

Notice To Applicant
City of Atlanta - Bureau of Planning

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MAY - 7 2008
Bureau of
Planning

APPLICATION NUMBER: **V-08-127**

City Council District: **6** Neighborhood Planning Unit (NPU): **F**

Address of Property: ~~254 E. Paces Ferry Rd~~ *899 Cumberland Rd.*

Board of Zoning Adjustment (BZA) Hearing Date:
Friday, July 11, 2008 at 1:00 p.m.
Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU F is:

Charlie Nalbone
404-626-1354
cn3353@att.com

Contact info for adjacent NPUs is provided below if necessary:

[Empty rectangular box for contact information]

Please contact the person(s) listed above within two 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.

Sign Posting - The property owner is required to post a sign or signs in a conspicuous place on the property at least 15 days before the hearing date shown above. One sign shall be placed every 600 feet along each street the property abuts. A sign posting affidavit must be returned to the Bureau of Planning to confirm posting.

Signed,

Keesha S. Taylor *David Ogram*
V-08-127, for Director, Bureau of Planning David Ogram, Applicant



CITY OF ATLANTA

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
55 TRINITY AVENUE, S.W. SUITE 3900 - ATLANTA, GEORGIA 30335
404-330-6175 - FAX: 404-658-6979
Internet Home Page: www.atlantaga.gov

SHIRLEY FRANKLIN
MAYOR

Steven R. Cover, AICP
Commissioner
Dept. of Planning &
Community Development

Ibrahim Maslamani, CBO,
AIA
Director
Bureau of Building

REFERRAL CERTIFICATE

COUNCIL DISTRICT _____ APPLICATION NUMBER V-08-127
NPU F DATE FILED _____

1. David Ogram

Name of Applicant

BUILDING PERMIT AUTHORIZING
Erect 6ft. decorative wall

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at 899 Cumberland Rd., NE 17th / 2
Street Address **Quadrant** **District & Land Lot**

to be used for _____ Residential _____ purposes

The property is zoned R-4 _____ District

2. The Building Permit Was Denied For The Following Reasons:

Applicant seeks a special exception from zoning regulations to allow for a 6ft. decorative wall with 6ft.-6in. columns in the required front yard, where otherwise it is prohibited.

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 28 Section 16-28.008 Paragraph (5) (a)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph 11

Department of Planning and Development
Bureau of Buildings
Ibrahim Maslamani, CBO, AIA, Director
Ann Heard, Chief Zoning Division

SIGN POSTING AFFIDAVIT

SIGN MUST BE POSTED BY: **June 26, 2008**

PUBLIC HEARING DATE: **July 11, 2008**

APPLICATION NUMBER: **V-08-127**

NAME OF APPLICANT: **David Ogram**

PROPERTY ADDRESS:

899 Cumberland Rd.
~~254 E. Paces Ferry Rd~~

Describe the location on the property where the sign(s) were posted:

Date posted: _____

"I SWEAR THAT ON THE ABOVE POSTING DATE, I PERSONALLY POSTED IN THE MOST CONSPICUOUS PLACE POSSIBLE ON THE PREMISES AFFECTED BY THIS APPLICATION, SIGN(S) AS INDICATED ABOVE."

DAVID OGRAM, APPLICANT

PERSONALLY APPEARED BEFORE ME PERSON(S)
OF THE ABOVE NAME(S), WHO SWEAR THAT THE
INFORMATION CONTAINED IN THIS AFFIDAVIT
IS TRUE AND CORRECT TO THEIR BEST
KNOWLEDGE AND BELIEF.

NOTARY PUBLIC

DATE

Please mail or deliver this completed affidavit to the Bureau of Planning at the address listed below. You may fax a copy to 404-658-7491, but **this original affidavit must be received by the Bureau of Planning at least five days before your hearing date.** You may post the sign earlier than the posting date, but not later.

City of Atlanta
Bureau of Planning
attn: Vanessa Amaker
55 Trinity Ave., Suite 3350
Atlanta, Georgia 30303

APPLICATION FOR VARIANCE

City of Atlanta

Date Filed _____ Application Number V-08-127
Name of Applicant David Ogram Daytime Phone 404-578-0352
Company Name Permits Now e-mail davidrogram@aol.com
Address 254 E. Paces Ferry Rd. Atlanta, GA 30305
street city state zip code

Name of Property Owner Deborah McClatchy Phone _____
Address 899 Cumberland Rd. Atlanta, GA.
street city state zip code

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Description of Property

Address of Property 899 Cumberland Rd. OR
the subject property fronts _____ feet on the _____ side of _____
, and begins _____ feet from the
corner of _____

Depth: 114 Area: 9A Land Lot: 2 District: 17 Fulton County, GA.
Property is zoned: R-4 Council District: 6 Neighborhood Planning Unit: F

TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant variance(s).

I hereby authorize the staff of the Bureau of Planning 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 Bureau of Planning 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.

Sworn To And Subscribed Before Me This _____ Day Of _____, 200__.

David Ogram
Owner or Agent for Owner (Applicant)

DAVID R. OGRAM
APPLICANT'S NAME IN PRINTED LETTERS

Pinky A. Rutledge
NOTARY PUBLIC

Pinky A. Rutledge
Notary Public, Fulton County, Georgia
My Commission Expires February 6, 2012

V-08-127

Summary of proposed changes to buildings or site (example: "Construct a 10-foot by 10-foot, one-story room addition on the first floor of the house.") Include square footages and stories: 6-6 wall in front yard

Proposed Lot Coverage (After Construction): Calculate total square footage of all lot coverage on the entire property after construction would be finished, including existing and proposed buildings and other structures, sidewalks, driveways, parking pads, patios, gravel, etc; everything except natural planted or undisturbed areas.

_____ covered square feet / _____ total lot square feet = _____% proposed lot coverage
_____ % maximum allowed lot coverage

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Variance Procedures

Variance applications are heard and decided at a regularly-scheduled public hearing by the five-member City of Atlanta Board of Zoning Adjustment ("BZA"). The Bureau of Planning serves as staff to the BZA. Approximately one week after each closing date, a planner is assigned to review your application. All inquires regarding your application should be directed to this office at (404) 330-6145. The rules of the BZA prevent BZA members from discussing the merits of any case except during the public hearing for that case.

Schedule. There are two closing dates and two public hearings per month. The schedule allows time for neighborhood and NPU meetings to occur throughout the City prior to each public hearing. The schedule of closing and public hearing dates is attached (Page 9).

Neighborhood and NPU Recommendations. The City is divided into 24 Neighborhood Planning Units (NPU's), each of which has a volunteer citizen advisory committee that makes a recommendation to the BZA on variances. When you file your application, you will be notified of the NPU contact person and that you must schedule a meeting with that NPU in order to explain what you wish to do. You may be requested to attend additional neighborhood meetings; inquire about the time and place of those meetings. The applicant is expected to contact the NPU as soon as possible after the application is filed. The Bureau of Planning will send a copy of your application to the appropriate NPU during the week after the closing date for your application.

Public Notice. When you file your application, it will be scheduled for a public hearing. The Bureau of Planning will initiate posting of public notice ("an advertisement", "a legal ad") for this public hearing so that the public is informed at least 15 days before the date of the public hearing:

- by sending written notice of your application to all property owners whose property is within 300 feet of the subject property, and
- by causing public notice to be placed in the newspaper.

You are responsible for obtaining a public notice sign when you file your application with the Bureau of Planning, and for posting it in a visible location on your property, at least 15 days prior to your public hearing. Failure to properly post the sign will make it necessary for the BZA to defer your case to another public hearing. The BZA may defer the case to a hearing that has been scheduled 30 or more days after the original hearing.

Refunds on Withdrawn Cases. Requests for withdrawal received 18 days prior to the public hearing will enable a refund of the application fee.

V-08-127

April 16, 2008

899 CUMBERLAND ROAD

To Whom It May Concern,

We are applying for a variance for a single family residence, zoned R-3. We plan to make site improvements to the front of the property consisting of a new 6'-6" high wall. A variance is required to build the new wall exceeding the allowable height restriction of 4'-0" in the 35' front yard set back.

There are extraordinary and exceptional conditions pertaining to this piece of property due to its size, shape or topography.

The property .1909 acre. The wall and enclosure are placed in the front yard set back to take advantage of available suitable space on the property where this function can be placed.

The application of the city ordinance to this particular piece of property would create an unnecessary hardship.

There is very little usable outdoor area on this small property. The front yard is level and is currently enclosed with shrubbery. The owners want to create a private exterior area and the front is the only available space. The property and building can not be used as intended without this enclosure created by the wall. A variance is required. The new wall as proposed would be 6ft. high with piers every 6ft. that extend 6" above the wall.

Such conditions are peculiar to this piece of property.

The restrictive size and narrowness of the property at this location make it necessary to ask for this variance.

Relief, if granted, would not cause substantial detriment to the good or impair the purpose of the Atlanta zoning ordinance.

To allow this wall to be built in the front yard, we believe would have no adverse affect on the street appearance .

The wall are designed to be in keeping with the character of the house The neighbors understand this and we have received favorable reaction from neighbors on the street. We intend to bring their affidavits of support to the local association NPU and BZA meetings. We ask for your approval.

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NOTARIZED AUTHORIZATION BY PROPERTY OWNER

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

TYPE OF APPLICATION Variance Fence Encroachment

I, DEVEREAUX F. McCLATCHEY IV (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 899 CUMBERLAND RD NE, ATLANTA, GA 30306 (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION.

NAME OF APPLICANT David Ogram

ADDRESS OF APPLICANT 254 E. Paces Ferry Rd,

TELEPHONE NUMBER 404-578-0352

[Handwritten Signature]

Signature of Owner

DEVEREAUX F. McCLATCHEY IV

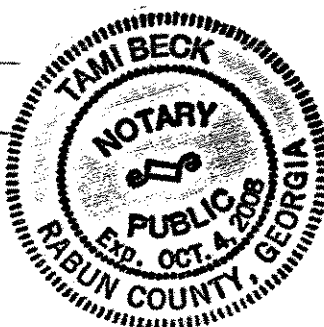
Personally Appeared Before Me

Devereaux F. McClatchey IV

Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief.

[Handwritten Signature: Tami Beck]
Notary Public

4-15-08
Date



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W

8" MAIN

MH

LAND SCAPING

PROPOSED G WALL

STUDIO

35' B/L

35' B/L

18' 0"

EXISTING SINGLE FAMILY RESIDENCE FFE 106'

EXISTING DECK

15' B/L

7' B/L

S 31°44'36" W 114.46'

~~30'00"~~ W 165.61'

PROPOSED SITE PLAN
SCALE 1"=10'0"

NORTH

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V-88-127

McCLATCHY RESIDENCE
899 CUMBERLAND ROAD

DOTTY MYERS & ASSOCIATES
Landscape Architect

CUMBERLAND ROAD

50'

F

50'

A-1

80

60

PARKING
2 2 3 4 4

CHERRY

5% IMPACT
CHERRY

EXISTING
CONC. DRIVE

EXISTING
CARPORT

N 28'

21
22

P

15d1c

