

# Notice To Applicant

City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-08-173**

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

Address of Property: **1285 North Morningside drive**

Board of Zoning Adjustment (BZA) Hearing Date:

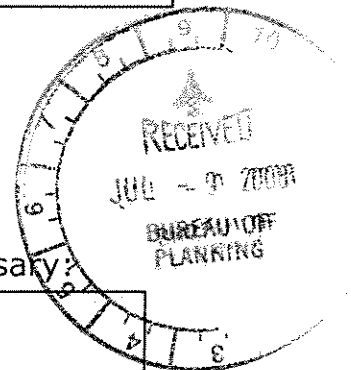
**Friday, September 5, 2008 at 1:00 p.m.**

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

The contact person for NPU is:

DIANE OLANSKY  
1805 Lenox Road  
ATLANTA, GA 30306  
404-885-9846  
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

R. Garrett Christopher, Applicant

# SIGN POSTING AFFIDAVIT

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

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

APPLICATION NUMBER: **V-08-173**

NAME OF APPLICANT: **R. Garrett Christopher**

PROPERTY ADDRESS: **1285 North Morningside drive**

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

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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."

\_\_\_\_\_  
R. GARRETT CHRISTOPHER, 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

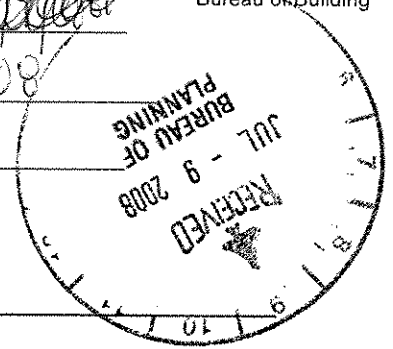
Ibrahim Maslamani, CBO,  
AIA  
Director  
Bureau of Building

COUNCIL DISTRICT 6 REFERRAL CERTIFICATE APPLICATION NUMBER ~~015000~~

NPU F DATE FILED 7/9/08

I. R. Garrett Christopher

## Name of Applicant BUILDING PERMIT AUTHORIZING



A two story addition to an existing detached garage

at 1285 N. Morningside, N E 17<sup>th</sup>/2  
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 rear yard setback from 15 ft. (required) to 1.1 ft. to allow for a two story addition to an existing detached garage. Applicant also seeks a variance to allow for the accessory structure to exceed 30% of the floor area of the main structure. Applicant seeks no other variances at this time.

### 1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (3)

Chapter 28 Section 16-28/004 Paragraph (3)

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 V08-173

Name of Applicant R. Garrett Christopher Daytime Phone 678.859.7690

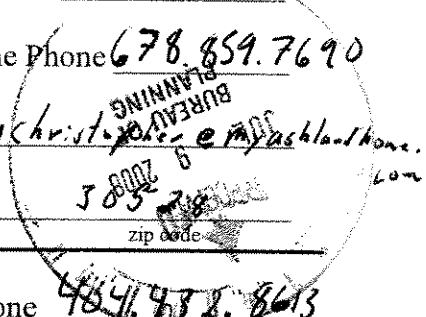
Company Name Christopher Construction Corp. e-mail gchristo@ccorp.com

Address 321 Janney Thomas Rd. Cleveland, GA

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Name of Property Owner Jordan Krugman Phone 404.482.8613

Address 1285 North Morningside Drive Atlanta, GA 30306



### Description of Property

Address of Property 1285 North Morningside Drive OR

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

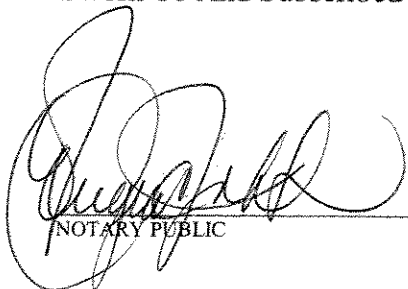
Depth: 145 Area: 9148 Land Lot: 2 District: 17, Fulton County, GA.

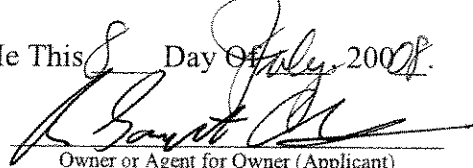
Property is zoned: R-4, Council District: 6, Neighborhood Planning Unit: F

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 8 Day of July, 2008.

  
 \_\_\_\_\_  
 NOTARY PUBLIC

  
 \_\_\_\_\_  
 Owner or Agent for Owner (Applicant)  
R. Garrett Christopher  
 APPLICANT'S NAME IN PRINTED LETTERS

V-08-173

May 2008

### 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, JORDAN KRUGMAN (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 1285 North Morningside Drive (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 R. Garrett Christopher

ADDRESS OF APPLICANT 321 Jonney Thomas Rd.  
Clawland, GA 30528

TELEPHONE NUMBER 678.859.7690

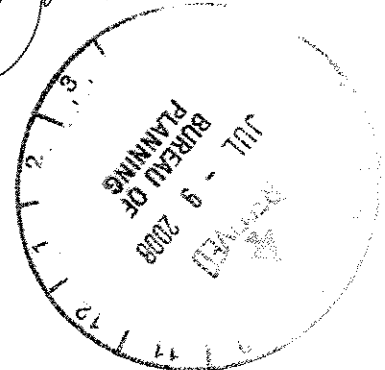
[Signature]  
Signature of Owner

Personally Appeared Before Me

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

[Signature]  
Notary Public

July 8, 2008  
Date



V-08-173

**Justification and Description for Variance  
Of  
1285 North Morningside Drive, Atlanta, GA 30306**

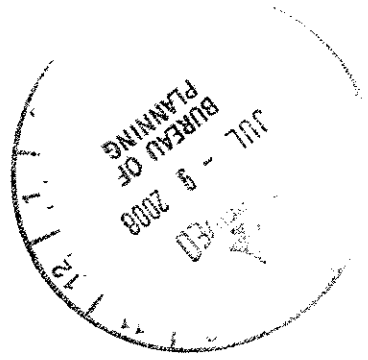
Property and Home of Jordan Krugman  
1285 North Morningside Drive  
Atlanta, GA 30306

**Summary of Activities:**

Expand existing 1-car garage to a 2-car garage with an art studio and office above. The current footprint for the single car garage is 12 feet by 26 feet with a proposed new footprint of 23 feet by 25 feet.

**Current and Proposed Lot Coverage:**

Total Square Footage of Property = 9,148 square feet  
Existing Lot Coverage of Impervious Surfaces = 3,884 square feet or 42%  
**Proposed Lot Coverage of Impervious Surfaces = 3,388 square feet or 38%**  
The maximum allowed for the R-4 zoning is 50%.



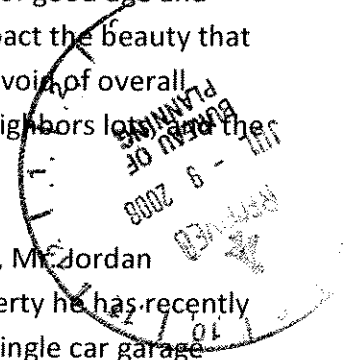
**Justification**

The above listed proposed alteration or expansion to an existing garage located at the Krugman residence unfortunately does fall outside of the current zoning regulations. However, in reviewing the conditions surrounding the proposal, it is easy for one to see that the community and the homeowner would be best served by constructing the alteration based on the proposal. A variance, therefore, is being requested based on the reasoning that there exist exceptional conditions pertaining to this particular parcel, the current zoning restrictions create an unnecessary hardship in the function and enjoyment of the residence, there are conditions that are peculiar and particular to this residence when compared with neighboring properties, and that relief, if granted, would actually augment the public good and overall community well being.

The extraordinary conditions surrounding the property are in regards to the current setback requirements mandated by the current zoning, the slope of the lot, and tree conditions and locations. Currently, the side and rear setbacks for the property are 15 feet while the front or street side setbacks are listed at 30 feet. In essence, none of the existing structures located on the property, neither the existing detached garage nor the existing home, would fall into

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these current guidelines. This matter is compounded by the fact that it is a corner lot, creating a situation of a total of both side setbacks being 45 feet on a lot that is at front is merely 55 feet wide and 61 feet wide in the back, allowing at most, an area of only 16 feet wide for any alteration, either that which is proposed or any future proposal. Additionally, the existing structures have existed for longer, and thus predate, than the current zoning allows and the structures have been placed to allow proper drainage of the property away from others' properties and to the streets. Should the expansion not be allowed outside of the current zoning restrictions (not allowed as proposed), it would create a new drainage pattern that would alter the current water flows from rain that are currently proven to be effective, and have been for some time. Finally, expanding the existing garage in its current location would impact no trees. As this is an established community, the existing trees are of good age and size. Placing the expansion anywhere but in its proposed location could impact the beauty that has taken years to attain. Again, the extraordinary conditions existing are a void of overall buildable area based on the current criteria, existing slope of the lot and neighbors lot and the desire to impact no trees in the proposed expansion.



The current zoning conditions create a hardship for the homeowner, Mr. Jordan Krugman. In an attempt to further beautify and make more useful the property he has recently purchased, Mr. Krugman is proposing to revamp and expand a dilapidated single car garage that is truly an eyesore to the community and that based on the construction practices of the time in which it was built, has far exceeded its useful life. In his proposed expansion and alteration, he plans to not only beautify the structure, but expand it to accommodate two vehicles using longer lasting materials and actually make the structure useful again and to current building codes. Currently, due to its location and current zoning restrictions, no improvements can be made to the structure without the approval of this variance, much less its expansion. Additionally, being earth conscious, Mr. Krugman as part of his proposal plans on replacing his driveway with grass pavers which percolate water at a rate almost four times that of typical turf grass. This would not only expand the useful portion of his property, but reduce the overall negative eco-impact created by a large driveway. This too could not be accomplished without the granting of a variance. Essentially, without the granting of a variance, an undue hardship is created in that it prevents Mr. Krugman from bettering his community through improving existing structures and surrounding property values and utilizing more eco-friendly practices, and creates a hardship on his family in the pursuit of quiet enjoyment of his own property and utility of existing structures.

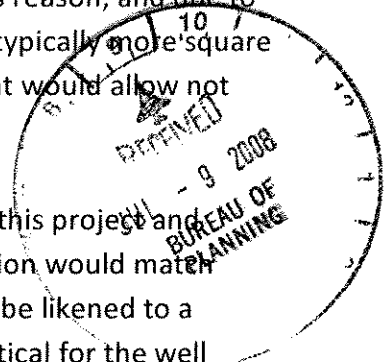
In comparison with neighboring properties, the zoning restrictions have a much greater impact on the Krugman residence than others as it is a narrow lot and a corner lot. Being a narrow lot, the useful buildable area is quite limited. Were it not a corner lot, it would be at

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most 31 feet, which is an area that, although quite narrow, could provide many opportunities. However, due to it being a corner lot, this is reduced to 16 feet, again at its greatest width. Less than the length of a standard automobile is the width of any possible improvement Mr. Krugman could enjoy on his property based on the current zoning conditions without this variance. Due to the nature of the zoning, the structure could not be constructed as there is not enough buildable space regardless of its location, and this is for a simple garage expansion. The proposed location of the expansion is to an existing structure which is far removed from the streetscape and better situated for overall community curb appeal. For this reason, and due to the unique conditions regarding this being a narrow, corner lot, which are typically more square than elongated rectangle in nature, it behooves one to grant a variance that would allow not only the improvement but expansion of the existing garage.

The overall good of the area and community can only be helped by this project and granting of this variance. The proposed expansion and subsequent renovation would match those of the existing home and surrounding homes versus what now could be likened to a child's tree house. The placement, where it exists and expanded area, is critical for the well being of the community. It minimizes impact on light and air conditions, does not alter or disturb traffic flows, fire lanes, or anything of the like. It further aids in the streetscape of the area by housing not one, two vehicles from public view, while increasing the available driveway space and thus reducing any need for street side parking which actually improves traffic conditions. The use of eco-friendly materials and modern construction practices promotes living conditions while the replacement of the existing driveway with grass pavers not only reduces the carbon-footprint on the property, but actually reduces the overall lot coverage, even though he proposes to expand a structure. Mr. Krugman's proposed expansion not only sustains the stability of the neighborhood, but promotes it by not only increasing the value and use of the area and homes there within, but done so in an earth conscious and logical manner which augments the evolution of the neighborhood along the lines responsive to public needs, both current and future. The community as a whole would benefit from the proposed expansion, both aesthetically and financially. This proposed expansion has only positive outcomes for the community and homeowner.

As evidenced by the particular nature of how the current zoning restrictions impact this property, the hardships created by such zoning conditions, the peculiar nature of how these restriction impact particularly this property, and the overall increase in community well-being that this expansion will provide, it is obvious that the proposed expansion is beneficial and in essence "a good thing" for the community and homeowner. For this reason, it is imperative that a variance to allow the expansion of a single car garage within a restricted area be allowed. It is good for the community, the homeowner, and the future of all.





# INVOICE

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

DATE: July 9, 2008  
INVOICE #: V-08-173

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

**Bill to:**

R. Garrett Christopher  
1285 North Morningside drive  
Atlanta, GA 30306

DESCRIPTION	AMOUNT
Application for Variance in R-4 zoning district	\$100.00
<b>TOTAL</b>	<b>\$100.00</b>



Approved by SGP

**PAID**  
JUL 09 2008  
CITY OF ATLANTA  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTION

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

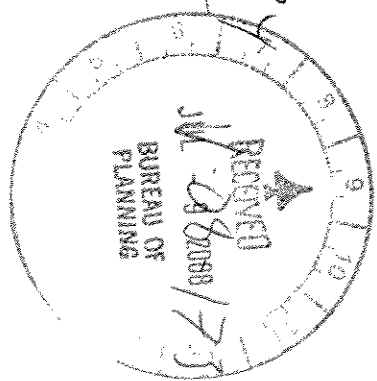
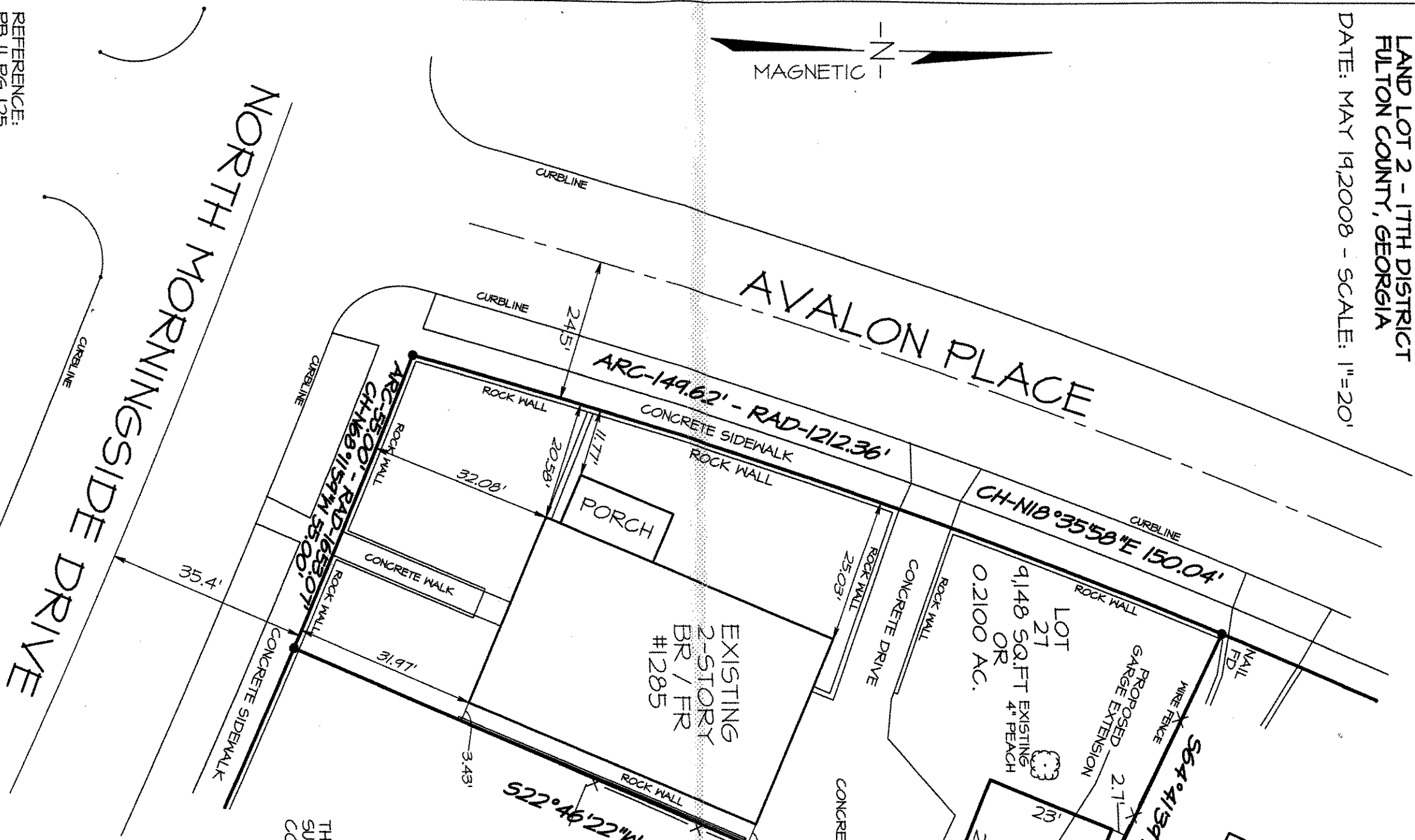
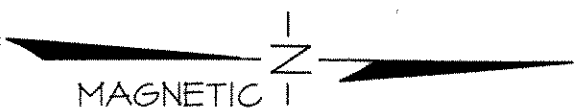
GARAGE EXTENSION LOCATION PLAN FOR:

**JORDAN & KENDRA KRUGMAN**

LOT #27 - BLOCK #4  
PROVISIONAL MAP OF NORNINGSIDE  
-NORTH HIGHLANDS OF VIRGINIA  
HIGHLANDS SUBDIVISION

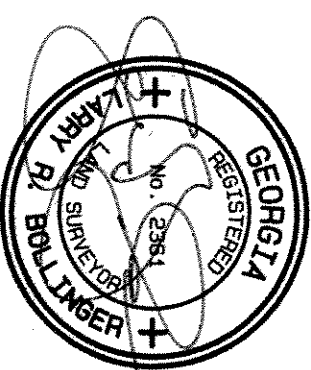
LAND LOT 2 - 17TH DISTRICT  
FULTON COUNTY, GEORGIA

DATE: MAY 19, 2008 - SCALE: 1"=20'



*Site Survey*  
*K-9*

THIS PLAT BASED ON FIELD SURVEY BY LAND DEVELOPING COMPANY 5-16-08



NO.	DATE	DESCRIPTION

**Land Developing Co.**

Land Surveying / Land Planning  
1162 Rockbridge Road  
Stone Mountain, Ga.  
PHONE: (770) 923-6691  
FAX: (770) 923-6485

SCALE: 1"=20'

DATE SURVEYED: MAY 16, 2008

DATE DRAFTED: MAY 19, 2008

SURVEYED BY: \_\_\_\_\_

DRAWN BY: \_\_\_\_\_ LRB

CHECKED BY: \_\_\_\_\_

FIELD BOOK #: \_\_\_\_\_

JOB NUMBER: 2098

FOLDER NUMBER: \_\_\_\_\_

COGO FILE: \_\_\_\_\_

DISC FILE: \_\_\_\_\_

COUNTY: FULTON

PLAT FILE: \_\_\_\_\_

SHEET: 1 OF 1

REFERENCE:  
PB II PG 125  
DB 46252 PG 218  
FULTON COUNTY RECORDS

ACCORDING TO FIRM 13121C0261-F  
DATED MAY 12001, THIS PROPERTY  
IS NOT LOCATED WITHIN A FLOOD  
HAZARD AREA.

