



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

APPLICATION #: V-17-115

DATE ACCEPTED: 04/18/2017

## NOTICE TO APPLICANT

Address of Property:

**1448 North Morningside DR NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, June 8, 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,

  
\_\_\_\_\_  
Rhonda Boro  
RG, for Director, Bureau of Planning

  
\_\_\_\_\_  
Diane Barfield



V-17-115  
Office of Planning

APR 18 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  
Phone: 404-330-6175

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-17-115

NPU F DATE FILED \_\_\_\_\_

Dianne Barfield  
Name of Applicant

BUILDING PERMIT AUTHORIZING  
Construction of an 2<sup>nd</sup> story addition

at 1448 North Morningside Drive NE 17<sup>th</sup>/2  
Street Address Quadrant District & Land Lot

to be used for Residential purposes

The property is zoned R-4 (Single-Family Residential District) District

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

Applicant seeks a variance from the zoning regulation: to reduce the required north side yard setback from 7 feet to 3.4 feet to construct a 2<sup>nd</sup> story addition. 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 \_\_\_\_\_

[Signature]  
Plan Reviewer 9/17/17 Date

[Signature] V-17-115  
Applicant Date

# APPLICATION FOR BOARD OF ZONING ADJUSTMENT

APR 18 2017

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

Variance	
Special Exception	
Variance & Special Exception	

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

Date Filed \_\_\_\_\_

Application Number V-17-115

Name of Applicant Dianne Barfield Daytime Phone 404 606 0403

Company Name (if applicable) BARFIELD CONSULTANTS email BARFIELDCONSULT@AOL.COM

Address P.O. Box 475 MARROW GA 30260  
street city state zip code

Name of Property Owner \_\_\_\_\_ Phone N/A

Address 1448 N MORNINGSIDE DR Atlanta GA \_\_\_\_\_  
street city state zip code

### Description of Property

Address of Property 1448 N MORNINGSIDE DR Atlanta GA \_\_\_\_\_  
street city state zip code

Area: 17,756<sup>sq</sup> Land Lot: 2 District: 17, Fulton County, GA.

Property is zoned: R-4, Council District: 6, Neighborhood Planning Unit (NPU): I

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.

Dianne Barfield  
Owner or Agent for Owner (Applicant)

Print Name of Owner

Sworn To And Subscribed Before Me This 17 Day Of April, 20 17.

[Signature]  
NOTARY PUBLIC



# SUMMARY & JUSTIFICATION FOR VARIANCES APR 18 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).")

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**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.

1242 covered square feet / 17 756 total lot square feet = 41 % proposed lot coverage

50 % 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)? see attached

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- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? see attached

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- 3) What conditions are peculiar to this particular piece of property? see attached

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- 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. see attached

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Justification for Variance

1448 N. Morningside Dr.

APR 18 2017

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

Applicant seeks a variance from the zoning regulations to reduce the required side yard setback from 7 feet to 3.4 feet (Section 16-06.008) for an addition to a single-family house.

The extraordinary and exceptional conditions for this property is the nonconforming street frontage of 55 feet and the irregular shape that is narrow on the front portion of the lot and gradually widens through its depth. The lot has a change in grade rising upward from the street. The property is developed with an existing single-family house that meets the criteria of a nonconforming structure occupying the required side lot for more than half of its length.

The application of the zoning ordinance would create an unnecessary hardship in not allowing the owner full enjoyment of his property by providing improvements to accommodate his family's specific needs. The vertical addition relies on the structural support of the existing nonconforming setback and the functionality of the existing residence drives the proposed design.

The peculiar conditions to this lot is the limitations for improvements given the layout of the house and the vehicular access to the property and the existing attached garage on the southern portion of the property.

The proposed improvements are in keeping with the character of the neighborhood and are sensitive to the aesthetic appeal of the surrounding community. It is generally considered that allowing improvements to single-family homes create stability in the community by allowing families to grow into their homes which, in turn, provides desirable living conditions. The proposal does not obstruct light or air on surrounding properties and will be developed in accordance with applicable building codes. The vertical addition along with proposed renovations to the interior represents not only a financial but an emotional investment by the property owners. The improvement will most certainly protect against blight and depreciation by adding value to the community in general.

V-17-115

Office of Planning

APR 18 2017

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

### NOTARIZED AUTHORIZATION BY PROPERTY OWNER

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

TYPE OF APPLICATION Variance  
I, Zachariah Howard (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 1448 Norningside Dr NE Atlanta, GA 30301 (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 ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION.

NAME OF APPLICANT Dianne Barfield

ADDRESS OF APPLICANT \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_

Zach Howard  
Signature of Owner

Personally Appeared Before Me  
Zachariah J. Howard

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief  
[Signature]  
Notary Public

MARCH 29 2017  
Date

V-17-115

Office of Planning

1448 N. Morningside Dr.

Legal Description

APR 18 2017

86 Trinity Ave SEW  
Box 3380  
Atlanta, GA 30311

All that property being and lying in Land Lot 2 of the 17<sup>th</sup> District of Fulton County, Georgia; being more particularly described as follows:

**BEGINNING** at a point at the southwest intersection of N. Highland Ave. and N. Morningside Drive; running thence west along the southern right of way of N. Morningside Drive, a distance of 1346 feet to a point, said point being the TRUE POINT of BEGINNING; running thence west along the southerly right of way of N. Morningside Drive a distance of 55 feet to a point; running thence south a distance of 255.8 feet to a point; running thence east a distance of 85 feet to a point; running thence north a distance of 252.6 feet to a point on the right of way of N. Morningside Drive to the TRUE POINT of BEGINNING.

Property know as 1448 N. Morningside Drive according to the numbering system of the City of Atlanta, Georgia.

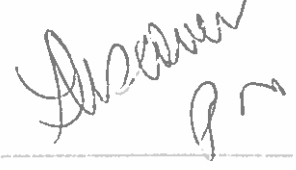
RECEIPT

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

PAID  
CITY OF ATLANTA

APR 18 2017

EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR



Application: V-17-115  
Application Type: Planning/BZA/Variance/NA  
Address: 1448 NORTH MORNINGSIDE DR NE, ATLANTA, GA 30306  
Owner Name: ANDERSON SUZANNE S  
Owner Address:  
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
518230		\$100.00	04/18/2017	PAMITCHELL		

Owner Info.: ANDERSON SUZANNE S

Work Description: Variance to reduce the required north side yard setback from 7 feet to 3.4 feet to construct a 2nd story addition.