



OFFICE OF ZONING AND DEVELOPMENT

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

APPLICATION #: **V-18-386**

DATE ACCEPTED **12/19/2018**

NOTICE TO APPLICANT

Address of Property:

1112 Mclynn AVE NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, February 14, 2019 at 12:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU F is:

Debbi Skopczynski
404-874-7483
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,



YO, for Director, Office of Zoning and
Development



Salvador Avila



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

Office of Planning

DEC 19 2018

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

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-18-386

NPU F DATE FILED _____

Salvador Avila

Name of Applicant

BUILDING PERMIT AUTHORIZING

Required setback reduction and increase to maximum lot coverage allowed

at 1112 McLynn Avenue NE 17th/2
 Street Address Quadrant District & Land Lot

to be used for Single Family Residence
 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) Reduce the required front yard setback from 35 feet to 22 feet to construct a porch. (2) Reduce the required east side yard setback from 7 feet to 0. (3) Resduce the west side yard setback from 7 feet to 0. (4) Reduce the required rear yard setback from 15 feet to 0, and (5) Increase the maximum lot coverage allowed from 50% to 56% for additions to existing house.

Complete Review not Conducted

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph 1

Chapter 6 Section 16-06.008 Paragraph 2, 2

Chapter 6 Section 16-06.008 Paragraph 3

Chapter 6 Section 16-06.008 Paragraph 6

Thomas Stoo 12/19/2018
 Plan Reviewer Date

[Signature] 12-19-18
 Applicant Date

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

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

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

DEC 10 2018

JA

Date Filed 15 Emily Ave. S.W Atlanta, GA Application Number V-18-386

Name of Applicant Salvador Avila Daytime Phone 770-527-5169

Company Name (if applicable) _____ email salvador1206@bellsouth.net

Address 1112 McLynn Av. NE Atlanta Ga 30306
street city state zip code

Name of Property Owner Salvador Avila Phone 770-527-5169

Address 1112 McLynn Av. NE Atlanta Ga 30306
street city state zip code

Description of Property

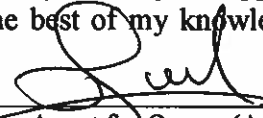
Address of Property 1112 McLynn Av NE Atlanta Ga 30306
street city state zip code

Area: .132 Land Lot: 2 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.

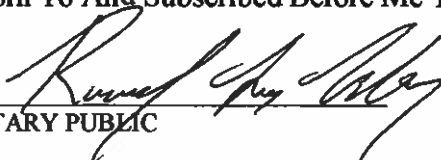


 Owner or Agent for Owner (Applicant)

Salvador Avila

 Print Name of Owner

Sworn To And Subscribed Before Me This 14th Day Of Dec, 2018.



 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.").

Demolition of Existing Concrete, Replace Existing Retaining Walls, Install outdoor fire place, Propose renovation of Existing steps, Install porous paver Driveway, Landscape Installation

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.

3234 covered square feet / 5766 total lot square feet = 56% 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 property is deficient of 3234 square feet, topography is significant. The lot is irregular shape in back yard.
- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? because of irregularities of the lot regarding area and size. The Existing home encroaches into 3 different set backs.
- 3) What conditions are peculiar to this particular piece of property? The lot area, depth and Existing Encroachment makes it hard to make improvements & is different than other lots
- 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. our proposal would not impose upon adequate light and/or air on adjacent properties, or would not impose a potential impediment on Emergency Access or Fire safety.

Justification for Variance

Property: 1112 Mclynn Avenue NE. Atlanta GA 30306

Date 12-14-2018

DEC 19 2018

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

Description of the property and issues:

1112 Mclynn Avenue is located in Morningside, Lenox Park Area of Atlanta GA. The property is zoned R-4 (Single Family Residential). This property is not a standard size or shape. This lot measures 5,766 square feet which makes the property deficient of 3,234 square feet from the minimal lot for R-4 zoning of 9,000 square feet. The existing house is currently encroaches over three different building set back lines, front, west side yard and backyard. The lot slope significantly in elevation from the back westside corner to the front east corner of the lot. Vehicular access to property is from an existing concrete driveway off Mclynn Avenue which is retained by an existing 4' tall brick wall along the east property line. There are no significant trees on lot. There is existing detached carport along the east property line. Please see photos attached.

Request for a variance:

The zoning regulation causes unnecessary hardships because of the size and the significant topography on the property. Because the property is significantly smaller than the minimum lot of 9,000 s.f. for R-4 zoning and irregularity of the lot and topography, we are seeking several variances.

1. Request to increase the maximum coverage from 50% to 56%
2. Request for the reduction of east side yard from 7 feet to 0 feet to install a pergola/arbor over the proposed carport.
3. Request for the reduction of the west side yard from 7 feet to 0 feet to for the construction of an outdoor fireplace in the backyard northwest corner of lot.
4. Request for the reduction of the backyard setback to from 15' to 0 feet to allow for outdoor fireplace and backyard and carport pergola/arbors (**accessory structures**)
5. Request for the reduction of the front yard setback from 35 feet to 20 feet to allow for a proposed renovation to an existing front steps that will be higher than 30"

Site narrative:

Site improvements will consist of a disturbed area of 3,500 s.f.

Existing Residence – Driveway and Landscape Improvements

The project scope which will consist of following:

1. Removal and disposal of existing concrete and walk.
2. Removal of existing low retaining walls and soil from backyard
3. Install new low retaining walls in same location as existing in backyard and front
4. Drainage improvements solutions
5. Install hardscape in backyard
6. Install hardscape front yard
7. Removal of existing driveway
8. **Install new porous paver driveway and carport**
9. Install wood fence and pergola/arbors
10. Install sod and landscaping planting as shown on C-4

V-18-38e

EXISTING IMPERVIOUS AREA CALCULATIONS		
Building	S.F.	1,600
Ex. Carport		180
Ex. Wall at right side		50
Ex. Walls		206
Concrete driveway and pavements		1616
TOTAL S.F.		3,652
IMPERVIOUS AREA REMOVED		
		SEE DEMO PLANS
Concrete driveway and pavements	S.F.	1,616
Ex. Wall	S.F.	206
Ex. Carport	S.F.	180
TOTAL S.F.		2,002
Existing to remain		1650
IMPERVIOUS AREA INSTALLED		
		AREA OF IMPERVIOUS PAVEMENT ADDED
Stepping Stones		250
Fountain		25
Hardscape Pavements		130
Front steps		140
Belgard Hardscapes Porous Pavers Aqua Roc B - 794 S.F./2= 397 s.f. total for stormwater		794
Retaining walls		150
Arbor in backyard		95
Arbor over carport - Calculated in pavers square feet		0
TOTAL S.F.		1,584
TOTAL IMPERVIOUS AREA ADDED OR REMOVED	S.F.	-418
Total Lot Area	S.F.	5,766 or .132 AC
BUILDING COVERAGE BEFORE CONSTRUCTION (IMPERVIOUS COVERAGE)	S.F.	3652 sf = 63% COVERAGE OF LOT
BUILDING COVERAGE AFTER CONSTRUCTION (50% allowed)	S.F.	3234 sf = 56% COVERAGE OF LOT

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Existing conditions:

V-18-38e



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Existing house from the street



Additional Photo of existing conditions of property – brick wall retaining the sideyard

V-18-380e



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Existing carport



Back East Corner of the property looking to the high point of the lot – The property rises up in back yard. The existing retaining walls need to be replaced

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Aerial photo of site



DETAILS
 FOR
Avila
Residence
 Fulton County
 1112 McLynn Avenue
 Atlanta GA 30306
 CONTACT:
 Salvador Vela
 770-527-5169

ISSUED FOR CONSTRUCTION

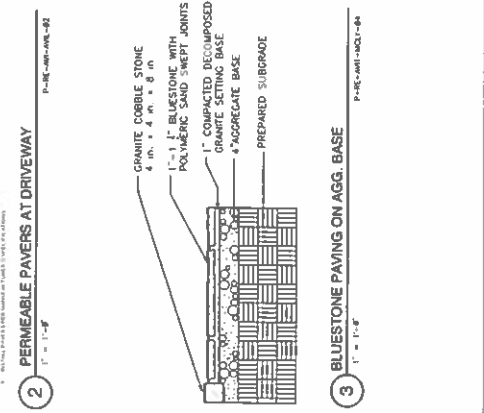
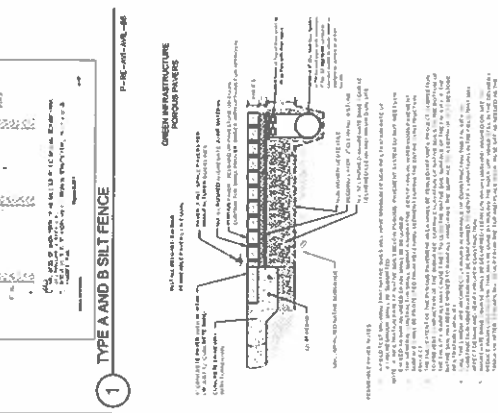
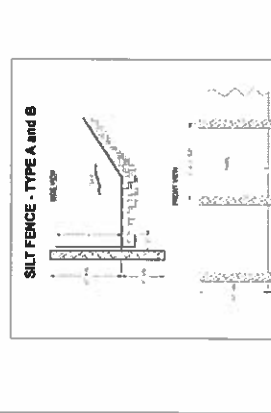
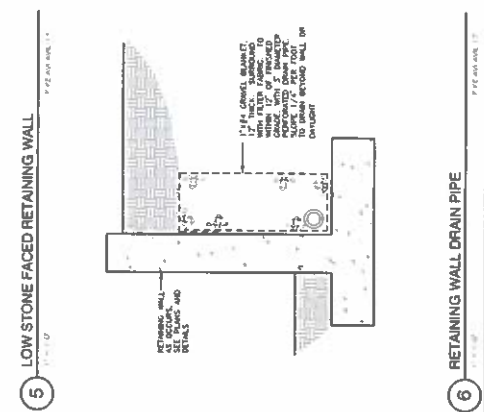
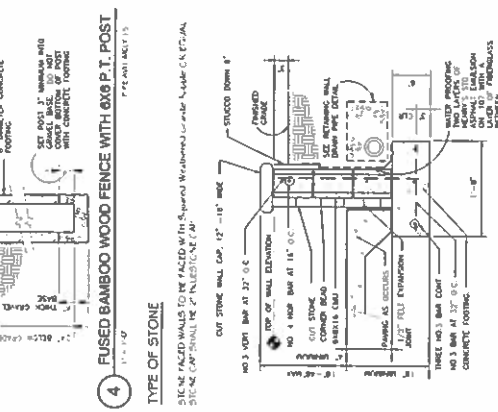
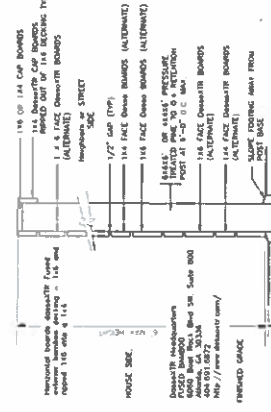
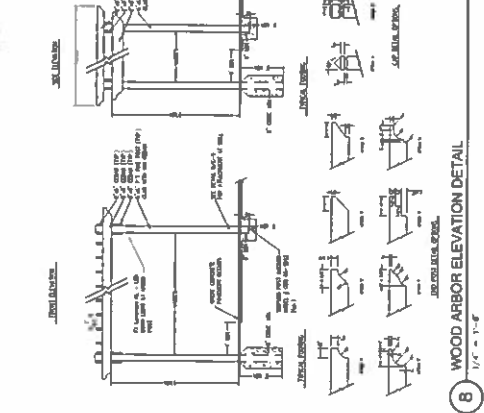
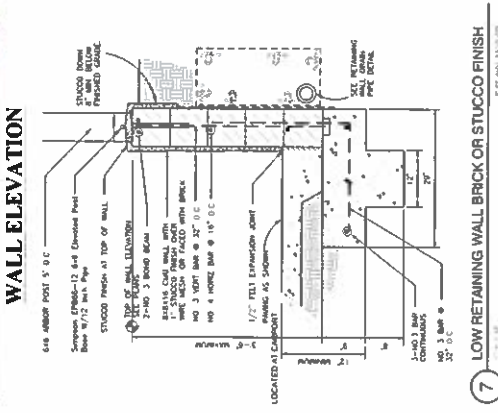
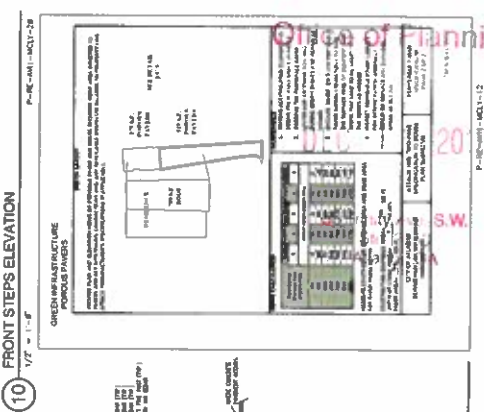
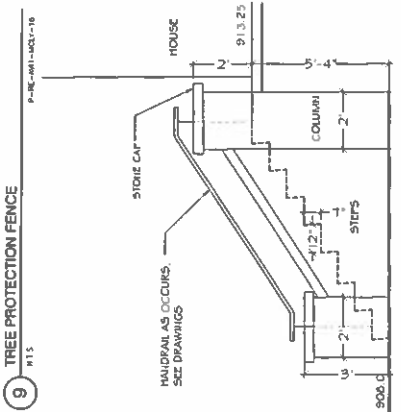
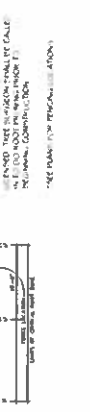
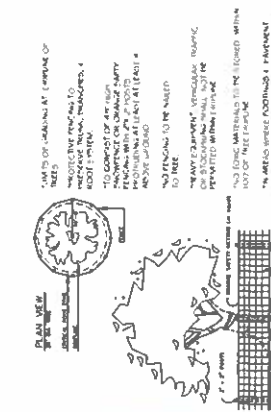


REVISIONS

NO.	DATE	COMMENT
1	12-10-18	SUPPLEMENTAL

ISSUED BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 12-06-18
 JOB NO: 18-013
 SHEET: 5 OF 5
C-5

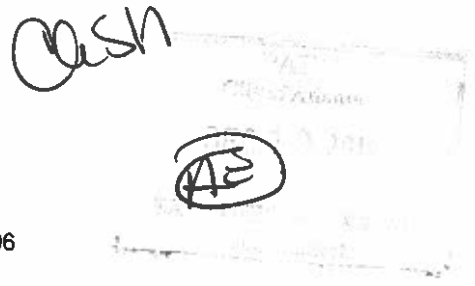
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 P-18-001-MKT-1-100

RECEIPT

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



Application: V-18-386
Application Type: Planning/BZA/Variance/NA
Address: 1112 MCLYNN AVE NE, ATLANTA, GA 30306
Owner Name: BURNS VIRGINIA H & SUE I
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
619210		\$100.00	12/19/2018	AEDMONDS		

Owner Info.: BURNS VIRGINIA H & SUE I

Work Description: Applicant seeks a variance from the zoning regulations to (1) reduce the required front yard setback from 35 feet to 22 feet to construct a porch. (2) Reduce the required east side yard setback from 7 feet to 0. (3) Reduce the west side yard setback from 7 feet to 0. (4) Reduce the required rear yard setback from 15 feet to 0, and (5) Increase the maximum lot coverage allowed from 50% to 56% for additions to existing house.