



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

APPLICATION #: **V-16-089**
DATE ACCEPTED: **04/04/2016**

NOTICE TO APPLICANT

Address of Property:
575 Pelham RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, June 2, 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



Alice Johnson



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-16-089

NPU F DATE FILED 4-4-16

1. Alice Johnson
Name of Applicant

BUILDING PERMIT AUTHORIZING

Variance (detached residential accessory structure 2-car garage w/ studio)

at 575 Pelham Road NE 17th / 56
Street Address Quadrant District & Land Lot

to be used for Residential purposes

The property is zoned R-4 / Beltline District

2. The Building Permit Was Denied For The Following Reasons:

Applicant seeks a variance from the zoning regulations to (1) reduce the required north side yard setback from 7 feet to 3 feet (2) reduce the required rear yard setback from 15 feet to 3 feet (3) to increase the square footage of a detached accessory structure from 30% to 66% and (4) to increase the maximum rear yard coverage from 25% to 34% to allow for construction of a new detached residential accessory structure (2-car garage with a studio). Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

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

Chapter 28 Section 16.28.004 Paragraph (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Howard [Signature]
Plan Reviewer Date 4/1/16

[Signature]
Applicant Date 4.1.16



APPLICATION FOR VARIANCE
City of Atlanta

Date Filed 4-4-16 Application Number V-16-089
Name of Applicant ALICE JOHNSON Daytime Phone 404.909.0057
Company Name ALICE JOHNSON DESIGN LLC Email a.j.johnson@earthlink.net
Address 1403 Emory Road, NE, Atlanta, GA 30306

Name of Property Owner PAUL F. NEVEUX, JR Phone 770-853-5386
Address 575 PELHAM ROAD, ATLANTA, GA 30324

Description of Property

Address of Property 575 PELHAM RD. NE, ATLANTA 30324 OR

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

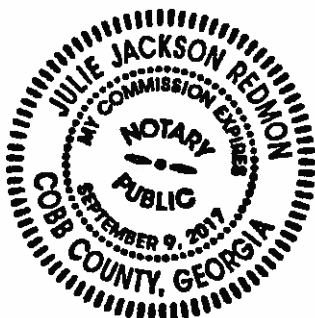
Depth: _____ Area: _____ Land Lot: _____ District: _____, _____ County, GA.

Property is zoned: _____, 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 24 Day Of Nov., 2015.



Signature of Notary Public

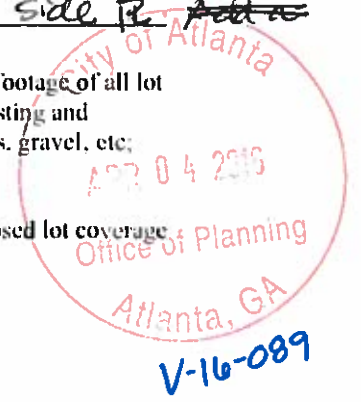
Signature of Paul E. Neveux, Jr.
Owner or Agent for Owner (Applicant)
PAUL E. NEVEUX, JR.
APPLICANT'S NAME IN PRINTED LETTERS

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:

Construct a new detached 2 car garage (w/interior stair) & studio above) to replace an existing 1 car detached garage currently set 3' in from rear and side. ~~Re-Add~~ See attached for square footages.

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.

$4,557$ covered square feet / $9,148$ total lot square feet = 50 % 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 (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.

APPLICATION FOR VARIANCE

Neuex RESIDENCE 575 Pelham Road NE, Atlanta, GA 30324

Submitted by Alice Johnson Design for Paul Neveux, OWNER

3/28/16

REQUEST FOR VARIANCES REGARDING A PROPOSED DETACHED GARAGE/STUDIO:

- From the existing side yard setback on the north from 7' to 3.0' and the existing rear yard setback from 15' to 3', on the southwest, to construct a new free-standing 2-car garage in place of the existing, non-conforming, 1-car garage.
- To exceed the 30% maximum s.f. of the main structure – proposed is 66%.
- To exceed the 25% maximum rear yard coverage – proposed structure is 34%

Scope of work:

- Construction of a 1-1/2-story Garage with attic studio to replace the existing original 1-car garage, constructed in the early 1940's;
- Extend new parking pad over to align with garage and add a masonry patio that connects to rear of house.
- Add a parking pad at the front driveway to allow for the owner to pull one car over to allow other to back out – Pelham Road is fast moving and the property is on a curve.

(1) The existing lot is 60' x153' and while the existing lot meets the requirements for min. lot coverage, the lot width is 10' less than the min 70'. Thus, there is 15% less width than is the min, which creates less space across the rear of the yard in which to build. In order to construct a new 2-car garage, the owner wishes to use the corner of the existing 1-car garage as a starting point, so the garage can be accessed without being in the middle of the rear yard and be accessible off the existing driveway with min. additional concrete parking/turn around.

The existing house is a single story 40's bungalow approx. 1,500 s.f. The 2-car garage exceeds the size easily as there have been minimal additions to the existing house, thus this proportion appears high.

Although the front yard setback requirement is 35', the house on this property (along with the adjacent houses) is set approx. 50' back, thus creating an exceptionally small rear yard used to calculate the 25% max coverage. The proposed garage/studio is 9% over at 34%.

(2) Application of the zoning ordinance to this particular piece of property would create an unnecessary hardship because it pushes the garage further into a small rear yard and too close to the house, not allowing enough room for an adequate turn-around or green space.

Also, given that the existing house has no additions and a small footprint, applying the ordinance to use its square footage to calculate the 30% maximum allowable for the garage square footage, pushes the number down. If the owner had proposed a second level addition previously, which is acceptable for intown houses in this area, then the calculation would allow for the 2-car garage. But because of the sequence, it is not, which creates a hardship for the owner.

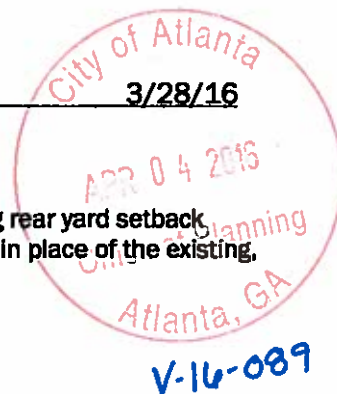
Applying the ordinance for the accessory structure to not exceed 25% of the rear yard creates a hardship, given that the rear yard is smaller due to the original placement of the house. Thus not allowing the owner to construct a 2-car detached structure, which is a typical upgrade in the area.

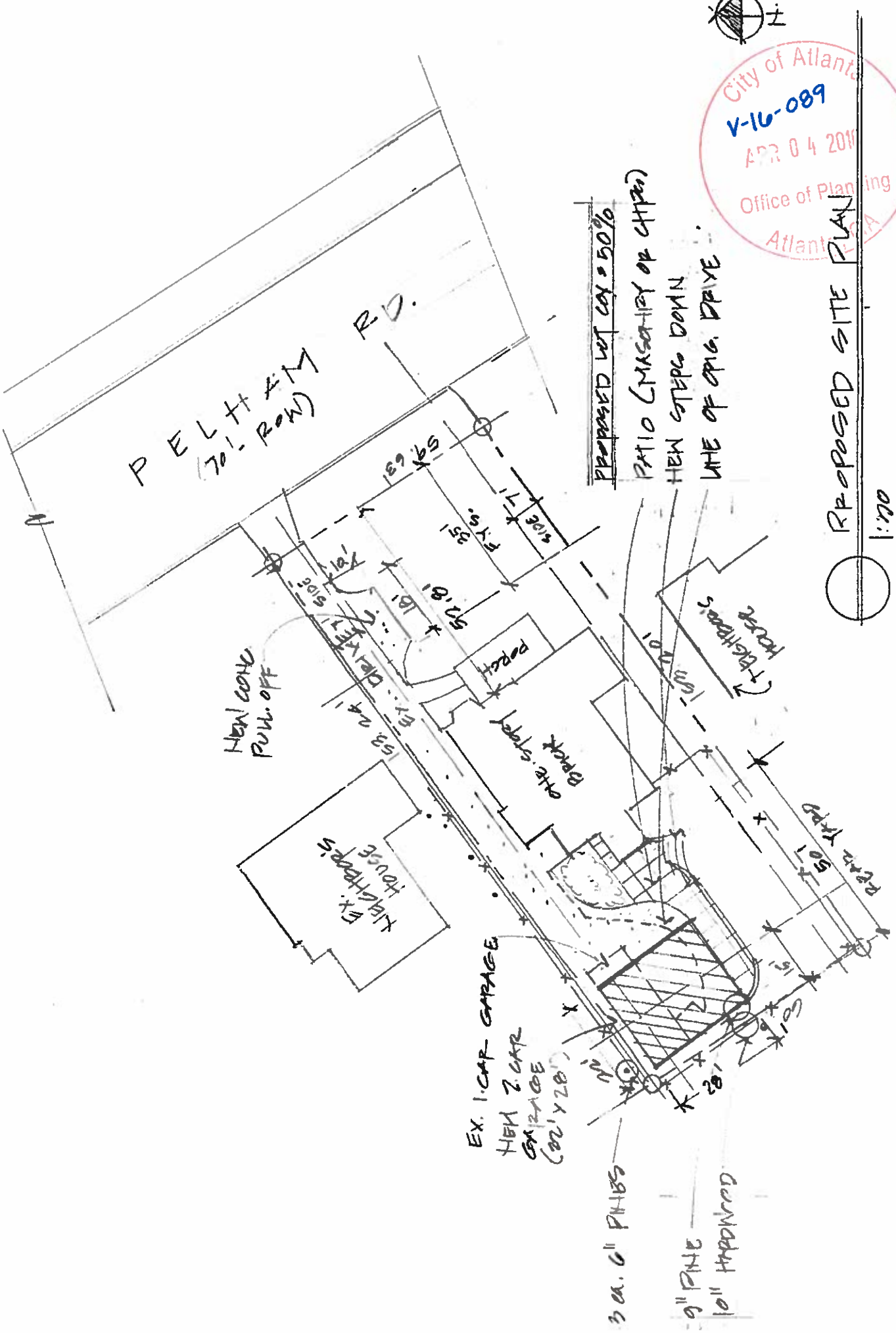
Also, the owner is in need of the front parking pad to allow pull one car off the drive to allow the other to maneuver around it without pulling out onto Pelham, which is a very busy, fast and curvy.

(3) While the lot itself is not unique from adjacent parcels, the dilemma of being thinner than the min. lot width under the R-4 zoning creates a unique issue for this property. With the original house constructed 50' off the front property line AND the reduction of buildable width and a 15' rear yard setback, it creates a rear yard that is too small to construct a standard detached 2-car garage.

(4) If granted, allowing the new detached 2-car garage to replace a 1-car garage would not be a detriment to the neighboring properties, as it would not encroach any more than the current garage, would allow the dilapidated garage to be reconstructed (better for the rear neighbor's view), would not cause an issue with light and air or security issues,

If granted, the relief of the variance would also allow the Owner to bring their house plan up to the expected min. standards of renovated properties in the neighborhood,





PROPOSED LOT COV = 50%
 PATIO (MASONRY OR CHIP)
 NEW STEPS DOWN
 LINE OF ORIG. DRIVE

PROPOSED SITE PLAN
 1:120

adj#01606
 NOT ISSUE FOR CONSTRUCTION
 REV 3-28-16

NEVEUX RESIDENCE - 575 Pelham Road, NE, Atlanta, GA 30324

ALICE JOHNSON - DESIGN

1403 Emory Road, NE, Atlanta, GA 30306
 ATLANTA, GA 30316 404-909-0057

A-1

This drawing is the property of ALICE JOHNSON - DESIGN and is not to be reproduced or copied in whole or part without the permission of this office and contract.

PROJECT DESCRIPTION FOR 575 PELHAM ROAD, NE, ATLANTA, GA 30324

CONSTRUCT A NEW DETACHED 2-CAR GARAGE (WITH STUDIO ABOVE) IN PLACE OF EXISTING DETACHED 1-CAR GARAGE, UTILIZING THE EXISTING SETBACKS; ADD PATIO AND EXTEND DRIVEWAY TO NEW GARAGE FOOTPRINT.

ADD A PARKING PAD AT FRONT DRIVEWAY TO ALLOW MANUEVERING OF PARKED CARS IN DRIVEWAY.

ZONING INFORMATION

CITY OF ATLANTA

R-4 - SINGLE FAMILY RESIDENTIAL

HEIGHT LIMITATION (MEDIAN) OF ACCESSORY STRUCTURE: 20'

MIN. LOT = 9,000 SF

MIN STREET FRONT = 70'

MAX FAR = .50

MAX. LOT COVERAGE = 50%

ALLOWED SETBACKS: FRONT = 30'

SIDE = 7'

REAR = 15'

ACCESSORY BUILDINGS:

1. CANNOT EXCEED 30% OF CONDITIONED MAIN BUILDING
2. CANNOT EXCEED 25% OF REAR YARD (50' X 60' = 3,000 SF = 750 SF)
3. CANNOT EXCEED 20' MEDIAN HEIGHT FROM GRADE
4. CANNOT HAVE A SECOND KITCHEN

EXISTING CONDITIONS

EXISTING LOT AREA = 9,148 SF = .21 ACRE

EXISTING FRONT YARD = 52.8'

EXISTING REAR YARD TO MAIN STRUCTURE = 49'

EXISTING LOT COVERAGE = 3,576 SF = .387 = 39%

EXISTING FAR = 1510 SF = .165 = .17

EXISTING GARAGE SIDE YARD (NORTH) = 3' (REQUEST VARIANCE)

EXISTING GARAGE REAR YARD (WEST) = 3' (REQUEST VARIANCE)

PROPOSED LOT COVERAGE W/ NEW GARAGE/STUDIO:

DEMO EXISTING GARAGE/PARKING PAD AND WALL = -264 SF

NEW GARAGE (22' X 28') = + 616 SF

NEW PARKING PAD (REAR & FRONT) = 300 SF

NEW PATIO = +329 SF

TOTAL NEW LOT COVERAGE = 4,557 SF = .498 = 50%

PROPOSED ACCESSORY BUILDING CALCULATIONS FOR GARAGE/STUDIO:

TOTAL SF OF GARAGE = 1,026 S.F

- MAIN - 2 CARS + INTERIOR STAIR = 567 SF
- STUDIO - (@ 7' HEIGHT) = 459 SF

1. EXCEEDS 30% OF HOUSE (1-STORY) = 66% (REQUEST VARIANCE)

2. EXCEEDS 25% OF REAR YARD
GARAGE SF = 1,026 S.F = .342 = 34% (REQUEST VARIANCE)

3. MEDIAN HEIGHT CANNOT EXCEED 20' (WITHIN LIMITS)
GARAGE/STUDIO = 17' FROM GRADE
FALLS WITHIN THE LIMIT (NO VARIANCE REQUIRED)

4. DOES NOT HAVE A SECOND KITCHEN





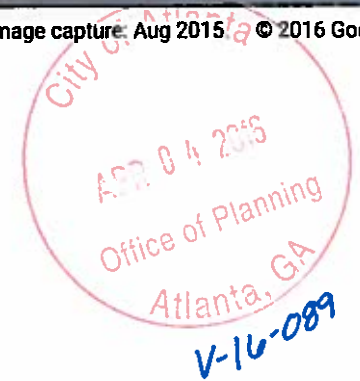
Image capture: Aug 2015 © 2016 Google

Atlanta, Georgia

Street View - Aug 2015



Google Maps



GENERAL NOTES:

1. This Plot has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plot.
2. This plot is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
3. Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
4. No Geodetic monuments were found within 500 feet of this site.
5. This Plot has been prepared for the exclusive use of the person(s) or entities named hereon.

SURVEY DATA:

TYPE OF SURVEY: TOPOGRAPHIC
 SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY: B9 35396 PG 286
 PROPERTY OWNER AT TIME OF SURVEY: PAUL E. NEVELUX JR.
 PARCEL NUMBER: 17 006600070125

TOTAL AREA: 9,148 SQ. FT. (0.21 AC)

CALCULATED PLAT CLOSURE: 1:129,188

FIELD DATA:

DATE OF FIELD SURVEY: 8-25-2015

THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.010 FEET.

EQUIPMENT:
 ELECTRONIC TOTAL STATION

SURVEY FOR
PAUL NEVELUX
LOT 15, PROPERTY OF THE SUBURBAN REALTY CO.

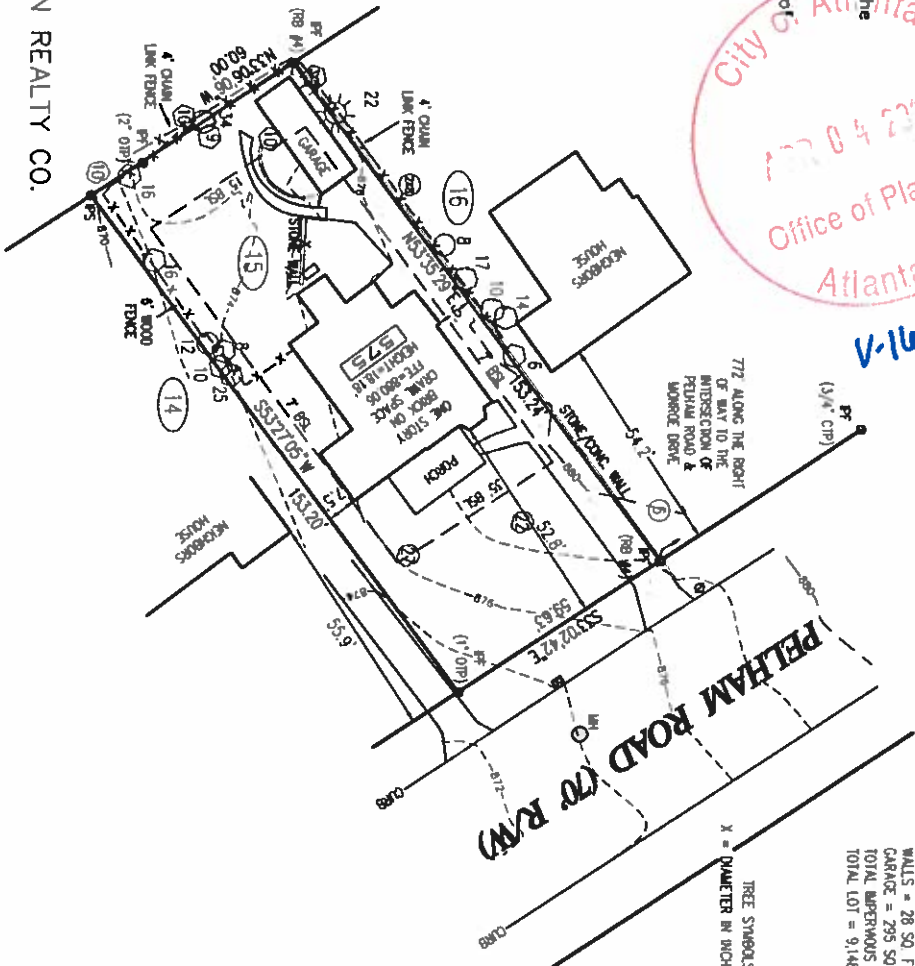
575 PELHAM ROAD

CITY OF ATLANTA, FULTON COUNTY, GEORGIA

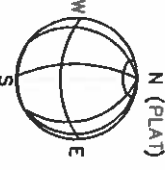
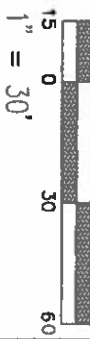
LAND LOT 56, DIST 17
 DATE: AUGUST 27, 2015

REFERENCE: PG 21 PG 57
 B9 35396 PG 286

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY FEMA MAP OF FULTON COUNTY 13121002016 DATED SEPTEMBER 18, 2013



ZONING: R-4
 APPLICABLE SURFACES:
 DRIVE = 1,490 SQ. FT.
 HOUSE = 1,310 SQ. FT.
 PORCH = 246 SQ. FT.
 CONC. PAD = 7 SQ. FT.
 WALLS = 28 SQ. FT.
 GARAGE = 295 SQ. FT.
 TOTAL IMPROVEMENTS = 3,576 SQ. FT. (39.1%)
 TOTAL LOT = 9,148 SQ. FT.



- LEGEND**
- ⊙ OAK
 - ⊙ HARDWOOD
 - ⊙ STUCCO
 - ⊙ DOORWOOD
 - ⊙ PINE
 - ⊙ EOP EDGE OF PAVEMENT (CURB)
 - ⊙ PP POWER POLE
 - ⊙ R/W RIGHT OF WAY
 - ⊙ R/P R/W FOUND
 - ⊙ 1/2" REBAR SET
 - ⊙ SW SIDE WALK
 - ⊙ BOLLARD
 - ⊙ OVERHEAD POWER
 - ⊙ FH FIRE HYDRANT
 - ⊙ CB CATCH BASIN
 - ⊙ LH LAMPPOLE
 - ⊙ WM WATER METER
 - ⊙ WV WATER VALVE
 - ⊙ GV GAS VALVE
 - ⊙ GM GAS METER
 - ⊙ LP LIGHT POLE
 - ⊙ CONCRETE PAD



FOR:
 DEKALB SURVEYS, INC.
 407 W. PONCE DE LEON
 SUITE B
 DECATUR, GEORGIA 30030
 404.373.9003

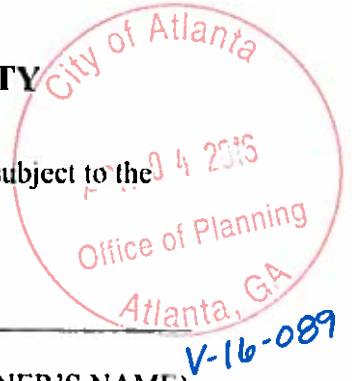
THIS SURVEY WAS PREPARED IN CONFORMANCE WITH THE TECHNICAL STANDARDS FOR PROFESSIONAL SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 186-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 43-15-4, 43-15-6, 43-15-19, 43-15-22.

COPY RIGHT 2015—THIS 11 X 17 DRAWING AND REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR



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, PAUL E. NEVEUX, JR. (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 575 PELHAM RD. NE, ATLANTA, GA 30324 (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF _____ 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 AUCE JOHNSON
AUCE JOHNSON DESIGN

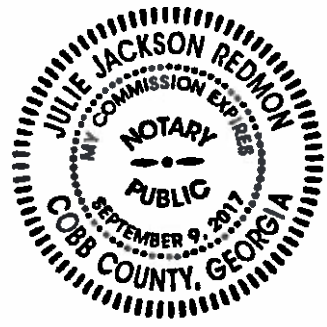
ADDRESS OF APPLICANT 1403 EMORY RD, NE
ATLANTA, GA 30306

TELEPHONE NUMBER 404.909.0057

[Signature]
Signature of Owner

Personally Appeared Before Me Paul E. Neveux, Jr.

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
November 24, 2015
Date



RECEIPT

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

Application: V-16-089
Application Type: Planning/BZA/Variance/NA
Address: 575 PELHAM RD NE, ATLANTA, GA 30324
Owner Name: NEVEUX PAUL E JR
Owner Address:
Application Name:

PAID
CITY OF ATLANTA
APR 04 2016
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
461875	6014	\$100.00	04/04/2016	PLUKE		

Owner Info.: NEVEUX PAUL E JR

Work Description: variance to reduce the north side and rear yard setbacks to 3 ft to increase square footage of a detached accessory to increase maximum rear yard coverage to allow for construction of a new detached residential accessory structure