LETTER OF INTENT

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To Whom It May Concern:

We are writing this letter to request approval for a Zoning Variance to increase the impervious lot coverage from 35% to 39.98% (4.98% increase) at 3096 Lanier Drive, Brookhaven Ga 30319. The variance request is to construct a concrete in-ground swimming pool, spa, pool deck, brick steps and re-aligning the existing brick retaining wall connecting the rear of the house with the backyard. The current impervious is 34.1% with a maximum 35% impervious ratio per the zoning of the lot. The Below are justifications for approval of the Special Exception Permit.

The location of the proposed swimming pool and amenities will be in rear yard directly behind the footprint of the house. There is no other location on the site to build the swimming pool and amenities. Noise and light would be at non-obtrusive and concentration of persons would be non-visible to the Lanier Drive. The neighboring properties to the South, North, and West are a considerable distance away would be screened or are screened by fence and/or trees. The property to the North has an existing pool/spa and deck of comparable size and shape.

The subject property is a result of the following conditions:

1.) The requested variance by reason of exceptional topographic conditions deprives the property owner of rights and privileges enjoyed by other property owners in the same zoning district.

> An existing 4' height retaining wall, 4' and 10' off the back patio for the width of the house, separates the house from the rear yard in which was not created by the current owner/applicant creating a dis-connect and non-functional use. The impervious ratio is reduced due to the circle driveway install during building construction to take advantage of Lanier Drive median vehicle easement. The Owners would have a financial Hardscape to remove a portion of driveway to free up impervious square footage for pool.

2) The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located;

> Other properties in the same zoning district have been granted variances for similar reasons.

3096 Lanier Drive Residence

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3) The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located;

> The use is directly behind the house and for private use only. It will improve the property and its value by creating a functional recreation and gathering space. Erosion control measures will be installed on site so rainwater exits site at existing rate or 10% less.

4) The literal interpretation and strict application of the applicable provisions or requirements of this Chapter would cause undue and unnecessary hardship; not merely impose a casual/discretionary inconvenience up the applicant or his assigns; and

> The hardship and inconvenience for this lot was caused by the builder, not the homeowner. An existing retaining wall created a topographical disconnect to the rear yard and a existing circle driveway leading to the Lanier Drive vehicle median easement and courtyard in the front uses the impervious ratio that could have been for a pool or impervious features. This would create a financial hardship by removing any of the drive and courtyard.

5) The requested variance would be consistent with the spirit and purpose of this Chapter and the City of Brookhaven Comprehensive Plan text.

> With your approval the owners of the property will be able to enjoy there home and recreational space that would be consistent in the residential zoning and Comprehensive plan.

With the facts above, we request your approval for the Zoning Variance Impervious ratio increase.

Thank you,

Jeffrey & Susan Dunn
3096 Lanier Drive