



OFFICE OF ZONING AND DEVELOPMENT

55 Trinity Avenue S.W., Suite 3350

Atlanta, Georgia 30303

(404) 330-6145

APPLICATION #: **V-18-226**

DATE ACCEPTED **07/13/2018**

NOTICE TO APPLICANT

Address of Property:

1084 Berkshire RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, September 13, 2018 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 five 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, Office of Zoning and
Development

Bennett Suggs



JUL 13 2018

55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

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-18-2240

NPU F DATE FILED 07/13/2018

Mr. Bennett Suggs

Name of Applicant

BUILDING PERMIT AUTHORIZING

Alteration to an accessory structure

at 1084 Berkshire RD NE 17th/3
Street Address Quadrant District & Land Lot

to be used for Single-Family Residential purposes

The property is zoned R-3 District

2. The Building Permit Was Denied For The Following Reasons:

Applicant seeks variance from the zoning regulation to: (1) increase the maximum size of an accessory structure from 30 percent of the main structure to 36 percent of the main structure.

A complete plan review was not conducted.

Applicant seeks no other variances at this time.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 28 Section 16-28.004 Paragraph (3)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Scott A Haerberlin 7-13-18
Plan Reviewer Date

[Signature] 07/13/18
Applicant Date

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

JUL 13 2018

Please mark "X" next to the type of application(s) you are submitting:

Variance	<input checked="" type="checkbox"/>
Special Exception	<input type="checkbox"/>
Variance & Special Exception	<input type="checkbox"/>

65 Trinity Ave. S.W.
 Bldg. 3350
 Atlanta, GA

Date Filed 07/13/18 Application Number V-18-220

Name of Applicant Robin Suggs Daytime Phone 404-308-4009

Company Name (if applicable) _____ email rsuggs@simon.com

Address 1084 Berkshire Rd NE ATLANTA GA 30306
street city state zip code

Name of Property Owner Bennett & Robin Suggs Phone 404-308-4009

Address 1084 BEAKSHIRE RD NE ATLANTA GA 30306
street city state zip code

Description of Property

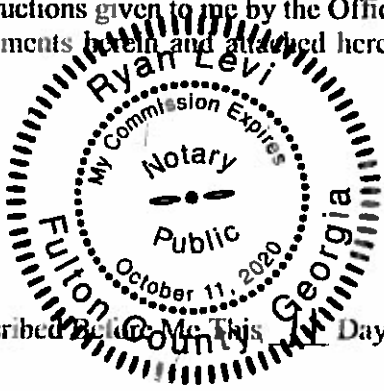
Address of Property 1084 BEAKSHIRE RD NE ATLANTA GA 30306
street city state zip code

Area: 14280 ft² Land Lot: 3 District: 17 FULTON County, GA.

Property is zoned: R3, Council District: 6, Neighborhood Planning Unit (NPU): F

TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received a preliminary plan review from the Office of Zoning and Development prior to seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant a Variance or Special Exception.

I hereby authorize the staff of the Office of Zoning and Development 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 Zoning and Development 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.



[Signature]
 Owner or Agent for Owner (Applicant)

Robin Suggs
 Print Name of Owner

Sworn To And Subscribed Before Me This 7 Day Of July, 2018.

[Signature]
 NOTARY PUBLIC

V-18-226

Department of City Planning
Office of Zoning & Development

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Please mark "X" next to the type of application(s) you are submitting: JUL 13 2018

Variance	<input checked="" type="checkbox"/>
Special Exception	<input type="checkbox"/>
Variance & Special Exception	<input type="checkbox"/>

55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

Date Filed 07/13/18

Application Number V-18-226

Name of Applicant BRYNNE TT SUGGS

Daytime Phone 678-488-7853

Company Name (if applicable) _____ email bennettsuggs@comcast.net

Address 1084 Berkshire Rd NE ATLANTA GA 30306
street city state zip code

Name of Property Owner Bennett & Robin Suggs Phone 678-488-7853

Address 1084 Berkshire Rd NE ATLANTA GA 30306
street city state zip code

Description of Property

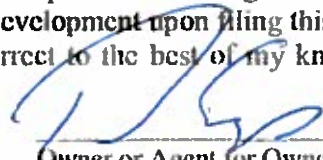
Address of Property 1084 Berkshire Rd NE ATLANTA GA 30306
street city state zip code

Area: 14280 ft² Land Lot: 3 District: 17, FULTON County, GA.

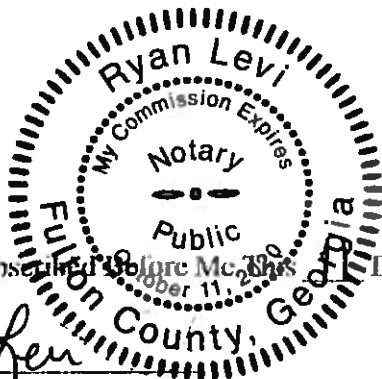
Property is zoned: R3, Council District: 6, Neighborhood Planning Unit (NPU): F

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Owner or Agent for Owner (Applicant)

BRYNNE TT SUGGS
Print Name of Owner



Sworn To And Subscribed before Me, This Day Of 7, 2018.

Ryan Levi
NOTARY PUBLIC

SUMMARY & JUSTIFICATION FOR VARIANCES

JUN 13 2018

Directions: Complete responses must be provided for ALL questions. Incomplete applications will not be accepted. The space below may be utilized or responses may be submitted as a separate attachment. Specific criteria for Board approval of variances may be found on page 7. The justification must address these criteria. Please submit a typewritten or legible justification.

State whether the property described in this application is subject to a pending application or ordinance for a Rezoning or Special Use Permit. YES NO. (If yes, the variance/special exception request will be rescheduled to a hearing following the final approval by City Council & the Mayor). Please provide the relevant zoning number associated with the subject property: _____.

Is the proposal subject to Inclusionary Zoning? YES NO

Summary of proposed construction changes to buildings or site (shall not replace submittal of written criteria). (Examples: "Convert a 100' x 200' retail space into a restaurant." "Install a 6-foot high opaque wooden wall ('privacy fence' with 6-foot high opaque wall gates.").

Move 2 KNEE WALLS during reconstruction after fire - adding ~ 12 ft² to ACCESSORY STRUCTURE (35% to 36% of main STRUCTURE)

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

N/A covered square feet / _____ total lot square feet = _____ % proposed lot coverage

_____ % maximum allowed lot coverage *No changes to existing*

Variance Criteria (see page 6 for detailed criteria):

SEE ATTACHED

- 1) What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape or topography)? _____

- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? _____

- 3) What conditions are peculiar to this particular piece of property? _____

- 4) Submit facts to show that 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. _____

Bennett Suggs
1084 Berkshire Rd NE
Atlanta GA 30306
bennettsuggs@comcast.net
678-88-7853

JUL 13 2018

55 Trinity Ave. S.W.
Ste. 3300
Atlanta, GA

Summary & Justification For Variances

Summary of proposed construction changes to building:

Increase usable square footage of an existing accessory structure by 1% during the reconstruction of the structure after damaged by fire. The existing accessory structure already exceeds the 30% allowable floor area of the main structure and is currently @35% and requesting 36% after modification. Two non-load bearing knee walls in the bathroom area were relocated into the sloped roof/ceiling resulting in an additional 12 square feet; to increase the shower stall from 48" x 36" to 48" x 48" and the relocation of the toilet to allow space for a bathroom sink.

- The main house was built in 1939 (original drawings exist and the footprint has not changed). The prior owner of the property converted the garage, then part of the main house, into a family room and built a detached garage/bonus room (note: the changes and the detached garage/bonus room were permitted by the City of Atlanta No. B8605713, dated 09/15/86). The square footage of the main house is 3277 sqft (based on exterior building dimensions less attic space in the upper level)
- The car garage is 691 sqft. The bonus above the garage (heated space - insulated floor area) is also 691 sqft; the usable finished floor area as built is 467 sqft. or 447 sqft (5 foot rule as prescribed by Fannie Mac/ANSI Z765, which states that only areas where a sloped ceiling exists and is greater than 5 foot is counted as square footage). The additional finished floor area is 15 sqft. or 12 sqft (5 foot rule).

Considering heated area as overall square footage, then no square footage was added with the relocation of the knee walls in the bathroom.

Considering usable finished floor area, an additional 12 square feet has been added (a 1% increase in square footage of the finished area).

There are No changes or modifications to the accessory structure's exterior or footprint - changes wholly to interior modifications.

JUL 13 2018

Variance Criteria

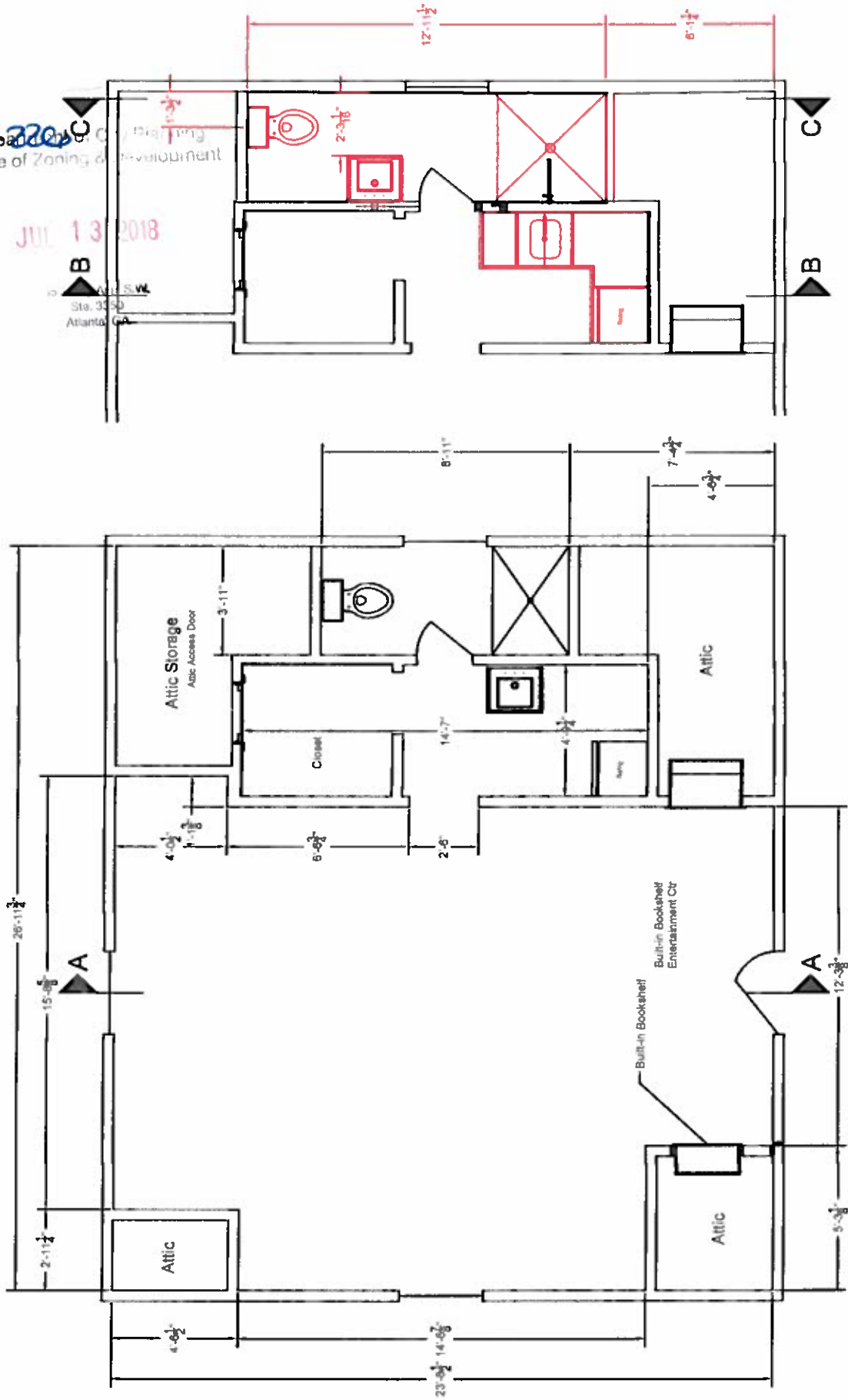
1. *What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question?*
 - a. A fire occurred in the bonus room above a detached garage due to fire. The damage was restricted to the bonus room's interior requiring all drywall, insulation, windows/doors, plumbing fixtures and wiring replaced; the framing was undamaged and fully serviceable.
2. *How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create and unnecessary hardship?*
 - a. The bonus room is comprised of two intersecting gable roof structures (@ 90 degs. to each other) originating at floor elevation about the perimeter walls of the garage. This results in mostly sloped ceilings/walls to the floor with some knee walls. This design substantially reduces useful square footage.
 - b. A contractor was hired to handle most aspects of the project and the contract indicated that all permits were to be obtained by the contractor. I, the owner, agreed to get permits for mechanical and plumbing as I was handling this work. I assumed that the contractor got a building permit. I was unaware of the .3 times code of the accessory structure to the main structure, so I moved the knee walls, installed the shower pan, relocated the toilet and bath sink and installed new HVAC lines. Upon obtaining City of Atlanta rough-in inspection, the inspectors indicated that a building permit (which I thought existed) was needed. The mechanical and plumbing rough-in inspections have passed (as well as electrical, handled by contractor). Upon seeking to obtain the building permit, I was told at the zoning office that I needed a variance because the structure was too large relative to the main building. Not obtaining a variance will require considerable work and expense to relocate the knee walls to their original position and would require the removal and replacement of all plumbing - just to reduce the square footage by 1%.
3. *What conditions are peculiar to this particular piece of property?*
 - a. None as it relates to the variance sought
4. *Summit facts to show that relief, if granted would not cause a substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.*
 - a. There are no changes to the exterior of the building or to the property - changes would be invisible to the community
 - b. The change in square footage is minimal and does not substantially change the existing ratio of accessory structure relative to the main structure, nor does this change the use or potential use of the accessory structure

Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

V-18-2200
 Department of City Planning
 Office of Zoning & Development

JUL 13 2018

Sta. 3350
 Atlanta, GA



Plan View of Showing relocated Knee Walls
 All existing except items in RED

Plan View
 Original pre-fire

Suggs
 1084 Berkshire Rd NE
 Atlanta GA 30306

Bonus room above garage Scale 3/16"=1'

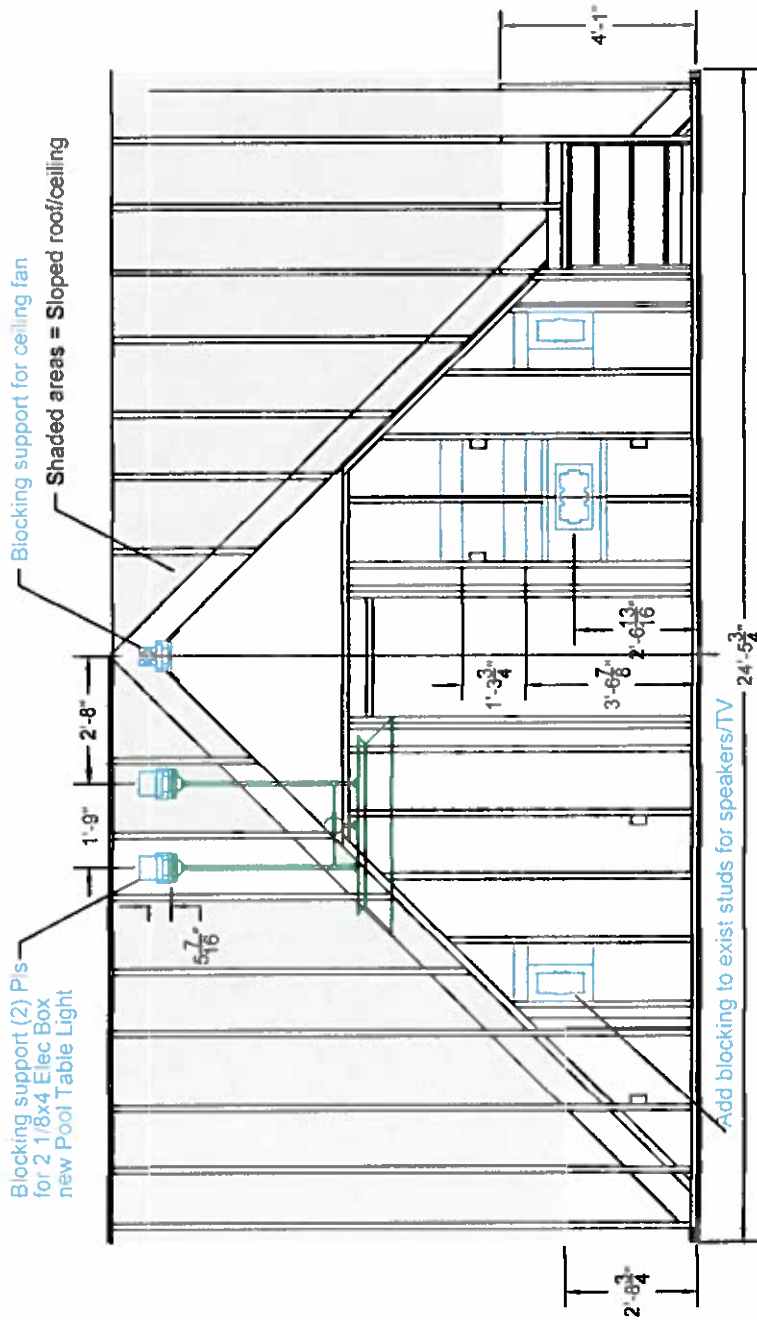
V-18-226

Department of City Planning
Office of Zoning & Development

JUL 13 2018

50 Ingham Ave. S.W.
Ste. 3350
Atlanta, GA

Suggs
1084 Berkshire Rd NE
Atlanta GA 30306



Sect A-A Elevation Existing Framing w/inwall speaker and TV blocking

Bonus room above garage Scale 1/4"=1'

V-18-2200

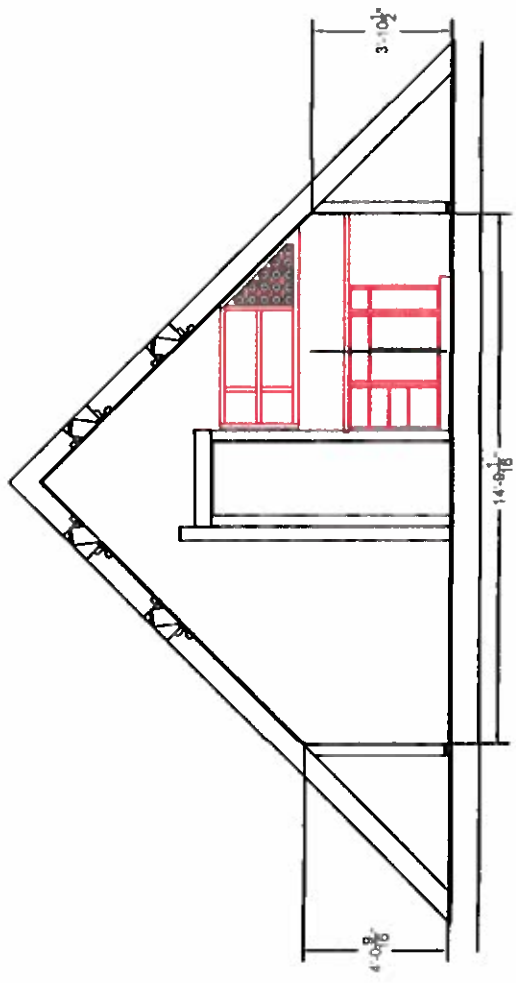
Department of City Planning
Office of Zoning & Development

JUL 13 2018

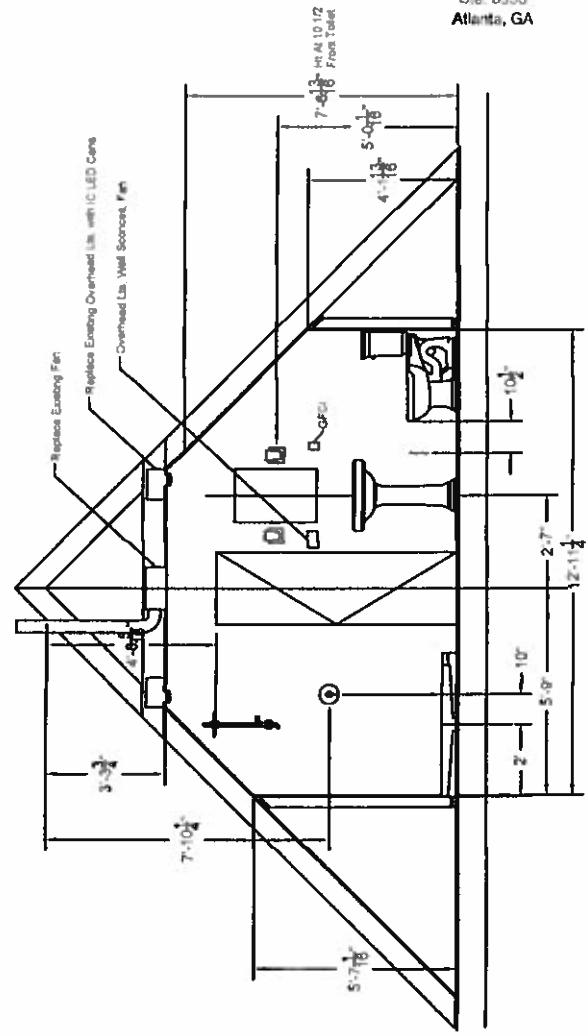
55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

Suggs
1084 Berkshire Rd NE
Atlanta GA 30306

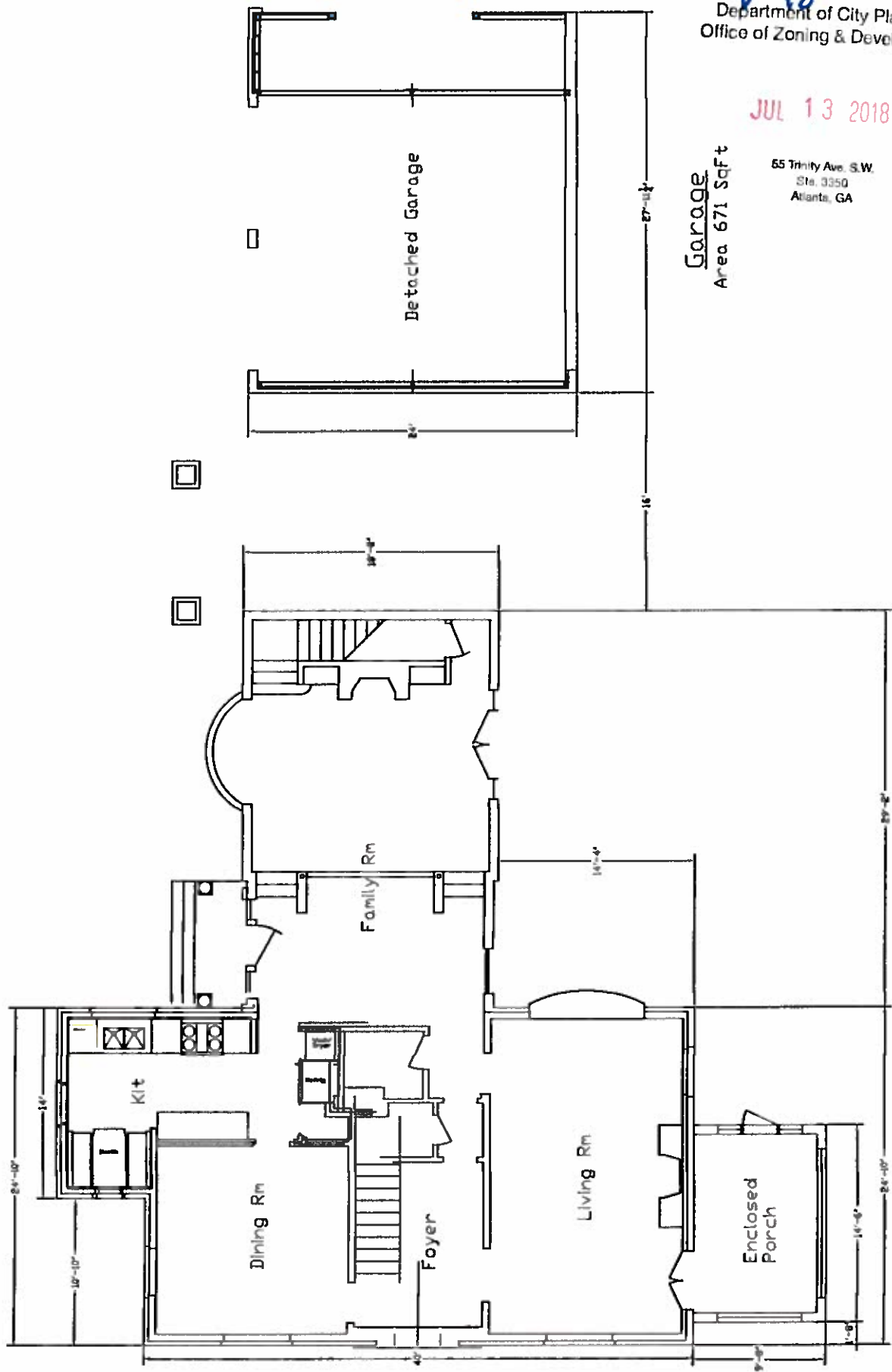
Bonus room above garage Scale 3/16" = 1'



Sect B-B Wet Bar Elevation



Sect C-C South Bath Elevation



V-18-220
 Department of City Planning
 Office of Zoning & Development

JUL 13 2018

Garage
 Area 671 SqFt

65 Trinity Ave. S.W.
 Ste. 3350
 Atlanta, GA

Suggs
 1084 Berkshire Rd NE
 Atlanta GA 30306

Scale 3/32"=1'

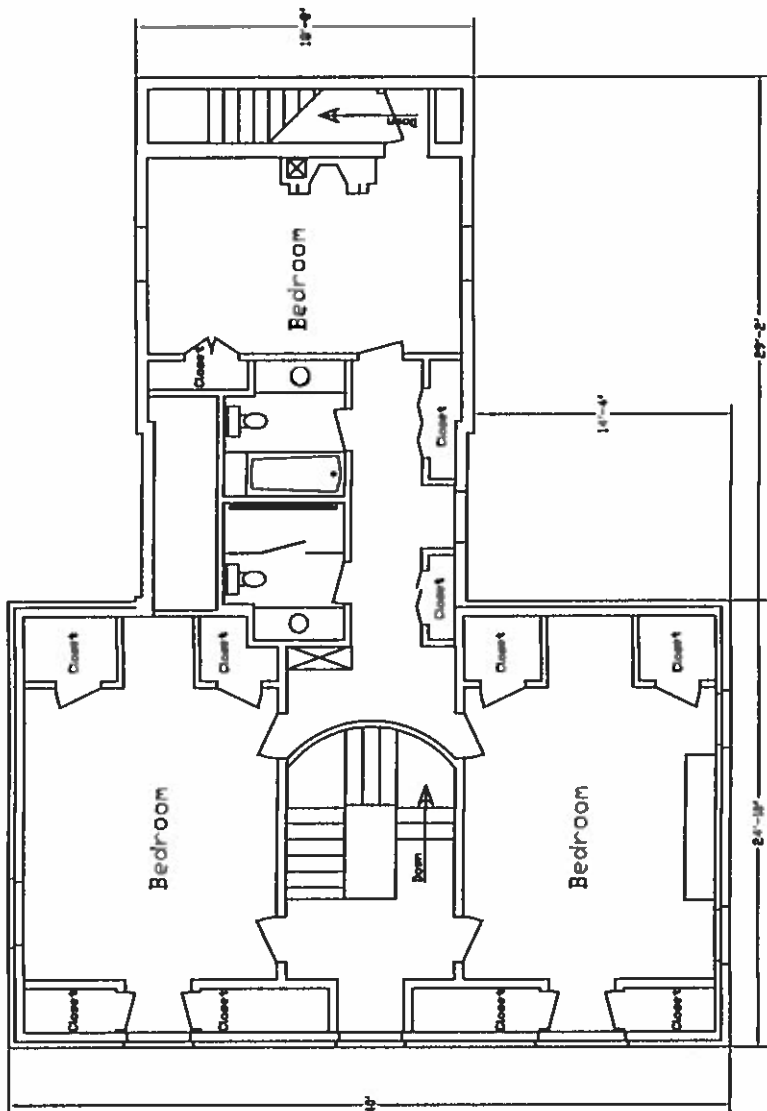
Main Level

V-18-220

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Office of Zoning & Development

JUL 13 2018

55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA



Upper Level
Area 1487 SqFt

Suggs
1084 Berkshire Rd NE
Atlanta GA 30306

Main 2nd Level
Scale 3/32"=1'



Side & Rear

Department of City Planning
Office of Zoning & Development

V-18220



2018

S.W.
30
CA

FRONT



V-18-220e
Department of City Planning
Office of Zoning & Development

JUL 13 2018

55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA



DRUG WALL LOCATION

022581A

Site: 3350
Arling, VA
55 Trinity Ave. S.W.

JUL 13 2018

Department of City Planning
Office of Zoning & Development

BRAN



DRUG WALL LOCATION

RECEIPT

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

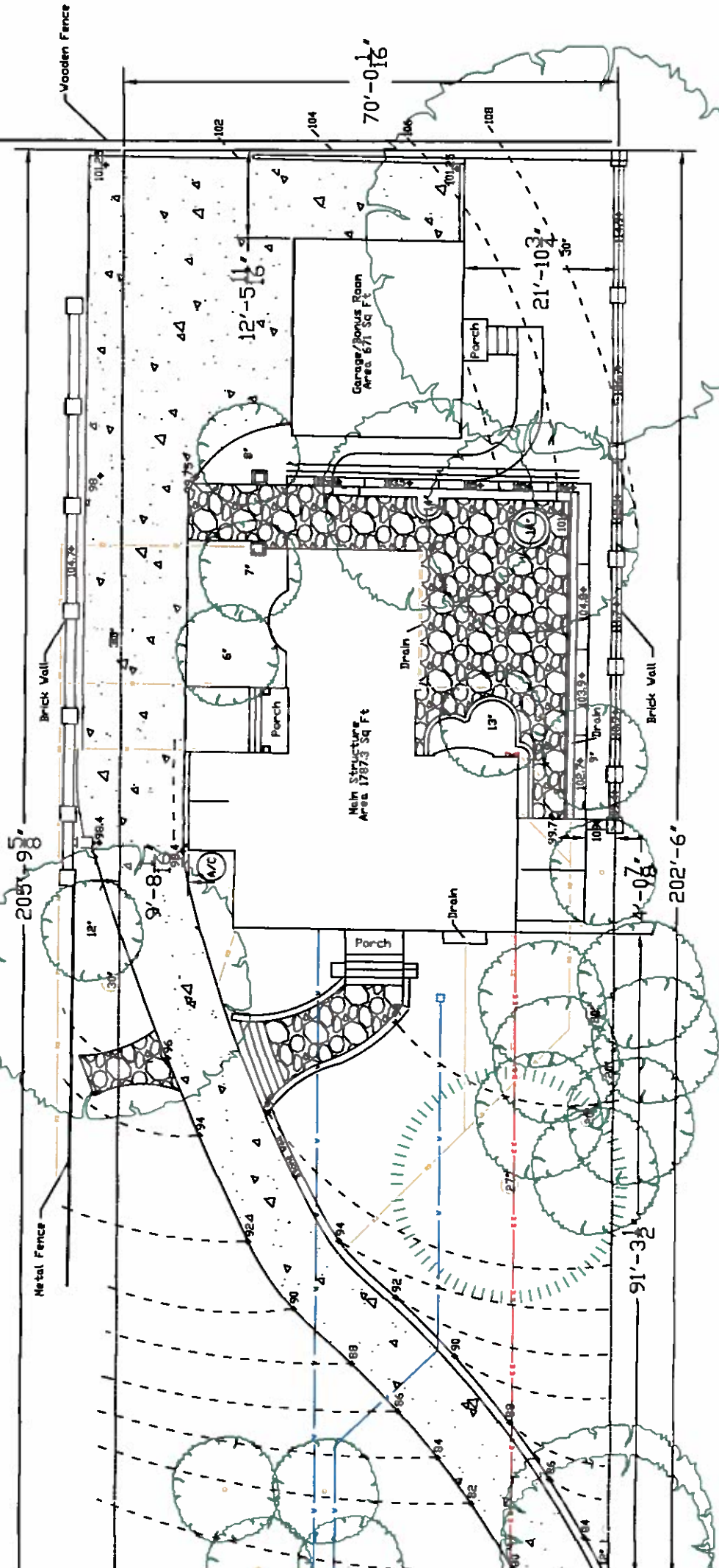
PAID
CITY OF ATLANTA
JUL 13 2018
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Application: V-18-226
Application Type: Planning/BZA/Variance/NA
Address: 1084 BERKSHIRE RD NE, ATLANTA, GA 30306
Owner Name: SUGGS BENNETT & ROBIN
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
590873	5065	\$100.00	07/13/2018	PAMITCHELL		

Owner Info.: SUGGS BENNETT & ROBIN

Work Description: Variance to increase the maximum size of an accessory structure from 30 percent of the main structure to 36 percent of the main structure



Department of City Planning
Office of Zoning & Development

V. B. B. B.
JUL 18 2018

66 Thirty Ave. & Mt.
Ste. 3300
Atlanta, GA

1084 Berkshire Rd NE
Atlanta GA 30306
Parcel #17 000300040437

Area = 14,279 Sq Ft (0.3278 Acres)
Surface = 4,293 Sq Ft
Coverage = 30%

Trees less than 4" not marked

Scale 1" = 20'