



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

APPLICATION #: **V-19-107**

DATE ACCEPTED **04/24/2019**

NOTICE TO APPLICANT

Address of Property:

1697 North Pelham RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, June 13, 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,



JF, for Director, Office of Zoning and
Development



MARY TURNIPSEED

Department of City Planning
Office of Zoning & Development

APR 24 2019

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



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

Department of City Planning
 Office of Zoning & Development

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

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-19-107

NPU F DATE FILED _____

1. MARY F. TURNIPSEED
 Name of Applicant

BUILDING PERMIT AUTHORIZING
CONSTRUCT ACCESSORY STRUCTURE AND POOL

at 1697 NORTH PELHAM RD NE 17TH /51
 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: 1)to reduce the northside yard setback from 7 feet to 3 feet, 2) to reduce the southside yard setback from 7 feet to 4 feet, 3) to reduce the rear yard setback from 15 feet to 5 feet, 4) to allow an accessory structure to exceed 30% of the floor area of the main house to 38%, 5) Applicant seeks a special exception from the zoning regulation to allow for active recreation in yards adjacent to street.

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 06 Section 16-06.008 Paragraph (2)

Chapter 06 Section 16-06.008 Paragraph (2)

Chapter 06 Section 16-06.008 Paragraph (3)

Chapter 28 Section 16-28.004 Paragraph (3)

V-19107

Chapter 28 Section 16-28.008 Paragraph (6)

[Signature] 4/24/19
Plan Reviewer Date

Mary F. Turnipseed 4/24/2019
Applicant Date

Department of City Planning
Office of Zoning & Development

APR 24 2019

65 Trinity Ave. S.W.
Ste. 3330
Atlanta, GA

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Department of Planning
Office of Zoning and Development

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

APR 24

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

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

Date Filed 4/24/2019 Application Number V19-107
 Name of Applicant Mary F. Turnipseed Daytime Phone 404-310-4685
 Company Name (if applicable) Mary Turnipseed Architecture email mary@maryturnipseed.com
 Address 659 Auburn Ave NE # G-8 Atlanta GA 30312
street city state zip code

Name of Property Owner Chris & Laura Freitag Phone 913-221-4496
 Address 1697 N. Pelham Road Atlanta GA 30324
street city state zip code

Description of Property
 Address of Property 1697 N. Pelham Road Atlanta GA 30324
street city state zip code
 Area: 0.290 Acres Land Lot: 51 District: 17th, 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.

Mary F. Turnipseed
 Owner or Agent for Owner (Applicant)

Mary F. Turnipseed
 Print Name of Owner

Sworn To And Subscribed Before Me This 24 Day Of April, 20 19.

 NOTARY PUBLIC



V-14107

SUMMARY & JUSTIFICATION FOR VARIANCES

Department of City Planning
Office of Zoning & Development
Atlanta, GA

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.").

Re-build 2 car garage with poolhouse and pool.

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.

6009 covered square feet / 12,795 total lot square feet = 46.96 % 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 letter
- 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 letter
- 3) What conditions are peculiar to this particular piece of property? see letter
- 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 letter

V-19-107

April 23, 2019

Mary Turnipseed, R.A.
659 Auburn Avenue, Suite G-8
Atlanta, GA 30312

Department of City Planning
Office of Zoning & Development

Ms. Keyetta M. Holmes, AICP
Office of Zoning and Development
55 Trinity Avenue, Suite 3350
Atlanta, GA 30303

APR 24 2019

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

re: New Garage, Poolhouse & Residence
1697 N. Pelham Road, NE 30324

Dear Ms. Holmes,

Our project is located at 1697 N. Pelham Road in the Morningside area. The scope of work is as follows:

-Build a new 2 car garage with recreation room, pool house and pool in the back yard

The house is a one and a half story brick tudor style built in 1940, zoned R-4 on .290 acres or 12,795 SF. The existing garage which is to be demolished is 3.6' from the north property line. The existing lot coverage is 41.63% and the proposed lot coverage will be 46.96%. There are two pine trees in the rear yard that will be removed and recompense will be made. There are no adjacent trees which will be impacted by the new construction.

We respectfully request:

- Reduce the north side yard from 7 feet to 3.0 feet for the garage with pool house
- Reduce the south side yard from 7 feet to 4.0 feet for the pool spa — special exception for active pool adjacent to street
- Reduce the rear yard from 15 feet to 5 feet for the pool
- Increase the accessory structure from 20% to 30% of main structure area

The existing 2 car garage which is to be demolished does not accommodate 2 modern sized cars. We are slightly enlarging the garage and would like to place it 3' from the property line to maximize available space in the back yard. A recreation room will be built over the garage and a small poolhouse will be attached to the rear of the garage. The rear of our lot backs up to a triangular section of a neighbor's lot that has been fenced off and is overgrown with kudzu, bushes and trees.

Extraordinary/Exceptional Conditions Pertaining to the Property because of its Size/Shape

The lot is 60.00' wide in the front and 60.00' wide in the back, which is non-conforming in width. The site slopes greatly from the street to the back of the lot. The placement of the house on the lot complies with the current Zoning Ordinance in all respects with the exception of the existing garage which is 3.6' from the north property line.

The Application of the Zoning Ordinance to this Property would create an Unnecessary Hardship

The garage with poolhouse has been designed with the goal of preserving backyard space and maintaining the historic look of the existing house and neighborhood. The application of the side and rear yard setback requirements would prevent us from expanding our home in an efficient and pragmatic manner.

Such conditions are peculiar to the particular piece of property involved

The lot width and required setback conditions on the lot make additions difficult without a variance.

Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Zoning Ordinance of Atlanta

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The proposal will not distract from people's use and enjoyment of adjoining and surrounding properties. The proposed construction is in harmony with construction on neighboring lots, and allows for adequate light and air on adjacent properties. We believe the proposed construction is in keeping with the orderly evolution of this neighborhood and will promote desirable living conditions for the homeowner as well as the neighborhood.

Thank you for your consideration of our request. Please do not hesitate to contact me if you have any questions or concerns

Sincerely,

Mary F. Turnipseed

Mary F. Turnipseed, R. A
mary@maryturnipseed.com
404-310-4685

V-19107

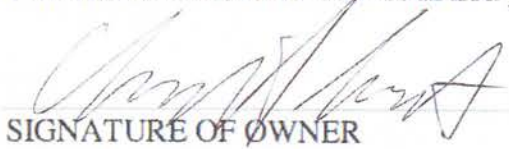
AUTHORIZATION BY PROPERTY OWNER

(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.)

I, Christopher Freitag (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1697 N. Pelham Road (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.

OWNER'S TELEPHONE NUMBER: 913.221.4496


SIGNATURE OF OWNER

Christopher Freitag
PRINT NAME OF OWNER

Department of City Planning
Office of Zoning & Development

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

NAME OF APPLICANT:

LAST NAME Turnipseed FIRST NAME Mary

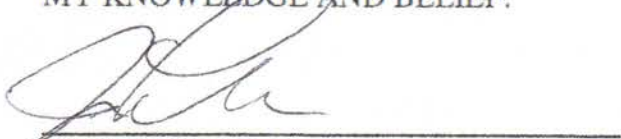
ADDRESS 659 Auburn Ave NE SUITE G-8

CITY Atlanta STATE GA ZIP CODE 30312

APPLICANT'S TELEPHONE NUMBER: 404-310-4685

APPLICANT'S EMAIL ADDRESS: mary@maryturnipseed.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

04-23-2019

DATE

My Commission Expires
February 16, 2020