

RECEIVED

By Howard Johnson at 8:32 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)**

BOA No. _____

Applicant and/or
Authorized Representative Joshua Hall

Mailing Address: 1195 Woodland Ave. NE, APT B2

City/State/Zip Code: Atlanta, GA, 30324

Email: jhall3045B@gmail.com

Telephone Home: 912-536-5853 Business: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Cavalier Recovery LLC

Address (Mailing): 675 Seminole Ave #301

Email: ayoub@ayoubmansour.com

Telephone Home: 404.545.5428 Business: 404.892.2499

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 3190 Kelly St. City: Scottdale State: GA Zip: 30079

District(s): 18 Land Lot(s): 046 Block: 03 Parcel: ~~1800~~ 18-046-03-100

Zoning Classification: R-75 Commission District & Super District: 18th

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

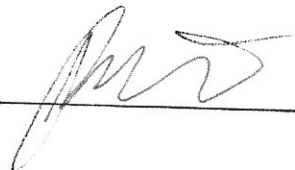
I hereby authorize the staff and members of the Zoning Board of Appeals
To inspect the premises of the Subject Property

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: 2/28/23

Applicant:
Signature



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: 03/02/2023

Applicant/Agent:
Signature

TO WHOM IT MAY CONCERN:

(I)/ (WE) Cavalier Recovery, LLC
(Name of Owners)

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

Notary Public

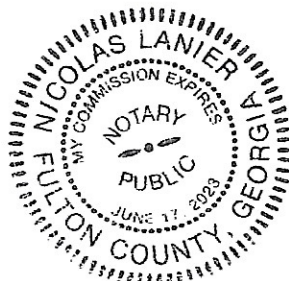
Owner John Ayoub, manager

Notary Public

Owner

Notary Public

Owner



March 2, 2023

DeKalb County
Department of Planning and Sustainability
330 West Ponce de Leon Avenue
Suite 300
Decatur, GA 30030

Re: 3190 Kelly Street

Planning Staff:

The applicant of 3190 Kelly Street is seeking to build a single family residential home on the currently vacant lot. The Scottdale community has an affordable housing shortage and the proposed home will provide needed relief with an associated sales price of \$350-400K. The home will provide the same finishes/esthetics, same price per sq.ft of the community (Which will not affect the sales price of the neighboring homes) and, simultaneously, encompass the DeKalb County Affordable Housing Initiative. For reference, any new construction single family detached dwelling without HOA, in the area, is currently priced above \$550K, consistently between \$600 - 850K.

In hopes of enlarging 3190 Kelly Street (Parcel ID 18 046 03 100), the applicant has tried to purchase the adjacent lots. To the left is 3190 Kelly Street (Parcel ID 18 046 03 103) and owned by the deceased Bertha Berley and her estate. The representative for this lot is currently unknown. The applicant has tried to call all numbers associated with this lot and has driven to address referenced in tax records to no avail. The lot to the right of 3190 Kelly Street (Parcel ID 18 046 03 100) is 3192 Kelly Street. The owners are Michael and Barbara Sharpe. They refused to sell their lot as Barbara grew up in the area and, from the applicant's understanding, has sentimental ties to Scottdale.

With this in mind and with the full support of the neighbors of Kelly Street, the applicant believes the current request for a newly constructed home at 3190 Kelly Street will fulfill DeKalb County community initiatives and continue harmonious relationships between community members.

To achieve this goal, the applicant is requesting the below variances in order to build a 3 bedroom / 2.5 bath / 1600 sq.ft. single family detached home. The lot is located in R-75 (Scottdale Overlay District - Tier 2).

Extraordinary/Exceptional Conditions Pertaining to the Property because of Size/Shape

By reason of exceptional narrowness and shape of the lot (25' X 100'), which were not created by the owner or applicant, the strict application of the requirements set forth in chapter 7.5.4 would deprive the property owner of their rights and privileges enjoyed by other property owners in the same zoning district.

Proposal is the minimum required to afford relief

The requested variances do not go beyond the minimum necessary to afford relief. The applicant is asking to reduce side setbacks from 7.5 ft. to 2 ft., reduce rear setback from 40 ft. to 34 ft., increase the land coverage from 35% to 36.8%, and the landscape strip from 5 ft. to 1.5 ft. This reduction does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the property is located.

Proposal is not materially detrimental to the public welfare or injurious to the property

The grant of 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. Letters of Support from residents on Kelly Street are attached.

Strict application of the code causes undue and unnecessary hardship

Given the width and dimensions of the lot, a literal interpretation and strict application of the applicable provisions or requirements without a variance would cause undue and unnecessary hardship.

Proposal is consistent with the spirit and purpose of Section 7.5.1 and the DeKalb County Comprehensive Plan Text

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

Letter of Support

3190 Kelly Street, Scottdale, GA 30079

02/12/2023

I, Ricardo Acir, am in support of Joshua F. Hall building a home on 3190 Kelly Street. I have reviewed Mr. Hall's proposed plan to build a 20 X 40 foot house on the lot. I understand to obtain a building permit, he will have to obtain a variance from the zoning commission.

As a neighbor and member of the Scottdale community, Mr. Hall has reviewed his plan of building a home and variances needed to establish building permit with me.

Thank you,

A handwritten signature in blue ink, appearing to read "Ricardo Acir", with a long, sweeping horizontal stroke extending to the right.

Letter of Support

3190 Kelly Street, Scottdale, GA 30079

02/12/2023

I, Timothy Askison am in support of Joshua F. Hall building a home on 3190 Kelly Street. I have reviewed Mr. Hall's proposed plan to build a 20 X 40 foot house on the lot. I understand to obtain a building permit, he will have to obtain a variance from the zoning commission.

As a neighbor and member of the Scottdale community, Mr. Hall has reviewed his plan of building a home and variances needed to establish building permit with me.

Thank you,

Zach B. Askison

Letter of Support

3190 Kelly Street, Scottdale, GA 30079

02/12/2023

I, Joy Todaro, am in support of Joshua F. Hall building a home on 3190 Kelly Street. I have reviewed Mr. Hall's proposed plan to build a 20 X 40 foot house on the lot. I understand to obtain a building permit, he will have to obtain a variance from the zoning commission.

As a neighbor and member of the Scottdale community, Mr. Hall has reviewed his plan of building a home and variances needed to establish building permit with me.

Thank you,

A handwritten signature in blue ink, appearing to read "Joy Todaro".

LEGEND

IPS	IRON PIN SET (1/2" REBAR)
RBF	REBAR FOUND
CTF	CRIMP TOP FOUND
OTF	OPEN TOP FOUND
JB	JUNCTION BOX
R/W	RIGHT-OF-WAY
B.L.	BUILDING LINE
PL	PROPERTY LINE
CB	CATCH BASIN
HW	HEADWALL
SSMH	SEWER MANHOLE
-X-	FENCE
L.L.L.	LAND LOT LINE
O.L.L.	ORIGINAL LOT LINE
D.E.	DRAINAGE EASM'T.
S.E.	SEWER EASM'T.
U.E.	UTILITY EASM'T.
C.L.	CHAIN LINK
PP	POWER POLE
DI	DROP INLET
LP	LIGHT POLE
EP	EDGE OF PAVEMENT
CL	CENTERLINE



VARIANCE REQUEST

VARIANCE REQUEST TO :

1. REDUCE SIDE SETBACK FROM 7.5 FEET TO 2.0 FEET
2. REDUCE REAR SETBACK FROM 40 FEET TO 34 FEET
3. INCREASE LOT COVERAGE FROM 35 % TO 36.8 %
4. REDUCE LANDSCAPE STRIP FROM 5 FT TO 1.5 FT

LOT COVERAGE

HOUSE = 800.0 S.F.
PAD = 9.0 S.F.
DRIVEWAY = 159.5 S.F.

TOTAL IMPERVIOUS AREA = 968.5 S.F.

TOTAL LOT AREA = 2634.4 S.F
PROPOSED LOT COVERAGE = 968.5 / 2634.4 = 36.8%

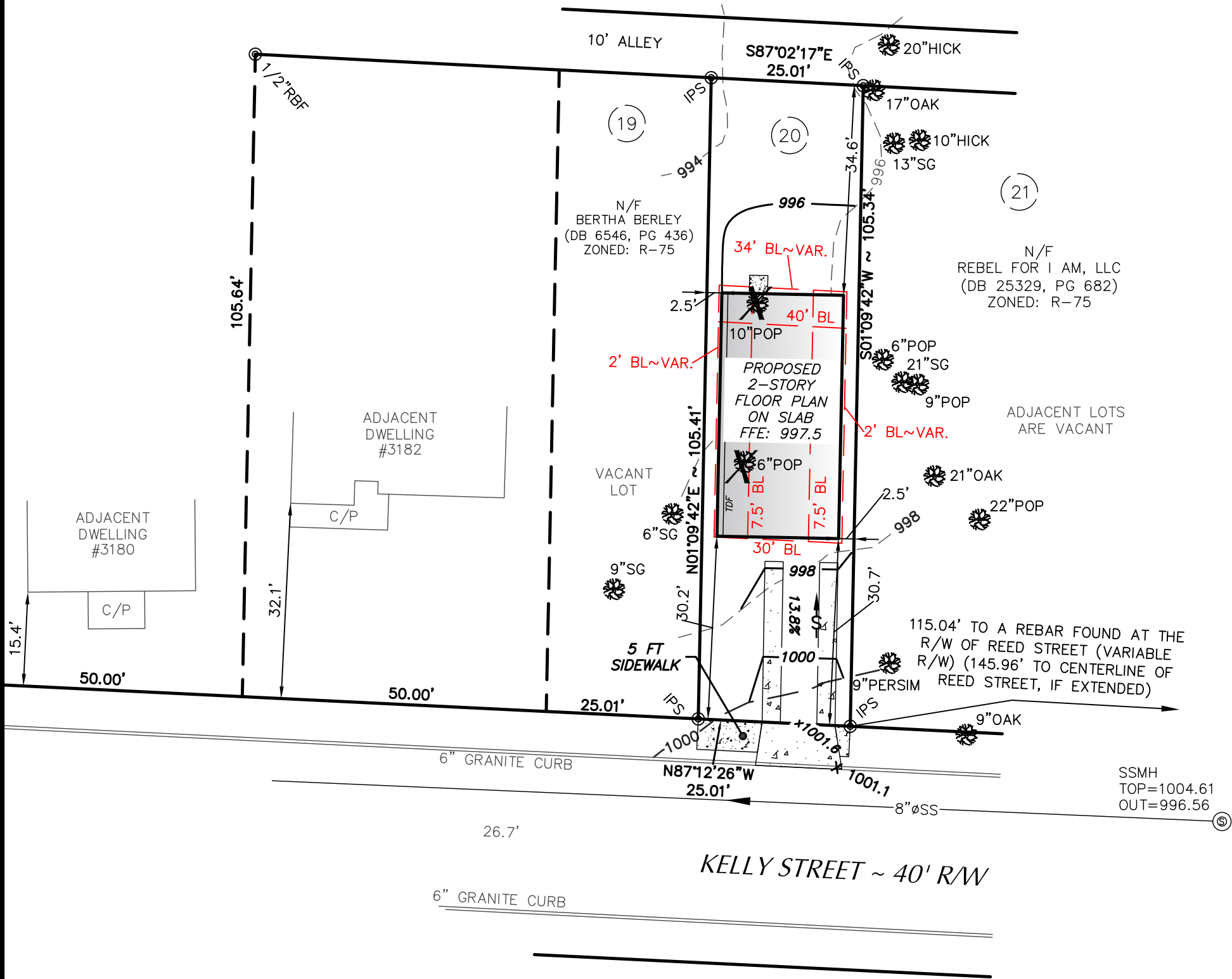
SITE INFORMATION:

3190 KELLY STREET
TOTAL AREA: 0.06 ACRES

R-75 (DEKALB COUNTY)~ (SCOTTDAL E OVERLAY DISTRICT - TIER 2)
LOT WIDTH: 75' FEET MIN.
MINIMUM LOT AREA: 10,000 S.F.
MINIMUM YARD ADJACENT TO PUBLIC STREET:
FRONT YARD: 35 FEET.
INTERIOR SIDE YARD SETBACKS: 7.5 FEET.
REAR YARD: 30 FEET.
MINIMUM FLOOR AREA: 1,600 S.F.
MAXIMUM LOT COVERAGE: 35 PERCENT
MINIMUM PARKING: 2
MAXIMUM BUILDING HEIGHT: 35 FEET

UTILITIES:
GAS - ATLANTA GAS LIGHT CO.
TELEPHONE - AT&T
POWER - GEORGIA POWER

THIS PROPERTY IS NOT LOCATED INSIDE A DESIGNATED F.I.A.
SPECIAL FLOOD HAZARD AREA AS PER DEKALB COUNTY FLOOD
INSURANCE RATE MAP #13089C0067K, EFFECTIVE DATE: 08-05-2019



NOTE: SETBACKS SHOWN HEREON ARE BASED ON DEKALB COUNTY ZONING REQUIREMENTS AND ARE SUBJECT TO APPROVAL BY DEKALB COUNTY DEPARTMENT OF PLANNING. NOTE: LESS THAN 60% OF EXISTING PARCELS WITHIN THE SAME BLOCK FACE ARE VACANT - (SETBACK AVERAGING IS NOT APPLICABLE).

OWNER / CONTRACTOR:

JMH COLLECTION, LLC.
5 OAK STREET
STATESBORO, GA 30458
(912) 536-5853

24 HOUR CONTACT:

JOSHUA HALL
(912) 536-5853

ENGINEER/SURVEYOR:

GADDY SURVEYING & DESIGN, INC.
1215 PLEASANT HILL ROAD
LAWRENCEVILLE, GA 30044
(770) 931-5920

VARIANCE EXHIBIT

SCALE : 1" = 20'



GADDY SURVEYING
& DESIGN, INC.

1215 PLEASANT HILL ROAD
LAWRENCEVILLE, GEORGIA 30044
PHONE - (770) 931-5920
FAX - (770) 931-5903

L.S. CERTIFICATE OF AUTHORIZATION #LS001014
P.E. CERTIFICATE OF AUTHORIZATION #PEF005450

3190 KELLY STREET

LOT 20 ~ BLOCK 5

MEADOW BROOK SUBDIVISION

(DEED BOOK 29927, PAGE 739)

LAND LOT 46 ~ 18TH DISTRICT

DEKALB COUNTY, GEORGIA

PROJECT NUMBER

JMH-23-002

DATE
3/1/23

DRAWN
CJW

CHECKED
VFG

1

SHEET 1 OF 1





