## NOTICE TO APPLICANT

## Address of Property:

## 1435 North Highland AVE NE

City Council District: $6 \quad$ 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.


RJ, for Director Office of Zoning and Development



City of Atlanta
Office of Zoning and Development 55 Trinity Avenue, Suite 3300

Atlanta, Georgia 30303
Phone: 404-330-6145

## REFERRAL CERTIFICATE

APPLICATION NUMBER V-20-122
DATE FILED 09/01/2020
Carter Johnson
Name of Applicant
BUILDING PERMIT AUTHORIZING:
Construction of a rear two-story deck addition.

| at | NE | 1735 North Highland Avenue |
| :--- | :---: | :---: |
| Street Address | Quadrant | District \& Land Lot |

to be used for $\qquad$ Residential purposes

The property is zoned $\qquad$ R-4 (Single-Family Residential)

The building permit was denied for the following reasons:
Applicant seeks a special exception from the zoning regulations to: allow for an expansion (construction of a rear two-story deck addition) to an existing legal nonconforming duplex.

## Applicant seeks no other variances at this time.

Complete Review Not Conducted
1982 ZONING ORDINANCE, AS AMENDED
Chapter 24 Section 16-24.005 $\quad$ Paragraph (7)(a)


## RECEIVED

DATE: 9/9/2020

Please mark " $X$ " next to the type of applications) you are submitting:

| Variance |  |
| :--- | :--- |
| Special Exception | $\checkmark$ |
| Variance \& Special Exception |  |

## Date Filed 8/27/20

Name of Applicant $\qquad$

Application Number V-20-122 Daytime Phone 404-697-6056
$\qquad$ email $\qquad$
1435 N Highland Ave Atlanta GA 30306 street city
$\qquad$ Phone $\qquad$
Address $\qquad$

## Description of Property

# Address of Property <br> 1435 N Highland Ave Atlanta GA 3036 

Land Lot: $\qquad$ District: $\qquad$ Fulton zip code

$$
\text { Area: } 17304
$$ ,

state Property is zoned: $\qquad$ , Council District: $\qquad$ , Neighborhood Planning Unit (NPU): $\qquad$

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 abovedescribed 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 nay knowledge and belief.


Print Name of Owner


## RECEIVED

## SUMMARY \& JUSTIFICATION FOR VARIANCES

DATE: 9/9/2020 criteria for Board
lete responses must be provided for ALL questions. Incomplete applications will not be ace below may be utilized or responses may be submitted as a separate attachment. Specific Ple 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?
 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: $\qquad$ .

Summary of proposed construction changes to buildings or site (shall not replace submittal of written criteria). (Examples: "Convert a 100 ' $\times 200$ ' retail space into a restaurant." "Install a 6 -foot high opaque wooden wall ('privacy fence' with 6 -foot high opaque wall gates.").

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.
3579 covered square feet $/$ 7525 total lot square feet $=48 \quad \%$ 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)?
$\qquad$
2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?
$\qquad$
$\qquad$
3) What conditions are peculiar to this particular piece of property?
$\qquad$
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.

## MMARY \& JUSTIFICATION FOR SPECIAL EXCEPTIONS

............ omplete responses must be provided. Incomplete applications will not be accepted. The space below may only be utilized for the summary of proposal or responses may be submitted as a separate attachment. Specific criteria for Board approval of special exceptions may be found on page 9. The justification must address the criteria. Please submit a separate justification for responses to the applicable special exception criteria.

Is the property described in this application subject to a pending application or ordinance for a Rezoning or Special Use Permit? $\square$ YES $\square$ 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: $\qquad$ .

Summary of proposed special exception request (shall not replace submittal of written criteria). (Examples: "Installation of a swimming pool adjacent to the public right of way ("active recreation"), "Install a 6 -foot high opaque wooden wall ('privacy fence' with 6 -foot high opaque wall gates.").

ㅁ Parking \& Loading: List the hours and manner of operation for the proposed use, the maximum number of employees who will park on the site at any given time, and list the maximum estimated number of customers (visitors or similar persons) who will require automobile parking in connection with the use on the site at any given time. If you are proposing off-site parking, see the attached Standards for off-site Parking Agreements (page 11).
$\qquad$
$\square$ Walls and Fences: Any request for walls or fences should include a site plan and elevations showing the full extent of the wall or fence and a drawing showing a typical portion of the wall or fence including gates of ornamental fences.
$\qquad$
$\qquad$
$\qquad$
$\square$ Active Recreation: $\qquad$
$\qquad$
$\qquad$
$\square$ Non-Conforming Uses \& Structures (i.e. duplex):
$\square$ All other Special Exception Requests: We are requesting the exception to add a deck on the rear of the second floor our duplex. We live on the second floor and to get the back yard we have to traverse narrow and out of date steps. There is currently a small deck at the top but only room for one chair. These steps are fairly dangerous and I have fallen down the last couples of steps a few times. Fortunately I have not hurt myself. My wife and I are 64 \& 66 and we love setting outside. By adding the deck on this level we wouldn't have to go up and down the stairs every time we want to go outside. This would improve our safety greatly as well as give us great joy.Our neighbors are supporting our addition and I have attached their emails.

## AUTHORIZATION BY PROPERTY OWNER

quired 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.)

## ı, Carter Johnson

 the owner of the property at 1435 North Highland Ave $\qquad$ (PROPERTYADDRESS). AS SHOWN IN THE RECORDS OF Fulton County 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 Johnson first name Carter

owner's telephorenumber: 404-697-6056

SIGNATURE OF OWNER
Garter W. Johnson-
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.


## Woody-

As you know, Lora and I own 1431 N. Highland Ave. We have no objection to the deck expansion planned for your home. It should be a beautiful addition. Feel free to forward this email to the City and any Neighborhood Planning Unit as necessary. Michael

Michael J. Rust<br>Gray, Rust, St. Amand, Moffett, \& Brieske LLP<br>950 East Paces Ferry Road, N.E.<br>Suite 1700 - Salesforce Tower Atlanta<br>Atlanta, GA 30326<br>404-870-7375 (Telephone)<br>404-870-1075 (Facsimile)<br>404-578-5286 (Cell)<br>mrust@grsmb.com<br>www.grsmb.com

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From: Kenn Wagner kennviolin@gmail.com
Subject: Deck construction 1535 North Highland ave 30306
Date: September 1, 2020 at 7:01 PM
To: Johnson Woody woodyj56@gmail.com

To whom it may concern,

I, Kenn Wagner, owner of 1439 N Highland Ave NE, next door to 1535 North Highland ave 30306. We have no objection to the deck being constructed by Carter W Johnson. Please feel free to contact me if you have any other questions.

Sincerely,
Kenn Wagner
1439 N Highland Ave NE
Atlanta, Ga 30306
404-210-8501

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RENOXATION / ADDITION DEGIGN FOR:
1435 NORTH HIGHL,AND AVE NE
        ATL,ANT,A,G,A 30306
    ARCHIFECTURAL * STRUCTURAL SET
ISSUED FOR CONSTRUCTION JULY 26,2020
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VICINITY MAP (N.T.S.)
$\triangle$ PPLICABLE CODES:






 Interational Ferergy Conservation Code 2015 Elition,
with
Georrga


| EXIS SQUARE FOOTAGE SUMMART: |  |  |
| :---: | :---: | :---: |
|  | Heatep | UNHEATED |
| ${ }_{15 T}$ Floor | ${ }^{1262 ~} 85$ |  |
| $2 N \mathrm{PFLOOR}$ | ${ }_{137195}$ | 58 ss ( rEAR DECK) |
| NEW SQUARE FOOTAGE SUMMARY: |  |  |
|  | HEATEP | UNEATED |
| 157 FLOOR | 1262 sF |  |
| 2ND PLOOR | 871 | 353 SF (rEAR DECK) |

PROJECT CONTACTS.
woolybegailicom

SCOPE OF WORK DESCRIPTION:



SHEET INDEX:
A0. - COVER SHEET (ARCHTTECTURAL \& STRUCTURAL)


## GENERAL NOTES:

THIS PLAN SET, COMBINED WITH THE BUILDING CONTRACT, PROVIDES BUILDING DETALLS FORTHE THIS PLAN SET, COMBINED WITH THE BUILDING CONTRACT, PROVIDES BULDING DETALLS FOR THE
RESIDENTIAL PROJECT. THE CONTRACTOR SHALL VERIFY THAT SITE CONDITIONS ARE CONISTENT WITH THESE PLANS BEFORE STARTING WORK. WORK NOT SPECIFICALLY DETALLED SHALL BE CONSTRUCTED TO THE SAME QUALITY AS SIMLLAR WORK THAT IS DETALLED. ALL WORK SHALL BE DONE IN ACCORDANCE WITH NTERNATIONAL BULLDING CODES AND LOCAL CODES. CONTRACTOR SHALL BE RESPONSIBLE AND BEAR ANY FINES OR PENALTIES FOR CODE, ORDINANCE, REGULATION OR BUILDING PROCESS VIOLATIONS. INSURANCES SHALL BE IN FORCE THROUGHOUT THE DURATION OF THE BUILDING PROJECT

RITTEN DIMENSIONS AND SPECIFIC NOTES SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND GENERAL NOTES. THE ENGINEERIDESIGNER SHALL BE CONSULTED FOR CLARIFICATION IF SITE CONDITIONS ARE ENCOUNTERED THAT ARE DIFFERENT THAN SHOWN, IF DISCREPANCIES ARE FOUND IN THE PLANS OR NOTES, ORIF A QUESTION ARISES OVER THEINTENT OF THE PLANS OR NOTES, CONTRACTOR SHALL YERIFY AND IS RESPONSIBLE FOR ALL DIMENSIONS (INCLUDING ROUGH OPENINGS). all trades shall maintain a clean work site at the end of each work day.

PLEASE SEE ADDITIONAL NOTES CALLED OUT ON OTHER SHEETS.









