

Notice To Applicant

City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-09-091**

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

Address of Property: **655 Coolegge Ave**

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, August 6, 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

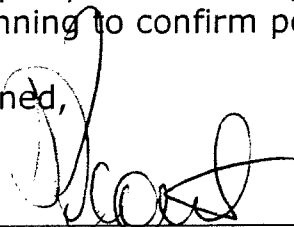
Contact info for adjacent NPUs is provided below if necessary:

The contact person for NPU is:

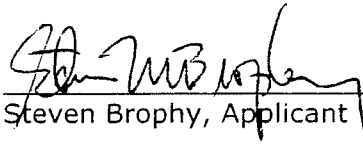
Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

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,



SGP, for Director, Bureau of Planning



Steven Brophy, Applicant



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 E. Shelby
Commissioner
Dept. of Planning &
Community Development

Ibrahim Maslamani, CBO,
AIA
Director
Bureau of Building

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V09-091
NPU F DATE FILED _____

1. Steven Brophy / Jina Sanone
Name of Applicant

BUILDING PERMIT AUTHORIZING Room addition and detached garage addition

at 655 Cooledge Ave., N.E. 17th / 53
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 2ft. for a room addition to an existng single-family house and also reduce the east side yard setback from 7ft.((required) to 2ft. and the rear yard setback from 15ft.(required) to 3ft. to allow for a detached garage addition. Applicant seeks no other 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, Director
Ann Heard, Chief Zoning Division

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V19091

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 ONE-STORY ROOM ADDITION ON THE FIRST FLOOR AT 14'0" X 12'0" (168 SQ. FT) AND A SIDE PORCH ENCLOSURE AT 9' X 13' (117 SQ FT). A FREE-STANDING GARAGE STRUCTURE AT 24'9" X 20'9" (513 SQ FT).

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.

3649 covered square feet / 7500 total lot square feet = .486% proposed lot coverage
_____ % 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).

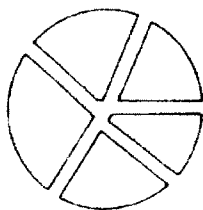
Neighborhood and NPU Recommendations. The City is divided into 24 Neighborhood Planning Units (NPU's), each of which has a volunteer citizen advisory committee that makes a recommendation to the BZA on variances. When you file your application, you will be notified of the NPU contact person and that 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.



CITY OF ATLANTA
ATLANTA URBAN DESIGN COMMISSION
55 Trinity Avenue S.W., Suite 3400
Atlanta, Georgia 30335
(404) 330-6200 FAX (404) 658-6734

Application# <u>V-09-091</u>
Date Accepted _____

VARIANCE PETITION ADDENDUM

Directions: *Typewritten responses must be provided for ALL questions. Incomplete applications will not be accepted. If extra space is needed, please attach information and reference attachments for the appropriate question.*

Applicant, having received a determination that proposed action is at broad variance with the referenced zoning regulations when seeking a Certificate of Appropriateness, hereby requests that the Atlanta Urban Design Commission grant a variance for (description of variance): SIDE YARD SETBACK, REAR YARD SETBACK, (16-26-003) Ret.

_____ the following reasons:

- (1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?

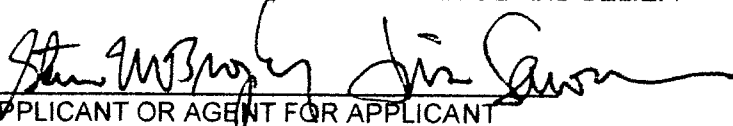
- (2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?

- (3) What conditions are peculiar to this particular piece of property?

- (4) Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

- (5) State whether the property described in this application forms any part of the subject matter of a pending application or ordinance for a zoning change or Special Use Permit. YES NO

I HEREBY FILE THIS REQUEST FOR VARIANCE FROM THE TERMS OF THE ZONING REGULATIONS FOR THE _____ DISTRICT AND OTHER TERMS OF THE ZONING ORDINANCE OF THE CITY OF ATLANTA, WHICH APPLY TO THE PROPERTY IN QUESTION. I HEREBY AUTHORIZE THE STAFF AND MEMBERS OF THE ATLANTA URBAN DESIGN COMMISSION TO INSPECT THE PREMISES OF THE ABOVE DESCRIBED PROPERTY. I HEREBY DEPOSE AND SAY THAT ALL STATEMENTS HEREIN AND ATTACHED STATEMENTS SUBMITTED ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.



APPLICANT OR AGENT FOR APPLICANT

EXECUTIVE DIRECTOR, AUDC

V-09-091

(1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?

The property at 655 Cooledge Avenue NE, Atlanta, GA 30306 features a house that was built on or about the year 1925 and its location on the lot precedes current zoning regulations. As such, it is a narrow lot with a steep, shared driveway. It, and the neighboring homes surrounding it feature fences and structures that are located on and/or near the established lot lines.

Basically, it is difficult to live in 2009 with a house that was designed in 1925. With that said, the homeowners do not wish to build a gigantic addition that is not in character with the street, which features smaller homes. Indeed, we would like to add a front porch and keep the spirit of the architectural integrity of the street and overall neighborhood in general.

(2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?

If the City of Atlanta will not grant this variance request and insists that the property owner comply with all modern regulations, there will be no way to complete the project in keeping with the spirit of the neighborhood's existing look and feel.

In the case of the addition to the front of the house, it is our wish to simply add enough square footage to create a master bedroom, a bathroom and a closet area, which would make the house an actual two-bedroom, two-bathroom home.

Because it is our wish to maintain the look and feel of the architectural style of the neighborhood, if we are not granted a variance, we will have to consider adding a second story to the home, which is not something we wish to do at this time.

In addition, our request for the placement of the garage (please see site plan document) is in keeping with the spirit of the current state of the neighborhood. We simply want a place to keep our cars, tools and other things out of the weather and in a safe, secure place.

There was at one time a structure in place where we are planning the new garage structure and it was on or near the lot line.

(3) What conditions are peculiar to this particular piece of property?

The steepness of the driveway and location of this address make it a challenge for ingress/egress to the home. 655 Cooledge Avenue NE is located at the peak of a hill and on-street parking is allowed only on one side of the public street. Because it is a shared driveway, there often is a problem with getting in and out, as well as storage issues for garden tools, etc.

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Additionally, because of the close proximity to Piedmont Park, the street experiences a high-level of weekend visitors looking to park to gain access to the park.

The addition to the home (front) at the proposed dimensions should work quite well and will not only give the homeowner's the desired new space, but also will be done in a style that maintains the architectural integrity of the neighborhood.

(4) Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Zoning Ordinance of the City of Atlanta.

There is a history and precedence within the neighborhood for the allowance of structures located on or near established lot lines.

The addition to the front of the house is an extension of an existing roof line and has been designed by an AIA-certified architect as to blend in well with the existing architecture of the neighborhood, while offering excellent utility for the homeowners.

The site where the garage is proposed at one time featured a garage structure. The new structure has been designed to offer minimal visual impact to neighbors, but also to allow the homeowners to live according to today's life demands (versus those of when the house was built in 1925). Additionally, the new garage will be barely visible from the street (because of the hilly nature of the lot). It also will offer vastly improved ingress/egress for the residents of 655 Cooleage Avenue NE and its direct next door neighbors at 659 Cooleage Avenue NE.

If the City of Atlanta does not grant a variance for this project, then the homeowner will explore the possibility of adding a second story to the home and a garage that is attached to the structure. This would have some potential negative impact on the neighbors directly located on each side of 655 Cooleage Avenue NE.

EXISTING CONSTRUCTION



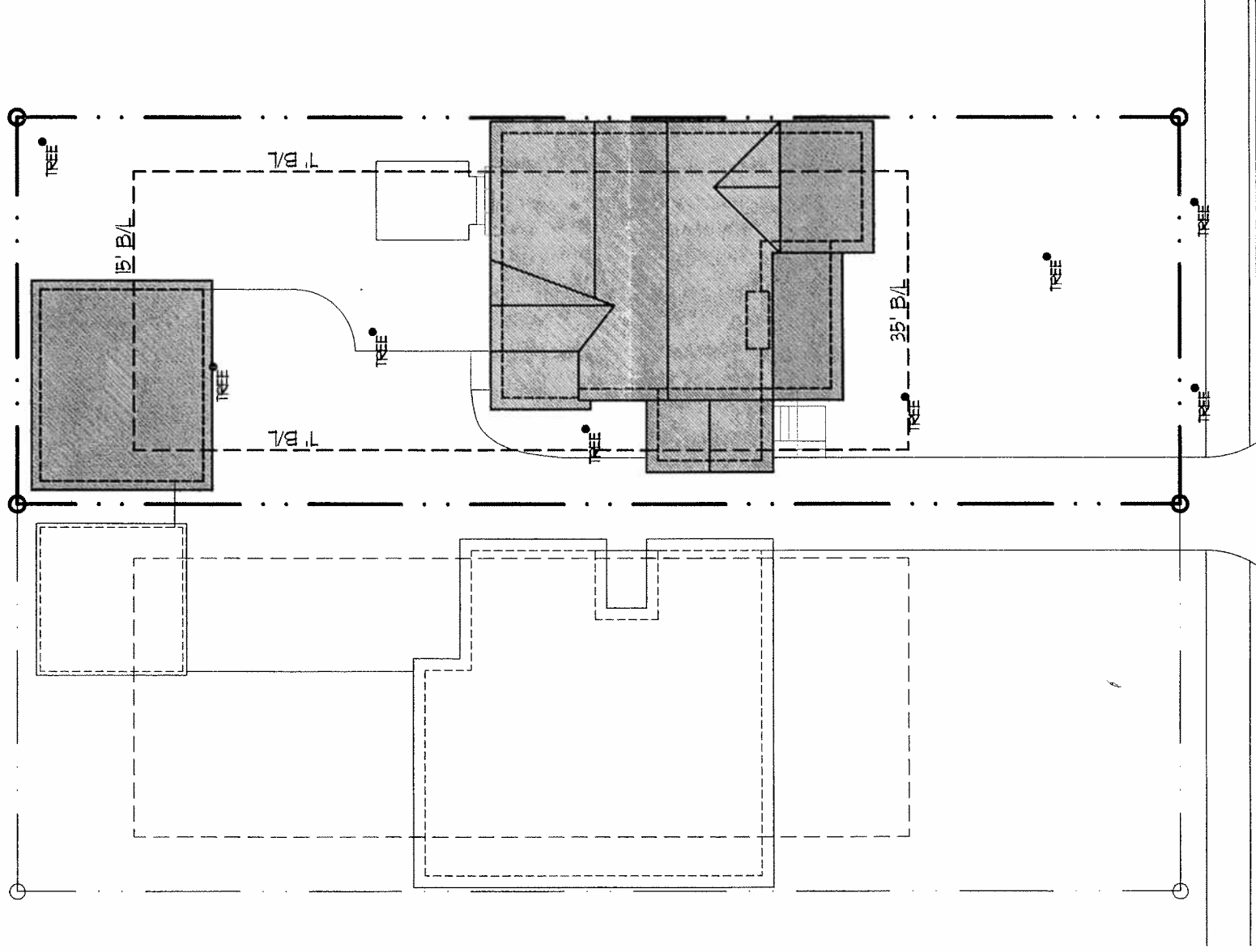
PROPOSED CONSTRUCTION



PROJECT CRITERIA
1655 COOLEGE AVENUE NE
ATLANTA, GA 30306
ZONING: R-4

LOT COVERAGE:
SITE ACREAGE: .172 ACRES
(1,500 SF)
HOME SQ. FT.: 1,425
GARAGE SQ. FT.: 513
DRIVEWAY: 1,405
FRONT PORCH: 171
REAR PATIO: 135
TOTAL SITE COVERAGE = 3,649/1,500 = .486

FLOOR AREA RATIO:
BASEMENT: 0
FIRST FLOOR: 1,425
SECOND FLOOR: 0
TOTAL HOME SQ. FT.: 1,425
GARAGE SQ. FT.: 513
F.A.R. = 1,425-513 = 912/1,500 = .12

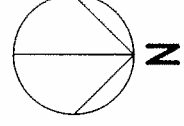


655 COOLEGE AVENUE NE
ATLANTA, GA 30306

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1" = 20'-0"

SITE PLAN - PROPOSED CHANGES



Michael E. Higdon, A.I.A.
Architect

199 Le Gran Court NE, #39
Sandy Springs, GA 30328
678-294-5838

Brophy Residence Addition
655 Coolege Avenue NE
Atlanta, GA 30306

May 16, 2009