



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

APPLICATION #: **V-15-348**
DATE ACCEPTED: **10/20/2015**

NOTICE TO APPLICANT

Address of Property:
1165 University DR NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, December 10, 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,



RG, for Director, Bureau of Planning



Andrew Washington



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-15-348
NPU F DATE FILED 10/20/15

Andrew Washington
Name of Applicant

BUILDING PERMIT AUTHORIZING

A variance for an addition to a single-family dwelling.

at 1165 University Drive NE 17th / 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 variance from the zoning regulations to reduce the required southeast side yard setback from 7 feet to 2.5 feet in order to allow for an addition to a single family dwelling. Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter Section Paragraph

Chapter Section Paragraph

Chapter Section Paragraph

Plan Reviewer [Signature] Date 10/20/15

Applicant Andrew Washington Date 10-20-15

APPLICATION FOR VARIANCE
City of Atlanta



Date Filed Oct. 20, 2015 Application Number V-15-318
Name of Applicant Andrew Washington Daytime Phone 404-438-2355
Company Name Washington Design Group e-mail washingtondesign@aol.com
Address 11635 Old 41 Hwy. #112-133; Kennesaw, GA 30152
street city state zip code

Name of Property Owner Timothy Etherington Phone 404-386-2523
Address 1169 University Dr., Atlanta, GA 30306
street city state zip code

Description of Property

Address of Property 1165 University Dr. ^{NE}, Atlanta, GA 30306 OR

the subject property fronts _____ feet on the _____ side of _____
_____, and begins _____ feet from the
_____ corner of _____.

Depth: _____ Area: 8.461 Land Lot: 2 ^{#55} District: 17th / 18th County, GA.
(0.19 acres)

Property is zoned: R4, Council District: _____, Neighborhood Planning Unit: _____

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).

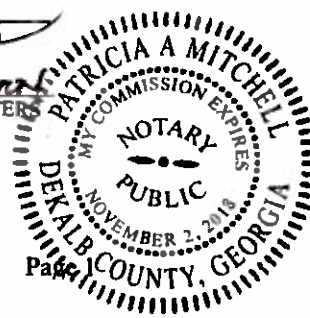
I hereby authorize the staff of the Office of Planning to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Planning upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

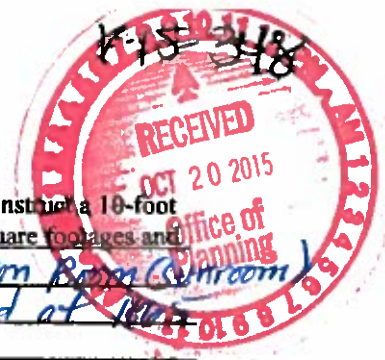
Sworn To And Subscribed Before Me This _____ Day Of _____, 200_____.

Andrew Washington
Owner or Agent for Owner (Applicant)

Andrew Washington
APPLICANT'S NAME IN PRINTED LETTERS

Patricia A. Mitchell
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: Construction of a 290 sq. ft. All-season Room (Sunroom) onto the east side of the home located at 1007 University Drive.

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.

_____ 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.

Variance Attachment
1165 University Drive Atlanta GA 30306
October 30, 2015



Seeking variance from zoning regulations to reduce east side yard setback from 7ft to 2.5ft to allow construction of a 10ft x 28.9ft Sunporch attaching to existing primary housing structure. The proposed Sunporch structure will perfectly align to patio that is also 10ft in width and 2.5ft from east side yard set back.
Note: The applicant is also owner of next door adjacent side property (1169 University Drive) where Sunporch will be constructed.

Variance Justification:

Section 16-26.003 City of Atlanta Zoning Code

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; The 50ft Street frontage of subject property is unique, which fails to meet the required 70ft minimum. The 8343 sq ft lot size fails to meet the minimum lot size of the R-4 zoning regulations of 9000 sq ft. The smaller lot size is extraordinary and exceptional conditions pertaining to subject property.

The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship; Adherence to zoning regulations would cause hardship by preventing Owner from making reasonable, exterior addition to subject housing structure which would complement existing character of the Morningside Neighborhood. Therefore owner feels that Variance Proposal is fair and reasonable considering the subject's non-conforming (smaller) lot size and (limited) frontage.

Such conditions are peculiar to the particular piece of property involved; the small lot size and lack of frontage are unique to subject property; although similar lots can be found neighboring nearby properties and is not peculiar to the subject property alone. However, the existence of similar conditions on adjoining neighborhoods properties does not negate the reasonableness of this proposal.

Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta; The requested variance would not impair the purpose and intent of the zoning ordinance by allowing the additions including, exterior addition to allow for a new Sunporch attached to primary housing structure side of property. The Variance Proposal promotes desirable living conditions for the owner as well as reinforces the stability and integrity of the surrounding Morningside Neighborhood.

Salient Facts

Location:

1165 University Drive, Atlanta, GA 30306
Land Lot 18 of 17th District, Fulton County, Georgia
Fronts 50ft along University Drive

Zoning:

R-4 (Single Family Residential)
Lot Dimension Minimum: frontage 70ft; minimum lot area of 9000 sq ft

RECEIPT

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

Application: V-15-348
Application Type: Planning/BZA/Variance/NA
Address: 1165 UNIVERSITY DR NE, ATLANTA, GA 30306
Owner Name: ETHERINGTON TIM P
Owner Address:
Application Name:

PAID
CITY OF ATLANTA
OCT 20 2015
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
438815	229	\$100.00	10/20/2015	PLUKE		

Owner Info.: ETHERINGTON TIM P

Work Description: Construction of a 290 sq.ft- All season (sunroom) onto the east side of the home.