



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

APPLICATION #: **V-15-255**
 DATE ACCEPTED: **09/08/2015**

NOTICE TO APPLICANT

Address of Property:
683 Cumberland CIR NE

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

Board of Zoning Adjustment (BZA) Hearing Date: *November 5, 2015*
at 12:00 p.m.

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

The contact person for NPU is: *Charles Walbone*
641 East Pelham Rd, N.E.
Atlanta, GA 30324
(404)-376-3236 *zoning@npufatlanta.org*

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:

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.

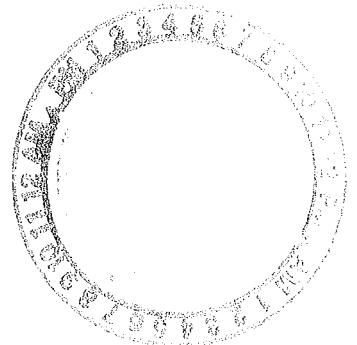
Signed,

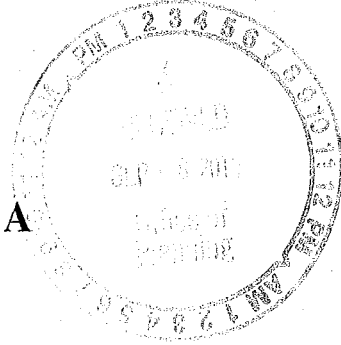
 RG, for Director, Bureau of Planning

Jennifer Reed

 Jennifer Reed

NC
Nathan Coates





CITY OF ATLANTA

Office of Buildings - Zoning Division
55 TRINITY AVENUE, SUITE 3900
Atlanta, Georgia 30303
404-330-6175

REFERRAL CERTIFICATE

COUNCIL DISTRICT _____ APPLICATION NUMBER V-15-255

NPU _____ DATE FILED _____

1. _____ Jennifer Reed
Name of Applicant

BUILDING PERMIT AUTHORIZING

A Variance for a 2nd Story Addition to a Single-Family Dwelling.

at 683 Cumberland Circle NE 17th / 51
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 the zoning regulations to reduce the west side yard setback from 7 feet to 4.9 feet in order to allow for a 2nd Story addition to a single family dwelling.

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter _____ Section _____ Paragraph _____

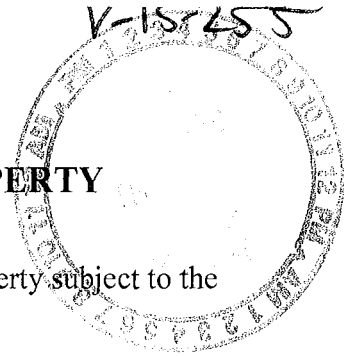
Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

[Signature] 9/8/15
Plan Reviewer Date

Jennifer D Reed 9/8/15
Applicant Date

V-157455



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, Lucinda Patterson (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 683 Cumberland Cir. 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 Jennifer Reed

ADDRESS OF APPLICANT 2358 Perimeter Park Dr., #300 Atlanta, Ga. 30341

TELEPHONE NUMBER 770-670-6622

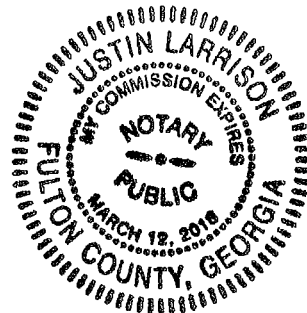
Lucinda D. Patterson
Signature of Owner

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

[Signature] Notary Public Exp. 3/12/15

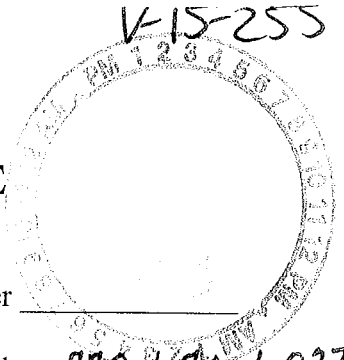
SEPTEMBER 2, 2015
Date



V-15-255

APPLICATION FOR VARIANCE

City of Atlanta



Date Filed 9/8/2015

Application Number _____

Name of Applicant Jennifer Reed Daytime Phone 770-670-6022

Company Name MOSAIC Group e-mail jreed@mosaicgroupatlanta.com

Address 2358 Perimeter Park Dr., #300, Atlanta, Ga. 30341
street city state zip code

Name of Property Owner Lucinda Patterson Phone 404-277-0530

Address 683 Cumberland Cir., NE., Atlanta, Ga. 30306
street city state zip code

Description of Property

Address of Property 683 Cumberland Cir., NE., Atlanta, Ga. 30306

the subject property fronts _____ feet on the _____ side of _____, and begins _____ feet from the _____ corner of _____.

Depth: _____ Area: 9046 Land Lot: 51 District: 17th, Fulton County, GA.

Property is zoned: R-4, Council District: _____, 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).

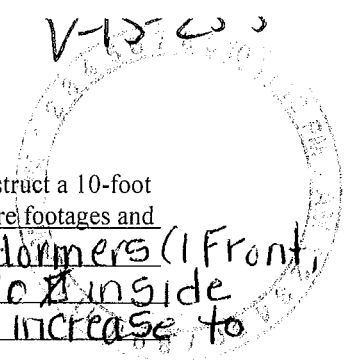
I hereby authorize the staff of the Office of Planning to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Planning upon filing this application. I swear 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 2nd Day Of September, 2015.


Owner or Agent for Owner (Applicant)

APPLICANT'S NAME IN PRINTED LETTERS

NOTARY PUBLIC
EXP. 3/12/18



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: *Build out existing attic by adding 2 dormers (1 Front, 1 rear). Space to be used as studio. 470 sq ft inside of existing attic footprint on 2nd floor. No increase to existing footprint is proposed.*

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 *Not Applicable. No increase in lot coverage is proposed.*

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 Office of Planning serves as staff to the BZA. Approximately one week after each closing date, a planner is assigned to review your application. All inquiries 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 Office 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 Office 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 Office 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.

Staff Recommendation. Office of Planning staff reviews and makes written recommendations to the BZA on each variance application. You may contact your assigned planner at (404) 330-6145 on the day of the public hearing if you wish to know staff's recommendation.

Legal Description

All that tract or parcel of land lying and being in Land Lot 51 of the 17th District, Fulton County, Georgia, City of Atlanta, being Lot 5, Block 6, Morningside Subdivision, recorded in Plat Book 9, Page 176, Fulton County Records and being more particularly described as follows:

BEGINNING at a ¾" open top pipe found on the southerly right-of-way line of Cumberland Circle (50' right-of-way), said point being 530.4 feet in a northeasterly direction from its intersection with the northerly right-of-way of Cumberland Road; thence continuing along said right-of-way line of Cumberland Circle N89°59'46"E a distance of 60.30 feet to a 1" crimp top pipe; thence leaving said right-of-way and running S00°00'00"E a distance of 150.09 feet to a ½" rebar; running thence S89°51'45"W a distance of 60.19 feet to a ½" rebar; running thence N00°02'31"W a distance of 150.23 feet to a ¾" open top pipe, said point being the TRUE POINT OF BEGINNING.

Said tract or parcel of land contains 0.208 acres

September 1, 2015

Board of Zoning Adjustment

City of Atlanta

55 Trinity Avenue

Suite 3350

Atlanta, Ga. 30303

Re: Variance Application

683 Cumberland Circle, NE

Atlanta, Ga. 30306

Lucinda Patterson, owner of the property at 683 Cumberland Circle, NE, is seeking a variance for relief of the side yard set-back on the west side of the property from 7' to 4.9' to allow for an attic build within the existing footprint. We feel that the Criteria for a Variance has been met in the following ways:

- 1) Current R4 Zoning requires that the property have 70' of frontage which this property (as originally constructed in the late 1920's) does not. The 60.3' frontage creates an exceptional hardship condition and directly effects the homeowner's ability to utilize the potential living space afforded to her in the unfinished attic. Current lot coverage conditions are also non-conforming by being 7.9% over the required 50% maximum, a complication exacerbated by the reduced width of the lot. With this renovation, there will be no additional lot coverage increase. The attic build out will remain within the existing footprint of the house.
- 2) This relief is requested as a result of the existing non-conformance of the side yard setbacks. The existing 88 year old home was built prior to zoning ordinances and the original structure lies approximately 2.1' over the 7' side yard setback requirement. The Owner wishes to build out the attic to accommodate a new studio which will require dormers (1 front, 1 rear) to allow for adequate head height and functional living space. Given the position of the home into the setback, the current Zoning Ordinance would prohibit the Owner from maximizing the full use of the interior living space of the home.
- 3) The non-conformance to the R4 Zoning frontage (exceptional condition noted in #1) creates an abnormally narrow piece of property which creates a burden for this homeowner to be able to use her entire asset.
- 4) If granted, this Variance would not impact any of the Owner's adjoining neighbors because the existing side wall of the home will remain unchanged. There will be no further encroachment towards neighbors on either side. This Variance is consistent with the intent of the Zoning Ordinance which promotes desirable living conditions by allowing occupants to utilize the maximum square footage under the existing roof.

RECEIPT

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

Application: V-15-255
Application Type: Planning/BZA/Variance/NA
Address: 683 CUMBERLAND CIR NE, ATLANTA, GA 30306
Owner Name: COBB RONALD W
Owner Address:
Application Name:

PAID
CITY OF ATLANTA
SEP 08 2015
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received Comments
432665	13400	\$100.00	09/08/2015	PLUKE	

Owner Info.: COBB RONALD W

Work Description: To reduce the west side yard back setback from 7 feet to 4.9 feet inorder for a 2nd story addition to a single family home