NOTICE TO APPLICANT

Address of Property:
1448 North Morningside DR NE

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

Board of Zoning Adjustment (BZA) Hearing Date:
Thursday, June 8, 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,

[Signatures]

RG, for Director, Bureau of Planning
Diane 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 V-17-15

NPU F  DATE FILED

Dianne Barfield
Name of Applicant

BUILDING PERMIT AUTHORIZING
Construction of an 2nd story addition

at 1448 North Morningside Drive 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 reduce the required north side yard
setback from 7 feet to 3.4 feet to construct a 2nd story addition. 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

Plan Reviewer 4/17/17
Date

Applicant 4/19/17
Date
APPLICATION FOR BOARD OF ZONING ADJUSTMENT

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

<table>
<thead>
<tr>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special Exception</td>
</tr>
<tr>
<td>Variance &amp; Special Exception</td>
</tr>
</tbody>
</table>

Date Filed _________________ Application Number _______________

Name of Applicant _______________ Daytime Phone _______________

Company Name (if applicable) _______________ Email _______________

Address _______________ city _______________ state _______________ zip code

Name of Property Owner _______________ Phone _______________

Address _______________ city _______________ state _______________ zip code

Description of Property

Address of Property _______________ city _______________ state _______________ zip code

Area: _______________ Land Lot: _______________ District: _______________ County, GA.

Property is zoned: _______________, 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.

__________________________
Owner or Agent for Owner (Applicant)

Print Name of Owner

Sworn To And Subscribed Before Me This _______________ Day Of _______________, 20 _______________.

__________________________
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 Councillor & 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.”).

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.

\[ \frac{242}{1756} \times 100 \% = \frac{14.1}{\%} \text{ proposed lot coverage} \]

\[ 50 \% \text{ maximum allowed lot coverage} \]

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? See Attached

3) What conditions are peculiar to this particular piece of property? See Attached

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. See Attached

August 2016 - Page 5 of 12
Justification for Variance
1448 N. Morningside Dr.

Applicant seeks a variance from the zoning regulations to reduce the required side yard setback from 7 feet to 3.4 feet (Section 16-06.008) for an addition to a single-family house.

The extraordinary and exceptional conditions for this property is the nonconforming street frontage of 55 feet and the irregular shape that is narrow on the front portion of the lot and gradually widens through its depth. The lot has a change in grade rising upward from the street. The property is developed with an existing single-family house that meets the criteria of a nonconforming structure occupying the required side lot for more than half of its length.

The application of the zoning ordinance would create an unnecessary hardship in not allowing the owner full enjoyment of his property by providing improvements to accommodate his family's specific needs. The vertical addition relies on the structural support of the existing nonconforming setback and the functionality of the existing residence drives the proposed design.

The peculiar conditions to this lot is the limitations for improvements given the layout of the house and the vehicular access to the property and the existing attached garage on the southern portion of the property.

The proposed improvements are in keeping with the character of the neighborhood and are sensitive to the aesthetic appeal of the surrounding community. It is generally considered that allowing improvements to single-family homes create stability in the community by allowing families to grow into their homes which, in turn, provides desirable living conditions. The proposal does not obstruct light or air on surrounding properties and will be developed in accordance with applicable building codes. The vertical addition along with proposed renovations to the interior represents not only a financial but an emotional investment by the property owners. The improvement will most certainly protect against blight and depreciation by adding value to the community in general.
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, Zachariah Howard (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT

1448 N Horningside Dr NE Atlanta, GA 30306 (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  Dianne Barfield

ADDRESS OF APPLICANT

_________________________________________________________

TELEPHONE NUMBER

_________________________________________________________

Personally Appeared Before Me

Zachariah Howard

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

_________________________________________________________

Date

March 29, 2017

Page 6
1448 N. Morningside Dr.

Legal Description

All that property being and lying in Land Lot 2 of the 17th District of Fulton County, Georgia; being more particularly described as follows:

BEGINNING at a point at the southwest intersection of N. Highland Ave. and N. Morningside Drive; running thence west along the southern right of way of N. Morningside Drive, a distance of 1346 feet to a point, said point being the TRUE POINT of BEGINNING; running thence west along the southerly right of way of N. Morningside Drive a distance of 55 feet to a point; running thence south a distance of 255.8 feet to a point; running thence east a distance of 85 feet to a point; running thence north a distance of 252.6 feet to a point on the right of way of N. Morningside Drive to the TRUE POINT of BEGINNING.

Property know as 1448 N. Morningside Drive according to the numbering system of the City of Atlanta, Georgia.
RECEIPT

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

Application: V-17-115
Application Type: Planning/BZA/Variance/NA
Address: 1448 NORTH MORNINGSIDE DR NE, ATLANTA, GA 30306
Owner Name: ANDERSON SUZANNE S
Owner Address: 
Application Name: 

Receipt No. 518230
Payment Method: Credit Card
Ref Number: 
Amount Paid: $100.00
Payment Date: 04/18/2017
Cassier ID: PAMITCHELL
Received: 
Comments: 

Owner Info.: ANDERSON SUZANNE S

Work Description: Variance to reduce the required north side yard setback from 7 feet to 3.4 feet to construct a 2nd story addition.


PAID
CITY OF ATLANTA
APR 18 2017
EX OFFICIO MUNICIPAL REVENUE COLLECTOR

/Signature/