



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

January 12, 2021 Wednesday, at 1:00 PM



Planning Department Staff Analysis

N1 Case No: A-22-1245382 Parcel ID(s): 18-148-05-043

Commission District 02 Super District 06

Applicant: Clayton Williams
1245 Hill St SE
Atlanta, Ga 30315

Owner: Megan Poonolly
1374 Cedar Post Ct
Decatur, Ga 30033

Project Name: 1374 Cedar Post Ct

Location: The property is located approximately 253.6 feet south of the intersection of Oak Crossing Drive and Cedar Post Court.

REQUEST: Variance from Chapter 27-2.2 Division 2- Residential Zoning Districts: Dimensional Requirements of the *DeKalb County Zoning Ordinance* within the R-85 (Residential Medium Lot-85) Zoning District to increase the impervious surface lot coverage from 35% to 40%.

Staff Recommendation: Approval with conditions

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.
2. The proposed addition will not exceed the proposed 40% in impervious surface lot coverage.
3. The following must be maintained and met according to Sec. 5.2.1.A.2 & 3.- Minimum required yards and building setbacks:
 2. An open, unenclosed porch, balcony or hard-surfaced terrace, steps, stoops and similar fixtures of a building may project into a required front yard or rear yard for a distance not to exceed ten (10) feet, and into a side yard to a point not closer than five (5) feet from any lot line.
 3. Enclosed porches may encroach for a distance of up to eight (8) feet into the front or rear yard, but shall be no closer than five (5) feet from the side property line.

STAFF FINDINGS:

Variance Analysis:

The subject property is located within the R-85 (Residential Medium Lot-85) Zoning District. Per Chapter 27-2.2 Division 2-Residential Zoning District: Dimensional Requirements of the DeKalb County Zoning Ordinance, the minimum lot area for R-85 zoned properties is 12,000 square feet and the minimum lot width is 85 feet. Based on the submitted site plan, the subject property has a lot size of approximately 12,245 square feet and a lot width of 40 feet, therefore, the subject property is legal, non-conforming.

Based on the submitted materials, the applicant is proposing to install a 232 square foot front porch over the existing platform, increasing the lot coverage to 40%. The existing noted lot coverage is 39% per the submitted site plan dated August 8, 2021.

The submitted letter of intent requests includes the removal of the existing dilapidated stairs and the installment of a larger covered porch covering new stairs and handrails.

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 subject property is located within the R-85 zoning district. Per Chapter 27-2.2 Division 2- Residential Zoning Districts: Dimensional Requirements of the DeKalb County Zoning Ordinance states the minimum lot area for R-85 zoned properties is 12,000 square feet, and the street frontage is 85-feet, the lot does not comply with the requirements of the current parcel has a frontage of 40 feet, however, the lot size does meet the minimum 12,000 square feet requirement.

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 site plan dated August 8, 2021, 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. The request is only for a one percent increase from the existing lot coverage of 39% but, a total of 6% beyond the maximum allowed lot coverage of 35% for the R-85 zoning district.

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. The proposed location of the proposed front porch will be visible from the right of way however, the install will replace the existing damaged stairs providing shade and shelter to the entrance of the front door. The inclusion of handrails will provide additional support in climbing the steps to access the front door to the residents.

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 as the existing single-family home is in a cul-de-sac on an add shape parcel. The home was built on a non-conforming lot not meeting all the R-85 zoning district regulations. The current stairway is not covered nor are there any handrails to assist with climbing the steps to the doorway. This creates a hardship in the lack of assistance in accessing the front door.

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 of the subject property is described in the *DeKalb County Comprehensive Plan 2035* text as Suburban Neighborhood. The intent of the Suburban 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. These areas include those developed (built out) and those under development pressures. These areas are characterized by low pedestrian orientation, limited transit access, scattered civic buildings, and curvilinear street patterns. The proposed density for areas of this type is up to 8 dwelling units per acre.

FINAL STAFF ANALYSIS:

Based on the submitted materials, it appears that due to the non-conformity of the existing house, 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-85 zoning district in which the subject property is located. Therefore, the Department of Planning and Sustainability recommends approval with conditions.

If this application is approved, Staff recommends the following condition:

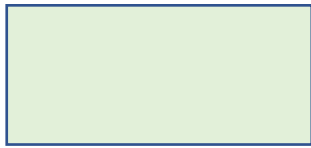
Staff Recommendation: Approval with conditions.

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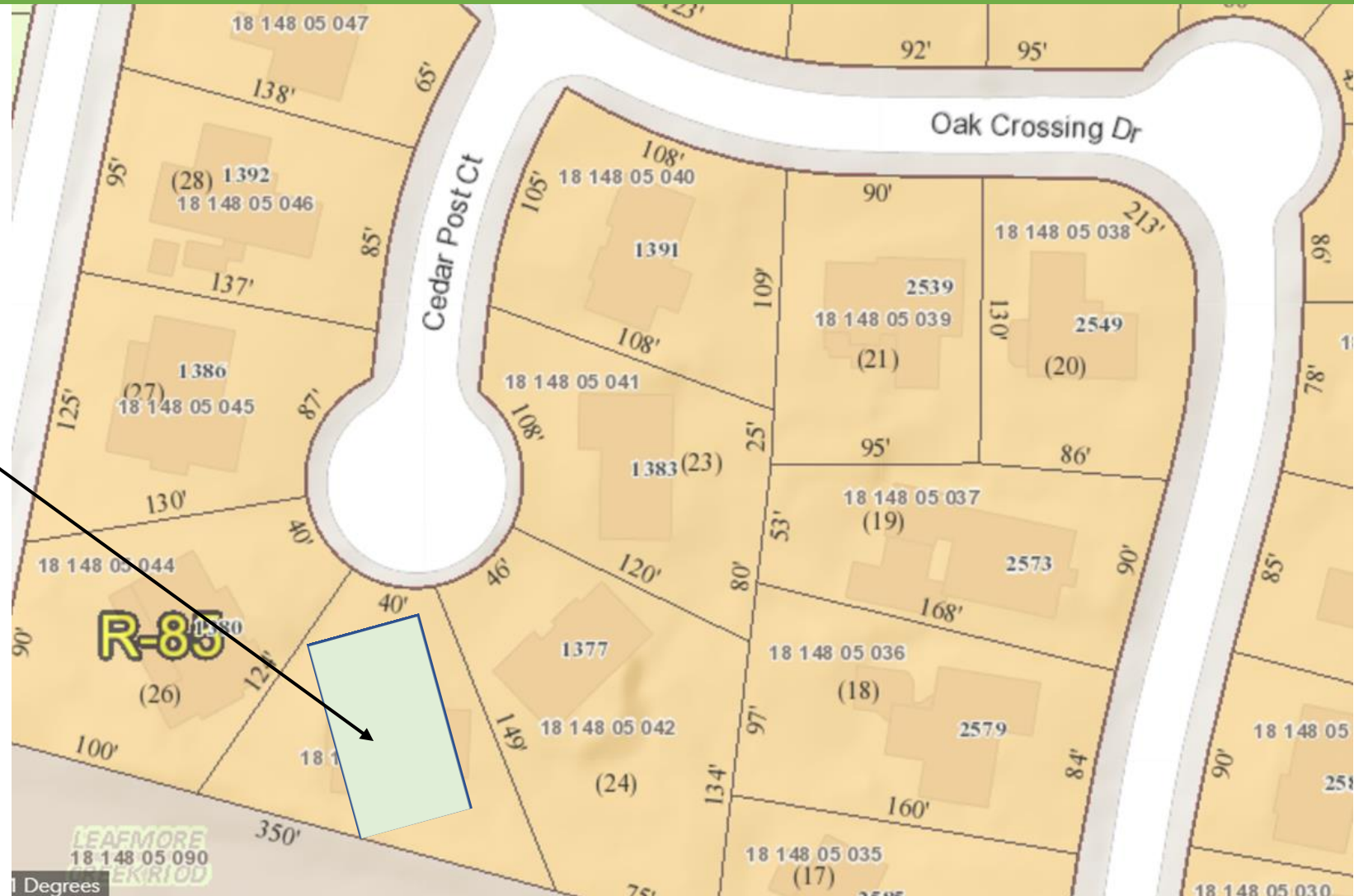
N.1

1374 Cedar Post Ct Future Land Use Map

Site Location: 1374 Cedar Post Ct
Parcel: 18-148-05-043



Zoning: R-85
Future Land Use: Suburban



N.1

1374 Cedar Post Ct

Aerial Map

Site Location: 1374 Cedar Post Ct

Parcel: 18-148-05-043

Zoning: R-85

Future Land Use: Suburban



N.1

1374 Cedar Post Ct

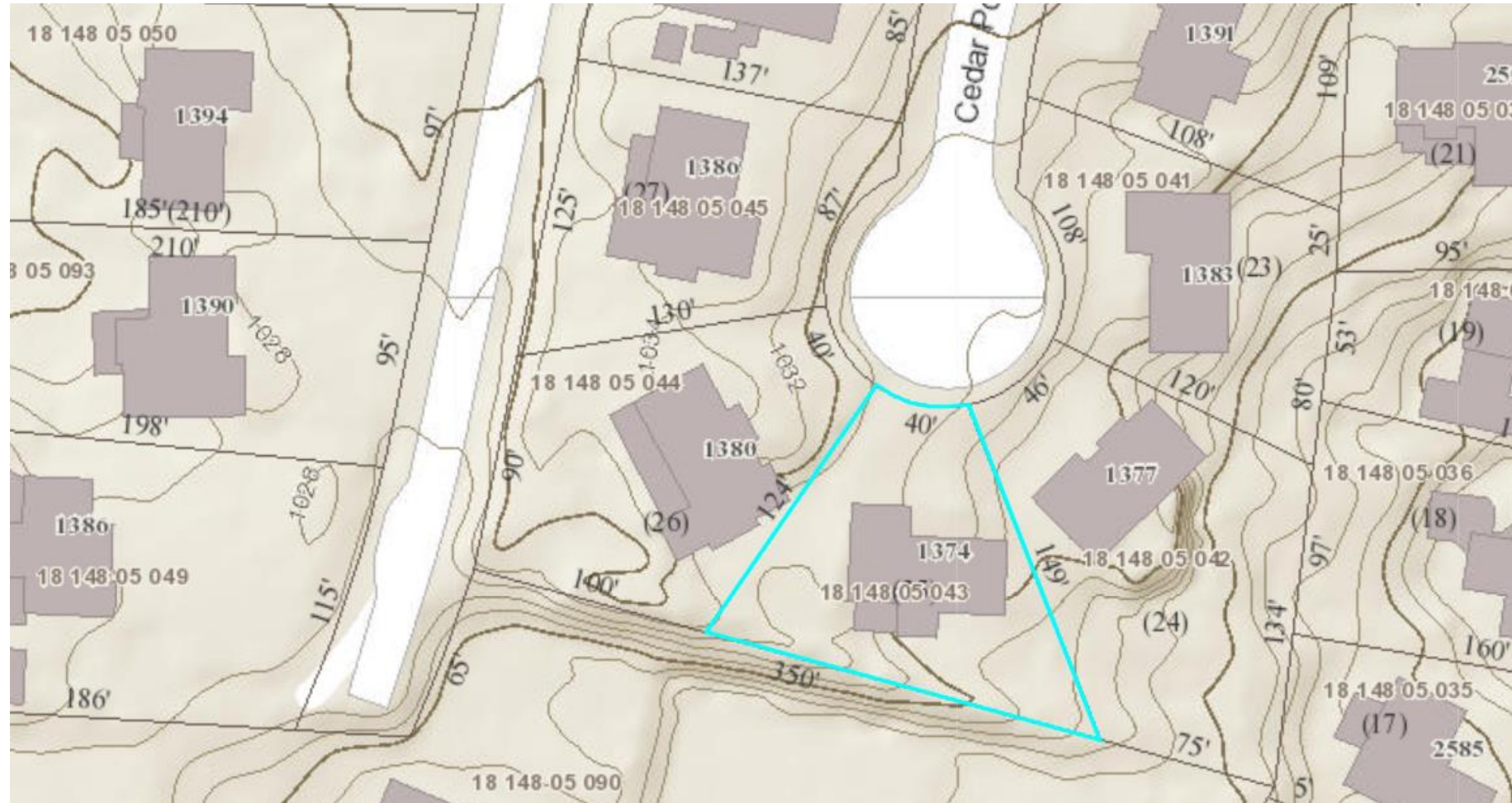
Topo Map

Site Location: 1374 Cedar Post Ct

Parcel: 18-148-05-043

Zoning: R-85

Future Land Use: Suburban



N.1 1374 Cedar Post Ct Site Photo

Site Location: 1374 Cedar Post Ct
Parcel: 18-148-05-043

Zoning: R-85

Future Land Use: Suburban



N.1

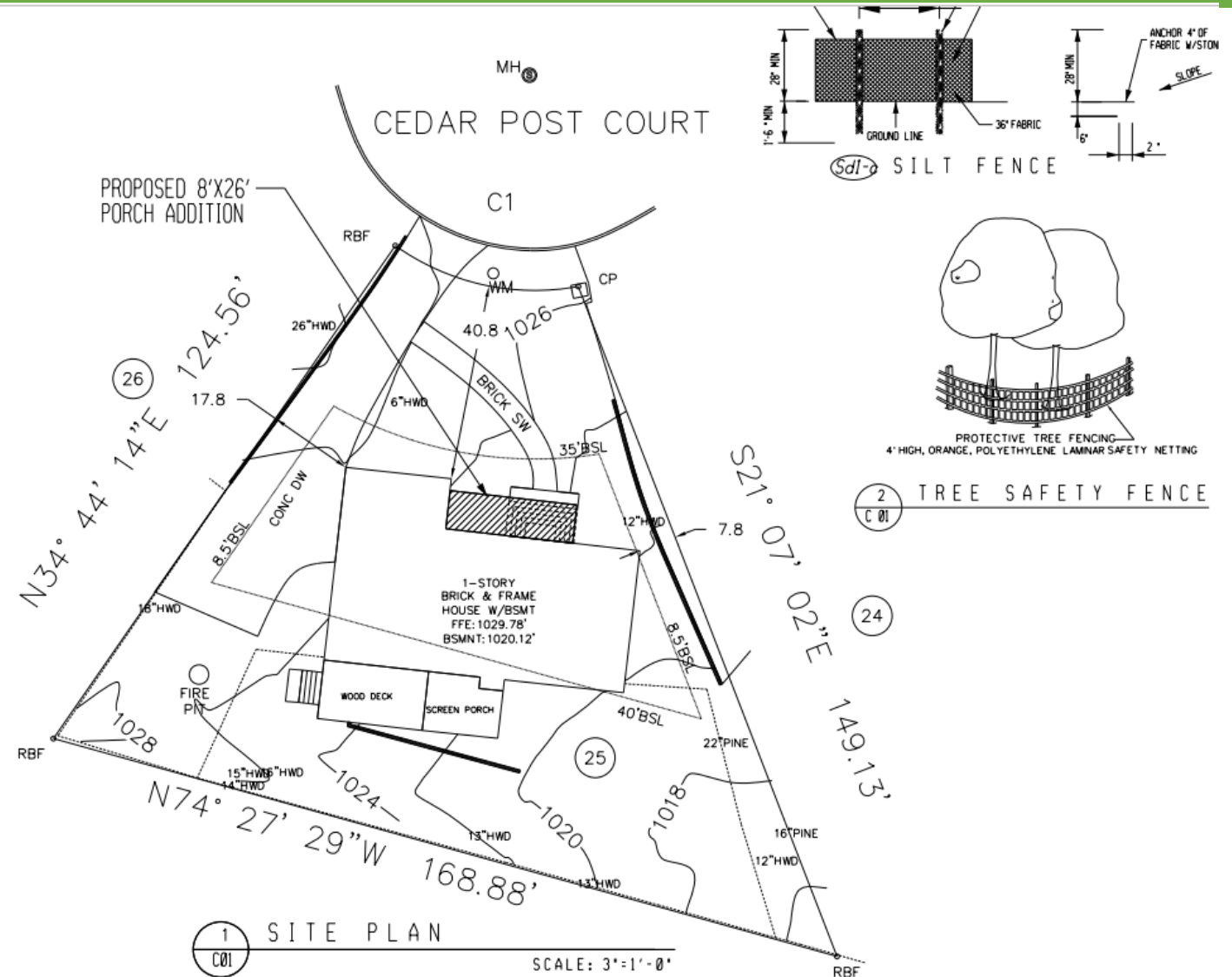
1374 Cedar Post Ct

Site Plan

Site Location: 1374 Cedar Post Ct
Parcel: 18-148-05-043

Zoning: R-85

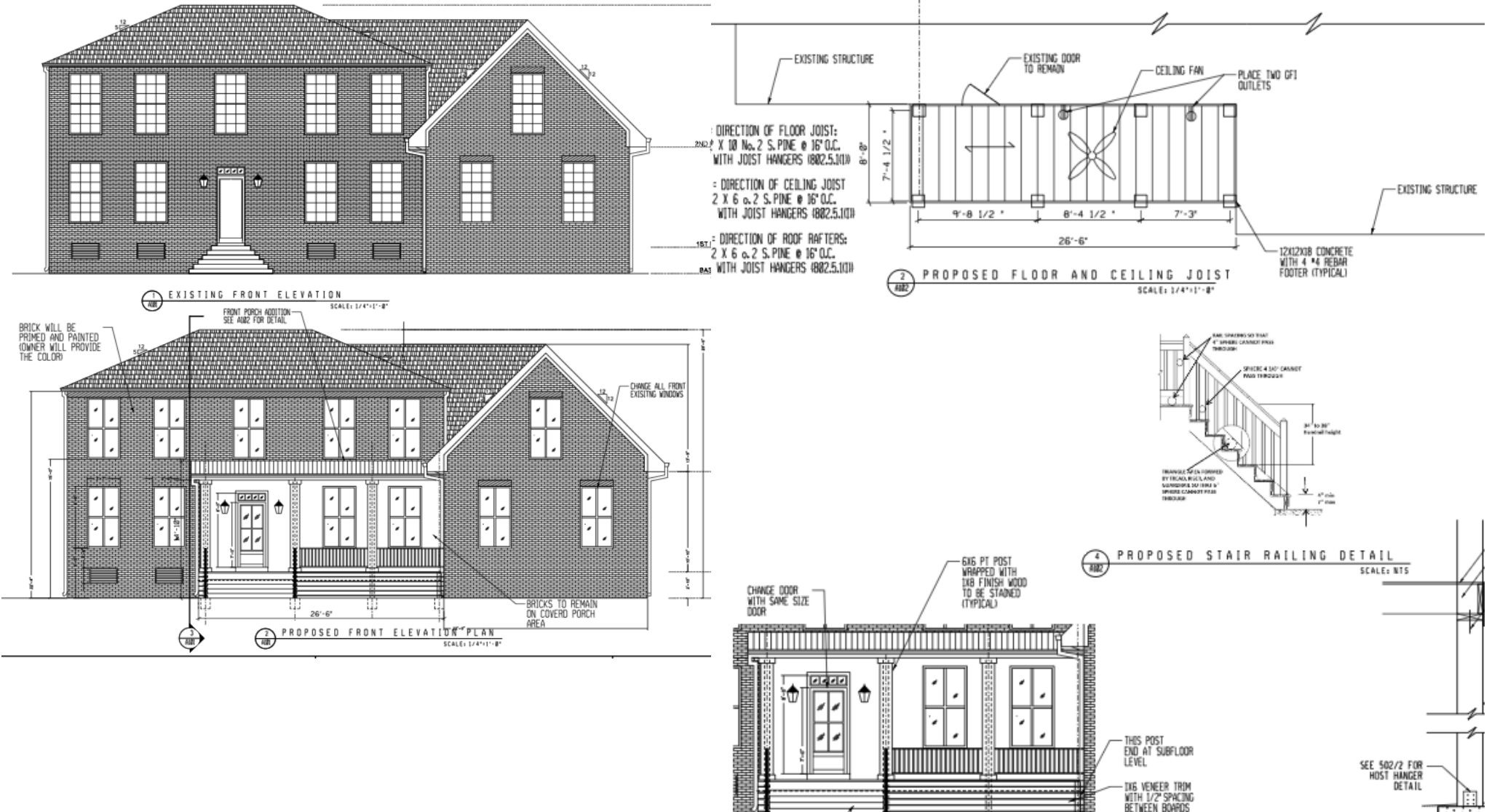
Future Land Use: Suburban

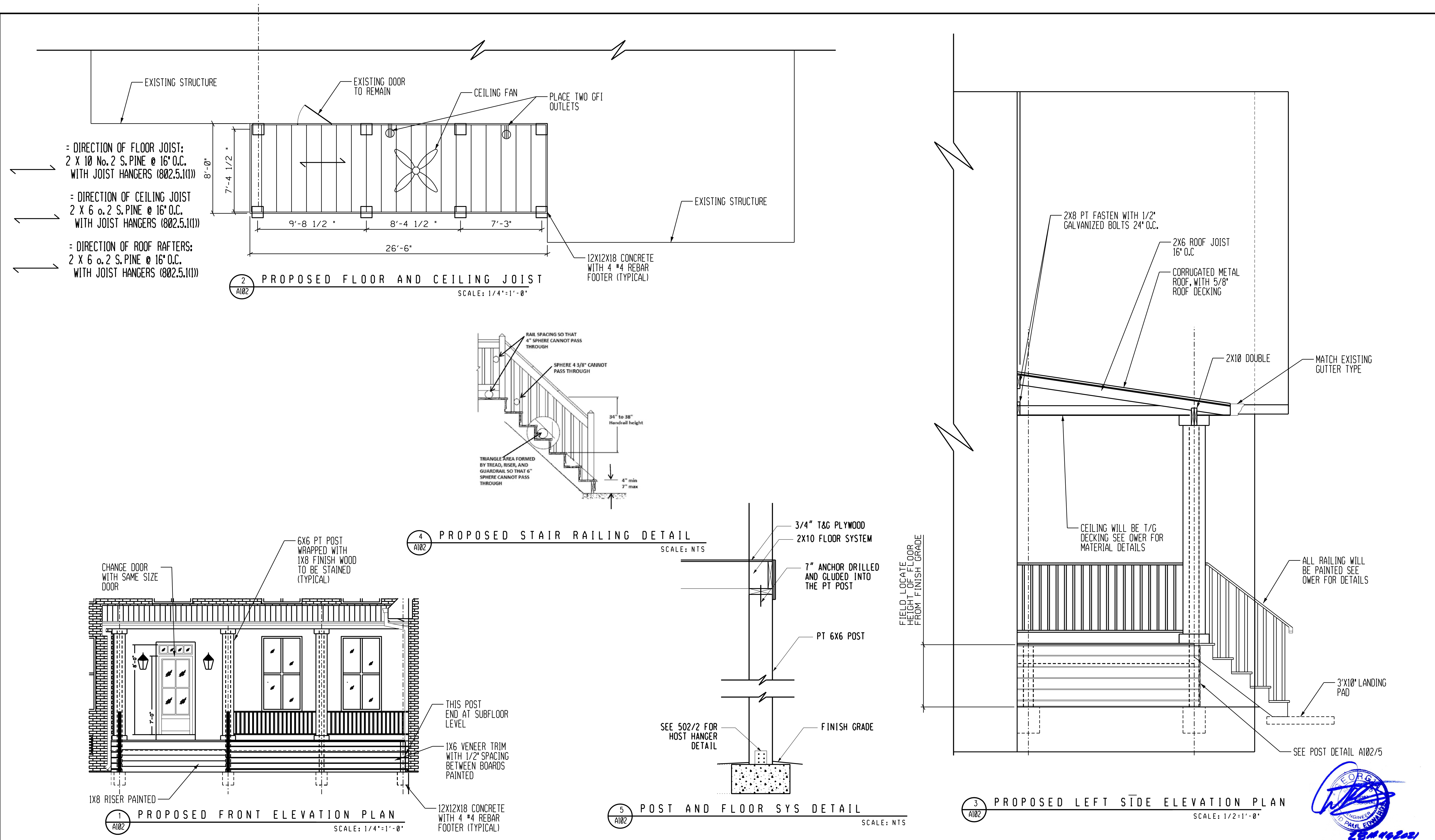


N.1 1374 Cedar Post Ct Floor Plan

Site Location:
1374 Cedar Post Ct
Parcel: 18-148-05-043
Zoning:
R-85

**Future
Land Use:**
Suburban





ISSUE FOR CONSTRUCTION

NOTES:

CAD DESIGNS

1245 HILL ST SE
ATLANTA, GA. 30315
(T)404-304-0661 (F)1-888 510-2694
CADDDESIGNSATL@YAHOO.COM

PROJECT NAME :
1374 CEDAR POST CT
DECATUR GA 30033

DRAWING TITLE :
DETAIL AND PLAN
SECTIONS

DATE :
08/27/2021

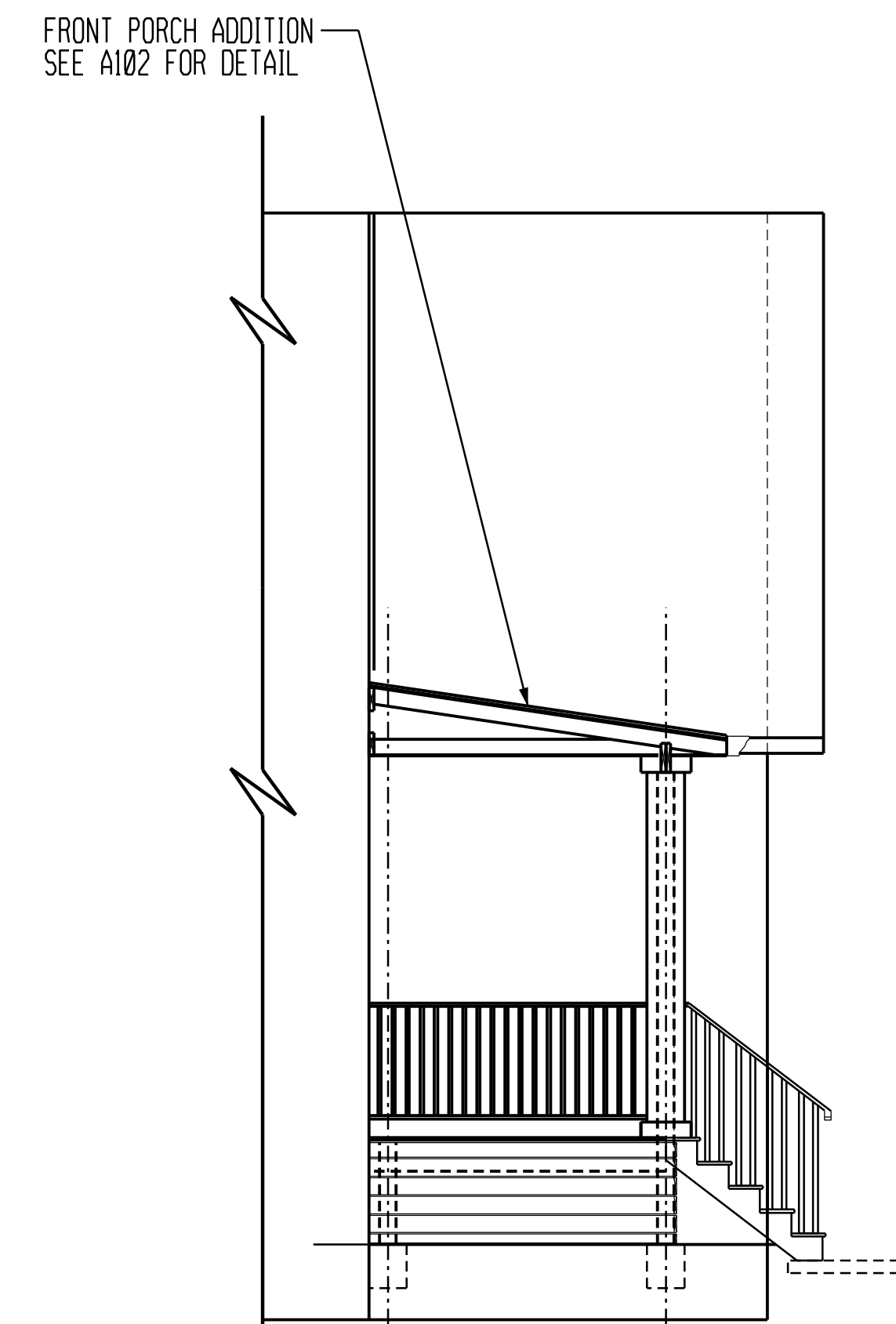
SHEET NO.:
A102



1 EXISTING FRONT ELEVATION
SCALE: 1/4"=1'-0"



2 PROPOSED FRONT ELEVATION PLAN
SCALE: 1/4"=1'-0"



3 PROPOSED LEFT SIDE ELEVATION PLAN
SCALE: 1/4"=1'-0"

ISSUE FOR CONSTRUCTION

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(T)404-304-0661 (F)1-888 510-2694
CADDDESIGNSATL@YAHOO.COM

PROJECT NAME :
1374 CEDAR POST CT
DECATUR GA 30033

DATE :
08/27/2021

DRAWING TITLE :
EXISTING AND
PROPOSED ELEVATIONS

SHEET NO.:
A101



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

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

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

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

~ THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED ELEVATIONS, THEN ADJUSTED TO NAVD 88 BASED ON MULTIPLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES. THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT).

TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIPLINE).

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

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

* L E G E N D *

NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.

AKA ALSO KNOWN AS	N/F NOW OR FORMERLY
APD AS PER DEED	NAIL NAIL FOUND
APP AS PER PLAT	P PLAT (BOOK/PAGE)
BSL BUILDING (SETBACK) LINE	POB POINT OF BEGINNING
CP COMPUTED POINT	POC POINT OF COMMENCEMENT
CTP CRIMP TOP PIPE FOUND	R RADIUS LENGTH
D DEED (BOOK/PAGE)	R/W RIGHT-OF-WAY
DW DRIVEWAY	RBF REINFORCING BAR FOUND
EP EDGE OF PAVEMENT	(1/2" UNO)
FFE FINISH FLOOR ELEVATION	RBS 1/2" REINFORCING BAR SET
FKA FORMERLY KNOWN AS	SW SIDEWALK
IPF IRON PIN FOUND	SSE SANITARY SEWER EASEMENT
L ARC LENGTH	SSCO SANITARY SEWER CLEANOUT
LL LAND LOT	-X- FENCE LINE
LLL LAND LOT LINE	WALL
N NEIGHBOR'S	

IMPERVIOUS AREA:

DW: 1538 SF

SW: 362 SF

HSE: 2106 SF

DW.WALL: 31 SF

FIRE.PIT: 12 SF

DECK: 315 SF

DECK.WALL: 25 SF

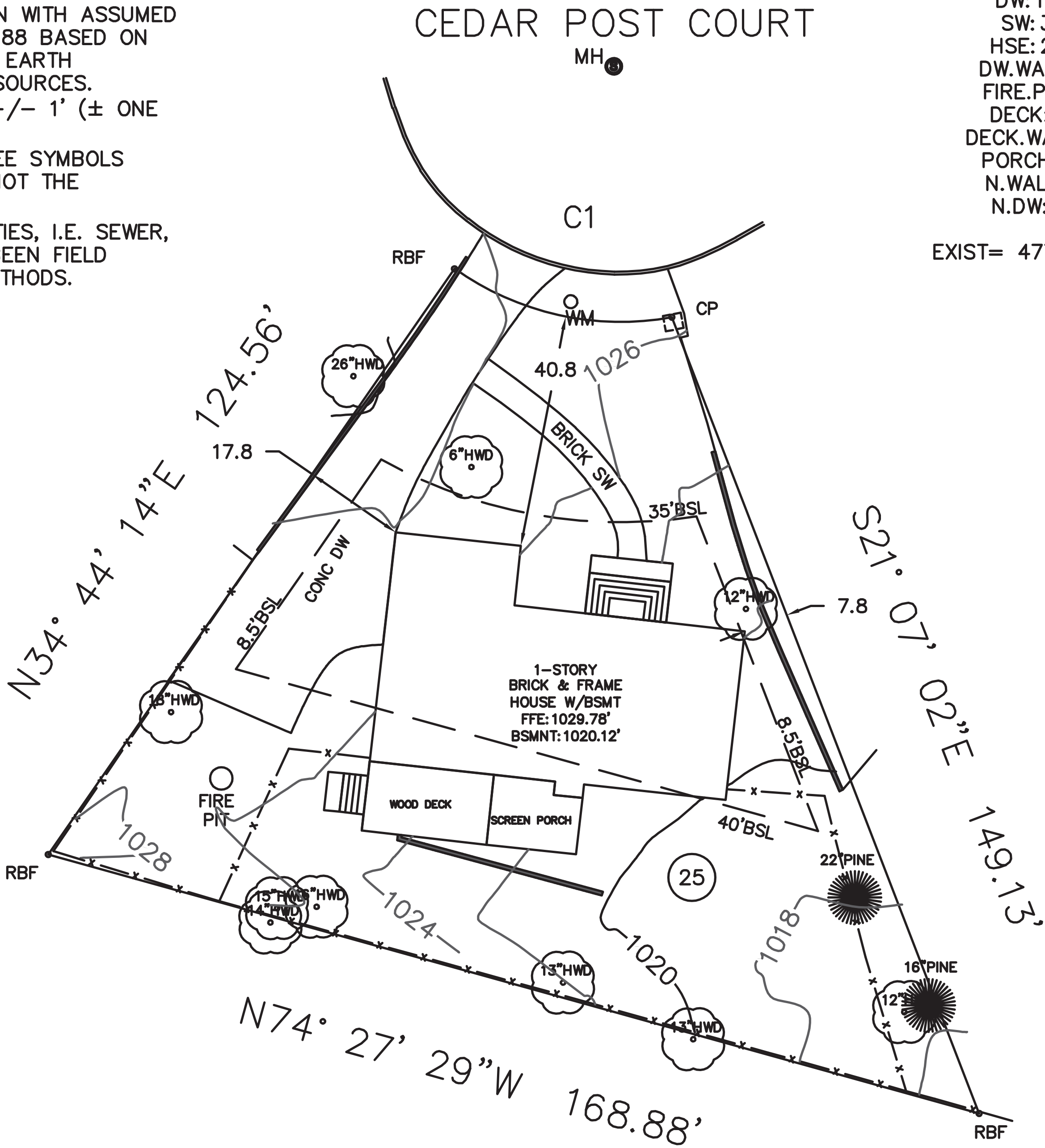
PORCH: 182 SF

N.WALL: 42 SF

N.DW: 166 SF

EXIST= 4779 SF=39.0%

26



24

CURVE	RADIUS	LENGTH	CHORD	CH.BEARING
C1	50.00'	40.00'	38.94'	S 77°23'43"E

PROPERTY ADDRESS:
1374 Cedar Post Ct
Decatur, GA 30033

LAND AREA:
12245 SF
0.281 AC

ZONING: R-85

PLAT PREPARED FOR:
1374 Cedar
Post Ct

LOT 26 OAK LEAF STATION SUBDIVISION

LAND LOT 148 18th DISTRICT

BY:

DeKALB COUNTY, GEORGIA

FIELD DATE: 7-02-2021

MF

LOCATED IN UNINCORP

DRAWN DATE: 7-04-2021

SS

REFERENCE: PLAT BOOK 72, PAGE 16

REFERENCE: DEED BOOK 24881, PAGE 1

ALL MATTERS OF TITLE ARE EXCEPTED. NOT TO BE RECORDED NOR USED TO CONVEY PROPERTY.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 40,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



SURVEY SYSTEMS ATLANTA
2156 W Park Ct, Ste D, Stone Mtn, GA 30087
COA #LSF000867, info@SurveySystemsAtlanta.com
Cell 678-591-6064 ~ Office 404-760-0010

0 30
SCALE 1" = 30'

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: 12/1/2021 _____

Applicant:
Signature



DATE: 12/1/2021 _____

Applicant:
Signature





RECEIVED

By Rachel Bragg at 12:54 pm, Dec 02, 2021

DeKalb County
GEORGIA

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. **3094089 (permit #)**

Applicant and/or
Authorized Representative **Clayton Wiliams**

Mailing Address: **1245 Hill St SE**

City/State/Zip Code: **Atlanta Ga 30315**

Email: **caddesignsatl@yahoo.com**

Telephone Home: **404-3041-6631** Business: **404-304-6631**

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: **Megan Poonolly**

Address (Mailing): **1374 Cedar Post Ct., Decatur, Ga. 30033**

Email: **megan.poonolly@gmail.com**

Telephone Home: **202-423-4012** Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: **1374 Cedar Post Ct.** City: **Decatur** State: **Ga** Zip: **30033**

District(s): **18** Land Lot(s): **148** Block: _____ Parcel: **18 148 05 043**

Zoning Classification: **R-85** Commission District & Super District: _____

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: _____

