



Lorraine Cochran-Johnson

Chief Executive Officer

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

Wednesday, May 14, 2025

Planning Department Staff Analysis



Cedric Hudson

Interim Director

N5. Case No: A-25-1247488

Parcel ID(s): 18 046 03 228

Commission District 01 Super District 07

Applicant: **Megha Joshi**
1984 Howell Mill Road
Unit 19973
Atlanta, GA 30325

Owner: **Megha Joshi**
1984 Howell Mill Road
Unit 19973
Atlanta, GA 30325

Project Name: 3208 Kelly Street – New Home Construction

Location: 3208 Kelly Street, Scottdale, GA 30079

Requests: Application by Megha Joshi to request variances from Section 27- 3.36.10 of the DeKalb County Zoning Ordinance to reduce side yard setbacks and minimum house size to allow construction of a single-family home in R-75 (Residential Medium Lot) and Scottdale Tier 2 Overlay District

Staff Recommendation: Approval with Condition

Condition: The following information about this variance shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance and condition(s) of approval.

STAFF FINDINGS:

The applicant of 3208 Kelly Street is seeking to build a single-family residential home on a currently vacant lot. To enable construction of a 15-foot-wide home, the applicant requests variances from Section 27-3.36.10 to reduce side yard setbacks from 7.5 to 5', and minimum house size from 1,000 square feet to 600 square feet. The subject property is zoned R-75 (Residential Medium Lot-75) and is located within the Scottsdale Overlay District – Tier 2.

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 subject lot is exceptionally narrow and undersized compared to typical lots in the R-75 zoning district and Scottsdale Overlay. Measuring only 25 feet wide by 105 feet deep, it totals 2,610 square feet—well below the required 5,000 square feet minimum required by the overlay. These dimensions significantly constrain development and were not created by the current owner or applicant.

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 variances are narrowly tailored to enable modest development of the lot. The applicant seeks to reduce side setbacks from 7.5 feet to 5 feet on each side to fit the 15-foot-wide home. While this represents a reduction, it may be the minimum necessary for any viable construction given the lot's 25-foot width.

Additionally, the proposed home would be approximately 609 square feet—below the 1,000 square foot minimum required in Scottsdale Tier 2. A variance for this minimum size is therefore also necessary. While it is possible to increase the home's square footage to 1,000 square feet, doing so would raise the lot coverage to 38%, exceeding the ordinance maximum of 35% and requiring a variance. The current design appears to strike a reasonable balance in minimizing total variance requests while still enabling development.

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:

Approval of the requested variances is unlikely to negatively impact public welfare or adjacent property values. The applicant has provided letters of support from area residents.

While concerns exist regarding precedent for future development along the street, adjacent lots vary in width and potential. The eastern neighbor at 3212 Kelly has a 75-foot-wide lot, providing flexibility for future development without being effected by this variance. The western neighbor at 3204 Kelly, with a 35-foot-wide lot. In this context, the proposal does not represent an outlier in form or intensity and does not present a material detriment to the zoning district.

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

Given the physical constraints of the lot, strict adherence to zoning code may make any reasonable development impossible. The existing dimensional standards—particularly minimum lot size, side yard setbacks, and minimum house size—may limit construction on a lot of this width and square footage.

This creates an undue hardship that is not shared by owners of more conventionally sized lots in the district. The hardship arises from physical limitations. Variance relief is the only viable path to enable the productive use of the property.

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

The requested variances support the broader goals of the DeKalb County Comprehensive Plan and the intent of the Suburban Character Area designation. By facilitating construction of the single-family home, the proposal helps maintain traditional development patterns while introducing greater housing diversity.

FINAL STAFF ANALYSIS:

The applicant has demonstrated that the narrow and undersized nature of the lot constitutes a unique hardship not self-created, and that the requested variances represent the minimum needed to allow a single-family home. While the resulting structure would be smaller than typically permitted in the Scottdale Overlay District, it aligns with both market affordability and the goals of the DeKalb Comprehensive Plan. Therefore, staff recommends approval of the application.

Staff Recommendation: Approval with condition

Condition: The following information about this variance shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance and condition(s) of approval.

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

Applicant and/or
Authorized Representative: Megha Joshi

Mailing Address: 1984 Howell Mill Rd. Unit 19973

City/State/Zip Code: Atlanta GA 30325

Email: hello@altairdevelopments.com

Telephone Home: 404-247-7727 Business: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Megha Joshi

Mailing Address: 1984 Howell Mill Rd. Unit 19973 Atlanta GA 30325

Email: hello@altairdevelopments.com Telephone: 404-247-7727 Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 3208 Kelly Street City: Scottdale State: GA Zip: 30079

District(s): 18 Land Lot(s): 1804603228 Block: _____ Parcel: 1804603228

Zoning Classification: R-75 Commission District & Super District: 4/SuperDistrict6

CHECK TYPE OF HEARING REQUESTED:

X 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.***

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.

3/25/2025

DATE: _____



Megha Joshi

SIGNATURE: _____



March 25, 2025

DeKalb County
Department of Planning and Sustainability

178 Sams Street

Decatur, GA 30030

Letter of Intent - 3208 Kelly St, Scottdale, GA 30079

Re: 3208 Kelly Street Planning Staff:

The applicant of 3208 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 sqft 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.

To achieve this goal, the applicant is requesting the below variances to build a 15 feet wide, 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 105'), 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

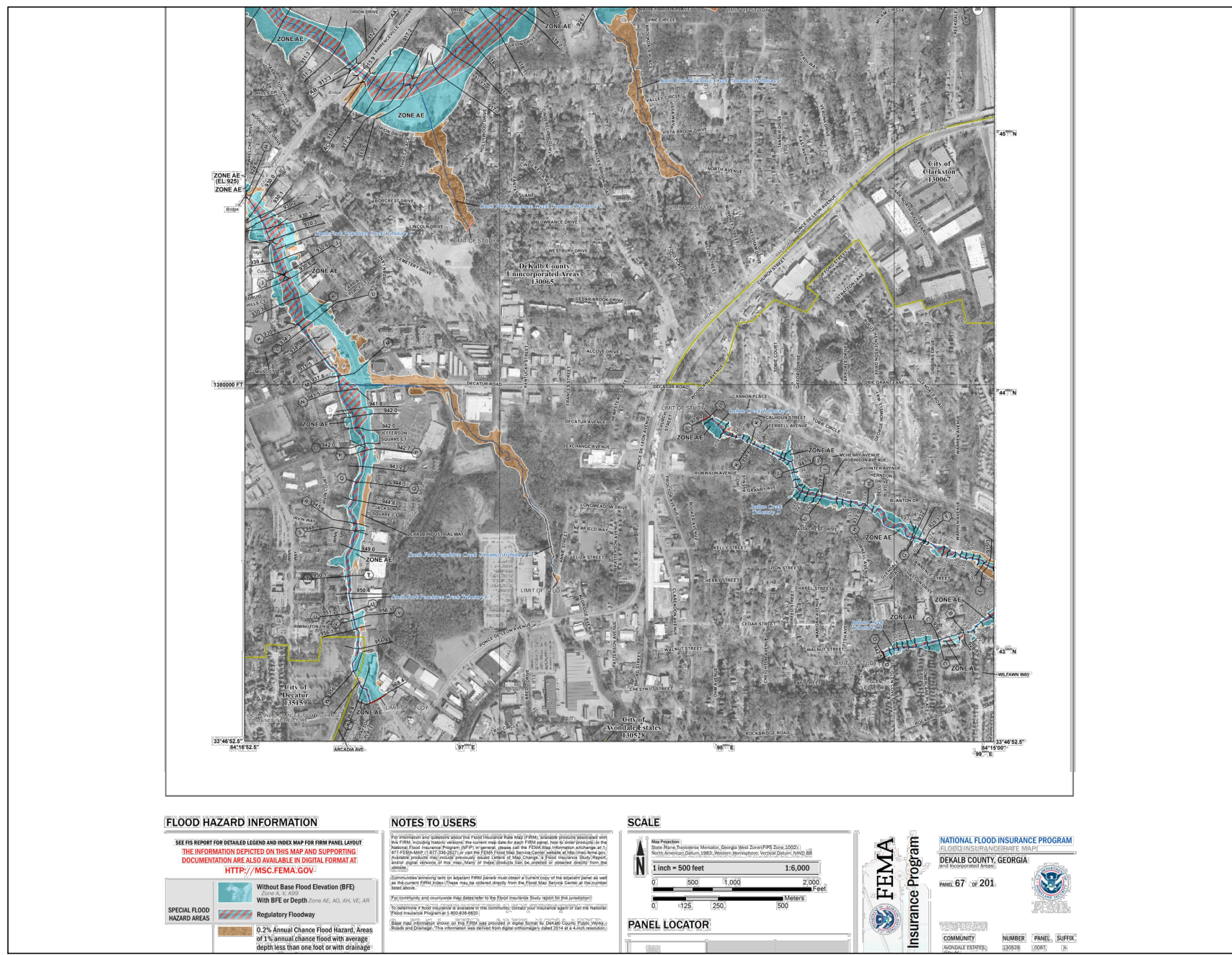
The requested variances do not go beyond the minimum necessary to afford relief. The applicant is asking to reduce side setbacks from 7.5 ft. to 5 ft. This reduction does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which 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 are attached.







- NOTES:
- WATER & SEWER TO BE SERVICED BY DEKALB COUNTY.
 - THERE ARE NO STATE WATERS ON OR NEARBY THIS SITE.
 - THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND-DISTURBING ACTIVITIES.
 - A COPY OF THESE PLANS SHALL BE KEPT ON SITE DURING THE DURATION OF THE PROJECT.
 - THERE ARE NO TREES ON OR NEARBY THIS SITE.
 - CUT AND FILL SLOPES SHALL NOT EXCEED 3H:1V ON RESIDENTIAL PROJECTS AND LOTS, AND SHALL NOT EXCEED 2H:1V ON ALL OTHER PROJECTS. IF COMPLIANCE IS NOT MET AN APPLICATION FOR A VARIANCE MAY BE AN OPTION.
 - NO TRASH, BUILDING DEBRIS, OR CONSTRUCTION WASTE WILL BE BURIED INADVERTENTLY ON THE BUILDING SITE.
 - DEKALB COUNTY SANITATION DEPARTMENT IS RESPONSIBLE FOR GARBAGE AND RECYCLING PICK-UP.
 - 72 HRS NOTICE IS REQUIRED TO GEORGIA 811 UTILITY PROTECTION CENTER BEFORE ANY PLANNED DIGGING. WWW.GEORGIA811.COM
 - PRIOR TO CONSTRUCTION OF ANY UTILITY FACILITIES WITHIN THE RIGHT-OF-WAY OF ANY COUNTY MAINTAINED ROADWAY A PERMIT MUST BE OBTAINED FROM THE UTILITY COORDINATOR.
 - PRIOR TO CONSTRUCTION OF WATER MAINS AND SANITARY SEWER LINES FINAL DESIGN APPROVAL MUST BE OBTAINED FROM DEPARTMENT OF WATERSHED MANAGEMENT.
 - NOTIFY WATER AND SEWER INSPECTOR AT 770-621-7212 PRIOR TO START OF CONSTRUCTION.
 - CONTACT AT 41 HOURS STARTING CONSTRUCTION. CALL 811 FOR UTILITY LOCATION AT LEAST THREE DAYS BEFORE THE START OF THE WORK.
 - EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
 - SEDIMENT AND EROSION MEASURES AND PRACTICES TO BE INSPECTED DAILY.
 - ALL DISTURBED AREAS TO BE GRASSED AS SOON AS CONSTRUCTION PHASES PERMIT.
 - WEEKLY EROSION AND SEDIMENT CONTROL REPORTS SHALL BE SUBMITTED TO THE DEVELOPMENT DEPARTMENT STARTING WITH THE ISSUANCE OF THE DEVELOPMENT PERMIT AND ENDING WHEN PROJECT IS RELEASED BY THE INSPECTOR.
 - DEKALB COUNTY IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS BY ENGINEERS OR OTHER DESIGN PROFESSIONALS ON DESIGN OR COUNTY.
 - FOR SEWER FEES CONTACT 404 371-4915.
 - DEKALB COUNTY PLANNING AND DEVELOPMENT INFORMATION IS AVAILABLE ON-LINE AT WWW.DEKALBCOUNTYGA.COM
 - AS BUILT WATER SEWER PLANS REQUIRED PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDING OF FINAL SUBDIVISION PLAT.
 - WHERE THE INS INTO EXISTING STRUCTURES ARE PROPOSED, PLEASE FIELD VERIFY SUITABILITY
 - CUT AND FILL SLOPES SHALL NOT EXCEED 3H:1V ON RESIDENTIAL PROJECTS AND LOTS AND SHALL NOT EXCEED 2H:1V ON ALL OTHER PROJECTS. IF COMPLIANCE IS NOT MET AN APPLICATION FOR VARIANCE MAY BE AN OPTION.
 - I CERTIFY THAT THE PERMITTIVES EROSION SEDIMENT, SEDIMENT AND POLLUTION CONTROL PLAN PROVIDES FOR AN APPROPRIATE AND COMPREHENSIVE SYSTEM OF BEST MANAGEMENT PRACTICES REQUIRED BY THE GEORGIA WATER QUALITY CONTROL ACT AND THE DOCUMENT MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA, PUBLISHED BY THE STATE SOIL AND WATER CONSERVATION COMMISSION AS OF JANUARY 1 OF THE YEAR IN WHICH THE LAND DISTURBING ACTIVITY WAS PERMITTED, PROVIDES FOR THE SAMPLING OF THE STORM WATER OUTFALLS AND DESIGN ED SYSTEM OF BEST MANAGEMENT PRACTICES AND SAMPLING METHODS IS EXPECTED TO MEET THE REQUIREMENTS CONTAINED IN THE GENERAL NPDES PERMIT NO GAR1000. (1.2 OR 3).
 - INSPECTIONS BY A QUALIFIED PERSONNEL PROVIDED BY THE PRIMARY PERMITEE AND THE ASSOCIATED RECORDS SHALL BE KEPT ON SITE IN COMPLIANCE WITH GAR1000. (1.2 OR 3).
 - THE NOTICE OF INTENT AND NOTICE OF TERMINATION SHALL BE FILED WITH EPD AND DEKALB COUNTY, IF APPLICABLE.
- NOTES:
- Overflow from water quality BMP(s) shall not adversely affect adjacent properties.
 - The installation of erosion and sedimentation control measures and practices shall occur prior to or concurrent with land-disturbing activities.
 - Erosion and sedimentation control measures will be maintained at all times. If full implementation of the approved plan does not provide for effective erosion and sediment control, additional erosion and sediment control measures shall be implemented to control or treat the sediment source.
 - Additional erosion controls shall be installed as deemed necessary by the on-site inspector.
 - All lots/sites with 2' of fill or greater will require a compaction certificate by a professional registered engineer prior to a building permit and or prior to footers being poured.
 - Locate and field stake all utilities, easements, pipes, flood limits, stream buffers, and tree save areas prior to any land disturbing activities.
 - All tree protection areas to be protected from sedimentation.
 - All tree protection devices to be installed prior to land disturbance and maintained until final landscaping.
 - All tree protection fencing to be inspected daily and repaired or replaced as needed.
 - A final as-built lot survey required prior to issuance of Certificate of Occupancy.
 - A final as-built water quality certificate required prior to Certificate of Occupancy.
 - Dumpsters and/ or temporary sanitary facilities shall not be located in street or tree protection area or right of way.
 - Water quality BMP(s) to be installed at the time of final landscaping.
 - All collected water shall be directed to the water quality BMP(s).
 - No water quality BMP(s) allowed in undisturbed stream buffers or tree save/critical root zone.
 - Work hours and construction deliveries are:
 - Monday- Friday 7:00am - 7:00pm
 - Saturday 8:00am - 5:00pm

DENSITY FACTOR OF TREES TO REMAIN			
EXIST TREES	DBH INCHES	TOTAL INCHES	QTY. REMOVED
0	0	0	0
0	0	0	0

NOTE:
CONTRACTOR SHALL NOT INST ALL ANY NEW UNDERGROUND UTILITY LINES WITHIN THE TREE SAVE AREAS WITHOUT FIRST OBTAINING WRITTEN APPROVAL FROM THE COUNTY ARBORIST.
DO NOT TRENCH IN THE SILT FENCE WITHIN THE DRIP LINE OF ANY TREES. ANY REMOVAL OF DEBRIS WITHIN THE CRITICAL ROOT ZONE OF THE TREES WILL BE DONE BY HAND. NO HEAVY MACHINERY ALLOWED WITHIN THE C.R.Z.

TREE PRESERVATION:
Apply mulch 2" - 4" on all CRZ areas.
PRE CONSTRUCTION TREE COVERAGE WITHIN AFFECTED AREA: 0 INCHES

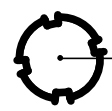
MINIMUM TREE COVERAGE REQUIRED:
THE LESSER OF 120' / Acre or 25% of EXISTING.

0.065 ACRES x 120' = 7.8' DENSITY
25% x 0' = 0' 0 INCHES REMAIN

ALSO, 15 UNITS PER ACRE MUST REMAIN.
15 x 0.065 = 0.975
.975 UNITS REQUIRED TO REMAIN
1 UNITS POST CONSTRUCTION UNITS TO REMAIN

TREES OUTSIDE THE LIMITS OF DISTURBANCE SHALL BE PRESERVED THROUGHOUT THIS PROJECT.
THERE ARE 0 TREES THAT ARE SCHEDULED FOR REMOVAL FROM THIS SITE DUE TO CONSTRUCTION ACTIVITIES.
POST CONSTRUCTION TREE COVERAGE WITHIN AFFECTED AREA: 4 INCHES
SPECIMEN TREES REMOVED:
THERE ARE NO SPECIMEN TREES TO BE REMOVED

IMPERVIOUS AREA					
EXISTING		PROPOSED CHANGE		NET	
AREA	EXIST. ft²	EXIST. %	PROP. ft²	PROP. %	NET ft²
HOUSE	0 ft²	0.00%	609 ft²	24.27%	589 ft²
DRIVEWAY	0 ft²	0.00%	153 ft²	6.10%	265 ft²
PORCH	0 ft²	0.00%	13 ft²	0.52%	19 ft²
PATIO	0 ft²	0.00%	32 ft²	1.28%	32 ft²
TOTAL	0 ft²	0.00%	807 ft²	32.16%	905 ft²



PLANT LIST

QTY	BOTANICAL NAME	COMMON NAME	HEIGHT	SPREAD	CALIPER	ROOT	REMARKS	UNIT	TOTAL	PERC.
LANDSCAPE STRIP REQUIREMENT										
1	Acer rubrum	Red Maple	6-7" MIN	4' min	2"-2.5"	B&B	Straight Trunk, Well Branched	0.5	0.5	100.0%
1	TREE TOTAL								0.5	

TREE PRESERVATION:
APPLY MULCH 2"-4" ON ALL CRZ AREAS.

PRE CONSTRUCTION TREE COVERAGE WITHIN AFFECTED AREA:
0 ft² CANOPY COVERAGE

MIN. TREE COVERAGE REQUIRED:
THE LESSER OF 120' / ACRE OR 25% EXISTING.

0.06 ACRES x 120' = 7.2' DENSITY REQUIRED
OR
25% x 51" = 12.75" DENSITY REQUIRED
15 UNITS PER ACRE MUST REMAIN.

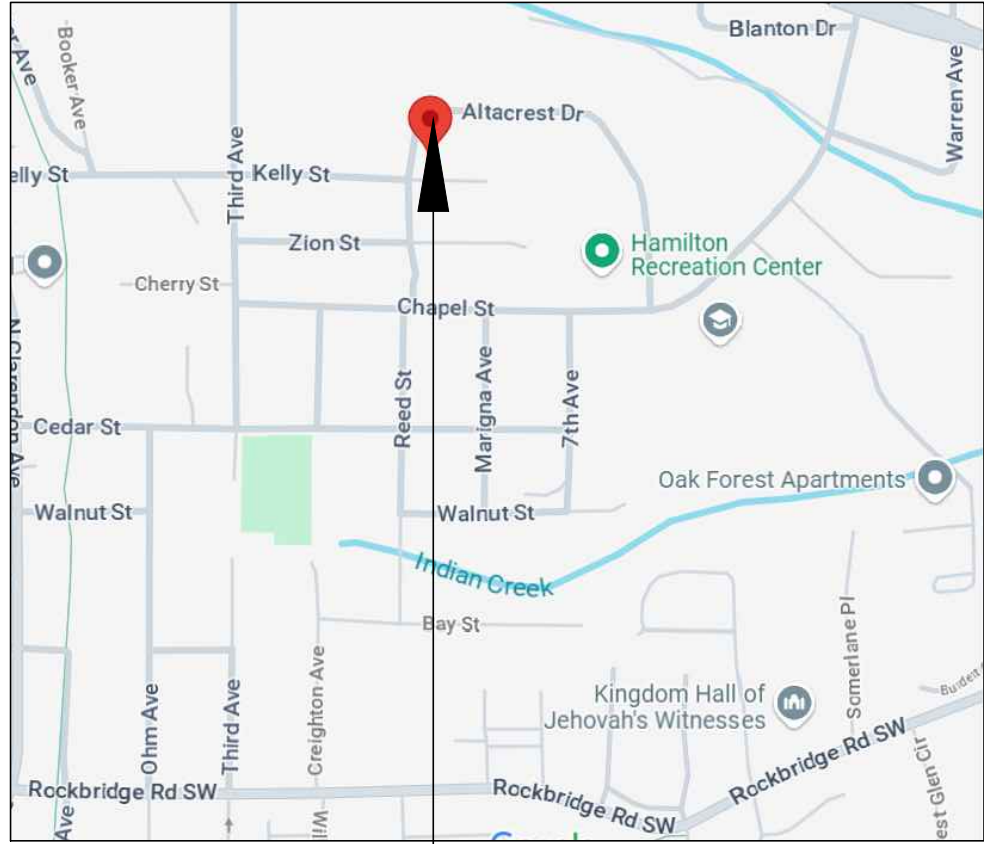
15 x 0.00 = 0.0
0 UNITS REQUIRED TO REMAIN
0 UNITS POST CONSTRUCTION TO REMAIN

TREES OUTSIDE THE LIMITS OF DISTURBANCE SHALL BE PRESERVED THROUGHOUT THIS PROJECT.

THERE ARE 5 TREES THAT ARE SCHEDULED FOR REMOVAL FROM THIS SITE DUE TO CONSTRUCTION ACTIVITIES. 2 ON THE SUBJECT PROPERTY AND 7 ON THE ADJACENT PROPERTY.

POST CONSTRUCTION TREE COVERAGE WITHIN AFFECTED AREA:
0 OF CANOPY TO REMAIN

0 SPECIMEN TREES REMOVED:
NONE



SITE

HOUSE	00
DRIVEWAY	00
PATIOS	00
TOTAL	00 (%)

LOT AREA	2,625 (.060 AC)
DISTURBED AREA	2,625 (.060 AC)

FLOOD NOTE:
THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS AS PER COMMUNITY PANEL NO. 13089C0067 K, DATED AUGUST 15th 2019, ZONE 'X'.

ZONING..... R-75
SCOTTDALE OVERLAY DISTRICT TIER 2
OVERLAY DISTRICT..... SCOTTDALE TIER 1 (CENTRAL SCOTTDALE/ESKIMO HEIGHTS)
MIN. LOT WIDTH..... 50 FEET
MIN. LOT SIZE..... 5,000 ft²
MIN. HOUSE SIZE..... 1,000 ft²
MAX. BUILDING HEIGHT..... 28 FEET/32 FEET (NC)
SETBACKS:
FRONT..... 30 FEET/AVERAGE
SIDE..... 7.5 FEET
REAR..... 30 FEET



"I, CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY SUPERVISION."

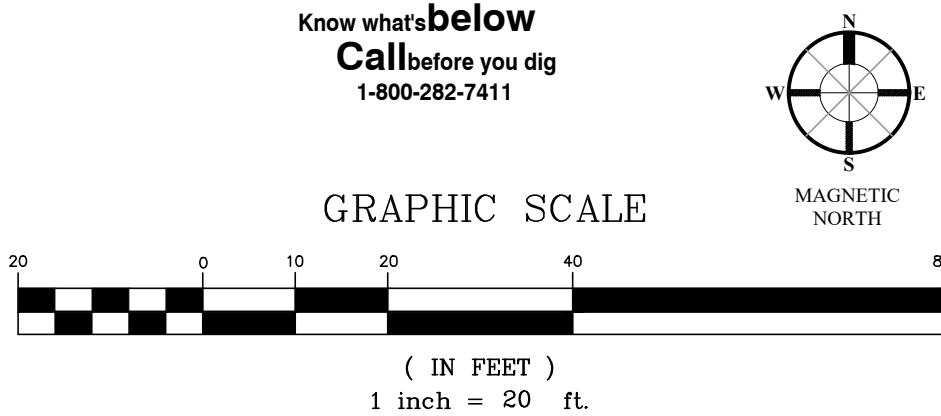
3/24/25
MATTHEW C. MASTERS, LEVEL II DESIGN PROFESSIONAL # 79959

FRONT AND SIDE
VARIANCES NEEDED

CURRENT LEGAL DESCRIPTION REFERENCES
PARCEL ID NUMBER ONLY. PROPERTY LINES
ESTABLISHED BY DEKALB COUNTY TAX MAP
AND MONUMENTS FOUND.

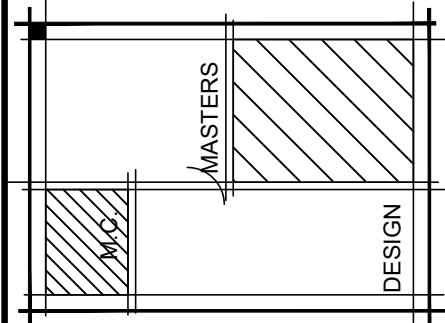
EROSION & SEDIMENT CONTROL PRACTICES

D51	DISTURBED AREA STABILIZATION (WITH MULCH ONLY) ESTABLISH TEMPORARY PROTECTION FOR DISTURBED AREAS WHERE SEEDINGS MAY NOT HAVE A SUITABLE GROWING SEASON TO PRODUCE AN EROSION RETARDING COVER.
D52	DISTURBED AREA STABILIZATION (WITH TEMPORARY SEEDING) ESTABLISH A TEMPORARY VEGETATIVE COVER WITH FAST GROWING SEEDINGS ON DISTURBED AREAS.
D53	DISTURBED AREA STABILIZATION (WITH PERMANENT VEGETATION) ESTABLISH PERMANENT VEGETATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES, SOD OR LEGUMES ON DISTURBED AREAS.
D54	DISTURBED AREA STABILIZATION (WITH CERTIFIED SOD) ESTABLISH PERMANENT VEGETATIVE COVER WITH SOD CUT TO DESIRED SIZE WITHIN ±5% AND PLANTED WITHIN 36 HOURS OF DIGGING. SOD TO BE PLANTED ACCORDING TO COUNTY REQUIREMENTS.



M.C. MASTERS DESIGN

LANDSCAPE ARCHITECTURE/ SITE PLANNING
2029 Barberry Drive, Buford, Georgia 30519
Phone: 404 234-1026
email: mcmastersdesign@gmail.com
website: mcmastersdesign.com



SITE PLAN

3208 KELLY STREET
SCOTTDALE, GA 30079
LAND LOT 45: 18th DISTRICT
DEKALB COUNTY, GA

SIGNED / SEALED



GSWCC CERTIFICATION
NO. 0000079959

DATE	REVISION	No.	FOR CONSTRUCTION
			Date: 3/21/2025
			Scale: 1"=30'-0"
			Job No.: 25-0321
			Drawn By: MCM
			Reviewed By: MCM
			Sheet: SP-1