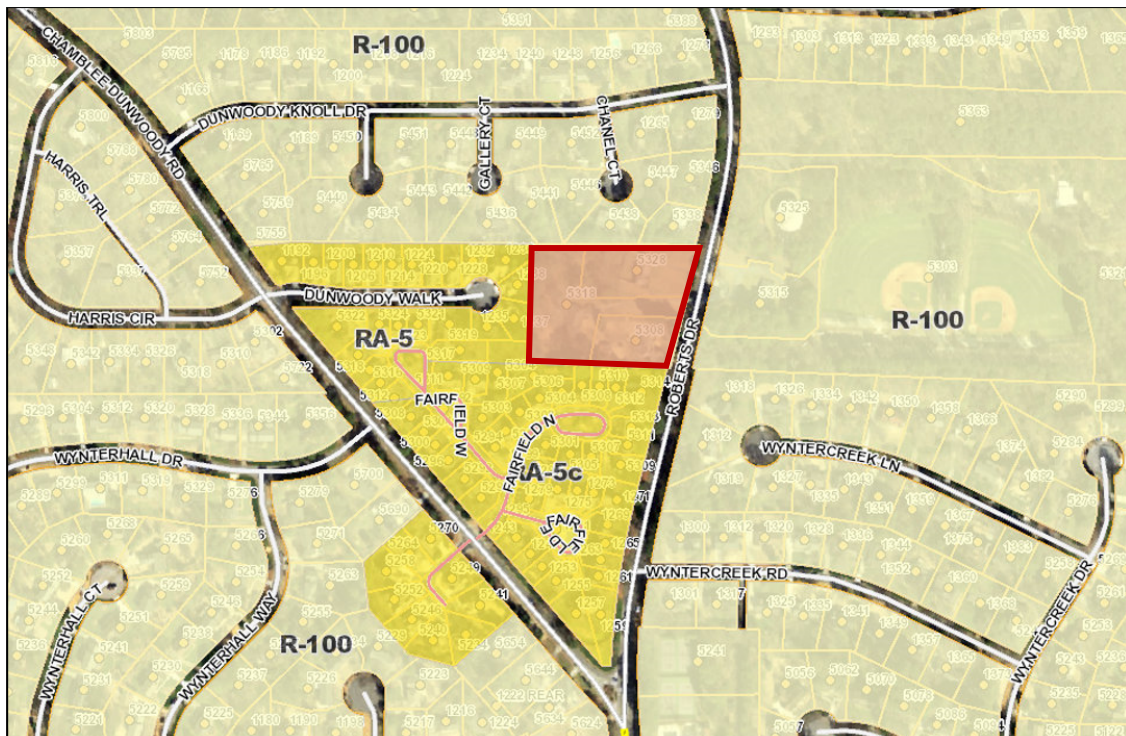


- 1. Chapter 27, Section 58 to encroach into the side yard setback from 7.5-feet to 5-feet.**
- 2. Chapter 27, Section 58 to increase the impervious surface allowance from 40% to 70%.**
- 3. Chapter 27, Section 58 to reduce the rear yard setback for interior lots only from 30-feet to 20-feet (lots 12-14).**
- 4. Section 16, Section 237(1) to allow for a private street in a new development with fewer than 10 acres.**



ITEM DESCRIPTION

The site, 5308, 5318, & 5328 Roberts Drive, consists of three single-family homes. The property is zoned Single-Family Residential 100 (R-100) and abuts properties zoned RA-5 to the south and west and R-100 to the north and east. The applicant requests four variances:

1. Section 27-58 to reduce the side yard setback from 7.5-feet to 5-feet.
2. Section 27-58 to increase the lot coverage from 40% to 70%.
3. Section 27-58 to reduce the rear yard setback from 30-feet to 20-feet (lots 12-14).
4. Section 16-237(1) to allow for a private street in a new development with fewer than 10 acres.

BACKGROUND

The applicant is planning to purchase these three lots and create a 14 lot subdivision. The homes on lots 5328 and 5318 Roberts Drive would be demolished. The Swancy House on 5308 Roberts Drive would remain.

The applicant has a rezoning request that went before the Planning Commission on September 15, 2020. The Planning Commission recommended approval with conditions to the City Council.

On October 26, 2020, the City Council voted to defer the rezoning until November 9, 2020 City Council meeting.

On November 9, 2020, the City Council voted to defer the rezoning until November 30, 2020 City Council meeting.

On November 30, City Council will be hearing the rezoning case.

In response to comments received from public outreach and City Council, the applicant has reduced the number of lots from 15 to 14. They have also reduced the lot coverage request from 85% to 70%.

LOT	AREA	Impervious	Lot Coverage	Width
1	6,915	4,218	61%	89
2	6,000	4,218	70%	70
3	6,001	4,218	70%	71
4	6,003	4,218	70%	72
5	6,270	4,218	67%	40
6	8,477	4,218	50%	51
7	8,886	4,218	47%	66
8	11,292	4,218	37%	50
9	6,410	4,218	66%	35
10	6,558	4,218	64%	60
11	6,573	4,218	64%	60
12	6,356	4,218	66%	75
13	6,982	4,218	60%	90
14	17,257	7,236	42%	141
AVERAGE	7,856			69

ZONING ORDINANCE ANALYSIS

The applicant seeks four variances:

1. Section 27-58 to reduce the side yard setback from 7.5-feet to 5-feet.

2. Section 27-58 to increase the lot coverage from 40% to 70%.
3. Section 27-58 to reduce the rear yard setback from 30-feet to 20-feet on interior lots only (lots 12-14).
4. Section 16-237(1) to allow for a private street in a new development with fewer than 10 acres.

DECISION MAKING CRITERIA

Chapter 27, §27-397 identifies the following criteria for evaluation that should be examined when determining the appropriateness of a variance:

- a) The zoning board of appeals may authorize variances from the provisions of this zoning ordinance only after making all of the following findings:

1. The grant of the variance will not be detrimental to the public health, safety or welfare or injurious to property or improvements;

Staff cannot identify any public welfare related concerns associated with this request. The applicant would be held to the current stormwater regulations, which would increase the stormwater retention for the entire site.

2. The variance request is based on conditions that (1) are unique to the subject property (2) are not generally applicable to other properties in the same zoning district and (3) were not created by the owner or applicant;

The request is not based on conditions unique to the lots. The applicant would still be eligible to rezone and subdivide the lots. There are lots that are similarly zoned that have similar site conditions.

3. Because of the particular conditions, shape, size, orientation or topographic conditions, the strict application of the requirements of this zoning ordinance would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners;

A strict application of the requirements of the zoning ordinance does not preclude the applicant from creating a single-family subdivision.

4. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other similarly situated properties;

The applicant states the need for the variances to build a specific home type. If approved, this would be the less restrictive than any active residential zoning district within the City's current zoning ordinance. However, there are lots that are similarly zoned that have similar site conditions (i.e. Bellwood, Briers North, Spalding Club Ct, and Ashford Club).

5. The literal interpretation and strict application of the applicable provisions or requirements of this zoning ordinance would cause undue hardship or practical difficulty, as distinguished from a mere inconvenience;

The literal interpretation and strict application of the zoning ordinance would cause practical difficulty.

6. The requested variance would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan.

The requested variance was applied for to facilitate a residential use in a residential district. Granting the variance will not compromise the spirit and purpose of the zoning ordinance, nor compromise the spirit and purpose of the city's comprehensive plan.

RECOMMENDATION

Staff is recommending **APPROVAL** with conditions:

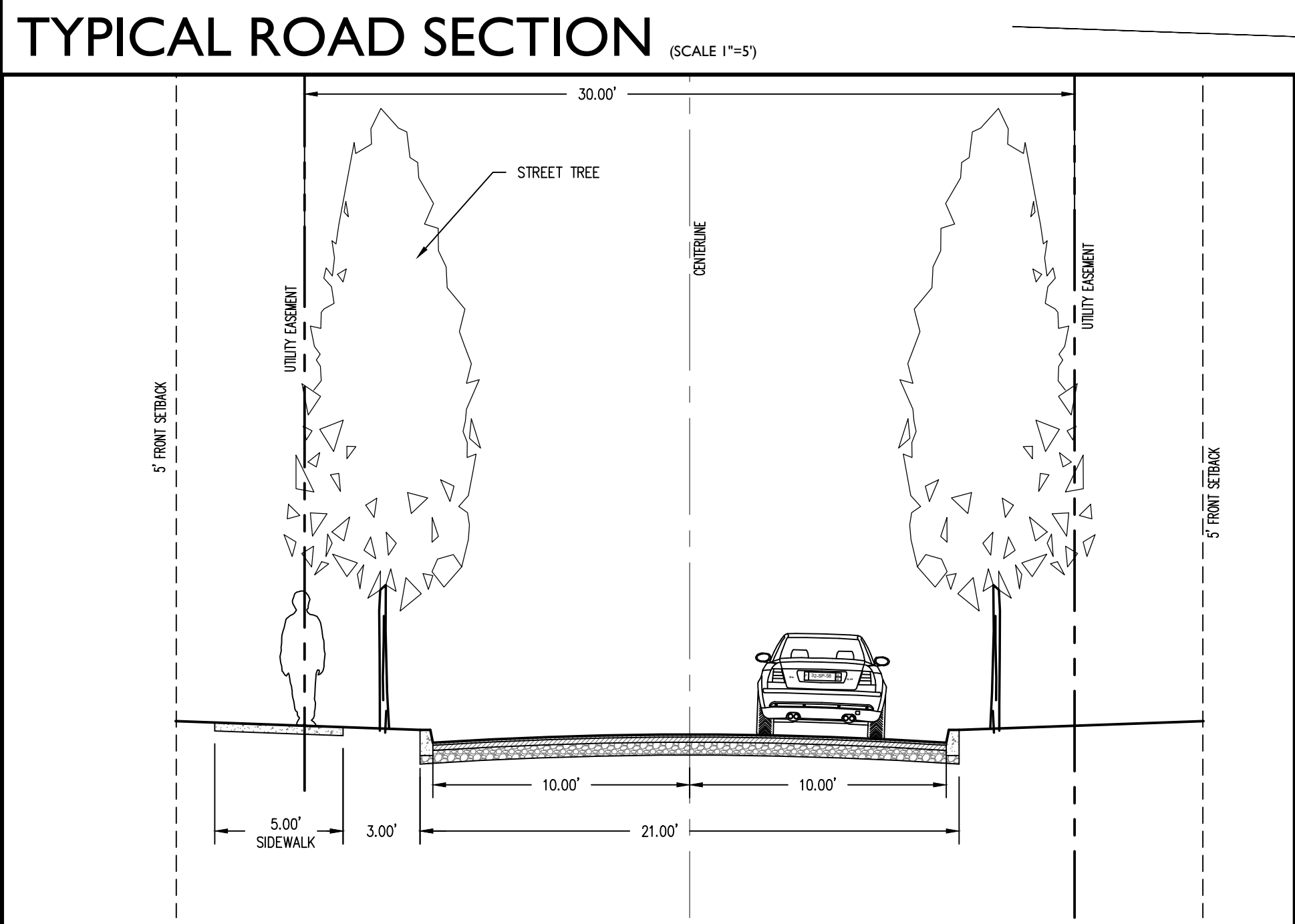
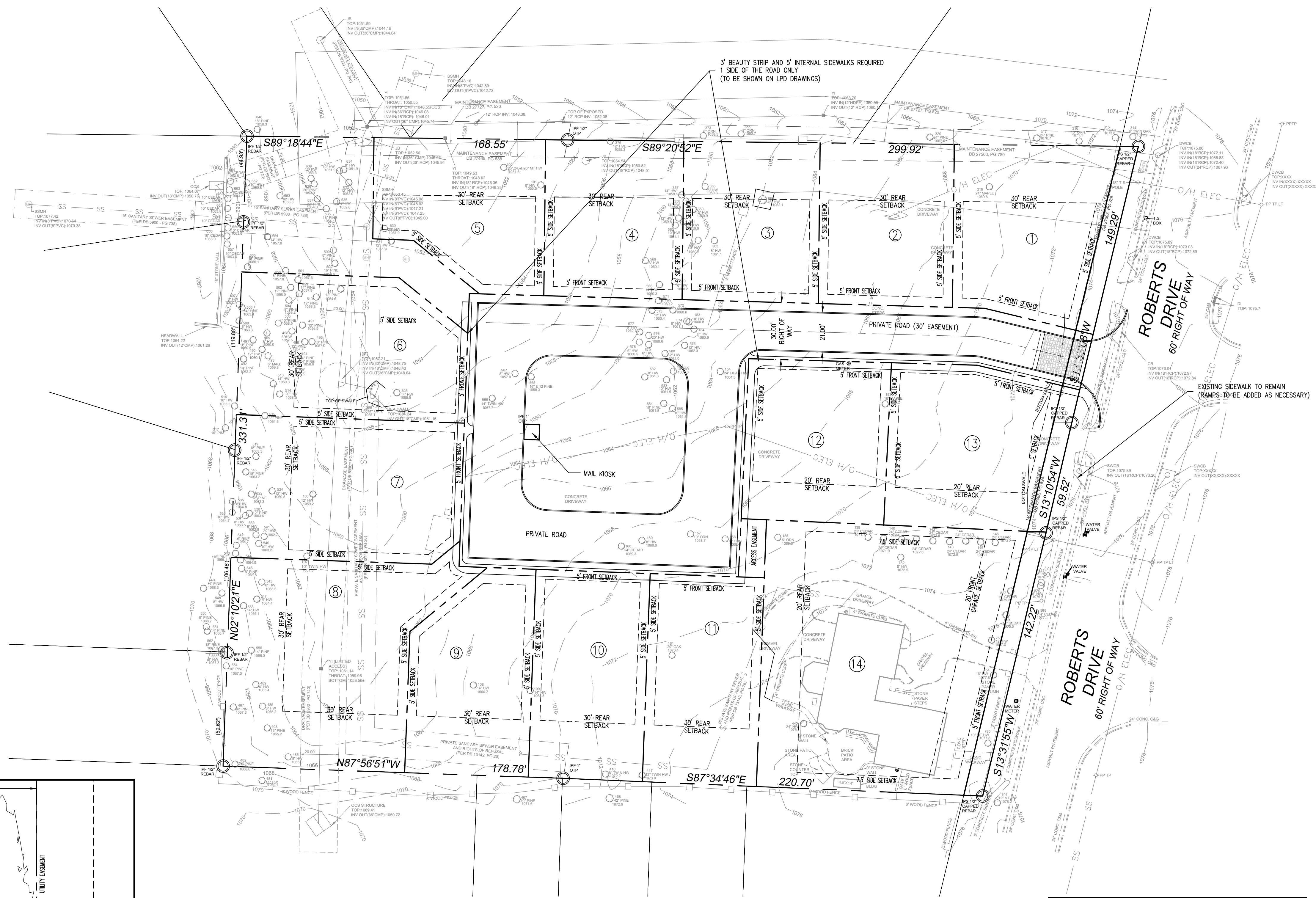
1. Construction must be in substantial compliance with the site plan dated May 27, 2020, revised November 3, 2020.
2. Land disturbance and construction activity must start within two years of the date of the zoning approval of RZ 20-02 (November 30, 2020) or the approval shall be void.
3. The overall site development shall be under 50% impervious surface.

Attachments

- Staff Memorandum
- Site Plan dated May 27, 2020 – Revised November 3, 2020
- Total Development Impervious Calculations Form
- Lot Coverage Survey
- Zoning Requirements
- Comp Plan excerpt – Suburban Neighborhood Character Area
- Variance Application



LOCATION MAP (MIS)



SITE DATA:

5308, 5318 & 5328 ROBERTS DRIVE
DUNWOODY, GA

LANDLOT: 376
18th DISTRICT

TAX MAP ID: 18 376 02 003
18 376 02 006
18 376 02 005

TOTAL ACREAGE: 3.351 AC±
EXISTING ZONING: R-100
FUTURE LAND USE: RESIDENTIAL

PROPOSED ZONING: R-50

MINIMUM LOT SIZE: 6,000 S.F.
MINIMUM LOT FRONTAGE: 50' (35' CUL DE SAC)
MAXIMUM DENSITY: 5 UNITS/ ACRE
ACTUAL DENSITY: 4.17 UNITS/ ACRE

SETBACKS:

STREET FRONT AND SIDE: 5'
GARAGE FRONT: 20' FROM SIDEWALK
OR CURB
SIDE: 5' (VARIANCE REQUESTED)
REAR INTERIOR: 20' (VARIANCE REQUESTED)
REAR EXTERIOR: 30'

MAXIMUM BUILDING LOT COVERAGE: 75% (VARIANCE REQUESTED)
MAXIMUM BUILDING HEIGHT: 35'

LOT TABLE		
LOT NUMBER	LOT AREA (S.F.)	LOT FRONTAGE
1	6,915	89
2	6,000	70
3	6,001	71
4	6,003	72
5	6,270	40
6	8,477	51
7	8,886	66
8	11,292	50
9	6,410	35
10	6,558	60
11	6,573	60
12	6,356	75
13	6,982	90
14	17,257	141

APPLICANT:

PEACHLAND HOMES, INC.
2494 JETT FERRY ROAD
SUITE 202
DUNWOODY, GEORGIA 30338
CONTACT: TY WHITE (770)844-9976

- NOTE:**
- EXISTING STRUCTURES WILL BE REMOVED UNLESS OTHERWISE NOTED.
 - TRASH PICK UP FOR THE DEVELOPMENT WILL BE RESIDENTIAL CONTAINER PICK UP AT EACH DRIVEWAY.
 - REFERENCE BOUNDARY SURVEY BY 303 ENGINEERING DATED JUNE 8, 2018.
 - TOPOGRAPHIC INFORMATION IS BASED UPON CITY OF DUNWOODY GIS.

LOT COVERAGE CALCULATION				SF
Total Land (ac to SF)	3.351	43,560	145,969.56	
* Includes Roberts ROW (SF)	10.00			
Land Area (SF)	3.35	43,560	145,969.56	
				SF
Less: Private Street Paving				15,903.00
Less: Private Street Sidewalk				2,902.00
Total Area for Impervious				127,164.56
Average Area, House	3,229	13		41,977
Average Area, Outdoor Living	989	13		12,857
TOTAL	4,218			54,834
Current Swaney Home:				
House and Hardscape				7,236
Mailbox kiosk				100
Common area patio				300
Total: 14 houses/outdoor				62,470.00 49.13%

PROPERTY LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LAYING AND BEING IN LAND LOT 376 OF 18TH DISTRICT, OF DUNWOODY, DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERN RIGHT OF WAY (ROW) OF ROBERTS DRIVE AND THE EASTERN RIGHT OF WAY OF CHAMBERLAIN DUNWOODY ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH ALONG THE WESTERN RIGHT OF WAY OF ROBERTS DRIVE A DISTANCE OF 842.2 FEET TO A POINT, SAID POINT BEING ON THE SUBJECT PROPERTY CORNER AND IS THE TRUE POINT OF BEGINNING.

THENCE DEPARTING THE ROW OF ROBERTS DRIVE, N 87° 39' 45" W FOR A DISTANCE OF 221.0 FEET TO A POINT ON A LINE. THENCE, N 88° 02' 00" W FOR A DISTANCE OF 178.83 FEET TO A POINT ON A LINE. THENCE, N 02° 09' 10" E FOR A DISTANCE OF 331.24 FEET TO A POINT ON A LINE. THENCE, S 89° 25' 14" E FOR A DISTANCE OF 168.50 FEET TO A POINT ON A LINE. THENCE, S 89° 14' 08" E FOR A DISTANCE OF 300.11 FEET TO A POINT ON A LINE. SAID POINT BEING ON THE ROW OF ROBERTS DRIVE. THENCE RUNNING ALONG SAID ROW, S 13° 32' 03" W FOR A DISTANCE OF 149.23 FEET TO A POINT ON A LINE. THENCE, S 13° 07' 41" W FOR A DISTANCE OF 59.63 FEET TO A POINT ON A LINE. THENCE, S 13° 31' 03" W FOR A DISTANCE OF 141.22 FEET TO A POINT ON A LINE. SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 3.351 ACRES (145,569 SQUARE FEET)

CIVIL ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE
50 Warm Springs Circle
Roswell • Georgia • 30075
(770) 641-1942 • www.aecad.com

NORTH

Exhibit A
SITE PLAN

THE COTTAGES

DUNWOODY, DeKALB COUNTY GEORGIA

PROJECT NO.:

DATE: MAY 27, 2020, REVISED: NOVEMBER 3, 2020

SCALE: 1" = 30'

FILE NAME: DN P03.dwg

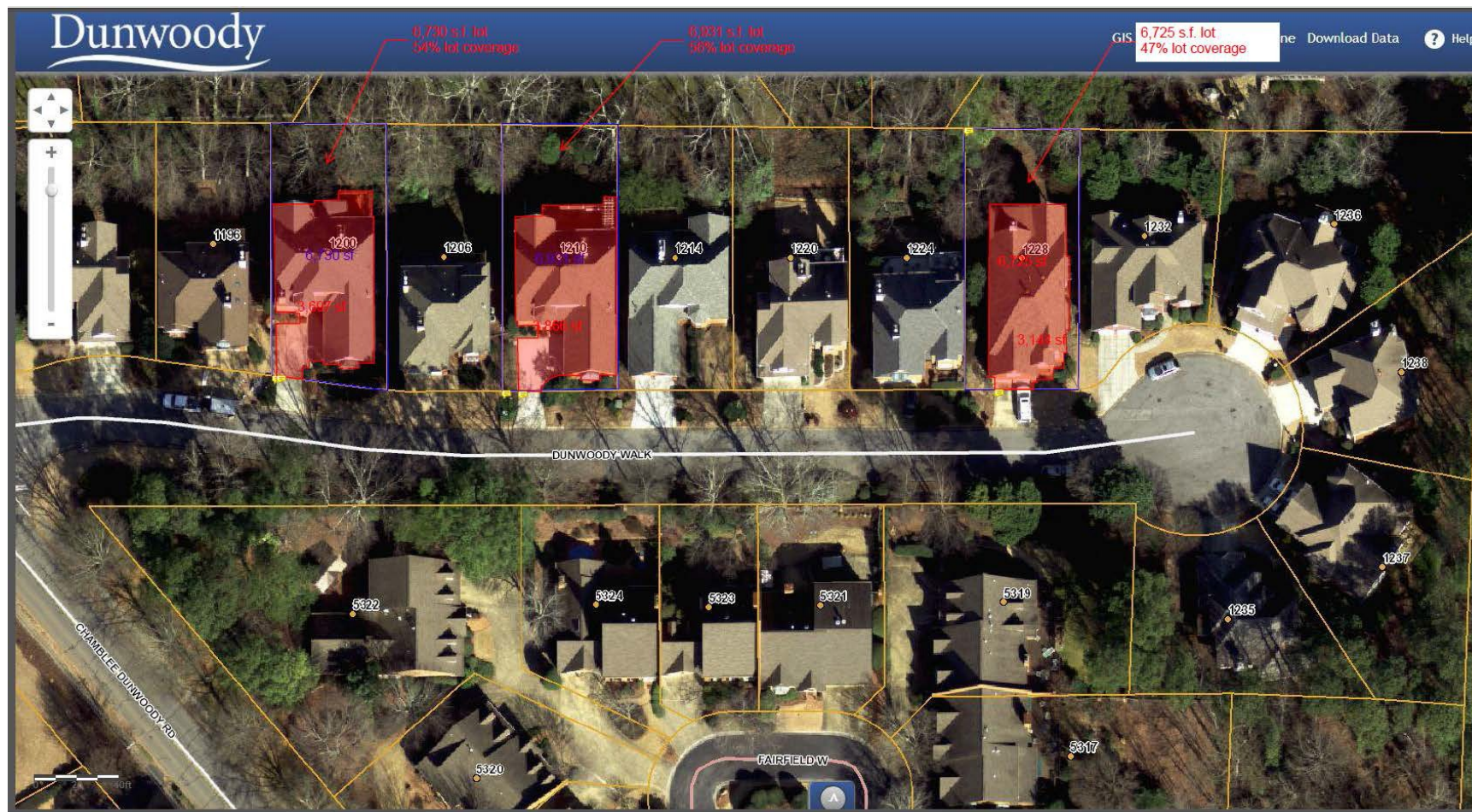
DESIGN/DRAWN: slr/sch

Total Development Impervious Calculations				
			Sq. Ft.	
Total land (ac to SF)	3.351	43,560	145,970	
* Includes Roberts ROW Dedication	10.00			
Less: Private Street Paving			(15,903)	
Less: Private Street Sidewalk			(2,902)	
Total Area for Development			127,165	100%
New Housing:				
Average Area, House	3,229	13	41,977	
Average Area, Outdoor Living	989	13	12,857	
Total Impervious of New Housing	4,218		54,834	
Total Impervious of Swancy House			7,236	
Mailbox kiosk			100	
Common area patio			300	
Total New Impervious Area			62,470	49.13%

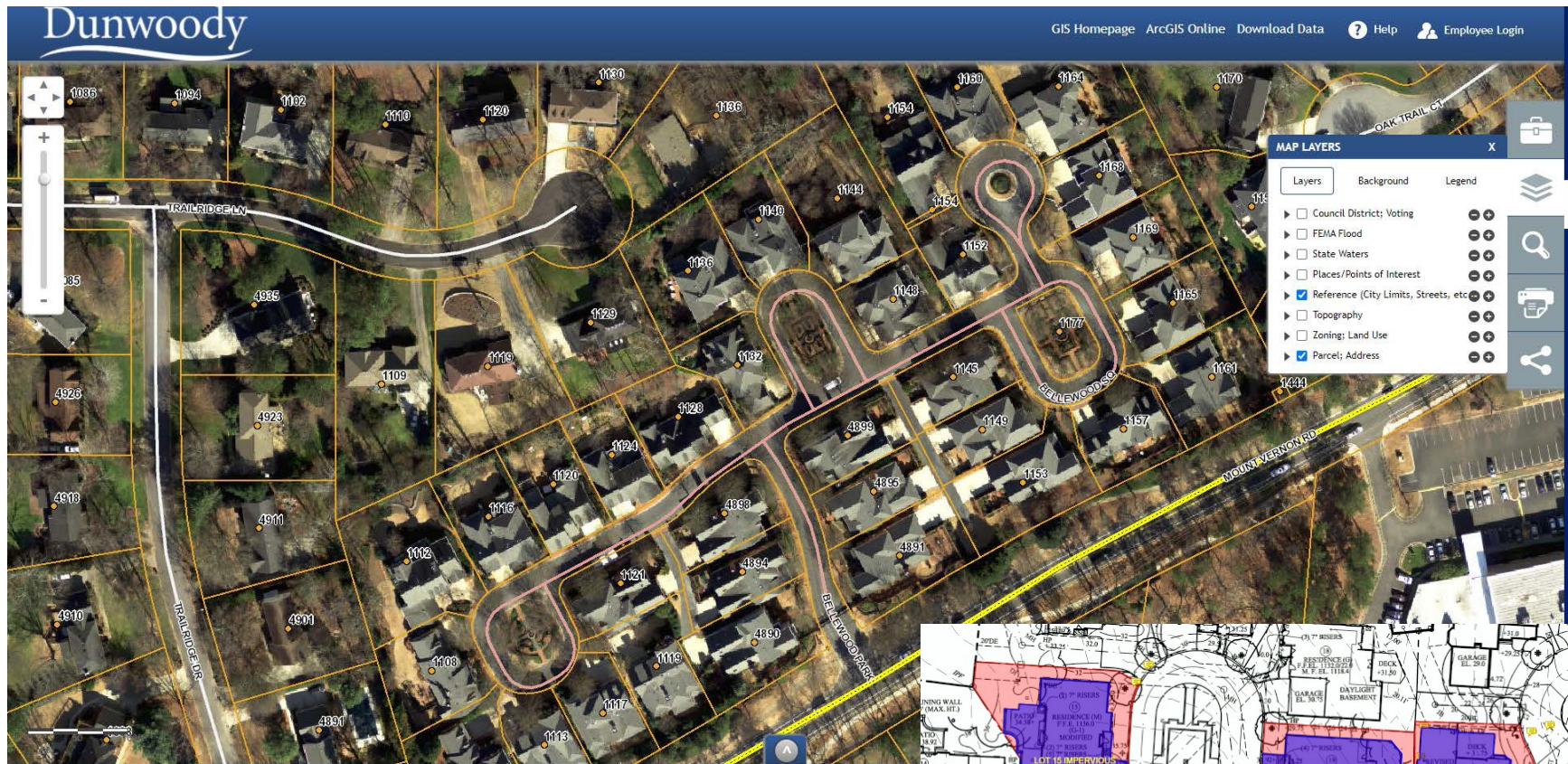
LOT	AREA	Impervious	Lot Coverage	Width
1	6,915	4,218	61%	89
2	6,000	4,218	70%	70
3	6,001	4,218	70%	71
4	6,003	4,218	70%	72
5	6,270	4,218	67%	40
6	8,477	4,218	50%	51
7	8,886	4,218	47%	66
8	11,292	4,218	37%	50
9	6,410	4,218	66%	35
10	6,558	4,218	64%	60
11	6,573	4,218	64%	60
12	6,356	4,218	66%	75
13	6,982	4,218	60%	90
14	17,257	7,236	42%	141
AVERAGE	7,856			69

Regulation	SINGLE-DWELLING DISTRICTS			
	R-75	R-60	R-50	RA-5
Minimum Lot Area (sq. ft.)	10,000	8,000	6,000	6,000
Minimum Lot Frontage (ft.)	75	60	50	50
Minimum Building/Structure Setbacks (ft.)				
Front	30	30	5	5
Side, Interior	7.5	7.5	7.5	0
Rear	40	40	30	30
Maximum Lot Coverage (percent)				
Lot area <= 19,999 sq. ft.	40	40	40	50

Dunwoody Walk (RA-5)

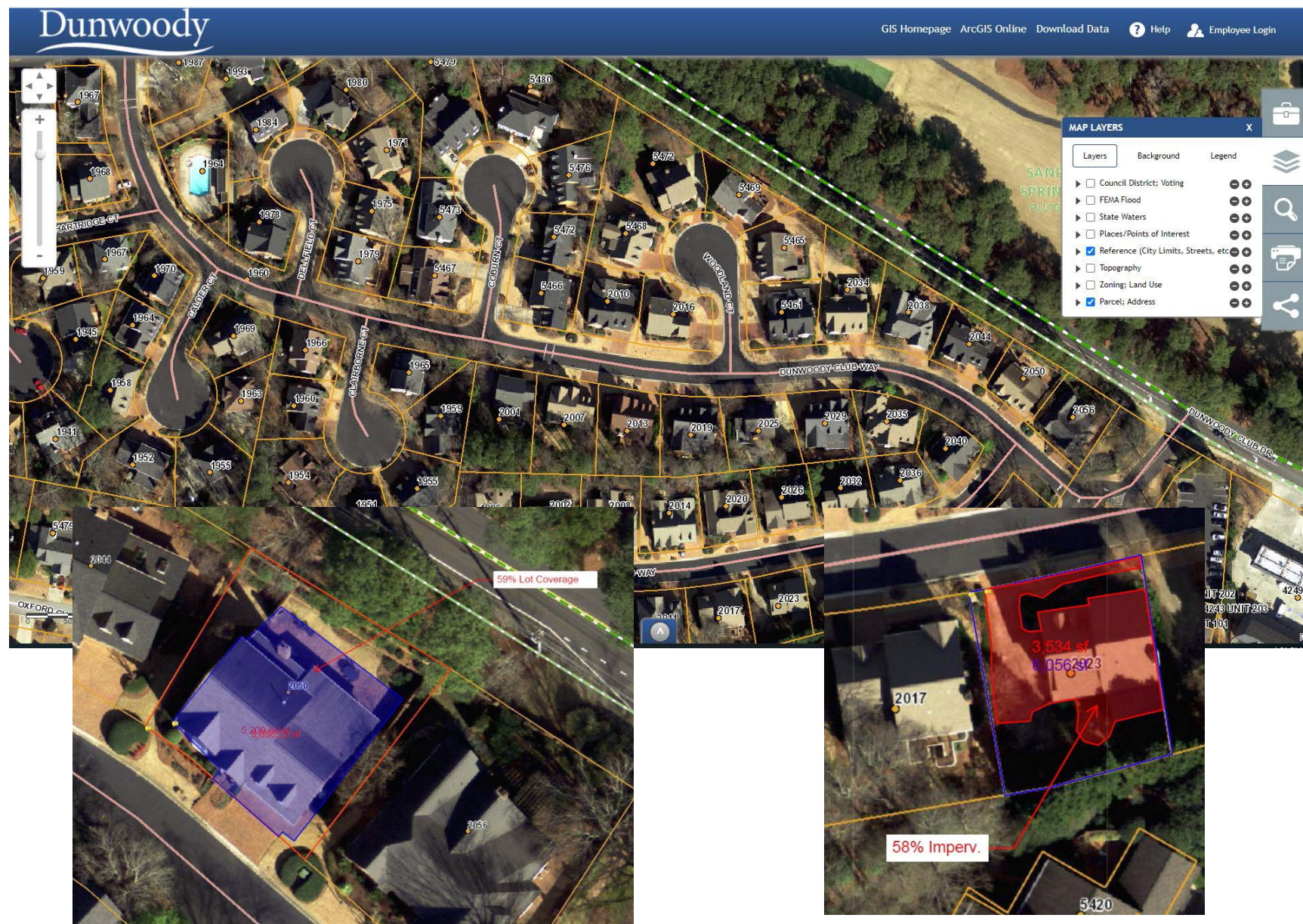


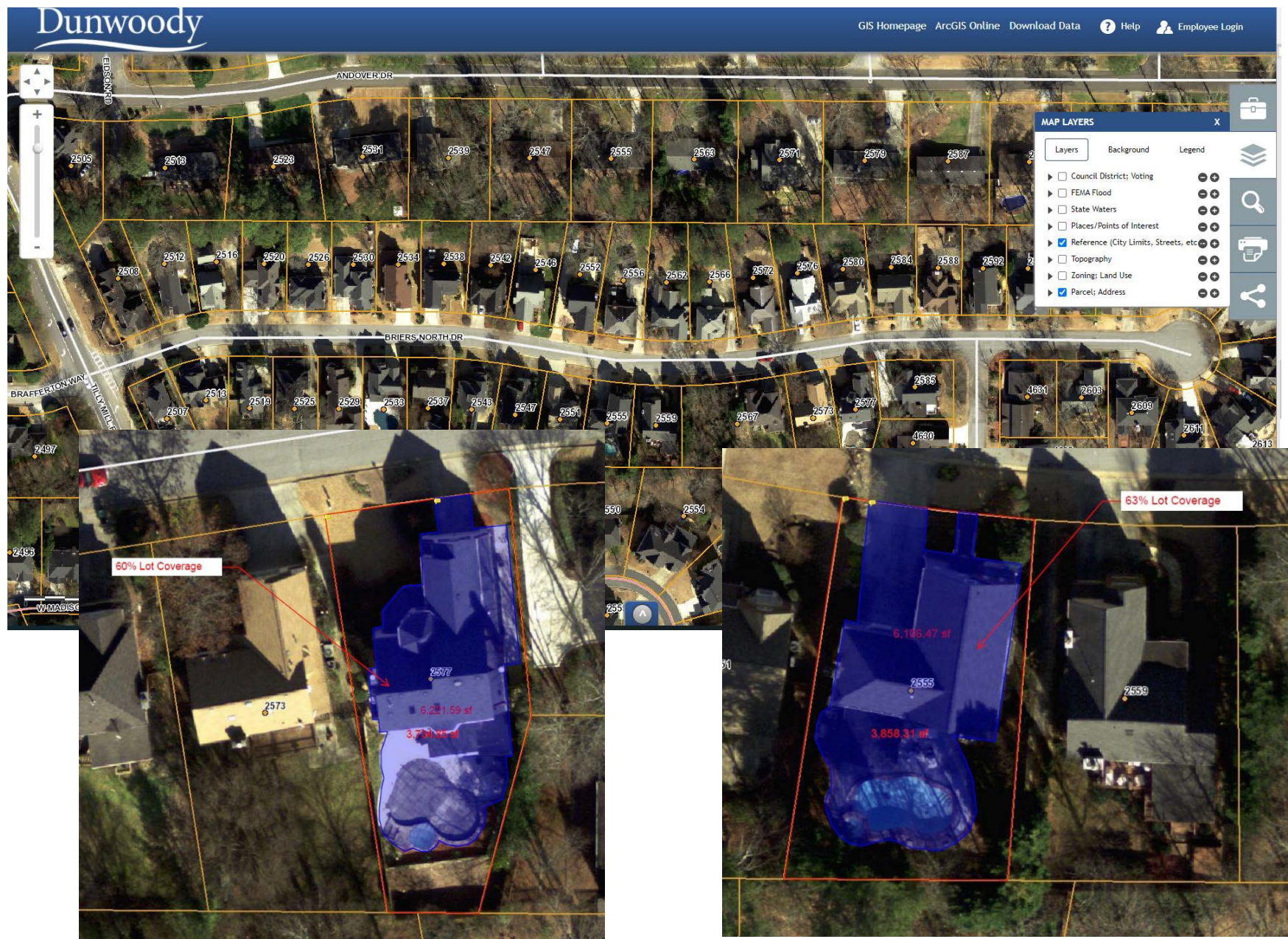
Bellwood (R-50)

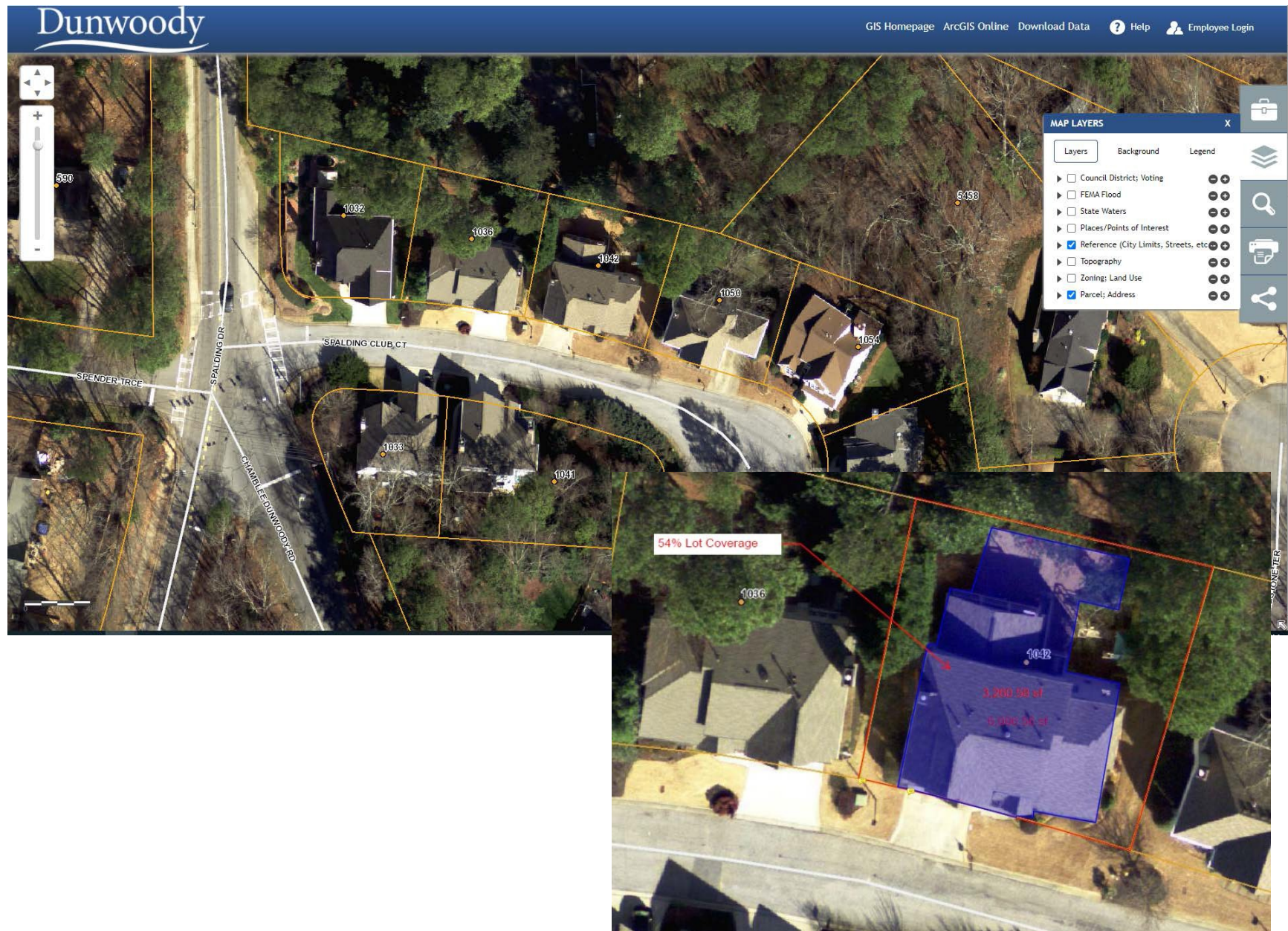


LOT	AREA	IMPERVIOUS AREA (%)
15	7583 S.F.	4389 S.F. (58%)
19	6772 S.F.	4244 S.F. (63%)
20	5896 S.F.	3710 S.F. (63%)
30	7012 S.F.	5024 S.F. (71%)
31	7568 S.F.	5363 S.F. (71%)
32	7889 S.F.	5415 S.F. (69%)
33	7114 S.F.	4943 S.F. (69%)

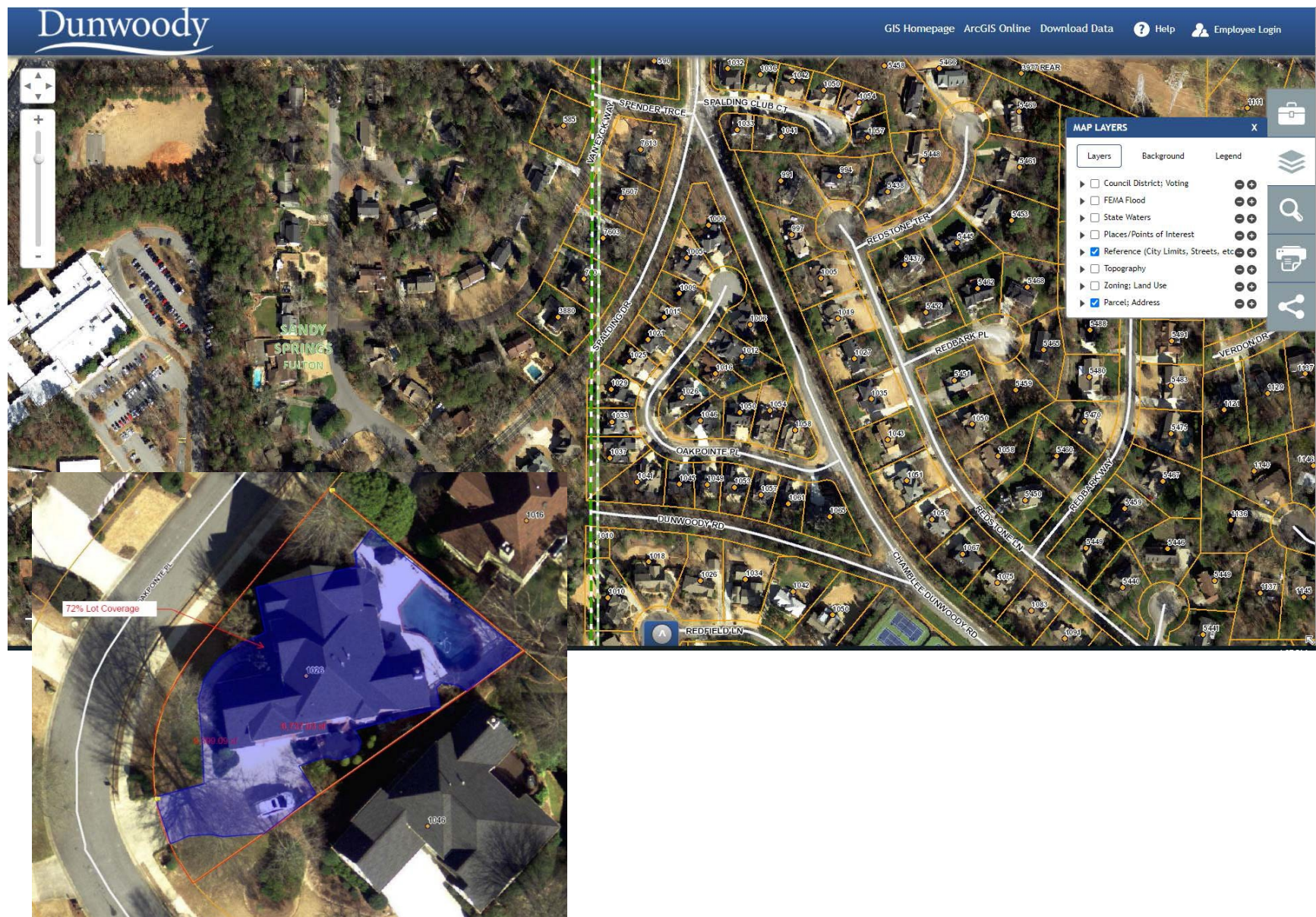


Woodlands (RM-100, residential multi-dwelling)

Briers North (R-50)

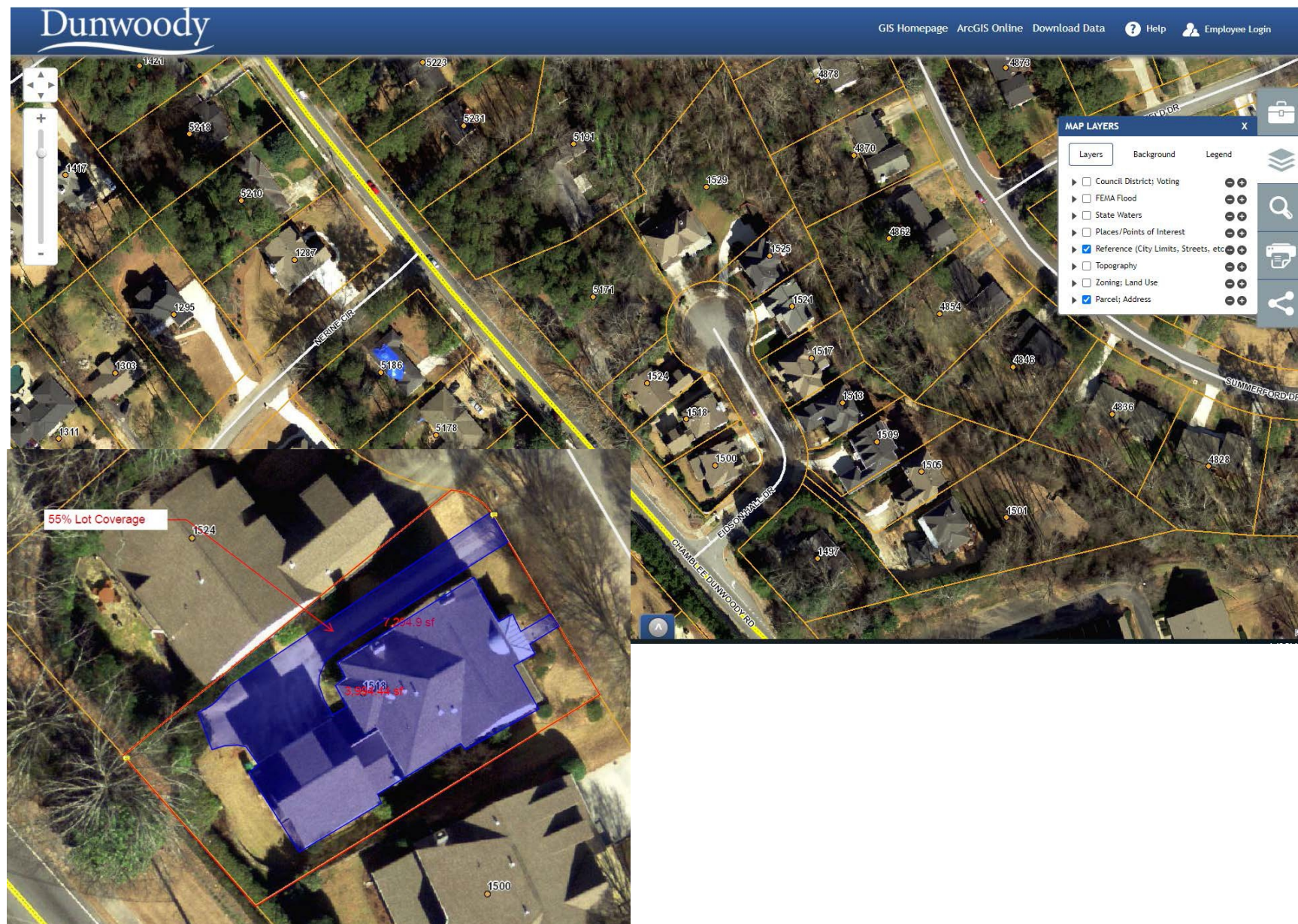
Spalding Club (R-50c)

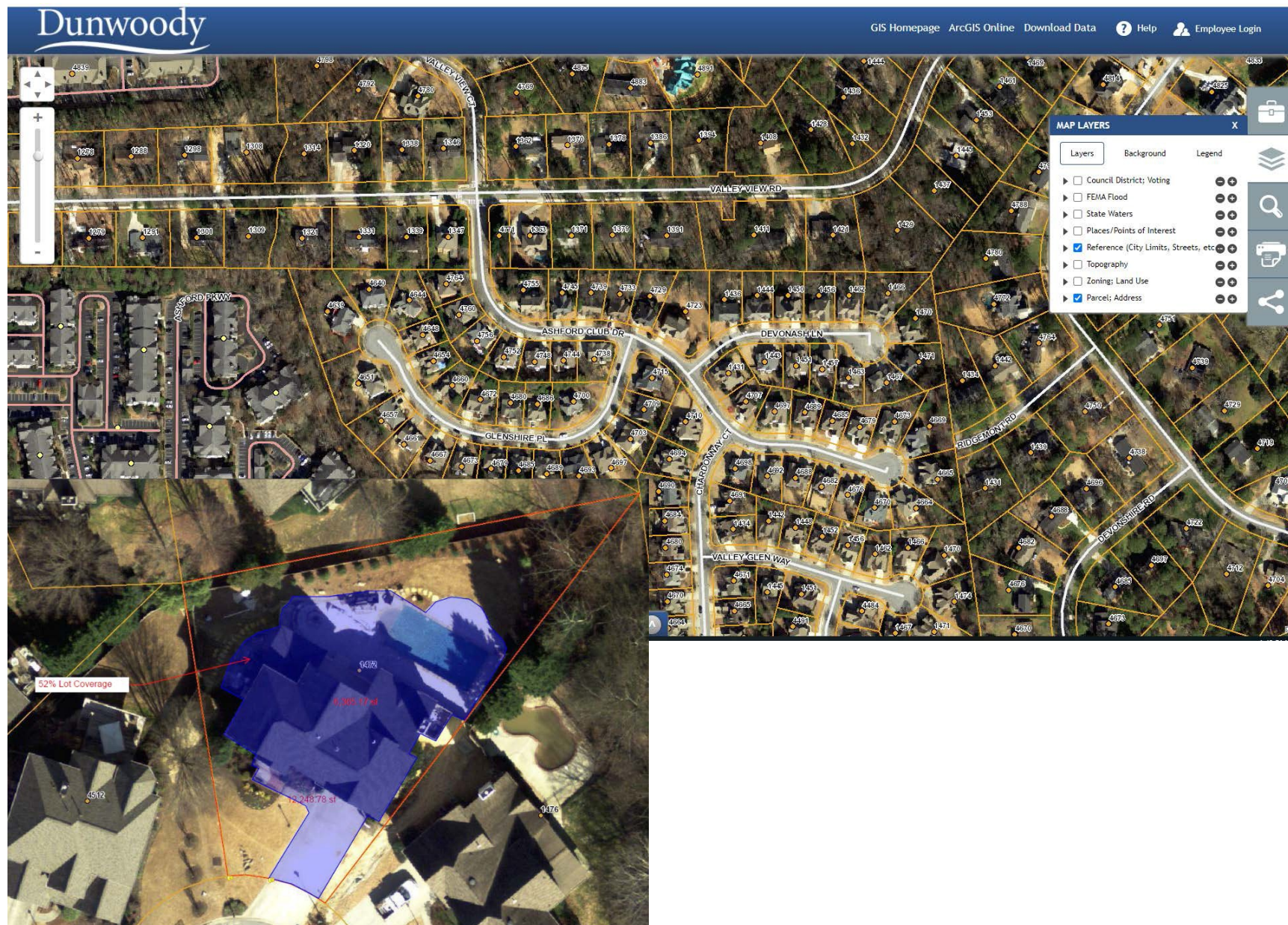
Oak Pointe Place (R-CH, retired zoning district without a lot coverage maximum requirement).

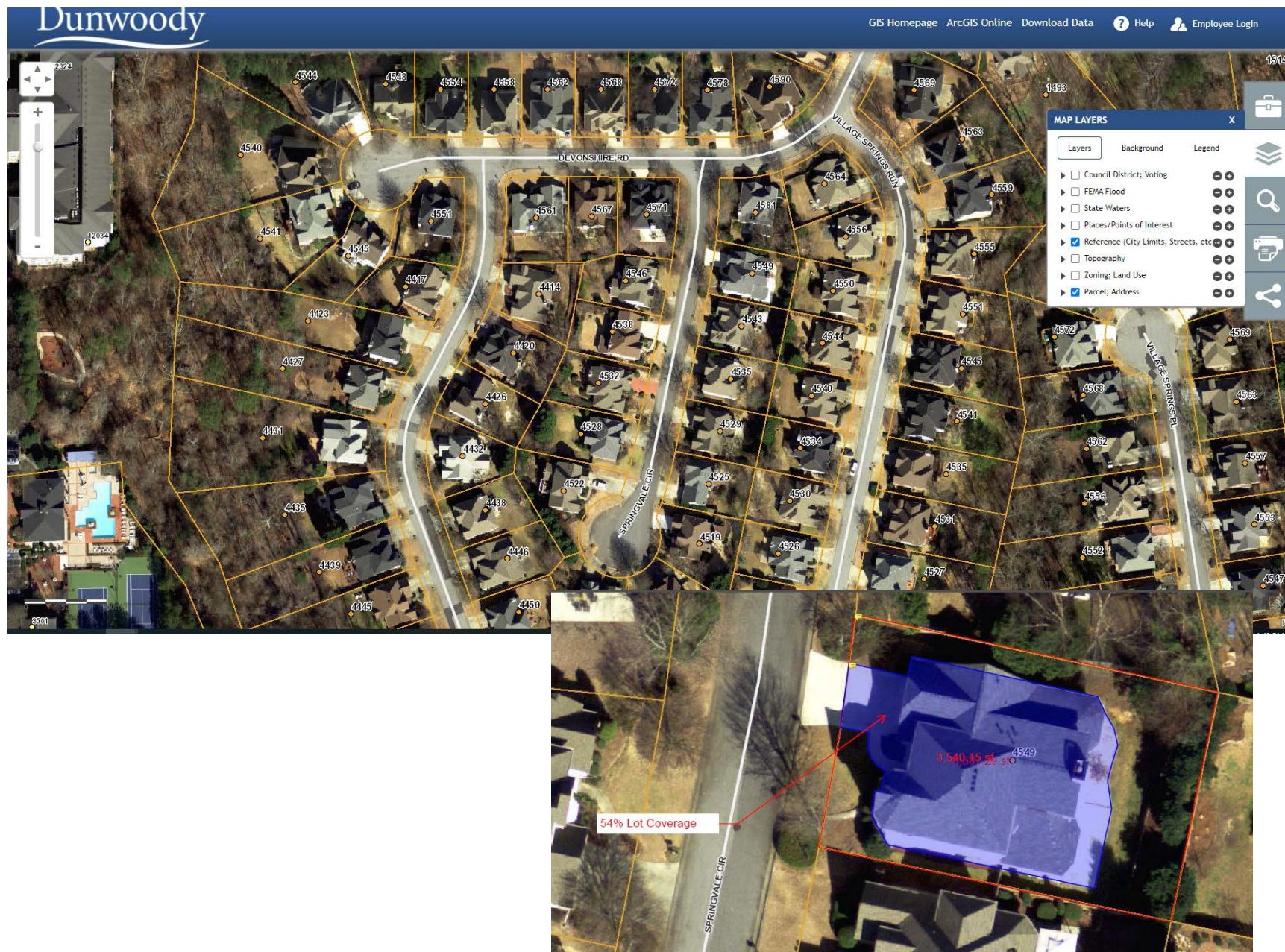


Wyntergate (R-100)

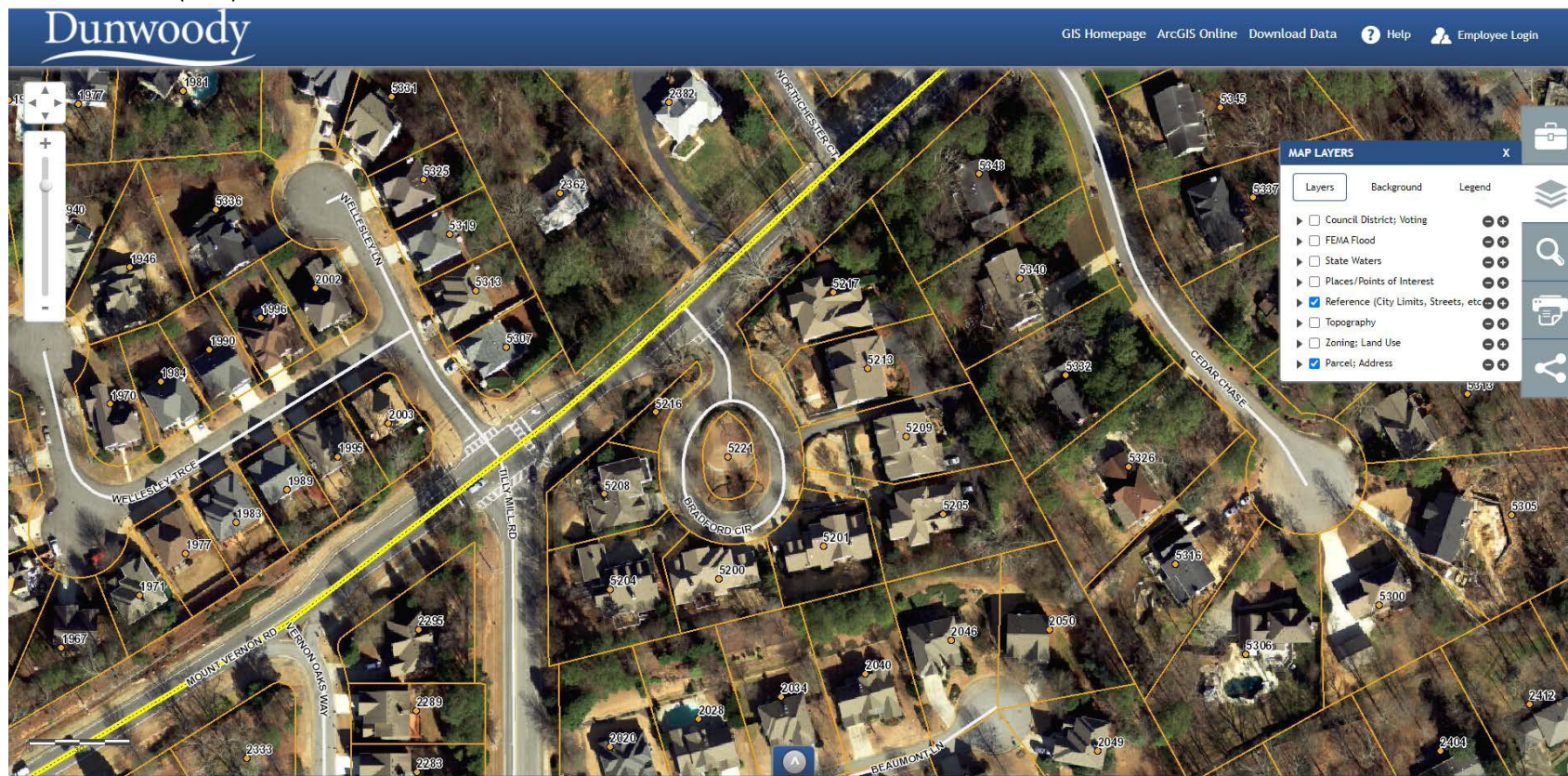
Edison Hall (R-CH, retired zoning district without a lot coverage maximum requirement)



Ashford Club (R-50c)

Devonshire (R-50c)

Bradford Circle (R-60)



**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2020-__-__

AN ORDINANCE TO AMEND THE CITY OF DUNWOODY ZONING CLASSIFICATION AND MAP FOR ZONING CONDITIONS FOR THE PARCELS LOCATED AT 5308, 5318 AND 5328 ROBERTS DRIVE FROM R-100 (SINGLE-DWELLING RESIDENTIAL-100) DISTRICT ZONING CLASSIFICATION TO A R-50 (SINGLE-DWELLING RESIDENTIAL-75) DISTRICT

- WHEREAS:** Peachland Housing Group, Inc, seeks a rezoning from the R-100 (Single-dwelling Residential) District to an R-50 (Single-dwelling Residential) District. in order to develop a 14-lot single-family subdivision; and
- WHEREAS:** The Property consists of Tax Parcels 18-376-002-003, 18-376-002-006 and 18-376-02-005, which are directly across the street from the new Austin Elementary School, and contain a total of 3.3 acres of land that is currently zoned R-100 (single-family residential); and
- WHEREAS:** The proposed development would result in a unit density of 4.17 single family homes per acre; and
- WHEREAS:** The Mayor and City Council find that the proposed use aligns with the Suburban Neighborhood Character Area of the Dunwoody Comprehensive Plan, which is indicated to be approved for uses such as 'single-family residential' and 'aging in place appropriate residential' in a bicycle oriented area, consistent with the applicant's request; and
- WHEREAS:** An applicant initiated community meeting was held on Monday, July 6, 2020; and
- WHEREAS:** Notice to the public regarding said rezoning and modification to conditions of zoning has been duly published in The Dunwoody Crier, the Official News Organ of the City of Dunwoody; and
- WHEREAS:** A public hearing was held by the Mayor and City Council of the City of Dunwoody as required by the Zoning Procedures Act.

NOW THEREFORE, The Mayor and City Council of the City of Dunwoody hereby **ORDAIN AND APPROVE** the rezoning of said property from R-100 (Single-dwelling Residential) District zoning classification to a R-50 (Single-dwelling Residential) District subject to the following conditions:

EXHIBIT A: Site plan, dated revised November 3, 2020
EXHIBIT B: Landscape Plan, dated revised November 3, 2020
EXHIBIT C: Lot Coverage Calculations

1. The site shall be developed in general conformity with "Exhibit A" with necessary changes to meet land development requirements, zoning regulations, conditions of zoning, and city arborist recommendations;
2. Prior to the issuance of a final plat, the Owner shall dedicate sufficient right of way along Roberts Drive so that it aligns with the property to the north and south; the existing fence that will subsequently be within the public right of way on lot 5308 Roberts Drive will be grandfathered as an existing condition provided that the owner enters into a right of way encroachment agreement with the City;

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2020-__-__

3. The City, in perpetuity, shall grandfather the existing shed located at 5308 Roberts Drive as a legal non-conforming structure that will not be required to be conforming if it is remolded or renovated; however, the shed cannot be relocated or extended and shall be torn down if the house is ever demolished.
4. All on-site utilities shall be buried underground;
5. The owner shall maintain the existing sidewalk along Roberts Drive making repairs/replacement as necessary for the development of the site. A five (5) foot wide sidewalk shall be installed on one side of the private road serving the development with trees spaced adequately apart behind the back of curb per "Exhibit A";
6. No gates should be permitted at the entrance into the development;
7. There will be no requirement for an accel/decel lane on Roberts Drive in connections to the construction of an entrance to the development;

Architecture: The following shall apply to all new homes; these conditions shall not apply to the existing home currently at 5308 Roberts Drive;

8. Garage doors shall have appearance of wood doors. Garage doors constructed of metal may not be smooth or have polished metallic finish. Garage door glazing shall be limited to no greater than 25% of the garage door;
9. The following are the only materials allowed as exterior materials for the façade of the homes: brick, stone, wood, hard coat stucco, or cementitious building products in the form of traditional materials such as shake and siding;
10. No vinyl or aluminum siding shall be permitted on any façade;
11. All homes shall have a watertable detail on all sides of the home as follows:
 - a. Watertable shall be either brick, stone, or hard coat stucco.
 - b. Watertable shall be from the ground up to an approximate height equal to the first-floor finish elevation of the home so that there is no exposed foundation.
12. Windows may be constructed of wood or metal;
13. All street facing window muntin grids may be true divided light (TDL) or simulated divided light (SDL). Grills between glass (GBG) are not permitted;
14. All street facing chimneys shall originate at grade;
15. Shingles on roof must be of the architectural style. Any street facing roof with a pitch equal or less than 3/12 must be a standing seam metal or equal design;
16. All homes within the development shall contain the owner's bedroom and bathroom on the main floor.

Utilities

17. Any stormwater detention facility will be underground.
18. In compliance with the requirements of the storm water ordinance during the application for a land development permit, the applicant shall provide compliance with the predevelopment hydrologic conditions assuming a curve number of 55 or 90% of the rate of stormwater flow from the subject property at the time of zoning, whichever is greater;
19. The construction of new homes, including but not limited to the building footprint, driveways, walk-ways, patios or pools on individual lots, shall not exceed 50% of the Total Area for Impervious surface as defined in Exhibit "C". For purposes of this calculation, the Total Area for Impervious surface shall be defined at the Total Acreage of the development as identified on Exhibit "C", less the area of the private streets and sidewalks divided by the total impervious area created by the construction of new homes.

Landscaping

20. Development shall have covenants that require a homeowners association wherein the landscaped entrance area, stormwater detention system, stormwater pipes, lawns, screening, street trees in the right of way, and open space are maintained by the

**STATE OF GEORGIA
CITY OF DUNWOODY**

ORDINANCE 2020-__-__

- homeowners association. Membership in the homeowners association is mandatory for owners of properties subject to these covenants. Maintenance shall require replacement of any dead, diseased, or removed shrubs or bushes that are part of the screening;
21. A wood fence around the three sides of property may be installed or if existing may be repaired or replaced by an 8' tall wood privacy shadow box fence.

Planning Commission

22. The developer shall construct a storm drain under the proposed private street and dedicate to the City. The new storm drain shall be similar in nature to the existing concrete storm drain on the northern section of the property. All associated costs with the new storm drain shall be responsibility of the developer;
23. The Developer shall provide landscaping along the northern and western property line of the development, in general conformity with "Exhibit B" with necessary changes to meet land development requirements, zoning regulations, conditions of zoning, and city arborist recommendations with the voluntary cooperation and input of the adjacent property owner;
24. All landscaping along the perimeter of the development shall be installed prior to the start of construction on any new homes;
25. Community should be designed to target empty nester/active adults. Play sets, basketball goals, temporary or above ground pools, and trampolines shall be prohibited in private yards as per the HOA covenants; and
26. As agreed by the developer at the November 9th, 2020 City Council meeting, land disturbance and construction activity must start within two years of the date of the zoning approval or the land use reverts to what it is currently zoned.

SO ORDAINED AND EFFECTIVE this ____ day of _____ 2020.

Approved by:

Approved as to Form and Content

Lynn Deutsch, Mayor

City Attorney

Attest:

Sharon Lowery, City Clerk

SEAL

Sec. 27-58. - Lot and building regulations.

- (a) *General.* This section establishes basic lot and building regulations that apply in residential zoning districts. These regulations offer certainty for property owners, developers and neighbors about the limits of what is allowed; they are not to be construed as a guarantee that stated minimums and maximums can be achieved on every lot. Other factors, such as topography, the presence of protected resources, off-street parking and other factors may work to further limit actual building and development potential.
- (b) *Single-dwelling districts.* The lot and building regulations of the following table apply to all principal and accessory uses allowed in single-dwelling residential districts, unless otherwise expressly stated in this zoning ordinance. Article VII, division 1, identifies exceptions to these regulations and rules for measuring compliance (see also Figure 4-1).

	Regulation	SINGLE-DWELLING DISTRICTS							
		R-150	R-100	R-85	R-75	R-60	R-50	RA-5	RA-8
L1	Minimum Lot Area (sq. ft.)	43,560	15,000	12,000	10,000	8,000	6,000	NA[1]	NA[1]
L2	Minimum Lot Frontage (ft.) [2]	150	100	85	75	60	50	100[3]	100[3]
	Maximum Density (dwelling units per acre)	NA	NA	NA	NA	NA	NA	5	8
	Minimum Building/Structure Setbacks (ft.) [4]								
S1	Street, Front and Side	45[5]	35[5]	35[5]	30[5]	30[5]	5[6]	5[6]	5[6]
S2	Side, Interior	20	10	8.5	7.5	7.5	7.5	15	15
S3	Side, Interior (accessory buildings/structures)	10	10	10	10	10	10	10[7]	10[7]
S4	Rear	40	40	40	40	40	30	30	30
S5	Rear (accessory buildings/structures)	10	10	10	10	10	10	10	10
C	Maximum Lot Coverage (percent) [8]								
	Lot area = 43,560 sq. ft. or more	25	25	25	25	25	25	25	25
	Lot area = 30,000 to 43,559 sq. ft.	30	30	30	30	30	30	30	30
	Lot area = 20,000 to 29,999 sq. ft.	35	35	35	35	35	35	35	35

	Lot area = 19,999 sq. ft. or less	40	40	40	40	40	40	50	50
	Maximum Building Height (ft.)								
	Principal Building	35	35	35	35	35	35	35	35
	Accessory Buildings/Structures	20	20	20	20	20	20	20	20

[1] Detached houses in RA-5 and RA-8 districts are subject to the lot and building regulations of the R-50 district.

[2] Minimum lot frontage on cul-de-sac lots is 35 feet. Minimum lot width at the required street setback must equal the required minimum frontage requirement for non-cul-de-sac lot (e.g., 100 feet in R-100).

[3] Minimum lot frontage applies to attached house projects, not individual dwelling units within the project.

[4] Corner lots are subject to street setbacks along all street frontages and to interior side setbacks along all other lot lines.

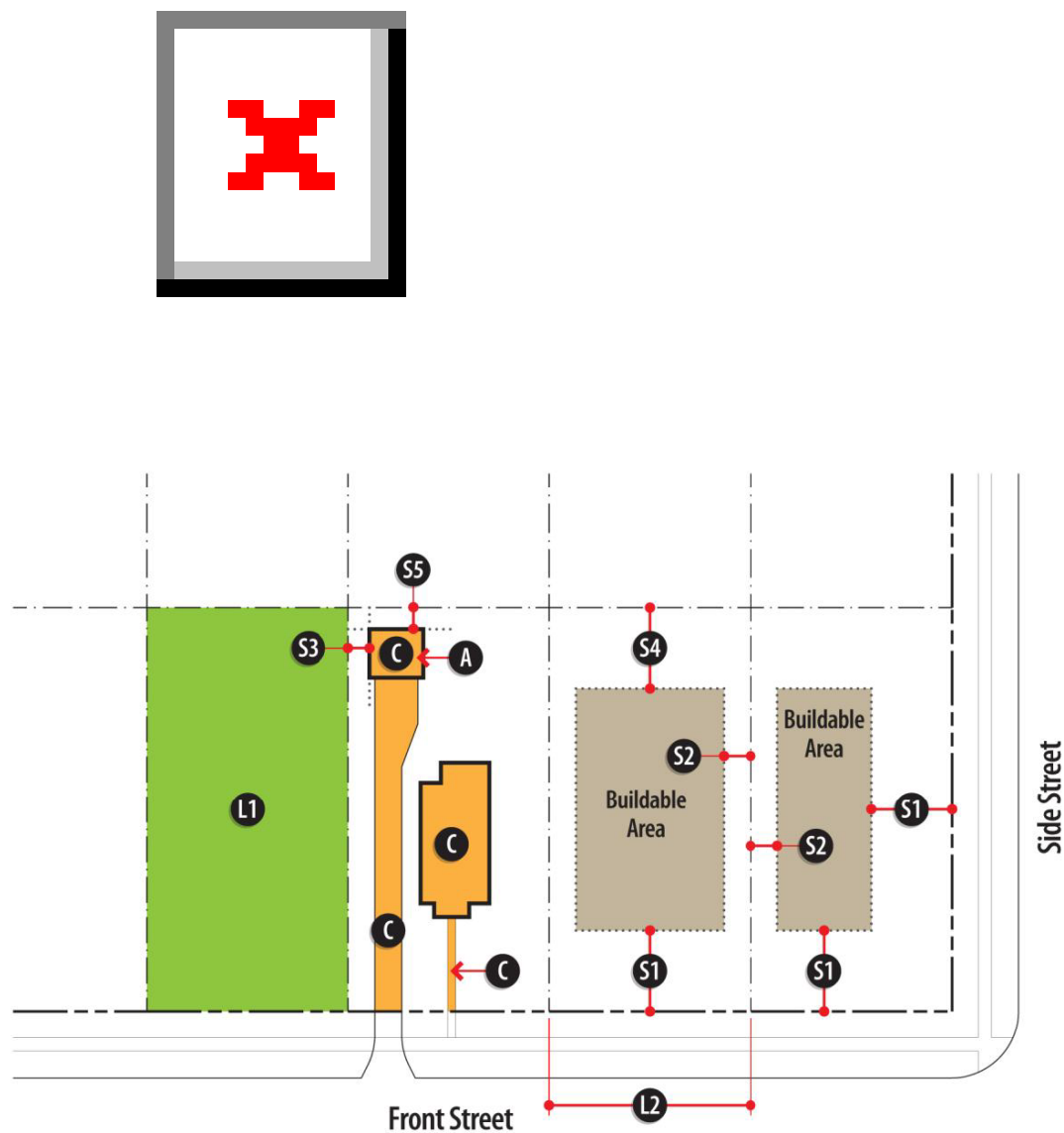
[5] Add five feet for minimum setbacks from arterial streets.

[6] Street-facing garage façades must be setback at least 20 feet from back of curb or back of sidewalk, whichever is greater.

[7] Interior side setback applies only to end units in attached house projects. No interior side setback required for units in attached projects with common or abutting walls. See also the attached house building separation requirements of section 27-132.

[8] Maximum lot coverage for institutional uses; including, but not limited to, educational services, places of worship, and neighborhood recreation club shall not exceed 60 percent.

Figure 4-1: Lot and Building Regulations Diagram, Single-Dwelling Residential Districts



- (c) *Multi-dwelling districts.* The lot and building regulations of the following table apply to all principal and accessory uses allowed in multi-dwelling residential districts, unless otherwise expressly stated in this zoning ordinance. Article VII, division 1, identifies exceptions to these regulations and rules for measuring compliance (see also Figure 4-2).

Regulation	MULTI-DWELLING DISTRICTS				
	RM-150	RM-100	RM-85	RM-75	RM-HD

L1	Minimum Lot Area (sq. ft.)					
	Detached house	6,000	6,000	6,000	6,000	6,000
	Attached house	NA	NA	NA	NA	NA
	2-unit Multi-unit building	9,000	9,000	9,000	9,000	9,000
	3-unit Multi-unit building	12,000	12,000	12,000	12,000	12,000
	4+ unit Multi-unit building	87,120	87,120	87,120	87,120	87,120
	Maximum Density [1] (dwelling units per acre)	6	12	14	18	30
L2	Minimum Lot Frontage (ft.)					
	Detached houses [2]	60	60	60	60	60
	Attached house	100[3]	100[3]	100[3]	100[3]	100[3]
	Two-unit building	75	75	75	75	75
	Three-unit building	85	85	85	85	85
	Multi-dwelling (4+ unit) buildings	150	100	100	100	100
	Minimum Building/Structure Setbacks (ft.) [4]					
	Detached and attached houses, 2-unit and 3-unit buildings					
S1	Street, front	30	30	30	30	30
S2	Street, side[5]	15	15	15	15	15
S3	Side, interior	7.5	7.5	7.5	7.5	7.5
S4	Side, interior (accessory buildings/structures)	10	10	10	10	10
S5	Rear	30	30	30	30	30
S6	Rear (accessory buildings/structures)	10	10	10	10	10

C	Maximum Lot Coverage (percent) [8]	35	35	35	35	65
	Multi-unit (4+ unit) buildings					
S1	Street, front and side	35	35	35	35	35
S3	Side, interior	20[6]	20[6]	20[6]	20[6]	20[6]
S4	Side, Interior (accessory buildings/structures)	7.5	7.5	7.5	7.5	7.5
S5	Rear [7]	40[6]	40[6]	40[6]	40[6]	40[6]
S6	Rear (accessory buildings/structures) [7]	10	10	10	10	10
C	Maximum Lot Coverage (percent)	35	35	35	35	65
	Maximum Building Height (ft.)					
	Detached house, two-unit or three-unit building	35	35	35	35	35
	Multi-dwelling (4+ unit) building					
	As of right	35	35	35	35	35
	With approval of fire rescue service	48	48	48	48	60
	Accessory buildings/structures	20	20	20	20	20

[1] Applies only to attached house projects and multi-unit buildings with 4 or more dwelling units.

[2] Minimum lot frontage for detached houses on cul-de-sac lots is 35 feet. Minimum lot width at the required street setback must equal the required minimum frontage requirement for non-cul-de-sac lot (e.g., 60 feet in RM-150).

[3] Minimum lot frontage applies to attached house projects, not to individual dwelling units or lots within the project.

[4] See also the building spacing regulations of section 27-132 and section 27-142.

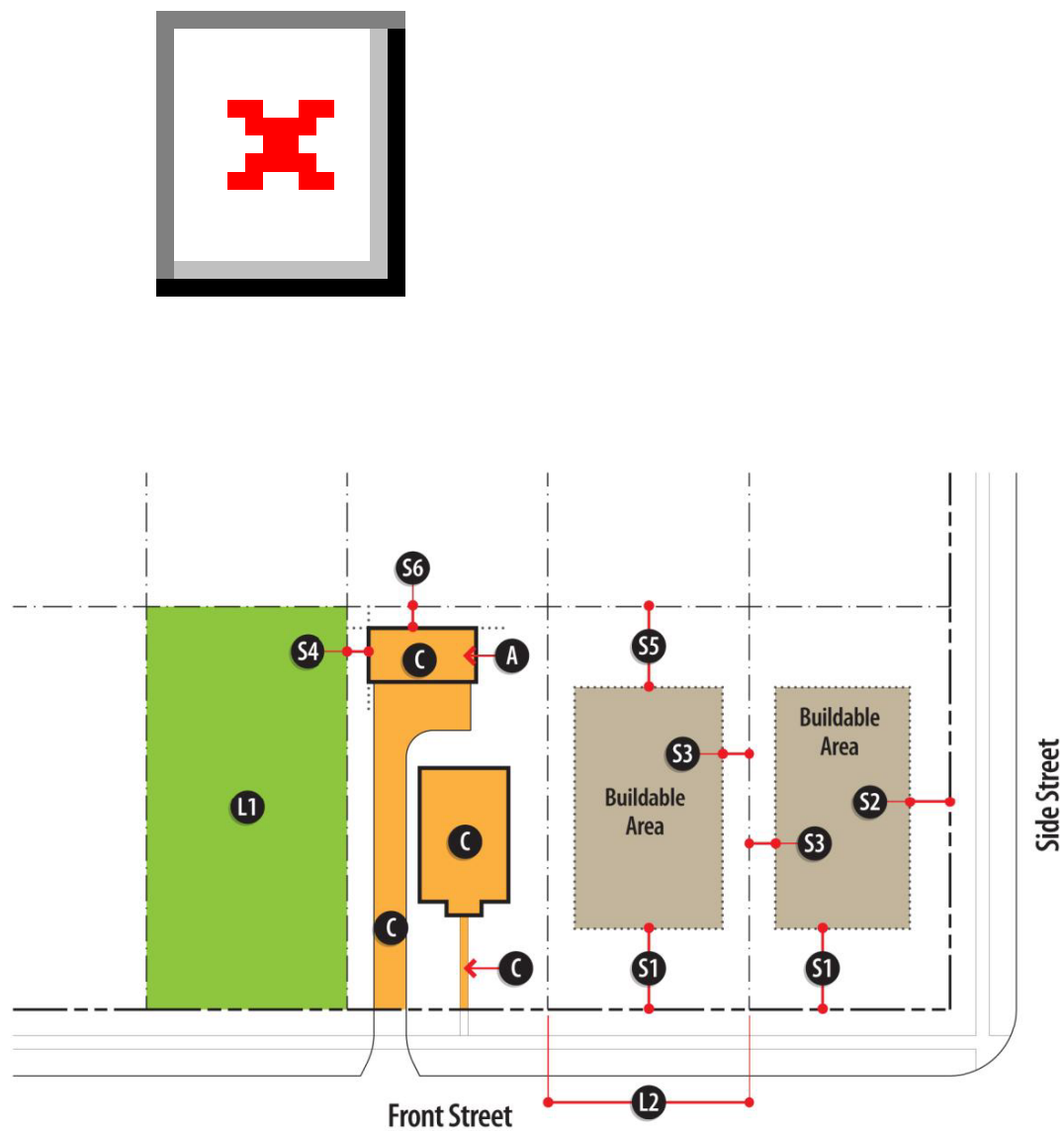
[5] In attached house projects, interior side setbacks apply only to end units. No interior side setback is required between units with common or abutting walls.

[6] Minimum interior side and rear setback is 50 feet for multi-unit residential buildings on lots abutting single-dwelling (R) residential zoning districts.

[7] Corner lots are subject to street setbacks along all street frontages and interior side setbacks along all other lot lines.

[8] Maximum lot coverage for institutional uses, including, but not limited to, educational services, places of worship, and neighborhood recreation club, and for permitted multi-unit buildings, including town homes and similar uses shall not exceed 70 percent.

Figure 4-2: Lot and Building Regulations Diagram, Multi-Dwelling Residential Districts



(Ord. No. 2013-10-15, § 1(Exh. A § 27-4.30), 10-14-2013; Ord. No. 2015-01-05, § 1, 1-26-2015)

SUBURBAN NEIGHBORHOOD

Vision/Intent

Stable, owner-occupied single-family residential area that is characterized by a traditional suburban pattern of development with accessible sidewalks, extensive landscaping, and access to parks and functional greenspace, places of worship and schools.

Future Development

Form: Traditional homes with quality design and long lasting building materials, such as stone or brick, streetscaping, and pedestrian and bicycle amenities.

Use (See Future Land Use Map): Single-family residential, public gathering spaces, places of worship, office, aging in place appropriate residential.

Action Items

- Encourage paths, connectivity, and sidewalks.
- Identify potential trail easements.

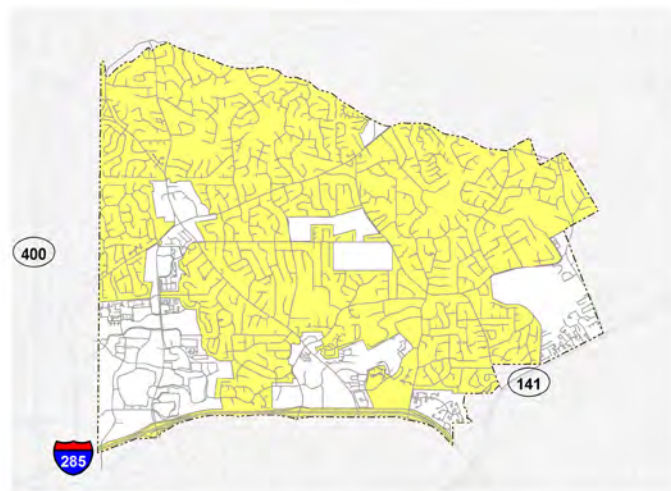


FIGURE 5: Suburban Neighborhood Character Area Map



▲ Playground in local park



▲ Single Family Home



VARIANCE APPLICATION

Community Development

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

Project #: _____ Date Received: _____

*** Type:**

Type of Request: ☐ Chapter 16-Streams ☐ Chapter 16-Other ☐ Chapter 20-Signs ☐ Chapter 27-Zoning

Code section from which variance is sought: _____

Nature of Request: _____

*** Project:**

Name of Project / Subdivision: _____ Zoning: _____

Property Address / Location: 5308, 5318, 5328 Roberts Drive

District: _____ Land Lot: _____ Block: _____ Property ID: _____

*** Owner Information:**

Owner's Name: Assemblage: See Attached

Owner's Address: _____

Phone: _____ Fax: _____ Email: _____

*** Applicant Information:** ☐ Check here if same as Property Owner

Contact Name: Peachland Housing Group, Inc. - Ty White

Address: 2494 Jett Ferry Road Suite 201, Dunwoody GA 30338

Phone: 678-961-0435 Fax: _____ Email: robmiller@tmgleasing.com

*** Terms & Conditions:**

I hereby certify that to the best of my knowledge, this application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Dunwoody Zoning Ordinance) will result in the rejection of this application.

Applicant's Name: Ty White

Applicant's Signature: _____ Date: 07/07/2020

*** Notary:**

Sworn to and subscribed before me this _____ Day of _____, 20____

Notary Public: _____

Signature: _____

My Commission Expires: _____

*** Office Use:**

☐ Application Fee Paid ☐ Sign Fee Paid (\$135 x number of signs required) Fee: \$ _____

Payment: ☐ Cash ☐ Check ☐ CC Date: _____

☐ Approved ☐ Approved w/ Conditions ☐ Denied Date: _____



ADDITIONAL VARIANCES

Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

Phone: (678) 382-6800 | Fax: (770) 396-4828

* Type:

Type of Request: ☐ Chapter 16-Streams ☐ Chapter 16-Other ☐ Chapter 20-Signs ☒ Chapter 27-Zoning

Code section from which variance is sought: Section 27-58. R-50 zoning

Nature of Request: modification of the R-50 side yard setback for internal lots from 7.5 feet 5.0 feet

* Type:

Type of Request: ☐ Chapter 16-Streams ☐ Chapter 16-Other ☐ Chapter 20-Signs ☒ Chapter 27-Zoning

Code section from which variance is sought: Section 27-58. R-50 zoning

Nature of Request: modification of the R-50 lot coverage ratio of imperious material from 40% to 70%

* Type:

Type of Request: ☐ Chapter 16-Streams ☐ Chapter 16-Other ☐ Chapter 20-Signs ☒ Chapter 27-Zoning

Code section from which variance is sought: Section 27-58. R-50 zoning

Nature of Request: modification of the R-50 rear yard setback for internal lots from 30 feet 20 feet

* Type:

Type of Request: ☐ Chapter 16-Streams ☒ Chapter 16-Other ☐ Chapter 20-Signs ☐ Chapter 27-Zoning

Code section from which variance is sought: Section 16-237(1)

Nature of Request: To allow for a private street in a new development of fewer than 10 acres.

* Type:

Type of Request: ☐ Chapter 16-Streams ☐ Chapter 16-Other ☐ Chapter 20-Signs ☐ Chapter 27-Zoning

Code section from which variance is sought: _____

Nature of Request: _____

* Type:

Type of Request: ☐ Chapter 16-Streams ☐ Chapter 16-Other ☐ Chapter 20-Signs ☐ Chapter 27-Zoning

Code section from which variance is sought: _____

Nature of Request: _____



Property Owner(s) Notarized Certification

Community Development

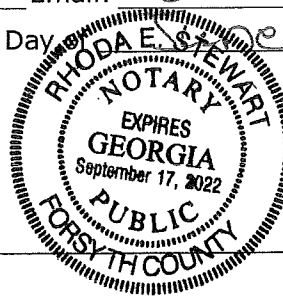
4800 Ashford Dunwoody Road | Dunwoody, GA 30338

Phone: (678) 382-6800 | Fax: (770) 396-4828

The owner and petitioner acknowledge that this application form is correct and complete. If additional materials are determined to be necessary, they understand that they are responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinances.

* **Property Owner (If Applicable):**

Signature: <u>E. L. A. for RRR 2018 LLC</u>	Date: <u>6/16/2020</u>
Address: <u>5064 Nanelum Ln Ste C Dunwoody, GA 30338</u>	
Phone: <u>404-569-5904</u>	Fax: _____ Email: <u>cust@rrr-real-estate.com</u>
Sworn to and subscribed before me this <u>10th</u> Day of <u>June</u> , 20 <u>20</u>	
Notary Public: <u>Rhoda E. Stewart</u>	

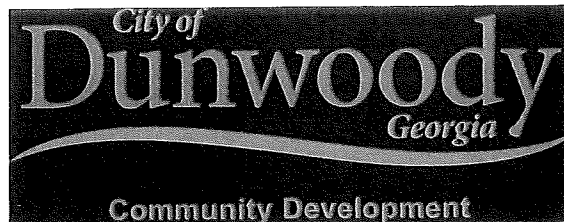


* **Property Owner (If Applicable):**

Signature: _____	Date: _____
Address: _____	
Phone: _____	Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____	
Notary Public: _____	

* **Property Owner (If Applicable):**

Signature: _____	Date: _____
Address: _____	
Phone: _____	Fax: _____ Email: _____
Sworn to and subscribed before me this _____ Day of _____, 20____	
Notary Public: _____	

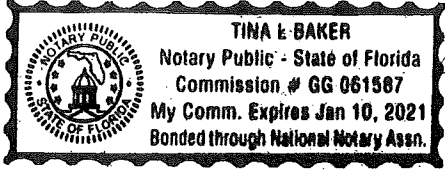


Property Owner(s) Notarized Certification

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

The owner and petitioner acknowledge that this application form is correct and complete. If additional materials are determined to be necessary, they understand that they are responsible for filing additional materials as specified by the City of Dunwoody Zoning Ordinances.

* Property Owner (If Applicable):

Signature: Kenner Scott Faulkner Date: 6-11-20
 Address: 5328 Roberts Dr. Atlanta GA 30338
 Phone: 770-630-1731 Fax: _____ Email: kstfaulkner@bellsouth.net
 Sworn to and subscribed before me this 11th Day of June, 2020
 Notary Public:  Tina L. Baker

* Property Owner (If Applicable):

Signature: _____ Date: _____
 Address: _____
 Phone: _____ Fax: _____ Email: _____
 Sworn to and subscribed before me this _____ Day of _____, 20____
 Notary Public: _____

* Property Owner (If Applicable):

Signature: _____ Date: _____
 Address: _____
 Phone: _____ Fax: _____ Email: _____
 Sworn to and subscribed before me this _____ Day of _____, 20____
 Notary Public: _____



Campaign Disclosure Statement

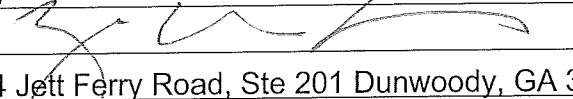
Community Development

4800 Ashford Dunwoody Road | Dunwoody, GA 30338

Phone: (678) 382-6800 | Fax: (770) 396-4828

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Dunwoody City Council or a member of the City of Dunwoody Planning Commission? ☐ YES ☐ NO

*** Applicant / Owner:**

Signature:  Date: 06/10/2020
Address: 2494 Jett Ferry Road, Ste 201 Dunwoody, GA 30338

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount