



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

APPLICATION #: **V-15-265**
DATE ACCEPTED: **09/09/2015**

NOTICE TO APPLICANT

Address of Property:
810 Cumberland RD 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 **F** is:

Charles Nalbone (404) 376-3230
641 East Pelham Rd, N.E.
Atlanta, GA 30324 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,

LL, for Director, Bureau of Planning

Tiara Crumby



City of Atlanta
Office of Buildings – Zoning Division
 55 Trinity Avenue, Suite 3900
 Atlanta, Georgia 30303
 Phone: 404-330-6175

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-15-265

NPU F DATE FILED 9/9/2015

Tiara Crumby
 Name of Applicant

BUILDING PERMIT AUTHORIZING

Site improvements to include landscaping, a fountain, patio and bench.

at 810 Cumberland Road 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 (1) to reduce the required west side yard setback from 7ft to 2ft and (2) to reduce the rear yard setback from 15ft to 2ft to install site improvements to include a 7ft high bench and 7ft high fountain, respectively. Applicant also seeks a variance (3) to exceed the required lot coverage from 50% to 64.3% to install the proposed landscaping, a fountain, patio, and bench. Applicant seeks no other variances.

*Complete plan review not conducted. No architectural elevations provided by applicant.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2)
 Chapter 6 Section 16-06.008 Paragraph (3)
 Chapter 6 Section 16-06.008 Paragraph (6)
 Chapter _____ Section _____ Paragraph _____



Tamaria Letang 9/9/2015
 Plan Reviewer Date

Tiara Crumby 9/9/2015
 Applicant Date

APPLICATION FOR VARIANCE

City of Atlanta

Date Filed 9/9/2015 Application Number V-15-265
Name of Applicant Tiara Crumby Daytime Phone 678-886-7501
Company Name Permitting Consulting Group e-mail pcgroupinc@comcast.com
Address 1004 Glen Ivy, Marietta GA 30062
street city state zip code

Name of Property Owner Michael L. McGlamry Phone _____
Address 810 Cumberland Road, NE Atlanta GA 30306
street city state zip code

Description of Property

Address of Property 810 Cumberland Road, NE OR
the subject property fronts 69.94 feet on the north side of Cumberland Road
and begins approx. 315 feet from the
SW corner of Sherwood Road.
Depth: varies Area: 0.241 Land Lot: 51 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 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 9 Day Of Sept, 2015

Ernestine J. Neal
NOTARY PUBLIC

Tiara Crumby
APPLICANT'S NAME IN PRINTED LETTERS
RECEIVED
SEP - 9 2015
AM PM 1 2 3 4 5 6 7 8 9 10 11 12

ERNESTINE J. NEAL
Notary Public, Georgia
DeKalb County
My Commission Expires
March 26, 2017

V-15-265

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: Landscaping improvements to the rear and side yard that will require a reduction in the required 15' rear yd setback and the 7' side yd setback. Also an increase in the amount of lot coverage permitted is requested.

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.

6742.6 covered square feet / 10,486 total lot square feet = 64.3 % proposed lot coverage
50 % maximum allowed lot coverage

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 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 (NPUs), 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.

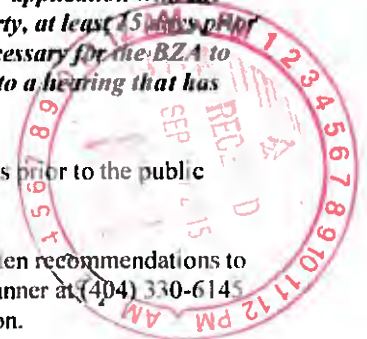
Public Notice. When you file your application, it will be scheduled for a public hearing. The Office of Planning will initiate posting of public notice ("an advertisement", "a legal ad") for this public hearing so that the public is informed at least 15 days before the date of the public hearing:

- 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.



VARIANCE AND INCREASE IN LOT COVERAGE REQUEST
for 810 Cumberland Road, NE

V-15-265

810 Cumberland Road is zoned R-4 which requires a minimum land area of 9,000SF and a minimum street frontage of 70 feet. Required setbacks for interior lots are front yard, 35 feet; side yards 7 feet and rear yard 15 feet. Maximum lot coverage allowed is 50%. The property is adjacent to Sidney Marcus Park, part of the City of Atlanta park system.

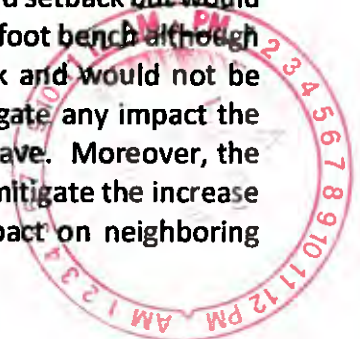
810 Cumberland Road consists of 10,486SF (0.241 acre) and has 69.94 feet of frontage. The front yard topography sits above the sidewalk where retaining walls approximately 2 feet in height are found but the yard is relatively level. The site slopes slightly down at the front façade of the structure to the rear with an approximate change in grade of 6 feet to the rear property line. Because of the location of the existing house the rear yard is relatively small in size. The existing lot coverage is 58.4% and has been at this coverage for approximately 10 years.

The owners wish to improve the landscape of the west side and rear yards by adding walkways, a 7-foot fountain and small patio in the northwest rear corner of the property and a bench in the west side yard. The back of the bench is designed to also be a trellis and will be at a height of 7 feet. To mitigate the additional impervious surfaces (as considered by the Office of Buildings) the property owner will install a cistern to collect runoff. 207 square feet of walkways (34% of the proposed improvements) will be crushed gravel lined by brick to further mitigate the additional impervious surface. Furthermore, the landscape design factored in the existing drainage pattern of the property. The proposed improvements total 611 square feet which includes the gravel pathways.

JUSTIFICATION

- a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography. 810 Cumberland has less frontage than required for properties zoned R-4. It has 69.94 feet of street frontage rather than the required 70. Furthermore, the rear property line is at an angle and not square. These are extraordinary and exceptional conditions pertaining to the property.

- b. The application of the Zoning Ordinance of the City of Atlanta to this particular piece of property would create an unnecessary hardship. To impose the west side and rear yard setback and minimum lot coverage requirements on this property would prohibit the owner from making the proposed landscape improvements and are not necessary to protect the public good. The proposed 7-foot fountain will encroach into the rear yard setback but would not be imposing to the adjacent neighbor. Furthermore the proposed 7-foot bench although encroaching into the west side yard setback is adjacent to a City park and would not be imposing to those using the park. The installation of a cistern will mitigate any impact the additional 5.8% in lot coverage over the existing 58.4% coverage may have. Moreover, the crushed gravel pathways are designed to allow drainage which will also mitigate the increase in coverage. These proposed improvements are much less of an impact on neighboring



properties than if the applicant were requesting to reduce the setbacks and increased lot coverage for an addition to the home. It should not be necessary to impose these hardships to protect the public good.

- c. **Such conditions are peculiar to the particular piece of property involved.** The lot shape is not unique to the subject property. However, the existence of similar conditions on adjoining neighborhood properties should not negate the desirability of the proposal.

- d. **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.** The requested variances would not cause substantial detriment to the public good or impair the purposes and intent of the zoning ordinance by allowing the proposed landscape improvements. Of the 611 square feet of improvements 207 square feet (34%) are gravel pathways that will allow water to pass through to the ground. This proposal would allow improvements to an existing developed property and would promote desirable living conditions.

V-15-265



V-15-265

NOTARIZED AUTHORIZATION BY PROPERTY OWNER

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

TYPE OF APPLICATION ZONING VARIANCE

I. Anne McGlamry (OWNER'S NAME)

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

810 Cumberland Rd. N/E, 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 TIARA CRUMBY

ADDRESS OF APPLICANT 1004 Glen Ivy

Marietta, GA 30062

TELEPHONE NUMBER (678) 888-7501

Anne McGlamry
Signature of Owner

Personally Appeared Before Me Soni Sittler
9-2-15

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



V-15-265

TREE LEGEND

HR	DENOTES HEDGE ROW
SBRY	DENOTES SPRUCE
B	DENOTES BIRCH TREE
BEC	DENOTES BEECH TREE
CA	DENOTES CHERRY TREE
CC	DENOTES CHINA PEARL TREE
CDR	DENOTES CEDAR TREE
DW	DENOTES DOGWOOD TREE
E	DENOTES ELM TREE
HL	DENOTES HEMLOCK TREE
HIC	DENOTES HICKORY TREE
HLV	DENOTES HOLLY TREE
NW	DENOTES NORWOOD TREE
MAG	DENOTES MAGNOLIA TREE
MAP	DENOTES MAPLE TREE
MB	DENOTES MULBERRY TREE
O	DENOTES OAK TREE
P	DENOTES PINE TREE
POP	DENOTES POPULAR TREE
RB	DENOTES REDBUD TREE
SO	DENOTES SWEETGUM
SYC	DENOTES SYCAMORE TREE
SW	DENOTES SOURWOOD TREE
UM	DENOTES UMBRELLA TREE
WO	DENOTES WATER OAK TREE

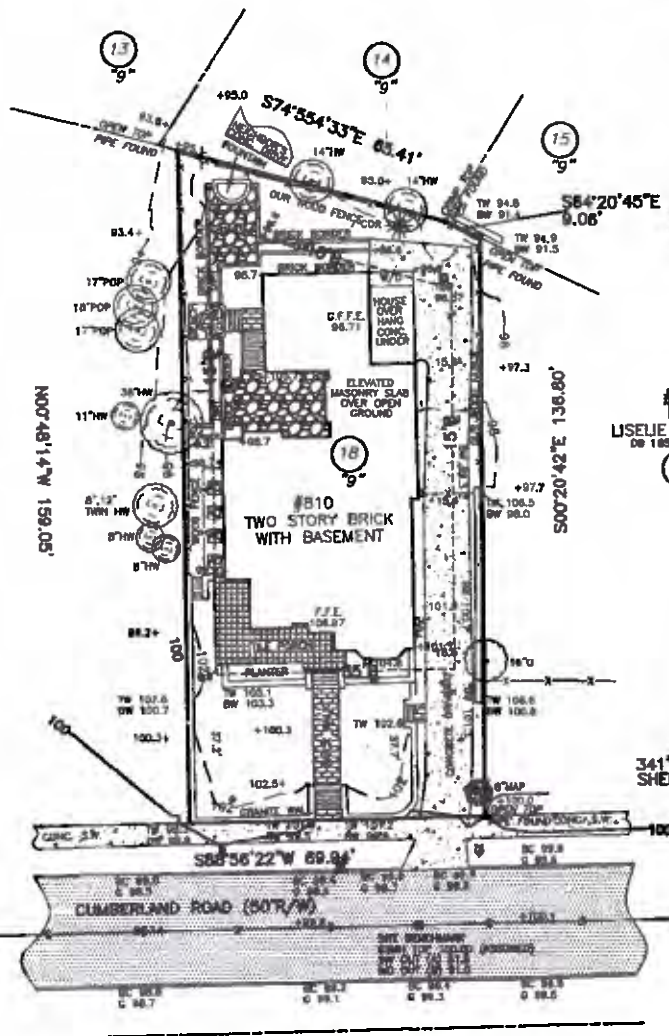
MAGNETIC
N

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PIPED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, PLEASE CALL ALL LOCAL UTILITY PROVIDERS.

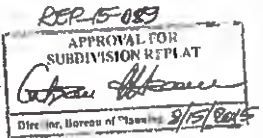


2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, CONVEYANCE TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAN DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS IDENTIFICATION OF THE SURVEYOR NAMED SUCH PERSON, PERSONS OR ENTITY.
4. THE FIELD DATA UPON WHICH THIS PLAN IS BASED WAS GATHERED BY AND OPEN TRAVELERS. THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE CLOSE WITHIN ONE FOOT IN 98,586+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
5. BEARINGS SHOWN WERE COMPUTED FROM ANGLED TURNED FROM A SINGLE MAGNETIC OBSERVATION.
6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
7. THIS PLAN IS NOT INTENDED FOR RECORDING.
8. CONTOUR INTERVAL 2 FEET. DATUM (ASSUMED)



N/F
CITY OF ATLANTA

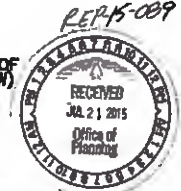
#816
N/F
LISELIE MARQUEZ
DB 18538 PD108



ZONING INFORMATION

CITY OF ATLANTA - R-4
MINIMUM AREA: 9,000 SQUARE FEET
MINIMUM LOT WIDTH: 30 FEET
MINIMUM FLOOR AREA RATIO: 0.50
MINIMUM FRONT SETBACK: 60 FEET
1/2 DEPTH FRONT SETBACK: 17 1/2 FEET
MINIMUM SIDE SETBACK: 7 FEET
MINIMUM REAR SETBACK: 15 FEET

341° TO THE WEST R/W OF
SHERWOOD DRIVE (60R/W)



IMPERVIOUS CALCULATIONS

IMPERVIOUS AREA
HOUSE = 3,215 SQ.FT.
CONCRETE DRIVEWAY = 1,638.5 SQ.FT.
WOOD DECK = 34.7 SQ.FT.
STONE ONE BARRIAGE AREA = 318.6 SQ.FT.
TILE PORCH = 332.8 SQ.FT.
CROWN WALKS
A = 131.8 SQ.FT.
B = 85.2 SQ.FT.
C = 38.8 SQ.FT.
D = 30.7 SQ.FT.
E = 10.3 SQ.FT.
F = 63.8 SQ.FT.
BRICK WALK AND STEPS = 83.8 SQ.FT.
STEPS AND LANDING (SIDE) = 84.9 SQ.FT.
POLLARD = 44.4 SQ.FT.
SMOK BARRIAGE = 376.4 SQ.FT.
STONE AT PORCH = 88 SQ.FT.
STONE AT DECK = 18.8 SQ.FT.
TOTAL IMPERVIOUS AREA = 6835.3 SQ.FOOT

TOTAL AREA: 0.241± ACRES
OR 10,488± SQ.FT.

610 CLIMBERLAND ROAD N.E.
ATLANTA, GEORGIA 30315

SURVEY FOR
MICHAEL L. MCGILMURY
ANNE G. MCGILMURY

LOT 18 BLOCK "B"
MORNINGSIDE

LAND LOT 61
DISTRICT 17TH
FULTON COUNTY
GEORGIA

PLAN PREPARED: 3-8-15
FILED: 3-8-15 SCALE: 1"=20'

LEGEND

—	DENOTES PROPERTY LINE
—	DENOTES RIGHT-OF-WAY
—	DENOTES CENTERLINE
—	DENOTES BACK OF CURB
—	DENOTES GUTTER
—	DENOTES EDGE OF PAVING
—	DENOTES TOP OF WALL
—	DENOTES BOTTOM OF WALL
—	DENOTES FENCE
—	DENOTES REINFORCED CONCRETE PIPE
—	DENOTES CORRUGATED METAL PIPE
—	DENOTES POWER POLE
—	DENOTES LIGHT POLE
—	DENOTES GUY WIRE
—	DENOTES POWER LINE
—	DENOTES POWER NEEDN
—	DENOTES POWER BOX
—	DENOTES AIR CONDITION
—	DENOTES TELEPHONE BOX
—	DENOTES GAS METER
—	DENOTES GAS VALVE
—	DENOTES GAS LINE BARBER
—	DENOTES WATER METER
—	DENOTES WATER VALVE
—	DENOTES FIRE HYDRANT
—	DENOTES BIRTHDAY WELL
—	DENOTES HEADWALL
—	DENOTES JUNCTION BOX
—	DENOTES DRAIN HOLE
—	DENOTES SANITARY SEWER LINE
—	DENOTES SANITARY SEWER LINE
—	DENOTES SANITARY SEWER LINE
—	DENOTES CLEAN OUT

REFERENCE MATERIAL

1. WARRANTY DEED IN FAVOR OF
MICHAEL L. MCGILMURY AND ANNE G. MCGILMURY
DEED BOOK 28284 PAGE 210-211
FULTON COUNTY, GEORGIA RECORDS



No.	Revision	Date
1.	COMMENTS ADDRESSED	3-8-15

Plats 303 & 110
Filed and Recorded Aug 31-2015 11:01am
2015-0458121
Cathlene Robinson
Clerk of Superior Court
Fulton County, Georgia

McLUNG
SURVEYING SERVICES, INC.

4833 South Cobb Drive Suite 200
Suwanee, Georgia 30080 (770) 434-3283
Certification of Authorization #187000792

This property is NOT located
in a Federal Flood Area as
indicated by F.A.R.M.
Official Flood Hazard Maps.
COMMISSION NO. 1311002810
DATED SEPTEMBER 18, 2013
FULTON COUNTY, GEORGIA
In my opinion this plan is a
correct representation of the
land plotted.



Michael R. Neal
Georgia PLS 22844-M
Member SMOSS
Commission #1311002810

LAND LOT 61
DISTRICT 17TH
FULTON COUNTY
GEORGIA

PLAN PREPARED: 3-8-15
FILED: 3-8-15 SCALE: 1"=20'



V-15-265

IMPERVIOUS CALCULATIONS

IMPERVIOUS AREAS (EXISTING)

HOUSE = 3,215 SQ.FT.

CONCRETE DRIVEWAY = 1,636.5 SQ.FT.

WOOD DECK = 34.7 SQ.FT.

STONE OVER BASEMENT AREA = 318.6 SQ.FT.

TILE PORCH = 352.8 SQ.FT.

GRANITE WALLS

A = 131.9 SQ.FT.

B 95.2 SQ.FT.

C 38.8 SQ.FT.

D 35.7 SQ.FT.

E 10.3 SQ.FT.

F 83.6 SQ.FT.

BRICK WALK AND STEPS = 83.6 SQ.FT.

STEPS AND LANDING (SIDE = 94.9 SQ.FT.

IMPERVIOUS AREAS (PROPOSED)

FOUNTAIN = 44.4 SQ.FT.

TERRACE = 212 SQ. FT.

BENCH = 27 SQ. FT.

LANDING = 43 SQ. FT.

STEPPING STONE PATH = 78 SQ. FT.

BRICK EDGE GRAVEL PATHS = 207 SQ. FT.

TOTAL IMPERVIOUS AREA = 6742.6 SQ.FT. 64.3%

TOTAL AREA = 0.241 ± ACRES
OR 10,486 ± SQ.FT.

810 CUMBERLAND ROAD NE
ATLANTA, GEORGIA



V-15-265

Fountain
44sf

Terrace
212sf

Brick Edged
Gravel Path
83sf

Brick Edged
Gravel Path
29sf

Bench
27sf

Landing
43sf

Brick Edged
Gravel Path
95sf

Stepping
Stone
Path
78sf

PROPOSED LANDSCAPE PLAN
(NTS)

Landscape Impervious Calculations

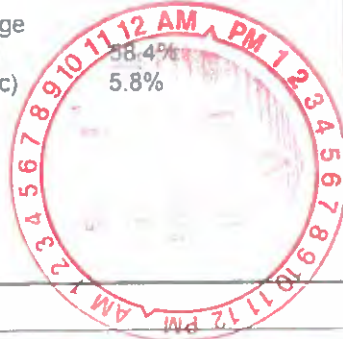
Fountain	44sf
Terrace	212 sf
Bench	27 sf
Landing	43 sf
Stepping Stone Path	78 sf
Brick Edge Gravel Paths	83 sf
	29 sf
	95 sf

Total Proposed Additional
Impervious Surface (a) 611 sf

Total Impervious
(Existing) (b) 6131.6 sf

Total Lot Area (c) 10,486 sf

Percent Coverage	
Existing (b) / (c)	58.4%
Proposed (a) / (c)	5.8%



RECEIPT

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

Application: V-15-265
Application Type: Planning/BZA/Variance/NA
Address: 810 CUMBERLAND RD NE, ATLANTA, GA 30306
Owner Name: MC GLAMRY MICHAEL L & ANNE G
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received Comments
432894	1009	\$100.00	09/09/2015	PAMITCHELL	

Owner Info.: MC GLAMRY MICHAEL L & ANNE G

Work Description: Reduce the west side yard setback from 7 ft to 2 ft, rear yard setback from 15 ft to 2 ft, and exceed lot coverage from 50% to 64.3%.

PAID
CITY OF ATLANTA
SEP 09 2015
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

