



## Variance Application

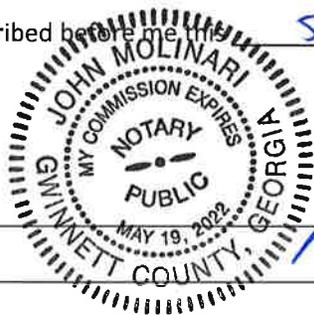
<b>Type</b>	Type of Request: <input type="checkbox"/> Zoning/Special Exception <input type="checkbox"/> Sign <input checked="" type="checkbox"/> Stream Buffer <input type="checkbox"/> Other <input type="checkbox"/> Administrative (Zoning/Special Exception or Stream Buffer)				
	Applicable Zoning/Sign Code Section:				
	Nature of Request:	Required:	Proposed:	Minimum Setback Requirements	Proposed Setback Requirements
	<input type="checkbox"/> Setback	(See Chart to the Right)		Front <u>30</u>	Front <u>30</u>
	<input type="checkbox"/> Sign			Side <u>7.5</u>	Side <u>7.5</u>
<input type="checkbox"/> # Parking Spaces			Rear <u>40</u>	Rear <u>40</u>	
<input type="checkbox"/> Other _____			Other	Other	
<b>Project</b>	Name of Project/Subdivision: <u>1464 Bates Ct</u>			Present Zoning: <u>RS-75</u>	
	Property Address/Location: <u>1464 Bates Ct</u>				
	District: <u>18<sup>th</sup></u>	Land Lot: <u>237</u>	Block: <u>A</u>	Property ID: <u>1823714035</u>	
	Is this development and/or request seeking any incentives or tax abatement through the City of Brookhaven or any entity that can grant such waivers, incentives, and/or abatements? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
<b>Owner Information</b>	Name: <u>John + Denise Morrison</u>				
	Address: <u>1464 Bates Ct</u>				
	Phone: <u>770-680-0148</u>		Fax:		
	Cell:		Email: <u>jpaul-morrison@yahoo.com</u>		
<b>Applicant</b>	Name: <u>Drew Clough</u>				
	Address: <u>5880 Live Oak Way, Suite 100, Norcross, GA 30093</u>				
	Phone:		Fax:		
	Cell: <u>770-883-0006</u>		Email: <u>drewcloughwaterfordhomes.com</u>		
<b>Affidavit</b>	<i>To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Brookhaven Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Brookhaven Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included</i>				
	Applicant's Name: <u>Denise Morrison</u>				
	Applicant's Signature: <u>Denise M. Morrison</u> <i>John M. Morrison</i> <u>10/3/20</u>				
<b>Notary</b>	Sworn to and subscribed before me this <u>5</u> Day of <u>OCT</u> 20 <u>20</u>				
	Notary Public: <u>JOHN MOLINARI</u>				
	Signature: <u>[Signature]</u>				
Date: <u>10/05/2020</u>					
<b>Office Use</b>	Application Received By:		Project Title:		
	<input type="checkbox"/> Application Fee <input type="checkbox"/> Sign Fee (\$135 per 500 feet per frontage) <input type="checkbox"/> Legal Fee (\$20)				
	Fee: \$	Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> CC		Date:	
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied				Date:	



Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this variance application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for variance(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner	Signature: <i>John Molinari</i> <i>Dennis M. Morin</i>	Date: 10/2/20	
	Address: 1464 Bates Ct	City, State: Brookhaven GA	Zip: 30319
	Phone: 770-680-0148		
	Sworn to and subscribed before me this <u>5<sup>th</sup></u> day of <u>October</u> , 20 <u>20</u>		
Notary Public:			
Property Owner (If Applicable)	Signature: <i>Dennis M. Morin</i>	Date: 10/2/20	
	Address: 1464 Bates Ct	City, State: Brookhaven GA	Zip: 30319
	Phone:		
	Sworn to and subscribed before me this <u>5<sup>th</sup></u> day of <u>October</u> , 20 <u>20</u>		
Notary Public:			
Property Owner (If Applicable)	Signature:	Date:	
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20____		
Notary Public:			



*[Handwritten signature]*





absence on the plans. If a specimen tree is to be removed, provide a calculation for recompense at 1.5x the diameter.)

**Additional Requirements for Stream Buffer Variances**

**Site Plan Requirements:**

1. Delineation of the stream buffer (state, 50-foot undisturbed and 25-foot additional setback) and the limits of all existing and proposed land development or land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated in a table as follows:

Buffer Area	Existing Encroachment (square feet)	Proposed Encroachment (square feet)
25 foot (state buffer)	107.96	93.69
50 foot (city buffer)	460.44	821.98
75 foot (city setback)	1421.56	1766.36

2. At least one alternative plan, which does not include a buffer or setback intrusion, and includes an explanation of why such alternative plan is not feasible;
3. A calculation of the total area and length of the proposed intrusion
4. A stormwater management site plan; and,
5. Proposed mitigation for the intrusion as outlined in Section 14-153(b)(1)

For Grandfather Provisions, refer to Section 14-151 of the Stream Buffer Protection Ordinance

For Exemptions, refer to Section 14-152 of the Stream Buffer Protection Ordinance

For Additional Information Requirements refer to Section 14-155 of the Stream Buffer Protection Ordinance

**Mitigation Requirements (not required for administrative stream buffer variances):**

(A) The provision for storm water management and water quality control measures pursuant to Article IV, *Stormwater Management*, and Article V, *Water Quality Control*, of Chapter 14, *Land Disturbance and Subdivisions*, for 100% of the total existing and proposed impervious areas on the parcel; provided, however, in adopting such measures, the exemptions in Sec. 14-79(c) of the code are not available for purposes of this Sec.14-153(b).

(B) the planting of one 2-1/2" caliper tree of a similar type on the parcel, in addition to any other tree(s) that are required to satisfy the landscape or tree ordinances of the city, for each tree having a diameter of eight (8) inches or greater at breast height that is removed from the buffer or setback area pursuant to an approved variance under this ordinance.

# P&Z 10-05-20

## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 237 of the 18<sup>th</sup> District, Dekalb County, Georgia, being Lot 12, Block A, Unit One of Hillwood Subdivision, as per plat recorded in Plat Book 15, page 163, Dekalb County records, which plat is by reference hereto is incorporated herein and made part of herof.

Variance: \$250    Variance Application Deadline: **P&Z 10-05-20** Wednesday, October 7, 2020  
 Sign (1): \$135    BOA Meeting: Wednesday, November 18, 2020 at 7 pm  
 Legal Ad: \$ 20    (meeting to be held virtually via ZOOM)  
**Total Variance Cost: \$405**



**PRE-APPLICATION FORM  
 LAND USE PETITIONS AND VARIANCE PETITIONS**

**Purpose & Process**

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review the application(s). To schedule a meeting contact a member of the Planning and Zoning Division by calling (404) 637 – 0500. This form will be completed during the pre-application meeting, and must be submitted at the same time you submit your application in order for your submittal to be deemed complete.

Applicant Name: JOHN & Denise Morrison Phone: 770-680-0148  
404-277-6508  
 Applicant E-mail: jmorrison@utm.com Fax: \_\_\_\_\_  
denmorrison@deloitte.com  
 Representative Name: Drew Clough Phone: 770-883-0006  
 Representative E-mail: drewclough@waterfordhomes.com Fax: \_\_\_\_\_  
 Site Address: 1464 Bates Court Parcel Size: 1.035 Acres  
 Tax Parcel #: 18 237 14 035 City Council District: 2- Park  
 Existing Zoning and Case Number: RS-75 Proposed Zoning: \_\_\_\_\_  
 Comprehensive Plan Character Area Map Designation: Ashford Park- Drew Valley

Application Type:     Rezoning     Special Land Use Permit     Variance     Special Exception  
 Variance Type:     Administrative     Board of Appeals     Stream Buffer  
 Overlay District:     Peachtree Road Overlay     Buford Highway Overlay  
 Additional Studies:     Trip Generation Report     Traffic Impact Study  
                                    Development of Regional Impact Review     Environmental Impact Review  
 Proposal Description: Variance requested to reduce 75-foot stream buffer

\_\_\_\_\_  
 Applicant Signature: Denise M. Morrison Date: 10/2/2020  
Aronda Smith  
 Planner Signature: \_\_\_\_\_ Date: 9-25-20



# P&Z 10-05-20

September 29, 2020

To Whom It May Concern,

We are the property owners of 1470 Bates Court (Tom & Monica) and are writing in support of John & Denise Morrison's stream buffer variance at 1464 Bates Court. We have reviewed the proposed plans and support the Morrison's plan.

Thanks,

 THOMAS W. CHAPMAN

# P&Z 10-05-20

October 3, 2020

To Whom It May Concern,

I am the property owner of 1506 Bates Court (Emily Arnold) and am writing in support of John & Denise Morrison's stream buffer variance at 1464 Bates Court. I have reviewed the proposed plans and support the Morrison's plan.

Thanks,

*Emily Theresa Arnold*

# P&Z 10-05-20

To Whom It May Concern,

We are the property owners of 1486 Bates Court (Jonathan and Madilyn Kramer). We write in support of John and Denise Morrison's stream buffer variance at 1464 Bates Court. We have reviewed the proposed plans and support the Morrison's plans.

Best regards,  
Jonathan and Madilyn Kramer  
1486 Bates Court NE

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**Jonathan D. Kramer**

Partner

D: 404.214.1274 | C: 770.363.2109 | F: 404.214.1251

1180 W. Peachtree Street NW | Suite 1600 | Atlanta, GA 30309

[fieldshowell.com](http://fieldshowell.com) | [bio](#) | [my linkedin](#) | [vCard](#) | [map](#) | [email](#)

# P&Z 10-05-20

September 29, 2020

To Whom It May Concern,

We are the property owners of 1419 Bates Court (Michael & Courtney Alexander) and are writing in support of John & Denise Morrison's stream buffer variance at 1464 Bates Court. We have reviewed the proposed plans and support the Morrison's plan.

Thanks,

Handwritten signature of Michael Alexander in cursive script.

# P&Z 10-05-20

September 29, 2020

To Whom It May Concern,

I am the property owners of 1482 Bates Court (Katherine Pierce) and am writing in support of John & Denise Morrison's stream buffer variance at 1464 Bates Court. I have reviewed the proposed plans and support the Morrison's plan.

Thanks,



*Katherine Pierce*

# P&Z 10-05-20

September 29, 2020

To Whom It May Concern,

I am the property owner of 1461 Bates Court (Deanna Corbitt) and am writing in support of John & Denise Morrison's stream buffer variance at 1464 Bates Court. I have reviewed the proposed plans and support the Morrison's plan.

Thanks,

A handwritten signature in black ink, appearing to read "Deanna Corbitt", followed by a horizontal line extending to the right.

# P&Z 10-05-20

September 29, 2020

To Whom It May Concern,

We are the property owners of 1460 Bates Court (David & Trish Hoff) and are writing in support of John & Denise Morrison's stream buffer variance at 1464 Bates Court. We have reviewed the proposed plans and support the Morrison's plan.

Thanks,



David Hoff

1460 Bates Ct. NE

Brookhaven, GA 30319

(404) 421-9789



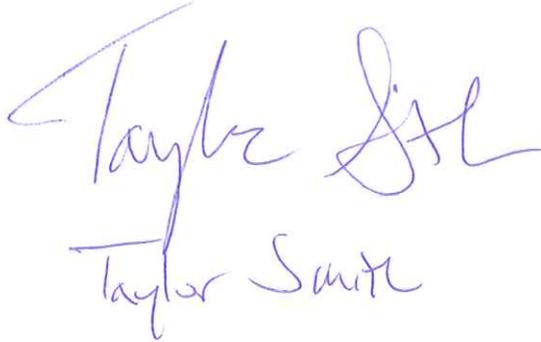
# P&Z 10-05-20

September 28, 2020

To Whom It May Concern,

We are the property owners of 1411 Bates Court (Taylor & Bethany Smith) and are writing in support of John & Denise Morrison's stream buffer variance at 1464 Bates Court. We have reviewed the proposed plans and support the Morrison's plan.

Thanks,



Taylor Smith  
Taylor Smith

# P&Z 10-05-20

September 29, 2020

To Whom It May Concern,

We are the property owners of 1454 Bates Court (Jason & Sallie Gray Clayton) and are writing in support of John & Denise Morrison's stream buffer variance at 1464 Bates Court. We have reviewed the proposed plans and support the Morrison's plan.

Thanks,



The image shows three handwritten signatures in black ink. The largest signature on the left is 'Sallie Gray Clayton'. To its right are two smaller, more compact signatures, one of which appears to be 'JD' followed by a flourish, and another that is a stylized signature.

# P&Z 10-05-20

September 30, 2020

To Whom It May Concern,

We are the property owners of 1501 Bates Court (Brook & Nicole Heaps) and are writing in support of John & Denise Morrison's stream buffer variance at 1464 Bates Court. We have reviewed the proposed plans and support the Morrison's plan.

Thanks,

Nicole Heaps \_\_\_\_\_