NOTICE TO APPLICANT

Address of Property:
1738 Pine Ridge DR NE

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

Board of Zoning Adjustment (BZA) Hearing Date:
Thursday, July 6, 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]

WF, for Director, Bureau of Planning
April N. Graham
CITY OF ATLANTA
Office of Buildings - Zoning Division
55 TRINITY AVENUE, SUITE 3900
Atlanta, Georgia 30303
404-330-6175

REFERRAL CERTIFICATE

COUNCIL DISTRICT 60 APPLICATION NUMBER Y-17-103
NPU F DATE FILED 4-27-2017

1. ______________________
   April Ingraham
   Name of Applicant

BUILDING PERMIT AUTHORIZING

2nd Story Addition/ HVAC Units

at 1738 Pine Ridge DR NE 17th/51
Street Address Quadrant District & Land Lot

to be used for Residential purposes

The property is zoned R-3 District

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

   Applicant seeks a variance from the zoning regulation to reduce the required eastern side
   yard setback from 10 feet to 3 feet, two inches in order to construct a second story addition
   and to place HVAC units over 30 inches in height in the required side yard.

   Applicant seeks no other variances at this time.

   A Complete Plan Review Was Not Conducted.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 5 Section 16-05.008 Paragraph 2

Chapter ______ Section ______ Paragraph ______

Chapter ______ Section ______ Paragraph ______

Scott Haeberlin 4-27-17 
Plan Reviewer Date

[Signature] 4/27/17
Applicant 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>
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<tr>
<td>Special Exception</td>
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<tr>
<td>Variance &amp; Special Exception</td>
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</tbody>
</table>

Date Filed 4-27-2017

Application Number 11-17-123

Name of Applicant  APRIL INGRAHAM

Daytime Phone 404-421-1520

Company Name (if applicable)  THE PERMIT SPECIALIST LLC

email  CONSULTANT@THEPERMITSPECIALIST.COM

Address  165 WEST WIEUCA RD., NE STE #305  ATLANTA GA  30342

Name of Property Owner ANNE AND STEVE SPIVEY

Phone  443-799-9913

Address  1738 PINE RIDGE DRNE ATL GA

Description of Property

Address of Property  1738 PINE RIDGE DR NE  ATLANTA GA

Area: __________ Land Lot: 51  District: 17  FULTON  County, GA.

Property is zoned: R-3  Council District: 6  Neighborhood Planning Unit (NPU): F (MS/LS)

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.

APRIL INGRAHAM  
Owner or Agent for Owner (Applicant)

Sworn To And Subscribed Before Me This 24th Day Of APR., 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 ___X__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.”)

expand the second level heated space and roof pitch

________________________________________

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.

5292 covered square feet / 14413 total lot square feet = 36.72% proposed lot coverage

40 % 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)? lot configuration on survey shows a former 6' extended boundary that is no longer there. lot is much narrower than the required 100' lot frontage. This lot is 14,413 SF the min lot size is 18,000 SF. Because this lot is narrower and smaller than its zoning requirements, the buildable area is significantly reduced. This property also is exceptional in its topography, which drops off towards the back of the lot.

2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? due to the side yard setback requirement of 10', no additional heated space is allowed along the east property line without an approved variance.

3) What conditions are peculiar to this particular piece of property? only 60' lot frontage exist as opposed to a reqd 100' for R-3

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 as built home has an existing habitable 2nd level, expanding the floor area is confined to the existing house footprint on the main floor. no substantial impact or affect to the public, adj property owners or the overall aesthetic for the neighborhood.

V-17-123

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Variance Request: 1738 PINE RIDGE DR NE, ATLANTA, GA.

April 25, 2017

City of Atlanta
Dept of Planning and Community Development
Office of Planning
Board of Zoning Adjustment (BZA)
55 Trinity Ave; Suite 3350

Justification Letter for Variance Request

To Whom It May Concern:

This letter is to request a variance to allow relief from zoning setback regulations in order to allow a variance to reduce the required side yard of 10’ to 5’ to allow for the construction of an expanded master suite and 10’ to 3.2’ to allow for the installation of a/c units for the existing home located at 1738 PINE RIDGE DR NE, ATLANTA, GA.

The proposed scope needed for variance is:
- Raising the existing ridge by 24", constructed 2'-6" over the side yard setback.
- Dormer addition to existing second level to create a Master Bath, constructed 2'-3" over the side yard setback
- New post and footer in existing unfinished basement to support new second level load, constructed 3'-4" over the side yard setback
- Locate two HVAC condenser units within the side setback at 36" maximum height each located 6.8' in the side yard setback.

Our particular hardship is that:
1. This house was built in the 1940 according to Fulton County Property Records. At some point, the lot was replatted or changed from the original lot lines when it was a conforming house, as it met the minimum 10’ setback. When the property was surveyed, it was discovered that not only was 5’ lost somehow, where the house sits is now not nonconforming, as it is located 5’ into the required side yard setback. the maximum distance of the existing house to the current property line is 5’.
2. There are extraordinary and exceptional conditions on this property due to its small size. (as are most homes in this area). Zoned R-3, it has a 60' frontage where the minimum is 100'. This lot is 14,413 SF where the minimum lot size is 18,000 SF. Because this lot is narrower and smaller than its zoning requirements, the buildable area is significantly reduced. This property also is exceptional in its topography, which drops off towards the back of the lot and allows for a unique view of the Atlanta skyline. Allowing the construction of the upper level Master Suite is specifically sited to allow the owner's take advantage of this unique view.
Variance Request: **1738 PINE RIDGE DR NE, ATLANTA, GA.**

3. Looking at the official City of Atlanta Zoning Maps, the majority of the neighborhood also zoned R-3 (east of this property) does not share the same reduced width and reduced area as this property. This property is at the edge of the zoning district, and has steep topography unique to Pine Ridge Drive. There are desirable views of the skyline from the second level of the home.

We are asking for a 6.8' reduction of the required 10' side yard setback along the eastern property line. **In other words, reduce the current required side yard setback from 10' to 5' to allow for the construction of an expanded master suite and 10' to 3.2' to allow for the installation of a/c units for the existing home.**

We do not foresee any potential hardship upon any of the neighbors if granted. Other than the non-conforming encroachment, no other relief considerations are being requested at this time.

Thank you for your consideration of this request.

Respectfully,

[Signature]

April Ingraham,
Applicant/Agent for Steven & Anne Spivey (owners)
404-421-1520
consultant@thepermitspecialist.com
WARRANTY DEED

STATE OF GEORGIA, COUNTY OF COBB

This Indenture made this 31st day of August, in the year Two Thousand Seven, between RICHARD WALLACE and CYNTHIA WALLACE, of the County of FULTON, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and BEN D. ROBERTS, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits),

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100's ($10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 51 OF THE 17TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING PART OF LOT 19, BLOCK "E" OF THE NORTH MORNINGSIDE SUBDIVISION, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHWEST SIDE OF PINE RIDGE DRIVE FIVE HUNDRED NINETY-NINE (599) FEET SOUTH AND SOUTHEAST, AS MEASURED ALONG THE WEST AND SOUTHWEST SIDES OF PINE RIDGE DRIVE, FROM THE SOUTHWEST CORNER OF THE INTERSECTION OF PINE RIDGE DRIVE AND WILDMOOD ROAD, IF SAID CORNER WERE EXTENDED TO FORM AN ANGLE INSTEAD OF A CURVE, RUNNING THENCE SOUTHEASTERLY ALONG THE SOUTHWEST SIDE OF PINE RIDGE DRIVE SIXTY (60) FEET; THENCE SOUTHWEST TWO HUNDRED TWENTY-ONE AND FOUR TENTHS (241.4) FEET; THENCE NORTHWEST SEVENTY-FIVE (75) FEET; THENCE NORTHEAST TWO HUNDRED TEN (210) FEET TO THE SOUTHWEST SIDE OF PINE RIDGE DRIVE AND THE POINT OF BEGINNING.

THE ABOVE DESCRIPTION IS IN ACCORDANCE WITH SURVEY OF THE ABOVE DESCRIBED PROPERTY BY E.Z. HUFF DATED December 31, 1953.

THIS CONVEYANCE is subject to all reservations and easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the lights, tenements and appurtenances thereunto belonging, to the same using, enjoying, or in anywise benefiting, to the only proper use, benefit and behoof of the said Grantee forever.

AND THE SAIID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whosoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

Richard Wallace
(Seal)

Cynthia Wallace
(Seal)

Notary Public

Fulton County, Georgia

4/19/2017 3:22 PM
AUTHORIZED BY PROPERTY OWNER

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

(Please Print Clearly)

I,  Steven Spivey  (OWNER’S NAME), SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1758 Pine Ridge Dr. NE, Atlanta, GA (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 INGRAHAM FIRST NAME APRIL
ADDRESS 165 WEST WIEUCA RD., NE SUITE 305
CITY ATLANTA STATE GA ZIP CODE 30342

OWNER’S TELEPHONE NUMBER: 404-632-4024

SIGNATURE OF OWNER
Steven M. Spivey
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.

Lorraine Pigott
NOTARY PUBLIC
4/13/17

DATE
AUTHORIZED BY PROPERTY OWNER
(Required only if the applicant is not the owner of the property subject to the proposed application.)

(Please Print Clearly)

I, Anne Spivay (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1738 Pine Ridge Dr., NE, Atlanta, GA (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 INGRAHAM FIRST NAME APRIL

ADDRESS 165 West Wieuca Rd., NE SUITE 305

CITY ATLANTA STATE GA ZIP CODE 30342

OWNER'S TELEPHONE NUMBER: 448-797-9913

SIGNATURE OF OWNER

Anne K. Spivay

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.

Lorraine Pigott

NOTARY PUBLIC

DATE 4/13/17

V-17-123

RECEIVED APR 27 2017

By Whitney

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

Application: V-17-123  
Application Type: Planning/BZA/Variance/NA  
Address: 1738 PINE RIDGE DR NE, ATLANTA, GA 30324  
Owner Name: Anne and Steve Spivey  
Owner Address: 1738 Pine Ridge Dr.  
Application Name:

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Owner Info.: Anne and Steve Spivey  
1738 Pine Ridge Dr.

Work Description: second story addition

PAID  
CITY OF ATLANTA  
APR 27, 2017  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR