

Board of Appeals Meeting
700 Doug Davis Drive
Hapeville, Georgia 30354

August 22, 2019 6:00PM

AGENDA

1. Welcome And Introduction
2. Minutes Of June 27, 2019

Documents:

[MINUTES 6-27-2019 - DRAFT.PDF](#)

3. New Business

- 3.I. 1 Clay Place Variance Request

Delta Airlines, Inc. is seeking a variance to allow an off-site parking arrangement at 1 Clay Place, Parcel Identification Number 14 0098 LL0138. The property is zoned U-V, Urban Village and is subject to the zoning regulations under Sections 93-23-10, 93-11.2-9, and 93-23-12 of the City of Hapeville Zoning Ordinance.

Staff Comment

Applicant Comment

Public Comment

Documents:

[1 CLAY PLACE - VARIANCE REQUEST, OFF-SITE
PARKING_REDACTED.PDF](#)
[PLANNERS REPORT 1 CLAY PLACE DR BOA PARKING.PDF](#)
[LEGAL ADV. - 1 CLAY PLACE, OFF-SITE PARKING.PDF](#)

- 3.II. 583-B North Central Avenue Variance Request

Chandra Fowler owner of Sanskrit Moon Yogo Center is seeking a variance to increase the maximum window sign from 12-square feet to 26-square feet at 583-B North Central Avenue, Parcel Identification Number 14 009500150463. The property is zoned U-V, Urban Village and is subject to the zoning regulations under Section 93-3.3-17 and 93-3.3-18 of the City of Hapeville Zoning Ordinance.

Staff Comment

Applicant Comment

Public Comment

Documents:

[APPLICATION - 583-B N. CENTRAL AVENUE, SIGN
VARIANCE_REDACTED.PDF](#)
[PLANNERS REPORT 583-B N. CENTRAL AVE BOA - SANSKRIT YOGA.PDF](#)
[LEGAL ADV. - 583-B N. CENTRAL AVENUE, SIGN VARIANCE.PDF](#)

- 3.III. 3429 Rainey Avenue Variance Request

Melinda Dalton is seeking a variance to decrease the minimum side yard setback at 3429 Rainey Avenue, Parcel Identification Number 14 012700030592. The property is

zoned R-SF, Residential Single Family and is subject to the zoning regulations under Section 93-22.1-1 of the City of Hapeville Zoning Ordinance.

Staff Comment

Applicant Comment

Public Comment

Documents:

[3429 RAINEY AVENUE - APPLICATION_REDACTED.PDF](#)

[PLANNERS REPORT 3429 RAINEY AVE BOA.PDF](#)

[LEGAL ADV. - 3429 RAINEY AVENUE, VARIANCE.PDF](#)

4. Next Meeting Date - Thursday, September 26, 2019

5. Adjourn

Board of Appeals Meeting
700 Doug Davis Drive
Hapeville, Georgia 30354

June 27, 2019 6:00PM

MINUTES

1. Welcome and Introduction

Chairman Michael Simpson called the meeting to order at 6:00 p.m. in the City of Hapeville Municipal Annex located at 3468 North Fulton Avenue, Hapeville, Georgia 30354. Members in attendance included Vice Chairman Jan Bolien, Gabriel Cojocaresu, Rod Mack, Larry Martin, Billy Slocumb and John Stalvey. City Planner Michael Smith and Secretary Adrienne Senter were also present.

2. Minutes of May 23, 2019

MOTION ITEM: John Stalvey made a motion, Jan Bolien seconded to approve the minutes of May 23, 2019 with noted correction. Motion Carried: 6-0.

3. New Business

Chairman Simpson recused himself from the following item:

a. 612 College Street

Administrative Appeal

Betty Roesel of Gateway Christian Academy requested an administrative appeal for the denial of an occupational tax permit application to operate a school at 612 College Street, Parcel Identification Number 14 009800210397. The property is zoned RMU, Residential Mixed Use and is subject to the zoning regulations under Article 11.5, Section 93-11.5-1 and Article 1, Section 93-1-3 of the City of Hapeville Zoning Ordinance.

The Applicant proposed to operate a school in a portion of First Baptist Church located at 612 College Street. No construction is planned, and they intend to utilize the existing parking lot located across the street from the church. They anticipate there will be approximately 60 students and 13 staff members. The school offers a co-op program for homeschool children ages 6 weeks to middle school. Hours of operation will be from Monday-Thursday, 9 a.m. – 2 p.m.

- **Public Comment**

Mike Rast, 3409 Northside Drive, spoke on behalf of First Baptist Church and expressed their support of the administrative appeal.

Cynthia Miller, 3446 Orchard Street, spoke in support of the appeal.

Melanie Williams, 3410 Elkins Street, spoke in support of the appeal.

MOTION ITEM: Rod Mack made a motion, Larry Martin seconded to grant the administrative appeal and overturn the denial of the occupational tax permit for Gateway Christian Center, 612 College Street as requested. Motion Carried: 5-0.

4. Next Meeting Date – Thursday, July 25, 2019

5. Adjourn

MOTION ITEM: John Stalvey made a motion, Rod Mack seconded to adjourn the meeting at 6:27 p.m. Motion Carried: 6-0.

Respectfully submitted by,

Chairman, Michael Simpson

Secretary, Adrienne Senter

19-BOA-08-08

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

Name of Applicant Delta Air Lines, Inc.
Mailing Address 11030 Delta Blvd, Dept 981, Atlanta, GA 30354
Telephone (404) 714-3742 Mobile # _____ Email scott.meador@delta.com
Property Owner (s) Lisa Ragan Holdings LLC
Mailing Address 105 FOREST PKWY STE 400 FOREST PARK GA 30297
Telephone (404) 714-3742 Mobile # [REDACTED]
Property Address/Location: ~~760 DOUG DAVIS DR~~ 1 Clay Place
Parcel I.D. # (INFORMATION MUST BE PROVIDED): ~~14-0098 LL0237~~ 140098LL0138
Square Foot of Property 84,332 ~~568,022~~ Building Size 20,378 ~~334,306~~ Zoning UV
Present Land Use Office
Variance Requested Off-site Parking and relief from landscaping, fence, and sidewalk requirements
Applicable Code Section Sec. 93-23-12, 93-23-18, 84-5-1, and 93-11.2-9

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered too. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

[Signature]
Applicant's signature
Date: 073119

Sworn to and subscribed before me
This 31st day of July, 2019.
[Signature]
Notary Public



**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

WRITTEN SUMMARY

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

Delta anticipates temporary increases to its information technology employee population at Delta's existing office building located at 760 Doug Davis Drive, which will result in the need for additional parking at this office location. Delta is currently undergoing an internal construction and office planning project and the relocated employees at this location will likely be relocated again in the short-term to another Delta office location. Accordingly, Delta requests approval of a short-term off-site parking arrangement on the existing parking lot located at 1 Clay Place. This existing lot is directly adjacent to Delta's 760 Doug Davis Drive office building. Given the short-term nature of the requested off-site parking use, Delta also requests relief from the City's parking lot landscaping, sidewalk improvement requirements, and fence requirements. Due to Delta's unique business needs and the existing excess parking spaces in the 1 Clay Place lot, Delta's requested variances to allow for the proposed off-site parking arrangement are appropriate. Additionally, Delta's unique business purpose and security requirements make the use of the existing barbed wire fence essential to Delta's safe operations. The 1 Clay Place lot is uniquely positioned to provide Delta with the requested short-term parking arrangement.

Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

Because of the 1 Clay Place lot is not owned by Delta and because the proposed use is short-term in nature, providing the required landscape and sidewalk improvements would be financially inefficient. Additionally, as part of the lease agreement with the Clay Place Lot owner, Delta is required to restore the parking lot to current condition upon termination of the parking lease. It would be financially wasteful, and not permitted under the City's Ordinance, to remove improvements made to the nonconforming parking lot. Delta also understands the Clay Place Lot owner has plans for improving the property and the parking lot in the short-term and prefers Delta not make any substantial changes to the property.

Explain how these conditions are peculiar to the particular piece of property involved

The parking facilities available at the 1 Clay Place property uniquely provide the opportunity for the proposed off-site parking arrangement.

The 1 Clay Place lot is located directly adjacent to Delta's 760 Doug Davis Drive office location, which is in need of additional parking spaces on a short-term basis. Additionally, Delta's unique business purpose and security requirements make the use of the existing barbed wire fence essential to Delta's safe operations.

What, if any, detriment to the public good would the proposed project have if a variance was granted?

The proposed off-site shared parking arrangement is not detrimental to the public and is in fact beneficial to the community by allowing for the efficient use of existing parking availability and minimizing the need for the construction of new parking facilities.

The parking area in the 1 Clay Place lot to be leased by Delta is not currently utilized by the property owner and the requested off-site parking arrangement will not impact this property's parking needs or requirements under the City's ordinance.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

1 Clay Place, Hapeville, Georgia 30354

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF A VARIANCE FOR THE PROPERTY.

Name of Applicant
Delta Air Lines, Inc.

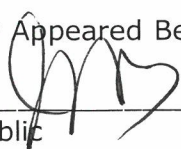
Address of Applicant
1030 Delta Boulevard, Department 981, Atlanta, GA 30354

Telephone of Applicant
404.677.0044


Signature of Owner

Lisa Ragan, on behalf of Lisa Ragan Holdings LLC
Print Name of Owner

Personally Appeared Before Me this 30 day of JULY, 2019.


Notary Public

JUSTIN ADAM BYCZEK
NOTARY PUBLIC
Pike County, Georgia
My Commission Expires 11/8/2021



Delta Air Lines, Inc.
Post Office Box 20706
Atlanta, Georgia 30320-6001

1030 Delta Boulevard
Department 877
Atlanta, Georgia 30354

July 31, 2019

VIA HAND DELIVERY

Lynn M. Patterson, PhD
City of Hapeville
City Hall
3468 N. Fulton Avenue
Hapeville, GA 30354

RE: Board of Appeals Application for Off-Site Parking Arrangement

Dear Ms. Patterson:

On behalf of Delta Air Lines, Inc. ("Delta"), I am pleased to submit the attached Board of Appeals Application to allow for a proposed off-site parking arrangement. Pursuant to the requirements of the applicable sections of the City of Hapeville Code of Ordinances (the "Ordinance"), specifically Section 93-23-12, Delta respectfully requests approval of an off-site parking arrangement by which Delta will lease 91 parking spaces located at the existing parking lot located at 1 Clay Place, Hapeville, Georgia.

In connection with this request, Delta seeks approval of variances granting relief from Sections 93-23-18, 84-5-1, and 93-11.2-9 ("Landscape requirements for vehicular use areas"; "General fence regulations"; and "Sidewalk requirements") of the Ordinance. We believe this letter of intent and the attached exhibits provide all information required by the City of Hapeville for consideration of this request. These documents include the following:

- A. A completed Board of Appeals Application, including the notarized Property Owner Authorization;
- B. A survey of the property located at 760 Doug Davis Drive, including a metes and bounds legal description; and
- C. A site plan showing the proposed off-site parking.

Background and Project Overview

In the coming months, Delta anticipates temporary increases to its information technology employee population at Delta's existing office building located at 760 Doug Davis Drive, Hapeville, Georgia (the "RCC Building"), as Delta continues its internal office construction and planning projects. The temporary relocation and shuffling of employee work spaces within Delta's offices will result in the short-term need of additional parking spaces for its employees in the RCC Building. Delta currently has the right to use 124 surface parking spaces at the RCC Building, which Delta anticipates will be insufficient as the number of employees at this location grows. Because these additional employees locating at the RCC Building may likely be relocated in the next year, Delta considers the proposed off-site parking arrangement to be short-term in nature and the lease agreement with the parking lot owner is structured to be short-term with very short termination provisions.

Delta and Lisa Ragan Holdings LLC, the owner of the parking lot at 1 Clay Place (the "Clay Place Lot"), have reached an agreement by which Delta will lease up to 91 parking spaces in the Clay Place Lot for an initial terms of six months (the "Lease"). The parking area in the Clay Place Lot to be leased by Delta is not currently utilized and will not impact the parking needs of the property owner or requirements under the City's Ordinance. Delta will provide the City with a redacted copy of the Lease once finalized and executed by the parties.

The Clay Place Lot parking area is adjacent to the RCC Building and the RCC Building parking lot in accordance with Section 93-23-12 of the City's Ordinance. No employees will be shuttled from the parking area in the Clay Place Lot to the RCC Building or other Delta offices.

Requested Variances

Although Delta respectfully asserts the proposed off-street parking arrangement will not increase the degree of zoning nonconformity of the Clay Place Lot, if the City determines landscape, fence, and/or sidewalk improvements are required for the proposed off-street parking arrangement, Delta requests variances to eliminate those improvement requirements. As noted above, the requested off-site parking arrangement is temporary in nature and, as shown on the attached site plan, Delta proposes only minor modifications to the existing fence on the property to allow pedestrian and vehicular access between the Clay Place Lot and the RCC Building.

Providing the landscape and sidewalk improvements generally required under the Ordinance would cause significant expense to Delta for a temporary use on property Delta does not own. Additionally, as part of the Lease with the Clay Place Lot owner, Delta is required to restore the parking lot to current condition upon termination of the Lease. It would be financially wasteful, and not permitted under the City's Ordinance, to remove improvements made to the nonconforming parking lot. Significantly, Delta also understands the Clay Place Lot owner may have plans for improving the property and the parking lot in the short-term and prefers Delta not make any substantial changes to the property. Lastly, given Delta's unique business operations and security needs, the existing chain link and barbed wire fence

surrounding the RCC Building is critical to Delta's safe operations. For these reasons, Delta respectfully requests the City and Board of Appeals approve the requested off-site parking arrangement and variances.

If granted, Delta understands such variances would allow Delta to make temporary modifications to the existing parking facilities and fences located on the Clay Place Lot and RCC Building property. Upon the termination of the Lease, Delta will restore the existing fences on both properties to the current location and condition. Additionally, Delta agrees if the Lease is renewed to extend for a period greater than one year, Delta will notify the City of Hapeville and discuss what additional approvals, if any, may be needed to continue the off-site parking arrangement.

We appreciate your consideration of this request as Delta continues to work to meet its employee and staffing needs. Please do not hesitate to contact me should you have any questions about this request or require any additional information.

Sincerely,



Hank Moody
General Manager – Corporate Real Estate
Delta Air Lines, Inc.

LEGEND

- LAND LOT IDENTIFICATION**
- BOLLARD
 - BUS STOP MARKER
 - SECURITY CAMERA
 - SIGN
 - IRON PIN FOUND (AS NOTED)
 - ABANDONED POWER POLE
 - POWER POLE W/LIGHT
 - LIGHT STAND
 - ELECTRIC BOX
 - ELECTRIC METER
 - GUY WIRE
 - POWER MANHOLE
 - POWER POLE
 - LANDSCAPE LIGHT
 - SANITARY SEWER MANHOLE
 - CLEAN OUT
 - CATCH BASINS
 - DROP INLET
 - JUNCTION BOX
 - OUTLET CONTROL STRUCTURE
 - TELEPHONE BOX
 - TELEPHONE MANHOLE
 - TELEPHONE MONUMENT
 - MISC. WATER STRUCTURE
 - WATER METER
 - FIRE HYDRANT
 - WATER VALVE
 - MISC. UTILITY STRUCTURE
 - UNKNOWN MANHOLE
 - UTILITY VALVE TYPE UNKNOWN
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - N/F NOW OR FORMERLY
 - B.S. BUILDING SETBACK LINE
 - R/W RIGHT OF WAY
 - CONC. CONCRETE
 - W/ WITH
 - DIP DUCTILE IRON PIPE
 - PVC POLYVINYL CHLORIDE PIPE
 - RCP REINFORCED CONCRETE PIPE
 - CMP CORRUGATED METAL PIPE
 - FENCE LINE
 - SANITARY SEWER LINE
 - STORM SEWER LINE
 - OVERHEAD POWER LINE
 - OVERHEAD TELEPHONE LINE
 - OVERHEAD CABLE TELEVISION LINE
 - APPROXIMATE LOCATION OF UNDERGROUND WATER LINE

Certification:

This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based has a closure precision of one foot in 60,580 feet, and an angular error of 2" per angle point, and was adjusted using the least squares method. Angular and linear measurements were made using a Trimble 5603 Robotic Total Station. This map or plot has been calculated for closure and is found to be accurate within one foot in 719,671 feet.

The undersigned hereby certifies to (i) Vantage Data Centers Management Company, LLC and its successors and assigns, (ii) Chicago Title Insurance Company (the "Title Company"), and (iii) Gilchrist & Rutter, Professional Corporation that (s)he is a duly registered land surveyor of the State of Georgia, that the survey reflected by this plot was actually made upon the ground on July 26, 2011, that the attached plot of survey is made at least in accordance with the minimum standards established by the State of Georgia for surveys and with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by ALTA and NSPS in 2011 and includes Items 1, 2, 3, 4, 6(a) and shows the size and location of Items 6(b), 7(a), 7(b)(1), 7(b)(2), 7(c), 8, 9, 11, 16 and 18 (appearing from a careful physical inspection of the Property, as hereafter defined) of Table A thereof, that said survey correctly shows the location of all buildings, structures and other improvements situated on the 9.50 acre tract known as 760 Doug Davis Drive, Hapeville, Georgia (the "Property") shown thereon; that, except as shown, there are no violations of zoning ordinances, restrictions or other rules or regulations with reference to the location of buildings, structures and improvements situated on the Property and the number and configuration of parking spaces; that the record description of the Property forms a mathematically closed figure; and that, except as shown, there are no visible or recorded easements or rights of way across said Property; that there are no other easements or rights of way of which the undersigned has been advised; no encroachments onto adjoining premises, streets or alleys by any buildings, structures or other improvements, except as shown; and that the undersigned has been advised that the Property has access to a dedicated public street or streets known as Doug Davis Drive; and that the undersigned has received and examined a copy of title commitment number 114-33.0 issued by the Chicago Title Insurance Company with respect to the Property and the location of any matter shown thereon, to the extent it can be located, has been shown on this survey with the appropriate recording reference.

Jon G. Adams Date
Georgia Reg. Land Surveyor No. 2768
For the Firm Travis Pruitt & Associates, Inc.

Pursuant to Rule 180-6.09 of the Georgia State Board of Registration for Professional Engineers and Land Surveyors, the term "certify" or "certification" relating to land surveying services shall mean a signed statement based on facts and knowledge known to the land surveyor and is not a guarantee or warranty, either expressed or implied.

Title Exceptions:

This survey relied upon information contained within a title commitment number 114-33.0 prepared by Chicago Title Insurance Company, with an effective date of May 31, 2011, with respect to the property surveyed described in Exhibit A, and the exceptions listed in "Schedule B, Section 2":

- Unrecorded Lease Agreement between Delta Air Lines, Inc. and Worldspan, L.P., dated February 7, 1990; as effected by First Supplemental Agreement dated 1993; as amended by First Amendment to Lease Agreement, dated March 3, 2003. Comment: Documents provided describe the subject property.
- Unrecorded Building Lease Agreement between Delta Air Lines, Inc., and GTE Airfone Incorporated, dated June 1, 1993. Comment: Documents provided describe a portion of the 3rd floor and a space on the roof of the building located within the subject property.
- Sewer Easement recorded in Deed Book 1352, Page 645. Comment: Surveyor needs a copy of the sewer line map and profile prepared by E.B. Respass, C.E., and referenced in the record document to determine effect on the subject property.
- Sewer Easement recorded in Deed Book 1883, Page 241. Comment: Easement is unlocatable. Record (dated April 14, 1942) describes an eight foot easement at the location substantially as pointed out by E.L. Duncan, City Supt. and as may be definitely determine by him.
- Easement to Georgia Power Company recorded in Deed Book 3298, Page 229. Comment: Blanket easement with no specific plottable location.
- Easement to Georgia Power Company recorded in Deed Book 14975, Page 172. Comment: Shown on the survey.
- Easement to Georgia Power Company recorded in Deed Book 15978, Page 192. Comment: Shown on the survey.

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 97 & 98, 14th District, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a point at the intersection of the northwesterly right of way of Atlanta Avenue (right of way varies) and the southwesterly right of way of Doug Davis Drive (65 foot right of way); proceeding thence northwesterly along said right of way of Doug Davis Drive a distance of 260.76 feet to 3/8" rebar found; thence continuing along said right of way of Doug Davis Drive North 58 degrees 11 minutes 48 seconds West a distance of 250.00 feet to a 5/8" rebar found, said point being the True Point of Beginning; from the True Point of Beginning, as thus established, leaving said right of way of Doug Davis Drive and proceeding South 31 degrees 47 minutes 51 seconds West a distance of 452.78 feet to a 5/8" rebar found on the northerly right of way of Perry J. Hudson Parkway (right of way varies); thence proceeding along said right of way of Perry J. Hudson Parkway North 58 degrees 09 minutes 50 seconds West a distance of 914.38 feet to a 1/2" rebar found; thence leaving said right of way of Perry J. Hudson Parkway and proceeding North 31 degrees 40 minutes 39 seconds East a distance of 452.26 feet to a 1/2" rebar found on the southwesterly right of way of Doug Davis Drive; thence proceeding along said right of way of Doug Davis Drive South 58 degrees 11 minutes 48 seconds East a distance of 915.33 feet to the True Point of Beginning.

Survey References:

- Plot of Boundary Survey of a Portion of Atlanta-Hartsfield International Airport recorded in Plot Book 130, Page 97.
- ALTA/ACSM Land Title Survey for General Electric Capital Corporation, American Express Travel Related Services Company, Inc., Delta Air Lines, Inc., Chicago Title Insurance Company, and Lawyers Title Insurance Corporation prepared by Travis Pruitt & Associates, Inc., dated November 19, 2004, last revised November 30, 2004. (PLN: 145-D-108)
- As-built Mech. Plant & Cooling Tower Flow Diagram for Delta Air Lines/Worldspan Computer Centers sheet No. FD-1 prepared by Malory & Evans, Inc., dated March 9, 1992, last revised June 19, 1992.

Utilities:

A. Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his employees, his consultants and his contractors or anyone else who relies upon this survey shall hereby expressly understand that the surveyor is not responsible for the correctness or sufficiency of this information.

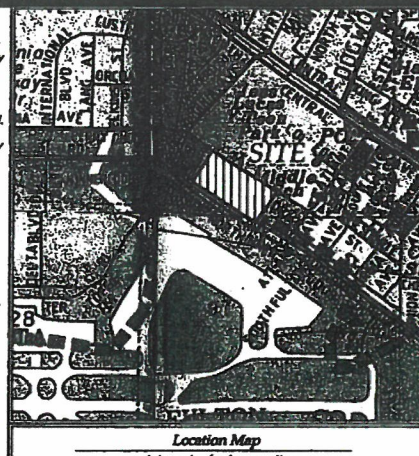
B. The continuation of utilities shown hereon is uncertain.

Area Summary: 9.50 acres

The tract of land shown on this survey is for the client's convenience only. This survey is not intended to create new tracts of land or change existing tracts of land. This survey is not a subdivision plot and has not been approved by the correct jurisdictional authorities.

Flood Hazard Note:

By graphic plotting only, this property does not lie within a 100 year flood hazard zone and is depicted as zone X as defined by the FEMA Flood Insurance Rate Map of Fulton County, Georgia and incorporated areas map number 13121C0366E, effective date June 22, 1998.



© Copyright 2011
Travis Pruitt & Associates, Inc.
These drawings and their reproductions are the property of the surveyor and may not be reproduced or used in any way without the written permission of this surveyor.
This plot was prepared for the exclusive use of the person, person or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
Survey fieldwork performed on: August 18, 2011.
This survey was authorized by Mr. Rick Alan Webster representing Gilchrist & Rutter Professional Corporation.

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		

4317 Park Drive - Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7311
Fax: (770) 416-6799
www.travispruitt.com



ALTA/ACSM LAND TITLE SURVEY FOR
Vantage Data Centers Management Company, LLC,
Delta Air Lines, Inc., &
Chicago Title Insurance Company
LAND LOTS 97 & 98 - 14th DISTRICT - CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA



For The Firm
Travis Pruitt & Associates, Inc.
DATE: AUGUST 18, 2011
SCALE: 1"=50'
JOB: 18024.60007
LSV: BT
JOB: 141-024.600
JOB: 150-D-007

Sheet No. 1 of 1

Zoning: UV (Urban Village)

Front Yard Setback: None
Side Yard Setback: None
Rear Yard Setback: 15' along district line
Landscape Buffer: 15' along district line
Maximum Building Height: 4 stories or 64'
Minimum Parking Spaces: (3) spaces for every 1,000 square feet of enclosed commercial/office floor area.
This information is reported from public information obtained from City of Hapeville records. It is not the intent of the surveyor to interpret or make conclusions regarding the zoning designation shown hereon.

Site Address:
760 Doug Davis Drive
Hapeville, GA 30354-7206

Parking Summary:
Regular Parking Spaces: 280
Handicap Parking Spaces: 9
Total Parking Spaces: 289

Scale 1 Inch = 50 Feet
25 0 50 100 150 200



1 **EXISTING CONDITIONS AND SITE PLAN**
C-201 **SCALE: 1"=20'**

DRAWING DATE 07/30/2019		DRAWN BY ABL	DRAWING TITLE EXISTING CONDITIONS AND SITE PLAN	© 2019 PRIME ENGINEERING, INC. Seales, as stated hereon, are valid on the original drawing the dimensions of which are 24 by 36 inches. These scales, noted hereon, are hereby changed by the addition of the overall dimensions of the plot to overall drawing dimensions of the original drawing. This drawing is the property of PRIME ENGINEERING, INCORPORATED and is not to be reproduced or copied in whole or in part. It is only to be used for the project and site specifically identified herein and is not to be used on any other project. It is to be returned upon request.
DRAWING SCALE 1" = 20'		DESIGNED BY ABL		
PROJECT NUMBER 1002-0XXX		CHECKED BY CDC		
DRAWING NUMBER				
C-201			PRIME ENGINEERING INCORPORATED® 3715 NORTHSIDE PARKWAY NW 300 NORTHCREEK SUITE 200 ATLANTA, GEORGIA 30327 404-425-7100	
DRAWING TITLE EXISTING CONDITIONS AND SITE PLAN				
DRAWING DATE 07/30/2019		DRAWN BY ABL		
DRAWING SCALE 1" = 20'		DESIGNED BY ABL		
PROJECT NUMBER 1002-0XXX		CHECKED BY CDC	PRIME ENGINEERING INCORPORATED® 3715 NORTHSIDE PARKWAY NW 300 NORTHCREEK SUITE 200 ATLANTA, GEORGIA 30327 404-425-7100	
DRAWING TITLE EXISTING CONDITIONS AND SITE PLAN				
DRAWING DATE 07/30/2019		DRAWN BY ABL		
DRAWING SCALE 1" = 20'		DESIGNED BY ABL		
PROJECT NUMBER 1002-0XXX		CHECKED BY CDC	PRIME ENGINEERING INCORPORATED® 3715 NORTHSIDE PARKWAY NW 300 NORTHCREEK SUITE 200 ATLANTA, GEORGIA 30327 404-425-7100	
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DRAWING SCALE 1" = 20'		DESIGNED BY ABL		
PROJECT NUMBER 1002-0XXX		CHECKED BY CDC	PRIME ENGINEERING INCORPORATED® 3715 NORTHSIDE PARKWAY NW 300 NORTHCREEK SUITE 200 ATLANTA, GEORGIA 30327 404-425-7100	
DRAWING TITLE EXISTING CONDITIONS AND SITE PLAN				
DRAWING DATE 07/30/2019		DRAWN BY ABL		
DRAWING SCALE 1" = 20'		DESIGNED BY ABL		
PROJECT NUMBER 1002-0XXX		CHECKED BY CDC	PRIME ENGINEERING INCORPORATED® 3715 NORTHSIDE PARKWAY NW 300 NORTHCREEK SUITE 200 ATLANTA, GEORGIA 30327 404-425-7100	
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PLANNER'S REPORT

DATE: August 15, 2019
TO: Adrienne Senter
FROM: Lynn Patterson
RE: Variance Application – 1 Clay Place – Off-Site Parking

BACKGROUND

The City of Hapeville has received a Variance application from Delta Airlines to establish an off-site parking arrangement using a parking lot located at 1 Clay Place (Parcel ID# 14 0098 LL0138) to provide additional parking for 760 Doug Davis Drive. Delta is in the process of remodeling some of their office space and wishes to temporarily move some of their employees to the 760 Doug Davis property. The current facility provides 124 off-street parking spaces, which Delta has determined is insufficient for their needs. An additional 91 parking spaces would be provided by the adjacent parking lot at 1 Clay Place. The arrangement is expected to be temporary, lasting approximately one year. Both properties are located within the U-V – Urban Village zoning district.

The applicant would have exclusive use of the lot, which is currently vacant. Historically, off-site parking arrangements involving exclusive access for an off-site user modified the site to meet vehicular use area requirements. The applicant is planning minimal upgrades to the existing parking lot, and the proposed improvements would not address the following nonconformities:

1. There is little interior and perimeter landscaping.
2. The property does not have the sidewalk required by the U-V zone.
3. The use of barbed wire.

CODE

ARTICLE 11.2. - U-V ZONE (URBAN VILLAGE)

Sec. 93-11.2-1. - Intent.

The U-V district is established in order to:

- (1) Accommodate a mixed-use, urban fabric that preserves neighborhood scale;
- (2) Accommodate residents in the district with pedestrian access to services and employment typical of a live/work community;
- (3) Promote neighborhoods established near shopping and employment centers;
- (4) Encourage pedestrian and neighborhood uses in the commercial area;
- (5) Discourage land uses that are automobile or transportation related;
- (6) Exclude industrial uses such as manufacturing, processing and warehousing;
- (7) Promote retail and related commercial uses such as business offices, florists, card shops, antique shops, new apparel shops and banks; and
- (8) Encourage intensified mixed-use with commercial uses on the ground floor and dwellings above.

Sec. 93-11.2-9. - Sidewalk requirements.

Public sidewalks shall be located along all public and private streets. Sidewalks shall be of the widths indicated below and shall consist of two areas: a landscape area and a clear area. The following regulations shall apply to all required sidewalks:

(1) Sidewalk landscape area requirements.

- a. The landscape area shall have a minimum width of five feet and shall be located adjacent to the curb.
- b. The landscape area may be primarily paved adjacent to on-street parking and shall be landscaped in all other areas.
- c. Street trees shall be planted a maximum of 40 feet on center, spaced equal distance between streetlights, and in line with stripes of parallel parking spaces. All newly planted trees shall be a minimum caliper of 3½ inches measured 12 inches above ground, shall be limbed up to a minimum height of seven feet and shall have a minimum mature height of 40 feet. Trees shall have a minimum planting area of 40 square feet. The city planning commission may approve an alternate for street tree requirement subject to constraints such as overhead or underground utilities or underground utility easements.
- d. The landscape area is also intended for the placement of street furniture, including utility poles, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public kiosks and similar elements in a manner that does not obstruct pedestrian access or motorist visibility as approved by the city.
- e. The landscape area shall be maintained by the adjacent property owner.

(2) Sidewalk clear area requirements.

- a. The clear area shall be the portion of the sidewalk reserved for pedestrian passage and unobstructed by permanent objects to a height of eight feet, including but not limited to steps and stoops, traffic control boxes, and utility structures. The sidewalk clear area shall have a consistent cross slope not exceeding two percent.
- b. No awning or canopy shall extend more than five feet over the clear area.
- c. Along the following streets, if zoned U-V: South Central Avenue, North Central Avenue, Perry Hudson Boulevard, Dogwood Drive, Sylvan Road, Virginia Avenue, International Boulevard, and Atlanta Avenue, the sidewalk clear area shall have a minimum width of ten feet.
- d. Along all other streets zoned U-V, the sidewalk clear zone shall have a minimum width of six feet.
- e. Where property within the district abuts a residential zone without an intervening street, the sidewalk area within 20 feet of such district shall taper when necessary to provide a smooth transition to the existing residential zone sidewalk. In the event that the abutting residential zone has no existing sidewalk, the sidewalk shall taper to a width of six feet, measured from the street curb, or as approved by the city planning commission.

- (3) *Paving materials to remain continuous.* Any paving materials, including concrete, special pavers, or decorative paving within the landscape area or clear area shall continue across any intervening driveway.

ARTICLE 5. - FENCES**Sec. 84-5-1. - General fence regulations.**

Barbed wire, concertina wire, razor wire, and electrified fencing are prohibited in all zoning districts.

ARTICLE 23. - OFF-STREET PARKING AND LOADING

Sec. 93-23-18. - Landscape requirements for vehicular use areas.

- (a) *Intent.* The objective of this section is to provide space for the use of landscape beautification and natural plant growth for developments where off-street parking and open lot sales, displays, and service areas are provided. The intent is to improve and protect the appearance, environmental and ecological condition, character, design, and value of the total urban area, thereby promoting the public health, safety, and welfare.
- (b) *Areas subject to the requirements of this section.* Vehicular use areas, except those serving single-family or duplex developments, parking garages, and public rights-of-way shall conform to the minimum landscaping requirements hereinafter provided.
- (c) *Procedure for the development of vehicular use areas.*
 - (1) *Permit requirements.* No building grading, or tree removal permit shall be issued until approval of a required landscape plan for vehicular use areas. Prior to submission of building plans, the requirements of this section must be met. In cases where a vehicular use area is located on a lot other than that of the principal building, building plans may be submitted for review.
 - (2) *Submission of a required survey and proposed landscape plan.*
 - a. The applicant or his authorized agent shall submit to the department of public service three copies of each survey and landscape plan at a scale no greater than one inch equals 50 feet. The proposed landscaping may be superimposed on the proposed site plan or on a separate sheet, provided all drawing are the same scale.
 - b. Each survey and landscape plan shall include the following:
 - 1. Name, signature, address, and telephone number of property owner, surveyor, and or designer;
 - 2. North arrow and scale;
 - 3. All dimensions; and
 - 4. All required information and data listed on drawings.
 - (3) *Survey.* The required survey shall include the following information:
 - a. Legal description of the property.
 - b. All trees and survey data as defined in this chapter.
 - c. Existing structures, buildings, parking spaces, accessways, and public streets.
 - d. Aboveground and belowground utility lines and easements.
 - e. Existing natural features and topography at one-foot contour intervals. In areas where slopes are 20 percent or greater, a five-foot contour interval may be substituted.
 - (4) *Landscape plan.* The proposed landscape plan shall include the following information:
 - a. All trees, natural features, man-made appurtenances and structures to be retained upon the site and all topographic changes.
 - b. All proposed landscaping improvements and planting or landscaping areas identified. The grade, spacing, size, and name of proposed landscape materials shall be listed on the plan.
 - c. Comments regarding site preparation, tree preservation, methods of installation, and methods of maintenance shall be listed on the plan.
 - d. Required plans shall identify all vehicular use areas, aisles, driveways, sidewalks, wheel stops, and or curbs and other vehicular use controls. The location of the curb cuts, median openings on abutting streets, lighting, underground irrigation system, hose bibs, proposed planting areas, decorative and or screening walls, and related buildings shall be shown.
- (d) *Landscape requirements.* All vehicular use areas subject to these regulations shall be required to have the following maintained perimeter and interior landscaped areas:

(1) *Perimeter landscape requirements.*

- a. All exterior perimeters of all vehicular use areas shall have a perimeter landscaped area with no horizontal dimension less than five feet. A decorative masonry wall, earth berm, natural landscaping screen, and or combinations of the above shall be installed in such a manner as to screen the vehicular use area from adjacent properties or public rights-of-way. Screening areas shall be maintained at a minimum height of three feet.
- b. All required perimeter landscaped areas shall have at least one tree for every 250 square feet or fraction thereof.
- c. Where other provisions of this chapter required a six-foot screening wall of masonry construction, such screening wall may totally or in part be substituted with a natural landscape screen and or earth berm upon approval of the planning commission. Such natural screening shall be at least three feet in height at time of planting and maintained at a height of five feet with a visibility obstruction of at least 75 percent.
 - 1. i. When abutting a public street right-of-way, landscaped areas along a public street shall have a minimum dimension of five feet and a minimum average dimension of ten feet from the right-of-way line to the vehicular use area.
 - ii. In addition, the requirements of section 93-2-7, "Vision clearance at corners," shall be met.
 - 2. When abutting adjacent properties. Required perimeter landscaped areas which would abut adjacent, existing nonresidential properties may be allocated as additional interior or other additional perimeter landscaping.

(2) *Interior landscape requirements.*

- a. An area or combination of areas equal to ten percent of the total vehicular use area exclusive of perimeter landscaped areas shall be devoted to interior landscaping.
- b. There shall be a minimum of one tree provided for every 250 square feet or fraction thereof of interior landscaping area.

(3) *Permitted modification to the landscaping requirements.*

- a. In cases where the landscaped area requirements of subsection (d)(1) and (d)(2) may exceed 20 percent of the vehicular use area, the applicant may be allowed to reduce dimensions of landscaped areas other than those abutting a public street right-of-way or adjacent to the residential uses or zones to equal a 20 percent maximum provided a method of vegetative and or masonry screening is maintained and is approved by the department of public service.
- b. In instances where proposed innovative designs, landscaping techniques, and site amenities are believed to fulfill the intent of subsection (a) above, the strict requirements of this section may be waived by the planning commission.
- c. In instances where healthy plant material exists, the requirements outlined in subsections (d)(1) and (d)(2) of this article may be adjusted thereby allowing credit for the preservation of existing plant material. The planning commission may make such adjustments so long as the intent of this section is preserved.
- d. Open lot sales of vehicles may be excluded from the perimeter screening requirements adjacent to public rights-of-way by the planning commission, provided the tree requirements and area requirements are met.

(4) *Landscape installation requirements.* All landscaping shall be installed in accordance with accepted good planting procedures.a. *New plant materials.*

- 1. All new living plant materials shall satisfy the requirements of No. 1 or better as defined in the most current edition of Grades and Standards for Nursery Plants.
- 2. All separate landscaped areas shall have a minimum variety of two living plant materials other than trees; total landscaping areas required shall include a minimum variety of three landscape

materials other than trees.

3. Paving (other than walks) and artificial plants shall not be permitted within landscaping areas.
 4. Trees. A tree shall attain an average crown spread over 15 feet at maturity. Trees having an average crown spread less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15-foot crown spread. All trees shall be of a species which can be maintained with a minimum of five feet of trunk height. Trees shall have a minimum of two inches DBH (diameter at breast height) measured 4½ feet above the ground and shall be a minimum of six feet in overall height immediately after planting.
 5. Shrubs. Shrubs shall be a minimum of one foot in height when measured at the time of planting except where they are to act as screening for residential uses or districts. In which case, they shall be a minimum of three feet in height at the time of planting and maintained at a minimum height of five feet at maturity.
 6. Lawn grass and ground covers. Grass may be sodded, plugged, sprigged, or seeded except that solid sod shall be used in swales or other areas subject to erosion. In areas where plant materials other than solid sod or grass is used, a fast-growing grass seed shall be sown for immediate effect and protection until coverage is otherwise achieved. Grass sod shall be clean and reasonably free of weeds and noxious pests or disease. Ground covers which present a finished appearance and reasonable complete coverage at time of planting may be used in lieu of grass sod.
- b. *Existing plant materials.* Existing living plant materials to be preserved shall be in accordance with of this chapter.
 - c. *Earthwork.* Earth berms shall be of variable height and slope. Swales and ponds shall be permitted for onsite retention of stormwater provided they are approved by the city's department of public service.
 - d. *Encroachment.* Landscaped areas, walls, structures, and walks shall require appropriate protection from vehicular encroachment by utilizing wheel stops, curbs, posts, wood, brick-work, and/or other devices. Placement of these devices shall be located at least 2½ feet from walks, walks, and structures and may be placed one foot from landscaped areas to prevent a vehicular overhang of no more than 1½ feet of landscaping area may be counted as part of the required depth of each parking space.
 - e. *Maintenance.* The owner or his agent shall be responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat, and orderly appearance and shall be kept free from refuse and debris. All landscaped areas shall be provided with a sprinkler system or readily available water supply with at least one outlet located within 50 feet of all plant material to be maintained. The owner shall replace all landscaped materials required if, for any reason, they die or are severely damaged within one year of the final approval of the installation. The owner is thereafter responsible to maintain the landscaping in a healthy manner.
 - f. *Planting bed.* The planting bed for all landscaping materials shall be free of weeds, debris, and noxious material and shall consist of a healthy plant growth medium. The planting bed soil shall provide adequate support, drainage, and nutrients for the plants and thus may require the incorporation of sand, peat, and or topsoil into the soil. Such planting soil shall be placed throughout the planting hole for each plant, and this hole shall be at least twice as wide as the width of the plant ball and 1½ as deep as the depth of the plant ball.
- (e) *City review of landscape plan.* The department of public service shall approve or reject the required landscape plan. The decision of the department of public service shall be deemed final administrative action, but may be appealed to the planning commission provided such appeal is made in writing at least ten days prior to the next regular planning commission meeting. Developments which require site plan approval by the planning commission shall be reviewed and approved by the planning commission for compliance to this section.
 - (f) *Certification of compliance.* Upon completion of the landscape improvements, the site shall be inspected for compliance to the approved landscape plan. A certificate of compliance must be issued before a certificate of occupancy can be issued for any related structures. When occupancy of a related building is desired prior to completion of the required landscaping, a temporary certificate of occupancy may be issued if a financial

guarantee in the amount equal to 100 percent of the cost for landscaping improvements is provided and acceptable in form to the city attorney.

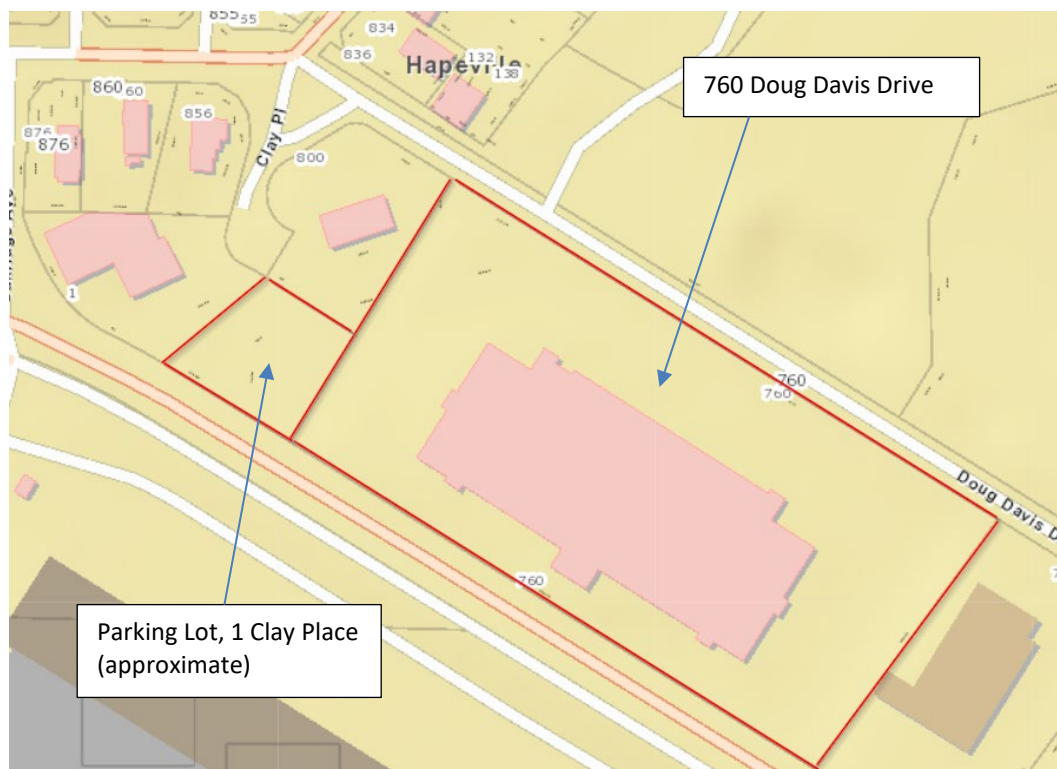
Sec. 93-23-12. - Location.

If the required off-street parking spaces cannot reasonably be provided on the same lot as the building it serves, the board of appeals may permit that space to be provided on other off-street property. That property shall be within 400 feet of the premises to which it is appurtenant, as measured along the nearest pedestrian walkway.

RECOMMENDATION

The application in question is to allow for off-street parking requirements to be met by use of an off-site parking lot. The lot in question is within 400 feet of the primary facility and allowing the use of that property for off-site parking is unlikely to have any negative impact on the community or to jeopardize the intent of the U-V zone.

Historically, similar off-site parking arrangements involving the long-term exclusive use of a lot by a single entity have improved the parking lot to meet requirements of the code. The proposed short-term/temporary nature of this arrangement (up to one year), however, may not necessitate such improvements. There is a chain-link fence topped with barbed wire on-site, which is not compliant; however, the applicant has indicated this barbed wire is essential to the security and operations of the facility. Should improvements be required to the property, the barbed wire and chain link would need to be replaced with compliant materials or a variance sought. Staff recommends approval of the off-site parking arrangement with the condition that the parking lot be required to be brought into compliance with Sec. 93-23-18 (landscaping) and Sec. 93-11.2-9 (sidewalks) should the lease to use the parking lot extend beyond 12 months from the date of approval.

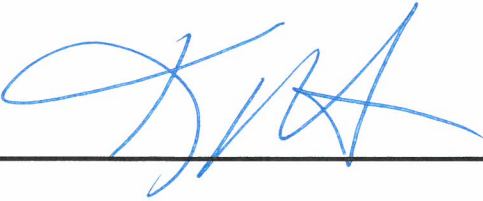


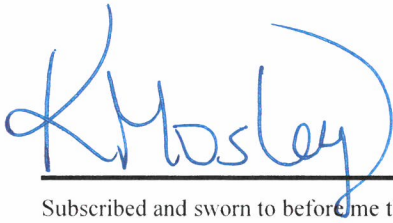
Project Location – 760 Doug Davis Drive/1 Clay Place

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 08/06/2019.





Subscribed and sworn to before me this August 6, 2019



NOTICE
City of Hapeville

There will be a Public Hearing of the City of Hapeville Board of Appeals **on Thursday, August 22, 2019** in the City of Hapeville Municipal Court Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354 at 6:00 PM to consider the following request:

Variance Request:

Variance request to increase the maximum window sign from 12-square feet to 26-square feet at 583-B North Central Avenue, Parcel Identification Number 14 009500150463. The property is zoned U-V, Urban Village and is subject to the zoning regulations under Section 93-3.3-17 and 93-3.3-18 of the City of Hapeville Zoning Ordinance.

Applicant: Chandra Fowler, Sanskrit Moon Yoga Center

Variance Request:

Variance request to allow an off-site parking arrangement at 1 Clay Place, Parcel Identification Number 14 0098 LL0138. The property is zoned U-V, Urban Village and is subject to the zoning regulations under Sections 93-23-10, 93-11.2-9, and 93-23-12 of the City of Hapeville Zoning Ordinance.

Applicant: Delta Airlines, Inc.

#0000417967:8/07-1AS

A PUBLIC HEARING WILL BE
HELD BY THE HAPEVILLE

Board of Appeals

ON

August 22, 2019

AT

6:00 PM

AT HAPEVILLE MUNICIPAL ANNEX
700 DOUG DAVIS DRIVE TO
Consider an off-site parking arrangement

at 1 Clay Place

ECON. DEV. 404-669-8269

19-BOA-08-07

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

Name of Applicant CHANDRA FOWLER, SANSKRIT MOON YOGA CENTER
Mailing Address 583-B NORTH CENTRAL AVE, HAPEVILLE, GA 30354
Telephone SAME AS CELL Mobile # [REDACTED] Email ADMIN@SANSKRITMOON.COM
Property Owner (s) SCOTT PENDERGAST
Mailing Address P.O. Box 5377, ATLANTA, GA 30107
Telephone 404-525-0457 Mobile # [REDACTED]
Property Address/Location: 583-B NORTH CENTRAL AVE, HAPEVILLE GA 30354
Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14 009500150463
Square Foot of Property 4,499.75 Building Size 4,840 sq ft Zoning U-V
Present Land Use YOGA STUDIO
Variance Requested TO KEEP THE TRANSPARENT WINDOW MURAL
Applicable Code Section SEC. 93-3.3-17, SEC 93-3.3-18

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered too. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

Charles Edick
Applicant's signature

Date: 7/25/19

Sworn to and subscribed before me

This 25th day of July, 2019.

Heather Arrington
Notary Public



**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

WRITTEN SUMMARY

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

* SEE ATTACHED PAPER

Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

* SEE ATTACHED PAPER

Explain how these conditions are peculiar to the particular piece of property involved.

* SEE ATTACHED PAPER

What, if any, detriment to the public good would the proposed project have if a variance was granted?

* SEE ATTACHED PAPER

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of size, shape topography that would qualify for variance.

- 1) Before opening my studio in January 2019, I had a local artist hand paint my window to be aesthetically in line with the businesses around me as well as serve the purpose of transparency for safety, light, & speak to the purpose of the business.
- 2) Before doing this, I visited the Community Service Building to make sure I had submitted the proper paperwork. I was told I was in good standing. As a new business owner, this is frustrating because I wanted to make sure that I wouldn't be in this situation.
- 3) The entrance is in the back, due to how the previous studio was built out. It is important to have clear signage for individuals to know how to enter the business.
- 4) The information cited in the denial of the signage permit is inaccurate.

Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

We have lived in Hapeville for 11 years and never wanted to have a brick and mortar site, until Sacred Thread Yoga closed. As a resident of Hapeville, we were sad at the void and we wanted to continue the gift of yoga for our area. Our vision was to make this a community space, and we have tried hard to make a place where people are comfortable to meet their neighbors. We spent close to \$1000 to place the art mural on the window. Each month we use our own family funds/ retirement to float this business. Removing the mural would require additional money from a business that is already not breaking even. We knew it was not a money maker. We wanted to invest in the community our children will grow up in and call home.

Explain how these conditions are peculiar to the particular piece of property involved.

I feel if we look at the spirit of the code, the window doesn't violate the intention. The window is an outline, and therefor anyone who sees it will agree that it does not cover 50% of the window, if we take in account open spaces. Now the rectangle that needs to be drawn around the design is in question. There are many businesses that are in violation of both the spirit and the letter of the code. I am afraid that even if I alter the window, I will still be a target of code enforcement.

What, if any, detriment to the public good would the proposed project have if a variance was granted?

None. Literally, the mural on the window doesn't cause any harm or detriment to the community.

I chose an artist that has done various small business windows, as well as larger artwork projects, including for the Atlanta United Soccer Team. I believe it is aesthetically consistent with the other artwork in downtown Hapeville, which is one of the primary ways that the city is promoting itself.

I want everything that I bring to the table to elevate and support the home we love. I just want, as a new business owner, to be able to grow my business, and to be a part of the Hapeville Business community with the support of the Hapeville Government as I have touted in interviews on NPR ,other Podcasts & small business meetings. I truly believe that Hapeville supports small businesses and wants them to flourish.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

583-B N. Central Avenue

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF A VARIANCE FOR THE PROPERTY.

Name of Applicant

Chandra Fowler

Address of Applicant

583-B N. Central Ave

Telephone of Applicant

Scott Pendergrast

Signature of Owner

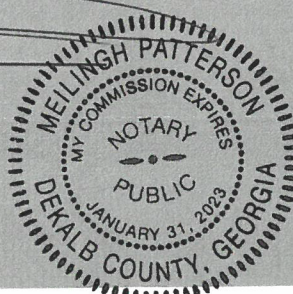
Scott Pendergrast

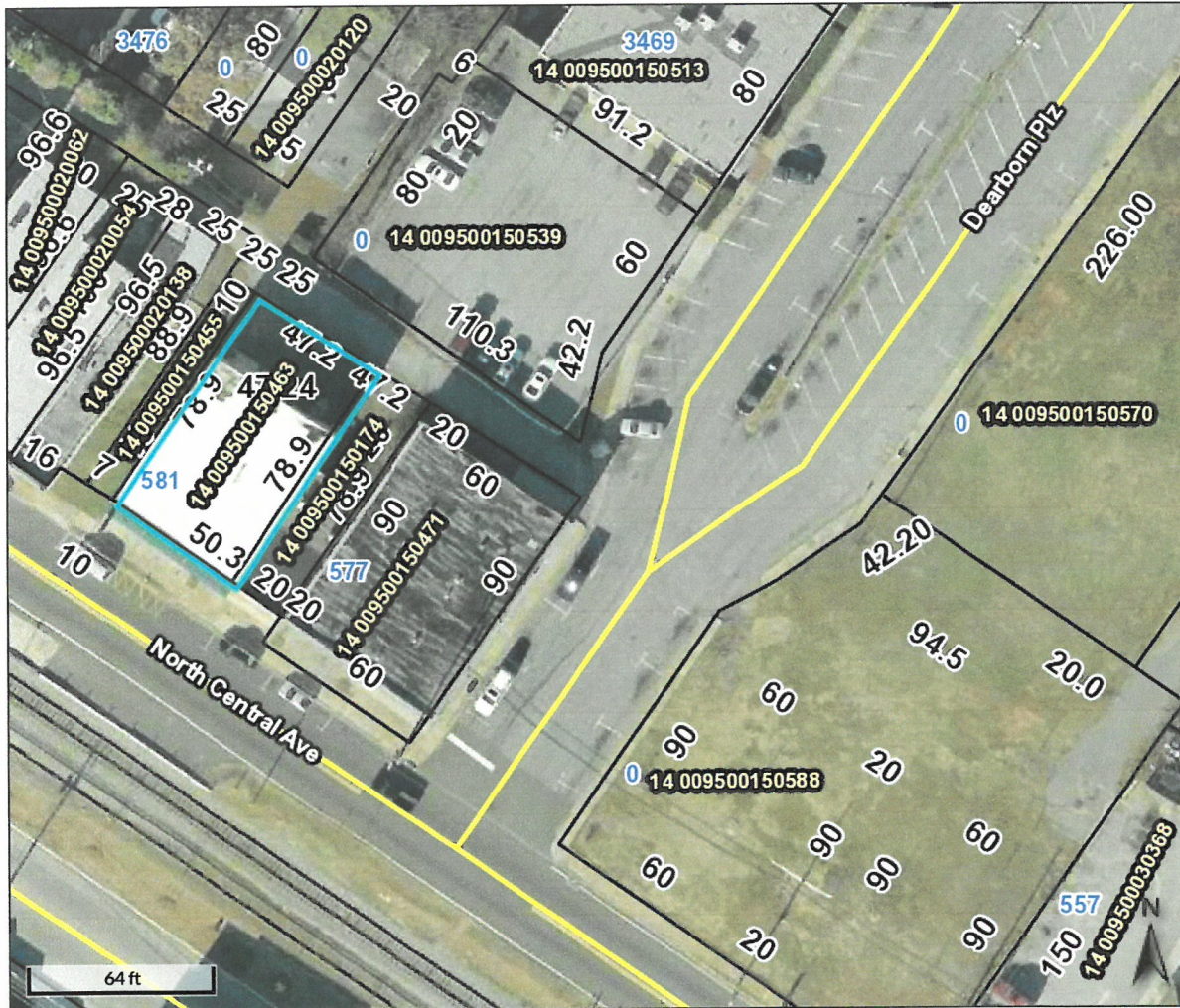
Print Name of Owner

Managing Member, Point Center Partners, LLC

Personally Appeared Before Me this 24th day of July, 2019.

Meilingh Patterson
Notary Public





Overview



Legend

- Parcels
- Roads

Parcel ID	14 009500150463	Physical Address	581 NORTH CENTRAL AVE	Last 2 Sales			
Class Code	C3	Owner	POINT CENTER PARTNERS	Date	Price	Reason	Qual
Taxing District	30		P O BOX 5377	3/29/2006	\$345000	Invalid Sale - Undefined	U
Acres	0.1033		ATLANTA GA 31107	7/23/2003	0	Sale <= 1000	U
		Assessed Value	\$450,800				

Date created: 7/29/2019
Last Data Uploaded: 7/29/2019 4:55:17 AM

Developed by Schneider
GEOSPATIAL

**EVERLONG CREATIVE ART
FOR SANSKRIT MOON
YOGA**

DOOR ART HEIGHT- 25.5 IN.

DOOR ART WIDTH- 17 IN.



FRONT WINDOW ART

PANEL 1- 57 IN. H

23.5 IN. W

PANEL 2- 29.5 IN. H

23 IN. W

PANEL 3- 57 IN. H

23.5 IN. W





Department of Planning & Zoning

PLANNER'S REPORT

DATE: August 16, 2019
TO: Adrienne Senter
FROM: Lynn Patterson
RE: Sign Variance Application – 583-B North Central Avenue – Sanskrit Moon Yoga

BACKGROUND

The City of Hapeville has received a variance application from Chandra Fowler (Sanskrit Moon Yoga Center) to allow for an unpermitted installed window sign located at 583-B North Central Avenue to remain in place. A permit for a projecting sign (5 SF) was applied for and approved by the Planning & Zoning Department on 02/05/2019.

The window sign is spread across several windows and the entrance door, and has the following dimensions:

- Sign on door: 25.5" x 17" (3 SF)
- Two mirrored panels on windows: 57" x 23.5" (9.3 SF) each
- Third panel: 29.5" x 23" (4.7 SF)

The total area of all window signs is 26.3 SF. The total area of all signs, including the approved projecting sign, is 31.3 SF. The tenant's frontage along North Central Avenue is 14'-3".

The Code (see below) requires that window signs may not exceed 12 SF and 50 percent of the window area. The Code also states the total square footage of all signs cannot exceed one square foot per linear foot of tenant frontage. The applicant is requesting the following variances:

1. allow the square footage of window signs to exceed 12 SF.
2. allow the square footage of all signs on the building to exceed the linear footage of frontage.

The property is located within the U-V Urban Village Zoning District and is subject to the provisions of the Downtown Historic District Sign Regulations.

CODE

ARTICLE 3.3. - SIGNS AND MURALS

Sec. 93-3.3-1. - Statement of purpose and intent.

- (a) This division seeks to create the legal framework necessary to ensure a comprehensive and balanced system of signs within the city. A comprehensive regulation is necessary to ensure that signs installed in the city are compatible with the unique nature and character of the community. The purpose of this division is to preserve the right of free speech and expression, facilitate appropriate

communication between people and their environment, promote the public health, safety and welfare, and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance.

With these concepts in mind, the provisions in this division, which regulate signs by such factors as design, size, height, spacing and location, but not on the basis of any message conveyed by such signs, and also regulate the maintenance of signs, are hereby established to achieve the following purposes:

- (1) To protect the health, safety, general welfare and property values of residents and property owners of the city.
 - (2) To promote and implement the goals, objectives and policies adopted in the comprehensive plan.
 - (3) To effectively balance public and private objectives by allowing adequate signs for the needs of business and developers.
 - (4) To regulate the installation and placement of signs in order to provide safe operating conditions for pedestrians and motorists by eliminating unsafe, cluttered, distracting, or illegal signs.
 - (5) To promote the use of signs that are aesthetically pleasing, of appropriate scale, integrated with surrounding buildings and landscape, and compatible with the character of the surrounding area.
 - (6) To ensure the protection of free speech rights provided by the United States Constitution and the Georgia Constitution.
- (b) It is the intent of this division to:
- (1) Enable the public to locate and design sign facilities without difficulty or confusion.
 - (2) Provide functional flexibility, encourage variety and relate signing to basic principles of good design.
 - (3) Balance the rights of individuals to convey messages through signs and the right of the public to be protected against the unrestricted proliferation of signs by regulating signs on the basis of such factors as design, height, spacing, and location, but not on the basis of the content of any message conveyed thereby.
 - (4) Provide an enhanced visual environment for residents and visitors and protect existing view sheds in the community.
 - (5) Promote economic development.
 - (6) Ensure the fair and consistent enforcement of sign regulations.

Sec. 93-3.3-2. - Definitions.

Sign area. The total area on which a message is displayed on any sign. For double-faced signs, the side with the largest sign area shall be used in computing sign area. The sign area of a double-faced sign having unequal faces shall be the area of the larger face. ***The sign area of wall signs shall be the net geometric area measured by the smallest possible rectangle or combination of rectangles enclosing the display surface of the sign, including the outer extremities of all letters, characters and delineations.*** Double-faced signs having an interior angle formed by the faces greater than 45 degrees shall be considered individual sign faces and the area of each face shall be used in computing sign area. ***Window sign area shall be measured in the same manner as wall signs.***

Window sign. Any sign displayed to an outside observer on or through a window or covering a window clearly visible from the right-of-way. Any sign that conveys a message at a scale as to font size or graphics or the use of such components as neon or LED lighting clearly intended to advertise to pedestrians or motorists in the right-of-way, despite the location in a store, shall be considered window signs. Window sign shall include signs posted on or otherwise affixed to a glass door.

Sec. 93-3.3-17. - Sign standards by sign district.

(d) Downtown district. Permitted sign types and regulations for signs in the downtown sign district include:

(4) Window signs shall not exceed 50 percent of the window area and shall be a maximum of 12 square feet of sign area. A second window sign of the same dimension shall be allowed on buildings with multiple frontages fronting on a public street. Interior neon or LED signs not to exceed an aggregate maximum of six square feet in sign area shall be permitted.

(10) The aggregate sign area for any lot shall not exceed one square foot for every linear foot of lot frontage, regardless of the construction, placement or type of sign or signs.

Downtown District

	Projecting Sign	Wall Sign	Window Signs	Awning Sign	Temporary Sign
Maximum Height	Not above roofline				6 feet
Maximum Width	4 feet	50% of façade width			8 feet
Maximum Area Primary Facade	12 square feet	1 SF/LF of building or tenant façade	50% of window area	50% of awning area	32 square feet
Maximum Area Secondary Facade	12 square feet	1 SF/LF of building or tenant façade	50% of window area		
Maximum Number	1/primary facade; 1/secondary facade	1/primary facade; 1/secondary facade	No Maximum	2	1

Sec. 93-3.3-18. – General sign regulations.

In addition to the limitations set forth in the other sections of this division, the following limitations shall apply to these specific types of signs:

(7) *Window signs.* Window signs shall not exceed 50 percent of the window area of the building in which they are displayed. Window signs may be arranged as a single sign or as multiple signs. Window signs shall be limited to ground floor windows. Interior neon or LED signs not to exceed an aggregate maximum of six square feet shall be permitted.

PROCEDURE

Sec. 93-3.3-22. - Variance for signs in this division.

In any appeal brought under section 93-3.3-4, the board of appeals shall judge a request for a variance from the terms of this division based on the following criteria:

- (1) All signs and structures within the business development are in conformance with this division; and
- (2) The variance, if granted, would not cause substantial detriment to other property owners or tenants, or to the public good, nor would it impair the purpose and intent of this division; and

- a. The board of appeals may consider factors such as the size of the buildings constructed on the subject lot, the potential to subdivide the lot, and the number of different tenants occupying the buildings.
- b. Financial loss to the appellant is not sufficient grounds by itself to justify a variance.
- c. Peculiar conditions or circumstances that are the result of actions of the current or former owner of the property covered by the application cannot be considered as grounds to justify a variance.
- d. The authority to erect and maintain additional signs as may be permitted under any such variance shall terminate upon the subdivision of the lot for which such variance was granted.

FINDINGS

The intent, in part, of the sign ordinance is to “promote the use of signs that are aesthetically pleasing, of appropriate scale, integrated with surrounding buildings and landscape, and compatible with the character of the surrounding area.” The City cannot allow or deny permits to applicants based on content without violating their First Amendment right to free speech. It can, however, control non-speech aspects of signs, such as sign area. The two area limitations under consideration are both designed to reduce clutter and keep signs in scale with the downtown pattern of small street level store fronts without considering content.

The code has a specific prescription for the determination of sign area, stating “The sign area of [window] signs shall be the net geometric area measured by the smallest possible rectangle or combination of rectangles enclosing the display surface of the sign, including the outer extremities of all letters, characters and delineations.” By this standard, the window sign is measured to be 26.3 square feet in area.

The window sign area alone is 116 percent larger than the Code permits (12 SF) and the total square footage of all signs exceeds the maximum allowable square footage by 119 percent.

The Board of Appeals should review criteria from Sec. 93-3.3-22 and determine if the variance should be granted.

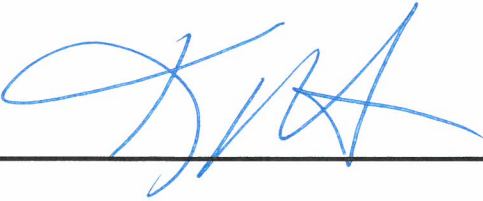


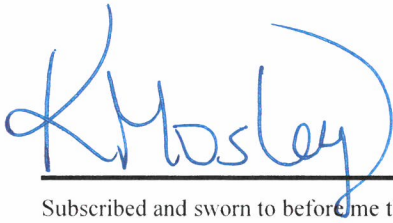
583-B North Central Avenue

PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 08/06/2019.





Subscribed and sworn to before me this August 6, 2019



NOTICE
City of Hapeville

There will be a Public Hearing of the City of Hapeville Board of Appeals **on Thursday, August 22, 2019** in the City of Hapeville Municipal Court Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354 at 6:00 PM to consider the following request:

Variance Request:

Variance request to increase the maximum window sign from 12-square feet to 26-square feet at 583-B North Central Avenue, Parcel Identification Number 14 009500150463. The property is zoned U-V, Urban Village and is subject to the zoning regulations under Section 93-3.3-17 and 93-3.3-18 of the City of Hapeville Zoning Ordinance.

Applicant: Chandra Fowler, Sanskrit Moon Yoga Center

Variance Request:

Variance request to allow an off-site parking arrangement at 1 Clay Place, Parcel Identification Number 14 0098 LL0138. The property is zoned U-V, Urban Village and is subject to the zoning regulations under Sections 93-23-10, 93-11.2-9, and 93-23-12 of the City of Hapeville Zoning Ordinance.

Applicant: Delta Airlines, Inc.

#0000417967:8/07-1AS

A PUBLIC HEARING WILL BE
HELD BY THE HAPEVILLE

Board of Appeals ON

August 22, 2019 AT 6:00PM

AT HAPEVILLE MUNICIPAL ANNEX
700 DOUG DAVIS DRIVE TO

Consider a request to varience the minimum
square footage of a window 3000 sq ft Minimum

ECON. DEV. 404-669-8269

19-BoA-08-09

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

Name of Applicant Melinda Dalton

Mailing Address 3429 Rainey Avenue

Telephone [REDACTED] Mobile # same Email [REDACTED]

Property Owner (s) Melinda Dalton

Mailing Address 3429 Rainey Avenue Hapeville, Ga 30354

Telephone [REDACTED] Mobile # same

Property Address/Location: 3429 Rainey Avenue Hapeville, Ga 30354

Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14 0127000 30592

Square Foot of Property 7,500 Building Size 2246 Zoning R-SF

Present Land Use Single Family House

Variance Requested side yard setback for existing and new structure

Applicable Code Section 93-22.1.1

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered too. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof.

[Signature]

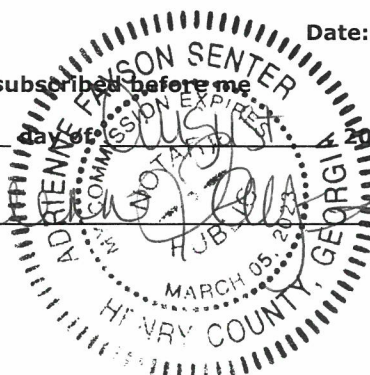
Applicant's signature

Date: 8/5/19

Sworn to and subscribed before me

This 5th day of August

Notary Public



**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

WRITTEN SUMMARY

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that would qualify for a variance.

The current structure was built in 1921 in an area that encroaches upon later established zoning. Because of the existing structure there is no remedy to current setbacks without demolition which would cause extreme hardship.

The proposed project is a renovation and addition to an existing dwelling on-site, within the dimensions of the existing structure.

The existing dwelling lies in the setback by 2.0ft along the northern (driveway) side of the house.

The proposed addition extends to the edge of the current property use, which is inside of the setback by 2.0ft.

Explain how the application of the ordinance to this particular piece of property would create an unnecessary hardship.

In order to remedy setbacks building would have to be demolished.

Explain how these conditions are peculiar to the particular piece of property involved.

The current structure has been in its current condition since it was built in 1921.

Renovation plans limit additions to a porch and stairwell that do not exceed historical (and current) property use.

What, if any, detriment to the public good would the proposed project have if a variance was granted?

None.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
VARIANCE APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

3429 Rainey Avenue

Hapeville, GA 30354

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF A VARIANCE FOR THE PROPERTY.

Name of Applicant

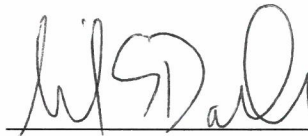
Melinda Dalton

Address of Applicant

3429 Rainey Avenue, Hapeville, GA 30354

Telephone of Applicant

[REDACTED]



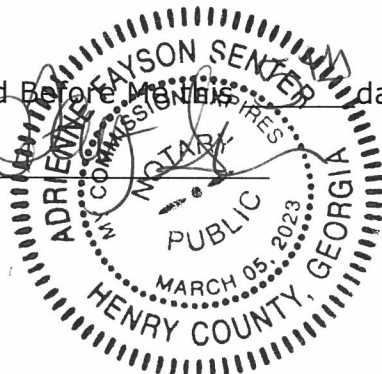
Signature of Owner

Melinda Dalton

Print Name of Owner

Personally Appeared Before _____ day of August, 2019.

Notary Public



JON-050200140S

DS2 LIME AND FERTILIZER
AGRICULTURAL LIME IS REQUIRED UNLESS SOIL TESTS INDICATE OTHERWISE. APPLY AGRICULTURAL LIME AT A RATE OF ONE TON PER ACRE. GRADED AREAS REQUIRE LIME APPLICATION. SOILS CAN BE TESTED TO DETERMINE IF FERTILIZER IS NEEDED. ON REASONABLY FERTILE SOILS OR SOIL MATERIAL, FERTILIZER IS NOT REQUIRED. FOR SOILS WITH VERY LOW FERTILITY, 500 TO 700 POUNDS OF 10-10-10 FERTILIZER OR THE EQUIVALENT PER ACRE (12-16 LBS/1000 SQ.FT.) SHALL BE APPLIED. FERTILIZER SHOULD BE APPLIED BEFORE LAND PREPARATION AND INCORPORATED WITH A DISK, RIPPER, OR CHISEL.

DS2 MULCHING
TEMPORARY VEGETATION CAN IN MOST CASES BE ESTABLISHED WITHOUT THE USE OF MULCH. MULCH WITHOUT SEEDING SHOULD BE CONSIDERED FOR SHORT TERM PROTECTION. REFER TO DS1-DISTURBED AREA STABILIZATION(WITH MULCHING).

DS3 LIME AND FERTILIZER RATES AND ANALYSIS
AGRICULTURAL LIME IS REQUIRED AT THE RATE OF ONE TO TWO TONS PER ACRE UNLESS SOIL TESTS INDICATE OTHERWISE. GRADED AREAS REQUIRE LIME APPLICATION. IF LIME IS APPLIED WITHIN SIX MONTHS OF PLANTING PERMANENT PERENNIAL VEGETATION, ADDITIONAL LIME IS NOT REQUIRED. AGRICULTURAL LIME SHALL BE WITHIN THE SPECIFICATIONS OF THE GEORGIA DEPARTMENT OF AGRICULTURE.

LIME SPREAD BY CONVENTIONAL EQUIPMENT SHALL BE "GROUND LIMESTONE". GROUND LIMESTONE IS CALCITIC OR DOLOMITIC LIMESTONE GROUND SO THAT 90% OF THE MATERIAL WILL PASS THROUGH A 10-MESH SIEVE, NOT LESS THAN 50% WILL PASS THROUGH A 50-MESH SIEVE AND NOT LESS THAN 25% WILL PASS THROUGH A 100-MESH SIEVE.

AGRICULTURAL LIME SPREAD BY HYDRAULIC SEEDING EQUIPMENT SHALL BE FINELY GROUND LIMESTONE. FINELY GROUND LIMESTONE IS CALCITIC OR DOLOMITIC LIMESTONE GROUND SO THAT 98% OF THE MATERIAL SHALL PASS THROUGH A 20-MESH SIEVE AND NOT LEES THAN 70% SHALL PASS THROUGH A 100-MESH SIEVE.

IT IS DESIRABLE TO USE DOLOMITIC LIMESTONE IN THE SAND HILLS, SOUTHERN COASTAL PLAIN AND ATLANTIC COAST FLATWOODS MLRA'S.

AGRICULTURAL LIME IS GENERALLY NOT REQUIRED WHERE ONLY TREES ARE PLANTED.

INITIAL FERTILIZATION, NITROGEN, TOPDRESSING, AND MAINTENANCE FERTILIZER REQUIREMENTS FOR EACH SPECIES OR COMBINATION OF SPECIES ARE LISTED.

DS3 MULCHING
MULCH IS REQUIRED FOR ALL PERMANENT VEGETATION APPLICATIONS. MULCH APPLIED TO SEEDED AREAS SHALL ACHIEVE 75% SOIL COVER. SELECT THE MULCHING MATERIAL FROM THE FOLLOWING AND APPLY AS INDICATED:
1. DRY STRAW OR DRY HAY OF GOOD QUALITY AND FREE OF WEEDS CAN BE USED. DRY STRAW SHALL BE APPLIED AT THE RATE OF 2 TONS PER ACRE.
2. WOOD CELLULOSE MULCH OR WOOD PULP FIBER SHALL BE USED WITH HYDRAULIC SEEDING. IT SHALL BE APPLIED(AT THE RATE INDICATED ABOVE) AFTER HYDRAULIC SEEDING.
3. ONE THOUSAND POUNDS OF WOOD CELLULOSE OR WOOD PULP FIBER WHICH INCLUDES TACKIFIER, SHALL BE USED WITH HYDRAULIC SEEDING ON SLOPES 3:1 OR STEEPER.
4. SERICEA LESPEDEZA HAY CONTAINING MATURE SEED SHALL BE APPLIED AT A RATE OF THREE TONS PER ACRE.
5. PINE STRAW OR PINE BARK SHALL BE AT A THICKNESS OF THREE INCHES FOR BEDDING PURPOSES. OTHER SUITABLE MATERIALS IN SUFFICIENT QUANTITY MAY BE USED WHERE ORNAMENTALS OR OTHER GROUND COVERS ARE PLANTED. THIS IS NOT APPROPRIATE FOR SEEDED AREAS.
6. WHEN USING TEMPORARY EROSION CONTROL BLANKETS OR BLACK SOD, MULCH IS NOT REQUIRED.
7. BITUMINOUS TREATED ROVING MAY BE APPLIED ON PLANTED AREAS ON SLOPES, IN DITCHES OR DRY WATER WAYS TO PREVENT EROSION. BITUMINOUS TREATED ROVING MAY BE APPLIED WITHIN 24 HOURS AFTER AN AREA HAS BEEN PLANTED. APPLICATION RATES AND MATERIALS MUST MEET GEORGIA DEPARTMENT OF TRANSPORTATION SPECIFICATIONS.

WOOD CELLULOSE AND WOOD PULP FIBERS SHALL NOT CONTAIN GERMINATION OR GROWTH INHIBITING FACTORS. THEY SHALL BE EVENLY DISPERSED WHEN AGITATED IN WATER. THE FIBERS SHALL CONTAIN A DYE TO ALLOW VISUAL METERING AND AID IN UNIFORM APPLICATION DURING SEEDING.

GENERAL NOTES:

ALL PERSONS INVOLVED IN LAND DISTURBANCE ACTIVITIES MUST BE CERTIFIED IN EROSION AND SEDIMENTATION CONTROL BY THE GASWCC OR SUPERVISED BY SOMEONE WHO IS.

DESIGN PROFESSIONAL WILL VISIT THE SITE WITHIN 7 DAYS AFTER INITIAL CONSTRUCTION ACTIVITY AND WRITE A LETTER TO THE GOVERNING AUTHORITY CONCERNING SITE CONDITIONS.

THIS SITE SHALL BE KEPT CLEAN OF ALL DEBRIS AND POLLUTANTS THAT MAY CONTAMINATE THE STORM WATER DISCHARGE (PROVIDE ON SITE DUMPSTER).

THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO LAND-DISTURBANCE ACTIVITIES.

ANY DISTURBED AREAS LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.

ALL EROSION CONTROL MEASURES ARE TO CONFORM TO THE STANDARDS SET FORTH IN THE MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA (I.E. THE GREEN BOOK). THE SPECIFICATIONS AND DETAIL REQUIREMENTS OF THE GREEN BOOK ARE INCORPORATED HERE IN BY REFERENCE.

EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDED FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.

THE PROJECT RECEIVING WATERS IS AN UNNAMED TRIBUTARY OF FLINT RIVER.

THERE ARE NO WETLANDS ON THIS SITE AS PER THE U.S. FISH & WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY WETLANDS MAPPER.

THERE ARE NO STATE WATERS LOCATED WITHIN 200 FEET OF THIS SITE.

NON-EXEMPT ACTIVITIES SHALL NOT BE CONDUCTED WITHIN 25 OR 50-FOOT UNDISTURBED STREAM BUFFERS AS MEASURED FROM THE POINT OF WRESTED VEGETATION OR WITHIN 25 FEET OF THE COASTAL MARSHLAND BUFFER AS MEASURED FROM THE JURISDICTIONAL DETERMINATION LINE WITHOUT FIRST ACQUIRING THE NECESSARY VARIANCES AND PERMITS.

AMMENDMENTS/REVISIONS TO THE ES&PC PLAN WHICH HAVE A SIGNIFICANT EFFECT ON BMPs WITH A HYDRAULIC COMPONENT MUST BE CERTIFIED BY THE DESIGN PROFESSIONAL.

WASTE MATERIALS SHALL NOT BE DISCHARGED TO WATERS OF THE STATE, EXCEPT AS AUTHORIZED BY A SECTION 404 PERMIT.

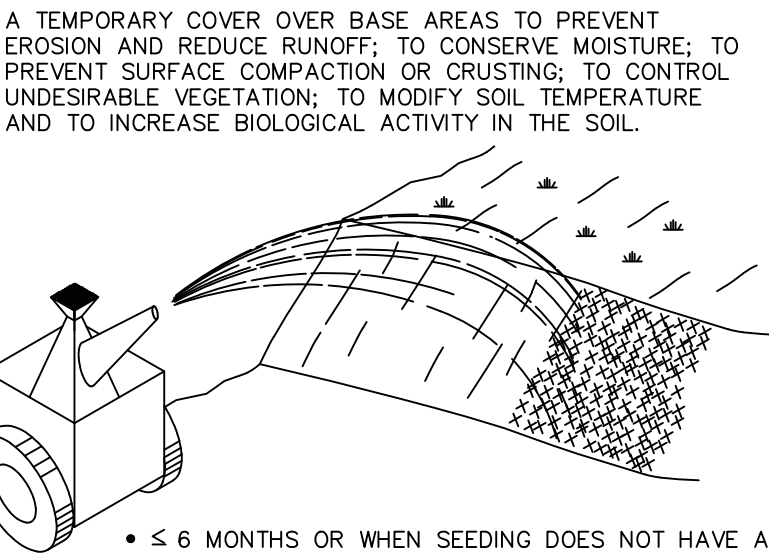
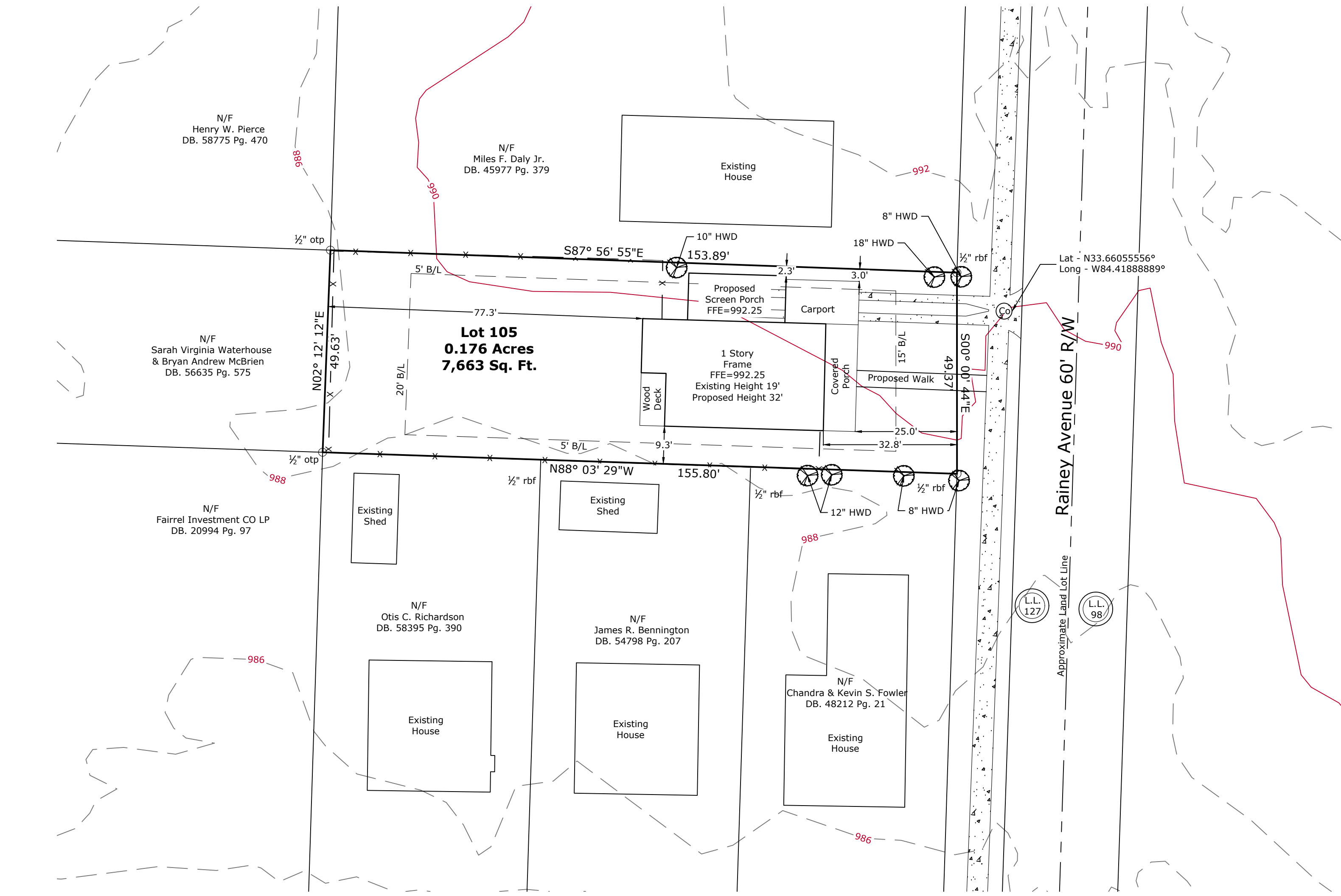
I CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY SUPERVISION.

I CERTIFY THAT THE PERMITEE'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 (MANUAL) PUBLISHED BY THE STATE SOIL AND WATER CONSERVATION COMMISSION AS OF JANUARY 1 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 THAT THE DESIGNED SYSTEM OF BEST MANAGEMENT PRACTICES AND SAMPLING METHODS IS EXPECTED TO MEET THE REQUIREMENTS CONTAINED IN THE GENERAL NPDES PERMIT NO. GAR 100003.

Signature: *[Signature]*

NON-EXEMPT ACTIVITIES SHALL NOT BE CONDUCTED WITHIN THE 25 OR 50-FOOT UNDISTURBED STREAM BUFFERS AS MEASURED FROM THE POINT OF WRESTED VEGETATION OR WITHIN 25-FEET OF THE COASTAL MARSHLAND BUFFER AS MEASURED FROM THE JURISDICTIONAL DETERMINATION LINE WITHOUT FIRST ACQUIRING THE NECESSARY VARIANCES AND PERMITS.

EROSION, SEDIMENTATION, & POLLUTION PLAN



MATERIAL	RATE
STRAW OR HAY	2" to 4" DEEP
WOOD WASTE, CHIPS, SAWDUST OR BARK	2"-3" DEEP (ABOUT 6 TO 9 TONS/ACRE)
OUTBACK ASPHALT	1200 GALLON/ACRE (1 1/4 GALLON/YD ²)
POLYETHYLENE FILM	COMPLETELY COVER AREA

• MAY BE NECESSARY TO ANCHOR

(Ds1) DISTURBED AREA STABILIZATION (WITH MULCHING ONLY)

Impervious Square Footage	
Existing Drive	177 Sq. Ft.
Existing Carport	199 Sq. Ft.
Existing Porch	207 Sq. Ft.
Existing Deck	79 Sq. Ft.
Existing House	1,102 Sq. Ft.
Proposed Screen Porch	275 Sq. Ft.
Proposed Sidewalk	99 Sq. Ft.

NOTE:
THE PURPOSE OF THIS PLAN IS TO ADD A SECOND LEVEL TO EXISTING HOME. MINIMUM OR NO GRADING REQUIRED. NO ADDITION LANDSCAPING REQUIRED.

FLOOD STATEMENT:
ACCORDING TO FEMA FLOOD INSURANCE RATE MAP HAPEVILLE, CITY OF DATED SEPTEMBER 18, 2013 MAP #13121C0366F. IN MY OPINION THIS PROPERTY APPEARS NOT TO LIE WITHIN A SPECIAL FLOOD HAZARD AREA.

NOTE:
THIS PLAN WAS PREPARED FOR PERMITTING PURPOSES ONLY. IT IS NOT TO BE USED FOR TITLE TRANSFER AND IS TO BE USED SOLY BY THE ORIGINAL PURCHASER.

NOTE:
THE DESIGN PROFESSIONAL WHO PREPARED THIS ES&PC PLAN IS TO INSPECT THE INSTALLATION OF THE INITIAL SEDIMENT STORAGE AND PERIMETER CONTROL BMPs WITHIN 7 DAYS AFTER INSTALLATION.

NOTE:
This lot lies entirely within the CECIL Soil Series (CyC2).

STRUCTURAL PRACTICES

MONTH	TEMPORARY SEED	PIEDMONT VEGATIVE COVERS	PERMANENT SEED	RATE/ACRE
NOVEMBER	WHEAT	40-50 LB	UNHULLED BERMUDA SERICEA LESPEDEZA FESCUE	8-10 LB 30-40 LB 30-50 LB
DECEMBER	RYE RYEGRASS ANNUAL LESPEDEZA	2-3 BU 40-50 LB 2-3 BU	UNHULLED BERMUDA SERICEA LESPEDEZA FESCUE	8-10 LB 30-40 LB 30-50 LB
JANUARY	RYEGRASS	40-50 LB	UNHULLED BERMUDA SERICEA LESPEDEZA	8-10 LB 30-40 LB
FEBRUARY	RYEGRASS	40-50 LB	UNHULLED BERMUDA SERICEA LESPEDEZA FESCUE	8-10 LB 30-40 LB 30-50 LB
MARCH	RYE WEEPING LOVEGRASS ANNUAL LESPEDEZA	2-3 BU 4-6 LB 20-35 LB	UNHULLED BERMUDA SERICEA LESPEDEZA FESCUE	8-10 LB 30-40 LB 30-50 LB
APRIL	BROWN TOP MILLET SUDAN GRASS	2-3 BU 4-6 LB 30-35 LB	UNHULLED BERMUDA SERICEA LESPEDEZA BAHIA	8-10 LB 30-40 LB 40-60 LB

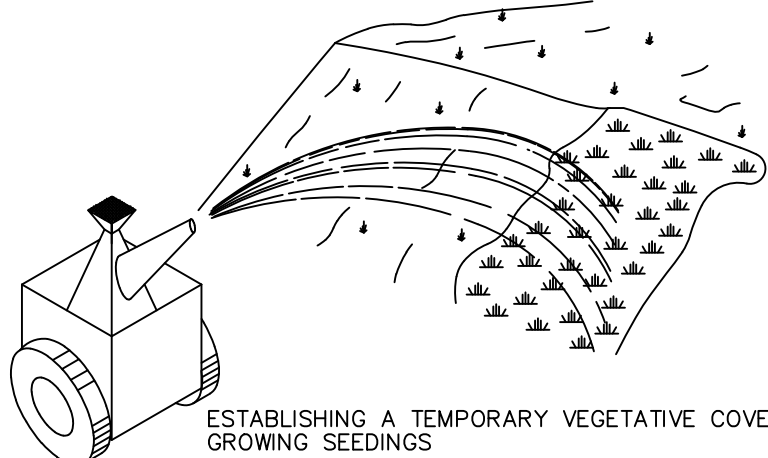
*** USE A MINIMUM OF 40LB SCARIFIED SEED. REMAINDER MAY BE INSCARIFIED CLEAN HULLED SEED
*** USE EITHER COMMON SERICEA, OR INTERSTATE SERICEA LESPEDEZA

CONSTRUCTION ACTIVITY SCHEDULE

ACTIVITY	1	2	3	4	5	6
INSTALL EROSION CONTROL						
CLEARING AND GRUBBING						
GRADING OPERATION						
TEMPORARY GRASSING						
IMPROVEMENT GRADING						
FINAL LANDSCAPE & GRASSING						
MAINTENANCE OF EROSION CONTROL						

LEGEND

UP = UTILITY POLE
RBS = REBAR SET
RBF = REBAR FOUND
RBS = REBAR SET
OTP = OPEN TOP PIPE
CT = CRIMP TOP PIPE
L.L.L. = LAND LOT LINE
L.L. = LAND LOT
EP = EDGE OF PAVEMENT
CMF = CONCRETE MARKER
TBM = TEMPORARY BENCHMARK
B/L = BUILDING SETBACK LINE
OH = OVERHEAD UTILITY LINES
F.F.E. = FINISHED FLOOR ELEVATION
LOD = LIMITS OF DISTURBANCE



ESTABLISHING A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS

- S12 MONTHS OR UNTIL ESTABLISHMENT OF FINISHED GRADE OR PERMANENT VEGETATION
- SITE PREPARATION
 - GRADING AND SHAPING
 - SEED BED PREPARATION
 - APPLY LIME AND FERTILIZER
 - PLANT SEEDING, SELECT SPECIES BY SEASON AND REGION
 - APPLY MULCHING MATERIAL IF NEEDED
 - IRRIGATE IF NEEDED BUT NOT AT A RATE TO CAUSE EROSION
- PLANTING DATES DEPEND ON SPECIES AND REGION (MOUNTAIN, PIEDMONT OR COASTAL)

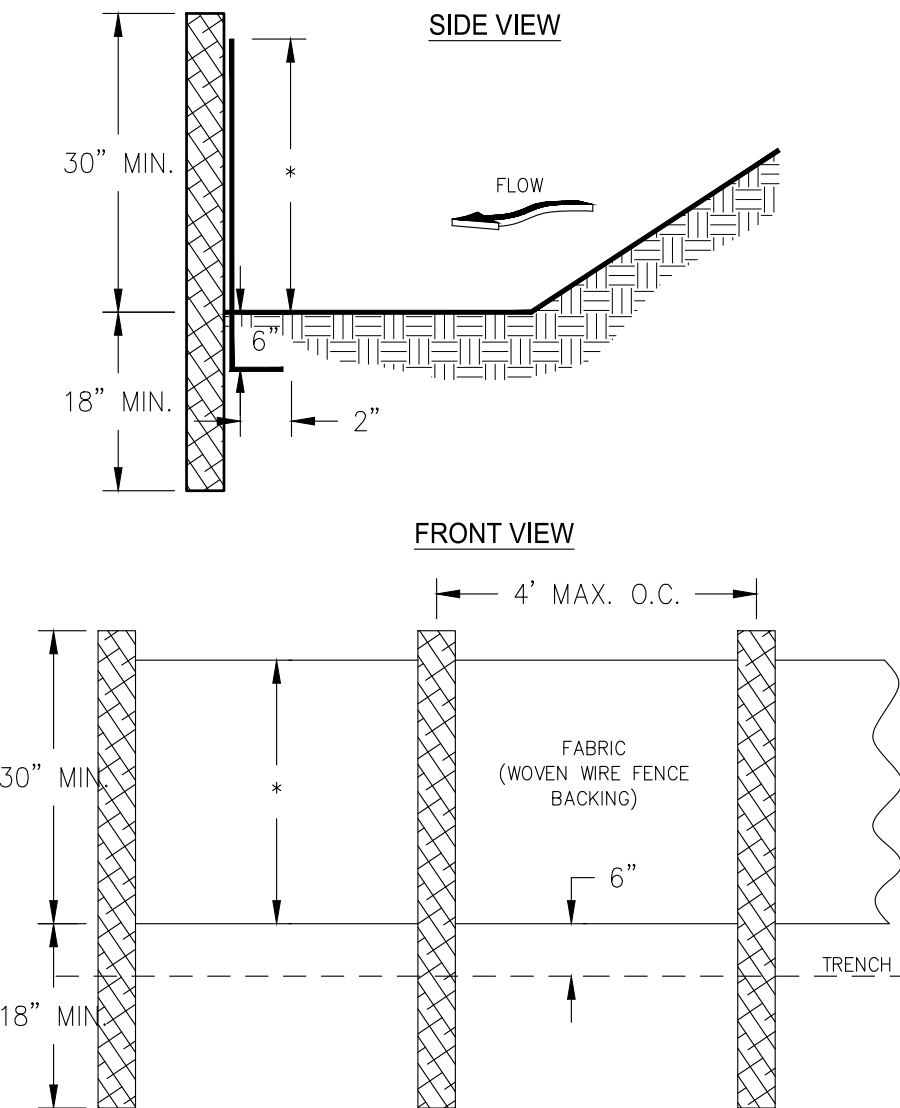
PLANTING RATES AND PLANTING DATES FOR TEMPORARY COVER

SPECIES	RATE PER 1,000 SQ. FT.	RATE PER ACRE	MOUNTAINS	PIEDMONT	COASTAL
RYE	3.9 LB.	3 BU (168 LBS)	7/15-12/1	8/15-1/1	9/1-3/1
RYEGRASS ANNUAL	0.9 LB.	40 LBS.	8/1-5/1	8/1-4/15	8/15-4/1
ANNUAL LESPEDEZA	0.9 LB.	40 LBS.	2/1-5/1	2/15-5/1	1/15-3/15
WEEPING LOVEGRASS	0.1 LB.	4 LBS.	3/15-6/15	3/15-6/15	2/15-6/15
SUDANGRASS	1.4 LB.	60 LBS.	3/1-9/1	3/1-9/1	3/1-8/15
BROWNTOP MILLET	0.9 LB.	40 LBS.	4/1-7/1	4/1-7/15	4/1-7/15
WHEAT	4.1 LB.	3 BU (180 LBS)	9/1-1/1	9/1-1/1	9/15-2/1

UNUSUAL SITE CONDITIONS MAY REQUIRE HEAVIER SEEDING RATES. SEEDING DATES MAY NEED TO BE ALTERED TO FIT TEMPERATURE VARIATIONS AND LOCAL CONDITIONS.

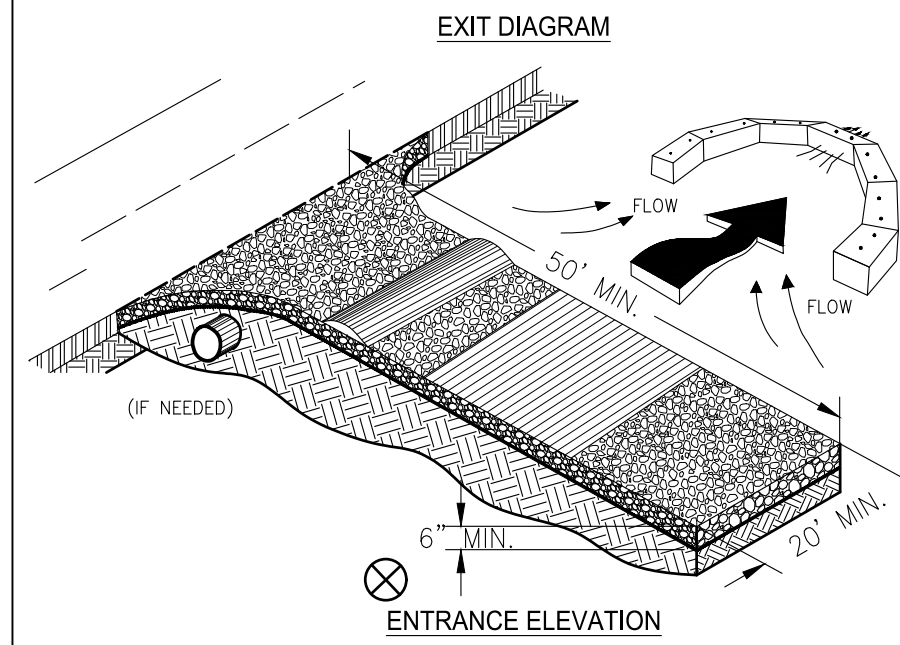
(Ds2) DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDINGS)

SILT FENCE - TYPE SENSITIVE



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

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 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 PADDED 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 ONTO PUBLIC RIGHTS-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

GEORGIA
REGISTERED
PROFESSIONAL
LAND SURVEYOR
WALD T. GODWIN

PAGE 1 OF 2

Prepared For:

Park Atlanta Homes

Subdivision: Virginia Park

Lot: 105 P.B. 8 ~ Pg. 69-70

Land Lot: 127 District: 14th

County: Fulton, GA F.W.P.D. 06/29/19

Scale: 1" = 20' Date: 07/03/19 Job No: 19-128

4

FOUR CORNERS SURVEYING

P.O. BOX 15
Tyronne, GA 30290
770-560-3910
770-560-6930
RM@FOURCORNERSURVEYING.COM

3 Phases of erosion control plan

INITIAL PHASE of Sediment , Erosion Control & Pollution Control Measures:

The initial phase of erosion control measures shall involve the following: clearing as necessary to install the type "C" or C-Pop" silt fence as shown on this plan.

INTERMEDIATE PHASE of Erosion, Sediment & Pollution Control Measures:

After all initial measures are in place full grading can commence. This shall include grading for the foundation pad, sidewalk, and surrounding lawn grading. If any area is left exposed for more than 14 days, it shall be stabilized with mulch and /or seeded with temporary seeding (refer to the seeding schedule and rates charts). The builder or contractor should inspect the site including all erosion control measures to insure they are adequate after each rain event - any corrective measures should be made immediately.

FINAL PHASE of Erosion, Sediment & Pollution Control Measures:

The final measures to be taken for site stabilization shall include the full final landscaping including permanent grassing operations - once permanent vegetation has been established all silt fence barriers can be removed.

"The design professional who prepared the es&pc plan is to inspect the installation of the perimeter control bmp's within 7 days after installation."

"Non exempt activities shall not be constructed within the 25 foot undisturbed buffer as measured from the top of pond bank without first acquiring the necessary variances and permits."

Amendments/revisions to the es&pc plan which have a significant effect on bmp's with a hydraulic component must be certified by the design professional."

Waste materials shall not be discharged to waters of the state except as authorized by a section 404 permit."

REVIEW CHECKLIST

EROSION, SEDIMENTATION & POLLUTION CONTROL PLAN CHECKLIST

COMMON DEVELOPMENT CONSTRUCTION PROJECTS (Primary and Tertiary Permittees)

SWCD: **FULTON COUNTY**

Project Name: **LOT 105 VIRGINIA PARK** Address: **3429 RAINEY AVENUE**

City/County: **FULTON COUNTY** Date on Plans **07/03/19**

Name&email of person filling out checklist: **RONALD T. GODWIN RON@FOURCORNERSSURVEYING.COM**

Plan Included **TO BE SHOWN ON ES&PC PLAN**

Page # **Y/N**

1 **Y** 1 The applicable Erosion, Sedimentation and Pollution Control Plan Checklist established by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.
(The completed Checklist must be submitted with the ES&PC Plan or the Plan will not be reviewed)

1 **Y** 2 Level II certification number issued by the Commission, signature and seal of the certified design professional. (Signature, seal and Level II number must be on each sheet pertaining to ES&PC plan or the Plan will not be reviewed)

N/A 3 Limits of disturbance shall be no greater than 50 acres at any one time without prior written authorization from the EPD District Office. If EPD approves the request to disturb 50 acres or more at any one time, the plan must include at least 4 of the BMPs listed in Appendix 1 of this checklist.*
(A copy of the written approval by EPD must be attached to the plan for the plan to be reviewed.)

2 **Y** 4 The name and phone number of the 24-hour local contact responsible for erosion, sedimentation and pollution controls.

2 **Y** 5 Provide the name, address, email address, and phone number of primary permittee or tertiary permittee.

1 **Y** 6 Note total and disturbed acreage of the project or phase under construction.

1 **Y** 7 Provide the GPS location of the construction exit for the site. Give the Latitude and Longitude in decimal degrees.

1 & 2 **Y** 8 Initial date of the Plan and the dates of any revisions made to the Plan including the entity who requested the revisions.

1 **Y** 9 Description of the nature of construction activity.

1 **Y** 10 Provide vicinity map showing site's relation to surrounding areas. Include designation of specific phase, if necessary.

1 **Y** 11 Identify the project receiving waters and describe all sensitive adjacent areas including streams, lakes, residential areas, wetlands, marshlands, etc. which may be affected.

1 **Y** 12 Design professional's certification statement and signature that the site was visited prior to development of the ES&PC Plan as stated on Part IV page 23 of the permit.

1 **Y** 13 Design professional's certification statement and signature that the permittee's ES&PC Plan provides for an appropriate and comprehensive system of BMPs and sampling to meet permit requirements as stated on Part IV pg 22 of the permit.

1 & 2 **Y** 14 Clearly note the statement that "The design professional who prepared the ES&PC Plan is to inspect the installation of the initial sediment storage requirements and perimeter control BMPs within 7 days after installation." in accordance with Part IV.A.5 page 27 of the permit *

1 **Y** 15 Clearly note the statement that "Non-exempt activities shall not be conducted within the 25 or 50-foot undisturbed stream buffers from the portion of forested or wooded vegetation or within 25-feet of the coastal marshland buffer as measured from the Jurisdictional Determination Line without first acquiring the necessary variances and permits."

N/A 16 Provide a description of any buffer encroachments and indicate whether a buffer variance is required.

2 **Y** 17 Clearly note the statement that "Amendments/revisions to the ES&PC Plan which have a significant effect on BMPs with a hydraulic component must be certified by the design professional."

2 **Y** 18 Clearly note the statement that "Waste materials shall not be discharged to waters of the State, except as authorized by a section 404 permit."

2 **Y** 19 Clearly note statement that "The escape of sediment from the site shall be prevented by the installation of erosion and sediment control measures and practices prior to land disturbing activities."

2 **Y** 20 Clearly note statement that "Erosion control measures will be maintained at all times. If full implementation of the approved Plan does not provide for effective erosion control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source."

2 **Y** 21 Clearly note the statement "Any disturbed area left exposed for a period greater than 14 days shall be stabilized with mulch or temporary seeding."

N/A 22 Indication that the applicable portion of the primary permittees ES&PC Plan is to be provided to each secondary permittee prior to the secondary conducting any construction activity and that each secondary shall sign the Plan or portion of the Plan applicable to their site. List the names and addresses of all secondary permittees.*

N/A 23 Any construction activity which discharges storm water into an Impaired Stream Segment, or within 1 linear mile upstream of and within the same watershed as any portion of an Biota Impaired Stream Segment, must comply with Part III, C, of the Permit. Include the completed Appendix 1 listing all the BMPs that will be used for those areas of the site which discharge to the Impaired Stream Segment.*

N/A 24 If a TMDL Implementation Plan for sediment has been finalized for the Impaired Stream Segment (identified in item 23 above) at least six months prior to submittal of NOI, the ES&PC Plan must address any site-specific conditions or requirements included in the TMDL Implementation Plan.*

N/A 25 BMPs for concrete washdown of tools, concrete mixer chutes, hoppers and the rear of the vehicles. Washout of the drum at the construction site is prohibited.

2 **Y** 26 Provide BMPs for the remediation of oil petroleum spills and leaks.

POLLUTION CONTROL NARRATIVE

1. Petroleum based products - containers for products such as fuels, lubricants and tars will be inspected daily for leaks and spills. This includes on-site vehicle and machinery daily inspections and regular preventative maintenance of such equipment. equipment maintenance areas will be located away from state water, natural drains and storm drainage inlets. In addition, temporary fueling tanks shall have a secondary containment liner to prevent/minimize site contamination. discharge of oils, fuels and lubricants is prohibited. Proper disposal methods will include collection in a suitable container and disposal as required by state and local codes.

Paints/Finishes/Solvents - All products will be stored in tightly sealed original containers when not in use. excess product will not be discharged to the storm water collection system. Excess product materials used with these products and product containers will be disposed of according to manufacturers specifications and recommendations.

Concrete Truck Washing - No concrete trucks will be allowed to wash out or discharge surplus concrete or drum wash water onsite.

2. No waste material will be disposed of into storm water inlets or waters of the state. All waste materials will be collected and stored in a securely lidded metal dumpster. The dumpster will meet all solid waste management regulations. All trash and construction debris from the site will be deposited in the dumpster. The dumpster will be emptied a minimum of once per week or more often if necessary and trash will be hauled as required by local regulations. no construction waste will be buried onsite.

All personnel will be instructed on proper procedures for waste disposal. A notice stating these practices will be posted at the jobsite and the contractor will be responsible for seeing that these procedures are followed.

3. Hazardous Wastes - All hazardous waste materials will be disposed of in a manner specified by local, state, and/or federal regulations and by the manufacturer of such products. The job site superintendent, who will also be responsible for seeing that these practices are followed, will instruct site personnel in these practices. MSDS for each substance with hazardous waste will be obtained and used for the proper management of potential wastes that may result from these products. An MSDS will be posted in the immediate area where such product is stored and/or used and another copy of each MSDS will be maintained in the ESPC file at the jobsite construction trailer office. Each employee who must handle a substance with hazardous properties will be instructed on the use of MSDS sheets and the specific information in the applicable MSDS for the product he/she is using, particularly regarding spill control techniques.

The contractor will implement the Spill Prevention Control and Countermeasures (SPCC) plan found within this ESPCC and will train all personnel in the proper cleanup and handling of spilled materials. No spilled hazardous materials or hazardous wastes will be allowed to come in contact with stormwater discharges. If such contact occurs, the contractor will be responsible for containing and cleaning up the spill. Stormwater discharge will be contained and treated in compliance with state and federal regulations. No stormwater will be allowed to be discharged to any water body. The contractor shall be responsible for the proper disposal of such contaminated stormwater. It shall be the responsibility of the job site superintendent to properly train all personnel in the use of the SPCC plan.

Any disturbed area left exposed for a period greater than 14 days shall be stabilized with mulch or temporary seeding.

This plan as shown shall be considered a minimum and may be modified on field inspection by county rep.

All persons involved in land disturbance activities must be certified in erosion and sedimentation control by the GASWCC or supervised by someone who is.

The escape of sediment from the site shall be prevented by the installation of erosion and sediment control measures and practices prior to, land disturbing activities.

Erosion control measures will be maintained at all times. If full implementation of the approved plan does not provide for effective erosion control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source.

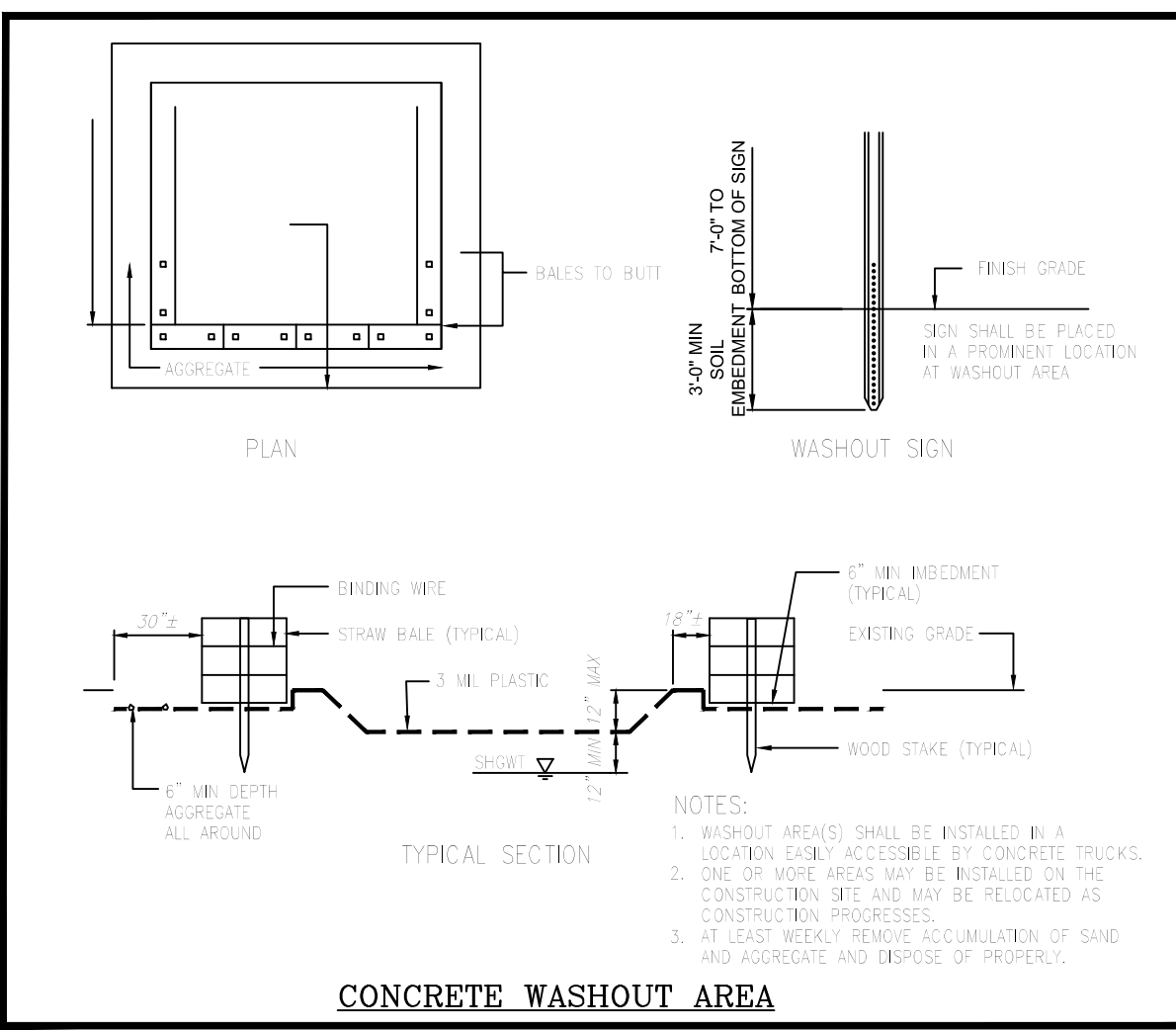
All erosion control measures are to conform to the standards set forth in the manual for erosion and sediment control in Georgia (i.e. the green book). The specifications and detail requirements of the green book and are incorporated herein by reference.

There are no state waters on or within 200' of site.

There are no wetlands on or within 200' of site.

Note: All temporary erosion and sedimentation control measures are to be removed upon final stabilization.

EROSION, SEDIMENTATION, & POLLUTION PLAN



24 HOUR CONTACT:
ANDY STEELE
770-527-1511
ANDY@PARKATLANTAHOMES.COM

DEVELOPER/OWNER
MELINDA S. DALTON
3429 RAINEY AVE
HAPEVILLE GA 30354

EROSION & SEDIMENT CONTROL
PLAN FOR LOT 105 VIRGINIA PARK

APPROVED: _____

DATE : _____



GEORGIA SOIL AND WATER
CONSERVATION COMMISSION

Ronald T Godwin

Level II Certified Design Professional

CERTIFICATION NUMBER

000011203

Issued: 05/23/18

Expires: 05/23/21

UP = UTILITY POLE

RBS = REBAR SET

RBF = REBAR FOUND

RBS = REBAR SET

OTP = OPEN TOP PIPE

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L.L.L. = LAND LOT LINE

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CMF = CONCRETE MARKER

TBM = TEMPORARY BENCHMARK

B/L = BUILDING SETBACK LINE

O/H = OVERHEAD UTILITY LINES

F.F.E. = FINISHED FLOOR ELEVATION

SAMPLING REQUIREMENTS

THIS PERMIT REQUIRES THE MONITORING OF NEPHELOMETRIC TURBIDITY IN RECEIVING WATER(S) OR OUTFALLS IN ACCORDANCE WITH THIS PERMIT. THIS PARAGRAPH SHALL NOT APPLY TO ANY LAND DISTURBANCE ASSOCIATED WITH THE CONSTRUCTION OF SINGLE-FAMILY HOMES WHICH ARE NOT PART OF A SUBDIVISION OR PLANNED COMMON DEVELOPMENT UNLESS FIVE (5) ACRES OR MORE WILL BE DISTURBED. THE FOLLOWING PROCEDURES CONSTITUTE EPD'S GUIDELINES FOR SAMPLING TURBIDITY.

SAMPLING REQUIREMENTS SHALL INCLUDE THE FOLLOWING:

1. A USGS TOPOGRAPHIC MAP, A TOPOGRAPHIC MAP OR A DRAWING (REFERRED TO AS A TOPOGRAPHIC MAP) THAT IS A SCALE EQUAL TO OR MORE DETAILED THAN A 1:24000 MAP SHOWING THE LOCATION OF THE SITE OR THE STAND ALONE CONSTRUCTION; (A) THE LOCATION OF ALL PERENNIAL AND INTERMITTENT STREAMS AND OTHER WATER BODIES AS SHOWN ON A USGS TOPOGRAPHIC MAP, AND ALL OTHER PERENNIAL AND INTERMITTENT STREAMS AND OTHER WATER BODIES LOCATED DURING MANDATORY FIELD VERIFICATION, INTO WHICH THE STORM WATER IS DISCHARGED AND (B) THE RECEIVING WATER AND/OR OUTFALL SAMPLING LOCATIONS. WHEN THE PERMITTEE HAS CHOSEN TO USE A USGS TOPOGRAPHIC MAP AND THE RECEIVING WATER(S) IS NOT SHOWN ON THE USGS TOPOGRAPHIC MAP, THE LOCATION OF THE RECEIVING WATER(S) MUST BE HAND-DRAWN ON THE USGS TOPOGRAPHIC MAP FROM WHERE THE STORM WATER(S) ENTERS THE RECEIVING WATER(S) TO THE POINT WHERE THE RECEIVING WATER(S) COMBINES WITH THE FIRST BLUE LINE STREAM SHOWN ON THE USGS TOPOGRAPHIC MAP;

2. A WRITTEN NARRATIVE OF SITE SPECIFIC ANALYTICAL METHODS USED TO COLLECT, HANDLE AND ANALYZE THE SAMPLES INCLUDING QUALITY CONTROL/QUALITY ASSURANCE PROCEDURES. THIS NARRATIVE MUST INCLUDE PRECISE SAMPLING METHODOLOGY FOR EACH SAMPLING LOCATION;

3. WHEN THE PERMITTEE HAS DETERMINED THAT SOME OR ALL OUTFALLS WILL BE SAMPLED, A RATIONALE MUST BE INCLUDED ON THE PLAN FOR THE NTU LIMIT(S) SELECTED FROM APPENDIX B. THIS RATIONALE MUST INCLUDE THE SIZE OF THE CONSTRUCTION SITE, THE CALCULATION OF THE SIZE OF THE SURFACE WATER DRAINAGE AREA, AND THE TYPE OF RECEIVING WATER(S) (I.E., TROUT STREAM OR SUPPORTING WARM WATER FISHERIES); AND

4. ANY ADDITIONAL INFORMATION EPD DETERMINES NECESSARY TO BE PART OF THE PLAN. EPD WILL PROVIDE WRITTEN NOTICE TO THE PERMITTEE OF THE INFORMATION NECESSARY AND THE TIME LINE FOR SUBMITTAL.

SAMPLE TYPE

ALL SAMPLING SHALL BE COLLECTED BY "GRAB SAMPLES" AND THE ANALYSIS OF THESE SAMPLES MUST BE CONDUCTED IN ACCORDANCE WITH METHODOLOGY AND TEST PROCEDURES ESTABLISHED BY 40 CFR PART 136 (UNLESS OTHER TEST PROCEDURES HAVE BEEN APPROVED). THE GUIDANCE DOCUMENT TITLED "NPDES STORM WATER SAMPLING GUIDANCE DOCUMENT, EPA 833-B-92-001" AND GUIDANCE DOCUMENTS THAT MAY BE PREPARED BY THE EPD.

1. SAMPLE CONTAINERS SHOULD BE LABELED PRIOR TO COLLECTING THE SAMPLES.

2. SAMPLES SHOULD BE WELL MIXED BEFORE TRANSFERRING TO A SECONDARY CONTAINER.

4. LARGE MOUTH, WELL CLEANED AND RINSED GLASS OR PLASTIC JARS SHOULD BE USED FOR COLLECTING SAMPLES. THE JARS SHOULD BE CLEANED THOROUGHLY TO AVOID CONTAMINATION. MANUAL, AUTOMATIC OR RISING STAKE SAMPLING MAY BE UTILIZED. SAMPLES REQUIRED BY THIS PERMIT SHOULD BE ANALYZED IMMEDIATELY, BUT IN NO CASE LATER THAN 48 HOURS AFTER COLLECTION. HOWEVER, SAMPLES FROM AUTOMATIC SAMPLERS MUST BE COLLECTED NO LATER THAN THE NEXT BUSINESS DAY AFTER THEIR ACCUMULATION, UNLESS FLOW THROUGH AUTOMATED ANALYSIS IS UTILIZED. IF AUTOMATIC SAMPLING IS UTILIZED AND THE AUTOMATIC SAMPLER IS NOT ACTIVATED DURING THE QUALIFYING EVENT, THE PERMITTEE MUST UTILIZE MANUAL SAMPLING OR RISING STAKE SAMPLING DURING THE NEXT QUALIFYING EVENT. DILUTION OF SAMPLES IS NOT REQUIRED. SAMPLES MAY BE ANALYZED DIRECTLY WITH A PROPERLY CALIBRATED TURBIDIMETER. SAMPLES ARE NOT REQUIRED TO BE COOLED.

5. SAMPLING AND ANALYSIS OF THE RECEIVING WATER(S) OR OUTFALLS BEYOND THE MINIMUM FREQUENCY STATED IN THIS PERMIT MUST BE REPORTED TO EPD AS SPECIFIED IN PART IV.E.

SAMPLING POINTS

1. FOR CONSTRUCTION ACTIVITIES THE PRIMARY PERMITTEE MUST SAMPLE ALL RECEIVING WATER(S), OR ALL OUTFALL(S), OR A COMBINATION OF RECEIVING WATER(S) AND OUTFALL(S). SAMPLES TAKEN FOR THE PURPOSE OF COMPLIANCE WITH THIS PERMIT SHALL BE REPRESENTATIVE OF THE MONITORED ACTIVITY AND REPRESENTATIVE OF THE WATER QUALITY OF THE RECEIVING WATER(S) AND/OR THE STORM WATER OUTFALLS USING THE FOLLOWING MINIMUM GUIDELINES:

(a) THE UPSTREAM SAMPLE FOR EACH RECEIVING WATER(S) MUST BE TAKEN IMMEDIATELY UPSTREAM OF THE CONFLUENCE OF THE FIRST STORM WATER DISCHARGE FROM THE PERMITTED ACTIVITY (I.E., THE DISCHARGE FARTEST UPSTREAM AT THE SITE) BUT DOWNSTREAM FROM THE FIRST STORM WATER DISCHARGE NOT ASSOCIATED WITH THE PERMITTED ACTIVITY. WHERE APPROPRIATE, SEVERAL UPSTREAM SAMPLES FROM ACROSS THE RECEIVING WATER(S) MAY NEED TO BE TAKEN AND THE ARITHMETIC AVERAGE OF THE TURBIDITY OF THESE SAMPLES USED FOR THE UPSTREAM TURBIDITY VALUE.

(b)THE DOWNSTREAM SAMPLE FOR EACH RECEIVING WATER(S) MUST BE TAKEN DOWNSTREAM OF THE CONFLUENCE OF THE LAST STORM WATER DISCHARGE FROM THE PERMITTED ACTIVITY (I.E., THE DISCHARGE FARTEST DOWNSTREAM AT THE SITE) BUT UPSTREAM OF ANY OTHER STORM WATER DISCHARGE NOT ASSOCIATED WITH THE PERMITTED ACTIVITY. WHERE APPROPRIATE, SEVERAL DOWNSTREAM SAMPLES FROM ACROSS THE RECEIVING WATER(S) MAY NEED TO BE TAKEN AND THE ARITHMETIC AVERAGE OF THE TURBIDITY OF THESE SAMPLES USED FOR THE DOWNSTREAM TURBIDITY VALUE.

(c) IDEALLY THE SAMPLES SHOULD BE TAKEN FROM THE HORIZONTAL AND VERTICAL CENTER OF THE RECEIVING WATER(S) OR THE STORM WATER OUTFALL CHANNEL(S).

(d)CARE SHOULD BE TAKEN TO AVOID STIRRING THE BOTTOM SEDIMENTS IN THE RECEIVING WATER(S) OR IN THE OUTFALL STORM WATER CHANNEL.

(e) THE SAMPLING CONTAINER SHOULD BE HELD SO THAT THE OPENING FACES UPSTREAM.

(f) THE SAMPLES SHOULD BE KEPT FREE FROM FLOATING DEBRIS.

(g) PERMITTEES DO NOT HAVE TO SAMPLE SHEETFLOW THAT FLOWS ONTO UNDISTURBED NATURAL AREAS OR AREAS STABILIZED BY THE PROJECT. FOR PURPOSES OF THIS SECTION, STABILIZED SHALL MEAN, FOR UNPAVED AREAS AND AREAS NOT COVERED BY PERMANENT STRUCTURES AND AREAS LOCATED OUTSIDE THE WASTE DISPOSAL LIMITS OF A LANDFILL CELL THAT HAS BEEN CERTIFIED BY EPD FOR WASTE DISPOSAL, 100% OF THE SOIL SURFACE IS UNIFORMLY COVERED IN PERMANENT VEGETATION WITH A DENSITY OF 70% OR GREATER, OR LANDSCAPED ACCORDING TO THE PLAN (UNIFORMLY COVERED WITH LANDSCAPING MATERIALS IN PLANNED LANDSCAPED AREAS), OR EQUIVALENT PERMANENT STABILIZATION MEASURES AS DEFINED IN THE MANUAL (EXCLUDING A CROP OF ANNUAL VEGETATION AND A SEEDING OF TARGET PERENNIALS APPROPRIATE FOR THE REGION).

(h)ALL SAMPLING PURSUANT TO THIS PERMIT MUST BE DONE IN SUCH A WAY (INCLUDING GENERALLY ACCEPTED SAMPLING METHODS, LOCATIONS, TIMING, AND FREQUENCY) AS TO ACCURATELY REFLECT WHETHER STORM WATER RUNOFF FROM THE CONSTRUCTION SITE IS IN COMPLIANCE WITH THE STANDARD SET FORTH IN PARTS III.D.3. OR III.D.4., WHICHEVER IS APPLICABLE.

SAMPLING FREQUENCY

(1) THE PRIMARY PERMITTEE MUST SAMPLE IN ACCORDANCE WITH THE PLAN AT LEAST ONCE FOR EACH RAINFALL EVENT DESCRIBED BELOW. FOR A QUALIFYING EVENT, THE PERMITTEE SHALL SAMPLE AT THE BEGINNING OF ANY STORM WATER DISCHARGE TO A MONITORED RECEIVING WATER AND/OR FROM A MONITORED OUTFALL LOCATION WITHIN IN-FORTY-FIVE (45) MINUTES OR AS SOON AS POSSIBLE.

(2) HOWEVER, WHERE MANUAL AND AUTOMATIC SAMPLING ARE IMPOSSIBLE (AS DEFINED IN THIS PERMIT), OR ARE BEYOND THE PERMITTEE'S CONTROL, THE PERMITTEE SHALL TAKE SAMPLES AS SOON AS POSSIBLE, BUT IN NO CASE MORE THAN TWELVE (12) HOURS AFTER THE BEGINNING OF THE STORM WATER DISCHARGE.

(3)SAMPLING BY THE PERMITTEE SHALL OCCUR FOR THE FOLLOWING QUALIFYING EVENTS:

(a) FOR EACH AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL, THE FIRST RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH WITH A STORM WATER DISCHARGE THAT OCCURS DURING NORMAL BUSINESS HOURS AS DEFINED IN THIS PERMIT AFTER ALL CLEARING AND GRUBBING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO COMPLETION OF MASS GRADING OPERATIONS, IN THE DRAINAGE AREA OF THE LOCATION SELECTED AS THE SAMPLING LOCATION;

(b) IN ADDITION TO (A) ABOVE, FOR EACH AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL, THE FIRST RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH WITH A STORM WATER DISCHARGE THAT OCCURS DURING NORMAL BUSINESS HOURS AS DEFINED IN THIS PERMIT EITHER 90 DAYS AFTER THE FIRST SAMPLING EVENT OR AFTER ALL MASS GRADING OPERATIONS HAVE BEEN COMPLETED, BUT PRIOR TO POST-STORM EVENT INSPECTIONS DETERMINE THAT BMPs ARE PROPERLY DESIGNED, INSTALLED AND MAINTAINED;

(c) AT THE TIME OF SAMPLING PERFORMED PURSUANT TO (A) AND (B) ABOVE, IF BMPs IN ANY AREA OF THE SITE THAT DISCHARGES TO A RECEIVING WATER OR FROM AN OUTFALL ARE NOT PROPERLY DESIGNED, INSTALLED AND MAINTAINED, CORRECTIVE ACTION SHALL BE DEFINED AND IMPLEMENTED WITHIN 30 DAYS; (2) BUSINESS DAYS (2) BUSINESS DAYS AFTER THE FIRST RAIN EVENT FROM DISCHARGES FROM THAT AREA OF THE SITE FOR EACH SUBSEQUENT RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH DURING NORMAL BUSINESS HOURS* UNTIL THE SELECTED TURBIDITY STANDARD IS ATTAINED, OR UNTIL POST-STORM EVENT INSPECTIONS DETERMINE THAT BMPs ARE PROPERLY DESIGNED, INSTALLED AND MAINTAINED;

(d) WHERE SAMPLING PURSUANT TO (A), (B) OR (C) ABOVE IS REQUIRED BUT NOT POSSIBLE (OR NOT REQUIRED BECAUSE THERE WAS NO DISCHARGE), THE PERMITTEE, IN ACCORDANCE WITH PART IV.D.4.A.(6), MUST INCLUDE A WRITTEN JUSTIFICATION IN THE INSPECTION REPORT OF WHY SAMPLING WAS NOT POSSIBLE. THIS JUSTIFICATION DOES NOT RELIEVE THE PERMITTEE OF ANY SUBSEQUENT SAMPLING OBLIGATIONS UNDER (A), (B) OR (C) ABOVE; AND

(e) EXISTING CONSTRUCTION ACTIVITIES, I.E. THOSE THAT ARE OCCURRING ON OR BEFORE THE EFFECTIVE DATE OF THIS PERMIT, THAT HAVE MET THE SAMPLING REQUIRED BY (A) ABOVE SHALL SAMPLE IN ACCORDANCE WITH (B). THOSE EXISTING CONSTRUCTION ACTIVITIES THAT HAVE MET THE SAMPLING REQUIRED BY (B) ABOVE SHALL NOT BE REQUIRED TO CONDUCT ADDITIONAL SAMPLING OTHER THAN AS REQUIRED BY (C) ABOVE.

*NOTE THAT THE PERMITTEE MAY CHOOSE TO MEET THE REQUIREMENTS OF (A) AND (B) ABOVE BY COLLECTING SAMPLES FROM ANY RAIN EVENT THAT REACHES OR EXCEEDS 0.5 INCH AND ALLOWS FOR SAMPLING AT ANY TIME OF THE DAY OR WEEK. NON-STORM WATER DISCHARGES, EXCEPT FOR FLOWS FROM FILLING OF ACTIVITIES, SOURCES OF NON-STORM WATER USED IN PART III.D.1. OF THIS PERMIT THAT ARE COMBINED WITH STORM WATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY MUST BE IDENTIFIED IN THE PLAN. THE PLAN SHALL IDENTIFY AND ENSURE THE IMPLEMENTATION OF APPROPRIATE PREVENTION MEASURES FOR THE NON-STORM WATER COMPONENT(S) OF THE DISCHARGE.

REPORTING

(1) THE APPLICABLE PERMITTEES ARE REQUIRED TO SUBMIT THE SAMPLING RESULTS TO THE EPD AT THE ADDRESS SHOWN IN PART. BY THE FIFTEENTH DAY OF THE MONTH FOLLOWING THE REPORTING PERIOD. REPORTING PERIODS ARE MONTHS DURING WHICH SAMPLES ARE TAKEN IN ACCORDANCE WITH THIS PERMIT. SAMPLING RESULTS SHALL BE IN A CLEARLY LEGIBLE FORMAT. UPON WRITTEN NOTIFICATION, EPD MAY REQUIRE THE APPLICABLE PERMITTEE TO SUBMIT THE SAMPLING RESULTS ON A MORE FREQUENT BASIS. SAMPLING AND ANALYSIS OF ANY STORM WATER DISCHARGE OR THE RECEIVING WATER(S) BEYOND THE MINIMUM FREQUENCY STATED IN THIS PERMIT MUST BE REPORTED IN A SIMILAR MANNER TO THE EPD. THE SAMPLING REPORTS MUST BE SIGNED IN ACCORDANCE WITH PART V.G.2. SAMPLING REPORTS MUST BE SUBMITTED TO EPD UNTIL SUCH TIME AS A NOT IS SUBMITTED IN ACCORDANCE WITH PART VI.

(2) ALL SAMPLING REPORTS SHALL INCLUDE THE FOLLOWING INFORMATION:

(a) THE RAINFALL AMOUNT, DATE, EXACT PLACE AND TIME OF SAMPLING OR MEASUREMENTS;
(b) THE NAME(S) OF THE CERTIFIED PERSONNEL WHO PERFORMED THE SAMPLING AND MEASUREMENTS;
(c) THE DATE(S) ANALYSES WERE PERFORMED;
(d) THE TIME(S) ANALYSES WERE INITIATED;
(e) THE NAME(S) OF THE CERTIFIED PERSONNEL WHO PERFORMED THE ANALYSES;

(f) REFERENCES AND WRITTEN PROCEDURES, WHEN AVAILABLE, FOR THE ANALYTICAL TECHNIQUES OR METHODS USED;
(g) THE RESULTS OF SUCH ANALYSES, INCLUDING THE BENCH SHEETS, INSTRUMENT READOUTS, COMPUTER DISKS OR TAPES, ETC., USED TO DETERMINE THESE RESULTS;

(h) RESULTS OF ANALYSES OF ANY NTU SHALL BE REPORTED AS "EXCEEDS 1000 NTU;" AND

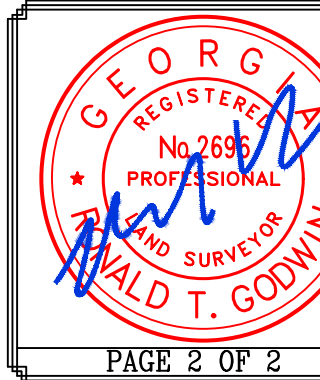
(i) A CERTIFICATION STATEMENT THAT SAMPLING WAS CONDUCTED AS PER THE PLAN.

(3) ALL WRITTEN CORRESPONDENCE REQUIRED BY THIS PERMIT SHALL BE SUBMITTED BY RETURN RECEIPT CERTIFIED MAIL (OR SIMILAR SERVICE) TO THE APPROPRIATE DISTRICT OFFICE OF THE EPD ACCORDING TO THE SCHEDULE IN APPENDIX A OF THIS PERMIT. THE PERMITTEE SHALL RETAIN A COPY OF THE PROOF OF SUBMITTAL AT THE CONSTRUCTION SITE OR THE PROOF OF SUBMITTAL SHALL BE AVAILABLE AT A DESIGNATED LOCATION FROM COMMENCEMENT OF CONSTRUCTION UNTIL SUCH TIME AS A NOT IS SUBMITTED IN ACCORDANCE WITH PART VI. IF AN ELECTRONIC SUBMITTAL IS PROVIDED BY EPD THEN THE WRITTEN CORRESPONDENCE MAY BE SUBMITTED ELECTRONICALLY. IF REQUIRED, A PAPER COPY MUST ALSO BE SUBMITTED BY RETURN RECEIPT CERTIFIED MAIL OR SIMILAR SERVICE.

Note:

Concrete drum washout prohibited.

For building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste and other materials present on the site, provide cover (e.g. plastic sheeting, temporary roofs) to minimize the exposure of these products to precipitation and to stormwater, or a similarly effective means designed to minimize the discharge of pollutants from these areas. Minimization of exposure is not required in cases where exposure to precipitation and to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk to stormwater contamination (such as final products and materials intended for outdoor use).



Prepared For

Park Atlanta Homes

Subdivision: Virginia Park

Lot: 105

Land Lot: 127

County: Fulton, GA

Scale: 1" = 20'

Page 2 of 2

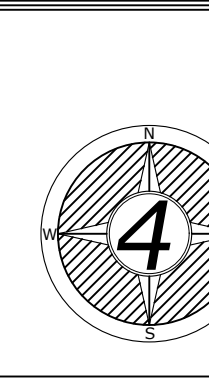
P.B.8 ~ PG.69-70

District: 14th

F.W.P.D. 06/29/19

Date: 07/03/19

Job No: 19-128



FOUR CORNERS SURVEYING

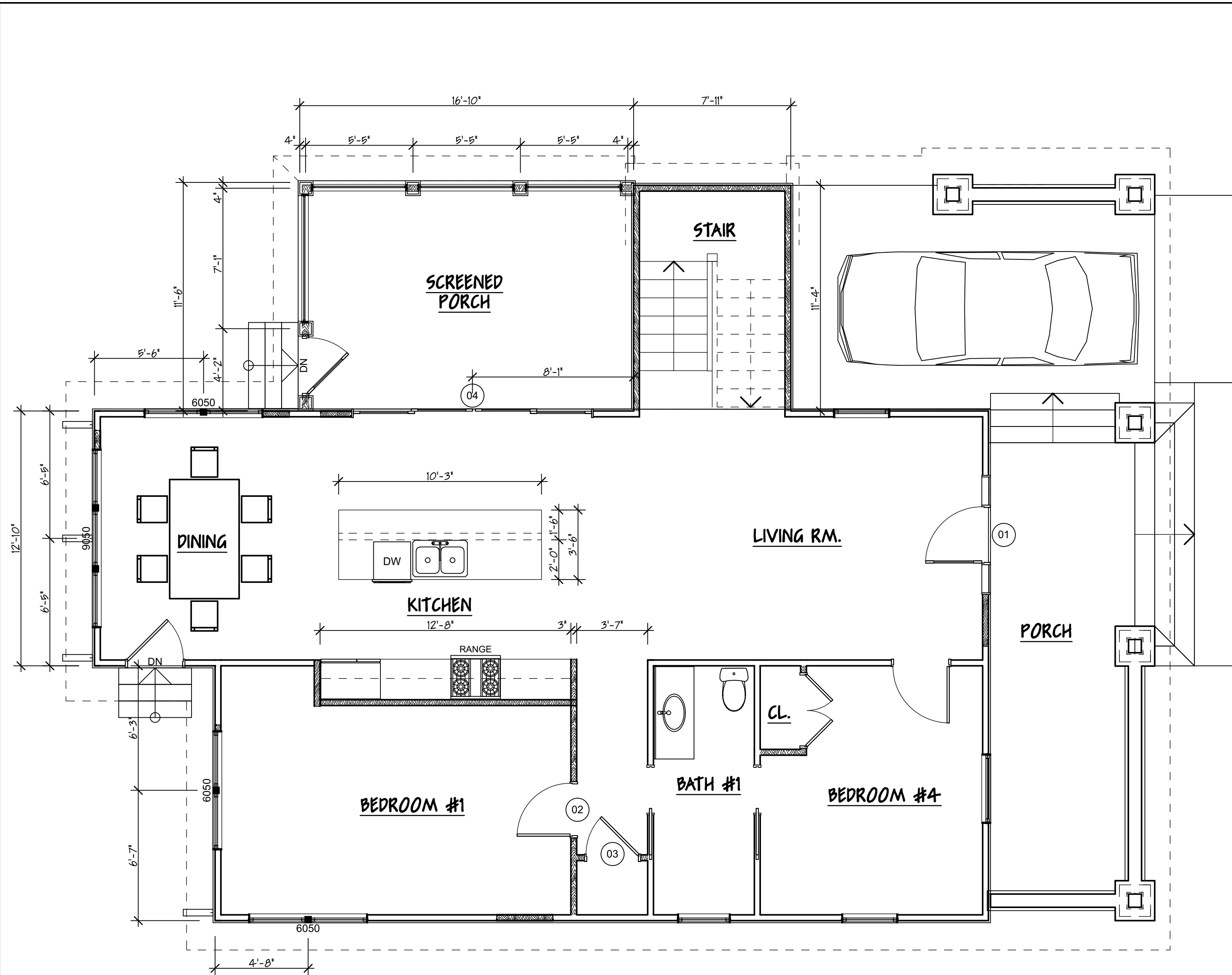
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770-560-6930

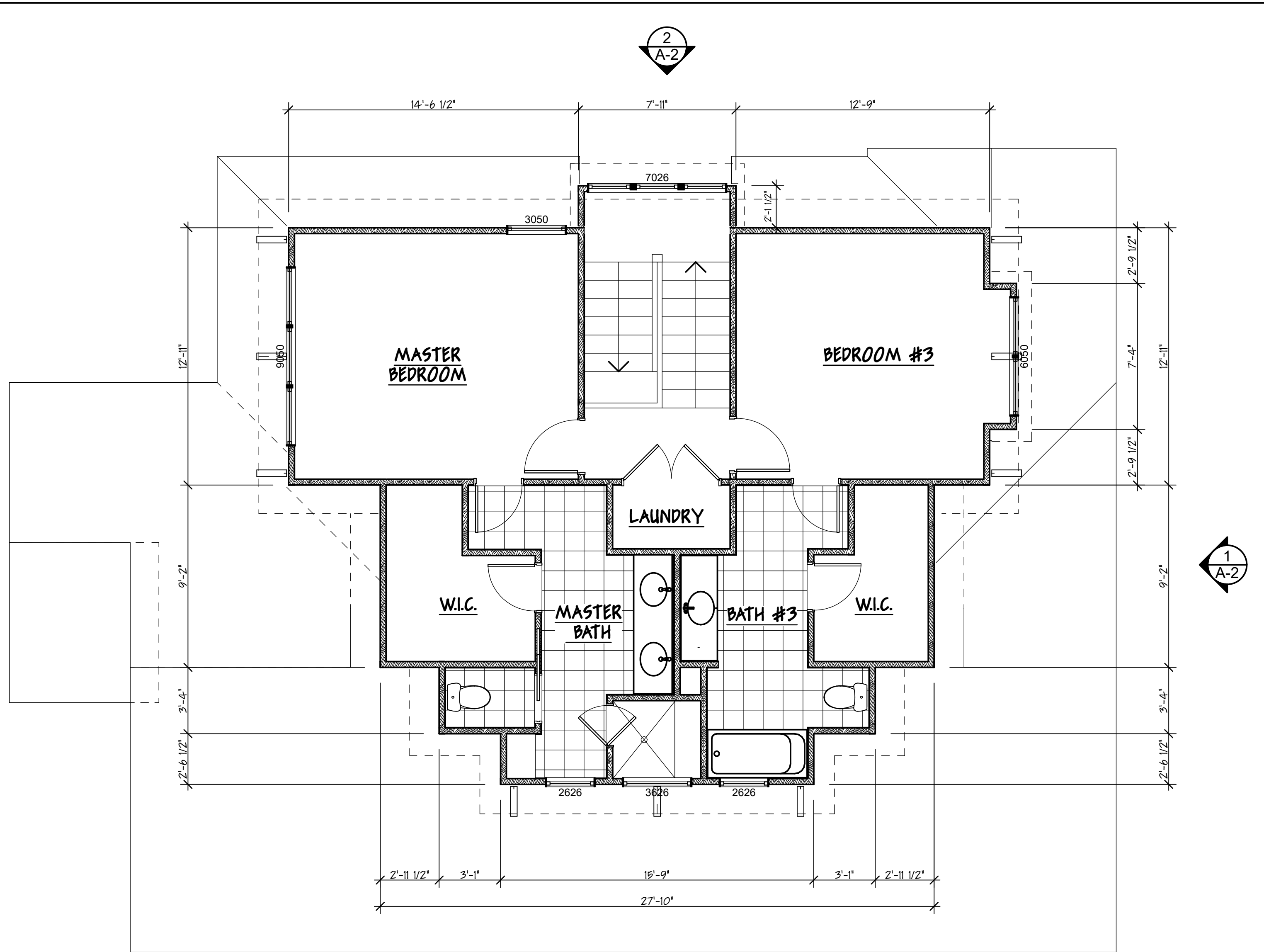
RON@FOURCORNERSSURVEYING.COM

P.O. BOX 15

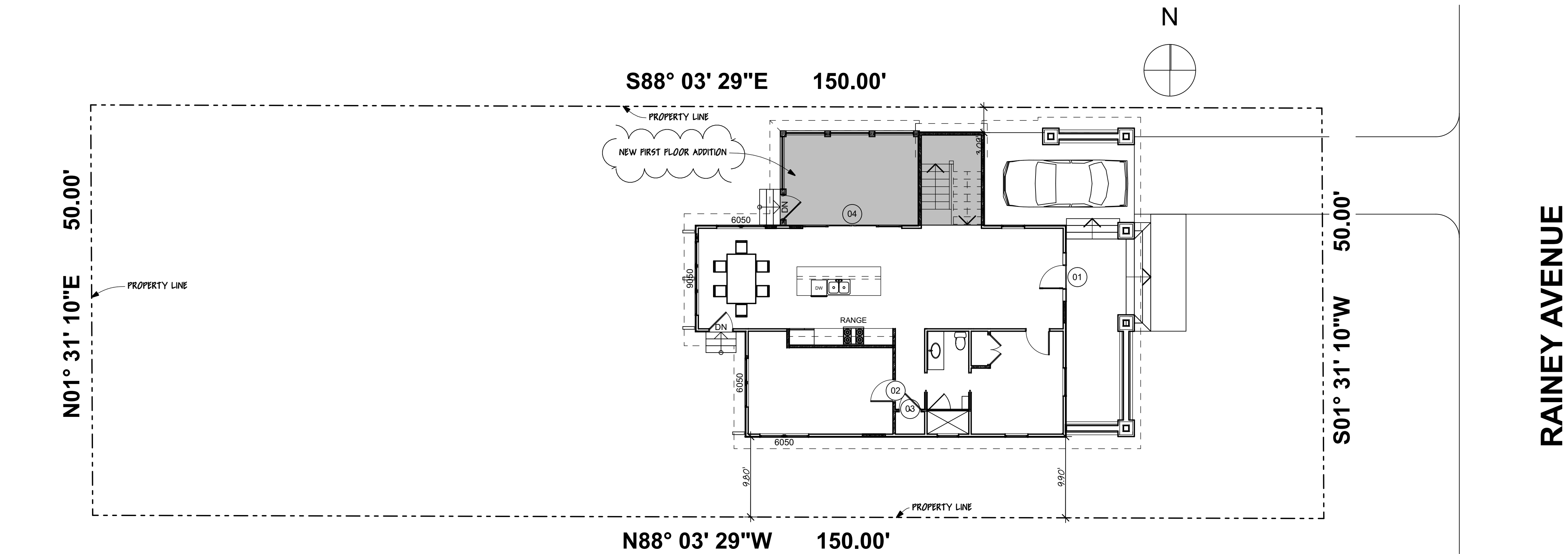
Tyrone, GA 30290



1
A-1
FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

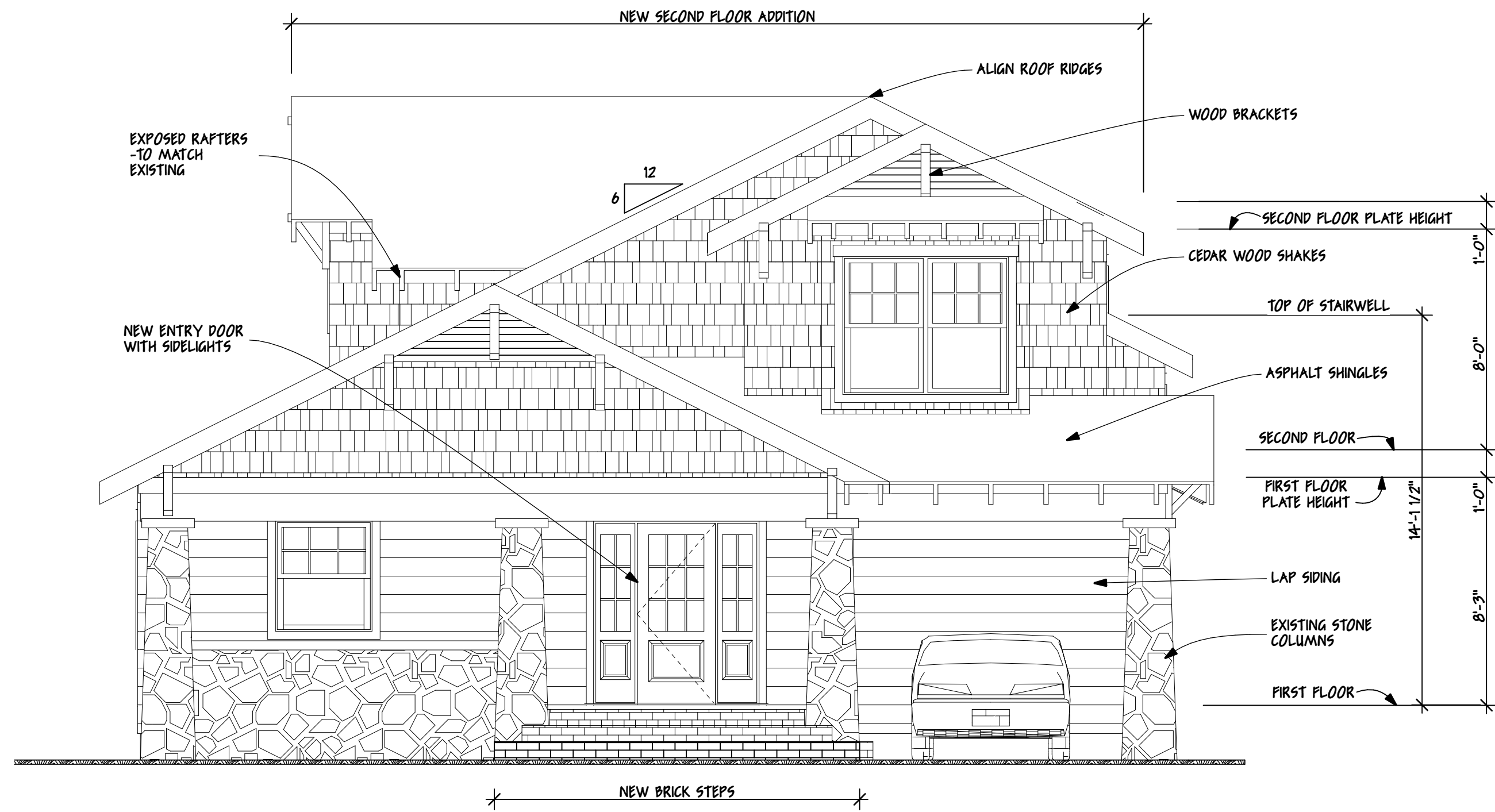


2
A-1
FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

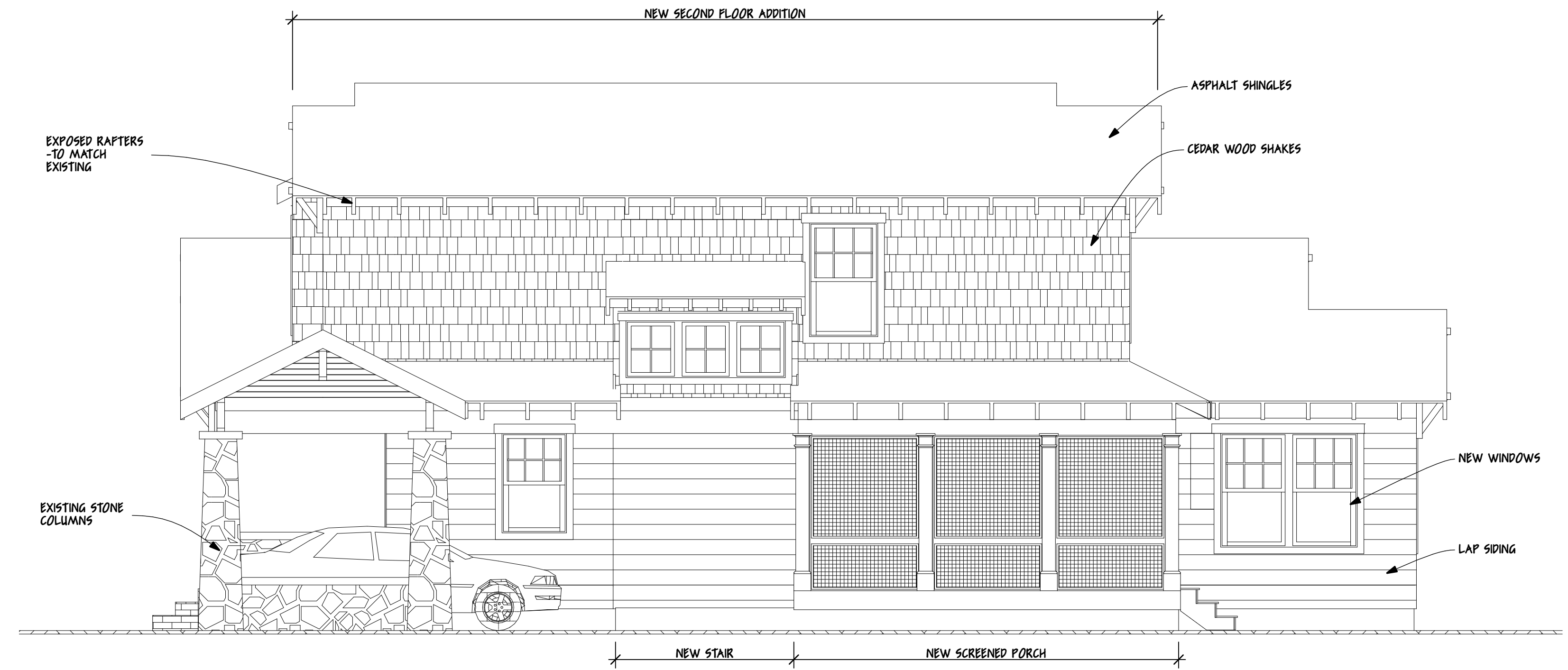


3
A-1
SITE PLAN
SCALE: 1/8" = 1'-0"

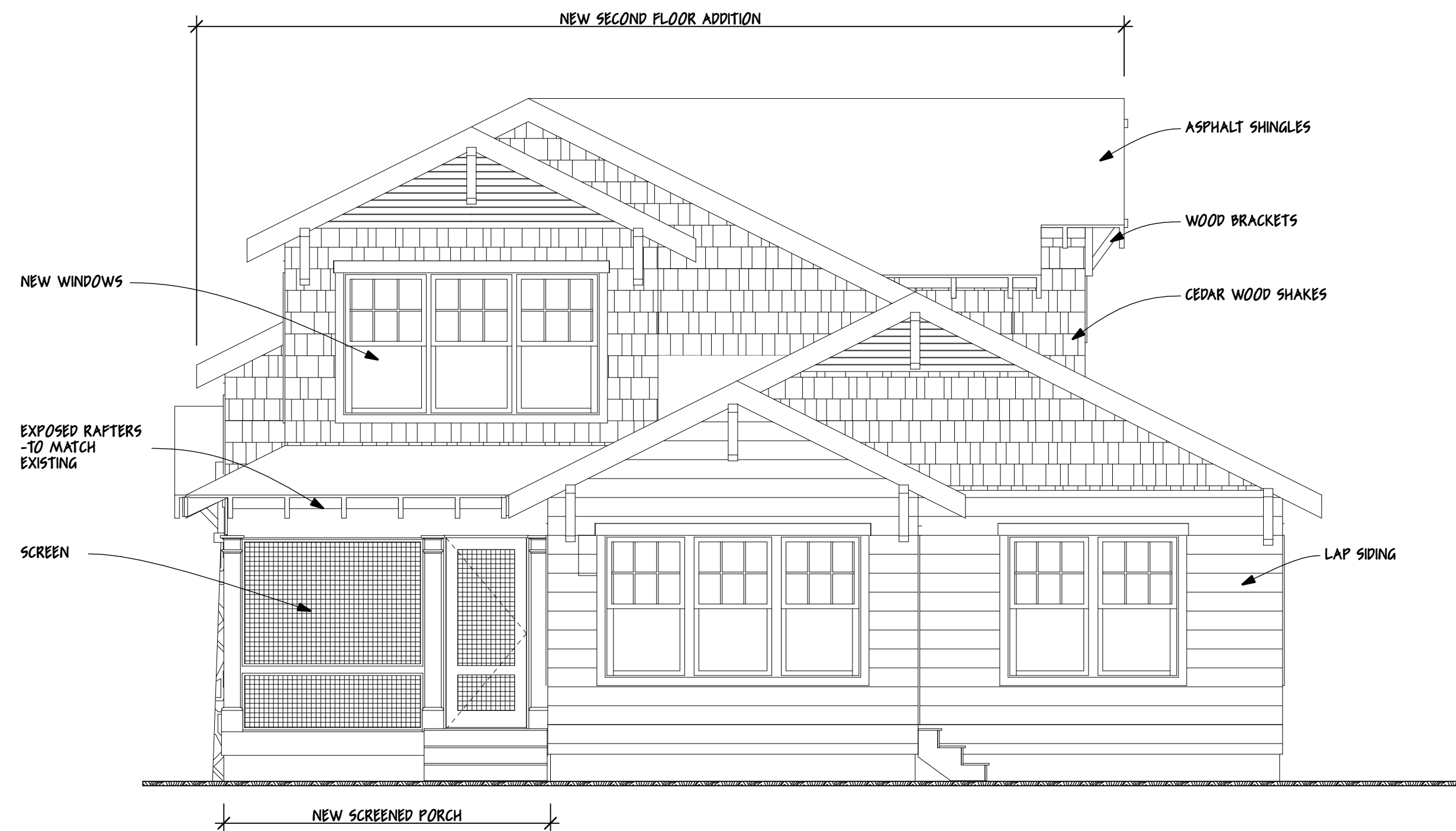
Revisions:	By:
SAM WHEATLEY - ARCHITECT CORPUS CHRISTY RD., 102 EXECUTIVE CENTER POST OFFICE BOX 6505 HILTON HEAD ISLAND, SOUTH CAROLINA, 29938 (843)785-6160	
RENOVATIONS & ADDITIONS FOR: MELINDA AND BRENDAN DALTON LOT #105 VIRGINIA PARK, 3429 RAINEY AVENUE HAPEVILLE, GEORGIA	
PLANS	
Date:	12/21/2018
Scale:	
Drawn:	
Job:	
Sheet Number:	A-1



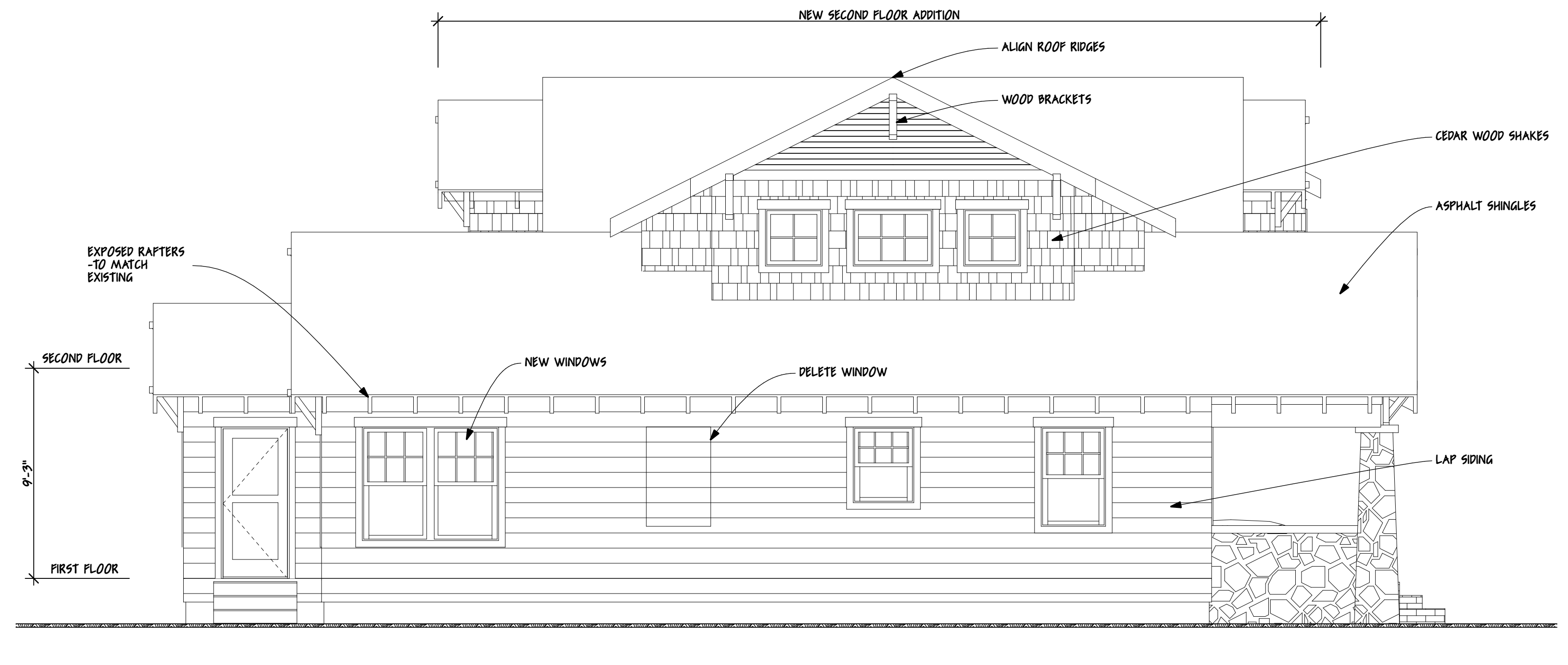
1
A-2 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



2
A-2 RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



3
A-2 REAR ELEVATION
SCALE: 1/4" = 1'-0"



4
A-2 LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



PLANNER'S REPORT

DATE: August 15, 2019
TO: Adrienne Senter
FROM: Lynn Patterson
RE: Variance Application for 3429 Rainey Avenue

BACKGROUND

The City of Hapeville has received a variance application from Melinda Dalton to allow for a reduction in the minimum side yard setback from 5' to 3' for the property at 3429 Rainey Avenue. The proposed project is a renovation and addition to an existing dwelling on-site. The existing dwelling sits in the setback on the north side by 2'. The provided site plan shows the new construction extending further into the northern setback by 0.7'. However, according to the applicant, the additional construction will be within the setback but will be on the same plane as the existing building and will not encroach any closer towards the property line. The applicant will submit a revised site plan to show the new construction along the same plane as the existing dwelling. The property is currently zoned R-SF, Residential Single-Family.

The Planning Commission approved the site plan on August 13, 2019, subject to the Board of Appeals approval of the reduced setback. Their recommendation was in support of the variance request.

CODE

ARTICLE 11.3. - R-SF ZONE (RESIDENTIAL SINGLE-FAMILY)

Sec. 93-11.3-1. - Intent.

The R-SF zone is established in order to protect residential areas currently developed with one-family detached dwellings, and adjoining areas undeveloped, likely to be developed for residential purposes by allowing single-family homes and prohibiting other uses. The regulations of the R-SF zone are specifically intended to:

- (1) Ensure the best use of the land;
- (2) Ensure and protect the orderly and proper future development of the land according to its best indicated potential use for single-family dwellings;
- (3) Protect and promote a suitable environment for family life;
- (4) Discourage any use which would generate other than usual residential traffic on minor streets; and

- (5) Discourage any use which, because of its character or size, would create excessive requirements or costs for public service.

Sec. 93-22.1-1 Dimensional Requirements

R-SF Zoning dimensional requirements for single-family detached structures are as follows:

						Minimum Front Yard		Minimum		Maximum			
Lot Frontage (Feet)	Min. Lot Area Sq. Ft.	Lot Area/DU Square Feet	Bed & Bath Req.	Floor Area/DU Sq. Ft.	Max Lot Coverage	Minor Col.	Maj. Arterial	Side	Rear	Stories	Feet	Min. Parking Spaces	Max. Unit Per Bldg. Lot
40	4,000	4,000	3br/2bth	1,000	70	15	15	5	20	2½	35	2 DU	1

FINDINGS

Sec. 87-3-3. - Powers and duties.

(2) Variances. To authorize, upon appeal in specific cases, those variances from the provisions of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in unnecessary hardship, so that the spirit of this chapter shall be observed, public safety and welfare secured and substantial justice done. A variance may be granted in any individual cases of practical difficulty or unnecessary hardship only upon a finding by the board of appeals that:

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;

There are no extraordinary or exceptional conditions for this property based upon the size, shape or topography.

- b. The application of this chapter to this particular piece of property would create an unnecessary hardship;

The existing dwelling footprint sits within the side yard setback and therefore is non-conforming. Per the applicant, the dwelling dates to 1921, well before the current zoning code. The variance would allow for the renovation and addition for the home, which could not be completed otherwise.

- c. Such conditions are peculiar to the particular piece of property involved; and

As stated above, the existing dwelling is a non-conforming condition of the developed site.

- d. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this chapter.

Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Code. Rather, it allows for the improvement of an existing single-family dwelling.

RECOMMENDATION

The requested variance will allow for the renovation and expansion of the existing residence. There is no evidence of a detriment to the public good. The proposed variance is recommended for approval.



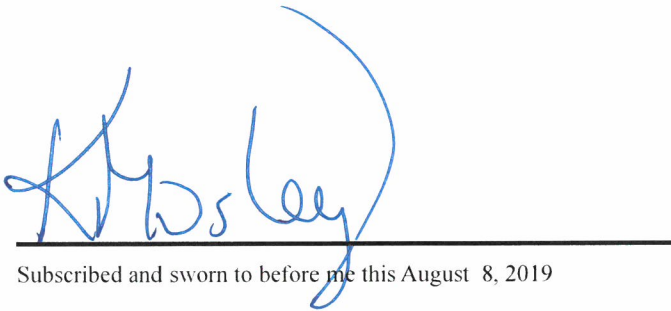
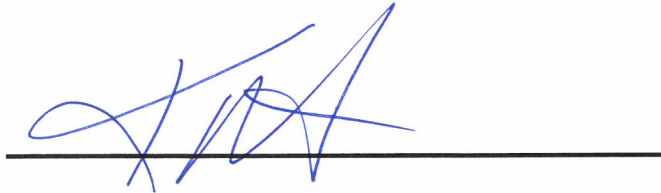
3429 Rainey Avenue



PUBLISHER'S AFFIDAVIT

STATE OF GEORGIA
COUNTY OF FULTON

Before me, the undersigned, a Notary Public, this day personally came the undersigned who, being duly sworn, according to law, says she is an agent of ALM Media, LLC., publishers of the **Daily Report**, the official newspaper published in Atlanta, GA, in said county and state, and that the publication, of which the annexed is a true copy, was published in said newspaper as provided by law on the following dates: 08/08/2019.



Subscribed and sworn to before me this August 8, 2019



NOTICE
City of Hapeville

There will be a Public Hearing of the City of Hapeville Board of Appeals on **Thursday, August 22, 2019** in the City of Hapeville Municipal Court Annex located at 700 Doug Davis Drive, Hapeville, Georgia 30354 at 6:00 PM to consider the following request:

Variance Request:

Variance request to decrease the minimum side yard setback at 3429 Rainey Avenue, Parcel Identification Number 14 012700030592. The property is zoned R-SF, Residential Single Family and is subject to the zoning regulations under Section 93-22.1-1 of the City of Hapeville Zoning Ordinance.
Applicant: Melinda Dalton
#0000418462:8/08-1AS

A PUBLIC HEARING WILL BE
HELD BY THE HAPEVILLE

Board of Appeals ON
August 30, 2009 AT *6:00 PM*

AT HAPEVILLE MUNICIPAL ANNEX

700 DOUG DAVIS DRIVE TO

Consider a Motion to Amend the Board
Ordinance 2009-01 at 7:30 PM, please.

ECON. DEV. 404-669-8269