



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

APPLICATION #: **V-16-104**
DATE ACCEPTED: **04/20/2016**

NOTICE TO APPLICANT

Address of Property:
1243 Virginia AVE NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, June 9, 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

John Waters



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-16-104
 NPU F DATE FILED 4-20-16

1. John Waters

Name of Applicant

BUILDING PERMIT AUTHORIZING

Second story addition to a single family structure

at 1243 Virginia Ave NE 15th/241
 Street Address Quadrant District & Land Lot

to be used for residential purposes

The property is zoned RG-3 District

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

Applicant seeks a variance from the zoning ordinance to (1) reduce the required front yard setback from 40' to 31'-2" (2) reduce the required east side yard setback from 7' to 7 1/2" (3) reduce the west side yard setback from 7' to 3'-1" to allow construction of a second story addition to a single family structure. (pending lot replat)

No plan review conducted

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 08 Section 16-08.008 Paragraph (1)

Chapter 28 Section 16-28.011 Paragraph (e) b

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

D. John 4-20-16
 Plan Reviewer Date

[Signature] 4/20/2016
 Applicant Date



APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 04/20/2016 Application Number V-16-104

Name of Applicant JOHN WATERS Daytime Phone 404.545.1601

Company Name WATERS ARCHITECTURE e-mail JAY@WATERSARCHITECTURE.COM

Address 3360 HIDDEN ACRES DRIVE ATLANTA GA 30340
street city state zip code

Name of Property Owner CHAD LEE Phone 404.797.3910

Address 1243 VIRGINIA AVENUE NE ATLANTA GA
street city state zip code

Description of Property

Address of Property 1243 VIRGINIA AVENUE NE OR

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

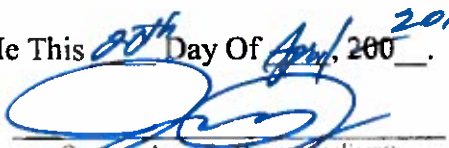
Depth: 124.32' Area: 3,219 SQ FT. Land Lot: 241 District: 15, DEKALB County, GA.

Property is zoned: R6-3, Council District: 6, Neighborhood Planning Unit: F

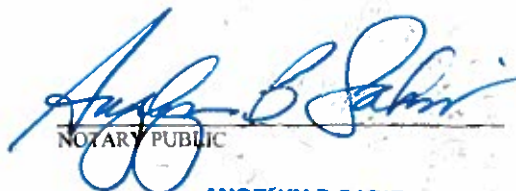
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant variance(s).

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 20th Day Of April, 2006.



Owner or Agent for Owner (Applicant)
JOHN WATERS
APPLICANT'S NAME IN PRINTED LETTERS



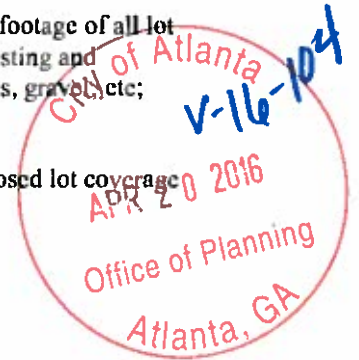
NOTARY PUBLIC

ANGELYN B SABIR
Notary Public, Fulton, GA
My Commission Expires March 17 2020

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 SECOND STORY OVER EXISTING ONE STORY SINGLE FAMILY RESIDENCE. THIS ADDITION WILL BE AN 1,325 SQ FT. ADDITIONAL 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.

2817 covered square feet / 3219 total lot square feet = 87.5% proposed lot coverage
100 % 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 (NPU's), 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:

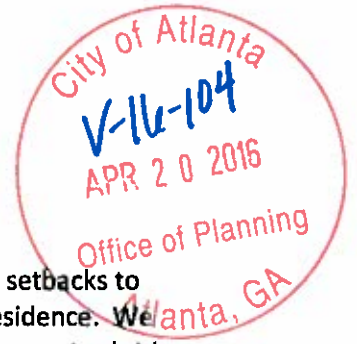
- by sending written notice of your application to all property owners whose property is within 300 feet of the subject property, and
- by causing public notice to be placed in the newspaper.

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 REQUEST



Variance Request

This variance application serves as a request for a reduction in the front and side setbacks to construct a new second story addition to our existing single story family home residence. We would like to reduce the required 40'-0" front setback to a 31'-2" setback and the required side setbacks from 7'-0" to 7 1/2" (opposite of alleyway) and 3'-1" (on the alley side). Our residence is a non-conforming lot which currently has a one story single family residence existing footprint per the reductions we request above. We are asking that we be allowed to construct a new second floor addition over this existing home footprint along with removal and replacing our existing front entry porch cover.

Extraordinary/Exceptional (Hardship) Property Conditions

The primary reason for the need for a reduction of setbacks per the above request is to allow the residence which is a growing family to go from a single bedroom home to a multi-bedroom single family home. Due to the the current placement of the existing residence on the property and current zoning conditions, constructing a second floor reasonable addition for the proposed bedrooms needed (along with access to and from each bedroom).

Uniqueness of Property Compared to Surrounding Properties

The home is located within several beautiful single family homes that over time have been converted into large multi-family residences. These surrounding homes are more customary in shape with their lots, allowing for sufficient property expansion in several different avenues unlike ours which only allows us to go up or back. If we were to expand to the rear of the property we would be adding more impervious area which would only add more water runoff to an already city's water drainage issue. By constructing upwards we preserve the existing rear yard conditions as a nice space to enjoy the yard, grilling and entertaining.

No Cause of Impairment to Surrounding Properties

As outlined in the site plan, and in looking at placement of structures on surrounding properties, the creation of the proposed second floor will not detract from the use/enjoyment of such properties. In fact, we believe the surrounding properties will benefit from the project. As designed, the second floor addition will allow for us to keep the secure play space in the rear yard for our growing family while preserving all existing trees and plant life already developed around the property. All things considered, the project will transform our property into one of desirability for years to come. And while this is our "forever house", should there ever be a need to sell in the future, the project will significantly enhance the market addition within the current day proposed setbacks will not allow for an area for a ility of the property, which will benefit the neighborhood as a whole.

NOTARIZED AUTHORIZATION BY PROPERTY OWNER

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



TYPE OF APPLICATION _____

I, CHAD LEE (OWNER'S NAME)

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

1243 VIRGINIA AVE (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 JOHN WALTERS

ADDRESS OF APPLICANT 3360 HIDDEN ACRES

ATLANTA GA 30340

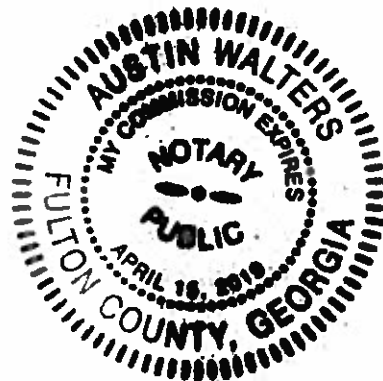
TELEPHONE NUMBER ~~404-271-2210~~ ¹²⁶ 404-545-1601

Chad Lee
Signature of Owner

Personally Appeared Before Me
[Signature]

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

Notary Public
04/19/2016
Date



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

04/20/2016 10:25:55 IUNITY DEVELOPMENT
Merchant ID: 000000004009798
Terminal ID: 06381900
184191133992

CREDIT CARD 104
VISA SALE ing/BZA/Variance/NA
CARD # XXXXXXXXXXXX7494 VIRGINIA AVE NE, ATLANTA, GA 30306
INVOICE 0004 Lee

Batch #: 000373
Approval Code: 06691C
Entry Method: Swiped
Mode: Online

SALE AMOUNT

\$500.00

Payment Date	Cashier ID	Received	Comments
04/20/2016	RPLEWIS		

CUSTOMER COPY

Description: yard setback from 40' to 31'; to reduce the required east side yard setback from 7' to 7 1/2" reduce the west side yard setback from 7' to 3' to allow construction of a second story addition to a single family structure

PAID
CITY OF ATLANTA
APR 20 2016
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR