



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

N4. Case No: A-25-247610

Parcel ID(s): 18 108 02 028

Commission District 02 Super District 06

Applicant: **Raymond Warren**
1368 Woodland Hills Drive
Atlanta, GA, 30324

Owner: **Raymond Warren**
1368 Woodland Hills Drive
Atlanta, GA 30324

Project Name: 1368 Woodland Hills – Deck Remodel

Location: 1368 Woodland Hills Drive, Atlanta, GA, 30324

Request: Variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to permit the increase the impervious lot coverage from 35% to 47% to facilitate in the reconstruction of a dilapidated deck on the rear of the primary structure within the R-75 (Residential Medium Lot) zoning district.

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 applicant is requesting a variance from the impervious surface requirement to allow for the reconstruction of an existing deck located at the rear of the primary residence. According to tax assessor records, the accessory structure has existed since the original construction of the home. The primary structure was built in 1952 and underwent redevelopment in 2012, predating the current 2015 DeKalb County Zoning Ordinance. Pursuant to Section 27-2.2.1 of the Zoning Ordinance, primary structures and additions within the R-75 zoning district are subject to a maximum impervious surface coverage of 35%.

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 approximately 8,276 square feet in size, which is below the 10,000 square foot minimum lot size required for the R-75 zoning district. This substandard lot size presents inherent challenges in meeting current zoning standards. The nonconforming lot dimensions are longstanding and were not created by the current or previous owners. These unique physical constraints may support the justification for a variance under the criteria.

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 deck will be reconstructed within the footprint of the existing structure, resulting in no increase to the current impervious surface coverage. The applicant is not seeking any additional coverage beyond what currently exists. The request appears to represent the minimum variance necessary to afford relief and does not constitute a special privilege inconsistent with other properties in the district.

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 improvements are not likely to negatively impact the public welfare or neighboring properties. The replacement of the dilapidated deck may improve the overall aesthetics and safety of the property. No evidence has been provided suggesting adverse effects to surrounding properties.

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

A strict interpretation of the zoning ordinance may result in an undue hardship for the applicant by limiting the effective use of their property as it pertains to the outdoor living space. Given the property's legal non-conforming status, the requested variance may be necessary to allow for meaningful upgrades and prevent unnecessary hardship.

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

The variance request aligns with the spirit and purpose of the DeKalb County Comprehensive Plan, which promotes responsible development while accommodating the needs of property owners within residential neighborhoods. The improvement aligns with the Comprehensive Plan's guidance for neighborhood stabilization and responsible infill development within the Suburban Character Area.

FINAL STAFF ANALYSIS:

The application meets all the criteria for a setback variance as outlined in the DeKalb County Zoning Ordinance Section 27.2.2.1. While the proposed improvement in the deck constitutes the minimum relief necessary and would not significantly alter the physical infrastructure or built environment. The intent to redevelop the existing structure for an addition may be a valid rationale for the impervious lot coverage request. Therefore, staff recommends approval with conditions for the variance request.

Staff Recommendation: Approval with condition.

Condition:

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: Raymond Warren
Mailing Address: 1368 Woodland Hills Dr
City/State/Zip Code: Atlanta, GA 30324
Email: mwarren@warrenstacks.com
Telephone Home: 404-354-2263 Business: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Raymond Warren
Address (Mailing): 1368 Woodland Hills Dr
Email: mwarren@warrenstacks.com Telephone Home: 404-354-2263 Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 1368 Woodland Hills Dr City: Atlanta State: GA Zip: 30324
District(s): 04-UNINCORPORATED _____ Land Lot(s): _____ Block: _____ Parcel: 18 108 02 028
Zoning Classification: R-75 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.

DEPARTMENT OF PLANNING & SUSTAINABILITY

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION OF THE PROPERTY OWNER

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

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

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

DATE: 5/19/25

Applicant Signature: R. M. Warren

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 ZoningBoard of Appeals for the requests as shown in this application.

DATE: 5/19/25 Applicant/Agent R.M. Warren
Signature:

TO WHOM IT MAY CONCERN:

(I)/ (WE): Raymond M. Warren
(Name of Owners)

being (owner/owners) of the property described below or attached hereby delegate authority to the above signed agent/applicant.


Notary Public



R.M. Warren
Owner Signature

Notary Public

Owner Signature

Notary Public

Owner Signature

Subject: Variance Request for Rear Yard Setback Reduction - Section 27-2.2.1 – Accessory Structure Construction

Dear Members of the Zoning Board of Appeals,

Hello, we are the Warren family, and we are writing to formally request a variance from Section 27-2.2 of DeKalb County Zoning Ordinance. We are requesting an exception for the impervious surface calculation for our lot which is less than the 10,000 sq ft minimum for R-75 zoning. We are hoping to remodel our deck which is dilapidated and structurally unsound so that we can safely enjoy the outdoor living space in our wonderful neighborhood.

Physical Conditions of the Site:

Due to a change in zoning codes in 2015, our current lot size constitutes a special case requiring this variance. The lot is smaller than the 10,000 sq ft minimum for R-75 zoning vs 8300. Our house was built in 1951 and any additions made by previous owners took place prior to the 2015 zoning code update. The impervious surface conditions were in place prior to my wife & I purchasing the property in 2021 and not a result of any actions or additions we made to the lot.

Minimum Variance Necessary:

We have explored options to decrease the impervious surfaces; however, we do not feel there is a highly viable option. As shown in the survey, the lot is less than 10,000 sq ft with a rear entry garage and driveway. This results in our challenge to reduce impervious services from the existing areas and maintain the functionality of our garage. The project does not create additional impervious surfaces; the calculation remains the same as it has been from the time we took ownership in 2021. The current surface area of the driveway is needed to utilize the garage located in the rear of our home and the width is necessary due to the required turning radius for our vehicles entering the garage.

Public Welfare:

As described above, our proposed project would not increase impervious surfaces on our lot and will not pose an adverse effect on our neighborhood or community. By allowing the project to commence as requested, the city is allowing us to make the community a safer place as the current deck is dilapidated and is safety risk to my pregnant wife, 19-month-old daughter and any guests we may host. A letter signed by our neighbors in support of the proposed deck has been submitted as well

Ordinance Hardship:

If strictly enforced it would be impossible to remodel our deck due to the impervious surface calculation as proven by our initial permit review. The variance is essential to prevent the hardship in order to allow a functional, safe and enjoyable outdoor living space in our home.

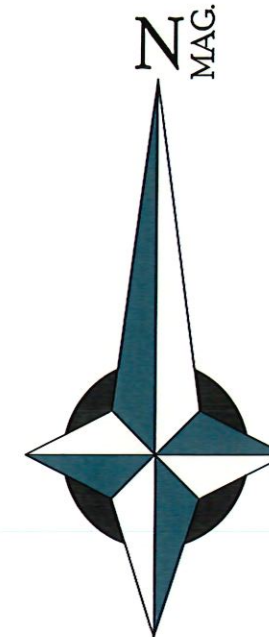
Alignment with the Spirit of the Law:

This variance request aligns with the overall purpose of the zoning laws and DeKalb County Comprehensive Plan. The proposed deck would fall under the intent of the Suburban Character Area as it would provide community connectivity and be designed in a way to preserve the existing greenspace.

In conclusion, I do appreciate the time and effort to review this variance request. As presented above, this variance falls in line with the vision of Dekalb County and is necessary to keep the current residents safe for the future.

Thank you,

Raymond M. Warren

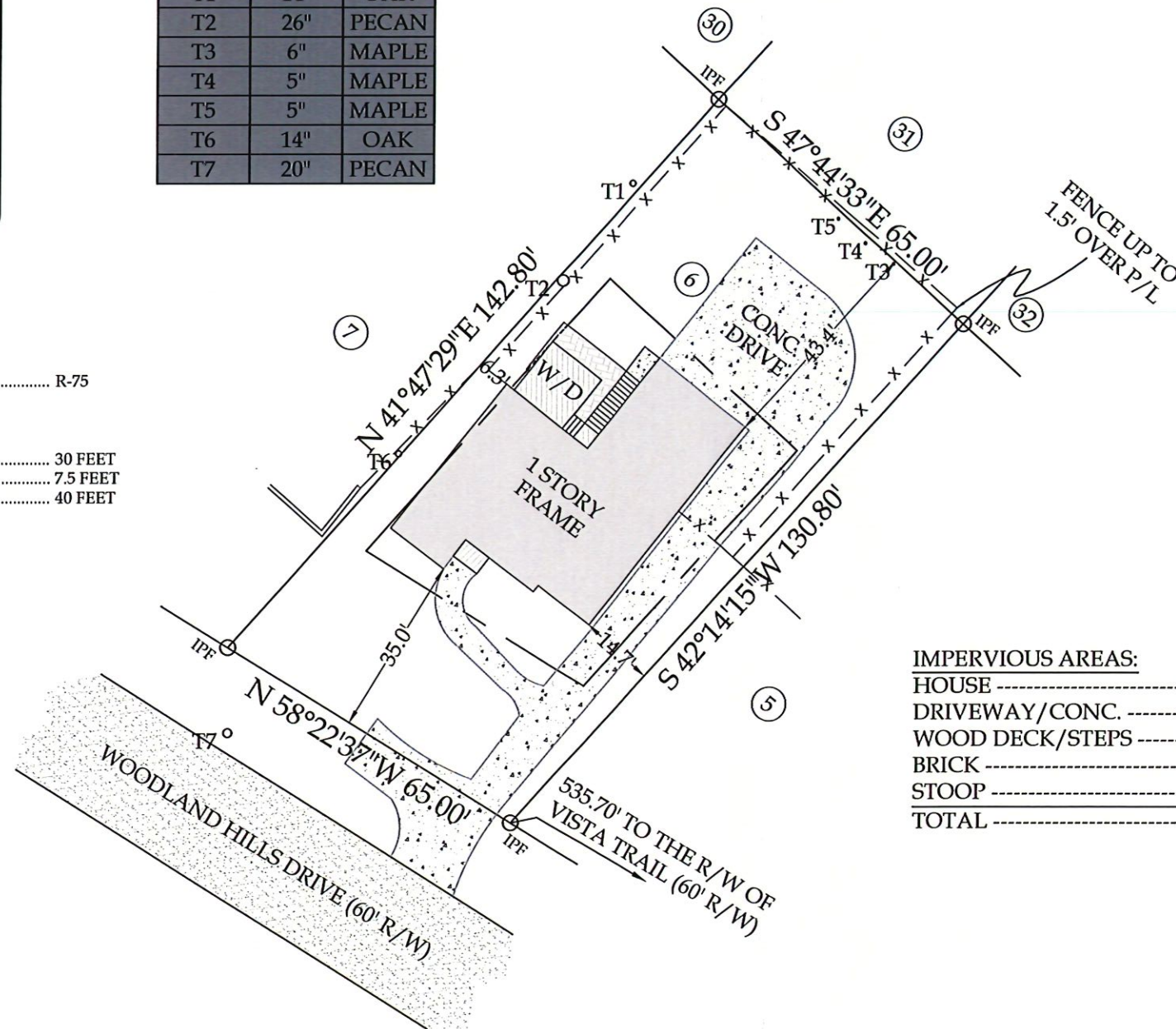


| TREE CHART | | |
|------------|-----|-------|
| TAG | DBH | TYPE |
| T1 | 14" | OAK |
| T2 | 26" | PECAN |
| T3 | 6" | MAPLE |
| T4 | 5" | MAPLE |
| T5 | 5" | MAPLE |
| T6 | 14" | OAK |
| T7 | 20" | PECAN |

| LEGEND: | |
|----------|-----------------------------|
| IPF | IRON PIN FOUND (1/2" REBAR) |
| IPS | IRON PIN SET (1/2" REBAR) |
| MS | NAIL SET |
| MF | NAIL FOUND |
| OTP | OPEN TOP PIPE |
| CTP | CRIMPED TOP PIPE |
| USCMF | U.S. CORP. MONUMENT FOUND |
| CMF | CONCRETE MONUMENT FOUND |
| AXF | AXLE FOUND |
| R/W | RIGHT OF WAY MONUMENT |
| R/W | RIGHT OF WAY |
| P/L | PROPERTY LINE |
| C/L | CENTER LINE |
| B/L | BUILDING LINE |
| L/L | LAND LOT |
| L.L.L. | LAND LOT LINE |
| G.M.D. | GEORGIA MILITIA DISTRICT |
| P.P. | POWER POLE |
| -TSF- | TREE SAVE FENCE |
| -W- | WATER LINE |
| -S- | SEWER LINE |
| -P- | POWER LINE |
| -X- | FENCE LINE |
| -SF- | SILT FENCE LINE |
| -Q- | GUARD RAIL |
| XTW | CROSS TIE WALL |
| Rad. | RADIUS |
| Chd. | CHORD |
| Arc. | ARC LENGTH |
| N/F | NOW OR FORMERLY |
| P.B. | PLAT BOOK |
| D.B. | DEED BOOK |
| P.G. | PAGE |
| D.E. | DRAINAGE EASEMENT |
| S.S.E. | SANITARY SEWER EASEMENT |
| F.H. | FIRE HYDRANT |
| M.H. | MANHOLE |
| U.M.H. | UTILITY MANHOLE |
| C.B. | CATCH BASIN |
| J.B. | JUNCTION BOX |
| D.I. | DROP INLET |
| N. | NEIGHBORS |
| 999.0 E. | EXISTING SPOT ELEVATION |
| 999.0 P. | PROPOSED SPOT ELEVATION |
| F.F.E. | FINISHED FLOOR ELEVATION |
| -FLOW- | SURFACE DRAINAGE FLOW |

ZONING R-75
(AS PER DEKALB COUNTY)

SETBACKS:
FRONT 30 FEET
SIDE 7.5 FEET
REAR 40 FEET



| IMPERVIOUS AREAS: | |
|-------------------|--------------------------------|
| HOUSE | 1,747 ft ² |
| DRIVEWAY/CONC. | 2,021 ft ² |
| WOOD DECK/STEPS | 211 ft ² |
| BRICK | 94 ft ² |
| STOOP | 23 ft ² |
| TOTAL | 4,096 ft ² (46.44%) |

Notes:

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE BOARD RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

THIS SURVEY WAS NOT PREPARED WITH THE AID OF A TITLE SEARCH AND IS SUBJECT TO ANY RESTRICTIONS OR EASEMENTS THAT MAY BE RECORDED.

THIS TRAVERSE HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN "OPEN" FEET. EQUIPMENT USED: TOPCON GTS-225

FLOOD NOTE:
THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS AS PER COMMUNITY PANEL NO. 13089C0061 K, DATED AUGUST 15TH 2019, ZONE "X".

| REV. | DESCRIPTION | DATE |
|------|-------------|------|
| | | |
| | | |
| | | |

REVISION NOTES

SITE ADDRESS: 1368 WOODLAND HILLS DRIVE
ATLANTA, GA 30324

TYPE OF SURVEY: IMPERVIOUS SURVEY

| | | | |
|--------------------------------------|------------------------|----------------------|-------------------------|
| SCALE AT ANSI B: 1 INCH = 30 FEET | PLAT DATE: 09/04/24 | FIELD CREW: RB/NB | FIELD DATE: 09/03/24 |
| DRAWN BY: ZW | JOB NUMBER: BP14372 | SHEET #: 1 of 1 | |



SURVEYOR'S CERTIFICATION

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.

SURVEY FOR:

MAC WARREN

LICENSING:

BUSBEE & POSS LAND SURVEYING CO., GA L.S.E. # 1056
RICKY C. BUSBEE, GA P.L.S. # 2497
MICHAEL W. POSS JR., GA P.L.S. # 3387

LEGAL:

LOT 6, BLOCK C, WOODLAND HILLS, UNIT TWO
PLAT BOOK 18, PAGE 55
LAND LOT 107, 18th DISTRICT
DEKALB COUNTY, GEORGIA

AREA:

8,819 ft² (0.202 ACRES)



BUSBEE & POSS
LAND SURVEYING COMPANY

3408 HOWELL STREET, SUITE A
DULUTH, GEORGIA 30096
770.497.9866
FAX: 770.497.9881

www.busbeelandposs.com