NOTICE TO APPLICANT

Address of Property:
1300 Northview AVE NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, March 9, 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 Nalbone
404-376-3230
zoning@npuatlanta.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,

[Signature]

BH, for Director, Bureau of Planning

[Signature]

DIANNE BARFIELD
City of Atlanta
Office of Buildings – Zoning Division
55 Trinity Avenue, Suite 3900
Atlanta, Georgia 30303
Phone: 404-330-6175

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER 1/17-017

NPU F DATE FILED 1/17/2017

1. Dianne Barfield

Name of Applicant

BUILDING PERMIT AUTHORIZING

Addition to a single family dwelling

at 1300 Northview Ave 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 regulations to reduce the required front yard setback from 35 feet to 27 feet and reduce the required half depth yard setback from 17 feet .5 inches to 6 feet order to make an addition to a single family dwelling.

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (1)

Chapter 28 Section 16-28.007 Paragraph 5(b)

Chapter Section Paragraph

Plan Reviewer Date Applicant Date

JAN 18 2017
APPLICATION FOR BOARD OF ZONING ADJUSTMENT

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

| Variance | Special Exception | Variance & Special Exception |

Date Filed __________________ Application Number V-17-017

Name of Applicant Diannie Barfield Daytime Phone 404-606-0403

Company Name (if applicable) Barfield Consultants email barfieldconsultants@aol.com

Address PO Box 475 Morrow, GA 30260

Name of Property Owner Nicolai Schwarz Kopf Phone 404-290-4997

Address 828 Ralph McGill Blvd Atlanta GA 30306

Description of Property

Address of Property 1300 Northview Ave Atlanta GA 30306

Area: 1/86 +/- Land Lot: 2 District: 17th Fulton County, GA.

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

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.

Diannie Barfield
Owner or Agent for Owner (Applicant)

Sworn To And Subscribed Before Me This 17 Day Of July, 2017.

NOTARY PUBLIC

August 2016 - Page 4 of 12
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:

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.

3589 covered square feet / 8113.5 total lot square feet = .44%, 2% 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)? The property has less footage and lot area than the F-4 Requirements. The lot width narrows as it runs to the rear property line.

2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? The existing structure encroaches into the required setback. The location and functionality of the structure dictates the encroachment. Application of the ordinance would create a hardship in not allowing the land use to be brought into conformity.

3) What conditions are peculiar to this particular piece of property? The size and width of the lot along with the existing nonconformities are not shared by the majority of F-4 lots.

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. The proposed design of the 2nd story addition is in compliance with height criteria and will not obstruct light and air. The 2nd story addition respects the adjoining neighbor since this side is in compliance with the required setback.

August 2016 - Page 5 of 12
Applicant seeks variance from the City of Atlanta Zoning regulations to reduce the required front yard from 35 feet to 27 feet and the required half-depth front yard from 17 1/2 feet to 6 feet for renovations and an additional to convert a nonconforming duplex into a single-family house.

1. The extraordinary and exceptional conditions pertaining to this property is the lot has less width and lot area than the R-4 requirements. The lot width narrows as it runs to the rear property line and the lot frontage is curved at the intersection of two streets creating less frontage than the R-4 requirements.

2. The application of the Zoning Ordinance creates a hardship since the existing structure encroaches into the required setbacks. The location and functionality of the structure dictates the renovations necessary to convert to a single-family house. A hardship is created in not allowing a design that is both aesthetic and meets the needs to accommodate the family. The strict application of the required setbacks would create a hardship in not allowing the property owner full enjoyment of his property.

3. The conditions peculiar to this piece of property is the size and width of the lot. The lot curves at the frontage and gets increasingly narrower through the length of the lot. In additional the nonconformities of the existing development of the lot are not shared by the majority of R-4 property. The nonconforming lot area restricts the opportunity for development. Modifications under the applicable setbacks creates a non-functional and haphazard design inconsistent with both the character of the neighborhood and good design practices.

4. Relief if granted would not cause a substantial detriment to the public good or impair the purpose of the zoning ordinance. The intent of the ordinance is to protect existing single-family development and to provide orderly growth. Converting the existing structure to single-family brings the property into compliance with the land use allowed under R-4. The proposed renovations are consistent with the character of the neighborhood; the vertical addition will comply with height regulations under the ordinance. The 2nd story addition will comply with the 7 foot side yard setback which provides the same degree of protection of light, air, and privacy to the adjoining neighbor as is afforded other developments in the R-4 district. It is generally considered that improvements that maintain legitimate land use helps sustain the stability of the neighborhood; conversion of the structure to single-family certainly encourages the intensities of land use applicable to the R-4 zoning district.
AUTHORIZATION BY PROPERTY OWNER

(Please Print Clearly)

I, Nicolai Schwarzkopf (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1300 Northwest 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 Bar Field FIRST NAME DIANNE

ADDRESS P.O. Box 475

CITY Morrow STATE GA ZIP CODE 30260

OWNER'S TELEPHONE NUMBER: 404-290-9997

SIGNATURE OF OWNER

Nicolai Schwarzkopf

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.

NOTARY PUBLIC

DATE

August 2016 - Page 9 of 12
CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVE SW, ATLANTA GA 30303
404-330-6070

Application: V-17-017
Application Type: Planning/BZA/Variance/NA
Address: 1300 NORTHVIEW AVE NE, ATLANTA, GA 30306
Owner Name: Dianne Barfield

Receipt No. 503514
Payment Method Credit Card
Ref Number
Amount Paid $100.00
Payment Date 01/18/2017
Cashier ID BSIMMONS
Received
Comments

Work Description: Applicant seeks a variance from the zoning regulations to reduce the required front yard setback from 35 feet to 27 feet and reduce the required half depth yard setback from 17 feet .5 inches to 6 feet in order to make an addition to a single family dwelling.