



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

APPLICATION #: **V-20-153**

DATE ACCEPTED: **11/09/2020**

NOTICE TO APPLICANT

Address of Property:

1072 Cumberland RD NE

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

Board of Zoning Adjustment (BZA) Hearing Date:

Thursday, December 10, 2020 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.

Digitally signed by Racquel Jackson
DN: cn=Racquel Jackson,
o=Office of Zoning & Development, ou=DCP,
email=rtjackson@atlantaga.gov,
c=US
Date: 2020.11.12 09:40:14 -05'00'

Stacey Rainwater

RJ, for Director, Office of Zoning and Development



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

REFERRAL CERTIFICATE

COUNCIL DISTRICT 6 APPLICATION NUMBER V-20-153
NPU F DATE FILED

Stacey Rainwater
Name of Applicant

BUILDING PERMIT AUTHORIZING
Swimming Pool

at 1072 Cumberland Road NE 17/2
Street Address Quadrant District & Land Lot

to be used for Residential purposes
The property is zoned R-4 (Single-Family Residential) District

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

Applicant seeks a special exception from the zoning regulation to allow active recreation in a yard adjacent to a street (Fordham Court) in order to install a swimming pool.

Applicant seeks no other variances at this time.

Complete review not conducted.

1982 ZONING ORDINANCE, AS AMENDED

Chapter 28 Section 16-28.008 Paragraph 6

Chapter Section Paragraph

Tamaria Letang 11/9/2020
Plan Reviewer Date

Stacey Rainwater 11/9/20
Applicant Date

APPLICATION FOR BOARD OF ZONING ADJUSTMENT

RECEIVED

DATE: 10/21/2020

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"/>

Date Filed 10/20/20

Application Number V-20-153

Name of Applicant STACEY RAINWATER Daytime Phone 863-266-7698

Company Name (if applicable) GA Peach Permitting email Stacey@GAPeachPermitting.com

Address 2377 Autumn Dr, Snellville, GA 30078
street city state zip code

Name of Property Owner Michael Gurevich & Joanne Bryant Phone 404-768-7593

Address 1072 Cumberland Rd NE, Atlanta GA 30306
street city state zip code

Description of Property

Address of Property 1072 Cumberland Rd. NE, Atlanta GA 30306
street city state zip code

Area: 8314 Land Lot: 2 District: 17th, Fulton County, GA.

Property is zoned: R-4, Council District: 6th, Neighborhood Planning Unit (NPU): F

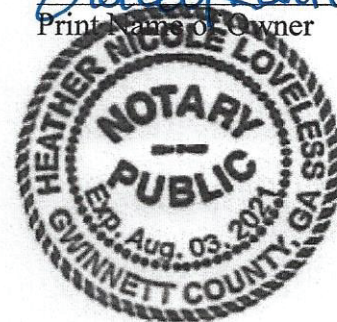
TO THE BOARD OF ZONING ADJUSTMENT: Applicant, having received a preliminary plan review from the Office of Zoning and Development prior to seeking a building permit or certificate of occupancy, hereby requests that the Board of Zoning Adjustment grant a Variance or Special Exception.

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.

Stacey Rainwater
 Owner or Agent for Owner (Applicant)
Stacey Rainwater
 Print Name of Owner

Sworn To And Subscribed Before Me This 21 Day Of Oct, 2020.

Heather Nicole Lovelless
 NOTARY PUBLIC



SUMMARY & JUSTIFICATION FOR VARIANCES

RECEIVED

DATE: 10/21/2020

All responses must be provided for ALL questions. Incomplete applications will not be reviewed. Responses below may be utilized or responses may be submitted as a separate attachment. Specific approval of variances may be found on page 7. **The justification must address the criteria.**

Please submit a typewritten or legible justification.

Is the property described in this application 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 application number associated with the subject property: BB-202005838.

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.").

INSTALLATION OF AN IN GROUND SWIMMING POOL ADJACENT TO A PUBLIC RIGHT-OF-WAY

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.

4110 covered square feet / 8314 total lot square feet = 49.4% % 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)? THIS PROPERTY BACKS UP TO A CUL DE SAC WHICH IS CONSIDERED TO BE ADJACENT TO PROPOSED ACTIVE RECREATION.
- 2) How would the application of the Zoning Ordinance of the City of Atlanta to this particular piece of property create an unnecessary hardship? IT WOULD PREVENT THE FAMILY FROM THE ENJOYMENT OF HAVING A POOL, WHICH WOULD BE BENEFICIAL CONSIDERING THE THE NEW WAY OF LIFE POST COVID-19.
- 3) What conditions are peculiar to this particular piece of property? THIS PROPERTY BACKS UP TO A DEAD END CUL DE SAC THAT IS RARELY TRAVELED
- 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. THE CUL DE SAC IS NOT A TRAVELED RIGHT OF WAY AND THERE WOULD BE NO DISTURBANCE TO THE PUBLIC OR SURROUNDING NEIGHBORS. THERE IS A 6' EXISTING FENCE BLOCKING THE VIEW OF THE PROPOSED POOL.



City of Atlanta | Department of City Planning
**OFFICE OF ZONING
& DEVELOPMENT**



GA Peach Permitting

863-266-7698

www.GeorgiaPeachPermitting.com

RECEIVED

DATE: 10/21/2020

V-20-153

October 21, 2020

**Justification Letter
Variance Request
1072 Cumberland Rd NE
Atlanta GA 30306**

On behalf of the homeowners residing at 1072 Cumberland Rd NE, Atlanta, GA, 30306, Georgia Peach Permitting is seeking approval for the installation of an in-ground pool adjacent to a public right-of-way.

We ask that it is taken in consideration that the public right-of-way, Fordham Ct. NE is a dead end cult de sac that ends at the rear corner of 1072 Cumberland Rd and is rarely traveled. The installation of a pool (active recreation) would not create site or sound disturbance in any way. Additionally, there is an existing 6' privacy fence blocking the view of the proposed pool.

Thank you for your consideration.

kindest Regards,

Stacey Rainwater (Applicant)

Georgia Peach Permitting

Stacey@GAPeachPermitting.com

www.GeorgiaPeachPermitting.com

863-266-7698

AUTHORIZATION BY PROPERTY OWNER

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

(Please print clearly. Must be the original document. A copy will not be accepted.)

RECEIVED

DATE: 10/21/2020

I, MICHAEL GUREVICH (OWNER'S NAME) SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1072 CUMBERLAND (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.

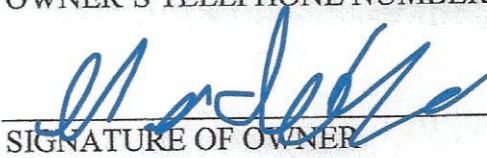
NAME OF APPLICANT:

LAST NAME RAINWATER FIRST NAME STACEY

ADDRESS 2377 AUTUMN DR SUITE _____

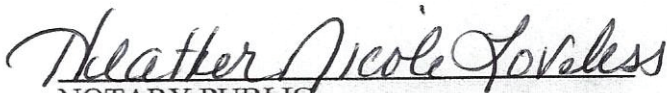
CITY SNELLVILLE STATE GA ZIP CODE 30078

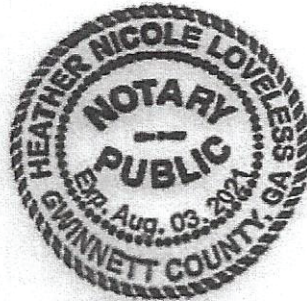
OWNER'S TELEPHONE NUMBER: 404-993-5537


SIGNATURE OF OWNER

MICHAEL GUREVICH
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
10/21/2020
DATE



ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.

NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES. IT IS THE CLIENT'S OBLIGATION TO CONFIRM WITH PERMITTING AGENCIES BASED ON THEIR SPECIFIC CONSTRUCTION PROJECTS.

NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

*** L E G E N D ***

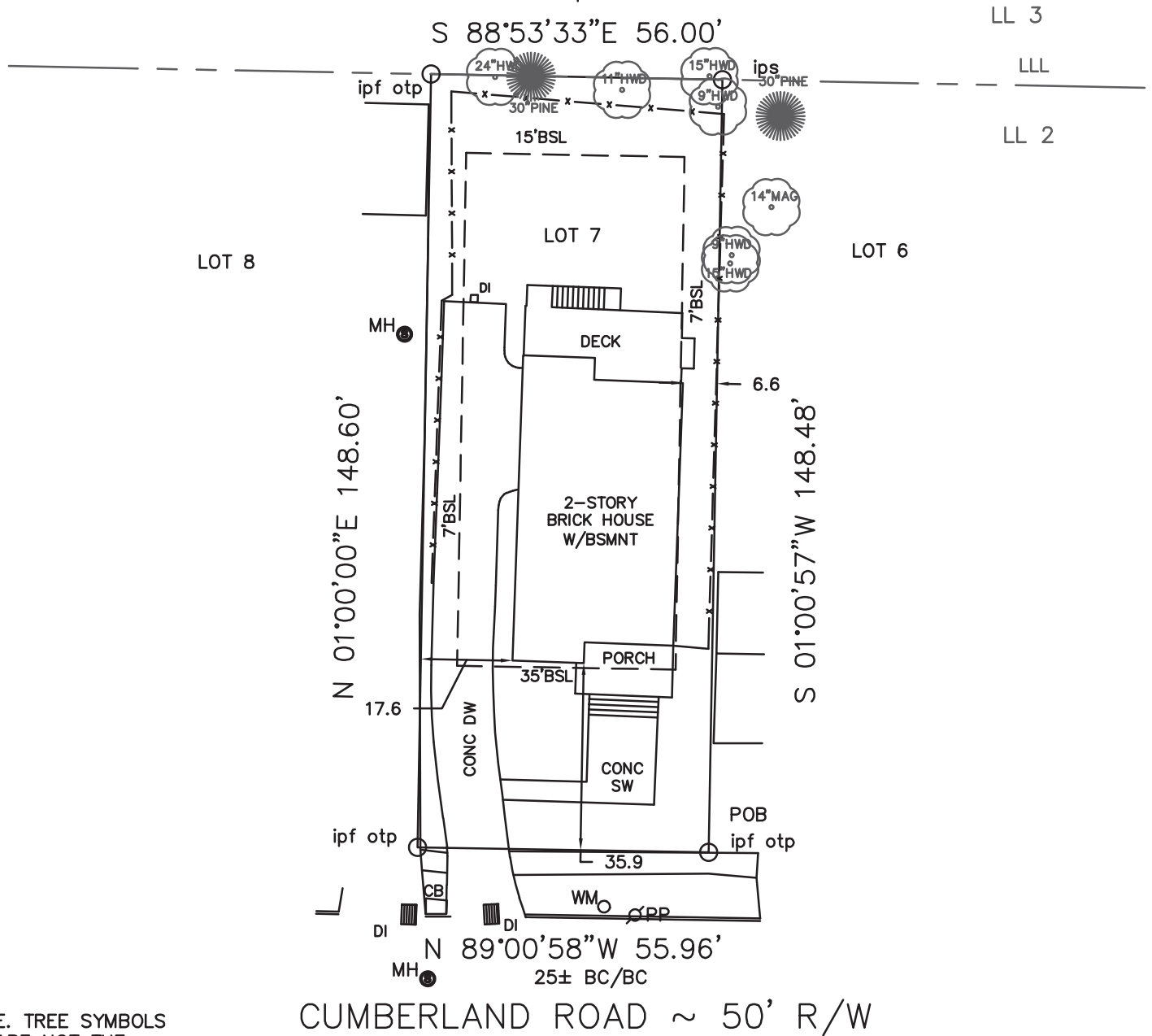
- NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
- AKA ALSO KNOWN AS
 - APD AS PER DEED
 - APP AS PER PLAT
 - BSL BUILDING (SETBACK) LINE
 - CP COMPUTED POINT
 - CTP CRIMP TOP PIPE FOUND
 - D DEED (BOOK/PAGE)
 - DW DRIVEWAY
 - EP EDGE OF PAVEMENT
 - FFE FINISH FLOOR ELEVATION
 - FKA FORMERLY KNOWN AS
 - IPF IRON PIN FOUND
 - L ARC LENGTH
 - LL LAND LOT
 - LLL LAND LOT LINE
 - N NEIGHBOR'S
 - N/F NOW OR FORMERLY
 - NAIL NAIL FOUND
 - P PLAT (BOOK/PAGE)
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - R RADIUS LENGTH
 - R/W RIGHT-OF-WAY
 - RBF REINFORCING BAR FOUND (1/2" UNO)
 - RBS 1/2" REINFORCING BAR SET
 - SW SIDEWALK
 - SSE SANITARY SEWER EASEMENT
 - SSCO SANITARY SEWER CLEANOUT
 - X- FENCE LINE
 - WALL



V-20-153



N/F
17 00030010002
1053 EAST ROCK
SPRINGS RD
CITY OF ATLANTA
BOARD OF EDUCATION

FORDHAM
COURT



TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIPLINE).
NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.

CUMBERLAND ROAD ~ 50' R/W

PROPERTY ADDRESS: 1072 Cumberland Rd NE Atlanta, GA 30306, USA LAND AREA: 8314 SF 0.191 AC IMPERVIOUS AREA: EXIST= 3969 SF=47.7% ZONING: R-4	PLAT PREPARED FOR: 1072 CUMBERLAND RD		 
	LOT 7 BLOCK 1 HIGHLAND CREST SUBDIVISION LAND LOT 2 17th DISTRICT BY:		
FULTON COUNTY, GEORGIA FIELD DATE: 9-14-2020 TH		SURVEY SYSTEMS ATLANTA 2156 W Park Ct, Ste D, Stone Mtn, GA 30087 COA #LSF000867, info@SurveySystemsAtlanta.com Cell 678-591-6064 ~ Office 404-760-0010	
LOCATED IN ATLANTA DRAWN DATE: 9-15-2020 SS		REFERENCE: PLAT BOOK 11, PAGE 6 ALL MATTERS OF TITLE ARE EXCEPTED. NOT TO BE RECORDED NOR USED TO CONVEY PROPERTY. REFERENCE: DEED BOOK 39038, PAGE 654	
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 40,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.			
THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.			





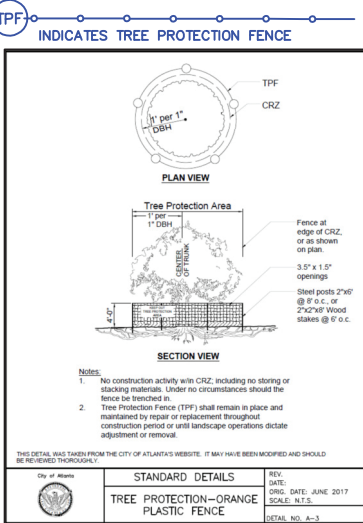
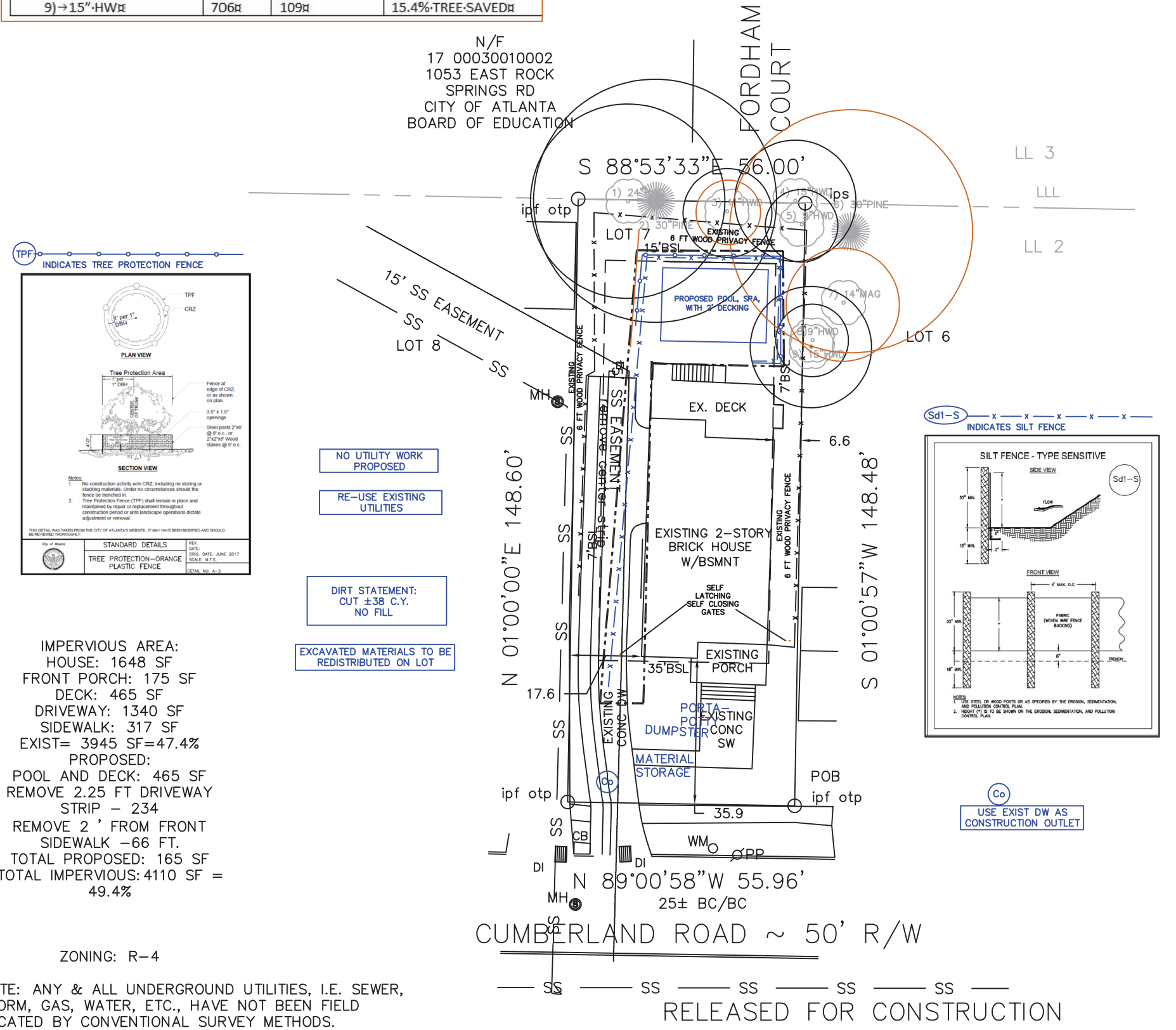
V-20-153



NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.
*** L E G E N D ***
 NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
 AKA ALSO KNOWN AS N/F NOW OR FORMERLY
 APD AS PER DEED NAIL NAIL FOUND
 APP AS PER PLAT P PLAT (BOOK/PAGE)
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 FFE FINISH FLOOR ELEVATION SW SIDEWALK
 FKA FORMERLY KNOWN AS SSE SANITARY SEWER EASEMENT
 IPF IRON PIN FOUND SSCO SANITARY SEWER CLEANOUT
 L ARC LENGTH -X- FENCE LINE
 LL LAND LOT ■ WALL
 LLL LAND LOT LINE N NEIGHBOR'S

TREE-SIZE/SPECIES	CRZ-SF	IMPACT-SF	SAVED/LOST
1) → 24" HW	1809	234	12.9%-TREE- SAVED
2) → 30" PINE	2827	560	19.8%-TREE- SAVED
3) → 11" HW	280	38	13.5%-TREE- SAVED
4) → 15" HW	706	77	17.9%-TREE- SAVED
5) → 9" HW	254	25	10.0%-TREE- SAVED
6) → 30" PINE	2827	283	10.0%-TREE- SAVED
7) → 14" MAGNOLIA	615	0	TREE- SAVED
8) → 9" HW	254	12	4.7%-TREE- SAVED
9) → 15" HW	706	109	15.4%-TREE- SAVED

DISTURBED AREA
 A.K.A.
 LIMITS OF CONSTRUCTION
 2582 SF = 0.05 AC



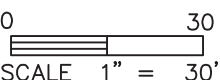
IMPERVIOUS AREA:
 HOUSE: 1648 SF
 FRONT PORCH: 175 SF
 DECK: 465 SF
 DRIVEWAY: 1340 SF
 SIDEWALK: 317 SF
 EXIST= 3945 SF=47.4%
 PROPOSED:
 POOL AND DECK: 465 SF
 REMOVE 2.25 FT DRIVEWAY STRIP - 234
 REMOVE 2' FROM FRONT SIDEWALK -66 FT.
 TOTAL PROPOSED: 165 SF
 TOTAL IMPERVIOUS: 4110 SF = 49.4%

ZONING: R-4

NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.

RELEASED FOR CONSTRUCTION

PROPERTY ADDRESS: 1072 Cumberland Rd NE Atlanta, GA 30306, USA LAND AREA: 8314 SF 0.191 AC IMPERVIOUS AREA: EXIST= 3969 SF=47.7% ZONING: R-4	SITE PLAN PREPARED FOR: 1072 CUMBERLAND RD		
	LOT 7 BLOCK 1 HIGHLAND CREST SUBDIVISION LAND LOT 2 17th DISTRICT FULTON COUNTY, GEORGIA LOCATED IN ATLANTA	FIELD DATE: 9-14-2020 DRAWN DATE: 9-15-2020	
	REFERENCE: PLAT BOOK 11, PAGE 6 REFERENCE: DEED BOOK 39038, PAGE 654	ALL MATTERS OF TITLE ARE EXCEPTED. NOT TO BE RECORDED NOR USED TO CONVEY PROPERTY.	SURVEY SYSTEMS ATLANTA 2156 W Park Ct, Ste D, Stone Mtn, GA 30087 COA #LSF000867, info@SurveySystemsAtlanta.com Cell 678-591-6064 ~ Office 404-760-0010
	THE SURVEY FROM WHICH THIS PLAN WAS CREATED CONFORMS TO TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA. SURVEY SYSTEMS & ASSOC., INC. ASSUMES NO LIABILITY OR RESPONSIBILITY FOR ERRORS OR OMISSIONS ON DEMO OR SITE PLANS. IT IS THE CLIENT'S RESPONSIBILITY TO REVIEW PLANS FOR COMPLETENESS AND ACCURACY. ANY REDLINES, COMMENTS, CORRECTIONS, ALTERATIONS, ETC. (FROM ANYONE EXCEPT THE CLIENT) SHALL BE DEEMED AS BILLABLE AND ADDITIONAL CHARGES SHALL APPLY.	SP 10/8/2020 GM REV 10/13/2020 GM	24 HOUR CONTACT: MICHAEL GUREVICH 404-769-7593



RECEIVED

DATE: 10/21/2020

SITE PLAN FOR POOL AND SPA:

**The Gorevich/Bryant Residence
1072 Cumberland Rd. NE
Atlanta, GA 30306**

LOCATED IN:
LL(S): 2 DIST: 17th
LOT: 7 BLOCK 1
HIGHLAND CREST SUBDIVISION
FULTON CO
GEORGIA

CONSTRUCTION SET:

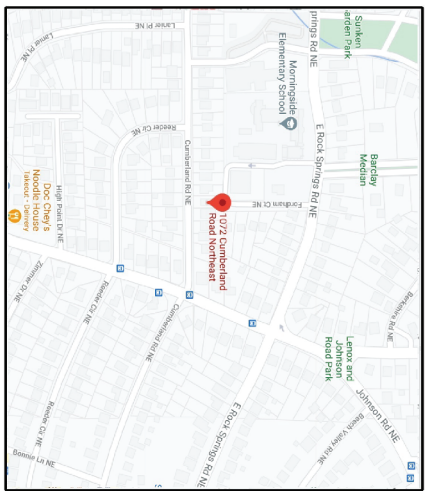
SCOPE OF WORK
24' X 16'
POOL & SPA

PROJECT TEAM

CONTRACTOR:
BELLAREED CONSTRUCTION & REMODELING
12850 HWY 9 N, #600
ALPHARETTA, GA 30004

24HR CONTACT FOR POOL:
EDDIE KARR
678-993-5537

OWNER OF RECORD:
MICHAEL GOREVICH & JOANNE BRYANT
1072 CUMBERLAND RD. NE
ATLANTA, GA 30303
404-769-7593



CODE COMPLIANCE:

- The Current Mandatory Codes As Adopted By DCA
- Residential Building Codes: Effective January 1, 2015
- The Following Will Be The State Of Georgia's Minimum Standard Construction Codes:
 - International Building Code 2018 Edition, With Georgia Amendments (2020)
 - International Residential Code 2018 Edition With Georgia Amendments (2020)
 - International Fire Code, 2018 Edition With No Georgia Amendments
 - International Plumbing Code, 2018 Edition With Georgia Amendments (2020)
 - International Mechanical Code, 2018 Edition With Georgia Amendments (2020)
 - International Fuel Gas Code, 2018 Edition With Georgia Amendments (2020)
 - National Electrical Code, 2017 Edition With No Georgia Amendments (Effective 1/1/2018)
 - International Energy Code 2015 Edition With Georgia Supplements And Amendments (2020)
 - 2012 NFPA 101 – Life Safety Code With State Amendments (2013)
 - International Swimming Pool And Spa Code 2018 Edition With Georgia Amendments (2020)

72 hours of notice is required to Georgia 811 Utility Protection Center before any land disturbance activities can begin.



SITE NOTE:
THIS SITE PLAN IS FOR SWIMMING POOL AND SPA ONLY

INDEX OF DRAWINGS:
Cover page
Site plan (P-1)
Pool Details page

SEPT. 16 2020

***released for construction

