



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

APPLICATION #: **V-16-266**

DATE ACCEPTED: **09/21/2016**

NOTICE TO APPLICANT

Address of Property:
560 Cresthill AVE NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, November 10, 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: (NPU E)
404-886-8448
nabilhammam5@gmail.com

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



Earl Jackson



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 _____

Mr. Earl Jackson

Name of Applicant

BUILDING PERMIT AUTHORIZING
Additions to Single-Family Dwelling

at 560 Cresthill AVE NE 17th/54
 Street Address Quadrant District & Land Lot

to be used for Single-Family Residential purposes

The property is zoned R-4 District

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

Applicant seeks a variance from the zoning regulation to: (1) reduce the required western side yard setback from 7 feet to 2.9 feet in order to construct a deck and second story addition to a single-family dwelling.

A complete review was not conducted.

Applicant seeks no other variances at this time.


1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____


 Plan Reviewer _____ Date 9/21/14


 Applicant _____ Date 9/21/14

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Please mark "X" next to the type of application(s) you are submitting:

Variance	X
Special Exception	
Variance & Special Exception	

RECEIVED
SEP 21 2016
OFFICE OF ZONING

Date Filed 9/21/16

Application Number U-16-266

Name of Applicant Earl Jackson

Daytime Phone (404)294-0133

Company Name (if applicable) Metro Atlanta Permits

email susan323@bellsouth.net

Address 3094 Brook Drive
street

Decatur
city

GA
state

30033
zip code

Name of Property Owner David Taylor-Klaus

Phone (404)822-9688

Address 560 Cresthill Avenue NE
street

Atlanta
city

GA
state

30306
zip code

Description of Property

Address of Property 560 Cresthill Avenue NE
street

Atlanta
city

GA
state

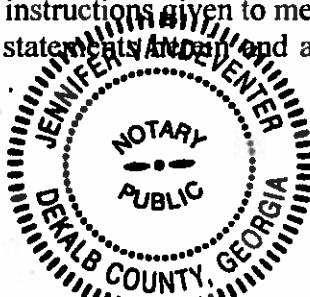
30306
zip code

Area: 0.178 acres Land Lot: 54 District: 17th, Fulton County, GA.

Property is zoned: R-4, Council District: _____, Neighborhood Planning Unit (NPU): _____

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 a Variance or Special Exception.

I hereby authorize the staff of the Office of Zoning and Development 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 Zoning and Development upon filing this application. I swear that all statements and attached hereto are true and correct to the best of my knowledge and belief.



Earl Jackson

Owner or Agent for Owner (Applicant)

David Taylor-Klaus
Print Name of Owner

Sworn To And Subscribed Before Me This 19 Day Of Sept 2016.

[Signature]

NOTARY PUBLIC
my commission expires 20 May 2019

SUMMARY & JUSTIFICATION FOR VARIANCES

Directions: Complete responses must be provided for ALL questions. Incomplete applications will not be accepted. The space below may be utilized or responses may be submitted as a separate attachment. Specific criteria for Board approval of variances may be found on page 7. The justification must address these criteria. Please submit a typewritten or legible justification.

State whether the property described in this application is subject to a pending application or ordinance for a Rezoning or Special Use Permit. YES X NO. (If yes, the variance/special exception request will be rescheduled to a hearing following the final approval by City Council & the Mayor.)

Summary of proposed construction changes to buildings or site (shall not replace submittal of written criteria). (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.").

To expand the existing attic area by adding dormers to create additional living area; expanding the existing deck and adding an upper balcony.

Proposed Lot Coverage (After Construction): Calculate total amount of lot coverage on entire property, after completion of proposed construction, including existing and proposed buildings and other structures; sidewalks, driveways, parking pads, patios, gravel, etc.; everything except natural planted or undisturbed areas.

4,089.4 covered square feet / 7,767 total lot square feet = 52.7 % proposed lot coverage

50 % maximum allowed lot coverage

Variance Criteria (see page 6 for detailed criteria): See Attached Letter

- 1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)? _____

- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? _____

- 3) What conditions are peculiar to this particular piece of property? _____

- 4) Submit facts to show that 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. _____

Variance Justification Statement for 560 Cresthill Ave NE

David and Elaine Taylor-Klaus –home owners
560 Cresthill Avenue NE, Atlanta, GA 30306

The applicant requests relief from the WEST side yard setback requirement of 7 ft for R4 zoning to 3.2 ft and an increase in the allowable Lot Coverage from 50% to 52.7 % for the purpose of adding dormers and additional living area in the existing attic space and expanding the existing deck where the existing home is over the 7 foot setback.

Hardships:

1. Lot size: The lot area is 7,767 square feet, approximately 1233 ft. smaller than the minimum R4 lot size of 9,000 sq. ft. The dimension across the front yard is approximately 50 ft where 70 ft is the minimum frontage for R4.
2. Existing Non-conforming Conditions: The existing home was built over the current west side yard and the existing lot coverage is already at 52.7%.

The proposed construction does not increase the impervious surface because the deck expansion will take place where an existing brick patio is already.

The expansion in the attic is need for this growing family to have additional room.

We feel that this request meets the criteria for a variance in that:

1. There are exceptional conditions pertaining to the property in that the house has a pre-existing condition of sitting beyond the allowable building envelope. The existing house sits 3.2 ft from the property line. We are requesting to maintain this existing setback for the proposed attic expansion.

There are exceptional conditions pertaining to the property in its size.

The lot size is 1233 SF smaller than the normal R4 zoning requirements and the existing lot coverage already exceeds the allowable lot coverage.

2. Application of the zoning regulations would cause a unnecessary hardship preventing a reasonable addition to the existing subject property.

Because of the existing nonconforming conditions we believe that this is the best possible solution for an addition as it involves no change to the existing footprint.

3. Such conditions are peculiar to the particular piece of property involved.

Many lots on this block have a similar hardship.

4. If a variance is granted, no substantial detriment to the public good would occur or impair the purposes and intent of the Zoning Ordinance of City of Atlanta.

No portion of the addition shall extend beyond the pre-existing footprint. The second story shall be a simple extrusion upward of the first floor footprint. Or add an increase to the existing lot coverage.

AUTHORIZATION BY PROPERTY OWNER

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

(Please Print Clearly)

I, David Taylor-Klaus (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 560 Cresthill Avenue NE (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 FILE THIS APPLICATION AS MY AGENT.

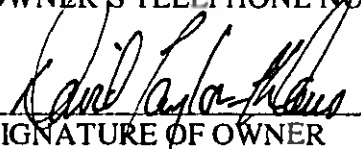
NAME OF APPLICANT: Metro Atlanta Permits (Susan Johnson owner)

LAST NAME Jackson FIRST NAME Earl

ADDRESS 3094 Brook Drive SUITE _____

CITY Decatur STATE GA ZIP CODE 30033

OWNER'S TELEPHONE NUMBER: (404) 822-9688


SIGNATURE OF OWNER

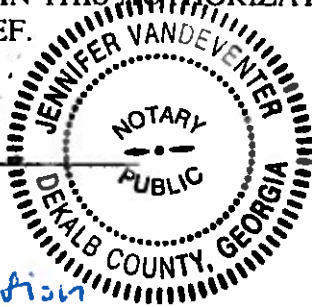
David Taylor-Klaus
PRINT NAME OF OWNER

PERSONALLY APPEARED BEFORE ME THE ABOVE NAMES, WHO SWEARS THAT THE INFORMATION CONTAINED IN THIS AUTHORIZATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


NOTARY PUBLIC

19 Sept 2016

DATE my commission expires 26 May 2019



RECEIPT

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

PAID
CITY OF ATLANTA
SEP 21 2016
EXOTIC
REVENUE COLLECTOR
me

Application: V-16-266
Application Type: Planning/BZA/Variance/NA
Address: 560 CRESTHILL AVE NE, ATLANTA, GA 30306
Owner Name: David Tyler-Klaus
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
487242		\$100.00	09/21/2016	BSIMMONS		

Owner Info.: David Tyler-Klaus

Work Description: a variance to allow a reduction in the west side yard setback from 7 feet (required) to 2.0 feet (proposed) for a proposed addition

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

09/21/2016
Merchant ID:
Terminal ID:
184191133992

13:11:23 / DEVELOPMENT
000000004009798
06347552

PAYED
CITY OF ATLANTA
SEP 21 2016
EX OFFICER
REVENUE COLLECTOR
me

CREDIT CARD
MC SALE

vVariance/NA
MILL AVE NE, ATLANTA, GA 30306
laus

CARD # XXXXXXXXXXXX2312
INVOICE 0016
Batch #: 000488
Approval Code: 002924
Entry Method: Swiped
Mode: Online
Tax Amount: \$0.00

SALE AMOUNT \$100.00

Print Date	Cashier ID	Received	Comments
9/21/2016	BSIMMONS		

CUSTOMER COPY

west side yard setback from 7 feet (required) to 2.0 feet