



OFFICE OF PLANNING
55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **V-15-129**
DATE ACCEPTED: **05/13/2015**

NOTICE TO APPLICANT

Address of Property:
895 Adair AVE NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, July 9, 2015 at 12:00 p.m.

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

The contact person for NPU F is:

Charles Nalbone
404-376-3230
zoning@npufatlanta.org

Contact info for adjacent NPUs is provided below if necessary:

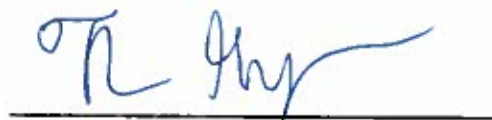
Additional Contacts:

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.

Signed,



TT, for Director, Bureau of Planning



Thomas Gryboski



CITY OF ATLANTA

Office of Buildings - Zoning Division
55 TRINITY AVENUE, SUITE 3900
Atlanta, Georgia 30303
404-330-6175



REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-15-129
NPU F DATE FILED 05/18/15

1. Thomas Gryboski
Name of Applicant

BUILDING PERMIT AUTHORIZING

A New Detached Garage

at 895 Adair Avenue NE 17th / 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 regulation to reduce the west side yard setback from the required 7 feet to 4.2 and the rear yard setback from the required 15 feet to 7 feet (5 foot credit given for 1/2 width of 10 foot alley) to allow for a new detached garage.
Applicant seeks no other variance at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2) & (3)

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

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

[Signature]
Plan Reviewer Date 5-18-15

[Signature]
Applicant Date

APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 05.13.15 Application Number V-15-129

Name of Applicant Thomas Gryboski Daytime Phone 770-335-8012

Company Name N/A e-mail tgryboski@yahoo.com

Address 995 Springdale Rd., Atlanta, GA 30306
street city state zip code

Name of Property Owner Thomas Gryboski Phone 770-335-8012

Address 895 Adair Avenue, Atlanta, GA 30306
street city state zip code

Description of Property

Address of Property 895 Adair Avenue, 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: R4, Council District: 06, 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 12 Day Of May, 2015.

Thomas S. Gryboski
Owner or Agent for Owner (Applicant)

Thomas S. Gryboski

APPLICANT'S NAME IN PRINTED LETTERS

Cynthia M. Jordan
NOTARY PUBLIC



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 a two story home (1696 square foot first floor, 1612 square foot second floor) and 1612 square foot basement, covered porch (134 square feet) and 20 x 22 one story garage (440 square feet). See attached plan.

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.

3,472 covered square feet / 6,966 total lot square feet = 49.8 % 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.

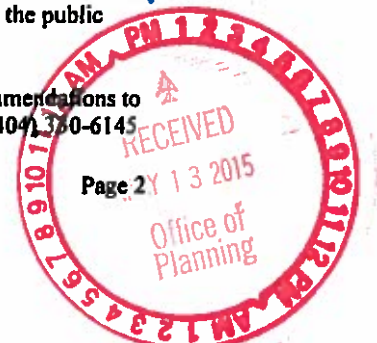
Public Notice. When you file your application, it will be scheduled for a public hearing. The Office of Planning will initiate posting of public notice ("an advertisement", "a legal ad") for this public hearing so that the public is informed at least 15 days before the date of the public hearing:

- 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.



Tom Gryboski

May 13, 2015

City of Atlanta
Department of Planning and Community Development
Bureau of Planning, Current Planning Division
55 Trinity Avenue, Suite 3350
Atlanta, GA 30335

re: 895 Adair Avenue, Atlanta, GA 30306

Planning Staff:

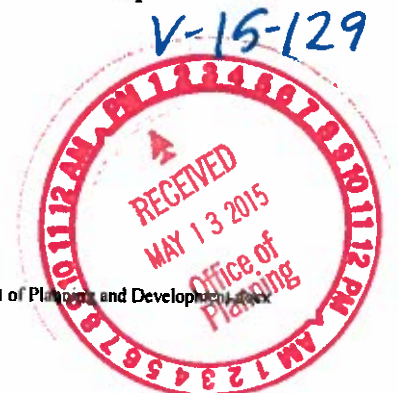
In conjunction with building a new home, we wish to build a garage. The garage will be similarly located to the existing dilapidated shed that appears to have been built a very long time ago. The shed will be removed as part of the garage construction. Please note that shed both encroaches past the rear property line (by 1.2') and violates the current side setback by 2.8' and rear setback by 10'. The variance requested is to reduce the rear setback of 15' (after 5' credit for alley effectively 10') by 8' to 2' and reduce the side setback from 7' to 4.2' (keeping the new structure at the same side setback location as the existing shed). The shed is 12' x 20' and the garage is 22' x 20'. Attached are the following items in connection with our variance request:

- Variance Application
- Survey
- Proposed Site Plan
- Referral Certificate

The subject property is zoned R-4. We believe the property meets the variance criteria laid out in Section 16-26.003 in the Zoning Guidelines in the following ways;

Extraordinary/Exceptional Conditions Pertaining to the Property because of its Size/Shape

The street frontage of our lot is 50 feet versus the required minimum width of 70 feet. The lot is only 6,966 square feet versus the required minimum of 9,000 square feet. The lot tapers toward the rear and has a shared driveway.



The Application of the Zoning Ordinance to this Property would create an Unnecessary Hardship

As noted above, the lot is very small and has a shared driveway - the application of the side and rear setbacks would create unnecessary hardship. This driveway location incorporates the existing shared driveway and allows for what we believe is the safest and most efficient use of the driveway and does not require significant turning of a vehicle while backing out to the street as would be required if built within the setbacks.

Such conditions are peculiar to the particular piece of property involved

Many of the lots in Virginia-Highland have features that are in conflict with the current zoning ordinance, however, the shared driveway, the lot tapering in the back and the lot being smaller than many in Virginia-Highland make this lot a unique challenge.

The Variance would not cause substantial detriment to the public good or impair the purpose and intent of the Zoning Ordinance of Atlanta

Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta. Relief, if granted, will not distract from people's use and enjoyment of adjoining and surrounding properties. The proposed construction is generally in harmony with construction on neighboring lots, and allows for adequate light and air. We believe the proposed garage construction is in keeping with the orderly development of this neighborhood and will promote desirable living conditions at the home as well as the neighborhood.

Thank you for your consideration in this request.

Sincerely,



Thomas Gryboski



RECEIPT

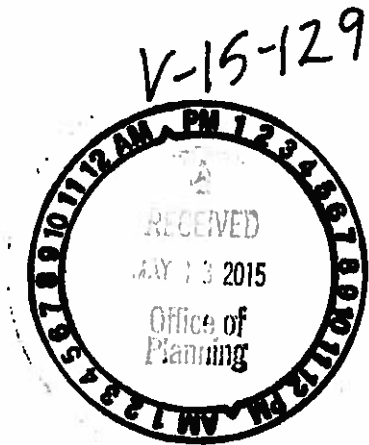
CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVE SW, ATLANTA GA 30303
404-330-6070

Application: V-15-129
Application Type: Planning/BZA/Variance/NA
Address: 895 ADAIR AVE NE, ATLANTA, GA 30306
Owner Name: JAMES LILLIE J
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received Comments
416357	896	\$100.00	05/13/2015	SGUILDARIE	

Owner Info.: JAMES LILLIE J

Work Description: Applicant seeks a variance from the zoning regulations to reduce the west side yard setback from the required 7ft to 4.2 ft and the rear yard setback from the required 15 feet to 8 feet (the remaining 5 feet is allowed for adjacent alleyway credit) to allow for a new detached garage.



PAID
CITY OF ATLANTA
MAY 13 2015
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

SS