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Curry & Wilco, P.C.
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July 17, 2012

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Received e
PC mtg
7/17/12
JD



Ms. Susan Baur, Chair
Planning Commission
City of Roswell
38 Hill Street, Suite G-30
Roswell, GA 30075

Re: Application of EAH Investments, LLC to Rezone 16.159 acres of Land
Located at the intersection of Etris Road and Kent Road, Roswell, Georgia
from FCA-AG-1 to R-3A Residential; Application Nos. RZ12-05 and CV12-02

Dear Ms. Baur,

We appreciate the efforts of Mr. Townsend and his staff regarding the proposed zoning of 16.159 acres on Etris Road. Our firm represents the Applicant, EAH Investments, LLC. We received the staff recommended conditions and submit this letter as the Applicant's response and request for the Planning Commission to approve the application but delete some of the conditions. We ask that this letter be considered by you and the Planning Commission and filed in the record. The application is scheduled to be heard by the Planning Commission on July 17th and by the City Council on August 13th.

Originally, the Applicant proposed a subdivision containing 46 single-family detached residential lots with an entrance on Kent Road. After discussions with the Planning Department staff, the Applicant reduced the lots number to 38 and moved the entrance to Etris Road. After numerous meetings, the Applicant again modified the plan to provide for an entrance on Kent Road and Etris Road. The staff also requested system improvements of a 9' landscape strip and a 10' sidewalk along Etris Road because it is on a "loop road" in the master plan. In addition, the staff requested the applicant to mitor the corner of the Etris Road and Kent Road intersection. Later, the staff requested a bike lane on Etris Road, left turn lane, and two sidewalks on each side of the road (rather than the one previously requested). Although the Applicant would prefer not to construct the requested system improvements, it is agreeable to doing so with the express understanding that the Applicant will receive impact fee credit or be reimbursed for the construction costs associated with the system improvements.

When the staff report and recommendations were published, two (2) new conditions were imposed: No. 3 (paving of Kent Road minimum 22 feet wide); and No. 4 (install five foot sidewalk along Kent Road). If the zoning is conditioned with these additional system

Ms. Susan Baur, Chair
July 17, 2012
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improvement, the project will not be able to move forward based on the substantial cost to construct. Accordingly, the Applicant requests the Planning Commission to approve the rezoning and conditional variances without paving or sidewalks on Kent Road. Furthermore, the Applicant requests confirmation that it will receive full credit for the cost associated with the system improvements along Etris Road.

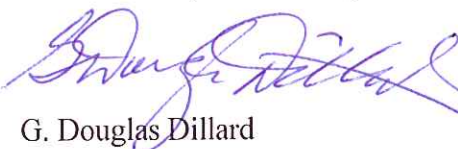
It is important to note that Ashton Woods recently obtained zoning approval for R3-A for 8.507 acres on Rucker Road (RZ11-09 & CV11-02). The density for the Ashton Woods project is 3.29 units per acre. Here, the Applicant has proposed lower density of 2.35 units per acre. The transportation conditions recommended by staff for the Ashton Woods included improvements to Rucker Road. The transportation conditions were not incorporated in the zoning and variance approval. The developer was not required to construct any Rucker Road improvements, but instead paid the City of Roswell \$50,000 for future road improvements. Here, the Applicant is being asked to construct \$300,000 of road improvements which would make this project financially impossible. The Applicant requests the Planning Commission to remove staff conditions 3 and 4.

Attached hereto are: 1) the revised Plan; 2) the original Plan; 3) the Drainage Basis Analysis; and, (4) a graph of resale homes over the last 12 months in the Roswell High School District. We have also attached a report by Bill G. Huff, Jr., Certified General Real Estate Appraiser and Certified Land Use Planner, regarding the rezoning and variance application. Mr. Huff is a highly qualified expert and has reviewed the project under the Guhl standards. After review, Mr. Huff determined the proposed development is consistent with the character of surrounding communities and will not decrease the value of the nearby existing homes. In fact, the proposed development will have a positive impact on the value of the surrounding homes.

We appreciate your consideration and look forward to the hearing. If you have any questions, please do not hesitate to contact us.

Very truly yours,

WEISSMAN, NOWACK, CURRY & WILCO, P.C.


G. Douglas Dillard

GDD/drd

cc: Mr. Brad Townsend (w/enclosures)
Ms. Jackie Deibel (w/enclosures)
Mr. Paul Corley (w/enclosures)
Julie Sellers, Esq. (w/enclosures)
Mr. Kenneth Wood (w/enclosures)

100210973



Etris Road at Kent Road

REVISED



Edward Andrews Homes
1640 Powers Ferry Rd., Bldg. 4, Suite 300
Marietta, Georgia 30067
Phone: (770) 541-5250



Planners and Engineers
350 Research Court
Norcross, Georgia 30092
Phone: (770) 451-2741

REVISED

TRACT I		TRACT I		TRACT II	
Lot Number	Lot Size (SF)	Lot Number	Lot Size (SF)	Lot Number	Lot Size (SF)
1	10,613.65	21	10,069.21	1	27,835.59
2	9,739.08	22	10,899.33	2	23,108.80
3	9,134.05	23	15,023.16	3	18,977.37
4	9,101.34	24	11,428.43	4	21,812.06
5	9,039.75	25	12,293.61		
6	9,131.05	26	11,575.84		
7	9,032.48	27	13,692.31		
8	10,073.15	28	12,012.99		
9	11,745.01	29	12,174.52		
10	12,757.48	30	13,085.12		
11	9,738.54	31	10,872.57		
12	9,729.32	32	9,390.05		
13	9,205.18	33	9,316.76		
14	12,356.79	34	11,252.99		
15	11,921.21				
16	12,568.01				
17	10,452.83				
18	12,825.96				
19	9,417.14				
20	9,457.88				

VARIANCES

SIDE YARD SETBACK	Reduce from 10' to 7.5'
MIN. LOT WIDTH	Reduce from 80' to 60'
OPEN SPACE REQUIRED	Reduce from 25% to 15%
LOT COVERAGE	Increase from 25% to 30%
NATURAL BUFFER REAR SETBACK	Reduce from 40' to 30' (buffer)
	Reduce from 50' to 30' (setback)

NOTE:
LOT SIZES AND SETBACKS ARE
TAKEN FROM THE ORIGINAL ETRIS
ROAD RIGHT OF WAY



Know what's below.
Call before you dig.

SITE DATA:

OVERALL TOTAL SITE AREA	16.159 ACRES
TRACT I	11.329 ACRES
TRACT II	4.83 ACRES

ZONING

EXISTING ZONING	FCA - AG-1
PROPOSED ZONING	R-3A RESIDENTIAL
ZONING JURISDICTION	CITY OF ROSWELL

LOT SUMMARY:

TOTAL SITE AREA	16.159 ACRES
TRACT I LOTS	34 LOTS
TRACT II LOTS	4 LOTS
TOTAL LOTS	38 LOTS
TOTAL DENSITY	2.35 LOTS/ACRE
MIN. LOT SIZE	9,000 SF
MIN. LOT WIDTH	60 FT. WIDE

SETBACK SUMMARY

FRONT YARD SETBACK	30 FEET
SIDE YARD SETBACK	7.5 / 20 FEET
REAR YARD SETBACK	30 FEET

SITE LOCATION MAP (NTS)



Etris Road at Kent Road - Roswell
A Master Planned Single Family Residential Community

FOR
Edward Andrews Homes

1640 Powers Ferry Road
Bldg. Suite 300
Marietta, GA 30067
Phone: 770-541-5250

CITY OF ROSWELL, GEORGIA

"WE PROVIDE SOLUTIONS"

PLANNERS AND ENGINEERS COLLABORATIVE
SITE PLANNING & LANDSCAPE ARCHITECTURE & CIVIL ENGINEERING & LAND SURVEYING
350 RESEARCH COURT • NORCROSS, GEORGIA 30092 • (770) 451-2241 • FAX (770) 451-3915 • WWW.PECL.COM

REVISIONS:

NO.	DATE	BY	DESCRIPTION
*1	4/11/2012	kw	Revised Legal on Tract I
*2	6/27/2012	kw	Site Revisions / Comments
*3	7/6/2012	kw	Added Lot Chart
*4	7/12/2012	kw	Staff Comments

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SHEET TITLE REZONING SITE PLAN

0 25 50 100 150

SCALE: 1" = 50'
DATE: JULY 3, 2012
PROJECT: 12034.00

THIS SEAL IS ONLY VALID IF COUNTER SIGNED
AND DATED WITH AN ORIGINAL SIGNATURE.



1
SHEET

Etris Road at Kent Road

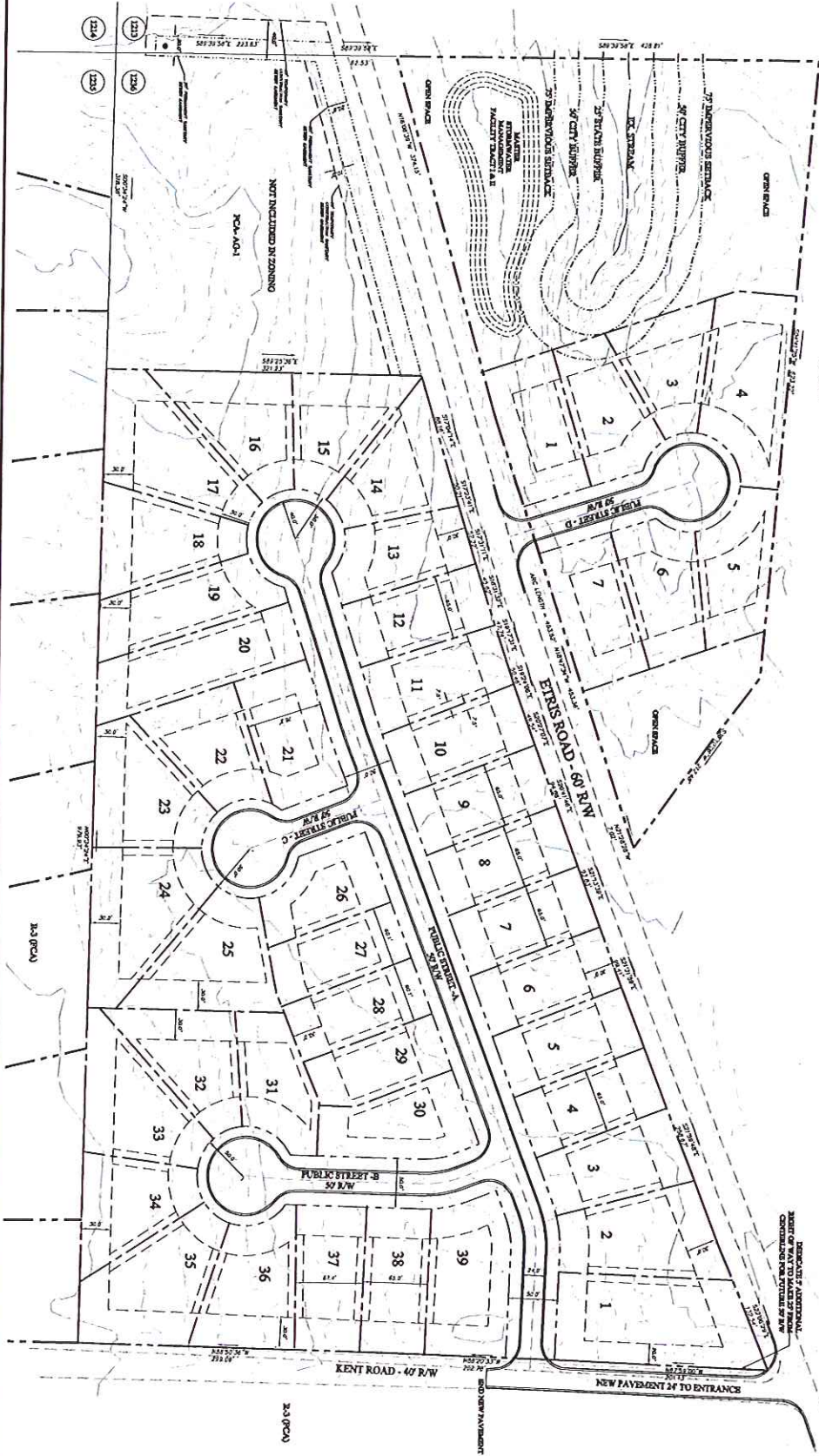
ORIGINAL



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VARIANCES

LOT WIDTH: 10' to 25'
LOT DEPTH: 10' to 25'
LOT AREA: 100' to 625'
LOT COVERAGE: 10% to 25%
LOT VALUE: \$10,000 to \$25,000
LOT TYPE: Residential
LOT STATUS: Available
LOT LOCATION: 10' to 25'
LOT ZONE: 10' to 25'
LOT DESCRIPTION: 10' to 25'
LOT FEATURES: 10' to 25'
LOT HISTORY: 10' to 25'
LOT CONTACT: 10' to 25'
LOT REFERENCE: 10' to 25'

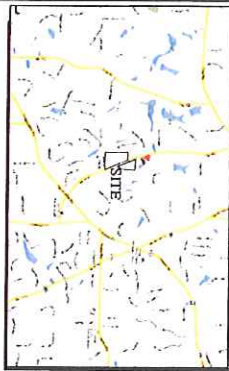


**Know what's below.
Call before you dig.**

SITE DATA:

[illegible]

SITE LOCATION MAP (NTS)



Etris Road at Kent Road - Roswell

A Master Planned Single Family Residential Community

FOR
Edward Andrews Homes
1442 Beacon Road, E. 4

Edward Andrews Ho
1640 Powers Ferry Road
Atlanta, GA 30329

1140 Powers Ferry Road
Bldg 4, Suite 300
Marietta, Georgia 30067

Marion, Georgia 30057
Phone 770-541-5250

CITY OF BIRMINGHAM
GEORGE

REVISIONS:

No	DATA II	HY	DI- α -MHP-1-25
1	443/220112	h/m	Revised Lagrange 1 mo
2	467/220112	h/m	Nile flood season 1 st version
3	736/20112	h/m	Adjusted Lag 1 Month
4	771/220112	h/m	Model Comments

REZONING
SITE PLAN

SCALE: 1" = 50'
DATE: JULY 3, 2012
PROJECT: 12034.00



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