

# Notice To Applicant

City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-10-147**

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

Address of Property: **743 Yorkshire Road**

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, November 4, 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**

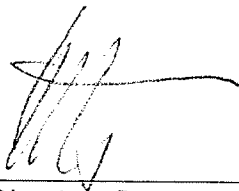
Contact info for adjacent NPUs is provided below if necessary:

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,



CMO, for Director, Bureau of Planning



Neil Struby, Applicant

APPLICATION FOR VARIANCE  
City of Atlanta

RECEIVED  
SEP 8 2000  
Bureau of  
Planning

Date Filed \_\_\_\_\_ Application Number V-10-147

Name of Applicant NEIL STRUBY Daytime Phone 404-456-5500

Company Name STRUBY CONSTRUCTION LLC mail NEIL@STRUBYCONSTRUCTION.CO

Address 127 JEFFERSON PLACE, DECATUR, GA 30030  
street city state zip code

Name of Property Owner BRUCE COX Phone 404-312-2872

Address 743 YORKSHIRE RD, ATLANTA, GA 30306  
street city state zip code

Description of Property

Address of Property 743 YORKSHIRE ROAD ATL GA 30306 OR

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

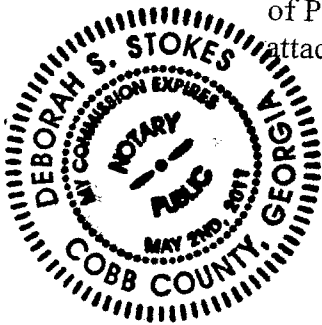
Depth: \_\_\_\_\_ Area: \_\_\_\_\_ Land Lot: 52 District: 17, FULTON County, GA.

Property is zoned: R4, 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 30 Day Of 8, 2000.



Deborah S Stokes  
NOTARY PUBLIC

Neil Struby  
Owner or Agent for Owner (Applicant)  
NEIL STRUBY  
APPLICANT'S NAME IN PRINTED LETTERS



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SEP - 8 2010  
Bureau of  
Planning

# 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  
Dept. of Planning & Community  
Development

Anthony Carter, Interim Director  
Bureau of Building

Zoning Division  
Ann Sharpe-Heard

## REFERRAL CERTIFICATE

COUNCIL DISTRICT C APPLICATION NUMBER V-10-147  
NPU F DATE FILED \_\_\_\_\_

1. Neil Struby

Name of Applicant

### BUILDING PERMIT AUTHORIZING

Variance (second story addition to single family dwelling)

at 743 Yorkshire Road, NE 17<sup>TH</sup>/52  
**Street Address** **Quadrant** **District & Land Lot**

to be used for \_\_\_\_\_ residential \_\_\_\_\_ purposes

The property is zoned R4 \_\_\_\_\_ District

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

Applicant seeks a variance from the zoning regulations to 1) to reduce the required front  
yard setback from 35' to 29' 1" 2) to reduce the required east side yard setback from 7' to  
3'4" to allow a second story addition to an existing single family dwelling. Applicant seeks  
no other variances at this time.

### 1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (1) (2)  
Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_  
Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Department of Planning and Development  
Bureau of Buildings  
Anthony Carter, Interim Director  
Ann Heard, Chief Zoning Division

**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:** REMOVING ROOF & PARTIAL FINISHED ATTIC, & BUILDING NEW SECOND STORY & 1,668 SQ FT CONDITIONED. REMOVING EXISTING FIRST FLOOR (1510 CONDITIONED), AND PREP'ING BASEMENT (PLUMBING ROUGH, CONCRETE FLOOR) (1179 SQ FT FUTURE CONDITIONED) FOR FUTURE FINISH.

**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.

3232 covered square feet / 7,700 total lot square feet = 41.97% proposed lot coverage  
50 % maximum allowed lot coverage

**Variance Procedures**

V-10-147  
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 SEP 10 2014  
 Bureau of Planning

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), 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.

Aug 30, 2010

**Owner:**  
Bruce Cox  
743 Yorkshire RD NE  
Atlanta, GA 30306

**Project Address:**  
743 Yorkshire RD NE  
Atlanta, GA 30306

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SEP 8 2010  
Bureau of  
Planning

V-10-147

To Whom it May Concern,

Please accept this as written justification for a request for variance pursuant to Section 16-26-003 of the City of Atlanta Zoning Ordinance.

**Variance Justification Statement:**

We are seeking a variance at the property address shown above, to reduce the east side yard setback from the required 7 feet in R-4 zoning, to 3 feet 4 inches for a secondary addition to an existing single family residence. There will be no expansion outside the existing footprint, and no disturbed ground outside the existing footprint. *AT TIME OF REVIEW, IT WAS NOTED THAT FRONT SETBACK ALSO NEEDS TO BE REVIEWED FROM*

*Reason for Request: 35' TO 29'-1"*

The current house was originally constructed over the side yard setback line creating a peculiar condition. Due to the tight site conditions created by the width of the property and the topography of the rear yard that contains a creek, to gain additional space we can only expand into our existing attic space. These are exceptional and extraordinary conditions pertaining to this particular piece of property.

This project will involve removing the current roof and partially finished attic, and building a new second story. This new second story footprint will sit directly above the existing first floor footprint. No additional encroachment will be made to the east side yard setback past the existing house foundation walls. The first floor will be renovated by improving the flow, but no additional bedrooms or bathrooms will be built. The existing basement will be prepared for future finish, by improving water infiltration management, installing some plumbing drain lines for a future bathroom, and pouring a concrete slab on the floor. The areas of each floor are shown below:

- New Second Floor: 1,668 square feet
- Renovated First Floor: 1,510 square feet
- Slab area of Basement for future finish: 1,179 square feet

*\*NOTE: BASEMENT LEVEL CANCELS OUT. WALLS ARE*

The new facade architecture is in keeping with the vernacular of the existing house and neighborhood. If *NOT* granted, the variance would not cause substantial detriment to the neighborhood or impair the purpose *EXCEEDING* and intent of the Zoning Ordinance of the City of Atlanta.

*4' AROUND 50% OF BUILDING STRUG*

Thank you for your consideration in this matter.

Sincerely,



Bruce Cox

743 Yorkshire RD NE  
Atlanta, GA 30306  
Home: 404-815-0588  
Cell: 404-312-2872  
Email: mail@brucecox.com

V-10-147

# NOTARIZED AUTHORIZATION BY PROPERTY OWNER

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

RECEIVED  
SEP 3 2010  
Bureau of  
Notary

TYPE OF APPLICATION VARIANCE

I, BRUCE COX (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 743 YORKSHIRE RD NE (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 Neil Struby

ADDRESS OF APPLICANT 127 Jefferson Place  
Decatur, GA 30030

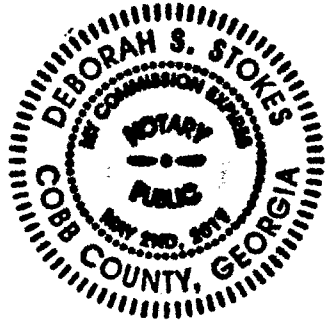
TELEPHONE NUMBER 404-373-3900

[Signature]  
Signature of Owner

Personally Appeared Before Me  
Deborah S Stokes

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief  
Deborah S Stokes

Notary Public  
Date August 30, 2010



RECEIPT

CITY OF ATLANTA  
ATLANTATEST  
55 TRINITY AVE SW

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

Merchant ID: 550138523  
Term ID: 0010540000550138523003

Sale

xxxxxxxxxxxx1482

VISA

Entry Method: Swiped

Total:

\$ 100.00

09/08/10

14:10:30

Inv #: 000011

Appr Code: 0008289

Apprvd: OnLine

**Application:** V-10-147  
**Application Type:** Planning/BZA/Variance/NA  
**Address:** 743 YORKSHIRE RD , ATLANTA, GA 30306  
**Owner Name:** COX BRUCE  
**Owner Address:**  
**Application Name:**

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comme
240710		\$100.00	09/08/2010	PAMITCHELL		

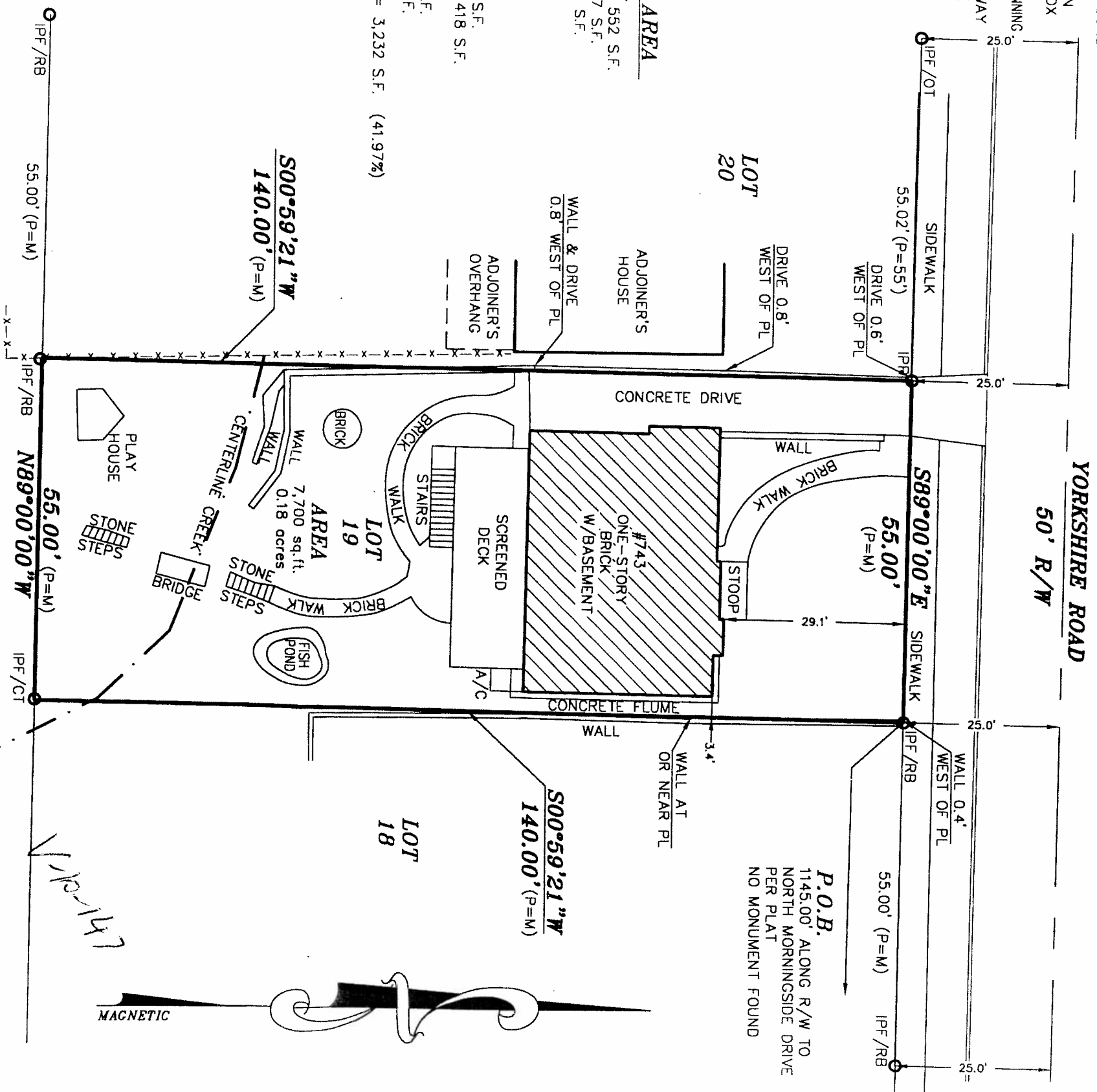
Customer Copy  
THANK YOU!

**Owner Info.:** COX BRUCE

**Work Description:** Variance to reduce 1). front yard sb from 35' to 29'1" and 2). east side yard sb from 7' to 3'4" to allow for a second story addition to an existing SFR.

PAID  
CITY OF ATLANTA  
SEP 08 2010  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

- LEGEND**
- CMP CORRUGATED METAL PIPE
  - DE DRAINAGE EASEMENT
  - SSE SANITARY SEWER EASEMENT
  - BSL BUILDING SETBACK LINE
  - RBFB REBAR FOUND
  - IPFB IRON PIN PLACED
  - IPF IRON PIN FOUND
  - OTF OPEN TOP FOUND
  - CTF CRIMP TOP FOUND
  - REBAR REBAR
  - CB CATCH BASIN
  - JB JUNCTION BOX
  - HW HEAD WALL
  - POB POINT OF BEGINNING
  - MH MAN HOLE
  - R/W RIGHT-OF-WAY
  - PP POWER POLE
  - LL LAND LOT
  - M MEASURED
  - D DEED
  - P PLAT



**IMPERVIOUS AREA**

HOUSE = 1,319 S.F.  
 CONCRETE DRIVE = 552 S.F.  
 BRICK WALKS = 457 S.F.  
 STONE STEPS = 30 S.F.  
 BRIDGE = 28 S.F.  
 STOOP = 40 S.F.  
 WALLS = 109 S.F.  
 FLUME = 40 S.F.  
 A/C PAD = 12 S.F.  
 PLAY HOUSE = 48 S.F.  
 SCREENED DECK = 418 S.F.  
 STAIRS = 60 S.F.  
 BRICK PAD = 30 S.F.  
 FISH POND = 89 S.F.

TOTAL IMPERVIOUS = 3,232 S.F. (41.97%)

NOTE:  
 ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.

**PLAT CERTIFICATION NOTICE**

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.

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 THE LAW OF THE STATE OF GEORGIA.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000 FEET, AN ANGULAR ERROR OF 03 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000 FEET. 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.

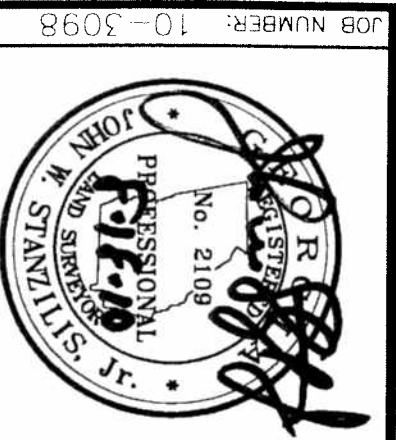


**GRAPHIC SCALE**

REF. JOB NO. 10-2764

UPDATED ASBUILT & ADDED LOT COVERAGE CALCULATIONS - 08/18/10

ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR:		DATE	07-15-10
OWNER / PURCHASER		SCALE	1" = 20'
BRUCE COX		FULLTON COUNTY, GEORGIA	
LAND LOT 52	17th DISTRICT	SECTION	
LOT 19	BLOCK 15	UNIT	
SUBDIVISION MORNINGSIDE-NORTH HIGHLANDS, VIRGINIA HIGHLANDS		AREA OF LOT: 7,700 sq. ft.	



JOB NUMBER: 10-3098

ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED

**SOLAR LAND SURVEYING COMPANY**  
 P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993  
 TELEPHONE (770) 794-9055 FAX (770)794-9052

PLOTTED BY:

PLAT PREPARED FOR:

PLAT BOOK 11, PAGE 125  
 DEED BOOK 20755, PAGE 311