



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

APPLICATION #: **V-18-056**

DATE ACCEPTED **02/27/2018**

## NOTICE TO APPLICANT

Address of Property:  
**836 Courtenay DR NE**

Department of City Planning  
Office of Zoning & Development

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

FEB 27 2018

Board of Zoning Adjustment (BZA) Hearing Date:

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

**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,

  
\_\_\_\_\_  
CC, for Director, Office of Zoning and  
Development

  
\_\_\_\_\_  
DAVID GRAYBEAL Heidi Greene



FEB 27 2018

City of Atlanta  
Department of City Planning  
Office of Zoning and Development  
55 Trinity Avenue, Suite 3350  
Atlanta, Georgia 30303  
Phone: 404-330-6145

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

**REFERRAL CERTIFICATE – REVISED 02.22.18**

COUNCIL DISTRICT \_\_\_\_\_ APPLICATION NUMBER V-18-56

NPU F DATE FILED \_\_\_\_\_

1. Anthony & Heidi Greene  
Name of Applicant

**BUILDING PERMIT AUTHORIZING**  
New Single Family Residence

at 836 Courtenay Drive NE 17<sup>th</sup>/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 to (1) reduce the required half depth front yard from 17.5 ft to 7 ft, 2). To reduce the required front yard setback from 35 ft to 34 ft and (3) to reduce the required west side yard from 7ft to 5 ft in order to construct a new single family residence.

Applicant seeks no other variances at this time.

Complete plan review not conducted at this time.

**1982 ZONING ORDINANCE, AS AMENDED**

Chapter 6 Section 16-06-008 Paragraph (1)

Chapter 6 Section 16-06-008 Paragraph (2)

Chapter 28 Section 16-28-007 Paragraph (5)(b)

Tamaria Letang 02.27.18  
Plan Reviewer Date

Heidi Greene 2/27/18  
Applicant Date

# APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Department of City Planning  
Office of Zoning & Development

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

FEB 27 2018

Variance	X
Special Exception	
Variance & Special Exception	

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

Application Number V-18-56

Name of Applicant Anthony & Heidi Greene Daytime Phone (646) 593-1878 / (917) 678-6651

Company Name (if applicable) N/A email anthony.greene@troutman.com  
heidisgreene@gmail.com

Address 836 Courtenay Dr. Atlanta GA 30306  
street city state zip code

Name of Property Owner Anthony & Heidi Greene Phone (646) 593-1878 / (917) 678-6651

Address 836 Courtenay Dr. Atlanta GA 30306  
street city state zip code

**Description of Property**

Address of Property 836 Courtenay Dr. Atlanta GA 30306  
street city state zip code

Area: 0.251 acres  
10,938 SF Land Lot: 52 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 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.

Anthony D. Greer Heidi Greene  
Owner or Agent for Owner (Applicant)

Anthony Greene Heidi Greene  
Print Name of Owner

Sworn To And Subscribed Before Me This 17th day of Feb, 2018.

Angela Maddox  
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.

Department of City Planning  
Office of Zoning & Development

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) **February 2, 2018** Please provide the relevant zoning number associated with the subject property: \_\_\_\_\_

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

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."))

*Renovations and addition to existing single family house.*

**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.

*4,525* covered square feet / *10,938* total lot square feet = *41* % 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?

*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*

V-18-058

FEB 27 2018

836 COURTENAY DRIVE

APPLICATION FOR VARIANCE

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

Applicant seeks variance from the City of Atlanta Zoning regulations to do the following:

- a. Reduce the required half depth front yard from 17.5' to 7' along the east side of the house (Wayne Avenue) to allow an addition to the house and an extension of the existing porch. Both the house addition and the porch extension will follow the same line as the existing house and porch. The house is currently situated 11' from the property line and the porch is 7' from the property line. In 2008, a similar variance was granted on the property to reduce the same yard to 8' for a proposed addition to the house (V-08-026). (Section 16-06.008(1)).
- b. Reduce interior side yard setback from 7' to 5' (along west side of house). The proposed addition will follow the same line as the existing house. (Section 16-06.008(2)).

Responses to Variance Criteria:

1. There are extraordinary and exceptional conditions pertaining to this lot. The lot is a non-conforming corner lot with less width than the R-4 requirements. R-4 requires 70' of frontage and this lot has 59.96'. Similarly, the lot width narrows more than 10 feet as it extends north, reducing the lot width from 59.96' to 47.98'. Precedents have been set in the Morningside area to allow for narrow corner lots to have a reduction in the secondary side yard (half depth front yard) to less than what we are requesting. For example, 1300 Northview Drive is a 60' wide lot and they were recently granted a half depth front yard setback reduction from 17.5' to 6'.
2. The application of the Zoning Ordinance on this lot would create an unnecessary hardship. The existing house was constructed in 1927 and encroaches into both the half-depth front yard and side yard setbacks. In connection with renovations of the existing structure, the Applicant would like to extend the existing construction back along the same lines established at the time of construction. Modifications under the currently applicable setbacks create a non-functional and haphazard design inconsistent with both the character of the neighborhood and good design practices.
3. The property is unique in that it is a substandard width, nonconforming corner lot that narrows as the lot extends north. Similarly, the placement of the existing house encroaches into the setbacks for which a reduction is requested.
4. Relief if granted would not cause a substantial detriment to the public good or impair the purpose of the zoning ordinance. The proposed renovations are consistent with the character of the neighborhood and similar variances have been granted in the Morningside-Lenox Park neighborhood for similarly nonconforming properties. The proposed construction will promote desirable living conditions for the homeowner as well as the neighborhood.

Heidi & Anthony Greene  
836 Courtenay Drive  
Atlanta, GA 30306

March 1, 2018

Ms. Racquel T. Jackson  
Office of Zoning and City Development  
City Hall, South Building  
55 Trinity Ave., SW  
Suite 3350  
Atlanta, Georgia 30303-0331

Department of City Planning  
Office of Zoning & Development

V-18-056  
MAR - 1 2018

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

RE: Application V-18-056

Dear Racquel:

Please add this letter to the file for Application V-18-056. My understanding is that alterations and demolition that exceed a 50% threshold are classified by the City of Atlanta as construction of a new single family home rather than an addition to an existing single family home. Notwithstanding the foregoing, I would like to affirm that the renovation proposal will retain portions of the existing single family home. We have worked closely with our architect to maintain the front portion of the house which was built in 1927 and has features, such as a round door, that are unique to the Morningside/Lenox Park Neighborhood.

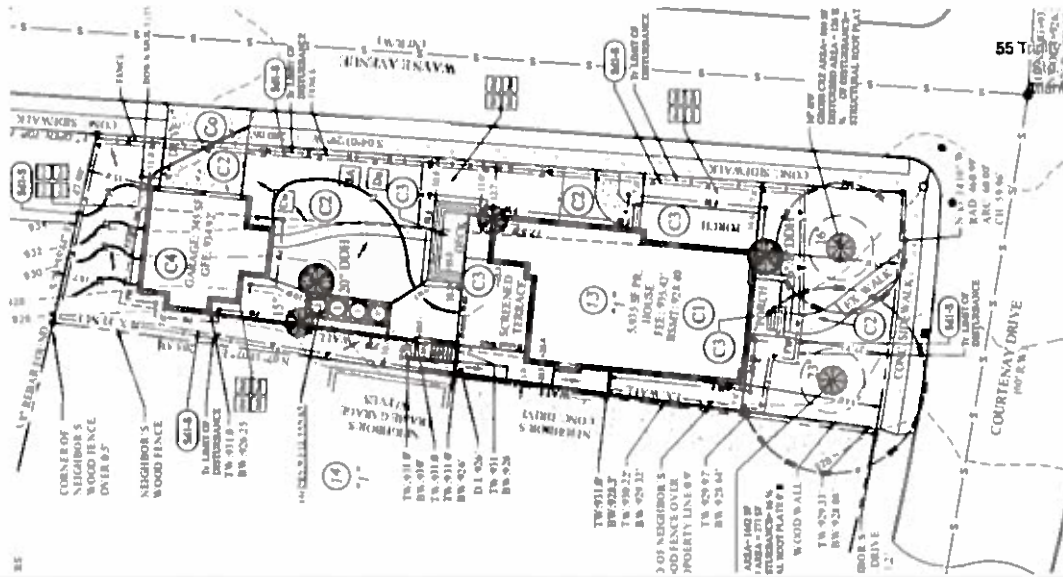
I appreciate you taking time to get our house classified correctly so that we do not run into any delays in the future.

Regards,  
Heidi Greene



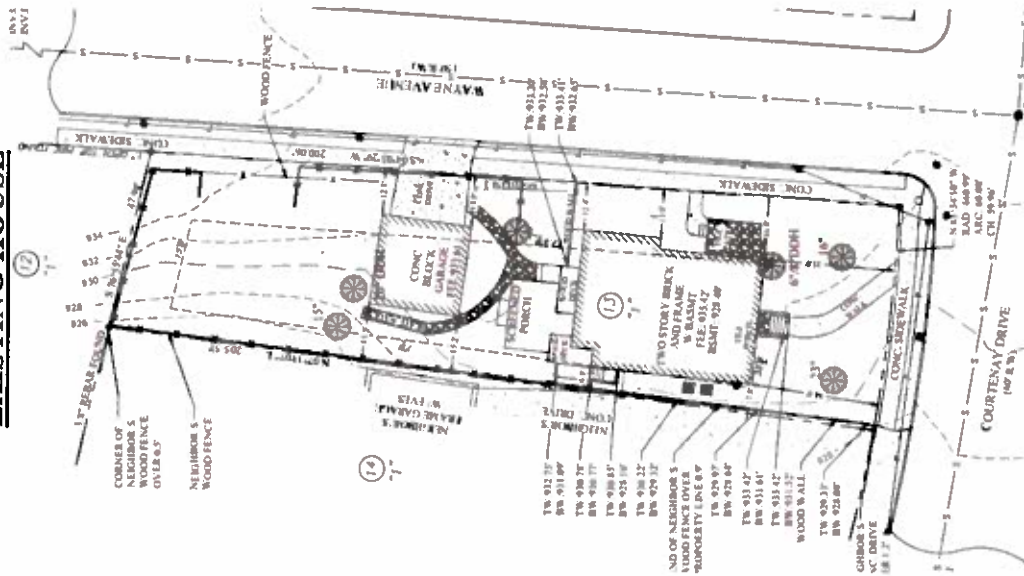
FEB 27 2018

**PROPOSED NEW CONSTRUCTION**



55 Twp. SW.  
350  
GA

**EXISTING HOUSE**



RECEIPT

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

PAID  
CITY OF ATLANTA  
FEB 27 2018

EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

*AMEX*  
*John*

Application: V-18-056  
Application Type: Planning/BZA/Variance/NA  
Address: 836 COURTENAY DR NE, ATLANTA, GA 30306  
Owner Name: Anthony and Heidi Greene  
Owner Address:  
Application Name: Anthony and Heidi Greene

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
567015		\$100.00	02/27/2018	PAMITCHELL		

Owner Info.: Anthony and Heidi Greene

Work Description: variance to reduce half-depth from 17.5 to 7, front yard from 35 to 34 and side yard from 7 to 5

CITY OF ATL BLDG PERM  
55 TRINITY AVE STE 1350  
ATLANTA, GA 30303  
02/27/2018 12:44:57  
CREDIT CARD  
AMEX SALE

Card # XXXXXXXXXXXX1000  
Chip Card: AMERICAN EXPRESS  
AID: A00000025010801  
ATC: 0032  
TC: E6850A14D8959A23  
SEQ #: 12  
Batch #: 192  
INVOICE 12  
Approval Code: 869305  
Entry Method: Chip Read  
Mode: Issuer

SALE AMOUNT \$100.00

CUSTOMER COPY