



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

APPLICATION #: **V-16-161**  
DATE ACCEPTED: **06/22/2016**

## NOTICE TO APPLICANT

Address of Property:  
**1945 Lebanon DR NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, August 11, 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

  
Angel Shockey



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 V-16-161

NPU \_\_\_\_\_ DATE FILED 6.22.16

\_\_\_\_\_  
 Angel Shockey  
 Name of Applicant

**BUILDING PERMIT AUTHORIZING**

Addition

at 1945 Lebanon Drive NE 17<sup>th</sup> /57  
 Street Address Quadrant District & Land Lot

to be used for Residential purposes

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

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

Applicant seeks a variance from the zoning regulation to 1). reduce the required south side yard setback from 7 feet to 4 feet in order to construct an addition to an existing single family dwelling.

Applicant seeks no other variances at this time. Complete review not conducted.

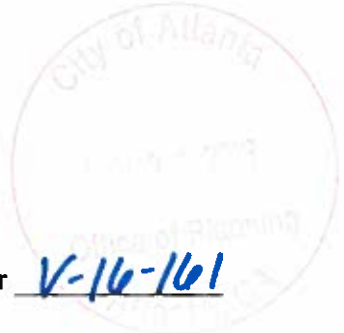
**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 06 Section 16.06.008 Paragraph (2)

Gloria Peters 06.22.16  
 Plan Reviewer Date

[Signature] 6/22/16  
 Applicant Date

APPLICATION FOR VARIANCE  
City of Atlanta



Date Filed \_\_\_\_\_ Application Number V-16-161

Name of Applicant ANGEL SHOKEY Daytime Phone (404) 440-3892

Company Name JONES PIERCE ARCHITECTS e-mail ANGEL@JONESPIERCE.COM

Address 400 PLASTERS AVE NE, SUITE 225, ATLANTA GA 30324  
street city state zip code

Name of Property Owner JONATHAN THARIA LYONS Phone (404) 229-7569

Address 1945 LEBANON DRIVE, ATLANTA GA 30324  
street city state zip code

Description of Property

Address of Property 1945 LEBANON DRIVE NE, ATLANTA GA 30324

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

Depth: 154' Area: 0.21 Land Lot: 57 District: 17, FULTON County, GA.  
(Acres)

Property is zoned: R4, 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 22 Day Of June 2016.

Owner or Agent for Owner (Applicant)

ANGELIQUE SHOKEY  
APPLICANT'S NAME IN PRINTED LETTERS

NOTARY PUBLIC

My Commission Expires  
February 16, 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 1,190  $\phi$  FOOTPRINT, TWO-STORY REAR ADDITION TO INCLUDE A CANYON AND SCREENED POOLCH

**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.

V-16-161

4,587 covered square feet / 9,252 total lot square feet = 49.5 % 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 (NPU), 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.

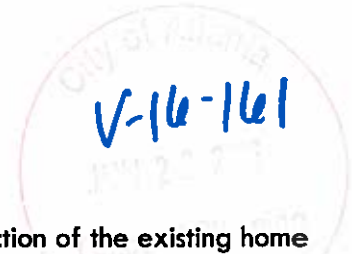
*You are responsible for obtaining a public notice sign when you file your application with the Office of Planning, and for posting it in a visible location on your property, at least 15 days prior to your public hearing. Failure to properly post the sign will make it necessary for the BZA to defer your 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 Justification for:**

**1945 Lebanon Drive, Atlanta, GA**



**1. Extraordinary and exceptional conditions:**

- a. The R-4 zoning setbacks were overlaid after the construction of the existing home in 1954. The southern (side) wall of the proposed addition aligns with the existing south face of the home, and is thus an (in plane) extension. The existing southern wall is currently in violation of the side yard setback by 2'-0" at the most extreme corner. As this line of the house continues toward the rear, the wall tapers toward the side setback and thus gets closer to the south property line as the angle decreases. At the furthest point, the corner of the addition is in violation of the 7'-0" setback by 2'-3" as measured from exterior finished face. In addition, the only habitable portions of the new addition that can take advantage of two-story stacking must be allocated to the southern side of the property to accommodate basement level parking and driveway maneuvering off of the existing shared drive to the North.

**2. The application of the zoning ordinance would create an unnecessary hardship because:**

- a. The existing house footprint is already in violation of the side yard setback, and any new addition aligning with the existing house will automatically share the same encroachment. In order to provide adequate space for parking, off of the existing shared driveway, while minimizing site disturbance, and maximizing sharing foundations by stacking construction, we are limited to a narrow remaining buildable area for any new habitable basement level footprint.

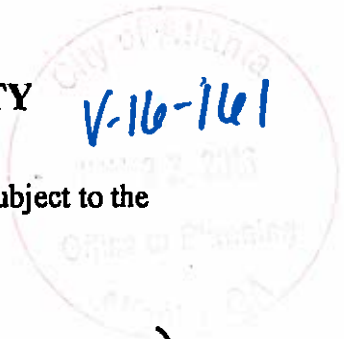
**3. Conditions are peculiar to the piece of property:**

- a. The existing home constructed in 1954 was built prior to the overlaying of R-4 zoning side yard setbacks, and thus adopted the existing encroachment.

**4. Relief, if granted:**

- a. If granted a 3'-0" reduction in the side yard setback the homeowner would be allowed a more useable, buildable footprint from what area remains to the south of the proposed carport. The addition is a continuation of the existing south facing wall, and thus no more of a setback encroachment than what already exists. The visual and experiential impact from the street and neighboring property will essentially remain the same. With respect to fire safety, we are not asking to reduce the side yard setback to less than 3'-0".

**NOTARIZED AUTHORIZATION BY PROPERTY OWNER**



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

TYPE OF APPLICATION VARIANCE (FOR SIDE YARD SETBACK)

I, JONATHAN LYONS (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 1945 LEBANON DRIVE, 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 ANGEL SHOCKEY

ADDRESS OF APPLICANT 400 PLASTERS AVE NE, SUITE 225 ATLANTA, GA 30324 - 3951

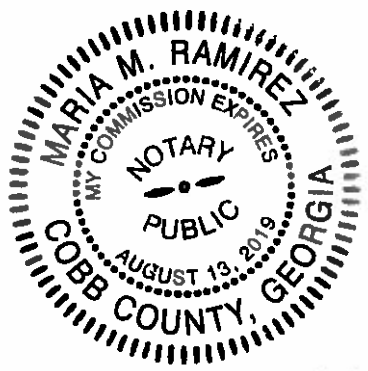
TELEPHONE NUMBER (404) 446-3892

  
Signature of Owner

Personally Appeared Before Me  
Jonathan Sprole Lyons

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  
June 20, 2016.  
Date



Show Receipt Detail

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

DEVELOPMENT

06/22/2016  
Merchant ID:  
Terminal ID:  
+107574675

11:35:25  
000000004009798  
06381900

CREDIT CARD  
AMEX SALE

Variance/NA  
ON DR NE, ATLANTA, GA 30324  
ATHAN S & LYONS MARIA M

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

XXXXXXXXXX4008  
0009  
000416  
529977  
Swiped  
Online

Payment Date	Cashier ID	Received	Comments
6/22/2016	RPLEWIS		

SALE AMOUNT

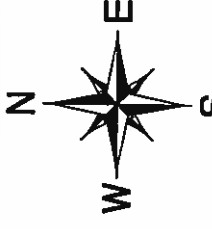
\$100.00

MARIA M

CUSTOMER COPY

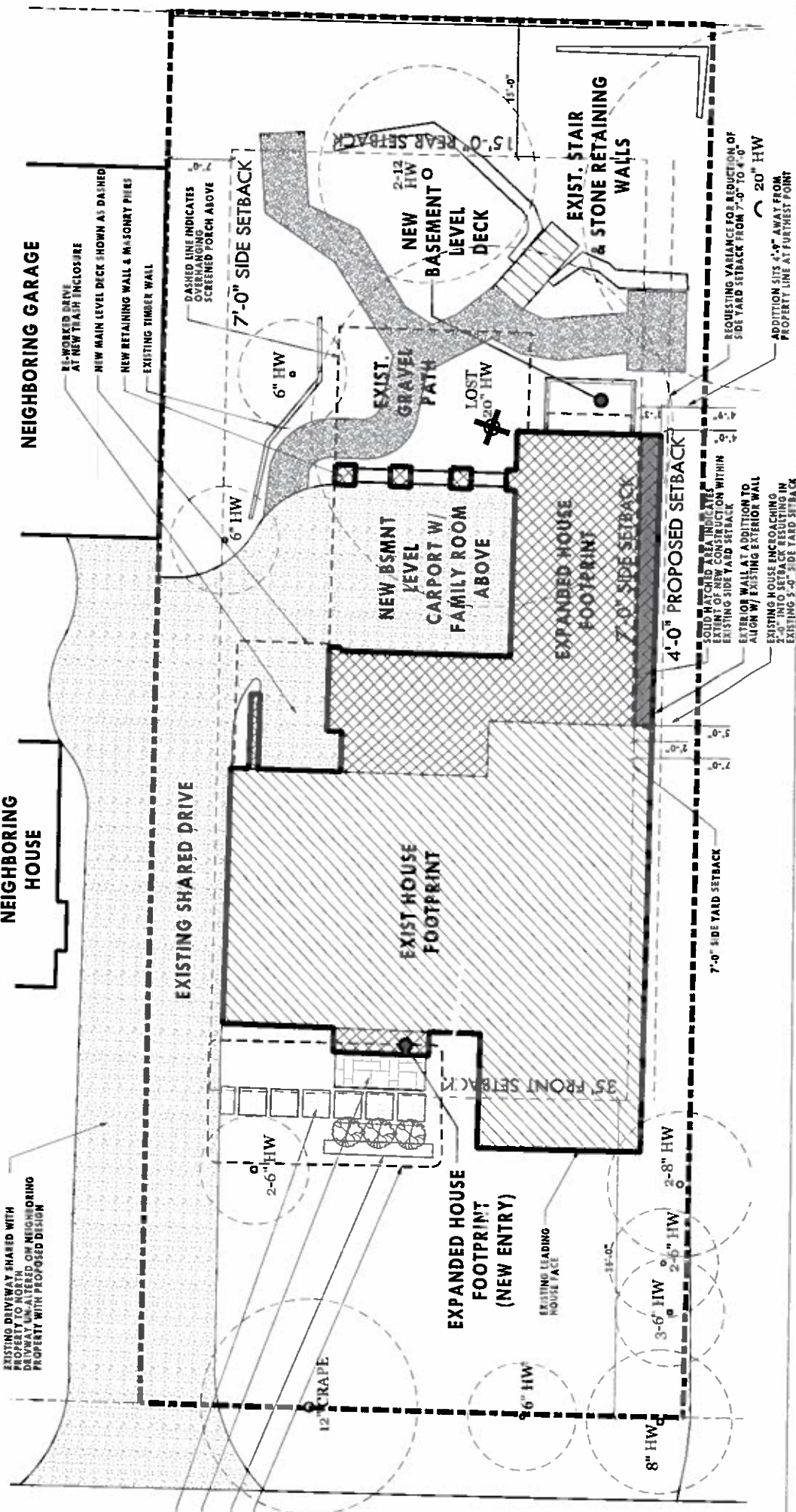
ward setback from 7 ft to 4 ft in order to construct an dwelling.

PAID  
CITY OF ATLANTA  
JUN 22 2016  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR



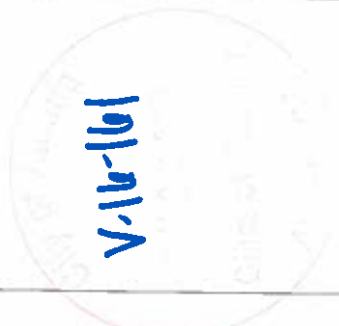
LEBANON DRIVE  
(50' RM)

NEW MONOLITHIC STONE PAVERS  
NEW BLUESTONE STOOP  
NEW 18" TALL STONE SITE WALL  
FINAL FRONT ENTRY HARDSCAPE  
DESIGN T.B.D., HOWEVER ASSOCIATED  
LOT COVERAGE WILL REMAIN UNCHANGED



KEY PLAN

KEYNOTE LEGEND



LYONS RESIDENCE VARIANCE APPLICATION

JONES PERCE

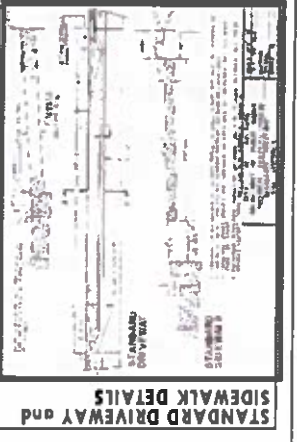
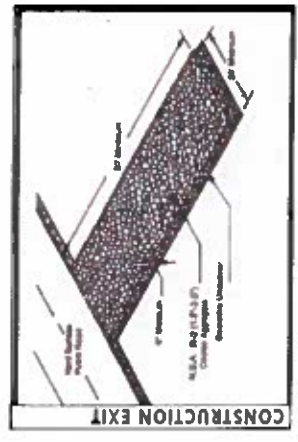
1945 LEBANON DRIVE, ATLANTA, GEORGIA 30318  
 400 PLYERS AVENUE, SUITE 225, ATLANTA, GEORGIA 30318  
 404.888.1850

SITE PLAN:  
GENERAL INFO and  
CITY DETAILS

Project No. 16026  
 Date 06/22/2016  
 AS NOTED

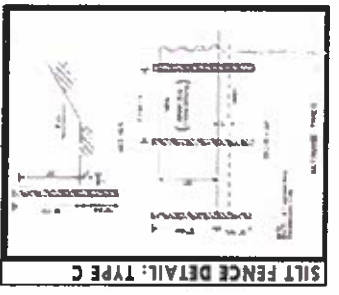
A.1 SITE PLAN THIS SITE PLAN BASED ON A SURVEY BY VEDDER SURVEYS & ASSOCIATES, DATED JUNE 6, 2016  
 1/16" = 1'-0"

CITY DETAILS



SITE PLAN GENERAL NOTES

1. WATERWAY STATEMENT: THERE IS NO STATE WATERWAY WITHIN 200 FT. OF THIS PROJECT.
2. DIRT STATEMENT: ANY DIRT REMOVED WILL BE ASSOCIATED WITH THE DIGGING OF PROPOSED BASEMENT, RETAINING WALLS AND FOOTING.  
 CUT CALCULATION: 2 cubic feet (x cubic yard)  
 FILL CALCULATION: 0 cubic feet (x cubic yard)  
 NO GRADED SLOPE SHALL EXCEED 2" HORIZONTAL: 1" VERTICAL
3. EROSION NOTES: THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.  
 TYPE C SILT FENCE SHALL BE INSTALLED AT THE PERIMETER OF ALL DISTURBED AREAS AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. EROSION CONTROL MEASURES WILL BE INSPECTED AT LEAST WEEKLY AND AFTER EACH RAIN, AND REPAIRED BY GENERAL CONTRACTOR.  
 MAINTENANCE STATEMENT: EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.  
 STATEMENT: ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED IF DEEMED NECESSARY BY ON-SITE INSPECTION.  
 MEASURES BEYOND THE APPROVED PLAN SHALL BE IMPLEMENTED AS NECESSARY.
4. TREE PROTECTION FENCE TO BE MAINTAINED FOR THE DURATION OF CONSTRUCTION. INSPECTIONS OF TREE PROTECTION FENCE TO BE CONDUCTED BY GENERAL CONTRACTOR. FENCE ASSEMBLY TO BE 4'-0" ORANGE CONSTRUCTION FENCING OVER 2" X 2" SLAKES EVERY 4'-0".
5. NO GRADED SLOPE SHALL EXCEED 3H: 1V



CALCULATIONS

ZONING DESIGNATION

R-4

LOT COVERAGE

NET LOT AREA:	9,352 S.F.
MAXIMUM ALLOWABLE LOT COVERAGE:	4,676 S.F. (50% OF NET LOT AREA)
IMPERVIOUS AREA (EXISTING & PROPOSED):	2,556 S.F.
HOUSE FOOTPRINT, INCL. PORCHES (NEW & EXISTING):	1,425 S.F.
DRIVEWAY & CARPORT:	808 S.F.
WALKS & SITE WALLS:	
TOTAL PROPOSED LOT COVERAGE (% OF TOTAL):	4,397 S.F. (47.3%)

FLOOR AREA RATIO

FLOOR AREA RATIO:	0.3
MAXIMUM ALLOWABLE FLOOR AREA RATIO:	0.3
TOTAL HOUSE AREA BREAKDOWN PER FLOOR:	2,747 S.F.
BASEMENT LEVEL (CONDITIONED):	1,388 S.F.
UNCONDITIONED BASEMENT/CRAWL SPACE USED FOR STORAGE - 973 SQ. FT. (NOT USED FOR LIVING ACCOMMODATIONS, DOES NOT COUNT AGAINST F.A.R.)	
TOTAL PROPOSED CONDITIONED AREA:	4,116 S.F.
PROPOSED FLOOR AREA RATIO:	0.44%

VEGETATION PLAN

Species	Quantity	Notes
...	...	...

1. HATCHED AREA SHOWS PLACEMENT OF D-2 TO BE IMPLEMENTED THROUGH FINAL CONSTRUCTION AT THE TIME THE LANDSCAPING PLAN WILL BE IMPLEMENTED BY OWNER.
2. PLEASE SEE CHART TO THE LEFT FOR 2 PROPOSED SEASON OR ASSOCIATED FOR MAINTAINING AND COOL IMPLEMENTED IN FUTURE LANDSCAPING PLAN





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** LOT AREA: 9,252 sq. ft.  
 FRONT: 35' MAX. LOT % = 50% 0.212 acres  
 CORNER: 17.5' MAX. FL. RATIO = 0.5  
 SIDE: 7'  
 REAR: 15'

**UTILITY NOTE:**  
 THE APPROXIMATE LOCATIONS OF UNDERGROUND UTILITIES, AS SHOWN BY THIS SURVEY ARE BASED UPON ABOVE GROUND, FIELD OBSERVATION ONLY. VEDDER SURVEYS & ASSOC. IS UNABLE TO CERTIFY TO THE ACCURACY. PLEASE CALL THE 811 UTILITY PROTECTION CENTER IN GA. BEFORE CONSTRUCTION.

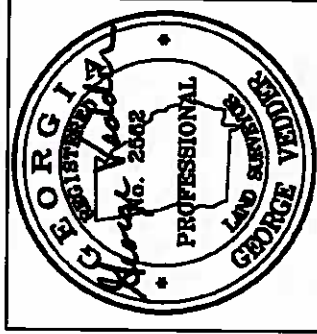
COPYRIGHT © 2016 VEDDER SURVEYS & ASSOC.  
 DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.



**VEDDER SURVEYS & ASSOCIATES**

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

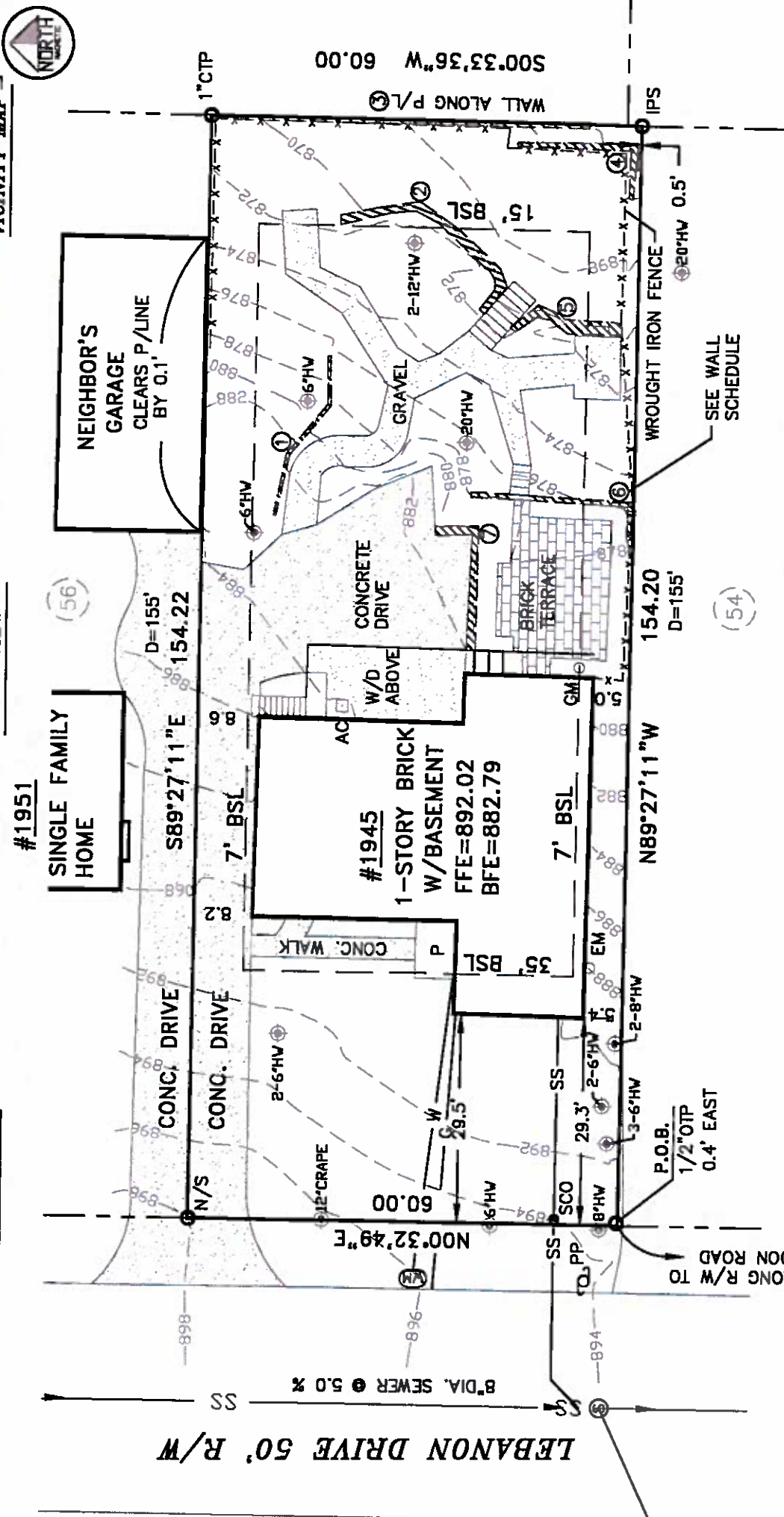
This survey was prepared in conformity with the Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act.



REAR VIEW

FRONT VIEW

VICINITY MAP



**LEGEND**

POB	POINT OF BEGINNING	CONC	CONCRETE
POC	POINT OF COMMENCEMENT	C	CURVE
IPS	IRON PIN SET	PP	POWER POLE
IPF	IRON PIN FOUND	WM	WATER METER
OT	OPEN TOP PIN	EM	ELEC. METER
CT	CRIMP TOP PIN	GM	GAS METER
RB	REINFORCING BAR	LP	LAMP POLE
CL	CENTERLINE	SS	SANITARY SEWER
R/W	RIGHT-OF-WAY	N&C	NAIL & CAP
LL	LAND LOT	FFE	FIN. FLOOR ELEV.
L	LAND LINE	-X-X-	FENCE

EX. WALL SCHEDULE	TOP	BOTTOM	TYPE	WALL
1	882.7	881.6	WOOD	WALL
2	871.8	869.0	MOD CONC	WALL
3	868.4	867.6	8" CONC.	WALL
4	866.9	862.9	TIMBER	WALL
5	871.9	869.1	MOD CONC	WALL
6	878.1	874.6	8" CMU	WALL
7	881.5	878.8	ROCK	WALL

**SURVEY ASBUILT FOR:**  
**MARIA & JONATHAN LYONS**  
**ADDRESS: 1945 LEBANON DRIVE**  
 LAND LOT 57 DIST. 17 TH FULTON COUNTY, GA.  
 LOT 55 BLOCK SCALE 1"=20'  
 SUBURBAN REALTY CO. S/D; PB 31, PG. 69  
 SURVEY & PLAT DATE: 6/6/2016 CITY OF ATLANTA