



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

APPLICATION #: **V-16-135**  
DATE ACCEPTED: **05/18/2016**

## NOTICE TO APPLICANT

Address of Property:  
**1205 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,

  
\_\_\_\_\_  
MDA, for Director, Bureau of Planning

  
\_\_\_\_\_



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

**REFERRAL CERTIFICATE**

COUNCIL DISTRICT \_\_\_\_\_ APPLICATION NUMBER \_\_\_\_\_

NPU \_\_\_\_\_ DATE FILED \_\_\_\_\_

Nina Gentry/Stephanie Brunsvik  
 Name of Applicant

**BUILDING PERMIT AUTHORIZING**  
 New Single-Family Dwelling

at 1205 Lanier BLVD NE 17<sup>th</sup>/2  
 Street Address Quadrant District & Land Lot

to be used for Single-Family Residential purposes

The property is zoned R-4 (Single-Family Residential District) District

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

Applicant seeks a variance from the zoning regulation to reduce the required half depth yard from 15 feet to 11.6 feet for the purpose of a new single-family dwelling.

Pending lot verification.

Applicant seeks no other variances at this time.

**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 28 Section 16-28.007 Paragraph 5 (b)

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

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

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

[Signature]  
 Plan Reviewer Date

[Signature] 5/18/16  
 Applicant Date



**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:** Reduce the half depth front yard setback from 17.5 feet to 11.7 feet and front yard setback from 35 feet to 28.7 feet for construction of a single family dwelling

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**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.

3280 covered square feet / 8182 total lot square feet = 40.1% 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.

VARIANCE REQUEST  
for 1205 Lanier Boulevard, NE

1205 Lanier Boulevard is zoned R-4 which requires a minimum land area of 9,000SF and a minimum street frontage of 70 feet. Required setbacks for corner lots are front yard, 35 feet; half depth front yard, 17.5 feet; side yards 7 feet and rear yard 15 feet. Maximum lot coverage allowed is 50% and maximum floor area ratio (FAR) of 0.50.

The subject property consists of 8,182SF and has 51 feet of street frontage. The existing dwelling encroaches into the front yard by approximately 2 feet; the north side yard by 3.7 feet; and the half depth front yard by 9.1 feet.

The owner proposes to demolish the existing dwelling and detached garage and replace it with a new two story dwelling. The new dwelling would encroach in the front yard setback by 6.3 feet and the half depth front yard by 5.9 feet. Lot coverage and Floor Area Ratio would not exceed what is allowed.

JUSTIFICATION

- a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.** The property has less frontage and area than required for properties zoned R-4. It has 51 feet of street frontage rather than the required 70 and has 8,182SF of area rather than the required 9,000SF. The property is also a corner lot which has a greater required setback along the south property line than if located mid-block
  
- b. **The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship.** To impose the setback requirements on this property would prohibit the owner from constructing a new single family dwelling. The new dwelling would not encroach any further into any of the required yards than the existing condition but for the front yard. Furthermore, the resultant lot coverage and FAR will be below what is allowed under the current zoning regulations. Considering the property has challenges related to lot size and shape it should not be necessary to impose this hardship to protect the public good.
  
- c. **Such conditions are peculiar to the particular piece of property involved.** The lot shape and topography are not unique to the subject property. However, the existence of similar conditions on adjoining neighborhood properties should not negate the desirability of the proposal.
  
- d. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.** The requested variances would not cause substantial detriment to the public good or impair the purposes and intent of the zoning ordinance by allowing the proposed construction of a single family dwelling. This proposal would promote desirable living conditions.

**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, JACK BILT HOLDINGS, LLC (OWNER'S NAME)

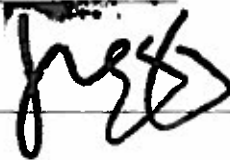
SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 1205 LANIER BLVD (PROPERTY ADDRESS).

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.

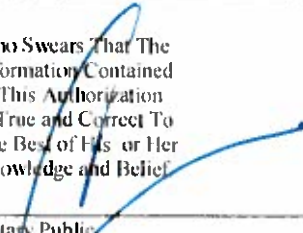
NAME OF APPLICANT VINA GENTRY / STEPHANIE BRUNSVIK

ADDRESS OF APPLICANT 922 EDEN AVE SE  
ATLANTA GA 30316

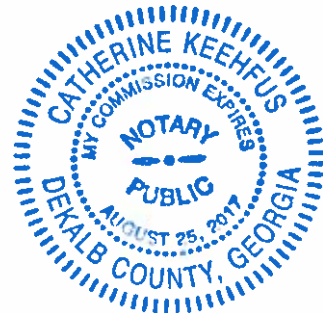
TELEPHONE NUMBER 404. 218. 5730

Signature of Owner 

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  
  
Notary Public

Date



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

05/18/2016  
Merchant ID:  
Terminal ID:  
4107574675

14:08:19  
000000004009798  
06347552

UNITY DEVELOPMENT

CREDIT CARD  
AMEX SALE

CARD #  
INVOICE  
Batch #:  
Approval Code:  
Entry Method:  
Mode:

XXXXXXXXXXXX1060  
0012  
000402  
591115  
Swiped  
Online

35  
g/BZA/Variance/NA  
ANIER BLVD NE, ATLANTA, GA 30306  
- KEVIN B & AMY LYNN

SALE AMOUNT

\$100.00

Payment Date	Cashier ID	Received	Comments
05/18/2016	SGUILDARIE		

CUSTOMER COPY

YNN

Work Description:

PAID  
CITY OF ATLANTA  
MAY 18 2016

*amex*  
*SS*

EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

The field data upon which this plat is based has a closure of 1 foot in 10,000 feet, an angular error of .03 seconds per angle point and was adjusted using the Least Squares Method. This plat has been calculated for closure and found to be accurate to 1 foot in 100,000 feet. An electronic total station and a 100' chain were used to gather the information used in the preparation of this plat.

The survey shown hereon was prepared without the benefit of an abstract of title; therefore, the undersigned and Vedder Surveys, Inc., make no guarantees or representations regarding information shown hereon pertaining to easements, right-of-way, setback lines, agreements, reservations, and other similar matters.

**FLOOD STATEMENT**

I HAVE EXAMINED THE OFFICIAL FLOOD HAZARD MAP AND FOUND THAT BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY LIES IN A FLOOD HAZARD AREA ACCORDING TO FEMA FIRM MAP 13121C0261 G, DATED 9/18/2013

**STATE WATERS NOTE:**

NO STATE WATERS PRESENT WITHIN 200 FEET OF PROJECT SITE.

**ZONED: R4**

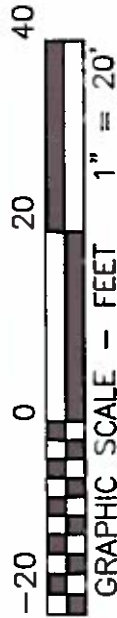
FRONT: 35' MAX. LOT % = 50%  
 CORNER: 17.5' MAX. FL. RATIO = 0.5  
 SIDE: 7'  
 REAR: 15'

**EX. WALL SCHEDULE**

LOT AREA:	TOP	BOTTOM
8,182 sq. ft.	1 922.5	2 920.3
0.188 acres	2 920.2	2 919.0

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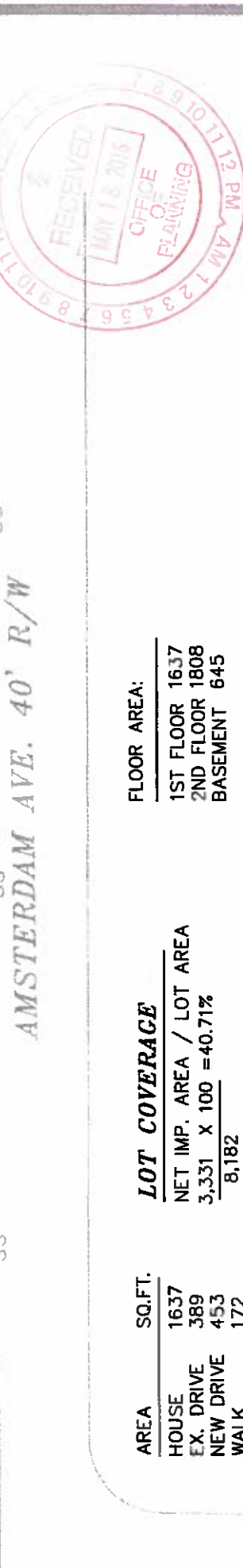
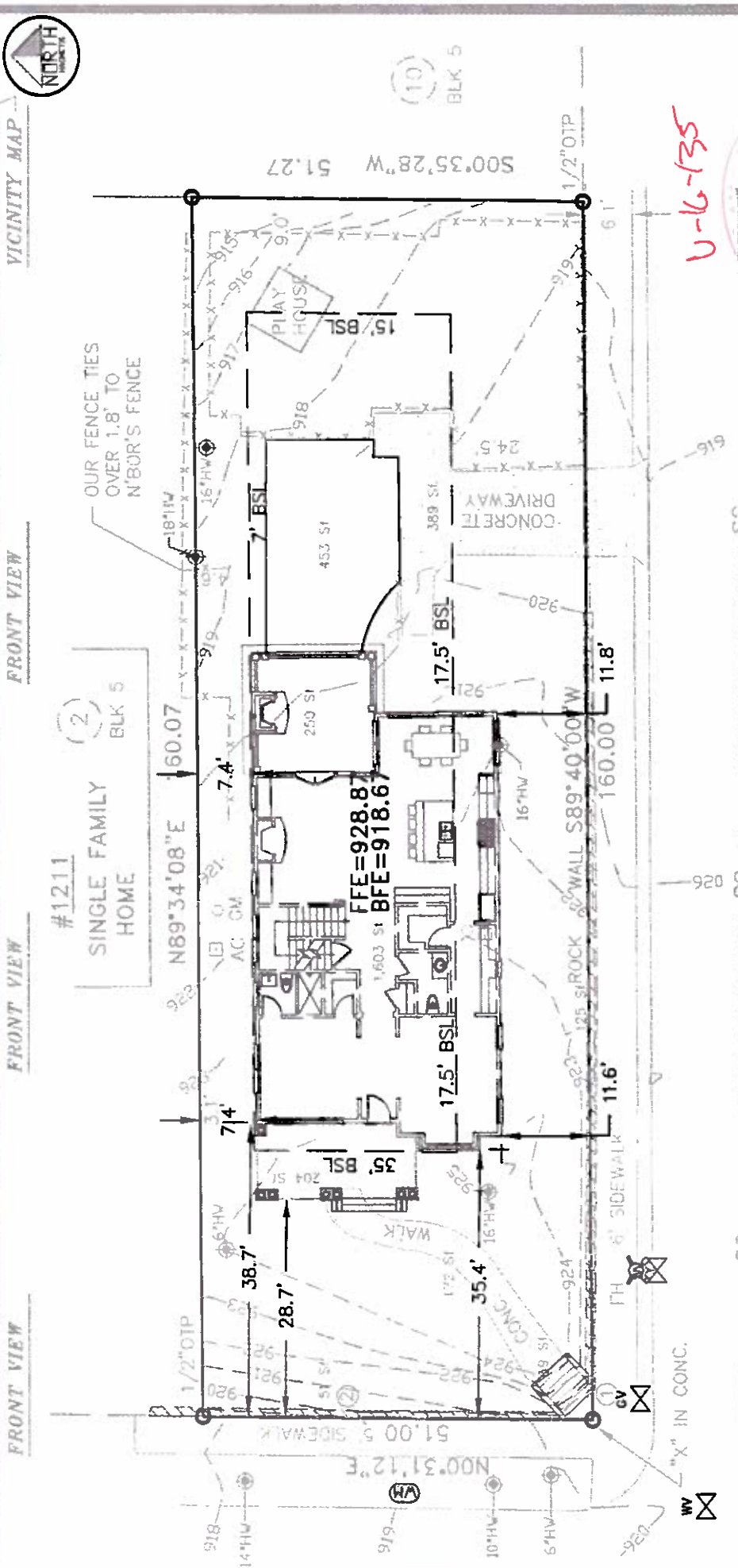
DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.



**VEDDER SURVEYS & ASSOCIATES**

1648 Juliette Road, Forsyth, Ga. 31029  
 TELEPHONE (678) 544-2585  
 EMAIL: GEORGE@VEDDERSURVEY.COM

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act.



AREA	SQ.FT.	LOT COVERAGE	FLOOR AREA:
HOUSE	1637	NET IMP. AREA / LOT AREA	1ST FLOOR 1637
EX. DRIVE	389	3,331 X 100 = 40.71%	2ND FLOOR 1808
NEW DRIVE	453	8,182	BASEMENT 645
WALK	172	<b>FLOOR AREA RATIO</b>	
STEPS	50	1ST + 2ND + BASEMENT (FLOOR)/ LOT AREA	
WALLS	175	1637 + 1808 + 645 = 0.50	
F.PORCH	205	8,182	
B.PORCH	250		
TOTAL	3,331 SF		

**PROPOSED SITE PLAN**  
**JACKBILT HOMES**  
**ADDRESS: 1205 LANIER BLVD.**

LAND LOT 2	DIST. 17 TH	FULTON COUNTY, GA.
LOT 1	BLOCK 5	SCALE 1"=20'
MORNINGSIDE-N.HIGHLANDS S/D, PB 11, PG. 125		
SURVEY & PLAT DATE: 04/08/2016 CITY OF ATLANTA		



U-6-135



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LOT AREA:	EX. WALL SCHEDULE	
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0.188 acres	2	920.2 919.0

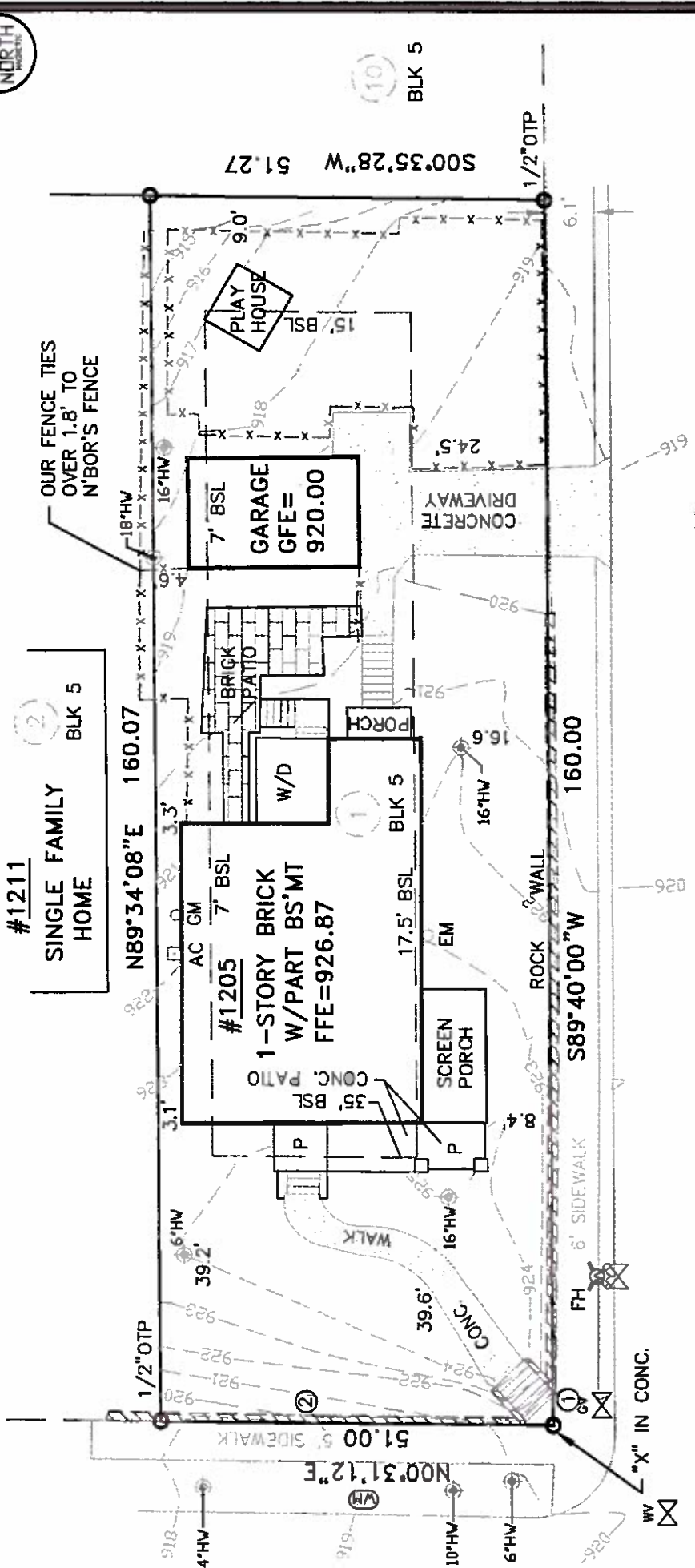


FRONT VIEW

FRONT VIEW

FRONT VIEW

VICINITY MAP



#1211  
 SINGLE FAMILY HOME

LANIER BLVD - 80' R/W

AMSTERDAM AVE. 40' R/W

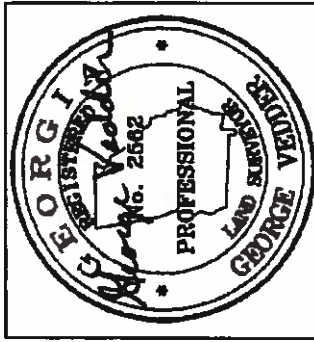
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REFERENCE DEED:  
 DB 51474, PG. 125

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**ADDRESS: 1205 LANIER BLVD.**

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