



TLC Home Builders, Inc.

Letter of Intent for Variance

Re: 1858 Winchester Trail Brookhaven GA 30341

Summary Of Request:

The property in question is zoned RS-100 and is located in a stream buffer. We are requesting a variance to gain relief from the stream buffer to build a new home. The existing home, including driveways, walkways and shed currently extends into the 75' and 50' stream buffers. More than 50% of the overall lot and almost 80% of the buildable area of the property is located within the stream buffer, making the lot nearly unbuildable without relief from the stream buffer. Our proposal does not encroach into the stream buffer more than the existing home and accessory structures currently do.

- 1). The grant of the variance will not be detrimental to the public health, safety or welfare or injurious to property or improvements. We will install necessary water quality controls to capture 100% of the runoff.
- 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. The property is located in a stream buffer that does not exist on the opposite side of the street or other surrounding streets.
- 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.
- 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. We are requesting to build a new home with less encroachment into the stream buffer than the current home.

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 by making it difficult to build with less available square footage based on the limitations of the stream buffer.

6). The requested variance would be consistent with the spirit and purpose of this zoning ordinance and the comprehensive plan. The proposed new build would be consistent with the current home's location on the property and surrounding properties.