



BOARD OF ZONING APPEALS AUGUST 16, 2018

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

- I. CALL TO ORDER**
- II. APPROVAL OF MEETING MINUTES**
 - A. Meeting Minutes June 21, 2018**
- III. ROLL CALL**
 - A. Board Members**
 - o Mike Webber, Chairman
 - o Marc Gelber, Vice Chairman
 - o Eamon Keegan
 - o Dick Jones
 - o Kyle Lewis
 - o Hunter Beach
- IV. PUBLIC HEARING**
 - A. V-18-08 1190 Upper Hembree Road/Setback Variance**

Consideration of variances to reduce the minimum lot width of two (2) single-family detached lots in the R-15 zoning district from 100' to 80' and to reduce the front setback along Upper Hembree Road from 65' to 35' and the rear setback from 25' to 12.5'. Variance approval would allow for the 1.15-acre property to be subdivided into three (3) single-family detached lots. The subject property is located at 1190 Upper Hembree Road at the northwest corner of Upper Hembree Road and Harris Road.
- V. ITEMS FROM BOARD MEMBERS**
- VI. ITEMS FROM STAFF**
- VII. ADJOURNMENT**



BOARD OF ZONING APPEALS

JUNE 21, 2018

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

I. CALL TO ORDER

A. Election of Vice-Chair for 2018

- ❖ Board Member Keegan nominated Marc Gelber as Vice-Chairman for 2018.
 - The nomination received a second from Board Member Jones
 - The nomination was approved by vote (4-0-1) (Gelber)

II. ROLL CALL

Board Members Present:

- o Mike Webber, Chairman
- o Marc Gelber, Vice Chairman
- o Eamon Keegan
- o Dick Jones
- o Kyle Lewis

Board Members Absent:

- o Hunter Beach

III. APPROVAL OF MEETING MINUTES

A. January 18, 2018 Meeting Minutes

- ❖ Board Member Jones made a motion to approve the meeting minutes of January 18, 2018
 - The motion received a second from Board Member Gelber
 - The motion was approved by vote (5-0)

IV. PUBLIC HEARING

A. E-18-02 City Center/Sign Exception

Michael Woodman, Senior Planner presented Consideration of a sign exception to allow for wall/canopy and perpendicular signage area to be aggregated for the purpose of providing flexibility to encourage unique sign design.

The submitted request, if approved, would allow for permitted wall/canopy and perpendicular sign area to be aggregated for the purpose of providing flexibility to encourage interesting and unique sign design. The subject property is located at the southeast corner of South Main Street and Academy Street in the City Center mixed-use development.

Staff recommends approval with the following conditions:

1. Each tenant allowable sign area for wall and perpendicular signage shall be permitted to be aggregated and distributed to wall and perpendicular signs, as approved by Staff. Aggregated sign area shall be calculated based on max. permitted sign area per max. permitted number of wall and perpendicular signs.
2. Wall and perpendicular signage shall be restricted to no more than three (3) total signs for each tenant/business, except that tenant/business backing onto a parking lot, alley, park or other public space may have one (1) additional wall sign on the rear of the building.

Cheri Morris presented for the Applicant.

After discussion from the Board:

- ❖ Board Member Keegan made a motion to approve with Staff Conditions
 - The motion received a second from Board Member Lewis
 - The motion was approved by vote (5-0)

V. ITEMS FROM BOARD MEMBERS

VI. ITEMS FROM STAFF

A. Ethics Ordinance

B. Section 4.5 Appeals Unified Development Code and Section 5.6 Board of Appeals City Code of Alpharetta

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-18-08 1190 UPPER HEMBREE ROAD/SETBACK VARIANCE

BOARD OF ZONING APPEALS: AUGUST 16, 2018

II. RECOMMENDATION:

Approve V-18-08 1190 Upper Hembree Road/Setback Variance subject to the following conditions:

1. Site shall be developed substantially similar to site plan prepared by One Point, LLC, dated 5/28/2018, except for modifications required to comply with the conditions below.
2. Minimum lot width shall be 80'.
3. Minimum setbacks shall be: Front Harris Rd – 50' and Upper Hembree – 35', Side – 10', Rear – 25', except that Lot 1 shall have 12.5' setback if rear along north property line.
4. Developer shall install minimum 5' sidewalk along the property frontage on Upper Hembree Road, as approved by Staff.
5. Homes shall be limited to no more than 2 stories above grade and shall have a minimum floor area of 1,800 square feet and no more than 3,500 square feet (not included basements and garages). Homes shall be primarily masonry. Side elevations shall have the same level of architectural treatment as the front façade. Home elevations shall require Staff approval.
6. Developer shall save specimen trees #198, 226, 235, 238, 240, 250, 267, 277, 281 and 299 on the arborist report prepared by One Bark, dated 5/25/2018, shall be saved. Trees of quality along Harris Road and Upper Hembree Road shall be saved, except that dead or dying trees may be removed or to accommodate a residential driveway, as approved by Staff. Developer shall make reasonable effort to save tree # 236 and 268, including tree care to off-set impacts, as approved by Staff.
7. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by administrative variance.
8. Unfinished wood fences and decks shall not be visible from the public right-of-way.
9. Developer shall plant 40" of recompense trees, 10 – 4" caliper trees, on the subject property in conjunction with the LDP or ENG or within 8 months. Recompense trees shall not be used to meet landscape requirements.

III. REPORT IN BRIEF:

The applicant, Carlos Castro, is requesting consideration of variances to reduce the minimum lot width of two (2) single-family detached lots in the R-15 zoning district from 100' to 80' and to reduce the front setback along Upper Hembree Road from 65' to 35' and the rear setback from 25' to 12.5'. Variance approval would allow for the 1.15-acre property to be subdivided into three (3) single-family detached lots. The subject property is located at 1190 Upper Hembree Road at the northwest corner of Upper Hembree Road and Harris Road.

DISCUSSION

The submitted request, if approved, would allow for a 1.15-acre property to be subdivided into three (3) single-family detached lots. Variances are requested to reduce the minimum lot width of two (2) lots from 100' to 80', to reduce the front setback along Upper Hembree Road from 65' to 35' and to reduce the

rear setback of one (1) lot from 25' to 12.5'. The subject property is located at 1190 Upper Hembree Road at the northwest corner of Upper Hembree Road and Harris Road.

The property is zoned R-15 (Dwelling, 'For-Sale', Residential). Surrounding properties are zoned R-12 to the north, O-I (Office-Institutional) to the west, PSC (Planned Shopping Center) to the south and O-I and R-10 to the east. Birch Hollow subdivision is located to the north, Creekside at Hembree subdivision and a vacant 1-story office building are located to the east, former Harry's Market to the south and a vacant 1-story office building to the west. As shown in the table below, the applicant's proposed lot width and setback reductions are generally consistent with the development standards of adjacent residential subdivisions. Non-residential properties along Upper Hembree Road have front setbacks as shallow as 35'.

Subdivision	Zoning	Min. Lot Size	Min. Lot Width	Harris Rd Setback	Front Setback	Side Setback	Rear Setback
Applicant's Property	R-15	15,000 SF	Lot 1 - 100' Lots 2 & 3 - 80'	35'	35'	10'	Lot 1 - 12.5' Lots 2 & 3 - 25'
Birch Hollow	R-12	15,000 SF	75'	50'	50'	10'	35'
Creekside at Hembree	R-10	10,000 SF	75'	20'	35'	10'	25'

Existing homes in Birch Hollow and Creekside at Hembree are typically 1- and 2-story homes, with and without basements. Homes in Birch Hollow consist of a mix of masonry and siding materials, with homes in Creekside at Hembree being primarily siding.

The property is heavily wooded, consisting primarily of hardwoods (Oak, Hickory, Sourwood and Tulip Poplar). The property owner received a Notice of Code Violation on June 15, 2017, in response to the removal of 16 trees without the required tree permit. The trees removed with a tree permit were Yellow Poplars and Hickories, of which four (4) were specimen-size trees. The property owner and the City Arborist have come to an agreement that the property owner will plant 40" of recompense trees on the property.

As shown in the picture below, a natural tree canopy has grown over Harris Road in the area of the applicant's property. If approved, an emphasis should be placed on saving trees along Harris Road to maintain the tree canopy.



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 subject property is a corner lot with significant tree cover. The applicant's proposal is consistent with the development standards for residential subdivisions in the immediate vicinity and variance approval would provide flexibility to save trees. The proposed minimum lot widths exceed that of surrounding subdivisions and proposed setbacks along Upper Hembree Road and Harris Road are generally consistent with the surrounding development pattern. A 50' front setback is recommended along Harris Road.

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

Response: The subject property is a corner lot with significant tree cover. The applicant's proposal is consistent with the development standards for residential subdivisions in the immediate vicinity and variance approval would provide flexibility to save trees.

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

Response: The subject property is a corner lot with significant tree cover. The applicant's proposal is consistent with the development standards for residential subdivisions in the immediate vicinity and variance approval would provide flexibility to save trees. The proposed minimum lot widths exceed that of surrounding subdivisions and proposed setbacks along Upper Hembree Road and Harris Road are generally consistent with the surrounding development pattern. A 50' front setback is recommended along Harris Road.

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 would not cause a substantial detriment to the public good, if conditions are placed on the property requiring certain tree saves, landscaping, as well as requirements for building height, massing and materials.

CONCURRENCES

Staff has reviewed the application and is generally in agreement with the requested variances, if the front setback along Harris Road is consistent with Birch Hollow. The proposal is consistent with the development standards for residential subdivisions in the immediate vicinity and variance approval would provide

flexibility to save trees. If approved, conditions are recommended requiring certain tree saves, landscaping, as well as requirements for building height, massing and materials.

CITIZEN PARTICIPATION PLAN

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

IV. ATTACHMENTS:

- Site Plan

Applicant's Response to Conditions

Approve V-18-08 1190 Upper Hembree Road/Setback Variance subject to the following conditions:

1. Site shall be developed substantially similar to site plan prepared by One Point, LLC, dated 5/28/2018, except for modifications required to comply with the conditions below.
2. Minimum lot width shall be 80'. **We agree with this condition**
3. Minimum setbacks shall be: Front Harris Rd – ~~50'~~ **35'** and Upper Hembree 35', Side – 10', Rear – 25', except that Lot 1 shall have 12.5' setback if rear along north property line.
We request to keep the setback along Harris at 35' as the ordinance indicates to allow for the best use of the lots due to their irregular shape specially for lot #1.
4. Developer shall install minimum 5' sidewalk along the property frontage on Upper Hembree Road, as approved by Staff. **We agree with this condition**
5. Homes shall be limited to no more than 2 stories above grade and shall have a minimum floor area of 1,800 square feet and no more than ~~2,800~~ **3,500** square feet (not included basements and garages). Homes shall be primarily masonry. Side elevations shall have the same level of architectural treatment as the front façade. Home elevations shall require Staff approval.
This project is going to be built on a very beautiful and visible corner. We want to obtain the maximum architectural harmony possible. In order to get a nice look we have developed the three houses plans based on making the most of the space and the shape of the lot. We want to take advantage of the topography to present a beautiful architectural set in benefit of the neighborhood. For this reason we request a change in this particular condition to set the maximum square footage for lots #2 and #3 at 3,000 SF and 3,500 SF for the house in lot #1. We have been very proactive with this petition and architectural floor plans have been provided to show the interior of the homes as well as the exterior elevations. This petition has also taking in consideration similar new construction around like Harris Walk (less than ¼ of mile on Harris Rd.) where the houses have an average of 3,300 sq. ft. or Emerson Woods (less than ¼ of mile on Upper Hembree) where the average is 3,400 sq. ft. all of these houses built in lots smaller than ours.
6. All specimen trees shown to be in 'Fair' to 'Good' health on the arborist report prepared by One Bark, dated 5/25/2018, shall be saved. Trees along Harris Road shall be saved, except that trees may be removed if they are dead or dying or to accommodate a residential driveway, as approved by Staff.
The proposed house and driveway layout will required to remove specimen trees number 276 and 269, and will impact trees number 268 and 236. We will provide recompense for these 4 trees that will be removed/damaged.
7. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by administrative variance.
We agree with this condition.
8. Unfinished wood fences and decks shall not be visible from the public right-of-way.
We agree with this condition.

Applicant's Response to Conditions

9. Developer shall plant 40" of recompense trees, 10 – 4" caliper trees, on the subject property prior to the issuance of an LDP or ENG. Recompense trees shall not be used to meet landscape requirements.

We absolutely agree with the planting requested since it was a condition placed on the property. However, we would like to request for the trees to be shown on the LDP plans, not counted towards the tree requirement, to avoid damage during construction of the lots. We intend to use them as screening along Upper Hembree and Harris.

4163 GLEN MEADOW DRIVE,
PEACHTREE CORNERS, GA 30092
404-399-5192
ONEPOINTPC@GMAIL.COM

CARLOS CASTRO
RESIDENTIAL DEVELOPMENT
SECTION, ALBUQUERQUE, NM

LOCATION: 1190 UPPER HEMBREE ROAD
ALPHARETTA, GA 30076

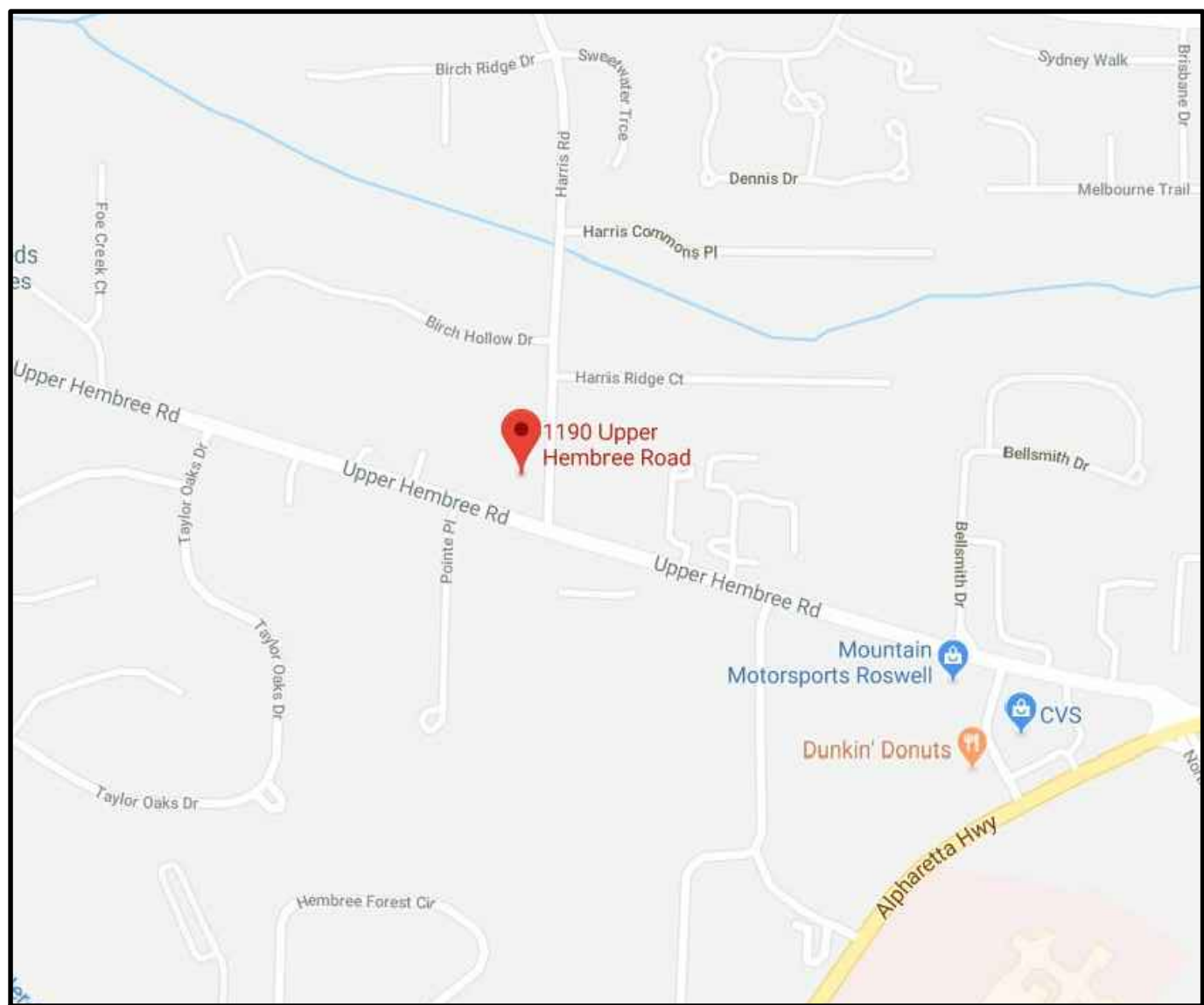
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JPD

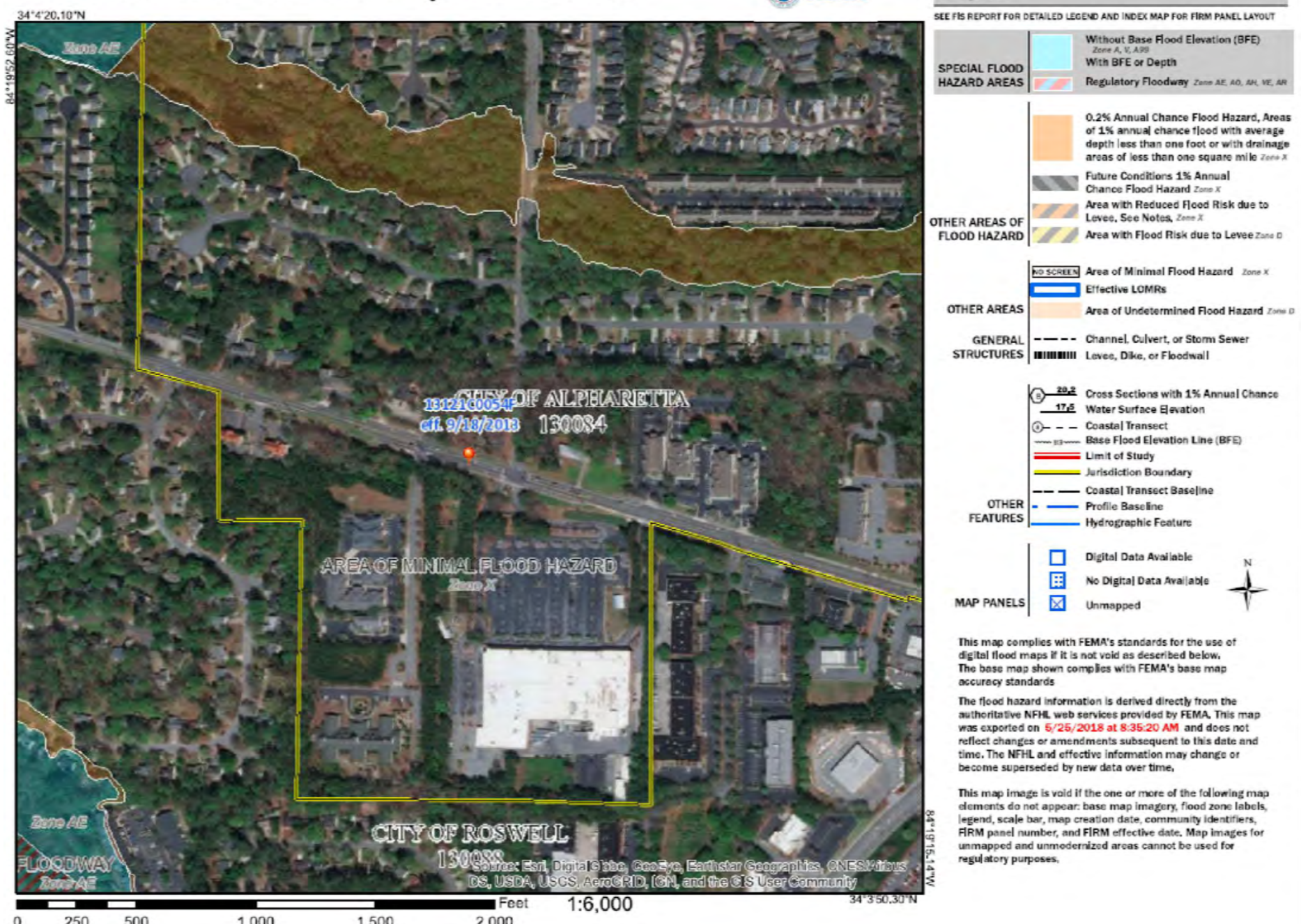
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08/14/18

PROPERTY LAYOUT

SHEET

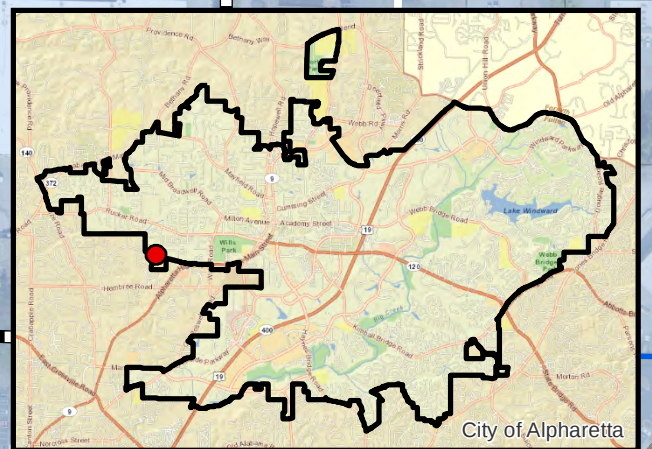
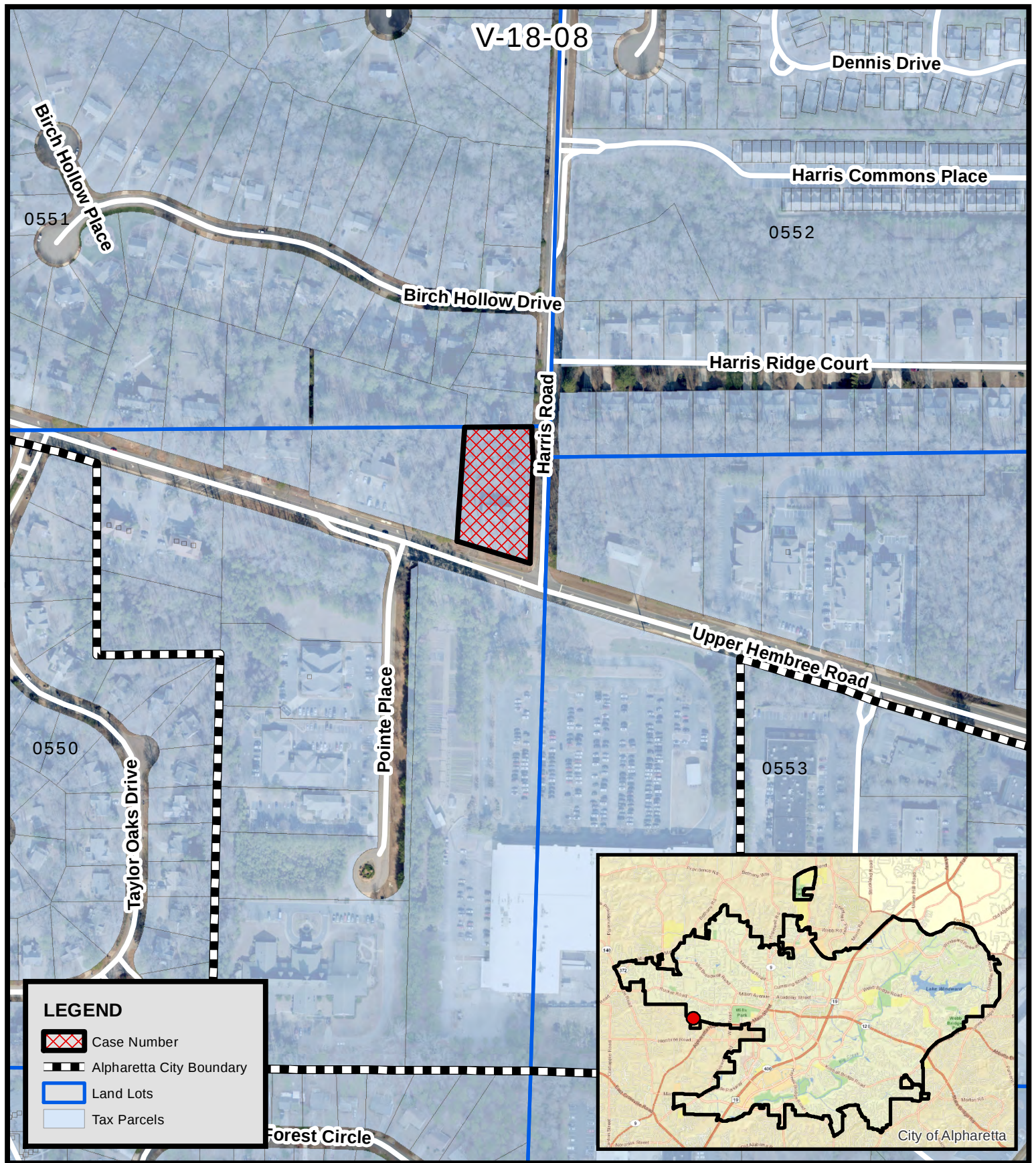


VICINITY MAP
N.T.S.



FEMA MAP
N.T.S.

SITE SUMMARY	
JURISDICTION	CITY OF ALPHARETTA
PROPERTY AREA	1.153 AC (50,240 SF)
CURRENT ZONING	R-15
MINIMUM LOT SIZE	15,000 SF
MAXIMUM BUILDING FOOTPRINT COVERAGE	25%
MINIMUM R/W FRONTAGE	100 LF
BUILDING SETBACK FROM RIGHT OF WAY	65' MAJOR ; 35' MINOR
SIDE BUILDING SETBACK	10'
REAR BUILDING SETBACK	25'
LANDSCAPE SETBACK FROM RIGHT OF WAY	10
LANDSCAPE SETBACK SIDES	5'
MAXIMUM IMPERVIOUS AREA	50%



Location Map
Castro Variance
1190 Upper Hembree Road

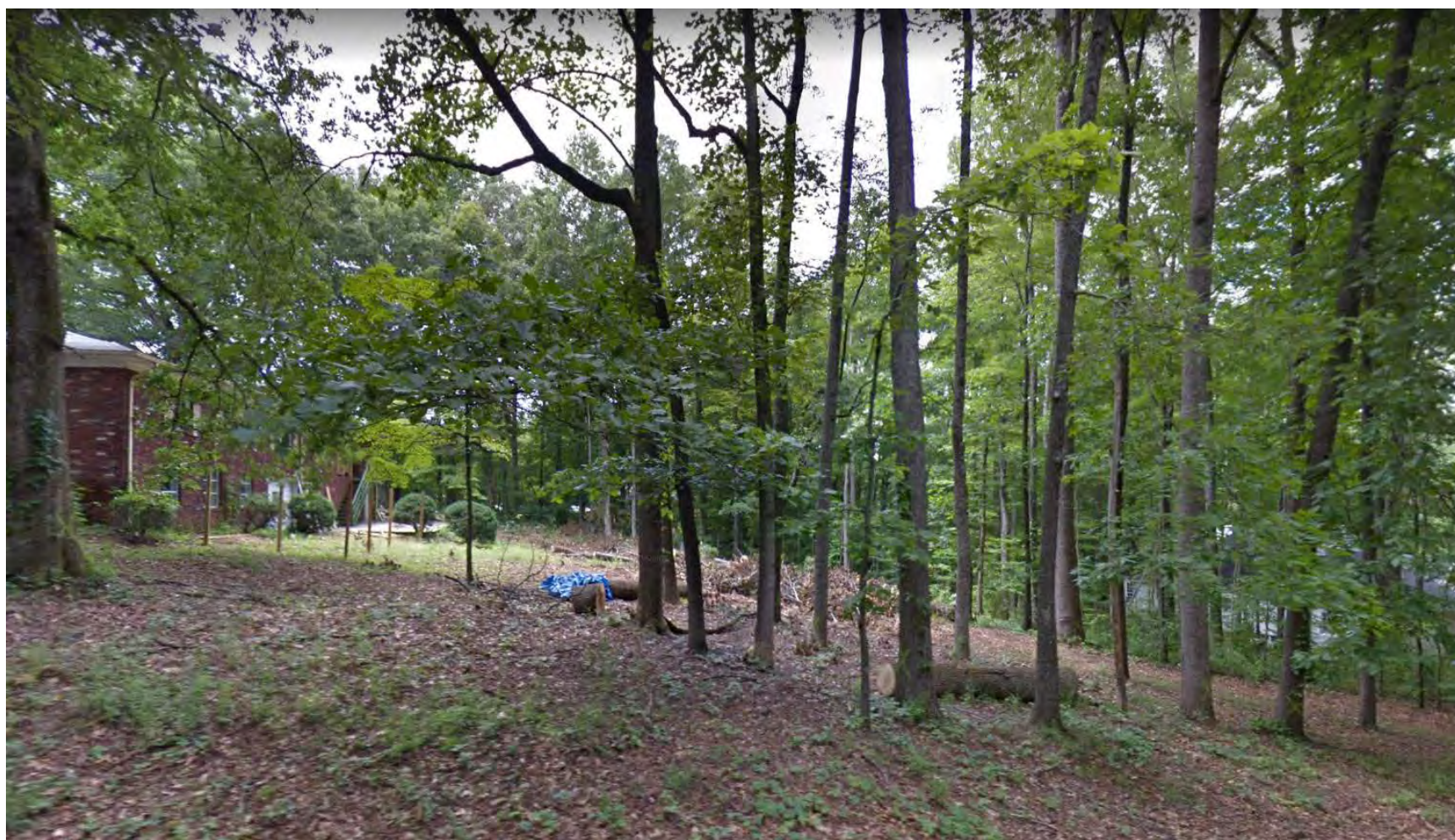
V-18-08
D/LL: 1/2/550
BZA Date: **8/16/18**

Location Map Provided by:
Community Development - GIS



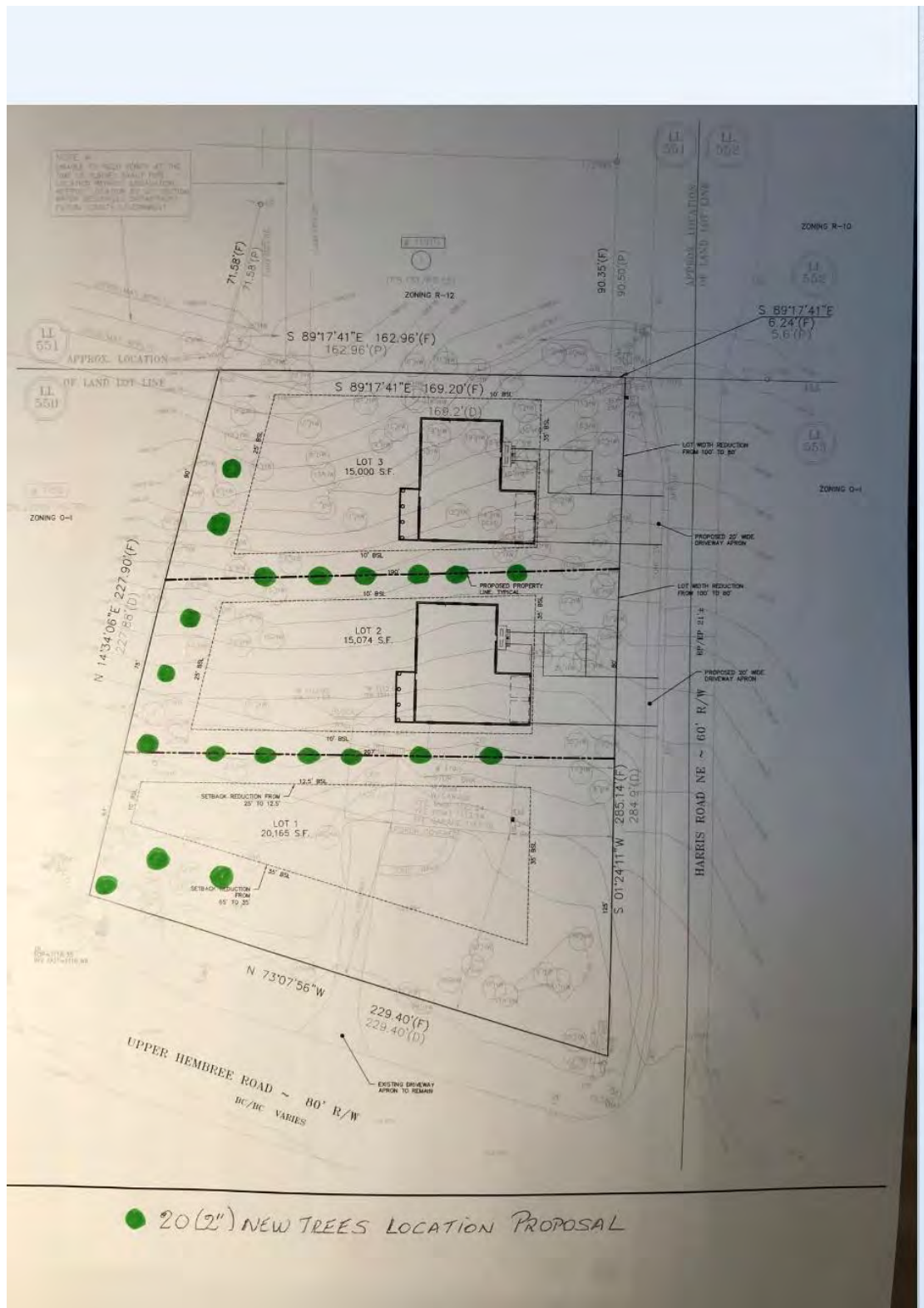








open

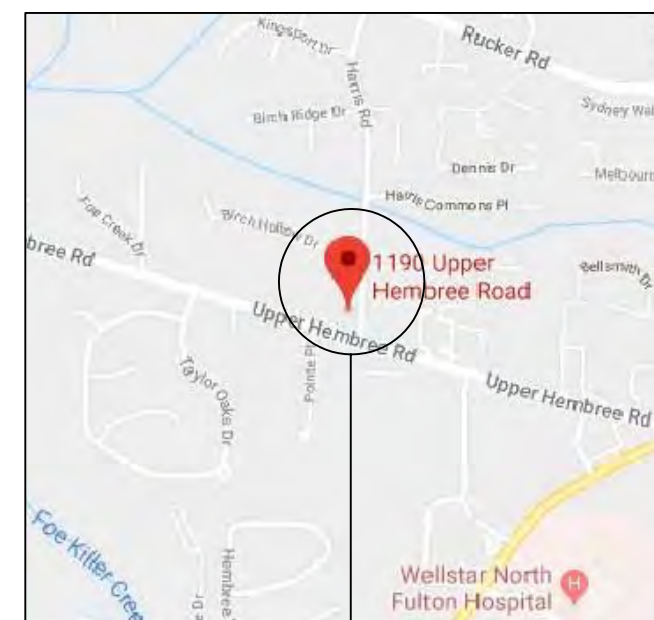


ZONING NOTE:
BEFORE DEVELOPMENT OF THIS PROPERTY,
DEVELOPER AND ARCHITECT TO CONFIRM
ZONING DISTRICT. PER ZONING DEPARTMENT.

11920
(2)
(PB.151/PG.15)



IF YOU DIG GEORGIA...
CALL US FIRST
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITY PROTECTION CENTER
IT'S THE LAW



SITE	LOCATION MAP
	NOT SCALE

FLOOD NOTE:

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND
IN MY OPINION REFERENCED PARCEL (●) (IS NOT) IN AN AREA HAVING
SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR
IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL
MAP ID 13121C0054F EFFECTIVE DATE: 09/18/2013

ZONE: _____ X

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS AND INSURANCE COMPANY OR AN APPRAISER.

THIS PLAT WAS PREPARED TO SHOWN THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE.
ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAY PUBLIC OR PRIVATE.

SURVEY NOTES:

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF BURIED UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, TELEPHONE, ELECTRIC, WATER AND SEWER, GAS COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
2. THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE LOCATED USING SIDE DIMENSIONS FROM THE HOUSE. ALL MATTERS OF THE TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAY PUBLIC OR PRIVATE.
3. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD RECORDED AND NOT RECORDED, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED. PROPERTY OWNER OR PERSON ORDERING THE SURVEY IS RESPONSIBLE TO CONTACT CLOSING ATTORNEY OR TITLE COMPANY FOR A FULL TITLE SEARCH AND COMMITMENT INCLUDING ALL THE EXCEPTION.
5. SURVEY LAND EXPRESS, INC IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, TELEPHONE CONVERSATION WITH ZONING OFFICE AT THE COUNTY OR CITY, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.
6. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS, ENTITY

* L E G E N D *

[illegible]

* SYMBOLS *

- ELECTRIC PANEL/METER
- WATER METER
- AIR CONDITIONER
- ▣ GAS METER
- ⊠ JUNCTION BOX
- ⊙ SANITARY SEWER MANHOLE
- ⊙ STORM MANHOLE
- ⊙ TRAFFIC/INFO SIGN
- ⊙ GAS MARKER
- LAMP POST
- METAL POST
- ⊗ WATER VALVE
- ▒ HEADWALL
- ▒ STAIRS
- ▒ DRAINAGE INLET
- FIRE HYDRANT

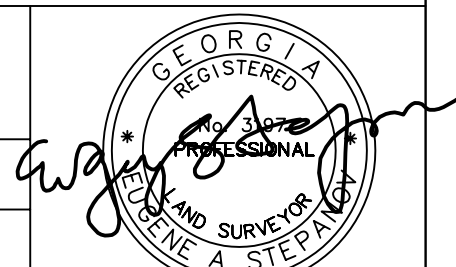
* LINE INDICATORS *

— SS — SS — SS —
INDICATES SANITARY SEWER LINE
— P — P — P — P — P —
INDICATES POWER LINE
— W — W — W — W — W —
— GAS — GAS — GAS — GAS —
INDICATES GAS LINE
=====

EXISTING CONDITIONS SURVEY PREPARED FOR: SHEET 1 OF 1

CARIOS CASTRO

PROPERTY ADDRESS:
1190 UPPER HEMBREE ROAD
ALPHARETTA GA 30076



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION
OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY
WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

SURVEY LAND EXPRESS, INC

LAND SURVEYING SERVICES

24 LENOX POINTE
ATLANTA, GA 30324
FAX 404-601-0941
TEL 404-252-5747
INFO@SURVEYLANDEXPRESS.COM

TOTAL LAND AREA
50240.14 SF / 1.153 AC
ALLOWABLE LOT COVERAGE
12560.04 SF / 0.288 AC

LK
COORD #20180414
DWG #20180414

Tree Study Report

1190 Upper Hembree Rd Alpharetta GA 30004

Date of Inspection 5/25/2018

Inspector

Jesse Milton

ISA #SO-1170B

Email: jesse@onebark.com

Developer

Carlos Castro

carlos_manuel_castro@hotmail.com

INTRODUCTION

This inspection was made to verify trees that meet Specimen Tree criteria and/or meet the criteria for an Arborist Report as outlined in the City of Alpharetta checklist..

METHODOLOGY

The project site was traversed to identify trees that meet the minimum size criteria for Specimen trees, including boundary trees within 30 feet outside of the parcel limits and potential 'Trees of Character.' Boundary trees can only be inspected from the subject parcel, unless written permission is given by the neighboring parcel owner. This inspection uses Level I and Level II assessment standards. Level III standards can be applied at the customers request.

Any tree which qualifies for special consideration for preservation due to its size, type, condition, location or historical significance and which also meets the minimum size criteria set forth below:

30-inch DBH or larger for trees in the *Pinus* genus

30-inch diameter or larger for trees in the Sweetgum or Tulip poplar genus

20-inch DBH or larger for trees in the *Cedrus*, *Thuja*, or other ecologically similar trees

20-inch diameter or larger for trees in the Beech, *Nyssa*, Persimmon, Sassafras, or other ecologically similar trees

20-inch diameter or larger for *Magnolia grandiflora* and those cultivars that generally reach a mature height over 40'

24-inch DBH or larger for trees in all other genera

10-inch DBH or larger for Sourwood

Understory Trees: 8-inch DBH diameter or larger

DEFINITIONS OF TREE HEALTH

GOOD - Few if any pathological problems exist; canopy is full, leaf density is above average, and live crown ratio is generally 50% or greater

FAIR - vigor is reasonable but a minor pathological problem may exist; leaf density is average; live crown ratio may be less than 50%. Most urban trees fall in this category.

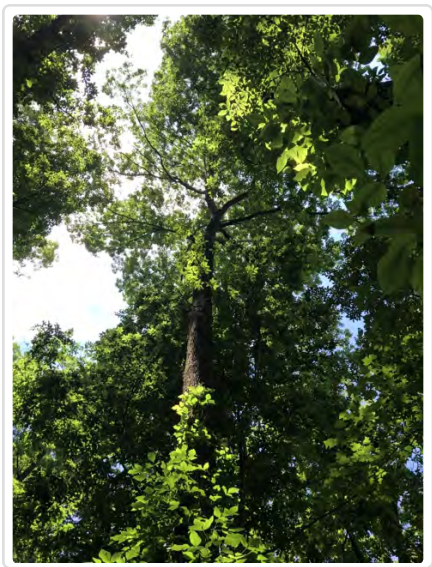
POOR - vigor is waning, some dieback may be present, leaf density is below average; a significant pathological problem may be present; decay may exist within vital structures.

DECLINING - vigor is terminal, dieback is developing or is inevitable; tree has a limited life expectancy of less than 5 years.

Tree 198

Species	27"	Hickory, pignut	<i>Carya glabra</i>
Status	Specimen		
Health/Vigor	Good		
Structure	Asymmetric	Live crown ratio is less than 30%	

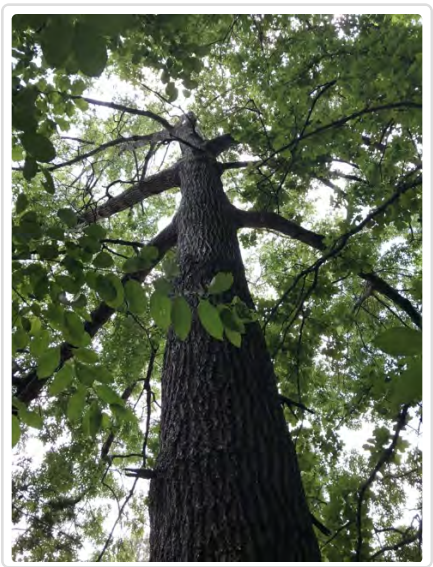
Other notes



Tree 226

Species	27"	Oak, scarlet	<i>Quercus coccinea</i>
Status	Specimen		
Health/Vigor	Good		
Structure	Asymmetric	One sided canopy	

Other notes



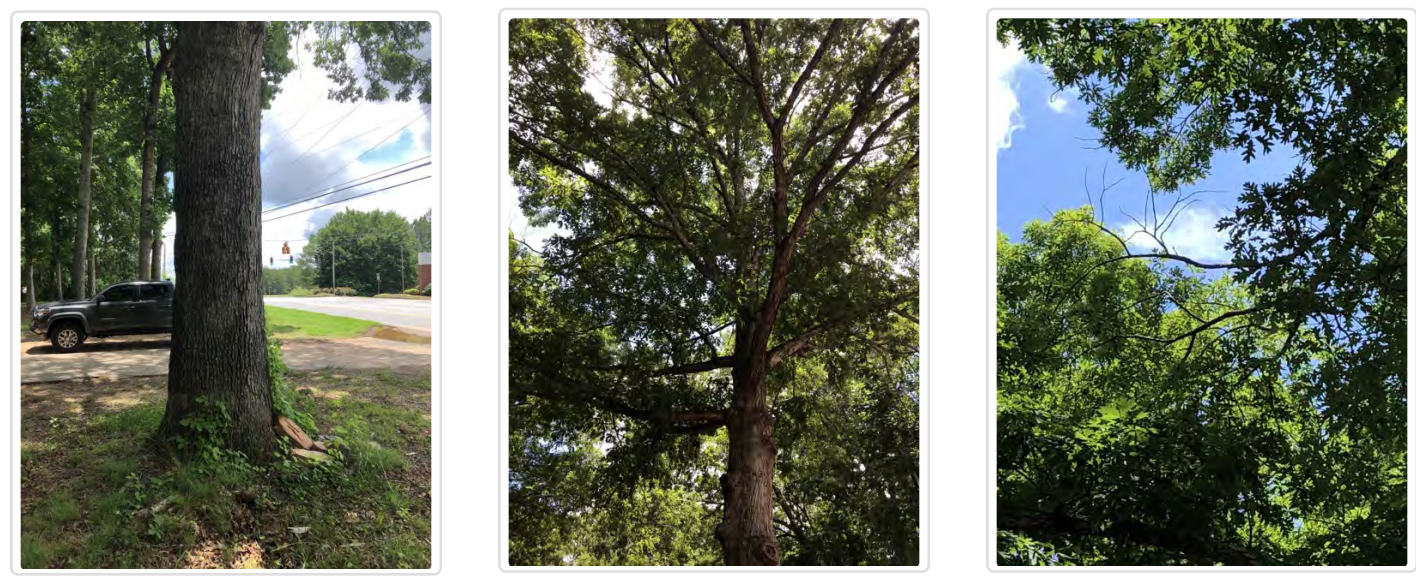
Tree 233

Species	27"	Oak, Southern red	<i>Quercus falcata</i>
Status	Not Specimen		
Health/Vigor	Poor	Poorly compartmentalized wound in lower trunk; cavity; active decay in multiple regions of crown	
Structure	Asymmetric		
Other notes	Does not meet condition criteria		



Tree 235

Species	31"	Oak, white	<i>Quercus alba</i>
Status	Specimen		
Health/Vigor	Fair	Soil stress symptoms in upper canopy; leaf density somewhat below average; significant soil compaction	
Structure	Single	Atypical dead branches	
Other notes			



Tree 236

Species	26"	Oak, white	<i>Quercus alba</i>
Status	Specimen		
Health/Vigor	Fair	Soil stress symptoms in upper canopy; leaf density somewhat below average; moderate soil compaction	
Structure	Single		
Other notes			

Tree 238

Species	37"	Oak, white	<i>Quercus alba</i>
Status	Specimen		
Health/Vigor	Good	Multiple dead limbs, relatively small, scattered throughout canopy	
Structure	Single		
Other notes			



Tree 240

Species	24"	Oak, scarlet	<i>Quercus coccinea</i>
Status	Specimen		
Health/Vigor	Fair	Superficial mechanical injuries on lower trunk, not problematic	
Structure	Asymmetric	Bifurcated top; narrow canopy	
Other notes	Poor candidate for conservation due to canopy shape		



Tree 250

Species	24"	Oak, post	<i>Quercus stellata</i>
Status	Specimen		
Health/Vigor	Good		
Structure	Single	History of overhead line clearance pruning	
Other notes			



Tree 267

Species	25"	Oak, white	<i>Quercus alba</i>
Status	Specimen		
Health/Vigor	Good	No significant problems identified	
Structure	Asymmetric		

Other notes



Tree 268

Species	30"	Oak, post	<i>Quercus stellata</i>
Status	Specimen		
Health/Vigor	Fair	Canopy density is below average	
Structure	Asymmetric		

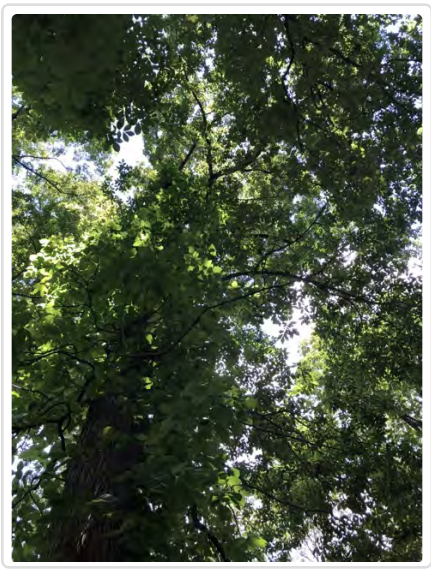
Other notes



Tree 269

Species	26"	Hickory, pignut	<i>Carya glabra</i>
Status	Specimen		
Health/Vigor	Good	Trunk covered in poison ivy	
Structure	Asymmetric		

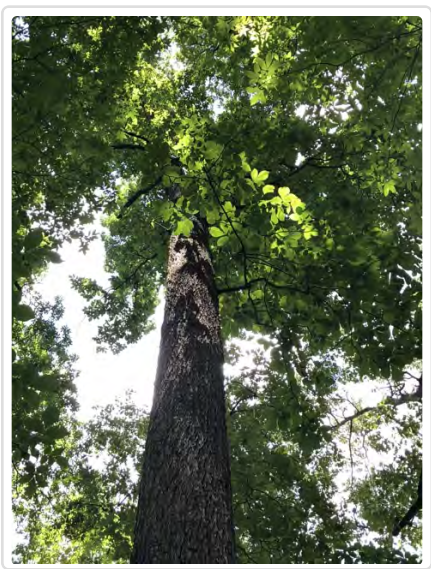
Other notes



Tree 276

Species	28"	Hickory, pignut	<i>Carya glabra</i>
Status	Specimen		
Health/Vigor	Good	No significant problems identified	
Structure	Asymmetric	Bent, one-sided canopy	

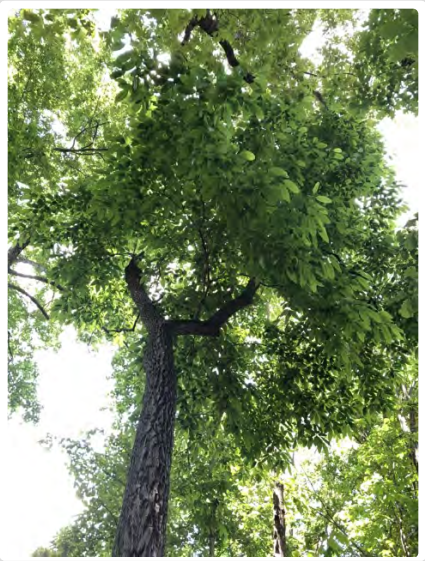
Other notes



Tree 277

Species	10"	Sourwood	<i>Oxydendron arborea</i>
Status	Specimen		
Health/Vigor	Good	No significant problems identified	
Structure	Asymmetric		

Other notes



Tree 278

Species	10"	Sourwood	<i>Oxydendron arborea</i>
Status	Not Specimen		
Health/Vigor	Poor	Cavity at base; bark delaminating from lower trunk exposing dead cambium/xylem	
Structure	Single		

Other notes

Does not meet condition criteria

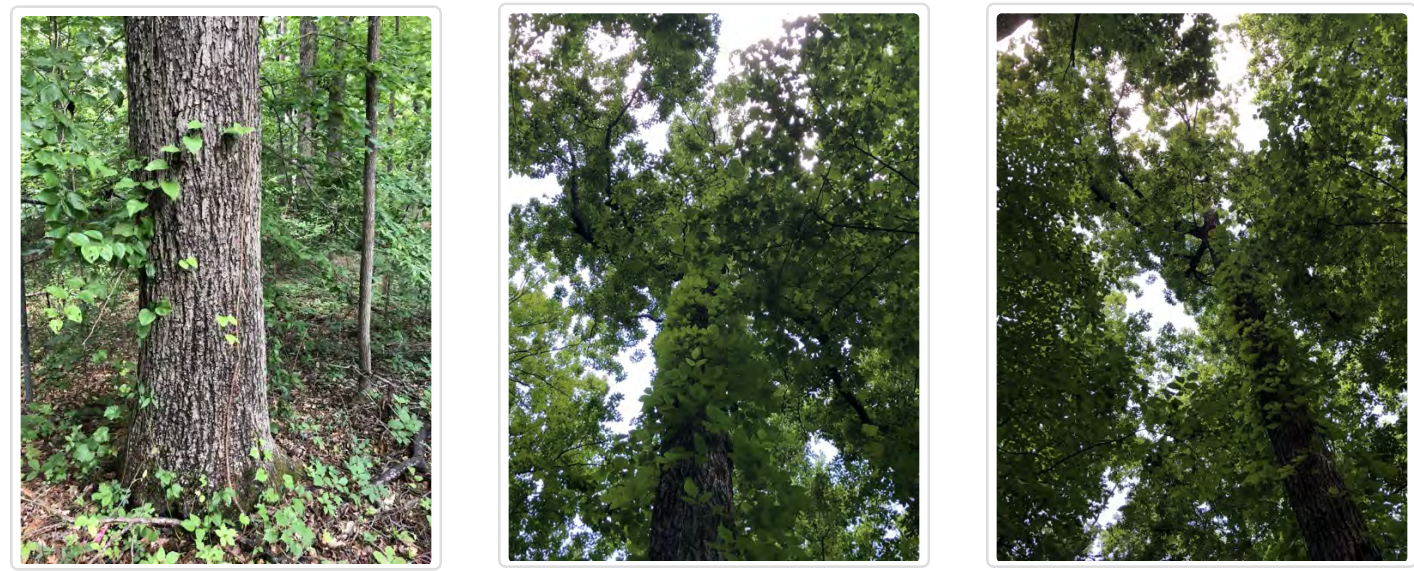


Tree 281

Species	27"	Oak, Southern red	<i>Quercus falcata</i>
Status	Specimen		
Health/Vigor	Fair	Leaf density below average	
Structure	Single		
Other notes			

Tree 299

Species	25"	Hickory, pignut	<i>Carya glabra</i>
Status	Specimen		
Health/Vigor	Fair	Canopy is less dense than average; no significant problems identified	
Structure	Asymmetric		
Other notes			



Tree 899

Species	29"	Oak, white	<i>Quercus alba</i>
Status	Not Specimen		
Health/Vigor	Poor	Evidence of injury, possibly lightning; vertical scar with associated decay inside trunk in 2 locations: mid canopy death of branches	
Structure	Asymmetric		
Other notes	Does not meet condition criteria		



Summary

Total specimen trees identified: 14

Additional Recommendations

Three trees shown on the site survey, noted as HW and greater than 24" DBH, are Tuliptrees and do not meet the minimum size criteria for specimen designation.

Few trees appear to meet 'Character status'. A full review of potential character trees can be evaluated following the final house and plat layouts.

LIMITATIONS

This report is not meant to override any determination by the City of Alpharetta regarding the status of Specimen trees. Additional tree information may be required by the City once the Specimen Tree Report is submitted to Alpharetta, including but not limited to: Trees of Character, Level III assessments, site meetings with the City arborist, and Tree Maintenance Plan preparation.

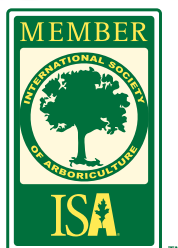
Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed. Clients may choose to accept or disregard the recommendations of the arborists, or to seek additional advice. This inspection was made without the expectation of a particular result.

Certification

Date Certified: 5/25/2018

I certify that all of the statements made in this report are true, complete and correct to the best of my knowledge and belief, and are made in good faith.

Jesse Milton
ISA #SO-1170B



CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: _____

☐ 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."
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: Carlos M Castro

Telephone: 770-778-9103

Address: 140 N Pond Ct

Suite: _____

City Roswell

State: GA

Zip: 30076

Fax: _____

Mobile Tel: 770-778-9103

Email: manolo.castro@yahoo.com

Subject Property Information:

Address: 1190 Upper Hembree Rd

Current Zoning: R-15

District: 1

Section: 2

Land Lot: 550

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): _____

APPLICANT REQUEST AND INTENT

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

*The proposed use is for single family residential lots

Applicant's Request (Please itemize the proposal):

1.- For lot 1:

- a) Setback reduction on Upper Hembree Rd. from 65' to 35'
- b) Rear building setback reduction from 25' to 12.5'

2.- For lot 2:

- a) Lot width reduction along R/W from 100' to 80'

3.- For lot 3:

- a) Lot width reduction along R/W from 100' to 80'

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

- * Intent to build three single family houses
- * Price range, based on SF of family house, starting price in low \$400K
- * Facade brick and stone

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Carlos M Castro

Telephone: 770-778-9103

Address: 1190 Upper Hembree Rd.

Suite:

City Alpharetta

State: GA

Zip: 30076

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: Juan Pablo Del Ri

Telephone: 404-399-5192

Address: 4163 Glen Meadow Dr.

Suite:

City Peachtree Corners

State: GA

Zip: 30092

So Sworn and Attested:

Owner Signature: _____

Date: 06/04/18

Notary:

Notary Signature: _____

Date: _____

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: Carlos M Casto

Subject Public Hearing Case: Project; Upper Hembree Harris

Campaign Contribution Information:

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

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

Name of Official: N/A

Position: N/A

Description of Contribution: _____

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: _____

Date: 06/04/18

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.

- * Save trees in the best possible way
- * Similarities with surrounding areas
- * Increasing build-able area
- * Flexibility to accommodate new house

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

Yes, due to the property geometry the lot wouldn't be able to be subdivided into three parcels even though the acreage of the lot allows it.

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

- * Amount of trees on property
- * Lot shape

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, the proposed reductions are within the allowable standard of the city.

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: Upper Hembree Harris

Contact Name: Carlos M Castro

Telephone: 770-778-9103

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.

Adjacent neighbors only

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.

*We will appreciate them to respond y letter as well

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: Upper Hembree Harris project

Contact Name: Carlos M Castro

Telephone: 770-778-9103

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.

We mailed 5 letters to the list of adjacent neighbors provided by the city. So far we have not received any response or comment.

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



Letter



Personal Visits



Telephone



Group Meeting



Email



Other (Please Specify) _____

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

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

Signature of Authorized Agent: _____

Date: 07/23/2018

Print Form