



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

APPLICATION #: **V-17-117**
DATE ACCEPTED: **04/19/2017**

NOTICE TO APPLICANT

Address of Property:
602 Yorkshire RD 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,



RG, for Director, Bureau of Planning



John B Arnold



V-17-117
Office of Planning

APR 19 2017

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

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-17-117
NPU F DATE FILED 4/19/2017

John B Arnold
Name of Applicant

BUILDING PERMIT AUTHORIZING

Addition to a single family dwelling

at 602 Yorkshire Rd NE 17th /52
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: (1) to reduce the required rear yard setback from 15 feet to 13 feet to add roof over patio. (2) Applicant seeks a variance to reduce the required side yard setback from 7 feet to 1 foot to erect a carport. (3) Applicant seeks a special exception to erect a 4 foot wall (privacy wall) in the required half depth front yard whereas only a 4 foot high fence(50% open visibility) is allowed. (4) Applicant also seeks a special exception to erect a 4 foot high retaining wall in the required half depth front yard whereas only a 3 foot high retaining wall is allowed.

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (3)

Chapter 6 Section 16-06.008 Paragraph (2)

Contract No. 00117

Chapter 28 Section 16-28.008 Paragraph (5) (a) (1) (i)

Chapter 28 Section 16-28.008 Paragraph (5) (a) (1) (ii)

SW P. no. A. 40117 61

[Signature] 4/19/17
Plan Reviewer Date

[Signature] 4/19/17
Applicant Date

APR 19 2017

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

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

Sta. 3350
Atlanta, GA

Variance	<input checked="" type="checkbox"/>
Special Exception	<input type="checkbox"/>
Variance & Special Exception	<input checked="" type="checkbox"/>

Date Filed _____

Application Number V-17-117

Name of Applicant John B Arnold Daytime Phone 404-803-4460

Company Name (if applicable) _____ email johnbarnold@gmail.com

Address 602 Yorkshire Rd NE Atlanta GA 30306
street city state zip code

Name of Property Owner John & Maria Arnold Phone 404-803-4460

Address 602 Yorkshire Rd NE Atlanta GA 30306
street city state zip code

Description of Property

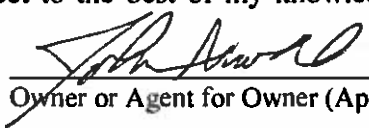
Address of Property 602 Yorkshire Rd NE Atlanta GA 30306
street city state zip code

Area: .2863 acres Land Lot: 17 District: 52, Fulton County, GA.
12,934 sq ft

Property is zoned: R4, 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.

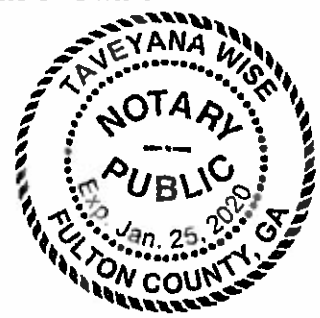
I hereby authorize the staff of the Office of Zoning and Development to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Zoning and Development upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.


Owner or Agent for Owner (Applicant)

John B Arnold
Print Name of Owner

Sworn To And Subscribed Before Me This 19th Day Of 04, 2017.


NOTARY PUBLIC



APR 19 2017

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.").

Renovation of front and side yard to include two retaining walls, 4-foot privacy fence. Construct new attached carport and covered back porch to existing structure.

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.

 5,567 covered square feet / 12,934 total lot square feet = 43 % 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 Justification)

- 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 Justification)

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

- 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 Justification)

V-17-117

Office of Planning

APR 19 2017

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

John & Maria Arnold
602 Yorkshire Rd NE
Atlanta, Georgia 30306
(404) 803-4460
johnbarnold@gmail.com

April 19, 2017

City of Atlanta
Department of Planning and Community Development
55 Trinity Avenue, Suite 3350
Atlanta, GA 30335

Re: 602 Yorkshire Rd NE 30306

Planning Staff:

We wish to renovate and expand our property at 602 Yorkshire Road NE. We unintentionally constructed a 4-foot wooden privacy fence without a permit immediately following our purchase of the home to protect our daughter and dog from the traffic on Monroe Drive. We also are planning to replace the damaged retaining wall on Monroe Drive and add a 2nd retaining wall to terrace the front/side yards and prevent further yard erosion and damage to the property. In addition to the previous improvements we wish to add a carport and covered porch to the side and rear of our main structure. It is my understanding that some aspects of this improvement will require variances related to setbacks, wall height and visibility through fences. Therefore, we request the following variances regarding setbacks; the side yard setback be reduced from the required 7 feet to 1 feet and the rear setback be reduced from the required 15 feet to 13 feet. In order to construct the requested retaining walls and fences we request the maximum height of a retaining wall be increased to 4 feet from the allowed 3 feet and the allowance of a 4-foot privacy fence enclosing the side yard of the property. We offer the following items in support of our variance request:

- Variance Application
- Survey
- Referral Certificate
- Proposed Site Plan
- Property Photographs

The subject property is zoned R-4. We believe the property meets the variance criteria laid out in Section 16-23.006 in the Zoning Guidelines in the following ways:

Extraordinary/Exceptional Conditions Pertaining to the Property because of its Size/Shape

Variance Application for 602 Yorkshire Road NE

The street frontage of our lot is 60 feet compared to the minimum width of 77 feet in the R-4 classification for a corner lot. It is our understanding that these features have been in places since the home was built in 1930.

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Ste. 3350
Atlanta, GA

The Application of the Zoning Ordinance to this Property would create an Unnecessary Hardship

Our plans have been designed with the goal of protecting our family, the property and the Monroe Drive right-of-way while maintaining and enhancing the historic look of our home.

Our home is approximately 100 feet from the northern entrance to Piedmont Park on Monroe Drive. Our growing family currently consists of a 16-month-old daughter and dog; to protect the current and future members of our family from the street and foot traffic that passes along Monroe Drive daily we request the approval of the 4-foot privacy fence.

Due to the elevation changes surrounding our home, all the rainwater runoff from the northerly side of Yorkshire Road and the southerly side of Cumberland Road drain towards our property. We took steps to control the water where it enters our property from a shared gutter however the property and existing retaining wall was damaged prior to our ownership. We are requesting the variance regarding retaining wall height to allow the upper section of the walls to remain level as sidewalk elevation of Yorkshire and Monroe change adjacent to the property.

The eastern side of the property would be expanded with an open carport to allow our family cars to be parked adjacent to the property while being covered and allowing our family and property to be protected from the elements when entering our home. We propose reconfiguring the driveway as well moving two A/C units allow the cars to park closer to the existing structure compared to the current driveway which abuts our neighbor's property.

The application of the required side and rear setbacks, retaining wall and fence limitations would prevent us from preserving and enhancing our property in an efficient and aesthetically pleasing manner.

What conditions are peculiar to the particular piece of property involved

Many of the homes in Morningside have features that are in conflict to the current zoning ordinances. The specific deficiency of our property includes the street frontage of 60 feet versus the required 77 feet for a corner lot. The property also has drastic elevation changes on both the front and side yards with our home sitting approximately 8 feet above Yorkshire Road and Monroe Drive. This elevation change combined with the shape of our lot forces all improvements to the northeast corner of the property.

The Variance would not cause substantial detriment to the public good or impair the purpose and intent of the Zoning Ordinance of Atlanta

If granted, the proposed improvements would cause no substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta. Relief, if granted, would

Varlance Application for 602 Yorkshire Road NE

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not distract from people's use and enjoyment of the adjoining and surrounding properties. The proposed construction enhances the public right of way by repairing a damaged retaining wall and ensuring that the failures of the previous wall do not persist going forward. It is our belief that the proposed renovation of the side yard and relocation of the driveway will greatly improve the aesthetics of the home; enhancing the neighborhood and adjacent properties due to our homes highly visible location adjacent to Monroe Drive a major thoroughfare alongside Piedmont Park.

Thank you for your consideration of this request.

Sincerely,

John & Maria Arnold

V-171A

PROR to ownership



V17-17

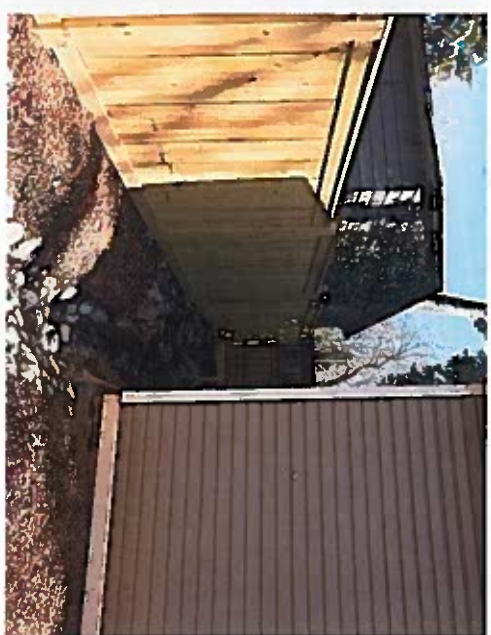


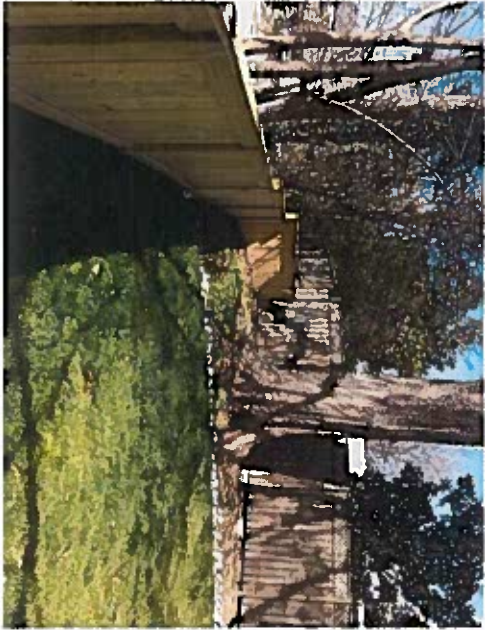
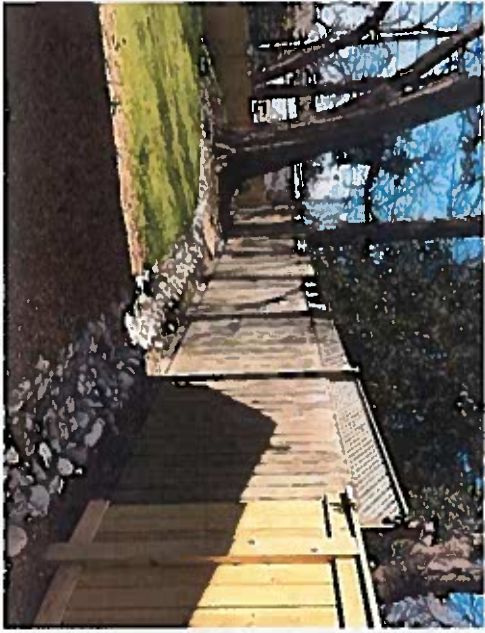
Know to ownership



V-17-17

Current State





Current State

Livrent State







V-17-117
Office of Planning

APR 19 2017

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

Exhibit "A"
LEGAL DESCRIPTION

File No.: 16-01-6957

Policy No.: O-9240-000827934

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT NO. 52, OF THE 17TH DISTRICT, OF FULTON COUNTY, GEORGIA, BEING LOT NO. 43, BLOCK 14, MORNINGSIDE SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 11, PAGE 125, FULTON COUNTY, GEORGIA RECORDS, WHICH PLAT IS HEREBY ADOPTED AND MADE A PART HEREOF BY REFERENCE THERETO FOR A MORE COMPLETE DESCRIPTION OF SAID PROPERTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED AT THE INTERSECTION OF THE NORTHERLY SIDE OF YORKSHIRE ROAD AND THE NORTHEASTERLY SIDE OF MONROE DRIVE (FORMERLY KNOWN AS NORTH BOULEVARD), IF SAID STREET LINES WERE EXTENDED TO FORM AN ANGLE INSTEAD OF A CURVE, RUNNING THENCE EAST ALONG THE NORTHERLY SIDE OF YORKSHIRE ROAD, 60 FEET TO A POINT; RUNNING THENCE NORTHERLY 140 FEET TO A POINT; RUNNING THENCE WEST 145 FEET TO A POINT ON THE NORTHEASTERLY SIDE OF MONROE DRIVE; RUNNING THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY SIDE OF MONROE DRIVE, 150 FEET TO THE POINT OF BEGINNING.

MAP# 17-0052-0001-042-2

RECEIPT

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

Application: V-17-117
 Application Type: Planning/BZA/Special Exception-Variance/NA
 Address: 602 YORKSHIRE RD NE, ATLANTA, GA 30306
 Owner Name: BRAUN JULIE K
 Owner Address:
 Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
518415		\$200.00	04/19/2017	RPLEWIS		

Owner Info.: BRAUN JULIE K

Work Description: Variance and Special Exception- Variance to reduce the required rear yard setback from 15 feet to 13 feet to add a roof over patio. (2) Variance to reduce the required side yard setback from 7 feet to 1 foot to erect a carport. (3) Special Exception- to erect a 4-foot wall (privacy wall) in the required half-depth front yard whereas only a 4-foot high fence (50% open visibility) is allowed.

PAID
 CITY OF ATLANTA
 APR 19 2017
 EX OFFICIO MUNICIPAL
 REVENUE COLLECTOR