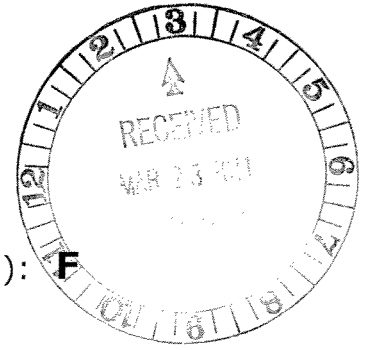


**Notice To Applicant**  
City of Atlanta - Bureau of Planning



APPLICATION NUMBER: **V-11-044**

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

Address of Property: **434 Rock Springs Rd. NE**

Board of Zoning Adjustment (BZA) Hearing Date:  
**Thursday, May 12, 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,

  
KSD, for Director, Bureau of Planning

  
David Ogram, Applicant



# 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

James Shelby,  
Commissioner  
Planning & Community  
Development

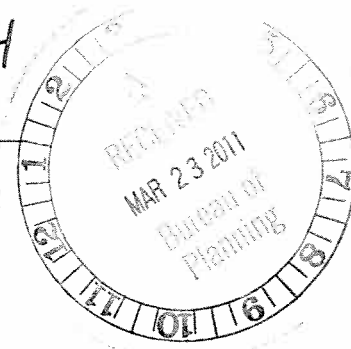
Kasim Reed  
MAYOR

## REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-11-044

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

David Ogram  
Name of Applicant



## BUILDING PERMIT AUTHORIZING

The construction of a guest house

at 434 Rock Springs Road N.E. 17/57  
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 regulations to increase the maximum square  
footage allowed for an accessory structure from 30% (551 sq. feet) to 44.8% (823 sq. feet) in  
order to erect a guest house.

Applicant seeks no other variances at this time.

*David Ogram 3/23/11*

### 1982 ZONING ORDINANCE, AS AMENDED

Chapter 28 Section 16-28.004 Paragraph (3)

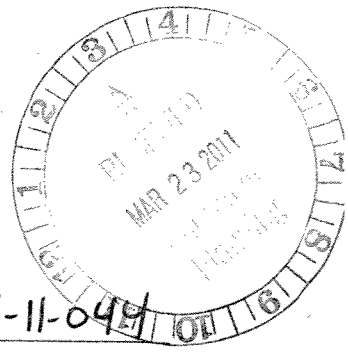
Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

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

Department of Planning and Development

*[Signature]* 3/23/11

APPLICATION FOR VARIANCE  
City of Atlanta



Date Filed \_\_\_\_\_ Application Number V-11-049  
Name of Applicant David Ogram Daytime Phone 404-578-0352  
Company Name \_\_\_\_\_ e-mail davidrogram@aol.com  
Address 1708 Peachtree St. Atlanta, GA 30309  
street city state zip code

Name of Property Owner Jeffrey Cooper Phone 404-983-4490  
Address 434 Rock Springs Atlanta GA. 30324  
street city state zip code

Description of Property

Address of Property 434 Rock Springs OR  
the subject property fronts \_\_\_\_\_ feet on the \_\_\_\_\_ side of \_\_\_\_\_  
, and begins \_\_\_\_\_ feet from the  
corner of \_\_\_\_\_

Depth: 200 Area: 276A Land Lot: 57 District: 17th, Fulton County, GA.  
Property is zoned: R-4 Council District: \_\_\_\_\_, Neighborhood Planning Unit: \_\_\_\_\_

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 23rd Day Of March 20010

David Ogram  
Owner or Agent for Owner (Applicant)  
David Ogram  
APPLICANT'S NAME IN PRINTED LETTERS

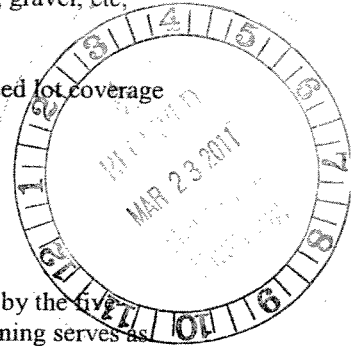
Theresa C. Payne  
NOTARY PUBLIC

Theresa C. Payne  
Notary Public  
Fulton County, Georgia  
Commission Expires  
August 06, 2013

**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:** Build an guest house accessory structure in the back yard that exceeds the 30% allowable to main by 15%

**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.

5797 covered square feet / 12024.5 total lot square feet 48 % 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 (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.*

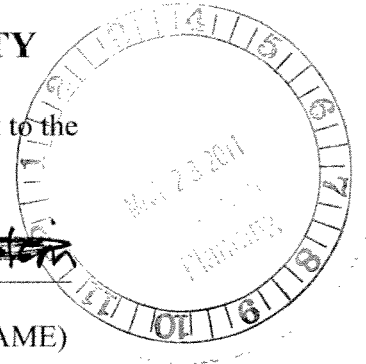
**Refunds on Withdrawn Cases.** Requests for withdrawal received 18 days prior to the public hearing will enable a refund of the application fee.

**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.

V-11-044

**NOTARIZED AUTHORIZATION BY PROPERTY OWNER**

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



TYPE OF APPLICATION Varian ce - ~~Special Exemption~~

I, Jeffrey C Cooper (OWNER'S NAME)

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

434 Rock Springs Rd NE Atlanta GA 30324 (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 David Ogura

ADDRESS OF APPLICANT 1708 peachtree St.  
Atlanta, GA 30309

TELEPHONE NUMBER 404-578-0352

[Signature]  
Signature of Owner

Personally Appeared  
Before Me

Jeffrey Craig Cooper

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

Date 3/21/11



V-11-044

March 22, 2011

**434 Rock Springs Road  
ATLANTA, GA 30324**

To Whom It May Concern,

We are applying for a variance at 434 Rock Springs Road, Atlanta, Georgia 30324, to allow for a proposed new guest house accessory building (without a kitchen and without 220V electrical service) that will exceed the allowable 30% ratio of the main structure. Our proposed accessory structure is 45% of the main house structure.

The house is currently a one story single family residence zoned R-4 on a .276 acre lot.

There are extraordinary and exceptional conditions pertaining to this piece of property due to its size, shape or topography.

The property is 12,024.5sf and is 60.22' wide which is less than the 70' R-4 minimum lot frontage.

The application of the city ordinance to this particular piece of property would create an unnecessary hardship.

The existing house is a small one story 1,836sf single family residence with an existing one story single car garage located in the side yard set back that is to be removed. The proposed 750sf guest house is 15% over the allowable main house to guest house structure ratio. The home owner does not want to redesign or add on to the main house to gain this additional square footage.

Such conditions are peculiar to this piece of property.

The small size of the existing residence does not compare to other larger residences in the neighborhood that would allow this size accessory structure.

Relief, if granted, would not cause substantial detriment to the good or impair the purpose of the Atlanta zoning ordinance.

Approval of this variance would allow construction of a non offensive discretely designed guest house accessory structure. The neighbors understand this and we have received favorable reaction from neighbors on the street. We intend to bring their letters of support to the local association NPU and BZA meetings. We believe this zoning change would not impair the purposes and intent of the zoning ordinances and have no adverse effect on the community. We ask for your approval.



RECEIPT

CITY OF ATLANTA  
ATLANTATEST  
55 TRINITY AVE SW

**Application:** V-11-044  
**Application Type:** Planning/BZA/Variance/NA  
**Address:** 434 ROCK SPRINGS RD , ATLANTA, GA 30324  
**Owner Name:** HART BRAD H & COOPER JEFFREY C  
**Owner Address:**  
**Application Name:**

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Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
256088	22503	\$100.00	03/23/2011	SGUILDARIE		

**Owner Info.:** HART BRAD H & COOPER JEFFREY C

**Work Description:** Var. to increase the max s.f. allowed for an accessory structure from 30% (551 s.f.) to 44.8% (823 s.f.) in order to erect a guest house.

PAID  
CITY OF ATLANTA  
MAR 23 2011  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

CK# 22503  
SS/OF