



## P&Z STAFF REPORT

Mayor & City Council Meeting, September 20, 2016

Case: **ZM16-0017 – 3920 Dahlwiny Court**

Staff Contact: Kristin Byars (kbyars@sandyspringsga.gov)

Report Date: September 1, 2016

### REQUEST

To modify conditions 3.a. and 3.q. of zoning modification ZM08-009 to rezoning 2000Z-0083, to reduce the required minimum rear yard, rear buffer, and improvement setback to install a pool, paver pool deck, fire feature, and associated equipment.

### APPLICANT

Property Owners: Reza & Catherine Kasravi	Petitioner: Reza & Catherine Kasravi	Representative: Hap Richardson
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### SUMMARY

The subject property was rezoned in 2000, and the zoning was modified in 2008. Condition 3.q. was added as a condition to the 2000 Fulton County rezoning case in 2008, as a result of a request to modify a condition to allow both forward and side entry garages. Correspondence within the 2008 case file (attached to this report) indicates that the condition was the result of an agreement between the developer and the adjacent neighborhood, Spalding Green. The applicant seeks to modify the following conditions:

3.a. Minimum Rear Yard: 35 feet, except a minimum of 50 feet adjacent to Spalding Green Subdivision.

3.q. The owner/developer shall provide a permanent thirty-five (35) foot natural undisturbed buffer and ten (10) foot improvement setback adjacent to Spalding Green Subdivision. Said buffer shall be replanted where sparsely vegetated subject to the approval of the Sandy Springs Arborist.

The homeowner is requesting a reduction in the rear buffer from 35 feet to approximately 15 feet, and a reduction in the minimum rear yard from 50 feet to 35 feet to install a pool, paver pool deck, fire feature, and associated equipment. An existing drainage easement is being relocated toward the rear property line, and a landscaping plan has been provided.

The property owners have obtained approval from the Trillium Homeowners Association for the zoning modification request, relocation of the drainage easement, and the landscape plan, and have support from the Spalding Green neighbor directly adjacent to the property.

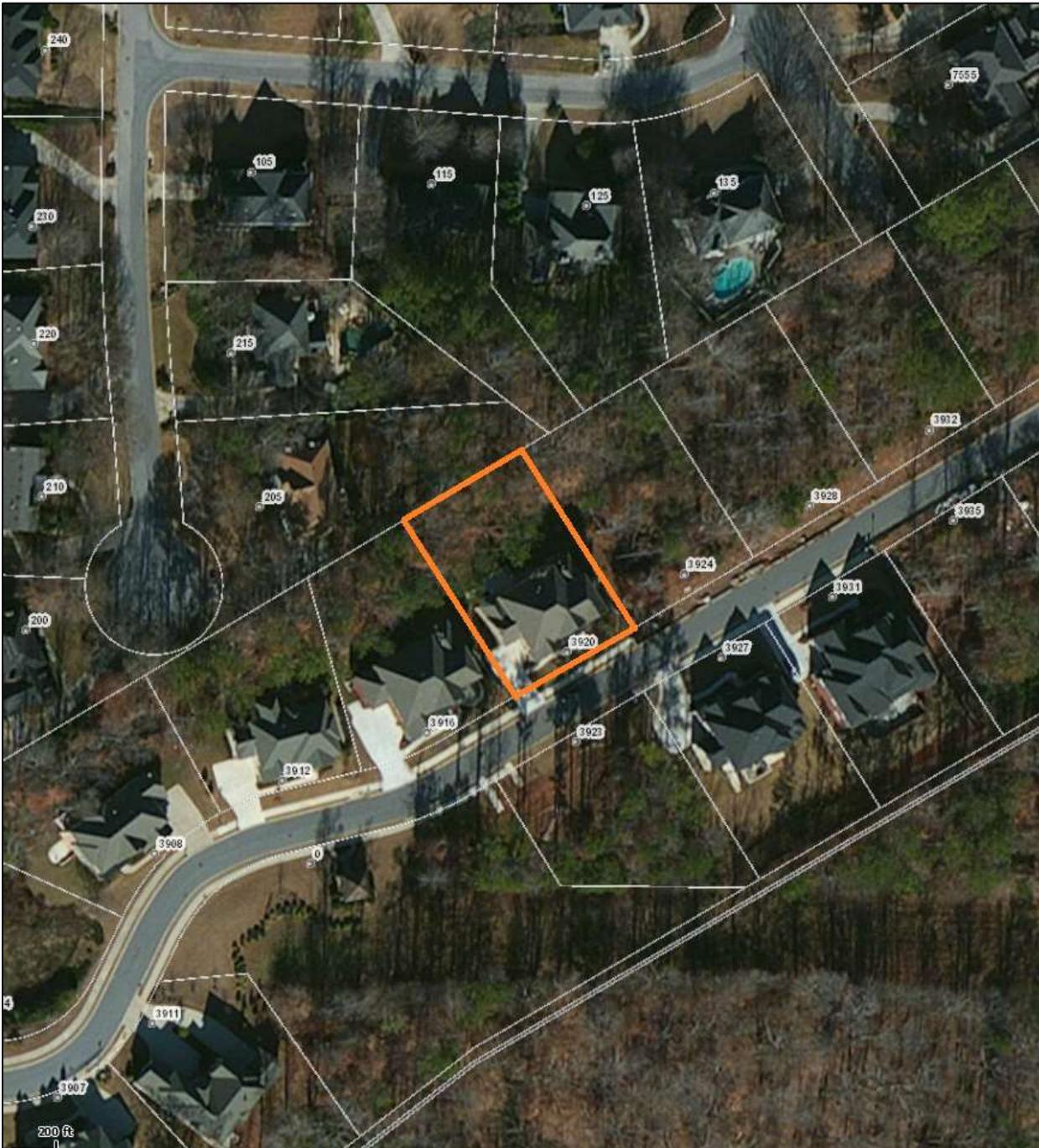
<b>RECOMMENDATIONS</b>	
<b>Planning Commission</b>	
Motion by Porter, seconded by Vice Chair Tart, to <b>DENY</b> ZM16-0017 based upon the 2008 zoning designation.	Yes: Haggard, Maziar, Porter, Tart No: Johns, Nickles
<b>Department of Community Development</b>	
<b>APPROVAL</b> of ZM16-0017. See Page 9 of this report for detailed recommendation.	

<b>PROPERTY INFORMATION</b>	
Location:	3920 Dahlwiny Court Land Lots 311, District 6 Parcel # 06 0310 LL0508
Council District:	1: John Paulson
Road frontage:	Approximately 100 feet of frontage along Dahlwiny Court
Acreage:	Approximately 0.34 acre
Existing Zoning:	CUP per 2000Z-0083, ZM08-009
Existing Land Use:	Single Family Dwelling
Overlay District:	N/A
Special Planning Area:	Protected Neighborhood Character Area
Future Land Use Designation:	R0-1 (0 to 1 unit per acre)

<b>PROCESS</b>			
Initial Community Meeting: May 10, 2016	Second Community Meeting: June 22, 2016	Planning Commission Hearing: August 18, 2016	Mayor and City Council Hearing: September 20, 2016

<b>EXISTING LAND USES AND ZONING OF PROPERTY IN THE VICINITY</b>					
<b>Location relative to subject property</b>	<b>Zoning/ Land Use</b>	<b>Address</b>	<b>Land Area (acres)</b>	<b>Total square footage or units</b>	<b>Density (sf/acre or units/acre)</b>
North	R-3 per 1984Z-0155 – Spalding Green Single Family Subdivision	205 Walhalla Court	0.63	1 unit	1.587 units/acre
East	CUP per 2000Z-0083 – Trillium Subdivision	3924 Dahlwiny Court	0.34	1 unit	2.94 units/acre
West	CUP per 2000Z-0083 – Trillium Subdivision	3916 Dahlwiny Court	0.35	1 unit	2.86 units/acre
South	CUP per 2000Z-0083 – Trillium Subdivision	3923 Dahlwiny Court	0.35	1 unit	2.86 units/acre

**AERIAL IMAGE**



ZONING MAP

3920 Dahlwint Ct





**ZONING IMPACT ANALYSIS**

Per Article 22.10.1, *Modification Considerations*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors.

**A. *There are clear and compelling reasons, which are not purely financial, demonstrating that the conditions of zoning cannot be met.***

Finding: In total, the zoning buffer and improvement setback consume approximately 4,500 square feet of the 15,016 total lot area. The 50 foot minimum rear yard consumes one-third of the total lot area, approximately 5,000 square feet. The minimum rear yard, buffer, and improvement setback minimize the potential for any improvements in the rear yard, establishing a compelling reason why the conditions of zoning cannot be met.

**B. *The modification requested would result in consistency with the original intent of the zoning action.***

Finding: It appears that the original intent of the zoning action was to establish a visual buffer between the new subdivision and the existing Spalding Green Subdivision. To maintain consistency with the original intent, the proposal supplements the modification request with a landscaping plan that will work to establish a robust buffer zone with two staggered planting rows between the property and the adjacent Spalding Green neighborhood. The landscaping plan proposes evergreen red cedars and southern magnolias, hemlocks, azaleas, and gardenias along the rear property line.

**C. *The modification requested would result in consistency with the general intent of the Zoning Ordinance, with the Comprehensive Plan policies, and would not be detrimental to the public good, safety, and welfare.***

Finding: Section 4.3.4.B.2 of the Zoning Ordinance permits encroachments for covered or uncovered porches, decks, or patios up to 10 feet into any minimum rear yard. However, condition 3.b. of the conditions of zoning for 3920 Dahlwiny Court stipulates that decks, patios, or gazebos shall not encroach into the rear yard setback of lots adjoining Spalding Green Subdivision.

Per Section 4.23.1 of the Zoning Ordinance, lots developed with single family dwelling units are *not* required to provide landscape areas or zoning buffers unless otherwise specified. Comparable buffers would be required adjacent to single family homes only for apartment or commercial developments. The proposal does not conflict with the Protected Neighborhood Character Area or other policies of the Comprehensive Plan, and would not be detrimental to the public good, safety, or welfare.

## COMMENTS FROM OTHER PARTIES

**Sandy Springs Public Works:** No comment at this time.

**Sandy Springs Arborist:** Evergreen screening should be planted with minimal disturbance to the root zone of the existing trees.

**Sandy Springs Building Official:** No comment at this time.

**Sandy Springs Fire Marshal:** No comment at this time.

### **Sandy Springs City Engineer:**

1. Site Plans should be based on ground-Run Topography provided by a Registered Georgia Design Professional.

2. Site Plan shall be prepared by a Georgia registered Design Professional.

3. A complete Grading Plan shall be prepared by a Georgia registered Design Professional showing contours supplemented with Spot Elevations and Top and Bottom of all Walls.

4. Provide water Quality for the first 1.2 Inches of rainfall over proposed Impervious Areas.

5. Provide adequate and appropriate Erosion Control BMPs using appropriate Symbols and Details in accordance with the Manual for Erosion and Sediment Control in Georgia, Sixth or 2016 Edition.

Note: The existing driveway, due to the amount of Land Disturbance proposed, may not be adequate as a Construction Exit.

**MARTA:** No comments received.

**Fulton County Schools:** No comments received.

### **Fulton County Department of Health and Wellness:**

#### EHS Comments

- If this property has no onsite water supply or onsite sewage management system and served by public water and public sanitary sewer, the Environmental Health Services Division of the Fulton County Department of Health and Wellness does not require any permits to be issued.

#### EJ & General Public Health Comments

- The Fulton County Department of Health and Wellness does not anticipate any adverse impacts to the health of humans or the environment by allowing the request to modify the zoning of the property to allow for the construction of a private swimming pool.

### **Public Services and Utilities:**

Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the City of Sandy

Springs and the Fulton County Plan Review process prior to the commencement of any construction activity.

**WATER AND WASTEWATER (SEWER):**

**WATER:**

Anticipated water demand: 270 gallons per day (gpd) per residential lot x 1 lot = 270 gallons per day (gpd).

This project is within the City of Atlanta water jurisdiction.

**SEWER:**

Basin: Johns Creek

Treatment Plant: Johns Creek

Anticipated sewer demand: 243 gallons per day

There is a wastewater manhole adjacent to the southeast property line of the 0.34 acre tract (3920 Dahlwiny Court) (sewer manhole # SMJC0502600) within the right of way of Dahlwiny Court located in Land Lot 311, District 6 that can service this development.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.

**City of Dunwoody:** No comment received.

## PUBLIC PARTICIPATION

The applicant hosted an initial community meeting on May 10, 2016. The second community meeting was held at City Hall of June 22, 2016. Two neighbors in support of the proposal were present at both community meetings.

## DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION

Due to its consistency with the original intent of the zoning action, Zoning Ordinance and Comprehensive Plan, and compelling reason that the conditions of zoning cannot be met, staff recommends **APPROVAL** of ZM16-0017, to modify conditions 3.a. and 3.q. of zoning modification ZM08-009 to rezoning 2000Z-0083 for 3920 Dahlwiny Court only (Parcel # 06 0310 LL0508), to reduce the required rear buffer and improvement setback to install a pool, paver pool deck, fire feature, and associated equipment, as follows:

3.a. Minimum Front Yard: 15 feet from back of curb

Minimum Side Yard (interior): 10 feet

Minimum Side Yard (corner): 20 feet

Minimum Rear Yard: 35 feet, ~~except a minimum of 50 feet adjacent to Spalding Green Subdivision~~

Minimum Lot Width: 75 feet, except the minimum lot width feet for lots 1 through 11 abutting Spalding Green Subdivision

Minimum Lot Frontage: 35 feet

Building Separation: 20 feet

3.q. The owner/developer shall provide a ~~permanent thirty five (35) foot natural undisturbed buffer and ten (10) foot improvement setback~~ 15 foot buffer with two staggered planting rows to provide year-round visual screening at five (5) feet in height from the ground adjacent to Spalding Green Subdivision ~~Said buffer shall be replanted where sparsely vegetated subject to the approval of the Sandy Springs Arborist.~~, substantially similar to the landscaping plan dated received by the Department of Community Development on August 8, 2016.



Case No.:   
 \_\_\_\_\_  
 Planner's initials: \_\_\_\_\_

PROJECT INFORMATION SHEET

PROPERTY	Address(es):	3920 DAHLWINY CT.	30350
	Parcel Tax ID:	06 0310 LL0508	
	Land Lot(s):	311	Land District(s): 6 <sup>TH</sup>
	Total acreage:	0.34	Council district: 1
	Current zoning:	00 CUP	Current use: RESIDENTIAL
	Overlay district:		Future land use:

APPLICATION	Purpose of the application:	INSTALL SWIMMING POOL			
	Check all that apply:				
		<input checked="" type="checkbox"/> Rezoning	<input checked="" type="checkbox"/> Modification	<input type="checkbox"/> Use permit(s)	<input type="checkbox"/> Concurrent variance(s)
	Detailed request (include Code/Ordinance Section No. for concurrent variances):				
		ZONING MODIFICATION (ZMOB-009) TO REDUCE THE BUFFER TO ACCOMMODATE A SWIMMING POOL.			
	Petitioner:	GEORGIA CLASSIC POOL (VANCE DOVER)			
	Petitioner's address:	131 SAVANNA ESTATES DR CANTON GA 30115			
	Phone:	404.606.2737	Email:	VANCEDOVER@LIVE.COM	

OWNER	Property owner:	REZA + CATHERINE KASRAVI		
	Owner's address:	3920 DAHLWINY CT SANDY SPRINGS 30350		
	Phone:	678.733.1719	Email:	CBALCAREK@ME.COM
	Signature (authorizing initiation of the process):			
<i>If the property is under contract and the owner is unavailable to sign, provide a copy of the contract</i>				

- TO BE FILLED OUT BY P&Z STAFF -

Pre-application meeting date:	Anticipated application date:
CM1 date, time, and location:	
<b>ADDITIONAL INFORMATION NEEDED:</b>	



Case No.:

Planner's initials: \_\_\_\_\_

APPLICATION FORM

APPLICATION	Purpose of the application:
	Check all that apply: <input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Modification <input type="checkbox"/> Use permit(s) <input type="checkbox"/> Concurrent variance(s)
	Detailed request (include Zoning Ordinance section No. for concurrent variances):
	Request to modify condition 3g of Zoning Modification
	2008-009 to rezoning 200-0083 to reduce the required 35 ft buffer for 3920 Dahlway Ct for the installation of a swimming pool.

COMMUNITY MEETING 1 REPORT	Date and location of CM1: May 10, 2016    1200 Lake Heaven Dr, Sandy Springs, GA
	Beginning time: 6:03 P.M.    End time: 8:25 P.M.
	Summary of concerns discussed:
	SEE attached "Notes from Community Meeting #1"
	Does the application address the concerns discussed at the CM1? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Explain:  
 Staff asked applicant to provide landscaping plan with application. GA Classic Pools provided landscape plan contained in application.

- TO BE FILLED OUT BY P&Z STAFF -

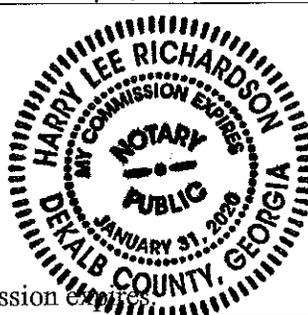
Application date:	Planning Commission date:
CM2 date and time:	Mayor and City Council date:
<b>OFFICIAL REQUEST (FOR PUBLICATION):</b>	



AUTHORIZATION FORM – PART I

A- If the applicant is also the owner of the subject property:

Fill out the following section and have it notarized.

Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.	
Owner's name: <u>Reza &amp; Catherine Kasravi</u>	Sworn and subscribed before me this
Address: <u>3920 Dahlwinny Ct Sandy Springs, GA 30350</u>	<u>30</u> <sup>th</sup> day of <u>MAY</u> 20 <u>16</u>
City, State, Zip Code:	Notary public: <u>HAR</u>
Email address: <u>cbalcarek@me.com</u>	Seal:
Phone number: <u>(678) 733-1119</u>	
Owner's signature: <u>[Signature]</u>	
Commission expires:	

B- If the applicant is *not* the owner of the subject property:

Fill out the following section, check the appropriate statement and have it notarized.

Applicant states under oath that:	
<input type="checkbox"/> He/she is the executor or Attorney-in-Fact under a Power-of-Attorney for the owner ( <i>attach a copy of the contract</i> ); or <input type="checkbox"/> He/she has an option to purchase the subject property ( <i>attach a copy of the contract</i> ); or <input type="checkbox"/> He/she has an estate of years which permits the applicant to apply ( <i>attach a copy of the lease</i> )	
Applicant's name:	Sworn and subscribed before me this  <sup>th</sup> day of _____ 20 ____  Notary public:  Seal:    Commission expires:
Company name:	
Address:	
City, State, Zip Code:	
Email address:	
Phone number:	
Applicant's signature:	



AUTHORIZATION FORM – PART II

C- If an agent or attorney will represent the owner and/or the applicant:  
Fill out the following section and have it notarized.

Agent's name:	HAR RICHARDSON
Company:	Law Office of Harry Richardson
Address:	1675 Lower Roswell Road
City, State, Zip Code:	Marietta, GA 30068
Email address:	HAR@HARRICHARDSON.COM
Phone number:	404-606-3133
Agent's signature:	
Applicant's signature:	

Sworn and subscribed before me this
30 <sup>th</sup> day of MAY 2016
Notary public:
Seal:
Commission expires:



DISCLOSURE OF CONTRIBUTION FORM

Within the (2) years immediately preceding the filing of this zoning application have you made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to the Mayor or any member of the City Council?  Yes  No

List all individuals or business entities which have an ownership interest in the property which is the subject of this application:

REZA KASRAVI
CATHERINE KASRAVI

Campaign Contributions:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name: Catherine B. Kasravi	Date: 5/30/16
Signature:	

Note: Each party involved in the application must sign an individual copy of this form.



DISCLOSURE OF CONTRIBUTION FORM

Within the (2) years immediately preceding the filing of this zoning application have you made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to the Mayor or any member of the City Council?  Yes  No

List all individuals or business entities which have an ownership interest in the property which is the subject of this application:
REZA KASZAVI
CATHERINE KASZAVI

Campaign Contributions:			
Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name: REZA KASZAVI
Signature:  Date: 5/30/16

Note: Each party involved in the application must sign an individual copy of this form.



DISCLOSURE OF CONTRIBUTION FORM

Within the (2) years immediately preceding the filing of this zoning application have you made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to the Mayor or any member of the City Council?  Yes  No

List all individuals or business entities which have an ownership interest in the property which is the subject of this application:
REZA KASRAVI
CATHERINE KASRAVI

Campaign Contributions:			
Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
<del> </del>			

The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name:	HAR RICHARSON
Signature:	<i>[Signature]</i> Date: 6/2/2015

Note: Each party involved in the application must sign an individual copy of this form.

June 2, 2016

LETTER OF INTENT

For

APPLICATION FOR ZONING MODIFICATION

ZM-16-0017

CITY OF SANDY SPRINGS

For

3920 Dahlwiny Court  
Sandy Springs, GA 30350

Parcel id 060310LL0508

Submitted on behalf of

Reza and Catherine Kasravi

By

Harry Richardson, Esq.  
1675 Lower Roswell Road  
Suite C

Marietta, GA 30068  
[hap@haprichardson.com](mailto:hap@haprichardson.com)

404-606-3133

GA Bar #797337

## INTRODUCTION

This Application, ZM16-0017, is submitted for the installation of a swimming pool in the backyard at 3920 Dahlwiny Court so that the Applicant, Reza and Catherine Kasravi, and their “children can use their backyard in a meaningful way”.

In order to accomplish this goal, they request that the Mayor and City Council modify condition 3q of Zoning Modification ZM08-009 to reduce the required 35 foot rear setback line or buffer in their backyard.

They have the support of the adjacent property owner, Jack Manning, who is directly affected by this project as well as their HOA president, Rick Lewchuk. Both Mr. Manning and Mr. Lewchuk have submitted letters in support of this project that are attached to this application.

## ZONING AND DEVELOPMENT HISTORY OF THE PROPERTY

The existing zoning, ZM08-009, was created in 2008 when the neighborhood was being developed. After careful review of the zoning modification Z00-0083, the regulations are framed towards a developer. ZM08-009 contains such regulations as “no more than 26 total dwelling units at a maximum density of 2 dwelling units per acre, whichever is less”. Applicant understands and appreciates Sandy Spring’s desire to prevent developers from bulldozing entire parcels and jamming in houses with small lots right on top of each other.

However, today, the neighborhood is completed and there is a house on every lot in the neighborhood; there is an active Homeowners Association; and the noise complaints are due to children playing loudly instead of bulldozers operating late at night. The zoning rules set in place in 2008 when the neighborhood was being built are in need of modification because the neighborhood is completed, and it is thriving.

## ZONING MODIFICATION REQUESTED

Applicant requests that Mayor and City Council of Sandy Springs modify condition 3q of ZM08-009 as to remove the 35 foot buffer or rear setback line for the installation of a swimming pool in Applicant’s backyard.

## JUSTIFICATION

Catherine Kasravi desires for her “children to be able to use their backyard in a meaningful way”. She wants to build a swimming pool that

Application contains 2 letters of support from the community. The first support letter is from the adjacent property owner, Jack Manning, whose property borders the subject property and would be most affected by this zoning modification. Mr. Manning's property is the only property that shares a common boundary at the back of the Applicant's lot. The letter states his clear support for the project. The second support letter is from the HOA President, Rick Lewchuk, who states his clear support for the project as a representative for the neighborhood.

### CONSTITUTIONAL OBJECTIONS

As required by law, Applicant respectfully raises the constitutional objection that the City of Sandy Springs Zoning Ordinance, to the extent that it classifies the subject property in any way that would preclude installation of the swimming pool and the modification proposed in this Application, is unconstitutional as a taking of private property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions of both the United States Constitution and the Georgia Constitution briefly discussed below.

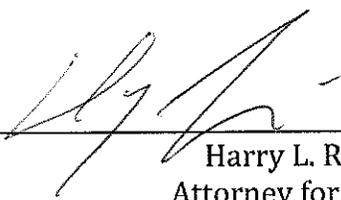
Specifically, Applicant submits that the current zoning and any other zoning of the Subject Property save for what has been requested would constitute arbitrary and unreasonable uses of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant. Further, denial of this Application would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment of the United States Constitution and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

A denial of the requested modification would deprive the owner of any reasonable use for their backyard. The owner stated, "the current zoning makes it impossible for our children to enjoy their backyard in a meaningful way".

### CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that this Zoning Modification be approved.

Submitted this 2nd day of June, 2016.

By  \_\_\_\_\_  
Harry L. Richardson  
Attorney for Applicant

June 21, 2016

City of Sandy Springs  
Attn: Kristin Byars  
7840 Roswell Rd.  
Sandy Springs, GA 30350

**RE: ZM16-0017– Request to modify condition 3q of Zoning Modification ZM08-009 to rezoning Z00-0083 to reduce the required 35 foot buffer for 3920 Dahlwiny Court for the installation of a swimming pool.**

To Whom It May Concern:

In June 2015, we made the decision to embark on a pool project, as we have two young children (ages 2 and 5) who love water activities, and since we do not have a community pool in our subdivision, we wanted to provide them with the opportunity to swim in their own backyard.

We underwent a lengthy and thorough vendor selection process, investing both time and financial resources in the planning, design and contractual process. Finally, in December 2015, we commenced the permit process with the City of Sandy Springs. Much to our surprise, we learned that there is a 35ft rear setback line in our backyard, as part of a zoning modification executed in 2008.

While we appreciate the original intent of the zoning modification as we fiercely guard our own privacy, the modification went into effect prior to the onset of the Trillium community construction, and the zoning prevents us from actively using our backyard in a way that would be meaningful for our children. The pool landscape design includes the planting of multiple evergreen species of privacy trees, essentially forming a natural, visual and sound barrier across the entire back fence of our yard as well as on the sides. This solution will provide our neighbors with a significantly increased level of privacy, as the existing few trees on our property fail to deliver on this objective, especially in the fall and winter months.

We have secured full approval from both the Trillium HOA as well as Jack Manning, President of the Spalding Green HOA whose property is the only one we border and therefore the only Spalding Green neighbor who would be directly impacted by the construction of our swimming pool.

**Project Site Plan - Rationale**

The site/design plan includes the relocation of an existing 10ft drainage easement, approved by the Trillium HOA, from its current position in front of the backyard deck to the rear of the property, behind the proposed swimming pool. This relocation does not alter the proposed position of the swimming pool for the following important reasons:

- 1) **Safety** – placing the edge of the swimming pool less than 10ft from the deck significantly increases a key safety risk of attempted diving activity from the deck directly into the pool, which could result in significant injury and possibly death.
- 2) **Shade** – given the NE facing position of the rear yard, placing the swimming pool at least 10ft from the deck enables a position that allows for sunlight exposure to the surface of the pool, which would otherwise be in the shade for the majority of daylight hours.

- 3) **Pool decking** – relocating the drainage easement and positioning the pool 10ft from the deck will allow for the installation of paver decking and installation of poolside seating, which would not have been otherwise possible.

Sincerely,

Reza & Catherine Kasravi  
3920 Dahlwiny Ct.  
Sandy Springs, GA 30350

**RECEIVED**

By Kristin Byars at 4:37:36 PM, 8/3/2016

AMENDMENT TO LETTER OF INTENT  
FOR APPLICATION FOR ZONING MODIFICATION ZM-16-0017

3920 DAHLWINY COURT, SANDY SPRINGS, GA 30350

PARCEL ID 060310LL0508

Submitted on behalf of Reza and Catherine Kasravi

INTRODUCTION

This application is submitted for the installation of a swimming pool in the backyard of a single family home located at 3920 Dahlwiny Court, Sandy Springs, GA 30350.

In order to accomplish this goal, they request that the Mayor and City Council modify condition 3a of Zoning Modification ZM08-009 to decrease the existing 50 foot rear setback line to a 35 foot rear setback line. This 35 foot rear setback line is the existing rule for most houses in the neighborhood and the result of this modification would cause all the homes in the neighborhood to have the same zoning requirements.

CURRENT ZONING

In the relevant portion of the current zoning, section 3.a. says "Minimum Rear Yard: 35 feet, except a minimum of 50 feet adjacent to Spalding Green Subdivision".

PROPOSED CHANGE

Applicant respectfully requests the zoning to be modified so that section 3.a. says, "Minimum Rear Yard: 35 feet." This change would remove the special rules for houses adjacent to Spalding Green Subdivision.

JUSTIFICATION

This change in the zoning would make *all homes in the neighborhood to have the same* rear yard setback line and eliminate the special rules for houses adjacent to Spalding Green Subdivision.

Applicant has the support of all adjacent property owners as well as the president of the HOA. Support letters are included in this application.

Submitted this 3<sup>rd</sup> day of August 2016.

By



Harry L. Richardson

Attorney for Applicant

3923 Dahlwiny CT • Sandy Springs, GA 30350  
Phone: 678.336.9719 • E-Mail: rlewchuk@hotmail.com

Date: May 13, 2016

City Of Sandy Springs

Re: Support of ZM16-0017

I am writing to you as the President of the Trillium HOA to express our strong support for the Kasravis and their application to remove the 35' rear setback from their property. As a homeowners association, we have already approved their application to landscape and build a pool.

We are a small HOA without a community swimming pool or recreational facilities. It is incumbent on each homeowner to build on their own property, should they wish to have a pool. Currently, the owners on the south side of Dahlwiny CT can and have built pools as have multiple Spalding Green neighbors on the north side. We would like this option to be a consideration for the Kasravi family both for the enjoyment of their property and for house values of the community in general.

Trillium is a community that respects trees and privacy screening. We have a considerable amount of natural forest for an HOA of only 24 homes. We take that natural land as a responsibility and an asset. We also recognize that some of the natural trees are not high quality and many of them are near the end of their lifespan. Landscaping and new tree planting is the highest line item in our budget.

That holds true for many of the trees in the area in question. We welcome the Kasravi plan presented given its inclusion of numerous evergreen trees that will provide year-round screening between Trillium and Spalding Green homes rather than the current, old deciduous trees that provide minimal screening in the summer and virtually no screening in the fall/winter.

Sincerely,



Rick Lewchuk  
President, Trillium HOA

c.c. Mayor of Sandy Springs and all members of Sandy Springs Council

c.c. Sandy Springs Planning Commission

## ZONING IMPACT ANALYSIS

ZM16-0017

a. Whether the proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The proposed rezoning will allow the Kasravi's to build a swimming pool in their backyard. This use is suitable in view of the use and development of adjacent and nearby property because

b. Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property;

The adjacent property owners are in support of this rezoning and that is evidence that the proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property.

c. Whether the property to be affected by the proposed rezoning has a reasonable economic use as currently zoned;

The current zoning does not allow the Kasravi's to use their backyard in a way that is meaningful for their children.

d. Whether the proposed rezoning will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools;

N/A. The proposed rezoning will have no effect on existing streets, transportation facilities utilities, or schools.

e. Whether the proposed rezoning is in conformity with the policies and intent of the City's Comprehensive Plan;

The proposed rezoning is in conformity with the policies and intent of the City's Comprehensive Plan.

f. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed rezoning;

The conditions of the neighborhood has drastically changed since the current zoning was enacted. At the time of the current zoning, the neighborhood was raw vacant land that was in the process of being developed. Currently, the neighborhood is complete and there are zero empty lots.

g. Whether the proposed rezoning will permit a land use which can be considered Environmentally Adverse to the natural resources, environment and citizens of the City.

N/A. The proposed rezoning will not permit a land use which can be considered Environmentally Adverse to the natural resources, environment and citizens of the City.

## ENVIRONMENTAL SITE ANALYSIS

ZM16-0017

**A. Conformance with the Comprehensive Plan:** How the proposed rezoning or land use conforms to the City's Comprehensive Plan;

The proposed rezoning conforms with the City's Comprehensive Plan as the subject property will remain a single family residential home.

**B. Environmental Impacts:** Indicate the presence or absence of the following and whether the proposed rezoning or land use will encroach or adversely affect any of the following:

**Wetlands** – Not present on site. **Floodplain** – Not present on site. **Streams and Stream Buffers** – none present on site. **Slopes exceeding 25% over a 10' rise** – none present on site. **Vegetation** – Proposed rezoning will improve the vegetation in the area by replacing pine trees and scrub area with Leyland Cypress trees and numerous healthy full plants. **Wildlife Species (including fish)** – none present on site. **Archeological and Historical Sites** – none present on site.

**C. Project Implementation Measures:** How the project implements each of the following measures, as applicable. Indicate the specific implementation measures requires to protect environmental site features that may be negatively impacted.

**1. Protection of environmentally sensitive areas (floodplains, slopes exceeding twenty-five percent (25%), river corridors);** None present on site.

**2. Protection of water quality;** 1 Proposed Rezoning will not affect water quality.

**3. Minimization of negative impacts on existing infrastructure;** Proposed Rezoning will not impact existing infrastructure.

**4. Minimization of negative impacts on archeological/historically significant areas;** None Present on site.

**5. Minimization of negative impacts on Environmentally Stressed Communities;** None present on site.

**6. Creation and preservation of green space and open space;** Proposed Rezoning will increase green space in the backyard by replacing Pine Trees with Leyland Cypress Trees.

**7. Protection of citizens from the negative impacts of noise and lighting;**

**8. Protection of parks and recreational green space;** none present on site.

**9. Minimization of impacts to wildlife habitats;** none present on site.

LEGAL DESCRIPTION

**“3920 Dahlwiny Court, Sandy Springs, Ga.”**

**ALL THAT TRACT OR PARCEL** of land lying and being in Land Lot 311 of the 6<sup>th</sup> District, Fulton County, Georgia, being Lot 4 of Trillium Subdivision, as shown on Subdivision Plat recorded in Plat Book 319, pages 137-139, Records of Clerk of Superior Court of Fulton County, Georgia, being more particularly described as follows:

**BEGINNING**, at an “X” mark on a power transformer box located on the northwesterly right of way line of Dahlwiny Court (44 foot right of way), said “X” mark being located 590.97 feet northeasterly as measured along the northwesterly right of way line of Dahlwiny Court from the point of intersection of the northwesterly right of way line of Dahlwiny Court and the northeasterly right of way line of Happy Hollow Road (60 foot right of way); thence leaving said northwesterly right of way line of Dahlwiny Court and proceed North 32 degrees 10 minutes 00 seconds West a distance of 150.00 feet to an iron pin found (1/2 inch rebar); thence North 57 degrees 50 minutes 00 seconds East a distance of 100.00 feet to an iron pin found (1/2 inch rebar); thence South 32 degrees 10 minutes 00 seconds East a distance of 150.00 feet to an iron pin found (1/2 inch rebar), located on the northwesterly right of way line of Dahlwiny Court; thence proceed along said northwesterly right of way line of Dahlwiny Court South 57 degrees 50 minutes 00 seconds West a distance of 100.00 feet to an “X” mark on a power transformer box and **THE POINT OF BEGINNING**; said property being shown as a 0.34 Acre (15,000 square feet) tract of land on a survey prepared for Catherine B. Kasravi and Reza Kasravi, prepared by Registered Land Surveyors, Inc., certified by Claude S. Brown, Georgia Registered Land Surveyor Number 2420, dated January 29, 2016, which certain survey is incorporated herein by this reference and made a part hereof.



May 10, 2016

## Notes from Community Meeting #1

**Case #ZM16-0017-Request to modify condition 3q of Zoning Modification ZM08-009 to rezoning Z00-0083 to reduce the required 35 foot buffer for 3920 Dahlwiny Court for the installation of a swimming pool**

Start time: 6:03 PM

Introduction – Hap Richardson, attorney representing applicant, gave introduction about zoning process and purpose of community meeting. Encouraged people in attendance to express comments and criticisms about the project.

Comment 1 - The President of the HOA, Rick Lewchuk, gave his and the neighborhood's full support of the pool application. 24 homes in the neighborhood appreciate the respect being places on the surrounding trees.

Comment 2 - The Sandy Springs Representative, Kristin Byars, expressed that the city only allows 5 new cases per month and the deadline for submission is the 1<sup>st</sup> Tuesday of the month. She also recommends adding letters of support from adjacent neighbors as well as a landscaping design to the application.

Comment 3 – Vance Dover, Pool contractor, expressed he could provide landscape design.

End time: 6:25 PM



SURVEY PLAT  
PREPARED FOR:

**CATHERINE B. KASRAVI and  
REZA KASRAVI**

LAND LOT: 311 DISTRICT: 6th SECTION:  
FULTON COUNTY, GEORGIA

PLAT REFERENCE

LOT 4 IN BLOCK

**TRILLIUM SUBDIVISION**

RECORDED IN PLAT BOOK 319, PAGES 137-139  
WARRANTY DEED RECORDED IN DB 50749, P 48

**LEGEND**

- IPS --- IRON PIN SET (1/2" REBAR)
- IPF (1/2" REBAR) --- IRON PIN FOUND (TYPE)
- R/W --- RIGHT OF WAY
- PP --- POWER POLE
- OVERHEAD WIRES
- FENCE
- L. L. --- LAND LOT
- CMP --- CORRUGATED METAL PIPE
- RCP --- REINFORCED CONCRETE PIPE
- CB --- CATCH BASIN
- JB --- JUNCTION BOX
- SSMH --- SANITARY SEWER MANHOLE
- WM --- WATER METER

**AREA:**

**15,000 SQUARE FEET  
0.34 ACRE**

**IMPERVIOUS SURFACE AREAS**

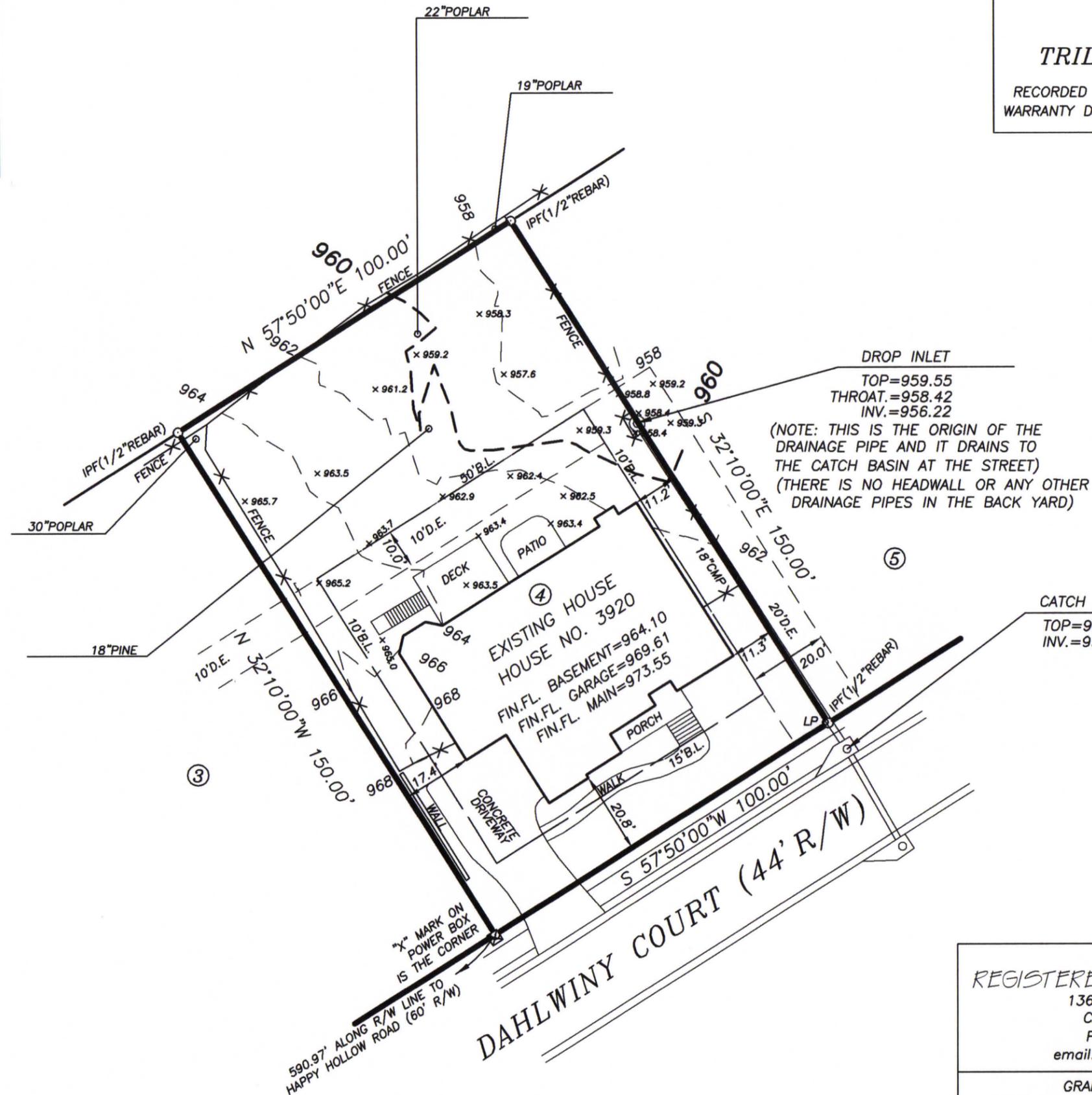
HOUSE & GARAGE = 3,258 SQ.FT.  
DRIVEWAY & WALK = 1,091 SQ.FT.  
PORCH, CONC. & WALLS = 319 SQ.FT.  
**TOTAL = 4,668 SQ.FT.**  
4,668 / 15,000 = 31.1% EXISTING

**SITE ADDRESS:**

**REZA & CATHERINE KASRAVI  
3920 Dahlwiny Court  
Sandy Springs, Georgia 30350**

**GENERAL NOTES:**

- (1) FIELD DATA CLOSURE IS ONE FOOT IN 42,256 FEET WITH AN ANGULAR ERROR OF 2 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.
- (2) THE EQUIPMENT USED WAS A TOPCON GPT-2003
- (3) THE CALCULATED PLAT CLOSURE IS 1 FOOT IN 93,081 FEET.
- (4) BEFORE YOU DIG, CALL THE UTILITIES PROTECTION CENTER, INC., AT 1-800-282-7411 FOR UNDERGROUND UTILITIES LOCATION.

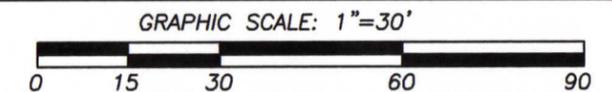


DROP INLET  
TOP=959.55  
THROAT.=958.42  
INV.=956.22  
(NOTE: THIS IS THE ORIGIN OF THE DRAINAGE PIPE AND IT DRAINS TO THE CATCH BASIN AT THE STREET)  
(THERE IS NO HEADWALL OR ANY OTHER DRAINAGE PIPES IN THE BACK YARD)

CATCH BASIN  
TOP=962.60  
INV.=955.05



PREPARED BY:  
**REGISTERED LAND SURVEYORS, INC.**  
136 SAVANNA ESTATES DRIVE  
CANTON, GEORGIA 30115  
PHONE (770) 998-7676  
email: registeredlandsu@comcast.net



JOB No. 2766

DATE: 1-29-2016

THE ORIGINAL SURVEY FOR THE RESIDENCE HAS BEEN ALTERED TO SHOW PROPOSED SWIMMING POOL, FENCE AND ASSOCIATED EQUIPMENT, NO DISTANCES, BOUNDARIES OR EASEMENTS HAVE BEEN CHANGED

TOTAL LOT: .34 AC 15016 SQ FT  
DISTURBED: 2000 SQ FT  
OR .0459 AC

**PROPOSED STRUCTURE:**

CLASSIC SWIMMING POOL  
45' X 20' 793 SQ FT PLUS  
2 TON STONE GROTTO AND  
CUSTOM STONE  
FIREFEATURE

POOL WILL HAVE AN  
ENCLOSED CARTRIDGE  
FILTER SYSTEM

BACKFLOW PREVENTER  
ATTACHED AT HOSE BIB.  
POOL TO BE FILLED BY HOSE

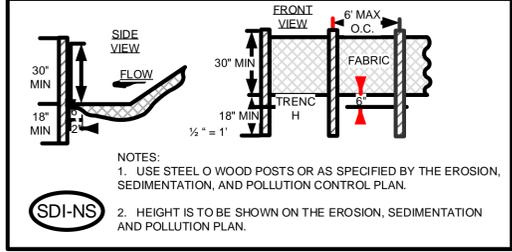
THIS PROPERTY IS CONNECTED  
TO AND SERVICED BY A PUBLICLY  
MAINTAINED SANITARY SEWER  
SYSTEM.

EXISTING FENCE: 280 lin ft  
5' ALUMINUM ESTATE FENCE WITH  
SELF LATCHING 36" OUTWARD  
OPENING GATE. PERMANENT  
FENCING AND GATED ENCLOSURES  
ARE REQUIRED FOR ANY POOLS IN  
THE CITY. FENCE DESIGN SHALL NOT  
PRODUCE A "LADDER" EFFECT THAT  
COULD AID IN UNAUTHORIZED  
CLIMBING.

POOL FENCES MUST INCLUDE AT  
LEAST ONE GATED EXIT WITH A  
MINIMUM WIDTH OF 36" WIDE. THIS  
EXIT MUST OPEN OUTWARD AND BE  
SELF CLOSING AND SELF LATCHING.  
ALL OTHER FENCING IS EXISTING

THE MINIMUM HEIGHT OF A POOL  
FENCE MUST BE FIVE FEET AND THE  
MAXIMUM HEIGHT OF A POOL FENCE  
CANNOT EXCEED EIGHT FEET.  
COLOR OF FENCE SHALL BE BLACK,  
WHITE OR AN EARTH TONE. PRIMARY  
AND NEON COLORS ARE  
PROHIBITED. FENCE SHALL BE  
DESIGNED WITH A COLUMN OR  
DECORATIVE ELEMENT EVERY 8' TO  
PROVIDE ARCHITECTURAL  
VARIATIONS AND ELIMINATE LARGE  
EXPANSES OF BLANK AREA. IF ONLY  
ONE SIDE OF THE FENCE IS TO BE  
FINISHED, THE FENCE SHALL BE  
CONSTRUCTED WITH THE FINISHED  
SIDE TOWARD THE NEIGHBORING  
PROPERTY.

FENCE MUST BE LOCATED 3' FROM  
THE RIGHT OF WAY AND GATES MUST  
BE 20' FROM RIGHT OF WAY  
MEASURED ALONG DRIVE.



CITY OF SANDY SPRINGS ARBORIST DIVISION  
CANOPY REQUIREMENTS

TREES OF NOTE TO BE REMOVED:	TREES SAVED (WITH CANOPY ELIGIBILITY):
22" POP	5" BEACH 1000 SQ FT
15" PINE	5" BEACH 1000 SQ FT
16" PINE	4" BEACH 1000 SQ FT
18" PINE	4" BEACH 1000 SQ FT
	4" BEACH 1000 SQ FT
	7" SWTGM 500 SQ FT
	TOTAL= 5500 SQ FT

15000 SQ FT (TOTAL AREA) x .35% REQ CANOPY = 5250 SQ FT REQ CANOPY AREA

LOCATION OF ALL ZONING BUFFERS,  
ACCESS EASEMENTS, AND DRAINAGE  
EASEMENTS ARE SHOWN ON THE SITE  
PLAN.

NO WATERS OF THE STATE EXIST WITHIN  
200 FT OF THE PARCEL

THIS SITE IS NOT LOCATED WITHIN A  
ZONE (A, AE, SHADED ZONE X) AS  
DEFINED BY F.I.R.M. PANEL NUMBER  
13121C0160G FOR FULTON CO. GA

ARC APPROVAL WOULD BE REQUIRED  
FOR ANY PROPERTY LOCATED WITHIN  
2000 FT OF THE CHATTAHOOCHEE RIVER

**CITY OF SANDY SPRINGS G.S.W.C.C. EROSION CONTROL PLAN:**

-THE ESCAPE OF SEDIMENT FROM THE SITE  
SHALL BE PREVENTED BY THE INSTALLATION OF  
EROSION AND SEDIMENT CONTROL PRACTICES  
PRIOR TO, OR CONCURRENT WITH LAND  
DISTURBING ACTIVITIES.

-EROSION CONTROL MEASURES WILL BE  
MAINTAINED AT ALL TIMES. IF FULL  
IMPLEMENTATION OF THE APPROVED PLAN DOES  
NOT PROVIDE FOR EFFECTIVE EROSION  
CONTROL, ADDITIONAL EROSION AND SEDIMENT  
CONTROL MEASURES SHALL BE IMPLEMENTED  
TO CONTROL OR TREAT THE SEDIMENT SOURCE

-NO DISTURBED AREAS TO BE EXPOSED MORE  
THAN 14 DAYS.

A CONSTRUCTION EXIT (CO) WILL BE ERCTED  
AND MAINTAINED THROUGHOUT THE ENTIRE  
CONSTRUCTION PROCESS. IT WILL PREVENT THE  
TRACKING AND FLOW OF MUD FROM ENTERING  
THE PUBLIC ROADWAY. THIS MAY REQUIRE  
PERIODIC TOP DRESSING WITH 1.5"-3.5" STONE.  
ALL SEDIMENT DROPPED, WASHED, OR TRACKED  
ONTO THE ROADWAY WILL BE REMOVED  
IMMEDIATELY.

EROSION CONTROL SEEDING SCHEDULE (Ds1,  
Ds2, Ds3)  
CONTRACTOR SHALL PROTECT ALL DISTURBED  
AREAS BY TEMPORARILY RE-SEEDING UNTIL  
PERMANENT GROUND COVER IS ESTABLISHED.  
(MAXIMUM 3 WEEKS).

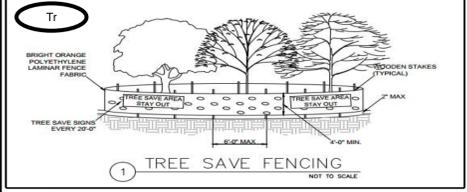
SOIL PREPARATION:  
ADD 2 TONS OF LIME PER ACRE FOR PERMANENT  
GRASS. HAY MULCH FOR TEMPORARY COVER AT  
5000 LBS. PER ACRE.

TOP DRESSING: APPLY WHEN PLANTS ARE 2-4  
INCHES TALL.

FERTILIZER: (AMMONIUM NITRATE 33%) 300 LBS  
PER ACRE.

SECOND YEAR FERTILIZER: (5-10-15) OR  
EQUIVILANT 500 LBS. PER ACRE.

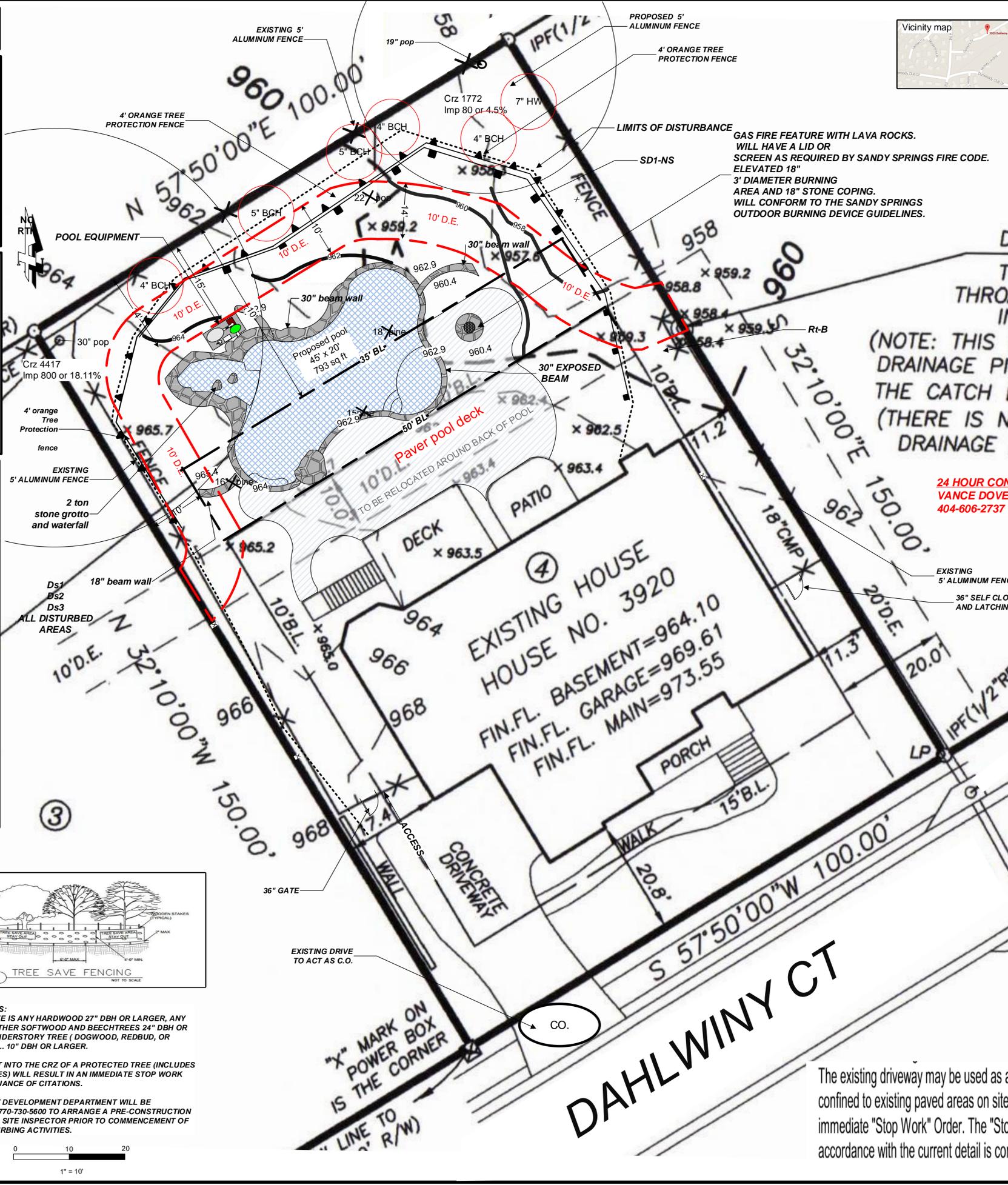
SEEDING RATES:  
SUMMER 4/1-9/15 BERMUDA(HULLED) 10  
LBS. PER ACRE  
COOL 9/1-11/1 FESCUE(KY.31) 50  
LBS PER ACRE  
WINTER 11/1-4/15 ANNUAL RYE GRASS 50 LBS.  
PER ACRE



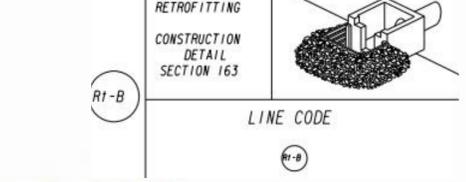
ARBORIST NOTES:  
A SPECIMEN TREE IS ANY HARDWOOD 27" DBH OR LARGER, ANY  
PINE TREE OR OTHER SOFTWOOD AND BEECH TREES 24" DBH OR  
LARGER, ANY UNDERSTORY TREE (DOGWOOD, REDBUD, OR  
SOURWOOD ETC.. 10" DBH OR LARGER.

ENCROACHMENT INTO THE CRZ OF A PROTECTED TREE (INCLUDES  
BOUNDARY TREES) WILL RESULT IN AN IMMEDIATE STOP WORK  
ORDER AND ISSUANCE OF CITATIONS.

THE COMMUNITY DEVELOPMENT DEPARTMENT WILL BE  
CONTACTED AT 770-730-5600 TO ARRANGE A PRE-CONSTRUCTION  
MEETING WITH A SITE INSPECTOR PRIOR TO COMMENCEMENT OF  
ANY LAND DISTURBING ACTIVITIES.



**LEGEND:**  
TREE FENCE (Tr) [Symbol]  
SILT FENCE (Sd1-NS) [Symbol]  
LIMITS OF DISTURBANCE [Symbol]  
EXISTING FENCE [Symbol]

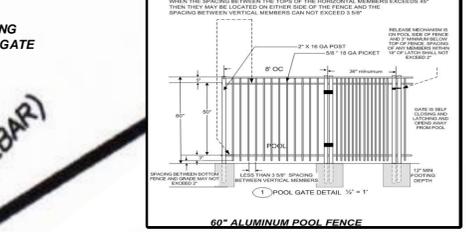


DROP INLET  
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(NOTE: THIS IS THE ORIGIN OF THE  
DRAINAGE PIPE AND IT DRAINS TO  
THE CATCH BASIN AT THE STREET)  
(THERE IS NO HEADWALL OR ANY OTHER  
DRAINAGE PIPES IN THE BACK YARD)

24 HOUR CONTACT:  
VANCE DOVER  
404-606-2737

AG 105.2 OUTDOOR SWIMMING POOL:  
AN OUTDOOR SWIMMING POOL,  
INCLUDING AN IN-GROUND, ABOVE  
GROUND, OR ON GROUND POOL, HOT TUB  
OR SPA SHALL BE PROVIDED WITH A  
BARRIER WHICH SHALL COMPLY WITH  
THE FOLLOWING:



**BARRIER NOTE:**

'FOR ALL CASES WHERE A BUILDINGS  
FOOTPRINT PENETRATES THROUGH A  
POOL FENCE PERIMETER, ALL DOORS  
ON THE BUILDING WHICH HAVE  
DIRECT ACCESS TO THE POOL AREA  
MUST BE EQUIPPED WITH AN AUDIBLE  
ALARM ACTIVATED BY OPENING THE  
DOOR'

PARKING OF DUMPSTERS  
OR OTHER CONSTRUCTION  
VEHICLES/EQUIPMENT IS  
PROHIBITED IN RIGHT OF  
WAY

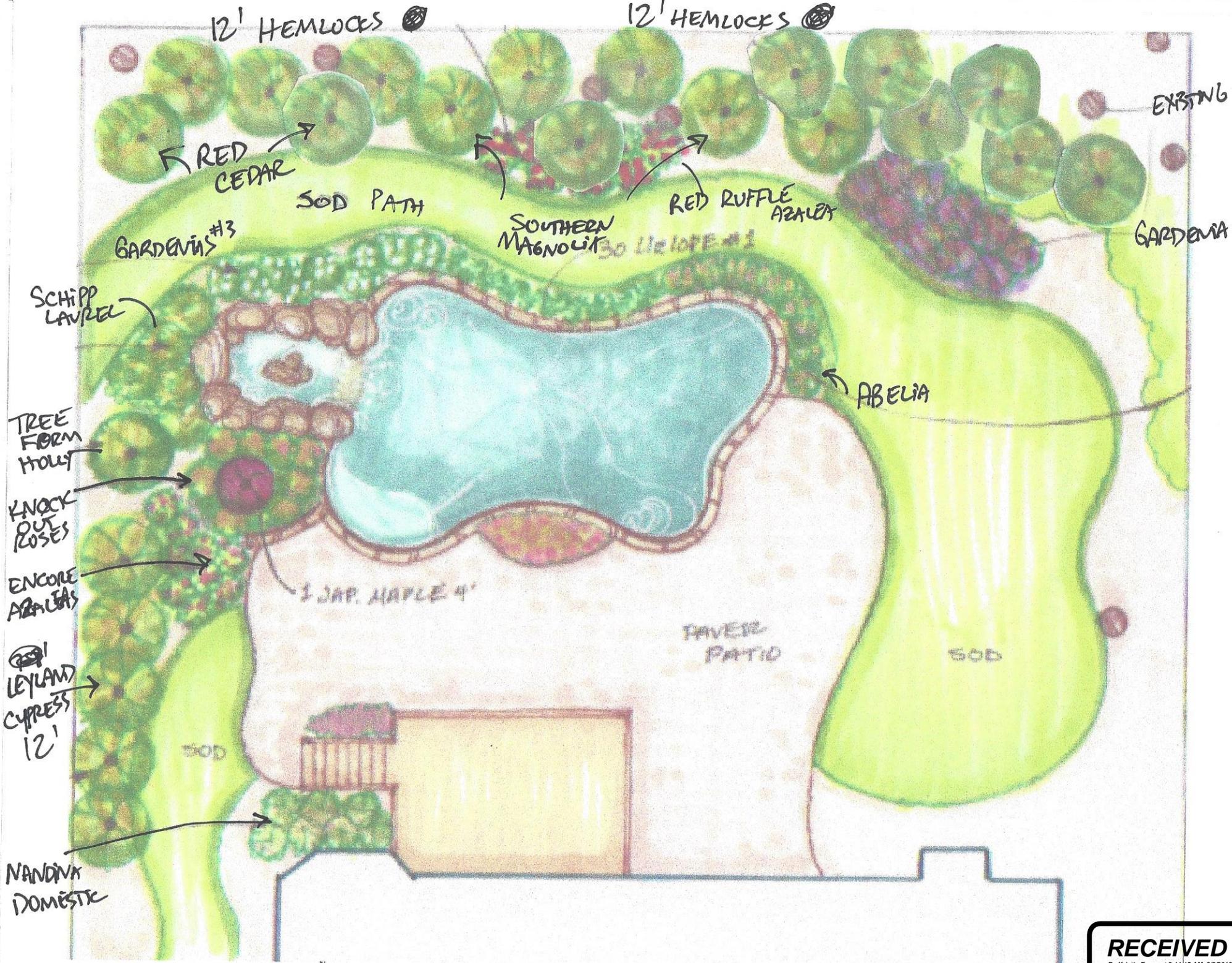
**RECEIVED**  
By Kristin.Byars at 10:23:20 AM, 8/3/2016

CONTRACTOR:  
GEORGIA CLASSIC POOLS  
131 SAVANNA ESTATES DR  
CANTON GEORGIA 30115  
404-606-2737

LOCATED IN:  
LAND LOT: 311 DIST : 6<sup>TH</sup>  
LOT: 4 TRILLUM  
CITY OF SANDY SPRINGS  
FULTON COUNTY  
GEORGIA

SITE PLAN FOR:  
REZA KASRAVI  
3920 DAHLWINY CT  
SANDY SPRINGS GA 30350  
678-395-1153

The existing driveway may be used as a Construction Exit provided that all construction vehicles are confined to existing paved areas on site. Any tracking of Dirt, Silt, Mud, etc. onto street will result in an immediate "Stop Work" Order. The "Stop Work" Order will not be lifted until a Construction Exit in accordance with the current detail is constructed.



**RECEIVED**  
 By Kristin Byars at 8:11:15 AM, 8/8/2016

3923 Dahlwiny CT • Sandy Springs, GA 30350  
Phone: 678.336.9719 • E-Mail: rlewchuk@hotmail.com

Date: May 13, 2016

City Of Sandy Springs

Re: Support of ZM16-0017

I am writing to you as the President of the Trillium HOA to express our strong support for the Kasravis and their application to remove the 35' rear setback from their property. As a homeowners association, we have already approved their application to landscape and build a pool.

We are a small HOA without a community swimming pool or recreational facilities. It is incumbent on each homeowner to build on their own property, should they wish to have a pool. Currently, the owners on the south side of Dahlwiny CT can and have built pools as have multiple Spalding Green neighbors on the north side. We would like this option to be a consideration for the Kasravi family both for the enjoyment of their property and for house values of the community in general.

Trillium is a community that respects trees and privacy screening. We have a considerable amount of natural forest for an HOA of only 24 homes. We take that natural land as a responsibility and an asset. We also recognize that some of the natural trees are not high quality and many of them are near the end of their lifespan. Landscaping and new tree planting is the highest line item in our budget.

That holds true for many of the trees in the area in question. We welcome the Kasravi plan presented given its inclusion of numerous evergreen trees that will provide year-round screening between Trillium and Spalding Green homes rather than the current, old deciduous trees that provide minimal screening in the summer and virtually no screening in the fall/winter.

Sincerely,



Rick Lewchuk  
President, Trillium HOA

c.c. Mayor of Sandy Springs and all members of Sandy Springs Council

c.c. Sandy Springs Planning Commission

3923 Dahlwiny CT • Sandy Springs, GA 30350  
Phone: 678.336.9719 • E-Mail: rlewchuk@hotmail.com

Date: June 19, 2016

City Of Sandy Springs

Re: ZM16-0017 – Approval of 10ft Drainage Easement Relocation

I am writing to you as the President of the Trillium HOA to confirm that the HOA approves the Kasravis' request to relocate the existing 10ft drainage easement from its current position in front of the backyard deck to the rear of the property, behind the proposed swimming pool. We agree that the relocation does not impair the property's drainage flow and will allow the Kasravis to utilize the 10ft to add a decking area for the pool.

Sincerely,



Rick Lewchuk  
President, Trillium HOA

c.c. Mayor of Sandy Springs and all members of Sandy Springs Council

c.c. Sandy Springs Planning Commission



*TRILLIUM HOMEOWNERS ASSOCIATION, INC.  
C/O CONDOMINIUM CONCEPTS  
1200 LAKE HEARN DRIVE  
SUITE 275  
ATLANTA, GA. 30316*

July 15, 2016

City of Sandy Springs  
7840 Roswell Road  
Building 500  
Sandy Springs, Ga. 30350  
Attn: Kristin Byars

Re: Approved Landscape Plan

Dear Kristin,

The Trillium Homeowners Association Board of Directors has approved the proposed Kasravi landscape plan (enclosed), an important component of the pool project, which was previously approved by the Board of Directors.

Sincerely,

Rick Lewchuk  
President, Trillium HOA

05/15/2016

•••

Jack L. Manning, Jr.  
205 Walhalla Ct.  
Sandy Springs, Ga. 30350

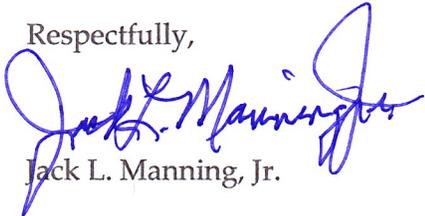
Subject: Kasravi Zoning Modification Request

To Whom it May Concern,

**With respect to Case #ZM16-0017- Request to modify condition 3q of Zoning Modification ZM08-009 to rezoning Z00-0083 to reduce the required 35 foot buffer for 3920 Dahlwiny Court for the installation of a swimming pool.**

I, as the homeowner in the Spalding Green Subdivision adjacent to 3920 Dahlwiny Court, have no objections to the zoning modification for this particular property.

Respectfully,

A handwritten signature in blue ink that reads "Jack L. Manning, Jr." in a cursive style.

Jack L. Manning, Jr.

## Byars, Kristin

---

**From:** Kasravi, Catherine (IHG) <Catherine.Kasravi@ihg.com>  
**Sent:** Friday, August 05, 2016 10:50 PM  
**To:** Byars, Kristin  
**Cc:** Hap Richardson  
**Subject:** UPDATED Kasravi Landscape Plan Aug 2016  
**Attachments:** Kasravi Landscape Plan Aug 2016.pdf

Hi Kristin,

Per our discussion earlier today, attached pls find an updated landscaping plan that includes a more robust buffer. As I mentioned, our intent is to have increase our level of privacy as well as to have as natural a setting as possible, with multiple native plants and diverse plant/evergreen trees represented.

Vance and I discussed the sod area along the rear as well, and he indicated that it is very small, the size of a narrow path, in place for drainage purposes. The vast majority of the area will be populated by additional plants and trees.

With regard to the children's playset/swing set, we will be disassembling it prior to construction and have no plans to re-erect it post construction, as there will likely not be ample space for it once the pool and surrounding areas are finished.

I hope this helps, please let me know if you need additional information.

Many thanks,  
Catherine

PS: I spoke with Hap, and he indicated he would send you a soft copy of Jack Manning's letter.

**Catherine Balcarek Kasravi** | Global Director, HeartBeat Strategy & Operations  
IHG® | 3 Ravinia Dr., Atlanta, GA 30346  
Tel: [+1.770.604.2187](tel:+1.770.604.2187) Mobile: [+1.678.231.3560](tel:+1.678.231.3560)

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\*IHG® Rewards Club not applicable to Kimpton® Hotels & Restaurants; to be included at a future date.



**DEPARTMENT OF HEALTH AND WELLNESS**

**Office of the Director**

**99 Jesse Hill Jr. Drive S.E.**

**Atlanta, Georgia 30303**

**Telephone (404) 613-1205 - Fax (404) 730-1294**

July 7, 2016

Linnea Vance  
 City of Sandy Springs  
 Department of Community Development  
 7840 Roswell Road, Building 500  
 Sandy Springs, Georgia 30350

RE: Zoning Comments for July 2016

Dear Ms. Vance:

The following are comments by the Environmental Health Services (EHS) Division and the Environmental Justice (EJ) Program of the Fulton County Department of Health and Wellness. These comments are in reference to the zoning petitions which were previously received from your office.

PETITION	ZONING COMMENTS
RZ16-0088 Mansions Senior Living 0 River Exchange Drive	<p><b><u>EHS Comments:</u></b></p> <ul style="list-style-type: none"> <li>• The Fulton County Department of Health and Wellness will require that the owner/developer connect the proposed development to public water and public sanitary sewer which is available to the site.</li> <li>• Since this proposed development constitutes a premise where people work, live or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</li> <li>• This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air.</li> <li>• If this proposed development includes a food service establishment, as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article V – Food Service, the owner must submit kitchen plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.</li> <li>• If this development includes a public swimming pool as defined in Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article XII – Swimming Pools and Natural Bathing Beaches (including spas, whirlpools,</li> </ul>

PETITION	ZONING COMMENTS
	<p>etc.), the owner or contractor must submit plans and approval by this department and must obtain a Department of Health and Wellness permit to construct before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health and Wellness permit to operate the pool prior to opening.</p> <ul style="list-style-type: none"> <li>• This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</li> <li>• This department is requiring that this facility meet the permit requirements for assisted living and nursing home facilities under the Rules and Regulations of Georgia Department of Community Health.</li> </ul> <p><b><u>EJ and General Public Health Comments:</u></b></p> <ul style="list-style-type: none"> <li>• The Fulton County Department of Health and Wellness does not anticipate any adverse impacts to the health of humans or the environment by allowing the request to rezone from C-1 to O-I to develop an assisted living and memory care facility.</li> </ul>
<p>RZ16-0095/U16-0024 Northside Hospital 1000 Johnson Ferry Road</p>	<p><b><u>EHS Comments:</u></b></p> <ul style="list-style-type: none"> <li>• This development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air. For any facility which serves persons under the age 18, no smoking will be allowed on the premises at any time.</li> <li>• Since the existing site is served by public water and public sanitary sewer, the Fulton County Department of Health and Wellness does not anticipate any health issues related to drinking water and sewage disposal provided that a review and inspection is conducted to require the availability of an adequate number of facilities for the proposed use and addition.</li> <li>• This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse containers be submitted for review and approval.</li> </ul> <p><b><u>EJ and General Public Health Comments:</u></b></p> <ul style="list-style-type: none"> <li>• The Fulton County Department of Health and Wellness does not anticipate any adverse impacts to the health of humans or the environment by allowing the request to rezone the property from O-IC to O-I-C to allow for the construction of the proposed hospital building addition and ten-story parking structure.</li> </ul>
<p>ZM16-0017 3920 Dahlwiny Ct</p>	<p><b><u>EHS Comments</u></b></p> <ul style="list-style-type: none"> <li>• If this property has no onsite water supply or onsite sewage management system and served by public water and public</li> </ul>

PETITION	ZONING COMMENTS
	<p>sanitary sewer, the Environmental Health Services Division of the Fulton County Department of Health and Wellness does not require any permits to be issued.</p> <p><b><u>EJ and General Public Health Comments</u></b></p>
	<ul style="list-style-type: none"> <li>• The Fulton County Department of Health and Wellness does not anticipate any adverse impacts to the health of humans or the environment by allowing the request to modify the zoning of the property to allow for the construction of private swimming pool.</li> </ul>

If you have any questions related to the EHS comments, you may contact Ellis “Eli” Jones at 404-613-1337 or by e-mail at [Ellis.Jones@fultoncountyga.gov](mailto:Ellis.Jones@fultoncountyga.gov). All questions related to the broader public health and/or environmental justice comments should be directed to me by telephone at 404-613-1491 or e-mail at [Monica.Robinson@fultoncountyga.gov](mailto:Monica.Robinson@fultoncountyga.gov).

Sincerely,



Monica M. Robinson, B.S., M.B.A.  
 Environmental Planner  
 Environmental Justice Program

CC: Ellis “Eli” Jones, Deputy Director EHS  
 Paul Leonhardt, City of Sandy Springs  
 Catherine Mercier-Baggett, City of Sandy Springs  
 Kristin Byars, City of Sandy Springs

## COMMENTS ON PUBLIC SERVICES AND UTILITIES

**NOTE:** Various Fulton County departments or divisions that may or may not be affected by the proposed development provide the following information. Comments herein are based on the applicant's conceptual site plan and are intended as general non-binding information and in no manner suggest a final finding by the commenter. All projects, if approved, are required to complete the City of Sandy Springs and the Fulton County Plan Review process prior to the commencement of any construction activity.

### **WATER AND WASTEWATER (SEWER):**

#### **WATER:**

Anticipated water demand: 270 gallons per day (gpd) per residential lot x 1 lot = **270** gallons per day (gpd).

This project is within the City of Atlanta water jurisdiction.

#### **SEWER:**

Basin: Johns Creek

Treatment Plant: Johns Creek

Anticipated sewer demand: **243** gallons per day

There is a wastewater manhole adjacent to the southeast property line of the 0.34 acre tract (3920 Dahlwiny Court) (sewer manhole # **SMJC0502600**) within the right of way of Dahlwiny Court located in Land Lot **311**, District **6** that can service this development.

Comments: This information does not guarantee that adequate sewer capacity is available at this time or will be available upon application of permits. Please contact the Department of Public Works for more information.



### 3920 Dahlwiny Ct

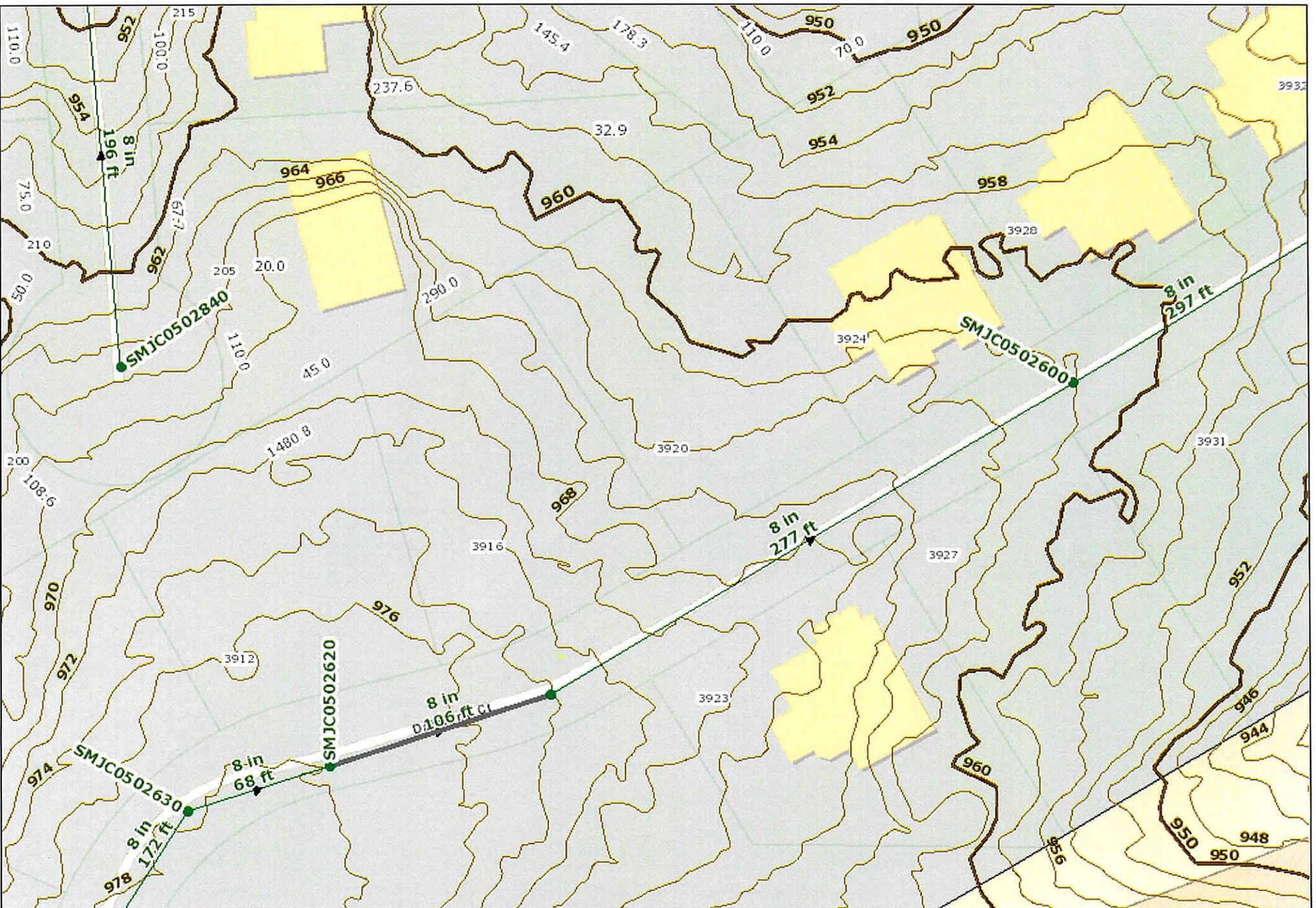
Date: 7/12/2016

Map Size: 8.5x11 (LETTER)

Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use these data, even if Fulton County is advised of the possibility of such losses.



Prepared By:  
GIS Section  
Water Resources Department  
Fulton County Government



### 3920 Dahlwiny Ct

Date: 7/12/2016

Map Size: 8.5x11 (LETTER)

Fulton County provides the data on this map for your personal use "as is". The data are not guaranteed to be accurate, correct, or complete. The feature locations depicted in these maps are approximate and are not necessarily accurate to surveying or engineering standards. Fulton County assumes no responsibility for losses resulting from the use these data, even if Fulton County is advised of the possibility of such losses.



Prepared By:  
GIS Section  
Water Resources Department  
Fulton County Government

## Property Profile for 3920 DAHLWINY CT

### Property Tax Information

Tax Year	2016
Parcel ID	06 0310 LL0508
Property Address	3920 DAHLWINY CT
Owner	KASRAVI CATHERINE B & REZA
Mailing Address	3920 DAHLWINY CT SANDY SPRINGS GA 30350-1153
Total Appraisal	\$626,900
Improvement Appraisal	\$476,100
Land Appraisal	\$150,800
Assessment	\$250,760
Tax District	59
Land Area	0.33999 ac
Property Class	Residential Lots
Land Use Class	Residential 1 family
TAD	
CID	

### Zoning

Zoning Class	not available
Overlay District	
2030 Future Development	not available

### Political

Municipality	Sandy Springs
Commission District	1
Commission Person	Liz Hausmann
Council District	District 1
Council Person	John Paulson
Voting Precinct	SS01
Poll Location	Life Center Ministries Inc., 2690 Mount Vernon Road
Congressional District	006
State Senate District	040
State House District	051

### School Zones

Elementary School	Dunwoody Springs
Middle School	Sandy Springs
High School	North Springs

### Other Information

Zip Code	30350
Census Tract	101.08
In Less Developed Census Tract	No

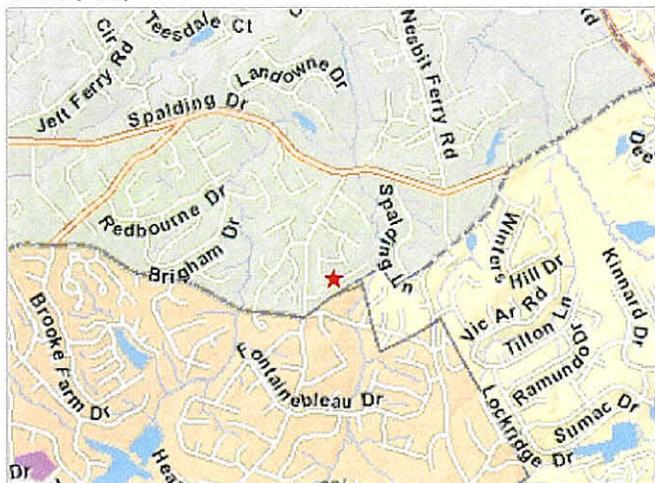
Aerial View



Property Map



Vicinity Map





April 23, 2009

Donnie Chapman  
Capital Design Group  
1235 Hightower Trail, Suite 300  
Sandy Springs, Georgia 30350

Subject: **Approval of Zoning Modification** – ZM08-009, Trillium Subdivision – Happy Hollow Road

Dear Mr. Chapman:

Please be advised, the City of Sandy Springs Mayor and City Council approved the modification of the conditions of Z00-0083, with regard to the above referenced property currently zoned currently zoned CUP (Community Unit Plan District). Zoning modification petition ZM08-009 was approved by the Mayor and City Council at the October 21, 2008 hearing, subject to the following conditions:

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Single family detached dwellings and accessory uses and structures.
  - b. No more than 26 total dwellings units at a maximum density of 2 dwelling units per acre whichever is less, based on the total acreage zoned.
  - c. The minimum lot size shall be 15,000 square feet.
  - d. The minimum heated floor area shall be an average of 3,500 square feet, and a minimum of 3,000 square feet. Each time building permits are issued, the average of minimum heated floor area shall be 3,500 square feet. Example: If one building permit is issued, the minimum shall be 3,500 square feet, but the average of the five shall be 3,500 square feet.
2. To the owner's agreement to abide by the following:
  - a. To the site plan received by the Department of ~~Environment and~~ Community Development on July 28, 2008. Said site plan is conceptual only and must meet or exceed the requirements of the zoning resolution and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of the first Certificate of Occupancy.
3. To the owner's agreement to the following site development considerations:

- a. Minimum Front Yard: 15 feet from back of curb  
Minimum Side yard (interior): 10 feet  
Minimum Side yard (Corner): 20 feet  
Minimum Rear yard: 35 feet, except a minimum of 50 feet adjacent to Spalding Green

Subdivision.

Minimum Lot Width: 75 feet, except the minimum lot width feet for lots 1 through 11 abutting

Spalding Green Subdivision.

Minimum Lot frontage: 35 feet

Building Separation: 20 feet

- b. Decks, patios or gazebos shall not encroach into the rear yard setback of lots adjoining Spalding Green Subdivision.
- c. No more than 1 exit / entrance on Happy Hollow Road. Curb cut location and alignment are subject to the approval of the ~~Fulton County~~ Sandy Springs Traffic Engineer.
- d. No access shall be allowed from Wolf Brook Drive.
- e. No access shall be allowed from Dunwoody Club Drive.
- f. No lot shall be allowed direct access to Happy Hollow Road.
- g. No lot shall be allowed direct access to Dunwoody Club Drive.
- h. All utilities shall be underground.
- i. All street lighting shall be installed with an underground feed.
- j. Stone or brick veneer is to be used on the exterior side of all exposed walls, associated with the detention pond, facing Spalding Green Subdivision. Fencing around the detention pond is subject to the approval of the ~~Fulton County Drainage~~ Sandy Springs Engineer.
- k. ~~All garages shall be side entry except cul-de-sac lots 12, 13, 14 and 15. There will be no rear-entry garages on any lot adjoining Spalding Green Subdivision.~~
- l. ~~An undisturbed area along the common boundary line with Spalding green Subdivision shall be 50 feet in depth throughout construction until the issuance of a certificate of occupancy.~~

- m. Plant a minimum of 4 hardwood trees with a minimum 4 inch caliper in each lot. Two trees shall be installed in the front yard, and 2 trees shall be installed in the back yard. Trees shall be spaced a minimum of 30 feet and shall be planted a minimum of 10 feet from any property line. If the ~~Fulton County~~ **Sandy Springs** Arborist has determined that trees cannot be planted in the rear yard, due to the presence of the existing trees, the preservation of existing trees will fulfill the requirements of this condition.
  - n. A brick entrance wall shall be constructed along Happy Hollow Road at the subdivision entrance.
  - o. Exterior siding material shall be brick, stucco or stacked stone on the sides facing Spalding Green and on at least three sides of each of the remaining homes.
  - p. All recreational and other areas which may be held in common shall be maintained by a mandatory homeowners association, who's proposed documents of incorporation shall be submitted to the Director of ~~the Department of Environment and Community Development~~ for review and approval prior to the recording of the first final plat. The developer shall include in the homeowners association covenants that membership in the incorporated into the covenants of the new subdivision.
  - q. The owner/developer shall provide a permanent thirty-five (35) foot natural undisturbed buffer and ten (10) improvement setback adjacent to Spalding Green Subdivision. Said buffer shall be replanted where sparsely vegetated subject to the approval of the Sandy Springs Arborist.
4. To the owner's agreement to abide by the following requirements, dedications and improvements:
- a. Dedicate at no cost to ~~Fulton County~~ **the City of Sandy Springs** along the entire property frontage, prior to the approval of a Land Disturbance Permit, sufficient land as necessary to provide the following right-of-way, and dedicate no cost to ~~Fulton County~~ **the City of Sandy Springs** such additional right-of-way as may be required to provide at least 10.5 feet of right-of-way from the back of curb of all abutting road improvements, as well as allow the necessary construction easements while the right-of-way are being improved:
    - 30 feet from the centerline of Happy Hollow Road.
    - 30 feet from the centerline of Dunwoody Club Drive.
  - b. Improve roadway(s) along the entire property frontage with curb and gutter per Fulton County standards or as may be approved by the ~~Fulton County~~ **City of Sandy Springs** Traffic Engineer and/or the Georgia Department of transportation.

- c. Permanently cul-de-sac Wolf Brook Drive as approved by the ~~Fulton County~~ City of Sandy Springs Traffic Engineer. A cul-de-sac is not required at the end of Wolf Brook Drive should the stub of Wolf Brook Drive be abandoned by ~~Fulton County~~ the City of Sandy Springs.
5. To the owner's agreement to abide by the following:
- a. To contact the Director of Public Works, prior to the application for a Land Disturbance Permit with the Department of ~~Environment and~~ Community Development, to meet with the ~~Fulton County~~ City of Sandy Springs Traffic Engineer. A signed copy of the results of these meetings will be required to be submitted along with the application for a Land Disturbance Permit.
  - b. Prior to the application for a Land Disturbance Permit with the Department of ~~the Environment and~~ Community Development, arrange an on-site evaluation of existing specimen trees/stands, buffers, and tree protection zones within the property boundaries with ~~Fulton County~~ Sandy Springs Arborist. A signed copy of the results of these meetings will be required to be submitted along with the application for a land Disturbance Permit.
  - c. To contact the Public works Department, Water Service Division, prior to the application for a Land Disturbance Permit (LDP) with the Department of ~~Environment and~~ Community Development, to meet with the ~~Fulton County~~ Drainage Sandy Springs Engineer on-site.
  - d. The engineer/developer is required to submit along with the application for a Land Disturbance Permit (LDP) signed documentation verifying the storm water concept plan approval.
  - e. Provide at the LDP approval documentation (such as cross- section, profile, etc.) describing all existing natural streams, creek, or draws geometry, within the proposed development boundary and provide the appropriate bank erosion protection for the conveyance system after development.
  - f. The developer/ engineer is responsible to demonstrate to the ~~County~~ City by engineering analysis at the Land Disturbance Permit application that the proposed development surface water runoff conditions are controlled at the minimum predevelopment level, so that downstream conveyance system may not be impacted, aggravate existing flooding or drainage problems nor creates new flooding or drainage problems off-site.
  - g. Prior to the application for a Land Disturbance Permit, the developer/engineer shall submit to the Department of Public Works, surface Water Section, a project Storm

drainage conveyance system that the proposed development runoff will impact; the discharge path(s) from facilities/BMP's outlet through the downstream conveyance system downstream and any potential surface water implications.

- h. The developer/engineer is responsible to conceptually describe to the County City at the Storm water concept plan approval phase post development structural Best Management Practices (BMP's) to be utilized to reduce surface water pollution impact associated with the proposed development. The detail engineering analysis and specifications of BMPs shall be included as a part of the LDP storm water submittal.

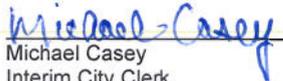
If it is necessary to resubmit plans or apply for any additional permits associated with this project, please submit a copy of this letter as an attachment. Should you have any questions or need any additional information regarding this project, please do not hesitate to contact me at (770) 730-5600.

Sincerely,

  
Patrice S. Ruffin, AICP  
Assistant Director of Planning & Zoning

PR/la

Approval ZM08-009

Certification of Approval	
I hereby certify that the subject case was approved by the Mayor and City Council of the City of Sandy Springs with the associated conditions on the above stated hearing date.	
 Michael Casey Interim City Clerk	 Date

**From:** Bob Barnaby [RBarnaby@dnc-law.com]  
**Sent:** Monday, April 20, 2009 2:26 PM  
**To:** Ruffin, Patrice  
**Cc:** Abaray, Linda; Donnie Chapman  
**Subject:** Trillium Mod ZM 08-009

Dear Ms. Ruffin,

I am the president of the Homeowners' Association of Spalding Green, Inc. I and members of the Spalding Green subdivision, whose lots had side or rear boundary lines contiguous with the northern boundary line of the Trillium subdivision developed by Capital Design Group, worked with Donnie Chapman to arrive at a mutually agreeable resolution of our competing interests with respect to Capital Design Group's petition to modify certain zoning conditions applicable to Trillium subdivision. Later, I attended the hearing conducted by the City Council on CDG's petition to modify those certain zoning conditions.

In his below email Mr. Chapman accurately reports our agreement with respect to the modification of the prior condition 3.l. which required the maintenance of a 50-foot undisturbed buffer during construction. We agreed to the deletion of condition 3.l. and the substitution of condition 3.q. which requires the owner/developer to provide a permanent thirty-five (35) foot natural undisturbed buffer and ten (10) foot improvement setback as to the boundary line of Spalding Green subdivision.

Please contact me via phone or email if you have any questions about this email.

Robert A. Barnaby II  
 Donahue, Nelson & Cohen, LLC  
 1050 Crown Pointe Parkway  
 Suite 1600  
 Atlanta, GA 30338  
 Phone: 770-391-1300  
 Fax: 770-391-1320

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**From:** Donnie Chapman [mailto:dchapman@CDGinc.com]  
**Sent:** Monday, April 20, 2009 1:40 PM  
**To:** Bob Barnaby  
**Cc:** Patrice.ruffin@sandyspringsga.org; linda.abaray@sandyspringsga.org  
**Subject:** FW: Trillium Mod ZM 08-009

FWD: Bob, as another reminder, Patrice Ruffin's with the City of Sandy Springs contact information is below.  
 Thanks, Donnie

Bob,

We are trying to get the final plat re-recorded for Trillium to reflect the zoning modifications but in going through the review process the City realizes they made a "Scribner's error" in the final conditions. Rather than "replacing the condition for the 50' construction buffer with the 35' undisturbed buffer" that we all agreed to they ADDED a new condition. They should have replaced Condition 3. L. but instead left it and added 3. q. The City realizes the error and has asked that you acknowledge the need for the change so that we can proceed with the re-record.

Please contact Patrice Ruffin [Patrice.ruffin@sandyspringsga.org](mailto:Patrice.ruffin@sandyspringsga.org) (770-206-1513) at the City of Sandy Springs to confirm the conditions.

Thanks,  
Donnie

(404) 626-3219

---

**From:** Donnie Chapman [mailto:dchapman@CDGinc.com]  
**Sent:** Wednesday, February 11, 2009 6:05 PM  
**To:** 'Patrice Ruffin'  
**Cc:** 'Abbas Heidari'; 'dchapman@cdginc.com'  
**Subject:** Trillium Mod ZM 08-009

Patrice,

My engineer submitted the final plat to be rerecorded to show the revision to the buffer along the Spalding Green border with Trillium and he got it back with the comment that he need to show the "old 50' construction buffer" that was supposed to be replaced with the "35' Undisturbed Buffer". I have attached all the final agreements and the way you wrote it up is fine, but it should have replaced condition 3. I. instead of being added to the end. Help!

Thanks,  
Donnie

(404) 626-3219

---

**From:** Donnie Chapman [mailto:dchapman@CDGinc.com]  
**Sent:** Tuesday, October 21, 2008 3:07 PM  
**To:** 'Bob Barnaby'  
**Cc:** 'patrice.ruffin@sandyspringsga.org'; Nancy Leathers; 'sima@cdginc.com'; 'mo@CDGinc.com'  
**Subject:** RE: Zoning Application --- Trillium Subdivision

Bob,

I have attached a copy of a letter outlining the agreement we just discussed. I am sending this to The City of Sandy Springs and asking them, herewith, to make this agreement a part of the conditions of my Zoning Modification for Trillium Subdivision.

Thank you for your help.

Thanks,  
Donnie

(404) 626-3219

---

Robert A. Barnaby II  
Donahue, Nelson & Cohen, LLC  
1050 Crown Pointe Parkway  
Suite 1600  
Atlanta, GA 30338  
Phone: 770-391-1300  
Fax: 770-391-1320

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August 22, 2016

City of Sandy Springs  
7840 Roswell Rd.  
Sandy Springs, GA 30350

SUBJECT: Support of ZM16-0017, Kasravi request to reduce the required 35ft buffer for the installation of a swimming pool.

Though the Trillium HOA Board of Directors already submitted a letter of support for the Kasravi family on behalf of our community, we would like to submit a separate declaration of our strong support for Reza and Catherine to build a swimming pool in their backyard.

We are the Kasravis' neighbors to the west and share a property line with them. They are a hard-working family with two young, very active children who would like to have full use of their back yard.

Due to the existing rear setback, these children are unable to enjoy the back yard to it's full potential. As neighbors, it would be a joy to see these wonderful, friendly children and family enjoy their property even more.

We are fully supportive of the Kasravis' plan to build a swimming pool for their kids to enjoy.

As soon as they discussed this with us last summer we were very excited about the landscaping plan, which will provide a nice environment for us and would increase the overall value of the homes in our neighborhood.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith and Kimberly Edmunds", with a long, sweeping horizontal line extending to the right.

Keith and Kimberly Edmunds  
3916 Dahlwiny Ct.  
Sandy Spring, GA 30350

Cc: Councilman John Paulson ([jpaulson@sandyspringsga.gov](mailto:jpaulson@sandyspringsga.gov))  
Cc: Mayor Paul and Sandy Springs City Council

August 26, 2016

City of Sandy Springs  
Attn: Kristin Byars  
7840 Roswell Rd.  
Sandy Springs, GA 30350

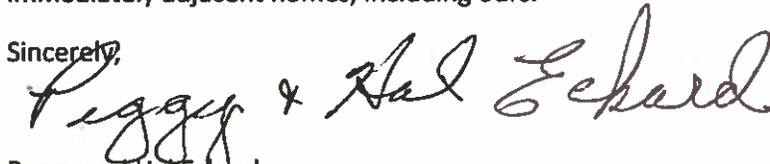
**RE: Support of ZM16-0017– Request to modify condition 3q of Zoning Modification ZM08-009 to rezoning Z00-0083 to reduce the required 35 foot buffer for 3920 Dahlwiny Court for the installation of a swimming pool.**

To Whom It May Concern:

We are writing in strong support of our direct neighbors, Catherine & Reza Kasravi, and their request to build a swimming pool in their backyard. They consulted with us before they embarked on the vendor selection and permit process with City of Sandy Springs, and we have been supportive of their plans since that time, nearly a year ago.

We are retirees and grandparents, and therefore appreciate the Kasravis' desire to cultivate their private property so that it fits the needs of their young family, especially knowing Saam and Giv's love of swimming. Our neighborhood is a small, tight-knit community but does not have recreational amenities; as such, we believe that the Kasravis' proposed pool and beautiful landscaping plan will enhance the value of their home as well as immediately adjacent homes, including ours.

Sincerely,



Peggy and Hal Eckard  
3924 Dahlwiny Ct.  
Sandy Spring, GA 30350

Cc: Councilman John Paulson ([jpaulson@sandyspringsga.gov](mailto:jpaulson@sandyspringsga.gov))

Cc: Mayor Paul and Sandy Springs City Council

August 22, 2016

Richard and Lisa Zambacca  
3939 Dahlwiny Ct.  
Sandy Springs, GA 30350

**RE: Support of ZM16-0017**

To Whom It May Concern:

We are writing to express support for Reza and Catherine Kasravi, who have requested to reduce the required 35ft buffer in their rear yard to build a swimming pool.

While we live farther down the street from the Kasravis, we transformed our outdoor living space once we purchased our home and built a swimming pool, using the same reputable company that the Kasravis have selected for their project. Since our project was finalized, we enjoy immense privacy provided by the beautiful landscaping that we implemented, and we feel that the value of our property has increased as a result; this can only benefit our community overall.

Again, we fully support the Kasravis' plan to build a swimming pool to enjoy as a family; please let us know if we can be of further assistance.

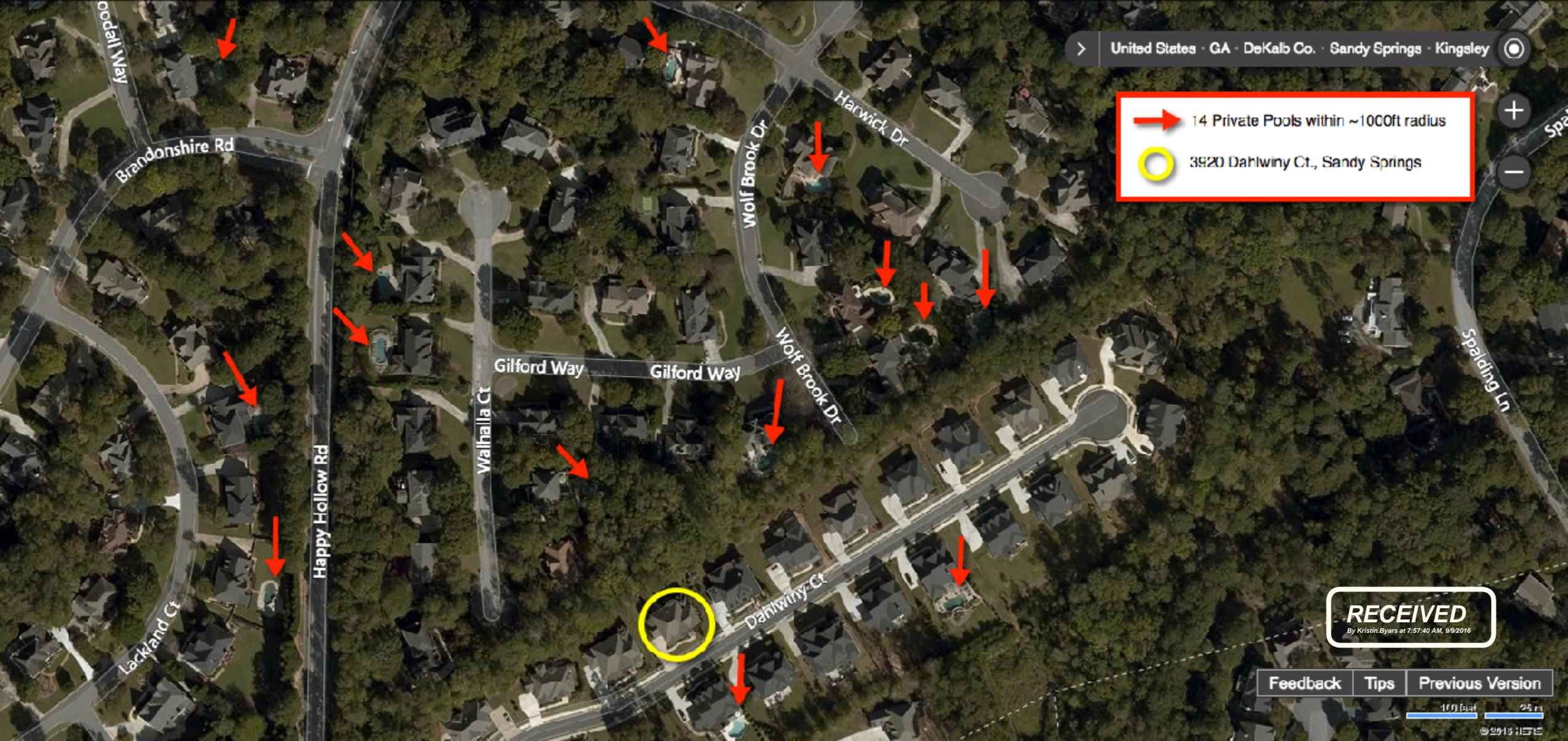
Best regards,



Richard Zambacca

 14 Private Pools within ~1000ft radius

 3920 Dahlwiny Ct., Sandy Springs



**RECEIVED**  
By Kristin.Byars at 7:57:40 AM, 9/9/2016



~ 0.4 ac of Natural Buffer

Sole Shared Property Line w/ Spalding Green

50 ft Setback

**RECEIVED**  
By Kristin Byars at 7:57:46 AM, 9/9/2016