



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

APPLICATION #: **V-17-211**

DATE ACCEPTED **07/26/2017**

## NOTICE TO APPLICANT

Address of Property:

**1727 North Pelham RD 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

Mark F Arnold



V-17-211

City of Atlanta  
Office of Buildings – Zoning Division  
55 Trinity Avenue, Suite 3900  
Atlanta, Georgia 30303  
Phone: 404-330-6175

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**REFERRAL CERTIFICATE**

COUNCIL DISTRICT Lo APPLICATION NUMBER V-17-211  
NPU F DATE FILED 07/26/2017

Mark F. Arnold  
Name of Applicant

*Addition*

at 1727 North Pelham Road NE 17th /51  
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 north side yard setback from 7 feet to 3 feet and 2) to reduce the required rear yard setback from 15 feet to 3 feet to construct a garage at the rear of an existing single family dwelling.

Applicant seeks no other variances at this time.

**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 06 Section 16-06.008 Paragraph (2)

Chapter 06 Section 16-06.008 Paragraph (3)

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

Tamaria Letang 07.26.17  
Plan Reviewer Date

[Signature] 7-26-17  
Applicant Date

V-17-211

# 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 \_\_\_\_\_

Application Number V-17-211

Name of Applicant Mark F Arnold Daytime Phone (404) 939-3690

Company Name (if applicable) Mark Arnold, Architect email markarnoldarchitect@gmail.com

Address 1 126 N Highland Ave, NE Atlanta GA 30306  
street city state zip code

Name of Property Owner Wriston Jones Phone (404) 931-8472

Address 1 727 North Pelham Road, NE Atlanta GA 30324  
street city state zip code

### Description of Property

Address of Property 1 727 North Pelham Road, NE Atlanta GA 30324  
street city state zip code

Area: \_\_\_\_\_ Land Lot: 51 District: 17, Fulton County, GA.

Property is zoned: R4, Council District: 06, 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.

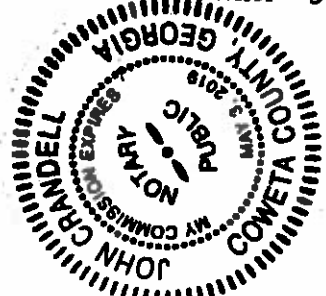
I hereby authorize the staff of the Office of Zoning and Development to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Zoning and Development upon filing 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)

Mark F Arnold  
Print Name of Owner Agent

Sworn To And Subscribed Before Me This 26 Day Of July, 20 17.

NOTARY PUBLIC



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## 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.").

Removal of existing garage slab. Construction of a new two car garage and associated site work.

**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.

4,026 covered square feet / 8,474 total lot square feet = 47.5 % 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 justification)

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 justification)

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

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 justification)

Wriston Jones & Tony Seiniger

1727 N Pelham Road, NE  
Atlanta, Georgia 30324  
(404) 931-8472  
tonyseiniger@gmail.com

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July 24, 2017

City of Atlanta  
Department of Planning and Community Development  
Bureau of Planning, Current Planning Division  
55 Trinity Avenue, Suite 3350  
Atlanta, GA 30335

*re: 1727 N Pelham Road, NE 30306*

Planning Staff:

We wish to construct a new two car garage to replace our existing garage recently destroyed by our neighbor's tree. Given this opportunity to build a new garage, we would like it to be sized for today's larger vehicles and located on our property to facilitate ease of use. In order to preserve the linear nature of our existing driveway and create enough turn-around space between the garage and our house, we request the northwest side yard setback be reduced from the required 7 feet to 3 feet and the rear yard setback be reduced from the required 15 feet to 3 feet. It is our understanding that this request necessitates a variance and we offer the following items in support of our variance request:

- Variance Application
- Survey
- Proposed Site Plan
- Referral Certificate
- Existing and Proposed Plans & Elevations

The subject property is zoned R-4. We believe the property meets the variance criteria laid out in Section 16-26.003 in the Zoning Guidelines in the following ways:

**Extraordinary/Exceptional Conditions Pertaining to the Property because of its Size/Shape**

The street frontage of our lot is 59.9' feet versus the required minimum width of 70 feet. To the best of our knowledge, this frontage dimension has been in place since the house was built in 1935.

**The Application of the Zoning Ordinance to this Property would create an Unnecessary Hardship**

We have given a lot of thought to the size and location of the garage. By locating it at the back corner of our lot we are able to put it on axis with the driveway, create room for a sufficient turn-around space, and preserve a significant portion of the back yard. The existing already encroaches 2 feet into the side yard setback, so we are really asking for 2 additional feet. The application of the required 15 foot rear yard setback and the 7 foot front sideyard setback would create an unnecessary hardship in that it would prevent us from building the garage in an efficient and pragmatic manner.

V-17-211

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**Such conditions are peculiar to the particular piece of property involved**

Many of the lots in Morningside have features that are in conflict with the current zoning ordinance, however that does not diminish the fact that this lot does not meet the frontage requirement.

**The Variance would not cause substantial detriment to the public good or impair the purpose and intent of the Zoning Ordinance of Atlanta**

Relief, if granted, will 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, will not distract from people's use and enjoyment of adjoining and surrounding properties. The proposed construction is in harmony with construction on neighboring lots, and allows for adequate light and air. We believe the proposed construction is in keeping with the orderly evolution of this neighborhood and will promote desirable living conditions for the homeowner as well as the neighborhood.

Thank you for your consideration in this request.

Sincerely,

Wriston Jones & Tony Seiniger

V-17-211

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### AUTHORIZATION BY PROPERTY OWNER

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

(Please Print Clearly)

PLANNING

I, WRISTON JONES (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1727 N. PELHAM RD, ATL (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 Arnold FIRST NAME Mark

ADDRESS 1126 N. Highland Ave SUITE \_\_\_\_\_

CITY Atlanta STATE GA ZIP CODE 30306

OWNER'S TELEPHONE NUMBER: (404) 931-8472

Wriston A Jones  
SIGNATURE OF OWNER

WRISTON JONES  
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

July 24, 2017

DATE

**J G PERRY**  
NOTARY PUBLIC  
DeKalb County  
State of Georgia  
My Comm. Expires Sept. 25, 2018

**RECEIPT**

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

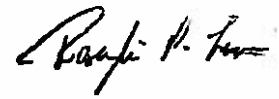
Application: V-17-211  
Application Type: Planning/BZA/Variance/NA  
Address: 1727 NORTH PELHAM RD NE, ATLANTA, GA 30324  
Owner Name: JONES WRISTON N  
Owner Address:  
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
533729		\$100.00	07/26/2017	RPLEWIS		

Owner Info.: JONES WRISTON N

Work Description: (1) Variance to reduce the required north side yard setback from 7 feet to 3 feet (2) To reduce the required rear yard setback from 15 feet 3 feet to construct a garage at the rear of an existing single family dwelling

**PAID**  
CITY OF ATLANTA  
JUL 26 2017  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR





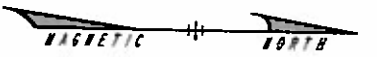
V-17-211

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ARCHITECTURAL SITE PLAN

1" = 20'-0"

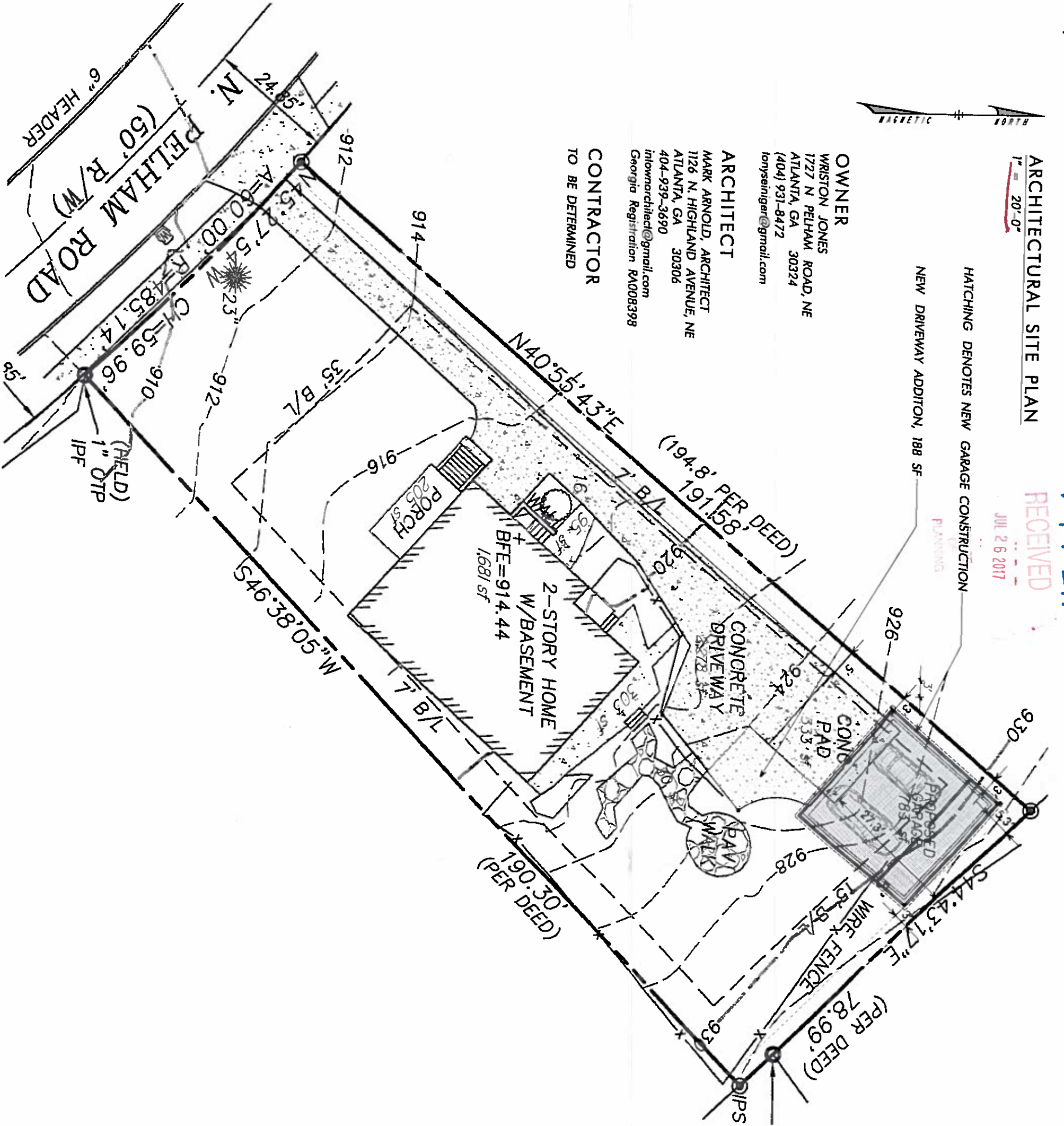


HATCHING DENOTES NEW GARAGE CONSTRUCTION  
NEW DRIVEWAY ADDITION, 188 SF

**OWNER**  
WRISTON JONES  
1727 N PELHAM ROAD, NE  
ATLANTA, GA 30324  
(404) 931-8472  
tonyseiniger@gmail.com

**ARCHITECT**  
MARK ARNOLD, ARCHITECT  
1126 N. HIGHLAND AVENUE, NE  
ATLANTA, GA 30306  
404-939-3690  
info@markarchitect@gmail.com  
Georgia Registration RA0008398

**CONTRACTOR**  
TO BE DETERMINED



**PROPERTY DATA**

R-4 (SINGLE FAMILY RES) DISTRICT,  
16-06 City of Atlanta Zoning Ordinance  
LAND LOT 51, 17th DISTRICT  
FULTON COUNTY, GEORGIA  
BRYAN C. LONG  
REGISTERED LAND SURVEYOR  
LICENSE NO. 3107, PLAT DATE 06 /21/17

**PROJECT SUMMARY**

SCOPE OF WORK SHALL INCLUDE REMOVAL OF EXISTING GARAGE SLAB, CONSTRUCTION OF NEW GARAGE, AND ASSOCIATED SITE WORK.

**ZONING ANALYSIS**

R-4 (SINGLE FAMILY RES) DISTRICT,  
SECTION 16-06 City of Atlanta Zoning Ordinance

- 1) Minimum lot area: 9,000 SF  
Existing: 13,209 SF (0.303 ACRES)
- 2) Minimum lot frontage: 70 feet  
Existing: 59.96'

- 3) Maximum Floor Area Ratio: 50%  
Existing: 29.9% (1,450sf+1,082sf/8,474 sf=0.299)  
Proposed: 32.3% (1,450sf+1,286 /8,474sf=0.323)

- 4) Maximum lot coverage: 50%  
Existing: 46.9% (3,975sf/8,474sf=0.469)  
House 1,606sf+Front Porch 377sf+Rear Addition 146sf + Sidewalks 777sf+Driveway 488sf+Garage 539sf + Walls 27sf+AC Units 15sf divided by Lot Area 8,474sf  
Proposed: 47.5% (4,026sf/8,474sf=0.475)  
House 1,606sf+Front Porch 377sf+Rear Porch 248sf + Sidewalks 726sf+Driveway 488sf+Garage 539sf + Walls 27sf+AC Units 15sf divided by Lot Area 8,474sf

- 5) Minimum depth front yard: 35 feet  
Existing: 67.8'  
Proposed: NO CHANGE
- 6) Minimum width northwest side yard: 7 feet  
Existing: 5'  
Proposed: 3'
- 7) Minimum width northeast side yard: 7 feet  
Existing: 50.7'  
Proposed: 44.5'
- 8) Minimum depth rear yard: 15 feet  
Existing: 27.3'  
Proposed: 3'
- 9) Maximum building height: 35 feet  
Existing: n/a (demolished)  
Proposed: 13.5'

NEW CONSTRUCTION FOR

TONY SEINIGER & WRISTON JONES  
1727 NORTH PELHAM ROAD, NE ATLANTA, GEORGIA 30324

PROGRESS SET

MARK ARNOLD, ARCHITECT  
© 2017  
404-939-3690

PRINT DATE  
07/27/17  
REVISIONS



A0.00 SHEET

ZONING: ~ R-4

SETBACKS:  
FRONT = 35'  
SIDE = 7'  
REAR = 15'  
MIN. LOT SIZE = 9,000 SQ. FT.  
MIN. LOT WIDTH = 70'

SITE ADDRESS  
1727 NORTH PELHAM ROAD  
ATLANTA, GEORGIA, 30324

BOUNDARY REFERENCES

- 1 SUBJECT DEED 18526, PAGE 26
- 2 MORNINGSIDE SUBDIVISION
- 3 SEE ADJOINERS

FLOOD NOTE

AS PER THE F.I.R.M. FLOOD INSURANCE RATE MAP CITY OF ATLANTA (FULTON COUNTY) COMMUNITY PANEL NO. 13121 C 0261 G DATED SEPTEMBER 18, 2013, THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

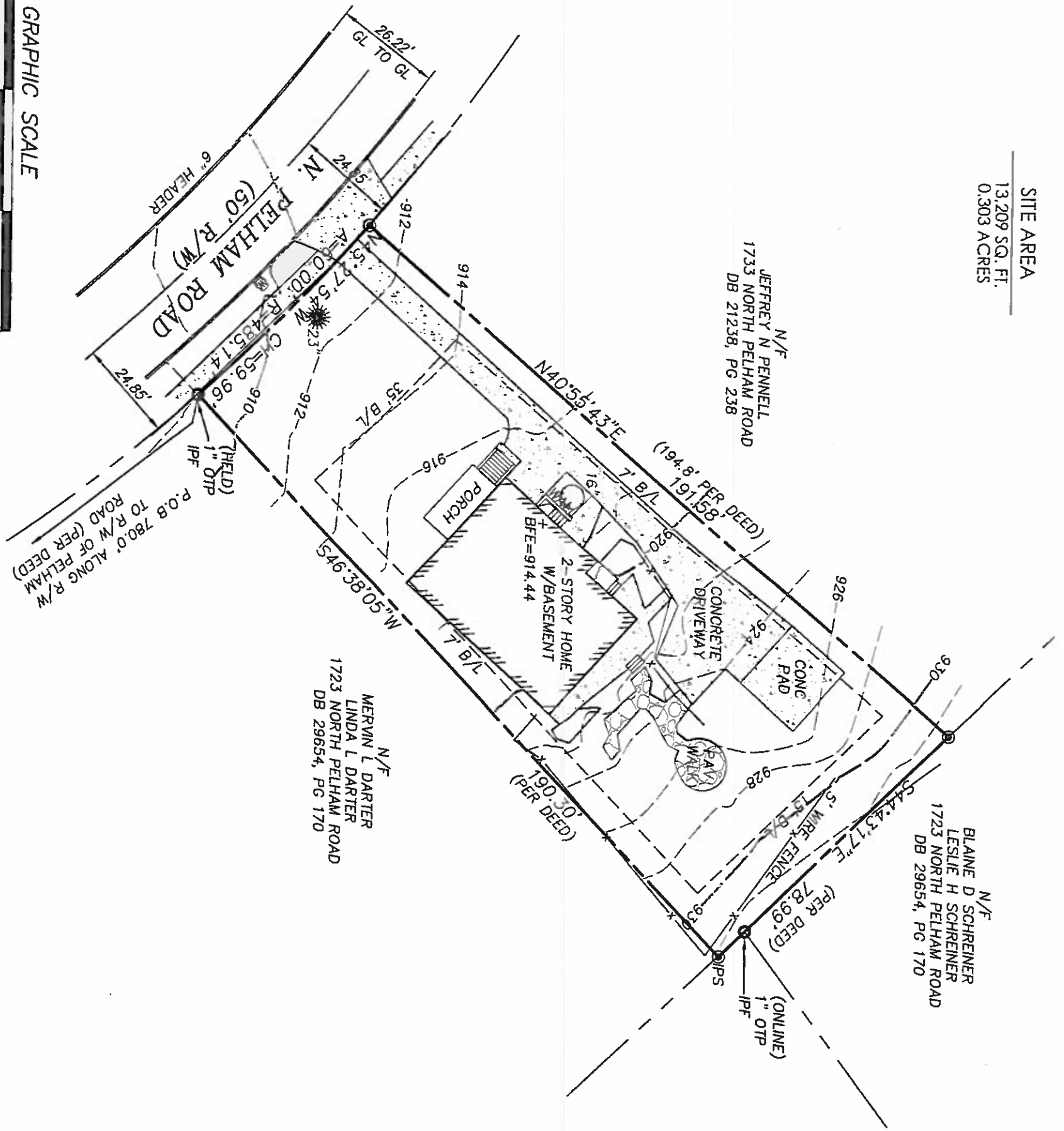
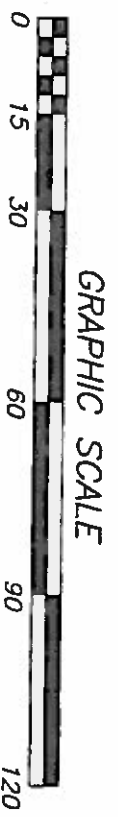
SITE AREA  
13,209 SQ. FT.  
0.303 ACRES

TREE LEGEND

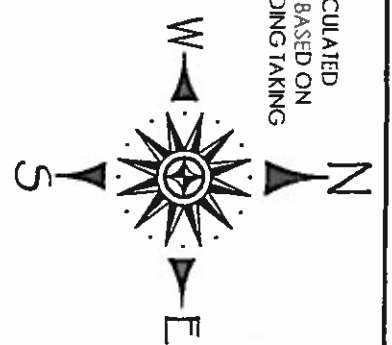
- EX. HARDWOOD TREE
- PINE TREE
- CIDER TREE
- OAK TREE

LEGEND

- B/L BUILDING SETBACK LINE
- IPF IRON PIN FOUND
- R/W RIGHT OF WAY
- q CENTER LINE
- P PROPERTY LINE
- CLF CHAIN LINK FENCE
- CTP CRIMPED TOP PIPE
- RQP REINFORCED CONCRETE PIPE
- CLF CHAIN LINK FENCE
- HDPE HIGH DENSITY POLY ETHYLENE
- SANITARY SEWER MANHOLE
- FORMERLY KNOWN AS
- WATER METER
- FIRE HYDRANT
- SANITARY CLEANOUT



ALL BEARINGS ARE CALCULATED FROM ANGLES TURNED, BASED ON SINGLE MAGNETIC READING TAKING IN FIELD.



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AND AN ANGULAR ERROR OF 5" PER ANGLE AND WAS ADJUSTED BY COMPASS RULE.

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.

THIS SURVEY ONLY INCLUDES OBJECTS THAT ARE VISIBLE AND IS NOT RESPONSIBLE FOR UNDERGROUND UTILITIES OR OTHER OBJECTS THAT ARE NOT APPARENT BY VISUAL OBSERVATION, I.E. UNDERGROUND GAS TANKS, GAS LINES, WATERLINES, SEWER LINES, ETC.

WORK PERFORMED ON JUNE 13, 2017.

THE DATA SHOWN ON THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000+ FEET.

INSTRUMENT USED: TOPCON 8000 SERIES PULSE LASER (ROBOTIC)

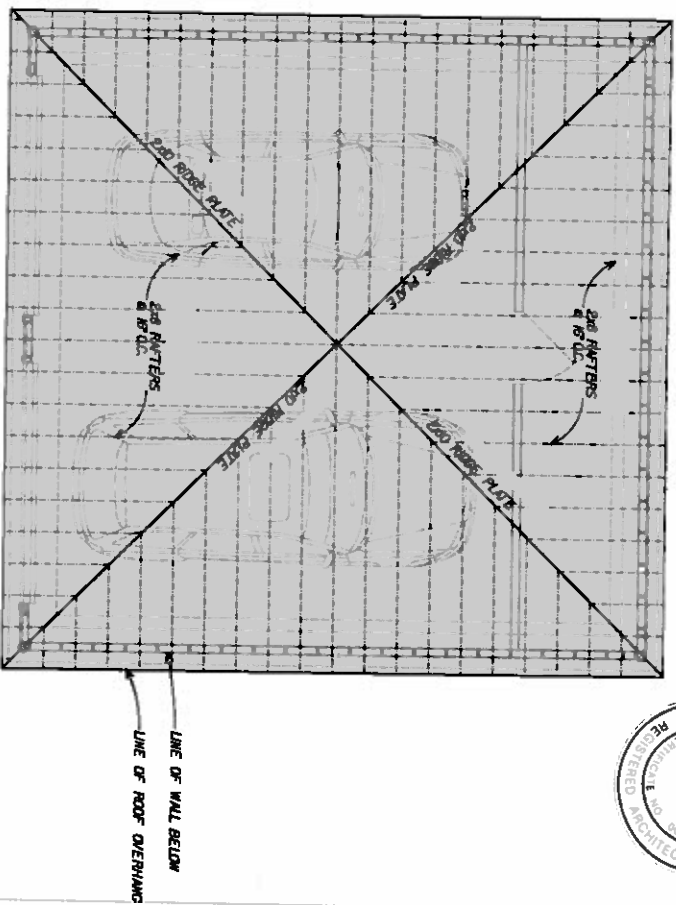
IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.



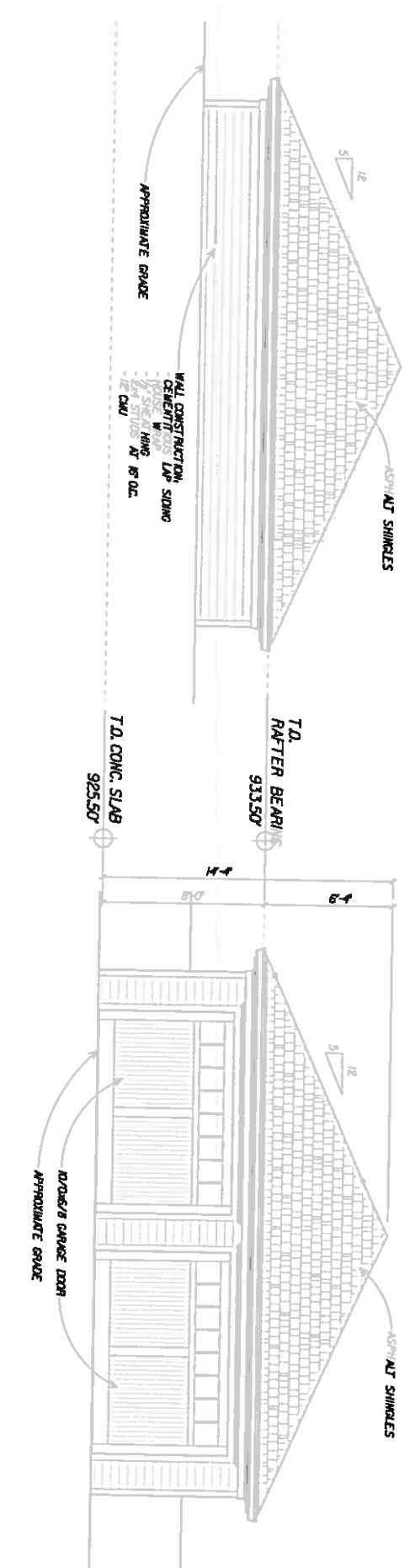
BOUNDARY SURVEY for  
**TONY SEINIGER**  
PERMITTING MUNICIPALITY: CITY OF ATLANTA

LOT 25, BLOCK B, MORNINGSIDE SUBDIVISION	DWG BY:
LAND LOT 5.1, 17th DISTRICT	S.C.D.
FULTON COUNTY, GEORGIA	JOB NO.
DATE: 06/21/2017	SCALE: 1" = 30'
	2017-141

**MERIDIAN GEOMATICS, LLC**  
land surveying ~ residential & commercial  
216 Powers Ferry Rd  
Marietta, Georgia 30067  
phone: (770) 675-6197 ~ surveyingatlanta@gmail.com

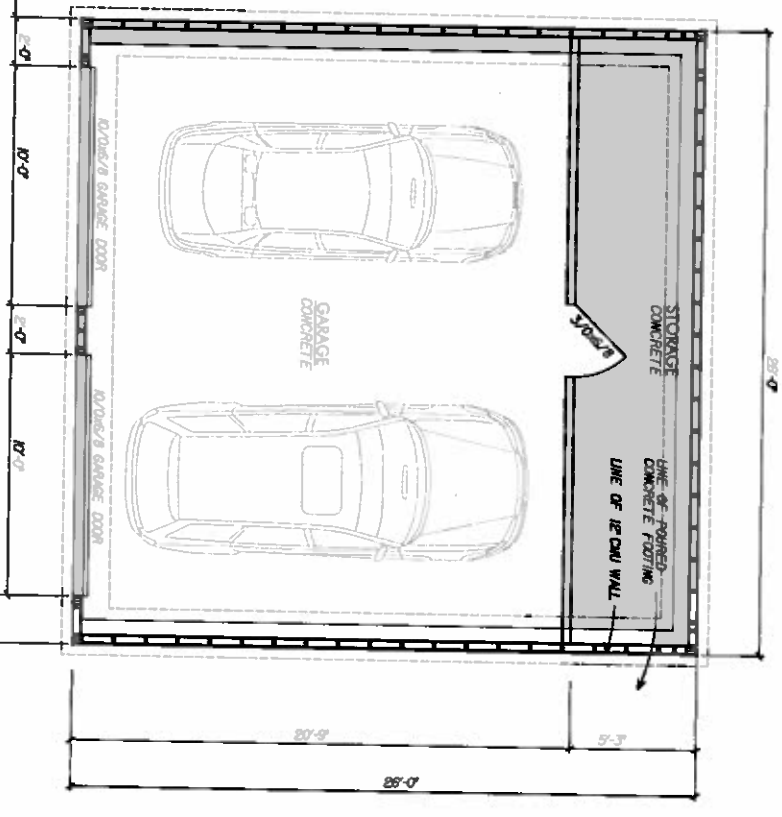


**05** GARAGE ROOF PLAN  
 A-1.00 SCALE: 1/8" = 1'-0"

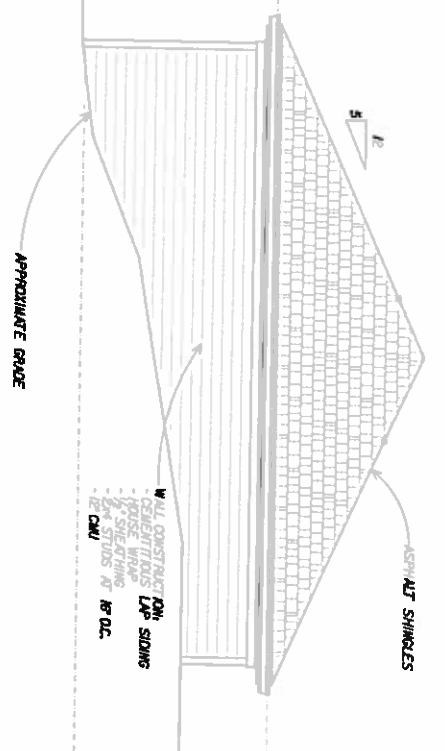


**01** GARAGE NORTH ELEVATION  
 A-1.00 SCALE: 1/8" = 1'-0"

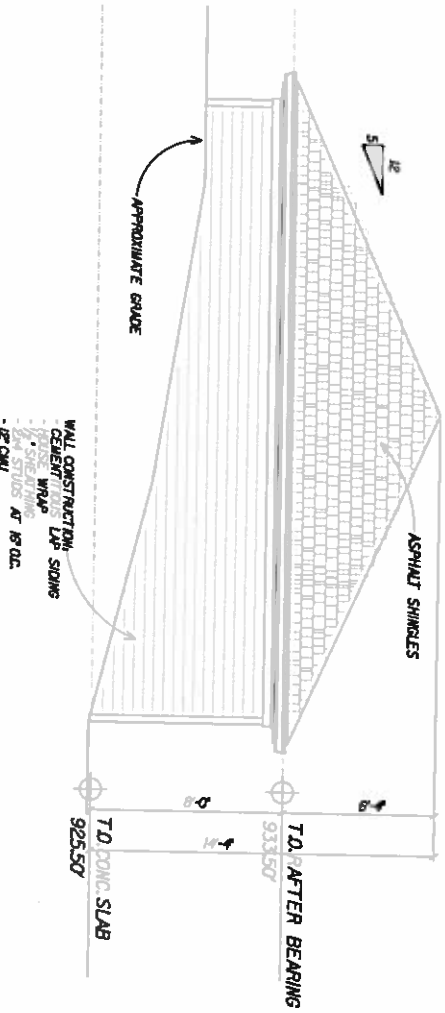
**03** GARAGE SOUTH ELEVATION  
 A-1.00 SCALE: 1/8" = 1'-0"



**06** GARAGE FLOOR PLAN  
 A-1.00 SCALE: 1/8" = 1'-0"



**02** GARAGE EAST ELEVATION  
 A-1.00 SCALE: 1/8" = 1'-0"



**04** GARAGE WEST ELEVATION  
 A-1.00 SCALE: 1/8" = 1'-0"



GENERAL NOTE:  
 1. ALL EXTERIOR WALL CONSTRUCTION SHALL BE 2x4 WOOD STUDS AT 16" O.C. WITH 1/2" GYPSUM BOARD ON INTERIOR SIDE AND CEILING BOARDS LIP SINGING ON HOUSE WOOD ON 1/2" O.C. FURROOD ON EXTERIOR SIDE.