

LETTER OF INTENT

The subject property contains approximately 2.70 acres and is located at southeast corner of the intersection of Old Alabama Road and Jones Bridge Road (the "Property"). The Property is currently zoned to the O-I Classification pursuant to Z89-153 and to the C-1 Classification pursuant to Z86-281.

The Applicant requests a rezoning to the C-1 Classification for the development of up to 10,000 square feet of service/commercial/retail/office and accessory uses to be contained within the three (3) buildings shown on the Site Plan each containing the approximate square footages reflected on the Site Plan the total of which shall not exceed 10,000 square feet. The Applicant specifically requests fast food use which shall consist of a donut, bagle, bakery and coffee shop with a drive-thru as noted on the Site Plan in the southwest corner of the Property. The Property is subject to the Newtown (6) Character Area which designates retail, office and Live Work/Mixed use with which this request for rezoning complies. Additionally, with the three (3) buildings as noted on the Site Plan, the stated goal of creating a "Village" look and feel is met. As noted on the Site Plan, the Property is burdened along its entire northerly Property line with a stream. Accordingly, the Applicant shall be requesting a Stream Buffer Variance before the Board of Zoning Appeals. The presence of this stream creates an unusual hardship challenging the development of the Property which hardship is unique to the Property. Therefore, in order to give relief to this hardship and to enable the creation of the walkable, pedestrian oriented Village motif, the Applicant requests a two part Concurrent Variance as follows: (1) pursuant to Article 4.23.1., reduce the required 40' landscape strip along Old Alabama Road to 10' and (2) pursuant to Article 4.23.1., reduce the required 30' landscape strip along Jones Bridge Road to 30'. The approval of these Concurrent Variances would be in harmony with the policies and intent of the Zoning Ordinance and would not result in any harm to the health, safety and welfare of the general public. Rather conversely approval would be of benefit to the health, safety and welfare of the general public in helping to create the desired walkable, pedestrian oriented Village motif. Therefore, this Application for Rezoning and Concurrent Variances is entirely appropriate and the appropriateness of this Application for Rezoning and Concurrent Variances and the constitutional assertions of the Applicant are more particularly stated and set forth on Exhibit "A" attached hereto and by reference thereto made a part hereof.

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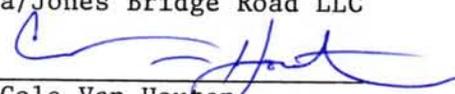
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Now, therefore, the Applicant requests that this Application for Rezoning and Concurrent Variances be approved as submitted in order that the Applicant be able to proceed with the lawful use and development of the Property.

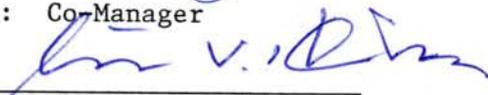
APPLICANT:

Old Ala/Jones Bridge Road LLC

By: 

T. Cole Van Houten

Its: Co-Manager

  
Nathan V. Hendricks III

Attorney for the Applicant

6085 Lake Forrest Drive  
Suite 200  
Atlanta, Georgia 30328  
(404) 255-5161

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