



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

APPLICATION NUMBER: **V-11-060**

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

Address of Property: **920 Highland TER NE**

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, June 9, 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:

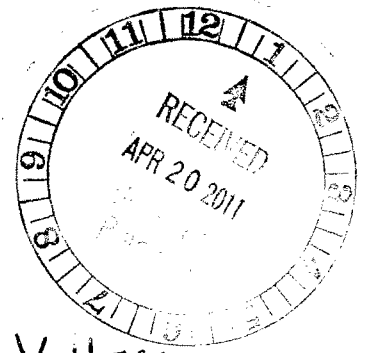
Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

**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,

  
\_\_\_\_\_  
Jewelle Kennedy  
, for Director, Bureau of Planning

  
\_\_\_\_\_  
Matt Long



# APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 4/20/2011

Application Number V-11-060

Name of Applicant Maggie Copen Daytime Phone 404-872-5554

Company Name Dreamscape Designs e-mail info@dreamscapedesigns.com

Address 1411 Dabon Rd NE Atlanta GA 30306  
street city state zip code

Name of Property Owner Keith Fleming Phone 404-353-5519

Address 920 Highland Terrace NE Atlanta GA 30306  
street city state zip code

### Description of Property

Address of Property 920 Highland Terrace NE Atlanta OR 30306

the subject property fronts \_\_\_\_\_ feet on the \_\_\_\_\_ side of \_\_\_\_\_, and begins \_\_\_\_\_ feet from the \_\_\_\_\_ corner of \_\_\_\_\_.

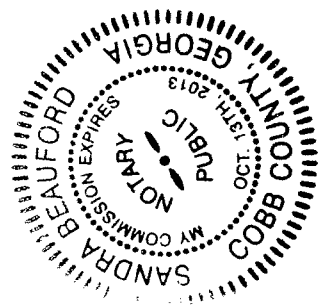
Depth: 170 Area: 8342 Land Lot: 1 District: 17, Fulton County, GA.  
sq ft

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 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 20 Day Of April, 2002011



[Signature]  
NOTARY PUBLIC

Maggie Copen  
Owner or Agent for Owner (Applicant)  
Maggie Copen  
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 E. Shelby  
Commissioner  
Dept. of Planning &  
Community Development

Don Rosenthal  
Director  
Office of Buildings

Zoning Enforcement Division

## REFERRAL CERTIFICATE

COUNCIL DISTRICT \_\_\_\_\_ APPLICATION NUMBER \_\_\_\_\_

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

I. Maggie Copen

**Name of Applicant**

## BUILDING PERMIT AUTHORIZING

Front porch addition

at 920 Highland Terr. N.E. 17<sup>th</sup> / 1  
**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 required front yard setback from 35ft.(required) to 11ft. to allow for a front porch 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 (1)

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

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

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

Applicant: [Signature]

Zoning Plan Reviewer: [Signature]

4/20/11

**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: remove dilapidated stairs + entrance. Construct brick + flagstone front porch 10.5' x 14.25' w/ flagstone + brick steps w/ cheek walls  
Porch = 123 sq ft + Stairs = 44 sq ft. Porch will remain flush with house

**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.

3512.6 covered square feet / 8342.3 total lot square feet = 42.1% 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 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.

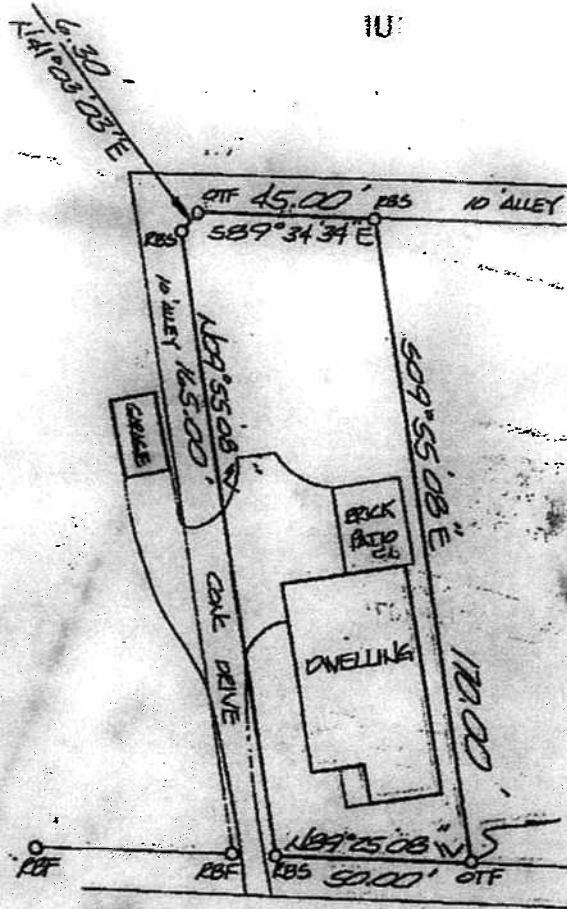
**LEGEND**

- MP CORRUGATED METAL PIPE
- DE DRAINAGE EASEMENT
- SE SANITARY SEWER EASEMENT
- BL BUILDING SETBACK LINE
- IF IRON PIN FOUND
- S IRON PIN SET
- C CATCH BASIN
- J JUNCTION BOX
- V HEAD WALL
- DB POINT OF BEGINNING
- M MAN HOLE
- W RIGHT-OF-WAY
- P POWER POLE
- O OPEN TOP
- CR CRIMP TOP
- R REBAR

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 EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON, PERSONS, OR ENTITY.



V-11-060



575.0 TO  
106TH HIGHLAND AVENUE

HIGHLAND TERRACE

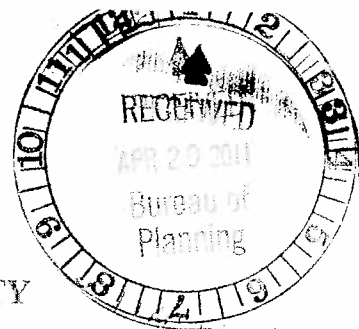
FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 5000 FEET, AN ANGULAR ERROR OF 23 SECONDS PER POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE URATE TO 1 FOOT IN 5000 FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.



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 THE LAW OF THE STATE OF GEORGIA.



SURVEY PREPARED FOR <b>GALEK, WRIGHT &amp; DEBEN</b>		DATE: <b>06-10-98</b>
OWNER/PURCHASER: <b>LINDA R. SIMENSKY</b>		REVISED:
LAND LOT / DISTRICT: <b>11<sup>TH</sup></b>		REVISED:
SECTION: <b>FULTON</b>		SCALE: <b>1" = 50'</b>
LOT: _____ BLOCK: _____ UNIT: _____		AREA OF LOT: <b>0.19 AC 8342.00 SF.</b>
SUBDIVISION: _____		APPROVED BY:
ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.		
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.		
<b>SOLAR LAND SURVEYING COMPANY</b> P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 Ph: (770) 434-8277 FAX: (770) 434-8410		



**NOTARIZED AUTHORIZATION BY PROPERTY OWNER**

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

V-11-060

TYPE OF APPLICATION Applications for Variance / City of Atlanta

I, Deirdre Fleming (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 920 Highland Terrace (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 Dreamscape Designs / Maggie Copen

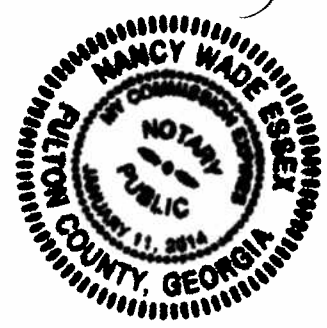
ADDRESS OF APPLICANT 1411 Dalon Road  
Atlanta, GA 30306

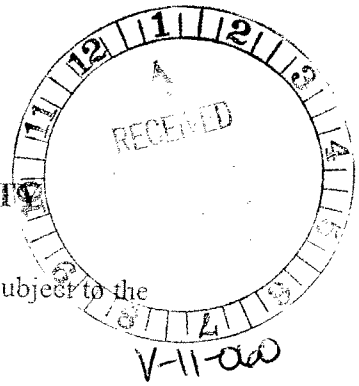
TELEPHONE NUMBER (404) 872-5554

Deirdre Fleming  
Signature of Owner

Personally Appeared Before Me  
Nancy Wade Essex

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief  
Nancy Wade Essex  
Notary Public  
4-19-2011  
Date





**NOTARIZED AUTHORIZATION BY PROPERTY OWNER**

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

TYPE OF APPLICATION Application for Variance / City of Atlanta

I, Keith Fleming (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 920 Highland Terrace (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 Dreamscape Designs / Maggie Copen

ADDRESS OF APPLICANT 1411 Dalon Road  
Atlanta, GA 30306

TELEPHONE NUMBER (404) 372-5554

Keith E. Fleming  
Signature of Owner

Personally Appeared Before Me  
Nancy Wade Essex

Who Swears That The Information Contained in This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief.  
Nancy Wade Essex  
Notary Public

4-19-2011  
Date





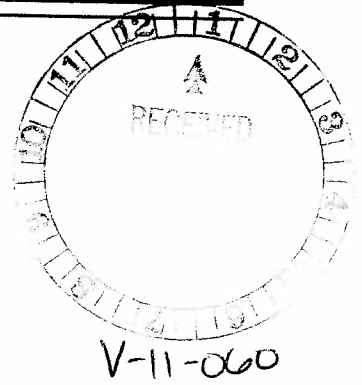
DREAMSCAPE  
DESIGNS

## Dreamscape Designs, Inc.

1411 Dalon Road  
Atlanta, GA 30306  
Phone: (404) 872-5554 Fax: (404) 872-5564

April 19, 2011

City of Atlanta  
Department of Planning & Community Development  
Office of Planning  
55 Trinity Avenue, Suite 3350  
404-330-6145



To whom it may concern:

This is an application for a variance for the construction of a front porch at 920 Highland Terrace NE Atlanta GA 30306. The proposed front porch will encroach on the set back however, it is our opinion that the location of the house on the property would provide for an exception. The proposed porch will be flush with the existing structure and will be in line with the adjacent residences.

Currently the sun room protrudes from the house 10.5 feet. The porch will be in the space from the sun room to the existing corner of the house, approximately 14 feet in length, where there are currently steps to the front door. Replacing the existing stairs with the proposed porch will allow for a new sidewalk that will be farther away from the critical root zone of the existing tree. The proposed stairs to the front porch are located as far from the existing tree as possible to limit any disturbance to the critical root zone.

The current dilapidated concrete stairs and walkway are immediately adjacent to the existing tree. Removing the concrete and constructing a new walkway and stairs away from the tree will allow for a more attractive entrance to the home.

As the house is already located in the set back and the proposed work will not protrude farther than the current structure, except for the stairs, we are requesting a variance. The addition of a front porch will contribute to desirable living conditions for the home and the neighborhood as well as provide an attractive addition to the home and neighborhood.

Sincerely,

Maggie Copen  
Landscape Designer



NOTE: NO WATERS OF THE STATE ARE WITHIN 200 FEET OF THE PROJECT SITE

**GRADING NOTES**

**DIRT STATEMENT:**

CUT= 3 cyds  
 FILL= 15 cyds  
 DEMOLITION DEBRIS= 5 cyds

NO GRADED SLOPE SHALL EXCEED 2:0" HORIZONTAL: 1:0" VERTICAL  
 A SEPARATE PERMIT IS REQUIRED FOR SIDEWALK AND/OR  
 DRIVEWAY CONSTRUCTION IN THE PUBLIC R/W  
 CONTACT TECHNICAL SERVICES @ 404-330-6249

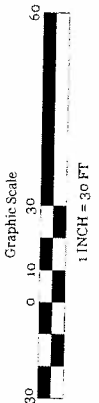
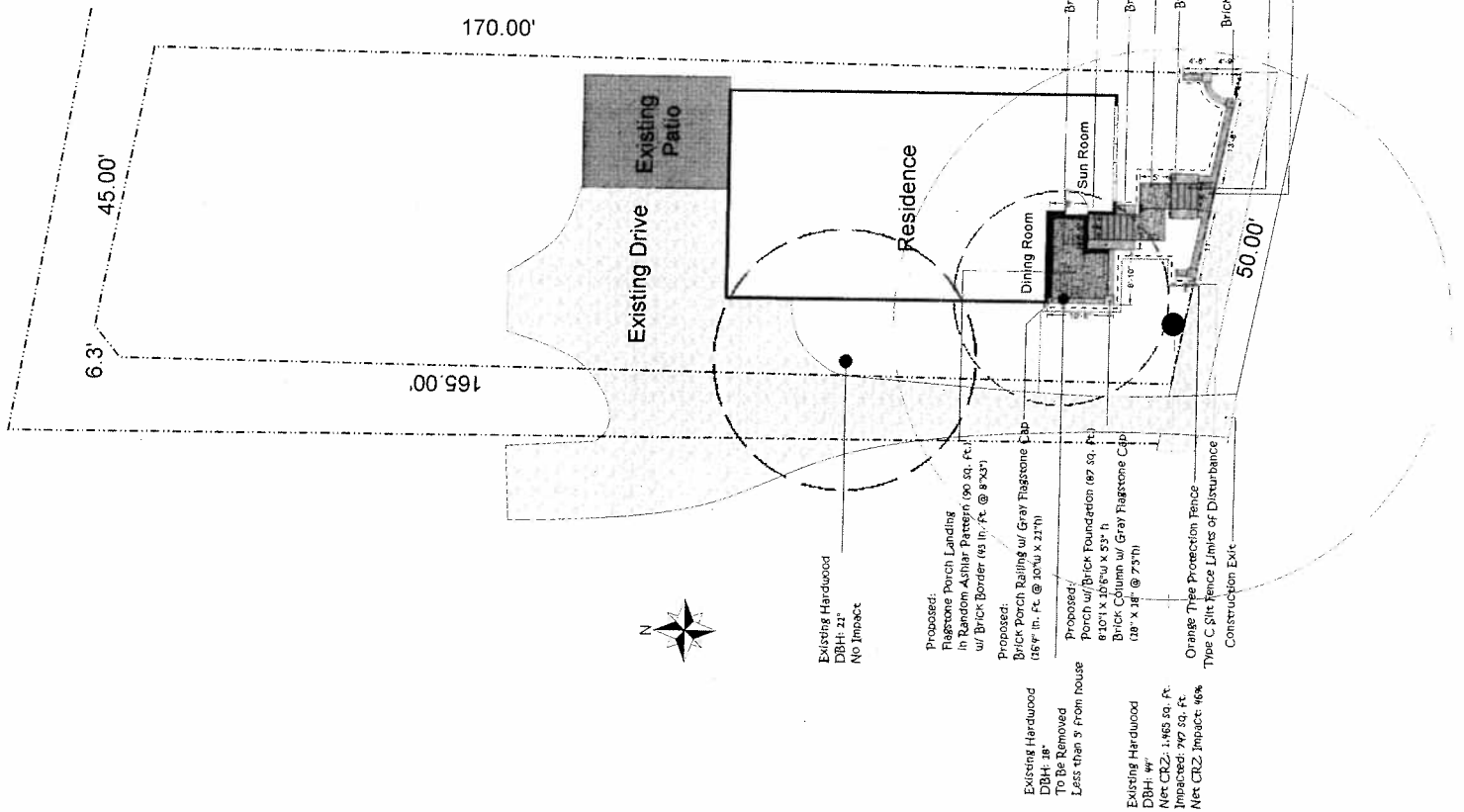
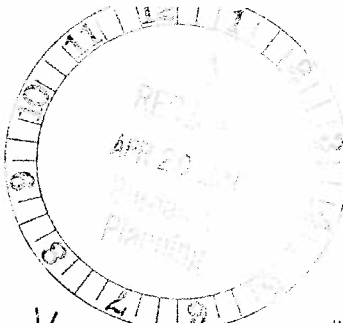
SILT FENCE SHALL MEET THE REQUIREMENTS OF SECTION 171- TYPE C  
 TEMPORARY SILT FENCE. OF THE GEORGIA DEPARTMENT OF  
 TRANSPORTATION STANDARD SPECIFICATIONS, 1993 EDITION

**EROSION CONTROL NOTES**

- The escape of sediment from the site shall be prevented by the installation of erosion and sediment control measures prior to or concurrent with land-disturbing activities.
- Erosion and sediment control measures shall be maintained at all times. Additional measure beyond the approved plan shall be implemented as necessary.
- Disturbed areas idle 14 days shall be stabilized with temporary vegetation; disturbed areas idle 30 days shall be stabilized with permanent vegetation.
- Erosion and sediment control measures shall be inspected at least weekly, after each rain, and repaired as necessary.
- Additional erosion and sediment control measures shall be installed if determined necessary by on-site inspection
- Silt fence shall be "Type C" per the Manual for Erosion and Sediment Control in Georgia, and be wire reinforced.
- Double row of SD1-C required, if disturbed area is within 200 feet of state waters.

Standard Recompense  
 \$100[(1+0)-0]+\$30[(44+0)-0]=\$1420

**LOT COVERAGE**  
 Total: 8342.3 sq. ft.  
 Existing: 3374.2  
 House: 1831.8 sq ft  
 Driveway & Patio: 1394.6 sq ft  
 Existing Front Steps & Walk: 147.8 sq ft  
 to be removed  
 Current Lot Coverage: 40.4%  
 Proposed: 3512.6  
 Front Porch: 129.7 sq. ft.  
 Steps & Cheek Wall to Porch: 32.8 sq. ft.  
 Front Sidewalk: 43.7 sq. ft.  
 Front Steps & Cheek Walls: 39.7 sq. ft.  
 Retaining Wall: 40.3 sq. ft.  
 Proposed Lot Coverage: 42.1%



City of Atlanta Permits  
 920 Highland Terrace NE  
 Atlanta GA 30306  
 678-974-2017  
 Page 1 of 1

**Dreamscape Designs**  
 Keith Fleming & Deirdre Flannery

1411 Dalon Rd NE  
 Atlanta GA 30306  
 24 Hour Contact: Mathew Long  
 770-333-7797  
 Phone Number: 404-872-5554  
 E-mail: info@dreamscapedesigns.com

RECEIPT

CITY OF ATLANTA  
ATLANTATEST  
55 TRINITY AVE SW

**Application:** V-11-060  
**Application Type:** Planning/BZA/Variance/NA  
**Address:** 920 HIGHLAND TER , ATLANTA, GA 30306  
**Owner Name:** FLEMING KEITH & DEIRDRE  
**Owner Address:**  
**Application Name:**

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Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
258288	56986	\$100.00	04/20/2011	SGUILDARIE		

**Owner Info.:** FLEMING KEITH & DEIRDRE

**Work Description:** Porch addition. Applicant seeks variance from zoning regulations to reduce the required front yard setback from 35ft to 11ft.

PAID  
CITY OF ATLANTA  
APR 20 2011 *ck # 56986*

EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR