



### **MEMORANDUM**

To: Zoning Board of Appeals

From: Madalyn Smith, Senior Planner

Date: January 4, 2024

Subject: ZBA 23-20 – 5383 Tilly Mill Road, Parcel ID# 18 369 02 019

### REQUEST

Michael Phelps, applicant for 5383 Tilly Mill Road, Dunwoody, GA, 30338, requests a special exception from Chapter 27, Section 147 (3) to allow relief from contextual lot characteristics standards.

The applicant also initially requested a variance from Chapter 16, Section 241 (e) to allow relief from design standards for new lots for a four-lot subdivision. On December 17<sup>th</sup>, the applicant amended the request from four lots to three lots, negating said variance.

### **APPLICANT**

Property Owner & Applicant:

Michael Phelps

#### **BACKGROUND & PROPOSED DEVELOPMENT**

The subject lot, 5383 Tilly Mill Road, is zoned Single-dwelling Residential-100 (R-100) and abuts R-100 on all sides. It is at the corner of Tilly Mill Road and Renfroe Lake Drive and is at the entrance to the Renfroe Lake subdivision, but the existing home pre-dates the subdivision, which was developed in the mid-to-late 90s'. The subject lot is 2.38 acres and is currently developed with a 1690 SF one-story home constructed in 1900.





Zoning map:



The site has ~400 feet of frontage on Renfroe Lake Drive. It is well vegetated, with the east and west sides sloping toward the middle, where a stormwater pipe and channel bisect the property.

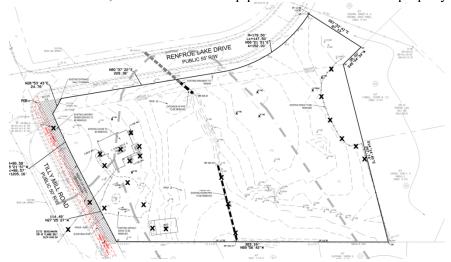
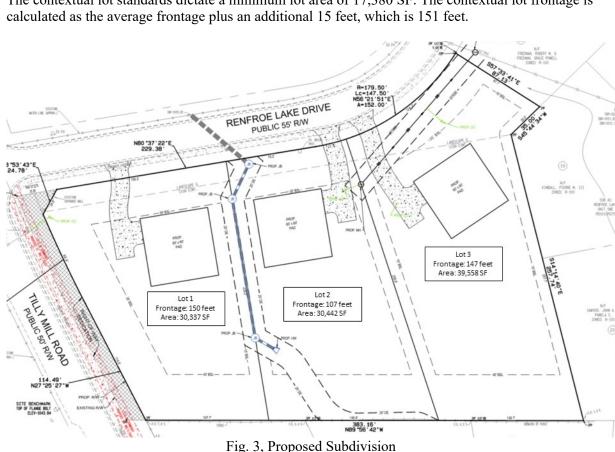


Fig. 1, Current Property Lines

The applicant proposes to demolish the existing home, subdivide the existing property into three lots and construct three new homes. The proposed parcels all meet the minimum standards for the R-100 zoning district. However, Sec. 27-147 (3) establishes *Contextual lot characteristics*. These requirements are separate and additional to the baseline zoning requirements. This section requires that proposed subdivisions also take into consideration the average area and lot frontage of adjacent lots. The two properties used to determine the averages are 2077 Renfroe Lake Drive and 5150 Sheridan Lane.



Fig. 2, 2077 Renfroe Lake Drive and 5150 Sheridan Lane



The contextual lot standards dictate a minimum lot area of 17,380 SF. The contextual lot frontage is

The proposed 3 lots all significantly exceed the minimum and contextual lot area and meet the minimum lot frontage, but are deficient in contextual lot frontage. The lack of lot frontage available to meet the contextual lot frontage requirements prompted the variance request. Instead of the required 151 feet, the three lots, as proposed have 150, 107, and 147 feet of frontage. All three lots meet the standard R-100 frontage requirement of 100 feet.

In addition to the requirements for the lot frontage and area, all subdivisions that result in a net increase in the number of single family lots trigger requirements for public right-of-way improvements (Sec. 16-217 (6)). The right-of-way improvements include a 12-foot multi-use path along the Tilly Mill Road portion of the street frontage. Staff recommends that the path be constructed and routed to preserve an existing large tree that is in the ROW.

### REVIEW AND APPROVAL CRITERIA

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

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

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

The proposed subdivision meets the minimum standards for lot frontage and area, as required for the R-100 zoning district. However, the lots do not meet the contextual lot frontage requirement of 151 feet. The subject property is in the unique position of having abstained from the initial development pressure to preserve parts of a family homestead. It is approximately 4x larger than most single-family properties in Dunwoody, so subdividing the property is an option; as Dunwoody continues to develop the few remaining larger properties are subdividing. The contextual lot characteristics requirements were created to ensure that new properties are not out of character with their surrounding neighborhood. However, the regulations are not written to consider the nuance of the particular situation of every property in Dunwoody.

The code recommends that four adjacent lots be taken into consideration when determining contextual lot frontage, but only lots on the same block face may be taken into consideration, so properties around a corner or across the street cannot apply. In this situation, only two lots can be used to determine the contextual lot frontage and area. The adjacent properties that provide the contextual standards for the proposed subdivision, 2077 Renfroe Lake Drive and 5150 Sheridan Lane, are notably wider than the minimum frontage requirements due to the shallow depth of the lots. But, overall, the Renfroe Lake neighborhood has a large proportion of ~100-foot wide lots; the lots with more than 100 feet of frontage are wider in order to account for a shallower depth. Thus, the proposed lots would not be out of character with the surrounding neighborhood.



Fig. 4, Renfroe Lake neighborhood comparison, relationship between lot frontage and lot depth

The strict application of the contextual lot characteristics creates a practical difficulty by significantly limiting the development potential of the subject property. The resulting subdivision would be harmonious with the surrounding area and would not be detrimental to surrounding properties.

### **COMMENTS FROM OTHER PARTIES**

Correspondence Received: Staff has received 9 public comments. 2 comments offer conditional support for the subdivision. 7 comments are related to the sidepath on the Tilly Mill Road frontage.

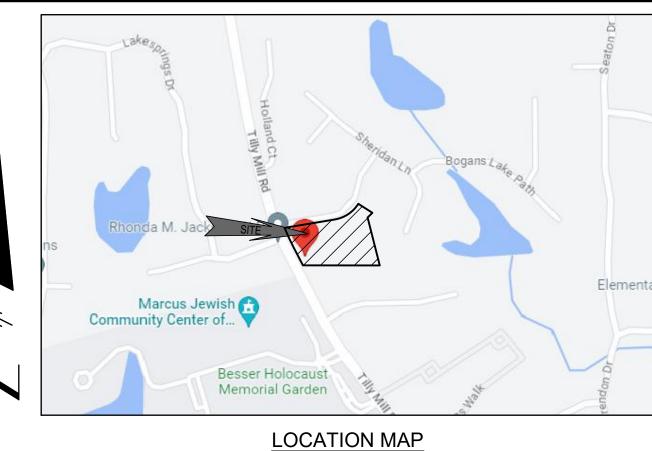
### DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Based on the above analysis and findings, staff has determined that the requested variance from Sec. 27-147 (3), to allow a three-lot subdivision, does meet the requirements of Chapter 27, §27-397; therefore, staff recommends APPROVAL of the request subject to the following conditions:

- 1. The final plat must be in substantial compliance with the submitted preliminary plat, prepared by W&B Engineering and dated 12-20-2023 (See Exhibit A).
- 2. The frontage sidepath on the Tilly Mill Road frontage must be routed and constructed to preserve the 44' oak tree (demarcated on Exhibit B). Construction and disturbance of the sidepath within the critical root zone (CRZ) shall not exceed 25% of the CRZ area and shall utilize a "root bridge" construction method (see Exhibit C).

### **ATTACHMENTS**

- Staff Memo
- Exhibit A, Preliminary Plat Exhibit B, Tree Location Exhibit C, Sidepath Detail Exhibit D, Public Comments



## **GENERAL NOTES:**

- TOTAL PROPERTY AREA = 2.38 AC
- SURVEY INFORMATION SHOWN HEREON IS BASED ON A BOUNDARY & TOPOGRAPHIC SURVEY FOR
- SOUTHERN HERITAGE HOME BUILDERS, DATED 07/21/2023 BY WATTS & BROWNING ENGINEERS, INC.. THE TOPOGRAPHIC AND ELEVATION DATA SHOWN HEREON WAS PREPARED BY WATTS & BROWNING
- ENGINEERS, INC. WHICH IS RESPONSIBLE FOR SUCH DATA ENGINEER/DESIGNER:
- WATTS & BROWNING ENGINEERS, INC.
- OWNER/DEVELOPER:
- SUWANEE, GA 30024

- SHALL BE DONE UNTIL SILT BARRIER INSTALLATION AND DETENTION FACILITIES ARE CONSTRUCTED. ALL FILL AREAS MUST BE COMPACTED TO MINIMUM 95% STANDARD PROCTOR. A REPORT FROM A
- 11. THE SITE CONTRACTOR SHALL COORDINATE SERVICE ROUTING OF ALL GAS, TELEPHONE AND ELECTRICAL LINES WITH THE APPROPRIATE UTILITY COMPANY. ALL CONSTRUCTION MUST COMPLY

### **PROJECT NOTES**

- 1. SILT BARRIERS TO BE PLACED AS SHOWN AND/OR AS DIRECTED BY PROJECT ENGINEER AND/OR THE
- CITY OF DUNWOODY INSPECTOR. NOTIFY INSPECTOR 24 HOURS PRIOR TO CONSTRUCTION.
- THE INSPECTOR; AND ALL APPLICABLE BONDS REQUIRED PRIOR TO ACCEPTANCE OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.ALL CONSTRUCTION MUST CONFORM TO THE CITY OF DUNWOODY
- STANDARDS AND SPECIFICATIONS, WHETHER OR NOT REVIEW COMMENTS WERE MADE. 4. NO ARCHEOLOGICAL OR ARCHITECTURAL LANDMARKS. CEMETERIES OR OTHER HISTORIC FEATURES ARE KNOWN TO EXIST ON SITE.
- 5. BUILDERS SHALL BE HELD FULLY RESPONSIBLE FOR ON-SITE EROSION CONTROL ON THEIR OWN LOTS. THIS MEANS EFFECTIVE INSTALLATION AND MAINTENANCE OF HAY BALES, SILT SCREEN, BATTEN BOARDS, CONSTRUCTION ENTRANCE GRAVEL, ETC. IN ADDITION, BUILDERS WILL BE RESPONSIBLE FOR KEEPING THE STREETS OR STREETS ADJACENT TO THEIR LOTS CLEAR OF SILT.
- THIS PROJECT IS CURRENTLY SERVED BY DEKALB COUNTY GRAVITY SEWER. WATER SERVICE IS CURRENTLY PROVIDED BY DEKALB COUNTY.
- 8. SIGNING AND STRIPING TO BE PROVIDED BY THE DEVELOPER ACCORDING TO THE CITY OF
- DUNWOODY SPECIFICATIONS.
- 9. OFF-STREET PARKING SHALL BE PROVIDED AND MAINTAINED THROUGHOUT CONSTRUCTION.
- 10. THIS PROJECT'S RECEIVING WATER IS NANCY CREEK. 11. THERE ARE NO APPARENT EXISTING INERT WASTE BURY PITS ON SITE.
- 12. ALL ELECTRICAL SERVICES WILL BE LOCATED UNDERGROUND. 13. THERE ARE NO FORMERLY RECORDED SUBDIVISIONS CROSSING ANY OF THE LAND SHOWN ON THIS
- 14. THERE ARE NO WETLANDS WITHIN 200' OF THIS SITE.

## OWNER/DEVELOPER/PRIMARY PERMITTEE:

SOUTHERN HERITAGE HOME BUILDERS P.O. BOX 1682

PHONE: (770) 257-3030 24 HOUR CONTACT

SUWANEE, GA 30024

MICHAEL PHELPS PHONE: (770) 257-3030

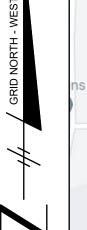
## ENGINEER:

WATTS & BROWNING ENGINEERS, INC. 1349 OLD 41 HWY NW, SUITE 225 MARIETTA, GA 30060 PHONE: (678) 324-6192 FAX: (770) 694-6870 CONTACT: DARYL COOK

CERTIFICATE OF CONFORMITY:

THIS IS TO CERTIFY THAT NO LOTS PLATTED ARE NON-CONFORMING OR WILL RESULT IN ANY NON-CONFORMING LOTS.

DUNWOODY.	THE WITTEN SOUNTIES TO A	AND APPROVED BY THE CI
ON THIS	DAY OF	20 .
BY		
_ ·	MUNITY DEVELOPMENT	



PREPARED BY:

PRELIMINARY PLAT

5383 TILLY MILL ROAD

TRACT

LOCATED IN

LAND LOT 369~ 18TH DISTRICT

CITY OF DUNWOODY

DEKALB COUNTY, GEORGIA

TAX PARCEL ID: 18 369 02 019



WATTS & BROWNING ENGINEERS, INC. **CIVIL ENGINEERS & LAND SURVEYORS** 

Sheet List Table						
Sheet Number	Sheet Title					
PP-1	PRELIMINARY PLAT - COVER SHEET					
PP-2	EXISTING CONDITIONS & DEMOLITION PLAN					
PP-3	PRELIMINARY PLAT - SITE PLAN					

DEVELOPM	DEVELOPMENT DATA						
TOTAL OITE ADEA	0.00.40						
TOTAL SITE AREA:	2.38 AC						
ZONED:	R-100						
LOTS:	4						
DENSITY:	1.7 LOTS/AC						
MINIMUM LOT AREA:	15,000 SF						
MINIMUM LOT FRONTAGE:	100'						
SETBACKS:							
FRONT-	35'						
SIDE-	10'						
REAR-	40'						
MAXIMUM BLDG. HEIGHT:	35'						

APPROXIMATE CONSTRUCTION ACTIVITY SCHEDULE												
TACK	TIME (WEEKS)											
TASK	1	2	3	4	5	6	7	8	9	10	11	12
SILT FENCE, CONSTRUCTION EXIT & INITIAL BMPs												
CLEARING, GRUBBING & TREE PROTECTION AFTER INITIAL BMPs ARE INSTALLED												
GRADING												
SEWER & STORM												
GRASSING TEMPORARY												
MAINTENANCE OF S & E CONTROLS												
UTILITIES												
FINAL LANDSCAPING & CLEARING									Г			

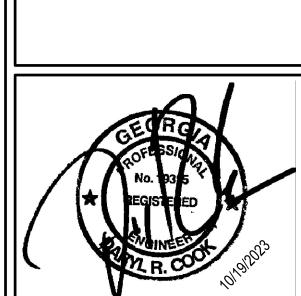
PROJECT IS ANTICIPATED TO START DECEMBER 2023 AND PERMANENT GROUND COVER IS TO BE COMPLETED FEBRUARY 2024. (NOTE: ALL DATES ARE APPROXIMATE AND MAY VARY FROM WHAT IS SHOWN ON THIS CHART.)



COUNTY FIRM MAP NUMBER 13089C0010K, DATED AUGUST 15, 2019 THE REFERENCED

ZONE X (UNSHADED): AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE

THE FLOOD LINE, IF SHOWN, IS APPROXIMATE AND THE ACTUAL LIMITS OF FLOOD LINE BASED ON PUBLISHED ELEVATIONS MAY EXTEND BEYOND THOSE SHOWN HEREON.



GSWCC LEVEL II CERTIFICATION NO. 31908 EXPIRES: 01/12/2025

REV:	REVISIONS						
NO.	DATE	BY	DESCRIPTION				
1	07/31/2023	JJT	1st SUBMITTAL				
2	10/13/2023	JJT	REVISE LOTS & ADD STORMWATER				
			FACILITY				
3	10/19/2023	JJT	REVISE DRIVEWAY LOCATIONS				
4	11/17/2023	JJT	REVISE HOUSE BOX ON LOT 4				
5	12/20/2023	JJT	REVISE LOTS & HOUSE PLACEMENTS				



1349 OLD 41 HWY NW, SUITE #225 MARIETTA, GEORGIA 30060 PHONE: (678) 324-6192 FAX: (770) 694-6870 WWW.WBENGR.COM LSF000429 - PEF000714

DESIGNED BY:	ZK					
DRAWN BY:	JJT					
CHECKED BY:	DRC					
INITIAL ISSUE DATE:	07/31/202					
JOB NUMBER:	221207					
SHEET NUMBER:						

SCALE:

### **DEMOLITION NOTES:**

- 1. CONTRACTOR SHALL CONDUCT DEMOLITION ACTIVITIES WITHOUT INTERFERING WITH
- VEHICLE AND PEDESTRIAN TRAFFIC IN ADJACENT AREAS. 2. CONTRACTOR SHALL PROTECT UTILITIES AND BENCHMARKS NOT SCHEDULED FOR DEMOLITION FROM DAMAGE AT NO ADDITIONAL COST TO OWNER. THE CONTRACTOR SHALL

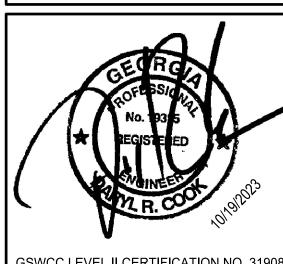
REPLACE OR REPAIR ITEMS DAMAGED BEYOND THE LIMITS OF THE DEMOLITION SHOWN.

DISCONNECT AND SEAL OFF ABANDONED UTILITIES TO BE REMOVED PRIOR TO THE START OF ANY DEMOLITION ACTIVITIES. UTILITIES SHALL BE DISCONNECTED BELOW EXISTING GRADE LEVEL, OR OUTSIDE OF CONTRACT LIMITS BY REPRESENTATIVES OF THE PUBLIC UTILITY BEING DISCONNECTED. MAINTAIN UTILITY SERVICE TO FACILITIES IN USE.

4. EXCEPT FOR ITEMS DESIGNATED TO BE REMOVED OR REUSED IN THE WORK, ALL MATERIALS RESULTING FROM THIS WORK SHALL BECOME THE PROPERTY OF THE CONTRACTOR, AND

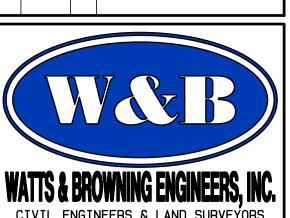
- SHALL BE PROMPTLY REMOVED FROM THE SITE. STORAGE OR SALE OF REMOVED MATERIALS WILL NOT BE PERMITTED ON PROJECT SITE.
- 5. REMOVE ALL DEBRIS, RUBBISH, AND WASTE MATERIALS FROM THE SITE. DO NOT STOCKPILE DEBRIS ON SITE.
- 6. ALL MATERIALS SHALL BE DISPOSED OF IN A LEGAL MANNER.
- 7. CONTRACTOR SHALL OBTAIN ANY PERMITS REQUIRED BY CITY OF DUNWOODY.

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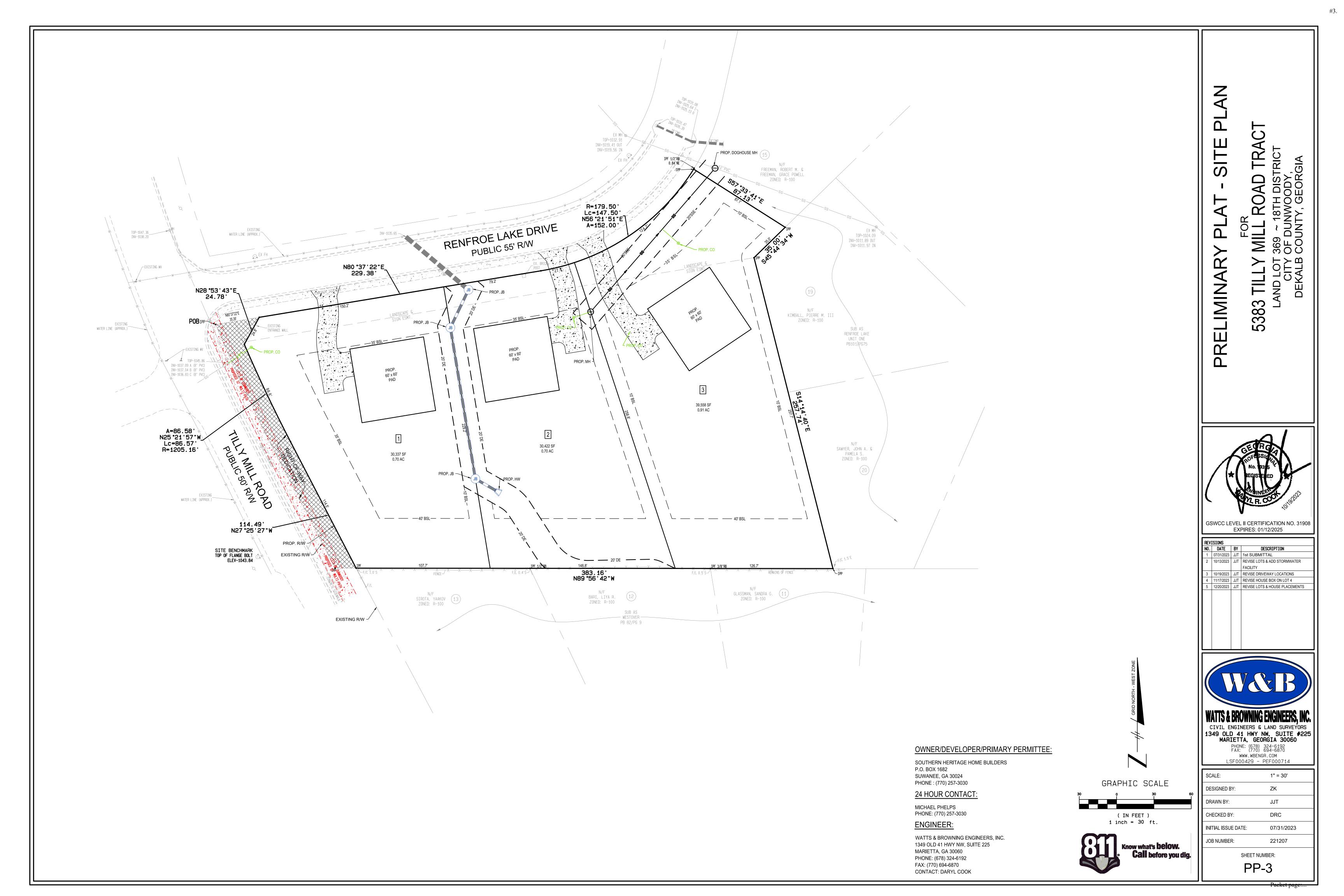
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	DESIGNED BY:	ZK
	DRAWN BY:	JJT
	CHECKED BY:	DRC
	INITIAL ISSUE DATE:	07/31/2023
	JOB NUMBER:	221207

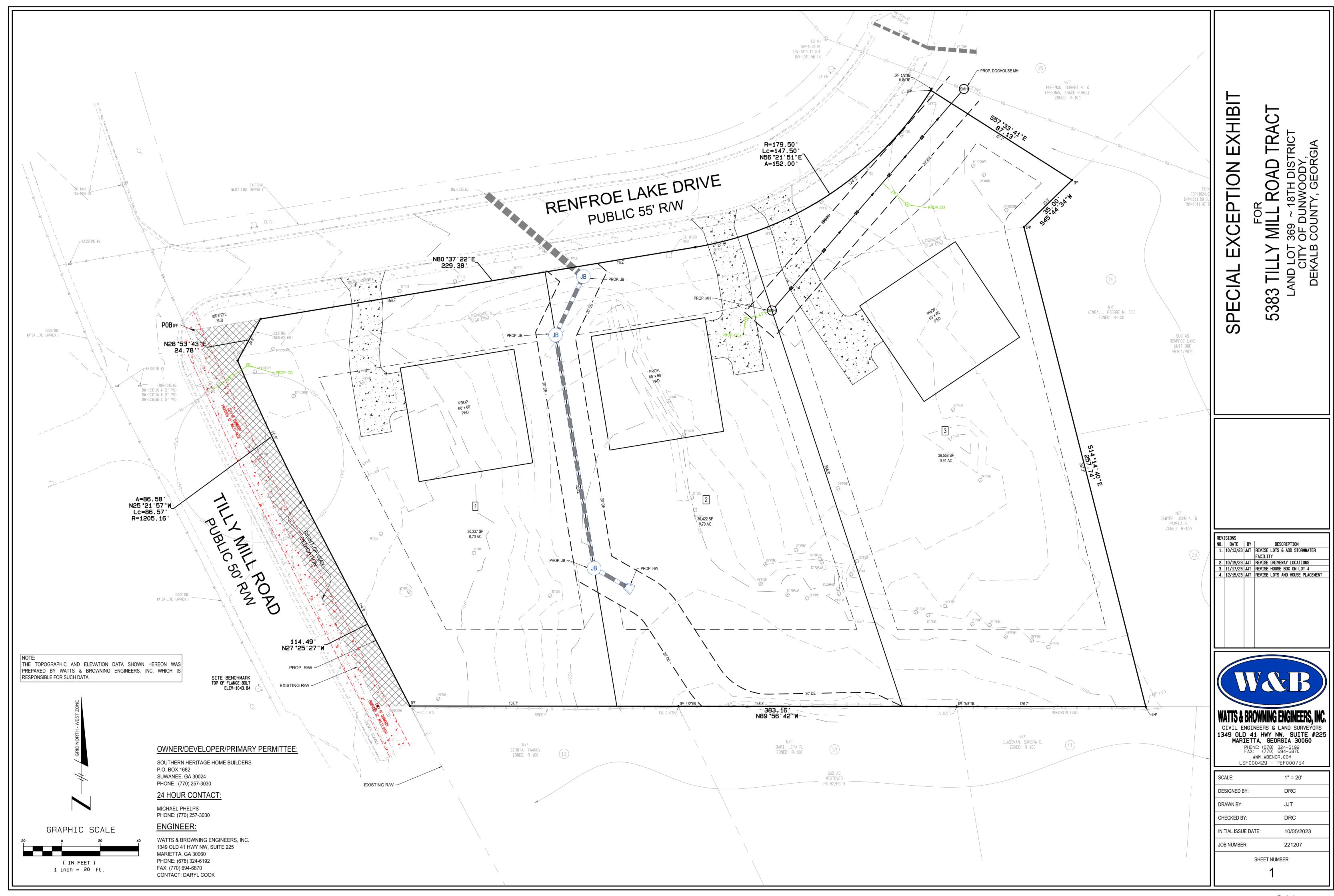
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SHEET NUMBER: PP-2

( IN FEET ) 1 inch = 30 ft.

GRAPHIC SCALE

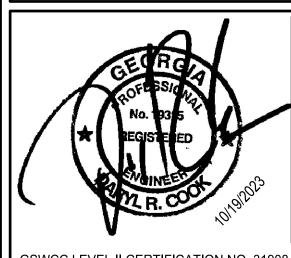




- 1. CONTRACTOR SHALL CONDUCT DEMOLITION ACTIVITIES WITHOUT INTERFERING WITH

- MATERIALS WILL NOT BE PERMITTED ON PROJECT SITE.

- ALL MATERIALS SHALL BE DISPOSED OF IN A LEGAL MANNER.
   CONTRACTOR SHALL OBTAIN ANY PERMITS REQUIRED BY CITY OF DUNWOODY.



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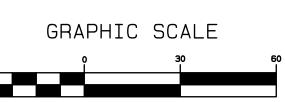


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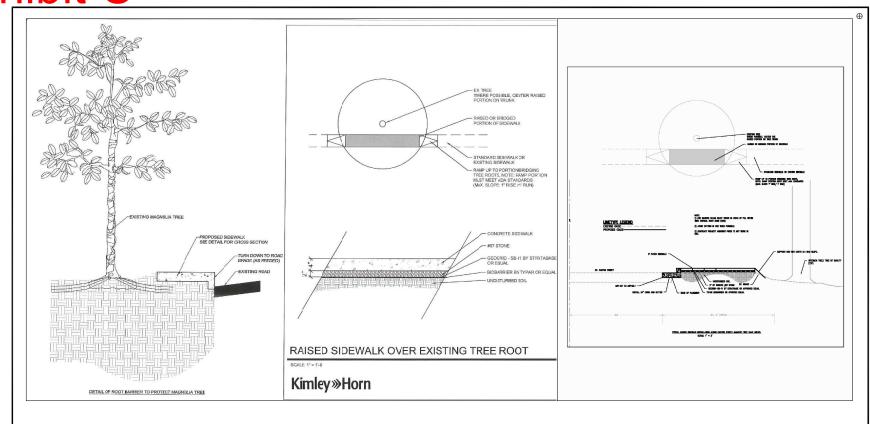
SHEET NUMBER: PP-2



( IN FEET ) 1 inch = 30 ft.

FAX: (770) 694-6870 CONTACT: DARYL COOK

## Exhibit C



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### EMAIL FORMS TO PERMITS@DUNWOODYGA.GOV



### **Special Exception**

### **Community Development**

4800 Ashford Dunwoody Road | Dunwoody, GA 30338 Phone: (678) 382-6800 | Email: permits@dunwoodyga.gov

In specific instances, an applicant may be entitled to present a request for a Special Exception before the Dunwoody Zoning Board of Appeals (ZBA). For instance, if an applicant cannot meet all the standards and regulations of the off-street parking or loading space requirements found in the city's Zoning Ordinance, that applicant may be entitled to present a request for a Special Exception pursuant to the provisions of the zoning ordinance.

### **Application Requirements:**

Item #	Required Item	Number of Copies
1	Special Exception Application (See Page 4)	1 electronic copy
2	Property Owner Affidavit(s) (See Page 6)	1 electronic copy
3	Site plan and elevations (drawn to scale)	1 electronic copy
4	Written legal description/survey of the property	1 electronic copy
5	Site photos	1 electronic copy
6	Letter of Intent	1 electronic copy
7	Parking Study (if applicable)	1 electronic copy
8	Payment	Pay with cash, check or credit card

Please submit the entirety of your application submittal electronically, saved as a single PDF.

You will need to complete and submit your Special Exception Application by the 1st Tuesday of the month in order for the Special Exception request to be heard at the next available scheduled meeting. The Zoning Board of Appeals meets the first Thursday of each month at 6:00 p.m. in the Dunwoody City Hall, located at 4800 Ashford Dunwoody Road, Dunwoody, GA 30338.

Pre-Application Meeting Deadline	Application Deadline	Zoning Board of Appeals Meeting Date
October 18, 2022	November 1, 2022	January 5, 2023
November 22, 2022	December 6, 2022	February 2, 2023
December 20, 2022	January 3, 2023	March 2, 2023
January 24, 2023	February 7, 2023	April 6, 2023
February 21, 2023	March 7, 2023	May 4, 2023
March 21, 2023	April 4, 2023	June 1, 2023
April 18, 2023	May 2, 2023	July 6, 2023
May 23, 2023	June 6, 2023	August 3, 2023
June 19, 2023	July 3, 2023	September 7, 2023
July 18, 2023	August 1, 2023	October 5, 2023
August 22, 2023	September 5, 2023	November 2, 2023
September 19, 2023	October 3, 2023	December 7, 2023
October 24, 2023	November 7, 2023	January 4, 2024
November 21, 2023	December 5, 2023	February 1, 2024

### **Detailed Process and Instructions**

### Before the Pre-Application Meeting

- o Review the application packet.
- o Consult the Dunwoody Zoning Ordinance at <u>library.municode.com/ga/Dunwoody</u>
- o Fill out the variance application (page 7).
- o Prepare a preliminary site plan.
- o Contact a Planner to schedule a Pre-Application Meeting. Contact information is online at dunwoodyga.gov.

### **Pre-Application Meeting**

- The purpose of this meeting is to discuss the proposed project, determine the number and type(s) of variance request(s), as well as discuss the preparation of the Required Items (listed on page 1) in order to ensure a complete and quality application at the time of submittal.
- The Pre-Application meeting should take place at least two weeks in advance of, but no more than two months before, the target Filing Deadline.

### Filing

- Prepare and compile all the Required Items, subject to what was discussed at the Pre-Application Meeting.
- o Contact a Planner prior to filing.
- o Submit a complete Application to the Planning and Zoning Division.
- o The Application deadline is the first Tuesday of every month, by 4:00 pm.
- Staff will initiate a review and ask for more information if necessary, at which point the
  application may be put on an administrative hold until the application is determined complete
  and compliant—i.e. providing quality materials for all required items.
- The Special Exception case will be added to an upcoming Zoning Board of Appeals (ZBA) meeting.

### **Before the Zoning Board of Appeals Meeting**

Once the application is filed, Planning and Zoning staff will

- Prepare a legal notice for the newspaper
- Mail written notice to property owners within 500 feet
- Order and post signage on the subject property
- Prepare and post the staff memorandum, typically one week in advance of the meeting
- You should review the staff memorandum, which details the staff's recommendation to the
   Zoning Board of Appeals.

### At the Zoning Board of Appeals Meeting

- A Planner will provide a brief presentation to the Board and present the staff recommendation.
- You will have 10 minutes to present your case to the ZBA, including any supporters speaking in favor of your request. You may save any remaining time for rebuttal to the opposition.

- The opposition will also have 10 minutes to speak.
- The ZBA will discuss and render its decision. The ZBA may approve, approve with conditions, or deny the request. The ZBA may also defer the case to another regularly scheduled meeting.

### After the Zoning Board of Appeals Meeting

- Remove signage within 48 hours of the ZBA's decision.
- Staff will prepare an official action letter stating the ZBA's decision.
- Once in receipt of the action letter, you can proceed with obtaining any necessary permits.
- Please be aware that approval of a Special Exception does not equate to approval of a permit. During the permitting process, you may be asked for additional information to ensure your compliance with all applicable zoning, building, stormwater, and fire safety regulations.

### **Typical Sequence of Events**

Week (approx.)	Activity & Timeframe	
1	Filing: Before 4:00 pm on the first Tuesday of the month	
3-4	Public notice requirements completed by Staff	
4-6	Preparation of Staff memorandum	
7	Staff memorandum Posted	
8	Zoning Board of Appeals Meeting: 1 <sup>st</sup> Thursday of each month	
9	Action letter sent	

#### **Required Items**

#### Site Plan and Elevations

- Site Plan and elevations must be to scale.
  - o 'To scale' means the drawing is proportional to the real life element, i.e. one inch on paper represents 20 feet on the actual ground.
- The site plan needs to
  - o accurately show all property lines
  - o accurately represent the improvements that are proposed
  - o at the discretion of staff, include topography, the location of any trees, and/or any other information deemed necessary for thorough analysis of the Special Exception request
- The elevations, if necessary, must accurately represent the final product of what will be constructed.

### Legal Description/Survey

<sup>\*</sup>Failure to complete any of these events may result in an administrative hold, and the case will be rescheduled to a future filing cycle\*

A legal description is the written description of the property lines. A survey is a to-scale graphic representation of the existing conditions on the property. A legal description or survey can often be found in the closing documents from the purchase of the property or can be requested from a licensed surveyor.

#### Site Photos

The site photos should demonstrate the existing conditions of the lot, help illustrate any challenges specific to the property, and show the location of any proposed improvements.

#### **Letter of Intent**

The Zoning Board of Appeals (ZBA) utilizes a pre-determined set of criteria as a guide when deciding whether to approve or deny a Special Exception request. Any application for a Special Exception must be supported by written verification, a letter of intent, pursuant to those criteria, which are listed in the Zoning Ordinance.

Note: When granting a Special Exception, the Zoning Board of Appeals may impose requirements and conditions to protect adjacent properties and the public interest. If a Special Exception application is denied, an application may not be resubmitted for 24 months from the date of the denial.

Listed below are the criteria, taken directly from the zoning ordinance, which you must address in your Letter of Intent.

- Letter of Intent for Parking or Loading Reductions: Please describe your situation and how your special exception request is a result of one or more of the following situations:
  - 1. The character of the use of the building(s) is such as to make unnecessary the full provision of parking or loading spaces; or
  - 2. The lot upon which the building(s) is/are located is within one thousand (1,000) feet of the boundary of a MARTA Rapid Transit Station.
  - 3. The provision of the full number of parking spaces would have a deleterious effect on a historic building, site, district or archaeological resource.
  - 4. The proposed reduced parking ratios are not likely to cause adverse impacts on traffic circulation and safety or on the surrounding area.
- Letter of Intent for Other Authorized Special Exceptions: Please describe your situation and how your special exception request is a result of one or more of the following situations:
  - 1. The grant of the special exception will not be detrimental to the public health, safety or welfare of the public or injurious to the property or improvements;
  - The requested special exception 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; and
  - 3. The requested special exception is consistent with all relevant purpose and intent statements of this zoning ordinance.
  - 4. <u>Retaining walls only</u>: Determination that exceptional topographical restrictions exist on the lot in context with the

adjoining property that were not created by the applicant or owner, and a determination that no practical alternative retaining wall design is feasible.

## SPECIAL EXCEPTION APPLICATION



**Community Development** 

Project #: Date Received:	4800 Ashford Dunwoody Road   Dunwoody, GA 30338 ———— Phone: (678) 382-6800   Fax: (770) 396-4828
Type:	111611c. (676) 362 0666   1 ax. (776) 356 4626
Type of Request: ☐ Parking or Loading Reduct	tion 🗆 Retaining Wall Height 🛭 Other
Code section enabling Special Exception: ch	ap 27-147-3c
Nature of Request: requesting special	al exception to allow for 100 ft wide lots. we meet all r-100
requirements but the 2 lots next door h	ave more road frontage which drive lot width avaerga up
Project:	
Name of Project / Subdivision: 5383 tilly mill rd	Zoning: r-100
Property Address / Location:	
District: 18th Land Lot: 369	Block: 02 Property ID: 019
Owner Information:	
Owner's Name:tm5383 llc	
Owner's Address: 5383 tilly mill rd	
Phone:Fax:	Email:
Applicant Information: ☐ Check here if sa	ame as Property Owner
Contact Name: michael phelps southern	heritage home builders
Address: 390 brogdon rd suwanee ga 3	30024
Phone: 770 527 3030 Fax:	Email: mbphelps1988@yahoo.com
Terms & Conditions:	
understand that I am responsible for filing additional materials as	on form is correct and complete. If additional materials are determined to be necessary, I is specified by the City of Dunwoody Zoning Ordinance. I understand that failure to supply in Requirements of the Dunwoody Zoning Ordinance) will result in the rejection of this
Applicant's Name: michael phens	
Applicant's Signature:	110-10-23
Notary:	A MINISSION .
Sworn to and subscribed before me this	Day of Cotton To To 20
Notary Public: NOTE TO THE TOTAL PUBLIC TO THE	A STATE OF THE STA
Signature:	BLIC SOLE
My Commission Expires:	DD 8ER 09. 200
Office Use:	"INCOUNTY INTO
☐ Application Fee Paid ☐ Sign Fee Paid (\$135	x number of signs required) Fee: \$
Payment: ☐ Cash ☐ Check ☐ CC Date:	
☐ Approved ☐ Approved w/ Conditions ☐ De	nied Date:

## 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.

Signature: Date: 926-2023 Address: 5383 Tilly Mill Poad, Dy Noody, CA 30338 Phone: 178-438-770 Fax: Email: marking 3132 ggmail.com Sworn to and subscribed before me this 26 Day of September , 2023 Notary Public: Signature: Date: Address: Phone: Fax: Email: Signature: Date: Address: Property Owner (If Applicable):  Property Owner (If Applicable): Signature: Day of , 20 Notary Public: Date: Address: Property Owner (If Applicable): Signature: Date: Address: Property Owner (If Applicable): Signature: Date: Address: Property Owner (If Applicable): Signature: Date: Address: Phone: Fax: Email: Sworn to and subscribed before me this Day of , 20 Signature: Date: Address: Phone: Fax: Email: Sworn to and subscribed before me this Day of , 20 Signature: Day of	Property Owner (If Applicable):		
Address: 5383 Tilly Mill Road, Dy Notary Control of September (100 Notary Public:    Day of September (100 Notary Public:   Day of September (100 Notary Public:   Day of September (100 Notary Public:   Date:   Date:   Date:   Day of September (100 Notary Public:   Day of September (100 Notary Public:   Date:   Date:   Date:   Day of September (100 Notary Public:   Da		Date: <sup>4</sup>	9-26-2023
Phone:	Address: 5383 Tilly Mill Road.		
Notary Public:    Day of September   2023	Phone: 678-438-770/ Fax:	Email: Martino3	132@gmail.com
Notary Public:  Jenni Ling NOTARY PUBLIC Gwinnett County State of Georgia My Comm. Expires March 14, 2025  Property Owner (If Applicable):  Signature: Date: Address: Phone: Fax: Email: Sworn to and subscribed before me this Day of  Property Owner (If Applicable):  Signature: Date: Address: Phone: Email: Sworn to and subscribed before me this Day of  Property Owner (If Applicable):  Signature: Date: Address: Phone: Fax: Email: Sworn to and subscribed before me this Day of  Pay of  Pay  Day  Day  Day  Day  Day  Day  Day	Sworn to and subscribed before me this 26		
NOTARY PUBLIC Gwinnett County State of Georgia My Comm. Expires March 14, 2025  Property Owner (If Applicable):  Signature:	Notary Public:	<i>—</i> /	
Signature:		NOTARY PUBLIC Gwinnett County State of Georgia	25
Address:  Phone: Fax: Email:	Property Owner (If Applicable):		
Phone: Fax: Email:	Signature:	Date:	
Sworn to and subscribed before me this Day of	Address:		
Property Owner (If Applicable):  Signature:	Phone:Fax:	Email:	
Property Owner (If Applicable):  Signature: Date:  Address:  Phone: Fax: Email:  Sworn to and subscribed before me this Day of, 20	Sworn to and subscribed before me this	Day of	, 20
Signature: Date:	Notary Public:		
Address:  Phone: Fax: Email:  Sworn to and subscribed before me this Day of, 20	Property Owner (If Applicable):		
Phone:Email:  Sworn to and subscribed before me thisDay of, 20	Signature:	Date:	
Sworn to and subscribed before me thisDay of, 20	Address:		
	Phone:Fax:	Email:	
Notary Public:	Sworn to and subscribed before me this	Day of	, 20
	Notary Public:		



## VARIANCE APPLICATION

### **Community Development**

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

Project #:		Date Received:	_					
Type:								
	14				20 Claus El Chantau 27 7a	-in a		
					· 20-Signs □ Chapter 27-Zo	ning		
I .		ance is sought:						
Nature of Reque	st: Relief	from extra width	requiremen	t for corner ic	its			
Project:								
Name of Project	/ Subdivision	1:_ 	FA-10 - 18	Dist	Zoning:			
Property Addres			Y Mill Rd	. DUNWO	ody, 6A 30338			
District:_		Land Lot: _	Bl	ock:	Property ID:			
Owner Inform								
Owner's Name:	Souther	rn Heritage	Home Bu	ilders LL	<u>.C</u>			
		Broydon Rd.						
Phone: _ 770 - 5	27-3030	Fax:_		Email: mbpt	nelps 1988@yahoo.com	n		
-		neck here if same						
Contact Name:								
Address:								
Phone: _		Fax:_		Email:				
Terms & Cond	itions:							
understand that I am i all required informatio application.	esponsible for filir n (per the releva	ng additional materials as nt Applicant Checklists a	specified by the nd Requirements	City of Dunwoody 2 of the Dunwoody 2	iditional materials are determined to b coning Ordinance. I understand that fa Zoning Ordinance) will result in the re	Hure to supply		
Applicant's Nam	e: Micho	e Phelps ; So	uthernite	Houge Home	e Builders, LLC			
Applicant's Sign		Me In	ERIE	NE L	Date: 11113/23			
Notary:		J. S.	The Owner	(to D)				
Sworn to and su	bscribed befo	ore me this _	2 3 m	v of _ The C	mer , 20_73	)		
Notary Publice Out								
Signature: VI VI IN IN SIGNATURE SIG								
My Commission	My Commission Expires: _ 10 07 2005 4. COUNTY:							
Office Use:	•	el el land	11111	IIIIII				
	ee Paid 🗆 Sid	gn Fee Paid (\$135	x number o	f signs require	ed) Fee: <u>\$</u>			
Payment: ☐ Cas								
'		Conditions □ De	nied Date:	_				

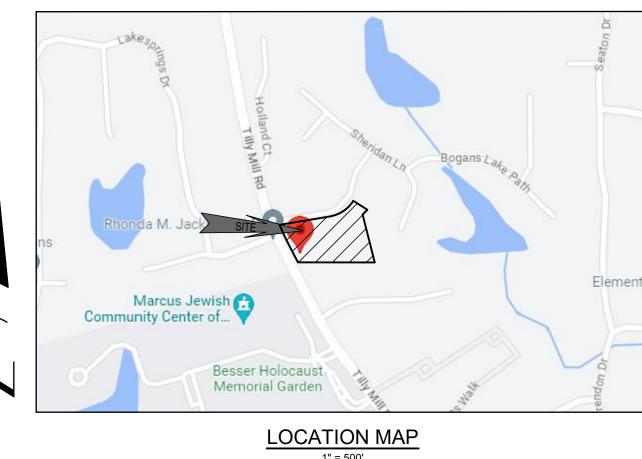
WB221207 10/06/2023

#### AS-SURVEYED LEGAL DESCRIPTION OF PROPERTY

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 369 OF THE 18TH DISTRICT, CITY OF DUNWOODY, DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN PLACED (1/2" REBAR W/CAP) AT THE RIGHT OF WAY INTERSECTION FORMED BY THE SOUTHEASTERLY RIGHT OF WAY OF RENFROE LAKE DRIVE (55' RIGHT OF WAY) AND THE NORTHEASTERLY RIGHT OF WAY OF TILLY MILL ROAD (PUBLIC 50' RIGHT OF WAY), THENCE PROCEED ALONG THE SAID SOUTHEASTERLY RIGHT OF WAY OF RENFROE LAKE DRIVE NORTH 80°37'22" EAST, A DISTANCE OF 264.76 FEET TO A POINT; THENCE CONTINUE ALONG THE SAID SOUTHEASTERLY RIGHT OF WAY OF RENFROE LAKE DRIVE 152.00 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 179.50 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 56°21'51" EAST, 147.50 FEET TO AN IRON PIN PLACED (1/2" REBAR W/CAP); THENCE DEPART THE SAID SOUTHEASTERLY RIGHT OF WAY OF RENFROE LAKE DRIVE AND PROCEED SOUTH 57°33'41" EAST FOR A DISTANCE OF 87.13 FEET TO AN IRON PIN PLACED (1/2" REBAR W/CAP); THENCE SOUTH 45°44'34" WEST FOR A DISTANCE OF 35.00 FEET TO AN IRON PIN PLACED (1/2" REBAR W/CAP): THENCE SOUTH 14°14'40" EAST FOR A DISTANCE OF 257.74 FEET TO AN IRON PIN PLACED (1/2"REBAR W/CAP); THENCE NORTH 89°56'42" WEST FOR A DISTANCE OF 400.07 FEET TO AN IRON PIN PLACED (1/2"REBAR W/CAP) ON THE EASTERLY RIGHT OF WAY OF TILLY MILL ROAD (50' RIGHT OF WAY); THENCE PROCEED ALONG THE NORTHEASTERLY RIGHT OF WAY OF TILLY MILL ROAD NORTH 27°25'27" WEST FOR A DISTANCE OF 106.69 FEET TO A POINT; THENCE CONTINUE ALONG THE SAID NORTHEASTERLY RIGHT OF WAY OF TILLY MILL ROAD 111.37 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 1220.16 FEET AND BEING SUBTENDED BY A CHORD OF NORTH 24°48'34" WEST, 111.33 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING 2.38304 ACRES, OR 103,805 SQUARE FEET.



### **GENERAL NOTES:**

- TOTAL PROPERTY AREA = 2,38 AC
- SURVEY INFORMATION SHOWN HEREON IS BASED ON A BOUNDARY & TOPOGRAPHIC SURVEY FOR
- SOUTHERN HERITAGE HOME BUILDERS, DATED 07/21/2023 BY WATTS & BROWNING ENGINEERS, INC.. THE TOPOGRAPHIC AND ELEVATION DATA SHOWN HEREON WAS PREPARED BY WATTS & BROWNING
- ENGINEERS, INC. WHICH IS RESPONSIBLE FOR SUCH DATA ENGINEER/DESIGNER:
- WATTS & BROWNING ENGINEERS, INC. OWNER/DEVELOPER:
- SUWANEE, GA 30024

- SHALL BE DONE UNTIL SILT BARRIER INSTALLATION AND DETENTION FACILITIES ARE CONSTRUCTED. ALL FILL AREAS MUST BE COMPACTED TO MINIMUM 95% STANDARD PROCTOR. A REPORT FROM A
- 11. THE SITE CONTRACTOR SHALL COORDINATE SERVICE ROUTING OF ALL GAS, TELEPHONE AND ELECTRICAL LINES WITH THE APPROPRIATE UTILITY COMPANY. ALL CONSTRUCTION MUST COMPLY

### **PROJECT NOTES**

- 1. SILT BARRIERS TO BE PLACED AS SHOWN AND/OR AS DIRECTED BY PROJECT ENGINEER AND/OR THE
- CITY OF DUNWOODY INSPECTOR. NOTIFY INSPECTOR 24 HOURS PRIOR TO CONSTRUCTION.
- THE INSPECTOR; AND ALL APPLICABLE BONDS REQUIRED PRIOR TO ACCEPTANCE OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.ALL CONSTRUCTION MUST CONFORM TO THE CITY OF DUNWOODY
- STANDARDS AND SPECIFICATIONS, WHETHER OR NOT REVIEW COMMENTS WERE MADE. 4. NO ARCHEOLOGICAL OR ARCHITECTURAL LANDMARKS. CEMETERIES OR OTHER HISTORIC FEATURES ARE KNOWN TO EXIST ON SITE.
- 5. BUILDERS SHALL BE HELD FULLY RESPONSIBLE FOR ON-SITE EROSION CONTROL ON THEIR OWN LOTS. THIS MEANS EFFECTIVE INSTALLATION AND MAINTENANCE OF HAY BALES, SILT SCREEN, BATTEN BOARDS, CONSTRUCTION ENTRANCE GRAVEL, ETC. IN ADDITION, BUILDERS WILL BE RESPONSIBLE FOR KEEPING THE STREETS OR STREETS ADJACENT TO THEIR LOTS CLEAR OF SILT.
- THIS PROJECT IS CURRENTLY SERVED BY DEKALB COUNTY GRAVITY SEWER. WATER SERVICE IS CURRENTLY PROVIDED BY DEKALB COUNTY.
- 8. SIGNING AND STRIPING TO BE PROVIDED BY THE DEVELOPER ACCORDING TO THE CITY OF
- DUNWOODY SPECIFICATIONS.
- 9. OFF-STREET PARKING SHALL BE PROVIDED AND MAINTAINED THROUGHOUT CONSTRUCTION.
- 10. THIS PROJECT'S RECEIVING WATER IS NANCY CREEK. 11. THERE ARE NO APPARENT EXISTING INERT WASTE BURY PITS ON SITE.
- 12. ALL ELECTRICAL SERVICES WILL BE LOCATED UNDERGROUND. 13. THERE ARE NO FORMERLY RECORDED SUBDIVISIONS CROSSING ANY OF THE LAND SHOWN ON THIS
- 14. THERE ARE NO WETLANDS WITHIN 200' OF THIS SITE.

## OWNER/DEVELOPER/PRIMARY PERMITTEE:

SOUTHERN HERITAGE HOME BUILDERS P.O. BOX 1682

PHONE: (770) 257-3030 24 HOUR CONTACT

SUWANEE, GA 30024

MICHAEL PHELPS PHONE: (770) 257-3030

## ENGINEER:

WATTS & BROWNING ENGINEERS, INC. 1349 OLD 41 HWY NW, SUITE 225 MARIETTA, GA 30060 PHONE: (678) 324-6192 FAX: (770) 694-6870 CONTACT: DARYL COOK

CERTIFICATE OF CONFORMITY:

THIS IS TO CERTIFY THAT NO LOTS PLATTED ARE NON-CONFORMING OR WILL RESULT IN ANY NON-CONFORMING LOTS.



PREPARED BY:

PRELIMINARY PLAT

5383 TILLY MILL ROAD

TRACT

LOCATED IN

LAND LOT 369~ 18TH DISTRICT

CITY OF DUNWOODY

DEKALB COUNTY, GEORGIA

TAX PARCEL ID: 18 369 02 019



WATTS & BROWNING ENGINEERS, INC. **CIVIL ENGINEERS & LAND SURVEYORS** 

Sheet List Table						
Sheet Number	Sheet Title					
PP-1	PRELIMINARY PLAT - COVER SHEET					
PP-2	EXISTING CONDITIONS & DEMOLITION PLAN					
PP-3	PRELIMINARY PLAT - SITE PLAN					

DEVELOPMENT DATA					
2.38 AC					
R-100					
4					
1.7 LOTS/AC					
15,000 SF					
100'					
35'					
10'					
40'					
35'					

	APPROXIMATE CONSTRUCTION ACTIVITY SCHEDULE											
TA OLC												
TASK	1	2	3	4	5	6	7	8	9	10	11	12
SILT FENCE, CONSTRUCTION EXIT & INITIAL BMPs												
CLEARING, GRUBBING & TREE PROTECTION AFTER INITIAL BMPs ARE INSTALLED												
GRADING	_											
SEWER & STORM												
GRASSING TEMPORARY												
MAINTENANCE OF S & E CONTROLS												
UTILITIES												

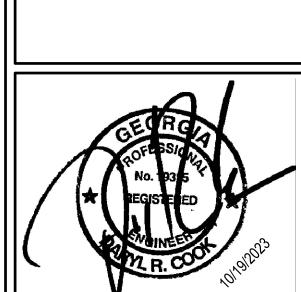
PROJECT IS ANTICIPATED TO START DECEMBER 2023 AND PERMANENT GROUND COVER IS TO BE COMPLETED FEBRUARY 2024. (NOTE: ALL DATES ARE APPROXIMATE AND MAY VARY FROM WHAT IS SHOWN ON THIS CHART.)



COUNTY FIRM MAP NUMBER 13089C0010K, DATED AUGUST 15, 2019 THE REFERENCED

ZONE X (UNSHADED): AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE

THE FLOOD LINE, IF SHOWN, IS APPROXIMATE AND THE ACTUAL LIMITS OF FLOOD LINE BASED ON PUBLISHED ELEVATIONS MAY EXTEND BEYOND THOSE SHOWN HEREON.



GSWCC LEVEL II CERTIFICATION NO. 31908 EXPIRES: 01/12/2025

NO.	DATE	BY	DESCRIPTION
1	07/31/2023	JJT	1st SUBMITTAL
2	10/13/2023	JJT	REVISE LOTS & ADD STORMWATER
			FACILITY
3	10/19/2023	JJT	REVISE DRIVEWAY LOCATIONS
4	11/17/2023	JJT	REVISE HOUSE BOX ON LOT 4
5	12/20/2023	JJT	REVISE LOTS & HOUSE PLACEMENT:
	l		



1349 OLD 41 HWY NW, SUITE #225 MARIETTA, GEORGIA 30060 PHONE: (678) 324-6192 FAX: (770) 694-6870 WWW.WBENGR.COM LSF000429 - PEF000714

SCALE:	N/A
DESIGNED BY:	ZK
DRAWN BY:	JJT
CHECKED BY:	DRC
INITIAL ISSUE DATE:	07/31/2023
JOB NUMBER:	221207

SHEET NUMBER:

### **DEMOLITION NOTES:**

- 1. CONTRACTOR SHALL CONDUCT DEMOLITION ACTIVITIES WITHOUT INTERFERING WITH
- VEHICLE AND PEDESTRIAN TRAFFIC IN ADJACENT AREAS. 2. CONTRACTOR SHALL PROTECT UTILITIES AND BENCHMARKS NOT SCHEDULED FOR DEMOLITION FROM DAMAGE AT NO ADDITIONAL COST TO OWNER. THE CONTRACTOR SHALL

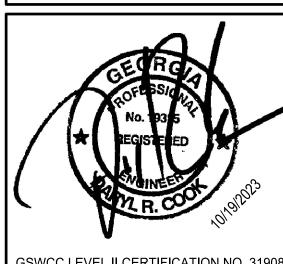
REPLACE OR REPAIR ITEMS DAMAGED BEYOND THE LIMITS OF THE DEMOLITION SHOWN.

DISCONNECT AND SEAL OFF ABANDONED UTILITIES TO BE REMOVED PRIOR TO THE START OF ANY DEMOLITION ACTIVITIES. UTILITIES SHALL BE DISCONNECTED BELOW EXISTING GRADE LEVEL, OR OUTSIDE OF CONTRACT LIMITS BY REPRESENTATIVES OF THE PUBLIC UTILITY BEING DISCONNECTED. MAINTAIN UTILITY SERVICE TO FACILITIES IN USE.

4. EXCEPT FOR ITEMS DESIGNATED TO BE REMOVED OR REUSED IN THE WORK, ALL MATERIALS RESULTING FROM THIS WORK SHALL BECOME THE PROPERTY OF THE CONTRACTOR, AND

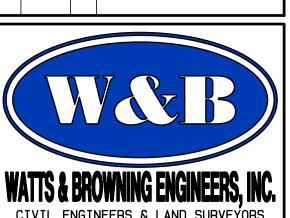
- SHALL BE PROMPTLY REMOVED FROM THE SITE. STORAGE OR SALE OF REMOVED MATERIALS WILL NOT BE PERMITTED ON PROJECT SITE.
- 5. REMOVE ALL DEBRIS, RUBBISH, AND WASTE MATERIALS FROM THE SITE. DO NOT STOCKPILE DEBRIS ON SITE.
- 6. ALL MATERIALS SHALL BE DISPOSED OF IN A LEGAL MANNER.
- 7. CONTRACTOR SHALL OBTAIN ANY PERMITS REQUIRED BY CITY OF DUNWOODY.

TIONO



GSWCC LEVEL II CERTIFICATION NO. 31908 EXPIRES: 01/12/2025

NO.	DATE	BY	DESCRIPTION
1	07/31/2023	JJT	1st SUBMITTAL
2	10/13/2023	JJT	REVISE LOTS & ADD STORMWATER
			FACILITY
3	10/19/2023	JJT	REVISE DRIVEWAY LOCATIONS
4	11/17/2023	JJT	REVISE HOUSE BOX ON LOT 4
5	12/20/2023	JJT	REVISE LOTS & HOUSE PLACEMENTS



CIVIL ENGINEERS & LAND SURVEYORS 1349 OLD 41 HWY NW, SUITE #225 MARIETTA, GEORGIA 30060 PHONE: (678) 324-6192 FAX: (770) 694-6870 WWW.WBENGR.COM

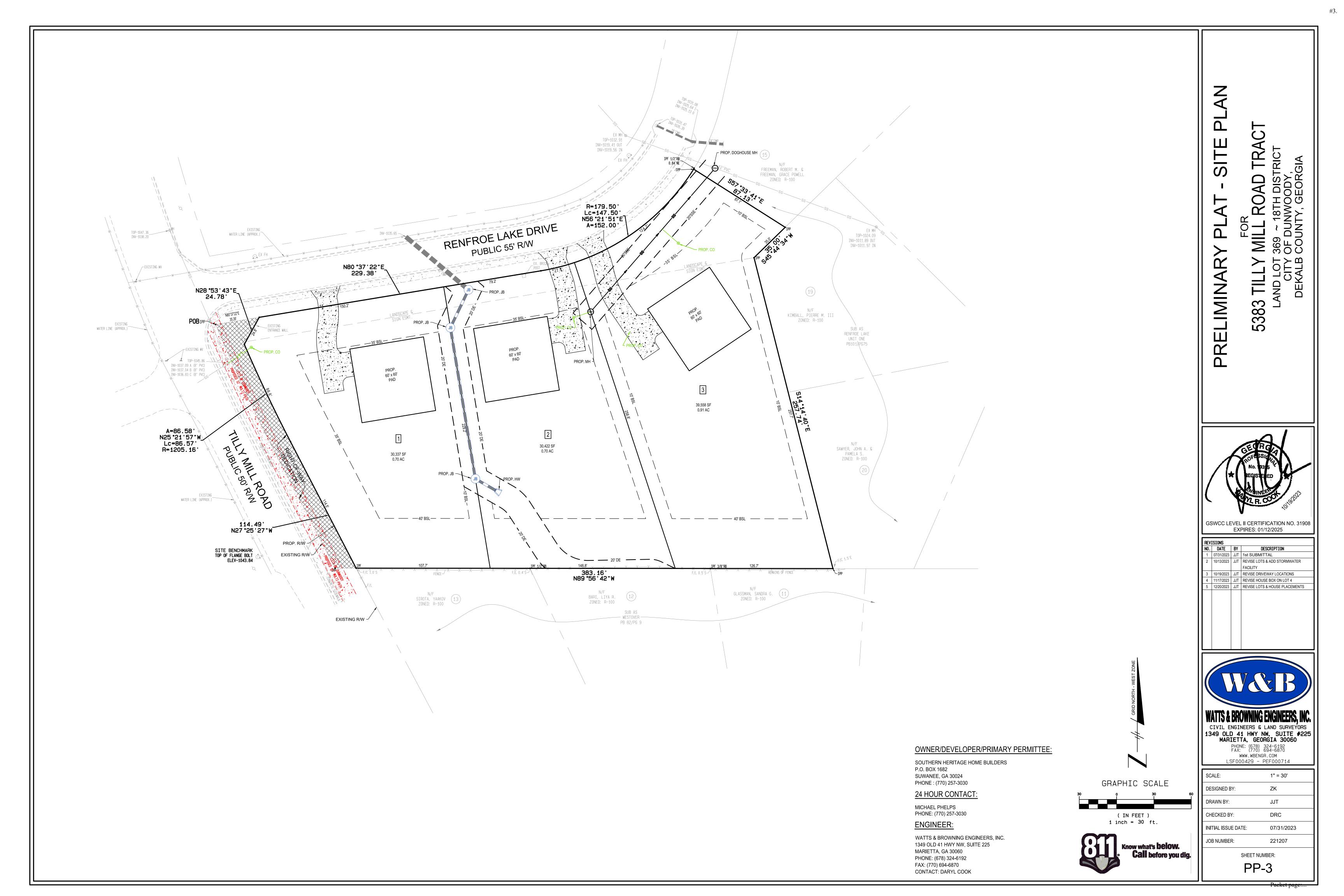
ı		
	SCALE:	1" = 30'
	DESIGNED BY:	ZK
	DRAWN BY:	JJT
	CHECKED BY:	DRC
	INITIAL ISSUE DATE:	07/31/2023
	JOB NUMBER:	221207

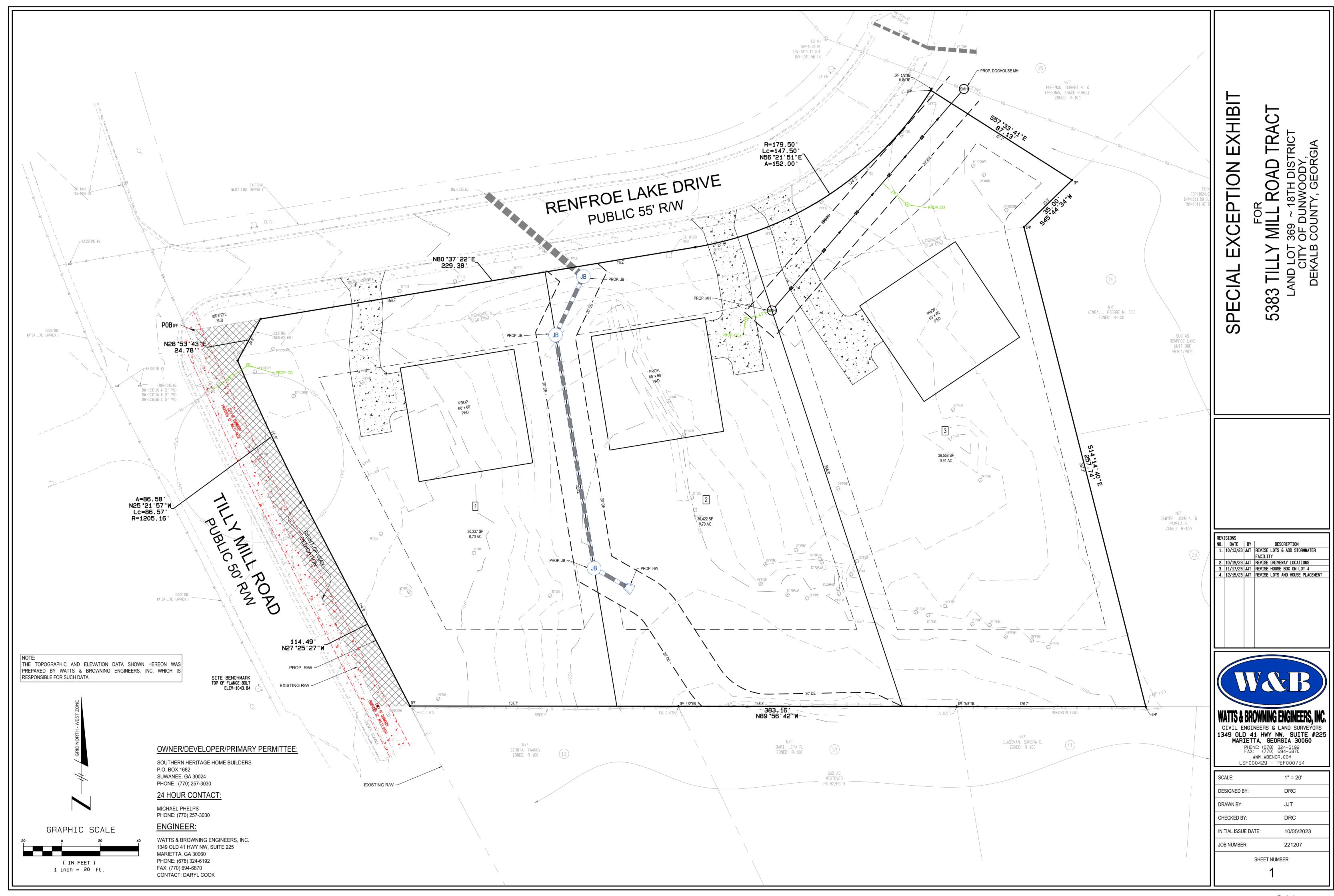
LSF000429 - PEF000714

SHEET NUMBER: PP-2

( IN FEET ) 1 inch = 30 ft.

GRAPHIC SCALE







Letter of intent

5383 tilly mil rd Dunwoody, ga

Southern heritage home builder is requesting a special exception to allow for 4 lots that meet r-100 requirements but due to neighbor 2 homes in Renfroe lakes subdivision. The total site is 2.3 acres sitting at the corner of tilly mill rd. and Renfroe lakes dr. We are planning to subdivide into 4 lots all with 100 ft of road frontage and al exceeding 22,000 s.f. in lot size. The new homes being built will be 4000 plus square ft with 3 car garages starting at 1.4 million dollars. The site plan currently meets all r-100 requirements and falls in line with Renfroe lakes subdivision lot size and home styles. We hope to start construction in the summer of 2024.

- With the city approving this site plan and layout there will be no adverse effects to neighboring
  properties or public health, safety, and welfare. We are asking to allow for same similarity of all
  surrounding homes in the area, as this is a residential neighborhood. We will meet or exceed all
  storm water requirements including installation of storm water pond at the rear of homes to
  take care of offsite runoff.
- 2. The lots do not go beyond the minimum necessary to afford relief. The overall size of each lot will be the same or great then those in Renfroe lakes subdivision and the road frontage we have meets 90 percent of all homes in Renfroe lakes, the 2 neighboring homes which have caused the need for this special exception are 140 ft wide, but the overall lots are smaller then what we are providing.
- 3. The requested special exception is consistent with the purpose and intent, because we meet all r-100 requirements to split this property into 4 lots, but we happen to be next to the only few homes in Renfroe lakes subdivision with wider road frontage because of the way the neighborhood was laid out. The quality and finish of our homes will be consistent with the neighboring homes and will help add more value to the entrance of the community, this is the best use of the current property.



Southern Heritage Home Builders, LLC., PO Box 1682, Suwanee, GA 30024, www.southernheritagehomesga.com

# THE HIGHWOOD

# LOT 1 (a) NEW BETHANY ROAD, BUFORD, GA 30518

## GENERAL NOTES :

- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE 2012 INTERNATIONAL RESIDENTIAL CODE, WITH STATE OF GEORGIA AMENDMENTS (2013), 2014 PRESCRIPTIVE DECK DETAILS DOCUMENT, AND IN ACCORDANCE WITH OTHER APPLICABLE CODES, REGULATIONS, AND ORDINANCES FOR THE CITY OF ATLANTA, FULTON COUNTY, GEORGIA
- THESE DOCUMENTS ARE THE PROPERTY OF THE DESIGNER AND SHALL NOT BE COPIED, DUPLICATED, ALTERED, MODIFIED OR REVISED IN ANY WAY WITHOUT THE EXPRESSED WRITTEN APPROVAL OF THE DESIGNER.
- CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE SITE AND ALL INCONSISTENCIES SHALL BE BROUGHT TO THE ATTENTION OF THE DEVELOPER AND THE DESIGNER BEFORE PROCEEDING WITH WORK.
- ANY ERRORS OR OMISSIONS FOUND IN THESE DRAWINGS SHALL BE BROUGHT TO DEVELOPERS AND DESIGNERS ATTENTION IMMEDIATELY.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS.
- ALL DIMENSIONS ARE TO FACE OF STUD OR TO FACE OF FRAMING UNLESS OTHERWISE NOTED.
- ALL TRUSS DRAWINGS TO BE REVIEWED AND APPROVED BY THE STRUCTURAL ENGINEER PRIOR TO ISSUANCE OF BUILDING PERMIT.
- ALL OR EQUAL SUBSTITUTIONS MUST BE SUBMITTED TO AND APPROVED BY CITY BUILDING OFFICIAL PRIOR TO
- ALL ANGLED PARTITIONS ARE 45 DEGREES UNLESS OTHERWISE NOTED.
- PROVIDE FIREBLOCKING. (PER IRC SECTION R602.8)
- ALL ELECTRICAL AND MECHANICAL EQUIPMENT AND METERS ARE SUBJECT TO RELOCATION DUE TO FIELD CONDITIONS, CONTRACTOR TO VERIFY,
- CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT SITE PRIOR TO CONSTRUCTION. IF THERE IS A CONFLICT WITH CONDITIONS AND/OR DIMENSIONS CONTRACTOR SHALL BRING TO THE ATTENTION OF THE OWNER FOR RESOLUTION PRIOR TO PROCEEDING WITH THE WORK. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ERRORS THAT ARE NOT REPORTED.
- TO THE BEST OF THE DESIGNER'S KNOWLEDGE THESE DOCUMENTS ARE IN CONFORMANCE WITH THE REQUIREMENTS OF THE BUILDING AUTHORITIES HAVING JURISDICTION OVER THIS TYPE OF CONSTRUCTION AND OCCUPANCY.
- WINDOW SUPPLIER TO VERIFY AT LEAST ONE WINDOW IN ALL BEDROOMS TO HAVE A CLEAR EGRESS OPENING OF 5.7 SQ FT WITH MIN. DIMENSION OF 24" IN HEIGHT AND 20" IN WIDTH: SILL HEIGHT NOT GREATER THAN 44" ABOVE FLOOR. (PER IRC SECTION R310.1.1)

## FRONT ELEVATION



## APPLICABLE CODES:

- INTERNATIONAL BUILDING CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)
- INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)
- INTERNATIONAL FIRE CODE, 2018 EDITION (NO GEORGIA AMENDMENTS)
- INTERNATIONAL PLUMBING CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)
- INTERNATIONAL MECHANICAL CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)
- INTERNATIONAL FUEL GAS CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)
- NATIONAL ELECTRICAL CODE, 2020 EDITION (NO GEORGIA AMENDMENTS)
- INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, WITH GEORGIA SUPPLEMENTS AND AMENDMENTS (2020)
- INTERNATIONAL SWIMMING POOL AND SPA CODE 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)
- FOR INFORMATION AND QUESTIONS REGARDING THE LIFE SAFETY CODE (NFPA 101) OR THE GEORGIA ACCESSIBILITY CODE PLEASE CONTACT THE STATE FIRE MARSHAL'S OFFICE.

AREA CALCULATION:

2,146 **3,949** 

226

5*,*Ø54

208

390 BROGDON RD., SUWANEE, GA. 30024

> AND APPROVAL BY A LICENSED ENGINEER AND OR ARCHITECT

Southern Heritage
• HOMES•

www.southernheritagehomesga.com

PHONE: 770-527 3030

SUB-DIVISION NEW BETHANY

## RELEASED FOR CONSTRUCTION

REVISED		

JOB NO.	NA	DRAWN	GC
DATE	8/30/2022	CHECKED	DB
SCALE:	AC NOTED	ADDOV/	DΒ

THE HIGHWOOD

JOB NO.	NA	DRAWN	GC
DATE	8/30/2022	CHECKED	DB
SCALE:	AS NOTED	APROV.	DB

**COVER SHEET** 

APROVED BY: DAVID BOWEN

SHEET NO.

CODE INFORMATION:

SINGLE FAMILY RESIDENCE

USE GROUP: APPLICABLE CODES: HEIGHT & AREA LIMITATION: EMERGENCY ESCAPE:

THE PROJECT MUST COMPLY WITH CITY AND STATE BUILDING CODE 2 STORY MAXIMUM HGT. 35 FT. EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS SHALL HAVE A MINIMUM OF 5.7 SQ. FT.

GARAGE/ HOUSE CEILING/ HOUSE ASSEMBLY:

LIVE LOAD: SLEEPING = 30 PSF NON-SLEEPING = 40 PSF DECKS = 40 PSF DEAD LOAD = 10 PSF BASIC WIND SPEED = 80 MPH STAIR LOAD = 40 PSF

1/2" GYPSUM BD. WALL & CEILING

W/ 20 MINUTE GARAGE/ HOUSE DOOR

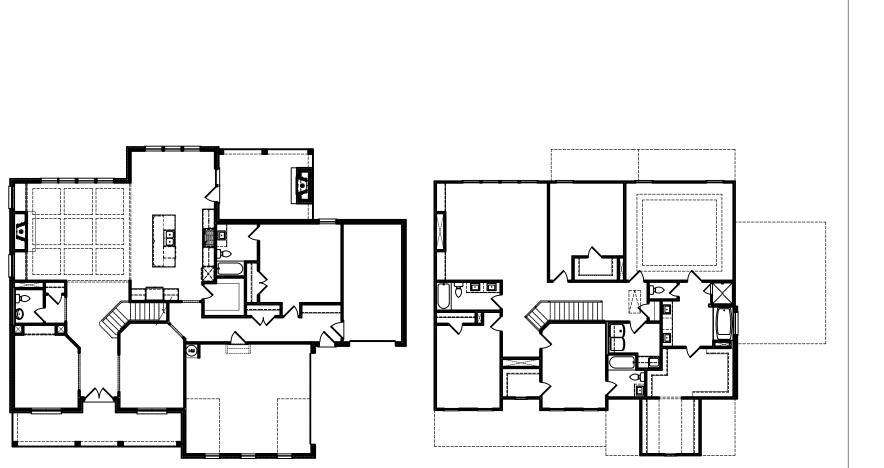
ROOF LIVE LOAD = 20 PSF LATERAL SOIL PRESSURE = 30 PCF (ASSUMED)

2398 SF. / 300 = 1.99 SF. FREE AREA REQ'D RIDGE VENT = 39 LF. X .085 FREE AREA/LF = 3.31 6F. PROVIDED DRAWING INDEX:

COVER SHEET FRONT ELEVATION SIDES & REAR ELEVATIONS SLAB PLAN MAIN FLOOR PLAN UPPER FLOOR PLAN ROOF PLAN ELECTRICAL PLAN INTERIOS DETAILS STAIR DETAILS

TYPICAL WALL SECTION

EXTERIOR DETAILS & GARAGE PORTAL



FOOTPRINT

69' x 54' MAIN LEVEL TOTAL HEATED 2 CAR GARAGE 3RD CAR GARAGE FRONT PORCH REAR COVERED PORCH TOTAL FRAMED

ATTIC VENTILATION: (EXAMPLE)

**DESIGN LOADS:** 

SOFFIT VENT = 54 LF. X .045 FREE AREA/LF = 2.43 SF. PROVIDED

SHEET: XX OF: XX





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SUB-DIVISION NEW BETHANY
LOT # 1

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THE HIGHWOOD

JOB NO.	NA	DRAWN <sub>_</sub>	GC	
DATE	8/30/2022	CHECKED	DB	
SCALE:	AS NOTED	APROV.	DB	

FRONT ELEVATION

APROVED BY : DAVID BOWEN

SHEET NO.
A1.1





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SUB-DIVISION NEW BETHANY

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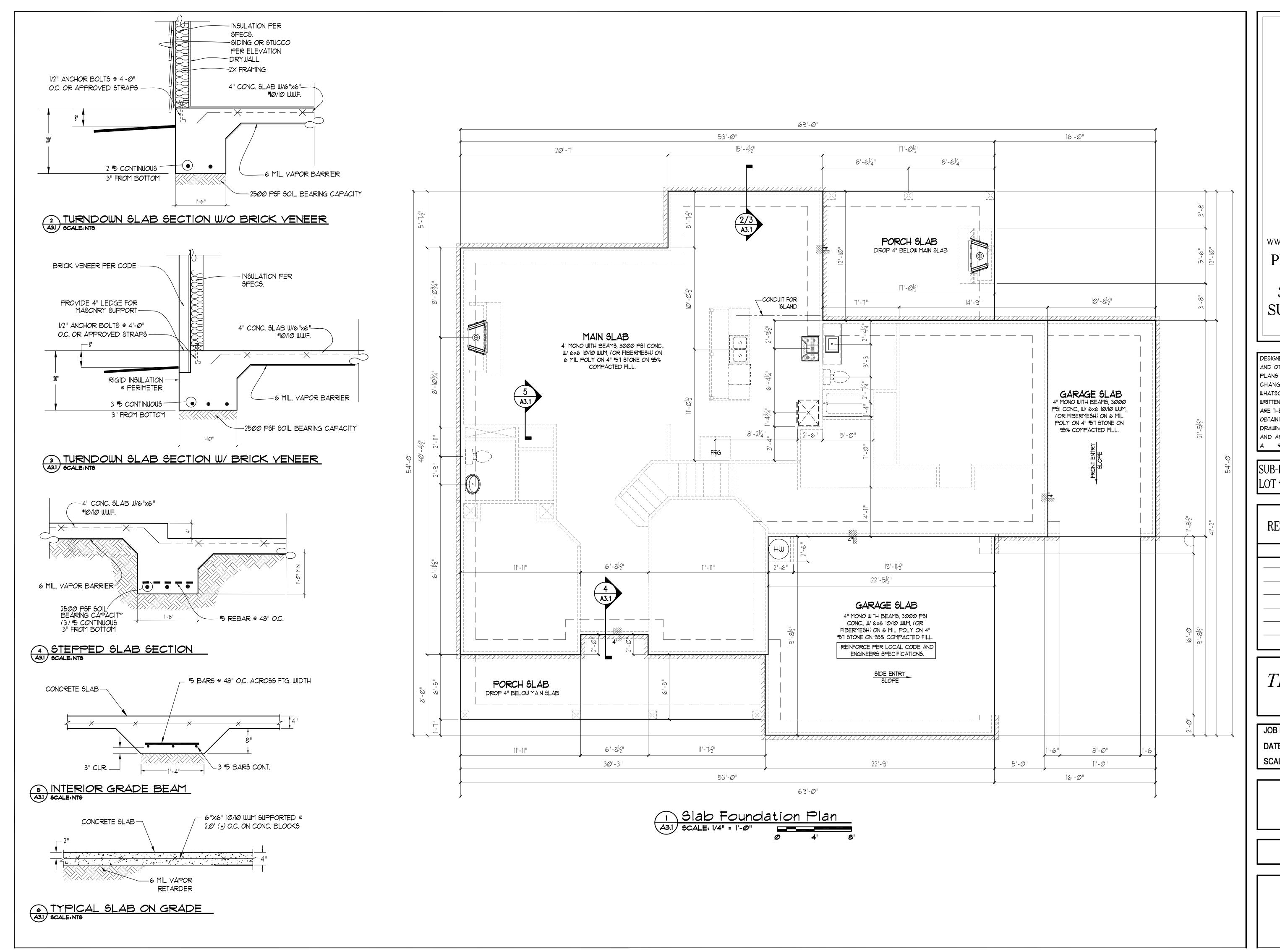
THE HIGHWOOD

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DATE	8/30/2022	CHECKED	DB	
SCALE:	AS NOTED	APROV.	DB	

SIDE & REAR ELEVATIONS

APROVED BY : DAVID BOWEN

SHEET NO.





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DRAWING CONTENTS SUBJECT TO ALL APPLICABLE CODES, AND APPROVAL BY A LICENSED ENGINEER AND OR ARCHITECT

SUB-DIVISION NEW BETHANY

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## THE HIGHWOOD

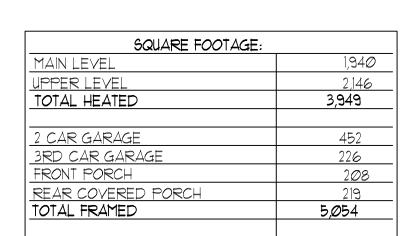
JOB NO.	NA	DRAWN	GC
DATE	8/30/2022	CHECKED	DB
SCALE:	AS NOTED	APROV.	DB

SLAB FOUNDATION PLAN

APROVED BY: DAVID BOWEN

SHEET NO.

SHEET: XX OF: XX



# KEY NOTES: 2018 IRC WITH GEORGIA AMENDMENTS (2020)

## FIRE PROTECTION:

- HOUSE TO GARAGE FIRE SEPARATION. GARAGE/HOUSE SEPARATION AT VERTICAL SURFACES
   SHALL BE PROTECTED WITH ONE (1) LAYER 1/2" GYPSUM BOARD. (PER IRC SECTION R3026)
- GARAGE/HOUSE SEPARATION AT HORIZONTAL SURFACES SHALL BE PROTECTED WITH ONE (1) LAYER 5/8" TYPE 'X' GYPSUM BOARD. (PER IRC SECTION R3026)
- HOUSE TO GARAGE DOOR SEPARATION. PROVIDE 1-3/8" SOLID CORE DOOR OR APPROVED 20 MINUTE RATED DOOR. (PER IRC SECTION R3/02.5.1)
- BENEATH STAIRS AND LANDINGS. 1/2" GYPSUM BOARD ON WALLS AND CEILING OF ENCLOSED ACCESSIBLE AREAS. (PER IRC SECTION R302.1)

  BENEATH STAIRS AND LANDINGS. 1/2" GYPSUM BOARD ON WALLS AND CEILING OF ENCLOSED ACCESSIBLE AREAS. (PER IRC SECTION R302.1)

SMOKE & CARBON MONOXIDE DETECTORS TO BE HARD WIRE TO MAIN ELECTRICAL PANEL PER CODE

- GAS WATER HEATER ON 18" HIGH PLATFORM. (PER IRC SECTION P2801.6)
- FAU 8'X8' PLATFORM. VERIFY WITH TRUSS MANUFACTURER. (6'-6" MIN. CLEAR HEIGHT TO HORIZONTAL MEMBERS, 2"X6" OVER 2"X4" BOTTOM CHORD. OF TRUSS, VERIFY W/ TRUSSES.) A/C CONDENSER PAD. (VERIFY)
- PRE-FABRICATED METAL FIREPLACE. INSTALL PER MANUFACTURER'S WRITTEN INSTRUCTIONS.
- ATTIC ACCESS LARGE ENOUGH TO REMOVE LARGEST PIECE OF EQUIPMENT BUT NOT LESS THAN 30"X22". FIRE RATED ACCESS AS NOTED. (PER IRC SECTION MI305.1.3) ATTIC ACCESS LADDER, VERIFY LOCATION AND SIZE WITH TRUSSES. (25 1/2" X 54" SIZE.)

## CEILING HEIGHTS:

MAIN LEVEL: 10' - 1"

UPPER LEVEL: 9' - 1"

\* ALL CEILING HEIGHTS STATED ABOVE UNLESS OTHERWISE NOTED

WINDOW HEAD HEIGHTS:

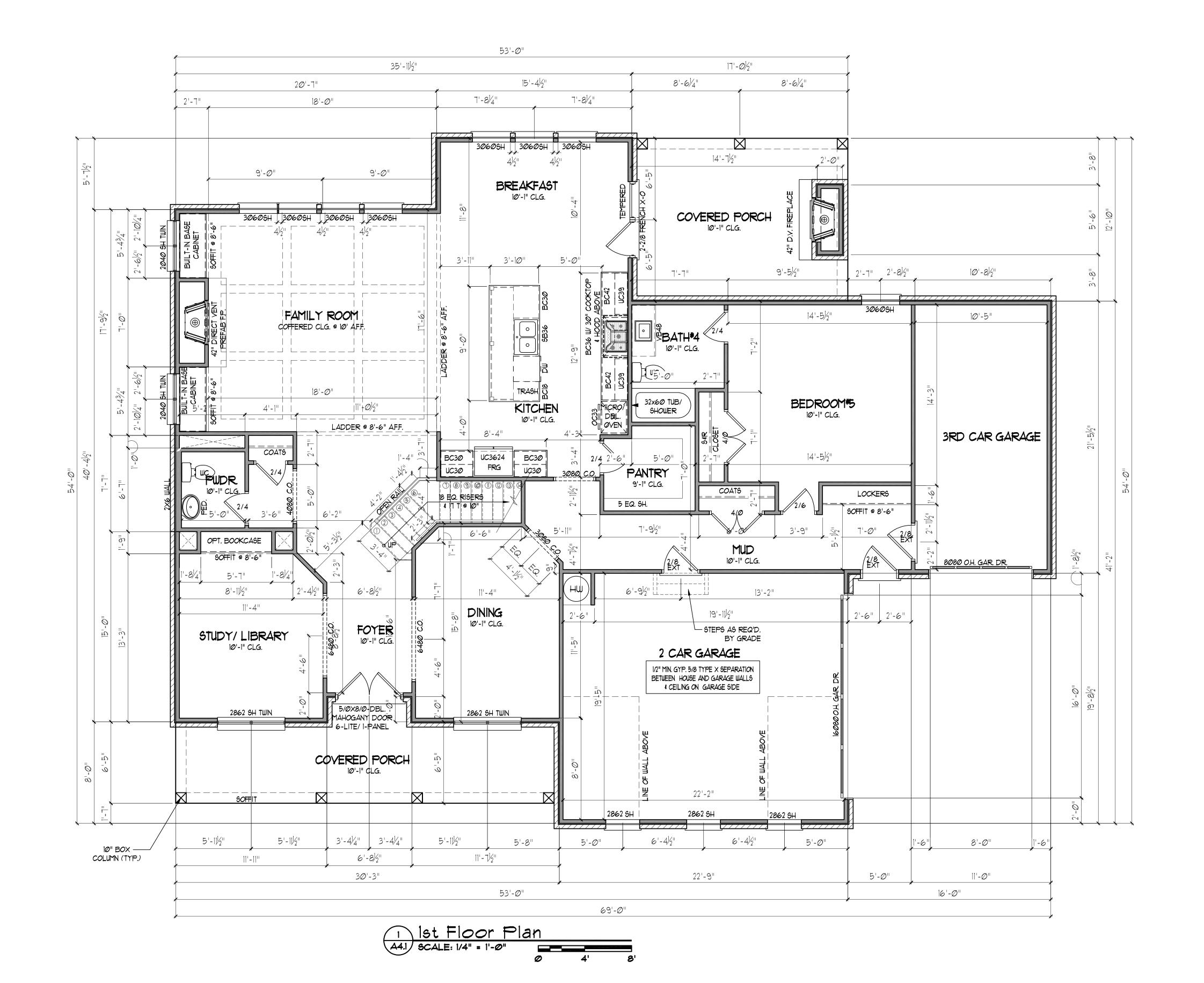
1ST FLOOR = 8'-0" UN.O. ON ELEVATIONS. 2ND FLOOR = 1'-4" U.N.O. ON ELEVATIONS.

DOOR & OPENING HEIGHTS:

1ST FLOOR = 8'-0" 2ND FLOOR = 6'-8"

STAIR NOTES:

(USE 16" TJI WITH 3/4" PLYWOOD SUBFLOOR)
17 TREADS AT 10" EACH VERIFY
18 RISERS AT +/- 7.65"





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LOT #	1

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## THE HIGHWOOD

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SCALE:	AS NOTED	APROV.	DB

MAIN FLOOR PLAN

APROVED BY : DAVID BOWEN

SHEET NO.

A4.1

SQUARE FOOTAGE:	
MAIN LEVEL	1,940
UPPER LEVEL	2,146
TOTAL HEATED	3,949
2 CAR GARAGE	452
3RD CAR GARAGE	226
FRONT PORCH	208
REAR COVERED PORCH	219
TOTAL FRAMED	5,054

# KEY NOTES: 2018 IRC WITH GEORGIA AMENDMENTS (2020)

## FIRE PROTECTION:

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## CEILING HEIGHTS:

MAIN LEVEL: 10' - 1"

UPPER LEVEL: 9' - 1"

\* ALL CEILING HEIGHTS STATED ABOVE UNLESS OTHERWISE NOTED

WINDOW HEAD HEIGHTS:

1ST FLOOR = 8'-0" UN.O. ON ELEVATIONS. 2ND FLOOR = 1'-4" U.N.O. ON ELEVATIONS.

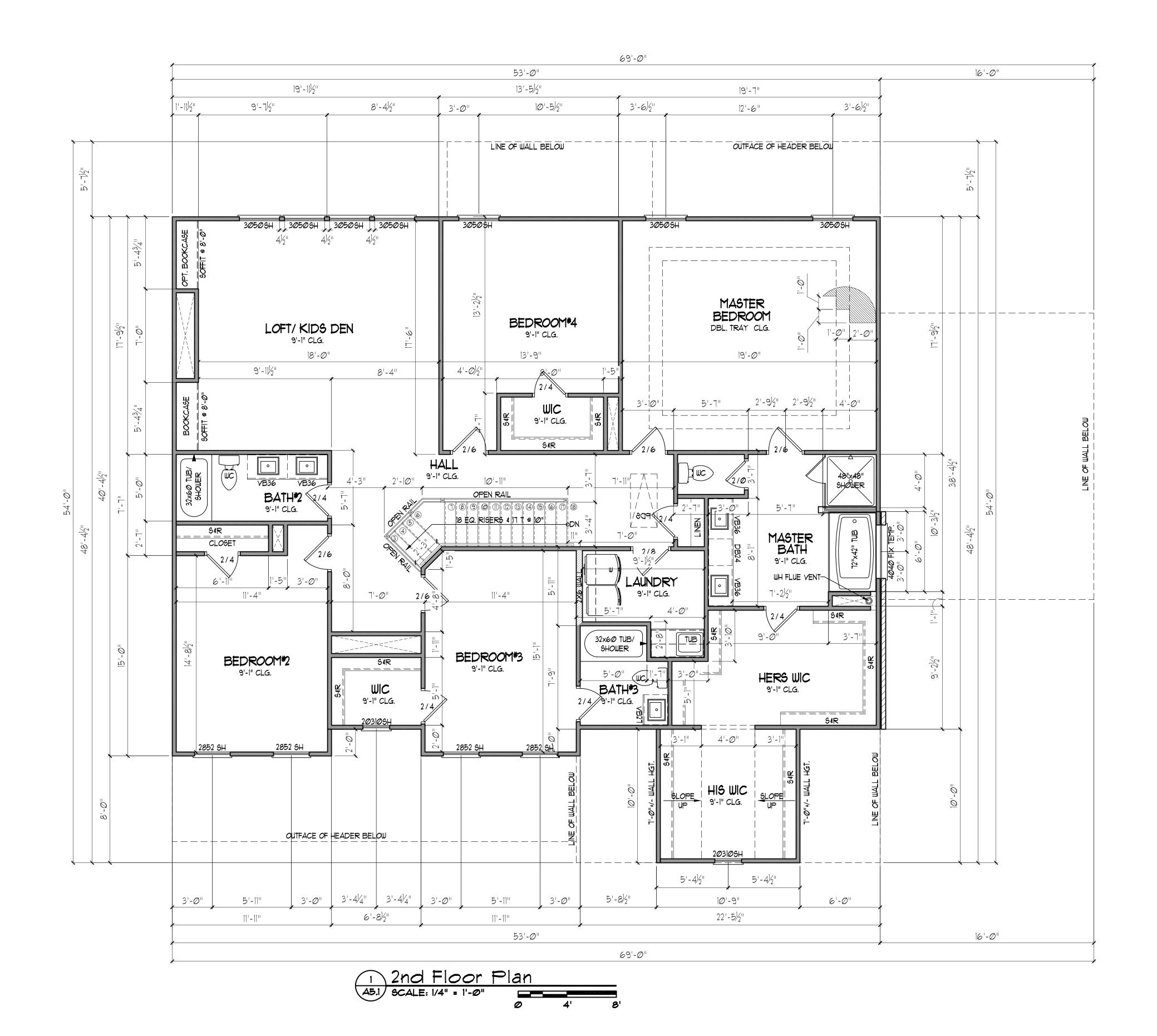
DOOR & OPENING HEIGHTS:

1ST FLOOR = 8'-0" 2ND FLOOR = 6'-8"

STAIR NOTES:

18 RISERS AT +/- 7.65"

(USE 16" TJI WITH 3/4" PLYWOOD SUBFLOOR)
17 TREADS AT 10" EACH VERIFY





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SUB-DIVISION	NEW BETHANY
LOT #	1

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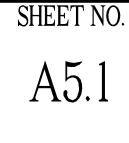
## THE HIGHWOOD

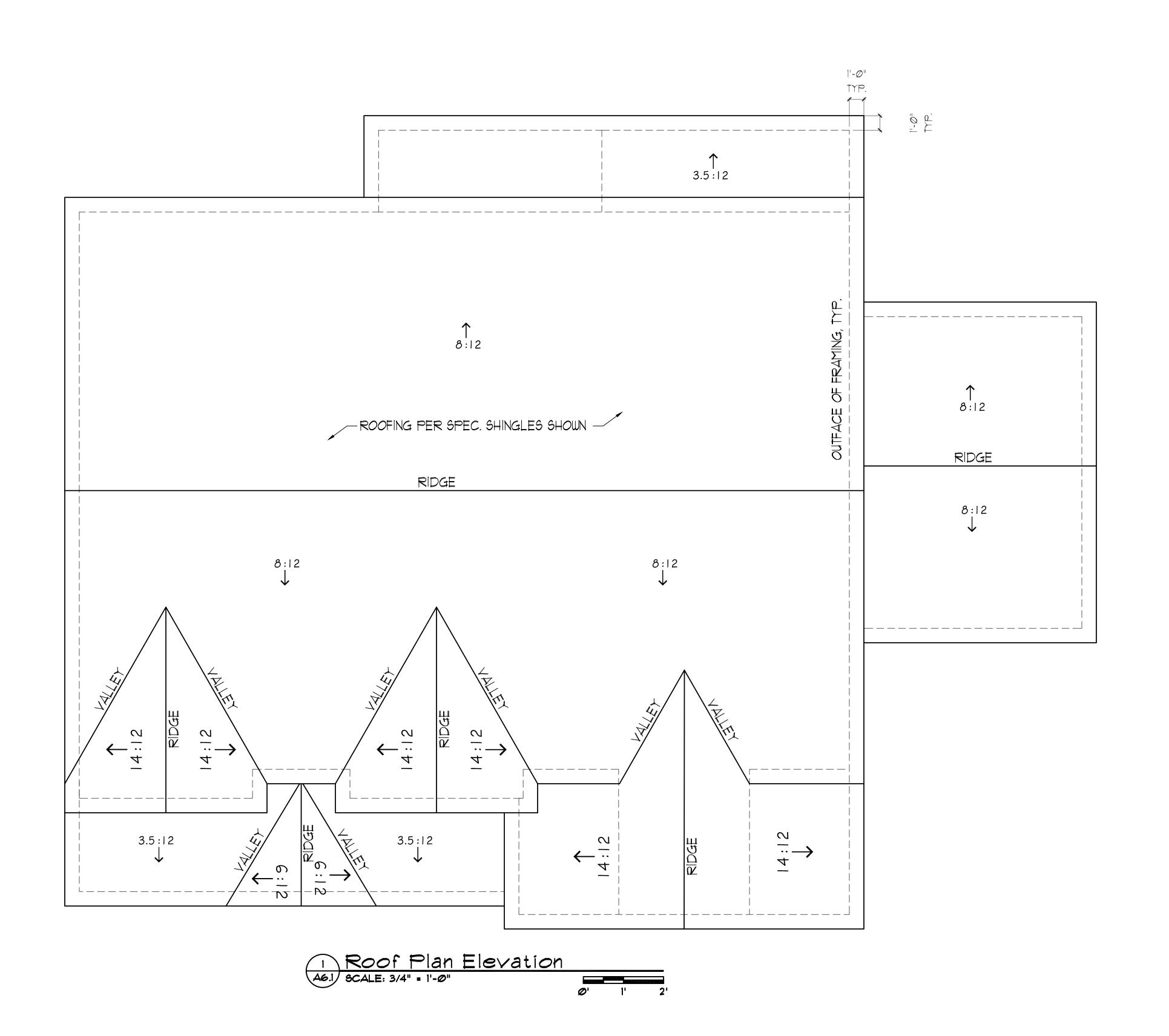
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DATE	8/30/2022	CHECKED	DB	
SCALE:	AS NOTED	APROV.	DB	

UPPER LEVEL FLOOR PLAN

APROVED BY : DAVID BOWEN

DATE







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SUB-DIVISION NEW BETHANY
LOT # 1

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REVISED			

THE HIGHWOOD

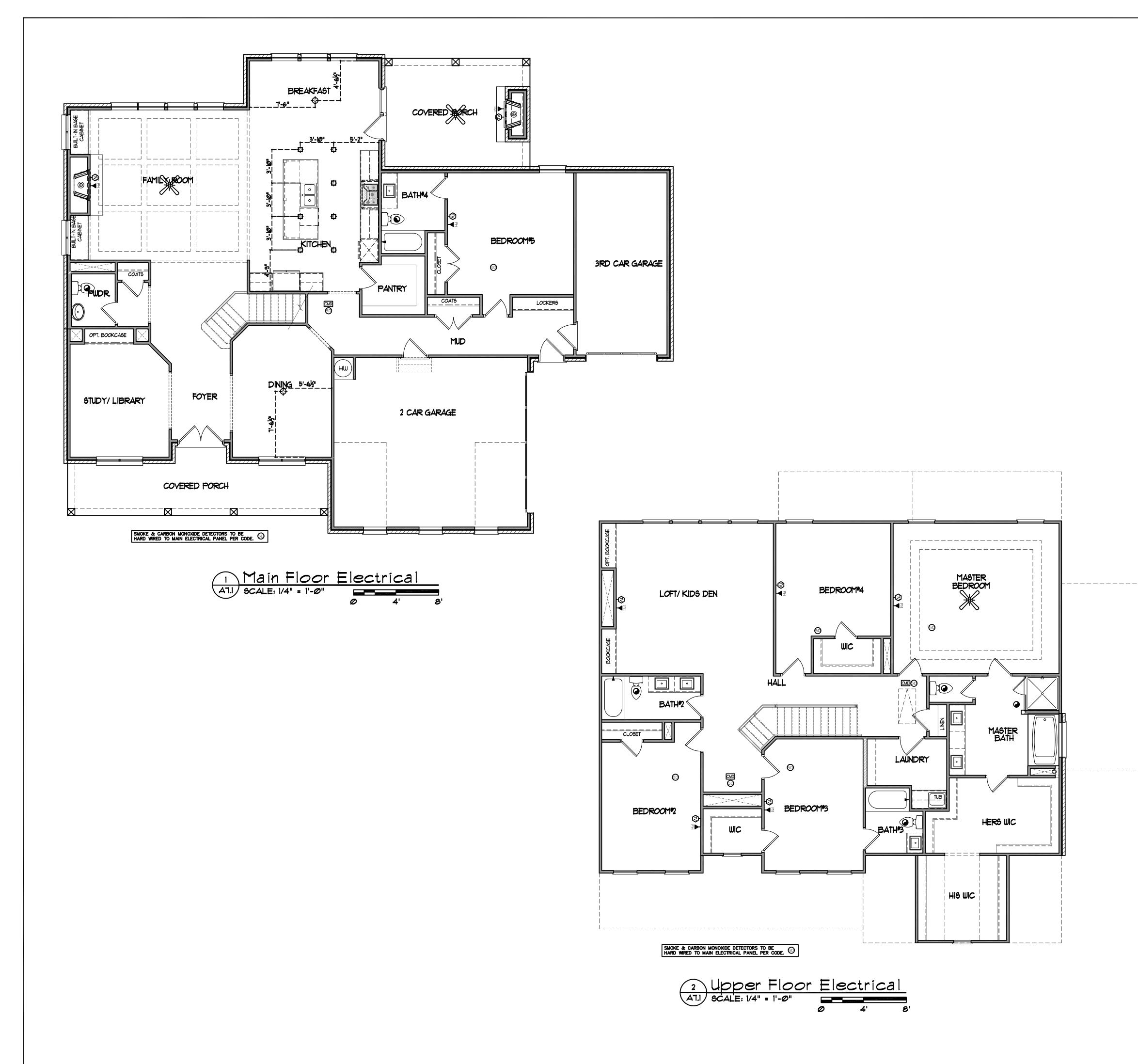
JOB NO.	NA	DRAWN _	<u>GC</u>	
DATE	8/30/2022	CHECKED	DB	
SCALE:	AS NOTED	APROV.	DB	

ROOF PLAN

APROVED BY : DAVID BOWEN
DATE

SHEET NO.

A6.1



ELECTRICAL LEGEND Recessed Can Light Eyeball Light Wall Mounted Light Electrical Panel Electrical Meter Wall Sconce Fluorescent Light w/1 Disconnect Switch Fluorescent Light w/2 Bulbs 3—Way Switch Vapor Protected Light 4-Way Switch Exhaust Fan Exhaust Fan w/Light Dimmer Switch Exhaust Fan w/Heat Smoke Detector Carbon Monoxide Detector Quadplex Outlet Switched Duplex Outlet 1 Thermostat Floor Outlet Direct Wire Phone Jack **GFI** Outlet Water Proof GFI Outlet Media Jack ₹V Cable TV Outlet CH Door Chimes SP Security Panel Hanging Ceiling Mounted Light  $\Rightarrow$ Flood Light Ceiling Fan w/Light 



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SUB-DIVISION <u>NEW BETHANY</u> LOT # 1

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THE HIGHWOOD

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SCALE:	AS NOTED	APROV.	DB

ELECTRICAL PLANS

APROVED BY : DAVID BOWEN

SHEET NO.
A7.1

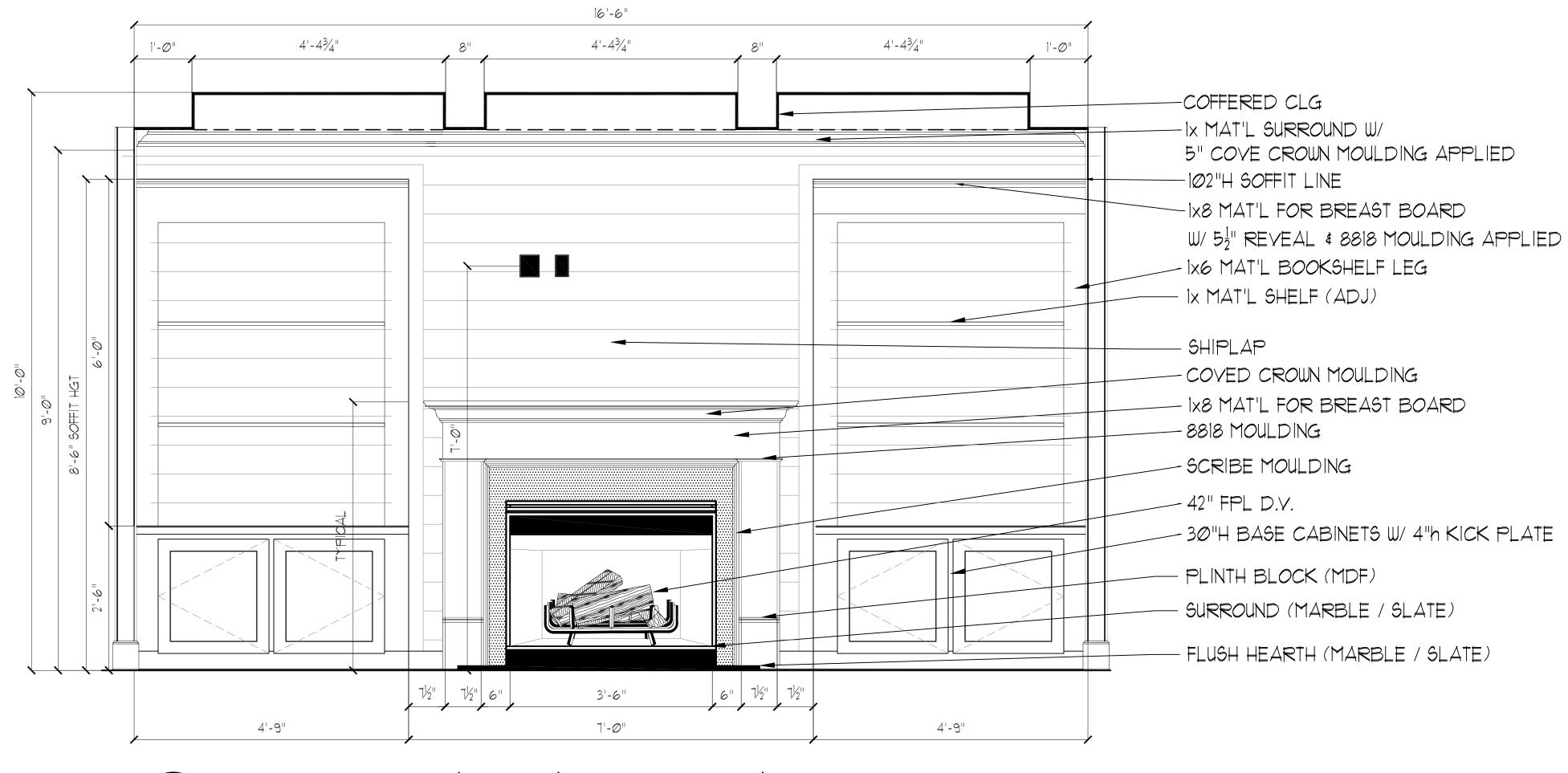
Packet page:

## NOTES: 2012 IRC

RIOOI.II Fireplace clearance. All wood beams, joists, studs and other combustible material shall have a clearance of not less than 2 inches (5) mm) from the front faces and sides of masonry fireplaces and not less than 4 inches (102 mm) from the back faces of masonry fireplaces. The air space shall not be filled, except to provide fire blocking in accordance with Section R1001.12.

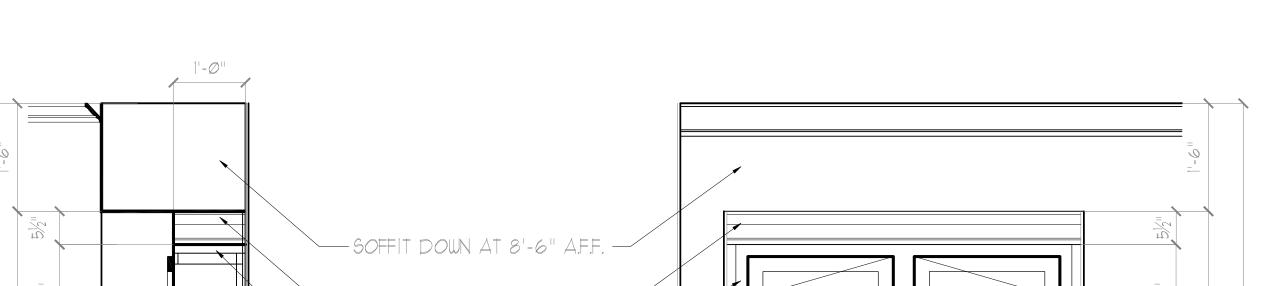
### Exceptions:

- l. Masonry fireplaces listed and labeled for use in contact with combustibles in accordance with UL 127 and installed in accordance with the manufacturers installation instructions are permitted to have combustible material in contact with their exterior surfaces.
- 2. When masonry fireplaces are part of masonry or concrete walls, combustible materials shall not be in contact with the masonry or concrete walls less than 12 inches (305 mm) from the inside surface of the nearest firebox lining.
- 3. Exposed combustible trim and the edges of sheathing materials such as wood siding, flooring and drywall shall be permitted to abut the masonry fireplace side walls and hearth extension in accordance with Figure RI001.11, provided such combustible trim or sheathing is a minimum of 12 inches (305 mm) from the inside surface of the nearest firebox
- 4. Exposed combustible mantels or trim may be placed directly on the masonry fireplace front surrounding the fireplace opening providing such combustible materials are not placed within 6 inches (152 mm) of a fireplace opening. Combustible material within 12 inches (306 mm) of the fireplace opening shall not project more than 1/8 inch (3 mm) for each 1-inch (25 mm) distance from such an opening.



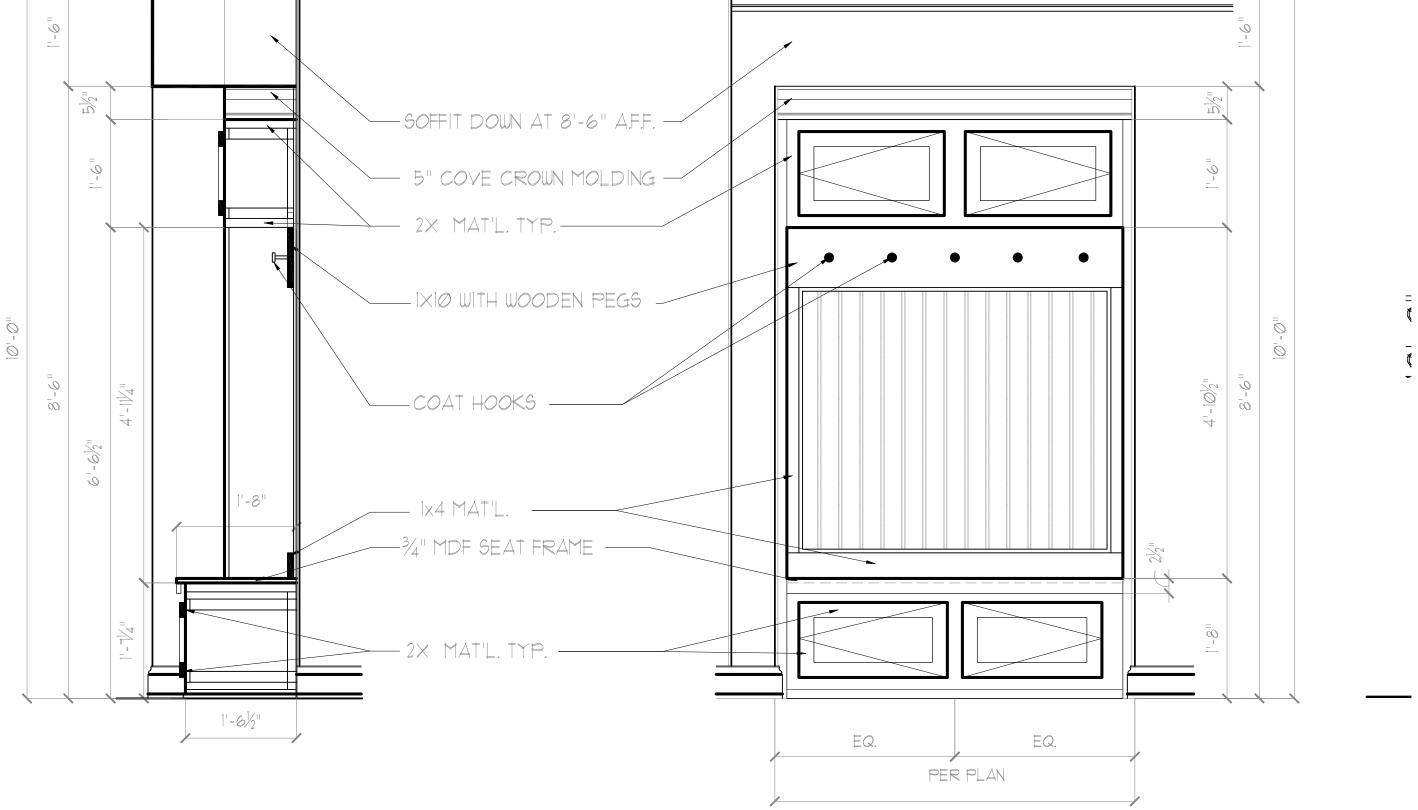
# Great Room Fireplace Detail A8.1 SCALE: 3/4" = 1'-0"

SECTION



## NOTES: 2012 IRC

- No wood or combustible trim can be installed within 6 inches of the fireplace
- Any wood or combustible trim installed within 12 inches of the fireplace opening shall not project out more than 1/8-inch for each 1-inch distance from the fireplace opening.
- Any wood or combustible material can be installed, at any depth, once past this
   12 inch distance from the opening.



FRONT VIEW

2 Built-in Lockers Detail A8.1 SCALE: 3/4" = 1'-0"



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SUB-DIVISION	NEW BETHANY
LOT #	1

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REVISED		

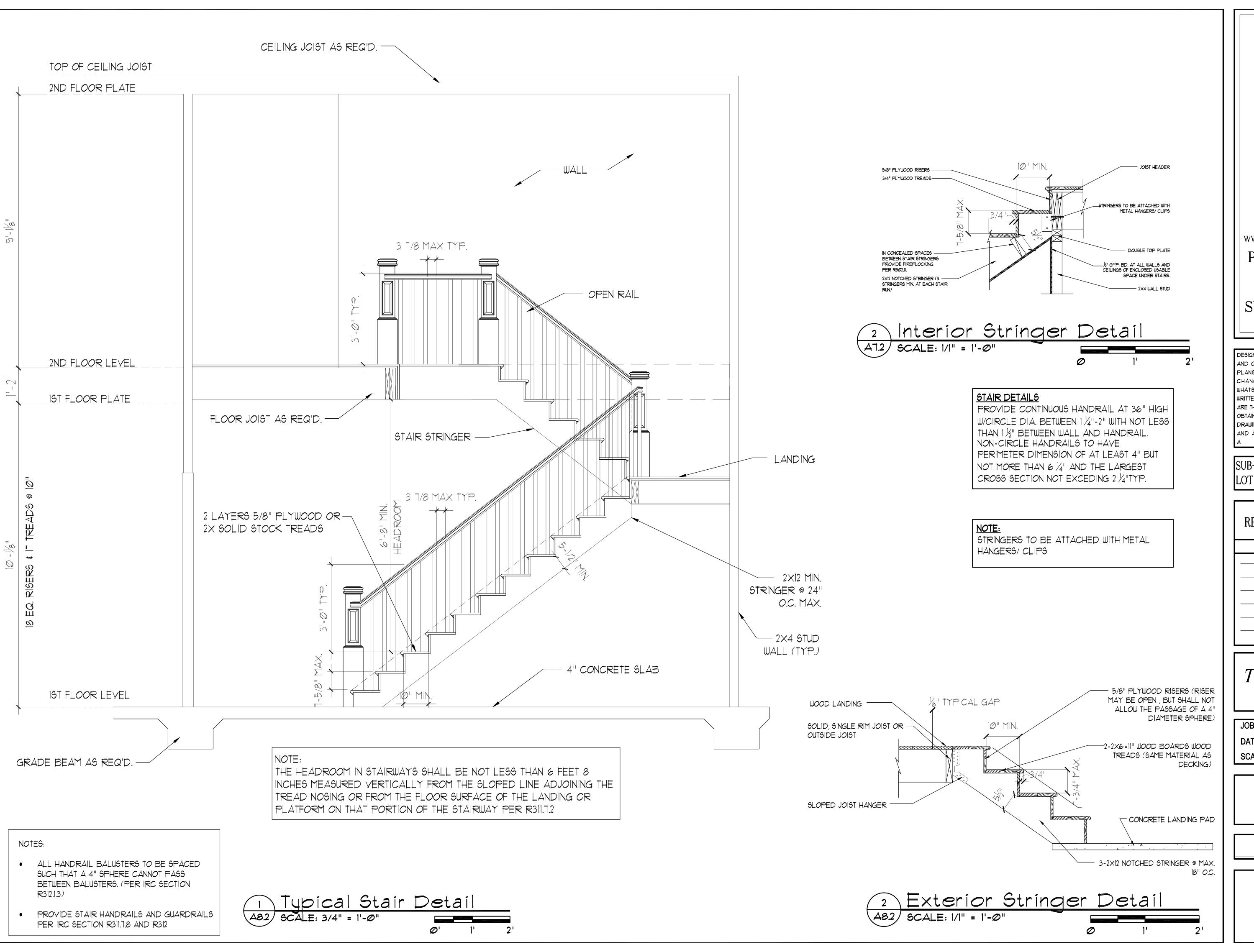
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DATE	8/30/2022	CHECKED	DB
SCALE:	AS NOTED	APROV.	DB

INTERIOR DETAILS

APROVED BY: DAVID BOWEN

SHEET NO. A8.1

SHEET: XX OF: XX





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SUB-DIVISION <u>NEW BETHANY</u> LOT # 1

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REVISED				

## THE HIGHWOOD

JOB NO.	NA	DRAWN	GC
DATE	8/30/2022	CHECKED	DB
SCALE:	AS NOTED	APROV.	DB

STAIRS DETAILS

APROVED BY : DAVID BOWEN

SHEET NO.
A8.2

# The Willmont



FRONT ELEVATION A

FRONT ELEVATION B

## BUILDING CODE ANALYSIS

<u>USE GROUP:</u> CONSTRUCTION CLASS: HEIGHT & AREA LIMITATION: EMERGENCY ESCAPE:

UNPROTECTED 2 STORY MAXIMUM HGT. 35 FT.

SINGLE FAMILY DWELLING

EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS SHALL HAVE A MINIMUM OF 5.7 SQ. FT.

GARAGE/ HOUSE CEILING/ 1/2" GYPSUM BD. WALL & CEILING HOUSE ASSEMBLY: W/ 20 MINUTE GARAGE/ HOUSE DOOR

DESIGN LOADS:

LIVE LOAD: SLEEPING = 30 PSF NON-SLEEPING = 40 PSF DECKS = 40 PSF

DEAD LOAD = 10 PSF BASIC WIND SPEED = 80 MPH STAIR LOAD = 40 PSF ROOF LIVE LOAD = 20 PSF

LATERAL SOIL PRESSURE = 30 PCF (ASSUMED) ATTIC VENTILATION:

(EXAMPLE)

NOTE:

2398 SF. / 300 = 7.99 SF. FREE AREA REQ'D

RIDGE VENT = 39 LF. X .085 FREE AREA/LF = 3.31 SF. PROVIDED SOFFIT VENT = 54 LF. X .045 FREE AREA/LF = 2.43 SF. PROVIDED

\*PRIOR TO CONSTRUCTION. VERIFY ALL APPLICABLE BUILDING CODES WITH STATE AND LOCAL JURISDICTION

## DRAWING INDEX

UPPER FLOOR PLANS

CO.O COVER SHEET

FRONT ELEVATIONS

A2.1 SIDE ELEVATIONS REAR ELEVATION

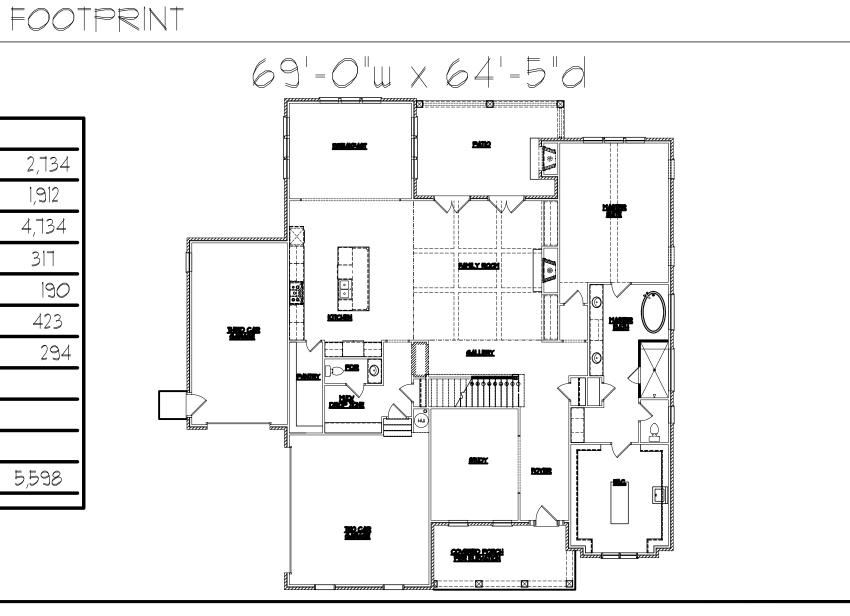
BASEMENT PLANS

MAIN FLOOR PLANS

ELECTRICAL FLOOR PLANS

A7.1 ROOF PLANS

MAIN LEVEL	2,
UPPER LEVEL	1,5
TOTAL HEATED	4,
2 CAR GARAGE	3
COVERED FRONT PORCH	
CARRIAGE GARAGE	4
COVERED REAR PORCH	,





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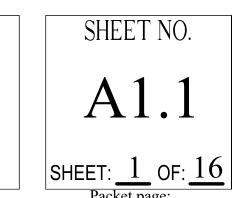
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LOT #

	ISSUED FOR:
	REVISED
1.	6/2/22
2.	8/17/22
3.	8/22/22

JOB NO.		DRAWN	TC
DATE	1-20-2020	CHECKED	TC
SCALE:	AS NOTED	APROV.	

PLAN NAME:

The WILLMONT





+/- 1,252 TOTAL S.F. +/- 28% ACCENT AREA



+/-860 S.F. BRICK/ +/- 299 S.F. SIDING/SHAKE +/- 1,159 TOTAL S.F. +/- 26% ACCENT AREA



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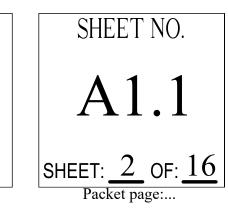
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2.	8/17/22
3.	8/22/22

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DATE	1-20-2020	CHECKED	TC	
SCALE:	AS NOTED	APROV.		

PLAN NAME:

The WILLMONT FRONT ELEVATIONS







SOUTHERN HERITAGE

- H O M E S

- H O M E S

- H O M E S

- Source Service Ser

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ISSUED FOR:

REVISED

6/2/22

8/17/22

8/22/22

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	DATE	1-20-2020	CHECKED	TC
	SCALE:	AS NOTED	APROV.	

PLAN NAME:

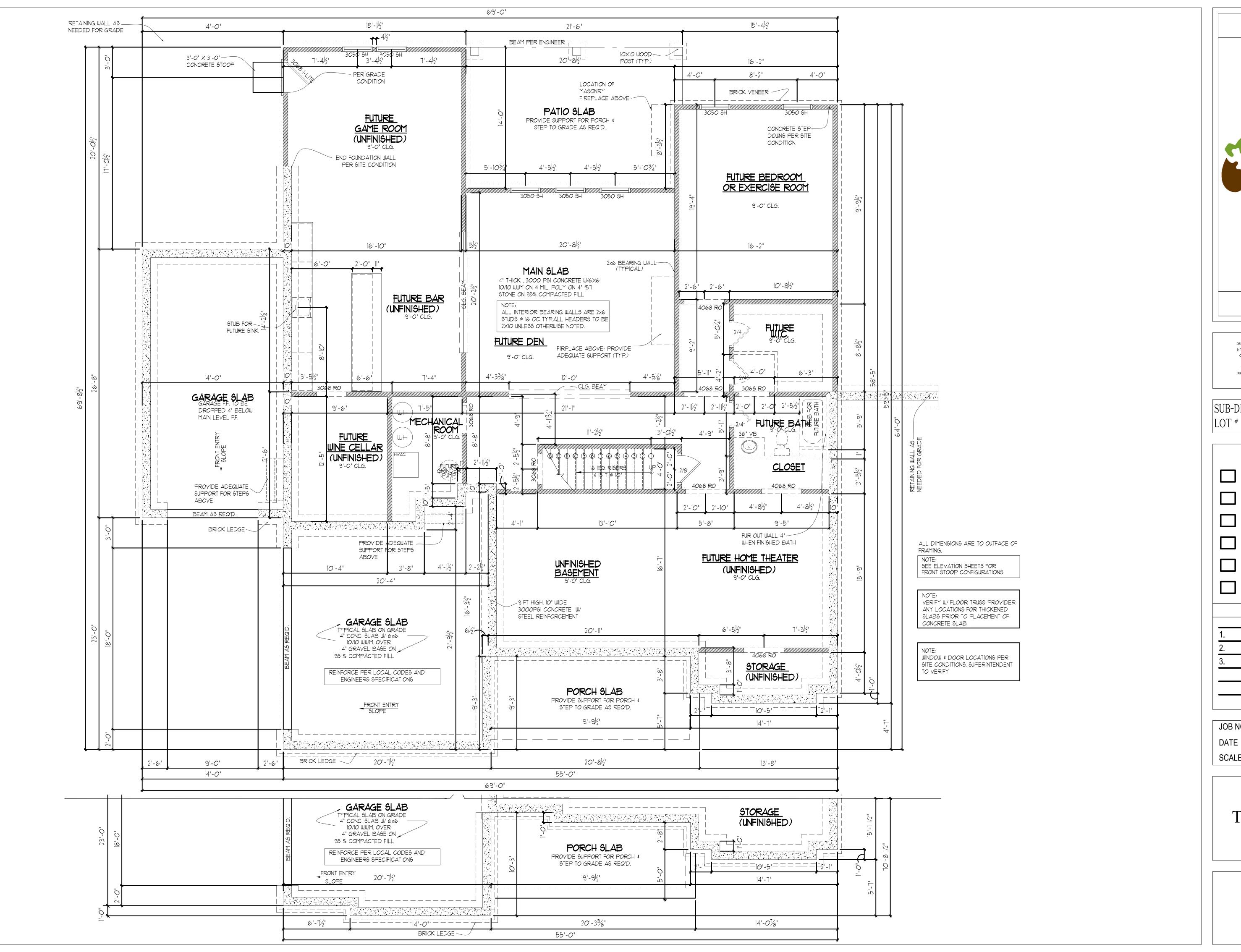
The WILLMONT
REAR ELEVATION

SHEET NO.

A2.2

SHEET: 4 OF: 16

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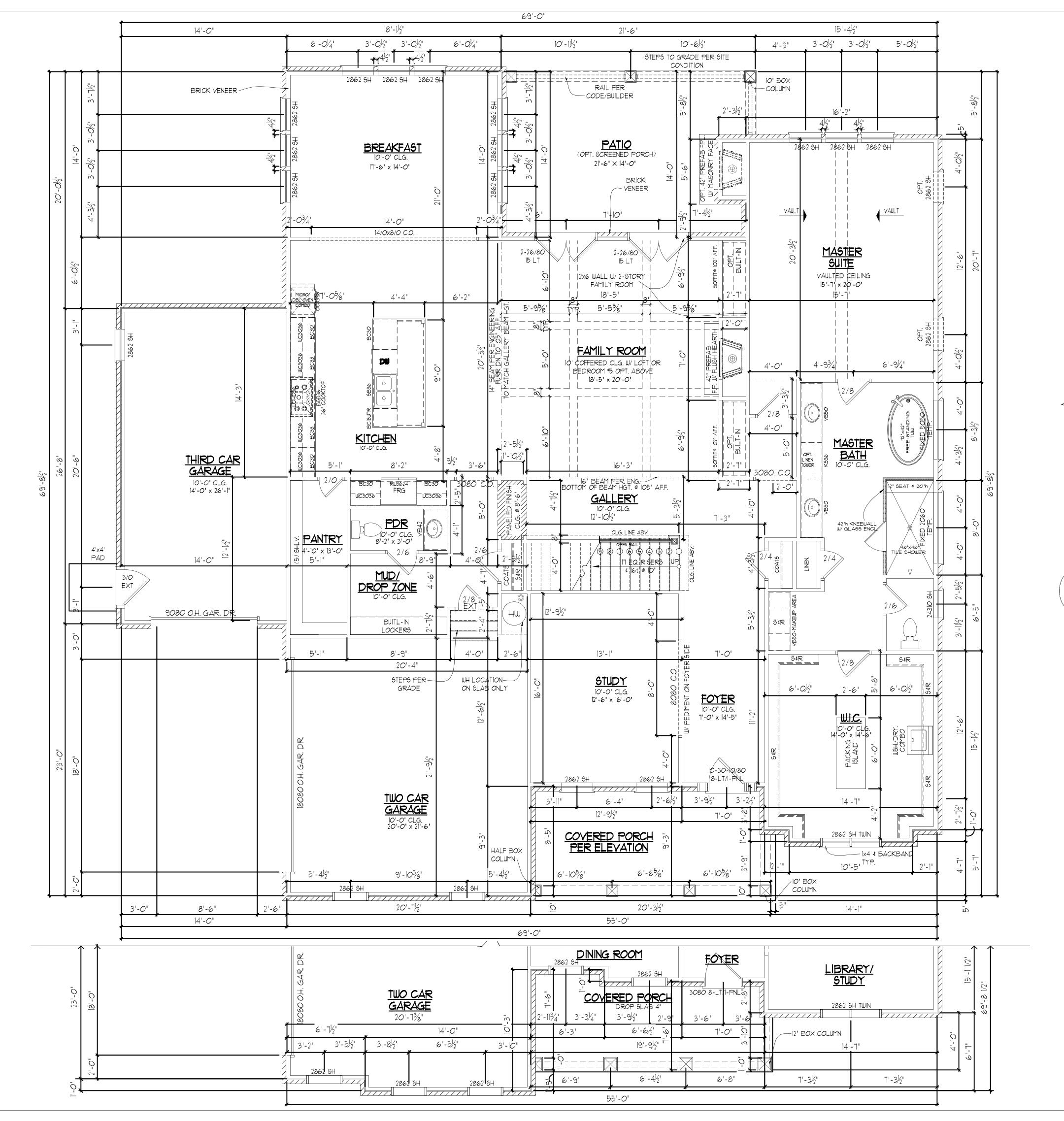
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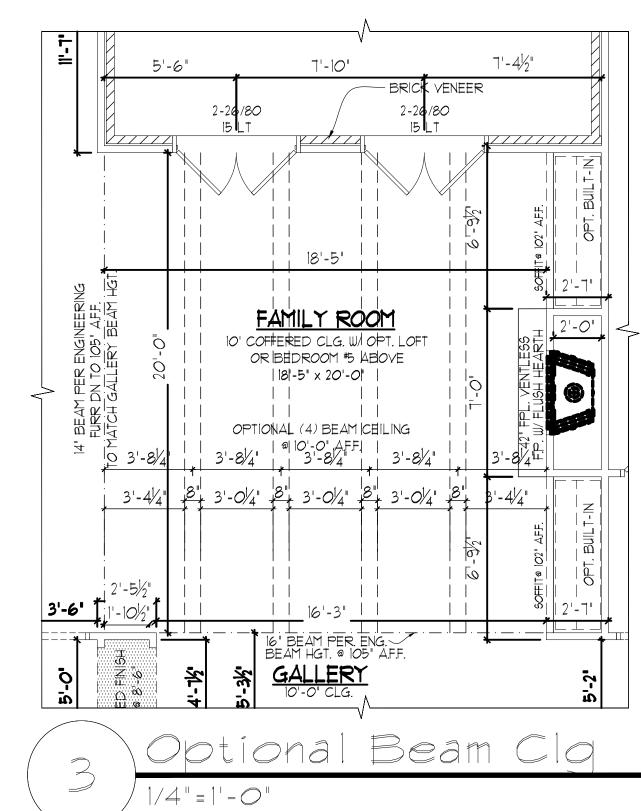
BASEMENT PLANS

SHEET NO.

A3.1

SHEET: 5 OF: 16





SQUARE FOOTAGE CHART:	
MAIN LEVEL	2,734
UPPER LEVEL	1,912
TOTAL HEATED	4,134
2 CAR GARAGE	317
COVERED FRONT PORCH	190
CARRIAGE GARAGE	423
COVERED REAR PORCH	294
TOTAL FRAMED	5,598



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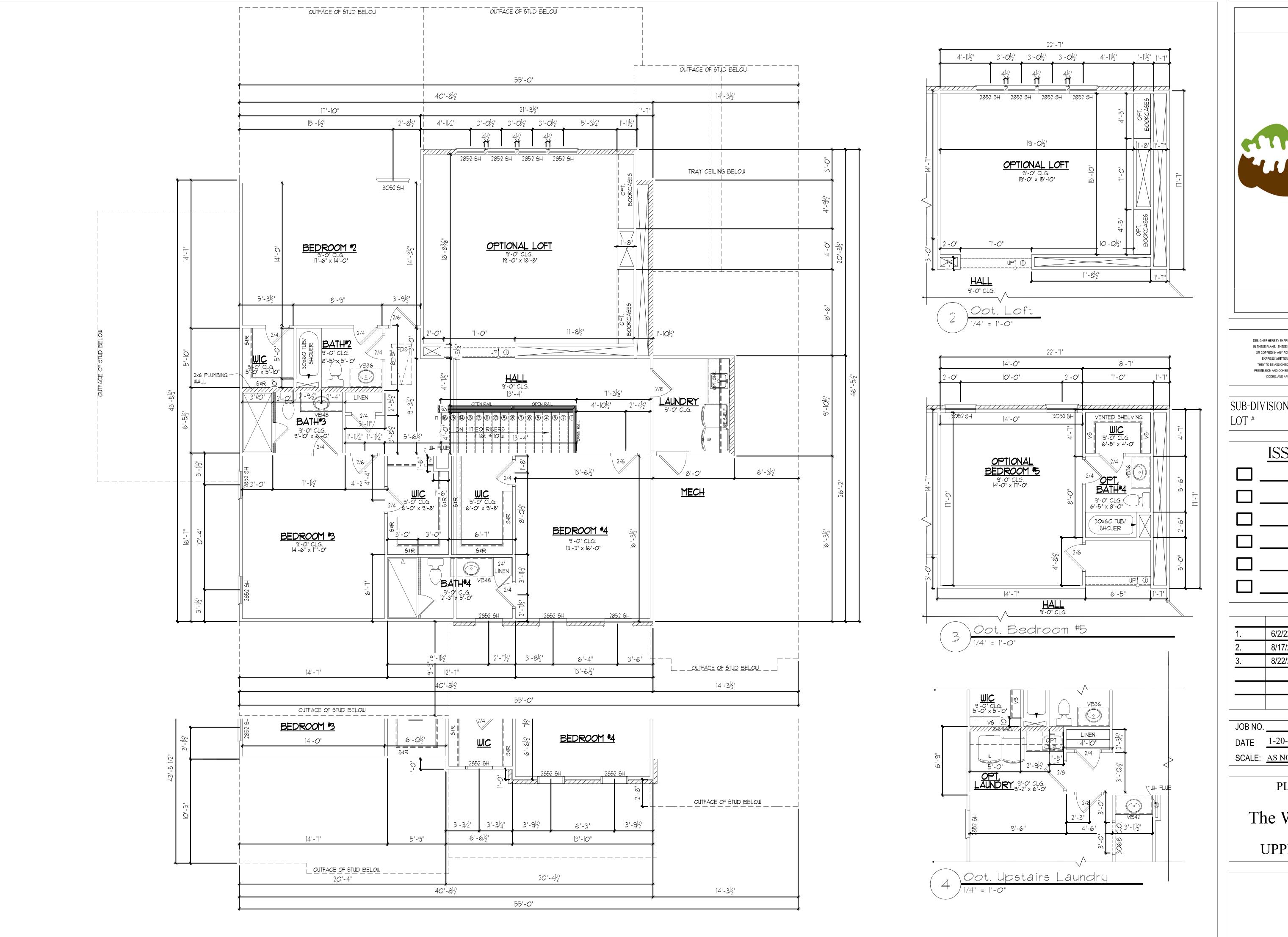
MAIN LEVELS

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UPPER LEVELS

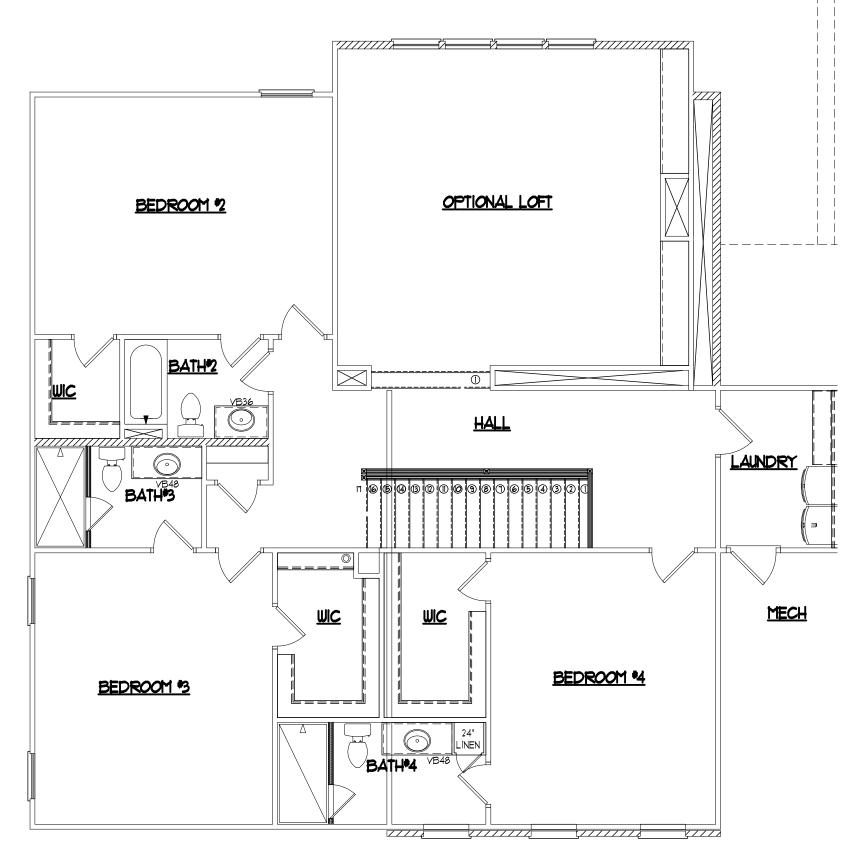
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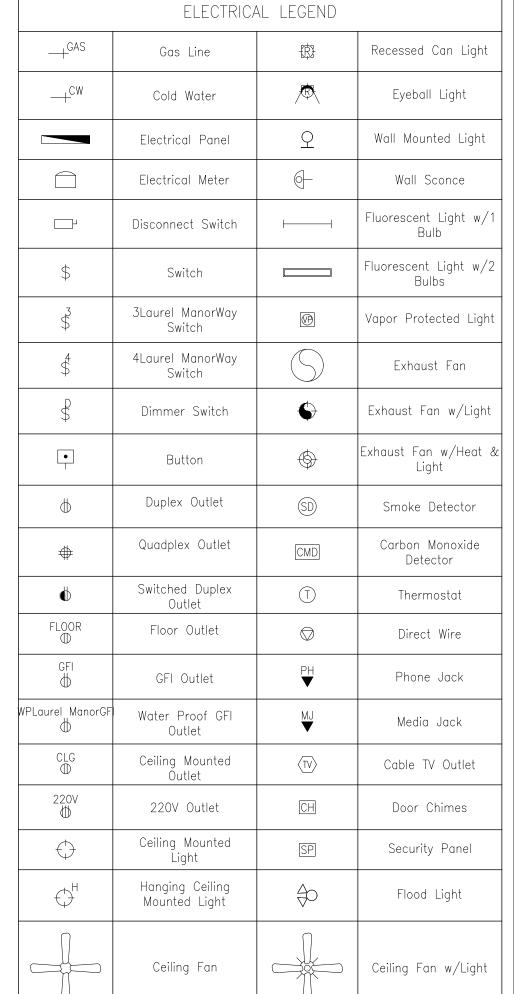
SHEET: 7 OF: 16

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Upper Level Electrical





DESIGNER HEREBY EXPRESSLY RESERVES HIS COPYRIGHT AND OTHER PROPERTY RIGHT IN THESE PLANS. THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED OR COPPIED IN ANY FORM OR MANNER WHATSOEVER WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PREMISSION AND CONSENT OF THE DESIGNER. NOR ARE THEY TO BE ASSIGNED TO ANY INTRESTS WITHOUT FIRST OBTAINING SAID WRITTEN PREMISSION AND CONSENT. DESIGN DRAWING CONTENTS SUBJECT TO ALL APPLICABLE CODES, AND APPROVAL BY A LICENSED ENGINEER AND OR ARCHITECT.

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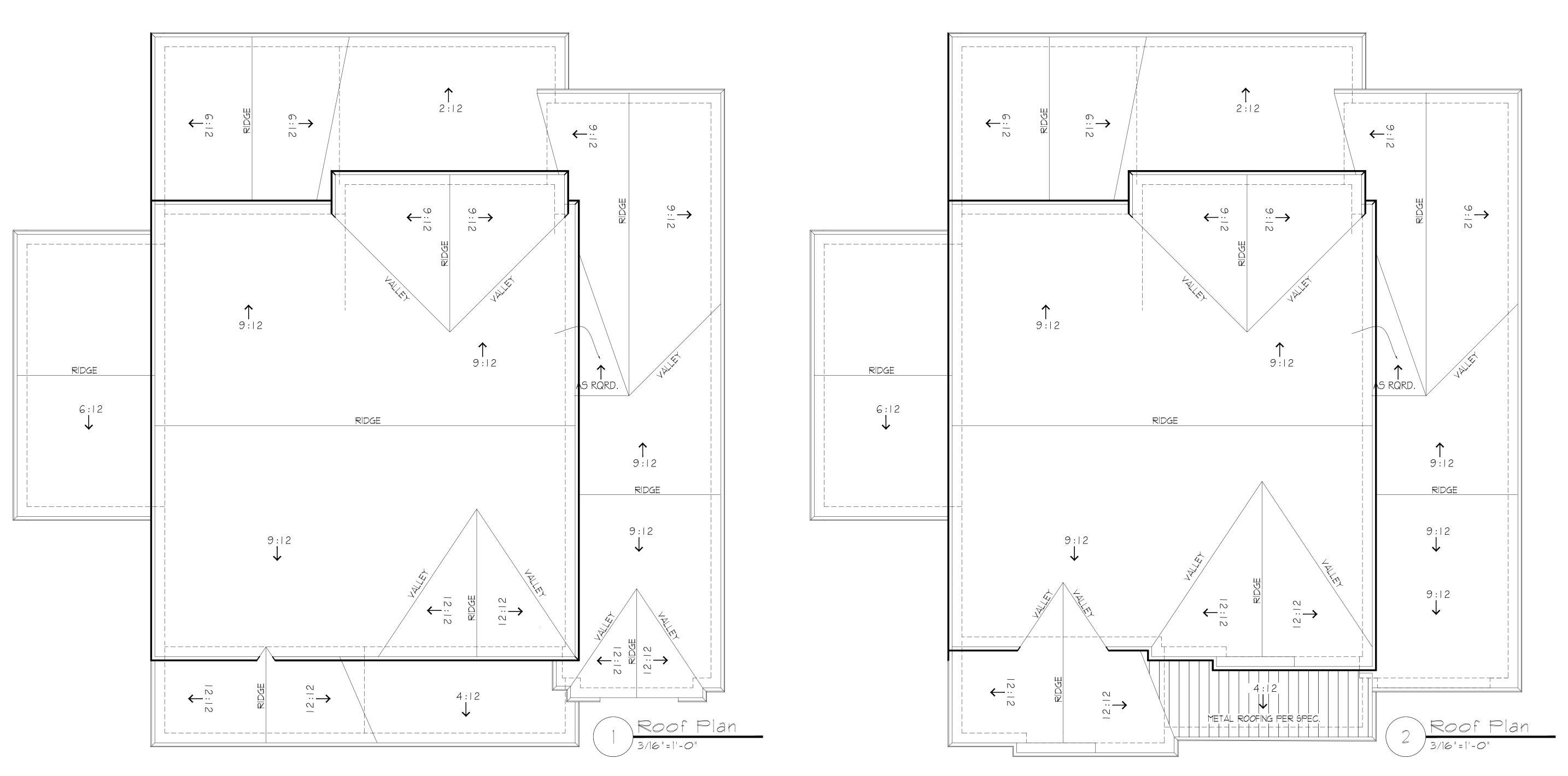
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PLAN NAME:

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ELECTRICALS

SHEET NO. A7.1SHEET: 8 OF: 16





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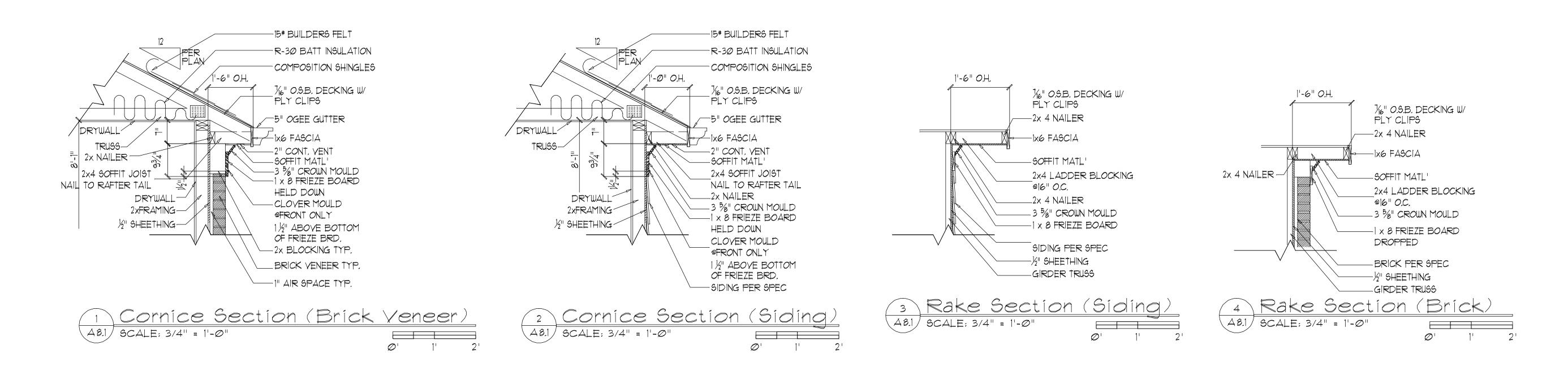
ROOF PLANS

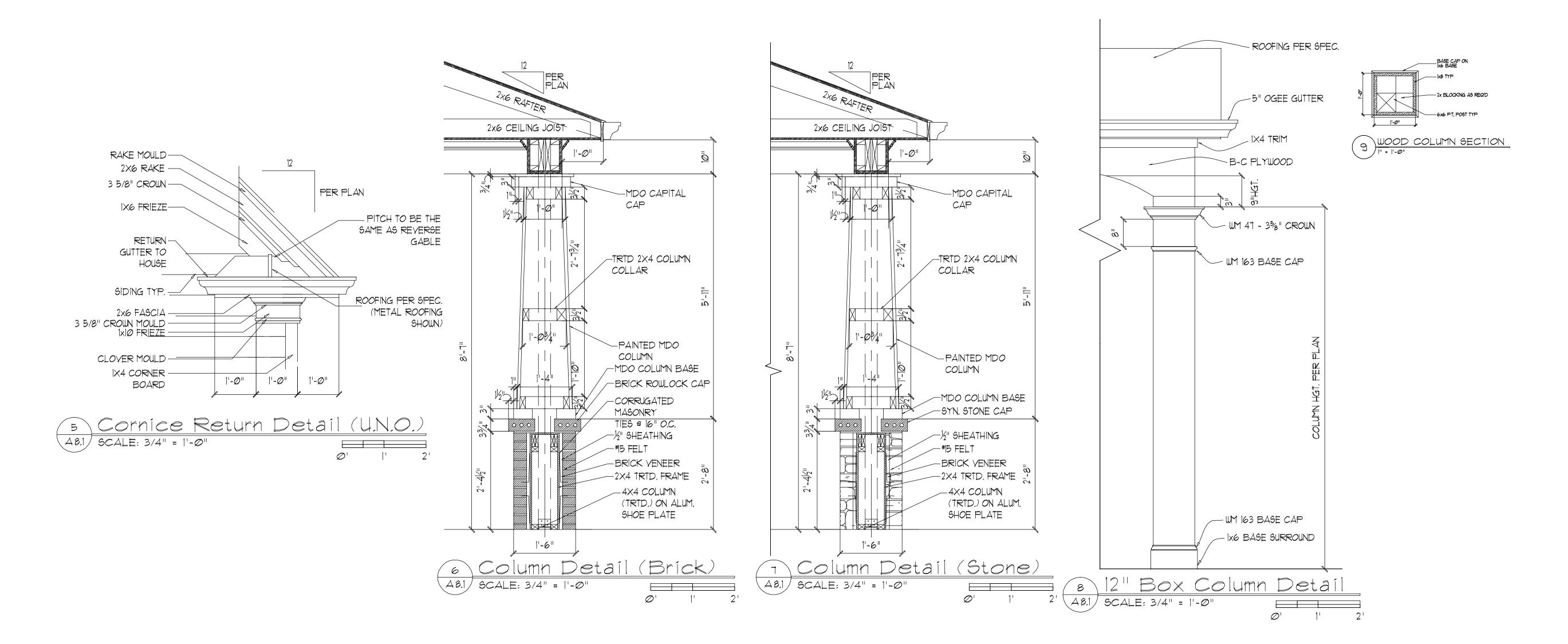
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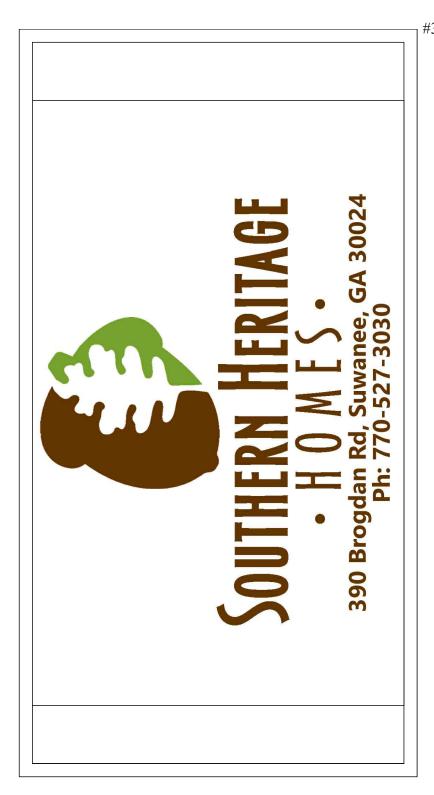
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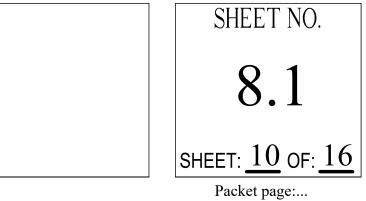
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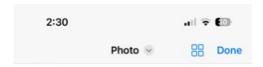
**EXTERIOR DETAILS** 



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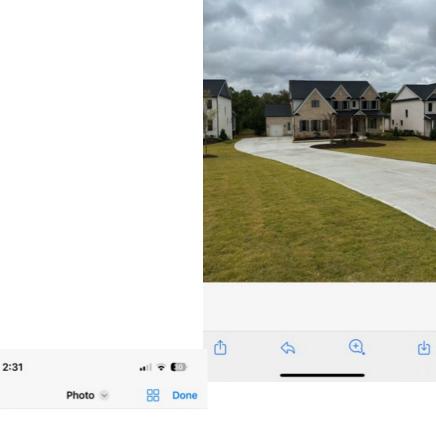
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BB Done









2:31



From: Pam Sawyer < Sent: Saturday, December 9, 2023 9:12 AM

**To:** Madalyn Smith

**Subject:** 5383 Tilly Mill Comments

Caution: External Message

Hello. My name is Pam Sawyer and I live directly adjacent to the Renfroe property which has been sold recently.

While I do not oppose the development and construction of the 4 homes (as designed currently), I would like to ask that the City require protection and preservation of the nature, beautiful trees on the property. If you look at the developer's other property pictures and photos, they show new homes on clear cut lots. With only a few very small trees that they planted after construction.

I realize that not all of the trees will be able to be preserved due to the location of the actual homes, but many can be. I hope that Dunwoody will continue to protect our trees and canopies and especially with this property.

Thank you. Pam Sawyer

Sent from my iPhone

From:

Sent: Thursday, December 21, 2023 3:29 PM

To: Paul Leonhardt
Cc: Madalyn Smith

**Subject:** I Vehamently Oppose Building the Tilly Mill Path in ZBA Case No. 23-20 !!!

Attachments: 5383 Tilly Mill Zoning Board Hearing Jan 4 6 pm.jpeg; 5383 Tilly Mill Road Carlton
Renfroe Home.jpg; A Conversation at Dunwoody Council meeting 7 12 2021 with
Michael Smith Joe Seconder and Stacey Harris comments regarding PATH on Tilly Mill
Road at 2.56 mark of meeting docy: Explanation of the 4th Alternate PATH plan for the

Road at 2 56 mark of meeting.docx; Explanation of the 4th Alternate PATH plan for the WEST SIDE of Tilly Mill Road II.docx; 4th Alternate PATH on WEST SIDE of Tilly Mill Road

II.jpeg

Caution: External Message

Dear Mr. Leonhardt and Ms. Smith,

I vehemently oppose building the Tilly Mill Path in ZBA Case No. 23-20.

Follow the law and the clear will of the Dunwoody residents/voters, not the MJCCA Power Brokers.

Sincerely,

Joseph P. Burke Resident and Voter

Dunwoody, Georgia 30338

Cell:

Email:

From: "

---- Forwarded Message -----

To: Tom Simon <t

Sent: Thursday, December 21, 2023 at 02:45:38 PM EST

**Subject:** FW: "No Path!" Meeting Thursday, January 4, 2024 at 6:00 PM at Dunwoody City Hall of the Zoning Board of Appeals regarding the City Council's ILLEGAL requirement for the Developer to build 12 ft. wide PATH on EAST SIDE of Tilly Mill

Citizens of Dunwoody on the EAST SIDE of Tilly Mill and other interested/concerned Dunwoody Citizens who want honesty and transparency in their Government: Please Share with your Neighborhood and other Dunwoody Neighbors so their voice can be heard. Even Those copied herein who don't live in Dunwoody can Help by sending an email. Please see how, at the end of this email. It will only take 5 minutes to help. Thanks, Tom

#### Please read the below:

"No Path!" Meeting, on Thursday, January 4, 2024 at 6:00 PM at Dunwoody City Hall of the Zoning Board of Appeals regarding the City Council's ILLEGAL requirement for the Developer (who is building 4 homes at the Entrance of Renfroe Lake – EAST SIDE of Tilly Mill) to Build a 12-foot-wide PATH around the Big Oak Tree on Tilly Mill in front of Renfroe Lake Subdivision. Requiring the Developer to build a 12-foot-wide PATH is not a requirement of the Dunwoody building code. This is the City Council's way of forcing/imposing their will and ideology upon a Developer, which is not a requirement for this project.

Concerned Neighbors on the EAST SIDE of Tilly Mill Road and Other Interested Dunwoody Citizens, we need your help once again to stop the City's unfair plans in our neighborhood.

I am emailing you regarding the *City's improper attempt to start building the Tilly Mill Path (on the EAST SIDE) between Womack and Mt. Vernon*. This is a chance for us to stop construction of the path. This first segment would be on property at the Old Renfroe Farmhouse located at 5383 Tilly Mill Road (with the huge old Oak Trees). See photos attached.

Last year you signed a petition to stop the City from doing this. The City is not listening to you. They don't care about US.

I am asking you, Neighbors on the EAST SIDE of Tilly Mill and elsewhere, to *attend this meeting and to show our opposition* to this improper requirement the City is trying to make the Developer do.

If you can't be at the meeting, you can still email the Zoning & Planning Department to tell them "No Path!" See Below!!!

The City insists that the developer build the first segment of the one mile long Tilly Mill Shared-Use Path as a 12-foot-wide concrete sidewalk along the 230 foot front of this Renfroe Lake

property. It is probably going to mean the loss of the existing 100-year-old Big Oak on Tilly Mill at the entrance to Renfroe Lake Subdivision.

BUT - once this construction starts - the City will begin building the rest of the Path on the EAST SIDE, which will mean the loss of hundreds of other large and small trees, destruction of a perfectly good existing 5-foot-wide Sidewalk, possible flooding problems, damage to the front entrances of subdivisions and homes for an entire mile along the East Side of Tilly Mill.

The Zoning & Planning requirement to build the path is NOT and should not be a condition of granting a variance to the Developer. This is not a requirement of the Dunwoody building code. This is the City's way of forcing its will upon a developer - which is improper and not a requirement for this project.

The City's public works transportation project website shows the path is still in the concept stage. On May 22, 2023, the City adopted an alternative design in its Master Trail Plan and said we would not lose any trees. Now, suddenly and without any notice to us, the City has changed its mind. We cannot trust the City!

The Council has not even funded the project. The voters of Dunwoody just rejected paying for the Master Trail plan on November 7, when the bond referendum was defeated. The voters sent a clear message that PATHs are not the highest priority for City projects. Why isn't the City doing what we told them? They have their Agenda and don't care about US.

We all know the reasons why a PATH on Tilly MILL SHOULD NOT be on the EAST SIDE. The only proper location should be on the WEST SIDE, the original, logical, best Side. So said: Michael Smith, Joe Seconder and everyone who has driven Tilly Mill.

# Reasons for not putting a PATH on our side (EAST SIDE) of Tilly Mill.

- 1) The original design was for the WEST SIDE of Tilly Mill. The logical side, per City of Dunwoody Public Works Director Michael Smith. And Joe Seconder said he would only vote for a PATH on Tilly Mill if it were on the WEST SIDE (MJCCA SIDE).
- 2) The only reason the PATH was moved FROM THE WEST SIDE to the EAST SIDE was because the MJCCA did not want it on their side. See the attached conversation at City Council meeting on July 12, 2021, specifically Council Member Stacey Harris's comments on behalf of the MJCCA. [Note: Stacy Harris is also an Employee of the MJCCA and has been requested to recuse herself from further discussions and Council votes because of a conflict of interest.] However, she already improperly spoke at a Council meeting (7-12-2021) against the PATH on the WEST SIDE (MJCCA SIDE) and she pushed for the PATH to be on the EAST SIDE.
- 3) The EAST SIDE has a perfectly good 5-foot-wide sidewalk, with many Trees for shade, that is used extensively.
- 4) The West side is wide open, would cost less to build a path on it, and has an extra vehicle lane on its side, for half of the length of Tilly Mill between Mt Vernon and Womack. Common Sense says any PATH on Tilly Mill must be on the WEST SIDE.
- 5) A path on the EAST SIDE would cost far more, destroy many trees, cause storm water problems, destroy neighborhood entrances, damage homeowner's properties, eliminate needed acceleration and deceleration lanes to neighborhoods on the East side of Tilly Mill, and create *dangerous traffic conditions* at these entrances especially at the North & South Entrances/Exits to Stephens Walk.
- 6) The Tilly Mill Path will cost between \$5 and \$7 million to construct in today's dollars. Where is the City Council going to get this money? Why construct this path when the City's voters have spoken with the defeat of the bond referendum? Remember, the

PATH will cost \$2 - 3 million more to put it on the EAST SIDE, as opposed to the West side. Why are hundreds of homeowners being harmed to the benefit the MJCCA?

- 7) Why didn't the City require the MJCCA to build a path at its front entrance when it recently obtained a variance to expand its facilities by building pickleball courts, aquatics center, and new parking? Why is it fair to make this private developer do something the MJCCA was not required to do?
- 8) The West Side is the obvious and logical location for a path if built at all. All you need to do is drive down Tilly Mill to see the West Side is least disruptive to all our neighborhoods on Tilly Mill. It is the Obvious/Logical side for a PATH.

Please see the attached 4th Alternate Plan (and the explanation) for a path on Tilly Mill on the West side, the original and logical choice. The City can put a traffic light at the entrance and exit to the MJCCA or at least require them to have an officer directing traffic during the morning and evening rush hours. And Stop Signs could be easily placed on the PATH (on either side of the MJCCA entrance) as is done everywhere there are Streets that intersect with Sidewalks, PATHs, etc.

Several of us, Tilly Mill neighbors, will speak at the January 4 meeting. We need you there for your support and tell the Zoning Board to reject the city's requirement for the developer to start building the first portion of the Tilly Mill Path.

I hope to see you at the meeting, but <u>if you cannot be there</u>, you can still speak up by <u>emailing:</u>

Paul Leonhardt, Dunwoody Planning & Zoning Manager.

Just say, "I oppose building the Tilly Mill Path in ZBA Case No. 23-20" to:

Paul.Leonhardt@dunwoodyga.gov and/or Madalyn.Smith@dunwoodyga.gov

Thanks.

**Tom Simon** 

, Dunwoody, GA 30338

From: GERALD MCCARLEY <

Sent: Thursday, December 21, 2023 5:26 PM

**To:** paul.leonardt@dunwoodyga.gov; Madalyn Smith

**Subject:** 12 Ft Paths

Caution: External Message

Dear Paul and Madalyn,

I oppose building the Tilly Mill Path in ZBA Case No. 23-20. Further, I oppose building any 12 ft. paths in Dunwoody. Why are we destroying Trees? The bond issue defeat spoke loud and clear.

Gerald McCarley

From:

Sent: Friday, December 22, 2023 8:39 AM

To: Madalyn Smith

**Subject:** I oppose building the Tilly Mill Path on the EAST side--ever

Caution: External Message

SBA Case no. 23-20 is not a requirement of the Dunwoody building code AT ALL. It is not at all what should be a deciding factor of whether to allow the property to house 4 units. That is a separate and distinct issue altogether. Of concern should be where the driveway for the properties will be, especially for vehicles turning off Tilly Mill or coming out of the already existing neighborhood. I would welcome your response on THOSE more relevant issues, in my opinion. I am uanble to attend on the 4th or I would have voiced these concerns there.

Thanks for your work and Happy Holidays, Rita K Loventhal

From: David Andersen <

Sent: Saturday, December 23, 2023 11:26 PM

**To:** Madalyn Smith **Subject:** ZBA Case No. 23-20

Caution: External Message

Madalyn Smith:

I oppose building the Tilly Mill Path in ZBA Case No. 23-20.

David Andersen

Dunwoody, GA 30338

From: Tim <

Sent: Sunday, December 24, 2023 11:25 AM

**To:** Madalyn Smith **Subject:** Secret policy on paths

Caution: External Message

I am a long term resident of Dunwoody. I oppose building the Tilly Mill Path in ZBA Case No. 23-20". I respectively request you "shine the light of day" on your plans and let the citizens decide if they support how you are spending our money. Thanks

Sent from my iPhone Tim

From:

Sent: Monday, December 25, 2023 10:13 AM

To: Paul Leonhardt
Cc: Madalyn Smith

**Subject:** FW: ZBA 23-20, 5383 Tilly Mill Road. Application for Special Exception by TM5383, LLC

and Southern Heritage Home Builders, Public Hearing Jan. 4, 2024, 6 PM Dunwoody City

Hall.

**Attachments:** 5383 Tilly Mill Zoning Board Hearing Jan 4 6 pm.jpeg; 5383 Tilly Mill Road Carlton

Renfroe Home.jpg; A Conversation at Dunwoody Council meeting 7 12 2021 with Michael Smith Joe Seconder and Stacey Harris comments regarding PATH on Tilly Mill Road at 2 56 mark of meeting.docx; Explanation of the 4th Alternate PATH plan for the WEST SIDE of Tilly Mill Road II.docx; 4th Alternate PATH on WEST SIDE of Tilly Mill Road II.jpeg; Tom Simon Speech Building the Tilly Mill PATH in Zoning Board of Appeals Case # 213-20.docx; IMG\_5234.jpg; Tom Simon Comments with Attachments - Dunwoody Zoning Board Meeting January 4-2024 III.docx; IMG\_5240.jpg; History of the Tilly Mill

PATH III.docx

**Importance:** High

Caution: External Message

#### **Paul Leonhardt and Madalyn Smith:**

Please find attached Documents I am requesting you to provide to each of the 7 Zoning Board members who will be meeting on January 4, 2024, regarding: ZBA 23-20, 5383 Tilly Mill Road. Application for Special Exception by TM5383, LLC and Southern Heritage Home Builders, Public Hearing Jan. 4, 2024, 6 PM Dunwoody City Hall.

"I oppose building the Tilly Mill Path in ZBA Case No. 23-20". I oppose the City requiring the Developer to build a 12 foot wide PATH on the property around an existing Big Oak Tree on Tilly Mill and the Entrance to Renfroe Lake Subdivision. This is not a requirement of the Dunwoody building code. Please voice my concern to the Zoning Board by forwarding this email and its attachments to all 7 Zoning Board members.

Please confirm my request.

Thank you.

Tom Simon

2212 Stephens Walk Dunwoody, GA 30338 tgsimon@comcast.net 770-378-8999

\_\_\_\_\_

Citizens of Dunwoody on the EAST SIDE of Tilly Mill and other interested/concerned Dunwoody Citizens who want honesty and transparency in their Government: Please Share with your Neighborhood and other Dunwoody Neighbors so their voice can be heard. Dunwoody Citizens and who cannot attend the January 4<sup>th</sup> meeting, can Help by sending an email. Please see how, at the end of this email. It will only take 5 minutes. I would sincerely appreciate your help. Thanks. Tom

Please read the below:

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**Vernon**. This is a chance for us to stop construction of the path. This first segment would be on property at the Old Renfroe Farmhouse located at 5383 Tilly Mill Road (with the huge old Oak Trees). See photos attached.

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Please see the attached 4th Alternate Plan (and the explanation) for a path on Tilly Mill on the West side, the original and logical choice. The City can put a traffic light at the entrance and exit to the MJCCA or at

least require them to have an officer directing traffic during the morning and evening rush hours. And Stop Signs could be easily placed on the PATH (on either side of the MJCCA entrance) as is done everywhere there are Streets that intersect with Sidewalks, PATHs, etc.

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Paul Leonhardt, Dunwoody Planning & Zoning Manager.

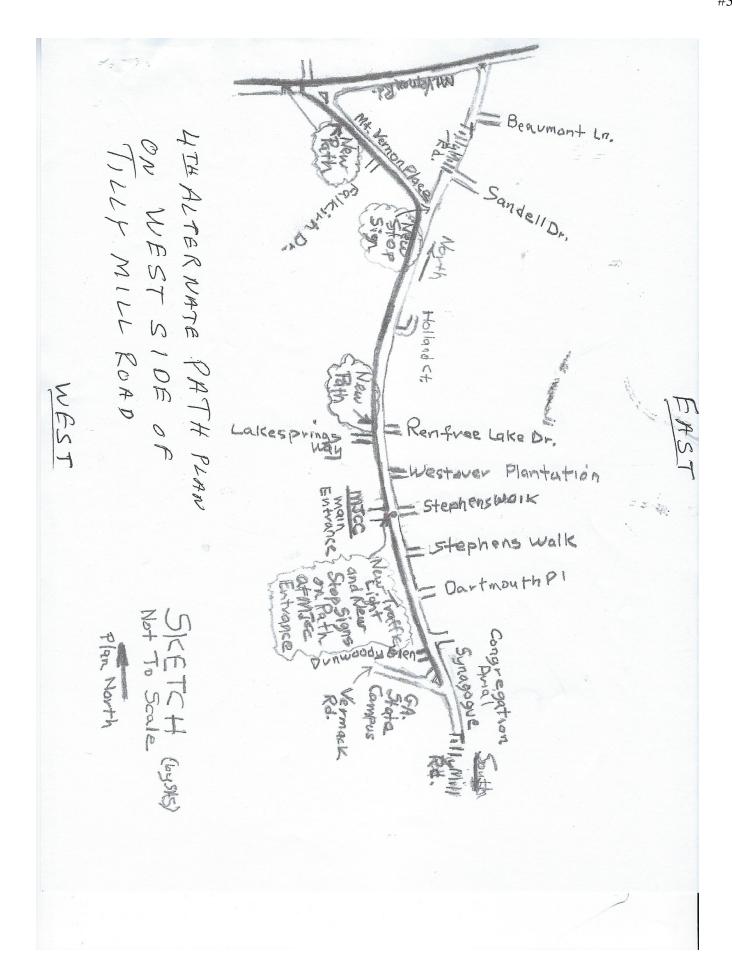
Just say, "I oppose building the Tilly Mill Path in ZBA Case No. 23-20" to:

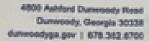
Paul.Leonhardt@dunwoodyga.gov and/or Madalyn.Smith@dunwoodyga.gov Thanks.

**Tom Simon** 

Dunwoody, GA 30338









#### MEMORANDUM

Too

Mayor and City Council

From:

Michael Smith, Public Works Director

Date:

July 26, 2021

Subject:

Approval of a Contract with Practical Design Partners for Design of a

Shared-Use Path on Tilly Mill Road

#### BACKGROUND

The city's transportation plan recommends bicycle and pedestrian improvements on Tilly Mill Road between Mount Vernon Road and Womack Road, and Special Purpose Local Option Sales Tax (SPLOST) funding has been included in this year's budget for design of this project. Most of this section of Tilly Mill Road has relatively few driveways and side street crossings making a shared-use sidepath feasible. The path would link to existing bike lanes on Tilly Mill Road and Womack Road adjacent to Georgia State's campus and to a planned shared-use path along Mount Vernon Road. DESCRIBES. WEST SIDE OF TILLY MILL

The city recently issued a Request for Proposals (RFP 21-06) to design the shared-use path (https://www.duriwoodyga.gov/Home/Components/RFP/RFP/36/69). Seven proposals were received and evaluated based on the qualifications and experience of each firm and the personnel proposed to be assigned to the project. After considering qualifications, cost proposals were opened and considered as part of the final ranking of each firm. Based on these considerations, the highest rated proposal was submitted by Practical Design Partners, LLC (PDP). A summary of the proposal scoring is provided on the following pages.

#### BUDGET

The original scope of work in the RFP consisted of developing the design for the west side of Tilly Mill Road. Based on discussion at the July 12th City Council meeting, \$4,800 has been added to prepare an alternate concept on the east side of the road. The scope was also STACEY expanded to extend the design an additional 1,000 feet south of Womack to connect to the bike lanes that were recently completed along Tilly Mill Road. Continuing the project through the Womack intersection will require relocating the signal poles at the intersection and that has also been added to the design cost. PDP's total proposed design cost based on the additional scope MESTING is \$124,350 plus a \$15,500 contingency. The cost is within the \$150,000 design budget for this project.

SIDE HARRIS COMMENTS

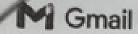
O RIGINAL

#### RECOMMENDED ACTION

Staff recommends: 1) award of a contract in the amount of \$124,350 to Practical Design Partners, Inc. for design of a shared-use path on Tilly Mill Road and 2) authorization of a \$15,500 design contingency.



12/8/23, 1/38 PM



Robin Heln <robin.hein.52@gmail.com>

### Fwd: Renfroe Lake Subdivision

Michael Phelps <mp@southernheritagehomesga.com> To: Robin Hein 52@gmail.com

Frl. Dec 8, 2023 at 11:25 AM

Forwarded message -

From: Daryl Cook «DCook@wbengr.com»

Date: Fri, Dec 8, 2023 at 11:12 AM Subject: RE: Renfroe Lake Subdivision

To: Madelyn Smith <Madalyn.Smith@durwoodyga.gov>, Michael Phelps <mp@southernheritagehomesga.com> Cc: Jerry Taratoot

Madalyn,

Please review the attached. With the 5" beauty strip" and the 12" sidewalk the 44" tree trunk would be within the sidewalk and all within the right of way that will be dedicating to Dunwoody. I suggest that your allow the 12' sidewalk to butt to the back of curb at that point with curvature of the 12' edge from at back of curb to the full 5' beauty strip.

On another note, it is very likely that the old 44" diameter oak tree may only have a few for years as it appears to have dead limbs, multi split trunks, cut backs from serial power lines as well the critical zone of the tree is 50% under the Tilly Mill Road pavement. An arborist will likely recommend that the tree is not specimen and likely not a keeper.

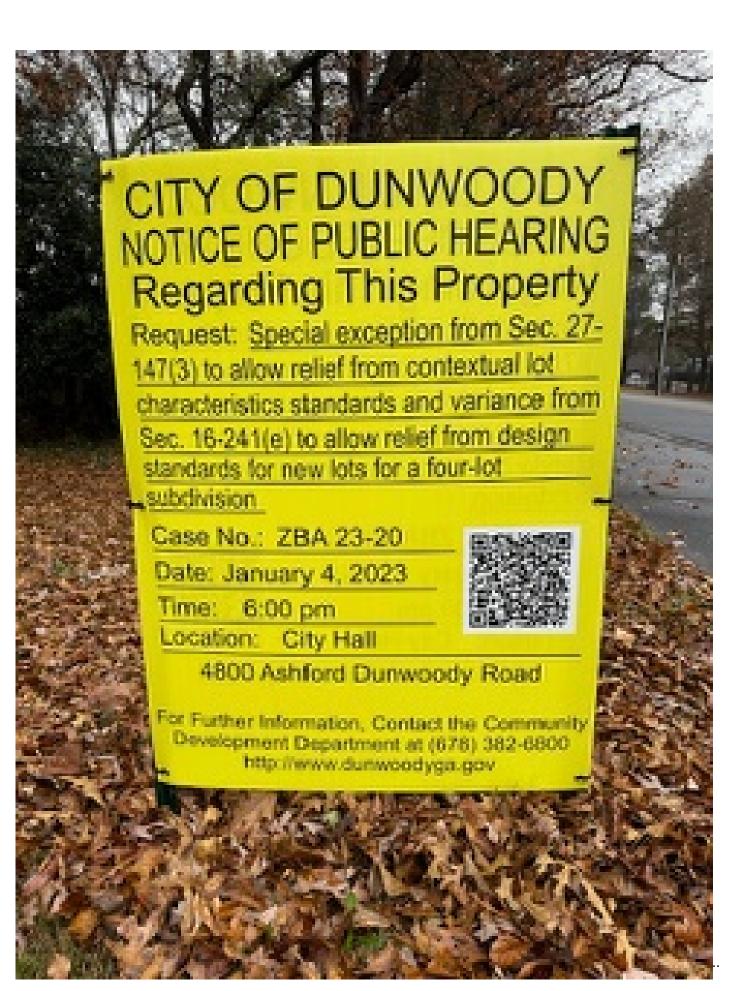
"FAST SIDE"

Looking along that same side of Tilly Mill Road, that route is loaded with trees south and north of this property that will have to be removed, likely hundreds of trees and thick vegetation, from Mt. Vernon Road and to North Peachtree. Road. Seems to me that to add this 12' path and beauty strip will wipe out hundreds of trees, walls and conflicts with power and other utilities. If Dunwoody wants to kills hundreds of trees in this endeavor the city might want to take another to see how many trees, young and old, that must be removed along that route.

The developer will grant the additional right of way shown on the attached. The 12' path could be installed, sans tree,

along this parcel but if the rest of the path along all of Tilly Mill Road may never be installed it sure will look strange. I suggest the city should rethink this path considering the hundreds and perhaps thousands of trees to me removed for this 12' wide concrete walkway which increase impervious area and acres of vegetated areas striped of trees.

Just my thoughts, d



## A Conversation at Dunwoody Council meeting on 7-12 2021 with Michael Smith, Joe Seconder and Stacey Harris:

- Michael Smith (MS) finishes his comments on the RFP for Practical Design Partners to design for a PATH, On the WEST SIDE of Tilly Mill (as mentioned in the RFP – Exhibit "A").
- 2) Joe Seconder (JC) goes over the possibilities of the PATH on the WEST SIDE and ways to shift the curb and use the existing deceleration lanes for the PATH. Implying the WEST SIDE is the obvious side for a PATH.
- 3) MS says: "Yes Free curb and Right of Way there. If PATH were to go on that side, Seems that's the likely side".
- 4) Mayor asks if any more comments.
- 5) Stacey Harris (SH) says: "So the thought is to put the Multi-Use PATH on the JCC side." Note she does not say the WEST SIDE of Tilly Mill. Note, she works for the JCC. Does she want to move the PATH from the WEST SIDE.
- 6) MS says "YES". NOTE: The PATH was planned for the WEST SIDE before Stacey Harris makes her comments (She works for the JCC).
- 7) Stacey Harris then says: "I'm just going to throw out there that there's a lot of conflict because of traffic in and out". It appears SH does not want to put the PATH on the JCC side (WEST SIDE).
- 8) MS says: "Consultant can look at the costs for the EAST SIDE but not do a design for the EAST SIDE but do a feasibility and so we can look at both sides". A Design RFP was for the WEST SIDE ONLY. The Consultant and/or Michael Smith decided that the WEST SIDE was the Likely, Obvious side for any PATH on Tilly Mill (RFP for WEST SIDE).
- 9) Stacey Harris says: "Because the pavement exists, it's just." It appears that Stacey Harris is Negotiating against the PATH on the JCC Side (note she does not use the words WEST SIDE).
- 10) MS says: "that the EAST SIDE Right of Way is tighter and more trees to deal with, but we can look at both sides".
- 11) Stacey Harris then says: "I mean I understand I just know what conflicts we are creating." Again, it appears that SH does not want the PATH on the JCC SIDE (WEST SIDE).

Was Stacey Harris negotiating for herself or on behalf of the JCC, because it ended in the desired results of moving the PATH from the Original/Designed/likely JCC Side (WEST SIDE) to the EAST SIDE sometime after the 7-12-2021 meeting. No other verifiable reasons have been forthcoming. Also, after the PATH was moved to the EAST SIDE, Stacey Harris recuses herself. Why recuse herself if she has not done anything wrong and her comments are proper? Did She and/or the JCC realize she should not have said what she said at the Council meeting? However, recusing herself after the desired results are realized, could it be an admission that what she did "SAID" in the meeting was improper and a possible Dunwoody Council ethics violation. The 7-12-2021 Council meeting video needs to be reviewed, at the 2 Hour and 56 minute mark of the meeting. And what occurred at the subsequent meetings that were held to move the PATH from WEST SIDE to EAST SIDE. What were the reasons???

#### **Dunwoody Zoning Board of Appeals: Tom Simon Speech:**

Meeting January 4, 2024, at 6:00 PM at Dunwoody City Hall of the Zoning Board of Appeals:

I oppose building the Tilly Mill Path in ZBA Case No. 23-20": Tom Simon

I am here tonight regarding the City's (City Council) unjustified requirement - telling the Developer (who is building 4 homes at the Entrance of Renfroe Lake Neighborhood) to build a 12 foot Wide PATH around the Big Oak Tree on Tilly Mill. This is the City's attempt to start a PATH on the EAST SIDE of Tilly Mill (from Mt Vernon to Womack). None of us want this PATH!

This requirement the City is telling the Developer to build as part of his project is NOT and should NOT be a condition of granting a variance to the Developer to build homes. Requiring the Developer to build a 12-foot-wide PATH is not a requirement of the Dunwoody building code. This is the City Council's way of forcing/imposing their will and ideology upon a Developer, which is wrong and not a requirement for this project. It would also cost the Developer approximately an additional \$200,000 to put in this PATH. What the City Council is requiring is outrageous and a slap to the face of the Citizens of Dunwoody who live on the EAST SIDE of Tilly Mill. Why, because The City is trying to have the Developer pay for the first phase of a PATH on the EAST SIDE of Tilly Mill (this 12-foot-wide PATH requirement imposed on the Developer by the City) so the City can then proceed from this Developer built 12 foot wide PATH, to build a mile long PATH on the EAST SIDE of Tilly Mill from Mt Vernon to Womack.

The city's public works transportation project website shows the path is still in the concept stage. The WEST SIDE or EAST SIDE of Tilly Mill has not been decided, (at least officially – is the City hiding something?). The council has not approved a final design concept and has not funded the project. The voters of Dunwoody just rejected the master Trail plan on November 7, when the wasteful and unnecessary \$60 Million bond referendum was defeated. The voters sent a clear message that PATHs are not the highest priority for city projects. And yet, the City Council thumbs its nose at Voters and particularly Voters, located on the EAST SIDE of Tilly Mill.

I am asking you, the Zoning Board members, to tell the City and City Council that you oppose and vote against this OUTRAGIOUS requirement the City is trying to make the Developer Build. Which is: a 12-foot-wide PATH around the existing Big Oak on Tilly Mill at the entrance to Renfroe Lake. Please Tell the City NO to this requirement.

I will plan to say much more in weeks to follow at City Council Meetings about what the City Council has done about this PATH on Tilly Mill which is wrong, deceptive, unjustified, unwarranted and possibly ethics violations by Council and City employees.

Thank You!	
Tom Simon, Dunwoody, GA Resident 46 years,	Dunwoody, GA 30338,
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From: Robin Hein < Tuesday, December 26, 2023 2:41 PM

To: Paul Leonhardt; Madalyn Smith

**Subject:** Renfroe Lake Homeowners' Association, Inc. Comments to ZBA # 23-20, 5383 Tilly Mill

Road, Jan. 4, 2024 Hearing

**Attachments:** 5383 Tilly Mill Zoning Application Letter to Southern Heritage with 3 Lot Plan .pdf

Caution: External Message

#### Mr. Leonhardt and Ms. Smith,

We met with the Southern Heritage Home Builders, Developer of 5383 Tilly Mill Road, ZBA Case # 23-20, which will be heard by the Zoning Board of Appeals on January 4, 2024.

It is my understanding that Mike Phelps of Southern Home Builders has already submitted a copy of my December 22, letter - which outlines the substance of our discussions and concerns. Copy attached.

The development property sits at the front entrance to our subdivision.

Our HOA Board does not oppose the Application for a variance, provided the conditions outlined in my letter are addressed. We have no opposition to the lot widths fronting on Renfroe Lake **Drive** being different from that of the next closest home and others in the subdivision.

We are in agreement that reducing the number of homes to be built from 4 to 3 is helpful in resolving our concerns.

I will be forwarding a separate letter expressing our concern and opposition to the requirement that the developer begin building the first segment of the proposed Tilly Mill Shared Use Path to replace the existing 5-foot sidewalk on the front of the development property.

We believe the Zoning & Planning Department has misinterpreted the City's plan for design and location of the Path. We oppose that requirement as a condition of granting the variance.

Thank you.

Renfroe Lake Homeowners' Association, Inc.

Robin Hein As President

## **Madalyn Smith**

**To:** Paul Leonhardt; Madalyn Smith

**Subject:** Zoning Application Case # ZBA 23-20, Jan. 4, 2024, Opposition to Requirement of

Starting the Tilly Mill Shared Use Path

Attachments: RLHOA Letter to Dunwoody Zoning Re Improper Location of Tilly Mill Shared Used

Path.pdf; Exhibits 1-7 RLHOA Letter to Zoning Re Master Trail Plan.pdf; Exhibits 8-10 Zoning Emails Re Tilly Mill Shared Use Path.pdf; Exhibits 11-15, Photos of 5383 Till Mill Road with Markups for Alt 3 Design.pdf; Exhibits 16 - 19, Public Works Web Page for

Alternates 1 & 2 Tilly Path in 2022, Rejected 2023 for Alt 3.pdf

Caution: External Message

Mr. Paul Leonhardt and Ms. Madalyn Smith,

I represent the **Renfroe Lake Homeowners Association**, **Inc**. We have a community of 40 homes. The variance sought for 5383 Tilly Mill Road (ZBA # 23-20) pertains to a lot at our front entrance where Renfroe Lake Drive meets Tilly Mill Road.

& Planning was requiring the developer to start construction of the proposed Tilly Mill Path, using the front 17-feet of the variance property to replace the existing 5-foot sidewalk. [The new path would consist of a 5-foot grass or landscaped buffer and 12-foot concrete mixed use (pedestrian and bicycle) path or trail, running along the eastern side of Tilly Mill Road.

The proper design plan and location for the path is the Northbound Lane of Tilly Mill Road, not on the development property. This is according to Public Works' Alternate 3 design that was incorporated into The PATH Foundation's Master Trail Plan - which the Council approved on May 22, 2023.

The plan calls to shift the roadbed of Tilly Mill approximately one lane west and make use of the existing deceleration lane and ample room on the West Side of Tilly Mill.

We believe Zoning & Planning mistakenly used the design plan known as Alternate 2 (for the East Side) developed by Public Works in 2022. That plan was *rejected* in favor of one that was less destructive to subdivision entrances, damaging to homeowners' properties, and significant old growth tree loss.

The approved plan location and design is Alternate 3 is described in the Master Trail Plan at pages 47 and 48 for Central Trails at Tilly MIII/Holland Court and Stephens Walk.

Attached is a letter and supporting documentation, expressing our concern and opposition to that requirement.

We believe the Zoning & Planning Department has *misinterpreted* the City's plan for design and location of the Path.

We oppose that requirement as a condition of granting the variance.

Placing the path across the variance property will have a significant adverse effect on our 40 homeowners, as well as many other subdivisions and homeowners along Tilly Mill.

Thank you.

Renfroe Lake Homeowners' Association, Inc.

Robin Hein As President Renfroe Lake Homeowners' Association, Inc. P.O. Box 88021 Dunwoody, GA 30356

December 26, 2023

Paul Leonhardt, Planning & Zoning Manager & Deputy Community Development Manager City of Dunwoody 4800 Ashford Dunwoody Road Dunwoody, GA 30338

Via email to:

Paul Leonhardt: Paul.Leonhardt@dunwoodyga.gov Madalyn Smith (Senior Planner): Madalyn.Smith@dunwoodyga.org

Re: ZBA 23-20, 5383 Tilly Mill Road, Application for Special Exception by TM5383, LLC and Southern Heritage Home Builders, Public Hearing Jan. 4, 2024, 6 pm

Mr. Leonhardt and Ms. Smith:

Please include a copy of this letter and supporting documents in your packet to the Zoning Board to advise them of significant public opposition to an *improper condition* attached to development of the above property by the City of Dunwoody. Specifically, Zoning & Planning is requiring the Developer of 5383 Tilly Mill Road to replace an existing 5-foot sidewalk on the East Side of Tilly Road with a new 12-foot shared use pedestrian and bicycle path and 5-foot buffer strip.

This is the **wrong design in the wrong location** and should **not** be a condition of permitting the variance. It will also result in loss of a 44" diameter old oak at the property, as well as hundreds of other old growth trees along the one-mile planned path route.

The Applicant's property is located at the front entrance to the Renfroe Lake Subdivision, at the corner of Tilly Road and Renfroe Lake Drive. We have 40 homes and will be adversely impacted by this condition of permitting.

We believe that the Zoning & Planning Department made an error by misinterpreting the current plan for development of a Planned Project shown in the City's Master Trail Plan as P4, Central Trails, "Tilly Mill Shared-Use Path." The planned path is

proposed to run one mile from Womack Road to Mt. Vernon Road. The City adopted the Master Trail Plan on May 22, 2023.

The plan approved by the Council on May 22, 2023, is found in the following Link to City's landing page for its "Master Trail Plan" at pages 47 and 48 for the Central Trails, at Holland Court and Stephens Walk.

The proper plan is the "Alternate 3" design from Public Works, and not "Alternate 2". Zoning & Planning mistakenly directed the Developer and its Professional Engineers to the "Alternate 2" design found at another web page for Public Works which shows the preliminary, but rejected, Alternate 1 (West Side) and Alternate 2 (East Side) plans.

After massive public protest against shifting the location of the path from the West Side (Alternate 1) to the East Side (Alternate 1), the City Council developed a third design plan "Alternate 3" to use the existing Northbound Lane of Tilly Mill as the location for the new 12-foot path and buffer strip. It shifts the entire roadway one lane west, using an existing deceleration lane. The path then goes in the existing Northbound lane of Tilly Mill. See attached design for Alternate 3 and Dunwoody Master Trail Plan.

Link to the Dunwoody **Master Trail Plan web page** (Click on the words "Dunwoody Trail Master Plan Adopted May 2023" to bring up the actual 80-page plan proposed by The PATH Foundation and approved by the City Council, and go to pages 47 and 48. See direct link below.):

https://www.dunwoodyga.gov/government/master-plans/community-development/dunwoody-trail-master-plan

It is our understanding that Zoning & Planning Department told the developer of the planned new 4-unit subdivision (the Applicant 5383TM, LLC and Southern Heritage Home Builders) *must* construct *the first segment* of the Tilly Mill Road Shared-Use Path as a condition of receiving approval for the permit. The developer is being required to bear the cost of building out the path. This Zoning & Planning directive requires the path to be built on the development property, instead of in the northbound lane of Tilly Mill. between the existing curb of the roadway, with a 5-foot buffer strip, and a 12-foot concrete path along the 230 feet of 5383 Tilly Mill's frontage.

On December 7, 2023, the Zoning & Planning Department stated to the Developer.

"... any redevelopment of this property would require the developer to concurrently install the required streetscape. Along Tilly Mill, this includes the 12-foot multiuse path. We are requesting a strategy for the path that preserves the large 44" [Diameter at Breast Height (DBH), ancient oak] tree. This can be either routing the path differently, or installing a 'floating sidewalk' which reduces the impact in the CRZ, which preserves the tree. Based on [the developer's professional engineer's] previous email, it

seems that a full reroute of the path significantly impacts the corner lot, but an alternative needs to be proposed if that is the case."

On **November 28, 2023**, the Zoning & Planning Department advised the developer's professional engineers that,

"The planting strip would be 5 feet. Rather than routing the path around the entire CRZ, a floating trail could be used and it can go in the CRZ if necessary."

On **November 22, 2023**, the Zoning & Planning Department advised the Developer's Professional Engineers that they could find the details to the planned Tilly Mill Path at the following link (which is the Public Works web page for "Alternates 1 (West Side) and 2 (East Side)."

Link to the City's Public Works Department Projects web page which Zoning & Planning gave to the Developer and its Professional Engineers:

https://www.dunwoodyga.gov/government/projects/public-works/tilly-mill-road-shared-use-path-from-womack-rd-to-mt-vernon-rd

Mr. Leonhardt, the link provided by Zoning & Planning to design the path refers to design concept "Alternate 2" for placing the path on the East Side of Tilly Mill Road to replace the existing 5-foot sidewalk. That is *not the correct design plan* for Tilly Mill Road. That location was not approved by the City Council and would be overwhelmingly destructive of the front entrances to many subdivisions, damaging to the homes of hundreds of property owners, massive tree loss, and other adverse consequences. The affected subdivisions are Beaumont, Kingsley (at Sandell Drive), Holland Court, Renfroe Lake, Westover Plantation, Stephens Walk (2 entrances), Kingsley (at Dartford), and Congregation Ariel.

The Public Works Department never posted "Alternate 3" to update the City's Projects website page. "Alternate 3" proposes to move the Tilly Mill roadway Westward about one lane to place the Tilly Mill Shared-Use Path in the current Northbound lane of Tilly Mill leading up to Mt. Vernon. [Note: This project is being done in conjunction with rerouting of Mt. Vernon Place across city owned property to a stop just below Sandell Drive and reworking the intersection of Tilly Mill and Mt. Vernon.]

The Council has *not yet funded* construction of the path for placement and did *not* select "Alternate 2". The approximate average cost to the city to build *one mile* of a shared-use path in 2023 is about \$1 million per mile. That is a cost of about \$1,000 per foot. The 5383 Tilly Mill property has 230 linear feet along Tilly Mill Road. The City's estimated cost to construct Alternate 3 project is over \$7 million.

Link to the 80-page Master Trail Plan:

https://www.dunwoodyga.gov/home/showpublisheddocument/2898/6382113903658700

Specifically, please look at the Master
Trail Plan descriptions of the "P4 Planned Tilly Mill Road Sidepath" at page 47
(Holland Court at Tilly Mill) and page 48 (Stephens Walk at Tilly Mill). You will see photos as the road currently exists and renderings of where the paths would be located:

"Central Trails/Holland Court & Tilly Mill Road, Overview. The image below illustrates a previously developed planned sidepath along Tilly Mill Road at the intersection with Holland Court. This segment of trail offers key connections through Central Dunwoody. The sidepath uses existing right of way [Northbound lane of Tilly Mill] and shifts the travel lanes to the west." p. 47 [Holland Court is just north of Renfroe Lake Drive.]

"Central Trails/ Tilly Mill Road at Stephens Walk, Overview. The image below [in the Master Plan] illustrates a sidepath along Tilly Mill Road at the [North] entrance to Stephens Walk. *In conjunction with a road realignment* that allows for a turning lane into the Marcus Jewish Community Center. By *repurposing an existing deceleration lane* [at the North entrance to Stephens Walk]...." p. 48

The PATH Foundation recommended using **Alternate 3** design to avoid considerable loss of trees along the East Side of Tilly Mill. The City agreed with the recommendation.

The Path must *not* be constructed to replace the existing 5-foot sidewalk across the front of 5383 Tilly Mill. It is the City's responsibility to build the path as approved by the Council on May 22, 2023, and that cannot happen until the City is ready to fund and realign Tilly Mill by shifting it Westward. The developer should not have to bear the cost of installation, and it should not be a condition of receiving permitting.

The Tilly Mill Path should be constructed at its original proposed location shown in Alternate 1 as the West Side of Tilly Mill. As noted by the Director of Public Works on July 21, 2021, that is best location which is least disruptive to homeowners and results in preservation of trees. We disagree with the Public Works basis for recommending Alternate 2 in 2022 as unsupported conclusions that were overridden by The PATH Foundation and City Council in adopting Alternative 3. Alternate 2 was rejected by the public and the City.

Renfroe Lake Homeowners' Association, Inc.

Robin Hein, as President

Supporting Documents to Renfroe Lake HOA Dec. 26, 2023 Letter to Zoning & Planning Dept., Re: ZBA #23-20

City Web Page for Dunwoody Master Trail Plan

Pages 47 and 48, Central Trails Holland Court and Stephens Walk on Tilly Mill Road Path, Master Trail Plan Report

Public Works Alternate 3 Design Plan & Cost Estimate for Tilly Mill Shared Use Path

Emails between Zoning & Planning Department and Developer's Professional Engineers Regarding Tilly Mill Path

Photos of 5383 Tilly Mill Road, showing new location of Tilly Mill Path and vehicle travel lanes per Alternate 3 and Master Trail Plan

# MAY 22, 2023

## **PARTNERSHIP**

The City of Dunwoody is partnering with the PATH Foundation Team to develop a city-wide trail master plan.

Master Services Agreement with the PATH Foundation for a Trail

Master Plan



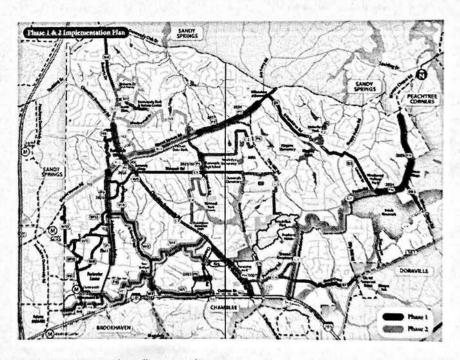
## **Dunwoody Trail Master Plan**

The City of Dunwoody partnered with the PATH Foundation and Perimeter Community Improvement Districts (PCIDs) to develop a city-wide trail master plan. This project identified trail opportunities and feasibility, developed branding and design standards, and outlined strategies for implementation.

## **Dunwoody Trail Master Plan Adopted May 2023**

After eight months of field research and community engagement, the Dunwoody City Council approved the Dunwoody Trail Master Plan during its meeting on May 22. The master plan is an overview with additional scrutiny and discussion to come: "As each trail segment moves through design and construction processes, there are multiple opportunities for community input and project adjustment by elected officials."

"The Dunwoody Trail Master Plan proposes a safe and inviting network of people-oriented trails that connect to key destinations within the city limits and beyond," said PATH Foundation Executive Director Greta deMayo. "If you look at the plan as a whole, it includes 68 miles of existing, planned, and proposed trails connecting Dunwoody residents to nine parks, 11 schools, seven shopping centers, and two MARTA stations."



Os Plan Implementation

## Click here or on the image for a closer look at the Implementation Map.

Building on the existing Dunwoody Trailway, the master plan was laid out under the direction of city staff and elected officials and vetted with key stakeholders and the public through a survey and series of public meetings.

The master plan details a three-phase program of projects taking more than 10 years to complete. The first phase includes projects already in-progress, designed to be completed within the next few years. The second phase of prioritized projects is to be completed within 10 years. Projects in these first two phases cover 8.5 miles with an estimated cost of \$51.6 million. Phase 3 projects are part of the long-range plan.

The City of Dunwoody has called for a voter referendum on the November 7, 2023 ballot to fund capital projects in whole or part by the issuance of general obligation bonds. Some projects referenced on this webpage are being considered for funding should the referendum be approved by the voters. The City reserves the right to modify plans and/or projects based upon the needs of the city and future funding. Citizens should not vote for the issuance of the general obligation bonds on the assumption that the projects will be funded with bond proceeds or that specific amounts will be spent on any particular project.

## **Building the Master Plan**

An overflow crowd attended the Dunwoody Trail Master Plan Public Meeting on February 8, 2023, at Dunwoody City Hall. Greta deMayo, Executive Director of the PATH Foundation, presented the draft map and discussed trail types, desired destinations, and the benefits of trails.

## Watch video of the meeting

Prior to creating the draft map, the PATH Foundation gathered community input on trails during a public open house on December 7 and at Light Up Dunwoody on November 20. In addition, 638 people responded to an online survey in December.

## **Master Planning Goals**

The goal for the Dunwoody Trail Master Plan is to connect Dunwoody residents to key destinations, such as schools, parks and shopping areas, by building a network of safe and inviting trails in a variety of types that respect the natural setting and enhance property values.

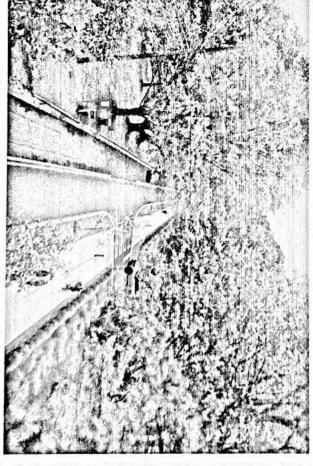
Email with questions.

# Central Trails | Holland Court & Tilly Mill Road

Overview

The image below illustrates a previously planned sidepath along Tilly Mill Road at the intersection with Holland Court. This segment of trail offers key connections through Central Dunwoody. The sidepath uses existing right of way and shifts the travel lanes to the west.

Proposed Trail Type Sidepath



Existiing conditions along Tilly Mill Road looking northwest

03 Dunwoody Trailway Network

Dunwoody, Georgia

PAGE 47

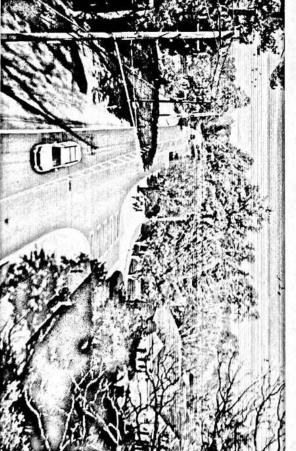
23 03 Dunwoody Trailway Network

# Central Trails | Tilly Mill Road at Stephens Walk

Overview

The image below illustrates a sidepath along Tilly Mill Road at the entrance to Stephens Walk, in conjunction with a road realignment that allows for a turning lane into the Marcus Jewish Community Center. By repurposing an existing deceleration lane into a sidepath, this concept is minimally invasive to existing landscape buffers and creates opportunity to plant more shade trees along Tilly Mill Road.

Proposed Trail Type Sidepath



Existiing conditions along Tilly Mill Road looking north

Dunwoody Trail Master Plan



## ALT 3 COST ESTIMATE

	TILLY MILL RO			Christian	A. Carlotte
	ALTERNATE 3 - BUFFERED BIKE LANES & EMIANC	ED SIDEWALK	7-10-51 S		7 5 5 5
ITEM NO.	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	EXTENSION
	ROADWAY				200,000
	TRAFFIC CONTROL-TELLY MILL RO	LO	LUMP	\$ 200,000 00	240,000
210-0100	GRADING CONFLETE - TILLY MILL RD	10	LUMP	8 750,000 00	400 001
310-1101	OR AGOR BASE CRE INCL WATE	TN	4300	6 43 47	64.673
318-3000	AGOR BURF CRB	TN	1300	7614	274 786
402-1912	RECYCLED ABPH CONC LEVELING, INCL BITUM MATL & H LIME	TN	2100	\$ 120.65 \$ 110.70	44 236
402-3121	RECYCLED ABON CONC 25 MM SUPERPAVE OF 1 OR 2, INCL BITUM MATL & HUME	JN_	850	8 124 94	249.870
402-3130	RECYCLED ARPH CONC 12 5 MM SUPERPAVE, GP 2 ONLY, INCL BITUM MATL & H LIME	TN	360	1 120 53	46,843
402-3190	RECYCLED ASPH CONC 18 MM SUPERPAVE OF 1 OR 2 MCL BITLM MATL & H LIME	TN	1700	2 282	4,797
413-0780	TACK COAT	OL SY	19000	8 0.46	
432-0200	MILL ASPH CONC PVAIT, 1 1/2 IN DEPTH	87	670	\$ 73.26	
041-001	DRIVEWAY CONCRETE & IN TK	87	7100	1 00 04 5	495.895 71,265
441-0104	CONC SIDEWALK & IN	BY	879	8 125 00 S	4 144
441-0749	CONCRETE MEDIAN, 6 IN	ey	80	8 89 25	40.071
441-4020	CONC VALLEY OUTTER & IN	87	720	\$ 70 10 8	44.000
441-6030	CONC VALLEY GUTTER 8 IN	87	190	8 92 43	7.47
441-5002	CONCRETE HEADER CURE 6 IN TP 2	U	250	\$ 20 27	4.022
441-5004	CONCRETE HEADER CURB, 10 IN, TP 4	U	130	\$ 43.25	****
441-8216	CONC CURB & OUTTER & IN X 24 IN, TP 2	U	11000	\$ 20 23 8	94,562
446-1100	PYAIT RENF FABRIC STRPS, TP 2, 18 MCH WIDTH	U	8400	8 1126 8	90,168
300-9999	CLASS B CONC, BASE OR PART WIDEHING	CY	240	\$ 375 70 \$ \$ 50 00 \$	22,500
815-2060	HANDRAL BRECAL DESIGN	U	3400	3 84 86 8	288,594
550-1100	STORM DRAIN PIPE 18 N. H 1-10	U	300	\$ 103 80 8	31.170
550-1240	STORN DRAIN PIPE 24 IIL H 1-10	U	150	\$ 116 34 8	17,450
550-1300 550-1360	STORM DRAIN PIPE, 30 IN, H. 1-10 STORM DRAIN PIPE, 36 IN, H. 1-10	U	100	9 152 92 8	15,292
550-1600	STORM DRAIN PIPE 60 IN, H 1-10	U	500	\$ 35721 8	178,602
350-4218	FLARED END SECTION 18 IN, STORM DRAIN	EA	1	\$ 1,104 46 8	
990-4224	FLARED END SECTION 24 IN, STORM DRAIN	EA	7 4 e4	8 1,325 87 8	
003-2181	STN DUMPED RP RAP, TP 3, 16 IN	SY	60	8 74 50 5	
003-7000	PLASTIC FILTER FABRIC	87	60	8 8.15 8	44,072
643-8210	WOOD FENCE.	U	810	12.67	182 204
666-1100	CATCH BASIN, GP 1	EA	35	3 4,479.41 5	35,835
669-2100	DROP BLET, GP 1	EA	- 1	8 4,227.74 8	21,136
988-4300	STORM SEWER MANHOLE TP 1	EA	4 4 4	\$ 3,000.00 \$	14,760.0
868-4400	STORM SEWER MANIOLE, TP 2	- North All Por	4 1 3 5 A	5-A	1-1-
	PERMANENT GRASSING	I AC	1 , 1	3 2,142.00 8	0,426
700-6010	AGRICULTURAL LIME	TN	( F.	\$ 234 04 8	
700-8000	FERTILIZER MIXED GRADE	TN		\$ 1,401.46 3	3,605
700-0100	FERTILIZER INTROGEN CONTENT	LB	150	\$ 670 8	
714-2000	EROSION CONTROL MATS, SLOPES	8Y	2000	8 160 8	3,200
	TEMPORARY EROSION CONTROL	46.75° (8).			J. Birth
163-2232	TEMPORARY GRASSING	AC	2	3 71243 8	
163-0240	MICH IN THE RESIDENCE OF THE PARTY OF THE PA	TN	70	9 231.44 8	
163-0300	CONSTRUCTION EXIT	EA		8 1,776 78	
163-0502	CONSTRUCT AND REMOVE BILT CONTROL GATE, TP 2	EA	-	8 730 26 1 8 12 98 1	
163-0526	CONSTRUCT AND REMOVE FABRIC CHECK DAW - TYPE C BILT FENCE	EA	200 50	3 207 76	
183-0550	COMETRUCT AND REMOVE MLET SEDMENT TRAP	LF.	4700	8 110	
185-0010	MANTENANCE OF TEMPORARY BLT FENCE, TP A MAINTENANCE OF TEMPORARY BLT FENCE, TP C	U	550	8 097	
185-0030	MANTENANCE OF CHECK DAME - ALL TYPES	U	100	1 105	THE RESERVE TO THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN COL
165-0041	MAINTENANCE OF BLT CONTROL GATE, TP 2	EA		9 179 07	
165-0086	MAINTENANCE OF CONSTRUCTION EXIT	EA		8 976 95	
105-0101	MAINTENANCE OF MILET BEDIMENT TRAP	EA	50	9 110 22	
167-1000	WATER QUALITY MONITORING AND GAMPLING	EA	2	3 421 01	H1
167-1500	WATER QUALITY INSPECTIONS	MO	12	1 1,257 30	15,000
171-0010	TEMPORARY BUT FENCE, TYPE A	V	8400	5 380	34,000
171-0090	TEMPORARY SAT FENCE, TYPE C	10	1100	1 450	4070
643-6200	AWRIER FENCE (ORANGE), 4 FT	U	800	3 10	8 1,500

# ALT 3 COST ESTIMATE

838-1638 636-2078 653-0126 653-0126 653-1501 653-1502 688-1704	RICHMAY BOME TO I HATE REFE BREETING TO B	-	State of the		-	
839-1038 836-2078 853-0128 853-0178 853-1501 853-1502 883-1704	HOHMAY GONE TO I MATE REFE BREETING TO 9				6.5	
939-2079 953-0120 953-0210 953-1501 953-1502 983-1704			10	14 414	1	1,075 6
953-0120 953-0210 953-1501 953-1502 953-1704	HOSHMAY BIGNO, TP 1 MATS, REFL SHEETING, TP 11	. 07	70	1 222	-	1,626 4
853-0210 853-1501 853-1502 883-1708	GALV STEEL POSTS TP?	water of any	400		-	8,162 7
653-1501 653-1502 663-1704	THE PRIOR LASTIC PUNIT MARKING, ARROW, TP 2	L.	23	10.78		2,465
853-1502 683-1704	THERMOPLASTIC PLANT MARKING, WORD, TP 1	EA.		1 10 61	-	200
663 1704	THERMOPLASTIC BOLID TRAF STRIPE & BL WHITE	U	17000	3 200 07	-	16.200
	THERMOPLASTIC BOUD TRAF STRIPE, BINL YELLOW	U	7500		1	7,045
	THERMOPLASTIC BOLIO TRAF STREE 24 BL WHITE	U	200	0 11.65		2,003 (
653-1804	THERMOPLASTIC BOLID TRAF STRIFE, BIN, WHITE	v	1800		•	4,758
853-3301	THE PRACPULATIC BIOP TRAF STRIPE, S. R. WHITE	OUF	2000	3 2.04	_	1,478
663-6004	THERMOPLASTIC TRAF STRIPMO, WHETE	8Y			_	2.007
	THE MADPLASTIC TRAF STRIPING, YELLOW		400	1 122	_	201
	RUBED PANT MARKERS TP 1	87	76	1 122	-	1,000
664-1003	RAISED PART MARKERS TP 3	EA	160	1 000		484 (
659-5013	NOT APPLIED PREFORMED PLASTIC PYNIT MKG, WORDS AND/OR SYMBOLS, WHITE, TP P	EA	85	\$ 5.09		15,005
	The state of the s	EA	60	\$ 251.00	•	15,005
947-1000	TRAFFIC BIGNAL INSTALLATION NO - WOMACK ROAD	TEN.	STANKE IN THE	Carn Text	13	215 July 17 6
1 10 25	TOWNER HOND	LB	1	8 40,000 00		40,000 0
			#UB-70	TAL ROADWAY:		4,302,384.4
		55151		WALLEY.	100	W. Zame
800-3201	CLASS B CONCRETE, RETAINING WALL				-	
	The state of the s	CA	140	\$ 844.00		118,816 (
	A STATE OF THE STA	5153	SUB-TOTAL RETAINING WALLS:		1	118,816.6
A PARTY OF STREET	LIGHTING			Section 1	5-L	CALL.
	CONSTRUCTION COMPLETE	UF	T	3 167 00	•	334,000 0
999-2015	CONSTRUCTION COMPLETE	UF	6800	8 41.76		283,800 0
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4000			SUB-T	OTAL LIGHTING:		617,900.0
	また「大きには 20mmでは 1 km/kg = 10 人 1 km/kg = 10 \lambda 1 km			Special services of	-	
	The Control of the State of the Control of the Cont		20% Contingencies 8 CONST. TOTAL: 1			1,007,620 2
			CONST. TOTAL:			6,046,921.21
	RIGHT OF WAY - 37 PARCELS			•	W. I.	New York Control
	REQUIRED RIGHT-OF-WAY	BF	8100	\$ 1800		145,800 00
	REQUIRED PERMANENT EASEMENT	SF .			8	86,400 0
	REQUIRED TEMPORARY EASEMENT	8#	11000	\$ 900	_	\$9,000 00
	REQUIRED DRIVEWAY EASEMENT	SF	16000			
1	BRICK SIGN (LAKESPRINGS WAY)	EA	Section.	\$ 25,000 00		25 000 00
	NOTE TO A SECURITY OF THE SECU		i Para	THE PERSON NAMED IN COLUMN TWO IS NOT THE OWNER.	-	356,200.00
	UTILITIES	No. of Street			A.F	
	RELOCATE UTILITY POLE	EA	22		•	
The same of	ADJUST SEWER MANHOLE TO GRADE	EA		-	÷	49.000
	RELOCATE FIRE HYDRANT	EA		\$ 2,000,00		12,000 0
	ADJUST WATER METER BOX TO GRADE	EA		\$ 1,000 00		20,000 0
	ADJUST WATER VALVE BOX TO GRADE	EA	21			21,000 0
	ADJUST WATER VALVE VALLET TO GRADE	EA		\$ 500 00 \$ 7,000 00		10,500.0
	TO SEE THE COMMENT OF THE PROPERTY OF THE PARTY OF THE PA			7,000 00 % Contingencies		7,000 0
	THE RESIDENCE OF THE RE	12 P 12		TLITY TOTAL:		84,600.0
		I. H.				

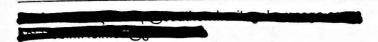
	-		7	Leading medication exists	~~ ~~~
851,700	125 25 8	6800 8	U	LIGHTING INSTALLATION - PHASE 2	99-2015
170.340 0	2014 Contingencies \$		127-127	A comprehensive and the comprehensive of the compre	
1,022,040.0	GHTING- &	PHASE 2 LK			

TOTAL INCL PHASE 2 LIGHTING: \$ 7.500.76020





## Fwd: Renfroe Lake Subdivision



Fri, Dec 8, 2023 at 11:25 AM

----- Forwarded message -

From: Daryl Cook <

Date: Fri, Dec 8, 2023 at 11:12 AM Subject: RE: Renfroe Lake Subdivision

To: Madalyn Smith <Madalyn.Smith@dunwoodyga.gov>, Michael Phelps <mp@southernheritagehomesga.com>

Cc: Jerry Taratoot < JTaratoot@wbengr.com>

Madalyn,

Please review the attached. With the 5' "beauty strip" and the 12' sidewalk the 44" tree trunk would be within the sidewalk and all within the right of way that will be dedicating to Dunwoody. I suggest that your allow the 12' sidewalk to butt to the back of curb at that point with curvature of the 12' edge from at back of curb to the full 5' beauty strip.

On another note, it is very likely that the old 44" diameter oak tree may only have a few for years as it appears to have dead limbs, multi split trunks, cut backs from aerial power lines as well the critical zone of the tree is 50% under the Tilly Mill Road pavement. An arborist will likely recommend that the tree is not specimen and likely not a keeper.

Looking along that same side of Tilly Mill Road, that route is loaded with trees south and north of this property that will have to be removed, likely hundreds of trees and thick vegetation, from Mt. Vernon Road and to North Peachtree Road. Seems to me that to add this 12' path and beauty strip will wipe out hundreds of trees, walls and conflicts with power and other utilities. If Dunwoody wants to kills hundreds of trees in this endeavor the city might want to take another to see how many trees, young and old, that must be removed along that route.

The developer will grant the additional right of way shown on the attached. The 12' path could be installed, sans tree, along this parcel but if the rest of the path along all of Tilly Mill Road may never be installed it sure will look strange. I suggest the city should rethink this path considering the hundreds and perhaps thousands of trees to me removed for this 12' wide concrete walkway which increase impervious area and acres of vegetated areas striped of trees.

Just my thoughts. d

Daryl R. Cook P.E., LEED© AP B+C President/CEO Watts & Browning Engineers, Inc. 1349 Old 41 Hwy NW, Suite 225 Marietta, GA 30066-6030 Cell: (404)354-9188

Phone: (678)324-6192 Fax: (770)694-6870 http://www.wbengr.com

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From: Madalyn Smith <Madalyn.Smith@dunwoodyga.gov>

Sent: Thursday, December 7, 2023 4:08 PM

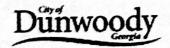
To: Michael Phelps <mp@southernheritagehomesga.com>

Cc: Jerry Taratoot <JTaratoot@wbengr.com>; Daryl Cook <DCook@wbengr.com>

Subject: RE: Renfroe Lake Subdivision

Hi Michael,

To clarify, any redevelopment of this property would require the developer to concurrently install the required streetscape. Along Tilly Mill, this includes the 12-foot multi-use path. We are requesting a strategy for the path that preserves the large 44" tree. This can be either routing the path differently, or installing a "floating sidewalk" which reduces the impact in the CRZ, which then preserves the tree. Based on Jerry's previous email, it seems that a full reroute of the path significantly impacts the corner lot, but an alternative needs to be proposed if that is the case.



Madalyn Smith

Senior Planner

City of Dunwoody

From: Madalyn Smith < Madalyn. Smith@dunwoodyga.gov>

Sent: Wednesday, November 22, 2023 10:36 AM

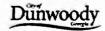
To: Jerry Taratoot < JTaratoot@wbengr.com>

Cc: Michael Phelps <mp@southernhentagehomesga.com>; Daryl Cook <DCook@wbengr.com>

Subject: RE: Renfroe Lake Subdivision

Hi Jerry,

You can find details here: https://www.dunwoodyga.gov/government/projects/public-works/tilly-mill-road-shared-use-path-from-womack-rd-to-mt-vernon-rd



Madalyn Smith

Senior Planner

City of Dunwoody

4800 Ashford Dunwoody Road

Dunwoody, Georgia 30338

P 678.382.6757

@DunwoodyGA dunwoodyga.gov

From: Jerry Taratoot < JTaratoot@wbengr.com> Sent: Wednesday, November 22, 2023 7:53 AM To: Madalyn Smith <Madalyn.Smith@dunwoodyga.gov>

Cc: Michael Phelps <mp@southernhentagehomesga.com>; Daryl Cook <DCook@wbengr.com> Subject: RE: Renfroe Lake Subdivision

Caution: External Message

Madalyn, can you send me anything that explains what the required streetscape improvements on Tilly Mill are? Or is it basically a 12' "sidewalk" outside the beauty strip?

Jerry Taratoot Watts & Browning Engineers, Inc. 1349 Old 41 Hwy NW

Suite 225 Marietta, GA 30060

Phone: (678)324-6192 Fax: (770)694-6870

This media should not be considered a certified document. The contents of this file are property of Watts & Browning Engineers, Inc. and said contents cannot be copied, altered or transmitted for any reason without the

From: Michael Phelps <mp@southernheritagehomesga.com>

Sent: Tuesday, November 21, 2023 9:54 AM
To: Daryl Cook <DCook@wbengr.com>; Jerry Taratoot <JTaratoot@wbengr.com>

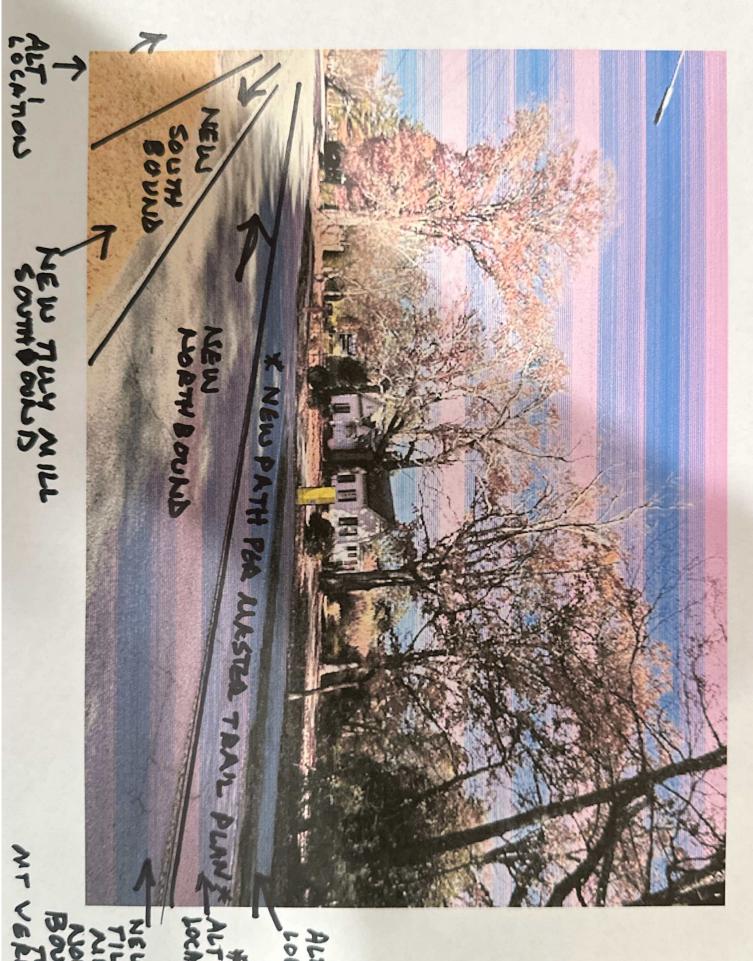
Subject: Fwd: Renfroe Lake Subdivision

Sent from my iPhone

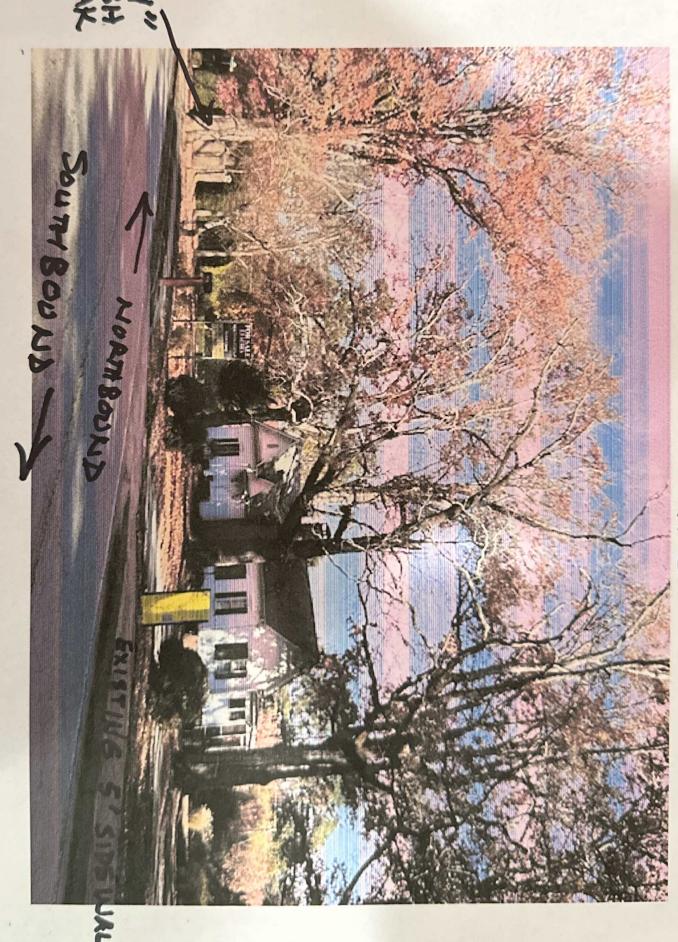
Begin forwarded message:

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Page 2 of 7

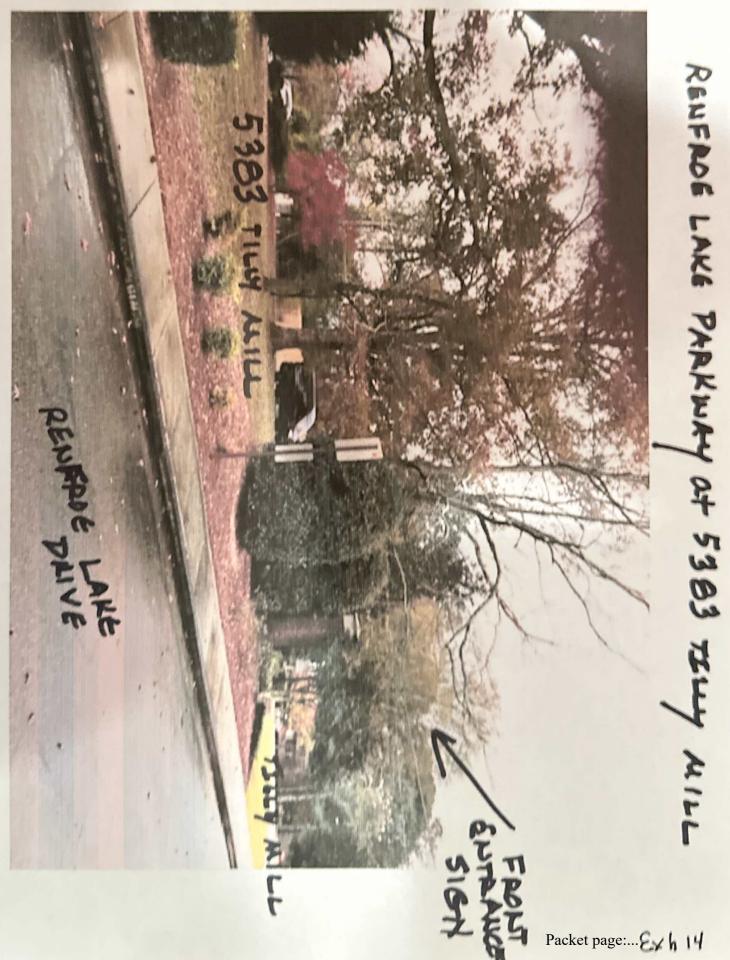


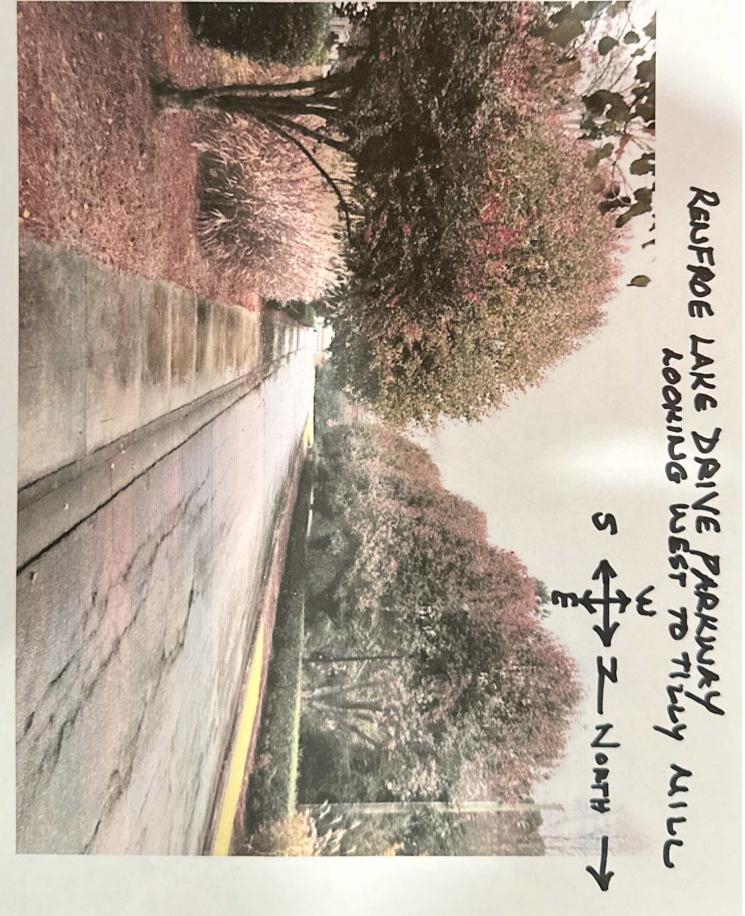
Packet page: 11



Packet pagexh12







# Tilly Mill Road Shared-Use Path from Womack Road to Mt. Vernon Road

Concept

Preliminary Design

Final Design Right-of-Way Utility Acquisition Relocation

Utility
Relocation Construction

Complete

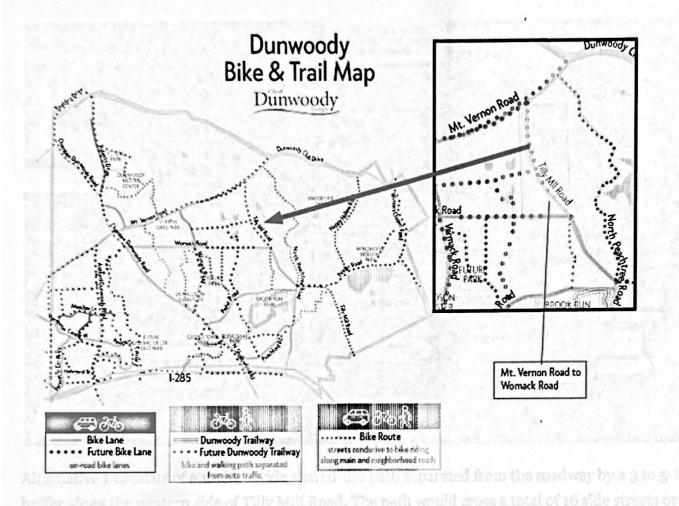


## **Current Activities:**

Plans for this project are being coordinated with the Dunwoody Trail Master Plan being developed by the PATH Foundation. Learn more: <a href="https://www.dunwoodyga.gov/trailmasterplan">www.dunwoodyga.gov/trailmasterplan</a>

Dunwoody's Transportation Plan recommends pedestrian and bicycle improvements on Tilly Mill Road between Womack Road and Mount Vernon Road. The proposed project provides a 12-foot-wide concrete path for cyclists and pedestrians separated from the roadway by a landscaped buffer The path would close a gap between the path being planned for Mount Vernon Road and the existing sidewalks and bike lanes to the south. The project would also improve access between the neighborhoods along Tilly Mill Road and the Marcus Jewish Community Center of Atlanta, Congregation Ariel, and the Georgia State Dunwoody Campus.

\* ALTERNATE 3 AND MASTER TRAIL PLAN WERG NENGR PUT ON THIS PAGE OF THE CITY'S WEBSITE

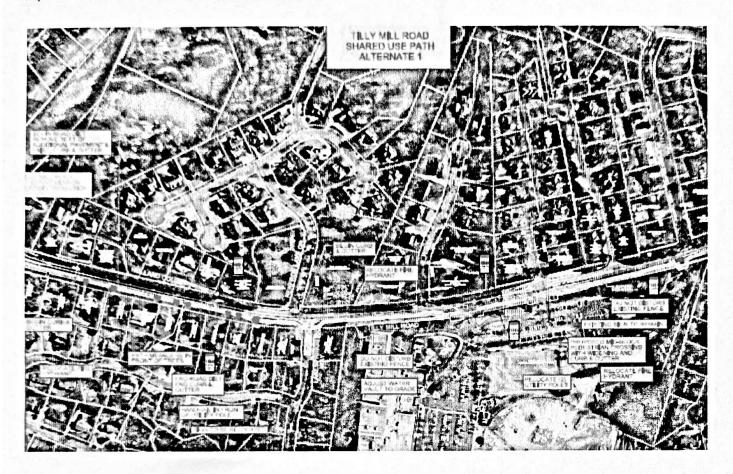


## **Concept Development:**

The city's design consultant, Practical Design Partners, has developed two alternative layouts for the path. In Alternative 1, the path is on the west side of Tilly Mill Road. In Alternative 2, the path is on the east side of the Road.

## **Alternative 1:**

Click on image below for a detailed view



Alternative 1 consists of a 12-foot-wide shared-use path separated from the roadway by a 3 to 5-foot wide grass buffer along the western side of Tilly Mill Road. The path would cross a total of 16 side streets or driveways. The number of crossings is an important consideration when planning shared-use paths because every driveway crossing is a potential conflict point between bicycles and vehicles. This alternative requires narrow strips of temporary easement and/or right-of-way from up to 13 properties. There are more utility poles on the west side to work around or relocate. The estimated cost for Alternative 1 is \$3.5M, which includes pedestrian lighting.

## **Alternative 2:**

Click on image below for a detailed view



Alternative 2 places the 12-foot wide shared-use path with a 3 to 5-foot buffer on the east side of Tilly Mill road and adds sidewalk where there is currently a gap on the west side of the road. The path would cross fewer driveways in this alternative than the west side of the road, and more than half of the crossings would be low-to-moderate traffic side streets where the path could potentially meander to create a safer crossing. Temporary easements and/or narrow strips of right-of-way would be required from up to 20 properties. Since the outfall of the existing drainage networks of Tilly Mill Road are along this eastern side, the drainage improvements would be simplified and there are fewer utility poles on this side. The estimated cost for Alternative 2 is \$4.2 million including pedestrian lighting.

In 2022, city staff recommended Alternative 2 based on two considerations:

- 1. There are more residences that could access the path on the east side of Tilly Mill Road without having to cross a major roadway.
- 2. There is less traffic entering and exiting the driveways and side streets on the east side of Tilly Mill which reduces conflicts with trail users.