

Notice To Applicant

City of Atlanta - Bureau of Planning

APPLICATION NUMBER: **V-12-061**

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

Address of Property: **1646 Johnson Rd, NE**

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, June 14, 2012 at 12:00 p.m.

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

The contact person for NPU F is:

Debra Skopczynski
404-874-7483
dskopczynski@yahoo.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,



BOP, for Director, Bureau of Planning



Sean Cash, Applicant



APPLICATION FOR VARIANCE
City of Atlanta

Date Filed 4/25/12 Application Number V-12-1261
Name of Applicant Sean Cash Daytime Phone 678-662-6462
Company Name _____ e-mail seancash9190@msn.com
Address 4510 Wieuca Road, Atlanta, GA 30342
street city state zip code

Name of Property Owner Jill and Eric Irvin Phone 770-335-7298
Address 1646 Johnson Rd. NE, Atlanta, GA 30306
street city state zip code

Description of Property

Address of Property 1646 Johnson Rd. NE, Atlanta, GA 30306 OR
the subject property fronts _____ feet on the _____ side of _____
_____, and begins _____ feet from the
_____ corner of _____.

Depth: 166.12' Area: 0.258 Land Lot: 56 District: 18, DeKalb County, GA.
Acres
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.

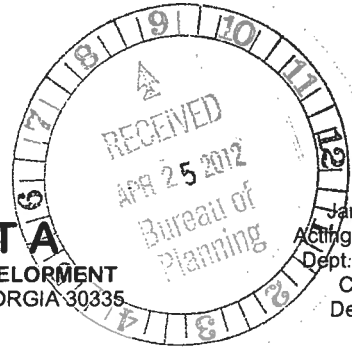
Sworn To And Subscribed Before Me This 25 Day Of April, 2012

[Signature]
Owner or Agent for Owner (Applicant)

Sean Cash
APPLICANT'S NAME IN PRINTED LETTERS

[Signature]
NOTARY PUBLIC

Sonya Lynn Belk
Notary Public, Henry County, Georgia
My Commission Expires October 23, 2015



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
Acting Commissioner
Dept. of Planning &
Community
Development

Don Rosenthal
Director
Bureau of Building

Ann Heard
Zoning Chief
Zoning Enforcement

REFERRAL CERTIFICATE

COUNCIL DISTRICT _____ APPLICATION NUMBER V-72-061

NPU ~~7~~ DATE FILED _____

1. Sean Cash
Name of Applicant

BUILDING PERMIT AUTHORIZING variance

at 1646 Johnson Road, NE 18TH/56
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 zoning regulations to (1) reduce the required half-depth front yard setback from 17.5ft to 10ft and (2) to reduce the required west side yard setback from 7ft to 5ft to allow for second story addition to an existing single family dwelling (pending lot approval from Planning). Applicant seeks no further variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 28 Section 16-28.007 Paragraph (5) (b)

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter _____ Section _____ Paragraph _____

Department of Planning and Development
Bureau of Buildings
Don Rosenthal, Director
Ann Heard, Zoning Chief
4/25/12 *5/9/12*

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: Finish 1,593 square foot area of attic over existing one-story single family home including raising the roofline. Lower roofline over 355 square feet of existing one-story structure. Proposed project will not extend outside existing home footprint.

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.

4,876 covered square feet / 11,329 total lot square feet = 43 % 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), 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, Eric Irvin (OWNER'S NAME)

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

1646 Johnson Road, NE (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF DeKalb 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 Sean Cash

ADDRESS OF APPLICANT 4510 Wieuca Road

Atlanta, GA 30342

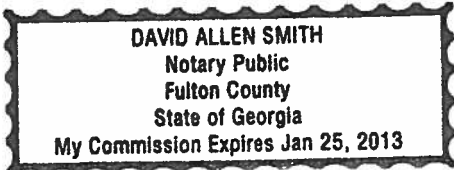
TELEPHONE NUMBER 678-662-6462

[Signature]
Signature of Owner

Personally Appeared Before Me
ERIC IRVIN

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

Date 4/12/2012



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, Jill Irvin (OWNER'S NAME)

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

1646 Johnson Road, NE (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF Dekalb 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 Sean Cash

ADDRESS OF APPLICANT 4510 Wieuca Road

Atlanta, GA 30342

TELEPHONE NUMBER 678-662-6462

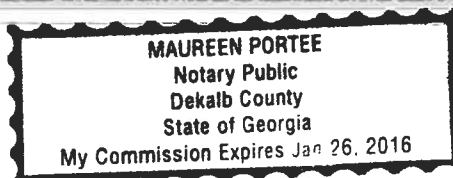
Jill C Irvin
Signature of Owner

Personally Appeared Before Me Jill Irvin

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

Notary Public

4/13/2012
Date



Sean Cash

4510 Wieuca Road, Atlanta, GA 30342

Phone: (678)662-6462

**City of Atlanta
Bureau of Planning**

55 Trinity Avenue, S.W.

Suite 3350

Atlanta, GA 30303

Phone: (404)330-6145

Dear Sir or Madam,

We are requesting a variance from the City of Atlanta Zoning Ordinance to allow for a second story addition to encroach 2 feet into the westerly 7 foot side yard setback and to allow for a roof alteration to encroach 7 feet 4 inches into the easterly 17 foot 6 inch half-depth side yard setback. The footprint of the existing single family residence will not change. The "subject property" is located at 1646 Johnson Road, Atlanta, GA 30306, tax/parcel I.D. number 18 05603056. The property is zoned R-4. The subject property is owned by Jill & Eric Irvin.

There are extraordinary and exceptional conditions pertaining to the subject property. It is situated at the corner of Johnson Road & Noble Drive. Being a corner lot it requires a 17 foot 6 inch half-depth side yard setback on the eastern side which significantly reduces the buildable area. The existing home currently encroaches into both side yard setbacks. The subject property also presents significant topographical as the front and east side yards slope steeply toward the street. Therefore, an addition to the front of the home would interfere with the existing functional layout of the main level floor plan and exceed the maximum height requirements set forth in the City of Atlanta Zoning Ordinance.

The application of the ordinance to this particular property would create an unnecessary hardship as the existing home already encroaches into each side yard setback. Any renovation within these areas would not comply with the Zoning Ordinance of the City of Atlanta. Addition to the footprint at the rear of the property, within the setback, would be significantly more costly creating a financial hardship. Additionally, because the home is situated toward the rear of the lot, an addition toward the rear of the property would greatly reduce the homeowners' ability to enjoy their only outdoor private space; the existing back yard.

Because the proposed project does not extend beyond the footprint of the existing home the ability of the neighboring property owners to fully utilize and enjoy their property will remain unchanged. The homes immediately neighboring the subject property are significantly taller than our proposed roofline and will therefore maintain access to light and air. Moreover, renovation of the subject property will improve the actual and

perceived value of this home thus protecting against blight and depreciation of the neighborhood.

Thank you for your kind consideration in this matter.

Sincerely,



Sean Cash
Applicant

2/9/2012

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

Application: V-12-061
Application Type: Planning/BZA/Variance/NA
Address: 1646 JOHNSON RD , ATLANTA, GA 30306
Owner Name: IRVIN JILL C OR IRVIN ERIC J
Owner Address:
Application Name: Sean Cash

Receipt No.	289712					
Payment Method	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
Check	3014	\$100.00	04/25/2012	RPLEWIS		

Owner Info.: IRVIN JILL C OR IRVIN ERIC J

Work Description: Finish 1,593 square feet area of attic over existing one-story single-family home including raising the roof line. Applicant to file for a replat concurrent with this variance application.

PAID
CITY OF ATLANTA
APR 25 2012
[Signature]
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR