



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

APPLICATION #: **V-17-078**
DATE ACCEPTED: **03/21/2017**

NOTICE TO APPLICANT

Address of Property:
1069 Rosedale DR NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, May 11, 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,

RG, for Director, Bureau of Planning

Adam Stillman

MAR 21 2017

55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA



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-17-078

NPU F DATE FILED March 21, 2017

1. Adam Stillman
Name of Applicant

BUILDING PERMIT AUTHORIZING

Detached Garage

at 1069 Rosedale Drive NE 17th/1
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 regulations to reduce the required: west side yard setback from 7 feet to 3 feet and reduce the required rear yard setback from 15 feet to 3 feet in order to construct a detached garage addition to a single family non-conforming structure. Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2) & (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Walter Lewis
Plan Reviewer Date 3-21-17

[Signature]
Applicant Date 3-21-17

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Office of Planning

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

Variance	X
Special Exception	
Variance & Special Exception	

MAR 21 2017

65 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

Date Filed _____

Application Number V-17-078

Name of Applicant Adam Stillman Daytime Phone 770-330-3389

Company Name (if applicable) Adam Stillman Res. Design email apstillman@gmail.com

Address 350 Sinclair Ave NE Atlanta GA 30307
street city state zip code

Name of Property Owner WILLIAM JOHNSON Phone 803-261-7674

Address 1069 ROSEDALE DR NE ATLANTA GA 30306
street city state zip code

Description of Property

Address of Property 1069 ROSEDALE DR NE ATLANTA GA 30306
street city state zip code

Area: 8013 Land Lot: 16 District: 14, 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)

Adam Stillman
Print Name of Owner

Sworn To And Subscribed Before Me This 21 Day Of March, 2017.

Ernestine J. Neal
NOTARY PUBLIC

SUMMARY & JUSTIFICATION FOR VARIANCES

AR 21 2017

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 DETACHED ONE-CAR GARAGE

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.

3916 covered square feet / 8013 total lot square feet = 48.9 % proposed lot coverage

50 % maximum allowed lot coverage

Variance Criteria (see page 6 for detailed criteria): SEE NEXT PAGE FOR ALL ANSWERS

- 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. _____

Property Address: 1069 Rosedale Drive NE

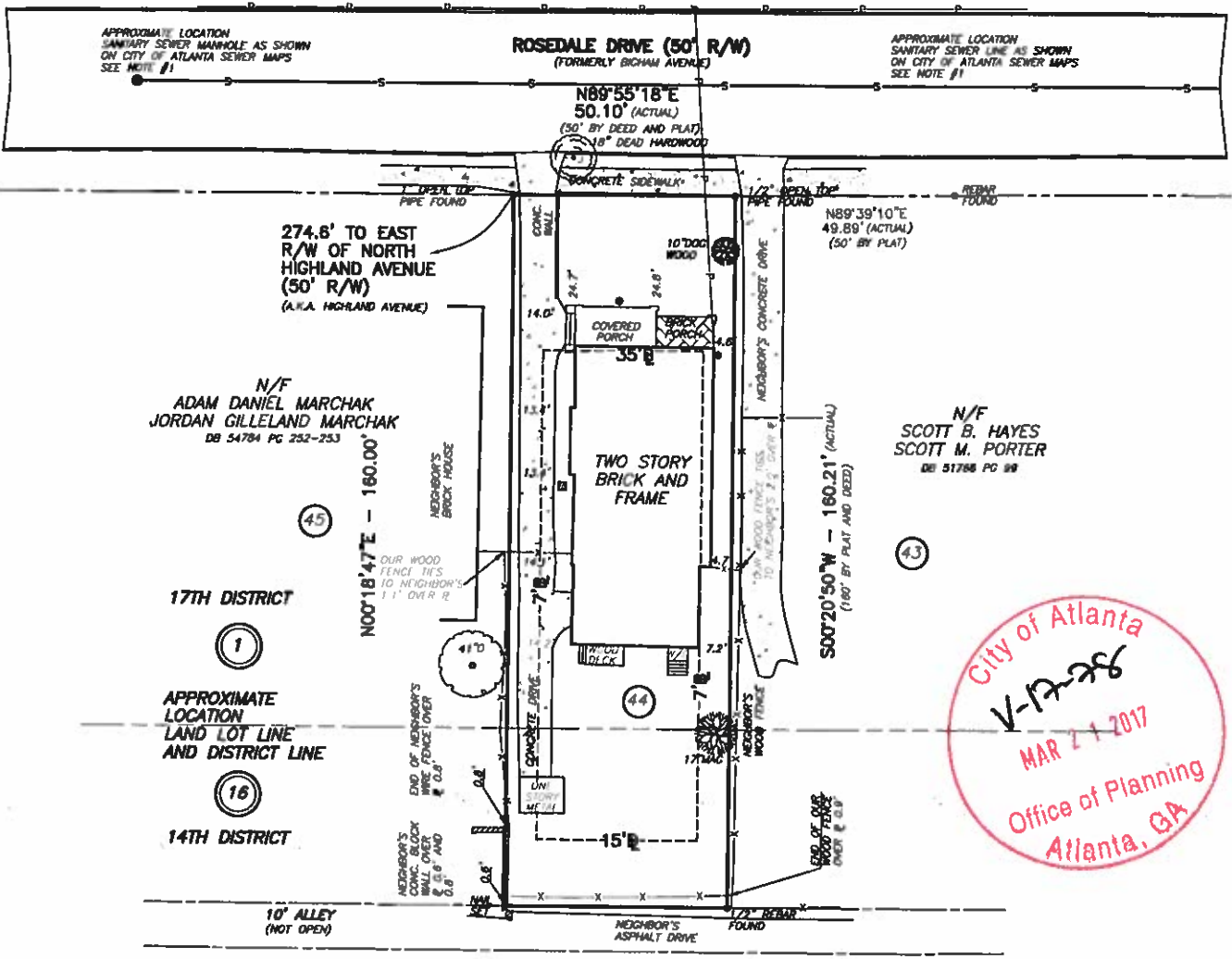
MAR 21 2017

Variances requested:

1. Relief from 16-06.008.2 to reduce the right (west) side yard setback from 7' (required) to 3.0' (proposed), and
2. Relief from 16-06.008.3 to reduce the rear yard setback from 15' (required) to 3.0' (proposed) for the construction of a detached garage

Variance Criteria:

1. **What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question?** The house, constructed in 1930, predates the current R-4 zoning category. The lot is only 50.1' wide, whereas current R-4 zoning requires a 70' minimum frontage, and contains only 8013 square feet, far less than the minimum 9000 sf required by R-4 zoning.
2. **How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?** Strict application of the R-4 setback requirements severely limits the buildable area of the lot. The existing house's location and small size of the lot prevent construction of an accessory structure within the buildable area of the lot that would allow for easy vehicle ingress and egress.
3. **What conditions are peculiar to this particular piece of property?** The R-4 zoning category was overlaid onto the neighborhood well after construction of the existing house. Because of the historic nature of the house and neighborhood as a whole, the setback requirements of the R-4 zoning do not align with the development pattern of this property or surrounding homes. Although the lot width is fairly common for the neighborhood, this lot has a smaller buildable area than most due to the deep footprint of the existing house.
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.** Relief of the requested variances would not create a detriment to the public good, but rather would encourage the sustainability of the neighborhood by allowing the homeowners to improve their property with a new accessory structure. The proposed changes maintain the historic developmental pattern of the neighborhood and are consistent with the development of the adjacent single family homes. These factors combined serve to promote desirable living conditions and allow for the orderly evolution of the property, and as an extension the neighborhood.



REFERENCE MATERIAL

1. WARRANTY DEED IN FAVOR OF WHIT M. JOHNSON AND LAURA Y. JOHNSON DEED BOOK 53413 PAGE 883 FULTON COUNTY, GEORGIA RECORDS

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 PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, PLEASE CALL ALL LOCAL UTILITY PROVIDERS.



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 RE-CERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.

4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED BY AN OPEN TRAVERSE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 81,876 FEET. A GEOMAX ZOOM 90 SERIES ROBOTIC TOTAL STATION WITH CARLSON SURVEY 2 DATA COLLECTOR WERE USED IN THE COLLECTION OF FIELD DATA. GPS EQUIPMENT: GEODETIC GNSS RECEIVER MODEL: X900-OPUS.

5. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.

6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.

7. THIS PLAT IS NOT INTENDED FOR RECORDING.

8. ALL REBARS SET ARE 1/2" REBARS UNLESS OTHERWISE NOTED.

ZONING INFORMATION

CITY OF ATLANTA - R-4
 MINIMUM LOT AREA: 9,000 SQUARE FEET
 MINIMUM LOT WIDTH: 70 FEET
 MAXIMUM FLOOR AREA RATIO: 0.50
 MAXIMUM LOT COVERAGE: 50 PERCENT
 MINIMUM FRONT SETBACK: 35 FEET
 1/2 DEPTH FRONT SETBACK: 17.5 FEET
 MINIMUM SIDE SETBACK: 7 FEET
 MINIMUM REAR SETBACK: 15 FEET
 MUST BE VERIFIED BY CITY OF ATLANTA PRIOR TO CONSTRUCTION.

TREE LEGEND

HR	SHRUBBERY	HR	HEDGE ROW
B	BIRCH TREE	B	BIRCH TREE
BEC	BEECH TREE	BEC	BEECH TREE
C	CHERRY TREE	C	CHERRY TREE
CA	CRABAPPLE TREE	CA	CRABAPPLE TREE
CDR	CEDAR TREE	CDR	CEDAR TREE
DW	DOGWOOD TREE	DW	DOGWOOD TREE
E	ELM TREE	E	ELM TREE
H	HEMLOCK TREE	H	HEMLOCK TREE
HIC	HICKORY TREE	HIC	HICKORY TREE
HLV	HOLLY TREE	HLV	HOLLY TREE
HW	IRONWOOD TREE	HW	IRONWOOD TREE
MAQ	MAGNOLIA TREE	MAQ	MAGNOLIA TREE
MAP	MAPLE TREE	MAP	MAPLE TREE
MB	MULBERRY TREE	MB	MULBERRY TREE
O	OSAGE TREE	O	OSAGE TREE
P	PINE TREE	P	PINE TREE
POP	POPLAR TREE	POP	POPLAR TREE
RB	REDBUD TREE	RB	REDBUD TREE
SG	SWEETGUM	SG	SWEETGUM
SYC	SYCAMORE TREE	SYC	SYCAMORE TREE
SW	SOURWOOD TREE	SW	SOURWOOD TREE
UM	UMBRELLA TREE	UM	UMBRELLA TREE
WO	WATER OAK TREE	WO	WATER OAK TREE

LEGEND

B	DENOTES BUILDING LINE
E	DENOTES PROPERTY LINE
R/W	DENOTES RIGHT-OF-WAY
C	DENOTES CENTERLINE
Q	DENOTES BACK OF CURB
G	DENOTES GUTTER
EP	DENOTES EDGE OF PAVING
TW	DENOTES TOP OF WALL
BW	DENOTES BOTTOM OF WALL
X	DENOTES REINFORCED CONCRETE PIPE
RCP	DENOTES CORRUGATED METAL PIPE
CMP	DENOTES POWER POLE
PP	DENOTES LIGHT HOLE
LP	DENOTES GUY WIRE
OW	DENOTES POWER LINE
P	DENOTES POWER METER
PM	DENOTES POWER BOX
FD	DENOTES FIBER OPTIC
A/C	DENOTES AIR CONDITION
TB	DENOTES TELEPHONE BOX
GM	DENOTES GAS VALVE
GV	DENOTES GAS METER
QLM	DENOTES GAS LINE MARKER
WM	DENOTES WATER METER
WF	DENOTES WATER VALVE
FW	DENOTES FIRE HYDRANT
MW	DENOTES MONITORING WELL
JE	DENOTES HEADWALL
DI	DENOTES JUNCTION BOX
S	DENOTES SANITARY SEWER LINE
SSMH	DENOTES SANITARY SEWER MANHOLE
CO	DENOTES CLEAN OUT
P.O.B.	DENOTES POINT OF BEGINNING
P.O.C.	DENOTES POINT OF COMMENCEMENT

FLOOD NOTE

THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAPS.

TOTAL AREA= 0.184± ACRES OR 8,013± SQ. FT.

1089 ROSEDALE DRIVE ATLANTA, GEORGIA

1/2 SIZE PRINT; 1"=40' SCALE



No.	Revision	Date

MELUNG SURVEYING SERVICES, INC.
 4833 South Cobb Drive Suite 200 Smyrna, Georgia 30080 (770) 434-3363
 Certificate of Authorization #LSF000783
 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 O.C.G.A. 15-6-67.
 AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-10, 43-15-22.
 This original of this document was noted and signed by Michael R. Hales L.S. #2044 on 3-7-17. THIS REPRODUCTION IS NOT A CERTIFIED DOCUMENT.
 Michael R. Hales Georgia RLS #2044 Member SANSOC JOB#244301

SURVEY FOR
WHIT M. JOHNSON LAURA Y. JOHNSON
 LOT 44
THE W.E. WORLEY SUBDIVISION
 LAND LOT 16 DISTRICT 14TH LAND LOT 1 DISTRICT 17TH FULTON COUNTY GEORGIA
 PLAT PREPARED: 3-7-17
 FIELD: 3-3-17 SCALE: 1"=20'

AUTHORIZATION BY PROPERTY OWNER

MAR 21 2017

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

(Please Print Clearly)

55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

I, Whit Johnson (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1069 Rosedale Drive NE, Atl, GA 30306 (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 Stillman FIRST NAME Adam
ADDRESS 350 Sinclair Ave NE SUITE _____
CITY Atlanta STATE GA ZIP CODE 30307

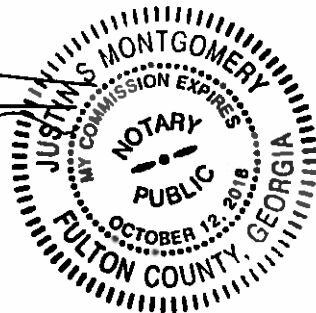
OWNER'S TELEPHONE NUMBER: 803-261-7674

Whit Johnson
SIGNATURE OF OWNER

Whit Johnson
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
2/21/17
DATE



RECEIPT

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

Application: V-17-078
Application Type: Planning/BZA/Variance/NA
Address: 1069 ROSEDALE DR NE, ATLANTA, GA 30306
Owner Name: ROARTY ROBERT SEAN & BOLGLA JAN P
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
513607		\$100.00	03/21/2017	RPLEWIS		

Owner Info.: ROARTY ROBERT SEAN & BOLGLA JAN P

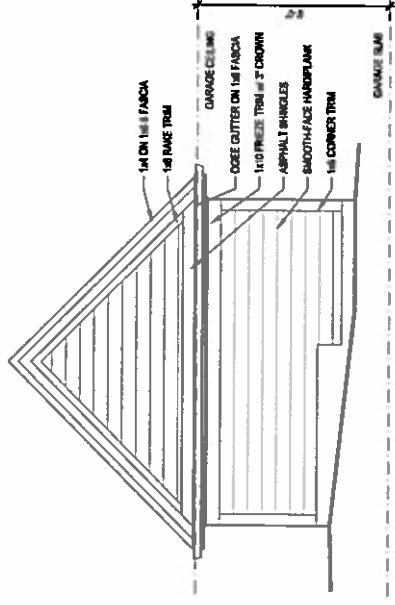
Work Description: Variance to reduce the required west side yard setback from 7 feet to 3 feet and reduce the required rear yard setback from 15 feet to 3 feet in order to construct a detached garage addition to a single family non-conforming structure.

PAID
CITY OF ATLANTA
MAR 21 2017
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

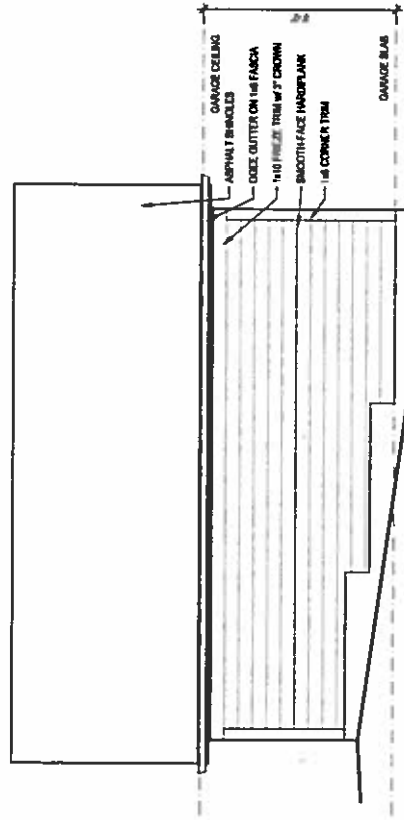
1069RD

All drawings are the property of Adam Stillman Residential Design. They are to be used only for the project and site specified. They shall not be reproduced, modified, or used in any way without written consent. The contractor shall check and verify all dimensions and report any discrepancies immediately. The contractor shall be responsible for all legal and code requirements. Adam Stillman Residential Design is not responsible for any necessary production of the drawings. Illustration of these drawings is any public body for any use does not release in any way the copyright and ownership of drawings prepared hereon.

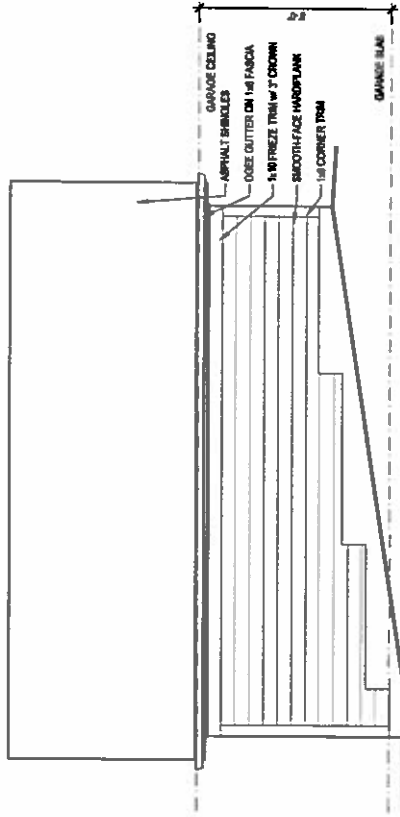
GARAGE PLANS & ELEVATIONS	
DATE	03-13-2017
SCALE	1/8" = 1'-0"
DRAWN BY	APPS
CHECKED BY	
PROJECT NO.	1069RD
SHEET NO.	A-1



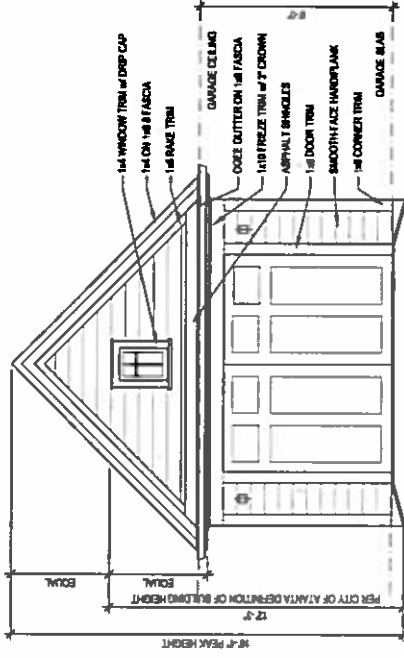
REAR ELEVATION
 1/8" = 1'-0"



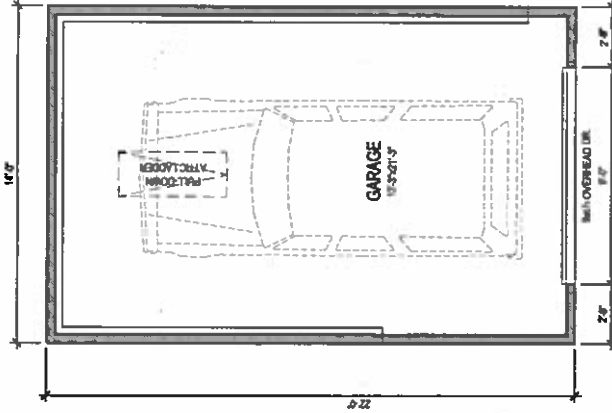
LEFT ELEVATION
 1/8" = 1'-0"



RIGHT ELEVATION
 1/8" = 1'-0"



FRONT ELEVATION
 1/8" = 1'-0"



GARAGE PLAN
 1/8" = 1'-0"