

## **Letter of Intent**

### **Nesbit Ferry Road Tract**

**February 7, 2012**

Dane Nesbit et al, (aka Dane Nesbit) as current owner of the subject 5.03 acre property which is currently zoned FC-A hereby requests the rezoning of said property to RTH-A. The property is currently under contract to Southeast Real Estate Acquisitions, LLC.

This property is surrounded to the south, west and north by the Devonshire community, which consists of townhome and condominium type of homes at a density of over five units per acre and was zoned A (Apartment conditional) by Fulton County. The property is bounded by Nesbit Ferry Road to the east and is located in land lot 835 of the 1st district, 2nd section of Fulton County, City of Roswell, Georgia.

We believe the RTH-A zoning is the best fit for this property considering the surrounding property current use as well as after consulting with City of Roswell Planning Staff, Public Works staff and district Councilpersons. The proposed low-density development of 19 homes on the 5.03-acre tract has a maximum density of 3.8 units per acre, much lower than the density indicated on the Future Land Use Map.

The proposed zoning of RTH-A also allows for appropriate flexibility in design for a private street/drive with standard 24' back to back of curb width and associated 24' effective right of way, measured from back of curb to back of curb as well as the ability to

provide necessary preservation of a large cluster of specimen trees in proximity to the right of way of Nesbit Ferry Road.

The entrance to this development is from Nesbit Ferry Road and was designed to provide minimum disturbance to the cluster of specimen trees while providing the minimum required sight distance for the currently posted speed limit. The proposed entrance will not be gated and only a minimal identification monument is anticipated.

The proposed attached homes will be traditional in architectural style with exteriors being a mixture of brick, stone, stucco and fiber-cement siding. All homes will be appointed with luxury features and shall have two-car garages with individual driveways suitable for additional guest parking. Each home will have a minimum heated floor area of 1800 square feet, which is substantially greater than the minimum required and that of the adjoining development.

Utility easements will be provided as appropriate given each utilities final design location. It is likely that a blanket easement will be provided for appropriate access and maintenance over the proposed individual lot areas as well as the limited common areas out side of the specimen trees' existing drip line areas.

Along with the requested rezoning, the owner and potential developer is requesting of the City of Roswell to grant four concurrent variances to this property. One variance is to reduce the required interior front yard setback from 30' to 15' while maintaining 25' of setback from the front of the garage of each unit, all measured from the back of curb of the proposed interior street/drive. The second variance similarly requests a reduction in the side corner yard setback from the interior street from 20' to 5' as measured from the back of curb. The third variance is to reduce to required interior sidewalk requirements from both sides of the



proposed interior street/drive to only those access sidewalks shown on the site plan. Note that the very short street/drive of approximately 600 will have a speed limit of 15mph or less and will provide safe pedestrian access without the additional impervious surfaces of 5' side walks on each side of the private drive. Note too that the developer intends that the proposed interior walks shown on the plan will be constructed of a pervious and time stable material. The fourth variance is to allow for a slightly larger individual lot maximum coverage from 40% to 50% while the overall development's coverage will remain under 35%.

The requested variances, we believe, are justified given the unique configuration and location of this "hold out/in fill" tract which is small and therefore has a higher ratio of setback area relative to overall tract area, and additionally justified by the extraordinary efforts to preserve the lovely grouping of specimen trees that take up a substantial portion of the property, especially considering their critical root zones. In our opinion, because the requested variances are internal to the development, the associated exterior aesthetics of this community on the neighboring properties will not be compromised nor will the variances be injurious to the general welfare of the City of Roswell. In our opinion, the granting of the requested variances will not provide the owner/developer with any "special" privileges or rights.

This development will be designed and marketed as a "move-up" community with appropriate appointments and features. The proposed development will fit nicely on the property with limited disturbance, grading and infrastructure that will preserve the natural amenity of the surrounding developments as well as the lovely natural resources found in the specimen tree stand, which will be carefully preserved. We hope you agree that this will be a welcome and appropriate community for this underdeveloped property. A mandatory homeowners association will be established as well that will preserve the character of the

neighborhood, maintain the proposed infrastructure as well as care for and preserve the amenity of the specimen tree stand and proposed heavily landscaped perimeters and open areas.

Thank you for your consideration.

Daryl R. Cook, P.E., LEED AP BD+C

President and CEO

Watts & Browning Engineers, Inc.

