



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

N5. Case No: A-25-247840

Parcel ID(s): 15 211 06 039

Commission District 03 Super District 06

Applicant: **Amira Hudson**
1447 Skyhaven Road SE
Atlanta, GA, 30316

Owner: **Amira Hudson**
1447 Skyhaven Road SE
Atlanta, GA, 30316

Project Name: **1447 Skyhaven Road – Lot Coverage**

Location: 1447 Skyhaven Road SE, Atlanta, GA, 30316

Request: Variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to increase impervious lot coverage from 35% to approximately 41% to allow construction of a rear addition and new driveway improvements within the R-75 (Residential Small 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.
2. The total impervious surface shall not exceed 41% as depicted on the submitted site plan. Any further expansion shall require separate review and approval.
3. The applicant shall direct all roof drainage and driveway runoff to a pervious area or appropriate drainage structure to prevent off-site flow impacts.

STAFF FINDINGS:

The applicant requests a variance from Section 27-2.2.1 to allow an increase in lot coverage from 35% to approximately 41% to accommodate a rear building addition, driveway modification, and site enhancements at 1447 Skyhaven Road SE. The property is located within the R-75 (Residential Medium Lot- 75) zoning district and developed with an existing single-family residence on a modestly sized lot.

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 narrow, rectangular configuration with limited buildable depth due to existing house placement and topographic slope toward the rear. Interior yard setback currently sits at about 15' from the property line with a lot frontage of 95'. A combination of shallow front yard and rear grade variation restricts the feasible area for expansion while maintaining compliance with setbacks and stormwater controls. While the property meets the required square footage for the R-75 zoning district, it is categorized in and inhibited by the location in which the home is placed on the lot. These conditions were not created by the current owner and represent legitimate physical constraints that warrant reasonable consideration for relief.

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 represents a moderate increase in impervious coverage necessary to accommodate the proposed addition and associated driveway improvements. The applicant has reduced the footprint compared to earlier design iterations, limiting the total increase to approximately six percentage points above the allowable maximum. The scale of the request appears proportionate to the site's physical conditions and existing development pattern; however, staff recommends conditioning approval to the submitted plan to prevent further incremental expansion.

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 structure will not be detrimental to public welfare or injurious to adjoining properties. The proposed improvements are residential in nature, compatible with surrounding homes, and not anticipated to generate adverse drainage or visual impacts. Directing roof and surface runoff to vegetated areas or approved drainage systems will further ensure neighborhood compatibility.

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

Strict adherence of the ordinance would limit the homeowner's ability to modestly expand livable space and improve site access consistent with comparable reinvestment throughout the Skyhaven community. The lot's depth and slope limit options for compliant expansion. Denial would impose a disproportionate hardship relative to the scale of the request and site's existing conditions.

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 of the DeKalb County Zoning Ordinance. The modest lot size, existing grade change, and constrained buildable depth justify limited flexibility in lot coverage. Provided runoff is managed appropriately and further expansion is restricted, staff finds the request consistent with the intent of the ordinance.

Staff Recommendation: Approval with Conditions

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.
2. The total impervious surface shall not exceed 41% as depicted on the submitted site plan. Any further expansion shall require separate review and approval.
3. The applicant shall direct all roof drainage and driveway runoff to a pervious area or appropriate drainage structure to prevent off-site flow impacts.

**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 RECORD OF SUBJECT PROPERTY

Owner: _____

Mailing Address: _____

Email: _____ Telephone: _____ Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: _____ City: _____ State: _____ Zip: _____

District(s): _____ Land Lot(s): _____ Block: _____ Parcel: _____

Zoning Classification: _____ 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.

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.

10/20/2025

DATE:

Nichelle Bell

APPLICANT/AGENT SIGNATURE

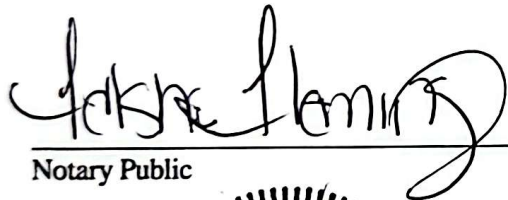
TO WHOM IT MAY CONCERN:

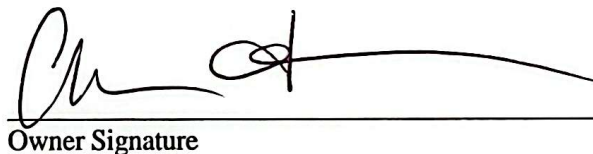
(I)/ (WE):

1447 Sky Haven, LLC (Charlie Hightower)

Name of Owner(s)

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


Notary Public


Owner Signature



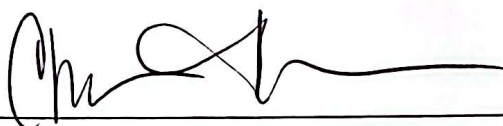
AUTHORIZATION OF THE PROPERTY OWNER

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.

10/20/2025

DATE:



SIGNATURE:

Letter of Intent – 1447 Skyhaven RD SE

The subject property, zoned R-75, contains an existing single-family detached dwelling (circa 1961) on a conforming corner lot of record. The lot is rectangular in shape and 0.3 +/- acres in area.

The Dekalb County Zoning Ordinance further describes a corner lot as follows:

Front yard building setback. On corner lots, the lot frontage with the shortest distance to a public right-of-way shall be designated as the front yard, and development shall comply with front yard building setback requirements of the zoning district in which the lot is located.

Thus, the Powell Road SE frontage is the location of the front yard building setback and the Skyhaven Road SE frontage is a side, corner yard frontage. A site distance triangle is located at the intersection of these two (2) streets where no obstruction (such a structure) may be located.

Variance Standards:

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 sloping corner lot is encumbered by significant topographic relief which rises sharply and irregularly from the Powell Court SE and Skyhaven Road SE. The principal dwelling, a raised ranch on a basement, is constructed into this hillside. The Skyhaven Road frontage contains most existing/preserved specimen trees on the property which makes it an unsuitable construction location.

Although no location on this lot is ideal for additional construction, the Powell Court SE frontage already contains the driveway serving the dwelling and a nearby ancillary entrance to the dwelling. With enhanced visibility, the location of the detached carport is ideal for safety, user convenience, improves on-site vehicular maneuvering, and minimizes the disturbance to the site. The constructed carport will be architecturally compatible with the principal structure and its massing is negligible when coupled with proposed evergreen landscaping.

The Applicant seeks a variance from the zoning regulation to allow a detached, accessory structure (carport) to be in a front yard. The required front yard on this frontage is 30 feet. The reduction sought is from 30 feet to 0 feet (Section 2.2.1, TABLE 2.2). No other variances from Code are needed or warranted.

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.

An accessory structure is a right open to and enjoyed by many property owners within this zoning district. Not every lot is impinged by such unique and demonstrable site characteristics which further support the minimum relief being sought.

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.

There is no detriment present to this improvement or the community. While providing a vehicle shelter, the proposed carport eliminates an otherwise unsightly eyesore and potential on-street parking on the steep and dangerous grade of Powell Court SE. In an inclement weather situation, in particular, no vehicle(s) need to be parked streetside at this location and/or street intersection.

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

Owing to the unique, developed site characteristics of this corner lot, with the situation of the existing raised ranch and front door of the residence facing Skyhaven Road SE and the driveway onto Powell Court SE, there is no other viable location on the lot in which to locate an accessory structure to serve the parking needs of the residents.

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

The zoning ordinance must be considered in its iterative state as a context for the living and adaptable nature of the comprehensive plan. Since every property is unique, the seeking of relief is an additional pretext to participation at the micro and macro level of the community. We welcome this participation in the planning/design process. No established community is really a formula; it is a gathering of the individual characteristics of each property as they relate to one another. The proposed development is the next evolution of the property within its community adding a fresh mid-century design to a handsome period colonial being further modernized with an exterior facelift.

SKYHAVEN DWELLING

1447 SKYHAVEN RD SE, ATLANTA, GEORGIA



PROPERTY INFORMATION

SITE: 1447 SKYHAVEN RD, ATLANTA, GEORGIA LAND LOT: 144 BLOCK: A LOT: 4 ZONING: R-A CONSTRUCTION TYPE: V-B NOT SPRINKLERED	SITE AREA: 14,182.6 SQFT (0.32 AC)		SITE COVERAGE : FLOOR AREA RATIO (FAR): (2,689.5/ 14,182.6)x100 = 18.9 %
	BASEMENT AREA (HEATED):	893 SQFT	
	MECH. RM. :	450 SQFT	
	FIRST FLOOR AREA (HEATED):	1,833.2 SQFT	
	ATTACHED GARAGE:	390 SQFT	
	TOTAL HEATED FLOOR AREA:	2,726.2 SQFT	
	FOOTPRINT:	2,252.7 SQFT	

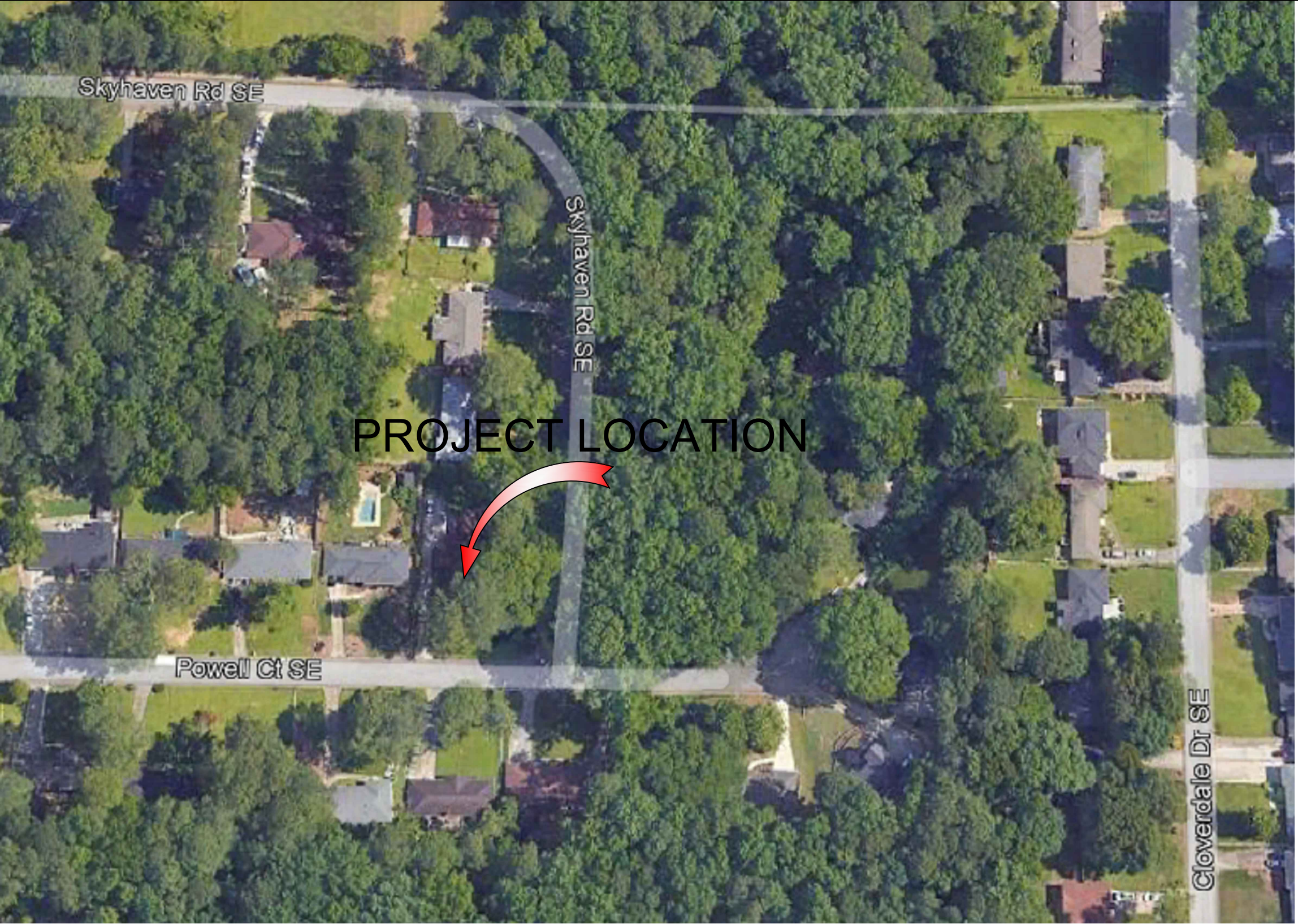
BUILDING/ZONING ANALYSES

THIS PROJECT SHALL COMPLY WITH LATEST THE:
GA BUILDING CODE
GA RESIDENTIAL CODE
GA MECHANICAL CODE
GA PLUMBING CODE
GA ELECTRICAL CODE
GA ENERGY CODE

NOTE:
I- DEFERRED SUBMITTALS SHALL BE REVIEWED BY ARCHITECT OR ENGINEER OF RECORD PRIOR TO SUBMITTAL TO THE BUILDING OFFICIAL. NO DEFERRED SUBMITTALS IN THIS WORK.

IMPERVIOUS AREA:	
HOUSE FOOTPRINT (EXISTING):	2,252.7 SQFT
FRONT LANDING (EXISTING):	22.6 SQFT
DRIVEWAY (EXISTING):	1,914 SQFT
REAR DECK (EXISTING):	92.5 SQFT
WALKWAY(EXISTING):	113 SQFT
NEW CARPORT:	620 SQFT
TOTAL EXISTING IMPERVIOUS AREA:	5,014.8 SQFT
(5,014.8/ 14,182.6)x100 = 35.3%	

VICINITY MAP



SCOPE OF WORK

INTERIOR REMODEL OF THE FIRST FLOOR AND BASEMENT OF A SINGLE-FAMILY RESIDENCE.
THE SCOPE INCLUDES NECESSARY PLUMBING, ELECTRICAL, AND CODE-COMPLIANT UPGRADES.

OWNER:

ENGINEER / ARCHITECT:

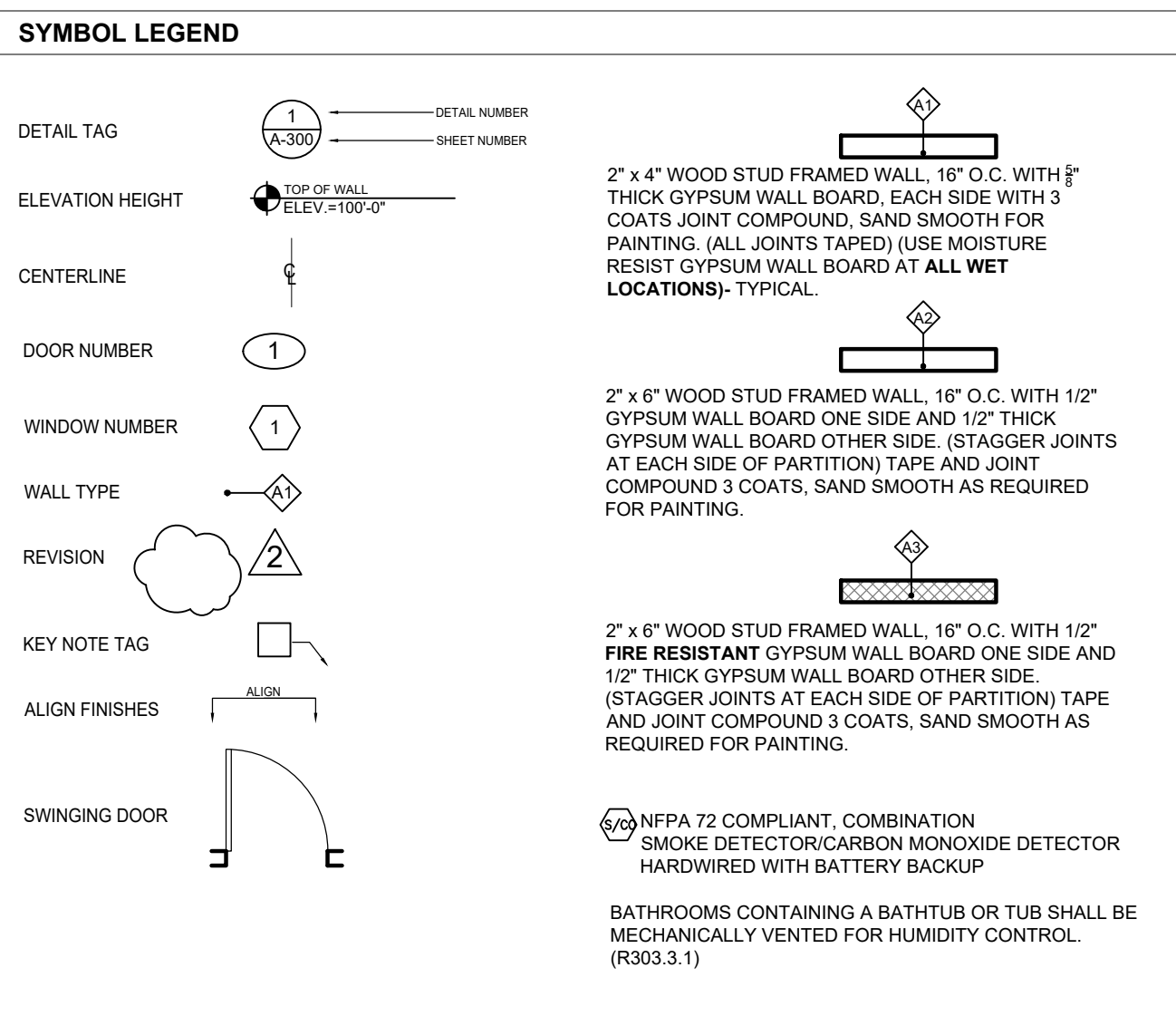
TEL:
e-mail :

NOTES

- GENERAL NOTES:**
- THE CONTRACTOR MUST OBTAIN A CONSTRUCTION PERMIT BEFORE STARTING ANY WORK.
 - TRADES ARE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND REPORT ALL DISCREPANCIES TO THE GENERAL CONTRACTOR.
 - DO NOT SCALE DRAWINGS.
 - ALL WORK SHALL COMPLY TO THE LOCAL AND THE GEORGIA BUILDING CODE.
 - ALL CONCRETE (EXCEPT GARAGE SLAB AND PORCH SLAB) IS TO HAVE A MINIMUM COMPRESSIVE STRENGTH OF 2900 PSI (20 MPA) AFTER 28 DAYS. GARAGE AND PORCH SLABS TO HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4650 PSI (32 MPA) COMPLETE WITH 5% – 8% AIR ENTRAINMENT.
 - ROOF TRUSSES SHALL BE PRE-ENGINEERED AND PREFABRICATED TO SUPPORT 1.74 KPA (36 PSF) SNOW LOAD AND APPROPRIATE DEAD LOAD.
 - ALL GUARDS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH 9.8.8, SB-7, 900mm (2'-11") IF LESS THAN 1800mm (5' –11") ABOVE THE ADJACENT GRADE OR 1070mm (3' –6") FOR ALL OTHERS.
 - SMOKE AND CO ALARMS ARE TO BE INSTALLED AS PER GEORGIA BUILDING CODE
- TYPICAL INTERIOR PARTITION WALL ASSEMBLY:**
- 1/2" GYPSUM BOARD SHEATHING
 - 2"x4" WOOD STUD WALL AT 16" O.C.
 - 1/2" GYPSUM BOARD SHEATHING
- GARAGE NOTES:**
- DOOR TO HOUSE TO BE INSULATED METAL c/w SELF CLOSER, POSITIVE LATCHING & WEATHERSTRIPED
 - WALLS BETWEEN GARAGE & DWELLING SPACE TO HAVE FIRE RETARDANT GYPSUM BOARD c/w TAPED JOINTS AND PERIMETER CAULKING FOR A TIGHT AIR AND GAS FUME SEAL
 - 4" POURED CONCRETE FLOOR @32 Mpa w/ 5% AIR ENTRAPMENT ON 6" SAND FILL ON UNDISTURBED SOIL. SLOPE FLOOR 2% TO O.H. DOOR.
 - STEEL BEAM & ANGLES TO BE PRIME PAINTED
- MAIN BATHROOM:**
- REINFORCE WALLS ADJACENT TO TOILET AND TUB FOR FUTURE INSTALLATION OF GRAB BARS AS PER OBC 9.5.2.3.
- STAIR SPECIFICATIONS:**
- INTERIOR STEPS SHALL CONFORM TO O.B.C. 9.8
 - MAX RISE = 7 7/8"
 - MIN. RUN = 8 1/2"
 - MIN. TREAD = 9 1/4"
 - RAIL AT 34" FROM VERTICAL LINE OF STAIRS
 - GUARDS @ 36" HEIGHT OF LANDING
 - MIN. 6'-5" HEADROOM
- MASONRY VENEER WALLS:**
- TIES ARE TO HAVE A MAXIMUM VERTICAL SPACING OF 500mm (19 3/4") AND A MAXIMUM HORIZONTAL SPACING OF 600mm (23 5/8")
 - THRU-WALL FLASHINGS ARE TO BE AT THE BASE OF ALL WALLS.
 - WEEP HOLES AT A MAXIMUM SPACING OF 800mm (2'-7") APART AND AT THE BOTTOM OF EVERY CAVITY.

SHEET INDEX

G-1.0	COVER SHEET
G-2.0	SITE PLAN
G-3.0	CARPORIT DETAILS
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A-2.0	PROPOSED FLOOR PLANS
A-3.0	EXISTING ROOF PLAN
A-4.0	EXISTING ELEVATIONS
A-5.0	EXISTING ELEVATIONS, SECTION, DETAILS
E-1.0	ELECTRICAL PLANS
M-1.0	MECHANICAL PLANS
P-1.0	PLUMBING WATER DISTRIBUTION



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PROJECT:
1447 SKYHAVEN RD SE,
ATLANTA, GEORGIA

PHASE

☐ SCHEMATIC DESIGN
☐ DESIGN DEVELOPMENT
☒ CONSTRUCTION DOCUMENTS

RELEASED FOR

☐ INFORMATION
☐ ESTIMATING/BIDDING
☒ CONSTRUCTION

DESIGNER:

DRAWN BY: HY

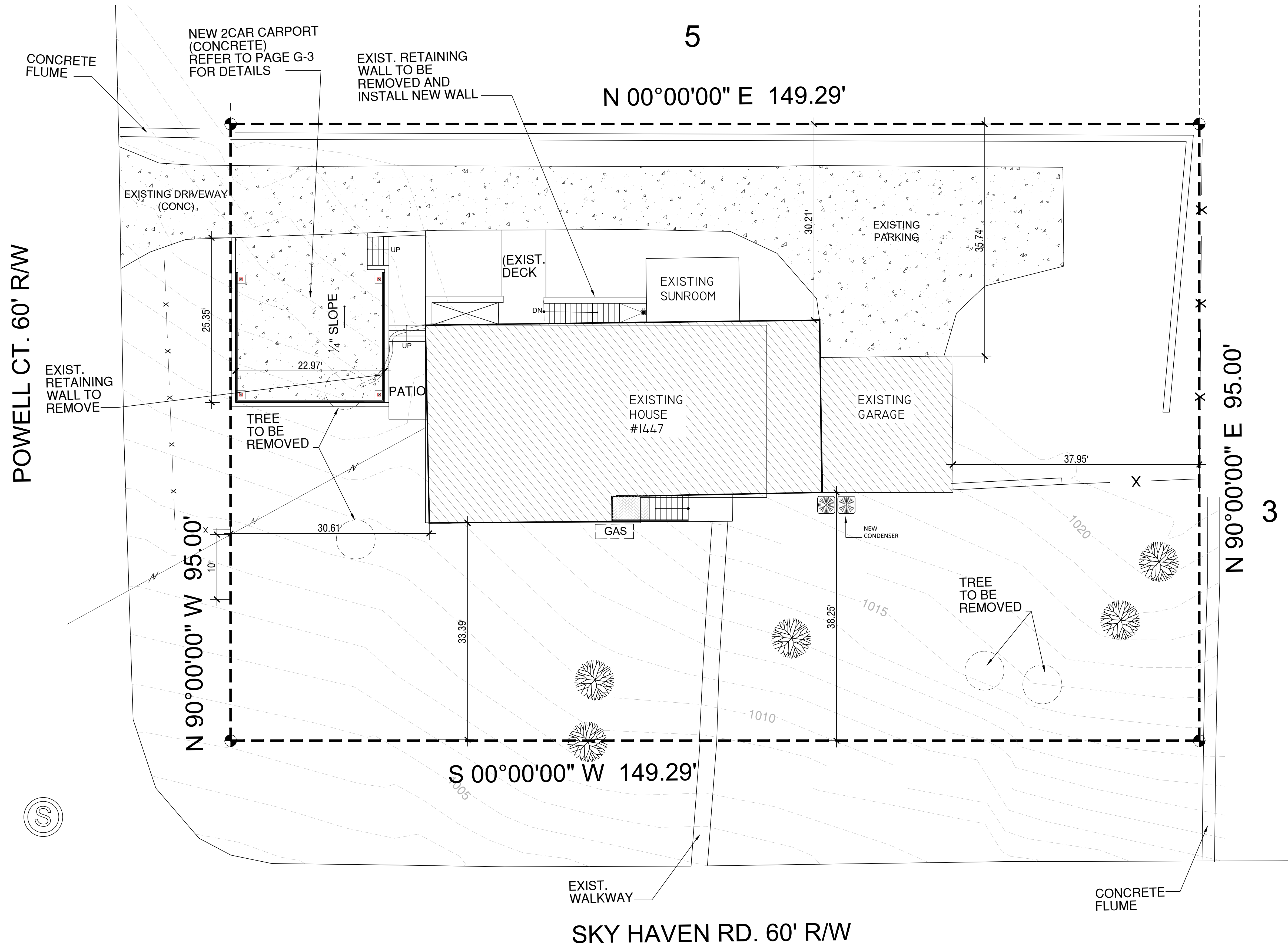
ISSUE DATE	FOR
7/18/2025	PERMIT

SCALE:

PROJECT #:

PROJECT TITLE:
COVER SHEET

G-1.0



SITE PLAN
SCALE: 1/8" = 1'-0

1



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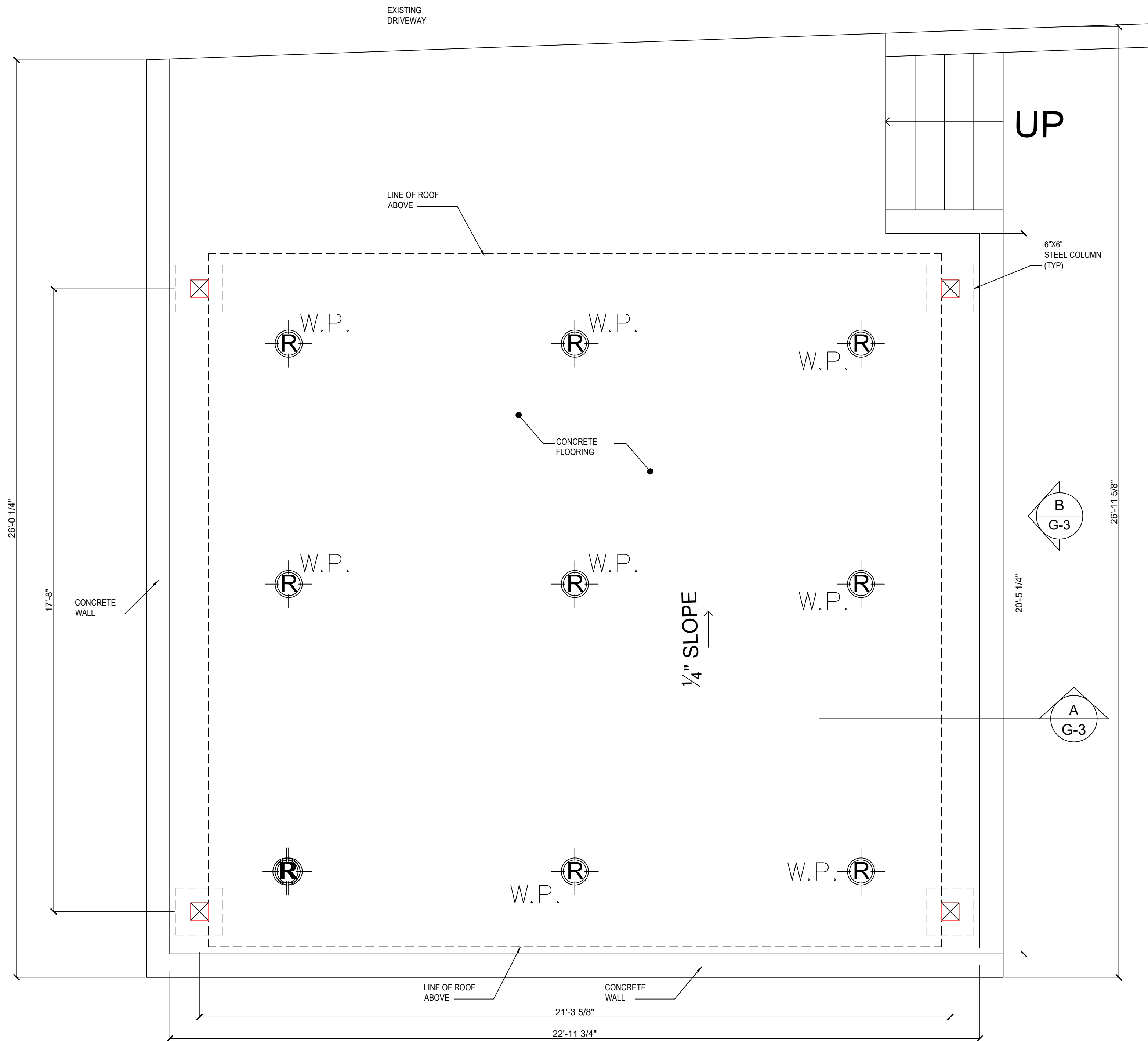
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ATLANTA, GEORGIA

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DESIGNER:
DRAWN BY: HY
ISSUE DATE FOR
7/18/2025 PERMIT

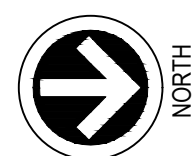
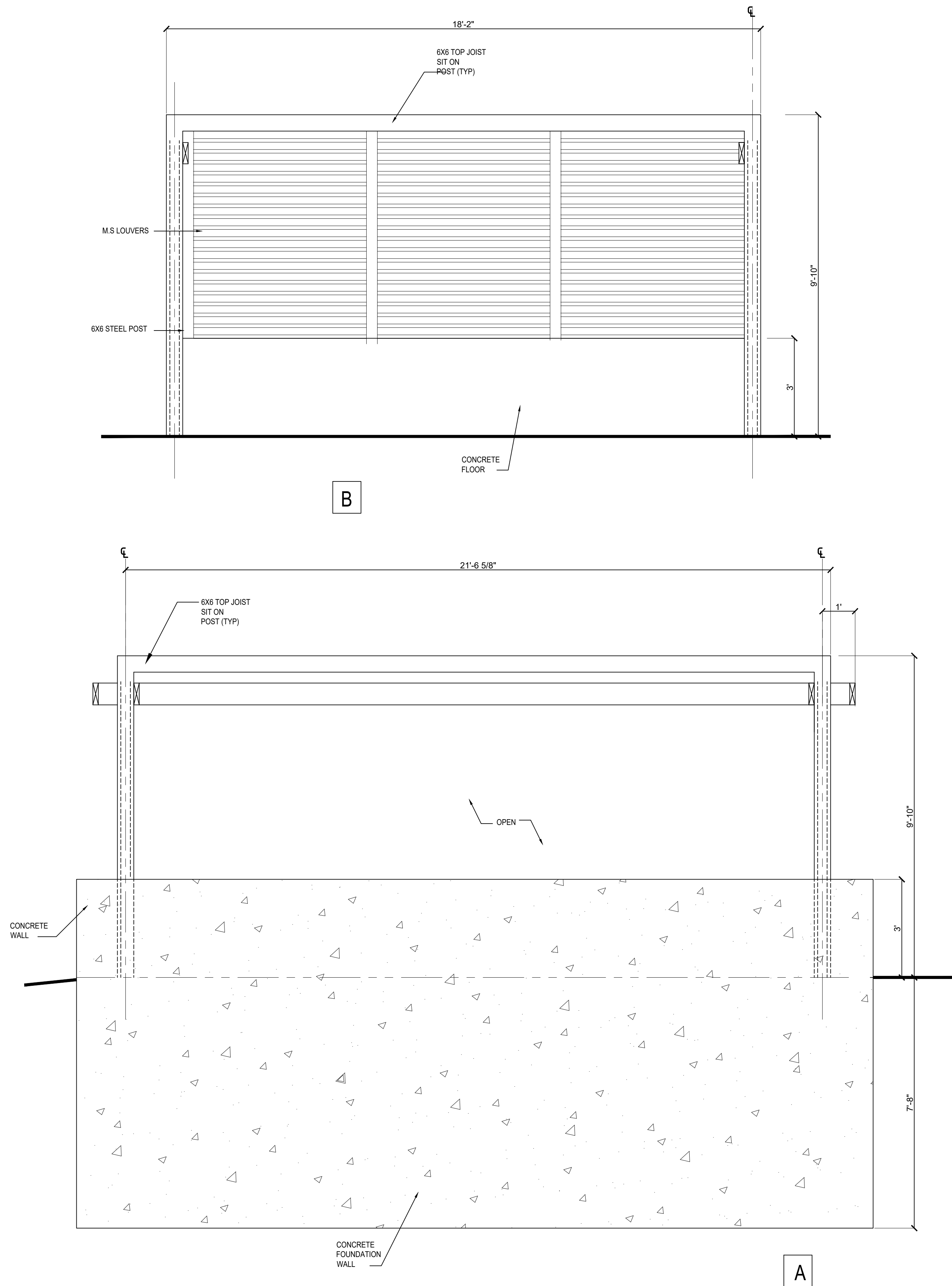
SCALE:
PROJECT #:
PROJECT TITLE:
SITE PLAN

G-2.0



CARPORT PLAN
SCALE: 1/2" = 1'-0

1



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PROJECT:
1447 SKYHAVEN RD SE,
ATLANTA, GEORGIA

- PHASE
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 - ☐ DESIGN DEVELOPMENT
 - ☒ CONSTRUCTION DOCUMENTS
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- ☐ INFORMATION
 - ☐ ESTIMATING/BIDDING
 - ☒ CONSTRUCTION

DESIGNER:

DRAWN BY: HY

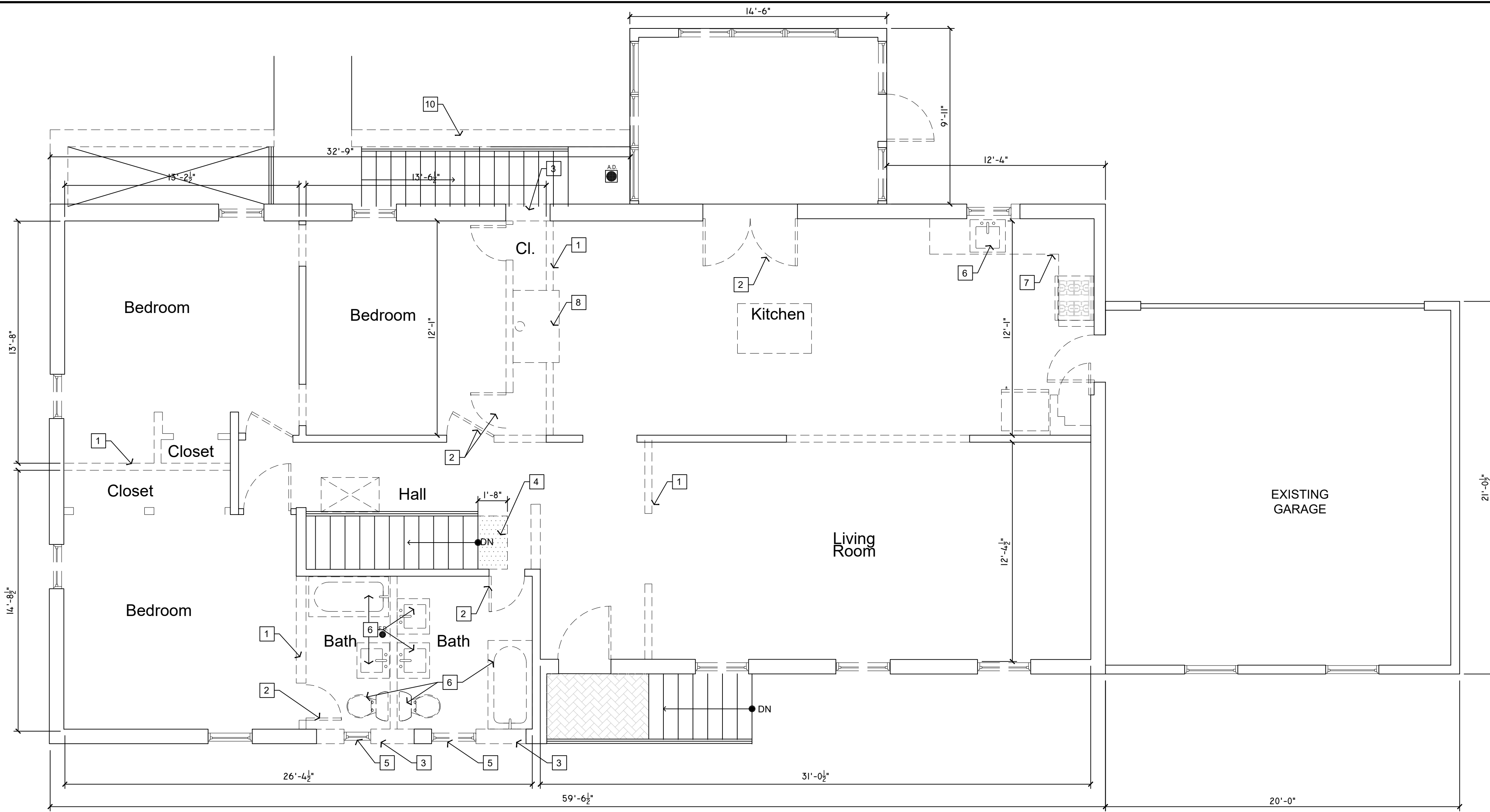
ISSUE DATE	FOR
7/18/2025	PERMIT

SCALE:

PROJECT #:

PROJECT TITLE:
CARPORT DETAILS

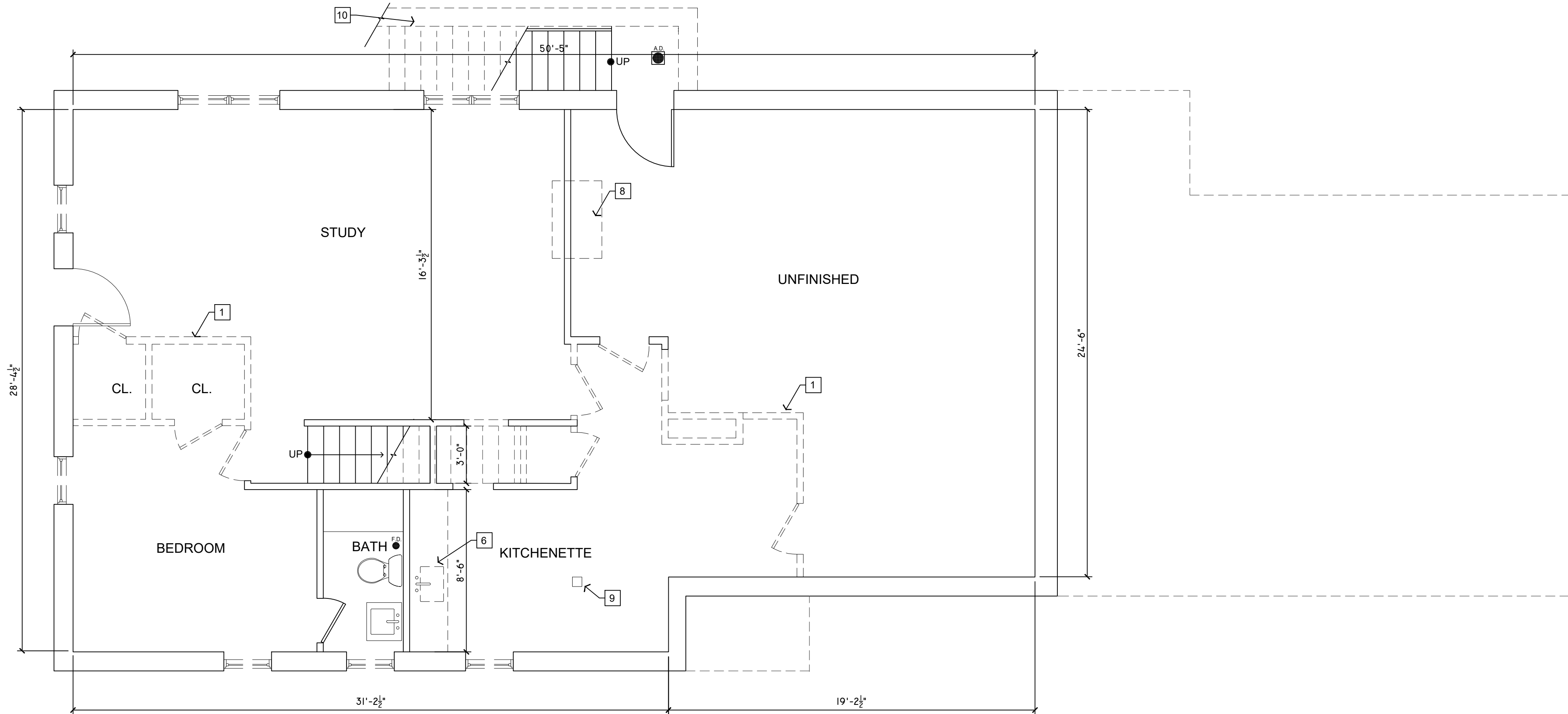
G-3.0



FIRST FLOOR REMOVAL PLAN

SCALE: 1/4" = 1'-0"

2



BASEMENT REMOVAL PLAN

SCALE: 1/4" = 1'-0"

1

REMOVALS KEY NOTES

- 1 REMOVE EXISTING NON-STRUCTURAL PARTITIONS AND FINISHES SHOWN DASHED.
- 2 REMOVE EXISTING DOOR
- 3 REMOVE EXISTING PARTIAL EXTERIOR WALL FOR NEW WINDOW OPENING
- 4 REMOVE EXISTING FLOOR AREA FOR MODIFIED BASEMENT STAIR OPENING. PROVIDE FALL PROTECTION AS REQUIRED.
- 5 REMOVE EXISTING WINDOW. PROVIDE TEMPORARY PROTECTION AND SECURITY AS REQUIRED.
- 6 PLUMBING FIXTURES AND ROUGHING TO BE REMOVED UNDER PLUMBING APPLICATION. CAP ALL PLUMBING AS REQUIRED.
- 7 REMOVE EXISTING MILLWORK
- 8 ENTIRE FIREPLACE TO BE REMOVED
- 9 REMOVE WOOD POST AT BASEMENT. PROVIDE TEMPORARY PROTECTION AND SECURITY AS REQUIRED.
- 10 THE RETAINING WALL TO BE REMOVED FOR NEW RETAINING WALL

NOTE:

- 1-THE ENTIRE WINDOWS AND DOORS TO BE REPLACED WITH NEW WINDOWS AND NEW DOORS
- 2-THE ENTIRE FLOORING TO BE REPLACED WITH NEW FLOORING

REMOVALS LEGEND

- EXISTING PARTITION TO BE REMOVED
- EXISTING DOOR TO BE REMOVED
- AREA OF EXISTING FLOOR OR ROOF TO BE REMOVED

REMOVALS GENERAL NOTES

NO ATTEMPT IS MADE TO MENTION EVERY ITEM OF DEMOLITION, REMOVAL OR ALTERATION WORK REQUIRED. GENERAL CONTRACTOR SHALL PERFORM ALL WORK NECESSARY TO COMPLETE THE PROJECT IN FULL COMPLIANCE WITH THE INTENDED RESULTS AND DESIGN INTENT DESCRIBED BY THE DRAWINGS.

1. ALL SURFACES DESIGNATED TO REMAIN SHALL BE PROTECTED TO ASSURE THAT THEY ARE NOT DAMAGED IN THE DEMOLITION PROCESS. ANY ITEMS THAT ARE DAMAGED SHALL BE REPAIRED AT NO ADDITIONAL COST TO THE OWNER. AVOID UNNECESSARY CUTTING AND PATCHING.
2. DIMENSION INFORMATION IS SHOWN TO FACILITATE RENOVATION OF THESE FLOORS. ALL DEMOLITION WORK MUST BE COORDINATED WITH THE ARCHITECTURAL DRAWINGS. COORDINATE AND VERIFY SCOPE OF ELECTRICAL DEMOLITION WITH ARCHITECT PRIOR TO COMMENCEMENT OF WORK.
3. IF GENERAL CONTRACTOR DISCOVERS DISCREPANCIES, OMISSIONS, OR HIDDEN CONDITIONS DIFFERING FROM DEMOLITION INFORMATION, NOTIFY THE ARCHITECT BEFORE PROCEEDING WITH WORK.
4. PRIOR TO COMMENCEMENT OF DEMOLITION, GENERAL CONTRACTOR TO SCHEDULE ON-SITE MEETING WITH ARCHITECT TO REVIEW EXTENT OF DEMOLITION WORK. PRIOR TO COMMENCEMENT OF CUTTING OPENINGS IN EXISTING WALLS AND FLOORS, GENERAL CONTRACTOR TO SCHEDULE ON-SITE MEETING WITH ARCHITECT TO REVIEW PROCEDURES.
5. GENERAL CONTRACTOR TO PROVIDE SHORING AND BRACING AS REQUIRED FOR ALL FLOOR AND/OR WALL OPENINGS.
6. GENERAL CONTRACTOR TO PROVIDE ALL FLOOR AND/OR WALL OPENINGS WITH TEMPORARY BARRIERS OR COVERS.
7. ALL DISRUPTIONS IN WEATHER PROTECTIVE SURFACES DUE TO DEMOLITION SHALL BE ADEQUATELY PROTECTED TO PREVENT WEATHER INFILTRATION.
8. PROVIDE TEMPORARY DUST CONTROL BARRIERS BETWEEN AREAS OF WORK AND OCCUPIED AREAS.
9. ALL WORK TO BE DONE IN ACCORDANCE WITH OSHA STANDARDS.

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PROJECT:
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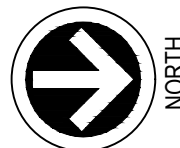
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ISSUE DATE	FOR
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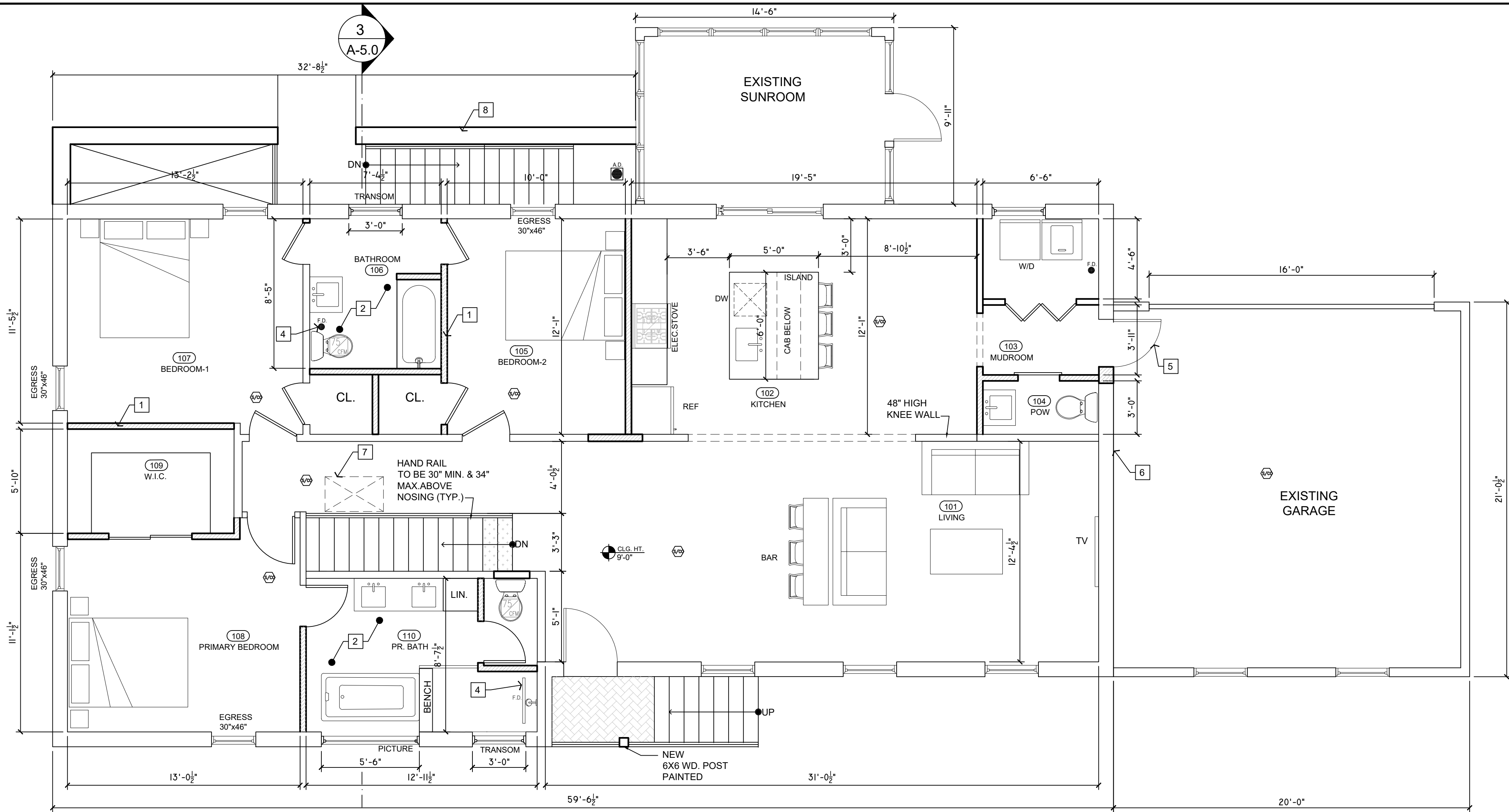
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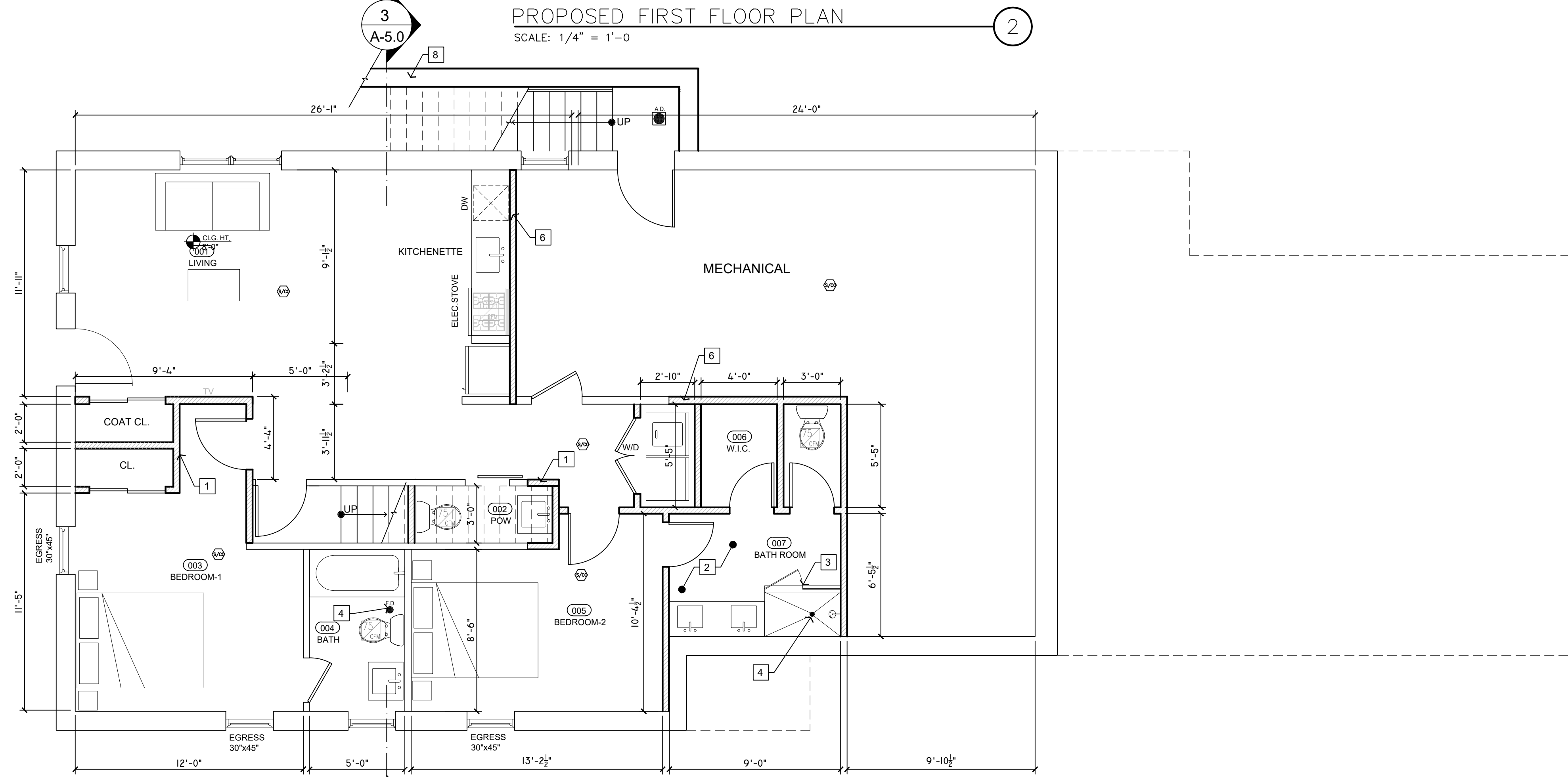
PROJECT TITLE:
BASEMENT REMOVAL PLAN



A-1.0



PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



PROPOSED BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"

KEY NOTES	CONSTRUCTION LEGEND
1 NEW PARTITIONS SHOWN HATCHED (TYPICAL)	EXISTING WALL OR PARTITION TO REMAIN
2 NEW TILE OVER 1/2" WATERPROOF CEMENT BOARD AND LATICRETE 9235 WATERPROOFING MEMBRANE.	NEW PARTITION
3 SUPPLY & INSTALL SHOWER GLASS ENCLOSURE 3" TEMPERED TRANSPARENT GLASS W/ FLAT POLISHED EDGES. CRL HARDWARE AS SPECIFIED. SEE INTERIOR ELEVATIONS.	1-HOUR RATED PARTITION
4 FLOOR DRAIN	SWINGING DOOR
5 20 MIN FIRE RATED SELF CLOSING(R302.5.1)	POCKET DOOR
6 1 HR RATED FIRE WALL	
7 ATTIC ACCESS 24"x30"	
8 NEW RETAINING WALL	

- INTERIOR STAIRCASE NOTES:
- HANDRAILS ARE REQUIRED TO BE 34"H TO 38"H ABOVE THE STAIR TREADS. CRC R311.7.8.1.
 - HANDRAILS SHALL BE CONTINUOUS FOR THE FULL LENGTH OF THE FLIGHT, FROM A POINT DIRECTLY ABOVE THE TOP RISER TO THE LOWEST RISER FLIGHT. CRC R311.7.8.2.
 - HANDRAIL ENDS SHALL BE RETURNED OR SHALL TERMINATE IN NEWEL POSTS OR SAFETY TERMINALS. CRC R311.7.8.2.
 - HANDRAILS ADJACENT TO A WALL SHALL HAVE A SPACE OF NOT LESS THAN 1-1/2" BETWEEN THE WALL AND THE HANDRAILS. CRC R311.7.8.2.
 - HANDRAIL SHALL BE GRASPABLE PER CRC R311.7.8.3.
 - HANDRAIL SHALL EITHER BE CIRCULAR WITH AN OUTSIDE DIAMETER OF 1-1/4" TO 2"H.
 - OR WITH A PERIMETER GREATER THAN 6-1/4 INCHES WITH GRASPABLE FINGER RECESS AREA ON BOTH SIDES OF THE PROFILE.
 - HANDRAIL CONNECTION SHALL BE DESIGNED TO WITHSTAND A 200- POUND LOAD APPLIED IN ANY DIRECTION AT ANY POINT ALONG THE TOP OF THE RAIL.

RELOTZ

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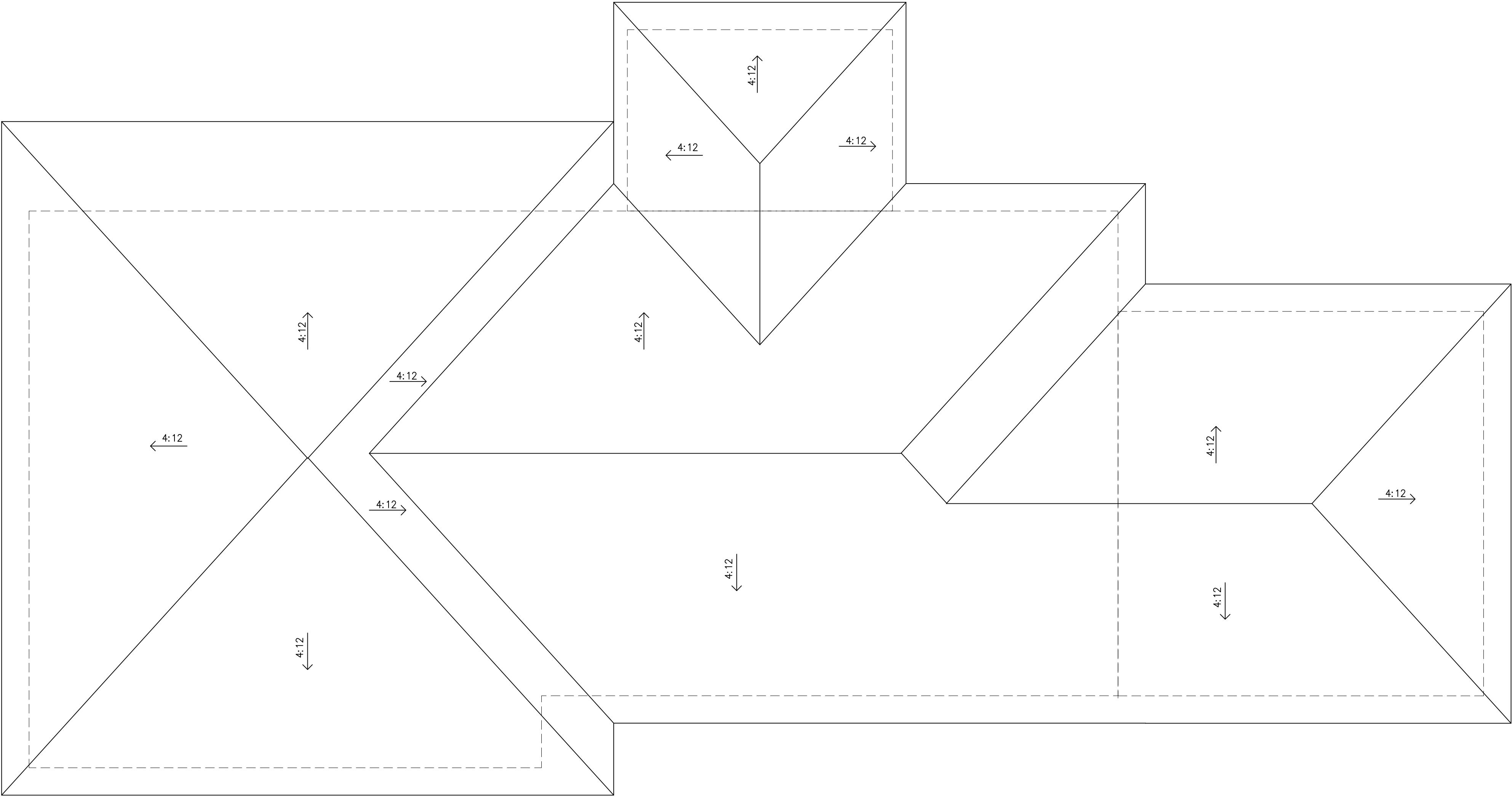
GEORGIA
REGISTERED
No. PE042917
PROFESSIONAL
ENGINEER
WILLIAM HAMILTON

PROJECT:
1447 SKYHAVEN RD SE,
ATLANTA, GEORGIA

PHASE
☐ SCHEMATIC DESIGN
☐ DESIGN DEVELOPMENT
☒ CONSTRUCTION DOCUMENTS
RELEASED FOR
☐ INFORMATION
☐ ESTIMATING/BIDDING
☒ CONSTRUCTION
DESIGNER:
DRAWN BY: HY
ISSUE DATE FOR
7/18/2025 PERMIT
SCALE:
PROJECT #:
PROJECT TITLE:
PROPOSED FLOOR PLANS

NORTH

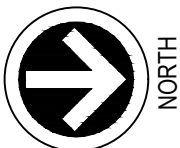
A-2.0



EXISTING ROOF PLAN (NO CHANGE)

SCALE: 1/4" = 1'-0

1



PROJECT:
1447 SKYHAVEN RD SE,
ATLANTA, GEORGIA

- PHASE
- ☐ SCHEMATIC DESIGN
 - ☐ DESIGN DEVELOPMENT
 - ☒ CONSTRUCTION DOCUMENTS
- RELEASED FOR
- ☐ INFORMATION
 - ☐ ESTIMATING/BIDDING
 - ☒ CONSTRUCTION

DESIGNER:

DRAWN BY: HY

ISSUE DATE	FOR
7/18/2025	PERMIT

SCALE:

PROJECT #:

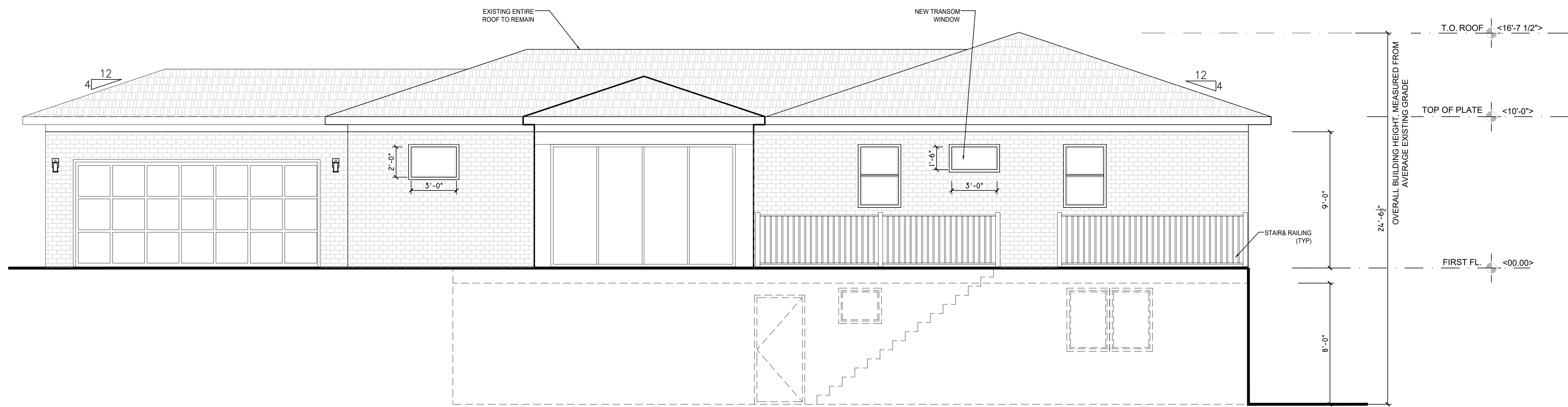
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EXISTING ROOF PLAN

A-3.0

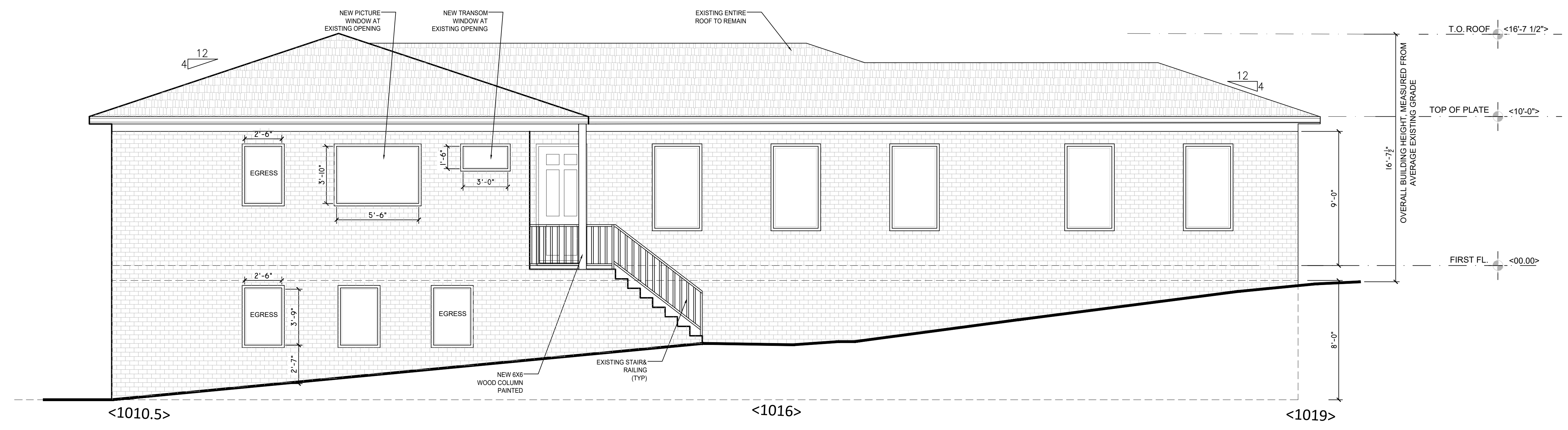


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RELOTZ



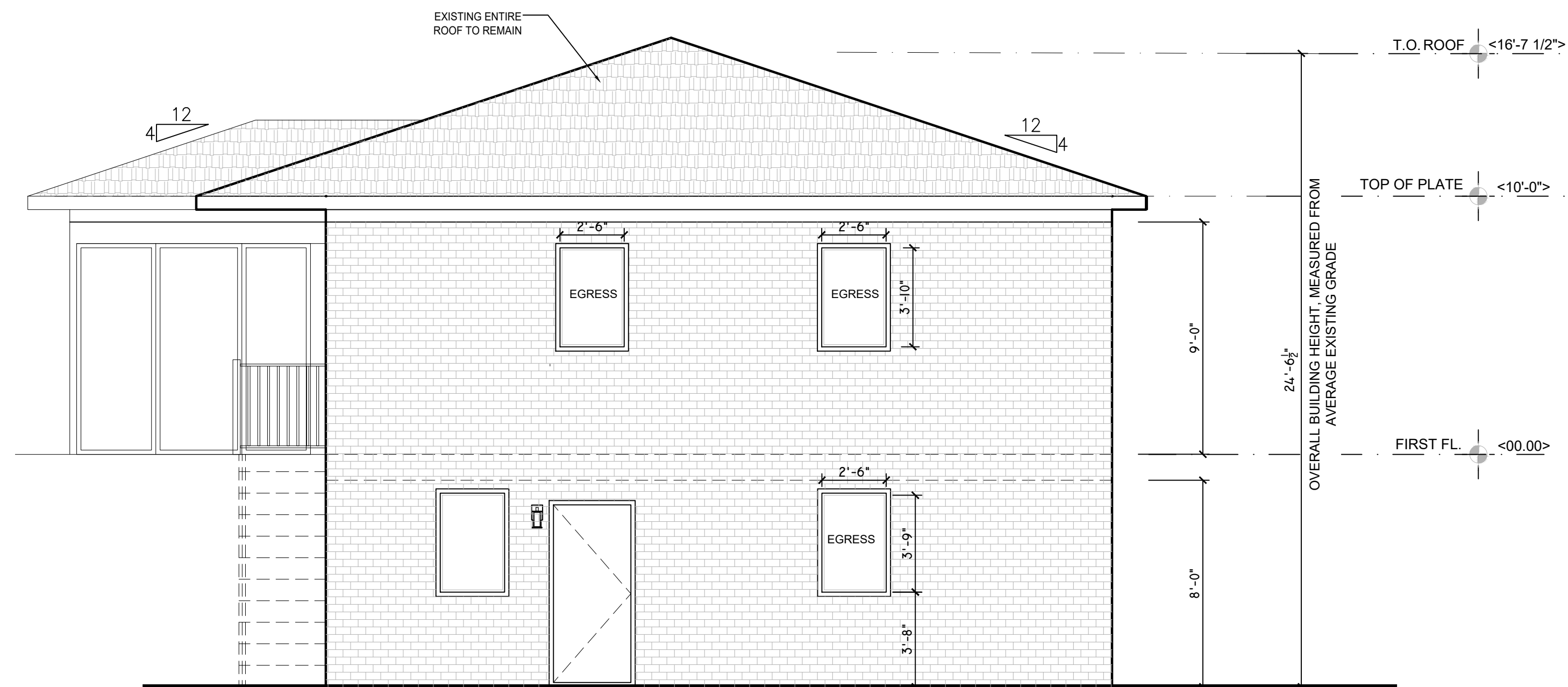
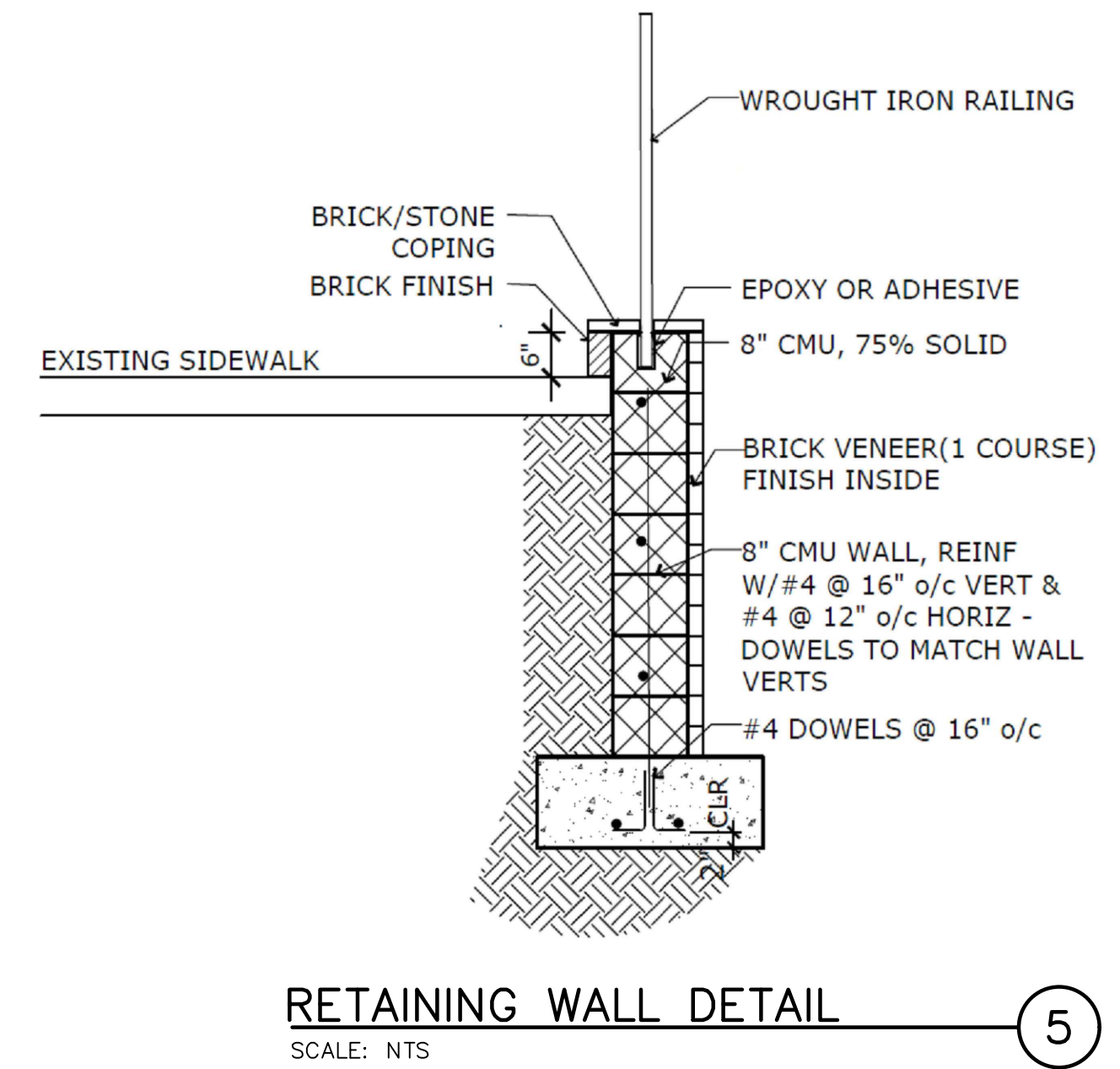
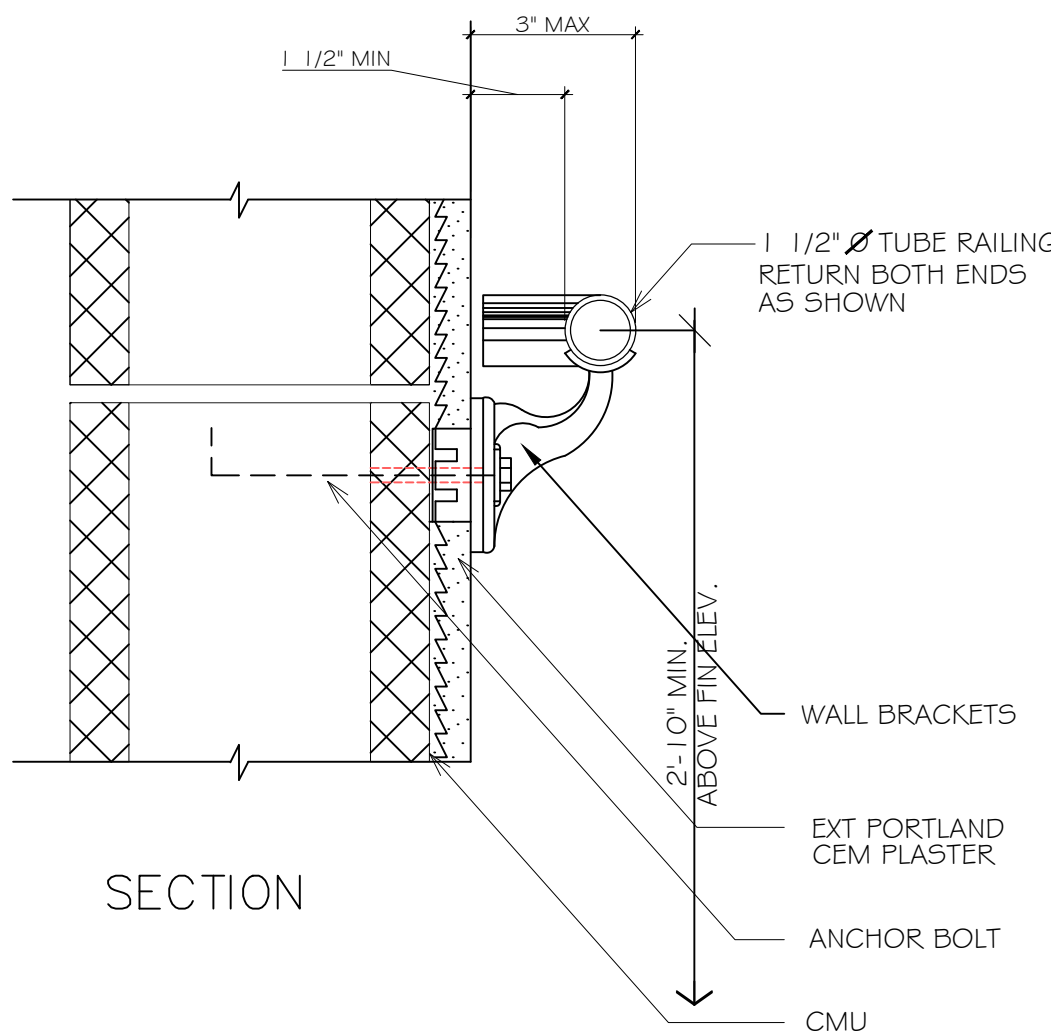
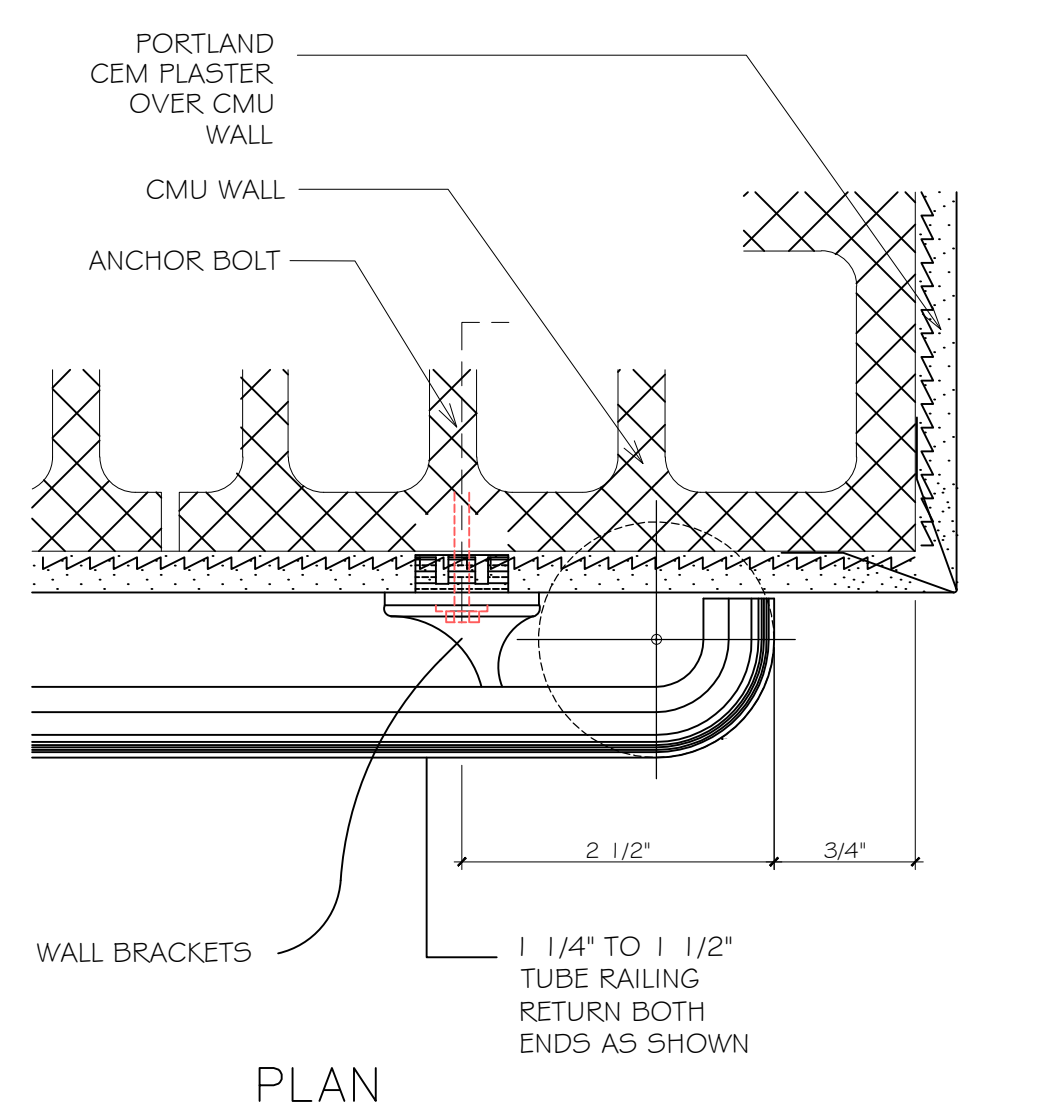
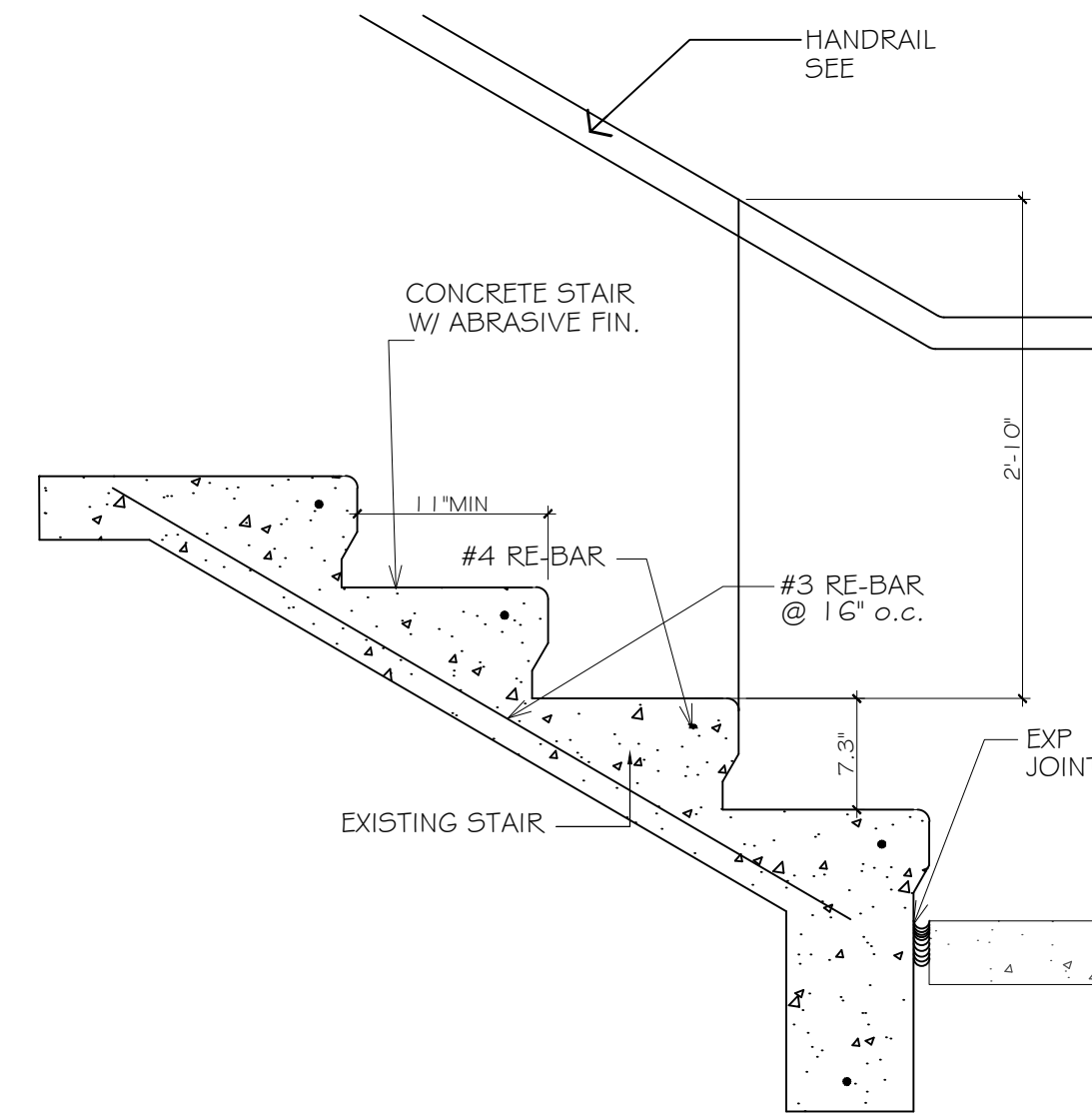
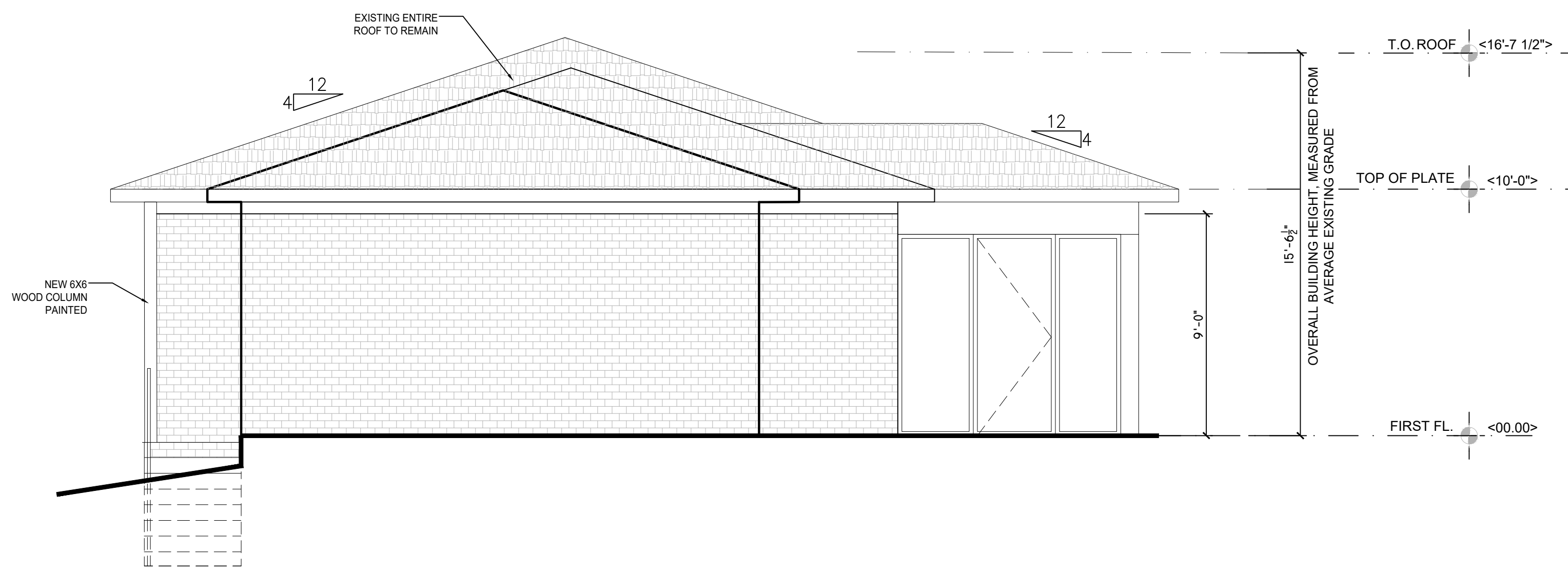
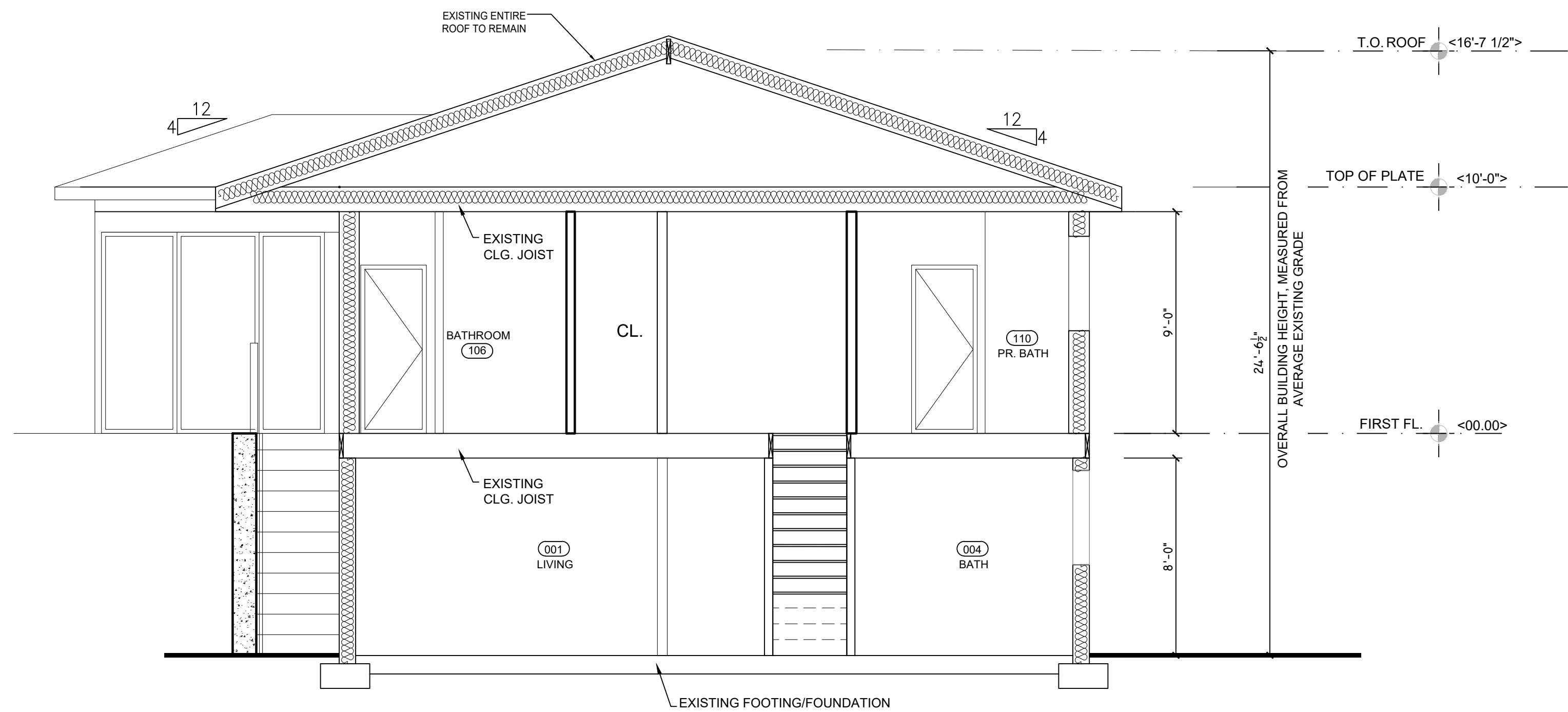
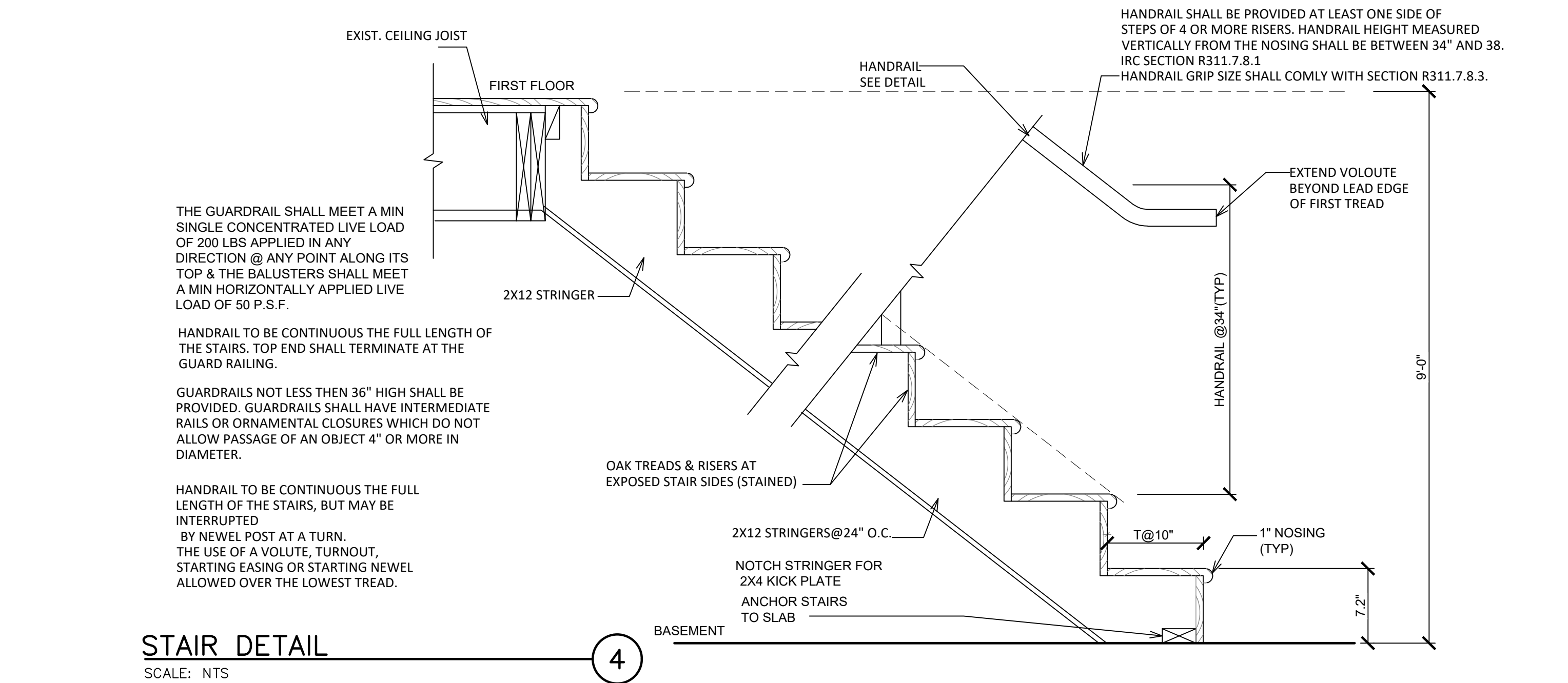
EXISTING REAR ELEVATION (NO CHANGE) 1
SCALE: 1/4" = 1'-0"



EXISTING FRONT ELEVATION (NO CHANGE) 1
SCALE: 1/4" = 1'-0"



PHASE	
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RELEASED FOR	
<input type="checkbox"/> INFORMATION	
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DESIGNER:	
DRAWN BY: HY	
ISSUE DATE	FOR
7/18/2025	PERMIT
SCALE:	
PROJECT #:	
PROJECT TITLE:	
EXISTING ELEVATIONS	



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PROJECT:
1447 SKYHAVEN RD SE,
ATLANTA, GEORGIA


PHASE	
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<input type="checkbox"/>	DESIGN DEVELOPMENT
<input checked="" type="checkbox"/>	CONSTRUCTION DOCUMENTS
RELEASED FOR	
<input type="checkbox"/>	INFORMATION
<input type="checkbox"/>	ESTIMATING/BIDDING
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DESIGNER:	
DRAWN BY: HY	
ISSUE DATE	FOR
7/18/2025	PERMIT


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PROJECT #:
PROJECT TITLE:
EXISTING ELEVATIONS,
SECTION


A-5.0


ELECTRICAL SYMBOL LEGEND


- 


CEILING MOUNTED RECESSED LIGHTS
6-3/4" GU-24 SOCKET, IC RATED, WITH
HIGH EFFICACY 15-WATT (60W) LED, 60
LUMENS PER WATT
- 


CEILING MOUNTED PENDANT LIGHT
- 


VANITY LIGHT FIXTURE HIGH EFFICACY
- 


EXTER. WALL MOUNTED LIGHT
FIXTURE
(WATER PROOF)
- 


15 AMP DOUBLE WALL OUTLET
- 

15 AMP DOUBLE WALL OUTLET
WITH GROUND INT. FAULT
- 

240 VOLT RECEPTACLE
- 

NFPA 72 COMPLIANT,
COMBINATION
SMOKE DETECTOR/CARBON
MONOXIDE DETECTOR
HARDWIRED WITH BATTERY
BACKUP
- 

SINGLE POLE SWITCH
- 

3 WAY SINGLE POLE SWITCH
- 

EXHAUST FAN

NOTES:
SMOKE AND CO DETECTORS:

- A COMBO SMOKE DETECTOR & CO DETECTOR SHALL BE PLACED IN HALLWAYS OUTSIDE THE BEDROOM AREA. HALLWAYS LONGER THAN 30 FEET SHALL HAVE ONE AT EACH END.
- EACH BEDROOM SHALL HAVE A SMOKE DETECTOR INSTALLED ON THE DEILING AT LEAST 18 INCHES AWAY FROM DEAD AIR SPACE NEAR WALL AND CORNERS OR ON THE WALL FROM SIX TO 12 INCHES BELOW THE CEILING AND AWAY FROM CORNERS.
- SMOKE DETECTOR SHALL BE INSTALLED AT THE TOP OF EACH STAIRWELL.
- SMOKE AND CO DETECTORS SHALL BE HARDWIRED (WITH BATTERY BACKUP) AND INTERCONNECTED ON THEIR OWN BRANCH CIRCUIT.
- SMOKE AND CO DETECTORS SHALL NOT BE INSTALLED CLOSER THAN THREE FEET FROM AN AIR REGISTER.
- SMOKE DETECTOR SHALL BE INTERCONNECTED SUCH THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL ALARMS. CRC R314 - CARBON MONOXIDE DETECTOR SHALL BE INTERCONNECTED SUCH THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL ALARMS. CRC R315
- KITCHEN COUNTER OUTLETS SHALL BE ON 2 SEPARATE BRANCH CIRCUITS.
- 4" RECESSED LIGHTS SHALL BE AIR TIGHT AND IC RATED IF THEY ARE IN CONTACT WITH INSULATION.
- BATHROOM INCANDESCENT LIGHTING SHALL BE CONTROLLED WITH A MANUAL ON VACANCY SENSOR LIGHT SWITCH.
- HIGH EFFICACY LUMINAIRES MUST BE PIN BASED.
- ALL BRANCH CIRCUITES THAT SUPPLY 125 VOLT, SINGLE PHASE, 15 OR 20 AMPERE OUTLETS INSTALLED IN DWELLING UNITS SHALL BE PROTECTED BY AN ARC-FAULT CIRCUIT INTERRUPTER(S). CEC 210.12 NOTE THIS REQUIREMENT IS FOR THE INTIRE CIRCUIT, NOT JUST THE OUTLETS.

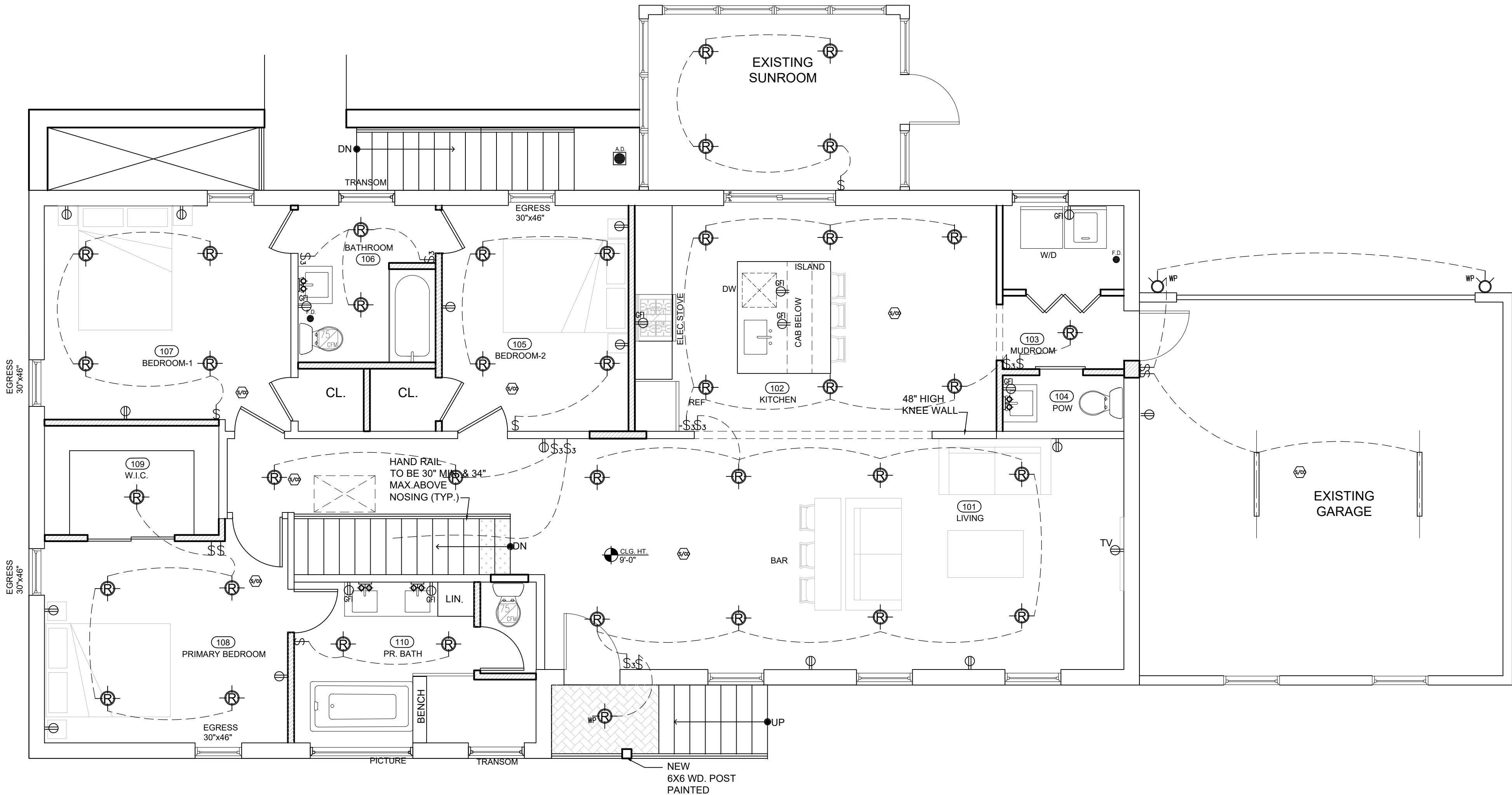
THE INSTALLATION OF SMOKE ALARMS AND SMOKE DETECTORS SHALL COMPLY WITH THE FLOOWING REQUIREMENTS:

- SHALL NOT BE LOCATED WHERE AMBIENT CONDITIONS, INCLUDING HUMIDITY AND TEMPERATURE, ARE OUTSIDE THE LIMITS SPECIFIED BY THE MANUFACTURER'S PUBLISHED INSTRUCTIONS.
- SHALL NOT BE LOCATED WITHIN UNFINISHED ATTICS OR GARAGES OR IN OTHER SPACES WHERE TEMPERATURES CAN FALL BELOW 40°F OR EXCEED 100°F.
- WHERE THE MOUNTING SURFACE COULD BECOME CONSIDERABLY WARMER OR COOLER THAN THE ROOM, SUCH AS A POORLY INSULATED CEILING BELOW AN UNFINISHED ATTIC OR EXTERIOR WALL, SMOKE ALARMS AND SMOKE DETECTORS SHALL BE MOUNTED ON AN INSIDE WALL.
- SHALL BE INSTALLED A MINIMUM 20-FOOT HORIZONTAL DISTANCE FROM A PERMANENTLY INSTALLED COOKING APPLIANCE.
- SHALL BE INSTALLED NOT LESS THAN A 3 FOOT HORIZONTAL DISTANCE FROM THE DOOR OR OPENING OF A BATHROOM THAT CONTAINS A BATHTUB OR SHOWER UNLESS THIS WOULD PREVENT PLACEMENT OF A SMOKE ALARM REQUIRED BY OTHER SECTIONS OF THE CODE.
- SHALL NOT BE INSTALLED WITHIN A 36-INCH HORIZONTAL PATH FROM THE SUPPLY REGISTERS OF A FORCED AIR HEATING OR COOLING SYSTEM, AND SHALL BE INSTALLED OUTSIDE OF THE DIRECT AIRFLOW FROM THOSE REGISTERS.
- SHALL NOT BE INSTALLED WITHIN A 36-INCH HORIZONTAL PATH FROM THE TIP OF THE BLADE OF A CEILING-SUSPENDED (PADDLE) FAN.
- WHERE STAIRS LEAD TO OTHER OCCUPIED LEVELS, A SMOKE ALARM OR SMOKE DETECTOR SHALL BE LOCATED SO THAT SMOKE RISING IN THE STAIRWAY CANNOT BE PREVENTED FROM REACHING THE SMOKE ALARM OR SMOKE DETECTOR BY INTERVENING DOOR OR OBSTRUCTION.
- FOR STAIRWAYS LEADING UP FROM A BASEMENT, SMOKE ALARMS OR SMOKE DETECTORS SHALL BE LOCATED ON THE BASEMENT CEILING NEAR THE ENTRY TO THE STAIRS.
- SHALL BE INSTALLED ON THE HIGHEST PORTION OF THE CEILING OR ON THE SLOPED PORTION OF THE CEILING WITHIN 12- INCH VERTICALLY DOWN FROM HTE HIGHEST POINT OF TRAY SHAPED CEILINGS (COFFERED CEILINGS).
- SMOKE ALARMS AND DETECTORS INSTALLED IN ROOMS WITH JJOISTS OR BEAMS SHALL COMPLY WITH THE REQUIREMENTS OF 17.7.3., 2, 4 OF NFPA 72.
- HEAT ALARMS AND DETECTORS INSTALLED IN ROOMS WITH JOISTS OR BEAMS SHALL COMPLY WITH THE REQUIREMENTS OF 17.6.3 OF NFPA 72.

MECHANICAL NOTES:

4.506.1 BATHROOM EXHAUST FANS, MECHANICAL EXHAUST FANS WHICH EXHAUST DIRECTLY FROM BATHROOMS SHALL COMPLY WITH THE FOLLOWING:

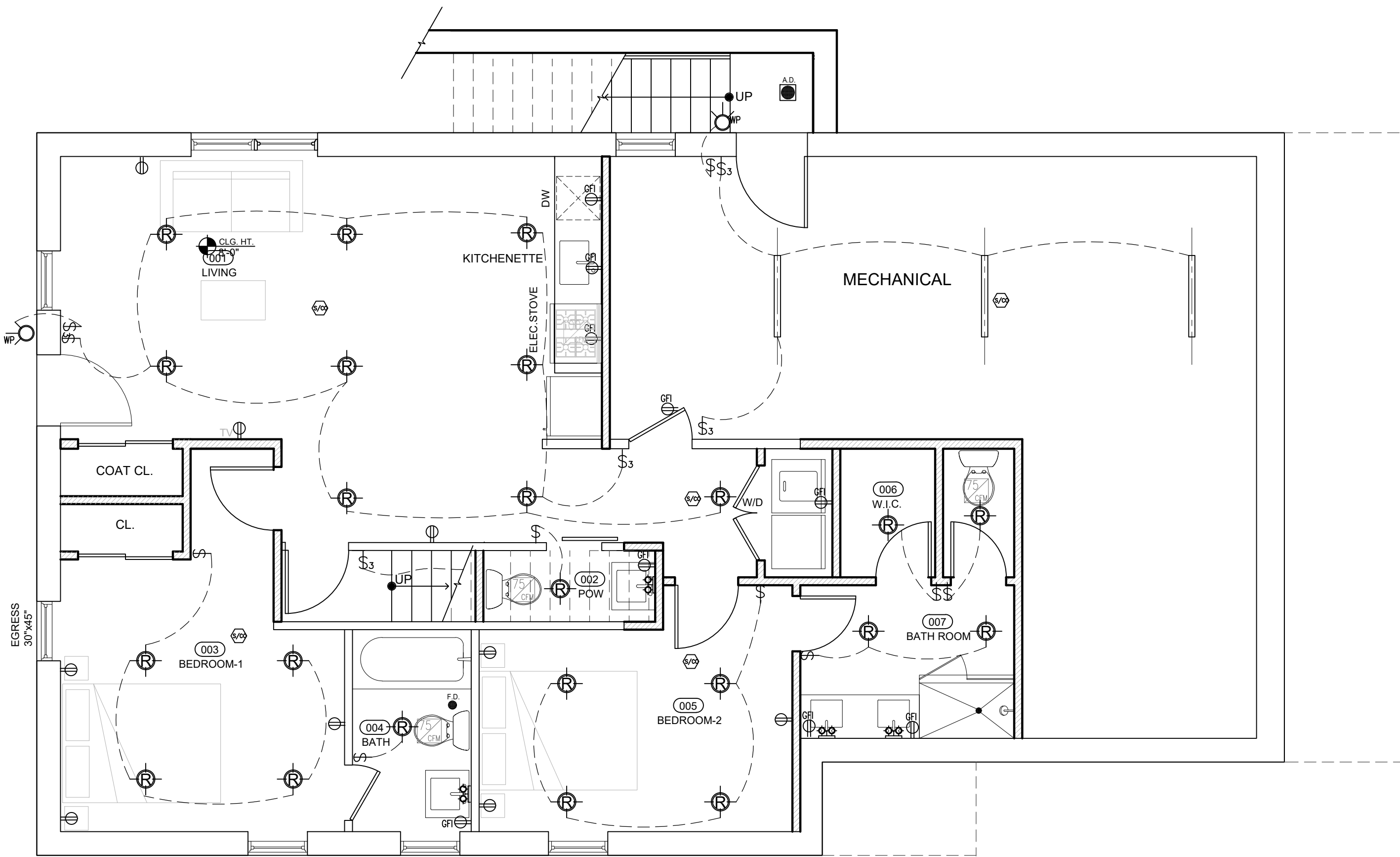
- FANS SHALL BE ENERGY STAR COMPLIANT AND BE DUCTED TO TERMINATE OUTSIDE THE BUILDING.
- UNLESS FUNCTIONING AS A COMPONENT OF A WHOLE HOUSE VENTILATION SYSTEM, FAN HUMIDISTAT CONTROLS SHALL BE CAPABLE OF ADJUSTMENT BETWEEN A RELATIVE HUMIDITY RANGE OF 50 TO 80 PERCENT.



FIRST FLOOR ELECTRICAL PLAN

SCALE: 1/4" = 1'-0

2



BASEMENT FLOOR ELECTRICAL PLAN

SCALE: 1/4" = 1'-0

1

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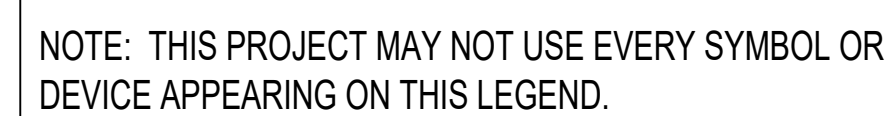
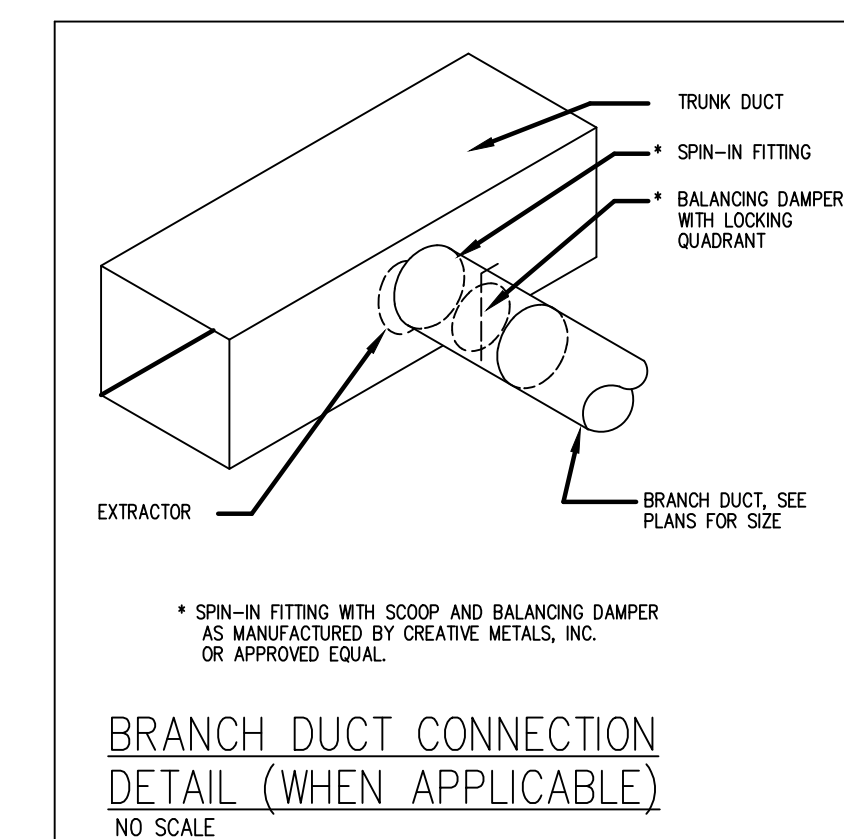
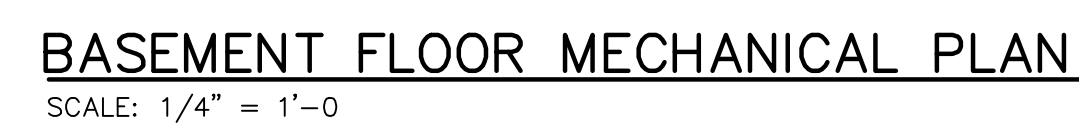
PROJECT:
1447 SKYHAVEN RD SE,
ATLANTA, GEORGIA

PHASE
☐ SCHEMATIC DESIGN
☐ DESIGN DEVELOPMENT
☒ CONSTRUCTION DOCUMENTS
RELEASED FOR
☐ INFORMATION
☐ ESTIMATING/BIDDING
☒ CONSTRUCTION

DESIGNER:
DRAWN BY: HY
ISSUE DATE FOR
7/18/2025 PERMIT

SCALE:
PROJECT #:
PROJECT TITLE:
ELECTRICAL PLANS

E-1.0



PROJECT:
1447 SKYHAVEN RD SE,
ATLANTA, GEORGIA

PHASE

- ☐ SCHEMATIC DESIGN
- ☐ DESIGN DEVELOPMENT
- ☒ CONSTRUCTION DOCUMENTS

RELEASED FOR

- ☐ INFORMATION
- ☐ ESTIMATING/BIDDING
- ☒ CONSTRUCTION

DESIGNER:

DRAWN BY: HY

ISSUE DATE	
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7.18.2025	
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SCALE: _____

GRADE: _____

PROJECT TITLE:

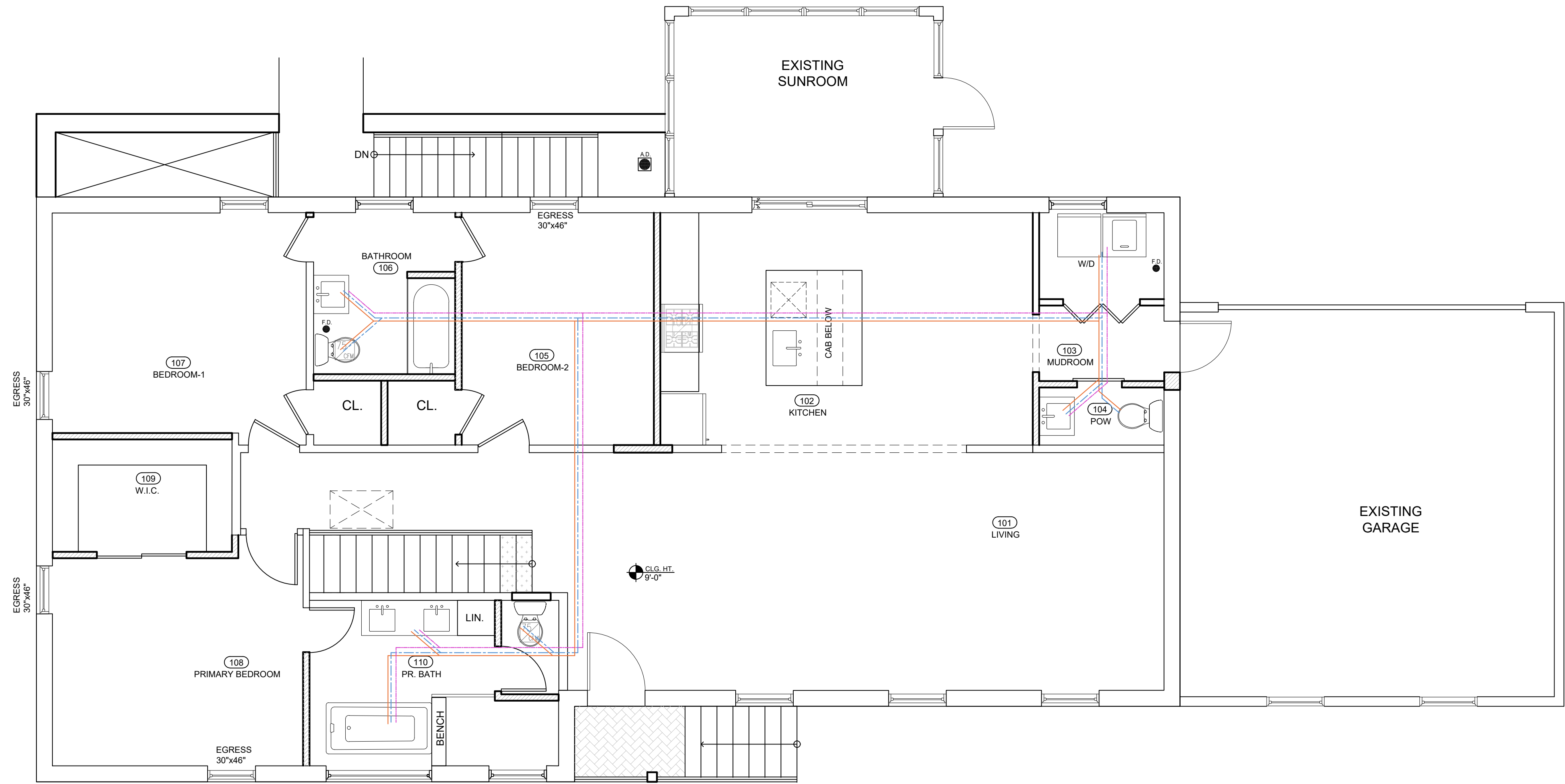
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Page 10 of 10



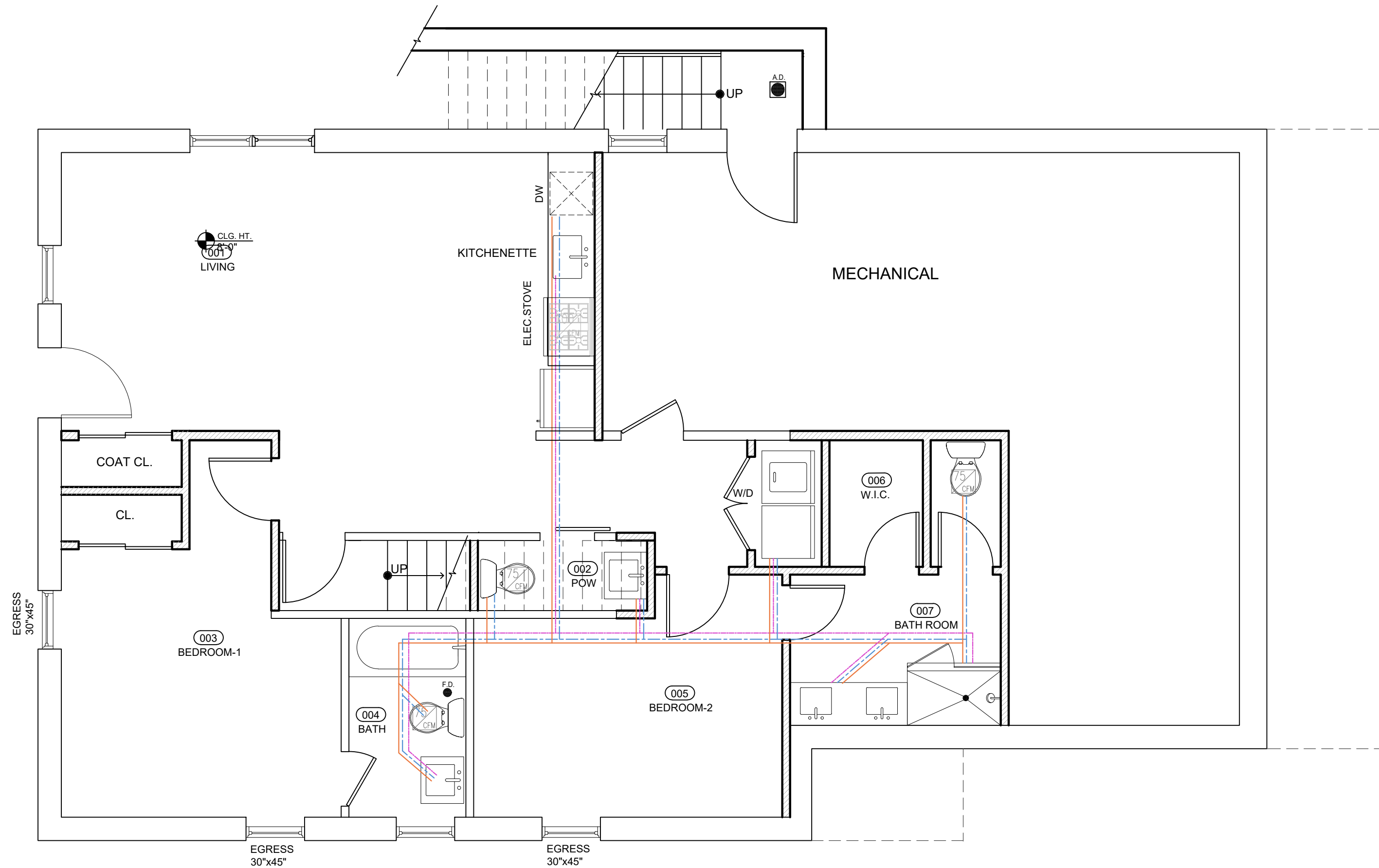
LEGEND

- COLD WATER DISTRIBUTION
- HOT WATER DISTRIBUTION
- GRAY WATER RETURN
- HBF HOSEBIBB FAUCET
- MSOV MAIN SHUT OFF VALVE

FIRST FLOOR PLUMBING WATER DISTRIBUTION

SCALE: 1/4" = 1'-0

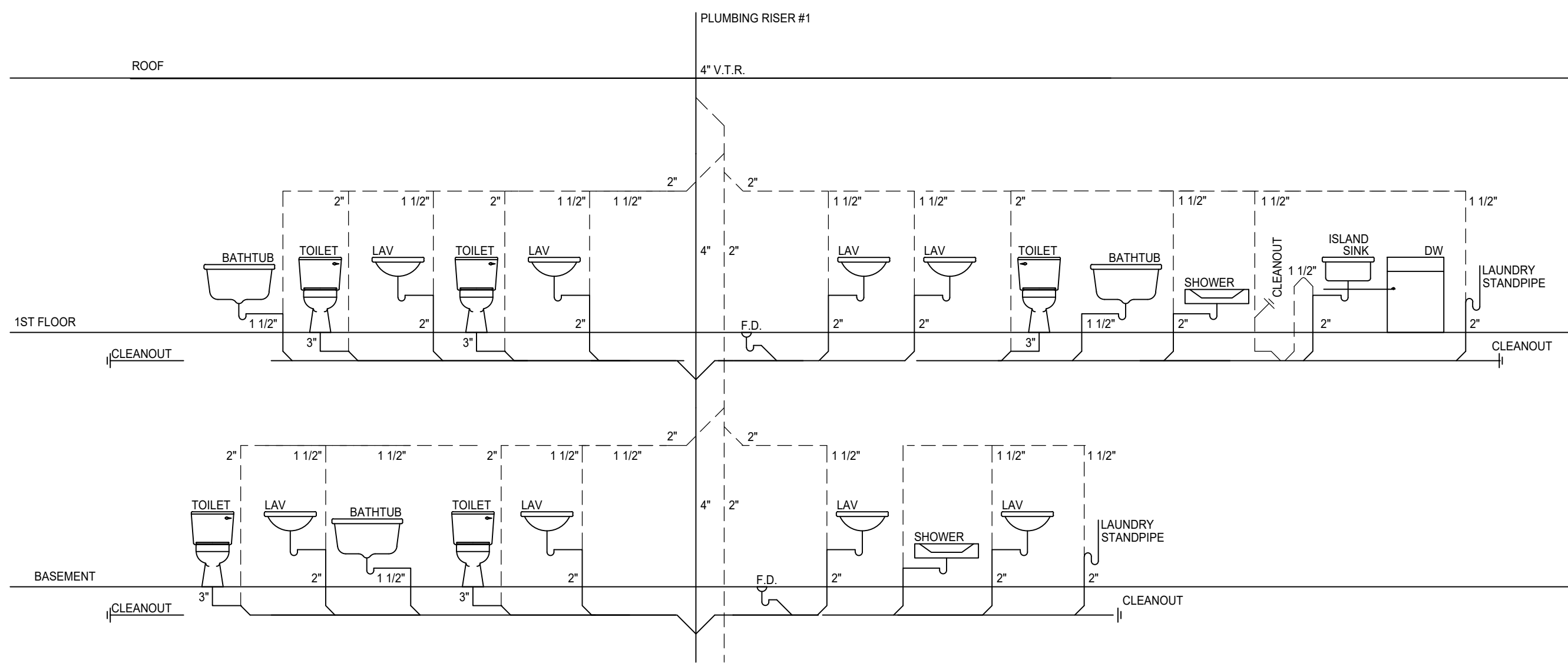
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BASEMENT FLOOR PLUMBING WATER DISTRIBUTION

SCALE: 1/4" = 1'-0

1



PLUMBING WASTE/ VENT DIAGRAM

SCALE: NTS

3

RELOTZ

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PROJECT:
1447 SKYHAVEN RD SE,
ATLANTA, GEORGIA

PHASE
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☒ CONSTRUCTION

DESIGNER:
DRAWN BY: HY
ISSUE DATE FOR
7/18/2025 PERMIT

SCALE:
PROJECT #:
PROJECT TITLE:
PLUMBING WATER
DISTRIBUTION

P-1.0

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 (124XXXX)** – 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 plansustain@dekalbcountyga.gov and ljcarter@dekalbcountyga.gov 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.

DEPARTMENT OF PLANNING & SUSTAINABILITY

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:
 - 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.
 - 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).

DEPARTMENT OF PLANNING & SUSTAINABILITY

- 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 Zoning Ordinance;
- 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 on due cause shown.

- 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.

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- 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 plansustain@dekalbcountyga.gov 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: <https://epermits.dekalbcountyga.gov/> (no more than 10mb permitted). Email a combined PDF document of the completed application and materials to plansustain@dekalbcountyga.gov and lrcarter@dekalbcountyga.gov 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 at 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 [DeKalb County Zoning Code](#). 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: <https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info>
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, [HERE](#).
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
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.

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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.