



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

APPLICATION #: V-17-045
DATE ACCEPTED: 02/20/2017

NOTICE TO APPLICANT

Address of Property:
1227 North Highland AVE NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Friday, April 13, 2017 at 12:00 p.m.

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

The contact person for NPU F is:

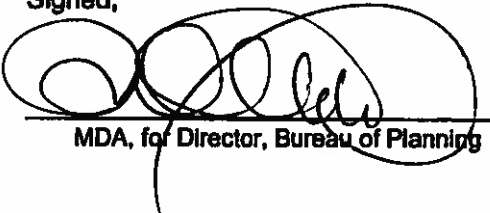
Charles Nalbone
404-376-3230
zoning@npufatlanta.org

Contact info for adjacent NPUs is provided below if necessary:

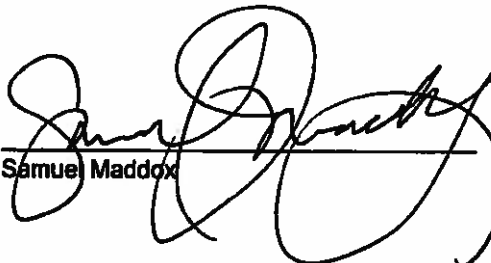
Additional Contacts:

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,



MDA, for Director, Bureau of Planning



Samuel Maddox



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

REFERRAL CERTIFICATE

COUNCIL DISTRICT _____ APPLICATION NUMBER V-1745

NPU _____ DATE FILED _____

Samuel Maddox

Name of Applicant

BUILDING PERMIT AUTHORIZING

The construction of an Accessory Structure

at 1227 North Highland Ave NE 17th/2
 Street Address Quadrant District & Land Lot

to be used for Residential purposes

The property is zoned R-4 (Single-Family Residential District) District

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

Applicant seeks a variance from the zoning regulation: to allow an accessory structure to exceed 30% of the floor area of the main structure to 81% to construct a garage and guest house. Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 28 Section 16-28.004 Paragraph (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

[Signature]
 Plan Reviewer 2/20/17
 Date

[Signature]
 Applicant 2/20/17
 Date

PJ

APPLICATION FOR BOARD OF ZONING ADJUSTMENT



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

Variance	X
Special Exception	
Variance & Special Exception	

Date Filed _____ Application Number V-17-45

Name of Applicant SAMUEL MADDOX Daytime Phone 404-875-7751

Company Name (if applicable) GAMBLE + GAMBLE ARCHITECTS email samuel@gg-architects.com

Address 935 MYRTLE ST NE ATLANTA GA 30309
street city state zip code

Name of Property Owner Jeffrey Notrica Phone (912) 398-2340

Address P.O. Box 10027 Savannah GA 31412
street city state zip code

Description of Property

Address of Property 1227 North Highland Ave NE Atlanta GA 30306
street city state zip code

Area: 11,023 Land Lot: 2 District: 17, 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 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.



Jeffrey Notrica
Owner or Agent for Owner (Applicant)
Print Name of Owner

Sworn To And Subscribed Before Me This 7 Day Of Feb, 20 17.

Christen Calkins Graves
NOTARY PUBLIC

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.)

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.").

See Attached

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.

5,290 covered square feet / 11,023 total lot square feet = 48 % 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)? _____

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? _____

- 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. _____

February 3, 2017

1227 North Highland Ave NE
Justification for Variance



Dear Members of the Board of Zoning Adjustment:

The subject property is zoned R-4 (Single Family Residential) District. We propose the addition of a three-car garage with second-story guest house, altogether measuring approximately 1,650 square feet.

We feel that this property meets the variance criteria laid out in Section 16-26.003 in the Zoning Guidelines in the following ways:

There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size and shape and because of the location of mature trees. The subject property has a street frontage measuring 58', well below the minimum of 70' required for a lot in the R-4 zoning district regulations. Due to the narrowness of the site in conjunction with the size and position of the existing house, there is no way an attached side garage of any size could be constructed within the 7' side yard setback. Additionally, the location of a mature oak tree directly behind the house prevents the addition of an attached garage of any size to the rear of the house without the destruction and removal of the tree. As a result of these exceptional conditions, the addition of an accessory structure is the only viable option to add a garage of any size to the property.

The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship. The floorplan of the existing house subdivides the building into three separate low-rent apartments which are already rented to long-term tenants at highly affordable rates for the neighborhood. Mr. Notrica understands that displacing members of the neighborhood would cause detriment the public good, but he also understands it is his right to build out his property to the allowable floor area ratio (FAR) and lot coverage. Were Mr. Notrica to maximize his investment in his property by expanding the house to the allowable FAR (0.5) for R-4, he would have to expand upward, adding a second story and displacing the tenants below. Effectively, the existing plan of the house along with the low-rent, long-term tenants therein create a hardship that doesn't permit Mr. Notrica to maximize his investment, as is his right, by expanding the house to 5,511 sqft, the maximum allowable square footage on an R-4 parcel measuring 11,023 sqft. Due to this hardship, Mr. Notrica's only viable option to rightfully invest in his property is to add an accessory structure. As the parcel's size and zoning allow for a house measuring 5,511 sqft, the proposed accessory structure should be allowed to be 30% of the square footage of this potential-buildout floor area since the aforementioned hardships do not allow for expansion of the primary structure at this time without significant detriment to the public good. At 1,650 sqft, the accessory structure would be 81% of the area of the existing primary structure. This ratio is in keeping with neighboring properties which have guesthouses that far exceed 30% of the floor area of the home. Please see supporting materials for examples.

Such conditions are peculiar to the particular piece of property involved. The conditions enumerated above, in regards to the narrow street frontage and quantity of individual dwelling units without parking, are peculiar to this piece of property. Also there are numerous examples of other lots with street frontages narrower than is required per R-4 zoning district regulations that have subsequently built accessory structures in the form of detached multi-car garages with guest houses above. Such structures are so ubiquitous across the neighborhood and in keeping with the character of its surroundings that it is, in fact, peculiar that this property does not already have an existing detached garage.

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 the people's use and enjoyment of adjoining and surrounding properties. The proposed construction is in harmony with construction on neighboring lots and allows for adequate light and air to both the proposed guest house and the existing house as well as neighboring structures. We feel that the proposed construction is in keeping

with the orderly evolution of the neighborhood and promotes desirable living conditions for the long-term, low-rent tenants by allowing Mr. Notrica to rightly invest in his property without displacing them and by bringing the number of parking spaces up to the required amount for the number of living units.

Thank you for your consideration in this request.
Sincerely,

Samuel Maddox



1039 Amsterdam Ave NE
Atlanta, GA 30306



Primary Structure:
- 1,901 sqft



Accessory Structure:
- approx. 900 sqft



Percent of Primary Structure: 47%



1025 Amsterdam Ave NE
Atlanta, GA 30306



Primary Structure:
- 2,189 sqft

Accessory Structure:
- approx. 1,000 sqft



Percent of Primary Structure: 45%



1019 Amsterdam Ave NE
Atlanta, GA 30306



Primary Structure:
- 1,884 sqft

Accessory Structure:
- approx. 1,400 sqft



Percent of Primary Structure: 74%



1221 N Highland Ave NE
Atlanta, GA 30306



Primary Structure:
- 2,940 sqft

Accessory Structure:
- approx. 1,500 sqft



Percent of Primary Structure: 51%



991 McLynn Ave NE
Atlanta, GA 30306



Primary Structure:
- 2,166 sqft

Accessory Structure:
- approx. 765 sqft



Percent of Primary Structure: 35%





AUTHORIZATION BY PROPERTY OWNER

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

(Please Print Clearly)

I, Jeffrey Notrica (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1227 N Highland Ave NE Atlanta (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 NOTRICA FIRST NAME JEFFREY
ADDRESS PO BOX 10027 SUITE _____
CITY SAVANNAH STATE GEORGIA ZIP CODE 31412

OWNER'S TELEPHONE NUMBER: _____

[Signature]
SIGNATURE OF OWNER

Jeffrey Notrica
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.

Christen Calkins Graves
NOTARY PUBLIC

2/7/17
DATE



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

02/20/2017 14:23:23 D COMMUNITY DEVELOPMENT
CREDIT CARD \ 30303
VISA SALE

Card #: XXXXXXXXXXXX1818
Chip Card: CAPITAL ONE VISA
AID: A0000000031010
ATC: 0088
TC: FAEOC5ECBHEEEHC
SEQ #: 15
Batch #: 51
Approval Code: 09707D
Entry Method: Chip Read
Mode: Issuer

an: V-17-045
pe: Planning/BZA/Variance/NA
es: 1227 NORTH HIGHLAND AVE NE, ATLANTA, GA 30306
ne: MIGHTY FINE PROPERTIES LLC
es:
ne:

Amount Paid	Payment Date	Cashier ID	Received	Comments
0.00	02/20/2017	RPLEWIS		

SALE AMOUNT \$100.00

PROPERTIES LLC

an increase in the allowed floor area of an accessory structure from 30%

CUSTOMER COPY

PAID
CITY OF ATLANTA
FEB 20 2017
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

GENERAL NOTES:

- 1: This Plat has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plat.
- 2: This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
- 3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
- 4: No Geodetic monuments were found within 500 feet of this site
- 5: This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

SURVEY DATA:

TYPE OF SURVEY: TOPOGRAPHIC
 SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY: DB 42026 PG 106
 PROPERTY OWNER AT TIME OF SURVEY: MIGHTY FINE PROPERTIES, LLC
 PARCEL NUMBER: 17 0002 0010 0562

TOTAL AREA: 11,023 SQ FT, 0.25 AC
 CALCULATED PLAT CLOSURE: 1:637,461

FIELD DATA:

DATE OF FIELD SURVEY 8-11-2016, 8-17-2016
 THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.003 FEET.

EQUIPMENT: ELECTRONIC TOTAL STATION

SURVEY FOR
 JEFF NOTRICA
 LOT 18, OWENS AND WALKER PROPERTY
 1227 NORTH HIGHLAND AVENUE

CITY OF ATLANTA, FULTON COUNTY, GEORGIA
 LAND LOT 2, DIST 17
 DATE: AUGUST 18, 2016

REFERENCE: DB 23737 PG 102
 DB 42026 PG 106

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY FIRM MAP OF FULTON COUNTY 13121C0261G DATED SEPTEMBER 18, 2013

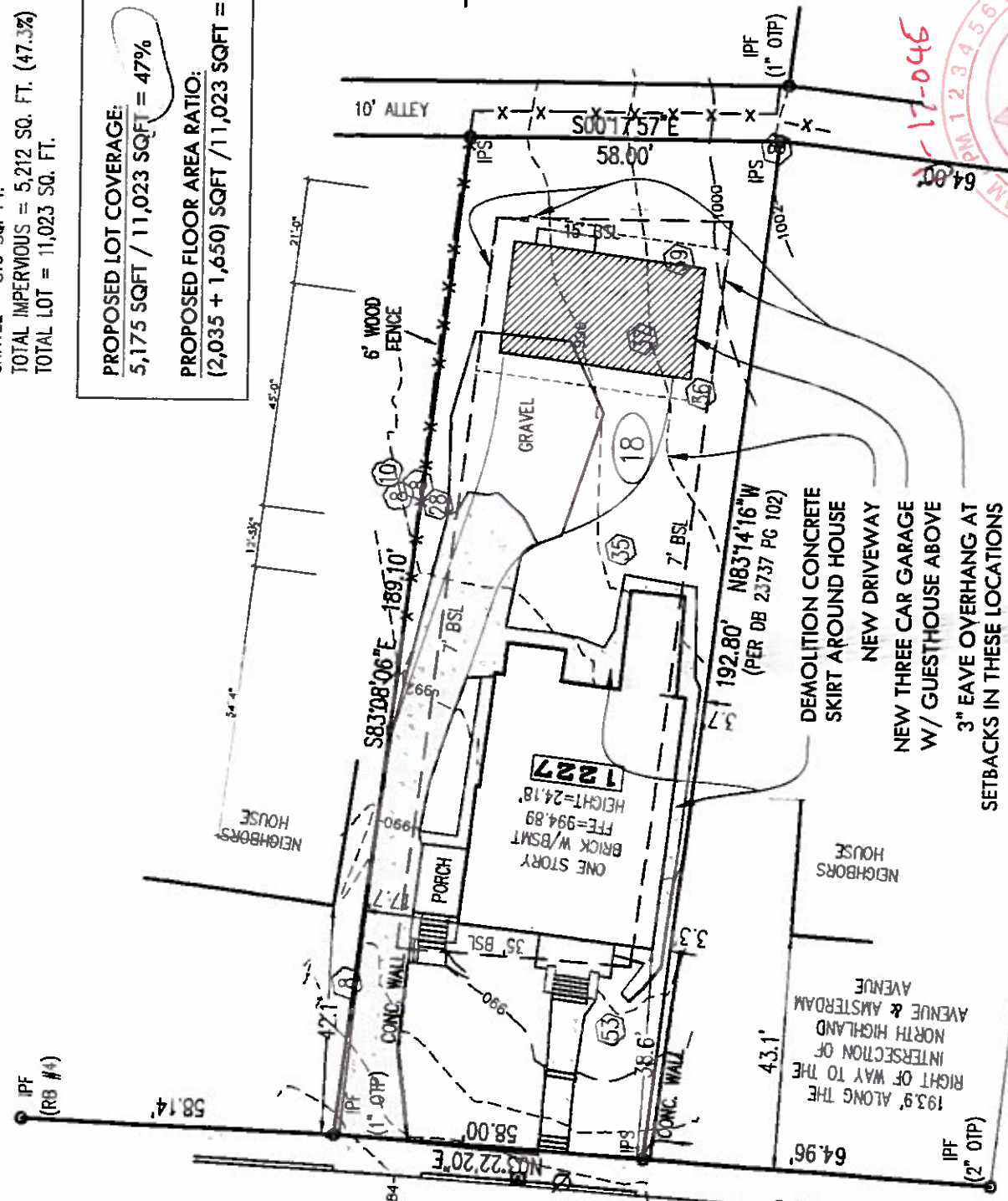
TREE SYMBOLS
 X = DIAMETER IN INCHES
 (X) MAGNOLIA
 (X) HARDWOOD

ZONING: R-4

IMPERVIOUS SURFACES:
 CONC. DRIVE & SIDEWALKS = 2,125 SQ. FT.
 HOUSE = 2,035 SQ. FT.
 WALLS = 48 SQ. FT.
 PORCH = 188 SQ. FT.
 GRAVEL = 816 SQ. FT.
 TOTAL IMPERVIOUS = 5,212 SQ. FT. (47.3%)
 TOTAL LOT = 11,023 SQ. FT.

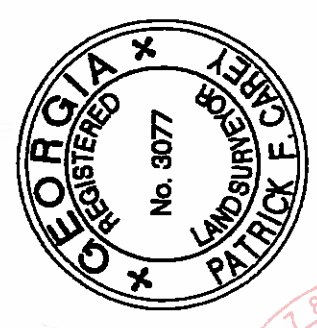
PROPOSED LOT COVERAGE:
 5,175 SQFT / 11,023 SQFT = 47%
 PROPOSED FLOOR AREA RATIO:
 (2,035 + 1,650) SQFT / 11,023 SQFT = .33

NORTH HIGHLAND AVENUE (50' R/W)



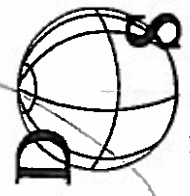
LEGEND

- EOP EDGE OF PAVEMENT (CURB)
- PP POWER POLE
- R/W RIGHT OF WAY
- IPF IRON PIN FOUND
- IPS 1/2" REBAR SET
- SW SIDE WALK
- BOLLARD
- OHP OVERHEAD POWER
- FH FIRE HYDRANT
- CB CATCH BASIN
- MH MANHOLE
- WM WATER METER
- WV WATER VALVE
- GV GAS VALVE
- GM GAS METER
- LP LIGHT POLE
- CONCRETE PAD



FOR
 DEKALB SURVEYS, INC.
 407 W. PONCE DE LEON
 SUITE B
 DECATUR, GEORGIA 30030
 404.373.9003

Lot 18, Owens and Walker Property
 1227 North Highland Avenue



www.dekalbsurveys.com
 COA 1086

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

COPY RIGHT 2016--THIS 11 X 17 DRAWING AND REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR



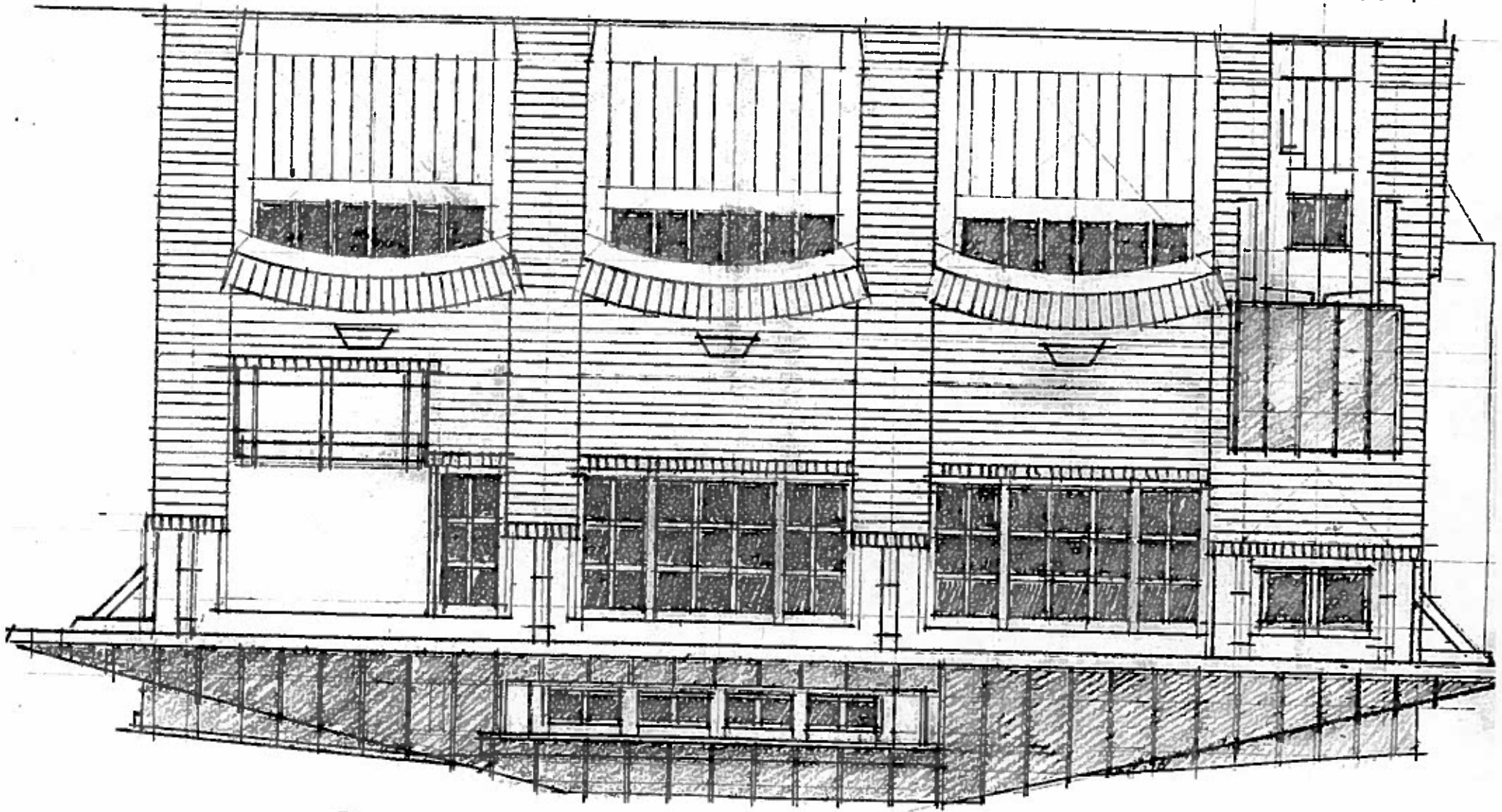
17-046

Revisions 2/17/17

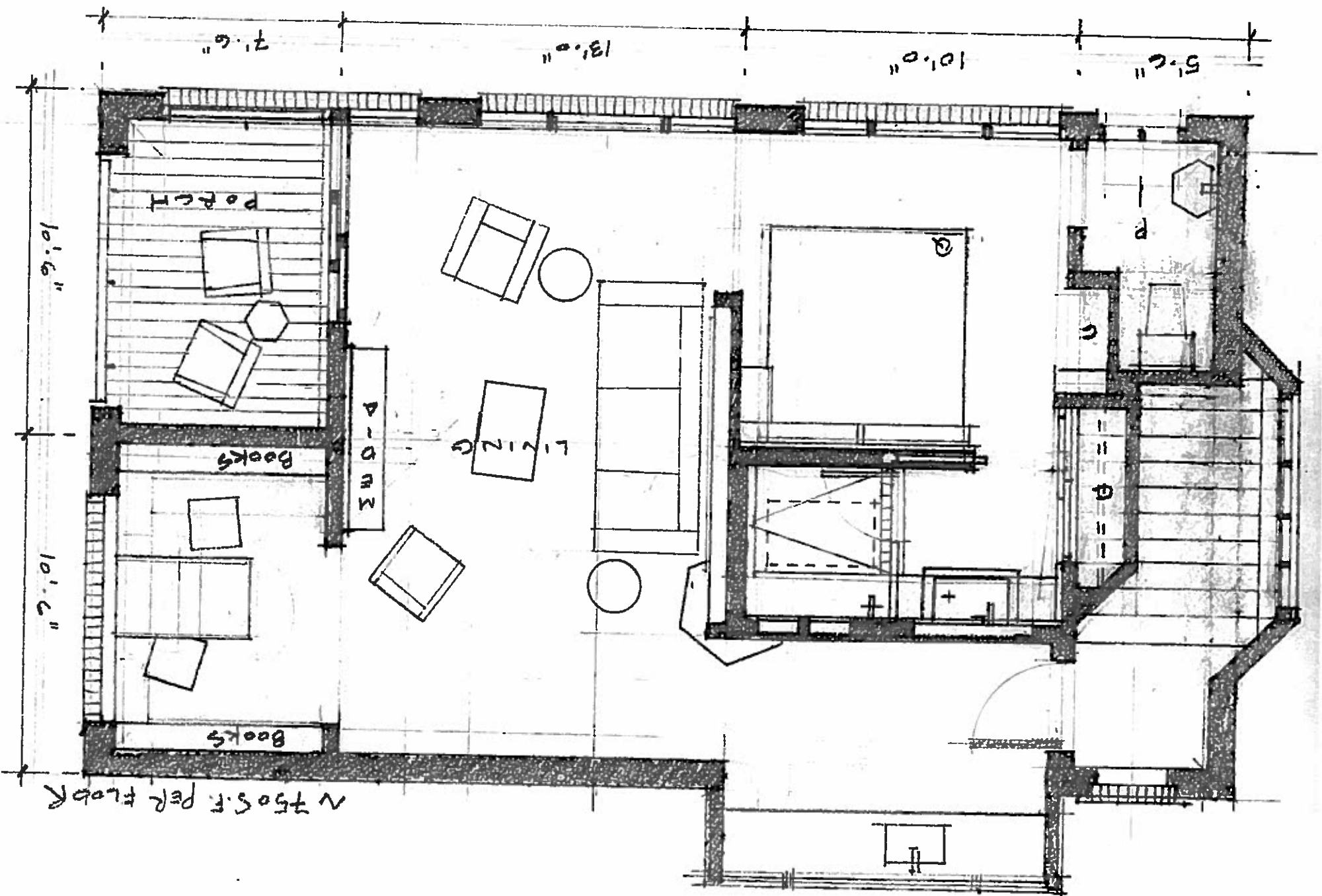
12-21-16

1227 NORTH MICHIGAN AVE.
NORTON GUEST HOUSE - PERSUMMARY

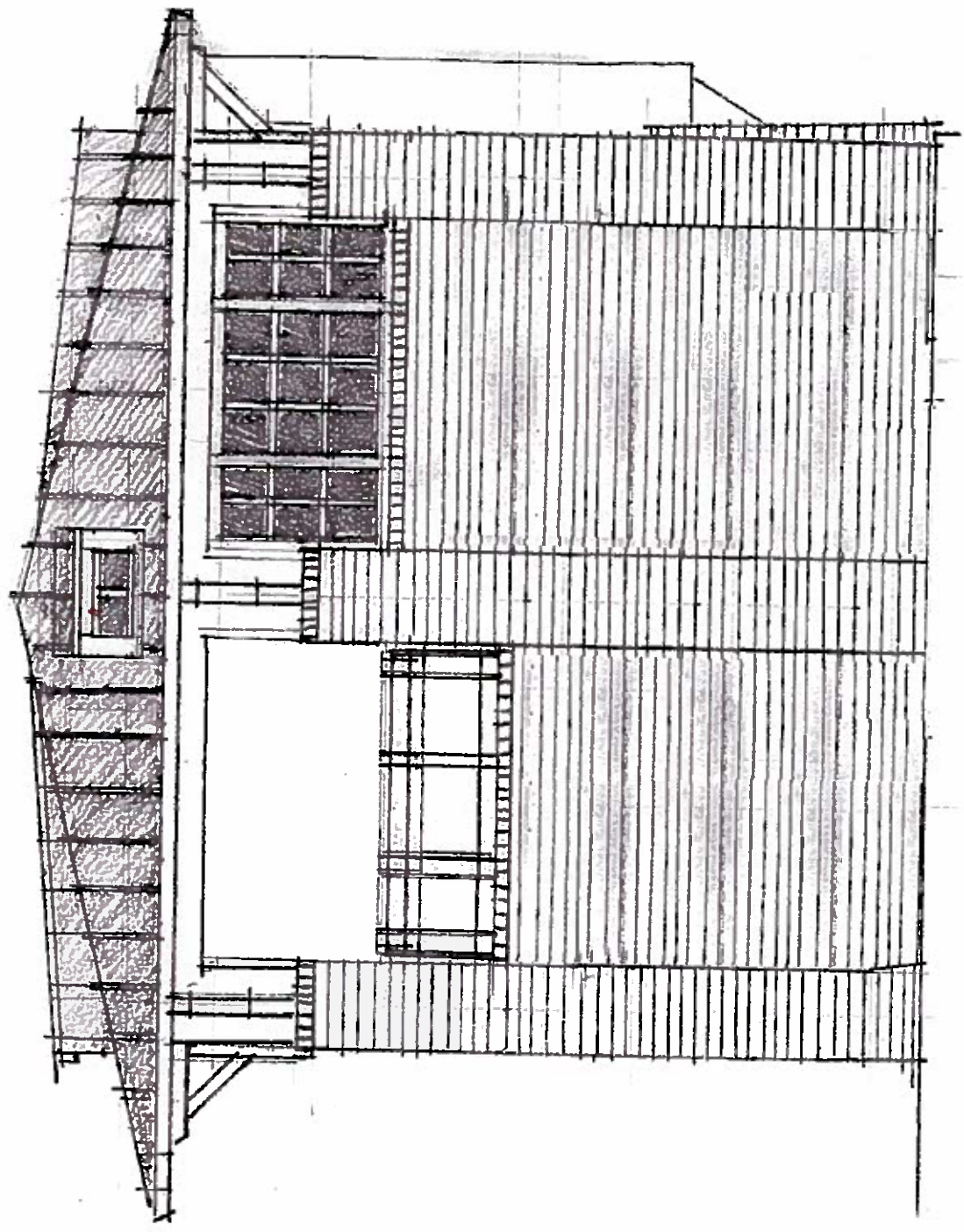
1/4" = 1'-0"



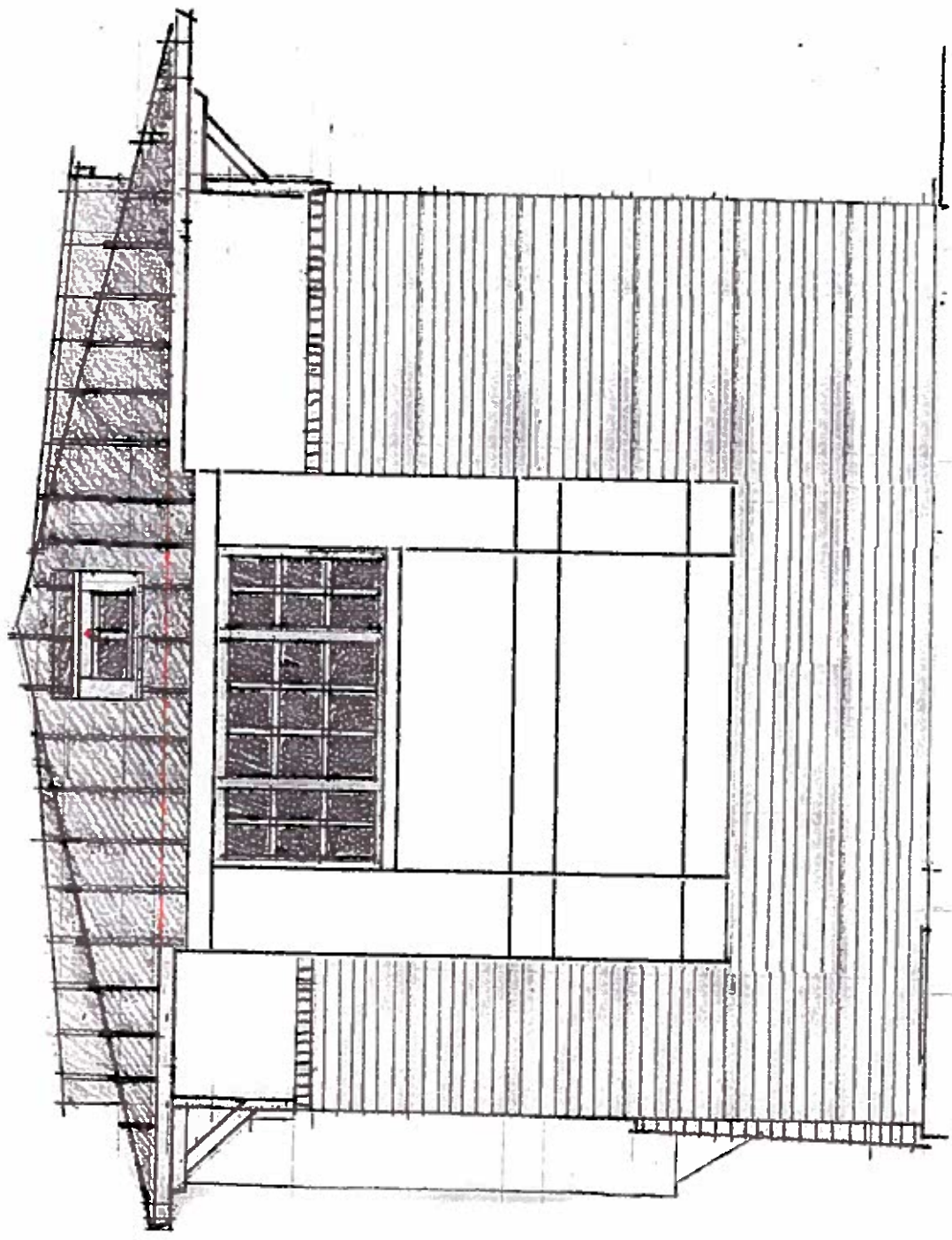
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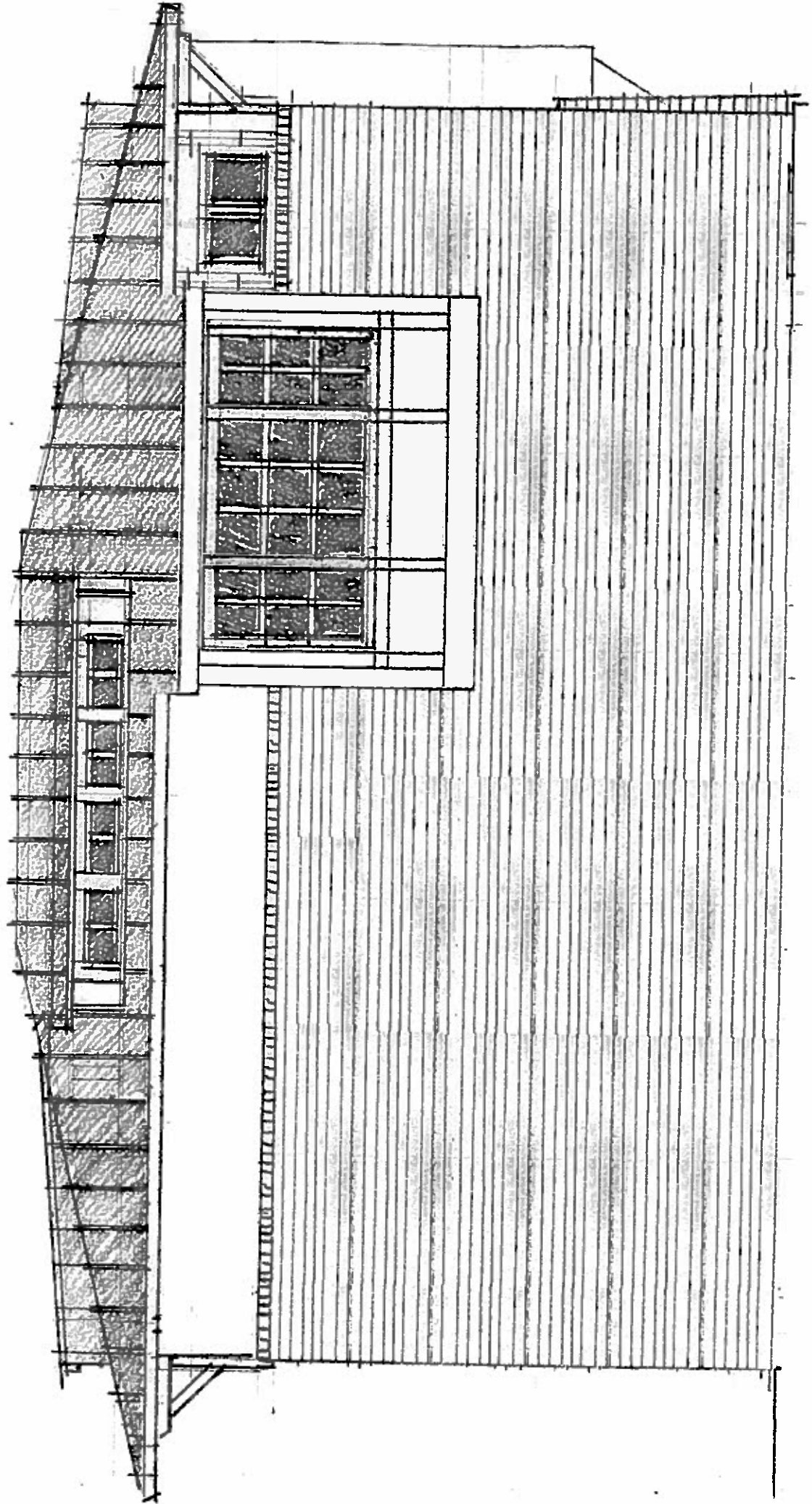


NOTRICA GUEST HOUSE - 1227 N HIGHLAND AVE

SCALE: 1/4" = 1'-0"

DATE: 02.01.2017

20



NOTRICA GUEST HOUSE - 1227 N HIGHLAND AVE

SCALE: 1/4"=1'-0"

DATE: 02.01.2017