



City of Peachtree Corners  
Attention: Lynn Pierson  
147 Technology Parkway  
Suite 200  
Peachtree Corners, GA 30092

December 3, 2014

Re: Letter of Intent for Variance request related to 4324 Ridgeway Drive, Peachtree Corners GA

Dear Lynn,

Hope all is well and that you had a Happy Thanksgiving.

The owners, Mr. & Mrs. Tony Rogers, of 4324 Ridgeway Drive, Peachtree Corners GA. also designated as Lot 32, Block 'E', Unit 3 of the Riverview Estates Subdivision Land Lot 329, 6<sup>th</sup> District of Gwinnett County Georgia, are requesting a variance to the 75' front yard setback for their property. I have prepared the following explanation as to why a variance is necessary for the building of their new home on the subject property. In short, there is not enough buildable area available to the property to build a proper home due to site constraints, building setbacks and buffers. Although the current zoning regulations for the property allows for a setback to be located at 35' behind the right of way, the current plat only allows for the home to be located behind the 75' setback as shown on the final plat dated January 20<sup>th</sup>, 1972 and it is the final plat which supersedes the Zoning for the property in this case.

They are formally requesting that the front yard setback of 75', as shown on the final subdivision plat, dated January 20<sup>th</sup>, 1972, be reduced to 55' front yard setback for the following reason:

The current 75' front setback along with the 150' impervious setback, located along the Chattahoochee River, designated by the Metropolitan River Protection Act (MRPA) of 1973, adversely impacts the lot by significantly reducing the area designated as "Current Buildable Area" to a point where a home relative to the surrounding community standards cannot be constructed.

Attached to this letter are several Exhibits. The first is titled Exhibit 'A' Existing Conditions Survey prepared by Boundary Zone dated 10/6/14 showing the 75' front building setback and 20' side yard setback lines as depicted in the final plat dated January 20<sup>th</sup>, 1972. Also shown on this plan is the existing home, current driveway location, trees, topography, boundary information, 100 year flood line and the 150' impervious buffer setback from the Chattahoochee River as established in the Metropolitan River Protection Act of 1973. As shown, the current house lies well beyond the 150' impervious setback and slightly in front of the 75' building setback. When this plat was prepared, the Metropolitan River Protection Act had not yet been established and therefore did not adversely impact the proposed home slated for construction in 1972. In 1973 the Metropolitan River Protection Act was implemented and now has created a 150' Impervious Setback from the River which prohibits any type of structure to be built within this impervious buffer area. Their request is for a variance on the front setback of 75' to 55' to allow the Rogers to build a new home on the property without adversely affecting the 150' buffer located along the Chattahoochee River.

[www.BoundaryZone.com](http://www.BoundaryZone.com)

4195 South Lee Street, Suite I, Buford, GA 30518 - 770-271-5772  
235 Peachtree Street NE, Suite 400, Atlanta, GA 30303 - 404-446-8180  
2205 Candun Drive, Suite C, Apex, NC 27523 - 919-363-9226  
General Fax - 770-271-5753 / Corporate Fax - 678-730-4395

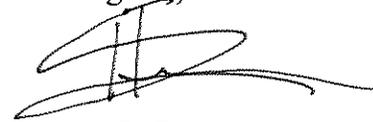
The second drawing is titled Exhibit 'B' Current Buildable Area. This plan shows the current area available for constructing a new home on the site. This lot was developed pre act of the Metropolitan River Protection Act of 1973 and was not subject to the current restrictions that the Act currently places upon the property. The home was permitted through Gwinnett County permit department, constructed and ultimately received a certificate of occupancy. The current hose is as close as 94' to the wrested vegetation along Chattahoochee River. With the 75' front setback and the 150' impervious setback from the river, the average depth of the buildable area available under the current conditions is approximately 24'. Although the width of the buildable area is adequate for our needs, it is the depth of the buildable area, ranging from 18.5' to 26', which causes an extreme hardship for the Rogers. This means that the total depth of the house itself can only be 18.5 to 26' depending upon its location in the buildable area and this impact renders the lot unbuildable as per the current building standards of the community.

The third drawing is titled Exhibit 'C' Proposed Variance Request. This plan shows Mr. & Mr. Rogers proposed home and amenities as they would like to have placed upon their property. Their proposed home requires a reduction in the front yard setback from 75' to 55' to allow them an opportunity to build a home without overly impacting the 150' Impervious Setback that runs along the Chattahoochee River, located in the rear yard.

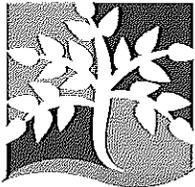
There have been other homes within the neighborhood that have sought and received similar variances from either the City of Peachtree Corners or Gwinnett County and we feel that this request is not outside the parameters or guidelines of the existing community and its current zoning regulations. Even though current zoning regulations allows for the front yard setback to be 35', Mr. & Mrs. Rogers are only requesting a variance to relocate the building setback to 55' instead 75' as stated on the final plat. We are seeking this variance because the Metropolitan River Protection Act has placed, post development, a 150' impervious buffer along the Chattahoochee River and combining that encumbrance along with the current building setback for the front of 75' does not allow for a proper building site.

I would enjoy the opportunity to meet with you if you should have any questions please call me.

Best Regards,

A handwritten signature in black ink, appearing to read 'Gregory L. Dean', with a stylized flourish extending to the right.

Gregory L. Dean, RLA



Case Number: \_\_\_\_\_ Received Date: \_\_\_\_\_ Hearing Date: \_\_\_\_\_

**Variance Application from the Zoning Resolution  
(Zoning Board of Appeals)**

Please complete this application & submit it with all attachments as stated in the Variance Application Guidelines. A variance cannot be processed unless all information accompanies the application; a variance from a condition of zoning or special use cannot be accepted.

Applicant Information	Property Owner Information
Name <u>Greg Dean</u>	Name <u>Tony Rogers</u>
Address (all correspondence will be mailed to this address): <u>4195 South Lee Street,</u> <u>Suite I.</u>	Address <u>4324 Ridgegate Drive</u>
City <u>Buford</u>	City <u>Peachtree Corners</u>
State <u>Ga</u> Zip <u>30518</u>	State <u>Ga.</u> Zip <u>30097</u>
Phone <u>770-271-5772</u>	Phone <u>770-722-4817</u>
Contact Person Name: <u>Greg Dean</u> Phone: <u>770-271-5772</u>	
Email Address: <u>gdean@boundaryzone.com</u>	
Applicant is the (please check or circle one of the following): <input type="checkbox"/> Property Owner <input checked="" type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser	

Address of Property 4324 Ridgegate Drive, Peachtree Corners, Ga. 30097

Subdivision or Project Name Riverview Estates Lot & Block L32, B 'E'

District, Land Lot, & Parcel (MRN) 6th Dist, LL 329, Parcel R6329 028

Proposed Development Single Family Home

Permit Number (if construction has begun) \_\_\_\_\_

Variance Requested Reduction of front setback to 55' from right-of-way

**A complete application includes the following:**

- |   |  |
|---|--|
| <input type="checkbox"/> Application Form (1 original and 9 copies)                 | <input type="checkbox"/> Application Fee   |
| <input type="checkbox"/> Site Plan and/or Boundary Survey (1 original and 9 copies) | <input type="checkbox"/> Adjacent owner(s) written support (1 original and 9 copies) |
| <input type="checkbox"/> Letter of Intent (1 original and 9 copies)                 | <input type="checkbox"/> Additional Documentation as needed                          |
| <input type="checkbox"/> Signed & notarized Certification page                      |  |



City of Peachtree Corners  
Attention: Lynn Pierson  
147 Technology Parkway  
Suite 200  
Peachtree Corners, GA 30092

December 3, 2014

Re: Letter of Intent for Variance request related to 4324 Ridgeway Drive, Peachtree Corners GA

Dear Lynn,

Hope all is well and that you had a Happy Thanksgiving.

The owners, Mr. & Mrs. Tony Rogers, of 4324 Ridgeway Drive, Peachtree Corners GA. also designated as Lot 32, Block 'E', Unit 3 of the Riverview Estates Subdivision Land Lot 329, 6<sup>th</sup> District of Gwinnett County Georgia, are requesting a variance to the 75' front yard setback for their property. I have prepared the following explanation as to why a variance is necessary for the building of their new home on the subject property. In short, there is not enough buildable area available to the property to build a proper home due to site constraints, building setbacks and buffers. Although the current zoning regulations for the property allows for a setback to be located at 35' behind the right of way, the current plat only allows for the home to be located behind the 75' setback as shown on the final plat dated January 20<sup>th</sup>, 1972 and it is the final plat which supersedes the Zoning for the property in this case.

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Attached to this letter are several Exhibits. The first is titled Exhibit 'A' Existing Conditions Survey prepared by Boundary Zone dated 10/6/14 showing the 75' front building setback and 20' side yard setback lines as depicted in the final plat dated January 20<sup>th</sup>, 1972. Also shown on this plan is the existing home, current driveway location, trees, topography, boundary information, 100 year flood line and the 150' impervious buffer setback from the Chattahoochee River as established in the Metropolitan River Protection Act of 1973. As shown, the current house lies well beyond the 150' impervious setback and slightly in front of the 75' building setback. When this plat was prepared, the Metropolitan River Protection Act had not yet been established and therefore did not adversely impact the proposed home slated for construction in 1972. In 1973 the Metropolitan River Protection Act was implemented and now has created a 150' Impervious Setback from the River which prohibits any type of structure to be built within this impervious buffer area. Their request is for a variance on the front setback of 75' to 55' to allow the Rogers to build a new home on the property without adversely affecting the 150' buffer located along the Chattahoochee River.

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General Fax - 770-271-5753 / Corporate Fax - 678-730-4395

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There have been other homes within the neighborhood that have sought and received similar variances from either the City of Peachtree Corners or Gwinnett County and we feel that this request is not outside the parameters or guidelines of the existing community and its current zoning regulations. Even though current zoning regulations allows for the front yard setback to be 35', Mr. & Mrs. Rogers are only requesting a variance to relocate the building setback to 55' instead 75' as stated on the final plat. We are seeking this variance because the Metropolitan River Protection Act has placed, post development, a 150' impervious buffer along the Chattahoochee River and combining that encumbrance along with the current building setback for the front of 75' does not allow for a proper building site.

I would enjoy the opportunity to meet with you if you should have any questions please call me.

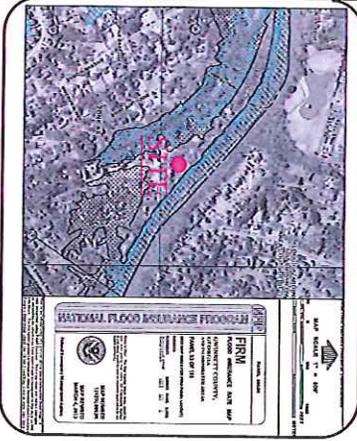
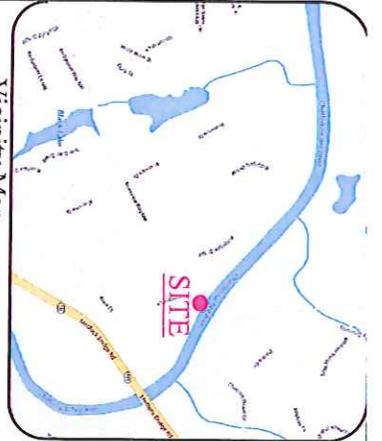
Best Regards,



Gregory L. Dean, RLA





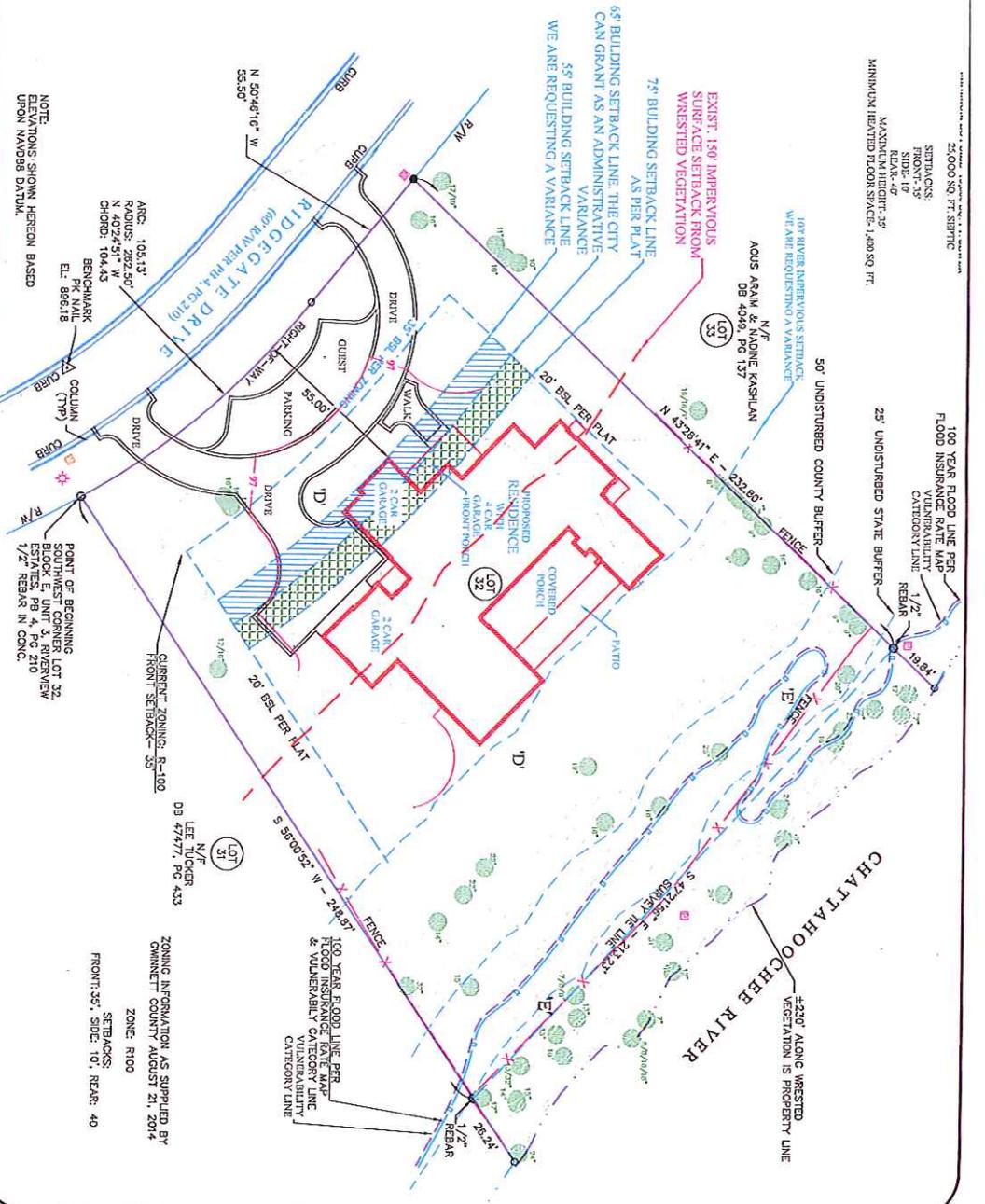


- TREE LEGEND**
- PINE
  - HARDWOOD

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON AND DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

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THIS DRAWING AND ITS REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.



TOTAL AREA: 1.104 ACRES / 48,098 SQUARE FEET  
BOUNDARY REFERENCE: DEED BOOK 42782, PAGE 220 & PLAT BOOK 4, PAGE 210.  
FIELDWORK PERFORMED ON 08/15/14.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 438,384 FEET.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 45,512 FEET, AND AN ANGULAR ERROR OF 3 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

**BOUNDARY ZONE, INC.**  
LAND SURVEYING SERVICES  
235 PEACHTREE STREET NE  
SUITE 11  
ATLANTA, GA 30303  
(770) 271-5772 / (919) 363-9226  
APEX, NC 27523

4195 SOUTH LEE STREET  
SUITE 11  
BURLINGAME, CA 94010

WWW.BOUNDARYZONE.COM 2295-C CANDLIN DRIVE  
ATLANTA, GA 30303  
(770) 271-5772 / (919) 363-9226  
APEX, NC 27523

GRAPHIC SCALE - IN FEET  
0 20 40 80

**EXHIBIT 'C' PROPOSED VARIANCE REQUEST**  
PREPARED FOR: TONY ROGERS  
4324 RIDGE GATE DRIVE, PEACHTREE CORNERS, GA 30097.  
LOT 31, BLOCK D RIVERVIEW ESTATES, UNIT 3. LAND LOTS 319 & 329, 6TH DISTRICT. GWINNETT COUNTY, GEORGIA.  
DATE: 12-4-14

MAGNETIC NORTH  
SCALE: 1"=40'

PROJECT  
15425.01  
SHEET  
1 OF 1

City of Peachtree Corners  
Attention: Lynn Pierson  
147 Technology Parkway  
Suite 200  
Peachtree Corners, GA 30092

Re: Approval Letter for Variance request for 4324 Ridgeway Drive, Peachtree Corners GA

To the City of Peachtree Corners,

I, Lee Tucker, am the legal owner of the property located at 4312 Ridgeway Drive, Peachtree Corners, GA 30097-2318 with the following legal description: Lot 31 Block 'E', Unit 3 of the Riverview Estates Subdivision Land Lot 329, 6<sup>th</sup> District of Gwinnett County Georgia which is an adjoining property to the subject property located at 4324 Ridgeway Drive, Peachtree Corners GA 30097-2318. I am aware that a reduction of the required front yard setback is being applied for at the subject property and I have reviewed the plans presented to me by the petitioner for the proposed reduction of the front yard setback.

I have no objection to granting my consent for the reduction of the front yard setback from 75' to 55' per the request for variance from the owner of the subject property.

Sincerely,



Printed Name: \_\_\_\_\_

*R. Lee Tucker, Jr.*

Date: \_\_\_\_\_

*Nov. 20, 2014*

City of Peachtree Corners  
Attention: Lynn Pierson  
147 Technology Parkway  
Suite 200  
Peachtree Corners, GA 30092

Re: Approval Letter for Variance request for 4324 Ridgegate Drive, Peachtree Corners GA

To the City of Peachtree Corners,

I, Araim Aous, am the legal owner of the property located at 4344 Ridgegate Drive, Peachtree Corners, GA 30097-2318 with the following legal description: Lot 33, Block 'E', Unit 3 of the Riverview Estates Subdivision Land Lot 329, 6<sup>th</sup> District of Gwinnett County Georgia which is an adjoining property to the subject property located at 4324 Ridgegate Drive, Peachtree Corners GA 30097-2318. I am aware that a reduction of the required front yard setback is being applied for at the subject property and I have reviewed the plans presented to me by the petitioner for the proposed reduction of the front yard setback.

I have no objection to granting my consent for the reduction of the front yard setback from 75' to 55' per the request for variance from the owner of the subject property.

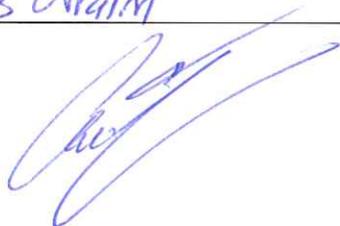
Sincerely,

Printed Name:

*Aous Araim*

Date:

*11/14/2014*



City of Peachtree Corners  
Attention: Lynn Pierson  
147 Technology Parkway  
Suite 200  
Peachtree Corners, GA 30092

Re: Approval Letter for Variance request for 4324 Ridgegate Drive, Peachtree Corners GA

To the City of Peachtree Corners,

I, Dexter R. Floyd, am the legal owner of the property located at 4325 Ridgegate Drive, Peachtree Corners, GA 30097-2318 with the following legal description: Lot: 23 Block 'E', Unit 3 of the Riverview Estates Subdivision Land Lot 329, 6<sup>th</sup> District of Gwinnett County Georgia which is an adjoining property across the street to the subject property located at 4324 Ridgegate Drive, Peachtree Corners GA 30097-2318. I am aware that a reduction of the required front yard setback is being applied for at the subject property and I have reviewed the plans presented to me by the petitioner for the proposed reduction of the front yard setback.

I have no objection to granting my consent for the reduction of the front yard setback from 75' to 55' per the request for variance from the owner of the subject property.

Sincerely,

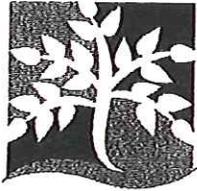


Printed Name:

Dexter R. Floyd

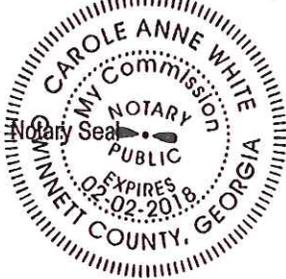
Date:

11/22/14



**Applicant Certification**

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for a variance denied by the Board of Zoning Appeals may not be made earlier than 12 months from the date of original application (Article XVI, Section 1608).



[Signature] 10-16-14  
Signature of Applicant Date

GREGORY L. DEAN  
Typed or Printed Name & Title

Carole Anne White 10-16-2014  
Signature of Notary Public Date

**Property Owner Certification**

The undersigned, or as attached, is the record owner of the property considered in this application and is aware that an application or reapplication for a variance denied by the Board of Zoning Appeals may not be made earlier than 12 months from the date of original application (Article XVI, Section 1608). I, as the property owner, authorize the above noted applicant to represent me with regards to this application.



[Signature] 10/14/14  
Signature of Property Owner Date

Tony Russell  
Typed or Printed Name & Title

[Signature] 10-14-2014  
Signature of Notary Public Date

**Community Development Use Below Only**

Fees Paid: \_\_\_\_\_ By: \_\_\_\_\_

Related Cases & Applicable Conditions:

\_\_\_\_\_

Variance Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_