



**OFFICE OF ZONING AND DEVELOPMENT**

55 Trinity Avenue S.W., Suite 3350

Atlanta, Georgia 30303

(404) 330-6145

APPLICATION #: **V-18-335**

DATE ACCEPTED **10/23/2018**

**NOTICE TO APPLICANT**

Address of Property:

**676 Cresthill AVE 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,

MDA, for Director, Office of Zoning and  
Development

Todd Wirth



Department of City Planning  
Office of Zoning & Development

*V-18-335*  
OCT 23 2018

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

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

**REFERRAL CERTIFICATE**

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

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

Todd Wirth

Name of Applicant

**BUILDING PERMIT AUTHORIZING**

**New detached garage**

at 676 (aka 674 Cresthill AVE) NE 53<sup>rd</sup>/17  
Street Address Quadrant District & Land Lot

to be used for Residential Car Garage purposes

The property is zoned R-4/ Beltline District

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

Applicant seeks a variance from the zoning regulations to (1) Reduce the required east side yard setback from 7 feet to 4 feet. (2) Reduce the required rear yard stback from 15 feet to 7.6 feet to construct a new detached garage.

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 6 Section 16-06.008 Paragraph (3)

Thomas Otoo 10/22/2018  
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	<input checked="" type="checkbox"/>
Special Exception	<input type="checkbox"/>
Variance & Special Exception	<input type="checkbox"/>

OCT 23 2018

65 Trinity Ave. S.W.  
Atlanta, GA 30309

Date Filed Oct 22, 2018 Application Number V-18-335

Name of Applicant Todd Wirth Daytime Phone 404-915-1209

Company Name (if applicable) (Owner) email twirth@aol.com

Address 676 Cresthill Ave Atlanta GA 30306

street city state zip code

Name of Property Owner Todd Wirth Phone 404-915-1209

Address ~~676 Cresthill Ave Atlanta GA 30306~~

969 Piedmont Ave Atlanta GA 30309

street city state zip code

**Description of Property**

Address of Property 676 Cresthill Ave - Atlanta, GA 30306


street city state zip code

Area: .166 Acres Land Lot: 53 District: 17, Fulton County, GA.

Property is zoned: R4, Council District: \_\_\_\_\_, Neighborhood Planning Unit (NPU): \_\_\_\_\_

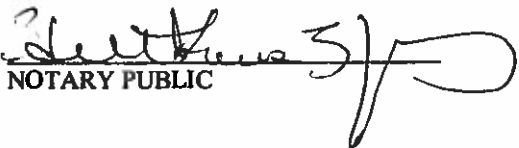
**TO THE BOARD OF ZONING ADJUSTMENT:** Applicant, having received a preliminary plan review from the Office of Zoning and Development prior to seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant a Variance or Special Exception.

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)

Todd Wirth  
Print Name of Owner

Sworn To And Subscribed Before Me This 10 Day Of 22 20 18

  
NOTARY PUBLIC





V-18-335

# 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: R4.

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.)")

Place a 23' x 23' garage 1/2 feet from back of lot and 4 feet from east side, set back (currently set back is 15 from back and 7 from side)

**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.

3586 covered square feet / 7243 total lot square feet = 49.51 % 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)? Quadruplex burned and is being demolished and replaced by single family home. Back compacted gravel parking lot is being transformed into gassy backyard with 2 cars garage
- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? Trying to rebuild a burned down property. Need to restore as quickly as possible. Neighbors did not want the garage under the house, so placed in backyard. Neighbors are supportive of this
- 3) What conditions are peculiar to this particular piece of property? Currently, the backyard is a compacted gravel parking lot. Impervious surface will be reduced when gravel is replaced with grass and garage built. Just over dogbox
- 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. Other neighbors have their garages in similar set backs. Neighbors garage is setback less than 15 feet and that. Also benefits community because gravel parking lot will go away. The compacted gravel area will be primarily replaced with grass.

V-18-335

OCT 23 2018

### 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.)

660 Peachtree Ave. S.W.  
Ste. 3350  
Atlanta, GA

I, Todd Wirth (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 676 Ciesthill Avenue (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.

Atlanta, GA 30306

OWNER'S TELEPHONE NUMBER: 404-915-1209

~~Signature of Owner~~

SIGNATURE OF OWNER

Todd Wirth

PRINT NAME OF OWNER

NAME OF APPLICANT:

LAST NAME Wirth FIRST NAME Todd

ADDRESS 969 Piedmont Avenue SUITE 1

CITY Atlanta STATE GA ZIP CODE 30309

APPLICANT'S TELEPHONE NUMBER: 404-915-1209

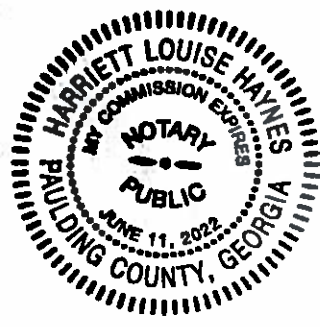
APPLICANT'S EMAIL ADDRESS: twirth@aol.com

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

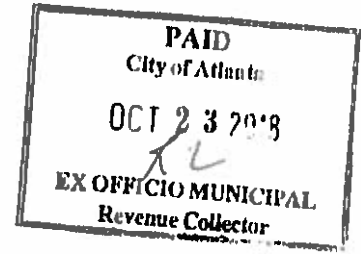
10-22-18

DATE



RECEIPT

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



Application: V-18-335  
Application Type: Planning/BZA/Variance/NA  
Address:  
Owner Name: AKERY DONALD R & TRUDY C  
Owner Address:  
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
609795	2005	\$100.00	10/23/2018	RPLEWIS		

Owner Info.: AKERY DONALD R & TRUDY C

Work Description: reduce the required east side yard setback from 7' to 4'; reduce the required rear yard setback from 15' to 7.6'