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City of Brookhaven

LETTER OF INTENT

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Dear City of Brookhaven:

We are writing this letter to request approval for a Zoning Variance to increase the impervious lot coverage from 35% to 37.7% (2.7% increase) at 2396 Coosawatee Drive NE, Brookhaven Ga 30319. The variance request is to construct a concrete in-ground swimming pool with inside spa, step stones to pool, and 24" ht retaining wall for 4' past pool to prevent erosion from entering pool. The current lot size is 10,004 sf, existing impervious at 33.5% with a maximum 35% impervious ratio per the zoning of the lot. The Below are justifications for approval variance from the zoning.

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 non-obtrusive and concentration of persons would be non-visible to the Coosawatee Drive. The neighboring property to the NE are screened from a 6' height wood fence, the NW and SW are separated by a heavy tree screening and 6' ht. wood fence.

The subject property is a result of the following conditions:

1.) The requested variance by reason of exceptional narrowness, shallowness or shape of a specific lot or by reason of exceptional topographic conditions deprives the property owner of rights and privileges enjoyed by other property owners in the same zoning district.

The lot is has an average width of 51.46 ft which is 23.37 ft narrower than the minimum lot width of 75' for the R75 zoning classification. If the lot was the minimum 75' width, the impervious variance would not be necessary. The pool acts as a retention pond where the collection of rain water goes through evaporation. The proposed pool has (84 lf) 12" coping/wall, 24"x24" steps stones and equipment pad only adds 126 sf (.0125) impervious. The existing sf and proposed physical hardscape mentioned would be 34.75%, under the 35% maximum.

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 impervious zoning variances and have the minimum 75 ft lot width.

- 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.

- 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 created by the municipal planning department prior to the City of Brookhaven by not meeting the minimum 75' width. The home owners bought the house not knowing the impervious was used up by the builder.

- 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 their home and recreational space that would be consistent in the residential zoning, other approved variance applicants and Comprehensive plan.

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

Thank you,

Michael & Ashley Parsa
2396 Coosawattee Drive NE

