



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

APPLICATION #: **V-17-110**

DATE ACCEPTED: **04/18/2017**

NOTICE TO APPLICANT

Address of Property:
965 Adair AVE NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, June 8, 17 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,

 4/18/17
SF, for Director, Bureau of Planning


SAMANTHA M REIN



CITY OF ATLANTA

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

REFERRAL CERTIFICATE

COUNCIL DISTRICT _____ APPLICATION NUMBER V-17-110

NPU _____ DATE FILED _____

Samantha Rein
Name of Applicant

BUILDING PERMIT AUTHORIZING

Single family addition

at 965 Adair Ave 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 east required side yard setback from 7 feet to 4 feet 4 inch

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 _____

Henry Song
Plan Reviewer
4/18/17
Date

[Signature]
Applicant
4-18-17
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 4/24/17 Application Number V-17-110
 Name of Applicant Samantha Rein Daytime Phone 404-423-6296
 Company Name (if applicable) _____ email sreinc@bellsouth.net
 Address 965 Adair Ave Atlanta Ga 30305
street city state zip code

Name of Property Owner Samantha Rein Phone 404-423-6296
 Address 965 Adair Ave At Ga 30306
street city state zip code

Description of Property

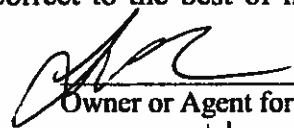
Address of Property 965 Adair Ave At Ga 30306
street city state zip code

Area: _____ Land Lot: _____ District: _____, Fulton County, GA.

Property is zoned: L4, 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.

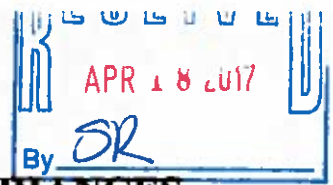
I hereby authorize the staff of the Office of Zoning and Development to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Zoning and Development upon filing 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)
Samantha Rein
 Print Name of Owner

Sworn To And Subscribed Before Me This 24th Day Of April, 2017.

NOTARY PUBLIC 
SELAM SUAREZ
 NOTARY PUBLIC
 Cobb County
 State of Georgia
 My Comm. Expires Nov. 10, 2019



V-17-10

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.

3,628 covered square feet / 8,500 total lot square feet = 42.6% proposed lot coverage
50 % maximum allowed lot coverage

Variance Criteria (see page 6 for detailed criteria): SEE ATTACHED SHEET

- 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. _____



Application For Board of Zoning Adjustment

Project Address: 965 Adair Ave

Variance proposal:

The proposed rear addition requests a variance to reduce the side yard setback from 7' to 4.4' in order to align the rear addition with the existing side wall of the existing house structure. The Existing house, which predates the zoning code, sits 4.7' from the side yard property line at the rear corner. Due to the angle of the house to the property line, aligning the proposed addition in the would put the proposed rear corner at 4.4' from the side yard property line. The total house to house distance at the existing rear corner is 10.8'. The total house to neighbor's house distance at the proposed rear addition corner would be 11'. The proposed rear addition would not extend beyond the existing screened in porch which is 16'-2" from the rear wall of the existing house. The rear wall of the existing screened porch and proposed addition sit at about the same depth into the property as the rear wall of the neighbor's house. The proposed addition would not extend beyond the rear wall of the neighbor's house. The existing lot coverage is 40.6% and the proposed lot coverage is 42.6% which are both below the 50% maximum.

Variance Criteria:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property. The house was built in the 1920's and so the lot and house placement on the lot pre-dates the zoning code. It is a non-conforming structure. The lot is about the same size and shape as the neighboring lots, but the house typology is different. 965 Adair Avenue is a two-story house built in the 1920's Colonial or Foursquare style of architecture. The majority of houses in the neighborhood are built around the same time frame but are designed in the Bungalow style. The Bungalow style house typically has a plan that extends deep into the lot. The Foursquare style, on the other hand, typically presents a narrow depth. This style is unique to the property and therefore extending the rear of the particular house is in keeping with the overall neighborhood fabric.
2. The application of the zoning ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship. The proposed addition would replace an existing screened in porch. The proposed addition would remove this screened in porch and go in its place,

without extending beyond what is there now. It would pose a hardship to the owners to not be able to make the interior room flow from the existing house to the rear addition. The floor plan is exceptionally narrow and so not being able to deepen the existing rear rooms would present a hardship to the owners that is otherwise afforded to the neighboring houses. The proposed rear addition along the East property line will not surpass the existing rear wall of the neighboring house nor will it surpass the existing rear wall of the screened in porch. To miss-align the proposed rear addition to the existing house would constitute a hardship in terms of the interior layout of the existing house and maintaining its character.

3. Such conditions are peculiar to the particular piece of property involved. As mentioned above in item #1, the house style is unique to the neighborhood. Although most of the houses are also closer together than the current zoning code mandates, 965 Adair Ave is unique because the house is exceptionally shallow and does not currently take advantage of the typical deep lots as do most of the other houses in the neighborhood. The proposed addition would not extend beyond the house depth that is afforded to the adjacent and neighboring houses.
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. The requested variance would not detract from the people's use and enjoyment of the surrounding properties since the existing screened in porch is built exactly where the proposed addition would go so there would not be any change in terms of lot coverage along the side yard lot line. The proposed side yard variance would be consistent with the purposes and intent of the zoning ordinance further the purposes and intent by maintaining the existing neighborhood fabric that pre-dates the zoning code. In order to maintain the Foursquare style, the rear addition provides a continuous extension of the rear rooms of the house that are exceptionally narrow. The proposed addition does not affect fire safety, panic or other dangers as well as negatively impact light, air and drainage between the properties in question.

Lot Coverage:

Lot size: 8,500sf (Lot is 50' x 170')

50% allowable lot coverage: 4,250sf

Existing Lot Coverage: 40.6%

House	1,122sf	
Screened Porch	200	
Front porch	300	
Back/side deck + steps	714	
Front steps and walk	164	
Driveway	663	
Stone path in rear	182	
Stone circle in rear	92	
Total:	3,457sf	40.6%

Proposed Lot Coverage: 42.6%

House	1,435sf	
Screened Porch	304	
Front porch	300	
Back/side deck + steps	488	
Front steps and walk	164	
Driveway	663	
Stone path in rear	182	
Stone circle in rear	92	
Total:	3,628sf	42.6%

FAR (Floor Area Ratio)

Max. allowed 50% Lot sf: 4,250sf

Existing FAR: 31.5%

First Floor	1,050	
Second Floor	1,031	
Basement	600	
Total:	2,681	31.5%

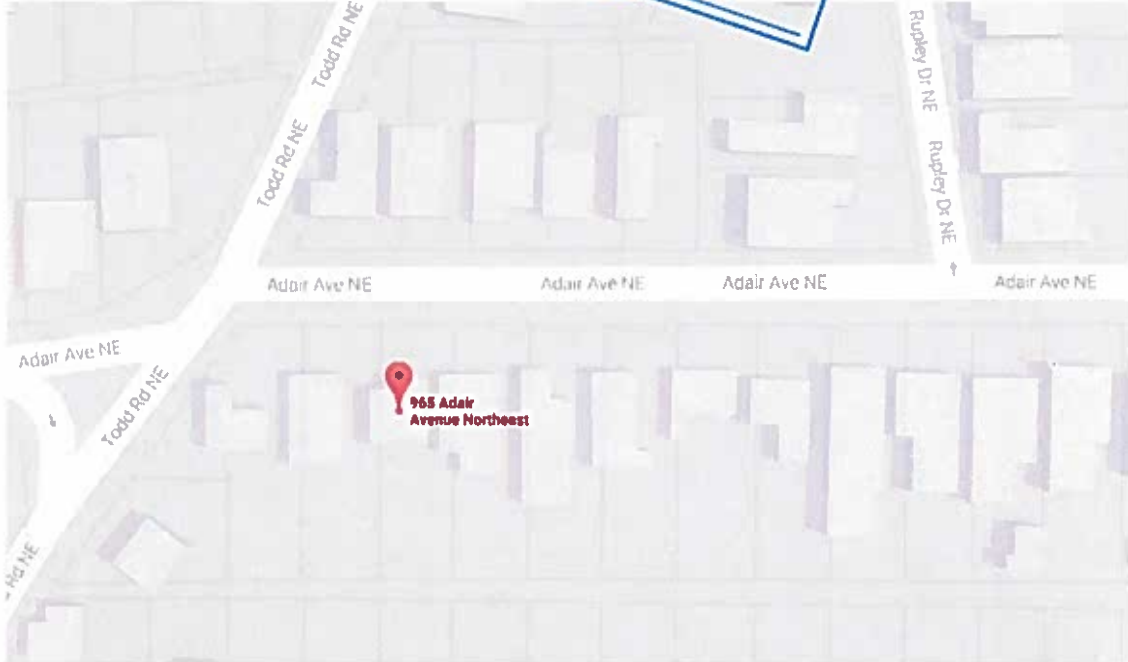
Proposed FAR: 43%

First Floor	1,350	
Second Floor	1,706	
Basement	600	
Total:	3,656	43%

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Vicinity Map:





Application For Board of Zoning Adjustment

Project Address: 965 Adair Ave

Photos:



Front Elevation



Rear Elevation

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West Elevation



East Elevation



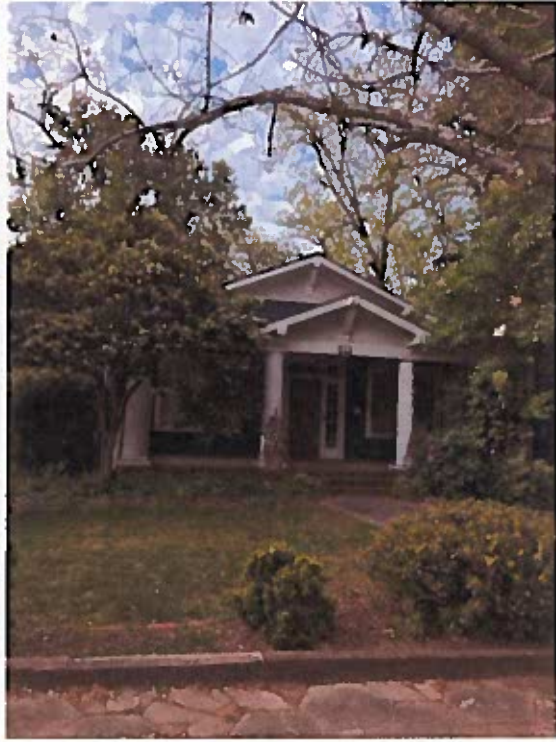
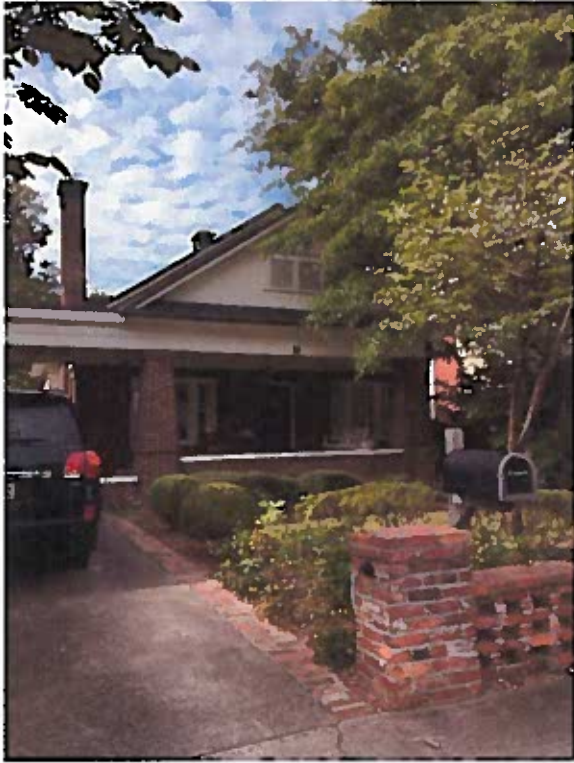
Existing screened in porch at east side yard and neighbor's house.



Detail at screened porch and existing House

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Neighborhood Context

The field data upon which this plat is based has a closure of 1 foot in 10,000± feet, an angular error of 03 seconds per angle point and was adjusted using the Least Squares Method. This plat has been calculated for closure and found to be accurate to 1 foot in 100,000± feet. An electronic total station and a 100' chain were used to gather the information used in the preparation of this plat.

FLOOD STATEMENT

I HAVE EXAMINED THE OFFICIAL FLOOD HAZARD MAP AND FOUND THAT BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY LIES IN IN A FLOOD HAZARD AREA ACCORDING TO FEMA FIRM MAP 13121C0283 G, DATED 9/18/2013

ZONED: R4

MAX. LOT X=50%
MAX. FL. RATIO= 0.5
FRONT 35'
CORNER 17.5'
SIDE 7'
REAR: 15'

STATE WATERS NOTE:

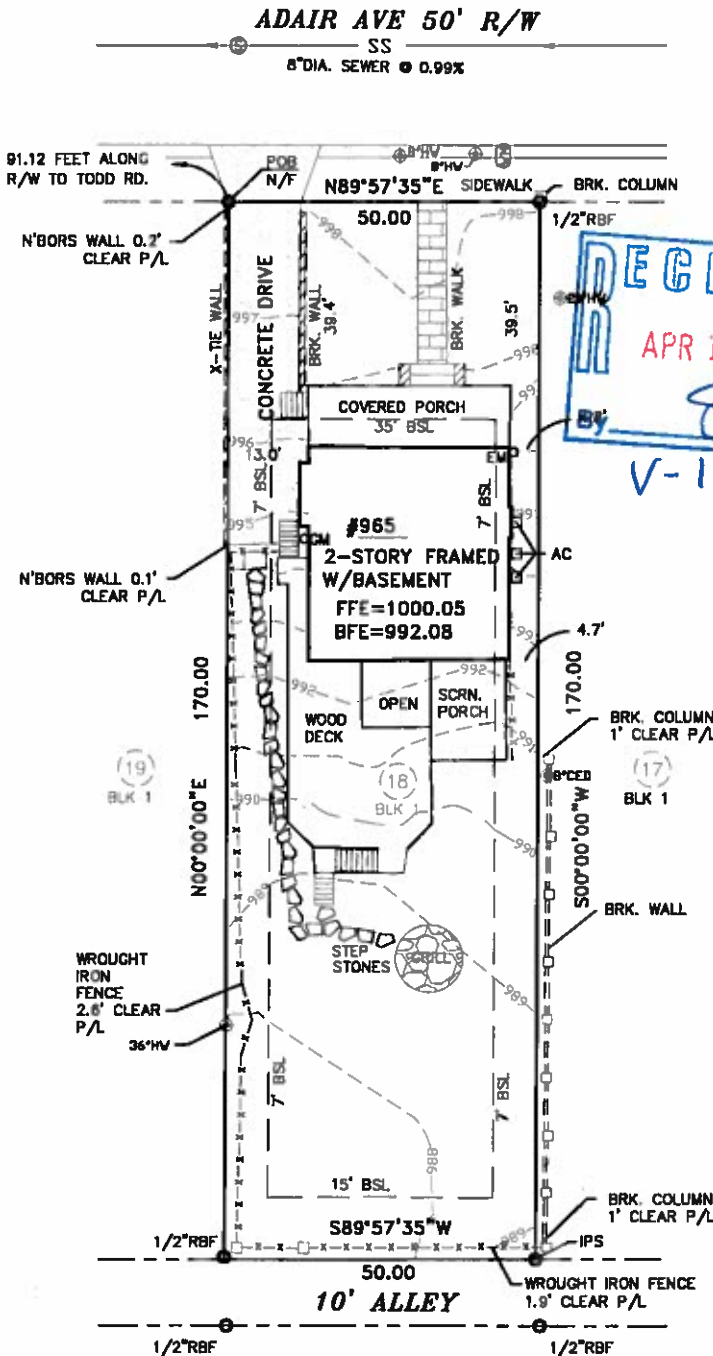
NO STATE WATERS PRESENT WITHIN 200 FEET OF PROJECT SITE.



FRONT VIEW



VICINITY MAP



REAR VIEW

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LEGEND

- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- IPS IRON PIN SET
- IPF IRON PIN FOUND
- OT OPEN TOP PIN
- CT CRIMP TOP PIN
- RB REINFORCING BAR
- CL CENTERLINE
- R/W RIGHT-OF-WAY
- LL LAND LOT
- L LINE
- R RADIUS
- CONC CONCRETE
- C CURVE
- PP POWER POLE
- WM WATER METER
- EM ELEC. METER
- GM GAS METER
- LP LAMP POLE
- SS SANITARY SEWER
- N&C NAIL & CAP
- FFE FIN. FLOOR ELEV.
- X-X- FENCE

SURVEY NOTES:

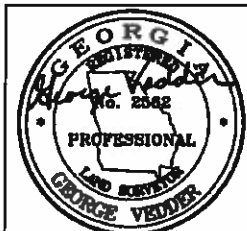
1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. 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 VARIOUS UTILITY COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FIELD LOCATIONS. EASEMENTS AS SHOWN ARE APPROXIMATE.
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 RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.

COPYRIGHT © 2016 VEDDER SURVEYS & ASSOC.
DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.



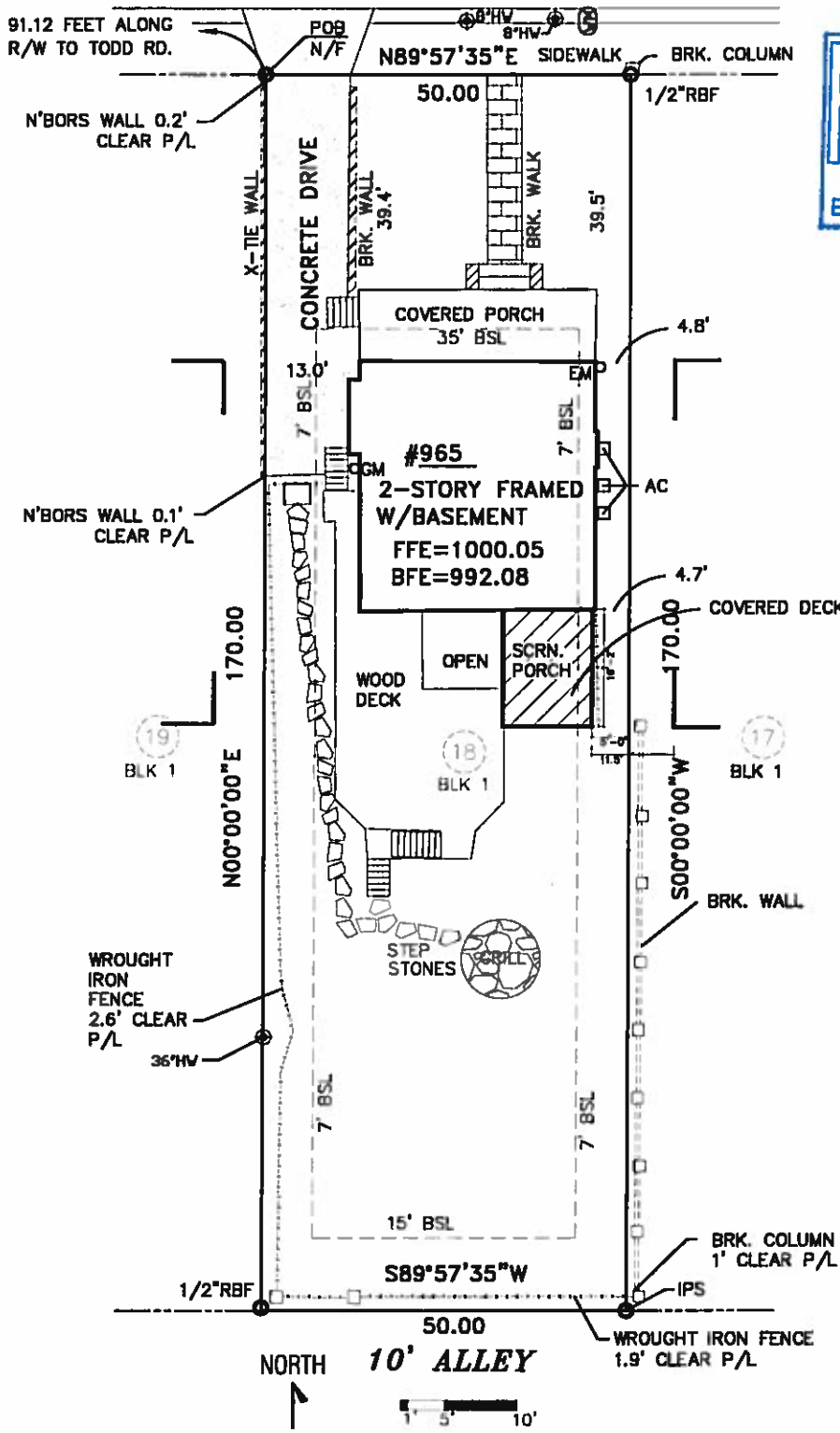
VEDDER SURVEYS & ASSOCIATES, LLC
1648 Juliette Road, Forsyth, Ga. 31029
TELEPHONE (678) 544-2585
EMAIL: GEORGE@VEDDERSURVEY.COM

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



SURVEY ASBUILT FOR:		
SAMANTHA REIN & DAVID MILLER		
ADDRESS: 965 ADAIR AVE.		
LAND LOT 1	DIST. 17 TH	FULTON COUNTY, GA.
LOT 18	BLOCK 1	SCALE 1"=20'
HIGHLAND VIEW S/D; PB 4, PG. 178-179		
SURVEY & PLAT DATE: 4-15-2016 CITY OF ATLANTA		

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 By SR
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01

Existing Site Plan

Rein/Miller Residence
 965 Adair Ave
 Atlanta, GA 30306

ISSUE FOR VARIANCE

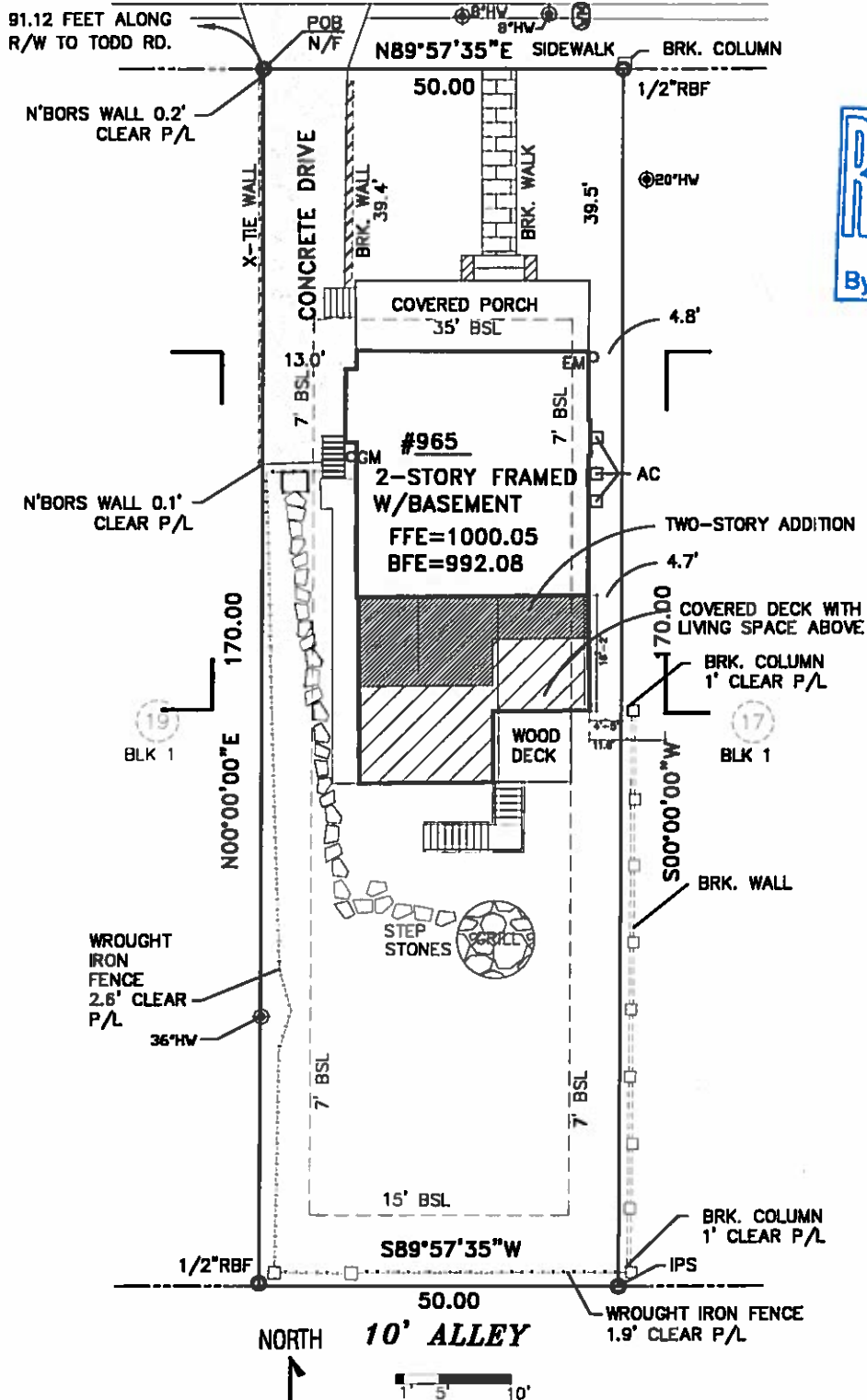
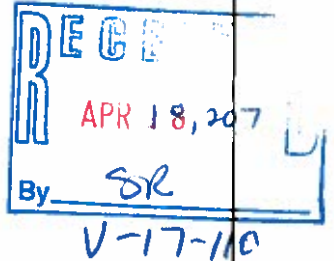
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Date: _____ Revision: _____

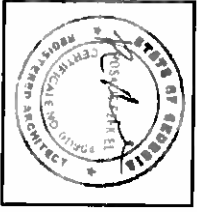
T: 404.788.2135
 rosalie@eparchitects.com

EP ARCH
 EZEKIEL POELKER
 ARCHITECTS, P.C.
 136 Glenn Circle
 Decatur, GA 30030



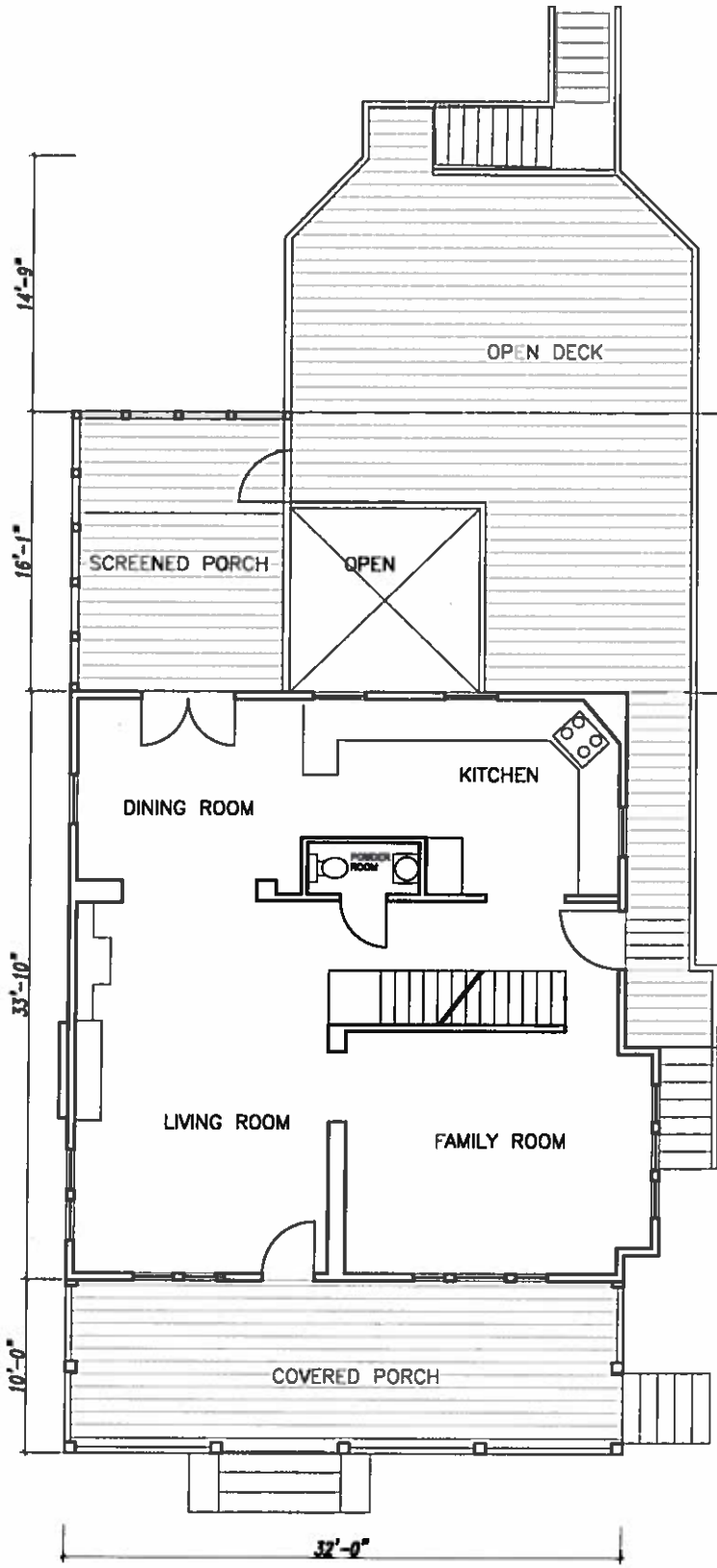
Rein/Miller Residence
 965 Adair Ave
 Atlanta, GA 30306
 ISSUE FOR VARIANCE
 Date: 04.17.17
 Scale: 1/16"=1'-0"
Proposed Site Plan

02



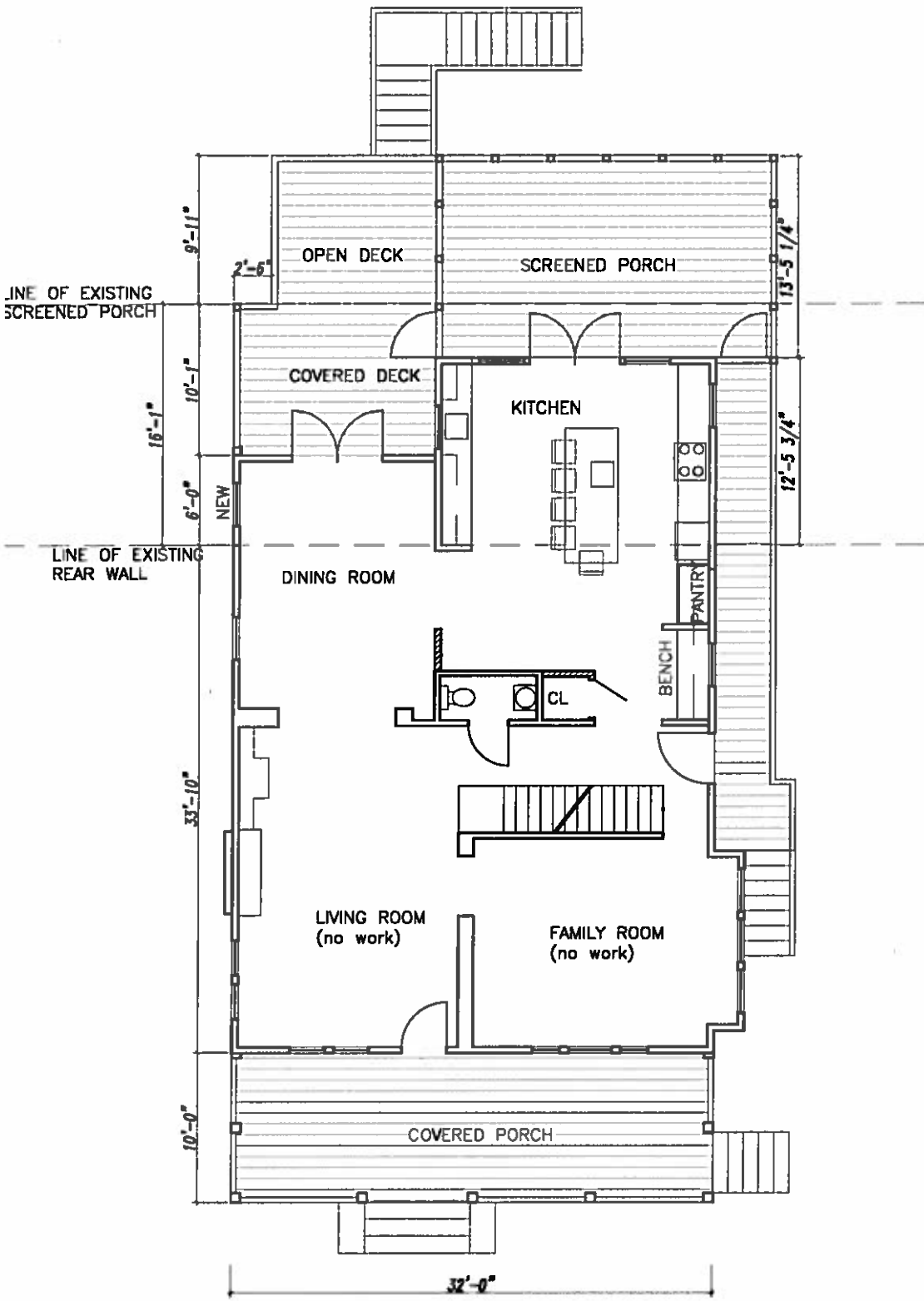
Date	Revision

EP ARCH
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 ARCHITECTS, P.C.
 136 Glenn Circle
 Decatur, GA 30030
 T: 404.788.2135
 rosalie@eparchitects.com



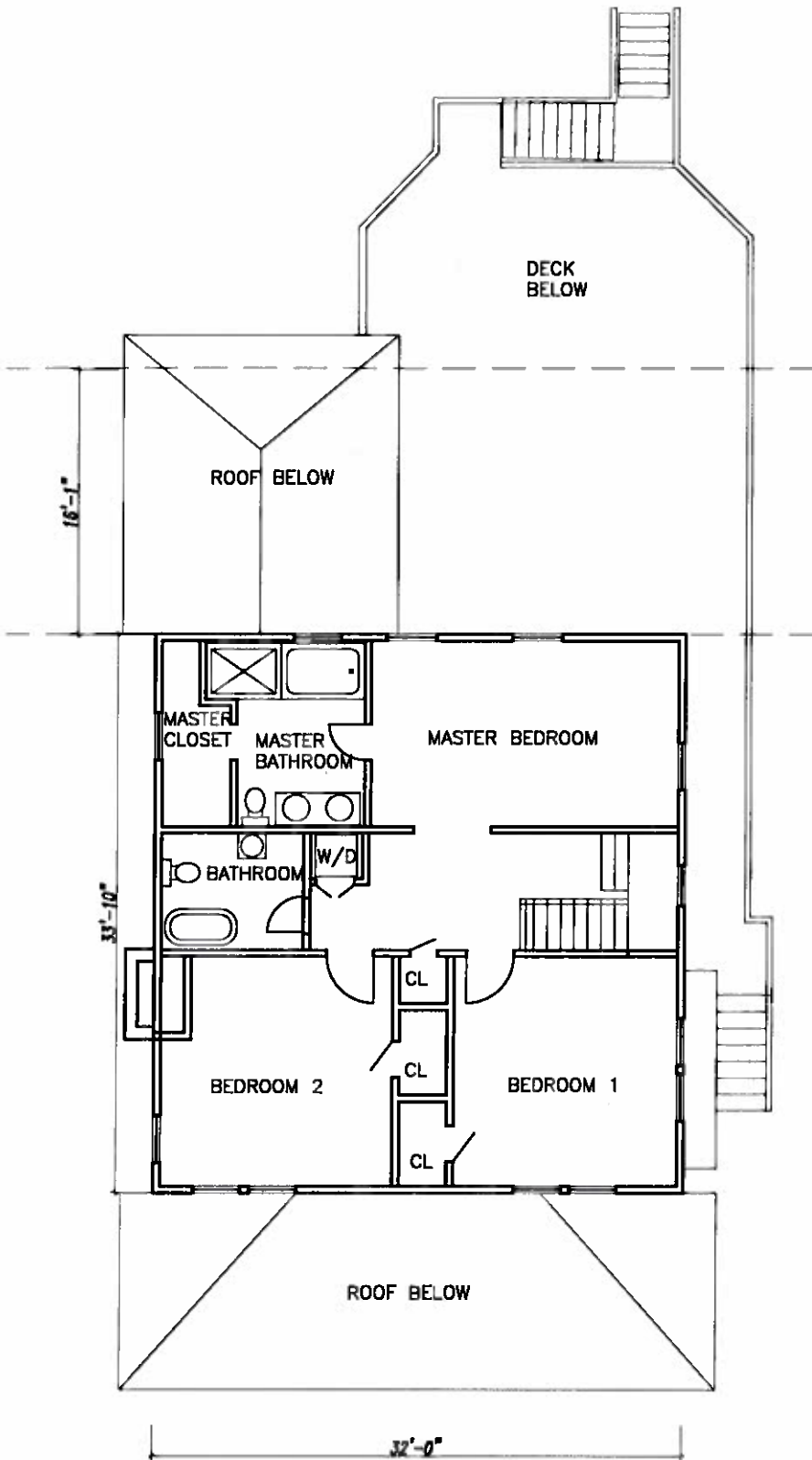
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01 FIRST FLOOR: EXISTING
 3/32"=1'-0"



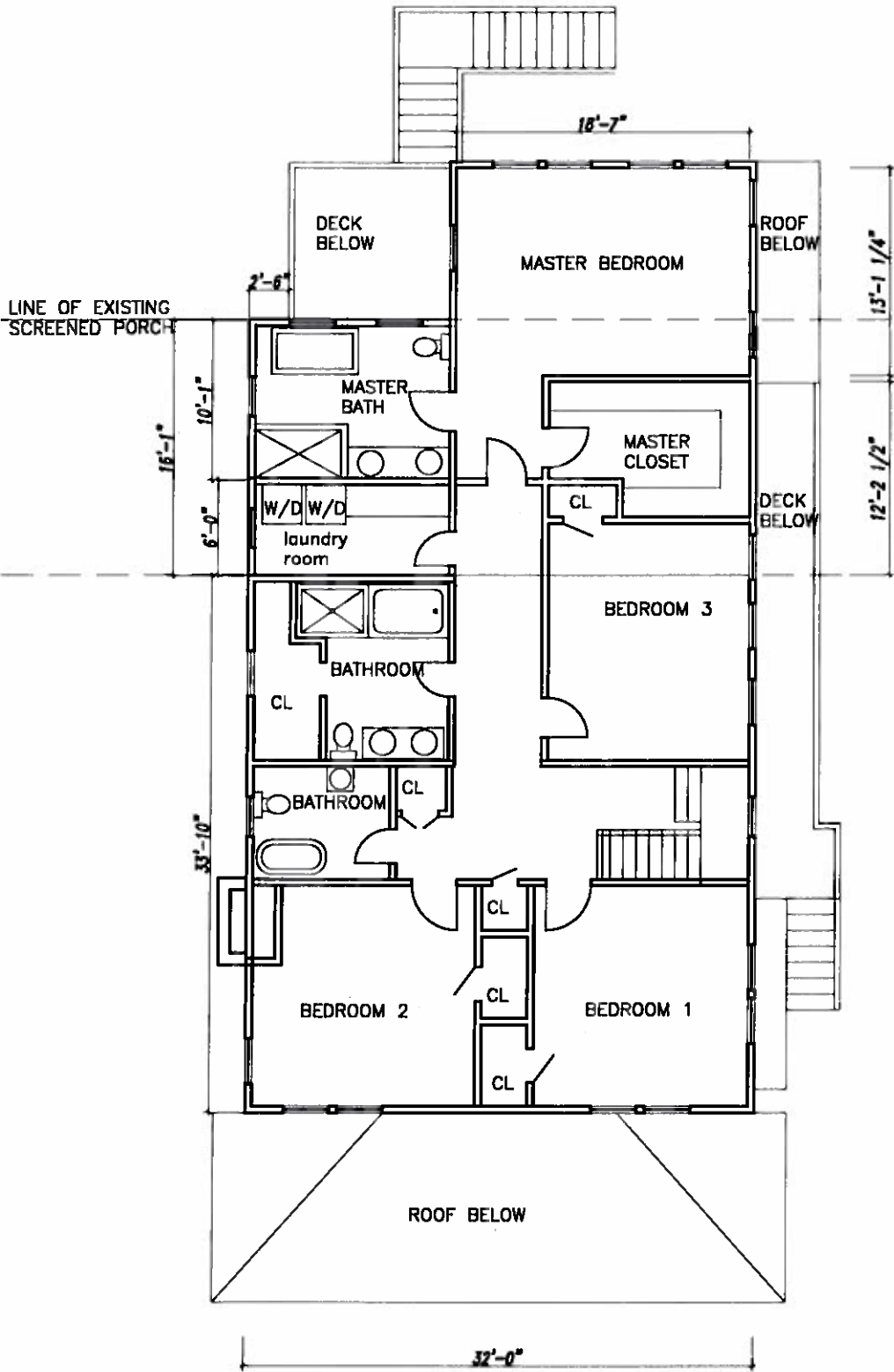
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02 FIRST FLOOR PLAN: PROPOSED
 3/32" = 1'-0"



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01 SECOND FLOOR: EXISTING
 3/32" = 1'-0"



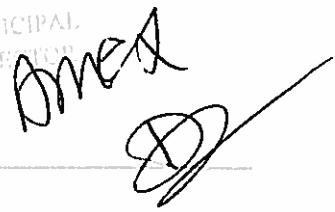
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 V-17-10

RECEIPT

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

Application: V-17-110
Application Type: Planning/BZA/Variance/NA
Address: 965 ADAIR AVE NE, ATLANTA, GA 30306
Owner Name: REIN SAMANTHA M & MILLER DAVID
Owner Address: 965 ADAIR AVE ATLANTA, GA 30306
Application Name: 965 ADAIR AVE NEQ

PAID
CITY OF ATLANTA
APR 18 2017
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR



Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
518122		\$100.00	04/18/2017	BSIMMONS		

Owner Info: REIN SAMANTHA M & MILLER DAVID
965 ADAIR AVE
ATLANTA, GA 30306

Work Description: APPLICANT SEEKS A VARIANCE FROM THE ZONING REGULATIONS TO REDUCE THE EAST REQUIRED SIDE YARD SETBACK FROM 7 FT TO 4 FT 4 IN.