

Notice To Applicant

City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-08-172**

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

Address of Property: **873 Amsterdam Ave**

Board of Zoning Adjustment (BZA) Hearing Date:

Friday, September 5, 2008 at 1:00 p.m.

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

The contact person for NPU is:

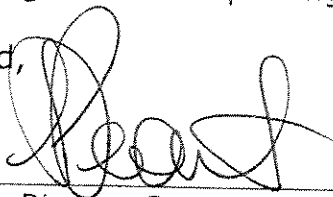
Diane Olansky
1805 Lenox Rd
Atlanta, GA 30306
☎ 885-9846
olansky@bellsouth.net

Contact info for adjacent NPUs is provided below if necessary:

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,



SGP, for Director, Bureau of Planning



David Ogram, Applicant

SIGN POSTING AFFIDAVIT

SIGN MUST BE POSTED BY: **August 21, 2008**

PUBLIC HEARING DATE: **September 5, 2008**

APPLICATION NUMBER: **V-08-172**

NAME OF APPLICANT: **David Ogram**

PROPERTY ADDRESS: **873 Amsterdam Ave**

Describe the location on the property where the sign(s) were posted:

Date posted: _____

"I SWEAR THAT ON THE ABOVE POSTING DATE, I PERSONALLY POSTED IN THE MOST CONSPICUOUS PLACE POSSIBLE ON THE PREMISES AFFECTED BY THIS APPLICATION, SIGN(S) AS INDICATED ABOVE."

DAVID OGRAM, APPLICANT

PERSONALLY APPEARED BEFORE ME PERSON(S)
OF THE ABOVE NAME(S), WHO SWEAR THAT THE
INFORMATION CONTAINED IN THIS AFFIDAVIT
IS TRUE AND CORRECT TO THEIR BEST
KNOWLEDGE AND BELIEF.

NOTARY PUBLIC

DATE

Please mail or deliver this completed affidavit to the Bureau of Planning at the address listed below. You may fax a copy to 404-658-7491, but **this original affidavit must be received by the Bureau of Planning at least five days before your hearing date.** You may post the sign earlier than the posting date, but not later.

City of Atlanta
Bureau of Planning
attn: Vanessa Amaker
55 Trinity Ave., Suite 3350
Atlanta, Georgia 30303



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

SHIRLEY FRANKLIN
MAYOR

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

Ibrahim Maslamani, CBO,
AIA
Director
Bureau of Building

COUNCIL DISTRICT 6 REFERRAL CERTIFICATE APPLICATION NUMBER V-08-172

NPU F DATE FILED 7-9-08

I. David Ogram

Name of Applicant BUILDING PERMIT AUTHORIZING

Erect new single-family house

at 873 Amsterdam Ave., N.E. 17th / 1
Street Address **Quadrant** **District & Land Lot**

to be used for Residential purposes

The property is zoned R-4 District

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

Applicant seeks a variance from zoning regulations to reduce the west side yard setback from 7ft.(required) to 3ft. to allow for the construction of a new single-family house. Applicant seeks no other variances at this time.

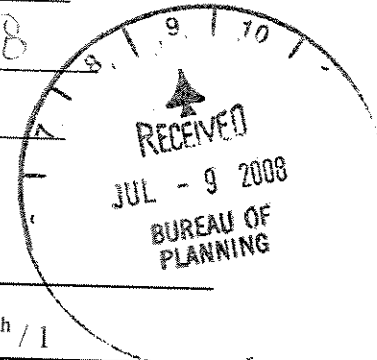
1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

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



APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 7/9/08 Application Number V-08-172
Name of Applicant David Ogram Daytime Phone 404-578-0352
Company Name Permits Now e-mail davidrogram@aol.com
Address 254 E. Paces Ferry Rd Atlanta, GA, 30305
street city state zip code

Name of Property Owner Jacqueline Rosenthal
Address 873 Amsterdam Ave Atlanta GA 30306
street city state zip code

Description of Property

Address of Property 873 Amsterdam Ave OR
the subject property fronts 40 feet on the _____ side of Amsterdam Ave
, and begins _____ feet from the
corner of _____
Depth: 200 Area: 800SF Land Lot: 1 District: 17, Fulton County, GA.
Property is zoned: R4, Council District: 6, Neighborhood Planning Unit: F10

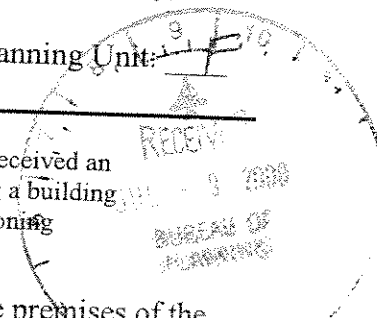
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant variance(s).

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 09 Day Of July, 2008.

David Ogram
Owner or Agent for Owner (Applicant)
DAVID OGRAM
APPLICANT'S NAME IN PRINTED LETTERS

Monique Johnson
NOTARY PUBLIC



V-08-172

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 a new single family residence

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.

3987 covered square feet / 8009 total lot square feet = 49.8% 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 inquiries 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 (NPUs), 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.

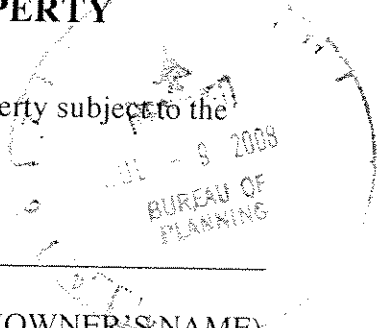
Staff Recommendation. Bureau of Planning staff reviews and makes written recommendations to the BZA on each variance application. You may contact your assigned planner at (404) 330-6145 on the day of the public hearing if you wish to know staff's recommendation.

V-08-172

March 2006

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, JACQUELINE ROSENTHAL (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 873 AMSTERDAM AVE NE (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 DAVID OGRAM

ADDRESS OF APPLICANT 254 EAST PACES FERRY RD
SUITE 210 ATLANTA, GA 30305

TELEPHONE NUMBER 404-262-6442

JLRosenthal
Signature of Owner

Personally Appeared Before Me
Jaqueline Rosenthal

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

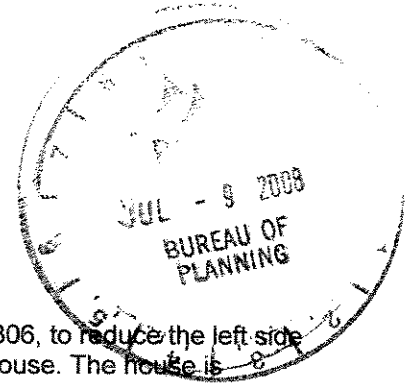
Date 7/9/08



V-08-172

July 9, 2008

**873 Amsterdam Avenue
Atlanta, GA 30318**



To Whom It May Concern,

We are applying for a variance for 873 Amsterdam Avenue, Atlanta, Georgia 30306, to reduce the left side yard setback from 7ft. to 3 ft. for a new two story single family brick and stucco house. The house is currently a one story brick structure with a basement.

This property is zoned R-4. The lot is 8,004 sq. ft. with a street front frontage of 40'. The R-4 zoning calls for a minimum area of 9,000 sq. ft. and a minimum street frontage of 70'. Our intention is to build a new house on the property that is no wider than the existing house and in the same proximity to the left side property line.

We are asking for a reduction of the side yard setback from 7ft. to 3ft.

There are extraordinary and exceptional conditions pertaining to this piece of property due to its size, shape or topography.

The lot is approximately 40 ft. wide at the front by 200 ft. deep on the sides. The existing house, as built, encroaches into the 7ft. side yard setback.

The application of the city ordinance to this particular piece of property would create an unnecessary hardship.

The Owner is faced with putting a new house on a lot that was under sized in accordance with the current allowable zoning. Amsterdam Avenue is a street that is under going extensive renovations, remodeling, and new houses. This property currently has a garage which will be removed. A single car carport is proposed to be built. The proposed design layout cannot be built without this variance. The proposed new house and other changes are designed to be in keeping with the design of other houses in the neighborhood.

Such conditions are peculiar to this piece of property.

The lot is narrow, just 40 ft. wide by 200 ft. deep. The position of the existing house on the property, within side yard setback, is being replaced with a new house making it necessary to request a variance to keep the left side of the house similar to the existing side yard encroachment.

Relief, if granted, would not cause substantial detriment to the good or impair the purpose of the Atlanta zoning ordinance.

Approval of this variance would allow construction of a non offensive discretely designed new house that meets the requirements of an upscale neighborhood. The neighbors understand this and we have received favorable reaction from neighbors on the street. We believe approval of this new house and change would not be objectionable and have no adverse effect on the intent of the zoning ordinance. We ask for your approval.

INVOICE

City of Atlanta
Bureau of Planning
55 Trinity Avenue, Suite 3350
Atlanta, Georgia 30303

DATE: July 9, 2008
INVOICE #: V-08-172

FUND #: **1A01**
ACCOUNT #: **441-201**
CENTER #: **B00001**

Bill to:

David Ogram
873 Amsterdam Ave
Atlanta, GA 30306

DESCRIPTION	AMOUNT
Application for Variance in R-4 zoning district	\$100.00
TOTAL	\$100.00

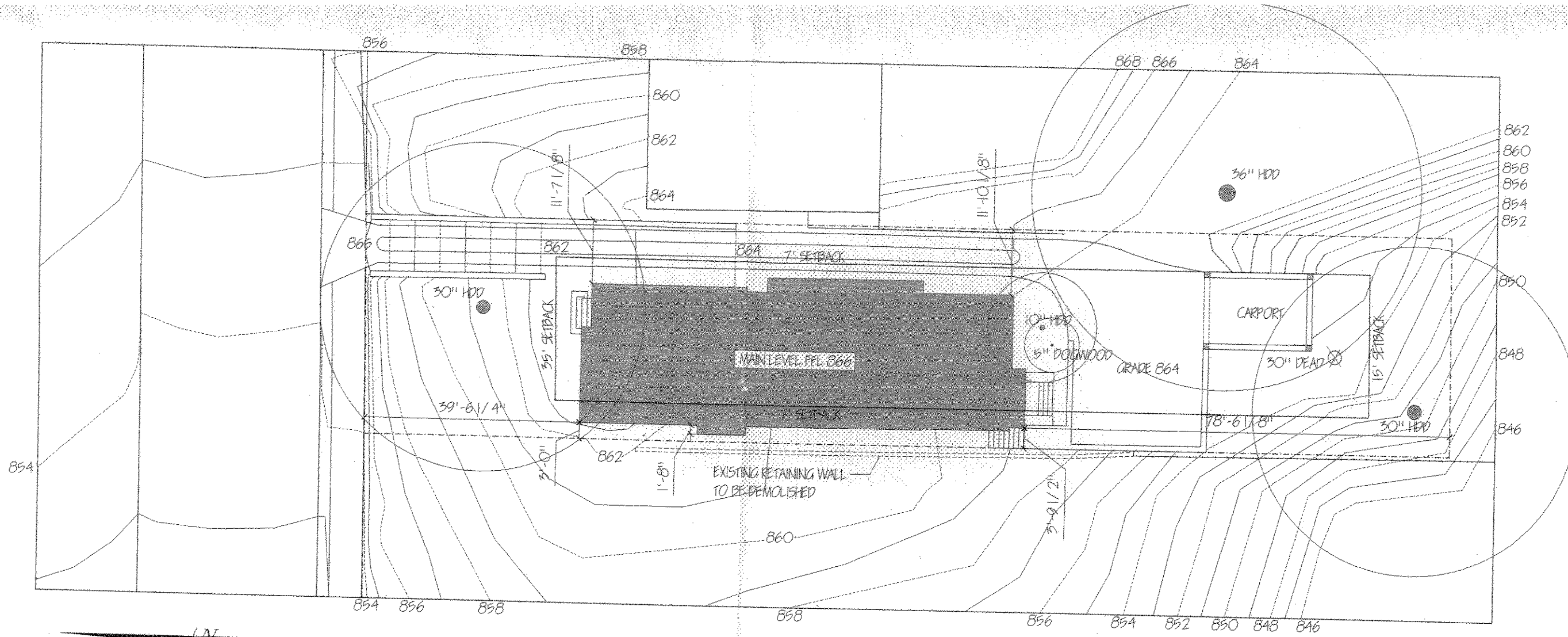
Approved by SGP

Please make checks payable to "City of Atlanta."
No refunds will be issued.

CK# 2171

P A I D
JUL 09 2008
CITY OF ATLANTA
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

S.E.



SITE CURRENTLY HAS ONE STORY SINGLE FAMILY HOME TO BE REPLACED WITH TWO STORY SINGLE FAMILY HOME. SITE IS ZONED RA.

TOTAL LOT AREA:	8004 SQ FT
LOT COVERAGE:	3987 SQ FT
MAIN LEVEL FLOOR AREA:	1616 SQ FT
UPPER LEVEL FLOOR AREA:	1667 SQ FT
TOTAL:	3287 SQ FT

Contractor is responsible for verifying all field measurements, quantities, dimensions, drainage, and related construction criteria.

THE
GOLDSMITH RESIDENCE V-08-172
 873 AMSTERDAM AVENUE
 ATLANTA, GEORGIA 30306

This drawing is the property of Frank Neely Design, Inc., the dimensions of which are 18" X 24". It is only to be used for the project and site specifically identified herein and is not to be used on any other project

THIS DRAWING ORIGINALLY RELEASED FOR

