



BOARD OF ZONING APPEALS

DECEMBER 18, 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. **Consideration of Meeting Minutes of November 20, 2025**
 - B. **Consideration of Meeting Minutes of October 16, 2025**
4. **ITEMS FROM BOARD MEMBERS**
5. **ITEMS FROM STAFF**
6. **PUBLIC HEARING**
 - A. **V-25-35 Ferguson/330 Angelica Way**

Consideration of a variance request to reduce the rear setback to allow for a covered porch. A variance is requested to Unified Development Code (UDC) Subsection 1.3.1(B)(1) to reduce the rear platted setback from 40' to 28'. The property is located at 330 Angelica Way and is legally described as being located in Land Lot 39, 1st District, 1st Section, Fulton County, Georgia.
7. **ADJOURNMENT**



Board of Zoning Appeals Meeting
November 20, 2025

Department of Community Development
ALPHARETTA CITY HALL | 2 PARK PLAZA | 5:30 PM

This action summary is provided as a convenience and service to the public, media, and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. This is not an official record of the Alpharetta Board of Zoning Appeals Meeting proceedings. Meetings are recorded and available for review at <https://www.youtube.com/user/alpharettagov>.

I. CALL TO ORDER

- ❖ Chairman Gordy called the meeting to order at 5:30 p.m.

II. ROLL CALL

A. Board Members Present

- Michael Gordy
- Marc Gelber
- Lisa Shippel
- Anne Holcombe
- Dereje Teshale
- Scott Wharton

B. Staff Present:

- Kathi Cook, Director of Community Development
- Joel Carnow, GIS Specialist/Special Projects Planner
- Erin Cobb, Administrative Office Coordinator

III. PLEDGE TO THE FLAG

IV. PUBLIC HEARING

A. PUBLIC HEARING PROCEDURE

- Administrative Office Coordinator, Erin Cobb, read the public hearing procedures.

B. V-25-25 Harrison/405 Gatehouse Court Consideration of a variance to Unified

Development Code Subsection 1.3.1(B)(1) to reduce the rear platted setback from 35' to 19' to allow for a screened porch. The property is located at 405 Gatehouse Court and is legally described as being located in Land Lot 1275, 2nd District, 2nd Section, Fulton County, Georgia.

- Director of Community Development, Kathi Cook, came forward to present this item.

- The applicant, Brandon Harrison, is requesting consideration of a variance to reduce a rear setback from 35' to nineteen feet (19') to accommodate a covered porch and screen porch at the rear of a single-family detached home. The subject property is located at 405 Gatehouse Court in the Fairfax subdivision.
- The submitted request, if approved, would allow for a covered porch and screen porch at the rear of a single-family detached home with a reduced rear setback of nineteen feet (19'). The platted rear setback in the Fairfax subdivision is 35'. The subject property is located at 405 Gatehouse Court in the Fairfax subdivision.
- The 0.39-acre property is zoned R-15 (Dwelling, 'For-Sale', Residential) and developed with a two (2) story, 2,572 square foot single-family detached home with an attached wood deck at the rear. The R-15 zoning district required a 25' rear setback. Surrounding properties are zoned R-15 and are located in the Fairfax subdivision.
- The Fairfax subdivision plat requires a 35' rear setback. The corner of the home and existing deck are legal non-conforming, encroaching into the platted rear setback by approximately fourteen feet (14') and thirteen feet (13'), respectively. The submitted building plans depict the existing deck to be removed and replaced with a 202 square foot covered porch and 250 square foot screen porch. The new porch encroaches an additional 2.5' into the rear setback and would have a nineteen-foot (19') rear setback. The applicant requests a variance to Unified Development Code (UDC) Subsection 1.3.1(B)(1) which states that "no structure shall hereafter be erected or altered to create a non-conformity." The variance is requested from the above UDC Subsection because the platted setback applies and not the zoning setback.
- As shown in the table below, there are several examples of setback variances being approved in the Fairfax subdivision.

Variance Approvals in the Fairfax Subdivision

Address	Case Number	Description	Approval Date
831 Smokehouse Ct	V-24-15	Reduce rear setback for a deck and screen porch	5/16/24
905 Cobblestone Ct	V-21-10	Reduce rear setback for a covered porch	8/19/21
1515 Shade Tree Way	V-19-09	Reduce rear setback for a covered deck	6/20/19
1510 Shade Tree Way	V-12-09	Reduce side setback for an elevated deck	5/29/12
2230 Fairfax Drive	AV-09-05	Reduce front setback for a covered porch	8/28/09
735 Paddock Ct	AV-92-06	Reduce front setback for a new home	7/20/92
1405 Shade Tree Way	AV-91-06	Reduce front setback for a new home	10/2/91
1440 Shade Tree Way	AV-91-04	Reduce front setback for a new home	9/30/91
310 Julep Ct	AV-90-04	Reduce front setback for a garage	9/24/90

- The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a hardship variance. The ordinance specifically states..."a variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that":

of property in question because of its size, shape or topography; or Response: The property has exceptional conditions due to its unusual shape. The property is located on a cul-de-sac and is a corner lot with two (2) street frontages.

2. The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or Response: Application of the ordinance would create an unnecessary hardship. The corner of the home and existing deck already encroaches into the rear setback. The proposed covered porch and screen porch would only encroach an additional three feet (3') into the rear setback.
 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 as the existing home and deck already encroach into the rear setback. The proposed covered porch and screen porch would only encroach an additional three feet (3') into the rear setback
- Staff has reviewed the applicant's proposal against the review criteria for a variance. The property has exceptional and peculiar conditions pertaining to its unusual shape and location on a cul-de-sac and being a corner lot. In addition, the existing home and deck already encroach into the rear setback. The proposed covered porch and screen porch would only encroach an additional three feet (3') into the rear setback. There are similar examples of setback variances being approved in the Fairfax subdivision and the applicant provided consent letters from adjacent properties and an approval letter from the HOA.
 - The applicant notified adjacent property owners and the Fairfax HOA of the variance request and intent for the property. The applicant provided consent letters from adjacent property owners and an approval letter from the Fairfax HOA.
 - The applicant, Brandon Harrison, 405 Gatehouse Court, came forward to present the item.
 - **Public Comment:**
 - No Public Comment
 - ❖ Vice- Chair Gelber offered a motion to approve V-25-25 Harrison/405 Gatehouse Court, subject to the following conditions:
 1. Covered and screen porch shall be permitted as depicted on the submitted site plan and building plans prepared by The Village Studio, LLC, dated 12/9/24, and with a 20' rear setback.
 - Board Member Holcombe seconded the motion.
 - The motion was approved unanimously (6-0)
 -

C. V-25-27 Varshine/1060 Lake Shore Overlook

Consideration of a variance to Unified Development Code Subsections 2.3.3(B) and 2.3.3(C)(7) to reduce the rear swimming pool setback from 20' to 10'. The property is located at 1060 Lake Shore Overlook and is legally described as being located in Land Lots 1170 & 1171, 2nd District, 1st Section, Fulton County, Georgia

- Director of Community Development, Kathi Cook, came forward to present this item.
- The applicant, Aqua Design Pools & Spas, LLC, is requesting consideration of a variance to reduce the rear setback from twenty feet (20') to ten feet (10') to accommodate a swimming pool. The subject property is located at 1060 Lake Shore Overlook in the Lake Shore subdivision in Windward.
- The submitted request, if approved, would allow for a swimming pool at the rear of a single-family home with a reduced rear pool setback of ten feet (10'). The subject property is located at 1060 Lake Shore Overlook in the Lake Shore subdivision in Windward.
- The 0.42-acre property is zoned CUP (Community Unit Plan) and is developed with a two (2) story, 4,260 square foot single-family detached home. Surrounding properties are zoned CUP. Lake Shore subdivision lots are located to the northeast, north and southwest, and Golf Club of Georgia is located to the southeast.
- Unified Development Code (UDC) Subsections 2.3.3(B) and 2.3.3(C)(7) require that swimming pools have a twenty-foot (20') setback from the rear and side property lines, or the same setback as the principal structure, whichever is less. The platted rear setback in the Lake Shore subdivision is 25'; therefore, a twenty-foot (20') rear setback is required for the proposed swimming pool.
- The applicant proposes to reduce the rear setback by 50% to ten feet (10') to accommodate a 608 square foot swimming pool at the rear of the existing home. Approximately 62% of the homes in the Lake Shore subdivision have swimming pools. A 22" Pine tree in the rear yard is depicted to be removed with the installation of the swimming pool.
- There is an example of similar variance in the Lake Shore subdivision at 1140 Lake Shore Overlook, which was approved in 2000 to allow a side setback reduction for a swimming pool.
- The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a hardship variance. The ordinance specifically states..."a variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that":
 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 has exceptional conditions due to its shape. There is an unusual bend in the rear property line which pushes the rear setback further into the rear yard.

2. The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or Response: Application of the ordinance would significantly limit the placement of a pool in the rear yard of the property.
 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 which affect its reasonable use. The platted front setback in the Lake Shore subdivision is twenty feet (20'); however, the home was constructed approximately 50' from the front property line.
- Staff has reviewed the applicant's proposal against the review criteria for a variance. The property has exceptional conditions due to its shape. There is an unusual bend in the rear property line which pushes the rear setback further into the rear yard. In addition, the home was constructed approximately 50' from the front property, although the subdivision has a twenty-foot (20') platted front setback. There is an example of a similar variance request in the Lake Shore subdivision and the applicant provided letters of support from adjacent properties.
 - The applicant notified adjacent property owners, Lake Shore HOA, and WCSA of the variance request and intent for the property. According to the report, letters of support were obtained from adjacent property owners. In addition, the applicant submitted to the HOA on 9/25/25 and hopes to hear back prior to the scheduled Board of Zoning Appeals meeting.
 - The applicant, Fay Colbert with Aqua Design, 6905 Alan Thomas Road Cumming, GA 30028, came forward to address any questions from the board.
 - **Public Comment:**
 - No Public Comment
 - ❖ Board Member Teshale offered a motion to approve V-25-27 Varshine/1060 Lake Shore Overlook, subject to the following conditions:
 1. Swimming pool shall be permitted substantially as depicted on the site plan prepared by Aqua Design, revised 9/11/25, and with a 10' rear setback.
 - Board Member Shippel seconded the motion.
 - The motion was approved unanimously (6-0)

4. V-25-29 Meruga/380 Jon Scott Drive

Consideration of a variance to Unified Development Code Subsection 1.3.1(B)(1) to reduce the front platted setback from 50' to 30' for a new single-family detached home. The property is located at 380 Jon Scott Drive and is legally described as being located in Land Lot 696, 1st District, 2nd Section, Fulton County, Georgia

- Director of Community Development, Kathi Cook, came forward to present this item.

- The applicant, Jennifer Baptie, is requesting consideration of a variance to reduce the platted front setback from 50' to 30' to allow for the redevelopment of a single-family detached lot. The subject property is located at 380 Jon Scott Drive in the Alpha Park subdivision.
- The submitted request, if approved, would allow for the redevelopment of a single-family detached lot with a reduced 30' front setback. The platted front setback in the Alpha Park subdivision is 50'. The subject property is located at 380 Jon Scott Drive in the Alpha Park subdivision.
- The 0.42-acre property is zoned R-12 (Dwelling, 'For-Sale', Residential) and developed with a one (1) story, 945 square foot single-family detached home. Surrounding properties are zoned R-12 to the north, west and south, and DT-R (Downtown Residential) to the east. Properties to the north, west, and south are located in the Alpha Park subdivision, while the property to the east was recently approved for a new single-family detached subdivision.
- The R-12 zoning district requires a 30' front setback on a local street. However, the Alpha Park subdivision plat requires a 50' front setback. The site plan depicts redevelopment of the existing home with a new two (2) story, 5,000 square foot home with a 30' front setback. The home has been situated on the lot in order to save a specimen tree (29" Water Oak) along the north property line, as well as several trees in the rear yard. The applicant requests a variance to Unified Development Code (UDC) Subsection 1.3.1(B)(1) which states that "no structure shall hereafter be erected or altered to create a non-conformity." The variance is requested from the above UDC Subsection because the platted setback applies and not the zoning setback.
- As shown in the table below, there are examples of similar variances approvals in the Alpha Park subdivision, which has experienced redevelopment over the last several years.

Variance Approvals in the Alpha Park Subdivision

Address	Case Number	Description	Approval Date (Board/Council)
404 Jon Scott Drive	AV-84	Reduce side setback from 10' to 8' for a carport addition	11/5/84
484 Michael Drive	V-03-27	Reduce front setback from 50' to 45' for front porch	1/26/04
285 Karen Drive	AV-17-13	Reduce all setbacks by 20% for new home	4/3/17
404 Michael Drive	AV-18-01	Reduce front setback from 50' to 40' for a front porch	1/12/18
294 Karen Drive	AV-20-12	Reduce front setback from 50' to 40' and side setback from 30' to 24'	7/24/20
334 Michael Drive	AV-21-12	Reduce front setback from 50' to 40' for front porch	6/16/21
325 Karen Drive	AV-22-30	Reduce front setback from 50' to 40' for new home	12/1/22
460 Allyson Circle	AV-23-22	Reduce front setback from 50' to 40' for new home	10/10/23
450 Allyson Circle	AV-23-21	Reduce front setback from 50' to 40' for new home	10/10/23
440 Allyson Circle	AV-23-27	Reduce front setback from 50' to 40' for new home	11/29/23
174 Devore Road	AV-24-01	Reduce front setback from 40' to 32' and reduce side setback from 20' to 16' for new home	1/11/24
440 Jon Scott Drive	AV-25-32	Reduce front setback from 50' to 40' for new home	9/23/25

- The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a hardship variance. The ordinance specifically states...“a variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that”:
 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 pertaining to its size, shape or topography. However, the variance request is related to saving trees on the property.
 2. The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or Response: Application of the ordinance would create an unnecessary hardship. The variance request is related to saving trees on the property. Furthermore, there are examples of similar variances being approved in the Alpha Park subdivision, which has experienced redevelopment over the last several years.
 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 does not have peculiar conditions which adversely affect its reasonable use. However, the variance request is related to saving trees on the property. If approved, the rear setback should be increased from 30' to 40' in order to protect tree groupings in the rear yard.
- Staff has reviewed the applicant’s proposal against the review criteria for a variance. Application of the ordinance would create an unnecessary hardship. The front setback reduction is related to saving trees on the property. There are examples of similar variances being approved in the Alpha Park subdivision, which has experienced redevelopment over the last several years. The applicant contacted adjacent property

owners and received no objections. If approved, the rear setback should be increased to 40' in order to protect tree groupings in the rear yard.

- The applicant notified adjacent property owners of the variance request and intent for the property. The Alpha Park subdivision does not have an HOA. The citizen participation report indicates that the applicant did not receive any public comments.
- The applicant, Mark Dennis, came forward to address any questions from the board.

- **Public Comment:**

- Larry Gunter, 390 Jon Scott Drive Alpharetta, GA 30009, came forward in opposition of this item.

- ❖ **Board Member Holcombe offered a motion to approve V-25-29 Meruga/380 Jon Scott Drive, subject to the following conditions:**

1. Home shall be permitted substantially as depicted on the plans prepared by Survey Land Express, Inc., signed and printed on 10/31/25, and with a 30' front setback and 40' rear setback.
2. Home shall be substantially as depicted on the submitted elevation, subject to final approval by Staff.
3. Developer shall save trees as depicted on the Tree Evaluation Report, revised 10/15/25. Encroachment into the CRZ of saved trees shall not exceed 20% with final approval and tree care approved by Staff.

- Board Member Wharton seconded the motion.
- The motion was approved unanimously (6-0)

4. PH-25-20 Appeal to Administrative Decision – 12075 North Hickory Trace

Consideration of an appeal to an administrative decision related to Unified Development Code (UDC) Subsection 2.5.4(B), Location of Required Parking in Residential Districts which prohibits the regular parking or storage of any business vehicles, any vehicle used in conjunction with a home occupation, or any vehicle with a carrying capacity of more than 1 ½ tons in any residential district. The property is located at 12075 North Hickory Trace and is legally described as being located in Land Lot 1278, 2nd District, 2nd Section, Fulton County, Georgia.

- Director of Community Development, Kathi Cook, came forward to present this item.
- The appellant, Daniel Person, is requesting consideration of an appeal to an administrative determination related to a request for variance to Unified Development Code (UDC) Subsection 2.5.4(B), which prohibits the regular parking or storage of any business vehicle, any vehicle used in connection with a home occupation, or any vehicle with a carrying capacity of more than one-and-one-half (1 ½) tons in any residential district. The Community Development Director determined that the above-referenced UDC regulation is ineligible for a variance. The subject property is located at 12075 North Hickory Trace in

the Hickory Ridge subdivision.

- The appeal to administrative determination is related to a request for variance to Unified Development Code (UDC) Subsection 2.5.4(B), which prohibits the regular parking or storage of any business vehicle, any vehicle used in connection with a home occupation, or any vehicle with a carrying capacity of more than one-and-one-half (1½) tons in any residential district. A notice of appeal has been filed with the City appealing the Community Development Director's administrative determination that the above UDC regulation is ineligible for a variance. The subject property is located at 12075 North Hickory Trace in the Hickory Ridge subdivision.
- The City's Code Enforcement Division issued a Courtesy Notice to the subject property owner on April 29, 2024. The notice cited a violation of UDC Subsection 2.5.4(B) related to the regular parking of a dual axle trailer with one-and-one-half (1½) tons carrying capacity on a residential property. The property owner was given three (3) days to correct the violation, of which the violation was resolved upon reinspection on May 7, 2024. The property owner then inquired about a variance to the above-referenced UDC regulation under the provision of UDC Subsection 2.5.4(C)(3), which allows the Community Development Director to grant a variance to allow an alternative parking practice (see below).
- UDC Subsection 2.5.4 Locational criteria for parking:
 - Location of Required Parking in Residential Districts. Required parking spaces in residential districts shall be subject to applicable area regulations pertaining to setbacks (front, side and rear yard), lot coverage, and accessory and principal structures. Required parking spaces in 'For-Sale' residential districts shall be contained within a carport, garage or completely enclosed building, in addition: Page 84 of 101 2 Each 'For Sale' dwelling unit shall have a minimum 18' long and 10' wide paved driveway, as measured from the garage to the back of sidewalk, or back of curb where a sidewalk is not provided. Ordinary passenger vehicles and non-commercial pickup trucks may be parked on a paved driveway providing ingress and egress to the lot or on a paved parking space provided that the maximum width of the total paved area cannot exceed 40 (forty) feet. One (1) business vehicle not prohibited by the provisions of this Ordinance from parking within a residential district and one or more recreational vehicles or boats, or boat trailers may be parked or stored in an area not visible from a street.
- The regular parking or storage of any business vehicle, any vehicle used in connection with a home occupation, or any vehicle with a carrying capacity of more than one-and-one-half (1½) tons is prohibited in any residential district. Pickup or panel trucks, used to provide daily transportation to and from work, are allowed in all residential districts.
- Parking and Storage of Certain Vehicles:
 1. Any person who, as of the effective date of this Article (6/94), has established a long-standing practice of parking or storing boats or recreational vehicles which is not in compliance with the provisions of C(1), above, may continue such practice as a lawful

nonconforming use, subject only to the provisions of any applicable district regulations.

2. Any person may apply to the Director of Community Development for a variance to the provisions of C(1), above pertaining to the parking and storage of boats or recreational vehicles. Variances shall be granted only in the case of extreme hardship or unusual circumstance, as contrasted with merely granting an advantage or a convenience. The factors to be taken into consideration by the Director may include the following:
 - a) The ease with which the applicant can comply with the provisions of this ordinance;
 - b) Whether there are extraordinary and exceptional conditions pertaining to the particular lot because of its size, shape, topography or location of the improvements on the lot;
 - c) The economic hardship that would be imposed upon the applicant if the variance were denied; and
 - d) Whether relief, if granted, would cause substantial detriment to the public good or impair the purpose and intent of this ordinance.
 3. Where appropriate, the Director may attach reasonable conditions to the grant of a variance. The Director may also approve an alternative parking practice which, although not in strict compliance with the literal provisions of this Article, is deemed by the Director to be in compliance with the spirit of the Ordinance. All variances are personal to the applicant and shall terminate upon the sale of the lot.
- The Community Development Director determined that the UDC regulation was ineligible for a variance due to the limited scope of variances (which is limited to the parking of boats and recreational vehicles) outlined in UDC Subsection 2.5.4(C)(2). Additionally, the requested parking is not eligible for a variance under UDC Subsection 4.5.4(C), which states, "In no case shall a hardship variance be granted from the conditions of approval imposed on a property through a zoning change granted by the City Council, nor may any use of land or buildings or structures be granted that is not permitted by the zoning district that is applicable to the property." Therefore, a variance cannot be granted to allow for the use of residentially zoned land for the regular parking of a vehicle with a carrying capacity of more than one-and-one-half (1 ½) tons.
 - The appellant contends that UDC Subsection 2.5.4(B) was intended to regulate commercial vehicles in residential zoning districts. The notice of appeal states that the subject vehicle is for personal, noncommercial use related to weekend racing events. The appellant states that the non-compliant vehicle (trailer) will be parked in the side yard of the subject property and will have limited visibility from the street. The appellant requests that a variance be permitted under UDC Subsection 2.5.4(C)(2-3).
 - The applicant, Daniel Person, 12075 North Hickory Trace Alpharetta, GA 30009, came forward to present this item.
 - **Public Comment:**

- Donny Franks, 1250 Hickory Trace Alpharetta, GA 30009, came forward in support of the applicant.
- ❖ Board Member Wharton, offered a motion to deny PH-25-20 Appeal to Administrative Decision – 12075 North Hickory Trace
 - Board Member Shippel seconded the motion.
 - The motion was approved (6-1); Board Member Gelber voting in opposition

VIII. ADJOURNMENT

- ❖ With there being no further items to consider or discuss, Chairman Gordy adjourned the meeting at 6:49 p.m.



Board of Zoning Appeals Meeting
UNOFFICIAL MINUTES

October 16, 2025

Department of Community Development

ALPHARETTA CITY HALL | 2 PARK PLAZA | 5:30 PM

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I. CALL TO ORDER

- ❖ Chairman Gordy called the meeting to order at 5:30 p.m.

- A. Recognition of Donna Shaw Murphy for service to the City of Alpharetta.
- B. Recognition of Kirk Driskell for service to the City of Alpharetta.

II. ROLL CALL

A. Board Members Present

- Michael Gordy
- Marc Gelber
- Lisa Shippel
- Anne Holcombe
- Dereje Teshale
- Cliff Cobb

B. Staff Present:

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

III. PLEDGE TO THE FLAG

IV. PUBLIC HEARING

A. PUBLIC HEARING PROCEDURE

- Elle Taylor, Planning & Zoning Coordinator, read the public hearing procedures.

B. V-25-26 Connolly/3223 Brierfield Road

The applicant, Andrew Moore, is requesting consideration of a variance to reduce a rear setback from 30' to fifteen feet (15') to accommodate a deck conversion to a screened porch and deck extension. The subject

property is located at 3235 Brierfield Road in the Brierfield subdivision.

- The submitted request, if approved, would allow for a deck conversion to a screened porch and deck extension at the rear of a single-family detached home with a reduced rear setback of approximately fifteen feet (15'). The Brierfield subdivision plat requires a 30' rear setback. The subject property is located at 3235 Brierfield Road in the Brierfield subdivision.
- The 0.33-acre property is zoned R-15 (Dwelling, 'For-Sale', Residential) and developed with a two story, 2,587 square foot single-family detached home with an elevated deck at the rear of the home. The deck was constructed in 2001 with the construction of the home. Surrounding properties are zoned R-15. Properties to the north, west, and south are located in the Brierfield subdivision and the properties to the east are located in the Alpharetta Estates subdivision.
- The Brierfield subdivision plat requires a 30' rear setback. The existing deck is legal non-conforming and encroaches into the 30' rear setback by approximately thirteen feet (13'). The submitted site plan depicts the existing 16' x 20.5' deck to be enclosed for a screen porch and a 16' x 14' grilling deck added on the north side of the screen porch. The new deck is depicted with a 15'-7 3/4" rear setback. Therefore, the applicant requests a variance to Unified Development Code (UDC) Subsection 1.3.1(B)(1) which states that "no structure shall hereafter be erected or altered to create a non-conformity." The variance is requested from the above UDC Subsection because the platted setback applies and not the zoning setback.

Table of similar variances in the Brierfield Subdivision.

Variance Criteria:

- *The property has peculiar conditions related to its shape given its location on a cul-de-sac. The unusual shape of the lot resulted in a shallow building envelope. Additionally, the existing deck is legal non-conforming encroaching into the rear setback by approximately thirteen feet (13'). The proposed covered porch and deck extension will only encroach by an additional two feet (2') into the rear setback.*
- **Public Comment:**
 - No Public Comment
- ❖ Vice- Chair Gelber offered a motion to approve V-25-25 Harrison/405 Gatehouse Court, subject to the following conditions:
 1. Screened porch and deck extension shall be permitted as depicted on the site plan labeled Exhibit A with a 15' rear setback.
 - Board Member Holcombe seconded the motion.
 - The motion was approved unanimously (6-0)
- ❖ With there being no further items to consider or discuss, Chairman Gordy adjourned the meeting at 6:49 p.m.



BOARD OF ZONING APPEALS MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT
SUBMITTED BY: MICHAEL WOODMAN
DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: V-25-35 FERGUSON/330 ANGELICA WAY

BOARD OF ZONING APPEALS: DECEMBER 18, 2025

II. RECOMMENDATION:

Approve V-25-35 Ferguson/330 Angelica Way, subject to the following conditions:

1. Covered porch shall be permitted as depicted on the submitted site plan and with a 28' rear setback.

III. REPORT IN BRIEF:

The applicants, Douglas Ferguson and Mary King, are requesting consideration of a variance to reduce a platted rear setback from 40' to 28' to accommodate a covered porch at the rear of a single-family detached home. The subject property is located at 330 Angelica Way in the Enclave at Glen Abbey subdivision.

DISCUSSION

The submitted request, if approved, would allow for a covered porch at the rear of a single-family detached home with a reduced rear setback of 28'. The platted rear setback in the Enclave at Glen Abbey subdivision is 40'. The subject property is located at 330 Angelica Way in the Enclave at Glen Abbey subdivision.

The 0.28-acre property is zoned CUP (Community Unit Plan) and developed with a two (2) story, 3,422 square foot single-family detached home with patio at the rear. Surrounding properties are zoned CUP and are located in the Enclave at Glen Abbey subdivision, except that the property to the east is located in Glen Abbey subdivision.

The property has a platted rear setback of 40', which applies to properties located along the perimeter of the subdivision. However, other properties located in the same subdivision only have an eighteen-foot (18') rear setback. The corner of the home is legal non-conforming, encroaching into the platted rear setback by approximately two feet (2') to three feet (3'). The existing at-grade patio, which is ten feet (10') deep, is not subject to setbacks. The applicant proposes to place the covered porch over the existing patio, of which vertical structures are subject to building setbacks. The footings for the covered porch extend an additional two feet (2') past the existing patio leaving a 28' rear setback. A variance is requested to Unified Development Code (UDC) Subsection 1.3.1(B)(1) which states that "no structure shall hereafter be erected or altered to create a non-conformity." The variance is requested from the above UDC Subsection because the platted setback applies and not the zoning setback.

One (1) example of a rear setback variance was identified in the Enclave at Glen Abbey subdivision at 10930 Carrissa Trail. That property also backs up to the perimeter of the subdivision and has a platted rear setback of 40'.

VARIANCE REQUIREMENTS

The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a hardship variance. The ordinance specifically states...“a variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that”:

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 has exceptional conditions due to its unusual shape. In addition, the property is located on a curve in the road and backs up to the perimeter of the subdivision, which requires a greater rear setback.

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

Response: Application of the ordinance would create an unnecessary hardship. The property has a platted rear setback of 40', which applies to all properties located along the perimeter of the subdivision. However, other properties located in the same subdivision only have an eighteen-foot (18') rear setback.

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 related to its location on a curve in the road and along the perimeter of the subdivision which requires a greater rear setback. The proposed covered porch would extend an additional two feet (2') past the existing patio.

CONCURRENCES

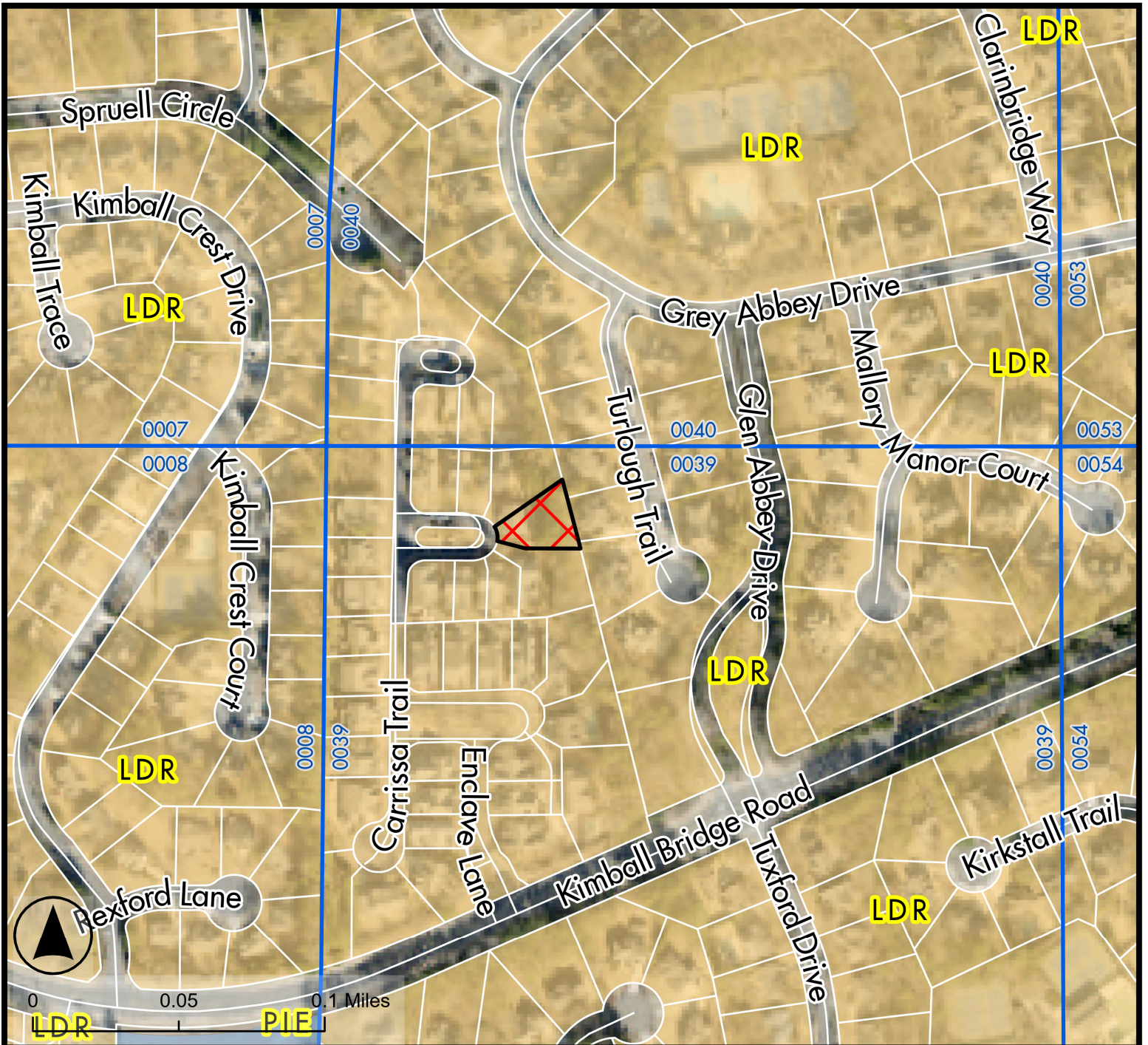
Staff has reviewed the applicant's proposal against the review criteria for a variance. The property has exceptional and peculiar conditions pertaining to its unusual shape and location on a curve in the road. Also, the 40' platted rear setback applies to properties located along the perimeter of the subdivision with all other properties having an eighteen-foot (18') rear setback. The applicant proposes to place the covered porch over the existing at-grade patio, which would extend an additional two feet (2') past the patio. There is one (1) example of a rear setback variance being approved in the Enclave at Glen Abbey subdivision.

CITIZEN PARTICIPATION PLAN







The applicant notified adjacent property owners and the Enclave at Glen Abbey HOA of the variance and intent for the property. The applicant provided an approval letter from the HOA. The public notification report states that the applicant provided responses to questions from the property owner to the rear.

IV. ATTACHMENTS:

- Map Series
- Citizen Part B
- Application



Legend

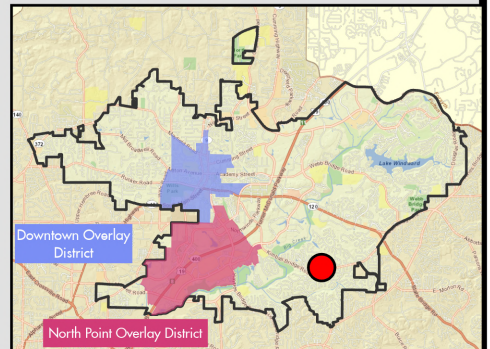
-  V-25-35
-  Land Lots
-  Tax Parcels
-  Alpharetta City Limits
- Future Land Use 2040
-  Low Density Residential
-  Public, Institutional, Education

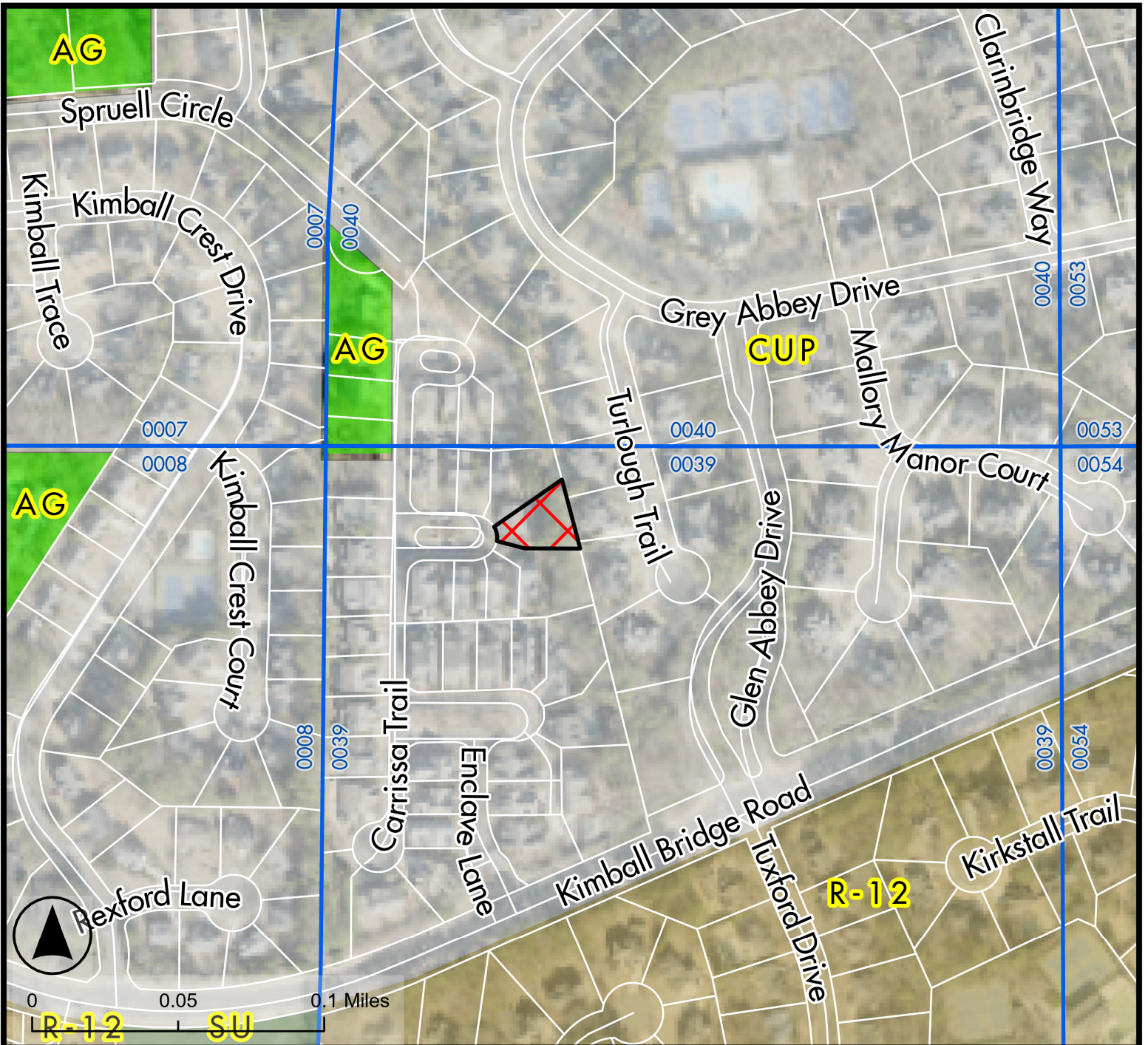
Future Land Use Map

Ferguson/330 Angelic Way
330 Angelic Way

V-25-35

D/LL: 1/1/0039
BZA: 12/18/2025





Legend

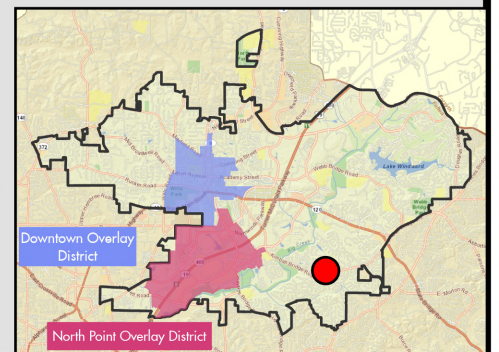
- V-25-35
- Land Lots
- Tax Parcels
- Alpharetta City Limits
- Zoning District
- AG Agriculture
- CUP Community Unit Plan
- R-12 Single Family Detached Residential
- SU Special Use

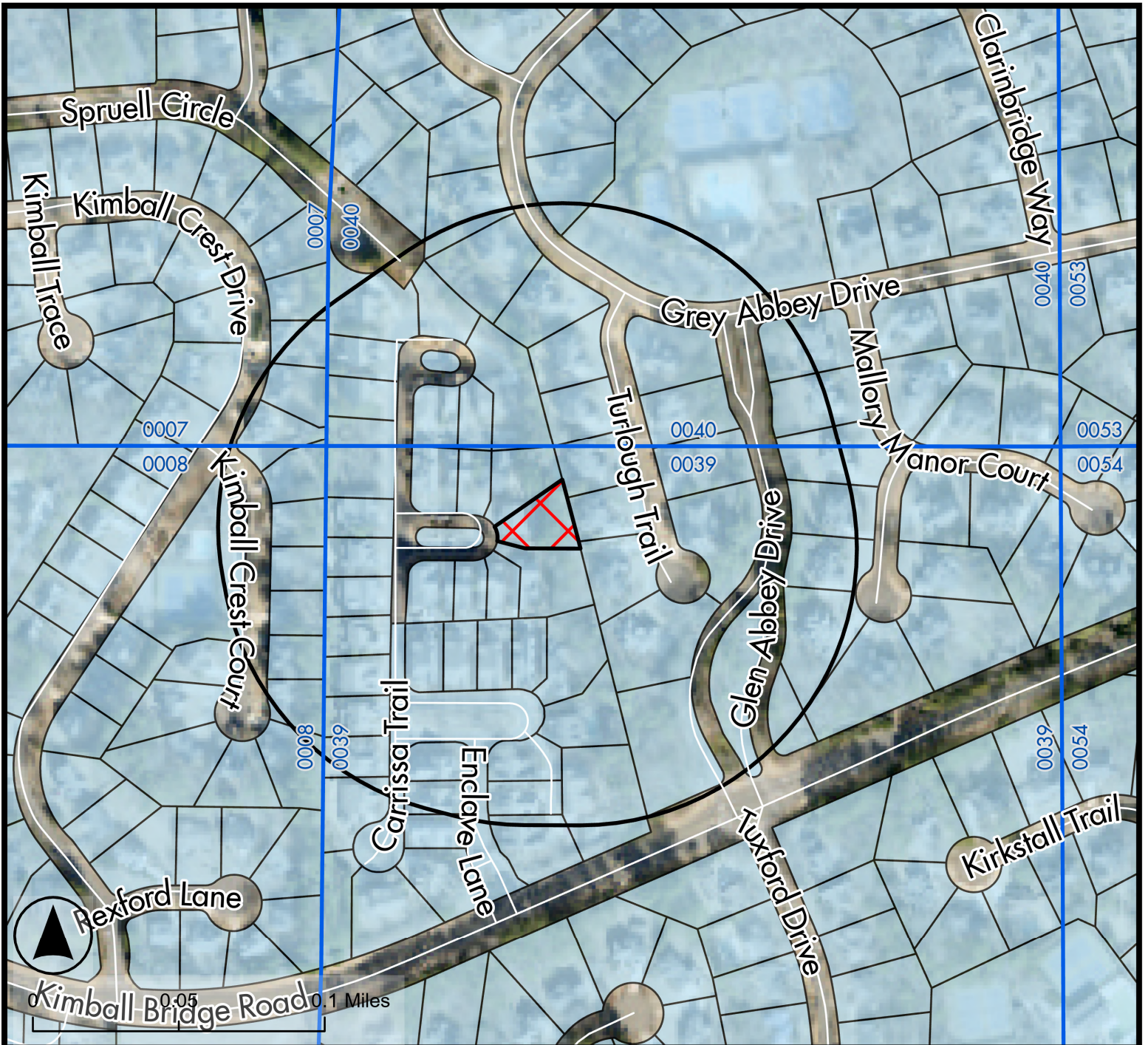
Zoning Map

Ferguson/330 Angelic Way
330 Angelic Way






V-25-35

D/LL: 1/1/0039
BZA: 12/18/2025





Legend

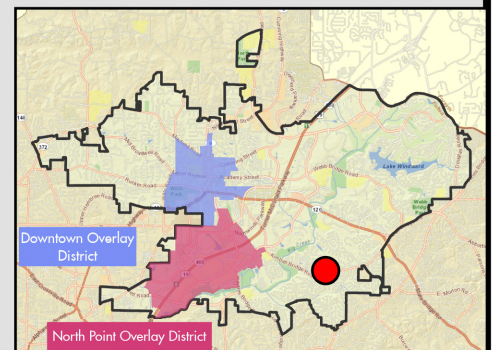
-  V-25-35
-  Land Lots
-  Tax Parcels
-  500 ft Buffer
-  Alpharetta City Limits

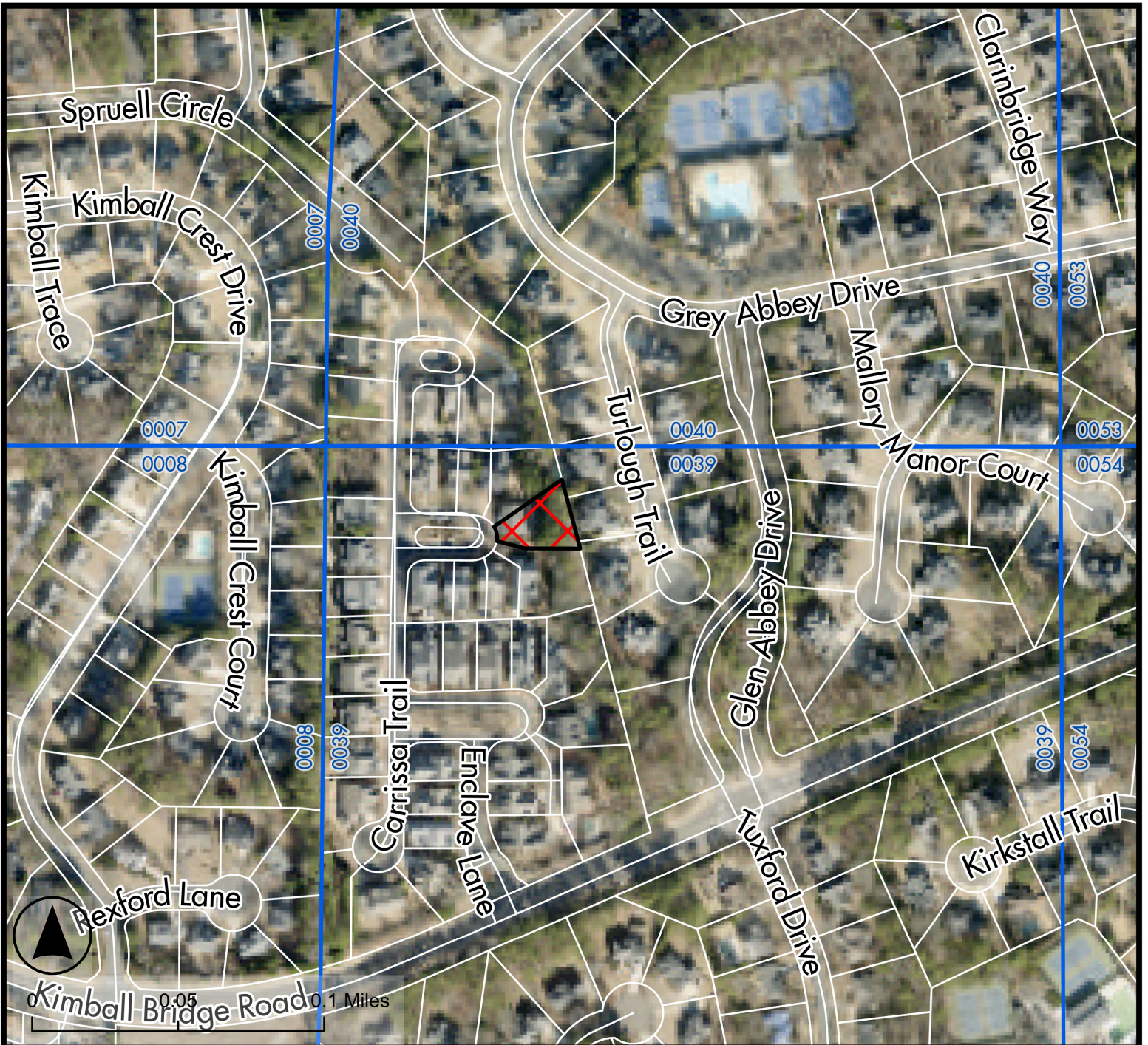
Location Map

Ferguson/330 Angelic Way
330 Angelic Way





V-25-35

D/LL: 1/1/0039
BZA: 12/18/2025





Legend

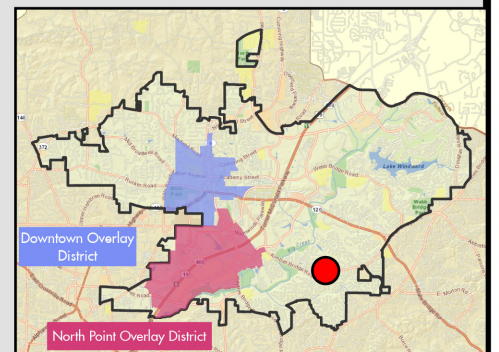
-  V-25-35
-  Land Lots
-  Tax Parcels
-  Alpharetta City Limits

Aerial Map

Ferguson/330 Angelic Way
330 Angelic Way

V-25-35

D/LL: 1/1/0039
BZA: 12/18/2025



CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: _____

PH #: _____

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:

MARY S. KING

Contact Name:

DOUGLAS FERGUSON

Telephone:

404-308-0990

Address:

330 ANGELICA WAY

Suite:

City:

ALPHARETTA

State:

GA

Zip:

30022

Fax:

Mobile Tel:

404-308-0990

Email:

dougf@KINGTEAM.COM

Subject Property Information:

Address:

330 ANGELICA WAY

Current Zoning:

District:

Section:

Land Lot:

Parcel ID:

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 (Specify): _____

✓

APPLICANT REQUEST AND INTENT

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

Single Family home with rear covered porch

Applicant's Request (Please itemize the proposal):

Variance to reduce rear 40' setback to 28'
for rear covered porch

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

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name:

MARY S KING
DOUGLAS FERGUSON

Telephone:

404-308-0990

Address:

330 ANGELICA WAY

Suite:

City:

ALPHARETTA

State:

GA

Zip:

30082

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.

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Special Use |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Conditional Use |
| <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Master Plan |
| <input type="checkbox"/> Land Use Application | <input type="checkbox"/> Other |

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant:

MARY S KING
DOUGLAS FERGUSON

Telephone:

404-520-5111
404-308-0990

Address:

330 ANGELICA WAY

Suite:

City:

ALPHARETTA

State:

GA

Zip:

30082

So Sworn and Attested:

Owner Signature:

Mary S. King Douglas Ferguson

Date:

10/22/2025

Notary:

Notary Signature:

[Handwritten Signature]

SHARIF KAMARA
NOTARY PUBLIC
Gwinnett County
State of Georgia
My Comm. Expires Sept. 1, 2026

Date:

10/22/2025

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: _____

Subject Public Hearing Case: Ferguson / 330 Angelica Way

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: _____

Description of Contribution: _____ Value: \$0

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

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: Douglas Ferguson
May S. King

Date: 10-16-2025



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.

Shape being unusual, located on
cut-de-sac

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

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

unusual shape + size

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.

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: _____

Contact Name: _____ Telephone: _____

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.

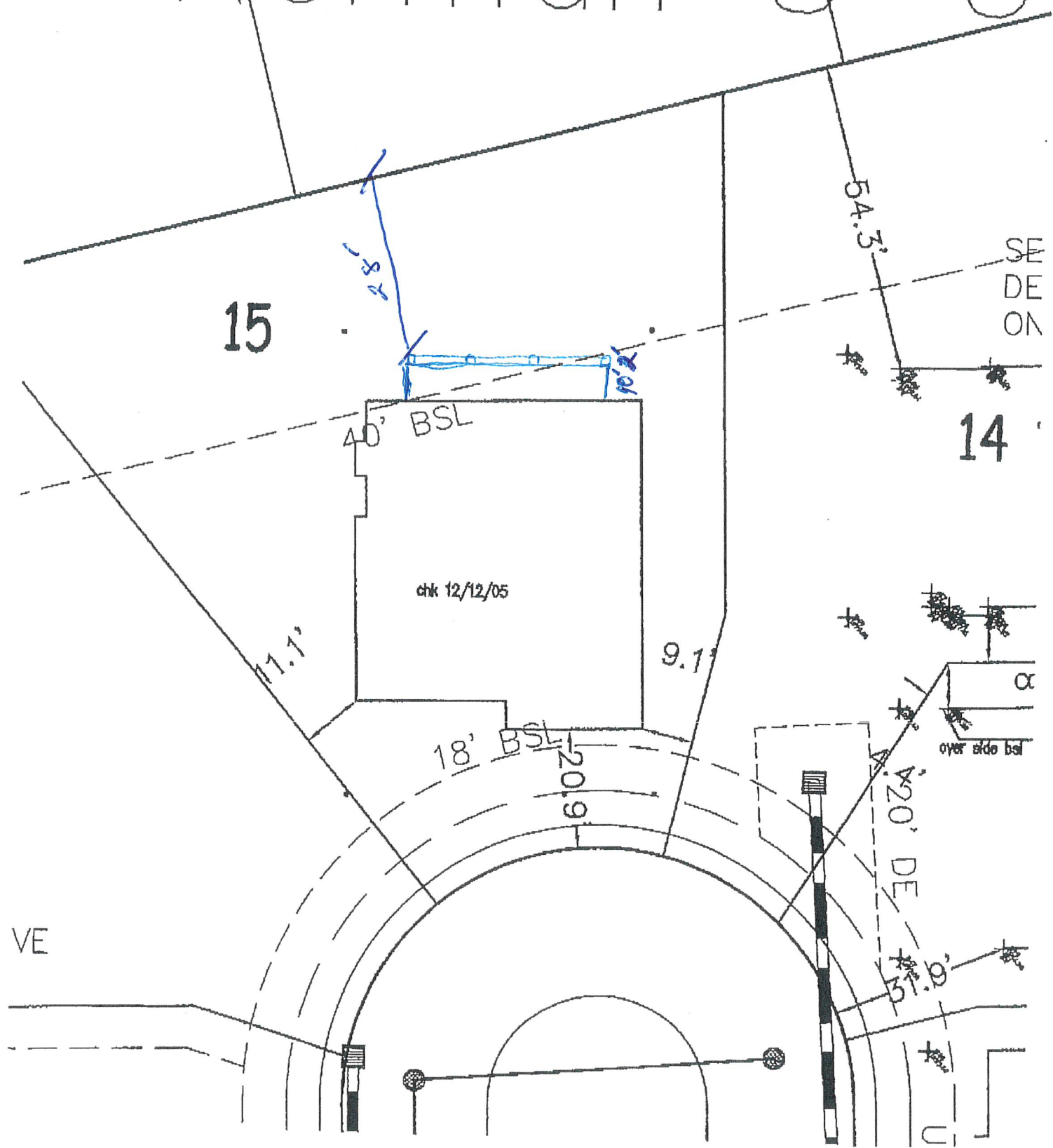
320 Angelica Way	_____
335 " "	_____
935 Turrough Trl	_____
925 " "	_____
HOA	_____
_____	_____
_____	_____

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.*

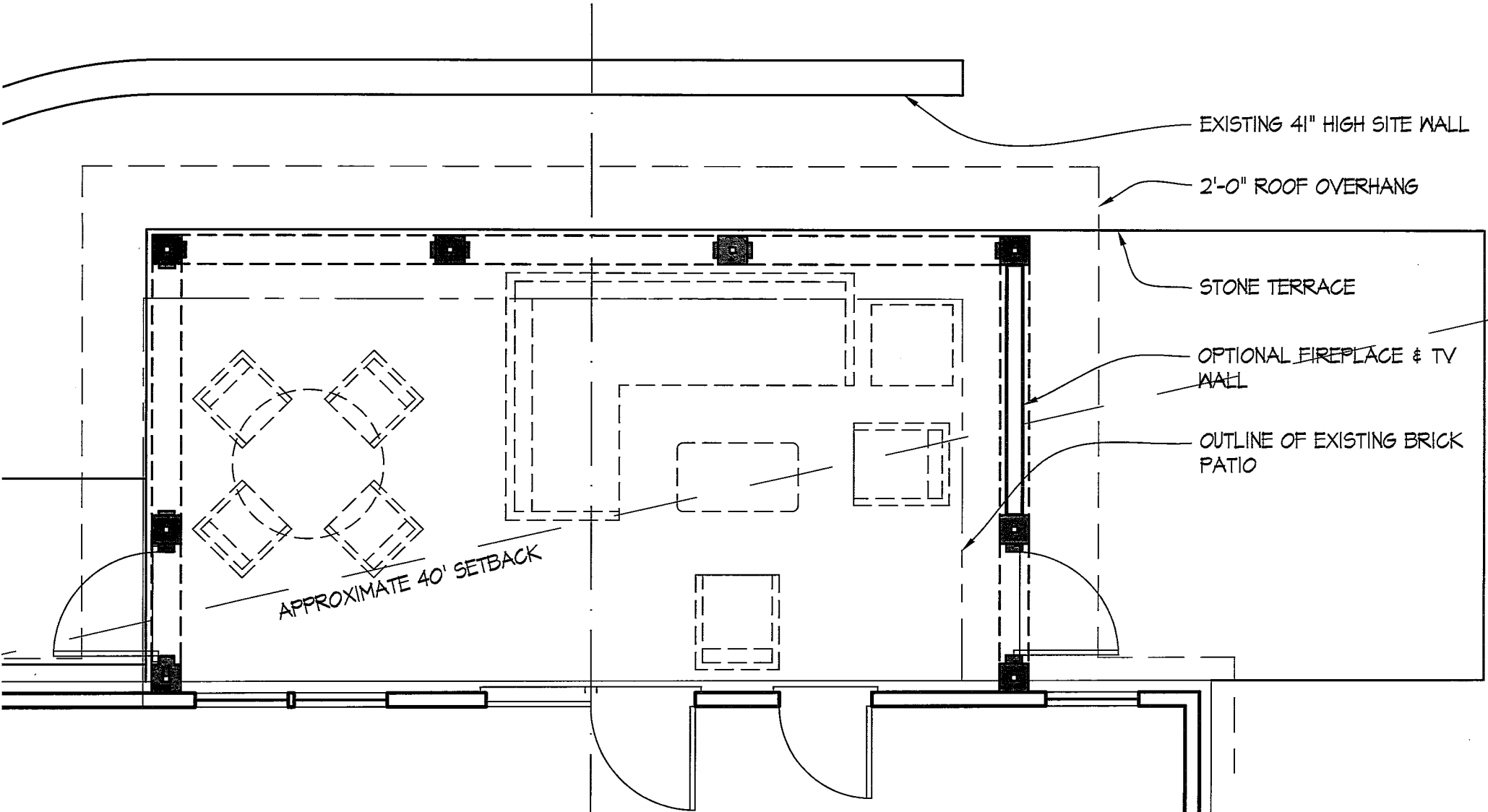
- Letter Personal Visits
- Telephone Group Meeting
- Email Other *(Please Specify)*

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.

r Norman 8-3

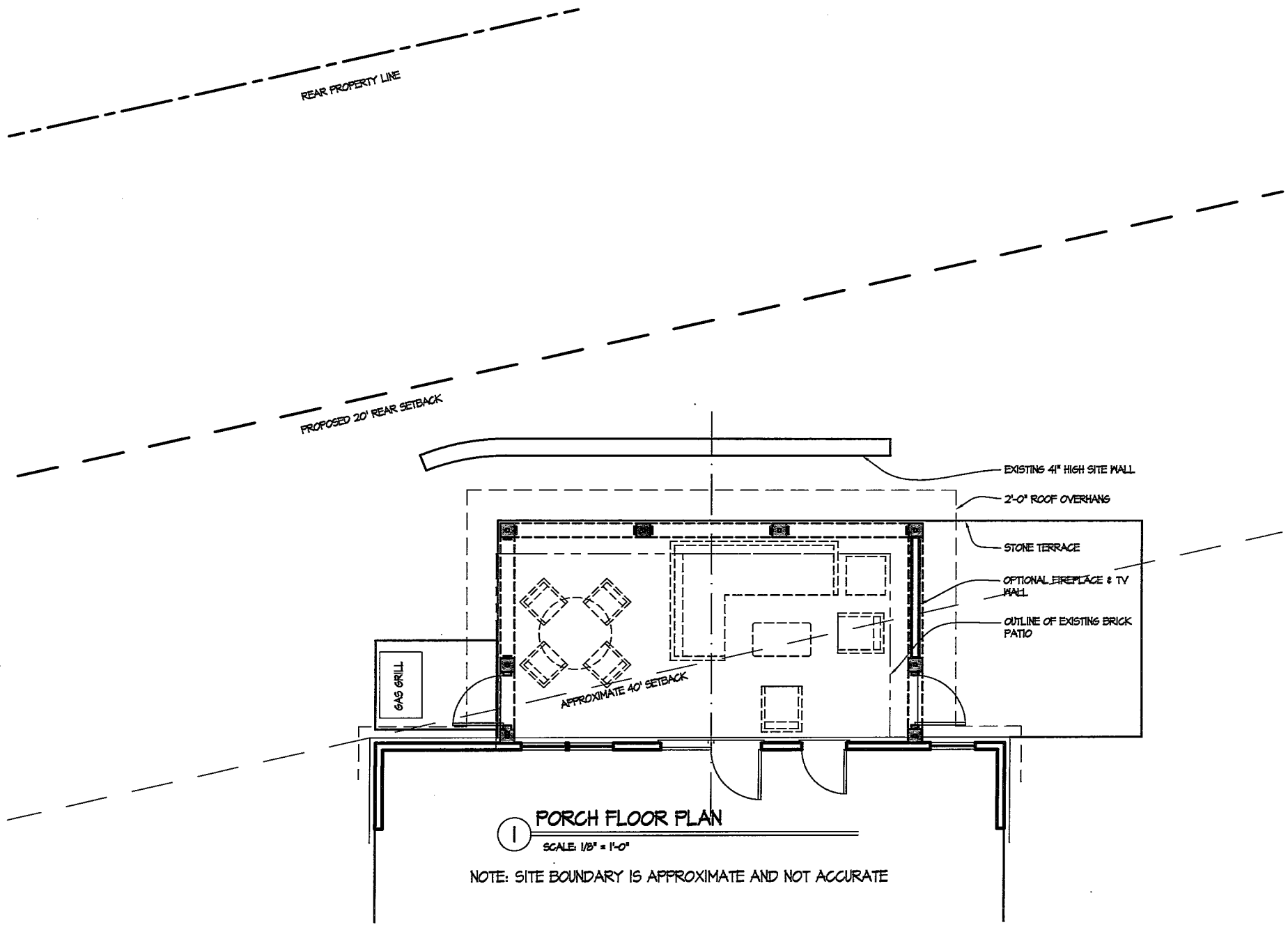


CK



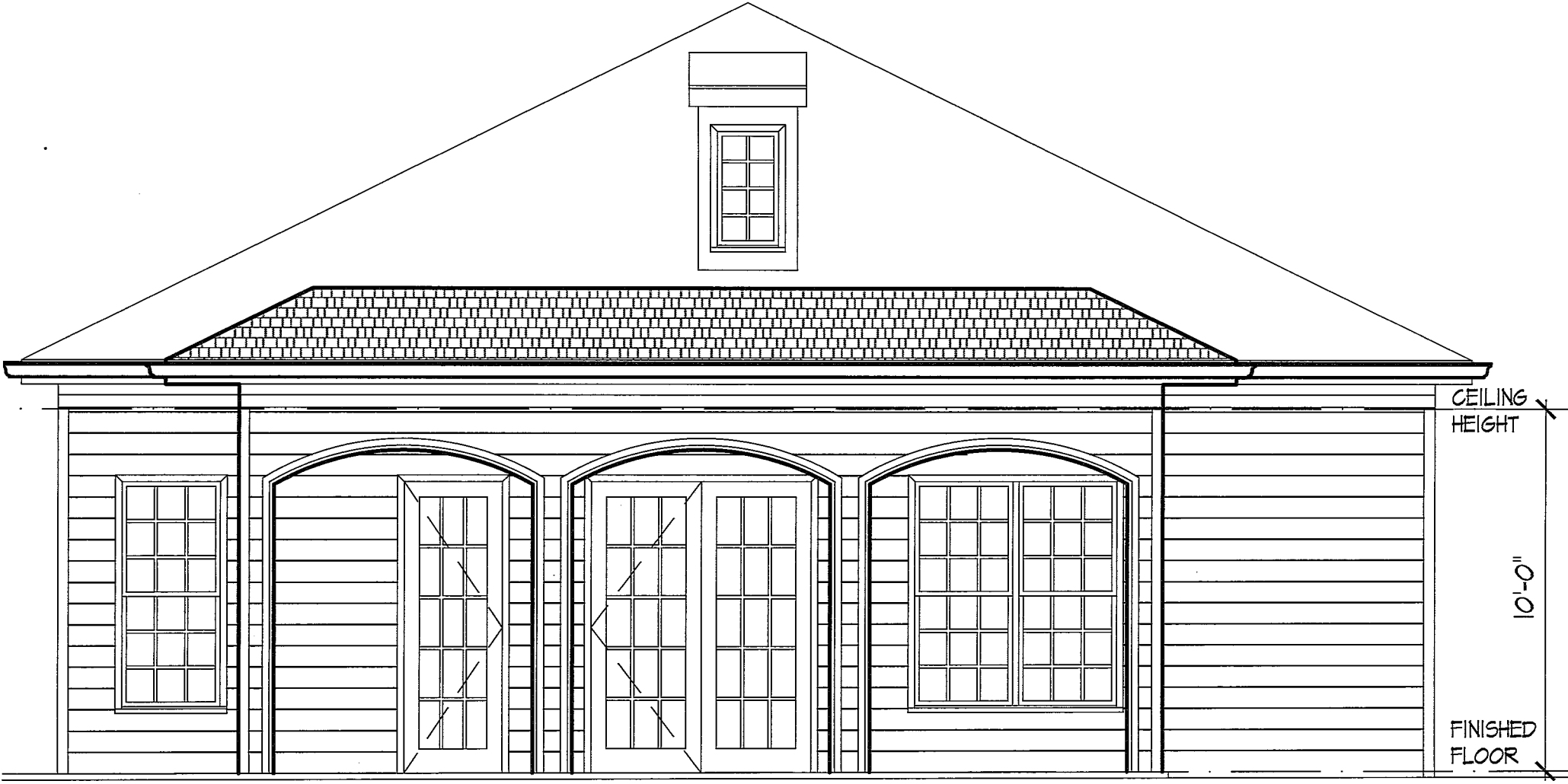
1 PORCH FLOOR PLAN
 SCALE: 1/4" = 1'-0"

NOTE: SITE BOUNDARY IS APPROXIMATE AND NOT ACCURATE



1 PORCH FLOOR PLAN
SCALE: 1/8" = 1'-0"

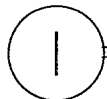
NOTE: SITE BOUNDARY IS APPROXIMATE AND NOT ACCURATE



CEILING
HEIGHT

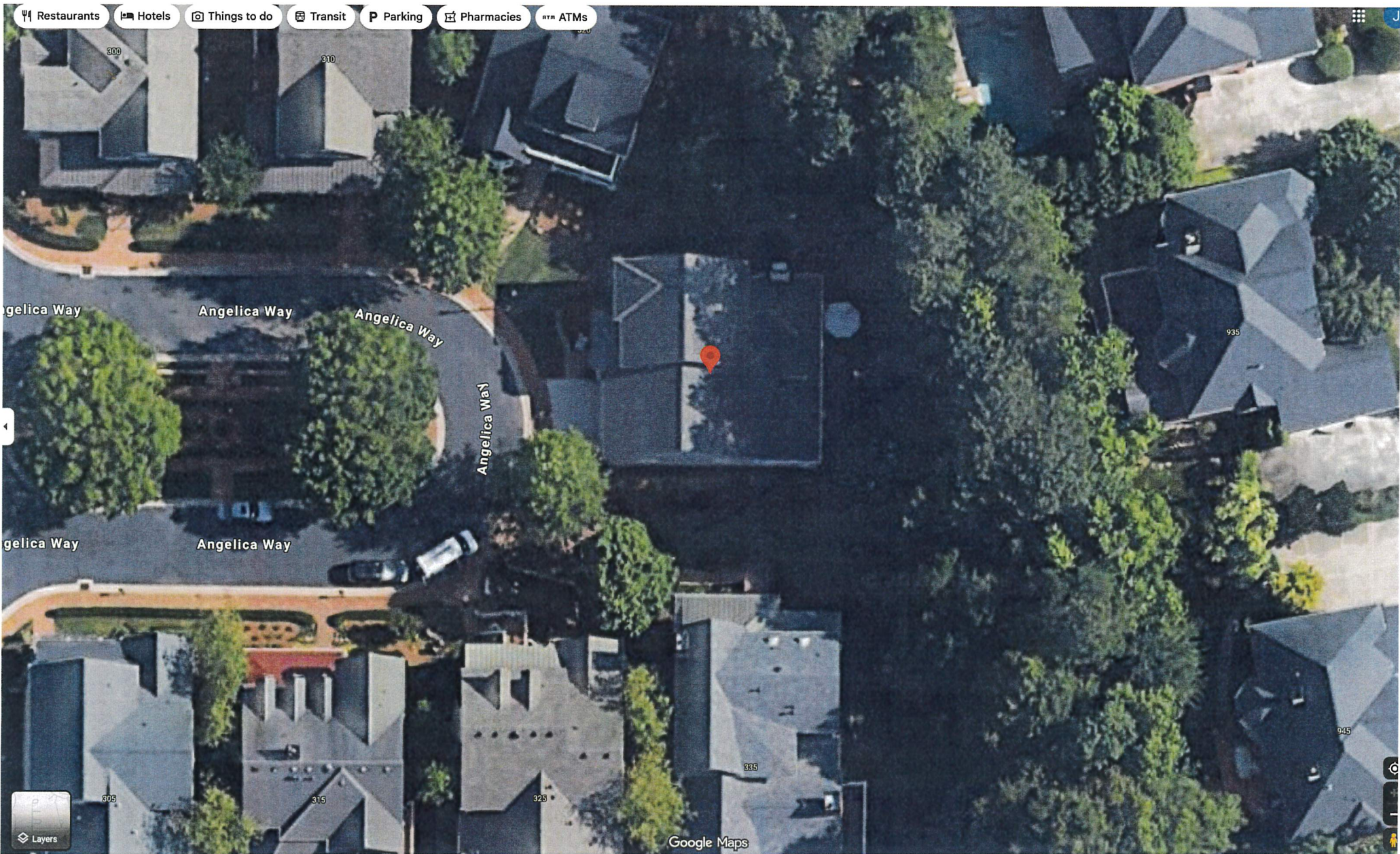
10'-0"

FINISHED
FLOOR



PORCH REAR ELEVATION

SCALE: 1/4" = 1'-0"















Re: DRB Request - Doug Ferguson and Mary King Back Porch

Cathy Rissler <clrissler@gmail.com>
To: Mary King <mary@kingteam.com>
Cc: Doug Ferguson <dougf@kingteam.com>

Sat, Oct 18 at 9:

Here you go.

Just as information, I've saved your DRB request to my 2026 file since you will begin work next year.

Looks wonderful. Good luck with all the permits, etc.

Cathy

On Oct 17, 2025, at 6:19 PM, Mary King <mary@kingteam.com> wrote:

Thank you Cathy!

On Fri, Oct 17, 2025 at 6:08 PM Cathy Rissler <clrissler@gmail.com> wrote:
Your request has been approved. I will get you the signed document.

Cathy

Begin forwarded message:

From: bill.mallery@icloud.com
Subject: Re: DRB Request - Doug Ferguson and Mary King Back Porch
Date: October 17, 2025 at 5:13:32 PM EDT
To: Barbara Gustin <barbaragustin@yahoo.com>
Cc: Cathy Rissler <clrissler@gmail.com>

I approve.
Kindest Regards,
Bill Mallery

On Oct 17, 2025, at 3:24 PM, Barbara Gustin <barbaragustin@yahoo.com> wrote:

It looks lovely. I approve.

Barbara

On Friday, October 17, 2025 at 02:08:16 PM EDT, Cathy Rissler <clrissler@gmail.com> wrote:

I spoke with Doug yesterday when he dropped by to give me his DRB request. He is going through the City of Alpharetta and securing all the permits, etc. that they need to build their back porch.

I approve, let me know what you think.

Cathy

Ferguson & King Patio 2026.pdf

Enclave at Glen Abbey

"A Design Standard Community"
Modification Approval Form

MARY KING

Name: DOUGLAS FERGUSON
Address: 330 ANGELICA WAY
Date: 10-6-2025
Phone: 404 308 0990

Please refer to your copy of the Covenants, Conditions and Restrictions, Article XI, and the Design Standards before completing.

Modifications Requested (include specific details of materials, colors, styles, etc.)

A. Fences:

Specify materials, height style and sketch to scale on copy of survey, use photos or drawings. A copy of the contractor's proposal should be attached.

B. Landscaping:

Statuary, fountains, decorative structures, etc. to be depicted with photo, drawings and location indicated on survey.

C. Pools and Spas:

Provide plans and specifications. Also include all fencing, decking and railing modifications, two (2) sets.

D. Play Equipment:

Specify type, material, color and sketch proposed location on survey.

E. Repainting:

Paint manufacturer with number, color, include siding trim, shutters, doors, etc.

F. Roof:

Manufacturer, type and color

G. Screening and Lattice:

Specify material, style, color, location and elevation

H. Structure Addition or Modification:

Provide plans and specifications, two (2) sets.

I. Tree Removal:

Sketch the tree location on a copy of the survey.

J. Satellite Dish:

Sketch the location on a copy of the survey.

K. Other:

Submit the appropriate information and detailed description.

Comments: _____

Douglas Ferguson
Mary King

Date Project to Start:

3-15-2026 APPROX

Date Project will be Completed:

5-30-2026 11



For your protection, inquire with the proper authority, either city or county, regarding permit requirements before starting any work on your property involving new construction, additions, alterations, or any modification work to structural, electrical, heating, water, gas or sanitary plumbing systems.

Please Return To:

TO BE COMPLETED BY DRB:

ARCHITECTURAL REVIEW

Date Received:

10-16-25

Date Reviewed:

10-17-25

Signature:

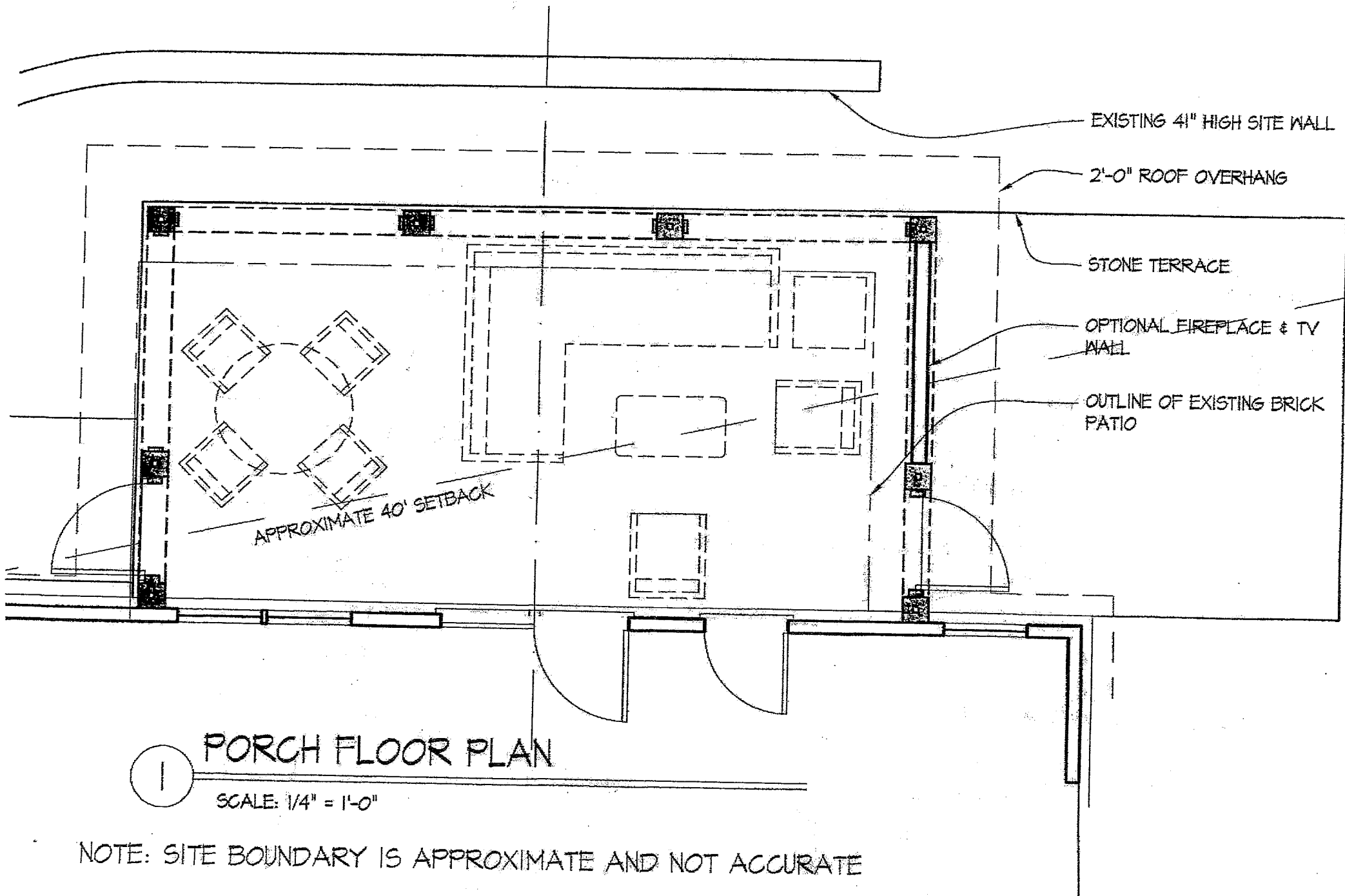
Wally R...

Architectural Review Action:

- Approved as Submitted
- Conditionally Approved
- Disapproved
- Deferred
- Withdrawn

Comments:

CK



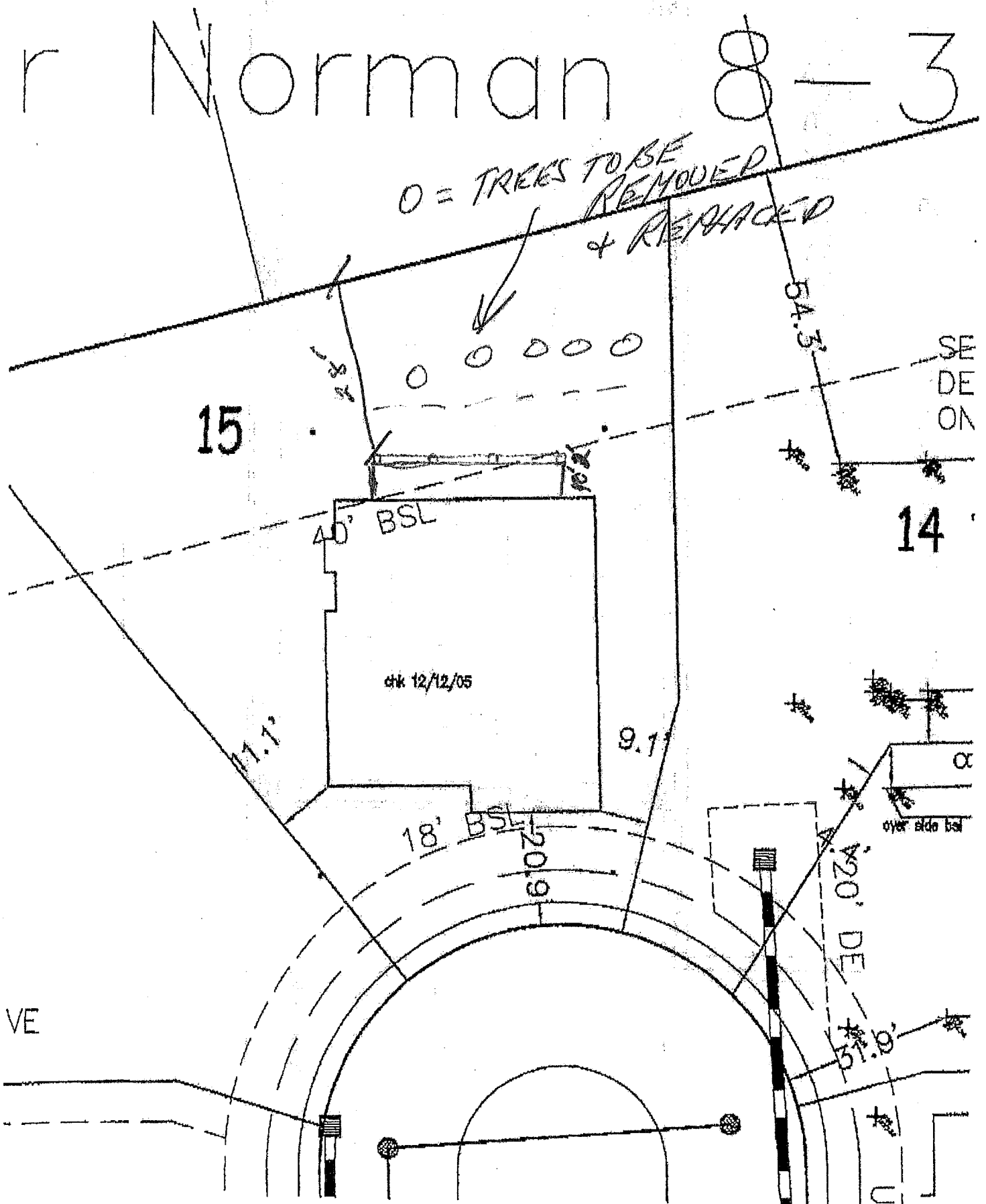
PORCH FLOOR PLAN

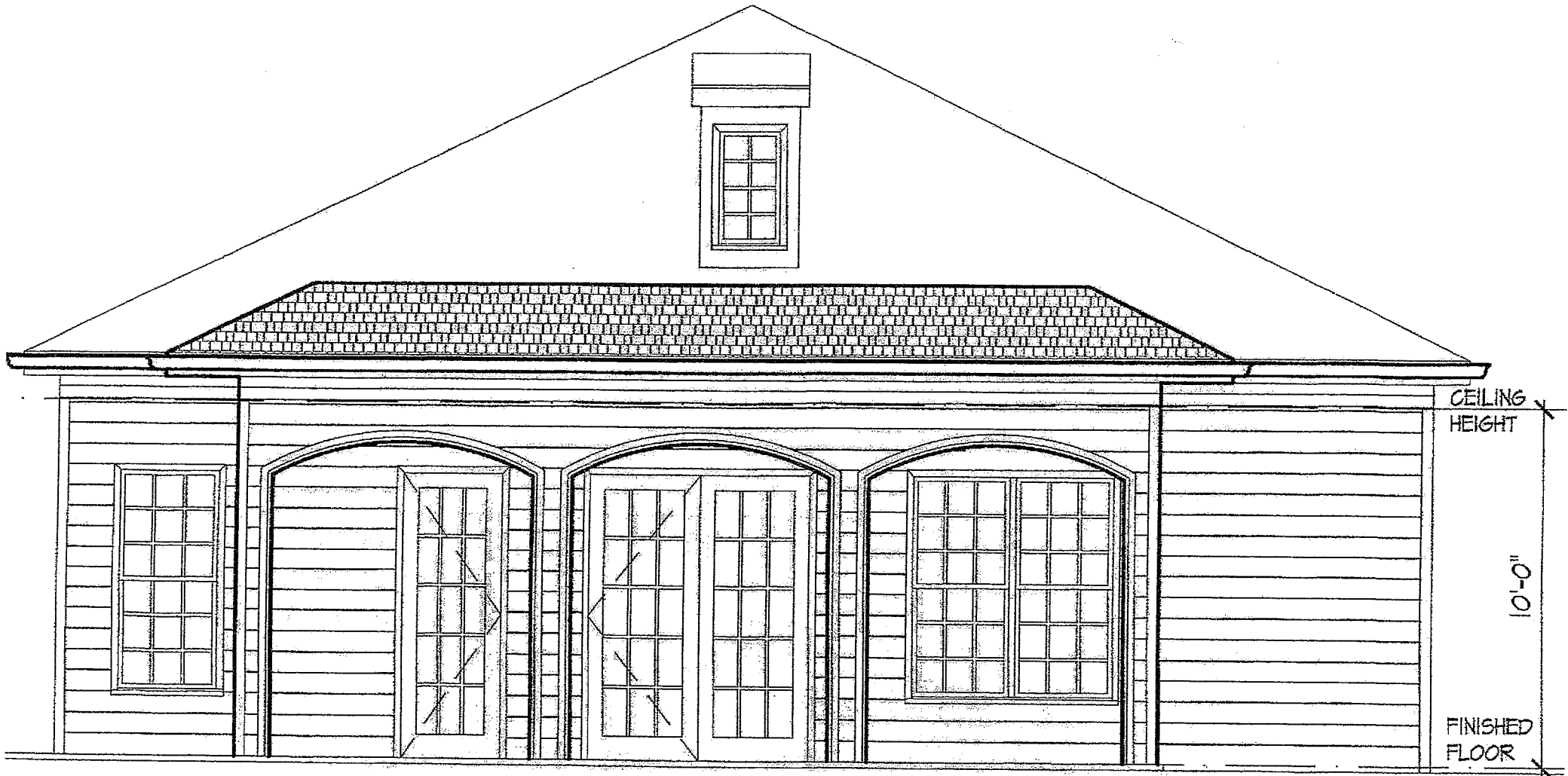
SCALE: 1/4" = 1'-0"

NOTE: SITE BOUNDARY IS APPROXIMATE AND NOT ACCURATE

r Norman 8-3

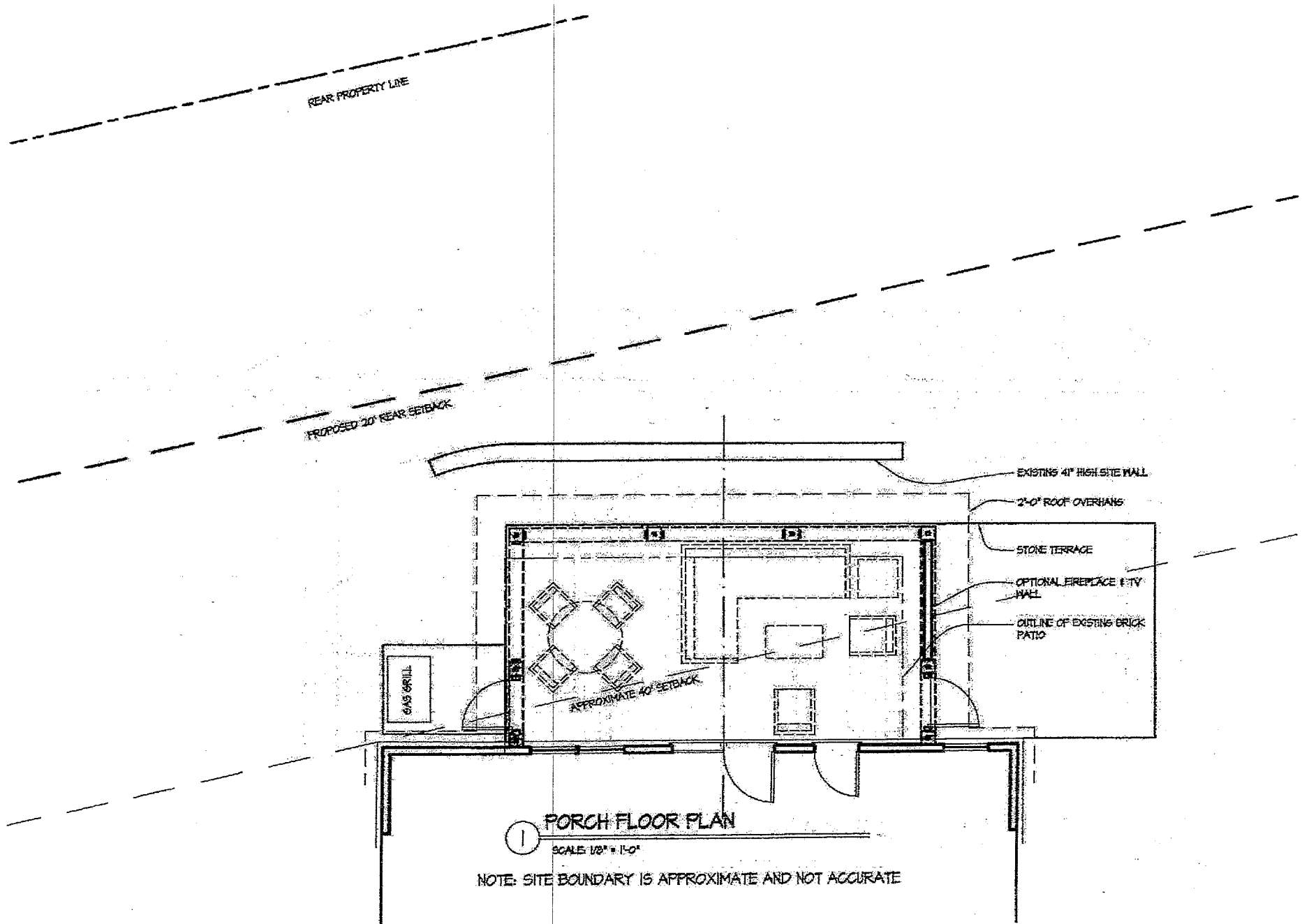
O = TREES TO BE REMOVED & REPLACED





1 PORCH REAR ELEVATION

SCALE: 1/4" = 1'-0"



1 PORCH FLOOR PLAN

SCALE: 1/8" = 1'-0"

NOTE: SITE BOUNDARY IS APPROXIMATE AND NOT ACCURATE

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: V-25-35 Ferguson | 330 Angelica Way
Contact Name: Doug Ferguson Telephone: 404-308-0990

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.

I spoke to Barry Kaiser and he was fine with us doing the additior.
Neal Jernigan + Lynn were in favor of this Project. (3) Anthony + Terry Mesfetta have not replied. (4) I have written + mailed the answers to their questions. No reply yet!

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.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Personal Visits |
| <input type="checkbox"/> Telephone | <input type="checkbox"/> Group Meeting |
| <input type="checkbox"/> Email | <input type="checkbox"/> 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: Douglas Ferguson Date: 12/2/08

Print Form

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: V-25-35 Ferguson / 330 Angelica Way

Contact Name: Doug Ferguson Telephone: 404-308-0990

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.

Neal Jernigan +
Lynn Redner

335 Angelica Way

Barry + Dory Kaiser

320 Angelica Way

Anthony + Kerry Mistretta

925 Turlough Trail

David + Valerie Carrett

935 Turlough Trail

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.

- | | |
|--|---|
| <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Personal Visits |
| <input type="checkbox"/> Telephone | <input type="checkbox"/> Group Meeting |
| <input type="checkbox"/> Email | <input type="checkbox"/> Other (Please Specify) |

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.

November 10, 2025]

Douglas Ferguson & Mary S King
330 Angelica Way
Alpharetta Ga 30022

RE: V-25-35 Ferguson/330 Angelica Way

Dear Pr

Please
the rear
Code (U
is locate
1st Sect

November 10, 2025]

This let
at 5:30
Alphare

If you h
conven
Sincere

Dougl

Douglas Ferguson & Mary S King
330 Angelica Way
Alpharetta Ga 30022

RE: V-25-35 Ferguson/330 Angelica Way

Dear Property Owner of 925 Turloigh Trail Alpharetta Ga. 30022

330 Angelica Way
Alpharetta, Ga

P
R
O
C
E
D
U
R
E

November 10, 2025]

Douglas Ferguson & Mary S King
330 Angelica Way
Alpharetta Ga 30022

RE: V-25-35 Ferguson/330 Angelica Way

Dear Property Owner of 320 Angelica Way Alpharetta Ga. 30022

330 Ave
Alpharetta

November 10, 2025]

Douglas Ferguson & Mary S King
330 Angelica Way
Alpharetta Ga 30022

RE: V-25-35 Ferguson/330 Angelica Way

Dear Property Owner of 335 Angelica Way Alpharetta Ga. 30022

Please allow this letter to serve as public notice for consideration of a variance request to reduce the rear setback to allow for a covered porch. A variance is requested to Unified Development Code (UDC) Subsection 1.3.(B)(1) to reduce the rear platted setback from 40' to 28'. The property is located at 330 Angelica Way and is legally described as being located in Land Lot 89, 1st District, 1st Section, Fulton County, Georgia.

The item will be considered by the Board of Zoning Appeals on Thursday, December 18, 2025 at 5:30 p.m. The meeting will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30008.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at doug@kingteam.com and/ 404-308-0980.

Douglas Ferguson and Mary S King

330 Ave
Alpharetta

330 Angelica Way
Alpharetta, Ga

Mark Jamigan - Lynn Reher
335 Angelica Way
Alpharetta, Ga
30022



[Insert Date]

[Your Name]
[Your Address]
[City, State Zip]

RE: V-25-35 Ferguson/330 Angelica Way

Dear Property Owner:

Please allow this letter to serve as public notice for consideration of a variance request to reduce the rear setback to allow for a covered porch. A variance is requested to Unified Development Code (UDC) Subsection 1.3.1(B)(1) to reduce the rear platted setback from 40' to 28'. The property is located at 330 Angelica Way and is legally described as being located in Land Lot 39, 1st District, 1st Section, Fulton County, Georgia.

This item will be considered by the **Board of Zoning Appeals on Thursday, December 18, 2025 at 5:30 p.m.** The meeting will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at [Insert email address and/or phone number].

Sincerely,

[Insert Your Name]

*Mailed
~~10~~
11-10-2025*

JARRETT
935 Turlough Trail
Alpharetta, GA 30022

678.612-7898

November 25, 2025

Mary King
330 Angelica Way
Alpharetta, GA 30022

Dear Mary,

I received a notice from Douglas Ferguson indicating your desire to reduce the rear platted setback from 40 feet to 28 feet. Since my property sits directly behind you, I'd like to better understand a few details so I can fully evaluate the impact. Would you mind helping clarify the following?

1. Reason for the Variance

- Could you share the reasoning or hardship behind needing the 28-foot setback instead of the required 40 feet?

ROOF WILL EXTEND 1.5-2 FEET
OUT FROM EXISTING
PATIO

2. Project Details.

- Could you share the site plan and elevation drawings so I can see where the structure sits relative to our shared property line?

NO PLANS YET

- Do the plans clearly show the reduced 28-ft setback?

3. Privacy Considerations

- Will there be any windows, elevated areas, or sightlines facing my yard or home?

NO

- Are you planning on adding additional privacy measures?

4. Landscaping & Trees

- It appears that you will removing all of the existing trees.

6-6-8FT HOLLIES
+ OTHER PLANTINGS

- Are you planning to add or maintain privacy landscaping or fencing?

5. Lighting

- Will any new outdoor or structural lighting be added, and in what direction will it be oriented?

UNDER PORCH ROOF + LANDSCAPE
LIGHTING

6. **Drainage & Grading**

- Will the project change the grading or drainage patterns near our property line? *NO*
- How will runoff from the new structure be managed? *ON OUR PROPERTY*

7. **Height & Visual Impact**

- How tall will the structure be, and will it create any shading or visual obstruction from my side? *NO*

8. **Construction Timeline**

- Do you have an estimated timeline, including start date and duration? *NOT YET*

9.

1. **Easements or Access**

- Will anything encroach into utility or drainage easements near our property line? *NO*

2. **Reason for the Variance**

- Could you share the reasoning or hardship behind needing the 28-foot setback instead of the required 40 feet? *ROOF STRUCTURE*

I appreciate you taking the time to walk me through these details. Once I have a better understanding of how the project may impact my property, I'll be able to give you a clear response regarding support.

Best regards,
David

Porch Addition
330 Angelica Way

Hi David,

Thanks for your request for more information. Mary and I have had the goal of adding a covered porch to our home for many years and decided to get that process under way this year.

We are going through the process under the guidance of the city of Alpharetta, approval of the HOA, getting approval for the variance, as well as the city arborist.

To address your concerns, I have listed them below.

- The porch will extend out from the back wall of our home approximately 12-12.5 feet covering the existing brick patio. The extra 1-1.5 feet is for the footings. If you look down from your property to ours, you will see an existing umbrella on a concrete pad. That is the total distance from our home.
- The plans are with a licensed architect waiting for us to get the variance approval for completion. I have enclosed a preliminary drawing.

- There are no windows being added. The only sightline is what currently exists.
- We are planning on removing the current magnolia's, scrub pines and several large pine trees. We will be getting the approval of the city arborist. We are planning the addition of 6-7 Holly's approx. 8 feet tall across the same area where the magnolia's were. Those holly's will be pushed back approx. 7-8 feet and there will be plantings in front of them on our side. I believe this will improve your privacy.
- The lighting will be inside the porch area and some lighting in the planting area and maybe up lighting on the Holly's. Nothing will be directed toward your home. We currently have no lighting plans in place.
- There will be no changes to the grading of the property. The landscape company has recommended that we do not remove any of the tree roots of the trees being removed so that the area will remain stable because of that existing root structure.
- This additional structure will most likely will not even be visible from your homes once all landscaping is completed.
- The time line for completion will likely be early to mid-spring 2026.

- Regarding water runoff, I'm sure the architect will have gutters and down spouts on the plans. None of this will affect your lot.

I hope this addresses all of your concerns!

Re: DRB Request - Doug Ferguson and Mary King Back Porch

Cathy Rissler <clrissler@gmail.com>
To: Mary King <mary@kingteam.com>
Cc: Doug Ferguson <dougf@kingteam.com>

Sat, Oct 18 at 9:

Here you go.

Just as information, I've saved your DRB request to my 2026 file since you will begin work next year.

Looks wonderful. Good luck with all the permits, etc.

Cathy

On Oct 17, 2025, at 6:19 PM, Mary King <mary@kingteam.com> wrote:

Thank you Cathy!

On Fri, Oct 17, 2025 at 6:08 PM Cathy Rissler <clrissler@gmail.com> wrote:
Your request has been approved. I will get you the signed document.

Cathy

Begin forwarded message:

From: bill.mallery@icloud.com
Subject: Re: DRB Request - Doug Ferguson and Mary King Back Porch
Date: October 17, 2025 at 5:13:32 PM EDT
To: Barbara Gustin <barbaragustin@yahoo.com>
Cc: Cathy Rissler <clrissler@gmail.com>

I approve.
Kindest Regards,
Bill Mallery

On Oct 17, 2025, at 3:24 PM, Barbara Gustin <barbaragustin@yahoo.com> wrote:

It looks lovely. I approve.

Barbara

On Friday, October 17, 2025 at 02:08:16 PM EDT, Cathy Rissler <clrissler@gmail.com> wrote:

I spoke with Doug yesterday when he dropped by to give me his DRB request. He is going through the City of Alpharetta and securing all the permits, etc. that they need to build their back porch.

I approve, let me know what you think.

Cathy

Ferguson & King Patio 2026.pdf

Enclave at Glen Abbey

"A Design Standard Community"
Modification Approval Form

MARY KING

Name: DOUGLAS FERGUSON
Address: 330 ANGELICA WAY
Date: 10-6-2025
Phone: 404 308 0990

Please refer to your copy of the Covenants, Conditions and Restrictions, Article XI, and the Design Standards before completing.

Modifications Requested (include specific details of materials, colors, styles, etc.)

- A. Fences: Specify materials, height style and sketch to scale on copy of survey, use photos or drawings. A copy of the contractor's proposal should be attached.
- B. Landscaping: Statuary, fountains, decorative structures, etc. to be depicted with photo, drawings and location indicated on survey.
- C. Pools and Spas: Provide plans and specifications. Also include all fencing, decking and railing modifications, two (2) sets.
- D. Play Equipment: Specify type, material, color and sketch proposed location on survey.
- E. Repainting: Paint manufacturer with number, color, include siding trim, shutters, doors, etc.
Manufacturer, type and color
- F. Roof: Specify material, style, color, location and elevation
- H. Structure Addition or Modification: Provide plans and specifications, two (2) sets.
- I. Tree Removal: Sketch the tree location on a copy of the survey.
- J. Satellite Dish: Sketch the location on a copy of the survey.
- K. Other: Submit the appropriate information and detailed description.

Comments: _____

Douglas Ferguson
Mary King

Date Project to Start:

3-15-2026 APPROX

Date Project will be Completed:

5-30-2026 11



For your protection, inquire with the proper authority, either city or county, regarding permit requirements before starting any work on your property involving new construction, additions, alterations, or any modification work to structural, electrical, heating, water, gas or sanitary plumbing systems.

Please Return To:

TO BE COMPLETED BY DRB:

ARCHITECTURAL REVIEW

Date Received:

10-16-25

Date Reviewed:

10-17-25

Signature:

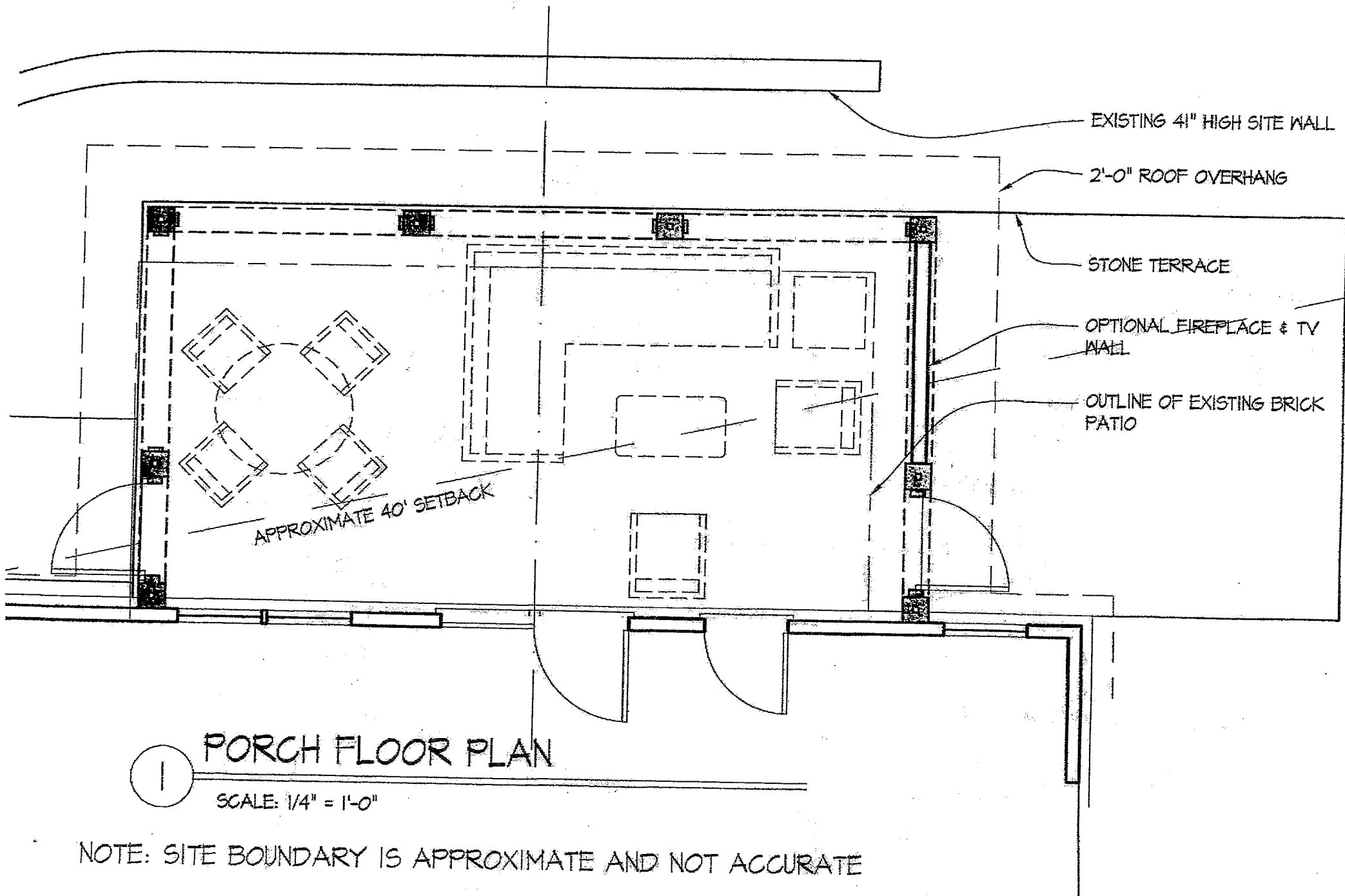
Wally R...

Architectural Review Action:

- Approved as Submitted
- Conditionally Approved
- Disapproved
- Deferred
- Withdrawn

Comments:

CK



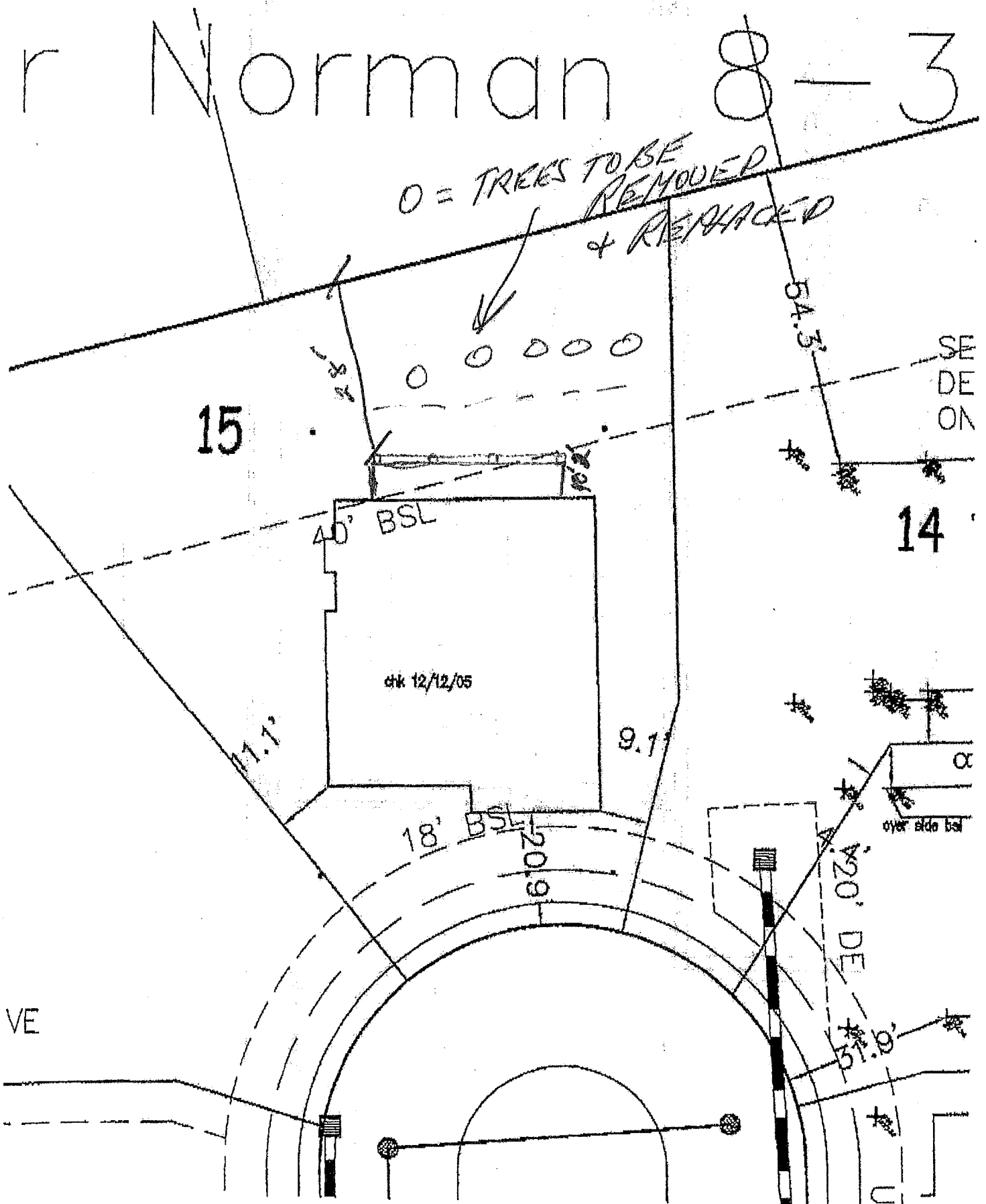
PORCH FLOOR PLAN

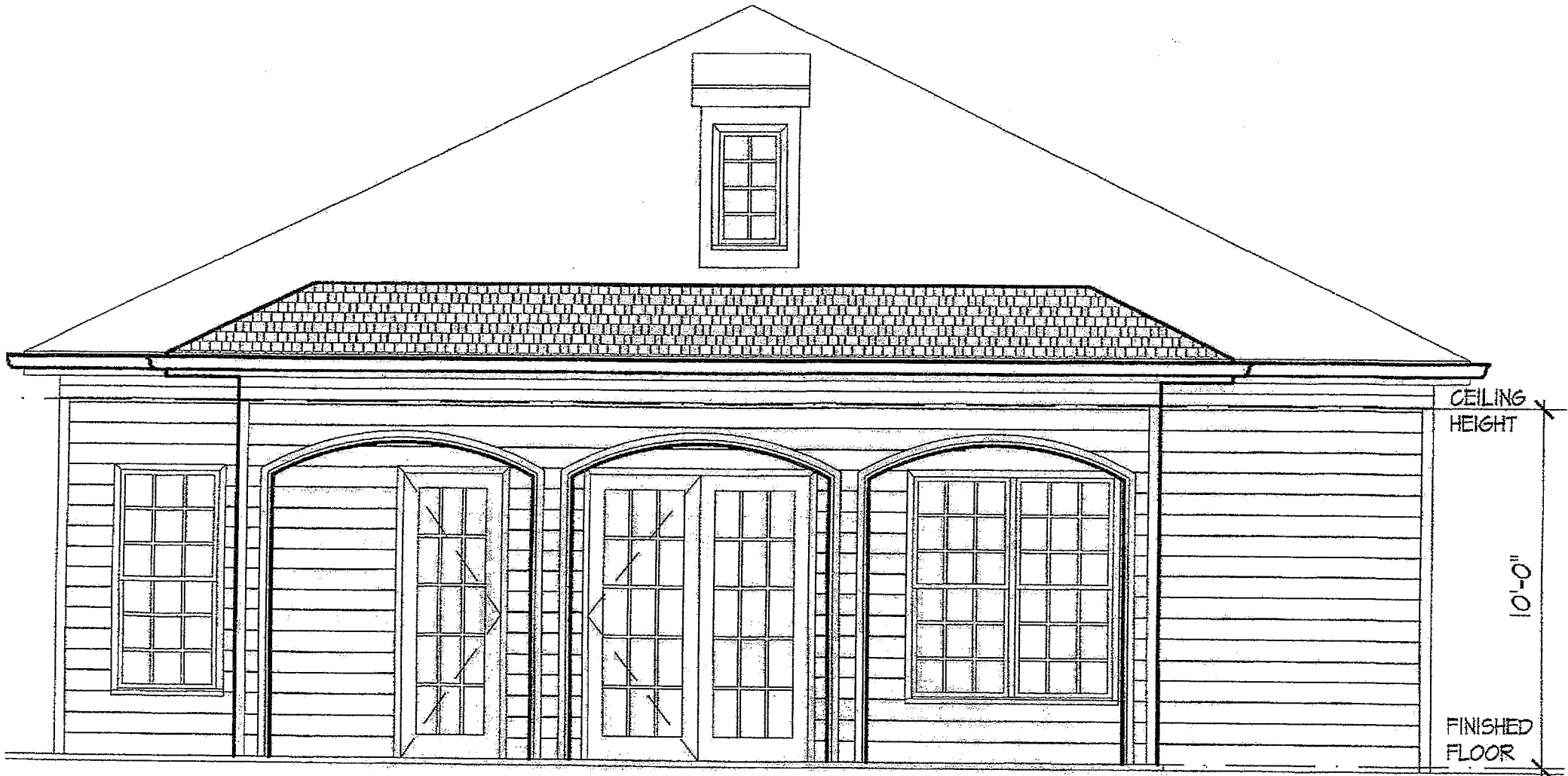
SCALE: 1/4" = 1'-0"

NOTE: SITE BOUNDARY IS APPROXIMATE AND NOT ACCURATE

r Norman 8-3

O = TREES TO BE REMOVED & REPLACED

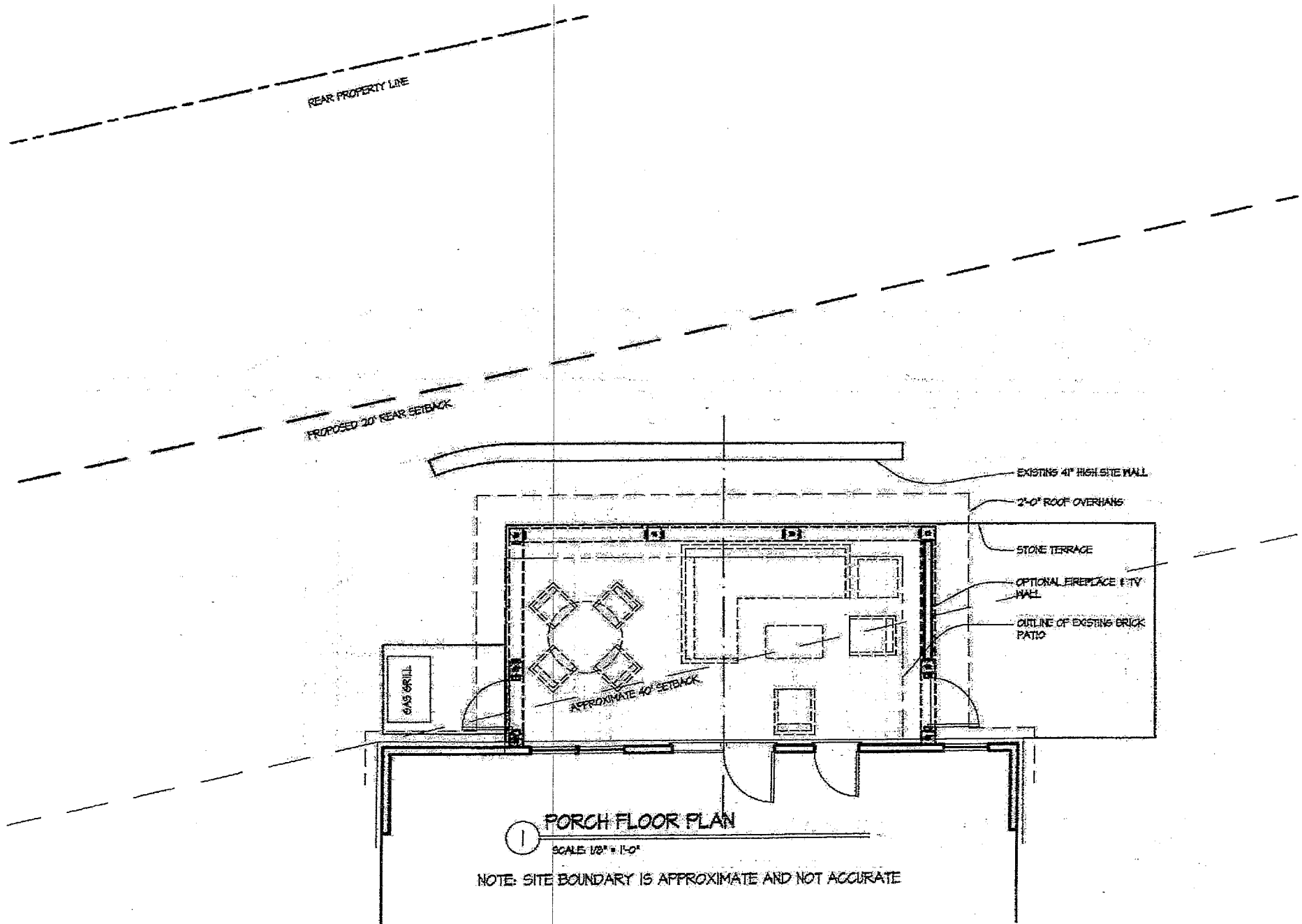




1

PORCH REAR ELEVATION

SCALE: 1/4" = 1'-0"



1 PORCH FLOOR PLAN

SCALE: 1/8" = 1'-0"

NOTE: SITE BOUNDARY IS APPROXIMATE AND NOT ACCURATE