

Notice To Applicant

City of Atlanta - Bureau of Planning

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JUN 23 2010
Bureau of
Planning

APPLICATION NUMBER: **V-10-122**

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

Address of Property: **822 Adair Ave**

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, October 7, 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:

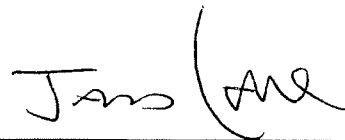
Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

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



James Lane, Applicant

APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 7-21-10

Application Number V-10-182

Name of Applicant JAMES LANE

Daytime Phone 404-983-4807

Company Name SOUTH PEAK CONSTRUCTION

e-mail james@southpeak.org

Address 593 CAMERON STREET SE, ATLANTA, GA 30312

street city state zip code

Name of Property Owner ROBERT A. MOSSING II Phone 404-

Address 822 ADAIR AVE NE, ATLANTA, GA 30306

street city state zip code

Description of Property

Address of Property 822 ADAIR AVE NE, ATLANTA, GA 30306 OR

the subject property fronts 55 feet on the SOUTH side of ADAIR AVE NE, and begins 55 feet from the WEST corner of DE LEON ST NE.

Depth: Area: Land Lot: 53 District: 17TH, PULTON County, GA.

Property is zoned: R-4, Council District: 6, Neighborhood Planning Unit: F

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.

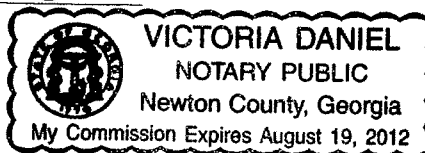
Sworn To And Subscribed Before Me This 23 Day Of JULY, 2010.

[Signature]

Owner or Agent for Owner (Applicant)

APPLICANT'S NAME IN PRINTED LETTERS

Victoria Daniel
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

Kasim Reed
MAYOR

James Shelby,
Commissioner
Planning & Community
Development

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-10-122

NPU F DATE FILED _____

James Lane

Name of Applicant

BUILDING PERMIT AUTHORIZING

Front porch addition to a single family resident

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Planning

at 822 Adair Avenue N.E. 17/53
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 the zoning regulations to reduce the required front yard setback from 35 feet to 16.5 feet to add a front porch addition to a single family resident.

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (!)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

J.L. Department of Planning and Development
Bureau of Buildings
Ibrahim Maslamani, CBO, AIA, Director

V-10-122

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 Front Porch Addition
1 story, 8x25 = 200 sf
Open; non-conditioned space

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.

Currently = 676 covered square feet / 7788 total lot square feet 8.6 % existing ~~proposed~~ lot coverage
_____ % maximum allowed lot coverage

Proposed $876 \div 7788 = 11.2\%$ proposed 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.

NOTARIZED AUTHORIZATION BY PROPERTY OWNER

V-10-122

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

TYPE OF APPLICATION VARIANCE (FRONT PORCH)

I, ROBERT A. MOSSING II (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT _____

822 ADAIR AVE NE, ATLANTA, GA 30324 (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 JAMES LANE

ADDRESS OF APPLICANT 593 CAMERON STREET

ATLANTA, GA 30312

TELEPHONE NUMBER 404-983-4807

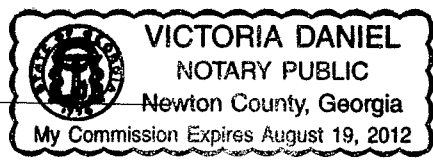
RECEIVED
JUL 28 2010
COUNTY CLERK

[Handwritten Signature]
Signature of Owner

Personally Appeared Before Me
Robert A. Mossing II

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

Date 7/23/10



City of Atlanta
Department of Planning and Community Development
Bureau of Planning, Current Planning Division
55 Trinity Avenue, Suite 3350

V-10-122

July 23rd, 2010

To Whom It May Concern:

Criteria for Variance

1. Explain why property has extraordinary or exceptional condition

Answer - House is already in R-4 front yard setback of 35'.

2. Commercially zoned properties

Answer – Does not apply; house is in a residential neighborhood.

3. Location of a house is not an exceptional condition. However, a Hardship may be involved if functional layout drives the request for variance.

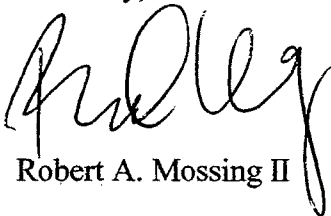
Answer – The vast majority of houses in our neighborhood have covered front porches. We would like to enjoy all the benefits attributed to having a covered front porch; a gathering place for friends & family, a place to set groceries, shoes, & umbrellas on rainy days, etc. We feel the proposed design will add beauty & value to the house & neighborhood. We are currently suffering Hardship by not having a front porch.

4. Destruction of trees

Answer – Proposed porch will be built on 4 piers & will not destroy any trees

Thank you for your time and consideration.

Sincerely,



Robert A. Mossing II

JUL 24 2010
10:00 AM
CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

City of Atlanta
Department of Planning and Community Development
Bureau of Planning, Current Planning Division
55 Trinity Avenue, Suite 3350

V-10-122

July 23rd, 2010

To Whom It May Concern:

We would like to request a variance to reduce the front yard setback from the existing 24.5 feet to 16.5 feet for a proposed front porch addition to our home at property address 822 Adair Avenue, Atlanta GA 30306.

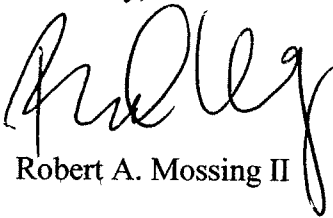
It would not be possible to construct a front porch addition without an 8 feet reduction in the front yard setback.

The construction associated with the front porch addition will adhere to keeping the structure some distance from the front property line and will not have any impact on trees. We have informed our adjacent neighbors of our proposed front porch and have enclosed a letter containing their signatures of support.

This front porch addition will be constructed to resemble the 'look and feel' of the Virginia Highlands neighborhood and will assure that the community character is preserved.

Thank you for your time and consideration.

Sincerely,



Robert A. Mossing II

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PLANNING

City of Atlanta
NPU-F
Virginia Highlands Community Association
Virginia Highlands Community Planning Committee

V-10-122

DATE: JULY 22, 2010

I have reviewed the proposed architectural design for a front porch at property located at 822 Adair Avenue NE, Atlanta GA 30306 and I support the variance requested.

NOTED
JUL 22 2010
3:44

MARY FRANCES RICE
Print Name

Mary Frances Rice
Signature

812 Adair Ave NE.
Address

Cristy Solomon
Print Name

Cristy Solomon
Signature

815 Virginia Cir NE
Address

William Whitley
Print Name

Whitley
Signature

829 Adair Ave NE
Address

Amy Waterman
Print Name

Amy Waterman
Signature

828 Adair Ave NE
Address

Nigel Packer
Print Name

Nigel Packer
Signature

825 Virginia Circle
Address

MARK JOHNSON
Print Name

Mark Johnson
Signature

817 Adair Ave
Address

BEN JULIAN
Print Name

Ben Julian
Signature

819 Virginia Circle NE
Address

Print Name

Signature

Address

Legal Description
of Property
EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 53 of the 17th District, Fulton County, Georgia, being Lot 15, Block 10, of Virginia Hills Subdivision, as per plat thereof recorded in Plat Book 11, page 16, Fulton County, Georgia Records, which recorded plat is incorporated herein by reference and made a part of this description.

V-10-122

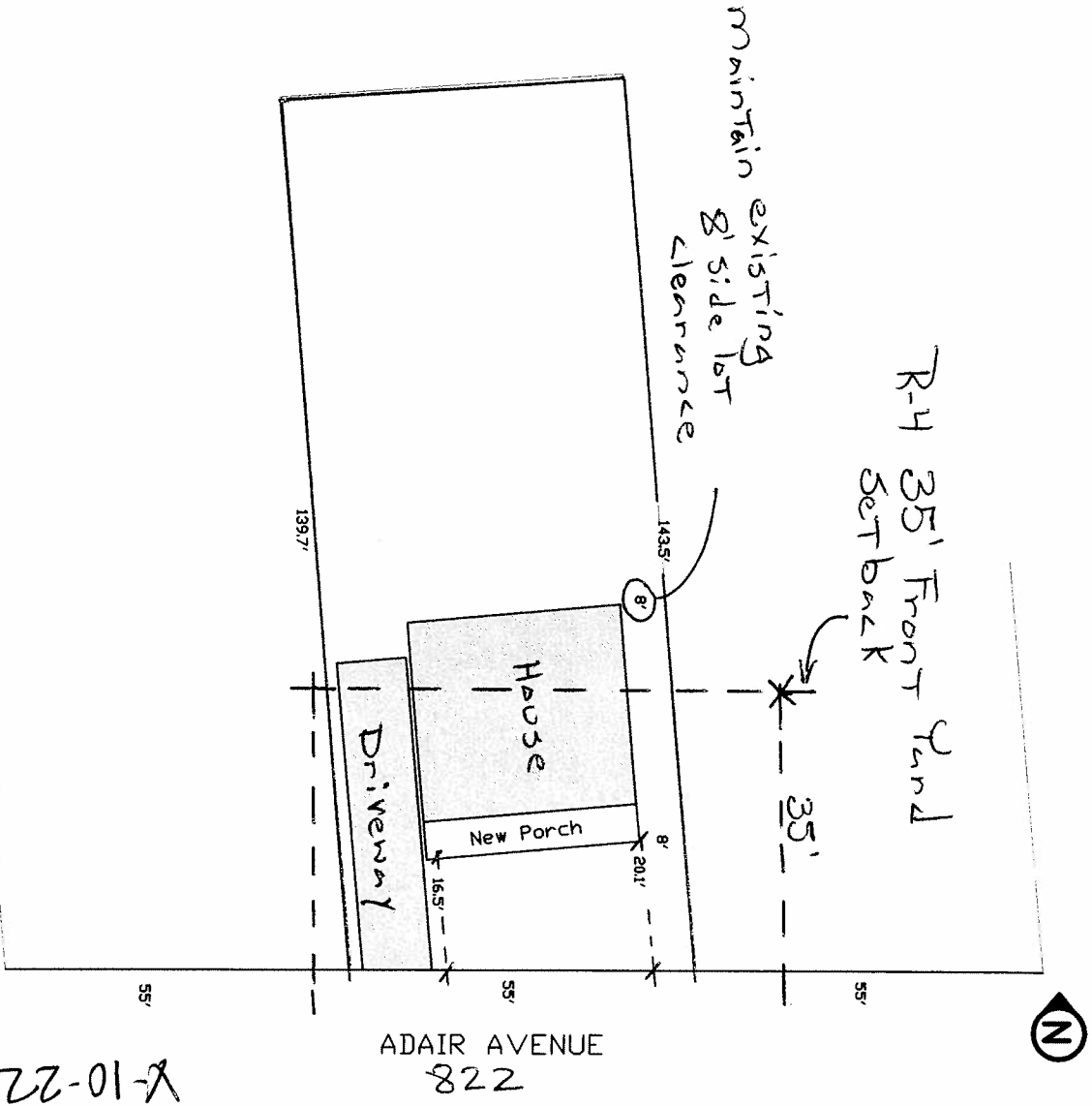
822 Adair Avenue, Atlanta, GA, 30306

Legal Description

Exhibit A (Legal Description-Lettet).rdw
LJ SR 09/28/06

LEN-090200079S
02/27/09 @ 12:27-PM

Lot Layout & Existing Structure
 822 Adair Avenue
 Atlanta, GA 30306



R-11 35' Front Yard Setback

Maintain existing 8' side lot clearance

K-10-22

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LOT = 7,788 sq ft

10 July 10



7-23-10

GINIA

#772	0	134	#778	60	132.3	#784	55	127.4	55	129.5	#788	55	126.7	55	#794	55	125.3	55	#800	55	129	#806	55	132.7	55	#812	55	136.1	55	#816	55	139.7	55	#822	55	143.5	55	#828	55	146.8	55
#777	55	140	#783	55	141	#787	55	141.7	55	#793	55	142.5	55	#799	55	143.4	#805	55	144.2	55	#811	55	144	#815	55	145.3	55	#819	55	146.3	55	#825	54	147.4	55						

DE LEON

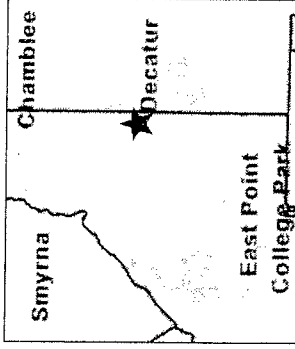
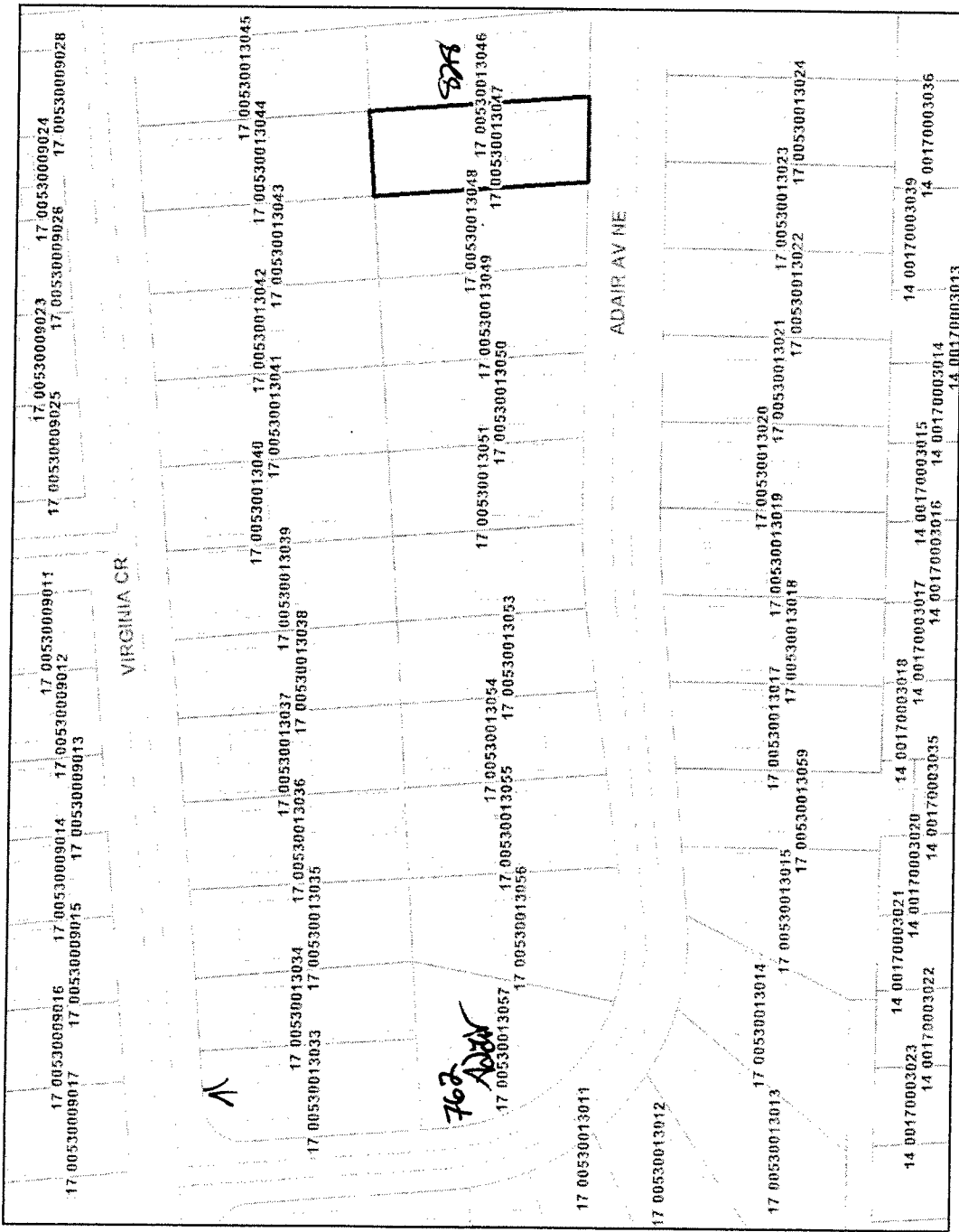
#775	55	140	#840	59	147.5	#846	58	148.1	59	148.1	#852	55	148.7	58	148.7	55	144.9	55	143.9	55	143.9	55	141.6	55	141.6	55	141.6	55	141.6	55	141.6	55	141.6	55	141.6	55	141.6	55	141.6	55	141.6	55
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ADAIR

#775	82.7	132	#781	60	132.3	#785	55	139	55	143.9	#789	55	145.4	55	#795	55	145.6	55	#801	55	145.8	#805	55	146	55	#811	56	146.2	56	#817	56	146.5	56	#823	56	146.7	56	#829	56	147	56	#835	56	147.3	56	#841	56	147.6	56	#847	56	147.9	56	51.5	55
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City of Atlanta GIS



- Legend**
- Points of Interest
 - Streets and Highways
 - Other Limited Access
 - State Route
 - Arterial Roads
 - Streets
 - Ramps
 - Unknown
 - Interstates
 - County Boundaries
 - Parcels
 - Building Footprints
 - Airport Labels
 - Airport Runways
 - Runway/Apron/Taxiway
 - Streams
 - Ponds
 - Parks
 - Greenway Acquisitions
 - Atlanta City Limits
 - Metro Cities

V-10-122

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Scale: 1:1,294





Map center: 2237412, 1375141

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Parcel Details

17 00530013047
 822 ADAIR AVE NE
 MEAD JAMES K II

 Google Street View
 Virtual Earth

V-10-122

- Planning
- Map
- Tax
- Public Safety
- Demographics



Planning Designations

District/Landlot	17-53 cadastral map
Zoning	
Primary	R-4
Overlay	BELTLINE
Maps	Official Zoning Map (pdf) Online Map
Future Land Use	Single-Family Residential (SFR)
NPU	F
Adjacent NPU (within 300 feet)	-
Neighborhood	Virginia Highland
Council District	6
Renewal Community	No
Empowerment Zone	No
New Market Tax Credits	No
Livable Centers Initiative (LCI)	-
Tax Allocation District (TAD)	-
Supportive Housing Distance Eligibility	Meets distance requirements
Neighborhood Stabilization Program	No

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 Board of
 Adjusters

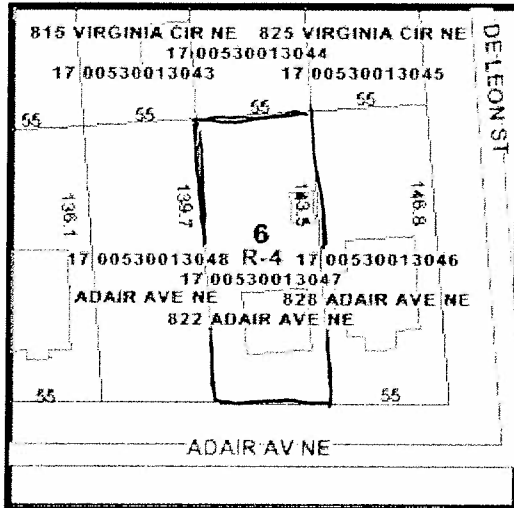
Parcel Details

17 00530013047
822 ADAIR AVE NE
MEAD JAMES K II

 Google Street View
 Virtual Earth

V-10-122

- Planning
- Map
- Tax
- Public Safety
- Demographics



RECEIVED
JUL 29 2010
Bureau of
Planning

tail

REIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: V-10-122
Application Type: Planning/BZA/Variance/NA
Address: 822 ADAIR AVE , ATLANTA, GA 30306
Owner Name: ~~MEAD JAMES K II & DIANE S~~
Owner Address:
Application Name:

Robert A
and Nisha Mossing

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
237333		\$100.00	07/28/2010	CGOODE		

Owner Info.: ~~MEAD JAMES K II & DIANE S~~

Robert A and Nisha Mossing

Work Description: Variance to reduce the front yard setback from 35 feet to 16.5 feet to add a front porch addition to a single-family residence.

PAID
CITY OF ATLANTA
JUL 28 2010

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Visa

SG-