

# CITY OF ALPHARETTA

## PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: V-24-11

PH #: \_\_\_\_\_

Property Taxes & Code Violations Verified

Fee Paid Initial: \_\_\_\_\_

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta." Please note that a 3% convenience fee will be added to all credit card transactions.
5. Applications will be accepted on the designated submittal dates between the hours of 8:30 AM and 3:30 PM.
6. If you have any questions regarding this form, please contact the Community Development Department by calling 678-297-6070.

### Contact Information:

Contact Name: Ashley Dover Telephone: 404-863-2450

Address: 1301 Iron Mtn Road Suite: \_\_\_\_\_

City: Canton State: GA Zip: 30115 Fax: \_\_\_\_\_

Mobile Tel: 404-863-2450 Email: ashley@georgiaclassicpool.com

### Subject Property Information:

Address: 2110 Canton View Alpharetta, GA 30009 Current Zoning: R-15

District: \_\_\_\_\_ Section: \_\_\_\_\_ Land Lot: \_\_\_\_\_ Parcel ID: 22-481411970920

Proposed Zoning: \_\_\_\_\_ Current Use: Single family residential

### This Application For *(Check All That Apply):*

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Conditional Use     | <input type="checkbox"/> Master Plan Amendment         | <input type="checkbox"/> Comprehensive Plan Amendment |
| <input type="checkbox"/> Rezoning            | <input type="checkbox"/> Master Plan Review            |   |
| <input checked="" type="checkbox"/> Variance | <input type="checkbox"/> Public Hearing                |   |
| <input type="checkbox"/> Exception           | <input type="checkbox"/> Other <i>(Specify):</i> _____ |   |

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# APPLICANT REQUEST AND INTENT

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What is the proposed use(s) of the property?

This is a residential single family home lot. We are proposing to build a swimming pool in the rear of the home.

Applicant's Request (Please itemize the proposal):

Request for a variance of 9 ft to the rear property line to allow a swimming pool.

Applicant's Intent *(Please describe what the proposal would facilitate).*

The proposal, if approved, would facilitate the construction of a swimming pool in the rear yard.

# PROPERTY OWNER AUTHORIZATION

## Property Owner Information:

Contact Name: D'Lana Nixon Telephone: 678-283-2112  
 Address: 2110 Canton View Suite: \_\_\_\_\_  
 City Alpharetta State: GA Zip: 30009

## Authorization:

*I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Alpharetta, Georgia.*

*As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.*

- |   |  |
|---|--|
| <input type="checkbox"/> Annexation           | <input type="checkbox"/> Special Use     |
| <input type="checkbox"/> Rezoning             | <input type="checkbox"/> Conditional Use |
| <input checked="" type="checkbox"/> Variance  | <input type="checkbox"/> Master Plan     |
| <input type="checkbox"/> Land Use Application | <input type="checkbox"/> Other           |

## Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: Ashley Dover Telephone: 404-863-2450  
 Address: 1301 Iron Mountain Road Suite: \_\_\_\_\_  
 City Canton State: GA Zip: 30115

## So Sworn and Attested:

Owner Signature: D'Lana Nixon Date: 1/29/2024

## Notary:

Notary Signature: Brandy J. Weldy Date: 1/29/24

**BRANDY J. WELDY**  
**NOTARY PUBLIC**  
 Cherokee County, State of Georgia  
 My Commission Expires 02/09/2026

# DISCLOSURE FORM

*The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).*

*Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.*

Name of Applicant or Opponent: N/A

Subject Public Hearing Case: N/A

## **Campaign Contribution Information:**

Please provide the requested information for each contribution with a dollar amount or value of \$250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution as been made.

If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official: N/A

Position: N/A

Description of Contribution: N/A

Value: N/A

Description of Contribution: N/A

Value: N/A

Description of Contribution: N/A

Value: N/A

Description of Contribution: N/A

Value: N/A

Description of Contribution: N/A

Value: N/A

## **Campaign Contribution Information:**

*I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-1.*

Signature: N/A

Date: N/A

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# BOARD OF ZONING APPEALS REVIEW CRITERIA

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Please respond to the following ONLY if you are applying for a zoning variance.

Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography? Please describe them.

An extraordinary or exceptional condition pertaining to this property is the fact that it is a corner property on a main street. The house is set back off the front and side building line, limiting amount of space in rear of home for a pool.

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? Please explain.

The Zoning Code standards would create an unnecessary hardship if applied here because it would force the pool very close to the house, making it difficult to build with the existing structures already on the property as related to the main dwelling.

Are there conditions that are peculiar to the subject property? Please describe them in detail.

A condition that is differing from other properties, is the fact that this is a corner lot at the beginning of the neighborhood. Instead of the house facing the street as the other houses do in the neighborhood, it faces the main street (Canton St).

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Please defend your response.

If relief was granted, there would not be any detriment to the public good or impair the purpose and intent of the Zoning Code. We are still proposing to be 11' off the rear property and 14' off the side property. Both neighboring properties have verbally supported this proposal. Will provide support letter.

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

# CITIZEN PARTICIPATION FORM - PART A

*This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Alpharetta without a completed Citizen Participation Form - Part A will not be accepted.*

Public Hearing or Project Name: Nixon Pool

Contact Name: Ashley Dover Telephone: 404-863-2450

*The following people will be notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified. Use additional pages as needed.*

Natasha Radden

2120 Canton View

Rodney Barron

284 Canton St

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

Method by which these individuals will be contacted. Please mark all that apply. *If you select "Other," please provide a description of the method of contact that will be used.*

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Personal Visits               |
| <input type="checkbox"/> Telephone         | <input type="checkbox"/> Group Meeting                 |
| <input checked="" type="checkbox"/> Email  | <input type="checkbox"/> Other <i>(Please Specify)</i> |

Please describe the method(s) by which these individuals will have the opportunity to respond or contact the applicant with questions or concerns about the proposal.



**CITY OF ALPHARETTA GSWCC 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.

**NOTES:**

- NO SILT FENCE WILL BE INSTALLED NOR ANY SITE WORK PRIOR TO APPROVAL FROM INSPECTOR.
- TREE PROTECTION FENCE MUST BE INSTALLED ACCORDING TO APPROVED SITE PLAN AND CORNERS OF POOL MUST BE STAKED. WHEN THIS IS COMPLETED, CALL INSPECTOR AT 678-231-6200 TO SCHEDULE AN ONSITE INSPECTION PRIOR TO ANY FURTHER LAND DISTURBANCE.
- SILT FENCE MUST BE MAINTAINED THROUGHOUT THE PROJECT AND MUST NOT BE TRACKED ONTO ROADWAY.

**ALL MATERIALS SPILLED, DROPPED, WASHED, OR TRACKED FROM VEHICLE OR SITE ONTO ROADWAY OR INTO STORM DRAIN SYSTEM SHALL BE REMOVED IMMEDIATELY BY SWEEPING. EXCESSIVE OFFSITE TRACKING MAY WARRANT THE INSTALLATION OF A CONSTRUCTION EXIT AT THE DISCRETION OF THE CITY OF ALPHARETTA INSPECTOR. THE CONSTRUCTION EXIT SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOW OF MUD ONTO PUBLIC RIGHT OF WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH STONE, AS CONDITIONS DEMAND.**

**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 EQUIVARIANT 500 LBS. PER ACRE.

**SEEDING RATES:**

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

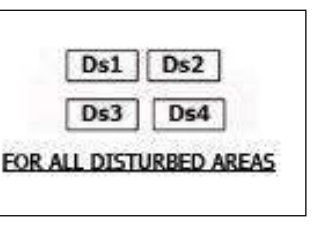
**SCOPE OF PROPOSED WORK:**  
DEMO OF EX. PAVER PATIO.  
CONSTRUCTION OF NEW SHOTCRETE SWIMMING POOL & PAVER POOL PATIO.  
LOCATION - BACK YARD.

POOL WILL HAVE AN ENCLOSED CARTRIDGE FILTER SYSTEM

MAIN DRAINS LOCATED IN DEEP END FOR FILTRATION ONLY: OVERFLOW TO DRAIN TOWARDS BACK SIDE OF PROPERTY

BACKFLOW PREVENTER ATTACHED AT HOSE BIB

ADDITIONAL EROSION CONTROL DEVICES MAY BE REQUIRED BASED ON THE EX. CONDITIONS IF DEEMED NECESSARY BY THE ON-SITE INSPECTOR.



**ZONED R15**  
PID # 22 481411970920

**BUILDING SETBACKS:**  
FRONT 35'  
SIDE 10'  
SIDE 25'  
BACK 25'

**LOT AREA: .67 ACRES**  
29,006 SF

**EXISTING IMPERVIOUS COVER:**  
HOUSE/CABANAS/GARAGE: 3,234 SF  
PORTE COCHERE/DETACHED GARAGE: 506 SF  
PORCHES/WALKWAYS: 1,318 SF  
DRIVEWAY/PARKING: 3,280 SF  
PAVER PATIO: 900 SF  
TOTAL EX. SF/ 31.8%

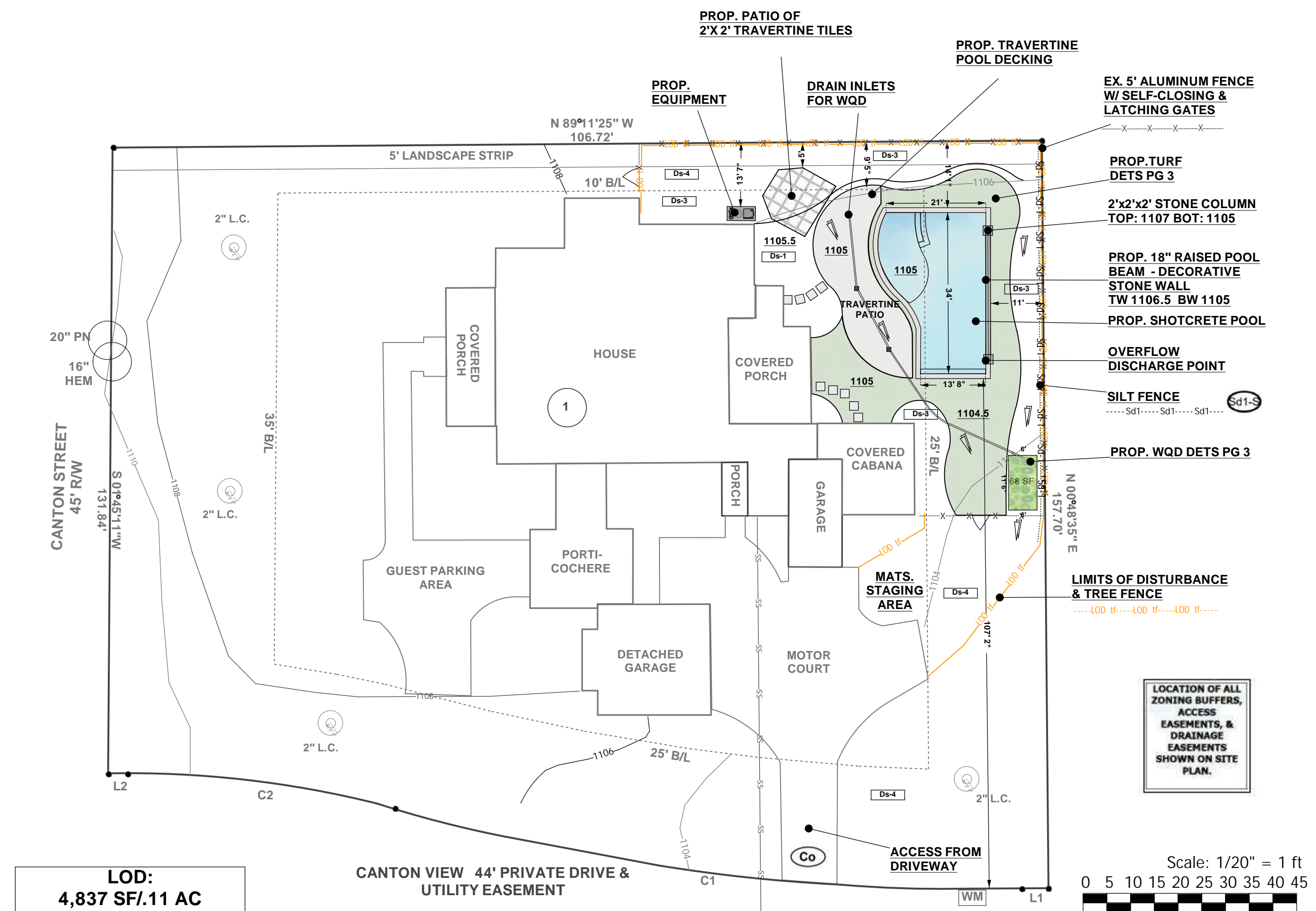
**DEMO OF EX. PAVER PATIO: -900 SF**  
NET EX. IMPERVIOUS: 8,338 SF/28.7%

**PROPOSED NEW IMPERVIOUS:**  
POOL-WATER & COPING: 726 SF  
PAVER PATIO: 528 SF  
2x2 TRAVERTINE TILES (45): 180 SF  
EQUIPMENT: 12 SF  
TOTAL NEW: 1,446 SF/4.99%

**NET EX + PROP: 9,784 SF/33.7%**

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	133.97'	490.00'	S 81 24'37" E	133.55'
C2	57.42'	210.00'	S 81 24'37" E	57.24'

LINE	BEARING	DISTANCE
L1	S 89 14'34" E	5.66'
L2	S 88 25'23" E	4.20'

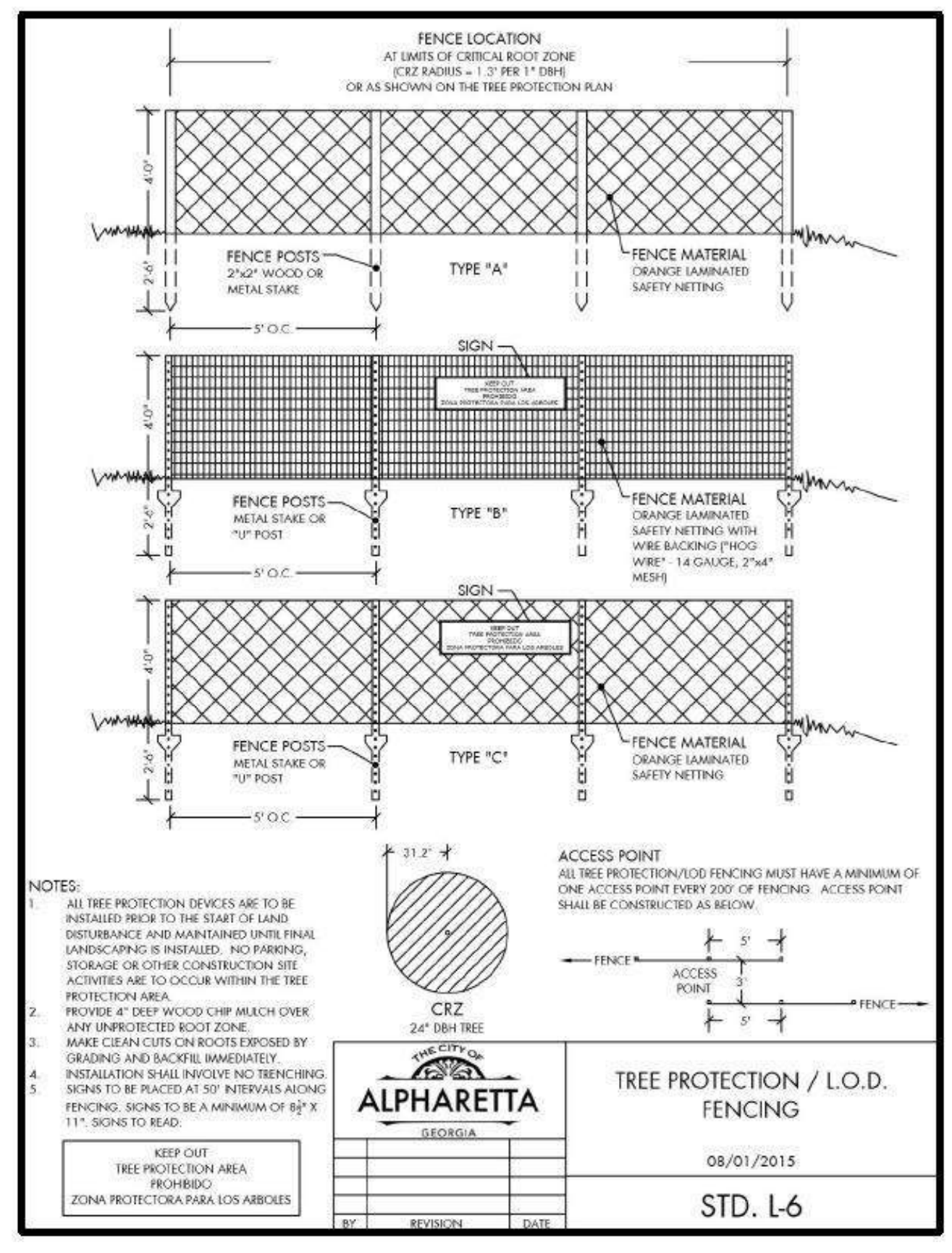
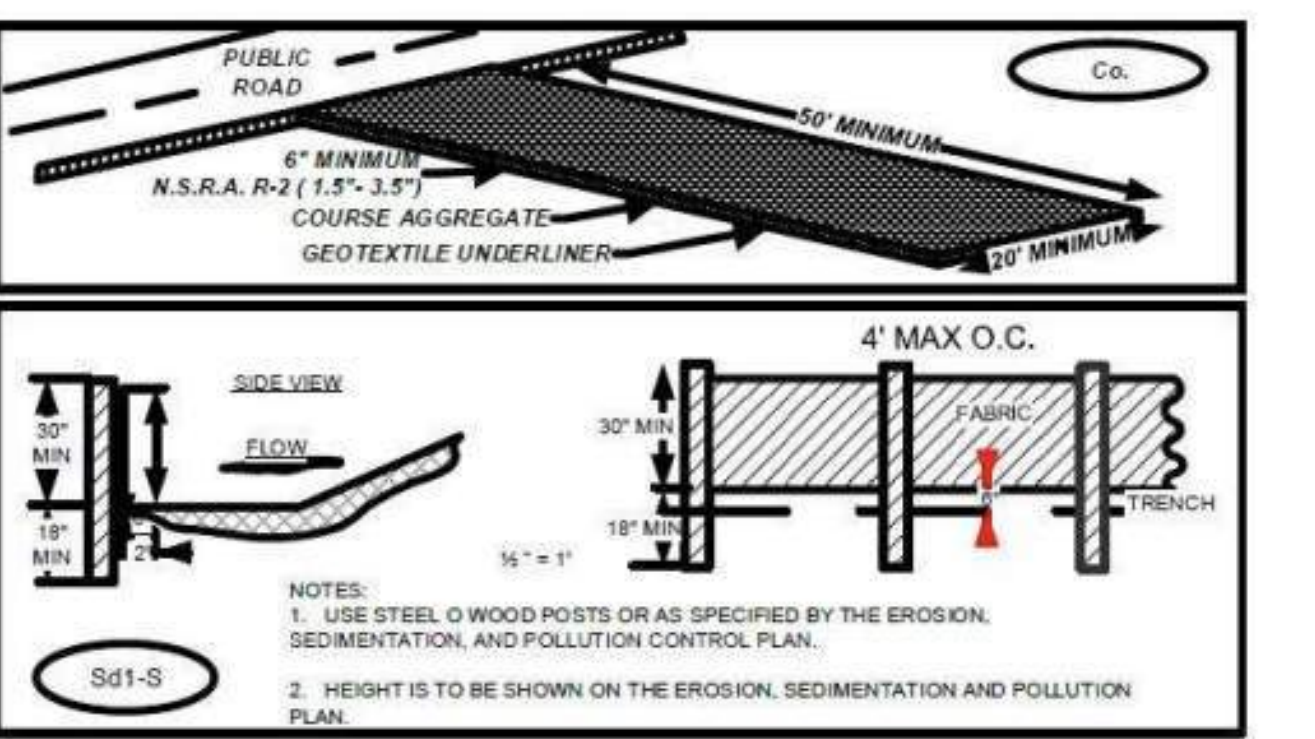


**SITE NOTES**

- PROPOSED RETAINING WALLS 4' AND OVER IN REVEALED HEIGHT SHALL BE DESIGNED BY A STRUCTURAL ENGINEER & REQUIRE A SEPARATE BUILDING PERMIT.
- If the existing driveway is to be used as the site construction exit (co), all materials spilled, dropped or tracked from vehicles from site onto roadway must be removed immediately by sweeping. Excessive offsite tracking may warrant the installation of a construction exit at the discretion of the City of Alpharetta Inspector. The construction exit shall be maintained in a condition which will prevent tracking or flow of mud onto public right-of-way. This may require periodic top dressing with stone as conditions demand.
- Parking of dumpsters or other construction vehicles/equipment is prohibited in right of way.
- Burial of construction debris is not permitted.

**VEGETATIVE PRACTICES**

CODE	PRACTICE	DETAIL	MAP SYMBOL	DESCRIPTION
Ds1	DISTURBED AREA STABILIZATION (WITH MULCHING ONLY)	[Symbol]	Ds1	Establishing temporary protection for disturbed areas where seedlings may not have a suitable growing season to produce an erosion retarding cover.
Ds2	DISTURBED AREA STABILIZATION (WITH TEMP SEEDING)	[Symbol]	Ds2	Establishing a temporary vegetative cover with fast growing seedlings on disturbed areas.
Ds3	DISTURBED AREA STABILIZATION (WITH PERM SEEDING)	[Symbol]	Ds3	Establishing a permanent vegetative cover such as trees, shrubs, vines, grasses, or legumes on disturbed areas.
Ds4	DISTURBED AREA STABILIZATION (BODDING)	[Symbol]	Ds4	A permanent vegetative cover using sods on highly erodible or critically eroded lands.
Du	DUST CONTROL ON DISTURBED AREAS	[Symbol]	Du	Controlling surface and air movement of dust on construction site, roadways and similar sites.

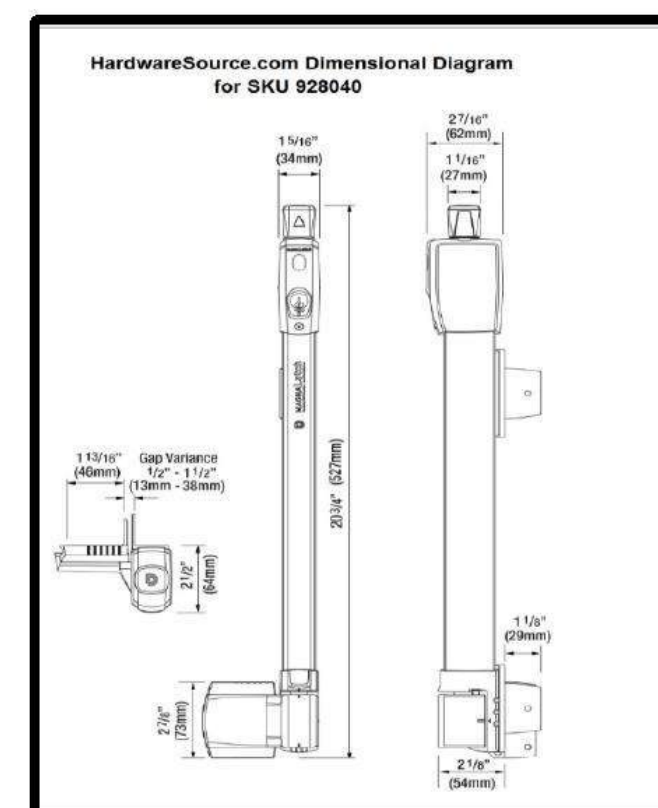


**ARBORIST NOTE:**  
NO TREES TO BE REMOVED. NO TREES OR THEIR CRITICAL ROOT ZONES TO BE IMPACTED.

4' TALL ORANGE LAMINATE FENCE W/ POSTS 5' O.C. TYPE B SILT FENCE TO BE USED AT SPECIMEN & BOUNDARY TREES.

"All work performed within the critical root zone of any specimen tree is to be performed under the supervision of an ISA Certified Arborist. The Project Arborist is to be present at tree save fence inspection during the site initiation process. The Project Arborist shall be in coordination with the City Inspector throughout the course of the project. An arborist report is to be provided to the City Land Disturbance Inspector prior to closing out the ENG Permit."

"All Specimen and Boundary Tree roots encountered within the approved Limits of Disturbance that are 1/2" or greater shall be clean cut under the direction of an ISA Certified Arborist."



**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.**

THE MINIMUM HEIGHT OF A POOL FENCE MUST BE FIVE FEET AND THE MAXIMUM HEIGHT OF A POOL FENCE CANNOT EXCEED EIGHT FEET.

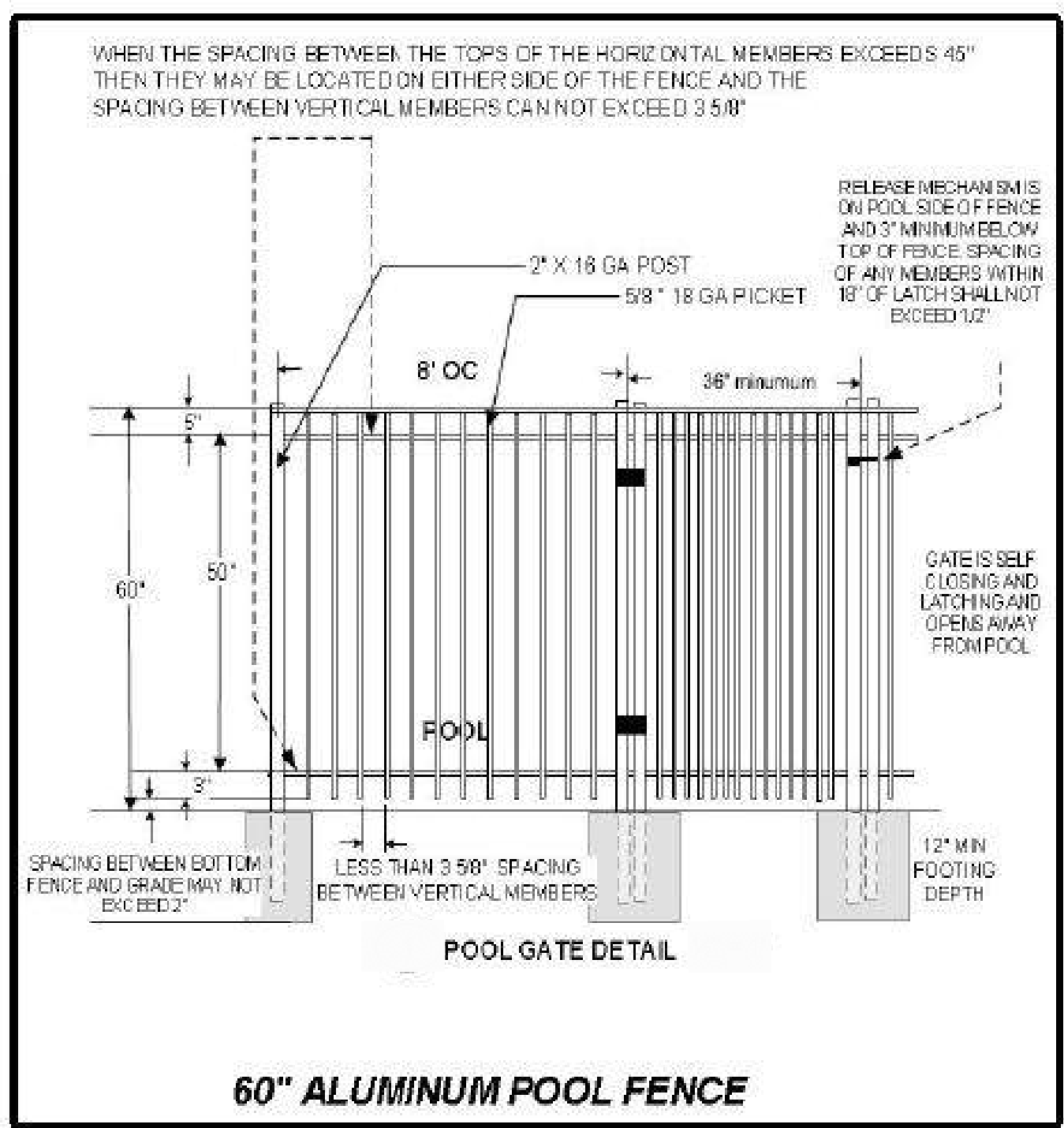
FENCES AND WALLS USED AS BARRIERS, MAY NOT BE FINISHED WITH BRIGHT OR PRIMARY COLORS. IF ONLY ONE SIDE OF THE FENCE IS TO BE FINISHED, THE FENCE SHALL BE CONSTRUCTED WITH THE FINISHED SIDE TOWARD THE NEIGHBORING PROPERTY.

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

**ISPSec Section 305.4**

Where a wall of a dwelling or structure serves as part of the barrier, doors and operable windows with a sill height of less than 48 inches that provide direct access to the aquatic vessel through the wall, shall be equipped with one or more of the following:

- An alarm that produces an audible warning when the door or its screen or window, is opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the deactivation switch shall be located 54 inches or more above the threshold of the door. In dwellings or structures required to be Accessible units, Type A units or Type B units, the deactivation switch shall be located not greater than 54 inches and not less than 48 inches above the threshold of the door.



60" ALUMINUM POOL FENCE





LEGAL DESCRIPTION

“2110 Canton View, Alpharetta, Ga. 30009”

Parcel I.D. 22-4814-1197-092-0

**ALL THAT TRACT OR PARCEL** of land lying and being in Land Lot 1197 of the 2<sup>nd</sup> District, 2<sup>nd</sup> Section, Fulton County, Georgia, being Lot 1, Twelve on Canton Subdivision, as per plat recorded in Plat Book 395, Page 54, Fulton County, Georgia Records, and being more particularly described as follows:

**BEGINNING** at the point of intersection of the westerly right of way line of Canton Street (45 foot right of way, and formerly known as Old Cumming Road) and the southerly right of way line of Canton View (44 foot Private drive and utility easement and variable width right of way); thence proceed along said westerly right of way line of Canton Street South 01 degree 45 minutes 11 seconds West a distance of 131.84 feet to a point; thence leaving said right of way line of Canton Street and proceed North 89 degrees 11 minutes 25 seconds West a distance of 196.72 feet to a point; thence North 00 degrees 48 minutes 35 seconds East a distance of 157.70 feet to a point on the southerly right of way line of Canton View; thence proceed along the southerly right of way line of Canton View the following courses and distances: South 89 degrees 14 minutes 34 seconds East a distance of 5.66 feet to a point; along a curve to the right having an arc length of 133.97 feet, a radius of 490.00 feet, a chord bearing of South 81 degrees 24 minutes 37 seconds East and a chord distance of 133.55 feet to a point; along a curve to the left having an arc length of 57.42 feet, a radius of 210.00 feet, a chord bearing of South 81 degrees 24 minutes 37 seconds East and a chord distance of 57.24 feet to a point; South 88 degrees 25 minutes 23 seconds East a distance of 4.20 feet to a point and **THE POINT OF BEGINNING**; said property being shown as a 0.6659 Acre (29,006 square feet), tract of land on a Final Plat called Twelve On Canton, recorded in Plat Book 395, Page 54, Fulton County, Georgia Records, which certain survey is incorporated herein by this reference and made part hereof.



# Real Estate

## View Bill

As of

2/29/2024

Bill Year

2023

Bill

2317717

Owner

NIXON D LANA M

Parcel ID

22 -4814-1197-092-0

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2023	\$1,178.16	\$1,178.16	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>		\$1,178.16	\$1,178.16	\$0.00	\$0.00	\$0.00