NOTICE TO APPLICANT
Address of Property:
1249 Lanier BLVD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, May 3, 2018 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 five 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]
RG, for Director, Office of Zoning and Development

[Signature]
Scott A. Burks
CITY OF ATLANTA
Office of Buildings - Zoning Division
55 TRINITY AVENUE, SUITE 2000
Atlanta, Georgia 30303
404-330-6175

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6
APPLICATION NUMBER V-18-061

NPU F
DATE FILED March 7, 2018

1. Scott A Burks
   Name of Applicant

BUILDING PERMIT AUTHORIZING

New detached accessory structure - garage

at 1249 Lanier BLVD
Street Address

NE Quadrant

17th/02 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 to: (1) reduce the required rear yard setback from 15 feet to 7 feet, 6 inches and (2) reduce the required southern side yard setback from 7 feet to 3 feet – to erect a detached garage.

   Applicant seeks no other variances or exceptions at this time.

   A Complete Plan Review Was Not Conducted.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2)(3)

Chapter Section Paragraph

Scott Haeberlin 3/7/18
Plan Reviewer Date

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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</table>

Date Filed: 3/7/2018

Application Number: V-18-016

Name of Applicant: Scott A. Burks
Daytime Phone: 404-954-0582

Company Name (if applicable): Level Team Contracting
e-mail: scott@levelteamcontracting.com

Address: 1440 Dutch Valley Place, Suite G15, Atlanta, GA 30324

Name of Property Owner: Level Team Contracting
Phone: 404-954-0582

Address: 1440 Dutch Valley Place, Suite G15, Atlanta, GA 30324

Description of Property

Address of Property: 1249 Lanier Blvd, Atlanta, GA 30306

Area: ________ Land Lot: __ District: 17th, Fulton County, GA.

Property is zoned: R4, Council District: 6, Neighborhood Planning Unit (NPU): F

TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received a preliminary plan review from the Office of Zoning and Development prior to 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.

[Signature]
Owner or Agent for Owner (Applicant)

[Signature]
Print Name of Owner

Sworn To And Subscribed Before Me This __ Day Of March, 2018.

[Signature]
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). Please provide the relevant zoning number associated with the subject property: ________________.

Is the proposal subject to Inclusionary Zoning? ***YES *** NO

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.”)

Build new 2 car detached garage at rear of property. Reduct rear (east) setback from 15’ to 7’ feet. Reduce (south) side setback from 7’ to 3’ feet for new garage.

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.

3857 covered square feet / 7728 total lot square feet = 50% 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 lot is 7,728 sf well short of the minimum required size of 9,000 sf. The lot width is also deficient for the R-4 zoning. Required width is 70’, this lot is only 50’.

2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? Application of the side and rear setbacks would not leave adequate space to maneuver and park vehicles on this non-conforming lot.

3) What conditions are peculiar to this particular piece of property? The lot width and size are not peculiar. Most lots were developed prior to establishment of the zoning ordinance. However, the encroachment is peculiar. The existence of similar conditions on adjoining properties doesn’t negate desirability of the proposal.

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 requested variance would not impair the purpose or intent of the zoning ordinance and would maintain a neighborhood aesthetic that pre-dates the zoning ordinance. The proposal doesn’t impose upon light or air on adjacent properties nor does it impact emergency access. The proposal will ease drainage between adjoining properties.

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OWNER’S TELEPHONE NUMBER: 404-954-0532

SIGNATURE OF OWNER
Scott A. Burns

PRINT NAME OF OWNER

NAME OF APPLICANT:
LAST NAME Burns FIRST NAME Scott

ADDRESS 1440 Dutch Valley Dr. NW SUITE 615

CITY Atlanta STATE GA ZIP CODE 30324

APPLICANT’S TELEPHONE NUMBER: 404-954-0532

APPLICANT’S EMAIL ADDRESS: Scott@level-teamcontracting.com

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

3/6/18

January 2018 - Page 9 of 12
Variance Application

Subject Property: 1249 Lanier Blvd., Atlanta, GA 30306

Legal Description of Property:

Property fronts 50’ of the east side of Lanier Blvd. and begins approximately 50’ north of the intersection of Mclynn Ave. and Lanier Blvd.
CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVE SW, ATLANTA GA 30303
404-330-6070

Application: V-18-061
Application Type: Planning/BZA/Variance/NA
Address: 1249 LANIER BLVD NE, ATLANTA, GA 30306
Owner Name: DELIZ LINDA D
Owner Address:
Application Name:

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Owner Info.: DELIZ LINDA D

Work Description: Variance to reduce the required rear yard setback from 15 feet to 7 feet, 6 inches and to reduce the required southern yard setback from 7 feet to 3 feet- to erect a detached garage.