

December 5, 2011

City of Roswell
Department of Planning and Zoning
38 Hill Street
Suite G
Roswell GA 30075

RE: LETTER OF INTENT FOR 40 EAST CROSSVILLE ROAD, ROSWELL, GA 30075

To Whom It May Concern,

Crossville Veterinary Hospital has submitted to Roswell its application for a rezoning, concurrent variances and conditional use for the property located at 40 East Crossville, Roswell, GA 30075.

Currently, the property is zoned R-1 and is located in the Parkway Village Overlay District. The property has been home to a member of the Blalock family for approximately 50 years. The property has been offered for sale several times in the past few years with no sales being finalized. This includes an attempted assembly as well as to individual users. These efforts have been assisted by professional Real Estate Agents.

The property has several large specimen trees that have been there for decades. This includes but is not limited to two Oak trees over 40 inches wide, three Oaks over 30 inches wide and several large Cherry, dogwoods and a Maple tree over 20 inches wide.

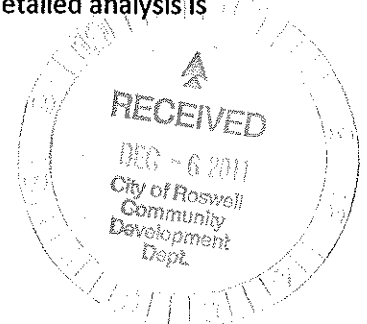
To the North is Slopes BBQ that is currently zoned R-1/PV. To the South is a residential structure that is used as a rental property that is currently zoned R-1/PV. To the North and East is an Office Condominium Park that is currently zoned R-1/PV. To the West is Highway 92.

The 2030 Comprehensive Land Use Element for Roswell indicates this parcel is slated to eventually obtain the Parkway Village Overlay District State Route 92 Corridor zoning designation. By the approval of these requests this goal will be attained expeditiously.

Rosa Denning DVM will be the owner/operator of Crossville Veterinary Hospital. Rosa selected this site because of its proximity to her patients and her home. She will keep the existing external structure and old growth trees as they also attracted her to this location.

It is the intent of Rosa and Crossville Veterinary Hospital to utilize the existing structure as a veterinary hospital. There will not be any exterior pens, runs or kennels. As a result any noise generated will be minimal if it is heard at all over the traffic on Highway 92. The current resident has a dog with an outside pen and there seems to be no noise noted by the current neighbors.

As a result of an existing structure, trees and use several items will need to be addressed in the form of variances and permission granted for a Veterinary Hospital (conditional use). The detailed analysis is presented in the following paragraphs.



Variance Request # 1.

A Building Line Setback from 50 feet to 43 feet along the Northern Property line. This request is being made as a result of our intent to use the existing structure as an office. According to Table 6.2 in the Roswell zoning ordinance a structure located in an O-P zoning must be a minimum of 50 feet from the property line. This is not possible since the existing structure is being used. There is not a feasible way to adhere to this requirement given the existing property line and existing structure on the property. As a side note, there are currently three structures located along the Northern property line and inside of the 50 foot buffer. These structures will be removed.

This request is for 7 (seven) feet and really only impacts approximately 15 feet of the 449 feet of the property line. This request is for existing conditions...not for future structures.

Variance Request # 2

We request a Natural Buffer reduction from 40 feet down to 10 feet for 20 feet along the Southern Property Line. More specifically, the Natural Buffer along the southern property line, from 40 feet to 20 feet from Station 0+00 to Station 1+16 and 40 feet to 10 feet from Station 1+16 to Station 2+43. According to Table 6.2 in the Roswell zoning ordinance property located in O-P zoning must have a minimum of 40 feet Natural Buffer from the property line.

Currently the existing structure does not have access to the rear of the property by means of a driveway. Due to the narrow lot and setbacks this is an impossible task without violating the 40-foot Natural Buffer. Combine this with the presence of a 43-inch Specimen Oak tree and a design problem exists. In an effort to have rear parking to comply with the Parkway Village Overlay design and preserve the 43-inch Oak tree our design team found it necessary to encroach partially into the Natural Buffer. The existing driveway already encroaches as it currently is shown. We have redesigned the driveway to the rear of the structure to have minimal impact on the trees and existing buffer. The addition of a landscape island between two drives using pervious pea gravel (non dusting per Roswell Ordinances) is in our opinion the best possible solution.

The existing property line is very sparsely landscaped with no real natural buffer to speak of. The natural buffer will be greatly enhanced with the additional landscaping as shown on the submitted landscape plan. These enhancements will allow for a more private setting for Crossville Veterinary Hospital and for its neighbors. While the proposed drive is inside of the Natural Buffer requirements its existence should have little or no impact to the property or its neighbors. Consideration would be given by Crossville Veterinary Hospital to supplement the existing bare Natural Buffer with additional landscaping. As a side note, the Northern edge of the property has an existing asphalt driveway that is not currently used and is located inside of the 40-foot natural buffer. This drive will not be utilized.



Variance Request # 3

We request a reduction from 100-feet to 52.8 feet between the veterinary hospital and the Residential Property Line. This is according to Chapter 10.8 in the Roswell Zoning Ordinances.

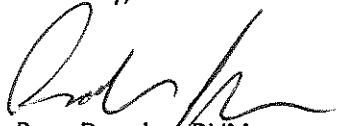
The use of the existing structure and the narrowness of the parcel make a 100-foot separation from the veterinary hospital to the residential property line unachievable. The current rental property is part of the Parkway Village Overlay. The 2030 Land Use map shows the property as Office-Professional. Even in its current residential state we do not think a neighboring veterinary hospital would adversely affect living conditions as there will be no outdoor kennels or runs to increase noise or odor. In an effort to be proactive we have reached out to our potential neighbors to share with them our intentions. Our site plan also calls for adding a landscaped buffer. We stressed the point that we would not have any exterior runs or kennels. We also discussed the possibility of constructing a wooden fence to help deflect any noise. We feel there would not be a noticeable noise difference given there are no exterior runs or kennels and the road noise already generated by Highway 92 is substantial.

Conditional Use Request

Crossville Veterinary Hospital is respectfully requesting that a veterinary hospital be allowed to operate on this property. Veterinary clinics have designated a conditional uses in O-P zoning. Veterinary service providers are not listed among the intended businesses in the Parkway Village Overlay as of yet. In an effort to be proactive, we have reached out to our potential neighbors to share with them our intentions. We stressed the point that we would not have any exterior runs or kennels. One of the contacted parties expressed some concern regarding possible barking. We discussed the possibility of constructing a wooden fence to help deflect the noise. We feel there will not be a noticeable noise difference given there are no exterior runs or kennels, no boarding of animals (except after surgical or observational periods) and the road noise generated by Highway 92. In addition, the current resident keeps his large dog outside in a fenced area all day. We actually will be eliminating the current barking noise from that source.

To date Crossville Veterinary Hospital has reached out to its potential neighbors in an attempt to be a valuable part of the community. We are looking forward to opportunities to cross-market our services with the neighboring businesses. We also have spent time with Jackie Deibel of the Roswell Zoning Department to try to factor in the desires of the City of Roswell in advance. We are open to discussions with any party who is interested. We will take any concerns to heart and attempt to factor them into our plans.

Sincerely,



Rosa Denning, DVM
Owner



Bill Kolbrener
Owner's Representative



CONCURRENT VARIANCE JUSTIFICATION AND ANALYSIS FOR THE REZONING OF

**40 EAST CROSSVILLE ROAD
ROSWELL GEORGIA 30075**



- 1) There are exceptional conditions that exist making any future use challenging. The largest hurdle for future development is the size of the lot and its existing structure. Assuming the property is developed for another user that requires the razing of the current structure and the clearing of the parcel several challenges need to be considered. The width of the lot does not allow for building wider than approximately 75 feet (without variances) this takes into account the 40 foot natural buffer and 50 foot building set back. Combine this with the possible removal of several specimen trees and one can start to realize some of the challenges of development. The above referenced scenario does not take into account any drives or parking areas. Our proposed use of the current structure and the existing landscape situation allows for minimal visual and environmental impact to the site and its neighbors. As a result of the zoning and uses we will need to obtain a building set back reduction from 50 to 43 feet along the northern property line in order to use the current structure (Table 6.2 of the Roswell Zoning Regulations). We will need to request a Natural Buffer Variance along the southern property line, from 40 feet to 20 feet from Station 0+00 to Station 1+16 and 40 feet to 10 feet from Station 1+16 to Station 2+43 (Table 6.2 of the Roswell Zoning Regulations). This is a result of designing our driveway around an existing 43 inch Oak tree. This request relates back to the desire to keep the existing trees and the very narrow lot. We are also requesting a variance in the 100 foot separation between a vet clinic and residential property(Section 10.8 of the Roswell zoning regulations) The current conditions do not allow for 100 feet of separation...only 52.8 feet. All of these points make for a piece of property that requires additional considerations that are not typical of other parcels of property.
- 2) The literal interpretation of the undisturbed landscape buffer as well as the building setback offer practical difficulties without requested variances. The existing structure that has been in place for approximately 50 years and the trees that have been there

even longer offer the need for two requested variances. The practicality of the situation justifies the requests. The intent of the current ordinances is to allow for a buffer between developments while protecting the integrity of our landscape. This is also evident by the 50 foot building setbacks. The use of the current building in relationship to the property line does not allow this. Regarding the natural buffer, there is no real existing buffer on the southern side of the property. If we do away with the variance request we will need to remove a 43 inch Oak tree. This would totally contradict the intent of a natural buffer.

- 3) There is no information or special privileges that granting the requested variances would deny another parcel owner or operator the use of their property. This is a very unique situation and like all other unique situations proper study and consideration should be extended to this application. This holds true for any applications of other property owners where existing conditions do not allow for a clear and obvious answer.
- 4) The requested variances will be in harmonious to the intent of the ordinances. We desire the use of an existing structure while protecting the integrity and survival of several large specimen trees.
- 5) What you see now has been there for approximately fifty years (with the exception of the tree size). The current structure has been in place longer than the most of the zoning and set back regulations that are being considered for today's application. The applicant is doing nothing more than purchasing the property as it has been and will continue to use the property as is (with the exception of the drive, parking ramp and closure of the carport. This is why the variances are being requested).
- 6) The variances requested are a result of existing conditions that have been in place for approximately 50 years. When the home was originally built the side setbacks were 10 feet. Today the requirement for this zoning is 50 feet. Our variance requests are the minimal distances. Please refer to the presented site plans and a determination can be made that the requests are not excessive.

