



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

APPLICATION #: **V-17-118**

DATE ACCEPTED: **04/19/2017**

NOTICE TO APPLICANT

Address of Property:
2059 Manchester ST NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, July 6, 2017 at 12:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU F is:

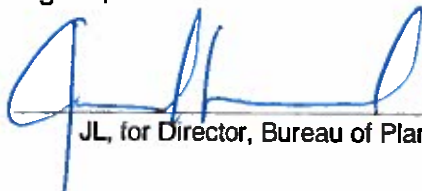
Charles Nalbone
404-376-3230
zoning@npufatlanta.org

Contact info for adjacent NPUs is provided below if necessary:

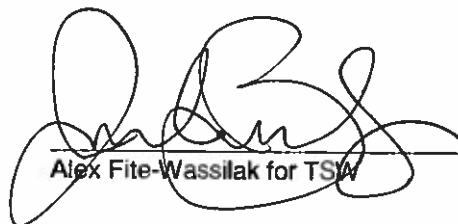
Additional Contacts:

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,



JL, for Director, Bureau of Planning



Alex Fite-Wassilak for TSW



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3900 - ATLANTA, GEORGIA 30335
404-330-6175 - FAX: 404-658-6979
Internet Home Page: www.atlantaga.gov

KASIM REED
MAYOR

Tim Keane, Commissioner
Dept. of Planning &
Community Development

Gregory L. Pace
Interim Director
Office of Buildings

Zoning Enforcement Division

REFERRAL CERTIFICATE

COUNCIL DISTRICT _____ APPLICATION NUMBER V-17-118

NPU _____ DATE FILED _____

1. Alex Fite-Wassilak (TSW)

Name of Applicant

BUILDING PERMIT AUTHORIZING Erect new multi-family development

at 2059 Manchester St., N.E. 17th / 50
Street Address Quadrant District & Land Lot

to be used for Residential purposes

The property is zoned MR-4B (pending rezoning approval) District

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

Applicant seeks a variance from zoning regulations to reduce the north side yard setback from 15ft.(required) to 7.5ft., and reduce the rear yard setback from 20ft.(required) to 6ft. to allow for the construction of a new multi-family development.

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 35 Section 16-35.010 Paragraph (2) & (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Department of Planning and Development
Office of Buildings
Gregory L. Pace, Interim Director

Applicant: X

Zoning Plan Reviewer: _____

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OFFICE OF BUILDINGS
PLANNING DEPARTMENT

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.

V-17-118

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.").

Develop site to connect with existing development to the north, including 9 attached single family houses.

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.

13,220 covered square feet / 18,531 total lot square feet = 71 % proposed lot coverage

N/A % 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 attachment

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 attachment

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

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 attachment



APPLICATION FOR BOARD OF ZONING ADJUSTMENT

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

Variance	X
Special Exception	
Variance & Special Exception	

Date Filed _____ Application Number W-17-118

Name of Applicant TSW (for Hedgewood Homes) Daytime Phone 404-873-6730 x129

Company Name (if applicable) TSW (for Hedgewood Homes) email afitewassilak@tsw-design.com

Address 1389 Peachtree Street, NE Suite 200 Atlanta GA 30309
street city state zip code

Name of Property Owner David & Phillip Wang Phone _____

Address 2059 Manchester Street NE Atlanta GA 30324
street city state zip code

Description of Property

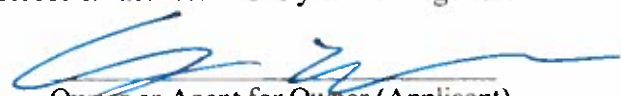
Address of Property 2059 Manchester Street NE Atlanta GA 30324
street city state zip code

Area: 0.4ac Land Lot: 50 District: 17, Fulton County, GA.

Property is zoned: I-1C, Council District: 6, Neighborhood Planning Unit (NPU): F

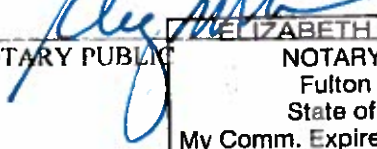
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant a Variance or Special Exception.

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)
 David & Phillip Wang
 Print Name of Owner

Sworn To And Subscribed Before Me This 5 Day Of Jan, 2017.


 NOTARY PUBLIC ELIZABETH W. WALSH
 NOTARY PUBLIC
 Fulton County
 State of Georgia
 My Comm. Expires January 7, 2018

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 _____

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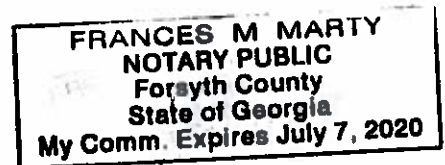
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David C Wang Phillip H Wang
 Owner or Agent for Owner (Applicant)

David & Phillip Wang
 Print Name of Owner

Sworn To And Subscribed Before Me This 19 Day Of Apr, 2017.
Frances M Marty
 NOTARY PUBLIC





Manchester 3

Variations and Special Exception Requested from BZA
MR-4B Zoning, pending approval
January 4, 2017

V-17-118

- A. Requesting a variation to reduce side yard setbacks from 15' to 7.5'
- B. Requesting a variation to reduce rear yard setbacks from 20' to 6'

Variance A Description: Reduce side yard setback

Section 16-35.010 (2) states that "MR-3, MR-4B and MR-5B: Minimum depth of 15 feet, except that the side yard may be reduced to zero feet when a residential use has no residential windows adjacent to such yard." For this particular lot, a setback of 7.5 feet is requested for a several of the buildings along the north edge of the property that include windows. There are other side yards in the property that have no windows and therefore do not need a variation. The adjacent property to the north is owned by the same entity and is an already constructed phase of the same development. There is an alley that provides access to the proposed 9 buildings in the proposed phase and the buildings with the requested 7.5' side yard will be adjacent to this alley. As a result the distance between buildings of the previous phase and the proposed phase are still 30' apart. This variance if granted meets the intent of the Zoning Ordinance and does not cause detriment to the public good.

Variance B Description: Reduce rear yard setback

Section 16-35.010 (3), referring to rear yard requirements, specifies that "MR-4 through MR-5A and MR-6: Minimum depth of 20 feet." For this particular lot, a rear yard of 6 feet is requested. The property is adjacent to a long-term industrial use, and along that east edge of the property is a steep incline. The adjacent property will be roughly 10 feet below the proposed property. As such the difference in height both helps deflect sound and provides a visual break between the uses. The reduced rear yard does not cause harm to the public good, and is consistent with the intent of the Zoning Ordinance for higher-density housing in MR-4B.

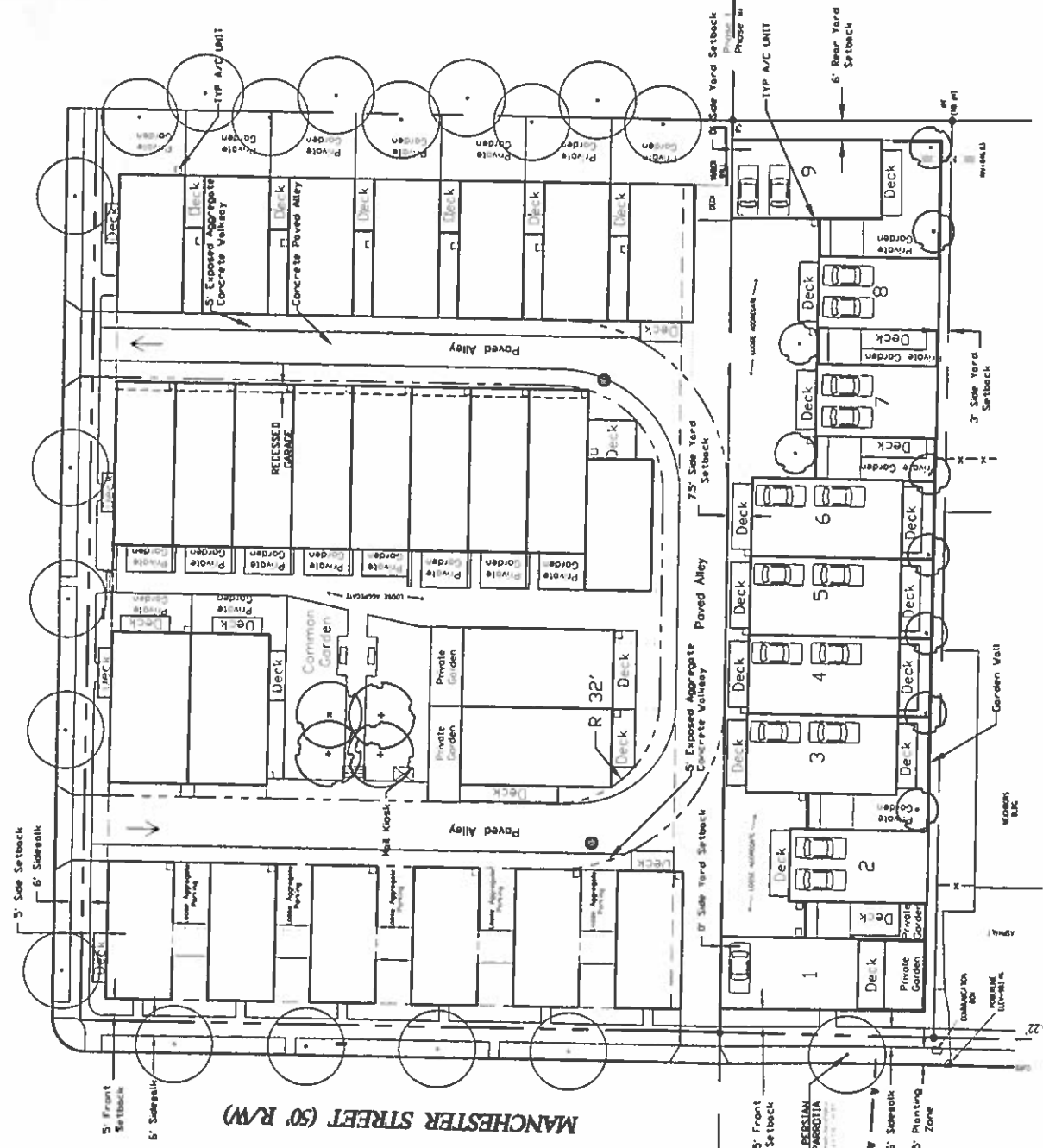
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drawing scale
 1" = 30'

drawing information
 drawn by:
 prepared by:
 Checked by:
 Alan He-Wassilak
 AICP
 License No. 198765
 project title

Manchester Street Phase III
 for
Hedgewood Homes

drawing date
 Jan. 4, 2017



The building types, building footprints, walkway locations, open space locations, well locations, parking locations, private alley locations, lot locations, provided for illustrative purposes only. The building types, building footprints, walkway locations, open space locations, well locations, parking locations, private alley locations, lot locations, provided for illustrative purposes only and may be altered to the extent deemed by the district engineer or city-approved revisions sheets.

Project Summary

Site Information	
Current Zoning	I1-C
Proposed Zoning	MR-4B
Net Lot Area	18,531 sq. ft.
Density	
Total Proposed Residential Floor Area	18,218 sq. ft.
Total Existing Non-Residential Floor Area	0 sq. ft.
Total Proposed & Existing Non-Residential & Residential Floor Area	18,218 sq. ft.
Residential Floor Area Ratio (FAR) Provided	0.983
Non-Residential Floor Area Ratio (FAR) Provided	0.000
Non-Residential & Residential FAR Provided	0.983
Max Permitted FAR	1.490
Total Residential Units	8
Open Space	
Usable Open Space Provided	7,548 sq. ft.
Usable Open Space Ratio Provided	0.41
Usable Open Space Ratio Required	0.40
Parking	
Residential Parking Provided	17
Non-Residential Parking Provided	0
Visitor Parking Provided	0
Total Parking Provided	17
Total Parking Required	8

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V-17-118

Unit	Type
1-2, 7-8	22'x42'
3-6, 9	24'x46'

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, Phillip Wang (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 2059 Manchester street NE (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 TSW (for Hedgewood Homes) FIRST NAME _____
ADDRESS 1389 Peachtree Street NE SUITE 200
CITY Atlanta STATE GA ZIP CODE 30309

OWNER'S TELEPHONE NUMBER: X 404 667 9484

X [Signature]
SIGNATURE OF OWNER
Phillip Wang
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
4/19/2017
DATE

FRANCES M MARTY
NOTARY PUBLIC
Forsyth County
State of Georgia
My Comm. Expires July 7, 2020

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, _____ (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT _____ (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.

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LAST NAME TSW (for Hedgewood Homes) FIRST NAME _____

ADDRESS 1389 Peachtree Street NE SUITE 200

CITY Atlanta STATE GA ZIP CODE 30309

OWNER'S TELEPHONE NUMBER: _____

David C Wang Phillip H Wang
SIGNATURE OF OWNER

DAVID C & PHILIP H WANG
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.

Frances Marty
NOTARY PUBLIC

4/19/2017
DATE

FRANCES M MARTY
NOTARY PUBLIC
Forsyth County
State of Georgia
My Comm. Expires July 7, 2020

**FIRST AMERICAN TITLE INSURANCE COMPANY
AMERICAN LAND TITLE ASSOCIATION**

File No.: A5414

Commitment No.: A5414

**Exhibit "A"
Legal Description**

V-17-118

LEGAL DESCRIPTION (Per Deed Book 50055, Page 33):

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 50 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA, BEING KNOWN AS LOT 26, PLAT OF SUBDIVISION OF ESTATE OF MRS. P. A. LIDDELL, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE EASTERLY RIGHT-OF-WAY LINE OF MANCHESTER STREET (A 50-FOOT RIGHT-OF-WAY) WHICH IRON PIN IS LOCATED 194.83 FEET SOUTHERLY FROM THE INTERSECTION FORMED BY THE EASTERLY RIGHT-OF-WAY LINE OF MANCHESTER STREET WITH THE SOUTHERLY RIGHT-OF-WAY OF LIDDELL DRIVE, AS MEASURED ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MANCHESTER STREET; RUNNING THENCE NORTH 89°18'47" EAST A DISTANCE OF 280.00 FEET TO AN IRON PIN SET; RUNNING THENCE SOUTH 00°54'03" EAST A DISTANCE OF 65.00 FEET TO AN IRON PIN SET; RUNNING THENCE SOUTH 89°18'47" WEST A DISTANCE OF 280.00 FEET TO AN IRON PIN FOUND ON THE EASTERLY RIGHT-OF-WAY LINE OF MANCHESTER STREET; RUNNING THENCE NORTH 00°54'03" WEST ALONG AND FOLLOWING SAID RIGHT-OF-WAY LINE A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING; AS SHOWN ON PLAT OF SURVEY PREPARED FOR W AND W BEAN PRODUCT, INC. AND THE SUMMIT NATIONAL BANK BY SOLAR LAND SURVEYING COMPANY, CERTIFIED BY JOHN W. STANZILLIS, JR., GEORGIA REGISTERED LAND SURVEYOR NO. 2109, DATED APRIL 6, 1995; AND BEING IMPROVED PROPERTY KNOWN AS 2059 MANCHESTER STREET, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING STREETS AND ROADS IN THE CITY OF ATLANTA, FULTON COUNTY, GEORGIA.

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RECI

CITY OF ATLANTA BLDG PERMI
55 TRINITY AVE STE 1350
ATLANTA, GA 30303

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55 TRI
404-3

04/19/2017

14:41:01

CITY DEVELOPMENT

CREDIT CARD
AMEX SALE

PAID
CITY OF ATLANTA

APR 19 2017

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR



Card #: XXXXXXXXXXXX2010
Chip Card: AMERICAN EXPRESS
AID: A000000025010801 /BZA/Variance/NA
ATC: 002D WINCHESTER ST NE, ATLANTA, GA 30324
TC: 51E566A664923C1D RIC Y ET AL
SEQ #: 15
Batch #: 90
INVOICE 15

Receipt
Payment
Credi
Approval Code: 838956
Entry Method: Chip Read
Mode: Issuer
Payment Date: 04/19/2017
Cashier ID: PAMITCHELL
Received
Comments

Owner
SALE AMOUNT \$625.00

Work
Descri
CUSTOMER COPY
om from 15' to 7.5" reduction of rear yard from 20' to 6' to
new multifamily development

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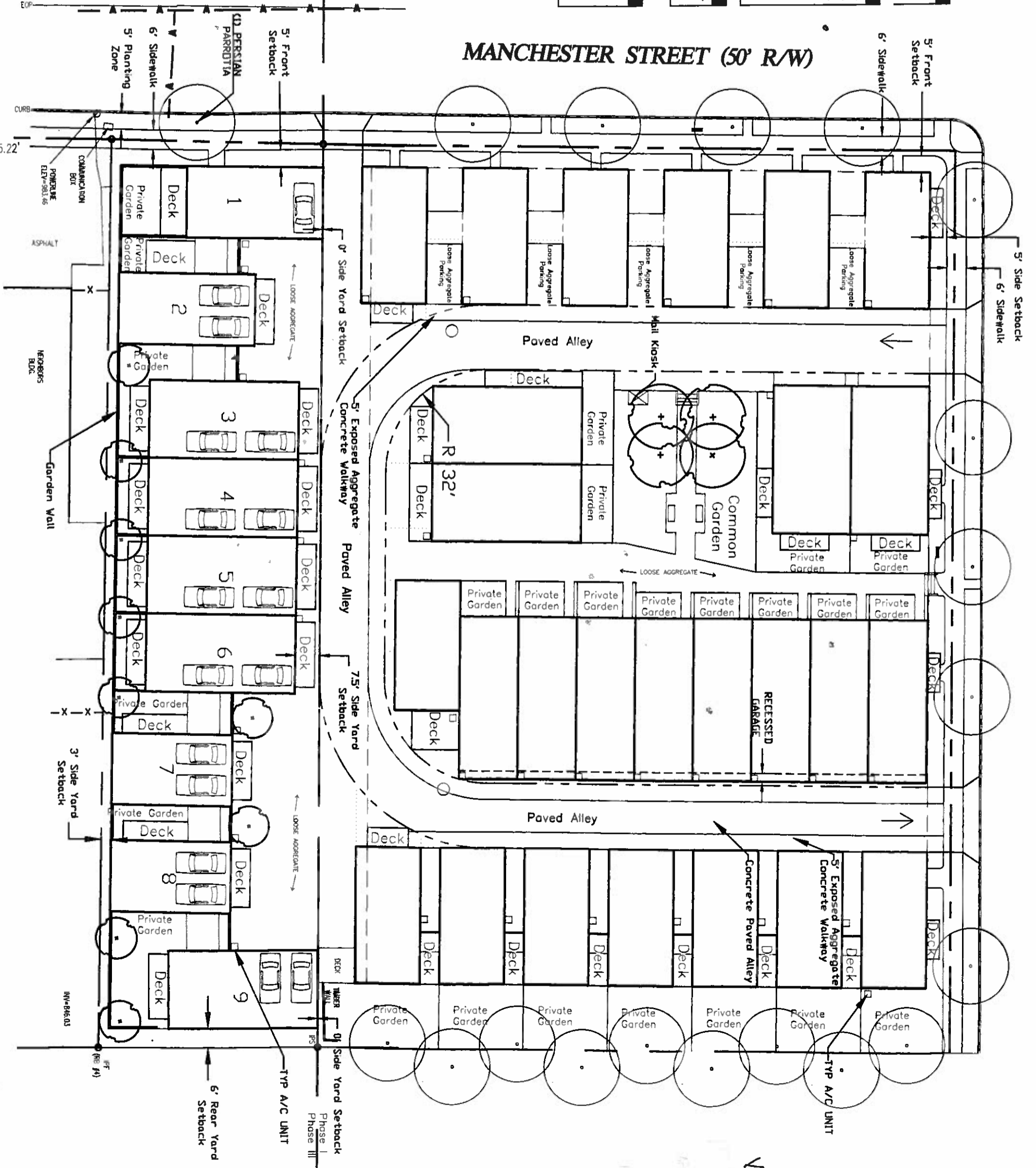
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Total Parking Required	8

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MANCHESTER STREET (50' R/W)



The building types, building footprints, walkway locations, open space locations, well locations, parking locations, private alley locations, use locations, provided FAR, provided parking, provided open space, and lot lines that are shown on the site plan are for illustrative purposes only and may be altered to the extent allowed by the district regulations or City-approved variations thereto.