

Notice To Applicant

City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-10-133**

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

Address of Property: ~~1126 N. Highland~~ 1077 LANIER BLVD

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, October 14, 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

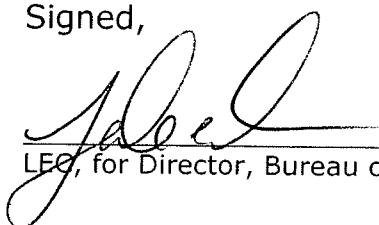
Contact info for adjacent NPUs is provided below if necessary:

The contact person for NPU is:

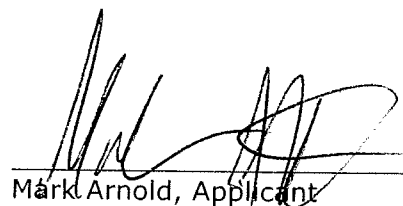
Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

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,



LEO, for Director, Bureau of Planning



Mark Arnold, Applicant

APPLICATION FOR VARIANCE

City of Atlanta

Date Filed: 7/29/10

Application Number V-10-133

Name of Applicant: *Mark F. Arnold*

Daytime Phone: 404-939-3690

Company Name: *Mark Arnold, Architect*

e-mail: *markarnoldarchitect@gmail.com*

Address: *1126 N. Highland Avenue, NE*
street

Atlanta
city

GA
state

30306
zip code

Name of Property Owners: *George & Emily Pfeil*

Phone: (404) 788-9876

Address *1077 Lanier Boulevard*
street

Atlanta
city

GA
state

30306
zip code

Description of Property

Address of Property: *1077 Lanier Boulevard, Atlanta, GA 30306*

OR

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

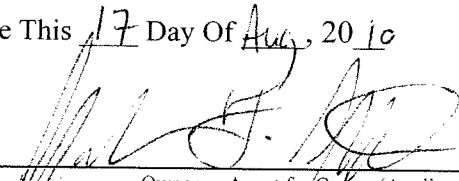
Depth: *142.91'* Area: *8,582 SF* Land Lot: *01* District: *17* *Fulton County, GA*

Property is zoned: *R4* Council District: *06* 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).

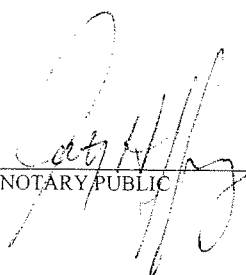
I hereby authorize the staff of the Bureau of Planning to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Bureau of Planning upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

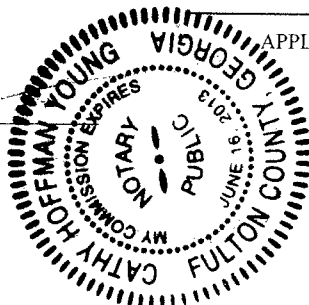
Sworn To And Subscribed Before Me This 17 Day Of Aug, 20 10


Owner or Agent for Owner (Applicant)

Mark F. Arnold

APPLICANT'S NAME IN PRINTED LETTERS


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 E. Shelby
Commissioner
Dept. of Planning &
Community Development

Ibrahim Maslamani, CBO,
AIA
Director
Office of Building

REFERRAL CERTIFICATE

COUNCIL DISTRICT _____ APPLICATION NUMBER V-10-133

NPU F DATE FILED _____

1. Mark F. Arnold

Name of Applicant

BUILDING PERMIT AUTHORIZING Construction of an accessory structure

at 1077 Lanier Boulevard NE 17th/01
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 ordinance to reduce the side yard setback from 7ft (required) to 2ft. and to reduce the rear yard setback from 15ft. (required) to 10ft. to allow construction of an accessory structure. Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 06 Section 16-06-.008 Paragraph (2) (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

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

Applicant:

Zoning Plan Reviewer:

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: *The proposed project includes the demolition of an existing one-story, two-car garage and the construction of a new one-and-a-half story, one-car garage with home office. The footprint of the existing garage is 355 sf and the footprint of the proposed accessory structure is 476 sf. The upper level of the proposed accessory structure is 257 sf. The new construction will be built on the existing garage footprint and will also expand the footprint 42” to the side and 36” to the rear.*

The existing driveway, barbeque pit, an exterior stair, and a walkway will be removed. The existing driveway will be re-poured with a planting strip and overall smaller footprint. The overall site coverage will be reduced from 55% to 44%.

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.

3,816 covered square feet / **8,582** total lot square feet = **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 (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.

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, GEORGE PFELL, SWEAR THAT
I AM THE OWNER OF THE PROPERTY LOCATED AT, 1077 Lanier Boulevard NE
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: Mark F. Arnold
ADDRESS OF APPLICANT: 1126 N. Highland Avenue, NE
Atlanta, GA 30306
TELEPHONE NUMBER 404-617-1520

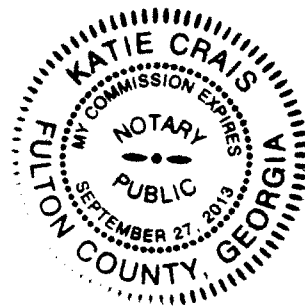
[Signature]
Signature of Owner

Personally Appeared Before Me

Katie Crais
Who Swears That The
Information Contained
In This Authorization
Is True and Correct To
The Best of His or Her
Knowledge and Belief.

Katie Crais
Notary Public

8-13-10
Date



George & Emily Pfeil

1077 Lanier Boulevard, NE
Atlanta, Georgia 30306
telephone 404-788-9876
georgepfeil@gmail.com

V-10-133

July 29, 2010

City of Atlanta
Department of Planning and Community Development
Bureau of Planning, Current Planning Division
55 Trinity Avenue, Suite 3350
Atlanta, GA 30335

re: 1077 Lanier Boulevard, NE 30306

Planning Staff:

We wish to replace our existing two-car garage with a new accessory structure consisting of a one-car garage with adjacent office and second floor play area. To facilitate this work, we propose to reduce the side yard setback from 7 feet to 2 feet and the rear yard setback from 15 feet to 10 feet. Please find attached the following items in support of our variance request:

- Variance Application
- Survey
- Proposed Site Plan
- Referral Certificate
- Proposed Floor Plans & Elevations
- Photographs of the Existing Garage

The subject property is zoned R-4. We believe the property meets the variance criteria laid out in Section 16-26.003 in the Zoning Guidelines in the following ways:

Extraordinary/Exceptional Conditions Pertaining to the Property because of its Size/Shape

Our lot is 64 feet wide at the street versus the code required minimum width of 70 feet and it tapers down to around 60 feet wide at the back of our house. Our house is 43 1/2 feet wide and is located a little over 4 feet from the southwest edge of the property. This leaves just over 12 feet on the driveway side of the house. These features have been in place since the house was built in 1930 and were apparently taken into account by the builders of the existing garage in 1950. The two foot placement off the property is ideal for driving a car into and out of the garage and we wish to maintain the two foot placement off the property for the new garage. Given the placement of the existing house and driveway on the narrow sized lot, it is necessary to locate the garage within the existing side-yard setback in order to utilize the garage.

The Application of the Zoning Ordinance to this Property would create an Unnecessary Hardship

Our decision to locate the garage within the setback has been thoughtful and deliberate. To a large extent the lot width, driveway width, and existing footprint dictate the placement of the garage, but another factor influencing our decision are the three 20" diameter hardwood trees in our back yard. We have located the garage in a manner to minimize the impact on these beautiful trees. Currently the proposed garage skirts the critical root zone of one of these trees, but it is completely out of the root zone of the other two trees. The application of the required 7 foot set-back to this project would move the garage into

the critical root zone of two of the trees. This unnecessary hardship this creates is the needless impact to the existing, mature hardwood trees.

Such conditions are peculiar to the particular piece of property involved

Admittedly, the width of our home relative to the width of our lot is in fact quite common in our neighborhood. Many of the lots are less than the required 70' in width and many of the homes are around 40 feet in width. Consequently, where there are garages present, they often encroach into the 7 foot setback. What is particular to our situation is the placement of the existing garage and the location of the existing, mature hardwood trees. Our request for a 2 foot side yard setback does not increase the degree of non-conformity of the existing garage footprint and it contributes to the continued health of the trees.

The Variance would not cause substantial detriment to the public good or impair the purpose and intent of the Zoning Ordinance of Atlanta

The conditions enumerated above are distinct to this piece of property in that the available buildable area is limited due to a lot size and width smaller than the minimum R-4 requirements, the location of the existing garage/driveway on the lot, and the location of the existing mature hardwood trees. There are numerous examples of similar detached buildings built in the setback areas on nearby lots on Lanier Boulevard, including both immediate neighbors as well as the neighbor to the rear. Please see attached drawing.

Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta. Relief, if granted, will not distract from people's use and enjoyment of adjoining and surrounding properties. The proposed construction is in harmony with construction on neighboring lots, and allows for adequate light and air. We believe the proposed construction is in keeping with the orderly evolution of this neighborhood and will promote desirable living conditions for the homeowner as well as the neighborhood. Finally, if relief is granted, the proposed design will allow landscape changes to reclaim natural coverage and decrease our lot coverage from 55% to 44%.

Thank you for your consideration in this request.

Sincerely,

George and Emily Pfeil

George Pfeil
Emily Pfeil

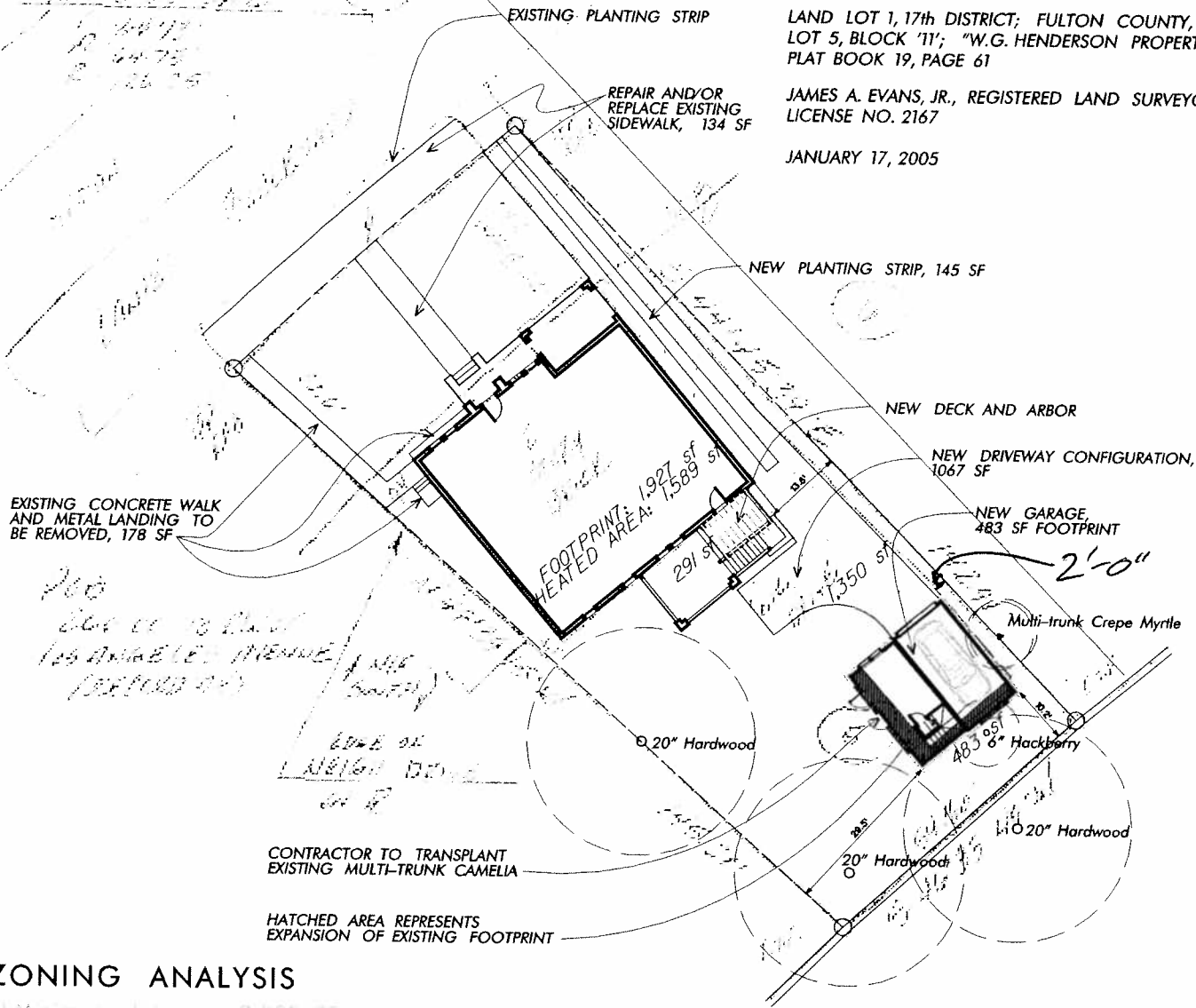
1" = 30'-0"

R-4 Zoning, City of Atlanta Zoning Ordinance
16-06 Single Family Residential District

LAND LOT 1, 17th DISTRICT; FULTON COUNTY, GEORGIA
LOT 5, BLOCK '11'; "W.G. HENDERSON PROPERTY"
PLAT BOOK 19, PAGE 61

JAMES A. EVANS, JR., REGISTERED LAND SURVEYOR
LICENSE NO. 2167

JANUARY 17, 2005



ZONING ANALYSIS

1) Minimum lot area: 9,000 SF

Existing: 8,582 SF (0.197 ACRES)

2) Minimum lot frontage: 70 feet

Existing: 64.75 feet

3) Maximum Floor Area Ratio: 30%

Existing: 35% (1,826 + 1,205 / 8,582)

Proposed: 41%

First Floor: 1,826 sf + 1,205 Second Floor + 445 sf @ Garage divided by Lot Size 8,582 sf)

4) Maximum lot coverage: 20%

Existing: 55 %

(House Footprint 1,927 sf + Garage Footprint 355 sf + Paving 2,278 sf + BBQ Pit 101 sf + Back Porch 90 sf divided by Lot Size 8,582 sf)

Proposed: 44%

(House Footprint 1,927 sf + Garage Footprint 476 sf + Paving 1,122 sf + New Deck 291 sf divided by Lot Size 8,582 sf)

Existing: 27.8; Proposed: NO CHANGE

Existing at Garage: SW- 34', NE- 2'; Proposed at Garage: SW- 29.5'; NE- NO CHANGE

Existing: 14' at Garage; Proposed: 10' at Garage

Existing: 12.5' at Garage

Proposed: 18.2' at Garage per City of Atlanta definition of Building Height,

Zoning Ordinance Section 16-29.001(27)

...ldgn\variance\pfeil A001.dgn 8/2/2010 2:51:31 PM

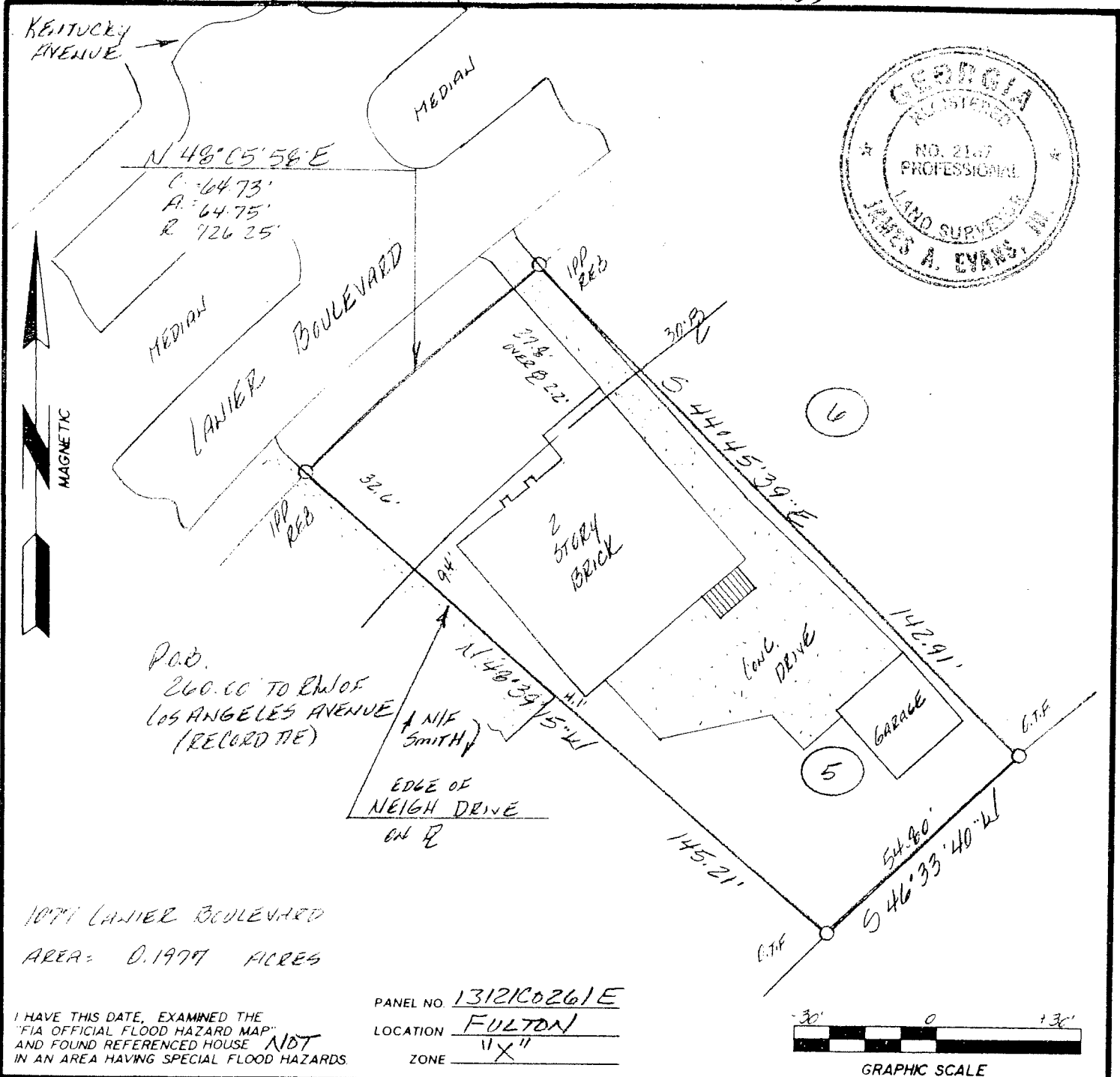
V-10-133

RENOVATIONS AND ADDITIONS FOR THE
GEORGE & EMILY PFEIL RESIDENCE
1077 LANIER BOULEVARD ATLANTA, GEORGIA 30306

DESIGN DEVELOPMENT

08/02/10
A0.01

V-10-133



P.O.B.
260.00 TO END OF
LOS ANGELES AVENUE
(RECORD DE)

A MIF
SMITH

EDGE OF
NEIGH DRIVE
ON R

10771 LANIER BOULEVARD
AREA: 0.1977 ACRES

PANEL NO. 131210261E
LOCATION FULTON
ZONE "X"

I HAVE THIS DATE, EXAMINED THE
"FIA OFFICIAL FLOOD HAZARD MAP"
AND FOUND REFERENCED HOUSE NOT
IN AN AREA HAVING SPECIAL FLOOD HAZARDS



THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS
A CLOSURE PRECISION OF ONE FOOT IN OPEN FEET AND AN
ANGULAR ERROR OF 1/4 SECONDS PER ANGLE POINT, AND WAS
ADJUSTED USING COMPASS RULE THIS MAP OR PLAT HAS
BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCUR-
ATE WITHIN ONE FOOT IN 20,000 FEET.

EQUIPMENT USED
TOPCON GTS-2(B) 8 TRANSIT W/200' STEEL TAPE.

IN 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.

James A. Evans, Jr.

J. A. EVANS
SURVEYING CO., INC.
POWDER SPRINGS, GEORGIA
PH. 770-943-0000

SURVEY FOR:

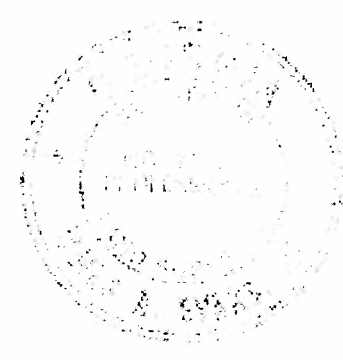
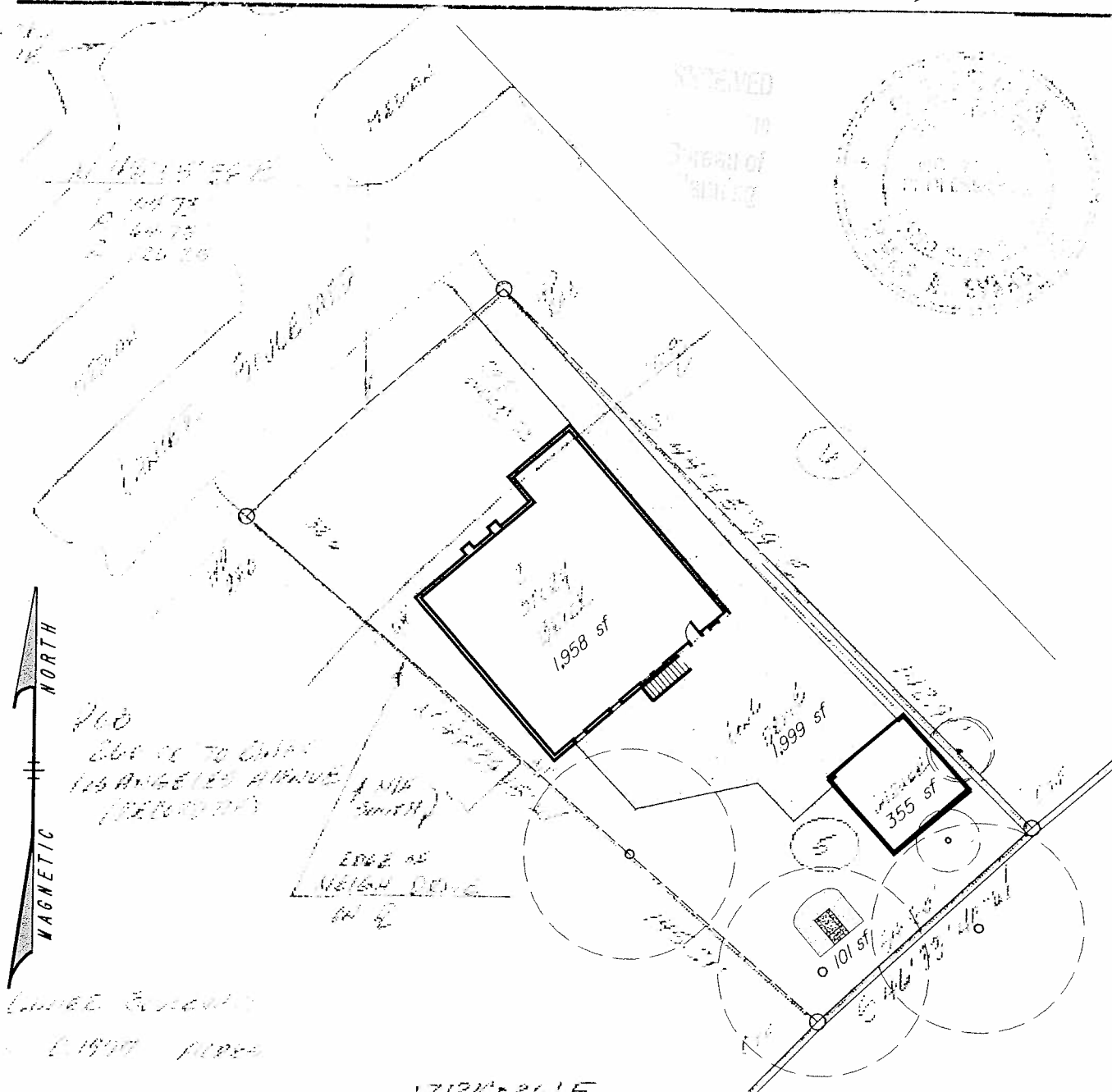
GEORGE A PFEIL

LOT 5	BLK. 11	UNIT	REVISIONS
W. G. HENDERSON PROPERTY			
LAND LOT 1			
DISTRICT 17E		SECTION	CC
FULTON -		COUNTY, GEORGIA	DRWN 602
PLAT BOOK 19		PAGE 61	CHKD
DATE: 11 17 2005		SCALE: 1" = 30'	JOB #
			0061 05

NIR-1

1" = 30'-0"

U-10-133



RENOVATIONS AND ADDITIONS FOR THE
GEORGE & EMILY PFEIL RESIDENCE
 1077 LANIER BOULEVARD ATLANTA, GEORGIA 30306

DATE EXAMINED THE
 AND FOUND HAZARDOUS
 AND REFERENCED TOUGH NOT
 A REMOVED SPECIAL HAZARDOUS

PANEL NO. 131210261E
 LOCATION FINLTON
 ZONE 11X



DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS
 A PRECISION OF ONE FOOT IN 1000 FEET AND AN
 ERROR OF 40 SECONDS PER ANGLE POINT, AND WAS
 USING COMPASS RULE. THIS MAP OR PLAT WAS
 CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE
 IN ONE FOOT IN 1000 FEET.

USE:
 1. SURVEY; 2. PLAT; 3. RECORD; 4. DEED; 5. MAP;
 6. PLAN; 7. SPECIFICATION; 8. CONTRACT; 9. EVIDENCE;
 10. OTHER AS NOTED.

THIS PLAT IS A CORRECT
 STATEMENT OF THE LAND PLATTED AND
 PREPARED IN CONFORMITY WITH
 THE STANDARDS AND REQUIREMENTS OF LAW.

J. A. Evans

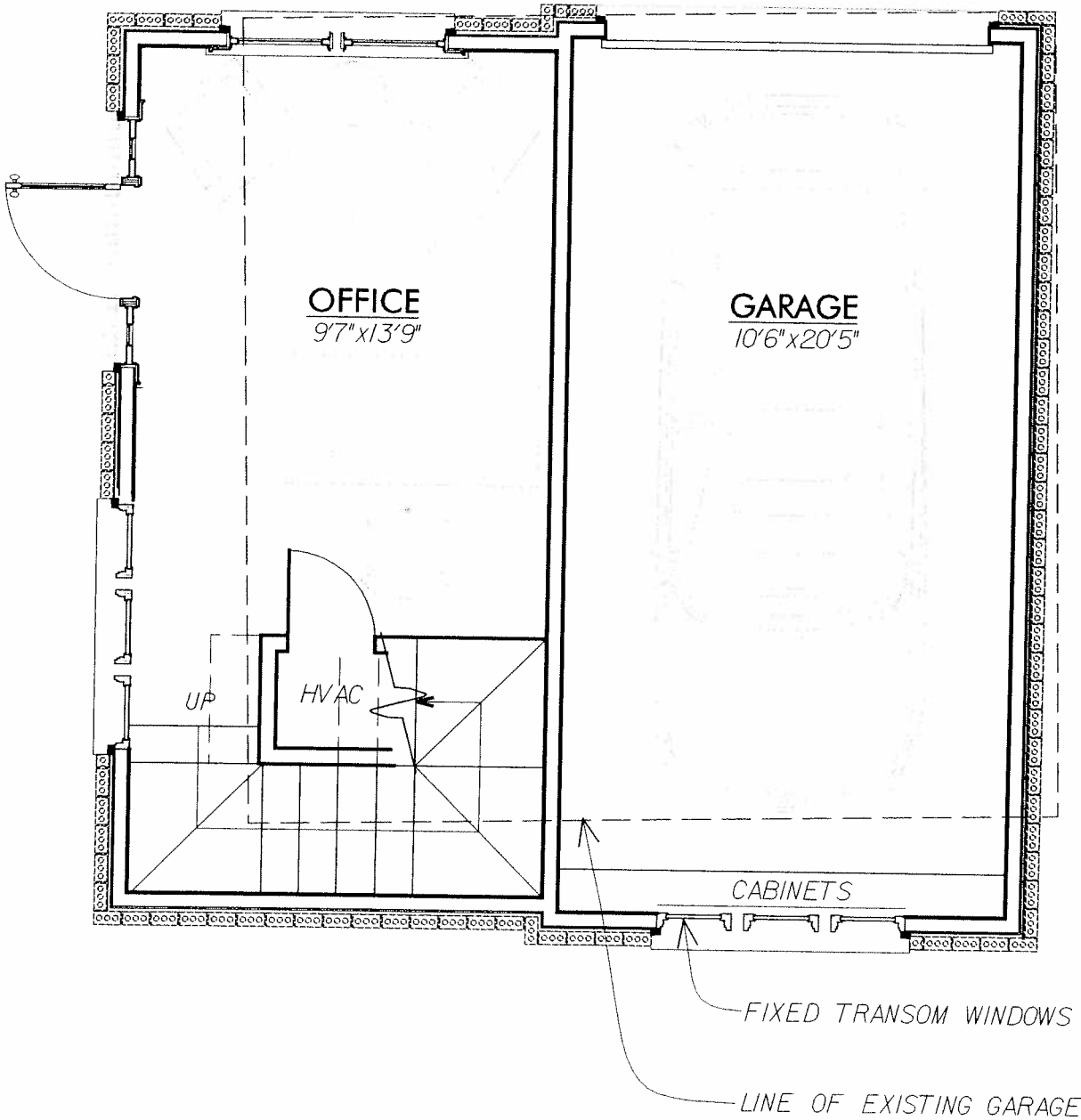
J. A. EVANS
 SURVEYING CO., INC.
 POWDER SPRINGS, GEORGIA
 PH 770-945-3200

SURVEY FOR:		08/02/10	
George & Emily Pfeil			
OWNER	REVISION		
1. GEORGE & EMILY PFEIL			
LAND LOT			
DISTRICT	SECTION		
	COUNTY, GEORGIA		
PLAT BOOK	PAGE		
DATE	SCALE		

DESIGN DEVELOPMENT

V-10-133

RECEIVED
City of
Atlanta
Planning



RENOVATIONS AND ADDITIONS FOR THE
GEORGE & EMILY PFEIL RESIDENCE
 1077 LANIER BOULEVARD ATLANTA, GEORGIA 30306

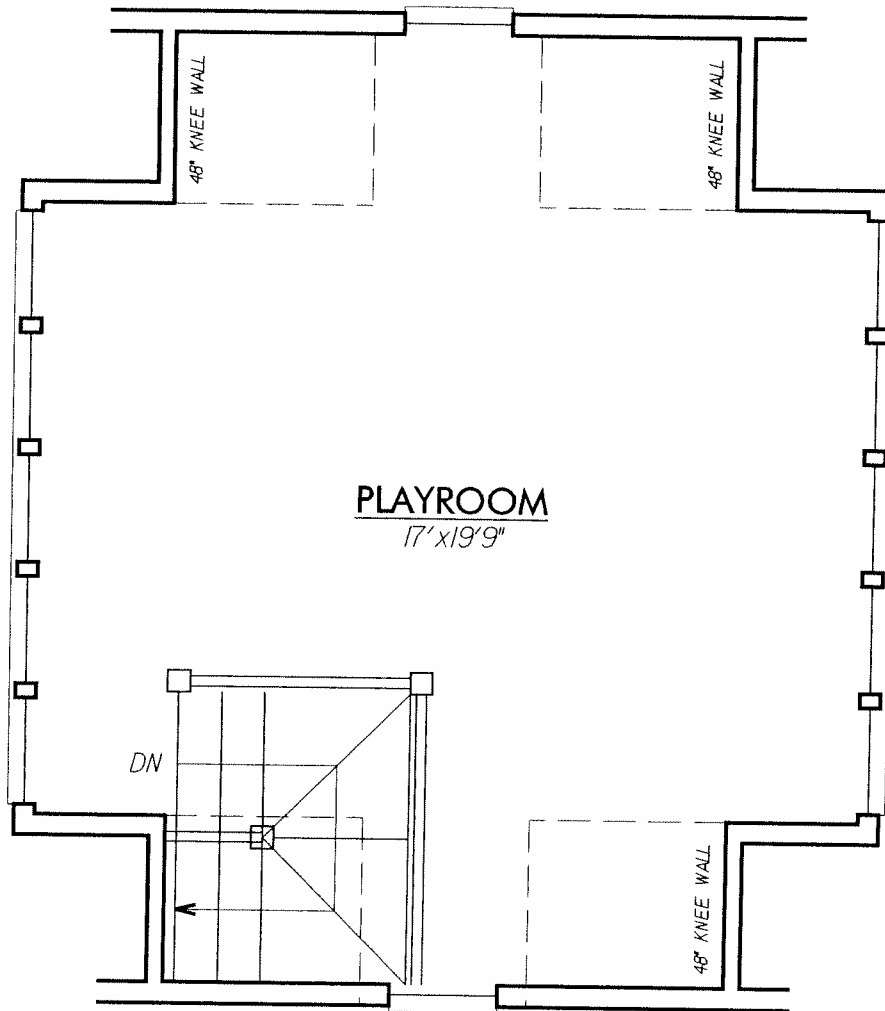
DESIGN DEVELOPMENT

08/02/10	
A1.01	

01 PROPOSED GARAGE 1st FLOOR PLAN
 A-1.04 SCALE: 1/4" = 1'-0" HEATED AREA: 188 SF GARAGE AREA: 214 SF

V-10-133

RECEIVED
AUG 17 2010
Bureau of
Permitting



RENOVATIONS AND ADDITIONS FOR THE
GEORGE & EMILY PFEIL RESIDENCE
 1077 LANIER BOULEVARD ATLANTA, GEORGIA 30306

DESIGN DEVELOPMENT

08/02/10
A1.02

02
A-1.04

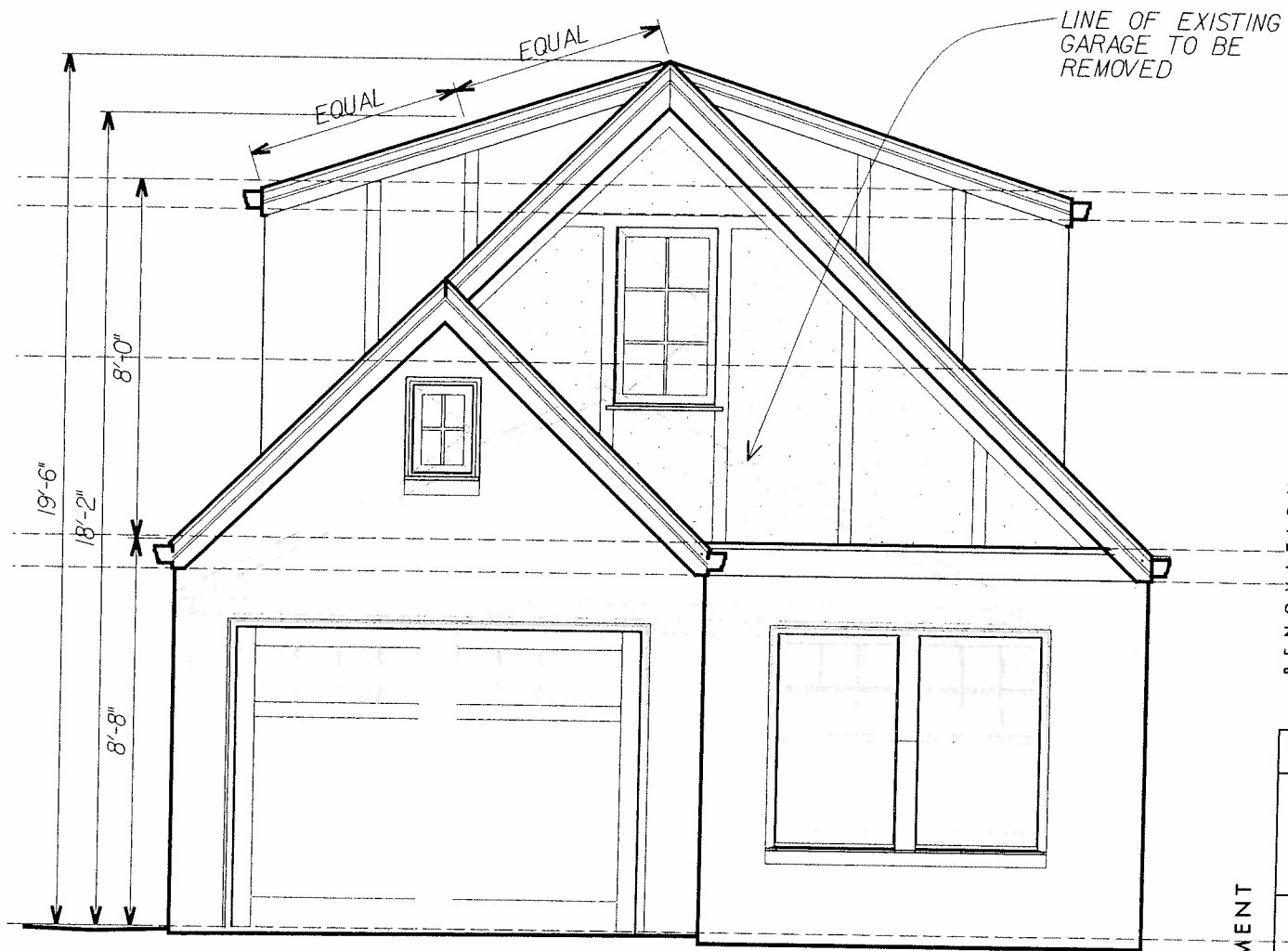
PROPOSED GARAGE 2nd FLOOR PLAN

SCALE: 1/4" = 1'-0" HEATED AREA: 257 SF (W/7' CLG OR GREATER)

V-10-133



PHOTOGRAPH OF EXISTING GARAGE FRONT



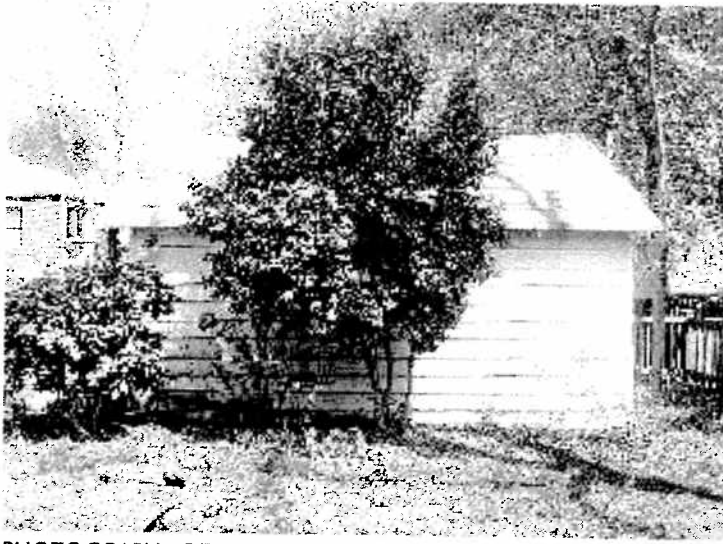
RENOVATIONS AND ADDITIONS FOR THE
GEORGE & EMILY PFEIL RESIDENCE
 1077 LANIER BOULEVARD ATLANTA, GEORGIA 30306

02
 A-1.05

PROPOSED GARAGE FRONT ELEVATION
 SCALE: 1/4" = 1'-0"
 NORTHWEST ELEVATION

DESIGN DEVELOPMENT

08/02/10
A1.03



PHOTOGRAPH OF EXISTING GARAGE SIDE

V-10-133

RECEIVED
 08/02/2010
 OFFICE OF
 PLANNING



RENOVATIONS AND ADDITIONS FOR THE
GEORGE & EMILY PFEIL RESIDENCE
 1077 LANIER BOULEVARD ATLANTA, GEORGIA 30306

DESIGN DEVELOPMENT

08/02/10
A1.03

02
 A-1.05

PROPOSED GARAGE SIDE ELEVATION

SCALE: 1/4" = 1'-0"

SOUTHEAST ELEVATION

CITY OF ATLANTA
55 TRINITY AVE SW STE 1350
ATLANTA, GA. 30303-3534
404-330-6270

Merchant ID: 550138523
Term ID: 001054000550138523003

Sale

XXXXXXXXXXXX8837

VISA

Entry Method: Swiped

Total: \$ 100.00

08/17/10 12:07:19

Inv #: 000007 Appr Code: 001105

Apprvd: Online

Application: V-10-133
Application Type: Planning/BZA/Variance/NA
Address: 1077 LANIER BLVD , ATLANTA, GA 30306
Owner Name: PFEIL GEORGE A
Address:
Phone Name:

Customer Copy

THANK YOU!

Order	Amount Paid	Payment Date	Cashier ID	Received	Comments
	\$100.00	08/17/2010	SGUILDARIE		

Owner Info.: PFEIL GEORGE A

Work Description:

Applicant seeks variance from the zoning ordinance to reduce the side yard setback from 7' (required) to 2' (proposed) and to reduce the rear yard setback from 15' (required) to 10' (proposed) to allow construction of an accessory structure.

PAID
CITY OF ATLANTA
AUG 17 2010
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

VISA
pm