

Letter of Intent

Property: 1033 W Nancy Creek Drive (Single Family Residence)

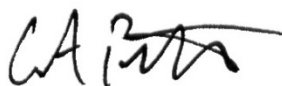
To: City of Brookhaven, Georgia

From: Cody Patton, RA

Date: 8/28/2023

Re: **Variance Request to Reduce Side and Rear Yard Setbacks
for Garage Addition and Bedroom Addition**

The request to reduce the interior Side Yard Setback from 10' to 9' and Rear Yard Setback from 40' to 30' is not detrimental to public health, safety, or welfare of the public or adjacent properties. Due to the corner lot and siting of the existing house, likely based on inaccurate or outdated setback requirements (50' Front and 35' Side Street per the owner provided Survey), the proposed garage and bedroom addition encroach on the actual Setbacks as required by current Zoning. This condition is unique to the subject property, would not apply to other houses in the same Zoning district, and is not a result of property owner actions. If the existing house (or a similar house in the same Zoning District) were located based on current Setbacks requirements, the proposed additions would be possible without a Variance Request. The requested Variance does not go beyond the minimum necessary to provide relief, and does not grant special privilege or use inconsistent with other similar single family properties. The proposed garage addition is in the Rear Yard is abutting the Side Yard of the adjacent property, and would be allowed if treated as a Side Yard or if it were an Accessory Building (25' Rear Yard Setback) located in the same yard. Based on the existing site conditions, a strict application of the Zoning requirements would not allow the property owner to expand the house based on their needs. The requested Variance for the property is consistent with the spirit and purpose of the Zoning Ordinance and provides for regular use of the residential property as allowed by RS-100 Zoning.



Cody A. Patton