



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

APPLICATION #: **V-16-277**
DATE ACCEPTED: **10/05/2016**

NOTICE TO APPLICANT

Address of Property:
853 Adair AVE NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, December 1, 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,

FR, for Director, Bureau of Planning

Carole Spearman



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OCT 5 2016

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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-16-277

NPU _____ DATE FILED _____

Carole Spearman
Name of Applicant

BUILDING PERMIT AUTHORIZING

Erect an Accessory Structure

at 853 Adair AVE NE 17th/53
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 reduce the required side yard setback from 7 feet to 0.5 feet in order to erect an accessory structure (pergola).

Applicant seeks no other variances at this time.

A complete plan review was not conducted.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

[Signature]
Plan Reviewer Date 10/5/16

Carole Spearman
Applicant Date 10/5/16

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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	

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Date Filed 10/5/16

Application Number V-16-277

Name of Applicant Carole Spearman

Daytime Phone 404.217.1144

Company Name (if applicable) _____ email Spearman@MindSpring.com

Address 853 Adair Ave NE Atlanta Ga 30306
street city state zip code

Name of Property Owner Carole + Tom Spearman Phone 404.607.9308

Address 853 Adair Ave NE Atlanta Ga 30306
street city state zip code

Description of Property

Address of Property 853 Adair Ave NE Atlanta Ga 30306
street city state zip code

Area: 8290 sf Land Lot: 53 District: 17th, Fulton County, GA.

Property is zoned: R-4, Council District: 6, Neighborhood Planning Unit (NPU): 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 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 herein and attached hereto are true and correct to the best of my knowledge and belief.

Carole Spearman
Owner or Agent for Owner (Applicant)

Carole Spearman
Print Name of Owner

Sworn To And Subscribed Before Me This 05 Day Of October 2016.

Ernestine J. Neal
NOTARY PUBLIC

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 NO. (If yes, the variance/special exception request will be rescheduled to a hearing following the final approval by City Council & the Mayor). Please provide the relevant zoning number associated with the subject property: _____.

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.").

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.

3455 covered square feet / 8290 total lot square feet = 41 % proposed lot coverage
_____ % maximum allowed lot coverage

Variance Criteria (see page 6 for detailed criteria):

- 1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)? In order to be consistent with the existing garage we placed the carport pergola in front of the garage. The garage was built in the setback when the house was built in the 20's.
- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? We would have to demolish the existing structure.
- 3) What conditions are peculiar to this particular piece of property? The pergola was placed on an existing impervious place on the 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. This type of structure is consistent with other homes in the neighborhood and is not dissimilar to other homes.

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In regards to variance justification for single family residential property located at 853 Adair Ave NE Atlanta, Georgia 30306:

1. We would like a variance for a cedar pergola carport with vertical posts in our existing driveway. The property is zoned R-4 and the current setback from the property line is 7', we are asking for a 5" setback for the footings of the pergola on the east side of the property line.
2. The footings are placed in an already existing poured driveway. It does not affect permeable property.
3. There are no walls, electricity or plumbing involved.
4. No existing structures were expanded.
5. It is on the opposite side of the neighbor's 6' fence and it does not cause any unnecessary hardship.
6. There is no property line overhang.
7. Trees will not be affected by the pergola.

LOT 4
 BLOCK II
 UNIT
 SUB. VIRGINIA HILLS
 VIRGINIA AVENUE SUBDIVISION

AREA: 8200 SQ. FT.

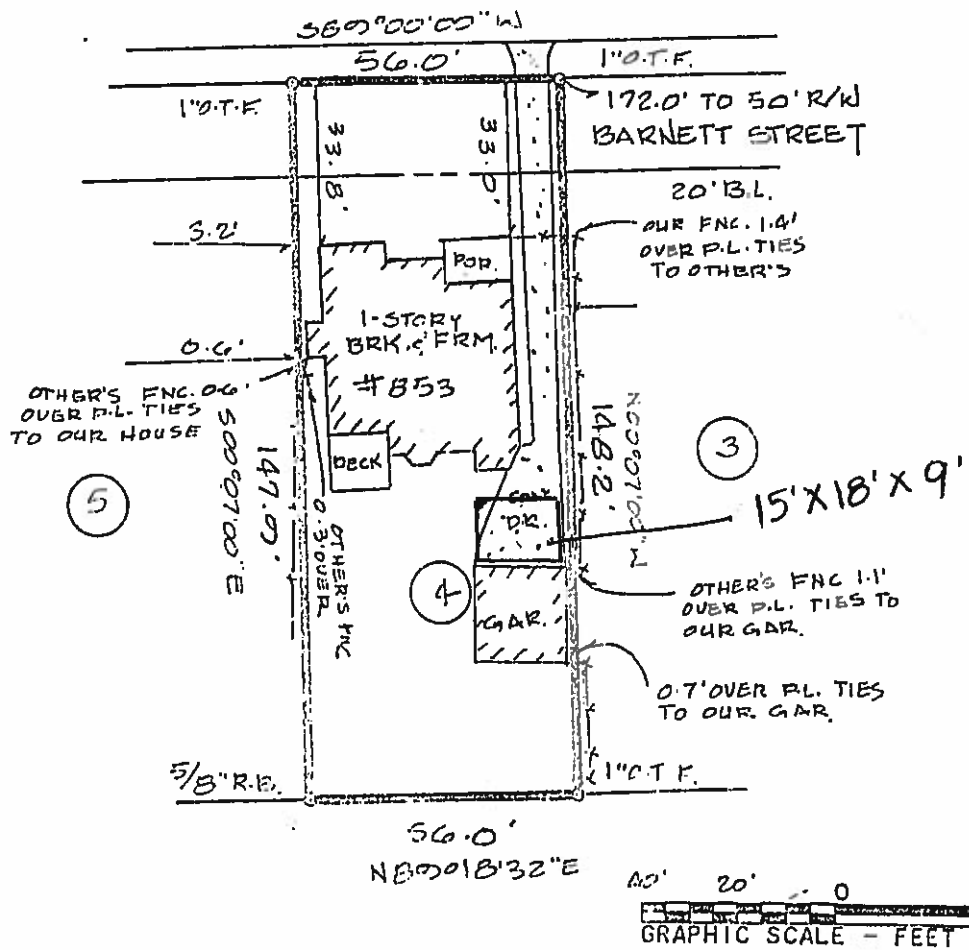
The field data upon which this plat is based has a closure precision of one foot in 10,000 feet and an angular error of 7 seconds per angle point and was adjusted using the Compass Rule.

This plat has been calculated for closure and is found to be accurate within one foot in 10,000 feet.

Equipment used: Topcon GTS 20 Total Station.

MAG. NORTH

ADAIR AVENUE ~50' R/W



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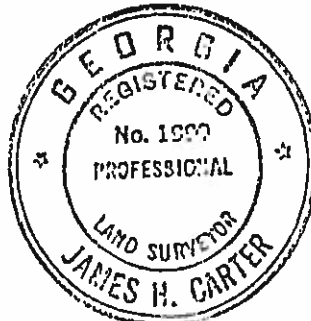
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PROPERTY OF
 THOMAS SPEARMAN & CAROLE SPEARMAN

LAND LOT 53, 17th DISTRICT
 FULTON COUNTY, GEORGIA

SCALE 1" = 40' DATE: JUNE 15, 2005
 REG. LAND SURVEYOR NO. 1999

THE CARTER GROUP, INC.
 IN MY OPINION THIS PLAT IS A CORRECT
 REPRESENTATION OF THE LAND PLATTED

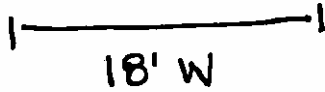
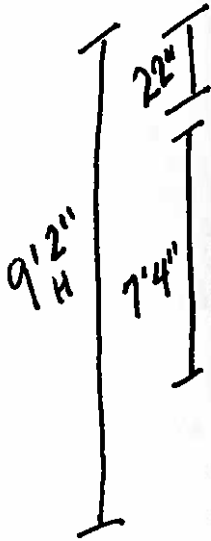
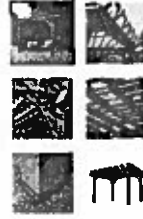


This Is To Certify That
 This Property (Is Not)
 In A Special Flood Hazard
 Area As Shown On The
 Applicable "FIA Official
 Flood Hazard Map"

853 Adair Ave NE Atlanta 30306

Sam
Easy
Your
Sam
Sam

Zoom & Pan



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15' x 18' x 9"

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5" Setback - from property line

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853 Adair Ave NE Atlanta Ga 30306



9" from property line

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RECEIPT

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

PAID
CITY OF ATLANTA
OCT 05 2016

EX OFFICIO
REVENUE DIRECTOR

Handwritten signature

Application: V-16-277
Application Type: Planning/BZA/Variance/NA
Address: 853 ADAIR AVE NE, ATLANTA, GA 30306
Owner Name: SPEARMAN THOMAS E & CAROLE P
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
489257		\$100.00	10/05/2016	BSIMMONS		

Owner Info: SPEARMAN THOMAS E & CAROLE P

Work Description: Variance to reduce sideyard setback from 7'-0" to 0'-6" in order to erect an accessory structure (pergola).

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

10/05/2016 11:48:19
Merchant ID: 000000004009798
Terminal ID: 06347552
-1107574675

CREDIT CARD
AMEX SALE

CARD # XXXXXXXXXXXX5003
INVOICE 0004
Batch #: 000498
Approval Code: 588131
Entry Method: Swiped
Mode: Online
SALE AMOUNT \$100.00

CUSTOMER COPY