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December 2, 2011

Bradford Townsend
City of Roswell
Planning & Zoning Director
38 Hill Street
Suite G-30
Roswell, GA 30075
Ph: 770-641-3774
Fx: 678-639-7504



RE: Letter of Intent for 1240 Warsaw Road, Roswell, Georgia 30076, Land Lot
525, First District, Second Section, Fulton County

Dear Mr. Townsend:

This Letter of Intent and accompanying application materials constitute our request for rezoning and concurrent variance pursuant to Chapter 31.4 of the Roswell Zoning Ordinance. This request is on behalf of Early Learning Property Management, Inc. (the "Applicant"), regarding its property located at 1240 Warsaw Road in Roswell, Georgia (the "Property"). We believe that the rezoning and concurrent variance are "technical" in nature, and do not affect any neighboring properties or the general welfare of the City.


The Property is presently zoned R-3 Multi-Family Residential. The Applicant is a non-profit organization whose mission is to raise private dollars to purchase, renovate or construct high quality early learning centers, primarily in disadvantaged neighborhoods, allowing for accessible, quality early learning to children who might not have this opportunity. The Applicant leases the Property to a non-profit early learning provider, who uses the Property as a day care center. A day care center is not a permitted use under the current R-3 zoning classification, but the improvements located on the Property were built at a time when this was a permitted use. Thus, the Property is subject to the

restrictions imposed upon it by the nonconforming use provisions of Chapter 14.3 of the Roswell Zoning Ordinance.

The Applicant requests a rezoning to the C-2 Neighborhood Commercial zoning classification, under which a day care center is an expressly permitted use. The Applicant also seeks a Concurrent Variance to expressly allow the footprint of its building and layout of the improvements on the Property within the C-2 zoning classification. The Applicant seeks a variance from the 5,000 square foot building restriction, and the 50 foot minimum setback and 40 foot minimum width of natural buffer when abutting an R-1 district.

The C-2 zoning classification is compatible with adjacent and nearby uses, and also furthers the policies underlying the City's Comprehensive Plan. Because the Property has been operating as a day care center for a number years, there would essentially be no change in any effect on adjacent or nearby properties or the general welfare of the City. The Property is in the immediate proximity of other properties compatibly zoned and used for a similar or more intensive commercial/service/retail use than is requested by the Applicant. A rezoning to the C-2 classification would create a buffer and an intervening use between these more intensive commercial uses and the nearby residential neighborhoods. The rezoning and concurrent variance would also ensure that the Applicant can continue providing high quality early childhood learning facilities to the public and neighboring community. Accordingly, the Applicant requests the approval of this rezoning application and concurrent variance as submitted in order that the Applicant be able to proceed with the lawful use of the Property.

Sincerely,

By: 
Name: Mike Kerman
Attorney for the Applicant

