



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

APPLICATION #: **V-19-208**

DATE ACCEPTED: **09/03/2019**

## NOTICE TO APPLICANT

Address of Property:

**819 Wildwood RD NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, November 7, 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,

LM, for Director, Office of Zoning and  
Development

APRIL INGRAHAM

Office of Planning  
**V-19-208**  
SEP 3 2019

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



2

Office of Planning

CITY OF ATLANTA

Office of Buildings - Zoning Division
55 TRINITY AVENUE, SUITE 3900
Atlanta, Georgia 30303
404-330-6175

SEP - 3 2019

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

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-19-208

NPU F DATE FILED

April Ingraham
Name of Applicant

BUILDING PERMIT AUTHORIZING
Construction of a new single-family residence

at 819 Wildwood RD NE 17th/51
Street Address Quadrant District & Land Lot

to be used for Residential purposes

The property is zoned R-3 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 50 feet to 44 feet 8 inches (2) Reduce the required half-depth front yard setback from 25 feet to 15 feet 1 inch to construct a new single family residence.

Applicant seeks no other variances at this time.

A Complete Plan Review Was Not Conducted

1982 ZONING ORDINANCE, AS AMENDED

Chapter 5 Section 16-05.008 Paragraph (1)

Chapter 28 Section 16-28.007 Paragraph (5)(b)

Chapter Section Paragraph

Thomas Stoo 09/03/2019
Plan Reviewer Date

April Ingraham 9/3/19
Applicant Date

# APPLICATION FOR BOARD OF ZONING ADJUSTMENT

*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 type="checkbox"/>

Office of Planning  
V-19-008  
 SEP - 3 2019

Date Filed \_\_\_\_\_ Application Number \_\_\_\_\_  
 Name of Applicant APRIL INGRAHAM Daytime Phone 404-421-1520  
 Company Name (if applicable) THE PERMIT SPECIALIST LLC email CONSULTANT@THEPERMITSPECIALIST.COM  
 Address 165 WEST WIEUCA RD STE 305 ATLANTA GA 30342  
street city state zip code

Name of Property Owner WESLEY AND ASHLEY HARTLEY Phone \_\_\_\_\_  
 Address 819 WILDWOOD RD NE ATLANTA GA 30324  
street city state zip code

**Description of Property**

Address of Property 819 WILDWOOD RD NE ATLANTA GA 30324  
street city state zip code  
 Area: 0.28 Land Lot: 51 District: 17, FULTON County, GA.  
 Property is zoned: R-3, 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.

*April Ingraham*  
 Owner or Agent for Owner (Applicant)

WESLEY AND ASHLEY HARTLEY  
 Print Name of Owner

Sworn To And Subscribed Before Me This 9 Day Of 3, 2019.

*Janet Louise Hayes*  
 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.>").  
DEMO AND REBUILD A NEW 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.

4864.41 covered square feet / 12128.1 total lot square feet = 39.89 % proposed lot coverage  
40 % maximum allowed lot coverage

Office of Planning  
*[Signature]*  
SEP - 3 2019

**Variance Criteria (see page 6 for detailed criteria):**

55 Trinity Ave. S.W.  
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Atlanta, GA

- 1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 3) What conditions are peculiar to this particular piece of property? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 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. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

September 3, 2019

City of Atlanta  
Office of Zoning Development  
Planning Division  
Board of Zoning Adjustment (BZA)  
55 Trinity Ave; Suite 3350  
Atlanta, GA 30303

Office of Planning  
V-19-208  
SEP - 3 2019

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

Variance Justification Letter: V-19-\_\_\_\_\_  
**819 WILDWOOD RD., NE**  
ZONING: R-3                      PARCEL ID#:17-0051-0003-001

To Whom It May Concern:

On behalf of the owner, WESLEY AND ASHLEY HARTLEY, this letter is to request a variance to allow relief from zoning regulations and grant a variance to reduce the required setbacks to allow the construction of a new single-family home, as follows:

- **Reduce the required front yard building setback from 50.0' TO 44'8"**
- **Reduce the required half yard building setback from 25.0' TO 15'1"**

**1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)?**

- This lot is zoned R-3 and requires a 50' front yard setback, 25' half yard setback, 10' side yard setbacks and 20' rear. This lot has constraining hardships based on the following:
  1. The minimum lot size required is 18,000 sqft. Currently, this lot is a total of 12,128 sqft. The extraordinary condition is a lot with at least 5,872 sqft or 1/3<sup>rd</sup> less buildable space if it were a conforming lot.
  2. The minimum standards for lot frontage require 100'. This lot has a surveyed total lot frontage of 51.03'. The exceptional condition that exist, is approximately one half less of the standard.
  3. And a conforming lot in this district would have a buildable area of at least 7100sqft or more to build. This lot only has a little over 3500sqft of buildable area. Almost a 50% decrease.

**2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?**

- Strict application would result in a smaller house size, smaller livable area and less compatibility with other new homes and would deprive the owner of the right to improve their property that would otherwise be a privilege as enjoyed by other owners in the same district with conforming conditions.
- It would create a potential on-street parking hazard being on a corner.

**3) What conditions are peculiar to this particular piece of property?**

- Fulton county tax records show this house was constructed in 1941 as a one story.
- This lot is a corner lot.
- The existing house encroaches the side yard, front and half yard setbacks.
- It has an average lot frontage distance of 60' due to a prominent curb at the corner intersection. Conforming lots require a 100' lot frontage.

**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 owners are maintaining, as close as possible, the original footprint of the 1941 home for the new house which improves land disturbance, with an exception:
  - The owner is improving the encroachments on the side yard by shifting the new footprint out of the required side yard. Creating more green space between her and the adjacent property.
- The owner is installing new green infrastructure to treat stormwater and improve the water quality on the lot that proposes to improve stormwater overall on the lot and nearby areas.
- The owner is providing ample secure off-street parking to accommodate family and guest.
  - Keeping the street clear of parking also creates safer conditions as this corner is a major bus stop for the neighborhood public school.
- The positioning of the proposed house preserves green space, creates a clear sight line for pedestrians & vehicular traffic at the corner.
- The owners are using design build professionals with an affinity for the Morningside neighborhood and who will preserve the aesthetics of the area as well as provide a generationally functional home
- Based on this, we believe that there will not be any foreseeable potential hardships or detriment upon any of the neighbors if granted. This includes no adverse impact to noise, lights, trees, public health threats or vehicular traffic. Other than relief of the required front yard setback, no other relief considerations are being requested at this time.

We are formally petitioning the Board to consider a variance approval to reduce the required half yard setback and front yard setbacks.

Thank you for your consideration of this request.

Respectfully,



April Ingraham,  
Consultant/Applicant/Agent for WESLEY AND ASHLEY HARTLEY, owners  
404-421-1520  
consultant@thepermitspecialist.com

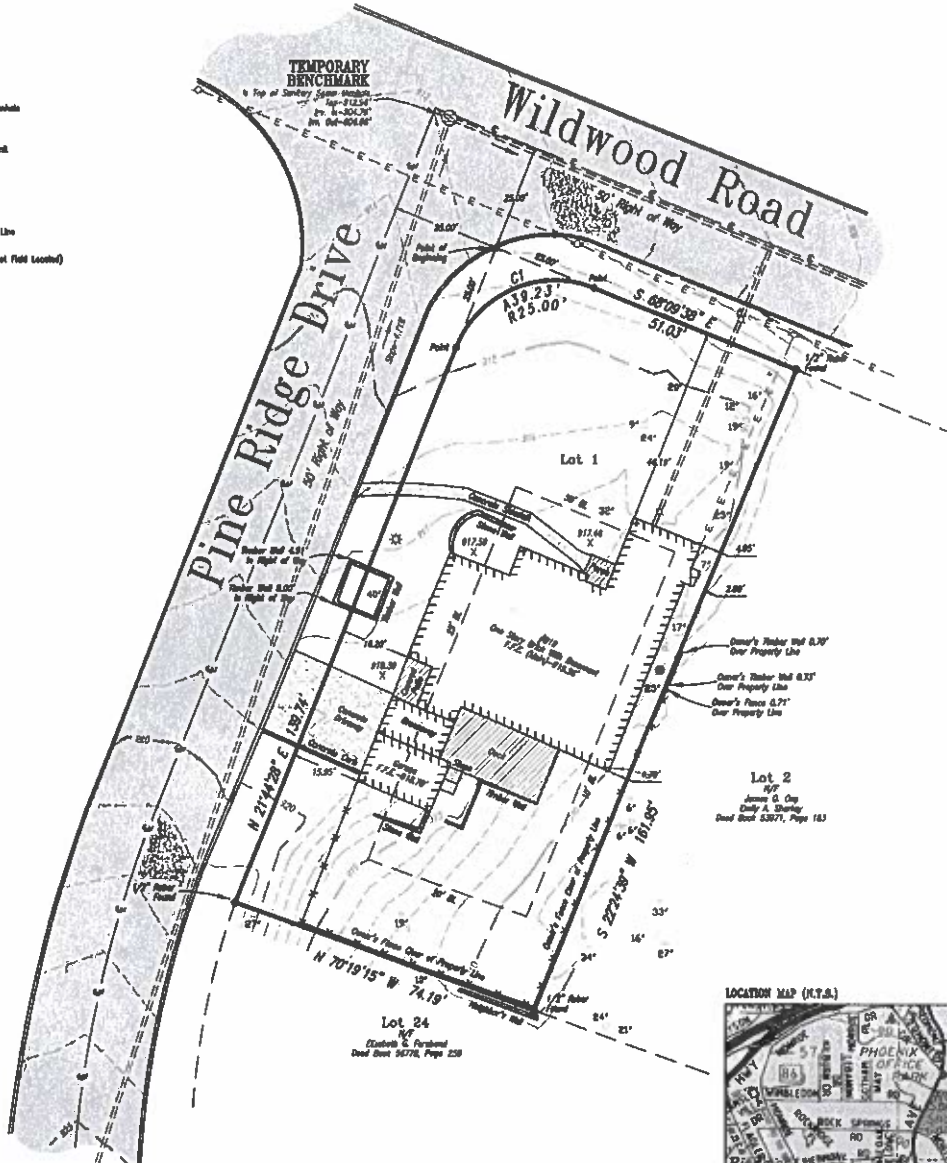
Office of Planning  
  
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**LEGEND**

These standard symbols may be found in the drawing.

- 1/2" Rubber Set
- Iron Pin Found
- Building Line
- ⊙ Light Pole
- ⊙ Power Pole
- ⊙ Electric Meter
- ⊙ Water Meter
- ⊙ Sanitary Sewer Manhole
- ⊙ Sewer Clean Out
- ⊙ Gas Meter
- ⊙ Air Conditioning Unit
- ⊙ Sept. Chamber
- ⊙ Horizontal Tree
- ⊙ Pine Tree
- Fence
- ⊗ Neighbor's Fence
- Orchard Check's Line
- ⊙ Sanitary Sewer
- ⊙ Sanitary Sewer (Old Field Location)



Lot 2  
James G. Ong  
Dolly A. Dunley  
Deed Book 53271, Page 183

Lot 24  
Charles G. Perinard  
Deed Book 52778, Page 258

**RECORDS**  
(City of Atlanta)  
(9-2) (Single Family Residential)  
Front yard setback-10'  
Side yard setback-10'  
Rear yard setback-10'  
Note: (Single) depiction of setback lines are the interpretation of the Surveyor and should be verified with a surveyor before prior to design work.  
Per Sec. 18-28.02(1)(b) On corner lots, the front shall be the shortest boundary adjacent to the street.  
Per. Sec. 18-28.02(1)(c) Where portions of a lot adjoin a street other than its frontage, a half depth front yard shall be provided.

**SURVEY NOTES**  
1. Conditions are based on N.A.S.A. 88 datum.  
2. Contour lines are at one (1) foot intervals.  
3. Elevation used: Lemo 1300 vertical datum and Mean Sea Level datum.  
4. Reference used: Carbon Survey 2013 and Carbon Survey.

**SPECIAL FLOOD HAZARD NOTE**  
I have this date, examined the 7.5' contour flood hazard map and found it to be updated referenced parcel (to act) in an area having special flood hazards, without an elevation certification the Surveyor is not responsible for any damage due to updates for old parcel map ID (1312102010) effective date (9/11/2013).

**CLOSURE STATEMENT**  
The field data upon which this plat is based was gathered by an open traverse. This plat has been calculated for closure and found to be accurate to 1 foot to 52,000 feet.

**CURVE TABLE**

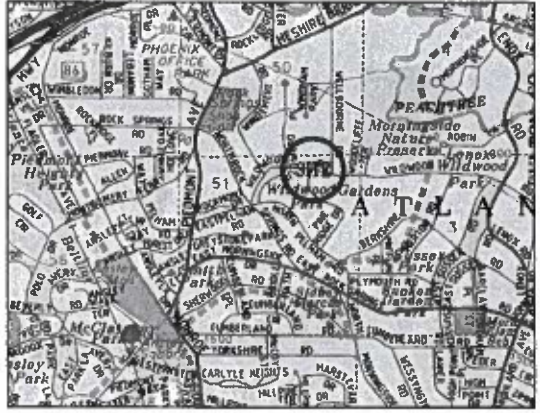
CURVE	CHORD BEARING	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	S 22°14'28\"/>				

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V19208  
SEP - 3 2019

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LOCATION MAP (K.T.S.)



This survey was prepared in conformity with the technical standards for property surveys in Georgia as set forth in chapter 180-7 of the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 18-4-67, formerly O.C.G.A. 18-3-47, 43-10-4, 43-16-4, 43-15-15, 43-15-22.

188 CLIFTWOOD DRIVE - ATLANTA, GEORGIA 30328 - TELEPHONE: (404) 255-6671 - FAX: (404) 255-6607 - WWW.GEORGIALANDSURVEYING.COM

JOB NUMBER 197909-2	SURVEY PLAT FOR 819 Wildwood Road, Atlanta Georgia 30324	DATE: 7/28/17 SCALE: 20'
	<b>ASHLEY HARTLEY</b> <b>WESLEY HARTLEY</b>	REVISION BY DATE Add More Data BUS 1/24/19 Add More Data BUS 8/13/18
	LANG LOT: S1 LOT: 1 BLOCK: H UNIT: PHASE:	17th DISTRICT SECTION Fulton County, GA
	SUBDIVISION: North Morningdale PLAT BOOK 21 . PAGE 34 DEED BOOK 53328 . PAGE 565	PARTY CHIEF: RG FIELD DATE: 8/16/17 SHEET 1 OF 1



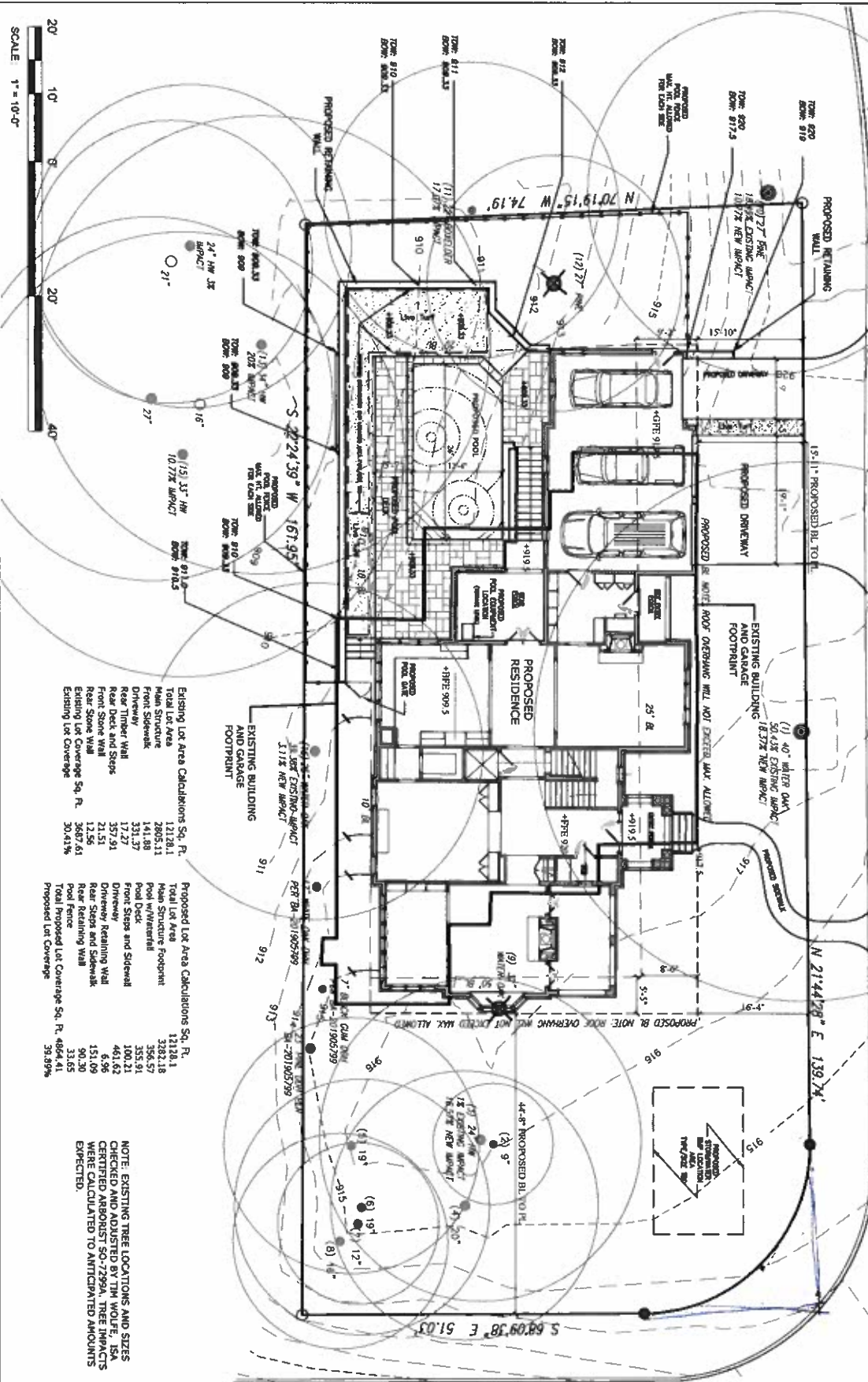


Pine Ridge Drive

Wildwood Road

Office of Planning  
 [Signature]  
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SCALE 1" = 10'-0"

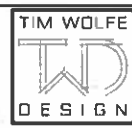
Existing Lot Area Calculations Sq. Ft.	
Total Area	3718.1
Main Structure	2805.11
Front Sidewalk	141.38
Driveway	331.37
Rear Timber Wall	17.27
Rear Deck and Steps	357.91
Front Stone Wall	21.51
Rear Stone Wall	12.56
Existing Lot Coverage Sq. Ft.	3687.61
Existing Lot Coverage %	30.41%

Proposed Lot Area Calculations Sq. Ft.	
Total Lot Area	12128.1
Main Structure Footprint	3282.18
Pool w/Waterfall	356.57
Front Deck	335.91
Rear Steps and Sidewalk	100.21
Driveway	461.62
Rear Steps and Sidewalk	65.96
Rear Stone Wall	141.38
Pool Fence	33.65
Total Proposed Lot Coverage Sq. Ft.	4664.41
Proposed Lot Coverage %	39.89%

NOTE: EXISTING TREE LOCATIONS AND SIZES CHECKED AND ADJUSTED BY TIM WOLFE, ISA, CERTIFIED ARBORIST SO-7299A. TREE IMPACTS WERE CALCULATED TO ANTICIPATED AMOUNTS EXPECTED.

HARTLEY RESIDENCE  
 819 Wildwood Rd NE  
 Atlanta, GA 30324



TIM WOLFE DESIGN  
 Atlanta, GA (P)404.569.4455  
 timwolfe@timwolfe-design.com

DATE	NO.	DESCRIPTION
09/30/2019	1	PRELIMINARY SITE PLAN
	1	TW



# AUTHORIZATION BY PROPERTY OWNER

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

(Please Print Clearly)

I, Wesley M. Hartley (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 819 Wildwood 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.

### NAME OF APPLICANT:

LAST NAME INGRAHAM FIRST NAME APRIL  
ADDRESS 165 WEST WIEUCA RD., NE SUITE 305  
CITY ATLANTA STATE GA ZIP CODE 30342

OWNER'S TELEPHONE NUMBER: 918.944.3943

[Signature]  
SIGNATURE OF OWNER

Wesley M. Hartley  
PRINT NAME OF OWNER

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

28 August 2019  
DATE



Office of Planning  
[Signature]  
SEP - 3 2019

# AUTHORIZATION BY PROPERTY OWNER

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

(Please Print Clearly)

I, Ashley B. Hartley (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 819 Wildwood 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.

**NAME OF APPLICANT:**

LAST NAME INGRAHAM FIRST NAME APRIL

ADDRESS 165 WEST WIEUCA RD., NE SUITE 305

CITY ATLANTA STATE GA ZIP CODE 30342

OWNER'S TELEPHONE NUMBER: 713.254.2346

Ashley B. Hartley  
SIGNATURE OF OWNER  
Ashley B. Hartley  
PRINT NAME OF OWNER

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  
28 August 2019  
DATE



Office of Planning  
[Signature]  
SEP - 3 2019

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

RECEIPT

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

PAID  
CITY OF ATLANTA  
SEP 03 2019  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

Application: V-19-208  
Application Type: Planning/BZA/Variance/NA  
Address: 819 WILDWOOD RD NE, ATLANTA, GA 30324  
Owner Name: MORROW VIRGINIA & MUNGER THOMAS J  
Owner Address:  
Application Name: 819 WILDWOOD RD

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
667218	5093	\$100.00	09/03/2019	PAMITCHELL		

Owner Info.: MORROW VIRGINIA & MUNGER THOMAS J

Work Description: APPLICANT SEEKS A VARIANCE FROM THE ZONING REGULATION(S) TO REDUCE THE REQUIRED FRONT YARD SETBACK FROM 50 FEET TO 44 FEET 8 INCHES (2) REDUCE THE REQUIRED HALF DEPTH FRONT YARD SETBACK FROM 25 FEET TO 15 FEET 1 INCH TO CONSTRUCT A NEW SINGLE FAMILY RESIDENCE. \*\*APPLICANT SEEKS NO OTHER VARIANCES AT THIS TIME. A COMPLETE PLAN REVIEW WAS NOT CONDUCTED\*\*

