



August 17, 2017

3025 Woodrow Way, NE

Brookhaven, GA 30319

Letter of Intent for Zoning Variance (Side Yard Variance)

1. Due to the Topography of the Property and the Stream Buffer located at the rear of the entire property and its proximity to the house, any pool of usable dimension would have to encroach on the buffer at the rear of the property, therefore, the strict application of the requirements of this Chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.
2. The requested variance is the minimum necessary to afford relief to the homeowner because due to the placement of the home on the property, the placing of a pool of any usable size and shape in the side yard would provide the best area to create the least amount of impact on neighboring properties or view from the street.
3. Granting this variance would result in equal or greater protection to adjacent properties because no drainage or grading would be adversely affected near the adjacent properties and no view would be obstructed or encroached to other properties.
4. The literal interpretation and strict application of the applicable provisions or requirements of this Chapter would cause undue and unnecessary hardship on the owner, as, should the variance not be granted, it would prevent the homeowner and his family from enjoying the same rights and privileges as his neighbors are able to enjoy.
5. The requested variance would be consistent with the spirit and purpose of the Chapter and the City of Brookhaven Comprehensive Plan text because all Safety and Health Requirements and Regulations will be strictly adhered to and the pool will not be extraordinarily visible to neighboring properties.



Letter of Intent for Stream Buffer Variance

Re: 3025 Woodrow Way NE
Brookhaven, GA 30319

1. Due to the size of the lot and the topography of the stream buffer on the rear, Mr. Petersen purchased the "Parc of Oglethorpe Common Area" from the City of Brookhaven with the intent to create enough useable area for a swimming pool to be built for his family, as there are no amenities in his neighborhood.
2. The location of the stream is across the entire rear property line of the parcel, which is the hardship, for it limits the room for the pool behind the house due to the topography behind the home which drops off toward the creek. There would actually be more encroachment into the stream buffer if the proposed pool was located behind the home.
3. The location of the stream buffer intrusion is at the rear of the old "Parc of Oglethorpe Common Area" that was purchased by Mr. Petersen from Brookhaven, which is to the right of Mr. Petersen's house. The intrusion would reduce the 75' stream buffer down to a 48' stream buffer in just a small area, as shown on the survey. The survey shows that Dekalb County had approved a variance to reduce the stream buffer, however, neither Dekalb County or City of Brookhaven could produce the original variance document that would state how much the buffer was reduced. The house is built and CO'd up to the setback that was approved by the variance.
4. After exploring multiple designs, we find the pool placement on the current design to be the very least intrusive to the stream buffer and diminishes the view from passing cars on Woodrow Way as well as from sidewalk traffic.
5. In order to minimize the impact of the proposed variance, we propose to use impervious paver decking to minimize runoff. We will also install a flow well to maintain area drains and landscape runoff.
6. The proposed mitigation would compensate for the lost buffer by maintaining any water runoff on the property that is created by the mitigation. We will be installing a flow well to minimize any further runoff into the stream buffer, adding natural landscape materials to further minimize the disturbed area removed and will be using impervious pavers throughout the project.
7. Mr. Petersen has supplied a signature from several of his neighbors in support of his project, which are included in the variance packet.