

# **DeKalb County Zoning Board of Appeals**

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

Wednesday, November 12, 2025



Juliana A. Njoku

Director

Chief Executive Officer

Lorraine Cochran-Johnson

**Planning Department Staff Analysis** 

N5. Case No: A-25-247787 Parcel ID(s): 18 206 01 015

# Commission District 02 Super District 06

Applicant: Gail Mooney, Survey Systems Atlanta

660 Lake Drive Snellville, GA, 30039

Owner: Muhammed Shams Kazi

2429 Echo Drive, Atlanta, GA 30345

Project Name: 2429 Echo Drive – Lot Coverage Adjustment

Location: 2429 Echo Drive, Atlanta, GA 30345

Request: Variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to allow the lot coverage to be increased to 43%

exceeding the 35% maximum permitted in the R-100 (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 requests a variance to allow lot coverage to be increased to 43% exceeding the 35% maximum permitted in the R-100 zoning district to recognize existing site improvements at 2429 Echo Drive. The total lot square footage is approximately 7,784 square feet, far below the required square footage of 15,000 in the R-100 zoning district. The variance would legitimize existing conditions rather than introduce new impervious areas.

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 has been previously developed with various improvements contributing to the current lot coverage, including paved surfaces and accessory features. These conditions were not created by the current owner but rather by prior modifications to the property. The lot's configuration and existing improvements create a circumstance where strict enforcement of the 35% coverage requirement would deprive the owner of reasonable use and enjoyment of the property.

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 variance request represents the minimum necessary relief to bring the property into conformance with county permitting standards. The request does not propose additional development or impervious area; it only seeks to formalize the existing coverage. Therefore, it does not constitute a grant of special privilege inconsistent with other properties in the zoning 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 requested variance will not be materially detrimental to the public welfare or injurious to surrounding properties. The property is fully developed, landscaped, and consistent with the character of the established neighborhood. Granting the variance will not alter drainage patterns or increase runoff beyond existing conditions.

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

Strict enforcement of the ordinance would require removal of existing improvements integral to the residence's function and safety. This would constitute an undue and unnecessary hardship, as it would compel substantial demolition without improving public interest or welfare. The variance will permit continued safe, functional use of the property consistent with surrounding homes.

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

The variance is consistent with the intent of the DeKalb County Zoning Ordinance and the Comprehensive Plan, which encourages the preservation and maintenance of existing residential character in the Subdivision Character Area. The request supports responsible reinvestment and brings the property into compliance through appropriate administrative review.

#### FINAL STAFF ANALYSIS:

The application satisfies the variance criteria outlined in Section 27-2.2.1. The request represents the minimum relief necessary to regularize existing site conditions without adverse impact to the community. Given the property's established development pattern and lack of detrimental effect, staff recommends approval with condition.

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.



Development Services Center 178 Sams Street Decatur, GA 30030 www.dekalbcountyga.gov/planning 404-371-2155 (o); 404-371-4556 (f)

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 RECOR	D OF SUBJECT PROPER	ТҮ	
Owner:				
Address (Mailing):				
Email:	Tele	phone Home:	Business:	
	ADDRESS/LOCATIO	ON OF SUBJECT PROPER	TY	
Address:		City:	State:	Zip:
District(s):	Land Lot(s):	Block:	Parcel:	
Zoning Classification:		Commission District & Supe	er District:	
CHECK TYPE OF HEARING	REQUESTED:			
VARIANCE (From De	velopment Standards ca	using undue hardship upon	owners of property.)	
SPECIAL EXCEPTIO	NS (To reduce or waive	off-street parking or loading	space requirements.)	
OFFICIAL APPEAL O	F ADMINISTRATIVE DE	CISIONS.		

\*PLEASE REVIEW THE FILING GUIDELINES ON PAGE 4. FAILURE TO FOLLOW GUIDELINES MAY RESULT IN SCHEDULING DELAYS.\*

Email plansustain@dekalbcountyga.gov with any questions.

# **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 o	f the property subject to the application.
DATE:	Applicant Gail Mooney
	Signature:
DATE:	Applicant
	Signature:



# **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.

09/24/25 DATE:	Applicant/Agent_ Signature:	Gail Mooney.
TO WHOM IT MAY CONCERN:  (I)/ (WE): Muhammed Shams Kazi (Name of Owners)		
	ty described below	or attached hereby delegate authority to the above
	C SHIPMING TARY	Mamsky
Notary Public Shy	GEORGIA JULY 24, 2029	Owner Signature
Notary Public  Notary Public	JULY 24, 2029  JULY 24, 2029	Owner Signature  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 <a href="mailto:plansustain@dekalbcountyga.gov">plansustain@dekalbcountyga.gov</a> and <a href="mailto:ljcarter@dekalbcountyga.gov">ljcarter@dekalbcountyga.gov</a> 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:
  - 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).



- 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



- 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.



**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 <u>plansustain@dekalbcountyga.gov</u> 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: <a href="https://epermits.dekalbcountyga.gov/">https://epermits.dekalbcountyga.gov/</a> (no more than 10mb permitted). Email a combined PDF document of the completed application and materials to <a href="mailto:plansustain@dekalbcountyga.gov">plansustain@dekalbcountyga.gov</a> and <a href="mailto:licarter@dekalbcountyga.gov">licarter@dekalbcountyga.gov</a> 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 <u>DeKalb County Zoning Code</u>. 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: <a href="https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info">https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info</a>
- 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, <u>HERE</u>.
- 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.



- 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.



SURVEY SYSTEMS ATLANTA 660 LAKE DR, SW ATLANTA, GA 30039 770-558-7895

September 19, 2025

Property Address: 2429 Echo Dr NE, Atlanta, GA 30345

**Zoning District: R-100** 

Request: Variance to allow lot coverage to exceed the maximum 35% permitted by the DeKalb County

Zoning Ordinance.

#### Justification:

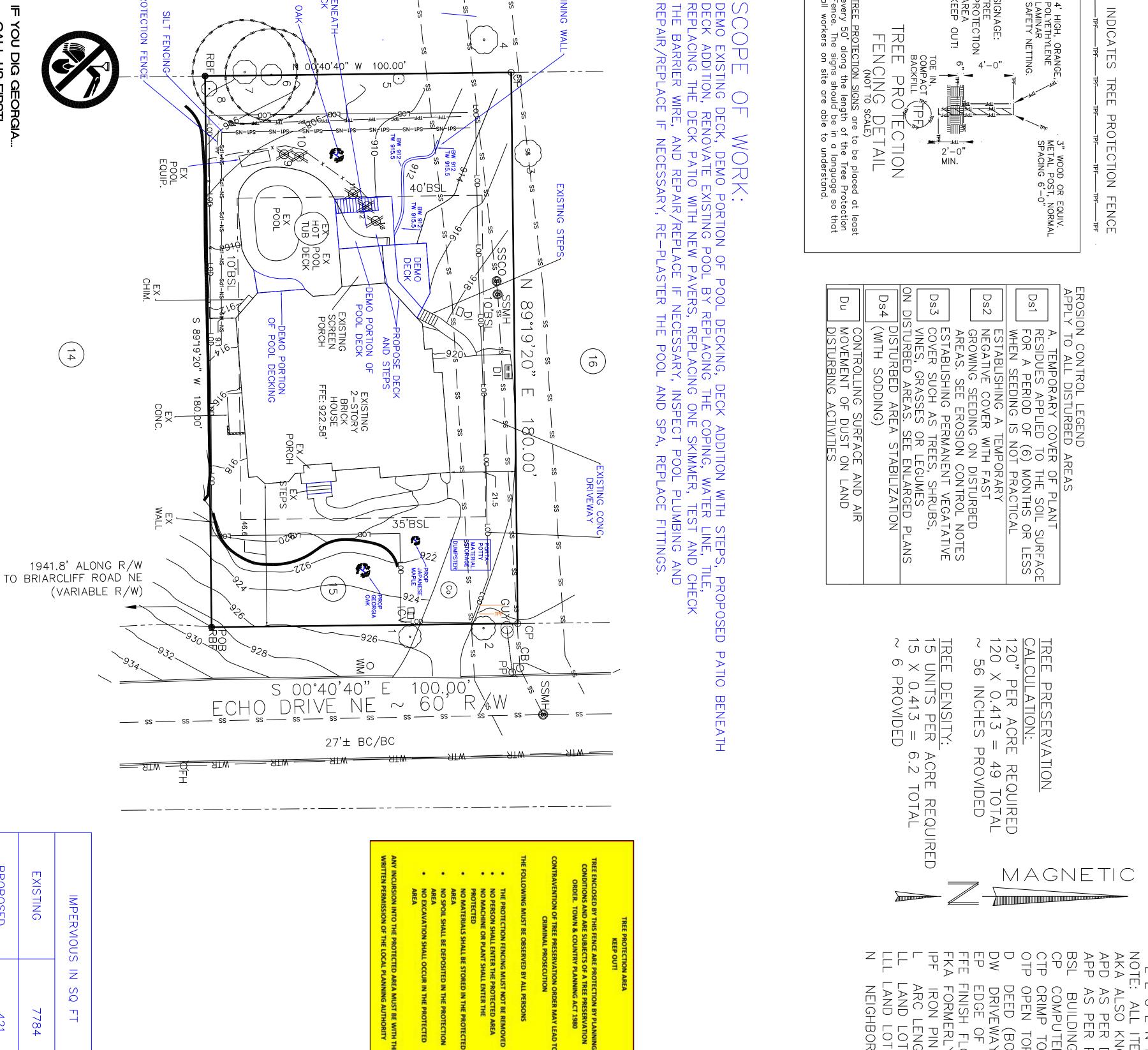
The subject property currently exceeds the allowable lot coverage under the R-100 zoning classification. The total lot coverage is approximately **7,784 square feet**, which is **1,484 square feet (approximately 23%) above the 35% maximum** permitted. This condition arose due to existing site improvements, and the owner is now seeking a variance to bring the property into compliance through the proper administrative process.

Granting this variance will allow the property to remain functional without requiring removal of existing improvements that are integral to the use and enjoyment of the residence. The variance will not adversely affect the health, safety, or welfare of the public, nor will it impair the use or value of neighboring properties. The character of the neighborhood will remain consistent, as the lot is already developed and the variance simply recognizes the existing condition rather than introducing new non-conforming structures.

This request is consistent with the intent of **Section 27-922 of the DeKalb County Zoning Ordinance**, which authorizes the Director of Planning to consider variances from dimensional requirements when justified. Approval of this variance will bring the property into compliance with county procedures and ensure accurate recordkeeping for future permitting.

Respectfully, Gail Mooney Senior Planner

# Additional erosion controls shall be installed as deemed necessary by the on-site inspector. All lots/sites with 2' of fill or greater will require a compaction certificate by a professional registered engineer prior to a building permit and/or prior to footers being poured. Locate and field stake all utilities, easements, pipes flood limits, stream buffers, and tree save areas prior to any land disturbing activities. All tree protection areas to be protected from sedimentation. All tree protection devices to be installed prior to land disturbance and maintained until final landscaping. All tree protection fencing to be inspected daily and repaired or replaced as needed. A final as-built water quality certificate required prior to Certificate of Occupancy. Dumpsters and/or temporary sanitary facilities shall not be located in street or tree protection area or right-of-way. Water quality BMP(s) to be installed at the time of final landscaping. All collected water shall be directed to the water quality BMP(s). No water quality BMP(s) allowed in undisturbed stream buffers or tree save/critical root zone. Work hours and construction deliveries are: o Monday-Friday 7:00am-7:00pm o Saturday 8:00am-5:00pm The installation of erosion and sedimentation control measures and practices or concurrent with land disturbing activities. Erosion and sedimentation control measures will be maintained at all times. I of the approved plan does not provide for effective erosion and sediment control or treerosion and sediment control or treerosion. PANEL ZONE Sd1-NS INDICATES HAVING NA NE PROPERTY ADDRESS: 2429 ECHO DR NE, ATLANTA, GA 30345 Sd1-NS Ds3 Ds4 000 LAND AREA: 18,000 SF 0.413 AC OSION CONTROL LEGEND PLY TO ALL DISTURBED AREAS A. TEMPORARY COVER OF PLANT RESIDUES APPLIED TO THE SOIL SURFACE FOR A PERIOD OF (6) MONTHS OR LESS WHEN SEEDING IS NOT PRACTICAL ESTABLISHING A TEMPORARY NEGATIVE COVER WITH FAST GROWING SEEDING ON DISTURBED AREAS. SEE EROSION CONTROL NOTES ESTABLISHING PERMANENT VEGATATIVE STABLISHING PERMANENT VEGATATIVE OVER SUCH AS TREES, SHRUBS, VINES, GRASSES OR LEGUMES DISTURBED AREAS. SEE ENLARGED PLANS DISTURBED AREA STABILIZATION S4 (WITH SODDING) CONTROLLING SURFACE AND AIR MOVEMENT OF DUST ON LAND DISTURBING ACTIVITIES OPINION A PORTION OF SPECIAL FLOOD HAZA 13089C0056K HAZ $\times$ SILT FENCE - TYPE NON-SENSITIVE N.T.S. SHADED, REFERENCE: PLAT BOOK 27, PAGE 103 REFERENCE: DEED BOOK 30179, PAGE 279 THE SURVEY FROM WHICH THIS PLAN WAS CREATED CONFORMS TO TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA. SURVEY SYSTEMS & ASSOC., INC. ASSUMES NO LIABILITY OR RESPONSIBILITY FOR ERRORS OR OMISSIONS ON DEMO OR SITE PLANS. IT IS THE CLIENT'S RESPONSIBILITY TO REVIEW PLANS FOR COMPLETENESS AND ACCURACY. ANY REDLINES, COMMENTS, OR—2 DEEMED AS BILLABLE. ARD PLAT TIIS FENCE PREPARED $\bigcirc$ ΑE, TATEMENT MINED THE ON OF THE HAZARDS. AE(HIGH 2429 ECHO DRIVE FOR: RISK) "FIA FLOOD HAZARD MAP" REFERENCED PARCEL IS IN APPLY TO ALL DISTURBED AREAS A. TEMPORARY COVER OF PLANT A. TEMPORARY COVER OF PLANT RESIDUES APPLIED TO THE SOIL SURFACE FOR A PERIOD OF (6) MONTHS OR LESS WHEN SEEDING IS NOT PRACTICAL ESTABLISHING A TEMPORARY NEGATIVE COVER WITH FAST GROWING SEEDING ON DISTURBED AREAS. SEE EROSION CONTROL NOTES ESTABLISHING PERMANENT VEGATATIVE COVER SUCH AS TREES, SHRUBS, VINES, GRASSES OR LEGUMES ON DISTURBED AREAS. SEE ENLARGED PLANS DISTURBED AREA STABILIZATION DS4 WITH SODDING MITH SODDING EFFECTIVE GRADING EXCEEDING TWO (2)'. CONTOURS SHOWN ARE EXISTING. MAX 3H: 1V SLOPES SHOWN MAX USE EXIST DW CONSTRUCTION O NO TRI CONTROLLING SURFACE AND AIR MOVEMENT OF DUST ON LAND DISTURBING ACTIVITIES ELECTRIC ABOVE ( Z DATE: PROPOSED CONTOURS RE EXISTING. $\bigcirc$ S REMOVED ALL TREES GROUND s. If full implementation control additional r treat the sediment SITE PLAN 07-01-25 SR REVISIONS: 07-02-25 SR 07-03-25 SR 07-08-25 SR 07-11-25 SR 07-11-25 SR 07-11-25 SR 08-25-25 SR 08-25-25 SR 09-03-25 SR 08/15/2019 shall occur prior W AS OUTLET N AND protection 24 HOUR EROSION CONTROL CONTACT: JOHN D. LEA DECKSOUTH 1465 FIELD PARK CIR MARIETTA GA 30066 lamar@decksouth.com 770-480-2794 JOHN D. LEA DECKSOUTH 1465 FIELD PARK CIR MARIETTA GA 30066 lamar@decksouth.com 770-480-2794 BUILDER: GEORGIA CALL U PROTECTION SIGNAGE: TREE PROTECTION AREA KEEP OUT! 4' HIGH, ORANGE, POLYETHYLENE LAMINAR SAFETY NETTING. RELEASED CONSTRUC OAK INDICATE SILT FENCI TREE HILL SCALE) FENCING DET (NOT TO SCALE) THE SCALE SCAL YOU DIG GEORGIA... CALL US FIRST! ES PROTECTION CENTER ΤS DEVELOPER: N/A OWNER: Mohammed Shams Kazi. 2429 Echo Dr., NE, Atlanta, Ga. 30345.shams.kazi@gmail.com. 650-316-0094 811 THE LAW TRUCTION 00,40'40" W 100.00 DE IN, OMPACT ATPEA ACKFILL <u>ი</u>⊙ TREE 10 910 2'-0" MIN. 88



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