



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

APPLICATION #: **V-15-260**  
DATE ACCEPTED: **09/09/2015**

## NOTICE TO APPLICANT

Address of Property:  
**1476 North Highland AVE NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, November 5, 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

  
\_\_\_\_\_  
April Ingraham



City of Atlanta  
 Office of Buildings – Zoning Division  
 55 Trinity Avenue, Suite 3900  
 Atlanta, Georgia 30303  
 Phone: 404-330-6175



**REFERRAL CERTIFICATE**

COUNCIL DISTRICT 6 APPLICATION NUMBER V-15-260  
 NPU F DATE FILED 9.9.15

1. April Ingraham  
 Name of Applicant

**BUILDING PERMIT AUTHORIZING**

at 1476 North Highland Ave. NE 17<sup>th</sup> / 2  
 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 special exception from zoning regulations to allow a 6' high privacy fence in the required half-depth front yard. Applicant seeks no other special exceptions at this time.

**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 28 Section 16-28.008 Paragraph 5 (a) - 1 (i)  
 Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_  
 Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_  
 Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_  
 Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Applicant Paul Ingraham Zoning Plan Reviewer William Collins

APPLICATION FOR SPECIAL EXCEPTION  
City of Atlanta



Date Filed 9.9.15 Application Number V-15-260  
Name of Applicant APRIL INGRAHAM Daytime Phone 404-421-1520  
Company Name THE PERMIT SPECIALIST LLC email CONSULTANT@THEPERMITSPECIALIST.CO  
Address 165 WEST WIEUCA RD NE STE 305 ATLANTA GA 30342  
street city state zip code

Name of Property Owner KIM GUY Phone 615-403-1116  
Address 1476 N. HIGHLAND AVE ATLANTA GA 30306  
street city state zip code

Description of Property

Address of Property 1476 N. HIGHLAND AVE <sup>NE</sup> OR  
The subject property fronts \_\_\_\_\_ feet on the \_\_\_\_\_ side of  
\_\_\_\_\_ beginning \_\_\_\_\_ feet from the  
\_\_\_\_\_ corner of \_\_\_\_\_  
Depth: 175' Area: 0.24 Land Lot: 2 District: 17, FULTON County, GA.  
Property is zoned: R-4 Council District: 6, Neighborhood Planning Unit: F

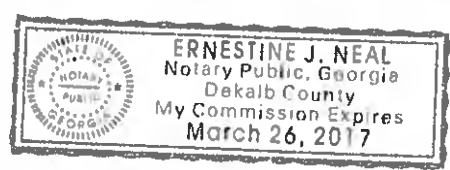
TO THE BOARD OF ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant a Special Exception.

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 09 Day Of Sept., 2015.

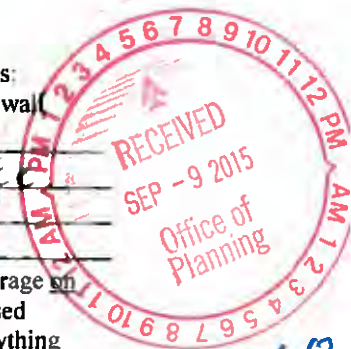
April Ingraham  
Owner or Agent for Owner (Applicant)  
APRIL INGRAHAM  
NAME OF APPLICANT IN PRINTED LETTERS

Ernestine J. Neal  
NOTARY PUBLIC



**Summary of proposed construction changes to buildings or site.** (Examples: "Convert a 100' x 200' retail space into a restaurant." "Install a 6-foot high opaque wooden wall ('privacy fence' with 6-foot high opaque wall gates.")

6 foot cedar picket pine framed privacy fence with automatic gate



**Proposed Lot Coverage (After Construction)** Calculate total amount of lot coverage on entire property, after proposed 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 245 linear feet

**(For Parking Special Exceptions Only)** List the maximum number of employees who will park on the site at any given time: \_\_\_\_\_ AND

List the maximum estimated number of customers, clients, visitors, or similar persons who will require automobile parking in connection with the facility on the site at any given time: \_\_\_\_\_

If you propose to provide off-site parking, see the attached Standards for Off-site Parking Agreements (p. 8).

**Special Exception Procedures**

Special exception 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.

**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 special exceptions. 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.*

August 31, 2015

City of Atlanta  
Planning Department  
55 Trinity Avenue  
Atlanta, GA



V-15-260

RE: 1476 North Highland Avenue NE, Atlanta, GA 30306

We signed the contract to purchase our renovated home at 1476 North Highland Avenue on July 24, 2014 with a closing date of September 22, 2014. During the week of August 4, 2014 all 3 of the HVAC units were stolen in the middle of the night (see attached photo) and the brick column bordering the driveway significantly damaged. The HVAC units were approximately \$15,000 and repair to the damaged column was \$1500.

We are at the corner of North Highland Avenue and Reeder Circle. This is a very busy corner lot and many people use as a cut through to Rock Springs. The rear of the lot slopes down and there was no privacy in the backyard. After closing on the house we had several estimates to build a privacy fence. One of the independent contractors who we have used in the past stated we were fine to build a 6 foot privacy fence. We ended up using Chamblee Fence to construct the privacy fence. No one ever mentioned the need for a special exception. The fence is a 6 foot wood privacy fence with cedar pickets and pine framing. The fence has an automatic gate matching the fence at the brick columns which were existing when we purchased the house. The fence, columns and gate are all painted to match the trim of the house. The total cost for the fence including materials and labor was \$14,500. The fence was constructed the week of September 22, 2014, the same week we closed on the house.





**The main Justifications for the special exception for the fence at 1476 North Highland Avenue are:**

**1. Security:**

- a. – Initial theft of HVAC units - recent uptick in crimes in the MLPA and surrounding neighborhoods – numerous car burglaries and home break-ins.
  - b. - MARTA bus stop on corner of Highland and Reeder directly in front of property.
2. AT&T communications boxes have right of way at side of property on Reeder. Service trucks and technicians on site frequently.
  3. Very busy corner as Reeder Circle has become a cut through street from Highland to Rock Springs. The lot slopes down from street and can see straight into backyard. We would have absolutely no privacy without the fence.
  4. Fence is well constructed, visually appealing and adds value to our house and the neighborhood. We poured all new sidewalks along property line. Our immediate neighbors are happy with the result and supported us building the fence.
  5. Below are 28 examples of 6 foot fences we have noticed on corner lots in the Morningside/Lenox Park area:

1. Amsterdam & Rosewood
2. Hancock & Chalmette
3. Avalon & Morningside (2 houses)
4. Avalon & McLynn
5. Amsterdam & Lanier
6. Amsterdam & King Ct
7. San Antonio & Courtenay
8. Cumberland & Bonnie Ln
9. Beech Valley & Pasadena
10. Hylan & Pasadena
11. Meadowdale & Inverness (2 houses)

12. Noble & Johnson Rd.
13. Robin & Lenox Rd.
14. Berwick & Courtenay
15. Middlesex & Courtenay
16. Highland Ave & Morningside
17. 1045 Lanier
18. 1945 Windham Pk
19. Rock Springs & Pelham
20. Cumberland & Morningside
21. Sherwood & Bridle Path
22. Morningside & Bridle Path
23. Lanier & Los Angeles
24. Rock Springs & Highland
25. Johnson & Meadowdale
26. Pasadena & Meadowdale



For the reasons and examples stated above we kindly ask for a special exception to allow a 6' fence in the required  $\frac{1}{2}$  front yard setback and rear setbacks located at 1476 North Highland Avenue.

Please feel free to contact us with any questions.

Regards,

A handwritten signature in black ink that reads 'Kim Guy'.

Kim Guy

615-403-1116

[kimcguy74@gmail.com](mailto:kimcguy74@gmail.com)

Brad Shepard

404-312-9100

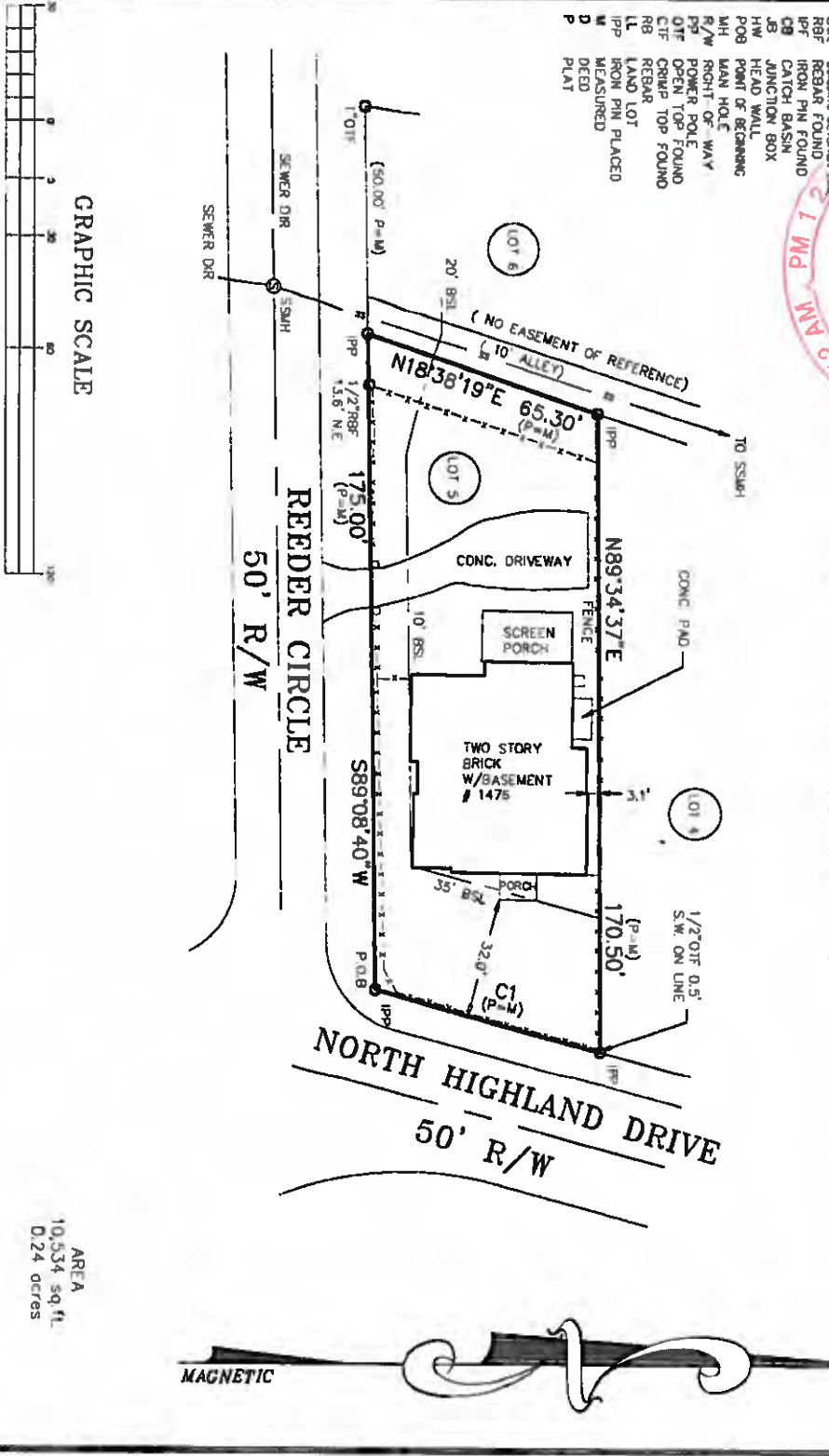
[brad@bradshepard.com](mailto:brad@bradshepard.com)

8 9 10 11 12 PM AM 1 2 3 4 5 6 7 8 9 10 11 12 AM

V-15-260

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
CT	62.70	15810.15	62.70	S15.08°54'W

- LEGEND
- CAO CORROGATED METAL PIPE
  - DE DRAINAGE EASEMENT
  - BSE SHAW-WART STRIP EASEMENT
  - BSE BLEEDING STRIP EASEMENT
  - REB REBAR FOUND
  - IPF IRON PIN FOUND
  - CB CATCH BASIN
  - JB JUNCTION BOX
  - HW HEAD WALL
  - POB POINT OF BEGINNING
  - MH MAIN HOLE
  - R/W RIGHT-OF-WAY
  - PP POWER POLE
  - OT OPEN TOP FOUND
  - CIF CRIMP TOP FOUND
  - REB REBAR
  - LL LAND LOT
  - IPF IRON PIN PLACED
  - M MEASURED
  - D DEED
  - P PLAT



GRAPHIC SCALE  
1 inch = 30 ft

AREA  
10,534 sq ft  
0.24 acres

NOTICE: IF RECORDING IS REQUIRED, CONTACT THE SURVEYOR FOR PRODUCTION OF A PLAT MAP SUBJECT TO RECORDING.

NOTICE: ALL EASEMENTS GOVERNED BY THIS PLAT ARE SUBJECT TO THE PROVISIONS OF THE GEORGIA EASEMENT ACT, O.C.G.A. § 44-1-1 THROUGH § 44-1-10.

NOTICE: THE LOCATION AND DIMENSIONS OF THE BUILDING AND DRIVEWAY SHOWN HEREON ARE BASED ON THE INFORMATION PROVIDED BY THE OWNER AND THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND THE INFORMATION TO BE REASONABLY ACCURATE. THE SURVEYOR DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION PROVIDED BY THE OWNER OR THE SURVEYOR'S CONDUCT OF A VISUAL INSPECTION.

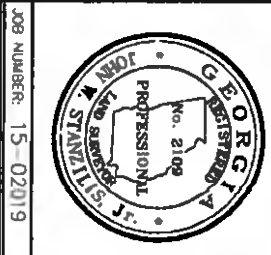
NOTICE: THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED BY A COURSE OF 11,001.14 METERS, 36,089.57 FEET, AND AN ANGULAR ERROR OF 3.2 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR COURSE AND FOUND TO BE CORRECT TO 1 FOOT IN 10,000 FEET. AN ELECTRONIC TOTAL STATION WAS USED TO OBTAIN THE INFORMATION USED IN PREPARATION OF THIS PLAT.

PLAT CERTIFICATION NOTICE

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS OR PERSONS ON BEHALF OF WHOM THE PLAT WAS PREPARED AND EXTENDS TO ANY UNLAWFUL PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS RECONSTRUCTION BY THE SURVEYOR MAKING SAID PERSON, PERSONS, OR ENTITY.

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE INFORMATION AND HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS AND REGULATIONS OF THE LAW OF THE STATE OF GEORGIA.

THE SURVEYOR HAS PREPARED IN ACCORDANCE WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYING AS SET FORTH IN THE OFFICIAL RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. § 44-1-1 THROUGH § 44-1-10, § 43-1-15, § 43-1-32, § 43-1-33, § 43-1-34, § 43-1-35, § 43-1-36, § 43-1-37, § 43-1-38, § 43-1-39, § 43-1-40, § 43-1-41, § 43-1-42, § 43-1-43, § 43-1-44, § 43-1-45, § 43-1-46, § 43-1-47, § 43-1-48, § 43-1-49, § 43-1-50, § 43-1-51, § 43-1-52, § 43-1-53, § 43-1-54, § 43-1-55, § 43-1-56, § 43-1-57, § 43-1-58, § 43-1-59, § 43-1-60, § 43-1-61, § 43-1-62, § 43-1-63, § 43-1-64, § 43-1-65, § 43-1-66, § 43-1-67, § 43-1-68, § 43-1-69, § 43-1-70, § 43-1-71, § 43-1-72, § 43-1-73, § 43-1-74, § 43-1-75, § 43-1-76, § 43-1-77, § 43-1-78, § 43-1-79, § 43-1-80, § 43-1-81, § 43-1-82, § 43-1-83, § 43-1-84, § 43-1-85, § 43-1-86, § 43-1-87, § 43-1-88, § 43-1-89, § 43-1-90, § 43-1-91, § 43-1-92, § 43-1-93, § 43-1-94, § 43-1-95, § 43-1-96, § 43-1-97, § 43-1-98, § 43-1-99, § 43-1-100.



JOB NUMBER: 15-02019

ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR		FIELD DATE 5/21/2015	
OWNER / PURCHASER <b>KIM GUY</b>		DATE	6/1/2015
		SCALE	1" = 30'
LAND LOT 2	17th DISTRICT	SECTION	FULTON COUNTY, GEORGIA
LOT 5	BLOCK 2	UNIT	AREA OF LOT: 10,534 S.F.
SUBDIVISION: HIGHLAND CREST			
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		<b>SOLAR LAND SURVEYING COMPANY</b>	
P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770) 794-9052			

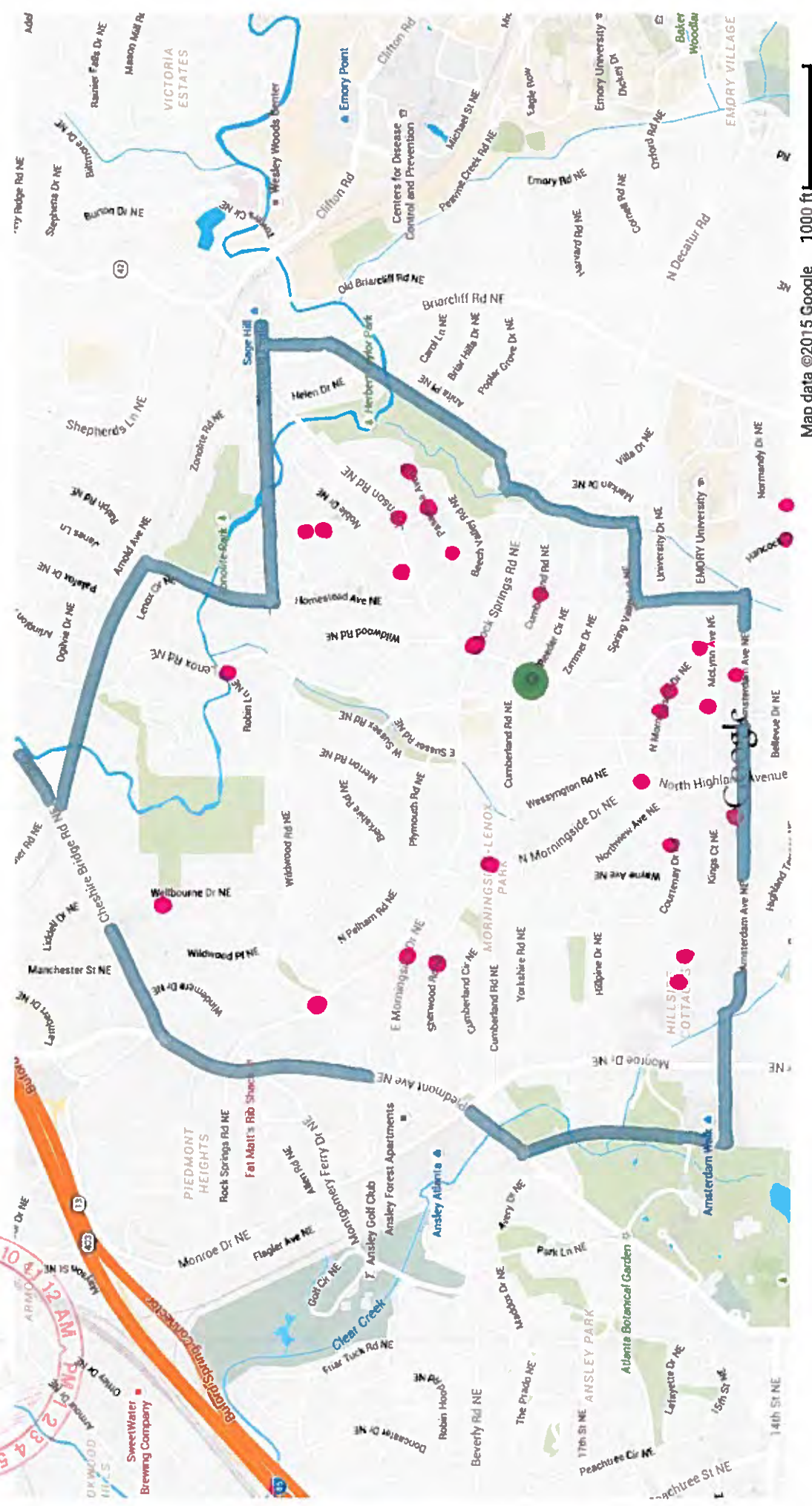
PLAT BOOK 11 PAGE 6  
DEED BOOK PAGE





Google Maps

Morningside Lenox Park - MLPA neighborhood map



Map data ©2015 Google

1000 ft













**NOTARIZED AUTHORIZATION BY PROPERTY OWNER**  
(Required only if applicant is not the owner of the property subject to the application)

TYPE OF APPLICATION \_\_\_\_\_

I, Kim Guy \_\_\_\_\_ (OWNER(S) NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT \_\_\_\_\_

1476 N. Highland Ave \_\_\_\_\_ (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 Kim Guy \_\_\_\_\_

ADDRESS 1476 N Highland Ave \_\_\_\_\_

TELEPHONE NUMBER 615-403-1116 \_\_\_\_\_

Kim Guy  
Signature of Owner

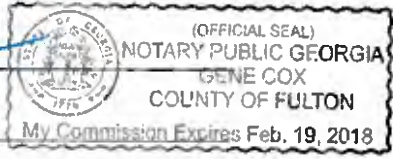
V-15-260

Personally Appeared  
Before Me  
KIM Guy \_\_\_\_\_

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

9/2/15  
Date





**RECEIPT**

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

*PLUKE*  
**PAID**  
CITY OF ATLANTA  
SEP 09 2015  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

**Application:** V-15-260  
**Application Type:** Planning/BZA/Special Exception/NA  
**Address:** 1476 NORTH HIGHLAND AVE NE, ATLANTA, GA 30306  
**Owner Name:** FRYE REBECCA L & LIADY THOS L  
**Owner Address:**  
**Application Name:**

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
432829	1057	\$100.00	09/09/2015	PLUKE		

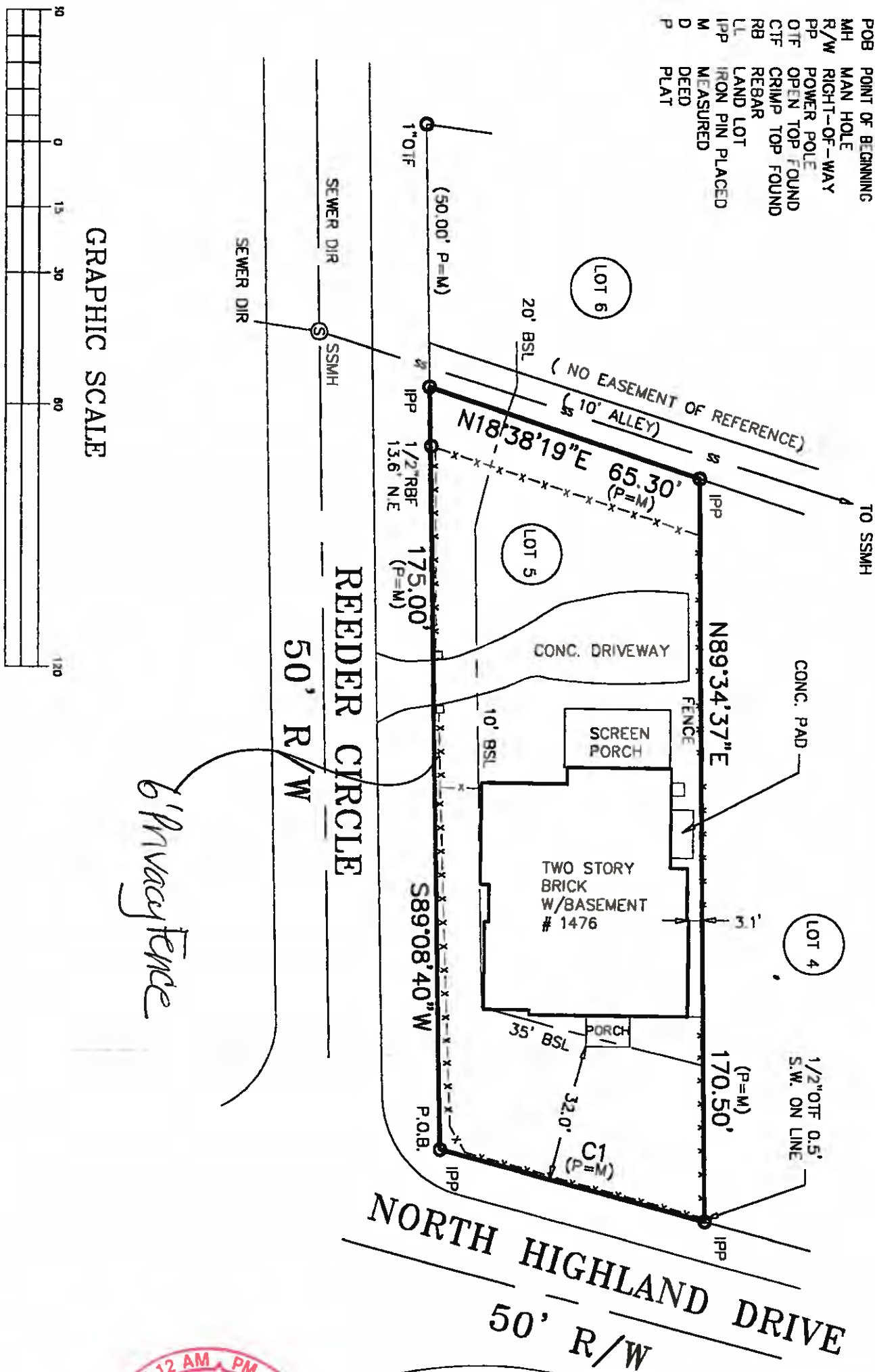
**Owner Info.:** FRYE REBECCA L & LIADY THOS L

**Work Description:** to allow a 6' high privacy fence in the required half-depth front yard

**LEGEND**

- CMP CORRUGATED METAL PIPE
- DE DRAINAGE EASEMENT
- SSE SANITARY SEWER EASEMENT
- BSL BUILDING SETBACK LINE
- RBF REBAR FOUND
- IPF IRON PIN FOUND
- CB CATCH BASIN
- JB JUNCTION BOX
- HW HEAD WALL
- POB POINT OF BEGINNING
- MH MAN HOLE
- R/W RIGHT-OF-WAY
- PP POWER POLE
- OTF OPEN TOP FOUND
- CTF CRIMP TOP FOUND
- RB REBAR
- LL LAND LOT
- IPP IRON PIN PLACED
- M MEASURED
- D DEED
- P PLAT

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	62.70	15810.15	62.70	S15°08'54"W



GRAPHIC SCALE

( IN FEET )  
1 inch = 30 ft.

NOTICE: IF RECORDING IS REQUIRED, CONTACT THE SURVEYOR FOR PRODUCTION OF A PLAT MADE SUITABLE FOR RECORDING.

NOTE: ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.

INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION 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 UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000 FEET, AN ANGULAR ERROR OF 3 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000 FEET. AN ELECTRONIC TOTAL STATION WAS USED TO GATHER THE INFORMATION USED IN PREPARATION OF THIS PLAT.



10,534 sq. ft.  
0.24 acres

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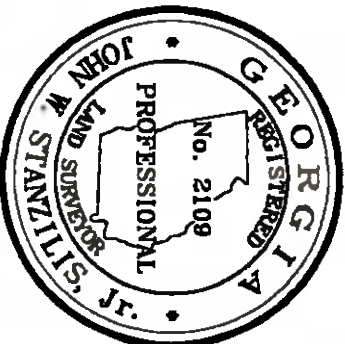
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IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW OF THE STATE OF GEORGIA.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67, AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-6, 43-15-19, 43-15-22.

FIELD DATE 5/21/2015

ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR		DATE	6/1/2015
OWNER / PURCHASER		SCALE	1" = 30'
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P.O. BOX 723993 ATLANTA, GEORGIA 31139-0993 TELEPHONE (770) 794-9055 FAX (770) 794-9052			



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