

Notice To Applicant

City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-09-129**

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

Address of Property: **567 Orme ~~Street~~ Circle**

Board of Zoning Adjustment (BZA) Hearing Date:
Thursday, September 10, 2009 at 12:00 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
atlanta.npuf.zoning@gmail.com

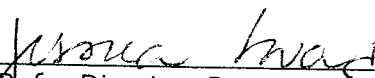
Contact info for adjacent NPUs is provided below if necessary:

The contact person for NPU is:

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



David Ogram, Applicant

APPLICATION FOR VARIANCE

City of Atlanta

Date Filed July 22 09 Application Number V-09-10129
Name of Applicant David Ogram Daytime Phone 404-578-0352
Company Name Ogram Architects e-mail davidrogram@aol.com
Address 1708 Peachtree St. Atlanta, GA. 30309
street city state zip code

Name of Property Owner Kevin McKelvey Phone 404-514-3224
Address 567 Orme Circle Atlanta, GA. 30306
street city state zip code

Description of Property

Address of Property 567 Orme Circle OR
the subject property fronts _____ feet on the _____ side of _____
_____, and begins _____ feet from the
_____ corner of _____.

Depth: 156 Area: 180 Land Lot: 53 District: 1706, Fulton County, GA.
Property is zoned: R-4 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 22nd Day Of July, 2009.

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

Pinky A. Rutledge
NOTARY PUBLIC



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

James Shelby
Commissioner
Dept. of Planning &
Community Development

Ibrahim Maslamani, CBO,
AIA
Director
Bureau of Building

REFERRAL CERTIFICATE

Zoning Enforcement Division
Ann Heard, Chief

COUNCIL DISTRICT 10 APPLICATION NUMBER J. 09-129

NPU f DATE FILED July 22 09

1. David Ogram

Name of Applicant

BUILDING PERMIT AUTHORIZING

Addition to single family dwelling

at 567 Orme Circle, N.E. 17TH/54
Street Address Quadrant District & Land Lot

to be used for residential purposes

The property is zoned R4 w/ BL Overlay District

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

Applicant seeks a variance from the zoning regulations to reduce the required west side yard setback from 7ft to 6.3ft to allow for an addition to an existing single family dwelling. Applicant also seeks a variance from zoning regulations to reduce the required east side yard setback from 7ft to 5ft and to reduce the required rear yard setback from 15ft to 1.6 ft (credit for half width of adjacent alley) to allow for the construction of a detached residential structure (gargage)

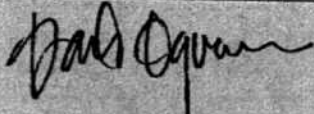
Applicant seeks no further variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2) (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____


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


Plan Reviewer

Applicant

V-09-129

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 2nd floor addition (1165 SF)
Construct a new garage (441 SF)

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.

3894 covered square feet / 7837 total lot square feet = 49.44% 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.

July 21, 2009

V-09-129

**567 ORME CIRCLE
Atlanta, GA**

To Whom It May Concern,

We are applying for a variance for 567 Orme Circle, Atlanta, Georgia 30306, to reduce the west side yard setback from 7ft. to 6.3 ft. for an addition to the second floor and back of an existing single family residence. We are also applying for a variance to add a new one story two car garage accessory building at the back of the property reducing the east side setback from 7ft. to 5 ft. and the rear setback bordering on an alley from 15 ft. to 7 ft

This property is zoned R-4. The lot is 7,837 sq. ft. with a street front frontage of 50.15 ft. The R-4 zoning calls for a minimum area of 9,000 sq. ft. and a minimum street frontage of 70'.

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

The lot is approximately 50 ft. wide at the front by 156 ft. deep on the sides. The existing house, as built, encroaches into the 7ft. west side yard setback by 0.7 ft.

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

The Owner is planning a second floor addition where the first floor of the existing house is in the west side setback by 0.7 ft. requiring a variance. The proposed new garage accessory building aligns with an accessory building on the property to the east. The proposed addition to the 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 50 ft. wide by 156 ft. deep. The existing house encroaches into the side yard setback. A second floor and back porch addition aliening with existing house make it necessary to apply for a variance.

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 addition to this house and new garage that meet 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 addition and new garage would not be objectionable and have no adverse effect on the intent of the zoning ordinance. We ask for your approval.

October 18,2007

July 21, 2009

V-09-129

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October 18, 2007

V-09-129

NOTARIZED AUTHORIZATION BY PROPERTY OWNER

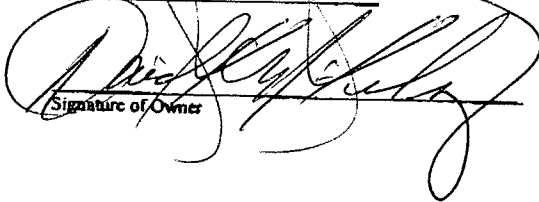
(Required only if applicant is not the owner of the property subject to the application.)

TYPE OF APPLICATION Variance
I, DAVID K. McKelvey (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 567 Orme Cir., 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 David Ogram
ADDRESS OF APPLICANT 1708 Peachtree St. Atlanta, GA 30309
TELEPHONE NUMBER 404-578-0352


Signature of Owner

Personally Appeared Before Me David McKelvey

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief.
Jessica Chave
Notary Public
7-21-09
Date

Notary Public, Fulton County, Georgia
My Commission Expires Feb. 4, 2013

P A I D
CITY OF ATLANTA
EX OFFICIO MUNICIPAL
REVENUE COLLECTION
JUL 23 2009
CR 442
R

INVOICE

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

DATE: July 22, 2009
INVOICE #: V-09-129

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

Bill to:

David Ogram
567 Orme Circl
Atlanta, GA 30306

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

Justina Mad
Approved by BOP

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

MAGNETIC



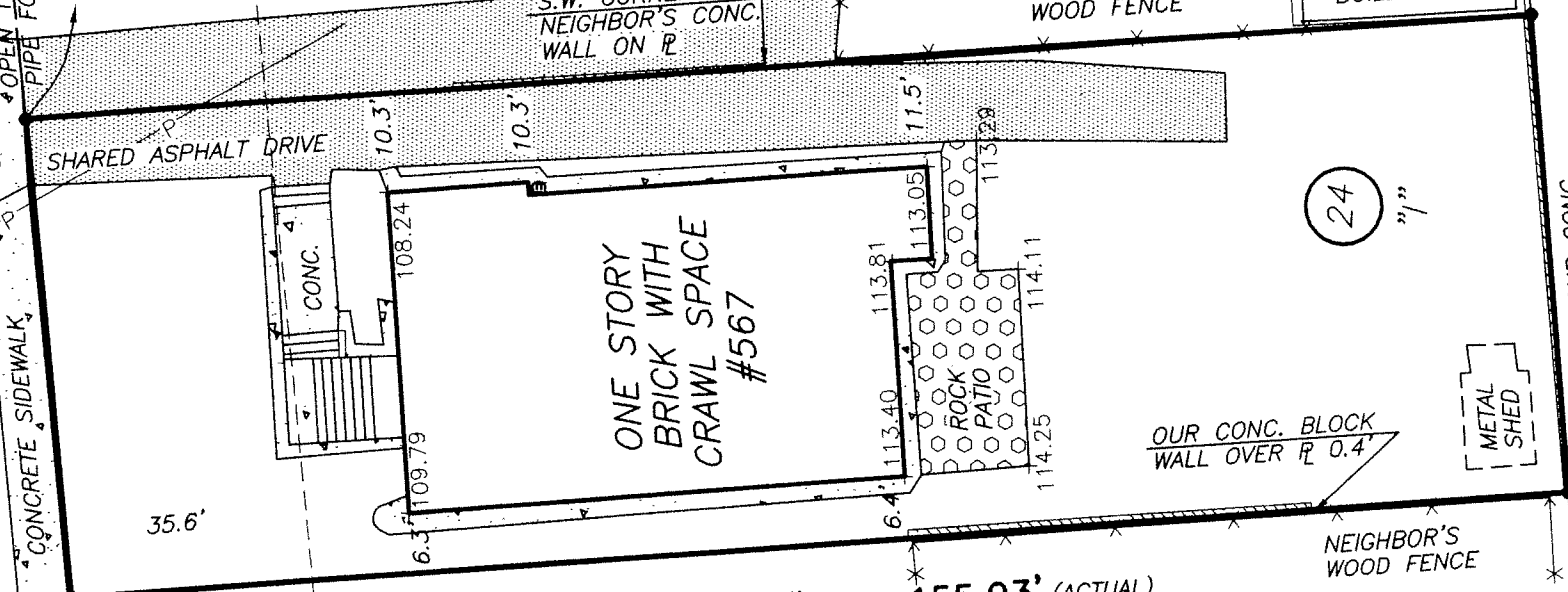
ORME CIRCLE (50' R/W)

N83°27'43"E
50.15' (ACTUAL)
(50' BY PLAT)

PROJECT BENCHMARK
TOP SSMH=100.00
(ASSUMED)

105.01' (ACTUAL)
(105' BY PLAT)
REBAR FOUND
327.79' TO WEST R/W
OF MONROE DRIVE
(60' R/W)
(AS PRESENTLY LOCATED)
(F.K.A. NORTH BOULEVARD)
(325' BY PLAT)

CONCRETE SIDEWALK
OPEN TOP PIPE FOUND
SHARED ASPHALT DRIVE
S.W. CORNER OF
NEIGHBOR'S CONC.
WALL ON R



S04°59'28"E - 156.78' (ACTUAL)
(156.9' BY PLAT)

N04°59'33"W - 155.93' (ACTUAL)
(156' BY PLAT)

S84°25'52"W
50.13' (ACTUAL)
(50' BY PLAT)

10' ALLEY
(NOT OPEN)

25'±

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, CALL THE UTILITIES PROTECTION CENTER FOR ADDITIONAL INFORMATION.

THROUGH OUT GEORGIA 1-800-282-7411

2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.

3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.

4. 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 ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.

5. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.

6. THIS PLAT NOT INTENDED FOR RECORDING.

7. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE.

8. NO TREES AFFECTING RENOVATIONS.

9. NO STATE WATERS WITH 200 FEET OF THIS SITE.

IF YOU DIG GEORGIA...
CALL US FIRST!
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITIES PROTECTION CENTER
IT'S THE LAW



SURVEY

McLUNG SURVEYING SERVICES, INC.

4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383

This property (●) (is not) located in a Federal Flood Area as indicated by F.I.R.M. Official Flood Hazard Maps. COMMUNITY PANEL # 13121C0261 F DATED MAY 7, 2001 FULTON COUNTY, GEORGIA

This original of this document was sealed and signed by Michael R. Noles L.S. #2646 on 7-10-09. THIS REPRODUCTION IS NOT A CERTIFIED DOCUMENT.

In my opinion this plat is a correct representation of the land platted.

Michael R. Noles
Georgia RLS #2646
Member SAMSOG
JOB#227301

LEGEND

- RCP REINFORCED CONCRETE PIPE
- CMP CORRUGATED METAL PIPE
- POWER POLE
- LIGHT POLE
- ⊙ POWER METER
- ⊕ POWER BOX
- ⊖ AIR CONDITION
- ⊗ GAS METER
- ⊘ GAS VALVE
- ⊙ WATER METER
- ⊗ WATER VALVE
- ⊕ JUNCTION BOX
- ⊖ DROP INLET
- ⊗ SANITARY SEWER MANHOLE

PROPERTY OF
DAVID K. MCKELVEY

LOT 24, BLOCK "1"
NORTH BOULEVARD PARK

LAND LOT 53
DISTRICT 17TH,
COUNTY FULTON
GEORGIA SECTION

PLAT PREPARED: 7-10-09
FIELD: 7-7-09 SCALE: 1"=20'

TOTAL AREA= 0.180± ACRES
OR 7,837± SQ. FT.

567 ORME CIRCLE
ATLANTA, GEORGIA

A.1

PB 8
PG 171
DB
PG

