



BOARD OF ZONING APPEALS SEPTEMBER 21, 2017

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

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MEETING MINUTES**

A. January 19, 2017

- IV. ITEMS FROM BOARD MEMBERS**
- V. ITEMS FROM STAFF**
- VI. PUBLIC HEARING**

A. V-17-22 Mereddy/12570 Pindell Circle Variance

Consideration of a variance to reduce the impervious setback in order to allow a pool on a single-family detached lot. The subject property is located at 12570 Pindell Circle in the Pindell Glen subdivision off Mid Broadwell Road.

B. V-17-33 Edman/Tree Ordinance

Consideration of a reduction of recompense requirements. The subject property is located at 273 Milton Avenue.

- VII. ADJOURNMENT**



BOARD OF ZONING APPEALS MEETING SUMMARY

January 19, 2107

PUBLISHED: Monday, January 23, 2017

Department of Community Development

WWW.ALPHARETTA.GA.US

*This 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. Public comments are noted as heard by Board of Zoning Appeals, but not quoted or paraphrased. This document includes limited presentation by Board of Zoning Appeals and invited speakers in **summary** form. **This is not an official record** of the Alpharetta City Board of Zoning Appeals Meeting proceedings. Official Minutes are recorded and available for review.*

I. CALL TO ORDER

A. Election of 2017 Officers

- ❖ Board Member Keegan nominated Mike Webber as Chairman for 2017.
 - The nomination received a second from Board Member Appen
 - The nomination was approved by vote (5-0)
 -
- ❖ Board Member Appen nominated John Monson as Vice-Chairman for 2017.
 - The nomination received a second from Board Member Gelber
 - The nomination was approved by vote (5-0)

II. ROLL CALL

Board Members Present:

- o Mike Webber, Chairman
- o John Monson, Vice Chairman
- o Hans Appen
- o Eamon Keegan
- o Marc Gelber
- o Kyle Lewis

Board Members Absent:

- o Wes Williams

Staff Present:

- o Michael Woodman, Senior Planner
- o Eric Graves, Senior Traffic Engineer
- o Elle Taylor, Boards Assistant

III. APPROVAL OF MEETING MINUTES

A. November 2016

❖ Board Member Monson made a motion to approve the meeting minutes of November 2016

- The motion received a second from Board Member Appen
- The motion was approved by vote (5-0)

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

A. Code of Ordinances Section 5.6 - Board of Appeals

Staff presented Board Members with this document.

VI. PUBLIC HEARING

1. V-17-01 Alpharetta United Methodist Church

Consideration of a request for a variance to reduce the required tree recompense by fifty per cent (50%).

The subject property is located at 69 North Main Street, at the southeast corner of North Main Street and Cumming Street.

Board Member Monson recused himself from the case.

Michael Woodman, Senior Planner presented consideration of a variance to reduce the required tree recompense by fifty percent. The required tree recompense is associated with a 2012 stormwater management and parking facility project. The subject property is located at 69 North Main Street, at the southeast corner of North Main Street and Cumming Street.

The applicant, Alpharetta First United Methodist Church (AFUMC), is requesting a variance to reduce the required tree recompense by fifty percent. If approved, the applicant's tree recompense requirement would be reduced from 119.6 to 59.8 – four-inch (4") caliper trees. The subject property is located at 69 North Main Street, at the southeast corner of North Main Street and Cumming Street.

Unified Development Code (UDC) Section 3.2, Appendix A states that, "Specimen trees that cannot be saved must be replaced with trees having three (3) times the unit value of the tree removed with a minimum four-inch (4") tree caliper by species with potentials for comparable size and quality."

AFUMC was established at the Downtown Alpharetta location in 1871. Over nearly 150 years, the church has expanded its facilities, as well as its land area to include seven (7) parcels totaling approximately 16.6 acres. A stream buffer variance was approved by the State and City in 2012 to pipe a stream running through the property in order to allow for the construction of parking lot and new stormwater management facility. The required tree recompense is associated with the above-mentioned stormwater and parking project, which resulted in a significantly larger detention pond to serve the site. The previous detention pond was built prior to stormwater management requirements and was inadequate to support the site. The 2012 stormwater facility project provided detention and water quality treatment for the existing church site, new parking lot, as well as for future expansion of the church. In 2015, the City granted an administrative variance to reduce the required tree recompense.

Because the AFUMC site has developed over such a long period of time, there are some landscape Code deficiencies on the property. These include the landscape strip along North Main Street, parking lot screening, parking lot landscape islands, and detention pond screening. GDOT's Main Street roadway project will further impact green space and landscaping on the church property, requiring approximately 20' of right-of-way along the North Main Street frontage of the AFUMC property.

To address the tree recompense requirement and enhance the site landscaping, the applicant has provided a tree planting plan depicting a total of 20 trees to be planted in various locations throughout the subject site. Given the constraints on the property, staff believes there are opportunities to replace required recompense trees with shrub plantings to screen parking from the public right-of-way, as well as to improve the overall aesthetics of the property. Staff also recommends that the applicant provide off-site tree plantings within the public right-of-way or on other City-owned property to address tree recompense.

The 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: There are many factors contributing to AFUMC's hardship, including the larger stormwater facility, location in the Downtown where sites historically have greater impervious coverage, right-of-way taking related to GDOT's North Main Street project, and development constraints that come with nearly 150 years of growth.

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

Response: The applicant could plant the required recompense trees on-site; however, most trees would likely not survive over the long-term due to insufficient rooting space.

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

Response: There are many factors contributing to AFUMC's hardship, including the larger stormwater facility, location in the Downtown where sites historically have greater impervious coverage, right-of-way taking related to GDOT's North Main Street project, and development constraints that come with nearly 150 years of growth.

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 requested variance will not cause a substantial detriment to the public good. The applicant proposes to plant 20 recompense trees at various locations throughout the AFUMC site. In addition, staff recommends shrub plantings to screen parking areas from adjacent public rights-of-way, as well as off-site tree recompense plantings.

Staff has reviewed the applicant's proposal and is in general agreement with the requested tree recompense variance. There are many factors contributing to AFUMC's hardship, including the 2012 stormwater facility, location in the Downtown, right-of-way taking related to GDOT's North Main Street project, and development constraints that come with nearly 150 years of growth. The AFUMC site was established in 1871 and has gradually expanded its Downtown campus over the years. The required tree recompense is related to the 2012 stormwater and parking project, which resulted in a significantly larger detention pond to serve the existing site, new parking lot, and future expansion of the church. The previous detention pond was built prior to stormwater management requirements and was inadequate to support the site. Given the constraints on the property, staff believes there are opportunities to replace required recompense trees with shrub plantings to provide screening, as well as to improve the overall aesthetics of the property. Conditions are recommended requiring on-site planting of recompense trees, shrub plantings to screen parking areas from the public right-of-way, as well as off-site tree recompense plantings.

The applicant notified adjacent property owners of the variance request and intent for the property. The citizen participation report states that no comments were received.

Staff's recommendation is to approve with the following Conditions:

1. Applicant shall plant recompense trees on-site as depicted on the plan prepared by Cornerstone Site Consultants, LLC, dated 11/4/2016, as approved by Staff. On-site tree recompense shall be planted prior to Certificate of Occupancy for any future phase of development or by 1/19/2019, whichever comes first.
2. A minimum of 20 recompense trees shall be planted in the public right-of-way or on other City-owned property as identified and approved by Staff. Off-site tree recompense shall be planted no later than 1/19/2019.
3. Applicant shall upgrade shrub screening of parking areas adjacent to the public right-of-way, as approved by Staff. Shrubs shall be evergreen and a minimum of two (2) feet at planting. Six (6) shrubs may be substituted for one (1) recompense tree. No more than 20 recompense trees shall be substituted with parking lot screening shrubs. On-site tree recompense shall be planted prior to Certificate of Occupancy for any future phase of development or by 1/19/2019, whichever comes first.

After presentation from Staff and the Applicant:

❖ Board Member Gelber made a motion to approve with the following conditions

- The motion received a second from Board Member Keegan
- The motion was approved by vote (5-0)

1. Applicant shall plant recompense trees on-site as depicted on the plan prepared by Cornerstone Site Consultants, LLC, dated 11/4/2016, as approved by Staff. On-site tree recompense shall be planted prior to Certificate of Occupancy for any future phase of development or by 1/19/2019, whichever comes first.

2. A minimum of 20 recompense trees shall be planted in the public right-of-way or on other City-owned property as identified and approved by Staff. Off-site tree recompense shall be planted no later than 1/19/2019.

3. Applicant shall upgrade shrub screening of parking areas adjacent to the public right-of-way, as approved by Staff. Shrubs shall be evergreen and a minimum of two (2) feet at planting. Six (6) shrubs may be substituted for one (1) recompense tree. No more than 20 recompense trees shall be substituted with parking lot screening shrubs. On-site tree recompense shall be planted prior to Certificate of Occupancy for any future phase of development or by 1/19/2019, whichever comes first.

VII. ADJOURNMENT



BOARD OF ZONING APPEALS MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: V-17-22 MEREDDY/12570 PINDELL CIRCLE VARIANCE

BOARD OF ZONING APPEALS: SEPTEMBER 21, 2017

II. RECOMMENDATION:

Approve V-17-22 Mereddy/12570 Pindell Circle Variance subject to the following conditions:

1. Property owner shall minimize the encroachment upon the impervious setback to the greatest extent possible, as approved by Staff. Encroachment shall be limited to submitted plans depicting a 15' x 34' pool encroaching 22' into the 75' impervious setback.
2. Property owner shall comply with any conditions of approval required by the Pindell Glen HOA prior to the issuance of a building permit for the proposed pool.
3. Property owner shall install a retaining wall 5' from the structural root plate of the 27" & 30" Sweet Gums, if necessary, as approved by Staff.
4. Property owner shall mitigate the encroachment upon the impervious setback using one or a combination of the following methods, as approved by Staff:
 - a. Provide same amount of encroachment area in another area of the setback as undisturbed buffer.
 - b. Create new impervious setback area in another area that was not in the impervious setback before.
 - c. Provide WQ/runoff reduction treatment for the encroachment area using BMP, such as a flow-well.

III. REPORT IN BRIEF:

The applicant, Ravi Mereddy, is requesting consideration of a variance to reduce the impervious setback in order to allow a pool on a single-family detached lot. The subject property is located at 12570 Pindell Circle in the Pindell Glen subdivision off Mid Broadwell Road.

DISCUSSION

The submitted request, if approved, would allow a swimming pool within the impervious setback of a stream at the rear of a residential property. A swimming pool represents impervious cover, which is not permitted within an impervious setback. The subject property is located at 12570 Pindell Circle in the Pindell Glen subdivision off Mid Broadwell Road.

The property and surrounding properties are zoned R-15 (Dwelling, 'For-Sale', Residential). Surrounding properties are single-family detached lots in Pindell Glen to the north, west and south, as well as an unplatted single-family detached lot off Mid Broadwell Road.

The subject property is a single-family detached lot developed with a 2-story, 5,133 square foot home on 0.62 acres. A stream runs along the rear property line and encumbers the property with a 50' undisturbed buffer and 75' impervious setback. Nearly 60% of the lot, and almost the entire rear yard, is impacted by

the stream buffer. Also, the property has a pie-shape, which further limits the useable area of the side yards for a pool.

The applicant's site plan depicts a 15' x 34' (510 square foot) pool within three-feet (3') of the 50' undisturbed buffer. Pindell Glen subdivision was developed prior to a change in the UDC prohibiting stream buffers to be located on residential lots. The Pindell Glen subdivision consists of 13 homes, of which three (3) have pools.

Unified Development Code (UDC) Section 3.3.6(C)(1)(a) Stream Buffer Protection – Land Development Requirements requires a 50' undisturbed natural vegetative buffer on both banks of a non-perennial stream and an additional 25' impervious setback. Impervious cover is prohibited within the 25' impervious setback, which includes man-made structures that impede the natural infiltration of water into the ground, such as a swimming pool.

VARIANCE REQUIREMENTS

Requests for variances shall follow the procedures described in Section 4.5 and Section 5.2. Variances will be considered only in the following cases:

1. When a property's shape, topography or other physical conditions existing at the time of the adoption of this ordinance prevents land development unless a buffer variance is granted.

Response: Nearly 60% of the lot is covered by stream buffer (rear yard) and the property has a pie-shape, which further limits useable area for a pool in the side yard.

2. Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.

Response: Nearly 60% of the lot is covered by stream buffer (rear yard) and the property has a pie-shape, which further limits useable area for a pool in the side yard. The applicant's proposal will not cause a substantial detriment to the public good, if conditions are required to mitigate the encroachment upon the impervious setback.

CONCURRENCES

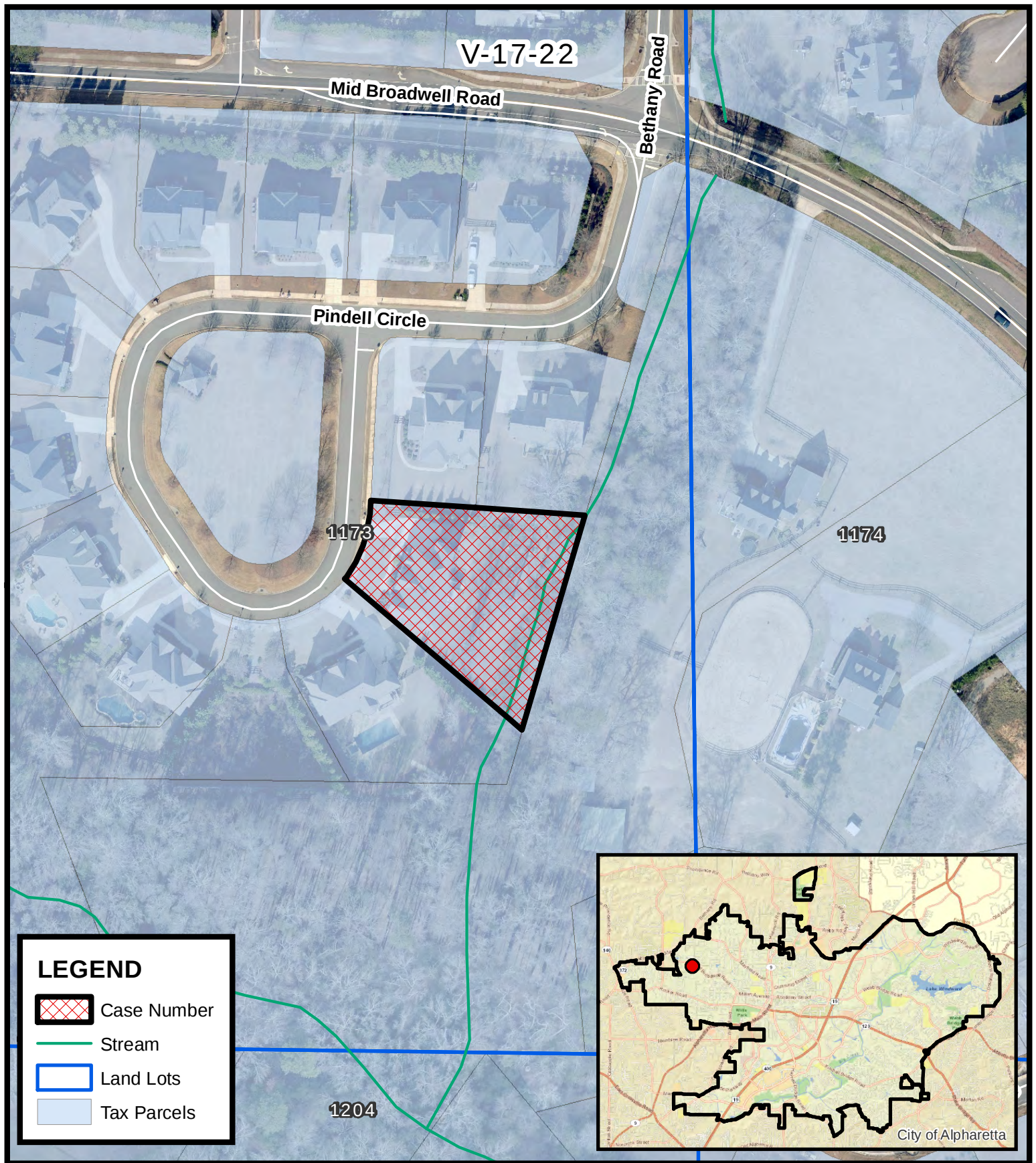
Staff has reviewed the application and is in general agreement with the request. Due to the significant encumbrances on the subject property associated with the stream buffer, the requested variance to allow a pool within the 75' impervious setback is reasonable. Nearly 60% of the lot is covered by stream buffer (rear yard) and the property has a pie-shape, which further limits useable area for a pool in the side yard. If approved, conditions are recommended to mitigate the encroachment using BMPs and requiring a retaining wall to protect existing trees near the proposed pool.

CITIZEN PARTICIPATION PLAN

The applicant notified surrounding property owners and the Pindell Glen HOA of the variance request and intent for the property. The citizen participation report states that no comments were received and that the adjacent property owners and the Pindell Glen HOA support the applicant's variance request.

IV. ATTACHMENTS:

- Site Plan



Location Map
12570 Pindell Circle

V-17-22
D/LL: 2/2/1173
BZA Date: 09/21/17



Location Map Provided by:
Community Development - GIS

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

V-17-22
Merreddy Pool Variance
FOR OFFICE USE ONLY
Case #: PHA 170031
☒ Fee Paid \$275.00 Initial: BP

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."
5. Applications will be accepted only 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: RAVI MEREDDY Telephone: 617-861-7425
Address: 12570 PINDELL CIR Suite: _____
City: ALPHARETTA State: GA Zip: 30004 Fax: _____
Mobile Tel: 617-861-7425 Email: rmreddy@yahoo.com

Subject Property Information:

Address: 12570 PINDELL CIR Current Zoning: _____
District: _____ Section: _____ Land Lot: _____ Parcel ID: _____
Proposed Zoning: _____ Current Use: RESIDENCE

This Application For (Check All That Apply):

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

APPLICANT REQUEST AND INTENT

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

It is being used as a primary residence.

Applicant's Request (Please itemize the proposal):

variance for a swimming pool in the
backyard within the stream buffer.

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

Construction of a swimming pool in the
backyard.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: RAVI MEREDDYTelephone: 617-861-7425Address: 12570 PINDELL CIR

Suite: _____

City ALPHARETTAState: GAZip: 30004

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 _____

Identify Authorized Applicant:

Name of Authorized Applicant: RAVI MEREDDY

Telephone: _____

Address: 12570 PINDELL CIR

Suite: _____

City ALPHARETTAState: GAZip: 30004

So Sworn and Attested:

Owner Signature: H. Ravi MereddyDate: 06/24/17

Notary:

Notary Signature: Carol GahagerDate: 6-24-17

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: RAVI MEREDDY

Subject Public Hearing Case: _____

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:	<u>N/A</u>	Position:	<u>N/A</u>
Description of Contribution:	<u>N/A</u>	Value:	<u>N/A</u>
Description of Contribution:	<u> </u>	Value:	<u> </u>
Description of Contribution:	<u> </u>	Value:	<u> </u>
Description of Contribution:	<u> </u>	Value:	<u> </u>
Description of Contribution:	<u> </u>	Value:	<u> </u>

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: H. R. [Signature]

Date: 06/24/17

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.

Primary Riparian buffer.

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

It is causing unnecessary hardship as nothing can be constructed in the backyard, and, our kids cannot utilize the yard compared to other properties of similar size.

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

primary buffer.

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.

NO impact on the public good as all the proper precautions will be taken to minimize the soil disturbance during swimming pool construction.

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: RAVI MEREDDY Telephone: 617-861-7425

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.

DOUG HOPE

ASHOK VANTIPALLI

ESTHER VARMA

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.

personal visit, letter, Telephone or e-mail.

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: _____

Contact Name: RAVI MEREDDY

Telephone: 617-861-7425

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.

NO concerns and the letter of Support
attached.

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: M. [Signature]

Date: 06/24/17

Print Form

APPROVED BY: MS

Letter of Support

From

Ravi Merreddy

12570 Pindell Cir

Alpharetta GA 30004

Date: 6/²⁴~~18~~/201⁷

To,

Ashok Vantipalli and Hima Kadiyala

12560 Pindell Cir

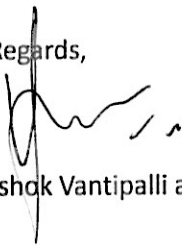
Alpharetta GA 30004

Dear Ravi and Deepthi,

We have no objections for your swimming pool construction in your backyard.

Thank you,

Regards,



Ashok Vantipalli and Hima Kadiyala .

Letter of Support

From

Ravi Merreddy

12570 Pindell Cir

Alpharetta GA 30004

Date: 10/18/2016

To,

David and Monica Sophie

12560 Pindell Cir

Alpharetta GA 30004

Dear Ravi and Deepthi,

We have no objections for your swimming pool construction in your backyard.

Thank you,

Regards,


David and Monica Sophie.

24

Letter of Support

From

Ravi Merreddy and Deepthi Gummi

12570 Pindell Cir

Alpharetta GA 30004

Date: 10/25/2016

To,

Doug and Alina Hope

12465 Pindell Cir

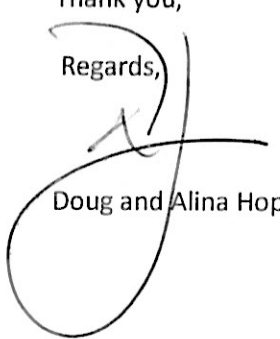
Alpharetta GA 30004

Dear Ravi and Deepthi,

We have no objections for your swimming pool construction in your backyard.

Thank you,

Regards,



Doug and Alina Hope



Pindell Glen Community Association, Inc.

Landscape and Architectural Control Approval Application

Correspondence:

Pindell Glen Community Association, Inc.
C/o William Douglas Management
130 Prominence Point Parkway Ste. 130-149
Phone 770-479-1005 Fax 770-479-1135

Name/Owner RAVI MEREDDY Phone (Work) 617-697-6339
Address: 12570 PINDELL CIR Phone (Home) 678-288-7789
ALPHARETTA GA 30004 E-Mail deepthi.gummi@gmail.com

Type of Improvement (Please check one – each improvement requires a separate application)

- | | | |
|--|---|---|
| ☐ Fence/Divider | ☐ Satellite Dish | ☐ Sign/Flag |
| ☐ Landscape | ☐ Storm Door | ☒ Addition/Alteration |

Please provide a brief description of the improvement (Attach a letter if necessary)

construct a swimming pool in the backyard.

Please attach all pertinent drawings and information to include: Surveys, architectural drawings, renderings, and manufacturer information. Please upload your request to your account at www.wmdouglas.com

Applicants Signature: [Signature] Date: 10/20/12

Disclaimer Owner assumes all responsibility for future repairs to building/structure needed due to installation of any improvement.

~~~~~For Official Use Only~~~~~

Date Received: \_\_\_\_\_ Received By: \_\_\_\_\_

Date Reviewed: \_\_\_\_\_ Reviewed By: \_\_\_\_\_

☐ Approved ☐ Disapproved/Reason

Signature of Chairperson/Board Member: \_\_\_\_\_

A copy of this form will be returned as soon as possible. There is no automatic approval – DO NOT begin any work until written approval is received!



## Pindell Glen Community Association, Inc.

### Landscape and Architectural Control Approval Application

**Correspondence:**

Pindell Glen Community Association, Inc.  
C/o William Douglas Management  
130 Prominence Point Parkway Ste. 130-149  
Phone 770-479-1005 Fax 770-479-1135

Name/Owner RAVI MEREDDY Phone (Work) 617-697-6339  
Address: 12570 PINDELL CIR Phone (Home) 678-288-7789  
ALPHARETTA GA 30004 E-Mail deepthi.gummi@gmail.com

Type of Improvement (Please check one – each improvement requires a separate application)

☐ Fence/Divider

☐ Satellite Dish

☐ Sign/Flag

☐ Landscape

☐ Storm Door

☒ Addition/Alteration

Please provide a brief description of the improvement (Attach a letter if necessary)

construct a swimming pool in the backyard.

Please attach all pertinent drawings and information to include: Surveys, architectural drawings, renderings, and manufacturer information. Please upload your request to your account at [www.wmdouglas.com](http://www.wmdouglas.com)

Applicants Signature: [Signature] Date: 10/20/16

Disclaimer Owner assumes all responsibility for future repairs to building/structure needed due to installation of any improvement.

#### For Official Use Only

Date Received: \_\_\_\_\_ Received By: Esther Vayman

Date Reviewed: 11/30/16 Reviewed By: Esther Vayman

☒ Approved

☐ Disapproved/Reason

Signature of Chairperson/Board Member: [Signature]

A copy of this form will be returned as soon as possible. There is no automatic approval – DO NOT begin any work until written approval is received!

Rev: 0 - 1-15-2004

**Pindell Glen Community Association, Inc.**  
**C/o William Douglas Management Company**  
**540 Powder Springs St. Unit B6 · Marietta, GA 30064· 770-479-1005**  
**Fax 770-479-1135 · <http://www.wmdouglas.com/>**

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December 6, 2016

Raviprakash Merreddy  
12570 Pindell Circle # 3  
Alpharetta, GA 30004  
Account number: 815PC12570

RE: Architectural Control **Approval** Letter

12570 Pindell Circle

Dear Raviprakash Merreddy,  
I am writing on behalf of the Pindell Glen Community Association, Inc. Board of Directors. The Board would like to thank you for your recent submission of the ARC request. The Board has **approved** the **arc request details** as submitted.

Construct a swimming pool in the back yard as submitted.

If you have any questions or concerns regarding this matter, you may respond to this letter by reaching out to your property manager at [jforeman@wmdouglas.com](mailto:jforeman@wmdouglas.com).

Regards,

Board of Directors  
Pindell Glen Community Association, Inc.



# BOARD OF ZONING APPEALS MEETING

## STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: KATHI COOK

### I. AGENDA ITEM TITLE: V-17-33 EDMAN/273 MILTON AVE VARIANCE

BOARD OF ZONING APPEALS: SEPTEMBER 21, 2017

### II. RECOMMENDATION:

If V-17-33 Edman/273 Milton Avenue Variance is approved, the following conditions are recommended:

1. Applicant shall plant 30 inches of recompense trees on-site in addition to required standard lot density (about 11 inches depending on tree type) as depicted on the submitted plan. On-site tree recompense shall be planted prior to Certificate of Occupancy.
2. Up to 10" of offsite tree replanting shall be permitted if applicant chooses with final location approval by Staff.

#### REPORT IN BRIEF:

The applicant, Janice Edman, is requesting consideration of a variance to reduce the required tree recompense from 59 inches to 30 inches for property located at 273 Milton Avenue. The required tree recompense is associated with the proposed removal of a 59" specimen tree located at the rear of a single-family lot. The subject property is located at 273 Milton Avenue, on the north side of Milton Avenue east of Lee Drive.

### DISCUSSION

The applicant, Janice Edman is requesting a variance to reduce the required tree recompense from 59 inches to 30 inches. The applicant plans to remove a healthy 59" oak on the property which usually requires replacing three (3) times the unit value of the tree on site with minimum four-inch caliper trees. It has been the City's policy to permit homeowners a replacement value of 1 (1) times the replacement value which equates to 59" of trees on the subject property. The applicant has removed the existing house and plans to construct a new home with a larger footprint and detached garage. Because of the new home and garage footprint the applicant is requesting a 50% reduction for the onsite tree recompense.

The applicant submitted a landscape plan proposing the following replant trees:

Shumard Oak x2 (4") = 8"

Ash x 2(4") = 8"

Sugar Maple x 2 (4") = 8"

Dogwood x 3 = (3") = 9"

Arborvitae x 2 (8-10' is equivalent to 2") = 4"

Redbud or other ornamental (kousa or CM) x 2 (no size listed, assume 2" = 4"

In addition, the site plan depicts evergreens along the property line. If they are hollies and/or magnolias they add additional inches of recompense trees. Staff counted a total of 41" of trees proposed on site.

## VARIANCE REVIEW CRITERIA

The 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 site is located within the boundary of Downtown Alpharetta. There continues to be a demand for lots close to downtown and smaller footprints are being replaced with larger homes.*

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

*Response: The tree could be incorporated into the homeowners plan however removal creates a hardship to accommodate 59 inches of trees on site.*

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

*Response: N/A*

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

*Response: N/A*

## CONCURRENCES

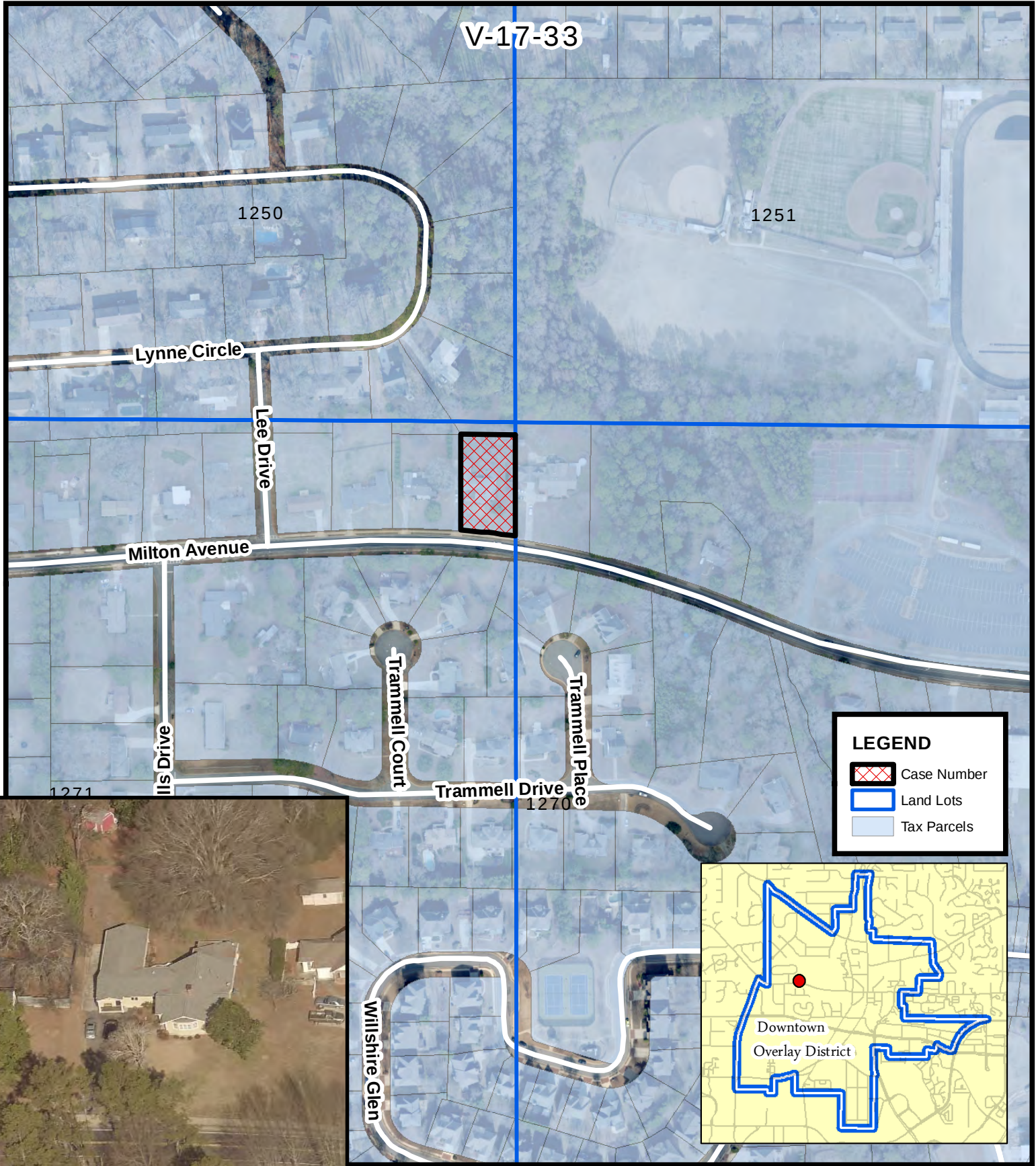
The Board previously approved a reduction in required recompense for the Alpharetta First United Methodist Church because they were expanding within a limited footprint within the boundary of the downtown.

## CITIZEN PARTICIPATION PLAN

The applicant notified adjacent property owners of the variance request and intent for the property. The citizen participation report states that no comments were received.

## III. ATTACHMENTS:

- Site Plan



Location Map  
Edman/Tree Ordinance  
273 Milton Ave.

V-17-33  
D/LL: 2/2/1271  
BZA Date: 9/21/17

Location Map Provided by:  
Community Development - GIS









9/5/17

Edman/ Tree Ordinance

## CITY OF ALPHARETTA

## PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: PHA170059

☒ Fee Paid

Initial: AS

check # 1083

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."
5. Applications will be accepted only 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:

Janice Edman

Telephone:

678-699-1254

Address:

13620 Hopewell Rd

Suite:

City:

Milton

State:

GA

Zip:

30004

Fax:

Mobile Tel:

678-699-1254

Email:

jen24673@gmail.com

Subject Property Information:

Address:

273 Milton Ave

Current Zoning:

R-15

District:

Section:

Land Lot:

Parcel ID:

Proposed Zoning:

R-15

Current Use:

residential

This Application For (Check All That Apply):☐ Conditional Use☐ Master Plan Amendment☐ Rezoning☐ Master Plan Review☐ Variance☐ Public Hearing☐ Comprehensive Plan Amendment☐ Other

(Specify):

reduction in tree  
recompense

9/5/17

V-17-33  
Edman/ Tree Ordinance

## 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:

Janice Edman

Subject Public Hearing Case:

relief from tree ordinance  
rules due to size of lot

### 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:

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:

Janice H Edman

Date:

8-12-2017

## APPLICANT REQUEST AND INTENT

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

2. Applicant's Request (Please itemize the proposal):

attached

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

# Applicant Request and Intent

- 1. What is the proposed use of the property?
- the proposed use of the property is not changing. It would remain a private residence.

## 2. Applicant's Request

The applicant's request is relief from the code or ordinance recompense.

The community development staff has determined that the tree can be removed by Code if recompense on site is met. However, the city recognizes that due to the size of the lot and planned improvements that include new home, garage, pool, garden, varied landscaping doesn't allow for 57 inches. The plan for future development is attached.

### 3. Applicant's intent

- The applicant's intent is to create a beautiful landscape on this lot that would be a win-win for the homeowner and the public.
- The applicant's intent is also to prevent injury to any occupant of the home or yard due to a tree not intended for location on a small private residential lot.

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## BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

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

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

7. 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.

8. 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.

# BOARD OF ZONING APPEALS

## REVIEW CRITERIA (for zoning variances only)

- 4. Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography?
- (Although I am not requesting a zoning change, I was advised to complete these 5 questions as well.)
- Regarding the tree replacement, the lot is too small to handle 57" of replacement trees. The lot can only hold so many trees before it is over encumbered and would quickly require tree removal once trees become too large for the lot.

- 5. Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship?
- Yes, this would be a hardship since there is no way to fit that many trees onto this lot. The applicant has already spent close to \$10,000 required by the city arborist for care and excessive tree save measures. Some of which are only intended for commercial use.

- 6. Are there conditions that are peculiar to the subject property?
- The property is not peculiar, but a residential lot this size cannot safely handle a tree as large as the one that has grown to this size.
- Similarly, the lot cannot hold 57" recompense worth of replacement trees. These regulations were never intended to apply to a private residence.

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

Again, this is not a rezoning request. Not only would this not harm the public good, it would go a long way toward helping the general welfare of the public. The Code doesn't give the landowner or the city the flexibility to use good judgement in making these common sense decisions. The ordinance has completely left out the personal property rights of land and home owners in the City of Alpharetta.

- 8. 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.
- SEE ATTACHED

## #8 continued Hardship

- Presently and most importantly, the tree poses a risk to safety, to both person and property. The limbs are very large and could come down for any reason unexpectedly harming a person or damaging the home. We have all seen or heard of examples of both. City councilman Dan Merkel had this vary thing happen to his home.
- To allow the property owner to create enjoyment as she sees fit in the back yard of her own home, without government interference.

# Hardship

- The property owner would like to landscape the back yard in such a way as to be able to have multiple areas of enjoyment that best suit this lot of approximately .51 acres.
- This includes open grassy area, landscaped areas with ornamental, hardwood, evergreen trees, and flower beds
- Imposing a set number of trees, or set amount of “inches” to a landscape plan, can ruin the design in a hurry. Not to mention, that the property and the design belong to the homeowner, not the city.

# Hardship

- Whereas a city ordinance incurs undue hardship on a property owner and interferes with private property rights and the free exchange of commerce and liberty granted by our state and federal constitutions.
- The act of granting “relief” for recompense according to the ordinance for this property will not adversely affect the surrounding properties nor otherwise be detrimental to the public welfare.

# Economics and Private Property Rights

- In economics, property rights form the basis for all market exchange, and the allocation of property rights in a society affects the efficiency of resource use. The applicant has already incurred thousands of dollars of expense complying with city codes/ordinances.
- Private property rights are one of the pillars of capitalist economies, as well as many legal systems and moral philosophies.

- How are economics and property rights connected to this request?

# Private Property Rights

- “property is a thing that consists not merely in its ownership and possession, but in the unrestricted use, enjoyment, and disposal.

Anything which destroys any of the elements of property, to that extent, destroys the property itself. The substantial value of property lies in its use. If the right of use be denied, the value of the property is annihilated and ownership is rendered a barren right.” Washington State Supreme Court Justice Richard B. Sanders

- When a city imposes regulations such as these on the people, it interferes with the value of homes, the land and the free market. This is unfair to the homeowner that may wish to sell his or her home but is penalized due to the size and number of trees on their land. These trees are seen as a liability to a perspective buyer. The net effect of imposing heavy handed and unreasonable regulations on the taxpayer is a direct loss in the value or equity of their home.

## Founder, John Adams

- John Adams said
- “The moment the idea is admitted into society that property is not as sacred as the law of God, and that there is not a force of law and public justice to protect it, anarchy and tyranny commence”
- Remember, these people had a King. They knew what they were writing. They had personal experience.

# Calvin Coolidge

- Calvin Coolidge said,
- “Ultimately, property rights and personal rights are the same thing”

# What are private property rights

- **What are 'Property Rights'** Property rights refer to the theoretical and legal ownership of specific property by individuals and the ability to determine how such property is used. In many countries, including the United States, individuals generally exercise private property rights – the rights of private persons to accumulate, hold, delegate, rent or sell their property. In economics, property rights form the basis for all market exchange, and the allocation of property rights in a society affects the efficiency of resource use.

## **BREAKING DOWN 'Property Rights'**

The term "property" is very expansive, although the legal protection for certain kinds of property varies between jurisdictions. In most developed countries, for example, the rights of property ownership can be extended by using patents and copyrights to protect scarce physical resources (such as houses, cars, books, shoes, land, tire irons or cell phones), non-human creatures (such as dogs, cats, horses or birds) and even some intellectual property (such as inventions, ideas or words ).

**Basics of Private Property Rights** Private property rights are one of the pillars of capitalist economies, as well as many legal systems and moral philosophies. Other types of property, such as communal or government property, are legally owned by groups but practically enforced by individuals in positions of political or cultural power.. Within a private property rights regime, individuals need the ability to exclude others from the uses and benefits of their property. Private property owners also have the exclusive right to use and benefit from the services or product. Private property owners may exchange the resource on a voluntary basis. Disclosure Read more:

Property Rights [http://www.investopedia.com/terms/p/property\\_rights.asp#ixzz4o3vwXKnW](http://www.investopedia.com/terms/p/property_rights.asp#ixzz4o3vwXKnW) Follow us: Investopedia on Facebook

## In conclusion

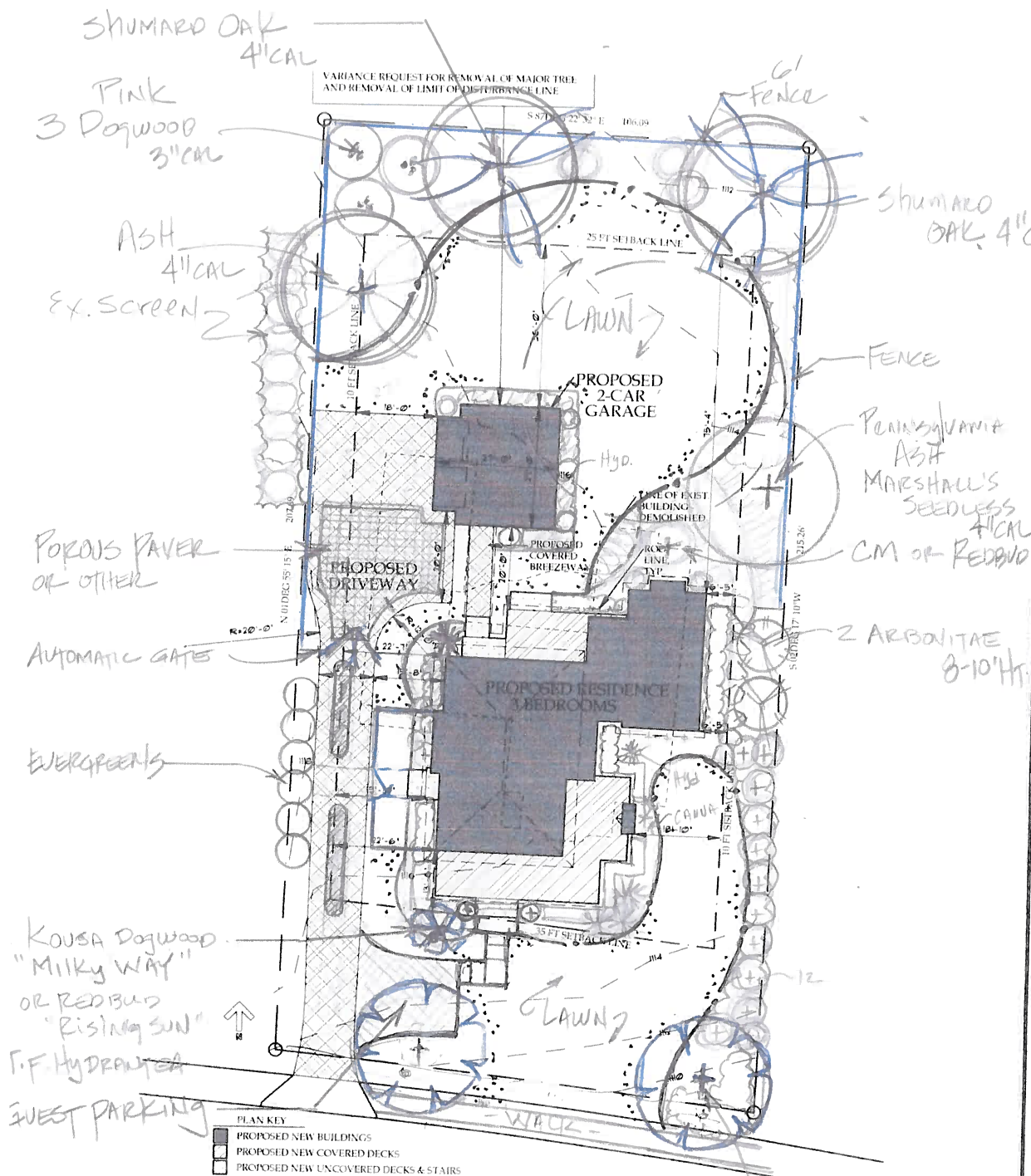
- In conclusion, I will make the statement that all requests for relief from a code or ordinance that infringes upon private property rights and/or requires a citizen to spend their money on a section of law that is unconstitutional, should be granted.
- All requests should be granted until such a time comes when the code or ordinance infringing on private property rights and private economics is rescinded or amended.

# Landscape plan

- An example of an over encumbered lot due the required City recompense.

SHUMARD OAK 2EA 4" CAL - NATIVE  
 9/5/17 V-17-33. PROPOSED  
 Edman/Tree Ordinance  
 GREEN ASH 2EA 4" CAL - NATIVE  
 "LEGACY" SUGAR MAPLE 2EA 4" CAL - NATIVE  
 PLAN

1" = 33.15'



WATERMARK  
 Coastal Homes, LLC

Edman Residence  
 Alpharetta, Ga

LOT SIZE .51 Acres = 22,216 SF  
 SITE CANOPY COVERAGE (30% MIN. COVERAGE)  
 6 LARGE CANOPY TREES @ 1600 SF each = 9,600 SF  
 6 SMALL CANOPY TREES @ 400 SF each = 2,400 SF  
 Total Canopy Coverage 12,000 SF is 54% SCC

59" X 5' = 44 Replacement Trees WITH "REQUIRED" RECOMPENSE"

Edman Tree Ordinance

59" x 1 (-20%) = 47.2" / 4" CAL = 12 REPLACEMENT TREES

12 OVERSTORY TREES @ 1600 SF each = 19,200 SF  
IS 86.4% SITE CANOPY COVERAGE

12 HARDWOOD TREES  
4" CAL. @ 70' O.C.

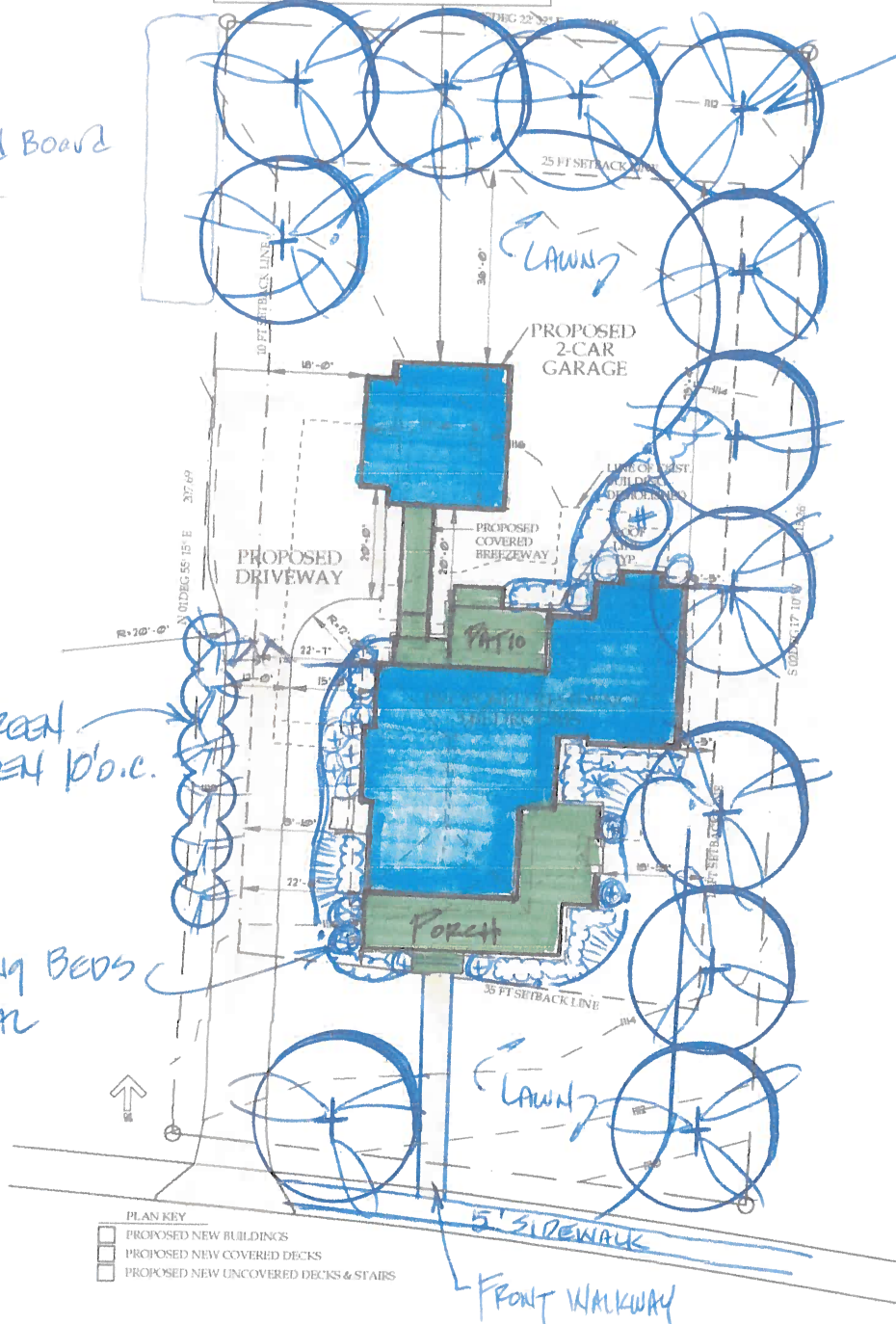
NOTE:  
GARAGE LOCATION AND FOOTPRINT IS CONTINGENT  
UPON THE OUTCOME OF THE ADJUDICATION OF THE  
VARIANCE REQUEST FOR REMOVAL OF MAJOR TREE  
AND REMOVAL OF LIMIT OF DISTURBANCE LINE.

EX

6 Solid Board  
Fence

Evergreen  
Screen 10' O.C.

PLANTING BEDS  
TYPICAL



LOT SIZE .51 AC = 22,216 SF

Architectural Site Plan

"HARDSHIP JUSTIFICATION"  
86.4% OF SITE COVERAGE

1" = 32.6' APPROX  
SCALE: 1/16" = 1'-0"

ARCHITECTURAL  
OVERFLOW

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WATER MARK  
Residential Coastal Homes, LLC

WaterMark Coastal Homes, LLC

Edman Residence

Alpharetta, Ga

SITE PLAN

- Using just some of the language found in ordinances none of which differentiate between private residences and developers, and highlighting a very few bullet points out of EIGHT pages of “Arborist Checklist” requirements.
- Undue burden without a doubt

**City of Alpharetta Single Family Residential Minimum Tree Density Calculations**  
Please choose the appropriate worksheet based upon the year your home was built

**Worksheet 1**  
**For Homes Built during or after 1992 - 30% Minimum Density**

Please contact the City Arborist at (678) 297-6229 or [treepermits@alpharetta.ga.us](mailto:treepermits@alpharetta.ga.us) with any questions.

---

1. 22,216 sq ft - 6,625 sq ft = 15,591 sq ft  
Total Property Area      Exempt Area\*      Planting Area

\* Exempt Area - all impervious surfaces such as the house footprint, garage, driveway, walkways, deck, pool, etc.

2. 15,591 sq ft x 0.30 = 4,677 sq ft  
Planting Area      30% - Required Planting Area

3. 4,677 sq ft ÷ 400 sq ft / overstory tree = 12  
30% - Required Planting Area      Min. # of Overstory Trees

---

Please list any existing trees here by type and size (note diameter or circumference):

This formula uses 400sf per overstory tree  
Page 4 of Arborist Checklist allows the use of a "5CC"  
method for Tree Density. This formula allows 1600sf  
per overstory tree for canopy coverage.

---

Overstory Trees (mature height over 40') minimum 2" diameter = 400 sq ft coverage

Understory Trees (mature height under 40') minimum 1 1/2" diameter = 200 sq ft coverage

Two (2) understory trees may be substituted for one (1) overstory tree, however at least one half (1/2) of the requirement must be made up of overstory trees

13. \_\_\_\_\_ Evergreen trees used for density credit must be shown as a minimum height of 9-10' for 2-2.5" caliper credit, 11-12' for 3" caliper credit, and so on.
14. \_\_\_\_\_ Provide required parking lot landscaping per section 3.2.8.C.
15. \_\_\_\_\_ Trees planted at the head of a parking space must be aligned with the striping.
16. \_\_\_\_\_ Provide required landscape strip and street-scape plantings per section 3.2.8.D. Designs shall not be monoculture's and exclusive of any utility easements.
17. \_\_\_\_\_ Provide sight distance lines as required by Transportation Engineer on Landscape Plans to eliminate conflicts. Coordinate with design Engineer.
18. \_\_\_\_\_ Dimensions/area of the parking lot islands must be labelled on the site plan.
19. \_\_\_\_\_ Parking lots, detention ponds, dumpsters, utility and paved areas **MUST** be screened per section 3.2.8.E. Please list plant dimensions (height and spread) not container size for required shrubs.
20. \_\_\_\_\_ Pine trees are **NOT** allowed by the City Arborist for tree replacement credit or for evergreen screening requirements.
21. \_\_\_\_\_ Recompense to be provided on-site: Graphically highlight/ shade the location of the specimen recompense trees on the plans. (**Recompense trees are in addition to required density and all other code requirements**).
22. \_\_\_\_\_ Trees planted for specimen recompense **MUST** be at least 4" caliper deciduous or 13-14' tall evergreen/conifers.
23. \_\_\_\_\_ Alternate methods of recompense **MUST** be approved by City Arborist (hardship only) prior to plan approval and sign off.

F. \_\_\_\_\_ **Utilities**

1. \_\_\_\_\_ No Utilities are allowed in required tree islands. Locate all Light Fixtures, Water Lines, Fire Hydrants, etc. outside of required tree planting areas.
2. \_\_\_\_\_ Show all landscape, street, and parking lot lighting on landscape plans. Conflicts between trees and lights, current and future, shall be avoided. Light locations **MUST** be coordinated with electrical plans submitted to the Building Department.
3. \_\_\_\_\_ Label all drainage and sewer easements, including private easements on the Landscape plan. No trees shall be planted in easements, unless approved by the City Arborist and utility provider.
4. \_\_\_\_\_ Label all storm water management facilities including the 10' pond access easement on the Landscape plan. No trees shall be planted in easements.
5. \_\_\_\_\_ All overhead and underground utility lines and easements (existing and proposed) must be shown on the Landscape plan. Species used under overhead lines must meet the Utility provider's specification and be approved by utility provider and City Arborist.
6. \_\_\_\_\_ Utility locations **MUST** be coordinated with the landscaping and approved by the utility providers during the plan review process. Provide City Arborist with proof of communication and approvals.

9/5/17

V-17-33  
Edman/ Tree Ordinance

# Future 273 Milton Ave (minus palm trees)



**possible view if allowed to remove large tree and attach garage to house. Still maintain trees and grass in backyard**



# possible beautiful view of backyard from street



# possibility of future backyard of 273 Milton Ave



9/5/17

V-17-33  
Edman/ Tree Ordinance

# possible future back yard for 273 Milton Ave



9/5/17

V-17-33  
Edman/ Tree Ordinance

- possible dogwoods and hydrangeas etc in front of home



To Whom it May Concern:

I, Carroll Byers, approve of my neighbor Janice Edman's request to remove the large water oak tree in the back yard of her home so that she may enjoy the back yard in the way she chooses. I understand that with a tree this large, with a large canopy and huge critical root zone, it precludes her from using and enjoying her back yard the way she would like to.

Also, this tree is so large, that its canopy not only covers her entire back yard, it also hangs significantly over onto my lot, which is an encroachment on my property and clouds my title according to the Georgia Real Estate Commission.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carroll Byers".

Carroll Byers

9/5/17

V-17-33  
Edman/ Tree Ordinance

August 12, 2017

City of Alpharetta

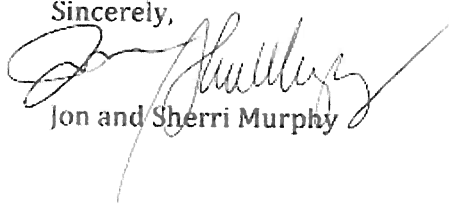
RE: Large tree at 273 Milton Ave., Alpharetta

To whom it May Concern:

We are the property owners at 289 Milton Avenue, Alpharetta. This letter is being written in support of our neighbor, Janice Edman, the homeowner at 273 Milton Avenue.

We are in support of her removing the large oak tree in her backyard and feel it does not take away anything from the character on our street.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon and Sherri Murphy", is written over the printed name. The signature is stylized and cursive.

Jon and Sherri Murphy