

# Notice To Applicant

City of Atlanta - Bureau of Planning



APPLICATION NUMBER: **V-11-052**

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

Address of Property: **806 Ponce de Leon place**

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, June 2, 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**

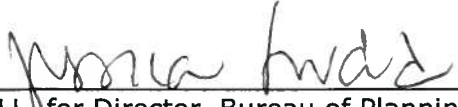
Contact info for adjacent NPUs is provided below if necessary:

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.

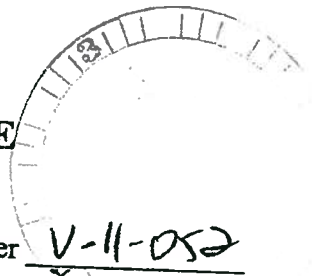
**Sign Posting** - The property owner is required to post a sign or signs in a conspicuous place on the property at least 15 days before the hearing date shown above. One sign shall be placed every 600 feet along each street the property abuts. A sign posting affidavit must be returned to the Bureau of Planning to confirm posting.

Signed,

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

  
\_\_\_\_\_  
Sara Taylor, Applicant

APPLICATION FOR VARIANCE  
City of Atlanta



Date Filed 04-04-2011

Application Number V-11-052

Name of Applicant SARA F. TAYLOR Daytime Phone 404 223 1313

Company Name TAYLOR ARCHITECTURE, INC e-mail Sarafarracho@gmail.com

Address 112 KROG STREET ST. 196 ATLANTA GA 30307  
street city state zip code

Name of Property Owner MICHAEL OKI Phone 404 969 4920

Address 806 PONCE DE LEON PL. ATLANTA GA 30306  
street city state zip code

Description of Property

Address of Property 806 PONCE DE LEON PL. OR

the subject property fronts 49.91' feet on the WEST side of PONCE DE LEON PLACE, and begins 144.05' feet from the SOUTHERNLY corner of GREENWOOD AVENUE.

Depth: 144.05' Area: 0.16 AC Land Lot: 17 District: 14, FULTON County, GA.

Property is zoned: R62, 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 13<sup>th</sup> Day Of Apr, 2011.

Kelly Locklear

SARA FARRACHO TAYLOR  
Owner or Agent for Owner (Applicant)

SARA FARRACHO TAYLOR  
APPLICANT'S NAME IN PRINTED LETTERS



APPLICATION FOR VARIANCE  
City of Atlanta



Date Filed 04-04-2011 Application Number V-11-052  
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Company Name TAYLOR ARCHITECTURE, INC e-mail SaraFarracho@gmail.com  
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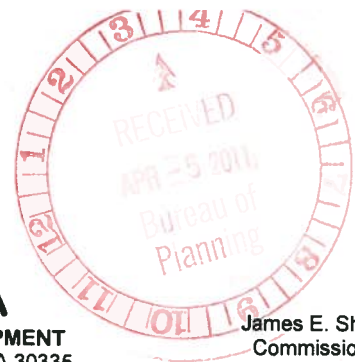
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Sworn To And Subscribed Before Me This \_\_\_\_ Day Of \_\_\_\_, 200\_\_.

\_\_\_\_\_  
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

Ibrahim Maslamani, CBO,  
AIA  
Director  
Office of Building

## REFERRAL CERTIFICATE

COUNCIL DISTRICT 2 APPLICATION NUMBER 1-11-052  
NPU F DATE FILED April 5 2010

Sara F. Taylor

Name of Applicant

### BUILDING PERMIT AUTHORIZING Addition to a duplex

at 806 Ponce De Leon Place NE 14<sup>th</sup>/17  
Street Address Quadrant District & Land Lot

to be used for residential purposes

The property is zoned RG-2 District

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

Applicant seeks a variance from the zoning ordinance to (1) reduce the side yard setback from 7' (required) to 0' , (2) reduce the half-depth front yard from 20' (required) to 0' and (3) reduce the rear yard from 7' (required) to 0' to allow a deck addition to a duplex.  
Applicant seeks no other variances at this time.

### 1982 ZONING ORDINANCE, AS AMENDED

Chapter 08 Section 16-08.008 Paragraph (1)(2)  
Chapter 28 Section 16-28.007 Paragraph (b)  
Chapter 28 Section 16-28.011 Paragraph (5)(e)

Department of Planning and Development  
Office of Buildings  
DON L. ROSENTHAL, CBO, MBA, Director  
Ann Heard, Chief Zoning Division

Applicant: SARA FARRACUCI TAYLOR Zoning Plan Reviewer: [Signature]

V-11-52

**NOTARIZED AUTHORIZATION BY PROPERTY OWNER**

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



TYPE OF APPLICATION various

I, MICHAEL OKI (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 805 PONCE DE LEON PL. (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 SARA TAYLOR

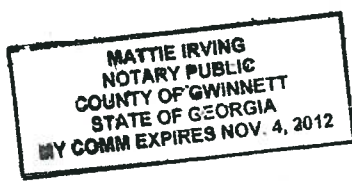
ADDRESS OF APPLICANT 112 KROG ST, SUITE 196  
ATLANTA, GA 30307

TELEPHONE NUMBER (334) 275-5856

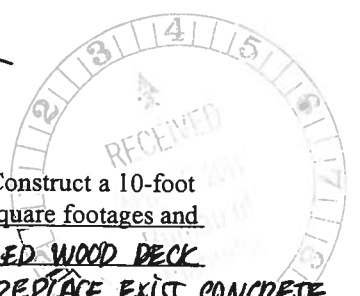
[Signature]  
Signature of Owner

Personally Appeared Before Me  
Michael OKI

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 3/24/11



V-11 52



**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:

REPLACE EXISTING WOOD DECK 536 SQ.FT. WITH ENLARGED WOOD DECK 940 SQ.FT., AND COVER EXISTING PARKING SPACE 555 SQ.FT.; REPLACE EXIST. CONCRETE STAIR WITH NEW STAIR. APPLICANT SEEKS A VARIANCE FROM THE ZONING ORDINANCE

TO REDUCE THE SIDEYARD FROM 7.5 FT. TO 0 FT.; HALF DEPTH SETBACK FROM 20' 0" TO 0 FT. AND REAR YARD FROM 7.5 FT. TO 0 FT.

**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.

\_\_\_\_\_ covered square feet / 6969.6 total lot square feet = \_\_\_\_\_ % proposed lot coverage

\_\_\_\_\_ % 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 (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.

V-11-52

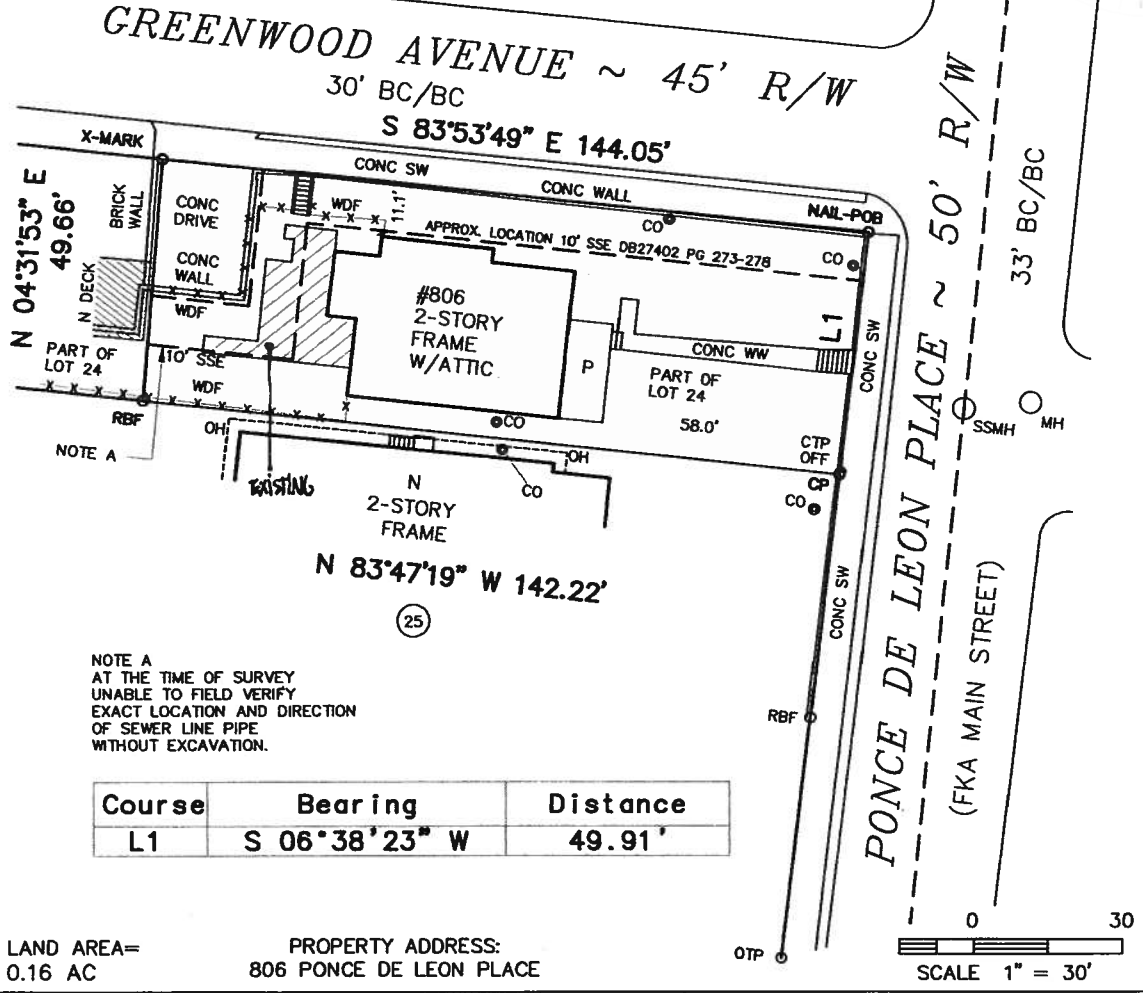
**\* LEGEND \***

- |                           |                             |
|---------------------------|-----------------------------|
| IPF IRON PIN FOUND        | POB POINT OF BEGINNING      |
| IPS IRON PIN SET          | LLL LAND LOT LINE           |
| OTP OPEN TOP PIPE FOUND   | MH MAN HOLE                 |
| CTP CRIMP TOP PIPE FOUND  | SSL SANITARY SEWER LINE     |
| RBF REINFORCING BAR FOUND | CB CATCH BASIN              |
| AI ANGLE IRON FOUND       | JB JUNCTION BOX             |
| CP CALCULATED POINT       | DI DRAINAGE INLET           |
| -X-X FENCE                | YI YARD INLET               |
| CLF CHAIN LINK FENCE      | HW HEAD WALL                |
| WDF WOOD FENCE            | PP POWER POLE               |
| WRF WIRE FENCE            | PW POWER LINE               |
| FC FENCE CORNER           | SSE SANITARY SEWER EASEMENT |
| BL BUILDING LINE          | DE DRAINAGE EASEMENT        |
| R/W RIGHT-OF-WAY          | UE UTILITY EASEMENT         |
| PL PROPERTY LINE          | AE ACCESS EASEMENT          |
| PC PROPERTY CORNER        | TB TOP OF BANK              |
| CL CENTER LINE            | CMP CORRUGATED METAL PIPE   |
| OPT CARPORT               | RCP REINFORCED CONC. PIPE   |
| BR BRICK                  | APP AS PER PLAT             |
| FR FRAME                  | APD AS PER DEED             |
| WD WOOD                   | APR AS PER RECORD           |
| P PLAT                    | APF AS PER FIELD            |
| D DEED                    | BC BACK OF CURB             |
| RR RECORD                 | EP EDGE OF PAVEMENT         |
| F FIELD                   | OU OWNERSHIP UNCLEAR        |
|                           | OH OVERHANG                 |
|                           | N NBORS.                    |

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL (25) (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO ITS OPINION FOR SAID PARCEL.  
 MAP ID: \_\_\_\_\_ EFFECTIVE DATE: \_\_\_\_\_  
 ZONE: \_\_\_\_\_

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS AND INSURANCE COMPANY OR AN APPRAISER.

THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAY PUBLIC OR PRIVATE.

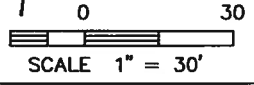


NOTE A  
 AT THE TIME OF SURVEY  
 UNABLE TO FIELD VERIFY  
 EXACT LOCATION AND DIRECTION  
 OF SEWER LINE PIPE  
 WITHOUT EXCAVATION.

Course	Bearing	Distance
L1	S 06°38'23\" W	49.91'

LAND AREA=  
 0.16 AC

PROPERTY ADDRESS:  
 806 PONCE DE LEON PLACE



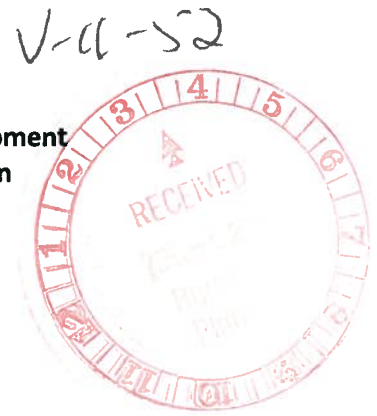
PLAT PREPARED FOR:	
<b>MICHAEL &amp; GEORGE SAMUEL OKI</b>	
PART OF LOT 24	BLOCK 2 UNIT
SUBDIVISION THE TODD PROPERTY	
LAND LOT 17	14TH DISTRICT SECTION
FULTON COUNTY, GEORGIA	DATE APRIL 8, 2004
PLAT BOOK 2 ,PAGE 182	ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED
DEED BOOK 27402 ,PAGE 276	



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 LAW.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 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.  
 SURVEY SYSTEMS & ASSOC., INC. ASSUMES NO RESPONSIBILITY FOR THE LOCATION OF ANY & ALL UNDERGROUND UTILITIES THAT MAY AFFECT THIS PROPERTY.  
 THIS SURVEY IS SUBJECT TO ANY & ALL EASEMENTS, RESTRICTIONS, OR ANY OTHER MATTERS OF RECORD THAT MAY AFFECT THIS PROPERTY, RECORDED OR UNRECORDED, PUBLIC OR PRIVATE.

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



Variance Application  
Statement of Justification

**Property: Oki Residence**  
**806 Ponce de Leon Pl.**  
**Atlanta GA 30306**

The Oki Residence deck is an allowable structure in RG-2 Zoning, however, the proposed design does not conform to the setback regulations. We are requesting to reduce the sideyard, half depth and rear yard setbacks to allow for an architectural structure that will increase the appeal from the existing conditions and solve current access issues to the property.

**Existing conditions:** On the North side of the property the existing access from Greenwood Avenue is a steep and dangerous stair with nine inch risers and nine inch treads (Fig. 2). Also on the North side there is an existing two car parking space structure carved from the site with nine foot retaining walls (Fig.3). On the south side of the property the access to the second floor (existing) deck is made with a thirty step stair without landings which constitutes another dangerous element to the house and its occupants (Fig.1).



**Fig.1 - Overall conditions of existing wood deck, parking area and access to second floor deck.**





**Fig. 2 - Existing concrete steps from Greenwood Avenue.**



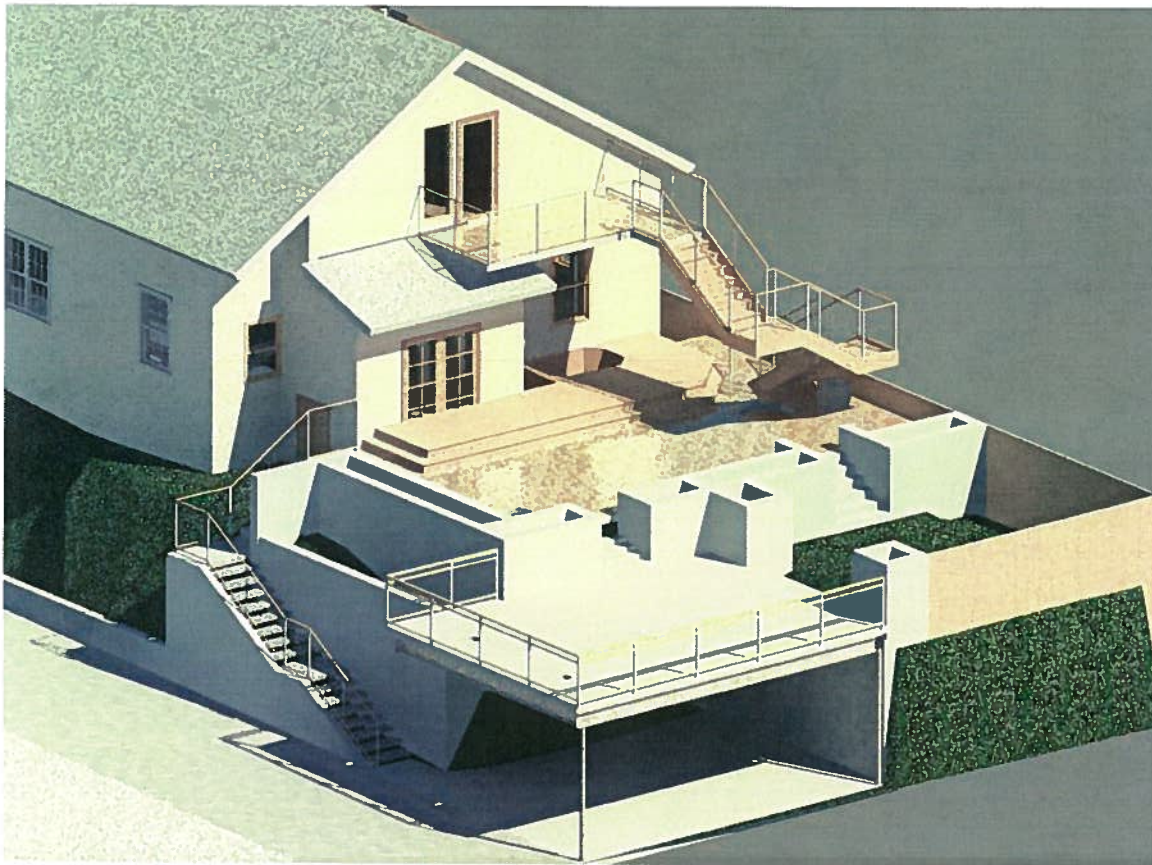
**Fig. 3 - Existing parking area on Greenwood Avenue.**

**Proposed conditions:** On the North side we are proposing to improve the access to the property from Greenwood Avenue by introducing a new set of stairs rising at grade to the property and covering the existing parking area with a deck structure. This portion of the deck will encroach onto the half depth and rear yard setbacks. We are also proposing to improve the wooden deck adjacent to the house and provide safer access to the existing second floor deck, by reducing the sideyard setback on the south

side of the property. This will allow for a more comfortable and less intrusive set of stairs and platform to the second floor deck, improving the access to the property and the overall appeal of the house (Figs. 4 and 5).



**Fig. 4 – Proposed condition with existing trees**



**Fig. 5 - Proposed condition, without the trees (for visual purposes only  
- the existing trees are to remain).**

The intents of the Zoning Ordinance of the City of Atlanta include providing adequate light and air and “encouraging...intensities of land development to facilitate...drainage...and other public requirements.” The proposed design will provide new plants and landscape elements, and in conjunction with the architectural modifications, contribute to an appropriate and visually appealing structure for the neighborhood. The proposed structure will not increase non-conformity of similar structures in the immediate neighborhood. The overall perviousness and open space ratio of the property shall remain approximately the same.

**RECEIPT**

CITY OF ATLANTA  
ATLANTATEST  
55 TRINITY AVE SW

**Application:** V-11-052  
**Application Type:** Planning/BZA/Variance/NA  
**Address:** 806 PONCE DE LEON PL , ATLANTA, GA 30306  
**Owner Name:** OKI MICHAEL  
**Owner Address:**  
**Application Name:**

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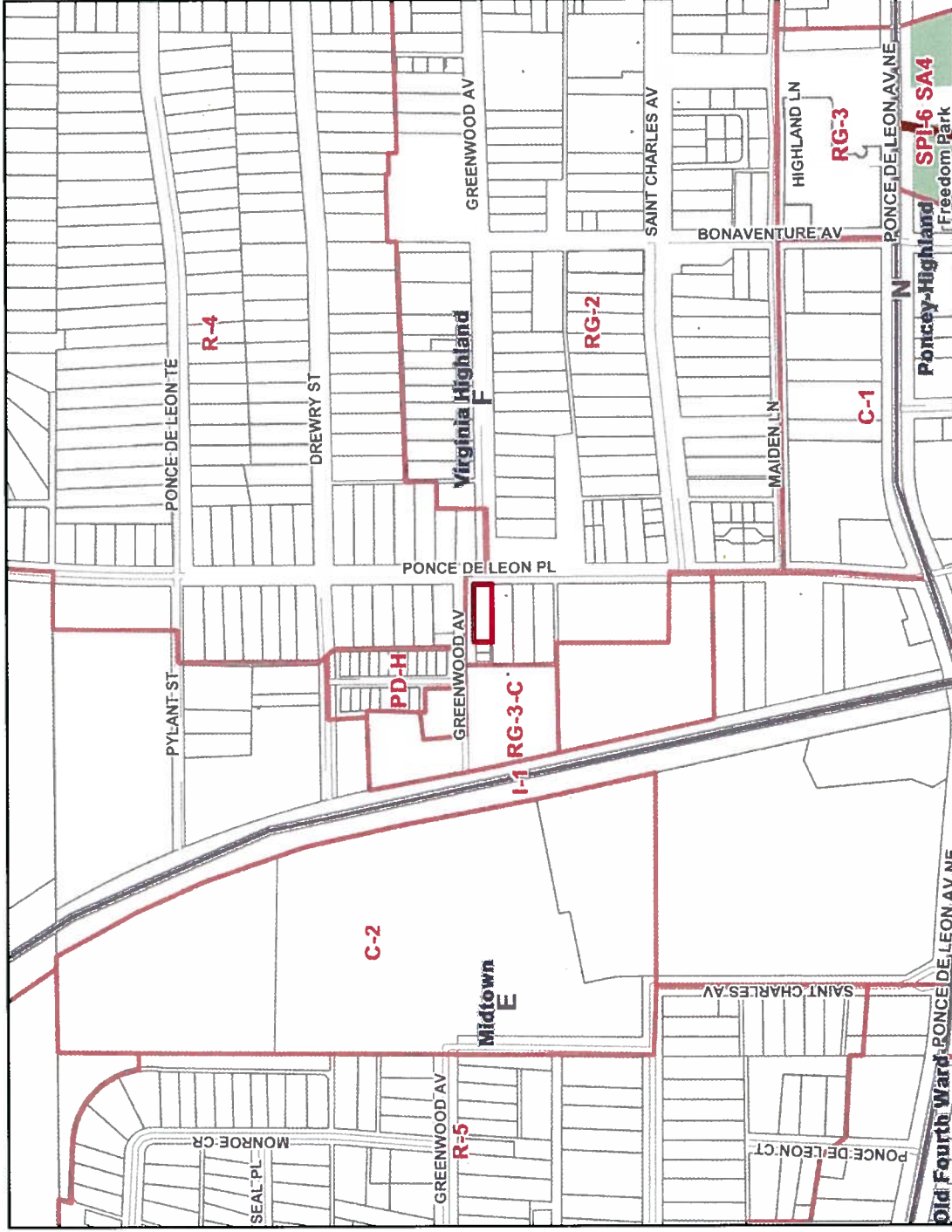
<b>Receipt No.</b>	257036					
<b>Payment Method</b>	<b>Ref Number</b>	<b>Amount Paid</b>	<b>Payment Date</b>	<b>Cashier ID</b>	<b>Received</b>	<b>Comments</b>
Check	487	\$500.00	04/05/2011	SGUILDARIE		

**Owner Info.:** OKI MICHAEL

**Work Description:** To reduce side yard setback from 7 ft to 0 ft, to reduce the half-depth front yard from 20 ft to 0 ft and to reduce the rear yard setback from 7 ft to 0 ft to allow a deck addition to a duplex.

**PAID**  
CITY OF ATLANTA  
APR 05 2011 *ck 487*  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

V-11-052



Map center: 2236616, 1373835

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



- Legend**
- Neighborhoods
  - Neighborhood Planning Units
  - Zoning Districts
  - Streets and Highways
  - Other Limited Access
  - State Route
  - Arterial Roads
  - Streets
  - Ramps
  - Unknown
  - Interstates
  - County Boundaries
  - Parcels
  - Airport Labels
  - Airport Runways
  - Runway/Apron/Taxiway
  - Streams
  - Ponds
  - Parks
  - Greenway Acquisitions
  - Atlanta City Limits
  - Metro Cities



Scale: 1:5,000