



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 Trinity Avenue, S.W. SUITE 3350 – ATLANTA, GEORGIA 30303-0308
404-330-6145 – FAX: 404-658-7491
www.atlantaga.gov

JAMES SHELBY
Commissioner

M. KASIM REED
MAYOR

CHARLETTA WILSON JACKS
Director, Office of Planning

MEMORANDUM

TO: NPU-F Zoning Contact, Charlie Nalbone

FROM: Brandy Crawford, Urban Planner, Principal

SUBJECT: Board of Zoning Adjustment (BZA) case(s)

DATE: March 14, 2011

The enclosed variance application(s) is scheduled for public hearing before the Board of Zoning Adjustment on May 5, 2011. I can be reached at 404.330.6145 with any questions.

V-11-030

Notice To Applicant

City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-11-030**

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

Address of Property: **1332 Northview Avenue**

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, May 5, 2011 at 12:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU F is:

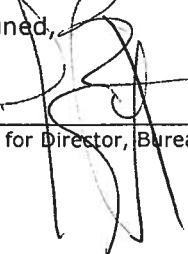
Charlie Nalbone
404-626-1354
atlanta.npuf.zoning@gmail.com

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, 

EB, for Director, Bureau of Planning



Larry Pett, Applicant

APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 3/8/11 Application Number V-11-30
Name of Applicant LARRY PETT Daytime Phone 404-875-4476
Company Name HOUSEWRIGHT, INC e-mail LARRYPETT@AOL.COM
Address 1715 MERTON Rd, ATLANTA GA 30306
street city state zip code

Name of Property Owner GERALD TALANSKY Phone 404-881-8474
Address 1332 NORTHVIEW AVE, ATL, GA 30306
street city state zip code

Description of Property

Address of Property 1332 NORTHVIEW AVE, ATL 30306 OR
the subject property fronts _____ feet on the _____ side of _____
_____, and begins _____ feet from the
_____ corner of _____.

Depth: 150/170 FT Area: 9606 Land Lot: 2 District: 17TH FULTON County, GA.
SF.

Property is zoned: R4, Council District: 6, Neighborhood Planning Unit: F

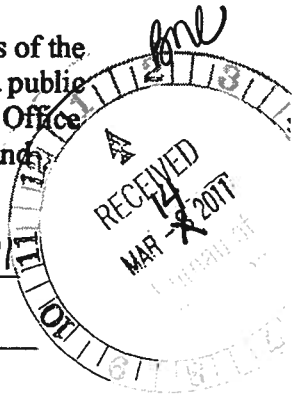
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant variance(s).

I hereby authorize the staff of the Office 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 Office 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 14 Day Of 3, 20011

Larry Pett
Owner or Agent for Owner (Applicant)
LARRY PETT
APPLICANT'S NAME IN PRINTED LETTERS

George
NOTARY PUBLIC
GEORGIA
FEB. 7, 2015
BUTTS COUNTY
03/14/2011



APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 3/8/11 Application Number V-11-30
Name of Applicant LARRY PETT Daytime Phone 404-875-4476
Company Name HOUSEWRIGHT, INC e-mail LARRYPETT@AOL.COM
Address 1715 MERTON RD, ATLANTA GA 30306
street city state zip code

Name of Property Owner GERALD TALANSKY Phone 404-881-8474
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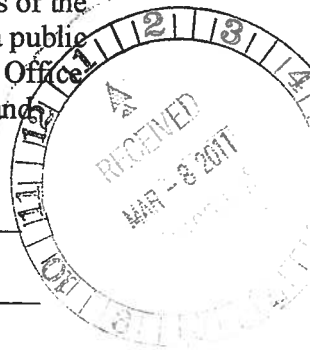
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Sworn To And Subscribed Before Me This _____ Day Of _____, 200_____

Owner or Agent for Owner (Applicant)

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

Don Rosenthal
Director
Office of Buildings

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-11-30

Zoning Enforcement Division

NPU F

DATE FILED _____

I. Larry Pett

Name of Applicant

BUILDING PERMIT AUTHORIZING

Detached garage addition



at 1332 Northview Ave., N.E. 17th / 2
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 zoning regulations to reduce the south side yard setback from 7ft.(required) to 3ft. and reduce the rear yard setback from 15ft.(required) to 3ft. for a detached garage addition to an existing single-family house. Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2) & (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Department of Planning and Development
Office of Buildings
Don Rosenthal, Director
Ann Heard, Chief Zoning Division

Applicant: Larry Pett

Zoning Plan Reviewer: Ann Heard

3/8/11

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: DEMOLISH EXISTING GARAGE, CONSTRUCT NEW ONE-STORY 153.75 SQ FT GARAGE AND BONUS RM/OFFICE/PANTRY ROOM

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.

4,135 covered square feet / 9,606 total lot square feet = 49.3 % proposed lot coverage

50.0 % 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 Office 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 Office of Planning will send a copy of your application to the appropriate NPU during the week after the closing date for your application.

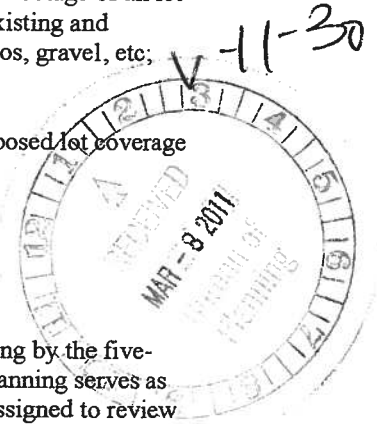
Public Notice. When you file your application, it will be scheduled for a public hearing. The Office of Planning will initiate posting of public notice ("an advertisement", "a legal ad") for this public hearing so that the public is informed at least 15 days before the date of the public hearing:

- 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 Office 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. Office 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.



Re: 1332 Northview Ave, NE, Atlanta, GA 30306

CRITERIA FOR VARIANCE:

(1) Extraordinary and exceptional conditions pertaining to the particular piece of property:

Applicant seeks a zoning variance from existing side-yard setback and rear-yard setback requirements in order to construct a one-story, two-car garage and bonus room/office in back of the garage.

There is an existing , original 20 ft. X 21 ft. garage on approximately the same site that is to be demolished. The existing garage is old and structurally unsound and in need of many repairs.

The existing house on the property is a two-bedroom house and the owners need an additional multi-purpose room to use when needed for guests or office use.

The 60-wide lot is too narrow and too shallow to permit the construction of the garage in compliance with existing zoning regulations; the garage would have to be built too close to the center of the back yard and too close to the existing residence, severely impacting several large well-established trees. In addition, it would be difficult to construct a new driveway that would serve this garage without making the back yard unusable.

(2) The application of the zoning ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship:

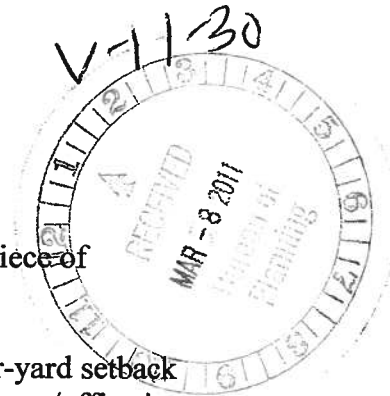
The garage/bonus room, if built within the proscribed setbacks, would have to be placed much closer to the existing house structure, effectively eliminating the use of most of the existing back yard.

The driveway access to the new garage would further reduce the effective use of the back yard because it would be much closer to the house than if the zoning variance were permitted.

(3) Such conditions are peculiar to this particular piece of property:

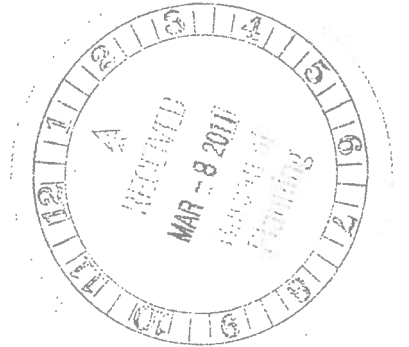
Because of the width and depth of this lot, and the locations of existing hardwood trees, building a garage which conforms to the proscribed setbacks would create an unpleasant appearance to the lot and diminish the use of the property.

(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:



Other adjoining properties in the area have garages near the back corners of their respective properties, and the proposed location of this structure would not not affect the use or enjoyment of any of the neighbors' properties; The proposed location of the structure would enhance the health of existing shade trees and serve to improve the proportionality and general layout of structures on this particular lot; From the front of the property and the driveway, the appearance and location of the garage would not differ from that of the existing garage, except the architectural style of the new structure would match the architecture of the residence (versus the appearance of the existing garage).

Applicant seeks a reduction in the rear-yard set back, from 15 ft. to 3 ft. and a reduction in the side-yard setback, from 7 ft. to 3 ft.



V-11-30

GEORGIA, FULTON COUNTY
FILED AND RECORDED

92 OCT 22 AM 8:30

JUANITA HICKS
CLERK, SUPERIOR COURT

WARRANTY DEED

STATE OF GEORGIA

COUNTY OF FULTON

This Indenture made this 15th day of October, in the year One Thousand Nine Hundred Ninety-Two, between JEFFREY S. ODELL and KAREN ODELL, of the County of FULTON, State of Georgia, as party or parties of the first part, hereinunder called Grantor, and GERALD L. TALANSKY and CYNTHIA RATCLIFF, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 2, 17TH DISTRICT, FULTON COUNTY, GEORGIA, BEING LOT 8, BLOCK B, HIGHLAND PARK, AS PER PLAT RECORDED IN PLAT BOOK 9, PAGE 186, FULTON COUNTY, GEORGIA RECORDS.

Fulton County, Georgia
Real Estate Transfer Tax
Paid \$ 205.00
Date 10-22-92

JUANITA HICKS
Clerk, Superior Court

By: [Signature]
Deputy Clerk



V-11-30

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]

[Signature] (Seal)
JEFFREY S. ODELL

NOTARIZED AUTHORIZATION BY PROPERTY OWNER

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

TYPE OF APPLICATION ZONING VARIANCE

I, GERALD TALANSKY (OWNER'S NAME)

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

1332 NORTHVIEW AVE, NE (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF FULTON COUNTY, GEORGIA WHICH

IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE

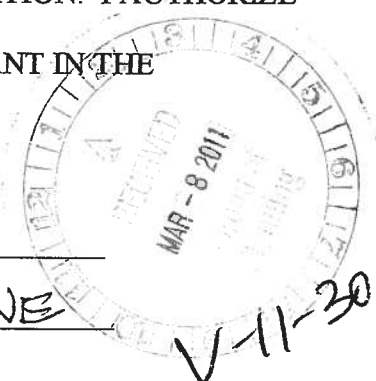
THE PERSON NAMED BELOW TO ACT AS THE APPLICANT IN THE

PURSUIT OF THIS APPLICATION.

NAME OF APPLICANT LARRY J PETT

ADDRESS OF APPLICANT 1715 MERTON RD, NE
ATLANTA, GA 30306

TELEPHONE NUMBER 404-815-4476



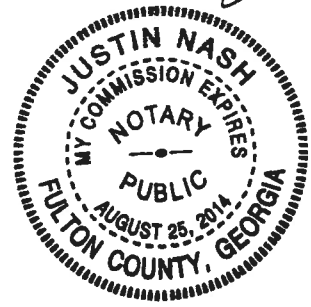
[Signature]
Signature of Owner

Personally Appeared Before Me Gerald Talansky

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

3/8/11
Date



chapters for value and without knowledge. With respect to Section 1(a)(iv) of the Exclusions From Coverage, "public records" shall also include environmental protection liens filed in the records of the clerk of the United States district court for the district in which the land is located.
(g) "unmarketability of the title": an alleged or apparent matter affecting the title to the land, not excluded or excepted from coverage, which would entitle a purchaser of the estate or interest...

information or grant permission to secure reasonably necessary information from third parties as required in this paragraph, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.
6. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY.
In case of a claim under this policy, the Company...

the amount so paid shall be deemed a payment under this policy to the insured owner.
12. PAYMENT OF LOSS.
(a) No payment shall be made without producing this policy for endorsement of the payment unless the policy has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.
(b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss...

Issued by

First American Title Insurance Company

Agents File No.: 92-01477

SCHEDULE A

Loan	POLICY NUMBER	DATE AND TIME OF POLICY	AMOUNT OF INSURANCE
	FA-14-155635	October 22, 1992 at 8:30 a.m.	\$164,000.00
Owners	POLICY NUMBER	DATE AND TIME OF POLICY	AMOUNT OF INSURANCE
	FA-20--08009	October 22, 1992 at 8:30 a.m.	\$205,000.00

NOTE: A loan policy on the encumbrance described in this schedule has been issued naming the insured:

1. Name of Insured:

Gerald L. Talansky and Cynthia Ratcliff

2. The estate or interest in the land described in this Schedule:

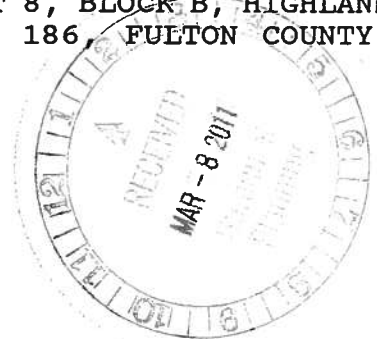
Gerald L. Talansky and Cynthia Ratcliff

3. The land herein described is encumbered by the following mortgage and assignments, if any; and the mortgages, if any, shown on Schedule B hereof.

Security Deed from Gerald L. Talansky and Cynthia Ratcliff to Dunwoody Mortgage, Inc., dated October 15, 1992, filed for record October 22, 1992, at 8:30 a.m., recorded in Deed Book 15892, Page 219, Fulton County, Georgia records.

4. The land referred to in this Policy is in the State of Georgia, County of Fulton, and is described as follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 2 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING LOT 8, BLOCK B, HIGHLAND PARK, AS PER PLAT RECORDED IN PLAT BOOK 9, PAGE 186, FULTON COUNTY, GEORGIA RECORDS.

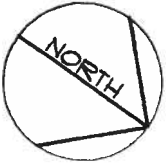


Dated this 4th day of February, 1993.

NEEL, COHEN & ROBINSON

By: Harold M. Cohen
Harold M. Cohen

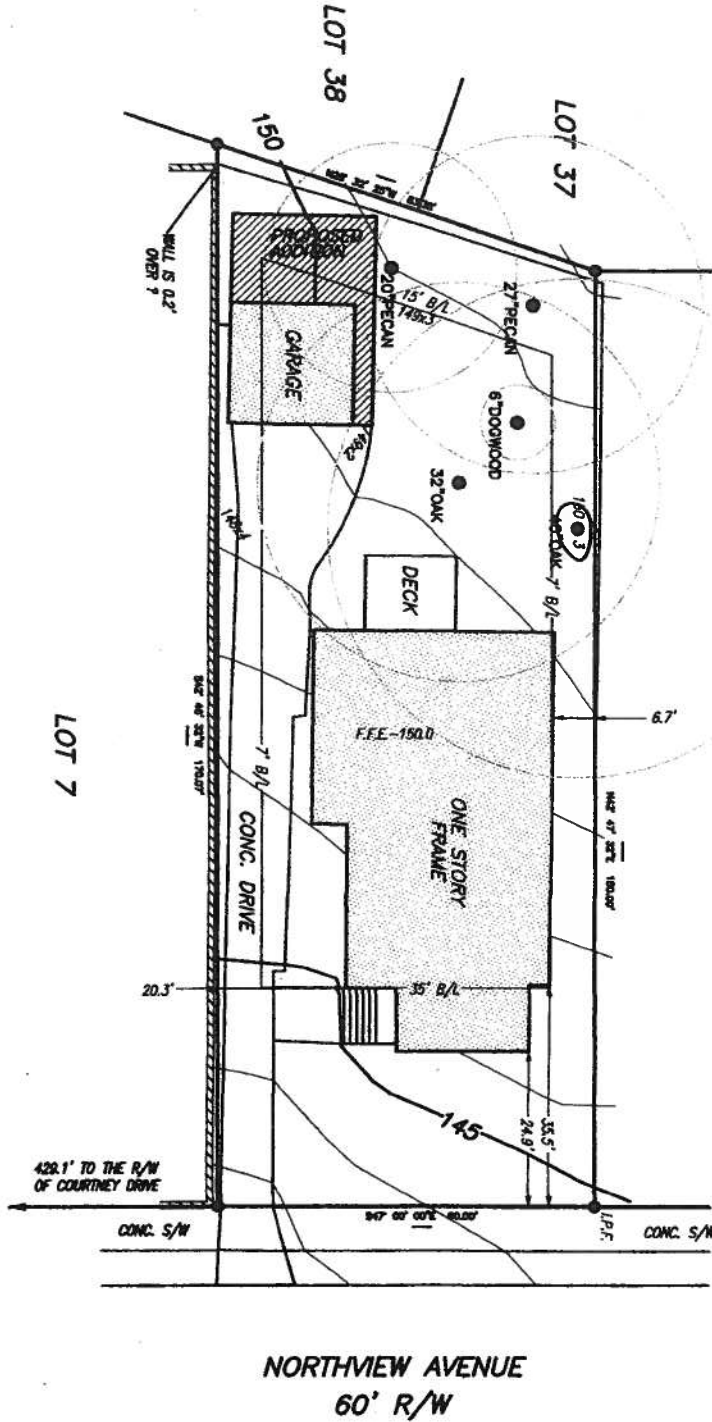
V-11-30



A-1

SITE PLAN

LAND LOT 2
 17th DISTRICT
 CITY OF ATLANTA
 FULTON COUNTY, GA
 AREA OF PROPERTY = 9,606 SQ. FT. (0.2205 AC.)
 LOT COVERAGE = 4,735 S.F. / 9,606 S.F. = 49.3%



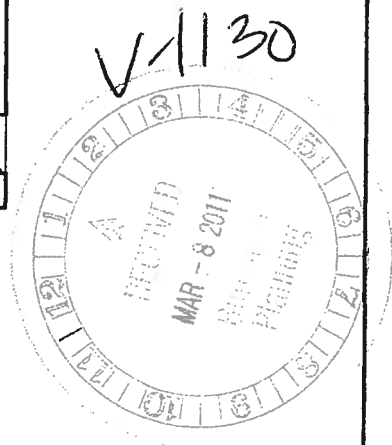
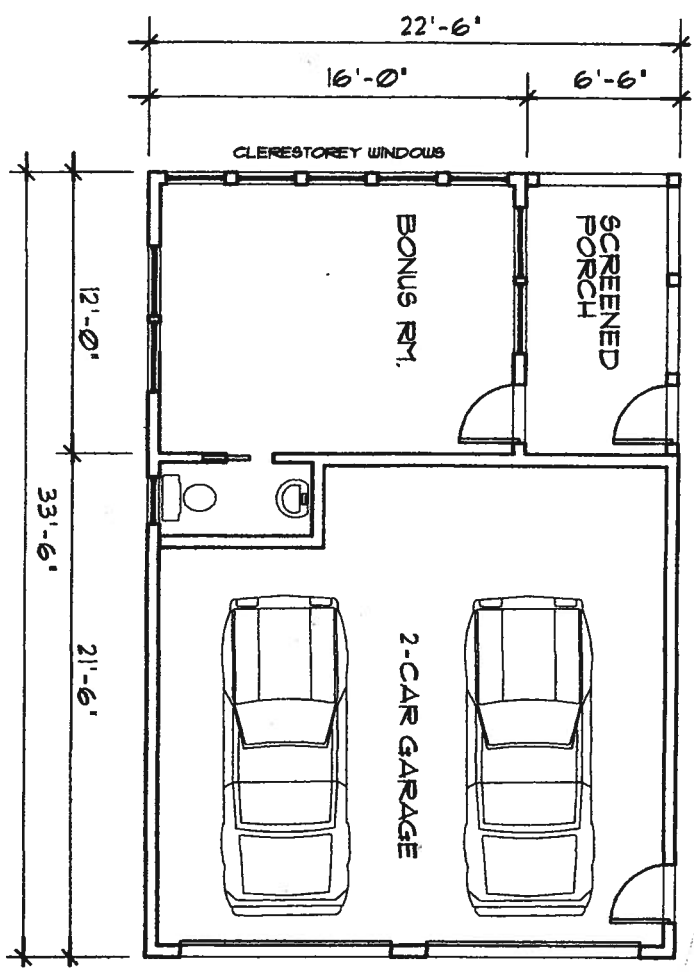
V-11-30

TALANSKY HOUSE ADDITION

1332 NORTHVIEW AVE.
 ATLANTA, GA 30306

A-1

PRELIM. GARAGE FLOOR PLAN
 1/8" = 1'-0"
 153.75 SF.



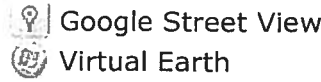
TALANSKY HOUSE ADDITION

1332 NORTHVIEW AVE.
ATLANTA, GEORGIA

PA-1

Parcel Details

17 00020007016
 1332 NORTHVIEW AVE NE
 TALANSKY GERALD L

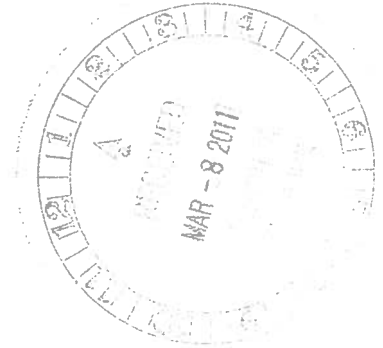


- Planning
- Map
- Tax
- Public Safety
- Demographics

Planning Designations

District/Landlot	17-2 cadastral map
Zoning	
Primary	R-4
Overlay	-
Maps	Official Zoning Map (pdf) Online Map
Future Land Use	Single-Family Residential (SFR)
NPU	F
Adjacent NPU (within 300 feet)	-
Neighborhood	Morningside/Lenox Park
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
Community Development Impact Areas	No
Urban Redevelopment Areas	No
Property in Murphy Triangle	No

V-11-30



RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

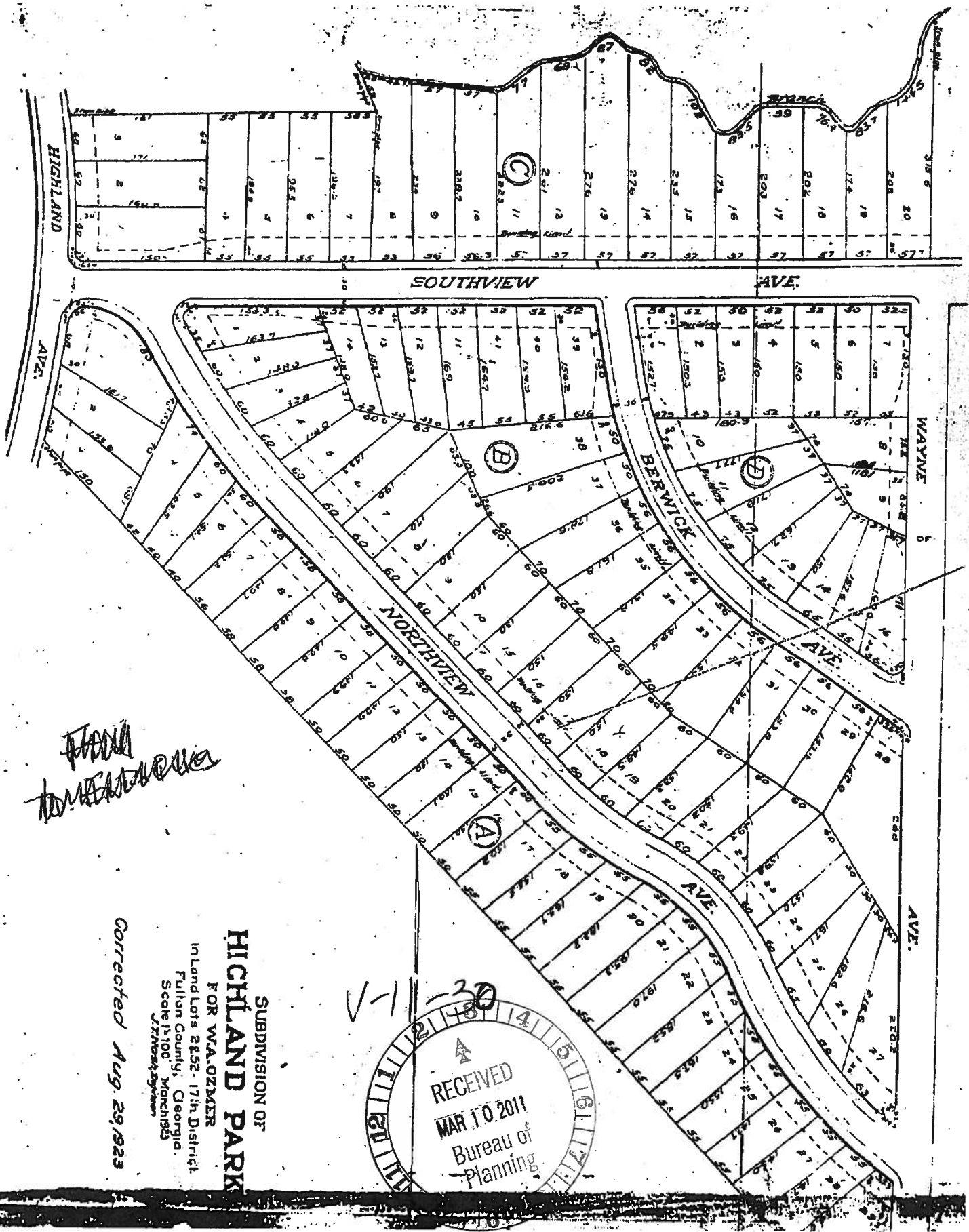
Application: V-11-030
Application Type: Planning/BZA/Variance/NA
Address: 1332 NORTHVIEW AVE , ATLANTA, GA 30306
Owner Name: TALANSKY GERALD L & RATCLIFF CYNTHIA
Owner Address:
Application Name: Larry Pett

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
254766	1150	\$100.00	03/08/2011	CGOODE		

Owner Info.: TALANSKY GERALD L & RATCLIFF CYNTHIA

Work Description: Applicant seeks a variance from the zoning regulations to reduce the required south side yard setback from 7ft (required) to 3ft and reduce the rear yard setback from 15ft (required) to 3ft for a detached garage addition to an existing single-family house. Applicant seeks no other variances at this time.

PAID
CITY OF ATLANTA
MAR 08 2011
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR
EC



Handwritten notes:
 FROM
 TO [unclear]

Corrected Aug. 29, 1923
 SUBDIVISION OF
HIGHLAND PARK
 FOR W.A. OZMAER
 in Land Lots 2852-17th District
 Fulton County, Georgia.
 Scale 1/4" = 100' March 1923
 J. Thomas [unclear]

