



Memo

To: Mayor and City Council

From: Bradford D. Townsend, AICP
Planning and Zoning Director

Date: April 1, 2011

Subject: Variance request for 140 Robinwood Court for steep slopes
and the front setback.

Bradford D. Townsend

This item was deferred from the March 14, 2011 hearing so that the Public Works/Environmental Department could review the request for a variance to the steep slope buffer.

The applicant met with Planning and Zoning, the City Engineer and the Water Resource Engineer from the Public Works/Environmental Department on Monday, March 28th. From that meeting, the applicant has since written a new letter of intent and submitted several diagrams to help support his request for the steep slope variance. In his letter of intent, the applicant indicates the variances agreed upon during the meeting due to certain considerations.

The applicant is requesting a front setback variance of five (5) feet from thirty (30) feet to twenty-five (25) feet. A variance under RBZA03-16 originally granted a variance for lots 3,4 and 6 to reduce the front setback from fifty (50) feet to thirty (30) feet. Lots 1,2, and 5 of the subdivision received a variance to reduce the front setback from fifty (50) feet to thirty-five (35) feet.

The variance request for the steep slopes is a request for a variance to Article 7 of the City Code, Section 7.3.4, Minimum Requirements for Erosion, Sedimentation and Pollution Control using Best Management Practices, Letter C, General Design Principles, number 17. The recorded plat for Robinwood Estates represents the steep slope line located on Lots 2,3, and 4 of the subdivision. At that time, a steep slope analysis had been completed for the entire subdivision.

A flowing stream with a 50' undisturbed buffer and a 75' impervious setback is also located on the lot. The applicant is requesting only relief to a portion of the steep slope buffer.

The covenants of the Home Owners Association for Robinwood Estates require that each home contain 4,000 SF. The builder is requesting the variances in order to accommodate the square footage requirement. The HOA has agreed to allow the builder to build a house with a 2-car garage instead of a 3-car garage. A copy of the covenants has been included in the packet.

Staff Recommendation: Approval of the two variances

- Variance to the front setback from thirty feet to twenty-five feet.
 - Variance to a portion of the steep slope buffer as identified on exhibit number 3 stamped "Received March 31, 2011 City of Roswell Community Development Department" with the following condition.
1. Release the portion of the steep slope buffer to allow for construction for a single family residence. Place a 70 foot undisturbed stream buffer on the property as measured from the top of stream bank. Said buffer shall be accomplished by separate recorded deed in a form approved by the Roswell City Attorney and recorded prior to a Certificate of Occupancy.