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City of Roswell Planning Commission
38 Hill Street, Suite G-30
Roswell, Georgia 30075

Commission Members:

On August 16, 2012 there was a neighborhood meeting to introduce our neighborhood to the proposed conditional use of a used car lot for the property at 1184 Alpharetta Highway. At that time we were only given an example of existing properties in Gwinnett County as very general idea of what to expect presented by two gentlemen from a real estate company. We have lived directly across from the property facing the backside of it for 17 years and are longtime Roswell residents. We grew up here. We love this city and appreciate the effort you put into making it a pleasant place to live. Since the meeting, we have had a good look at both the application and the City of Roswell Comprehensive Use Plan 2030 and disagree with the applicant on most of their answers to the questions asked, especially when considering the 2030 Plan and our past experience with another used car lot abutting our property.

After reviewing the application, we disagree with most of the answers given to the questions, especially those dealing with the suitability of a used car lot in a residential neighborhood. The busiest part of the property actually is easily viewed by no less than 5 residential houses, not the 2 as stated. Increased traffic use on our residential street will make it difficult to keep the 20+ children on our street safe. The bus stop is located at our driveway which is directly across from the property. (Please see picture 1, attached) We already have to deal with the test drivers who use our street from the adjacent car lot on Strickland Road. Additional test drivers would add to that hazard.

On item #22 of the application it is stated:

"The consideration of preservation of the integrity of residential neighborhoods shall be considered to carry great weight. In those instances in which property fronts on a major

thoroughfare and also adjoins an established residential neighborhood, the factor of preservation of the residential area shall be considered to carry great weight." Our neighborhood is full of older home that were built right after WW2 and have significance to the history of our city. Roswell's past mayor Pug Mabry built his home on our street and still lives here. As you walk up our tree lined street and see the newer homes, you will notice that our area is one of mixed residential use, which is what the 2030 Comprehensive plan has outlined as desirable. We enjoy the small shops and neighborhood restaurants that we can walk to. We are barely outside of the boundary of the Historical District and so we feel that any car lot, new or used is contrary to the expected use of that property.

The physical suitability of the property is also a point that we question. Currently there are less than 30 parking spaces for cars. Under current city code concerning buffers and setbacks, the parking lot would lose most of those parking spaces, leaving them no adequate place to park the cars for employees, customers and especially inventory. There is also no place to park inventory in view of the main road, Alpharetta Highway. The best view of the parking lot is from the residential side (Prospect Street). Currently other used car lots on Alpharetta Highway use the middle lane of the Alpharetta Hwy to off load their cars from the trucks that deliver them. This creates a hazard and shouldn't be allowed in any turning lane in the city, but especially in such a busy area. The property is not large enough to have an onsite offloading area. By current zoning code definition, a C-3 property should have its entrance and exit from a main highway. The current entrance/exit that fulfills this is difficult to manage as it has a fairly steep sloping driveway, creating yet another hazard (see picture 2, attached). This creates extra traffic on Prospect Street because no one wants to use the front driveway when there are other choices.

The applicant states that he should be allowed to use the property as a used car lot because there is already one in a property on the corner of Prospect Street and Strickland Road. We have had a lot of problems with the owner and tenants of that car lot. Most of the problems stem from the fact that the lot is too small and under current city code, the property could not even be considered for the use of used car sales, like many in the city. The applicant's property would have similar problems and we should not have to bear the burden of the result of these problems. The city shouldn't have allowed the use of the lot next to us for used cars and since that time we have endured great hardship. The car lot first appeared 16 years ago with no notice to us or the neighborhood. In 2001, the undisturbed tree filled 73 foot buffer was clear cut while we were out of town, also with no notice. Gravel was put down and even though the city

had finally caught up with the landowner and tried to make him comply, we had a full view of Alpharetta Highway. He did this against the city codes and its wishes, but he still did it. After a 2 year dispute involving 3 Design and Review Board sessions, an appeal to the City Council and a few rounds in City Court, we finally saw a fence put up and trees planted to restore some of the buffer. Since that time we have dealt with different tenants who didn't respect the buffer by encroaching on it to park their inventory. We constantly have to call code enforcement to get them to comply. They will move them temporarily and after a few days move them back into the buffer area. Each time a new tenant comes in, it starts all over again and the current one is the worst. (see picture 3, attached) Over the last 16 years we have dealt with:

- Car alarms going off at all hours of the night
- Test Drivers speeding up our street and additional traffic
- Noise from cars being repaired
- Encroachment into the buffer zone despite the fence, which fell as a result
- Bright lights that shone into the side of our house, and especially ours and our daughter's bedroom windows, which is/was against code
- Late night noise from a customer getting her possessions from her repossessed car
- Open full oil pans stored between the fence after changing oil in the cars onsite
- Trailers and boats with trailers stored onsite
- Offloading cars from trucks in the middle of the night in front of our house
- Noise from an outdoor intercom system
- Customers parking on the street in front of our house because there weren't any spaces left on the car lot
- A lack of privacy at late hours due to people shopping after hours when the business is closed, eroding the security of our home

City code and its enforcement can only do so much. The vigilance needed to force compliance is burdensome. We will be exposed to this all over again and at an even greater amount if the application is approved. Allowing our home and neighborhood to be surrounded with so much upheaval would affect the quality of our life and that of our neighbors. Please protect us. We respectfully ask that you deny the use of the property for the use of used cars.

Many Thanks for your service,

Shelly and Jack McArthur



Picture 1



Picture 2



Picture 3