



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

N3 Case No: A-21- 1244826 Parcel ID(s): 18-195-09-017

Commission District 02 Super District 06

Applicant: Kathleen Curry
3217 Lynnray Drive
Atlanta, GA 30340

Owner: Laura and Grant Baldwin
2021 N. Ridgeway Road, NE
Atlanta, GA 30345

Project Name: 2021 N. Ridgeway Road

Location: Property is located approximately 975 feet north of the intersection of N. Ridgeway Road and Fairwood Lane in Atlanta, Georgia 30345.

REQUEST: Variance from Chapter 27-2.2 Division 2- Residential Zoning Districts: Dimensional Requirements of the DeKalb County Zoning Ordinance to reduce the side yard setback from 10 feet to 4.5 feet, relating to the R-100 zoning district.

Staff Recommendation: Approval.

STAFF FINDINGS:

Variance Analysis:

Based on the submitted materials, the applicant is requesting a variance to reduce the side-yard 10 feet to 4.5 feet to enclose an existing carport.

The subject property is located within the R-100 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-100 zoned properties is 15,000 square feet, and the street frontage is 100 feet. Based on the submitted site plan, the subject property has a lot size of 26,115 square feet and a street frontage of 100 feet, conforming to the requirements of the R-100 zoning district.

Per County records, the existing single-family detached structure was constructed in 1957, approximately one year after the adoption of the 1956 *DeKalb County Zoning Ordinance*, but before the adoption of the current R-100 setbacks. The historic core of the house extends minimally into the north side yard setback and the original carport extends 5.5 feet into the south side yard setback. This encroachment makes the house legally non-conforming.

The applicant proposes to enclose the carport, which requires a variance because of the current side yard setback requirement of 10 feet. The subject lot is conforming; however, the house is non-conforming. Based on the submitted materials the requested variance may not go beyond the minimum necessary to afford relief. The requested variance may not constitute a grant of special privilege inconsistent with the limitations upon other properties in the R-100 zoning district in which the property is located.

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:

The application does not show by reason of exceptional narrowness, shallowness, or shape that 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 site plan, the subject lot meets the requirements of the R-100 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, it appears that the requested variance may not go beyond the minimum necessary to afford relief and may 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. Other houses along North Ridgeway Road (including 2027, 2038, 2039) appear to be similarly close to the property line and have enclosed garages. The applicant is not proposing additional construction or impervious lot coverage.

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, it appears that granting the variance may not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district. Enclosing the carport will maintain the rhythm between the houses and will not decrease the distance between the subject property and their closest neighbor.

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 cause an undue and unnecessary hardship by forbidding the enclosure of a structure built prior to the current zoning setbacks.

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 may be consistent with the spirit and purpose of this chapter. The future land use for the subject property described in the *DeKalb County Comprehensive Plan* text is Suburban. The plan states that the intent of the character area is to recognize those areas of the county that have developed in traditional suburban land use

patterns while encouraging new development to have increased connectivity and accessibility. The proposed carport enclosure is in keeping with the traditional suburban land use pattern.

FINAL STAFF ANALYSIS:

Based on the submitted materials, it appears that the requested variance may not go beyond the minimum necessary to afford relief and may not constitute a grant of special privilege inconsistent with the limitations upon other properties in the R-100 zoning district in which the subject property is located, therefore the Department of Planning and Sustainability recommends approval based on the site plan dated 11/17/2020.

If this application is approved, it should be subjected to the following condition:

1. The following information about this variance shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance, and condition(s) of approval.



DeKalb County Department of Planning & Sustainability

Hon. Michael Thurmond
Chief Executive Officer

Andrew Baker, AICP,
Director

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

BOA No. _____

Applicant and/or
Authorized Representative Kathleen Curry (Architect)

Mailing Address: 3217 Lynnray Drive

City/State/Zip Code: Atlanta, Georgia 30340

Email: kcurry@homeworkarchitecturalstudio.com

Telephone Home: 404-819-6150 Business: _____ Fax No.: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Laura and Grant Baldwin

Address (Mailing): 2021 N RIDGEWAY ROAD NE

City/State/Zip Code: Atlanta, Georgia 30345

Email: lbz7@cdc.gov

Telephone Home: 404-931-8774 Business: _____ Fax No.: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 2021 N RIDGEWAY ROAD NE City: Atlanta State: GA Zip: 30345

District(s): 18 Land Lot(s): 195 Block: D Parcel: 1819509017

District(s): _____ Land Lot(s): _____ Block: _____ Parcel: _____

District(s): _____ Land Lot(s): _____ Block: _____ Parcel: _____

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.)
OFFICIALS APPEALS OF ADMINISTRATIVE DECISIONS.

TO BE COMPLETED BY PLANNING AND SUSTAINABILITY DEPARTMENT

Date Received: _____

Fee Paid: _____




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: 3/19/21

Applicant: 
Signature

DATE: _____

Applicant: _____
Signature



DeKalb County
GEORGIA

3

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: 03-15-2021

Applicant/Agent: [Signature]
Signature

TO WHOM IT MAY CONCERN:

(I)/ (WE) Laura OR Grant Baldwin
(Name of Owners)

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

Kathleen Curry (Architect)

(Name of Applicant or Representative)

To file an application on (my) / (our) behalf

[Signature: Farida Shums]
Notary Public

[Signature]
Owner

Farida Shums
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires 06/28/2024

Notary Public

Owner

Notary Public

Owner

**2021 N. Ridgeway Road
Atlanta, Georgia 30345
SUMMARY AND JUSTIFICATION FOR VARIANCE
Variance Application Request**

1. SUMMARY OF PROPOSED CONSTRUCTION CHANGES TO BUILDINGS OR SITE:

The current homeowners would like to enclose their current carport to become a garage. However, the current footprint of the building sits over the existing side building setback line. The garage will still be within the existing footprint of the current home, by enclosing the side and rear walls, and adding a garage door facing the street.

The applicant requests to reduce the side setback to accommodate this situation. See the attached site plan and drawings.

2. VARIANCE CRITERIA:

A. BUILDING SET BACK VARIANCE **REQUEST**:

- a. The existing house does not sit within required setback on the carport side.
- b. The homeowner requests to enclose the carport to be a garage on the side, which would reduce the side setback requirement from 10'-0" to 4'-6".

B. LOT COVERAGE **INFORMATION**:

- a. Lot coverage remains the same in this situation.

3. THIS VARIANCE REQUEST DOES NOT CAUSE SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD OR IMPAIR THE PURPOSES AND INTENT OF THE ZONING ORDINANCE OF DEKALB COUNTY.

The zoning variance is required to get a building permit to enclose the carport to become a garage.

Enclosing the garage will give the homeowners a safe space to park their cars and store their outdoor equipment, which is a place that this property does not currently have. This is an original ranch style home. Many other houses in the area and on this street have been updated with garages. The enclosed garage will not be detrimental to the neighbors and surrounding area. The exterior enhancements will be a positive change for the surrounding area.

All in all, the proposed project will not diminish safety from fire, panic, or other dangers. The proposed project will not diminish the amount of light and air to the neighboring properties. And the proposed project is proportionate and appropriate with the other single-family homes in this area.

HOME WORK ARCHITECTURAL STUDIO

Kathleen Curry, LLC

Kathleen Curry, Architect

(404) 819-6150

2021 N. Ridgeway Road NE


Atlanta, Georgia 30345

Dekalb County Variance Application

Page 2

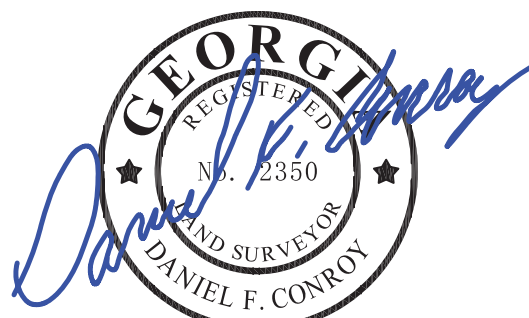
Please contact me if you have any questions or concerns.

Thank you,

A handwritten signature in blue ink that reads "K. Curry". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Kathleen Curry, Architect
Home Work Architectural Studio
Kathleen Curry, LLC
404-819-6150

THIS SURVEY IS A RETRACEMENT OF AN EXISTING PARCEL OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENT(S), MAP(S), PLAT(S) OR OTHER INSTRUMENT(S) WHICH CREATED THE PARCEL(S) ARE STATED HEREON. RECORDATION OF THIS SURVEY DOES NOT IMPLY APPROVAL OF THE LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHER, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS MAP, PLAT, OR PLAN COMPLIES WITH THE MINIMUM 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 OCGA 15-6-6



FOR THE FIRM
BOUNDARY ZONE, INC.
LSF #839
NOT VALID WITHOUT
ORIGINAL SIGNATURE

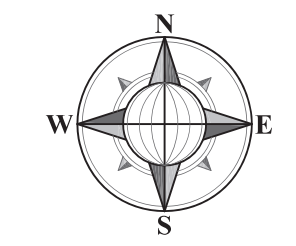
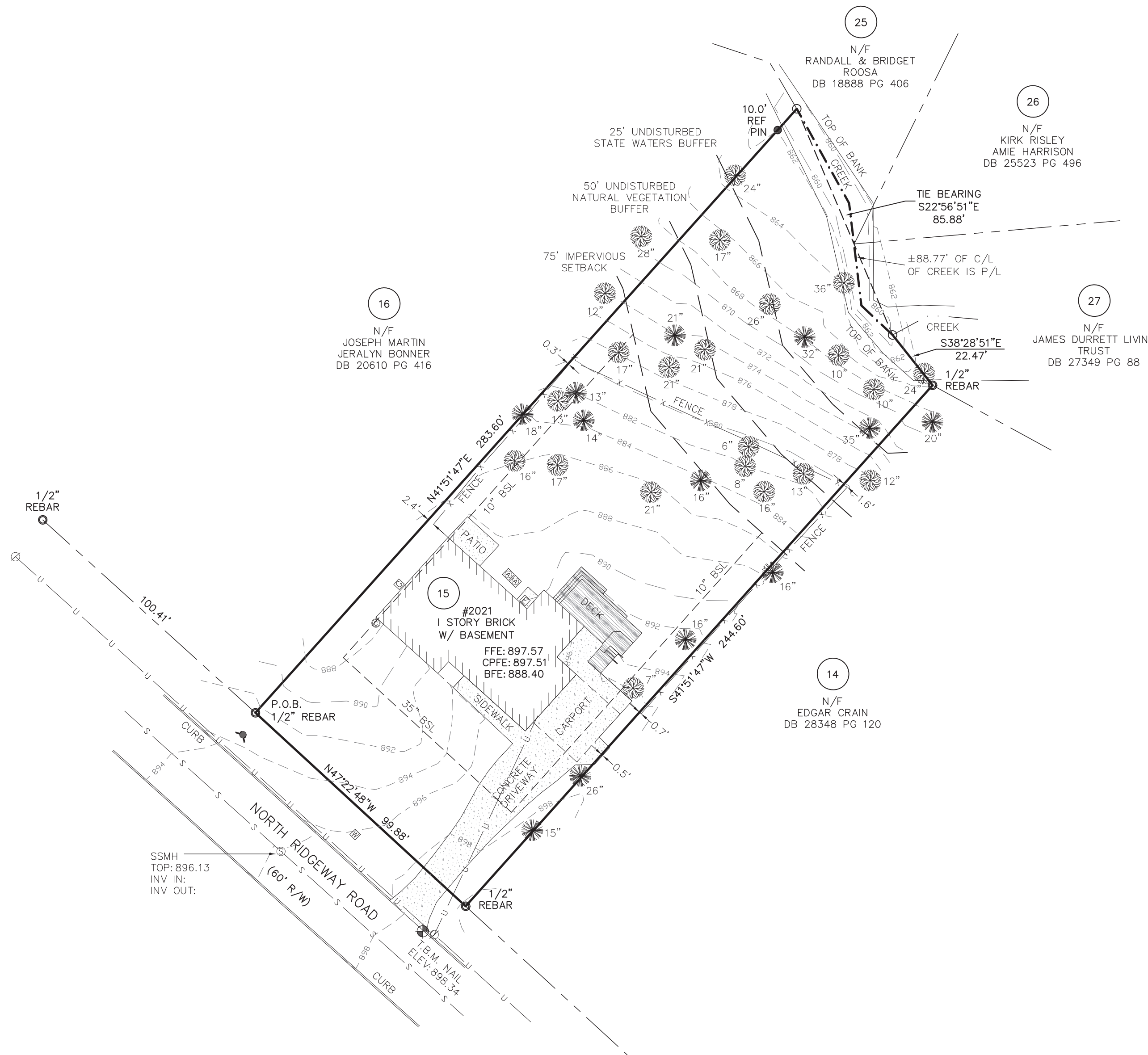
Daniel F. Conroy
11/17/2020
DANIEL F. CONROY PLS #2350 DATE

ZONING SUMMARY: R-100
SINGLE FAMILY RESIDENTIAL

FRONT SETBACK 35'
SIDE SETBACK 10'
REAR SETBACK 40'

INFORMATION OBTAINED FROM
DEKALB COUNTY RECORDS

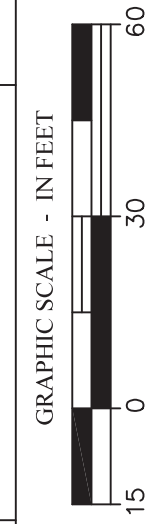
THE SURVEYOR IN NO WAY INTENDS TO
INTERPRET OR MAKE CONCLUSION REGARDING
THE ZONING AND SETBACK DESIGNATION SHOWN
HEREON.



GRID NORTH
GA WEST NAD 83
DATUM NAVD 88

SCALE: 1" = 30'

NO.	REVISION	DATE
1		
2		
3		
4		
5		



BOUNDARY, TOPOGRAPHIC & TREE SURVEY
PREPARED FOR: LAURA BALDWIN
LOT 15, BLOCK "D", UNIT 3, BRIARCLIFF WOODS S/D
LAND LOT 195, 18TH DISTRICT,
DEKALB COUNTY, GEORGIA - 11/17/2020

<ul style="list-style-type: none"> ⊕ IRRIGATION CONTROL VALVE ○ PROPERTY CORNER FOUND (AS NOTED) ● 1/2" REBAR WITH CAP SET LSF# 839 ⊠ R/W MONUMENT ⊠ FIRE HYDRANT 	<ul style="list-style-type: none"> DE DRAINAGE EASEMENT ⊙ MANHOLE ⊙ CLEAN OUT ⊙ WATER METER ⊙ WATER VALVE ⊙ POWER POLE ⊙ LIGHT POLE 	<ul style="list-style-type: none"> ⊠ UNDERGROUND UTILITY MARKERS ⊠ A/C UNIT ⊠ GUY WIRE ⊠ JUNCTION BOX ⊠ OUTFLOW STRUCTURE ⊠ DRAINAGE INLET ⊠ POWER/LIGHT POLE 	<ul style="list-style-type: none"> ⊠ GAS VALVE ⊠ CABLE BOX ⊠ POWER METER ⊠ POWER BOX ⊠ REGULAR PARKING ⊠ HANDICAP 	<ul style="list-style-type: none"> CMP CORRUGATED METAL PIPE L.L. LAND LOT N/F NOW OR FORMERLY P/L PROPERTY LINE OH OVERHANG ⊠ GAS METER 	<ul style="list-style-type: none"> RCP REINFORCED CONCRETE PIPE C.B. CATCH BASIN CNT CANTILEVER ⊠ TELEPHONE BOX ⊠ SIGN —W— WATER LINE —U— OVERHEAD UTILITY LINE 	<ul style="list-style-type: none"> HDPE HIGH DENSITY POLYETHYLENE PIPE —S— SEWER LINE —G— GAS LINE —C— CABLE LINE —T— TELEPHONE LINE —□— FENCE LINE —920— CONTOUR LINE 	<ul style="list-style-type: none"> DIP DUCTILE IRON PIPE BSL BUILDING SETBACK LINE CONC. CONCRETE EOP EDGE OF PAVEMENT BFE BASEMENT FLOOR ELEVATION GFE GARAGE FLOOR ELEVATION FFE FINISHED FLOOR ELEVATION 	<ul style="list-style-type: none"> SSE SANITARY SEWER EASEMENT DB DEED BOOK PB PLAT BOOK PG PAGE POB POINT OF BEGINNING POC POINT OF COMMENCEMENT A.K.A. ALSO KNOWN AS 	<ul style="list-style-type: none"> F.K.A. FORMERLY KNOWN AS NAD NORTH AMERICAN DATUM NAVD NORTH AMERICAN VERTICAL DATUM ⊙ HARDWOOD TREE ⊙ PINE TREE
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TOTAL AREA: ±0.600 ACRES / ±26,115 SQUARE FEET

BOUNDARY REFERENCE: DEED BOOK 22423, PAGE 309, PLAT BOOK 26, PAGE 31
FIELDWORK PERFORMED ON 11/16/2020

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 114,241 FEET.

THIS PLAT HAS BEEN PREPARED USING A TRIMBLE ROBOTIC TOTAL STATION.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 23,298 FEET, AND ANGULAR ERROR OF 03 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.



BOUNDARY zone, inc. LAND SURVEYING SERVICES & LAND PLANNING SERVICES

SURVEYING LANDSCAPE ARCHITECTURE LAND PLANNING
WWW.BOUNDARYZONE.COM (770) 271-5772

SUWANEE (770) 271-5772
454 SATELLITE BLVD, SUITE 200
SUWANEE, GA 30024

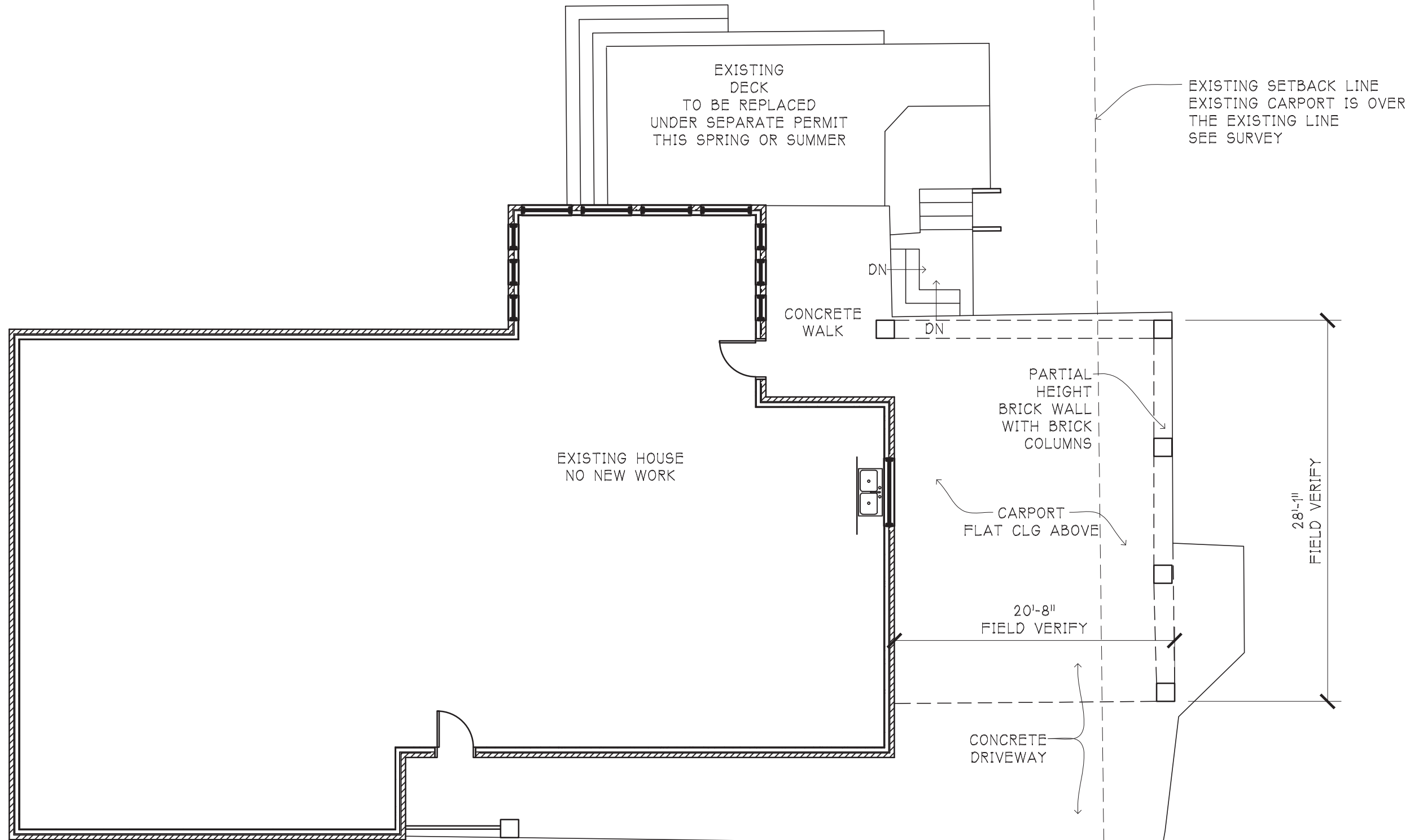
ATLANTA (404) 446-8180
1100 PEACHTREE STREET, SUITE 200
ATLANTA, GA 30309

KENNESAW (678) 730-4393
125 TOWN PARK DRIVE
SUITE 300
KENNESAW, GA 30144

PROJECT
2289901

SHEET
1 OF 1

DWN: BH

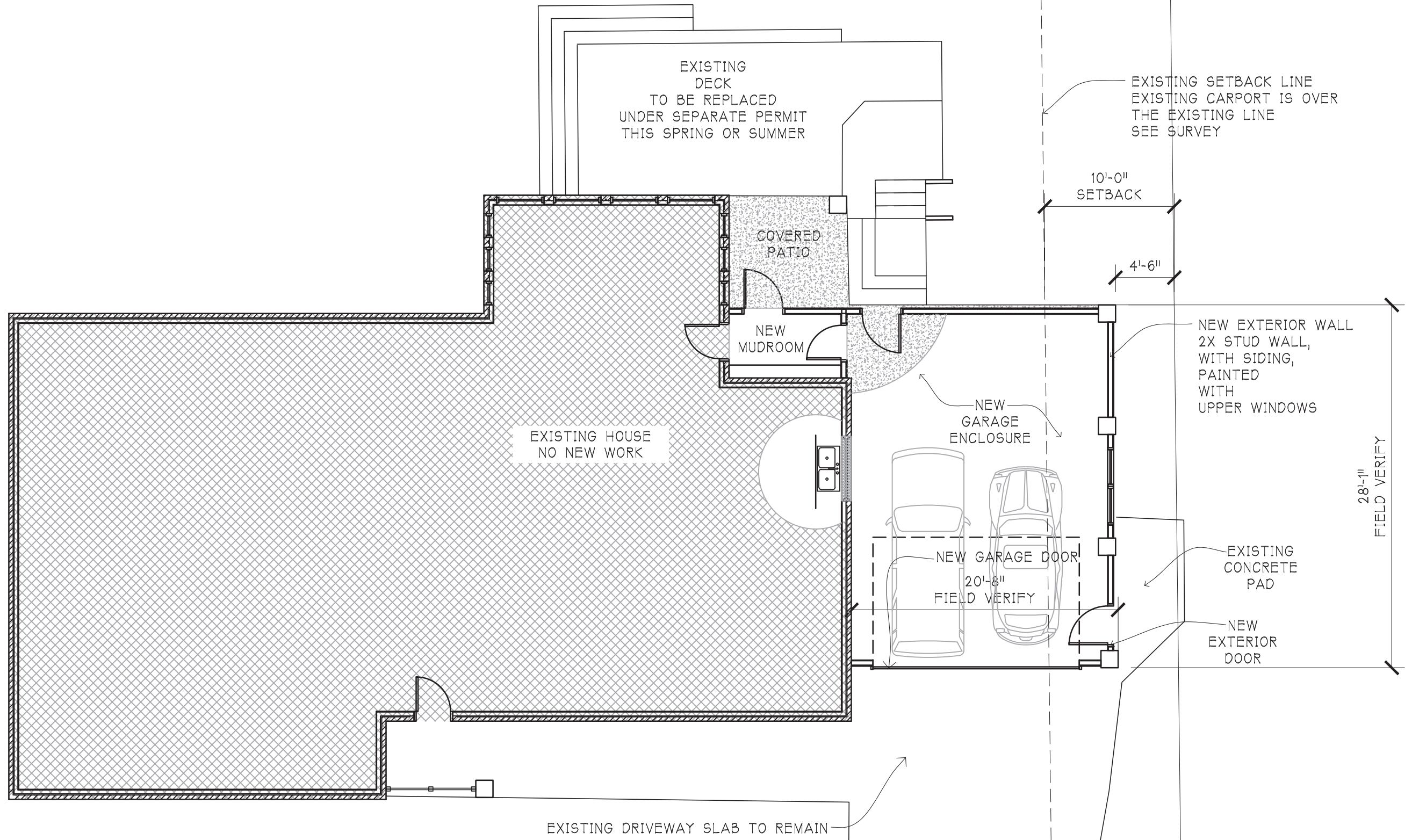


FLOOR PLAN - EXISTING
 1/8" = 1'-0"

FIELD VERIFY ALL EXISTING DIMENSIONS

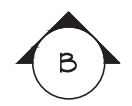


PHOTO



FLOOR PLAN - NEW WITH GARAGE ENCLOSURE
 1/8" = 1'-0"

FIELD VERIFY ALL EXISTING DIMENSIONS

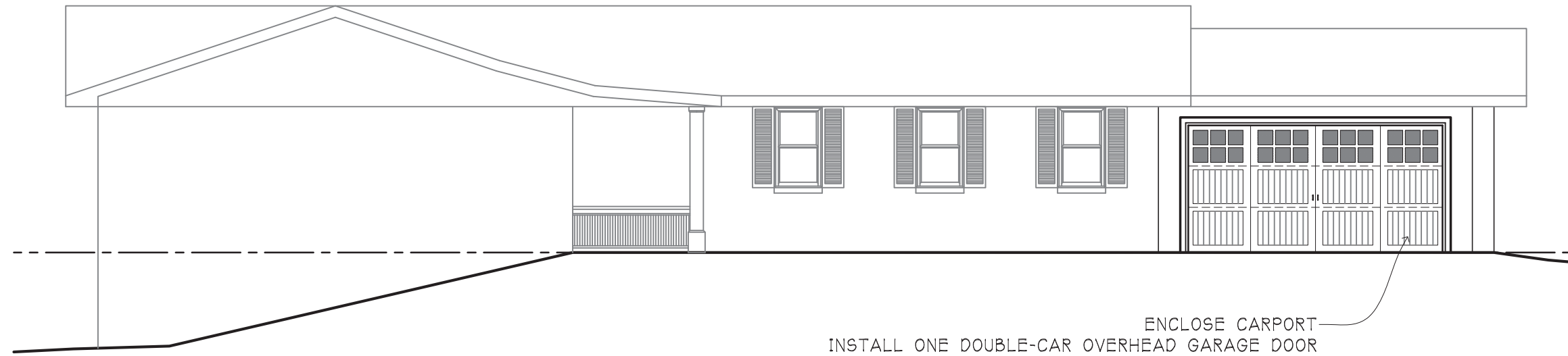


BALDWIN RESIDENCE
 NORTH RIDGEWAY ROAD NE
 CARPORT - GARAGE ALTERATION
 VARIANCE APPLICATION
 2021 MARCH 15



EXISTING CARPORT

A FRONT EXISTING PHOTO - VIEW OF EXISTING CARPORT
NOT TO SCALE

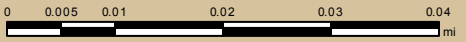


ENCLOSE CARPORT
INSTALL ONE DOUBLE-CAR OVERHEAD GARAGE DOOR

B FRONT ELEVATION - VIEW OF NEW GARAGE DOOR
1/8" = 1'-0"



2021 N. Ridgeway Rd Aerial

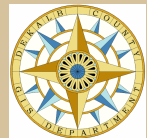


Date Printed: 4/23/2021

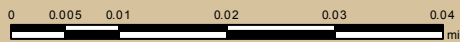


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2021 N. Ridgeway Rd Zoning



Date Printed: 4/23/2021



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