



BOARD OF ZONING APPEALS OCTOBER 21, 2021

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

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE TO THE FLAG
- IV. SWEARING IN OF NEW BOARD OF ZONING APPEALS MEMBERS
 - A. Swearing in of new Board of Zoning Appeals members, Anne Holcombe and Michael Simmons, and new Board of Zoning Appeals alternate, Cliff Cobb.
- V. ELECTION OF THE BOARD OF ZONING APPEALS VICE-CHAIR
- VI. APPROVAL OF MEETING MINUTES
 - A. Approval of Board of Zoning Appeals meeting minutes from August 19, 2021
- VII. ITEMS FROM BOARD MEMBERS
- VIII. ITEMS FROM STAFF
- IX. PUBLIC HEARING
 - A. E-21-01 Rose Backyard Chickens Exception

Consideration of an exception request to reduce the minimum lot size of a residential lot with backyard chickens from 1 acre to 0.73 acres. The property is located at 8605 Birch Hollow Drive and is legally described as being in Land Lot 551, 1st District, 2nd Section, Fulton County, Georgia.
 - B. V-21-14 3730 Shiraz Lane Stream Buffer Variance

DEFERRED: This item has been deferred by the applicant and will not be heard until November 18, 2021. The item will not be heard or discussed during this evening's meeting.

Consideration of a variance request to reduce the impervious setback associated with a perennial stream buffer from 50' to 24' to allow a swimming pool on a single-family detached lot. The property is located at 3730 Shiraz Lane and is legally described as being in Land Lot 10, 1st District, 1st Section, Fulton County, Georgia.
- X. ADJOURNMENT



BOARD OF ZONING APPEALS MEETING MINUTES DRAFT AUGUST 19, 2021

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

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. The public is advised that the tapes recorded at said meeting are a matter of public record and are available upon request.

I. CALL TO ORDER

Chairman Gelber called the meeting to order at 5:30 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Board of Zoning Appeals Members present:

- Marc Gelber, Chair
- Sara Harrison
- Jeremy Scott
- Mike Fowler
- Michael Gordy
- Scott Wharton, Alternate

Board of Zoning Appeals Members absent:

- Mike Perry

City Staff present:

- Kathi Cook, Director of Community Development
- Lauren Shapiro, Planning + Zoning Coordinator

IV. ELECTION OF BOARD OF ZONING APPEALS VICE-CHAIR

- ❖ Board Member Scott offered a motion nominating himself to serve as the Vice-Chair of the Board of Zoning Appeals.
 - Board Member Fowler seconded the motion.
 - The motion was approved unanimously (6-0).

V. APPROVAL OF MEETING MINUTES

A. Approval of the Board of Zoning Appeals Meeting Minutes from July 15, 2021.

- ❖ Board Member Fowler offered a motion to approve the Board of Zoning Appeals meeting

minutes from July 15, 2021.

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

VI. ITEMS FROM BOARD MEMBERS

VII. ITEMS FROM STAFF

VIII. PUBLIC HEARING

A. V-21-20 Martin / 905 Cobblestone Court Setback Variance

Kathi Cook, Director of Community Development, presented consideration of a variance request to reduce the rear setback for a covered deck from 35' to 20'. The home is located in the Fairfax subdivision, of which the final plat requires a 35' rear setback. The subject property is located at 905 Cobblestone Court in the Fairfax subdivision. The submitted request, if approved, would allow for a 20' x 20' covered deck at the rear of a single-family home with a reduced rear setback of twenty-feet (20'). The home is located in the Fairfax subdivision, of which the final plat requires a 35' rear setback. The subject property is located at 905 Cobblestone Court in the Fairfax subdivision.

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;

Response: The property is a corner lot with the home angled to the intersection of Cobblestone Court and Fairfax Drive. The position of the home and the presences of trees in the rear yard significantly limit the location for a porch.

Director Cook shared that Staff does support the variance, and the Applicant notified adjacent property owners of the variance request and intent for the property. The Applicant provided letters of no objection from adjacent properties and Fairfax HOA.

Lisa Martin, Applicant for V-21-20 Martin / 905 Cobblestone Court Setback Variance, spoke on behalf of this item.

- The application has been accurately represented.

There were no public comments for this item.

- ❖ Board Member Gordy offered a motion to approve the variance request from 35 feet to 20 feet.
 - Board Member Harrison seconded the motion.
 - The motion was approved unanimously (6-0).

B. V-21-21 Baxley Setback Variance

Kathi Cook, Director of Community Development, presented consideration of a variance request to reduce a front setback for 7 single-family detached lots from 35' to 25'. The subject property is located at 12780 and 12790 Hopewell Road in the Baxley subdivision. The submitted request, if approved, would allow for a front setback reduction from 35' to 25' for six (6) single-family detached lots in a new subdivision. The subject property is located at 12780 and 12790 Hopewell Road in the Baxley subdivision. The property is zoned R-15 (Dwelling, 'For-Sale', Residential) and is approved for a seven (7) lot subdivision.

A public hearing and variance were approved on the subject property on December 10, 2018 to allow a gated community and to allow a hammerhead turn around in lieu of a cul-de-sac. In addition, an administrative variance was approved in 2018 to reduce the front setback from 35' to 28', reduce side setbacks from 10' to 8', reduce an impervious setback from 75' to 60' and to reduce the rear setback on Lots 1-6 from 25' to 20'.

Director Cook shared that there are gabion basket retaining walls, and Staff made a recommendation for the gabion basket retaining walls to be planted. This is not a part of the request, but was brought to Staff's attention, and we want to make sure that it is addressed.

Staff has reviewed the proposal and finds that the variance request is not in conflict with the established review criteria. There are exceptional conditions pertaining to the subject property with regard to its unusual shape and topography. Lots 1-5 have an average lot depth of 125', which is shallow as compared to adjacent R-15 lots. The lots to the south have an average depth of 235' to the south and lots to the west have an average depth of 210'. If approved, it is recommended that the gabion basket retaining walls be planted.

Director Cook shared that there are five similar approved setback variances, and the most similar is at Twelve on Canton, which was to reduce R-10 front setback from 30' to 25' and side setback from 10' to 5' for a new subdivision.

Director Cook stated that Staff specifically looked at 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;

Response: There are exceptional conditions pertaining to the subject property with regard to its unusual shape and topography. Lots 1-5 have an average lot depth of 125', which is shallow as compared to adjacent R-15 lots. The lots to the south have an average depth of 235' to the south and lots to the west have an average depth of 210'.

The Applicant notified adjacent property owners of the variance request and intent for the property. According to the report, the applicant met with the adjacent property owner to the north and west, who stated he was in favor of the variance request.

Director Cook stated that the recommendation is to approve V-21-21 Baxley Setback Variance and read Staff's recommended conditions:

1. Front setback shall be 25', as depicted on the site plan prepared by B.C. Engineering, Inc, revised 7/14/21.
2. Gabion basket retaining walls shall be planted with ivy or similar landscaping, as approved by Staff.

Board of Zoning Appeals questions and discussion:

- There was originally 7 homes and it was reduced to 6?
 - Director Cook stated that the Applicant may be able to answer that question, but she believes that he may have received a request for a larger home and that two lots were combined.

Scott Reese, for Brumbelow, Reese, and Associates, presented on behalf of V-21-21 Baxley Setback Variance.

- In 75 years of constructing homes, you either adapt to the times or you perish. In the last 2 years, the market has changed.
- Originally, these were to be basement lots with a walkout in the rear. There is about 18 feet of elevation from the road to the north property line.
- When we first started the subdivision to now, the request for homes has changed to walk out on site dwellings (one level living).
- Because of the size and shape of the original tract and the elevation change, the wall and grading has reduced the building envelope. To satisfy potential buyers, we need to keep the building envelope the same as it was originally.
- We thought with a gated community and reducing the setback, there would be limited access in the neighborhood and it should not negatively affect the adjacent neighborhoods.
- We do have a letter from the adjoining property owner, and he believes that this will enhance the final product.
- The number of lots was reduced from 7 to 6 because of the grading and losing buildable area.

Board of Zoning Appeals questions and discussions:

- Are you fine with the conditions recommended by Staff?
 - The Applicant stated yes, and we think the planting on the wall will be an enhancement. The picture shown of the currently installed gabion wall is by far the worst that it will ever look. The landscaping will have to match the price point of the home.

- ❖ Vice-Chair Scott offered a motion to approve, subject to Staff's conditions.
 - Board Member Gordy seconded the motion.

- The motion was approved (5-0-1; Chairman Gelber abstained from voting on this item).

IX. ADJOURNMENT

Chairman Gelber adjourned the meeting at 5:46 p.m.



BOARD OF ZONING APPEALS MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. **AGENDA ITEM TITLE:** E-21-01 ROSE/8605 BIRCH HOLLOW DRIVE BACKYARD CHICKENS

BOARD OF ZONING APPEALS: OCTOBER 21, 2021

II. **RECOMMENDATION:**

Approve E-21-01 Rose/8605 Birch Hollow Drive Backyard Chickens, subject to the following conditions:

1. Backyard chickens shall be permitted at 8605 Birch Hollow Drive subject to compliance with all related City regulations, except that the property is 0.73 acres.

III. **REPORT IN BRIEF:**

The applicant, Robin Rose, is requesting consideration of an exception to allow backyard chickens on a property with a single-family detached home that is less than one (1) acre. The applicant's property is approximately 0.73 acres. In response to a complaint, Code Enforcement placed the property owner on notice that the property did not meet the minimum size to allow backyard chickens. The subject property is located at 8605 Birch Hollow Drive in the Birch Hollow subdivision.

DISCUSSION

The submitted request, if approved, would allow backyard chickens on a property with a single-family detached home that is less than one (1) acre. The applicant's property is approximately 0.73 acres. In response to a complaint, Code Enforcement placed the property owner on notice that the property did not meet the minimum size to allow backyard chickens. The subject property is located at 8605 Birch Hollow Drive in the Birch Hollow subdivision.

The 0.73-acre property is developed with a 2-story, 2,250 square foot single-family detached home and is zoned R-12 (Dwelling, 'For-Sale', Residential). Surrounding properties are also zoned R-12 and located in the Birch Hollow subdivision.

City Council recently approved amendments to the backyard chicken regulations allowing for backyard chickens on minimum one (1) acre properties with a single-family detached dwelling. Previously, backyard chickens were allowed as an accessory use in the AG, RE (Residential Estate), R (Dwelling, 'For-Sale', Residential – Lot Min. 1 acre), R-22 (Dwelling, 'For-Sale', Residential – Lot Min. 22,000 square feet), and R-15 (Dwelling, 'For-Sale', Residential – Lot Min. 15,000 square feet) zoning districts. Currently backyard chicken regulations limit the number of backyard chickens to no more than six (6), no roosters, minimum 25' side and rear setbacks for associated structures and no chickens permitted within undisturbed buffers, wetlands or regulated floodplain.

The applicant provided a copy of a lease agreement with the neighboring property at 8591 Birch Hollow Drive granting the applicant rights to utilize a portion of that property (approximately 24,300 square feet). Based on the agreement, the applicant has a combined

lot area of 1.29 acres. There is stream running along the applicant's rear property line; however, the backyard chickens are housed in an area directly behind the home and approximately 250' away from the stream. In addition, the chicken coup and run are located approximately 29' and 44' away from the side property lines, which exceeds the minimum 25' setback requirement. The applicant has six (6) hens and no roosters.

VARIANCE REQUIREMENTS

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

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

Response: The property has a long, narrow shape. The applicant has a lease agreement with the neighboring property, which brings the combined lot area to 1.29 acres.

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

Response: Application of the ordinance would require the property owner to remove the backyard chickens. The applicant has a lease agreement with the neighboring property, which brings the combined lot area to 1.29 acres.

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

Response: The property has a long, narrow shape. The applicant has a lease agreement with the neighboring property, which brings the combined lot area to 1.29 acres.

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

Response: The applicant's proposal should not cause a substantial detriment to the public good. The applicant complies with all backyard chicken regulations, except for the minimum lot size. In addition, the applicant has a lease agreement with the neighboring property at 8591 Birch Hollow Drive. The lease allows the applicant to utilize a portion of the adjacent property (approximately 24,300 square feet), which brings the combined lot area to 1.29 acres.

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that the variance does not conflict with the established criteria. The applicant complies with all regulations associated with backyard chickens, except for the minimum lot size. The applicant has provided a copy of a lease agreement with the adjacent property allowing the applicant to utilize a portion of the adjacent property, which brings the combined lot area to 1.29 acres.

CITIZEN PARTICIPATION PLAN

The applicant notified adjacent and other property owners in the Birch Hollow subdivision regarding the request for exception and intent for the property. The subdivision does not have an HOA. The City has received over 30 emails in support of the applicant's request.

IV. ATTACHMENTS:

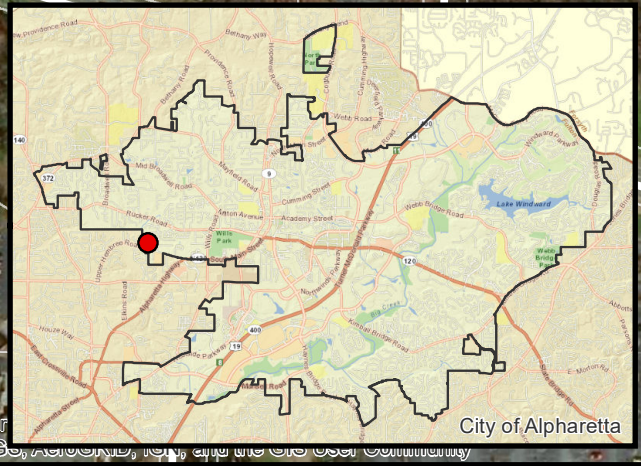
- Site Plan
- Photographs



LEGEND

 Case Number

 Tax Parcels



Aerial Map

Rose Backyard Chicken Exemption

8605 Birch Hollow Drive

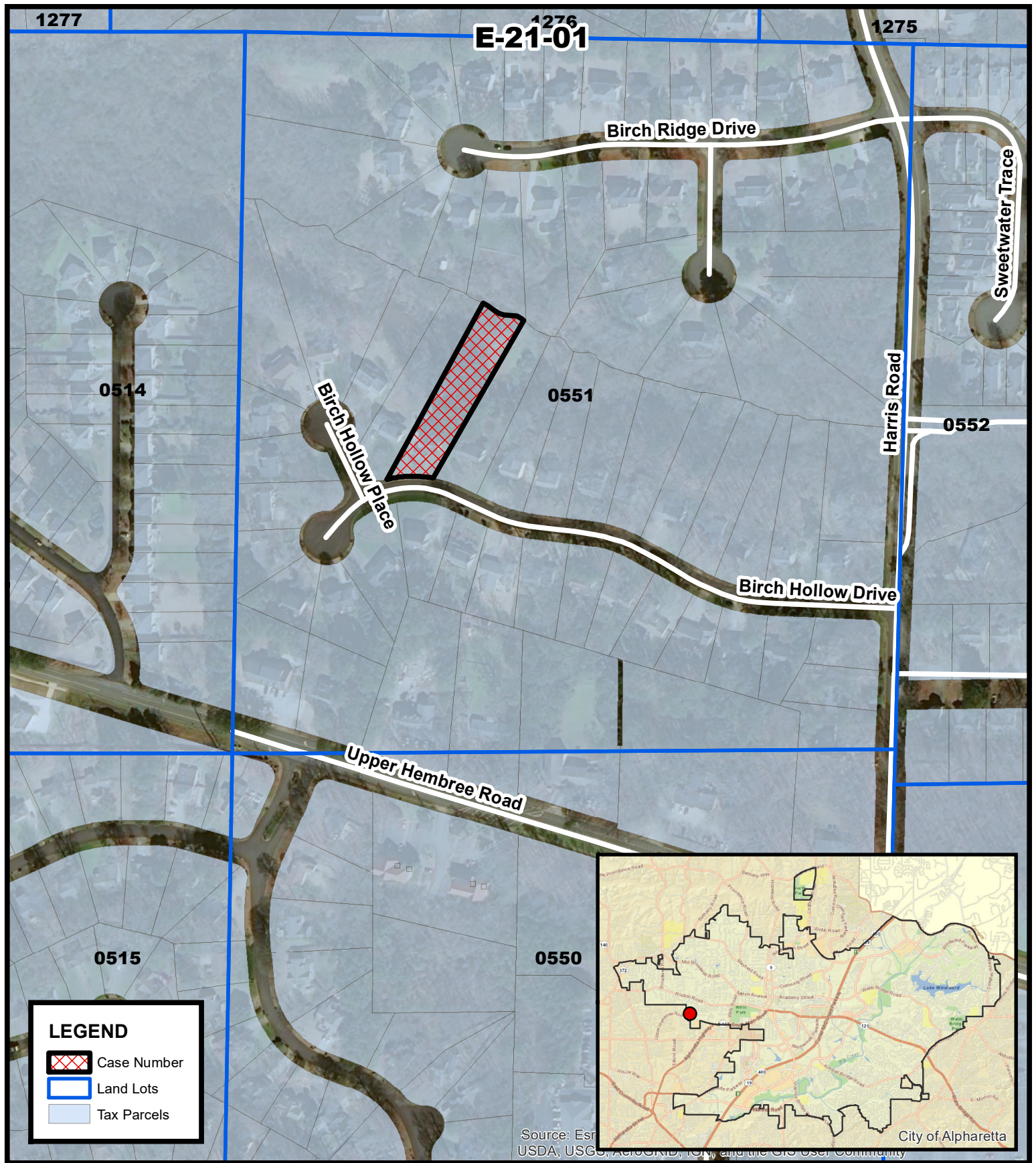
E-21-01

D/LL: 1/2/551

BZA Date: 2/18/21

Location Map Provided by:

Community Development - GIS



Location Map
Rose Backyard Chicken Exemption
8605 Birch Hollow Drive

E-21-01
D/LL: 1/2/551
BZA Date: 2/18/21

Location Map Provided by:
Community Development - GIS

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: Rose Backyard chickens

Contact Name: Rob & Sally Rose Telephone: 6783613630

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.

8591 ^{Birch Hollow} — Debbie & Mike Broadway.
205 Birch Hollow place — Leah, Seth and Daniel Gamba.
765 Birch Ridge Dr — Mark and Dana Henning
8600 Birch Hollow Dr — Brittanie and Ahron White
8610 Birch Hollow Dr. — Alicia Stromquist

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.

The above are all the adjoining property owners.

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: 08/31/21

Print Form

Date: 12/31/20

To: Whom it may Concern

Re: Chicken Coop in Birch Hollow Drive

I, William Dyon, of 8551 Birch Hollow Drive do not object to my neighbors owning chickens.

My family, including elementary age kids, love to walk down the street to see the coop and how chickens live and how they produce eggs. It is a great resource for learning and informative (and fun) for them.

If you need further information for me, I would be glad to talk to anyone. My cell is [REDACTED]

Thanks,

William Dyon

William Dyon

From: [Woodman, Michael](#)
To: [Taylor, Elicia](#)
Subject: FW: Chickens in Alpharetta / 8605 Birch Hollow Dr - CAN YOU ATTEND at 6:30 Tomorrow Night?
Date: Thursday, March 4, 2021 8:38:21 AM

From: Rob Rose <usarose@icloud.com>
Sent: Wednesday, March 03, 2021 8:59 PM
To: Riley Wells <rileypwells@gmail.com>
Cc: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Re: Chickens in Alpharetta / 8605 Birch Hollow Dr - CAN YOU ATTEND at 6:30 Tomorrow Night?

Thank you Sarah and Reilly - thanks for you committing to attend and do understand that this is slap in the middle of RAT Hour with all kids and a problem time too. I have cc Michael Woodman (Alpharetta to share this correspondence) as I have agreed to do.

Thanks again for the support - see you there.

Regards

Rob and Sal

Sent from my iPad

On Mar 3, 2021, at 11:05 AM, Riley Wells [REDACTED] wrote:

Will do.

Riley Wells
[REDACTED]

On Mar 3, 2021, at 10:17 AM, Rob Rose <usarose@icloud.com> wrote:

Hello all

I we received the following letter from Michael Woodman at City of Alpharetta - Planning and Zoning.

Please can we ask that you attend this meeting tomorrow night as a show of support.

The meeting will have Covid precautions/temp testing and masks requirement before entering the chambers and starts promptly at 6:30.

There are only 2 items on the agenda and we are first up at 6:30

Michael Woodman - who is supporting us wholeheartedly will present first - stating the facts that all other cities have regulations with smaller lot size (except Milton at 1.01 acres) allowing chickens anything from 1/4

acre for 4 in Marietta to up to 75 in Johns Creek.

We will then be asked to present our case/viewpoint and then the floor (our friends and any other persons attending) are all asked for comment. We want to keep this upbeat and not be seeing to be hostile/attack any opposition to this submittal.

At the meeting we are hoping for - "Recommend to Approve" from the council.

There will be 2 future meeting where they will have to vote on March 22 to amend and April 5 to approve - we don't have to even attend those - arguments and presentations are tomorrow only.

If not successful we will have to push for the variance we originally applied for.

Please come out and support us.

Address:

City of Alpharetta - Council Chambers
Community Development Department
[2 Park Plaza](#)
[Alpharetta, Georgia 30009](#)

Date: March 4th 2021

Time: 6:30 PM

Regards

Rob and Sal



Good morning Mr. Rose.

Please find attached the staff report for your item. Your participation in the Planning Commission meeting [this Thursday \(3/4\)](#) is required. Please let me know a good time for us to speak about the meeting procedures.

Best regards,

Michael A. Woodman, AICP
Senior Planner

City of Alpharetta
Community Development Department
[2 Park Plaza](#)
[Alpharetta, Georgia 30009](#)

[\(678\) 297-6072](tel:6782976072)

www.alpharetta.ga.us

CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT SUBMITTED BY:

KATHI COOK DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: PH-21-05 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – BACKYARD CHICKENS PLANNING COMMISSION: MARCH 4, 2021

CITY COUNCIL: MARCH 22, 2021

II. REPORT IN BRIEF:

The applicant, Rob Rose, is requesting consideration of a text amendment to the Unified Development Code (UDC) to permit backyard chickens as an accessory use in the R-12 zoning district and to allow backyard chickens on minimum one-half (1/2) acre lots in the AG, RE, R, R-22, R-15 and R-12 zoning districts. Code Enforcement placed the applicant on notice that the zoning and lot size of his property, located at 8605 Birch Hollow Drive in the Birch Hollow Subdivision, does not comply with the City's backyard chicken regulations. The applicant's property is zoned R-12 and is less than one (1) acre (0.73 acres). The City amended the UDC in June 2020 to allow backyard chickens in the AG, RE, R, R- 22 and R-15 zoning districts on minimum one (1) acre lots. Staff researched other jurisdictions in the area and found the following regulations pertaining to backyard chickens:

<image.jpg>

Sent from my iPad

On Dec 29, 2020, at 11:31 PM, Rob Rose

<usarose@icloud.com> wrote:

Hello All

We hope you are all well and staying healthy.

Rob and Sal Rose here. Many of you may not even know that we have six beautiful chickens. We have unfortunately been turned into Alpharetta Code enforcement by...no name... (lets just call her a "Karen" in the hood that saw them)

The problem is - We are .25 acre under the 1 acre / 6 chickens Alpharetta guidelines which when published were not super clear and we now find now that we have been turned in and we have until Jan 18 to comply with the

apparent infraction or face penalty and removal.
There are a few houses on our street that could legally already have chickens as they meet the 1 acre minimum - unfortunately we are just shy and we dont.

We have been asked by Alpharetta Code enforcement to apply for an Administrative Variance for our property and also get our immediate neighbors to give us a letter confirming that they have no objection to Sal's Girls to support the request.

About the Girls - there is no noise and no smell and also no rooster so no crowing - they are 7 month old now and we have had a lot of enjoyment and most days 5-6 eggs now. We have a really nice - and safe cage/run for sleeping and living in. We let them roam only when we are here because of the wild animals we have in the hood.

Our Favor.....

Could we ask if you could give us a letter that you don't object to Sal owning 6 chickens. We need a simple..I (name)..... and I live at (address)...and I don't object to our neighbors Rob and Sally Rose to owning chickens.

This short letter can be emailed to me at usarose@icloud.com - we would appreciate your support and we can submit your letter with a bunch of others as supporting documentation.

Hopefully you can come over soon - if you haven't already. We have had many parents and kids and grandkids coming over to visit our friendly chickens to learn about them and feed them too.

Here is a picture when we had some neighbors over to visit them.

<image0.jpeg>

Best Regards
Rob and Sal Rose
8605 Birch Hollow Drive
e: [REDACTED]
[REDACTED]



From: [Woodman, Michael](#)
To: [Taylor, Bill](#)
Subject: FW: Chicken Support emails from Rob Rose - 8605 Birch Hollow Chicken Ordinance
Date: Tuesday, January 5, 2021 8:43:16 AM
Attachments: [In Support of Rose Chicken Coop.docx](#)
[rose-chicken-support.docx](#)
[My name is David Gervais and I do not object to my neighbors owning chickens. I was informed.pdf](#)
[Richard and Sarah Graves.docx](#)

From: Robin Rose [REDACTED]
Sent: Monday, January 04, 2021 4:56 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Chicken Support emails from Rob Rose - 8605 Birch Hollow Chicken Ordinance

Chicken Support emails



From: [Vanessa and Bill Dyon](#)
To: [REDACTED]
Today at 8:21 AM

Sal's girls

To Whom It May Concern,

My name is Vanessa Dyon and I live at 8551 Birch Hollow Dr, Roswell, GA 30076. I do not object to our neighbors, Rob and Sally Rose, 8605 Birch Hollow Dr, Roswell, GA 30076, owning chickens.

My kids and I have been to visit the chickens and they are an absolute joy and add to the neighborhood. I have never heard them making any noise and their intricate home shows how much these chickens are loved and cared for.

Please let the chickens stay in our neighborhood.

Best,

Vanessa Dyon
8551 Birch Hollow Drive
Roswell, GA 30076
[REDACTED]



[userrose@icloud.com](#)

Thank you so much Vanessa - we appreciate the support. Sent from my iPad

10:09 AM



Mike Broadway

To: [REDACTED]

10:05 AM

Chickens

TO: City of Alpharetta

Subject: Rob Rose chickens

I live next door to the Rose's and the chickens are not a problem. The area the chickens are kept is nice and clean
With no odor.

I would appreciate if you would grant the Rose's the variance so they can keep the chickens.

Regards

Michael Broadway
8591 **Birch Hollow Drive**
Roswell, Ga. 30076



userose@icloud.com

Thanks Mike - we appreciate the help. Sent from my iPad

10:15 AM



Alicia Stromquist

To: usarose@icloud.com >

9:15 AM

Chickens

To whom it may concern,

My name is Alicia Stromquist and I live at 8610 Birch Hollow Dr., across the street from Rob and Sally Rose. I have no issue with the above owning chickens in their backyard.

Alicia Stromquist


Sent from my iPhone



Gregory and Annelys Maguire

To: usarose@icloud.com >

9:26 AM

Alpharetta Code Enforcement

To: Alpharetta GA Code Enforcement

From: Greg/Annelys Maguire 8500 Birch Hollow Drive Roswell GA 30076.

We (Greg & Annelys Maguire) live at 8500 Birch Hollow Drive Roswell GA 30086 and we don't object to our neighbors Rob and Sally Rose (who live at 8605 Birch Hollow Drive) to owning chickens.

Thank you.



usarose@icloud.com

Greg and Annelys Thank you so much for your help with this. Regards Rob and Sal Sent f..

10:30 AM

To Code Enforcement,

December 30, 2020

I share a backyard with the Rose chicken coop, with one backyard between us. We have found the coop to be a welcome addition. The coop is beautifully built and there is no smell. The chickens are not noisy and fun to visit with.

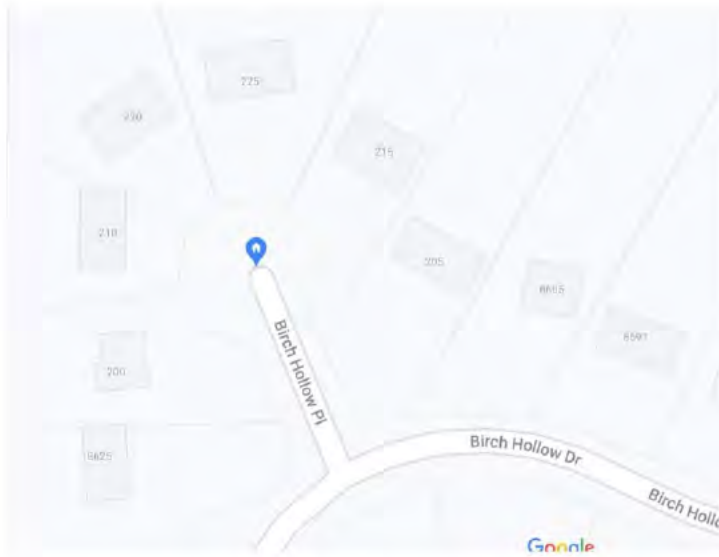
With our yards bordering flood plain, there is plenty of open space. For years, we have enjoyed the wildlife inhabiting the flood plain including ducks, geese, and egret. The chicken coop fits in with the natural environment.

We hope the coop is permitted to remain.

Kyle and Saul Watzman
215 Birch Hollow Place

30 Dec 2020

My name is Bill Maxwell, and I live at 220 Birch Hollow Pl. I have no objections to the chickens at the Rose's at 8605 Birch Hollow Drive.



William E Maxwell
Digitally signed by William E Maxwell
[Redacted Signature]
Date: 2020.12.30 09:24:18 -05'00'



Sue Toscano

To: [REDACTED]

11:07 AM

Fwd: Chickens

----- Forwarded message -----

From: Susan Toscano <[REDACTED]>

Date: Tue, Dec 22, 2020, 5:48 PM

Subject: Chickens

To: Rob Rose <[REDACTED]>

To whom it may concern:

We live two houses away from the Roses's house. We never hear the chickens nor are we bothered by them. The chickens are a great addition to our neighborhood.

Sincerely,

Susan and Joe Toscano

8581 Birch Hollow Dr

Roswell, GA 30076

[See More](#)



Thanks Sue -we really appreciate your help. Sent from my iPad

11:30 AM



Brittany And Trevor (Joanne And Steven)

To: [REDACTED]

12:10 PM

Chickens- 8541 Birch Hollow

I Brittany Norman and I live at 8541 Birch Hollow Drive and I don't object to our neighbors Rob and Sally Rose to owning chickens.

Good luck! Let me know if anything else is needed to help out!

--
Brittany Norman, MS, OTR/L



[REDACTED]

Thank you Brittany - we appreciate your support. Hope you guys have a good New Year...

12:35 PM



Nara Acharya

To: [REDACTED]

12:31 PM

Rob and Sally Rose owning chickens

To whomsoever it may concern,

We Narasimha Acharya and Anuradha Acharya, living at 8590 Birch Hollow Drive, Roswell, Georgia-30076 have no objection to our neighbors Rob and Sally Rose residing at 8605 Birch Hollow Drive owning chickens in their Backyard.

Thank you,
Narasimha Acharya,
Anuradha Acharya



[REDACTED]

Thank you so much - we appreciate your support. Sent from my iPad

12:34 PM

GJ

3:51 PM

Neighborhood Chickens

To Whom it May Concern-

We live at 8570 Birch Hollow Dr, Roswell, GA 30076. We have no issues with Rob and Sally Rose having chickens at their residence. Please feel free to contact us with any questions.

Best,

Garrett and Jessica Fadden



U

Thanks for your help with this. Sent from my iPad

3:52 PM

GJ

Garrett & Jess Fadden

4:53 PM

Sure thing!



Laura and Mark Barnett - Mariel and Sam

6:13 PM

To: [REDACTED]

Chicken Coop

I am Mark Barnett, and reside at 11920 Harris Road, Roswell (part of the Birch Hollow subdivision). I have no objection to our neighbors, Rob and Sally Rose, owning chickens.
Regards, Mark



U

Thanks Mark and Laura - much appreciated. Sent from my iPad

7:00 PM

 **Debbie Broadway**

1:19 AM

Chickens

Hi, I'm Debbie Broadway, Rob and Sally Rose's next door neighbor. I live at 8591 Birch Hollow Drive, Roswell 30076. I have absolutely no objection to Rob and Sally owning chickens. My grandkids enjoy them when they are here visiting us.

Debbie Broadway
Sent from my iPhone



 [Redacted]

3:12 AM

Debbie - Thank you for this very kind and personal letter and the help you have given us...

 **Hilary Vore**

Yesterday

To: [Redacted]

Chickens

To whom this concerns,

I am Hilary Vore @ 8560 Birch Hollow Drive and I don't mind the chickens at all. I never hear them or anything.

-Your sister in Christ,
Hilary



 [Redacted]

3:13 AM

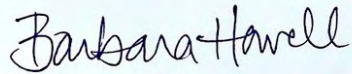
Thank you very much for the letter. Regards Rob and Sal Sent from my iPad

December 30, 2020

To Whom It May Concern,

I, Barbara Howell, live at 225 Birch Hollow Place, Roswell GA 30076 and I absolutely do not object to our neighbors Rob and Sally Rose to owning chickens.

In fact, I wholeheartedly welcome it!

A handwritten signature in black ink that reads "Barbara Howell". The script is cursive and fluid, with the first name and last name clearly legible.

Barbara Howell
225 Birch Hollow Place
Roswell GA 30076

Hey Rob & Sally,

We have our fingers crossed you get to keep your girls. Hope this letter helps.

Best,

Sarah & Riley

Sarah J. Wells

4 January 2021

Sarah J. Wells
8635 Birch Hollow Drive
Roswell, GA 30076

RE: Rob & Sally Rose chickens at 8605 Birch Hollow Drive

To whom it may concern,

My husband, children and I are the neighbors of Rob and Sally Rose who have six chickens lovingly housed on their property. We have no objection to the chickens living on our street and in fact, welcome them. They make no noise and produce no smell. My sons have enjoyed meeting them.

Sincerely,
Sarah J. Wells



Mary Naylor

To: [REDACTED]

Yesterday

Chickens living in Birch Hollow

To Whom it May Concern,

We, Chuck and Mary Naylor, from 200 Birch Hollow Place, Roswell, GA do NOT object to our neighbors, Rob and Sally Rose having chickens.

We've been neighbors to the Rose's for over 20 years. We appreciate them as neighbors and friends. Our kids grew up with the Rose's kids. We are hopeful all our grandchildren can experience the wonderment of visiting the chickens and learning so much about them from Rob and Sally.

Please reach out to us with any questions. Please allow the chickens to remain.

Sincerely,

Mary and Chuck Naylor

Sent from my iPhone



Forward to David Saint Martin



[REDACTED]

To: Mary Naylor

Yesterday

Mary

Sally and I thank you so much for your thoughtful letter - its amazing how fast these years have flown by - 22 years in May....wow.

MN

Mary Naylor

To: u

Yesterday

No problem! Chuck and I have often shared that we have so many neighbors we could call during middle of night, or any time and reach out for help. We have no doubt, the call would be answered! We are also the neighbors that would respond. 💕👍

Sent from my iPhone

On Jan 3, 2021, at 9:20 PM, Rob Rose <[REDACTED]> wrote:

Mary

Sally and I thank you so much for your thoughtful letter - its amazing how fast these years have flown by - 22 years in May....wow.

Thanks again.

Regards

Rob and Sal

Sent from my iPad

On Jan 3, 2021, at 8:52 PM, Mary Naylor <[REDACTED]> wrote:

To Whom it May Concern,

We, Chuck and Mary Naylor, from 200 Birch Hollow Place, Roswell, GA do NOT object to our neighbors, Rob and Sally Rose having chickens.

We've been neighbors to the Rose's for over 20 years. We appreciate them as neighbors and friends. Our kids grew up with the Rose's kids. We are hopeful all our grandchildren can experience the wonderment of visiting the chickens and learning so much about them from Rob and Sally.

You asked me to give/show you any correspondence/conversations we had with neighbors - there has been lots - nothing negative toward us or our chickens - here is another email I got from Mary Naylor in this regard.



To: Mary Naylor >

Yesterday

Mary

Sally and I thank you so much for your thoughtful letter - its amazing how fast these years have flown by - 22 years in May....wow.

Thanks again.

Regards

Rob and Sal

Sent from my iPad

[See More](#)



Mary Naylor

To: >

Yesterday

No problem! Chuck and I have often shared that we have so many neighbors we could call during middle of night, or any time and reach out for help. We have no doubt, the call would be answered! We are also the neighbors that would respond. 💕👍

Sent from my iPhone



Mary Naylor

Yesterday

Save Rob and Sally's chickens

Rob,

What if we got signs for our yards, "Save Rob and Sally's chickens"

We would definitely post in our yard.

Sent from my iPhone



Read Only - You can't save changes to this file

[Save a copy](#)

From: Steve Howell
225 Birch Hollow Place
Roswell, GA 30076

To: City of Alpharetta
Code Enforcement
2 Park Plaza
Alpharetta, GA 30009

RE: Chicken Coup located at the home of Rob and Sally Rose
8605 Birch Hollow Drive
Roswell, GA 30076

To whom it may concern:

As stated above, my name is Steve Howell and I live at 225 Birch Hollow Place, Roswell GA 30076. My home is located 3 doors west of Rob and Sally Rose. I can easily see the Rose's back yard from my front door and from my rear deck.

The Chicken Coup is visible from my home and is not offensive in any way. It has been constructed well and is well maintained. There has never been any identifiable odors or debris related to the chickens since they arrived. The Rose's are wonderful neighbors and love folks visiting their "Girls". The hens now living in the coup are a wonderful addition to our small neighborhood. I see children observing and playing with them often and I am looking forward to my 8-month-old niece being old enough to go enjoy the chickens as well. Sally Rose is always ready and willing to teach the visiting kids and adults about her Rhode Island Reds. This is education that in days past was common, but now is much harder to find in Alpharetta. I welcome these hens and more if the Rose's (or any other neighbor) is interested in raising more Rhode Island Red's or any other breeds of chickens.

As a homeowner in the Birch Hollow neighborhood, I am fully in favor of allowing the chickens to remain. They are educational, unique, fun and the free-range eggs that the Rose's occasionally share are delicious and promoting a healthy lifestyle. These hens are an excellent addition to the Birch Hollow neighborhood!

Sincerely,

Steve Howell
225 Birch Hollow Place
Roswell, GA 30076

To whom it may concern,

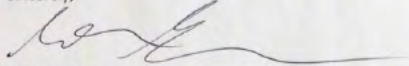
My name is Seth Gamba, and I live at 205 Birch Hollow Pl. I am right next door to Rob Rose.

I am writing this letter to express that I have no objections to Mr. Rose having his chickens next door to me. He has been a great neighbor over many years and from the start has communicated his intentions around the chickens with me as a good neighbor should.

Since having the chickens, there has been no noise, smell, or mess that has caused any concern or inconvenience to my family or my property.

I would like to support and recommend a variance to allow Mr. Rose to keep the chickens.

Sincerely,



Seth Gamba

Best Regards
Rob Rose

8605 Birch Hollow Dr.
Roswell GA 30076

Best Regards
Rob Rose

8605 Birch Hollow Dr.
Roswell GA 30076

My name is Daniel Gamba and I do not object to my neighbors owning chickens. I was informed that the reason for this situation was that the chickens did not have enough space to graze in. It is perfectly fine with us if the chickens to go into our backyard.

Daniel Gamba.
in middle school.
lives at 205-
Birch Hollow place
-adjacent to us.
This was unsolicited

Richard and Sarah Graves
210 Birch Hollow Place
Roswell, GA 30076

December 31, 2020

City of Alpharetta
2 Park Plaza
Alpharetta, GA 30009

Re: 8605 Birch Hollow Drive

To Whom It May Concern:

My husband and I reside at 210 Birch Hollow Place and are long time neighbors of Rob and Sally Rose.

We do not object to Rob and Sally Rose owning six chickens and support their request for an Administrative Variance.

Sincerely,

Sarah Graves

City of Alpharetta, GA

12/29/2020

Code Enforcement

To whom it may concern:

This letter is from Gary and Cindy Blackstad. We live at 8561 Birch Hollow Drive, Roswell, GA 30076 (in the Alpharetta city limits). We recently became aware of a reported violation of the Alpharetta 'chicken ordinance' by the Rose family at 8605 Birch Hollow Drive, Roswell, GA 30076. The purpose of the letter is to voice our support for our neighbors, Rob and Sally Rose, and ask that a variance to the ordinance be granted to the Roses, allowing the 6 chickens to remain.

We watched the chicken coup as it was being built. It was well designed and is well constructed. And we often visit the chickens, especially when our grandchildren come over. My grandson always says 'Grandma, can you call Mr. Rob and find out if we can come see the chickens'. In all the times we have been at the coup, there has never been loud noises, except for squealing excited children trying to feed grass to the chickens or the laughing adult chaperones trying to do the same thing. And we have never noticed odors. There is nothing about the coup or the chickens that is offensive to any of our senses.

For about half of the homes on this street, our properties back up to the creek. And, over the years, while we have had to deal with the changes occurring to the creek (flooding), most of us treasure not only the privacy and solitude, but mostly, that little bit of nature these creek-side lots continue to offer. Like the other creatures that roam or habitat the creek, the chickens fit into that little bit of nature behind the Rose's house.

Offensive and in violation? No, quite the opposite. It is our opinion that having the coup and chickens in our neighborhood only adds to the warm and friendly character of this neighborhood.

Please review the Rose's request and grant a variance.

Thank you.

Gary Blackstad

Cindy Blackstad

Gary & Cindy Blackstad
8561 Birch Hollow Drive, Roswell, GA 30076



From: [Rob Rose](#)
To: [danaspeech](#)
Cc: [Taylor, Elicia](#)
Subject: Re: Chickens at 8605 Birch Hollow Drive, Roswell, GA 30076
Date: Sunday, January 31, 2021 7:16:17 PM

Mark and Dana

Thank you both so much - very much appreciated. If there is anything that we could help you with in the future - please feel free to call absolutely anytime.

Kindest Personal Regards

Rob and Sally Rose

8605 Birch Hollow Dr

Roswell GA 30076

E. [REDACTED]
[REDACTED]

[REDACTED] my iPad

On Jan 31, 2021, at 6:43 PM, [REDACTED] wrote:

To whom it may concern,

I am writing in reference to the chickens at Rob and Sally Rose's residence at 8605 Birch Hollow Drive. I have never heard, seen or smelled the chickens at this residence. I have no objections to the chickens remaining at this address.

Thank you,
Mark and Dana Henning
765 Birch Ridge Drive
Roswell, GA 30076

From: [Robin Rose](#)
To: [Gary Becker](#)
Cc: [Gary And Mary Becker](#); [Taylor, Elicia](#); [Woodman, Michael](#)
Subject: Re: Rose Chicken Variance Birch Hollow Dr
Date: Wednesday, February 3, 2021 11:26:48 PM

Thanks Gary and Mary - much appreciated.
Best Regards
Rob Rose



8605 Birch Hollow Dr.
Roswell, GA 30076

On Feb 3, 2021, at 10:13 PM, Gary Becker  wrote:

We, Gary & Mary Becker, live at 8540 Birch Hollow Drive, Roswell, GA 30076,
don't object to our neighbors Rob and Sally Rose to owning chickens.

From: [Rob Rose](#)
To: [REDACTED]; [Woodman, Michael](#); [Taylor, Elicia](#)
Subject: Re: Rose Birch Hollow Backyard Chickens - additional supporting documentation.
Date: Sunday, February 21, 2021 1:59:58 AM

Peter and Georgina

No definitely not too late - We very much appreciate your note and it will be included with our supporting documentation. Our first date is early March - 4th - we have to be there to have R12 Zone included in the chicken ordinance code. Then on March 22 at 6:30 Alpharetta City Hall Council Chambers at 2 Park Plaza Alpharetta - we have our variance hearing - to state our view on the subject and ask for a vote to allow us a variance. We have a number of arguments that hopefully each argument can hold up and can allow the girls to stay. We would of course love the show of support to go along with our documentation when we state our case.

Hate it that 6 chickens have created such a fuss in this world falling in a heap around us - these girls of ours have educated, entertained young and old alike, fed, provided nutrients for vegetables and also provided Emotional support - for many people in our street - and let me add never ever done anything wrong to anyone...

Best Regards
Rob and Sal Rose

Sent from my iPad

On Feb 21, 2021, at 12:15 AM, [REDACTED]
[REDACTED] > wrote:

Hi Rob,

We hardly ever read this email address; hence we did not see your need for neighbor support for those beautiful chickies.

We sure hope you were allowed to keep them. But if you can still use support, let us know.

Your neighbors from 8550 Birch Hollow Dr. Peter and Georgina Latke

Again so sorry fir such a late response.

Sent from my iPhone

On Dec 29, 2020, at 11:31 PM, Rob Rose [REDACTED]
wrote:

Hello All

We hope you are all well and staying healthy.

Rob and Sal Rose here. Many of you may not even know that we have six beautiful chickens. We have unfortunately been turned into Alpharetta Code enforcement by...no name... (lets just call her a "Karen" in the hood that saw them)

The problem is - We are .25 acre under the 1 acre / 6 chickens Alpharetta guidelines which when published were not super clear and we now find now that we have been turned in and we have until Jan 18 to comply with the apparent infraction or face penalty and removal.

There are a few houses on our street that could legally already have chickens as they meet the 1 acre minimum - unfortunately we are just shy and we dont.

We have been asked by Alpharetta Code enforcement to apply for an Administrative Variance for our property and also get our immediate neighbors to give us a letter confirming that they have no objection to Sal's Girls to support the request.

About the Girls - there is no noise and no smell and also no rooster so no crowing - they are 7 month old now and we have had a lot of enjoyment and most days 5-6 eggs now. We have a really nice - and safe cage/run for sleeping and living in. We let them roam only when we are here because of the wild animals we have in the hood.

Our Favor.....

Could we ask if you could give us a letter that you don't object to Sal owning 6 chickens. We need a simple..I (name)..... and I live at (address)...and I don't object to our neighbors Rob and Sally Rose to owning chickens.

This short letter can be emailed to me at usarose@icloud.com - we would appreciate your support and we can submit your letter with a bunch of others as supporting documentation.

Hopefully you can come over soon - if you haven't already. We have had many parents and kids and grandkids coming over to visit our friendly chickens to learn about them and feed them too.

Here is a picture when we had some neighbors over to visit them.

<image0.jpeg>

Best Regards

Rob and Sal Rose

8605 Birch Hollow Drive

e: [REDACTED]

m: [REDACTED]

Sent from my iPad

From: [Rob Rose](#)
To: [Georgina Latka](#)
Cc: [Woodman, Michael](#); [Taylor, Elicia](#)
Subject: Re: Birch Hollow Drive - can you please help the Rose's at 8605
Date: Monday, February 22, 2021 3:32:58 PM

Peter and Georgina

Thank you for this letter of support - I have cc the City of Alpharetta here as they have asked me to forward any emails/correspondence in this regard to them.

We hope that you will be able to attend the hearing on 03/22/21 as detailed previously.

Regards

Rob and Sal Rose.

> On Feb 21, 2021, at 4:42 PM, [REDACTED] wrote:

>

> Dear City of Alpharetta Zoning Representatives,

>

> We would like to communicate our full support to allow the Rose's to keep their chickens without restrictions.

>

> Their chickens are so quiet, if not for this permit process; we wouldn't know they were there. They are well kept and in the private back yard of the Rose's.

>

> Please grant them the ability to keep the chickens. We are delighted to support maintaining the original character of the Alpharetta area.

>

> We support the request for the Rose family to keep their chickens.

>

> Peter and Georgina Latka

> 8550 Birch Hollow Dr

> Roswell, GA 30076

>

> Sent from my iPhone

From: [Woodman, Michael](#)
To: [Taylor, Elicia](#)
Subject: FW: Chickens are awesome!!
Date: Monday, March 22, 2021 8:53:47 AM

From: Ashleigh Foster [REDACTED]
Sent: Sunday, March 21, 2021 10:32 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Cc: usarose@icloud.com
Subject: Chickens are awesome!!

Dear Mr. Michael Woodman,

I hope that this email finds you well, and in good health. I would like to ask on behalf of the Rose family to consider granting their request in regards to their chickens. Chickens are an amazing animal to have and to own. There is no better way to go about life, and in this journey on this planet than to be able to have chickens. We have owned chickens since our oldest was a baby, and he is now nineteen years old. We have seven children altogether, and I promise you that each one knows where their breakfast comes from. They also can tell you which ones are hatching eggs, and which eggs are for eating. I honestly think each and every household should raise chickens. In keeping chickens children learn responsibility, kindness, compassion, and where their food comes from. When you buy eggs from the grocery store they can literally be two months old! Did you know that? I'm not sure about you, but I do believe that fresh is best! I will attach a picture along with this email showing you the difference between a grocery store egg, and a fresh egg. Chickens are an amazing creature. They do more than just lay eggs. They can be used to turn the ground over for gardens, used as pest control, and when aged their poop makes wonderful fertilizer for gardens. Have a bad day at work? Come home, and plop down and just watch your chickens be chickens. It is a wonderful way to reduce stress. Again, I ask that you please consider granting the request of the Rose family. If everyone could get back to the basics of life just a little bit by owning a few chickens, I honestly think the world would be a better place. Thank you for your time, and I pray you have a wonderful week!

Sincerely,

Ashleigh Setser





[Sent from Yahoo Mail on Android](#)

From: [Woodman, Michael](#)
To: [Taylor, Elia](#)
Subject: FW: PH-21-05 UDC /Backyard Chickens
Date: Monday, March 22, 2021 8:53:25 AM

-----Original Message-----

From: Jen P <japiurkoski@gmail.com>
Sent: Sunday, March 21, 2021 11:52 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Cc: usarose@icloud.com
Subject: PH-21-05 UDC /Backyard Chickens

Dear Mayor Gilvin, Council Members and Zoning Commissioners,

I am writing in support of approval for PH-21-05 UDC Text Amendment- Backyard Chickens. To be presented Monday, April 5, 2021.

I have had the pleasure of keeping backyard pet chickens for over 20 years now, so I am not new to the hobby.

Backyard chickens have been a part of America throughout our history. During WW1 it was patriotic and expected that every family have a small flock to provide themselves with fresh eggs. Today, backyard chickens provide many benefits, not limited to emotional and mental/physical health benefits for their owners, educational opportunities for children, producing our own food in the form of fresh eggs that are completely cruelty-free, minimizing household waste because chickens eat leftovers that would otherwise go in the garbage, natural pesticide-free insect control, and help in our gardens by providing natural and chemical-free fertilizer.

Backyard chickens have distinct personalities as much as any pet dog or cat. There are dozens of breeds, and many different colors of eggs to go along with those breeds. Chickens can live 10+ years as pets, unlike the mass produced grocery store chicken products we are accustomed to that only are allowed to live about a year. Owners take huge pride in caring for their "girls" and spoiling them and loving them, and mourning them when they pass. Teaching children where our food comes from (in the form of eggs) is invaluable, as is caring for these gentle, entertaining and sweet backyard birds.

The arguments against changing city codes to keeping a flock of backyard chickens are as follows:

- 1) They are too loud- False- Female chickens (hens) are extremely quiet birds. Most neighbors would never hear hens, even living very close to them. Likewise a dog barking at 3 feet is 70-100 db, a Lawnmower is 107 db, not to mention all the other typical neighborhood noises we all live with.
- 2) They are smelly- False- Like any pet, and backyard chickens are most definitely pets, they must be cared for. Chickens produce much less waste a day than even the family dog. The smell misconception is due to huge commercial poultry farms, never backyard coops. A backyard coop has no odor, in fact, chickens are very clean animals. They preen and dustbathe daily. Waste is minimal.
- 3) They reduce property values - False- There is zero evidence to support this theory. In fact, chickens increase property values in that people take pride in their property and landscaping. Chicken keepers spend large amounts of money on beautiful coops and landscaping, thus increasing values. Forbes listed the top 10 US housing markets that were appreciating in value, and all 10 allowed backyard chickens!

In conclusion, urban chicken keeping is a growing trend across America. Especially with the past year of Covid lockdowns, many families are getting back to their roots of gardening and self sustainability, including the keeping of hens. Many large cities now allow the keeping of a small backyard flock, including Seattle, Portland, Miami, Atlanta, St Louis, New York City, Raleigh, Cincinnati, Dallas, Savannah and many many more large and small cities. It is a trend in health, sustainability and personal happiness.

If you have any questions that I can assist in making a decision please do not hesitate to contact me. Thank you for your time.

Jennie Piurkoski
158 Moss Rose Trail
White, GA 30184
Japiurkoski@gmail.com
239/898-2786

From: [Woodman, Michael](#)
To: [Taylor, Elicia](#)
Subject: FW: Support for Backyard Chickens
Date: Monday, March 22, 2021 8:53:19 AM

From: Erin Feichtner <scarletbegon@hotmail.com>
Sent: Sunday, March 21, 2021 10:56 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Cc: usarose@icloud.com
Subject: Support for Backyard Chickens

Good Evening,

I am writing in support of Backyard Chickens. I don't know Mr. Rose but I've become aware of his struggle to keep chickens on his property. I'm a homeowner in unincorporated Cobb County and was pleased when the county allowed backyard chickens, as I've been waiting a long time. I purchased my chickens as chicks last June and they've brought me so much joy. My neighbors are supportive of my chickens. I share eggs with anyone who will take some: neighbors, friends, coworkers. Soon I will find a food pantry where I can donate eggs. There are many different kinds of chickens that lay many different colored eggs. Some of my chickens weigh only 4 or 5 pounds, that is the size of their breed. I spend a lot of time in social network groups about chicken keeping. It is a hobby I really enjoy. I spend at least an hour in the backyard each evening spending time with the chickens and watching them roam around my fenced yard. (When I am not with the girls they are contained in a predator proof coop and run.) It is free entertainment and therapy. This is really a great activity for families and children, something to do and bond over that does not involve a screen or technology. My parents, sister, and her children recently came to visit from out of state. We spent a good amount of their visit in the backyard with the chickens. Kids love to feed them treats! I now love my chickens as much as I love my dogs and cat. A responsible pet owner will take good care of their chickens.

Before neighborhoods, these suburbs were covered by small family farms with chickens. In the past city dwellers used to have chickens; City of Atlanta still allows 25 chickens per lot. There is a movement of educated, well-read people that want to know where their food comes from. We want to garden and raise chickens for eggs without chemicals. We want to be gentle on the earth and not contribute to the suffering of battery hens in hen houses. My chickens are spoiled and happy. They are my pets that feed me breakfast.

When the Covid-19 "stay at home - slow the spread" started, grocery store shelves were bare. Those with chickens know that they will at least have eggs in an emergency. I encourage you to allow backyard chickens as you would allow a cat or a dog. In Cobb County, the code allows

one chicken for 5000 square feet of land, and in my opinion that is not enough. I encourage you to look at allowing chickens on smaller lots.

I would be devastated at the loss of my chickens as I would over the loss of my cat or dogs. Thank you for your attention to this matter and your service to your community. I've researched backyard chickens for many years as I waited for them to be approved, so I'm happy to answer any questions or dispel any misunderstanding regarding chickens.

Thank You,
Erin Feichtner

From: [Woodman, Michael](#)
To: [Taylor, Elia](#)
Subject: FW: Rose Backyard Chickens
Date: Tuesday, March 9, 2021 3:07:04 PM

Did I send this one to you?

From: Robin Rose <usarose11@gmail.com>
Sent: Saturday, March 06, 2021 1:00 AM
To: Essy Gigi Brian Beatriz Goncalves <briantercius2@gmail.com>
Cc: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Re: Rose Backyard Chickens

Hello Brian and Giovanna Araujo

We really appreciate your letter - this will be added to the other letters of support we have received

- thank you very much indeed.

It's very much appreciated.

Michael Woodman

Please can you add this letter to our letters of support.

Best Regards

Rob Rose

c: 678-361-3630

m: usarose@icloud.com

8605 Birch Hollow Dr.

Roswell, GA 30076

On Mar 5, 2021, at 5:27 AM, briantercius2 <briantercius2@gmail.com> wrote:

We Brian and Giovanna Araujo, we live at 8571 Birch Hollow Dr, Roswell, GA, 30076,
we don't object to our neighbors Rob and Sally Rose to owning chickens.

From: [Woodman, Michael](#)
To: [Rob Rose](#)
Cc: [Taylor, Eliza](#)
Subject: RE: 8605 Birch Hollow - Chicken Ordinance - another support letter from Rob Rose
Date: Thursday, January 7, 2021 3:15:27 PM

Thank you, Mr. Rose. We will add to your file.

From: Rob Rose <usarose@icloud.com>
Sent: Thursday, January 07, 2021 3:13 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: 8605 Birch Hollow - Chicken Ordinance - another support letter from Rob Rose

Brittanie White
8600 Birch Hollow Drive
Roswell, Ga 30076

To Whom it May Concern,

I, Brittanie White (formerly Brittanie Holmes) do not object to our neighbors Rob & Sally Rose having chickens in their yard. I live at 8600 Birch Hollow Drive.

Sincerely,

Brittanie White



Sent from my iPad

On Jan 7, 2021, at 11:25 AM, Brittanie Holmes <baholmes05@gmail.com> wrote:

Hi Rob & Sally,

Biggest apologies for the delay in my letter... I have been entirely distracted trying to get my mom better (not that you need an excuse). I hope we aren't too late and that your chickens are happy and healthy

Thanks, Britt

<Chicken- BW.docx>

Sent from my iPad

From: [Woodman, Michael](#)
To: [Taylor, Elcia](#)
Subject: FW: Community - Backyard Chickens Rose - Birch Hollow Dr.
Date: Monday, April 5, 2021 9:56:10 AM

-----Original Message-----

From: Rob Rose <usarose@icloud.com>
Sent: Monday, April 05, 2021 9:09 AM
To: jessie blankenship <jessieb77@outlook.com>
Cc: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Re: Community - Backyard Chickens Rose - Birch Hollow Dr.

Jessie

Thank you so for this letter- it will be a great help to show support from not only our neighbors but from the community too. We hope that you too will be able to come to the Mayors chambers at 6:30PM tonight. We are hoping for a sea of friendly folk in support of our request to the Mayor and his administration. Please feel free to stand up and voice your support when called for. We have a number of neighbors that will be speaking out for us - we are very blessed to have been able to get support for our girls from our neighborhood friends.

Regards

Rob Rose

C.678 361 3630

Sent from my iPad

> On Mar 31, 2021, at 5:17 AM, jessie blankenship <jessieb77@outlook.com> wrote:

>

> This is in regards to a post given on a community chicken site through social media. I'm a member of the chicken club where I saw, commented and am now acting on the request. I'm from Alpharetta originally which is why it caught my eye. Here's what I replied.....

>

> This is a great way for community to show up! America must come together. I'll pray for you and for all of the folks that would love animals and the government tells them they can't. We own 10 acres in hickory flat and have ponies, goats, cows, chickens, Guineas, dogs and cats. Our children prosper from this life we live. Our mental state is better with animals and gardens. We enjoy our hard working days. We see the struggles of death and the joys of birth. Our children all know how to milk and have out of necessity for the babies life or the mother's health. Our grandchildren absolutely adore coming over and they frequently can just pull a carrot out of the ground or a fig off of the bush. My children's friends ask to bottle feed our goats when needed or collect eggs and even ask to take them home to explain to their families and eat them. Humans were given this land and all its inhabitants by our Creator! We live in a free country. Again, I'll pray for you and I'll support you in any way possible.

>

> I was trying to keep it short, sweet and to the point. Please dig deep and consider this citizens request to keep his chickens. Good citizens are becoming harder and harder to find these days.

>

> Thanks and God bless

> Jessie Blankenship (Cherokee county)

>

> Sent from my iPhone

From: [Woodman, Michael](#)
To: [Taylor, Elicia](#)
Subject: FW: Support of change to chicken ordinance
Date: Monday, March 22, 2021 11:16:23 AM

-----Original Message-----

From: Ulrike Ingram [REDACTED]
Sent: Monday, March 22, 2021 11:13 AM
To: City Council and Mayor [REDACTED]; [REDACTED]; Woodman, Michael
[REDACTED]
Subject: Support of change to chicken ordinance

Dear mayor and city council members -

I would like to express my full support of the change to the chicken ordinance to allow chickens on half an acre rather than just 1+ acre. We are fortunate to own a property slightly over an acre and no HOA.

Therefore we were able to start our flock after the initial ordinance in summer 2020, and we have loved every minute of it. Looking at the Roswell ordinance, and knowing several chicken owners in Roswell, I believe that allowing chickens on half an acre would be a good change.

Please let me know if you would like further information from me, or a picture of my chickens or eggs. I am also happy to speak at the April 5th city council meeting in favor of the change.

Thanks.

Uli Ingram









Letters of Support Rose Backyard Chickens

1. William Dyon, 8551 Birch Hollow Drive
2. Riley Wells
3. Vanessa Dyon, 8551 Birch Hollow Drive
4. Mike Broadway, 8591 Birch Hollow Drive
5. Alicia Stromquist, 8610 Birch Hollow Drive
6. Greg & Annelys Maguire, 8500 Birch Hollow Drive
7. Kyle & Saul Waltzman, 215 Birch Hollow Place
8. William (Bill) Maxwell, 220 Birch Hollow Place
9. Susan & Joe Toscano, 8581 Birch Hollow Drive
10. Brittany Norman, 8541 Birch Hollow Drive
11. Nara & Anuradha Acharya, 8590 Birch Hollow Drive
12. Garrett & Jessica Fadden, 8570 Birch Hollow Drive
13. Mark Barnett, 11920 Harris Road
14. Debbie Broadway, 8591 Birch Hollow Drive
15. Hilary Vore, 8560 Birch Hollow Drive
16. Barbara Howell, 225 Birch Hollow Place
17. Sarah J. Wells, 8635 Birch Hollow Drive
18. Mary & Chuck Naylor, 200 Birch Hollow Place
19. Steve Howell, 225 Birch Hollow Place
20. Seth Gamba, 205 Birch Hollow Place
21. Daniel Gamba, 205 Birch Hollow Place
22. Richard & Sarah Graves, 210 Birch Hollow Place
23. Gary & Cindy Blackstad, 8561 Birch Hollow Drive
24. Mark & Dana Henning, 765 Birch Ridge Drive
25. Gary & Mary Becker, 8540 Birch Hollow Drive
26. Peter & Georgina Latke, 8550 Birch Hollow Drive
27. Ashleigh Setser
28. Jennie Piurkoski, 158 Moss Rose Trail, White, GA 30184
29. Erin Feichtner, Cobb County Resident
30. Brian & Giovanna Araujo, 8571 Birch Hollow Drive
31. Brittany White, 8600 Birch Hollow Drive
32. Uli Ingram

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: PHA 21003

☒ Fee Paid

Initial: RC

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: ROBIN ROSE Telephone: 678 361-3630
Address: 8605 BIRCH HOLLOW DR Suite: _____
City: ROSWELL State: GA Zip: 30076 Fax: _____
Mobile Tel: 678 361 3630 Email: usarose@icloud.com

Subject Property Information:

Address: 8605 Birch Hollow Dr Current Zoning: R2.
District: 1 Section: 2 Land Lot: 551 Parcel ID: LOT 25 TAX ID 00223
Proposed Zoning: _____ Current Use: _____

This Application For (Check All That Apply):

☐ Conditional Use

☐ Rezoning

☒ Variance

☐ Comprehensive Plan Amendment

☐ Master Plan Amendment

☐ Master Plan Review

☐ Public Hearing

☐ Other (Specify): _____

☐ Exception

APPLICANT REQUEST AND INTENT

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

My Home — Backyard Chickens

Applicant's Request (Please itemize the proposal):

Request to Allow Backyard Chickens on less than 1.0 ACRE
I have (6) six hens and no Roosters at this property.

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

I have leased property from my neighbor Mike Broadway @ 8591 Birch Hollow Dr, Roswell GA 30076 — this is adjacent property to Bring us up to over 1 Acre.
Property being Leased is front portion of Land 270 feet x 90 feet equaling 24,300 sqft
Bringing my total to 1.290633 ac

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.

- My wife has a documented Hardship
- we are not going to negatively impact any of our neighbors.
- we have other lots in our neighborhood over the 1 acre minimum that can keep 6 chickens (No Roosters)

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

My wife has a documented Hardship (HIPPA)
These are her emotional Support Animals
is as far as I can disclose.

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

Front of property is bordered by a creek and is heavily forested. - distance to neighbor over the creek is 800-900 feet.
Right side - pines blocking view
Left side - peachtree blocking view

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 - we are just shy of 1.0 ac - quite a few neighbors in our non HOA subdivision have over an acre and have discussed getting chickens in their yards too. Many children in the subdivision visit the chickens during COVID Isolation - we have used this as a learning experience.
On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

CITIZEN PARTICIPATION FORM - PART A

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

Public Hearing or Project Name: _____

Contact Name: _____ Telephone: _____

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

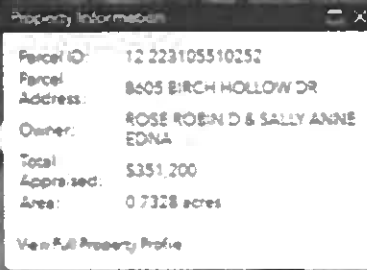
(over the creek)
 #755 Birch Ridge Dr - Joshua/Natasha Hlyche
 Notified in person of our intent to apply for an administrat.
 Variance - not a problem (m. (760) 889-0740 Var
 Letters from 18-20 neighbors - all contacted personally / email
 have given written and verbal support.

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.

E-21-01 Rose Backyard Chicken Exception


$$0.7328 \text{ acres} = 31,920 \text{ sq}^2$$
$$= 24,300 \text{ sq}^2.$$

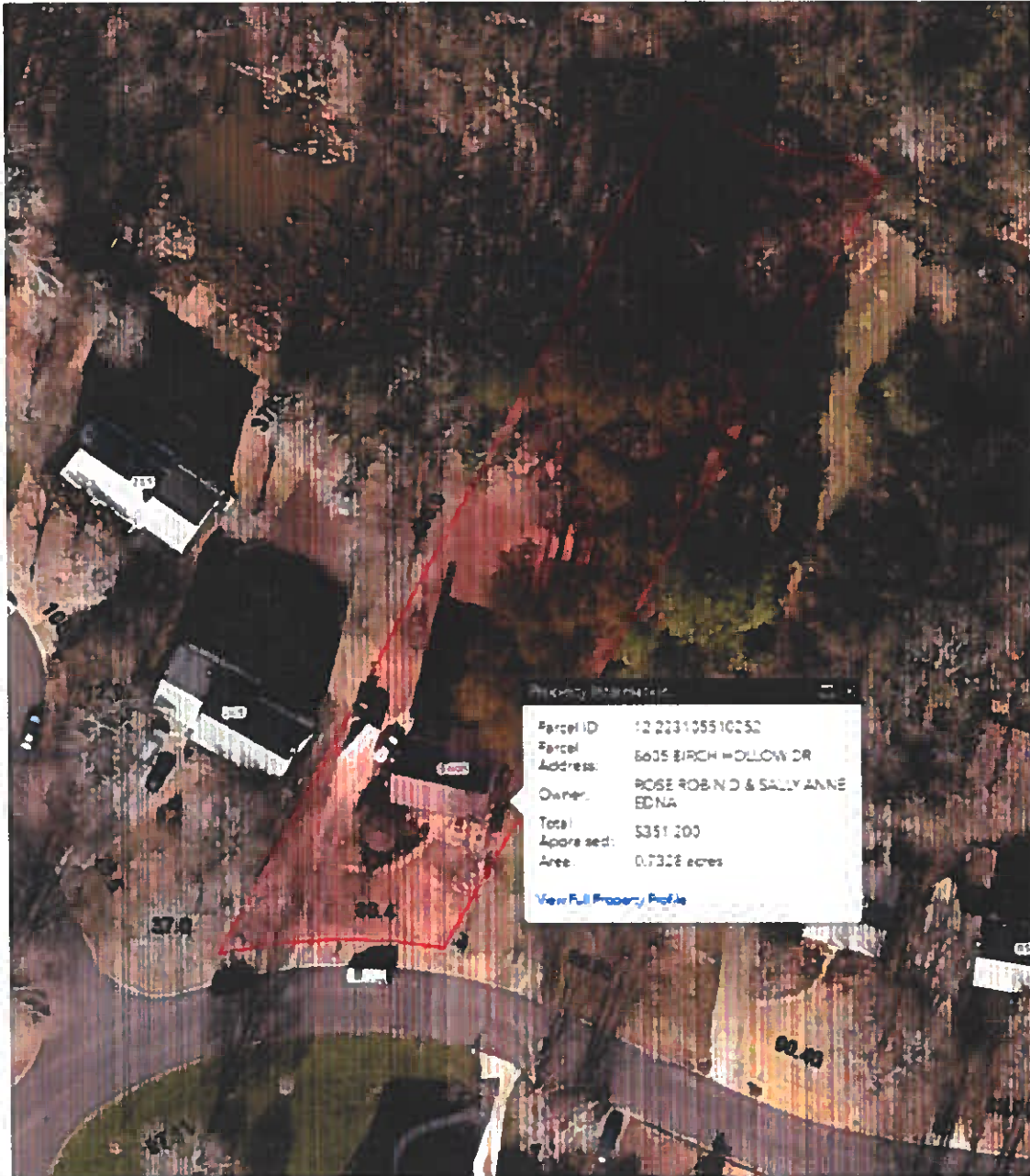
Total) 56 220 sq².
/ 1.290633 acre

1/4/21

E-21-01 Rose Backyard Chicken Exception

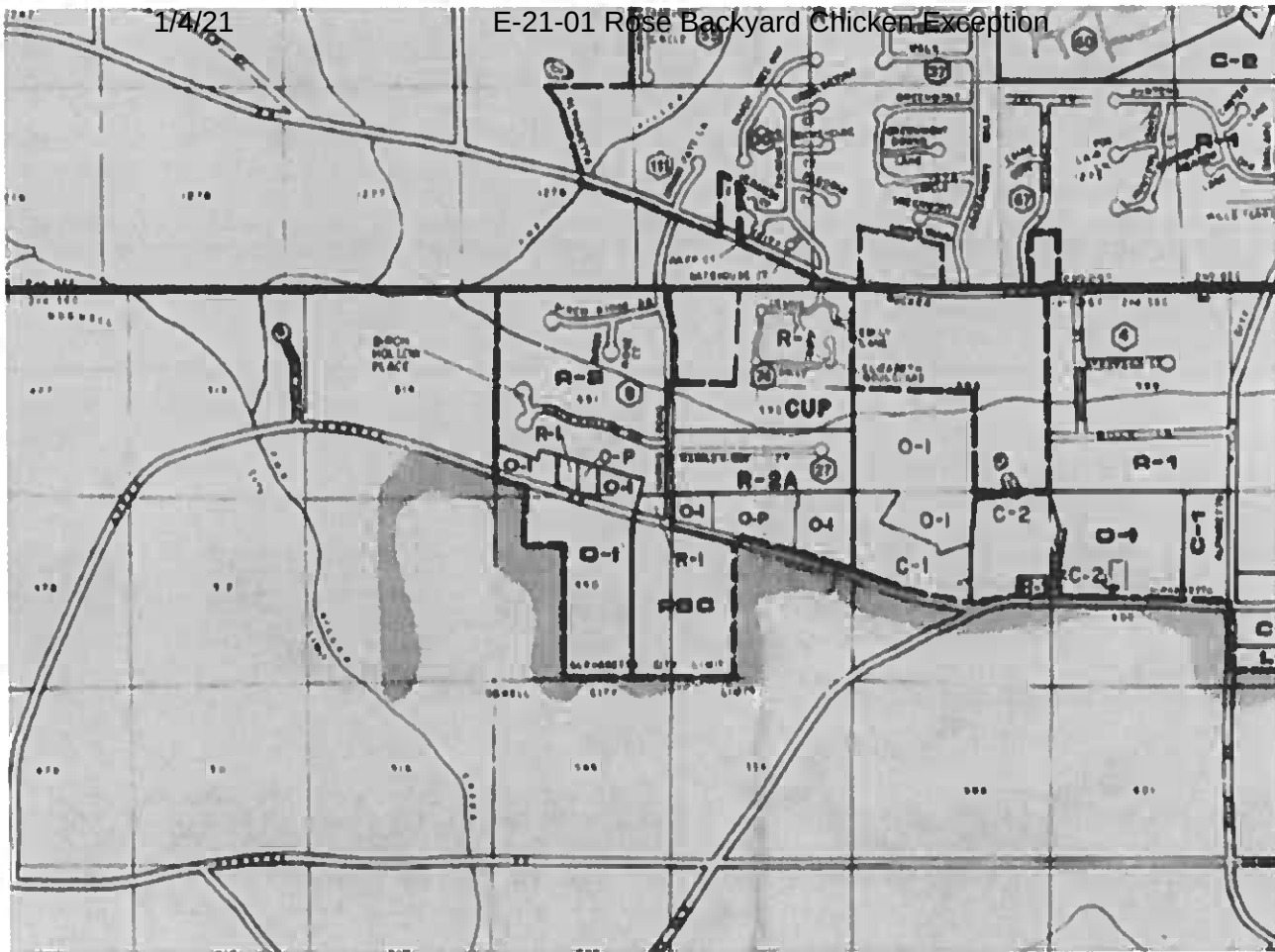
blackstad_family@hotmail.com

To: Rob Rose
Subject: RE: image003.png



1/4/21

E-21-01 Rose Backyard Chicken Exception



DISCLOSURE FORM

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

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

Name of Applicant or Opponent: _____

Subject Public Hearing Case: 8605 Birch Hollow - Backyard Chicken Variance.

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 has been made.

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

Name of Official: N/A Position: _____

Description of Contribution: _____ Value: \$0.

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: 

Date: 01/04/21

PROPERTY OWNER AUTHORIZATION**Property Owner Information:**

Contact Name: Robin Rose. Telephone: 678 361 3630.
Address: 8605 Birch Hollow Dr Suite: _____
City: Roswell 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: Same as above Telephone: _____
Address: _____ Suite: _____
City: _____ State: _____ Zip: _____

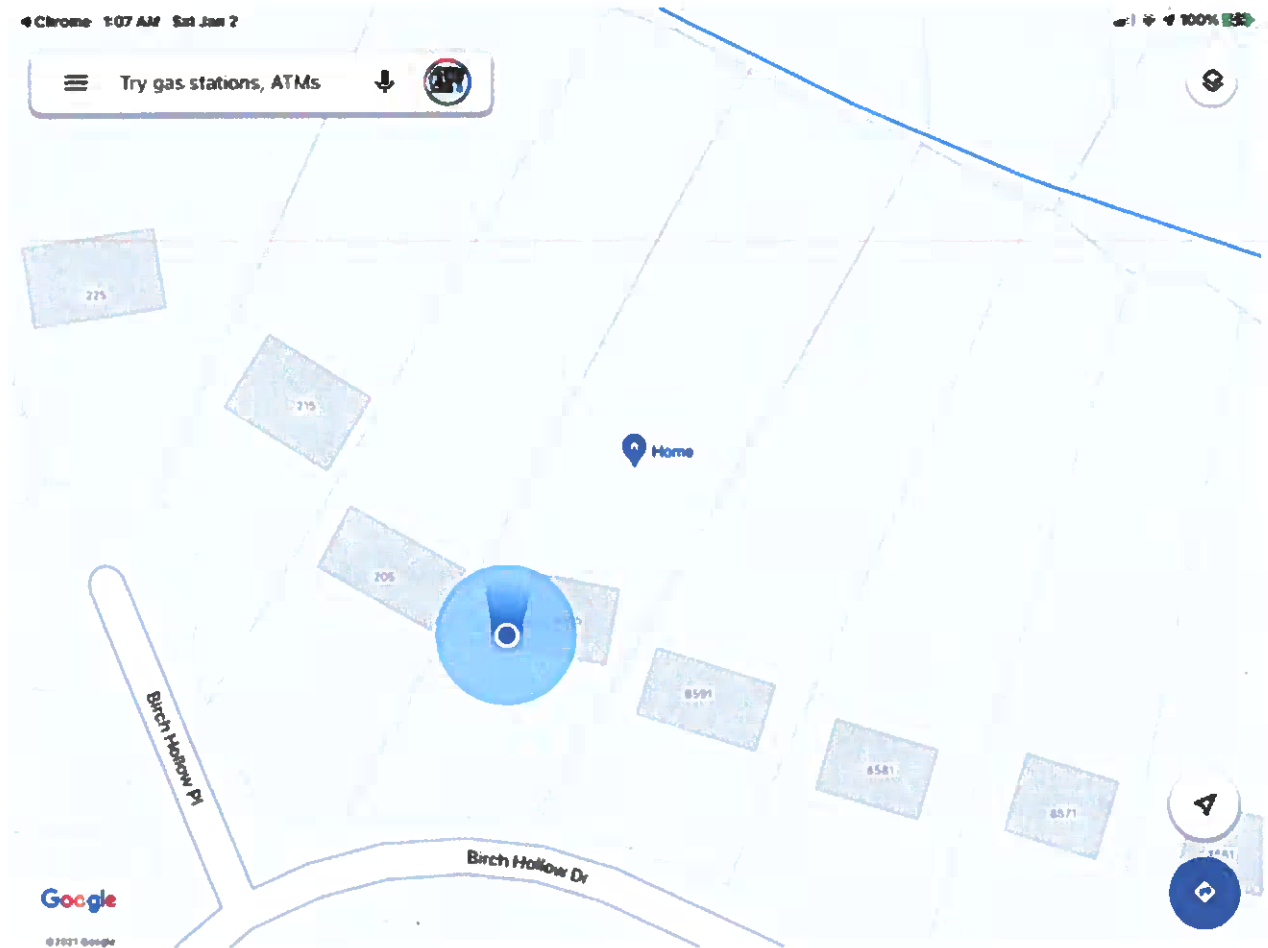
So Sworn and Attested:

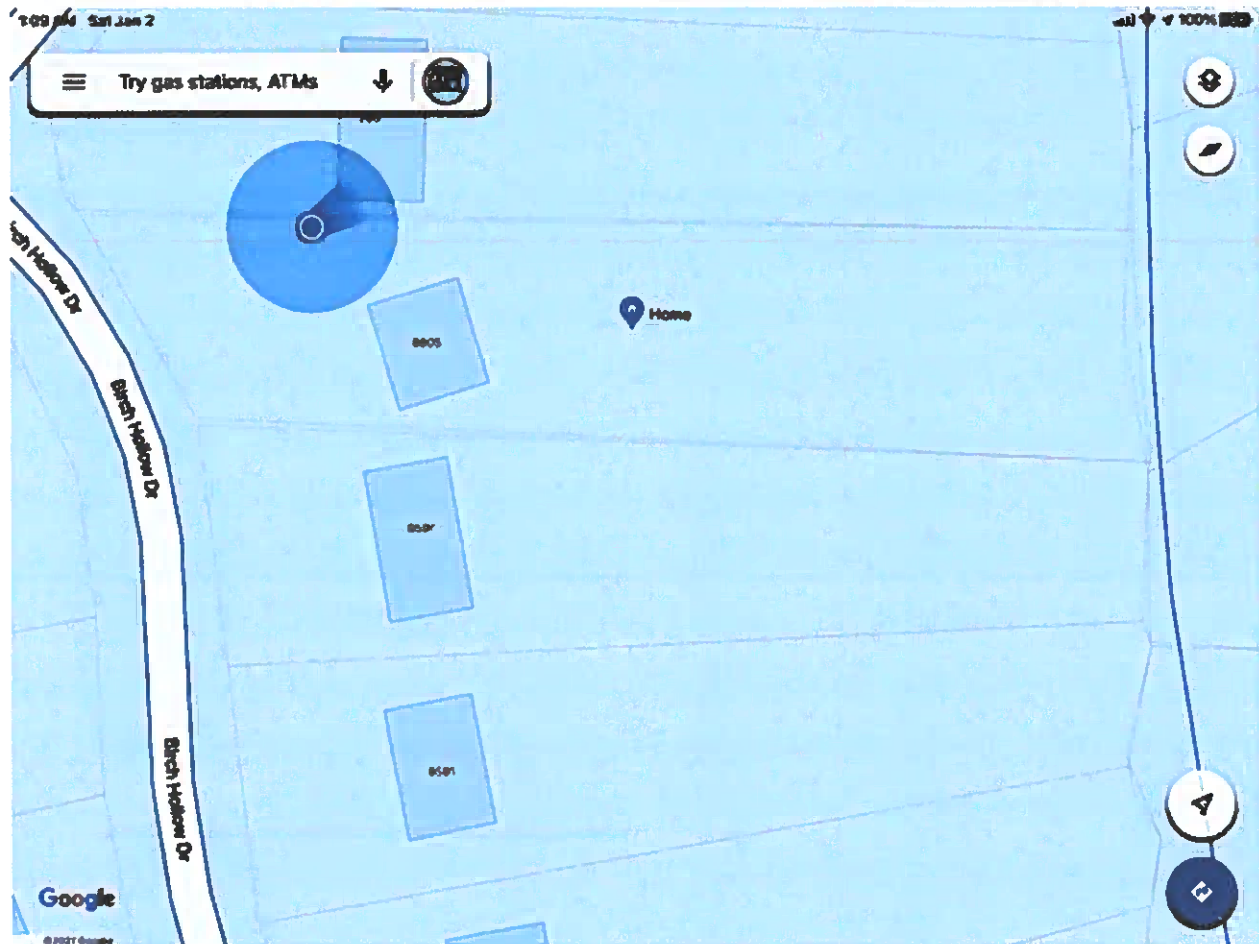
Owner Signature: [Signature] Date: 1/3/2021

Notary:

Notary Signature: Barbara B. Howell Date: 1/3/2021







BOUNDARIES

-  SUBDIVISION DEVELOPMENT LOCATOR
-  ALPHARETTA CITY LIMIT LINE
-  ZONING DISTRICTS
-  UN-INCORPORATED FULTON COUNTY

ZONING DISTRICTS

- | | | |
|---|------|---|
|  | A0 | Agriculture |
|  | R | Single Family Residential-Suburban |
|  | R-1 | Single Family Residential |
|  | R-2 | Single Family Residential |
|  | R-2A | Single Family Residential-Cluster |
|  | R-3 | Single Family Residential-Attached, Low Density |
|  | R-3A | Single Family Residential-Attached For Single, Medium Density |
|  | R-4 | Multiple Family Residential-High Density |
|  | CUP | Community Unit Plan |
|  | O-P | Office-Professional |
|  | O-I | Office-Institutional |
|  | C-1 | Neighborhood Commercial |
|  | C-2 | Central Business District |
|  | PSC | Planned Shopping Center |
|  | LI | Light Industrial |
|  | OS-R | Open Space and Recreational |
|  | SU | Special Use |
|  | S | Special Exception |

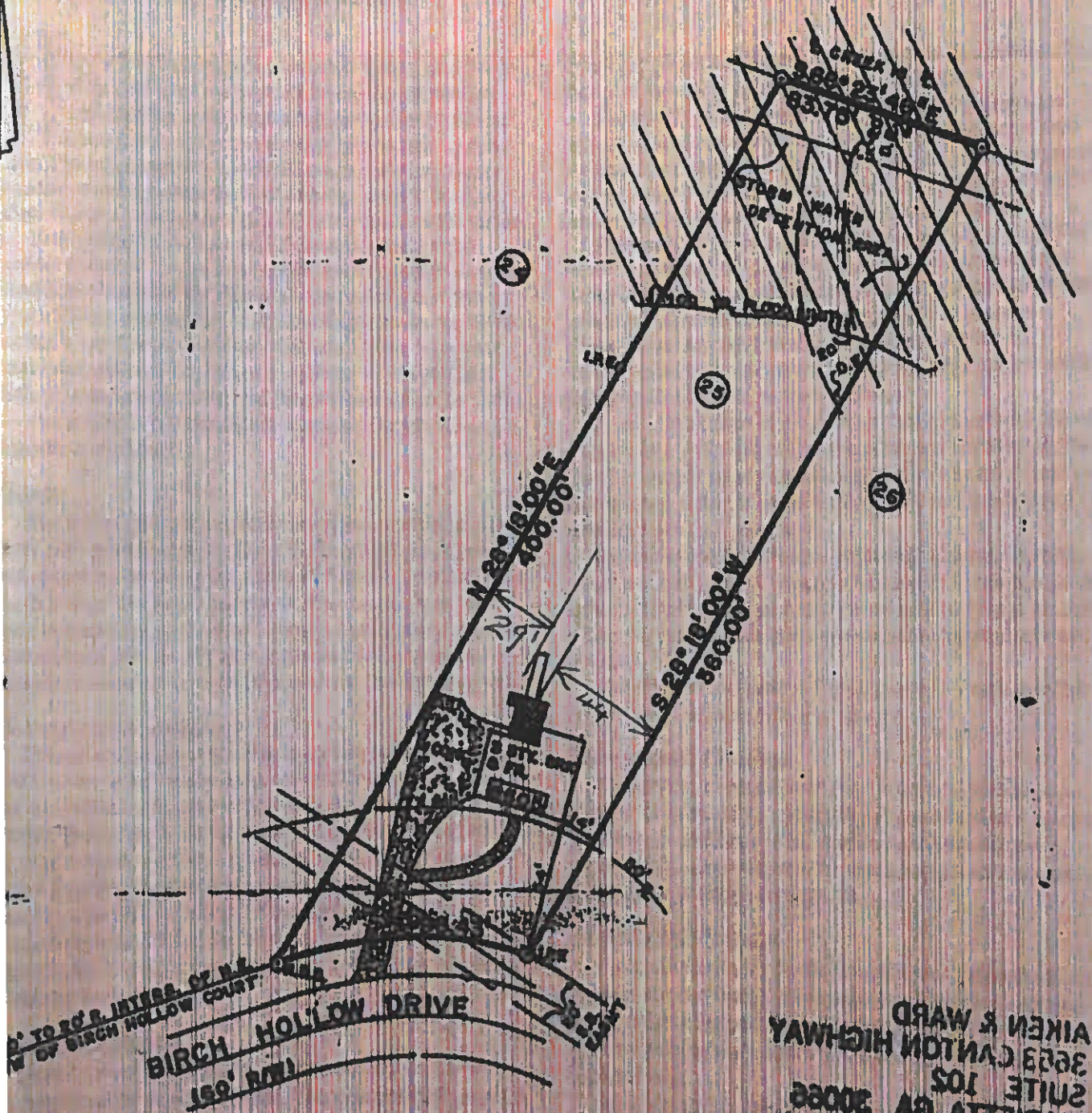
ZONING

CITY of ALPHARETTA
Fulton County, Georgia

DATE OF LAST MAP REVISION

JULY 1997

IMPROVEMENTS THEREON ARE IN
NO DANGER OF FLOODING IN THE
OPINION OF THE SURVEYOR.

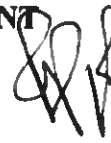




RESIDENTIAL LEASE AGREEMENT

THIS LEASE (the "Lease") dated this 1st day of January, 2021

December 2020



BETWEEN:

Michael Broadway

(the "Landlord")

- AND -

Robin Rose

(the "Tenant")

(individually the "Party" and collectively the "Parties")

IN CONSIDERATION OF the Landlord leasing certain premises to the Tenant and other valuable consideration, the receipt and sufficiency of which consideration is hereby acknowledged, the Parties agree as follows:

Leased Property

1. The Landlord agrees to rent to the Tenant the portion of 8591 Birch Hollow Drive Roswell GA 30076 - an area of 90'x270' which is 24,300 sqft of unimproved property, municipally described as 8591 Birch Hollow Drive, Roswell, GA 30076 (the "Property"), for use as residential premises only. The Property is more particularly described as follows: Front portion of 8591 Birch Hollow Drive - an unimproved area measuring 90'x270' a total area of 24'300 sqft.
2. Chickens are allowed to be kept in or about the Property.

Term

3. The term of the Lease is a periodic tenancy commencing at 12:00 noon on December 1, 2020 and continuing on a year-to-year basis until the Landlord or the Tenant terminates the tenancy.
4. Notwithstanding that the term of this Lease commences on December 1, 2020, the Tenant is entitled to possession of the Property at 12:00 noon on December 1, 2020.
5. Any notice to terminate this tenancy must comply with the applicable legislation of the State of Georgia (the "Act").

Rent

6. Subject to the provisions of this Lease, the rent for the Property is \$1.00 per year (the "Rent").
7. The Tenant will pay the Rent on or before the January 1 of each and every year of the term of this Lease to the Landlord at 8591 Birch Hollow Dr, Roswell GA 30076 or at such other place as the Landlord may later designate by cash.
8. The Landlord may increase the Rent for the Property upon providing to the Tenant such notice as required by the Act.

Quiet Enjoyment

9. The Landlord covenants that on paying the Rent and performing the covenants contained in this Lease, the Tenant will peacefully and quietly have, hold, and enjoy the Property for the agreed term.

Inspections

10. The Tenant acknowledges that the Tenant inspected the Property, including the grounds and all buildings and improvements, and that they are, at the time of the execution of this Lease, in good order, good repair, safe, clean, and tenantable condition.
11. At all reasonable times during the term of this Lease and any renewal of this Lease, the Landlord and its agents may enter the Property to make inspections or repairs, or to show the Property to prospective tenants or purchasers in compliance with the Act.

Tenant Improvements

12. The Tenant may NOT make improvements to the Property.

Utilities and Other Charges

13. The Tenant is responsible for the payment of all utilities in relation to the Property.

Insurance

14. The Tenant is hereby advised and understands that the personal property of the Tenant is not insured by the Landlord for either damage or loss, and the Landlord assumes no liability for any such loss.
15. The Tenant is not responsible for insuring the Landlord's contents and furnishings in or about the Property for either damage or loss, and the Tenant assumes no liability for any such loss.

Attorney Fees

16. In the event that any action is filed in relation to this Lease, the unsuccessful Party in the action will pay to the successful Party, in addition to all the sums that either Party may be called on to pay, a reasonable sum for the successful Party's attorney fees.

Governing Law

17. This Lease will be construed in accordance with and exclusively governed by the laws of the State of Georgia.

Severability

18. If there is a conflict between any provision of this Lease and the Act, the Act will prevail and such provisions of the Lease will be amended or deleted as necessary in order to comply with the Act. Further, any provisions that are required by the Act are incorporated into this Lease.
19. The invalidity or unenforceability of any provisions of this Lease will not affect the validity or enforceability of any other provision of this Lease. Such other provisions remain in full force and effect.

Amendment of Lease

20. This Lease may only be amended or modified by a written document executed by the Parties.

Assignment and Subletting

21. The Tenant will not assign this Lease, or sublet or grant any concession or license to use the Property or any part of the Property. Any assignment, subletting, concession, or license, whether by operation of law or otherwise, will be void and will, at Landlord's option, terminate this Lease.

Damage to Property

22. If the Property should be damaged other than by the Tenant's negligence or willful act or that of the Tenant's employee, family, agent, or visitor and the Landlord decides not to rebuild or repair the Property, the Landlord may end this Lease by giving appropriate notice.

Care and Use of Property

23. The Tenant will promptly notify the Landlord of any damage, or of any situation that may significantly interfere with the normal use of the Property or to any furnishings supplied by the Landlord.
24. The Tenant will not engage in any illegal trade or activity on or about the Property.
25. The Parties will comply with standards of health, sanitation, fire, housing and safety as required by law.

26. The Parties will use reasonable efforts to maintain the Property in such a condition as to prevent the accumulation of moisture and the growth of mold. The Tenant will promptly notify the Landlord in writing of any moisture accumulation that occurs or of any visible evidence of mold discovered by the Tenant. The Landlord will promptly respond to any such written notices from the Tenant.
27. If the Tenant is absent from the Property and the Property is unoccupied for a period of 4 consecutive days or longer, the Tenant will arrange for regular inspection by a competent person. The Landlord will be notified in advance as to the name, address and phone number of the person doing the inspections.
28. At the expiration of the term of this Lease, the Tenant will quit and surrender the Property in as good a state and condition as they were at the commencement of this Lease, reasonable use and wear and tear excepted.

Prohibited Activities and Materials

29. The Tenant will not keep or have on the property any article or thing of a dangerous, flammable or explosive character that might unreasonably increase the danger of fire on the Property or that might be considered hazardous by any responsible insurance company.
30. The Tenant will not perform any activity on the Property or have on the property any article or thing that the Landlord's insurance company considers increases any insured risk such that the insurance company denies coverage or increases the insurance premium.
31. The Tenant is prohibited from:
 - a. the storage of expensive articles on the Property if it creates an increased security risk; and
 - b. the growing of, or storage of, medical marijuana on the Property.
32. The Tenant will not perform any activity on the Property that the Landlord feels significantly increases the use of electricity, heat, water, sewer or other utilities on the Property.

Rules and Regulations

33. The Tenant will obey all rules and regulations of the Landlord regarding the Property.

Address for Notice

34. For any matter relating to this tenancy, the Tenant may be contacted at the Property or through the phone number below. After this tenancy has been terminated, the contact information of the Tenant is:
 - a. Name: Robin Rose.
 - b. Phone: (678) 361-3630.

- c. Email: Usarose@icloud.com.
 - d. Post termination notice address:
-

35. For any matter relating to this tenancy, whether during or after this tenancy has been terminated, the Landlord's address for notice is:
- a. Name: Michael Broadway.
 - b. Address: 8591 Birch Hollow Dr, Roswell GA 30076.

The contact information for the Landlord is:

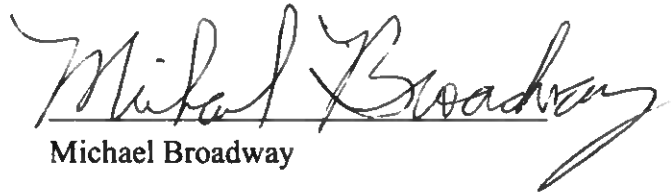
- c. Phone: (404) 402-1664.
- d. Email address: Mbroadway@metotech.com.

General Provisions

- 36. All monetary amounts stated or referred to in this Lease are based in the United States dollar.
- 37. Any waiver by the Landlord of any failure by the Tenant to perform or observe the provisions of this Lease will not operate as a waiver of the Landlord's rights under this Lease in respect of any subsequent defaults, breaches or non-performance and will not defeat or affect in any way the Landlord's rights in respect of any subsequent default or breach.
- 38. This Lease will extend to and be binding upon and inure to the benefit of the respective heirs, executors, administrators, successors and assigns, as the case may be, of each Party. All covenants are to be construed as conditions of this Lease.
- 39. All sums payable by the Tenant to the Landlord pursuant to any provision of this Lease will be deemed to be additional rent and will be recovered by the Landlord as rental arrears.
- 40. Where there is more than one Tenant executing this Lease, all Tenants are jointly and severally liable for each other's acts, omissions and liabilities pursuant to this Lease.
- 41. Locks may not be added or changed without the prior written agreement of both Parties, or unless the changes are made in compliance with the Act.
- 42. The Tenant will be charged an additional amount of \$1.00 for each N.S.F. check or checks returned by the Tenant's financial institution.
- 43. Headings are inserted for the convenience of the Parties only and are not to be considered when interpreting this Lease. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.

44. This Lease and the Tenant's leasehold interest under this Lease are and will be subject, subordinate, and inferior to any liens or encumbrances now or hereafter placed on the Property by the Landlord, all advances made under any such liens or encumbrances, the interest payable on any such liens or encumbrances, and any and all renewals or extensions such liens or encumbrances.
45. This Lease may be executed in counterparts. Facsimile signatures are binding and are considered to be original signatures.
46. This Lease constitutes the entire agreement between the Parties. Any prior understanding or representation of any kind preceding the date of this Lease will not be binding on either Party except to the extent incorporated in this Lease.
47. The Tenant will indemnify and save the Landlord, and the owner of the Property where different from the Landlord, harmless from all liabilities, fines, suits, claims, demands and actions of any kind or nature for which the Landlord will or may become liable or suffer by reason of any breach, violation or non-performance by the Tenant or by any person for whom the Tenant is responsible, of any covenant, term, or provisions hereof or by reason of any act, neglect or default on the part of the Tenant or other person for whom the Tenant is responsible. Such indemnification in respect of any such breach, violation or non-performance, damage to property, injury or death occurring during the term of the Lease will survive the termination of the Lease, notwithstanding anything in this Lease to the contrary.
48. The Tenant agrees that the Landlord will not be liable or responsible in any way for any personal injury or death that may be suffered or sustained by the Tenant or by any person for whom the Tenant is responsible who may be on the Property of the Landlord or for any loss of or damage or injury to any property, including cars and contents thereof belonging to the Tenant or to any other person for whom the Tenant is responsible.
49. The Tenant is responsible for any person or persons who are upon or occupying the Property or any other part of the Landlord's premises at the request of the Tenant, either express or implied, whether for the purposes of visiting the Tenant, making deliveries, repairs or attending upon the Property for any other reason. Without limiting the generality of the foregoing, the Tenant is responsible for all members of the Tenant's family, guests, servants, tradesmen, repairmen, employees, agents, invitees or other similar persons.
50. During the last 30 days of this Lease, the Landlord or the Landlord's agents will have the privilege of displaying the usual 'For Sale' or 'For Rent' or 'Vacancy' signs on the Property.
51. Time is of the essence in this Lease.

IN WITNESS WHEREOF Robin Rose and Michael Broadway have duly affixed their signatures on this 1st day of January, 2021.


Michael Broadway


Robin Rose

The Tenant acknowledges receiving a duplicate copy of this Lease signed by the Tenant and the Landlord on the 1st day of December, 2020.


Robin Rose

PLAT BIRCH HOLLOW DRIVE

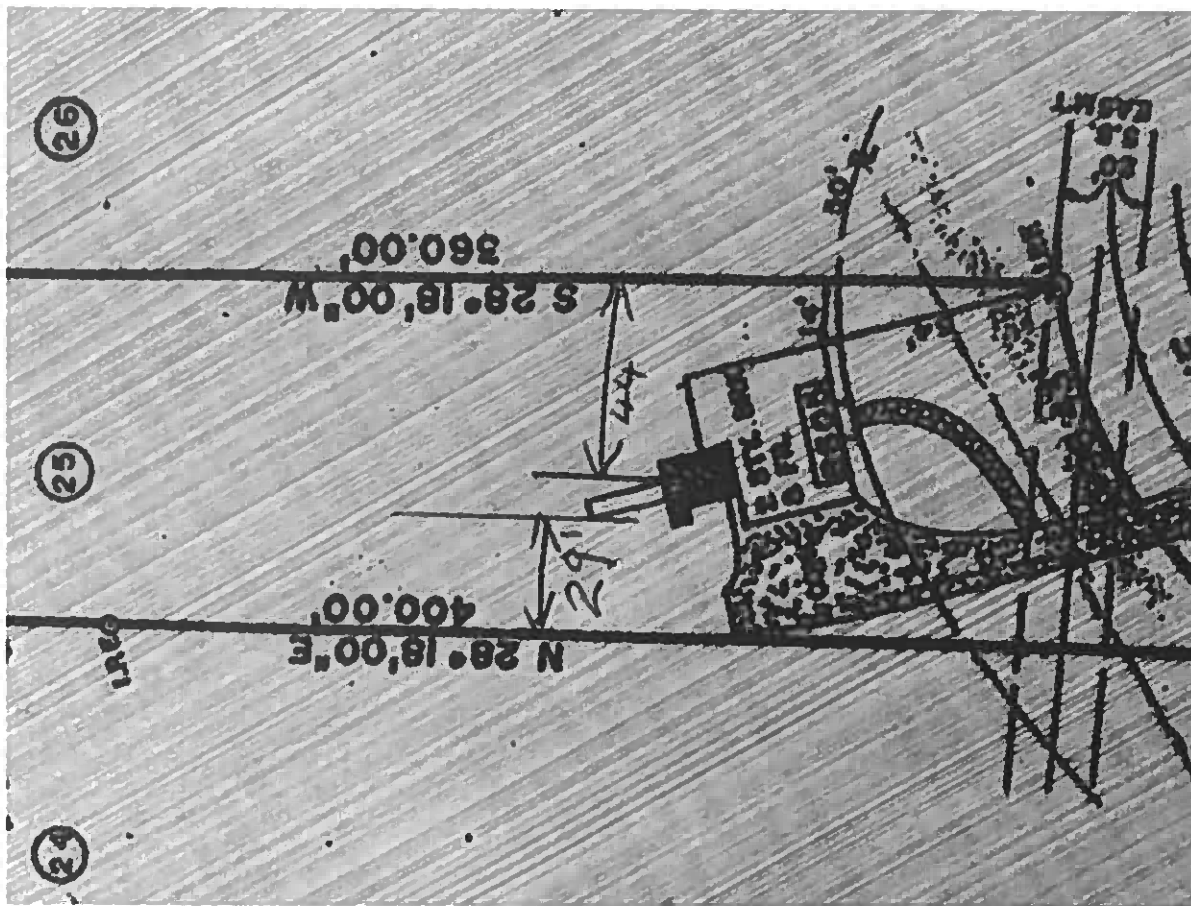
[illegible]







Dog: Zora (black and white mix)
Geko: Lizzy(leopard)
[REDACTED]
Emergency/Day:
[REDACTED]
Emergency/Out-of-town:
[REDACTED]
[REDACTED]
[REDACTED]
★ 755 Birch Ridge Drive confirmed 8/4/2019
Joshua and Natasha Hyche
London Hyche [REDACTED]
[REDACTED]
[REDACTED]
760 Birch Ridge Drive confirmed 8/3/2019
James Edwards and Darryl McNeil



29 to East boundary and 44 West boundary - probably 800-900 feet to neighbor (Joshua and Natasha Hyche) on direct opposite side of creek
 Joshua was contacted in person and he has no objection to this variance application.
 The above pictures show how thick the forest is - no direct or indirect view from any of those neighbors.

Best Regards
 Rob Rose

c 678-361-3630
 m usarose@cloud.com

8605 Birch Hollow Dr.
 Roswell GA 30076