

Notice To Applicant

City of Atlanta - Bureau of Planning

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MAY 13 2010
Bureau of
Planning

APPLICATION NUMBER: **V-10-088**

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

Address of Property: **1776 White Oak Hollow**

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, July 8, 2010 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

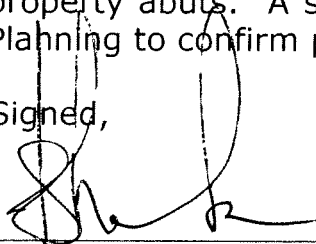
Contact info for adjacent NPUs is provided below if necessary:

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,



TTW, for Director, Bureau of Planning



Sean Cash, Applicant

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BUREAU OF PLANNING

APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 5/19/10 Application Number V-10-88

Name of Applicant Sean Cosh Daytime Phone 678-662-6462

Company Name Agent for Tim Allen Homes e-mail seancosh9190@msa.com

Address 4510 Wieuca Road, Atlanta, GA 30342
street city state zip code

Name of Property Owner Randall Stille Phone 404-636-3454

Address 1776 White Oak Hollow, Atlanta, GA 30324
street city state zip code

Description of Property

Address of Property 1776 White Oak Hollow, Atlanta, GA OR

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

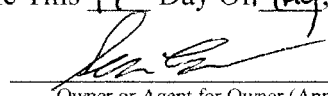
Depth: _____ Area: 0.15 acres Land Lot: 56 District: 17, Fulton County, GA.

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.

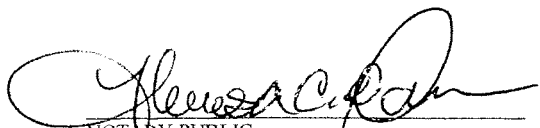
Sworn To And Subscribed Before Me This 19th Day Of May, 2010



Owner or Agent for Owner (Applicant)

Sean Cosh

APPLICANT'S NAME IN PRINTED LETTERS



NOTARY PUBLIC

Theresa C. Payne
Notary Public
Fulton County, Georgia
Commission Expires
August 08, 2013



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

Kasim Reed
MAYOR

Steven R. Cover, AICP
Commissioner
Dept. of Planning &
Community Development

Ibrahim Maslamani, CBO.
AIA
Director
Bureau of Building

REFERRAL CERTIFICATE

COUNCIL DISTRICT _____ APPLICATION NUMBER V-10-88

NPU _____ DATE FILED 5/19/10

Sean Cash

Name of Applicant

BUILDING PERMIT AUTHORIZING

The installation of swimming pool

at 1776 White Oak Hollow N.E. 17/56
Street Address Quadrant District & Land Lot

to be used for residential recreational purposes

The property is zoned R-4 District

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

Applicant seeks a variance from the zoning regulations exceed the 50 % maximum lot coverage to 58.6 percent and applicant seeks a variance to exceed the maximum 25% rear yard coverage for accessory structures and uses to 48.8 percent to install a swimming pool. Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (6)
28

Chapter Section 16-28.004 Paragraph (3)

Chapter Section Paragraph

Department of Planning and Development

[Handwritten signature]

[Handwritten signature]

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Bureau of Planning

V-10-88

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 15'x30' pool with 5' walk in rear yard.
958 square feet for pool and walk total.

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.

3886 covered square feet / 6593 total lot square feet = 58.6% proposed lot coverage
50 % maximum allowed lot coverage

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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 (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.

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Bureau of
Title

V-10-88

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, RANDALL STILLA (OWNER(S) NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT _____
1776 White Oak Hollow (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 Sean Cash

ADDRESS 4510 Wience Road,
Atlanta, GA 30342

TELEPHONE NUMBER 678-662-6462

Randall Stilla
Signature of Owner

Personally Appeared
Before Me
RANDALL STILLA

Who Swears That The
Information Contained
In This Authorization
Is True and Correct To
The Best of His or Her
Knowledge and Belief
Julette A Holloway
Notary Public

5/18/10
Date

**JULETTE A HOLLOWAY
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES
3/29/2014**

Sean Cash

4510 Wieuca Road
Atlanta, GA 30342
678-662-6462
seancash9190@msn.com

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PLANNING

May 19, 2010

City of Atlanta
Bureau of Planning
55 Trinity Avenue, S.W.
Suite 3350
Atlanta, GA 30303

V-10-88

Dear Sir or Madam:

We are respectfully requesting a variance from Zoning Ordinance Sec. 16-06.004 and Sec. 16-06.008 regarding installation of a residential swimming pool. The "subject property" is located at 1776 White Oak Hollow N.E., Atlanta, GA 30324, tax/parcel I.D. #17 005600040284 and is zoned R-4. It is owned by Randall Stilla.

R-4 zoned properties standards require a minimum lot size of 9,000 square feet and a minimum street frontage of 70'. The subject property only has 50.14' of street frontage with the lot width at the rear at 50.76'. The total lot size is only 6,593 square feet.

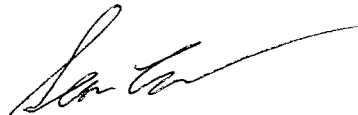
Sec. 16-06.008 of the ordinance states that R-4 zoned properties' maximum lot coverage must be 50% or less. Sec. 16-06.004 of the ordinance states that R-4 zoned properties' maximum rear yard coverage must not exceed 25%. The addition of the swimming pool will cause the subject property to exceed both of these stipulations. The new total lot coverage would be 58.6%. The rear yard coverage would be 48.8%.

The size of the non-conforming subject property is much smaller than the R-4 guidelines specified in the ordinance. This fact causes an unnecessary hardship when attempting to conform to ordinance guidelines. Mr. Stilla has made an effort to conform to the ordinance by reducing the size of the desired walk/patio for the proposed pool. He planned to build the pool upon purchase of the subject property but was unaware of the lot coverage and rear yard requirements.

Granting of this variance will not cause detriment to the public good or impair the purpose and intent of the zoning ordinance of the City of Atlanta and will relieve Mr. Stilla of an undue and unnecessary hardship. The addition of the pool will promote desirable living conditions, help sustain the stability of the neighborhood and protect against blight and depreciation. The subject property has been a vacant lot. It will now contain a beautiful home with a very nice rear yard.

Thank you for your kind consideration of this proposal.

Sincerely,



Sean Cash
Agent for Tim Allen Homes

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: V-10-088
Application Type: Planning/BZA/Variance/NA
Address: 1776 WHITE OAK HOLLOW , ATLANTA, GA 30324
Owner Name: JONES JO PERCY JR & PATRICIA S
Owner Address:
Application Name:

Receipt No.	231996					
Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
Check	2603	\$100.00	05/19/2010	CGOODE		
Owner Info.:	JONES JO PERCY JR & PATRICIA S					

Work Description: To exceed the 50% max. lot cov. to 58.6% and to exceed the max. 25% rear yard coverage for accessory structures and uses to 48.8% to install a swimming pool.

P A I D
MAY 19 2010
CITY OF ATLANTA
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR
C.G

LEGEND

- IPS IRON PIN SET (1/2" REBAR)
- RBF REBAR FOUND
- CTF CRIMP TOP FOUND
- OTF OPEN TOP FOUND
- JB JUNCTION BOX
- R/W RIGHT-OF-WAY
- B.L. BUILDING LINE
- P PROPERTY LINE
- CB CATCH BASIN
- HW HEADWALL
- SSMH SEWER MANHOLE
- X- FENCE
- L.L. LAND LOT LINE
- O.L. ORIGINAL LOT LINE
- D.E. DRAINAGE EASMT.
- S.E. SEWER EASMT.
- U.E. UTILITY EASMT.
- C.L. CHAIN LINK
- PP POWER POLE
- DI DROP INLET
- LP LIGHT POLE
- EP EDGE OF PAVEMENT CENTERLINE



SITE INFORMATION:

1776 WHITE OAK HOLLOW
 TOTAL AREA: 0.15 ACRES
 R-4 (SINGLE FAMILY RESIDENTIAL DISTRICT)
 LOT WIDTH: 70' FEET MIN.
 MINIMUM LOT AREA: 9,000 SQ. FT.
 MINIMUM YARD ADJACENT TO PUBLIC STREET:

FRONT YARD: 35' FEET.
 INTERIOR SIDE YARD SETBACKS: 7 FEET.
 REAR YARD: (15) FEET.
 MAXIMUM LOT COVERAGE: 50 PERCENT

UTILITIES:

GAS - ATLANTA GAS LIGHT CO.
 TELEPHONE - BELL SOUTH
 POWER - GEORGIA POWER

FLOOR AREA RATIO

1ST FLOOR = 1,600 S.F.
 2ND FLOOR = 1,300 S.F.
 TOTAL HOUSE = 2,900 S.F.
 LOT = 6,593 S.F.
 RATIO = .44

LOT COVERAGE

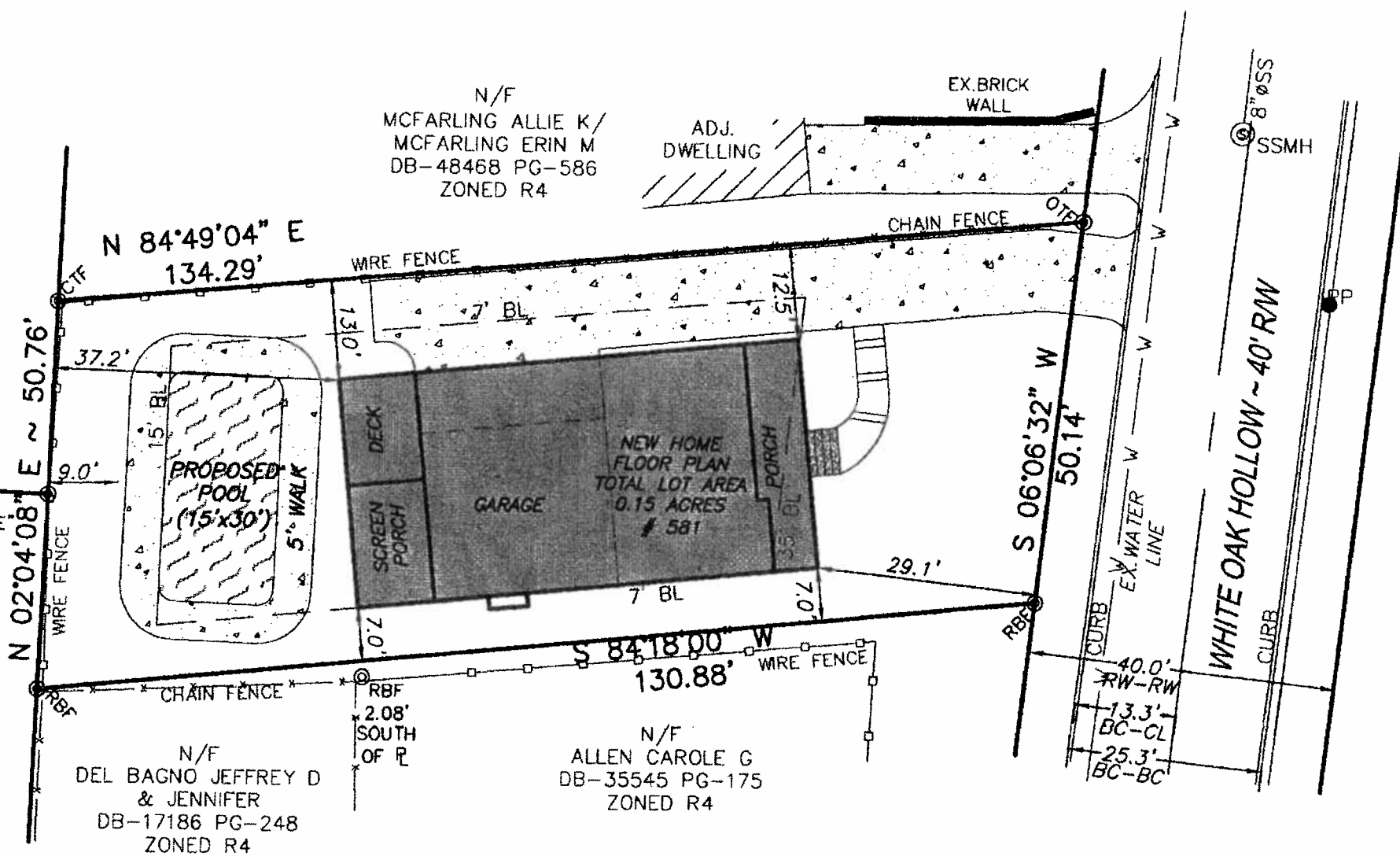
Seen
 cash
 Patio and
 HOUSE, & DECK, = 1,800 S.F.
 POOL = 958 S.F.
 DRIVE & WALK = 1,108 S.F.
 TOTAL = 3,866 S.F.
 LOT = 6,593 S.F.
 3,866 / 6,593 = 58.6 PERCENT

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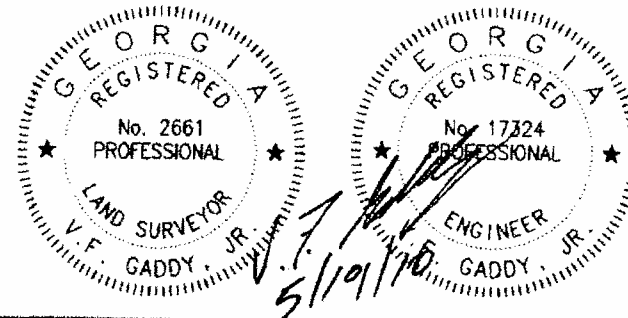
POOL CALC

REAR YARD LOT COVERAGE (25% MAX)
 REAR YARD = 1,962 x 0.25 (25%) = 490 Sq.Ft.
 POOL & SURROUNDING PATIO = 958 Sq.Ft.
 958 / 1,962 = 48.8%

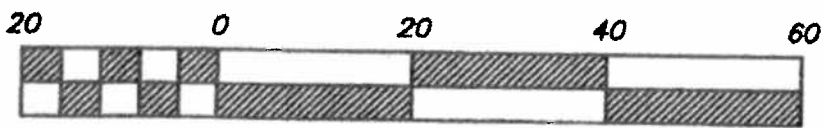
POOL PERMITTED BY OTHERS



REAR YARD COVERAGE
 & MAXIMUM LOT COVERAGE
 VARIANCE REQUESTED



GRAPHIC SCALE



VARIANCE EXHIBIT
 1776 WHITE OAK HOLLOW
 LAND LOT 56 ~ 17TH DISTRICT
 CITY OF ATLANTA ~ FULTON COUNTY
 MAY 19 2010

PROPERTY KNOWN AS
 LOT 17
 PIEDMONT PARK VIEW
 SUBDIVISION
 (PB 6 ~ PG 12)

JOB # TA-10-020



**GADDY SURVEYING
 & DESIGN, INC.**
 1215 Pleasant Hill Road
 Lawrenceville, Georgia 30044
 Phone - (770) 931-5920
 FAX - (770) 931-5903