



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

APPLICATION #: **V-15-332**
DATE ACCEPTED: **09/30/2015**

NOTICE TO APPLICANT

Address of Property:
1206 Cumberland RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, December 3, 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 Naibone
404-376-3230
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,



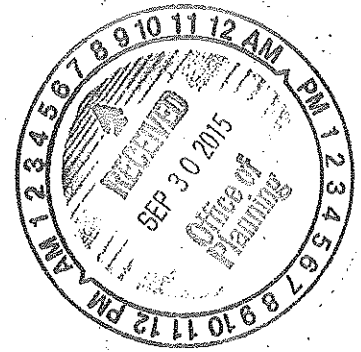
Taylor Thompson
Director, Bureau of Planning



Randall A. Parrish



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-15-332

NPU F DATE FILED 9.30.2015

Randall A. Parrish
 Name of Applicant

BUILDING PERMIT AUTHORIZING

Addition to a single family dwelling

at 1206 Cumberland Road NE 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 the zoning regulations to reduce the required east side yard setback from 7 feet to 6 feet 6 inches to make an addition to a single family home.

Applicant seeks no other variances at this time. Complete zoning review not conducted.

Architectural plans not provided.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter _____ Section _____ Paragraph _____

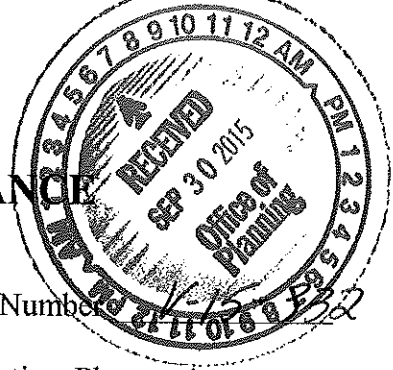
Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Tamaria Letang
 Plan Reviewer 9/30/15
 Date

RAW
 Applicant 9/30/15
 Date

APPLICATION FOR VARIANCE
City of Atlanta



Date Filed 9-30-2015

Application Number

Name of Applicant RANDALL A. PARRISH

Daytime Phone 404-272-5521

Company Name

e-mail randyparrish@bellsouth.net

Address 1206 Cumberland Rd. Atlanta, GA 30304
street city state zip code

Name of Property Owner Phone

Address street city state zip code

Description of Property

Address of Property 1206 Cumberland Rd. Atlanta, GA 30306 OR

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

Depth: ^{188.36}206.14 Area: ^{3272.1}273 Land Lot: 55 District: DeKalb County, GA.

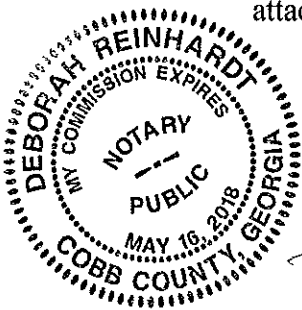
Property is zoned: R-4, Council District: _____, Neighborhood Planning Unit: F

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 14 Day Of Sept, 2005.

RA
Owner or Agent for Owner (Applicant)
Randall A. Parrish
APPLICANT'S NAME IN PRINTED LETTERS



Deborah Reinhardt
NOTARY PUBLIC

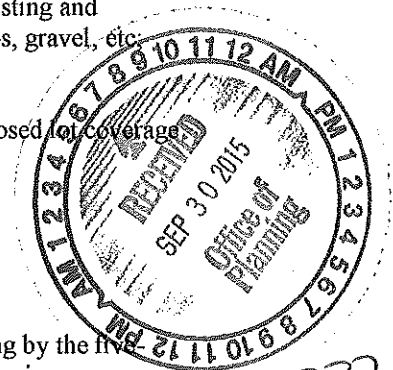
Summary of proposed changes to buildings or site (example: "Construct a 10-foot by 10-foot, one-story room addition on the first floor of the house.") **Include square footages and stories:**

Construct 99sf of additional first floor space
Construct 464sf of additional second floor space over existing first floor
Replace existing 557sf patio/walk with 192sf screened porch and 160sf grilling patio.

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.

5,442 covered square feet / 11,890 total lot square feet = 45.7% 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 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 (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.

September 30, 2015



V-15-332

City of Atlanta
Department of Planning and Community Development
Board of Zoning Adjustment
55 Trinity Avenue SW
Atlanta, Georgia 30335

Re: Variance Adjustment of Side Setback at 1206 Cumberland Road

To Whom It May Concern:

We are applying for a variance adjustment of the side setback **from seven feet to 6 feet 6 inches** for 1206 Cumberland Road (the "Property") to permit a second story addition to our house **within its current footprint**. The home was originally constructed outside the current setbacks.

There are extraordinary and exceptional conditions pertaining to the Property that justify the granting of a variance to adjust the side setback.

The subject Property is narrower than the current standard for R-4 lots, thus reducing the buildable area. Typically, R-4 lots have a 70-foot street frontage requirement; our lot is 60 feet wide. The imposition of the current R-4 setbacks after construction of our home greatly reduced the buildable area of the Property. Importantly, the house, like many others on the street, was constructed outside the current setbacks. As such, a variance to permit this renovation due to the exceptional condition of the lot and its previous construction is warranted.

Granting the variance as requested permits us to renovate in the current footprint and get the full use of a narrow lot now limited by later imposed setbacks.

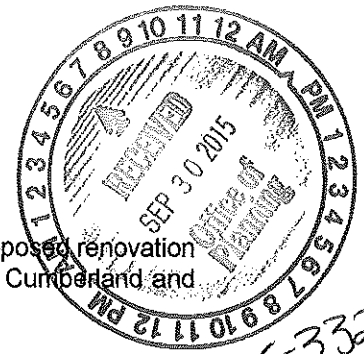
The application of the current zoning setback requirement to the Property would create an unnecessary hardship.

The house as it exists today encroaches the current (later imposed) setback requirement, making compliance with the setback requirement impossible. Importantly, if the addition is not permitted as requested, a second story addition, comparable to the majority of immediate surrounding homes, will not be practical. There is simply not enough room to build on the current footprint and follow the later imposed setbacks.

The described conditions are peculiar to this Property; this pre-existing condition was the reason that the house was originally constructed in its present footprint.

The narrow lot is a result of development prior to the implementation of current setback requirements. This condition is unique to properties such as ours in older neighborhoods where houses were constructed decades ago. Our home and others in the neighborhood suffer from the exact same geographical limitations.

Other houses in the neighborhood were also originally constructed outside the side setbacks, and many have been renovated and expanded since the current setback requirements were put in place. Owners of numerous houses on Cumberland and nearby streets have been permitted to



undertake extensive two story renovations outside the side setbacks. Clearly, the proposed renovation is not out of character for the neighborhood and indeed follows the current trend on Cumberland and nearby streets.

The variance, if granted, would not cause any detriment to the public good and would not impair the purpose and intent of the zoning ordinances; rather, this addition is consistent with the nature, fabric, character and progressive evolution of our neighborhood.

The proposed variance would simply permit an addition in the existing footprint of the house. The addition was specifically tailored to not interfere with neighbors' land rights and to add value to the home in a neighborhood of expanding renovations. Consider the following:

First, the house is in a neighborhood of larger, renovated structures. The proposed renovation is in keeping with the nature and scope of the surrounding neighborhood and is reflective of numerous recent renovations (many of which presumably sought similar variances). Despite a reduced setback, the home would not be an anomaly, as many homes on the street have been renovated outside the current setbacks. As stated above, there are numerous houses originally constructed outside the minimum setbacks and several renovations to those structures have been undertaken; many of which are of a much greater scope than our proposed renovation. The designer, Tim Adams, has worked on other home renovations in the neighborhood and prepared plans that are mindful of any potential neighborhood concerns.

Secondly, a planned screened porch will be offset from the exterior wall of the house so as to not encroach the 7-foot setback.

Thirdly, the planned addition within the current footprint **would not require the removal of any existing trees.**

Fourthly, essentially no undisturbed yard will be impacted. The second story addition will be in the current footprint, and the screened porch will be in an area already covered by a patio. In fact, because the screened porch will be smaller than the existing patio, **our lot coverage will actually be reduced as a result of the proposed renovation.**

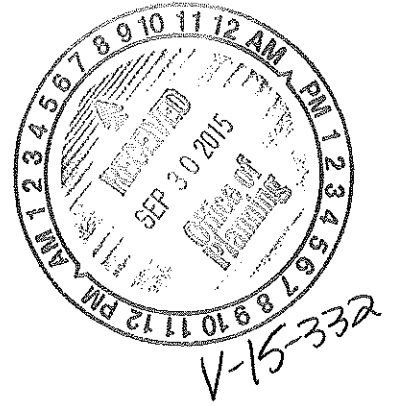
Finally, the surrounding property owners were considered when developing the plans and they were even consulted prior to this application. **As evidenced by the attached letters of support, the immediate neighbors have given their support to the addition.**

In conclusion, our goal is to update our house in a neighborhood of expanding homes with consideration for our neighbors and the character of the surrounding homes by limiting the height, width and size of the renovation. **The addition complies with all of the other R-4 setbacks; we are only seeking to change the one side setback to permit the addition in the current footprint of the house and avoid the burdensome and cost prohibitive consequences that will be felt if such variance is denied.**

Respectfully submitted,


Randy and Tara Parrish

To: Morningside-Lenox Park Neighborhood Association
NPU-F
City of Atlanta Board of Zoning Adjustment



Re: 1206 Cumberland Road, Atlanta, GA 30306

As neighbors of the above-referenced property, we have had an opportunity to speak with the Parrishes regarding the proposed variance and to review the preliminary renovation plans. We believe that the proposed renovation (and variance needed for its construction) maintains the character of the surrounding neighborhood and is reflective of similar acceptable renovations in the area. As such, we offer our support of the Parrishes' variance application.

Neighbor:

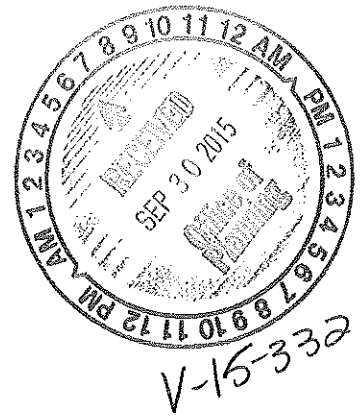
Louise Miller

9/1/2015

Address:

1210 Cumberland Road NE
Atlanta, GA 30306

To: Morningside-Lenox Park Neighborhood Association
NPU-F
City of Atlanta Board of Zoning Adjustment



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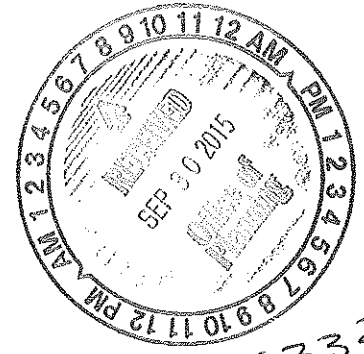
Neighbor:

Bonnie Henry *Bonnie Henry*

Address:

1200 Cumberland Rd. NE
Atlanta, GA 30306.

To: Morningside-Lenox Park Neighborhood Association
NPU-F
City of Atlanta Board of Zoning Adjustment



V-15-332

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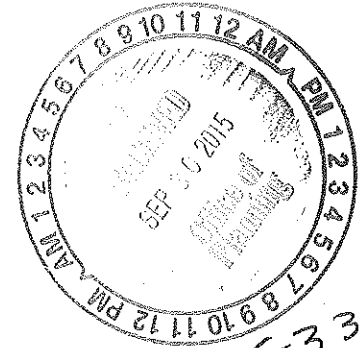
Neighbor:

Max Labrowski - MAX LABROWSKI
Ray Serrell - RAY SERRELL

Address:

1206 Cumberland Rd
ATL 30306

To: Morningside-Lenox Park Neighborhood Association
NPU-F
City of Atlanta Board of Zoning Adjustment



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Neighbor:

Tom Liady
Tom Liady

Address:

1211 CUMBERLAND RD
1205 " *

RECEIPT

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

Application: V-15-332
Application Type: Planning/BZA/Variance/NA
Address: 1206 CUMBERLAND RD NE, ATLANTA, GA 30306
Owner Name: PARRISH RANDALL A PARRISH TARA M
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
435945	3591	\$100.00	09/30/2015	SGUILDARIE		

Owner Info.: PARRISH RANDALL A PARRISH TARA M

Work Description: to reduce the required east side yard setback from 7 feet to 6 feet 6 inches

PAID
CITY OF ATLANTA
SEP 30 2015
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

SJ