



OFFICE OF ZONING AND DEVELOPMENT

55 Trinity Avenue S.W., Suite 3350

Atlanta, Georgia 30303

(404) 330-6145

APPLICATION #: **V-18-279**

DATE ACCEPTED **09/04/2018**

NOTICE TO APPLICANT

Address of Property:

591 Cumberland RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, November 1, 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

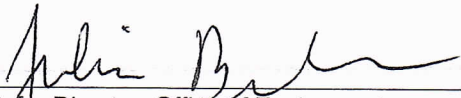
zoning@npufatlanta.org

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,



JB, for Director, Office of Zoning and
Development



Mark Arnold



City of Atlanta
 Department of City Planning
 Office of Zoning and Development
 55 Trinity Avenue, Suite 3350
 Atlanta, Georgia 30303
 Phone: 404-330-6145

V-18-279
 Department of City Planning
 Office of Zoning & Development

SEP - 4 2018

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

REFERRAL CERTIFICATE

COUNCIL DISTRICT _____ APPLICATION NUMBER _____

NPU _____ DATE FILED _____

Mark F. Arnold

 Name of Applicant

BUILDING PERMIT AUTHORIZING

Single family addition

at 591 Cumberland Rd. NE 17th/52
 Street Address Quadrant District & Land Lot

to be used for Single family 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 regulation:(1) to reduce the required half-depth front yard from 17.5 to 15 feet for the construction of an addition to an existing single family home.

Complete Plan Review Was Not Conducted

Applicant seeks no other variances at this time.

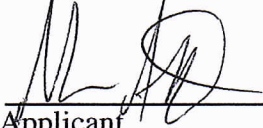
1982 ZONING ORDINANCE, AS AMENDED

Chapter 28 Section 16-28.007 Paragraph (5) (b)

Chapter _____ Section _____ Paragraph _____

Chapter _____ Section _____ Paragraph _____

Julie Paquin 9/4/18
 Plan Reviewer Date


 Applicant Date 9-4-2018

V-18-279

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

Department of City Planning
Office of Zoning & Development

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"/>

SEP - 4 2018

Date Filed _____

Application Number _____
55 Trinity Ave. S.W.
Ste. 3350
Atlanta, GA

Name of Applicant Mark F Arnold Daytime Phone (404) 939-3690

Company Name (if applicable) Mark Arnold, Architect email markarnoldarchitect@gmail.com

Address 1 126 N Highland Ave, NE Atlanta GA 30306
street city state zip code

Name of Property Owner Dalton & Doris Lin Phone (470) 399-1118

Address 591 Cumberland Road, NE Atlanta GA 30306
street city state zip code

Description of Property

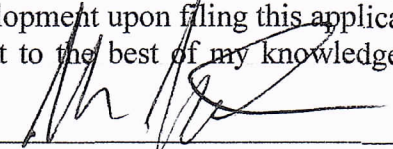
Address of Property 591 Cumberland Road, NE Atlanta GA 30306
street city state zip code

Area: _____ Land Lot: _____ District: _____, Fulton County, GA.

Property is zoned: R4, Council District: 06, Neighborhood Planning Unit (NPU): F

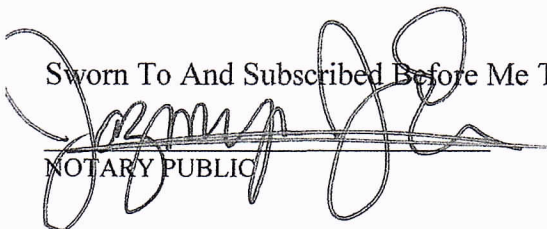
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received an adverse order or requirement from the administrative officer in seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant a Variance or Special Exception.

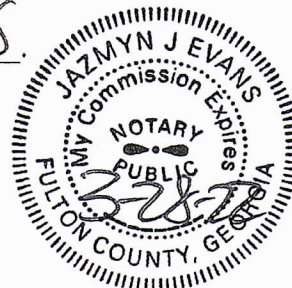
I hereby authorize the staff of the Office of Zoning and Development to inspect the premises of the above-described property. I understand that it is my responsibility to post a public notice sign on the property according to the instructions given to me by the Office of Zoning and Development upon filing this application. I swear that all statements herein and attached hereto are true and correct to the best of my knowledge and belief.


Owner or Agent for Owner (Applicant)

Mark F Arnold
Print Name of Owner Agent

Sworn To And Subscribed Before Me This 4 Day Of 9, 2018.


NOTARY PUBLIC



SUMMARY & JUSTIFICATION FOR VARIANCES

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.)

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).")

Renovation and additions to the circa 1935 house to include first floor interior alterations and an approximately 215 sf addition at the rear of the house.

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.

3,668 covered square feet / 10,890 total lot square feet = 33.7 % proposed lot coverage

50 % maximum allowed lot coverage

Variance Criteria (see page 6 for detailed criteria):

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

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

- 3) What conditions are peculiar to this particular piece of property? (see attached justification)

- 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. (see attached justification)

V-18-279

AUTHORIZATION BY PROPERTY OWNER

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

(Please Print Clearly)

I, Kuen-Da Lin (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 591 Cumberland Road, NE (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 FILE THIS APPLICATION AS MY AGENT.

Department of City Planning
Office of Zoning & Development


SEP 4 2018

NAME OF APPLICANT:

55 Trinity Ave, S.W
Stn 1350
Atlanta, GA

LAST NAME Arnold FIRST NAME Mark
ADDRESS 1126 N. Highland Ave, NE SUITE _____
CITY Atlanta STATE GA ZIP CODE 30306

OWNER'S TELEPHONE NUMBER: (470) 399-1118

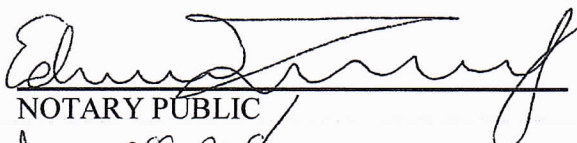


SIGNATURE OF OWNER

Kuen - Da Lin

PRINT NAME OF OWNER

PERSONALLY APPEARED BEFORE ME THE ABOVE NAMES, WHO SWEARS THAT THE INFORMATION CONTAINED IN THIS AUTHORIZATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



NOTARY PUBLIC
Aug 28, 2018
DATE



Doris & Dalton Lin

591 Cumberland Road, NE
Atlanta, Georgia 30306
(470) 399-1118
k.dalton.lin@gmail.com

V-18-279

Department of City Planning
Office of Zoning & Development

September 4, 2018

SEP - 4 2018

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

City of Atlanta
Department of Planning and Community Development
Bureau of Planning, Current Planning Division
55 Trinity Avenue, Suite 3350
Atlanta, GA 30335

re: 591 Cumberland Road, NE 30306

Planning Staff:

We wish to remodel and expand our existing home by adding a 215 sf addition at the back southwest corner. The proposed addition will allow us to expand two existing bedrooms and add a second bathroom. The addition, however, will encroach slightly into the required half-depth front yard setback. We, therefore, request the **half-depth front yard setback be reduced from the required 17 ½ feet to 15 feet**. We offer the following items in support of our variance request:

- Variance Application
- Survey
- Proposed Site Plan
- Referral Certificate
- Existing and Proposed Plans & Elevations

The subject property is zoned R-4. We believe the property meets the variance criteria laid out in Section 16-26.003 in the Zoning Guidelines in the following ways:

Extraordinary/Exceptional Conditions Pertaining to the Property because of its Size/Shape

The subject lot is pie shape and the orientation of the two streets creates a situation where there is no rear yard. Instead, the half-depth front yard setback is the determining factor for both the side and rear of the property. We, therefore, feel our request to reduce the 17 ½" half-depth front yard setback to 15 feet (same as a rear yard setback dimension) is reasonable.

The Application of the Zoning Ordinance to this Property would create an Unnecessary Hardship

We have given a lot of thought to how we are expanding our house. The rear addition will be in line with the existing house and 'fill-in' the 'L' shape area at the southwest corner of the house. The addition in this area will also preserve the existing green space and trees on the west side of the house. The application of the required 17 ½ foot half-depth front yard setback would create an unnecessary hardship in that it would prevent us from expanding our home in an efficient and pragmatic manner.

Such conditions are peculiar to the particular piece of property involved

The pie shape, the acute angle created by the intersecting streets, and the position of the existing structure on the property constitute a peculiar set of circumstances for this particular piece of property.

The Variance would not cause substantial detriment to the public good or impair the purpose and intent of the Zoning Ordinance of Atlanta

Relief, if granted, will not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta. Relief, if granted, will not distract from people's use and enjoyment of adjoining and surrounding properties. The proposed construction is in harmony with construction on neighboring lots, and allows for adequate light and air. We believe the proposed construction is in keeping with the orderly evolution of this neighborhood and will promote desirable living conditions for the homeowner as well as the neighborhood.

Thank you for your consideration in this request.

Sincerely,

Dalton and Doris Lin

V-18-279

Department of City Planning
Office of Zoning & Development

SEP - 4 2018

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Atlanta, GA