



OFFICE OF ZONING AND DEVELOPMENT
55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **V-22-082**

DATE ACCEPTED **05/25/2022**

NOTICE TO APPLICANT

Address of Property:
2128 Palifox DR NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, July 14, 2022 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
cwoodling@gmail.com

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:



RECEIVED
DATE: 05/25/2022

V-22-082

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,
Francis
Rozier

Digitally signed by Francis Rozier
DN: cn=Francis Rozier, o=City of Atlanta,
ou=Office of Zoning and Development,
email=franrozier@atlantaga.gov, c=US
Date: 2022.05.25 09:54:37 -04'00'


Zachary Pedigo

FR, for Director, Office of Zoning and
Development



City of Atlanta
Department of City Planning
Office of Zoning and Development
55 Trinity Avenue, Suite 3350
Atlanta, Georgia 30303
Phone: 404-330-6145

BOARD OF ZONING ADJUSTMENT (BZA) REFERRAL FORM

DATE FILED: May 24, 2022

COUNCIL DISTRICT 5 NPU N APPLICATION NUMBER _____

1.

Zachary Pedigo

Name of Applicant

SCOPE OF WORK

Pool Installation

<u>2128 Palifox Drive</u>	<u>NE</u>	<u>15-237</u>
at _____	_____	_____
Street Address	Quadrant	District & Land Lot

to be used for **Residential** purposes. The property is zoned R-4

2. Prior to the issuance of a Building Permit, the applicant must seek a variance/special exception for the following reasons:

Applicant seeks a special exception to allow a swimming pool in yard adjacent to a street.

The Applicant has not requested additional variances/special exceptions based on application materials submitted.

1982 ZONING ORDINANCE, AS AMENDED

Chapter & Section: 16-28.008 (6)

Chapter & Section: _____

Chapter & Section: _____

S W Edwards 5/24/2022
Plan Reviewer Date

Zachary Pedigo 5/24/22
Applicant Date

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Please mark "X" next to the type of application(s) you are submitting:

Variance	
Special Exception	X
Variance & Special Exception	

Date Filed 5/23/22 Application Number _____

Name of Applicant Zachary Pedigo Daytime Phone 470-704-7061

Company Name (if applicable) N/A email zepedi@yahoo.com

Address 2128 Palifox Drive NE Atlanta GA 30307
street city state zip code

Name of Property Owner Zachary Pedigo Phone 470-704-7061

Address 2128 Palifox Drive NE Atlanta GA 30307
street city state zip code

Description of Property

Address of Property 2128 Palifox Drive NE Atlanta GA 30307
street city state zip code

Area: _____ Land Lot: 237 District: 15, Dekalb County, GA.

Property is zoned: R-4, Council District: 5, Neighborhood Planning Unit (NPU): N

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 above-described 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 my knowledge and belief.

Zachary Pedigo
 Owner or Agent for Owner (Applicant)
Zachary Pedigo
 Print Name of Owner

Sworn To And Subscribed Before Me This 23 Day Of May, 2022.

Brenda Thurmond
 NOTARY PUBLIC



SUMMARY & JUSTIFICATION FOR SPECIAL EXCEPTIONS V-22-082

Directions: Complete 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? _____ YES _____ 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: N/A.

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.").

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).**

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.

Active Recreation: Installation of a swimming pool adjacent to the public right of way ("active recreation").
Pool would be located in backyard, however outside the "footprint" line of the house. Pool will not be visible in any way from street in front of house, and this location allows for placement as far back on the lot as possible with the minimum tree disturbance possible.

Non-Conforming Uses & Structures (i.e. duplex):

All other Special Exception Requests:



V-22-082

Justification for Special Exception: 2128 Palifox
May 23, 2022

Hello,

I am the homeowner at 2128 Palifox Dr NE Atlanta, GA 30307. I am requesting a special exception for a pool adjacent “to the public right of way”. As I understand it, the exception is required because the pool as planned has the water line slightly protrude past the “footprint line” of the house.

The pool would be located in the backyard (not actually adjacent to any street) and, if built as planned, will not be visible in any way from the street in front of the house. Additionally, the location should not be objectionable by neighbors by reason of:

- Noise, my wife and I are the only residents of the home and plan to use the pool for private use only
- Lights, there will be no lights installed other than one small LED light inside the pool
- Concentration of persons, my wife and I are the only residents of the home and plan to use the pool for private use only
- Vehicular traffic, my wife and I are the only residents of the home and plan to use the pool for private use only

The area for the pool cannot be reasonably located elsewhere on the lot. This plan keeps the pool as far back on the property as possible, and moving it any further forward would have a larger impact on existing trees.

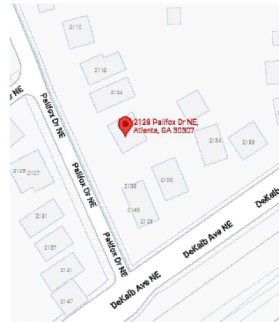
Thank you very much for your consideration,

Zach Pedigo

The following are the Current Applicable Codes (See GA Dept. of Community Affairs website for Current Editions and Amendments - dca.state.ga.us) that apply to all Commercial and Residential Swimming Pool projects during reviews and inspections:

- International Building Code, 2012 Edition, with Georgia Amendments
- International Residential Code, 2012 Edition, with Georgia Amendments
- International Fire Code, 2012 Edition, with Georgia Amendments
- International Plumbing Code, 2012 Edition, with Georgia Amendments
- International Mechanical Code, 2012 Edition, with Georgia Amendments
- International Fuel Gas Code, 2012 Edition, with Georgia Amendments
- National Electrical Code, 2014 Edition (No Georgia Amendments)
- Georgia Accessibility Code – GA 120-3-20A (2010 ADA Standards for Accessible Design)

24 Hour Contact
William Evans
678-841-3314

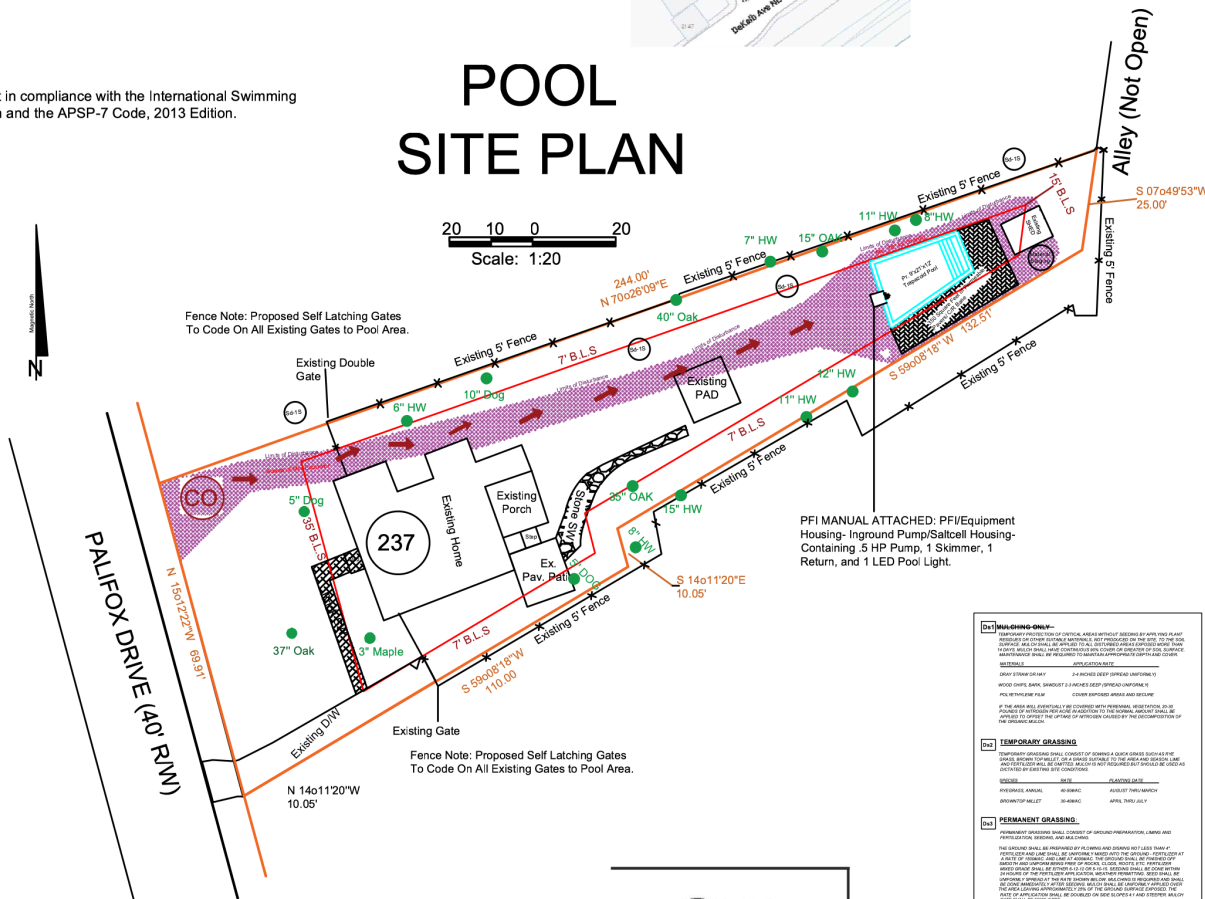


2128 Palifox Drive Parcel: 15-237-13-041 Lot 237
HOMEOWNER: Zachary Pedigo
INGROUND SWIMMING POOL: 9'x21'x12' Trapezoid, Inground Swimming Pool, with 350 Square Feet Permeable Paver Decking
TOTAL DISTURBED ACREAGE : Within LOD 0.0539 Acres Total Disturbed Square Footage: 2,350 Square Feet
CONTRACTOR: Evantures Pools LLC store.sales@evanturespools.com CONTRACTOR CONTACT: William Evans 678-841-3314 11007 Alpharetta Highway, Roswell, GA 30076

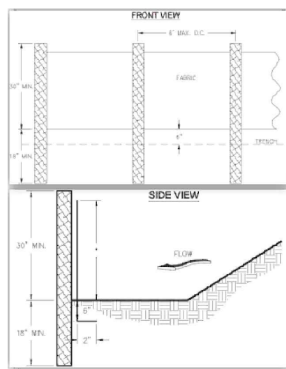
Aquatic Vessel shall be designed and built in compliance with the International Swimming Pool and Spa Code, 2012 Edition and the APSP-7 Code, 2013 Edition.

Impervious Calculations	
Lot Area:	11,929 Sq. Ft. / 0.274 Acres
Zoning Class:	R-4
Current Calculations:	0.052 Acre 19.037%
House:	1,405 Sq. Ft.
Driveway:	580 Sq. Ft.
Poured Pad/Patios:	286 Sq. Ft.
New Calculation:	2,533 Sq. Ft. / 21.23%
House:	1,405 Sq. Ft.
Driveway:	580 Sq. Ft.
Poured Pad/Patios:	286 Sq. Ft.
Pool:	252 Sq. Ft.
Pool Equipment Pad:	10 Sq. Ft.

POOL SITE PLAN



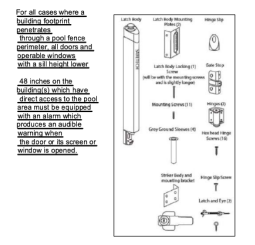
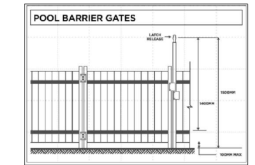
Silt Fence To Be Provided at LOD



GENERAL NOTES
 A swimming pool permit is required in the City of Atlanta for all Residential & Commercial projects. This type of permit must be submitted for site review and can be processed within ten (10) business days. The project type will be reviewed once the application is accepted and an initial deposit has been paid.
 All plans submitted for review must be accompanied by a Building Permit Application completely filled out. Prior to the review by any department for issuance of a building permit, all drawings must be accurate, legible, include dimensions, drawn to a standard scale, must be labeled "Released or Issued for Construction" and meet minimum industry-wide acceptable architectural and engineering standards. The City of Atlanta reserves the right to require additional information for plan review analysis

PFI MANUAL ATTACHED: PFI/Equipment Housing- Inground Pump/Saltcell Housing- Containing .5 HP Pump, 1 Skimmer, 1 Return, and 1 LED Pool Light.

Gate/Fence/Alarm Note



V-22-082

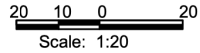
ARBORIST NOTES:

- [M1] MULCHING ONLY:**
 MULCHING OPERATIONS SHALL BE CONDUCTED BY SPREADERS WITH PNEUMATIC TIRES AND A MULCHING HEAD. MULCHING SHALL BE CONDUCTED ON THE SURFACE OF THE SOIL TO A DEPTH OF 2-4 INCHES. MULCHING SHALL BE CONDUCTED IN A MANNER THAT PREVENTS THE MULCH FROM BEING BLOWN AWAY BY THE WIND. MULCHING SHALL BE CONDUCTED IN A MANNER THAT PREVENTS THE MULCH FROM BEING BLOWN AWAY BY THE WIND. MULCHING SHALL BE CONDUCTED IN A MANNER THAT PREVENTS THE MULCH FROM BEING BLOWN AWAY BY THE WIND.
- [M2] TEMPORARY GRASSING:**
 TEMPORARY GRASSING SHALL BE CONDUCTED BY SPREADING SEED OR SOIL MIXTURE ON THE SURFACE OF THE SOIL TO A DEPTH OF 2-4 INCHES. TEMPORARY GRASSING SHALL BE CONDUCTED IN A MANNER THAT PREVENTS THE SEED OR SOIL MIXTURE FROM BEING BLOWN AWAY BY THE WIND. TEMPORARY GRASSING SHALL BE CONDUCTED IN A MANNER THAT PREVENTS THE SEED OR SOIL MIXTURE FROM BEING BLOWN AWAY BY THE WIND.
- [M3] PERMANENT GRASSING:**
 PERMANENT GRASSING SHALL BE CONDUCTED BY SPREADING SEED OR SOIL MIXTURE ON THE SURFACE OF THE SOIL TO A DEPTH OF 2-4 INCHES. PERMANENT GRASSING SHALL BE CONDUCTED IN A MANNER THAT PREVENTS THE SEED OR SOIL MIXTURE FROM BEING BLOWN AWAY BY THE WIND. PERMANENT GRASSING SHALL BE CONDUCTED IN A MANNER THAT PREVENTS THE SEED OR SOIL MIXTURE FROM BEING BLOWN AWAY BY THE WIND.
- [M4] MIDDING:**
 MIDDING OPERATIONS SHALL BE CONDUCTED BY SPREADING SEED OR SOIL MIXTURE ON THE SURFACE OF THE SOIL TO A DEPTH OF 2-4 INCHES. MIDDING SHALL BE CONDUCTED IN A MANNER THAT PREVENTS THE SEED OR SOIL MIXTURE FROM BEING BLOWN AWAY BY THE WIND. MIDDING SHALL BE CONDUCTED IN A MANNER THAT PREVENTS THE SEED OR SOIL MIXTURE FROM BEING BLOWN AWAY BY THE WIND.
- FERTILIZER REQUIREMENTS:**
- | TYPE OF SERVICE | YEAR | ANALYSIS DATE | DATE | FOR PERMANENT |
|-----------------|------|---------------|----------|---------------|
| SOIL ANALYSIS | 2021 | 4-15-21 | 05-05-21 | 00-00-0000 |
| SOIL ANALYSIS | 2020 | 8-10-20 | 09-08-20 | 00-00-0000 |
| SOIL ANALYSIS | 2019 | 10-10-19 | 09-08-19 | 00-00-0000 |
| SOIL ANALYSIS | 2018 | 4-15-18 | 09-08-18 | 00-00-0000 |
| SOIL ANALYSIS | 2017 | 4-15-17 | 09-08-17 | 00-00-0000 |
| SOIL ANALYSIS | 2016 | 10-10-16 | 09-08-16 | 00-00-0000 |

24 Hour Contact
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678-841-3314

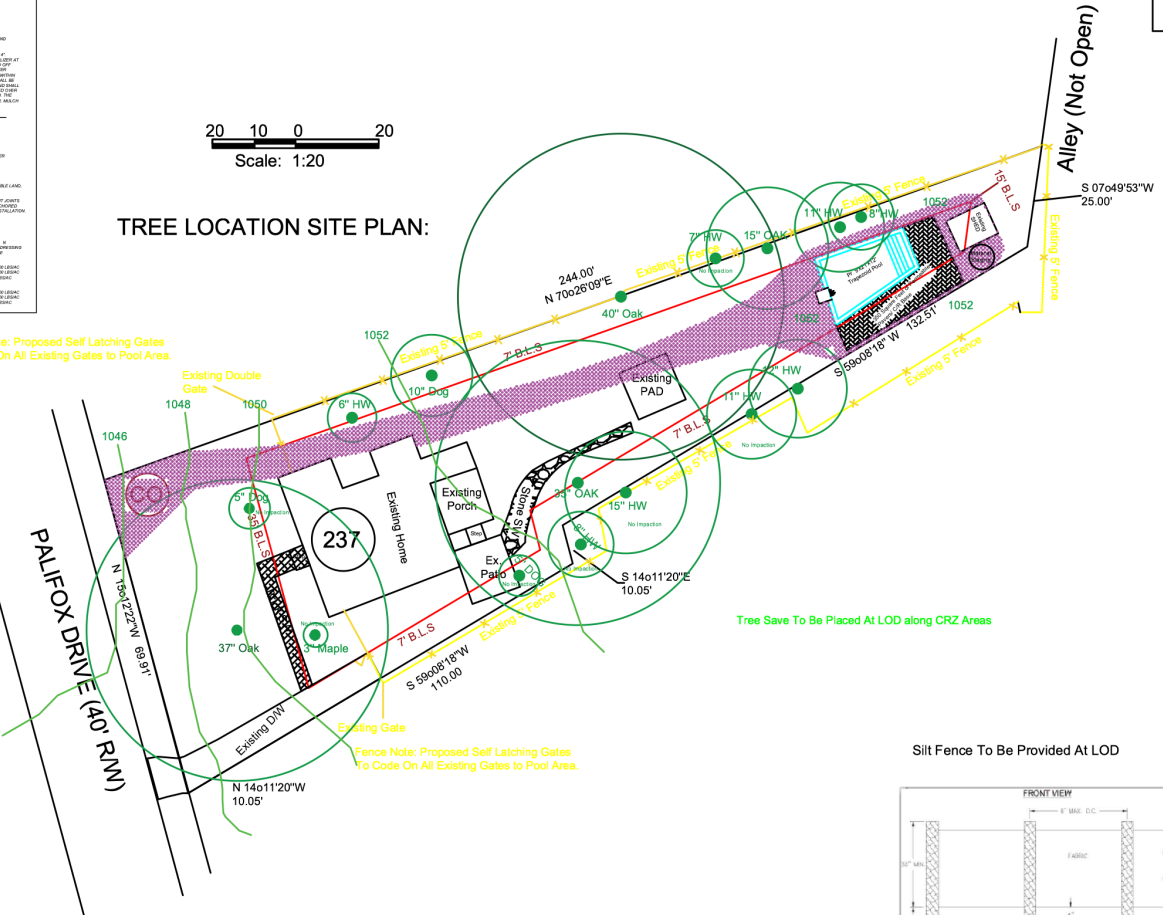


<p>2128 Palifox Drive Parcel: 15-237-13-041 Lot 237</p> <p>HOMEOWNER: Zachary Pedigo</p>
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<p>CONTRACTOR: Evantures Pools LLC store.sales@evanturespools.com CONTRACTOR CONTACT: William Evans 678-841-3314 11007 Alpharetta Highway, Roswell, GA 30076</p>



TREE LOCATION SITE PLAN:

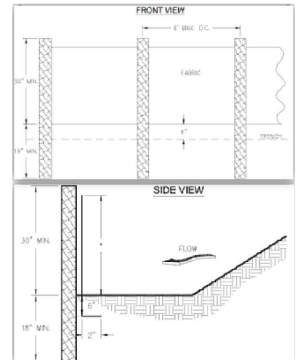
Fence Note: Proposed Self Latching Gates To Code On All Existing Gates to Pool Area.



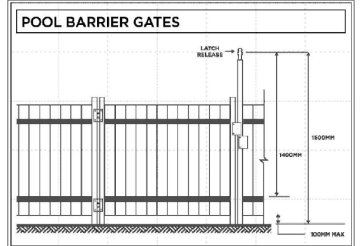
Tree Save To Be Placed At LOD along CRZ Areas

Fence Note: Proposed Self Latching Gates To Code On All Existing Gates to Pool Area.

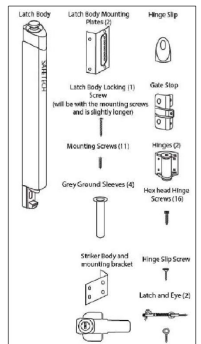
Silt Fence To Be Provided At LOD



Gate/Fence/Alarm Note



For all cases where a building footprint penetrates through a pool fence perimeter, all doors and operable windows with a sill height lower than 48 inches on the building(s) which have direct access to the pool area must be equipped with an alarm which produces an audible warning when the door or its screen or window is opened.



Structural Root Plate Table:

DBH (inches)	8"	16"	32"	48"
Structural Root Place Distance (Radius')	5.5'	8'	10.5'	12'

OFFICE OF ZONING & DEVELOPMENT
RECEIVED
 DATE: 05/25/2022

V-22-082

2128 Palifox – V22-082



Front elevation of 2128 Palifox (gray house on right) looking east along property line towards rear of site.





RECEIVED

DATE: 05/25/2022

V-22-082





2128 Palifox – V22-082



Alley behind 2128 Palifox.



2128 Palifox

Zachary Pedigo and Sari Lazarnick
2128 Palifox Dr NE Atlanta, GA 30307
770-639-0464 (Zach)
zepedi@yahoo.com

June 11, 2022
Re: Proposed Pool Installation at 2128 Palifox / V-22-082

Dear Neighbor,

We are planning to install an inground pool in our backyard. These plans require a "Special Exception" (SE) because the proposed waterline of the pool extends about 2 feet beyond the "footprint" line of our house on one side (the north side of our property). The pool will be rather small, about 9' wide on one end and 12' wide on the other and roughly 21' long. This trapezoid shape would contour to our property line and remain within the proper build-line setbacks.

We are requesting this SE because we would like to keep the pool as far back in the backyard as possible in order to avoid encroaching on trees. Again, the plans do not extend beyond the build-lines for our property and we would be remaining within all required setbacks.

These plans will be presented first at the Thursday, June 16th meeting of the Lake Claire Neighbors (LCN). That meeting will be held via Zoom at 7:15pm. After that, these plans will be presented at the Neighborhood Planning Unit – N (NPU-N) meeting on Thursday, June 23rd at 7:00pm, via Zoom.

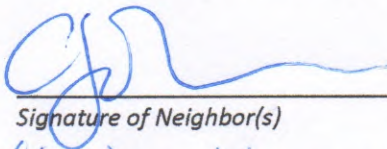
Should you have any questions about this project, please feel free to contact us at the information listed above. You may also reach out to our pool contractor, Will Evans of Ewantures Pools, at 470-433-4168.

Sincerely,
Zach & Sari

Acknowledgment of Notification:

I have been made aware of SE request V-22-082 and given the opportunity to comment on the proposal.

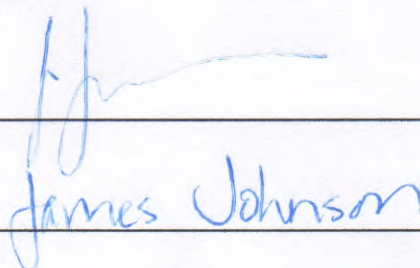
- I have additional questions
- I have been informed but have no opinion



Signature of Neighbor(s)

Christine Johnson

Printed Name of Neighbor(s)



James Johnson

2130 Dekalb Ave Atlanta, Ga. 30307

Address of Neighbor(s)

2128 Palifox

Zachary Pedigo and Sari Lazarnick
2128 Palifox Dr NE Atlanta, GA 30307
770-639-0464 (Zach)
zepedi@yahoo.com

June 11, 2022

Re: Proposed Pool Installation at 2128 Palifox / V-22-082

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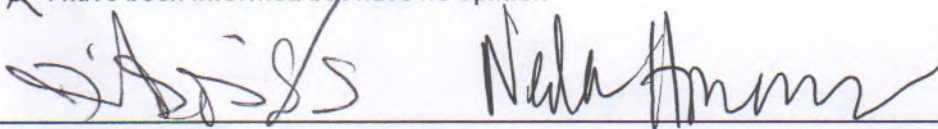
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Signature of Neighbor(s)

DANIEL D DICKENS NEDA HONARVAR

Printed Name of Neighbor(s)

2148 PALIFOX NE ATLANTA GA 30307

Address of Neighbor(s)

1516

2128 Palifox

Zachary Pedigo and Sari Lazarnick
2128 Palifox Dr NE Atlanta, GA 30307
770-639-0464 (Zach)
zepedi@yahoo.com

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Signature of Neighbor(s)

JOSH F. FUMZAKS

Printed Name of Neighbor(s)

~~2127~~ 2127 PALIFOX DR. NE 30307

Address of Neighbor(s)

2128 Palifox

Zachary Pedigo and Sari Lazarnick
2128 Palifox Dr NE Atlanta, GA 30307
770-639-0464 (Zach)
zepedi@yahoo.com

June 11, 2022
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Signature of Neighbor(s)

Patricia Grindo

Printed Name of Neighbor(s)

2131 Palifox Dr. NE Atlanta GA 30307

Address of Neighbor(s)

2128 Palifox

Zachary Pedigo and Sari Lazarnick
2128 Palifox Dr NE Atlanta, GA 30307
770-639-0464 (Zach)
zepedi@yahoo.com

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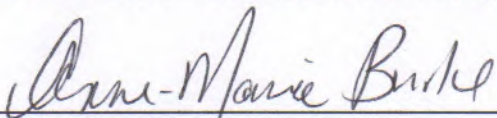
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Signature of Neighbor(s)

Anne-Marie Burke

Printed Name of Neighbor(s)

2137 Palifox Dr. Atlanta, GA 30307

Address of Neighbor(s)

2128 Palifox

Zachary Pedigo and Sari Lazarnick
2128 Palifox Dr NE Atlanta, GA 30307
770-639-0464 (Zach)
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Re: Proposed Pool Installation at 2128 Palifox / V-22-082

Dear Neighbor,

We are planning to install an inground pool in our backyard. These plans require a "Special Exception" (SE) because the proposed waterline of the pool extends about 2 feet beyond the "footprint" line of our house on one side (the north side of our property). The pool will be rather small, about 9' wide on one end and 12' wide on the other and roughly 21' long. This trapezoid shape would contour to our property line and remain within the proper build-line setbacks.

We are requesting this SE because we would like to keep the pool as far back in the backyard as possible in order to avoid encroaching on trees. Again, the plans do not extend beyond the build-lines for our property and we would be remaining within all required setbacks.

These plans will be presented first at the Thursday, June 16th meeting of the Lake Claire Neighbors (LCN). That meeting will be held via Zoom at 7:15pm. After that, these plans will be presented at the Neighborhood Planning Unit – N (NPU-N) meeting on Thursday, June 23rd at 7:00pm, via Zoom.

Should you have any questions about this project, please feel free to contact us at the information listed above. You may also reach out to our pool contractor, Will Evans of Evantures Pools, at 470-433-4168.

Sincerely,
Zach & Sari

Acknowledgment of Notification:

I have been made aware of SE request V-22-082 and given the opportunity to comment on the proposal.

- I have additional questions
 I have been informed but have no opinion



Signature of Neighbor(s)

Leah Elder

Printed Name of Neighbor(s)

2141 Palifox Dr NE 30307

Address of Neighbor(s)

2128 Palifox

Zachary Pedigo and Sari Lazarnick
2128 Palifox Dr NE Atlanta, GA 30307
770-639-0464 (Zach)
zepedi@yahoo.com

June 11, 2022
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Daniella Jones

Printed Name of Neighbor(s)

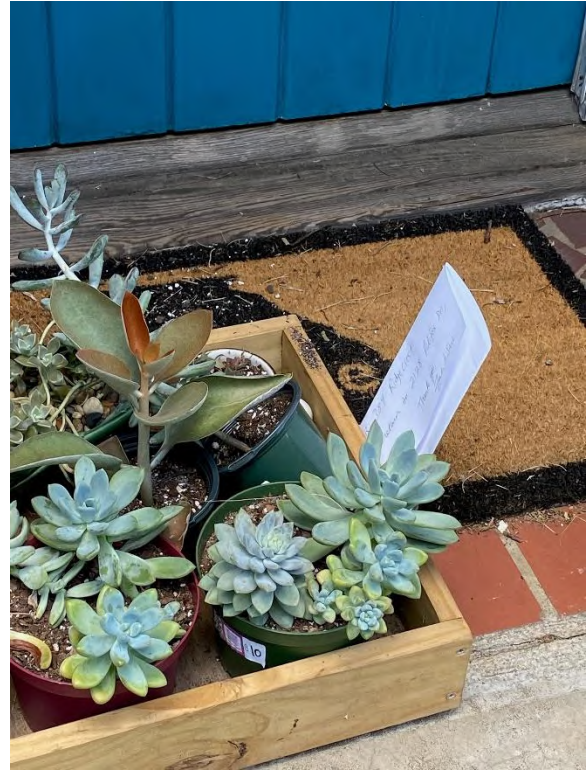
2124 Palifox Dr Atlanta GA 30307

Address of Neighbor(s)

2128 Palifox – V22-082
Proof of Contact with Neighbors



2118 Palifox



384 Ridgcrest



396 Ridgcrest



400 Ridgcrest

2128 Palifox – V22-082
Proof of Contact with Neighbors



2126 DeKalb



2130 DeKalb



2134 DeKalb



2142 DeKalb