



Michael L. Thurmond  
Chief Executive Officer

## DeKalb County Zoning Board of Appeals

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



Wednesday, May 12, 2021 at 1:00 PM

### Planning Department Staff Analysis

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**D2 Case No: A-21-1244626 Parcel ID(s): 18-159-02-005**

**Commission District: 06 Super District 06**

**Applicant:** April Ingraham  
3688 Clearview Ave  
Atlanta, GA 30319

**Owner:** Soloman Tesfay  
3988 Sable Drive  
Stone Mountain, GA 30083

**Project Name:** 1991 Woodbine Terrence

**Location:** The property is located south Woodbine Terrace, at 1991 Woodbine Terrace Atlanta, GA 30329.

**REQUEST:** To appeal an administrative decision regarding denial of the following variances from Article 4 of the DeKalb County Land Development Ordinance (Ch 14) for a proposed single family structure:

1. Section 14-39(g)(10) – Prohibiting the removal of trees within the floodplain.
2. Section 14-40(b)(16)(D)(ii) – Prohibiting the placement of detention or stormwater control facilities in floodplains.
3. Section 14-37(b)(5)(b) and Section 14-40(b)(16)(D)(ii) – Limiting cut/fill grading to 150 cubic yards.

**Staff Recommendation:** “Denial” of all three variances.

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**STAFF**  
**JUSTIFICATION:**

The applicant requested the following variances below from the Land Development Ordinance to demolish an existing single family structure and develop new single family structure. The requested variances were denied based on the following:

**1. Section 14-39(g)(10) – Prohibiting the removal of trees within the floodplain.**

The Land Development section cannot approve that variance because sec. 14-39.(g)(10) prohibits cutting tree from the floodplain (see below). The county codes simply prohibit that and does not provide provision for a variance. Therefore, the Land Development decision is to deny the variance request.

**2. Section 14-40(b)(16)(D)(ii) – Prohibiting the placement of detention or stormwater control facilities in floodplains.**

(a) It is not clear why cisterns cannot be used and how they may create more adverse impacts in the floodplain. Cisterns can be installed above the base flood elevation. The cisterns will hold the required volume for water quality and any additional volume will just be released through a downspout.

(b) Low impact development BMPs such as permeable pavers can be used to reduce the total proposed impervious which will also reduce the WQv to be provided.

The applicant can revise their plans to comply with item (a) and (b) above for re-consideration otherwise, an appeal to the ZBoA

**3. Section 14-37(b)(5)(b) and Section 14-40(b)(16)(D)(ii) – Limiting cut/fill grading to 50 cubic yards.**

The fill in the local regulated floodplain can be reduced and therefore the compensation required will be reduced as well. The blue area on the screenshot below is the area recommended for reduction in fill and the area above should be supported by columns, piers, posts or piles, including the proposed house or portion of the house. With this alternative, the area below the elevated area/foundation can be reclaimed as permeable in the calculation for water quality, which will also reduce the WQv requirements. The area to be considered for bioretention or rain gardens must be closed to the building area but separated from the structural support and as far out of the stream buffer as possible. The mitigation strategies to be documented in the variance request must describe the water quality features, plantings selected and detailed x-sections; refer to the EPA stormwater calculator and the GSMM guidance details for BMPs See additional clarification below. The applicant may revise your plan to address the above for re-consideration otherwise, you may appeal to the ZBoA.

**ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING  
(VARIANCES, SPECIAL EXCEPTIONS, APPEALS OF ADMINISTRATIVE DECISIONS)**

BOA No. \_\_\_\_\_

Applicant and/or  
Authorized Representative Greg K. Hecht (Hecht Walker, P.C.)

Mailing Address: 205 Corporate Center Dr., Suite B

City/State/Zip Code: Stockbridge, Georgia 30281

Email: jon@hnhwlaw.com

Telephone Home: (404) 348-4881 Business: (404) 348-4881

**OWNER OF RECORD OF SUBJECT PROPERTY**

Owner: Solomon Tesfay

Address (Mailing): 3988 Sable Drive, Stone Mountain, GA 30083

Email: solot58@yahoo.com

Telephone Home: (404) 379-3512 Business: \_\_\_\_\_

**ADDRESS/LOCATION OF SUBJECT PROPERTY**

Address: 1991 Woodbine Terr. NE City: Atlanta State: GA Zip: 30329

District(s): 18 Land Lot(s): 159 Block: 02 Parcel: 005

Zoning Classification: R-100 Commission District & Super District: 2/6

**CIRCLE TYPE OF HEARING REQUESTED:**

- VARIANCE (From Development Standards causing undue hardship upon owners of property.)
- SPECIAL EXCEPTIONS (To reduce or waive off-street parking or loading space requirements.)
- **OFFICIAL APPEAL OF ADMINISTRATIVE DECISIONS.**

**\* PLEASE REVIEW THE FILING GUIDELINES ON PAGE 4. FAILURE TO FOLLOW GUIDELINES MAY RESULT IN SCHEDULING DELAYS. \***

**TO BE COMPLETED BY PLANNING AND SUSTAINABILITY DEPARTMENT:**

Date Received: \_\_\_\_\_ Fee Paid: \_\_\_\_\_



**HECHT WALKER, P.C.**  
— ATTORNEYS AT LAW —

Greg K. Hecht  
Mark C. Walker  
Jon W. Jordan  
Michael W. Warner  
Mary M. House\*  
Brad Baldwin\*  
Kirby Glaze\*  
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AV Rated Law Firm  
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Tower Place  
3340 Peachtree Road, Suite 1530  
Atlanta, GA 30326

[jon@hmnwlaw.com](mailto:jon@hmnwlaw.com)

April 16, 2021

***VIA PERSONAL DELIVERY***

DeKalb County Zoning Board of Appeals  
Attn: Nadine Rivers-Johnson – Chair  
330 West Ponce de Leon Avenue  
Suites 100-500  
Decatur, Georgia 30030

**RE: APPEAL FROM ADMINISTRATIVE DECISIONS – *Denial of Variance  
Relief from Development Code for 1991 Woodbine Terr. NE, Atlanta, GA 30239***

Dear Madame Chair and Board Members:

Our firm represents Solomon Tesfay, the owner of residential property located at 1991 Woodbine Terr. NE, Atlanta, Georgia 30239 (the “Subject Property”). An old house currently exists on the property which Mr. Tesfay would like to remove and replace with a new, custom modern house for his family. The location of the current house and other existing improvements on the Subject Property are shown on that Current Conditions Plan attached hereto as “**EXHIBIT A**”. The location of the proposed new replacement house and improvements are shown on the Proposed Conditions Plan which is attached hereto as “**EXHIBIT B**”. Please accept this letter as an update to Mr. Tesfay’s pending application with the Zoning Board of Appeals for relief from the denial of several administrative variances and decisions by the DeKalb County Department of Planning & Sustainability (the “Department”) which prevent our client from building on his property.

The variance relief requested by Mr. Tesfay from the Department is necessitated by a large flood plain on his property and the unique shape and topographic conditions of the Subject Property. During the permitting process, it was determined that a stream buffer variance would be required which was approved by DeKalb County so that construction could proceed.

However, following approval of the stream buffer variance it was determined by the Department that additional variances would be needed due to the topography and floodplain on the property. Mr. Tesfay submitted a follow up request for administrative variances seeking relief from the following existing development regulations, which were each denied by the DeKalb County Department of Planning & Sustainability. A copy of the Department's email denying the variance requests is attached hereto as "**EXHIBIT C**".

**A. Section 14-39(g)(10) – Prohibiting the removal of trees within the floodplain.**

Construction for Mr. Tesfay's new home requires removal of approximately 7-8 trees existing within the floodplain where the new house and driveway are planned. Only one or two of these trees are specimen trees. The removal of these trees is necessary in order to build the access driveway and new building for the property, as well as to balance the cut/fill volume in the floodplain that is affected by having to build the new house within a portion of the floodplain. It should be noted that the current house on the Subject Property was previously built within the same floodplain, along with other houses adjacent and near to the Subject Property. The map attached hereto as "**EXHIBIT D**" shows the floodplain and the existing houses constructed within the floodplain.

The Department denied the requested relief stating that the County Code does not provide for an administrative variance from the Tree Protection Ordinance. However, the County Arborist does have discretion to permit tree removal within the flood plain. Section 14.39(c)(3) provides that "[t]he removal of more than five (5) trees, other than specimen trees, from an owner occupied, single family lot may be approved by the county arborist if the owner must remove trees in order to build a newly permitted structure, or to build an addition or to make improvements to an existing structure, or to improve the health of other trees in the landscape." Additionally, Section 14.39(g) indicates the County Arborist's discretion in permitting cutting of specimen trees as well, stating "It shall be prohibited to cut specimen trees existing on a tract of land that is the subject of a land disturbance permit, development permit or building permit without a special exception granted by the zoning board of appeals if removal of the specimen tree has not been approved by the county arborist." Considering the location of these trees within the floodplain, the roots have likely already been weakened by the water impact and replacing these trees with the proposed new house, while incorporating new vegetation and mitigation facilities in other locations of the property would provide for more sustainable and long-term stormwater mitigation and control. The Department denied this relief from which Mr. Tesfay appeals to the BoZA.

**B. Section 14-40(b)(16)(D)(ii) – Prohibiting the placement of detention or stormwater control facilities in floodplains.**

Mr. Tesfay would like to create a more centralized stormwater detention area on his property by installing a five (5) foot deep 18' x 14' infiltration trench with flowells in the middle within a portion of the flood plain in the front of the property closer to the right-of-way. (See Exhibit B, C-2). There is only a small portion of the Subject Property that is outside of the floodplain which limits the options and location of stormwater mitigation facilities. The Department denied this variance request stating that it preferred that stormwater be captured and controlled by installing and using cisterns and permeable pavers. However, even if cisterns were

installed, they would still require at least 60% of the associated downspouts to be located within the floodplain and individual downspouts and cisterns would not be as effective at controlling stormwater runoff as a centralized stormwater control facility in the front of the house.

The topography of the property causes stormwater to naturally flow from the back of the lot to the lower front area of the lot, and a centralized infiltration trench and flowell would be best placed as proposed by Mr. Tesfay at the lowest part of the property near the driveway which happens to be within a small portion of the floodplain. The Department denied the requested variance to permit the proposed centralized stormwater system within a small portion of the floodplain in the front of the Subject Property from which Mr. Tesfay appeals.

**C. Section 14-37(b)(5)(b) and Section 14-40(b)(16)(D)(ii) – Limiting cut/fill grading to 150 cubic yards.**

Due to the topography and size of the Subject Property, the previously constructed and existing house on the property had to be located within the floodplain. Similarly, Mr. Tesfay's new house will have to be located within the floodplain which requires grading to raise the improvements above the base flood elevation. The current house required cut/fill of 49 cubic yards within the floodplain, and the new replacement house will require the ability to grade, cut/fill an additional 342 yards for the Tesfay family's new 2,800 +/- square foot home.

The Department denied this variance relief, suggesting that Mr. Tesfay completely recreate and engineer his site and construction plans to provide for a house on stilts without any ground floor living space. In addition to being economically unfeasible after two years into the development process for the currently planned house, other houses on lots adjacent and near to the Subject Property were permitted to be built with more than 150 cubic yards of cut/fill within the same floodplain. As the existing houses within the floodplain indicate, constructing the new house proposed by Mr. Tesfay within the floodplain would not have a detrimental impact on the Subject Property or other properties in the area. The Department denied this relief required to allow construction of Mr. Tesfay's 2,756 square foot new house within the floodplain which would only increase the impervious surface area 1,378 square feet from existing conditions. Mr. Tesfay appeals the Department's denial.

The above-referenced variances are necessary due to the unique topography and floodplain conditions on the Subject Property. A literal application of the associated ordinance provisions would cause undue and unnecessary hardship on our client and make the Subject Property virtually unbuildable. The current house previously built on the Subject Property by the prior owners was permitted to be constructed within the floodplain, as was many of the neighboring houses. Mr. Tesfay's new house would only increase the impervious surface area of the Subject Property by 1,378 square feet and the requested relief is narrowly tailored to the extent required to construct the new house while maintaining effective stormwater flood mitigation and protection. The requested variances would not have a detrimental impact on the floodplain capacity, the local creek, the Subject Property or other properties in the area and to deny such relief so as to prohibit new construction on the Subject Property would deprive our client of his due process and equal protection rights, and constitute an unconstitutional taking of his property.

Mr. Tesfay believes that the Department's denials were either based on erroneous facts or that the Department acted in an arbitrary manner. As such, our client respectfully requests that this Board review the administrative decision of the Department and grant this appeal to allow the requested variance relief so that Mr. Tesfay and his family can build their new home on the Subject Property. Should you have any questions or concerns regarding this appeal or would like any further information, please do not hesitate to let me know. We appreciate your consideration of this appeal. Thank you.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Jon W. Jordan', with a stylized, flowing script.

Jon W. Jordan, Esq.

Enclosures:

**24 HOUR EMERGENCY CONTACT: PETER BRANNIGAN 404-379-3512**

SEE SHEET C-4 FOR APPROVED STREAM  
BUFFER VARIANCE. REFERENCE#1243946

**ALL UTILITIES MUST BE CUT OFF AND CAPPED  
THE STREET BEFORE DEMOLITION ACTIVITIES.**



Prepared By:  
CRESCENT VIEW  
ENGINEERING, LLC  
211 Fenn  
Mantoloking  
878  
NJ 08050

PETITIONER'S  
EXHIBIT

A

**Figure 1** Aerial photograph of a forested area with a yellow rectangular box highlighting a specific region. A black line points from this box to a detailed map of the same area, showing various land use categories and a legend.

### General Demolition Scope:

- [illegible]

**Owner/Builder Information:**

- 1 REASON EXISTING FORCE
- 2 REASON EXISTING DIFFICULTY / CAUTION
- 3 REASON EXISTING LEAD PARTS AND STRUCTURE WITH SUPPORT
- 4 REASON EXISTING WALLS
- 5 CAP DESIGNING UTILITIES TO BE USED IN NEW CONSTRUCTION  
(UTILITIES TO BE ACCOMMODATED WITH APPROPRIATE UTILITY)  
6 REASON EXISTING OF EXISTING FORCE
- 7 REASON EXISTING OF EXISTING FORCE

Existing Lot Coverage:

Estimated long-term debt	6.2
Operating income	15.2
Operating expenses	6.4
Operating loss (income)	0.5
Interest expense	2.5
Interest capital	1.5
Interest loss (gain) + WDAW	1.5
Operating profits	2.2
Estimated long-term debt + TOTAL	31.6
Total costs	3.15

**Zoning Conformance:**

- [illegible]

Addressing:

1971 ROYALTY, TULSA, OK  
ATLANTA, GA 30343

Vegetation Plan:

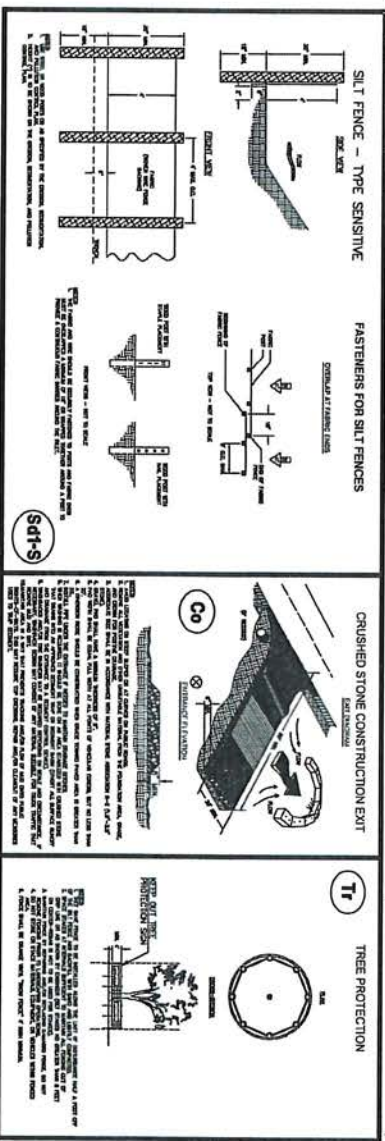
**(15)** ESTABLISHING STABILIZATION METHODS (e.g., MULCHING, BUILDING DUMPS) - A TEMPORARY COVER OR PLANT RESOURCES APPLIED TO SOIL SURFACE FOR A PERIOD OF (1) MONTHS OR LESS WHEN SEEDING IS NOT PRACTICAL, OR ON BEFORE THE 14th DAY (OR DATE)

**(16)** "CERAMULITE STABILIZER" - CERAMULITE A TEMPORARY VEGETATION COVER W/AS FINE GRAIN SILTS APPLIED TO MOIST GRADED AREAS THAT WILL BE EXPOSED FOR LESS THAN 6 MONTHS (180 DAYS)

**(17)** "PERMANENT VEGETATION" - AFTER 60 DAYS ESTABLISH PERMANENT VEGETATION COVER SUCH AS TREES, SHRUBS, WOOD, GRASSES, SOD OR LITHACEA (ANY OR MAY)

**(18)** SOIL FOR WINDY EXPOSURE OR CRITICALLY ERODED LANDS-ALLOWS MAXIMUM COVER COVER RESOURCES (GRAVEL, DIRT, DUST & SUBSTRATE)

Know what's below.  
Call before you dig.



Sheet No.  
D-1

Construction Plans For  
**1991 Woodbine Terrace NE**  
Land Lot 158, 11th District  
DeKalb County, Georgia



Existing Conditions Plan			
DATE	2-1-19	REVISIONS	
SCALE	AS SHOWN	6-22-20	SSV COMMENTS
DRAWN	GHS	7-16-20	SSV COMMENTS
CHECKED	PZ	6-25-20	COURTY COMMENTS

Prepared For  
**PB Construction, LLC.**  
1931 Woodbine Terrace

Prepared By:  
CRESCENT VIEW  
ENGINEERING, LLC  
211 First  
Market  
578  
www.crescentview

Blumberg No. 5136

**CONSTRUCTION DOCUMENTS FOR**

1991 Woodbine Terrace NE  
LAND LOT 159, DISTRICT 18  
DEKALB COUNTY, GEORGIA  
TAX PARCEL: 18-159-02-005

[illegible]

- [illegible]

[illegible][illegible]1001 WOODBINE TERRACE NE  
DOUGLAS, GA 30045

BOB UNLIMITED, LLC  
2743 WARMAN DRIVE NE  
ATLANTA GA 30345

PG CONSTRUCTION LLC,  
1891 WOODBINE TOWN MC  
BOCA, CA 94729

LOT AREA = 34,181 SF = 0.78 ACRES  
EXISTING IMPERVIOUS AREA = 3,123 SF = 0.07 ACRES / 9.15% COVERAGE  
PROPOSED DISTURBED AREA 12,071 SF = 0.28 ACRES  
BUILDABLE AREA 14,117 SF = 0.42 ACRES

PROFIT, UNDER MY CONTROL

1. HE DID NOT KNOW THAT SODIUM, CALCIUM, MAGNESIUM, ALUMINUM, AND OTHER METALS WERE BEING OXIDIZED BY THE POWER OF THE SUN AT HIGH ALTITUDES.
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TECHNOLOGY PROJECT BROWNSHAWK IS TOP OF A GRANTING  
CARE OF WILDLIFE TRUSTEE INC.

<b>Classroom Instruction Area</b>	<b>SE</b>
Reading Room	62
Proposed House (Reading)	2527
Proposed Classroom	1755
Proposed Paper Weaving and Dyeing	225
Proposed Pottery and Potterywork	724
Proposed Pottery	110
Proposed Wood	19
<b>Proposed Instruction Area - TOTAL</b>	<b>4633</b>
<b>Proposed Lab Component</b>	<b>15,186</b>

Proposed Investment Asset - TOTAL	4653
Proposed Loan Commitment	13.18%

1

COVER SHEET  
SURVEY

## 8100RAIWAUER PLAN DETAILS

## Sheet #

COVER SHEET  
SURVEY  
EXISTING CONDITIONS SHEET  
PROPOSED CONDITIONS SHEET  
STORMWATER PLAN  
DETAILS  
VARIANCE APPROVAL

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






























Prepared For  
**Construction**  
1991 Woodbine Terra  
Oakdale, Ca. 95329

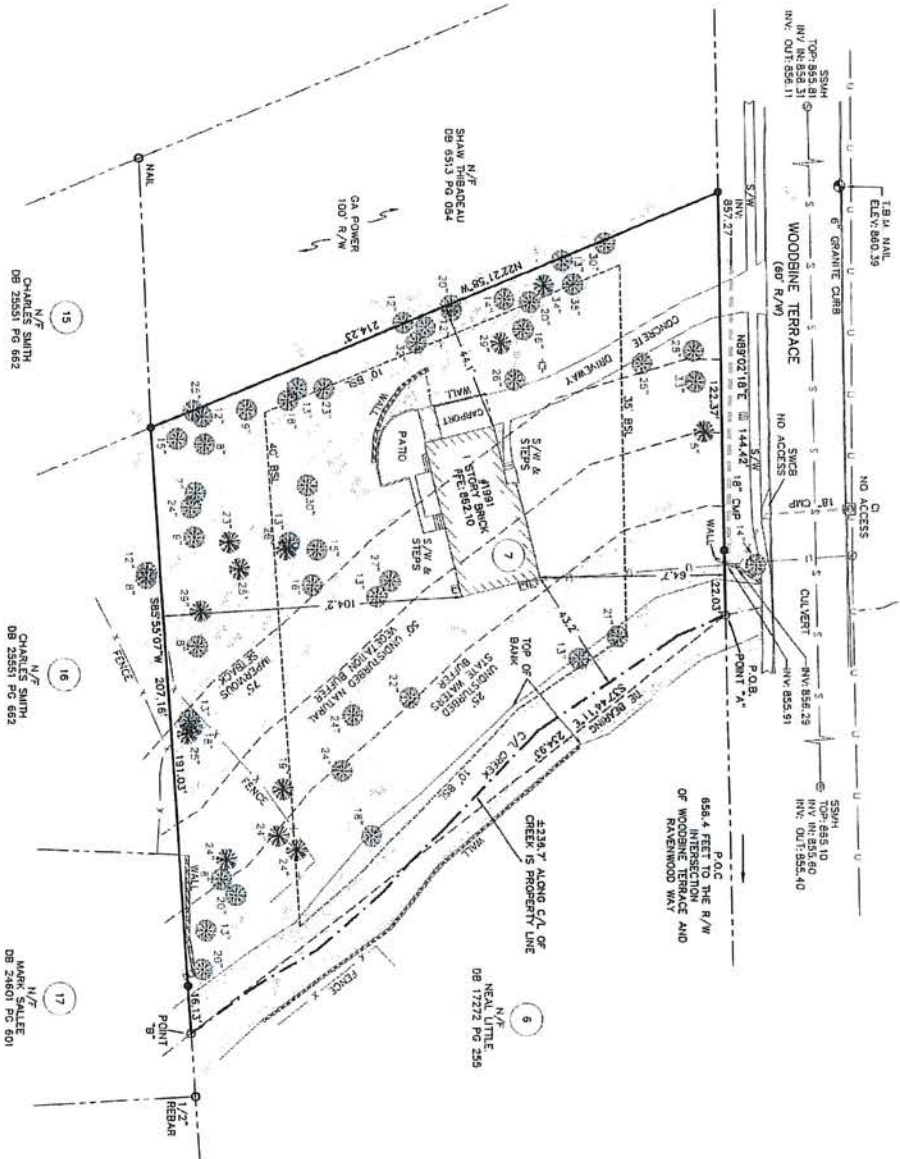
Prepared By:  
**CRESCENT VIEW  
ENGINEERING, LLC:**  
211 Frazier Street, Suite 100  
Mankato, MN 56001  
678-444-4444  
www.cvee.com

PETITIONER'S  
EXHIBIT

B

Slumbera No. 5136

- |   |                                     |
|---|-------------------------------------|
|  | LEGEND                              |
|  | POUND CORNER<br>FOOD (AS NOTED)     |
|  | 1/2" REBAR WITH<br>1/2" SET LEAF 9" |
|  | 3/4" REBAR WITH<br>1/2" SET LEAF 9" |
|  | PIPE HORIZONTAL                     |
|  | WATER METER                         |
|  | WATER VALVE                         |
|  | POWER POLE                          |
|  | LIGHT POLE                          |
|  | 0-10' HORIZONTAL POLE<br>OUTLINE    |
|  | POWER METER                         |
|  | POWER BOX                           |
|  | A/C UNIT                            |
|  | HANGOUT                             |
|  | CLEAN OUT                           |
|  | 0' JUNCTION BOX                     |
|  | 0' ENCLOSURE                        |
|  | GAS METER                           |
|  | GAS VALVE                           |
|  | CABLE BOX                           |
|  | TELEPHONE BOX                       |
|  | WATER LINE                          |
|  | -U- OVERHEAD UTILITY LINE           |
|  | -S- SEWER LINE                      |
|  | -O- GAS LINE                        |
|  | -C- CABLE LINE                      |
|  | -T- TELEPHONE LINE                  |
|   | -R- RAILROAD                        |
|    | -CO- CONTINUING                     |
|    | BL. BUILDING SETBACK LINE           |
|    | CONC. CONCRETE                      |
|    | EOP END OF PAVEMENT                 |
|    | L.L. LAND LOT                       |
|    | N/E NOW OR FORMERLY                 |
|    | P/W RIGHT-OF-WAY                    |
|    | P/W RIGHT-OF-WAY                    |
|    | OH OVERPASS                         |
|    | C.B. CATCH BASIN                    |
|    | CUT CANTILEVER                      |
|    | H/C HANDICAP                        |
|    | FINISHED FLOOR ELEVATION            |
|    | GRADE FLOOR ELEVATION               |
|    | GRADE FLOOR ELEVATION               |
|    | DB DEED BOOK                        |
|    | PB PLAT BOOK                        |
|    | PG PAGE                             |
|  | POB POINT OF BEGINNING              |
|  | POB POINT OF COMMENCEMENT           |
|  | SECTION                             |
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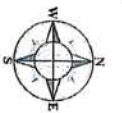


THIS SLAVEY IS AN ACCESSION OF AN EXISTING PARCEL OF LAND AND DOES NOT SLUICHOVE OR CREATE A NEW PARCEL. THE RECORDING INSTRUMENT OF THE DOCUMENTAL MAPS, PLATS OR OTHER INSTRUMENTS WHICH RELATED TO THE RECORDING INSTRUMENT, AVAILABILITY OF PERMITS OR COMPLIANCE WITH LOCAL REGULATIONS OR REGULATIONS OF THE FEDERAL GOVERNMENT, IN PARCEL OF THE LAND, FURTHER, THE UNDERSTOOD LAND SLUICHOVE CERTIFIES THAT THIS MAP, PLAT OR PLANS CORRELATE WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SLAVEYS IN GEORGIA, ASSET FORTH IN CHAPTER 106 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION OF PROFESSIONAL SURVEYORS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT 1966, 15-4-46.

FOR THE FIRM  
BOUNDARY ZONE, INC.  
LSF #839

BOUNDARY-TOPOGRAPHIC & TREE SURVEY  
PREPARED FOR: SOLOMON TEFAY  
LOT 7, BLOCK "C", AUTUMN PARK SUBDIVISION  
LAND LOT 159, 18 TH DISTRICT,  
DEKALB COUNTY, GEORGIA - 06/02/2017

GA. WEST ZONE  
NAD 1983  
DATUM: NAVD 1988  
SCALE: 1"=30'



# BOUNDARY

**BYROND**  
4193 SOUTH LEE STREET, FLAT 1  
BIRMGHAM, GEORGIA 30118

**ATLANTA**  
219 PEACHTREE STREET NE, SUITE 409  
ATLANTA, GEORGIA 30303

**MARIETTA**

PROJECT  
1847501

**24 HOUR EMERGENCY CONTACT: PETER A. BRANNIGAN 404-379-3512**

1. IT IS THE OWNER'S UNDERSTANDING THAT THERE MUST BE EXISTING UTILITY CONNECTIONS AND TAPS TO THE EXISTING BUILDING TO ALLOW FOR THE ADDITION OF A NEW BUILDING. THE NEW BUILDING SHALL BE ADDED TO THE EXISTING BUILDING BY ADDITION OF A REAR PORCH TO THE EXISTING BUILDING.
2. OUTSIDE EDGE OF THE ROOF. THE FOOTPRINT DOES NOT REPRESENT THE ROOF EITHER LINE OR EDGE OF THE FOOTPRINT.
3. THIS PLAN WAS PREPARED FOR PERMIT APPROVAL ONLY. ACTUAL CONSTRUCTION SHOULD BE BASED ON A RECORDED LAND SURVEY THAT SHOWS THE LOCATION OF THE STRUCTURE IS BUILT WITHIN THE BOUNDS OF THE LOT.

**BUILDABLE AREA % OF TOTAL LOT AREA = 6.13%**

- | LSD (0.05) (D.F. Error = 108) |        | LSD (0.01) (D.F. Error = 108) |        |
|-------------------------------|--------|-------------------------------|--------|
| Mean                          | SE     | Mean                          | SE     |
| 1                             | 0.0000 | 1                             | 0.0000 |
| 2                             | 0.0000 | 2                             | 0.0000 |
| 3                             | 0.0000 | 3                             | 0.0000 |
| 4                             | 0.0000 | 4                             | 0.0000 |
| 5                             | 0.0000 | 5                             | 0.0000 |
| 6                             | 0.0000 | 6                             | 0.0000 |
| 7                             | 0.0000 | 7                             | 0.0000 |
| 8                             | 0.0000 | 8                             | 0.0000 |
| 9                             | 0.0000 | 9                             | 0.0000 |
| 10                            | 0.0000 | 10                            | 0.0000 |
| 11                            | 0.0000 | 11                            | 0.0000 |
| 12                            | 0.0000 | 12                            | 0.0000 |
| 13                            | 0.0000 | 13                            | 0.0000 |
| 14                            | 0.0000 | 14                            | 0.0000 |
| 15                            | 0.0000 | 15                            | 0.0000 |
| 16                            | 0.0000 | 16                            | 0.0000 |
| 17                            | 0.0000 | 17                            | 0.0000 |
| 18                            | 0.0000 | 18                            | 0.0000 |
| 19                            | 0.0000 | 19                            | 0.0000 |
| 20                            | 0.0000 | 20                            | 0.0000 |
| 21                            | 0.0000 | 21                            | 0.0000 |
| 22                            | 0.0000 | 22                            | 0.0000 |
| 23                            | 0.0000 | 23                            | 0.0000 |
| 24                            | 0.0000 | 24                            | 0.0000 |
| 25                            | 0.0000 | 25                            | 0.0000 |
| 26                            | 0.0000 | 26                            | 0.0000 |
| 27                            | 0.0000 | 27                            | 0.0000 |
| 28                            | 0.0000 | 28                            | 0.0000 |
| 29                            | 0.0000 | 29                            | 0.0000 |
| 30                            | 0.0000 | 30                            | 0.0000 |
| 31                            | 0.0000 | 31                            | 0.0000 |
| 32                            | 0.0000 | 32                            | 0.0000 |
| 33                            | 0.0000 | 33                            | 0.0000 |
| 34                            | 0.0000 | 34                            | 0.0000 |
| 35                            | 0.0000 | 35                            | 0.0000 |
| 36                            | 0.0000 | 36                            | 0.0000 |
| 37                            | 0.0000 | 37                            | 0.0000 |
| 38                            | 0.0000 | 38                            | 0.0000 |
| 39                            | 0.0000 | 39                            | 0.0000 |
| 40                            | 0.0000 | 40                            | 0.0000 |
| 41                            | 0.0000 | 41                            | 0.0000 |
| 42                            | 0.0000 | 42                            | 0.0000 |
| 43                            | 0.0000 | 43                            | 0.0000 |
| 44                            | 0.0000 | 44                            | 0.0000 |
| 45                            | 0.0000 | 45                            | 0.0000 |
| 46                            | 0.0000 | 46                            | 0.0000 |
| 47                            | 0.0000 | 47                            | 0.0000 |
| 48                            | 0.0000 | 48                            | 0.0000 |
| 49                            | 0.0000 | 49                            | 0.0000 |
| 50                            | 0.0000 | 50                            | 0.0000 |
| 51                            | 0.0000 | 51                            | 0.0000 |
| 52                            | 0.0000 | 52                            | 0.0000 |
| 53                            | 0.0000 | 53                            | 0.0000 |
| 54                            | 0.0000 | 54                            | 0.0000 |
| 55                            | 0.0000 | 55                            | 0.0000 |
| 56                            | 0.0000 | 56                            | 0.0000 |
| 57                            | 0.0000 | 57                            | 0.0000 |
| 58                            | 0.0000 | 58                            | 0.0000 |
| 59                            | 0.0000 | 59                            | 0.0000 |
| 60                            | 0.0000 | 60                            | 0.0000 |
| 61                            | 0.0000 | 61                            | 0.0000 |
| 62                            | 0.0000 | 62                            | 0.0000 |
| 63                            | 0.0000 | 63                            | 0.0000 |
| 64                            | 0.0000 | 64                            | 0.0000 |
| 65                            | 0.0000 | 65                            | 0.0000 |
| 66                            | 0.0000 | 66                            | 0.0000 |
| 67                            | 0.0000 | 67                            | 0.0000 |
| 68                            | 0.0000 | 68                            | 0.0000 |
| 69                            | 0.0000 | 69                            | 0.0000 |
| 70                            | 0.0000 | 70                            | 0.0000 |
| 71                            | 0.0000 | 71                            | 0.0000 |
| 72                            | 0.0000 | 72                            | 0.0000 |
| 73                            | 0.0000 | 73                            | 0.0000 |
| 74                            | 0.0000 | 74                            | 0.0000 |
| 75                            | 0.0000 | 75                            | 0.0000 |
| 76                            | 0.0000 | 76                            | 0.0000 |
| 77                            | 0.0000 | 77                            | 0.0000 |
| 78                            | 0.0000 | 78                            | 0.0000 |
| 79                            | 0.0000 | 79                            | 0.0000 |
| 80                            | 0.0000 | 80                            | 0.0000 |
| 81                            | 0.0000 | 81                            | 0.0000 |
| 82                            | 0.0000 | 82                            | 0.0000 |
| 83                            | 0.0000 | 83                            | 0.0000 |
| 84                            | 0.0000 | 84                            | 0.0000 |
| 85                            | 0.0000 | 85                            | 0.0000 |
| 86                            |        |                               |        |

1000

- 

BASE 11000 ELEVATION

1. 64,179 TOTALS  
FLOOR CHANGES TO COMPLAIN 64,130
- |                                      |
|--------------------------------------|
| TOTAL EXISTING IMPERVIOUS = 4,125 SF |
| TOTAL PROPOSED IMPERVIOUS = 4,500 SF |
| TOTAL NET INCREASE = 1,375 SF        |
- TOTAL NEW CREATED IMPERVIOUS AREA = 4,500 SF, GREATER THAN 2,000 SF.

1000

- 

- 

COPIES OF PUBLISHED WORKS

- |                              |                               |
|------------------------------|-------------------------------|
| DO NOT WRITE IN THESE SPACES | FOR NO. 300 SHEET OF 1 SHEETS |
|------------------------------|-------------------------------|



ON LINE IN THE APPENDIX: 1 - 1 HOUR  
KID OVA, BAK, SWEET APPLES TO BURN OF 1 - 1 HOUR

[illegible]

## **TEMPORARY GRASSING**

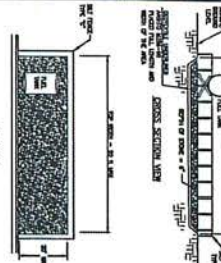
[illegible][illegible]

## **PERMANENT GRASSING**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

## **FERTILIZERS**

**DISPOSAL AREA**



## SODDING

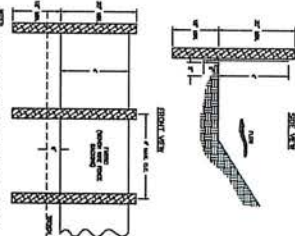


FROM 12-1-53

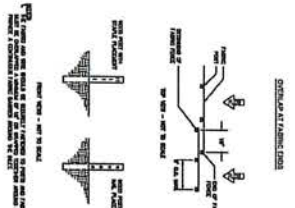
[illegible]

D84

SILT FENCE - TYPE SENSITIVE

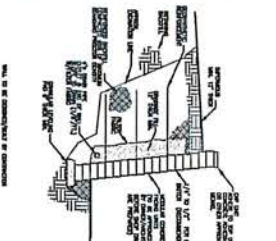


## FASTENERS FOR SILT FENCES



**Sd1-S**

### RETAINING WALL DETAIL



NOT TO SCALE - THIS DETAIL IS FOR REFERENCE ONLY.  
SEE STRUCTURAL DRAWING PROVIDED ON ARCHITECTURAL PLANS

④

[illegible]



**Jon Jordan**

---

**From:** April Ingraham <CONSULTANT@thepermitspecialist.com>  
**Sent:** Tuesday, April 13, 2021 2:11 PM  
**To:** Jon Jordan  
**Subject:** FW: VARIANCE REQUESTS REVIEW COMMENTS: 1991 WOODBINE; AP#1244528

**From:** April Ingraham  
**Sent:** Thursday, January 21, 2021 12:45 PM  
**To:** 'Solomon Tesfay' <solot58@yahoo.com>  
**Cc:** Peter Brannigan <peter@pbconstruct.com>; trey@crescentvieweng.com  
**Subject:** VARIANCE REQUESTS REVIEW COMMENTS: 1991 WOODBINE; AP#1244528

The variance application has been reviewed and the results are as follows:

**VARIANCE #1 REMOVE TREES IN FLOOD PLAIN:** regarding the variance request to remove trees from the floodplain which is prohibited by 14-39.(g) (10). *The request will be denied based on the following:*

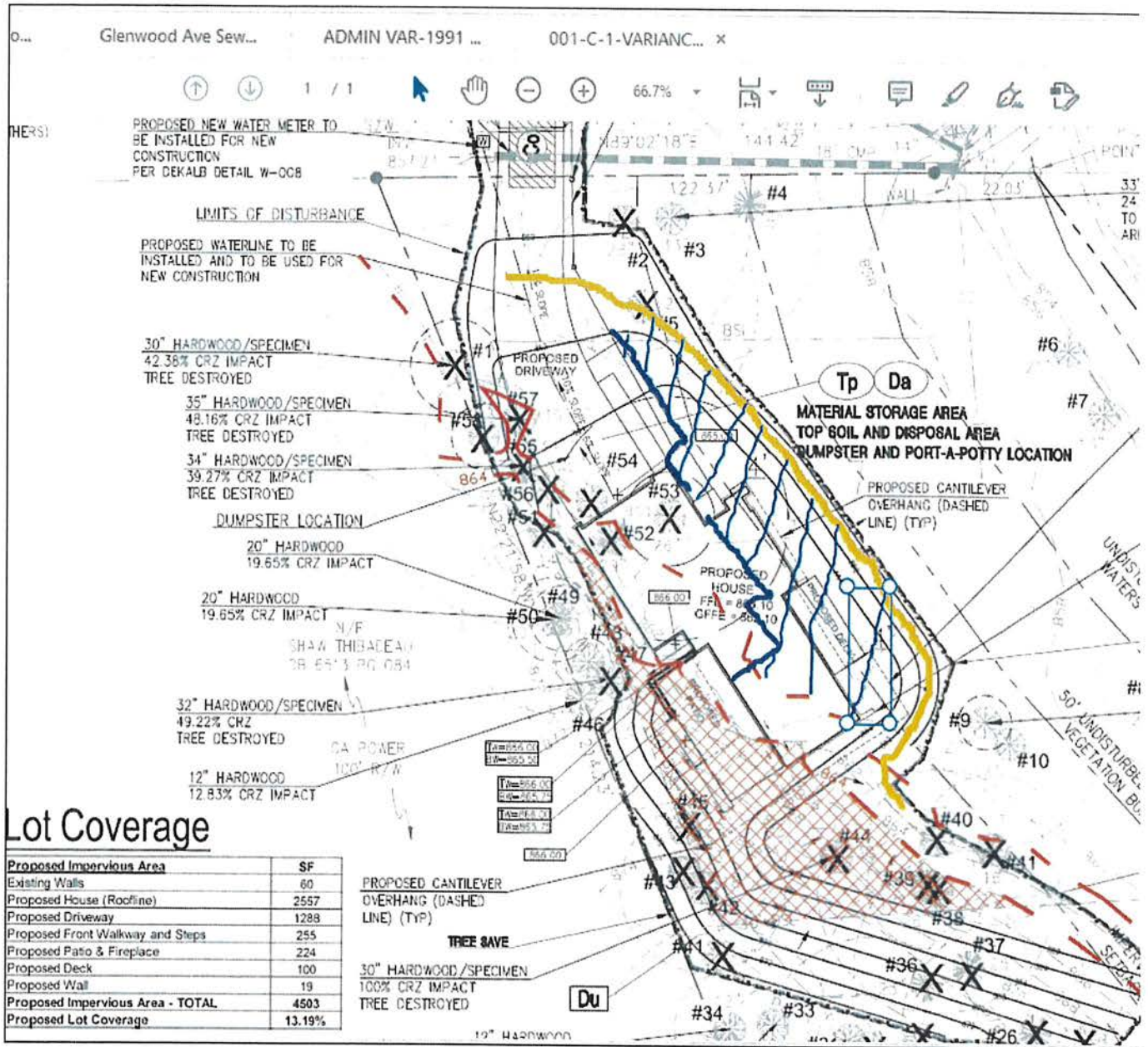
- (a) the county codes simply prohibit that and doesn't provide provision for a variance.
- (b) You may appeal to the ZBoA, after getting approval from the Deputy Director to proceed that way.

**VARIANCE #2 INSTALL AN INFILTRATION TRENCH IN FLOOD PLAIN:** regarding the variance request to provide and install an infiltration trench in the floodplain which is prohibited by 14-40.(b) (16) (D) (ii). *The request will be denied based on the following:*

- (a) It is not clear why cisterns cannot be used and how they may create more adverse impacts in the floodplain;
- (b) Low impact development BMPs such as permeable pavers can be used to reduce the total proposed impervious which will also reduce the WQv to be provided.
- (c) You may revise your plan to comply with item (a) and (b) above for re-consideration otherwise, you may appeal to the ZBoA

**VARIANCE REQUEST #3 ALLOW CUT & FILL OF MORE THAN 150CY IN FLOOD PLAIN::** regarding the variance request to provide a compensation grading of more than 150 cy/acre, with the County codes (ie. 14-37.(b) (5)b. and 14-40.(b) (13)) limiting the compensation to 150 cy/acre. *The request will be denied based on the following:*

- (a) The fill in the local regulated floodplain can be reduced and therefore the compensation required will be reduced as well.



Thank you,

April Ingraham, B of A in CS;  
Principal Consultant  
Member ARA REALTOR®  
THE PERMIT SPECIALIST, LLC  
3688 CLEARVIEW AVE., STE#101  
ATLANTA, GA 30340  
CELL: 404-421-1520  
EM/IM: [CONSULTANT@THEPERMITSPECIALIST.COM](mailto:CONSULTANT@THEPERMITSPECIALIST.COM)  
WEB: [THEPERMITSPECIALIST.COM](http://THEPERMITSPECIALIST.COM)  
OFC: 678-404-5568, EXECUTIVE ADMINISTRATOR  
Please like us on [Facebook](https://www.facebook.com)



CONSTRUCTION DRAWINGS FOR THE:

# TESFAY RESIDENCE

1991 WOODBINE TERRACE, ATLANTA, GEORGIA 30329



SQUARE FOOTAGES			
HEATED SPACES	UN-HEATED SPACES	DATA	FOOT
PER ROOM	PER ROOM		
TOTAL HEATED	TOTAL UN-HEATED		

APPLICABLE CODES	
2012 International Building Code (with 2014/2015/2017/2018 Georgia Amendments)	2012 International Fuel Gas Code (with 2014/2015 Georgia Amendments)
2012 International Mechanical Code (with 2014/2015/2018 Georgia Amendments)	2012 International Electrical Code
2012 International Plumbing Code (with 2014 Georgia Amendments)	2009 International Electrical Code (with 2012/2015 Georgia Amendments and Amendments)
2012 International Fire Code (with 2014 Georgia Amendments)	2012 International Electrical Code (with 2014 Georgia Amendments)
2012 International Mechanical Code (with 2014/2015 Georgia Amendments)	2012 NFPA 701 Life Safety Code (with 2012 Georgia Amendments)

INDEX TO DRAWINGS	
CS1	Cover Sheet/Drawing Index
	Civil/SITE
CV	Cover Sheet
1 of 1	Existing Conditions Survey
D-1	Existing Conditions Plan
C-1	Existing Conditions Plan
C-2	Stormwater Management Plan
C-3	Construction Details
	ARCHITECTURAL
A11	First and Second Floor Plans
A12	Roof Plan and Details
A21	Exterior Elevations
A22	Exterior Elevations
A23	Exterior Elevations
A31	Exterior Window and Door Details
A32	Window Details
A41	Fifth and Door Schedule
A51	Reflected Ceiling Lighting Plans
A61	Interior Elevations
A62	Interior Elevations
A71	Building/Mat Section
A81	Slab Details
A82	Misc. Details
	STRUCTURAL
S10	Foundation and Sub Plans
S20	First Floor Framing Plan
S21	Low Roof Framing Plan
S22	Middle Roof Framing Plan
S23	High Roof Framing Plan
S20	Typical Foundation Details
S31	Foundation Details
S32	Foundation Details
S40	Framing Details
S41	Framing Details
S42	Framing Details
S50	General Notes
S61	Schedule
S62	Open Tables

RELEASED FOR CONSTRUCTION

CS.1

DATE: 08/11/2017

CONSTRUCTION DRAWINGS FOR

1991 WOODBINE TERRACE

ATLANTA, DEKALB COUNTY, GEORGIA 30329

DATE: 08/11/2017

CONSTRUCTION DRAWINGS FOR

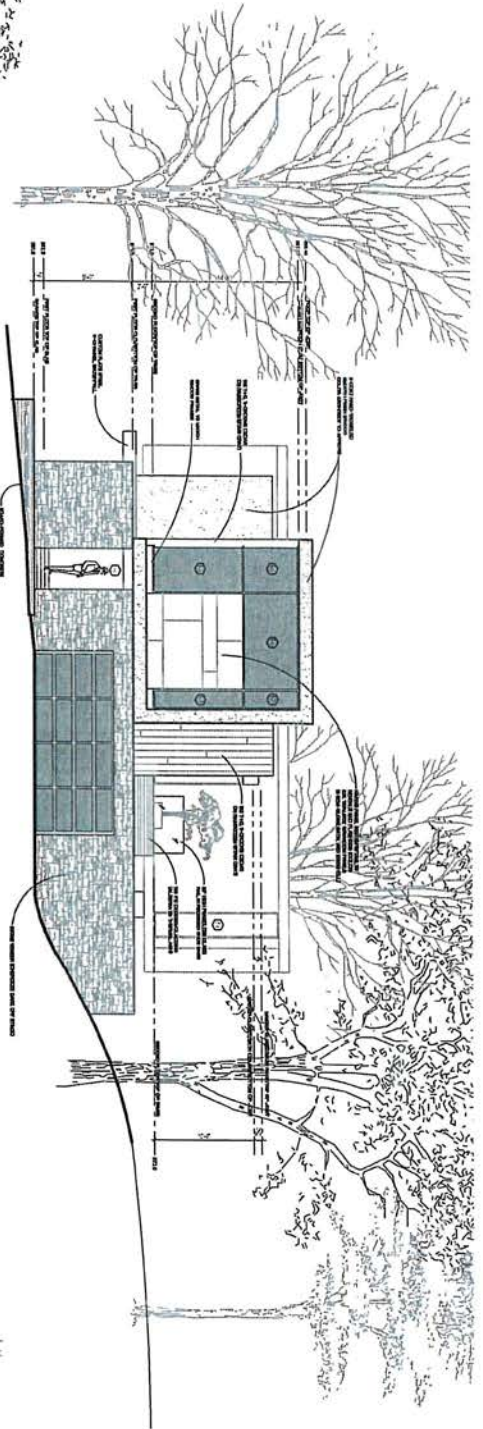
1991 WOODBINE TERRACE

ATLANTA, DEKALB COUNTY, GEORGIA 30329

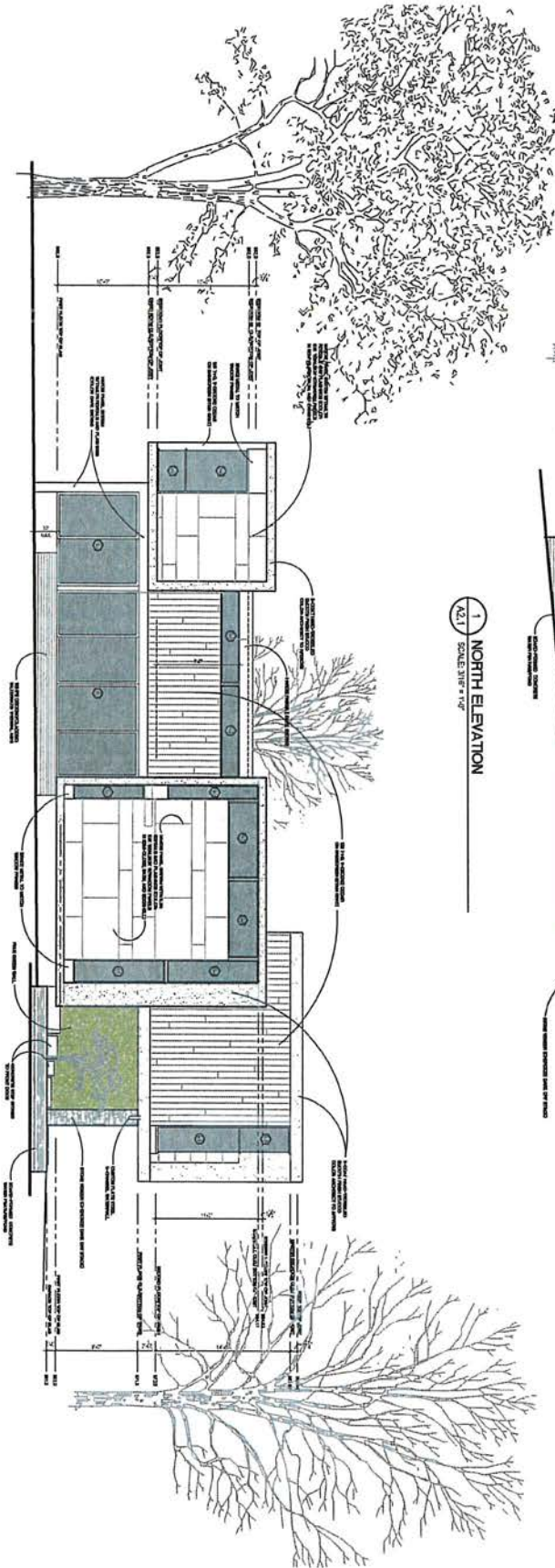
Blumberg No. 5136

PETITIONER'S EXHIBIT

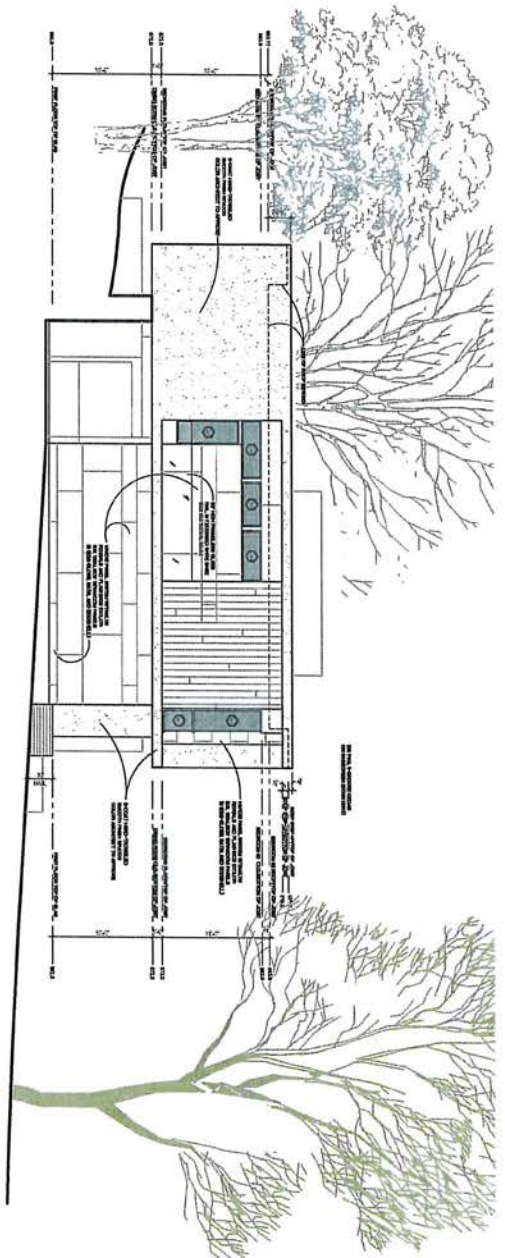
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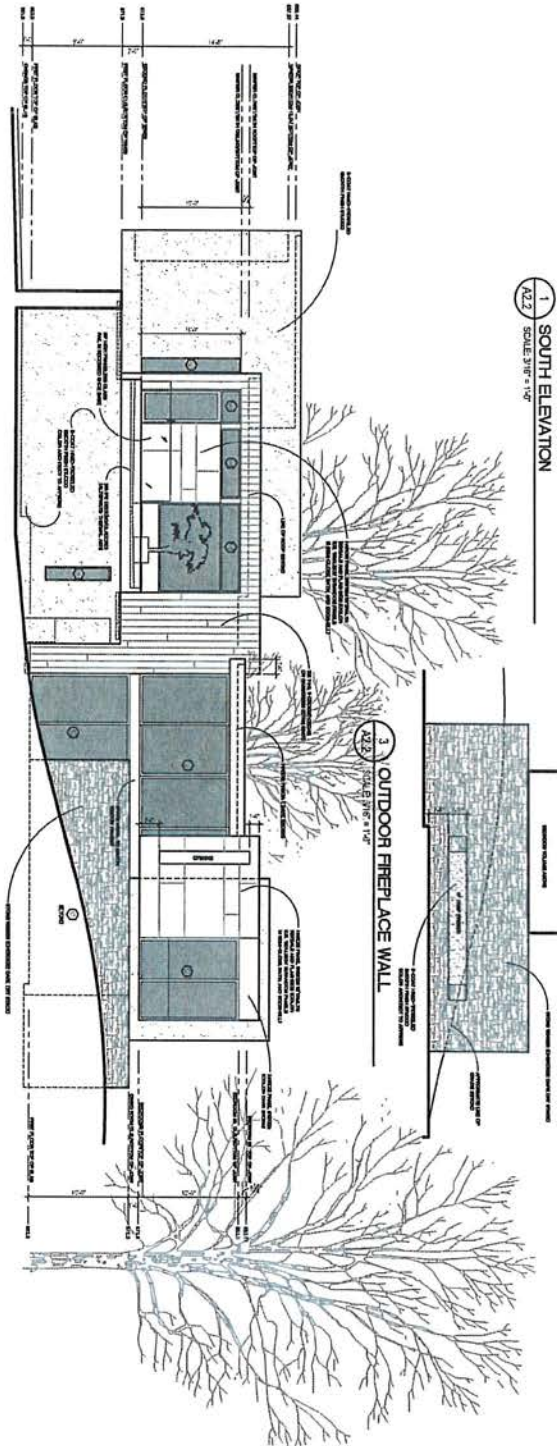
1 NORTH ELEVATION  
A2.1 SCALE 3/16" = 1'-0"



2 EAST ELEVATION  
A2.1 SCALE 3/16" = 1'-0"

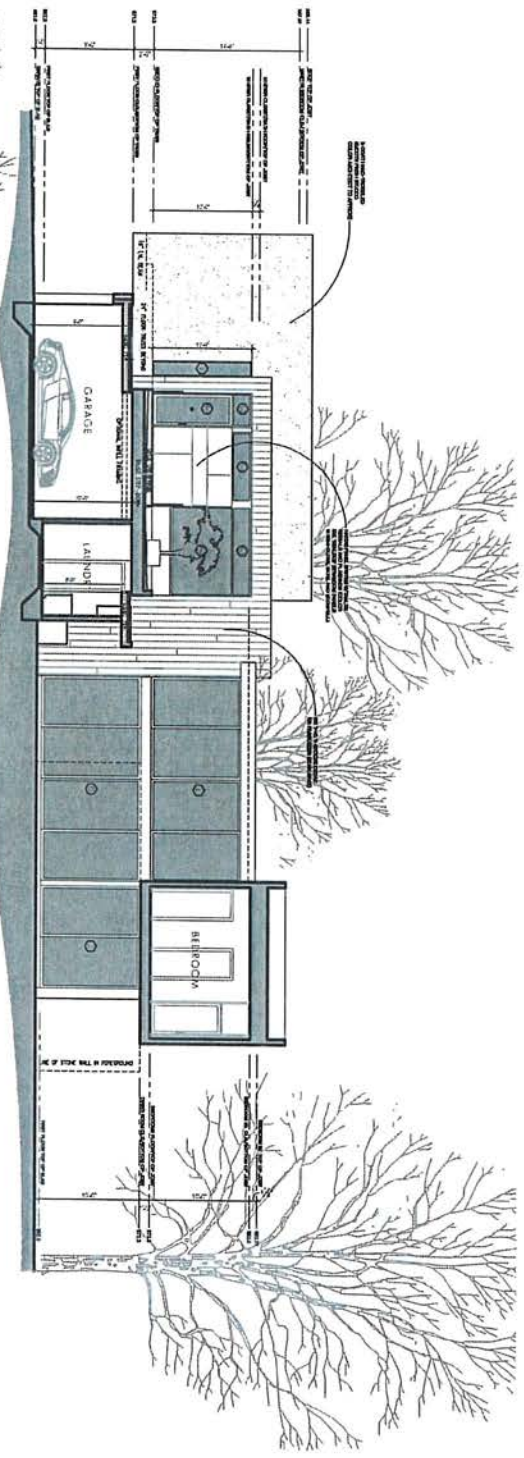


1 SOUTH ELEVATION  
A22 SCALE 3/8" = 1'-0"

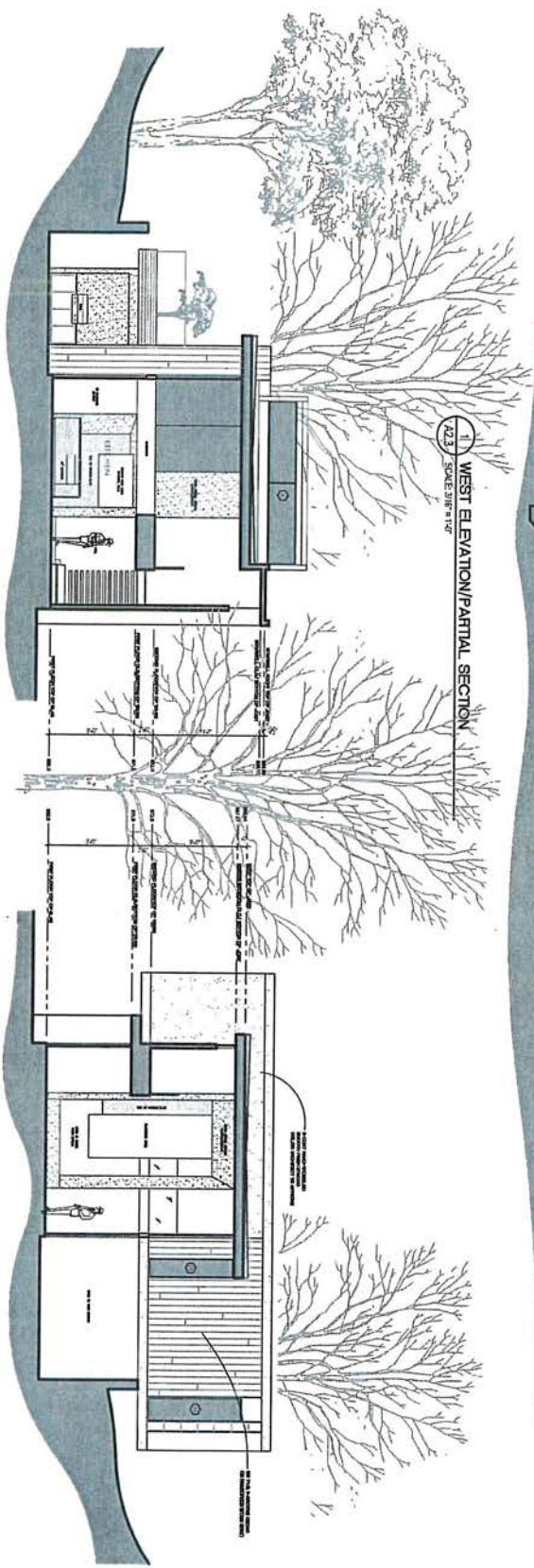


2 WEST ELEVATION  
A22 SCALE 3/8" = 1'-0"

3 OUTDOOR FIREPLACE WALL  
A22 SCALE 3/8" = 1'-0"



1 WEST ELEVATION/PARTIAL SECTION  
A2.3 SCALE: 3/8" = 1'-0"



2 LIVING ROOM SECTION - VIEW TO KITCHEN  
A2.3 SCALE: 3/8" = 1'-0"

3 LIVING ROOM SECTION - VIEW TO FIREPLACE  
A2.3 SCALE: 3/8" = 1'-0"



# DeKalb County GEORGIA

## ZONING BOARD OF APPEALS APPLICATION

### AUTHORIZATION TO REPRESENT THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property and that I authorize the applicant/agent to apply for a hearing to the Zoning Board of Appeals for the requests as shown in this application.

DATE: 4/15/2021

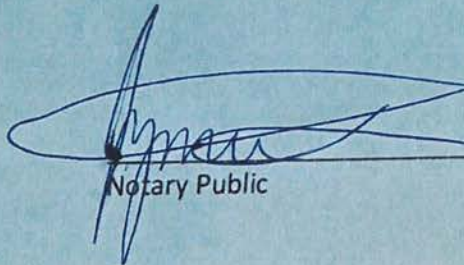
Applicant/Agent: Solomon Tesfay  
Signature

TO WHOM IT MAY CONCERN:

(I) (WE) Solomon Tesfay  
(Name of Owners)

being (owner/owners) of the property described below or attached hereby delegate authority to:

Greg K. Hecht and Jon W. Jordan  
Hecht Walker, P.C.  
205 Corporate Center Dr., Suite B  
Stockbridge, Georgia 30281

  
Notary Public

NOTARY PUBLIC  
DeKalb County, GEORGIA  
My Comm. Expires 06/12/2021

Solomon Tesfay  
Owner

Notary Public

Owner

Notary Public

Owner

## ZONING BOARD OF APPEALS APPLICATION

### AUTHORIZATION OF THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals  
To inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property subject to the application.

DATE: 4/15/21

Applicant: *Solomon Teyfay*  
Signature

DATE: \_\_\_\_\_

Applicant: \_\_\_\_\_  
Signature