



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

APPLICATION #:	V-16-300
DATE ACCEPTED:	10/31/2016

V-16-300



NOTICE TO APPLICANT

Address of Property:
626 Cresthill AVE NE

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

Board of Zoning Adjustment (BZA) Hearing Date: *January 5, 2017*
 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,



 KS, for Director, Bureau of Planning



 Ute Banse

CITY OF ATLANTA

Office of Buildings - Zoning Division
55 TRINITY AVENUE, SUITE 3900
Atlanta, Georgia 30303
404-330-6175



REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-16-300

NPU F DATE FILED October 31, 2016

1. Ute Banse
Name of Applicant

BUILDING PERMIT AUTHORIZING

Construction of a Detached Accessory Structure (Garage)

at 626 Cresthill Avenue NE 17th / 53
Street Address Quadrant District & Land Lot

to be used for Residential purposes

The property is zoned R-4 / Beltline District

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

Applicant seeks a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 3 feet and the required rear yard setback from 15 feet to 3 feet in order to allow for the construction of a detached accessory structure (2-story, 2-car garage). Applicant also seeks a variance to exceed the maximum floor area of an accessory structure from 30% to 56%. Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (1) & (3)

Chapter 28 Section 16-28.004 Paragraph (3)

Chapter Section Paragraph

Chapter Section Paragraph

Plan Reviewer [Signature] Date 10/31/16

Applicant [Signature] Date 10.31.16

Note: No architectural review was conducted.

V-16-300

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	



Date Filed _____ Application Number _____
 Name of Applicant UTE BANSE Daytime Phone 404-525-7956
 Company Name (if applicable) UTE DESIGN email utebanse@gmail.com
 Address 1077 ALTA AVE. NE ATLANTA GA 30307
street city state zip code

Name of Property Owner RICHARD AND LINDA DICKER Phone 404-835-2501
 Address 626 CRESTHILL AVE. ATLANTA GA 30306
street city state zip code

Description of Property

Address of Property 626 CRESTHILL AVE. ATLANTA GA 30306
street city state zip code

Area: 8,053 SF Land Lot: 53 District: 17, 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.

Owner or Agent for Owner (Applicant)
Richard Dicker, Linda Dicker
 Print Name of Owner

Sworn To And Subscribed Before Me This 27 Day Of Oct, 2016.

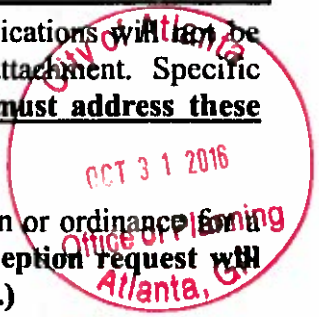
NOTARY PUBLIC

My Commission Expires
 February 16, 2020

SUMMARY & JUSTIFICATION FOR VARIANCES

V-16-300

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.)

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.")

CONSTRUCT A 24' x 25.5' ACCESSORY STRUCTURE

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.

5,221.5 covered square feet / 8,053 total lot square feet = 0.65 % proposed lot coverage

0.5 % maximum allowed lot coverage (0.65 EXISTING)

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)?

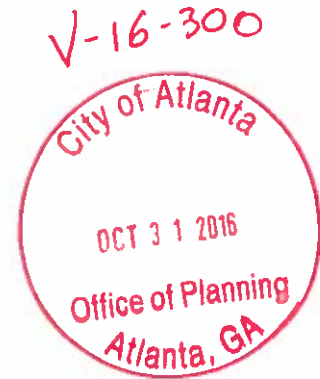
SEE ATTACHED

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.

Richard and Linda Dicker
Cresthill Avenue, NE
Atlanta, GA 30306



October 24, 2016

City of Atlanta
Office of Planning
55 Trinity Avenue, SW
Suite 3350
Atlanta, Georgia 30303

Dear Planning Staff:

We wish to replace our existing unsound two-car garage with a new two-car garage with finished space above. The existing garage sits directly on the property line with neighbors. The proposed garage will be 3' from the property lines. The proposed improvements will make our property more functional for our family, will make it more attractive, and will provide additional open space for our neighbors.

To allow the proposed garage, we request a variance to reduce the rear yard setback from 15' to 3', to reduce the west side yard setback from 7' to 3' and to increase the allowable floor area of the accessory structure from 30% to 56% of the floor area of the principal structure.

Please find attached the following items in support of our variance request:

- Variance Application Forms
- Survey/Site Plan
- Proposed Floor Plans and Elevations
- Referral Certificate

Justification:

The subject property is zoned R-4. We believe that the property and the proposed plans meet the variance criteria per Section 16-26.003 in the Zoning Code.

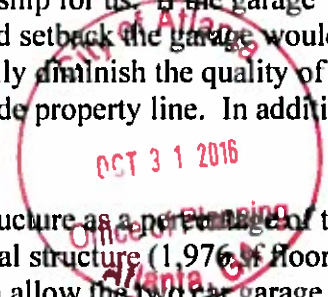
- (1) there are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of size, shape or topography;

Our property is only 49'-53' wide versus the zoning code required minimum width of 70'. The overall size of the property is 8,053 sf and the property does not fulfill minimum lot size requirement of 9,000 sf for the R-4 zoning classification. The smaller lot size results in considerable constraints on the buildable area in comparison to other properties meeting the lot requirements. Because of the location of the existing house, the driveway can only be located on the side of the property adjacent to the property line.

(2) The application of the zoning ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;

V-16-300

The application of the zoning ordinance would create an unnecessary hardship for us. If the garage would need to be constructed with a 15' rear yard setback and a 7' side yard setback the garage would need to be located almost centered in the rear yard. This would dramatically diminish the quality of our rear yard and also have a negative impact on the trees along the east side property line. In addition, a sufficient turning area for the cars could not be provided.



We are requesting a variance to increase the floor area of the accessory structure as a percentage of the floor area of the main structure. Because of the modest size of our principal structure (1,976 sf floor area), the strict application of the current zoning ordinance would not even allow the two car garage footprint as proposed. The size of our property allows for a floor area of 4,026.5 sf. for the principal structure, which would allow for a floor area of 1,208 sf within the accessory structure (30% of principal structure). We do not have a need or desire to construct the additional floor area within the principal structure at this time but we would like to use the space above the garage as this fulfills the needs of our family best. Also, the construction of the garage with space above will be much less disruptive and less costly than increasing the floor area of our principal structure. The proposed accessory structure has a floor area of 1,115 sf (including garage and porch), which is less than the maximum that would be allowed with a larger house.

(3) Such conditions are peculiar to the particular piece of property involved;

Many properties in our neighborhood in fact are of similar size and width; many of them are non-conforming. Consequently, many proposed accessory structures are constructed with side and rear yard variances. The request to increase the floor area of the accessory structure is peculiar to our piece of property as we have retained the modestly sized original historic principal structure.

(4) Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the zoning ordinance of the City of Atlanta.

Relief, if granted will not distract from neighbor's use and enjoyment of adjoining and surrounding properties. We believe that the proposed improvements will not negatively impact our neighbors, are in keeping with the orderly evolution of this neighborhood and will promote desirable living conditions for us and for the neighborhood.

Thank you for your consideration in this request.

Sincerely,

Handwritten signatures of Richard and Linda Dicker in blue ink. The signature of Richard is above the signature of Linda.

Richard and Linda Dicker

V-16-300

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, Richard and Linda Dicker (OWNER'S NAME) ^{we are} SWEAR AND AFFIRM THAT ~~I AM~~ THE OWNER OF THE PROPERTY AT 626 Cresthill Ave NE, Atlanta (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:

LAST NAME Banse FIRST NAME Ute

ADDRESS 1077 Alta Ave NE SUITE _____

CITY Atlanta STATE GA ZIP CODE 30307

OWNER'S TELEPHONE NUMBER: 404-835-2501

[Handwritten Signature]
SIGNATURE OF OWNER

Richard Dicker and Linda Dicker
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.

[Handwritten Signature]
NOTARY PUBLIC My Commission Expires
10-27-2016 February 16, 2020

DATE

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 31 2016

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR
Jm

Application: V-16-300
Application Type: Planning/BZA/Variance/NA
Address: 626 CRESTHILL AVE NE, ATLANTA, GA 30306
Owner Name: NEWTON KENNETH D & MC HALE CATHERINE A
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
493012	1356	\$100.00	10/31/2016	PAMITCHELL		

Owner Info.: NEWTON KENNETH D & MC HALE CATHERINE A

Work Description: Var. to reduce the west side ysb from 7' to 3' and the required rear ysb from 15' to 3' in order to allow a detached accessory structure (2-story, 2 car garage) Also, var. to exceed the max floor area of an accessory structure from 30% to 56%.

LOT USAGE

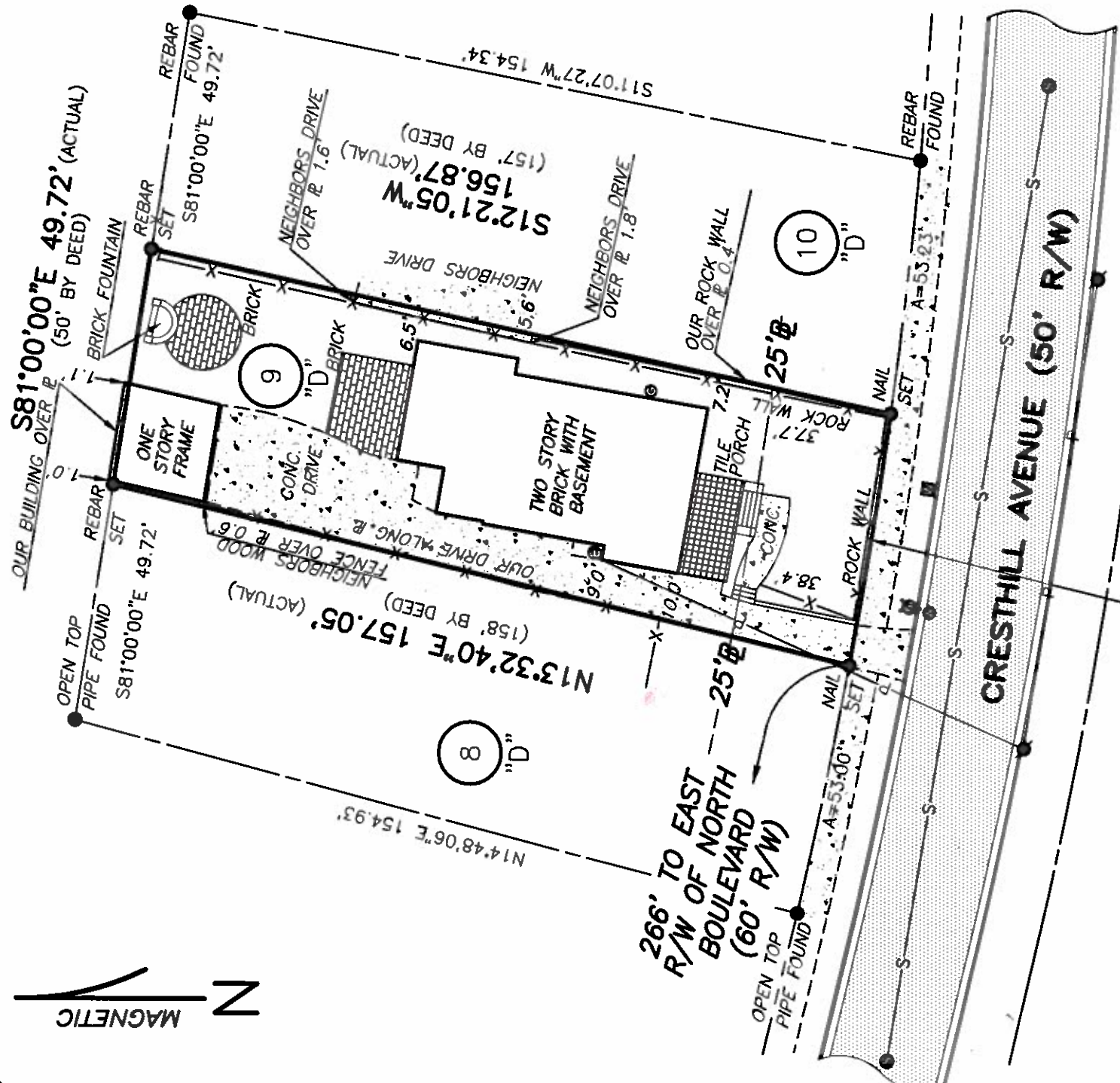
TOTAL LOT AREA= 8,053± Sq. Ft.
 TOTAL LOT USAGE= 5,271± Sq. Ft.
 TOTAL % OF LOT COVERAGE= 65%

REFERENCE MATERIAL

1. WARRANTY DEED IN FAVOR OF RICHARD DICKER AND LINDA DICKER DEED BOOK 49202 PAGE 179 FULTON COUNTY RECORDS, GEORGIA

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, THE FOLLOWING OFFICES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS. EASEMENTS AS SHOWN ARE APPROXIMATE AND TAKEN FROM RECORDED DOCUMENTS.
2. THROUGH OUT GEORGIA 1-800-282-7411
3. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
4. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
5. 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 02" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
6. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
7. THIS PLAT NOT INTENDED FOR RECORDING.



LEGEND

- RCP REINFORCED CONCRETE PIPE
- CMP CORRUGATED METAL PIPE
- POWER POLE
- LIGHT POLE
- ⊕ POWER METER
- ⊖ POWER BOX
- ⊙ AIR CONDITION
- ⊠ TELEPHONE BOX
- ⊕ GAS METER
- ⊖ GAS VALVE
- ⊙ WATER METER
- ⊖ WATER VALVE
- ⊙ JUNCTION BOX
- ⊖ DROP INLET
- ⊙ SANITARY SEWER MANHOLE
- ⊖ FIRE HYDRANT

A=53.00' R= 1,175.08'
 CHD=N80°57'28"W 52.99'

No.	Revision	Date



4833 South Cobb Drive Suite 200
 Smyrna, Georgia 30080 (770) 434-3383

This property (●) (is not) located in a Federal Flood Area as indicated by F.I.R.M. Official Flood Hazard Maps.

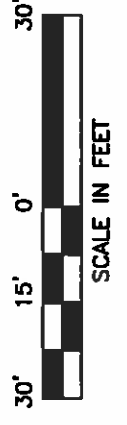
In my opinion this plat is a correct representation of the land platted.

Fences should not be placed using side dimensions from house.

This original of this document was sealed and signed by Michael R. Noles L.S. #2646 THIS REPRODUCTION IS NOT A CERTIFIED DOCUMENT.

Michael R. Noles
 Georgia RLS #2646
 Member SAM50G
 JOB#229020

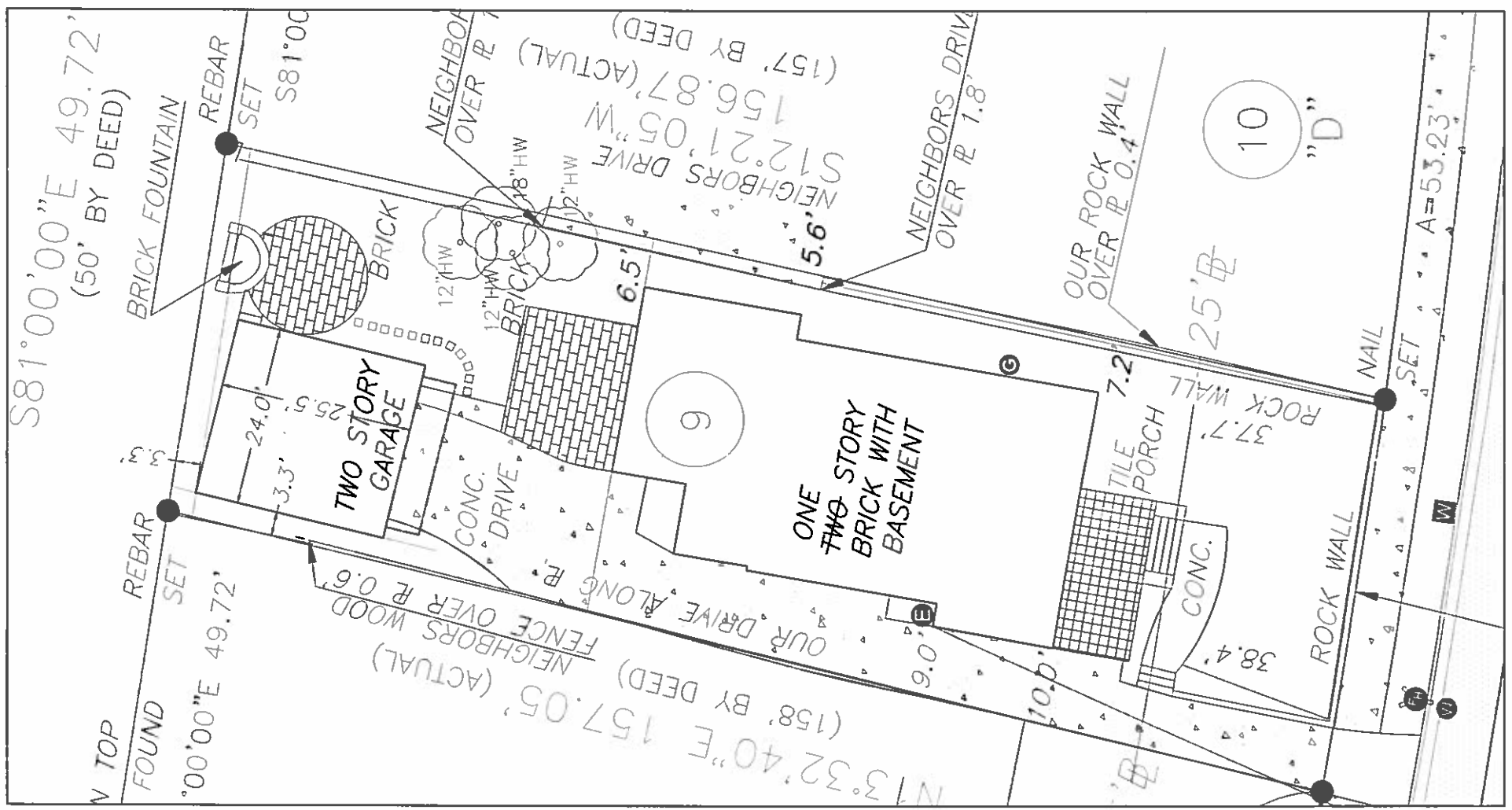
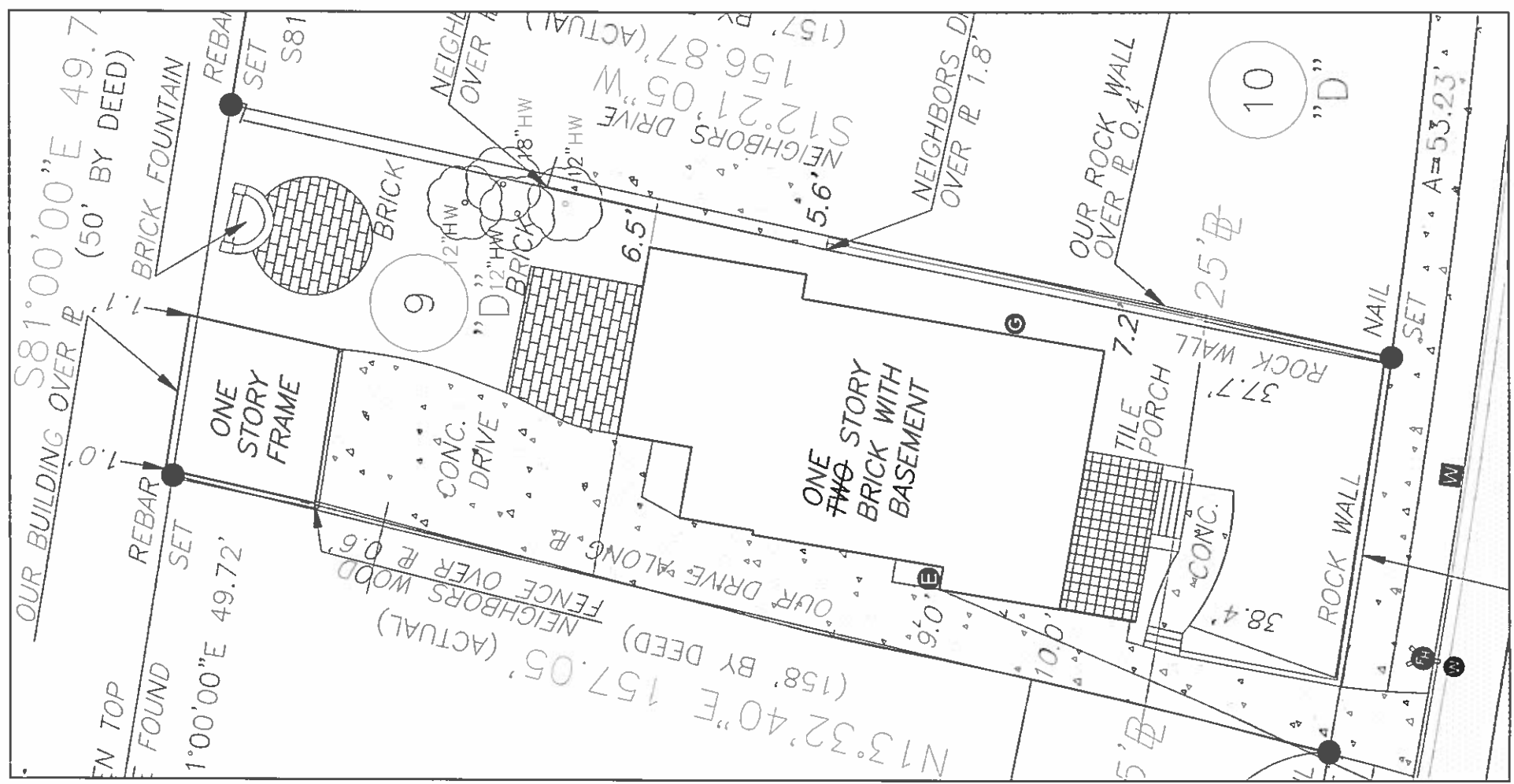
TOTAL AREA= 0.185± ACRES
 OR 8,053± SQ. FT.
 626 CRESTHILL AVENUE
 ATLANTA, GEORGIA



PROPERTY OF
 RICHARD DICKER
 LINDA DICKER
 LOT 9 BLOCK "D"
 NORTH BOULEVARD PARK

LAND LOT 53
 DISTRICT 17TH.
 COUNTY FULTON
 GEORGIA
 SECTION
 PLAT PREPARED: 10-6-10
 FIELD: 9-28-10 SCALE: 1"=30'

PB 7
 PG 50
 DB
 PG



NOTE: TREES ADDED BY UTE DESIGN.
NUMBER OF FLOORS MODIFIED BY UTE DESIGN.

PROPERTY INFORMATION:
 ZONING: R-4
 LOT SIZE: 8,053 SF (9,000 SF REQUIRED)
 FLOOR AREA RATIO (FAR):
 MAIN HOUSE FLOOR AREA EXISTING 1,976 SF / 0.25
 EXISTING FAR: 1,976 SF / 8,053 SF
 NO FLOOR AREA ADDED (FLOOR AREA IN GARAGE AND ACCESSORY STRUCTURE DOES NOT COUNT TOWARDS FAR PER SEC. 16-29-001. (37))
 EXISTING LOT COVERAGE: 5,224.5 / 8,053 SF = 0.65
 PROPOSED LOT COVERAGE: 667 SF
 REMOVED IMPERVIOUS SURFACE: 664 SF
 EXISTING GARAGE AND SOME DRIVEWAY
 ADDED IMPERVIOUS SURFACE: 664 SF
 NEW GARAGE AND SOME DRIVEWAY, STEPPING STONES AND STEP
 PROPOSED IMPERVIOUS SURFACE: 664 SF
 5,224.5 SF - 667 SF + 664 SF = 5,221.5
 5,221.5 / 8,053 = 0.65
 NO INCREASE IN LOT COVERAGE PROPOSED.
 SIZE OF ACCESSORY STRUCTURE (FOOTPRINT) AS PERCENTAGE OF REAR YARD AREA:
 ALLOWED ACCESSORY STRUCTURE SHALL NOT EXCEED 25% OF REAR YARD AREA
 2,881 X 0.25 = 720 SF
 PROPOSED FOOTPRINT AREA ACCESSORY STRUCTURE (INCL. PORCH): 707 SF
 MAX. ALLOWED SPACE IN ACCESSORY STRUCTURE AS PERCENTAGE OF FLOOR AREA PRINCIPAL STRUCTURE: 1,976 X 0.3 = 592 SF
 PROPOSED ADDED FLOOR AREA IN ACCESSORY STRUCTURE:
 GARAGE: 612 SF / 503 SF
 2ND FLOOR SPACE (AREAS W/ 7' OR MORE CEILING HEIGHT, INCL. PORCH): 1,115 SF / 0.56%
 TOTAL FLOOR AREA OF ACCESSORY STRUCTURE: 1,115 SF / 1,976 SF = 0.56%
 SETBACKS:
 FRONT: NO CHANGE
 REAR: EXISTING 0' (15' REQUIRED W/OUT VARIANCE) PROPOSED 3'
 WEST SIDE: EXISTING 1' (7' REQUIRED W/OUT VARIANCE) PROPOSED 3'
 EAST SIDE: NO CHANGE
 MAX. ALLOWABLE HEIGHT ACCESSORY STRUCTURE: 20'
 PROPOSED HEIGHT: 20'
 PROJECT INVOLVES CREATION OF LESS THAN 1,000 SF NEW IMPERVIOUS COVER. PROJECT NOT TO COMPLY WITH CITY OF ATLANTA STORMWATER GUIDELINES.

V-16-300
 City of Atlanta
 OCT 31 2018
 Office of Planning
 Atlanta, GA

1077 Alio Avenue NE
 Atlanta, Georgia 30307
 voice/fax: (404) 525-7956
 UTE DESIGN

ATLANTA, GEORGIA
 626 CRESTHILL AVENUE
 DICKER RESIDENCE
 ACCESSORY STRUCTURE
 EXISTING AND PROPOSED SITE PLAN
 DATE: 10/28/16
 REVISIONS: 51
 NOT RELEASED FOR CONSTRUCTION

NOT RELEASED FOR CONSTRUCTION

FLOOR PLANS

DATE: 10/28/16
REVISIONS:

A1

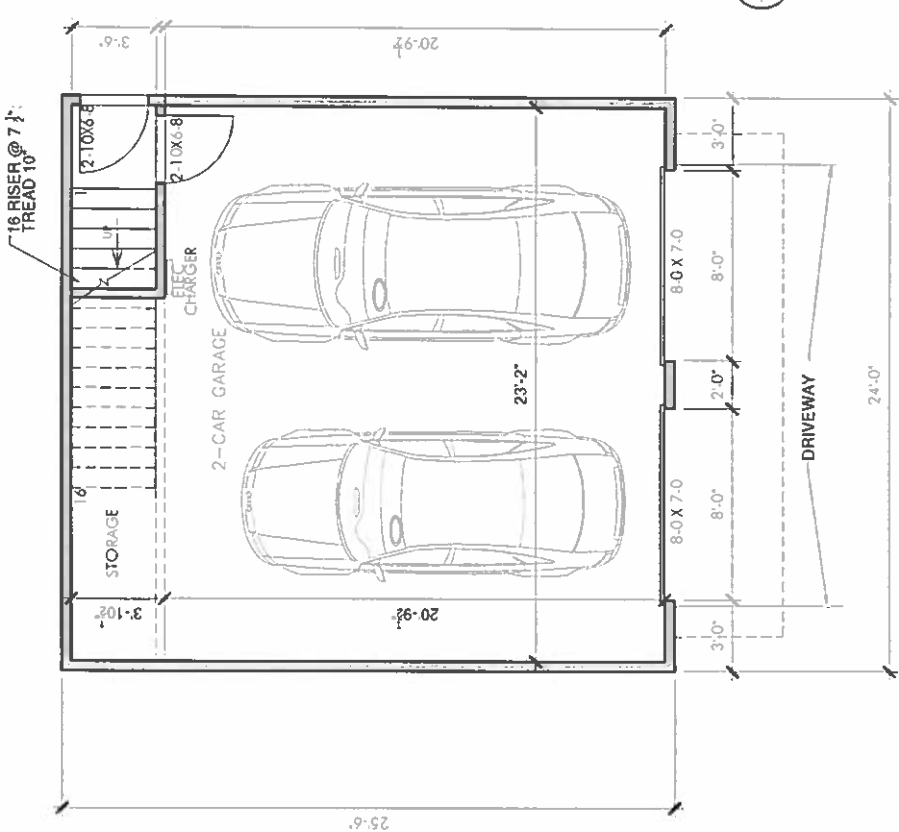
ACCESSORY STRUCTURE

DICKER RESIDENCE 626 CRESTHILL AVENUE ATLANTA, GEORGIA

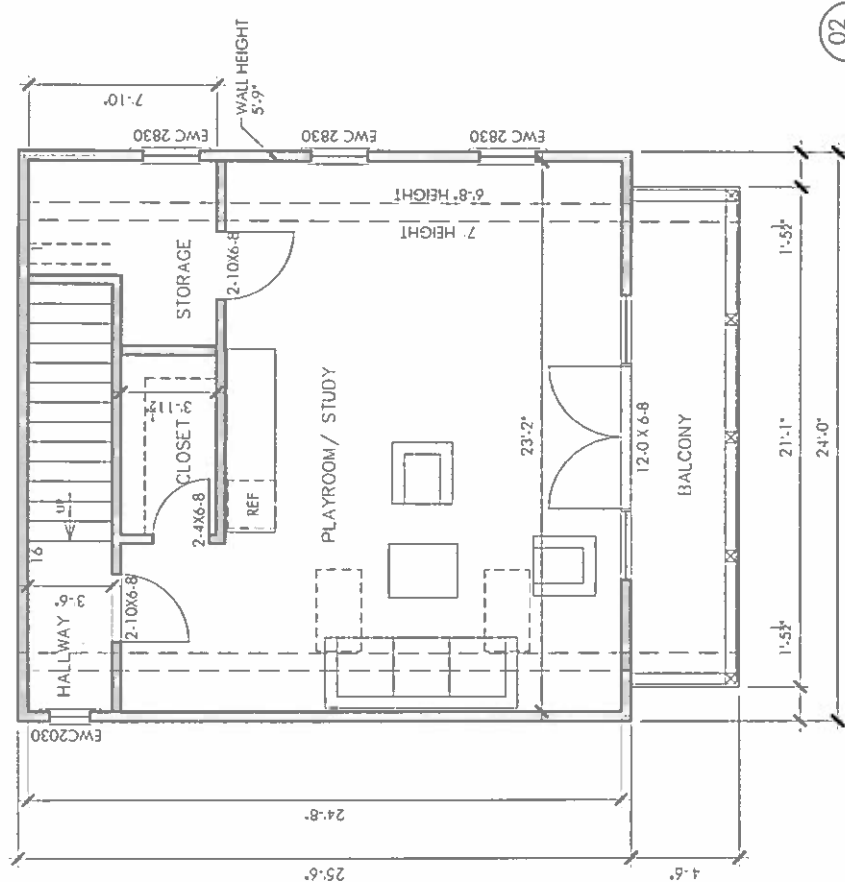
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1077 Alta Avenue NE
Atlanta, Georgia 30307
voice/fax: (404) 525-7956



01 GARAGE PLAN
A1 SCALE: 1/4" = 1'-0" (FULL SIZE)
1/8" = 1'-0" (HALF SIZE - 11X17)

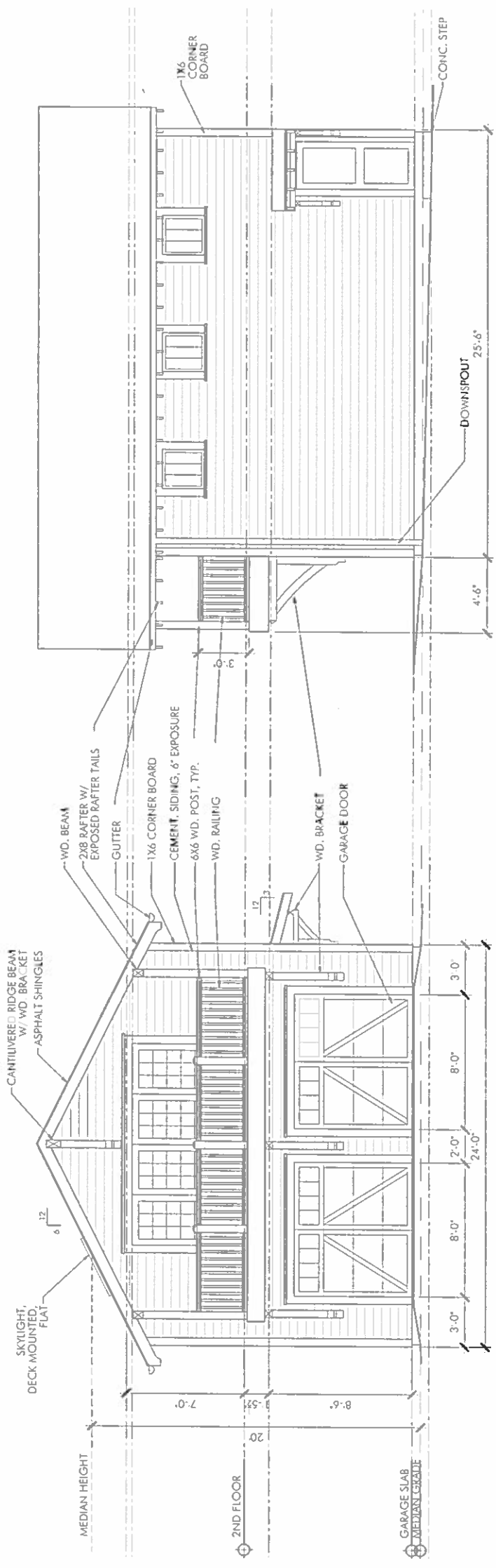


02 2ND FLOOR PLAN
A1 SCALE: 1/4" = 1'-0" (FULL SIZE)
1/8" = 1'-0" (HALF SIZE - 11X17)

1077 Alta Avenue NE
 Atlanta, Georgia 30307
 voice/fax: (404) 525-7956

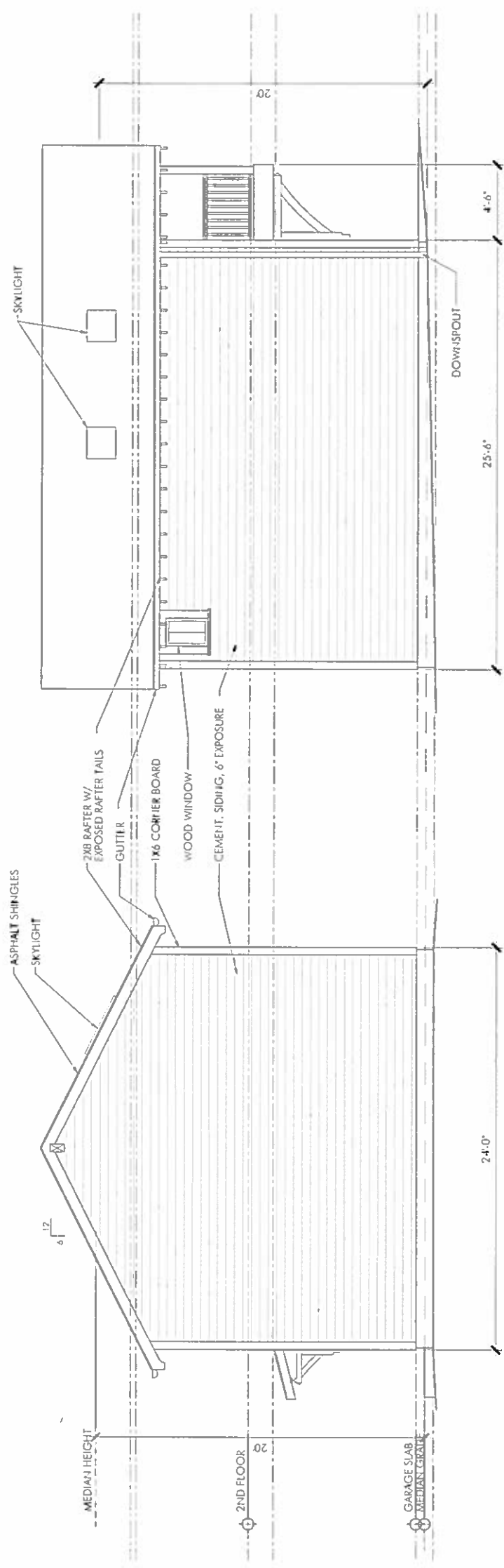
W&D
DESIGN

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01 FRONT ELEVATION
 SCALE: 1/4" = 1'-0" (FULL SIZE)
 1/8" = 1'-0" (HALF SIZE - 11X17)

02 EAST SIDE ELEVATION
 SCALE: 1/4" = 1'-0" (FULL SIZE)
 1/8" = 1'-0" (HALF SIZE - 11X17)



03 REAR ELEVATION
 SCALE: 1/4" = 1'-0" (FULL SIZE)
 1/8" = 1'-0" (HALF SIZE - 11X17)

04 WEST SIDE ELEVATION
 SCALE: 1/4" = 1'-0" (FULL SIZE)
 1/8" = 1'-0" (HALF SIZE - 11X17)