

Roswell Analysis Narrative Concurrent Variances

An applicant requesting consideration of a Concurrent Variance to any provision of the Zoning Ordinance shall provide written justification that one or more of the following condition(s) exist:

- 1. There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape, topography that are not applicable to other lands or structures in the same district.*
- 2. Any information whereby a literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the applicant's property is located.*
- 3. Any information supporting that granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.*
- 4. Any information that the requested variance will be in harmony with the purpose of the intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.*
- 5. Any information that special circumstances are not the result of the actions of the applicant.*
- 6. Any information that the variance request is the minimum variance that will make possible the proposed use of the land, building, or structure in the use district proposed.*
- 7. Any information that the variance shall not permit a use of land, buildings, or structures, which is not permitted by right in the zoning district or overlay district involved.*

Parking Variance per justification #4

We propose a variance from a maximum of 1 space per 3 beds (47 spaces) to a ratio of .62 spaces per suite (82 spaces).

This variance is based on a 30-year history of developing congregate care facilities. Hawthorn Retirement Group has developed over 300 retirement residences in North America. Experience from this extensive portfolio has shown that 0.6 parking space per suite ratio is an ideal parking space standard for our residents, staff, and visitors.

This proposed increase in parking will not cause undue hardship on adjacent properties or cause a decrease in open space. A ratio of .62 spaces is in agreement with the lower standard for senior housing as compared to other high-density developments and is consistent with the general intent of the code. Much of our site is to be preserved with the existing tree buffers and to be fully landscaped which will mitigate potential impacts on the neighborhood and surrounding homes.



Natural Buffer and Setback Variance per justification #1

We propose a variance to the O-P zoning requirement of a 40' natural buffer and a 50' building setback adjacent to property zoned R-3 north of our site. We are requesting a variance to a 10' Landscape Buffer and a 34' setback.

We are providing the required buffer and setback along our property line adjacent to the apartment building; however, we request a variance to the requirements along the property line where it does not abut the apartments.

The site has existing grades that make a large portion of the site difficult to develop. The fire department requested a fire lane around the building because of the lack of access from the adjacent roads due to the existing grade. These two elements combined to make it necessary to pull the building closer to the north property line. Where the buffer is proposed to be reduced to a 10' landscape buffer and a 34' building setback, there is a significant portion of undeveloped land with existing trees that serves as a natural buffer and setback between our development and the existing homes to the north.

We believe we meet the intent of the requirement. Due to the existing offsite tree cover, there is a unique opportunity to provide the buffer and setback from the residential zoning as intended per the code, while allowing a reduction in the actual onsite buffer and setback. This provides screening between our development and adjacent residential homes per the objective of the buffer and setback requirement.

