



OFFICE OF ZONING AND DEVELOPMENT

55 Trinity Avenue S.W., Suite 3350

Atlanta, Georgia 30303

(404) 330-6145

APPLICATION #: **V-17-207**

DATE ACCEPTED **07/25/2017**

NOTICE TO APPLICANT

Address of Property:

1343 Greenland DR NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, September 14, 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 five 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,

RG, for Director, Office of Zoning and
Development

Alerksandar Forte

V-17-207

Office of Planning

JUL 25 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
404-330-6175

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-17-207

NPU F DATE FILED July 07, 2017

1. Mr. Aleksandar Fote
Name of Applicant

BUILDING PERMIT AUTHORIZING

A/C Units in a Required Side Yard

at 1343 Greenland DR NE 17th/52
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 regulation to reduce the required northern side yard setback from 7 feet to 3 feet, 6 inches in order to accommodate air conditioning units taller than 30 inches in height.

Applicant seeks no other variances or exceptions 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 Haeberlin 7-20-17
Plan Reviewer Date

[Signature] 7/20/17
Applicant Date

V-17-207

Office of Planning

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Please mark "X" next to the type of application(s) you are submitting: JUL 25 2017

Variance	<input checked="" type="checkbox"/>
Special Exception	<input checked="" type="checkbox"/>
Variance & Special Exception	<input type="checkbox"/>

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

Date Filed 07/19/2017 Application Number V-17-207
 Name of Applicant ALEXSANDAR FOTE Daytime Phone 786.405.3503
 Company Name (if applicable) _____ email alex.fote@gmail.com
 Address 1343 GREENLAND DR ATL GA 30306
street city state zip code

Name of Property Owner ALEXSANDAR FOTE Phone 786.405.3503
 Address 222 14th ST NE APT# 519, ATL GA 30309
street city state zip code

Description of Property

Address of Property 1343 GREENLAND DR ATL GA 30306
street city state zip code
 Area: 14,272^{SQFF} Land Lot: 52 District: 17th, FULTON County, GA.
 Property is zoned: R-4, Council District: _____, Neighborhood Planning Unit (NPU): _____

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.

Alex Fote
Owner or Agent for Owner (Applicant)

ALEXSANDAR FOTE
Print Name of Owner

Sworn To And Subscribed Before Me This 19 Day Of July, 2017.

NOTARY PUBLIC

JUL 25 2017

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.)")

Retain current location of air conditioning units, that have a 3' 6" setback from the property line

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.

_____ covered square feet / _____ total lot square feet = _____ % proposed lot coverage
_____ % 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)? Our house is positioned along a County and State creek buffer that runs diagonally through our property such that the majority of our yard is within the restricted buffer zone.
- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? The buffer, combined with the functional layout of our existing floor plan and the location of our downspout reservoir make north side of our house the only location for the AC units that would not cause hardship.
- 3) What conditions are peculiar to this particular piece of property? The relevant exceptional conditions related to the buffer and the floorplan, are unique to the topography of our property and our home, and are not shared by the majority of other properties in the same zoning district.
- 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. Relief, if granted, would not cause substantial detriment for 3 reasons: [1] at its closest point the AC units are 3'6" from the neighbors house, [2] there is a solid wooden fence located at the property line between our home and that of our neighbor to the north, and [3] beyond the wooden fence is the neighbor's driveway, such that there is both a physical barrier and free space separating the AC units from the wall of our neighbor's home.

V-17-207

Office of Planning

Justification of request to City of Atlanta Board of Zoning Adjustment

JUL 25 2017

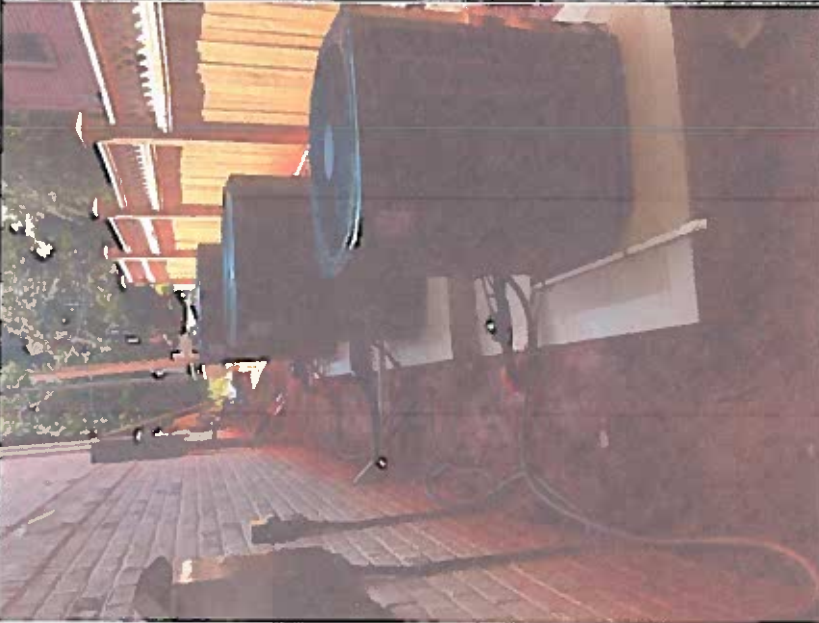
Our request for a variance meets the Criteria for Variance as described on page 6 of the
APPLICATION FOR BOARD OF ZONING ADJUSTMENT VARIANCES & SPECIAL EXCEPTIONS, City of Atlanta, dated May 2017.

55 Juniper Ave. S.W.
Atlanta, GA 30350
Atlanta, GA

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its shape and topography.** Our house is positioned along a County and State creek buffer that runs diagonally through the east side of our property such that most of our backyard is within the restricted buffer zone.
- 2. The application of the zoning ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship** if we were required to place our air conditioning units in another location. The buffer, combined with the functional layout of our existing floor plan drives the request for the variance, as these conditions make north side of our house the best location for the AC units. The small portion of the backyard that is not within the buffer zone contains the downspout reservoir, leaving no unrestricted space for the air conditioning units. On the south side of house the distance to the neighbor is even less than on the north side, and in addition the driveway to our garage runs along the south side. Placing the units in the west (front) of the house would be very undesirable for the aesthetics of our neighborhood. For these reasons the AC units are located on the north side of our house as other options would create hardship.
- 3. The relevant extraordinary and exceptional conditions identified above, are unique** to the topography of our property and our floorplan, and are not shared by the majority of other properties in the same zoning district.
- 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,** for 3 reasons: [1] at its closest point the AC units are 3'6" from the neighbor's house, [2] there is a solid wooden fence located at the property line that separates our home from that of our neighbor to the north, and [3] between the wooden fence and the closest wall of the neighbor's house is the neighbor's driveway, such that there is both a physical barrier and free space separating the AC units from the wall of our neighbor's home.

JUL 25 2017

55 Trinity Ave. S.W.
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V-17 207

Office of Planning

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, ALEXANDAR FOTE (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1343 GREENLAND DR ATL GA 30306 (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 FOTE FIRST NAME ALEXANDAR
ADDRESS 222 14th ST NE APT 519 SUITE
CITY ATLANTA STATE GA ZIP CODE 30309

OWNER'S TELEPHONE NUMBER: 786.405.3503


SIGNATURE OF OWNER

ALEXANDAR FOTE
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.


NOTARY PUBLIC

7.19.17
DATE

RECEIPT

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

PAID
CITY OF ATLANTA
JUL 25 2017
EX OFFICIO
REVENUE
WNC
EAM
D

Application: V-17-207
Application Type: Planning/BZA/Variance/NA
Address: 1343 GREENLAND DR NE, ATLANTA, GA 30306
Owner Name: WHITTEN NANCY C
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
533646		\$100.00	07/25/2017	BSIMMONS		

Owner Info.: WHITTEN NANCY C

Work Description: Variance to reduce the required northern side yard setback from 7 feet to 3 feet, 6 inches in order to accommodate air conditioning units taller than 30 inches in height.