



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

APPLICATION #: **V-18-283**

DATE ACCEPTED **09/05/2018**

NOTICE TO APPLICANT

Address of Property:

1590 West Sussex RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, November 1, 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,

RG, for Director, Office of Zoning and
Development

Laura Daniel



V-18-283

Office of Planning

SEP - 6 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

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REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-18-283 Department of City Planning
Office of Zoning & Development

NPU F DATE FILED SEP - 4 2018

Laura Daniel (Anne Architecture)

Name of Applicant

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

BUILDING PERMIT AUTHORIZING

Detached accessory Structure

at 1590 West Sussex RD NE 17th/3
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 regulations to (1) Increase size of proposed detached accessory structure from 30 % to 39 % where as accessory structures are not allowed to exceed 30 % of the floor area of the main house.

Applicant seeks no other variances at this time.

A Complete Plan Review Was Not Conducted

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-28.004 Paragraph (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Thomas Otoo 9/5/2018
Plan Reviewer Date

Elizabeth A. Hayley
for Anne Architecture 9-5-18
Applicant Date

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

SEP - 4 2018

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

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

SEP - 5 2018

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Date Filed _____

Application Number V-18-283

Name of Applicant LAURA DANIEL

Daytime Phone 334-524-2383

Company Name (if applicable) ANNE ARCHITECTURE

email laura@annearchitecture.com

Address 834 INMAN VILLAGE PKWY, SUITE 100 ATLANTA GA 30307
street city state zip code

Name of Property Owner Landon Robert Williams
Alexandra Leah Price Phone 404-556-8026

Address 1590 West Sussex Road Atlanta GA 30306
street city state zip code

Description of Property

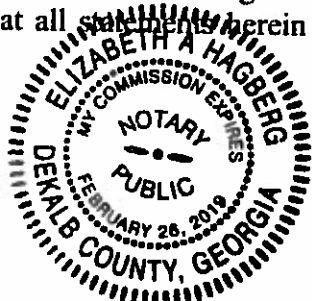
Address of Property 1590 WEST SUSSEX RD ATLANTA GA 30306
street city state zip code

Area: .488 ACRE Land Lot: 3 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.



Laura Daniel
Owner or Agent for Owner (Applicant)

Print Name of Owner

Sworn To And Subscribed Before Me This 4th Day Of September, 2018.

Elizabeth A. Hagberg
NOTARY PUBLIC

SUMMARY & JUSTIFICATION FOR VARIANCES

Office of Planning
K-18-283

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.

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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: _____

SEP - 6 2018

Is the proposal subject to Inclusionary Zoning? YES NO

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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.").

DEMOLISH EXISTING ONE CAR GARAGE AND ERECT NEW TWO CAR GARAGE, WORKING BAY, AND OPEN WORK SPACE ABOVE AT REAR SETBACK LINES. A SMALL BATHROOM WILL BE INSTALLED ON THE MAIN FLOOR. NO KITCHEN OR KITCHEN ACCESSORIES WILL BE INSTALLED. THIS IS NOT TO BE RENTED OR FINISHED OUT AS LIVING SPACE.

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.

10,191 covered square feet / 21,266 total lot square feet = 48 % 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-18-283

Office of Planning

SEP - 6 2018

55 Trinity Ave. S.W.
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1. WHAT ARE THE EXTRAORDINARY AND EXCEPTIONAL CONDITIONS PERTAINING TO THE PARTICULAR PIECE OF PROPERTY IN QUESTION (SIZE, SHAPE, OR TOPOGRAPHY)

The subject property meets all the minimum requirements for properties zoned R-4 but its unique topography and shape impacts the amount of buildable area on the lot. The frontage of the property is 89.28' and reduces gradually to 69.6' about three quarters through the property. Then, the last quarter of the lot reduces to 26.22' at the rear lot line. The property's topography increases 34 feet from east to west causing significant slope. The main dwelling unit was built spanning the width of the lot less the driveway width and is setback 100 feet from the street which greatly reduces the amount of buildable area. Building an addition of the desired size to the rear of the structure would require the demolition and relocation of the existing greenspace, mature landscaping, pool, and patio as well as rendering the existing floor plan un-operational.

Therefore, the property owner is requesting to erect an accessory structure that is 39% of the main structure's total area. This accessory structure will have a two-bay garage with a working bay and a 2nd story work space.

2. HOW WOULD THE APPLICATION OF THE ZONING ORDINANCES OF THE CITY OF ATLANTA TO THIS PARTICULAR PIECE OF PROPERTY CREATE AN UNNECESSARY HARDSHIP?

The area limitation of the accessory structure is only driven by the square footage of the property owner's existing main structure. The property owner is only utilizing a F.A.R. of .24 where a F.A.R. of .50 is allowed. Therefore, the property owner has unused development rights in the amount of 5,550 SF. The gross area of the proposed accessory structure is 1,820 SF (F.A.R. of .31).

To conform to the Zoning Ordinance, the property owner would be required to attach the proposed garage and work space to the primary structure. Requiring them to build an addition of the desired size to the rear of the structure would require the demolition and relocation of the existing greenspace, mature landscaping, pool, and patio as well as rendering the existing floor plan un-operational. The addition to the existing home would also encroach on the available green space and segregate it from their remaining patio space.

3. WHAT CONDITIONS ARE PECULIAR TO THIS PARTICULAR PIECE OF PROPERTY?

The subject property meets all the minimum requirements for properties zoned R-4 but its unique topography and shape impacts the amount of buildable area on the lot. The frontage of the property 89.28' and reduces gradually to 69.6' about three quarters

SEP - 6 2018

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through the property. Then, the last quarter of the lot reduces to 26.22' at the rear lot line. The property's topography increases 34 feet from east to west causing significant slope. The main dwelling unit was built spanning the width of the lot less the driveway width and is setback 100 feet from the street which greatly reduces the amount of buildable area. Building an addition of the desired size to the rear of the structure would require the demolition and relocation of the existing greenspace, mature landscaping, pool, and patio as well as rendering the existing floor plan un-operational.

4. SUBMIT FACTS TO SHOW THAT RELIEF, IF GRANTED, WOULD NOT CAUSE SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD OR IMPAIR THE PURPOSE AND INTENT OF THE ZONING ORDINANCE OF THE CITY OF ATALNTA.

Granting of the variance for the accessory structure would allow the property owner the ability to make a desired increase to the storage and work space on their property. The garage would enable the property owner to keep vehicles, pool pumps, yard equipment, and shop equipment out of sight. The proposal promotes desirable living conditions for the property owner and neighbors.

The intent of this additional area is not to be used as additional living space or as rentable property. A small bathroom on the bottom floor serves the pool and work space. No kitchen or kitchen accessories will be installed.

The design of the accessory structure is compliant without framing in a 2nd floor workshop regarding footprint, materials, and height. The allowance of additional square footage will have no detrimental effects on the public good or impair the purpose and intent of the zoning ordinance nor would the approval be visually noticed by the public good or neighbors since the added area is within the roof slope.

The proposal would not impose upon adequate light and/or air on the adjacent properties. Furthermore, the request would not pose a potential impediment on emergency access or threats to health and fire safety.

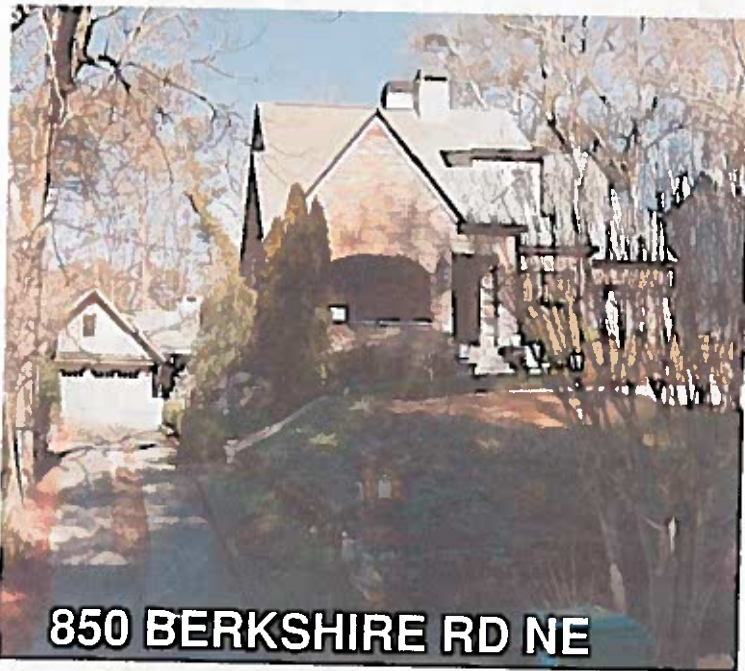
The accessory structure will be built into the topography; therefore, lessening its presence to the neighbors compared to a compliant new addition to the rear of the main structure. The neighborhood has plenty of similar structures that are comparable to the proposed accessory structure on much smaller lots with significantly more presence/effects on the street and surrounding neighbors. Please refer to the attached examples.



826 HIGHLAND TERRACE



1026 BELLEVUE DR



850 BERKSHIRE RD NE



1039 LANIER BLVD



1097 MCLYNN

V-18-283

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SEP - 6 2018

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FRONT OF PROPERTY

V-18-283
Office of Planning

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Atlanta, GA



REAR OF PROPERTY



REAR OF MAIN STRUCTURE: LOOKING EAST
POOL, MATURE LANDSCAPING, PATIO

Office of Planning
V-18-283
SEP - 6 2018



REAR OF PROPERTY: LOOKING WEST
EXISTING ONE CAR GARAGE (SEPARATING REST OF YARD), POOL, MATURE
LANDSCAPING

V-18-283

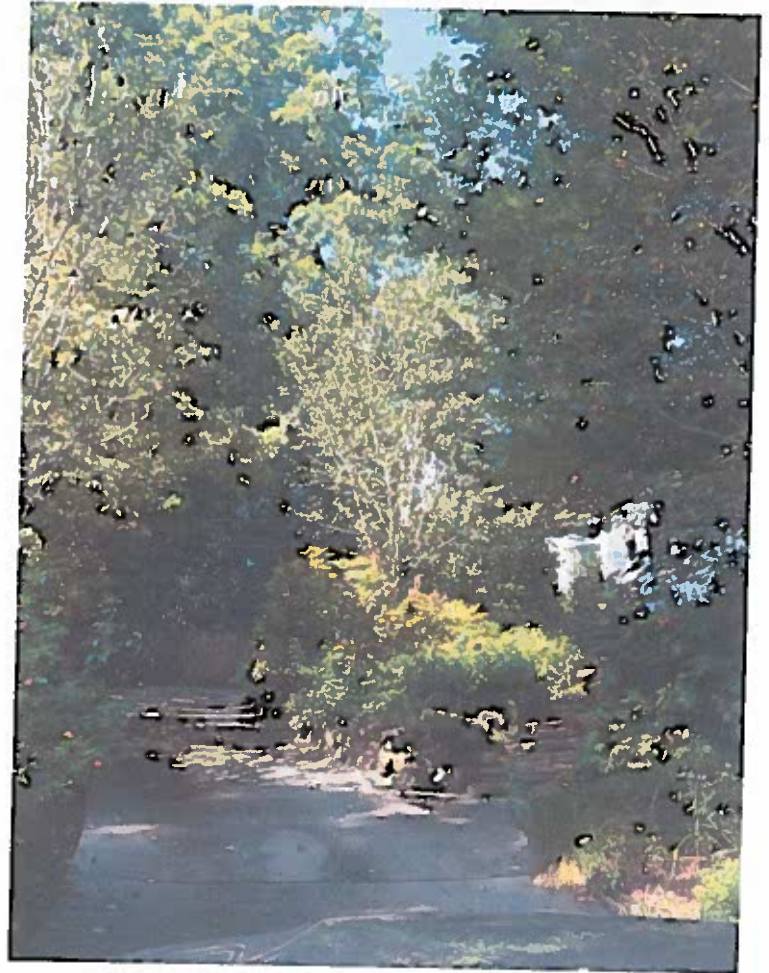
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SEP - 6 2018

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VIEW TO THE REAR OF THE PROPERTY



VIEW OF GATE AT TOP OF DRIVEWAY



VIEW FROM BASE OF DRIVEWAY

AUTHORIZATION BY PROPERTY OWNER

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

(Please print clearly. Must be the original document. A copy will not be accepted.)

I, Landon Robert Williams (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1590 W SUSSEX RD NE (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.

V-18-283

OWNER'S TELEPHONE NUMBER: 404-556-8026

Office of Planning

SEP - 6 2018

55 Trinity Ave. S.W.
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Atlanta, GA

[Signature]
SIGNATURE OF OWNER

Landon Robert Williams
PRINT NAME OF OWNER

NAME OF APPLICANT: ANNE ARCHITECTURE

LAST NAME DANIEL FIRST NAME LAURA

ADDRESS 834 INMAN VILLAGE PKWY SUITE SUITE 100

CITY ATLANTA STATE GA ZIP CODE 30307

APPLICANT'S TELEPHONE NUMBER: 334-524-2383

APPLICANT'S EMAIL ADDRESS: laura@annearchitecture.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.

[Signature]
NOTARY PUBLIC

September 4, 2018
DATE



AUTHORIZATION BY PROPERTY OWNER

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

(Please print clearly. Must be the original document. A copy will not be accepted.) SEP - 6 2018

I, Alexandra Leah Price (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1590 W SUSSEX RD NE (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.

55 Trinity Ave. S.W.
Atlanta, GA

OWNER'S TELEPHONE NUMBER: 404-285-6742

A. Price
SIGNATURE OF OWNER

Alexandra Leah Price
PRINT NAME OF OWNER

NAME OF APPLICANT: ANNE ARCHITECTURE

LAST NAME DANIEL FIRST NAME LAURA

ADDRESS 834 INMAN VILLAGE PKWY SUITE SUITE 100

CITY ATLANTA STATE GA ZIP CODE 30307

APPLICANT'S TELEPHONE NUMBER: 334-524-2383

APPLICANT'S EMAIL ADDRESS: laura@annearchitecture.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.

Elizabeth A. Haberg
NOTARY PUBLIC

September 4, 2018
DATE



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Office of Planning

SEP - 6 2018

65 Trinity Ave. S.W.
St. Louis, MO

Description

1590 West Sussex Road

All that tract or parcel of land lying and being in Land Lot 3 of the 17th District of Fulton County, Georgia and being designated as an Lot 17 and Part of Lots 2 and 14 Block "12" Lenox Park as Recorded in Plat Book 29 Page 28 Fulton County, Georgia Records on a Plat of Topographic Map for Landon Robert Williams and Alexander Leah Price Williams by McClung Surveying Services, Inc. dated 4-27-18 and being more fully described as follows;

To reach the Point of Beginning, start at a point located at the intersection of the Northwesterly Right-of-Way West Sussex Road (Formerly Sussex Road) (50' R/W) and the North Right-of-Way of Rock Springs Road (50' R/W) (if Extended). Thence running Northeasterly along the Northwesterly Right-of-Way of West Sussex Road a distance of 175.1 feet to a 1/2" rebar found and the Point of Beginning. Thence from the Point of Beginning and leaving said Right-of-Way and running N86°41'10"W a distance of 96.00 feet to a nail set located along an Original Lot Line and within a concrete driveway. Thence leaving said Original Lot Line and running S03°18'50"W a distance of 1.50 feet to a rebar found. Thence running N85°41'12"W a distance of 86.00 feet to a rebar set located along said Original Lot Line. Thence running N86°41'10"W along said line a distance of 114.16 feet to a 1/2" open top pipe found. Thence leaving said Line and running N08°36'42"E a distance of 26.22 feet to a 1/2" rebar found. Thence running N59°30'53"E a distance of 78.28 feet to a 1/2" rebar found located along an Original Lot Line. Thence leaving said Line and running N88°54'23"E a distance of 65.24 feet to a rebar found. Thence running N88°10'20"E a distance of 162.92 feet to a 1/2" rebar found located along the Northwesterly Right-of-Way of West Sussex Road. Thence running S02°26'11"W along said Right-of-Way a distance of 89.28 feet to said 1/2" rebar found and the Point of Beginning.

Said tract or parcel of land containing 0.488± acres or 21,266± square feet.

CITY OF ATL BLDG PERMI
55 TRINITY AVE STE 1350
ATLANTA, GA 30303

09/05/2018 13:16:19

CREDIT CARD
DISCVR SALE

Card # XXXXXXXXXXXXX7548
Chip Card: Discover Credit
AID: A0006001523010
ATC: 007D
TC: 5001D96B0672EB48
SEQ #: 21
Batch #: 408
INVOICE 21
Approval Code: 00519R
Entry Method: Chip Read
Mode: Issuer

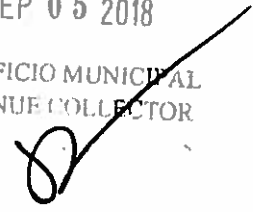
JING AND COMMUNITY DEVELOPMENT
ANTA GA 30303

Application: V-18-283
Application Type: Planning/BZA/Variance/NA
Address: 1590 WEST SUSSEX RD NE, ATLANTA, GA 30306
Owner Name: CHEATHAM ALAN D & COVERS KENNETH R
Owner Address:
Application Name: 1590 West Sussex Road--Variance

Discover

PAID
CITY OF ATLANTA
SEP 05 2018

EX OFFICIO MUNICIPAL
REVENUE COLLECTOR



Amount Paid	Payment Date	Cashier ID	Received	Comments
\$100.00	09/05/2018	BSIMMONS		

ALAN D & COVERS KENNETH R

SALE AMOUNT \$100.00

CUSTOMER COPY

1 the zoning to increase size of proposed detached accessory
1 30% to 39%.