



### VARIANCE AND WAIVER APPLICATION

CHECK ALL THAT APPLY:

- Zoning Variance
- Sign Variance
- Stream Buffer Variance
- Waiver

2135 Lot Split

Name of Project

2135 Clairmont Ter NE Atlanta, GA 30345

Property Address

Divide 2135 Clairmont Ter NE into two lots. I am requesting a

Brief Description of Project

variance for the front "Contextual Setback" to be determined by its visual contextuality and not by its units of measure.

Zoning District NR-1

2

.488 acres / 21,276 sq ft

2

TBD

Total # of Properties Involved      Total Project Acreage      Total Number of Buildings      Total sq. ft. of buildings

**OWNER:**

Caleb Strickland

Name and Company

2135 Clairmont Ter NE Atlanta, GA 30345

Mailing Address

City, State

Zip Code

470 370 0056

Caleb.Strickland89@gmail.com

Phone #

E-mail

**APPLICANT:**  Check here if Applicant is also the Property Owner

Name and Company

Mailing Address

City, State

Zip Code

Phone #

E-mail

Applicant Signature

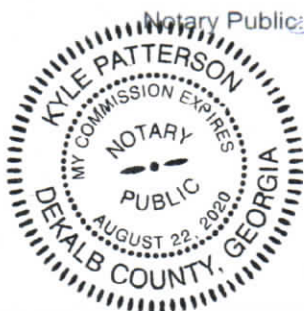
Date

I hereby certify that all information provided herein is true and correct.

**NOTARY:**

Sworn to and subscribed before me this 01 day of March, 2020

Notary Public: [Signature]



## Letter of Intent

I am applying for relief from 230-3; the "Contextual Front Setback". I believe that the application of this UDO would do the opposite of its intended purpose and result in the front setback of the proposed lot to be behind the front of the existing house. I would like for the front setback to be interpreted by its "visual contextuality" rather than its actual measurement so that the proposed house can be placed in line with the existing house.

1. The shape of this specific property and the topography of the property create an extraordinary condition because:
  - a. Although there is a substantial sweeping bend in the road as well as a culdesac/round-about; there is no actual "corner" or intersection; it is all Clairmont Terrace NE and thus it is considered a "lot interior". However, the original plat map of the subdivision that is still on file with Dekalb County shows the road along the southern edge of the property to be a completely separate entity known as "Rockmont Road". Possibly of no relevance, but something to note at least.
  - b. The topography of the property also becomes a factor because of the road along the southern edge of the property which creates a bowl like shape and has now become flood plain due to the city's storm drain that is illicitly discharging the entire neighborhood's storm water onto my private property. This is important because unlike an existing lot of record; when subdividing a piece of property to create a new lot; the buildable area is required to be outside of the floodplain and another reason to move the front setback closer to the road.
2. The biggest factor here is the application of the "Contextual Setback" itself to this specific property. The entire reasoning for having the front setback be "contextual" rather than just a specific measurement is to ensure that everything has an appearance of uniformity as you drive through the neighborhood. However, because of the sweeping bend in the road; applying the contextual setback in this scenario would actually do the exact opposite of what the UDO was intended to do and cause the front of the proposed buildable area to be at the back of the existing house.
  - a. I am requesting a variance for the front setback requirement to be interpreted by its intention rather than its actual unit of measure and allow me to place the front setback of the proposed lot flush/uniform/contextual with the existing house.
3. These conditions are peculiar to this piece of property because of the curve in the road and the ruling that it is an interior lot.
4. These conditions are not a result of any actions of the property owner.
5. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this zoning ordinance:
  - a. In fact; relief from this UDO would improve the public good by adding additional tax dollars to the community and provide a sidewalk to walk on.