



**OFFICE OF ZONING AND DEVELOPMENT**

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

APPLICATION #: **V-18-123**

DATE ACCEPTED **04/23/2018**

**NOTICE TO APPLICANT**

Address of Property:  
**1243 Virginia AVE NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

*Thursday, June 14, 2018* at 12:00 p.m.

Council Chambers, 2nd Floor, City Hall  
55 Trinity Avenue, S.W.

The contact person for NPU F is:

Debbie Skopczynski  
949 Rupley Dr NE  
Atlanta, GA 30306  
404-874-7483  
chair@npufatlanta.org

**Additional Contacts:**

Office of Planning

APR 23 2018

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

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,

JF, for Director, Office of Zoning and Development

KENT AHRENHOLD

V-18-123



City of Atlanta  
Department of City Planning  
Office of Zoning and Development  
55 Trinity Avenue, Suite 3350  
Atlanta, Georgia 30303  
Phone: 404-330-6145

Department of City Planning  
Office of Zoning & Development

APR 23 2018

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

**REFERRAL CERTIFICATE**

COUNCIL DISTRICT 6 APPLICATION NUMBER \_\_\_\_\_

NPU F DATE FILED \_\_\_\_\_

1. Kent Ahrenhold, Architect  
Name of Applicant

**BUILDING PERMIT AUTHORIZING**

*Addition to a single family dwelling*

at 1243 Virginia Ave NE 15<sup>th</sup> / 241  
Street Address Quadrant District & Land Lot

to be used for RESIDENTIAL  
purposes

The property is zoned RG-3 District

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

Applicant seeks a variance from the zoning regulation: to reduce the required front yard setback from 40 feet to 27 feet, Reduce the east side yard setback from 7feet to .04 feet, Reduce the west side yard setback from 7 feet to 3.7 feet.

Applicant seeks no other variances at this time.

**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 16 Section 16-08.008 Paragraph (1)

Chapter 16 Section 16-08.008 Paragraph (1)(2)F

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

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

Henry S. [Signature]  
Plan Reviewer Date 4/23/18

Kent Ahrenhold  
Applicant Date 23 April 2018

V-18-123

# APPLICATION FOR BOARD OF ZONING ADJUSTMENT

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

APR 23 2018

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

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

Date Filed 23 April 2018 Application Number \_\_\_\_\_

Name of Applicant Kent Arnhold/Nina Gentry Daytime Phone 404-218-5730

Company Name (if applicable) Kent Arnhold, Architect email Karnhold@comcast.net

Address 6851 Roswell Road K-22 Atlanta GA 30928  
street city state zip code

Name of Property Owner HUGHEY IN UNCL Phone 770-371-2020  
Address 12600 DEERFIELD PKWY SUITE 100 ALPHARETTA GA 30004  
street city state zip code

### Description of Property

Address of Property 1243 Virginia Ave NE Atlanta GA  
street city state zip code

Area: 3,219 S.F. Land Lot: 241 District: 15th, DeKalb County, GA.

Property is zoned: R63, Council District: 6, 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.

Kent Arnhold  
Owner or Agent for Owner (Applicant)  
KENT ARNHOLD  
Print Name of Owner

Sworn To And Subscribed Before Me This 20<sup>th</sup> Day Of April, 2018.

Mariah J. Townsend  
NOTARY PUBLIC

MARIAH J. TOWNSEND  
NOTARY PUBLIC  
Cobb County  
State of Georgia  
My Comm. Expires Jan. 27, 2020  
August 2016 - Page 4 of 12

V-18-123

## 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.

APR 27 2018  
City of Atlanta, GA

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.

2,817 s.f. covered square feet / 3,293 s.f. total lot square feet = 85.5 % 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)? \_\_\_\_\_  
\_\_\_\_\_
- 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. \_\_\_\_\_  
\_\_\_\_\_

Variance Request  
1243 Virginia Avenue, NE

V-18-123  
Department of City Planning  
Office of Zoning & Development

1243 Virginia Avenue is an existing nonconforming parcel of land in the Virginia Highland neighborhood. Located in NPU-F it is also within Council District 6. RG parcels for single family use are required to have a minimum of 50 feet of frontage and 5,000 SF of land area. The subject property has 25 feet of frontage and 3,219 SF of land area therefore it is an existing nonconforming parcel based on its frontage and land area.

Sec. 3350  
Atlanta, GA

The property is developed with a one-story brick building and is adjacent to multi-family structures on either side. The existing structure is approximately 8' 2" from the building façade on the east and approximately 7' from the building façade on the west and encroaches into the required front yard and side yards for properties zoned RG.

The current owner wishes to add a two-story addition with roof top area to create more livable space in the building. A total of 2,760 SF of conditioned space is proposed. The addition will be within the existing footprint of the existing structure. The existing setbacks are:

Front yard 31.2 feet    East side yard at its closes point .04"    West side yard 3' 7"

No reduction in the rear yard setback is requested. We are requesting the existing setbacks except for the front yard where we are asking to reduce the setback to 27' for a potential front balcony. This would be the only location that would be outside of the existing footprint of the building.

A similar request in June 2016 (V-16-104) was applied for and we understand it was granted, however it was for a second story addition and we are proposing a two-story addition with roof top area above the existing one-story building. Based on the existing conditions on the property we respectfully request the Board of Zoning Adjustment approve our request for a reduction in the front and side yards.

Variance justification criteria

a. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.**

1243 Virginia Avenue, NE is an existing nonconforming lot based on its lack of frontage and land area as required for property zoned RG in the City of Atlanta. It has only 25 feet of frontage and 3,219 SF of land area rather than the required 50 feet of frontage and 5,000 SF of land area. These are extraordinary and exceptional conditions pertaining to the subject property.

b. **The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship.**

Enforcement of the Zoning Ordinance would create an unnecessary hardship upon the nonconforming lot of record. The existing structure is nonconforming as to the front and side yards and is a one-story building. The owner wishes to add two floors and a roof deck to increase the livable area of the structure. Two cars would park off street in the basement area in tandem thereby reducing the on-street parking along Virginia Avenue. The additions will not encroach any further into the east or west side yard setback than the current conditions and, the additional reduction in the front yard setback is not for the entire façade but only for a potential balcony. It should not be necessary to impose this hardship to protect the public good.

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

The shape and size of the subject property is peculiar to the subject property.

V-18-123

**d. 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 requested variances would not cause substantial detriment to the public good or impair the purposes and intent of the zoning ordinance by allowing the proposal. There is no evidence that the additional living space would impede the quality of life of adjacent neighbors, nor pose a potential impediment on emergency access or threats to health and fire safety. The proposal promotes desirable living conditions and reinforces the stability of the surrounding neighborhood by making improvements on an existing property. The proposal does not appear to pose a detriment to the public and there are no negative impacts resulting from the proposal. The requested variances appear to be reasonable under the circumstances.

Department of City Planning  
Office of Zoning & Development

APR 23 2018

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

V-18-123

**AUTHORIZATION BY PROPERTY OWNER** Department of City Planning  
(Required only if the applicant is not the owner of the property subject to the proposed application.) Office of Zoning & Development

(Please print clearly. Must be the original document. A copy will not be accepted.)

APR 23 2018

I, HUSEYIN UNAL (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1243 Virginia Ave (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 ~~HAZ~~ AHRENHOLD FIRST NAME KENT  
ADDRESS 6051 Forwell Road SUITE K-22  
CITY Sandy Springs STATE Georgia ZIP CODE 30328

OWNER'S TELEPHONE NUMBER: 7703712026

[Signature]  
SIGNATURE OF OWNER  
HUSEYIN UNAL  
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  
2/9/18  
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  
APR 23 2018

EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR



Application: V-18-123  
Application Type: Planning/BZA/Variance/NA  
Address: 1243 VIRGINIA AVE NE, ATLANTA, GA 30306  
Owner Name: COLE STEPHEN C OR CHRISTIE JANIS M  
Owner Address:  
Application Name: VARIANCE 1243 VIRGINIA AVE

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
576301	1571	\$500.00	04/23/2018	PAMITCHELL		

Owner info.: COLE STEPHEN C OR CHRISTIE JANIS M

Work Description: APPLICANT SEEKS A VARIANCE FROM THE ZONING REGULATION TO REDUCE THE REQUIRED FRONT YARD SETBACK FROM 40FT TO 27FT,REDUCE THE EAST SIDE YARD SETBACK FROM 7FT TO .04FT,REDUCE THE WEST SIDE YARD FROM 7FT TO 3.7FT



V-18-123

**GENERAL NOTES:**

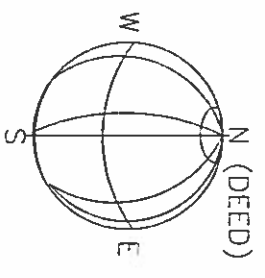
- 1: This Plat has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plat.
- 2: This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
- 3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
- 4: No Geodetic monuments were found within 500 feet of this site
- 5: This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

REFERENCE: DB 24279 PG 630

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY FIRM MAP OF DEKALB COUNTY, GEORGIA 13089C0063J EFFECTIVE DATE MAY 16, 2013

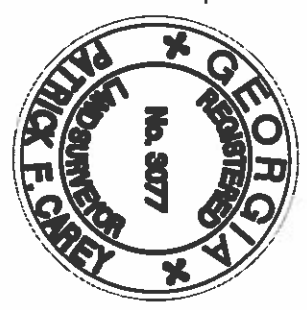
IRCT SYMBOLS  
 (X) OAK  
 (X) HARDWOOD  
 X = DIAMETER IN INCHES

ZONING: RC-3  
 IMPERVIOUS SURFACES:  
 CONC. = 938 SQ. FT.  
 HOUSE = 1,387 SQ. FT.  
 WALLS = 84 SQ. FT.  
 DECK = 264 SQ. FT.  
 SHED = 144 SQ. FT.  
 TOTAL IMPERVIOUS = 2,817 SQ. FT. (87.5%)  
 TOTAL LOT = 3,219 SQ. FT.

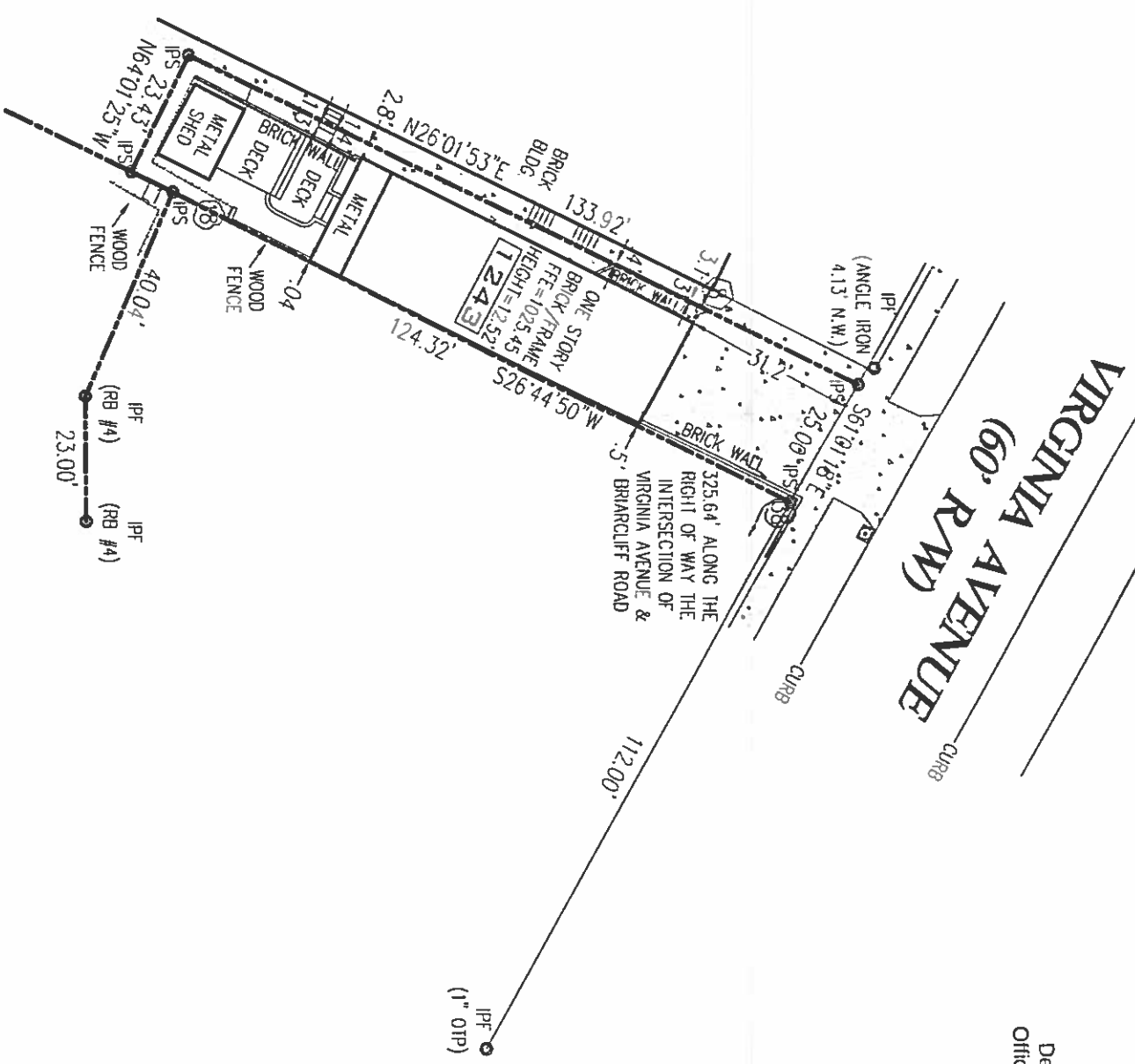


**LEGEND**

- EOP EDGE OF PAVEMENT (CURB)
- PP POWER POLE
- R/W RIGHT OF WAY
- IPF IRON PIN FOUND
- IPS 1/2" REBAR SET
- SW SIDE WALK
- BOLLARD
- OHP OVERHEAD POWER
- FH FIRE HYDRANT
- CB CATCH BASIN
- MH MANHOLE
- WM WATER METER
- WV WATER VALVE
- GV GAS VALVE
- GM GAS METER
- LP LIGHT POLE
- CONCRETE PAD

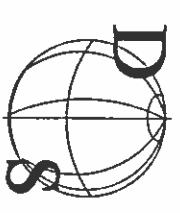


FOR  
 DEKALB SURVEYS, INC.  
 407 W. PONCE DE LEON  
 SUITE B  
 DECATUR, GEORGIA 30030  
 404.373.9003



LINE TABLE		
LINE	LENGTH	BEARING
L1	8.30	S25°58'34"W

1243 VIRGINIA AVENUE  
 CITY OF ATLANTA, DEKALB COUNTY, GEORGIA  
 LAND LOT 241, DIST 15  
 DATE: JUNE 2, 2015  
**ADD TOPO 3-22-2016**



www.dekalbsurveys.com  
 COA 1086

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. 15-6-67, AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

COPY RIGHT 2016--THIS 11 X 17 DRAWING AND REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR