

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

Appeals

- V-09-161** Appeal of **KH Outdoor, LLC** of a decision of an administrative officer of the Bureau of Code Compliance for the issuance of a zoning violation correction notice. The property is located at **384 Peachtree Street, NE** fronting approximately 96.37 feet on the west side of Peachtree Street and beginning approximately 56.5 feet south of the southwest intersection of Peachtree Street and Ralph McGill Boulevard. Zoned SPI-1 SA1 (Downtown Core) District. Land Lot 50 of the 14th District, Fulton County, Georgia.
Owner: 384 Peachtree, LLC
Council District 2, NPU-M

New Cases

- V-09-159** Application of **Blake Spicer** for a special exception to erect a retaining wall starting at 6 feet in height with a maximum height of 12.3 feet along a portion of the required front yard extending along the south side yard property line, and along a portion of the rear yard property line. Property is located at **904 Cherokee Avenue, S.E.**, fronting 50 feet on the east side of Cherokee Avenue and beginning 130.7 feet from the southeast intersection of Atlanta Avenue and Cherokee Avenue. Zoned Beltline/ HC-20K SA 1/ R-5 District. Land Lot 42 of the 14th District, Fulton County, Georgia.
Owner: Blake Spicer
Council District 1, NPU-W
- V-09-163** Application of **Don Bierman** for a special exception to allow for active recreation (swimming pool/spa) in a yard adjacent to a public street. Applicant also seeks a variance to reduce the rear yard setback from 20 feet to 4 feet, and reduce the side yard setback from 10 feet to 8 feet to allow for the installation of a new swimming pool. Property is located at **3116 Towerview Drive, N.E.**, fronting 275 feet on the west side of Towerview Drive and beginning 320 feet from the northwest intersection of Towerview Drive and Roxboro Drive. Zoned R-3 (Residential) District. Land Lot 8 of the 17th District, Fulton County, Georgia.
Owner: Kevin & Barbara Sullivan
Council District 7, NPU-B

V-09-164 Application of **John Swiney** for a variance from the zoning regulations to reduce the north side yard setback from 7 feet to 6 feet 2 inches, for a second-story addition to a single-family residence. Property is located at **416 Page Avenue, N.E.**, fronting 50 feet on the north side of Page Avenue and beginning 210 feet from the northeast intersection of McLendon Avenue and Page Avenue. Zoned R-4 (Residential) District. Land Lot 239 of the 15th District, Dekalb County, Georgia.
Owner: Josh Weinrobe
Council District 6, NPU-N

V-09-165 Application of **David F. Cooper** for a variance from the zoning regulations to reduce the southwest side yard setback from 10 feet to 2 feet to make a patio addition to a single-family home. Property is located at **1083 Judith Way, N.W.**, fronting 120.19 feet on the south side of Judith Way and beginning approximately 380 feet from the southwest intersection of West Roxboro Road and Judith Way. Zoned R-3 (Residential) District. Land Lot 7 of the 17th District, Fulton County, Georgia.
Owner: David Cooper
Council District 7, NPU-B

V-09-176 Application of **John Frasier** for a special exception from zoning regulations to reduce on-site parking from 180 parking spaces to 30 parking spaces. Applicant also seeks a variance to reduce the half-depth front yard setback from 20 feet to 0 feet at 10th Street, and from 20 feet to 10 feet at 11th Street to allow for a conversion of an existing warehouse building to a retail and restaurant establishment. Property is located at **999 Brady Avenue, N.E.**, fronting 236.3 feet on the east side of Brady Street at the southeast intersection of Brady Street and 11th Street. Zoned I-2 (Industrial) District. Land Lot 150 of the 17th District, Fulton County, Georgia.
Owner: 999 Brady Ave, LLC
Council District 3, NPU-E

Deferred Cases

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 9 spaces on site to allow for a conversion of 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-09-136** 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-09-139** Application of **Jason Zapata** for a special exception from zoning regulations to allow a parking bay in the required front yard setback where otherwise prohibited. The applicant also seeks a variance to increase the maximum lot coverage from 50% to 62% to allow for a parking bay. Property is located at **981 North Avenue, N.E.**, fronting 55 feet on the south side of North Avenue and beginning approximately 215 feet west of the southwest intersection of North Avenue and Ralph McGill Boulevard. Zoned R-4 (Residential) District. Land Lot 15 of the 14th District, Fulton County, Georgia.
Owner: Travis Riney
Council District 2, NPU-N
- V-09-146** Application of **Joseph Alcock** for a special exception from zoning regulations to eliminate the on site parking from 20 spaces to zero spaces to allow for a restaurant. Property is located at **1990 Hosea Williams Drive, N.E.**, fronting 91.5 feet on the north side of Hosea Williams Drive and beginning approximately 158 feet west of the northwest intersection of Hosea Williams Drive and Kirkwood Road. Zoned NC-3 District (to be used for commercial purposes). Land Lot 206 of the 15th District, DeKalb County, Georgia.
Owner: Linda Rothermel
Council District 5, NPU-O
- V-09-148** Application of **M. Hakim Hillard and 3184 Roswell Partners** for a special exception from zoning regulations to reduce the off street parking requirement from 32 spaces (1 space per 75 square feet) to 4 parking spaces to allow for the conversion of an existing retail space into a restaurant/lounge. Property is located at **3184 Roswell Road, N.E.**, fronting 25 feet on the west side of Roswell Road and beginning approximately 279 feet north of the northwest intersection of Roswell Road and Irby Avenue. Zoned C-3 District (to be used for commercial purposes). Land Lot 99 of the 17th District, Fulton County, Georgia.
Owner: 3184 Roswell Partners
Council District 2, NPU-B