

PZ 09-02-20

To: City of Brookhaven, Planning Department

RE: Zoning Variance for 2909 Cravenridge Drive Brookhaven, GA 30319

Applicant: AB Works, LLC

Date: September 2, 2020

The applicant seeks a variance to a development standard. Consideration of this request should be made under the terms of the following criteria, found in the City Zoning Ordinance:

1) The grant of the variance will not be detrimental to the public health, safety or welfare or injurious to property or improvements;

Applicant:

This will not affect any neighbors or the public negatively. The request for additional lot coverage will be minimal and the newly added gravel trench for stormwater management is more than sufficient to cover the additional impervious surfaces the client wishes to add.

2) The variance request is based on conditions that are:

a) Unique to the subject property;

b) Not generally applicable to other properties in the same zoning district;

c) Not the result of the subject property owner's or applicant's actions;

Applicant:

This is a self-evident hardship as the property is an undersized legally platted lot. The lot square footage minimum is 12,000 SF for RS85 zoning and this one is 11,788 SF. Per the comprehensive plan, a property owner should be able to use their lot like other single-family lots in the area and maximize the highest and best use possible. The homeowner is requesting the minimal necessary to allow them to exercise their personal property rights.

3) Because of the particular conditions, shape, size, orientation or topographic conditions, the strict application of the requirements of this zoning ordinance would deprive the property owner of rights and privileges enjoyed by other similarly situated property owners.

Applicant:

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The homeowners love their home and want to be able to fully enjoy their property that they now reside in more than ever. They have young kids and are excited to provide them with the same private amenities as many other neighbors and friends. Due to the strict application of the zoning ordinance, and the undersized lot they own, they should be afforded an additional 212 SF regardless to be equal with neighboring lots. With that being said, it is only 1.4% of additional lot coverage that we are requesting. Not enough to impact anyone else, other than deprive the existing homeowners.

4) 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 similarly situated properties;

Applicant:

There have been similar variance cases approved in the past. Specifically, related, VAR19-0029 was approved to increase lot coverage to 37.7% at the end of 2019. The homeowner is required to install additional stormwater management methods to compensate for the additional surfaces being added. The homeowner is also modifying several existing site elements to reduce the amount of coverage being requested. All this costs the homeowner extra time and money to accomplish.

Why do we even consider pools to be in the same category as accessory structures or parking pads? Accessory structures and parking pads are impervious, and while they too install additional stormwater methods, a pool will absorb most of the stormwater eliminating any additional runoff. If there is the slightest bit of runoff, then the additional drains and large gravel trench are more than amply designed to accommodate and not negatively impact any of the surrounding neighbors.

5) The literal interpretation and strict application of the applicable provisions or requirements of this zoning ordinance would cause undue hardship or practical difficulty, as distinguished from a mere inconvenience; and;

Applicant:

Without granting this variance, this lot is unable to achieve its highest and best use of the property. The homeowners are asking for an exceedingly small increase, insignificant to most really, but it will make an enormously positive impact to them and their property value. If the homeowners are not granted this variance, then their hopes and dreams for their property just do not make economic sense.

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6) The requested variance would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan.

Applicant:

This pool addition will only add value to the incredible property values we are already seeing in Brookhaven. Similar cases have been granted in the past, especially when dealing with a legally platted undersized lot. The homeowner has been a long-time resident of Brookhaven and will continue to help our blossoming city reach its fullest potential. They look forward to being able to proceed with their dream project and continue to enjoy their home for many years to come.

We thank you for your time and consideration in helping us to solve this current hardship.

Thank you,

Allison Bible

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AB Works, LLC

404-556-0767

Aresnick103080@gmail.com

