



Michael L. Thurmond
Chief Executive Officer

DeKalb County Zoning Board of Appeals
Department of Planning & Sustainability
178 Sams Street,
Decatur, GA 30030

Wednesday, July 13, 2022, at 1:00 PM

Planning Department Staff Analysis



Andrew Baker, AICP
Director

D1. Case No: A-22- 1245799 Parcel ID(s): 18-001-09-011

Commission District 02 Super District 06

Applicant: Eric Flynn
1139 Hancock Drive NE
Atlanta, GA 30306

Owner: Eric D. Flynn & Kelsey E. Jackson Flynn
1139 Hancock Drive NE
Atlanta, GA 30306

Project Name: 1139 Hancock Drive-Garage

Location: The property has approximately 57 feet of street frontage and is located on the southwest corner of the intersection of Chalmette Drive and Hancock Drive approximately, at 1139 Hancock Drive, Atlanta, GA 30306.

Request: Variances from the following sections to allow the construction of a new garage within the R-75 (Residential Medium Lot) Zoning District:

1. Sections 27.2.2 and 5.1.10 to increase the lot coverage from the allowed 35% to the existing 43.2%.

Staff Recommendation: Disapproval.

STAFF FINDINGS:

Variance Analysis:

No new materials have been submitted as of June 29, 2022 and staff recommendation and report remains the same.

The applicant proposes to construct a new detached garage on an existing concrete parking slab. However, the existing lot coverage exceeds the allowed 35% at 43.2%. It is incorrectly shown at 47.5% on some plans, the pervious walkway was incorrectly included in that calculation. The property has previously received two variances (documentation included in the packets, however they were conditioned on the site plans presented in those previous applications and do not apply to this application.

1. There is an extraordinary or exceptional physical condition(s) pertaining to the particular piece of property (such as, but not limited to, lot size, lot shape, specimen tree(s), steep slope(s), or preservation of historic characteristics of the property), which was not created by the current owner, previous owner, or applicant; by reason of a clearly demonstrable condition(s), 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, as distinguished from a special privilege or convenience sought by the property owner.

The strict application of the requirements of this chapter may deprive the property owner of rights and privileges enjoyed by other property owners because of the exceptional narrowness of the property. The subject property is located within the R-75 zoning district. This district requires a minimum of 10,000 square feet of lot area and a minimum width of 90-feet, because it is a corner lot. The width of the lot ranges from ~57-feet in the front to ~64-feet at the rear. The lot has more than 10,000 square feet. Therefore, due to the narrowness, this lot is legally non-conforming.

Because the parcel meets the criteria in Chapter [27-5.1.4 \(E\)](#), the corner side yard setback can be reduce by 60% to 18 feet, without a variance.

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 requested variance may go beyond the minimum necessary to afford relief. The property was previously approved for a variance to increase the lot coverage to 37% and the current lot coverage is over 43%. It appears there are sections of impervious patio in the front yard that could be replaced with pervious pavers to decrease the lot coverage.

3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located:

Granting the variance may be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district. The increase lot coverage may contribute to run off or erosion issues.

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

Strict application of the provisions and requirements of this chapter may not cause an undue and unnecessary hardship. There appear to opportunities to decrease the impervious lot coverage.

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 this property is Suburban (SUB). 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.” Approving the requested variance may not undermine this intent.

FINAL STAFF ANALYSIS:

While the lot is exceptionally narrow, it appears there may be an opportunity to offset some of the increase in lot coverage by replacing impervious surfaces with pervious surfaces. This request may go beyond the minimum necessary to afford relief and therefore, Staff recommends denial of this application.

From: [Eric Flynn](#)
To: [Bragg, Rachel L.](#); [Kevin Milam](#)
Cc: [Johnson, Howard L](#)
Subject: RE: Permit #3103470 1139 Hancock Drive
Date: Wednesday, June 29, 2022 2:45:59 PM
Attachments: [image001.png](#)
[image002.png](#)
[Pages from 1139 Hancock Dr. Variance Request - Proposed Revision 6.29.22.pdf](#)

Rachel,

I am waiting for an updated stamped drawing from my engineer but what we are proposing is as follows:

Remove Concrete paved driveway and replace w/ pervious Pavers. This would include:

438SF inside our property line along with another 131SF outside our property line.

Our revised lot coverage would be:

Existing – 43.2%

Revised removing 438SF onsite (excluding SF outside the property line) – 39%

Please let me know what information you need on my end and if I need a stamped drawing from my engineer showing this information.

Eric Flynn, PE

Cell: [404/593-4794](tel:4045934794)

eflynn@oldacremcdonald.com

From: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Sent: Wednesday, June 29, 2022 2:16 PM
To: Kevin Milam <kevsellshomes@gmail.com>
Cc: Eric Flynn <eflynn@oldacremcdonald.com>; Johnson, Howard L <hjohnson@dekalbcountyga.gov>
Subject: RE: Permit #3103470 1139 Hancock Drive

Hi all,

I have not received updates and you have not posted your new ZBA signs. They had to be posted yesterday.

Thank you,

Rachel L. Bragg, MHP
Zoning Administrator
rbragg@dekalbcountyga.gov
Cell Phone: 470-371-1494

From: Kevin Milam <kevsellshomes@gmail.com>
Sent: Tuesday, June 28, 2022 8:30 AM
To: Bragg, Rachel L. <RLBragg@dekalbcountyga.gov>
Cc: Eric Flynn <eflynn@oldacremcdonald.com>; Johnson, Howard L <hjohnson@dekalbcountyga.gov>
Subject: Re: Permit #3103470 1139 Hancock Drive

Rachel- I just spoke to Eric about getting you the updates on our proposed plan for 1139 Hancock Drive. He will have these details over to you today.

Thanks,

Kevin Milam
Right Angle Renovations Atlanta

On Fri, Jun 24, 2022 at 9:31 AM Bragg, Rachel L. <RLBragg@dekalbcountyga.gov> wrote:

Hi Eric,

We're working to update and finalize our staff reports for July's ZBA meeting and just wanted to check if you had any updates that we could include. We need them ASAP if you would like staff to evaluate them.

Thanks,

Rachel L. Bragg, MHP
Zoning Administrator
rbragg@dekalbcountyga.gov
Cell Phone: 470-371-1494

From: Bragg, Rachel L.
Sent: Monday, June 13, 2022 8:56 AM
To: Eric Flynn <eflynn@oldacremcdonald.com>; Kevin Milam <kevsellshomes@gmail.com>
Cc: Johnson, Howard L <hjohnson@dekalbcountyga.gov>
Subject: RE: Permit #3103470 1139 Hancock Drive

Hi Eric,

I don't think DeKalb has a policy that considers rainwater harvesting. I've reached out to our land development department to double check.

Thanks,

Rachel L. Bragg, MHP
Senior Planner
rbragg@dekalbcountyga.gov



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 Eric Flynn

Mailing Address: 1139 Hancock Dr NE

City/State/Zip Code: Atlanta, GA 30306

Email: edflynn11@gmail.com

Telephone Home: 404-593-4794 Business: 404-593-4794

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Eric D Flynn & Kelsey E Jackson Flynn

Address (Mailing): 1139 Hancock Dr NE Atlanta GA 30306

Email: edflynn11@gmail.com

Telephone Home: 404-593-4794 Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 1139 Hancock Dr NE City: Atlanta State: GA Zip: 30306

District(s): 2 Land Lot(s): _____ Block: _____ Parcel: 18 001 09 011

Zoning Classification: R-75 Commission District & Super District: 2

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. ***

RECEIVED

By Rachel Bragg at 5:09 pm, May 05, 2022

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: 5/5/22

Applicant: 
Signature

DATE: _____

Applicant: _____
Signature

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.

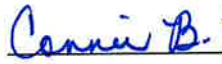
DATE: 5/5/22

Applicant/Agent: 
Signature

TO WHOM IT MAY CONCERN:

(I)/ (WE) 
(Name of Owners)

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


Notary Public

Connie B Bridges
NOTARY PUBLIC
Haralson County
State of Georgia
My Comm. Expires 3/4/25


Owner

Notary Public

Owner

Notary Public

Owner



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: 5/17/22

Applicant/Agent: [Signature]
Signature

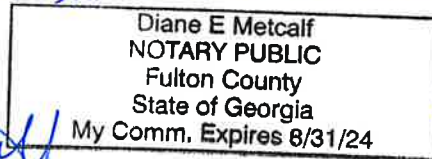
TO WHOM IT MAY CONCERN:

(I)/ (WE) ERIC FLYNN
(Name of Owners)

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

KEVIN MILAM - RIGHT ANGLE RENOVATIONS

[Signature]
Notary Public



[Signature]
Owner

Notary Public

Owner

Notary Public

Owner

LETTER OF INTENT

1139 Hancock Dr. NE

Atlanta, GA 30306

Background:

- 1139 Hancock Drive NE submitted for permit for a detached garage/carriage house AP #3103470
- AP#3103470 was denied due to lot coverage (listed at 47.5% but when you remove the pervious paver walkway it is actually 43.2%)
- Dekalb County plan reviewer indicated a variance would be required:

Code Reference:

Pursuant to the Zoning Ordinance (Chapter 27, Article 9), our interpretation of lot coverage is shown below including that on impervious surface.

Lot coverage: That portion of a lot that is covered by buildings, structures, driveways or parking areas, and any other impervious surface. For purposes of calculating lot coverage, wooden decks, stone walkways and patios set without grout, or pervious, permeable, or porous pavements shall be considered pervious.

Impervious surface: A surface that either prevents or retards the entry of surface water into the soil mantle and causes surface water to run off in greater quantities or at an increased flow rate when compared to natural, undeveloped soil mantle. Common impervious surfaces include, but are not limited to, roofs, walkways, patios, driveways, parking lots, storage areas, paved areas, pavement graveled areas, packed or oiled earthen materials or other surfaces which similarly impede the natural infiltration of surface waters. Open uncovered flow control or water quality treatment facilities shall not be considered as impervious surfaces. See Lot coverage for exemptions.

Prior Permits/ Variance Approvals:

A second-floor addition at 1139 Hancock Drive under AP #776171 on 12-18-09 (C.O. on 5-14-10) based upon variance A-09-16120 cited below approved on 12-9-09 per the site plan.

Variance requests from the DeKalb County Zoning Ordinance, to: *(1) Reduce the street side yard setback from thirty (30) feet to nineteen (19) feet (Section 27-186.c.4); and (2) Increase lot coverage from a maximum thirty-five (35%) percent to thirty-seven (37%) percent (Section 27-189), to construct a rear addition and a second story on an existing house, relating to the R-75 zoning district.*

Moreover, variance A-10-16205 was approved on 2-10-10 for the following: Variance requests from the DeKalb County Zoning Ordinance, to: *(1) Reduce the street side yard setback from nineteen (19) feet to fifteen (15) feet along Chalmette Drive (pursuant to A09-16120) to accommodate a side entry covered porch (Section 27-186.c.3); and (2) Reduce the average front yard setback from thirty-five (35) feet to twenty-seven (27) feet along Hancock Drive to accommodate a covered front porch (Section 27-788a), to renovate an existing house, relating to the R-75 zoning district.*

Variance Request:

- 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. There is an extraordinary or exceptional physical condition(s) pertaining to the particular piece of property (such as, but not limited to, lot size, lot shape, specimen tree(s), steep slope(s), or preservation of historic characteristics of the property), which was not created by the current owner, previous owner, or applicant; by reason of a clearly demonstrable condition(s), 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, as distinguished from a special privilege or convenience sought by the property owner*

Response –

- The property currently has 43.2% lot coverage. The code requires 35% lot coverage for R-75 zoning. The garage will be built on the existing parking pad and will not increase the lot coverage.
- The property has steep topography requiring retaining walls and additional walks/stairs to accommodate the house and parking. These walls, walks and stairs contribute to the total lot coverage
- The property has large specimen trees at the rear that when built retaining walls and stairs were installed to protect those trees in lieu of clearing and fully grading the lots. These retaining walls and stairs contribute to the lot coverage.

- d.** The property is a corner lot with double frontage. The double frontage increases the amount of walks and impervious surface over a front loaded standard lot.
- 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.

Response:

- a.** There are several other properties within our area that exceed the total lot coverage in the neighborhood. The variance would not grant special privilege and would be consistent with the neighborhood.
 - b.** The new garage will be installed over existing pavement and will not increase the impervious surface
 - c.** The new garage structure will be concealed behind the property and will not be visible from the front of the house. It will comply with all setback and accessory structure requirements
 - d.** The new garage structure will comply with maximum height requirements. There is an existing retaining wall that is 13' in height and will help conceal the garage from the neighboring property.
- 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.
 - a.** Response: The garage meets all requirements for accessory structures, and is located in an area of the property that will not be detrimental to any of the adjoining properties. It will be built on the existing parking pad/foundation and will be no closer to the property line than the parking pad is today.
- 4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.
 - a.** Response: If we didn't have the topography issues that generated the need for walls, stairs and preserving specimen trees, along with the complications of a corner lot, we would have been able to comply with the lot coverage requirements.
 - b.** Without adjusting the lot coverage requirement there will be no way to construct the garage structure and get in compliance with the code requirements.
- 5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.
 - a.** Response: The garage is consistent with single family residential design and is consistent with the spirit of the Comprehensive plan text. The garage meets all requirements except for lot coverage and will not increase impervious surface. Numerous houses in this district, including the house across the street and to the rear have detached garage structures.

Additional Notes:

Letters of support from all adjoining neighbors will be available upon request. Garage elevations are available upon request.

From: [Kevin Milam](#)
To: [Bragg, Rachel L.](#)
Cc: [Eric Flynn](#)
Subject: Re: Permit #3103470 1139 Hancock Drive
Date: Wednesday, May 18, 2022 12:35:43 PM

Good Afternoon Ms Bragg- Please see some responses from Eric to your questions below.
Thx. Kevin Milam

1.
 1. The letter of intent states there was a previously approved variance to increase the lot coverage to 37% but the current lot coverage is 43.2%- what caused this increase? **This is how it was when we bought the house it was the existing condition. No idea. The survey attached in our application was from our purchase. Not sure if it was calculated differently before or if this is how it has always been.**
 2. How long have the applicants owned the property? **A little over 2.5 years . bought in November of 2019.**
 3. It appears there is a large impervious "concrete patio" on the western end of the lot (796 square feet based on the site plan)- would the applicants be willing to remove a portion of this patio to decrease the overall impervious coverage? **- this is a stone patio. I will send photos. I don't know how to remove areas of this patio without compromising it. Because of the double frontage the patio is used for circulation and has walls incorporated in it to transition the steep terrain. We really have no outdoor patio/porch space except for this patio. With the corner lot we have no back deck or outdoor area**

On Tue, May 17, 2022 at 4:53 PM Bragg, Rachel L. <RLBragg@dekalbcountyga.gov> wrote:

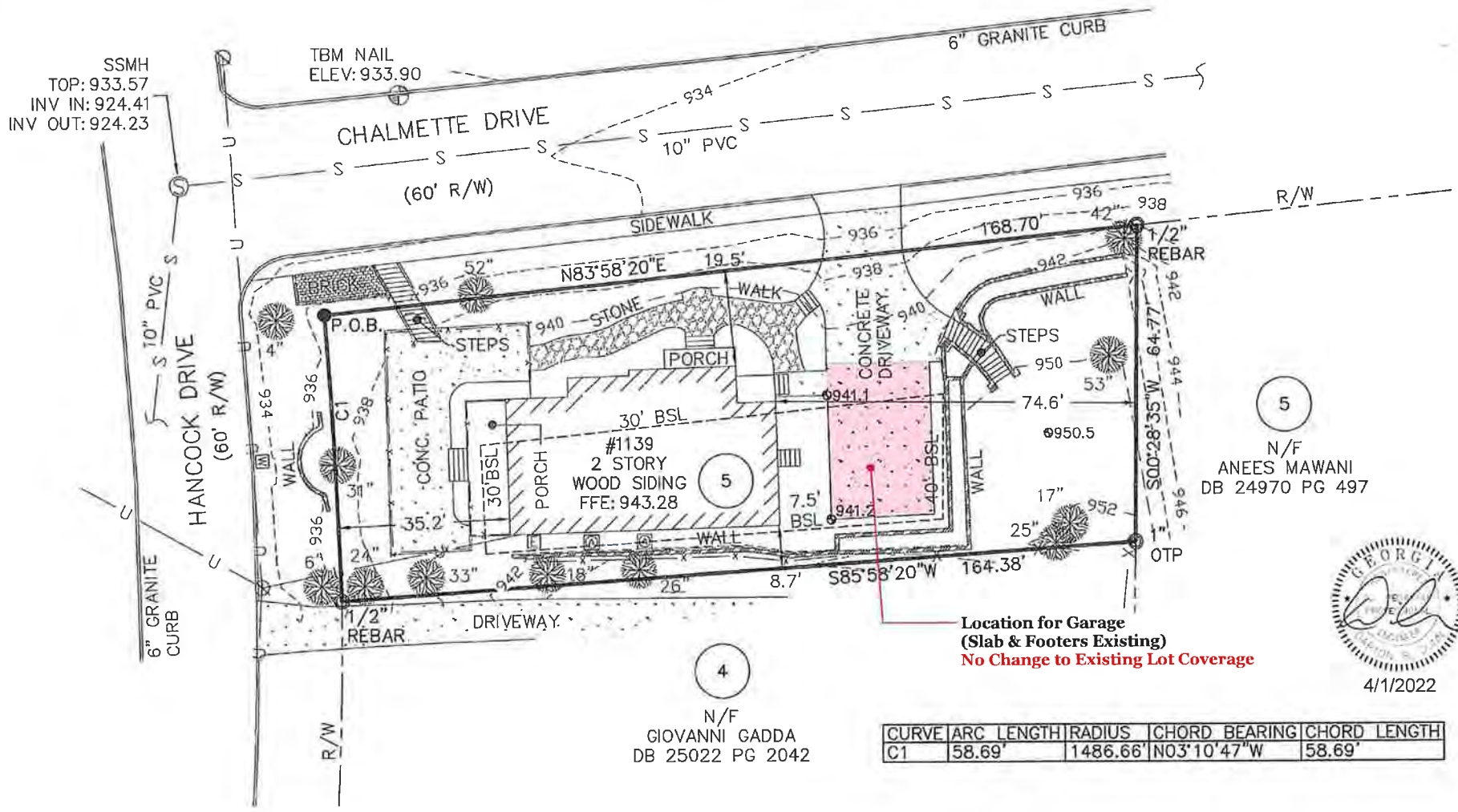
Will do! I will be preparing the staff report and recommendation so you can contact me directly with any questions. Staff will post two signs at the property by May 24.

After my initial review of the application, I have a couple questions:

1. The letter of intent states there was a previously approved variance to increase the lot coverage to 37% but the current lot coverage is 43.2%- what caused this increase?
2. How long have the applicants owned the property?
3. It appears there is a large impervious "concrete patio" on the western end of the lot (796 square feet based on the site plan)- would the applicants be willing to remove a portion of this patio to decrease the overall impervious coverage?

Thanks,

Rachel L. Bragg, MHP



SECTION A - SITE PLAN
(LOCATION OF 2 CAR GARAGE)

DETACHED GARAGE
1139 HANCOCK DRIVE
ATLANTA, GA 30306

LEGEND:

- PROPERTY CORNER FOUND (AS NOTED)
- 1/2" REBAR WITH CAP SET LSF# 839
- R/W MONUMENT
- ⚡ FIRE HYDRANT
- ⊠ WATER METER
- ⊠ WATER VALVE
- ⊠ POWER POLE
- ⊠ LIGHT POLE
- ⊠ POWER/LIGHT POLE
- GUY WIRE
- ⊠ POWER METER
- ⊠ POWER BOX
- ⊠ A/C UNIT
- ⊠ MANHOLE
- ⊠ CLEAN OUT
- ⊠ CATCH BASIN
- ⊠ JUNCTION BOX
- ⊠ OUTFLOW STRUCTURE
- ⊠ DRAINAGE INLET
- ⊠ GAS METER
- ⊠ GAS VALVE
- ⊠ CABLE BOX
- ⊠ TELEPHONE BOX
- ⊠ SIGN
- W- WATER LINE
- U- OVERHEAD UTILITY LINE
- S- SEWER LINE
- G- GAS LINE
- C- CABLE LINE
- T- TELEPHONE LINE
- X- FENCE LINE
- 920- CONTOUR LINE
- BSL BUILDING SETBACK LINE
- CONC. CONCRETE
- EOP EDGE OF PAVEMENT
- L.L. LAND LOT
- N/F NOW OR FORMERLY
- P/L PROPERTY LINE
- R/W RIGHT-OF-WAY
- D.E. DRAINAGE EASEMENT
- O.H. OVERHANG
- CNT CANTILEVER
- DB DEED BOOK
- PB PLAT BOOK
- PG PAGE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT

SSMH
TOP: 933.57
INV IN: 924.41
INV OUT: 924.23

TBM NAIL
ELEV: 933.90

CHALMETTE DRIVE

(60' R/W)

HANCOCK DRIVE
(60' R/W)

6" GRANITE CURB

10" PVC

10" PVC

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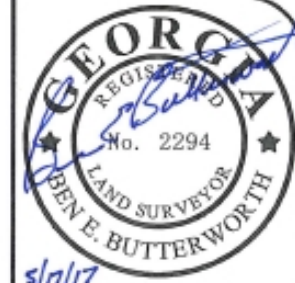
10" PVC

10" PVC



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

BOUNDARY-TOPOGRAPHIC
& TREE SURVEY
PREPARED FOR: JEFF JACOBS
LOT 5, BLOCK F,
BRIARWOOD INC. PROPERTY,
LAND LOT 1, 18 TH DISTRICT
DEKALB COUNTY, GEORGIA - 05/17/2017



5/17/17
FOR THE FIRM
BOUNDARY ZONE, INC.
LSF #839
NOT VALID WITHOUT
ORIGINAL SIGNATURE

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	58.69'	1486.66'	N03°10'47"W	58.69'

IMPERVIOUS SURFACE AREA SUMMARY	
AREA	SQ FT
TOTAL LOT	10,239
HOME	1,691
DRIVE/STEPS/CONC.	1,780
PORCH/DECK	328
WALLS	266
PATIO	796
TOTAL IMPERVIOUS COVERAGE	2,322
TOTAL % OF COVERAGE	47.5%

THIS SURVEY IS A RETRACEMENT OF AN EXISTING PARCEL OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENT(S), MAP(S), PLAT(S) OR OTHER INSTRUMENT(S) WHICH CREATED THE PARCEL(S) ARE STATED HEREON. RECORDATION OF THIS SURVEY DOES NOT IMPLY APPROVAL OF THE LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHER, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS MAP, PLAT, OR PLAN COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT OCGA 15-6-6

ZONING SUMMARY: R-75
SINGLE FAMILY RESIDENTIAL

FRONT SETBACK 30'
SIDE SETBACK 7.5'
REAR SETBACK 40'

INFORMATION OBTAINED FROM
DEKALB COUNTY ZONING,
DATED 05/17/2017

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

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON AND DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

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TOTAL AREA: 0.235 ACRES / 10,239 SQUARE FEET
BOUNDARY REFERENCE: DEED BOOK 17206, PAGE 690, PLAT BOOK 12, PAGE 43
FIELDWORK PERFORMED ON 05/11/2017
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 352,066 FEET.
THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5603 ROBOTIC TOTAL STATION.
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY OF 0.02 FEET.

**BOUNDARY
zone, inc.**

LAND SURVEYING SERVICES
LANDSCAPE ARCHITECTURE
LAND PLANNING

SURVEYING LANDSCAPE ARCHITECTURE LAND PLANNING
WWW.BOUNDARYZONE.COM (770) 271-5772 (919) 363-9226

BUROD
4150 SOUTH LAK STREET, SUITE 100
BUROD, GEORGIA 30118

ATLANTA
255 PEACHTREE STREET, SUITE 400
ATLANTA, GEORGIA 30331

CHARLETTA
1875 TUCKER DRIVE, SUITE 100
CHARLETTA, GA 29039

RALPH
2280-C CANNON DRIVE, APT. 202
NORTH CAROLINA 27123

GRAPHIC SCALE - IN FEET

PROJECT
1842001
SHEET
1 OF 1

SECTION A - SITE PLAN

(LOT SURVEY BY BOUNDRY ZONE)

JACOBS DETACHED GARAGE

THE JACOBS FAMILY
1139 HANCOCK DRIVE
ATLANTA, GA 30306

jake stone
...enabling a better life!

LEGEND:

- PROPERTY CORNER FOUND (AS NOTED)
- 1/2" REBAR WITH CAP SET LSF# 839
- R/W MONUMENT
- ▲ FIRE HYDRANT
- ⊗ WATER METER
- ⊗ WATER VALVE
- ⊗ POWER POLE
- ⊗ LIGHT POLE
- ⊗ POWER/LIGHT POLE
- GUY WIRE
- ⊗ POWER METER
- ⊗ POWER BOX
- ⊗ A/C UNIT
- ⊗ MANHOLE
- ⊗ CLEAN OUT
- ⊗ CATCH BASIN
- ⊗ JUNCTION BOX
- ⊗ OUTFLOW STRUCTURE
- ⊗ DRAINAGE INLET
- ⊗ GAS METER
- ⊗ GAS VALVE
- ⊗ CABLE BOX
- ⊗ TELEPHONE BOX
- ⊗ SIGN
- W— WATER LINE
- U— OVERHEAD UTILITY LINE
- S— SEWER LINE
- G— GAS LINE
- C— CABLE LINE
- T— TELEPHONE LINE
- X— FENCE LINE
- 20— CONTOUR LINE
- BSL BUILDING SETBACK LINE
- CONC CONCRETE
- EOP EDGE OF PAVEMENT
- L.L. LAND LOT
- N/F NOW OR FORMERLY
- P/L PROPERTY LINE
- R/W RIGHT-OF-WAY
- D.E. DRAINAGE EASEMENT
- O.H. OVERHANG
- CNT CANTILEVER
- DB DEED BOOK
- PB PLAT BOOK
- PG PAGE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT

ZONING SUMMARY: R-75
SINGLE FAMILY RESIDENTIAL

FRONT SETBACK 30'
SIDE SETBACK 7.5'
REAR SETBACK 40'

INFORMATION OBTAINED FROM
DEKALB COUNTY ZONING,
DATED 05/17/2017

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

IMPERVIOUS SURFACE AREA SUMMARY	
AREA	SQFT
TOTAL LOT	10,239
HOME	1,691
DRIVE/STEPS/CONC	1,349
PORCH/DECK	328
WALLS	256
PATIO	796
TOTAL IMPERVIOUS COVERAGE	2,322
TOTAL % OF COVERAGE	43.2%

THIS SURVEY IS A RETRACMENT OF AN EXISTING PARCEL OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL. THE RECORDING INFORMATION OF THE DOCUMENT(S), MAP(S), PLAT(S) OR OTHER INSTRUMENT(S) WHICH CREATED THE PARCEL(S) ARE STATED HEREON. RECORDATION OF THIS SURVEY DOES NOT IMPLY APPROVAL OF THE LOCAL JURISDICTION. AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, NOR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHER, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS MAP, PLAT, OR PLAN COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT OCGA 15-6-6

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON AND DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

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TOTAL AREA: 0.235 ACRES / 10,239 SQUARE FEET

BOUNDARY REFERENCE: DEED BOOK 17206, PAGE 690, PLAT BOOK 12, PAGE 43
FIELDWORK PERFORMED ON: 05/11/2017

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 152,066 FEET

THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5603 ROBOTIC TOTAL STATION

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A RELATIVE POSITIONAL ACCURACY OF 0.02 FEET

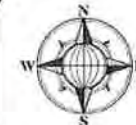
BOUNDARY
zone, inc.

LAND SURVEYING SERVICES
LANDSCAPE ARCHITECTURE
LAND PLANNING

11705 LINDSEY LANE
ATLANTA, GA 30328
(404) 525-5572

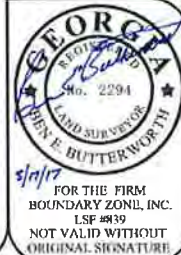
GRAPHIC SCALE - IN FEET

PERVIOUS
STONE
WALK



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

BOUNDARY-TOPOGRAPHIC
& TREE SURVEY
PREPARED FOR: JEFF JACOBS
LOT 5, BLOCK F,
BRIARWOOD INC. PROPERTY,
LAND LOT 1, 18 TH DISTRICT
DEKALB COUNTY, GEORGIA - 05/17/2017



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

PROJECT
1842001

SHEET
1 OF 1

SECTION A - SITE PLAN
(LOT SURVEY BY BOUNDARY ZONE)

JACOBS DETACHED GARAGE

THE JACOBS FAMILY
1139 HANCOCK DRIVE
ATLANTA, GA 30306

1139 Hancock Dr. - View from Chalmette - Existing



1139 Hancock Dr. - View from Chalmette - Propose garage location



Specimen
Tree

11' elevation
change

existing 3/1
slope

proposed
garage
location

neighbor
detached
garage

A photograph showing a multi-tiered retaining wall made of concrete blocks. The wall is situated in a landscaped area with trees and a parking pad. A red text box is overlaid on the upper part of the wall. In the foreground, there is a concrete parking pad with a metal curb. A red text box is overlaid on the bottom right of the image.

11' retaining wall

Existing parking
pad

Existing paver
walk

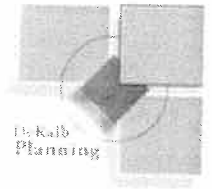


Previously approved variance
packets



The Honorable Burrell Ellis
Chief Executive Officer

DeKalb County Zoning Board of Appeals
Planning & Development Department
330 Ponce De Leon Avenue, Suite 500
Decatur, GA 30030



Patrick Ejike
Director

WEDNESDAY, December 9, 2009 AT 1:00 P.M.
Planning Department Staff Analysis

N-8 Case No: A-09-16120 Parcel ID(s): 18-001-09-011

Commission District: 2 Super District: 6

Applicant: Jeff Jacobs
1139 Hancock Drive
Atlanta, GEORGIA 30306

Owner: Jennifer Maultsby; Jeffery Jacobs
1139 Hancock Dr Ne
Atlanta, GA 30306

Project Name: 1139 Hancock Drive

Location: The property is located at the southeast corner of Chalmette Drive and Hancock Drive.

REQUEST: Variance requests from the DeKalb County Zoning Ordinance, to:
(1) Reduce the street side yard setback from thirty (30) feet to nineteen (19) feet (Section 27-186.c.4); and
(2) Increase lot coverage from a maximum thirty-five (35%) percent to thirty-seven (37%) percent (Section 27-189), to construct a rear addition and a second story on an existing house, relating to the R-75 zoning district.

STAFF RECOMMENDATIO "APPROVAL" BASED ON THE SUBMITTED SITE PLAN.

STAFF FINDING:

Table 1: Surrounding Zoning and Land Use

	Adjacent Zoning	Adjacent Land Use
North:	R-75	SFR
South:	R-75	SFR
East:	R-75	SFR
West:	R-75	SFR
Northeast:	R-75	SFR
Northwest:	R-75	SFR
Southeast:	R-75	SFR
Southwest:	R-75	SFR
Street Type:	Local Streets	

The property is located at the southeast corner of Chalmette Drive and Hancock Drive and is developed with a detached one-story single family house. The property and surrounding neighborhood is zoned R-75 and is developed with detached single family homes. The property slopes upward from both streets and includes a number of mature trees.

The applicant is requesting variances to reduce the street side yard setback from thirty (30) feet to nineteen (19) feet and to increase lot coverage from a maximum of thirty-five (35%) percent to thirty-seven (37%) percent to construct a rear addition and a second story on an existing house. The applicant submitted some of the following comments: "We are applying for a variance for an addition to a single family residence currently under renovation. We proposed to add a fourteen (14) foot addition to the rear of the property and build a second story on top of the existing house and addition. We are requesting a variance to allow this addition to maintain the same setback from Chalmette Drive as the original part of the house".

Based on the submitted site plan, the property has a lot width of 57.69 feet along Hancock Drive (west property line) which widens to a rear (east) property line of 64.72 feet. The Chalmette Road frontage (north property line) is 167.77 feet which narrows to a 164.44 foot south property line. The lot area totals 10,133 square feet. The R-75 zoning district requires a minimum 10,000 square feet lot area and a minimum lot width of 90 feet for corner lots. The property complies with the minimum lot area and lot width along Chalmette Drive. However, the lot width along Hancock Drive does not meet the minimum requirements of the R-75 zoning district. Based on County records, the original house precedes adoption of DeKalb County's first zoning ordinance in 1956 and appears to be a legal, non-conforming lot of record.

Based on the submitted materials, the existing house is setback over thirty (30) feet from Hancock Drive; nine point four (9.4) feet from the south property line, nineteen point two (19.2) feet from Chalmette Drive, and over eighty (80) feet from the rear property line. County topography maps indicate that the property slopes upward from an elevation of 933.4 feet at the intersection of Chalmette and Hancock Drives to an elevation of 950 feet near the southeast property line. A site visit revealed the presence of numerous mature trees on the property.

The existing lot coverage is thirty-four (34%) percent. An open concrete patio exists between the house and Hancock Drive and there is a driveway between Chalmette Drive and the detached on-car garage. The proposed site plan indicates two areas where the footprint of the house is to be expanded: the proposed addition to the rear of the house and enclosure of the front entry way. The addition to the rear would increase approximately 450 square feet on the first floor to the house and would increase lot coverage from thirty-four (34%) percent to thirty-seven (37%) percent. There appears to be little room to add on to the

existing house due to the topography and presence of mature trees. Based on the submitted materials and a site visit, it appears that the requested variances meet the criteria for approval, based on the following findings:

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 and a site visit, 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, it appears that the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district due to the exceptional narrowness, shallowness, and topography of the property, including the presence of mature trees.

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 variances do not go beyond the minimum necessary to afford relief since the setback maintains the existing setback and there is little room on the lot for an addition. Based on County records, it appears that the requests do 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 since other variances have been approved in the neighborhood in recent years.

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 requests would 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 since they are similar to the existing conditions of the site.

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 literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause an undue and unnecessary hardship if this older home cannot be renovated.

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, county records, and a site visit, it appears that the requested variances would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

FINAL STAFF ANALYSIS:

Based on the submitted materials, county records, and a site visit, it appears that the requested variances meet the criteria for approval. Therefore, the Planning and Development Department recommends: "Approval" based on the submitted site plan.

STAFF RECOMMENDATION: "APPROVAL" BASED ON THE SUBMITTED SITE PLAN.

LETTER OF INTENT

1399 Hancock Drive
Atlanta, GA 30306
November 5, 2009

To Whom It May Concern:

We are applying for a variance for an addition to a single-family residence currently under construction. We propose to add a 14' addition to the rear of the property. A variance is required because the existing structure encroaches into the 30' setback by 11' on the Chalmette Drive side of the house. We are requesting a variance to reduce the setback on the Chalmette Drive side of the house from 30' to 19'. This will bring the existing and proposed residence within conformity. We are also requesting to increase the lot coverage from the required 35% to 37%.

1. By reason of exceptional narrowness, shallowness, or shape of 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 the Chapter would deprive the property owner of rights and privileges enjoyed by other owners in the same zoning district.
 - This property is 58' wide by 165' deep. This zoning classification requires minimum lot width of 75'. This nonconforming property makes it necessary to ask for a variance from Zoning Section 27-146.
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 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 the Chapter and the DeKalb County Comprehensive Plan text.
 - The neighbors understand this and we have received favorable reaction for the neighbors on the street. We believe approval of this variance would not be objectionable and have no adverse effect on the intent of the zoning ordinance. We ask for your approval.

Jeff Jacobs
Home Owner

A09-16120



DeKalb County Planning & Development Department

Burrell Ellis
Chief Executive Officer

Patrick Ejike
Director

ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING

BOA No.

A09-16120

Applicant: JEFF JACOBS

Mailing Address: 1139 Hancock Dr

City/State/Zip Code: Atlanta, GA 30306

Email: jeffandjenifer@me.com

Telephone

Home: 4-808-9493

Business: 4-808-9493

Fax No.: 4-495-1818

OWNER OF RECORD OF PROPERTY FOR WHICH APPLICATION IS MADE:

Owner: JEFF JACOBS

Address (Mailing): 1139 Hancock Dr

City/State/Zip Code: Atlanta, GA 30306

Email: jeffandjenifer@me.com

Telephone

Home: 4-808-9493

Business: 4-808-9493

Fax No.: 4-495-1818

Authorized Agent: _____

Address

(Mailing): _____

City: _____

State: _____

Zip: _____

Telephone

Home: _____

Business: _____

ADDRESS/LOCATION OF PROPERTY FOR WHICH APPLICATION IS MADE

Address: 1139 Hancock Dr City: Atlanta State: GA Zip: 30306

District(s): 18 Land Lot(s): 001 Block: 09 Parcel: 011

Zoning: R-75 Commission District(s): 2-86

CIRCLE TYPE OF HEARING REQUESTED

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

TO BE COMPLETED BY PLANNING AND DEVELOPMENT DEPARTMENT

Date Received: _____

Fee Paid: _____

Receipt No.: _____

NOV 12 2009

BAS

330 West Ponce de Leon Avenue - Suites 100-500 - Decatur, Georgia - 30030
[voice] 404.371.2155 - [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
Web Address: <http://www.co.dekalb.ga.us/planning>

Email Address: planning@co.dekalb.ga.us



DeKalb County Planning Department

Chief Executive Officer
Burrell Ellis

Patrick Ejike
Director

SUBMITTAL INSTRUCTIONS

I hereby authorize the staff of the DeKalb County Planning Department to inspect the premises of the above-described property.

I HEREBY CERTIFY THAT THE INFORMATION PROVIDED AS A RESULT OF THIS APPLICATION IS TRUE AND CORRECT AND THAT IF AM NOT THE PROPERTY OWNER, I AM AUTHORIZED BY THE SAME TO

MAKE SUCH REQUESTS, CLAIMS, AND REPRESENTATIONS AS MAY BE FOUND WITH THIS APPLICATION.

APPLICANT/AGENT SIGNATURE: _____

DATE: 11/12/09

Section 27-922 Administrative Variances and Special Exceptions

A. The Director of Planning is hereby authorized to consider and grant or deny, pursuant to the procedures and standards contained in this Section, a variance or a special exception from the following regulations:

1. Reduce by variance any front, side or rear yard setback by an amount not to exceed ten percent (10%) of the district requirement, but not including any transitional buffer zone or any setback which is a condition of zoning or special land use permit, pursuant to the standards specified in Section 27-916.
2. Reduce by variance the required spacing between buildings in districts where multiple buildings are authorized on a single lot in an amount not to exceed 10% of the requirement, but not in an amount which is less than the minimum requirement imposed by Chapter 7 of the DeKalb County Code of Ordinances, pursuant to the standards specified in Section 27-916.
3. Reduce by special exception the off-street parking or loading requirements imposed by this Chapter in an amount not to exceed ten percent (10%) of the district requirement, pursuant to the standards specified in Section 27-913.A.
4. Reduce by special exception the off-street parking requirements imposed by this Chapter for any lot which is located 1,000 feet of the boundary of a Marta Rapid Transit Station in an amount not to exceed 25 percent of the district requirement, pursuant to the standards specified in Section 27-913.B.

B. Any request for administrative variance or special exception permitted by this Section shall be filed with the Director of Planning. The Director shall review and decide upon each such application pursuant to the applicable standards referred to in each subsection above, and shall make a written decision on each such application no later than 30 days from the date such application was filed. **No administrative variance or special exception shall be authorized to delete, modify or change in any manner any condition imposed by the Board of County Commissioners or the Zoning Board of Appeals.**

A09-16120

330 West Ponce de Leon Avenue – Suite 500 – Decatur, Georgia – 30030
[voice] 404.371.2155 – [fax 1] 404.371.9632 – [fax 2] 404.371.2813
Web Address <http://www.co.dekalb.ga.us/planning>
Email Address: planning@co.dekalb.ga.us



DeKalb County Planning & Development Department

Burrell Ellis
Chief Executive Officer

Patrick Ejike
Director

SUBMITTAL INSTRUCTIONS

I hereby authorize the staff of the Planning Department to inspect the premises of the above described property.

I HEREBY CERTIFY THAT THE INFORMATION PROVIDED AS A RESULT OF THIS APPLICATION IS TRUE AND CORRECT AND THAT IF I AM NOT THE PROPERTY OWNER, I AM AUTHORIZED BY THE SAME TO MAKE SUCH REQUESTS, CLAIMS, AND REPRESENTATIONS AS MAY BE FOUND WITH THIS APPLICATION.

DATE: 11/12/09

APPLICANT/AGENT:
SIGNATURE

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY DESCRIBED IN THIS APPLICATION AND HEREBY AUTHORIZE APPLICANT/ AGENT TO APPLY FOR HEARING TO THE ZONING BOARD OF APPEALS FOR REQUEST(S) AS SHOWN IN THIS APPLICATION.

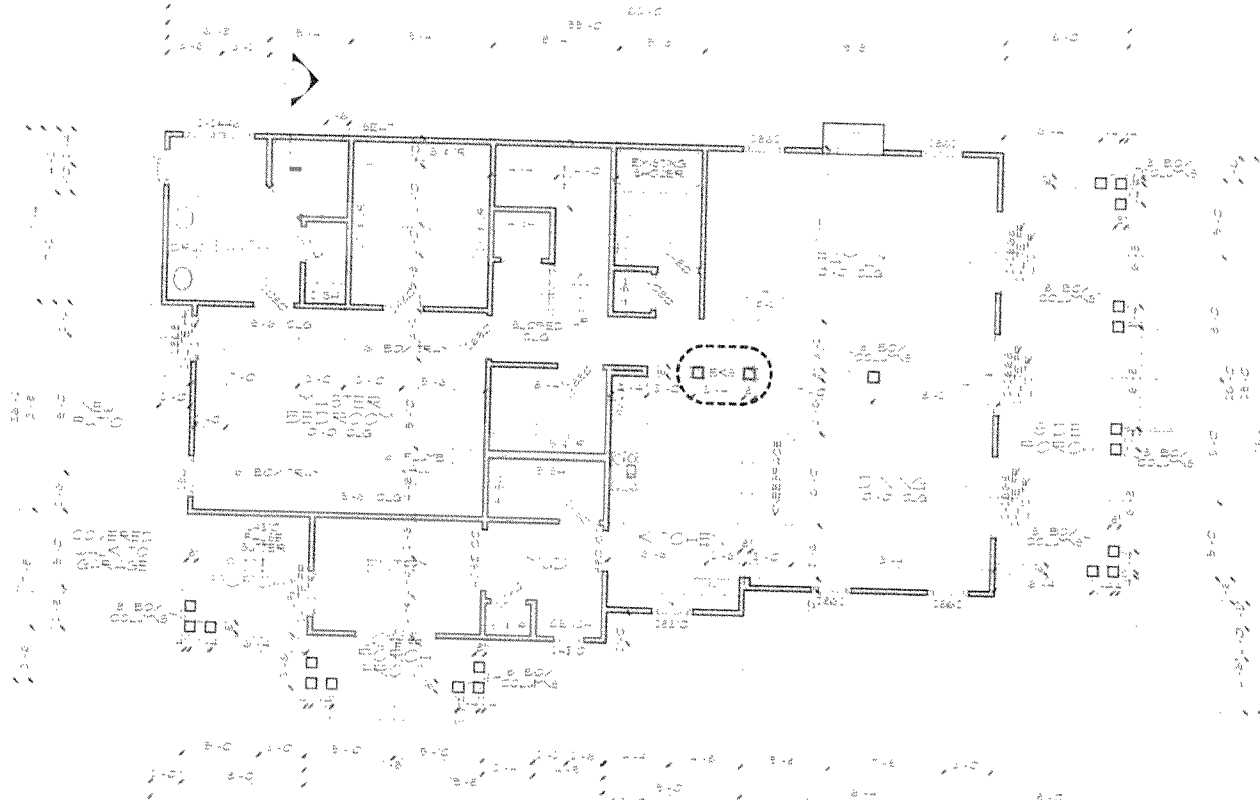
DATE: 11/12/09

OWNER (s):
SIGNATURE

A09-16120

330 West Ponce de Leon Avenue – Suites 100-500 – Decatur, Georgia – 30030
[voice] 404.371.2155 – [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
Web Address <http://www.co.dekalb.ga.us/planning>
Email Address: planninganddevelopment@co.dekalb.ga.us

PROPOSED 1ST FL PLAN



1:12 SCALE
1/2" = 1'-0"

CONSTRUCTION NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2009 INTERNATIONAL RESIDENTIAL CODE (IRC) AND THE 2009 INTERNATIONAL BUILDING CODE (IBC).

2. ALL MATERIALS SHALL BE OF QUALITY AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

4. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

5. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

6. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

8. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

9. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

10. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

THE JACOBS' REMODEL

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2009 INTERNATIONAL RESIDENTIAL CODE (IRC) AND THE 2009 INTERNATIONAL BUILDING CODE (IBC).

2. ALL MATERIALS SHALL BE OF QUALITY AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

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9. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

10. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

ARCHITECT'S COMMENT

ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

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LJM HOME DESIGN
1585 DAVIS FARRI DRIVE
KENNESAW, GEORGIA 30152
WWW.LJMHOMEDESIGN.COM

JACOBS' REMODEL
JEFF
JAKES

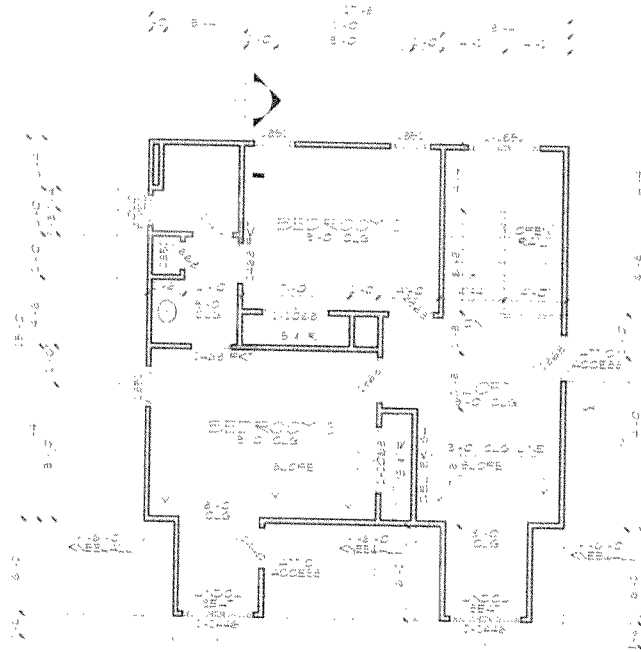
1/2" = 1'-0"

L. JOEL MARTENS
Joel@LJMD.com
404.569.9642

8: 11 CD

A09-16120

A09-16120



SECRET

(The page contains faint bleed-through from the reverse side.)

一、 $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$ 二、 $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$ 三、 $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$ 四、 $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$ 五、 $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$ 六、 $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$ 七、 $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$ 八、 $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$ 九、 $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$ 十、 $\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$

The figure consists of ten small diagrams arranged in two rows of five, illustrating the steps of a knot-tying process. The diagrams show a single continuous strand being manipulated through various loops and crossings to form a more intricate knot structure.

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1589 DAVIS FARM DRIVE
KENNESAW, GEORGIA 30152
WWW.LJMHOMEDSIGN.COM

JACOBS' REMODEL

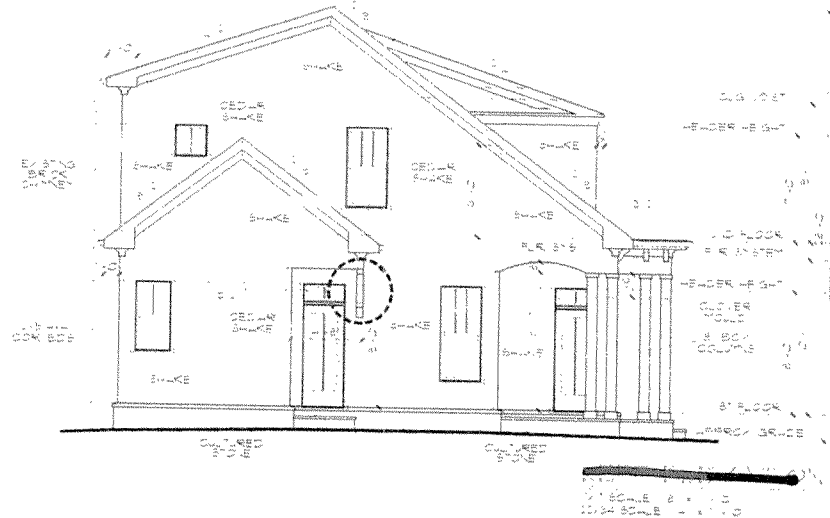
JAKES

JOEL MARTENS
Joel@LJMD.com
404.569.9642

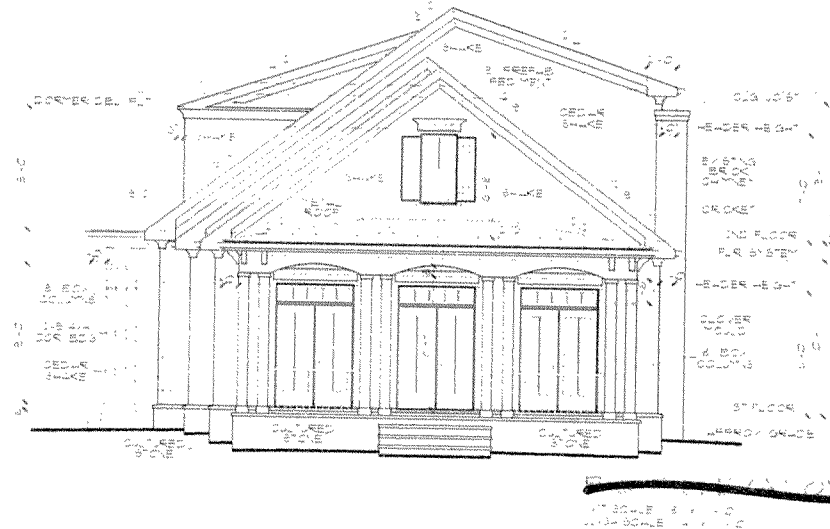
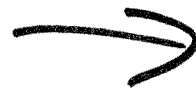
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1

REAR
ELEVATION



HANCOCK
ELEVATION



A09-16120

COPYRIGHT 2009
LJM Home Design Inc.

LJM HOME DESIGN

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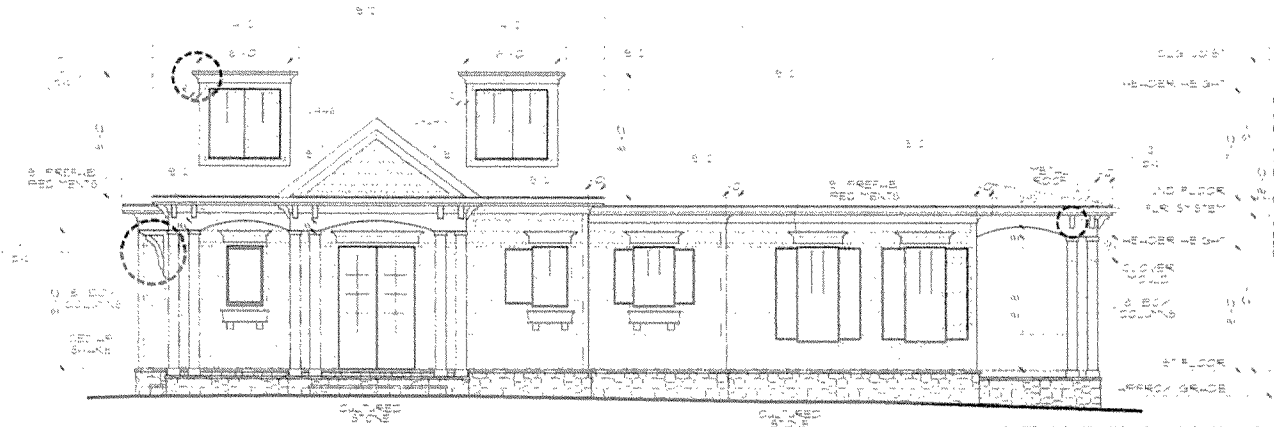
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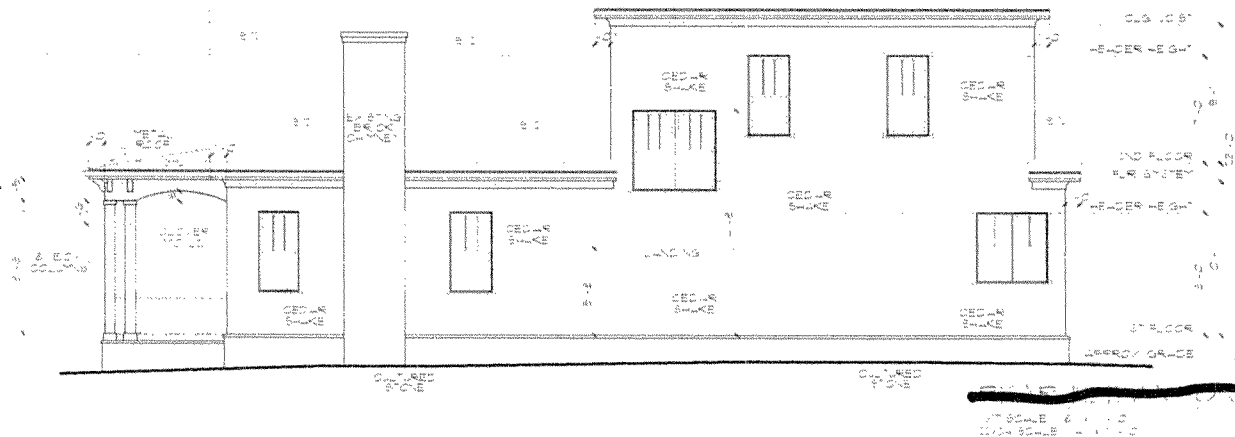
JOEL MARTENS
Joel@LJMD.com
404.569.9542

11/10/09

CHASMERE
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RIGHT
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LJM HOME DESIGN

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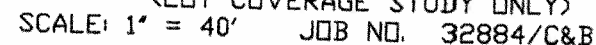
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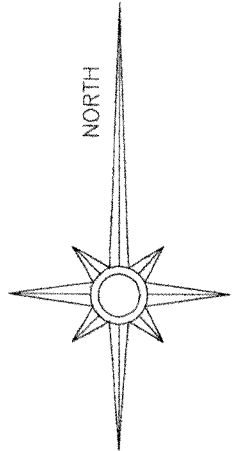
JOEL MARTENS
Joel@LJMD.com
404.569.9642

REVISIONS
1. 01/01/04



SITE PLAN THE JACOBS RESIDENCE

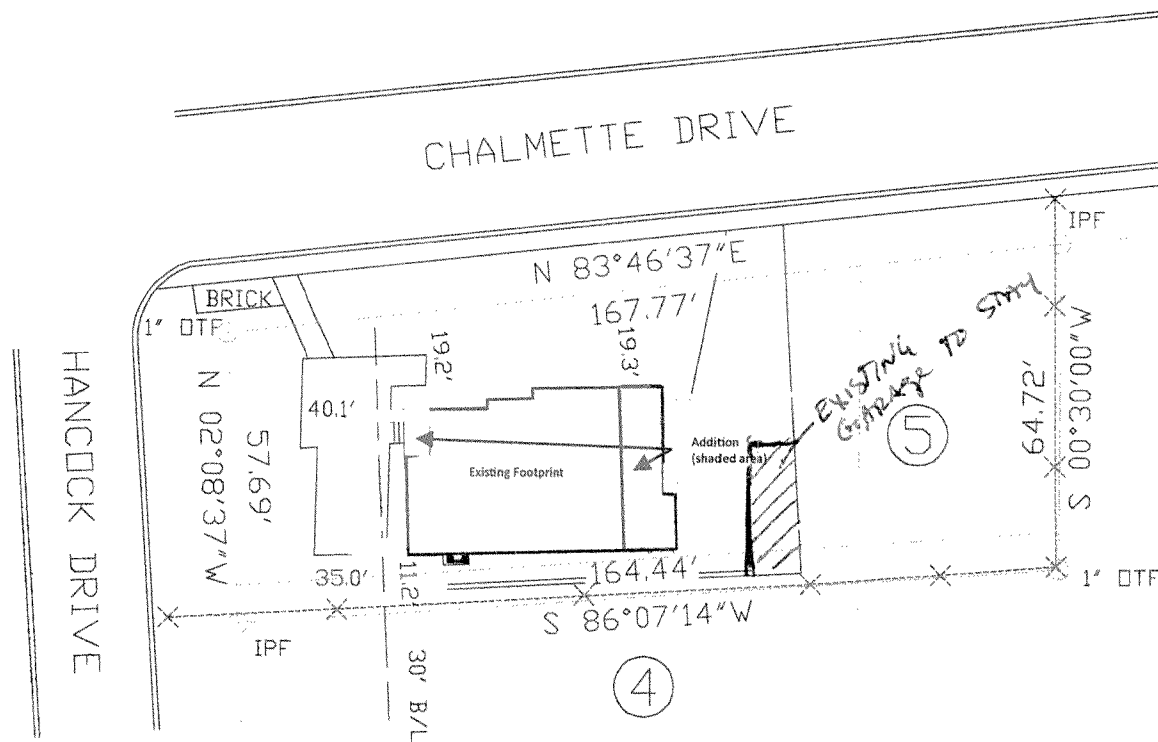
1139 HANCOCK DRIVE
ATLANTA, GA 30306



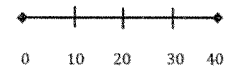
LEGEND

IPF - IRON PIN FOUND
IPS - IRON PIN SET
R/W - RIGHT OF WAY
B/L - BUILDING LINE
C - CENTERLINE
LL - LAND LOT
LLL - LAND LOT LINE
D.E. - DRAINAGE EASEMENT
S.E. - SEWER EASEMENT

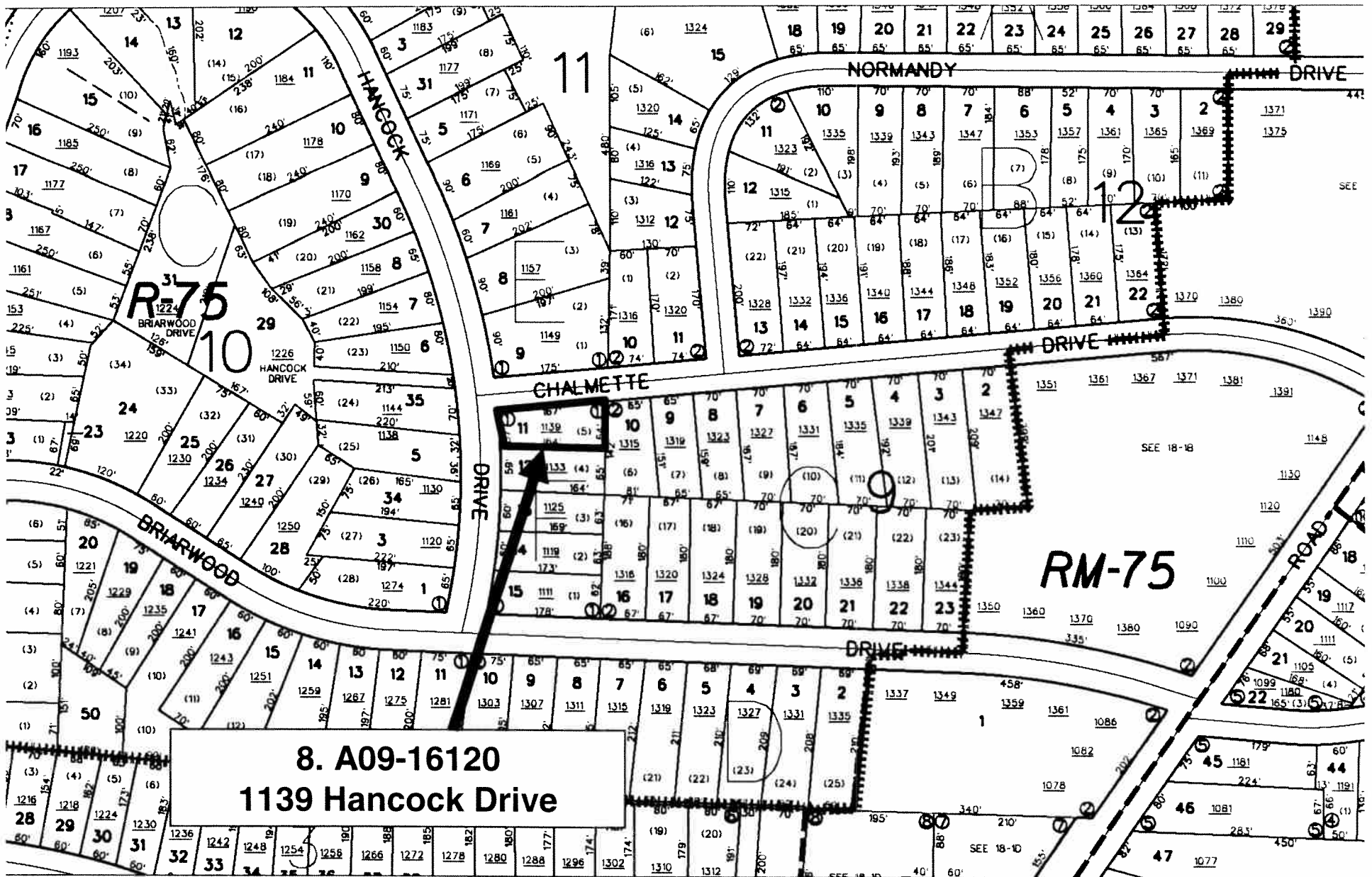
ALL CORNERS ARE 1/2"
REBAR UNLESS NOTED.



Scale (ft)



A09-16120



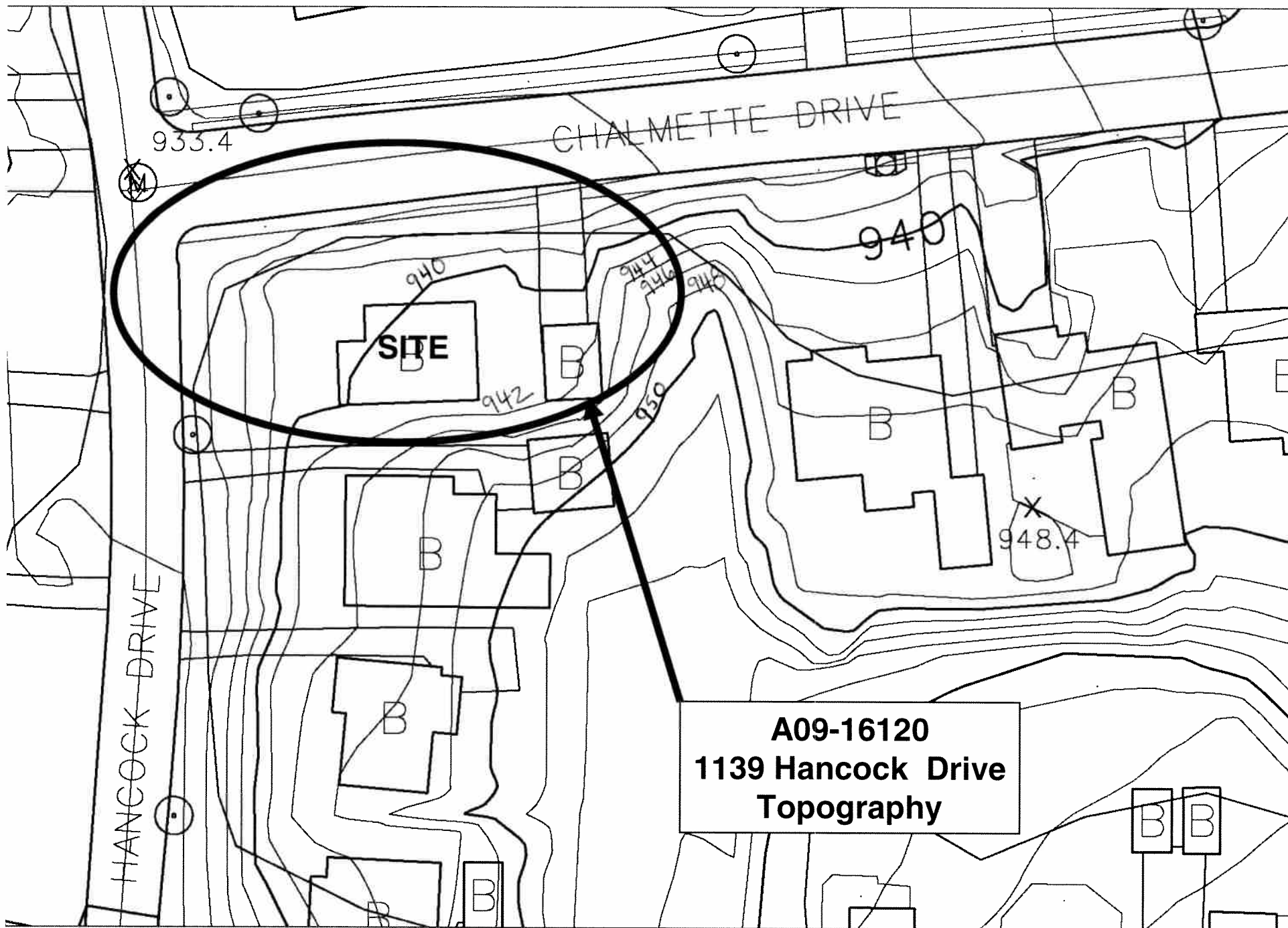
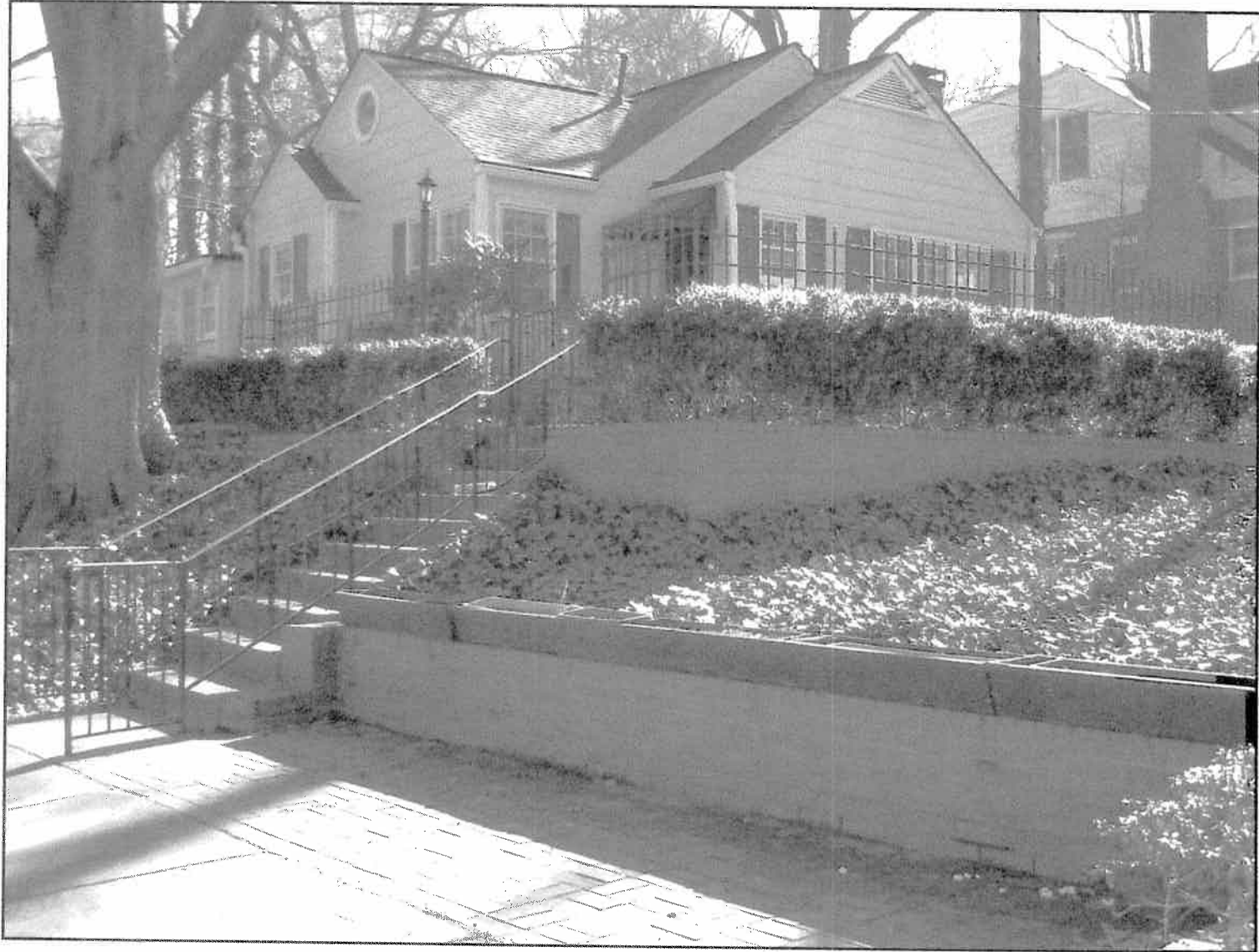


PHOTO #1



A09-16120

PHOTO #2



A09-16120

PHOTO #3



A09-16120

PHOTO #4



A09-16120

NEIGHBOR

1149 HANCOCK



A09-16120

NEIGHBOR 1133 HANCOCK



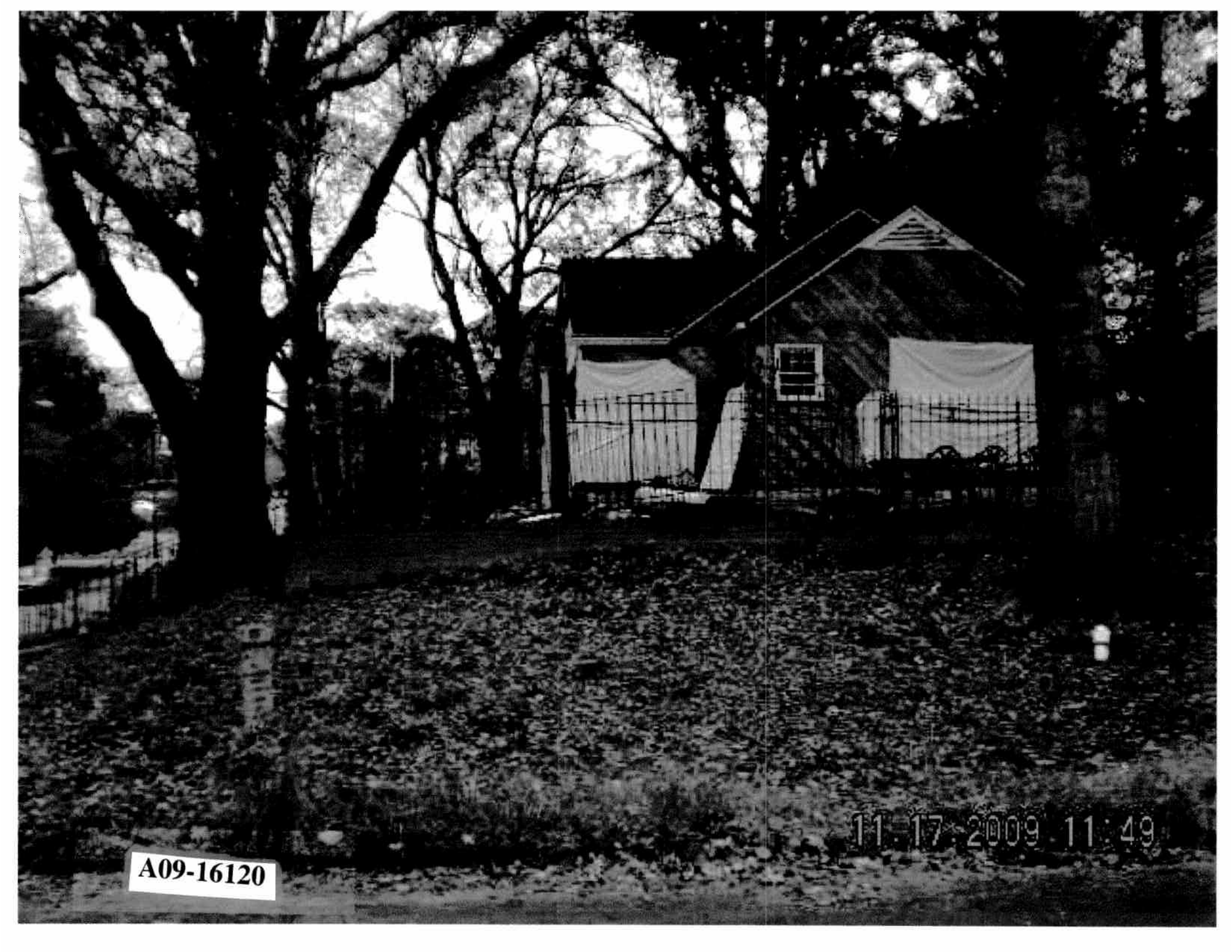
A09-16120

NEIGHBOR

1144 HANCOCK



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A09-16120

11.17.2009 11:50

house into compliance with the zoning ordinance. Based on the site plan received November 30, 2009 by the Planning Department and based on the condition that the walls of the front porch not be enclosed.

NEW HEARING ITEMS

N-8 Application No: A-09-16120 Parcel ID: 18-001-09-011

Commission District: 2 Super District: 6

Applicant: Jeff Jacobs
1139 Hancock Drive
Atlanta, GEORGIA 30306

Owner: Jennifer Maultsby; Jeffery Jacobs

Project Name: 1139 Hancock Drive

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located at the southeast corner of Chalmette Drive and Hancock Drive.

Request: **Variance requests from the DeKalb County Zoning Ordinance, to: (1) Reduce the street side yard setback from thirty (30) feet to nineteen (19) feet (Section 27-186.c.4); and (2) Increase lot coverage from a maximum thirty-five (35%) percent to thirty-seven (37%) percent (Section 27-189), to construct a rear addition and a second story on an existing house, relating to the R-75 zoning district.**

BOA Action: **Apprv On Site Plan, of variances to: (1) reduce the street side yard setback from thirty (30) feet to nineteen (19) feet; and (2) increase lot coverage from a maximum thirty-five (35%) percent to thirty-seven (37%) percent, to construct a rear addition and a second story on an existing house.**



The Honorable Burrell Ellis
Chief Executive Officer

DeKalb County Zoning Board of Appeals
Planning & Development Department
330 Ponce De Leon Avenue, Suite 500
Decatur, GA 30030



Patrick Ejike
Director

WEDNESDAY, February 10, 2010 AT 1:00 P.M.
Planning Department Staff Analysis

N-7 Case No: A-10-16205 Parcel ID(s): 18-001-09-011

Commission District: 2 Super District: 6

Applicant: Jeff Jacobs
1139 Hancock Drive
Atlanta, GEORGIA 30306

Owner: Jennifer Maultsby; Jeffery Jacobs
1139 Hancock Dr Ne
Atlanta, GA 30306

Project Name: 1139 Hancock Drive

Location: The property is located at the southeast corner of Chalmette Drive and Hancock Drive.

REQUEST: Variance requests from the DeKalb County Zoning Ordinance, to:
(1) Reduce the street side yard setback from nineteen (19) feet to fifteen (15) feet along Chalmette Drive (pursuant to A09-16120) to accommodate a side entry covered porch (Section 27-186.c.3); and
(2) Reduce the average front yard setback from thirty-five (35) feet to twenty-seven (27) feet along Hancock Drive to accommodate a covered front porch (Section 27-788a), to renovate an existing house, relating to the R-75 zoning district.

STAFF RECOMMENDATIO "APPROVAL WITH CONDITION" BASED ON THE SUBMITTED SITE PLAN.

STAFF FINDING:**Table 1: Surrounding Zoning and Land Use**

	Adjacent Zoning	Adjacent Land Use
North:	R-75	SFR
South:	R-75	SFR
East:	R-75	SFR
West:	R-75	SFR
Northeast:	R-75	SFR
Northwest:	R-75	SFR
Southeast:	R-75	SFR
Southwest:	R-75	SFR
Street Type:	Local streets	

The property is located at the southeast corner of Chalmette Drive and Hancock Drive and is developed with a detached one-story single family house. The property and surrounding neighborhood is zoned R-75 and is developed with detached single family homes. The property slopes upward from both streets and includes a number of mature trees.

On December 9, 2009, variances were approved on the property to reduce the street side yard setback from thirty (30) feet to nineteen (19) feet along Chalmette Drive and increase lot coverage from a maximum thirty-five (35%) percent to thirty-seven (37%) percent, to construct a rear addition and a second story on an existing house, pursuant to A09-16120. The renovation is underway and the applicant is requesting variances to reduce the street side yard setback from nineteen (19) to fifteen (15) feet along Chalmette to include a covered side entrance and to reduce the average front yard setback along Hancock from approximately thirty-five (35) feet to twenty-seven (27) feet to construct a covered front porch. The applicant submitted some of the following comments: "We are applying for a variance for a front porch and side porch to a single family residence under construction. A variance is needed because the front and side porch will encroach upon the setbacks by about three (3) feet each".

Based on the submitted site plan, the property has a lot width of 57.69 feet along Hancock Drive (west property line) which widens to a rear (east) property line of 64.72 feet. The Chalmette Road frontage (north property line) is 167.77 feet which narrows to a 164.44 foot south property line. The lot area totals 10,133 square feet. The R-75 zoning district requires a minimum 10,000 square feet lot area and a minimum lot width of 90 feet for corner lots. The property complies with the minimum lot area and lot width along Chalmette Drive. However, the lot width along Hancock Drive does not meet the minimum requirements of the R-75 zoning district. Based on County records, the original house precedes adoption of DeKalb County's first zoning ordinance in 1956 and appears to be a legal, non-conforming lot of record.

Based on the submitted materials, the existing house is setback approximately thirty-five (35) feet from Hancock Drive; nine point four (9.4) feet from the south property line, nineteen point two (19.2) feet from Chalmette Drive, and over eighty (80) feet from the rear property line. County topography maps indicate that the property slopes upward from an elevation of 933.4 feet at the intersection of Chalmette and Hancock Drives to an elevation of 950 feet near the southeast property line. A site visit revealed the presence of numerous mature trees on the property.

The proposed site plan indicates two areas where the footprint of the house is to be expanded: a side entry way which would be setback fifteen (15) feet from Chalmette Drive and a covered front porch which would

be setback twenty-seven (27) feet from Hancock Drive. Based on the submitted survey, the original plat indicates that the front yard setback is thirty (30) feet. However, the houses located on the subject property and on the neighboring property, located at 1133 Hancock Drive, appear to be setback thirty-five (35) feet.

Section 27-788(a) of the DeKalb County Zoning Ordinance establishes the "average setback" rule which states: "Average setback. When a lot (or lots) is (are) located within a block where sixty (60) percent or more of the lots within said block have been developed, and where there are existing buildings fronting on the same street and within the same zoning district within seventy-five (75) feet of the side lot lines of such vacant lot (or lots), then set back averaging shall be required. The minimum required building set back line for said vacant lot (or lots) shall be determined by averaging the existing building set backs of buildings within seventy-five (75) feet of the side lot lines of such vacant lot (or lots). The minimum setback for additions to existing structures may be the average of the existing set backs." Because the code provides no criteria for additions, the average setback is applied to additions. Since the average front yard setback is thirty-five (35) feet, the property owner can obtain an administrative variance to reduce the setback to thirty-one point five (31.5) feet; however, this only allows a three and one-half foot wide porch. The property owner is proposing a more functional eight-foot wide covered front porch, which is consistent with the character of the neighborhood.

The side covered entry way is approximately three and one-half feet. Section 788 (d.1.) of the DeKalb County Zoning Ordinance addresses projections into yards and states: "Every part of a required yard shall be open to the sky and unobstructed except for the ordinary projections of sills, belt courses, cornices, eaves, chimneys, buttresses and other ornamental and architectural features, provided that these features do not project more than three (3) feet into any required yard". The projection is allowed if it does not exceed three feet. However, county staff discovered the encroachments during a footing inspection - the encroachment of the roof over the side entrance facing Chalmette Drive beyond three feet and the covered front porch facing Hancock Drive which had not been addressed in the first variance application.

The existing floor plans were included with the first variance application but the applicant did not realize that these projections would require variances because the side and front porch are not part of the heated area of the house. The covered side entry is small and does not alter the appearance of the setbacks along Chalmette Drive. Covered front porches are common in houses throughout the neighborhood. Based on the submitted materials and a site visit, it appears that the requested variances meet the criteria for approval, based on the following findings:

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 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 due to the exceptional narrowness of the property.

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 variances do not go beyond the minimum necessary to afford relief since the covered front porch would be eight feet deep and the roof over the side entrance would be three point five (3.5) feet, which is six inches beyond what the code allows. Based on County records, the request does not appear to constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located since other

variances have been approved in the neighborhood.

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 County records, granting the variances 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 since covered front porches and covered side entrances are consistent with the character of the neighborhood.

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 literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause an undue and unnecessary hardship if the renovation could not include these minor improvements.

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 and County records, it appears that the requested variances would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

FINAL STAFF ANALYSIS:

Based on the submitted materials, a site visit, and county records, it appears that the request meets the criteria for approval. Therefore, the Planning and Development Department recommends: "Approval", based on the submitted site plan.

**STAFF RECOMMENDATION "APPROVAL WITH CONDITION" BASED ON THE SUBMITTED
SITE PLAN.**

NEW HEARING ITEMS

N-6 Application No: A-10-16204 Parcel ID: 18-065-11-051

Commission District: 4 Super District: 6

Applicant: Andrea And Danny Watson
846 Tanner Drive
Scottdale, GEORGIA 30079

Owner: Danny Watson; Andrea Watson

Project Name: 846 Tanner Drive

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located on the west side of Tanner Drive, about 1,123 feet north of McLendon Drive

Request: **Variance from Section 27-186(d) of the DeKalb County Zoning Ordinance to reduce the interior side yard setback from seven point five (7.5) feet to four point eight (4.8) feet from the south property line to allow a garage addition to be inspected and permitted, relating to the R-75 zoning district.**

BOA Action: **Approval, of a variance to reduce the interior side yard setback from seven point five (7.5) feet to four point eight (4.8) feet from the south property line to allow a garage addition to be inspected and permitted based on the submitted site plan.**

NEW HEARING ITEMS

N-7 Application No: A-10-16205 Parcel ID: 18-001-09-011

Commission District: 2 Super District: 6

Applicant: Jeff Jacobs
1139 Hancock Drive
Atlanta, GEORGIA 30306

Owner: Jennifer Maultsby; Jeffery Jacobs

Project Name: 1139 Hancock Drive

Zoning: R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

Location The property is located at the southeast corner of Chalmette Drive and Hancock Drive.

Request: **Variance requests from the DeKalb County Zoning Ordinance, to: (1) Reduce the street side yard setback from nineteen (19) feet to fifteen (15) feet along Chalmette Drive (pursuant to A09-16120) to accommodate a side entry covered porch (Section 27-186.c.3); and (2) Reduce the average front yard setback from thirty-five (35) feet to twenty-seven (27) feet along Hancock Drive to accommodate a covered front porch (Section 27-788a), to renovate an existing house, relating to the R-75 zoning district.**

BOA Action: **Approval, of variances to: (1) Reduce the street side yard setback from nineteen (19) to fifteen (15) feet along Chalmette Drive (pursuant to A09-16120) to accommodate a covered side entry; and (2) Reduce the average front yard setback from thirty-five (35) feet to twenty-seven (27) feet along Hancock Drive for a covered front porch, based on the submitted site plan.**

18 001 11 009

18 001 09 010

18 001 09 011

1139

164

18 001 09 012



1139 Hancock Drive

0 0.001 0.002 0.004 0.006 0.008
mi

Date Printed: 5/13/2022



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R-75

934

934

936

938

940

942

944

946

948

940

940

942

167'

64'

57'

18 001 09 011

R-75

18 001 09 010

1139

164'

142'

18 001 09 012

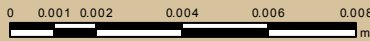
(4)

9'

5'



1139 Hancock Drive



Date Printed: 5/13/2022



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