



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, January 12, 2021 at 1:00 PM

Planning Department Staff Analysis



Andrew Baker, AICP
Director

N4. Case No: A-22-1245385

Parcel ID(s): 18-111-05-002; 18-111-05-003

Commission District 02 Super District 06

Applicant: Doug Linneman- KENCO Residential
2250 N. Druid Hills Road, NE
Suite 278
Atlanta, GA 30329

Owner: Shun Kuen and Harry Loui
2461 Flair Knoll Drive
Atlanta, GA 30345

Project Name: 2784 and 2790 North Druid Hills Road- KENCO Apartments

Location: The properties are located approximately 800-feet northeast of the intersection of North Druid Hills and Lavista Road in Atlanta, GA 30329.

Request: 1) Variance from Chapter 27-2.11.2- Dimensional Requirements to increase the maximum front setback from a major arterial road in MR-2 (Medium Density Residential-2) Zoning District from 20-feet to 26-feet.

2) Variance from Chapter 27- 5.4.5 Transitional buffers to decrease a section of a required transitional buffer between an R-100 (Residential Medium Lot-100) Zoning District and an MR-2 (Medium Density Residential-2) Zoning District from 50-feet to 30-feet.

Staff Recommendation:

- 1) Approval.
- 2) Approve with conditions:
 1. The transitional buffer shall be no less than 30-feet in any segment of the buffer and will be 50-feet or greater in the segments shown on the "Transitional Buffer Variance Exhibit" dated 08/04/2021.
 3. An 8-foot-tall wooden fence must be installed along the entire northern property boundary.
 4. The transitional buffer shall comply with the buffer planting and other requirements of [Chapter 27-5.4.5](#)
 5. The following information about these variances 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 proposes to construct a new 3-story multifamily residential building as an addition to the adjoining KENCO Apartments. The two subject properties were rezoned in November 2021 from R-100 (Residential Medium Lot-100) to MR-2 (Medium Density Residential-2) and the future land use recategorized from Suburban to Town Center to facilitate this development. During the rezoning process, the North Druid Hills Residents' Association and other neighbors requested that the new building be setback as far as possible from North Druid Hills Road. To facilitate the neighbor's requests, they are proposing a 26-foot setback, which is greater than the maximum 20-foot setback allowed and are therefore requesting a variance.

Because these properties are now zoned MR-2, there is a required 50-foot transitional buffer between the multifamily development and the adjacent R-100, single family homes north of the property. The applicant is requesting that a portion of this buffer be decreased to 30-feet to allow inter-parcel access through the existing development.

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 lots meet the size and zoning requirements of the MR-2 Zoning District. The purpose of a maximum front-setback is to encourage development that engages with pedestrians, the roadway, the streetscape, and contributes to a sense of place along with the current or desired character of the surrounding area. However, the rear of the parcels are angled and form a trapezoidal shape that narrows on the eastern end. In order to build an addition to the existing KENCO Apartments, the newly rezoned lots must connect to the existing apartments with a newly constructed road. This road must be able to accommodate emergency vehicles, such as fire trucks, and two-way traffic. Additionally, the primary concerns with this project, initially, was to situate the apartment building as far away from existing single-family residential detached homes north of the subject properties along with establishment of a required vegetative buffer. The combination of these design issues limits where the building can be constructed.

Due to the angled and trapezoidal shape of the subject lots, the applicant is proposing a decrease in the transitional buffer to accommodate a new road in this segment. While the new building will be on a separate parcel, it will be an extension of the existing KENCO apartment development. An additional point of ingress/egress is necessary at a minimum for emergency access purposes. Based on the required access, required parking, and the building placement, a portion of the buffer must be reduced. Strict application of the buffer requirements of this chapter may deprive the owner of rights and privileges.

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:

The maximum setback in the MR-2 Zoning District from an arterial road is 20-feet. The requested increase of the setback from 20-feet to 26-feet may be considered a modest degree of relief. This request is limited to only the northwest portion of the building.

The requested reduction of a portion of the transitional buffer may not go beyond the minimum necessary to afford relief. The applicant has provided a wider than required buffer in other segments and is only requesting this decrease in a small section of the buffer.

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:

The granting of the setback variance and the buffer reduction may not be materially detrimental to the public welfare or injurious to the property. The proposed site plan is the culmination of several months of coordination between the developer, the community, and county officials. The future land use designation change and the rezoning request included several similar criteria and was ultimately approved by the Board of Commissioners on November 16, 2021.

Moreover, the applicants plan to install an 8-foot-tall fence along the entirety of the northern property line and the landscape plan will include installation of some mature evergreen trees to expedite the provision of mitigating effects of a buffer.

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

The strict application of the setback requirements may cause an unnecessary hardship as the proposed site plan largely reflects compliance with the *Zoning Ordinance* and consensus with many community members. The setback adjustment balances community desire for necessary streetscape improvements and the intent of the *Zoning Ordinance* to ensure that the building is close enough to North Druid Hills Road to contribute to the character of the corridor and the Toco Hills Activity Center. Additionally, if the full 50-foot buffer is required, the applicant states, "the site is effectively undevelopable" because the provision for adequate secondary emergency access and required parking would not be satisfied.

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

The future land use designation of these properties is now Town Center. The *DeKalb County Comprehensive Plan* describes the intent of the of Town Center (TC) character area to

"promote the concentration of residential and commercial structures, which serve many communities in order to reduce automobile travel, promote walkability and increased transit usage. These areas consist of a focal point for several neighborhoods with a variety of activities such as general retail, commercial, professional office, higher-density housing, and appropriate public and open space uses that are easily accessible by pedestrians."

Increasing the maximum setback by 6 feet may be consistent with the spirit and purpose of a Town Center designation because it does not significantly detract from the desire to create a more active, vibrant streetscape along with other benefits not subject to this variance request.

Also, the reduction of the required transitional buffer may be consistent with the goals of the *Comprehensive Plan* to provide a vegetative transition between the more intense land uses within activity centers and established residential communities. Where possible, the buffer will exceed 50 feet. The buffer reduction will not be less than 30 feet at any point and the applicant proposes to install a fence and mature evergreen trees to accelerate the required buffer mitigation measures.

FINAL STAFF ANALYSIS:

Due to the angled and trapezoidal shape of the subject lots and the desire to maximize the distance between this development and the single-family development to the north of the property, 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. Both requests may be consistent with the goals of the *Comprehensive Plan* for a development within a Town Center character area.

- 1) Approval.
- 2) Approve with conditions:
 1. The transitional buffer shall be no less than 30-feet in any segment of the buffer and will be 50-feet or greater in the segments shown on the "Transitional Buffer Variance Exhibit" dated 08/04/2021.
 3. An 8-foot-tall wooden fence must be installed along the entire northern property boundary.
 4. The transitional buffer shall comply with the buffer planting and other requirements of [Chapter 27-5.4.5](#)
 5. The following information about these variances 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: Doug Linneman - KENCO Residential

Mailing Address: 2250 N. Druid Hills Road NE, Suite 278,

City/State/Zip Code: Atlanta, GA 30329

Email: doug@kencoapartments.com

Telephone Home: 404-633-0401 Business: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: SEE ATTACHMENT A

Address (Mailing): _____

Email: _____

Telephone Home: _____ Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 2784 North Druid Hills Road NE City: Atlanta State: GA Zip: 30329

District(s): 18 Land Lot(s): 111 Block: 03 Parcel: 002, 003

Zoning Classification: MR-2 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: _____

Exhibit "A"

Subject Property 1: 2784 North Druid Hills Road NE

Owner: Shun Kuen Loui

Owner's Mailing Address: 2461 Flair Knoll Drive, Atlanta, GA 30345

Owner's Email: hlouienote2@gmail.com

District: 18

Land Lot: 111

Block: 05

Parcel: 002

Acreage: 0.5 Acres

Commission District: 2; SCD: 6

Present Zoning Category: R-100

Proposed Zoning Category: MR-2

Present Land Use Category: SUB

Subject Property 2: 2790 North Druid Hills Road NE

Owner: Harry Loui

Owner's Mailing Address: 2461 Flair Knoll Drive, Atlanta, GA 30345

Owner's Email: hlouienote2@gmail.com

District: 18

Land Lot: 111

Block: 05

Parcel: 003

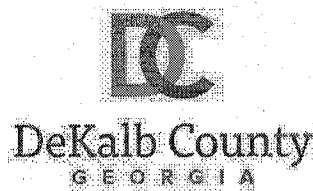
Acreage: 0.4 Acres

Commission District: 2; SCD: 6

Present Zoning Category: R-100

Proposed Zoning Category: MR-2

Present Land Use Category: SUB



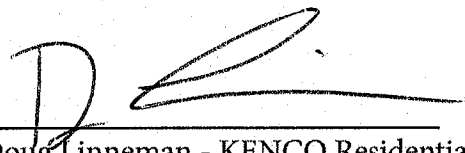
ZONING BOARD OF APPEALS APPLICATION AUTHORIZATION OF THE PROPERTY OWNER

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: 12/2/2021

Applicant: 
Signature Doug Linneman - KENCO Residential

DATE: _____

Applicant: _____
Signature _____



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: 12/2/2021

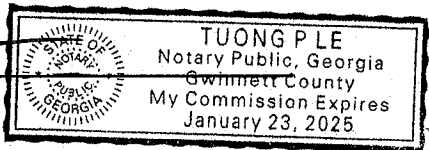
Applicant/Agent:
Signature DOUG LINNEMAN

TO WHOM IT MAY CONCERN:

(I)/ (WE) Shun Kuen Loui Harry Loui
(Name of Owners)

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

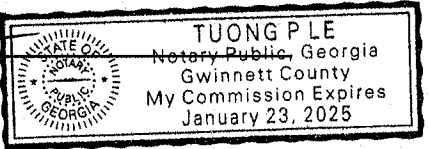
Notary Public



Owner

Shun Kuen Loui

Notary Public



Owner

Harry Loui

Notary Public

Owner

12/1/2021

Re: **Letter of Intent – Front Yard Setback Variance (Sec. 2.11.2 – Dimensional Requirements)**
2784/2790 N Druid Hills Road (0.9 +/- acres)
PEC+ Project No. 21049.00

Dear Community Development officials,

This variance application is being submitted on behalf of the developer and applicant. This application proposes a variance to Section 2.11.2 – Dimensional Requirements of the DeKalb County zoning ordinance, to increase the maximum front setback on the subject site from 20 feet to 26 feet along North Druid Hills Road. The variance would facilitate the development of a new, 21-unit, 3-story multi-family building along North Druid Hills Road, to expand the adjoining KENCO Lavista Apartment complex.

The subject property of the variance consists of two approximately 0.4 and 0.5-acre tracts that have approximately 200 feet of frontage along North Druid Hills Road. As it currently exists, the property is currently developed with two older, single-family homes. The sites share an eastern property line with the KenCO Lavista Apartments. The site was rezoned from R-100 to MR-2 in November 2021.

See below the written responses to the required variance findings.

Variance Findings

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.

The subject property consists of two small parcels along North Druid Hills Road with a total acreage of approximately 0.9 acres. The shape of the property is also a slightly-oblong trapezoidal shape, with harsh angles extending from North Druid Hills Road. Because of these factors that are outside of the applicant's control, the property is limited in terms of possible building configurations. In order to construct the permitted, as-zoned use, *and* provide adequate fire-safety measures, in addition to sufficient parking, the site plan must be constructed as shown in the attached site plans, leaving limited flexibility on where to place the building. **Adjoining neighbors have requested during the rezoning process that the building be pushed back from North Druid Hills Road as much as possible, which is the primary impetus for this request.**

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.

The proposed variance does not go beyond the minimum necessary to afford relief, and does not convey special privileges upon the developer or this particular property. The subject property recently went through the rezoning process, and, during that time, was vetted and reviewed a number of times by the surrounding neighbors. Neighbors of the property expressed interest in having the building set back as far as possible from North Druid Hills Road to create a visual buffer. If anything, the increased maximum setback is more limiting to the development, since it reduces the possible building envelope, which cannot be considered a special privilege.

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.

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. As noted, the subject site was the subject of a recently approved rezoning. Prior to the rezoning, the development team held repeated meetings with the surrounding neighborhood to review, revise, and compromise on the proposed plan. The resulting compromise is the plan submitted with this variance application. Neighbors were supportive of the project, but requested that the building be set back as far as possible from North Druid Hills Road. In order to make good on the discussions held during the rezoning, we are requesting this variance to increase the maximum setback, as part of our compromise with neighbors. See the attached letter of support from Alan Pinsker expressing the neighborhood's agreement with the proposal.

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

The literal interpretation and strict application of the applicable requirement would cause undue and unnecessary hardship. The site is constrained in size and shape which are factors entirely outside of the applicant's control. Although it is the intent of the DeKalb County zoning ordinance to engage the street, this instance represents a special exception in which strict adherence is excessive and capricious, and ultimately prevents the neighbors who will be affected by the approved development from the compromises made during rezoning. So in a sense, the strict application of the maximum setback would cause unnecessary hardship not on the developer, but on the neighborhood, which is not the desired result of the project that is the product of months-long collaboration.

5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

The requested variance is consistent with the spirit and purpose of the DeKalb County Comprehensive Plan. The increased setback was shown on the site plan that was recently approved with the rezoning of the site from R-100 to MR-2. Zoning staff, Planning Commission, and the Board of Commissioners were all receptive to this change, and as noted, the proposal has been carefully vetted and reviewed by all aforementioned parties and neighbors. This is the final step in facilitating the project that is compatible with the zoning, future land use, and the DeKalb County comprehensive plan.

Conclusion

The applicant and owner respectfully request that the DeKalb County Zoning Board of Appeals approve and support the Applicant's request for a variance to increase the maximum front setback on the subject site from 20 feet to 26 feet along North Druid Hills Road, as shown in the proposed site plan and attachments. The developer and their representatives welcome the opportunity to meet with all interested parties and representatives.

Sincerely,

Planners and Engineers Collaborative, Inc.



Kenneth J. Wood, P.E., LEED AP

President

For the Firm

kjw/ht

12/1/2021

Re: **Letter of Intent – Transitional Buffer Variance (Sec. 5.4.5 – Transitional Buffers)**
2784/2790 N Druid Hills Road (0.9 +/- acres)
PEC+ Project No. 21049.00

Dear Community Development officials,

This variance application is being submitted on behalf of the developer and applicant. This application proposes a variance to Section 5.4.5 – Transitional Buffers of the DeKalb County zoning ordinance, to reduce the required transitional buffer on the subject site from 50 feet to 30 feet, at its narrowest point along the northern property boundary. The subject property, zoned MR-2, abuts a parcel that is zoned R-100—a configuration that requires a minimum 50-foot transitional buffer. The variance would facilitate the development of a new, 21-unit, 3-story multi-family building along North Druid Hills Road, to expand the adjoining KENCO Lavista Apartment complex.

The subject property of the variance consists of two approximately 0.4 and 0.5-acre tracts that have approximately 200 feet of frontage along North Druid Hills Road. As it currently exists, the property is currently developed with two older, single-family homes. The sites share an eastern property line with the KenCO Lavista Apartments. The site was rezoned from R-100 to MR-2 in November 2021.

See below the written responses to the required variance findings.

Variance Findings

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.

The subject property consists of two small parcels along North Druid Hills Road with a total acreage of approximately 0.9 acres. The shape of the property is also a slightly-oblong trapezoidal shape, with harsh angles extending from North Druid Hills Road. Because of these factors that are outside of the applicant's control, the property is limited in terms of possible building configurations. In order to construct the permitted, as-zoned use, and provide adequate fire-safety measures, in addition to sufficient parking, the site plan must be constructed as shown in the attached site plans, which would require the transitional buffer to be reduced in some locations. The 50-foot transitional buffer as required by the code cuts into the property to such an extent that the additional building would be unreachable by road, since there would be no room for a paved right-of-way.

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.

The proposed variance does not go beyond the minimum necessary to afford relief, and does not convey special privileges upon the developer or this particular property. The requested variance reduces the transitional buffer only where necessary. Where possible—along most of the northern property line—the developer will honor the 50-foot transitional buffer, and will actually provide additional area of planted buffer in excess of the requirement (most notably along North Druid Hills Road). The variance would primarily apply to the area toward the eastern property line that must be reduced in order to accommodate necessary infrastructure such as parking, a 50-foot right-of-way, and a 26-foot roadway.

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.

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. The subject site was the subject of a recently approved rezoning. Prior to the rezoning, the development team held repeated meetings with the surrounding neighborhood to review, revise, and compromise on the proposed plan. The resulting compromise is the plan submitted with this variance application. See the attached letter of support from Alan Pinsker expressing the neighborhood's agreement with the proposal. Additionally, it is important to note that currently, there is no planted buffer at all on the property. The structures that currently sit on the property are an eyesore in the neighborhood and are in a state of disrepair, with no buffer shielding them from view. The proposed variance would ensure a thickly planted buffer to screen the new development from existing neighbors.

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

The literal interpretation and strict application of the applicable requirement would cause undue and unnecessary hardship. The site is constrained in size and shape which are factors entirely outside of the applicant's control. The strict adherence to the provisions of the transitional buffer requirements would reduce the developable area of the site, and would effectively cut off access from the adjoining parcel to the east. Because the primary access to the units would be from the adjoining site (to reduce traffic onto North Druid Hills Road), access must be granted. There is no room for a roadway with safe, constructible radii, unless the variance is granted. The site is effectively undevelopable without this variance.

5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

The requested variance is consistent with the spirit and purpose of the DeKalb County Comprehensive Plan. The reduced buffer was shown on the site plan that was recently approved with the rezoning of the site from R-100 to MR-2. Zoning staff, Planning Commission, and the Board of Commissioners were all receptive to this change, and as noted, the proposal has been carefully vetted and reviewed by all aforementioned parties and neighbors. This is the final step in facilitating the project that is compatible with the zoning, future land use, and the DeKalb County comprehensive plan.

Conclusion

The applicant and owner respectfully request that the DeKalb County Zoning Board of Appeals approve and support the Applicant's request for a variance to reduce the transitional buffer from 50 to 30 feet along the northernmost property line, as shown in the proposed site plan and attachments. The developer and their representatives welcome the opportunity to meet with all interested parties and representatives.

Sincerely,
Planners and Engineers Collaborative, Inc.



Kenneth J. Wood, P.E., LEED AP
President

For the Firm

RETRACEMENT SURVEY OF:

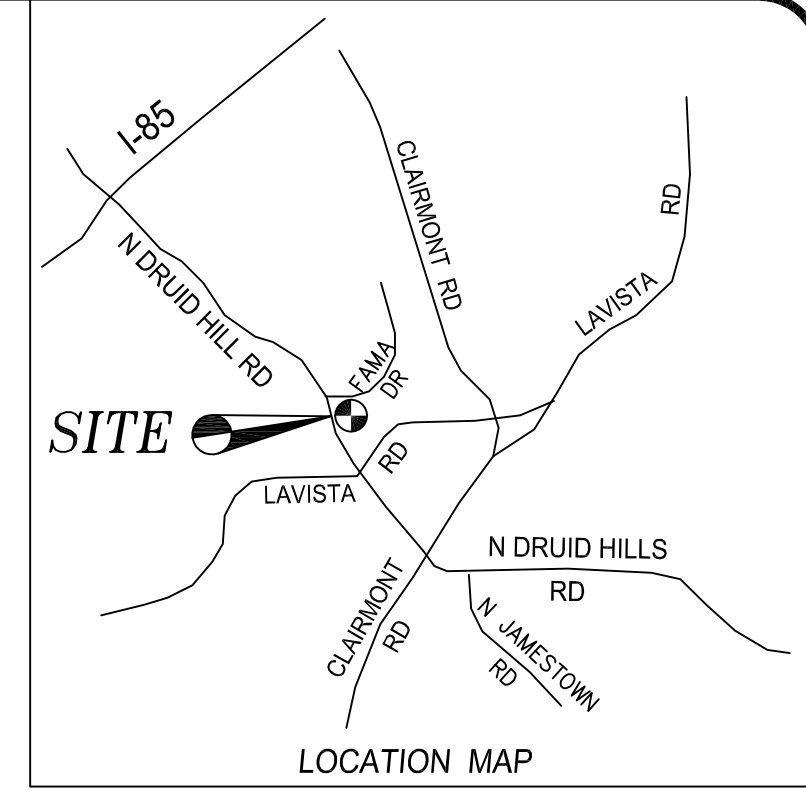
0.485 Acres (21,120 S.F.)
 Land Lot: 111 District: 18
 City of Atlanta, DeKalb County, Georgia

Current Owner(s)
 (as per Dekalb County records)
 SHUN KUEN LOUI
 TAX ID# 18 111 05 002
 DB 6611 PG 253

Equipment used:
 Angular & Linear: Geodimeter robotic, ALLEGRO DC

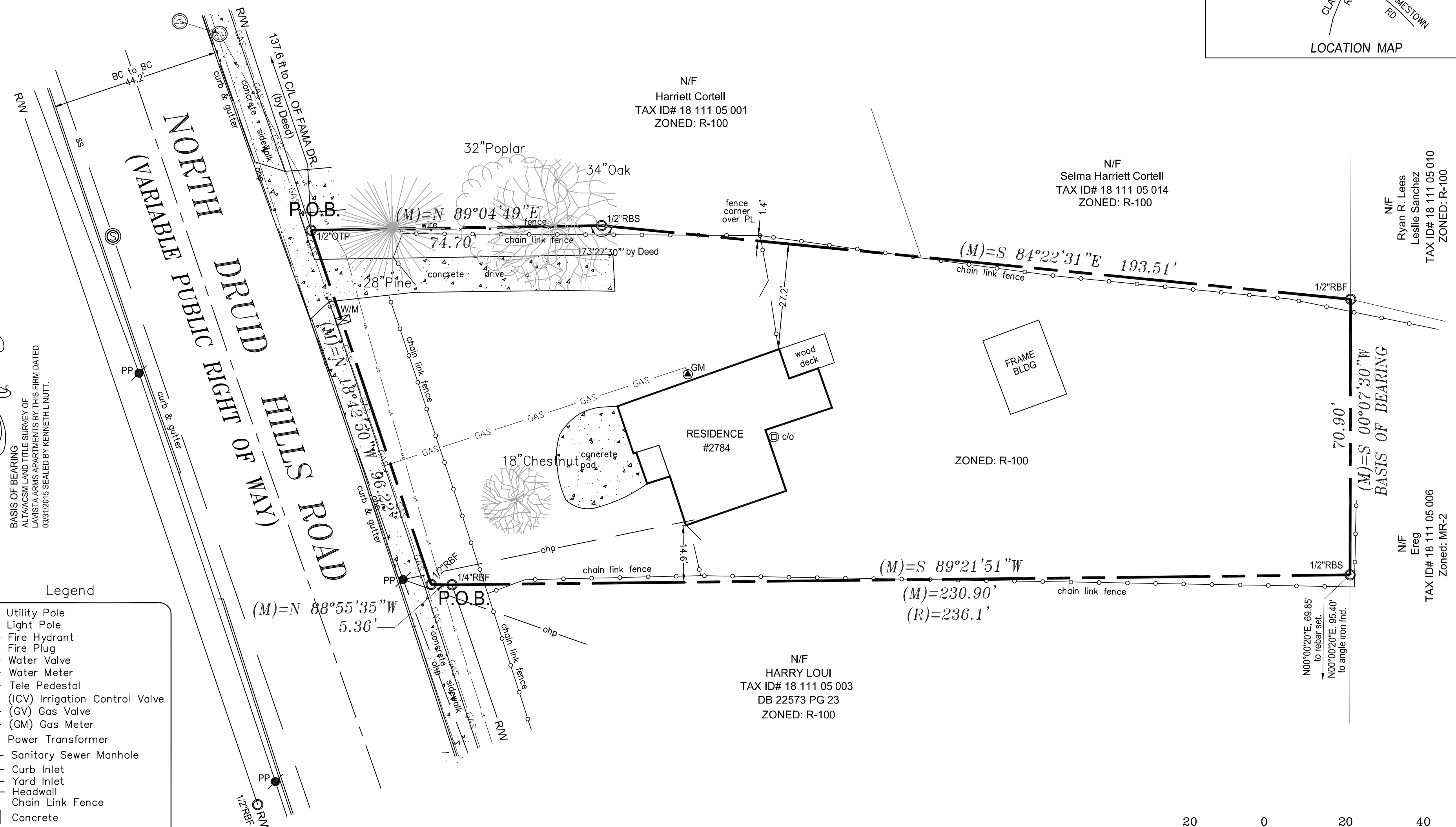
The field data upon which this plat is based has a raw closure of one foot in 38,123 feet, yielding an angular error of 02 sec per angle, and was not adjusted.
 This plat has been calculated for closure and is found to be accurate to within one foot in 50,000+ feet.

The field work for this survey was done on 15, 2021.



Prepared by:
Perimeter Surveying Co., Inc
 1065 Sandtown Road, Marietta, GA 30008
 Phone: (770) 425-6824 Fax: (770) 425-6768
 email: kencoper@aol.com

OFFICIAL USE



BASIS OF BEARING
 ALTAACSM LAND TITLE SURVEY OF
 LAVISTA ARMS APARTMENTS BY THIS FIRM DATED
 09/31/2015 SEALED BY KENNETH L. NUTT.

- Legend**
- - Utility Pole
 - - Light Pole
 - - Fire Hydrant
 - - Fire Plug
 - - Water Valve
 - - Water Meter
 - - Tele Pedestal
 - (ICV) Irrigation Control Valve
 - (GV) Gas Valve
 - (GM) Gas Meter
 - - Power Transformer
 - - Sanitary Sewer Manhole
 - - Curb Inlet
 - - Yard Inlet
 - - Headwall
 - - Chain Link Fence
 - - Concrete
 - - A/C Pad
 - - CMP - Corrugated Metal Pipe
 - - RCP - Reinforced Concrete Pipe
 - - CTP - Crimp Top Pipe
 - - OTP - Open Top Pipe

(R) = RECORD
 (M) = MEASURED

This survey was performed without the benefit of a complete and thorough Title Abstract.

No portion of the subject property is located in a special flood hazard area as per F.I.R.M. Community No. 130065, Panel 0054K, Map 13089C0054K, dated Aug. 15, 2019.

Information showing underground structures and utilities was obtained from a limited field survey. The exact location of any underground items should be verified by other sources before digging.

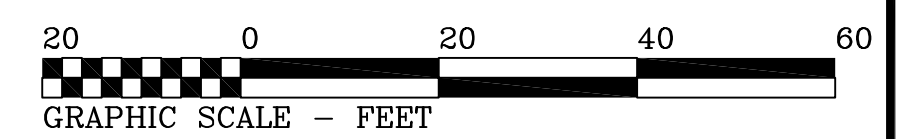
SURVEYORS CERTIFICATION

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 herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION. AVAILABILITY OF PERMITS. COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS. NOR 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.

Ken Nutt
 KENNETH L. NUTT, R.L.S. SEAL #2104
 June 25, 2021



DATE OF PLAT 06/25/2021



REVISIONS		
1	CHANGED BASIS OF BEARING AND ROTATION TO MATCH APARTMENTS	06/25/21

PROJECT: 2784 N DRUID HILLS RD.
 SCALE: 1"=20' Job # 005615-2016-21

Retracement Survey of
 0.485 Acres (21,120 S.F.)
 Tax I.D.# 18 111 05 0002
 Located in
 Land Lot: 111 District: 18
 City of Atlanta, DeKalb County, Georgia

Prepared for:
KENCO LAVISTA APARTMENTS
 2284 LAVISTA ROAD
 DEKALB COUNTY, GEORGIA

2784 N. Druid Hills Rd.
 Job # 005615-21
 Date Surveyed: 06-12-2021
 Party Chief: GW

Computed by: RW
 Checked by: KLN

RETRACEMENT SURVEY OF:

0.424 Acres (18,493 S.F.)
 Land Lot: 111 District: 18
 City of Atlanta, DeKalb County, Georgia

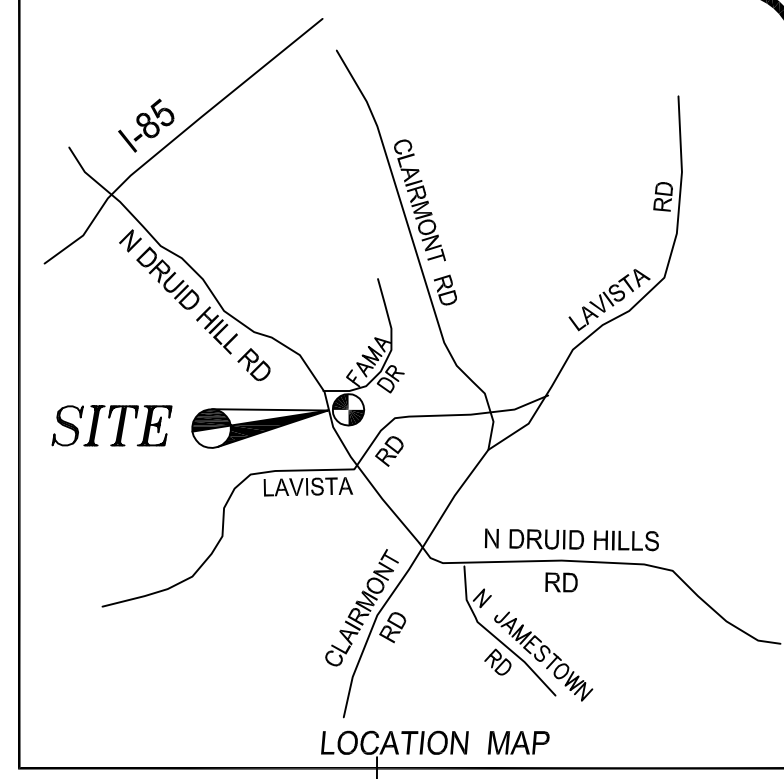
Current Owner(s)
 (as per DeKalb County records)
 HARRY LOUI
 TAX ID# 18 111 05 003
 DB 22573 PG 23

Equipment used:
 Angular & Linear: Geodimeter robotic, ALLEGRO DC

The field data upon which this plat is based has a raw closure of one foot in 38,123 feet, yielding an angular error of 02 sec per angle, and was adjusted using the compass rule.

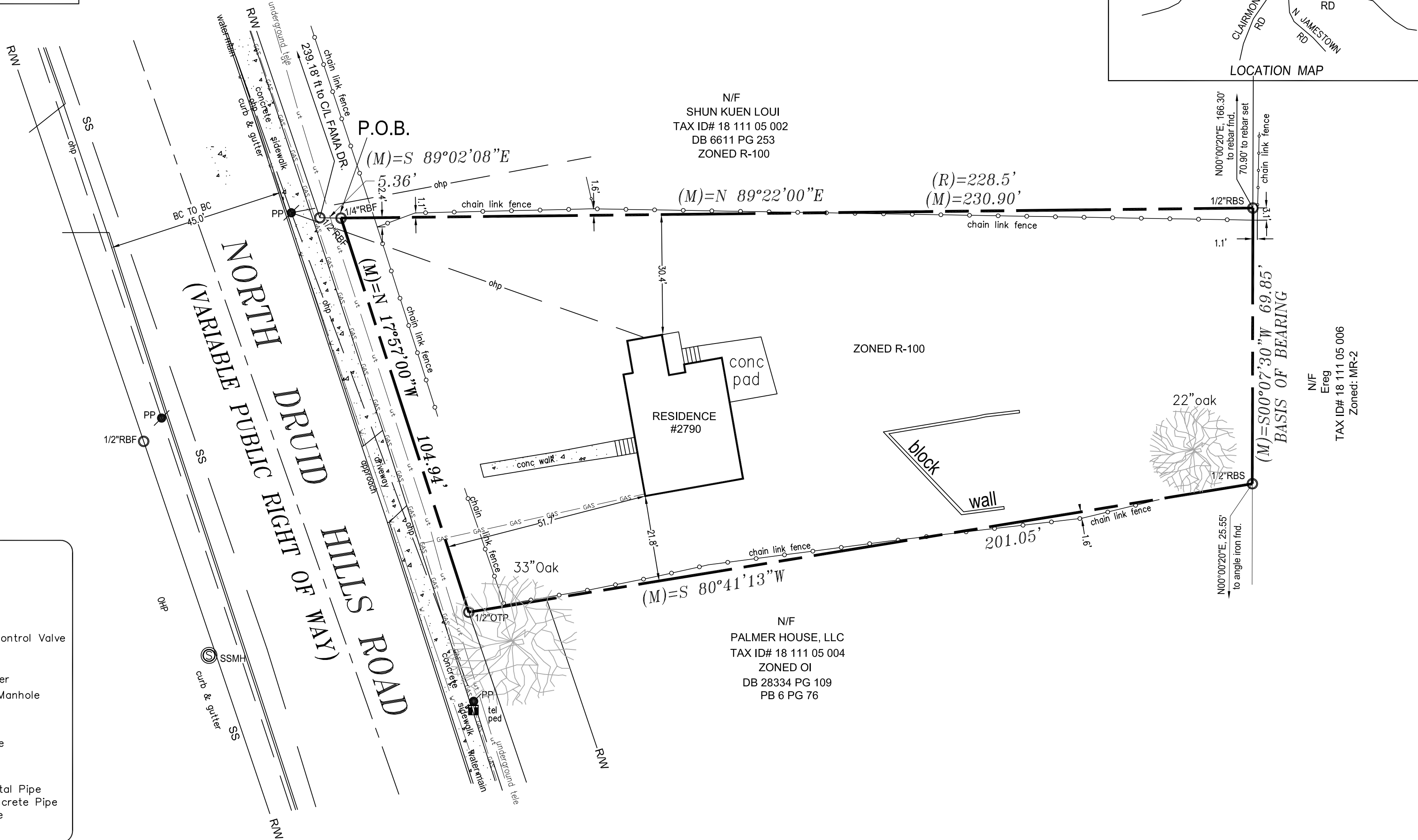
This plat has been calculated for closure and is found to be accurate to within one foot in 89,946 feet.

The field work for this survey was done on June 15, 2021.



OFFICIAL USE

BASIS OF BEARING
 ALTA/MCS/LAND TITLE SURVEY OF
 LAVISTA ARMS APARTMENTS BY THIS FIRM DATED
 03/31/2015 SEALED BY KENNETH L. NUTT.



Prepared by:
Perimeter Surveying Co., Inc
 1065 Sandtown Road, Marietta, GA 30008
 Phone: (770) 425-6824 Fax: (770) 425-6768
 email: kencoper@aol.com
 COA# LSF001223



Prepared for:
KENCO LAVISTA APARTMENTS
 2284 LAVISTA ROAD
 DEKALB COUNTY, GEORGIA

Retracement Survey of
 0.424 Acres (18,493 S.F.)
 TAX I.D.# 18 111 05 0003
 Located in
 Land Lot: 111 District: 18
 City of Atlanta, DeKalb County, Georgia
 2790 N. Druid Hills Rd.
 Job # 005615-2016-21
 Date Surveyed: 06-12-2021
 Party Chief: GW

Legend

- Utility Pole
- Light Pole
- Fire Hydrant
- Fire Plug
- Water Valve
- Water Meter
- Tele Pedestal
- (ICV) Irrigation Control Valve
- (GV) Gas Valve
- (GM) Gas Meter
- Power Transformer
- Sanitary Sewer Manhole
- Curb Inlet
- Yard Inlet
- Headwall
- Chain Link Fence
- Concrete
- A - A/C Pad
- CMP - Corrugated Metal Pipe
- RCP - Reinforced Concrete Pipe
- CTP - Crimp Top Pipe
- OTP - Open Top Pipe

(R) = RECORD
 (M) = MEASURED

This survey was performed without the benefit of a complete and thorough Title Abstract.

No portion of the subject property is located in a special flood hazard area as per F.I.R.M. Community No. 130065, Panel 0054K, Map 13089C0054K, dated Aug. 15, 2019.

Information showing underground structures and utilities was obtained from a limited field survey. The exact location of any underground items should be verified by other sources before digging.

SURVEYORS CERTIFICATION

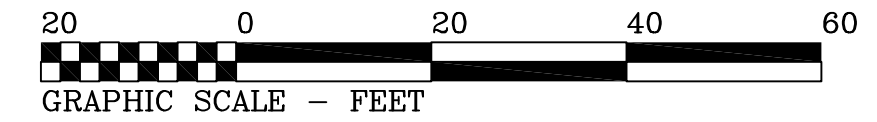
This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS. NOR 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.

Ken Nutt
 June 25, 2021

KENNETH L. NUTT R.L.S. SEAL 72104



DATE OF PLAT 06/25/2021



REVISIONS		
1	CHANGED BASIS OF BEARING AND ROTATION TO MATCH APARTMENTS	06/25/21

PROJECT: 2790 N DRUID HILLS RD.
 SCALE: 1"=20'
 Job # 005615-2016-21

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J:\2021\12\14\900\00\Concepts & Exhibits\Concepts\21048_00_Site_Concept_25.dwg - R:\lambuth - 1/14/2021 4:04 PM

GENERAL NOTES:

- 50 FOOT TRANSITIONAL BUFFER REQUIRED ALONG R-100 BOUNDARY
- 30 FOOT TRANSITIONAL BUFFER, VARIANCE TO BE REQUESTED ALONG R-100 BOUNDARY
- ACCESS AGREEMENT PUT IN PLACE WITH EXISTING KENCO LAVISTA PROPERTY FOR FIRE ACCESS, PARKING AND STORMWATER MANAGEMENT.
- VARIANCE TO BE REQUESTED TO INCREASE MAX. FRONT SETBACK, BASED ON ZONING CONDITIONS RECOMMENDED BY NEIGHBORS.

DENSITY BONUSES:

- AMENITY PROXIMITY - 20% OF BASE DENSITY (2.4 UPA)
- PUBLIC IMPROVEMENT - SIDEWALK IMPROVEMENT - 20% OF BASE DENSITY (2.4 UPA)
- PUBLIC IMPROVEMENT - PUBLIC ART PIECE - 20% OF BASE DENSITY (2.4 UPA)
- PUBLIC IMPROVEMENT - PROPOSED BUS SHELTER - 20% OF BASE DENSITY (2.4 UPA)
- PUBLIC IMPROVEMENT - PROPOSED BUS SHELTER - 20% OF BASE DENSITY (2.4 UPA)

BASE DENSITY = 12 UPA
 TOTAL DENSITY BONUSES TO BE APPLIED = 12 ADDITIONAL UPA
 MAXIMUM DENSITY WITH BONUSES APPLIED = 24 UPA
 TOTAL PROPOSED DENSITY WITH BONUSES = 23.3 UPA

SITE DATA:	
EXISTING SITE AREA	0.9 ACRES
ZONING	R-100
EXISTING ZONING	R-100
PROPOSED ZONING	MR-2
ZONING JURISDICTION	DEKALB COUNTY
USE CALCULATIONS	
MR-2 BASE DENSITY	12 UPA
MAXIMUM DENSITY WITH BONUSES	24 UPA
TOTAL SITE AREA	0.9 ACRES
TOTAL PROPOSED DENSITY	23.3 UPA
TOTAL UNITS PROPOSED	21 UNITS
DENSITY BONUSES	
PUBLIC IMPROVEMENTS - PUBLIC ART, SIDEWALK IMPROVEMENT, BUS SHELTER (2) (20% OF BASE DENSITY)	ADDITIONAL 2.4 UPA EACH (9.6 UPA TOTAL)
AMENITY PROXIMITY - KROGER (20% OF BASE DENSITY)	ADDITIONAL 2.4 UPA
TOTAL DENSITY BONUSES TO BE APPLIED	12 ADDITIONAL UPA
SETBACK REQUIREMENTS	
REQUIRED BUFFER ON NEW PARCELS	50 FEET AGAINST R-100
OPEN SPACE	
REQUIRED OPEN SPACE	15% (0.135 ACRES)
PROVIDED OPEN SPACE	16.8% (0.151 ACRES)
PARKING REQUIREMENTS	
MINIMUM PARKING REQUIRED	32 SPACES (1.5 SPACES PER UNIT)
PROPOSED RESIDENT PARKING	32 SPACES

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 ARBORISTS + SURVEYING & CONSTRUCTION + WATER RESOURCES

350 RESEARCH COURT STE 200
 PEACHTREE CORNERS, GA 30092

PROJECT

KENCO LAVISTA
 A MASTER PLANNED RESIDENTIAL DEVELOPMENT

AT
 2784-2790 NORTH DRUID HILLS ROAD
 DEKALB COUNTY, 30329
 DEKALB COUNTY

FOR

KENCO RESIDENTIAL

MUNICIPALITY PROJECT #

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	10/18/2021	CL	UPDATED SITE PLAN
2	11/04/2021	CL	UPDATED SITE PLAN

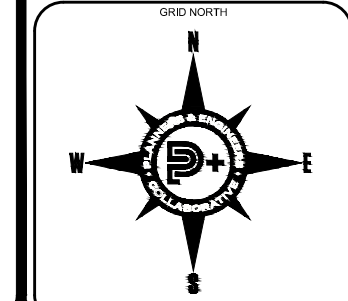
THIS SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE.

PRELIMINARY
 NOT TO BE RELEASED FOR CONSTRUCTION

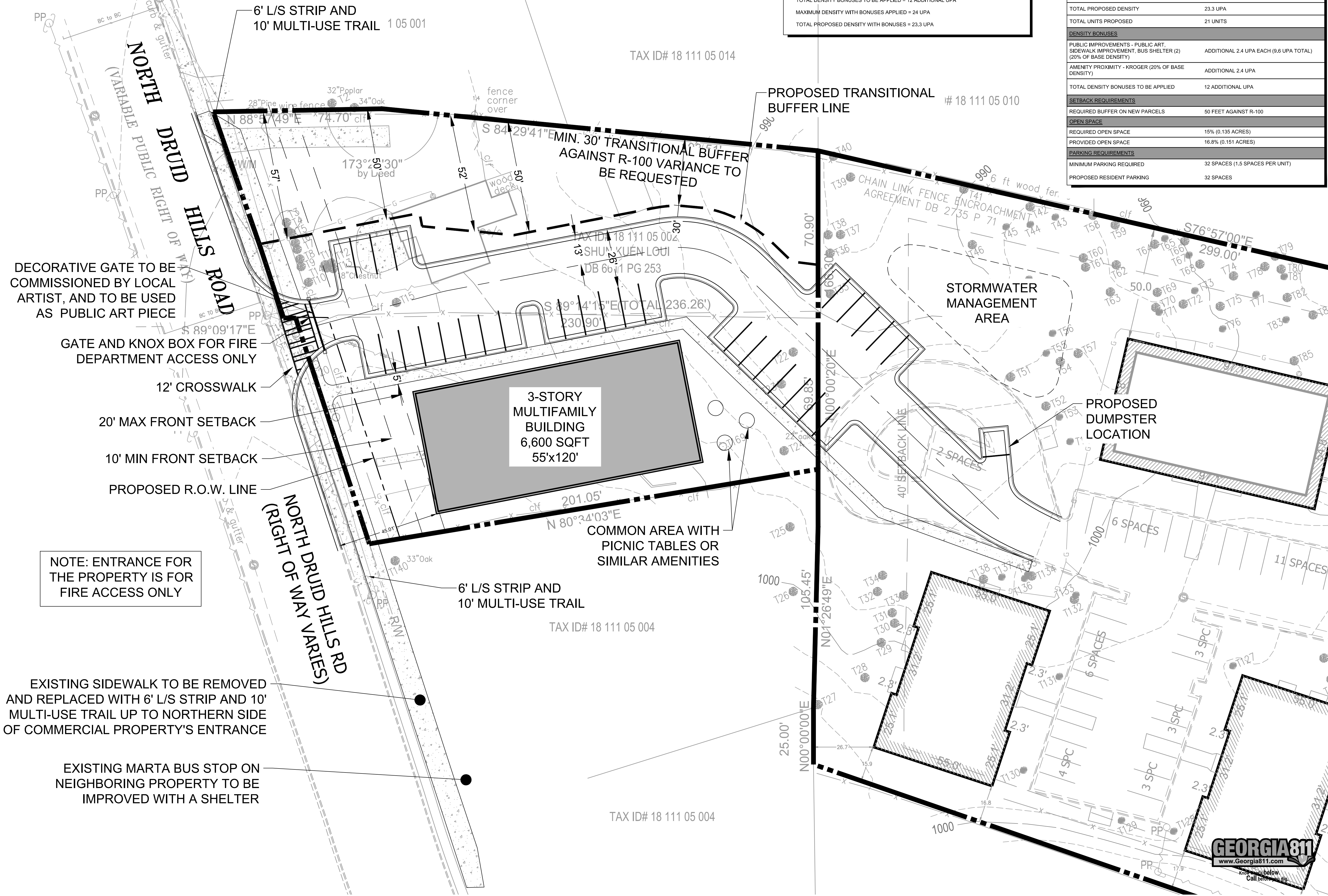
ZONING SITE PLAN



SCALE: 1" = 20'
 DATE: 08/04/2021
 PROJECT: 21049.00



Z2
 SHEET



DECORATIVE GATE TO BE COMMISSIONED BY LOCAL ARTIST, AND TO BE USED AS PUBLIC ART PIECE

GATE AND KNOX BOX FOR FIRE DEPARTMENT ACCESS ONLY

12' CROSSWALK

20' MAX FRONT SETBACK

10' MIN FRONT SETBACK

PROPOSED R.O.W. LINE

NOTE: ENTRANCE FOR THE PROPERTY IS FOR FIRE ACCESS ONLY

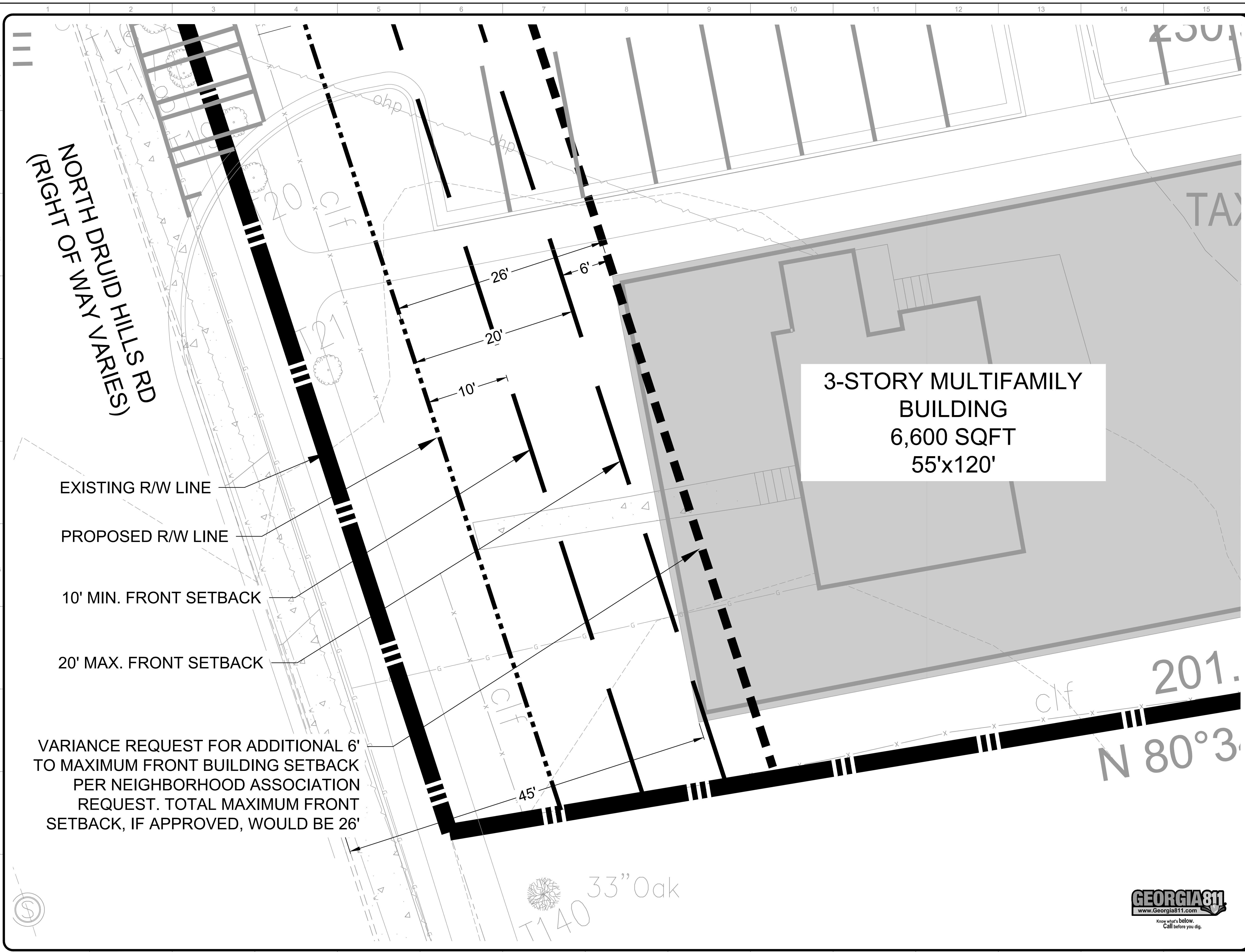
EXISTING SIDEWALK TO BE REMOVED AND REPLACED WITH 6' L/S STRIP AND 10' MULTI-USE TRAIL UP TO NORTHERN SIDE OF COMMERCIAL PROPERTY'S ENTRANCE

EXISTING MARTA BUS STOP ON NEIGHBORING PROPERTY TO BE IMPROVED WITH A SHELTER



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J:\2021\12149000\Concepts & Exhibits\Concepts\21049.00 - Site - Concept 25 - VARIANCE EXHIBIT.dwg - RL Lamblath - 12/2/2021 11:41 AM



**3-STORY MULTIFAMILY
BUILDING
6,600 SQFT
55'x120'**

**NORTH DRUID HILLS RD
(RIGHT OF WAY VARIES)**

EXISTING R/W LINE
PROPOSED R/W LINE
10' MIN. FRONT SETBACK
20' MAX. FRONT SETBACK

VARIANCE REQUEST FOR ADDITIONAL 6'
TO MAXIMUM FRONT BUILDING SETBACK
PER NEIGHBORHOOD ASSOCIATION
REQUEST. TOTAL MAXIMUM FRONT
SETBACK, IF APPROVED, WOULD BE 26'

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PROJECT

KENCO LAVISTA
A MASTER PLANNED RESIDENTIAL
DEVELOPMENT

AT
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ROAD
DEKALB COUNTY, 30329
DEKALB COUNTY

FOR

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MUNICIPALITY PROJECT #

REVISIONS

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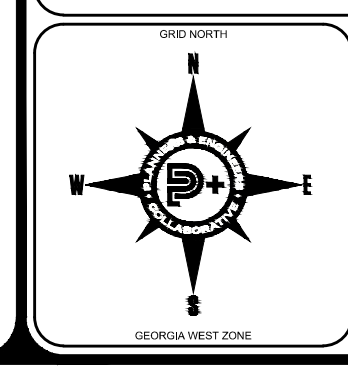
PRELIMINARY

NOT TO BE RELEASED FOR CONSTRUCTION

**FRONT SETBACK
VARIANCE EXHIBIT**



SCALE: 1" = 5'
DATE: 08/04/2021
PROJECT: 21049.00



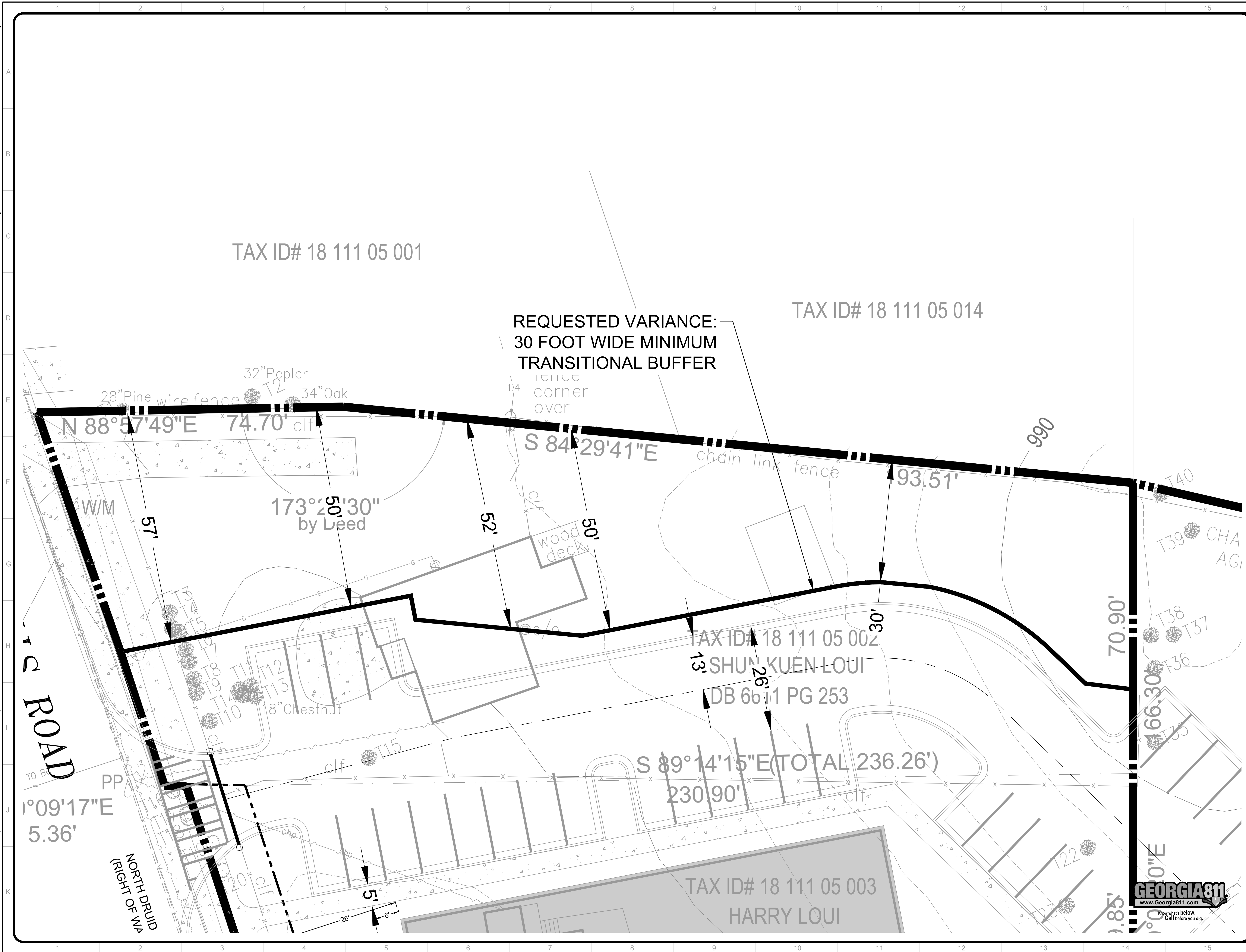
E1
SHEET



33" Oak
T140

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PROJECT

KENCO LAVISTA

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

AT

2784-2790 NORTH DRUID HILLS ROAD
DEKALB COUNTY, 30329

DEKALB COUNTY

FOR

KENCO RESIDENTIAL

MUNICIPALITY PROJECT #

REVISIONS

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2	11/04/2021	CL	UPDATED SITE PLAN

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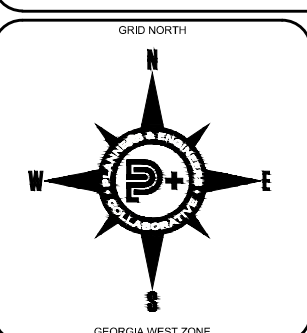
PRELIMINARY

NOT TO BE RELEASED FOR CONSTRUCTION

TRANSITIONAL BUFFER VARIANCE EXHIBIT



SCALE: 1" = 5'
DATE: 08/04/2021
PROJECT: 21049.00



E2

SHEET





PITOSPORUM



DWARF INDIAN HAWTHORN



AMERICAN HOLLY



CHINESE JUNIPER (Juniperus x pfitzeriana 'Sea Green')



EASTERN REDBUD

LANDSCAPE DESIGN ALONG N DRUID HILLS ROAD FRONTAGE

LANDSCAPE BUFFER PLANTING



GREEN GIANT ARBORVITAE



ZBOA-Z-21-1245064

Alan Pinsker <alan.pinsker@gmail.com>

Wed 12/1/2021 5:28 PM

To: Doug Linneman <doug@kencoapartments.com>; Clayton Edwards <clayton@kencoapartments.com>

Cc: Chad Lambeth <CLambeth@pec.plus>; Hayley Todd <HTodd@pec.plus>

Hi, Doug and Clayton.

Now that your applications have been approved by the Board of Commissioners, we understand that you're preparing your variance application in preparation of your hearing before the County's Zoning Board of Appeals (ZBOA). As we have discussed throughout this rezoning and land use modification process, the two (2) items of key concern to us and the homeowners are the following:

1) The reduction of the Transitional Buffer between your subject properties and the adjacent tax parcels 18-11-05-001 and 18-111-05-014 to the north.

Representing the North Druid Homeowners Association (NDHRA), I commend all of the measures Kenco Residential has taken to work proactively with the most directly-impacted property owner and resident of the two aforementioned parcels (Ms. Harriet Cortell) to address her concerns, including the following:

- a) No residential or general vehicular ingress or egress at North Druid Hills Road, but restricting it to emergency vehicles only, as required by the County, including a secure, decorative gate with a "Knox Box".
- b) Removing all parking spaces within the 50-foot transitional buffer, including the area for which you are seeking a variance reduction, with the exception of the four (4) spaces closest to North Druid Hills Road that are situated beyond the 50-foot buffer.
- c) Designating the northern edge of the new driveway as No Parking, either with signage or painted curb. As indicated on the site plan, only a relatively small segment of this portion of the driveway encroaches approximately 15 to 20 feet into the transitional buffer.
- d) Installing and maintaining a minimum eight (8) foot high, double-sided, wooden fence along the northern boundary of the property along the two aforementioned parcels.
- c) Installing and maintaining landscaping between the two aforementioned parcels and the new driveway and parking spaces that will provide a visual screen to the proposed three-story apartment building.

In light of all these measures, which are stipulated among the approved Zoning Conditions, NDHRA does not see the encroachment of the curved segment of the driveway that is situated within the 50-foot transitional buffer as causing any significant adverse physical impact on the two aforementioned parcels to the north. Accordingly, NDHRA supports the requested reduction of the transitional buffer from 50 feet to not less than 30 feet, as indicated on the most recent site plans (Sheets Z1 and Z2, Revised 11/4/2021) submitted to the County along with the Zoning Conditions, dated November 16, 2021.

2) The new apartment building's setback from North Druid Hills Road.

From the very beginning of Kenco Residential's working with the neighborhood on this project in April 2021, the building's setback from North Druid Hills Road to the fullest extent possible was among our primary concerns. Accordingly, Kenco has agreed to abide by this request. The most recent site plans (Sheets Z1 and Z2, Revised 11/4/2021) indicate a stipulated setback of 45.01 feet, measured perpendicularly from the back-of-curb to the closest point of the building's southwest corner. Kenco Residential, NDHRA and the Fama Drive homeowners fully support this minimum setback from North Druid Hills Road.

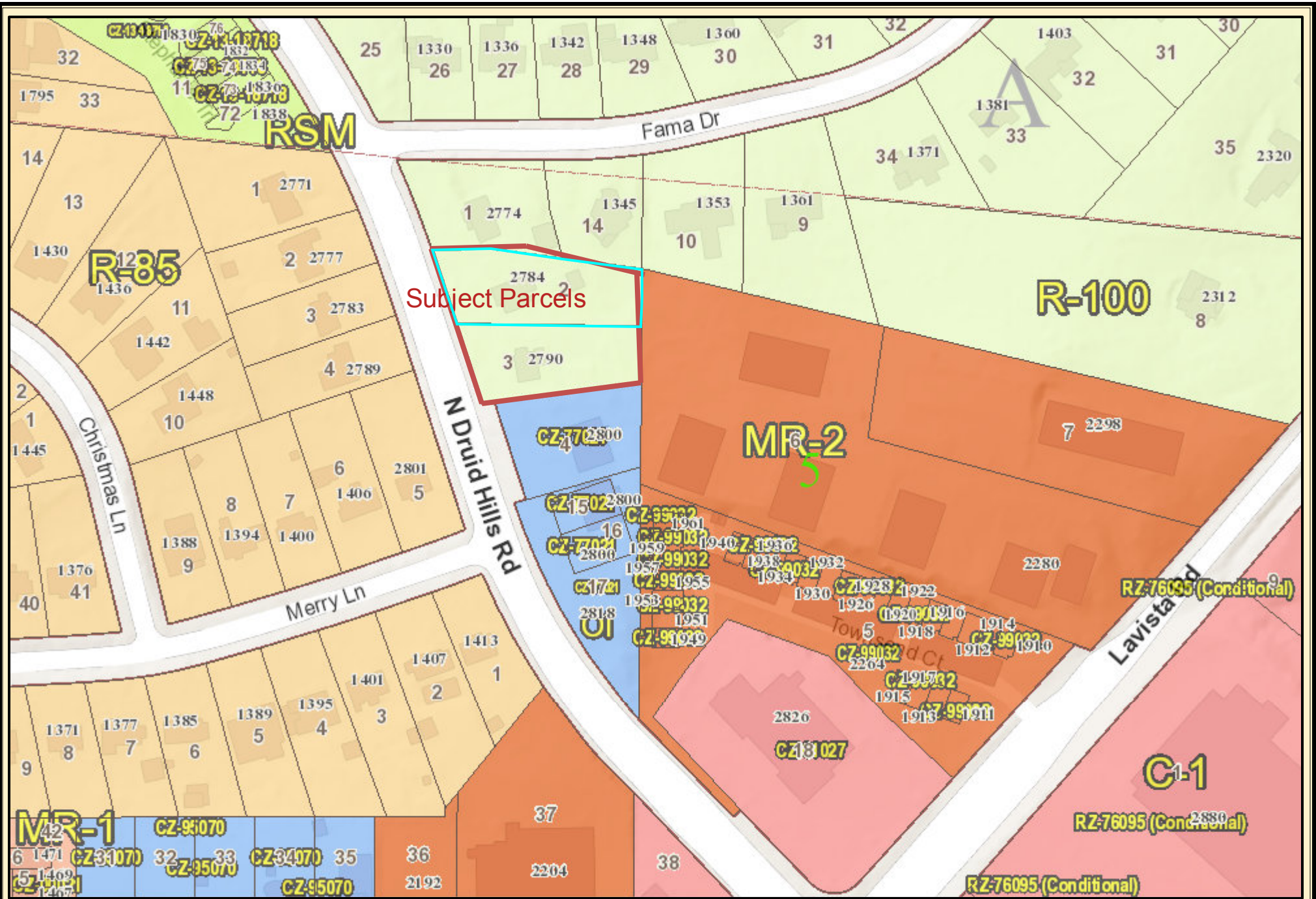
Note that this setback will also facilitate the installation of the 6-foot landscape strip and 10-foot multi-purpose trail (sidewalk) along North Druid Hills Road, as well as a buffer for decorative landscaping between the new sidewalk and the new building that will include new hardwood trees.

If this setback requires ZBOA approval as a variance to applicable minimum or maximum setback requirements, then we will respectfully request their approval (as part of your variance application, as well as at the forthcoming ZBOA meeting) in light of the fact that all parties are in agreement on this matter.

I am available to discuss these items at your convenience, as needed.

Kindest regards,

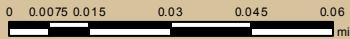
Alan Pinsker
Land Use and Zoning Representative
North Druid Hills Residents Association (NDHRA)
Cell: 678-642-0743



Subject Parcels



DeKalb County Parcel Map



Date Printed: 12/20/2021



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