

Notice To Applicant
City of Atlanta - Bureau of Planning

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APPLICATION NUMBER: **V-08-113**

City Council District: **6** Neighborhood Planning Unit (NPU): **F**

Address of Property: **755 Saint Charles Avenue NE**

Board of Zoning Adjustment (BZA) Hearing Date:

Friday, July 11, 2008 at 1:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU F is:

Charlie Nalbone
404-626-1354
cn3353@att.com

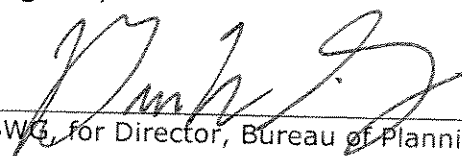
Contact info for adjacent NPUs is provided below if necessary:

[Empty box for contact information for adjacent NPUs]

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Sign Posting - The property owner is required to post a sign or signs in a conspicuous place on the property at least 15 days before the hearing date shown above. One sign shall be placed every 600 feet along each street the property abuts. A sign posting affidavit must be returned to the Bureau of Planning to confirm posting.

Signed,



BWA, for Director, Bureau of Planning



Doyle Cassel, Applicant

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APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 4/21/08 Application Number V-08-113
Name of Applicant Daryl Cassel Daytime Phone 404-824-0911
Company Name Sandcastles e-mail sky.castles2@aol.com
Address 4100 Spring Meadow Rd. Tucker Ga. 30084
street city state zip code

Name of Property Owner Isaac Cassel Phone 770-938-0125
Address 4100 Spring Meadow Rd. Tucker GA 30084
street city state zip code

Description of Property

Address of Property 755' Saint Charles Ave NE OR
the subject property fronts _____ feet on the _____ side of _____
_____, and begins _____ feet from the
_____ corner of _____
Depth: _____ Area: _____ Land Lot: _____ District: _____, _____ County, GA.
Property is zoned RS-10, Council District: _____ Neighborhood Planning Unit: _____

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 21st Day Of April 2008.

State of Georgia
DeKalb County

[Signature]
Owner or Agent for Owner (Applicant)

ISAAC CASSEL
APPLICANT'S NAME IN PRINTED LETTERS

[Signature]
NOTARY PUBLIC
EXP Oct 18, 2010



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SHIRLEY FRANKLIN
MAYOR

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 _____ APPLICATION NUMBER V-08-113
NPU _____ DATE FILED _____

Doyle Cassel
Name of Applicant

BUILDING PERMIT AUTHORIZING
The construction of new porches and decks

at 755 Saint Charles Avenue N.E. 14th / 17
Street Address Quadrant District & Land Lot

to be used for Multi-Family Residential purposes

The property is zoned RG-2 District

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

Applicant seeks a variance from the zoning regulations to reduce the side-yard setback from 20.2-ft to 14-ft for the construction of new decks and porches. The applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 28 Section 16-28.011 Paragraph (5)
Chapter _____ Section _____ Paragraph _____
Chapter _____ Section _____ Paragraph _____

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

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Recording
V08-113

NOTARIZED AUTHORIZATION BY PROPERTY OWNER

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

TYPE OF APPLICATION Rebuild repair

I, ISAAC CASSEL (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 755
S. Mt Charles Ave N.E. (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 Doyle Cassel

ADDRESS OF APPLICANT 4100 Spring Meadow Rd
Tucker GA 30084

TELEPHONE NUMBER 404. 824. 0911

Isaac Cassel
Signature of Owner

Personally Appeared Before Me

ISAAC CASSEL

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief.

April 21, 2008
State of Georgia
DeKalb County

Barteen Cahen Exp Oct 18 2010
Notary Public

April 21, 2008
Date

Summary of Changes

For the apartment building located at 755 St. Charles Ave., we intend to convert the existing 10 stacked flat apartment units to 5 townhouse style units.

In the process, we will create 2 new "rear" exits from the new units to the West side of the building. We will upgrade the landings and stairs at the existing 3 "rear" doors.

We will upgrade the "front" porches on the East side at the main 3 entries and reconfigure the steps up to them, bringing them up to code.

We will add 6' deep covered decks on the East side of the building.

The existing site is mostly covered in concrete for parking. We intend to remove a large portion of that concrete area and replace it with landscaping.

We also intend to replace the existing steps up the hill from St. Charles Ave., improving their look while bringing them up to code.

We will be replacing the existing windows and doors, sometimes enlarging the openings.

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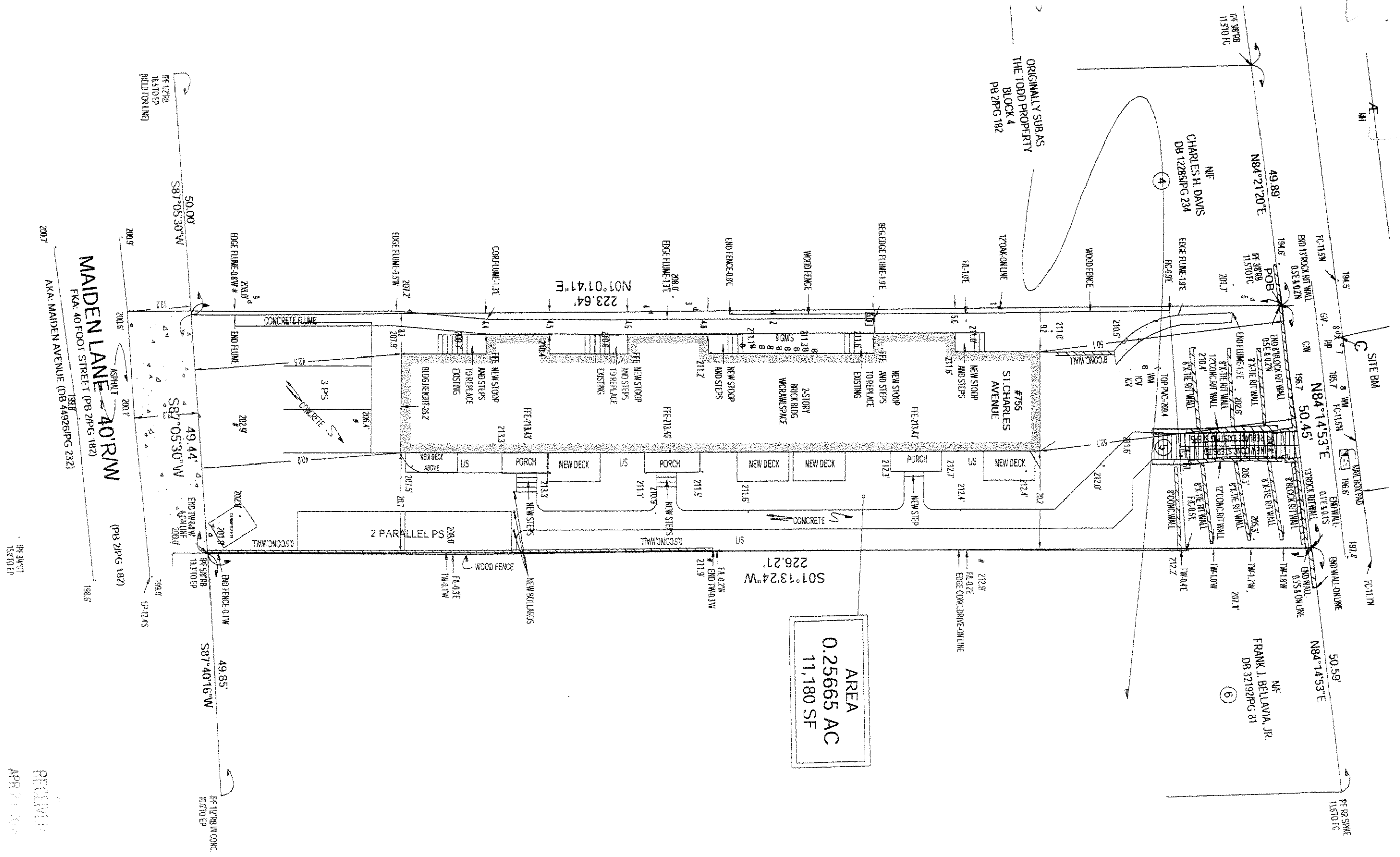
V-08-113

Variance Justification

V-08-113

1. The building is designed in such a way that the fronts of the units face the East side. That side is considered a side yard, even though it looks like the front. If it were the actual front, we could add covered decks without need for a variance. (The North end of the building faces Saint Charles Avenue, so that would be considered the front. The South end of the building faces Maiden Lane and would be considered the rear.) The existing building is about a foot away from the setback on the East side. So, to add decks with a depth more than a foot, a variance is needed.
2. We are planning to upgrade the apartments, both inside and out. To improve the look of the exterior of the apartments, something needs to be added. We would like to add a 6' deep x 11' wide addition (heated square footage) to the East side of each of the units, which due to the distance formula in the zoning ordinance ($D=4+s+L/10$), would reduce the side yard setback (by reducing L in the formula from 131.22' to 11') and allow the decks without a variance. However, the apartment building was built in 1965, before the current zoning regulations were in effect. The building has a higher Floor Area Ratio than the current zoning allows. So no heated square footage can be added without rezoning the lot. So, to be allowed to add the decks, which will greatly improve the look of the buildings, a variance is needed.
3. The majority of the surrounding properties were built as single-family residences. Those houses clearly face St. Charles Avenue. So, they do not have the same issue with insufficient room to beautify the fronts in a side yard.
4. Relief, if granted, will not cause detriment to the public good or impair the purpose and intent of the zoning ordinance of the City of Atlanta. In fact, the proposed changes to the property will greatly enhance the neighborhood.
 - We intend to convert the existing 10 apartment units to 5 townhouse style units. The larger units will allow room for a more stable tenant, which will improve the quality of the neighborhood.
 - The existing building has a stark "barracks" look. Adding the decks will help beautify the neighborhood.
 - The existing site is mostly covered in concrete for parking. We intend to remove a large portion of that concrete area and replace it with landscaping. Not only will that reduce the impervious area, but it will also create a softer, more residential feel – which is more in keeping with the surrounding properties. The covered decks play an integral part in creating that softer, more inviting, more beautiful residential environment.
 - We also intend to replace the existing steps up the hill from St. Charles Ave., improving their look while bringing them up to code.
 - We intend to create 2 new unit rear doors with landings and steps on the West side of the building. We intend to upgrade the existing 3 sets of steps, adding landings and bringing them up to code. Upgrading the rear means of egress will improve safety for the tenants.

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AREA
0.25665 AC
11,180 SF

PROPOSED SITE PLAN

SCALE: 1" = 30'

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