



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

APPLICATION #: **V-16-075**

DATE ACCEPTED: **03/16/2016**

NOTICE TO APPLICANT

Address of Property:
1040 Kentucky AVE NE

City Council District: **5** Neighborhood Planning Unit (NPU): **F**

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, May 12, 2016 at 12:00 p.m.

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

The contact person for NPU F is:

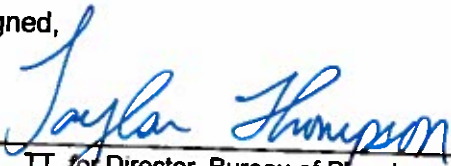
Charles Nalbone
404-376-3230
Zoning@npufatlanta.org

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,


TT, for Director, Bureau of Planning


Patti Crenshaw

Date: 3/16/16



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



REFERRAL CERTIFICATE

COUNCIL DISTRICT 5 APPLICATION NUMBER V-16-075
NPU F DATE FILED 3-16-16

1. Patti Crenshaw
Name of Applicant

BUILDING PERMIT AUTHORIZING

at 1040 Kentucky Ave. 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 zoning regulations to reduce the required West side yard setback from 7' to 2'-8" to construct a second story addition to a single family residence. 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 _____
Chapter _____ Section _____ Paragraph _____

Applicant: Patti Crenshaw Zoning Plan Reviewer: William Viny



APPLICATION FOR VARIANCE
City of Atlanta

Date Filed 3/16/16 Application Number V-16-075
Name of Applicant PATTI CRENSHAW Daytime Phone 404/876-3000
Company Name HOME REBUILDERS e-mail info@homerebuilders.com
Address 2120 PLASTER BRIDGE RD, ATLANTA, GA, 30324

Name of Property Owner BARRY LOUIS Phone 646/416-0766
Address 1040 KENTUCKY AVE, ATLANTA, GA 30306

Description of Property

Address of Property 1040 KENTUCKY AVE NE, ATLANTA, 30306 OR
the subject property fronts ___ feet on the ___ side of ___
and begins ___ feet from the
corner of ___

Depth: 150' Area: 7515 Land Lot: 1 District: 17, FULTON County, GA.

Property is zoned: R-4, Council District: 5, Neighborhood Planning Unit: F

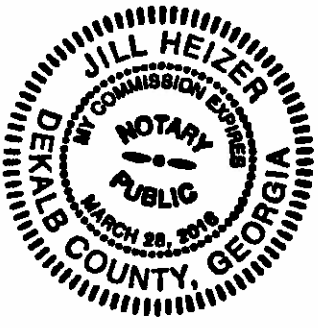
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an
adverse order or requirement from the administrative officer in seeking a building
permit or certificate of occupancy, hereby requests that the Board of Zoning
Adjustment grant variance(s).

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 15 Day Of March, 2016.

Patti Crenshaw
Owner or Agent for Owner (Applicant)
Patti Crenshaw
APPLICANT'S NAME IN PRINTED LETTERS

Jill Heizer
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 2-story addition which encroaches in to the side yard setback by 4' 328 S.F. New footprint; 852 S.F. Total new finished space.

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.

2812 covered square feet / 7515 total lot square feet = 374% 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.

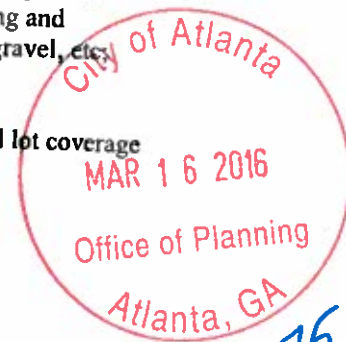
Public Notice. When you file your application, it will be scheduled for a public hearing. The Office of Planning will initiate posting of public notice ("an advertisement", "a legal ad") for this public hearing so that the public is informed at least 15 days before the date of the public hearing:

- 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.

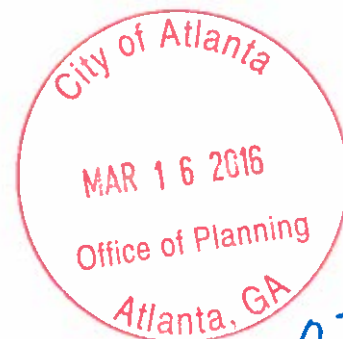
Staff Recommendation. Office of Planning staff reviews and makes written recommendations to the BZA on each variance application. You may contact your assigned planner at (404) 330-6145 on the day of the public hearing if you wish to know staff's recommendation.



JUSTIFICATION FOR VARIANCE

1040 KENTUCKY AVENUE

ATLANTA, GEORGIA 30306



We are seeking a variance to allow for a two story addition to an existing house which currently lies within the 7' side yard setback.

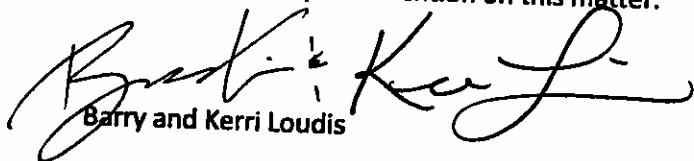
Currently the main residence encroaches into the 7' side yard setback approximately 4.2'. This is an existing condition. We would like to build a two story addition off the back of the existing house, which will encroach 4' in to the side yard. Several factors dictate the location of the proposed addition on the north western corner of the existing house, as designed:

- The location of the existing bedrooms and bedroom egress windows are not obstructed by the proposed location of the addition. Any other location for the addition off the rear of the house would obstruct the rear facing bedrooms.
- Owner's use and access to the back yard is less restricted by the proposed location of the addition.
- Location of an existing exterior basement stair to remain. The proposed location leaves this stair intact. The cost incurred to relocate this stair would be prohibitive to the project.
- The existing lot is non-conforming. The minimum lot width for R-4 is 70'. This lot is 49.9'.

We would like to request a variance of 4', reducing the side yard setback to 3' to allow for this construction.

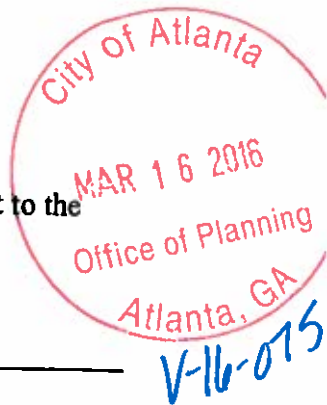
This encroachment will not impact the root systems of any existing trees. Nor will it exceed the maximum lot coverage or Floor Area Ratio allowed for the property as defined by the City of Atlanta. The new addition will be no closer to the property line than the existing house.

We thank you for your attention on this matter.


Barry and Kerri Loudis

NOTARIZED AUTHORIZATION BY PROPERTY OWNER

(Required only if applicant is not the owner of the property subject to the application.)



TYPE OF APPLICATION Zoning VARIANCE

I, Barry A. Landis & Kerri W. Landis (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 1040 Kentucky Avenue NE (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 PATTI CRENSHAW

ADDRESS OF APPLICANT HOME REBUILDERS,
2120 PLASTER BRIDGE RD, ATLANTA, GA 30324

TELEPHONE NUMBER 404/876-3000

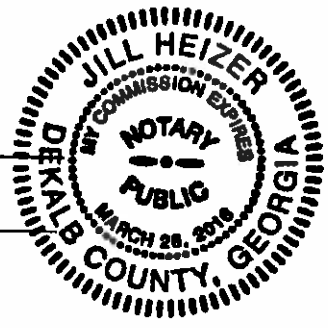
Signature of Owner
[Handwritten Signature]
Signature of Owner
[Handwritten Signature]

Personally Appeared Before Me

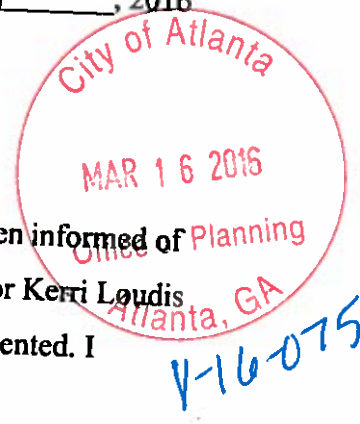
Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief.

Jill Heizer
Notary Public

3/15/2016
Date



3/14, 2016




To Whom It May Concern:

As an owner of property neighboring 1040 Kentucky Avenue, I have been informed of the request for a variance at that address. I have spoken with Barry and/or Kerri Loudis and have reviewed the proposed plan for the rear addition they have presented. I understand that as part of the variance, they seek the following:

To seek relief from the zoning requirements to reduce the side yard setback requirements for a 2-story addition from 7 feet to 2.8 feet.

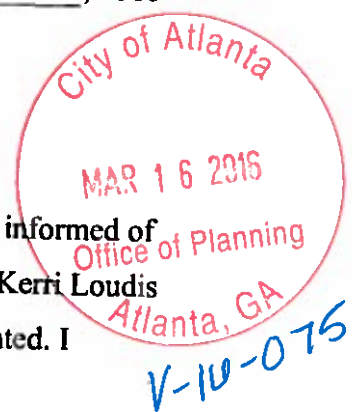
I feel that the proposed design is sensitive to the character of the neighborhood and the proposed construction would in no way be detrimental to the existing neighborhood. I would therefore like to express my full support for approval of the application.

Signature: 

Name: Vital Davie

Address: 1036 Kentucky Ave NE
Atlanta, GA 30306

3/12, 2016



To Whom It May Concern:

As an owner of property neighboring 1040 Kentucky Avenue, I have been informed of the request for a variance at that address. I have spoken with Barry and/or Kerri Loudis and have reviewed the proposed plan for the rear addition they have presented. I understand that as part of the variance, they seek the following:

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Signature:

Name:

WEST CHAMBLESS

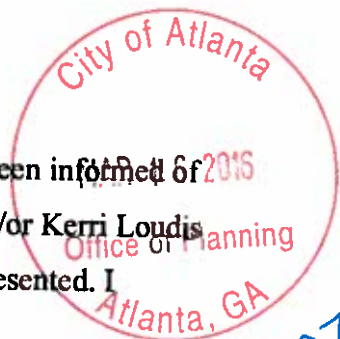
Address:

1045 KENTUCKY AVENUE N.E.
ATLANTA, GEORGIA 30306
404.219.7843

3/12, 2016

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V-16-075

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I feel that the proposed design is sensitive to the character of the neighborhood and the proposed construction would in no way be detrimental to the existing neighborhood. I would therefore like to express my full support for approval of the application.

Signature: Christi Motlagh

Name: Christi Motlagh

Address: 1046 Kentucky Ave
Atlanta, GA 30306

March 12, 2016



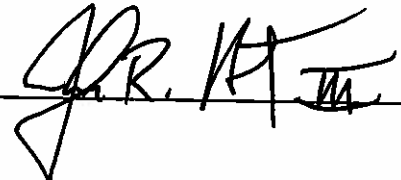
V-16-075

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I feel that the proposed design is sensitive to the character of the neighborhood and the proposed construction would in no way be detrimental to the existing neighborhood. I would therefore like to express my full support for approval of the application.

Signature: 

Name: John R. Hamilton III

Address: 1039 Rosewood Drive, NE
Atlanta, GA 30306

RECEIPT

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

Application: V-16-075
Application Type: Planning/BZA/Variance/NA
Address: 1040 KENTUCKY AVE NE, ATLANTA, GA 30306
Owner Name: Barry Loudis
Owner Address:
Application Name:

D. K.
PAID
CITY OF ATLANTA
MAR 16 2016
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
458970	136839	\$100.00	03/16/2016	PLUKE		

Owner Info.: Barry Loudis

Work Description: to reduce the required West side yard setback from 7' to 2'-8" to construct a second story addition to a single family residence