



Notice To Applicant
City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-11-082**

City Council District: Neighborhood Planning Unit (NPU):

Address of Property: **1700 North Pelham RD NE**

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, August 4, 2011 at 12:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU F is:

Jane Rawlings
2116 Lenox Road
Atlanta, GA 30324

404-315-8408
chair@npufatlanta.org

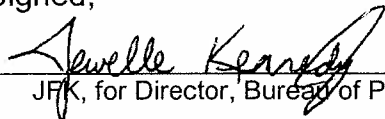
Contact info for adjacent NPUs is provided below if necessary:

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,



JFK, for Director, Bureau of Planning



Ross Mansbach



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:** (1) construct a ~5 foot by ~9 foot one story shed, (2) construct a 7 foot by 10 foot one story shed with a 3 foot by 10 foot "porch" area, (3) install concrete and stone steps and (4) improve an existing room in the back yard

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.

5947 covered square feet / 13,509 total lot square feet = 44 % 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 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 (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.



APPLICATION FOR VARIANCE
City of Atlanta

Date Filed June 2, 2011 Application Number V-11-082
Name of Applicant Samuel Ross Mansbach Daytime Phone 404-538-1763
Company Name N/A e-mail ross.mansbach@gmail.com
Address 1700 N. Pelham Rd Atlanta GA 30324

Name of Property Owner Jodi L. Mansbach Phone 404-538-1762
Address 1700 N. Pelham Rd Atlanta GA 30324

Description of Property

Address of Property 1700 N. Pelham Rd OR
the subject property fronts _____ feet on the _____ side of _____
and begins _____ feet from the _____ corner of _____
Depth: ~ 222-225 ft Area: ~ 13,509 ft^2 Land Lot: 51 District: 17th, Fulton County, GA.
Property is zoned: R4, Council District: 6, Neighborhood Planning Unit: NPU-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).

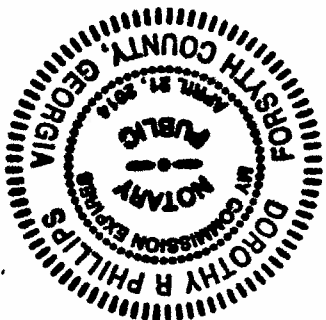
I hereby authorize the staff of the Office of Planning to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Planning upon filing this application. I swear 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 31 Day Of May, 2011.

[Signature of S. Ross Mansbach]
Owner or Agent for Owner (Applicant)

S. Ross Mansbach
APPLICANT'S NAME IN PRINTED LETTERS

[Signature of Dorothy R. Phillips]
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 _____ APPLICATION NUMBER V-11-082

NPU _____ DATE FILED _____

Samuel Ross Mansbach

Name of Applicant



BUILDING PERMIT AUTHORIZING Construction of accessory structures

at 1700 N. Pelham Road NE 17th/51
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 south side yard setback from 7ft (required) to 2.1 ft. and the rear yard setback from 15' (required) to 3.3 ft. to allow two (2) accessory structures. Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 06 Section 16-06.008 Paragraph (2) (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: [Signature]

Zoning Plan Reviewer: [Signature]

V-11-082



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

I, Jodi L. Mansbach (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT _____

1700 N. Pelham Rd, Atlanta, GA 30324 (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 Samuel Ross Mansbach

ADDRESS OF APPLICANT 1700 N. Pelham Rd
Atlanta, GA 30324

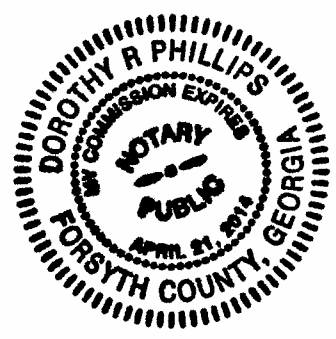
TELEPHONE NUMBER 404-538-1763

Jodi L. Mansbach
Signature of Owner

Personally Appeared Before Me
Samuel Ross Mansbach

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

Date May 31, 2011



APPLICATION for VARIANCE for 1700 N. PELHAM RD. ATLANTA, GA 30324



Criteria for Variance

Applicant seeks a variance for two shed structures. One shed encroaches on the side yard set-back (built 2.1 feet from the setback) and the other encroaches on the rear-yard setback (built 3.3 feet from the setback).

Reason (1)

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography:

1. The lot is zoned R-4 and should have a width of 70 feet, but the lot has a width of only 60 feet, making it more necessary to encroach on the side-yard setback.
2. The lot and the rear neighbor's lot have adjoining backyards, so the shed that encroaches on the rear-yard setback remains remote from the rear neighbor's home.
3. The lot descends from the front to a ditch in the backyard, and then it ascends steeply toward the rear property line. The land is not reasonably accessible without steps, and without landscaping it is not usable or enticing.

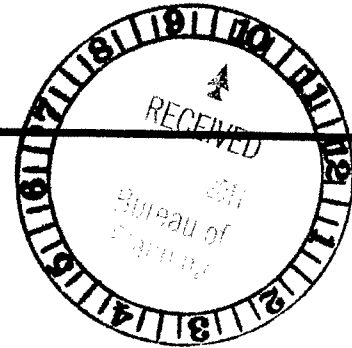
Reason (4)

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:

THERE ARE NO OBJECTIONS TO THE IMPROVEMENTS BY ANY ADJOINING NEIGHBOR. (See Attachment)

1. The improvements protect against blight and depreciation by landscaping land that previously was overgrown and not reasonably accessible, making the lot more valuable, especially considering the expensive plant and construction material used. In fact, the improvements have inspired other neighbors to improve their own back yards.
2. The improvements sustain stability of the neighborhood by improving the land value and fostering community by creating easier access to neighbors. The fence around the back yard has gates that contemplate and allow for more interaction with neighbors.
3. The improvements promote desirable living conditions by creating, as one adjoining neighbor wrote, something that "is aesthetically pleasing, environmentally friendly and fun!" The shed structures are built without concrete slabs, so the land under them remains porous. Also, the backyard slope will be replanted with fruit-bearing plants and trees, plus some ornamentals, using varieties that can sustain themselves in Atlanta's climate.

V-11-082



Mansbach, Ross

From: Marsha Johnson <marshajohnson@bellsouth.net>
Sent: Monday, May 16, 2011 6:04 PM
To: Mansbach, Ross
Subject: RE: Mansbach Back Yard

Dear Ross,

You have my complete support for the project. It is aesthetically pleasing, environmentally friendly, and fun! I look forward to enjoying it from my deck.

Marsha Sampson Johnson
1706 North Pelham Road, NE
Atlanta, Georgia 30324
(404) 575-3044
marshajohnson@bellsouth.net

From: Mansbach, Ross [mailto:Ross.Mansbach@kcc.com]
Sent: Monday, May 16, 2011 5:49 PM
To: Bill Wilson; marshajohnson@bellsouth.net; Frank Ilardi
Subject: Mansbach Back Yard

I've gotten word from the city's Department of Watershed Management that they would like me to permit our backyard project, so I intend to go through that process. Something that I'm sure would be helpful along the way would be to tell the city that the neighbors most impacted by the project do not object. Would you mind responding to this email, indicating that you don't object? The project is almost complete (plantings going in over the next few days), so you have the benefit of knowing exactly what the "plan" looks like. Of course, if you have any questions or concerns, I'd be happy to talk with you about them. You guys have been very generous about the project, and I apologize for needing to reach out to you like this.

Ross Mansbach
770-587-8629 (phone)
920-969-4771 (fax)

This e-mail is intended for the use of the addressee(s) only and may contain privileged, confidential, or proprietary information that is exempt from disclosure under law. If you have received this message in error, please inform us by reply e-mail, then delete the e-mail and destroy any printed copy. Thank you.



Mansbach, Ross

From: Bill Wilson <biwilson@coca-cola.com>
Sent: Monday, May 16, 2011 8:07 PM
To: Mansbach, Ross; Catherine Wilson (catherine@ccwinteriors.com)
Subject: RE: Mansbach Back Yard

Ross,

You have our support of your backyard design and project. It will look great! Thanks for asking our opinion.

Best regards,

Bill Wilson
Coca-Cola Refreshments
O – 479-254-7524
C – 404-210-2047
E – biwilson@coca-cola.com

From: Mansbach, Ross [mailto:Ross.Mansbach@kcc.com]
Sent: Monday, May 16, 2011 5:49 PM
To: Bill Wilson; marshajohnson@bellsouth.net; Frank Ilardi
Subject: Mansbach Back Yard

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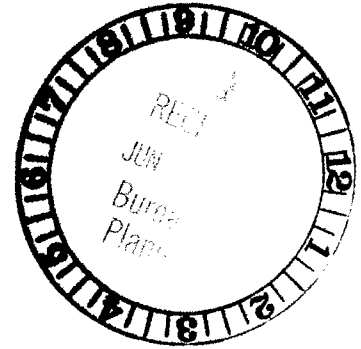
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NOTICE: This message is intended for the use of the individual or entity to which it is addressed and may contain information that is confidential, privileged and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any printing, copying, dissemination, distribution, disclosure or forwarding of this communication is strictly prohibited. If you have received this communication in error please contact the sender immediately and delete it from your system. Thank You.

Mansbach, Ross

V-11-082

From: Frank Ilardi <frank@hirlaw.com>
Sent: Monday, May 16, 2011 5:58 PM
To: Mansbach, Ross
Subject: RE: Mansbach Back Yard



No problem. Feel free to forward my contact info along if the city needs anything else

Frank A. Ilardi

HOUCK, ILARDI & REGAS

Two Ravinia Drive, Suite 800

Atlanta, Georgia 30346

Direct Dial: 770-392-6082

Fax: 770-392-6083

Email: frank@hirlaw.com

Website: www.hirlaw.com

This electronic message, including any attachments, is for the sole use of the individual(s) specifically identified in the "To" and "Cc" lines above.

If you are not an intended recipient, you should not rely on the information and/or opinions conveyed herein and are notified that any disclosure, copying, distribution or use of the contents of this information is strictly prohibited. If you have received this electronic transmission in error, please notify the sender immediately by telephone or by a "reply to sender only" message and destroy all electronic and hard copies of the communication, including attachments. This electronic message alone does not create an attorney-client relationship between the sender and recipient(s). This electronic message and any attachments may contain information that is confidential, privileged and/or otherwise exempt from disclosure under applicable law. Thank you.

-----Original Message-----

From: Mansbach, Ross [mailto:Ross.Mansbach@kcc.com]
Sent: Monday, May 16, 2011 5:57 PM
To: Frank Ilardi
Subject: Re: Mansbach Back Yard

Thanks so much, Frank!

Sent from my iPhone

On May 16, 2011, at 5:52 PM, "Frank Ilardi"
<frank@hirlaw.com<<mailto:frank@hirlaw.com>>> wrote:

Hi Ross,

As the neighbors who live directly behind you, we have no objection to you obtaining a permit for your backyard project.

Best,

Frank

Frank A. Ilardi

<image001.jpg>

Two Ravinia Drive, Suite 800

Atlanta, Georgia 30346

Direct Dial: 770-392-6082

Fax: 770-392-6083

Email: <<mailto:frank@hirlaw.com>>
frank@hirlaw.com<<mailto:frank@hirlaw.com>>

Website: <<http://www.hirlaw.com/>>
www.hirlaw.com<<http://www.hirlaw.com>>

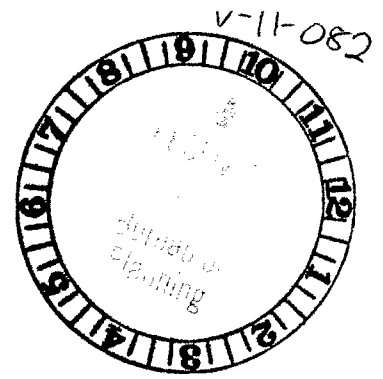
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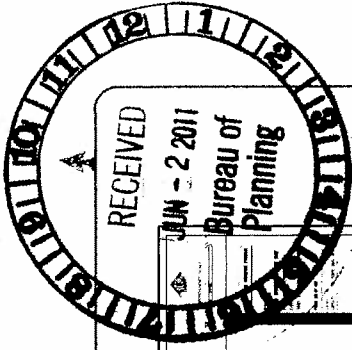
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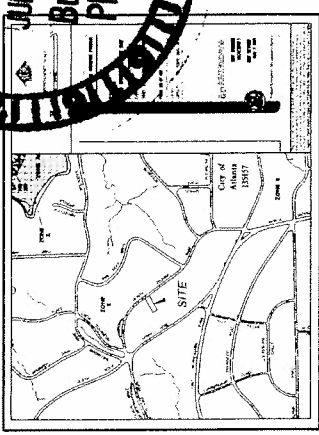
Ross Mansbach
770-587-8629 (phone)
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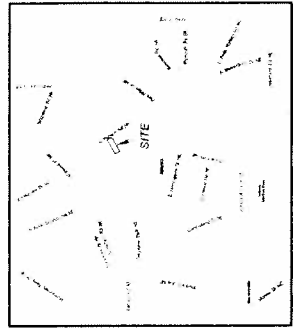
V-11-082



LAND SURVEYING - CONSULTING - COMMERCIAL - RESIDENTIAL



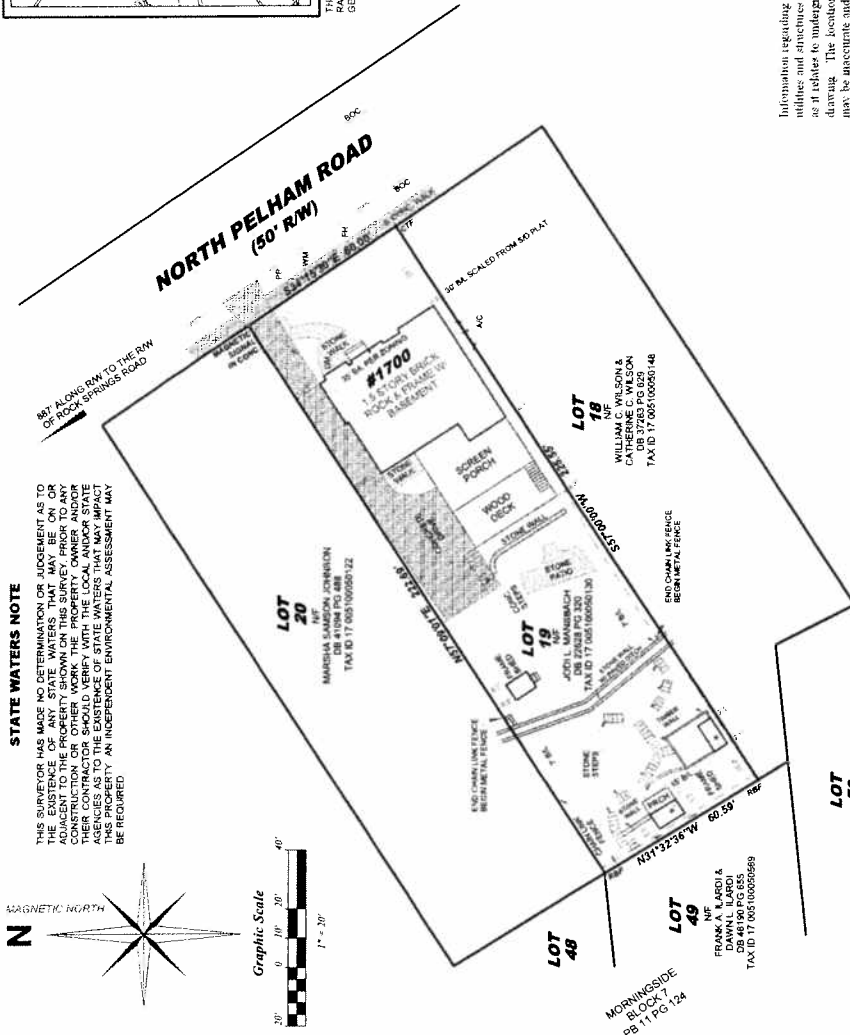
THIS PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP NUMBER 13125D0261 F PANEL 201 OF 497 COVERING FULTON COUNTY, GEORGIA, DATED 05/07/2001



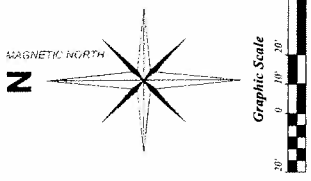
SITE LOCATION MAP NOT TO SCALE

UNDERGROUND UTILITY DISCLAIMER

Information regarding the required presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information as it relates to underground facilities and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and such underground utilities and structures not shown may be encountered by the owner, its employees, its consultants and by contractors. I shall hereby, distinctly understand that the surveyor is not responsible for the correctness or sufficiency of the information shown hereon in this regard. The information shown hereon is for informational purposes only and shall not apply to the utility and/or structures as they are located or visible from the surface. All such above ground utilities and/or structures have been field located and are accurately depicted hereon.



STATE WATERS NOTE
THIS SURVEYOR HAS MADE NO DETERMINATION OR ADJUDICATION AS TO THE EXISTENCE OF ANY STATE WATERS THAT MAY BE ON OR UNDER THE SURFACE OF THE EARTH OR UNDERGROUND. ANY ADJUDICATION CONCERNING THE EXISTENCE OF STATE WATERS OR THE LOCATION OF ANY STATE WATERS SHOULD BE MADE BY THE LOCAL AND/OR STATE AGENCIES AS TO THE EXISTENCE OF STATE WATERS THAT MAY IMPACT THE SURVEY. AN INDEPENDENT ENVIRONMENTAL ASSESSMENT MAY BE REQUIRED.



PLAT CERTIFICATION NOTICE
THIS PLAT HAS BEEN 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 HEREON. RENAMING THE PLAT TO SAID OTHER PERSON, PERSONS OR ENTITIES.

WALTERS BY TITLE ARE EXCEPTED
© COPYRIGHT ARROW SURVEYING 2011

LEGEND

- 1. BOUNDARY MARKED BY THIS SURVEYOR
- 2. BOUNDARY MARKED BY OTHER SURVEYOR
- 3. BOUNDARY MARKED BY OTHER SURVEYOR
- 4. BOUNDARY MARKED BY OTHER SURVEYOR
- 5. BOUNDARY MARKED BY OTHER SURVEYOR
- 6. BOUNDARY MARKED BY OTHER SURVEYOR
- 7. BOUNDARY MARKED BY OTHER SURVEYOR
- 8. BOUNDARY MARKED BY OTHER SURVEYOR
- 9. BOUNDARY MARKED BY OTHER SURVEYOR
- 10. BOUNDARY MARKED BY OTHER SURVEYOR

ACCORDING TO THE CITY OF ATLANTA ZONING MAPS THIS SITE IS ZONED R-4

REFERENCES:
1. DE 2003 PG 330
2. DE 2003 PG 330
3. CURRENT TAX RECORDS AND TAX MAPS AVAILABLE ONLINE FROM THE FULTON COUNTY, GEORGIA WEBSITE

NOTES:
1. BOUNDARY MARKED BY THIS SURVEYOR
2. BOUNDARY MARKED BY OTHER SURVEYOR
3. BOUNDARY MARKED BY OTHER SURVEYOR
4. BOUNDARY MARKED BY OTHER SURVEYOR
5. BOUNDARY MARKED BY OTHER SURVEYOR
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9. BOUNDARY MARKED BY OTHER SURVEYOR
10. BOUNDARY MARKED BY OTHER SURVEYOR

SUBJECT
LOT 19 AREA
0.310 ACRES
13509 SQ.FT.

IMPERVIOUS AREA
5947 SQ.FT.
OR 44.0% OF LOT

EQUIPMENT USED:
1. ELECTRONIC DISTANCE MEASURING DEVICE (EDM)
2. TOTAL STATION
3. DISTANCE MEASURING DEVICE (DMD)
4. DISTANCE MEASURING DEVICE (DMD)
5. DISTANCE MEASURING DEVICE (DMD)
6. DISTANCE MEASURING DEVICE (DMD)
7. DISTANCE MEASURING DEVICE (DMD)
8. DISTANCE MEASURING DEVICE (DMD)
9. DISTANCE MEASURING DEVICE (DMD)
10. DISTANCE MEASURING DEVICE (DMD)

BOUNDARY AND ASBUILT SURVEY FOR:
ROSS MANSBACH &
JODI L. MANSBACH
TAX PARCEL 17 005100050130
#1700 NORTH PELHAM ROAD
LAND LOT 51 OF THE 11TH DISTRICT
FULTON COUNTY, GEORGIA

REVISIONS:

ARROW SURVEYING
2245 COUNTRY WALK
SNELLVILLE, GEORGIA 30039
PH. AND FAX 770-982-9900

JOB NUMBER 11080
SCALE 1" = 40.00' (AS SHOWN)
DATE 05/07/11
DRAWN BY J. WILSON
CHECKED BY J. WILSON
PROJECT NO. 11080
JOB NO. 11080
DATE 05/07/11



V-11-082



RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: V-11-082
Application Type: Planning/BZA/Variance/NA
Address: 1700 NORTH PELHAM RD , ATLANTA, GA 30324
Owner Name: MANSBACH JODI L
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
261498	2484	\$100.00	06/02/2011	CGOODE		

Owner Info.: MANSBACH JODI L

Work Description: Reduce side yard setback from 7ft to 2.1ft and the rear yard setback from 15ft to 3.3ft to allow for 2 accessory structures.

PAID
CITY OF ATLANTA
JUN 02 2011
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR
EG