



Lorraine Cochran-Johnson

Chief Executive Officer

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

Wednesday September 10, 2025

Planning Department Staff Analysis



Juliana Njoku

Interim Director

N2. Case No: A-25-1247649

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 Drive – Deck Rebuilding

Location: 1368 Woodland Hills Drive, Atlanta, GA 30324

Requests: Variance request from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to increase lot coverage from 35% to 48% to facilitate rebuilding of deck in R-85 (Residential Medium Lot-85) zoning 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 subject property features an existing rear deck, located within required setbacks, which has deteriorated and requires replacement. The request seeks a variance to allow rebuilding the deck within its existing footprint at the current lot coverage, with no increase in impervious surface proposed.

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 substantially substandard in area relative to current district standards and was developed in 1951. The lot is .19 acres (8300 square feet) which is under the R-75 minimum of 10,000 square feet. Existing improvements, including a rear-entry garage and driveway, occupy a disproportionate share of the lot, resulting in an established, legal nonconforming lot coverage of approximately 48%. The existing deck is fully within required setbacks and has deteriorated to a point that requires replacement for safety. These site circumstances were not created by the current owner and predate the 2015 code update.

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 request is limited to authorizing the rebuilding of the existing deck without any increase in impervious area or expansion of the structure's footprint. The applicant indicates they evaluated reduction of other hardscape, but the rear-drive configuration and required turning radius to access the garage constrain meaningful reductions without eliminating functional access. No additional structures or paving are proposed.

Capping lot coverage at its existing legal nonconforming level and restricting work to an in-place replacement constitutes the minimum relief to address life-safety while maintaining functionality of the site. Allowing like-for-like replacement on a legally nonconforming lot does not confer a special privilege inconsistent with similarly situated properties that rely on variances to maintain established features.

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:

Rebuilding an unsafe, dilapidated deck within the same footprint will not alter setbacks, building mass, or the established pattern of development. Because the variance does not add impervious area, stormwater runoff conditions should remain unchanged relative to the long-existing condition. Neighbor support has been submitted, and construction will be subject to current building code requirements, improving structural safety.

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

Without the variance, the applicant cannot obtain permits to replace the failing deck due to the pre-existing overage of lot coverage. The only literal-code alternative would be removal of the deck, which would deprive the property of a customary residential outdoor amenity that is typical for similarly situated homes.

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

The Suburban Character Area policies support reinvestment in existing housing stock and maintenance of residential amenities while preserving established neighborhood form. Authorizing replacement of a deck on a long-developed lot maintains existing greenspace

patterns and avoids expansion of impervious area, aligning with the ordinance's balance between reasonable use and resource protection.

The variance enables safe upkeep of an existing single-family property without intensifying land use or encroaching into required yards. It furthers the ordinance's intent to allow reasonable relief where strict compliance is impracticable on legacy lots, while protecting the public interest through a no-expansion limitation. This criterion is met.

FINAL STAFF ANALYSIS:

The request is limited to authorizing reconstruction of a failing rear deck within its existing footprint; no expansion of impervious area or changes to setbacks are shown. Given the site's age, sub-10,000-square-foot lot area, and rear-garage access configuration, the variance functions to acknowledge the existing coverage level so a standard safety repair can be permitted. The proposal maintains the residential form and intensity, remains within required yards, and aligns with SUB policies supporting reinvestment in existing housing stock. Therefore, **staff recommends approval with condition** of the variance request.

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.

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.

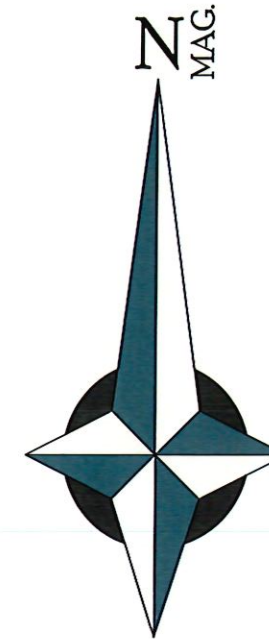
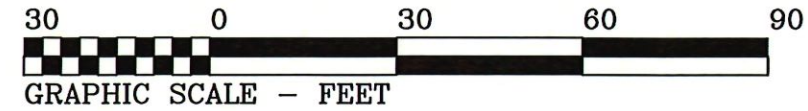
Alignment with the Spirit of the Law:

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

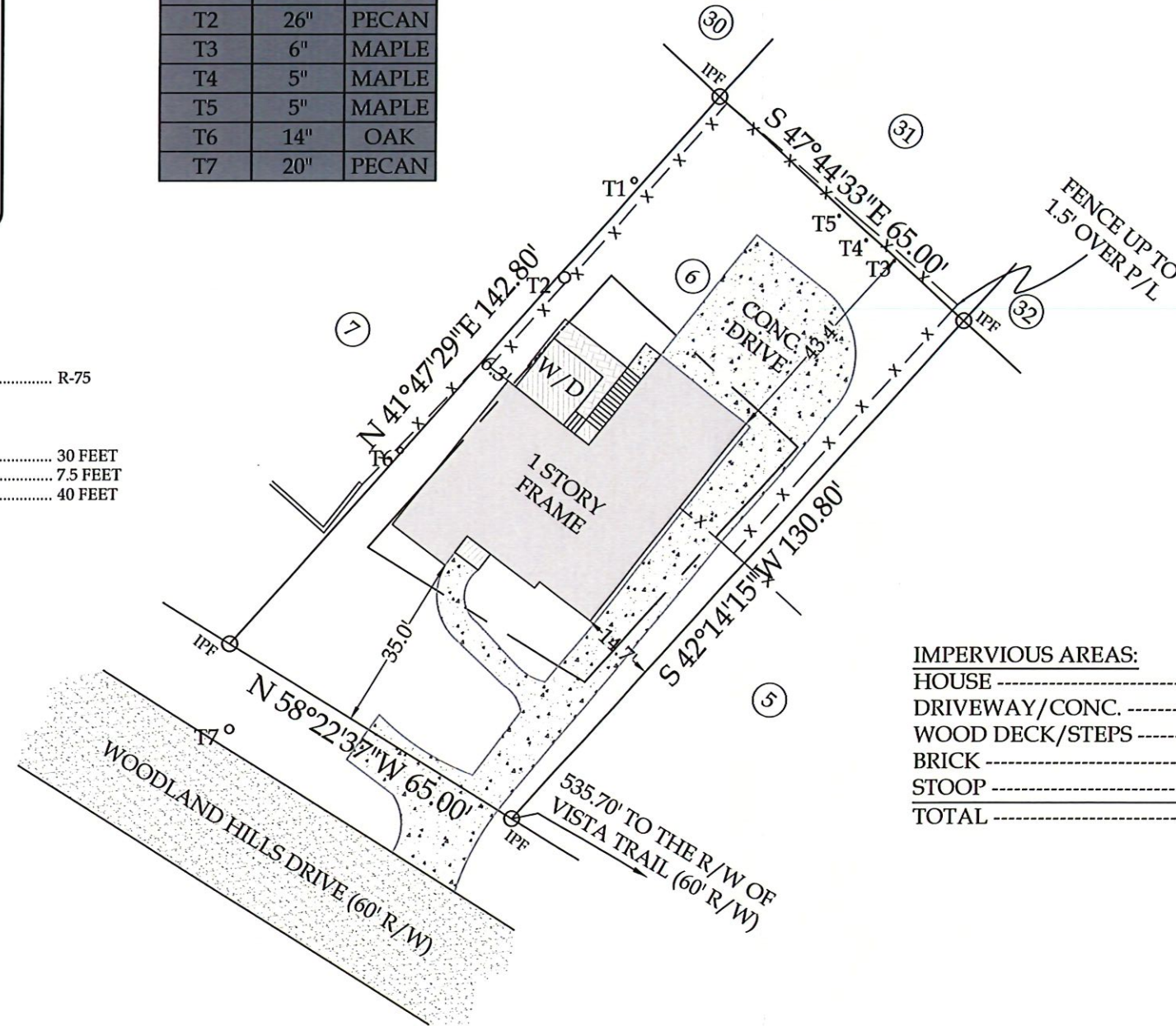


TREE CHART		
TAG	DBH	TYPE
T1	14"	OAK
T2	26"	PECAN
T3	6"	MAPLE
T4	5"	MAPLE
T5	5"	MAPLE
T6	14"	OAK
T7	20"	PECAN

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%)



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:

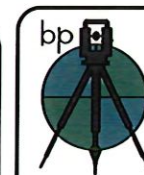
BUSBEE & POSS LAND SURVEYING CO., GA L.S.E. # 1056
RICKY C. BUSBEE, GA P.L.S. # 2497
MICHAEL W. POSS JR., GA P.L.S. # 3387

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.busbeeposs.com

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	

Letter on behalf of 1368 Woodland Hills Dr

May 11th, 2025

Dekalb County
Department of Planning & Sustainability
178 Sams Street
Decatur, GA 30030

Attn: Mr. Lucas Carter
Planner – Public Hearing, Zoning Board of Appeals

Email: LJCarter@dekalbcountyga.gov

Tel: 471-561-3570

Reference: Variance for 1368 Woodland Hills Dr.

Dear Mr. Lucas,

I am writing this letter in support of granting 1368 Woodland Hills Dr. a variance from section 27-2.2.1 of the DeKalb County Zoning Ordinance to increase lot coverage from 35% to 48% in the R-75 (Residential Medium Lot-75 zoning District). This will allow the proper permits to facilitate the rebuilding of an existing deck. I understand that the new deck will not increase the current lot coverage and is simply keeping the same amount of coverage as the existing deck.

Thank you,



1372 Woodland Hills Dr NE
Atlanta, GA 30324



1184 Vista Trail NE
Atlanta, GA 30324