

RECEIVED

By Howard Johnson at 7:16 pm, Mar 02, 2023



DeKalb County
GEORGIA

DeKalb County Department of Planning & Sustainability

Hon. Michael Thurmond
Chief Executive Officer

Andrew Baker, AICP,
Director

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

Applicant and/or
Authorized Representative: Todd Shoemaker BOA No. _____
Mailing Address: 1440 Dutch Valley Place, Suite 600
City/State/Zip Code: Atlanta, GA 30324
Email: todd@toddshoemaker.com
Telephone Home: _____ Business: 6784852922

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: LISA + MIKAL Bennett
Address (Mailing): 2531 Clairmont Road, Atlanta, GA 30329
Email: teambennett711@gmail.com
Telephone Home: 215-681-6708 Business: N/A

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 2531 Clairmont Rd City: Atlanta State: GA Zip: 30329
District(s): 4 Land Lot(s): 1 Block: B Parcel: 1
Zoning Classification: _____ Commission District & Super District: _____

CIRCLE TYPE OF HEARING REQUESTED:

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

* PLEASE REVIEW THE FILING GUIDELINES ON PAGE 4. FAILURE TO FOLLOW GUIDELINES MAY RESULT IN SCHEDULING DELAYS. *

TO BE COMPLETED BY PLANNING AND SUSTAINABILITY DEPARTMENT:

Date Received: _____ Fee Paid: _____

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION OF THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals
To inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property subject to the application.

DATE:

3/2/23

Applicant:
Signature



DATE:

Applicant:
Signature

DeKalb County

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION TO REPRESENT THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals
to inspect the premises of the Subject Property

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property and that I authorize the applicant/agent to apply for a hearing to the
Zoning Board of Appeals for the requests as shown in this application.

DATE: 3/1/23

Applicant/Agent:
Signature

Todd Shoemaker

TO WHOM IT MAY CONCERN:

(I) (WE) Lisa Bennett & Mikal Bennett
(Name of Owners)

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

Todd Shoemaker, Ocean Blue Pools

[Signature]
Notary Public

[Signature]
Notary Public



[Signature]
Owner

[Signature]
Owner

Notary Public

Owner

LETTER OF INTENT

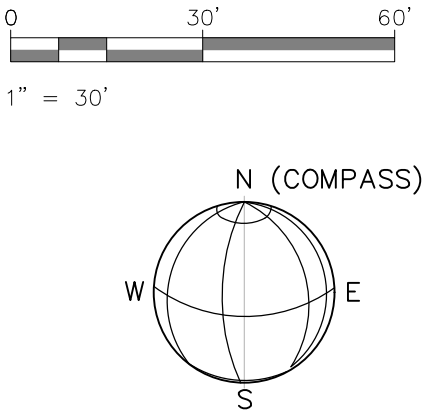
2531 Clairmont Road, Atlanta, GA 30329

1. 2531 Clairmont Road is a unique lot with extraordinary or exceptional physical condition(s) which was not created by the current owner, previous owner, or applicant; this is a corner lot with two fronts no side yard or backyard in which to put the pool. Due to the corner lot there are large set backs on each side of the property and no back yard that has useable space for a swimming pool. Under the current zoning ordinance this lot deprives 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. There is no other location for the owners to enjoy their property and construct a pool except in the location evidenced on the site plan in this application.
2. The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.
3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.
4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship. If the owners are not allowed to construct the pool in the location on the site plan they will not be able to have quiet enjoyment of the property like other neighbors that have a pool.
5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text. We will do whatever is necessary, including block walls to be consistent with the house so it can be part of the addition to increase property values and use of the property, should there be any issue.
- B. Appeals of decisions regarding building architectural design standards shall be evaluated using the same criteria as section 7.6.7(B).
2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district. Other properties in the neighborhood have swimming pools.
3. Adequacy of public services, public facilities, and utilities to serve the proposed use.
4. The proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.
5. The size, scale and massing of proposed pool is appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.
6. The proposed use will not create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

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

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

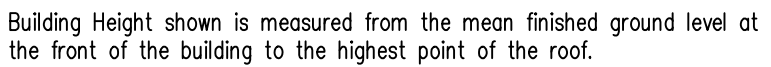
NOTE: BUILDING TIES SHOULD NOT BE USED FOR
DESIGN OR CONSTRUCTION WITHOUT VERIFICATION



EQUIPMENT USED:
ELECTRONIC TOTAL STATION

NOT INCLUDED IN IMPERVIOUS CALCULATIONS:
GRAVEL = 1198 S.F.
RIP-RAP = 191 S.F.

DEKALB COUNTY, GEORGIA
LAND LOT 159, DIST 18
DATE: OCTOBER 3, 2022

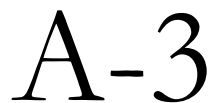


 HARDWOOD
 PINE
 CREPE MYRTLE



© 2018–2022: THIS 18 X 24
DRAWING AND REPRODUCTIONS
ARE THE PROPERTY OF THE
SURVEYOR AND MAY NOT BE
REPRODUCED, PUBLISHED OR
USED IN ANY WAY WITHOUT THE
WRITTEN PERMISSION OF THIS
SURVEYOR

EXISTING SITE DETAILS



ALL DRAWINGS, DESIGNS, SPECIFICATIONS REPRESENTED HEREIN ARE THE ORIGINAL AND UNPUBLISHED PROPERTY OF CLOUD 9 DEVELOPMENT AND SHALL NOT BE REPRODUCED, DISCLOSED OR USED BY OTHERS WITHOUT PRIOR WRITTEN CONSENT OF GROUP 9 DEVELOPMENT. VIEWING THESE DOCUMENTS CONSTITUTES ACCEPTANCE OF THESE CONDITIONS. ALL RIGHTS RESERVED.