



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

APPLICATION #: **V-16-132**  
DATE ACCEPTED: **05/16/2016**

## NOTICE TO APPLICANT

Address of Property:  
**1158 Lanier BLVD NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, July 14, 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**

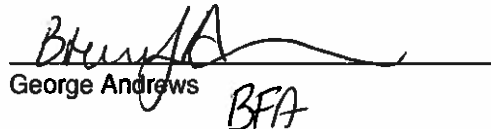
Contact info for adjacent NPUs is provided below if necessary:

### **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

  
George Andrews  
BFA



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-16-132

NPU F DATE FILED 05-16-16

**1. George and Brennan Andrews**

Name of Applicant

**BUILDING PERMIT AUTHORIZING**

*Construction of a swimming pool*

at 1158 Lanier Blvd NE 17<sup>th</sup>/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 special exception from the zoning ordinance to allow active recreation in a yard adjacent to a street (swimming pool) where otherwise it is not allowed.

Applicant seeks no other variances at this time.

**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 28 Section 16-28.008 Paragraph (6)

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

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

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

G. J. [Signature] 5-13-16  
 Plan Reviewer Date

[Signature] 5/13/16  
 Applicant Date

# APPLICATION FOR SPECIAL EXCEPTION

City of Atlanta

Date Filed 05.16.16 Application Number V-16-132  
Name of Applicant George and Brennan Andrews Daytime Phone (404)873-3947  
Company Name \_\_\_\_\_ email geoandrews@mindspring.com  
Address 1098 Lanier Boulevard Atlanta GA 30306  
street city state zip code

Name of Property Owner George and Brennan Andrews Phone (404)873-3947  
Address 1098 Lanier Boulevard Atlanta GA 30306  
street city state zip code

## Description of Property

Address of Property 1158 Lanier Boulevard NE Atlanta, GA 30306 OR

The subject property fronts \_\_\_\_\_ feet on the \_\_\_\_\_ side of  
\_\_\_\_\_ beginning \_\_\_\_\_ feet from the  
\_\_\_\_\_ corner of \_\_\_\_\_.

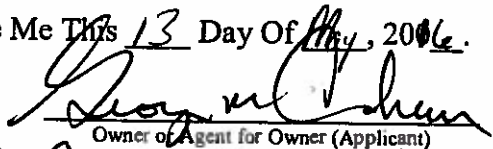
Depth: 157' Area: 12,812 Land Lot: 1 District: 17, Fulton County, GA.  
sq. ft.

Property is zoned: R4, Council District: 6, Neighborhood Planning Unit: F

TO THE BOARD OF 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 a Special Exception.

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.

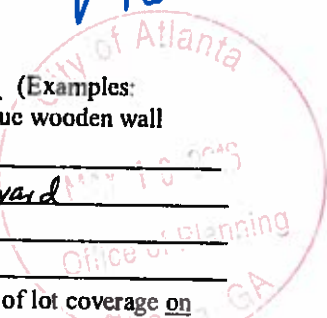
Sworn To And Subscribed Before Me This 13 Day Of May, 2016.

  
Owner or Agent for Owner (Applicant)

George M. Andrews  
NAME OF APPLICANT IN PRINTED LETTERS



V-16-132



**Summary of proposed construction changes to buildings or site.** (Examples:  
"Convert a 100' x 200' retail space into a restaurant." "Install a 6-foot high opaque wooden wall  
(privacy fence' with 6-foot high opaque wall gates.)")

Install an in ground swimming pool in the backyard  
with in the set back.

**Proposed Lot Coverage (After Construction)** Calculate total amount of lot coverage on  
entire property, after proposed 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.

6,037 covered square feet / 12,812 total lot square feet = 47.1 % proposed lot coverage  
50 % maximum allowed lot coverage

**(For Parking Special Exceptions Only)** List the maximum number of employees who will  
park on the site at any given time: \_\_\_\_\_ AND  
List the maximum estimated number of customers, clients, visitors, or similar persons who will require  
automobile parking in connection with the facility on the site at any given time: \_\_\_\_\_  
If you propose to provide off-site parking, see the attached Standards for Off-site Parking  
Agreements (p. 8).

**Special Exception Procedures**

Special exception 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.

**Neighborhood and NPU Recommendations.** The City is divided into 24 Neighborhood Planning  
Units (NPU), each of which has a volunteer citizen advisory committee that makes a recommendation  
to the BZA on special exceptions. 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.*

George and Brennan Andrews  
1098 Lanier Boulevard  
Atlanta, Georgia 30306  
(404)873-3947  
geoandrews@mindspring.com



May 11, 2016

City of Atlanta  
Department of Planning and Community Development  
Bureau of Planning  
55 Trinity Avenue, Suite 3350  
Atlanta, Georgia 30335

***Re: 1158 Lanier Boulevard, Atlanta, GA 30306***

Dear Planning Staff,

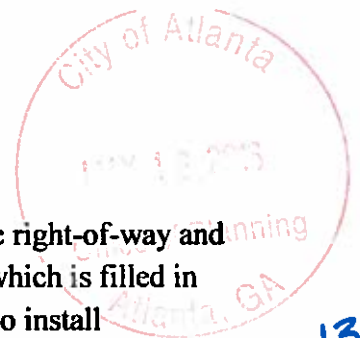
We are currently building a house at 1158 Lanier Boulevard. In order to fully execute our landscape plan we are proposing building an in ground swimming pool in the back yard within the setback. This is a corner lot and therefore we are applying for a special exception for an active recreation facility. Please find the attached documents in support of our special exception request:

- Variance application
- Survey
- Proposed site plan

We believe the property meets the criteria for a special exception in the following ways.

**The location should not be objectionable to occupants of a neighboring property or the neighborhood in general by reason of noise, lights, or concentration of persons or vehicular traffic.** The pool is intended for family use only and therefore there would not be an overabundance of individuals using the pool. The property fronts Lanier Boulevard, and the lot is adjacent to a right-of-way labeled "Johnson Street" on public maps, but the street does not exist in the physical realm. Because the street was planned to be the southern edge of our lot, the property is considered a corner lot according to the Zoning Ordinance. However, because the street was never constructed, the lot functions very much like a center lot. The area labeled "Johnson Street" on the city plat is currently filled in with grass and trees and according to the department of Public Works the city has no plans to develop or pave this street.

We recognize that despite the absence of a physical street, this is still a public right-of-way and therefore we want to bring attention to the six foot existing chain link fence which is filled in with ivy shielding the side lot view from the public right of way. We will also install landscaping trees and shrubs along the property line to further shield the pool area from the public right of way.



**The area for such activity could not reasonably be located elsewhere on the lot.** The setbacks on the sides and front of the property do allow enough room for a pool making the backyard the only remaining option for a pool location.

Thank you for considering our request for a special exception for our property.

Sincerely,

George Andrews



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

05/16/2016 11:35:01 MUNITY DEVELOPMENT  
Merchant ID: 000000004009798  
Terminal ID: 06347552  
4107574675

CREDIT CARD  
AMEX SALE

-132  
ning/BZA/Special Exception/NA  
LANIER BLVD NE, ATLANTA, GA 30306  
DMAN ANDREWS BRENDA N & ANDREWS GEORGE MICHAEL


CARD # XXXXXXXXXXXX6007  
INVOICE 0008  
Batch #: 000400  
Approval Code: 593517  
Entry Method: Swiped  
Mode: Online

Payment Date 05/16/2016  
Cashier ID PLUKE  
Received  
Comments

SALE AMOUNT \$100.00

ENDAN & ANDREWS GEORGE MICHAEL

CUSTOMER COPY

  
PAID  
CITY OF ATLANTA  
MAY 16 2016  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

Description: ... a yard adjacent to a street (swimming pool) where  
otherwise it is not allowed