

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Thursday, October 1, 2009 at 12:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

New Cases

- V-09-129** Application of **David Ogram** for a variance from zoning regulations to reduce west side yard setback from 7 ft. (required) to 6.3 feet to allow for an addition to an existing single family dwelling. The applicant also seeks a variance to reduce the east side yard setback from 7 ft. (required) to 5 ft. and reduce the rear yard setback from 15 feet (required) to 1.6 ft. (credit given for half the width of adjacent alley) for the construction of a detached garage. Property is located at **567 Orme Circle, N.E.**, fronting 50 feet on the south side of Orme Circle and beginning approximately 544.9 northwest of the northeast intersection of Orme Circle and Park Drive. Zoned R-4 (Residential) /BeltLine Overlay District. Land Lot 54 of the 17th District, Fulton County, Georgia.
Owner: Kevin McKelvey
Council District 6, NPU-F
- V-09-131** Application of **Gaurav Batra** for a special exception from zoning regulations to reduce the on site parking requirement from 210 spaces to 21 spaces on site and provide 25 parking spaces off site within 500 feet to allow for the conversion of 7,000 square feet of a 10,146 square feet warehouse and office into an event facility. Property is located at **400 Trabert Avenue, N.W.**, fronting 115 feet on the south side of Trabert Avenue and beginning approximately 295 feet west of the southwest intersection of Trabert Avenue and Mecaslin Street. Zoned I-1 (to be used for commercial purposes) District/BeltLine Overlay. Land Lot 148 of the 17th District, Fulton County, Georgia.
Owner: Rick Anwyl
Council District 8, NPU-E
- V-09-132** Application of **Alrich Lynch** for a special exception from zoning regulations to erect a 5 feet (50% open) fence in the required front and half depth front yard where otherwise prohibited. Property is located at **180 Jackson Street, N.E.**, fronting 84.85 feet on the west side of Jackson Street and beginning approximately 225.1 feet north of the northeast intersection of Jackson Street and John Wesley Dobbs. Zoned RG-4 (Residential) District. Land Lot 46 of the 14th District, Fulton County, Georgia.
Owner: 360 Apartments, LLC.
Council District 2, NPU-M
- V-09-133** Application of **Don Wise and Don Mathis** for a special exception from zoning regulations to reduce the on site parking requirement from 45 spaces (1 space per 75 sq. ft. for a bar) to 31 spaces on site and provide 15 parking spaces off site at 28 Irby Avenue to allow an eating and drinking establishment. Property is located at **39 Irby Avenue, N.E.**, fronting 25 feet on the north side of Irby Avenue and beginning approximately 93.7 feet east of the northeast intersection

of Irby Avenue and Paces Ferry Place. Zoned C-3 District (to be used for commercial purposes). Land Lot 99 of the 17th District, Fulton County, Georgia.

Owner: Joanne Lignugalis
Council District 8, NPU-B

V-09-134 Application of **Mark F. Arnold** for a variance from zoning regulations to reduce the north side yard setback from 7 ft. (required) to 3 ft. and reduce the rear yard setback from 15 feet (required) to 7.5 ft. to allow for a detached garage to an existing single family dwelling. Property is located at **1054 North Virginia Avenue, N.E.**, fronting 50 feet on the west side of north Virginia Avenue and beginning approximately 100 feet south of the southwest intersection of North Virginia Avenue and Los Angeles Avenue. Zoned R-4 (Residential) District. Land Lot 1 of the 17th District, Fulton County, Georgia.
Owner: Brian and Laura Kish
Council District 6, NPU-F

V-09-136 Application of **R. Patricks Craig** for a variance from zoning regulations to: (1) reduce the west side yard setback from 7 ft. (required) to 4 ft.; (2) reduce the rear yard setback from 15 feet (required) to 3 ft. and; (3) increase the allowed rear lot coverage from 25% to 55% to allow for the installation of active recreation (swimming pool) and trellis with and fireplace to an existing single family dwelling. Property is located at **799 Drewry Street, N.E.**, fronting 70 feet on the south side of Drewry Street and beginning approximately 677 feet west of the southwest intersection of Drewry Street and Barnett Street. Zoned R-4 (Residential) District/BeltLine Overlay. Land Lot 17 of the 14th District, Fulton County, Georgia.
Owner: Shawn Welch
Council District 6, NPU-F

V-09-137 Application of **Mark Arnold** for a variance from zoning regulations to reduce west side yard setback from 7 ft. (required) to 6 feet to allow for an addition to an existing single family dwelling. Property is located at **1121 Zimmer Drive, N.E.**, fronting 60 feet on the south side of Zimmer Drive and beginning approximately 205.9 feet east of the southeast intersection of Zimmer Drive and north Highland Avenue. Zoned R-4 (Residential) District. Land Lot 2 of the 17th District, Fulton County, Georgia.
Owner: Kevin McKelvey
Council District 6, NPU-F

Deferred Cases

V-09-76 Application of **Peter Pankiewicz** for a variance from zoning regulations to increase the allowed height of a business identification wall sign from 30 feet to 86 feet on the east elevation and to 76 feet on the north elevation of the building. Property is located at **380 North Avenue, N.W.**, fronting 725 feet on the south side of North Avenue and beginning at the southeast intersection of North Avenue and Northyards Boulevard. Zoned I-2 (to be used for business identification purposes) District. Land Lot 82 of the 14th District, Fulton County, Georgia.
Owner: Louis Rosati

Council District 3, NPU-L

- V-09-88** Application of **Atlanta Berean Community Development Corporation** for a special exception from zoning regulations to reduce the off street parking requirement from 75 spaces to 34 spaces to allow for the construction of a multi family development. Property is located at **230 Westview Place, S.W.**, fronting 100 feet on the east side of Westview Place and beginning approximately 196.5 feet south of the southeast intersection of Westview Place and Mims Street. Zoned R-4(Residential) District pending rezoning to RG-2. Land Lot 141 of the 14th District, Fulton County, Georgia.
Owner: Atlanta Berean Community Development Corporation
Council District 3, NPU-K
- V-09-97** Application of **Robert Bradshaw** for a special exception from zoning regulations to: (1) reduce the required on site parking from 538 spaces to 445 spaces; (2) reduce the required on site resevior parking spaces for drive thru service lanes from 6 spaces to 3 spaces and; (3) allow for a transitional use (drive-thru) within 100 feet of a residential district where otherwise prohibited. Property is located at **2900 Peachtree Road, N.W.**, fronting 1,198 feet on the west side of Peachtree Road and beginning 536.15 feet south of the southwest intersection of Peachtree Road and Pharr Road. Zoned C-3 (Residential) District. Land Lot 100 of the 17th District, Fulton County, Georgia.
Owner: Central Asset Management
Council District 8, NPU-B
- V-09-104** Application of **Russell New Urban Development, LLC.** for a variance from zoning regulations to reduce transitional north side yard setback from 20 ft. (required) to 10 feet to allow for the construction of a new multi-family development. Property is located at **420 Parkway Drive, N.E.**, fronting 82 feet on the west side of Parkway Drive and beginning approximately 85 feet south of the southwest intersection of Parkway Drive and Angier Avenue. Zoned C-4 District (to be used for multi-family purposes). Land Lot 47 of the 14th District, Fulton County, Georgia.
Owner: Roy Tolliver, Sr.
Council District 2, NPU-M
- V-09-121** Application of **Dan Undutch** a variance from zoning regulations to: (1) reduce the side yard setback from 10 feet (required) to 2 feet; (2) reduce the rear yard setback from 20 feet (required) to 7 feet and; (3) to allow the height of an accessory structure to be increased from 20 feet (maximum) to 23 feet. Property is located at **135 West Paces Ferry Road, N.W.**, fronting 159.9 feet on the north side of West Paces Ferry Road and beginning at the northwest intersection of West Paces Ferry Road and Valley Drive. Zoned R-3 (Residential) District. Land Lot 121 of the 14th District, Fulton County, Georgia.
Owner: Robin Fowler
Council District 8, NPU-B
- V-09-122** Application of **Peter Lawrence** for a variance from zoning regulations to erect an accessory structure that exceeds the maximum floor area of 30% of the main structure to 64%. Property is located at **944 Herndon Street, N.W.**, fronting 41.5

feet on the west side of Herndon Street and beginning approximately 126.5 feet south of the southwest intersection of Herndon Street and Baylor Street. Zoned R-4A (Residential) District. Land Lot 189 of the 17th District, Fulton County, Georgia.

Owner: Peter Lawrence
Council District 3, NPU-K

V-09-123

Application of **Jeff Holley** for a variance from zoning regulations to allow a business identification sign to exceed the maximum height of 30 feet to 42 feet above ground level. Property is located at **1040 Huff Road, N.W.**, fronting 580 feet on the south side of Huff Road and beginning approximately 570 feet east of the southeast intersection of Huff Road and Menlo Drive. Zoned MR-4A (Residential) District. Land Lot 188 of the 17th District, Fulton County, Georgia.

Owner: AMW Apartments L.P.
Council District 9, NPU-D

V-09-135

Application of **Monica Woods and Michael Fortunato** for a special exception from zoning regulations to reduce the required on site parking from 33 spaces to 13 spaces to allow for the expansion of an existing restaurant and retail space. Property is located at **3751 Roswell Road, N.E. (aks 3749 Roswell Road, N.E.)** fronting 67 feet on the east side of Roswell Road and beginning approximately 1,159.2 feet south of the southeast intersection of Roswell Road and Sheldon Drive. Zoned C-1 (Commercial) District. Land Lot 97 of the 17th District, Fulton County, Georgia.

Owner: Shirley Rich
Council District 7, NPU-B