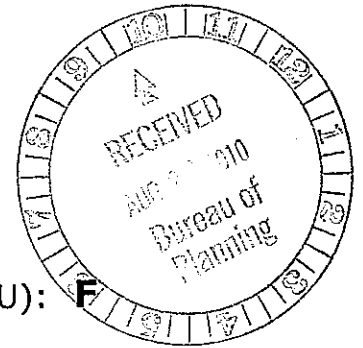


Notice To Applicant
City of Atlanta - Bureau of Planning



APPLICATION NUMBER: **V-10-134**

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

Address of Property: **1269 East Rock Springs Rd.**

Board of Zoning Adjustment (BZA) Hearing Date:
Thursday, October 14, 2010 at 12:00 p.m.
Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU F is:

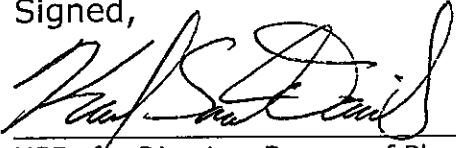
Charlie Nalbone
404-626-1354
atlanta.npuf.zoning@gmail.com

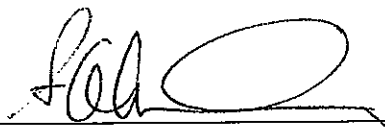
Contact info for adjacent NPUs is provided below if necessary:

The contact person for NPU is:

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,

KSD, for Director, Bureau of Planning


Susana Cabral, 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

KASIM REED
MAYOR

James E. Shelby
Commissioner
Dept. of Planning &
Community Development

Anthony Carter
Acting Director
Office of Building

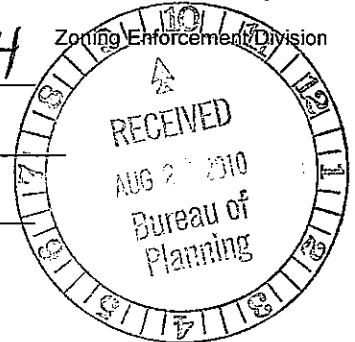
REFERRAL CERTIFICATE

COUNCIL DISTRICT _____ APPLICATION NUMBER V-10-134

NPU _____ DATE FILED _____

1. Susana M. Cabral

Name of Applicant



BUILDING PERMIT AUTHORIZING Roof pitch increase for second story addition

at 1268 E. Rock Springs Rd., N.E. 18th / 55
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 variance from zoning regulations to reduce the west side yard setback
from 7ft.(required) to 3.5ft. to increase roof pitch and attic space for a second story addition
to an existing single-family house. Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 06 Section 16-06.008 Paragraph (2)

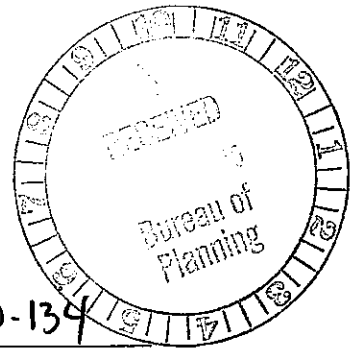
Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Department of Planning and Development
Office of Buildings
Anthony Carter, Acting Director
Ann Heard, Chief Zoning Division

Applicant: [Signature] Zoning Plan Reviewer: [Signature]

APPLICATION FOR VARIANCE
City of Atlanta



Date Filed AUGUST 20, 2010

Application Number V-10-134

Name of Applicant SUSANA M. CABRAL Daytime Phone 404-219-9239

Company Name _____ e-mail SUE.CABRAL@INVESEC.COM

Address 1268^{E.} ROCK SPRINGS RD NE, ATLANTA, GA 30306
street city state zip code

Name of Property Owner SUSANA M. CABRAL Phone 404-219-9239

Address 1268^{E.} ROCK SPRINGS RD NE, ATLANTA GA 30306
street city state zip code

Description of Property

Address of Property 1268^{E.} ROCK SPRINGS RD NE, ATLANTA GA 30306 OR

the subject property fronts 60 feet on the North side of E. Rock Springs, and begins _____ feet from the corner of _____

Depth: _____ Area: _____ Land Lot: 55 District: 18th, Dekalb County, GA.

Property is zoned: R-4 Council District: 6, Neighborhood Planning Unit: F

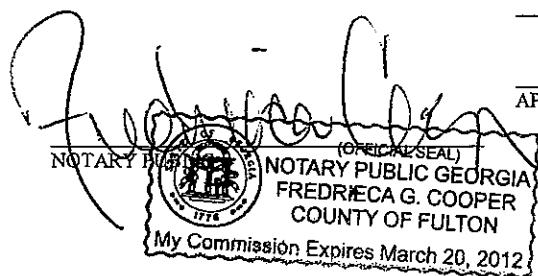
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant variance(s).

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.

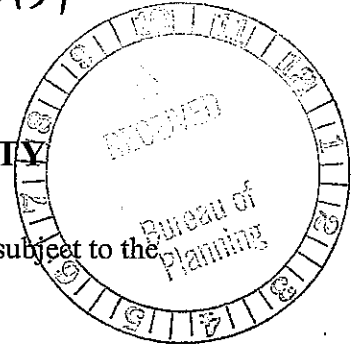
Sworn To And Subscribed Before Me This 23 Day Of Aug, 2010.

Susana M. Cabral
Owner or Agent for Owner (Applicant)

SUSANA M. CABRAL
APPLICANT'S NAME IN PRINTED LETTERS



V-10-134



NOTARIZED AUTHORIZATION BY PROPERTY OWNER

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

TYPE OF APPLICATION VARIANCE

I, SUSANA M. CABRAL (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT _____

1268^E ROCK SPRINGS RD NE, ATLANTA GA 30306 (PROPERTY ADDRESS).

AS SHOWN IN THE RECORDS OF DEKALB 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 _____

ADDRESS OF APPLICANT _____

TELEPHONE NUMBER _____

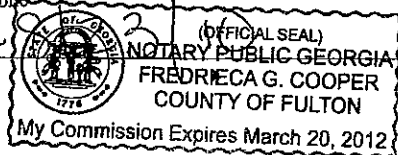
Susana M. Cabral
Signature of Owner

Personally Appeared Before Me

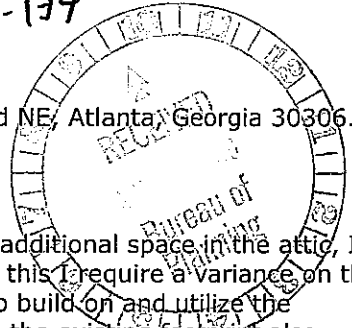
Who Swears That The Information Contained In This Authorization Is True and Correct To The Best of His or Her Knowledge and Belief.

Notary Public _____

Date _____



V-10-134



To Whom It May Concern:

Below is the justification for the requested variance pertaining to 1268 Rock Springs Rd NE, Atlanta, Georgia 30306.

Introduction:

This house was built in 1954, before the 7 ft. yard setback was introduced. To use the additional space in the attic, I would like to increase the pitch in the roof to accommodate living space however to do this I require a variance on the existing 3.5 ft. setback. This would be for the left side of the house only. I would like to build on and utilize the existing footprint as this ensures I am not increasing the non-permeable area. Keeping the existing footprint also allows me to keep the land usage to where it was originally designed as well as prevent increased run-off. Building and renovation methods will be "green" with a focus on facilitating the conservation of energy, water and other natural resources. Please see below for further justification of this variance request.

Justification:

- 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography**
 - Per the enclosed survey, the left side of the house has a 3.5 ft. setback instead of 7 ft. This is the only part of the house that is below the setback requirements and is causing me to seek a variance. I would like to increase the pitch of the whole roof in order to increase living space while making the house aesthetically pleasing.
 - The frontage for my house is 61 feet whereas the minimum for zone R4 lots is 70 feet. My lot is narrower and so perhaps why the original owners went as wide as possible, leaving 3.5 ft on the left side of the house instead of 7.

- 2. The application of the zoning ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship**
 - I purchased this property with the intention of increasing the living space. I thought that any setback would have been grandfathered in. I do not wish to increase the footprint or size of the building however just wanting to build upwards. It would be a hardship to me if I were unable to pitch the roof and increase the square footage and as planned. Specifically, if relief of the variance is not granted, I would have to keep the current square footage and be limited in the number of bedroom and living space for my family.

- 3. Such conditions are peculiar to the particular piece of property involved**
 - The current house is unusual in its construction as it does not fit with the aesthetics of other houses on the street. A variance would allow me to have the same aesthetic streetscape as other houses and would make it 'fit in' with the houses around it.

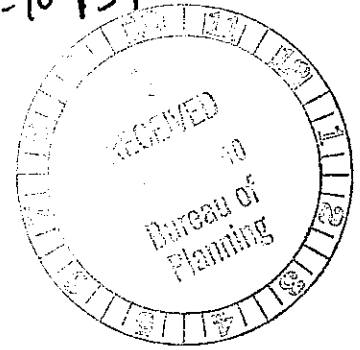
- 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the zoning ordinance of the city of Atlanta**
 - The existing house has the 3.5 ft. setback on the left side. Adding a pitched roof will not increase nor decrease this setback.
 - Granting relief of the variance will promote desirable living conditions for me and my family.
 - Granting relief will have a neutral effect on my neighbors as I am proposing that the setback not be decreased. It will, in effect, be the same.
 - Granting relief will enable the house to be aesthetically pleasing to my neighbors as the style will be consistent with other houses on Rock Springs Rd. There are other 2-story houses on this street and in the R4 area. My contiguous neighbors have two-story houses.
 - Granting relief will ensure that I am considering the environment and not increasing the non-permeable area. Also, no trees will be impacted.
 - Granting relief will enable me to proceed with the 2nd story renovation which I will be implementing using a "green" approach that facilitates conservation of energy, water and other natural resources. In addition I will be installing a rain barrel to be used for irrigation purposes which the house does not currently have.

Thank you for your consideration,

Sincerely,

Susana M. Cabral
Owner of 1268 Rock Springs Rd NE, Atlanta GA 30306

V-10-134



August 21, 2010

To whom it may concern:

This is to attest that I have spoken with Susana M. Cabral, owner of 1268 Rock Springs Rd, Atlanta, GA 30306, about her intended application for a variance regarding the 3.5 ft. setback on the left side of her property.

Susana reviewed her land survey with me and we discussed her plans to increase the pitch of the roof in order to add a level which will increase her living space. I understand that she will not be going outside of the current footprint of the house and roof.

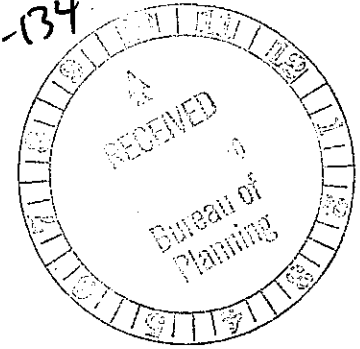
I am comfortable if relief of the variance is granted.

Signed by: [Signature]
[Signature]

Date: Aug. 21, 2010

Address: 1272 E Rock Springs
Atlanta GA 30306

V-10-134



August 21, 2010

To whom it may concern:

This is to attest that I have spoken with Susana M. Cabral, owner of 1268 Rock Springs Rd, Atlanta, GA 30306, about her intended application for a variance regarding the 3.5 ft. setback on the left side of her property.

Susana reviewed her land survey with me and we discussed her plans to increase the pitch of the roof in order to add a level which will increase her living space. I understand that she will not be going outside of the current footprint of the house and roof.

I am comfortable if relief of the variance is granted.

Signed by: *SM* (Elysa M. Maccek) Date: 8.21.10
K Maccek KENNETH T. MACCEK 8/21/2010

Address: 1260 E. ROCKSPRINGS RD NE
ATLANTA, GA. 30306