



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

APPLICATION #: **V-19-257**

DATE ACCEPTED: **11/01/2019**

## NOTICE TO APPLICANT

Address of Property:

**1343 Lanier PL NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, January 2, 2020 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,

RG, for Director, Office of Zoning and  
Development

Nina E. Gentry, ACIP

# APPLICATION FOR BOARD OF ZONING ADJUSTMENT

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

Variance	X
Special Exception	
Variance & Special Exception	

65 Trinity Ave. S.W.  
Ste. 3300  
Atlanta, GA

Date Filed 11/01/2019

Application Number V-19-057

Name of Applicant Nina E. Gentry, AICP Daytime Phone 404-218-5730

Company Name (if applicable) Gentry Planning Services, LLC email gps2015@comcast.net

Address 992 Eden Avenue, SE Atlanta GA 30316  
street city state zip code

Name of Property Owner Jack Zampell Phone 404-577-4188

Address 549-4 Amsterdam Avenue, NE Atlanta GA 30306  
street city state zip code

## Description of Property

Address of Property 1343 Lanier Place, NE Atlanta GA 30306  
street city state zip code

Area: 16,535 SF Land Lot: 2 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.

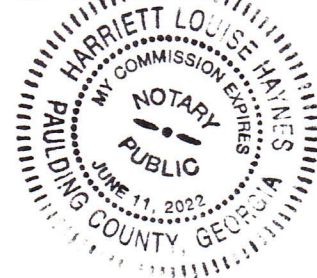
I hereby authorize the staff of the Office of Zoning and Development to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Zoning and Development upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.

Nina E. Gentry  
 Owner or Agent for Owner (Applicant)

Jack Zampell  
 Print Name of Owner

Sworn To And Subscribed Before Me This 11 Day Of 1, 20 19.

[Signature]  
 NOTARY PUBLIC





City of Atlanta  
Office of Zoning and Development  
55 Trinity Avenue, Suite 3300  
Atlanta, Georgia 30303  
Phone: 404-330-6145

V-19-257  
Department of City Planning  
Office of Zoning & Development

REFERRAL CERTIFICATE

55 Trinity Ave. S.W.  
Ste. 3300  
Atlanta, GA

COUNCIL DISTRICT 6 APPLICATION NUMBER V-19-257  
NPU F DATE FILED 11/01/257

Nina Gentry, AICP  
Name of Applicant

Single Family Residence

at 1343 Lanier Place NE 17<sup>th</sup>/2  
Street Address Quadrant District & Land Lot

to be used for Residential purposes

The property is zoned R-4 (Single-Family Residential) District

2. The Building Permit Was Denied For The Following Reasons:

Applicant seeks a variance to reduce the required south side yard setback from 7 feet to 3.5 feet in order to construct a porte cochere in the side yard.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 06 Section 16-06.008 Paragraph (2)

Tamaria Letang 11/01/19  
Plan Reviewer Date

Nina E. Gentry 11/1/19  
Applicant Date



LEGAL DESCRIPTION  
for 1343 Lanier Place, NE

65 Trinity Ave. S.W.,  
Ste. 2350  
Atlanta, GA

All that tract or parcel of land lying and being in Land Lot 2 of the 17 District, Fulton County, Georgia, being Lot 29, Block 2, Morningside-North Highland, Virginia Highland Subdivision, as per plat recorded in Plat Book 11, Page 125, Fulton County records, and being more particularly described as follows:

BEGINNING at an iron pin found on the east right-of-way of Lanier Place (50 right-of-way), 210.0 feet north from the intersection formed by the east right-of-way of Lanier Place with the north right-of-way of Morningside Drive; running thence along said right-of-way of Lanier Place, North 00 degrees, 34 minutes 39 seconds West, a distance of 54.0 feet to an iron pin found; departing said right-of-way and running thence North 88 degrees 42 minutes 00 seconds East a distance of 276.86 feet to an iron pin found; running thence South 12 degrees 07 minutes 29 seconds West, a distance of 70.40 feet to an iron pin found; running thence North 88 degrees 07 minutes 40 seconds West, a distance of 261.6 feet to an iron pin found on the east right-of-way of Lanier Place, which is the POINT OF BEGINNING; being improved property known as 1343 Lanier Place, according to the present system of numbering houses in the City of Atlanta, Georgia, being property shown on survey for Jeffrey M. Notrica, prepared by DeKalb Surveys, Inc., dated August 15, 2016. Parcel ID Number: 17-0002-0008-2 Parcel ID Number: 17-0002-0008-058-2. Subject to any Easements or Restrictions of Record.

# AUTHORIZATION BY PROPERTY OWNER

(Required only if the applicant 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, JACK ZAMPELL (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1343 LANIER PL, ATL 30306 (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.

Department of City Planning  
Office of Zoning & Development

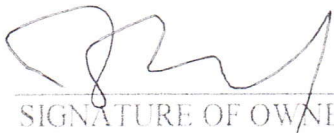
V-19-257

## NAME OF APPLICANT:

LAST NAME Gentry FIRST NAME Nina  
ADDRESS 992 Eden Avenue, SE SUITE \_\_\_\_\_  
CITY Atlanta STATE GA ZIP CODE 30316

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

OWNER'S TELEPHONE NUMBER: 404.557.4188



SIGNATURE OF OWNER

JACK ZAMPELL  
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.

Nataiss

NOTARY PUBLIC

10.22.19

DATE



Department of City Planning  
Office of Zoning & Development

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

VARIANCE REQUEST  
1343 Lanier Place, NE

1343 Lanier Place is a nonconforming lot on the east side of Lanier Place in the Morningside/Lenox Park neighborhood, NPU-F, Council District 6. It has 54 feet of street frontage and widens to a width of 70.40 feet at the rear property line. This tapered shape is an extraordinary and exceptional condition pertaining to the property. The property contains 16,535 SF of land area.

The property is currently under development with a two-story dwelling. It was recently discovered in the field that the outer edge of the porte-cochere will encroach into the required south side yard setback by 3.5 feet. It is this encroachment that a variance is being requested. Allowing the proposed encroachment should not have a negative impact on the adjacent property because porte-cocheres are open structures but for support columns and roof.

Other than the reduction of the south side yard setback from 7 feet to 3.5 feet the project meets all other requirements for constructing a single-family dwelling on the property. We respectfully request the Board of Zoning Adjustment to approved the requested reduction in the south side yard.

JUSTIFICATION

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography. The subject property is an existing nonconforming lot of record zoned R-4. It has 16 feet less frontage (54 feet) than required for R-4 properties. The property widens to a rear width of 70.40 feet at the rear property line. The deficient width at the street is an extraordinary and exceptional condition pertaining to this property.
- b. The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship. Application of the zoning regulations would cause an unnecessary hardship because of the irregularities of the lot width. Other than the south side yard setback the proposal meets all requirements for constructing a single-family dwelling on a lot zoned R-4. The porte-cochere is an open structure therefore the request should be found reasonable because of the width of the lot.
- c. Such conditions are peculiar to the particular piece of property involved. The particular shape of the property is unique to the subject property as the property owner is unaware of similar conditions on adjacent properties. However, the existence of similar conditions on adjoining neighborhood properties does not negate the reasonableness of this proposal.
- d. 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 proposal would not impose upon the 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 because the property has room for the requested improvements. The request allows an increase in the quality of life, which improves and reinforces the sustaining stability of the surrounding neighborhood. If relief is granted it would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance.

V-19-257  
Department of City Planning  
Office of Zoning & Development