



OFFICE OF ZONING AND DEVELOPMENT

55 Trinity Avenue S.W., Suite 3350

Atlanta, Georgia 30303

(404) 330-6145

APPLICATION #: **V-19-265**

DATE ACCEPTED: **11/19/2019**

NOTICE TO APPLICANT

Address of Property:

1480 Lanier PL NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, January 9, 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,



Director, Office of Zoning and
Development



MARY TURNIPSEED



Department of City Planning
Office of Zoning & Development

NOV 19 2019

66 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

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-19-265

NPU F DATE FILED _____

Mary Turnipseed

Name of Applicant

**BUILDING PERMIT AUTHORIZING
Reduction to Required Setback**

at 1480 Lanier Place NE 17th/2
Street Address Quadrant District & Land Lot

to be used for House addition and Accessory Structure 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 28.7 feet to construct a front porch. (2) Reduce the required north side yard setback from 7 feet to 4 feet. (3) Reduce the required south side yard setback from 7 feet to 3 feet to construct a new accessory structure.

Applicant seeks NO other variance at this time

Complete review NOT conducted

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (1)

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter _____ Section _____ Paragraph _____

Thomas Otoo 11/19/2019
Plan Reviewer Date

Mary F. Turnipseed 11/19/2019
Applicant Date

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

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

NOV 19 2019

Variance	
Special Exception	
Variance & Special Exception	

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

Date Filed _____

Application Number V-19-265

Name of Applicant Mary Turnipseed Daytime Phone 404-310-4685

Company Name (if applicable) Mary Turnipseed Architecture email mary@maryturnipseed.com

Address 659 Auburn Ave NE suite 6-B Atlanta GA 30312
street city state zip code

Name of Property Owner Kimberly Stewart Phone 404-444-4223

Address 1400 Lanier Place NE Atlanta GA 30306
street city state zip code

Description of Property

Address of Property 1400 Lanier Place NE Atlanta GA 303
street city state zip code

Area: 0.265 AC 11539 SF Land Lot: 2 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.

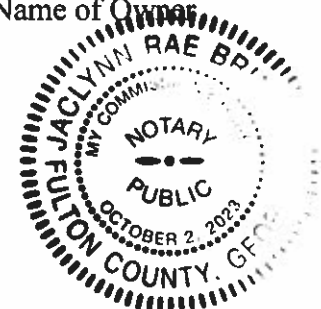
I hereby authorize the staff of the Office of Zoning and Development to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Zoning and Development upon filing 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 22nd Day Of Oct, 2019.

Jaclyn N. RAE
NOTARY PUBLIC



V-19-265

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 the criteria.** Please submit a typewritten or legible justification.

Is the property described in this application 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 application number associated with the subject property: _____.

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.").

Add new front porch, replace deck w/ screened porch, add studio to existing garage, add 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.

5767 covered square feet / 11539 total lot square feet = 49.99 % proposed lot coverage
50 % maximum allowed lot coverage

Department of City Planning
Office of Zoning & Development

NOV 19 2019

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

Stamp: Atlanta, GA
Sta. 3350

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

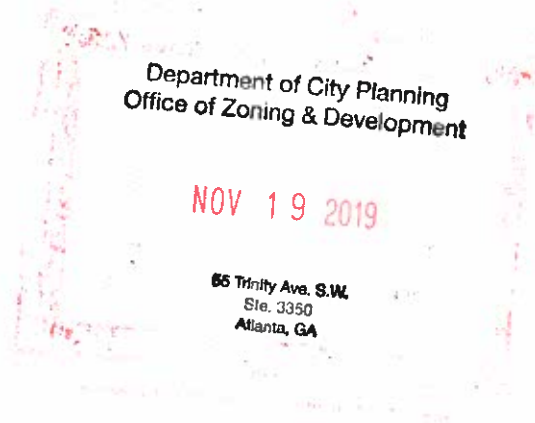
4) Submit facts to show that relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta. see letter

V-19-265

November 18, 2019

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

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



re: Renovation and Addition to the White Stewart Residence
1480 Lanier Place, NE 30306

Dear Ms. Holmes,

The project is located at 1480 Lanier Place in the Morningside area. The scope of work is as follows:

- Add a new front porch and replace the rear deck with a new screened porch
- Add a studio to the existing garage
- Add a pool in the back yard

The house is a one and a half story bungalow built in the 1920's, zoned R-4 on .265 acres or 11,539 SF.

The existing lot coverage is 35.66% and the proposed lot coverage will be 49.99%.

Several smaller trees will be removed and be recompensated and the critical root plate of a large mature tree to the west of the new structures will not be impacted.

The proposed 854 SF studio & garage is 29.54% of the existing 2891 SF main house which is under the 30% allowed.

The house and the proposed studio & garage is a total of 3745 SF for an FAR of 32.46% (3745 SF/11539 SF) which is under the 50% allowed FAR.

We respectfully request:

- Reduce the front yard from 35 feet to 28.7 feet**
- Reduce the north side yard from 7 feet to 4.0 feet**
- Reduce the south side yard from 7 feet to 3.0 feet**

We are requesting three setback variances: the requested 28.7 feet for the front yard for a new 10' deep front porch (the existing house is 28.7' from the property line); the requested 4.0 feet for a new screened porch and pool (the existing house is 2.5 feet from the property line); the requested 3 feet for the studio addition (the existing garage is .09' from the property line).

The two requested side yard setbacks will be less non-conforming than the existing conditions.

V-19-265

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

The lot is 49.00' wide in the front and 51.20' wide in the back, which is non-conforming in width. The placement of the house on the lot complies with the current Zoning Ordinance in all respects except the existing front yard setback is 28.7', the existing north side yard setback is 2.5' and the existing garage south side yard setback is 0.09. The placement of the house and the garage on the lot was done when they were built in the 1920's.

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

The renovation and additions have been designed with the goal of preserving ample backyard space and maintaining the historic look of the existing house and neighborhood. The application of the setback requirements would prevent us from expanding in an efficient and pragmatic manner.

Such conditions are peculiar to the particular piece of property involved

The lot width, required setback conditions and the existing encroachment of the house on the lot make renovation and 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

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

Department of City Planning
Office of Zoning & Development

NOV 19 2019

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

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, Kimberly Stewart (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1480 Lanier Place (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

NOV 19 2019

65 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

OWNER'S TELEPHONE NUMBER: 404-444-4223

[Signature]
SIGNATURE OF OWNER

Kimberly Stewart
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

10/23/19
DATE

SELAM SUAREZ
NOTARY PUBLIC
Cobb County
State of Georgia
My Comm. Expires Nov. 19, 2019

RECEIPT

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



Application: V-19-265
Application Type: Planning/BZA/Variance/NA
Address: 1480 LANIER PL NE, ATLANTA, GA 30306
Owner Name: PRIESTER GARY W & KAREN J
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
681413		\$100.00	11/19/2019	TSIMON		

Owner Info.: PRIESTER GARY W & KAREN J

Work Description: APPLICANT SEEKS A VARIANCE FROM THE ZONING REGULATIONS TO (1) REDUCE THE REQUIRED YARD SETBACK FROM 35 FEET TO 28.7 FEET TO CONSTRUCT A FRONT PORCH. (2) REDUCE THE REQUIRED NORTH SIDE YARD SETBACK FROM 7 FEET TO 4 FEET. (3) REDUCE THE REQUIRED SOUTH SIDE YARD SETBACK FROM 7 FEET TO 3 FEET TO CONSTRUCT A NEW ACCESSORY STRUCTURE.

The field data upon which this plat is based has a closure of 1 foot in 10,000+ feet, an angular error of .03 seconds per angle point and was adjusted using the Least Squares Method. This plat has been calculated for closure and found to be accurate to 1 foot in 100,000+ feet. An electronic total station and a 100' chain were used to gather the information used in the preparation of this plat.

FLOOD STATEMENT

I HAVE EXAMINED THE OFFICIAL FLOOD HAZARD MAP AND FOUND THAT BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY LIES IN A FLOOD HAZARD AREA ACCORDING TO FEMA FIRM MAP 13121C0263 E; NOT PRINTED.

STATE WATERS NOTE:

NO STATE WATERS PRESENT WITHIN 200 FEET OF PROJECT SITE.

ZONED: R4
 FRONT: 35' MAX. LOT % = 50%
 CORNER: 17.5' MAX. FL. RATIO = 0.5
 SIDE: 7'
 REAR: 15'

Department of City Planning
 Office of Zoning & Development

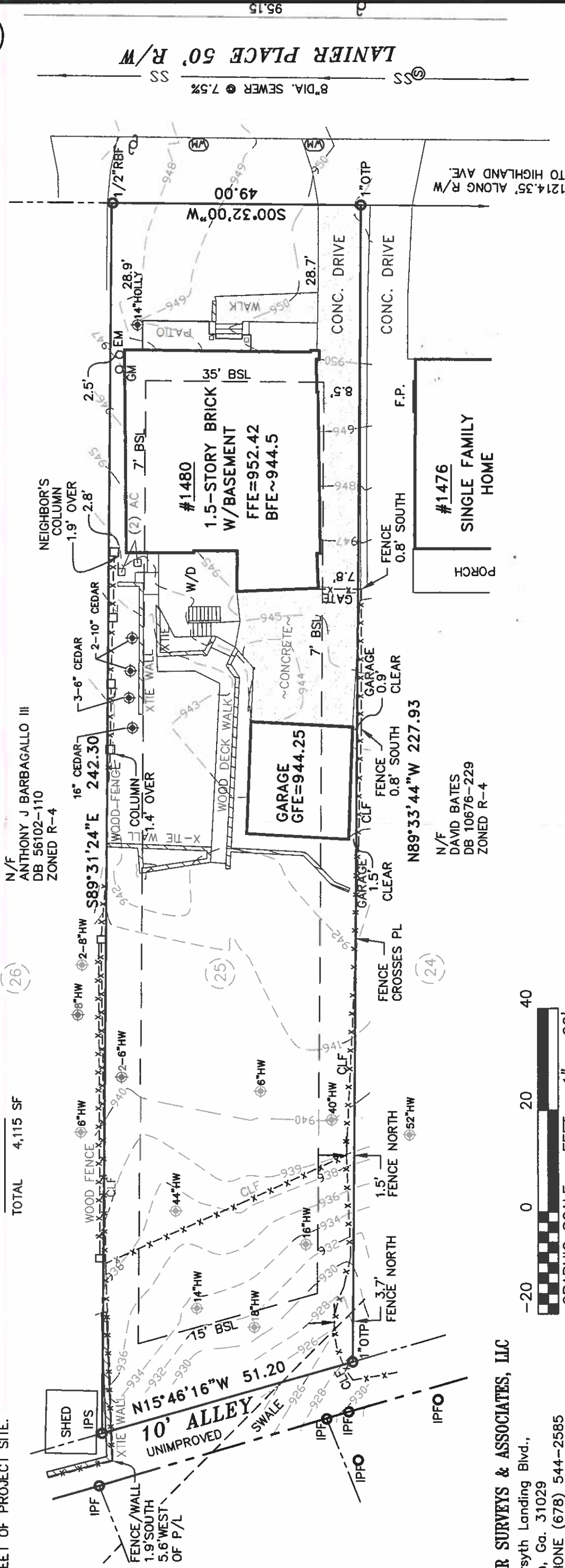
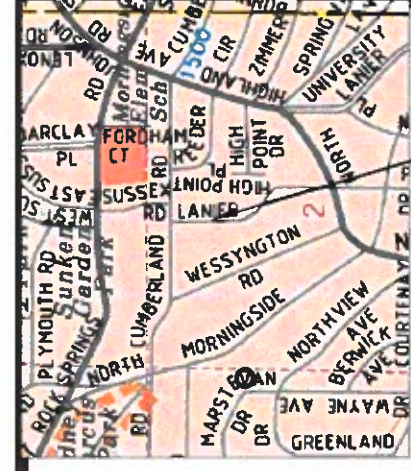
EX. LOT COVERAGE

NET IMP. AREA / LOT AREA
 4,115 X 100 = 35.66%
 11,539

AREA	SQ.FT.
HOUSE	1624
DRIVE	1219
WALK	110
F.PATIO	121
GARAGE	443
W/D	421
WALLS	169
COLUMNS	8
TOTAL	4,115 SF

NOV 19 2019
 V-19-206

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



VEDDER SURVEYS & ASSOCIATES, LLC

39 Forsyth Landing Blvd.,
 Forsyth, Ga. 31029
 TELEPHONE (678) 544-2585
 EMAIL: GEORGE@VEDDERSURVEY.COM



SURVEY CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats or other instruments which created the parcel or parcels are stated hereon. Recordation of this plat does not imply approval of any local jurisdiction, availability of permits, compliance with local regulations or requirements, or suitability for any use or purpose of the land. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. section 15-6-67



George E. Vedder, GA RLS 2562 Date

SURVEY ASBUILT FOR:

JULIE WHITE & KIMBERLY STEWART
ADDRESS: 1480 LANIER PLACE

LAND LOT 02 DIST. 17 TH FULTON COUNTY, GA.
 LOT 25 BLOCK A
 LANIER HEIGHTS S/D, PB 10, PG. 29 SCALE 1"=20'
 SURVEY & PLAT DATE: 07/01/2019 CITY OF ATLANTA

The field data upon which this plat is based has a closure of 1 foot in 10,000+ feet, an angular error of 0.3 seconds per angle point and was adjusted using the Least Squares Method. This plat has been calculated for closure and found to be accurate to 1 foot in 100,000+ feet. An electronic total station and a 100' chain were used to gather the information used in the preparation of this plat.

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STATE WATERS NOTE:

NO STATE WATERS PRESENT WITHIN 200 FEET OF PROJECT SITE.

ZONED: R4

FRONT: 35' MAX. LOT % = 50%
CORNER: 17.5' MAX. FL. RATIO = 0.5
SIDE: 7'
REAR: 15'

PROPOSED LOT COVERAGE

NET IMP. AREA / LOT AREA
5,767X 100 = 49.99%
11,539

PROPOSED FLOOR AREA:

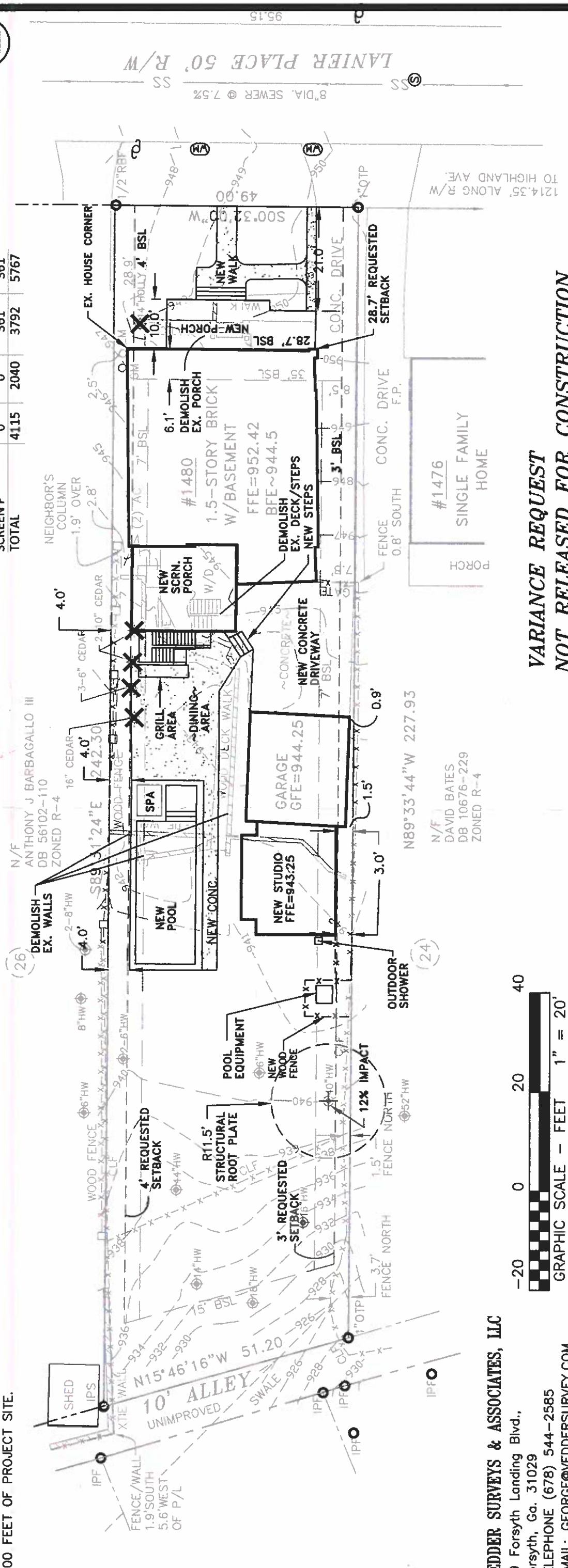
NO CHANGES

AREA	EXIST SF	DEMO SF	NEW SF	FINAL SF
HOUSE	1624	0	0	1624
F. PORCH	0	0	277	277
WALK	110	110	131	131
DRIVE	1219	1219	1204	1204
GARAGE	443	0	0	443
STUDIO	0	0	410	410
WALLS	169	169	106	106
POOL & SPA	0	0	558	558
POOL CONC/DINE	0	0	550	550
STEPS	0	0	95	95
W/DECK	421	421	0	0
PATIO	121	121	0	0
COLUMNS	8	0	0	8
SCREEN P	0	0	361	361
TOTAL	4115	2040	3792	5767

Department of City Planning
Office of Zoning & Development

1-19-2019
NOV 19 2019

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



VEDDER SURVEYS & ASSOCIATES, LLC
39 Forsyth Landing Blvd.,
Forsyth, Ga. 31029
TELEPHONE (678) 544-2585
EMAIL: GEORGE@VEDDERSURVEY.COM



**VARIANCE REQUEST
NOT RELEASED FOR CONSTRUCTION**

SURVEY CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats or other instruments which created the parcel or parcels are stated hereon. Recording of this plat does not imply approval of any local jurisdiction, availability of permits, compliance with local regulations or requirements, or suitability for any use or purpose of the land. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. section 15-6-67

George E. Vedder, GA RLS 2562 Date

PRE SITE PLAN FOR:
JULIE WHITE & KIMBERLY STEWART
ADDRESS: 1480 LANIER PLACE
LAND LOT 02 DIST. 17 TH FULTON COUNTY, GA.
LOT 25 BLOCK A
LANIER HEIGHTS S/D, PB 10, PG. 29 SCALE 1"=20'
DATE: 09/19/19 CITY OF ATLANTA

