



DeKalb County Zoning Board of Appeals

Department of Planning & Sustainability
330 Ponce De Leon Avenue, Suite 300
Decatur, GA 30030



Michael L. Thurmond

Chief Executive Officer

Wednesday, March 10, 2021 at 1:00 PM

Planning Department Staff Analysis

N5 Case No: A-21-1244628 Parcel ID(s): 16-257-02-004

Commission District: 05 Super District 07

Applicant: Grant Rice
1604 Norris Lake Drive
Snellville, GA 30029

Owner: Same as Applicant

Project Name: 1604 Norris Lake Drive

Location: The property is located east of Norris Lake Drive, at 1604 Norris Lake Drive Snellville, GA 30039

REQUEST: Variance from Chapter 27- 4.2.2. - Accessory buildings, structures and uses: location, yard and building restrictions of the DeKalb County Zoning Ordinance to increase the Maximum Floor Area from 1,200 square feet to 2, 400 square feet, and to vary from the building materials for a proposed detached accessory structure, relating the R-85 zoning district.

Staff Recommendation: **“Approval” to increase the maximum floor area from 1,200 square feet to 2, 400 square feet for a proposed detached accessory structure with condition that the exterior building materials of the proposed detached accessory matches that building materials of the principle structure and “Denial” of the building materials.**

STAFF FINDINGS:

Variance Analysis:

The subject property is located within the R-85 zoning district. Per Chapter 27-2.2 Division 2- Residential Zoning Districts: Dimensional Requirements of the DeKalb County Zoning Ordinance states the minimum lot area for R-85 zoned properties is 12,000 square feet, and the minimum lot width is 85 feet. Based on the submitted site plan, the subject property has a lot size of 4.47 acres and a lot width of 758 feet, which conforms to the R-85 lot requirements.

Based on the submitted materials, the applicant is requesting a variance to increase the maximum floor area from 1,200 square feet to 2,400 square feet for a proposed detached accessory structure (garage). Per Chapter 27- 4.2.2. - Accessory buildings, structures and uses: location, yard and building restrictions of the DeKalb County Zoning Ordinance lots between 1 to 4.999 acres requires a maximum floor area of 1,200 square feet, and the building materials must match the principle structure.

Based on the submitted materials, the applicant is replacing the previous detached accessory structure that was destroyed in a fire on November 11, 2019. Per the letter of intent, the previous detached accessory structure was built in 1989. The proposed garage will be built back over the same existing foundation and slab.

Based on the submitted materials, due to the size of the subject property the requested variance to increase the maximum floor area from 1,200 square feet to 2, 400 square feet does not go beyond the minimum necessary to afford relief and therefore satisfy the criteria below. While the variance request to vary from the building materials goes beyond the minimum necessary to afford relief and does not meet the criteria below.

1. By reason of exceptional narrowness, shallowness or shape of a specific lot, or by reason of exceptional topographic conditions, which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district:

Based on the submitted materials, the strict application of the requirements of this chapter would not deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district

2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located:

Based on the submitted materials, due to the size of the subject property the requested variance to increase the maximum floor area from 1,200 square feet to 2, 400 square feet does not go beyond the minimum necessary to afford relief. While the variance request to vary from the building materials goes beyond the minimum necessary to afford relief.

3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located:

Based on the submitted materials, the requested variances will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located

4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship:

Based on the submitted materials, it appears that the strict application of the applicable provisions and requirements of this chapter may not cause an undue and unnecessary hardship.

5. The requested variance would be consistent with the spirit and purpose of this Chapter and the DeKalb County Comprehensive Plan Text:

Based on the submitted materials, it appears that the requested variance would be consistent with the spirit and purpose of this chapter.

FINAL STAFF ANALYSIS:

Based on the submitted materials, due to the size of the subject property the requested variance to increase the maximum floor area from 1,200 square feet to 2,400 square feet does not go beyond the minimum necessary to afford relief. While the variance request to vary from the building materials goes beyond the minimum necessary to afford relief. Therefore, the Department of Planning and Sustainability recommends "Approval" to increase the maximum floor area from 1,200 square feet to 2,400 square feet for a proposed detached accessory structure with condition that the exterior building materials of the proposed detached accessory matches that building materials of the principle structure and "Denial" of the building materials.