
MERIDIAN GEOMATICS, LLC

Land Surveying ~ Residential & Commercial



LETTER OF INTENT VARIANCE APPLICATION CITY OF BROOKHAVEN, GEORGIA

The owners of 1234 Ragley Hall Rd (the “Property”) in Brookhaven Georgia are John and Sarah Davis (the “Owners”). The Owners request a variance of the front yard setback average to construct a new residence on 0.565 acres of land. The Tax Parcel ID is 18 302 01 116. The Property has an existing one story brick home and is located in the R-100 zoning district. The final plat (Plat Book 61, Page 76) has a front setback of 50 feet. The R-100 zoning has a minimum front yard setback from collector streets of 35 feet. The existing house sits at 52.01 feet from the right of way of Ragley Hall Rd. However, Section 27-788(a) of the Zoning Ordinance requires setback averaging in this case, as (a) the vacant lot is located on a street which at least 60% of the lots fronting the street have been developed, and (b) buildings on neighboring, similarly zoned lots are located within seventy-five (75) feet from the side lot lines. In this particular case, this Property suffers from a drastically increased front setback. The property to the East (1242 Ragley Hall Road) is setback 124.76 feet from the right of way due to a drainage ditch in the front yard. This lot’s front setback combined with the normal 51.01 foot setback of the property to the west (1228 Ragley Hall Road) increases what would be a normal front setback of 50 feet to a front setback average of 87.89 feet. As shown in the Variance Exhibit, the majority of homes in this neighborhood have a front setback of 50 feet which makes sense given the final plat’s requirements. The existing front setback of the three lots to the West (which include 1206, 1218 and 1228 Ragley Hall Road) combined with our existing house setback give the property a front setback average of 51.00 feet. If the existing setback average of 87.89 feet were used the Owners would lose half of the buildable area of their lot. Therefore the Owners request a variance to reduce

the required front yard setback average from 87.89 feet to 51.00 feet, so they can build a new single family residence in keeping with the majority of other residences in the neighborhood.

The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege. The majority of home owners in this subdivision adhere to the Final Plat front yard setback of 50 feet.

The grant of this variance will not be detrimental to the public welfare or injurious to the property. The existing residence is 52.01 feet from the right of way. The Owners are building the new residence at a distance of 58.34 feet. This will line up the Owner's proposed front entrance with the existing home to the west.

The strict application of the requirements of the Zoning Ordinance would deprive the Owners of half of their current buildable lot area. It would also push the proposed residence back too far for them to build the current house plan. It would reduce their rear yard by almost half of what they had previously and affect the Owners overall enjoyment of their rear yard.

The requested variance will not be inconsistent with the spirit or purpose of the City of Brookhaven's overall comprehensive plan. Due to the topography of the lot to the east (1242 Ragley Hall), that owner had to place his house at the back of their lot. The Owners lot has no such topography issue. The proposed setback average of 51 feet is in keeping with the rest of the neighborhood and exceeds the typical R-100 zoning front setback by 16 feet. The requested variance is in keeping with the current zoning and final plat of the neighborhood. The enforcement of the setback average would have a deleterious effect on the Owner's property.

For these reasons, the Owners respectfully request the Zoning Board of Appeals of the City of Brookhaven grant the variance as requested.

Sincerely,

Meridian Geomatics
Bryan Long, RLS
Applicant for the Owners

