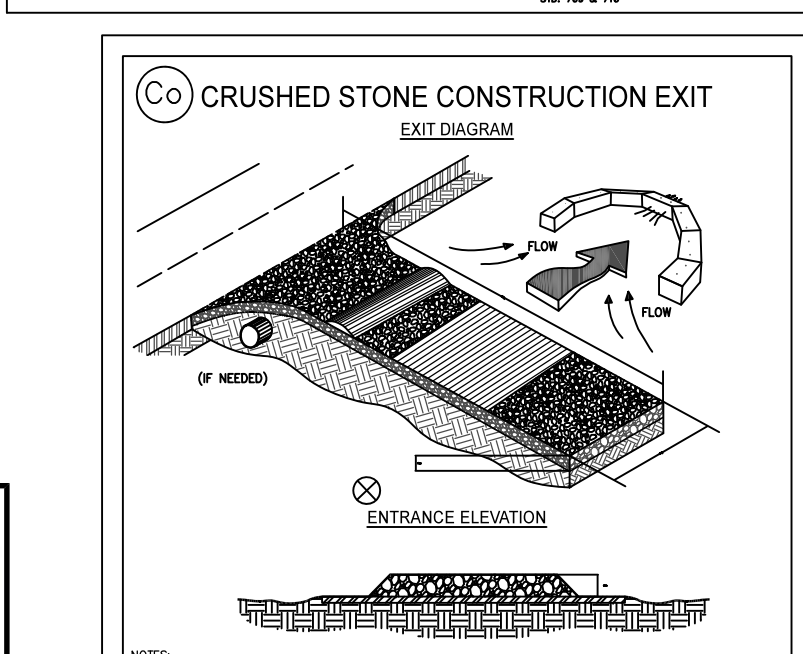
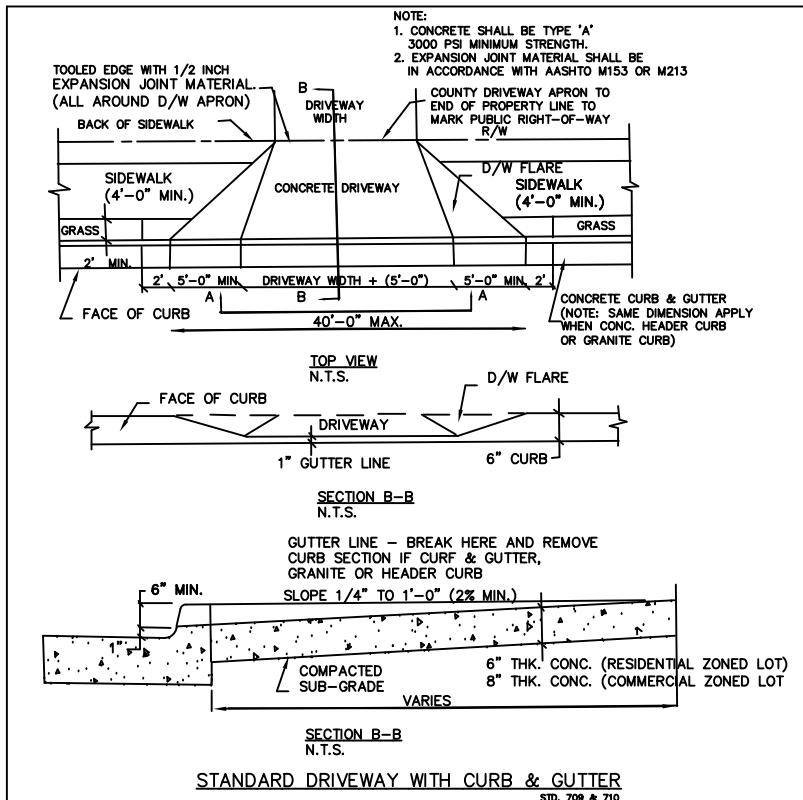
- NOTES:
1. METER SHALL BE INSTALLED BETWEEN SIDEWALK AND CURB AND IN NO CASE SHALL IT BE INSTALLED IN SIDEWALK OR OTHER PAVED AREAS.
 2. ALL POTABLE WATER IRRIGATION METERS REQUIRE AN APPROVED BACKFLOW PREVENTER.
 3. ALL PROPERTIES WITH ALTERNATIVE WATER SYSTEMS (WELL, ETC.) REQUIRE BACKFLOW PREVENTERS.
 4. SERVICE LINES SHALL NOT BE LESS THAN METER SIZE.
 5. SERVICE TAP SHALL BE BETWEEN 2:00 O'CLOCK AND 4:00 O'CLOCK WITHOUT SADDLE TAP.

DEKALB COUNTY, GA
Department of Watershed Management

STANDARD DETAILS
Residential Water Meter Installation Detail

NOT TO SCALE

DETAIL NO. W-026



- NOTES:
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 8".
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20".
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (OVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
 9. WASHRACKS AND/OR TRAP WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRACK DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

ON ALL DISTURBED AREAS

EROSION CONTROL SEDIMENT PRACTICES:

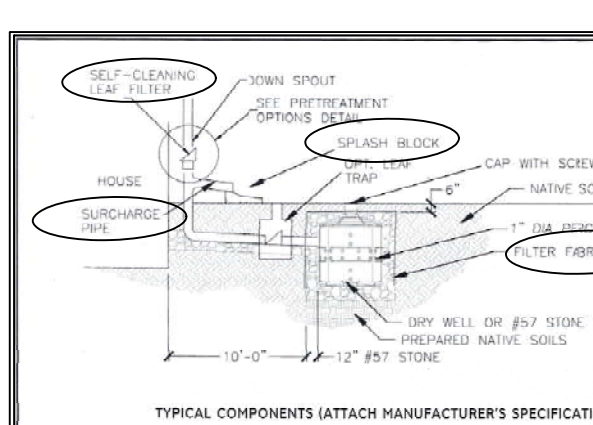
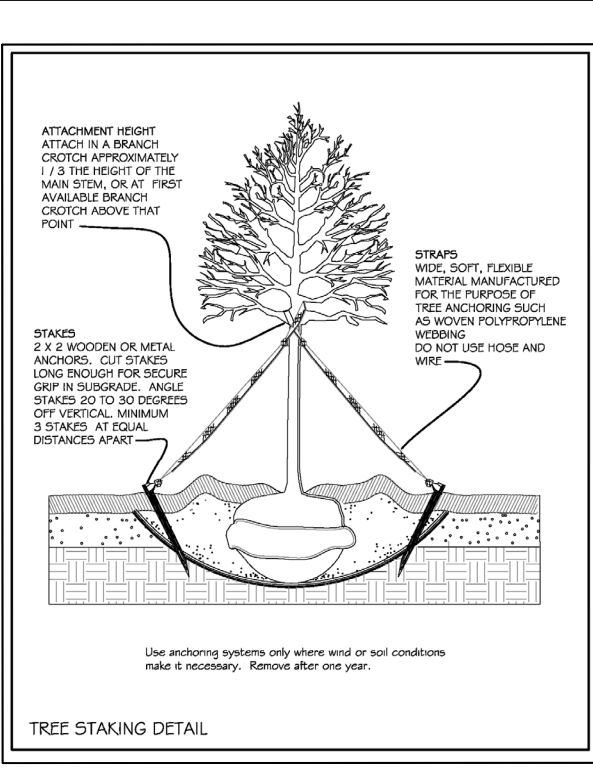
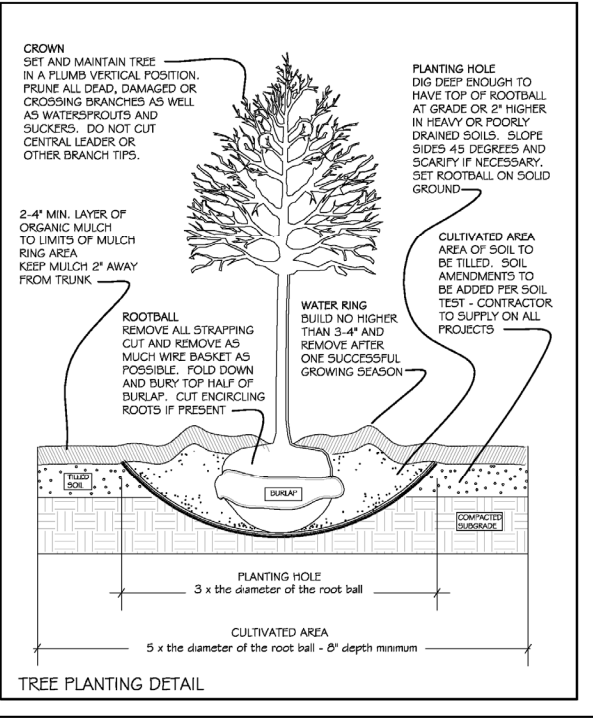
Ds1	Ds2
Ds3	Ds4

Ds1: DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.

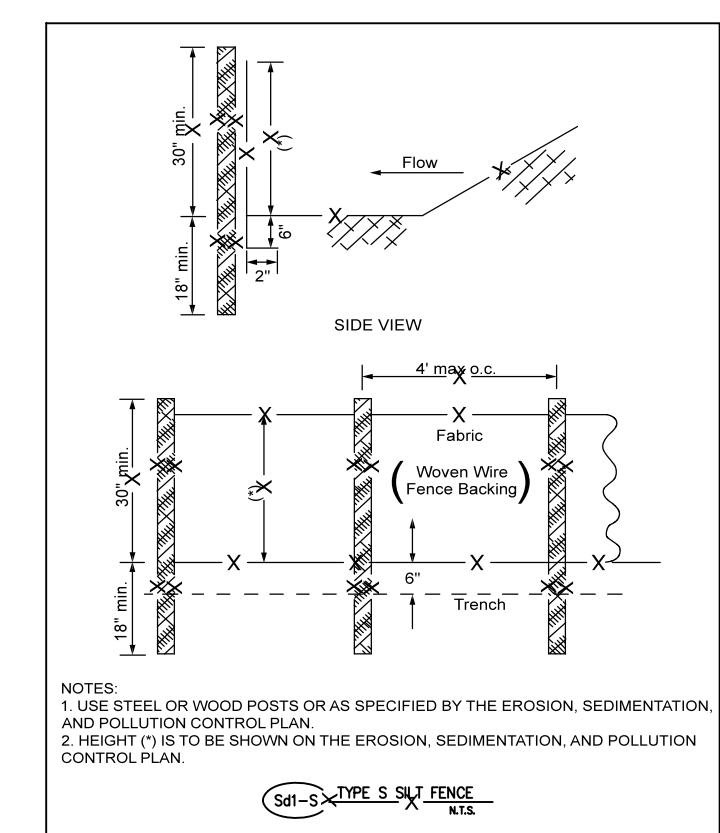
Ds2: DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST-GROWING SEEDINGS ON DISTURBED AREAS.

Ds3: DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.

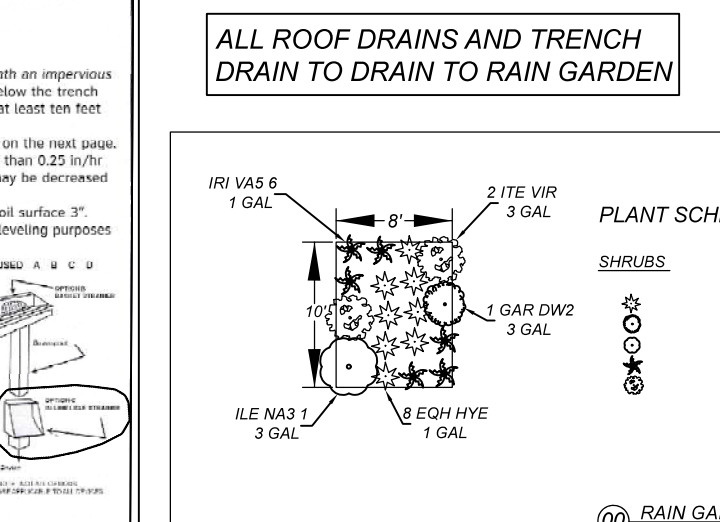
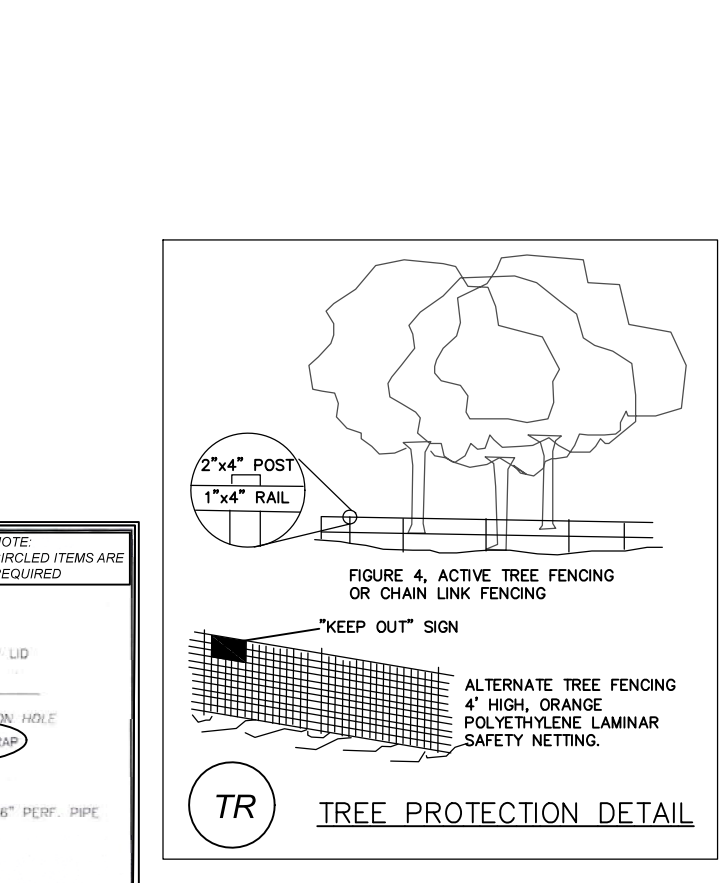
Ds4: DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 15% AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



- CONSTRUCTION STEPS:
1. Review potential dry well areas and layout. Dry wells should not be located: (1) beneath an impervious (paved) surface; (2) above an area with a water table or bedrock less than two feet below the trench bottom; (3) over other utility lines; or (4) above a septic field. Insure outlet daylight at least ten feet from property line.
 2. Measure the area draining to the dry well and determine required size from the table on the next page.
 3. If soil is a concern perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr this method cannot be used. If the rate is more than 0.50 in/hr the storage volume may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and dig the hole to the required dimensions. Scarify the bottom soil surface 3".
 5. Place and tamp 6" to 12" of #57 gravel in bottom. Pea gravel can be substituted for leveling purposes in the upper three inch layer below the tank.
 6. Place and secure filter cloth down sides of the excavation leaving enough to fold over the top below the soil and turf.
 7. Place tank and install piping. Bond top of tank in place.
 8. Cut and route downspouts or other rainwater delivery components. (leaf screen optional) chosen (circle selected options in Pretreatment Options Detail figure). Strap and support as needed.
 9. Create a safe overflow at least 10 feet from your property edge and insure it is protected from erosion.
 10. Test connections with water flow.
 11. Fill with gravel jacket around tank and place permeable fabric above between gravel and soil.
 12. Backfill with soil/sod or pea gravel.
 13. Consider aesthetics as appropriate and erosion control for overflow.



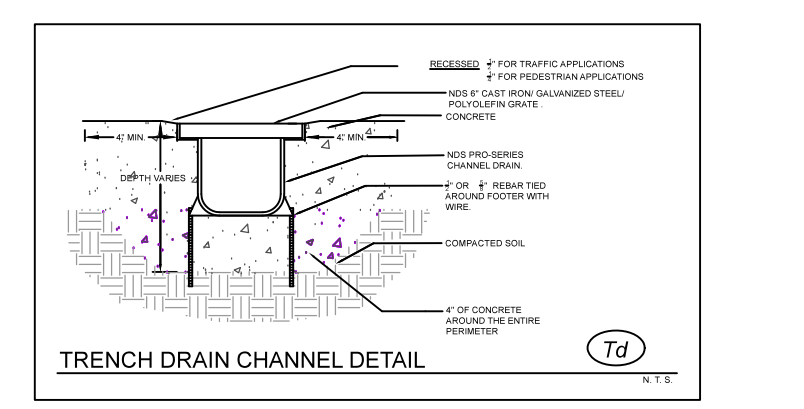
- NOTES:
1. USE STEEL OR WOOD POSTS OR AS SPECIFIED BY THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.
 2. HEIGHT (H) IS TO BE SHOWN ON THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.



PLANT SCHEDULE - (PER 80 SF OF RAIN GARDEN)

SHRUBS	CODE	QTY	BOTANICAL NAME/COMMON NAME	SIZE
	EQH HYE	8	EQUISETUM HYEMALE/HORSETAIL REED GRASS	1 GAL
	GARDW2	1	GARDENIA RADICANS/DWARF GARDENIA	3 GAL
	ILENA3	1	ILEX GLABRA NANA/DWARF INK BERRY	3 GAL
	IRIVAS	6	IRIS ENSATA VARIETATA/VARIEGATED JAPANESE IRIS	1 GAL
	ITE VIR	2	ITEA VIRGINICA 'HENRY'S GARNET'/HENRY'S GARNET SWEETSPICE	3 GAL

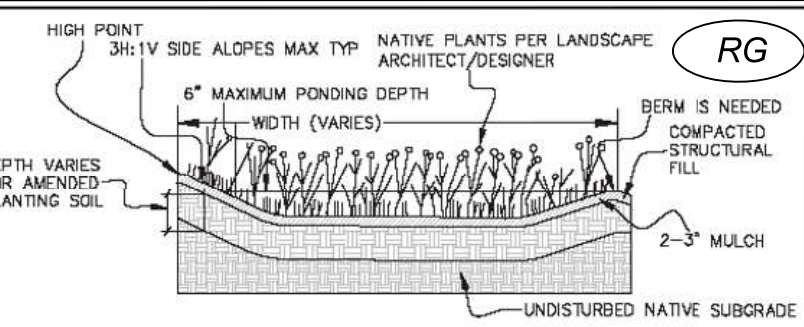
00-RAIN GARDEN - TYPICAL PLANTING - 80 sf



SIZING CALCULATIONS

CONTRIBUTING DRAINAGE AREA (SF)	DEPTH OF AMENDED SOIL (INCHES)			
	18	24	30	36
100	8.8	6.7	5.1	4.8
500	35	30	25	23
1000	65	60	50	45
2000	185	115	100	90
3000	200	170	180	140
4000	280	230	200	165
5000	330	280	255	230

MEASURE CONTRIBUTING DRAINAGE AREA AND READ AREA FOR GIVEN MEDIA DEPTH.



- RAIN GARDEN CONSTRUCTION NOTES**
1. Locate rain garden(s) where downspouts or driveway runoff can enter garden flowing away from the home. Locate at least 10 feet from foundations, not within the public right of way, away from utility lines, not over septic fields, and not near a steep hill edge.
 2. Measure the area draining to the planned garden and determine required rain garden surface area from the table on the next page and your planned excavation depth.
 3. Optionally, perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr an underdrain will be necessary. If the rate is more than 0.50 in/hr the size of the garden may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and stake out the garden to the required dimensions ensuring positive flow into garden, the overflow elevation allows for six inches of ponding, and the perimeter of the garden is higher than the overflow point. If the garden is on a gentle slope a berm at least two feet wide can be constructed on the downhill side and the garden can be dug into the hillside taking greater care for erosion control at the garden knee(s).
 5. Remove turf or other vegetation in the area of the rain garden. Excavate garden, being careful not to compact soils in the bottom of the garden. Level bottom of garden as much as possible to maximize infiltration area.
 6. Mix compost, topsoil, and some of the amended soil together to make the amended soil. The soil mix should be 1/3 compost, 2/3 native soil (topsoil and subsoil combined).
 7. Fill rain garden with the amended soil, leaving the surface eight inches below your highest surrounding surface. Eight inches allows for 8 inches ponding and 2" of mulch. The surface of the rain garden should be as close to level as possible.
 8. Build a berm at the downhill edge and allow of the rain garden with the remaining subsoil. The top of the berm needs to be level, and set at the maximum ponding elevation.
 9. Plant the rain garden using a selection of plants from elsewhere in this manual.
 10. Mulch the surface of the rain garden with two to three inches of non-floating organic mulch. The best choice is finely shredded hardwood mulch. Pine straw is also an option.
 11. Water all plants thoroughly. As in any new garden or flower bed, regular watering will likely be needed to establish plants during the first growing season.
 12. During construction build the inlet feature as a pipe directly connected to a downspout or use a rock lined swale with a gentle slope. Use of an impermeable liner under the rocks at the end of the swale near the house is recommended to keep water from soaking in at that point. Test the drainage of water from the source to the garden prior to finishing.
 13. Create an overflow at least 10 feet from your property edge and insure it is protected from erosion.

DATE:	ISSUE
AUGUST 5, 2021	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: MWR	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

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
404-384-9577
GA LAND SURVEYOR, LLC
3355 ANNANDALE LANE, STE 1
SUWANEE, GA 30024

SHEET 2 OF 2

1176 Lullwater Road

DEPARTMENT OF PLANNING & SUSTAINABILITY

Permit 1246723

November 8, 2023

Stream Buffer Variance Checklist

Lot size 18,142 SF

- Show graphic scale and north arrow, including location of all streams, wetlands, floodplain boundaries and natural features as determined by field survey.
- Delineate all state waters located on or within 200 feet of the project site.
- Delineate 25-foot undisturbed buffers of state waters and 50-foot buffers along designated trout streams from wretched point of vegetation.
- Delineate 75-foot undisturbed buffers of state waters from wretched point of vegetation.
- Identify the project receiving waters and describe adjacent areas – such as streams, lakes, drainage ditches, residential areas etc., which might be affected. Peavine Creek
- NA** Variance from GA. E.P.D. required for encroachment in 25-foot state waters buffers. **FYI**
- All proposed mitigation plans shall be designed and stamped by a Georgia-licensed designed professional.
- Show double row Type –C silt fence between land disturbing activity and state waters, wetlands, 2025 built-out conditions and/or I.R.F.
- File notice of intent and notice of termination with GA. E.P.D. and DeKalb Co., if land disturbance is one (1) acre or more or within 200 feet of state waters. Submission must be 14 days prior to start of land disturbance activities.
- Show soil series and their delineation.
- Provide existing and proposed lot coverage.
- Show limits of disturbance on E&SC plans.
- Provide name, address, email address and phone number of developer/owner.
- Provide Power of Attorney, if you are not the owner.
- Provide name and phone number of 24 – hour local erosion and sediment control contact.
- Show certification number, signature and seal of qualified plan designer.
- Provide vegetative plan for all temporary and permanent vegetative practices, including species, planting dates, seeding.

***No permanent non erodabel structure can be placed within the 75' Dekalb County Stream Buffer.**

- Show location and detail of erosion and sediment control practices, using uniform coding symbols from the manual for Erosion and Sediment Control in Georgia, Chapter 6. Practices may include, but not limited to:
 - Construction exit
 - Sediment Barrier per DeKalb STD. 900
 - Retrofitting
 - Storm Outlet Protection
 - Temporary sediment basin and calculations
 - Storm drain inlet sediment traps

DEPARTMENT OF PLANNING & SUSTAINABILITY

- Channel stabilization and vegetation
 - Check dams
 - Rock filter dams
 - Down drains
 - Temporary creek crossings
 - Mat blankets
 - Other
- Provide 67 cubic yards per acre sediment storage. This can't be located within the 75' buffer area.
- Provide a list of distinct and super district commissioners within which the property is located.
- Provide a list of abutting property owners to subject property. **property owner information**
- Posting of signs on site is required within 48 hours of submittal of a complete stream buffer variance application. Provide a dated photograph of the posted notice as evidence of posting within 48 hours of posting. provided

Notes on Plan: **the notes need to be on the plans**

- Erosion and sediment control measures and practices to be inspected daily.
- Cut and fill slopes shall not exceed 3H: 1V on residential projects and lots, and lots shall not exceed 2H: 1V on all other projects.
- " I certify that the permittee's erosion, sedimentation and pollution control plan provides for an appropriate and comprehensive system of best management practices required by the Georgia Water Quality Control Act and the document 'Manual for Erosion and Sediment control in Georgia', published by the State Soil and Water Conservation Commission as of January of the year in which the land disturbing activity was permitted, provides for the sampling of the receiving water(s) or the sampling of the storm water outfalls and the designed system of Best Management Practices and sampling methods is expected to meet the requirements contained in the General NPDES Permit NO. Gar 10000-."(1,2 or 3).
- " I certify under penalty of law that this plan was prepared after a site visit to the locations described herein by myself or my authorized agent, under my direct supervision"
- Inspections by qualified personnel provided by the primary permittee and the associated records shall be kept on site in compliance with Gar.10000- (1,2 or 3).

Clearly delineate the future floodplain along the northernly property line, there is to be no grading/filling in the floodplains

water quality facilities are not allowed in the county's 75 ft buffer

DEPARTMENT OF PLANNING & SUSTAINABILITY

ADDITIONAL QUESTIONS:

Do all property lines bear dimension?

Yes No

Does it include Existing Grading Topography and Proposed Contours?

Yes No

Have you inserted other Plans or Documents?

Yes No

If so, list them below:

Are you showing Water Quality Control?

Yes No

If Buffer Reduction Request, it is required a stream buffer zone of 75'. How many feet of Buffer are you requesting? _____ Feet

Check the box below if drawings indicate all of the following: The standard Dekalb 75 feet buffer; the standard State of Georgia 25 feet buffer; as well as the requested reduced buffer.

Yes No

Name what design feature or buffer management requirements have been proposed for the planned reduction.

NOTES - lot was split from the original lot to the north (1495 North Decatur) in 1993 or 1994
proposed lot coverage 18.6% out of a 35% max

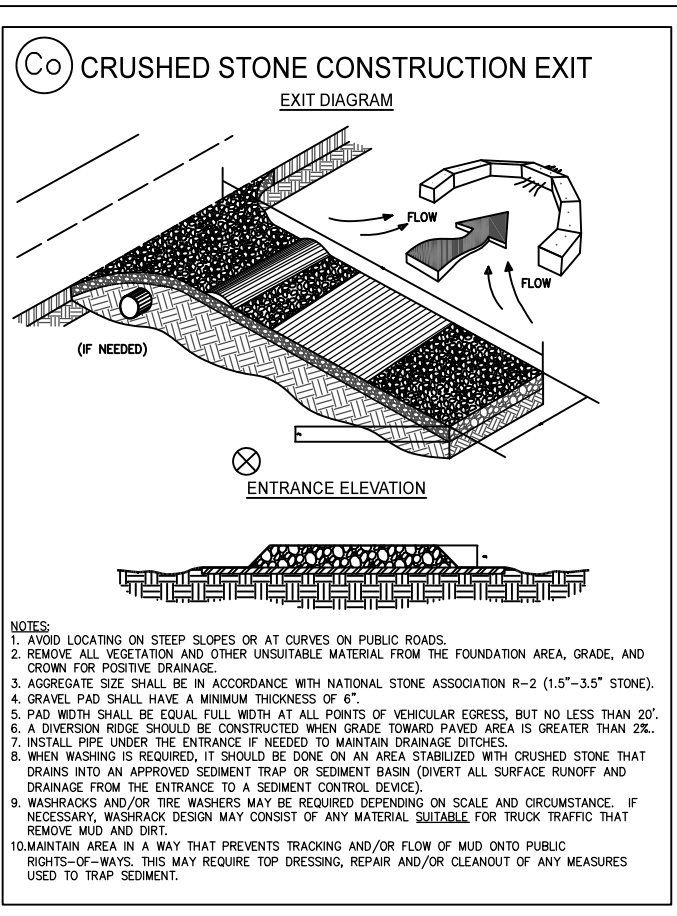
DEPARTMENT OF PLANNING & SUSTAINABILITY

Stream Buffer Variance

“Example Sign”

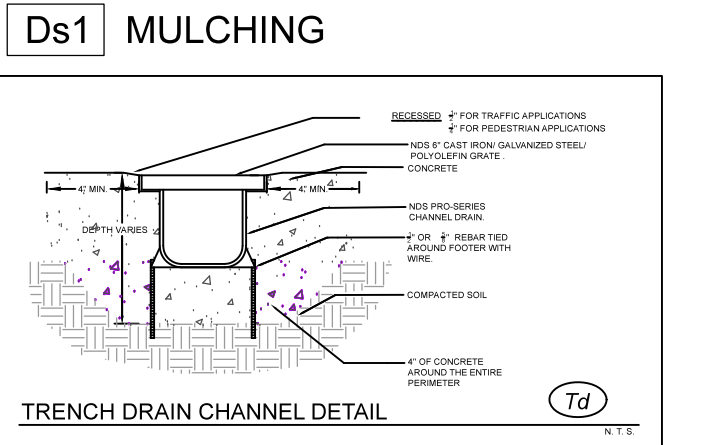
(Sign must be 20” x 22” Minimum)

Name of Applicant:	_____
Address of Property:	_____ _____ _____
Site Plan Designer:	_____
Contractor:	_____
Type of Work:	_____ _____
AP Number:	_____
Date Variance Applied for:	_____



MATERIAL	QUANTITY
DRY STRAW OR HAY	2" - 4" DEPTH
WOOD WASTE (SAWDUST, BARK, CHIPS)	2" - 3" DEPTH
CUTBACK ASPHALT (SLOW CURING)	1200 GAL. PER ACRE (1/4 GAL PER SQ. YD.)
POLYETHYLENE FILM	COMPLETELY COVERING EXPOSED AREA. TRENCHED IN AT OUTER EDGES.

STRAW OR HAY MULCH SHALL BE ANCHORED IMMEDIATELY AFTER APPLICATION. MULCH MAY BE ANCHORED BY MECHANICALLY PRESSING INTO SURFACE. IF SPREAD WITH BLOWER EQUIPMENT, MULCH SHALL BE ANCHORED WITH EMULSIFIED ASPHALT (GRADE AE-5 OR SS-1)-100 GAL. ASPHALT + 100 GAL. WATER PER TON OF MULCH. NETTING SHALL BE USED TO ANCHOR WOOD WASTE AND CHIPS. POLYETHYLENE SHALL BE TRENCHED IN AT EDGES.



TYPE OF SPECIES	YEAR	ANALYSIS OR EQUIVALENT N-P-K	RATE	N TOP DRESSING RATE
1. Cool season grasses	First	6-12-12	1500 lbs./ac.	50-100 lbs./ac. 1/2'
	Maintenance	6-12-12	1000 lbs./ac.	30
2. Cool season grasses and legumes	First	6-12-12	1500 lbs./ac.	0-50 lbs./ac. 1'
	Maintenance	6-12-12	1000 lbs./ac.	30
3. Ground covers	First	10-10-10	400 lbs./ac.	---
	Maintenance	10-10-10	400 lbs./ac.	---
4. Pine seedlings	First	10-10-10	1300 lbs./ac. 3'	---
	Maintenance	10-10-10	1100 lbs./ac. 3'	---
5. Shrub Lespedeza	First	0-10-10	700 lbs./ac.	---
	Maintenance	0-10-10	700 lbs./ac. 4'	---
6. Temporary cover crops seeded alone	First	10-10-10	500 lbs./ac.	30 lbs./ac. 5'
	Maintenance	10-10-10	500 lbs./ac.	---
7. Warm season grasses	First	6-12-12	1500 lbs./ac.	50-100 lbs./ac. 2/6'
	Maintenance	6-12-12	800 lbs./ac.	50-100 lbs./ac. 2'
8. Warm season grasses and legumes	First	6-12-12	1500 lbs./ac.	30lbs./ac.
	Maintenance	6-12-12	1000 lbs./ac.	50 lbs./ac. 6'

- 1/ Apply in spring following seeding.
- 2/ Apply in split applications when high rates are used.
- 3/ Apply in 3 split applications.
- 4/ Apply when plants are mowed.
- 5/ Apply to grass species only.
- 6/ Apply when plants grow to a height of 2 to 4 inches.

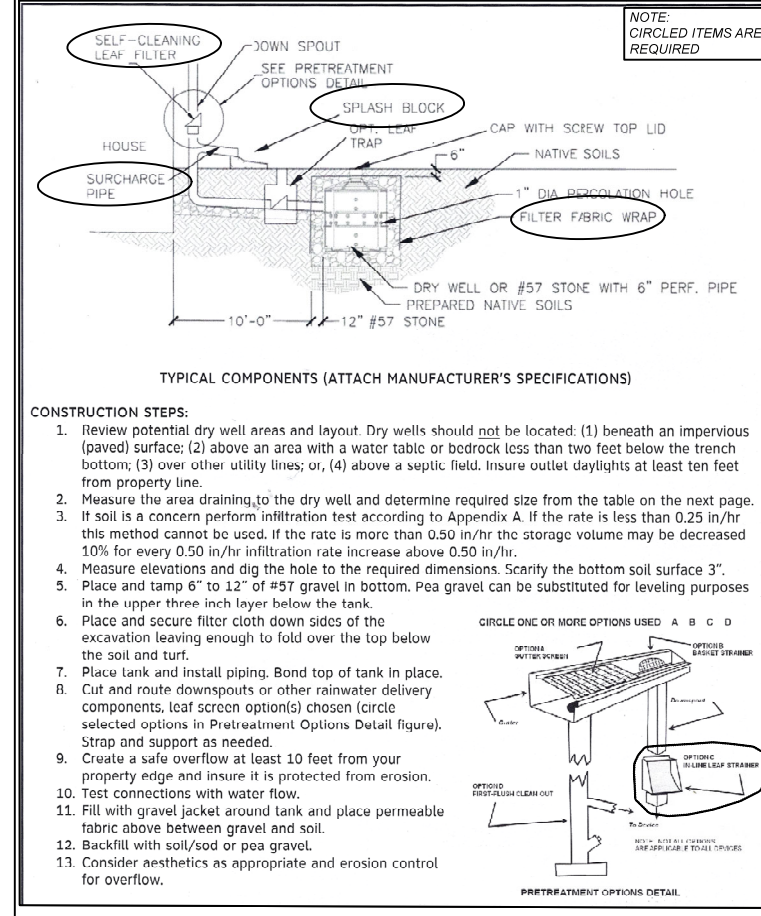
FERTILIZER RATES FOR PERMANENT VEGETATION (Ds-3)

APPROPRIATE SOD VARIETIES FOR ATLANTA

GRASS	VARIETY	GROWING SEASON
BERMUDA	COMMON TIFWAY, TIFGREEN, TIFLAWN	WARM WEATHER
BAHIA	PENSACOLA	WARM WEATHER
CENTPEDE	---	WARM WEATHER
ZOYSIA	EMERALD MEYER	WARM WEATHER
TALL FESCUE	KENTUCKY	COOL WEATHER

SOIL PREPARATION
BRING SOIL SURFACE TO FINAL GRADE. CLEAR SURFACE OF TRASH, WOODY DEBRIS, STONES AND CLODS LARGER THAN 1". APPLY SOD TO SOIL SURFACES ONLY AND NOT FROZEN SURFACES, OR GRAVEL TYPE SOILS.
MIX FERTILIZER INTO SOIL SURFACE. FERTILIZE BASED ON SOIL TESTS OR GENERAL APPLICATION OF 10-10-10 @ 1000 LBS PER ACRE (1 LB /40 SQ. FT.)
AGRICULTURAL LIME SHOULD BE APPLIED BASED ON SOIL TESTS OR AT A RATE OF 1 TO 2 TONS / ACRE.

GRASS TYPE	PLANTING YEAR	FERTILIZER (NPK)	RATE (LBS/ACRE)	NITROGEN TOP DRESSING (LBS/ACRE)
COOL SEASON GRASSES	1ST MAINTENANCE	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12	1000	---
WARM SEASON GRASSES	1ST MAINTENANCE	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12	800	50-100



ON ALL DISTURBED AREAS

EROSION CONTROL SEDIMENT PRACTICES:

Ds1 DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.

Ds2 DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS ON DISTURBED AREAS.

Ds3 DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.

Ds4 DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 45%, AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.

PLANT, PLANTING RATES, AND PLANTING DATED FOR TEMPORARY COVER OR COMPANION CROPS 1/

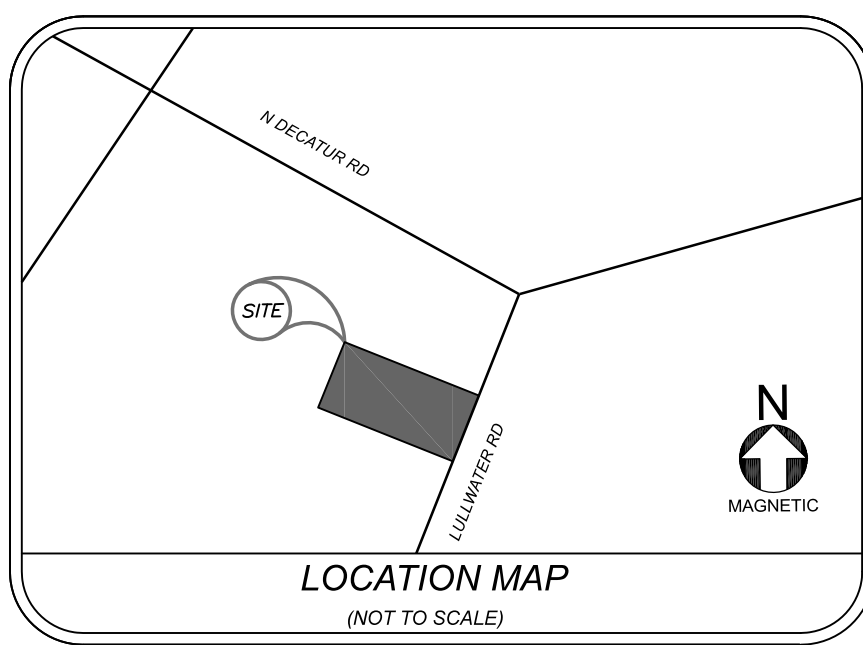
Species	Broadcast Rates 2' - 10' PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Planting Dates	Remarks
BARLEY (Hordeum vulgare)	3 bu. (144 lbs.) 12 bu. (576 lbs.)	P	F M A M J J A S O N D	F M A M J J A S O N D	14,000 seed per pound. Winterhardy. Use on productive soils.
LESPEDEZA ANNUAL (Lespedeza striata)	40 lbs. 0.9 lb. 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	200,000 seed per pound. May volunteer for several years. Use in no-till areas.
MILLET, BROWNTOP (Panicum fasciculatum)	40 lbs. C 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	137,000 seed per pound. Quick dense cover. Will provide low-maintenance cover. Inoculate if seeded at high rates.

PLANT, PLANTING RATES, AND PLANTING DATED FOR TEMPORARY COVER OR COMPANION CROPS 1/

Species	Broadcast Rates 2' - 10' PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Planting Dates	Remarks
MILLET, PEARL (Pennisetum glaucum)	50 lbs. 1.1 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	88,000 seed per pound. Quick dense cover. May reach 5 feet height. Not recommended for mowers.
RYE (Secale cereale)	4 bu. (128 lbs.) 1 bu. (32 lbs.)	P	F M A M J J A S O N D	F M A M J J A S O N D	18,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
RYEGRASS, ANNUAL (Lolium temulentum)	3 bu. (96 lbs.) 12 bu. (384 lbs.)	P	F M A M J J A S O N D	F M A M J J A S O N D	227,000 seed per pound. Dense cover. Very competitive and is good to be used in.
SUDANGRASS (Sorghum Sudanese)	40 lbs. 0.9 lb. 60 lbs. 1.4 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	55,000 seed per pound. Good on droughty sites. Not recommended for mowers.

PLANTS, PLANTING RATES, AND PLANTING DATES FOR PERMANENT COVER

Species	Broadcast Rates 2' - 10' PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Planting Dates	Remarks
BERMUDA (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, COMMON (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. Inoculate if seeded at high rates.
BERMUDA, WHEAT (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frosty. Use on productive soils. Will tolerate mowing and grazing. In



STREAM BUFFER VARIANCE NOTES:

1. CERTIFY THAT THE PERMITTEE'S EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN PROVIDES FOR AN APPROPRIATE AND COMPREHENSIVE SYSTEM OF BEST MANAGEMENT PRACTICES REQUIRED BY THE GEORGIA WATER QUALITY CONTROL ACT AND THE DOCUMENT 'MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA', PUBLISHED BY THE STATE SOIL AND WATER CONSERVATION COMMISSION AS OF JANUARY OF THE YEAR IN WHICH THE LAND DISTURBING ACTIVITY WAS PERMITTED, PROVIDES FOR THE SAMPLING OF THE RECEIVING WATER(S) OR THE SAMPLING OF THE STORM WATER OUTFALLS AND THE DESIGNED SYSTEM OF BEST MANAGEMENT PRACTICES AND SAMPLING METHODS IS EXPECTED TO MEET THE REQUIREMENTS CONTAINED IN THE GENERAL NPDES PERMIT NO. GAR 10000.

INSPECTIONS BY QUALIFIED PERSONNEL PROVIDED BY THE PRIMARY PERMITTEE AND THE ASSOCIATED RECORDS SHALL BE KEPT ON SITE IN COMPLIANCE WITH GAR 10000.

IMPERVIOUS SURFACE CALCULATIONS:

PROPOSED IMPERVIOUS SURFACE: 3,303 S.F.
 house=1,750
 drive=1,040
 steps=35
 open terrace=163
 covered porch=169
 concrete walk=146

TOTAL IMPERVIOUS AREA: 3,303 S.F.
 TOTAL LOT AREA: 18,142 S.F.
 TOTAL PROPOSED LOT COVERAGE: 18.2% (35% max)

CONSTRUCTION NOTES:

1. THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES. ALL EROSION AND SEDIMENT CONTROL TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
2. EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION AND SEDIMENT CONTROL. ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
3. ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
4. ALL LOTS/SITES WITH 2' OF FILL OR GREATER WILL REQUIRE A COMPACTION CERTIFICATE BY A PROFESSIONAL REGISTERED ENGINEER PRIOR TO A BUILDING PERMIT AND OR PRIOR TO FOOTERS BEING POURED.
5. LOCATE AND FIELD STAKE ALL UTILITIES, EASEMENTS, PIPES, FLOOD LIMITS, STREAM BUFFERS, AND TREE SAVE AREAS PRIOR TO ANY LAND DISTURBING ACTIVITIES.
6. ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
7. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING.
8. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
9. A MANUAL BUILT-UP SURVEY IS REQUIRED PRIOR TO COMMENCEMENT OF OCCUPANCY.
10. THERE ARE WATER QUALITY DEVICES DESIGNED FOR THIS SITE. WATER QUALITY FACILITIES ARE NOT ALLOWED IN THE COUNTY 75' BUFFER.
11. DAMPSTERS AND/OR TEMP. SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.
12. WORK HOURS AND CONSTRUCTION DELIVERIES ARE:
 - MONDAY - FRIDAY 7:00 AM - 7:00 PM
 - SATURDAY 8:00 AM - 5:00 PM
13. I, CALEB MCGAUGHEY CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

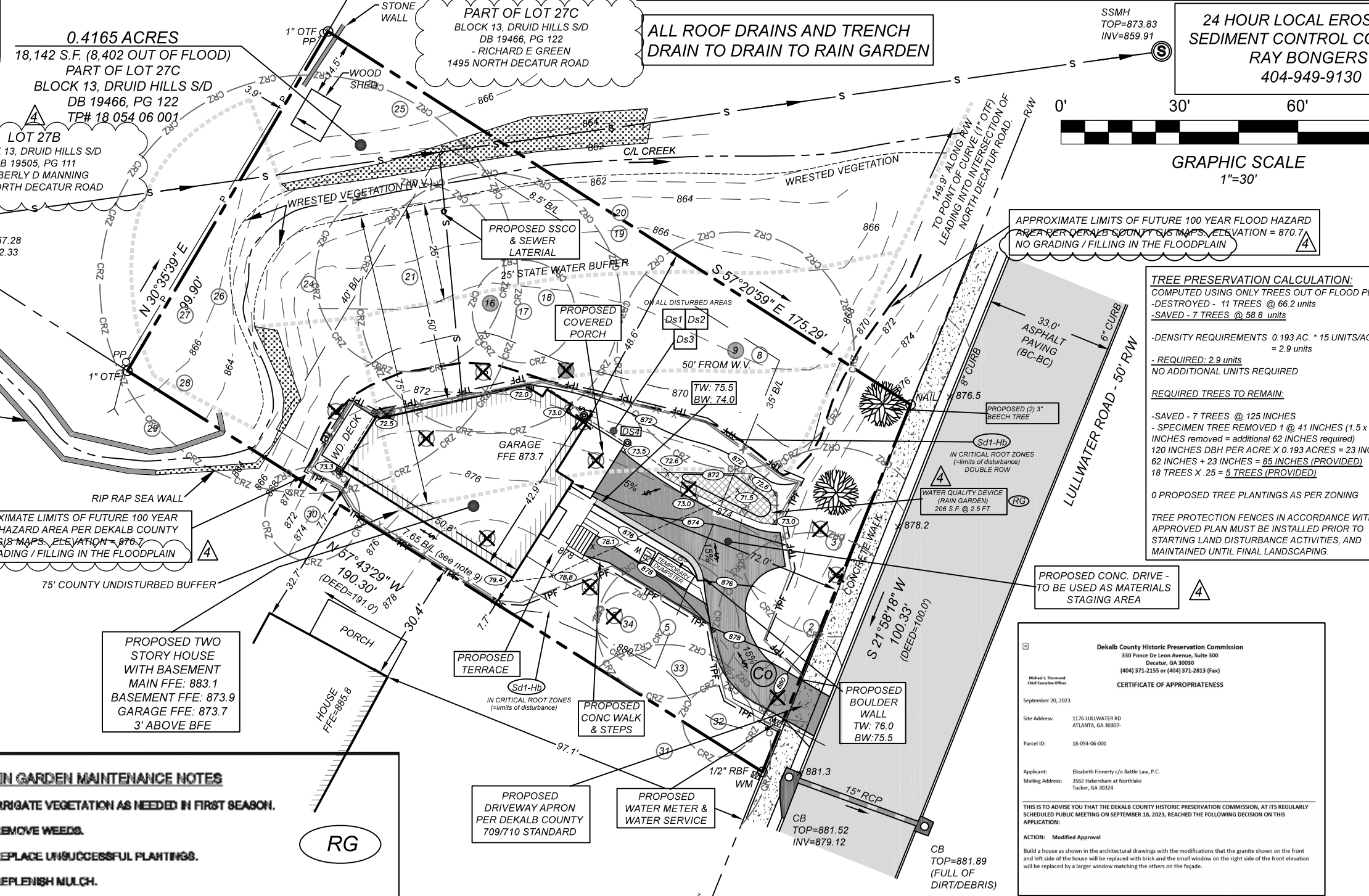
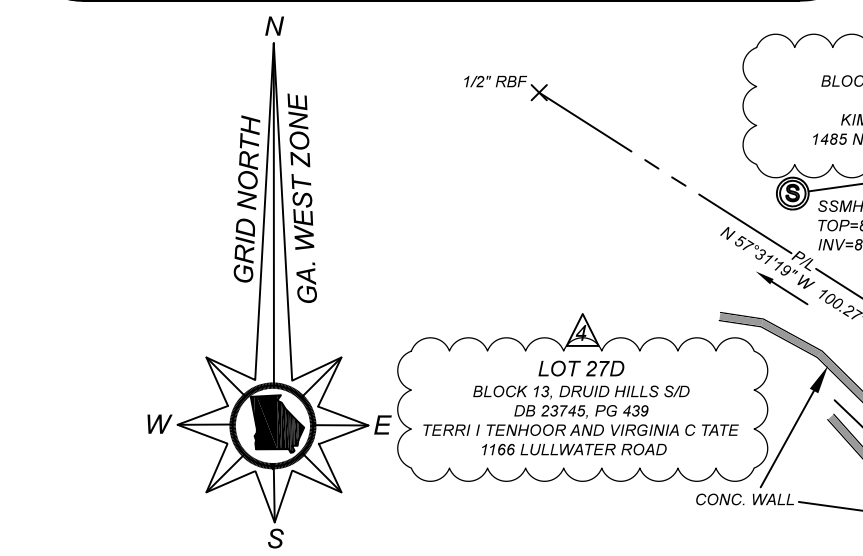
TREE NOTES:

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% IMPACT AND REQUIRE AN ARBORIST PRESCRIPTION



SITE NOTES:

1. THRESHOLD ELEVATION IS THE ELEVATION OF THE TOP OF THE SUBFLOOR IN THE OPENING THAT IS DESIGNATED AS THE FRONT DOOR OF THE DWELLING.
2. BUILDING HEIGHT OF THE NEW STRUCTURE NOT TO EXCEED 35 FEET.
3. CUT AND FILL SLOPES SHALL NOT EXCEED 3H: 1V ON RESIDENTIAL PROJECTS AND LOTS, AND LOTS SHALL NOT EXCEED 2H: 1V ON ALL OTHER PROJECTS.
4. THERE ARE NEW UTILITIES PROPOSED FOR THIS SITE.
6. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122, DEKALB COUNTY.
7. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL NO. 13089C0062K, DATED AUGUST 15, 2019.
8. EXISTING ZONING: R-85
 SETBACKS:
 FRONT: 35'
 SIDE: 8.5'
 REAR: 40'
9. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS LINE IS 7.65' PER ADMINISTRATIVE VARIANCE #AV-22-1246498.
10. TOTAL DISTURBED AREA: 5,300 S.F.
11. ALL ELEVATIONS ON SITE SHALL BE VERIFIED PRIOR TO CONSTRUCTION.
12. NO DISTURBANCE LOCATED WITHIN THE 25' OR 50' BUFFER.
13. THE RAIN GARDEN IS THE MITIGATION PLAN
14. RECEIVING WATERS FOR THIS PROJECT IS PEAVINE CREEK. AREA ADJACENT TO LOT CONSIST OF EXISTING HOUSES AS WELL AS EXISTING STREAM WITH VEGETATIVE BUFFER.
15. AS-BUILT WATER QUALITY CERTIFICATION AND LOT AS-BUILT IS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
16. OVERFLOW FROM WATER QUALITY BMP(S) SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

RAIN GARDEN MAINTENANCE NOTES

1. IRRIGATE VEGETATION AS NEEDED IN FIRST SEASON.
2. REMOVE WEEDS.
3. REPLACE UNSUCCESSFUL PLANTINGS.
4. REFRESH MULCH.
5. REPAIR ERODED AREAS.
6. RAISE LOGGED SURFACE TO RESTORE INFILTRATION.
7. MONITOR RAIN GARDEN FOR APPROPRIATE DRAINAGE TIMES. IF GARDEN DOES NOT DRAIN AN UNDERDRAIN MAY BE NECESSARY.

WATER QUALITY CALCULATIONS:

DRAINAGE AREA = 18,142 S.F.
 NEW IMPERVIOUS AREA = 3,303 S.F.
 $WQv = 1.2 \times Rv \times \text{Drainage Area} / 12$
 $RV = 0.05 + 0.009(3,303 / 18,142) \times 100 = 214$
 DRAINAGE AREA $\times (1.2 / 12) =$ REQUIRED STORAGE VOLUME
 18,142 SF $\times (1.2 / 12) \times 0.214 = 388$ CF

REQUIRED WATER STORAGE = 388 CF
 EQUIVALENT DRAINAGE AREA = 388 CF $\times 12 / 1.2 = 3882$ S.F.
 DEPTH OF AMENDED SOILS = 30" (2.5')
 AREA OF RAIN GARDEN REQUIRED = 3882 S.F. $\times 0.005 = 194$ S.F.
 AREA OF RAIN GARDEN PROPOSED = 206 S.F.

ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN

24 HOUR LOCAL EROSION & SEDIMENT CONTROL CONTACT
RAY BONGERS
 404-949-9130



TREE PRESERVATION CALCULATION:

COMPUTED USING ONLY TREES OUT OF FLOOD PLAIN
 -DESTROYED - 11 TREES @ 66.2 units
 -SAVED - 7 TREES @ 58.8 units

-DENSITY REQUIREMENTS 0.193 AC * 15 UNITS/AC = 2.9 units
 -REQUIRED: 2.9 units
 -NO ADDITIONAL UNITS REQUIRED

REQUIRED TREES TO REMAIN:

-SAVED - 7 TREES @ 125 INCHES
 -SPECIMEN TREE REMOVED 1 @ 41 INCHES (1.5 x INCHES removed = additional 62 INCHES required)
 120 INCHES DBH PER ACRE $\times 0.193$ AC = 23 INCHES
 62 INCHES $\times 23$ INCHES = 85 INCHES (PROVIDED)
 18 TREES $\times 25 = 5$ TREES (PROVIDED)

0 PROPOSED TREE PLANTINGS AS PER ZONING

TREE PROTECTION FENCES IN ACCORDANCE WITH THE APPROVED PLAN MUST BE INSTALLED PRIOR TO STARTING LAND DISTURBANCE ACTIVITIES, AND MAINTAINED UNTIL FINAL LANDSCAPING.

TREE NUMBER	SPECIES	CONDITION (GOOD, FAIR, POOR, DEAD)	DBH (INCHES)	DENSITY UNITS	REMAIN / REMOVE	CRZ (FEET) (IF TREES TO REMAIN)	% IMPACT ON CRZ
1	WATER OAK	POOR	POOR (37)	DDH	REMOVE		
2	SWEET GUM	FAIR	24	6.0	REMAIN	24	28.5%
3	ASH	FAIR	24	6.0	REMAIN	24	18.0%
4	ASH	FAIR	18	4.8	REMOVE		
5	YELLOW POPLAR	GOOD	18	4.8	REMAIN	18	32.5%
6	YELLOW POPLAR	GOOD	25	6.8	REMOVE		
7	SWEET GUM	GOOD	15	4.0	REMOVE		
8	SWEET GUM	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	REMAIN		
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	REMAIN	24	0
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	REMOVE		
36	WATER OAK	POOR	POOR (11)	DDH	REMOVE		

TOTAL OUT OF FLOOD PLAIN = 18 TREES @ 125.0 units

DeKalb County Historic Preservation Commission
 380 Peachtree Lake Avenue, Suite 300
 Atlanta, GA 30308
 (404) 373-2555 or (404) 373-3833 (Fax)
CERTIFICATE OF APPROPRIATENESS
 September 30, 2023

Applicant: Elizabeth Finnelly c/o Belle Law, P.C.
 Mailing Address: 3542 Inman Park at Northlake
 Tucker, GA 30084

This is to advise you that the DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Modified Approval

Build a house as shown in the architectural drawings with the modifications that the grantee shows on the front and left side of the house will be replaced with brick and the small window on the right side of the front elevation will be replaced by a larger window matching the others on the facade.

PROPERTY IS LOCATED WITHIN
 DISTRICT 2
 COMMISSIONER MICHELLE LONG SPEARS
 SUPER DISTRICT 6,
 COMMISSIONER EDWARD "TED" TERRY

OWNER:
 DAVID MARTIN &
 ELIZABETH FINNERTY MARTIN
 1136 LULLWATER DR
 ATLANTA, GEORGIA 30307

DEVELOPER:
 BONGERS HOMEBUILDERS
 RAY BONGERS
 404-557-9747
 445 MT PARAN ROAD
 ATLANTA, GEORGIA 30327

NO LAND DISTURBING ACTIVITIES TO BEGIN PRIOR TO EROSION AND SEDIMENT CONTROLS AND TREE PROTECTIONS ARE IN PLACE.

LEGEND

DRAINAGE STRUCTURES	ABBREVIATIONS
SWCB	= SINGLE WING CATCH BASIN
DWCB	= DOUBLE WING CATCH BASIN
JB	= JUNCTION BOX
GI	= GRATE INLET
CI	= CURB INLET
YI	= YARD INLET
DI	= DROP INLET
HI	= HEAD WALL
CONC	= CONCRETE
CP/C	= CRIMP TOP PIPE FOUND
DB/FP	= DRAINAGE EASEMENT
DE	= DUCTILE IRON PIPE
DIP	= DOUBLE WING CATCH BASIN
DYL	= DOUBLE YELLOW LINE STRIPING
EP	= EDGE OF PAVING
F.I.R.M.	= FEDERAL INSURANCE RATE MAP
HDP/E	= HIGH DENSITY POLY ETHYLENE PIPE
HW	= HEADWALL
IE	= INVERT
IPS	= INVERT ELEVATION
LL	= LAND LOT
LL	= LAND LOT LINE
LL	= LAND LOT LINE
LV	= LIGHT VALVE
N/S	= NOT TO SCALE
N/S	= NOT TO SCALE
OTD	= OPEN TOP PIPE FOUND
OS	= OUTSIDE DIMENSION
OCS	= OUTLET CONTROL STRUCTURE
PB/PAGE	= PLAT BOOK/PAGE
PL	= PROPERTY LINE
POB	= POINT OF BEGINNING
P.O.E	= POINT OF ENTRY
PVC	= POLYVINYL CHLORIDE PIPE
RFB	= REBAR PIN FOUND
RCP	= REINFORCED CONCRETE PIPE
R/W	= RIGHT OF WAY
S.F.	= SQUARE FEET
SRF	= SOLID ROD FOUND
SS	= SANITARY SEWER
SSE	= SANITARY SEWER EASEMENT
TBM	= TEMPORARY BENCH MARK
TR	= TAX PARCEL NUMBER
POC	= POINT OF COMMENCEMENT
TY	= TOP OF WALL
TYP	= TYPICAL
WI	= WEIR INLET

UTILITY SYMBOLS

A/C	= AIR CONDITIONING UNIT
ET	= ELECTRIC TRANSFORMER
EPED	= CABLE TV PEDESTAL
FH	= FIRE HYDRANT
GM	= GAS METER
GV	= GAS VALVE
GUY	= GUY WIRE
TPED	= TELEPHONE PEDESTAL
UT	= UTILITY POLE
LP	= LIGHT POLE
WM	= WATER METER
WW	= WATER VALVE

MISC. SYMBOLS

Ⓚ	= PARKING SPACE COUNT
Ⓛ	= SATELLITE DISH

UTILITY LINETYPES

---	= POWER LINE (UP-UNDERGROUND)
---	= TELEPHONE LINE (UT-UNDERGROUND)
---	= CABLE TV LINE (UT-UNDERGROUND)
---	= GAS LINE

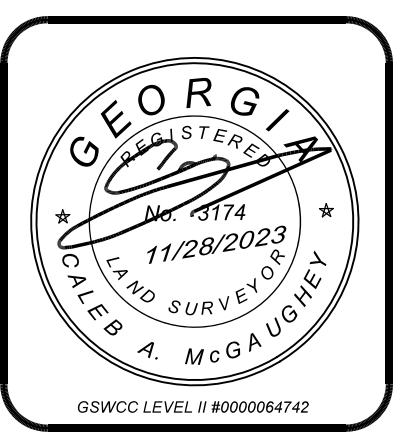
FENCE LINES

---	= CHAIN LINK FENCE (CLF)
---	= WIRE FENCE
---	= WOODEN FENCE

○ = HARDWOOD
 ● = PINE/CONIFER

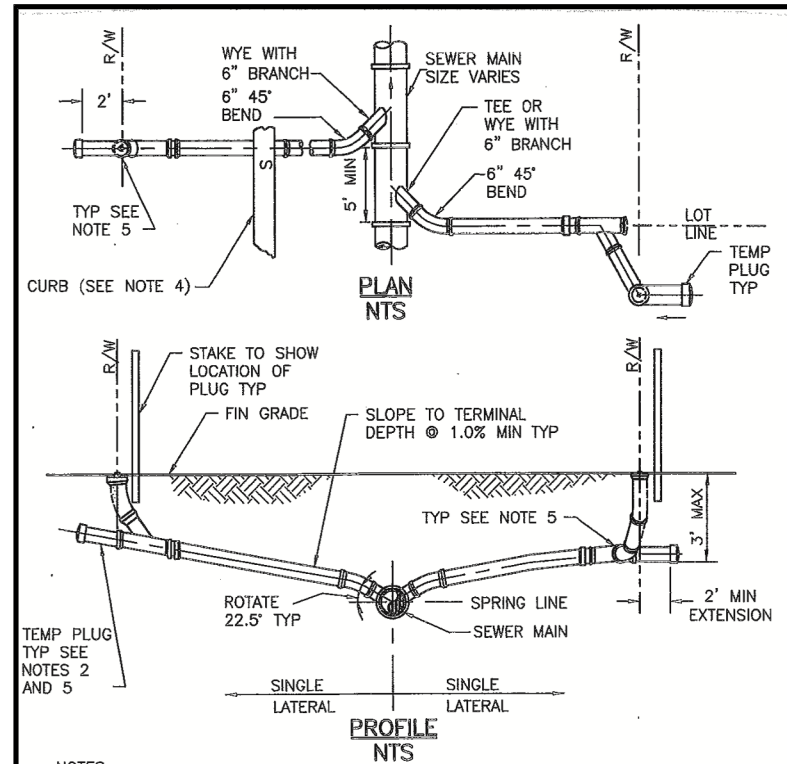
DATE:	ISSUE
AUGUST 5, 2021	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: MWR	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

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
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET
1
OF
2

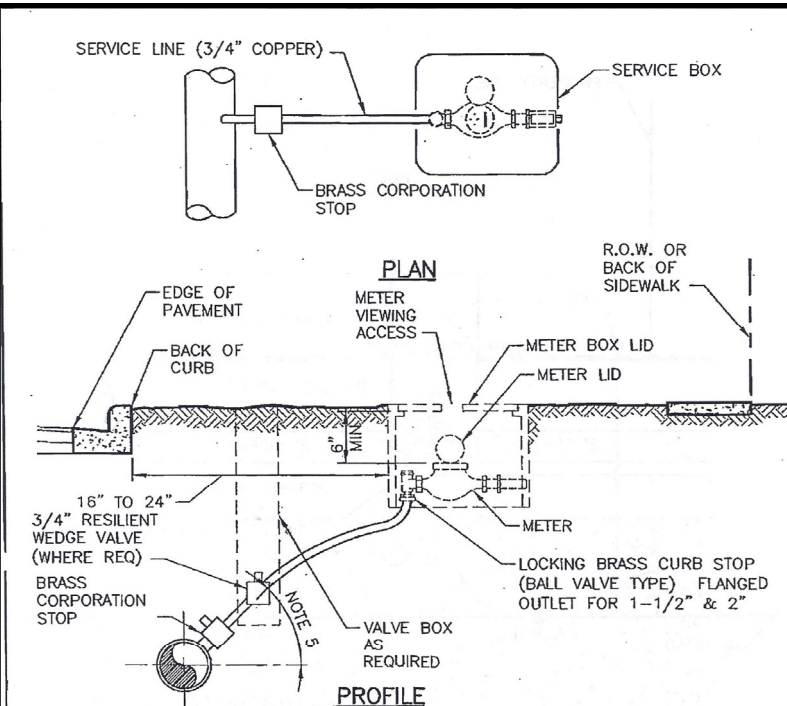


- NOTES:
1. INVERT OF SERVICE LATERAL SHALL NOT ENTER SEWER MAIN BELOW SPRING LINE.
 2. SERVICE LATERAL SHALL BE CAPPED BY DEVELOPER'S CONTRACTOR.
 3. ALL FITTINGS SHOWN ARE TO BE INSTALLED.
 4. SERVICE CONNECTIONS SHALL BE PERMANENTLY MARKED BY CUTTING AN "S" IN THE CURB DIRECTLY OVER THE LATERAL.
 5. DEVELOPER'S CONTRACTOR WILL INSTALL CLEANOUT.

DEKALB COUNTY, GA
Department of Watershed Management

STANDARD DETAILS
Sanitary Sewer Lateral Connection detail

12/07
DETAIL NO. S-017
NOT TO SCALE

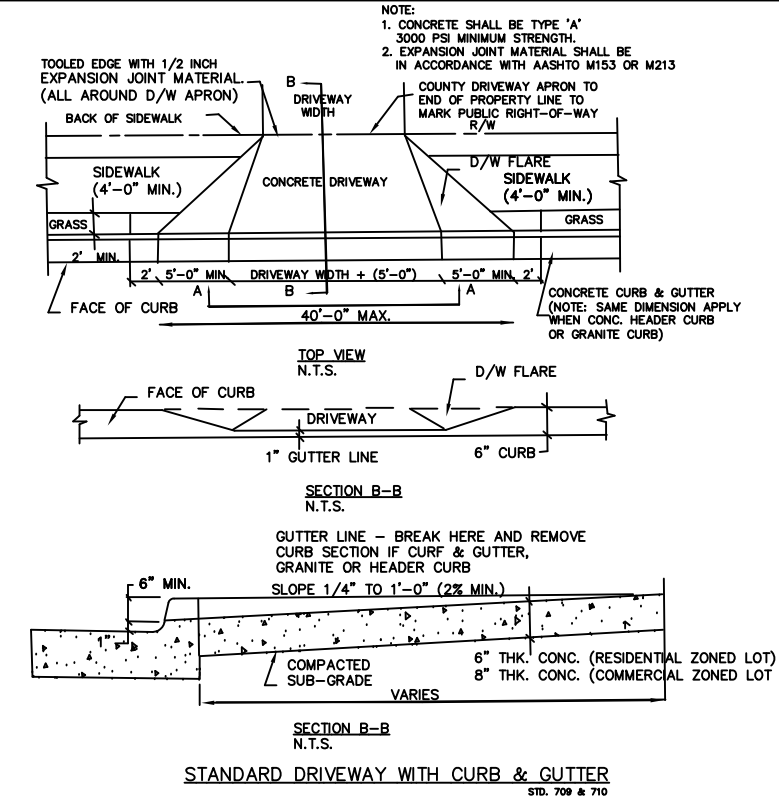


- NOTES:
1. METER SHALL BE INSTALLED BETWEEN SIDEWALK AND CURB AND IN NO CASE SHALL IT BE INSTALLED IN SIDEWALK OR OTHER PAVED AREAS.
 2. ALL POTABLE WATER IRRIGATION METERS REQUIRE AN APPROVED BACKFLOW PREVENTER.
 3. ALL PROPERTIES WITH ALTERNATIVE WATER SYSTEMS (WELL, ETC.) REQUIRE BACKFLOW PREVENTERS.
 4. SERVICE LINES SHALL NOT BE LESS THAN METER SIZE.
 5. SERVICE TAP SHALL BE BETWEEN 2:00 O'CLOCK AND 4:00 O'CLOCK WITHOUT SADDLE TAP.

DEKALB COUNTY, GA
Department of Watershed Management

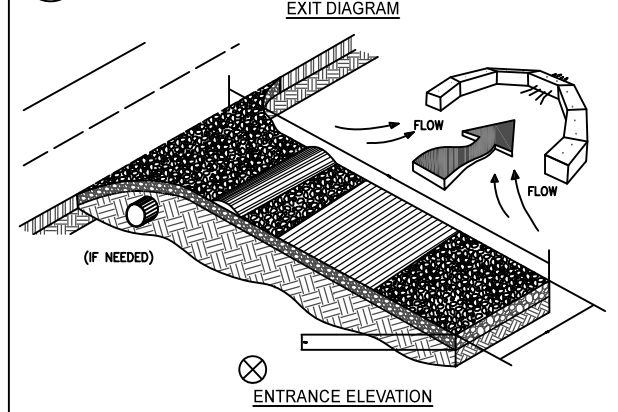
STANDARD DETAILS
Residential Water Meter Installation Detail

07/08
DETAIL NO. W-026
NOT TO SCALE



STANDARD DRIVEWAY WITH CURB & GUTTER
STD. 709 & 710

Co CRUSHED STONE CONSTRUCTION EXIT



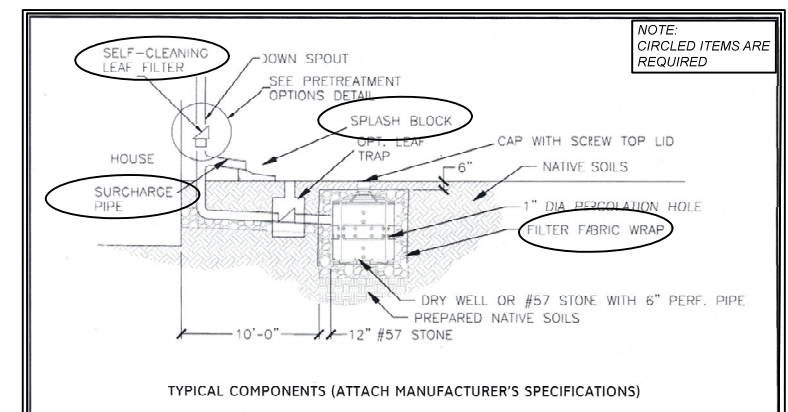
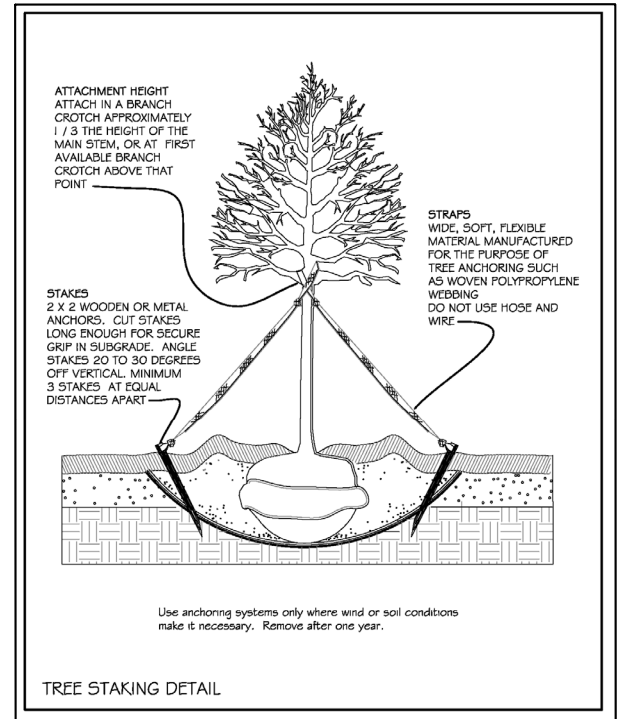
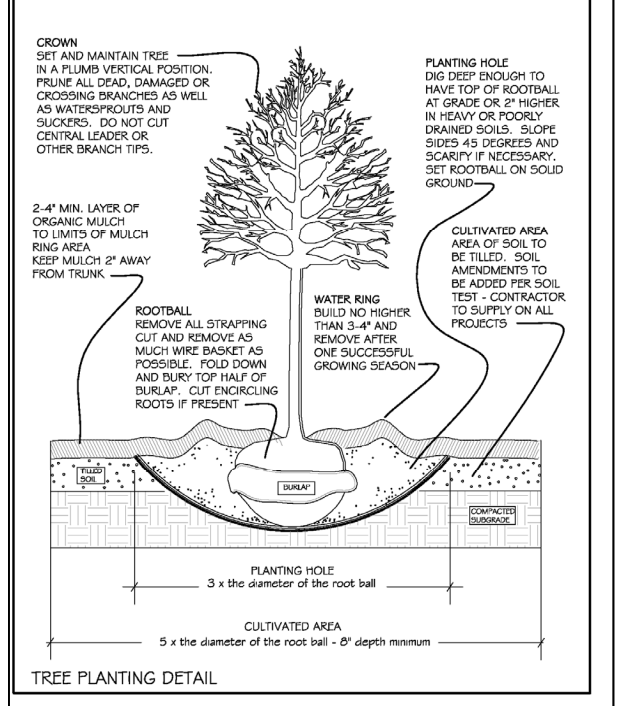
- NOTES:
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 8".
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20".
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (OVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
 9. WASHRACKS AND/OR THE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRACK DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

Ds1	Ds2
Ds3	Ds4

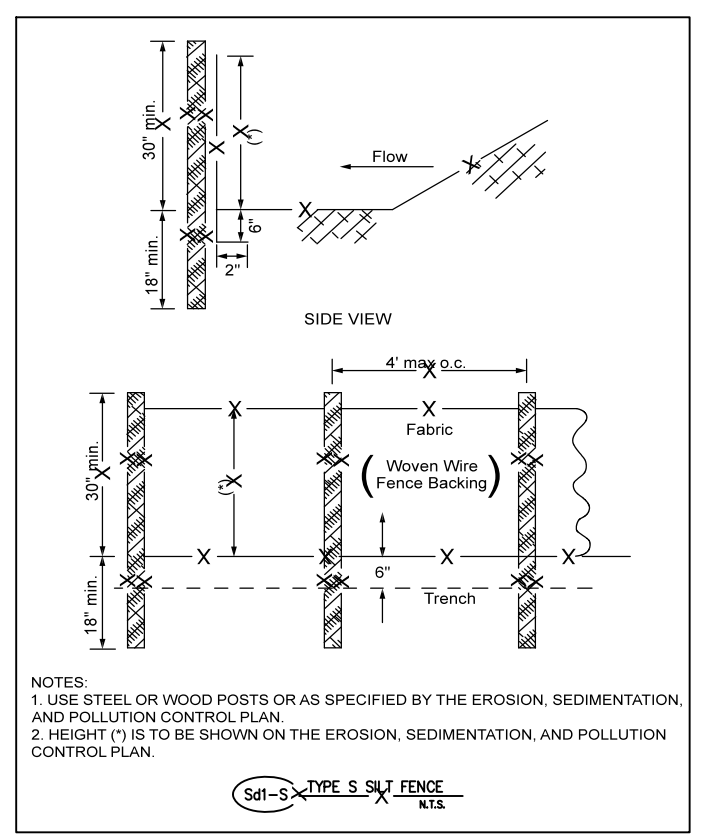
ON ALL DISTURBED AREAS

EROSION CONTROL SEDIMENT PRACTICES:

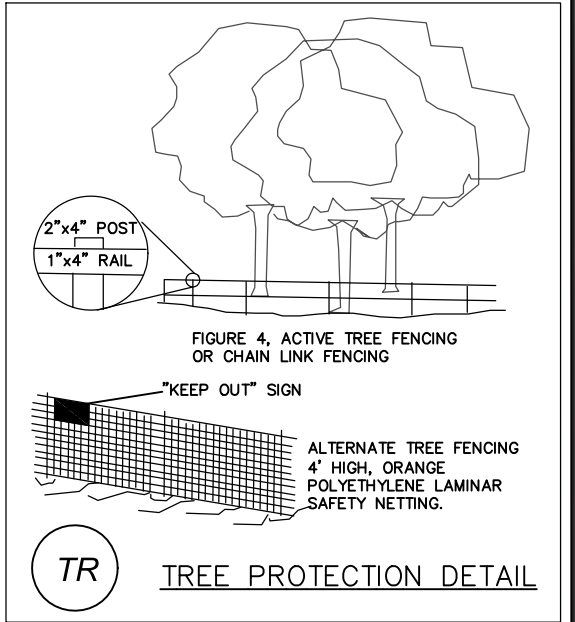
- Ds1** DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.
- Ds2** DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST-GROWING SEEDINGS ON DISTURBED AREAS.
- Ds3** DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.
- Ds4** DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 15% AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



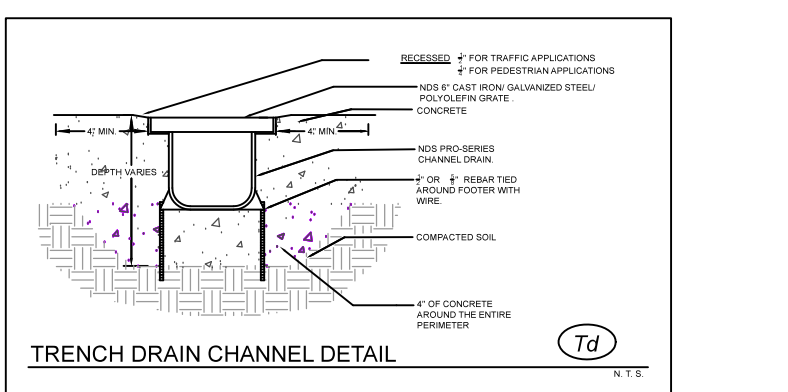
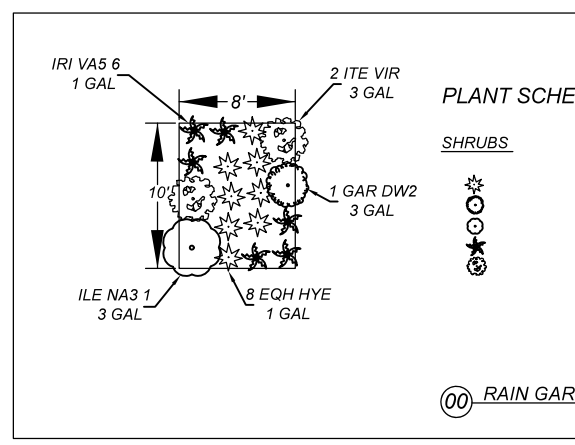
- CONSTRUCTION STEPS:
1. Review potential dry well areas and layout. Dry wells should not be located: (1) beneath an impervious (paved) surface; (2) above an area with a water table or bedrock less than two feet below the trench bottom; (3) over other utility lines; or (4) above a septic field. Insure outlet daylight at least ten feet from property line.
 2. Measure the area draining to the dry well and determine required size from the table on the next page.
 3. If soil is a concern perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr this method cannot be used. If the rate is more than 0.50 in/hr the storage volume may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and dig the hole to the required dimensions. Scarify the bottom soil surface 3".
 5. Place and tamp 6" to 12" of #57 gravel in bottom. Pea gravel can be substituted for leveling purposes in the upper three inch layer below the tank.
 6. Place and secure filter cloth down sides of the excavation leaving enough to fold over the top below the soil and turf.
 7. Place tank and install piping. Bond top of tank in place.
 8. Cut and route downspout or other rainwater delivery components. Use screen options chosen (circle selected options in Pretreatment Options Detail figure). Strap and support as needed.
 9. Create a safe overflow at least 10 feet from your property edge and insure it is protected from erosion.
 10. Test connections with water flow.
 11. Fill with gravel jacket around tank and place permeable fabric above between gravel and soil.
 12. Backfill with soil/sod or pea gravel.
 13. Consider aesthetics as appropriate and erosion control for overflow.



- NOTES:
1. USE STEEL OR WOOD POSTS OR AS SPECIFIED BY THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.
 2. HEIGHT (H) IS TO BE SHOWN ON THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.



ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN

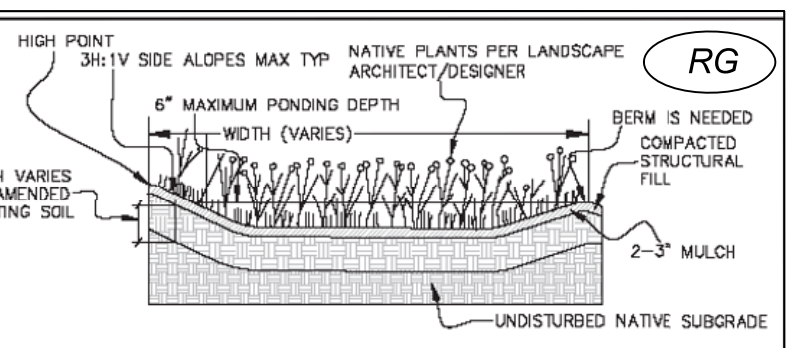


RG

SIZING CALCULATIONS

CONTRIBUTING DRAINAGE AREA (SF)	DEPTH OF AMENDED SOIL (INCHES)			
	18	24	30	36
100	8.6	6.7	5.1	4.6
500	35	30	25	23
1000	65	60	50	45
2000	125	115	100	90
3000	200	170	150	140
4000	280	230	200	185
5000	330	280	255	230

MEASURE CONTRIBUTING DRAINAGE AREA AND READ AREA FOR GIVEN MEDIA DEPTH.



- RAIN GARDEN CONSTRUCTION NOTES**
1. Locate rain garden(s) where downspouts or driveway runoff can enter garden flowing away from the home. Locate at least 10 feet from foundations, not within the public right of way, away from utility lines, not over septic fields, and not near a steep hill edge.
 2. Measure the area draining to the planned garden and determine required rain garden surface area from the table on the next page and your planned excavation depth.
 3. Optionally, perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr an underdrain will be necessary. If the rate is more than 0.50 in/hr the size of the garden may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and stake out the garden to the required dimensions ensuring positive flow into garden, the overflow elevation allows for six inches of ponding, and the perimeter of the garden is higher than the overflow point. If the garden is on a gentle slope a berm at least two feet wide can be constructed on the downhill side and the garden can be dug into the hillside taking greater care for erosion control at the garden knee(s).
 5. Remove turf or other vegetation in the area of the rain garden. Excavate garden, being careful not to compact soils in the bottom of the garden. Level bottom of garden as much as possible to maximize infiltration area.
 6. Mix compost, topsoil, and some of the amended soil together to make the amended soil. The soil mix should be 1/3 compost, 2/3 native soil (topsoil and subsoil combined).
 7. Fill rain garden with the amended soil, leaving the surface eight inches below your highest surrounding surface. Eight inches allows for 8 inches ponding and 2" of mulch. The surface of the rain garden should be as close to level as possible.
 8. Build a berm at the downhill edge and allow of the rain garden with the remaining subsoil. The top of the berm needs to be level, and set at the maximum ponding elevation.
 9. Plant the rain garden using a selection of plants from elsewhere in this manual.
 10. Mulch the surface of the rain garden with two to three inches of non-floating organic mulch. The best choice is finely shredded hardwood mulch. Pine straw is also an option.
 11. Water all plants thoroughly. As in any new garden or flower bed, regular watering will likely be needed to establish plants during the first growing season.
 12. During construction build the inlet feature as a pipe directly connected to a downspout or use a rock lined swale with a gentle slope. Use of an impermeable liner under the rocks at the end of the swale near the house is recommended to keep water from seeping in at that point. Test the drainage of water from the source to the garden prior to finishing.
 13. Create an overflow at least 10 feet from your property edge and insure it is protected from erosion.

RG

PLANT SCHEDULE - (PER 80 SF OF RAIN GARDEN)

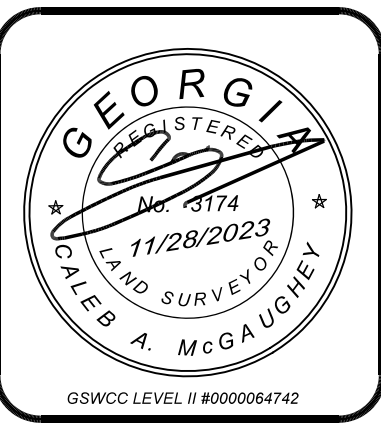
SHRUBS	CODE	QTY	BOTANICAL NAME/COMMON NAME	SIZE
	EQH HYE	8	EQUISETUM HYEMALE/HORSETAIL REED GRASS	1 GAL
	GARDW2	1	GARDENIA RADICANS/DWARF GARDENIA	3 GAL
	ILE NA3	1	ILEX GLABRA NANA/DWARF INK BERRY	3 GAL
	IRI VA5	6	IRIS ENSATA VARIETAS VARIETIGATA JAPANESE IRIS	1 GAL
	ITE VIR	2	ITEA VIRGINICA 'HENRY'S GARNET' HENRY'S GARNET SWEETSPICE	3 GAL

00-RAIN GARDEN - TYPICAL PLANTING - 80 sf

DATE:	ISSUE
AUGUST 5, 2021	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: MWR	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

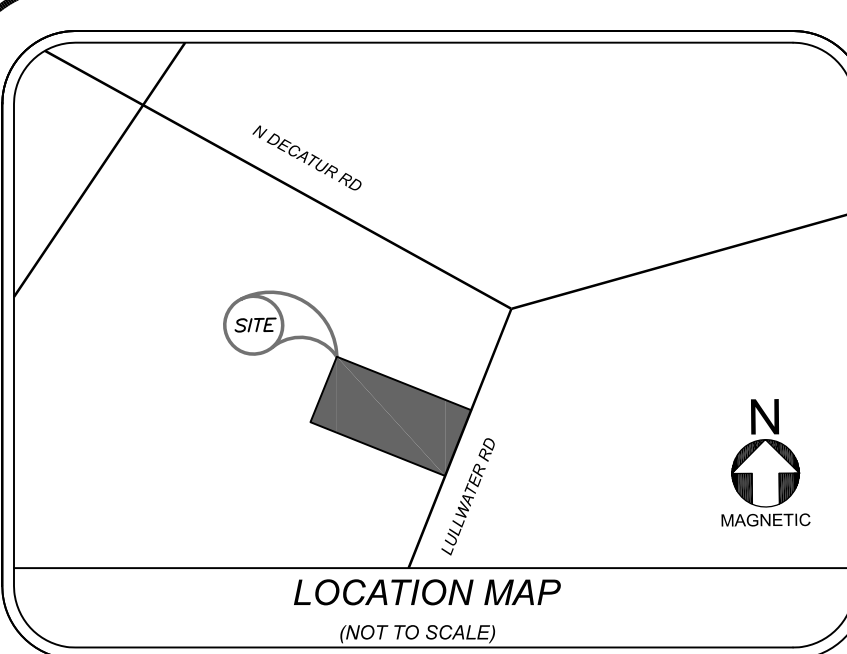
SITE PLAN FOR:
1176 LULLWATER ROAD

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
404-384-9577
GA LAND SURVEYOR, LLC
3355 ANNANDALE LANE, STE 1
SUWANEE, GA 30024

SHEET
2
OF
2



IMPERVIOUS SURFACE CALCULATIONS:
 PROPOSED IMPERVIOUS SURFACE: 3,303 S.F.
 House = 1,750
 Drive = 1,040
 Steps = 35
 open terrace = 163
 covered porch = 169
 concrete walk = 169

TOTAL IMPERVIOUS AREA: 3,303 S.F.
 TOTAL LOT AREA: 18,142 S.F.
 TOTAL PROPOSED LOT COVERAGE: 18.2% (35% max)

24 HOUR LOCAL EROSION & SEDIMENT CONTROL CONTACT
 RAY BONGERS
 404-949-9130

SOIL MAPPING
 PuE Pacolet-Urban land complex
 10 to 25 percent slopes
 100% 0.42 AC

OWNER:
 DAVID MARTIN &
 ELIZABETH FINNERTY MARTIN
 1136 LULLWATER DR
 ATLANTA, GEORGIA 30307

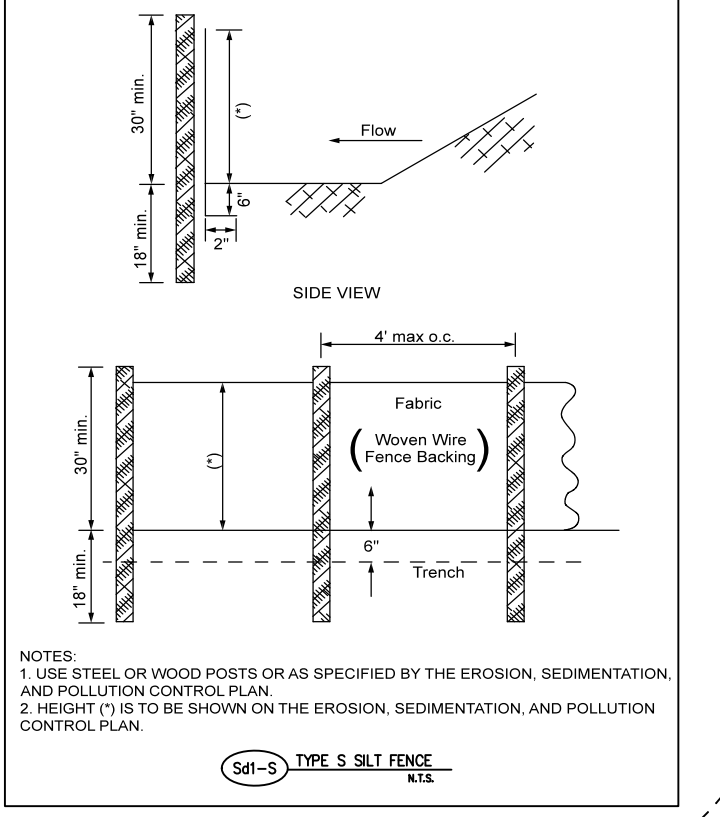
DEVELOPER:
 BONGERS HOMEBUILDERS
 RAY BONGERS
 404-557-9747
 445 MT PARAN ROAD
 ATLANTA, GEORGIA 30327

CONSTRUCTION NOTES:

1. THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES. ALL EROSION AND SEDIMENT CONTROL TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
2. EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION AND SEDIMENT CONTROL. ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
3. ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
4. ALL LOTS/SITES WITH 2' OF FILL OR GREATER WILL REQUIRE A COMPACTION CERTIFICATE BY A PROFESSIONAL REGISTERED ENGINEER PRIOR TO A BUILDING PERMIT AND OR PRIOR TO FOOTERS BEING POURED.
5. LOCATE AND FIELD STAKE ALL UTILITIES, EASEMENTS, PIPES, FLOOD LIMITS, STREAM BUFFERS, AND TREE SAVE AREAS PRIOR TO ANY LAND DISTURBING ACTIVITIES.
6. ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
7. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING.
8. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
9. A FINAL AS-BUILT SURVEY IS REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
10. THERE ARE WATER QUALITY DEVICES DESIGNED FOR THIS SITE. WATER QUALITY FACILITIES ARE NOT ALLOWED IN THE COUNTY 75' BUFFER.
11. DUMPSTER AND OR TEMP. SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.
12. WORK HOURS AND CONSTRUCTION DELIVERIES ARE:
 - MONDAY - FRIDAY 7:00 AM - 7:00 PM
 - SATURDAY 8:00 AM - 5:00 PM
13. I, CALEB MCGAUGHEY CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN

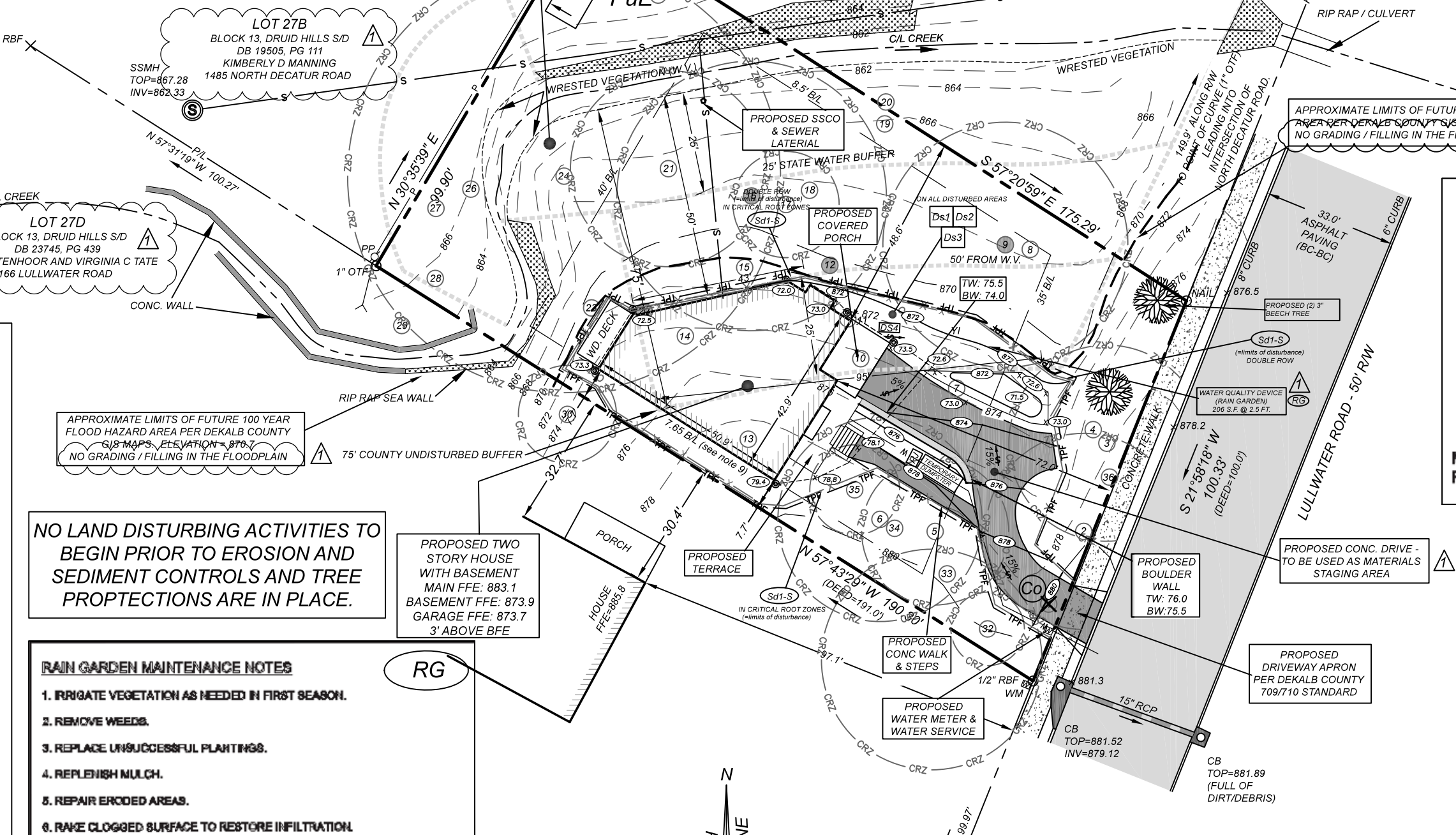
AREA OF INTRUSION: 1,857 S.F.



STREAM BUFFER VARIANCE NOTES:

I CERTIFY THAT THE PERMITTEE'S EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN PROVIDES FOR AN APPROPRIATE AND COMPREHENSIVE SYSTEM OF BEST MANAGEMENT PRACTICES REQUIRED BY THE GEORGIA WATER QUALITY CONTROL ACT AND THE DOCUMENT 'MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA', PUBLISHED BY THE STATE SOIL AND WATER CONSERVATION COMMISSION AS OF JANUARY OF THE YEAR IN WHICH THE LAND DISTURBING ACTIVITY WAS PERMITTED, PROVIDES FOR THE SAMPLING OF THE RECEIVING WATER(S) OR THE SAMPLING OF THE STORM WATER OUTFALLS AND THE DESIGNED SYSTEM OF BEST MANAGEMENT PRACTICES AND SAMPLING METHODS IS EXPECTED TO MEET THE REQUIREMENTS CONTAINED IN THE GENERAL NPDES PERMIT NO. GAR 10000-.

INSPECTIONS BY QUALIFIED PERSONNEL PROVIDED BY THE PRIMARY PERMITTEE AND THE ASSOCIATED RECORDS SHALL BE KEPT ON SITE IN COMPLIANCE WITH GAR 10000-.



SIZING CALCULATIONS (RG)

CONTRIBUTING DRAINAGE AREA (SF)	DEPTH OF AMENDED SOIL (INCHES)			
	18	24	30	36
100	8.8	6.7	5.1	4.8
500	35	30	25	23
1000	65	60	50	45
2000	135	115	100	90
3500	200	170	150	140
4000	260	230	200	185
5000	330	290	255	230

MEASURE CONTRIBUTING DRAINAGE AREA AND READ AREA FOR GIVEN MEDIA DEPTH.

SITE NOTES:

1. THRESHOLD ELEVATION IS THE ELEVATION OF THE TOP OF THE SUBFLOOR IN THE OPENING THAT IS DESIGNATED AS THE FRONT DOOR OF THE DWELLING.
2. BUILDING HEIGHT OF THE NEW STRUCTURE NOT TO EXCEED 35 FEET.
3. NO GRADES TO EXCEED 3:1
4. THERE ARE NEW UTILITIES PROPOSED FOR THIS SITE.
6. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122, DEKALB COUNTY.
7. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13089C0062K, DATED AUGUST 15, 2019.
8. EXISTING ZONING: R-85 SETBACKS: FRONT: 35' SIDE: 8.5' REAR: 40'
9. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS LINE IS 7.65' PER ADMINISTRATIVE VARIANCE #AV-22-1246498.
10. TOTAL DISTURBED AREA: 5,300 S.F. DISTURBED AREA IS THE AREA BOUNDED BY SILT FENCING AS PER PLAN.
11. TOTAL AREA OF INTRUSION: 1,857 S.F. LENGTH AND WIDTH OF PROPOSED INTRUSION ARE DIMENSIONED ON MITIGATION PLAN.
12. NO DISTURBANCE LOCATED WITHIN THE 25' OR 50' BUFFER.
13. THE RAIN GARDEN ARE THE MITIGATION PLAN. MITIGATION PLAN IS NONSTRUCTURAL AND DESIGNED TO IMPROVE THE QUALITY OF THE STREAM AND THE ASSOCIATED BUFFER. MITIGATION PLAN INCLUDES PLANTING SCHEDULE, CHANNEL PROTECTION DESIGN AND ENHANCEMENT/IMPROVEMENT FOR REVIEW BY THE DIRECTOR.
14. RECEIVING WATERS FOR THIS PROJECT IS PEAVINE CREEK. AREA ADJACENT TO LOT CONSIST OF EXISTING HOUSES AS WELL AS EXISTING STREAM WITH VEGETATIVE BUFFER.
15. AS-BUILT WATER QUALITY CERTIFICATION AND LOT AS-BUILT IS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
16. OVERFLOW FROM WATER QUALITY BMP(S) SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

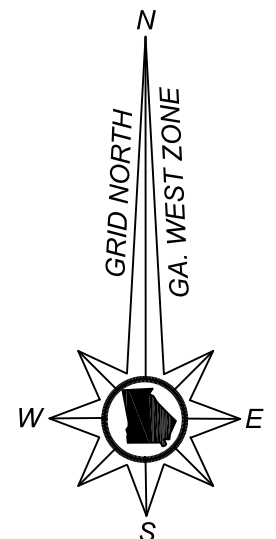
NO LAND DISTURBING ACTIVITIES TO BEGIN PRIOR TO EROSION AND SEDIMENT CONTROLS AND TREE PROTECTIONS ARE IN PLACE.

RAIN GARDEN MAINTENANCE NOTES

1. IRRIGATE VEGETATION AS NEEDED IN FIRST SEASON.
2. REMOVE WEEDS.
3. REPLACE UNSUCCESSFUL PLANTINGS.
4. REPLENISH MULCH.
5. REPAIR ERODED AREAS.
6. RAKE CLOGGED SURFACE TO RESTORE INFILTRATION.
7. MONITOR RAIN GARDEN FOR APPROPRIATE DRAINAGE TIMES. IF GARDEN DOES NOT DRAIN AN UNDERDRAIN MAY BE NECESSARY.

WATER QUALITY CALCULATIONS:
 DRAINAGE AREA = 18,142 S.F.
 NEW IMPERVIOUS AREA = 3,303 S.F.
 $WQv = 1.2 \times Rv \times \text{Drainage Area} / 12$
 $RV = 0.05 + 0.009(3,303 / 18,142) \times 100 = 214$
 DRAINAGE AREA $\times (1.2/12) =$ REQUIRED STORAGE VOLUME
 $18,142 \text{ SF} \times (1.2/12) \times 0.214 = 388 \text{ CF}$

REQUIRED WATER STORAGE = 388 CF
 EQUIVALENT DRAINAGE AREA = $388 \text{ CF} \times 12/1.2" = 3882 \text{ S.F.}$
 DEPTH OF AMENDED SOILS = 30" (2.5')
 AREA OF RAIN GARDEN REQUIRED = $3882 \text{ S.F.} \times 0.05 = 194 \text{ S.F.}$
 AREA OF RAIN GARDEN PROPOSED = 206 S.F.



LEGEND

DRAINAGE STRUCTURES

- SWCB = SINGLE WING CATCH BASIN
- DWCB = DOUBLE WING CATCH BASIN
- JB = JUNCTION BOX
- GI = GRATE INLET
- CI = CURB INLET
- YI = YARD INLET
- DI = DROP INLET
- HW = HEAD WALL
- SSMH = SANITARY SEWER MANHOLE
- SSCO = SANITARY SEWER CLEANOUT
- GT = GREASE TRAP
- FES = FLARED END SECTION

UTILITY SYMBOLS

- A/C = AIR CONDITIONING UNIT
- ET = ELECTRIC TRANSFORMER
- CPED = CABLE TV PEDESTAL
- PH = FIRE HYDRANT
- GM = GAS METER
- GW = GAS VALVE
- GWY = GAS WIRE
- TPED = TELEPHONE PEDESTAL
- PP = UTILITY POLE
- LP = LIGHT POLE
- WM = WATER METER
- WV = WATER VALVE

MISC. SYMBOLS

- PC = PARKING SPACE COUNT
- SD = SATELLITE DISH

UTILITY LINETYPES

- P = POWER LINE (UP=UNDERGROUND)
- T = TELEPHONE LINE (UP=UNDERGROUND)
- C = CABLE TV LINE (UP=UNDERGROUND)
- S = SANITARY SEWER LINE
- G = GAS LINE

FENCE LINES

- CLF = CHAIN LINK FENCE (CLF)
- WF = WIRE FENCE
- WF = WOODEN FENCE

ABBREVIATIONS

- BC = BACK OF CURB
- BH = BUILDING HEIGHT
- B/L = BUILDING SETBACK LINE
- BW = BOTTOM OF WALL
- C&G = CURB AND GUTTER
- C/L = CENTERLINE
- CMP = CORRUGATED METAL PIPE
- CONC = CONCRETE MONUMENT FOUND
- CO = CLEAN OUT
- CONC = CONCRETE
- CRIMP = CRIMP TOP PIPE FOUND
- DB/PG = DEED BOOK / PAGE
- DE = DRAINAGE EASEMENT
- DIP = DUCTILE IRON PIPE
- DWCB = DOUBLE WING CATCH BASIN
- DYL = DOUBLE YELLOW LINE STRIPING
- EP = EDGE OF PAVING
- F.I.R.M. = FEDERAL INSURANCE RATE MAP
- HDPE = HIGH DENSITY POLY ETHYLENE PIPE
- HW = HEADWALL
- IE = INVERT ELEVATION
- IPS = 1/2" REBAR PIN SET W/CAP
- LL = LAND LOT
- LL = LAND LOT LINE
- MONIT = MONITORING WELL
- MW = MONITORING WELL
- N/S = NOW OR FORMERLY
- N/S = NOT TO SCALE
- OTF = OPEN TOP PIPE FOUND
- OSD = OUTSIDE DIMENSION
- OCS = OUTLET CONTROL STRUCTURE
- PLT = PLAT BOOK / PAGE
- P/L = PROPERTY LINE
- POB = POINT OF BEGINNING
- P.O.E. = POINT OF ENTRY
- PVC = POLYVINYL CHLORIDE PIPE
- RFB = REBAR PIN FOUND
- RCP = REINFORCED CONCRETE PIPE
- R/W = RIGHT OF WAY
- S.F. = SQUARE FEET
- SRF = SOLID ROD FOUND
- SS = SANITARY SEWER
- SSE = SANITARY SEWER EASEMENT
- SS = SANITARY SEWER
- SS = TEMPORARY BENCH MARK
- TPN = TAX PARCEL NUMBER
- POC = POINT OF COMMENCEMENT
- TW = TOP OF WALL
- TP = TYPICAL
- WI = WEIR INLET

DATE:	ISSUE	NO.	DESCRIPTION	DATE
OCTOBER 6, 2023				
SCALE: 1" = 30'				
ACREAGE: 0.4165			COUNTY COMMENTS	11/28/2023
LAND LOT(S): 2				
DISTRICT: 18th				
CITY:				
COUNTY: DEKALB STATE: GEORGIA				
SURVEYED: MAF DRAWN: WGH				
CHECKED: WGH APPROVED: CAM				
PROJECT #: 16-257				

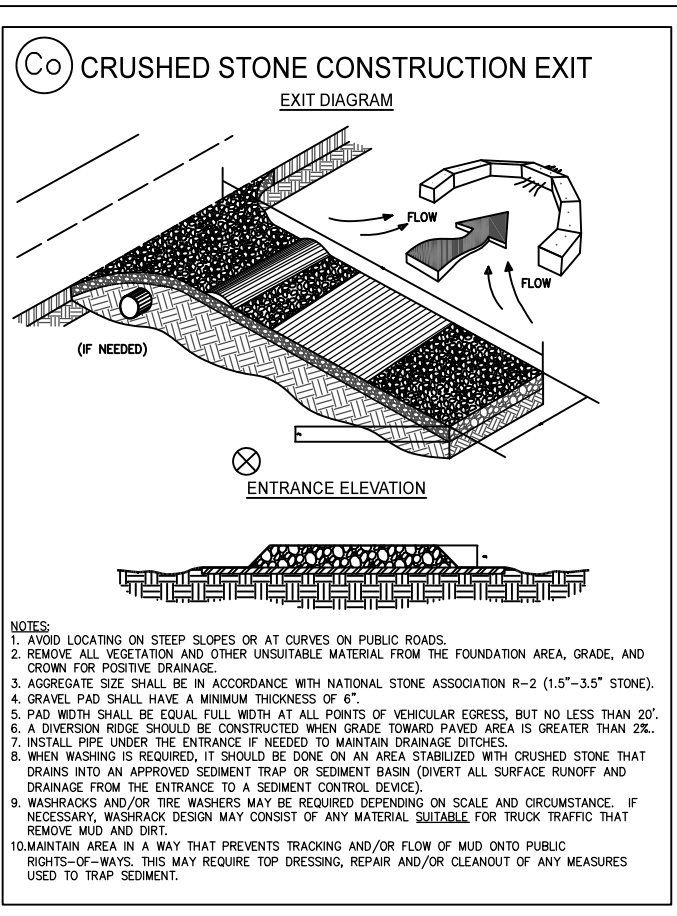
BUFFER VARIANCE / MITIGATION PLAN FOR:
 1176 LULLWATER ROAD

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



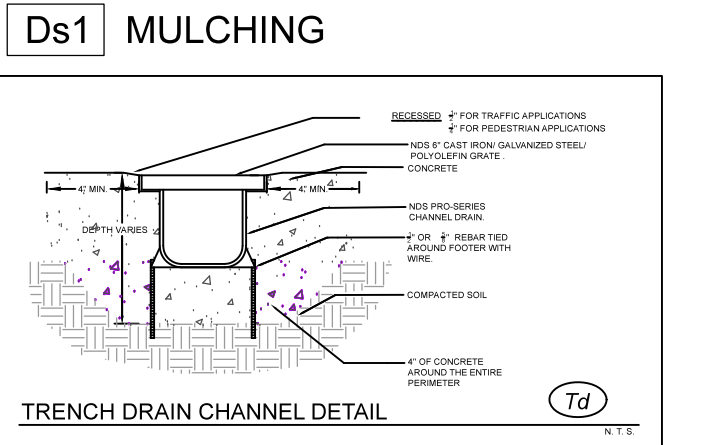
GA
 LAND SURVEYOR
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET
1
 OF
2



MATERIAL	QUANTITY
DRY STRAW OR HAY	2" - 4" DEPTH
WOOD WASTE (SAWDUST, BARK, CHIPS)	2" - 3" DEPTH
CUTBACK ASPHALT (SLOW CURING)	1200 GAL. PER ACRE (1/4 GAL PER SQ. YD.)
POLYETHYLENE FILM	COMPLETELY COVERING EXPOSED AREA. TRENCHED IN AT OUTER EDGES.

STRAW OR HAY MULCH SHALL BE ANCHORED IMMEDIATELY AFTER APPLICATION. MULCH MAY BE ANCHORED BY MECHANICALLY PRESSING INTO SURFACE. IF SPREAD WITH BLOWER EQUIPMENT, MULCH SHALL BE ANCHORED WITH EMULSIFIED ASPHALT (GRADE AE-5 OR SS-1)-100 GAL. ASPHALT + 100 GAL. WATER PER TON OF MULCH. NETTING SHALL BE USED TO ANCHOR WOOD WASTE AND CHIPS. POLYETHYLENE SHALL BE TRENCHED IN AT EDGES.



ON ALL DISTURBED AREAS

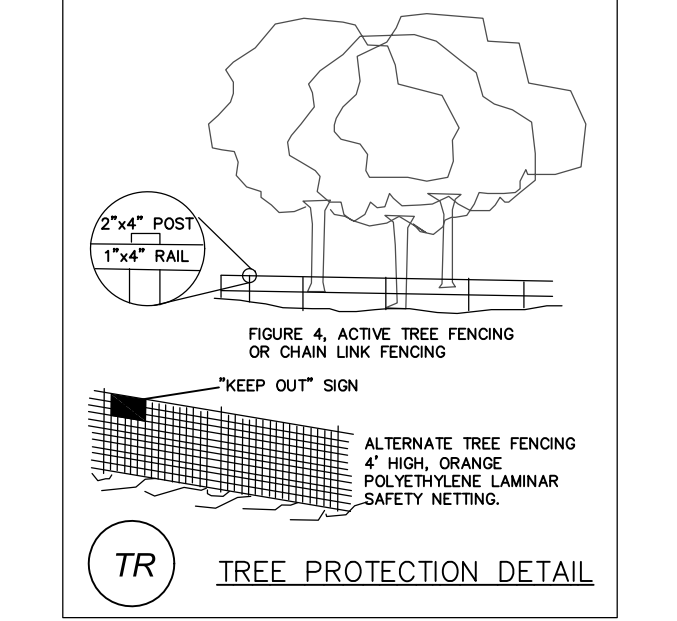
EROSION CONTROL SEDIMENT PRACTICES:

Ds1 DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.

Ds2 DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS ON DISTURBED AREAS.

Ds3 DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.

Ds4 DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 5%, AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



PLANT, PLANTING RATES, AND PLANTING DATED FOR TEMPORARY COVER OR COMPANION CROPS 1/

Species	Broadcast Rates 2' - 10' PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Planting Dates	Remarks
BARLEY (Hordeum vulgare)	3 bu. (144 lbs.) 12 bu. (576 lbs.)	P	F M A M J J A S O N D	F M A M J J A S O N D	14,000 seed per pound. Winterhardy. Use on productive soils.
LESPEDEZA ANNUAL (Lespedeza striata)	40 lbs. 0.9 lb. 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	200,000 seed per pound. May volunteer for several years. Use in no-till.
MILLET, BROWNTOP (Panicum fasciculatum)	40 lbs. C 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	137,000 seed per pound. Quick dense cover. Will provide low-moisture competition to mid-tolerant if seeded at high rate.
MILLET, PEARL (Pennisetum glaucum)	50 lbs. 1.1 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	88,000 seed per pound. Quick dense cover. May reach 5 feet height. Not recommended for mid-tolerant.
ORZOTOP (Sorghum nutans)	4 bu. (128 lbs.) 1 bu. 0.7 lb. (32 lbs.)	P	F M A M J J A S O N D	F M A M J J A S O N D	13,000 seed per pound. Use on productive soils. Not as winterhardy as eye or barley.
RYE (Secale cereale)	3 bu. 3.9 lb. 12 bu. 0.6 lb. (28 lbs.)	P	F M A M J J A S O N D	F M A M J J A S O N D	18,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
RYEGRASS, ANNUAL (Lolium temulentum)	40 lbs. 0.9 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	227,000 seed per pound. Dense cover. Very competitive and is good to be used in.
SUDANGRASS (Sorghum Sudanese)	60 lbs. 1.4 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	55,000 seed per pound. Good on droughty sites. Not recommended for mid-tolerant.

Ds2 STABILIZATION WITH TEMPORARY SEEDING

PLANTS, PLANTING RATES, AND PLANTING DATES FOR PERMANENT COVER

Species	Broadcast Rates 2' - 10' PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Planting Dates	Remarks
BERMUDA (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frost-tolerant. Use on productive soils. Will tolerate some shade.
BERMUDA, COMMON (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frost-tolerant. Use on productive soils. Will tolerate some shade.
BERMUDA, WHEATGRASS (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frost-tolerant. Use on productive soils. Will tolerate some shade.
BERMUDA, WHEATGRASS (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frost-tolerant. Use on productive soils. Will tolerate some shade.
BERMUDA, WHEATGRASS (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frost-tolerant. Use on productive soils. Will tolerate some shade.
BERMUDA, WHEATGRASS (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frost-tolerant. Use on productive soils. Will tolerate some shade.
BERMUDA, WHEATGRASS (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frost-tolerant. Use on productive soils. Will tolerate some shade.
BERMUDA, WHEATGRASS (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frost-tolerant. Use on productive soils. Will tolerate some shade.
BERMUDA, WHEATGRASS (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frost-tolerant. Use on productive soils. Will tolerate some shade.
BERMUDA, WHEATGRASS (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	90,000 seed per pound. Low growing. Not frost-tolerant. Use on productive soils. Will tolerate some shade.

Ds3 STABILIZATION WITH PERMANENT VEGETATION

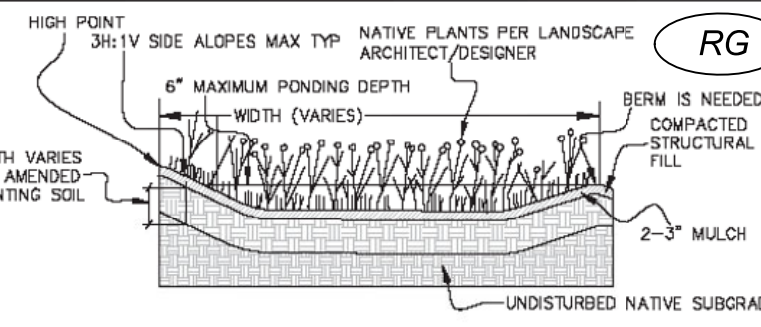
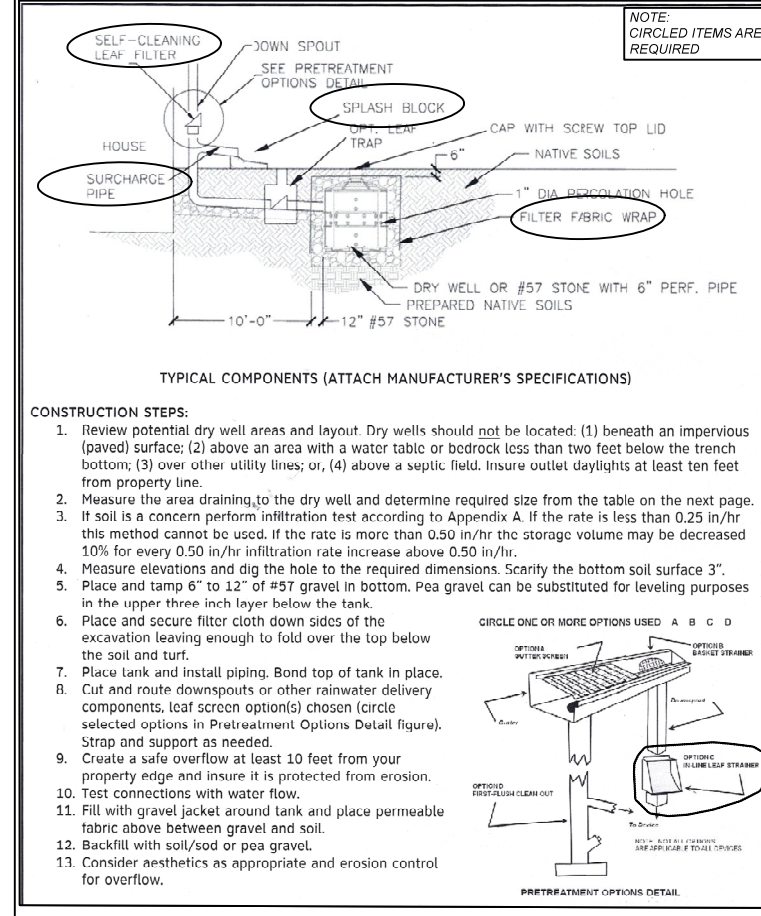
APPROPRIATE SOD VARIETIES FOR ATLANTA

GRASS	VARIETY	GROWING SEASON
BERMUDA	COMMON TIFWAY, TIFGREEN, TIFLAWN	WARM WEATHER
BAHIA	PENSACOLA	WARM WEATHER
CENTPEDE	---	WARM WEATHER
ZOYSIA	EMERALD MEYER	WARM WEATHER
TALL FESCUE	KENTUCKY	COOL WEATHER

SOIL PREPARATION
BRING SOIL SURFACE TO FINAL GRADE. CLEAR SURFACE OF TRASH, WOODY DEBRIS, STONES AND CLODS LARGER THAN 1". APPLY SOD TO SOIL SURFACES ONLY AND NOT FROZEN SURFACES, OR GRAVEL TYPE SOILS.
MIX FERTILIZER INTO SOIL SURFACE. FERTILIZE BASED ON SOIL TESTS OR GENERAL APPLICATION OF 10-10-10 @ 1000 LBS PER ACRE (1 LB /40 SQ. FT.)
AGRICULTURAL LIME SHOULD BE APPLIED BASED ON SOIL TESTS OR AT A RATE OF 1 TO 2 TONS / ACRE.

GRASS TYPE	PLANTING YEAR	FERTILIZER (NPK)	RATE (LBS/ACRE)	NITROGEN TOP DRESSING (LBS/ACRE)
COOL SEASON GRASSES	1ST MAINTENANCE	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12 10-10-10	1000 400	---
WARM SEASON GRASSES	1ST MAINTENANCE	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12 10-10-10	800 400	50-100 30

Ds4 STABILIZATION WITH SODDING



DEKALB COUNTY HISTORIC PRESERVATION COMMISSION
330 POSEY DE LEAN AVENUE, SUITE 300
DEKALB, GA 30030
(404) 371-2155 or (404) 371-2813 (Fax)

CERTIFICATE OF APPROPRIATENESS

September 30, 2023

Site Address: 1176 LULLWATER RD ATLANTA, GA 30307

Parcel ID: 18 054 06 001

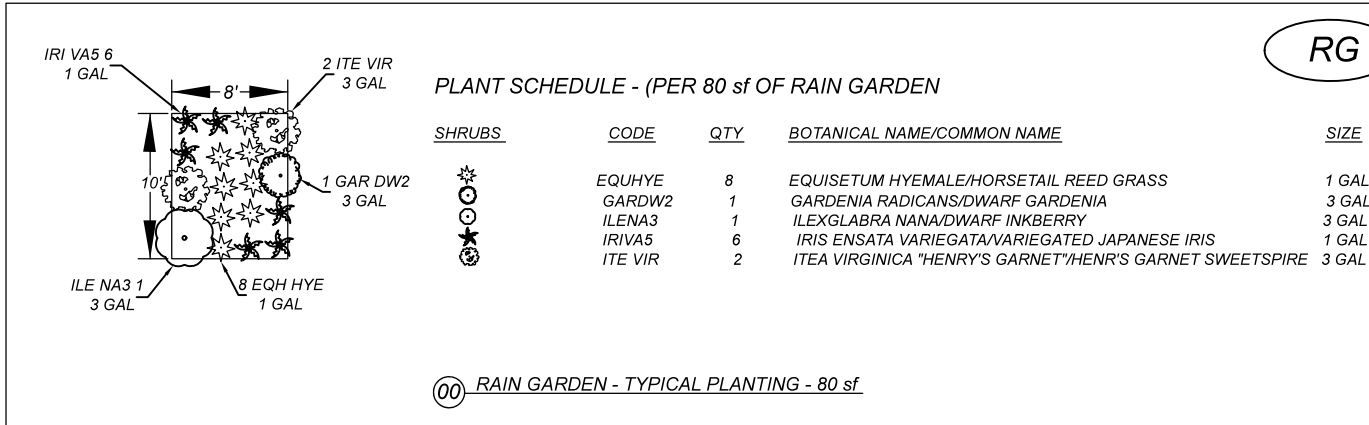
Applicant: Elizabeth Henry's Co. LLC
3542 Netherham at Northlake Tucker, GA 30034

ACTION: Modified Approval

Build a house as shown in the architectural drawings with the modifications that the graphic shown on the front and left side of the house will be replaced with brick and the small window on the right side of the front elevation will be replaced by a larger window matching the others on the facade.

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

Page 1 of 1 FILED 10/12/2023

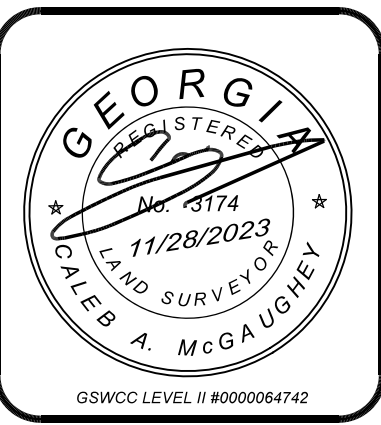


DATE:	ISSUE
OCTOBER 6, 2023	NO. DESCRIPTION DATE
SCALE: 1" = 30'	NO. DESCRIPTION DATE
ACREAGE: 0.4165	NO. DESCRIPTION DATE
LAND LOT(S): 2	NO. DESCRIPTION DATE
DISTRICT: 18th	NO. DESCRIPTION DATE
CITY:	NO. DESCRIPTION DATE
COUNTY: DEKALB STATE: GEORGIA	NO. DESCRIPTION DATE
SURVEYED: MAF DRAWN: WGH	NO. DESCRIPTION DATE
CHECKED: WGH APPROVED: CAM	NO. DESCRIPTION DATE
PROJECT #: 16-257	NO. DESCRIPTION DATE

BUFFER VARIANCE / MITIGATION 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



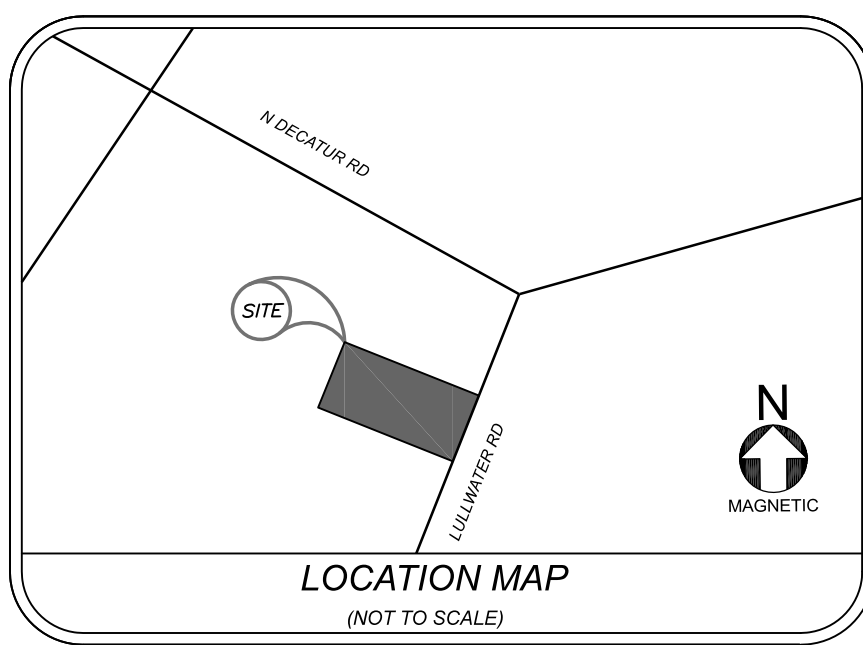
GA LAND SURVEYOR

404-384-9577

GA LAND SURVEYOR, LLC

3355 ANNANDALE LANE, STE 1
SUWANEE, GA 30024

SHEET 2 OF 2



STREAM BUFFER VARIANCE NOTES:

1. CERTIFY THAT THE PERMITTEE'S EROSION, SEDIMENTATION AND POLLUTION CONTROL PLAN PROVIDES FOR AN APPROPRIATE AND COMPREHENSIVE SYSTEM OF BEST MANAGEMENT PRACTICES REQUIRED BY THE GEORGIA WATER QUALITY CONTROL ACT AND THE DOCUMENT 'MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA', PUBLISHED BY THE STATE SOIL AND WATER CONSERVATION COMMISSION AS OF JANUARY OF THE YEAR IN WHICH THE LAND DISTURBING ACTIVITY WAS PERMITTED, PROVIDES FOR THE SAMPLING OF THE RECEIVING WATER(S) OR THE SAMPLING OF THE STORM WATER OUTFALLS AND THE DESIGNED SYSTEM OF BEST MANAGEMENT PRACTICES AND SAMPLING METHODS IS EXPECTED TO MEET THE REQUIREMENTS CONTAINED IN THE GENERAL NPDES PERMIT NO. GAR 10000.

INSPECTIONS BY QUALIFIED PERSONNEL PROVIDED BY THE PRIMARY PERMITTEE AND THE ASSOCIATED RECORDS SHALL BE KEPT ON SITE IN COMPLIANCE WITH GAR 10000.

IMPERVIOUS SURFACE CALCULATIONS:

PROPOSED IMPERVIOUS SURFACE: 3,303 S.F.
 house=1,750
 drive=1,040
 steps=35
 open terrace=163
 covered porch=169
 concrete walk=146

TOTAL IMPERVIOUS AREA: 3,303 S.F.
 TOTAL LOT AREA: 18,142 S.F.
 TOTAL PROPOSED LOT COVERAGE: 18.2% (35% max)

CONSTRUCTION NOTES:

1. THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES. ALL EROSION AND SEDIMENT CONTROL TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
2. EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION AND SEDIMENT CONTROL. ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
3. ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
4. ALL LOTS/SITES WITH 2' OF FILL OR GREATER WILL REQUIRE A COMPACTION CERTIFICATE BY A PROFESSIONAL REGISTERED ENGINEER PRIOR TO A BUILDING PERMIT AND OR PRIOR TO FOOTERS BEING POURED.
5. LOCATE AND FIELD STAKE ALL UTILITIES, EASEMENTS, PIPES, FLOOD LIMITS, STREAM BUFFERS, AND TREE SAVE AREAS PRIOR TO ANY LAND DISTURBING ACTIVITIES.
6. ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
7. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING.
8. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
9. A MANUAL BUILT-UP SURVEY IS REQUIRED PRIOR TO COMMENCEMENT OF OCCUPANCY.
10. THERE ARE WATER QUALITY DEVICES DESIGNED FOR THIS SITE. WATER QUALITY FACILITIES ARE NOT ALLOWED IN THE COUNTY 75' BUFFER.
11. DAMPSTERS AND/OR TEMP. SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.
12. WORK HOURS AND CONSTRUCTION DELIVERIES ARE:
 - MONDAY - FRIDAY 7:00 AM - 7:00 PM
 - SATURDAY 8:00 AM - 5:00 PM
13. I, CALEB MCGAUGHEY CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

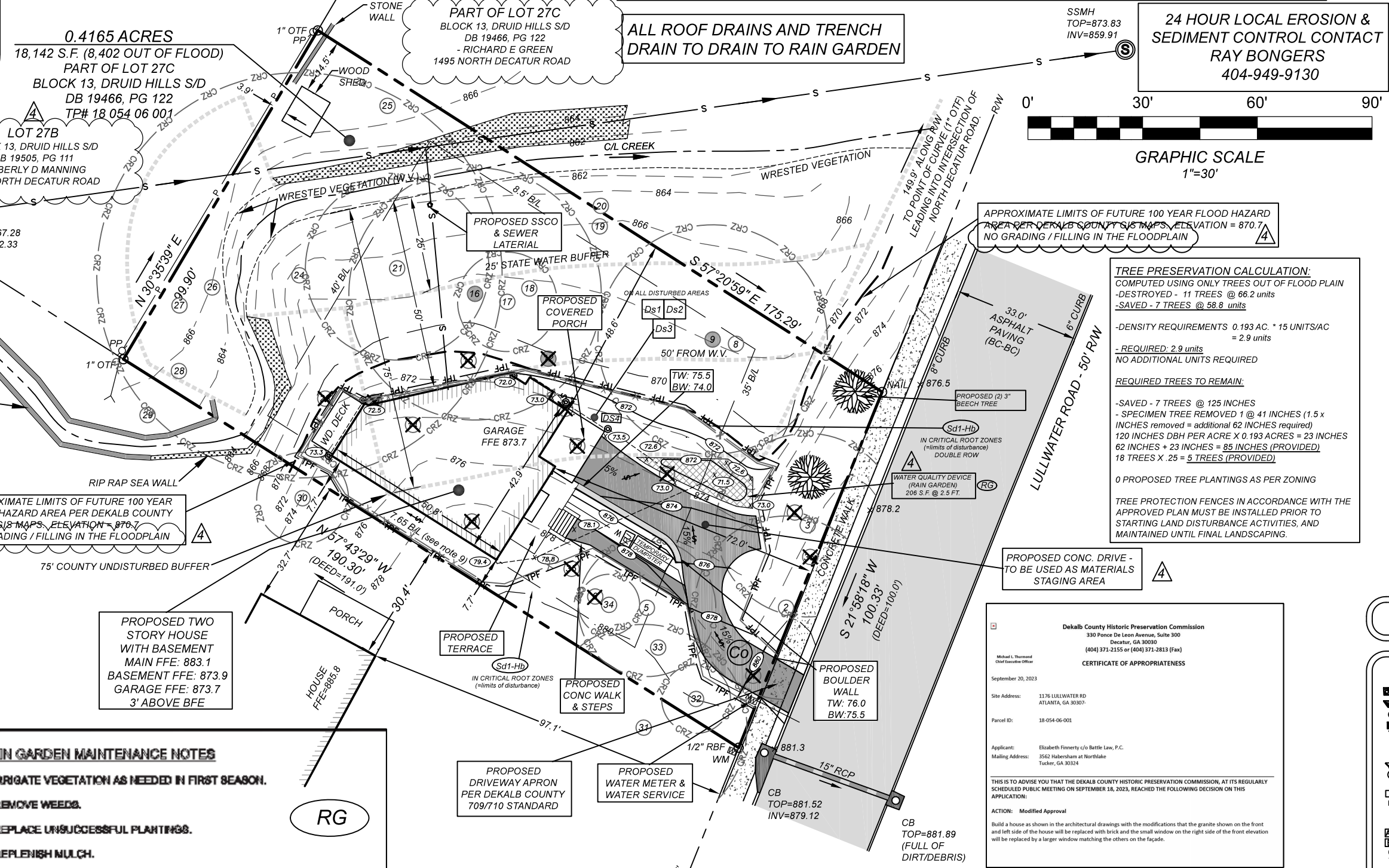
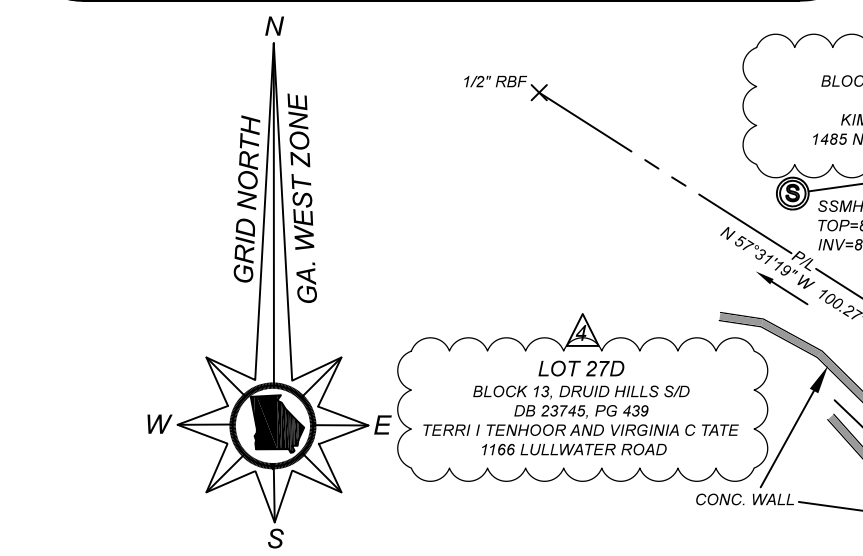
TREE NOTES:

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% IMPACT AND REQUIRE AN ARBORIST PRESCRIPTION



SITE NOTES:

1. THRESHOLD ELEVATION IS THE ELEVATION OF THE TOP OF THE SUBFLOOR IN THE OPENING THAT IS DESIGNATED AS THE FRONT DOOR OF THE DWELLING.
2. BUILDING HEIGHT OF THE NEW STRUCTURE NOT TO EXCEED 35 FEET.
3. CUT AND FILL SLOPES SHALL NOT EXCEED 3H: 1V ON RESIDENTIAL PROJECTS AND LOTS, AND LOTS SHALL NOT EXCEED 2H: 1V ON ALL OTHER PROJECTS.
4. THERE ARE NEW UTILITIES PROPOSED FOR THIS SITE.
6. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122, DEKALB COUNTY.
7. NO PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL NO. 13089C0062K, DATED AUGUST 15, 2019.
8. EXISTING ZONING: R-85
 SETBACKS:
 FRONT: 35'
 SIDE: 8.5'
 REAR: 40'
9. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS LINE IS 7.65' PER ADMINISTRATIVE VARIANCE #AV-22-1246498.
10. TOTAL DISTURBED AREA: 5,300 S.F.
11. ALL ELEVATIONS ON SITE SHALL BE VERIFIED PRIOR TO CONSTRUCTION.
12. NO DISTURBANCE LOCATED WITHIN THE 25' OR 50' BUFFER.
13. THE RAIN GARDEN IS THE MITIGATION PLAN
14. RECEIVING WATERS FOR THIS PROJECT IS PEAVINE CREEK. AREA ADJACENT TO LOT CONSIST OF EXISTING HOUSES AS WELL AS EXISTING STREAM WITH VEGETATIVE BUFFER.
15. AS-BUILT WATER QUALITY CERTIFICATION AND LOT AS-BUILT IS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
16. OVERFLOW FROM WATER QUALITY BMP(S) SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

RAIN GARDEN MAINTENANCE NOTES

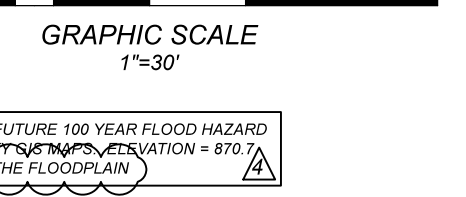
1. IRRIGATE VEGETATION AS NEEDED IN FIRST SEASON.
2. REMOVE WEEDS.
3. REPLACE UNSUCCESSFUL PLANTINGS.
4. REFRESH MULCH.
5. REPAIR ERODED AREAS.
6. RAISE LOGGED SURFACE TO RESTORE INFILTRATION.
7. MONITOR RAIN GARDEN FOR APPROPRIATE DRAINAGE TIMES. IF GARDEN DOES NOT DRAIN AN UNDERDRAIN MAY BE NECESSARY.

WATER QUALITY CALCULATIONS:

DRAINAGE AREA = 18,142 S.F.
 NEW IMPERVIOUS AREA = 3,303 S.F.
 $WQv = 1.2 \times Rv \times \text{Drainage Area} / 12$
 $RV = 0.05 + 0.009(3,303 / 18,142) \times 100 = 214$
 DRAINAGE AREA $\times (1.2 / 12) =$ REQUIRED STORAGE VOLUME
 18,142 SF $\times (1.2 / 12) \times 0.214 = 388$ CF

REQUIRED WATER STORAGE = 388 CF
 EQUIVALENT DRAINAGE AREA = 388 CF $\times 12 / 1.2" = 3882$ S.F.
 DEPTH OF AMENDED SOILS = 30" (2.5')
 AREA OF RAIN GARDEN REQUIRED = 3882 S.F. $\times 0.05 = 194$ S.F.
 AREA OF RAIN GARDEN PROPOSED = 206 S.F.

24 HOUR LOCAL EROSION & SEDIMENT CONTROL CONTACT
RAY BONGERS
 404-949-9130



TREE PRESERVATION CALCULATION:

COMPUTED USING ONLY TREES OUT OF FLOOD PLAIN
 -DESTROYED - 11 TREES @ 66.2 units
 -SAVED - 7 TREES @ 58.8 units

-DENSITY REQUIREMENTS 0.193 AC * 15 UNITS/AC = 2.9 units
 -REQUIRED: 2.9 units
 -NO ADDITIONAL UNITS REQUIRED

REQUIRED TREES TO REMAIN:

-SAVED - 7 TREES @ 125 INCHES
 -SPECIMEN TREE REMOVED 1 @ 41 INCHES (1.5 x INCHES removed = additional 62 INCHES required)
 120 INCHES DBH PER ACRE $\times 0.193$ AC = 23 INCHES
 62 INCHES $\times 23$ INCHES = 85 INCHES (PROVIDED)
 18 TREES $\times 5$ TREES (PROVIDED)

0 PROPOSED TREE PLANTINGS AS PER ZONING

TREE PROTECTION FENCES IN ACCORDANCE WITH THE APPROVED PLAN MUST BE INSTALLED PRIOR TO STARTING LAND DISTURBANCE ACTIVITIES, AND MAINTAINED UNTIL FINAL LANDSCAPING.

TREE NUMBER	SPECIES	CONDITION (GOOD, FAIR, POOR, DEAD)	DBH (INCHES)	DENSITY UNITS	REMAIN / REMOVE	CRZ (FEET) (IF TREES TO REMAIN)	% IMPACT ON CRZ
1	WATER OAK	POOR	POOR (37)	DDH	REMOVE		
2	SWEET GUM	FAIR	24	6.0	REMAIN	24	28.5%
3	ASH	FAIR	24	6.0	REMAIN	24	18.0%
4	ASH	FAIR	18	4.8	REMOVE		
5	YELLOW POPLAR	GOOD	18	4.8	REMAIN	18	32.5%
6	YELLOW POPLAR	GOOD	25	6.8	REMOVE		
7	SWEET GUM	GOOD	15	4.0	REMOVE		
8	SWEET GUM	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	REMAIN		
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	REMAIN		
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	REMOVE		
36	WATER OAK	POOR	POOR (11)	DDH	REMOVE		

TOTAL OUT OF FLOOD PLAIN = 18 TREES @ 125.0 units

DeKalb County Historic Preservation Commission
 380 Peachtree Lake Avenue, Suite 300
 Atlanta, GA 30308
 (404) 373-2555 or (404) 373-3833 (Fax)
CERTIFICATE OF APPROPRIATENESS
 September 30, 2023

Applicant: Elizabeth Finnelly c/o Battle Law, P.C.
 Mailing Address: 3542 Inman Park at Northlake
 Tucker, GA 30084

This is to advise you that the DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS REGULARLY SCHEDULED PUBLIC MEETING ON SEPTEMBER 18, 2023, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

ACTION: Modified Approval

Build a house as shown in the architectural drawings with the modifications that the grantee shows on the front and left side of the house will be replaced with brick and the small window on the right side of the front elevation will be replaced by a larger window matching the others on the facade.

PROPERTY IS LOCATED WITHIN
 DISTRICT 2
 COMMISSIONER MICHELLE LONG SPEARS
 SUPER DISTRICT 6,
 COMMISSIONER EDWARD "TED" TERRY

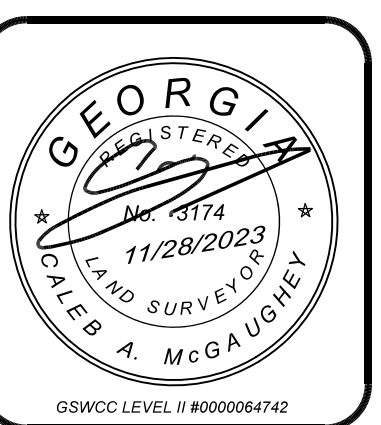
NO LAND DISTURBING ACTIVITIES TO BEGIN PRIOR TO EROSION AND SEDIMENT CONTROLS AND TREE PROTECTIONS ARE IN PLACE.

OWNER:
 DAVID MARTIN &
 ELIZABETH FINNERTY MARTIN
 1136 LULLWATER DR
 ATLANTA, GEORGIA 30307

DEVELOPER:
 BONGERS HOMEBUILDERS
 RAY BONGERS
 404-557-9747
 445 MT PARAN ROAD
 ATLANTA, GEORGIA 30327

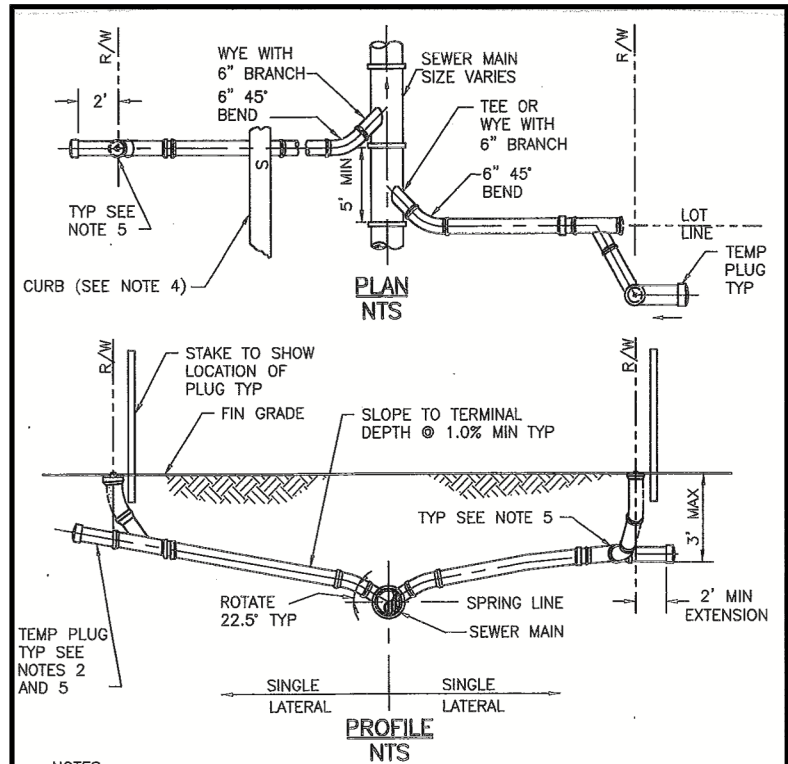
DATE:	ISSUE	NO.	DESCRIPTION	DATE
AUGUST 5, 2021				
SCALE: 1" = 30'				
ACREAGE: 0.4165		1	ADDED STREAM BUFFERS	02/01/2023
LAND LOT(S): 2		2	UPDATED HOUSE PLAN	05/30/2023
DISTRICT: 18th		3	UPDATED HOUSE PLAN	10/6/2023
CITY:		4	COUNTY COMMENTS	11/28/2023
COUNTY: DEKALB STATE: GEORGIA				
SURVEYED: MAF DRAWN: MWR				
CHECKED: WGH APPROVED: CAM				
PROJECT #: 16-257				

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
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET 1 OF 2



- NOTES:
1. INVERT OF SERVICE LATERAL SHALL NOT ENTER SEWER MAIN BELOW SPRING LINE.
 2. SERVICE LATERAL SHALL BE CAPPED BY DEVELOPER'S CONTRACTOR.
 3. ALL FITTINGS SHOWN ARE TO BE INSTALLED.
 4. SERVICE CONNECTIONS SHALL BE PERMANENTLY MARKED BY CUTTING AN "S" IN THE CURB DIRECTLY OVER THE LATERAL.
 5. DEVELOPER'S CONTRACTOR WILL INSTALL CLEANOUT.

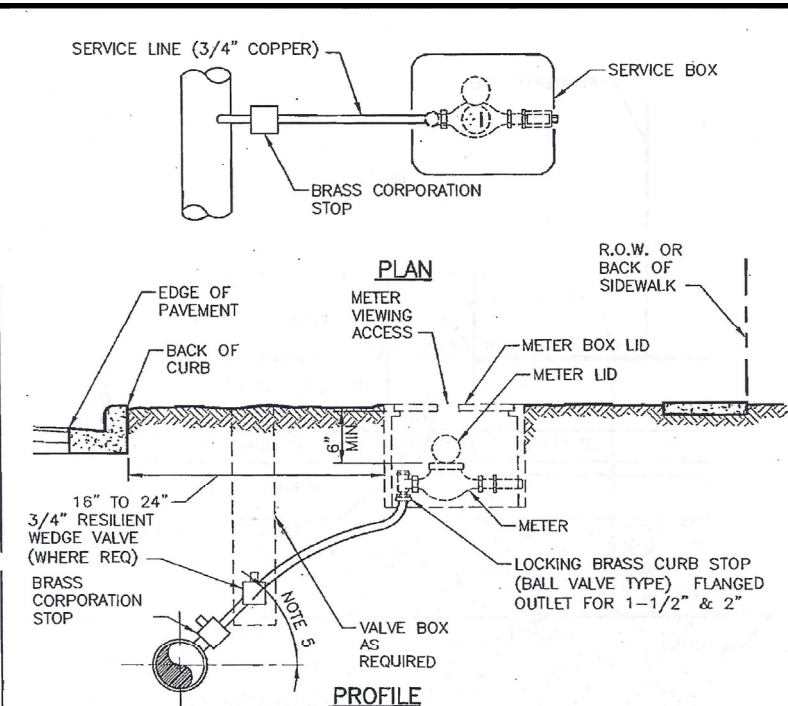
DEKALB COUNTY, GA
Department of Watershed Management

STANDARD DETAILS
Sanitary Sewer Lateral Connection detail

12/07

NOT TO SCALE

DETAIL NO. S-017



- NOTES:
1. METER SHALL BE INSTALLED BETWEEN SIDEWALK AND CURB AND IN NO CASE SHALL IT BE INSTALLED IN SIDEWALK OR OTHER PAVED AREAS.
 2. ALL POTABLE WATER IRRIGATION METERS REQUIRE AN APPROVED BACKFLOW PREVENTER.
 3. ALL PROPERTIES WITH ALTERNATIVE WATER SYSTEMS (WELL, ETC.) REQUIRE BACKFLOW PREVENTERS.
 4. SERVICE LINES SHALL NOT BE LESS THAN METER SIZE.
 5. SERVICE TAP SHALL BE BETWEEN 2:00 O'CLOCK AND 4:00 O'CLOCK WITHOUT SADDLE TAP.

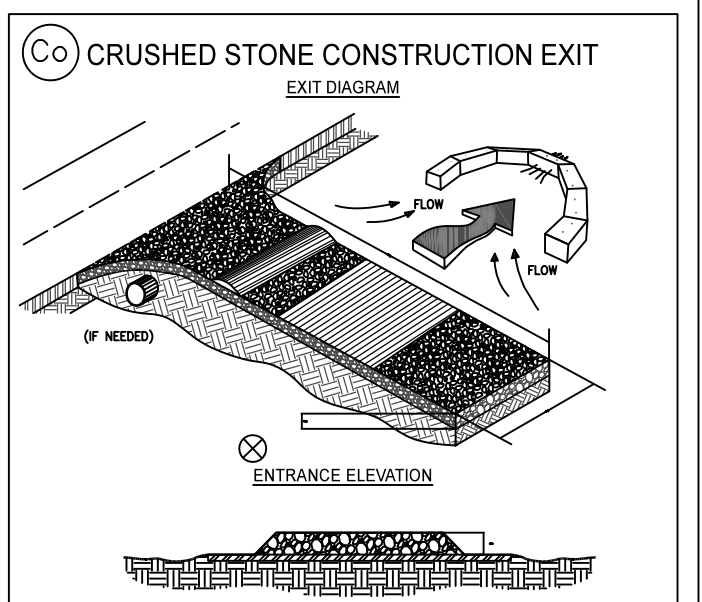
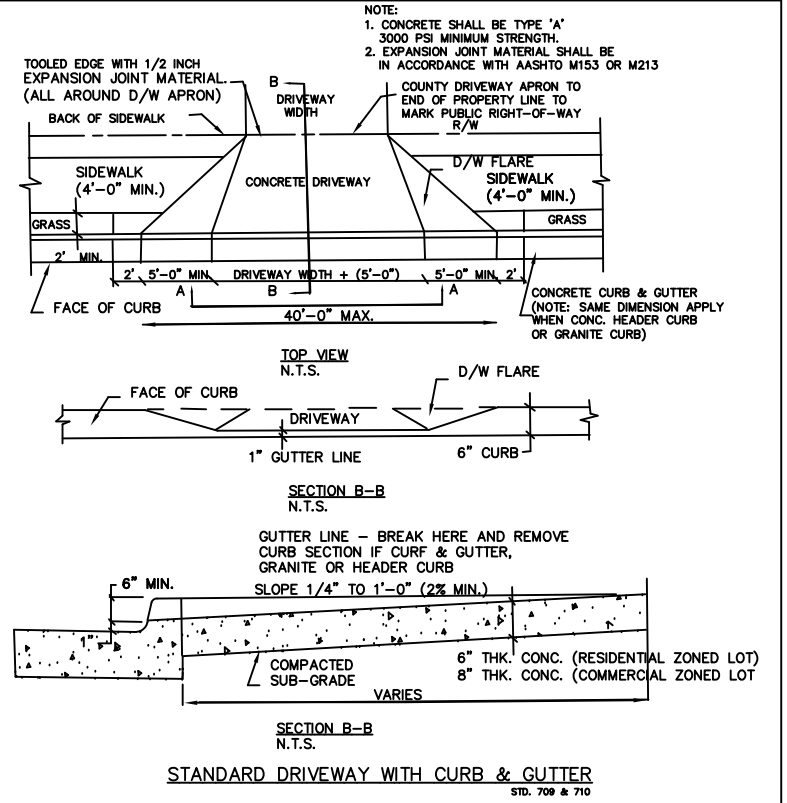
DEKALB COUNTY, GA
Department of Watershed Management

STANDARD DETAILS
Residential Water Meter Installation Detail

07/08

NOT TO SCALE

DETAIL NO. W-026



- NOTES:
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 8".
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20".
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2%.
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (OVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
 9. WASHRACKS AND/OR THE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRACK DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

ON ALL DISTURBED AREAS

Ds1	Ds2
Ds3	Ds4

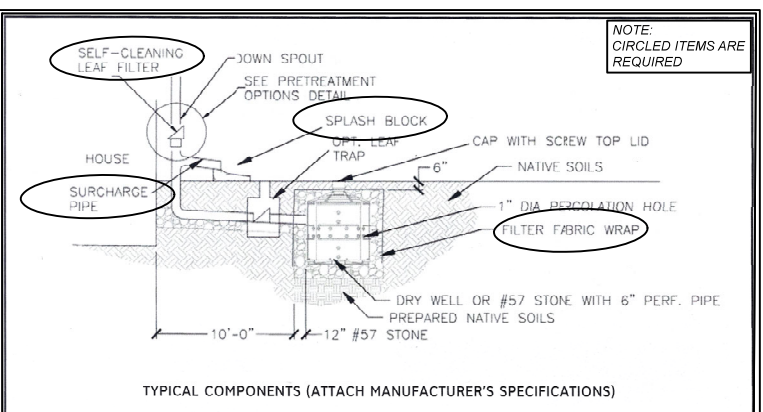
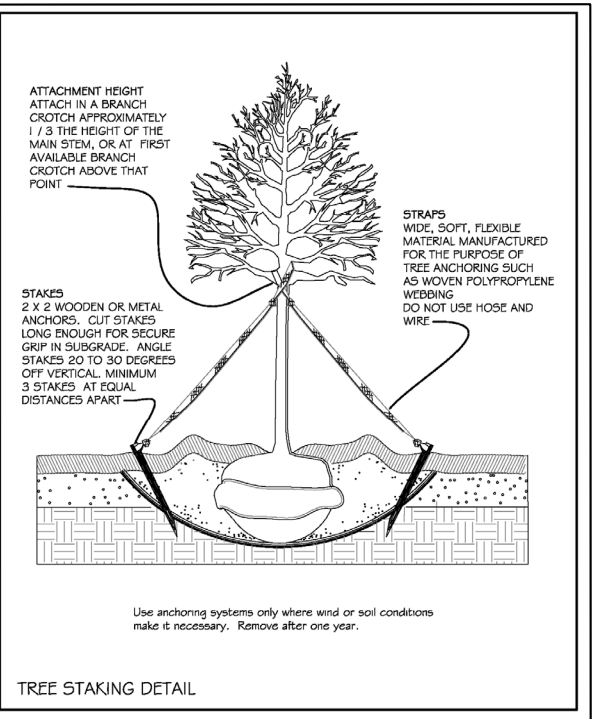
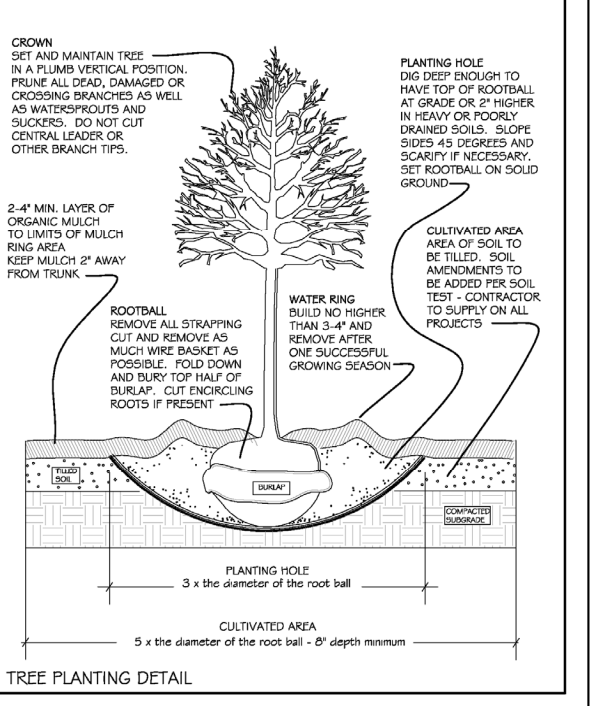
EROSION CONTROL SEDIMENT PRACTICES:

Ds1 DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.

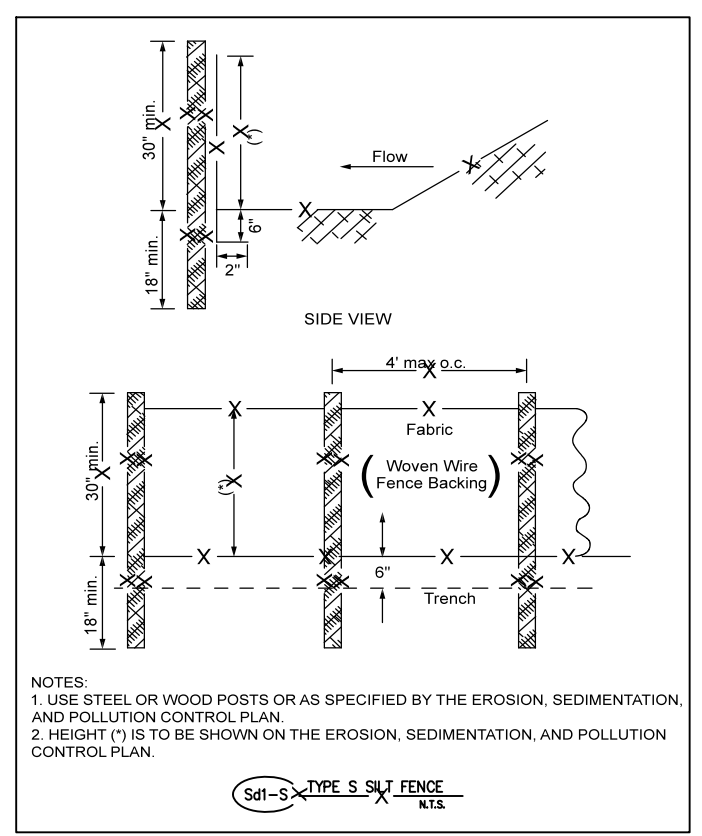
Ds2 DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS ON DISTURBED AREAS.

Ds3 DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.

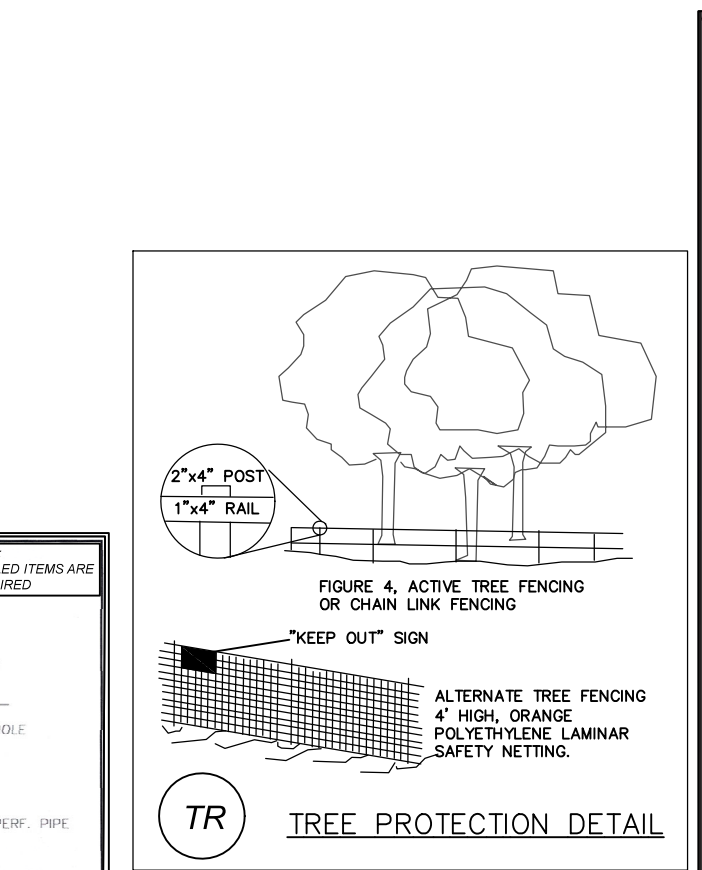
Ds4 DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 15%, AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



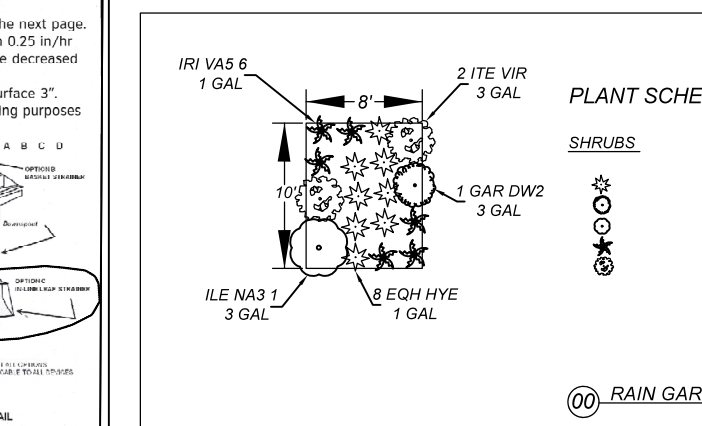
- CONSTRUCTION STEPS:
1. Review potential dry well areas and layout. Dry wells should not be located: (1) beneath an impervious (paved) surface; (2) above an area with a water table or bedrock less than two feet below the trench bottom; (3) over other utility lines; or (4) above a septic field. Insure outlet daylight at least ten feet from property line.
 2. Measure the area draining to the dry well and determine required size from the table on the next page.
 3. If soil is a concern perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr this method cannot be used. If the rate is more than 0.50 in/hr the storage volume may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and dig the hole to the required dimensions. Scarify the bottom soil surface 3".
 5. Place and tamp 6" to 12" of #57 gravel in bottom. Pea gravel can be substituted for leveling purposes in the upper three inch layer below the tank.
 6. Place and secure filter cloth down sides of the excavation leaving enough to fold over the top below the soil and turf.
 7. Place tank and install piping. Bond top of tank in place.
 8. Cut and route downspout or other rainwater delivery components. Use screen options chosen (circle selected options in Pretreatment Options Detail figure). Strap and support as needed.
 9. Create a safe overflow at least 10 feet from your property edge and insure it is protected from erosion.
 10. Test connections with water flow.
 11. Fill with gravel jacket around tank and place permeable fabric above between gravel and soil.
 12. Backfill with soil/sod or pea gravel.
 13. Consider aesthetics as appropriate and erosion control for overflow.



- NOTES:
1. USE STEEL OR WOOD POSTS OR AS SPECIFIED BY THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.
 2. HEIGHT (H) IS TO BE SHOWN ON THE EROSION, SEDIMENTATION, AND POLLUTION CONTROL PLAN.



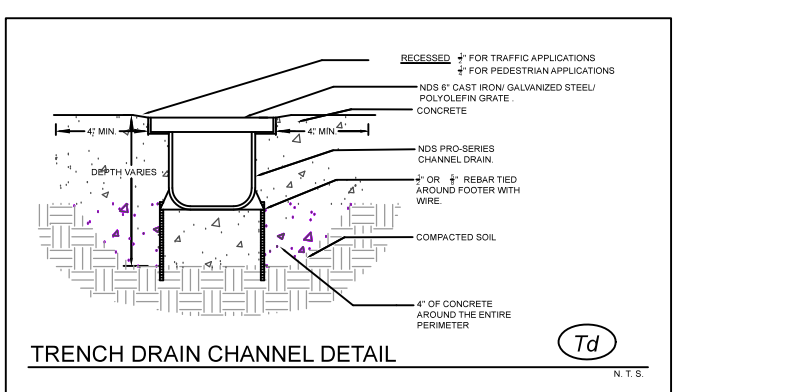
ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN



PLANT SCHEDULE - (PER 80 SF OF RAIN GARDEN)

SHRUBS	CODE	QTY	BOTANICAL NAME/COMMON NAME	SIZE
	EQH HYE	8	EQUISETUM HYEMALE/HORSETAIL REED GRASS	1 GAL
	GARDW2	1	GARDENIA RADICANS/DWARF GARDENIA	3 GAL
	ILE NA3	1	ILEX GLABRA NANA/DWARF INK BERRY	3 GAL
	IRI VA5	6	IRIS ENSATA VARIETAS VARIETIGATA JAPANESE IRIS	1 GAL
	ITE VIR	2	ITEA VIRGINICA 'HENRY'S GARNET' HENRY'S GARNET SWEETSPICE	3 GAL

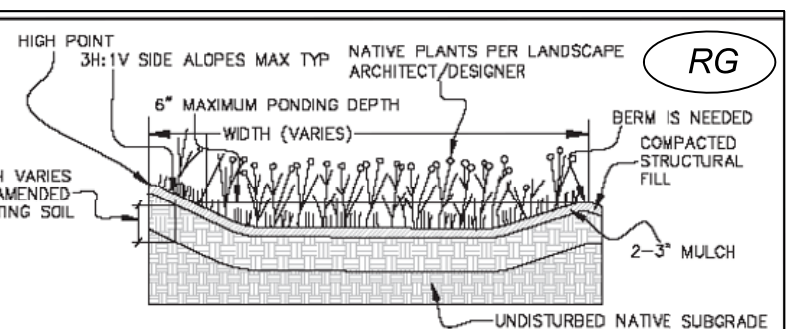
00 - RAIN GARDEN - TYPICAL PLANTING - 80 sf



SIZING CALCULATIONS

CONTRIBUTING DRAINAGE AREA (SF)	DEPTH OF AMENDED SOIL (INCHES)			
	18	24	30	36
100	8.6	6.7	5.1	4.6
500	35	30	25	23
1000	65	60	50	45
2000	125	115	100	90
3000	200	170	150	140
4000	280	230	200	185
5000	330	280	255	230

MEASURE CONTRIBUTING DRAINAGE AREA AND READ AREA FOR GIVEN MEDIA DEPTH.



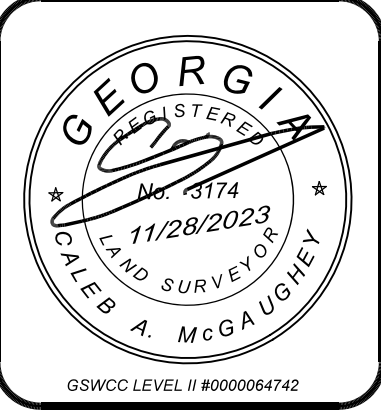
- RAIN GARDEN CONSTRUCTION NOTES**
1. Locate rain garden(s) where downspouts or driveway runoff can enter garden flowing away from the home. Locate at least 10 feet from foundations, not within the public right of way, away from utility lines, not over septic fields, and not near a steep hill edge.
 2. Measure the area draining to the planned garden and determine required rain garden surface area from the table on the next page and your planned excavation depth.
 3. Optionally, perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr an underdrain will be necessary. If the rate is more than 0.50 in/hr the size of the garden may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and stake out the garden to the required dimensions ensuring positive flow into garden, the overflow elevation allows for six inches of ponding, and the perimeter of the garden is higher than the overflow point. If the garden is on a gentle slope a berm at least two feet wide can be constructed on the downhill side and the garden can be dug into the hillside taking greater care for erosion control at the garden knee(s).
 5. Remove turf or other vegetation in the area of the rain garden. Excavate garden, being careful not to compact soils in the bottom of the garden. Level bottom of garden as much as possible to maximize infiltration area.
 6. Mix compost, topsoil, and some of the amended soil together to make the amended soil. The soil mix should be 1/3 compost, 2/3 native soil (topsoil and subsoil combined).
 7. Fill rain garden with the amended soil, leaving the surface eight inches below your highest surrounding surface. Eight inches allows for 8 inches ponding and 2" of mulch. The surface of the rain garden should be as close to level as possible.
 8. Build a berm at the downhill edge and allow of the rain garden with the remaining subsoil. The top of the berm needs to be level, and set at the maximum ponding elevation.
 9. Plant the rain garden using a selection of plants from elsewhere in this manual.
 10. Mulch the surface of the rain garden with two to three inches of non-floating organic mulch. The best choice is finely shredded hardwood mulch. Pine straw is also an option.
 11. Water all plants thoroughly. As in any new garden or flower bed, regular watering will likely be needed to establish plants during the first growing season.
 12. During construction build the inlet feature as a pipe directly connected to a downspout or use a rock lined swale with a gentle slope. Use of an impermeable liner under the rocks at the end of the swale near the house is recommended to keep water from seeping in at that point. Test the drainage of water from the source to the garden prior to finishing.
 13. Create an overflow at least 10 feet from your property edge and insure it is protected from erosion.

DATE:	ISSUE
AUGUST 5, 2021	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: MWR	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

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
404-384-9577
GA LAND SURVEYOR, LLC
3355 ANNANDALE LANE, STE 1
SUWANEE, GA 30024

SHEET
2
OF
2



178 Sams Street, 1st FL
Decatur, GA 30030
teryder@dekalbcountyga.gov
404.371.2406 (o)
678.300.5259 (c)

CHIEF EXECUTIVE OFFICER

DEPARTMENT OF PLANNING & SUSTAINABILITY

INTERIM DIRECTOR

Michael Thurmond

Cedric Hudson

Date: 1/5/2023

Re: 1176 Lullwater Road

Owner: David and Elizabeth Martin

Subject: Location of Buffered Area on site

On 12/8/2022, 1176 Lullwater site was visited by me, Inspectors Pearson and McDyess, Mgr. Evans, Gamaliel Herry, Atty Josh Mahoney, David Martin (owner), and the surveyor (David ?).

The site visit was to discuss why the Planning & Sustainability department came to the decision that some areas of the property have buffers.

Attorney Mahoney, after the site visit on December 8th, 2022, this matter was turned over to Chief Building Official Marcus Robinson for final analysis and decision. CBO Robinson gathered information regarding the previous determinations made on the property, the letter from EPD Environmental Engineer Jennifer Hackney, and information from his land development team. CBO Marcus Robinson has concluded and made the final determination that the areas outlined in the attached document, **lullwater_10282022 (page 2)**, are the buffered and nonbuffered areas.

- Where there is a visible wall – then there is no buffer
- Where there is no wall - there is a buffer in place

I have also attached a map indicating the flood zone on the property.

If not in agreement Attorney Mahoney, this matter can be brought before the ZBOA (Zoning Board of Appeals) by yourself or the owner. Please contact:

Andrea Folgherait
akfolgherait@dekalbcountyga.gov
470-421-0196

Howard Johnson
hljohnson@dekalbcountyga.gov
404-275-2804

Regards,

Tscharner E. Ryder | Environmental & Compliance Inspections Supervisor
teryder@dekalbcountyga.gov
DeKalb County Planning and Sustainability
678-300-5259

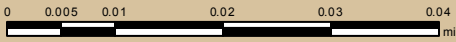
.cc CBO Robinson
.cc Inspections Manager Adam Evans



Bloomfield Township, MI, Esri, Inc.



DeKalb County Parcel Map



Date Printed: 1/5/2023



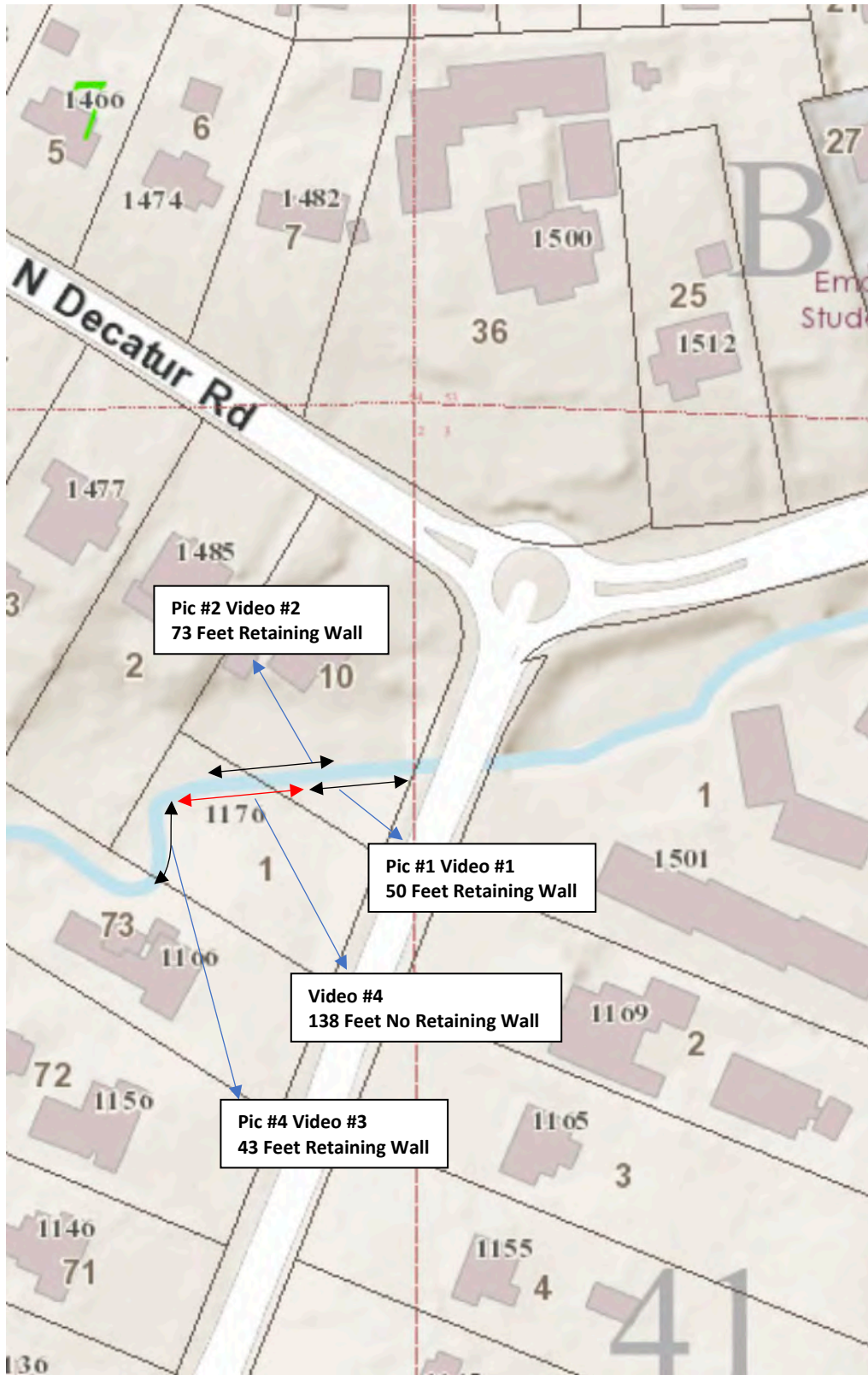
DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.

1176 Lullwater Road



1176 Lullwater Road



↔ RETAINING WALL
↔ NO RETAINING WALL



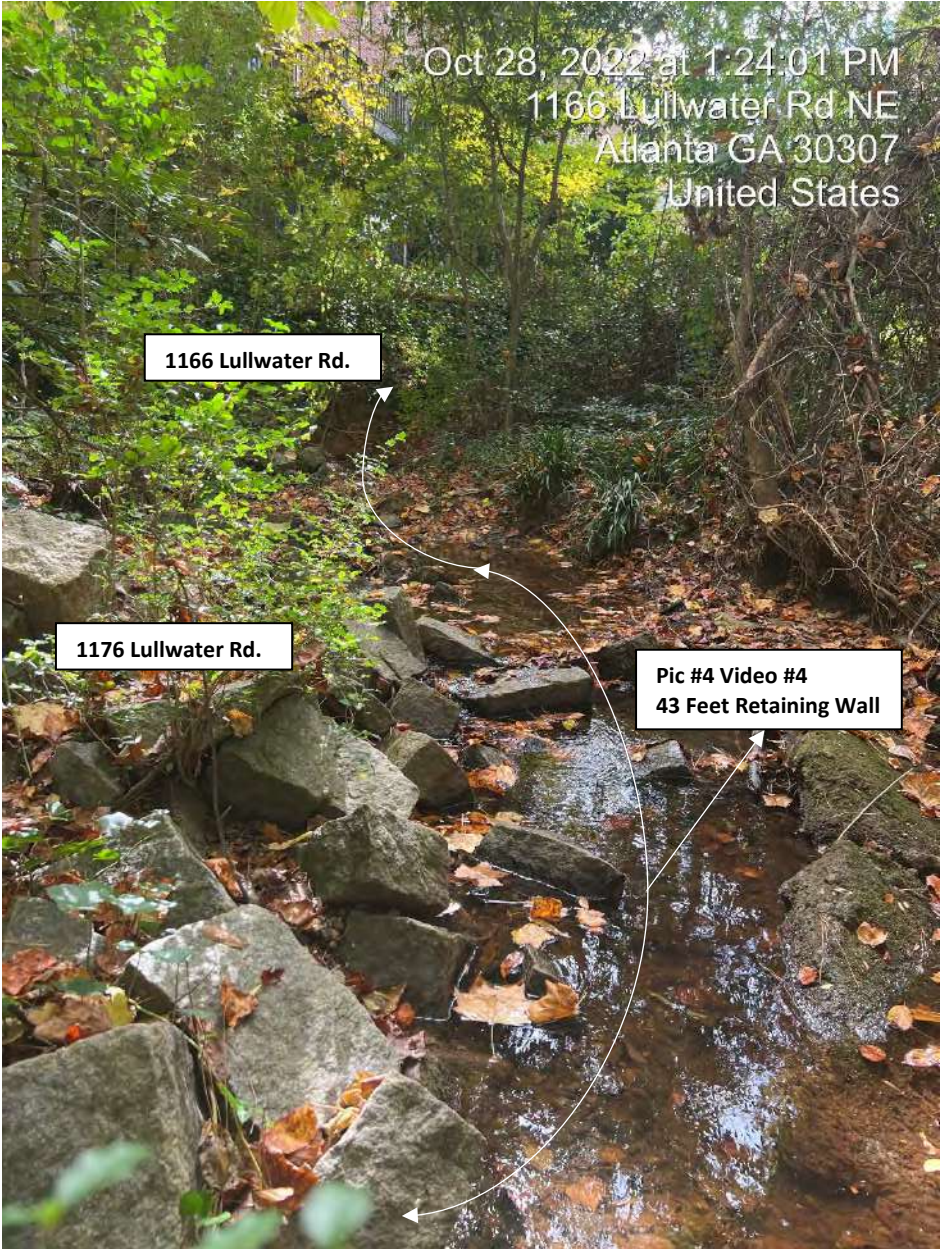


Oct 28, 2022 at 1:24:01 PM
1166 Lullwater Rd NE
Atlanta GA 30307
United States

1166 Lullwater Rd.

1176 Lullwater Rd.

Pic #4 Video #4
43 Feet Retaining Wall





Video Files:

1. Video # 1 50 Feet Retaining Wall
<https://youtube.com/shorts/k-yhCn4mMgc>
2. Video # 2 73 Feet Retaining Wall
<https://youtu.be/RBNYQwnD1sw>
3. Video # 3 43 Feet Retaining Wall
https://youtube.com/shorts/oOufIPhm8_Q
4. Video # 4 138 Feet No Retaining Wall
<https://youtu.be/2iBodoRpty4>

Stream Buffer Variance Written Decision

Stream Buffer Variance Application Number:1246497 **Parcel ID:** 18 054 06 001

Commission District 02 Super District 06

Applicant: David & Elizabeth Martin c/o Battle Law
1117 Lullwater Road
Atlanta, GA 30307

Owner: David & Elizabeth Martin

Project Name: 1176 Lullwater Road- New Construction of Single Family Detached Dwelling

Location: The property has approximately 100 feet of street frontage on the western side of Lullwater Road, approximately 150 feet south of the intersection with North Decatur Road.

Request: Variances from Section 14-44.1 and 14-432 to reduce the DeKalb County Stream Buffer within a future- condition flood plain from 50 feet to 25 feet under the criteria described in Section 14-44.4.

Staff Determination: Denial. Staff has denied stream buffer application AP# 1246497 because the application would allow new residential construction on vacant land, the subject property is within the existing or year 2025 built-out condition flood plain, and approval of the variance would be materially detrimental to the public welfare or injurious to the property or improvements in the area. Additionally, this application does not address many of the criteria and is incomplete. The variance request fails to comply with criteria 14.44.1 (b) 2, 14.44.1 (b) 7, 14.44.3, 14.44.4 (h), 14.44.1-(i) 1, 14.44.1-(i) 4, 14.44.1-(i) 5.

Report: The DeKalb County Inspections Division of the Department of Planning & Sustainability received the subject stream buffer variance request, Application # 124697, received on 07/10/2023. Staff conducted the review to consider the potential impacts of the proposed project's encroachment on the buffers to State waters as factored within Georgia Erosion and Sedimentation Act (GESA) and Georgia's National Pollutant Discharge Elimination System (NPDES).

The DeKalb County Land Development Ordinance describes the Administrative variance criteria, standard of review and process in [Section 14-44.4](#). Below are the relevant criteria from Section 14-44.1 and 44.4 used to evaluate the requested variance along with staff findings regarding those criteria.

Sec. 14.44.1 (b) Authorized stream buffer encroachments. Encroachments within the stream buffer shall be allowed only in the following manner in the following areas:

(1) General requirements. No encroachments shall be allowed in the state buffer without a variance from

DEPARTMENT OF PLANNING & SUSTAINABILITY

the director of EPD. No stream buffer variances shall be granted by the director within the twenty-five (25) feet of the county buffer nearest the stream. No stream buffer variance shall be granted by the planning commission. Any sketch plat, preliminary plat or final plat, that contains a delineation, drawing or language construed to be a stream buffer variance shall be void and of no effect. The only method by which a stream buffer variance may be obtained by an applicant is to comply with the requirements of section 14-44.1 et seq

STAFF FINDINGS: The request is to encroach into the outer 25 feet buffer, the application meets this requirement.

(2) New construction/new development. No stream buffer variance shall be granted by the director within the county buffer if the applicant is constructing a structure on vacant land. However, vacant lots existing and validly platted in the real estate records of the Clerk of the Superior Court of DeKalb County prior to February 24, 2009, that would otherwise be unbuildable as a result of the stream buffer restrictions set forth in section 14-44.1 et seq. may obtain a stream buffer variance from the director to encroach into the county buffer so long as the applicant complies with all of the requirements for the variance as set forth in section 14-44.1 et seq.

STAFF FINDINGS: The applicant proposes to construct a structure on vacant land. The application does not address the date the lot was platted or if the lot would otherwise be unbuildable as a result of the stream buffer restrictions. Therefore, this variance shall not be approved.

(3) Lot coverage. No stream buffer variance shall be granted by the director if the proposed encroachment created by the variance shall allow an applicant to exceed the allowable maximum lot coverage for the property at issue.

STAFF FINDINGS: The site plan included with the application states a proposed 18.4% lot coverage, which is less than the 35% maximum.

(4) General variance requirements for redevelopment of any kind of existing structures.

STAFF FINDINGS: Not Applicable (NA), there is no existing structure.

(5) Redevelopment of existing multifamily residential, commercial or institutional structures.

STAFF FINDINGS: Not Applicable (NA), there is no existing structure.

(6) Redevelopment or addition to existing single-family residential structures.

STAFF FINDINGS: Not Applicable (NA), there is no existing structure.

(7) [Compliance.] No stream buffer variance shall be granted by the director if the applicant has not complied with all of the applicable requirements set forth in section 14-44.1 et seq.

STAFF FINDINGS: The applicant has not submitted sufficient information regarding 14-44.1 (b) (2) to determine compliance with these requirements.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Sec. 14-44.2. - Exemptions. The following specific activities and properties are exempt from having to comply with the provisions of section 14-44.1 and are not required to obtain a stream buffer variance:

STAFF FINDINGS: The proposed scope of work does not fall within these describe specific activities and properties.

Sec. 14-44.3- Administrative variance application requirements. Applications for variances shall be made in writing to the director and shall contain materials and documents required by the director that are necessary to demonstrate that said request meets the criteria for granting variances. The director may waive certain application requirements for variance requests associated with construction on an existing, single-family, owner occupied residential structure. At a minimum, and in order to be considered complete, a variance request shall include all of the following information in writing:

STAFF FINDINGS: The application is incomplete and failed to include the following information:

- (4) Documentation of unusual hardship should the buffer be maintained.
- (5) At least one alternative plan, which does not include a buffer intrusion, or an explanation of why such an alternative site plan is not possible.
- (7) A calculation of the total area, length and width of the proposed intrusion.
- (8) A stormwater management site plan, if applicable.
- (9) Delineation of all state waters located on or within two hundred (200) feet of the project site.
- (11) Identification of the project receiving waters and description of adjacent areas such as streams, lakes, drainage ditches, residential areas, which might be affected.
- (13) Show double-row type C silt fence between land-disturbing activity and state waters, wetlands, and/or intermediate regional flood (IRF).
- (15) Illustration of soil series and their delineation.
- (16) Show limits of disturbance on erosion and sediment control plans (E&SC plans).
- (18) Provide name and phone number of twenty-four-hour local erosion and sediment control contact.
- (19) Show certification number, signature and seal of qualified plan designer.
- (20) Provide vegetative plan for all temporary and permanent vegetative practices, including species, planting dates and seeding.

(21) Proposed mitigation plan. All proposed mitigation plans shall be designed and stamped by Georgia-licensed design professionals. Proposed mitigation plans shall be nonstructural and designed to improve the quality of the stream and the associated buffer. Mitigation plans shall include planting schedule, channel protection design and enhancement/improvement as approved the director. Mitigation plans that relate to multiuse trials shall negate the impact of the trail and improve the quality of life of the affected stream.

Sec. 14-44.4. - Administrative variance criteria, standard of review and process. Includes but is not limited to the following:

(d) The director is only authorized to consider applications for variances within the twenty-five (25) feet of the county stream buffer farthest from the stream, but not within the twenty-five (25) feet of the state

DEPARTMENT OF PLANNING & SUSTAINABILITY

buffer adjacent to waters of the state or within the twenty-five feet (25) feet of the county stream buffer nearest the stream.

STAFF FINDINGS: The application meets this criterion.

(h) No variance from the provisions of section 14-44.1 et seq. may be authorized except as specifically authorized herein or specifically authorized in another section of chapter 14. No stream buffer variance shall be approved within the existing or year 2025 built-out condition flood plain.

STAFF FINDINGS: The subject property is within the existing or year 2025 built-out condition flood plain. Therefore, this stream buffer variance shall NOT be approved.

(i) In considering a request for a variance to the terms of this article, the director shall consider all of the following criteria:

(1) Whether the request, while not strictly meeting the requirements of chapter 14, will, in the judgment of the director, be at least as protective of natural resources and the environment as would a plan which met the strict application of these requirements. In making such a judgment, the director shall examine whether the request will be at least as protective of the natural resources and the environment and shall consider the following factors:

STAFF FINDINGS: The application did not address these factors and did not provide enough information for staff to make a positive determination.

(2) Whether by reason of exceptional topographic or other relevant physical conditions of the subject property that was not created by the owner or applicant, there is no opportunity for any development under any design configuration unless a variance is granted.

STAFF FINDINGS: There are exceptional topographic conditions on the property that were not caused by the owner. Additionally, the subject parcel is within the Druid Hills Historic District which has guidelines regarding the scale, location, and design further regulating any development at this location.

(3) Whether the request goes beyond the minimum necessary to afford relief and constitutes a grant of special privileges inconsistent with the limitations upon other properties that are similarly situated.

STAFF FINDINGS: Because the application is not complete, staff is unable to determine if the request is the minimum necessary to afford relief.

(4) Whether the grant of the variance will be materially detrimental to the public welfare or injurious to the property or improvements in the area in which the property is located.

STAFF FINDINGS: Granting this variance may be materially detrimental to the public welfare or injurious to the property or improvements in the area because granting it will allow development in the future flood plain. No Development shall be allowed within the future-

DEPARTMENT OF PLANNING & SUSTAINABILITY

condition floodplain that could result in: raising the base flood elevation or future-conditions flood elevation, reduce the base flood or future-condition flood storage capacity, change the flow characteristics, create hazardous or erosion-producing velocities or resulting in excessive sedimentation.

(5) Whether the applicant has provided a mitigation plan designed and stamped by Georgia-licensed design professionals and whether that proposed mitigation plan is:

STAFF FINDINGS: The applicant has not provided a mitigation plan.

(6) Whether the literal interpretation and strict application of the applicable provisions or requirements of chapter 14 would cause an extreme hardship, so long as the hardship is not created by the owner. The applicant is responsible for providing proof of hardship. The proof shall demonstrate the difficult site conditions and possible alternate designs. The director shall not grant any stream buffer variances if the actions of the property owner of a given property have created the conditions of hardship on the property.

STAFF FINDINGS: The property owner has not created the extreme topographic change or the stream buffer.

(j) The director shall decide whether to grant or deny the variance and his decision shall be in writing, shall state the basis for the decision, and shall be made no more than forty-five (45) days following receipt of a complete application. In the decision, the director shall specifically reference and describe the factors listed in subsection (i) above that were considered and utilized in making the variance decision.

STAFF FINDINGS: Staff has denied stream buffer application AP# 1246497 because the application would allow new residential construction on vacant land, the subject property is within the existing or year 2025 built-out condition flood plain, and approval of the variance would be materially detrimental to the public welfare or injurious to the property or improvements in the area. Additionally, this application does not address many of the criteria and is incomplete. The variance request fails to comply with criteria 14.44.1 (b) 2, 14.44.1 (b) 7, 14.44.3, 14.44.4 (h), 14.44.1-(i) 1, 14.44.1-(i) 4, 14.44.1-(i) 5.

Sec. 14-44.5. - Notice requirements and appeals of stream buffer administrative variance decisions.

(a) Commissioner notification. District and super district commissioners of the districts within which the property is located shall be notified in writing or by email by the director within three (3) working days of receipt of a complete variance application.

STAFF FINDINGS: Commissioners for Districts 2 and 6 were notified.

(b) Posting. Property where an administrative stream buffer variance is requested shall be posted with a sign within forty-eight (48) hours of submittal of a complete stream buffer variance application request to the director. The sign shall be posted by the applicant. The posted sign shall be a minimum of twenty-two (22) inches by twenty-four (24) inches in size and shall contain the following information: address, nature of variance request, date of submittal of application; and planning and development department contact information. Applicants shall notify the director of the completed posting and shall provide the director

DEPARTMENT OF PLANNING & SUSTAINABILITY

with a dated photograph of the posted notice as evidence of the posting within forty-eight (48) hours of posting.

STAFF FINDINGS: Staff has not received photo confirmation of sign posting.

(c) Written notification of initial decision. The director shall send written notification of the stream buffer variance application and the director's written decision to the applicant and to abutting property owners. Abutting property owners are those persons listed in the tax records of the county as the owners of such abutting property on the date such notifications are required to be sent by the director.

STAFF FINDINGS: Staff mailed written notice to the applicant and abutting property owners on August 31, 2023.

(d) Appeals. Appeals shall be made to the zoning board of appeals and shall be administered in accordance with the notice requirements, criteria and procedural requirements set forth in section 27-901 et seq.

Section 27-5.2. B. Appeals of decisions of administrative officials. Appeals of decisions of administrative officials may be filed by (1) any person aggrieved by; (2) any elected member of the DeKalb County Governing Authority affected by; or (3) an owner of property within two hundred fifty (250) feet of the nearest property line of the property that is the subject of any final order, requirement, or decision of an administrative official, based on or made in the enforcement of this zoning ordinance, or as otherwise authorized by local law or the Code of DeKalb County as Revised 1988. by filing with the secretary of the zoning board of appeals an application for appeal, specifying the grounds thereof, within fifteen (15) days after the action was taken by the official that is the subject of the appeal.

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

**Application for Administrative Variance of Development
Standards Per Code 14-34 (C)**

Fee: \$200.00 – Existing home and \$300.00 for new Development (non-refundable) payable when application is filed. Attach a scale site plan showing all property lines with dimensions; location, size and species of all significant and specimen trees; all existing and proposed buildings; storm drains; sanitary sewers; flood plains; state waters; buffers; easements and fences; north arrow; and land lot and district. The plan must depict the exact nature of the site conditions from which the variance is sought (grading, soil erosion and sedimentation control, storm water management, water quality control) per 14-34(C) 3.

* See checklist for plan requirements.

PROPERTY OWNER: David and Elizabeth Martin, c/o Battle Law, P.C.

ADDRESS FOR WHICH THE VARIANCE IS REQUESTED: 1176 Lullwater Rd NE, Atlanta, GA 30307

PHONE: 678-686-5930 E-MAIL (required): bfinnerty@skylandtrail.org

AGENT: Battle Law, P.C. AGENT PHONE: _____

AGENT ADDRESS: 3562 Habersham at Northlake,
Bldg J. Suite 100 AGENT E-MAIL: jsm@battlelawpc.com

DESCRIPTION OF REQUESTED VARIANCE: Please see attached letter of intent

TYPE OF CONSTRUCTION (CHECK ONE):

NEW RESIDENTIAL CONSTRUCTION: NEW COMMERCIAL CONSTRUCTION:

REDEVELOPMENT OF EXISTING MULTI-FAMILY RESIDENTIAL, COMMERCIAL OR INSTITUTIONAL:

REDEVELOPMENT OR ADDITION TO EXISTING SINGLE FAMILY RESIDENTIAL:

14-44.4. Except as further limited herein, an applicant may request a variance from the terms of the requirements of sections 14-37, 14-38, 14-40, 14-42 AND 14-44 of Chapter 14. The director shall have no power to consider or to grant variances which are the responsibility of the director of the EPD pursuant to O.C.G.A. § 12-2-8 and other relevant state statutes and regulations. Where variances involving the same project are requested from both the director of the EPD and the director, the director shall take no action on any such request for variance until the director of the EPD grants the variance or otherwise approves the request pending before the EPD. Receiving a variance from the director of the

DEPARTMENT OF PLANNING & SUSTAINABILITY

EPD does not obligate the director to permit the project to proceed if the project does not also meet all the other requirements of this article. No variance from the provisions of Chapter 14 shall be authorized except as specifically authorized in this section or specifically authorized in another section of Chapter 14.

14-44.4(i)(1). In considering any request for a variance to the terms of this Chapter authorized in subsection (1) above, the director shall apply all of the following criteria:

- a. The request, while not strictly meeting the requirements of Chapter 14, will in the judgment of the director be at least as protective of natural resources and the environment as would a plan which met the strict application of these requirements. In making such a judgment, the director shall examine whether the request will be at least as protective of the natural resources and the environment with regard to the following factors:
1. Stream bank or soil stabilization.
 2. Trapping of sediment in surface runoff.
 3. Removal of nutrients, heavy metals, pesticides and other pollutants from surface runoff.
 4. Terrestrial habitat, food chain, and migration corridor.
 5. Buffering of flood flows.
 6. Infiltration of surface runoff.
 7. Noise and visual buffers.
 8. Downstream water quality.
 9. Impact on threatened and endangered species, as those species are designated by law or federal or state regulation. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property.
 10. The locations of all streams on the property, including along property boundaries.
 11. The location and extent of the proposed buffer or setback intrusion.
 12. Whether alternative designs are possible which require less intrusion or no intrusion.
 13. The long-term and construction water-quality impacts of the proposed variance.

RESPONSE Please see attached statement

b. By reason of exceptional topographic or other relevant physical conditions of the subject property that was not created by which were not created by the owner or applicant, there is no opportunity for any development under any design configuration unless a variance is granted.

RESPONSE _____

DEPARTMENT OF PLANNING & SUSTAINABILITY

c. 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 which are similarly situated.

RESPONSE _____

d. 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.

RESPONSE _____

e. Whether the applicant has provided a mitigation plan designed and stamped by Georgia licensed design professionals and whether that proposed mitigation plan is (a) non-structural; (b) designed to improve the quality of the stream and the associated buffer; and (c) includes a planting schedule and channel protection design.

RESPONSE _____

f. Whether the literal interpretation and strict application of the applicable provisions or requirements of Chapter 14 would cause an extreme hardship, so long as the hardship is not created by the owner. The applicant is responsible for providing proof of hardship. The proof shall demonstrate the difficult site conditions and possible alternate designs. The director shall not grant any stream buffer variances if the actions of the property owner of a given property have created the conditions of hardship on the property.

DEPARTMENT OF PLANNING & SUSTAINABILITY

RESPONSE _____

APPLICANT Elizabeth Martin, c/o Battle Law, P.C. DATE: 5/25/23

SIGNATURE Elizabeth F. Martin

AMOUNT: _____ MAP REFERENCE _____

RECEIPT _____ ZONING DISTRICT _____

DATE RECEIVED: _____ FILE # _____

TYPE OF VARIANCE GRANTED:

ACTION TAKEN:

DATE: _____

DIRECTOR OF DEVELOPMENT

DEPARTMENT OF PLANNING & SUSTAINABILITY

Stream Buffer Variance Checklist

- Show graphic scale and north arrow, including location of all streams, wetlands, floodplain boundaries and natural features as determined by field survey.
- Delineate all state waters located on or within 200 feet of the project site.
- Delineate 25-foot undisturbed buffers of state waters and 50-foot buffers along designated trout streams from wretched point of vegetation.
- Delineate 75-foot undisturbed buffers of state waters from wretched point of vegetation.
- Identify the project receiving waters and describe adjacent areas – such as streams, lakes, drainage ditches, residential areas etc., which might be affected.
- Variance from GA. E.P.D. required for encroachment in 25-foot state waters buffers.
- All proposed mitigation plans shall be designed and stamped by a Georgia-licensed designed professional.
- Show double row Type –C silt fence between land disturbing activity and state waters, wetlands, 2025 built-out conditions and/or I.R.F.
- File notice of intent and notice of termination with GA. E.P.D. and DeKalb Co., if land disturbance is one (1) acre or more or within 200 feet of state waters. Submission must be 14 days prior to start of land disturbance activities.
- Show soil series and their delineation.
- Provide existing and proposed lot coverage.
- Show limits of disturbance on E&SC plans.
- Provide name, address, email address and phone number of developer/owner.
- Provide Power of Attorney, if you are not the owner.
- Provide name and phone number of 24 – hour local erosion and sediment control contact.
- Show certification number, signature and seal of qualified plan designer.
- Provide vegetative plan for all temporary and permanent vegetative practices, including species, planting dates, seeding,

****No permanent non erodabel structure can be placed within the 75' Dekalb County Stream Buffer.***

- Show location and detail of erosion and sediment control practices, using uniform coding symbols from the manual for Erosion and Sediment Control in Georgia, Chapter 6. Practices may include, but not limited to:
 - Construction exit
 - Sediment Barrier per DeKalb STD. 900
 - Retrofitting
 - Storm Outlet Protection
 - Temporary sediment basin and calculations
 - Storm drain inlet sediment traps

DEPARTMENT OF PLANNING & SUSTAINABILITY

- Channel stabilization and vegetation
 - Check dams
 - Rock filter dams
 - Down drains
 - Temporary creek crossings
 - Mat blankets
 - Other
-
- Provide 67 cubic yards per acre sediment storage. This can't be located within the 75' buffer area.
 - Provide a list of distinct and super district commissioners within which the property is located.
 - Provide a list of abutting property owners to subject property.
 - Posting of signs on site is required within 48 hours of submittal of a complete stream buffer variance application. Provide a dated photograph of the posted notice as evidence of posting within 48 hours of posting.

Notes on Plan:

- Erosion and sediment control measures and practices to be inspected daily.
- Cut and fill slopes shall not exceed 3H: 1V on residential projects and lots, and lots shall not exceed 2H: 1V on all other projects.
- "I certify that the permittee's erosion, sedimentation and pollution control plan provides for an appropriate and comprehensive system of best management practices required by the Georgia Water Quality Control Act and the document 'Manual for Erosion and Sediment control in Georgia', published by the State Soil and Water Conservation Commission as of January of the year in which the land disturbing activity was permitted, provides for the sampling of the receiving water(s) or the sampling of the storm water outfalls and the designed system of Best Management Practices and sampling methods is expected to meet the requirements contained in the General NPDES Permit NO. Gar 10000-."(1,2 or 3).
- "I certify under penalty of law that this plan was prepared after a site visit to the locations described herein by myself or my authorized agent, under my direct supervision"
- Inspections by qualified personnel provided by the primary permittee and the associated records shall be kept on site in compliance with Gar.10000- (1,2 or 3).

DEPARTMENT OF PLANNING & SUSTAINABILITY

ADDITIONAL QUESTIONS:

Do all property lines bear dimension?

Yes No

Does it include Existing Grading Topography and Proposed Contours?

Yes No

Have you inserted other Plans or Documents?

Yes No

If so, list them below:

Are you showing Water Quality Control?

Yes No

If Buffer Reduction Request, it is required a stream buffer zone of 75'. How many feet of Buffer are you requesting? 50 Feet

Check the box below if drawings indicate all of the following: The standard Dekalb 75 feet buffer; the standard State of Georgia 25 feet buffer; as well as the requested reduced buffer.

Yes No

Name what design feature or buffer management requirements have been proposed for the planned reduction.

Rain garden.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Stream Buffer Variance

“Example Sign”

(Sign must be 20” x 22” Minimum)

Name of Applicant: David Martin and Beth Finnerty

Address of Property: 1117 Lullwater Road

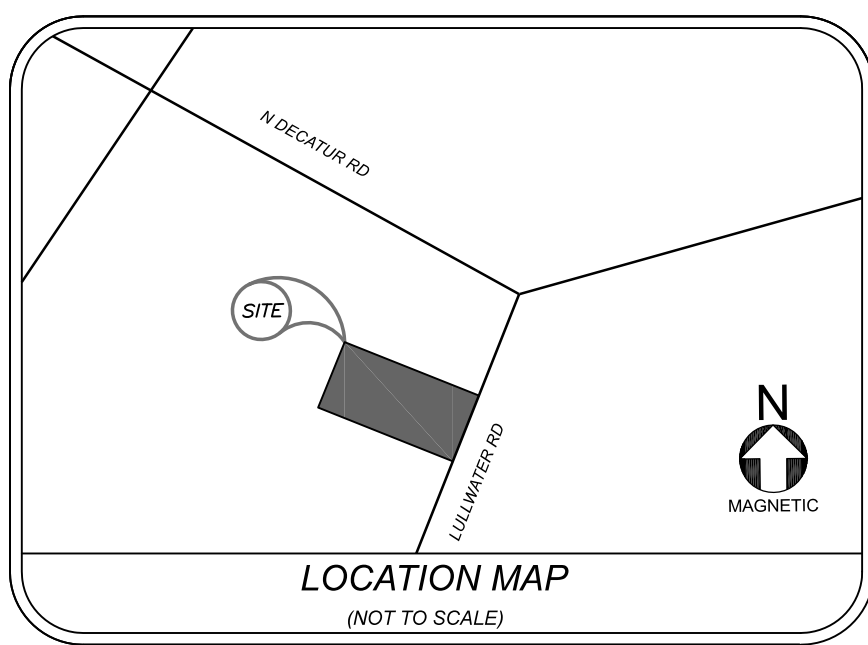
Site Plan Designer: Caleb A. McGaughey

Contractor: _____

Type of Work: Construction of Single-Family
Detached Home

AP Number: _____

Date Variance Applied for: 5/31/2023



IMPERVIOUS SURFACE CALCULATIONS:
 PROPOSED IMPERVIOUS SURFACE: 3,332 S.F.
 House = 1,798
 drive = 1,024
 steps = 35
 open terrace = 198
 covered porch = 162
 concrete walk = 115

TOTAL IMPERVIOUS AREA: 3,332 S.F.
 TOTAL LOT AREA: 18,142 S.F.
 TOTAL PROPOSED LOT COVERAGE: 18.4% (35% max)

24 HOUR EROSION CONTACT
RAY BONGERS
 404-949-9130

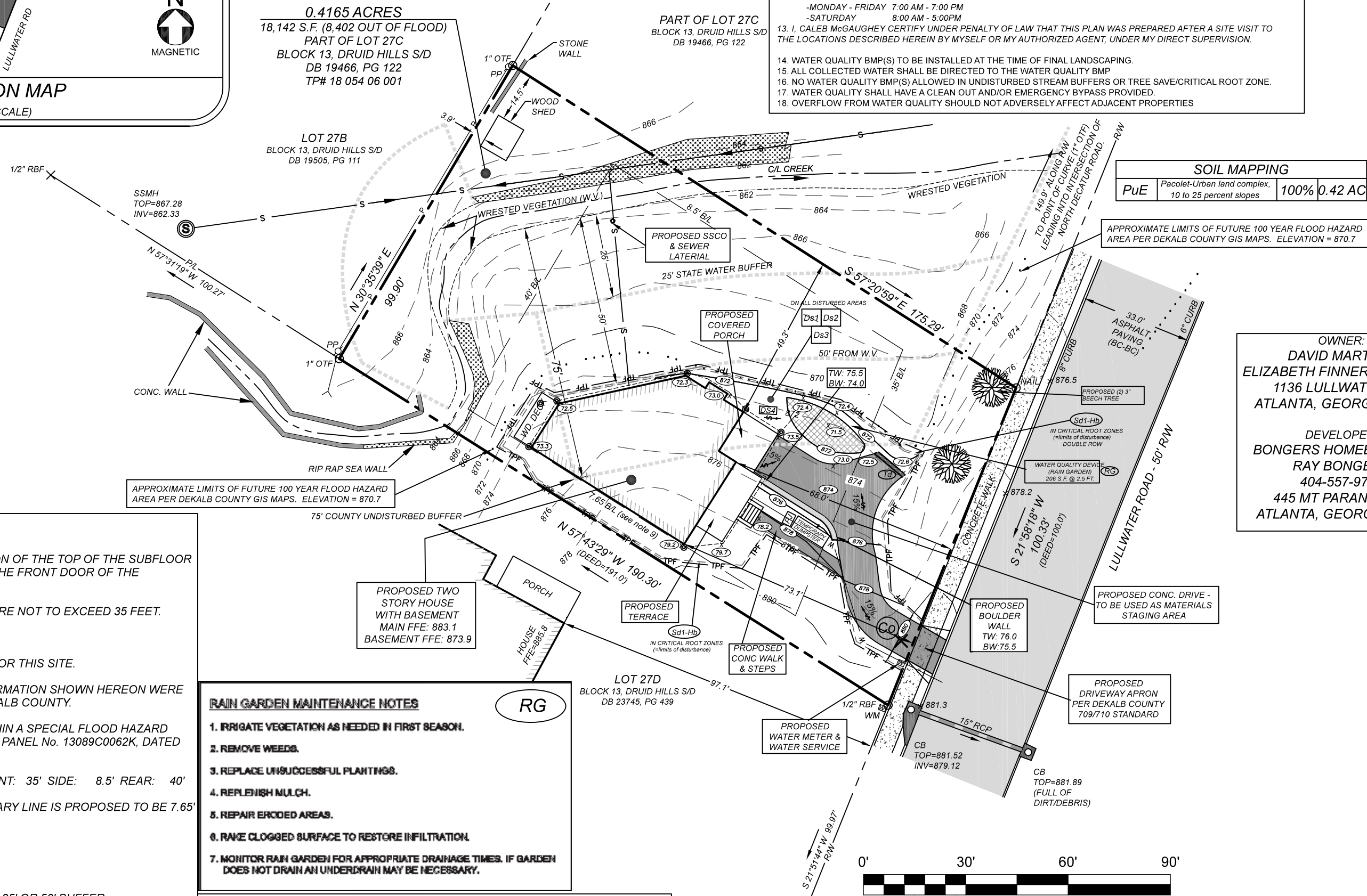
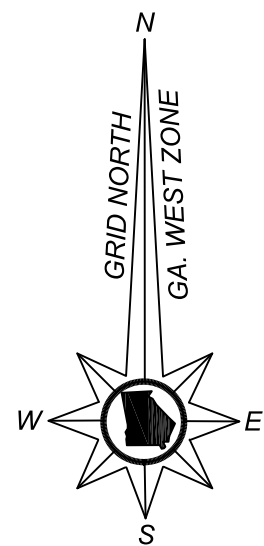
NOTE:
 ALL HAYBALES WITHIN
 CRZ MUST BE STAKED
 AND NOT TRENCHED

CONSTRUCTION NOTES:

1. THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES.
2. EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION AND SEDIMENT CONTROL, ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
3. ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
4. ALL LOTS/SITES WITH 2' OF FILL OR GREATER WILL REQUIRE A COMPACTION CERTIFICATE BY A PROFESSIONAL REGISTERED ENGINEER PRIOR TO A BUILDING PERMIT AND OR PRIOR TO FOOTERS BEING POURED.
5. LOCATE AND FIELD STAKE ALL UTILITIES, EASEMENTS, PIPES, FLOOD LIMITS, STREAM BUFFERS, AND TREE SAVE AREAS PRIOR TO ANY LAND DISTURBING ACTIVITIES.
6. ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
7. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING.
8. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
9. A FINAL AS-BUILT LOT SURVEY IS REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
10. THERE ARE WATER QUALITY DEVICES DESIGNED FOR THIS SITE.
11. DUMPSTERS AND OR TEMP. SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.
12. WORK HOURS AND CONSTRUCTION DELIVERIES ARE:
 - MONDAY - FRIDAY 7:00 AM - 7:00 PM
 - SATURDAY 8:00 AM - 5:00 PM
13. I, CALEB MCGAUGHEY CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.
14. WATER QUALITY BMP(S) TO BE INSTALLED AT THE TIME OF FINAL LANDSCAPING.
15. ALL COLLECTED WATER SHALL BE DIRECTED TO THE WATER QUALITY BMP.
16. NO WATER QUALITY BMP(S) ALLOWED IN UNDISTURBED STREAM BUFFERS OR TREE SAVE CRITICAL ROOT ZONE.
17. WATER QUALITY SHALL HAVE A CLEAN OUT AND/OR EMERGENCY BYPASS PROVIDED.
18. OVERFLOW FROM WATER QUALITY SHOULD NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

CONTRIBUTING DRAINAGE AREA (SF)	DEPTH OF AMENDED SOIL (INCHES)			
	18	24	30	36
	AREA OF RAIN GARDEN (SF)			
100	8.8	6.7	5.1	4.8
500	35	30	25	23
1000	65	60	50	45
2000	135	115	100	90
3000	200	170	150	140
4000	280	230	200	185
5000	330	290	255	230

MEASURE CONTRIBUTING DRAINAGE AREA AND READ AREA FOR GIVEN MEDIA DEPTH.

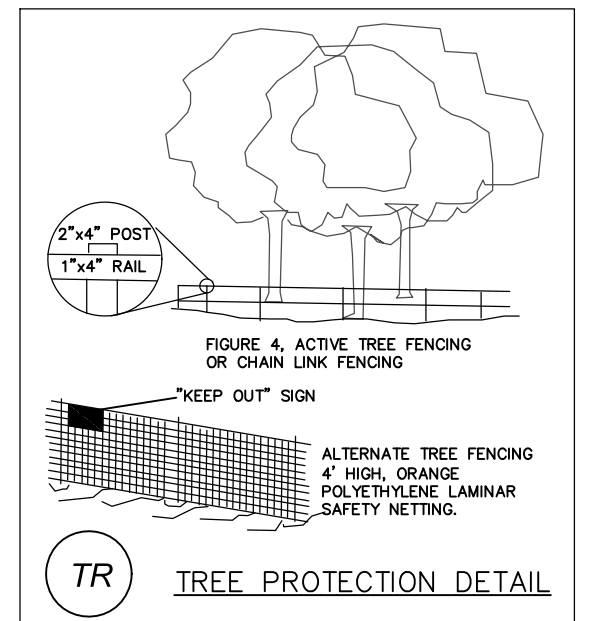


SOIL MAPPING

PuE	Parcel-Urban land complex, 10 to 25 percent slopes	100%	0.42 AC
-----	--	------	---------

OWNER:
 DAVID MARTIN &
 ELIZABETH FINNERTY MARTIN
 1136 LULLWATER DR
 ATLANTA, GEORGIA 30307

DEVELOPER:
 BONGERS HOMEBUILDERS
 RAY BONGERS
 404-557-9747
 445 MT PARAN ROAD
 ATLANTA, GEORGIA 30327



- SITE NOTES:**
1. THRESHOLD ELEVATION IS THE ELEVATION OF THE TOP OF THE SUBFLOOR IN THE OPENING THAT IS DESIGNATED AS THE FRONT DOOR OF THE DWELLING.
 2. BUILDING HEIGHT OF THE NEW STRUCTURE NOT TO EXCEED 35 FEET.
 3. NO GRADES TO EXCEED 3:1
 4. THERE ARE NEW UTILITIES PROPOSED FOR THIS SITE.
 6. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122, DEKALB COUNTY.
 7. A PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13089C0062K, DATED AUGUST 15, 2019.
 8. EXISTING ZONING: R-85 SETBACKS: FRONT: 35' SIDE: 8.5' REAR: 40'
 9. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS PROPOSED TO BE 7.65' - REQUIRES ADMINISTRATIVE VARIANCE.
 10. TOTAL DISTURBED AREA: 5,640 S.F.
 11. TOTAL AREA OF INTRUSION: 1,857 S.F.
 12. NO DISTURBANCE LOCATED WITHIN THE 25' OR 50' BUFFER.
 13. THE RAIN GARDEN ARE THE MITIGATION PLAN
 14. RECEIVING WATERS FOR THIS PROJECT IS PEAVINE CREEK AREA ADJACENT TO LOT CONSIST OF EXISTING HOUSES AS WELL AS EXISTING STREAM WITH VEGETATIVE BUFFER.
 15. AS-BUILT WATER QUALITY CERTIFICATION AND LOT AS-BUILT IS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
 16. OVERFLOW FROM WATER QUALITY BMP(S) SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

RAIN GARDEN MAINTENANCE NOTES

1. IRRIGATE VEGETATION AS NEEDED IN FIRST SEASON.
2. REMOVE WEEDS.
3. REPLACE UNSUCCESSFUL PLANTINGS.
4. REPLENISH MULCH.
5. REPAIR ERODED AREAS.
6. RAKE CLOGGED SURFACE TO RESTORE INFILTRATION.
7. MONITOR RAIN GARDEN FOR APPROPRIATE DRAINAGE TIMES. IF GARDEN DOES NOT DRAIN AN UNDERDRAIN MAY BE NECESSARY.

WATER QUALITY CALCULATIONS:
 DRAINAGE AREA = 18,142 S.F.
 NEW IMPERVIOUS AREA = 3,332 S.F.
 $WQv = 1.2 \times Rv \times \text{Drainage Area} / 12$
 $RV = 0.05 + 0.009(3,332 / 18,142) \times 100 = .215$
 DRAINAGE AREA $\times (1.2 / 12) =$ REQUIRED STORAGE VOLUME
 18,142 SF $\times (1.2 / 12) \times 0.215 = 390$ CF

REQUIRED WATER STORAGE = 390 CF
 EQUIVALENT DRAINAGE AREA = 390 CF $\times 12 / 1.2" = 3900$ S.F.
 DEPTH OF AMENDED SOILS = 30" (2.5')
 AREA OF RAIN GARDEN REQUIRED = 3900 S.F. $\times 0.05 = 195$ S.F.
 AREA OF RAIN GARDEN PROPOSED = 206 S.F.

NO LAND DISTURBING ACTIVITIES TO BEGIN PRIOR TO EROSION AND SEDIMENT CONTROLS AND TREE PROTECTIONS ARE IN PLACE.

ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN

LEGEND

DRAINAGE STRUCTURES	ABBREVIATIONS
SWCB	SINGLE WING CATCH BASIN
DWCB	DOUBLE WING CATCH BASIN
JB	JUNCTION BOX
GI	GRATE INLET
CI	CURB AND GUTTER
C/L	CENTERLINE
CMB	CORRUGATED METAL PIPE
CMF	CONCRETE MONUMENT FOUND
CO	CONCRETE CURB
CO	CONCRETE CURB
CO	CONCRETE CURB
SSMH	SANITARY SEWER MANHOLE
SSCO	SANITARY SEWER CLEANOUT
GT	GREASE TRAP
FES	FLARED END SECTION

UTILITY SYMBOLS	ABBREVIATIONS
A/C	AIR CONDITIONING UNIT
ET	ELECTRIC TRANSFORMER
CPED	CABLE TV PEDESTAL
FH	FIRE HYDRANT
GM	GAS METER
GV	GAS VALVE
GUY	GUY WIRE
TPED	TELEPHONE PEDESTAL
LP	LIGHT POLE
WM	WATER METER
WV	WATER VALVE

MISC. SYMBOLS	ABBREVIATIONS
PCB	PARKING SPACE COUNT
SD	SATELLITE DISH
PL	POWER LINE (UP=UNDERGROUND)
TL	TELEPHONE LINE (UT=UNDERGROUND)
CL	CABLE TV LINE (UC=UNDERGROUND)
SL	SANITARY SEWER LINE
GL	GAS LINE
CLF	CHAIN LINK FENCE (CLF)
WF	WOODEN FENCE
H	HARDWOOD
P	PINE/CONIFER

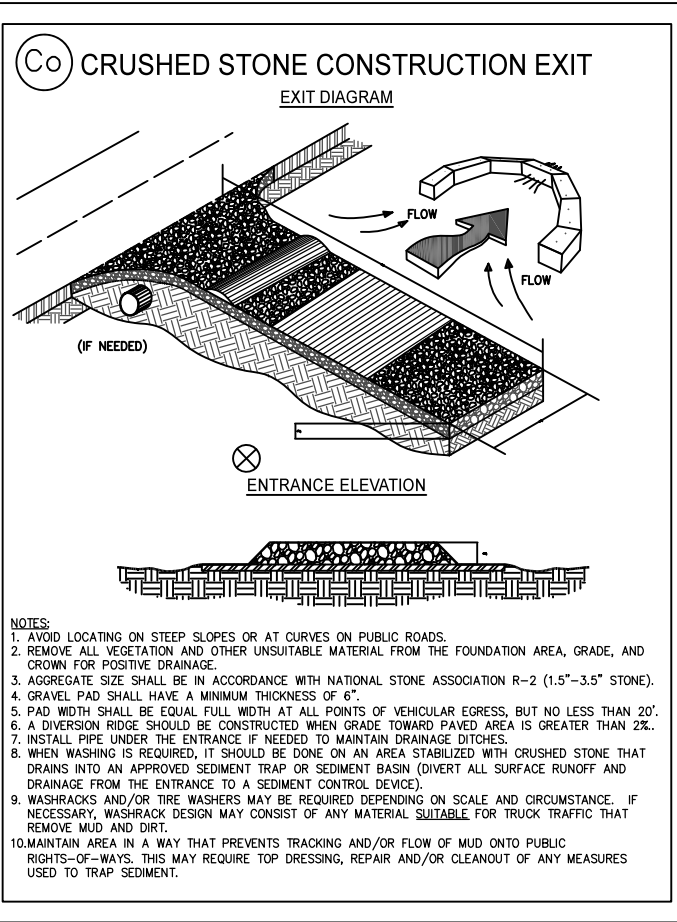
DATE:	ISSUE
MAY 30, 2023	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: MWR	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

BUFFER VARIANCE / MITIGATION 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



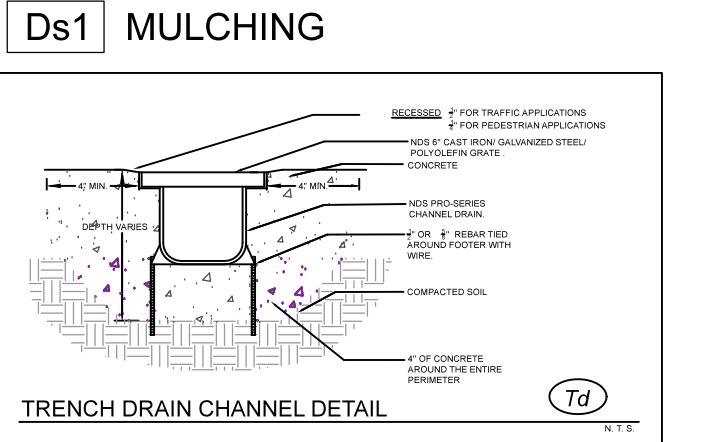
GA LAND SURVEYOR
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET
1
OF
2



MATERIAL	QUANTITY
DRY STRAW OR HAY	2" - 4" DEPTH
WOOD WASTE (SAWDUST, BARK, CHIPS)	2" - 3" DEPTH
CUTBACK ASPHALT (SLOW CURING)	1200 GAL. PER ACRE (1/4 GAL PER SQ. YD.)
POLYETHYLENE FILM	COMPLETELY COVERING EXPOSED AREA. TRENCHED IN AT OUTER EDGES.

STRAW OR HAY MULCH SHALL BE ANCHORED IMMEDIATELY AFTER APPLICATION. MULCH MAY BE ANCHORED BY MECHANICALLY PRESSING INTO SURFACE. IF SPREAD WITH BLOWER EQUIPMENT, MULCH SHALL BE ANCHORED WITH EMULSIFIED ASPHALT (GRADE AE-5 OR SS-1)-100 GAL. ASPHALT + 100 GAL. WATER PER TON OF MULCH. NETTING SHALL BE USED TO ANCHOR WOOD WASTE AND CHIPS. POLYETHYLENE SHALL BE TRENCHED IN AT EDGES.



TYPE OF SPECIES	YEAR	ANALYSIS OR EQUIVALENT N-P-K	RATE	N TOP DRESSING RATE
1. Cool season grasses	First	6-12-12	1500 lbs./ac.	50-100 lbs./ac. 1/2'
	Maintenance	6-12-12	1000 lbs./ac.	30
2. Cool season grasses and legumes	First	6-12-12	1500 lbs./ac.	0-50 lbs./ac. 1'
	Maintenance	6-12-12	1000 lbs./ac.	-
3. Ground covers	First	10-10-10	400 lbs./ac.	-
	Maintenance	10-10-10	1300 lbs./ac. 3'	-
4. Pine seedlings	First	10-10-10	1100 lbs./ac.	-
	Maintenance	10-10-10	1300 lbs./ac. 3'	-
5. Shrub Lespedeza	First	0-10-10	700 lbs./ac.	-
	Maintenance	0-10-10	700 lbs./ac. 4'	-
6. Temporary cover crops seeded alone	First	10-10-10	500 lbs./ac.	30 lbs./ac. 5'
	Maintenance	10-10-10	500 lbs./ac.	-
7. Warm season grasses	First	6-12-12	1500 lbs./ac.	50-100 lbs./ac. 2/3'
	Maintenance	6-12-12	800 lbs./ac. 2'	50-100 lbs./ac. 2'
8. Warm season grasses and legumes	First	10-10-10	400 lbs./ac.	30lbs./ac.
	Maintenance	10-10-10	1000 lbs./ac.	50 lbs./ac. 6'

1/ Apply in spring following seeding.
2/ Apply in split applications when high rates are used.
3/ Apply in 3 split applications.
4/ Apply when plants are mowed.
5/ Apply to grass species only.
6/ Apply when plants grow to a height of 2 to 4 inches.

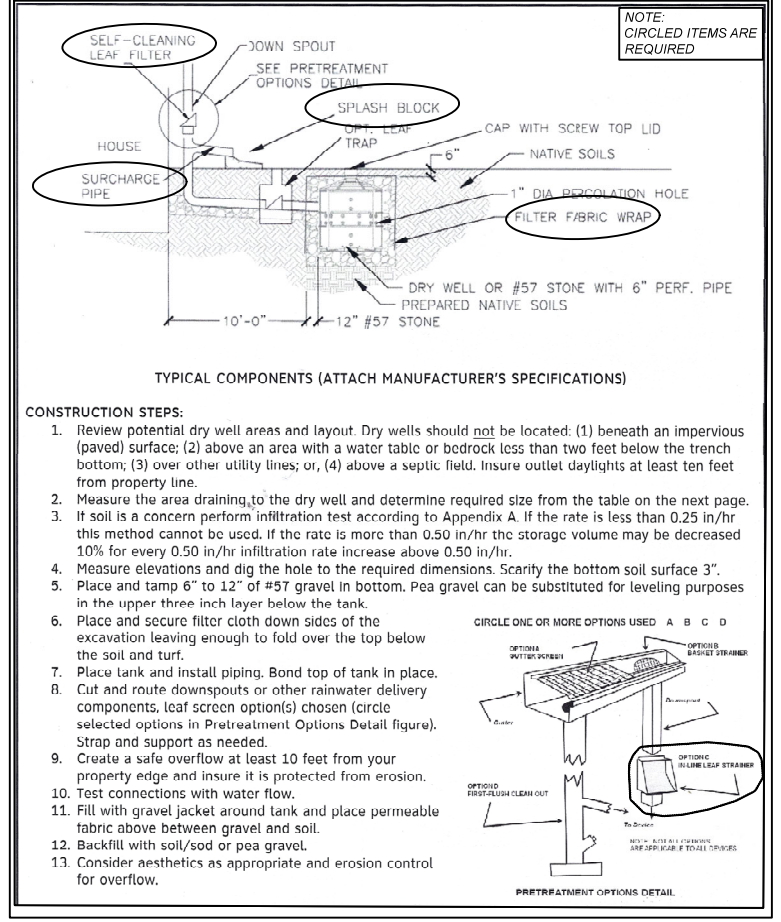
FERTILIZER RATES FOR PERMANENT VEGETATION (Ds-3)

APPROPRIATE SOD VARIETIES FOR ATLANTA

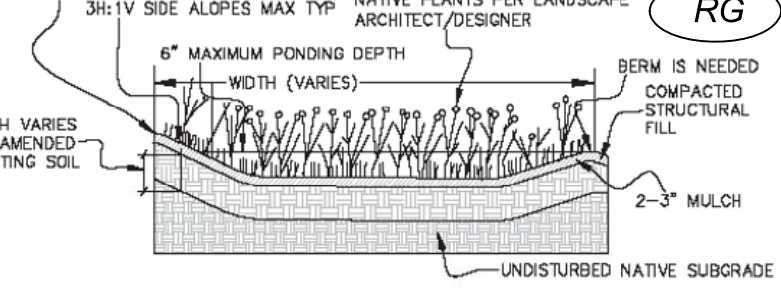
GRASS	VARIETY	GROWING SEASON
BERMUDA	COMMON TIFWAY, TIFGREEN, TIFLAWN	WARM WEATHER
BAHIA	PENSACOLA	WARM WEATHER
CENTPEDE	---	WARM WEATHER
ZOYSIA	EMERALD MEYER	WARM WEATHER
TALL FESCUE	KENTUCKY	COOL WEATHER

SOIL PREPARATION
BRING SOIL SURFACE TO FINAL GRADE. CLEAR SURFACE OF TRASH, WOODY DEBRIS, STONES AND CLODS LARGER THAN 1". APPLY SOD TO SOIL SURFACES ONLY AND NOT FROZEN SURFACES, OR GRAVEL TYPE SOILS.
MIX FERTILIZER INTO SOIL SURFACE. FERTILIZE BASED ON SOIL TESTS OR GENERAL APPLICATION OF 10-10-10 @ 1000 LBS PER ACRE (1 LB /40 SQ. FT.)
AGRICULTURAL LIME SHOULD BE APPLIED BASED ON SOIL TESTS OR AT A RATE OF 1 TO 2 TONS / ACRE.

GRASS TYPE	PLANTING YEAR	FERTILIZER (NPK)	RATE (LBS/ ACRE)	NITROGEN TOP DRESSING (LBS/ ACRE)
COOL SEASON GRASSES	1ST	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12 10-10-10	1000 400	---
WARM SEASON GRASSES	1ST	6-12-12	1500	50-100
	2ND MAINTENANCE	6-12-12 10-10-10	800 400	50-100 30



Ds4 STABILIZATION WITH SODDING



Ds1 Ds2
Ds3 Ds4

ON ALL DISTURBED AREAS

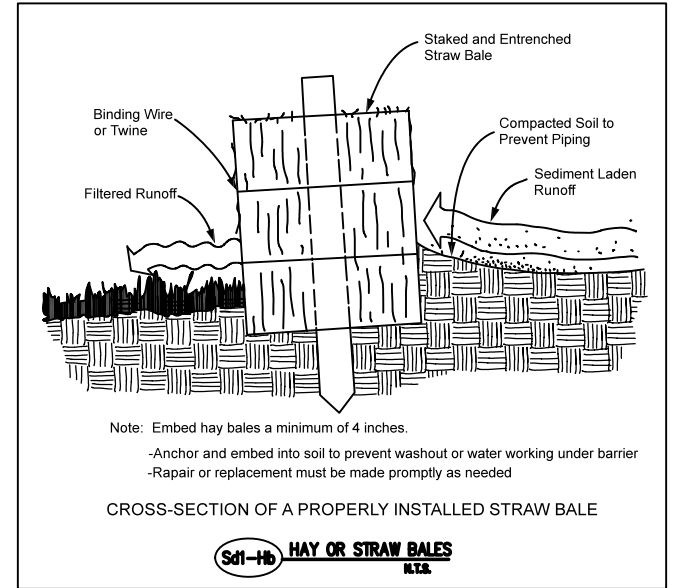
EROSION CONTROL SEDIMENT PRACTICES:

Ds1 DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.

Ds2 DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS ON DISTURBED AREAS.

Ds3 DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, WINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.

Ds4 DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 48 HOURS AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



PLANT, PLANTING RATES, AND PLANTING DATES FOR TEMPORARY COVER OR COMPANION CROPS 1/

Species	Broadcast Rates 2' - PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Planting Dates	Remarks
BARLEY (Hordeum vulgare)	3 bu. (144 lbs.) 12 bu. (576 lbs.)	P	F M A M J J A S O N D	F M A M J J A S O N D	14,000 seed per pound. Winterhardy. Use on productive soils.
LESPEDEZA ANNUAL (Lespedeza striata)	40 lbs. 0.9 lb. 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	200,000 seed per pound. May winterkill for several years. Use in no-till systems.
COGON GRASS, WEEPING (Eragrostis curvata)	4 lbs. 0.1 lb. 2 lbs. 0.05 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	1,500,000 seed per pound. May last for several years. Mix with Sorghum species.
MILLET, BROWNTOP (Panicum fasciculatum)	40 lbs. C 10 lbs. 0.2 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	137,000 seed per pound. Quick dense cover. Will provide low-moisture competition to minkies if seeded at high rates.
MILLET, PEARL (Pennisetum glaucum)	50 lbs. 1.1 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	88,000 seed per pound. Quick dense cover. May reach 5 feet height. Not recommended for minkies.
GRASS (Avena sativa)	4 bu. (128 lbs.) 1 bu. (32 lbs.)	P	F M A M J J A S O N D	F M A M J J A S O N D	13,000 seed per pound. Use on productive soils. Not as winterhardy as rye or barley.
RYE (Secale cereale)	3 bu. (96 lbs.) 12 bu. (384 lbs.)	P	F M A M J J A S O N D	F M A M J J A S O N D	18,000 seed per pound. Quick cover. Drought tolerant and winterhardy.
RYEGRASS, ANNUAL (Lolium temulentum)	40 lbs. 0.9 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	227,000 seed per pound. Dense cover. Very competitive and is good to be used in
SUDANGRASS (Sorghum Sudanese)	60 lbs. 1.4 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	55,000 seed per pound. Good on droughty sites. Not recommended for minkies.

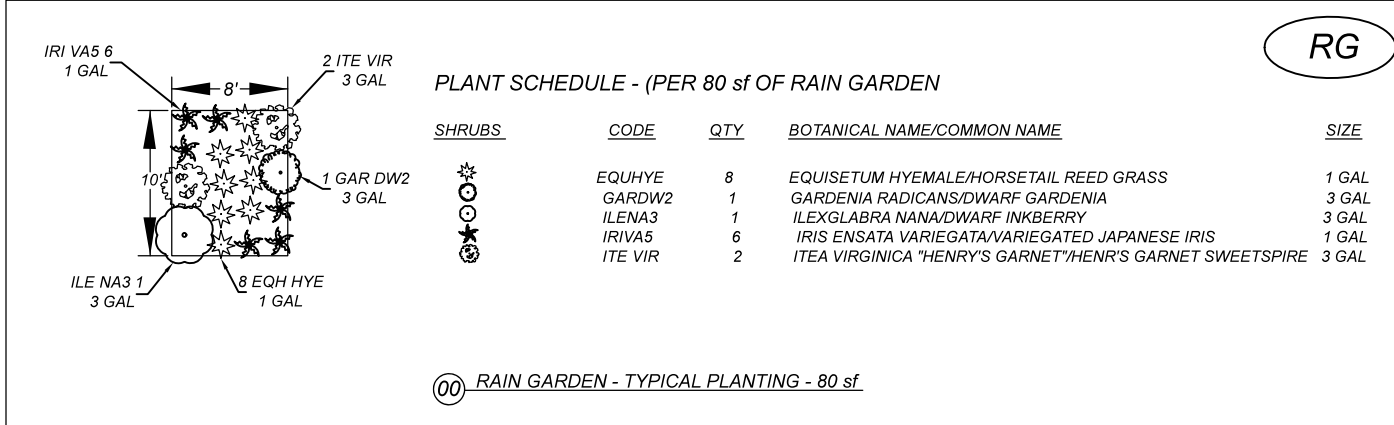
PLANT, PLANTING RATES, AND PLANTING DATES FOR PERMANENT COVER

Species	Broadcast Rates 2' - PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Planting Dates	Remarks
BERMUDA (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, HYBRID (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, COMMON (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.

Ds2 STABILIZATION WITH TEMPORARY SEEDING

Species	Broadcast Rates 2' - PLS 3/ Per Acre	Resource Area 4/	Planting Dates by Resource Area	Planting Dates	Remarks
BERMUDA (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, HYBRID (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, COMMON (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.
BERMUDA, WAXHAIR (Cynodon dactylon)	30 lbs. 0.7 lb.	P	F M A M J J A S O N D	F M A M J J A S O N D	30,000 seed per pound. Long growing habit. Good for erosion control. Mix with other grasses.

Ds3 STABILIZATION WITH PERMANENT VEGETATION



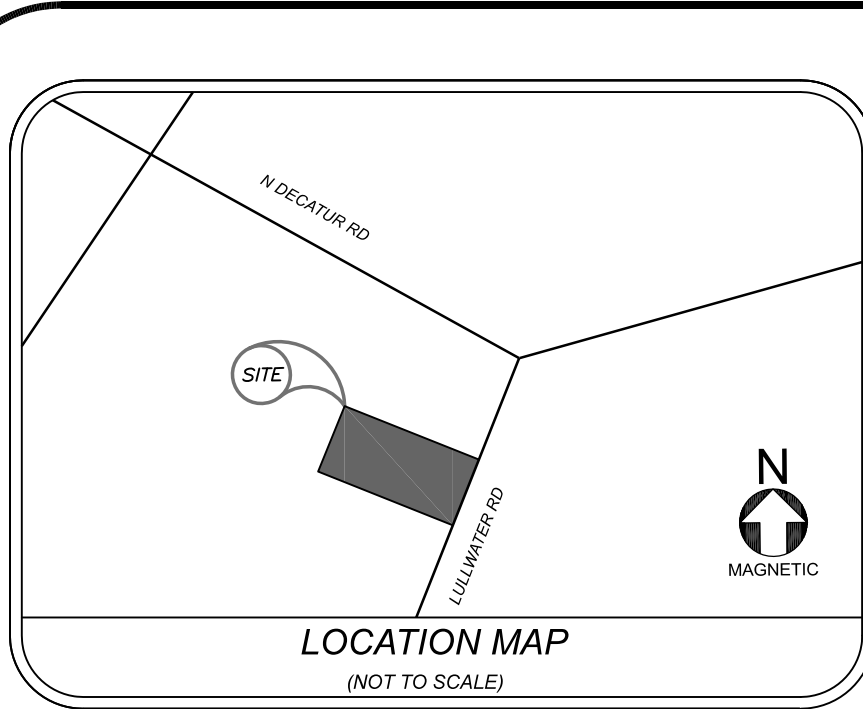
DATE:	ISSUE
MAY 30, 2023	NO. DESCRIPTION DATE
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: MWR	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

BUFFER VARIANCE / MITIGATION 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
404-384-9577
GA LAND SURVEYOR, LLC
3355 ANNANDALE LANE, STE 1
SUWANEE, GA 30024

SHEET 2 OF 2



IMPERVIOUS SURFACE CALCULATIONS:
 PROPOSED IMPERVIOUS SURFACE: 3,332 S.F.
 House = 1,788
 drive = 1,024
 steps = 35
 open terrace = 198
 covered porch = 162
 concrete walk = 115

TOTAL IMPERVIOUS AREA: 3,332 S.F.
 TOTAL LOT AREA: 18,142 S.F.
 TOTAL PROPOSED LOT COVERAGE: 18.4% (35% max)

24 HOUR EROSION CONTACT
RAY BONGERS
 404-949-9130

- CONSTRUCTION NOTES:**
1. THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES.
 2. EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION AND SEDIMENT CONTROL, ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
 3. ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
 4. ALL LOTS/SITES WITH 2' OF FILL OR GREATER WILL REQUIRE A COMPACTION CERTIFICATE BY A PROFESSIONAL REGISTERED ENGINEER PRIOR TO A BUILDING PERMIT AND OR PRIOR TO FOOTERS BEING POURED.
 5. LOCATE AND FIELD STAKE ALL UTILITIES, EASEMENTS, PIPES, FLOOD LIMITS, STREAM BUFFERS, AND TREE SAVE AREAS PRIOR TO ANY LAND DISTURBING ACTIVITIES.
 6. ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
 7. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING.
 8. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
 9. A FINAL AS-BUILT LOT SURVEY IS REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY.
 10. THERE ARE WATER QUALITY DEVICES DESIGNED FOR THIS SITE.
 11. DUMPSTERS AND OR TEMP. SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.
 12. WORK HOURS AND CONSTRUCTION DELIVERIES ARE:
 - MONDAY - FRIDAY 7:00 AM - 7:00 PM
 - SATURDAY 8:00 AM - 5:00 PM
 13. I, CALEB MCGAUGHEY CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

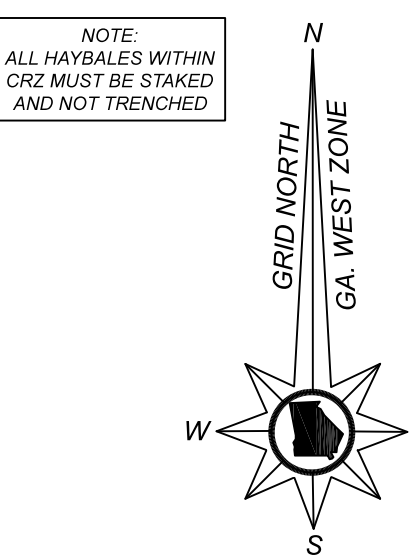
TREE NOTES:

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% IMPACT AND REQUIRE AN ARBORIST PRESCRIPTION



- SITE NOTES:**
1. THRESHOLD ELEVATION IS THE ELEVATION OF THE TOP OF THE SUBFLOOR IN THE OPENING THAT IS DESIGNATED AS THE FRONT DOOR OF THE DWELLING.
 2. BUILDING HEIGHT OF THE NEW STRUCTURE NOT TO EXCEED 35 FEET.
 3. NO GRADES TO EXCEED 3:1
 4. THERE ARE NEW UTILITIES PROPOSED FOR THIS SITE.
 6. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO DEED BOOK 19466, PAGE 122, DEKALB COUNTY.
 7. A PORTION OF THIS PROPERTY LIES WITHIN A SPECIAL FLOOD HAZARD ZONE AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13089C0062K, DATED AUGUST 15, 2019.
 8. EXISTING ZONING: R-85
 SETBACKS:
 FRONT: 35'
 SIDE: 8.5'
 REAR: 40'
 9. SIDE SETBACK ALONG WESTERN BOUNDARY LINE IS PROPOSED TO BE 7.65' - REQUIRES ADMINISTRATIVE VARIANCE.
 10. TOTAL DISTURBED AREA: 5,640 S.F.
 11. ALL ELEVATIONS ON SITE SHALL BE VERIFIED PRIOR TO CONSTRUCTION.
 12. NO DISTURBANCE LOCATED WITHIN THE 25' OR 50' BUFFER.
 13. THE RAIN GARDEN IS THE MITIGATION PLAN
 14. RECEIVING WATERS FOR THIS PROJECT IS PEAVINE CREEK. AREA ADJACENT TO LOT CONSIST OF EXISTING HOUSES AS WELL AS EXISTING STREAM WITH VEGETATIVE BUFFER.
 15. AS-BUILT WATER QUALITY CERTIFICATION AND LOT AS-BUILT IS REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
 16. OVERFLOW FROM WATER QUALITY BMP(S) SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES.

RAIN GARDEN MAINTENANCE NOTES

1. IRRIGATE VEGETATION AS NEEDED IN FIRST SEASON.
2. REMOVE WEEDS.
3. REPLACE UNSUCCESSFUL PLANTINGS.
4. REFRESH MULCH.
5. REPAIR ERODED AREAS.
6. RAKE CLOGGED SURFACE TO RESTORE INFILTRATION.
7. MONITOR RAIN GARDEN FOR APPROPRIATE DRAINAGE TIMES. IF GARDEN DOES NOT DRAIN AN UNDERDRAIN MAY BE NECESSARY.

WATER QUALITY CALCULATIONS:
 DRAINAGE AREA = 18,142 S.F.
 NEW IMPERVIOUS AREA = 3,332 S.F.
 $WQV = 1.2 \times R_v \times \text{Drainage Area} / 12$
 $R_v = 0.05 + 0.009(3,332 / 18,142) \times 100 = 215$
 DRAINAGE AREA $\times (1.2/12) =$ REQUIRED STORAGE VOLUME
 18,142 SF $\times (1.2/12) \times 0.215 = 390$ CF

REQUIRED WATER STORAGE = 390 CF
 EQUIVALENT DRAINAGE AREA = 390 CF $\times 12/1.2" = 3900$ S.F.
 DEPTH OF AMENDED SOILS = 30" (2.5')
 AREA OF RAIN GARDEN REQUIRED = 3900 S.F. $\times 0.05 = 195$ S.F.
 AREA OF RAIN GARDEN PROPOSED = 206 S.F.

APPROXIMATE LIMITS OF FUTURE 100 YEAR FLOOD HAZARD AREA PER DEKALB COUNTY GIS MAPS. ELEVATION = 870.7

APPROXIMATE LIMITS OF FUTURE 100 YEAR FLOOD HAZARD AREA PER DEKALB COUNTY GIS MAPS. ELEVATION = 870.7

TREE PRESERVATION CALCULATION:
 COMPUTED USING ONLY TREES OUT OF FLOOD PLAIN
 - DESTROYED - 11 TREES @ 66.2 units
 - SAVED - 7 TREES @ 88.8 units

- DENSITY REQUIREMENTS 0.193 AC. * 15 UNITS/AC = 2.9 units
 - REQUIRED: 2.9 units
 NO ADDITIONAL UNITS REQUIRED

REQUIRED TREES TO REMAIN:
 - SAVED - 7 TREES @ 125 INCHES
 - SPECIMEN TREE REMOVED 1 @ 41 INCHES (1.5 x INCHES removed = additional 62 INCHES required)
 120 INCHES DBH PER ACRE $\times 0.193$ ACRES = 23 INCHES
 62 INCHES + 23 INCHES = 85 INCHES (PROVIDED)
 18 TREES $\times 29 = 5$ TREES (PROVIDED)

0 PROPOSED TREE PLANTINGS AS PER ZONING

TREE PROTECTION FENCES IN ACCORDANCE WITH THE APPROVED PLAN MUST BE INSTALLED PRIOR TO STARTING LAND DISTURBANCE ACTIVITIES, AND MAINTAINED UNTIL FINAL LANDSCAPING.

TREE NUMBER	SPECIES	CONDITION (GOOD, FAIR, POOR, DEAD)	DBH (INCHES)	DENSITY UNITS	REMAIN/REMOVE	CRZ (FEET) (IF TREE IS TO REMAIN)	% IMPACT ON CRZ
1	WATER OAK	POOR	POOR (37)	DDH	REMOVE	24	24.7
2	SWEET GUM	FAIR	24	6.0	REMAIN	24	24.4
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	32.5%
6	YELLOW POPLAR	GOOD	25	6.8	REMOVE		
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	REMOVE		
36	WATER OAK	POOR	POOR (11)	DDH	REMOVE		

TOTAL OUT OF FLOOD PLAIN = 18 TREES @ 125.0 units

OWNER:
DAVID MARTIN & ELIZABETH FINNERTY MARTIN
 1136 LULLWATER DR
 ATLANTA, GEORGIA 30307

DEVELOPER:
BONGERS HOMEBUILDERS
 RAY BONGERS
 404-557-9747
 445 MT PARAN ROAD
 ATLANTA, GEORGIA 30327

NO LAND DISTURBING ACTIVITIES TO BEGIN PRIOR TO EROSION AND SEDIMENT CONTROLS AND TREE PROTECTIONS ARE IN PLACE.

ALL ROOF DRAINS AND TRENCH DRAIN TO DRAIN TO RAIN GARDEN

LEGEND

DRAINAGE STRUCTURES

- SWCB = SINGLE WING CATCH BASIN
- DWCB = DOUBLE WING CATCH BASIN
- JB = JUNCTION BOX
- GI = GRATE INLET
- CI = CURB INLET
- YI = YARD INLET
- DI = DROP INLET
- HI = HEAD WALL
- SSMH = SANITARY SEWER MANHOLE
- SSCO = SANITARY SEWER CLEANOUT
- GT = GREASE TRAP
- FES = FLARED END SECTION

UTILITY SYMBOLS

- A/C = AIR CONDITIONING UNIT
- ET = ELECTRIC TRANSFORMER
- CPED = CABLE TV PEDESTAL
- FH = FIRE HYDRANT
- GM = GAS METER
- GV = GAS VALVE
- GUY = GUY WIRE
- TPED = TELEPHONE PEDESTAL
- LP = LIGHT POLE
- WM = WATER METER
- WV = WATER VALVE

MISC. SYMBOLS

- P = PARKING SPACE COUNTER
- S = SATELLITE DISH

UTILITY LINETYPES

- P- = POWER LINE (UP=UNDERGROUND)
- E- = ELECTRIC LINE (UP=UNDERGROUND)
- C- = CABLE TV LINE (UP=UNDERGROUND)
- G- = GAS LINE

FENCE LINES

- CLF- = CHAIN LINK FENCE (CLF)
- WF- = WIRE FENCE
- WF- = WOODEN FENCE

ABBREVIATIONS

- BC = BACK OF CURB
- BH = BUILDING HEIGHT
- B/L = BUILDING SETBACK LINE
- BW = BOTTOM OF WALL
- C&G = CURB AND GUTTER
- C/L = CENTERLINE
- CMF = CORRUGATED METAL PIPE
- CMF = CONCRETE MONUMENT FOUND
- CO = CLEAN OUT
- CONC = CONCRETE
- CRZ = CRIMP TOP PIPE FOUND
- DB/PF = DEED BOOK / PAGE
- DE = DRAINAGE EASEMENT
- DIP = DUCTILE IRON PIPE
- DWCB = DOUBLE WING CATCH BASIN
- DYL = DOUBLE YELLOW LINE STRIPING
- EP = EDGE OF PAVING
- F.I.R.M. = FEDERAL INSURANCE RATE MAP
- HDPE = HIGH DENSITY POLY ETHYLENE PIPE
- HW = HEADWALL
- IE = INVERT
- IPS = INVERT ELEVATION
- LL = LAND LOT LINE
- LL = LAND LOT LINE
- MM = MONITORING WELL
- N/O = NOW OR FORMERLY
- N/S = NAIL SET
- NS = NOT TO SCALE
- O/S = OPEN TOP PIPE FOUND
- OSD = OUTSIDE DIMENSION
- OCS = OUTLET CONTROL STRUCTURE
- PB/PAGE = PLAT BOOK/PAGE
- PL = PROPERTY LINE
- P/B = POINT OF BEGINNING
- P.O.E = POINT OF ENTRY
- PVC = POLYVINYL CHLORIDE PIPE
- RFB = REBAR PIN FOUND
- RCP = REINFORCED CONCRETE PIPE
- R/W = RIGHT OF WAY
- S.F. = SQUARE FEET
- SRF = SOLID ROD FOUND
- SS = SANITARY SEWER
- SSE = SANITARY SEWER EASEMENT
- TBM = TEMPORARY BENCH MARK
- TPN = TAX PARCEL NUMBER
- POC = POINT OF COMMENCEMENT
- TP = TOP OF WALL
- TYP = TYPICAL
- WI = WEIR INLET

DATE:	ISSUE	NO.	DESCRIPTION	DATE
AUGUST 5, 2021				
SCALE: 1" = 30'				
ACREAGE: 0.4165	1	ADDED STREAM BUFFERS		02/01/2023
LAND LOT(S): 2	2	UPDATED HOUSE PLAN		05/30/2023
DISTRICT: 18th				
CITY:				
COUNTY: DEKALB STATE: GEORGIA				
SURVEYED: MAF DRAWN: MWR				
CHECKED: WGH APPROVED: CAM				
PROJECT #: 16-257				

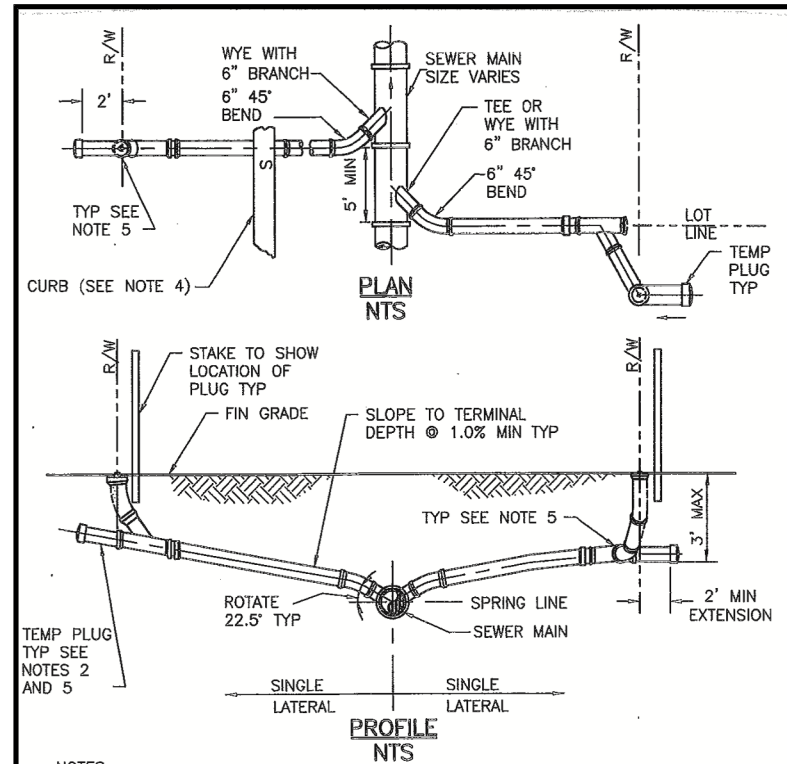
SITE PLAN FOR:
1176 LULLWATER ROAD

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



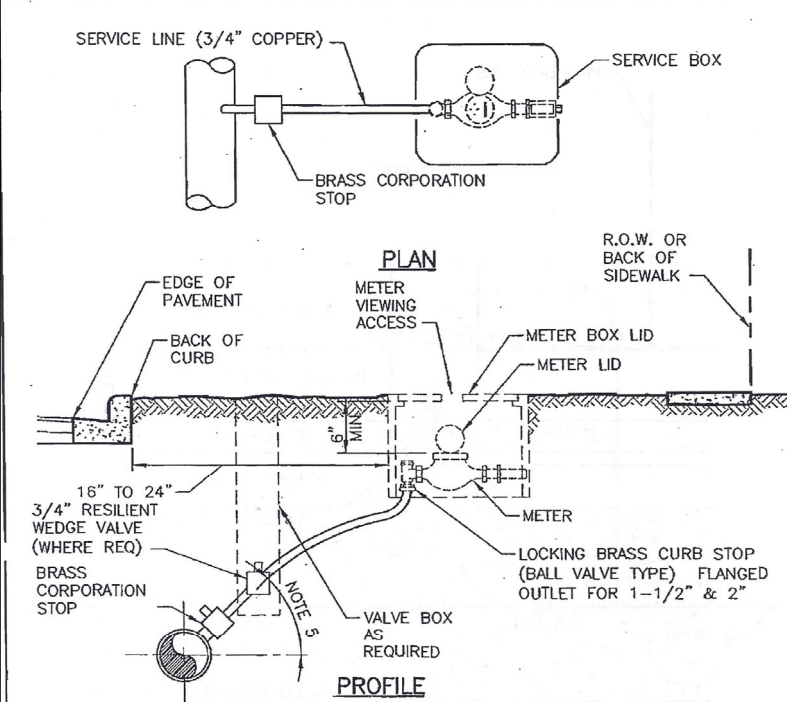
GA
 LAND SURVEYOR
404-384-9577
 GA LAND SURVEYOR, LLC
 3355 ANNANDALE LANE, STE 1
 SUWANEE, GA 30024

SHEET
1
OF
2



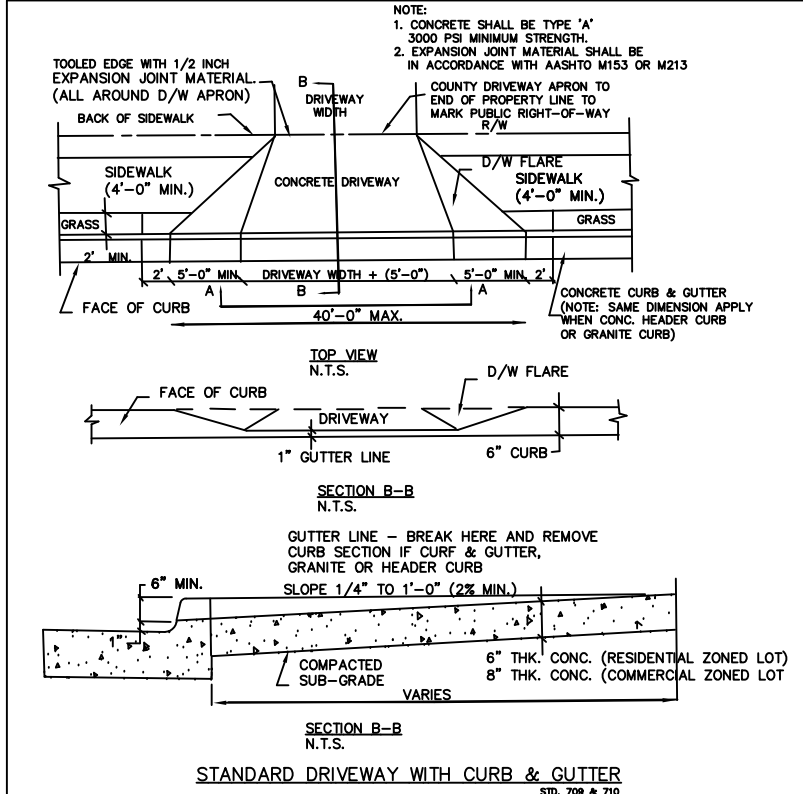
- NOTES:
1. INVERT OF SERVICE LATERAL SHALL NOT ENTER SEWER MAIN BELOW SPRING LINE.
 2. SERVICE LATERAL SHALL BE CAPPED BY DEVELOPER'S CONTRACTOR.
 3. ALL FITTINGS SHOWN ARE TO BE INSTALLED.
 4. SERVICE CONNECTIONS SHALL BE PERMANENTLY MARKED BY CUTTING AN "S" IN THE CURB DIRECTLY OVER THE LATERAL.
 5. DEVELOPER'S CONTRACTOR WILL INSTALL CLEANOUT.

STANDARD DETAILS
Sanitary Sewer Lateral Connection detail
DEKALB COUNTY, GA Department of Watershed Management
12/07
DETAIL NO. S-017
NOT TO SCALE



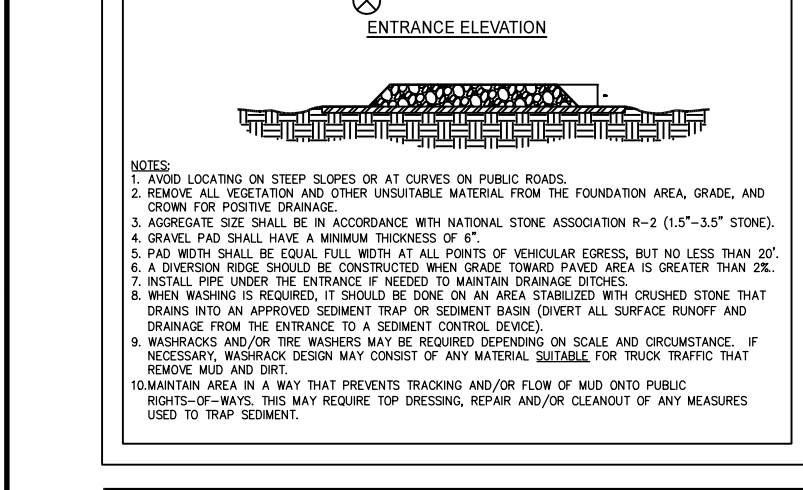
- NOTES:
1. METER SHALL BE INSTALLED BETWEEN SIDEWALK AND CURB AND IN NO CASE SHALL IT BE INSTALLED IN SIDEWALK OR OTHER PAVED AREAS.
 2. ALL POTABLE WATER IRRIGATION METERS REQUIRE AN APPROVED BACKFLOW PREVENTER.
 3. ALL PROPERTIES WITH ALTERNATIVE WATER SYSTEMS (WELL, ETC.) REQUIRE BACKFLOW PREVENTERS.
 4. SERVICE LINES SHALL NOT BE LESS THAN METER SIZE.
 5. SERVICE TAP SHALL BE BETWEEN 2:00 O'CLOCK AND 4:00 O'CLOCK WITHOUT SADDLE TAP.

STANDARD DETAILS
Residential Water Meter Installation Detail
DEKALB COUNTY, GA Department of Watershed Management
07/08
DETAIL NO. W-026
NOT TO SCALE



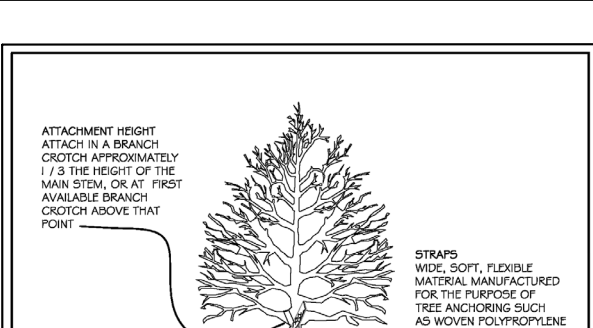
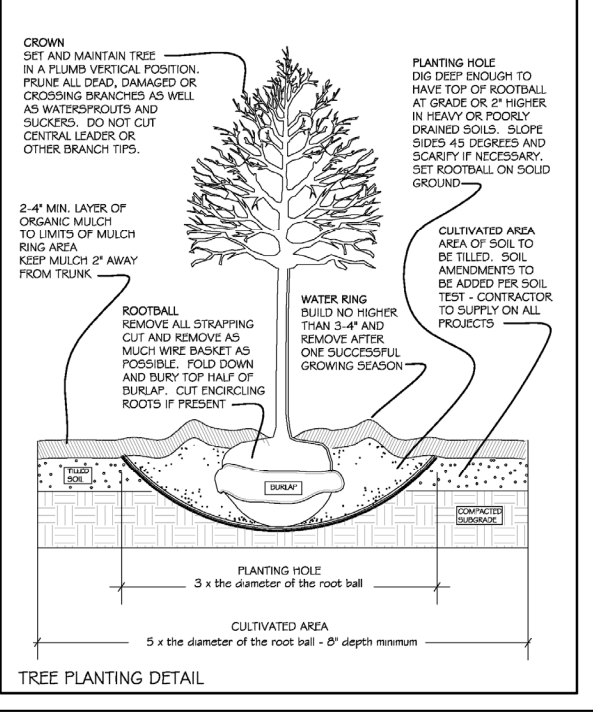
- NOTES:
1. CONCRETE SHALL BE TYPE "A" 3000 PSI MINIMUM STRENGTH.
 2. EXPANSION JOINT MATERIAL SHALL BE IN ACCORDANCE WITH ASHTO M153 OR M213 COUNTY DRIVEWAY APRON TO END OF PROPERTY LINE TO MARK PUBLIC RIGHT-OF-WAY 5/8"

STANDARD DETAILS
Standard Driveway with Curb & Gutter
STD. 709 & 710

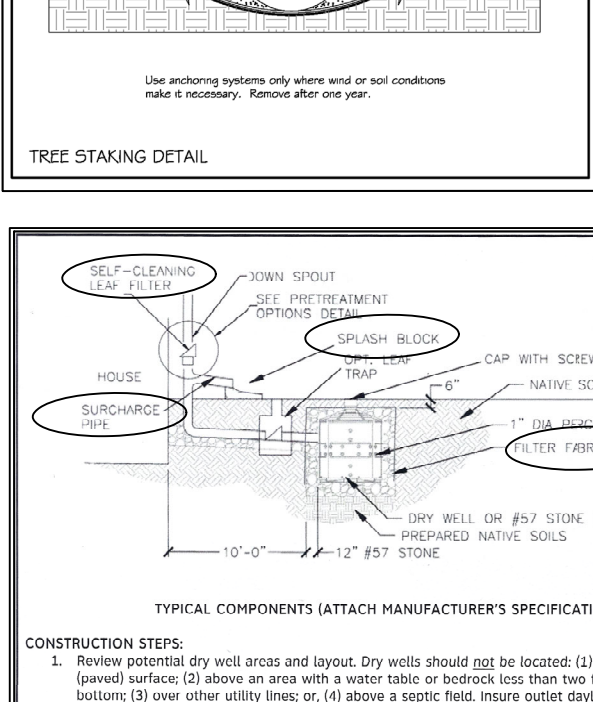


- NOTES:
1. AVOID LOCATING ON STEEP SLOPES OR AT CURVES ON PUBLIC ROADS.
 2. REMOVE ALL VEGETATION AND OTHER UNSUITABLE MATERIAL FROM THE FOUNDATION AREA, GRADE, AND CROWN FOR POSITIVE DRAINAGE.
 3. AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH NATIONAL STONE ASSOCIATION R-2 (1.5"-3.5" STONE).
 4. GRAVEL PAD SHALL HAVE A MINIMUM THICKNESS OF 8"
 5. PAD WIDTH SHALL BE EQUAL FULL WIDTH AT ALL POINTS OF VEHICULAR EGRESS, BUT NO LESS THAN 20"
 6. A DIVERSION RIDGE SHOULD BE CONSTRUCTED WHEN GRADE TOWARD PAVED AREA IS GREATER THAN 2K"
 7. INSTALL PIPE UNDER THE ENTRANCE IF NEEDED TO MAINTAIN DRAINAGE DITCHES.
 8. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN (OVERT ALL SURFACE RUNOFF AND DRAINAGE FROM THE ENTRANCE TO A SEDIMENT CONTROL DEVICE).
 9. WASHRACKS AND/OR THE WASHERS MAY BE REQUIRED DEPENDING ON SCALE AND CIRCUMSTANCE. IF NECESSARY, WASHRACK DESIGN MAY CONSIST OF ANY MATERIAL SUITABLE FOR TRUCK TRAFFIC THAT REMOVE MUD AND DIRT.
 10. MAINTAIN AREA IN A WAY THAT PREVENTS TRACKING AND/OR FLOW OF MUD ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

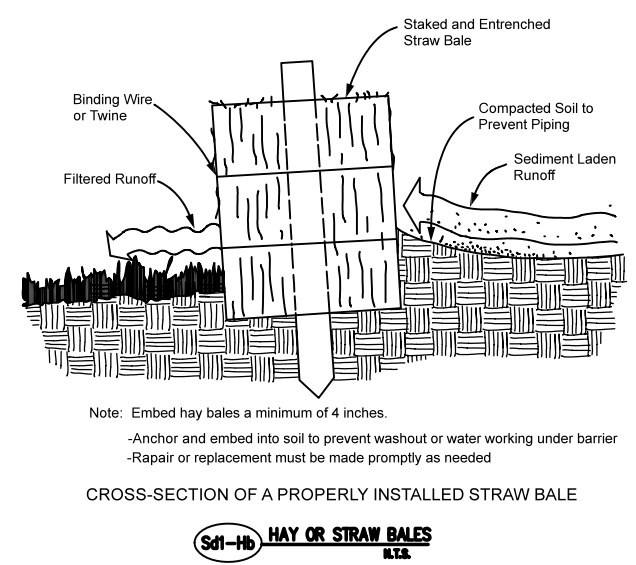
ON ALL DISTURBED AREAS
EROSION CONTROL SEDIMENT PRACTICES:
Ds1 DISTURBED AREA STABILIZATION (WITH MULCH ONLY). ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.
Ds2 DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING). ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST-GROWING SEEDINGS ON DISTURBED AREAS.
Ds3 DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION). ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.
Ds4 DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD). ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN 15% AND PLANNED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



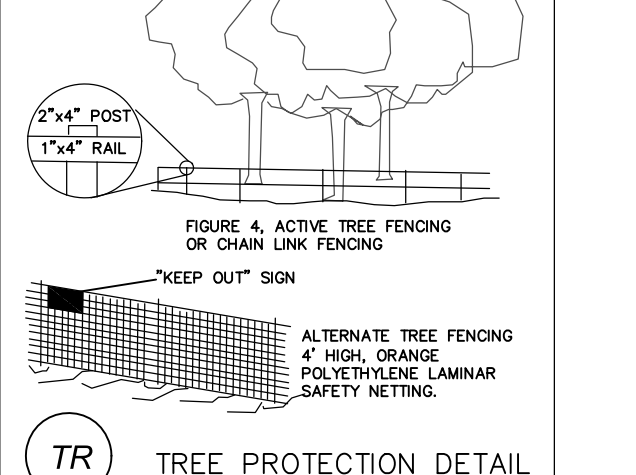
STANDARD DETAILS
Tree Planting Detail
STD. 709 & 710



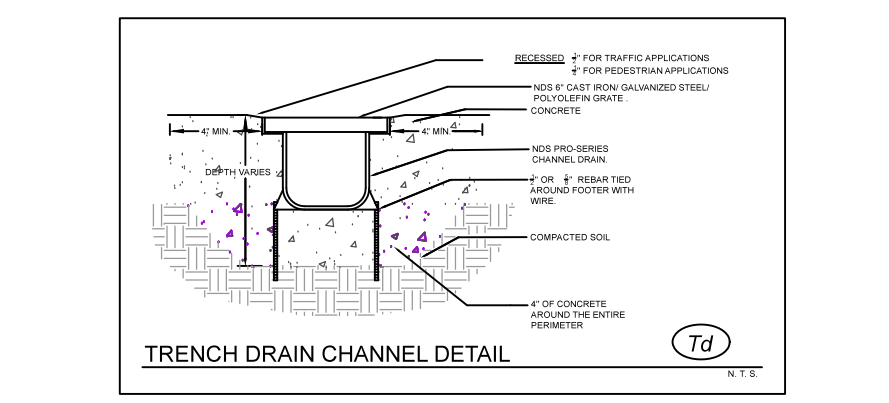
- CONSTRUCTION STEPS:
1. Review potential dry well areas and layout. Dry wells should not be located: (1) beneath an impervious (paved) surface; (2) above an area with a water table or bedrock less than two feet below the trench bottom; (3) over other utility lines; or (4) above a septic field. Insure outlet daylight at least ten feet from property line.
 2. Measure the area draining to the dry well and determine required size from the table on the next page.
 3. If soil is a concern perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr this method cannot be used. If the rate is more than 0.50 in/hr the storage volume may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and dig the hole to the required dimensions. Scarify the bottom soil surface 3".
 5. Place and tamp 6" to 12" of #57 gravel in bottom. Pea gravel can be substituted for leveling purposes in the upper three inch layer below the tank.
 6. Place and secure filter cloth down sides of the excavation leaving enough to fold over the top below the soil and turf.
 7. Place tank and install piping. Bond top of tank in place.
 8. Cut and route downspouts or other rainwater delivery components. (leaf screen optional) chosen (circle selected options in Pretreatment Options Detail figure). Strap and support as needed.
 9. Create a safe overflow at least 10 feet from your property edge and insure it is protected from erosion.
 10. Test connections with water flow.
 11. Fill with gravel jacket around tank and place permeable fabric above between gravel and soil.
 12. Backfill with soil/sod or pea gravel.
 13. Consider aesthetics as appropriate and erosion control for overflow.



- NOTES:
- Embed hay bales a minimum of 4 inches.
 - Anchor and embed into soil to prevent washout or water working under barrier.
 - Repair or replacement must be made promptly as needed.



STANDARD DETAILS
Tree Protection Detail
STD. 709 & 710

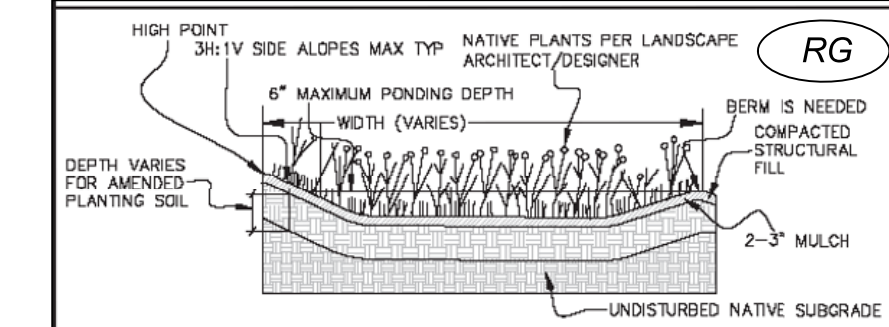


STANDARD DETAILS
Trench Drain Channel Detail
STD. 709 & 710

SIZING CALCULATIONS (RG)

CONTRIBUTING DRAINAGE AREA (SF)	DEPTH OF AMENDED SOIL (INCHES)			
	18	24	30	36
100	8.6	6.7	5.1	4.6
500	35	30	25	23
1000	65	60	50	45
2000	125	115	100	90
3000	200	170	150	140
4000	280	230	200	185
5000	330	280	255	230

MEASURE CONTRIBUTING DRAINAGE AREA AND READ AREA FOR GIVEN MEDIA DEPTH.



- RAIN GARDEN CONSTRUCTION NOTES
1. Locate rain garden(s) where downspouts or driveway runoff can enter garden flowing away from the home. Locate at least 10 feet from foundations, not within the public right of way, away from utility lines, not over septic fields, and not near a steep hill edge.
 2. Measure the area draining to the planned garden and determine required rain garden surface area from the table on the next page and your planned excavation depth.
 3. Optionally, perform infiltration test according to Appendix A. If the rate is less than 0.25 in/hr an underdrain will be necessary. If the rate is more than 0.50 in/hr the size of the garden may be decreased 10% for every 0.50 in/hr infiltration rate increase above 0.50 in/hr.
 4. Measure elevations and stake out the garden to the required dimensions ensuring positive flow into garden, the overflow elevation allows for six inches of ponding, and the perimeter of the garden is higher than the overflow point. If the garden is on a gentle slope a berm at least two feet wide can be constructed on the downhill side and the garden can be dug into the hillside taking greater care for erosion control at the garden inlet(s).
 5. Remove turf or other vegetation in the area of the rain garden. Excavate garden, being careful not to compact soils in the bottom of the garden. Level bottom of garden as much as possible to maximize infiltration area.
 6. Mix compost, topsoil, and some of the amended soil together to make the amended soil. The soil mix should be 1:3 compost, 2:3 native soil (topsoil and subsoil combined).
 7. Fill rain garden with the amended soil, leaving the surface eight inches below your highest surrounding surface. Eight inches allows for 8 inches ponding and 2" of mulch. The surface of the rain garden should be as close to level as possible.
 8. Build a berm at the downhill edge and allow the rain garden with the remaining subsoil. The top of the berm needs to be level, and set at the maximum ponding elevation.
 9. Plant the rain garden using a selection of plants from elsewhere in this manual.
 10. Mulch the surface of the rain garden with two to three inches of non-floating organic mulch. The best choice is finely shredded hardwood mulch. Pine straw is also an option.
 11. Water all plants thoroughly. As in any new garden or flower bed, regular watering will likely be needed to establish plants during the first growing season.
 12. During construction build the inlet feature as a pipe directly connected to a downspout or use a rock lined swale with a gentle slope. Use of an impermeable liner under the rocks at the end of the swale near the house is recommended to keep water from soaking in at that point. Test the drainage of water from the source to the garden prior to finishing.
 13. Create an overflow at least 10 feet from your property edge and insure it is protected from erosion.

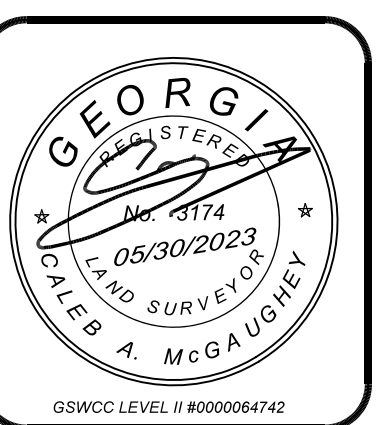
PLANT SCHEDULE - (PER 80 SF OF RAIN GARDEN)

SHRUBS	CODE	QTY	BOTANICAL NAME/COMMON NAME	SIZE
	EQUHYE	8	EQUISETUM HYEMALE/HORSETAIL REED GRASS	1 GAL
	GARDW2	1	GARDENIA RADICANS/DWARF GARDENIA	3 GAL
	ILENA3	1	ILEX GLABRA NANA/DWARF INK BERRY	3 GAL
	IRIVAS	6	IRIS ENSATA VARIETAS VARIETIGATA JAPANESE IRIS	1 GAL
	ITEVIR	2	ITEA VIRGINICA 'HENRY'S GARNET'/HENRY'S GARNET SWEETSPICE	3 GAL

00-RAIN GARDEN - TYPICAL PLANTING - 80 sf

DATE:	ISSUE
AUGUST 5, 2021	
SCALE: 1" = 30'	
ACREAGE: 0.4165	
LAND LOT(S): 2	
DISTRICT: 18th	
CITY:	
COUNTY: DEKALB STATE: GEORGIA	
SURVEYED: MAF DRAWN: MWR	
CHECKED: WGH APPROVED: CAM	
PROJECT #: 16-257	

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
404-384-9577
GA LAND SURVEYOR, LLC
3355 ANNANDALE LANE, STE 1
SUWANEE, GA 30024

SHEET
2
OF
2



Battle Law

STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance
For
A Stream Buffer Variance

of

ELIZABETH FINNERTY MARTIN
c/o Battle Law, P.C.

for

+/- 0.41 Acres of Land
Being 1176 Lullwater Road
DeKalb County, Georgia and
Parcel No. 18 054 06 001

Submitted for Applicant by:

Michèle L. Battle, Esq.
Joshua S. Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com
jsm@battlelawpc.com



Battle Law

I. LETTER OF INTENT

Elizabeth Finnerty Martin (the “Applicant”) and her husband, David Martin, own and are seeking to develop on +/- 0.41 acres of land being Tax Parcel No. 18 054 06 001 having frontage on 1176 Lullwater Road (the “Subject Property”) with one single-family detached home. The Applicant is seeking a Stream Buffer Variance to allow for the encroachment of a single-family detached home twenty five (25) feet into the seventy-five (75) foot Stream Buffer pursuant to Section 14-44.1 of the DeKalb County Land Development Ordinance, according to the submitted site plan.

This document serves as a statement of intent, analysis of the criteria under the DeKalb County Code of Ordinances, and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. STREAM BUFFER VARIANCE CRITERIA

- A. 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;*

By reason of exceptional site conditions not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of the rights and privileges enjoyed by other property owners in the same zoning district. This Subject Property is in the unique position of having both a stream buffer encumbering it and being in the historic Druid Hills neighborhood. The regulations that preserve the historic character of the neighborhood call for a certain placement of a home in relation to the street and governs the size a home is permitted to be. The stream buffer excludes space from being built upon. These regulations combine to create a developable envelope that significantly burdens the property owner and Applicant. Importantly, neither the property owner nor the Applicant have created the hardship as it arises only out of the fact that there is a stream on the property, and that the regulations combine in such a way to diminish the developable envelope to a space well below what a typical lot would be afforded.

Therefore, by reason of exceptional site conditions not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of the rights and privileges enjoyed by other property owners in the same zoning district.



Battle Law

- B. 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 requested does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privileges. The reductions requested are the absolute minimum the Applicant needs to build a home on the Subject Property.

- C. 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 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 variance requested will allow the Applicant to construct a single-family detached home that complements the character of other single-family detached homes in the historic Druid Hills district.

- D. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship; and*

Should the County literally interpret and strictly apply the provision or requirements of this chapter, the Applicant would experience undue and unnecessary hardship. Failure to grant the requested variances would mean the Applicant simply cannot use the Subject Property. This would clearly be an undue and unnecessary hardship, and result in the taking of the Subject Property by the County without just compensation.

- E. 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. The Subject Property is exactly the type of property contemplated by the DeKalb County Zoning Ordinance's section on variances. The Subject Property is uniquely and unduly burdened by the County's stream buffer and setback requirements in such a way that makes the Subject Property unusable. A failure to grant the requested variance would deprive the Applicant of the rights and privileges afforded to other property owners in similar zoning districts. Therefore, the requested variance is wholly consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

III. CONCLUSION



Battle Law

For the foregoing reasons, the Applicant hereby requests that the application for a Stream Buffer Variance be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to approve the Stream Buffer Variance as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Stream Buffer Variance of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an



Battle Law

unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the Stream Buffer Variance in question would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the Stream Buffer Variance in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Michele L. Battle, Esq.
Attorney for the Applicant



Linda I. Dunlavy
Dunlavy Law Group,
LLC

245 N. Highland Avenue, NE, Suite 230, #905
Atlanta, GA 30307
Tel: 404-371-4101

ldunlavy@dunlavylawgroup.com | www.dunlavylawgroup.com

April 23, 2024

Members of DeKalb County Zoning Board of Appeals
c/o Lucas Carter and Rachel Bragg
DeKalb County Planning and Sustainability Department
78 Sams Street
Decatur, GA 30030

**Re: Appeal of Virginia Tate Challenging Grant of Stream Buffer Variance for 1176
Lullwater- Case No: A-24-1246840**

Dear Members of the Zoning Board of Appeals:

I represent the owners of the property impacted by the above-referenced appeal—David Martin and Elizabeth Finnerty. The appeal of Virginia Tate, a resident neighbor at 1166 Lullwater Road seeks to have the ZBA overturn the decision of Mr. Robert Sheppard, the Chief Building Official for DeKalb County approving encroachment into the outer 25 feet of the County stream buffer not to exceed 1857 square feet with conditions that there be no filling or grading within the flood plain and 5 other conditions on December 11, 2023. The appeal came on for consideration before the ZBA on March 13, 2024. Members of the public in support of the appeal and members of the Board raised questions concerning the stream buffer encroachment approval which I wish to address in this letter before the next meeting of the ZBA wherein the appeal will be considered on May 8, 2024.

Minimal relief necessary. On March 13, 2024, the Board heard testimony from Kennisha Collins, Environmental & Compliance Inspections Supervisor, in the Department of Planning and Sustainability tasked with reviewing stream buffer encroachment application for the County. She testified that she thoroughly reviewed the application of the property owners to determine compliance with the criteria set forth in the Code of ordinances. the October application (unlike the previous application submitted in June of 2023) was complete and met all the criteria required for the approval of a stream buffer encroachment. In spite of this testimony in support of the ZBA staff’s recommendation of sustaining the administrative decision and the substantial evidence in the Record showing how the application met the required criteria, members of the public continued to object to the granting of the encroachment stating that the

“house was too big for the lot”; that the “massing was incompatible” with the surrounding community and that therefore the application did not meet the requirement for a variance, namely that the request goes beyond the minimum necessary to afford relief and constitutes a grant of special privileges inconsistent with the limitations upon other properties. Whether the proposed house is “too big for the lot” or the “massing is incompatible” with its surrounds are not criteria in the stream buffer ordinance. However, the massing and size of homes in the Druid Hills Local Historic District are elements within the purview of the Historic Preservation Commission. In accordance with the HPC staff’s recommendation of approval, the HPC approved the house design with its current size (3350 square feet) and massing on January 16, 2024. Although, Ms. Tate also appealed that decision to the Board of Commissioners, the BOC sustained the approval of the house design by the HPC and denied the appeal of Ms. Tate on April 9, 2024. *See page 3 of the meeting summary included with this letter for Agenda Item # 2024-0249.* In her appeal to the BOC, Ms. Tate expressly asserted that *“To allow this new construction would have a detrimental effect on the District as it is not at all compatible with the dominant patterns and prevailing character of the existing buildings in the area of influence.”*¹ By denying her appeal, the BOC clearly did not buy this argument. Moreover, the criteria in Chapter 14 relates to the minimum necessary encroachment into the buffer and not to some minimum or maximum house size. Regardless of the size of the house proposed for 1176 any property owner desiring to build on the lot would need to encroach into the outer 25-foot County buffer. The property owners did not propose to encroach into the inner 50 -foot buffer or the state buffer, thereby keeping encroachment to the minimum necessary.

As noted in the October stream buffer encroachment application, the Applicants have tweaked the proposed plan for construction of a residence on the Subject Property numerous times. They have changed the proposed front yard setbacks to satisfy the HPC by increasing them; they have reduced the size of the home; they have shifted the site orientation of the home and the shifted the proposed garage from a side entry garage to a front entry garage to reduce the extent of encroachment into the stream buffers and more. The degree of encroachment is limited to the outer 50-foot buffer and comprises only 10% of the overall lot area. Moreover, the proposed plan does not involve construction and filling within the flood plain and minimizes tree removal to a single diseased tree. Contrary to the assertions of Ms. Tate in her appeal, there is no work proposed within the existing or year 2025 built-out condition flood plain. This was confirmed by the testimony of Kennisha Collins on March 13, 2024, and not refuted by Ms. Tate. The lot coverage proposed is below the 35% maximum at 18.4% lot coverage.

Moreover, it would not constitute the grant of a special privilege to allow the requested encroachment because, among other things, the Druid Hills Historic Guidelines at Section 7.2 require any new home 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. This is why the HPC insisted upon a much larger than standard front yard setback of 72 feet thereby forcing the home construction further back on the lot and into stream buffer areas. The lot comprising the Subject Property is smaller than all others encumbered with the same stream. It is only 175 feet deep compared to other lots that are on average 290+ ft deep. But a smaller house significantly different in massing, proportion, rhythm, and scale from the HPC-approved design will not conform with the Historic

¹ The Tate appeal to the BOC is included herein.

District Guidelines (see relevant guidelines, showing examples of new smaller houses being marking as "inappropriate" included herein). Remarks that the "house was too big for the lot" or that "massing was incompatible" simply do not comport with the Guidelines, the HPC staff report, or the decisions of the HPC, which specifically found no substantial adverse impact on the district or historic properties when it granted the COA. And the BOC expressly affirmed the HPC decision in this regard. *See decision enclosed.*

Finally, it should be noted that adjoining homes to the Subject Property are within less than 75 feet from the centerline of the same stream that traverses the Subject Property. 1166 Lullwater appears to have part of its main structure (the garage) less than 23 feet from stream while 1495 North Decatur seems to be less than 65 feet from centerline of the stream. Under such circumstances it cannot be said that granting the encroachment would constitute a special privilege.

Standard of Review on Appeal. Several members of the public and indeed a couple Board members noted that they believed other alternatives had not been sufficiently explored and that the proposed house was too big. Determining the merits of an appeal, such as that of Ms. Tate, is not a Pandora's Box that can be opened just because a member of the public or a ZBA member might have a different view of the housing product being proposed in conjunction with a stream buffer variance application. The scope of review is **very narrow and specifically limited by ordinance.**

Section 7.5.2 (G) provides the standard of review for such an appeal as follows:

An appeal shall be sustained only upon an expressed finding by the zoning board of appeals that the administrative official's action was based on an erroneous finding of a material fact, erroneously applied the zoning ordinance to the facts, or that the administrative official acted in an arbitrary manner.

This standard of review is the same as that imposed on courts when reviewing decisions of inferior quasi-judicial bodies. In Bentley v. Chastain, 242 Ga. 348 (1978), the Georgia Supreme Court noted that in reviewing the decisions of quasi-judicial bodies:

[T]heir decisions are not to be taken lightly or minimized... Review overbroad in scope would have the effect of substituting the judgment of a judge or jury for that of the agency, thereby nullifying the benefits of legislative delegation to a specialized body...[T]he focus of the courts in reviewing administrative decisions should be to evaluate the extent of discretion delegated to that agency and to see that the agency acts within the limits of its discretion in order to protect individuals against the unnecessary and uncontrolled use of that power... Therefore, the only review authorized is that inherent in the power of the judiciary: Whether the agency acted beyond the discretionary powers conferred upon it, abused its discretion, or acted arbitrarily or capriciously with regard to an individual's constitutional rights.

Id. at 351-352. Accord, Jackson v. Spalding County, 265 Ga. 792, 794, 462 S.E. 2d 361 (1995); City of Atlanta Board of Zoning Adjustment v. Midtown North, Ltd., 257 Ga. 496 (4), 360 S.E.2d 569 (1987). The same restrictions apply where, as here, the ordinances of DeKalb County delegate to experts, such as Ms. Collins, the consideration and application of criteria for the allowance of stream buffer encroachment. Deference must be given to these officials under the standard of review absent a clear abuse of discretion or a clear factual error.

The reviewing body—here the ZBA-- must affirm the decision if there is *any evidence* to support it, even when the party challenging the factfinder's conclusions presented evidence that conflict with those conclusions. Macon-Bibb County Planning & Zoning Comm'n v. Epic Midstream, LLC, 349 Ga. App. 568, 572 (2019); Fulton County v. Berry, 354 Ga. App. 841 (2020). The ZBA is not to substitute its judgment for that of the administrative official unless it clearly finds an abuse of discretion or an erroneous finding of fact. In other words, even if reasonable minds could differ as to whether the “house is too big for the lot” (a subjective assertion) or the “massing is incompatible” with the surrounding community—those are not elements in the stream buffer ordinance and having a difference of opinion on those issues does not amount to an abuse of discretion. The only evidence in the Record shows that the Chief Building Official had a reasonable basis for his decision to approve the encroachment request. There is no evidence in this appeal of an abuse of discretion or an erroneous finding of fact. As such, the appeal (like the one before the BOC recently) must be denied. To do otherwise would be the epitome of an abuse of discretion.

Continued pursuit of needed approvals. It was suggested during the course of the ZBA proceedings on March 13, 2024, that somehow the property owners’ continued, vigorous pursuit of the approvals needed for development of the Subject Property was somehow unseemly or proof

of the tenuous nature of their efforts. Such suggestions have no place in the factors the ZBA is restricted to considering in the appeal of Ms. Tate. The property owners are not here before the ZBA once again by choice. They are here because Ms. Tate does not like what they propose and has made it clear **she will** pursue her objections to this proposed development until she can pursue it no longer. Just because the property owners continue to defend against these attacks with vigor is no evidence that somehow their repeated pursuit of development entitlements is without merit. They have every right to take the steps provided to them by law to advance their interests in the Subject Property and ultimately secure the approvals necessary for development.

On behalf of the seriously impacted property owners, I ask that you consider these points when this matter comes before you again on May 8, 2024, and, as always, I thank you for your time and consideration.

Sincerely yours,



Linda I. Dunlavy
Attorney for Dave Martin
and Beth Finnerty

Enclosures

cc: Beth Finnerty
Dave Martin
Dave Price

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

Application to Appeal a Decision of the DeKalb County Historic Preservation Commission

All appeals must comply with the procedures set forth herein.

An application to appeal a decision of the Historic Preservation Commission on a certificate of appropriateness application must be filed within fifteen (15) calendar days after the issuance or denial of the certificate of appropriateness.

To be completed by County:

Date Received: _____

To be completed by appellant:

Name: _____ Virginia Tate

Address of appellant: _____
1166 Lullwater Road, Atlanta, GA 30307

Address of Property: _____ 1176 Lullwater Road, Atlanta, GA 30307

This appeal is a review of the record of the proceedings before the preservation commission by the governing authority of DeKalb County, Georgia. The governing authority is looking for an abuse of discretion as revealed by the record. An abuse of discretion exists where the record presented to the governing authority shows that the preservation commission: (a) exceeded the limits of its authority; (b) that the preservation commission's decision was not based on factors set forth in the section 13.5-8(3) or the guidelines adopted by the preservation commission pursuant to section 13.5-6 or; (c) that the preservation commission's decision was otherwise arbitrary and capricious.

If the governing authority finds no abuse of discretion, then it may affirm the decision of the preservation commission. If the governing authority finds that the preservation commission abused its discretion in reaching a decision, then it may; (a) reverse the preservation commission's decision, or; (b) it may adverse the preservation commission's decision and remand the application to the preservation commission with direction.

Date(s) of hearing, if any: _____ January 16, 2024

Date of Historic Preservation Commission decision: _____

DEPARTMENT OF PLANNING & SUSTAINABILITY

Historic Preservation Commission Appeal Form
Page 2 of 2

In the space provided below the Appellant must describe how the preservation commission's decision constitutes an abuse of discretion. Specifically, the appellant must, citing to the preservation commission's written decision, show at least one of the following: that the preservation commission exceeded the limits of its authority, or that the preservation commission's decision was not based on factors set forth in the section 13.5-8(3) of the DeKalb County Code or on the guidelines adopted by the preservation commission pursuant to section 13.5-6 of said code or that the preservation commission's decision was otherwise arbitrary and capricious.

Grounds for appeal:

The HPC abused its discretion pursuant to Dekalb County Code 13.5-8(12) by exceeding the limits of its authority, the decision was not based on the factors set forth in Section 13.5-8(3) or the guidelines pursuant to Section 13.5-6 and the decision was arbitrary and capricious. The BOC, on December 5, 2023, reversed the HPC grant of a COA from September, 2023. Subsequently, the applicant reapplied to the HPC instead of appealing to the Dekalb Superior Court. On January 16, 2024 the HPC again granted a COA on apparently the same grounds. The HPC exceeded their authority and the decision was arbitrary and capricious in that it failed to consider the BOC's reversal which concluded the COA should not be granted. Futher, the HPC found that the new construction fit the Druid Hills Guidelines and was not injurious to the property or District. However, it is clear the decision was not based on factors relating to the dominant pattern and prevailing character of the existing homes in the area of influence as required in the code and guidelines.

Four horizontal lines for additional text input.

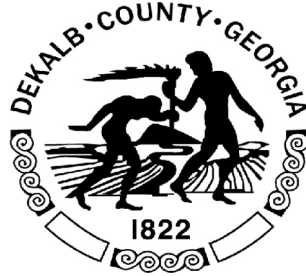
The appellant may submit a written supplementary explanation in support of the appeal. The supplementary explanation shall be submitted with the appeal. The supplementary explanation may not exceed three pages and must be typewritten and double-spaced using a twelve-point font with a one-inch margin on all four sides. The governing authority will not consider text in excess of the page limit set forth herein.

Date: _____ Signature: _____ Virginia Tate

Instructions: The appellant shall also deliver copies of this appeal to the planning department and the county attorney. The appellant and any person who has filed a statement in opposition to, or in support of the appeal may attend the meeting at which the appeal is considered and may be called upon by any member of the governing authority to provide information or answer questions. There shall be no other public participation in the appeal.

DeKalb County Government

*Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030*



Summary

Tuesday, April 9, 2024

9:00 AM

Manuel J. Maloof Auditorium

Board of Commissioners

Commissioner Mereda Davis Johnson, Presiding Officer, District 5

Commissioner Robert Patrick, Deputy Presiding Officer, District 1

Commissioner Michelle Long Spears, District 2

Commissioner Steve Bradshaw, District 4

Commissioner Edward "Ted" Terry, Super District 6

Administration: Michael Thurmond, CEO, Zachary Williams, Executive Assistant/ Chief Operating Officer, Barbara Sanders-Norwood, County Clerk, Terry G. Phillips, Deputy County Attorney

A. INSPIRATIONAL

PLEDGE OF ALLEGIANCE

B. PRESENTATIONS

C. COMMENTS FROM THE PUBLIC

The purpose of public comment is to allow the public to voice county-related requests, concerns or opinions during the Commission meeting. Speakers will only have the opportunity for one public comment per meeting. Each speaker must complete a speaker card and present it to the clerk before the beginning of the public comment portion of the meeting. Cards turned in to the clerk from the time the general meeting is convened (generally 9 A.M.) and by the beginning of public comment portion generally following presentations on the agenda. The clerk will accept cards on a first-come, first-served basis. Prior to the clerk's call for public comment, speakers who are residents of DeKalb County shall be allowed to speak before residents of other counties are allowed to speak. Once the public comment portion of the meeting begins, speaker cards will no longer be accepted. Speakers will be allowed to speak for three minutes each and public comment shall not exceed 30 minutes in length. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to yield the podium. Those who submitted speaker cards but did not speak because of the time allotment will be allowed to speak first at the next regularly scheduled Commission meeting without regard to residence. Speakers should always talk directly into the microphone and begin by stating their name, full address and the name of any organization they represent.

Abusive, profane or derogatory language, holding up signs, clapping, yelling, standing or laying in the aisles to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing in place will be permitted to show support for or opposition to a speaker's position.

Public Comment: In Person

Mary Hinkel -1718 Mason Mill Road Northeast Atlanta GA 30329, Stephen Binney 1083 Seville Drive Clarkston GA 30021, Lance Hammonds- 6933 Waters Edge Drive Stone Mountain GA 30087, Charles Bailey-Musgray- 3329 York Place Decatur GA 30032, Ali Abdulsamad- 751 North Indian Creek Drive Clarkston GA 30021

D. 10:00 A.M. PUBLIC HEARING

Citizens may speak for or against an item that is considered by law to be a zoning ordinance and each side will have ten minutes to present its case. Citizens may also speak for or against an item that is placed on the public hearing agenda but is not a zoning ordinance. In that case, each side will have five minutes to present its case. In the event there is more than one speaker per side, speakers must divide their time in order to complete their full presentation within the ten-minute time allotment, or the five minute time allotment. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to leave the podium area. Prior to speaking, a speaker shall complete a speaker card and present it when approaching the podium. If a speaker has any documents for the commissioners, the speaker shall provide 10 copies when approaching the podium. Seven copies are for the commissioners and the remaining copies are for the planning director, the county attorney and the clerk. In all zoning ordinance and traffic calming cases, staff shall make their recommendation for action to the Commission first followed by applicants or citizens speaking in favor of the item. Applicants in zoning ordinance cases shall have the right to reserve time for rebuttal. Opponents of a zoning ordinance item shall have no right of rebuttal. For all other items placed on the public hearing agenda, applicants or citizens speaking in favor of the item shall speak first followed by opponents of the item. Once the citizens have finished speaking, staff shall make a recommendation for action to the Commission. At this point, citizens are no longer allowed to speak unless called to the podium by an individual commissioner to answer questions or provide information. Speakers should always talk directly into the microphone and begin by stating their name, address and the name of any organization they represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping, yelling, standing or laying in the aisles to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing in place will be permitted to show support for or opposition to a speaker's position.

Planning & Sustainability

[2023-0583](#)

COMMISSION DISTRICT(S): Commission District 02 Super District 6
Application of ArcOne Construction Company c/o Battle Law, P.C. to rezone property from R-75 (Residential Medium Lot-75) zoning district to R-60 (Residential Small Lot-60) zoning district to allow for the construction of single-family detached homes.

Deferred substitute, until April 23, 2024 for Decision Only

“DECISION ONLY” ITEMS – NO PUBLIC HEARING

GIS Department

[2024-0302](#)**Commission District(s): 3 & 6**

Resolution to Consider Public Right of Way Abandonment Petition for a 42,344 Sqft (0.97-Acre) Section of Koppers Road and an Adjacent 29,339 Sqft (0.67-Acre) Section of an Unnamed Road.

Approved

[2024-0303](#)**Commission District(s): 3 & 6**

Resolution to Consider a Public Right of Way Abandonment Petition for a 13,317 Sf (0.30-Acre) Section of Right of Way Known as Lancaster Rd Located Within Land Lot 17 Of The 15th District of DeKalb County, Georgia.

Approved

E. APPEALS**Planning and Sustainability**[2024-0248](#)**COMMISSION DISTRICT(S): 2 & 6**

Appeal of a Decision of the Historic Preservation Commission at 1176 Lullwater Road by Katharine Butler

Approved to affirm the decision of the Historic Preservation Commission at 1176 Lullwater Road by Katharine Butler

[2024-0249](#)**COMMISSION DISTRICT(S): 2 & 6**

Appeal of a Decision of the Historic Preservation Commission at 1176 Lullwater Road by Virginia Tate

Approved to affirm the decision of the Historic Preservation Commission at 1176 Lullwater Road by Virginia Tate

F. APPOINTMENTS

NONE

G. CONSENT AGENDA

Board of Commissioners - District 2

[2024-0484](#)

Commission District(s): All Commission Districts

Appropriation of \$50,000 from District 2 ARP Funding to Support Wellroot Family Services for Safe and Stable Housing Renovations for Youth Aging Out of Foster Care

Approved

Board of Commissioners - District 6

[2024-0465](#)

Commission District(s): Commission District 6 and Commission District 4

Rescind the unspent balance of \$52,990 of Previously BOC Approved 2022-1952-District 6 ARP Appropriations to Support a Brannon Hills Public Health and Public Safety Fund and Return Balance of This Fund to the District 6 ARP Tranche 1 to Reappropriate to Qualified D6 Projects that Address Long-term COVID Recovery Needs

Approved

[2024-0466](#)

Commission District(s): Commission District 6 and Commission District 3 To

Approve an Appropriation of \$30,000.00 from the 2024 Reserves for Appropriation from District 6 to The Pendleton Group to Complete the Previously Approved Project to Assist DeKalb County in Coordinating the Planning and Design Effort for Transit Improvements in South DeKalb County

Approved

[2024-0467](#)

Commission District(s): All Commission Districts

To Transfer \$10,500 from the 2024 District 6 Reserve for Appropriation Youth Funds to the Salvation Army Boys & Girls of Greater Atlanta to Support Jellybean Production’s 2024 “Arts in the Neighborhood” Program for Participants who attend the Peachcrest Location at 3500 Sherrydale Lane, Decatur 30032

Approved

[2024-0479](#)

Commission District(s): Commission District 6

To appropriate \$12,162.00 from the District 6 Reserve for Appropriations to Urban3 to assist with community engagement on the importance of land economics in planning, zoning, and place-making decisions.

Approved

Clerk to the Board of Commissioners and CEO

[2024-0469](#)

Commission District(s): All

Approval of the Minutes of the Board of Commissioners Meeting of March 26, 2024

Deferred to the next meeting, held on April 23, 2024

[2024-0470](#)

Commission District(s): All

Approval of the Minutes of the Board of Commissioners Zoning Meeting of March 28, 2024

Deferred to the next meeting, held on April 23, 2024

[2024-0456](#)**Commission District(s): All**

Approval of Minutes of the Special Called Meeting of March 19, 2024.

Deferred to the next meeting, held on April 23, 2024**GIS Department**[2024-0440](#)**Commission District(s): 3 & 7**

Public Right of Way Abandonment Petition - A 35,915 SF (0.82-acre) Section of Snapfinger Road. No Cost to County.

Approved[2024-0441](#)**Commission District(s): 4 & 6**

Public Right of Way Abandonment Petition - 286 Third Avenue, Scottdale, Ga 30317 - A 354 SF (0.0084-acre) Section of Chestnut Street and a 127 SF (0.0029-acre) Section of Alleyway. No Cost to County.

Approved**Recreation, Parks and Cultural Affairs**[2024-0412](#)**Commission District(s): 3 and 6**

Park Pride Atlanta, Inc. Grant Award DeKalb Memorial Park

Approved[2024-0413](#)**Commission District(s): 2 and 6**

Park Pride Atlanta, Inc. Grant Award Springbrook Park

Approved

[2024-0443](#)

Commission District(s): All Districts

Building Opportunities for Out-of-School Time Summer Grant Year 3

Approved

Superior Court

[2024-0422](#)

Commission District(s): All Districts

Criminal Justice Coordinating Council Grant to the DeKalb County Adult Felony

Drug Court Emergency Grant-\$10,000.00

Approved

[2024-0423](#)

Commission District(s): All Districts

Criminal Justice Coordinating Council Grant to the DeKalb County Felony

Mental Health Court Emergency Funding -\$2,500.00

Approved

H. PRELIMINARY ITEMS

District Attorney

[2024-0472](#)

Commission District(s): All

Request for Additional Fleet for District Attorney’s Office via grant funds, with no additional funds required

Approved with a friendly amendment requesting Central Staff forward the 2022 Resolution on Clean Energy and Clean transportation to all of the user departments, including the constitutionals

Facilities Management

[2024-0414](#)**Commission District(s): All**

REN - Contract No. 1288050 Purchase, Inspection, Service, and Repair of Fire Extinguishers (Annual Contract - 2nd Renewal of 2 Options To Renew): for use by the Departments of Facilities Management (FM) and Fire Rescue (FR). This contract consists of providing the purchase, inspection, service, and repair of fire extinguishers. This request seeks to exercise the 2nd renewal option through April 30, 2025. Awarded to All-Star Fire, LLC. Amount Not To Exceed: \$143,500.00.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

Finance - Risk Management[2024-0478](#)**Commission District(s): All Commission Districts**

Group Health & Wellness Benefits effective July 1, 2024

Deferred with a stop in the Employee Relations & Public Safety Committee (ERPS), until April 23, 2024

Juvenile Court[2024-0483](#)**Commission District(s): All Commission Districts will be impacted**

Approval to Accept the FY24 Supplemental Grant Award from the Criminal Justice Coordinating Council Juvenile Justice Incentive Grant for Juvenile Court's Commitment Alternative Program in the Amount of \$18,600.

Approved

Police Services[2024-0438](#)**Commission District(s): All Commission Districts**

Approve the Purchase of Internal Affairs (IA) Pro Software and Related Services from Versaterm Public Safety US, Inc., not to exceed \$145,694.80

Deferred with a stop in the Employee Relations & Public Safety Committee (ERPS), until April 23, 2024

Purchasing & Contracting*Purchasing & Contracting - to ERPS Committee*[2024-0227](#)**Commission District(s): All**

LB - Invitation No. 23-101603 Medical Exam Services (Annual Contract with 4 Options to Renew): for use by Fire Rescue (FR). Consists of medical and mental health screenings and evaluations of Fire Rescue personnel. Recommend award to the lowest, responsive and responsible bidder: Site Med North America, LLC. Amount Not To Exceed: \$444,845.00.

Deferred with a stop in the Employee Relations & Public Safety Committee (ERPS), until April 23, 2024

Purchasing & Contracting - to OPS Committee[2024-0205](#)**Commission District(s): All**

LB - Invitation No. 23-101619 Fourteen (14) Passenger Transport Bus (One Time Buy): for Public Works-Fleet Management to be used by the Department of Human Services. Consists of the purchase of one (1) 14 passenger transport bus to be used to transport seniors for activities, events, and appointments. Recommend award to Model 1 Commercial Vehicles, Inc. Amount Not To Exceed: \$104,933.00.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

[2024-0223](#)**Commission District(s): All**

CO - Change Order No. 1 to Contract No. 1361260 Energy Efficient LED Lighting Conversion for The Manuel J. Maloof Building (One-Time Buy): for use by the Department of Facilities Management (FM). This contract consists of the purchase and installation of LED Lights for floors 1-6 in the Maloof Administration Building. This request is to increase contract scope of work and funds. Awarded to: TDIR Inc. Amount Not To Exceed: \$11,135.00.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

[2024-0300](#)**Commission District(s): All**

CO - Change Order No. 8 to Contract 1191815 and Change Order No. 6 to Contract 119181 General Contractor Services (Multiyear): for use by the Departments of Facilities Management (FM), Recreation, Parks and Cultural Affairs (RPCA), Fire Rescue Services, Watershed Management (DWM) and Library (DCPL). This contract consists of providing general contractor services for minor construction projects throughout the County. This request seeks to transfer existing funds from Contract 1191815 (Greenheart) to Contract No. 119181 (Kissberg) to assist in the completion of upcoming projects. Awarded to: Greenheart Construction Inc. and Kissberg/Parker-Fry JV, LLC. TRANSFER REQUEST ONLY

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

[2024-0311](#)**Commission District(s): All**

REN - Contract Nos.: 1330298 and 1330301 On Call Electrical Services (Annual Contract - 1st Renewal of 2 Options to Renew): for use by the Departments of Facilities Management (FM) and Fire Rescue (FR). This contract consists of providing inspections, maintenance repairs and installations of electrical systems, components, and equipment in County owned facilities. This request is to exercise the 1st renewal option through April 30, 2025. Awarded to: GC&E Systems Group, LLC and Electrical Contractor Inc. Total Amount Not To Exceed: \$580,000.00.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

[2024-0395](#)**Commission District(s): All**

CO - Change Order No. 2 to Contract Nos.: 1251855 and 1252009 On-Call Painting and Wallpapering Services (Annual Contract with 2 Options to Renew): for use by the Departments of Facilities Management (FM), Recreation, Parks and Cultural Affairs (RPCA), and Watershed Management (DWM). These contracts consist of providing on-call painting and wallpapering services at County-owned facilities. This request is to increase contract funds and term through December 31, 2024. Awarded to: A&D Painting, Inc. and Cleanstar National, Inc. Total Amount Not To Exceed: \$1,865,000.00.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

[2024-0405](#)**Commission District(s): All**

REN - Contract Nos.: 1290820, 1290739, 1290740, 1290816, and 1290742 Tire Services (2nd of 2 Options to Renew): for use by Public Works-Fleet Management. These contracts consist of outside repair services to include foam filled tires with installation. This request seeks to exercise the 2nd renewal option through May 31, 2025. This request also seeks to reserve the right to transfer funds between contracts based on County needs. Awarded to Southern Tire Mart, LLC, Setco, Inc., Atlanta Commercial Tire, Action Tire, Co., and Nextire Commercial, Inc. Total Amount Not To Exceed: \$460,000.00.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

[2024-0418](#)**Commission District(s): All**

CO - Change Order No. 1 to Contract No. 1251271 Uninterruptible Power Supply (UPS) Systems (Annual Contract with 2 Options to Renew): for use by the Department of Facilities Management (FM). This contract consists of providing preventive maintenance services for UPS systems. This request is to increase contract funds and term through December 31, 2024. Awarded to: AC & DC Power Technologies LLC. Amount Not To Exceed: \$30,000.00.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

[2024-0421](#)**Commission District(s): All**

SWC - Statewide Contract (SWC) No. 99999-SPD-SPD0000155-0001 Truck Chassis and Truck Bodies: for use by Public Works-Fleet Management to be used by the Department of Watershed Management (DWM). This request consists of purchasing from the competitively let SWC for two (2) 2024 International CV515 crew cab chassis with valve truck service bodies. These trucks will be used to assist DWM as they exercise and maintain water valves throughout the County. Awarded to Rush Truck Centers of GA, Inc. Amount Not To Exceed: \$519,985.00.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

[2024-0424](#)**Commission District(s): All**

CA - Contract No. 2018011-01 Information Technology Solutions and Services (Lead agency City of Mesa, AZ/National Intergovernmental Purchasing Alliance Company (Mesa/NIPA)): for use by the Department of Innovation and Technology (DoIT). This request seeks to purchase from the competitively let Mesa/NIPA contract assist in the transition of the County's enterprise security software solution from McAfee/Trellix to CrowdStrike. Awarded to CDW Government, LLC. Amount Not To Exceed: \$340,461.65.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

[2024-0426](#)**Commission District(s): All**

CA - Sourcewell Contract No. 011723 Heavy Construction Equipment with Related Attachments and Technology: for use by Public Works-Fleet Management to be used by the Department of Watershed Management (DWM). This request seeks to purchase from the competitively let Sourcewell contract for five (5) compact rubber track excavators with enclosed cabs. These excavators will assist DWM in digging trenches to repair and replace water and sewer pipes throughout the County. Awarded to SANY America, Inc. Amount Not To Exceed: \$296,037.76.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

Purchasing & Contracting - to PECS Committee

[2024-0419](#)**Commission District(s): 3, 4, and 6**

CO - Change Order No. 1 to Contract No. 1338172 Turf or Natural Sports Fields, Courts, and Tracks Goods and Services (The Interlocal Purchasing System/Texas Region 8 Education Service Center (TIPS/Region 8 ESC)): for use by the Department of Recreation, Parks and Cultural Affairs (RPCA) to be utilized by all County Departments. This contract consists of purchasing off the competitively let TIPS/Region 8 ESC Contract No. 23020102 to purchase synthetic or natural sports fields, courts, or tracks and construction services. This request seeks to change the field at Hamilton Park from natural sod to synthetic turf and convert the softball fields at Truelove Park to synthetic turf. Awarded to: Deluxe Athletics LLC. Amount Not To Exceed: \$3,089,990.00.

Deferred with a stop in the Planning, Economic Development & Community Services Committee (PECS), until April 23, 2024

[2024-0429](#)**Commission District(s): All**

CO - Change Order No. 1 to Contract No. 1367273 Demolition of Residential and Commercial Buildings (Annual Contract with 2 Options to Renew): for use by the Department of Recreation, Parks, and Cultural Affairs (RPCA) and Fire Rescue (FR). This contract consists of providing demolition services for County owned facilities. This request seeks to increase contract funds, through the existing contract term, to Contract No. 1367273 for RPCA upcoming projects. Awarded to: Complete Demolition Services, LLC. Amount Not To Exceed: \$150,000.00.

Deferred with a stop in the Planning, Economic Development & Community Services Committee (PECS), until April 23, 2024

Purchasing & Contracting - to PWI Committee

[2024-0393](#)**Commission District(s): All**

CO - Change Order No. 3 to Contract No. 1281319 Sidewalks & Roadways (Multiyear): for use by the Departments of Public Works - Transportation (Transportation), Recreation, Parks and Cultural Affairs (RPCA), Roads & Drainage (R&D), and Fire Rescue Services (FR). This contract consists of sidewalks, drainage improvements, minor road improvements, bike lanes, multi-use trails, and curb and shoulder improvements. This request is to increase contract funds to support requested changes in the construction of a sidewalk at Spring Creek Road. Awarded to: DAF Concrete. Amount Not To Exceed: \$15,000.00.

Deferred with a stop in the Public Works & Infrastructure Committee (PWI), until May 14, 2024

Superior Court[2024-0427](#)**Commission District(s): All Districts**

Judicial Council of Georgia Ad Hoc Committee on American Rescue Plan Act Funding ("ARPA Committee") Grant- \$775,138.00

Deferred with a stop in the Finance, Audit & Budget Committee (FAB), until April 23, 2024

I. ITEMS FOR DECISION BY THE BOARD

Board of Commissioners - District 2[2023-1603](#)

Commission District(s): All Commission Districts

An Ordinance Requiring That the Attached Notice of Certain Georgia Landlord (Lessor) And Tenant (Lessee) Rights and Responsibilities (Exhibit A) Shall be Provided by All Landlords Leasing Real Property or Living Units Within Dekalb County Georgia for Residential Purposes, Prior to the Signing Of Any Lease And as an Attachment to Any Unsigned Lease Agreement, to Prospective Tenants Seeking to Lease Any Such Property or Unit; And Requiring That Both Parties to Every Such Residential Lease Shall Sign the Attached Notice Acknowledging Its Receipt Upon Signing Such Lease; And for Other Purposes.

Deferred with a stop in the Planning, Economic Development & Community Services Committee (PECS), until May 14, 2024

[2024-0190](#)

Commission District(s): All Commission Districts

An Ordinance for Companion Animal Litter Permit and Transfer and Sale of Dogs and Cats in DeKalb County, Georgia

Deferred with a stop in the Planning, Economic Development & Community Services Committee (PECS), until May 14, 2024

[2024-0370](#)

Commission District(s): District 2

Resolution Regarding the Charter Review Commission's Report

Approved the substitute with (2) friendly amendments. Amendment (1) states to remove line second of the resolution as Commissioner Steve Bradshaw addressed. Amendment (2) states to include a line item that establishes that this item discussing the CRC (Charter Review Committee) recommendation will be heard and discussed in the OPS Committee (County Operations Committee) moving fourth

[2024-0380](#)

Commission District(s): All Commission Districts

Resolution Requesting Accountability and Compliance with Essential Functions Identified within the Classification Specification for the Chief of Staff, Board of Commissioners

Deferred with a stop in the County Operations Committee (OPS),until May 14, 2024

Board of Commissioners - District 6[2023-0526](#)

Commission District(s): District 3, 6, and all commission districts

A Resolution to Encourage DeKalb County CEO Michael Thurmond to End the Executive Order Closing Intrenchment Creek Park and to Reopen It to the Public As Soon As Possible

Deferred with a stop in the Planning, Economic Development & Community Services Committee (PECS), until April 23, 2024

[2023-0558](#)

Commission District(s): All Commission Districts

A Resolution requesting a study regarding the possibility of establishing a police civilian review board in DeKalb County.

Deferred with a stop in the Employee Relations & Public Safety Committee (ERPS), until May 14, 2024

[2023-0835](#)

Commission District(s): All Commission Districts

A Resolution to Commit to the Transformation of the South River Forest by Adopting the Recommendations of the “Explore South River Forest” Report and For the Administration to Prepare and Deliver an Implementation Plan

Deferred with a stop in the Planning, Economic Development & Community Services Committee (PECS), until April 23, 2024

[2023-1137](#)

Commission District(s): All Commission Districts

Resolution Encouraging the DeKalb County Governing Body to Collaborate with Metro Atlanta Counties and Their Health Departments to Support Access to Abortion Health Services and Resources and To Match the City of Atlanta's \$300,000 Commitment.

Deferred with a stop in the Employee Relations & Public Safety Committee (ERPS), until May 14, 2024

Board of Commissioners - District 7

[2023-1515](#)

Commission District(s): All Districts

A Resolution Of The Governing Authority Of DeKalb County, Georgia, To Provide Annual Funding To DeKalb Pro Bono

Deferred with a stop in the County Operations Committee (OPS), until May 14, 2024

[2024-0347](#)

Commission District(s): All Districts

Resolution to Address Eliminating Blight Caused by Unattended Donation Boxes.

Deferred with a stop in the Planning, Economic Development & Community Services Committee (PECS), until May 14, 2024

Chief Executive Office

[2024-0428](#)

Commission District(s): All

DeKalb County Healthcare Asset Mapping and Gap Analysis. Consists of Morehouse School of Medicine (MSM) providing Healthcare Asset Mapping and Gap Analysis services to DeKalb County Government staff. This request will enable the completion of a healthcare delivery strategy.

Deferred with a stop in the Planning, Economic Development & Community Services Committee (PECS), until May 14, 2024

Clerk to the Board of Commissioners and CEO

[2024-0406](#)

Commission District(s): All

Approval of the Minutes of the Board of Commissioners Meeting of March 12, 2024

Approved

Purchasing & Contracting

Purchasing & Contracting - to FAB Committee

[2024-0299](#)**Commission District(s): All**

REN - Contract No. 1193275 Development of Cost Allocation Plans for DeKalb County (Annual contract - 4th Renewal of 4 Options to Renew): for use by the Office of Management & Budget (OMB). This contract consists of providing professional services for overhead and administrative cost studies for all County programs. This request seeks to exercise the 4th renewal option through March 31, 2025. Awarded to MGT of America, Inc. dba MGT Consulting Group. Amount Not To Exceed: \$117,000.00.

Deferred with stop in the Finance, Audit & Budget Committee (FAB), until May 23, 2024

Purchasing & Contracting - to OPS Committee

[2024-0316](#)**Commission District(s): All**

REN - Contract Nos.: 1297373, 1297382, 1297392, 1297411, 1297397, 1297401, 1297403, 1297409, 1297473 and 1297474 Filters (Annual Contract - 2nd of 2 Options to Renew): for use by Public Works-Fleet Management. These contracts consist of providing various filters for vehicles and equipment. This request seeks to exercise the 2nd renewal option through July 31, 2025. This request also seeks to reserve the right to transfer funds between contracts based on Department needs. Awarded to Interstate Truck Equipment, Inc., Napa Auto Parts, Truck Pro, O'Reilly Automotive Stores, Inc. dba O'Reilly Auto Parts, Fleetpride, Inc., Rush Truck Centers of GA, Inc. dba Rush Truck Center Atlanta, AgPro, LLC, Advance Stores Co., Inc. dba Advance Auto Parts, Tidewater Fleet Supply dba TNT Parts and Parts Authority, LLC. Total Amount Not To Exceed: \$460,000.00.

Deferred with a stop in the County Operations Committee (OPS), until April 23, 2024

[2024-0354](#)**Commission District(s): All**

CO - Change Order No. 11 to Contract No. 1070267 Technology Solutions, Products and Services: for use by the Department of Innovation and Technology (DoIT) and to be used by various County Departments. This contract consists of purchasing off the competitively let Region 4 ESC/Omina Partners Contract No. R210401 for purchasing Apple computer hardware, tablets, peripherals, printers, network gear and other approved software. This request is to increase the contract funds and term through May 31, 2025. Awarded to CDW Government, LLC. Amount Not to Exceed \$1,700,000.00.

**Deferred with a stop in the County Operations Committee (OPS),
until April 23, 2024**

Purchasing & Contracting - to PECS Committee

[2024-0121](#)**Commission District(s): 4 & 7**

CA - Cooperative Agreement for Playground and Water Play Equipment with Related Accessories and Services (Sourcewell Contract Number 010521-LTS-4): for use by the Department of Recreation, Parks, and Cultural Affairs (RPCA). This request is to purchase from the competitively let Sourcewell Contract to replace the existing playground at Wade Walker Park. Awarded to: PlayPower, Inc. (subsidiary Little Tikes Commercial). Amount Not To Exceed: \$229,604.00.

Approved

[2024-0225](#)**Commission District(s): 3 & 6**

CO - Change Order No. 2 To Contract No. 1289411 Cooperative Agreement for Public Restroom & Other Structures (Sourcewell Contract No. 081721-RMT): For Use by The Department of Recreation, Parks and Cultural Affairs (RPCA). This Contract Consists of the Purchase, Installation, and All Things Necessary for the Purchase and Installation of Public Restrooms and Other Structures. This Request Seeks to Increase the Contract Scope and Funds. This Increase Will Allow for The Purchase and Installation of A Football Field House at Gresham Park. Awarded to Romtec, Inc. Amount Not to Exceed: \$285,000.00

Approved the substitute

[2024-0226](#)**Commission District(s): 5 & 7**

CO - Change Order No. 1 to Contract 1343881 GA - Statewide Georgia Area - General Construction (Sourcewell Contract No. GA-ST04-040820-BDG): for use by the Department of Recreation, Parks and Cultural Affairs (RPCA). This contract consists of purchasing from the competitively let Sourcewell contract for the replacement of the culvert at WD Thomson Park. This request is to increase the contract scope, funds, and term through April 19, 2025. This request will assist in the bridge repair and stream restoration at Arabia Mountain. Awarded to: Bayne Construction Group, LLC. Amount Not To Exceed \$573,373.00.

Approved

Commission District(s): 3, 5, 6 and 7[2024-0260](#)

LB - Invitation No. 23-101616 Restoration and Maintenance of Athletic Fields (Annual Contract with 2 Options to Renew): for use by the Department of Recreation, Parks and Cultural Affairs (RPCA). Consists of restoration and maintenance of the athletic fields. Recommend award to the sole, responsive, and responsible bidder: JMB Landscaping, Inc. Amount Not To Exceed: \$500,000.00.

Approved the substitute

[2024-0298](#)**Commission District(s): 3**

CO - Change Order No. 1 to Contract No. 1130987 Maintenance of Sugar Creek Golf Course (Annual Contract with 4 Options to Renew): for use by the Department of Recreation, Parks and Cultural Affairs (RPCA). This contract consists of maintaining the golf course grounds and facilities. This request seeks to ratify a previously provided thirty (30) day contract term increase, effective as of April 1, 2024. This request also seeks to increase the contract funds and term through March 31, 2025. Awarded to: Cypress Golf Management, LLC dba Cypress Golf Course Services. Amount Not To Exceed: \$780,000.00.

Approved the substitute

Purchasing & Contracting - to PWI Committee

[2023-1634](#)**Commission District(s): All**

LB - Invitation No. 23-101580 Litter Removal Services (Annual Contract with 2 Options to Renew): for use by Department of Public Works Sanitation/Beautification. Consists of providing year-round litter removal services on sixty-two (62) county roadways. Recommend award to the lowest, responsive and responsible bidder: American Eagle, LLC. Amount Not To Exceed: \$1,602,240.00.

Deferred with a stop in the Public Works & Infrastructure Committee (PWI), until April 23, 2024

J. COMMENTS FROM THE BOARD**K. EXECUTIVE SESSION****POLICY OF NON-DISCRIMINATION ON THE BASIS OF DISABILITY IN COUNTY SERVICES.**

DeKalb County Government does not discriminate against qualified individuals with disabilities or exclude them from participating in or receiving benefits of its services, programs, or activities, based on disability. Janet Essix, DeKalb County Government's Employee Relations Manager and ADA Coordinator, is designated to coordinate the County's compliance with Part 35 of the Department of Justice regulations regarding the Americans with Disabilities Act. Janet Essix may be contacted at 1300 Commerce Drive, 1st Floor, Decatur, GA 30030, 404.371.2309, to request information about access for persons with disabilities to County services, programs and activities, or to discuss a grievance regarding an impediment to such access. Ten days' notice is requested for special accommodations.

2024-0517 Convene Executive Session

Approved

2024-0518 Adjourn Executive Session

Approved

2024-0519 Add An Item

Approved

2024-0520

Commission District(s): All

Proposed authorization for the County Attorney to file petitions for costs of impoundment and care in appropriate circumstances pursuant to O.C.G.A. §

4-11-9.8

Approved

2024-0521 Add An Item

Approved

2024-0522

Commission District(s): All

Proposed 46-day extension of employment agreement for Board of Commissioners Chief of Staff Dr. Kwasi Obeng.

Approved

Decision of the DeKalb County Historic Preservation Commission

Name of Applicant: Dunlavy Law Group

Address of Property: 1176 Lullwater Road

Date(s) of hearing if any: January 16th, 2024

Case Number: 1246821

Approved **Denied** **Deferred**

Approval: The Historic Preservation Commission, having considered the submissions made on behalf of the applicant and all other matters presented to the Preservation Commission finds that the proposed change(s) will not have a substantial adverse effect on the aesthetic, historic, or architectural significance and value of the historic district and hereby approves the issuance of a certificate of appropriateness.

Any conditions or modifications are shown below.

Pursuant to Code of DeKalb County, § 13.5-8(3), the Preservation Commission has considered the historical and architectural value and significance; architectural style; scale; height; setback; landscaping; general design; arrangement; texture and materials of the architectural features involved and the relationship of such texture and materials to the exterior architectural style; pertinent features of other properties in the immediate neighborhood, as prescribed generally by county code and specifically by the district design guidelines.

This application relates to an existing building, pursuant to the authority granted to the Preservation Commission by Code of DeKalb County, § 13.5-8(3), the Preservation Commission has also used the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guideline for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings therein as guidelines. The Preservation Commission finds that all relevant guidelines have been met.

Additional pertinent factors:

Construct a new house and landscape the lot as shown in the approved site plans and architectural drawings. Motion to approve is based on the recommendation of staff that the application will not conflict with the guidelines and will not have a substantial adverse effect on the property or the district. Relevant guidelines are 5.0, 7.1, 7.2, 7.2.2, 7.2.3, 7.2.4, 7.2.5, 7.2.6, 7.2.7, 7.2.8, 7.3.2, 7.3.3, 8.2, 8.3, 9.4, 9.5, and 9.7.

Application is approved with conditions or modifications /without conditions or modifications

Conditions or modifications (if applicable):

Denial: The Preservation Commission has determined that the proposed material changes in appearance would have a substantial adverse effect on the aesthetic, historic or architectural significance and value of the historic property or the historic district / or, the applicant has not provided sufficient information for the Preservation Commission to approve the application . Specifically, the Preservation Commission finds as follows:

Deferral: The Preservation Commission has deferred action on this application for the following reasons:

The application will be re-heard by the Historic Preservation Commission at its meeting on

Date: 1/22/2024

Signature: 

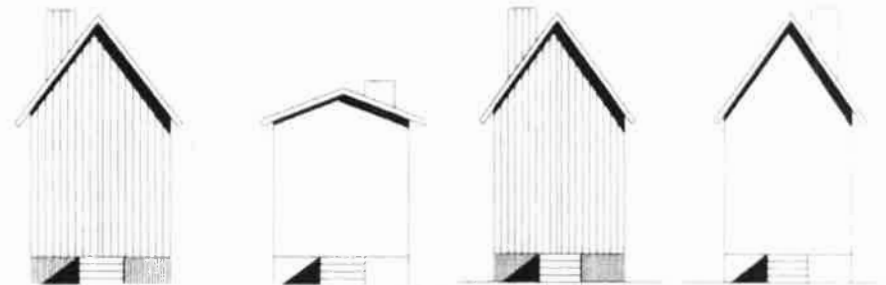
**Chair, DeKalb County
Historic Preservation Commission**

7.2.3 Shape

A building's surfaces and edges define its overall shape. This overall shape, in concert with the shapes of individual elements (such as roof pitch, porch form and window and door openings), is important in establishing rhythms in a streetscape. Shape can also be an important element of style.

Guideline - Roof Pitch: The roof pitch of a new building should be consistent with those of existing buildings within the area of influence, if dominant patterns are present.

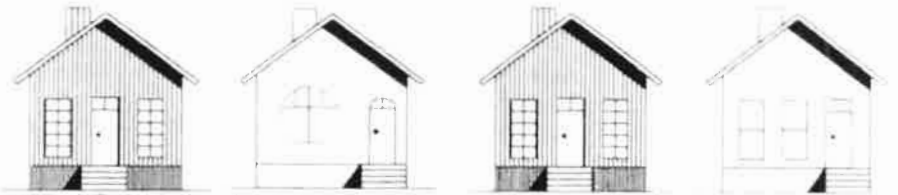
Shape - Roof Pitch
 Inappropriate Appropriate
 Examples: These two comparisons depict relationships between roof pitches of historic and new buildings.



The example on the left is that of a historic house (shaded) with a steeply-pitched roof standing next to a new building with an inappropriate shallow pitched roof. The example on the right shows a more compatible roof pitch on the new building.

Guideline - Building Elements: The principal elements and shapes used on the front facade of a new building should be compatible with those of existing buildings in the area of influence, if dominant patterns are present.

Shape - Building Elements
 Inappropriate Appropriate
 Examples: These two comparisons depict relationships between building elements of historic and new buildings.

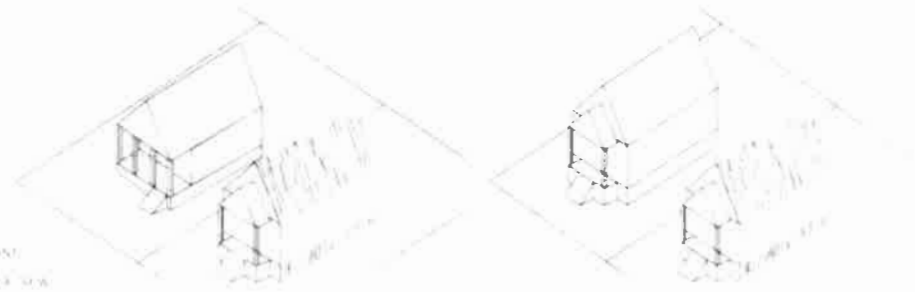


The example on the left is that of a historic house (shaded) with flat-arched window and floor openings standing next to a new building with inappropriate rounded-arched window and floor openings. The example on the right shows more compatible window and floor openings on the new building.

Porches throughout the Druid Hills district tend to be small entry porches, side corner porches, porte cocheres, and flanking sun or screened porches.

Guideline - Porch Form: The shape and size of a new porch should be consistent with those of existing historic buildings within the area of influence, if dominant patterns are present.

Shape - Porch Form
 Inappropriate Appropriate
 Examples: These two comparisons depict relationships between historic and new buildings in terms of porch form.

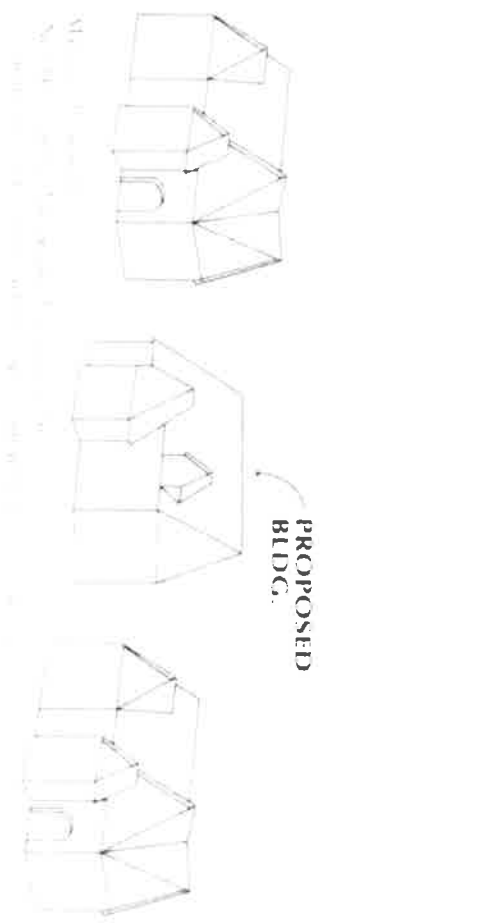
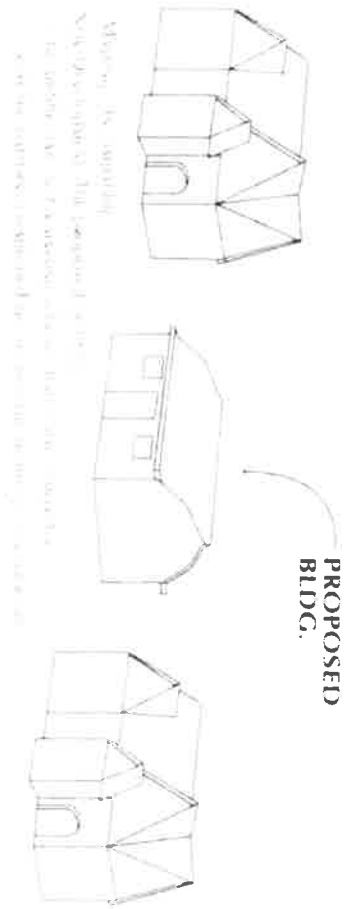


The example on the left is that of a historic house (shaded) with an excessive porch with a porch railing next to a new building with an inappropriate, oversized porch. The example on the right shows a more compatible porch form on the new building.

7.2.4 MASSING

Massing relates to the height, width, and depth of a building and its elements. A building is often composed of several different massing components. For example, the main mass or body, the roof profile, gables, and additions. Think of a building as a compilation of various building blocks. If there are similar shapes or massings in an area or if multiple massings are dominant, this pattern should be taken into account.

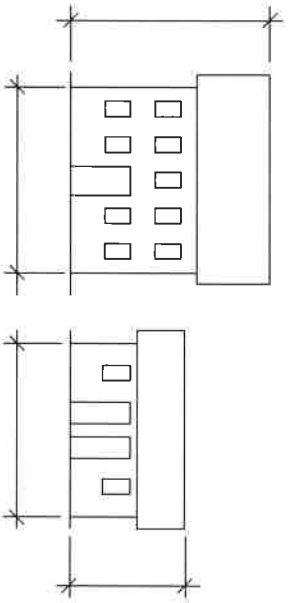
Guideline - The massing of a new building should be consistent with dominant massing patterns of existing buildings in the area of influence, if such patterns are present.



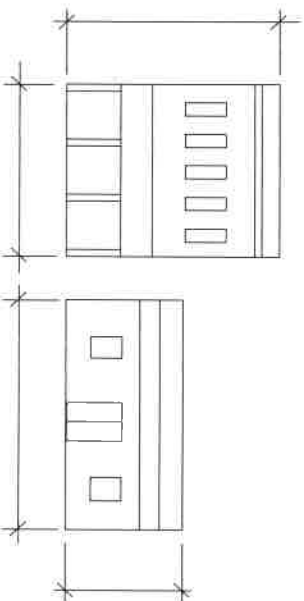
7.2.5 Proportion

Proportion is the relationship of one dimension to another; for example, the relationship of the height to the width of a building, or the height and width of windows and doors. Individual elements of a building should be proportional to each other and the building.

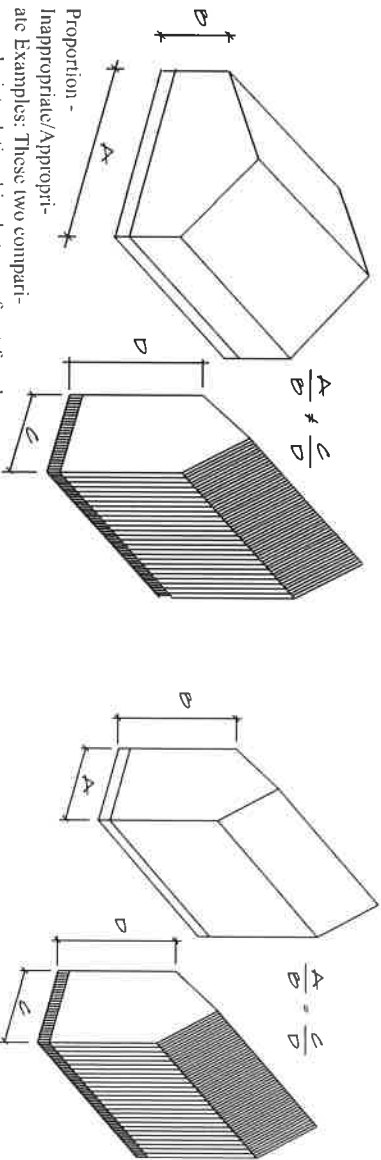
Residential Proportions: This graphic illustrates the concept of proportion using residential building dimensions.



Commercial Proportion: This graphic illustrates the concept of proportion using commercial building dimensions.



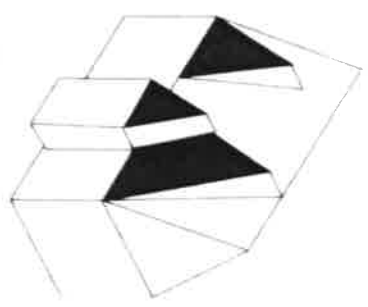
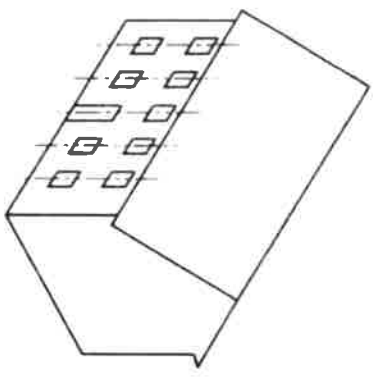
Guideline - The proportions of a new building should be consistent with dominant patterns of proportion of existing buildings in the area of influence, if such patterns are present.



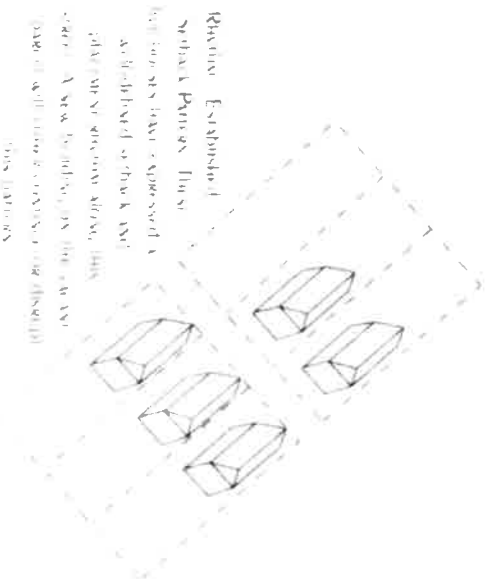
Proportion - Inappropriate/Appropriate Examples: These two comparisons depict relationships between front-facade height-to-width ratio of historic and new buildings. The example on the left is that of a historic house (shaded) with a height-to-width ratio resulting in a very vertical expression standing next to a new building with a horizontal height-to-width ratio. The example on the right shows a more compatible height-to-width ratio on the new building.

7.2.6 RHYTHM

Rhythm is the recurring patterns of lines, shapes, forms, or colors (materials) on a building or along a streetscape. For example, the rhythm of openings on a house refers to the number and placement of windows and doors on a facade. Rhythm also occurs on the larger scale of streetscapes as created by development patterns (orientation and setback) and details of individual buildings (directional emphasis, scale, height, massing, etc.).

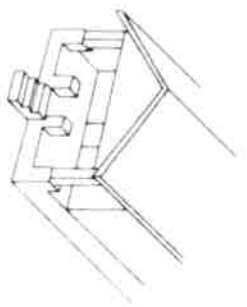
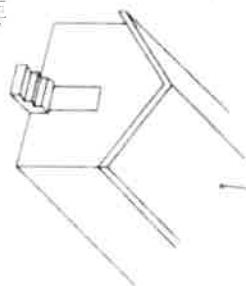
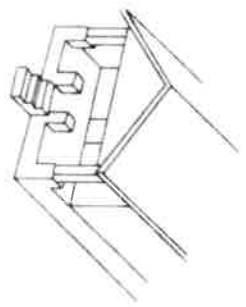


Rhythm - Symmetrical Asymmetrical These two houses illustrate different types of rhythm created by individual building elements. On the left is a building with a regular placement of windows creating a symmetrical facade. The building on the right has an irregular placement of elements creating an asymmetrical facade.



Rhythm - Established Setback Pattern These two houses have expressed a setback pattern along their facade. A new building in the same row will create a rhythmic pattern.

Guideline - New construction in a historic area should respect and not disrupt existing rhythmic patterns in the area of influence, if such patterns are present.



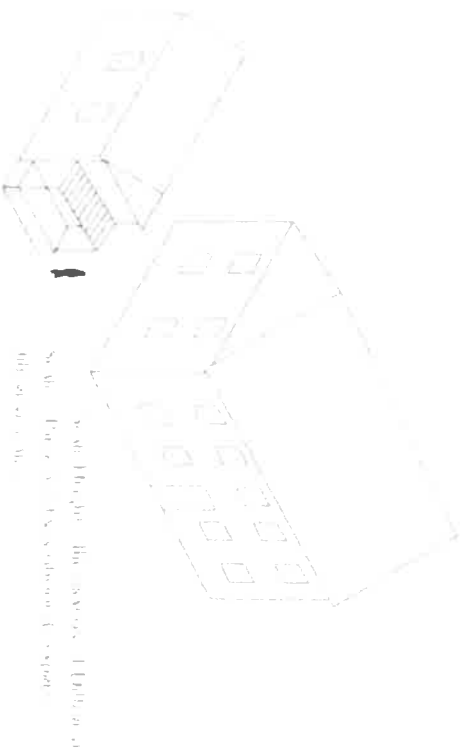
Proposed Porch

Rhythm - Improvements
New construction patterns of setbacks and porches help to restore a rhythmic pattern. The existing building is the original house. The new porch is a proposed porch. The porch is a proposed porch.

7.2.7 Scale/Height

Scale refers to the apparent relationship between two entities, such as the relationship of a building's height to human height, the relationship between different buildings, heights and sizes, or the relationship between the size of an addition and the building to which it is attached. In Grand Hills the two most important issues are 1. the relationship of new construction to historic and 2. the relationship of additions to the historic building to which they are being added.

Guideline - New construction in historic areas should be consistent with dominant patterns of scale within the area of influence, if such patterns are present. Additions to historic buildings should not appear to overwhelm the existing building.



Guideline - A proposed new building should appear to conform to the floor-to-floor heights of existing structures if there is a dominant pattern within the established area of influence. Dominant patterns of cornice lines, string courses, and water tables can be referenced to help create a consistent appearance.

