



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

APPLICATION #: **V-16-062**
DATE ACCEPTED: **03/08/2016**

NOTICE TO APPLICANT

Address of Property:
1035 Rosedale RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

May 5, 2016 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,

FR, for Director, Bureau of Planning

Wright Gardner

U-16-062



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 _____

NPU F DATE FILED _____

1. Wright Gardner
Name of Applicant

BUILDING PERMIT AUTHORIZING

An Attic Addition to a Single-Family Dwelling.

at 1035 Rosedale Road NE 18th / 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 regulations to reduce the front yard setback from 35 feet to 33 feet 6 inches and to reduce the north side yard setback from 7 feet to 5 feet in order to allow for an attic 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 (1)

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

[Signature] 3/8/16
Plan Reviewer Date

[Signature] 3/08/2016
Applicant Date



APPLICATION FOR VARIANCE
City of Atlanta

Date Filed _____ Application Number V-16-062

Name of Applicant - Wright Gardner Daytime Phone - 404-218-8460

Company Name - Wright Gardner Architect, LLC e-mail - wright@wrightgardnerarchitect.com

Address 154 Krog Street, NE, Suite 125, Atlanta, Georgia 30307
street city state zip code

Name of Property Owner - William Thomas/3T&H Corp Phone - 214-869-2582

Address 1035 Rosedale Road, Atlanta, Georgia 30306
street city state zip code

Description of Property

Address of Property - 1035 Rosedale Road, Atlanta, Georgia 30306 OR

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

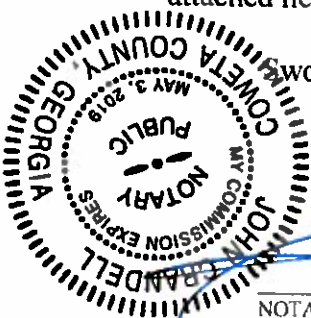
Depth: Approx. 230 feet Area: 11,566 sq ft Land Lot: 1 District: 18, Dekalb County, GA.

Property is zoned: R4, 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 8 Day Of 3, 20016.



[Signature]
NOTARY PUBLIC

[Signature]
Owner or Agent for Owner (Applicant)
WRIGHT GARDNER
APPLICANT'S NAME IN PRINTED LETTERS



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: Renovate existing first level of the house, add deck and patio on grade at rear, enclose existing front porch. Occupy space inside of existing attic. Front roofline to stay mostly the same with exception of a small dormer at front. At back of house propose to revise roofline for added space withing the existing footprint and small second floor addition over new rear deck.

Existing: 1 story, 1453 sq ft Proposed: 1 3/4 stories, 2770 sq ft

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.

4,631 covered square feet / 11,566 total lot square feet = 40% 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.



March 8, 2016
(Revised March 14, 2016)

Re: 1035 Rosedale Road Variance Application Justification Letter

The variances requested for this property are as follows:

1. Reduce front yard setback from 35'-0" to 33'-6". The existing covered porch is 1'-6" outside of the buildable area. The owner proposes to "glass in" the existing covered porch area. Additionally, the owner proposes to occupy the attic space in the gable above the front porch. There are no proposed changes to the footprint or roofline in the area that is over the setback.
2. Reduce left side yard setback from 7'-0" to 5'-0". The existing left side of the house is 2'-0" outside the buildable area. There is no proposed increase in the building footprint, but the owner proposes to turn the existing attic space into livable space, including the small amount of space that is over the setback line.

Per City of Atlanta Variance Application written justification criteria:

1. Extraordinary and exceptional conditions pertaining to the particular piece of property in question because of size, shape or topography.

The lot is zoned R4 and is an existing nonconforming lot of record. R4 zoning requires a 70' wide lot, the lot as it has existed for many years is 50'-0". The house is a little over the setback on the left side as it was originally built and is nonconforming. There is room for only a driveway, approx. 11' from the wall of the existing house to the property line on the right side of the lot. In short there is no room to expand or add the additional space needed by widening the house.

The existing lot is fairly deep, but has an extreme slope from front back to front and expanding the house to the rear would require a lot of earthwork, unnecessarily disturbing the natural topography for little benefit.

With few options for horizontal expansion to bring the house to current standards, the only logical option for expansion is to use the existing available space under the existing roof with some modifications on the back side of the house to turn a hip into a gable. All but 2'-0" on the left side of the house and 1'-6" on front of house is inside the buildable area. It is necessary to access the exterior wall that are over the setback outside of the buildable area for access to emergency escape and rescue and light for the adjacent interior bedroom space.

The intent is also to maintain the integrity of the existing house, keeping with the style of the neighborhood. Building the interior of the attic space with only modifications at the rear allows for the ability to bring the house up to current size and usable area common in the neighborhood and on the street with the minimal amount of disruption. The space already exists, the owner just wishes to finish the space that is there.

2. The application of the zoning ordinance to this particular piece of property would create an unnecessary hardship because:

Per description above, the existing lot is nonconforming in terms of the width being 20' less than what is required by the ordinance. This has created the situation where the house is nonconforming and over the setback line. If the lot was an additional 20' wider as required by the zoning classification the house would be conforming and within the buildable area. Additionally, the owner is not requesting to make



the situation worse, but is seeking to limit disturbance by building out almost entirely within the existing envelope of the building.

3. Conditions are peculiar to piece of property involved.

Many houses in this area non-conforming, over the setback and on non-conforming lots. The unique situation here is that the owner is not seeking to make any condition worse than what exists currently. The existing conditions are what they are and have been since prior the zoning ordinance came into effect. The owner is not requesting to build closer to the property line, only to use the space of the existing footprint and foundation and not unnecessarily cause strange structural conditions and difficult waterproofing scenarios.

4. Granting the variance would not cause substantial detriment to the public good or impair the purpose of the ordinance.

Granting the variance would not increase the footprint of the existing house and thus would not have any additional effect than currently exists. The existing left wall is 5'-0" minimum from the property line, this condition allows light and safety from fire. Using the existing footprint will have no impact on existing drainage patterns. Leaving the existing exterior from the front of the house will ensure the house fits the scale and aesthetic of the existing neighborhood while providing the orderly evolution of the neighborhood. The existing house is not livable as it currently exists, allowing the owner to renovate the house with the full extent of the existing footprint will promote desirable living conditions and ensure protecting against blight and depreciation for years to come.



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, William Thomas / 3T&H Corp. (OWNER'S NAME)

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

1035 Rosedale Rd., Atlanta GA 30306 (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 Wright Gardner

ADDRESS OF APPLICANT 154 Krog Street NE, Suite 125
Atlanta, GA 30306

TELEPHONE NUMBER (404) 218-8460

William Thomas
Signature of Owner

Personally Appeared Before Me Sumedha Narang

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

Notary Public Sumedha Narang

Date 3-7-2016

SUMEDHA NARANG
NOTARY PUBLIC
DeKalb County
State of Georgia
My Comm. Expires Nov. 15, 2019

RECEIPT

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

CITY OF ATL BLDG PERMI
55 TRINITY AVE STE 1350
ATLANTA, GA 30303

03/08/2016
Merchant ID:
Terminal ID:
184191133992

14:16:42
00000004009798
06383358

Application: V-16-062
Application Type: Planning/BZA/Variance/NA
Address: 1035 ROSEDALE RD NE, ATLANTA, GA 3030
Owner Name: William Thomas/3T&H Corp
Owner Address:
Application Name:

CREDIT CARD
VISA SALE

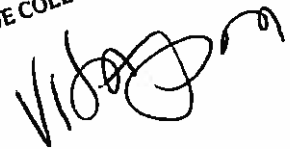
CARD # XXXXXXXXXXXXX3696
INVOICE 0014
Batch #: 000349
Approval Code: 092968
Entry Method: Swiped
Mode: Online
Tax Amount: \$0.00
SALE AMOUNT \$100.00

Receipt No. 457717
Payment Method Ref Number Amount Paid Payment Date Cashier ID Recel
Credit Card \$100.00 03/08/2016 PAMITCHELL
Owner Info.: William Thomas/3T&H Corp

CUSTOMER COPY

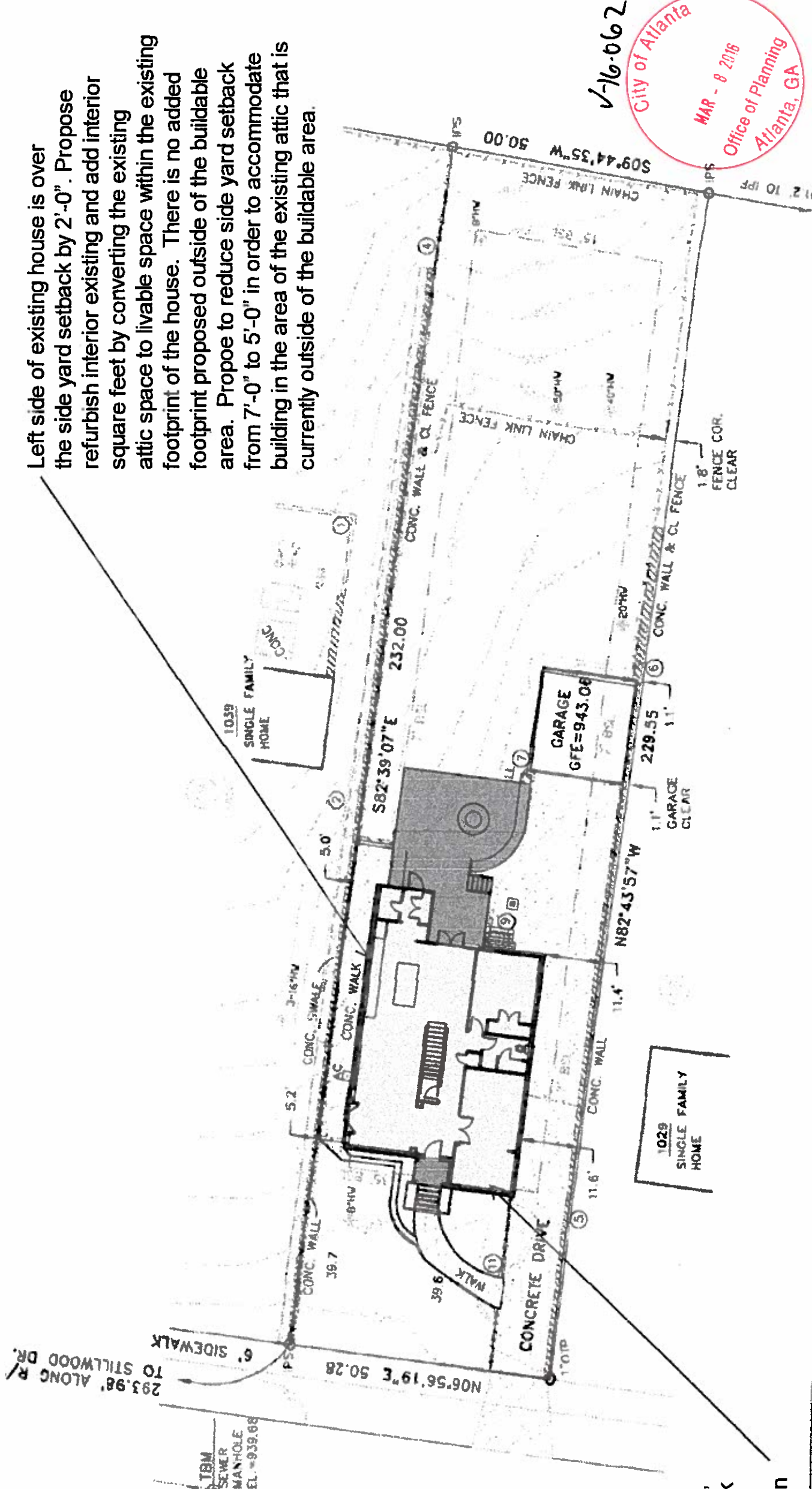
Work Description:

PAID
CITY OF ATLANTA
MAR 08 2016
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR



SITE PLAN - 1" = 20'-0"

ROSDALE ROAD 60' R/W

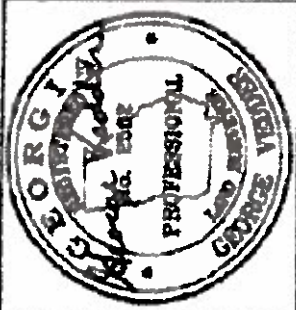


Left side of existing house is over the side yard setback by 2'-0". Propose refurbish interior existing and add interior square feet by converting the existing attic space to livable space within the existing footprint of the house. There is no added footprint proposed outside of the buildable area. Propose to reduce side yard setback from 7'-0" to 5'-0" in order to accommodate building in the area of the existing attic that is currently outside of the buildable area.

Propose to enclose existing porch with windows in existing openings, no structural changes to porch aesthetic proposed. Existing porch is 1'6" over front yard setback, propose to reduce front yard setback from 35' to 33'-6" to accommodate enclosing porch in its existing location

NOTE: IT IS OUR ASSUMPTION THIS LOT IS IN THE CITY OF ATLANTA. IT IS THE RESPONSIBILITY FOR OWNER TO DETERMINE WHICH LOCAL GOVERNMENT HAS JURISDICTIONS WITH REGARDS TO THIS LOT.

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.



VEDDER SURVEYS & ASSOCIATES

1648 Juliette Road, Forsyth, Ga. 31029
 TELEPHONE (678) 544-2585
 GEORGE@VEDDERSURVEY.COM

COPYRIGHT © 2015 VEDDER SURVEYS & ASSOC.
 DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

The survey shown hereon was prepared without the benefit of an abstract of title; therefore, the undersigned and Vedder Surveys, Inc., make no guarantees or representations regarding information shown hereon pertaining to easements, right-of-way, setback lines, agreements, reservations, and other similar matters.



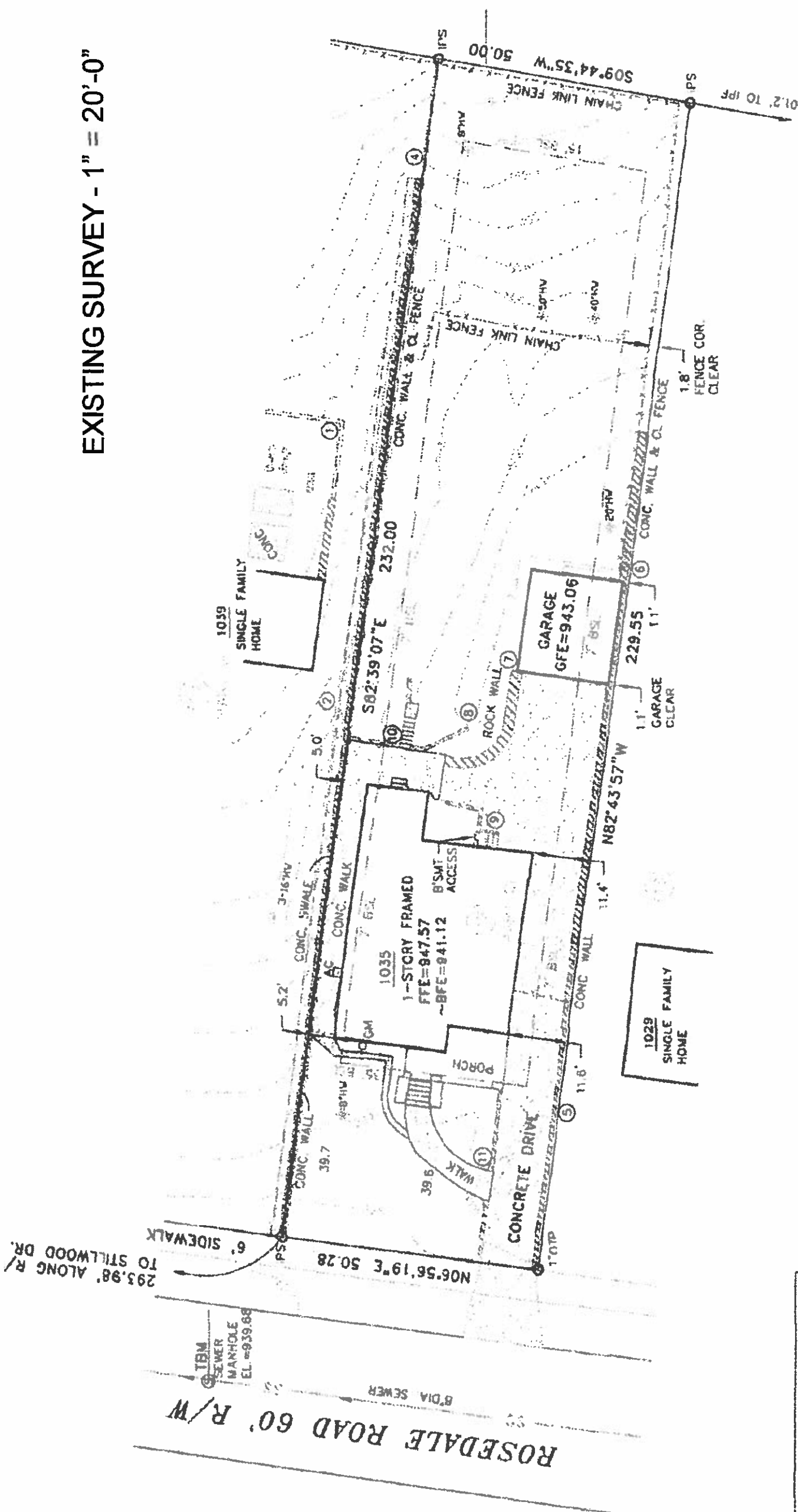
✓16-062
 City of Atlanta
 MAR - 8 2016
 Office of Planning
 Atlanta, GA



PLAT DATE: 07/22/2015	ADDRESS:
SURVEY DATE: 07/23/2015	LAND LOT 1 C
	LOT 19 - PAR
DEKALB COUNTY, GEORGIA	SUBDIVISION
SCALE: 1"=20'	REF. DEED:

The field data upon which this plat is based has a closure of 1 foot in 19,000± feet, an angular error of .03 seconds per angle 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 and a 100' chain were used to gather the information used in the preparation of this plat. All matters pertaining to title are excepted.

EXISTING SURVEY - 1" = 20'-0"



293.98' ALONG R/W TO STILLWOOD DR.

ROSEDALE ROAD 60' R/W

TBM SEWER MANHOLE EL. = 939.88

NOTE: IT IS OUR ASSUMPTION THIS LOT IS IN THE CITY OF ATLANTA. IT IS THE RESPONSIBILITY FOR OWNER TO DETERMINE WHICH LOCAL GOVERNMENT HAS JURISDICTIONS WITH REGARDS TO THIS LOT.

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VEDDER SURVEYS & ASSOCIATES
 1648 Juliette Road, Forsyth, Ga. 31029
 TELEPHONE (676) 544-2585
 GEORGE@VEDDERSURVEY.COM

PLAT DATE: 07/22/2015	ADDRESS:
SURVEY DATE: 07/23/2015	LAND LOT 1 (
	LOT 19 - PAR
	SUBDIVISION:
	DEKALB COUNTY, GEORGIA
	REF. DEED:
	SCALE: 1"=20'

The field data upon which this plat is based has a closure of 1 foot in 10,000+ feet, an angular error of .03 seconds per angle 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 and a 100' chain were used to gather the information used in the preparation of this plat. All matters pertaining to title are excepted.