

Notice To Applicant

City of Atlanta - Bureau of Planning



APPLICATION NUMBER: **V-09-061**

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

Address of Property: **959 Rupley Drive, NE**

Board of Zoning Adjustment (BZA) Hearing Date:
Thursday, June 4, 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

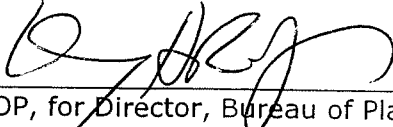
Contact info for adjacent NPUs is provided below if necessary:

The contact person for NPU is:

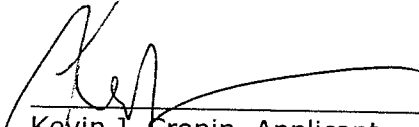
Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

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,

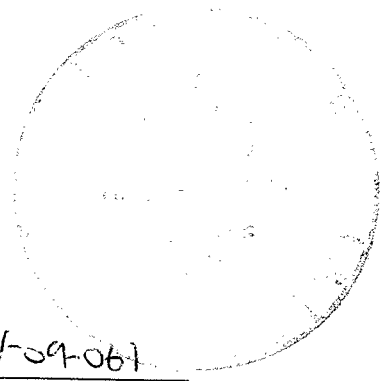


BOP, for Director, Bureau of Planning



Kevin J. Cronin, Applicant

APPLICATION FOR VARIANCE
City of Atlanta



Date Filed 4-8-08 Application Number V-09-061
Name of Applicant Steven W. Smith Phone 404 872 5995
Kevin J. Crown
Address 959 Ruple Dr NE ATLANTA GA 30306
street city state zip code
Name of Property Owner Steven W. Smith Phone 404 872 5995
Kevin J. Crown
Address 959 Ruple Dr NE ATL GA 30306
street city state zip code

Description of Property

Address of Property 959 Ruple Dr NE
The subject property fronts 45-10 feet on the EAST side of Ruple Dr
NE beginning 138.3 feet from the 122-35 Virginia
NE corner of Adrian Ave
Depth: 128.5 Area: 144 Land Lot: 1 District: 177n, Fulton County, GA.
Property is zoned: R4, Council District: 6, Neighborhood Planning Unit: F

TO THE BOARD OF ADJUSTMENTS: 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 Adjustments grant a Variance.

Justification For Request: On a separate sheet(s) of paper you must submit a full justification for your request based on the criteria outlined in the instructions (see Attachment 1). If the owner and applicant are not the same, please complete Attachment 2. If the applicant will be represented by an attorney, please complete Attachment 3.

I hereby authorize the staff of the Bureau of Planning to inspect the premises of the above described property. I hereby 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 8th Day Of April, 2009, 1999.

[Signature]
NOTARY PUBLIC

[Signature]
Owner or Agent for Owner (Applicant)
Steven W. Smith

TIMOTHY CRAWFORD
NOTARY PUBLIC
Fulton County - State of Georgia
My Comm. Expires Mar. 24, 2012



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

Steve Cover
Commissioner
Dept. of Planning &
Community Development

Ibrahim Maslamani, CBO,
AIA
Director
Bureau of Building

Zoning Enforcement Division

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-09061

NPU F DATE FILED 4/8/09

1. Kevin J. Cronin

Name of Applicant

BUILDING PERMIT AUTHORIZING

Addition to existing single family dwelling

at 959 Rupley Drive NE 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 required side yard setback from 7ft required to 1.5ft to allow for an addition to an existing single family dwelling.

Applicant seeks no further variance at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-6.008 Paragraph (2)
Chapter _____ Section _____ Paragraph _____
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

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:**

V-07061

Demo Existing Covered Screen Porch
Re Build TO existing High, Length, Width And
enclose TO HEAT & COOL

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.

2806 covered square feet / 5754 total lot square feet = 40 % 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's), 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.

Supplement to Application # V09-061

Kevin J. Cronin and Steven W. Smith

959 Rupley Dr NE

V09-061

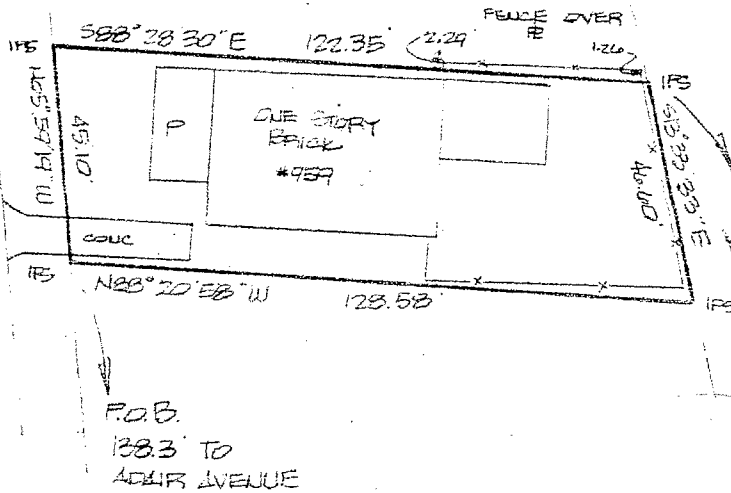
Requesting variance to demolish an existing screened-in porch and to rebuild to the same specifications (height, width, length) and enclose with glass windows.

The need for the variance is based on the fact that the existing porch resides within the 7-foot side-setback.

1. The property at 959 Rupley Dr NE has a street frontage of 45.10 and area of approximately 5754 sq feet. These figures are significantly below the R-4 zoning district numbers of 70 Feet for street frontage and 9000 square feet for the area. The narrowness of the property severely limits building options.
2. Strict adherence to the zoning ordinance of the City of Atlanta would only allow construction to the dwelling which would result in change that would not confirm to the architecture of the houses in the area. Cost factors of these inappropriate modifications would also be cost prohibitive.
3. Most homes in the surrounding area have much larger street frontages. The narrowness of the property at 959 Rupley imposes limitations that are unique to this property.
4. If granted, the variance would allow the requested changes to be applied without violating the purpose and intent of the zoning ordinance of the City of Atlanta. The proposed change would not go beyond the existing structure.

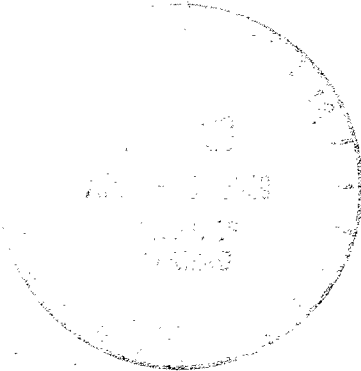
This plat was prepared when this plot is shown with a closure of 1.000' in the 17th District. The plot was adjusted using the Least Squares Method. This plot has been calculated for closure and found to be accurate to 1 foot in 250,000. An electronic total station and a 100' chain were used to gather the information used in the preparation of this plat. No State Plane Coordinate Monument found within 500' of this property.

RIPLEY DRIVE



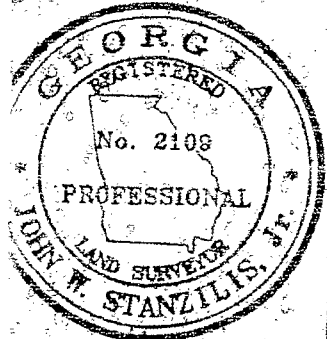
P.O.B. 188.1 TO ADLIR AVENUE

P.O.B. 138.3 TO ADLIR AVENUE



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 LAW.

John W. Stanzilis, Jr.

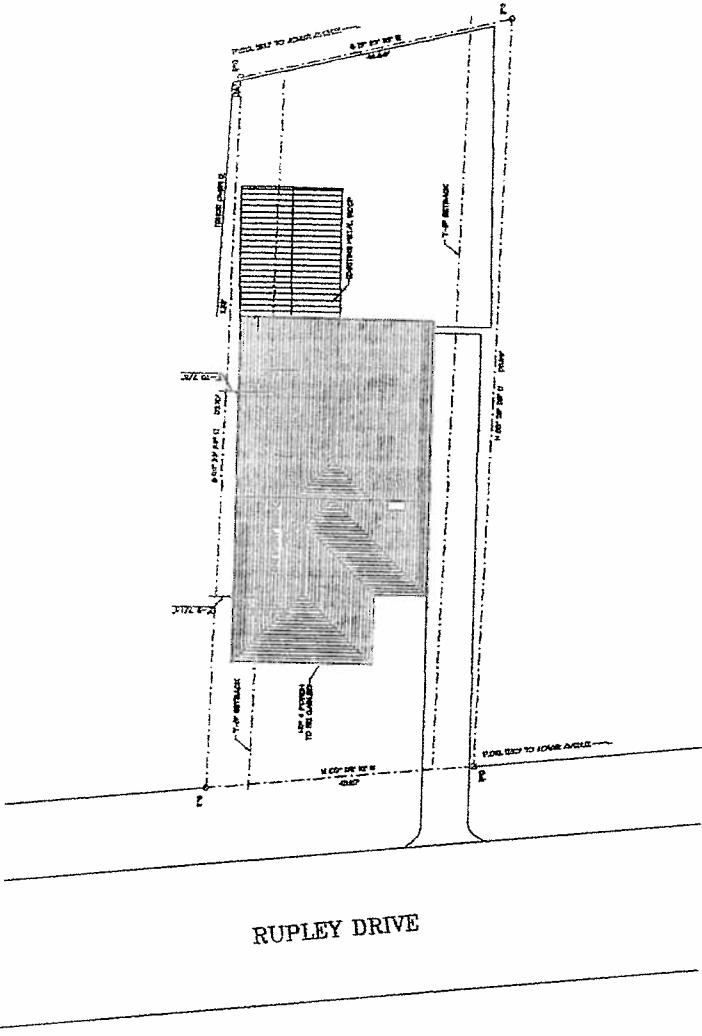


PLAT PREPARED FOR:		DATE
KEVIN J. CRONIN		DEC. 5, 1991
LAND LOT 1		SCALE 1" = 40'
17th DISTRICT		
LOT	SECTION	FULTON COUNTY, GEORGIA
BLOCK	UNIT	
SUBDIVISION		
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		SOLAR LAND SURVEYING COMPANY
		P.O. BOX 723993 ATLANTA, GEORGIA 30339-0993
		(404) 933-9711

850 Rupley Drive
 Atlanta, Georgia 30308
 Fulton County

Cantilever
 CONTRACTOR: [Illegible]
 ARCHITECT: [Illegible]
 3037 Peachtree Road, Suite 200
 Atlanta, Georgia 30328
 (404) 252-1212
 cantilever.com

DESIGNED BY: [Illegible]
 CHECKED BY: [Illegible]
 DATE: [Illegible]

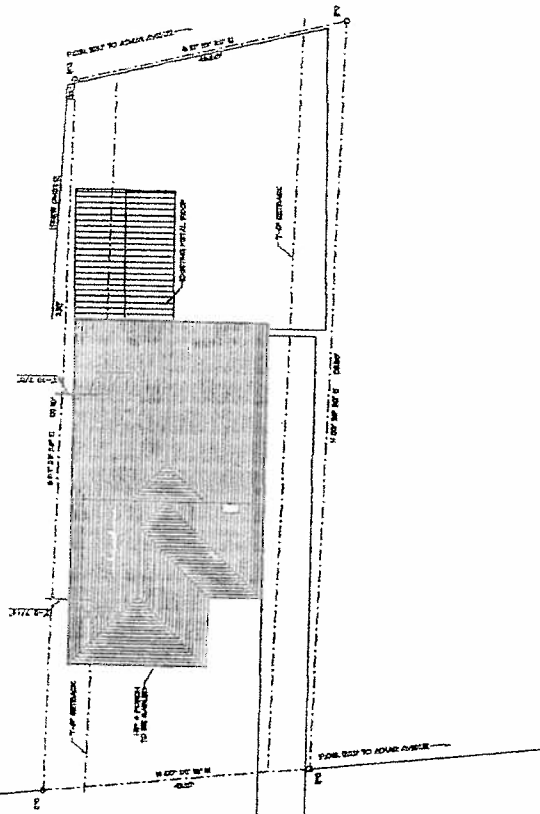


THIS PLAN IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT.

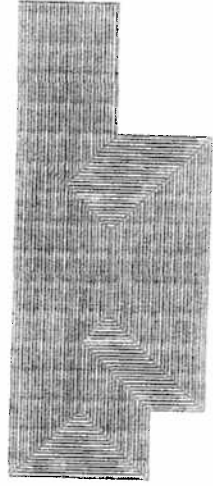
Canfilever
DESIGN & CONSTRUCTION
3007 GREAT SOUTH AVENUE, SUITE 402
ATLANTA, GEORGIA 30308-2030
PHONE: 404.525.1500
WWW.CANFILEVER.COM

DESIGNED BY: [Blank]
CHECKED BY: [Blank]
DATE: [Blank]

THIS PLAN IS TO BE USED IN CONNECTION WITH THE PERMITS
ISSUED BY THE CITY OF ATLANTA. ANY CHANGES TO THE PERMITS
MUST BE APPROVED BY THE CITY ENGINEER.



SITE PLAN
SCALE: 1"=10'-0"
NORTH



EXISTING ROOF PLAN
SCALE: 1"=10'-0"



DRAWN BY: FAW
CHECKED BY:
DATE: 11/12/10

REVISIONS:
DATE: 11/12/10
DESCRIPTION:
Cantilever
DOOR FROM COURT NORTH TO 22
STAIRS, GENERAL REVISIONS
GENERAL CONTRACTOR

226 Rupley Drive
Atlanta, Georgia 30308
Fulton County

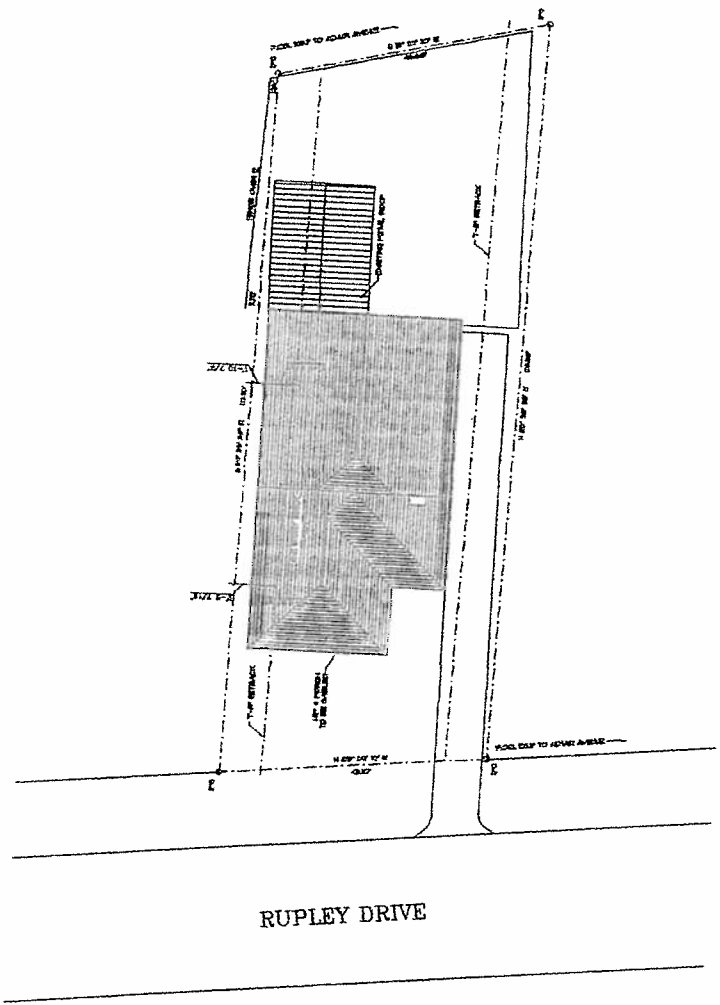
SITE PLAN

SHEET NO. 1

A-1

DATE: 11-22-10
SCALE: 1/8" = 1'-0"

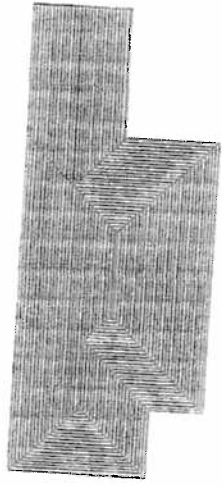
NOT TO BE USED FOR CONSTRUCTION
UNLESS APPROVED BY THE CITY OF ATLANTA
PLANNING DEPARTMENT



SITE PLAN

SCALE: 1/8" = 1'-0"

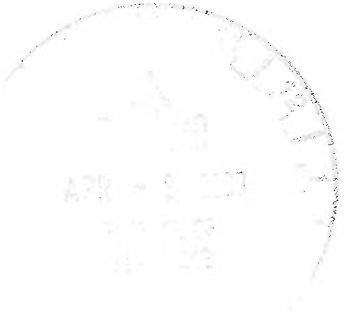
1
2



EXISTING ROOF PLAN

SCALE: 1/8" = 1'-0"

1
2



CK 19A
APR 08 2009
CITY OF ATLANTA
BUREAU OF PLANNING
FINANCE COLLECTOR

INVOICE

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

DATE: April 8, 2009
INVOICE #: V-09-061

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

Bill to:

Kevin J. Cronin
959 Rupley Drive, NE
Atlanta, GA 30306

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


Approved by BOP

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