



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

APPLICATION #: **V-18-022**

DATE ACCEPTED **01/31/2018**

APPEAL

NOTICE TO APPLICANT

Address of Property:

1343 Lanier BLVD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, April 5th, 2018 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,

BH, for Director, Office of Zoning and
Development

Kathleen S. Skinner

APPLICATION FOR APPEAL OF A DECISION OF AN ADMINISTRATIVE OFFICER

Date Filed 1/31/2018 Application Number V-18-022

Name of Applicant SHANNON SKINNER Daytime Phone 404-825-3450

Company Name (if applicable) NA email SHANNON.SKINNER@COMCAST.NET

Address 1337 LANIER BLVD ATLANTA GA 30306
street city state zip code

Name of Property Owner TERRY M + KATHLEEN S. SKINNER Phone 404-825-3450

Address 1337 LANIER BLVD ATLANTA GA 30306
street city state zip code

Description of Property

Address of Property 1343 1337 LANIER BLVD ATLANTA GA 30306
street city state zip code

Area: _____ Land Lot: 2 District: 17th, FULTON County, GA.

Property is zoned: RA, Council District: _____, Neighborhood Planning Unit (NPU): _____

TO THE BOARD OF ZONING ADJUSTMENT (not applicable if appellant is not the property owner):

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.

Kathleen S. Skinner
OWNER OR AGENT FOR OWNER (APPLICANT)

KATHLEEN S. SKINNER
PRINT NAME OF OWNER

Sworn To And Subscribed Before Me This 30th Day Of JAN, 20 18.

Alva Bethea
NOTARY PUBLIC



Appeal of Issuance of CON-17-077

This application appeals the approval of a lot consolidation for 1343 Lanier Boulevard pursuant to application CON-17-077. The approval of CON-17-077 was issued by Alex Deus on behalf of the Office of Zoning and Development on January 2, 2018. Section 16-30.010(a) of the City of Atlanta Zoning Ordinance authorizes appeals by any person aggrieved by a decision by an administrative official. The appellant, Mark and Shannon Skinner, are the immediately adjoining property owners. The appellant is aggrieved and directly impacted by the issuance of CON-17-077

Section 16-30.010(d) provides that an appeal shall be sustained upon an expressed finding by the board that the administrative official's action was based on an erroneous finding of material fact, or that he acted in an arbitrary manner. This appeal asserts that the action approving application CON-17-077 was based on an erroneous finding of material fact.

The applicable records for the subject property evidence a property boundary overlap with the adjacent property addressed as 1337 Lanier Boulevard. Specifically, the survey submitted for application CON-17-077 failed to evidence a property overlap. Pursuant to field work performed by TerraMark Land Surveying, Inc. on December 29, 2017, the overlap was identified. The field work included control point establishment, property research, property computation, property monumentation and is outlined in the sketch attached. The surveyor that prepared the survey in CON-17-077 has been notified of the overlap and has verbally indicated that the survey will be corrected to evidence the overlap. A property may not be replatted to include property that is part of a boundary dispute with an adjacent property owner. Due to the inconsistent documentation of the property boundary line between 1343 Lanier Boulevard and 1337 Lanier Boulevard, the approval of CON-17-077 granted on January 2, 2018 should be revoked.

Department of City Planning
Office of Zoning & Development

JAN 31 2018

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

AFTER RECORDING RETURN TO:
THE FRYER LAW FIRM
70 LENOX POINTE
ATLANTA, GA 30324
File No. 2010-01323

Department of City Planning
Office of Zoning & Development

V-18-022

JAN 31 2018

WARRANTY DEED

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

STATE OF GEORGIA
COUNTY OF FULTON

THIS INDENTURE made this 22nd day of September, 2010 between JOSEPH WATERS of the County of FULTON, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and TERRY M. SKINNER and KATHLEEN S. SKINNER, as joint tenants with the right of survivorship and not as tenants in common, as party or parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" 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 Grantees,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 2, 17TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING LOT 6, BLOCK 3, MORNINGSIDE-NORTH HIGHLAND VIRGINIA-HIGHLANDS SUBDIVISION, ACCORDING TO PLAT RECORDED AT PLAT BOOK 11, PAGE 125, FULTON COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN OPEN TOP PIPE ON THE NORTHERLY RIGHT OF WAY OF LANIER BOULEVARD 1050 FEET WESTERLY FROM THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF LANIER BOULEVARD AND THE WESTERLY RIGHT OF WAY OF MCLYNN AVENUE (F/K/A MCLYNN STREET) IF EXTENDED; RUNNING THENCE ALONG THE NORTHERLY RIGHT OF WAY OF LANIER BOULEVARD NORTH 52 DEGREES 01 MINUTES 28 SECONDS WEST 55.05 FEET TO AN OPEN TOP PIPE; RUNNING THENCE NORTH 37 DEGREES 27 MINUTES 11 SECONDS EAST 240.05 FEET TO AN IRON PIN SET; RUNNING THENCE SOUTH 38 DEGREES 18 MINUTES 42 SECONDS EAST 56.39 FEET TO AN IRON PIN SET; RUNNING THENCE SOUTH 37 DEGREES 21 MINUTES 18 SECONDS WEST 226.69 FEET TO AN OPEN TOP PIPE ON THE NORTHERLY RIGHT OF WAY OF LANIER BOULEVARD AND THE POINT OF BEGINNING; ALL ACCORDING TO SURVEY PREPARED BY SURVEY SYSTEMS AND ASSOCIATES, INC., DATED SEPTEMBER 4, 1997; BEING THE SAME PROPERTY CONVEYED IN DEED RECORDED AT DEED BOOK 12180, PAGE 54, FULTON COUNTY, GEORGIA RECORDS; BEING KNOWN AS 1337 LANIER BOULEVARD, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN FULTON COUNTY, GEORGIA.


SUBJECT TO ANY RIGHT OF WAY DEEDS OR OTHER EASEMENTS OF RECORD.

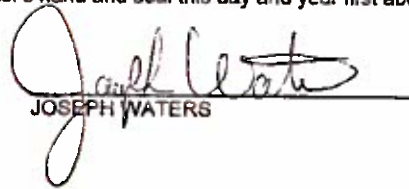
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

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 hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:


Unofficial Witness


JOSEPH WATERS

Notary Public
My commission expires:

CLARA L. FRYER
NOTARY PUBLIC
Fulton County
State of Georgia
My Comm. Expires April 26, 2011

AFTER RECORDING RETURN TO:
THE FRYER LAW FIRM
70 LENOX POINTE
ATLANTA, GA 30324
File No. 2010-01323

Department of City Planning
Office of Zoning & Development

V-18-072

JAN 31 2018

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FULTON

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

THIS INDENTURE made this 22nd day of September, 2010 between JOSEPH WATERS of the County of FULTON, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and TERRY M. SKINNER and KATHLEEN S. SKINNER, as joint tenants with the right of survivorship and not as tenants in common, as party or parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

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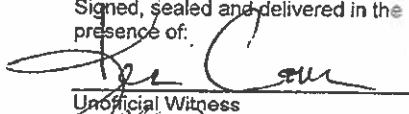
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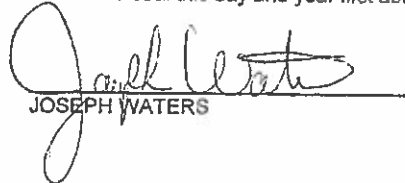
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IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:


Unofficial Witness


JOSEPH WATERS

Notary Public
My commission expires:

CLARA L. FRYER
NOTARY PUBLIC
Fulton County
State of Georgia
My Comm. Expires April 26, 2011

PUBLIC NOTICE SIGN POSTING

- As owner of the property subject to the appeal I understand that I must post the public notice sign, provided by the Office of Zoning and Development, no later than 15 days prior to the scheduled BZA hearing date.
- As non-owner of the property subject to the appeal I understand that the Office of Zoning and Development will post the public notice sign to the subject property no later than 15 days prior to the scheduled BZA hearing date.



SIGNATURE OF APPELLANT

SHANNON SKINNER

PRINT NAME OF APPELLANT

Department of City Planning
Office of Zoning & Development

JAN 31 2018

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

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

01/31/2018

15:46:37

CREDIT CARD
VISA SALE

D COMMUNITY DEVELOPMENT
A 30303

PAID
CITY OF ATLANTA
JAN 31 2018

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Card # XXXXXXXXXXXX1566
Chip Card: Visa Credit
AID: A000000031010
ATC: 0007
TC: 1C551ACCE1193888
SEQ #: 35
Batch #: 280
INVOICE 35
Approval Code: 031408
Entry Method: Chip Read
Mode: Issuer

n: V-18-022
: Planning/BZA/Appeal/NA
: 1343 LANIER BLVD NE, ATLANTA, GA 30306
: AUSTIN MARILYN JANE

Rosalio P. Lewis

Amount Paid	Payment Date	Cashier ID	Received	Comments
250.00	01/31/2018	RPLEWIS		



SALE AMOUNT \$250.00

'N JANE

CUSTOMER COPY