



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

APPLICATION #: **V-16-308**
DATE ACCEPTED: **11/09/2016**

NOTICE TO APPLICANT

Address of Property:
863 Berkshire RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, 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,


TT, for Director, Bureau of Planning


Malik Hagger



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-16-308

NPU _____ DATE FILED _____

Mr. Malik Hagger
 Name of Applicant

BUILDING PERMIT AUTHORIZING
 2nd Story Addition to Detached Structure

at 863 Berkshire RD NE 17th/51
 Street Address Quadrant District & Land Lot

to be used for 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 eastern side yard setback from 7 feet to 2 feet for a second story addition to a garage structure.

A complete plan 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 _____

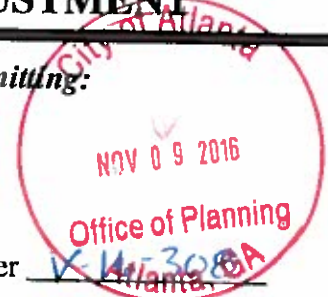
Scott Haeberlin 11-8-16
 Plan Reviewer Date

[Signature]
 Applicant Date

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

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

Variance	<input checked="" type="checkbox"/>
Special Exception	<input type="checkbox"/>
Variance & Special Exception	<input type="checkbox"/>



Date Filed Nov. 3, 2016 Application Number V-411-308A
 Name of Applicant Malik Hagger Daytime Phone 404 824 2015
 Company Name (if applicable) _____ email malik.haggermeister@gmail.com
 Address 50 Sunset Ave # 92786 ATL GA 30314
street city state zip code

Name of Property Owner Tennifer Poa Hetter Phone 404 617 9989
 Address 863 Berkshire Rd. NE ATL GA 30324
street city state zip code

Description of Property

Address of Property 863 Berkshire ATL GA 30324
street city state zip code

Area: 7,887sf Land Lot: 51 District: 17, 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.

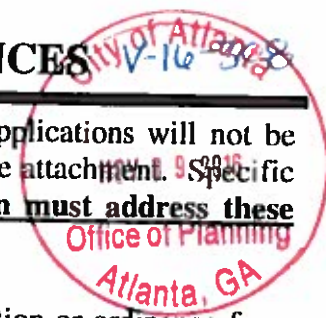
I hereby authorize the staff of the Office of Zoning and Development to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Zoning and Development upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

Tennifer Poa Hetter
 Owner or Agent for Owner (Applicant)
Tennifer Poa Hetter
 Print Name of Owner

Sworn To And Subscribed Before Me This 2nd Day Of Nov, 20 16.

Kimberley Reeves
 Notary Public
 Carroll County, State of Georgia
 My Commission Expires: 09/17/2017

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).")

CONVERT EXISTING 357 FT SLAB GARAGE 1 STORY TO 2ND STORY 268 SQ FT STORAGE / OFFICE AREA

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.

3305 covered square feet / 6885 total lot square feet = 48 % 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)? EXISTING GARAGE OVER SIDE AND BACK SETBACK. EXISTING GARAGE IS ACCEPTABLE TO NEIGHBORHOOD AND PERMITTED IN 1990'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? EXISTING GARAGE WAS BUILT IN 1990'S WITH CITIES APPROVAL. GARAGE IS ACCEPTABLE TO NEIGHBORHOOD AND BUILDING GARAGE NOT POSSIBLE
- 3) What conditions are peculiar to this particular piece of property? SEOR ACCESS TO GARAGE AREA IS NARROW DICTATING PLACEMENT IN THE 1990'S
- 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. REVISED GARAGE WOULD BE COSMETICALLY MORE PLEASING TO NEIGHBORHOOD.

November 3, 2016

Jennifer Poda Hettick
863 Berkshire Rd
Atlanta, GA 30324
404-617-9989

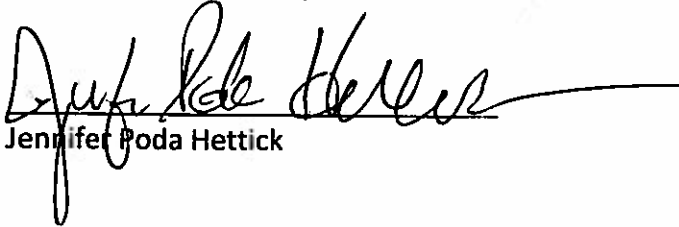


RE: City of Atlanta variance

To whom it may concern:

Thank you for considering my request for variance for my project. I have been an active member of the neighborhood for many years and my existing garage is acceptable to my neighbors and is typical for the area. My existing garage is 357 sq. ft. and was built in the 1990's with permitting. My project involves adding a 268 sq. ft. second level to the existing garage for small storage and a desk. We have had the staircase to the storage area placed inside the garage for aesthetics. All trim will conform to the neighborhood appearance. My lot is 6885 sq. ft. and my lot coverage will not change from its existing 2886 sq. ft. or 48%.

Thank you for your help.


Jennifer Poda Hettick

Ronnie Lewis Alston
Nov. 3, 2016



AUTHORIZATION BY PROPERTY OWNER

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

(Please Print Clearly)

V-1 City of Atlanta
NOV 09 2016
TEAM Planning
Atlanta, GA

I, JENNIFER PODA HETTICK (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 863 BERKSHIRE RD, 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 PODA-HETTICK FIRST NAME JENNIFER
ADDRESS 863 BERKSHIRE RD SUITE _____
CITY ATLANTA STATE GA ZIP CODE 30324

OWNER'S TELEPHONE NUMBER: 404-667-9980

Jennifer Hettick
SIGNATURE OF OWNER

JENNIFER HETTICK
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.

[Signature]
NOTARY PUBLIC

10/22/2016

DATE

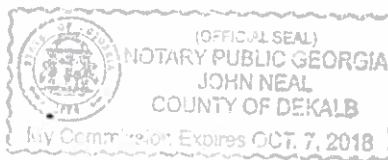


Exhibit A
Goodman



All that tract or parcel of land lying and being in Land Lot 51 of the 17th District, Fulton County, Georgia, being Lot 5-B, Block "B", Plat made by J.W. Burpitt, C.E. and being more particularly described as follows:

Begin at an open top found along the southeasterly right-of-way of Berkshire Road (having a 50 foot right-of-way) 167.8 feet northeasterly from the intersection of the southeasterly right-of-way of Berkshire Road with the northeasterly right-of-way of Pelham Road (formerly Pelbau Road); thence, continuing along the right-of-way of Berkshire Road, run an arc distance of 84.94 feet to an open top found; (said arc being subtended by a chord bearing North 60 degrees, 15 minutes, 14 seconds East a chord distance of 84.71 feet and having a radius of 331.66 feet); thence, leaving said right-of-way, run South 18 degrees, 30 minutes, 05 seconds East a distance of 135.53 feet to an iron pin found; thence, run South 87 degrees, 04 minutes, 19 seconds West a distance of 40.07 feet to an open top found; thence, run North 49 degrees, 04 minutes, 43 seconds West a distance of 29.95 feet to an open top found; thence run North 38 degrees, 01 minutes, 41 seconds West a distance of 87.50 feet to an open top found and the point of beginning.

All as more particularly shown on that certain survey for Timothy D. Goodman, **attached hereto as Exhibit "B"**, dated December 7, 2005, by McClung Surveying Services, Inc., Michael R. Noles, Georgia Registered Land Surveyor No. 2646, being approximately .181 acres and improved real property currently known as 863 Berkshire Road in the present system of numbering in said County.

CITY OF ATL BLDG PERMIT
55 TRINITY AVE STE 1350
ATLANTA, GA 30313

11/09/2016
Merchant ID:
Terminal D:
184191133992

09:06:38
000000004009798
06383358

DEVELOPMENT

PAID
CITY OF ATLANTA

NOV 09 2016

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

CREDIT CARD
VISA SALE

ariance/NA
E RD NE, ATLANTA, GA 30324
R M

CARD # XXXXXXXXXXXXX5760
INVOICE 0001
Batch #: 000520
Approval Code: 568860
Entry Method: Swiped
Mode: Online
Tax Amount: 50.00

SALE AMOUNT \$100.00

Date	Cashier ID	Received	Comments
11/9/16	PAMITCHELL		

Visor
PM

CUSTOMER COPY

Setback from 7 ft to 2 ft for a second story addition

SURVEYORS 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 EXCAVATION WORK SHOULD BE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, CALL THE UTILITIES PROTECTION CENTER FOR ADDITIONAL INFORMATION.
2. 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.
3. 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 REPLICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
4. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.

LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.R. POINT OF REFERENCE
- O.H.P. OVERHEAD POWER LINE
- P.P. POWER POLE
- L.L.L. LAND LOT LINE
- I.P.F. 1/2" IRON PIN FOUND
>
- O.T.P. OPEN TOP PIPE FOUND
- T.L.P. TRAFFIC LIGHT POLE
- C.L. CENTER LINE
- ⊗ LOT NUMBER
- W.M. WATER METER
- ← GUY WIRE
- E/B. ELECTRIC BOX
- T/B. TELEPHONE BOX
- C/B. CABLE BOX
- G.M. GAS METER
- C.F. CRIMP TOP FOUND

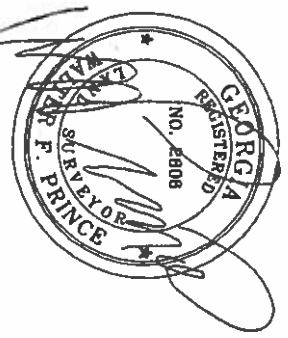
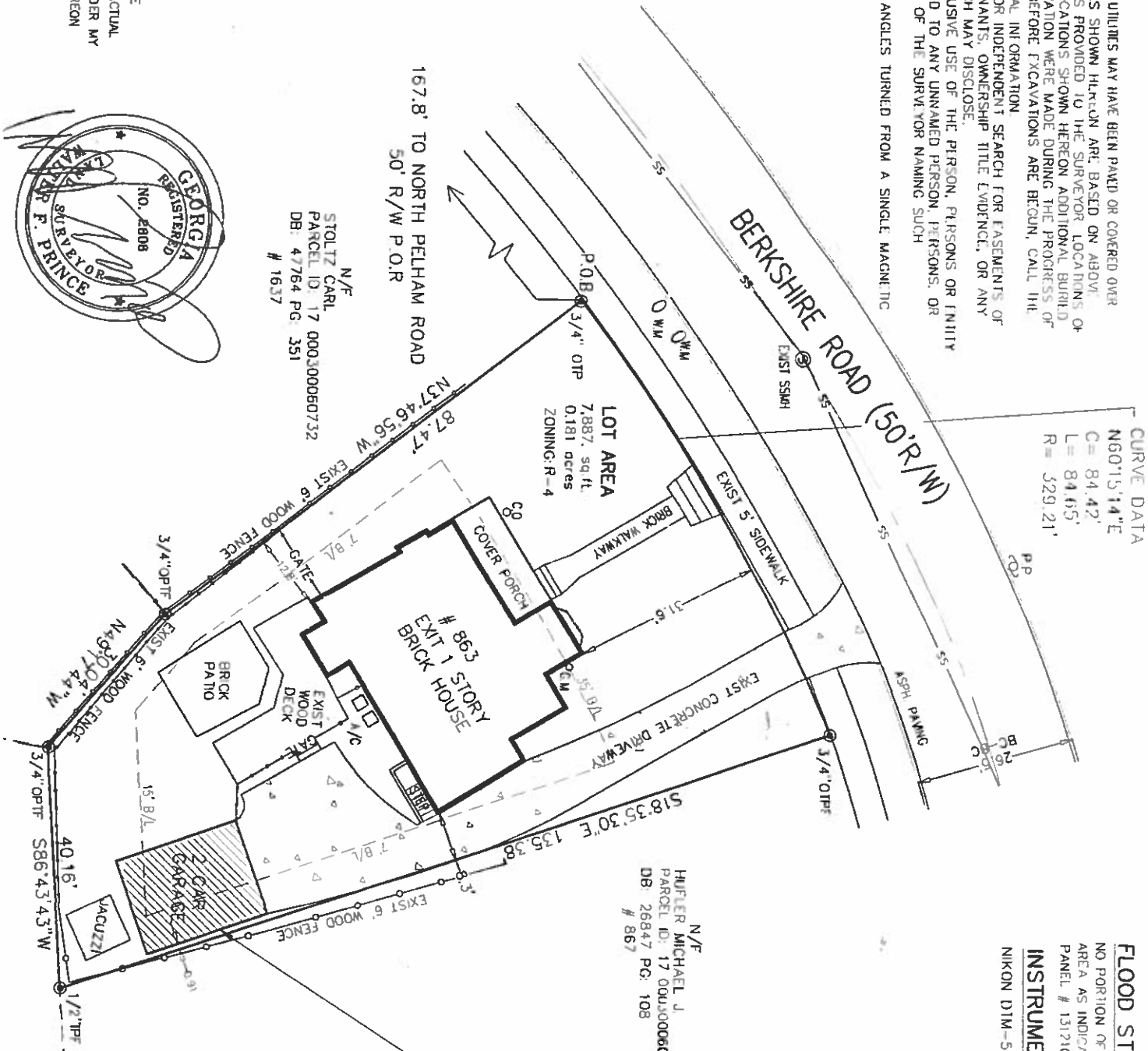
NOTE:

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 65,580 FEET AND AN ANGULAR ERROR OF 00 00 06 PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1: 182,383 FEET

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION. THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

CURVE DATA

NG0°15'14"E
C= 84.42'
L= 84.65'
R= 329.21'



N/E
STOLTZ CARL
PARCEL ID: 17 000300060732
DB: 47764 PG: 351
1637

N/E
HUTLER MICHAEL J
PARCEL ID: 17 000300060831
DB: 26847 PG: 108
867

FLOOD STATEMENT

NO PORTION OF THIS PROPERTY IS LOCATED IN AREA AS INDICATED BY F.I.A. OFFICIAL FLOOD PANEL # 13121C0261G DATE: 9/18/2013

INSTRUMENT USED:

NIKON DIM-520 TOTAL STATION

GRAPHIC SCALE



NOTE:

THE SURVEY WAS PREPARED WITH THE TECHNICAL SURVEYING IN CHARGE OF THE GEORGIA BOARD FOR PROFESSIONAL ENGINEERS AND AS SET FORTH IN CHAPTER 180-GEORGIA PLAT ACT O.C.C.

PROPOSED SECOND

ADDITION OVER EXISTING FOOT PRINT OF FRIS NO ADDITION TO BE OUTSIDE EX. FOOT P

SURVEY OF CONDITION PODA JENNI

863 BERKSHIRE I
ATLANTA GA. 30
PARCEL ID: 17 00
LAND LOT: 51 1
FULTON COUNTY,
SCALE 1"=20' C

HURD PRINCE

Consulting Engineer
110 North
Stockbridge, Ge
Phone (404)-372-7