



BOARD OF ZONING APPEALS

MARCH 20, 2025

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
5:30 PM

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF MEETING MINUTES**
 - A. Approve Meeting Minutes of January 16, 2025
4. **ITEMS FROM BOARD MEMBERS**
5. **ITEMS FROM STAFF**
 - A. **Public Hearing Procedure**
6. **PUBLIC HEARING**
 - A. **V-25-04 Foley/1340 Squirrel Run Setback Variance**

Consideration of a variance from Unified Development Code (UDC) Subsection 2.2.5(D) to reduce a side setback from 8' to 6'. The property is located at 1340 Squirrel Run and is legally described as being located in Land Lot 1246, 2nd District, 2nd Section, Fulton County, Georgia.
7. **ADJOURNMENT**



BOARD OF ZONING APPEALS

UNOFFICIAL Minutes

JANUARY 16, 2025

ALPHARETTA CITY HALL

COUNCIL CHAMBERS

2 PARK PLAZA

5:30 PM

1. CALL TO ORDER

Elle Taylor, Planning & Zoning Coordinator, called the meeting to order at 5:32 p.m.

A. Election of Chair and Vice Chair for 2025

- ❖ Board Member Gelber nominated Michael Gordy as Chair.
 - Board Member Shaw-Murphy seconded the nomination.
 - Board Member Gordy accepted the nomination.
 - Motion carried (6-0-1)(Gordy)
 -
- ❖ Board Member Gelber nominated Kirk Driskell as Vice-Chair.
 - Chair Gordy seconded the motion.
 - Board Member Driskell accepted the motion.
 - Motion carried (6-0-1)

2. ROLL CALL

A. Board Members Present

- o Marc Gelber (Chair)
- o Michael Gordy (Vice -Chair)
- o Kirk Driskell
- o Donna Shaw Murphy
- o Lisa Shippel
- o Dereje Teshale
- o Scott Wharton

B. Staff Present:

- o Michael Woodman, Planning & Development Services Manager
- o Elle Taylor, Planning & Zoning Coordinator
- o Joel Carnow, GIS Specialist/Special Projects Manager

3. APPROVAL OF MEETING MINUTES

A. Approval of Meeting Minutes of 7-18-24

❖ Board Member Shaw-Murphy offered a motion to approve.

- Board Member Gelber seconded the motion.
- Motion carried (7-0)

4. ITEMS FROM BOARD MEMBERS

5. ITEMS FROM STAFF

6. PUBLIC HEARING

A. V-25-01 12539 Darvish Lane Setback Variance

Micheal Woodman, Planning & Development Manager, presented consideration of a variance from Unified Development Code (UDC) Subsection 2.3.3 (B) and UDC Subsection 2.3.3 (C) to reduce a swimming pool setback from 20' to 10'. The property is located at 12539 Darvish Lane and is legally described as being located in Land Lots 1165 & 1166, 2nd District, 1st Section, Fulton County, Georgia.

The applicant proposes to reduce the rear setback by 50% to ten feet (10') to accommodate a 511 square foot swimming pool with spa at the rear of the existing home. There are two (2) properties in The Pearl subdivision with existing swimming pools, including at 5260 Nasser Avenue which has a 480 SF pool and at 12535 Darvish Lane which has a 396 square foot pool. The applicant does not propose any tree removal with the construction of the swimming pool.

- Location Map.
- Survey.
- Site Plan.
- Variance Requirements:

The property has an unusual shape given its location on a cul-de-sac. The location on the cul-de-sac required that the home be set at an angle to the rear property boundary. Furthermore, the applicant provided letters of no objection from all adjacent properties and the Pearl HOA. In addition, there are examples of similar variance requests being approved to reduce setbacks for a swimming pool on lots with an unusual shape and located on a cul-de-sac. Most recently, the Board of Zoning Appeals approved rear setback reductions for swimming pools at 1060 Gramercy Lane on November 16, 2023, and at 550 Ebley Place on October 19, 2023.

Citizenship Participation Plan.

Staff has reviewed the applicant's proposal against the review criteria for a variance. The property has an unusual shape given its location on a cul-de-sac. The location on the cul-de-sac required that the home be set at an angle to the rear property boundary. Furthermore, the applicant provided letters of no objection from all adjacent properties and the Pearl HOA. In addition, there are examples of similar variance requests being approved to reduce setbacks for a swimming pool on lots with an unusual shape and located on a cul-de-sac. Most recently, the Board of Zoning Appeals approved rear setback reductions for swimming pools at 1060 Gramercy Lane on November 16, 2023, and at 550 Ebley Place on October 19, 2023.

Staff's recommendation:

Approve V-25-01 12539 Darvish Lane, subject to the following conditions:

1. Swimming pool shall be permitted as depicted on the submitted site plan with a 10' rear setback.

There was discussion from the Board:

- Adjacent property.
- 10' setback applies to pool, SPA , to edge of property.

Applicant gave a brief presentation and agreed to Staff's recommendation.

There was no public comment.

❖ **Board Member Shippel offered a motion to approve based on Staff's conditions.**

- **Board Member Teshale seconded the motion.**
- **Motion carried (7-0)**

B. PH-24-21 4098 Big Creek Overlook Appeal to Administrative Decision

The Appellant was not present at the meeting. There was discussion by the Board and City Attorney that the case could move forward at this meeting.

Brian Borden, Development & Planning Manager, presented consideration of an appeal to an administrative decision related to a fine issued for violations of Unified Development Code (UDC) Subsection 3.1.1(D)(2) working without the required land disturbance permit, UDC Subsection 3.1.1(D)(3) failure to provide minimum erosion and sedimentation control measures, UDC Subsection 3.1.1(C)(3) and UDC Subsection 3.3.2 disturbance of stream buffers along state waters, and UDC Subsection 3.4.4(C) development within regulatory areas of special flood hazard. The property is located at 4098 Big Creek Overlook and is legally described as being located in Land Lots 47 & 86, 1st District, 1st Section, Fulton County, Georgia.

The appellant, Moshe Bachar, is requesting consideration of an appeal to an administrative determination related to a fine associated with a Violation Notice, dated July 25, 2024. The administrative decision resulted in a fine of \$2,500 being issued with additional requirements to bring the property back into compliance with land development and floodplain management regulations. The notice and fine cites a violation of the outlined Unified Development Code (UDC) sections:

- Article III, Section 3.1.1D2 Working without the required City of Alpharetta Land Disturbance Permit.

- Article III, Section 3.1.1D3 Failure to provide minimum erosion and sedimentation control measures.
- Article III, Section 3.1.1C3 and Section 3.3.2 Disturbance of stream buffers along state waters.
- Article III, Section 3.4.4C Development within regulatory areas of special flood hazard.

The appellant requests the \$2,500 fine to be waived. He argues the work was completed without his prior knowledge. Further, he states, "the financial implications of the required corrective measures are significant," and he is working with limited resources.

The City had the option of issuing a fine to the appellant of up to \$10,000 based on the 5 code sections that were violated. Without seeking to issue a fine in this amount, staff reduced the fine to \$2,500 in order to encourage compliance and allow the appellant to utilize those funds to correct the code violations rather than collect them. However, staff does believe a fine is warranted as a deterrent to repeated future offenses.

The appeal to administrative determination is related to a Violation Notice, dated July 25, 2024. The notice cites violations of multiple sections of the Unified Development Code (UDC) within Article III. The city received a complaint by a resident who noticed numerous truckloads of dirt being brought to the subject property located at 4098 Big Creek Overlook. The dirt was then emptied from the trucks and spread with construction machinery, as seen in pictures taken by city staff. This location in floodplain and stream buffers, as well as the scope of development activity, would have triggered a Land Disturbance Permit.

Appellant received notice of a violations of UDC Article III.

Items 1 and 2 were complied with quickly. The appellant has stated to staff that he has had difficulty stabilizing the site, as he has tried mulch which later gets washed away by the water in the area. A site inspection in August revealed that grass had begun to take hold, but a follow up inspection in mid-September revealed signs of the grass growing were gone and the site was found to be covered in bare dirt again. If followed, Item 5 would have required a meeting with an engineer before the end of August. Staff agreed with the appellant that having an engineer on board and prepared to discuss the site may take longer than 30 days. However, a meeting was not scheduled with city staff until a second letter was sent to the appellant on October 10th. Following the subsequent letter, a November 6th meeting was scheduled with his engineer. We are now at Item 6 in the above list while waiting to learn the results of the appellant's engineer's efforts. While waiting on a report from his engineer, the appellant has informed staff that 67 truckloads of dirt and 10 truckloads of additional fill have been removed, and he believes all excess soil has been removed. However, due to the sensitive nature of floodplain management, we must first see a report from his engineer addressing the matter.

Prior to the issuance of the violation, city staff was aware of the appellant and his desire to bring additional soil into the floodplain of Big Creek. Staff has email exchanges with the appellant dating back to February 2022 where the appellant described his desire to fill the area in to make the "area manageable and usable for agricultural purposes." In response, the appellant was informed that he could not bring fill material or soils to the area which was largely floodplain, and he was referred to the City's Stormwater Engineer who further instructed the process by which the appellant could seek to modify the mapped floodplain with the Federal Emergency

Management Agency (FEMA). The last communication found related to infilling the floodplain was in August 2022. As a result, staff believed the appellant had decided to stop pursuing the idea.

The appellant has stated in his request to appeal the \$2,500 fine that he was unaware the soil was being placed on his property and did not provide consent for anyone to place the soil on his property. Further, he states that the corrective measures outlined by city staff will have significant financial implications, and he is operating under limited resources to complete those measures. Based on this, he requests the fine be waived in its entirety.

- Timeline of Events.
- Streetview Photo of entrances and driveways.
- Map of Property in the culle de sac and rest of property showing flood plain area, estimate of area of work that was done.
- Site plan with the restored area from Appellant's Engineer .
- Map from 2022 showing where Appellant had requested to replace dirt.
- Work that was done was precisely what had been denied in 2022.
- Photos from July 25, 2024 showing 3 large trucks entering and exiting the site.
- Photo of Floodplain area that was filled showing heavy equipment used to flatten the area.
- Photo with individual potentially facilitating how dirt was to be dropped off.
- Photo of trucking dumping dirt on the area.
- Photo of gate.
- Paved driveway covered in dirt.
- Photo of mud outside on neighborhood street.
- After notification the Appellant made some effort to address issues.
- Photo from August 2, 2025 still showing piles of dirt. – showing that area was heavily grassed previously.
- Photo from August 15, 2025 showing where Appellant had attempted to stabilize the area.

There was discussion from the Board:

- Stop Work Order was issued, and cards were left at the family's door. Some work still continued.
- Notified Appellant Process of steps Appellant needed to take to correct.
- Staff needs to make sure that the grades remain the same as before and that the area becomes stabilized with some type of vegetation to hold soil in the future.
- The area does flood.
- Process and difficulty of contact with Trucking Companies.
- Calculation of dirt brought in. (67 truckloads)

- Questions on police report filed by Appellant.
- Appellant stated he was out of town, but someone was in the home as shown in photos; dogs were released on Code Enforcement Officers on one day.
- No other prior instances of this magnitude in the City for the past 9 years.
- Case was deferred previously by the Applicant.
- Staff gave Appellant the process to follow in 2022 and he did not follow it.
- Possible false police report and/or Insurance claim.
- The Appellant was not present.
- There was no public comment.

There was more discussion from the Board.

- City Attorney clarified that the process had been followed by the City for the notice for the hearing date.
- City Attorney clarified that the decision being made today is the waiver of the fine not a determination of any other issue.
- Appellant was told of the process in 2022 and went forward not following the process.
- ❖ **Board Member Gelber offered a motion to deny the Applicant's request and to leave the fine in place.**
 - **Board Member Wharton seconded the motion.**
 - **Motion carried (7-0)**

7. ADJOURNMENT

Chair Gordy adjourned the meeting at 6:14 p.m.



BOARD OF ZONING APPEALS MEETING

STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: E-25-04 FOLEY/1340 SQUIRREL RUN

BOARD OF ZONING APPEALS: MARCH 20, 2025

II. RECOMMENDATION:

Approve E-25-04 Foley/1340 Squirrel Run, subject to the following conditions:

1. Detached garage shall be permitted with a 6' side setback, as depicted on the site plan labeled Exhibit A – Site Plan.
2. Detached garage shall be substantially similar to the renderings labeled Exhibit B – Rendering, as approved by Staff.

III. REPORT IN BRIEF:

The applicants, John and Lori Foley, are requesting consideration of an exception to reduce the side building setback from eight feet (8') to six feet (6') to accommodate a detached garage. The subject property is located at 1340 Squirrel Run in the Jennifer Oaks subdivision.

DISCUSSION

The submitted request, if approved, would allow a six-foot (6') side setback for a detached garage on a single-family detached lot. An exception is requested to reduce the side setback from eight feet (8') to six (6'). The subject property is located at 1340 Squirrel Run in the Jennifer Oaks subdivision.

The 0.30-acre property is zoned R-15 (Dwelling, 'For-Sale', Residential) and is developed with a two (2) story, approximately 3,122 square foot single-family detached home. Surrounding properties are zoned R-15 and located in the Jennifer Oaks subdivision.

Unified Development Code (UDC) Subsection 2.2.5(D), R-15 Dwelling, For-Sale, Residential, District Regulations, requires a ten-foot (10') side setback. An administrative variance was approved for the Jennifer Oaks subdivision reducing the side setback for all lots from ten feet (10') to eight feet (8'). The site plan depicts a one-story, one (1) car detached garage located at the end of the driveway. The home currently has a two (2) car side-loaded garage. There is approximately four feet (4') between the residence and the detached garage. The applicant has stated that the garage was not proposed to be attached to the house due to the existing floor plan of the home which does not have a side entrance into a mudroom or kitchen. Otherwise, to access the proposed one (1) garage, the homeowners would have to open the garage doors to both the side-loaded garage and single car garage. Therefore, the garage is proposed to be detached to allow for a side entry door in the four feet (4') area between the two (2) structures. The four-foot (4') area would also accommodate access to the rear yard.

EXCEPTION REVIEW CRITERIA

The City of Alpharetta UDC Article IV, Section 4.5.5 outlines the criteria set forth for granting an exception. The ordinance limits exceptions to certain regulations in the UDC, including setbacks, height, buffers, signage, parking, tree preservation, building size, impervious area, and residential accessory structures. An exception may be granted in such individual case of unnecessary hardship or granting the exception would not cause a substantial detriment to the public. The following review criteria apply to an exception:

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

Response: The property does not have exceptional conditions due to its size, shape or topography. However, the floor plan of the home does not have a side entrance into a mudroom or kitchen due to the home having a side-loaded garage on the right side of the home. Therefore, the applicant proposed a detached garage to allow for a side entry door in the four feet (4') area between the home and the garage. Otherwise, the homeowners would have to open the garage doors to both garages in order to gain access to the proposed garage.

2. The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or

Response: Application of the ordinance would require that the one (1) car garage be attached to the residence. This condition would result in the homeowners having to open the garage doors to both garages in order to access the proposed garage.

3. There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned; or

Response: The property has peculiar conditions due to the existing floor plan of the home which adversely affect its reasonable use. The floor plan does not have a side entrance into a mudroom or kitchen due to the home having a side-loaded garage on the right side of the home. Therefore, the applicant proposed a detached garage to allow for a side entry door in the four feet (4') area between the home and the garage. Otherwise, the homeowners would have to open the garage doors to both garages in order to gain access to the proposed garage.

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Ordinance.

Response: The applicant's proposal would not cause a substantial detriment to the public good. The requested exception, if approved, would reduce the side setback by two feet (2'). The request relates to accommodating reasonable access to the proposed garage and the applicant provided letters of no objection from adjacent properties, as well as the Jennifer Oaks HOA.

CONCURRENCES

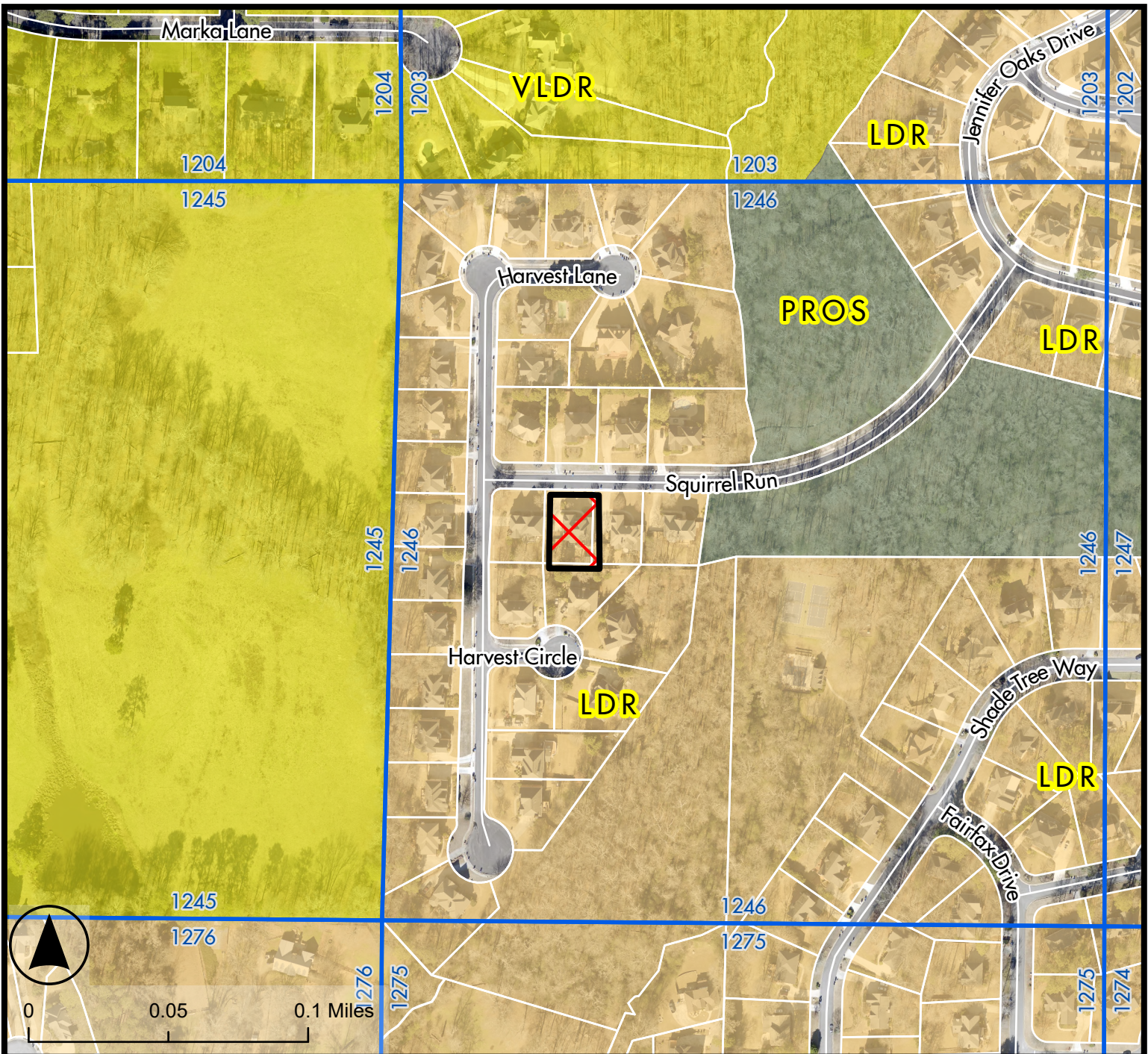
Staff has reviewed the applicant's proposal against the review criteria for an exception. The property has peculiar conditions due to the existing floor plan of the home which adversely affect its reasonable use. The floor plan does not have a side entrance into a mudroom or kitchen due to the home having a side-loaded garage on the right side of the home. Therefore, the applicant proposed a detached garage to allow for a side entry door between the home and the garage. Otherwise, the homeowners would have to open the garage doors to both garages in order to gain access to the proposed garage. The request relates to accommodating reasonable access to the proposed garage and the applicant provided letters of no objection from adjacent properties, as well as the Jennifer Oaks HOA.

CITIZEN PARTICIPATION PLAN

The applicant notified adjacent property owners to the subject property and the Jennifer Oaks HOA regarding the request for exception. The applicant's report states letters of no objection were received from adjacent property owners, as well as an approval letter from the Jennifer Oaks HOA.

IV. ATTACHMENTS:

- Map Series
- Exhibit A & B
- Citizen Part B
- Application



Legend



V-25-04



Land Lots



Tax Parcels

— Alpharetta City Limits

Future Land Use 2040



Low Density Residential



Parks, Recreation, Open Space



Very Low Density Residential

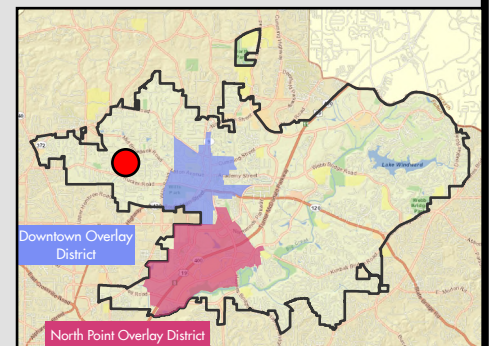
Future Land Use Map

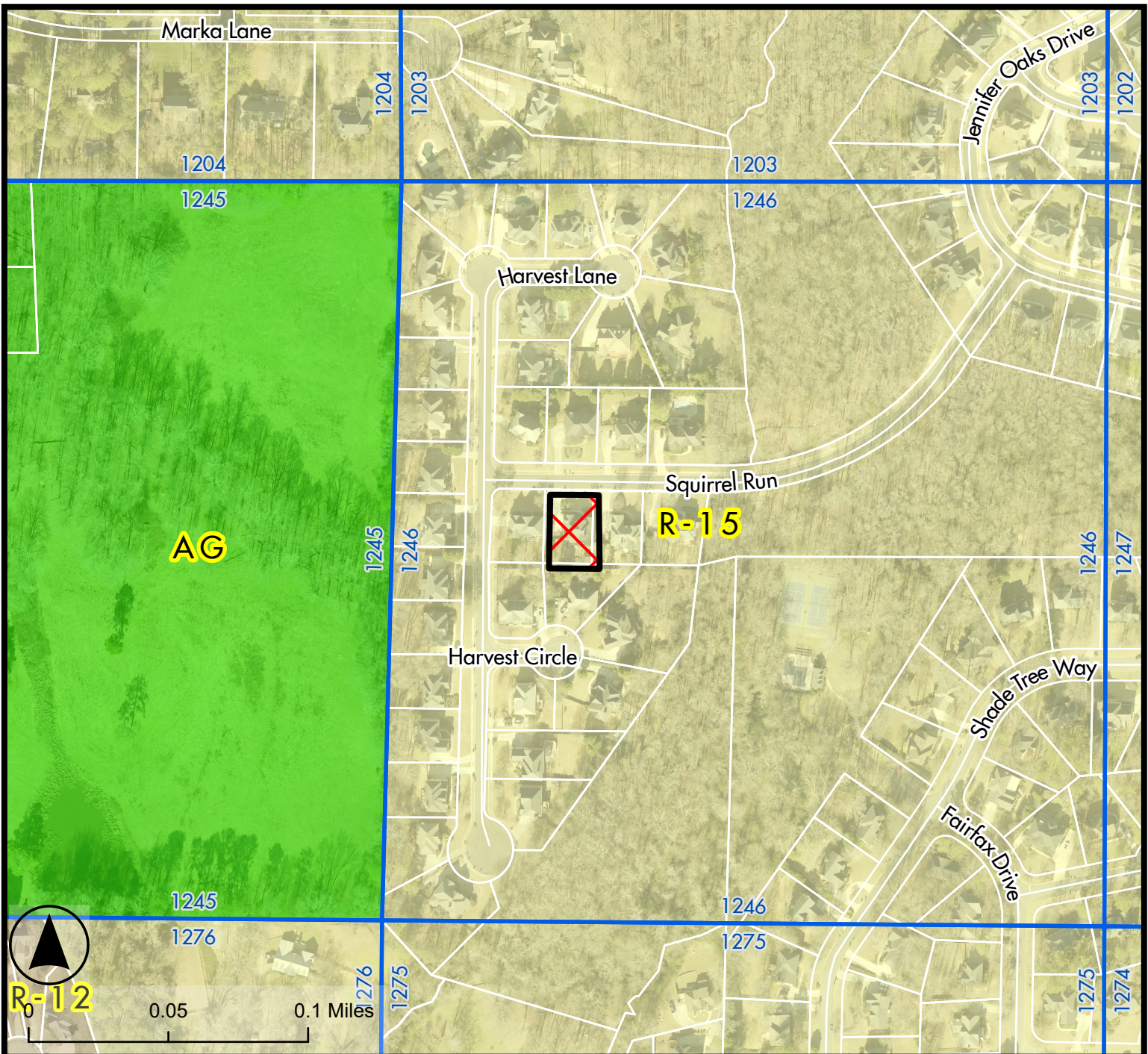
Foley / 1340 Squirrel Run Setback Variance

V-25-04

D/LL: 2/2/1246

BZA: 3/20/2025





Legend

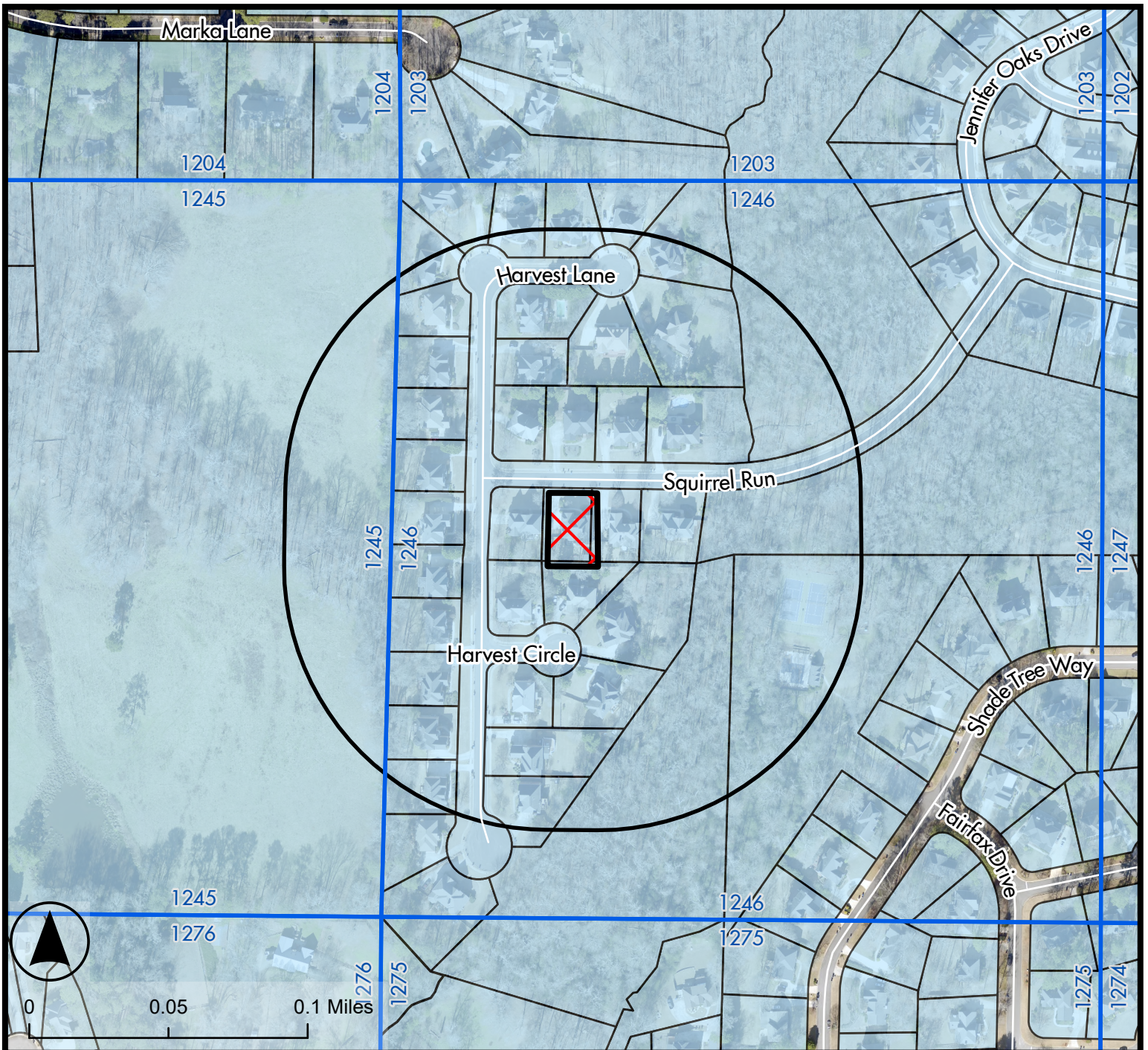
- V-25-04
- Land Lots
- Tax Parcels
- Alpharetta City Limits
- Zoning District**
- AG Agriculture
- R-12 Single Family Detached Residential
- R-15 Single Family Detached Residential

Zoning Map

Foley / 1340 Squirrel Run Setback Variance

V-25-04

D/LL: 2/2/1246
BZA: 3/20/2025



Legend

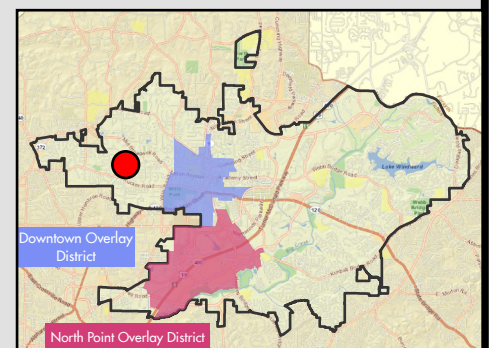
- V-25-04
- Land Lots
- 500 ft Buffer
- Tax Parcels
- Alpharetta City Limits

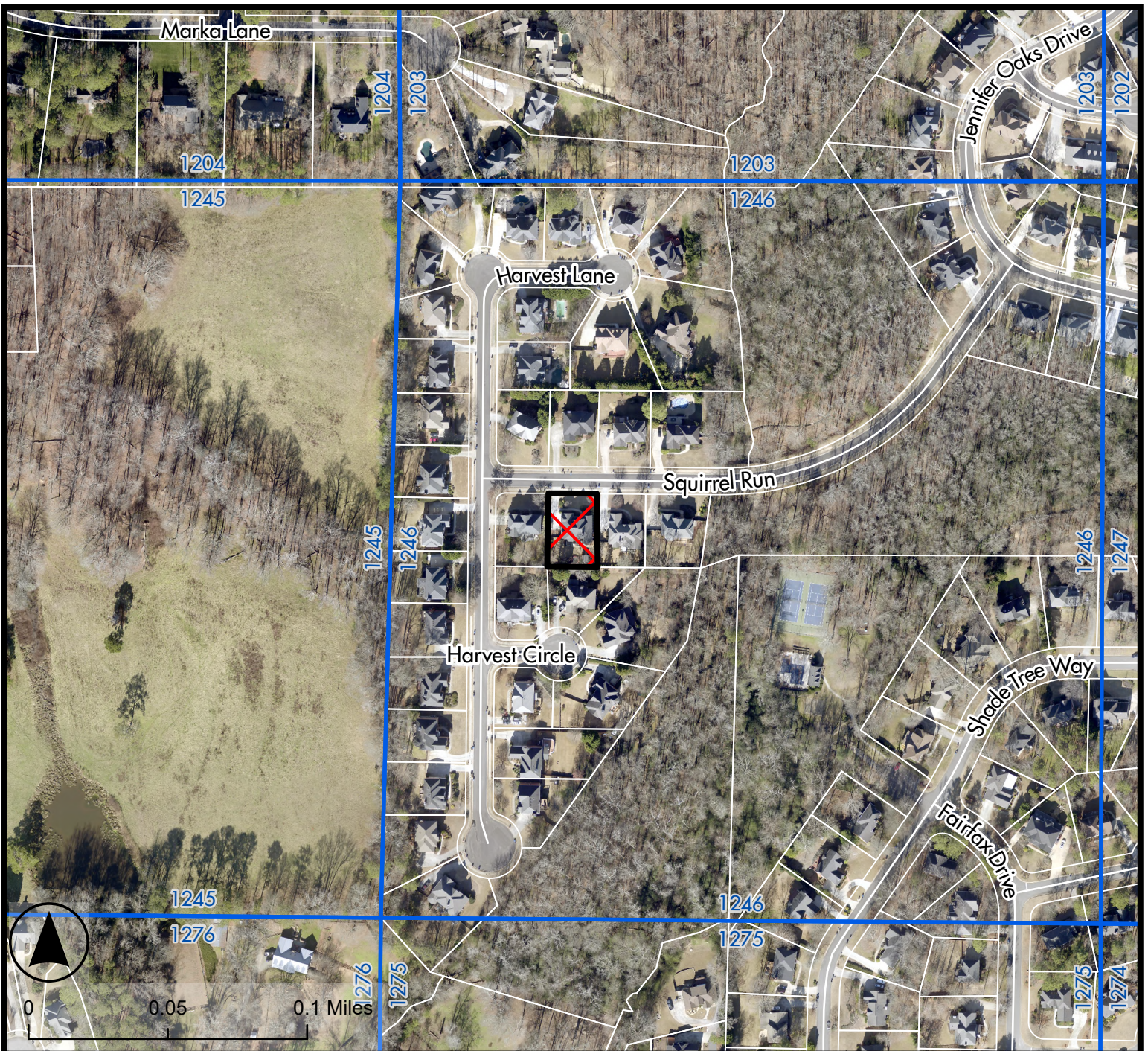
Location Map

Foley / 1340 Squirrel Run Setback Variance

V-25-04

D/LL: 2/2/1246
BZA: 3/20/2025





Legend

- V-25-04
- Land Lots
- Alpharetta City Limits

Aerial Map

Foley / 1340 Squirrel Run Setback Variance

V-25-04

D/LL: 2/2/1246
BZA: 3/20/2025

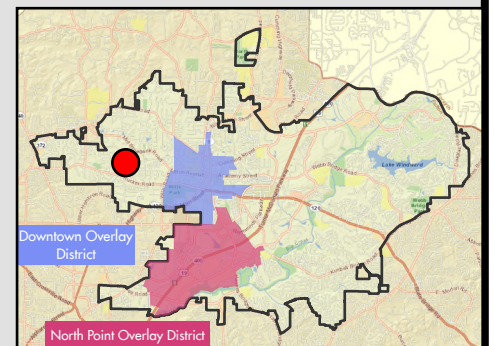
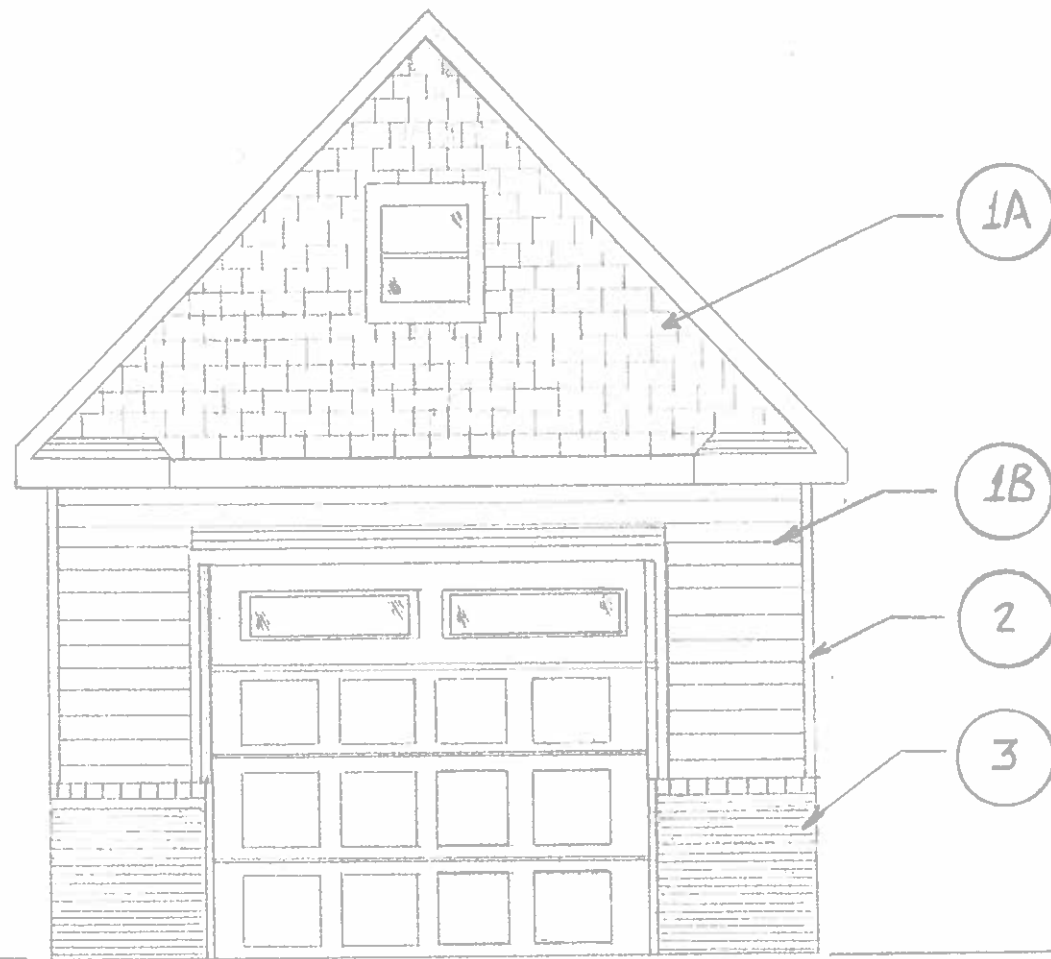


Exhibit B - Rendering

- 1A JAMES HARDIE SHINGLES - SW7508 TAVERN TAUPE
- 1B JAMES HARDIE SIDING - SW7508 TAVERN TAUPE
- 2 JAMES HARDIE TRIM - SW7528 WINDSOR GREIGE
- 3 BRICK COLOR TO MATCH EXISTING HOUSE

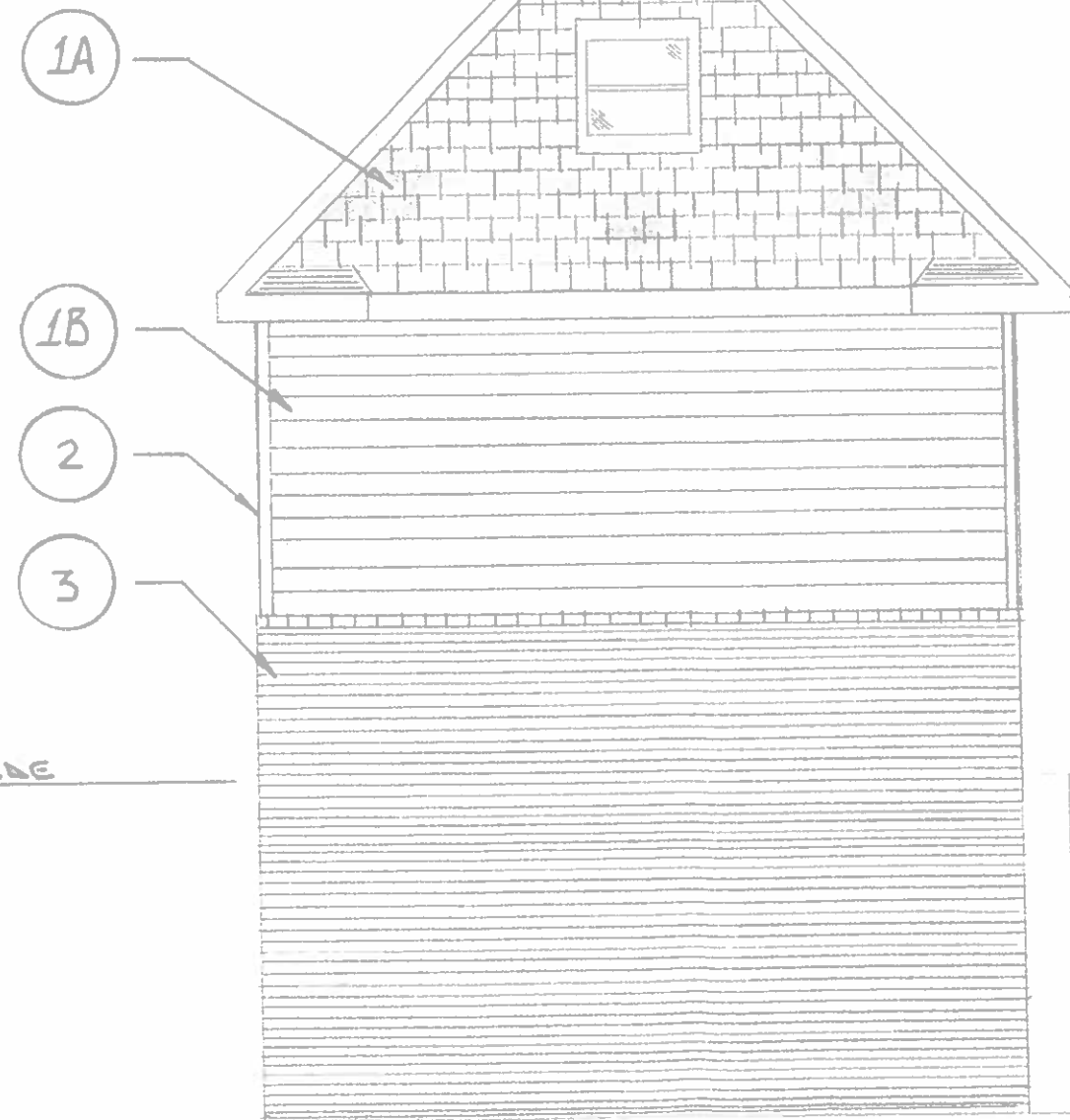
EXISTING HOUSE



NORTH ELEVATION

BUILD LINE

GRADE



EXISTING HOUSE

GRADE

SOUTH ELEVATION

STONE ST
N.T.S.

Exhibit B - Rendering



N.T.S.

CITIZEN PARTICIPATION FORM - PART B

This form must be completed and submitted to the City of Alpharetta Community Development Department a minimum of twenty (20) working days prior to the scheduled Public Hearing. Failure to do so will result in cancellation of the scheduled hearing.

Public Hearing or Project Name: **Detached Vehicle Garage Variance Request**

Contact Name: **John J. Foley III / Lori A. Foley** Telephone: **404.725.6232**

Please describe comments and concerns provided by any and all individuals contacted as part of the the Citizen Participation Program. If any individuals provided written correspondence, please attach copies of same to this report.

The four adjacent property owners were contacted via U.S. mail, email, telephone, or in person meeting to discuss the zoning request for reduction of the build line from 8' to 6'. Three of the four adjacent property owners responded and agreed to either send an email or sign a letter of support/no objection for the rezoning request. The fourth adjacent property is corporately-owned and is being rented to tenants. No communications have been received from ownership following our notification via USPS correspondence.

Adjacent property owners Kathie and Luke Graham at 1350 Squirrel Run (West of property) provided an email in support of our project with the request to take care with respect to their landscaping. Adjacent property owners John McSween at 1330 Squirrel Run (East of property), and Susan and Ashley Berthelot at 1710 Harvest Circle (South of property) provided letters of support/no objection. Additionally, neighbors Antoinette and D.J. Postles who live at 1590 Harvest Lane (within the line of sight West of property) also provided a letter of support/no objection.

Copies of the email of support and letters of support/no objection are included herein as attachments. Approval by the Jennifer Oaks Homeowners Association board was granted. A letter dated 10/29/2024 from Homeowner Management Services (HMS) was provided with the approval by the JOHA board and is included herein as an attachment.

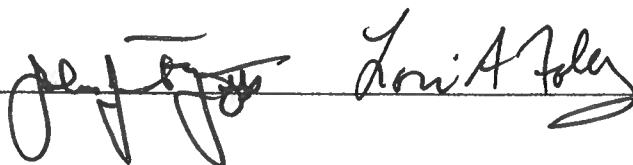
Method by which these individuals were contacted. Please mark all that apply. *Please provide samples of any and all written communications used to provide notification.*

- | | |
|---|---|
| ☒ Letter | ☒ Personal Visits |
| ☒ Telephone | ☐ Group Meeting |
| ☒ Email | ☐ Other (Please Specify) _____ |

Attach a list of people who have been notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified.

I, the undersigned, as an authorized representative of the applicant and Public Hearing item identified above, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Citizen Participation Form - Part B and in any and all documents provided in support of this report are true and accurate. I further understand that any false statements provided by representatives of the applicant as part of this report may result in penalties up to and including denial of the subject application.

Signature of Authorized Agent:



Date:

02/18/2025

Print Form

V-25-04 Foley/1340 Squirrel Run Setback
Communication Summary

			Initial Request for Approval of Project		Communication re Set Back					Approval/No Objection Letter obtained
Resident	Address	Location	Personal Discussion	HOA Approval Form	Letter	Personal Discussion	Email	Text	Phone	
John McSween	1330 Squirrel Run	Contiguous	x	x	x	x	x			Yes
Luke & Kathie Graham	1350 Squirrel Run	Contiguous	x	x	x		x	x		Yes
Ashley & Susan Bertholot	1710 Harvest Circle	Contiguous	x	x	x	x	x		x	Yes
COLFIN AI-GA 1, LLC & Invitation homes (Corporate Owned Rental)	1700 Harvest Circle	Contiguous			x (see note below*)					no response
DJ & Antionette Postles	1590 Harvest Lane	Visual line of sight				x				Yes

*Notice mailed to address on file with Jennifer Oaks Homeowners Association as follows: PO Box 4778, Logan, Utah 84323

October 29, 2024

John & Lori Foley III
1340 Squirrel Run
Alpharetta, GA 30004

**Ref: Jennifer Oaks Homeowners Association, Inc.
Approval of Modification Request
for 1340 Squirrel Run**



Dear John & Lori Foley III:

As Management Agent for your Homeowners Association, I am writing to you regarding the above referenced matter. You recently submitted the following Shed and/or Detached Building modification request for Jennifer Oaks:

ACC Type: Shed and/or Detached Building

*Briefly describe your modification request (Full details should be included in your completed PDF application for modification form.):
Proposing to add a detached garage to the west of the current residence. Based on existing neighborhood plat submittal to the City of Alpharetta, an administrative variance was initially used, therefore one cannot be used for this project. Therefore a separate zoning request will be submitted to the City per their requirements.*

By submitting this online form, you agree to the following:

I have completed and attached my Association's PDF application for modification form. (The PDF application for modification form is available on the Downloads page.)

I understand that my request will not be considered complete if more details are required to make a decision.

I will not begin any work until after receiving written approval for my modification request.

Your Shed and/or Detached Building modification request has been *approved* by your Homeowners Association as submitted.

This approval does not constitute the Homeowners Association's endorsement of the suitability, safety, or legality of your project. You must still comply with all building codes and set back requirements, and are responsible for obtaining the necessary permits. Additionally, you must also comply with the Declaration of Protective Covenants for Jennifer Oaks Homeowners Association, and with any and all community design guidelines, rules, and regulations for Jennifer Oaks.

You can review all of the documents that you submitted, download an electronic copy of this letter, and submit another modification request online. After signing in to the **HMS Community Website** for Jennifer Oaks, www.HMS-inc.net, or the HMS Express app, these features are all available on the "**Modification Requests**" page.

The Homeowners Association appreciates your patience, and would like to thank you for submitting your modification request for review. By complying with the Declaration and other governing documents, you help your Board of Directors maintain and enhance property values, and conform to the Community-Wide Standard within Jennifer Oaks. If you have any questions, then please contact your Association Administrator at HMS, Joy L. Duffy, online at www.HMS-inc.net or the HMS Express app, or by email at Joy.L.Duffy@HMS-inc.net.

Regards,

Janet Fotey, CMCA, AMS, PCAM
Management Agent for Jennifer Oaks Homeowners Association, Inc.

FW: Garage Project Approval

To trawlfaz@comcast.net <trawlfaz@comcast.net>

-

Lori A. Foley, CMA, CHC, PHR, SHRM-CP
Managing Principal, Revenue & Compliance Advisory
Office Managing Principal, Atlanta | PYA, P.C.

PYA Celebrates 40 Years of Service

P (404) 266-9876 | C (770) 265-5550
Resurgens Plaza, Suite 2100
945 East Paces Ferry Road NE, Atlanta, GA 30326

Executive Assistant: Karen Quigley
P (404) 266-9876 | KQuigley@pyapc.com
[www](http://www.pyapc.com) | [LinkedIn](#) | [Facebook](#) | [X](#)

*We are an Independent Member of HLB—
The Global Advisory and Accounting Network*

From: Kathie Graham <kathiedgraham@yahoo.com>
Sent: Thursday, February 13, 2025 9:38 PM
To: Lori Foley <lfoley@pyapc.com>
Subject: Garage Project Approval

Warning: External Email: This email originated from outside of the firm. Do not click links or attachments unless you are sure they are safe. Call IT Support if you are concerned about the message or any attachments.

Hey Lori,

Thanks for sending your plans for building a new garage and replacing the existing retaining wall on your property. I now understand what the application with the City of Alpharetta means. I was concerned that the variance to reduce the side setback from 8 feet to 6 feet meant that you wanted to move the retaining wall 2' closer to my house. I'm am glad to know that is not the case!
You have my support for your project as long as great care is taken to address the following concerns.

I appreciate that you are building the new retaining wall in the **exact same location** as the existing wall. This is critical to ensuring that my property is not impacted, as I have recently undertaken significant regrading and landscaping work to correct water flow issues that have previously caused damage to my home, resulting in two costly rounds of mold remediation.

Additionally, I want to make sure that my property is not trampled or damaged during construction. I have invested heavily in new landscaping, and I am particularly concerned about preserving my large camellia bush that came from my Grandparents farm. It's 27 years old and very precious to me. I kindly ask that your contractor take all necessary precautions to **avoid any damage to my Camellia Bush and its roots**. Kindly ensure that no heavy equipment, debris, or materials encroach onto my property.

Another crucial point is water flow. I ask that the construction and any grading associated with the new garage and retaining wall **do not alter the natural water flow in a way that would negatively impact my property**. Specifically, I want to ensure that the project does not create new drainage issues for me or block the natural water flow to the creek. Given my past experiences, this is a major concern, and I appreciate your contractor taking all necessary measures to prevent any future problems.

Thank you for your cooperation in addressing these concerns and your commitment to ensuring that the construction process does not negatively affect my property. I am always available via text or by phone.

I appreciate regular communication since I am not there to know when construction begins or how it progresses.

I am truly happy for you and John. This will be a great addition to your home.

All The Best,
Kathie Graham

Sent from my iPhone

****IMPORTANT NOTICE**** This E-mail, including any attachments, may contain PRIVILEGED, PROPRIETARY, AND/OR CONFIDENTIAL INFORMATION and is intended only for the use of the individual(s) or entity(ies) designated as recipient(s). If you are not an intended recipient of the E-mail, you are hereby notified that any review, disclosure, copying, distribution, or action taken in reliance on the contents of this E-mail is strictly prohibited. Disclosure to anyone other than the intended recipient does not constitute a waiver of any applicable privilege.

If you have received this E-mail in error, please delete it, along with any copies, and immediately notify the sender by separate E-mail.

February 16, 2025

RE: V-25-04 Foley/1340 Squirrel Run Setback Variance

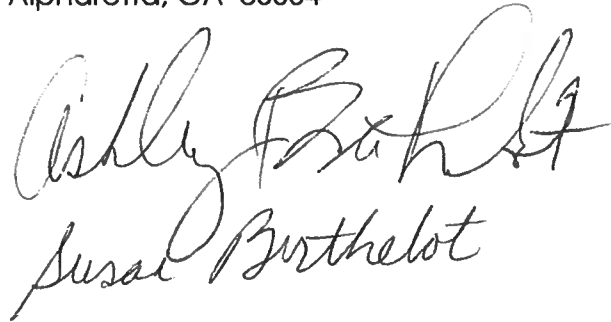
To the City of Alpharetta Board of Zoning Appeals:

As a property owner residing adjacent to the above-referenced property, we provide this letter of support/no objection for the rezoning of the Foley property to allow for a 6-foot setback from the currently required 8-foot setback to accommodate the desired dimensions of a single car detached garage addition.

If you have any questions regarding this letter, please contact us at 770-777-2774. Our email address is ashsuebert@comcast.net.

Thank you,

Ashley and Susan Berthelot
1710 Harvest Circle
Alpharetta, GA 30004

Handwritten signatures of Ashley and Susan Berthelot. The signature for Ashley is written above the signature for Susan. Both signatures are in cursive and appear to be in black ink.

2/10/2025

RE: V-25-04 Foley/1340 Squirrel Run Setback Variance

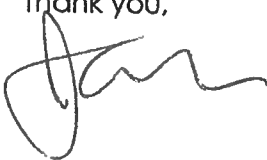
To the Board of Zoning Appeals:

As a property owner residing adjacent to the above-referenced property, I am providing this letter of support for the rezoning of the Foley property to allow for a 6-foot setback from the currently required 8-foot setback to accommodate the desired dimensions of a single car detached garage addition.

As a current member of the Board of the Jennifer Oaks Homeowners Association, I can attest that John and Lori Foley are in good standing and that the Board has approved their request as submitted. Further, John and Lori Foley have continuously maintained their property in excellent condition, and the proposed variance will allow them to proceed with a project that will enhance the value of their property which will have a positive impact on the neighborhood.

If you have any questions regarding this letter of support, please feel free to contact me at your earliest convenience. I can be reached at 404-216-2723. My email address is: johnmcsween@hotmail.com.

Thank you,

A handwritten signature in black ink, appearing to read 'John', with a stylized flourish extending to the right.

John McSween
1330 Squirrel Run
Alpharetta, Georgia 30004

February 10, 2025

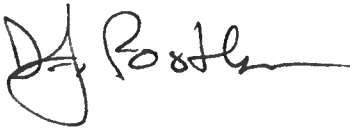
RE: V-25-04 Foley/1340 Squirrel Run Setback Varlance

To the City of Alpharetta Board of Zoning Appeals:

As a property owner residing with a visual line of sight to the above-referenced property, I am providing this letter of support for the rezoning of the Foley property to allow for a 6-foot setback from the currently required 8-foot setback to accommodate the desired dimensions of a single car detached garage addition.

If you have any questions regarding this letter, please contact me at 470-701-8510. My email address is djpostles@gmail.com.

Thank you,

A handwritten signature in black ink, appearing to read "D.J. Postles", with a long horizontal flourish extending to the right.

D.J. Postles
1590 Harvest Lane
Alpharetta, GA 30004

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY
Case #: E-25-04
PH #: PHA250001

☐ Property Taxes & Code Violations Verified
☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta." Please note that a 3% convenience fee will be added to all credit card transactions.
5. Applications will be accepted on the designated submittal dates between the hours of 8:30 AM and 3:30 PM.
6. If you have any questions regarding this form, please contact the Community Development Department by calling 678-297-6070.

Contact Information:

Contact Name: John J. Foley III / Lori A. Foley Telephone: 404.725.6232
Address: 1340 Squirrel Run Suite: _____
City: Alpharetta State: GA Zip: 30004 Fax: _____
Mobile Tel: 404.725.6232 Email: trawlfaz@comcast.net

Subject Property Information:

Address: 1340 Squirrel Run Current Zoning: R-1
District: 2nd Section: 2nd Land Lot: 1246 Parcel ID: 22-4340-1246-077-5
Proposed Zoning: _____ Current Use: _____

This Application For (Check All That Apply):

- | | | |
|--|--|---|
| ☐ Conditional Use | ☐ Master Plan Amendment | ☐ Comprehensive Plan Amendment |
| ☐ Rezoning | ☐ Master Plan Review | |
| ☒ Variance | ☐ Public Hearing | |
| ☐ Exception | ☐ Other <u>(Specify):</u> _____ | |

APPLICANT REQUEST AND INTENT

What is the proposed use(s) of the property?

The addition of a single vehicle detached garage.

Applicant's Request (Please itemize the proposal):

We are requesting a setback reduction of 40% of the 10 ft setback to 6 ft.

Applicant's Intent *(Please describe what the proposal would facilitate):*

The reduction of the side setback to 6 ft would allow the construction of a 16 ft wide single vehicle detached garage with a distance of approximately 4 ft - 5 ft between the west exterior wall of current residential structure and the east exterior wall of the proposed garage.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: John J. Foley III / Lori A. Foley Telephone: 404.725.6232

Address: 1340 Squirrel Run Suite: _____

City Alpharetta State: GA Zip: 30004 - 5321

Authorization:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Alpharetta, Georgia.

As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

- | | |
|---|--|
| ☐ Annexation | ☐ Special Use |
| ☐ Rezoning | ☐ Conditional Use |
| ☒ Variance | ☐ Master Plan |
| ☐ Land Use Application | ☐ Other |

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: SAME AS ABOVE Telephone: _____

Address: _____ Suite: _____

City _____ State: _____ Zip: _____

So Sworn and Attested:

Owner Signature: _____ Date: 01/02/2025

Notary:

Notary Signature: Prisea Metran Cook Date: 01-02-2025



DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent: John J. Foley III / Lori A. Foley

Subject Public Hearing Case: Detached Vehicle Garage Variance Request

Campaign Contribution Information:

Please provide the requested information for each contribution with a dollar amount or value of \$250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution as been made.

If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official: N/A Position: N/A

Description of Contribution: N/A Value: N/A

Description of Contribution: N/A Value: N/A

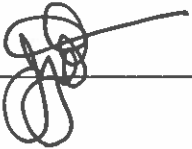
Description of Contribution: N/A Value: N/A

Description of Contribution: N/A Value: N/A

Description of Contribution: N/A Value: N/A

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-1.

Signature: 

Date: 01/02/2025

BOARD OF ZONING APPEALS REVIEW CRITERIA

Please respond to the following ONLY if you are applying for a zoning variance.

Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography? Please describe them.

There are no conditions pertaining to the subject property because of its size, shape, or topography.

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? Please explain.

Without the allowance of the setback reduction by 40% to 6 ft, the size of the proposed garage would not accommodate a full size pickup truck.

Are there conditions that are peculiar to the subject property? Please describe them in detail.

There currently is an existing retaining wall constructed of landscaping timbers which divides the adjacent property and the subject driveway by approximately 8 ft of elevation. Replacement of the retaining wall with an Allan block retaining wall is to occur at the same time as the garage construction with separate permitting through the City of Alpharetta.

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Please defend your response.

Reduction of the side setback to 6 ft would not cause any detriment to the public good or impair the purpose and intent of the zoning code.

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

CITIZEN PARTICIPATION FORM - PART A

This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Alpharetta without a completed Citizen Participation Form - Part A will not be accepted.

Public Hearing or Project Name: Detached Vehicle Garage Variance Request

Contact Name: John J. Foley III / Lori A. Foley Telephone: 404.725.6232

The following people will be notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified. Use additional pages as needed.

John McSween, 1330 Squirrel Run, Alpharetta, GA 30004

Luke & Kathy Graham, 1350 Squirrel Run, Alpharetta, GA 30004

Ashley & Susan Berthelot, 1710 Harvest Circle, Alpharetta, GA 30004

Corporate Owner, 1700 Harvest Circle, Alpharetta, GA 30004

HMS Association Management P.O. Box 2458 Alpharetta, GA 30023-2458

Method by which these individuals will be contacted. Please mark all that apply. *If you select "Other," please provide a description of the method of contact that will be used.*

- | | |
|--|---|
| ☒ Letter | ☒ Personal Visits |
| ☐ Telephone | ☐ Group Meeting |
| ☐ Email | ☒ Other <i>(Please Specify)</i> |

Approvals obtained from adjacent property owners as part of submittal made to Jennifer Oaks Homeowners Assoc., through Homeowner Management Services, P.O. Box 2458 Alpharetta, GA 30023-2458.

Please describe the method(s) by which these individuals will have the opportunity to respond or contact the applicant with questions or concerns about the proposal.

With the exception of one adjacent property (1700 Harvest Circle), which is a corporately owned property used for rental purposes, all adjacent properties have provided their approvals via the required HOA approval forms. If additional questions or concerns arise, we may be contacted via phone, text, or email.

Real Estate

View Bill

As of	12/29/2024
Bill Year	2024
Bill	2415513
Owner	FOLEY JOHN J III & LORI A
Parcel ID	22 -4340-1246-077-5

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2024	\$919.05	\$919.05	\$0.00	\$0.00	\$0.00
TOTAL		\$919.05	\$919.05	\$0.00	\$0.00	\$0.00

October 29, 2024

John & Lori Foley III
1340 Squirrel Run
Alpharetta, GA 30004

**Ref: Jennifer Oaks Homeowners Association, Inc.
Approval of Modification Request
for 1340 Squirrel Run**



Dear John & Lori Foley III:

As Management Agent for your Homeowners Association, I am writing to you regarding the above referenced matter. You recently submitted the following Shed and/or Detached Building modification request for Jennifer Oaks:

ACC Type: Shed and/or Detached Building

*Briefly describe your modification request (Full details should be included in your completed PDF application for modification form.):
Proposing to add a detached garage to the west of the current residence. Based on existing neighborhood plat submittal to the City of Alpharetta, an administrative variance was initially used, therefore one cannot be used for this project. Therefore a separate zoning request will be submitted to the City per their requirements.*

By submitting this online form, you agree to the following:

I have completed and attached my Association's PDF application for modification form. (The PDF application for modification form is available on the Downloads page.)

I understand that my request will not be considered complete if more details are required to make a decision.

I will not begin any work until after receiving written approval for my modification request.

Your Shed and/or Detached Building modification request has been *approved* by your Homeowners Association as submitted.

This approval does not constitute the Homeowners Association's endorsement of the suitability, safety, or legality of your project. You must still comply with all building codes and set back requirements, and are responsible for obtaining the necessary permits. Additionally, you must also comply with the Declaration of Protective Covenants for Jennifer Oaks Homeowners Association, and with any and all community design guidelines, rules, and regulations for Jennifer Oaks.

You can review all of the documents that you submitted, download an electronic copy of this letter, and submit another modification request online. After signing in to the **HMS Community Website** for Jennifer Oaks, www.HMS-inc.net, or the HMS Express app, these features are all available on the "**Modification Requests**" page.

The Homeowners Association appreciates your patience, and would like to thank you for submitting your modification request for review. By complying with the Declaration and other governing documents, you help your Board of Directors maintain and enhance property values, and conform to the Community-Wide Standard within Jennifer Oaks. If you have any questions, then please contact your Association Administrator at HMS, Joy L. Duffy, online at www.HMS-inc.net or the HMS Express app, or by email at Joy.L.Duffy@HMS-inc.net.

Regards,

Janet Fotey, CMCA, AMS, PCAM
Management Agent for Jennifer Oaks Homeowners Association, Inc.

Jennifer Oaks Homeowners Association, Inc. Application for Modification

Note: This form must be completed and submitted. Architectural Review Board (ARB) approval must be received *prior* to commencing any work. Documentation submitted for review becomes the property of Jennifer Oaks Homeowners Association, Inc. Incomplete Forms will be returned without review, including but not limited to applications without homeowner signature or with missing information. Please be advised that a fine of \$250.00 may be assessed for failing to submit a request form for review and approval prior to work being commenced.

Name: John & Lori Foley Date: 10/21/2024
Street Address: 1340 SQUIRREL RUN Home Phone #: 770.664.4041
City, State, Zip: ALPHARETTA, GA 30004 Work Phone #: N/A
Email Address: TRAWLFAZ@COMCAST.NET Cell Phone #: 404.725.6232

Exterior Modification Type

☐ Deck ☐ Fence ☐ Driveway ☐ Building Addition ☐ Basketball Goal and/or Hoop
☐ Door ☐ Hot Tub ☐ Garage Door ☐ Decorative Objects ☐ Irrigation and/or Drainage
☐ Pool ☐ Mailbox ☐ Landscaping ☐ Patio and/or Walkway ☐ Satellite Dish and/or Antenna
☐ Roof ☐ Painting ☐ Lighting ☐ Siding and/or Stucco ☒ Shed and/or Detached Building
☐ Tree ☐ Window ☐ Retaining Wall ☐ Play Equipment (trampoline, swing set, etc.)
Other: _____

Please provide the ARB with all the information necessary to evaluate your request thoroughly and as quickly as possible. Requests must include, without limitation, the following information: site plan (including all dimensions), color chips (if applicable), detailed description of the request, list of materials, pictures, brochures (if applicable), and any other information as specifically required below or as required by the *Design Standards and Neighborhood Guidelines* for Jennifer Oaks Homeowners Association, Inc.

Description of Improvement or Modification Requested:

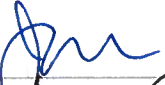
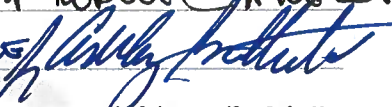
(Attach separate sheets if necessary.)

CONSTRUCTION OF A SINGLE-CAR DETACHED GARAGE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE JENNIFER OAKS HOMEOWNERS ASSOCIATION DESIGN STANDARDS & NEIGHBORHOOD GUIDELINES (DATED 11/23/2020) AND COVENANTS, AS AGREED TO BY THE JOHN BOARD AND ARCHITECTURAL CONTROL COMMITTEE (AAC). UPON APPROVAL BY THE JOHN AA APPLICATION FOR BOARDING WILL BE SUBMITTED AND IF APPROVED DESIGN CONSTRUCTION DOCUMENTS WOULD BE PREPARED AND SUBMITTED TO THE CITY OF ALPHARETTA.

JAMES HARDIE SHINGLES SW 7508 TAVERLY TAUPE
JAMES HARDIE SIDING SW 7508 TAVERLY TAUPE
JAMES HARDIE TRIM SW 7528 WINDSOR GREIGE
BRICK COLOR TO MATCH EXISTING HOUSE

Estimated Start Date: TBD Completion Date: EST SPRING 2025
HOA APPROVAL AND
PERMITTING REQUIRED
PER CITY OF ALPHARETTA
REQUIRE ZONING APPROVAL
EST: 6-9 MONTHS

Adjacent Homeowners (i.e., all homeowners sharing a common boundary line) must be made aware of your application. Awareness of the neighboring homeowners will be considered by the ARB, but will not be binding. **No application will be considered unless this section is complete, including signatures.**

Neighbor's Name	Neighbor's Address	Neighbor's Signature	Aware of Proposed Modification
JAMES McSWINEY	1330 SQUIRREL RUN		☒
KATHIE GRAHAM	1350 SQUIRREL RUN		☒
ASHLEY: SUSAN BERTHOUD	1710 HARBEST CIRCLE		☒

I understand and agree that no work on this request shall commence until written approval of the Jennifer Oaks Homeowners Association, Inc. ARB has been received by the homeowner. I represent and warrant that the requested improvements and/or modifications strictly conform to the *Design Standards and Neighborhood Guidelines* and that these changes shall be made in strict conformance to the Declaration of Protective Covenants for Jennifer Oaks Homeowners Association. I understand that I am responsible for complying with all city, county, and state regulations.

Permission is hereby granted for members of the ARB and appropriate Jennifer Oaks Homeowners Association, Inc. representatives to enter the property to make reasonable observation and inspection of the requested modification and completed project.

Neither Jennifer Oaks Homeowners Association, Inc., the Association Board of Directors, the ARB nor their respective members, officers, successors, assigns, agents, representatives or employees shall be liable for damages or otherwise to anyone requesting approval of an architectural alteration by reason of mistake in judgment, negligence or misfeasance, arising out of any action with respect to any submission. The architectural review is directed toward review and approval of site planning, appearance and aesthetics. None of the foregoing assumes any responsibility regarding design or construction, including, without limitation, the structural integrity, mechanical or electrical design, methods of construction, or technical suitability of materials. I hereby release and covenant not to sue all of the foregoing from/for any claims or damages regarding this request or the approval or denial thereof.

As in accordance with the Declaration, please allow a maximum of **30 days from the date of final submission of all information requested by the ARB** for a modification review. The volunteer members of the ARB will make an effort to approve requests in a reasonable time, though some requests may take as long as 30 days as allowed for in the Declaration. The 30 -day timeframe will commence upon receipt of all additional information requested and/or required to consider the application complete. If modification is started prior to approval, fines may be assessed.

It is the homeowner's responsibility to monitor construction and enforce the items of this approval. Alterations in the approval plan are not allowed unless a revised plan has been submitted and received ARB approval. Failure to follow the items of this approval will result in an unapproved exterior modification. The homeowner then accepts full responsibility for, at their expense, removing the unapproved structure or altering the structure in order to bring it into compliance with the approval plan.

Homeowner's Signature: _____



Date: _____

10/21/2024

Homeowner's Signature: _____
(All owners must sign.)

Date: _____

10/21/24

Upon completion of this form, please send the completed form to your Association Administrator at HMS, either online or by mail. To submit the form online, Sign In to your **HMS Community Website** at www.HMS-inc.net and use the **Modification Requests** webpage, found under **The Association**. Follow the instructions on that webpage to submit your request. To submit your form by mail, send this form and all attachments to:

Jennifer Oaks HOA, Inc.
c/o HMS Inc.
P.O. Box 2458
Alpharetta, GA 30023-2458

BL	building setback line
calc	calculated point
IPP	#4 rebar placed
IPF	#4 rebar found
ROW	right-of-way

General Notes:

Equipment Used: Topcon GTS 225 Total Station

Statement of Encroachments:

BOUNDARY OR ENCROACHMENT:
E-1: subject properties fence corner over property line 0.4-feet east
E-2: end of subject properties fence over property line 0.5-feet east
E-3: end of subject properties fence over property line 0.2-feet south
E-4: subject properties fence on property line at this location
E-5: end of subject properties fence over property line 0.2-feet west

Statement of Landscape Timber Wall Location - (ownership unknown):

W - 1: landscape timber wall 1.3-feet west of property line
W - 2: landscape timber wall 0.8-feet west of property line
W - 3: landscape timber wall 1.3-feet east of property line

Closure Statement

The field data upon which this map or plat is based was obtained with an open traverse and was not adjusted. This map or plat has been computed for closure and is found to be accurate within one foot in infinity.

All distances shown on survey are horizontal distances.
All distances shown on survey are "ground distances".

References:
Deed Book 38361, Page 102
Plat Book 190, Pages 55-56

Flood Hazard Note:
By graphic plotting only, this property is not located in an identified 100-year flood hazard area per official FIRM, Panel No. 13421C0034F which bears an effective date of September 18, 2013

Surveyor's Acknowledgement:
I hereby certify that the plan shown and described hereon is a true and correct survey made on the ground under my supervision.
That the monuments have been found or placed as shown hereon and is to the accuracy and specifications required.

Drainage, Sanitary Sewer and Easement Note:

- [illegible]

SURVEYOR'S CERTIFICATION

This plan is a reinforcement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plans, or other instruments which created the parcel or parcels shown on this plan DOES NOT SURVY APPROACH ANY OF THE FOLLOWING: (1) THE AVAILABILITY OF PERMITS COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plan complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-87.

James A. Evans, Jr. 11/20/2023

James A. Evans, Jr., GA RLS #2167
Certificate of Authorization (COA) No. LSF000248

Title Note

The survey shown herein was prepared without the benefit of an abstract of title. Therefore, the undersigned and J. A. Evans and Associates, Inc., make no guarantees or representations regarding information shown herein pertaining to easements, rights-of-way, setback lines, agreements, reservations, and other similar matters.

Underground Utility Note:
Visible evidence of underground utilities "as shown on this plat of survey" are for the client's convenience only. There may be other underground utilities not shown. The surveyor assumes responsibility only for the visible evidence of underground utilities "as shown on this plat of survey". All damage made to existing utilities by the owner, or owner's agent shall be the sole responsibility of the owner, or owner's agent. Owner is cautioned to contact www.Georgia911.com prior to any type of excavating activity.

Squirrel Run - 50' R/W
(private road)

100.62' to 50' R/W of
Harvest Lane - (private road) if extended
(record tie)

73
Now or Formerly
Kathie Dungan Graham and
Luke Douglas Graham
Deed Book 62303, Page 235
Plat Book 190, Pages 55-56

72
Now or Formerly
IH Borrower LP
Deed Book 58445, Page 607
Plat Book 195, Pages 117-118

**Two-Story
Brick and Frame
with Basement
1340**

Now or Formerly
J. Ashley Berthelot and
Susan K. Berthelot
Deed Book 26771, Page 33
Plat Book 195, Pages 117-118

75
Now or Formerly
John C. McSween
Deed Book 57946, Page 118
Plat Book 190, Pages 55-56

Area Calculation
0.296 Acres
12,915 square feet

J. A. Evans and Associates
3279 Powder Springs Road
Powder Springs, GA 30127
770-943-0000
evansassoc@att.net

PDF and AutoCAD Library File and Copyright Notice:
 PDF copies of the AutoCAD file that the "plot of survey" was prepared from are provided to the client. The AutoCAD Library and/or ~~draft file~~ of the drawing is the sole ownership of J. A. Evans and Associates, and
 Surveyors and is not provided to clients or their representatives.
 The pdf file and the AutoCAD file of the "plot of survey" is copyrighted by James A. Evans, a owner of J. A. Evans and Associates.
 © 2022

"Basis of Bearings"
Plat Book 190, Pages 55-56



Retracement Survey for:

**John J. Foley, III and
Lori A. Foley**

Lot 74
Jennifer Oaks - Phase Three
Land Lot 1246
2nd District, 2nd Section
Fulton County, Georgia

REVISIONS

[illegible]

Abbreviations:
BL building setback line
calc. calculated point
IPF 84 rebar placed
IPF 84 rebar found
RW right-of-way

This box reserved for Clerk of Superior Court Clerk for Filing Information

General Notes:

Property Address:
1340 Squirrel Run
Alpharetta, Georgia
30004

Date of Field Survey:
November 15, 2023

Date of Plot:
November 20, 2023

Equipment Used: Topcon GTS 225 Total Station

Statement of Easements:

- E - 1: subject properties fence corner over property line 0.4-feet east
- E - 2: end of subject properties fence over property line 0.5-feet east
- E - 3: end of subject properties fence over property line 0.2-feet south
- E - 4: subject properties fence on property line at this location
- E - 5: end of subject properties fence over property line 0.2-feet west

Statement of Landscape Timber Wall Location - (ownership unknown):

- W - 1: landscape timber wall 1.3-feet west of property line
- W - 2: landscape timber wall 0.8-feet west of property line
- W - 3: landscape timber wall 1.3-feet east of property line

Closure Statement:

The field data upon which this map or plat is based was obtained with an open traverse and was not adjusted. The map or plat has been computed for closure and is found to be accurate within one foot in infinity.

All distances shown on survey are horizontal distances.
All distances shown on survey are "ground distances".

References:

Deed Book 38351, Page 102
Plat Book 190, Pages 55-56

Flood Hazard Note:

By graphic plotting only, this property is not located in an identified 100-year flood hazard area per official FIRM, Panel No. 13121C0054F which bears an effective date of September 18, 2013

Surveyor's Acknowledgement:

I hereby certify that the plan shown and described hereon is a true and correct survey made on the ground under my supervision. That the monuments have been found or placed as shown hereon, and as to the accuracy and specifications required.

Distress, Secondary Easement and Easement Note:

- In all cases, only "visible evidence" of drainage and sewer structures are located when conducting the fieldwork performed for the "plot of survey"
- When visible evidence of drainage and sewer structures such as catchbasins (CB), drop inlets (DI), headwalls (HW), junction boxes (JB) and sanitary sewer manholes (SSMH) are field located while performing the fieldwork for the "plot of survey"
- When there "types of structures" are not visible, but are graphically shown on the record plat of survey, these "structures" and "associated easements" are scaled from the record plat referenced on the "plot of survey"
- Furthermore, evidence of these "types of structures" shown on official documents "provided to the surveyor" that have been obtained from city, county or state officials responsible for compiling evidence of infrastructure and documentation of easements can be graphically shown on this plat of survey if the surveyor is informed of them "prior to the date of plot" as shown on the "plot of survey"

SURVEYOR'S CERTIFICATION

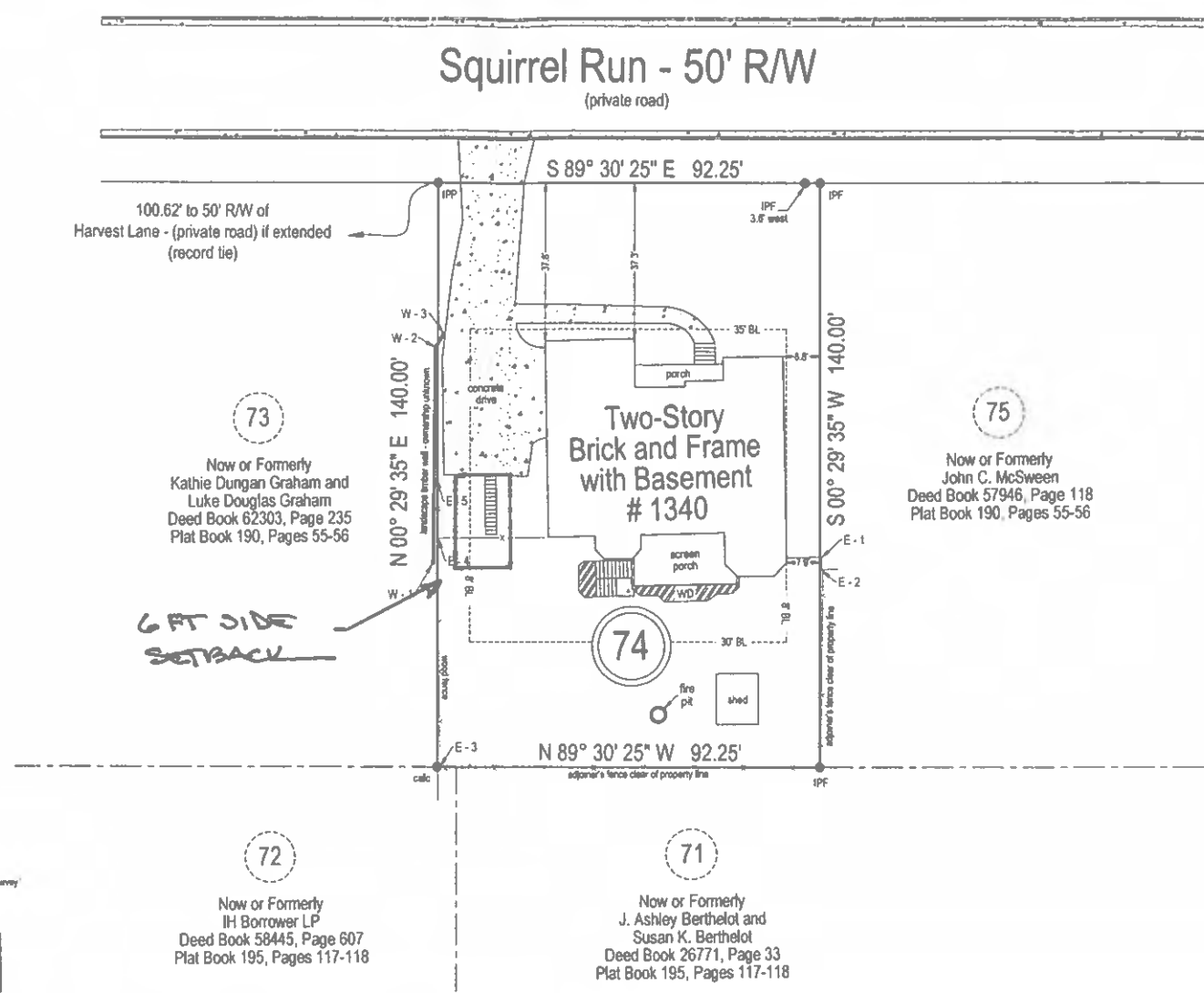
The plat is a reconfirmation of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUSTAINABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that the plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-47.

James A. Evans, Jr. 11/20/2023

James A. Evans, Jr., GA RLS #2167
Certificate of Authorization (COA) No. 18F0002148

Title Note:
The survey shown hereon was prepared without the benefit of an abstract of title. Therefore, the undersigned and J. A. Evans and Associates, Inc., make no guarantee or representations regarding information shown hereon pertaining to easements, rights-of-way, setback lines, agreements, reservations, and other similar matters.

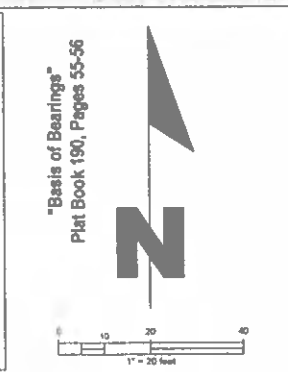
Underground Utility Note:
Visible evidence of underground utilities "as shown on this plat of survey" are for the clients' convenience only. There may be other underground utilities not shown. The surveyor assumes responsibility only for the visible evidence of underground utilities "as shown on this plat of survey". All damage made to existing utilities by the owner, or owner's agent shall be the sole responsibility of the owner, or owner's agent. Owner is cautioned to contact www.Georgia11.com prior to any type of excavating activity.



Area Calculation
0.296 Acres
12,915 square feet

J. A. Evans and Associates
3279 Powder Springs Road
Powder Springs, GA 30127
770-943-0000
evansassoc@att.net

PDF and AutoCAD Layout Files and Copyright Notice:
PDF copies of the AutoCAD files that this "plot of survey" was prepared from are provided to the client. The AutoCAD files and any files of this drawing are the sole ownership of J. A. Evans and Associates, Inc. and are not to be provided to clients or their representatives.
The plot file and the AutoCAD files of the "plot of survey" are copyrighted by James A. Evans, Jr., owner of J. A. Evans and Associates.
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Retracement Survey for:

**John J. Foley, III and
Lori A. Foley**

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REVISIONS

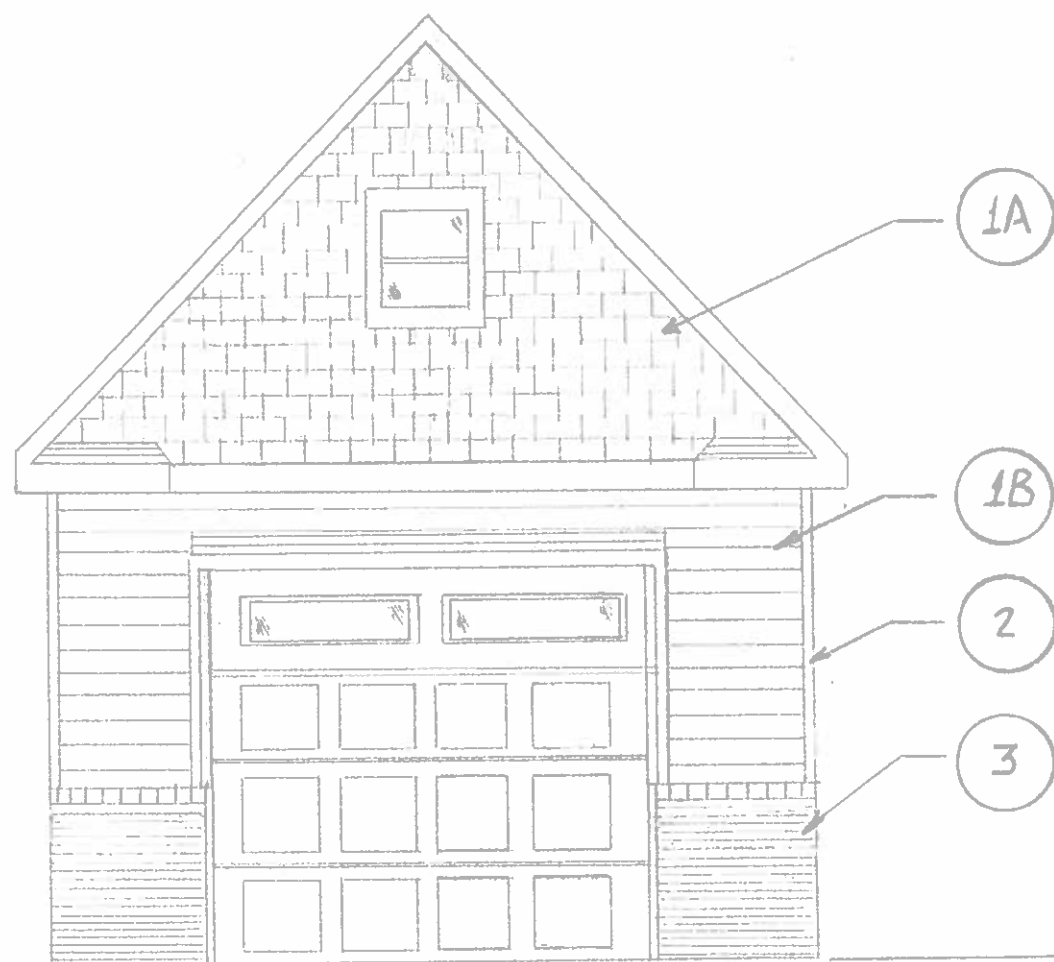
NO.	BY	DATE	DESCRIPTION

Contact: James A. Evans, Jr., GA RLS #2167
Phone: 770-943-0000
Email: evansassoc@att.net

1-1
JAE Job# 230236

- 1A JAMES HARDIE SHINGLES - SW7508 TAVERN TAUPE
- 1B JAMES HARDIE SIDING - SW7508 TAVERN TAUPE
- 2 JAMES HARDIE TRIM - SW7528 WINDSOR GREIGE
- 3 BRICK COLOR TO MATCH EXISTING HOUSE

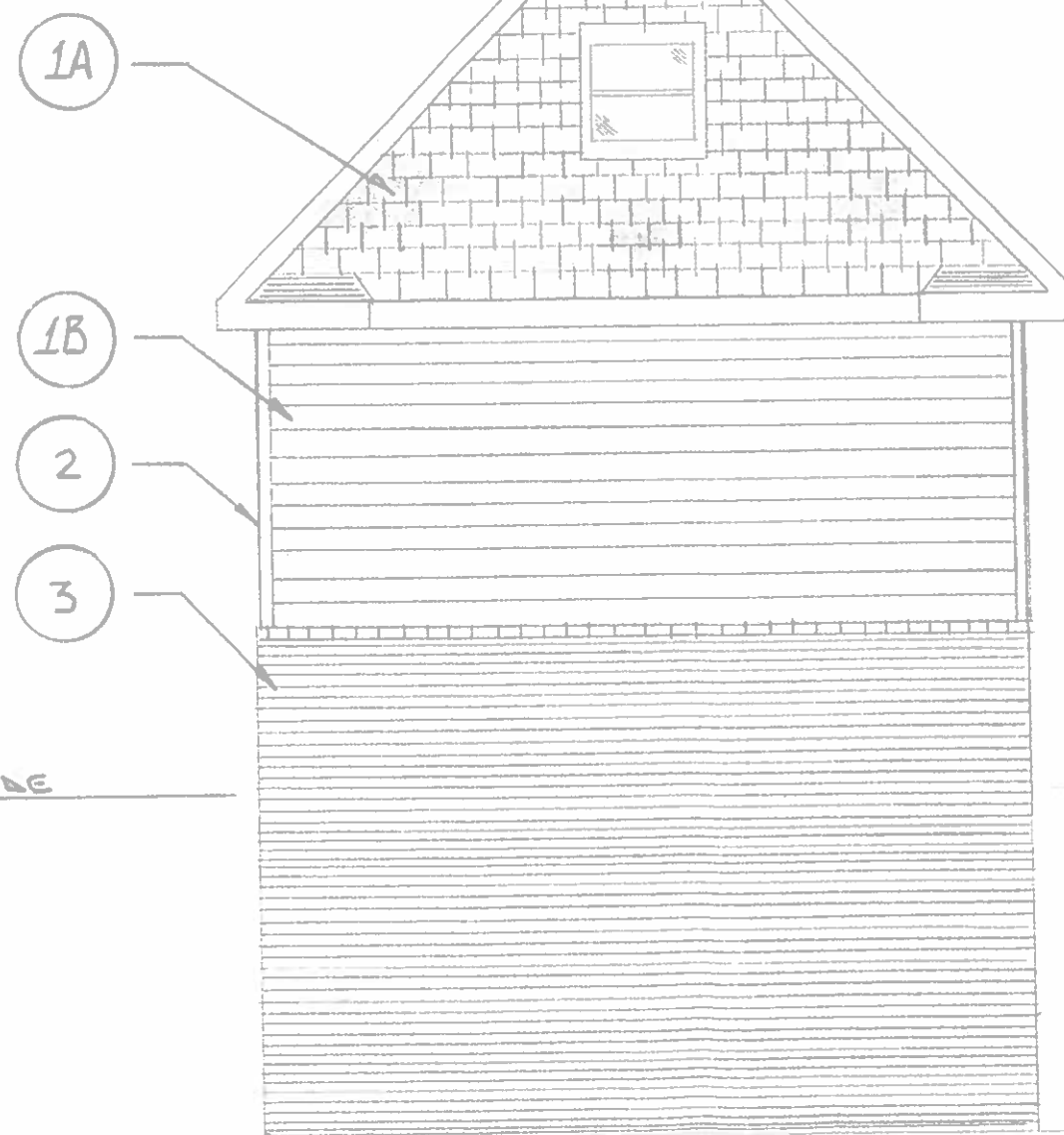
EXISTING HOUSE



NORTH ELEVATION

BUILD LINE

GRADE



SOUTH ELEVATION

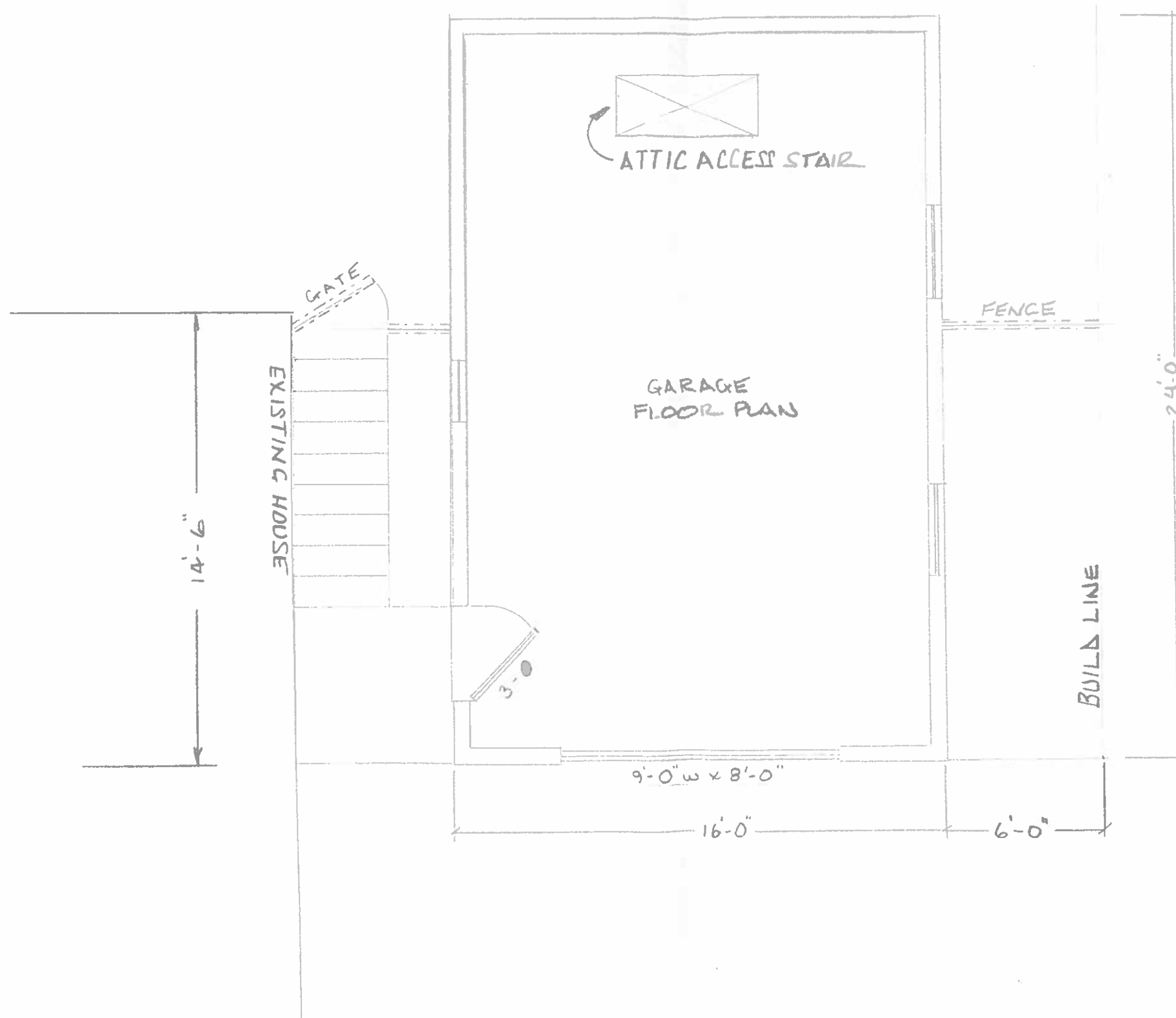
EXISTING HOUSE

GRADE

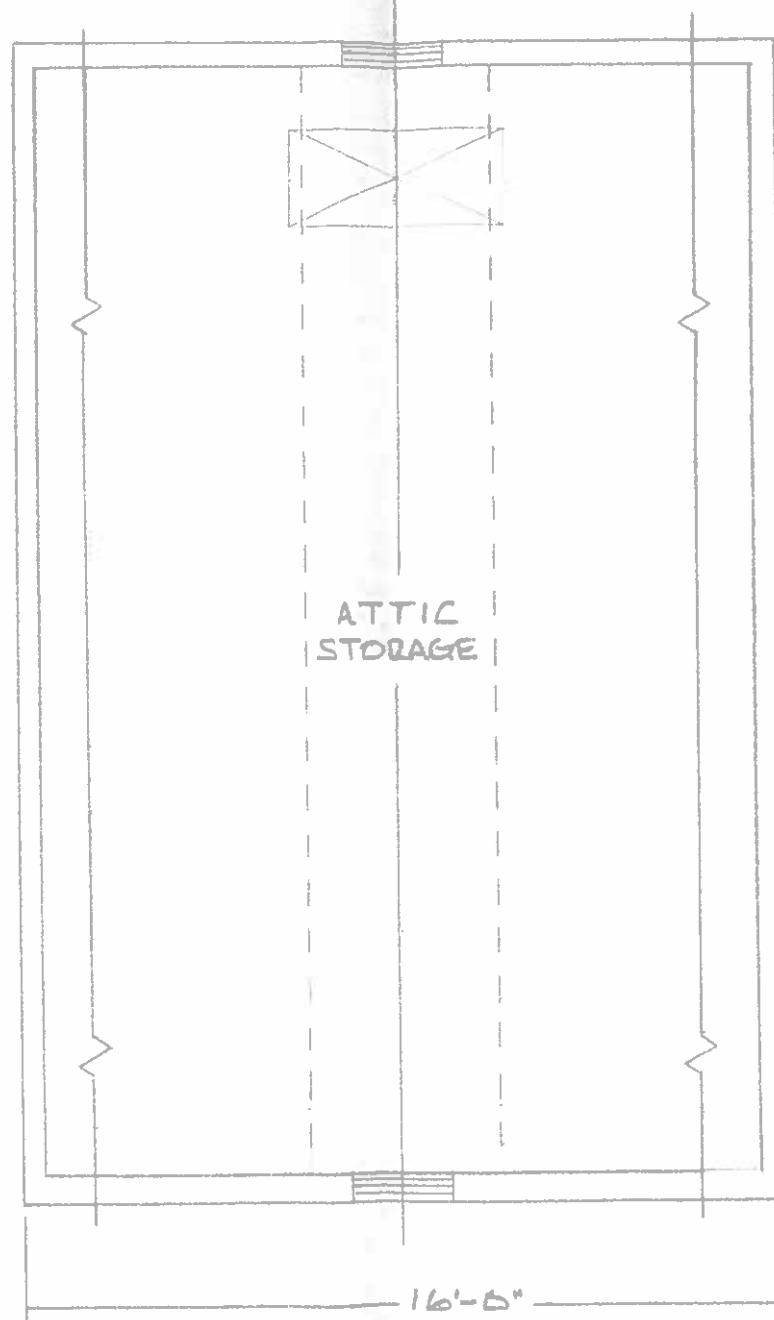
STONE ST
N.T.S.



N.T.S.



N.T.S.



24'-0"

N.T.S.