



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

APPLICATION #: **V-16-023**  
DATE ACCEPTED: **01/20/2016**

## NOTICE TO APPLICANT

Address of Property:  
**809 Cumberland RD NE**

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

Board of Zoning Adjustment (BZA) Hearing Date:

**Thursday, March 10, 2016 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**  
**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

Allison Suazo



CITY OF ATLANTA

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



REFERRAL CERTIFICATE

COUNCIL DISTRICT C0 APPLICATION NUMBER V-16-003
NPU F DATE FILED January 20, 2016

1. Allison Suazo
Name of Applicant

BUILDING PERMIT AUTHORIZING

A 2nd Story Addition

at 809 Cumberland Rd NE 17th / 52
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 front yard setback from 35 feet to 31.62 feet and to reduce the required west side yard setback from 7 feet to 2.85 feet in order to allow for the construction of a 2nd story addition. Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 6 Section 16-06.008 Paragraph (1)

Chapter 6 Section 16-06.008 Paragraph (2)

Chapter Section Paragraph

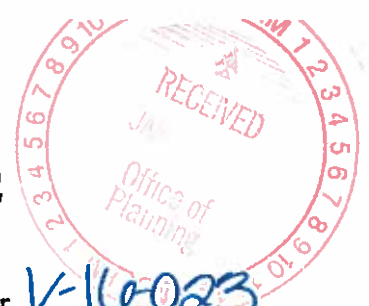
Chapter Section Paragraph

Plan Reviewer [Signature] Date 1/20/16

Applicant [Signature] Date 1/20/16

Note: Applicant did not provide architectural plans for this zoning plan review.

**APPLICATION FOR VARIANCE**  
City of Atlanta



Date Filed 1-20-2016 Application Number V-16-023  
Name of Applicant ALLISON SUAZO ~~Jason Shannon Hoch~~ Daytime Phone 404-432-9677  
Company Name \_\_\_\_\_ e-mail shannonhoch@yahoo.com  
Address 809 Cumberland Rd NE Atlanta GA 30306  
street city state zip code

Name of Property Owner Jason and Shannon Hoch Phone 404-432-9677  
Address 809 Cumberland Rd, NE Atlanta GA 30306  
street city state zip code

**Description of Property**

Address of Property 809 Cumberland Rd. NE Atlanta GA 30306 OR

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

Depth: \_\_\_\_ Area: \_\_\_\_ Land Lot: \_\_\_\_ District: \_\_\_\_\_, \_\_\_\_\_ County, GA.

Property is zoned: \_\_\_\_\_, Council District: \_\_\_\_\_, Neighborhood Planning Unit: \_\_\_\_\_

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 20 Day Of January, 2016.

[Signature]  
Owner or Agent for Owner (Applicant)

[Signature]  
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: Adding a second story new area to be 1505 square feet. We are also adding a screen in an existing porch.

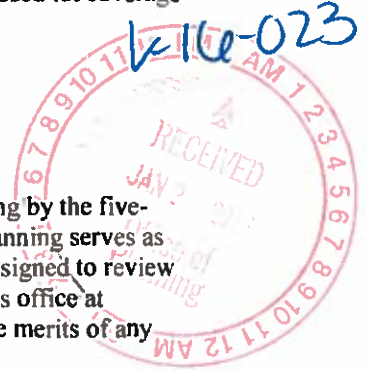
**Proposed Lot Coverage (After Construction):** Calculate total square footage of all lot coverage on the entire property after construction would be finished, including existing and proposed buildings and other structures, sidewalks, driveways, parking pads, patios, gravel, etc; everything except natural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

1755 covered square feet / 9001 total lot square feet = 19.5 % 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 (NPU), 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.



January 26, 2016

Jason and Shannon Hoch  
809 Cumberland Road NE  
Atlanta, GA 30306  
404-539-5376  
404-432-9677

To Whom It May Concern:

We are requesting a Variance to reduce the front yard set back from 35 feet to 31.62 feet. We are also requesting a variance to reduce the West side yard set back from 7 feet to 2.85 feet. We are adding a 2nd story within the existing footprint of the house.

Criteria for Variances

1. There are extraordinary conditions pertaining to the particular piece of property. We lack the minimum requirement for encroachment. We have 60 feet, the minimum is 70 feet.
2. The width of the property creates an unnecessary hardship because the lot is not wide enough to create more space and stay a one story house. To achieve adequate square footage for our family we need to add a second story.
3. These conditions are not peculiar to our neighborhood and environment. The homes were built prior to the newer zoning requirements and many homes are being expanded upon.
4. If granted we would not cause substantial detriment to the public good or impair the purpose and intent of the zoning ordinance. We are not looking to expand upon the existing encroachment of our home.

Sincerely,

Jason and Shannon Hoch

# 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, Shannon Hoch (OWNER'S NAME)

SWEAR THAT I AM THE OWNER OF THE PROPERTY LOCATED AT 809 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 \_\_\_\_\_

ADDRESS OF APPLICANT \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_

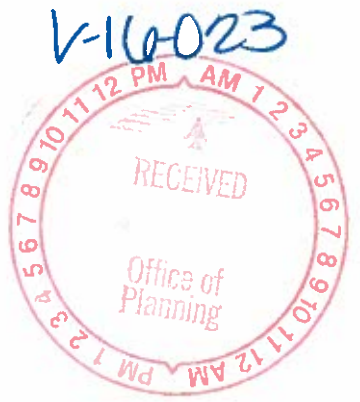
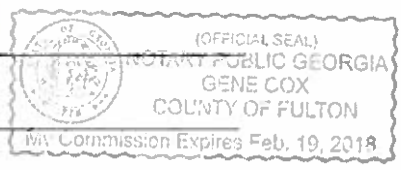
[Signature]  
Signature of Owner

Personally Appeared Before Me  
Shannon Hoch

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

Date 1-20-16



RECEIPT

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

Application: V-16-023  
Application Type: Planning/BZA/Variance/NA  
Address: 809 CUMBERLAND RD NE, ATLANTA, GA 30306  
Owner Name: FREEMAN HAROLD H & KELLY STEPHEN J  
Owner Address:  
Application Name:

*Q.V.*  
PAID  
CITY OF ATLANTA  
JAN 20 2016  
EX OFFICIO MUNICIPAL  
REVENUE COLLECTOR

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
450473	2437	\$100.00	01/20/2016	PLUKE		

Owner Info.: FREEMAN HAROLD H & KELLY STEPHEN J

Work Description: Adding a second story, new area to be 1505 sq.ft feel. Also adding a screen in the existing porch