



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

N4 Case No: A-21-1244827 Parcel ID(s): 18-249-01-124

Commission District: 01 Super District 07

Applicant: April Ingraham
3688 Clearview Ave
Atlanta, GA 30319

Owner: Glenn Y. Cambre Jr
3134 Smokestone Court
Atlanta, GA 30345

Project Name: 3134 Smokestone Court

Location: The property is located north of Smokestone Court at 3134 Smokestone Court Atlanta, GA 30345.

REQUEST: Variance from Chapter 27- 5.4.7.(D) – Walls, fences, and retaining walls of the *DeKalb County Zoning Ordinance* to) to increase of the maximum height for a proposed retaining wall from 4 feet to 8 feet.

Staff Recommendation: **“Approval ” as shown on the submitted site plan received April 5, 2021 to increase the maximum height for a proposed retaining wall from 4 feet to 8 feet subject to the following condition:**

1. That 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.

STAFF FINDINGS:

Variance Analysis:

The applicant is requesting a variance to increase the maximum height for a proposed retaining wall from 4 feet to 8 feet in order to build a modular block wall to improve drainage and create a functional rear yard. Per *Chapter 27- 5.4.7.(D) – Walls, fences, and retaining walls of the DeKalb County Zoning Ordinance* the maximum height for retaining walls in residentially zoned districts are 4 feet.

Based on the submitted materials, The subject property is approximately 15,261 square feet. The rear yard, which is irregular trapezoid shaped, comprises approximately 5,600 square feet. The intent of the proposed wall is to improve drainage and grades with the installation including French drains, sod, and new plantings. Therefore, based on the submitted materials, the requested variance meets the criteria of approval as listed 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, by reason of shape of lot, exceptional topographic conditions, and other site constraints the strict application of the requirements of this chapter may deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district. As mentioned above, the rear yard, which is irregular trapezoid shaped, comprises approximately 5,600square feet. The proposed wall could improve drainage and grades with the installation including French drains, sod, and new plantings.

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.

Granting this variance to allow construction of the wall(s) up to 8' could allow the owner to practically improve existing drainage and improve soil absorption.

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.

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 due to the irregularly shape lot and site constraints such as the severe topography.

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 maybe inconsistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

FINAL STAFF ANALYSIS:

Based on the submitted materials, it appears that 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. Therefore, the Department of Planning and Sustainability recommends that this application be approved.



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 APRIL INGRAHAM

Mailing Address: 3688 CLEARVIEW AVE STE 101

City/State/Zip Code: ATLANTA GA 30340

Email: consultant@thepermitspecialist.com

Telephone Home: 404-421-1520 Business: 404-421-1520

OWNER OF RECORD OF SUBJECT PROPERTY

GLENN T. CAMBRE JR

Owner: _____

Address (Mailing): 3134 SMOKESTONE CT NE ATLANTA GA 30345

Email: _____

Telephone Home: _____ Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 3134 SMOKESTONE CT NE City: ATLANTA State: GA Zip: 30345

District(s): 18 Land Lot(s): 249 Block: 01 Parcel: 124

Zoning Classification: R-100 Commission District & Super District: CD1 & SD7

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: _____



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.

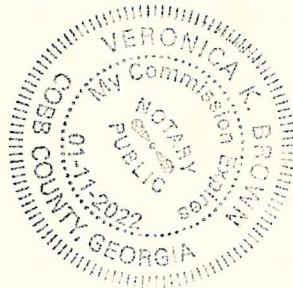
DATE: 03/25/2021

Applicant: 
Signature GLENN T. CAMPBELL

DATE: 03/25/2021

Applicant: 
Signature EMILY W. CAMPBELL

ON THIS 25th day, March, 2021.
Veronica K. B.





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: 3/30/2021

Applicant/Agent: _____
Signature

TO WHOM IT MAY CONCERN:

(I)/ (WE) GLENN & EMILY CAMBLE
(Name of Owners)

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

APRIL INGRAHAM/THE PERMIT SPECIALIST LLC

(Name of Applicant or Representative)

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

Veronica KB.
Notary Public

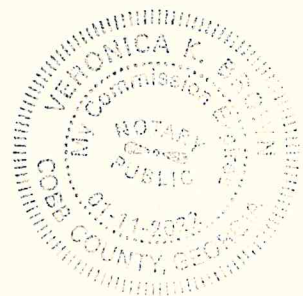
Notary Public

Notary Public

Carter
Owner

Emily Camble
Owner

Owner



Filing Guidelines for Applications to the DeKalb County, Ga. Board of Appeals

1. Order of Submitted Materials:

- a. Application Form
- b. Signatures and authorization (including permission to go on property)
- c. Letter of Intent
- d. Surveys, site plans.
- e. Other relevant materials (e.g. photographs, letters of support, citation, etc.)
- f. Filing Fee (\$300 payable to "DeKalb County")

2. Application Materials:

- a. **Submit one (1) digital copy of the completed application and materials to plansustain@dekalbcountyga.gov. DO NOT USE E-permitting services (Project Dox).**
- b. **Ten (10) hard copies of all materials are required along with the application fee. Contact the ZBA Senior Planner for delivery arrangements.**
- c. Applications must be submitted in complete, collated packets.
- d. All materials must be folded in stacks of 8½ x 11.

3. Surveys and site plans of the Subject Property:

- a. Must be stamped by a professional engineer or surveyor, registered in the State of Georgia.
- b. All plans and surveys must include the following information:
 1. Must show all property lines with dimensions.
 2. Must show the location of all existing and proposed buildings, structures, parking and setbacks (their relationship to the property boundaries).
 3. Must show any other features related to the request such as trees, fences, topography, streams, etc.
 4. Must be to-scale
 5. Must show lot area and lot coverage (impervious materials, including paving and structures).
 6. Larger and small scale plans (8½ x 11) are generally required.
 7. If property is not located in a platted subdivision, a legal description must be included.

5. Letter of Intent:

- a. A typed statement indicating the request and clarifying justification for the proposal based on the criteria as indicated in Section 27-7.5.3 or 7.5.4 of the DeKalb County Zoning Ordinance (see attached information).
- b. Reference the section of the code you are requesting to vary and the amount of requested change, (such as to reduce the rear yard setback from forty (40) feet to twenty (20) feet to construct an addition).

6. Authorization:

- a. If property owner is different from the applicant, the form to authorize the application must be signed by the owner and stamped by a notary.
- b. If property is owned by more than one property owner, all property owners must authorize the request.
- c. Authorize staff and members of the Board of Appeals to go on the property for site analysis and to post signs.

7. Application Fee is \$300. All checks must be payable to "DeKalb County". There are no refunds after notice has been sent to the newspaper for advertisement.

8. For all applications longer than 15 pages, a pdf or word document on a cd or thumb drive must be submitted with the application.

LETTER OF INTENT

Please address the following criteria as appropriate:

7.5.1 Applications for variances; and criteria to be used by the zoning board of appeals in deciding applications for variances.

The zoning board of appeals shall hear and decide applications for variances from the strict application of the regulations of this chapter and chapter 21 where the strict application of any regulation enacted under said chapters would result in exceptional and undue hardship upon the owner of such property. In determining whether or not to grant a variance, the board shall apply the criteria specified in this section to the facts of each case. The board may attach reasonable conditions to any approved variance in accordance with section 7.3.9. Once imposed, conditions shall become an integral part of the approved variance and shall be enforced as such. No changes to an approved condition attached to a variance shall be authorized except by re-application to the zoning board of appeals in full compliance with the applicable provisions of this division. No relief may be granted or action taken under the terms of this division unless such relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this chapter and the comprehensive plan. The zoning board of appeals shall apply the following criteria to the types of applications specified below as follows:

- A. Variances from the provisions or requirements of this chapter other than variances described in section 7.5.4 shall be authorized only upon making all of the following findings in writing:
 - 1. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), 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.
 - 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.
 - 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.
 - 4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause 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.
- B. Appeals of decisions regarding building architectural design standards shall be evaluated using the same criteria as section 7.6.7(B).

- C. Appeals to the height standards, but not to add stories, shall be evaluated using the criteria as follows:
1. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.
 2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.
 3. Adequacy of public services, public facilities, and utilities to serve the proposed use.
 4. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.
 5. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.
 6. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

7.5.2 Applications for variances to reduce or waive off-street parking or loading space requirements.

The zoning board of appeals shall hear and decide applications for variances to reduce or waive required off-street parking or loading spaces in accordance with the provisions and standards of this section. All such applications shall be heard and decided based on the notice requirements of section 7.2.4. The zoning board of appeals may waive or reduce the required number of parking or loading spaces in any district only upon an expressed finding that:

- A. The character of the use of the building(s) is such as to make unnecessary the full provision of parking or loading spaces;
- B. The lot upon which the building(s) is located is within one thousand (1,000) feet of the boundary of a MARTA RapidTransit Station;
- C. The provision of the full number of parking spaces would have a deleterious effect on a historic building, site, district or archaeological resource;
- D. The use has a characteristic that differentiates it from the typical use example used in the formulation of this ZoningOrdinance;
- E. The location of the proposed development is relatively isolated where the opportunity for diversity of use, pedestrian access, and alternative modes is not available; or
- F. The developer is providing the additional spaces for general public parking (for hourly or daily parking charges) to serve surrounding development.

Section 21-27. Sign Variances.

(a) Where a literal application of this article, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted by the zoning board of appeals after receiving evidence that the applicant meets all of the following criteria:

- (1) Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area;
- (2) Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated;
- (3) The exceptional circumstances are not the result of action by the applicant;
- (4) The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated;
- (5) Granting of the variance would not violate more than one (1) standard of this article; and
- (6) Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.

(b) No variance shall be granted to the height of a sign or the aggregate area of signs permitted on a lot.

(c) No variance shall be granted which increases the size of a sign more than twenty (20) percent of that allowed by this chapter. (Ord. No. 13-03, Pt. I, 6-10-03)

7.5.3 Appeals of decisions of administrative officials.

- A. *General Power.* The zoning board of appeals shall have the power and duty to hear and decide appeals where it is alleged by the appellant that there is error in any final order, requirement, or decision made by an administrative official based on or made in the enforcement of this Zoning Ordinance or as otherwise authorized by local law or the Code of DeKalb County as Revised 1988. Administrative officials must make final decisions covered by this section within one hundred and eighty (180) days of receipt of all necessary information to make such decision. A failure to act prior to the passage of one hundred and eighty (180) days shall not be construed to be a final order, requirement or decision within the meaning of this division. If a decision is not made by the 181st day, the requested decision is deemed denied, and becomes appealable. All such appeals shall be heard and decided following the notice requirements of section 7.2.4, and pursuant to the following criteria and procedural requirements.
- B. *Appeals of decisions of administrative officials.* Appeals of decisions of administrative officials may be filed by (1) any person aggrieved by; (2) any elected member of the DeKalb County Governing Authority affected by; or (3) an owner of property within two hundred and fifty (250) feet of the nearest property line of the property that is the subject of any final order, requirement, or decision of an administrative official, based on or made in the enforcement of this Zoning Ordinance, or as otherwise authorized by local law or the

Code of DeKalb County as Revised 1988. by filing with the secretary of the zoning board of appeals an application for appeal, specifying the grounds thereof, within fifteen (15) days after the action was taken by the official that is the subject of the appeal.

- C. *Appeal stays all legal proceedings.* An appeal of a decision of an administrative official stays all legal proceedings in furtherance of the action or decision appealed from unless the official from whom the appeal is taken certifies to the zoning board of appeals, after notice of appeal has been filed, that by reason of facts stated in the certificate, a stay would, in that official's opinion, cause imminent peril to life or property. In such a case, legal proceedings shall be stayed only pursuant to a restraining order granted by a court of competent jurisdiction directed to the officer from whom the appeal is taken and on due cause shown.
- D. *Appeal stays land disturbance or construction activity in certain situations.* If the action or decision appealed from permits land disturbance or construction activity to commence or continue on residentially zoned property, the appeal stays the land disturbance or construction activity until the zoning board of appeals issues a decision on the appeal. Thereafter, land disturbance or construction activity in such cases shall only be stayed by an order from a court of competent jurisdiction. In all cases involving non-residentially zoned property, the appeal to the zoning board of appeals does not stay land disturbance or construction activity; such activity shall only be stayed by an order from a court of competent jurisdiction.
- E. Thereafter, in such situations land disturbance or construction activity shall only be stayed by an order granted by a court of competent jurisdiction.
- F. *Time of hearing.* The zoning board of appeals shall fix a reasonable time for the hearing of the appeal and give notice thereof pursuant to the requirements of section 7.2.4 as well as written notice to the appellant. Any party may appear at the hearing in person, by an agent, by an attorney, or by the submission of written documentation.
- G. *Decision of the zoning board of appeals.* Following the consideration of all testimony, documentary evidence, and matters of record, the zoning board of appeals shall make a determination on each appeal and shall issue a written decision explaining the reasons for its decision. The zoning board of appeals shall decide the appeal within a reasonable time, but in no event more than sixty (60) days from the date of the hearing. An appeal shall be sustained only upon an expressed finding by the zoning board of appeals that the administrative official's action was based on an erroneous finding of a material fact, erroneously applied the Zoning Ordinance to the facts, or that the administrative official acted in an arbitrary manner. In exercising its powers, the zoning board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all the powers of the administrative official from whom the appeal was taken and may issue or direct the issuance of a permit, provided all requirements imposed by any applicable laws are met.

7.5.4 Limitations of authority of the zoning board of appeals.

No variance shall be granted by the zoning board of appeals to:

- A. Allow a structure or use not listed as a permitted use or a special use in the applicable zoning district or a density of development that is not authorized within such district. This prohibition does not apply to any variance from the supplemental regulations of Article 4 of this Zoning Ordinance or from any other accessory feature or characteristic of a permitted or special use, unless said variance is otherwise prohibited by the regulations of this chapter.
- B. Allow any variance which conflicts with or changes any requirement enacted as a condition of zoning or of a special land use permit by the board of commissioners.
- C. Reduce, waive or modify in any manner the minimum lot width unless the purpose is to reverse a lot merger.
- D. Reduce, waive or modify in any manner the minimum lot area established by this chapter.
- E. Extend the time period for a temporary outdoor social, religious, entertainment or recreation activity approved by the director of planning.
- F. Permit the expansion or enlargement of any nonconforming use of land, nonconforming use of land and buildings in combination, nonconforming use of land and structures in combination, or nonconforming use requiring special land use permit.
- G. Permit the reestablishment of any nonconforming use of land, nonconforming use of land and buildings in combination, nonconforming use of land and structures in combination, or nonconforming use requiring special land use permit where such use has lapsed pursuant to the requirements and limitations of Article 8 of this chapter.
- H. Permit customer contact for a home occupation authorized by this chapter.
- I. Allow any variance to increase the height of a building which will result in adding a story.

**GENERAL INFORMATION REGARDING APPLICATIONS
TO THE DEKALB COUNTY ZONING BOARD OF APPEALS:**

1. **Monthly Meetings.** The Zoning Board of Appeals meets once a month at 1:00 P.M. in the auditorium of the Manuel J. Maloof Administration Center annex, 1300 Commerce Drive, Decatur, GA (corner of West Trinity Place and Commerce Drive in Downtown Decatur).
2. **Application Submittals.** All applications are to be submitted to DeKalb County Planning Department, 330 West Ponce de Leon, Suite 500, Decatur, GA 30030. Applications will be reviewed for completeness to the Zoning Board of Appeals. For filing deadlines, hearing dates, and additional information, please contact the Planning Department at (404) 371-2155.
3. **Pre-application Meetings.** DeKalb County encourages pre-application meetings. Please call (404) 371-2155 to discuss your application and set up an appointment to meet with the Senior Planner assigned to the Board of Appeals.
4. **Blue Public Hearing Signs.** Public notice signs to advertise the application and date and time of the public hearing are required to be posted along the property frontage by the DeKalb County Zoning Ordinance. **Signs are posted by staff. Signs must remain posted until final Board of Appeals action regarding the request. If application is deferred, please do not remove signs.**
5. **Staff Report.** Staff prepares reports and recommendations for each application. These recommendations are based on the attached criteria established by the DeKalb County Code. Final staff reports are available to the applicant and the public the Monday prior to the scheduled Board of Appeals meeting. Staff reports can be e-mailed or picked up at the Planning Department (330 W. Ponce de Leon, 5th floor, downtown Decatur). They cannot be faxed.
6. **Zoning Board of Appeals Actions.** The Board of Appeals is authorized to:
 1. Approve the application as submitted
 2. Approve a revised application
 3. Approve an application with conditions
 4. Deny an application (if an application is denied, no variance can be considered on the same site within 24 months)
 5. Allow an application to be "Withdrawn without Prejudice" at the request of the applicant.
7. **Public Hearing portion of Meeting.** Applicants and others in favor of an application are given a total of five (5) minutes to present to the Board. Anyone speaking in opposition also has a total of five (5) minutes to address the application.
8. **Applicant and/or Representative must be Present.** Applicants or their representative must be present at the public hearing to present the request to the Zoning Board of Appeals.
9. **Executive Session.** After the public hearing, the Board of Appeals will close the public hearing, go into executive session for discussion, and will then take an action on an application. Applicants are not allowed to address the Board of Appeals during Executive Session unless they are asked questions by members of the Board of Appeals.

10. **Revisions or amendments.** An application must be submitted in writing and must be received ten (10) days before the scheduled meeting to be addressed in the staff report.
11. **Compliance with standards upon denial.** In such case that a variance request is initiated due to an existing code violation and such application is denied, the violation shall be required to be brought into compliance within thirty (30) days of such denial or as specified by the board if a greater time period is approved.
12. **Successive applications.** Section 27-920 of the DeKalb County Zoning Ordinance states: An application for a variance or special exception affecting all or a portion of the same property which was denied by the Zoning Board of Appeals shall not be submitted more than once every twenty-four (24) months measured from the date of final decision by the zoning board of appeals. The Zoning Board of Appeals may waive or reduce this twenty-four-month time interval by resolution provided that if the application for a variance or special exception was denied by the Zoning Board of Appeals, the time interval between the date of said denial and any subsequent application or amendment affecting the same property shall be no less than six (6) months.
13. **Appeals of Decisions.** Any person aggrieved by a final decision of the board, or any officer, department, board or agency affected by such decision, may seek review of such decision by petitioning the Superior Court of DeKalb County. Such petition shall be filed within 30 days after the final decision of the board is rendered.

Dekalb County
Department of Planning and Sustainability,
330 West Ponce De Leon Avenue
Decatur, GA 30030

Variance Letter of Intent:

3134 SMOKESTONE CT NE

ZONING: R-100

PARCEL ID#:18-249-01-124

VARIANCE REQUEST FOR THE CONSTRUCTION OF:
A NEW RETAINING WALL TO BE LOCATED IN THE SIDE AND REAR YARDS.
Increase allowable height from the required 4' to 8'.

The owner, GLEN T. CAMBRE JR., requests a variance to appeal section 5.4.7 (D) to approve an increase of the allowable height for a proposed retaining wall to 8' in order to build a modular block wall to improve drainage and create a functional rear yard.

By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), 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. By reason of exceptional topographic challenges in the rear yard, the owner is experiencing severe and extraordinary hardship, due to circumstances not created by the owner, where the yard has continuous slopes ranging from 29% to 14%. With the most severe slope located in the north east corner. This scenario renders 30% to 45% of the yard unusable and a nearly treacherous terrain, for recreational use, due to exposed roots.

This lot is approximately 0.35 acres or 15,261sqft. The rear yard, which is irregular trapezoid shaped, comprises approximately 5,600sqft. New walls will help improve drainage and grades with the installation including French drains, sod, and new plantings. Per the survey, the primary residence's basement floor elevation is 935.61'. The most severe slope, in the rear yard to that, is an approximate 9' decline from the basement elevation in the northeast section (which is the shorter side of the trapezoid shape). We are proposing a square shaped paver patio aligned with a 929' elevation in that area that will need walls measuring 1' to 6.7'. It will be accessed with the installation of steppingstones from the basement to the patio. The rest of the remaining yard (the elongated side) will be sodded and will have varying wall heights to create a level yard around the 933'/934' elevation. A 42" fence will be on top of the wall for life safety. The proposed distance of the wall from the property line is about 18". The entire yard will be landscaped substantially with various plantings and sod. Three culprit trees will need to be removed.

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. Granting a variance to allow construction of the wall(s) up to 8' will allow the owner to practically improve existing drainage and improve soil absorption which has currently eroded soils and exposed plant roots.

The grant of this 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. We believe relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this chapter and the comprehensive plan. This plan will feasibly help improve stormwater runoff as it will level out the yard, growing turf, or sod, will slow down water runoff and increase the absorption and percolation of water into the soil and plant roots. It should improve surrounding erosion as well.

The literal interpretation and strict application of the applicable requirements of this chapter would cause undue and unnecessary hardship. It will result in an inability to improve and install sustainable grading with a 4' tall wall. The residents would benefit from a levelled backyard space to enjoy their green space and conduct healthy activities. Strict application would impede on an enjoyment that other property owners may experience.

The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text preserves and enhances the integrity and quality of an existing residential neighborhood.

For the foregoing reasons, the owner respectfully requests the support and approval of the presented variance from the Zoning Board of Appeals.

Respectfully,

GLENN T. CAMBRE JR.
OWNER
APRIL INGRAHAM
OWNER'S REPRESENTATIVE

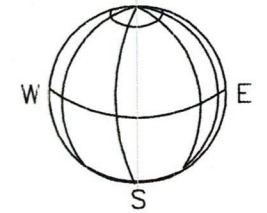
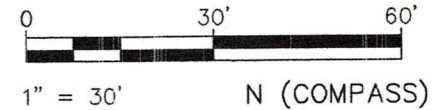
Date: 03/30/2021

GENERAL NOTES:

- 1: This Plat has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plat.
- 2: This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
- 3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
- 4: No Geodetic monuments were found within 500 feet of this site
- 5: This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

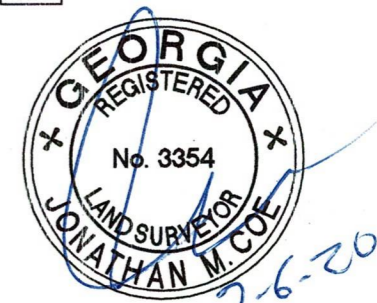
This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon.

RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



LEGEND

- EOP EDGE OF PAVEMENT (CURB)
- PP POWER POLE
- R/W RIGHT OF WAY
- IPF IRON PIN FOUND
- IPS 1/2" REBAR SET
- OTP OPEN TOP PIPE
- CTP CRIMP TOP PIPE
- RB STEEL REBAR
- SW SIDE WALK
- BOLLARD
- OHP OVERHEAD POWER
- FH FIRE HYDRANT
- CB CATCH BASIN
- MH MANHOLE
- WM WATER METER
- WV WATER VALVE
- GV GAS VALVE
- GM GAS METER
- LP LIGHT POLE
- CONCRETE PAD



FOR
DEKALB SURVEYS, INC.
407 WEST PONCE DE LEON AVENUE
SUITE B
DECATUR, GEORGIA 30030
404.373.9003

REFERENCE: DEED BOOK 27404 PG 639
PLAT BOOK 65 PG 12

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY FIRM MAP OF DEKALB COUNTY, GEORGIA 13089C0057K EFFECTIVE DATE AUGUST 15, 2019

SURVEY DATA:

TYPE OF SURVEY: RETRACEMENT
SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY: DB 27404 PG 639
PROPERTY OWNER AT TIME OF SURVEY: GLENN T. CAMBRE, JR
PARCEL NUMBER: 18-249-01-124

BEARING BASIS IS A SINGLE COMPASS READING & ANGLES TURNED; VERTICAL DATUM ASSUMED FROM DEKALB COUNTY GIS

TOTAL AREA: 15,261 SQ FT, 0.35 AC

CALCULATED PLAT CLOSURE: 1:83,991

FIELD DATA:

DATE OF FIELD SURVEY 7-2-2020

THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.015 FEET.

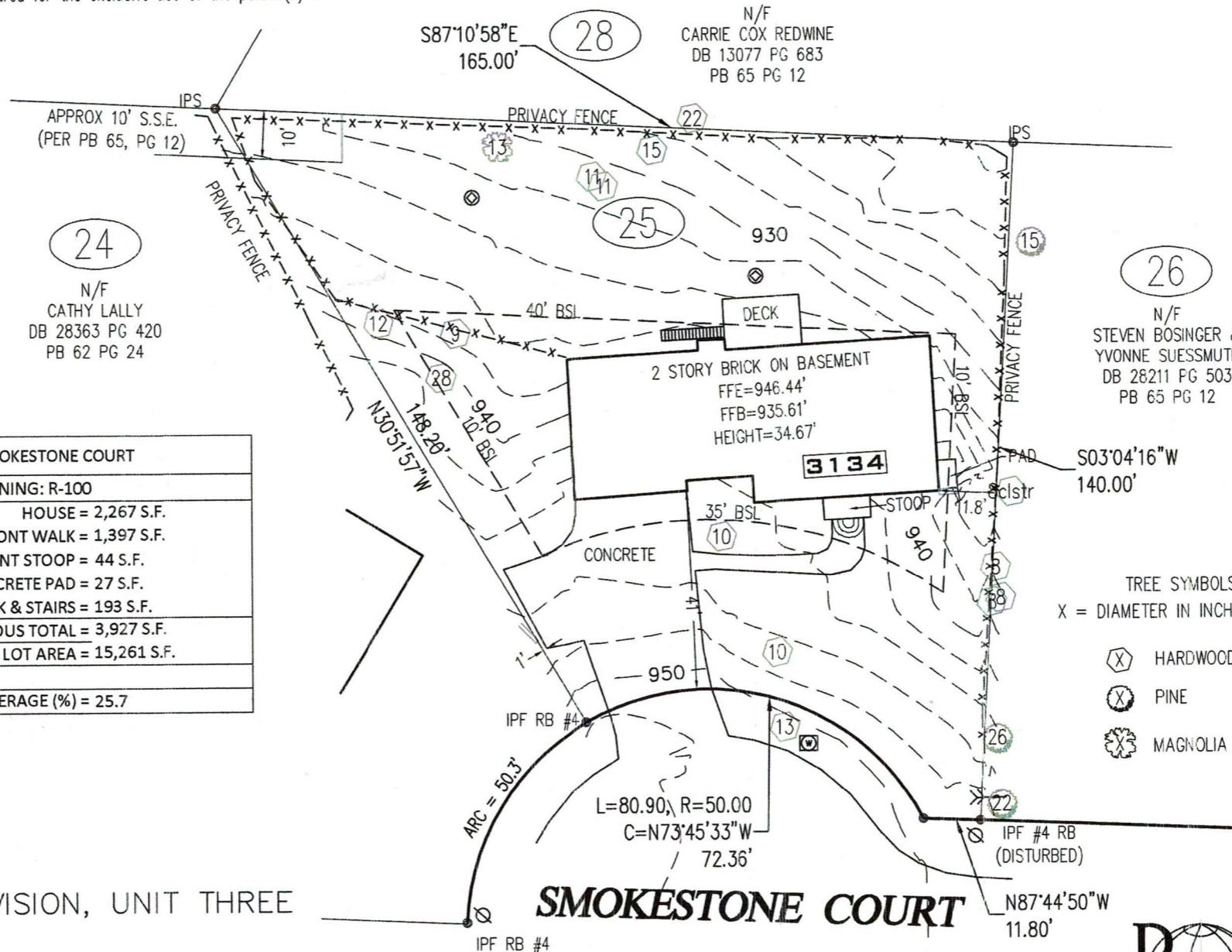
EQUIPMENT:
ELECTRONIC TOTAL STATION

BOUNDARY & TOPOGRAPHIC SURVEY FOR
PLANTS CREATIVE LANDSCAPES
LOT 25, BLOCK C, NORTHHAMPTON SUBDIVISION, UNIT THREE

3134 SMOKESTONE COURT

DEKALB COUNTY, GEORGIA
LAND LOT 249, DIST 18
DATE: JULY 6, 2020

3134 SMOKESTONE COURT	
ZONING: R-100	
HOUSE = 2,267 S.F.	
CONCRETE DRIVE / FRONT WALK = 1,397 S.F.	
FRONT STOOP = 44 S.F.	
SIDE CONCRETE PAD = 27 S.F.	
REAR WOOD DECK & STAIRS = 193 S.F.	
IMPERVIOUS TOTAL = 3,927 S.F.	
LOT AREA = 15,261 S.F.	
LOT COVERAGE (%) = 25.7	



- TREE SYMBOLS
X = DIAMETER IN INCHES
- (X) HARDWOOD
 - (X) PINE
 - (X) MAGNOLIA



www.dekalbsurveys.com
COA 1086

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SURVEYOR

ENHANCEMENT PLANS FOR GLENN AND EMILY CAMBRE



DISTRICT - 18
LAND LOT - 249

PROJECT DIRECTORY

CONSULTANT TEAM

- PLANTS CREATIVE LANDSCAPES**
 425 E. COLLEGE AVE.
 DECATUR, GA 30030
 CONTACT: RASCHELY FLINT
 404.290.6785
 raschely@plantscreative.com

OWNER

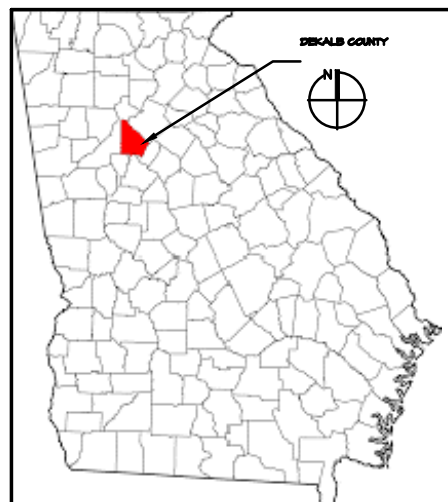
- EMILY CAMBRE**
 3134 SMOKESTONE COURT NE
 ATLANTA GA 30345
 770.876.0796

INDEX OF DRAWINGS

SHEET NO. SHEET TITLE

SHEET NO.	SHEET TITLE
	COVER SHEET
LS-1	SITE & LANDSCAPE PLAN
T-1/LS-2	TREE/HARDSCAPE PLAN
D-1	DETAILS PAGE

REGIONAL LOCATION MAP



PROJECT AREA LOCATION MAP



SEE ACCOMPANYING SITE SURVEY FOR PROPERTY INFORMATION PERTAINING TO SITE CONDITIONS

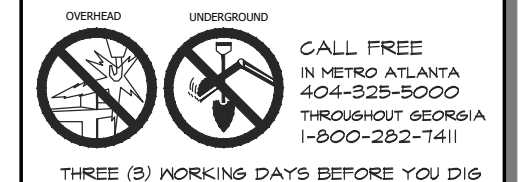
SUBJECT PARCEL IS LOT 25, BLOCK C, OF NORTHHAMPTON SUBDIVISION UNIT THREE PROPERTY LOCATED IN DEKALB COUNTY

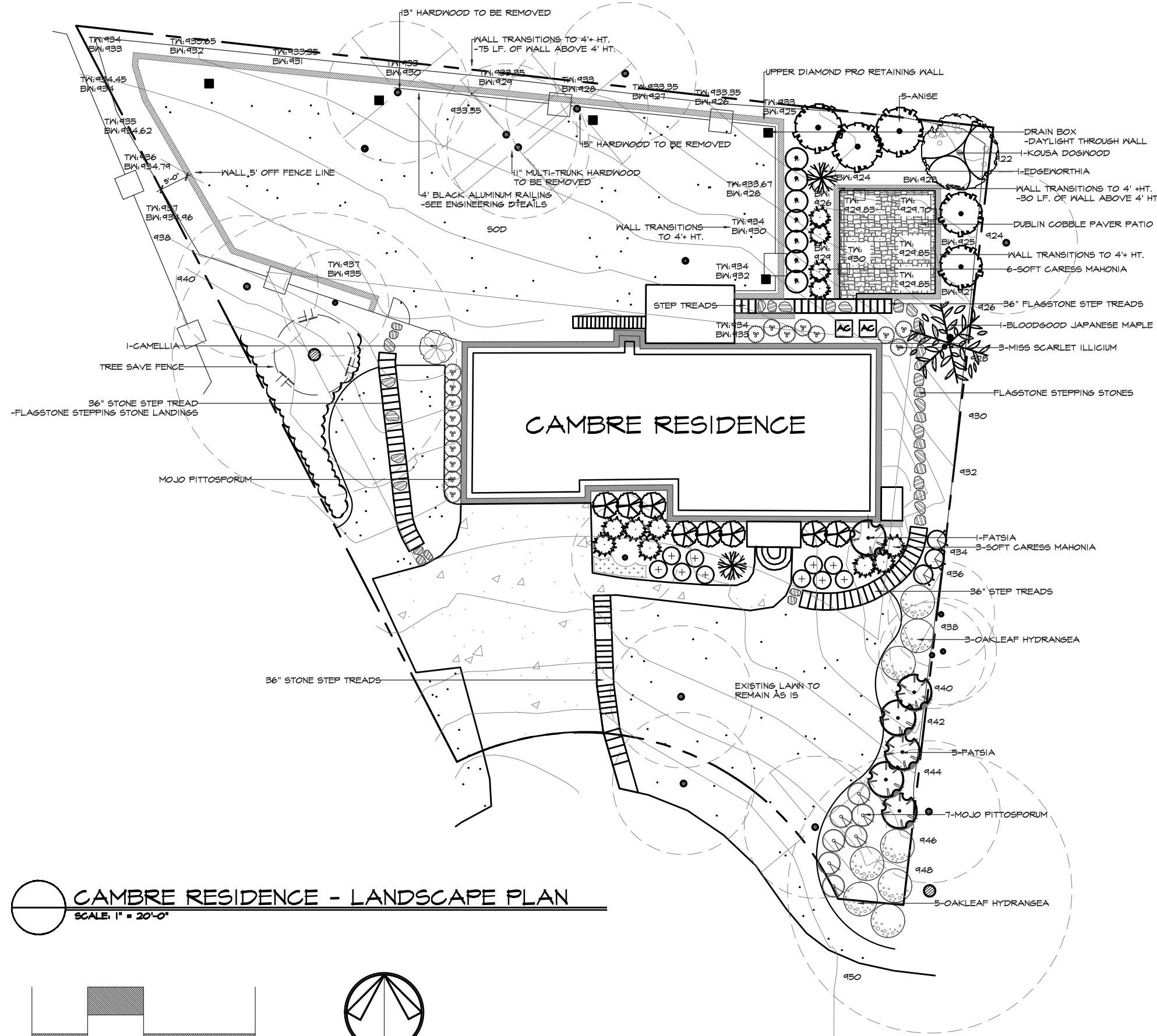
LOCATED IN:

LAND LOT 249 OF THE 18TH DISTRICT DEKALB COUNTY, GEORGIA




SITE SURVEY INFORMATION PROVIDED BY DEKALB SURVEYS DECATUR, GA 30030 404.373.9003

UTILITIES PROTECTION CENTER





LEGEND

-  EXISTING PLANTS TO REMAIN
-  EXISTING PLANTS TO BE REMOVED
-  DRAIN BOX

SCOPE OF WORK:

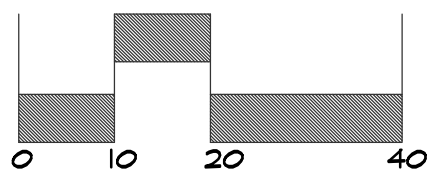
-THE OBJECTIVE OF THIS ENHANCEMENT IS TO PROVIDE A USEABLE AND LEVELED GRASSY UPPER AREA FOR KIDS, A LOWER STONE PATIO, STEPPING STONE PATHWAYS, TURF, AND ORNAMENTAL PLANTINGS.
 -CREATING A TIERED RETAINING WALL SYSTEM IN THE RIGHT CORNER OF THE BACK YARD WHERE SLOPE EXCEEDS 30", HELPS REDUCE OVERALL LENGTH OF RETAINING WALL REQUIRING 8' IN HEIGHT.

STORMWATER MANAGEMENT:

-CREATING A LEVELED TURF AREA WILL HELP REDUCE STORMWATER RUNOFF BY SLOWING DOWN WATER AND INCREASED ABSORPTION INTO THE SOIL AND TURF ROOTS.

CAMBRE RESIDENCE - LANDSCAPE PLAN

SCALE: 1" = 20'-0"



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REVISIONS

NO.	DATE	NOTE

CAMBRE RESIDENCE

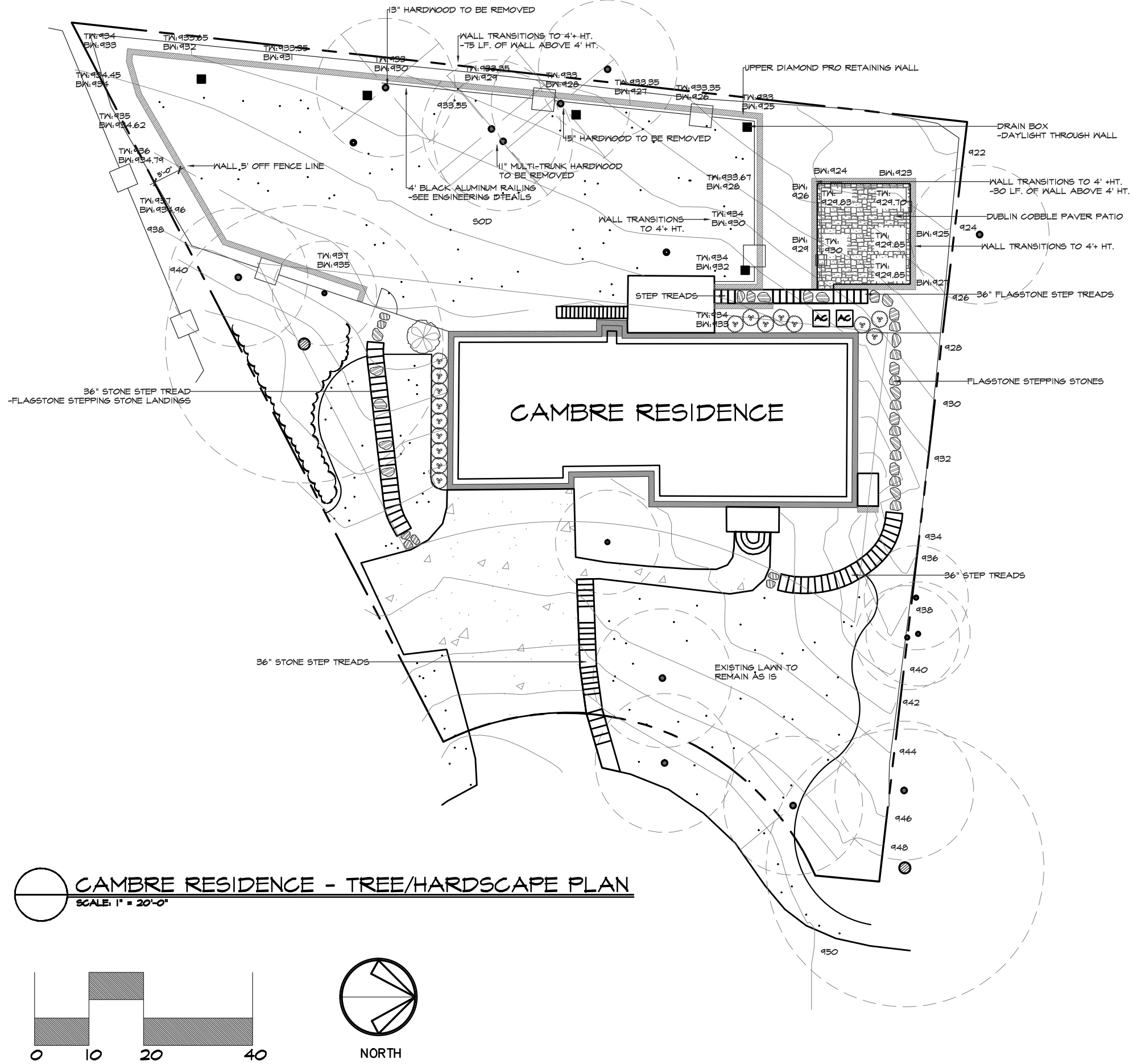
3134 SMOKESTONE COURT NE
ATLANTA, GA 30345

SHEET:



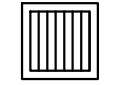
**LANDSCAPE PLAN
LS-1**

DATE: MARCH 25, 2021

DRAWN BY: RF



LEGEND

-  EXISTING PLANTS TO REMAIN
-  EXISTING PLANTS TO BE REMOVED
-  DRAIN BOX

IMPERVIOUS LOT COVERAGE - ALLOWABLE

7,630.5 SF.
50% OF TRACT

EXISTING TRACT AREA

15,261 SF.

IMPERVIOUS LOT COVERAGE - EXISTING

3,928 SF.
25.7% OF TRACT

IMPERVIOUS LOT COVERAGE - EXISTING (BREAKOUT)

HOUSE - 2,267 SF.
CONCRETE DRIVE/WALK - 1,397 SF.
FRONT STOOP - 44 SF.
SIDE CONCRETE PAD - 27 SF.
REAR WOOD DECK AND STAIRS- 193 SF.

TOTAL EXISTING SF. - 3,928 SF.

IMPERVIOUS LOT COVERAGE - PROPOSED (BREAKOUT)

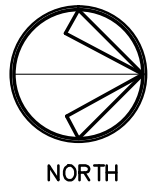
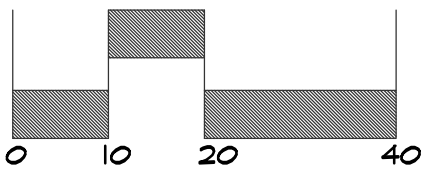
WALLS: 307 SF
CONCRETE PAVER PATIO: 317 SF
STEP TREADS/STEPPING STONE PATHWAYS: 435 SF

TOTAL PROPOSED SF.: 1,059 SF.

FINAL NEW IMPERVIOUS LOT COVERAGE

TOTAL EXISTING SF: 3,928 SF. +
TOTAL PROPOSED SF.: 1,059 SF. = 4,987 SF.
- 32.7%

CAMBRE RESIDENCE - TREE/HARDSCAPE PLAN
SCALE: 1" = 20'-0"



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REVISIONS

NO.	DATE	NOTE

CAMBRE RESIDENCE

3134 SMOKESTONE COURT NE
ATLANTA, GA 30345

SHEET:
TREE PLAN
T-1 /
HARDSCAPE
PLAN
LS-2

DATE: MARCH 25, 2021

DRAWN BY: RF

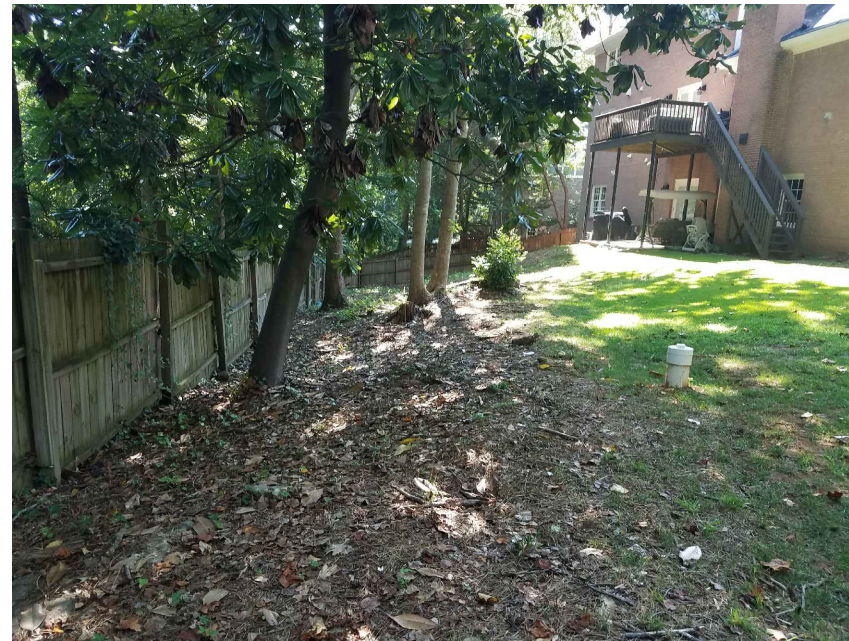
NE CORNER:



MIDDLE OF YARD FACING NE CORNER:



MIDDLE OF YARD FACING NE CORNER:



SW CORNER FACING YARD:



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REVISIONS

NO.	DATE	NOTE

**CAMBRE
RESIDENCE**

3134 SMOKESTONE COURT NE
ATLANTA, GA 30345

SHEET:

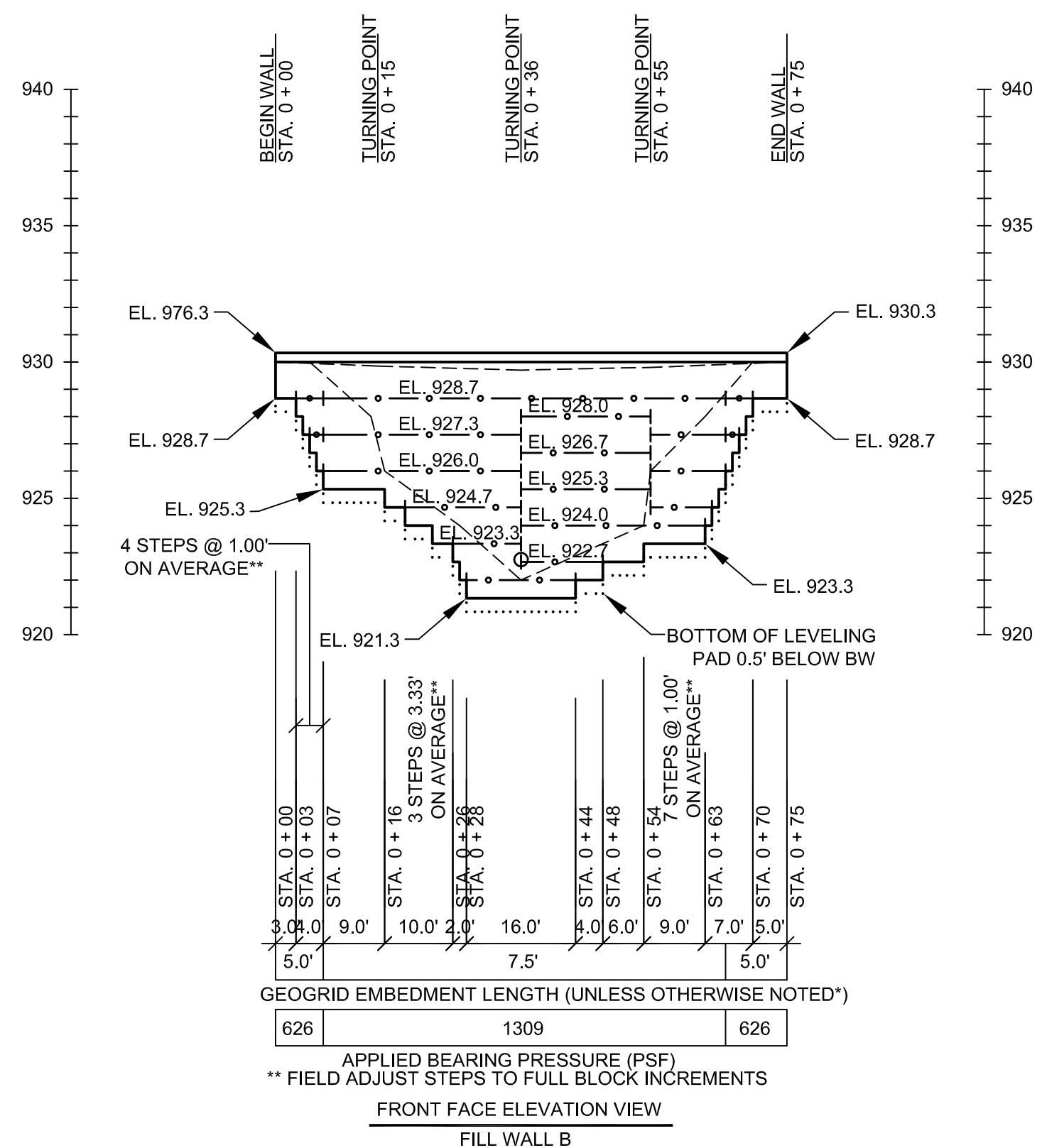
DETAILS PAGE
DT-1

DATE: MARCH 25, 2021

DRAWN BY: RF



Know what's below
Call before you dig



APPLIED BEARING PRESSURE (PSF)
** FIELD ADJUST STEPS TO FULL BLOCK INCREMENTS

FRONT FACE ELEVATION VIEW
FILL WALL B

NOTE: CONSTRUCTION VERIFICATION OF THE WALL INSTALLATION BY AN ENGINEER IS REQUIRED AND MUST BE PROVIDED BY A KNOWLEDGEABLE GEOTECHNICAL ENGINEER FAMILIAR WITH MECHANICALLY STABILIZED STRUCTURES.

INSPECTION REQUIREMENT:

- 1) THE ON-SITE GEOTECHNICAL ENGINEER SHALL SUBMIT DAILY INSPECTION REPORTS TO THE DEKALB COUNTY DEVELOPMENT DEPARTMENT. THE REPORTS SHALL INCLUDE VERIFICATION THAT THE DESIGN SOIL STRENGTH, BEARING CAPACITY AND COMPACTION REQUIREMENTS ARE MET IN THE FIELD.
- 2) THE WALL DESIGN ENGINEER SHALL MONITOR THE WALL CONSTRUCTION FOR CONFORMANCE WITH THE DESIGN INTENT.

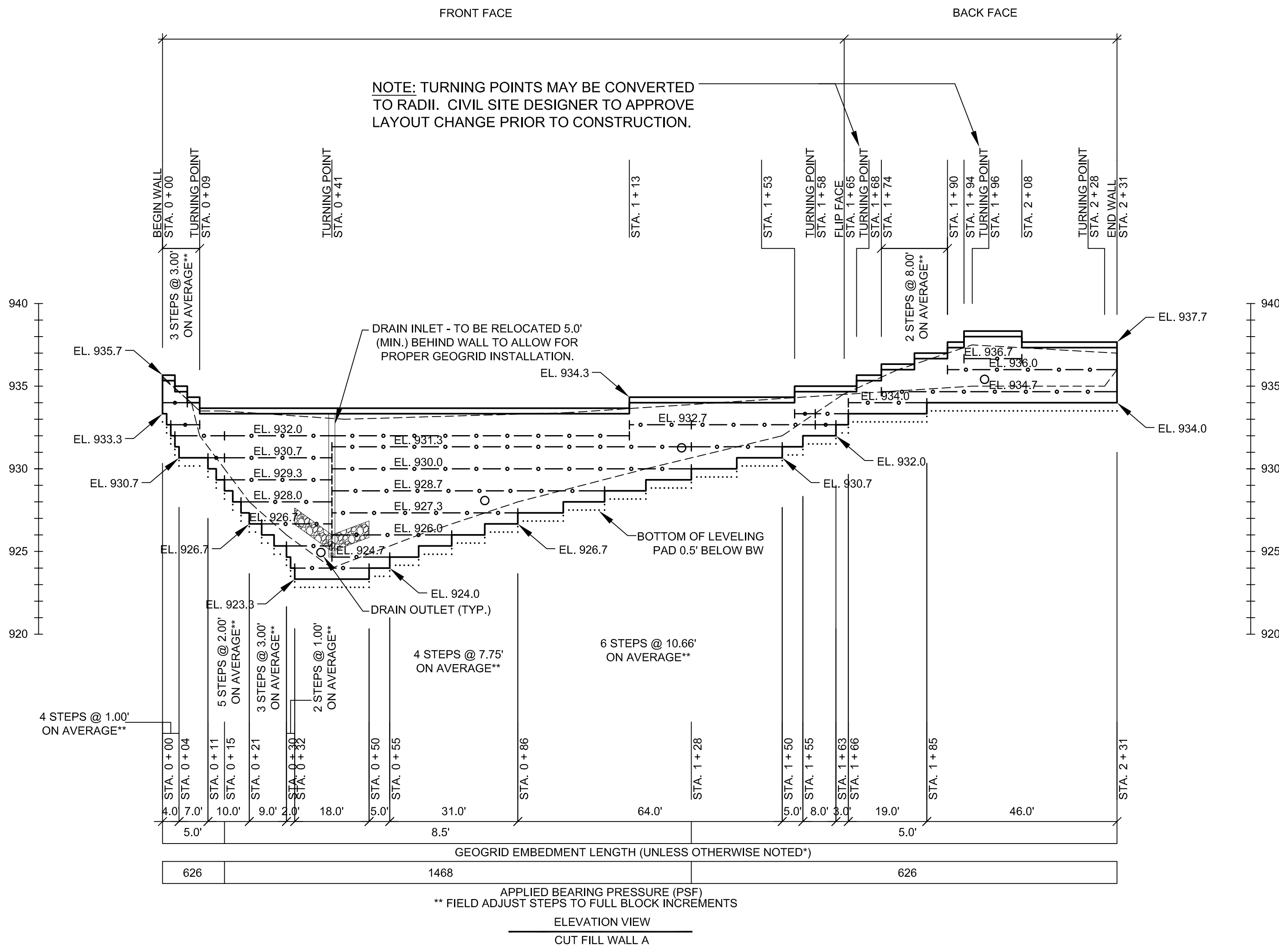
NOTE: CONSTRUCTION VERIFICATION OF THE WALL INSTALLATION BY AN ENGINEER IS REQUIRED BY THE LOCAL MUNICIPALITY AND MUST BE PROVIDED BY A KNOWLEDGEABLE GEOTECHNICAL ENGINEER FAMILIAR WITH MECHANICALLY STABILIZED STRUCTURES.

LEGEND

- BW BOTTOM OF WALL
- TW TOP OF WALL
- GRADE LINE
- - - CHANGE IN EMBEDMENT LENGTH OR REINFORCEMENT TERMINATION
- EL. XX.X- REINFORCEMENT ELEVATION
- GEOGRID TYPE 1 REINFORCEMENT
- LEVELING PAD
- [Hatched Box] EXTENTS OF COLLECTOR DRAIN (REFER TO RW3 FOR DETAILS)

REFER TO RW1 FOR GEOGRID REINFORCEMENT OPTIONS

NOTE: GEOGRID REINFORCEMENT EXTENDS BEYOND PROPERTY LINE. AN EASEMENT MUST BE OBTAINED PRIOR TO CONSTRUCTION OR WALL MUST BE RELOCATED FOR PROPER INSTALLATION.



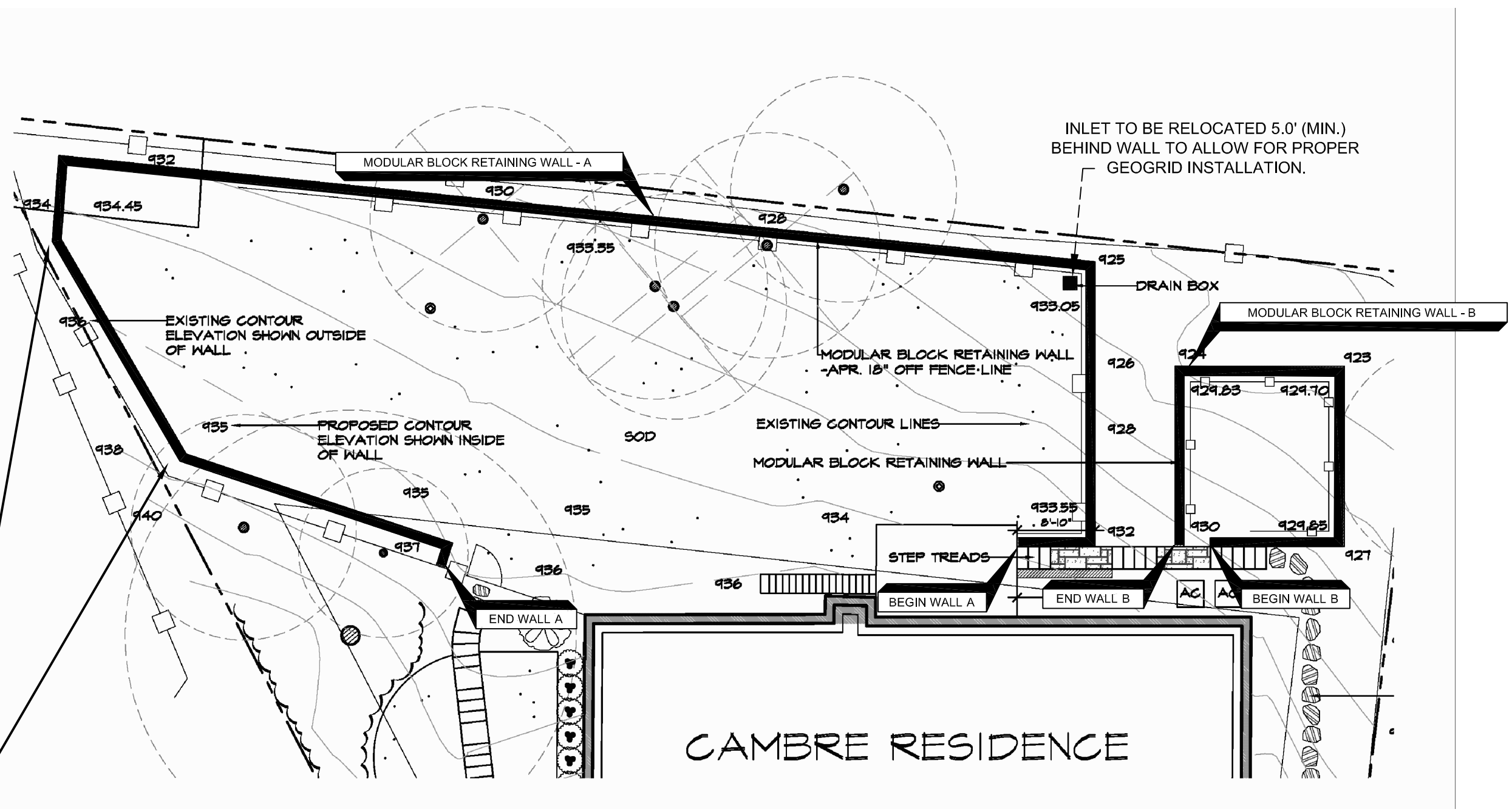
FRONT FACE

BACK FACE

NOTE: TURNING POINTS MAY BE CONVERTED TO RADII. CIVIL SITE DESIGNER TO APPROVE LAYOUT CHANGE PRIOR TO CONSTRUCTION.

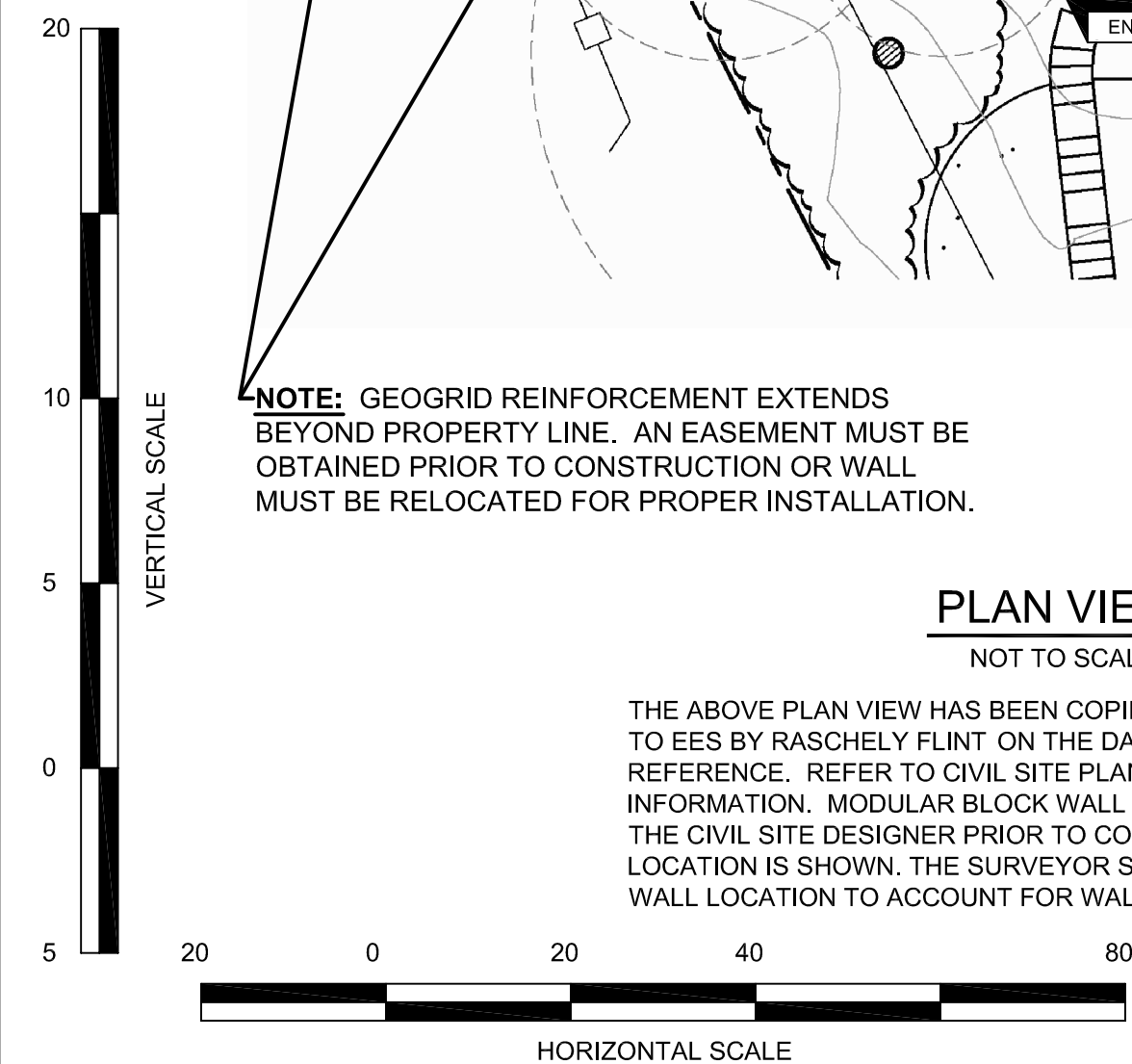
APPLIED BEARING PRESSURE (PSF)
** FIELD ADJUST STEPS TO FULL BLOCK INCREMENTS

ELEVATION VIEW
CUT FILL WALL A



PLAN VIEW
NOT TO SCALE

THE ABOVE PLAN VIEW HAS BEEN COPIED FROM CIVIL SITE PLANS SENT TO EES BY RASCHELY FLINT ON THE DATE OF NOVEMBER 25, 2020 FOR REFERENCE. REFER TO CIVIL SITE PLANS FOR STRUCTURE LAYOUT INFORMATION. MODULAR BLOCK WALL LAYOUT SHALL BE APPROVED BY THE CIVIL SITE DESIGNER PRIOR TO CONSTRUCTION. THE TOP OF WALL LOCATION IS SHOWN. THE SURVEYOR SHALL ADJUST THE BOTTOM OF WALL LOCATION TO ACCOUNT FOR WALL BATTER.



REVISION / ISSUE

NO.	DATE	DESCRIPTION
1	11/14/21	ISSUE FOR CONSTRUCTION

PLANTS CREATIVE LANDSCAPES
2977 ALCOVE DRIVE, SCOTSDALE, GA, 30079
TEL: (404) 309-7175
CLIENT

ENGINEERED EARTH SOLUTIONS, LLC
441 CREEKSTONE RIDGE WOODSTOCK, GEORGIA 30188
TEL: (770) 592-2950 FAX: (770) 592-2953
EMAIL: ENGINEERING@EESOLS.COM
ENGINEEREARTH SOLUTIONS.COM



3134 SMOKESTONE COURT
DEKALB COUNTY
GEORGIA

PLAN & ELEVATION VIEW SHEET

SHEET
RW2
OF 3

PROJECT NO.: Z20-1031

THIS DESIGN IS BASED UPON SPECIFIC PROPERTIES OF MATERIALS WHICH ARE PROPRIETARY. ANY SUBSTITUTION OF THE SPECIFIED PRODUCTS OR CHANGE IN STRUCTURE GEOMETRY WILL INVALIDATE THIS DESIGN. THIS DRAWING IS BEING FURNISHED FOR USE ON THIS SPECIFIC PROJECT ONLY. ANY PARTY ACCEPTING THIS DOCUMENT DOES SO IN CONFIDENCE AND AGREES THAT IT SHALL NOT BE DUPLICATED, IN WHOLE OR IN PART, NOR DISCLOSED TO OTHERS WITHOUT THE CONSENT OF ENGINEERED EARTH SOLUTIONS, LLC. THIS DRAWING, DESIGN NOTES, AND ASSOCIATED CALCULATIONS HAVE BEEN PREPARED BY ENGINEERED EARTH SOLUTIONS, LLC. FROM INFORMATION PROVIDED BY OTHERS. FINAL DETERMINATION OF THE SUITABILITY OF ANY INFORMATION CONTAINED HEREIN IS THE RESPONSIBILITY OF THE USER.

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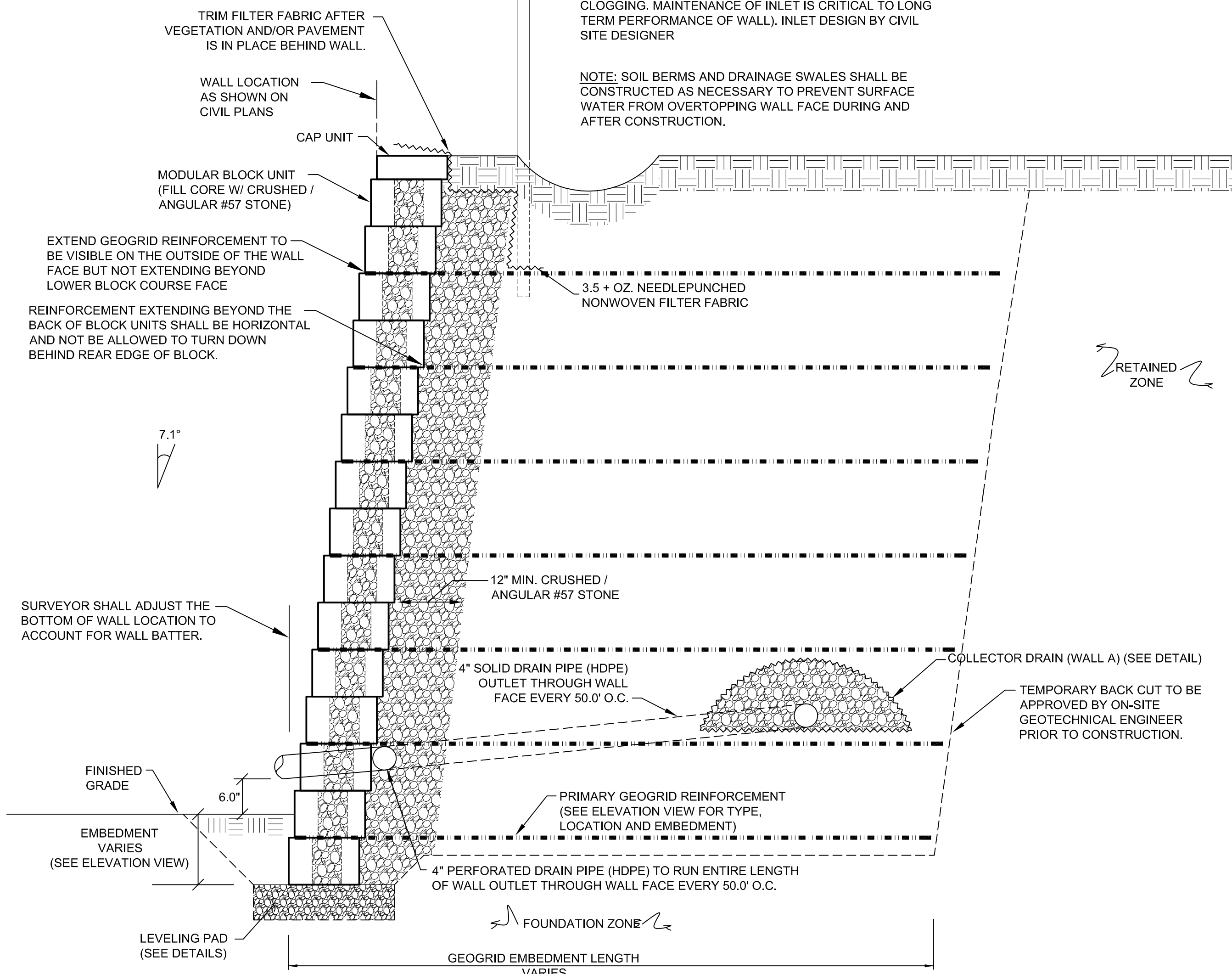


Know what's below
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TEMPORARY SAFETY FENCE SHALL BE INSTALLED MEETING CURRENT O.S.H.A. STANDARDS UNTIL PERMANENT FENCE (DESIGNED AND PROVIDED BY OTHERS) IS INSTALLED. ENGINEERED EARTH SOLUTIONS, LLC. IS RESPONSIBLE FOR THE REINFORCED EARTH STRUCTURE ONLY. ALL SAFETY RESTRAINT SYSTEMS (FENCES, GUARDRAILS, BALLARDS, ETC.) SHALL BE DESIGNED BY THE CIVIL SITE DESIGNER.

NOTE: DIVERT RUNOFF TO DRAIN INLET. (EES RECOMMENDS A DOMED INLET TO HELP PREVENT CLOGGING. MAINTENANCE OF INLET IS CRITICAL TO LONG TERM PERFORMANCE OF WALL). INLET DESIGN BY CIVIL SITE DESIGNER

NOTE: SOIL BERMS AND DRAINAGE SWALES SHALL BE CONSTRUCTED AS NECESSARY TO PREVENT SURFACE WATER FROM OVERTOPPING WALL FACE DURING AND AFTER CONSTRUCTION.

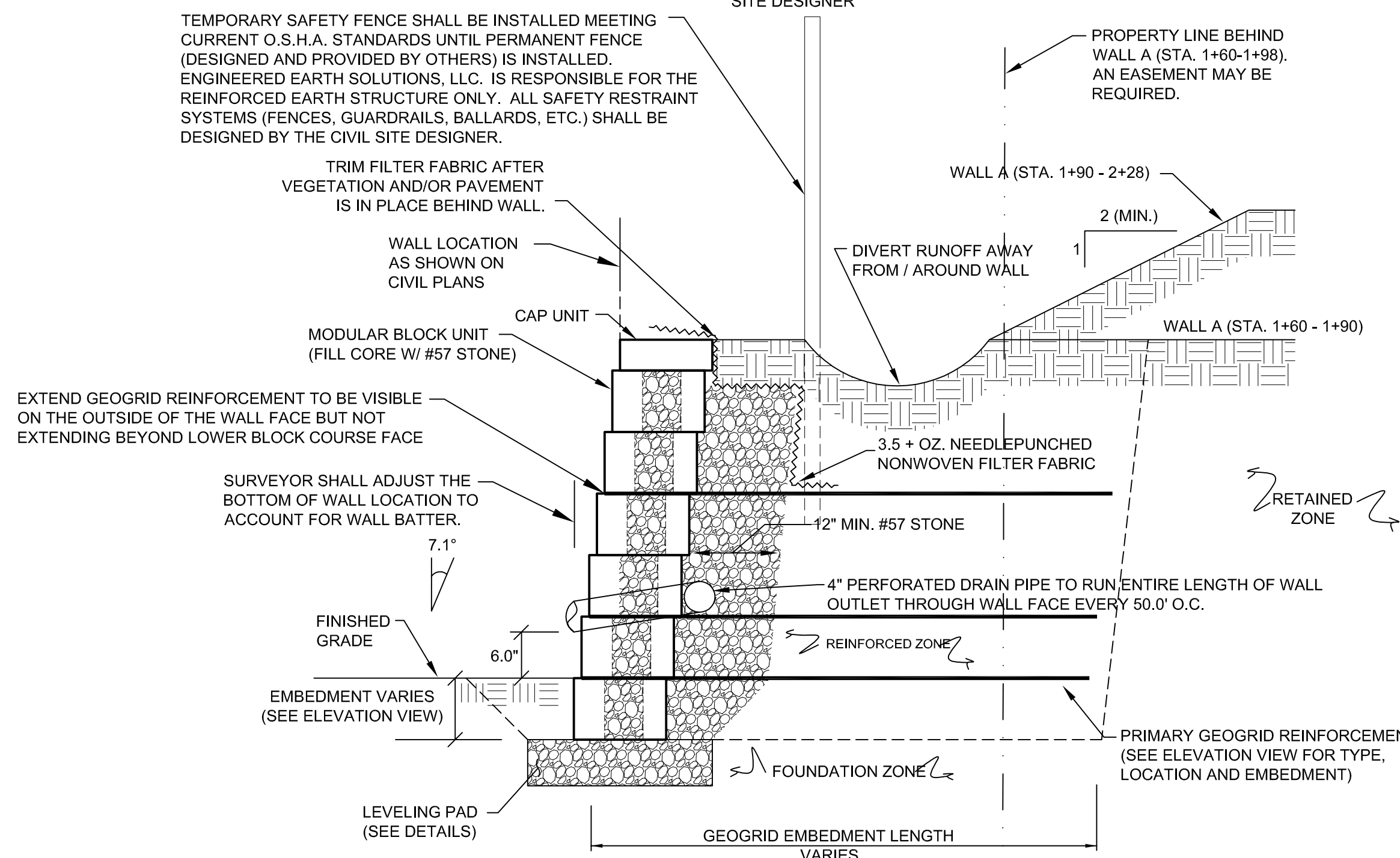


TYPICAL CROSS-SECTION
NOT TO SCALE

FOUNDATION REMEDIATION AS REQUIRED BY ON-SITE GEOTECHNICAL ENGINEER TO OBTAIN STABLE WORKING PLATFORM MEETING THE PARAMETERS IN NOTE 5.0 (SHEET RW1). VERIFICATION OF BEARING CAPACITY (NOTE 5.0, SHEET RW1) MUST BE APPROVED BY THE ON-SITE GEOTECHNICAL ENGINEER.

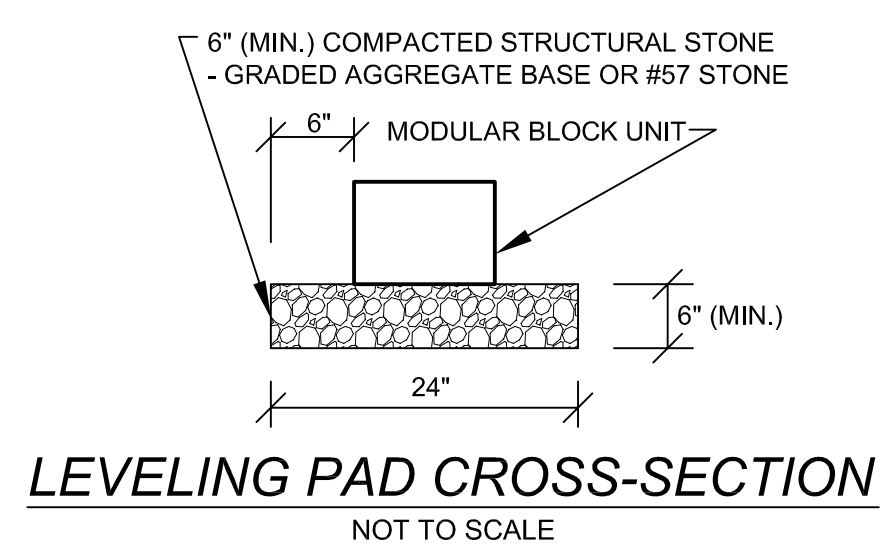
TEMPORARY SAFETY FENCE SHALL BE INSTALLED MEETING CURRENT O.S.H.A. STANDARDS UNTIL PERMANENT FENCE (DESIGNED AND PROVIDED BY OTHERS) IS INSTALLED. ENGINEERED EARTH SOLUTIONS, LLC. IS RESPONSIBLE FOR THE REINFORCED EARTH STRUCTURE ONLY. ALL SAFETY RESTRAINT SYSTEMS (FENCES, GUARDRAILS, BALLARDS, ETC.) SHALL BE DESIGNED BY THE CIVIL SITE DESIGNER.

NOTE: DIVERT RUNOFF TO DRAIN INLET. (EES RECOMMENDS A DOMED INLET TO HELP PREVENT CLOGGING. MAINTENANCE OF INLET IS CRITICAL TO LONG TERM PERFORMANCE OF WALL). INLET DESIGN BY CIVIL SITE DESIGNER

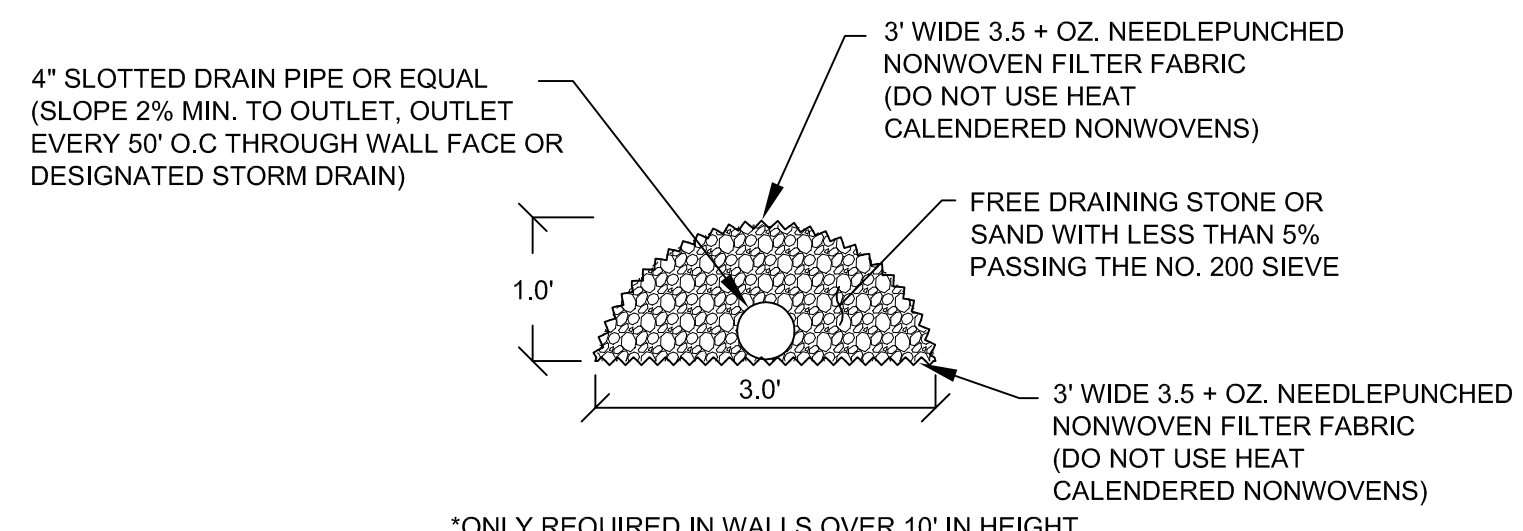


TYPICAL CROSS-SECTION (WALL A
(STA. 1+60 TO END OF WALL))
NOT TO SCALE

FOUNDATION REMEDIATION AS REQUIRED BY ON-SITE GEOTECHNICAL ENGINEER TO OBTAIN STABLE WORKING PLATFORM MEETING THE PARAMETERS IN NOTE 5.0 (SHEET RW1). VERIFICATION OF BEARING CAPACITY (NOTE 5.0, SHEET RW1) MUST BE APPROVED BY THE ON-SITE GEOTECHNICAL ENGINEER.

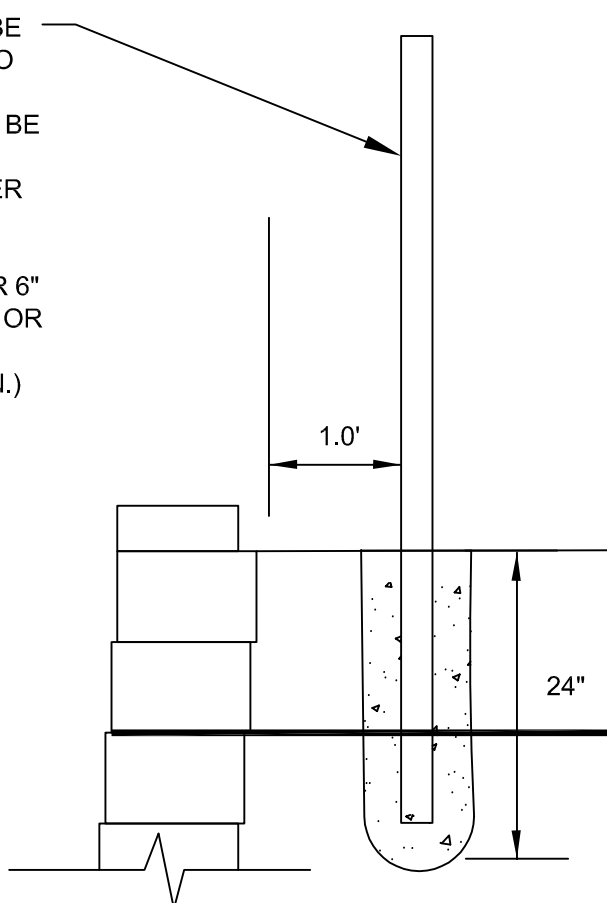


LEVELING PAD CROSS-SECTION
NOT TO SCALE



COLLECTOR DRAIN
NOT TO SCALE

THE PERMANENT FENCE IS TO BE 42" MIN. HEIGHT, SHALL HAVE NO OPENING THAT CAN PASS A 4" SPHERE, AND THE FENCE MUST BE ABLE TO WITHSTAND A 200 LB. LOAD AT 42" ABOVE GROUND PER DEKALB COUNTY. PERMANENT PEDESTRIAN FENCE POST SECURED IN CONCRETE (AUGER 6" MAX. HOLE THROUGH GEOGRID OR INSTALL 6" SONOTUBE DURING WALL CONSTRUCTION, 4' O.C. MIN.)



TYPICAL FENCE POST
INSTALLATION
NOT TO SCALE

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REVISION / ISSUE

Table with columns for DATE, DESCRIPTION, and REVISION/ISSUE.



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2977 ALCOVE DRIVE, SCOTTDAL, GA, 30079
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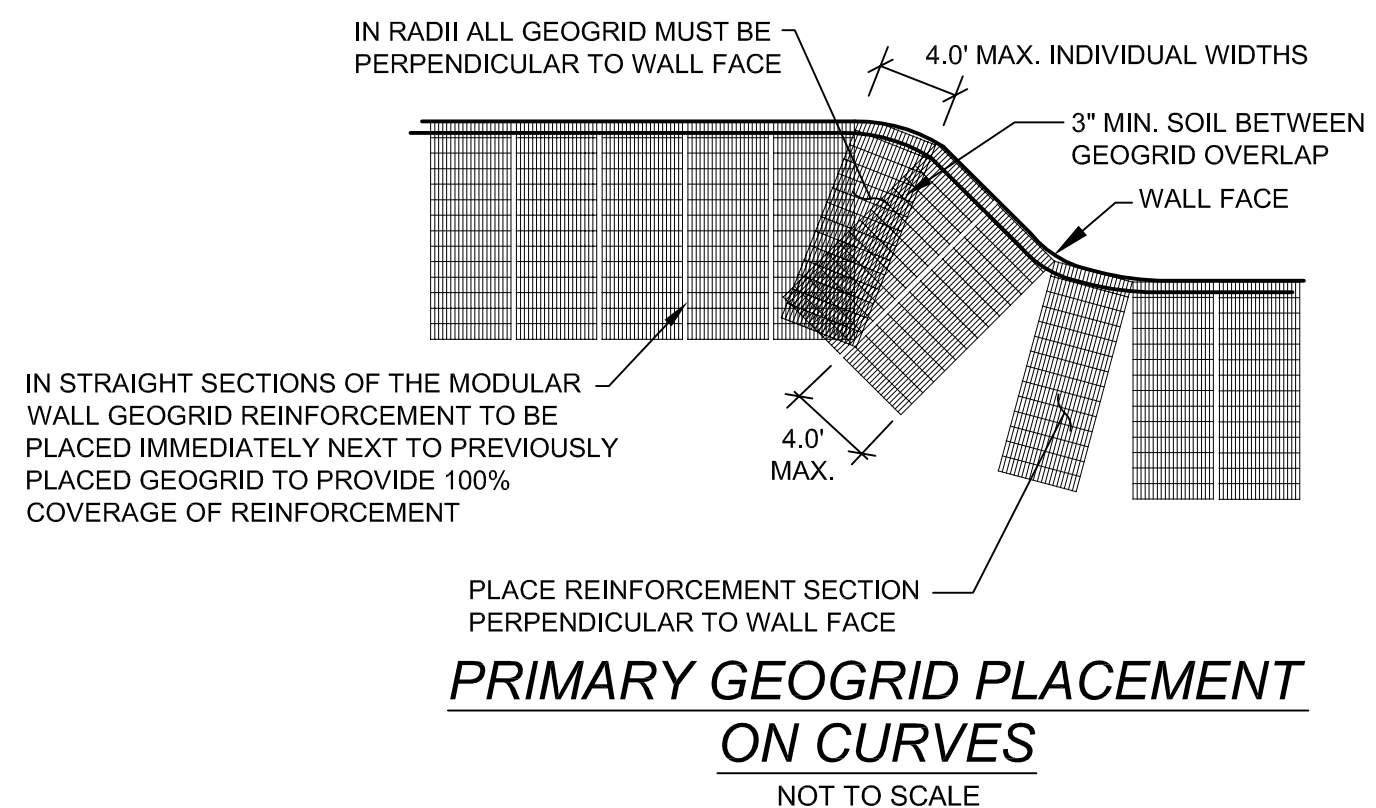
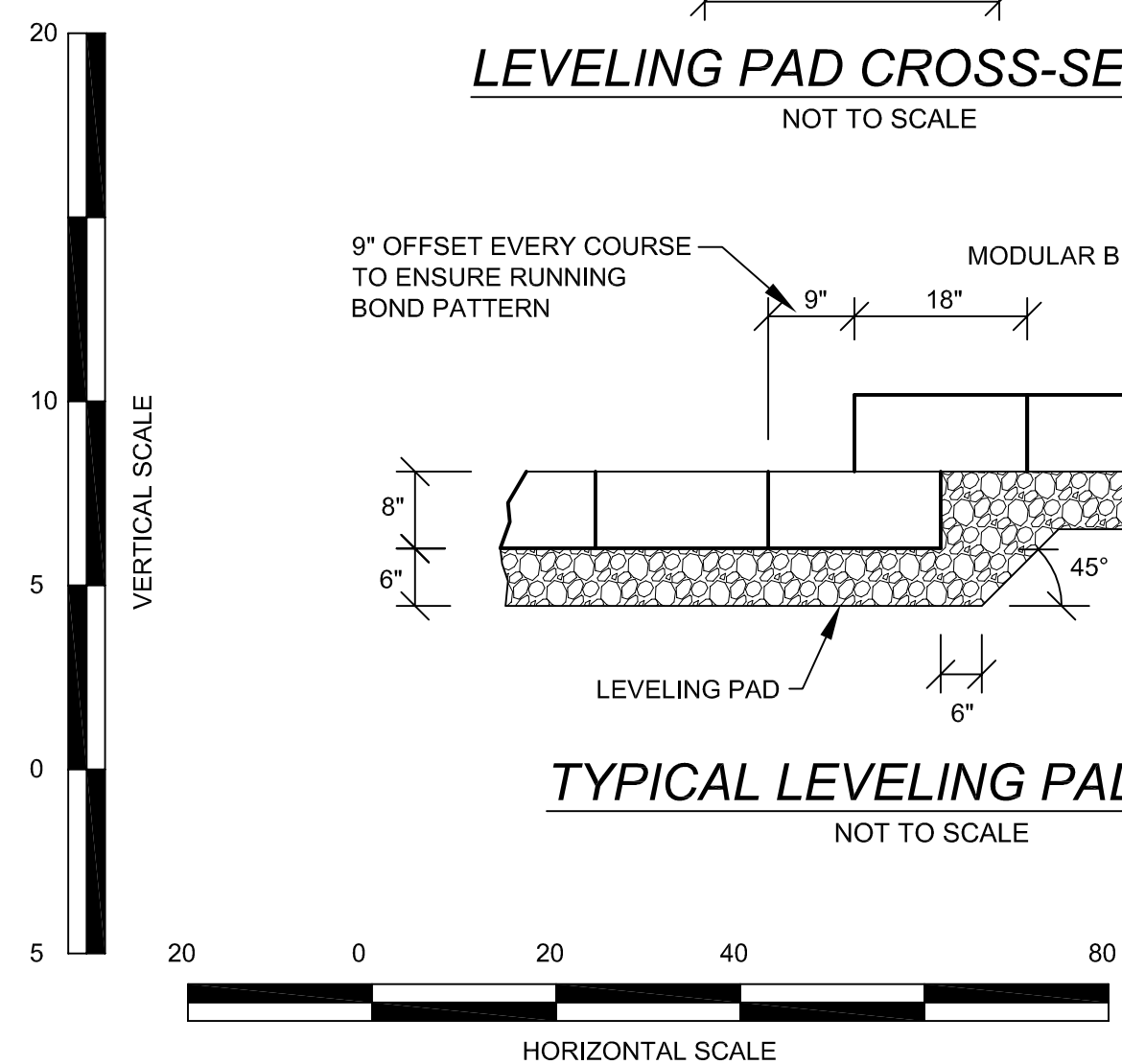


3134 SMOKESTONE COURT
DEKALB COUNTY
GEORGIA

DETAIL SHEET

SHEET
RW3
OF 3

PROJECT NO.: Z20-1031



PRIMARY GEOGRID PLACEMENT
ON CURVES
NOT TO SCALE