



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

APPLICATION #: **V-18-332**

DATE ACCEPTED **10/23/2018**

## NOTICE TO APPLICANT

Address of Property:

**1292 Monroe DR NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, December 13, 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,

LM, for Director, Office of Zoning and  
Development

JOHN WATERS

Office of Planning

**V-18-332**  
OCT 23 2018

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



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

**REFERRAL CERTIFICATE**

COUNCIL DISTRICT 6 APPLICATION NUMBER V-18-332  
 NPU F DATE FILED 23 Oct 2018

John Waters  
 Name of Applicant

**BUILDING PERMIT AUTHORIZING  
 Addition to a single-family residence**

at 1292 Monroe DR NE 52<sup>nd</sup>/17  
 Street Address Quadrant District & Land Lot

to be used for Residential purposes

The property is zoned R-4 Bethune District

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

Applicant seeks a variance from the zoning regulations to (1) Reduce the required south side yard setback from 7 feet to 2.7 feet to add two floors to existing one floor single family residence.

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 (2)

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

Thomas Otoo 10/22/2018  
 Plan Reviewer Date

[Signature] 10-23-2018  
 Applicant Office of Planning  
 V-18-332  
 OCT 23 2018

# APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Office of City Planning  
Zoning & Development

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"/>

OCT 22 2018

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

Date Filed 10/22/18

Application Number \_\_\_\_\_

Name of Applicant JOHN R. WATERS JR. Daytime Phone 404.545.1621

Company Name (if applicable) WATERS ARCHITECTURE email john@watersarchitecture.com

Address 3816 VALLEY BLUFF DR ATLANTA GA 30340  
street city state zip code

Name of Property Owner SHANDA S CUNT IRWIN Phone 952-473-2398

Address 1292 MONROE DR NE ATLANTA GA 30306  
street city state zip code

**Description of Property**

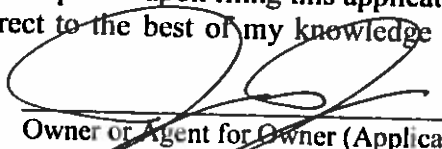
Address of Property 1292 MONROE DR NE ATLANTA GA 30306  
street city state zip code

Area: 7696 Land Lot: 17 District: 52, FULTON County, GA.

Property is zoned: R-4, Council District: 6, Neighborhood Planning Unit (NPU): F

TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received a preliminary plan review from the Office of Zoning and Development prior to seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant a Variance or Special Exception.

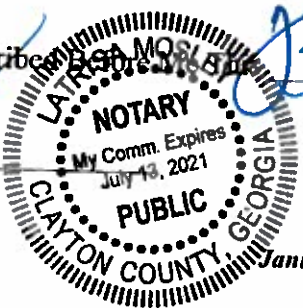
I hereby authorize the staff of the Office of Zoning and Development to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Zoning and Development upon filing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

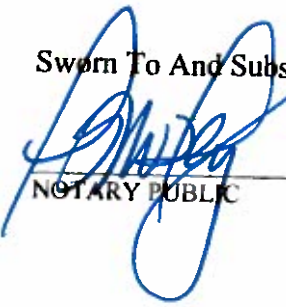
  
 Owner or Agent for Owner (Applicant)

JOHN R. WATERS JR.  
 Print Name of Owner

Office of Planning  
718.338  
 OCT 23 2018

Sworn To And Subscribed John R. Waters Jr. Day Of Oct, 2018



  
 NOTARY PUBLIC

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

# 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: \_\_\_\_\_.

Is the proposal subject to Inclusionary Zoning? \_\_\_ YES  NO

**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.").

LOOKING TO ADD A 2 STORY ADDITION TO AN EXISTING 1 STORY RESIDENCE

**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.

3,845 covered square feet / 7,696 total lot square feet = 49.9% proposed lot coverage

500% 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. \_\_\_\_\_  
\_\_\_\_\_

Office of Planning  
V18338  
OCT 23 2018

## JUSTIFICATION FOR VARIANCE REQUEST

Irvin Residence  
1292 Monroe Drive NE  
Atlanta, Georgia

### Variance Request

This variance application serves as a request to construct a new two story addition over and existing homes' one story footprint. Our existing home is a non-conforming lot and does not meet three regulational items of the R-4 criteria, they are as follows:

1. R-4 zoning frontage requirement is 70'-0" (current site frontage width 49'-0")
2. R-4 zoning minimum lot area is 9,000 sq.ft. (currently site area is 7,696 sq.ft.)
3. Zoning building south side yard setback is not met due to the existing homes' footprint rests over the south side yard setback (2'-7" off property line at rear corner of the home and 4'-7" off property line at front corner of the home).

With this information above, we are seeking to develop a new two story addition (over the existing one story home) therefore asking for the south side setback to be reduced to align only with the existing homes' footprint (2'-7" off property line at rear corner of the home and 4'-7" off property line at front corner of the home). We are not seeking to add any additional impervious square footage to the home.

### Extraordinary/Exceptional (Hardship) Property Conditions

Due to the property being non-conforming to the zoning regulations we are already facing a hardship for any adjustments to the property. If allowed to provide this addition over the existing homes' footprint we would not be providing any more impervious are to the current homes' footprint.

### Uniqueness of Property Compared to Surrounding Properties

As mentioned above our home is a non-conforming lot and the existing homes' footprint already rests over the South side yard setback (see architectural site plan). Other existing homes/lots surrounding our property are not as unique as ours due to their properties are a bit larger and fit well within the required zoning regulations.

### No Cause of Impairment to Surrounding Properties

As outlined in the architectural site plan, and in looking at placement of the new story addition in conjunction to surrounding properties, the renovation/new addition will not detract from the use & enjoyment of such properties. In fact, we believe the surrounding properties will benefit from the project. All things considered, the project will transform our property into one of desirability for years to come. And while this is our "forever home", should there ever be a need to sell in

the future, the project will significantly enhance the market addition, which will benefit the neighborhood as a whole.

Office of Planning

V18330

001 2 3 2018



# AUTHORIZATION BY PROPERTY OWNER

(Required only if the person filling 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, Johnny C + SHANDA L Irvin (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1292 Monroe Dr NE 30306 (PROPERTY ADDRESS). AS SHOWN IN THE RECORDS OF \_\_\_\_\_ 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: 952.473.2398

Shanda Irvin   
SIGNATURE OF OWNER

SHANDA Irvin Clint Irvin  
PRINT NAME OF OWNER

**NAME OF APPLICANT:**

LAST NAME Waters FIRST NAME John (Jay)

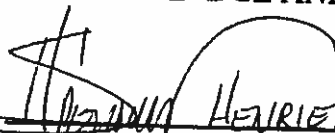
ADDRESS 3816 Valley Bluff Dr. SUITE \_\_\_\_\_

CITY Atlanta STATE GA ZIP CODE 30340

APPLICANT'S TELEPHONE NUMBER: 404.545.1601

APPLICANT'S EMAIL ADDRESS: Jay@watersarchitecture.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.

  
HELENA HENRIETTA SPEARMAN  
NOTARY PUBLIC

OCTOBER 19, 2018

DATE

Notary Public, DeKalb County, Georgia  
My Commission Expires February 24, 2019

Office of Planning  
V18-332  
OCT 23 2018

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

RECEIPT

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

PAID  
CITY OF ATLANTA  
OCT 23 2018

EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

*MIC*

Application: V-18-332  
Application Type: Planning/BZA/Variance/NA  
Address: 1292 MONROE DR NE, ATLANTA, GA 30306  
Owner Name: LARKIN BENJAMIN P  
Owner Address:  
Application Name: 1292 MONROE DR NE

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
609673		\$100.00	10/23/2018	PAMITCHELL		

Owner Info.: LARKIN BENJAMIN P

Work Description: APPLICANT SEEKS A VARIANCE FROM THE ZONING REGULATIONS TO (1) REDUCE THE REQUIRED SOUTH SIDE YARD SETBACK FROM 7 FEET TO 2.7 FEET TO ADD TWO EXISTING ONE FLOOR SINGLE FAMILY RESIDENCE. APPLICANT SEEKS NO OTHER VARIANCES AT THIS TIME. A COMPLETE PLAN REVIEW WAS NOT CONDUCTED.

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

10/23/2018 10:16:56

CREDIT CARD  
MC SALE

Card #: XXXXXXXXXXXX0274  
Chip Card: MASTERCARD  
AID: A0000000011010  
ATC: 005D  
ARQC: 831ED0C198C38FF5  
SEQ #: 4  
Batch #: 116  
INVOICE: 4  
Approval Code: 096792  
Entry Method: Chip Read  
Mode: Issuer

SALE AMOUNT \$100.00

Office of Planning  
V18-332  
OCT 23 2018  
55 Trinity Ave. S.W.  
Ste 3350  
Atlanta, GA

CUSTOMER COPY



**ZONING INFORMATION**

R-4 SINGLE FAMILY RESIDENTIAL  
 35' 0" FRONT SETBACK  
 15' 0" REAR SETBACK  
 7' 0" SIDE SETBACKS  
 50% COVERAGE LIMITATION  
 MINIMUM STREET FRONTAGE - 70' 0"  
 (CURRENT 49.52' = NON CONFORMING LOT)  
 MINIMUM LOT AREA - 9,000 SQ FT  
 (CURRENT 7,696 SQ FT = NON CONFORMING LOT)

**IMPERVIOUS CALCULATIONS**

EXISTING RETAINING WALL - FRONT	38 SQ FT
RENOVATED NEW RESIDENCE	1,807 SQ FT
NEW DRIVEWAY	1,896 SQ FT
NEW REAR RETAINING WALL	48 SQ FT
NEW REAR DECK	255 SQ FT
<b>TOTAL</b>	<b>3,845 SQ FT</b>
<b>TOTAL LOT COVERAGE</b>	<b>7,696 SQ FT</b>
3845 / 7696 = 49.9% < 50.0%	

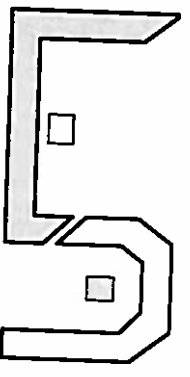
*F.A.R. RATIO*  
 MAIN FUR 1337  
 UPPER FUR 1337  
 Roof Terrace 544  
 3268  
 3268 < 3848

**PLAN DRAWING**

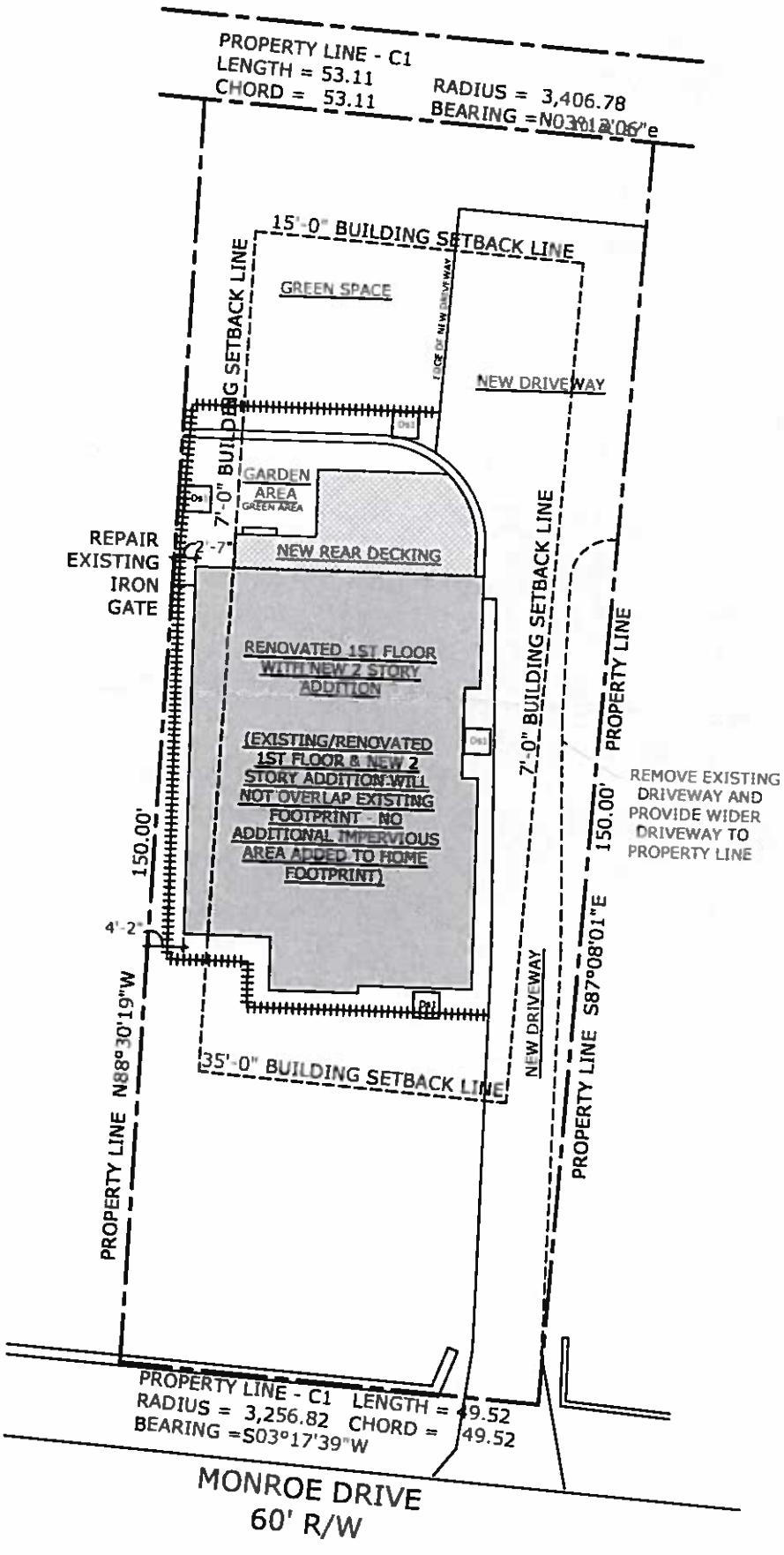
**PROPOSED SITE PLAN**

SCALE 1"=20'-0"

OCTOBER 22, 2018



WATERS ARCHITECTURE  
 404 545 1801



55 Trinity Ave. S.W.  
 Ste. 3050  
 Atlanta, GA

Office of Planning  
 V18338  
 10/23/2018

A RENOVATION/ADDITION FOR  
**THE IRVIN FAMILY**  
 1292 MONROE DRIVE  
 ATLANTA, GEORGIA