

APPLICATION #: V-21-281

DATE ACCEPTED 10/22/2021

# **NOTICE TO APPLICANT**

Address of Property:

2069 Howard CIR NE

City Council District: 5 Neighborhood Planning Unit (NPU): N

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, December 09, 2021 at 12:00 p.m.

Council Chambers, 2nd Floor, City Hall 55 Trinity Avenue, S.W.

The contact person for NPU N is:

Catherine Woodling (404) 550-7271 npunchair@gmail.com

Contact info for adjacent NPUs is provided below if necessary:

**Additional Contacts:** 

Daniel Rice (NPU O) 706-247-3561 chair@atlantanpuo.org

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.

Signed,

Rhonda Goodman

RG, for Director, Office of Zoning and Development

Adam Stillman

lelen Stelle

V-21-281





# City of Atlanta Office of Zoning and Development 55 Trinity Avenue, Suite 3350 Atlanta, Georgia 30303

Phone: 404-330-6145

## REFERRAL CERTIFICATE

ADAM STILLMAN Name of Applicant

COUNCIL DISTRICT 5 APPLICATION NUMBER

NPU N

AL CERTIFICATE	OFFICE OF ZONING & DEVELOPMENT
	RECEIVED
CATION NUMBER _	DATE: 10/22/2021
DATE FILED	
M STILLMAN ne of Applicant ERMIT AUTHORIZING VO-CAR GARAGE	
	15/010
NE drant Lar	15/212 nd Lot & District
ENTIAL	purposes
LE-FAMILY RESIDENTIA	AL) District
ne Following Reasons:	
regulation to 1). reduce the	required west side yard
red rear yard setback from	
6 to 50.9 %, and to 4). incre	·
% of the main structure to 4	0.2% of the main structure
o other variances at this time RDINANCE, AS AMENDEI	
.008 Paragraph	(2)(3)(6)

V-21-281

	В		NG PERMIT A					
at		<u> </u>	NE		15/212			
	Street Address		Quadrant		La	nd Lot	& Distric	t
to l	be used for	I	RESIDENTIAL				_ purpose	es
Th	e property is zoned	R-4(\$	SINGLE-FAMII	LY R	ESIDENTI	AL)		_District
	The Building Permit Was			Ü		requirec	l west sid	e yard
fro	m 7 feet to 3.5 feet to 2). re	duce the	e required rear y	ard se	etback from	15 feet	to 8 feet,	to 3).
exc	ceed the maximum lot cove	rage fro	m 50 % to 50.9		d to 4). inci	rease the	maximur	n total
flo	or area of an accessory stru	cture fro	om 30% of the m	nain s	tructure to 4	40.2% of	the main	structure
	construct a new detached ga							
			eeks no other vai					
Cha	apter <u>06</u>	Section	16-06.008	_	Paragraph	(2)(3)(6)	)	-
Cha	apter <u>28</u>	Section	16-28.004		Paragraph	(3)		-
		21/2021 Date		la	Applicant	Sze	1	0/21/2021 Date

# APPLICATION FOR BOARD OF ZONING ADJUSTMENT

		o tne type of ap	pucation(s	) you are sub	City of Allonto   Department of City Planning  OFFICE OF ZONING
	Variance			<b>/</b>	& DEVELOPMENT
	Special Excep	otion pecial Exception	n		RECEIVED
10 15 2001	variance & S	peciai Exceptio	)11		DATE: 10/22/2021
Date Filed 10-15-2021			App	lication Numb	per _
Name of Applicant Adam	Stillman		Daytime P	hone 770-3	330-3389
Company Name (if applicabl	Adam Stillm	an Residential	Design em	<sub>ail</sub> apstillm	nan@gmail.com
Address 350 Sinclair	Ave NE	Atlanta	GA	30307	
street			ity	state	zip code
Name of Property Owner Je	ennifer and	Dean Hai	relson	Phone 704	-685-2660
Address 2069 Howar					
street			ity	state	zip code
Area: 7371 Land Lo Property is zoned: R-4					
	, Council	District: 3	_, Neighbo	orhood Plannii	ng Unit (NPU):
TO THE BOARD OF ZONI Office of Zoning and Develor that the Board of Zoning Adj I hereby authorize the staff described property. I unde according to the instructions I swear that all statements is belief.	NG ADJUSTM opment prior to sustment grant a of the Office or rstand that it is given to me by	ENT: Applicant Seeking a building Variance or Sport Zoning and Earny responsibility of	t, having reng permit of ecial Except evelopment lity to positing and E	eceived a prelice of certificate of the street of the stre	iminary plan review from f occupancy, hereby requ ne premises of the above tice sign on the proper pon filing this application



# **SUMMARY & JUSTIFICATION FOR VARIANCES**

**Directions:** Complete responses must be provided for ALL questions. Incomplete applications will not be accepted. The space 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.

Special resche	property described in this application subject to a pending application or ordinance for a Rezoning of Use Permit? YES NO. (If yes, the variance/special exception request will be duled to a hearing following the final approval by City Council & the Mayor). Please provide the st zoning application number associated with the subject property:
criteria woode	ary of proposed construction changes to buildings or site (shall not replace submittal of written a). (Examples: "Convert a 100' x 200' retail space into a restaurant." "Install a 6-foot high opaque wall ('privacy fence' with 6-foot high opaque wall gates.").  In ext existing patio to covered porch. Construct two-car garage connected via covered walk
with gu	uest house above
comple	sed Lot Coverage (After Construction): Calculate total amount of lot coverage on entire property, after etion of proposed construction, including existing and proposed buildings and other structures; lks, driveways, parking pads, patios, gravel, etc.; everything except natural planted or undisturbed areas.
3755	_ covered square feet / $\frac{7371}{}$ total lot square feet = $\frac{50.9}{}$ % proposed lot coverage
50	% maximum allowed lot coverage
Varian	nce 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) Please see next page for all answer
2)	How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship?
3)	What conditions are peculiar to this particular piece of property?
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.

V-21-281

OFFICE OF ZONING & DEVELOPMENT

RECEIVED

DATE: 10/22/2021

Property Address: 2069 Howard Cir NE

### Variance requested:

- To decrease the west side yard setback from 7' to 3.5' and
- To decrease the rear yard setback from 15' to 8.0' and
- To increase the allowable lot coverage from 50% to 50.9% and
- To increase the size of an accessory structure from 30% to 40.2% of the size of the main dwelling

### Variance Criteria:

- 1. What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question? The lot is 50 feet wide and 7371 square feet in area. This is deficient of a conforming R-4 lot by 20 feet in width and 1629 square feet in area. The lot has an existing non-conforming lot coverage of 51%. An existing garage sits within the east side yard setback, 0.9' from the property line. The lot is relatively flat before sloping up steeply at the rear (south). The R-4 zoning district was overlaid onto the neighborhood several decades after the property was platted.
- 2. How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? The zoning regulations would create an unnecessary hardship by significantly reducing the buildable area of the lot, and preventing construction of a guest house atop a proposed two-car garage attached to the main house via a covered walkway. Guest houses are an allowable use in R-4 zoning. The floor area ratio of the existing house is less than the maximum permitted by R-4 zoning; therefore, there are unused development rights on the lot that can be utilized within the proposed guest house without exceeding the allowable floor area ratio.
- 3. What conditions are peculiar to this particular piece of property? The lot is 20' narrower and 1629 square feet smaller than a conforming R-4 lot. The lot has an existing non-conforming lot coverage of 51%. The lot has an existing garage 0.9' from the side property line.
- 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. Relief of the requested variance would not create a detriment to the public good, but rather would encourage the sustainability of the neighborhood by allowing the homeowners to expand their home for their family in a manner consistent with the development pattern of the neighborhood. The proposed garage and covered walkway will be further from the property lines that the existing garage, reducing an existing nonconformity. The proposed lot coverage will be less than the existing lot coverage, reducing an existing nonconformity; further, the use of permeable pavers for the driveway will reduce stormwater runoff. If the proposed covered walkway connecting the garage to the primary house were changed to heated space (for example, a window-lined hallway), the 30% limitation on accessory structures would not apply. The proposed accessory structure meets the allowable height requirements for accessory structures, so the proposed addition will be in scale with surrounding development. These factors combined serve to promote desirable living conditions and allow for the orderly evolution of the property, and as an extension the neighborhood.

# V-21-281 OFFICE OF ZONING RECEIVED DATE: 10/22/2021

# **AUTHORIZATION BY PROPERTY OWNER**

(Required only if the applicant is not the owner of the property subject to the proposed application

	(Pleas	se Print Clearly)		
I, Jennifee W Harrelson/ Jerry Dea	_(OWN	ER'S NAME)	SWEAR AND AF	FIRM THAT I AM
I, Jennifee W Harrelson/Jerry Dea THE OWNER OF THE PROPERTY AT 2	069	Howard Ci	· NE Atlanta (PRO	CA 30307 PERTY
ADDRESS). AS SHOWN IN THE RECOR	RDS OF	Dekalb	COU	NTY, GEORGIA,
WHICH IS THE SUBJECT MATTER (				
PERSON NAMED BELOW TO FILE THIS	S			
APPLICATION AS MY AGENT.				
NAME OF APPLICANT:				
LAST NAMEStillman		FIRST NAME	Adam	<u> </u>
ADDRESS 350 Sinclair Ave NE CITY Atlanta STA	a Michigan China		SUI	TE
CITY Atlanta STA	ATE	GA	ZIP CODE _	30307
OWNER'S TELEPHONE NUMBER: 770	)-330-3	3389		
	_			
SIGNATURE OF OWNER		11		
Dennifer w Harrelson / Jerr PRINT NAME OF OWNER	'Y Dec	an Harrols	30	
PRINT NAME OF OWNER				
DEDCOMALLY ADDEADED DECORE	ME T	HE ADOVE I	JAMES WHO S	WEARC THAT THE
PERSONALLY APPEARED BEFORE INFORMATION CONTAINED IN THIS				
MY KNOWLEDGE AND BELIEF.				
$\bigcap$				
Ohrie Buzz.				
NOTARY PUBLIC /				

SHERICE BURGESS

NOTARY PUBLIC

Dekalb County

State of Georgia

My Comm. Expires May 15, 2023

WY

DATE





Front (north) of house



Left(east)side of house



Rear (south) of house



Right(west) side of house



Existing fireplace to be removed



Existing garage to be removed

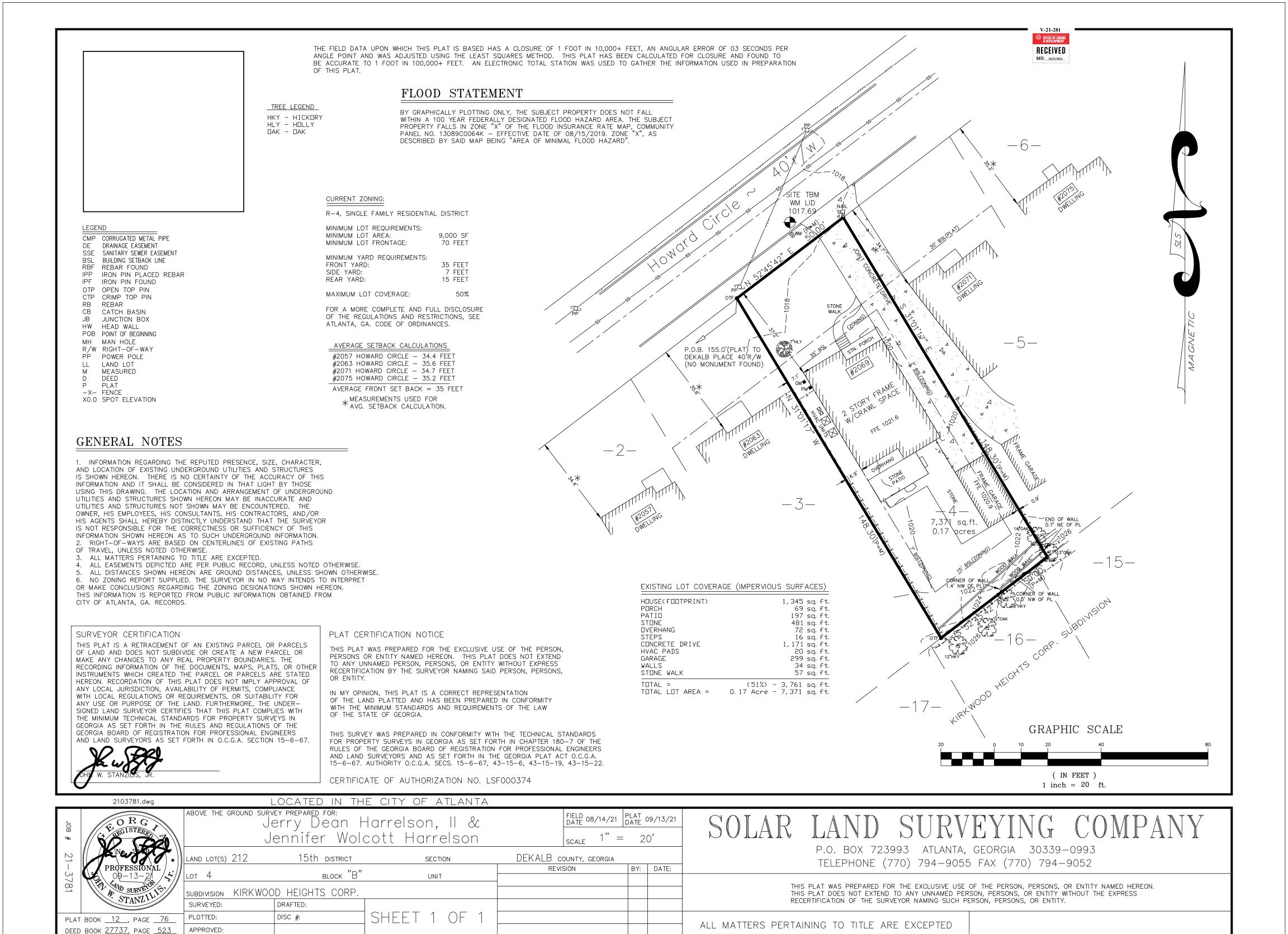


V-21-281

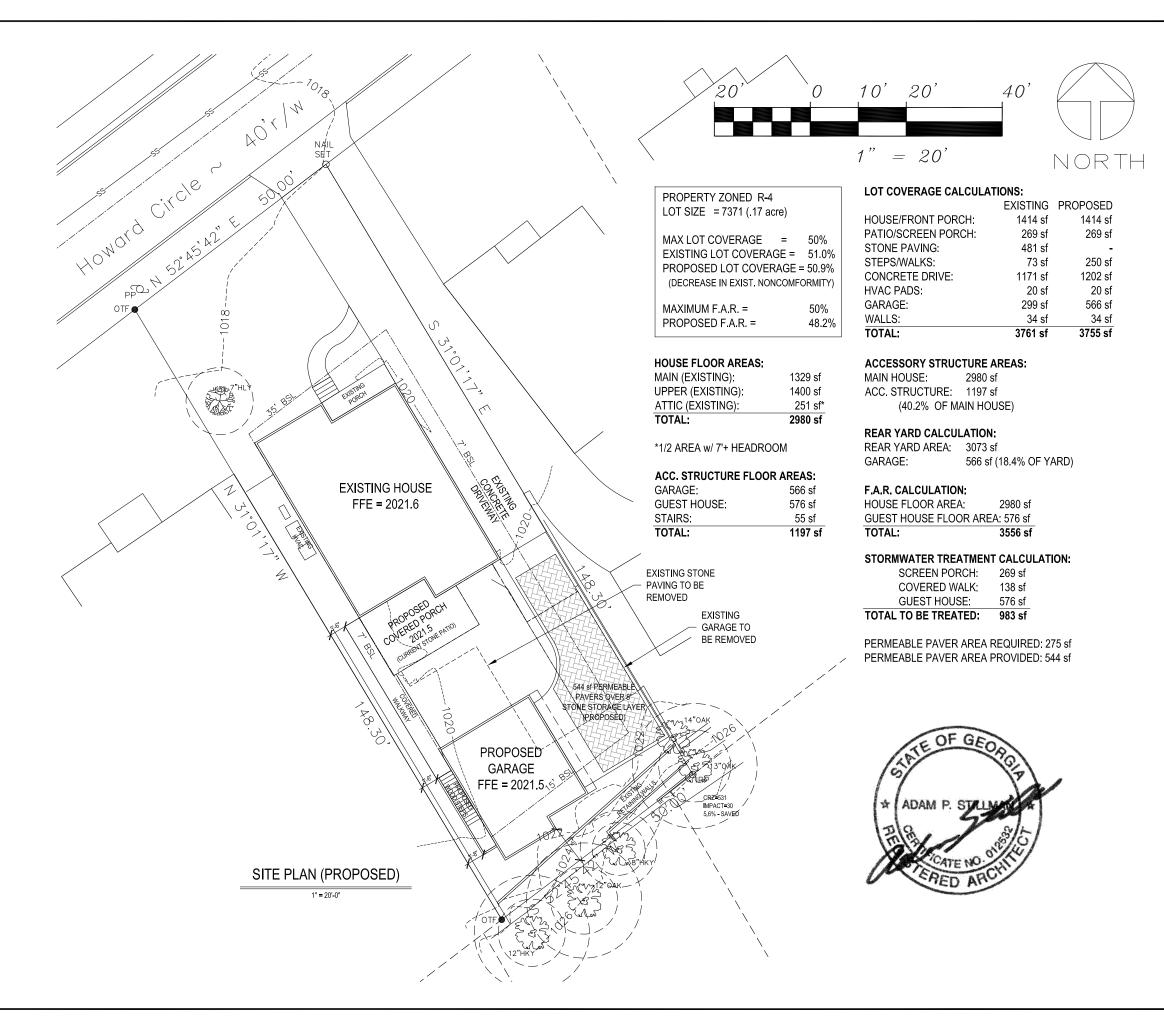
Existing retaining walls to remain



Existing stone patio to be removed









Howard Circle
Atlanta, Georgia

2069

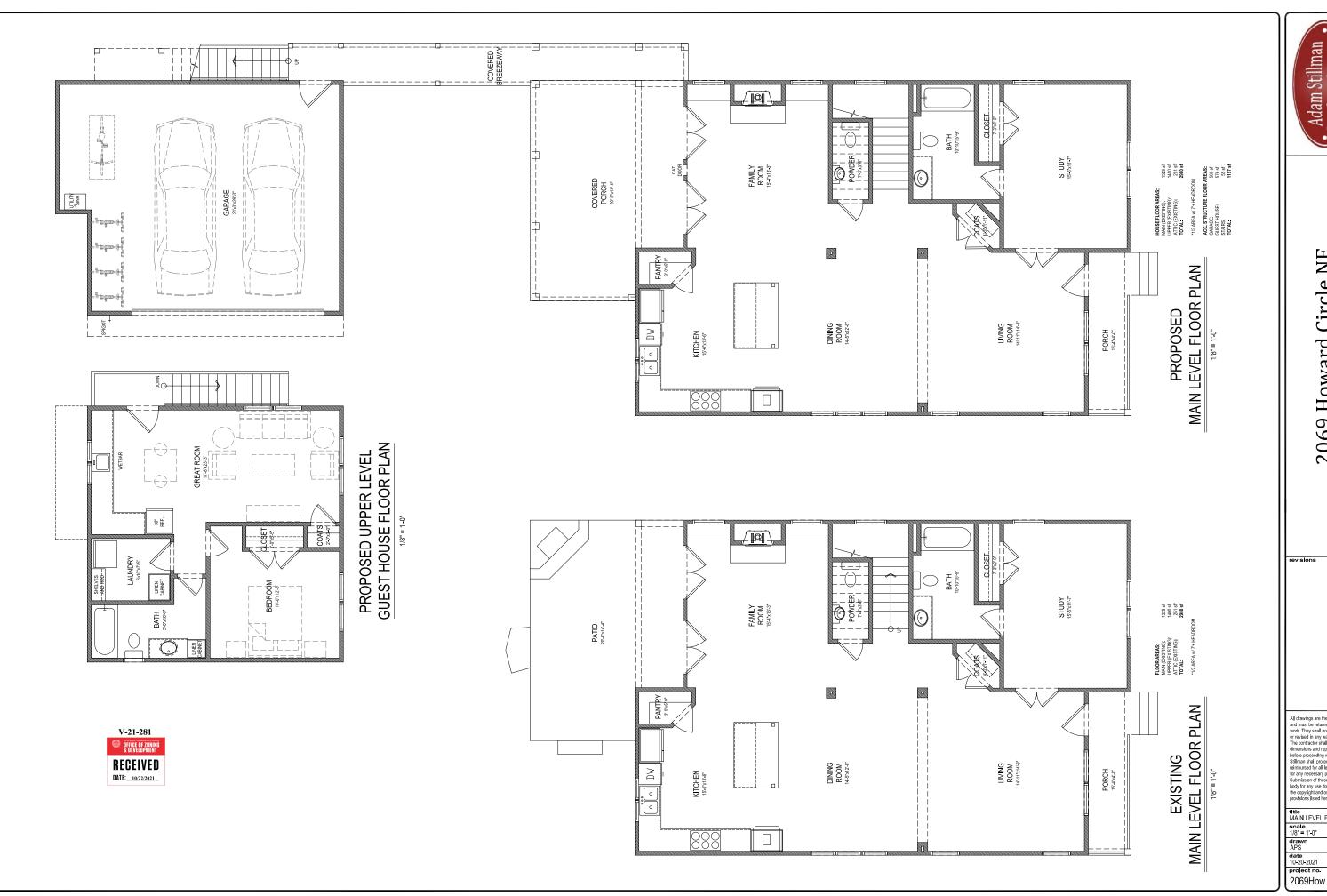
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visions

All drawings are the property of Adam Stillman, and must be returned at the completion of work. They shall not be reproduced, modified, or revised in any way without withen consent. The contractor shall check and verify all dimensions and report any discrepancies before proceeding with the work. Adam Stillman shall protect this copyright and be reimbursed for all legal and court costs, etc., for any necessary protection of the drawings. Submission of these drawings to any public body for any use does not release in any way the copyright and ownership of drawings provisions listed herein.

	title SITE PLAN	
	scale 1" = 20'-0"	
	drawn APS	checked
П	date 09-20-2021	sheet no.

2069How



2069 Howard Circle NE

Atlanta, Georgia

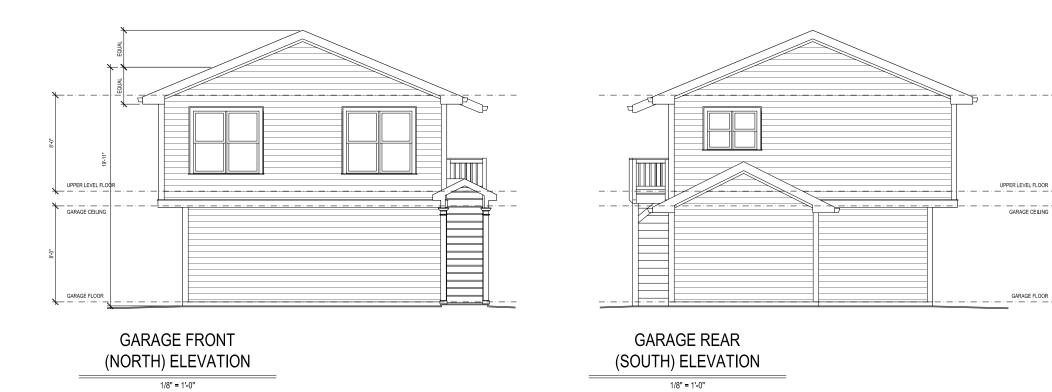
All drawings are the property of Adam Stillman and must be returned at the completion of work. They shall not be reproduced, modified, or revised in any way without withen consent. The contractor shall check and verify all dimensions and report any discrepancies before proceeding with the work. Adam Stillman shall protect this copyright and be reimbursed for all legal and court costs, etc., for any necessary protection of the drawings. Submission of these drawings to any public body for any use does not release in any way the copyright and ownership of drawings provisions listed herein.

title MAIN LEVEL FLOOR PLANS scale 1/8" = 1'-0"

date 10-20-2021

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V-21-281

OFFICE OF ZONING
RECEIVED

DATE: 10/22/2021

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2069 Howard Circle NE

FRONT & REAR ELEVATIONS
scale
1/8" = 1'-0"

1/8" = 1'-0"

drawn checked APS

date sheet

date 10-20-2021 project no. 2069How

1/8" = 1'-0"

(SOUTH) ELEVATION

### **RECEIPT**

CITY OF ATLANTA
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVE SW, ATLANTA GA 30303
404-330-6070

Application: V-21-281

Application Type: Planning/BZA/Variance/NA

Address: 2069 HOWARD CIR NE, ATLANTA, GA 30307 Owner Name: BELHON PATRICK G OR BELHON KERI H

Owner Address: Application Name:

Receipt No. 779959

Payment Method Ref Number Amount Paid Payment Date Cashier ID Received Comments

Credit Card \$100.00 10/22/2021 PUBLICUSER0

Owner Info.: BELHON PATRICK G OR BELHON KERI H

Work Description:

Applicant seeks a variance from the zoning regulation to 1). reduce the required west side yard from 7 feet to 3.5 feet to 2). reduce the required rear yard setback from 15 feet to 8 feet, to 3). exceed the maximum lot coverage from 50 % to 50.9 %, and to 4). increase the maximum total floor area of an accessory structure from 30% of the main structure to 40.2% of the main structure to construct a new detached garage.





2063 - house to west(right)



2071 - house to east (left)



2057 - two houses to west (right)



Looking across existing stone patio toward 2063 Howard



View toward toward houses from southeast corner of 2069



View toward houses from southwest corner of 2069



View toward back of lot along shared fence line



Existing retaining wall and fence at southwest corner of 2069

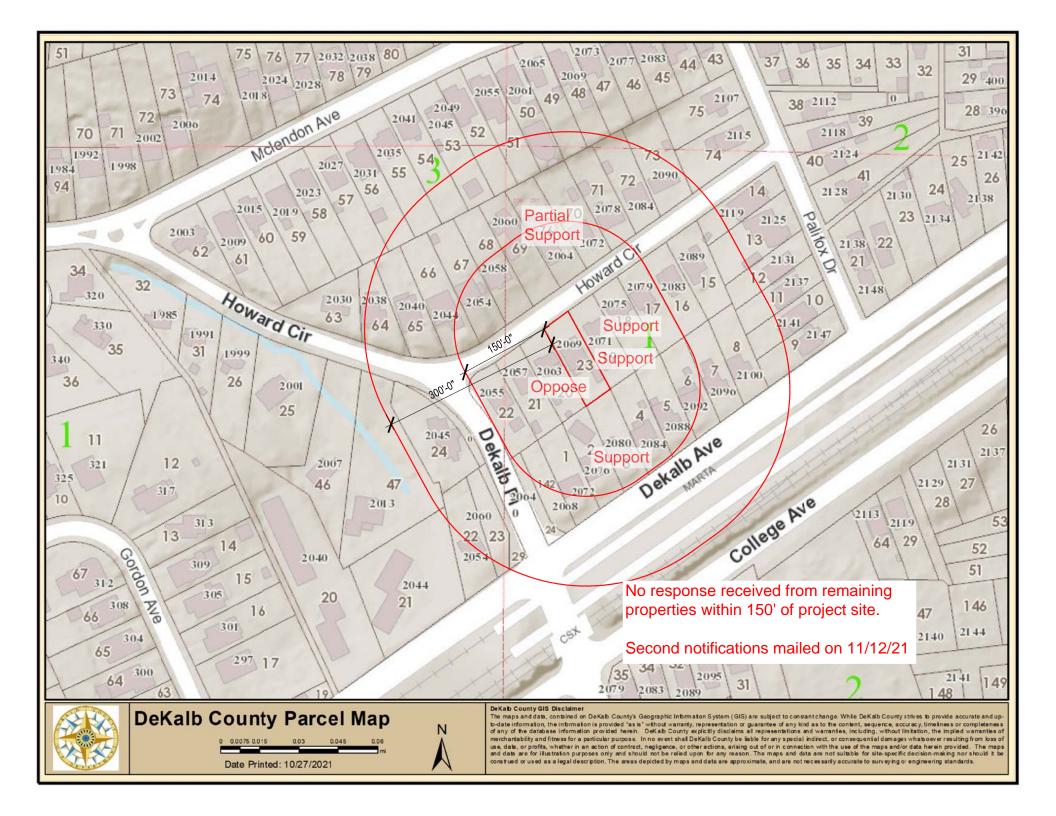


View toward back of lot with retaining walls and embankment



Back yard of 2063 Howard Circle from southwest corner





Name (Print): Malcolm Burman + Colleen Pollitzer
Signature: The put
Address: 2063 Howard Circle NE
Email and/or phone: Malalm. M. burman Bomail.com 404-630-4866
I have received the plans for 2069 Howard Circle, including information on the variance request to:  • To decrease the west side yard setback from 7' to 3.5' and the rear yard setback from 15' to 8.0'
<ul> <li>To increase the allowable lot coverage from 50% to 50.9%</li> <li>To increase the size of an accessory structure from 30% to 40.2% of the size of the main dwelling</li> </ul>
I support the variance
X I oppose the variance
I have additional questions or no position on the variance at this time
Comments (optional):

; • • p e • .

lame (Print): JOHAN SECRINC
signature:
Address: 2071 HOWARD CIR NE
ATLANTA, GA 30307
Email and/or phone: johan. segring @ gmail.com +1.404-935.8702
<ul> <li>have received the plans for 2069 Howard Circle, including information on the variance equest to: <ul> <li>To decrease the west side yard setback from 7' to 3.5' and the rear yard setback from 15' to 8.0'</li> <li>To increase the allowable lot coverage from 50% to 50.9%</li> <li>To increase the size of an accessory structure from 30% to 40.2% of the size of the main dwelling</li> </ul> </li> <li>I support the variance</li> <li>I oppose the variance</li> </ul>
I have additional questions or no position on the variance at this time
Comments optional):

17 10 21 1

Name (Print): Christopher Williams
Signature: Clavill.
Address: 2080 Dekalb Ave NE
Atlanta, GA 30307
Email and/or phone: chris 041885@gmail.com
I have received the plans for 2069 Howard Circle, including information on the variance request to:
To decrease the west side yard setback from 7' to 3.5' and the rear yard setback from 15' to 8.0'
<ul> <li>To increase the allowable lot coverage from 50% to 50.9%</li> <li>To increase the size of an accessory structure from 30% to 40.2% of the size of the main dwelling</li> </ul>
✓ I support the variance
I oppose the variance
I have additional questions or no position on the variance at this time
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	Name (Print): CAROL M. BELL KATHRYN V. ALI
	Signature and M. Roll Holling Children
	Address: 2064 Howard Circle
	ATTANA, GA 30307
	Email and/or phone: 404 9663389 404 2 47815
A	I have received the plans for 2069 Howard Circle, including information on the variance request to:  • To decrease the west side yard setback from 7' to 3.5' and the rear yard setback
BC	<ul> <li>from 15' to 8.0'</li> <li>To increase the allowable lot coverage from 50% to 50.9%</li> <li>To increase the size of an accessory structure from 30% to 40.2% of the size of the main dwelling</li> </ul>
A	Lesupport the variance for B&C no+ A
	I oppose the variance
	I have additional questions or no position on the variance at this time
	Comments (optional): Attink a 3.5 west side yard sethack Should remain 7 vs 3.5 all other
	requests acceptable - Carolfell ) Ullel

CMB

T .1.
Name (Print): James Matthew Craig
Signature: J. Mahr Circ
Address: 2075 Howard Circle NE
Atlanta, GA 30307
Email and/or phone: jmvcraig @gmail.com
I have received the plans for 2069 Howard Circle, including information on the variance request to:  • To decrease the west side yard setback from 7' to 3.5' and the rear yard setback from 15' to 8.0'  • To increase the allowable lot coverage from 50% to 50.9%  • To increase the size of an accessory structure from 30% to 40.2% of the size of the main dwelling  I support the variance  I oppose the variance  I have additional questions or no position on the variance at this time
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or Current Resident

2084 Dekalb Ave NE Atlanta, GA 30307

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