

Todd & Teresa Williams

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

re: 991 McLynn Avenue, NE 30306

Planning Staff:

We wish to construct a one-and-a-half car garage in the approximate location of the existing concrete slab in our back yard. To facilitate this work, we propose to reduce the side yard setback from 7 feet to 5.8 feet and the rear yard setback from 15 feet to 3 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 site

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 50 feet wide at the street versus the code required minimum width of 70 feet and it tapers down to around 45 feet wide at the back of our house. Our house is 40 feet wide and is located a little over 2.5 feet from the east edge of the property. This leaves just over 12 feet on the west side of our house, where the driveway is located. There are remnants of a foundation wall where a former garage was located. It was located about 1 foot from the west property line and 7 feet from rear property line. These features have been in place since the house was built in 1927. The close proximity of the former garage off the west property line is ideal for the narrow dimensions of our lot and we wish to locate the new garage in a similar fashion.

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

Our decision to locate the garage within the setbacks 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 is our desire to preserve the existing hardwood trees and permeable ground surface. We have located the garage in a manner to minimize the impact on our neighbors' 34" and 23" diameter hardwood trees, while preserving as much as our back yard as possible.

Such conditions are peculiar to the particular piece of property involved

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 side and rear yard setbacks.

The unique feature on our property is the presence of the abandoned alley adjacent to our driveway on the west side of our property. The alley is 10 feet wide where it meets the street and it widens to 11.6 feet at the back corner of our property. Section 16-28.007, (5d) of the Atlanta Zoning Ordinance allows half the alley width to be considered as within the lot in determining whether side yard requirements have been met. Therefore, if the proposed garage is located on the lot line, there will still be a minimum five foot setback per section 16-28.007 (5d).

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

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 some of the natural coverage where the current driveway now exists and the lot coverage increase is negligible, increasing only from 47% to 48%.

Thank you for your consideration in this request.

Sincerely,

Todd & Teresa Williams



Southeast view of backyard, former garage was located where shed is located



View down our driveway towards the back of the lot, former garage was located where shed is shown. The fence is on the centerline of the alley.