



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

APPLICATION #: **V-17-123**
DATE ACCEPTED: **04/27/2017**

NOTICE TO APPLICANT

Address of Property:
1738 Pine Ridge DR 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:

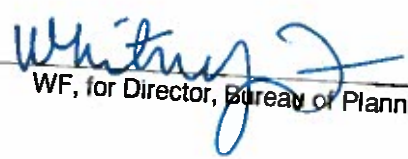
Charles Nalbone
404-376-3230
zoning@npufatlanta.org

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


April Ingraham



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-17-123
NPU F DATE FILED 4-27-2017

1. April Ingraham
Name of Applicant

BUILDING PERMIT AUTHORIZING

2nd Story Addition/ HVAC Units

at 1738 Pine Ridge DR NE 17th/51
Street Address Quadrant District & Land Lot

to be used for Residential purposes

The property is zoned R-3 District

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

Applicant seeks a variance from the zoning regulation to reduce the required eastern side yard setback from 10 feet to 3 feet, two inches in order to construct a second story addition and to place HVAC units over 30 inches in height in the required side yard.

Applicant seeks no other variances at this time.

A Complete Plan Review Was Not Conducted.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 5 Section 16-05.008 Paragraph 2

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Scott Haeberlin 4-27-17
Plan Reviewer Date

April Ingraham 4/27/17
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 4-27-2017

Application Number 11-17-123

Name of Applicant APRIL INGRAHAM

Daytime Phone 404-421-1520

Company Name (if applicable) THE PERMIT SPECIALIST LLC email CONSULTANT@THEPERMITSPECIALIST.COM

Address 165 WEST WIEUCA RD., NE STE #305 ATLANTA GA 30342
street city state zip code

Name of Property Owner ANNE AND STEVE SPIVEY Phone 443-799-9913

Address 1738 PINE RIDGE DR NE ATL GA
street city state zip code

Description of Property

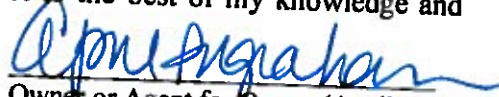
Address of Property 1738 PINE RIDGE DR NE ATLANTA GA
street city state zip code

Area: _____ Land Lot: 51 District: 17, FULTON County, GA.

Property is zoned: R-3, Council District: 6, Neighborhood Planning Unit (NPU): F (MS/LP)

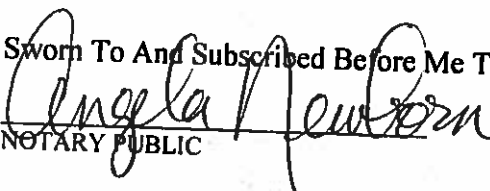
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant a Variance or Special Exception.

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)

APRIL INGRAHAM
Print Name of ~~Owner~~ AGENT

Sworn To And Subscribed Before Me This 26th Day Of APR, 2017.


NOTARY PUBLIC

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.")
expand the second level heated space and roof pitch

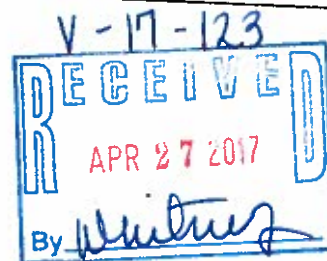
Proposed Lot Coverage (After Construction): Calculate total amount of lot coverage on entire property, after completion of proposed construction, including existing and proposed buildings and other structures; sidewalks, driveways, parking pads, patios, gravel, etc.; everything except natural planted or undisturbed areas.

5292 covered square feet / 14413 total lot square feet = 36.72% proposed lot coverage

40 % 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)? lot configuration on survey shows a former 5' extended boundary that is no longer there. lot is much narrower than the required 100' lot frontage
This lot is 14,413 SF the min lot size is 18,000 SF. Because this lot is narrower and smaller than its zoning requirements, the buildable area is significantly reduced. This property also is exceptional in its topography, which drops off towards the back of the 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? due to the side yard setback requirement of 10', no additional heated space is allowed along the east property line without an approved variance
- 3) What conditions are peculiar to this particular piece of property? only 60' lot frontage exist as opposed to a reqd 100' for R-3
- 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. the as built home has an existing habitable 2nd level. expanding the floor are is confined to the existing house footprint on the main floor. no substantial impact or affect to the public, adj property owners or the overall aesthetic for the neighborhood.



April 25, 2017

City of Atlanta
Dept of Planning and Community Development
Office of Planning
Board of Zoning Adjustment (BZA)
55 Trinity Ave; Suite 3350

Justification Letter for Variance Request

To Whom It May Concern:

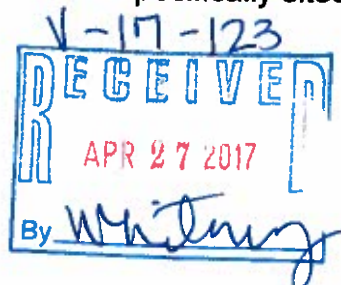
This letter is to request a variance to allow relief from zoning setback regulations in order to allow a variance to reduce the required side yard of **10' to 5'** to allow for the construction of an expanded master suite and **10' to 3.2'** to allow for the installation of a/c units for the existing home located at 1738 PINE RIDGE DR NE, ATLANTA, GA.

The proposed scope needed for variance is:

- Raising the existing ridge by 24", constructed 2'-6" over the side yard setback.
- Dormer addition to existing second level to create a Master Bath, constructed 2'-3" over the side yard setback
- New post and footer in existing unfinished basement to support new second level load, constructed 3'-4" over the side yard setback
- Locate two HVAC condenser units within the side setback at 36" maximum height each located 6.8' in the side yard setback .

Our particular hardship is that:

1. This house was built in the 1940 according to Fulton County Property Records. At some point, the lot was replatted or changed from the original lot lines when it was a conforming house, as it met the minimum 10' setback. When the property was surveyed, it was discovered that not only was 5' lost somehow, where the house sits is now not nonconforming, as it is located 5' into the required side yard setback. the maximum distance of the existing house to the current property line is 5'.
2. There are extraordinary and exceptional conditions on this property due to its small size. (as are most homes in this area). Zoned R-3, it has a 60' frontage where the minimum is 100'. This lot is 14,413 SF where the minimum lot size is 18,000 SF. Because this lot is narrower and smaller than its zoning requirements, the buildable area is significantly reduced. This property also is exceptional in its topography, which drops off towards the back of the lot and allows for a unique view of the Atlanta skyline. Allowing the construction of the upper level Master Suite is specifically sited to allow the owner's take advantage of this unique view.



Variance Request: 1738 PINE RIDGE DR NE, ATLANTA, GA.


3. Looking at the official City of Atlanta Zoning Maps, the majority of the neighborhood also zoned R-3 (east of this property) does not share the same reduced width and reduced area as this property. This property is at the edge of the zoning district, and has steep topography unique to Pine Ridge Drive. There are desirable views of the skyline from the second level of the home

We are asking for a 6.8' reduction of the required 10' side yard setback along the eastern property line. **In other words, reduce the current required side yard setback from 10' to 5' to allow for the construction of an expanded master suite and 10' to 3.2' to allow for the installation of a/c units for the existing home.**

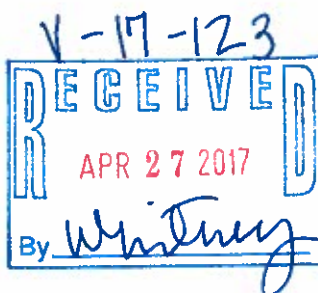
We do not foresee any potential hardship upon any of the neighbors if granted. Other than the non-conforming encroachment, no other relief considerations are being requested at this time.

Thank you for your consideration of this request.

Respectfully,

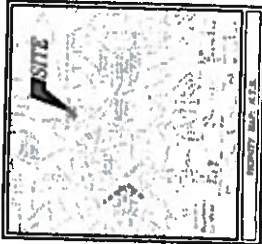


April Ingraham,
Applicant/Agent for Steven & Anne Spivey (owners)
404-421-1520
consultant@thepermitspecialist.com



FLOOD STATEMENT

THIS STATEMENT IS BASED ON THE FLOOD DATA PROVIDED BY THE ATLANTA REGIONAL WATER CONTROL DISTRICT. THE FLOOD DATA IS BASED ON THE FLOOD DATA PROVIDED BY THE ATLANTA REGIONAL WATER CONTROL DISTRICT. THE FLOOD DATA IS BASED ON THE FLOOD DATA PROVIDED BY THE ATLANTA REGIONAL WATER CONTROL DISTRICT.



LEGEND

- 1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
- 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
- 4. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
- 5. ALL DIMENSIONS ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.

GENERAL NOTES

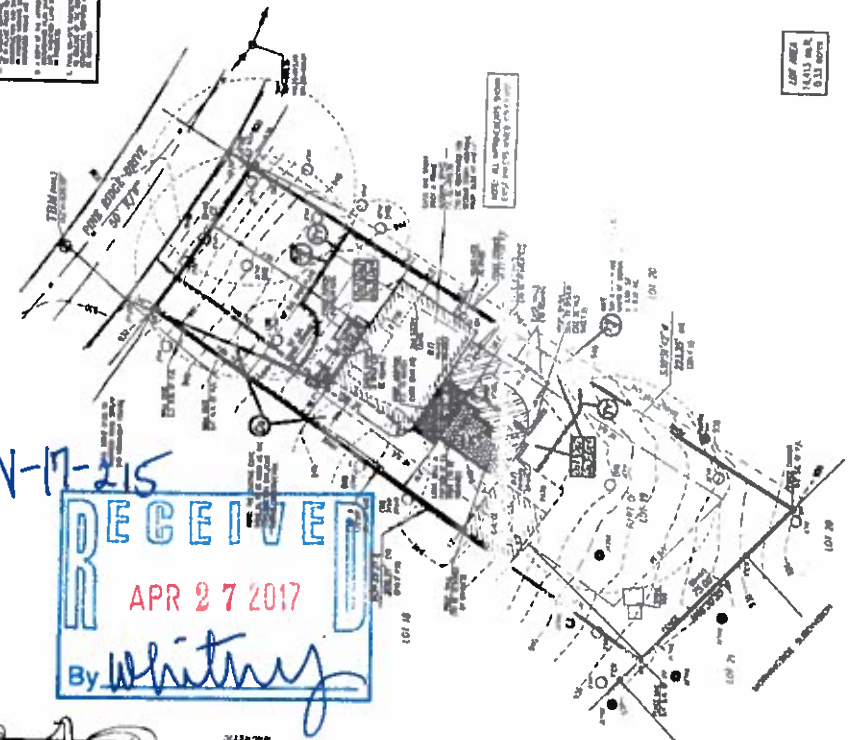
1. THE SITE IS LOCATED IN AN UNINCORPORATED AREA OF THE CITY OF ATLANTA.
2. THE SITE IS LOCATED IN AN UNINCORPORATED AREA OF THE CITY OF ATLANTA.
3. THE SITE IS LOCATED IN AN UNINCORPORATED AREA OF THE CITY OF ATLANTA.
4. THE SITE IS LOCATED IN AN UNINCORPORATED AREA OF THE CITY OF ATLANTA.
5. THE SITE IS LOCATED IN AN UNINCORPORATED AREA OF THE CITY OF ATLANTA.

AREA BATHYMETRY

AREA BATHYMETRY CHART
 1798 PINE RIDGE DRIVES
 ATLANTA, GEORGIA 30318

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	60.00	602.34	59.96	90.7112831



RECEIVED
 APR 27 2017
 By Whitney

SITE PRICE CALCULATION

ITEM	QUANTITY	UNIT PRICE	TOTAL
1. SITE PREP	1	10000.00	10000.00
2. GRADING	1	10000.00	10000.00
3. PAVING	1	10000.00	10000.00
4. UTILITIES	1	10000.00	10000.00
5. CONSTRUCTION	1	10000.00	10000.00
6. TOTAL			50000.00

EROSION CONTROL NOTES

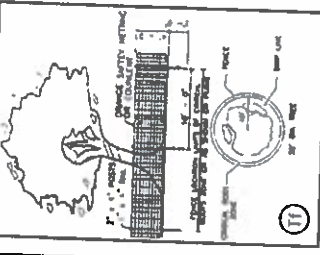
1. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
2. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
3. EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION.
4. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
5. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.

GRADING NOTES

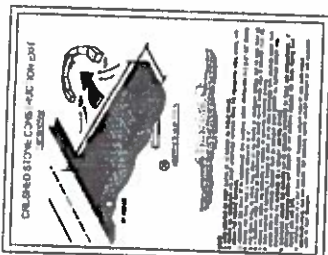
1. THE GRADING SHALL BE TO THE FINISHED GRADE UNLESS OTHERWISE NOTED.
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NOTES

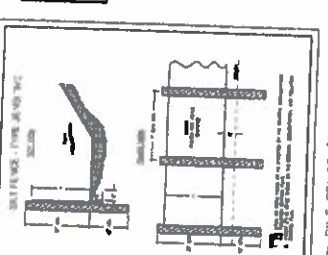
BEFORE STARTING ANY CONSTRUCTION, THE CONTRACTOR IS REQUIRED TO OBTAIN A PERMIT FROM THE CITY OF ATLANTA. CALL (404) 549-1120.



PERIMETER FENCE & SAFETY NETTING



CONSTRUCTION EXIT



SILT FENCE (TYPE S)



GRAPHIC SCALE

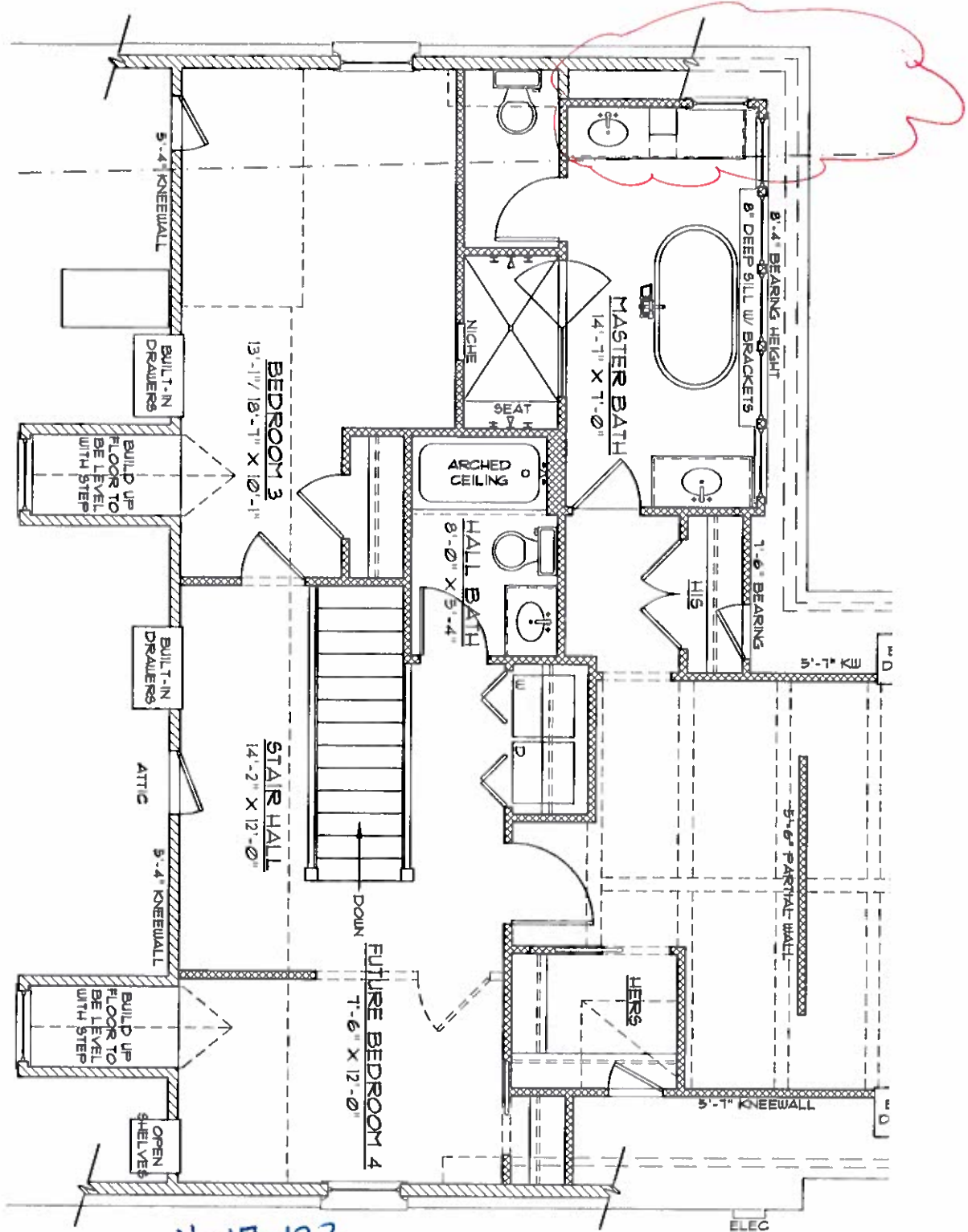
1" = 100'

0 100 200

FEET

DATE: 12/15/16
 PROJECT: 1798 PINE RIDGE DRIVES

RELEASED FOR CONSTRUCTION



V-17-123
RECEIVED
 APR 27 2017
 By *Whitney*

PROPOSED UPPER



V-17-123
RECEIVED
APR 27 2017
By *Whitney*

Deed Book 45642 Pg. 39
Filed and Recorded Sep-05-2007 07:35am
2007-0256866
Real Estate Transfer Tax \$585.00
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia

20/0007 COW
RETURN TO:
HAYNE LITCHFIELD & CHANE, P. C.
230 Washington Avenue
Marietta, Georgia 30060

WARRANTY DEED

STATE OF GEORGIA, COUNTY OF COBB

This indenture made this 31st day of August, in the year Two Thousand Seven between RICHARD WALLACE and CYNTHIA WALLACE, of the County of FULTON, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and BEN D. ROBERTS, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING PART OF LOT 19, BLOCK "E" OF THE NORTH MORNINGSIDE SUBDIVISION, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWEST SIDE OF PINE RIDGE DRIVE FIVE HUNDRED NINETY-NINE (599) FEET SOUTH AND SOUTHEAST, AS MEASURED ALONG THE WEST AND SOUTHWEST SIDES OF PINE RIDGE DRIVE, FROM THE SOUTHWEST CORNER OF THE INTERSECTION OF PINE RIDGE DRIVE AND WILDWOOD ROAD, IF SAID CORNER WERE EXTENDED TO FORM AN ANGLE INSTEAD OF A CURVE; RUNNING THENCE SOUTHEASTERLY ALONG THE SOUTHWEST SIDE OF PINE RIDGE DRIVE SIXTY (60) FEET; THENCE SOUTHWEST TWO HUNDRED TWENTY-ONE AND FOUR TENTHS (221.4) FEET; THENCE NORTHWEST SEVENTY-FIVE (75) FEET; THENCE NORTHEAST TWO HUNDRED TEN (210) FEET TO THE SOUTHWEST SIDE OF PINE RIDGE DRIVE AND THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION IS IN ACCORDANCE WITH SURVEY OF THE ABOVE DESCRIBED PROPERTY BY E.Z. HUFF DATED December 31, 1953.

THIS CONVEYANCE is subject to all restrictions and easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

V-17-123
RECEIVED
APR 27 2017
By *Whitney*

[Signature]
Witness
[Signature]
Notary Public



[Signature] (Seal)
RICHARD WALLACE
[Signature] (Seal)
CYNTHIA WALLACE
____ (Seal)
____ (Seal)

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, Steven Spivey (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1738 Pine Ridge Dr. NE, Atlanta GA (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 INGRAHAM FIRST NAME APRIL
ADDRESS 165 WEST WIEUCA RD., NE SUITE 305
CITY ATLANTA STATE GA ZIP CODE 30342

OWNER'S TELEPHONE NUMBER: 443-632-4024

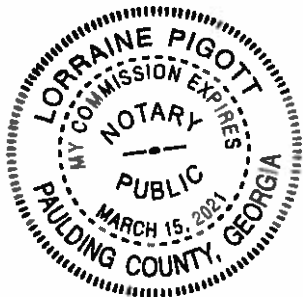
[Signature]
SIGNATURE OF OWNER

Steven M. Spivey
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.

Lorraine Pigott
NOTARY PUBLIC

4/13/17
DATE



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, Anne Spivey (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1738 Pine Ridge Dr. NE, Atlanta GA (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 INGRAHAM FIRST NAME APRIL
ADDRESS 165 WEST WIEUCA RD., NE SUITE 305
CITY ATLANTA STATE GA ZIP CODE 30342

OWNER'S TELEPHONE NUMBER: 403-799-9913

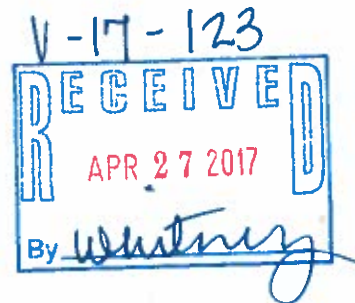
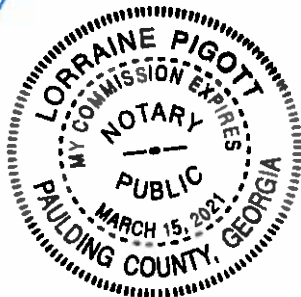
[Signature]
SIGNATURE OF OWNER

Anne K. Spivey
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.

Lorraine Pigott
NOTARY PUBLIC

4/13/17
DATE



RECEIPT

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

Application: V-17-123
Application Type: Planning/BZA/Variance/NA
Address: 1738 PINE RIDGE DR NE, ATLANTA, GA 30324
Owner Name: Anne and Steve Spivey
Owner Address: 1738 Pine Ridge Dr.
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
520000		\$100.00	04/27/2017	RPLEWIS		

Owner Info.: Anne and Steve Spivey
1738 Pine Ridge Dr.

Work Description: second story addition

PAID
CITY OF ATLANTA
APR 27 2017
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR