



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

RECEIVED  
AUG 19 2011  
BUREAU OF  
PLANNING

APPLICATION NUMBER: V-11-120

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

Address of Property: 1097 Amsterdam Avenue, N.E.

Board of Zoning Adjustment (BZA) Hearing Date:

**October 13, 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:

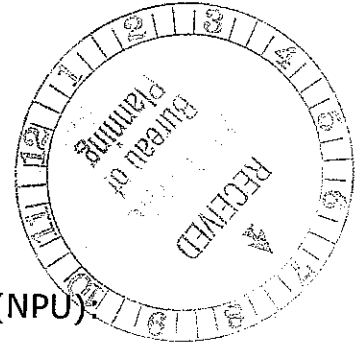
Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

**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,

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

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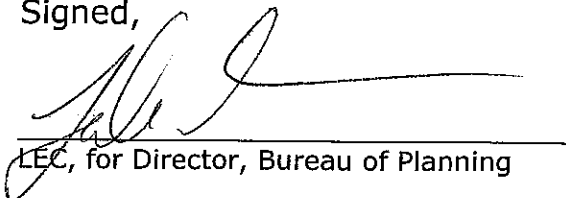
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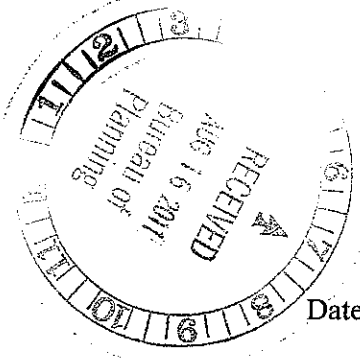
Signed,

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

  
\_\_\_\_\_  
James C. Paul, Applicant

# APPLICATION FOR VARIANCE

City of Atlanta



Date Filed \_\_\_\_\_

Application Number V-11-20

Name of Applicant JAMES C PAULL Daytime Phone 404-861-4831

Company Name JAMES PAULL & ASSOC. LLC e-mail jpaullconstruction@gmail.com

Address 1286 AYALON PL NE ATLANTA, GA. 30306  
street city state zip code

Name of Property Owner ALEX ISAKOV Phone 404-391-6760

Address 1097 AMSTERDAM AVE NE, ATLANTA, GA. 30306  
street city state zip code

## Description of Property

Address of Property 1097 AMSTERDAM AVE. NE OR

the subject property fronts 53 feet on the SOUTH side of AMSTERDAM AVE., and begins AT feet from the SOUTH WEST corner of AMSTERDAM AVE. & ROSEWOOD DR.

Depth: \_\_\_ Area: \_\_\_ Land Lot: 1 District: 17TH 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.

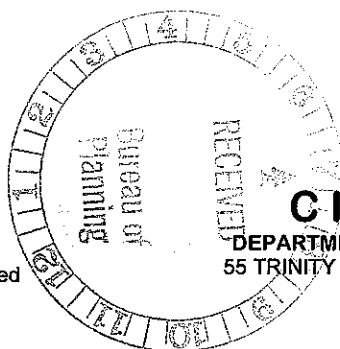
Sworn To And Subscribed Before Me This 15 Day Of Aug, 2011.

James C Paull  
Owner or Agent for Owner (Applicant)

JAMES C PAULL  
APPLICANT'S NAME IN PRINTED LETTERS

Terry E Williams  
NOTARY PUBLIC

TERRY E WILLIAMS  
Notary Public  
Fulton County Page 1  
State of Georgia  
My Commission Expires Jun 3, 2013



# 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 Shelby,  
Commissioner  
Planning & Community  
Development

## REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-11-20  
NPU F DATE FILED \_\_\_\_\_

James C. Paull  
Name of Applicant

## BUILDING PERMIT AUTHORIZING

An addition to a single family dwelling

at 1097 Amsterdam Avenue 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

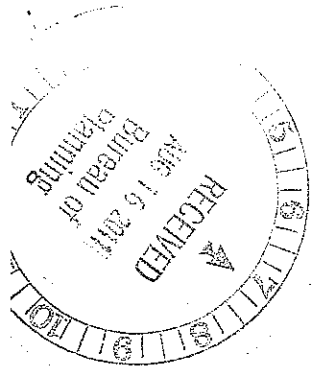
### 2. The Building Permit Was Denied For The Following Reasons:

Applicant seeks a variance from the zoning ordinance to reduce the west side yard setback from 7 feet to 3 feet in order to make an addition to a single family dwelling.. Applicant seeks no other variances at this time.

### 1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16.06.008 Paragraph (2)  
Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_  
Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

JP 8/16/11  
Department of Planning and Development  
Office of Buildings  
Don Rosenthal, CBO, Director



V-11-020

**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: CONSTRUCT 2ND FLOOR ADDITION WITH 3 BEDROOMS AND ONE BATH TO EXISTING 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.

3053 covered square feet / 18799 total lot square feet = 46 % 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 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's), 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.

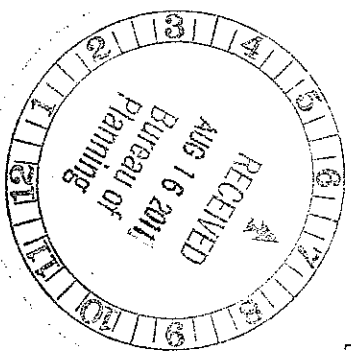
**Public Notice.** When you file your application, it will be scheduled for a public hearing. The Office of Planning will initiate posting of public notice ("an advertisement", "a legal ad") for this public hearing so that the public is informed at least 15 days before the date of the public hearing:

- 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.



**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, Alex Isakov ISAKOV (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 1097 Amsterdam 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 James Paull

ADDRESS OF APPLICANT 1286 AVALON PL NE,  
ATLANTA, GA, 30306

TELEPHONE NUMBER 404-861-4837

[Signature]  
Signature of Owner

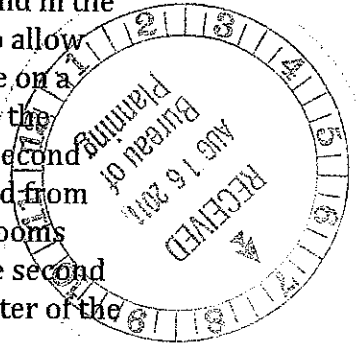
Personally Appeared Before Me  
Alex Isakov

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief.  
Sharon M Ashley  
Notary Public

8/15/2011  
Date

U-11-020

We are applying for a variance from zoning regulations at 1097 Amsterdam Avenue to reduce the west side yard setback from the 7 feet required to 3 feet. We request this to accommodate a second story addition to our primary structure. We have lived at this address since 2000, and our family has grown. We now have three daughters and we would very much like to stay in our home and in the neighborhood. We are attempting to increase the number of bedrooms to allow for them to share bedrooms together on the second floor. Because we live on a corner property and intend to create a structure which is in keeping with the character of the neighborhood, we have set back the construction of the second floor expansion on the north and east exposure where the house is viewed from the street. A successful variance plea would allow for the additional bedrooms and staircase which would facilitate our children sleeping together on the second floor and contribute to construction of a home in keeping with the character of the neighborhood.



The following is offered to address the criteria considered for variance:

V-11-020

1) *there are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and 2) the application of the zoning ordinance of the City of Atlanta to the particular piece of property would create an unnecessary hardship:*

- The property in question is a corner lot that is built on a hill. The steep grade on the northern and eastern exposure limit the usable space of the lot, which creates a hardship. The topography also demands set back of second story construction from the north and east exposure to facilitate construction which is in keeping with the character of the neighborhood. Allowing easement of the western exposure is desirable, as the easement would apply only to second story construction, and the house built on the adjoining lot is set very far back on its property, thus not physically impacted by the proposed construction.
- The zoning regulation creates a hardship when attempting to create a floor plan that allows for my three daughters to room together on the second floor and still accommodate a reasonable staircase.

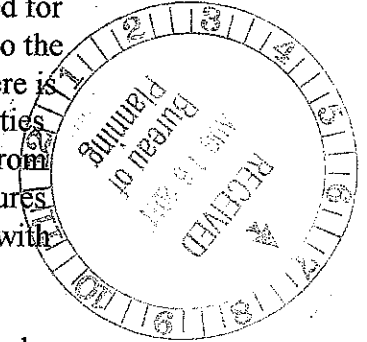
3) *such conditions are peculiar to the particular piece of property involved:*

- The conditions are peculiar to the particular piece of property and not common to other properties in the zoning district given that it is a corner property, built on a steep hill, where the exposure for which we are seeking an easement does not conflict with any adjoining property structure

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:*

- The adjoining property is not impacted because the easement is only sought

for second story expansion, there is no easement requested for expansion of the first floor on this western exposure. Also the adjoining house is set very far back on its property, so there is no physical or aesthetic conflict. The surrounding properties benefit by a second story construction which is set back from the perimeter of the primary structure on the street exposures which contributes to modifications which are in keeping with the period, style and character of the neighborhood.



- \* There is no detriment to securing from fire, panic or other dangers.
- \* There is no detriment to adjoining property light and air.
- \* Development of the property in this way has no negative consequence with regard to public requirements such as drainage, etc.
- \* The easement will promote desirable living conditions, facilitating the enjoyment of the property for this family of five thus sustaining the stability of the neighborhood while maintaining its character.
- \* The neighborhood remains protected against blight and depreciation.

V-11-000

CITY OF ATLANTA  
55 TRINITY AVE SW STE 1350  
ATLANTA, GA. 30303-3534  
404-330-6270

Merchant ID: 558138523  
Term ID: 0010540000550138523003

Sale

INVOICE

XXXXXXXXXXXX0664

VISA

Entry Method: Swiped

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DATE: August 16, 2011

INVOICE #: V-11-120

Total: \$ 100.00

anning

hue, Suite 3350

ia 30303

08/16/11

10:34:15

Inv #: 000004

Appr Code: 02482B

Apprvd: Online

FUND #: 1001

DEPT #: 000002

ACCOUNT #: 3413902

Customer Copy

THANK YOU!

James C. Paul  
1097 Amsterdam  
Atlanta, GA 30306

DESCRIPTION	AMOUNT
Application for Variance in R-4 zoning district	\$100.00
<p>PAID CITY OF ATLANTA AUG 16 2011 VISA EX OFFICIO MUNICIPAL REVENUE COLLECTOR</p>	
<b>TOTAL</b>	<b>\$100.00</b>



Approved by LEC

Please make checks payable to "City of Atlanta."  
No refunds will be issued.