



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

APPLICATION #: **V-18-241**

DATE ACCEPTED **08/01/2018**

## NOTICE TO APPLICANT

Address of Property:

**1256 Spring Valley LN NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, October 4, 2018 at 12:00 p.m.**

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

The contact person for NPU F is:

Contact info for adjacent NPUs is provided below if necessary:

### **Additional Contacts:**

*Charles Nulbone*  
*641 East Pelham Rd NE*  
*Atlanta, GA 30324*  
*(404) 376-3230*

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,

Y.O., for Director, Office of Zoning and  
Development

Ute Banse



Department of City Planning  
Office of Zoning & Development

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

AUG 1 2018

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

**REFERRAL CERTIFICATE**

COUNCIL DISTRICT 6 APPLICATION NUMBER V-18-241

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

Ute Banse

Name of Applicant

**BUILDING PERMIT AUTHORIZING  
Construction of a New Accessory Structure**

at 1256 Spring Valley Lane NE 18<sup>th</sup>/55  
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 regulations to (1) Reduce the required rear yard setback from 15 feet to 3 feet.

Applicant seeks no other variances at this time.

A Complete Plan Review Was Not Conducted

**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 6 Section 16-06.008 Paragraph (3)

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

Thomas Otoo 8/01/2018  
Plan Reviewer Date

\_\_\_\_\_  
Applicant Date

# APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Department of City Planning  
Office of Zoning & Development

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

Variance	X
Special Exception	
Variance & Special Exception	

AUG 1 2018

55 Trinity Ave. S.W.  
Ste. 3380  
Atlanta, GA

Date Filed 8-1-18

Application Number 18-241

Name of Applicant Ute Banse Daytime Phone 404-525-7956

Company Name (if applicable) Ute Design email utebanse@gmail.com

Address 1077 Alta Avenue, NE Atlanta GA 30307  
street city state zip code

Name of Property Owner Aki Onozuka and Peter Evans Phone \_\_\_\_\_

Address 1256 Spring Valley Lane Atlanta GA 30306  
street city state zip code

## Description of Property

Address of Property 1256 Spring Valley Lane, Atlanta, GA, 30306  
street city state zip code

Area: 11,114 sf Land Lot: 55 District: 18th, Dekalb County County, GA.

Property is zoned: R-4, 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.

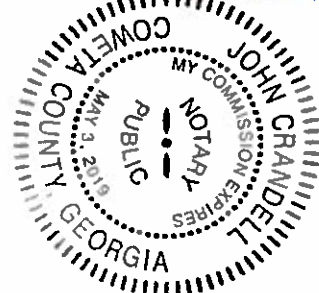
I hereby authorize the staff of the Office of Zoning and Development to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Zoning and Development upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

[Signature]  
Owner or Agent for Owner (Applicant)

UTE BANSE  
Print Name of Owner - APPLICANT

Sworn To And Subscribed Before Me This 1 Day Of August, 2018.

[Signature]  
NOTARY PUBLIC



V-18-241

## 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 X 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.").

Construct a 38.1' wide x 22'deep accessory structure  
in rear yard

**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.

5,532 covered square feet / 11,114 total lot square feet = 47 % proposed lot coverage  
50 % maximum allowed lot coverage

Department of City Planning  
Office of Zoning & Development

AUG 1 2018

**Variance Criteria (see page 6 for detailed criteria):**

65 Trinity Ave. S.W.  
Atlanta, GA

1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?  
see attached

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

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

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

V-18-241

Aki Onozuka and Peter Evans  
1256 Spring Valley Lane  
Atlanta, GA 30306

Department of City Planning  
Office of Zoning & Development

July 24, 2018

AUG 1 2018

City of Atlanta  
Office of Zoning and Development  
Board of Zoning Adjustment  
55 Trinity Avenue, SW  
Suite 3350  
Atlanta, Georgia 30303

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

Dear Members of the Board of Zoning Adjustment:

We wish to build an accessory structure on our property to address our need for a playroom for our children and for home office space. The playroom is designed to potentially be used as a one car garage.

To allow the proposed accessory structure, we request a variance to reduce the rear yard setback from 15' to 3'.

Please find attached the following items in support of the variance request:

- Variance Application Forms
- Survey/Site Plan
- Proposed Floor Plan and Elevations
- Referral Certificate

**Justification:**

The subject property is zoned R-4. We believe that the property and the proposed plans meet the variance criteria per Section 16-26.003 in the Zoning Code.

(1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?

Our property meets the minimum lot size requirements. However, the existing structure is located on the property with a front yard setback of 46' making the rear yard unusually small. There are patio doors and an elevated brick patio along the entire rear of the house.

The house was completely renovated and updated about 10 years ago. The second floor is built-out attic space, and there is no unused attic space suitable for expansion. All spaces located to the rear of the house feature visual and functional connections to the rear yard. Therefore, adding on to the rear of the house is not a viable option.

(2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship;

The application of the zoning ordinance would create an unnecessary hardship as it would not allow us to construct the additional spaces our family needs without impacting the usability of the rear yard for enjoyment, play and recreation. The strict application of the zoning ordinance would only allow for minimal yard space between the accessory structure and the main house. This would greatly diminish the quality of the rear yard and adjacent living spaces.

(3) What conditions are peculiar to the particular piece of property involved;

Many properties in our neighborhood in fact are of similar size and width. However, the particular condition of the existing front yard setback is peculiar to this property.

V-18-241

(4) Submit facts to show that 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.

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 detract from neighbor's use and enjoyment of adjoining and surrounding properties. The proposed design meets the required side yard setbacks and does not affect the neighbors to either side negatively. The neighboring property at the rear property line has an accessory structure in close proximity to the rear property line and is not negatively impacted. We believe that the proposed improvements are in keeping with the orderly evolution of this neighborhood and will promote desirable living conditions for our family and the neighborhood.

Thank you for your consideration in this request.

Sincerely,



Aki Onozuka and Peter Evans

**AUTHORIZATION BY PROPERTY OWNER**

V-18-241

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

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

I, PETER C. EVANS (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1256 Spry Valley Lane <sup>Atlanta, GA 30306</sup> (PROPERTY ADDRESS), AS SHOWN IN THE RECORDS OF DeKalb COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

OWNER'S TELEPHONE NUMBER: 404-254-2161

Department of City Planning  
Office of Zoning & Development

AUG 1 2018

Peter C. Evans  
SIGNATURE OF OWNER  
PETER C. EVANS  
PRINT NAME OF OWNER

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

NAME OF APPLICANT:  
LAST NAME BANSE FIRST NAME UTE  
ADDRESS 1077 ALTA AVE. NE SUITE \_\_\_\_\_  
CITY ATLANTA STATE GA ZIP CODE 30307

APPLICANT'S TELEPHONE NUMBER: 404-525-7956  
APPLICANT'S EMAIL ADDRESS: utebanse@gmail.com

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  
07-30-2018  
DATE

My Commission Expires  
February 16, 2020

V-18-241

### AUTHORIZATION BY PROPERTY OWNER

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

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

I, AKI Onozuka (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1256 Spring Valley Ln. Atlanta GA (PROPERTY ADDRESS). AS SHOWN IN THE RECORDS OF DeKalb COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

Department of City Planning  
Office of Zoning & Development

OWNER'S TELEPHONE NUMBER: 404-254-2661

AUG 1 2018

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

[Signature]  
SIGNATURE OF OWNER

AKI Onozuka  
PRINT NAME OF OWNER

**NAME OF APPLICANT:**

LAST NAME BANSE FIRST NAME UTE

ADDRESS 1077 ALTA AVE. NE SUITE \_\_\_\_\_

CITY ATLANTA STATE GA ZIP CODE 30307

APPLICANT'S TELEPHONE NUMBER: 404-525-7956

APPLICANT'S EMAIL ADDRESS: utebanse@gmail.com

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  
07-30-2018

My Commission Expires  
February 16, 2020

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  
AUG 01 2018  
OFFICIO MUNICIPAL  
REVENUE COLLECTOR

*Am...*

Application: V-18-241  
Application Type: Planning/BZA/Variance/NA  
Address: 1256 SPRING VALLEY LN NE, ATLANTA, GA 30306  
Owner Name:  
Owner Address:  
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
594203		\$100.00	08/01/2018	PAMITCHELL		

Work Description: Applicant seeks a variance from the zoning regulations to (1) Reduce the required rear yard setback from 15 feet to 3 feet.



PROPERTY INFORMATION:  
 ZONING: R-4  
 LOT SIZE: 11,114 SF

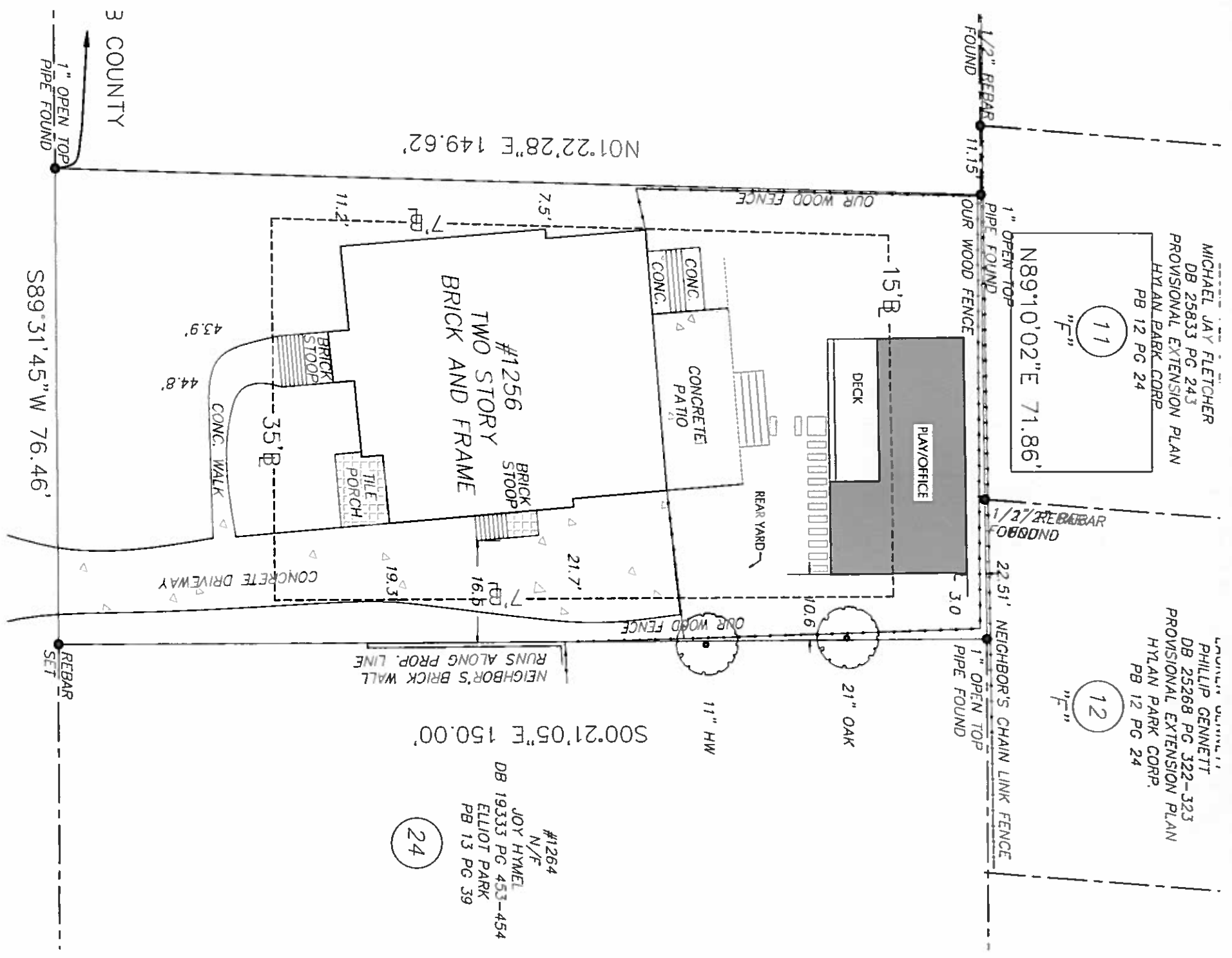
<b>FLOOR AREA:</b>	
EXISTING MAIN FLOOR	2,147 SF
EXISTING 2ND FLOOR	1,412 SF
TOTAL EXISTING FLOOR AREA	3,559 SF
EXISTING FAR	3,559 SF / 11,114 SF
<b>PROPOSED AREA ACCESSORY STRUCTURE</b>	
TOTAL PROPOSED AREA	3,559 SF + 651 SF
PROPOSED FAR	4,210 SF / 11,114 SF
ALLOWABLE FAR:	0.38
ALLOWABLE FAR:	0.50

<b>LOT COVERAGE:</b>	
EXISTING LOT COVERAGE	2,147 SF
HOUSE	1,393 SF
DRIVEWAY INCL. SIDE STEPS	217 SF
FRONT WALK AND STEPS	88 SF
FRONT PORCH	440 SF
REAR PATIO	58 SF
REAR PATIO STEPS	4,343 SF
TOTAL EXISTING IMPERVIOUS SURFACE	4,343 SF
EXIST. LOT COVERAGE	4,343 X 100 / 11,114
<b>PROPOSED LOT COVERAGE</b>	
EXISTING IMPERVIOUS SURFACE	4,343 SF
ACCESSORY STRUCTURE	651 SF
DECK	185 SF
STEPPING STONES	51 SF
TOTAL PROP. IMPERVIOUS SURFACE	5,230 SF
PROP. LOT COVERAGE	5,230 X 100 / 11,114
ALLOWABLE LOT COVERAGE	47%
ALLOWABLE LOT COVERAGE	50%

COMPLIANCE WITH SECTION 16-28.004(3) OF THE ZONING ORDINANCE  
 SHALL NOT EXCEED HEIGHT OF 20';  
 PROPOSED HEIGHT IS MAX. 12'

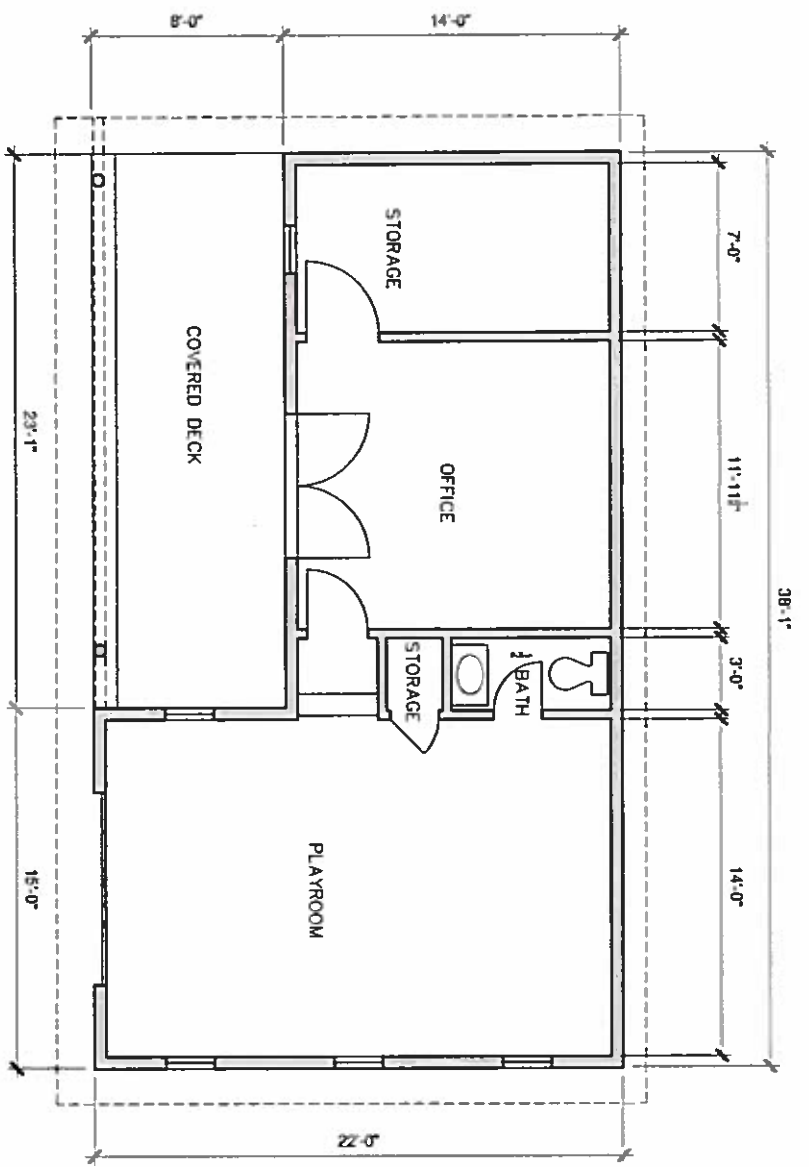
SHALL NOT COVER MORE THAN 25% OF THE AREA OF THE REAR YARD  
 REAR YARD AREA: 2,892 SF  
 25% OF 2,892 SF = 723 SF  
 723 SF > 651 SF (SIZE OF ACCESSORY STRUCTURE)

SHALL NOT CONTAIN A TOTAL FLOOR AREA GREATER THAN 30% OF THE MAIN STRUCTURE  
 30% OF FLOOR AREA MAIN STRUCTURE 3,559 SF X 0.3 = 1,068 SF  
 1,068 SF > 651 SF (FLOOR AREA OF ACCESSORY STRUCTURE)

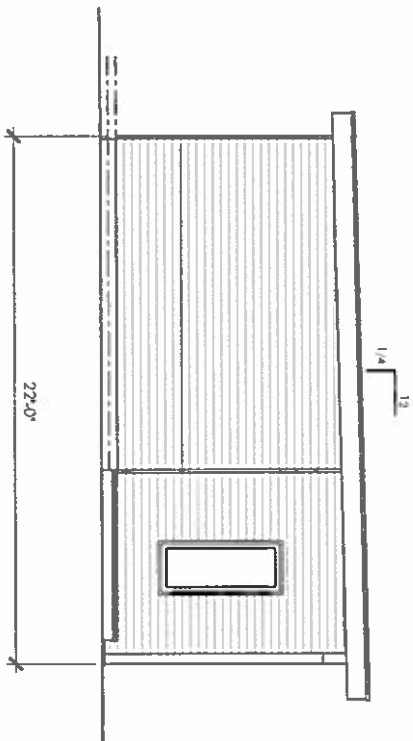


01 PROPOSED SITE PLAN  
 SCALE: 1"=10' (FULL SIZE)  
 1"=20' (HALF SIZE - 11X17)

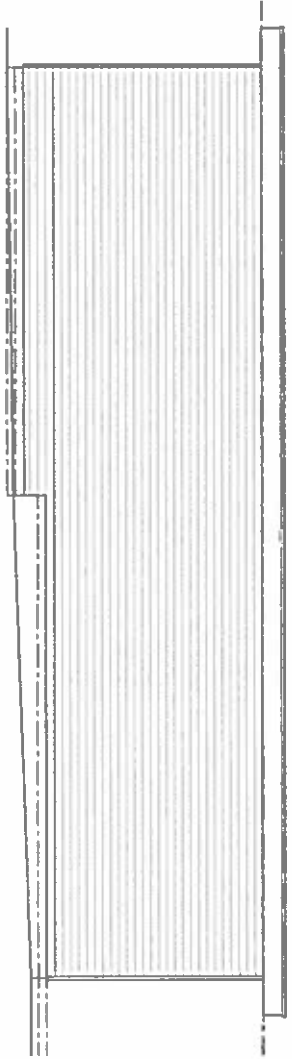
NOT RELEASED FOR CONSTRUCTION PROPOSED SITE PLAN	ACCESSORY STRUCTURE <b>EVANS ONOZUKA RESIDENCE</b> 1256 SPRING VALLEY LANE, ATLANTA, GEORGIA	DESIGN Copyright 2018. The Design. No portion of this document may be lifted in whole or in part, without the prior written permission of the Design.	1077 Alta Avenue NE Atlanta, Georgia 30307 voice/fax: (404) 525-7956
	DATE: 07/22/18 REVISIONS: REVISIONS:		52



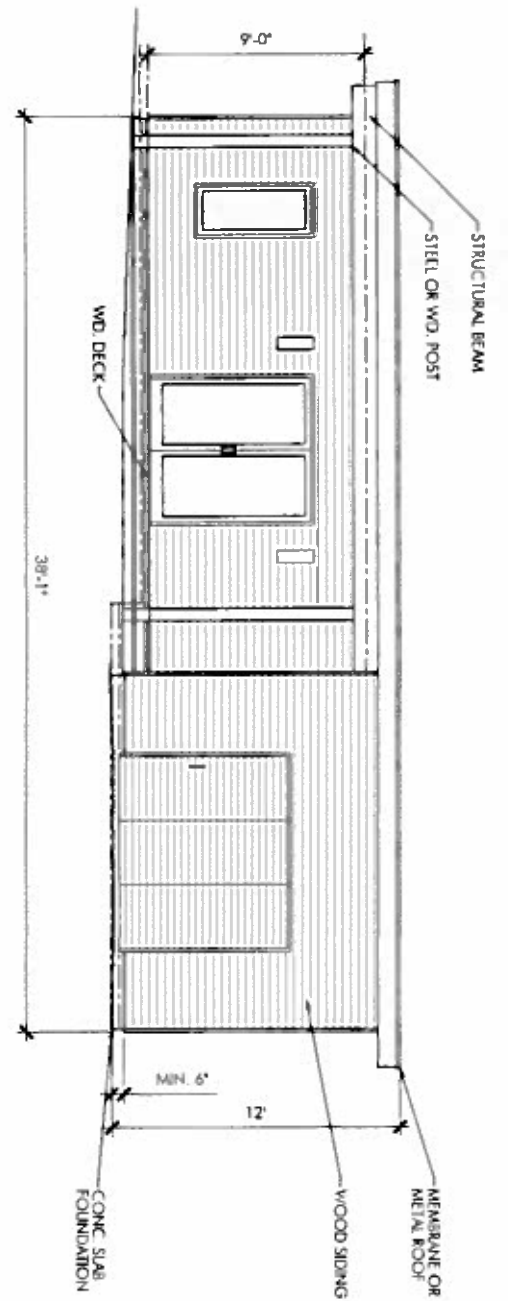
01 PROPOSED FLOOR PLAN  
 A1 SCALE: 1/4" = 1'-0" (FULL SIZE)  
 1/8" = 1'-0" (HALF SIZE - 11X17)



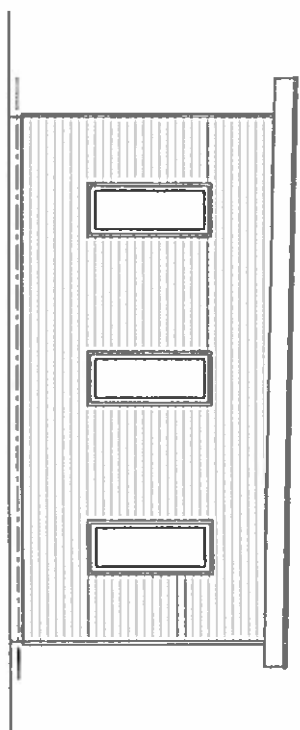
02 WEST SIDE ELEVATION  
 A1 SCALE: 1/4" = 1'-0" (FULL SIZE)  
 1/8" = 1'-0" (HALF SIZE - 11X17)



03 REAR (NORTH) ELEVATION  
 A1 SCALE: 1/4" = 1'-0" (FULL SIZE)  
 1/8" = 1'-0" (HALF SIZE - 11X17)



02 FRONT (SOUTH) ELEVATION  
 A1 SCALE: 1/4" = 1'-0" (FULL SIZE)  
 1/8" = 1'-0" (HALF SIZE - 11X17)



04 EAST SIDE ELEVATION  
 A1 SCALE: 1/4" = 1'-0" (FULL SIZE)  
 1/8" = 1'-0" (HALF SIZE - 11X17)

NOT RELEASED FOR CONSTRUCTION

PROPOSED FLOOR PLAN PROPOSED EXTERIOR ELEVATIONS
DATE: 07/22/18 REVISIONS: REVISIONS:

**ACCESSORY STRUCTURE**  
**EVANS ONOZUKA RESIDENCE**  
 1256 SPRING VALLEY LANE, ATLANTA, GEORGIA

Copyright 2018 Use Design  
 No portion of this document may be  
 utilized in whole or in part, without  
 the prior written permission of the  
 Design



1077 Alta Avenue NE  
 Atlanta, Georgia 30307  
 voice/fax: (404) 525-7956