

CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3900 - ATLANTA, GEORGIA 30335
404-330-6175 - FAX: 404-658-6979
Internet Home Page: www.atlantaga.gov

Steven R. Cover, AICP
Commissioner
Dept. of Planning &
Community Development

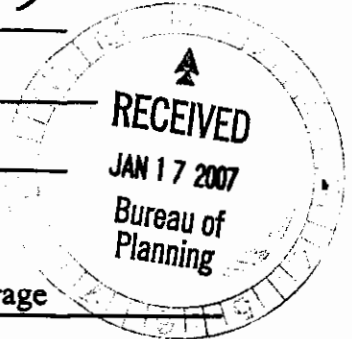
Ibrahim Maslamani, CBO,
AIA
Director
Bureau of Building

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-07-13
NPU F DATE FILED _____

1. Betsy Berman

Name of Applicant



BUILDING PERMIT AUTHORIZING
Construction of a detached residential accessory structure garage

at 653 Cresthill Avenue N.E. 17th/53
Street Address Quadrant District & Land Lot

to be used for residential purposes

The property is zoned R5 District

2. The Building Permit Was Denied For The Following Reasons:

Applicant seeks a variance from zoning regulations to reduce the required side yard setback from 7ft to 3ft and to reduce the required rear yard setback from 7' to 5ft to allow for an addition of a detached residential accessory structure (garage). Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 7 Section 16-07.008 Paragraph (2), (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Department of Planning and Development
Bureau of Buildings
Ibrahim Maslamani, CBO, AIA, Director
Ann Heard, Acting Chief Zoning Division

Notice To Applicant

City of Atlanta
Bureau of Planning
Current Planning Division, Development Review Section

APPLICATION NUMBER V-07-13

Council District : 6

Location of Property 653 Cresthill Avenue, NE
Atlanta, Ga., Zip: 30306

RECEIVED
JAN 17 2007
Bureau of Planning

<p><input checked="" type="checkbox"/> <u>X</u> BZA - Board of Zoning Adjustment</p> <p><input type="checkbox"/> ZRB - Zoning Review Board</p> <p>HEARING DATE : <u>March 16, 2007</u></p> <p>At <u>1:00</u> P.M.</p> <p>Council Chambers, 2nd Floor, City Hall</p> <p>55 Trinity Avenue, S.W.</p>	<p>LAND USE AMENDMENT REQUIRED FOR THIS REZONING REQUEST</p> <p>YES</p> <p>NO</p> <p>Circle one as appropriate</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------

This application is for property located in Neighborhood Planning Unit (NPU) F

Connie Ward Cameron
Name(s) of Contact Person(s)

404-876-0813
connew@bellsouth.net
Contact Info(s)

<p>Adjacent NPU(s) (Use another sheet if necessary) to present for information purposes only.</p>	
<p>NPU _____ Name of Contact Person</p> <p>Telephone No. _____</p>	<p>NPU _____ Name of Contact Person</p> <p>Telephone No. _____</p>

Please contact the person listed above within two days to ensure that your application is placed on the agenda for the next Neighborhood Planning Unit meeting. If you are unable to reach the contact person, please call Wendy Scruggs-Murray, NPU Coordinator, at (404) 330-6145.

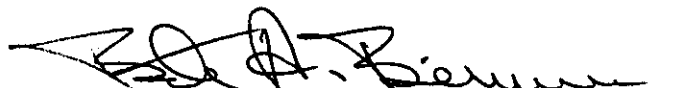
The City of Atlanta's Zoning Ordinance, Section 16-07.008 requires that "...the director, Bureau of Planning shall cause the property involved in the proposed change to be posted at least 15 days prior to the hearing." The Zoning Ordinance also requires that the sign or signs be posted on a conspicuous place on the property, adjacent to each street the property abuts, for each 600 feet of abutting street frontage.

The applicant should post the sign(s) by March 1, 2007 to allow adequate notice to interested parties, and it should remain posted until after the public hearing.

Sincerely,



For Director, Bureau of Planning


Signature of Applicant (person who files application w/City)

Betsy A. Berman
Print Name

Variance Application Checklist

Address of variance: 653 Cresthill Ave Atlanta GA 30306
Neighborhood: Virginia-Highland
BZA Date: 3/16/07

1) Variance(s) requested:

3 foot side set back + 5 foot rear set back for
one story garage

2) Applicant contact information (address, phone, cell, e-mail):

Betsy Berman / Sunrise Environments, Inc.
1084 St. Louis Pl, NE Atlanta, GA 30306
404-876-6954 baberman@mindspring.com

3) Property Owner contact information (address, phone, cell, e-mail)

Jenifer Stephens-Keenan
653 Cresthill Ave Atlanta GA 30306
404-881-4398 (w); 404-875-3526 (h); jkeenan@alston.com

4) Proposed Builder:

Betsy Berman / Sunrise Environments, Inc.

5) Gross lot area: 7200

6) Lot coverage (current/proposed): 2855 (39.6%) ; 3229 (44.8%)

7) Principal structure (current/proposed): no changes

a. Floor area square footage 1689

b. Footprint dimensions 47.3 x 31.9 (house) 27.9 x 7.0 (front porch)

c. Height

8) Accessory structure/s (current/proposed):

a. Floor area square footage 320 (+ 54 for ramp/apron) no plumbing

b. Footprint dimensions 16 x 20 electrical ≤ 60 amps

c. Height 13'

Note: "standard" NPU-F accessory structure conditions are 1) height limited to 16' from slab to ridge, 2) plumbing limited to hose bib, 3) electrical limited to 60 amps, and 4) support of neighbors.

9) Site plan:

a. Stamped "received by the city": Trees on property: removal of one dead/
dying tree and one magnolia.

b. Trees on property and adjoining properties marked with dimensions, impact of proposed construction on trees reviewed (no trees impacted on adjoining properties)

10) Elevations of all proposed changes with dimensions

11) Special environmental/topographic issues of property

12) Evidence of neighbor support provided

13) Special issues that appear during review

14) Recommendation of neighborhood association

APPLICATION FOR VARIANCE
City of Atlanta

Date Filed 1-17-07 Application Number _____

Name of Applicant Betsy Berman Daytime Phone 4-896 6954

Company Name Scenic Environment e-mail bberman@windsping.com

Address 1084 St. Louis Pl Atlanta, GA 30306
street city state zip code

Name of Property Owner Jenifer Stephens-Keenan Phone 404-881-4398

Address 653 Cresthill Ave Atlanta GA 30306
street city state zip code

Description of Property

Address of Property 653 Cresthill Avenue Atlanta GA 30306 OR

the subject property fronts _____ feet on the _____ side of _____
_____, and begins _____ feet from the
corner of _____.

Depth: _____ Area: _____ Land Lot: 53 District: 17, Fulton County, GA.

Property is zoned: _____, Council District: 6, Neighborhood Planning Unit: F

TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant variance(s).

I hereby authorize the staff of the Bureau of Planning to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Bureau of Planning upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

Sworn To And Subscribed Before Me This 8th Day Of Jan, 2007

[Signature]

[Signature]
Owner or Agent for Owner (Applicant)

Jenifer Stephens-Keenan
APPLICANT'S NAME IN PRINTED LETTERS



Summary of proposed changes to buildings or site (example: "Construct a 10-foot by 10-foot, one-story room addition on the first floor of the house.") **Include square footages and stories:** Construct 16-foot by 20-foot one-story garage in backyard of property.

Proposed Lot Coverage (After Construction): Calculate total square footage of all lot coverage on the entire property after construction would be finished, including existing and proposed buildings and other structures, sidewalks, driveways, parking pads, patios, gravel, etc; everything except natural planted or undisturbed areas.

3,229 covered square feet / 7,200 total lot square feet = 44.8% proposed lot coverage
50 % maximum allowed lot coverage

Variance Procedures

Variance applications are heard and decided at a regularly-scheduled public hearing by the five-member City of Atlanta Board of Zoning Adjustment ("BZA"). The Bureau of Planning serves as staff to the BZA. Approximately one week after each closing date, a planner is assigned to review your application. All inquires regarding your application should be directed to this office at (404) 330-6145. The rules of the BZA prevent BZA members from discussing the merits of any case except during the public hearing for that case.

Schedule. There are two closing dates and two public hearings per month. The schedule allows time for neighborhood and NPU meetings to occur throughout the City prior to each public hearing. The schedule of closing and public hearing dates is attached (Page 9).

Neighborhood and NPU Recommendations. The City is divided into 24 Neighborhood Planning Units (NPU's), each of which has a volunteer citizen advisory committee that makes a recommendation to the BZA on variances. When you file your application, you will be notified of the NPU contact person and that you must schedule a meeting with that NPU in order to explain what you wish to do. You may be requested to attend additional neighborhood meetings; inquire about the time and place of those meetings. The applicant is expected to contact the NPU as soon as possible after the application is filed. The Bureau of Planning will send a copy of your application to the appropriate NPU during the week after the closing date for your application.

Public Notice. When you file your application, it will be scheduled for a public hearing. The Bureau of Planning will initiate posting of public notice ("an advertisement", "a legal ad") for this public hearing so that the public is informed at least 15 days before the date of the public hearing:

- by sending written notice of your application to all property owners whose property is within 300 feet of the subject property, and
- by causing public notice to be placed in the newspaper.

You are responsible for obtaining a public notice sign when you file your application with the Bureau of Planning, and for posting it in a visible location on your property, at least 15 days prior to your public hearing. Failure to properly post the sign will make it necessary for the BZA to defer your case to another public hearing. The BZA may defer the case to a hearing that has been scheduled 30 or more days after the original hearing.

Refunds on Withdrawn Cases. Requests for withdrawal received 18 days prior to the public hearing will enable a refund of the application fee.

Criteria for Variance
Jenifer Stephens-Keenan
653 Cresthill Avenue
Atlanta, GA 30306

Requested Variance:

Reduction of side setback to 3 feet and rear setback to 5 feet.

Criteria 1: Extraordinary and exceptional conditions of property

The house (653 Cresthill) shares a driveway with the house to the west (647 Cresthill). A reduction of the setback is required to accommodate the shared driveway and preserve the usable space of the backyard.

Criteria 2: Application of zoning would create an unnecessary hardship

If the garage were built 7 feet from the side setback and 15 feet from the rear setback, it would require the shared driveway (which runs in the middle of the property line between 653 Cresthill and 647 Cresthill) to be significantly widened because the garage would not be in line with the driveway. This widened driveway would, in turn, reduce the pervious area of the property and thereby negatively impact water absorption.

Criteria 3: Conditions peculiar to the property

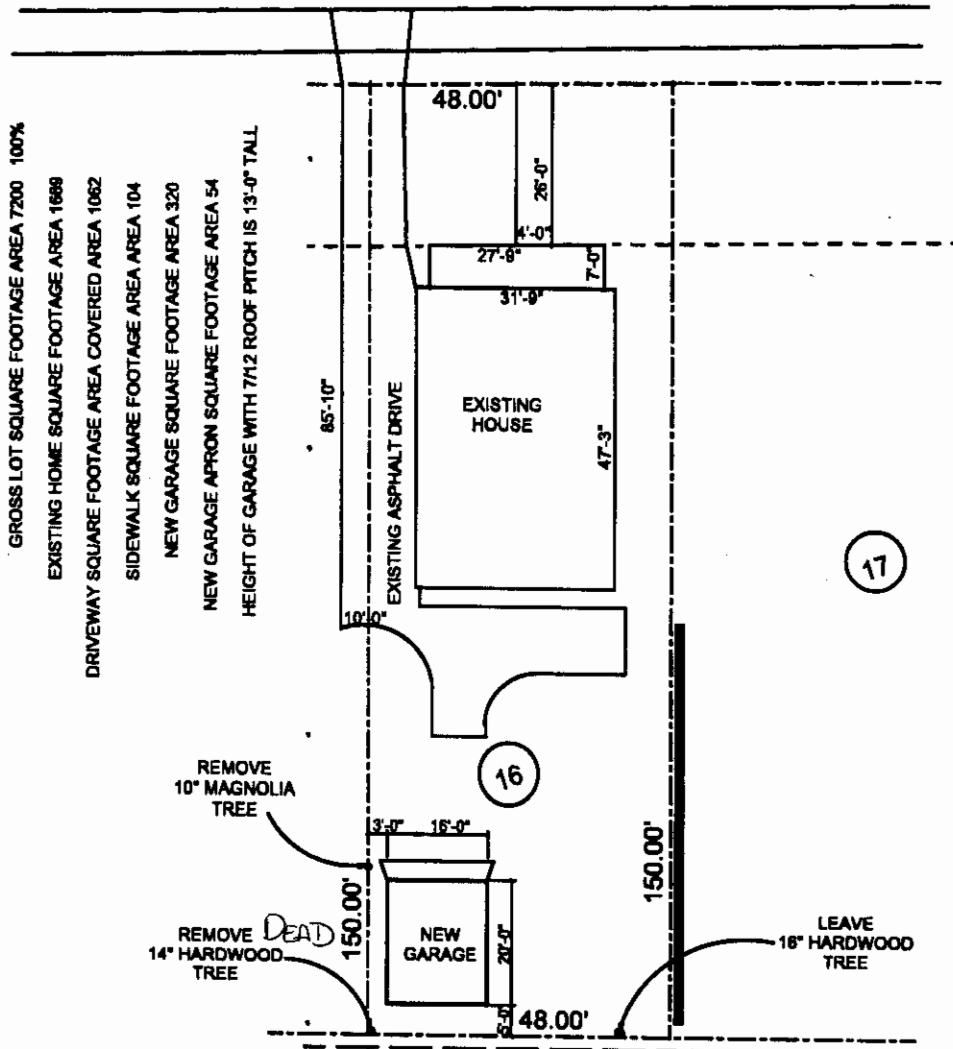
There are a number of bungalows in Virginia-Highland with shared driveways. Many of these properties have shared garages that straddle the property line. This condition creates a greater non-conformance with the required setbacks than is requested by this variance.

Criteria 4: Relief would not cause substantial detriment to the public good

Many, if not all, of the existing garages on Cresthill do not comply with the required setbacks. Accordingly, granting the variance would not create a condition that is inconsistent with the street and neighborhood. In addition, the construction of the garage will help alleviate congestion on Cresthill (which is a narrow street one block from Piedmont Park) and overcrowded parking (particularly when there are events at Piedmont Park) by creating a usable, off-street parking area for the property.

- PROPOSED COVERED SQ. FT. = 3,229
 PROPOSED LOT COVERAGE = 44.8%

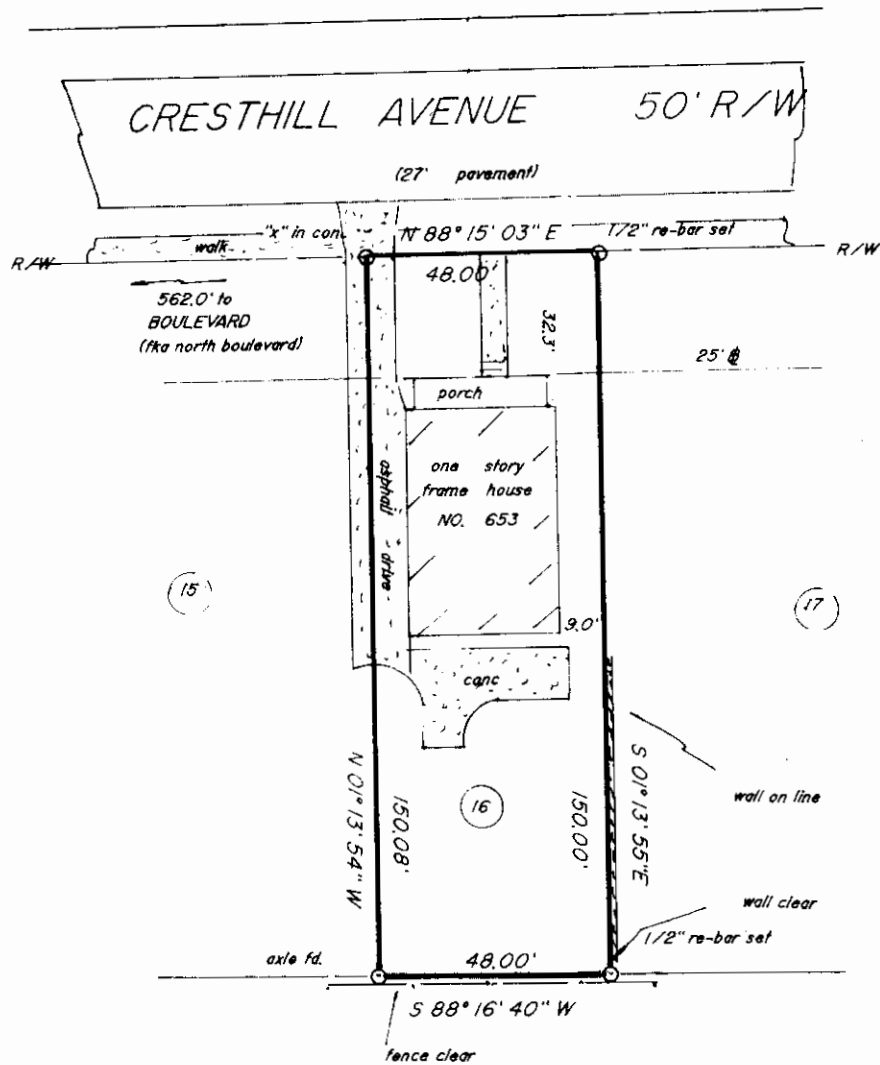
CRESTHILL AVENUE



LOCATION OF THE NEW KEENAN GARAGE

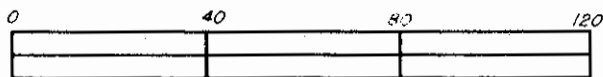
SCALE: 1" = 30'-0"





MAG. NORTH

GRAPHIC SCALE



BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY THE DEPT. OF H.U.D. THROUGH THE FEDERAL INSURANCE ADMINISTRATION, IT IS MY OPINION

THAT THE PROPERTY SHOWN HEREON IS OUTSIDE OF THE FLOOD HAZARD AREA

SURVEY FOR: PEPPER, JESSE J. & MYERS, JENNIFER L.

LAND LOT 53

17TH DISTRICT -- SECTION

FULION COUNTY NORTH BOULEVARD PARK

SUBDIVISION-PHASE --

LOT 16 BLOCK F UNIT -- SEC -- PLAT BOOK 7 PAGE 150-151



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 02 PER ANGULAR POINT AND WAS ADJUSTED USING LEAST SQUARES.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET

EQUIPMENT UTILIZED ANGULAR AND LINEAR TOPCON GTS 2-B.

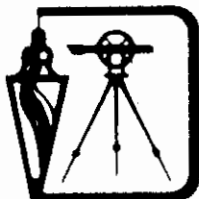
LOCATION AND DESCRIPTION OF EASEMENTS AND UTILITIES TAKEN GRAPHICALLY FROM RECORDED SUBDIVISION PLAT WHERE APPLICABLE.

DO NOT USE HOUSE TO PROPERTY LINE DISTANCE OR FENCES FOR PROPERTY LINE LOCATION

ALL MATTERS OF TITLE EXCEPTED

SCALE: 1" = 40'

DATE AUGUST 29, 1998



Pearson & Associates, Inc.

LAND SURVEYING • ENGINEERING • SITE PLANNING
DEVELOPMENT • CONSTRUCTION LAYOUT
530A FOREST PARKWAY
FOREST PARK, GEORGIA 30297
(404) 366-7715
(404) 366-0813 FAX

MARK A. BUCKNER
REGISTERED LAND SURVEYOR

JW
DRAWN BY

NOTARIZED AUTHORIZATION BY PROPERTY OWNER

(Required only if applicant is not the owner of the property subject to the application.)

TYPE OF APPLICATION Variance

I, Jenifer Stephens-Keenan (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 653 Cresthill Ave Atlanta, GA 30306 (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION.

NAME OF APPLICANT Betsy Berman

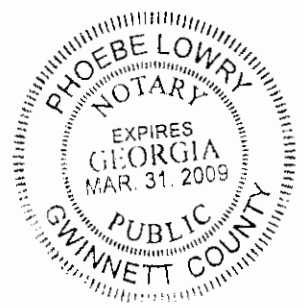
ADDRESS OF APPLICANT Sunrise Environments
1084 St. Louis Pl, NE, Atlanta, GA 30306

TELEPHONE NUMBER 404-876-6954

Jenifer N Keenan
Signature of Owner

Personally Appeared Before Me Jenifer Stephens-Keenan

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief.
Phoebe Lowry
Notary Public
3/31/09
Date





653 Cresthill

647 Cresthill

**Shared
Driveway**

Jan-05-2007 15:17

From: CITY OF ATLANTA BLDG INSPECTIONS

4043318901

T-357 P.001/001 F-096

FROM : ARBORGUARD

FAX NO. : 4042940090

Dec. 29 2005 09:22AM P2

RECEIVED 12:04 PM '07

12047
Maurice Parks
SHIRLEY G. FRANKLIN
MAYOR
Call 156



CITY OF ATLANTA

BUREAU OF BUILDINGS
ARBORIST DIVISION
55 TRINITY AVENUE, S.W., SUITE 3800
ATLANTA, GEORGIA 30303-0309
Tel: 404-330-6836 OR 404-330-6874
Fax: 404-658-6977
AMVAUGHN@ATLANTA.GOV

message 1/3/07
Tom Fax 1/5/07

DEPARTMENT OF
PLANNING AND
COMMUNITY
DEVELOPMENT
STEVEN H. COVER, AICP
COMMISSIONER
AINSLEY CALDWELL
ARBORICULTURAL
MANAGER

Application for Tree Removal Permit
(Dead, Dying or Hazardous Trees)

Date 12-29-06
Street 653 Cresthill Ave 836 B5 (NE) (NW) (SE) (SW)
Owner Jenifer Keenan Phone 404-876-3574 fax
Tree Service Arbguard Phone 404-899-5558 FAX 404-294-0090

Tree 1: Species Small Northern Hackberry Diameter 13"
Identifying characteristics and/or marker (name, ribbon, tag, etc.) Needs advance notice for access to tree
Location Right hand corner of back yard as seen from Street.
Reason for removal: Dead/dying Hazardous Other Large wound at 6 feet
 Approved Denied Reason denied _____

Tree 2: Species _____ Diameter _____
Identifying characteristics and/or marker (name, ribbon, tag, etc.) _____
Location _____
Reason for removal: Dead/dying Hazardous Other _____
 Approved Denied Reason denied _____

City Arborist Tom Date 1/5/07

NOTE: A denial of a Tree Removal Permit may be appealed to the Tree Conservation Commission. Contact Helen Smith at (404) 330-6874 for instructions.

The Atlanta Tree Ordinance emphasizes "no net loss of trees" in the city. Please plant at least one tree for each tree removed. Shade trees are preferred in appropriate sites. Thank you.