



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

APPLICATION #: **V-16-310**
DATE ACCEPTED: **11/09/2016**

NOTICE TO APPLICANT

Address of Property:
1008 Courtenay DR NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, January 5, 2017 at 12:00 p.m.

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

The contact person for NPU F is:

Charles Nalbene
404-376-3230
cnalbene@npufatlanta.org

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:

Please contact the person(s) listed above within two 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,


Rhonda Good
RG, for Director, Bureau of Planning


Patrick Dotson

CITY OF ATLANTA

Office of Buildings - Zoning Division
55 TRINITY AVENUE, SUITE 3900
Atlanta, Georgia 30303
404-330-6175



REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-16-310
NPU F DATE FILED 11/09/2016

1. Patrick Dotson
Name of Applicant

BUILDING PERMIT AUTHORIZING

2nd Story Addition to a Single Family Dwelling

at 1008 Courtenay Drive NE 17th / 2
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 regulation to reduce the east side yard setback from 7 feet to 5 feet for a 2nd Story addition to an existing single-family dwelling.

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

[Signature] 11/9/16
Plan Reviewer Date

[Signature] 11/9/2016
Applicant Date

Note: A complete review was not conducted.

APPLICATION FOR VARIANCE
City of Atlanta



Date Filed _____ Application Number 1-16-319
Name of Applicant Patrick Dotson Daytime Phone 770-329-0238
Company Name Pat Dotson Builder, Inc e-mail pcdotson@yahoo.com
Address 3149 Oakcliff Industrial Street, Atlanta GA 30340

street city state zip code

Name of Property Owner Donald Mead Phone 404-873-6557

Address 1008 Courtenay Drive, Atlanta GA 30306

street city state zip code

Description of Property

Address of Property 1008 Courtenay Drive, Atlanta GA 30306 OR

the subject property fronts _____ feet on the _____ side of _____
_____, and begins _____ feet from the
_____ corner of _____.

Depth: ___ Area: ___ Land Lot: ___ District: _____, _____ County, GA.

Property is zoned: R-4, Council District: 6, Neighborhood Planning Unit: 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 variance(s).

I hereby authorize the staff of the Office of Planning 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 Planning 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.

Sworn To And Subscribed Before Me This 9th Day Of 11, 20016.

[Signature]
Owner or Agent for Owner (Applicant)
Patrick Dotson
APPLICANT'S NAME IN PRINTED LETTERS

[Signature]
NOTARY PUBLIC
HIGOR DINEZ
NOTARY PUBLIC
Fulton County
State of Georgia
My Comm. Expires Jan. 12, 2018



Summary of proposed changes to buildings or site (example: "Construct a 10-foot by 10-foot, one-story room addition on the first floor of the house.") Include square footages and stories: Add a second floor onto an existing structure. The existing structure encroaches the right side set back by 1'8"

Proposed Lot Coverage (After Construction): Calculate total square footage of all lot coverage on the entire property after construction would be finished, including existing and proposed buildings and other structures, sidewalks, driveways, parking pads, patios, gravel, etc; everything except natural planted or undisturbed areas.

3063 covered square feet / 6708 total lot square feet = 46.1% proposed lot coverage

50 % maximum allowed lot coverage

Variance Procedures

Variance applications are heard and decided at a regularly-scheduled public hearing by the five-member City of Atlanta Board of Zoning Adjustment ("BZA"). The Office of Planning serves as staff to the BZA. Approximately one week after each closing date, a planner is assigned to review your application. All inquiries regarding your application should be directed to this office at (404) 330-6145. The rules of the BZA prevent BZA members from discussing the merits of any case except during the public hearing for that case.

Schedule. There are two closing dates and two public hearings per month. The schedule allows time for neighborhood and NPU meetings to occur throughout the City prior to each public hearing. The schedule of closing and public hearing dates is attached (Page 9).

Neighborhood and NPU Recommendations. The City is divided into 24 Neighborhood Planning Units (NPU's), each of which has a volunteer citizen advisory committee that makes a recommendation to the BZA on variances. When you file your application, you will be notified of the NPU contact person and that you must schedule a meeting with that NPU in order to explain what you wish to do. You may be requested to attend additional neighborhood meetings; inquire about the time and place of those meetings. The applicant is expected to contact the NPU as soon as possible after the application is filed. The Office of Planning will send a copy of your application to the appropriate NPU during the week after the closing date for your application.

Public Notice. When you file your application, it will be scheduled for a public hearing. The Office of Planning will initiate posting of public notice ("an advertisement", "a legal ad") for this public hearing so that the public is informed at least 15 days before the date of the public hearing:

- by sending written notice of your application to all property owners whose property is within 300 feet of the subject property, and
- by causing public notice to be placed in the newspaper.

You are responsible for obtaining a public notice sign when you file your application with the Office of Planning, and for posting it in a visible location on your property, at least 15 days prior to your public hearing. Failure to properly post the sign will make it necessary for the BZA to defer your case to another public hearing. The BZA may defer the case to a hearing that has been scheduled 30 or more days after the original hearing.

Refunds on Withdrawn Cases. Requests for withdrawal received 18 days prior to the public hearing will enable a refund of the application fee.

Staff Recommendation. Office of Planning staff reviews and makes written recommendations to the BZA on each variance application. You may contact your assigned planner at (404) 330-6145 on the day of the public hearing if you wish to know staff's recommendation.



STATEMENT OF INTENT

and

**Other Material Required by
The City of Atlanta Variance Ordinance**

Application for Variance

of

Donald Mead

for

Right Side Yard Set Back

located at

1008 Courtenay Drive NE

Atlanta, GA 30306

in

Land Lot 002, 17th District,

Fulton County, Georgia

City of Atlanta

Variance – Zoning R-4

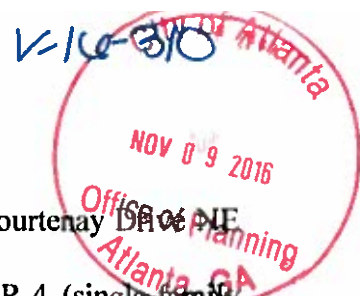
Submitted for Applicants by:

Patrick Dotson

4700 Longmire Ext, #48485

Atlanta, GA 30362

(770) 329-0238



I. INTRODUCTION

The Subject Property is a ± .154 acre tract of land located at 1008 Courtenay Drive NE, Atlanta GA 30306, Fulton County, Georgia. The site is currently zoned R-4 (single-family residential) under the City of Atlanta Zoning Ordinance and on the City's Zoning Map. The Applicant seeks a right side yard variance to allow the construction of a second level onto an existing house's first floor and basement. This document is hereby intended to provide an in-depth analysis of the proposed variance pursuant to the City of Atlanta Zoning Ordinance.

II. HISTORY

The Subject Property consists of 0.154 acres. The Subject Property is currently zoned R-4. The R-4 district requires, among other things, 9,000 square foot minimum lots, a 35' setback from the right-of-way, 7' minimum side yard setbacks, and a 15' minimum rear yard setback. The purpose of the variance is to reduce these minimum standards to allow a second level onto an existing house's first floor and basement.

To the Applicant's knowledge, no other variance applications have been filed concerning the Subject Property.

III. IMPACT ANALYSIS

THE EXISTING USES AND VARIANCE OF NEARBY PROPERTY AND THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE VARIACNE PROPOSED

The Subject Property is located along the north side of Courtenay Drive NE. The houses surrounding the subject property consist of similar homes. Many homes next to or near the subject property are being renovation to add second levels or the homes are being torn door to make way for new larger new homes.



This Application seeks variance approval for the purpose of adding a second level onto an existing house's first floor and basement.

THE PROPOSED VARIANCE PERMITS A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY AND WILL NOT NEGATIVELY IMPACT SUCH ADJACENT AND NEARBY PROPERTIES.

Upon approval, the proposed second level addition will be entirely in keeping with the homes in the subdivision. Furthermore, the second level addition will remain single family residential and will fit in nicely with nearby and adjacent residences. The proposed variance will not have an adverse effect on nearby uses. On the contrary, it will be completely in keeping with the area and will likely enhance the property values of those adjoining parcels by providing a high quality and attractive addition. Attention will be given to the architectural design, scale, and color of the addition to ensure it is compatible with other residences in the vicinity. Appropriate attention shall be given by the Applicant to ensure that this project will blend harmoniously with its surroundings and to minimize its effect on nearby and adjacent properties.

IV. CRITERIA

BY REASON OF EXCEPTIONAL NARROWNESS, SHALLOVNESS, OR SHAPE OF A SPECIFIC LOT, OR BY REASON OF EXCEPTIONAL TOPOGRAPHIC CONDITIONS, WHICH WERE NOT CREATED BY THE OWNER OR APPLICANT, THE STRICT APPLICATION OF THE REQUIEMENTS OF THIS CHAPTER WOULD DEPRIVE THE PROPERTY OWNER OF RIGHTS AND PRIVILEGES ENJOYED BY OTHER PROPERTY OWNERS IN THE SAME ZONING DISTRICT.

The existing structure and the right side setback encroachment was not created by the Property Owner. Granting the reduction in the right side yard setback and allowing the addition of the second level would allow the Property Owner the rights and privileges enjoyed by other owners in the same district. Strict application of the requirements of this



chapter would deprive the property owner of the rights and privileges of their property

THE REQUESTED VARIANCE DOES NOT GO BEYOND THE MINIMUM NECESSARY TO AFFORD RELIEF, AND DOES NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGE INCONSISTENT WITH THE LIMITATIONS UPON OTHER PROPERTIES IN THE ZONING DISTRICT IN WHICH THE SUBJECT PROPERTY IS LOCATED.

Granting the variance and allowing the second level addition does not constitute a special privilege and does not go beyond the minimum necessary to afford relief. The requested variance would allow the Property Owner to have the same privileges and rights as other properties located within the same zoning district.

THE GRANT OF THE VARIANCE WILL NOT BE MATERIALLY DETRIMENTAL TO THE PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OF IMPROVEMENTS IN THE ZONING DISTRICT IN WHICH THE SUBJECT PROPERTY IS LOCATED;

Upon approval, the proposed second level addition will be entirely in keeping with the existing properties along Courtenay Drive. Furthermore, the second level addition will fit in nicely with nearby and adjacent residences. The proposed variance will not have an adverse effect on nearby uses. On the contrary, it will be completely in keeping with the area and will likely enhance the property values of those adjoining parcels by providing a high quality accessory structure which will be attractive to the neighborhood. Attention will be given to the architectural design, scale, and color of the garage to ensure it is compatible with the existing house. Appropriate attention shall be given by the Applicant to ensure that this project will blend harmoniously with its surroundings and to minimize its effect on nearby and adjacent properties.

THE LITERAL INTERPRETATION AND STRICT APPLICATION OF THE APPLICABLE PROVISIONS OR REQUIREMENTS OF THIS CHAPTER WOULD CAUSE UNDUE AND UNNECESSARY HARDSHIP;

The literal interpretation of the provisions and requirements of this chapter would deprive the Property Owners of the rights and privileges enjoyed by other property owners in the same zoning district. The Property Owners of the Subject Property are not asking for a special privilege and denying the requested variance would cause undue and unnecessary hardship upon them not realized by other property owners in the same zoning district.

THE REQUESTED VARIANCE WOULD BE CONSISTENT WITH THE SPIRIT AND PURPOSE OF THIS CHAPTER AND THE CITY OF ATLANTA COMPREHENSIVE PLAN TEXT.

City of Atlanta's Comprehensive Land Use Plan consists of a text and a related map. The Application conforms to this designation in that the proposed variance is residential in character. This variance represents a consistent use commensurate with other surrounding uses.

V. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Variance Application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of City of Atlanta so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 9th day of November, 2016

Respectfully submitted,

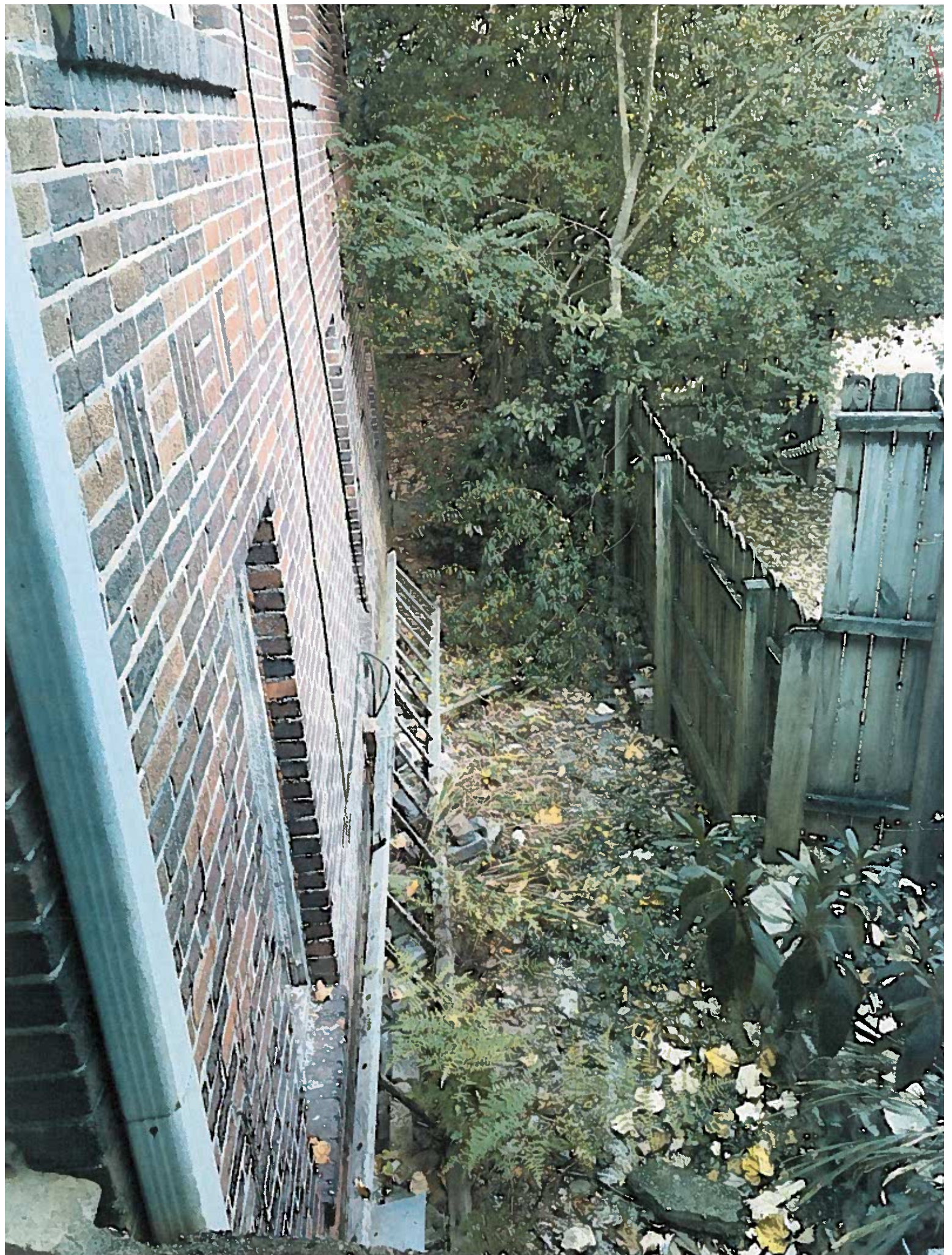


Patrick C Dotson
Applicant for Property Owner

Pat Dotson Builder, Inc.
3149 Oakcliff Industrial Street
Atlanta, GA 30340
(770) 329-0238

City of Atlanta
V-16-310
Nov 9, 2016
Office of Planning
Atlanta, GA

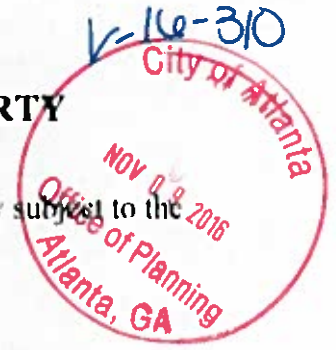






NOTARIZED AUTHORIZATION BY PROPERTY OWNER

(Required only if applicant is not the owner of the property subject to the application.)



TYPE OF APPLICATION Variance

I. Donald Mead (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 1008 Courtenay Dr. NE (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 ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION.

NAME OF APPLICANT Pat Dotson

ADDRESS OF APPLICANT 4700 Longmire Ext. #48485
Atlanta, GA 30362

TELEPHONE NUMBER 770.329.0238

Donald Mead
Signature of Owner

Personally Appeared Before Me Donald Mead

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief. Lorina L. Pierre

Notary Public Lorina L. Pierre
Date November 9, 2016



RECEIPT

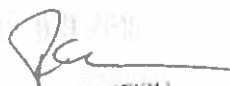
CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVE SW, ATLANTA GA 30303
404-330-6070

Application: V-16-310
Application Type: Planning/BZA/Variance/NA
Address: 1008 COURTENAY DR NE, ATLANTA, GA 30306
Owner Name: MEAD DONALD M
Owner Address:
Application Name:

| Receipt No. | Ref Number | Amount Paid | Payment Date | Cashier ID | Received | Comments |
|-------------|------------|-------------|--------------|------------|----------|----------|
| 494387 | 14372 | \$100.00 | 11/09/2016 | RPLEWIS | | |

Owner Info.: MEAD DONALD M

Work Description: Variance to reduce the east side yard setback from 7 feet to 5 for a 2nd story addition to an existing single-family dwelling.

PAID
CITY OF ATLANTA
NOV 11 2016

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR