

# Notice To Applicant

City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-08-180**

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

Address of Property: **1405 Northview Avenue**

Board of Zoning Adjustment (BZA) Hearing Date:

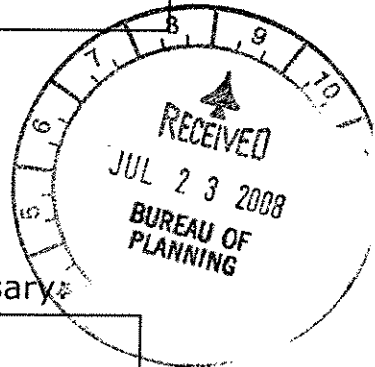
**Friday, September 19, 2008 at 1:00 p.m.**

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.



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,

  
\_\_\_\_\_  
BOP, for Director, Bureau of Planning

  
\_\_\_\_\_  
Lucy Ward/Chris Hamilton, Applicant

# APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 7.23.08 Application Number V-08-180 404.281.1593  
 Name of Applicant Way Ward / Chris Hamilton Daytime Phone 404.607.0848  
 Company Name Dovetail Craftsmen e-mail lwdovetail@earthlink.net  
 Address 675 Seminole Atlanta GA 30307  
street city state zip code

Name of Property Owner Norman Meinert Phone 404.797.1660  
 Address 1405 Northview Atlanta GA 30306  
street city state zip code

### Description of Property

Address of Property 1405 Northview Atlanta, GA 30306 OR  
Ave.

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: \_\_\_\_\_, 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.

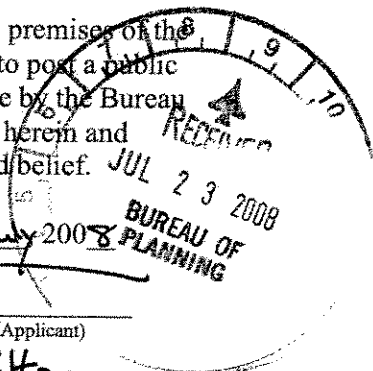
Sworn To And Subscribed Before Me This 23 Day Of July 2008

\_\_\_\_\_  
 Owner or Agent for Owner (Applicant)

Chris Hamilton  
 APPLICANT'S NAME IN PRINTED LETTERS

LUCY WARD  
 Notary Public, Fulton County, Georgia  
 My Commission Expires Oct. 29, 2011  
 NOTARY PUBLIC

Lucy Ward





# 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

## REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V.08.180  
NPU F DATE FILED 07.23.2008

1. Lucy Ward / Chris Hamilton

Name of Applicant

## BUILDING PERMIT AUTHORIZING

Porte-cochere addition

at 1405 Northview Ave., N.E. 14<sup>th</sup> / 2  
Street Address Quadrant District & Land Lot

to be used for Residential purposes

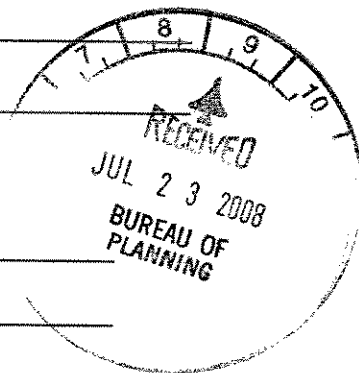
The property is zoned R-4 District

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

Applicant seeks a variance from zoning regulations to reduce the southeast side yard setback from 7ft.(required) to 0ft. to allow for a porte-cochere addition to an existing 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

**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 an 8' x 14' Porter Colhere, 1 story, off 1st floor of main house. No room or living space is above.*

**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.

2,218 covered square feet / 8,030 total lot square feet = 27.6% 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), 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:

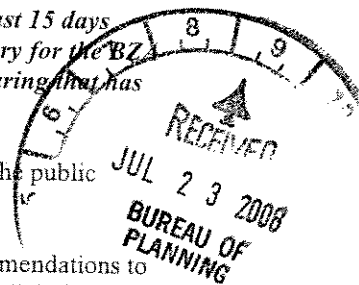
- by sending written notice of your application to all property owners whose property is within 300 feet of the subject property, and
- by causing public notice to be placed in the newspaper.

*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.08.180*



## Variance Request for 1405 Northview Avenue

We are seeking variance from the minimum side setbacks of a lot for City of Atlanta Zoning Regulation R-4., which is 7 feet on the side yards reduced to 0 feet on the right southeast side of the lot boundary per attached drawings. This will allow us to place a single story Porte-cochere over the existing driveway.

### Justification

1) Extraordinary and Exceptional Conditions – The driveway is built extraordinarily close to the property line on the right southeast side.

2) Unnecessary Hardship – The property is a non-conforming lot according to the R4 standard lot size. The lot is 55 feet wide and less than 9,000 sq/ft (the lot is 8,712 sq/ft), the R4 requirements are 70 feet wide for a lot and must be no less than 9,000 sq/ft. If the lot were wider then fitting with in the setbacks would not be an issue.

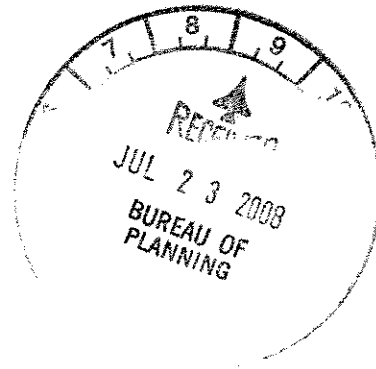
Due to the grade of the backyard it makes it is undesirable to place the carport in rear of the house.

3) Peculiarity – The placement of the current house is in a peculiar spot on the property in relation to the setbacks

4) No substantial detriment to the public good or impairment to the purpose and intent of the zoning ordinance – Granting this variance would improve the living conditions in the neighborhood by:

- Combined with the renovation of the front of the house the new façade will be in keeping with the rhythm of the current houses in the neighborhood.
- Maximizing/ keeping the existing green space in the yard
- Not impacting any trees
- Keeping the lot coverage to a minimum

V. 08. 180



### 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, Norman Meinert (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 1405 Northview Avenue (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 Norman Meinert

ADDRESS OF APPLICANT 1405 Northview Ave.  
Atlanta, GA 30306

TELEPHONE NUMBER 404.797.1660

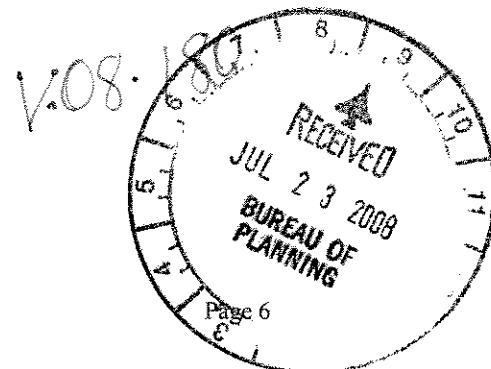
Norman Meinert  
Signature of Owner

Personally Appeared Before Me Norman Meinert

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  
Date 7/21/08

LUCY WARD  
Notary Public, Fulton County, Georgia  
My Commission Expires Oct. 29, 2011



# INVOICE

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

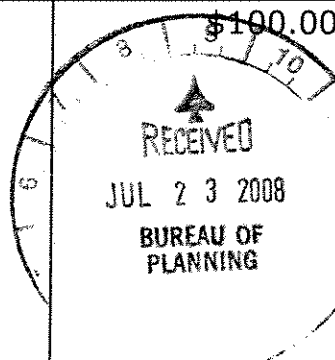
DATE: July 23, 2008  
INVOICE #: V-08-180

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


**Bill to:**

Lucy Ward/Chris Hamilton  
1405 Northview Avenue  
Atlanta, GA 30306

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

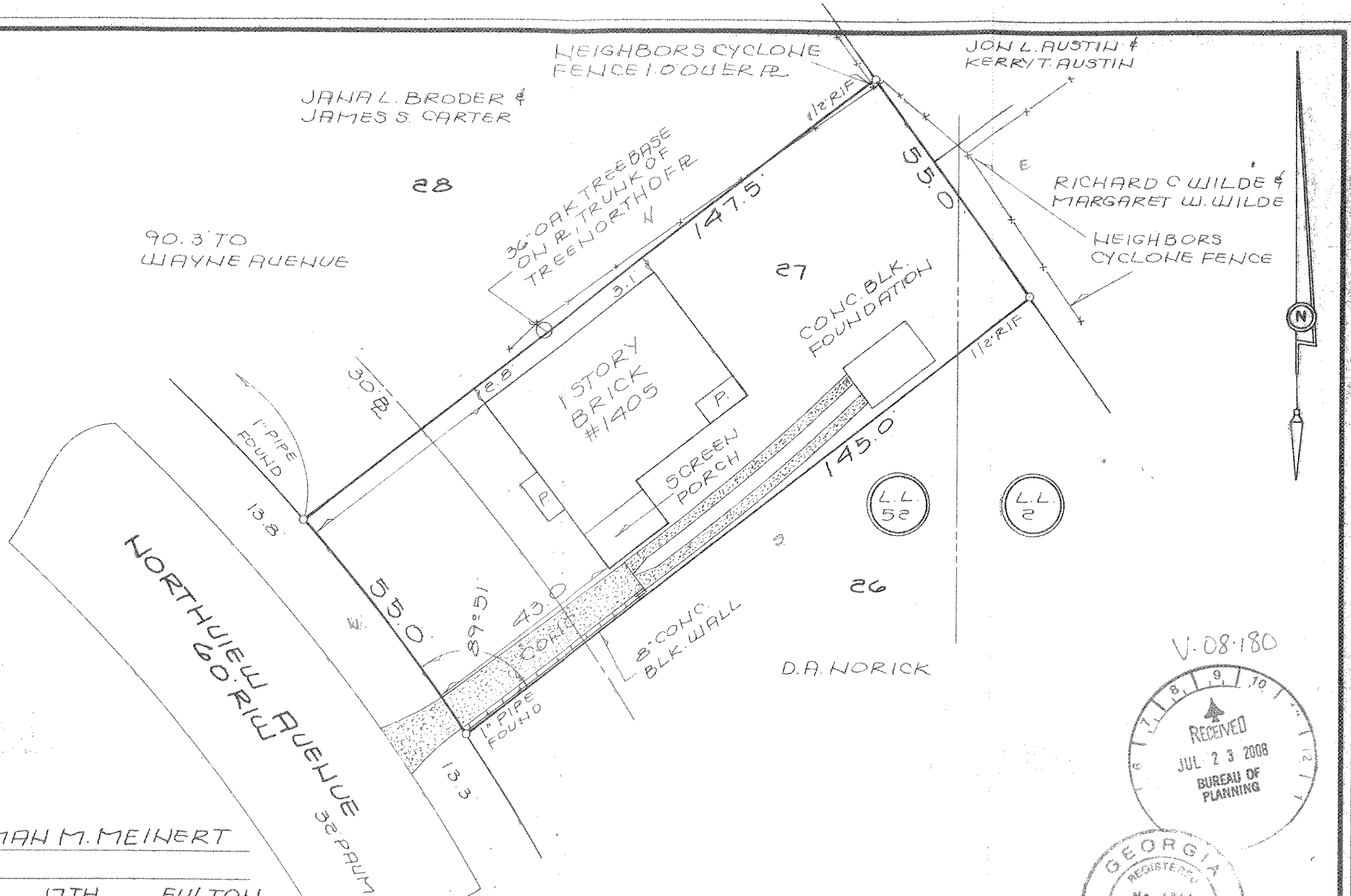


  
\_\_\_\_\_  
Approved by BOP

  
JUL 23 2008  
BUREAU OF PLANNING

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

This property (is not) located in a Federal Flood Area as indicated by F.I.R.M. Official Flood Hazard Maps.



JANA L. BRODER &  
JAMES S. CARTER

JON L. AUSTIN &  
KERRY T. AUSTIN

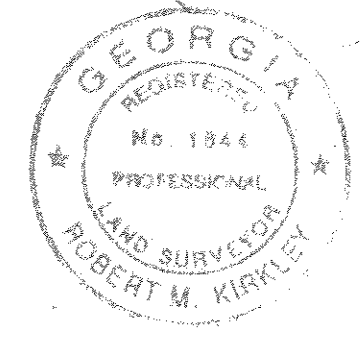
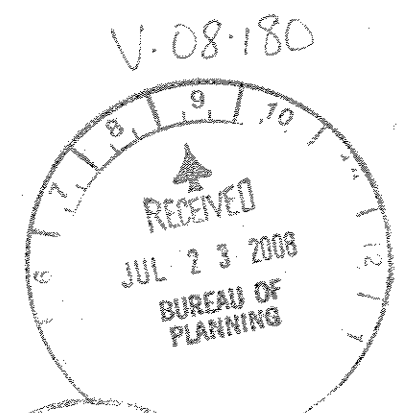
RICHARD C. WILDE &  
MARGARET W. WILDE

D.A. HORICK

ROBERT M. KIRKLEY  
LAND SURVEYORS  
STOCKBRIDGE, GA. 474-1062

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

*Robert M. Kirkley*



SURVEY FOR NORMAN M. MEINERT  
 LAND LOT 2 & 52 DISTRICT 17TH COUNTY FULTON  
 SUBDIVISION HIGHLAND PARK PHASE \_\_\_\_\_  
 LOT 27 BLOCK "A" UNIT \_\_\_\_\_ SECTION \_\_\_\_\_  
 DATE APRIL 9, 1996 SCALE 1" = 20'