CITY OF HAPEVILLE ECONOMIC DEVELOPMENT DEPARTMENT VARIANCE APPLICATION

	Name of Applicant MMer Lowy Revelopments
	Mailing Address 2964 feachtree Mel. NW Suite 540 Atlanta, 6A 3,3,5
	Telephone 770 93 -442 Mobile #Email_(36.15] Es a mallo 14.00
	Property Owner (s) Development Athor At of Haparite
	Mailing Address 3468 North Fulton Ave blads Weld Int. Hryp A Hapurly
	Telephone
	Property Address/Location: Struked Getween Central, Colothe freue f
	Parcel I.D. # (INFORMATION MUST BE PROVIDED): 14012700020429
	141, 1885
	Square Foot of Property Building Size 63,76256 Zoning VMay
	Present Land Use haw kind by TH's + (-moverny)
H total -)	Variance Requested Warny Stokewill along Willingham, leverge required
	Applicable Code Section
	electeur hight of our
	I hereby make application to the City of Hapeville, Georgia for the above referenced property. I do hereby sweat or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to conform with all of City of Hapeville's Ordinances in full. I hereby acknowledge that all requirements of the City of Hapeville shall be adhered too. I can read and write the English language and/or this document has been read and explained to me and I have full and voluntarily completed this application. I understand that it is a felony to make false statements or writings to the City of Hapeville, Georgia pursuant to O.C.G.A. 16-10-20 and I may be prosecuted for a violation thereof. Applicant's signature
	Date:
WILLIAM BY	Sworn to and subscribed before me
HINE MARY	This 27 day of MARCH, 2019.
MARY MARY MAY 5 2020 ARY PU	Notary Public
ARY PU	B. H.

CITY OF HAPEVILLE ECONOMIC DEVELOPMENT DEPARTMENT VARIANCE APPLICATION

WRITTEN SUMMARY

In detail, explain any extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography that		
would qualify for a variance.	Se affacted warrive.	
Explain how the application of the ordinanc would create an unnecessary hardship.	e to this particular piece of property	
Explain how these conditions are peculiar to	o the particular piece of property involved.	
What, if any, detriment to the public good variance was granted?	would the proposed project have if a	

CITY OF HAPEVILLE ECONOMIC DEVELOPMENT DEPARTMENT VARIANCE APPLICATION

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:
Parcel 140/2100020429
Parce 14012700020319
City of Hapeville, County of Fulton, State of Georgia
WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF A VARIANCE FOR THE PROPERTY.
Name of Applicant pulled Lowy Philosophers
Address of Applicant 2964 Peachter Rd. WW, Sule 543 Atlant, 6/7 30305
Telephone of Applicant 773 - 903 - 4422
Malber Mairman Signature of Owner
Print Name of Owner
Personally Appeared Before Me this 17 day of MARCK, 2019. Notary Public MAY MAY Solve March MARCK MAR
ARY PURILIMINATION 6

All that parcel of land lying in and being located in Land Lot 98 and 127 of the 14th District, Fulton County, Georgia, and being more particularly described as follows:

Commencing at a 1/2 inch capped rebar set at the southwest quadrant of the intersection of Central Ave and Colville Ave, said capped rebar beinng the ture point of beginning (POB).

Thence leaving said POB, S 01° 12′ 25.9″ W for a distance of 215.6095 feet to a point on a line.

Thence, N 73° 02' 33.1" W for a distance of 153.8800 feet to a point on a line.

Thence, N 08° 10' 44.9" E for a distance of 5.7000 feet to a point on a line.

Thence, N 72° 56′ 24.1″ W for a distance of 406.1516 feet to a point on a line.

Thence, N 17° 16′ 55.5″ E for a distance of 10.0437 feet to a point on a line.

Thence, N 73° 14' 01.5" W for a distance of 94.5067 feet to a point on a line.

Thence, N 72° 45′ 36.0″ W for a distance of 49.9771 feet to a point on a line.

Thence, N 10° 05' 03.5" E for a distance of 104.7466 feet to a point on a line.

Thence, N 65° 51' 37.7" E for a distance of 59.9364 feet to a point on a line.

Thence, N 65° 53' 01.3" E for a distance of 97.4780 feet to a point on a line.

Thence, S 78° 08' 45.4" E for a distance of 36.0818 feet to a point on a line.

Thence, S 69° 13′ 19.6″ E for a distance of 50.0000 feet to a point on a line.

Thence, N 20° 46′ 40.4″ E for a distance of 15.0000 feet to a point on a line.

Thence, S 69° 45' 39.2" E for a distance of 77.7820 feet to a point on a line.

Thence, S 68° 50' 14.8" E for a distance of 49.8439 feet to a point on a line.

Thence, S 68° 57' 42.6" E for a distance of 200.3277 feet to a point on a line.

Thence, S 68° 48' 41.0" E for a distance of 49.9678 feet to a point on a line.

Thence S 69° 16' 47.1" E a distance of 77.0059 feet to a 1/2 inch rebar set, said rebar being the true point of beginning.

Said parcel of land contains 3.255 acres (141,786.66 square feet).



2964 Peachtree Rd. NW Suite 540 Atlanta, GA 30305

March 20, 2019

Economic Development Department 3468 North Fulton Avenue Hapeville, GA 30354

To whom it may concern,

Miller Lowry Developments respectfully requests your positive consideration for the attached Board of Appeals Variance Application. Our intent is to develop "The Village Walk at Hapeville", a new +/- 3.25 acre mixed-use community, located at the gateway to Hapeville. The specific property is nestled between Central Avenue, Colville Avenue, and Willingham Dr. just east of I-85. Our proposed site plan includes 20 townhomes and approximately 7,132 sf of boutique commercial space, with the townhomes being no taller than 2.5 stories each.

Since our original submittal to staff on 12.11.18 for site plan approval, Miller Lowry Developments has made significant changes to the site plan design and architecture to address staff's comments, and or concerns, along with designing a site that works well with the City's current characteristics. Much thought has been put into the plan in making the project an extension of the commercial developments to the east of the site across from Colville Avenue, while also making the residential portion of the site an extension of the residential neighborhoods south of the site across Willingham Dr.

Each townhome will have a 2 car garage accessed by a rear drive aisle and all front entry facades will face a Village Green that preserves many of the existing trees on site. The intent of the Village Green concept is to conserve the openness of the site, by not overwhelming the site from a density perspective. Additional amenities to the residents will be a pervious walking path around the Green and a common area firepit, not to mention the walkable retail options nearby.

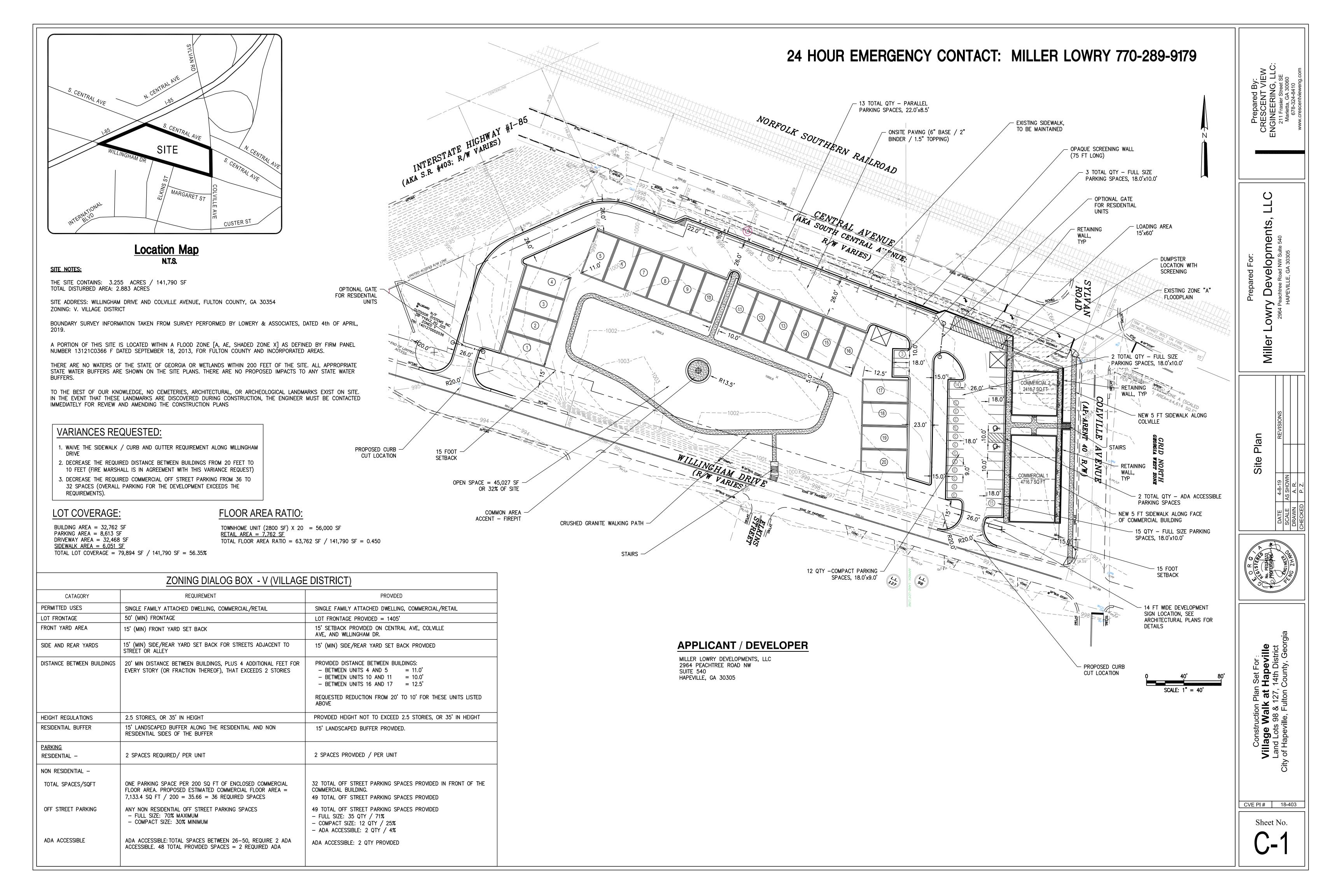
The commercial space will be in two single-level buildings located along the eastern border of the site and will incorporate architecture that compliments the immediate areas buildings.

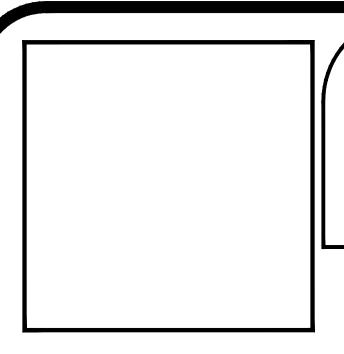
Miller Lowry Developments will be submitting to the Board of Appeals for approval of 4 total variances including: waving the sidewalk requirement for Willingham in order to conserve trees and the sites topography, decreasing the required distance between buildings from 20' to 10' to conserve trees, which we already have approval from the Fire Marshall on, decreasing the commercial off street parking from 36 to 32 parks, and lastly reducing the building height on the

commercial portion from 24' to 18'. We are requesting this variance in order to maintain the small, historical feel that comes with Hapeville. Since our initial talks with the landowner and the City, it was our intent as the developer to preserve as many trees as possible, and to create an infill park feel to the overall development. In order to create this feel, we have created quite the strain of space by pushing the construction component of the development outward. Due to the topography, and the push to save trees, we require the aforementioned variances. There would be no detriment to the public good if these variances were granted.

Sincerely,

Miller Lowry Developments





SURVEY REFERENCES

- 1) BOUNDARY, TOPOGRAPHIC, TREE, AND UTILITY SURVEY DATED APRIL 21, 2018 PREPARED BY VALENTINO & ASSOCIATES.
- 2) PLAT OF VIRGINIA PARK DATED APRIL, 1921 PREPARED BY Ó.F. KAUFFMAN. CE.

FINAL SURVEYOR'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AS TO THE PROPERTY LINES AND ALL IMPROVEMENTS SHOWN THEREON, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS AND MARKERS SHOWN THEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 32,331 FEET AND AN ANGULAR ERROR OF <u>3.12 SECONDS</u> PER ANGLE POINT, AND WAS ADJUSTED USING THE <u>LEAST SQUARES</u> RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 603,503 FEET AND THE PROPERTY SHOWN CONTAINS A TOTAL OF 3.255 ACRES. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS A TOPCON GPT-3005LW TOTAL STATION, TOPCON HIPER SR GPS RECEIVER, AND CARLSON SURVEYOR+ DATA COLLECTOR.



MITCHELL LOWERY

LEGEND

	PROPERTY LINE	V FH	FIRE HYDRANT
	OVERHANG/AWNING	S	SANITARY SEWER MANHOLE
	BUILDING SETBACK LINE	DI IIII	DROP INLET
B.S.L.	BUILDING SETBACK LINE	DWCB 🔼	DOUBLE-WING CATCH BASIN
—— w ——— w ——	WATER LINE	RB	REBAR
OHE OHE	OVERHEAD UTILITY LINE	CRB	CAPPED REBAR
— g — g —	GAS LINE	FND	FOUND
— ss — ss —	SANITARY SEWER LINE	OTP	OPEN TOP PIPE
	STORM DRAIN PIPE	CTP	CRIMPED TOP PIPE
₩V	WATER VALVE	Ø	LIGHT POLE

SURVEY NOTES

- 1) PROPERTY SHOWN HEREON WAS SURVEYED APRIL 3. 2019.
- 2) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION A AND X ON FLOOD INSURANCE RATE MAP NO. 13121CO366F, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 18, 2013, FOR COMMUNITY NUMBER 130502, IN FULTON COUNTY, STATE OF GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
- 3) UTILITIES SHOWN PER MARKINGS PLACED BY UTILITY-MARKING. L.L.C.. UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST. LOWERY & ASSOCIATES MAKES NO GUARANTEE AS TO THE EXISTENCE OR NON-EXISTENCE OF SAID UTILITIES.

FINAL PLAT APPROVAL

CITY CLERK - ON BEHALF OF MAYOR

CHAIRMAN, PLANNING COMMISSION

& COUNCIL

THIS SUBDIVISION PLAT HAS BEEN REVIEWED BY THE PLANNING COMMISSION AND THE CITY ENGINEER AND FOUND TO BE IN COMPLIANCE WITH ZONING ORDINANCE, CONDITIONS OF ZONING APPROVAL, CITY OF HAPEVILLE DEVELOPMENT REGULATIONS AND SUBDIVISION REGULATIONS, AS AMENDED, AND THAT IT HAS BEEN APPROVED BY ALL OTHER AFFECTED CITY AND COUNTY DEPARTMENTS, AS APPROPRIATE. THE MAYOR AND CITY COUNCIL HEREBY APPROVE THIS FINAL PLAT, SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF THE CITY'S REGULATIONS AND THE PROVISIONS AND REQUIREMENTS OF THE DEVELOPMENT PERFORMANCE AND MAINTENANCE AGREEMENT EXECUTED FOR THIS DEVELOPMENT BETWEEN THE OWNER AND THE CITY OF HAPEVILLE.

DATE

DATE

DATE

OWNER

HAPEVILLE DEVELOPMENT AUTHORITY 3468 N FULTON AVENUE HAPEVILLE, GA 30354

SUBDIVIDER

MILLER LOWRY DEVELOPMENTS 2964 PEACHTREE ROAD NW SUITE 540 ATLANTA, GA 30305



317 GRASSDALE ROAD **CARTERSVILLE, GA 30121** 770-334-8186 WWW.LOWERYLANDSURVEYS.COM INFO@LOWERYLANDSURVEYS.COM GEORGIA C.O.A.: LSF-001102

OWNER'S ACKNOWLEDGEMENT AND DEDICATION

(STATE OF GEORGIA) (FULTON COUNTY) THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, AND IN PERSON THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND DEDICATES BY THIS DECLARATION TO THE USE OF THE PUBLIC FOREVER ALL STREETS, EASEMENTS, SANITARY SEWERS AND APPURTENANCES, POTABLE WATER MAINS AND APPURTENANCES, STORM DRAINS AND APPURTENANCES, AND OTHER PUBLIC FACILITIES AND APPURTENANCES THEREON SHOWN.

IGNATURE OF SUBDIVIDER	DATE SIGNED
RINTED OR TYPED NAME OF SUBDIVIDER	

PRINTED OR TYPED NAME OF OWNER

ZONING AND SETBACK INFORMATION PER THE CITY OF HAPEVILLE ZONING MAP DATED MARCH 5, 2019 AND MUNICODE.COM.

SHEET: 1 OF 2

COMBINATION PLAT OF: FULTON COUNTY PARCELS: 14 012700020429 & 14 012700020379 PREPARED FOR: MILLER LOWRY DEVELOPMENTS

JOB #: 192560	SCALE: 1"=100'
DATE: APRIL 4, 2019	DRAWN BY: J.BAGLEY
STATE: GEORGIA	COUNTY: FULTON
LAND LOTS: 89 & 127	DISTRICT: 14TH

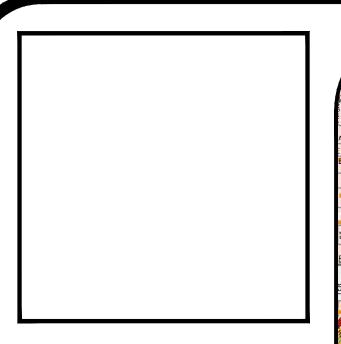
ZONING

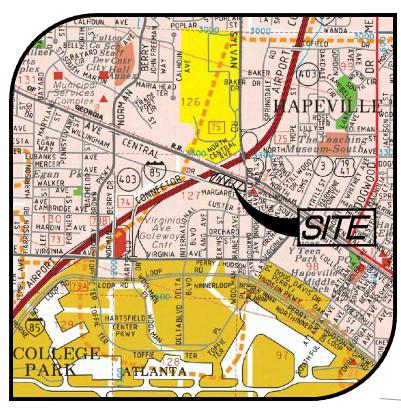
ZONING FOR THIS PROPERTY IS CURRENTLY CLASSIFIED AS "V" (VILLAGE). SETBACKS AND RESTRICTIONS ARE AS FOLLOWS:

FRONT YARD: 15 FEET SIDE YARD: 15 FEET REAR YARD: 15 FEET MINIMUM WIDTH: 50 FEET MAXIMUM BUILDING HEIGHT: 2 1/2 STORIES OR 35 FEET

GEORGIA RLS# 3109

PRINTED OR TYPED NAME OF OWNER





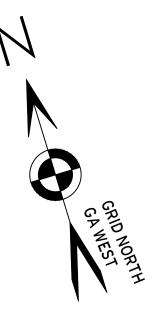
100'

GRAPHIC SCALE

 $1 \ Inch = 100 \ Feet$

100'

200'





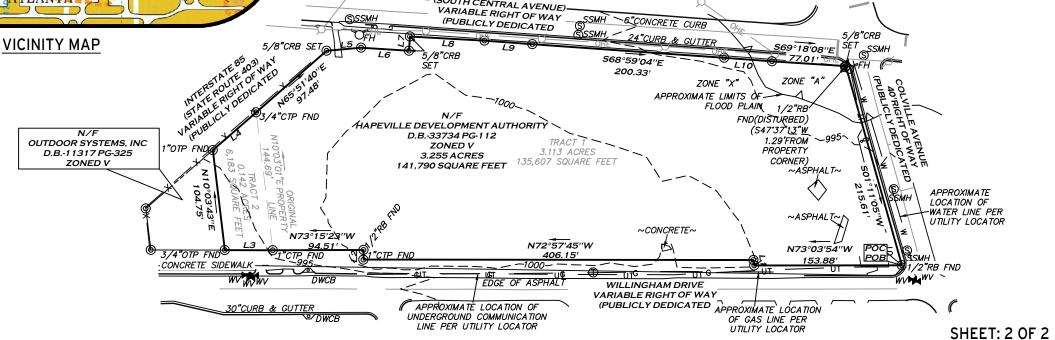
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MITCHELL LOWERY GEORGIA RLS# 3109



CENTRAL AVENUE 'SOUTH CENTRAL AVENUE)-

LINE TABLE

LINE	BEARING	DISTANCE
L1	N08°09'24"E	5.70'
L2	N1795'34"E	10.04'
L3	N72*46'57"W	49.98'
L4	N65°50'17"E	59.94'
L5	S7810'06"E	36.08'
L6	S69°14'41"E	50.00'
L7	N20°45'19"E	15.00'
L8	S69°47'00"E	77.78'
L9	S68°51'36"E	49.84'
L10	S68*50'02"E	49.97'

COMBINATION PLAT OF:
FULTON COUNTY PARCELS:
14 012700020429 & 14 012700020379
PREPARED FOR:
MILLER LOWRY DEVELOPMENTS

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