



4362 Peachtree Road • Brookhaven, Georgia 30319 • (404) 637-0500 • Fax (404) 637-0501 • www.brookhavenga.gov



Variance Application

Type	Type of Request: <input checked="" type="checkbox"/> Zoning/Special Exception <input type="checkbox"/> Sign <input type="checkbox"/> Stream Buffer <input type="checkbox"/> Other <input type="checkbox"/> Administrative (Zoning/Special Exception or Stream Buffer)			
	Applicable Zoning/Sign Code Section:			
	Nature of Request:	Required:	Proposed:	Minimum Setback Requirements
	<input type="checkbox"/> Setback <input type="checkbox"/> Sign <input type="checkbox"/> # Parking Spaces <input type="checkbox"/> Other _____	(See Chart to the Right)		Front 30' Side 7.5' Rear 40' Other
	Proposed Setback Requirements	Front		
Project	Name of Project/Subdivision: Grant Estates			Present Zoning: R-75
	Property Address/Location: 1700 Wayland Circle			
	District: 18 th	Land Lot: 237	Block: J	Property ID:
	Is this development and/or request seeking any incentives or tax abatement through the City of Brookhaven or any entity that can grant such waivers, incentives, and/or abatements? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Owner Information	Name: Gracie Management, LLC			
	Address: P.O. Box 190129, Atlanta, Ga 31119			
	Phone:	Fax:		
Applicant	Name: Trust Communities, LLC			
	Address: P.O. Box 190129, Atlanta, Ga 31119			
	Phone:	Fax:		
Affidavit	Cell: 404-557-6205 Email: bstanton@trustnewhomes.com			
	Name: Trust Communities, LLC Address: P.O. Box 190129, Atlanta, Ga 31119 Phone: _____ Fax: _____ Cell: 404-557-6205 Email: _____			
	<i>To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Brookhaven Zoning Ordinance. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Brookhaven Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included</i>			
Notary	Applicant's Name: Malcomb Curt Boatright			Date:
	Applicant's Signature: <i>[Signature]</i>			
	Sworn to and subscribed before me this 3 rd Day of August 20 16			
Office Use	Notary Public: Lisa H. Moretz			
	Signature: <i>[Signature]</i>			
	Date: 8/3/16			
Application Received By:		Project Title:	Project Number:	
<input type="checkbox"/> Application Fee <input type="checkbox"/> Sign Fee (\$135 per 500 feet per frontage) <input type="checkbox"/> Legal Fee (\$20)				
Fee: \$		Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> CC		Date:
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied			Date:	



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Property Owner(s) Notarized Certification

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

Property Owner	Signature: <u>Josiah H. Moretz</u>		Date: <u>8/3/16</u>
	Address: <u>2310 Rabbit Farm Cir.</u>	City, State: <u>Loganville GA</u>	Zip: <u>30052</u>
	Phone: <u>404.803.1014</u>		
	Sworn to and subscribed before me this <u>3rd</u> day of <u>August</u> , 20 <u>16</u>		
Notary Public:			
Property Owner (If Applicable)	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____		
Notary Public:			
Property Owner (If Applicable)	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____		
Notary Public:			

Campaign Disclosure Ordinance



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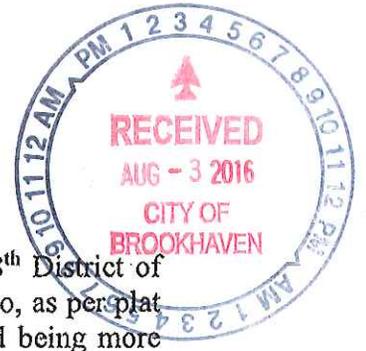
Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Brookhaven City Council or a member of the City of Brookhaven Planning Commission?

YES NO

Applicant / Owner	Signature: 
	Address: P.O. Box 190129, Atlanta Ga 31119
	Date: 8/3/16

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount



Legal Description of Parcel:

All that tract or parcel of land lying and being in Land Lot 237 of the 18th District of Dekalb County, Georgia being Lot 18, Block "J" of Grant Estates, Unit Two, as per plat recorded in Plat Book 14, Page 81, Dekalb County, Georgia Records, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING commence at the right of way corner of Wayland Circle if right of ways were extended to form an angle; thence in a north easterly direction along the north westerly right of way of Wayland Circle(60' Right of Way) an approximate distance of 150.00 feet to an iron pin found(1/2 Inch Rebar), said point being the TRUE POINT OF BEGINNING; thence leaving said right of way North 32 degrees 14 minutes 52 seconds West a distance of 81.67 feet to an iron pin found(5/8 Inch Rebar); thence North 31 degrees 50 minutes 48 seconds West a distance of 65.12 feet to an iron pin found(5/8 Inch Rebar); thence North 31 degrees 54 minutes 37 seconds West a distance of 64.88 feet to an iron pin found(5/8 Inch Rebar); thence North 55 degrees 15 minutes 19 seconds East a distance of 65.03 feet to an iron pin found(3/8 Inch Rebar); thence South 32 degrees 00 minutes 21 seconds East a distance of 214.21 feet to an iron pin found(1/2 Inch Rebar) located on the north westerly right of way of Wayland Circle; thence continuing along the north westerly right of way of Wayland Circle South 57 degrees 30 minutes 00 seconds West a distance of 64.91 feet to an iron pin found(1/2 Inch Rebar) and back to the TRUE POINT OF BEGINNING.

Parcel contains 0.318 Acres

Parcel is more fully and completely shown on a survey plat thereof made by Vansant-Campbell, dated July 11, 2016.

Together with and subject to covenants, easements, and restrictions of record.



Fee: \$250
\$135
\$20
\$405

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

Purpose & Process

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

Applicant Name: Burt Boatright Phone: _____

Applicant E-mail: Cort.Boatright@gmail.com Fax: _____

Representative Name: _____ Phone: 404-969-9200

Representative E-mail: _____ Fax: _____

Site Address: 1700 Wayland Circle Parcel Size: 13,798 SF

Tax Parcel #: 18 237 05 020 City Council District: 2-John Parks

Existing Zoning and Case Number: R-75 Proposed Zoning: —

Comprehensive Plan Character Area Map Designation: Ashford Park - Drew Valley

Application Type: Rezoning Special Land Use Permit Variance Special Exception

Variance Type: Administrative Zoning Board of Appeals Stream Buffer

Overlay District: Brookhaven-Peachtree Subarea I Brookhaven-Peachtree Subarea II

Additional Studies: Trip Generation Report Traffic Impact Study

Development of Regional Impact Review Environmental Impact Review

Proposal Description: variance to reduce side yard setback on both sides from 7.5' feet to 6.0 feet

Applicant Signature: [Signature] Date: _____

Planner Signature: _____ Date: _____

2015151353 DEED BOOK 25248 Pg 311

Real Estate Transfer Tax \$317.50

Filed and Recorded:
11/6/2015 9:51:54 AM
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

RETURN RECORDED DOCUMENT TO:

HARTLEY, ROWE & FOWLER, P.C.
P. O. BOX 489
DOUGLASVILLE, GA 30133
FILE NO. 15-0992B

1705
OUL



STATE OF GEORGIA
COUNTY OF COBB

LIMITED WARRANTY DEED

THIS INDENTURE, made the 29th day of October in the year two thousand and fifteen between

PRIORY OAKS, LLC,
a Georgia limited liability company

of the County of Fulton and State of Georgia, as party or parties of the first part ("Grantor"), and

GRACIE MANAGEMENT, LLC,
a Delaware limited liability company

as party or parties of the second part, ("Grantee"), the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits.

WITNESSETH that: Grantor, for and in consideration of other good and valuable considerations and the sum of Ten and No/100 (\$10.00) Dollars in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee:

ALL THAT TRACT or parcel of land lying and being in Land Lot 237 of the 18th District of Dekalb County, Georgia, being Lot 18, Block "J" of Grant Estates, Unit Two, as per plat recorded in Plat Book 14, Page 81, Dekalb County, Georgia Records, which plat is incorporated herein and made a part hereof by this reference.



TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in ~~FREE~~ SIMPLE, subject only to those matters set forth on Exhibit "A", incorporated by reference.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

PRIORY OAKS, LLC, a Georgia limited liability company

Signed, sealed and delivered in the presence of:

[Signature]
Witness

By: Hannah Emily Melville (Seal)
Hannah Emily Melville, Assistant Secretary

[Signature]
Notary Public
My Commission Expires: _____
(SEAL)

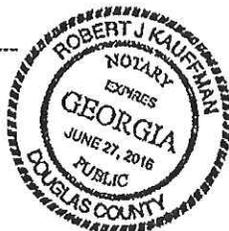


Exhibit "A"
Permitted Exceptions

1. Taxes and assessments for the year 2016 and subsequent years, not due and payable.
2. Restrictions, easements, building set-back lines, and matters of survey as shown on plat recorded in Plat Book 14 Page 81, Dekalb County, Georgia Records.

