



OFFICE OF ZONING AND DEVELOPMENT

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

APPLICATION #: **V-20-121**

DATE ACCEPTED: **09/21/2020**

NOTICE TO APPLICANT

Address of Property:

1715 Merton RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, November 05, 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.

Digitally signed by Racquel Jackson
DN: cn=Racquel Jackson, o=Office
of Zoning & Development, ou=DCP,
email=rjackson@atlantaga.gov,
c=US
Date: 2020.09.21 13:47:18 -04'00'

RJ, for Director, Office of Zoning and
Development

Dianne Barfield 9.21.20



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

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-20-121

NPU F DATE FILED _____

Diane Barfield
Name of Applicant

Accessory Structure (Garage)

at 1715 Merton Road NE 17/3
Street Address **Quadrant** **District & Land Lot**

to be used for Residential Purposes

The property is zoned R-3 (Single Family Residential) District

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

Applicant seeks a variance from the zoning regulations to reduce the required rear yard setback from 20 feet to 2.5 feet in order to construct an addition to an existing accessory building (garage).

Applicant seeks no other variances at this time.

COMPLETE REVIEW NOT CONDUCTED

1982 ZONING ORDINANCE, AS AMENDED

Chapter 05 Section 16-05.008 Paragraph (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Tamaria Letang 09/11/2020
 Plan Reviewer Date

Diane Barfield 9-13-20
 Applicant Date

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

RECEIVED

DATE: 9/9/2020

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"/>

Date Filed _____ Application Number V-20-121

Name of Applicant DIANE BARFIELD Daytime Phone 404 606 0403

Company Name (if applicable) BARFIELD CONSULTANT email BARFIELDCONSULT@aol.com

Address P.O. Box 475 MORROW GA 30260
street city state zip code

Name of Property Owner MATT STEINMANN Phone (404) 226-4746

Address 1715 MERTON ROAD ATLANTA GA 30306
street city state zip code

Description of Property PARCEL ID. 17-0003-002-012-4

Address of Property 1715 MERTON ROAD ATLANTA GA 30306
street city state zip code

Area: 23 Land Lot: #19 District: 05 FULTON County, GA.

Property is zoned: R3, 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.

Diane Barfield
 Owner or Agent for Owner (Applicant)

Matt Steinmann
 Print Name of Owner

Sworn To And Subscribed Before Me This 27 Day Of Aug 20 20.

[Signature]
 NOTARY PUBLIC



RECEIVED

DATE: 9/9/2020

SUMMARY & JUSTIFICATION FOR VARIANCES

Complete responses must be provided for ALL questions. Incomplete applications will not be processed 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: N-A.

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.").

RENOVATE EXISTING NON-CONFORMING GARAGE TO INCLUDE 338 ADDITION SF
A HARDESCAPE WALL TO IMPROVE WATER MANAGEMENT IS INCLUDED AS WELL.

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.

7628 sq. ft. covered square feet / 21,700 total lot square feet = 36.7 % proposed lot coverage

40 % 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 Attached
- 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 Attached
- 3) What conditions are peculiar to this particular piece of property? See Attached
- 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 Attached

RECEIVED

DATE: 9/9/2020

1715 MERTON ROAD

JUSTIFICATION FOR VARIANCE

The property owner seeks a variance from the Zoning Regulations to reduce the rear yard setback from 20 feet to 2.5 feet for the purpose of an addition to an accessory building (Section 16-05.008 (3)).

The topography of the existing lot varies with a grade that rises from the street. The property is developed with a single-family house and a detached accessory building (garage). The garage is an existing nonconforming structure encroaching into the rear yard setback. The garage is built into the grade at the rear and has an existing driveway that expands beyond the width of the existing structure.

The application of the zoning ordinance would create a hardship in not allowing the property owner full enjoyment of their property and their endeavor to provide adequate off-street storage for their vehicles. The strict application of the zoning regulations prohibits reasonable accommodation to enlarge the existing garage in a manner which is both aesthetically pleasing and functional. The functional layout of the single-family house drives the location of the proposed addition. Application of the full rear yard setback would require the addition to be built in a proximity to the existing house which would severely limit and/or prohibit accessibility.

Such conditions are particular to this lot in that the majority of R-3 lots do not have the limitations imposed by pre-existing conditions. The existing single-family house was constructed well beyond the required 50-foot front yard due to the topography of the lot. The functionality of the house to the garage and the existing location of the garage drives the need for the variance.

The proposed variance would not cause substantial detriment to the public good or impair the purpose and intent of the zoning ordinance. Granting variances that accommodate the needs of the family meets the intent of the ordinance for orderly growth; and to provide stability to the community. It is generally considered that accommodations for safe off-street parking enhances property values; and, thus protects against blight. The proposed addition will not prohibit adequate light and air as it will be the same height and scale of the existing structure. Due to the structure being built into the grade, the height in relation to the rear yard setback has no substantial impact. The existing driveway will accommodate access to the proposed addition. The garage addition will be constructed with matching materials. The proposed project will be compliant with other zoning regulations and will meet all applicable development controls including storm water management.

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.)

RECEIVED

DATE: 9/9/2020

I, John Matthew Steinmann (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1715 Merton Road N.E. (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 Barfield FIRST NAME Dianne
ADDRESS P.O. Box 475 SUITE _____
CITY Morrow STATE Georgia ZIP CODE 30260

OWNER'S TELEPHONE NUMBER: (404) 226-4746

John Matthew Steinmann
SIGNATURE OF OWNER

John Matthew Steinmann
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.

Kenneth R Burke
NOTARY PUBLIC

8/21/2020
DATE

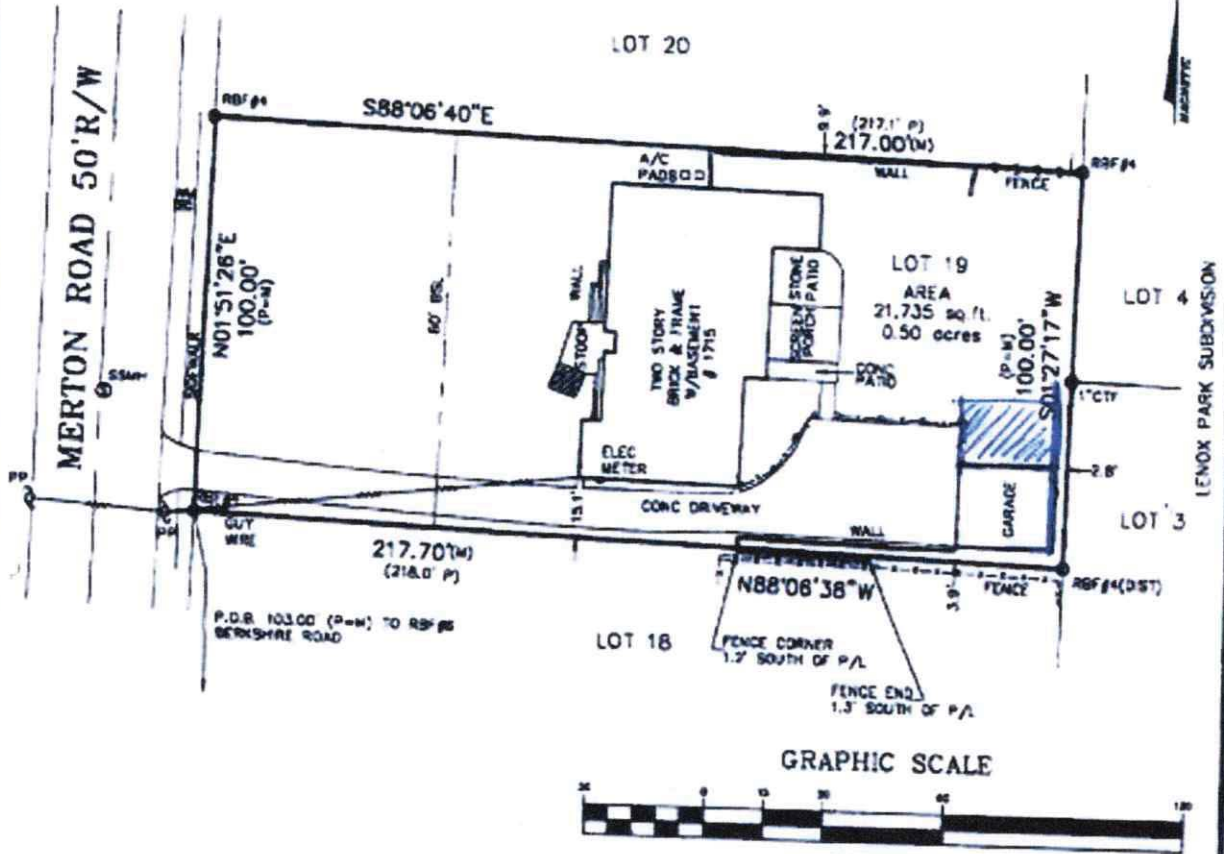
Kenneth R Burke
NOTARY PUBLIC
Fulton County, Georgia
My Commission Expires 9/19/2023

City of Atlanta | Department of City Planning
OFFICE OF ZONING & DEVELOPMENT
RECEIVED
 DATE: 9/9/2020

V-20-121

- 306 30" DIA. MET. SCHED. 40# REBAR
- BSL BUILDING SETBACK LINE
- RF# REBAR FOUND
- PP IRON PIN PLACED
- PI IRON PIN FOUND
- OT OPEN TOP FOUND
- OTF CRIMP TOP FOUND
- RE REBAR
- CB CATCH BASIN
- JB JUNCTION BOX
- HW HEAD WALL
- POB POINT OF BEGINNING
- MM MAN HOLE
- R/W RIGHT-OF-WAY
- PO POWER POLE
- LAND LOT
- MEASURED
- DEED
- PLAT

WALKWAY = 2,771 S.F.
 GARAGE = 506 S.F.
 SCREEN PORCH = 248 S.F.
 STONE PATIO = 242 S.F.
 CONC PATIO/WALKWAY = 121 S.F.
 STOOP/STEPS = 177 S.F.
 WALLS = 124 S.F.
 A/C PADS = 8 S.F.
 COLUMNS = 12 S.F.
 TOTAL LOT COVERAGE = 7,339 S.F. (33.77%)



PLAT CERTIFICATION NOTICE
 THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY OTHER PERSON, PERSONS, OR ENTITY WITHOUT EXPRESS REAUTHORIZATION BY THE SURVEYOR NAMED SAID PERSON, PERSONS, OR ENTITY.
 IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MANNER, STANDARDS AND REQUIREMENTS OF THE LAW OF THE STATE OF GEORGIA.
 THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-2 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL SURVEYORS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT 3.C.C.A. 13-9-17. AUTHORITY O.C.G.A. SECS. 13-9-6-17, 43-13-6, 43-15-16, 43-15-22.

NOTICE: IF RECORDING IS REQUIRED, CONTACT THE SURVEYOR FOR PRODUCTION OF A PLAT MADE SUITABLE FOR RECORDING.
 NOTE: ALL EASEMENTS SHOWN ARE FOR PUBLIC RECORD UNLESS OTHERWISE NOTED.
 INFORMATION REGARDING THE DEPT'S PRESENCE, SIZE, CHARACTER AND LOCATION OF CERTAIN UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO WARRANTY OF THE ACCURACY OF THIS INFORMATION AND IF SHALL BE CONSIDERED IN THIS LIGHT BY HOMEOWNERS AND STRUCTURES NOT SHOWN MAY BE UNDERMINED. THE OWNER, HIS EMPLOYEES, HIS CONTRACTORS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY EXPRESSLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
 THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000 FEET, AN AREA OF 1000 SQUARE FEET, AN AREA OF 1000 SQUARE FEET, AN AREA OF 1000 SQUARE FEET, AN AREA OF 1000 SQUARE FEET. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000 FEET. AN ELECTRONIC TOTAL STATION WAS USED TO OBTAIN THE DATA FOR USED IN THE PREPARATION OF THIS PLAT.



MOVE THE GROUND AS SHOWN SURVEY PREPARED FOR:		FIELD DATE 06/24/14
ATLANTA FINE HOMES		DATE 06/25/14
OWNER / PURCHASER		SCALE 1" = 30'
LAND LOT 3	17th DISTRICT	SECTION FULTON COUNTY, GEORGIA
LOT 19	BLOCK 9	UNIT AREA OF LOT: 21,735 S.F.
SUBDIVISION MERTON ROAD SECTION OF LENOX PARK		
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		SOLAR LAND SURVEYING COMPANY
P.O. BOX 723993 ATLANTA, GEORGIA 31139-0893 TELEPHONE (770) 794-9055 FAX (770) 794-8052		

JOB NUMBER: 14-03512