



Lorraine Cochran-Johnson

Chief Executive Officer

## DeKalb County Zoning Board of Appeals

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

Wednesday, December 10, 2025

### Planning Department Staff Analysis



Juliana A. Njoku

Director

**D3. Case No: A-25-247745**

**Parcel ID(s): 18 232 08 041**

#### Commission District 01 Super District 07

**Applicant:** Thomas Boyd  
2450 Hawthorne Drive  
Atlanta, GA, 30345

**Owner:** Thomas & Julia Boyd  
2450 Hawthorne Drive  
Atlanta, GA 30345

**Project Name:** 2450 Hawthorne Dr – Garage and Second Floor Addition

**Location:** 2450 Hawthorne Drive, Atlanta, GA, 30345

**Request:** Variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce the required side-yard setback from 10' to 3.5' to permit the construction of a new garage and connected second-floor addition within 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 applicants request a reduction of the side-yard setback to construct a garage with an attached second-floor structure at the provided address. The request includes a reduction of a side yard reduction from 10' to 3.5'. The subject property is constrained by multiple conditions, including an irregularly shaped existing carport, a legal nonconforming lot, a storm drain easement on the left side of the house, and significant elevation changes in the rear yard.

**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 contains a rectangular lot shape and an existing nonconforming carport built prior to current standards. Neighborhood development was established with an average front-yard setback, further limiting restrictions imposed on the property. Additional constraints include a storm drain easement on the left side and steep grade changes in the rear yard. These conditions are not the result of actions by the current or prior owners and restrict the feasible placement of a new garage.

**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 requested 6.5-foot reduction represents the minimum relief necessary to allow construction of a functional garage and second floor living space. The proposed design provides space for two vehicles and accommodations for family members, including aging relatives, without exceeding the scale or intent of the zoning district. The proposal includes reductions to the overall footprint of the house by removing existing carport, walls, steps, patio, and porch thereby relieving the legal non-conforming encroachment of the side yard setback.

**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 applicants have secured a letter of support from their immediately adjacent to the site. They have also received vocal approvals from similar neighbors who would otherwise be affected from the addition. It will not adversely affect adjacent properties. The proposed addition may improve neighborhood aesthetics and functionality without encroaching on privacy or negatively affecting surrounding properties, thereby not being materially detrimental to public welfare.

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

Strict application of the rear and side-yard setback would prevent meaningful improvement in the property. The legal non-conforming condition presents a situation in which no major improvement could occur at all without a variance. For this project specifically, it would force relocation of the garage to the opposite side of the home or rear yard, both of which are impractical due to easements and topography. This hardship is unique to the applicants' circumstances and would not reasonably allow full use of the property.

**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 Suburban Character Area of the DeKalb County Comprehensive Plan. The design respects suburban land use patterns, enhances accessibility, and maintains compatibility with community aesthetics. The addition represents a responsible improvement that supports long-term neighborhood stability.

### **FINAL STAFF ANALYSIS:**

The application satisfies the variance criteria outlined in Section 27-2.2.1. The request represents the minimum relief necessary to allow for a functional and aesthetic home improvement, while not being detrimental to adjacent properties or public welfare. Given the property's demonstrated hardship, 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.



## DeKalb County Department of Planning & Sustainability

178 Sams Street  
Decatur, GA 30030

Lorraine Cochran-Johnson  
Chief Executive Officer

Phone: (404) 371-2155  
dekalbcountyga.gov/planning

Cedric Hudson  
Interim Director



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

Applicant and/or  
Authorized Representative: Thomas Boyd  
Mailing Address: 2450 Hawthorne Dr. NE  
City/State/Zip Code: Atlanta GA 30345  
Email: taboyd@gmail.com  
Telephone Home: 7703307758 Business: \_\_\_\_\_

#### OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Thomas and Julia Boyd  
Mailing Address: 2450 Hawthorne Dr. NE Atlanta GA 30345  
Email: Taboyd@gmail.com Telephone: 7703307758 Business: \_\_\_\_\_

#### ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 2450 Hawthorne Dr. NE City: Atlanta State: GA Zip: 30345  
District(s): \_\_\_\_\_ Land Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Parcel: 1823208041  
Zoning Classification: R100 (residential Medium Lot) Commission District & Super District: 1/7

#### 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](mailto:plansustain@dekalbcountyga.gov) with any questions.



DeKalb County

DEPARTMENT OF PLANNING & SUSTAINABILITY

## 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.

08/19/2025

DATE:

Thomas Boyd

SIGNATURE:

A handwritten signature in black ink, appearing to read 'Thomas Boyd', written over a horizontal line.





DeKalb County

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

## 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.

08/19/2025

DATE:

[Signature]  
APPLICANT/AGENT SIGNATURE

TO WHOM IT MAY CONCERN:

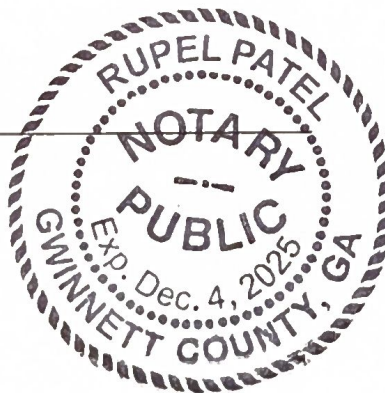
(I)/ (WE): Thomas and Julia Boyd

Name of Owner(s)

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

[Signature]

Notary Public



[Signature]  
Owner Signature

[Signature]

## ***Ordinance Criteria for Variance Hardships***

*Derived from the ordinance and translated into Layman's Terms  
(Chapter 27 Section 7.5.2)*

### **1. Physical Conditions of the site – *What did mother nature do?***

Address the specific issues of the ***physical condition*** of the property that make it a special case. This could be its narrowness, shallowness, unique shape, or other physical features such as floodplains, trees, or a steep slope. These conditions should be the result of natural order, not created by you or a prior owner.

In order to build the structure we are desired that will fit two modern cars, we require this variance as the building was built in 1958 and is legal nonconforming with modern set backs. We are unable to build the garage on any other point of the property due to the presence of a storm drain easment on the left side of the property. We are unable to use the rear yard due to excessive elevation changes that would limit feasibility of the build and functionality of the garage.

### **2. Minimum Variance Necessary – *Are you asking for just the right amount?***

Demonstrate that your request is only for the ***minimum necessary*** to make your property usable and does not provide any special advantages that aren't available to other property owners in your zoning district.

Our request to change the set back from 10' to 1' is necessary for the garage to be built in a straight line for structural supports and to support room above as well as to fit two modern cars with adequate space to enter and exit safely.

### **3. Public Welfare – *Does this harm or benefit your neighbors?***

Discuss the ***potential impact*** of your proposed changes on your neighborhood and community. Show that the variance you're seeking won't harm public welfare, neighboring properties, or any improvements in the same zoning district.

This build is designed to improve the aesthetic of the neighborhood by removing our cars from view and updating the exterior of our home. As our letters of support indicate, our neighbors are in support of the build. Reducing the set back will have have no impact on our next door neighbors as it is essentially unchanged from our current house footprint.

### **4. Ordinance Hardship – *Does the ordinance prevent your project?***

Detail how a ***strict interpretation of the zoning laws*** would cause undue hardship for you. This could be in terms of impracticality or inability to use your property effectively. Think of this as, ***"if denied, what would happen?"***

If this variance is denied, we will not be able to proceed with the project as we will not be able to make meaningful changes that allow us to continue living in our home with a growing family.

### **5. Alignment with the Spirit of the Law**

Demonstrate how your variance request aligns with the overall purpose of the zoning laws and the DeKalb County Comprehensive Plan. Show that your proposal does not undermine these broader goals and policies, but rather seeks a reasonable adaptation to them. Ask your assigned planner for text regarding the parcel's assigned land use.

Our request seeks a reasonable adaptation to prior zoning laws as our property has at least 20' between properties, which is the imposed legal distance. We will not infringe beyond our property line or impact their property in any manner than those currently existing as the garage will extend more into the front setback than the side setback.

## Letter of Intent

Dear Members of the Zoning Board of Appeals,

My name is Thomas Boyd and my wife, Julia, and I are writing to formally request a variance request from Section 27-2.1.1 to reduce front yard setback from 59.'2 to 53' and Variance request from Section 27-2.2.1 to reduce side yard setback from 10' to 1'. My request pertains to the reduction of the front yard set back and side yard setback requirements for my property located at 2450 Hawthorne Drive. The purpose of this variance is to facilitate the construction of a garage with the addition of a connected second floor structure.

### 1. Physical conditions of the site

The unique physical conditions of my property constitute a special case necessitating this variance. The parcel is characterized by an irregularly shaped carport, built prior to existing setbacks, and an irregularly shaped nonconforming legal lot making compliance with the 10 foot side setback particularly challenging. We are unable to complete our design due to a storm drain easement on the left side of the house and significant elevation change in the rear yard. These conditions are inherent and not a result of any actions taken by me or previous property owners.

### 2. Minimum Variance Necessary

My request is solely for the minimum variance necessary to render my usable and improve my home and neighborhood aesthetic. In order to remain in this home, we will require a garage that accommodates two modern vehicles and allows for a space above for living quarters for our current family and aging family members who have expressed desire to live with us when needed.

### 3. Public Welfare

The proposed addition will provide a positive impact on the neighborhood and community. I have received a letter of support from my neighbors, The Jensens, who reside at 2462 Hawthorne Dr. NE. We have also included neighbors from across the street and throughout the neighborhood ( the Olsens, Nat and Janet Emerson, the Goodnos, and the Johnsons) to encompass neighbors from all aspects of our immediate area. They do not feel the addition would intrude on their privacy or affect their daily life and property and would improve neighborhood aesthetics

### 4. Ordinance

The strict application of the existing setbacks would require that the garage be moved from its current location to the other side of the house or in the backyard, both of which would be prohibitive due to topography, and result in a nonfunctional entry point into the home. The variance is therefore essential to prevent unnecessary hardship and allow for a reasonable use of my land.

### 5. Alignment with the Spirit of the Law

I firmly believe that my variance request aligns with the intent of the Suburban Character Area, as outlined in the DeKalb County Comprehensive Plan. The proposed construction of 2450 Hawthorne Drive is in line with the goals of recognizing traditional suburban land use patterns while encouraging increased connectivity and accessibility. As a resident of DeKalb county for nearly 42 years, It is my intention to improve my home to provide greater family access, while also providing improvements in aesthetics consistent with community enhancements that continue to change.



In conclusion, I appreciate your time and consideration of my variance request. I am committed to working collaboratively to ensure that my proposed changes align with the broader goals and policies of DeKalb County.

Thank you for your attention to this matter.

Sincerely,

Thomas Boyd

.



Thomas and Julia Boyd  
2450 Hawthorne Dr. NE  
Atlanta GA, 30345

August 18, 2025

**Re: Support for 2450 Hawthorne Dr Renovation Project**

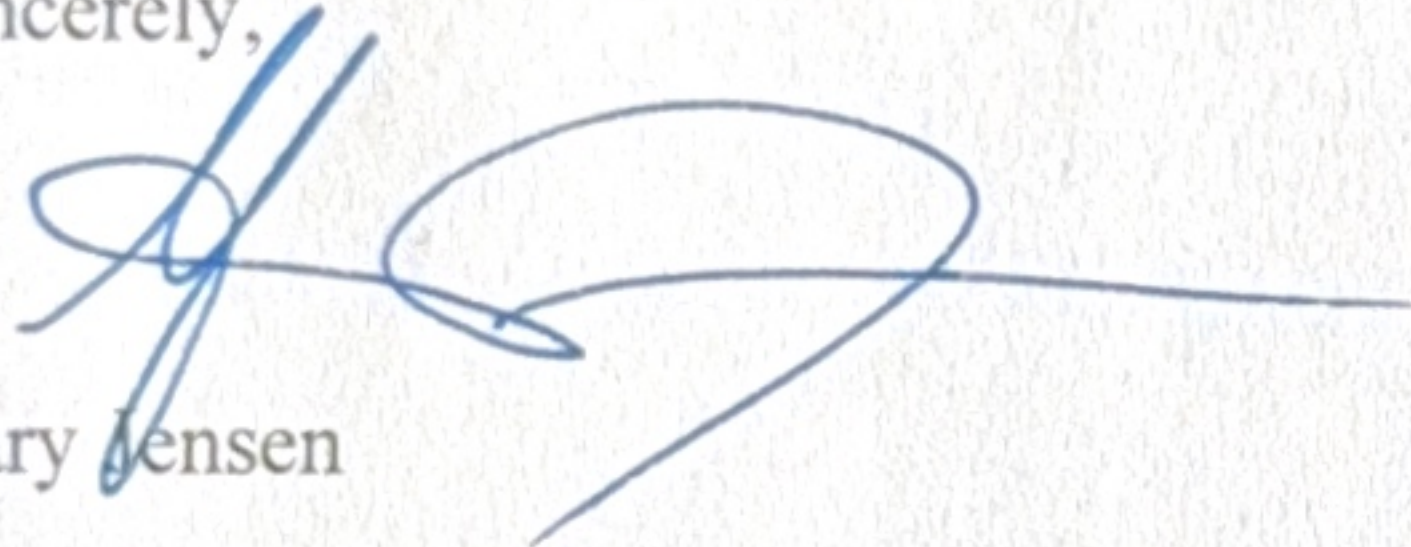
**To Whom It May Concern:**

I am writing to express my full support for the upcoming renovation project at 2450 Hawthorne Dr. NE, Atlanta, GA 30345. As a neighboring resident at 2462 Hawthorne Dr. NE, I have carefully reviewed the proposed renovation plans and am pleased to offer this endorsement.

While I understand that construction projects involve temporary inconveniences such as noise and increased activity, I appreciate the proactive communication and detailed mitigation strategies. The proposed measures—including designated working hours, ongoing updates about schedule changes and personnel, and commitment to address any damage—demonstrate thoughtful consideration and provide confidence in responsible project management.

I believe this renovation will serve as a positive enhancement to our neighborhood, improving both the aesthetic appeal of the property and potentially benefiting area property values. The homeowner's commitment to open communication and responsible project management reflects the kind of neighborly consideration that strengthens our community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary Jensen", with a long horizontal flourish extending to the right.

Gary Jensen

2462 Hawthorne Dr. NE  
Atlanta GA 30345



AWTHORNE DRIVE ~ 60' R/W

BC/BC 26'±

13(F)  
3(P)

167.8' ALONG R/W  
TO R/W OF  
SULVAN RAMBLE ROAD  
(IF EXTENDED)

3.58' (3'-7")  
COVER OF  
EXISTING  
CARPORT

# 2462  
N HOUSE  
(PB.26/PG.8)  
(DB.25521/PG.196)

# 2462  
9

S 89°57'25"E  
168.30' (F=P)

4.33' (4'-4")

3.58' (3'-7")

135.25(F)  
135.2(P)

PROPOSED SIDE  
SETBACK FOR VARIANCE

EXISTING CARPORT, WALLS,  
STEPS, PATIO, PORCH TO  
BE REMOVED

EXISTING HOUSE TO  
BE RENOVATED  
GARAGE, 1ST & 2ND  
STORY TO BE ADDED

# 2875  
(PB.34/G.62)  
(DB.20104/PG.733)

PROPOSED  
WOOD DECK WITH  
STEPS

ORIGINAL SURVEY  
BY SURVEY LAND  
EXPRESS, INC.

ARCHITECT NOTES  
IN COVER

1/2" RFB  
DIST  
OFF PL

# 2868  
27

(PB.28/G.140)  
(DB.25556/PG.760)

BOYO RESIDENCE  
2450 HAYTHORNE DR N 89°44'46"W  
1" = 30'-0" 200.00' (F=P)

REVISED SITE PLAN  
10 DECEMBER 2025

