

**AGENDA**  
**CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT**  
**Thursday, August 6, 2009 at 12:00 P.M.**  
**ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR**  
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**NEW CASES**

- V-09-26** Application of **Most Reverend Wilton Gregory** for a special exception from zoning regulations to reduce the on site parking from 226 spaces to 0 to allow off site parking (pending the amendment of U-98-04 & lot consolidation of 58 and 66 Peachtree Way and 11 & 65 East Wesley) to allow for an addition to an existing church with private school. Property is located at **2699 Peachtree Road, 43,51,58, and 66 Peachtree Way and 11 and 65 East Wesley, N.E.,** fronting 346.5 feet on the east side of Peachtree Road and beginning at the northeast intersection of Peachtree Road and Peachtree Way. Forty three, 51 and 58 Peachtree Way front 201.7 feet on the south side of Peachtree Way beginning 105 feet west of the southwest intersection of Peachtree Way and Parkside Drive. Zoned R-4 and RG-4 District (to be used as a church/private school). Land Lot 101 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: 66 Peachtree Way, LLC., Rivercrest Inc., Ruby Gwendolyn Cleghorn, The Estate of Lawrence McEvoy and Archbishop of the Roman Catholic Archdioceses of Atlanta**  
**Council District 7 NPU-B**
- V-09-91** Application of **Steven Brophy and Jina Sanone** for a variance from zoning regulations to reduce the west side yard setback from 7 ft. (required) to 2 ft for a room addition to an existing single family house. The applicant also seek a reduction in the east side yard setback from 7 ft. (required) to 2 ft. and the rear yard setback from 15 ft. (required) to 3 ft. for the addition of a detached garage. Property is located at **655 Cooledge Avenue, N.E.,** fronting 50 feet on the south side of Cooledge Avenue and beginning 695 feet west of the southwest intersection of Cooledge Avenue and Ponce De Leon Place. Zoned R-4 (Residential) District. Land Lot 53 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Steven Brophy and Jina Sanone**  
**Council District 6, NPU-F**
- V-09-92** Application of **Timothy Powers** for a variance from zoning regulations to reduce the side yard setback from 7 ft. (required) to 5 feet 7 inches for a second story addition to a single family residence. Property is located at **671 Stokeswood Avenue, S.E.,** fronting 53 feet on the west side of Stokeswood Avenue and beginning 106 feet south of the southwest intersection of Stokeswood Avenue Pickens Street. Zoned R-4 (Residential) District. Land Lot 176 of the 15<sup>th</sup> District, DeKalb County, Georgia.  
**Owner: Timothy Powers**  
**Council District 5, NPU-W**
- V-09-94** Application of **Nisan Yeremyan** for a special exception from zoning regulations to erect a wall in the required front and half depth front yard varying in heights

from 3 feet 2 inches to 9 feet where only a 4 foot fence is allowed. Property is located at **558 Highland Avenue, N.E.**, fronting 50 feet on the north side of Highland Avenue and beginning at the northeast intersection of Highland Avenue and Prospect Place. Zoned R-5 (Residential) District. Land Lot 2 of the 14<sup>th</sup> District, Fulton County, Georgia.

**Owner: Nisan Yeremyan**  
**Council District 2, NPU-M**

**V-09-95**

Application of **Stephen Kilgo** for a variance from zoning regulations to reduce the east side yard setback from 7 ft. (required) to 6 ft. to allow for a screened porch addition to an existing single family dwelling. Property is located at **630 Cumberland Road, N.E.**, fronting 60 feet on the north side of Cumberland Road and beginning 60 feet west of the northwest intersection of Cumberland Road and Cumberland Circle. Zoned R-4 (Residential) District. Land Lot 51 of the 17<sup>th</sup> District, Fulton County, Georgia.

**Owner: Stephen Kilgo**  
**Council District 6, NPU-F**

**V-09-96**

Application of **Robert Shafer** for a variance from zoning regulations to reduce the north side yard setback from 7 ft. (required) to 6 ft. to allow for the construction of a detached residential accessory structure (garage). Property is located at **458 Allendale Drive, S.E.**, fronting 75 feet on the east side of Allendale Drive and beginning 144 feet north of the northeast intersection of Allendale Drive and Glenwood Avenue. Zoned R-4 (Residential) District. Land Lot 182 of the 15<sup>th</sup> District, DeKalb County, Georgia.

**Owner: Brittany Molinaro**  
**Council District 5, NPU-O**

**V-09-97**

Application of **Robert Bradshaw** for a special exception from zoning regulations to: (1) reduce the required on site parking from 526 spaces to 477 spaces; (2) reduce the required on site reseqior 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 17<sup>th</sup> District, Fulton County, Georgia.

**Owner: Central Asset Management**  
**Council District 8, NPU-B**

**DEFERRED**

**V-09-53**

Application of **Leonard Smith and Emily Seimen** for a variance from zoning regulations to reduce the north side yard setback from 15 feet to 0 feet to erect a new detached garage. Property is located at **1031 Audubon Circle S.W.**, fronting 147 feet on the west side of Audubon Circle and beginning 607.2 feet north of the northwest intersection of Audubon Circle and Benjamin Mays Drive. Zoned R-2A (Residential) District. Land Lot 202 of the 14<sup>th</sup> District, Fulton County, Georgia.

**Owner: Leonard Smith and Emily Semien**  
**Council District 10, NPU-I**

- V-09-57** Application of **Keith Mitchell** for a variance from zoning regulations to reduce the front yard setback from 35 feet (required) to 30 feet for the construction of a single family house. Property is located at **1921 Volberg Street, N.W.**, fronting 79.6 feet on the east side of Volberg Street and beginning 192.5 feet north of the northeast intersection of Volberg Street and Mantissa Street. Zoned R-4 (Residential) District. Land Lot 186 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Keith Mitchell**  
**Council District 9, NPU-D**
- V-09-70** Application of **New Shield of Faith** for a special exception from zoning regulations to allow for an addition (early learning center for 2-4 year old children). The applicant also seeks a variance to exceed the maximum lot coverage allowance of 85%. Property is located at **1147 Fortress Street and 211 and 213 Boykin Street, S.W.**, fronting 90 feet on the north side of Fortress Street and beginning approximately 180 feet east of the northeast intersection Boykin Street and West Avenue. Zoned R-4B (to be used for religious purposes) District. Land Lot 74 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: New Shield of Faith**  
**Council District 4, NPU-V**
- 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 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Louis Rosati**  
**Council District 3, NPU-L**
- V-09-86** Application of **Elizabeth G. Penn** for a variance from zoning regulations to reduce the side yard setback from 7 feet to 6.5 feet and the rear yard setback from 15 feet (required) to 12 feet to allow for an addition to a single family residence. The applicant also seeks a variance to exceed the lot coverage maximum of 50 percent to 53 percent. Property is located at **673 Elkmont Drive, N.E.**, fronting 50 feet on the south side of Elkmont Drive and beginning approximately 120 feet east of the southeast intersection of Elkmont Drive and Orme Circle. Zoned R-4 (Residential) District. Land Lot 53 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Elizabeth G. Penn**  
**Council District 6, NPU-F**
- 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 14<sup>th</sup> District, Fulton County, Georgia.

**Owner: Atlanta Berean Community Development Corporation  
Council District 3, NPU-K**

**V-09-90**

Application of **Sinan Araim** for a special exception from zoning regulations to allow for an addition to a church on a lot of less than an acre. Property is located at **1095 Center Street, N.W.**, fronting 50 feet on the east side of Center Street and beginning at the northeast intersection of Center Street and Ethel Street. Zoned R-5( to be used as a church). Land Lot 149 of the 17<sup>th</sup> District, Fulton County, Georgia.

**Owner: Al-Farooq Masjid  
Council District 3, NPU-E**