

Subject: statement to the City Council 4-16-09
Date: Friday, April 17, 2009 9:07 AM
From: gail_bryan@comcast.net
To: <moneal@timesfreepress.com>
Conversation: statement to the City Council 4-16-09

It was good to see you last night, Mike. I thought you might want to have this for reference.

My best--- Gail

COMMENTS BY GAIL BRYAN: Lookout Mountain, Georgia, City Council meeting, April 16, 2009

I want to speak as a property owner---and for existing property owners. I became involved in Lookout for Smart Growth because I care deeply about Lookout Mountain. I have lived in many places all over the world and have yet to find a place as beautiful as the Mountain.

Property rights have been brought up informally and in published comments as a reason to pass this ordinance into law. "Anyone has a right to do whatever he wants to with his own property." But property rights are balanced by community values and community rights. These are codified in zoning regulations: building height, cars in the yard, chain link fences, etc.

Part of this balance is the understanding and fact that a person who buys property with one kind of zoning has no right to expect that the zoning on his land will be changed to accommodate him. Especially if the zoning change is detrimental to the community at large.

I live downhill from the proposed subdivision that occasioned the development of this ordinance. I realize that because of this, I am not a great advocate for thoughtful planning. I hope you will take me at my word that my concern is for the whole of Lookout Mountain and not my back yard. It is a fact, though, that the whole of my property faces the steep mountainside on which 175 houses are planned. The construction of a single house on Elfin led to chest-high water in a neighbor's basement. (John Tessman's testimony at the hearing last month) I have documented evidence of a dry basement and of a beautiful stream on my property that runs through stands of very old rhododendrons and wild azaleas.

The property that the ordinance is being rushed to facilitate is on a mountainside with very thin and fragile soil. I do not want to wait and don't think it appropriate to ask that I--and my neighbors---wait until damage is done to have any attention paid to serious potential problems of erosion, runoff pollution, and other as yet unascertained consequences. I hope and expect the City Council to take the time to insure that this ordinance has stringent and professionally planned safeguards in it. I hope and expect that the Council will take every step possible to take

seriously and protect the interests of existing residents and property owners.