



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

APPLICATION #: **V-17-119**  
DATE ACCEPTED: **04/21/2017**

## NOTICE TO APPLICANT

Address of Property:  
**2283 Pembroke PL 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**

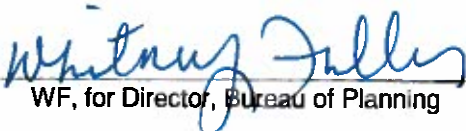
Contact info for adjacent NPUs is provided below if necessary:

**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,

  
WF, for Director, Bureau of Planning

  
TIM RYAN



V-17-119  
Office of Planning

APR 21 2017

# CITY OF ATLANTA

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

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

## REFERRAL CERTIFICATE

COUNCIL DISTRICT \_\_\_\_\_ APPLICATION NUMBER V-17-119

NPU F DATE FILED 4-21-2017

1. Timothy Patrick Ryan  
Name of Applicant

### BUILDING PERMIT AUTHORIZING

Addition to single-family dwelling

at 2283 Pembroke PL NE 17<sup>th</sup>/5  
Street Address Quadrant District & Land Lot

to be used for Single- Family 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: (1) reduce the required southern side yard setback from 7 feet 1.5 feet and (2) reduce the required northern side yard setback from 7 feet to 5.5 feet – for an addition to a single-family dwelling.

Applicant seeks no other variances at this time.

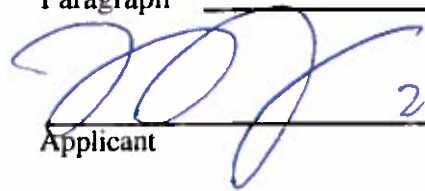
A Complete Plan Review Was Not Conducted  
**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Chapter \_\_\_\_\_ Section \_\_\_\_\_ Paragraph \_\_\_\_\_

Scott Haerberlin 4-21-17  
Plan Reviewer Date

 21 April 2017  
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 21 April 2017

Application Number V-17-119

Name of Applicant TIMOTHY PATRICK RYAN Daytime Phone 404 234 0739

Company Name (if applicable) \_\_\_\_\_ email \_\_\_\_\_

Address 2283 Pembroke Pl NE Atlanta GA 30324  
street city state zip code

Name of Property Owner TIM RYAN Phone 404 234 0739

Address 2283 Pembroke Pl NE Atl. GA 30324  
street city state zip code

## Description of Property

Address of Property 2283 Pembroke Pl NE Atlanta GA 30324  
street city state zip code

Area: 0320 Land Lot: 7 District: 17th, Fulton County, GA.

Property is zoned: R-4, Council District: 2, 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)  
TIMOTHY PATRICK RYAN  
Print Name of Owner

Sworn To And Subscribed Before Me This 21st Day Of April, 2017

  
NOTARY PUBLIC



August 2016 - Page 1 of 12

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Atlanta, GA

V-17-119

## 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.)

**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.

3000 covered square feet / 8470 total lot square feet = ~~411~~ 35 % 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)? The property in question is a three-sided lot.
- 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. \_\_\_\_\_

Office of Planning

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**R****TIM RYAN**2283 Pembroke Place NE  
Atlanta, GA 30324

Phone: 404 234 0739

timryan007@yahoo.com

Subject: Variance Request & Justification  
Date: April 20, 2017  
Re: Lot 7 Block E  
Subdivision: Lindridge Martin Manor  
2283 Pembroke PL NE  
Atlanta, GA 30324-4222

11-17-119  
Office of Planning

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65 Trinity Ave. S.W.  
Ste. 3180  
Atlanta, GA**SUMMARY OF PROPOSED CHANGES**

The existing lot is zoned R-4 which requires a 30 FT front setback and 7 FT side setback. In order to build a single-family dwelling on this lot that maintains the character of the neighborhood, this variance request is to:

1. Reduce the 30 FT front yard setback to approximately 20 FT
2. Reduce the 7 FT side yard (southwest-facing) setback to approximately 1.5 FT
3. Reduce the 7 FT side yard (southeast-facing) setback to approximately 5.5 FT

The planned new structures include an addition of a bedroom and bathroom (to the front of the existing house), expansion of existing dining room (to the side of the existing house), enclosing existing back deck and converting existing carport into a garage. New structures will add approximately 1,000 SF of finished space to the home and the finished garage will be 300 SF of unfinished space.

**JUSTIFICATION OF VARIANCE**

The variance is being requested to address challenges that the required minimum 30 FT front and 7 FT side setbacks present. The main challenge is the shape and size of the lot. It is significantly smaller than conforming R-4 lots so the setback requirements reduce the buildable area in a lot that is inherently reduced due to its shape and dimensions. This request meets all four of zoning variance criteria outlined in Sec. 16-26.003 of the City of Atlanta zoning ordinance:

1. **Extraordinary and exceptional conditions pertaining to this property because of its size, shape or topography** – The property in question is a three-sided lot. It has a shape that limits development in its buildable area. The shape of this lot limits development in the rear side of the lot and therefore requires new structures to be developed in the front of the lot.

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The 7 FT side setback already has a pre-existing structure (carport) that encroaches into the setback. The new expanded dining room would infringe upon the (already breached) southwest side setback by approximately 4.5 FT. The new bedroom addition on the southeast side is a continuation of the existing structure which already encroaches on the 7 SF setback. The existing home is grandfathered as it is 5' 10" from the property line and is less than the required 7 FT setback guidelines.

NOTE: Tree located near front addition structure in attached proposed plan was deemed hazardous by the City Arborist and was removed December 27, 2016. Permit number: BA-201607159

**2. Hardships created:**

- a. The 30 FT front setback would eliminate the ability to add a new structure to the front of the house (additional bedroom and bathroom). After reviewing architectural and financial considerations, the only viable option to increasing living space to the property is to encroach into the front and side setbacks.
- b. The 7 FT side setbacks would eliminate the ability to expand the existing structure to add onto the dining nook space (on the southwest side) and add a new bedroom and bathroom (on the southeast side); effectively reducing the space's functionality.

**3. Conditions peculiar to this piece of property –** The zoning ordinance requiring a 30 FT front setback is unique and punitive as this is a three-sided lot. The surrounding properties are four-sided lots and therefore have room in the rear of the lot for building development. Additionally, the existing structure/home is currently one of the smaller structures in the neighborhood.

**4. Consistent with the Zoning Ordinance purpose and intent –** The variance requested herewith would not be detrimental to the public good nor is it in conflict with the intended purpose of the Zoning Ordinance. The variance would still allow for the land lot to be used for a single family dwelling as intended by the Zoning Ordinance. In addition, the variance would allow to further the following purposes and intents: promote desirable living conditions, sustain stability of the neighborhood, and provide for the orderly evolution of the neighborhood.

PROPERTY ADDRESS:  
2283 Pembroke Pl. Nw  
ATLANTA, GA

LAND AREA:  
8470 SF  
0.194 AC

IMPERVIOUS AREA:  
EXIST= 3664 SF=43%  
ZONING: R-4



PLAT PREPARED FOR:  
Tim Ryan

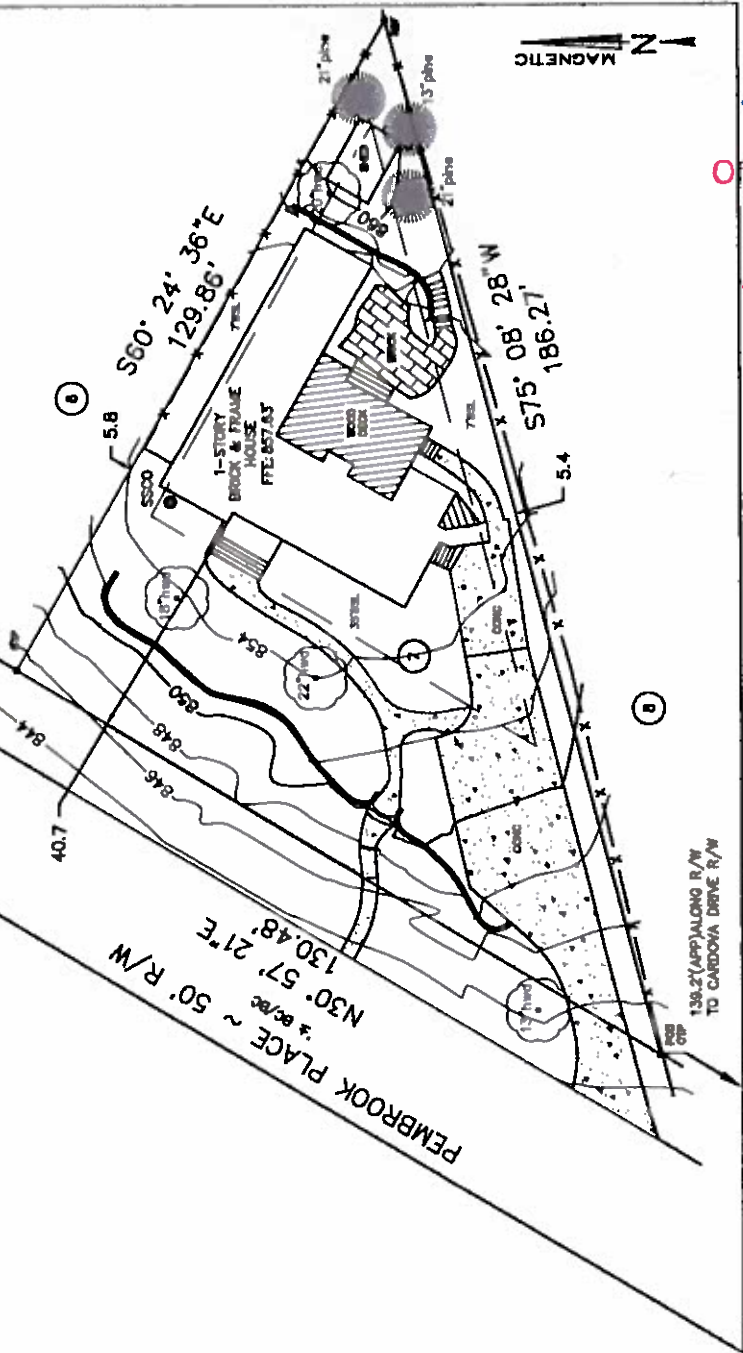
LOT 7 BLOCK E SUBDIVISION MARTIN DEVELOPMENT PROPERTY	SECTION	BY:
LAND LOT 5 17TH DISTRICT	FIELD: DATE 3-14-2016	TM
FULTON COUNTY, GEORGIA	DRINK: DATE 3-15-2016	TW
LOCATED IN ATLANTA	DEED BOOK 33130, PAGE 81	
PLAT BOOK 35, PAGE 83	ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	
DEED BOOK 33130, PAGE 81		

**SURVEY SYSTEMS & ASSOCIATES, INC.**  
657 Lake Drive, Suwanee, GA 30038 ~ COA # LST000867 ~ INFO@SURVEYSYSTEMS.ATLANTA.GA  
770-458-7885 ~ OFFICE 404-780-0010

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET. AN ANGULAR ERROR OF 05 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 86,930 FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

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. 15-9-57.

- LEGEND:**  
NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.  
AN= ALSO KNOWN AS  
APP AS PER PLAT  
B= BUILDING (SETBACK) LINE  
C= COMPUTED POINT  
CTP= COMP TOP PIPE FOUND  
D= DEED (BOOK/PAGE)  
DW= DRIVEWAY  
EP= EDGE OF PAVEMENT  
FFL= FINISH FLOOR ELEVATION  
FF= FORMERLY KNOWN AS  
FFL= FINISH FLOOR ELEVATION  
L= LAND LOT  
LL= LAND LOT LINE  
M= MANSION'S  
N/W= NORTHEAST CORNER  
N= NAIL  
P= PLAT (BOOK/PAGE)  
P= POINT OF BEGINNING  
PCC= POINT OF COMMENCEMENT  
R= RADIUS LENGTH  
R/W= RIGHT-OF-WAY  
R/W= (1/2" L&O)  
RFB= REINFORCING BAR FOUND  
RBS= REINFORCING BAR SET  
S= SKULLWALK  
SW= SANITARY SEWER EASEMENT  
SSCO= SANITARY SEWER CLEANOUT  
-X- FENCE LINE



ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE. NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONFLICT WITH SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYOR'S PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONFLICT WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES.

- THIS MAP/PLAT HAS BEEN FIELD RUM WITH ASSUMED ELEVATIONS, THEN ADJUSTED TO NOV. 1928 BASED ON MULTIPLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES. THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT).

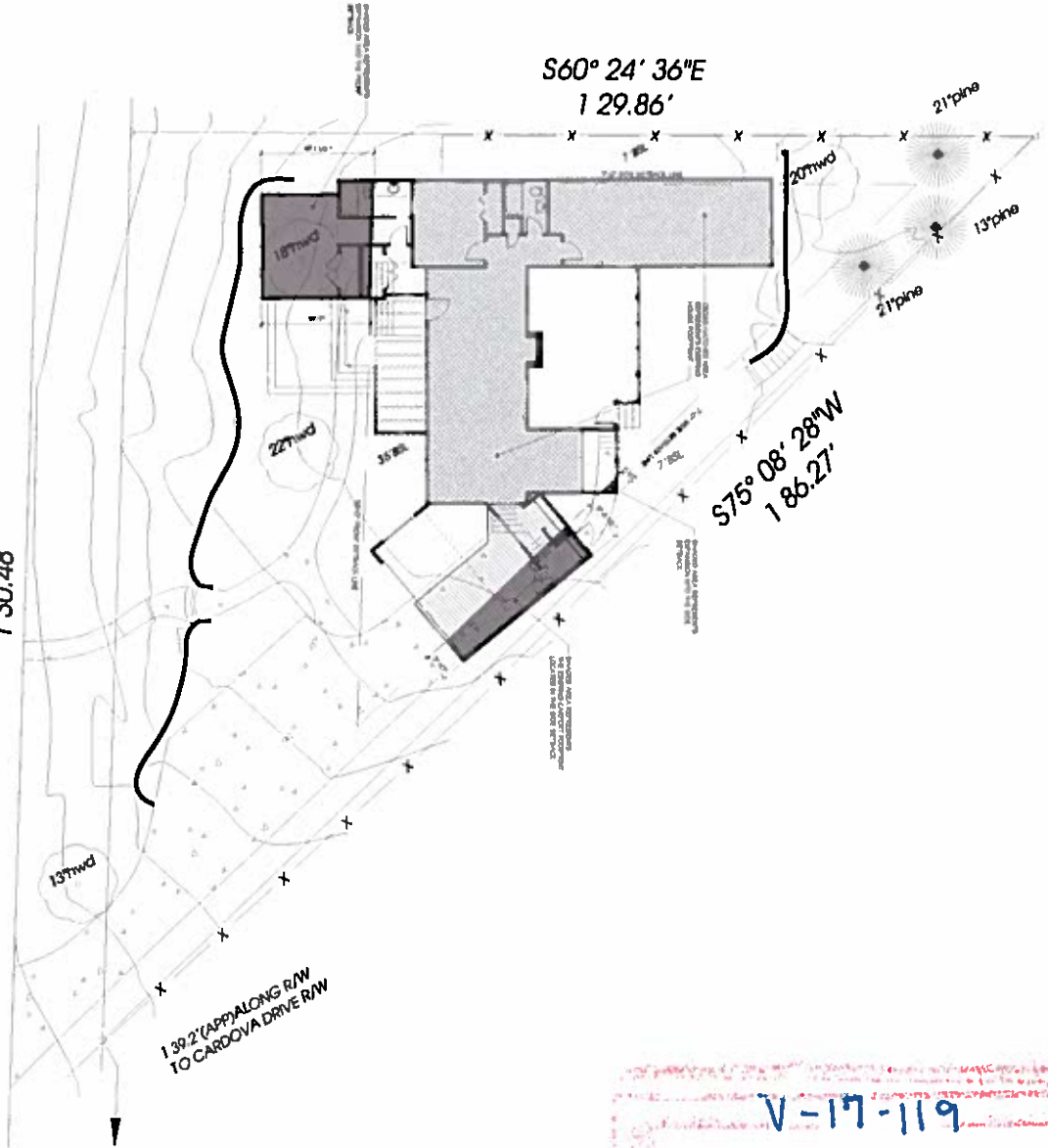
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APR 21 2017  
55 Trinity Ave. S.W.  
Ste. 3350  
Atlanta, GA

PEMBROOK PLACE ~ 50' R/W

E BC/BC

N30° 57' 21"E  
130.48'

1 SITE PLAN



V-17-119

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

11-11-11  
A1.0

REVISIONS:  
NO. DESCRIPTION

ISSUED FOR CONSTRUCTION

RENOVATION FOR  
**THE RYAN'S**  
2103 PEMBROOK PLACE  
ATLANTA, GEORGIA 30324





RYAN RENOVATION

MASSING MODEL  
2016.06.10

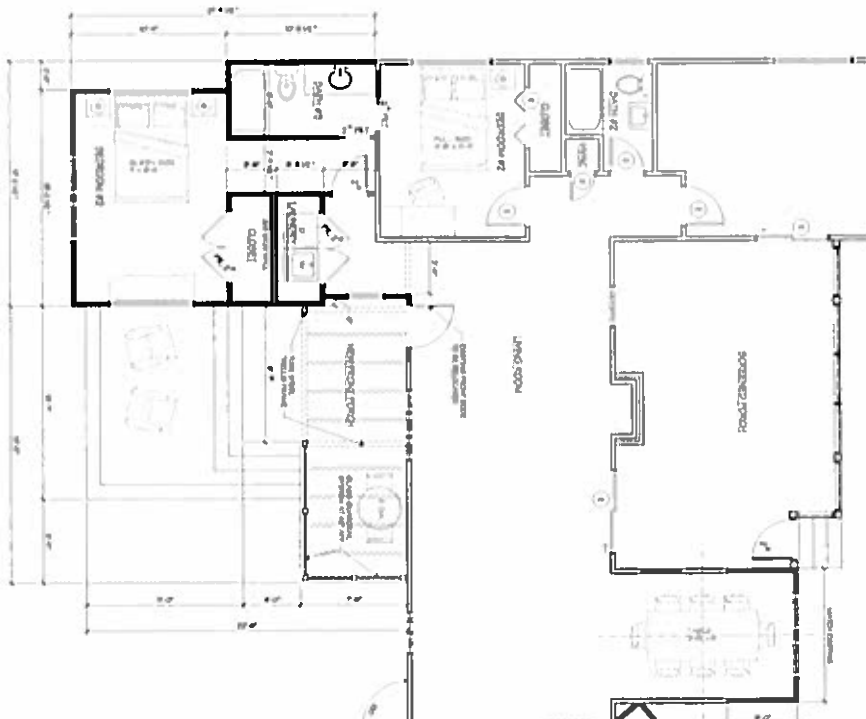


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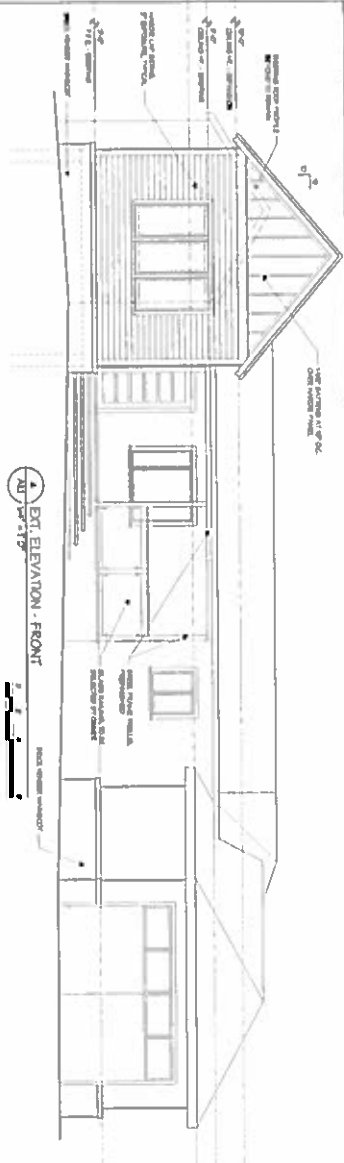
Office of Planning

APR 21 2017

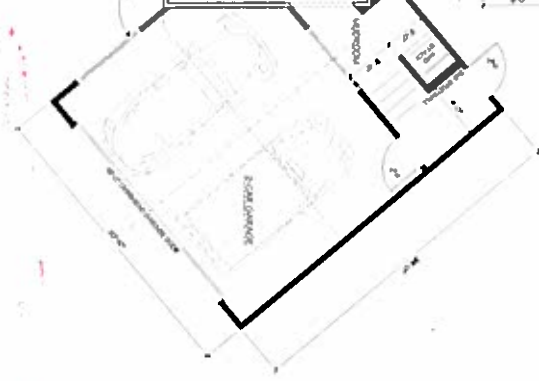
55 Trinity Ave. S.W.  
Ste. 3350  
Atlanta, GA



2 FLOOR PLAN



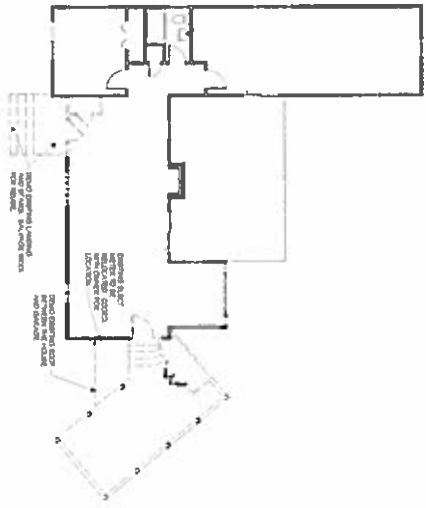
EXT. ELEVATION - FRONT



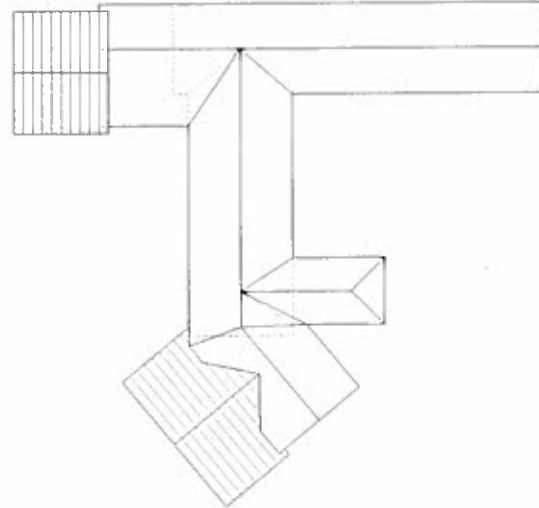
V-17-119  
Office of Planning

APR 21 2017

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



DEMOLITION PLAN



ROOF PLAN

PROJECT NO.	2017-11
DATE	APR 11
ISSUED FOR	CONSTRUCTION

CHANGING TITLE	FLOOR PLAN AND OTHER ELEMENTS
REVISIONS:	NO. DESCRIPTION

ISSUED:	DATE	BY
DATE	BY	DATE

RENOVATION FOR  
**THE RYAN'S**  
2283 PEMBRIDGE PLACE  
ATLANTA, GEORGIA 30324

*[Signature]*  
DALE WATSON, PRESIDENT

FEIVIDKOUK PLACE ~ 50' R/W

E BC/BC

N30° 57' 21"E  
130.48'

139.2' (APP) ALONG R/W  
TO CARDOVA DRIVE R/W

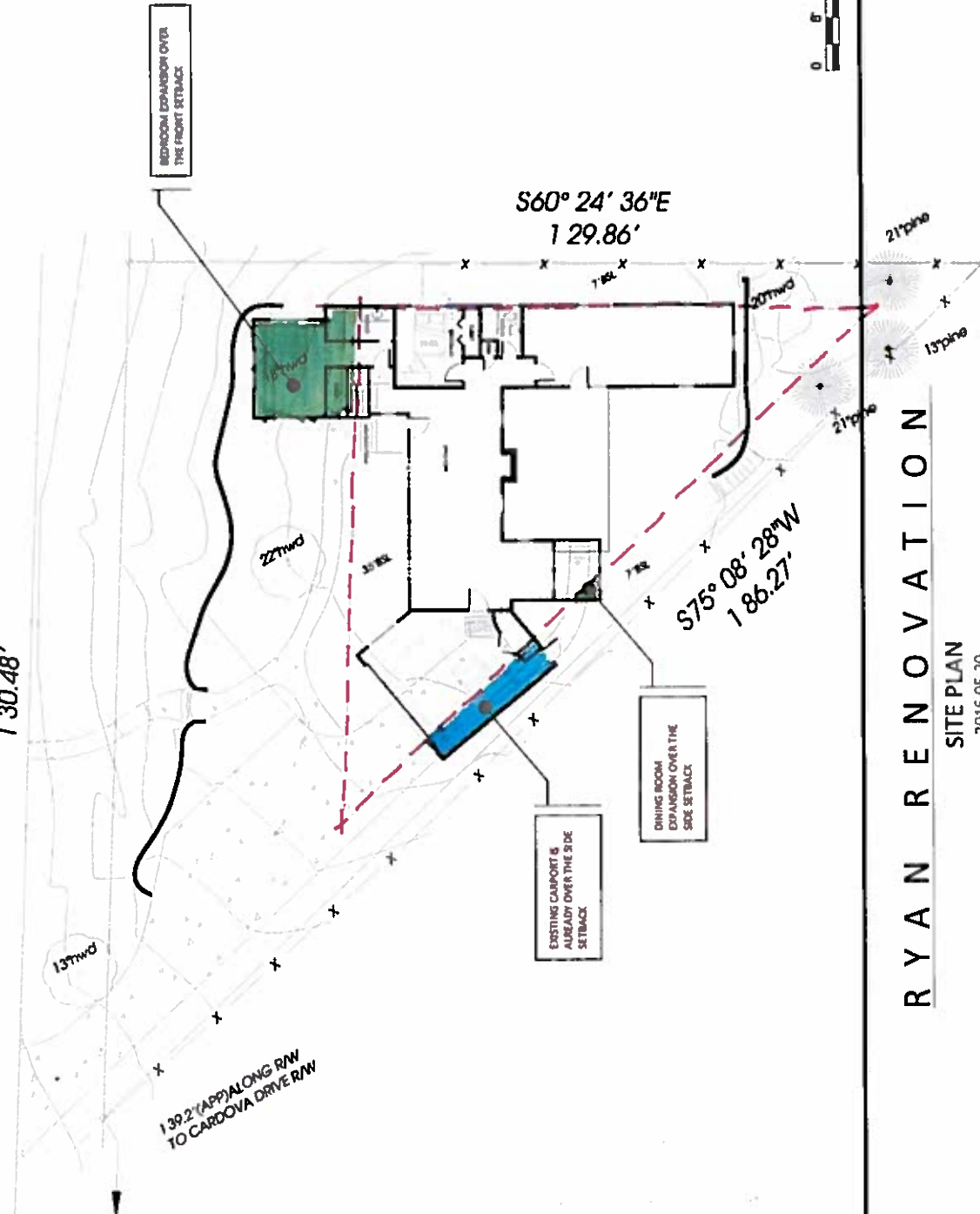
BEDROOM EXPANSION OVER  
THE FRONT SETBACK

S60° 24' 36"E  
129.86'

S75° 08' 28"W  
186.27'

EXISTING CARPORT IS  
ALREADY OVER THE SIDE  
SETBACK

DINING ROOM  
EXPANSION OVER THE  
SIDE SETBACK



RYAN RENOVATION

SITE PLAN  
2016.05.20

V-17-119

Office of Planning

APR 21 2017

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

*[Signature]*  
DALE HOPE DESIGN

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

04/21/2017

13:30:48

CREDIT CARD  
VISA SALE

ND COMMUNITY DEVELOPMENT  
IA 30303

Card #  
Chip Card  
AID:  
ATC:  
TC:  
SEQ #:  
Batch #:  
INVOICE  
Approval Code:  
Entry Method:  
Mode:

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Visa Credit  
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0006  
5C7288C131AEC9CF  
3  
44  
3  
021600

ion: V-17-119  
rpe: Planning/BZA/Variance/NA  
ss: 2283 PEMBROOK PL NE, ATLANTA, GA 30324  
ne: RYAN TIM  
ss: ,GA  
to: 0

nt Paid	Payment Date	Cashier ID	Received	Comments
100	04/21/2017	PLUKE		

SALE AMOUNT

\$100.00

CUSTOMER COPY

RED SOUTHERN SIDE YARD SETBACK FROM 7 FEET TO 1.5 FEET  
EQUIRED NORTHERN SIDE YARD SETBACK FROM 7 FEET TO 5.5.  
ON TO A SINGLE FAMILY DWELLING.

