Government Services Center 178 Sams Street Decatur, GA 30030 www.dekalbcountyga.gov/planning



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DEPARTMENT OF PLANNING & SUSTAINABILITY

<u>Chief Executive Officer</u> Lorraine Cochran-Johnson Planning & Sustainability Director Juliana A. Njoku

ADMINISTRATIVE VARIANCES AND SPECIAL EXCEPTIONS APPLICATION

ADDUCANT NAME (OWNED DECE		NO.:	
APPLICANT NAME (OWNER/REPRES	ENTATIVE):		
ADDRESS:	EM/	EMAIL:	
CITY:	STATE:	ZIP:	
TELEPHONE: HOME:	BUSINESS:	FAX:	
OWN	IER OF RECORD FOR WHICH APPLICAT	TION IS MADE	
Name (Print):			
Name (Signature):	E-Ma	ail:	
Address:	City:	State: Zip:	
Telephone Home:	Business:	Fax:	
	SUBMITTAL INSTRUCTIONS		
Contact Planner, Andrea Folgherait o	at <u>akfolgherait@dekalbcountyga.gov</u> to a	liscuss your application prior to submission.	
Please create an account or open https://epermits.dekalbcountyga.go	• • • • • • • • • • • • • • • • • • • •	sting account using the following portal:	
Once you've created or updated akfolgherait@dekalbcountyga.gov	<u> </u>	your application number (1246XXX) to	
То В	e Completed by Planning & Developmen	t Department	
Date Received:	Fee Paid:	Receipt No:	



DEPARTMENT OF PLANNING & SUSTAINABILITY

Section 27-922 Administrative Variances and Special Exceptions

- A. The Director of Planning is hereby authorized to consider and grant or deny, pursuant to the procedures and standards contained in this Section, a variance or a special exception from the following regulations:
 - 1. Reduce by variance any front, side or rear yard setback by an amount not to exceed ten percent (10%) of the district requirement, but not including any transitional buffer zone or any setback which is a condition of zoning or special land use permit, pursuant to the standards specified in Section 27-916.
 - 2. Reduce by variance the required spacing between buildings in districts where multiple buildings are authorized on a single lot in an amount not to exceed 10% of the requirement, but not in an amount which is less than the minimum requirement imposed by Chapter 7 of the DeKalb County Code of Ordinances, pursuant to the standards specified in Section 27-916.
 - 3. Reduce by special exception the off-street parking or loading requirements imposed by this Chapter in an amount not to exceed ten percent (10%) of the district requirement, pursuant to the standards specified in Section 27-913.A.
 - 4. Reduce by special exception the off-street parking requirements imposed by this Chapter for any lot which is located 1,000 feet of the boundary of a Marta Rapid Transit Station in an amount not to exceed 25 percent of the district requirement, pursuant to the standards specified in Section 27-913.B.
- B. Any request for administrative variance or special exception permitted by this Section shall be filed with the Director of Planning. The Director shall review and decide upon each such application pursuant to the applicable standards referred to in each subsection above and shall make a written decision on each such application no later than 30 days from the date such application was filed. No administrative variance or special exception shall be authorized to delete, modify or change in any manner any condition imposed by the Board of County Commissioners or the Zoning Board of Appeals.



DEPARTMENT OF PLANNING & SUSTAINABILITY

SUBMITTAL CHECKLIST for ADMINISTRATIVE VARIANCES/SPECIAL EXCEPTION

	_ 1.	One (1) full scale site plan indicating the following:	
		 a. All property lines with dimensions; b. Location of all existing and proposed buildings & their relation to all property lines, structures, driveways, parking areas, easements; c. Any other features of the site related to the request, such as outdoor lighting, fences, landscaping, etc.; and 	
		A Letter of Intent (LOI) indicating the request and clarifying justification(s) for the proposal, based on Section 27-922 of the DeKalb County Zoning Ordinance:	
		a. 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.	
		b. 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.	
		c. 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.	
		d. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.	
		e. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text	
	_ 3.	Notarized authorization form.	
	4.	\$200 processing fee.	

Note: A Planner will contact you with instructions about posting the sign(s). You must e-mail a photo or photos of the posted sign(s). Public notice signs must be posted for thirty (30) days prior to issuance of Administrative Variance Approval Letter.



DEPARTMENT OF PLANNING & SUSTAINABILITY

ADMINISTRATIVE VARIANCE APPLICATION AUTHORIZATION

(Completion of this form is required if the individual making the request is **not** the owner of the property.)

DATE: 9/25/25	ine owner of the property.
CHECK TYPE OF APPLICATION:	
ADMINISTRATIVE APPEAL	
X VARIANCE	
SPECIAL EXCEPTION	
TO WHOM IT MAY CONCERN:	
(I) / (WE): JLD HIDDEN HILLS LL	C
	e of owner(s)
being owner(s) of the property described	below or attached hereby delegate authority to:
PLANNERS AND ENGINEERS C	,
Name of Applica	ant or Representative(s)
to file an application on my/our behalf.	The Miller
Notary Public MIASHA DENSON Notary Public - State of Florida	Owner
Notary Public My Comm. Expires Jul 13, 2026	Owner
Notary Public	Owner
I hereby authorize the staff of the DeKalb County P described property.	lanning Department to inspect the premises of the above-
	AS A RESULT OF THIS APPLICATION IS TRUE AND CORRECT AND PRIZED BY THE SAME TO MAKE SUCH REQUESTS, CLAIMS, AND
APPLICANT/AGENT SIGNATURE:	Date: 9/25/2025



9/25/2025

Re: Letter of Intent – PUBLIC ROADS VARIANCE

Terra Bella – Hidden Hills Golf Course Redevelopment (5083 Biffle Road) (+/- 54.355 acres)

PEC+ Project No. 20251.00a

Dear Community Development Officials,

This application proposes a Variance to DeKalb County UDO Section 27-576.J.1 to permit garages on front-loaded townhomes to face public roads for the above-referenced site. that falls within the Hidden Hills Tier 5 Overlay. The Special Land Use Permit allows the senior residential uses to count toward the 30 percent commercial floor area that is required for mixed-use developments.

Request:

A variance to UDO Section 27-576.J.1:

Garages for dwelling units shall not face public streets, and shall be accessed by alleys or private drives. Garages that face private drives must comply with section 27-5.7.6.C.5. for pedestrian and vehicle separation plan.

for the purpose of permitting garages to face public streets on front-loaded units in this development.

Background:

Currently, the site is zoned R-100 and is included in Tier 5 of the Hidden Hills Overlay that allows mixed-use developments. A SLUP to allow senior residential uses was approved by the DeKalb County Board of Commissioners in August of 2025 (SLUP-25-1247527 (2025-0626)). The development is currently in the Sketch Plat phase but has been in active acquisition and land development since 2020.

During this time, the development team has engaged the community in robust outreach. The attached site plan is the result of years of careful coordination with the greater Hidden Hills Civic Association HOAs. Additional conversations were held with the surrounding community during the most recent public hearing process for the SLUP. As a result of those conversations, the greater HHCA has explicitly requested that the roads within the development remain public and not private as a safeguard for continued maintenance.

Because of the delicate balance between the site plan configuration developed with step-by-step input from local community stakeholders and current zoning constraints, the applicant requests the above-referenced variance as the minimum-necessary relief to facilitate the proposed development.

Reason for Variance Request (Criteria of Section 27-922):

Please see below the clarifying justification(s) for the proposal, based on Section 27-922 of the DeKalb County Zoning Ordinance:

a. 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 request for this variance is particular to this piece of property in that the circumstances for development are unique. The site is a redeveloped golf course and a piece of rare infill property. The development of this project has been underway for a number of years and has, in a means that is unique to this particular project, involved a significant level of stakeholder engagement and input. The development as presented on the site plan attached to

this application represents the best use of the property as well as benefits to the greater community outside of the immediate property. The granting of this variance is essential to this project and denial of such variance would inhibit not only the long-sought redevelopment of this parcel but also community benefits such as improved safety and an extension/completion of the trail around the existing lake. Land will also be dedicated for public use as a result of this project's completion. In this vein, the denial of this variance would not deprive the owner of the rights and privileges enjoyed by other property owners so much as it would deny other surrounding property owners benefits and community improvement.

b. 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 variance does not go beyond the minimum necessary to afford relief and does not constitute the grant of a special privilege inconsistent with limitations upon other properties in the zoning district. The opposite is true--this variance is being filed at the specific request of the surrounding community.

c. 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.

No, the grant of this variance will not be materially detrimental to the public welfare. The public welfare is the primary criteria that is the impetus for this application.

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

The literal interpretation and strict application of the applicable requirements of this chapter would cause undue and unnecessary hardship for the surrounding community that has specifically requested this variance.

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

The requested variance is consistent with the spirit and purpose of this chapter. Access to sidewalks and attractive architecture remain part of this proposal, a key element of other parts of this chapter. No aspect of site design or quality subdivision practices will suffer as a result of this variance; on the contrary, this proposal allows for easier access to units for senior persons who will occupy a large part of the development. Additionally the proposal promotes the health, safety, welfare, and morals of the greater community since the transition from private to public roads provides surety of maintenance.

Conclusion

The applicant and owner respectfully request that the Dekalb County Zoning Board of Appeals and Planning Staff approve and support the Applicant's variance request to allow for front-loaded garages to face public streets as part of the Hidden Hills Golf Course redevelopment master plan. The developer and their representatives welcome the opportunity to meet with all interested parties and representatives.

Sincerely,

Hayley Todd

Zoning Manager, Planners and Engineers Collaborative, Inc.

