NOTICE TO APPLICANT

Address of Property:
791 Cumberland RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, October 10, 2019 at 12:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU F is:

Debbi Skopczynski
404-874-7483
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

[Signature]

L.M., for Director, Office of Zoning and Development

[Signature]

JACKIE P. PIPER
CITY OF ATLANTA
Office of Buildings – Zoning Division
55 TRINITY AVENUE, SUITE 3900
Atlanta, Georgia 30303
404-330-6175

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6
APPLICATION NUMBER V19-197
NPU
DATE FILED AUG 20, 2019

1. Jackie D. Piper
   Name of Applicant

BUILDING PERMIT AUTHORIZING

Single-family dwelling addition

at 791 Cumberland RD NE 17th/52
Street Address Quadrant District & Land Lot

to be used for Single-family 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: (1) reduce the required western
   side yard building setback from 7 feet to 3 feet – for a screened porch addition.

   
   Applicant seeks no other variances or exceptions at this time.

   A Complete Plan Review Was Not Conducted.

   1982 ZONING ORDINANCE, AS AMENDED

   Chapter 6 Section 16-06.008 Paragraph (2)

   Chapter Section Paragraph

   Scott A. Haebelin 8-20-19
   Plan Reviewer Date

   Charles P. Piper 8-20-19
   Applicant Date
APPLICATION FOR BOARD OF ZONING ADJUSTMENT

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

<table>
<thead>
<tr>
<th>Variance</th>
<th>Special Exception</th>
<th>Variance &amp; Special Exception</th>
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<tbody>
<tr>
<td></td>
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<td>X</td>
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Date Filed: 8/20/19
Application Number: 10.19.19

Name of Applicant: Jackie P. Piper
Daytime Phone: 678.427.3150

Company Name (if applicable):  
Email: jackiepiper@gmail.com

Address: 791 Cumberland Rd, AH, GA 30306

Name of Property Owner: Jackie P. Piper
Phone: 678.427.3150

Address: 791 Cumberland Rd, AH, GA 30306

Description of Property

Address of Property: 791 Cumberland Rd, AH, GA 30306

Area: 8999 sq ft
Land Lot: 052
District: 17th, Fulton County, GA

Property is zoned: R4, Council District: 6, Neighborhood Planning Unit (NPU):

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.

Jackie P. Piper
Owner or Agent for Owner (Applicant)

Sworn To And Subscribed 8/20/19

NOTARY PUBLIC

February 2018 - Page 4 of 13
Application for Variance - Summary & Justification for Variances

The property described in this application is NOT subject to a pending application or ordinance for a Rezoning or Special Use Permit.

Zoning number for this property is R4

This proposal is NOT subject to inclusionary Zoning

Summary of proposed construction changes to buildings or site:

Cover the existing brick patio with a screened in porch.

Proposed Lot Coverage (After Construction):

3548 covered square feet / 8999 total lot square feet = 39 % proposed lot coverage

50 % maximum allowed lot coverage

Variance Criteria:

1. What are the extraordinary and exceptional conditions pertaining to the particular piece of property in question (size, shape, or topography)? We would like to cover our existing brick patio with a screened porch which will require a variance for reducing the side setback from 7 feet to 3 feet from the fence between our property and our neighbor's driveway. This will make the patio area more usable in all seasons, during rainstorms and to eliminate issues with mosquitoes and bees.

2. How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? Currently we can only use our patio for part of Spring and Fall when it's not raining. We have large family gatherings during holidays like Thanksgiving, Easter, Mothers and Fathers days and don’t have room inside our house to accommodate the extended family. Having a screened porch covering the existing patio would allow us to have our entire extended family together inside the house.

3. What conditions are peculiar to this particular piece of property? Our house sits significantly lower than our backyard neighbors and we often have standing water when it rains. This is the perfect breeding ground for mosquitoes. We also now have extremely large houses directly behind us with porches looking down onto our backyard. We essentially have no privacy in our backyard since these new houses and additions to older houses have been built this past year.

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. Please see the attached diagrams illustrating the proposed porch and letters from all neighbors directly adjacent to our house providing their approval of our porch plans.
August 15, 2019

Don & Jackie Piper
791 Cumberland Rd
Atlanta GA, 30306

Dear Don & Jackie:

We understand that you intend to make a formal application to the City of Atlanta for a variance from the requirements of the zoning regulations as they apply to your home:

791 Cumberland Rd; Atlanta, GA 30306

Kathy and I would like to express our support of your building a screened porch in your backyard 3 feet from the fence separating our driveway from your back patio. We understand that the current zoning requirement is 7 feet and attest that we have no objection to your building the patio 3 feet from the fence.

Sincerely,

Kathy & Alan Bremer
785 Cumberland Rd
Atlanta, GA 30306
August 16, 2019

Don & Jackie Piper
791 Cumberland Rd
Atlanta GA, 30306

Dear Don & Jackie:

We understand that you intend to make a formal application to the City of Atlanta for a variance from the requirements of the zoning regulations as they apply to your home:

791 Cumberland Rd; Atlanta, GA 30306

I would like to express my support of your building a screened porch in your backyard 3 feet from the fence separating your back patio from your neighbor’s (785 Cumberland Rd) driveway. We understand that the current zoning requirement is 7 feet and attest that we have no objection to your building the patio 3 feet from the fence.

Sincerely,

Brian Spillman
788 Yorkshire Rd
Atlanta, GA 30306
August 16, 2019

Don & Jackie Piper
791 Cumberland Rd
Atlanta GA, 30306

Dear Don & Jackie:

We understand that you intend to make a formal application to the City of Atlanta for a variance from the requirements of the zoning regulations as they apply to your home:

791 Cumberland Rd; Atlanta, GA 30306

I would like to express my support of your building a screened porch in your backyard 3 feet from the fence separating your back patio from your neighbor’s (785 Cumberland Rd) driveway. We understand that the current zoning requirement is 7 feet and attest that we have no objection to your building the patio 3 feet from the fence.

Sincerely,

[Signature]

Frank Winter
794 Yorkshire Rd
Atlanta, GA 30306
August 18, 2019

Don & Jackie Piper  
791 Cumberland Rd  
Atlanta GA, 30306

Dear Don & Jackie:

I understand that you intend to make a formal application to the City of Atlanta for a variance from the requirements of the zoning regulations as they apply to your home:

791 Cumberland Rd; Atlanta, GA 30306

I would like to express our support of your building a screened porch in your backyard 3 feet from the fence separating your back patio from your neighbors (785 Cumberland Rd) driveway. I understand that the current zoning requirement is 7 feet and attest that I have no objection to your building the patio 3 feet from the fence.

Sincerely,

Dr. Hao Gao  
785 Cumberland Rd  
Atlanta, GA 30306
The field data upon which this plat is based has a closure precision of one foot in 10,000 feet and an angular error of 2 seconds per angle point and was adjusted using the Compass Rule.

This plat has been calculated for closure and is found to be accurate within one foot in 10,000 feet.

Equipment used: Topcon GTS 29 Total Station.

Department of City Planning
Office of Zoning & Development

August 20, 2019

55 Trinity Ave S.W.
Atlanta, GA

CUMBERLAND ROAD ~ 50' R/W

630.0' TO 50' R/W
MORNINGSIDE DRIVE

SURVEY FOR
GEORGIA FEDERAL BANK, F.S.B.
PROPERTY OF
DON L. PIPER & JACKIE P. PIPER
LAND LOT 52 17TH DISTRICT
FULTON COUNTY, GEORGIA
SCALE 1" = 40' DATE: APRIL 10, 1991
REG. LAND SURVEYOR NO. 1999
CARTER LAND SURVEYING CO.

IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED

This Is To Certify That
This Property (Is Not)
In a Special Flood Hazard Area As Shown On The
Applicable "FIA Official
Flood Hazard Map"
RECEIPT

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

Application: V-19-197
Application Type: Planning/BZA/Variance/NA
Address: 791 CUMBERLAND RD NE, ATLANTA, GA 30306
Owner Name: PIPER DON L & JACKIE P
Owner Address:
Application Name: 791 CUMBERLAND RD

Receipt No. 664681
Payment Method Credit Card
Ref Number
Amount Paid $100.00
Payment Date 08/20/2019
Cashier ID PAMITCHELL
Received
Comments

Owner Info.: PIPER DON L & JACKIE P

Work Description: APPLICANT SEeks A VARIANCE FROM THE ZONING REGULATION(S) TO (1) REDUCE THE REQUIRED WESTERN SIDE YARD BUILDING SETBACK FROM 7 FT TO 3.5 FT - FOR A SCREENED PORCH ADDITION.