



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

APPLICATION #: **V-16-119**  
DATE ACCEPTED: **05/10/2016**

## NOTICE TO APPLICANT

Address of Property:  
**722 East Morningside DR NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, July 7, 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

  
April Ingraham



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-16-119

NPU F DATE FILED 5.10.2016

**1. April Ingraham**

Name of Applicant

**BUILDING PERMIT AUTHORIZING**

*Construction of a swimming pool*

at 722 East Morningside Dr NE 17<sup>th</sup>/51  
 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 to reduce the required rear yard setback from 15ft to 12ft to allow the construction of a swimming pool.

Applicant seeks no other variances at this time.

**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 06 Section 16-06.008 Paragraph (3)

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

B. Johns, 5-10-16  
 Plan Reviewer Date

April Ingraham  
 Applicant Date

APPLICATION FOR VARIANCE  
City of Atlanta



Date Filed 05.10.16 Application Number V-16-119  
Name of Applicant APRIL INGRAHAM Daytime Phone 404-421-1520  
Company Name THE PERMIT SPECIALIST LLC e-mail CONSULTANT@THEPERMITSPECIALIST.COM  
Address 165 WEST WIEUCA RD NE STE 305 ATLANTA GA 30342  
street city state zip code

Name of Property Owner DANIELLE BROOKS Phone 770-309-7175  
Address 722 EAST MORNINGSIDE DR ATLANTA GA 30324  
street city state zip code

Description of Property

Address of Property 722 EAST MORNINGSIDE DR OR

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

Depth: 180 Area: 0.3036 Land Lot: 51 District: 17, FULTON County, GA.

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

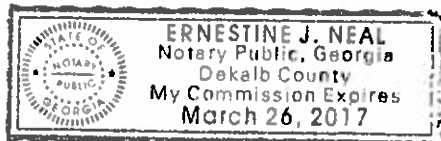
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant variance(s).

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 10 Day Of May, 2016.

April Ingraham  
Owner or Agent for Owner (Applicant)  
**APRIL INGRAHAM**  
APPLICANT'S NAME IN PRINTED LETTERS

Ernestine J. Neal  
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 NEW RESIDENTIAL INGROUND PRIVATE SWIMMING POOL**

**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.

6,448 covered square feet / 13,224 total lot square feet = 48.7 % 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.

May 10, 2016

City of Atlanta  
Dept of Planning and Community Development  
Office of Planning  
Board of Zoning Adjustment (BZA)  
55 Trinity Ave; Suite 3350  
Atlanta, GA 30303

Justification Letter for Variance Request for:  
**722 MORNINGSTAR DR NE ATL GA 30307**



To Whom It May Concern:

Accept this letter, on behalf of the owner, Danielle Brooks, who wishes to construction a 650 sqft pool in her rear yard. After contemplating different designs and preferring to avoid a variance, Danielle desires to pursue the original design. Doing so, causes the need for a variance for her rear yard setback. And though the request is very minimum, only a total of 65 sqft of pool will be encroaching, she needs a variance. The property is zoned R-4. Therefore, we are asking to reduce the rear yard setback from the required 15' to ~~9'~~ <sup>12'</sup> to accommodate a new in ground swimming pool.

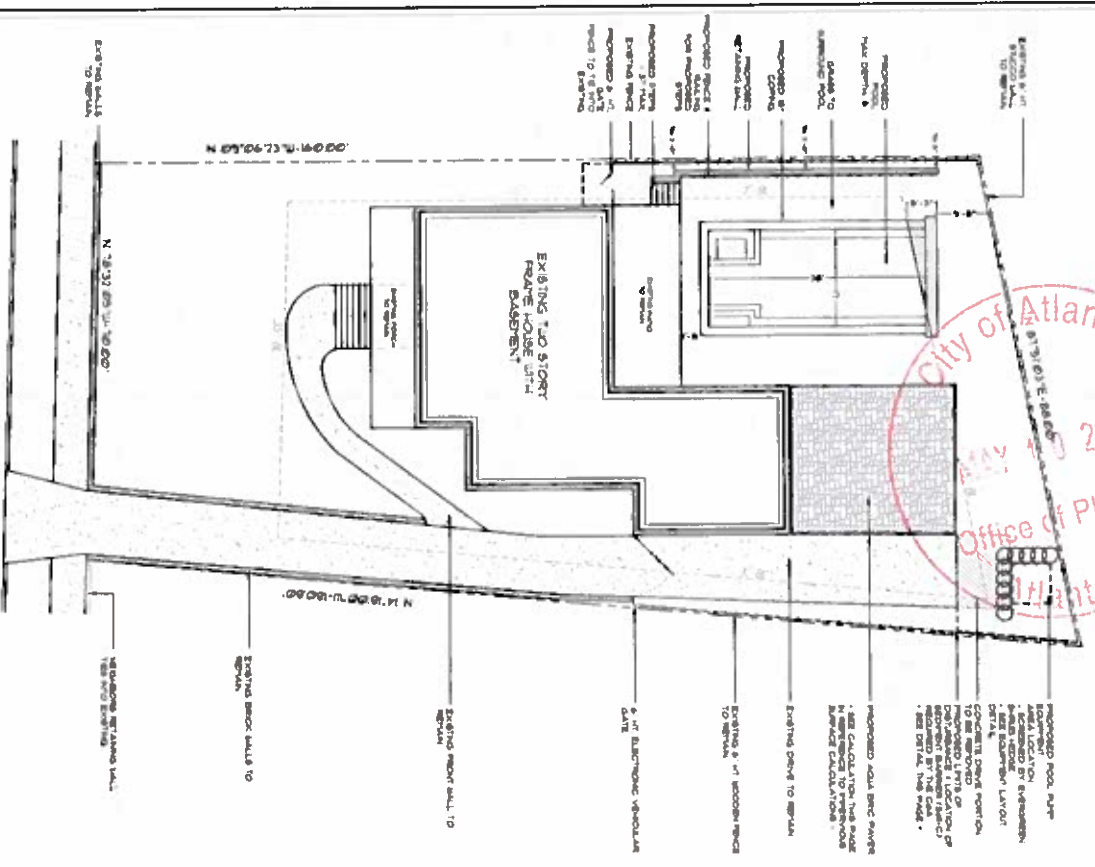
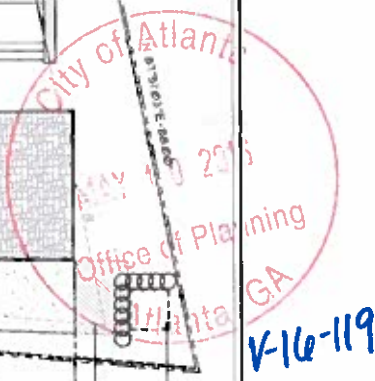
The pool is totally screened behind the house and is not visible from the street. The landscape architect will design an elaborate landscape screening plan which also entails, the removal of approximately 159 sqft of existing driveway to balance impervious coverage. The pool equipment will be installed on a pool equipment pad and will be equal to or less than 30". It will be screened with greenery as well. The proposed lot coverage is 48.7%.

We do not foresee any potential hardship upon any of the neighbors if granted. Including no adverse impact to noise, lights or vehicular traffic. Other than relief to reduce the rear yard setback, no other relief considerations are being requested at this time.

Thank you for your consideration of this request.

Respectfully,

April Ingraham,  
Applicant/Agent for DANIELLE BROOKS  
404-421-1520  
consultant@thepermitspecialist.com



**BROOKS RESIDENCE - PROPOSED ENHANCEMENT PLAN**  
 SCALE: 1/8" = 1'-0"

**SE CALCULATIONS FOR IMPERVIOUS SURFACE (EXISTING)**  
 DRIVEWAY - 2161.8  
 WALKWAY & STAIRS - 3611.1  
 HOUSE & PORCHES - 3102.6  
 WALLS - 211

**TOTAL PROPERTY SF - 13214.6**  
**TOTAL ALLOWABLE SF - 6672.0**  
**TOTAL CURRENT IMPERVIOUS SF - 6448.1**

**TOTAL IMPERVIOUS PERCENTAGE - 48.7%**

**SE CALCULATIONS FOR IMPERVIOUS SURFACE (PROPOSED)**  
 POOL (INCLUDES 1/8" CONING & AUTO COVER ASSEMBLY) - 611  
 WALLS - 81  
 STAIRS - 20

**TOTAL PROPOSED SF - 1741**

**SE CALCULATIONS FOR IMPERVIOUS SURFACE (RECLAIMED)**  
 DRIVEWAY REMOVAL - 195  
 AQUA BRICK PAVEMENT DRIVE - 101  
 SEE CALCULATIONS THIS PAGE  
 TOTAL RECLAIMED SF - 296

**SE CALCULATIONS POST PROJECT**  
 TOTAL MODIFIED IMPERVIOUS SF - 6363.9  
 TOTAL MODIFIED IMPERVIOUS PERCENTAGE - 48.1%  
 TOTAL SF SURPLUS - 2482

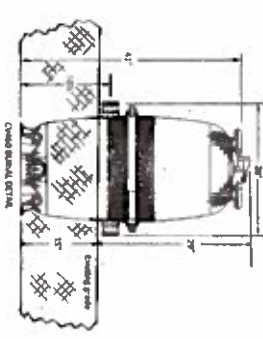
**AQUA BRICK CALCULATIONS**

- PERSONS CALCULATIONS PERTAINING TO AQUA BRICK USES DERIVED BY CALCULATING THE JOINT SPACE BETWEEN EACH BRICK
- AQUA BRICK IS 5" W X 10" L AND WHEN INSTALLED WILL HAVE A 1/8" JOINT SPACE BETWEEN EACH BRICK.

**165 PROPOSED SF**  
 63 SF PER PALLET  
 260 PALLETS REQUIRED  
 260 UNITS PER PALLET X 63 PALLETS = 2236 UNITS  
 5" X 10" X 10" = 0.444'  
 0.444' X 2236 UNITS = 10224 SF RECLAIMED

**Aqua-Brick: the Bio-Aquatic Storm Systems (BASS®)**

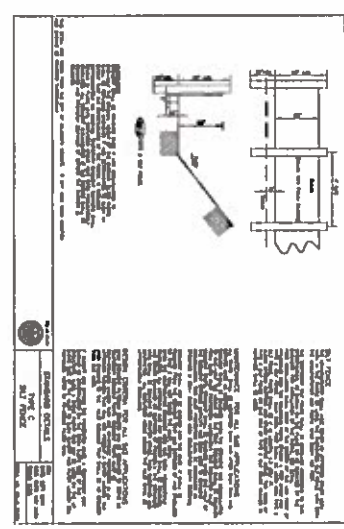
1. Aqua Brk is a fully compliant (interacts most pedestrian safety standards, as they relate to slip-resistant surfaces. The manufacturer's safety data sheet and their literature make a strong case for their product's safety and ease of use.
2. Aqua Brk is also certified with requirements as well as all EPA storm water requirements.
3. Manufacturer claims liability by installing a water strip of brickwork in pattern.



**POOL EQUIPMENT LOCATION INFORMATION**

- ALL POOL EQUIPMENT SET WITHIN THE SETBACK CAN BE NO MORE THAN 30" IN HEIGHT PER COA
- ALL POOL EQUIPMENT IS AT OR BELOW THE 30" TRESHOLD WITH THE EXCEPTION OF THE FILTER THIS WILL BE BURED, SEE DETAIL BELOW

**NOTE THAT THE PORTION CONSIDERED RECLAIMED IS THE 1/8" JOINT SPACE BETWEEN EACH PAVEMENT**



**NOTES:**

- PROPOSED POOL AS SHOWN CURRENTLY OCCUPIES 65 SF BEYOND EXISTING 1/8" SETBACK
- PORTION OF POOL FILLED WITH WATER DOES NOT COUNT TOWARD IMPERVIOUS SURFACE CALCULATION

**UTILITIES PROTECTION CENTER**

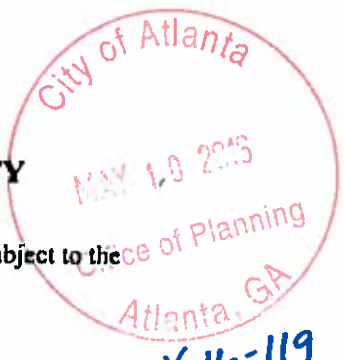
CALL THESE NUMBERS TO LOCATE UTILITIES BEFORE YOU DIG

800-368-5888  
 404-325-5000  
 404-325-5000  
 404-325-5000

**plants**  
creative landscapes

**BROOKS RESIDENCE**  
ATLANTA, GEORGIA

DATE: 4/11/11  
 SCALE: AS SHOWN  
 DRAWN BY: A  
 CHECKED BY: A  
 PROJECT: SP-1



**NOTARIZED AUTHORIZATION BY PROPERTY OWNER**

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

TYPE OF APPLICATION VARIANCE

V-16-119

1. Danielle Brooks (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 722 E. Morningside Dr NE Atlanta, Ga. 30324 (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 APRIL INGRAHAM

ADDRESS OF APPLICANT 45 E. CONECTE AVE 165 W. Wisenka Rd #305

TELEPHONE NUMBER 404 399 7775 404 421 1520

Danielle Brooks  
Signature of Owner

Personally Appeared Before Me Danielle Brooks & Pam Dookey

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  
Date 04/5/2016



**RECEIPT**

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

**PAID**  
CITY OF ATLANTA  
MAY 10 2016  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

**Application:** V-16-119  
**Application Type:** Planning/BZA/Variance/NA  
**Address:** 722 EAST MORNINGSIDE DR NE, ATLANTA, GA 30324  
**Owner Name:** Danielle Brooks  
**Owner Address:**  
**Application Name:**

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Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
467414	2167	\$100.00	05/10/2016	PLUKE		

**Owner Info.:** Danielle Brooks

**Work Description:** to reduce the required rear yard setback from 15 ft to 12 ft to allow the construction of a swimming pool