

**Notice To Applicant**  
City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-10-169**

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

Address of Property: **626 Cresthill Ave**

Board of Zoning Adjustment (BZA) Hearing Date:  
**Thursday, December 2, 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:

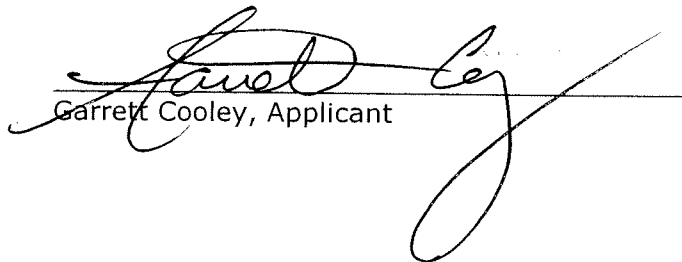
The contact person for NPU is:

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,

  
\_\_\_\_\_  
SGP, for Director, Bureau of Planning

  
\_\_\_\_\_  
Garrett Cooley, Applicant

**APPLICATION FOR VARIANCE**  
City of Atlanta

Date Filed \_\_\_\_\_ Application Number V-16-169  
Name of Applicant Garrett Cooley Daytime Phone 678-886-6678  
Company Name \_\_\_\_\_ e-mail gmcoley@yahoo.com  
Address P.O. Box 957421 Duluth GA. 30095  
street city state zip code

Name of Property Owner Richard and Linda Dicker Phone 404-835-2501  
Address 626 Cresthill Ave. Atlanta, GA. 30306  
street city state zip code

**Description of Property**

Address of Property 626 Cresthill Ave. Atlanta, GA. 30306 OR  
the subject property fronts \_\_\_\_\_ feet on the \_\_\_\_\_ side of \_\_\_\_\_  
\_\_\_\_\_, and begins \_\_\_\_\_ feet from the  
\_\_\_\_\_ corner of \_\_\_\_\_.

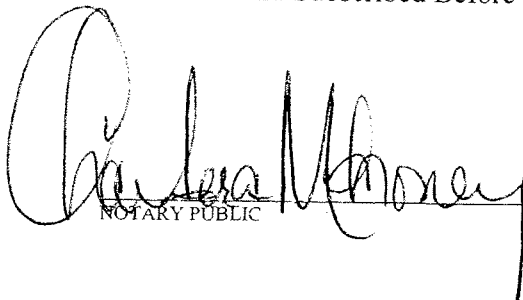
Depth: \_\_\_\_\_ Area: \_\_\_\_\_ Land Lot: \_\_\_\_\_ District: \_\_\_\_\_, \_\_\_\_\_ County, GA.

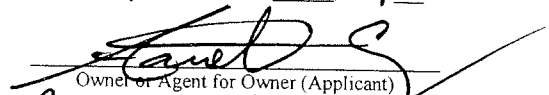
Property is zoned: R-4 Council District: 6, Neighborhood Planning Unit: F

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 15 Day Of Oct, 2010.

  
NOTARY PUBLIC

  
Owner or Agent for Owner (Applicant)  
Garrett Cooley  
APPLICANT'S NAME IN PRINTED LETTERS



# 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 6 APPLICATION NUMBER V-10-169

NPU F DATE FILED \_\_\_\_\_

1. Garrett Coley

Name of Applicant

### BUILDING PERMIT AUTHORIZING

Variance (second story)

at 626 Cresthill Avenue, NE 17<sup>TH</sup>/53  
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 zoning regulations to reduce the required side yard setback from 7' to 5'6" to allow for a second story addition to an existing single family dwelling.

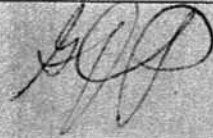
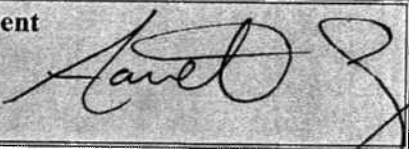
Applicant seeks no other variances at this time.

### 1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

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

RECEIVED  
OCT 17 2006  
Bureau of Planning

V-10-168

**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 997 sq second floor addition over a portion of the existing footprint. Addition includes 3 bedroom 2 bath. No increase in building footprint.

**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.

5,271 covered square feet / 8,053 total lot square feet = 65% proposed lot coverage  
50% maximum allowed lot coverage (existing + proposed)

**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.

Justification for Variance Application

V-10169

Property Address: 626 Cresthill Ave. Atlanta, GA 30309

**Request for side yard set back to be reduced from 7' to 5.6'**

*(1) there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography;*

The width of this property is narrower than the minimum that is required by the zoning regulations for its zoning classification. This property's width is 47.72' and the minimal allowable width for an R-4 lot is 70'. The house's existing footprint encroaches into the side yard set back by 19.2". We cannot increase the current home's lot coverage footprint without increasing the impervious area. We would like to place a minimal second floor addition to the rear of the home over the existing footprint to functionally accommodate the stair plan location, minimize construction cost and maintain the home's one story bungalow appearance from the street.

*(2) the application of the zoning ordinance of the City of Atlanta to this Particular piece of property would create an unnecessary hardship;*

We believe the zoning regulations create an unnecessary hardship on us regarding the use of our property. With our lot's minimal width combined with our existing driveway's minimal width, we can reasonably create a low-profile addition to our home.

*(3) such conditions are peculiar to the particular piece of property involved; and*

Our lot has a nonconforming width. Our existing driveway on the opposite side of the property is 9' wide and occurs on the zero lot line. Our neighbor's driveway adjacent to our variance request side lot line encroaches onto our property by 1.8'.

These combined factors limit our 2nd floor rear addition's buildable location.

*(4) 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.*

The requested variance of granting us a 5.6' side yard set back would not detract from people's use and enjoyment of adjoining and surrounding properties. This length of the encroachment required is only 20' and varies from a 6" encroachment to a 19.2" encroachment. The remainder of our home's footprint does not fall within the side yard set back. Our adjacent neighbor's home has an existing entire second floor addition and is separated from our home by a wide driveway that in fact encroaches onto our property. We will not be affecting their home's light or air flow. We would like to preserve the character and proportions of our one storey bungalow, therefore we are adding only a partial addition to the rear of the home, behind the existing roof's ridge line.

**NOTARIZED AUTHORIZATION BY PROPERTY OWNER**

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

V-10-169

TYPE OF APPLICATION Variance

I, LINDA DICKER (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT \_\_\_\_\_

626 CRESTHILL AVE 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 GARRETT COLEY

ADDRESS OF APPLICANT 3764 Rod Pierce

Lawrenceville, GA 30044

TELEPHONE NUMBER 678-886-6678

Linda Dicker  
Signature of Owner

Personally Appeared Linda Dicker  
Before Me  
James Trahan

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

[Signature]  
Notary Public

Notary Public, DeKalb County, Georgia  
My Commission Expires Feb. 16, 2012

10-12-2010  
Date

**LOT USAGE**

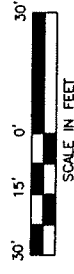
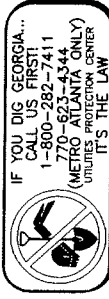
TOTAL LOT AREA= 8,053± Sq. Ft.  
 TOTAL LOT USAGE= 5,271± Sq. Ft.  
 TOTAL % OF LOT COVERAGE= 65%

**REFERENCE MATERIAL**

1. WARRANTY DEED IN FAVOR OF RICHARD DICKER AND LINDA DICKER DEED BOOK 48292 PAGE 79 FULTON COUNTY RECORDS, GEORGIA

**SURVEY NOTES**

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, THE FOLLOWING OFFICES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS. EASEMENTS AS SHOWN ARE APPROXIMATE AND TAKEN FROM RECORDED DOCUMENTS.
2. THROUGH OUT GEORGIA 1-800-282-7411 SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. 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 THE EXPRESS RE-CERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000± FEET, AND AN ANGULAR ERROR OF 02" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000± FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
5. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.



**TOTAL AREA= 0.185± ACRES  
 OR 8,053± SQ. FT.**

**626 CRESTHILL AVENUE  
 ATLANTA, GEORGIA**

PROPERTY OF  
**RICHARD DICKER  
 LINDA DICKER**

**LOT 9 BLOCK "D"  
 NORTH BOULEVARD PARK**

LAND LOT 53  
 DISTRICT 17TH,  
 COUNTY FULTON  
 GEORGIA

SECTION  
 PLAT PREPARED: 10-6-10  
 FIELD: 9-28-10 SCALE: 1"=30'

PB 7  
 PG 50  
 PG 66

**McLUNG SURVEYING SERVICES, INC.**

4833 South Cobb Drive Suite 200  
 Smyrna, Georgia 30080 (770) 434-3383

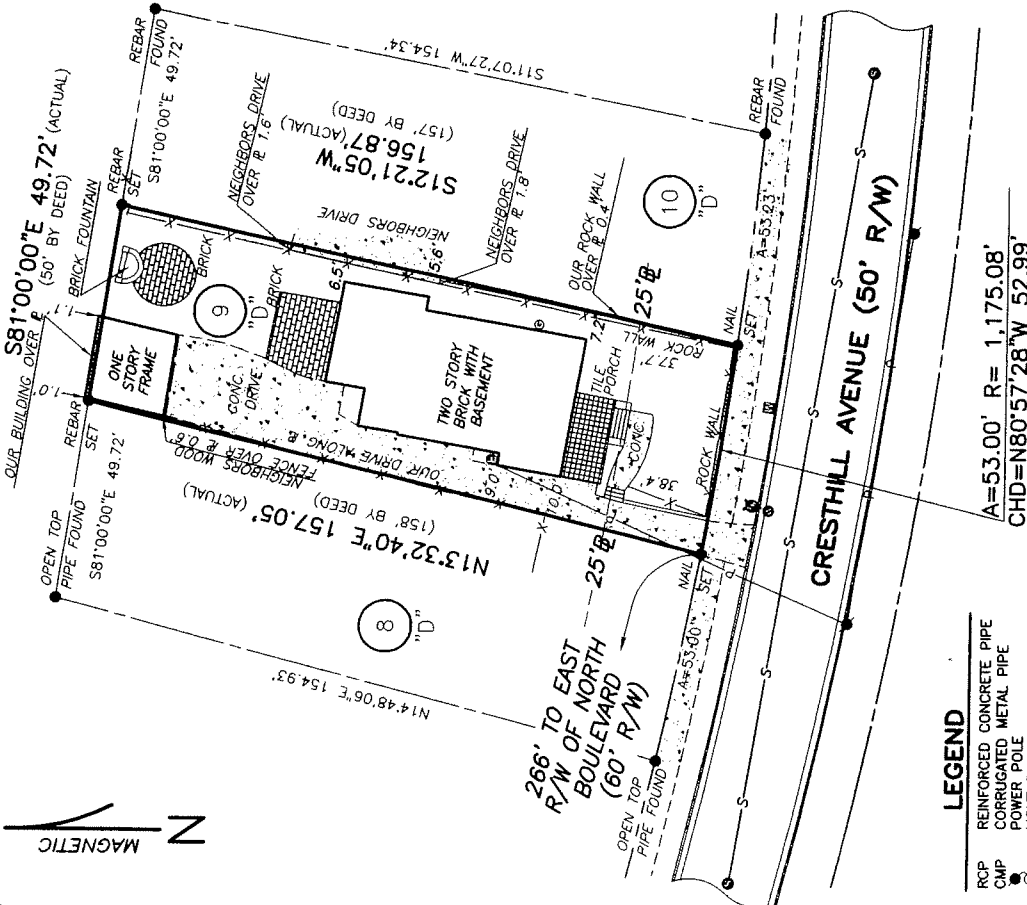
This property (is not)  
 located in a Federal Flood  
 Area as indicated by F.I.R.M.  
 Official Flood Hazard Maps.

In my opinion this plat is a  
 correct representation of the  
 land platted.

This original of  
 this document was  
 sealed and signed by  
 Michael R. Noles  
 L.S. #2646  
 on 10-6-10. THIS  
 REPRODUCTION IS NOT  
 A CERTIFIED  
 DOCUMENT.

Michael R. Noles  
 Georgia RLS #2646  
 Member SAM50G  
 JOB#229020

Fences should not be placed  
 using side dimensions from house.



**LEGEND**

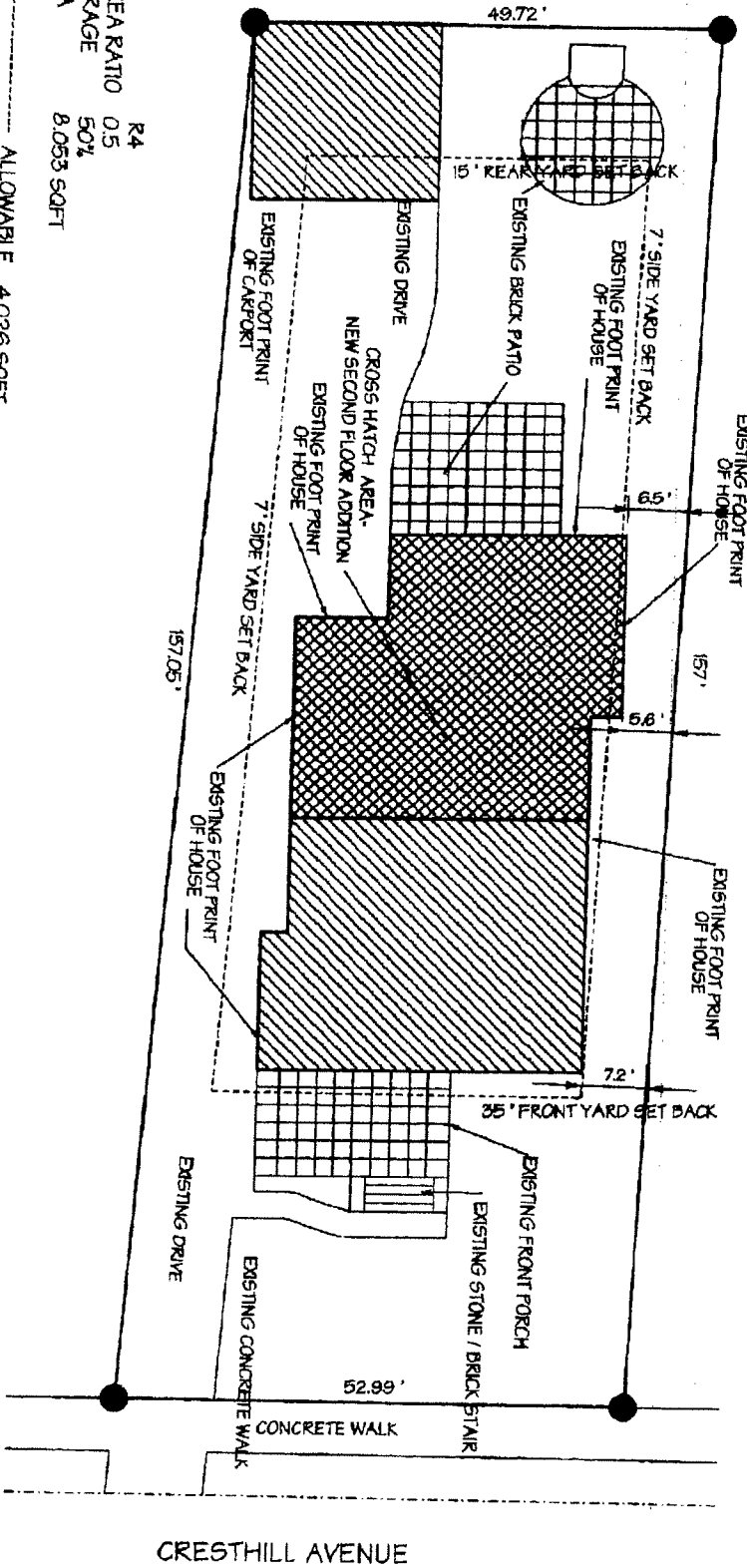
- ROP REINFORCED CONCRETE PIPE
- CMP CORRUGATED METAL PIPE
- POWER POLE
- LIGHT POLE
- POWER METER
- POWER BOX
- AIR CONDITION
- TELEPHONE BOX
- GAS METER
- WAS VALVE
- WATER METER
- WATER VALVE
- JUNCTION BOX
- DROP INLET
- SANITARY SEWER MANHOLE
- FIRE HYDRANT

No.	Revision	Date

U-10-169

RECEIVED FEBRUARY 10 2011

BRUNNEN



ZONED R4  
 FLOOR AREA RATIO 0.5  
 LOT COVERAGE 50%  
 SITE AREA 8,053 SQFT

FAR ----- ALLOWABLE 4,026 SQFT

LOT COVERAGE ----- ALLOWABLE 4,026 SQFT

CROSS HATCH AREA -  
 NEW SECOND FLOOR ADDITION OVER  
 EXISTING FIRST FLOOR

PROPOSED TOTAL AREA 2,956 SQFT

TOTAL LOT COVERAGE EXISTING 5,227 SQFT  
 (WILL NOT CHANGE VARY FROM EXISTING)

NEW SITE PLAN

SCALE 1" = 20'

*Handwritten:* U-10169

DICKER RESIDENCE  
 626 CRESTHILL AVENUE  
 ATLANTA, GEORGIA

STAINBACK HESS STUDIO  
 48 PARK LANE NE  
 ATLANTA, GA 30309  
 404-874-9817



**RECEIPT**

CITY OF ATLANTA  
ATLANTATEST  
55 TRINITY AVE SW

**Application:** V-10-169  
**Application Type:** Planning/BZA/Variance/NA  
**Address:** 626 CRESTHILL AVE , ATLANTA, GA 30306  
**Owner Name:** NEWTON KENNETH D & MC HALE CATHERINE A  
**Owner Address:**  
**Application Name:**

---

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
243715	115	\$100.00	10/13/2010	SLEONARD		

**Owner Info.:** NEWTON KENNETH D & MC HALE CATHERINE A

**Work Description:** reduce sideyard setback from 7' to 5.6'

**PAID**  
CITY OF ATLANTA  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR