



Notice To Applicant
City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-11-138**

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

Address of Property: **825 Virginia CIR NE**

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, November 10, 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,



Dina E. Gentry, for Director, Bureau of Planning



Nigel & Jennifer Packer



APPLICATION FOR VARIANCE

City of Atlanta

Date Filed SEP 8 2011 Application Number V-11-138

Name of Applicant Nigel and Jennifer Packer Daytime Phone 770 262 6164

Company Name _____ e-mail jennepacker@gmail.com

Address 825 Virginia Circle NE Atlanta GA 30306
street city state zip code

Name of Property Owner Same as above Phone _____

Address _____
street city state zip code

Description of Property

Address of Property 825 Virginia Circle NE Atlanta GA 30306 OR

the subject property fronts _____ feet on the _____ side of _____
and begins _____ feet from the
corner of _____

Depth: _____ Area: _____ Land Lot: _____ District: _____ County, GA.

Property is zoned: B-4, Council District: 16, 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 8 Day Of SEPT., 2011.

[Signature]
Owner or Agent for Owner (Applicant)
Nigel Packer
APPLICANT'S NAME IN PRINTED LETTERS

[Signature]
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 Shelby
Commissioner
Dept. of Planning & Community
Development

Don Rosenthal
Director
Bureau of Building

Ann Heard
Chief
Zoning Division

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-11-138

NPU F DATE FILED _____

1. Nigel & Jennifer Packer

Name of Applicant
BUILDING PERMIT AUTHORIZING
Special exception



at 825 Virginia Circle
Street Address

NE
Quadrant

17TH 53RD
District & Land Lot

to be used for _____ residential _____ purposes

The property is zoned R4 / BL District

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

Applicant seeks a special exception from zoning regulations to erect a 5ft privacy fence in the
required half-depth front yard as it is otherwise restricted. Applicant seeks no other variances at this
time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 28 Section 16-28.008 Paragraph (5) (a)

Chapter _____ Section _____ Paragraph _____

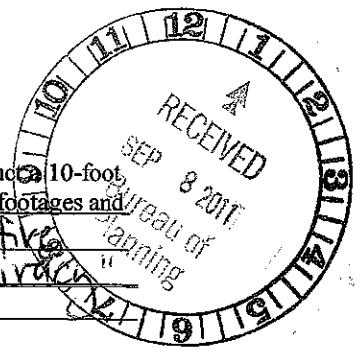
Chapter _____ Section _____ Paragraph _____

9/8/11

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

9-8-11

V-11-138



Summary of proposed changes to buildings or site (example: "Construction of a 10-foot by 10-foot, one-story room addition on the first floor of the house.") Include square footages and stories: Replace old rusted chain link fence with a five foot dog ear wood fence. This will be a "privacy" fence.

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 / _____ total lot square feet = _____ % proposed lot coverage
_____ % maximum allowed lot coverage No change to 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'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.

Thursday, September 08, 2011

Justification for 5 foot Fence (Privacy Fence)

825 Virginia Circle NE

Atlanta, GA 30306

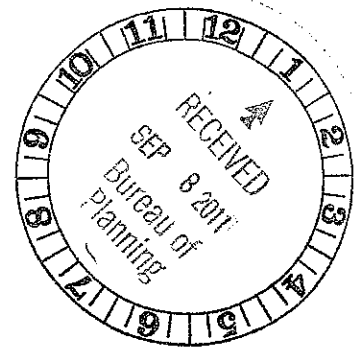
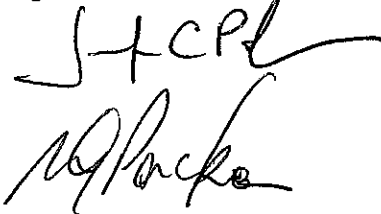
We are seeking approval to erect a 5 foot, dog-ear wooden fence that will replace an old, rusted chain link fence. We believe this will only enhance the appearance of our neighborhood as the existing fence is very old and aesthetically unappealing. We believe the fence will provide not only needed privacy but also additional security. For some months now, the neighborhood has seen an increase in the number of home invasions during the night while home owners are in their homes. We hope the fence will act as an additional level of security for our home. In addition, we have 2 young boys whom we hope will enjoy many years of play time in our back yard. This fence will be safer and will provide some security for them as they play in the back yard.

As we observed other corner-lot homes in our immediately proximity, we noted that most houses have at least a 6 foot solid privacy fence. Additionally, our neighbors to the rear have a 7 foot privacy fence. We do not believe that our request for a 5 foot fence is unreasonable.

We respectfully request your review and approval of this request.

Kind Regards,

Nigel and Jennifer Packer



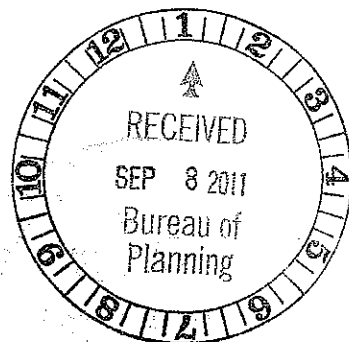
V-11-138

LEGAL DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 53 of the 17th District, Fulton County, Georgia and being Lot 13, Block "10" Virginia Hills Virginia Avenue Subdivision per plat of Survey recorded at Plat Book 11, Page 16, Fulton County, Georgia Records and being more particularly described as follows:

BEGINNING at an Open Top Found located at the intersection of the southerly right-of-way line of Virginia Circle (having a 50 foot right-of-way) with the westerly right-of-way line of DeLeon Street (having a 60 foot right-of-way); thence South $05^{\circ}40'35''$ East, as measured along the westerly right-of-way line of DeLeon Street, 147.02 feet to a Crimp Top Found; thence South $85^{\circ}01'21''$ West, 54.92 feet to an Open Top Found; thence North $05^{\circ}17'43''$ West, 146.34 feet to an Open Top Found located on the southerly right-of-way line of Virginia Circle; thence North $84^{\circ}18'41''$ East, 53.94 feet to an Open Top Found AND BEING THE TRUE POINT AND PLACE OF BEGINNING.

The above referenced courses and distances are taken from a copy of that certain Plat of Survey prepared by Michael R. Noles, Registered Land Surveyor, dated November 10, 2004, a copy of which may be found at the offices of McClung Surveying Services, Inc., 2235 Cooper Lake Road, SE, Smyrna, Georgia 30080 and which Plat of Survey by reference thereto is incorporated herein. Being improved property known as 823-825 Virginia Circle, Atlanta, Georgia 30306 according to the most recent system of numbering in the City of Atlanta.



V-11-138

De Leon Street

Virginia Circle

Diameter of Trees on Property

17.8

5.1

2.9

3.5

3.8

73.5'

5' Dog Ear Wood Fence
(privacy fence)

9'3"

Two Story Brick
and Frame
with
Basement



V-11-138

1" = 10' East

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: V-11-138
Application Type: Planning/BZA/Special Exception/NA
Address: 825 VIRGINIA CIR , ATLANTA, GA 30306
Owner Name: PACKER NIGEL G
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
269352	384	\$100.00	09/08/2011	OFELIX		

Owner Info.: PACKER NIGEL G

Work Description: Erect 5 ft. privacy fence in the half depth front yard

PAID
CITY OF ATLANTA
SEP 08 2011
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR