

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



APPLICATION NUMBER: **V-11-108**

City Council District: **6** Neighborhood Planning Unit (NPU): **F**  
**1095 North Highland Ave.**

Board of Zoning Adjustment (BZA) Hearing Date:  
**Thursday, September 8, 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.

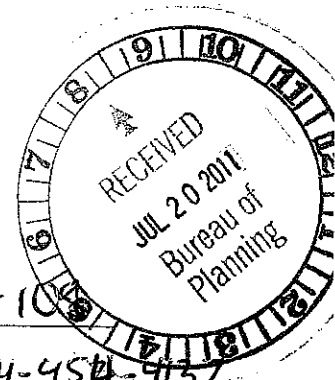
**Sign Posting** - The property owner is required to post a sign or signs in a conspicuous place on the property at least 15 days before the hearing date shown above. One sign shall be placed every 600 feet along each street the property abuts. A sign posting affidavit must be returned to the Bureau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

Signed,

  
KSD, for Director, Bureau of Planning

  
Chris Hamilton, Applicant

APPLICATION FOR VARIANCE  
City of Atlanta



Date Filed July 20<sup>th</sup>/11 Application Number V-11-108  
Name of Applicant CHRIS HAMILTON Daytime Phone 404-454-9137  
Company Name DOVETAIL CRAFTSMEN e-mail CHRIS@DOVETAILCRAFTSMEN.C  
Address 675 SEMINOLE AVE SUITE 303 ATLANTA GA 30307  
street city state zip code

Name of Property Owner MARVIN TABOR III Phone 404.574.1442  
Address 1095 N. HIGHLAND AVE ATLANTA GA 30306  
street city state zip code

Description of Property

Address of Property 1095 N. HIGHLAND AVE OR  
the subject property fronts 52.5 feet on the E side of N. Highland Ave  
, and begins 0 feet from the  
NE corner of Kentucky Ave.

Depth: \_\_\_ Area: \_\_\_ Land Lot: 1 District: 17, Fulton County, GA.  
Property is zoned: R-4 Council District: 6, Neighborhood Planning Unit: F

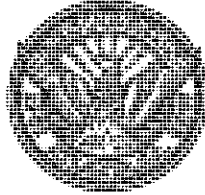
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant variance(s).

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 11 Day Of 7, 20011.

Owner or Agent for Owner (Applicant)  
J. CHRISTOPHER HAMILTON  
APPLICANT'S NAME IN PRINTED LETTERS

NOTARY PUBLIC  
7.11.2011



# 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 6 APPLICATION NUMBER V-11109  
NPU - F DATE FILED \_\_\_\_\_

Chris Hamilton  
Name of Applicant



### BUILDING PERMIT AUTHORIZING Addition to a single family house

at 1095 North Highland Ave NE 17/1  
Street Address Quadrant District & Land Lot

to be used for residential purposes

The property is R-4 District

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

Applicant seeks a variance from the zoning ordinance to (1) reduce the front yard setback from 35'(required) to 30'6" (2) reduce the 1/2 depth front yard setback from 17 1/2' (required) to 0.2' (3) reduce the side yard setback from 7' (required) to 4'2" to allow an addition to a single family house. Applicant seeks no other variances at this time.

#### 1982 ZONING ORDINANCE, AS AMENDED

Chapter 06 Section 16-06.008 Paragraph (1) (2)  
Chapter 28 Section 16-18.007 Paragraph (5) (b)  
Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Department of Planning and Development  
Office of Building  
DWIN L. ROSENTHAL, CBO, MRA, Director  
Ann Heard, Chief Zoning Division

Applicant: [Signature]

Zoning Plan Reviewer: [Signature]

V-11-108



**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: ADD AN ADDITION TO REAR OF HOUSE AND  
ADD A SECOND STORY ADDITION ABOVE

**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.

3163 covered square feet / 7,741 total lot square feet = 40 % proposed lot coverage  
56 % 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 inquires 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.**

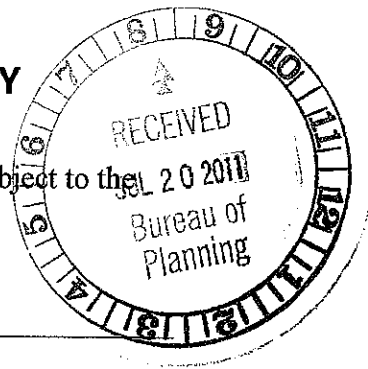
**Refunds on Withdrawn Cases.** Requests for withdrawal received 18 days prior to the public hearing will enable a refund of the application fee.

**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.

V-11-108

**NOTARIZED AUTHORIZATION BY PROPERTY OWNER**

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



TYPE OF APPLICATION Variance

I, Marvin Tabor III (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 1095 N. Highland Ave. (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 Chris Hamilton/Dovetail Craftsmen

ADDRESS OF APPLICANT 675 Seminole Ave, Suite 303  
Atlanta, GA 30307

TELEPHONE NUMBER 404.454.4137

[Signature]  
Signature of Owner

Personally Appeared Before Me  
LUCY WARD

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief.  
[Signature]

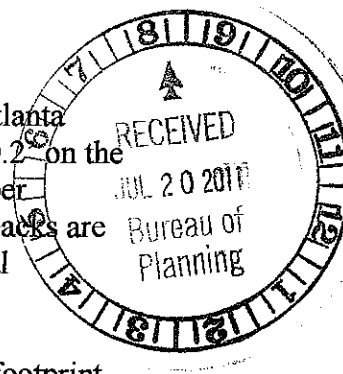
Notary Public  
0-29-2011

Date  
LUCY WARD  
Notary Public, Fulton County, Georgia  
My Commission Expires Oct. 29, 2011

V-11-108

**Variance Request for 1095 N. Highland Ave.**

We are seeking variance from the minimum side setbacks of a lot for City of Atlanta Zoning Regulation R-4, reduced to 4'-2" on the Left/North facing side, and to 0.2' on the right/South facing side; and reduce the front yard (West facing) side to 30'-6" per attached drawings. This house is currently located on a corner lot and these setbacks are based on how the current house sits on the lot, we are not seeking any additional intrusions into the setback.



This will allow us to place a one-story and two-story addition on the one-story footprint. The new addition on the 1 st. story is 291 sqft; the second story is 2,300 sqft. The height from average grade to middle roof line is 20'-4".

This variance will also allow for the rebuild of the existing 1 car garage that is at street level.

The existing impervious surface is 41%; the new impervious surface with the proposed changes is 40% (By removing the deck).

The structure takes up less than 50% of the back yard

**Justification**

Extraordinary and Exceptional Conditions –

1. The property is a non-conforming lot according to the R4 standard lot size. The R4 requirements are 70' wide and no less than 9,000 Sq/Ft.

The lot is 52' wide

2. The house is currently set inside the side yard and front yard setback

3. This is the only possible location for the garage placement due to the grade on the property

No substantial detriment to the public good or impairment to the purpose and intent of the zoning ordinance –

- Reducing existing lot coverage

- Not impacting any trees

- This will allow us to provide off street parking b/c the current garage does not

RECEIPT

CITY OF ATLANTA  
ATLANTATEST  
55 TRINITY AVE SW

Application: V-11-108  
Application Type: Planning/BZA/Variance/NA  
Address: 1095 NORTH HIGHLAND AVE , ATLANTA, GA 30306  
Owner Name: TABOR MARVIN III & CATHERINE M  
Owner Address:  
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
265155	6681	\$100.00	07/20/2011	SLEONARD		

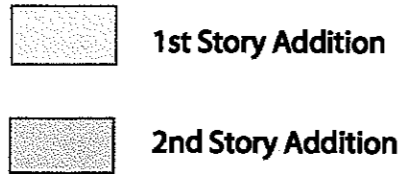
Owner Info.: TABOR MARVIN III & CATHERINE M

Work Description: Var. to 1) reduce the front ysb from 35' to 30'-6"; 2) reduce the 1/2 depth front ysb from 17.5' to 0.2'; 3) reduce the side ysb from 7' to 4'-2" to allow an addition to a single-family house.

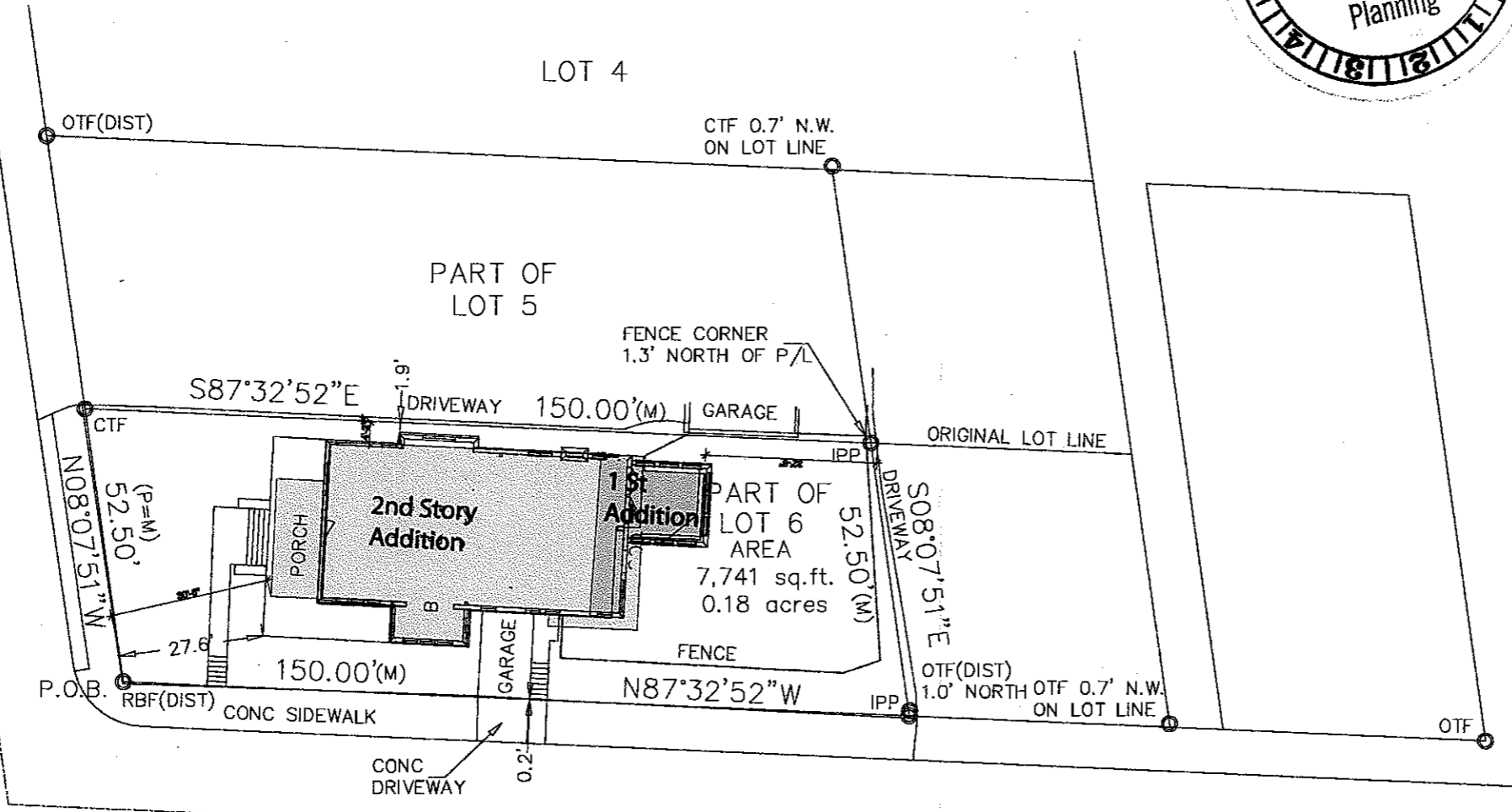
PAID  
CITY OF ATLANTA  
JUL 20 2011  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

**LEGEND**

- CMP CORRUGATED METAL PIPE
- DE DRAINAGE EASEMENT
- SSE SANITARY SEWER EASEMENT
- BSL BUILDING SETBACK LINE
- RBF REBAR FOUND
- IPF IRON PIN FOUND
- CB CATCH BASIN
- JB JUNCTION BOX
- HW HEAD WALL
- POB POINT OF BEGINNING
- MH MAN HOLE
- R/W RIGHT-OF-WAY
- PP POWER POLE
- OTF OPEN TOP FOUND
- CTF CRIMP TOP FOUND
- RB REBAR
- LL LAND LOT
- IPP IRON PIN PLACED
- M MEASURED
- D DEED
- P PLAT

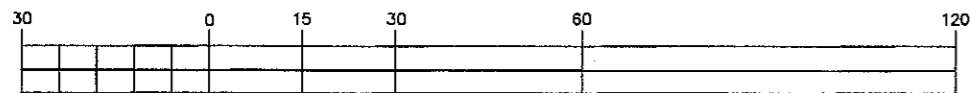


NORTH HIGHLAND AVENUE 50'R/W



KENTUCKY AVENUE R/W VARIES

**GRAPHIC SCALE**



( IN FEET )  
1 inch = 30 ft.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF 03 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.

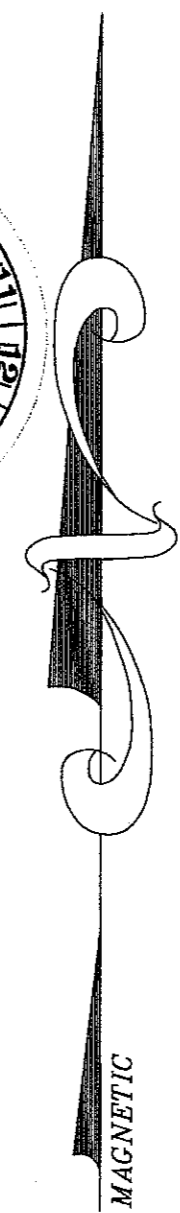
NOTE:  
ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.

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.

**PLAT CERTIFICATION NOTICE**

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-11-108



FIELD DATE 04/20/10	
DATE 04/21/10	SCALE 1" = 30'
MARVIN TABOR III	
LAND LOT 1	17th DISTRICT
LOT PART OF LOT 6	BLOCK 9
SUBDIVISION THE F.A. AMES PROPERTY	
SECTION 17 UNIT 7,741 S.F.	
FULTON COUNTY, GEORGIA	
<b>SOLAR LAND SURVEYING COMPANY</b> P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770) 794-9052	
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	
"THE ORIGINAL OF THIS DOCUMENT WAS SEALED AND SIGNED BY JOHN W. STANZILIS, JR. G.R.L.S. #2109 AND THIS REPRODUCTION IS NOT A CERTIFIED DOCUMENT".	
JOB NUMBER: 10-01499	
PLOTTED BY: _____ PAGE _____	
DEED BOOK 3768L PAGE 575	