



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

APPLICATION NUMBER: V-11-163

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

Address of Property: **1036 Drewry ST NE**

Board of Zoning Adjustment (BZA) Hearing Date:  
**Thursday, January 5, 2012 at 12:00 p.m.**  
Council Chambers, 2nd Floor, City Hall  
55 Trinity Avenue, S.W.

The contact person for NPU is:

*Charlie Nalbano*  
*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,

*[Signature]*  
for Director, Bureau of Planning

*[Signature]*  
JAMES A RUSSELL



# APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 11 7 11

Application Number V-11-163

Name of Applicant James Russell Daytime Phone 404 875 8321

Company Name \_\_\_\_\_ e-mail ATLJBO@GMAIL.COM

Address 1036 DREWRY ST ATLANTA GA 30306  
street city state zip code

Name of Property Owner James Russell Phone 404 875 8321

Address 1036 DREWRY ST ATLANTA GA 30306  
street city state zip code

### Description of Property

Address of Property 1036 DREWRY ST 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: R-4, Council District: 6, Neighborhood Planning Unit: F

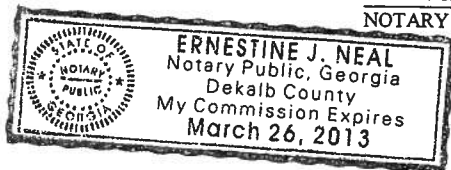
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant variance(s).

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 07 Day of November 2011.

[Signature]  
Owner or Agent for Owner (Applicant)  
James Russell  
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 E. Shelby  
Commissioner  
Dept. of Planning &  
Community Development

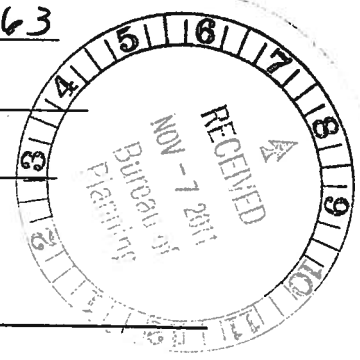
Ibrahim Maslamani, CBO,  
AIA  
Director  
Office of Building

## REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER Y-11-163  
NPU F DATE FILED \_\_\_\_\_

James Russell

Name of Applicant



## BUILDING PERMIT AUTHORIZING

An accessory addition

at 1036 Drewry Street NE 14/16  
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 rear yard setback from 15' (required) to 5' to allow the addition of an accessory structure (carport). Applicant seeks no other variances at this time.

### 1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (3)

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

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

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

Applicant: James Russell

Zoning Plan Reviewer: D. Johnson

**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:**

My zoning is R-4 where 15' foot setback is required. I asked to build 5' feet from back due to small lot.  
Build 16'x20' open carport on back left corner of lot.

**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, everything except natural planted or undisturbed areas.

\_\_\_\_\_ covered square feet / \_\_\_\_\_ 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 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 (NPUs), 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:

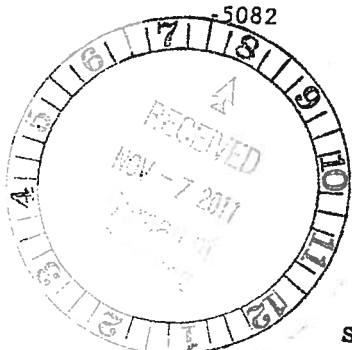
- by sending written notice of your application to all property owners whose property is within 300 feet of the subject property, and
- by causing public notice to be placed in the newspaper.

*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-11-163



BROWN AND TAYLOR

Fulton County, Georgia  
Real Estate Tax...  
Paid \$ 57.92  
Date FEB 10 1983  
BARBARA J. PRICE  
Clerk, Superior Court  
By: W. C. [Signature]  
Deputy Clerk

WARRANTY DEED

STATE OF GEORGIA COUNTY OF DEKALB

THIS INDENTURE, Made the 1st day of February, in the year one thousand nine hundred eighty three, between

MAXINE WILLIAMS AND AMELIA MORRISON

of the County of DeKalb, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

D. ROGER ARMISTEAD AND SUSAN L. ARMISTEAD

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS----- ( \$10.00 ) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN Land Lot 16 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point on the north side of Drewry Street 174 feet westorly from the intersection formed by the north side of Drewry Street and the west side of Highland Avenue; running thence west along the north side of Drewry Street 60.3 feet to a point on the east side of an alley; running thence north along said alley 98 feet more or less to a point; running thence east 60 feet to a point; running thence south 98 feet more or less to the POINT OF BEGINNING.

GEORGIA, Fulton County, Clerk's Office Superior Court  
Filed & Recorded, FEB 10 1983 at 9:35 [Signature] CLERK

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.



Signed, sealed and delivered in presence of:

[Signature] WITNESS  
[Signature] NOTARY PUBLIC

[Signature] (Seal)  
MAXINE WILLIAMS (Seal)  
[Signature] (Seal)  
AMELIA MORRISON (Seal)

V-11-163

To: City of Atlanta  
Department of Planning and Community Development  
Office of Planning



The purpose of this Justification letter is to ask permission to build an open carport on the back left corner of my lot. My lot is zoned R-4, where a 15 foot setback is required to build near the rear of a property. The proposed carport would be placed five feet off of the back of my property line and nine feet off of the left side of my property line (five feet off property line plus four feet of half of the neighbor shared alley).

I ask you to note that my lot is half the depth of my surrounding neighbor's lots because an apartment building's parking lot is located behind my lot. The apartment building's address and entrance is off of North Highland Avenue. For this reason I do not have much of a yard to position the carport.

The proposed construction of the 16' X 20' open carport is not objected by any of my adjacent neighbors. It will be built by using only hand held equipment. It will not involve the destruction of trees or their root systems. The construction will not involve any digging or disturbance of existing soil. This carport will be built over an existing gravel parking pad, which is off of a gravel alley/driveway. The carport's roofline will be a double hip in order to aid in water shed.

The purpose of this carport is to protect my car, and my guest's cars, from limbs and pecans which fall from a very large Pecan tree that is in my backyard. It is costly to remove these fallen tree limbs and repair the damages that they cause. For example, within the past month, a large 20" round tree limb fell and destroyed a significant portion of mine and my neighbor's fence. Within the last two years I have replaced two expensive cooking grills located on my backyard deck because of falling tree limbs. The tree's pecans fall and damage my car as though my car had been caught in a hail storm. I would like to cover my car to prevent this furthermore.

My plan is for an open 16' X 20' carport. The design is simple and sound using 6" X 6" pressure treated legs, 2" X 8" double hip roofline with a 3' pitch and shingles. Its look will co-exist with the neighborhood's home structures. The roofline will evenly shed water over the gravel parking pad.

I have the approval from my adjacent neighbors to build this carport and I am asking that I may have yours as well.

Sincerely,

  
James Russell

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

Merchant ID: 550138523  
Term ID: 0010540000550138523003

### Sale

XXXXXXXXXXXX0050

VISA

Entry Method: Swiped

ation: V-11-163

Total: \$ 100.00

Type: Planning/BZA/Variance/NA

dress: 1036 DREWRY ST, ATLANTA, GA 30306

11/07/11 12:40:10

Name: RUSSELL JAMES A

Inv #: 000010 Appr Code: 974772

dress:

Apprvd: Online

Name:

Customer Copy

THANK YOU!

Credit Card

Amount Paid	Payment Date	Cashier ID	Received	Comments
\$100.00	11/07/2011	OFELIX		

Owner Info.: RUSSELL JAMES A

**Work Description:** Variance to reduce the rear yard setback for 15' to 5' to allow the addition of an accessory structure (carport)

PAID  
CITY OF ATLANTA  
NOV 07 2011 *Visa*  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR