



Lorraine Cochran Johnson

Chief Executive Officer

DeKalb County Zoning Board of Appeals

Department of Planning & Sustainability

178 Sams Street,

Decatur, GA 30030

Wednesday, August 13, 2025

Planning Department Staff Analysis



Juliana A. Njoku

Director

N2. Case No: A-24-247643

Parcel ID(s): 18 050 03 010

Commission District 02 Super District 06

Applicant: David Engbritson
2318 Eastway Road
Decatur, GA, 30033

Owner: David Engbritson
2318 Eastway Road
Decatur, GA 30033

Project Name: 2318 Eastway Road – Carport Case

Location: 2318 Eastway Road, Decatur, GA, 30033

Request: Variance(s) requests from Section 27 of the DeKalb County Zoning Ordinance are listed below:

- Section 2.2.1 to reduce the front-yard setback from 35' to 22' to facilitate the reconstruction of an existing carport located in front of the front-loading garage.

Staff Recommendation: Approval with conditions.

Conditions:

1. 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 project involves the reconstruction of an accessory structure (carport) located in front of the garage of the primary structure. The property was constructed in 1949 and redeveloped in 1993. Per the DeKalb County Tax Assessor, the existing carport was constructed in 1983. As such, the structure has existed prior to the implementation of the current DeKalb County Zoning Code. Per Section 27-2.2.1, primary home developments and additions must adhere to the front-yard setback in the R-75 zoning district to 35' along local roads.

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 property is characterized by a square lot in a neighborhood. The home was constructed in 1949 with the carport being constructed in 1983. Due to the home's placement on the lot, there is no viable location to construct a conforming carport that meets current setback requirements. The existing carport, which sustained storm damage, cannot be adequately repaired as original roofing materials are no longer manufactured. These conditions, which were not created by the current or previous owners, limit the applicant's ability to enjoy typical accessory structures permitted in the zoning district and warrant consideration for relief.

2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located:

The proposed variance may not exceed the minimum necessary to achieve relief and the zoning requirements may represent a hardship to the applicant. As the base structure is existing, the requested variance would not be expanded but redeveloping the structure to be more aligned with the primary structure. The variance would permit the structure to be rehabilitated due to prior damage to the roof.

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

The proposed variances may not be materially detrimental to the public welfare of the neighborhood or injurious to the property or improvements in the R-75 zoning district. The applicant has received letters of support by adjacent neighbors along the same street. The structure has been designed to enhance to the design of the home and neighborhood.

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

Strict interpretation of the current zoning regulations in regard to the 35' front-yard setback would result in an undue hardship of the applicant. The subject property has maintained a similar functional layout for over 30 years, and compliance with the current setback standard would prevent the continued use and improvement of the site in a manner consistent with its established character. The proposed carport is intended to replace or enhance an existing structure that has served the property historically, and its placement is constrained by the lot configuration and existing improvements. The variance may be necessary to allow for reasonable use of the property that is in keeping with its long-standing residential use.

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

The requested variance supports the goals and policies of the Suburban Character Area (SUB) as outlined in the DeKalb County Comprehensive Plan. The proposed accessory structure is designed to integrate architecturally with the primary residence and to

maintain the residential character of the neighborhood. The structure's design and placement are intended to enhance visual cohesion along the streetscape and improve overall site functionality without altering the established land use pattern. The proposal encourages continued investment in the property and supports a pattern of development consistent with the surrounding community, while promoting improved accessibility and neighborhood compatibility.

FINAL STAFF ANALYSIS:

The application meets all the criteria for the provided variances as outlined in the DeKalb County Zoning Ordinance Section 27-2.2.1. The applicant has demonstrated extraordinary physical conditions unique to the property that necessitate the variances and has shown that the request is the minimum necessary to provide relief. The proposed structure may offer personal and neighborhood benefits, such as improving the character of the neighborhood. Approving this request may be consistent with the intent of the Ordinance and Comprehensive Plan. Therefore, staff recommends approval with conditions for the variance request.

Staff Recommendation: Approval with conditions.

Conditions:

1. 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.

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

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

Applicant and/or
Authorized Representative: _____

Mailing Address: _____

City/State/Zip Code: _____

Email: _____

Telephone Home: _____ Business: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: _____

Address (Mailing): _____

Email: _____ Telephone Home: _____ Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: _____ City: _____ State: _____ Zip: _____

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

Zoning Classification: _____ Commission District & Super District: _____

CHECK 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.

Email plansustain@dekalbcountyga.gov with any questions.

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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: _____ Applicant _____
Signature: _____

DATE: _____ Applicant _____
Signature: _____

DEPARTMENT OF PLANNING & SUSTAINABILITY

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: _____ 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 the above signed agent/applicant.

Notary Public

Owner Signature

Notary Public

Owner Signature

Notary Public

Owner Signature

Filing Guidelines for Applications to the Zoning Board of Appeals

1. Submit Application Materials:

- a. To ensure proper processing and payment, please create a profile and upload at least page 1 of your application to: <https://epermits.dekalbcountyga.gov/> (no more than 10mb permitted).
 - If you have an existing account, you may use that account and create a *new application number* by selecting the proper application type.
 - Fill out *all* Account Portal Questions
 - Put your **email address under “WEB ACCOUNT”**
 - SAVE APPLICATION NUMBER (1246XXX) – send to staff when you email your complete application.
- b. After portal submittal, email one (1) combined PDF document of the completed application and materials to plansustain@dekalbcountyga.gov and ljcarter@dekalbcountyga.gov along with application number.
- c. Please confirm we have received your application.
- d. For any questions, please contact plansustain@dekalbcountyga.gov

2. Order of Submitted Materials:

- a. Application Form
- b. Signatures and authorization (including permission to go on property)
- c. Letter of Intent
- d. Surveys, site plans.
- e. Other relevant materials (e.g., photographs, letters of support, citation, etc.)

3. Authorization:

- a. If property owner is different from the applicant, the form to authorize the application must be signed by the owner and stamped by a notary.
- b. If property is owned by more than one property owner, all property owners must authorize the request.

4. Letter of Intent:

- a. **Explain what you are asking for and why.**
- b. A typed statement indicating the request and clarifying justification for the proposal based on the criteria as indicated in Section 27-7.5.3 or 7.5.4 of the DeKalb County Zoning Ordinance (see attached information).
- c. Reference the section of the code you are requesting to vary and the amount of requested change, (such as to reduce the rear yard setback from forty (40) feet to twenty (20) feet to construct an addition).

5. Surveys and site plans of the Subject Property:

- a. Must be stamped by a professional engineer or surveyor, registered in the State of Georgia.
- b. All plans and surveys must include the following information:
 1. Must show all property lines with dimensions.
 2. Must show the location of all existing and proposed buildings, structures, parking and setbacks (their relationship to the property boundaries).
 3. Must show any other features related to the request such as trees, fences, topography, streams, etc.
 4. Must be to-scale
 5. Must show lot area and lot coverage (impervious materials, including paving and structures).

6. **Application Fee is \$300.** You will be able to pay by credit card on the epermitting portal. A receipt will be provided.

Writing the Letter of Intent

Please address the following criteria as appropriate:

7.5.1 Applications for variances; and criteria to be used by the zoning board of appeals in deciding applications for variances.

The zoning board of appeals shall hear and decide applications for variances from the strict application of the regulations of this chapter and chapter 21 where the strict application of any regulation enacted under said chapters would result in exceptional and undue hardship upon the owner of such property. In determining whether or not to grant a variance, the board shall apply the criteria specified in this section to the facts of each case. The board may attach reasonable conditions to any approved variance in accordance with section 7.3.9. Once imposed, conditions shall become an integral part of the approved variance and shall be enforced as such. No changes to an approved condition attached to a variance shall be authorized except by re- application to the zoning board of appeals in full compliance with the applicable provisions of this division. No relief may be granted or action taken under the terms of this division unless such relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this chapter and the comprehensive plan. The zoning board of appeals shall apply the following criteria to the types of applications specified below as follows:

- 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.
 - 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.
 - 5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.
- B. Appeals of decisions regarding building architectural design standards shall be evaluated using the same criteria as section 7.6.7(B).

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- C. Appeals to the height standards, but not to add stories, shall be evaluated using the criteria as follows:
1. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.
 2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.
 3. Adequacy of public services, public facilities, and utilities to serve the proposed use.
 4. Whether or not 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. Whether or not the size, scale and massing of proposed buildings are 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. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

7.5.2 Applications for variances to reduce or waive off-street parking or loading space requirements.

The zoning board of appeals shall hear and decide applications for variances to reduce or waive required off-street parking or loading spaces in accordance with the provisions and standards of this section. All such applications shall be heard and decided based on the notice requirements of section 7.2.4. The zoning board of appeals may waive or reduce the required number of parking or loading spaces in any district only upon an expressed finding that:

- A. The character of the use of the building(s) is such as to make unnecessary the full provision of parking or loading spaces;
- B. The lot upon which the building(s) is located is within one thousand (1,000) feet of the boundary of a MARTA RapidTransit Station;
- C. The provision of the full number of parking spaces would have a deleterious effect on a historic building, site, district or archaeological resource;
- D. The use has a characteristic that differentiates it from the typical use example used in the formulation of this ZoningOrdinance;
- E. The location of the proposed development is relatively isolated where the opportunity for diversity of use, pedestrian access, and alternative modes is not available; or
- F. The developer is providing the additional spaces for general public parking (for hourly or daily parking charges) to serve surrounding development.

Section 21-27. Sign Variances.

- (a) Where a literal application of this article, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted by the zoning board of appeals after receiving evidence that the applicant meets all of the following criteria:
 - 1. Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area;
 - 2. Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated;
 - 3. The exceptional circumstances are not the result of action by the applicant;
 - 4. The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated;
 - 5. Granting of the variance would not violate more than one (1) standard of this article; and
 - 6. Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.
- (b) No variance shall be granted to the height of a sign or the aggregate area of signs permitted on a lot.
- (c) No variance shall be granted which increases the size of a sign more than twenty (20) percent of that allowed by this chapter. (Ord. No. 13-03, Pt. I, 6-10-03)

7.5.3 Appeals of decisions of administrative officials.

- A. *General Power.* The zoning board of appeals shall have the power and duty to hear and decide appeals where it is alleged by the appellant that there is error in any final order, requirement, or decision made by an administrative official based on or made in the enforcement of this Zoning Ordinance or as otherwise authorized by local law or the Code of DeKalb County as Revised 1988. Administrative officials must make final decisions covered by this section within one hundred and eighty (180) days of receipt of all necessary information to make such decision. A failure to act prior to the passage of one hundred and eighty (180) days shall not be construed to be a final order, requirement or decision within the meaning of this division. If a decision is not made by the 181st day, the requested decision is deemed denied, and becomes appealable. All such appeals shall be heard and decided following the notice requirements of section 7.2.4, and pursuant to the following criteria and procedural requirements.
- B. *Appeals of decisions of administrative officials.* Appeals of decisions of administrative officials may be filed by (1) any person aggrieved by; (2) any elected member of the DeKalb County Governing Authority affected by; or (3) an owner of property within two hundred and fifty (250) feet of the nearest property line of the property that is the subject of any final order, requirement, or decision of an administrative official, based on or made in the enforcement of this Zoning Ordinance, or as otherwise authorized by local law or the Code of DeKalb County as Revised 1988. by filing with the secretary of the zoning board of appeals an application for appeal, specifying the grounds thereof, within fifteen (15) days after the action was taken by the official that is the subject of the appeal.
- C. *Appeal stays all legal proceedings.* An appeal of a decision of an administrative official stays all legal proceedings in furtherance of the action or decision appealed from unless the official from whom the appeal is taken certifies to the zoning board of appeals, after notice of appeal has been filed, that by reason of facts stated in the certificate, a stay would, in that official's opinion, cause imminent peril to life or property. In such a case, legal proceedings shall be stayed only pursuant to a restraining order granted by a court of competent jurisdiction directed to the officer from whom the appeal is taken and

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- D. *Appeal stays land disturbance or construction activity in certain situations.* If the action or decision appealed from permits land disturbance or construction activity to commence or continue on residentially zoned property, the appeal stays the land disturbance or construction activity until the zoning board of appeals issues a decision on the appeal. Thereafter, land disturbance or construction activity in such cases shall only be stayed by an order from a court of competent jurisdiction. In all cases involving non-residentially zoned property, the appeal to the zoning board of appeals does not stay land disturbance or construction activity; such activity shall only be stayed by an order from a court of competent jurisdiction.
- E. Thereafter, in such situations land disturbance or construction activity shall only be stayed by an order granted by a court of competent jurisdiction.
- F. *Time of hearing.* The zoning board of appeals shall fix a reasonable time for the hearing of the appeal and give notice thereof pursuant to the requirements of section 7.2.4 as well as written notice to the appellant. Any party may appear at the hearing in person, by an agent, by an attorney, or by the submission of written documentation.
- G. *Decision of the zoning board of appeals.* Following the consideration of all testimony, documentary evidence, and matters of record, the zoning board of appeals shall make a determination on each appeal and shall issue a written decision explaining the reasons for its decision. The zoning board of appeals shall decide the appeal within a reasonable time, but in no event more than sixty (60) days from the date of the hearing. An appeal shall be sustained only upon an expressed finding by the zoning board of appeals that the administrative official's action was based on an erroneous finding of a material fact, erroneously applied the Zoning Ordinance to the facts, or that the administrative official acted in an arbitrary manner. In exercising its powers, the zoning board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all the powers of the administrative official from whom the appeal was taken and may issue or direct the issuance of a permit, provided all requirements imposed by any applicable laws are met.

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7.5.4 Limitations of authority of the zoning board of appeals.

No variance shall be granted by the zoning board of appeals to:

- A. Allow a structure or use not listed as a permitted use or a special use in the applicable zoning district or a density of development that is not authorized within such district. This prohibition does not apply to any variance from the supplemental regulations of Article 4 of this Zoning Ordinance or from any other accessory feature or characteristic of a permitted or special use, unless said variance is otherwise prohibited by the regulations of this chapter.
- B. Allow any variance which conflicts with or changes any requirement enacted as a condition of zoning or of a special land use permit by the board of commissioners.
- C. Reduce, waive or modify in any manner the minimum lot width unless the purpose is to reverse a lot merger.
- D. Reduce, waive or modify in any manner the minimum lot area established by this chapter.
- E. Extend the time period for a temporary outdoor social, religious, entertainment or recreation activity approved by the director of planning.
- F. Permit the expansion or enlargement of any nonconforming use of land, nonconforming use of land and buildings in combination, nonconforming use of land and structures in combination, or nonconforming use requiring special land use permit.
- G. Permit the reestablishment of any nonconforming use of land, nonconforming use of land and buildings in combination, nonconforming use of land and structures in combination, or nonconforming use requiring special land use permit where such use has lapsed pursuant to the requirements and limitations of Article 8 of this chapter.
- H. Permit customer contact for a home occupation authorized by this chapter.
- I. Allow any variance to increase the height of a building which will result in adding a story.

Summary of Zoning Board of Appeals Application Process:

1. **Timeline.** It takes ~45-60 days to submit your application and receive an initial decision from the Zoning Board of Appeals regarding your request.
2. **Pre-application Meetings.** DeKalb County now mandates pre-application meetings. Please email plansustain@dekalbcountyga.gov to schedule a virtual appointment to meet with a Planner assigned to the Zoning Board of Appeals. During the virtual meeting, we will review and provide feedback regarding your request, review the application process, and answer any questions.
3. **Application Submittals.** Create a profile and upload at least page 1 of your application to: <https://epermits.dekalbcountyga.gov/> (no more than 10mb permitted). Email a combined PDF document of the completed application and materials to plansustain@dekalbcountyga.gov and ljcarter@dekalbcountyga.gov along with the application number.
4. **Public Hearing Signs.** You will need to post at least one sign per street frontage of the property. Staff will prepare a sign template. You will need to coordinate sign printing and posting with a sign company of your choice, at least 30 days prior to the ZBA hearing. Sign(s) must remain posted until final Board of Appeals action regarding the request. If the application is deferred, you may update the sign(s).
5. **Revisions or amendments.** An application must be submitted in writing and must be received a least 14-days before the scheduled meeting to be addressed by the staff report.
6. **Staff Report.** Staff prepares reports and recommendations for each application. These recommendations are based on the attached criteria established by the [DeKalb County Zoning Code](#). Final staff reports are available to the applicant and the public prior to the scheduled Board of Appeals meeting. Find current reports on our website, here: <https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info>
7. **Monthly Meetings.** The Zoning Board of Appeals meets once a month, generally on the second Tuesday of each month at 1:00 P.M., via Zoom. Find agendas on our website, [HERE](#).
8. **Applicant and/or Representative must be Present.** Applicants or their representatives must be present at the public hearing to present the request to the Zoning Board of Appeals.
9. **Public Hearing portion of Meeting.** Applicants and others in favor of an application are given a total of five (5) minutes to present to the Board. That is five minutes combined, no matter how many people wish to speak. Applicants should be prepared to explain their variance, why they are requesting it and answer questions from the board. Anyone speaking in opposition also has a total of five (5) minutes to address the application in front of the board. Be prepared to raise your hand or announce yourself when the chair asks for those in support or opposition to the application.
10. **Applicant and/or Representative must be Present.** Applicants or their representative must be present at the public hearing to present the request to the Zoning Board of Appeals.
11. **Executive Session.** After the public hearing, the Board of Appeals will close the public hearing, go into executive session for discussion, and will then take an action on an application. Applicants are not allowed to address the Board of Appeals during Executive Session unless they are asked questions by members of the Board of Appeals.

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12. **Zoning Board of Appeals Actions.** The Board of Appeals is authorized to:
 - a. Approve the application as submitted;
 - b. Approve a revised application;
 - c. Approve an application with conditions;
 - d. Deny an application (if an application is denied, no variance can be considered on the same site within 24 months);
 - e. Allow an application to be "Withdrawn without Prejudice" at the request of the applicant.
13. **Compliance with standards upon denial.** In such case that a variance request is initiated due to an existing code violation and such application is denied, the violation shall be required to be brought into compliance within thirty (30) days of such denial or as specified by the board if a greater time period is approved.
14. **Successive applications.** Section 27-920 of the DeKalb County Zoning Ordinance states: An application for a variance or special exception affecting all or a portion of the same property which was denied by the Zoning Board of Appeals shall not be submitted more than once every twenty-four (24) months measured from the date of final decision by the zoning board of appeals. The Zoning Board of Appeals may waive or reduce this twenty-four-month time interval by resolution provided that if the application for a variance or special exception was denied by the Zoning Board of Appeals, the time interval between the date of said denial and any subsequent application or amendment affecting the same property shall be no less than six (6) months.
15. **Appeals of Decisions.** Any person aggrieved by a final decision of the board, or any officer, department, board or agency affected by such decision, may seek review of such decision by petitioning the Superior Court of DeKalb County. Such petition shall be filed within 30 days after the final decision of the board is rendered.

Re: Variance App. # 1247643

Dear Member of the Zoning Board of Appeals,

My name is David Engbritson and I am writing to formally request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance. My request pertains to the reduction of the front yard setback requirement from 35 feet to 22 feet for my property located at 2318 Eastway Rd. The purpose of this variance is to facilitate the (re)construction of an accessory unit, identified as: "Engbritson Carport."

1. Physical Conditions of the Site:

The unique physical conditions of my property constitute a special case necessitating this variance. The home is a legal, non-conforming house, built in 1949. A carport was attached to the house at some point. It is known that the carport was in existence prior to 1993 when it was purchased by the current owners. The placement of the house on the lot does not allow for any alternative location to place a carport that conforms to current setback requirements.

The existing carport is missing approximately half of its roof due to damage from a storm. Attempts at finding replacement roofing for the carport has been unsuccessful due to the age of the carport, as replacement materials are no longer in production.

2. Minimum Variance Necessary:

I assure you that my request is solely for the minimum variance necessary to restore my property to its condition prior to the storm which damaged the existing carport. The proposed accessory structure will not expand the footprint that is now occupied by the damaged carport. The proposed setback reduction will allow the property to continue to be used in the way the site has been utilized for many decades.

3. Public Welfare:

The proposed accessory will provide a positive impact on the neighborhood and community. I have received letters of support from my neighbors Parrish Brown residing at 2319 Eastway Rd., Rachael and Vicki Walton-Mauw residing at 2324 Eastway Rd., and Brain and Sheila Falgout residing at 2327 Eastway Rd., who do not feel the accessory unit will adversely impact their daily life in the community. The reduced setback will not pose any harm to public welfare, neighboring properties, or the the overall improvements in the R-75 zoning district.

The proposed accessory unit will enhance the overall aesthetic of the aforementioned property, it has been designed to architecturally integrate with the house. The proposed accessory unit will enhance the "curb appeal", and has the potential to increase the property value of the site, as well as the other homes in close proximity.

4. Ordinance Hardship:

A strict interpretation of the the current zoning laws, in this case, would cause undue hardship. The impracticality of adhering strictly to the 35 foot setback would limit the occupants ability to use the property as it has been used for over 32 years. This variance is, therefore, essential to prevent unnecessary hardship and will allow for reasonable use of the property.

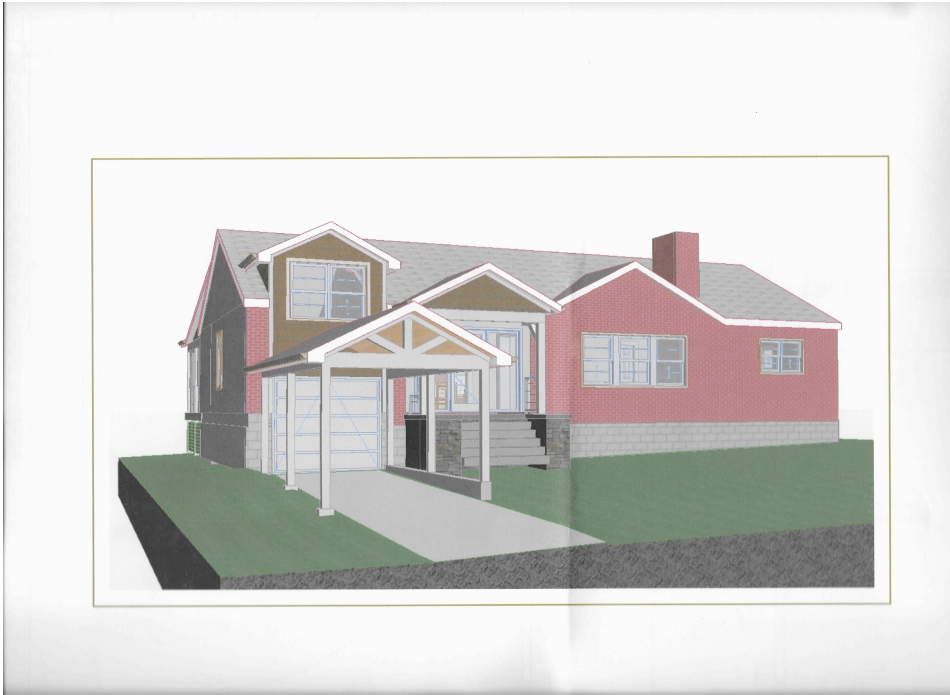
5. Alignment with the Spirit of the Law:

I firmly believe that this variance request aligns with the intent of the Suburban Character Area, as outlined in the DeKalb County Compressive Plan. The proposed construction of the Engbritson Carport is in line with the goals of recognizing traditional suburban land use pattens while encouraging increase connectivity and accessibility. Additionally, the proposed accessory unit with enrich neighborhood aesthetics, improve property values and housing stock, as well as connectivity for the occupants.

Variance App. # 1247643

Architects drawing of Completed Carport

Please note that this drawing shows 6 posts, the proposed carport has been redesigned to have 4 posts as reflected in the submitted plans.



Photos of Existing Carport



VICINITY MAP



N. T. S.

SITE NOTES

- THE PURPOSE OF THIS SITE PLAN IS TO REMOVE AN EXISTING DECK AND SHOW A PROPOSED COVERED PORCH AND DECK.
- OWNER:
- LISA SAUL
2318 EASTWAY ROAD
DECATUR GA 30033
- ZONING IS R-75 (PER DEKALB COUNTY GIS MAP)
FRONT SETBACK - 35 FEET
REAR SETBACK - 40 FEET
SIDE SETBACK - 7.5 FEET
MINIMUM LOT WIDTH - 75 FEET
MAXIMUM HEIGHT - 40 FEET
MAXIMUM COVERAGE - 35%
- ELEVATIONS ARE BASED ON MEAN SEA LEVEL
- CONTOUR INTERVAL IS 2 FOOT.
- THE SUBJECT PROPERTY IS NOT WITHIN 200' OF WATERS OF THE STATE REQUIRING STATE AND CITY STREAM BUFFERS.
- DISTURBED AREA - ±1500 SQ. FT.
- SITE AREA - 9719.03 SQ. FT. (.22 ACRES)
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT AND ACCURATE TITLE REPORT. EASEMENTS AND OTHER ENCUMBRANCES OF RECORD MAY EXIST BUT MAY NOT BE SHOWN BY THIS SURVEY. THIS PLAT IS SUBJECT TO ANY FINDINGS THAT A TITLE REPORT MAY DISCLOSE.
- ONLY VISIBLE UTILITIES SHOWN.

LOT COVERAGE

EXISTING

HOUSE - 1707.7 SQ. FT.
CONCRETE - 739.1 SQ. FT.
DECKS/STEPS - 85.0 SQ. FT.
SHED - 127.8 SQ. FT.
CARPORT - 200.6 SQ. FT.
HVAC PAD - 9 SQ. FT.
WALL - 26.7 SQ. FT.

TOTAL EXISTING - 2895.9 SQ. FT. (29.8%)

REMOVED

CONCRETE/STEPS - 328.8 SQ. FT.
DECK/STEPS - 85.0 SQ. FT.
SHED - 127.8 SQ. FT.

TOTAL REMOVED - 541.6 SQ. FT.

PROPOSED

ADDITION - 247.3 SQ. FT.
PORCH (REAR) - 253.2 SQ. FT.
PORCH (FRONT) - 77.6 SQ. FT.
CONCRETE/STEPS 52.9 SQ. FT.
DECK - 265.9 SQ. FT.

PROPOSED TOTAL - 887.9 SQ. FT.

TOTAL OVERALL - 3242.2 SQ. FT. (33.4%)

CLOSURE NOTE

THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED USING AN OPEN TRAVERSE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 307,552 FEET. A TRIMBLE TOTAL STATION AND RECON DATA COLLECTOR WERE USED TO GATHER THE INFORMATION USED TO PREPARE THIS PLAT.

FLOOD NOTE

I HAVE EXAMINED THE "FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION CERTIFICATE, SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO SAID OPINION.

MAP NUMBER: 13089C0066K REVISED DATE: 08/15/19

ZONING

R-75 (PER DEKALB COUNTY GIS MAP)

FRONT SETBACK - 35 FEET
REAR SETBACK - 40 FEET
SIDE SETBACK - 7.5 FEET
MAX. LOT COVERAGE - 35%

** ALL ZONING INFORMATION TO BE VERIFIED WITH THE CITY OR COUNTY **

TREE NOTES

EXISTING TREES

- (2) 5" HARDWOOD
- (1) 6" HARDWOOD
- (2) 8" HARDWOOD
- (1) 10" HARDWOODS
- (1) 12" HARDWOOD
- (2) 14" HARDWOOD
- (1) 24" CEDAR

TOTAL EXISTING TREES =106"

REQUIRED DENSITY

120" X 0.22 ACRES = 26" REQUIRED

NO TREES TO BE REMOVED OR DISTURBED
REQUIREMENT SATISFIED

GENERAL SITE NOTES

- 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.
- 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

I, Jeremy D. Shirey 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 DIRECT SUPERVISION.



GEORGIA SOIL AND WATER
CONSERVATION COMMISSION

Jeremy D Shirey

Level II Certified Design Professional

CERTIFICATION NUMBER 0000062581

ISSUED: 10/29/2019 EXPIRES: 10/29/2022

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NOTES


PAGE 1 OF 4

SITE PLAN FOR:
2318 EASTWAY ROAD

LISA SAUL

LOT 16, BLOCK I, PLAT FOUR, NORTH DECATUR HEIGHTS SUBDIVISION
DB 19539, PG 640; PB 16, PG 91

WIDE OPEN



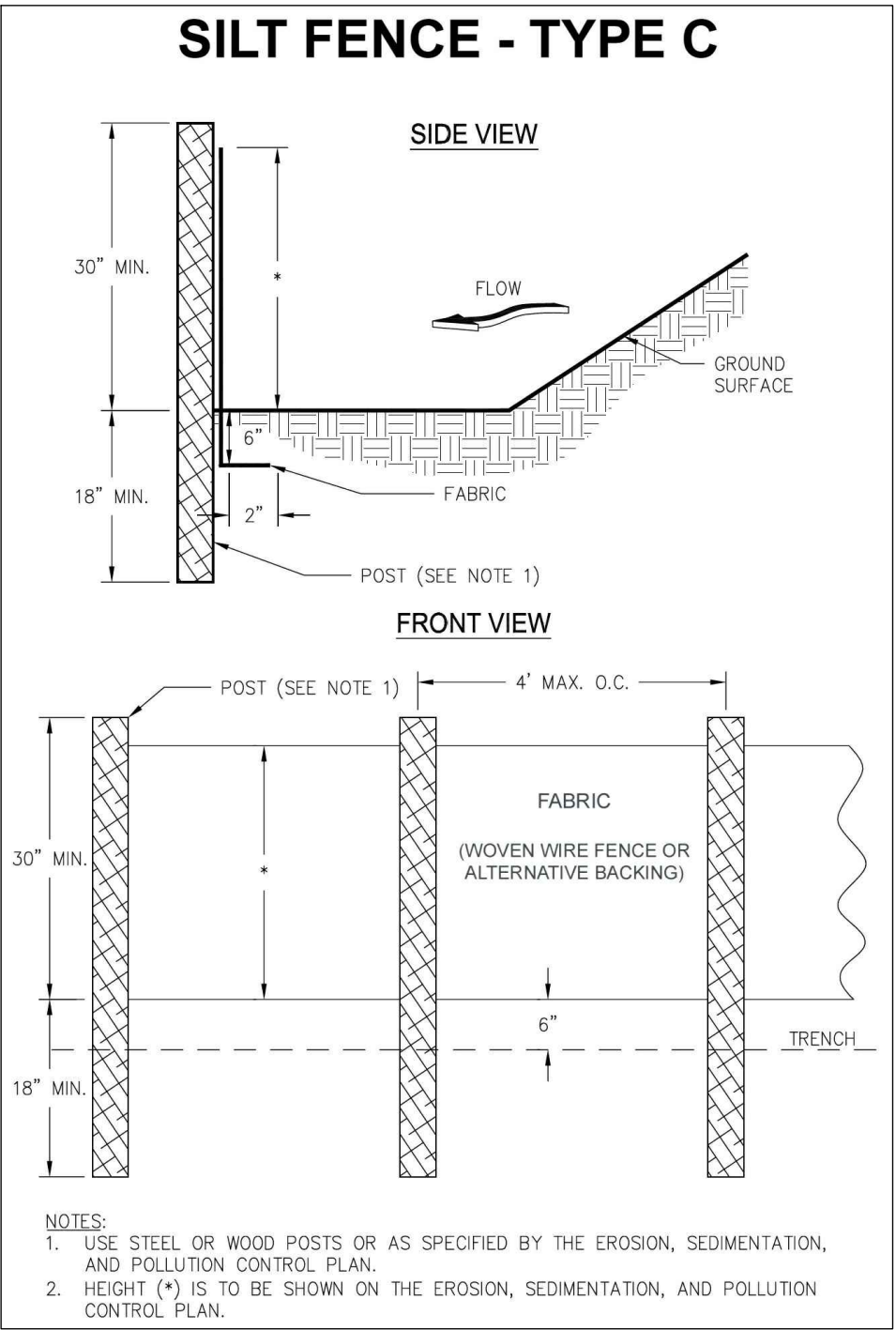
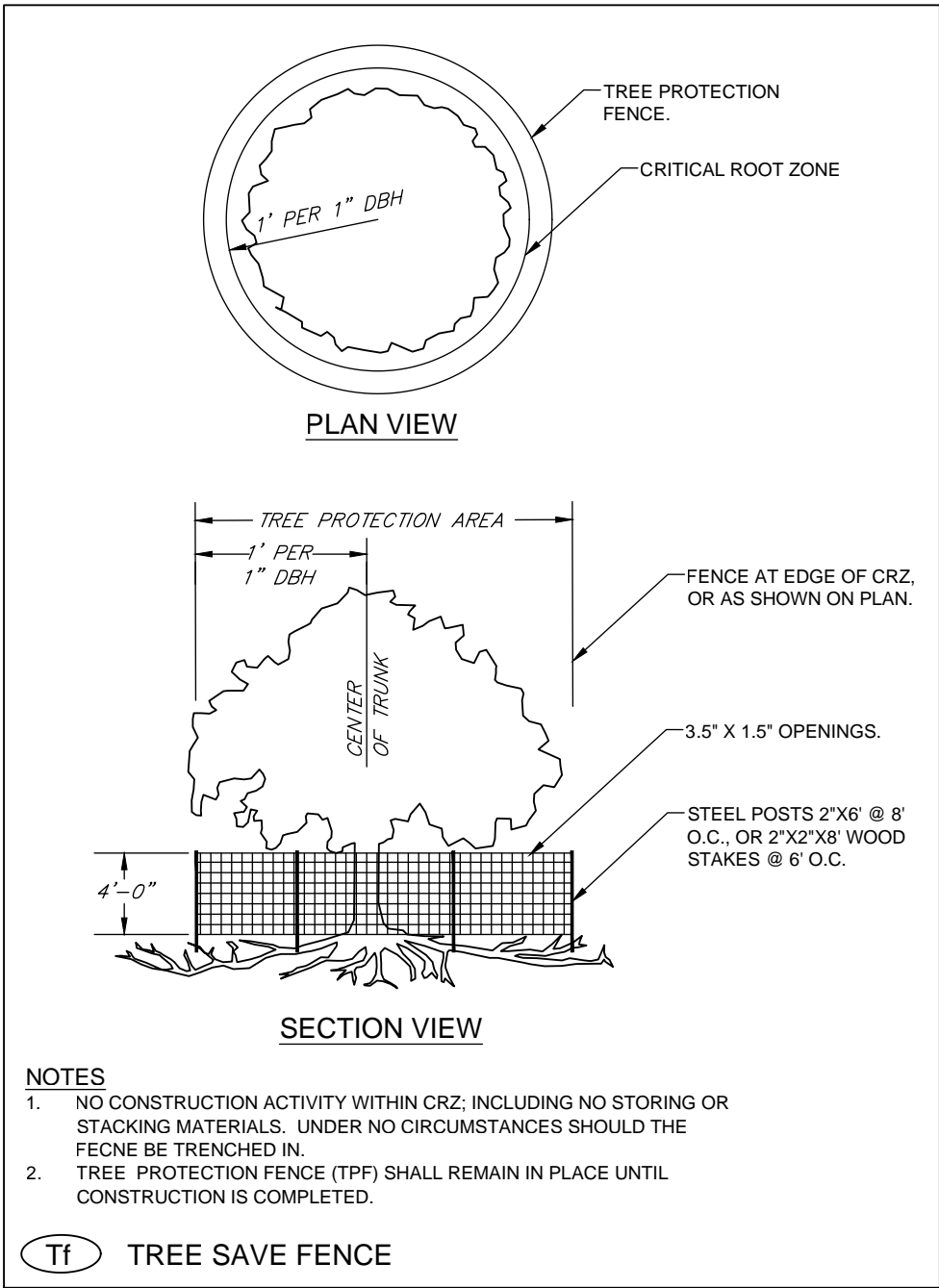
LAND SURVEYING LLC

52 CURETON LANE
MORELAND, GA 30259
678-633-5685

WWW.WIDEOPENLANDSURVEYING.COM

JOB #2301

FIELD DATE:	9/17/2020
PLAT DATE:	3/1/21
SCALE:	1"=20'
COUNTY:	DEKALB
DISTRICT:	18TH
LAND LOT:	50



EROSION CONTROL NOTES

1. NON-EXEMPT ACTIVITIES SHALL NOT BE CONDUCTED WITHIN THE 25 OR 50-FOOT UNDISTURBED STREAM BUFFERS AS MEASURED FROM THE POINT OF WRESTED VEGETATION OR WITHIN 25- FEET OF THE COASTAL MARSHLAND BUFFER AS MEASURED FROM THE JURISDICTIONAL DETERMINATION LINE WITHOUT FIRST ACQUIRING THE NECESSARY VARIANCES AND PERMITS.
2. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO LAND DISTURBING ACTIVITIES.
3. 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.
4. ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.
5. PETROLEUM BASED PRODUCTS – CONTAINERS FOR PRODUCTS SUCH AS FUELS, LUBRICANTS, AND TAR WILL BE INSPECTED DAILY FOR LEAKS AND SPILLS. THIS INCLUDES ON-SITE VEHICLE AND MACHINERY DAILY INSPECTIONS AND REGULAR PREVENTATIVE MAINTENANCE OF SUCH EQUIPMENT. EQUIPMENT MAINTENANCE AREAS WILL BE LOCATED AWAY FROM STATE WATERS, NATURAL DRAINS, AND STORMWATER DRAINAGE INLETS. IN ADDITION, TEMPORARY FUELING TANKS SHALL HAVE A SECONDARY CONTAINMENT LINER TO PREVEN/MINIMIZE SITE CONTAMINATION. DISCHARGE OF OILS, FUELS, AND LUBRICANTS IS PROHIBITED. PROPER DISPOSAL METHODS WILL INCLUDE COLLECTION IN A SUITABLE CONTAINER AND DISPOSAL AS REQUIRED BY LOCAL AND STATE REGULATIONS.
6. CONTRACTOR SHOULD ADJUST GRADING AS NECESSARY TO DRAIN AWAY FROM HOUSE.
7. WHERE THE EXISTING RUNOFF LEAVES THE SITE IN A SHEET FLOW CONDITION, RUNOFF SHALL ALSO LEAVE SITE IN A SHEET FLOW CONDITION AFTER DEVELOPMENT.

VEGETATIVE PRACTICES				
CODE	PRACTICE	DETAIL	MAP SYMBOL	DESCRIPTION
Ds1	DISTURBED AREA STABILIZATION (WITH MULCHING ONLY)		Ds1	Establishing temporary protection for disturbed areas where seedlings may not have a suitable growing season to produce an erosion retarding cover.
Ds2	DISTURBED AREA STABILIZATION (WITH TEMP SEEDING)		Ds2	Establishing a temporary vegetative cover with fast growing seedlings on disturbed areas.
Ds3	DISTURBED AREA STABILIZATION (WITH PERM SEEDING)		Ds3	Establishing a permanent vegetative cover such as trees, shrubs, vines, grasses, or legumes on disturbed areas.
Ds4	DISTURBED AREA STABILIZATION (SODDING)		Ds4	A permanent vegetative cover using sods on highly erodable or critically eroded lands.
Du	DUST CONTROL ON DISTURBED AREAS		Du	Controlling surface and air movement of dust on construction site, roadways and similar sites.

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JEREMY SHIREY, GA RLS #3156

DIGITALLY SIGNED ON 3/1/21

DATE

GEORGIA

REGISTERED

No. 3156

PROFESSIONAL

LAND SURVEYOR

JEREMY D. SHIREY

DETAILS

PAGE 2 OF 4

SITE PLAN FOR:
2318 EASTWAY ROAD

LISA SAUL

LOT 16, BLOCK I, PLAT FOUR, NORTH DECATUR HEIGHTS SUBDIVISION
DB 19539, PG 640; PB 16, PG 91

WIDE OPEN

LAND SURVEYING LLC

52 CURETON LANE
MORELAND, GA 30259
678-633-5685

WWW.WIDEOPENLANDSURVEYING.COM

JOB #2301

FIELD DATE: 9/17/2020

PLAT DATE: 3/1/21

SCALE: 1"=20'

COUNTY: DEKALB

DISTRICT: 18TH

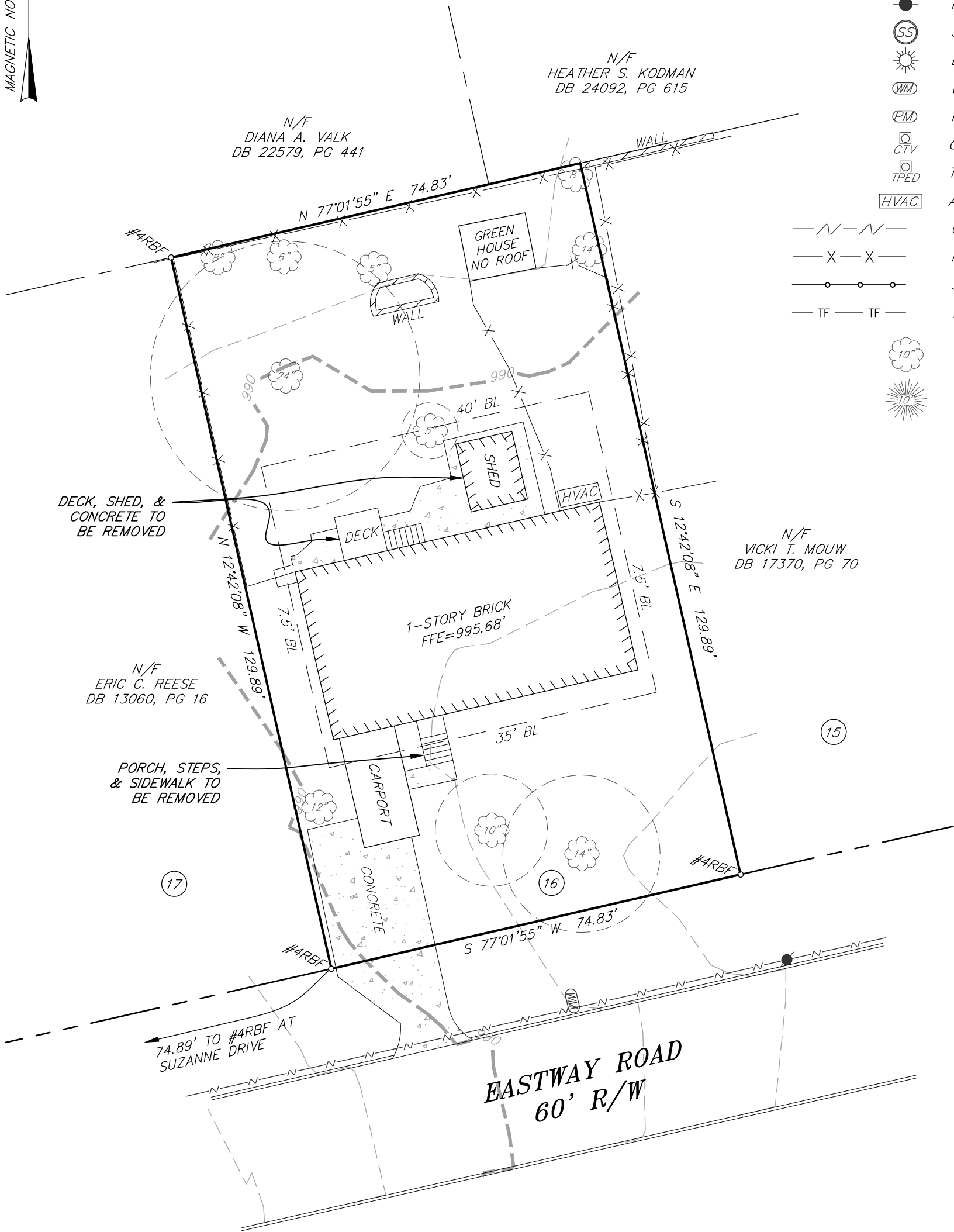
LAND LOT: 50

SECTION:



LEGEND

- #4RBF 1/2" REBAR FOUND
- #4RBS 1/2" REBAR SET
- FIRE HYDRANT
- POWER POLE
- SS SANITARY SEWER MANHOLE
- ☀ LIGHT POLE
- WM WATER METER
- PM POWER METER
- CTV CABLE TV PEDESTAL
- TPED TELEPHONE PEDESTAL
- HVAC AIR CONDITIONING UNIT
- / — / — OVERHEAD POWER
- X — X — FENCE
- o — o — SILT FENCE (SD1-C)
- TF — TF — TREE PROTECTION FENCE
- 10" HARDWOOD TREE
- ☀ PINE TREE



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EXISTING PLAN

PAGE 3 OF 4

Jeremy Shirey
JEREMY SHIREY, GA RLS #3156

DIGITALLY SIGNED ON 3/1/21
DATE

SITE PLAN FOR:
2318 EASTWAY ROAD

LISA SAUL

LOT 16, BLOCK I, PLAT FOUR, NORTH DECATUR HEIGHTS SUBDIVISION
DB 19539, PG 640; PB 16, PG 91



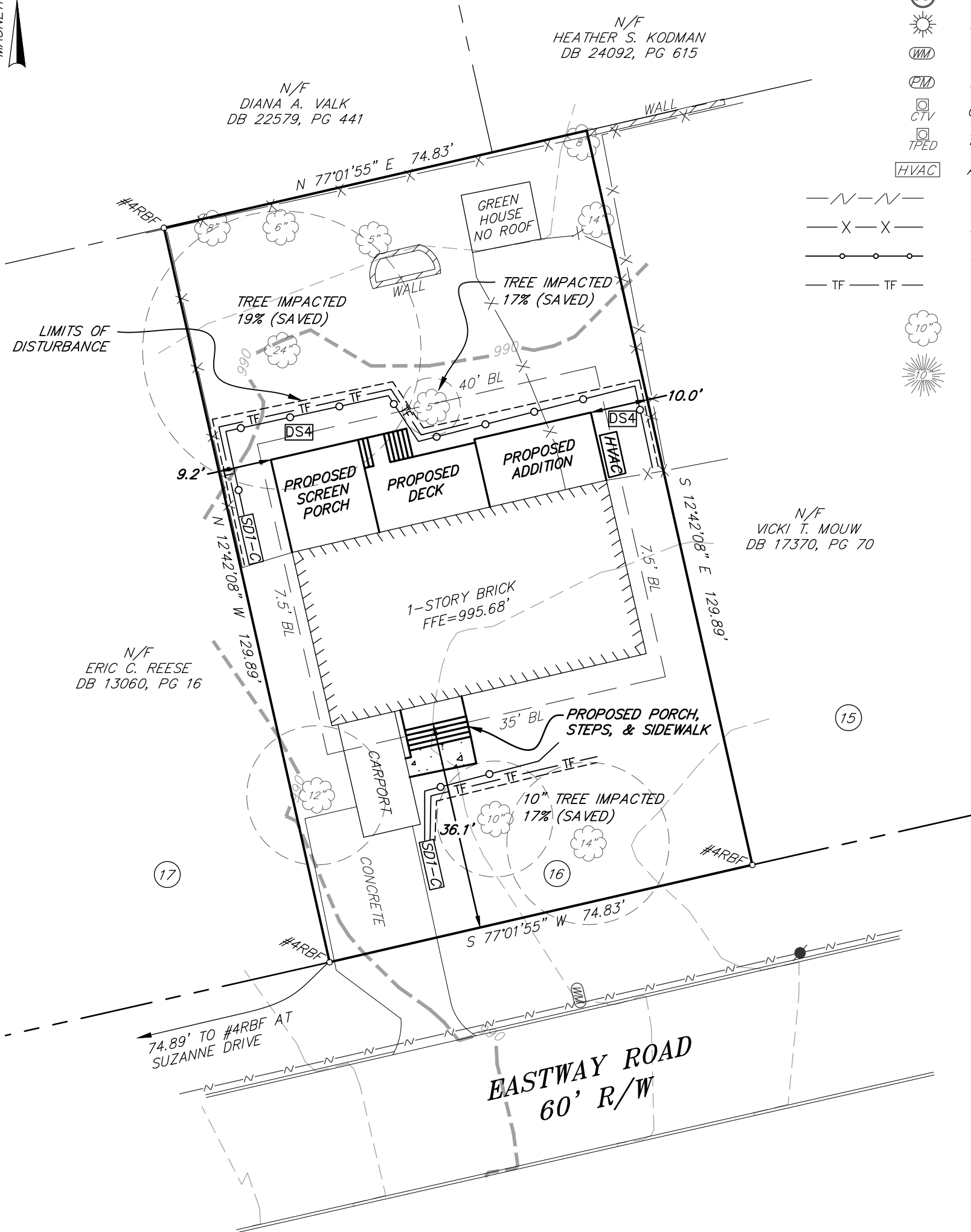
52 CURETON LANE
MORELAND, GA 30259
678-633-5685
WWW.WIDEOPENLANDSURVEYING.COM
JOB #2301

FIELD DATE:	9/17/2020
PLAT DATE:	3/1/21
SCALE:	1"=20'
COUNTY:	DEKALB
DISTRICT:	18TH
LAND LOT:	50
SECTION:	XXX



LEGEND

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- #4RBS 1/2" REBAR SET
- FIRE HYDRANT
- POWER POLE
- SS SANITARY SEWER MANHOLE
- ☀ LIGHT POLE
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PROPOSED PLAN

PAGE 4 OF 4

Jeremy Shirey
JEREMY SHIREY, GA RLS #3156

DIGITALLY SIGNED ON 3/1/21
DATE

SITE PLAN FOR:
2318 EASTWAY ROAD

LISA SAUL

LOT 16, BLOCK I, PLAT FOUR, NORTH DECATUR HEIGHTS SUBDIVISION
DB 19539, PG 640; PB 16, PG 91



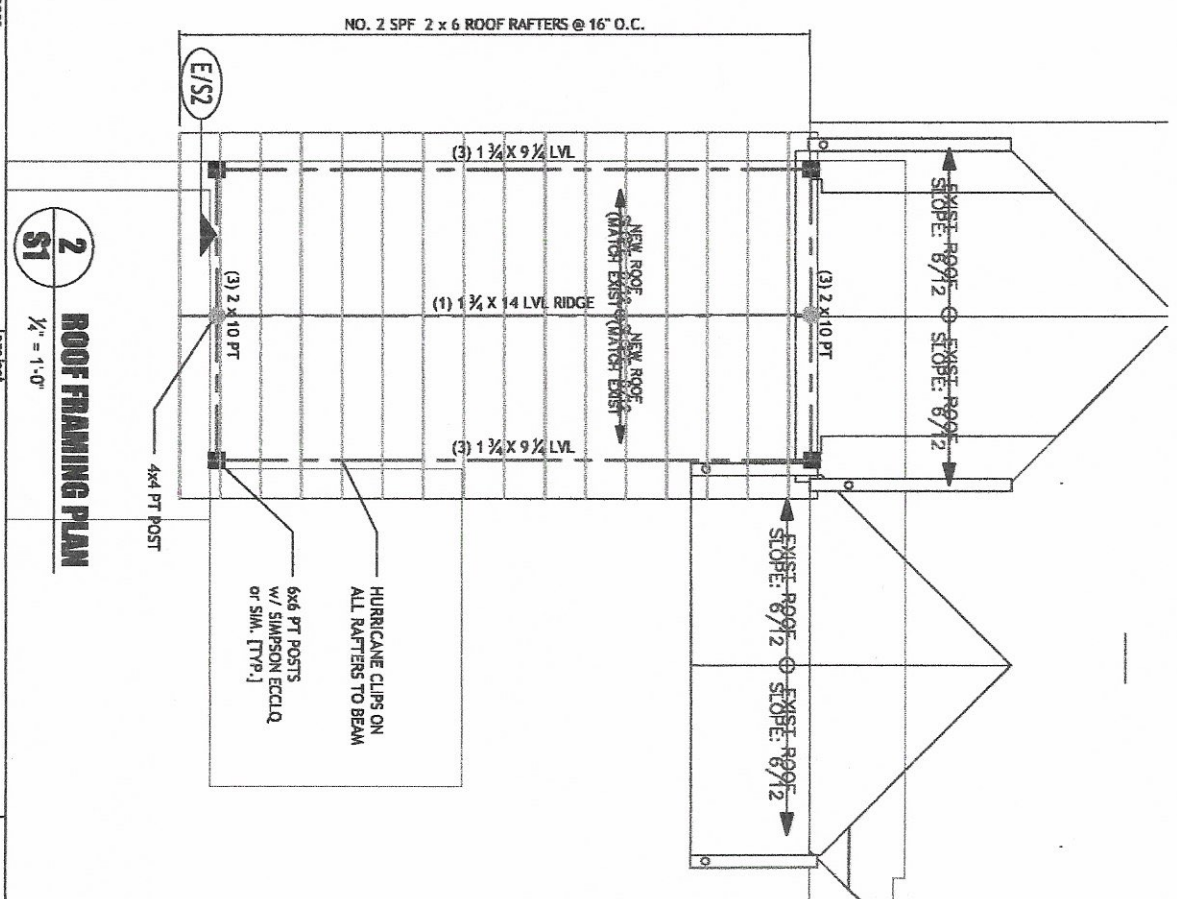
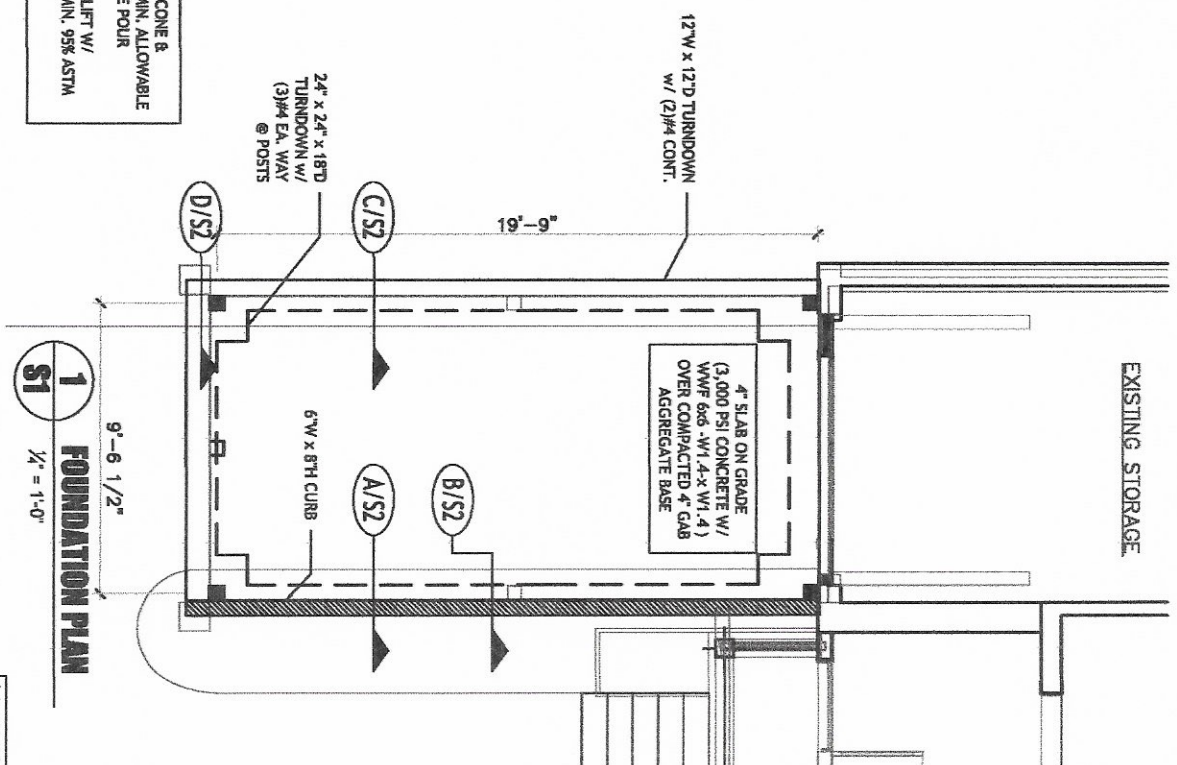
LAND SURVEYING LLC

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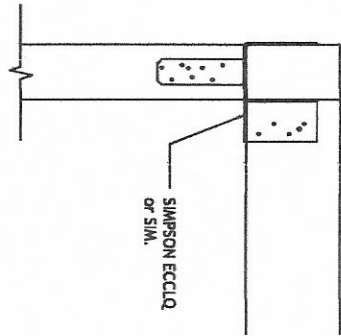
JOB #2301

FIELD DATE:	9/17/2020
PLAT DATE:	3/1/21
SCALE:	1"=20'
COUNTY:	DEKALB
DISTRICT:	18TH
LAND LOT:	50
SECTION:	

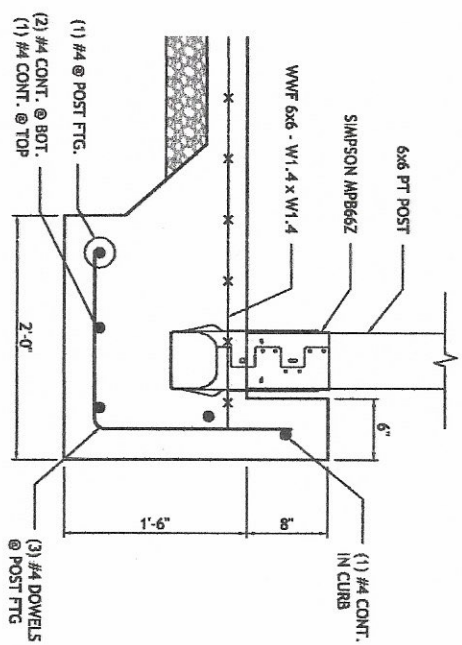


SOIL TO BE TESTED BY DYNAMIC CONE &
PENETROMETER FOR 2,500 PSF MIN. ALLOWABLE
SOIL BEARING BEFORE CONCRETE POUR
COMPACT BACKFILL IN EVERY 6" LIFT W/
COMPACTION EQUIPMENT TO A MIN. 95% ASTM
D-698.

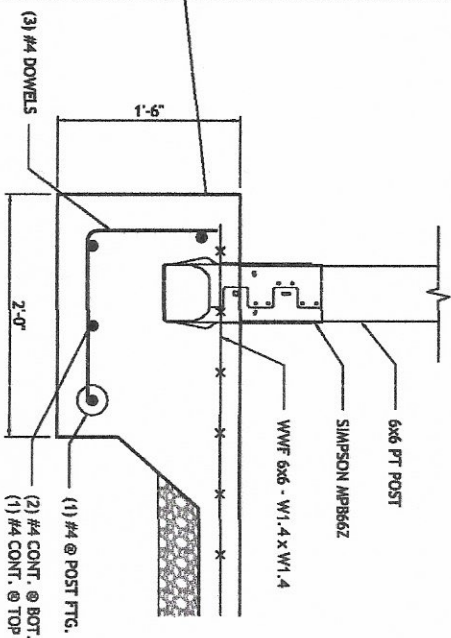
date: 02/27/25	engineer	PROJECT NORTH ENGINEERING	project	ENGBRITSON CARPORT
scale: AS NOTED		770.582.0345 / bryce.hattori@gmail.com		2318 EASTWAY RD, DECATUR, GA 30033
by: B. HATTORI				S1
revision:				



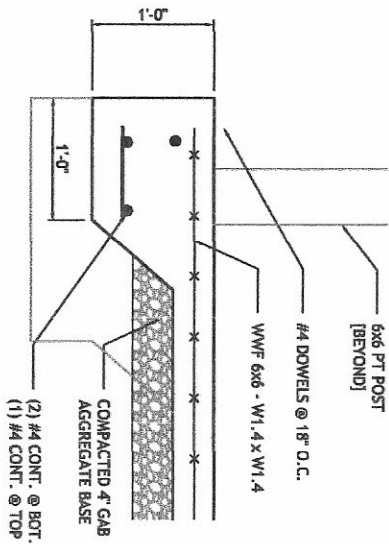
E POST - BEAM CONNECTION
S2 1" = 1'-0"



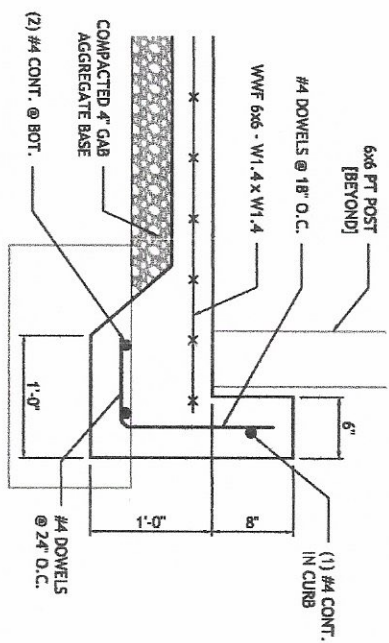
B POST FOOTING - EAST
S2 1" = 1'-0"



D SLAB EDGE - WEST
S2 1" = 1'-0"



C WEST SLAB EDGE
S2 1" = 1'-0"

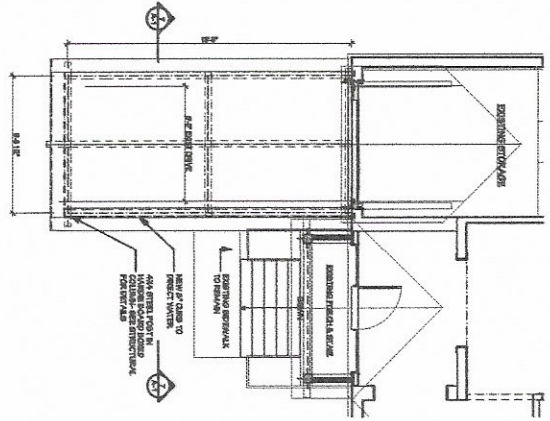


A SLAB EDGE - EAST
S2 1" = 1'-0"

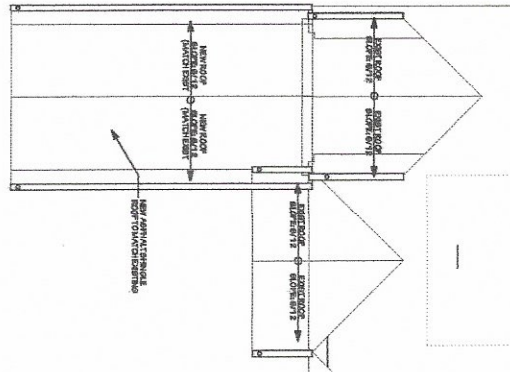
date: 02/27/25 engineer
scale: AS NOTED
by: B. HATTORI
revision:
PROJECT NORTH ENGINEERING
770.582.0345 / bryce.hattori@gmail.com

project:
ENGBRITSON CARPORT
2318 EASTWAY RD, DECATUR, GA 30033

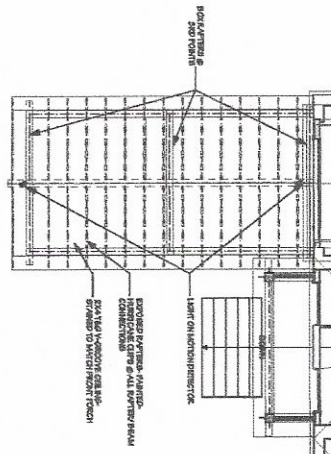
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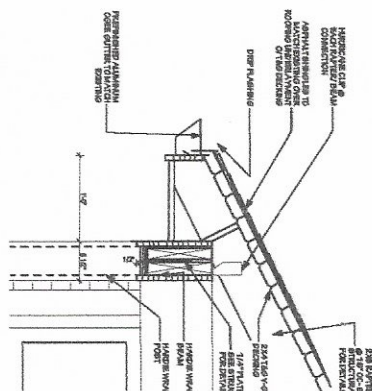
1 FIRST FLOOR PLAN
SCALE 1/8" = 1'-0"



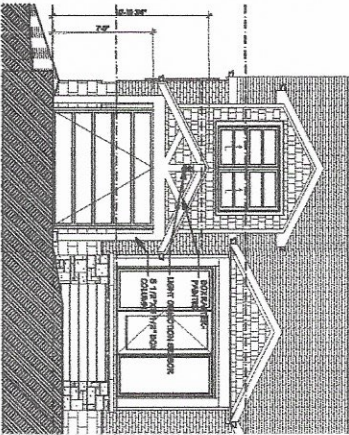
2 ROOF PLAN
SCALE 1/8" = 1'-0"



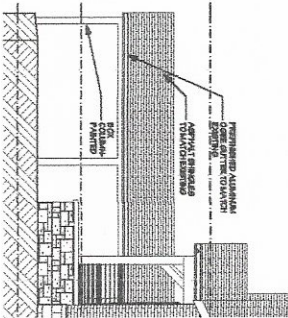
3 REFLECTED CEILING PLAN
SCALE 1/8" = 1'-0"



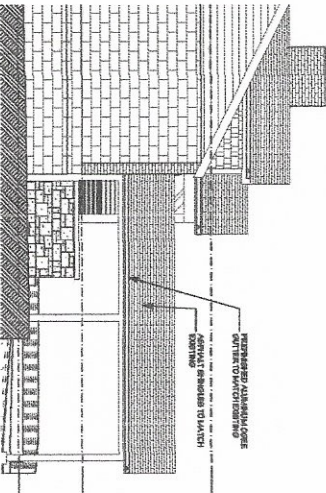
4 CARPORT ROOF DETAIL
SCALE 1/2" = 1'-0"



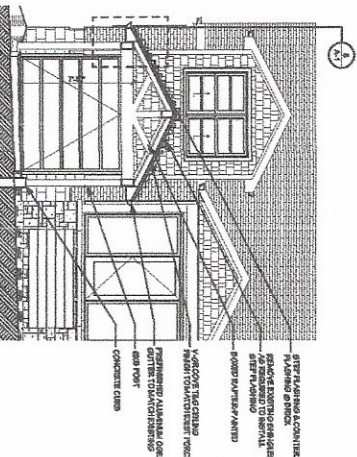
5 CARPORT - SOUTH ELEVATION
SCALE 1/8" = 1'-0"



6 CARPORT - EAST ELEVATION
SCALE 1/8" = 1'-0"



7 CARPORT - WEST ELEVATION
SCALE 1/8" = 1'-0"



8 CARPORT SECTION
SCALE 1/8" = 1'-0"

NOT RELEASED FOR CONSTRUCTION

A-1
SHEET 1 OF 3

DATE: 06/22/24
PRINT DATE: 06/22/24

FLOOR PLAN
ROOF PLAN
ROOF SECTION
DETAIL

SHEET TITLE

PROJECT NO.

DATE

DESIGNER

CHECKER

DATE

PROJECT NO.

DATE

DESIGNER

CHECKER

DATE

PROJECT NO.

DATE

DESIGNER

CHECKER

DATE

Saul Engbritson Carport Replacement

2318 Eastway Road,
Decatur GA 30033
Lisa Saul & David Engbritson
404.593.8830



PSB Studio
ARCHITECTURE

1111 Virginia Court NE
Atlanta, Georgia 30309
Phone: 404.593.8830
www.psbstudio.com

June 22, 2025

To Whom It May Concern:

We are neighbors of Lisa Saul and David Engbritson who reside at 2318 Eastway Road. They have informed us of their plans to construct a carport in front of their home. We are happy to support their efforts in making these improvements to their home.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rachael - Mouw", written in dark ink.

Rachael and Vicki Walton-Mouw
2324 Eastway Road
Decatur, Georgia 30033



David Engbritson <engbritson@gmail.com>

Fwd: Approval for rebuild

1 message

Lisa Smiler <love.saul@gmail.com>
To: Engbritson David <engbritson@gmail.com>

Fri, Jun 20, 2025 at 7:18 PM

Begin forwarded message:

From: BRYAN FALGOUT <b.falgout@comcast.net>
Date: June 20, 2025 at 1:53:32 PM EDT
To: love.saul@gmail.com
Subject: Approval for rebuild

To whom it may concern,

As across the street neighbors of Lisa Saul and David Engbritson, we approve the rebuild they are planning in the front of their house at:

2318 Eastway Rd.
Decatur, GA 30033

We have no problem with this.

Bryan and Sheila Falgout
2327 Eastway Rd.

Dear David Engbritson,

Thank you for requesting my perspective regarding your interest in rebuilding your carport at 2318 Eastway Road, Decatur, GA 30033, that apparently requires a DeKalb County setback variance. Since 2002, I have been the owner of the home directly across the street at 2319 Eastway Road, Decatur, GA 30033, and I have never experienced any negative impact nor displeasure about the existing carport at your residence. Further, I fully support your rebuilding of the carport at your residence and am certain I will not experience any negative impact nor displeasure about your carport in the future. In fact, I am quite eager to see your carport rebuilt, as it is a beneficial and welcome sight upon our street. I am fully in favor of you being granted by DeKalb County a setback variance for rebuilding your carport at your residence and am pleased to offer whatever positive support appropriate for consideration by the County.

Parrish Brown
2319 Eastway Road
Decatur, GA 30033
404-326-4318