



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  
Njoku

Interim  
Director

**N5. Case No: A-26-1247891**

**Parcel ID(s): 18 047 05 001**

**Commission District 04 Super District 06**

**Applicant:** **April Turner**  
[REDACTED]  
Stockbridge, GA 30281

**Owner:** **OCP 3000 ND LLC**  
[REDACTED]  
Scottdale, GA 30079

**Project Name:** **3000 N Decatur -**

**Location:** 3000 N Decatur Road, Decatur, GA 30079

**Requests:** Application by Lesha Martin to request variance from Section 27-7.5.5 of the DeKalb County Zoning Ordinance to reverse prior lot merger to facilitate construction of two single-family residences in the R-75 (Residential Medium) 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 subject property consists of two single-family detached dwellings located at 3383 and 3387 Phillip Circle in Commission District 3, Super District 7. The combined tax parcel (15 187 01 041) is zoned R-75 (Residential Medium Lot-75) and designated Suburban (SUB) on the DeKalb County Comprehensive Land Use Plan. The surrounding area is an established single-family subdivision where the prevailing lot pattern consists of platted lots approximately 65 feet wide, served by local streets and typical neighborhood infrastructure. The applicant, Ilesha Martin, on behalf of the property owner, Leese Home LTD Co, requests a variance from Section 27-7.5.5 to allow the re-establishment of two lots with a reduced minimum lot width of 65 feet to reverse a prior lot merger and facilitate permitting for rehabilitation of both homes.

According to the applicant's materials and the submitted variance plan, the property historically comprised Lots 10 and 11 of the Phillip Homes subdivision, each developed with a single-family home and each oriented to Phillip Circle with separate driveways and utility services. The lots were combined into a single tax parcel, resulting in one parcel containing two principal dwellings that do not conform to current R-75 standards for lot width and lot configuration.

The applicant proposes no new principal construction or expansion of the existing building footprints; instead, the scope of work is limited to rehabilitation of both dwellings, including new electrical, HVAC, sheetrock, flooring, paint, siding, roof, plumbing, and windows, with all prior work to be brought up to current code standards. The submitted site plan shows re-establishment of two lots at 65 feet of frontage each, consistent with the recorded subdivision pattern and adjacent lots along Phillip Circle.

**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 primary exceptional condition of this property is that a single tax parcel presently contains two detached single-family dwellings, each with its own mailing address, driveway, and utility connections, situated in the location of two original subdivision lots. This is an atypical configuration in the R-75 district, where lots are generally platted and maintained as separate parcels, and where the minimum lot width standard of 75 feet was adopted after the original 65-foot lots in this subdivision were created. The result is a unique circumstance wherein the physical development on the ground reflects two separate house lots, but the underlying parcel structure does not, thereby preventing the property from functioning in the same way as other homes in the neighborhood.

**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 reduction in minimum lot width—from 75 feet to 65 feet for each lot—directly matches the width of the original platted lots and the prevailing lot pattern throughout the subdivision. The variance plan illustrates two lots of approximately 11,800–11,900 square feet each, both exceeding the minimum R-75 lot area requirement of 10,000 square feet while matching the neighborhood's established 65-foot frontage pattern. No additional variances are requested for lot area, setbacks, building height, or other development standards. The relief is narrowly tailored to allow the two existing dwellings to sit on lots that are consistent with established conditions rather than to enable additional density or new building envelopes.

**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 re-establishment of two 65-foot-wide lots will not introduce any new principal structures or increase the number of dwelling units beyond what already exists on the site. Traffic generation, parking demand, and utility usage may remain the same, as the two single-family residences are already constructed and served by existing driveways and infrastructure. The rehabilitation work described in the applicant's scope—upgrading major systems, finishes, and exterior elements—will improve building safety, energy efficiency, and appearance.

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

If Section 27-7.5.5 were applied literally, the existing two-dwelling configuration on a single parcel would remain in place, and the property owner would have no clear path to obtain permits to rehabilitate or separately finance, sell, or manage each home as an individual lot. Because the combined parcel does not meet current R-75 standards for containing two principal dwellings, the property may be frozen in a nonconforming and administratively untenable state. The inability to record a corrective plat, issue routine rehabilitation permits, or bring the homes fully up to code represents an undue and unnecessary hardship that is not experienced by other homeowners in the subdivision.

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

The DeKalb County Zoning Ordinance and Comprehensive Plan seek to promote stable, well-maintained single-family neighborhoods, reinvestment in existing housing stock, and development patterns that reinforce established subdivision layouts. The Suburban (SUB) future land use designation for this area envisions low- to medium-density detached housing on individual lots served by local streets and existing infrastructure. Restoring two separate single-family lots that match the historic 65-foot lot pattern directly supports this vision by maintaining existing density, respecting the original subdivision design, and enabling investment in aging structures.

**FINAL STAFF ANALYSIS:**

In summary, the subject property is a combined R-75 parcel containing two existing single-family dwellings that function as separate homes but lack the underlying lot structure needed for routine permitting, financing, and maintenance. The requested variance from Section 27-7.5.5 to reduce the minimum lot width from 75 feet to 65 feet for each lot would re-establish two lots consistent with the original subdivision pattern and surrounding 65-foot-wide lots, without increasing residential density or altering the established character of Phillip Circle. The variance addresses an unusual parcel configuration, represents the minimum necessary relief, is not expected to harm public welfare or neighboring properties, and is consistent with the Suburban (SUB) Comprehensive Plan designation and the intent of the zoning ordinance to support orderly, stable neighborhoods.

Therefore, staff recommends **approval with conditions** of a variance from Section 27-7.5.5 to allow a minimum lot width of 65 feet for the two re-established lots at 3383 and 3387 Phillip Circle.

**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.

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 RECORD OF SUBJECT PROPERTY

Owner: \_\_\_\_\_

Address (Mailing): \_\_\_\_\_

Email: \_\_\_\_\_ Telephone Home: \_\_\_\_\_ 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](mailto:plansustain@dekalbcountyga.gov) with any questions.

DEPARTMENT OF PLANNING & SUSTAINABILITY

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**ZONING BOARD OF APPEALS APPLICATION**

**AUTHORIZATION OF THE PROPERTY OWNER**

I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property.

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property subject to the application.

DATE: 11/23/25

Applicant  
Signature:



DATE: 11/23/25

Applicant  
Signature:

\_\_\_\_\_

DEPARTMENT OF PLANNING & SUSTAINABILITY

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION TO REPRESENT THE PROPERTY OWNER

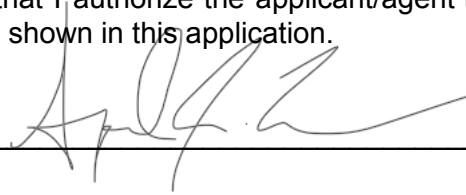
I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property.

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property and that I authorize the applicant/agent to apply for a hearing to the Zoning Board of Appeals for the requests as shown in this application.

DATE: 11/23/25

Applicant/Agent  
Signature:



TO WHOM IT MAY CONCERN:

(I)/ (WE): OCP 3000 ND LLC  
(Name of Owners)

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

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Owner Signature

Exhibit “A”

Premises

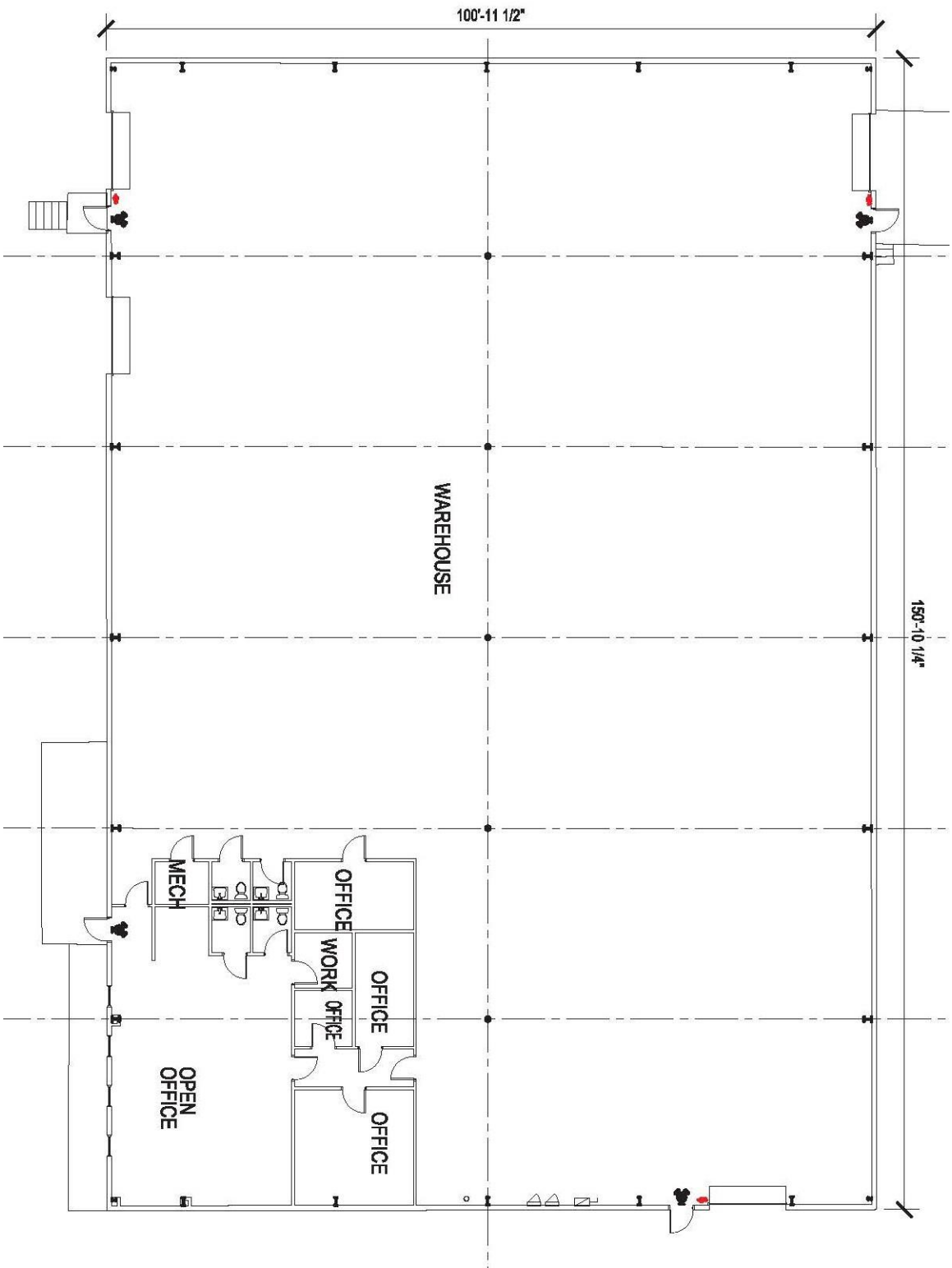






Exhibit "B-2"

Property (Legal Description)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 47 OF THE 18TH DISTRICT OF DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT 1/2 INCH REBAR AND PLASTIC CAP SET AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF NORTH DECATUR ROAD (HAVING A 100 FOOT RIGHT OF WAY) WITH THE WESTERLY RIGHT OF WAY OF KENTUCKY STREET (HAVING A 60 FOOT RIGHT OF WAY) THENCE, ALONG SAID RIGHT OF WAY OF NORTH DECATUR ROAD, N 88°26'13" W A DISTANCE OF 216.62 FEET TO A 1/2 INCH REBAR AND PLASTIC CAP FOUND; THENCE, LEAVING SAID RIGHT OF WAY, N 00°16'22" E A DISTANCE OF 190.78 FEET TO A 1/2 INCH REBAR AND PLASTIC CAP FOUND; THENCE S 88°37'59" E A DISTANCE OF 220.50 FEET TO A 1/2 INCH REBAR AND PLASTIC CAP FOUND ON THE WESTERLY RIGHT OF WAY OF KENTUCKY STREET; THENCE, ALONG SAID RIGHT OF WAY, S 01°26'24" W A DISTANCE OF 191.49 FEET TO A 1/2 INCH REBAR AND PLASTIC CAP SET BEING THE POINT OF BEGINNING,

SAID TRACT CONTAINING 0.959 ACRES OR 41,769 SQUARE FEET.



3016 North Decatur Road  
Scottsdale, GA 30079

Tel: 404-371-4100  
Fax: 404-393-9691  
[www.oakrep.com](http://www.oakrep.com)

November 24, 2025

DeKalb County Planning and Zoning  
178 Sams Street  
Decatur, GA 30030

***Re: Parking Spaces for Undisputed Physiques at 3016 N. Decatur Road***

To whom it may concern at DeKalb County Planning and Zoning:

I am the manager and co-owner of Oakhurst Realty Partners, LLC, the business owner and lessee at 3016 N. Decatur Road, Scottsdale, GA 30079.

The purpose of this letter is to confirm that we are granting Undisputed Physiques LLC, the business located at 3000 N. Decatur Road, Decatur, GA 30030, the use of up to twenty-two (22) parking spaces on our property for the term of its lease with OCP 3000 ND, LLC, subject to the terms of the parking agreement.

Sincerely,

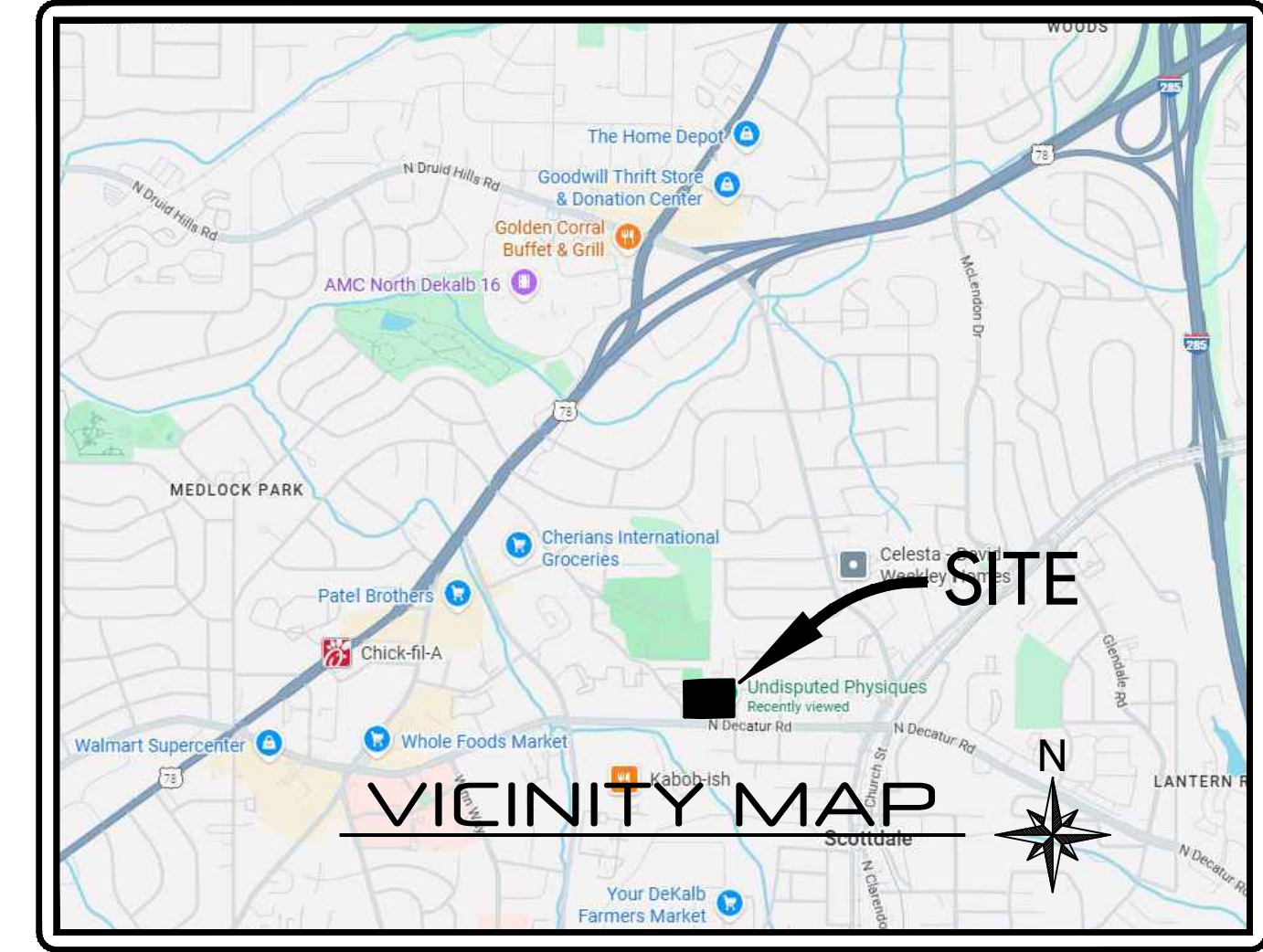
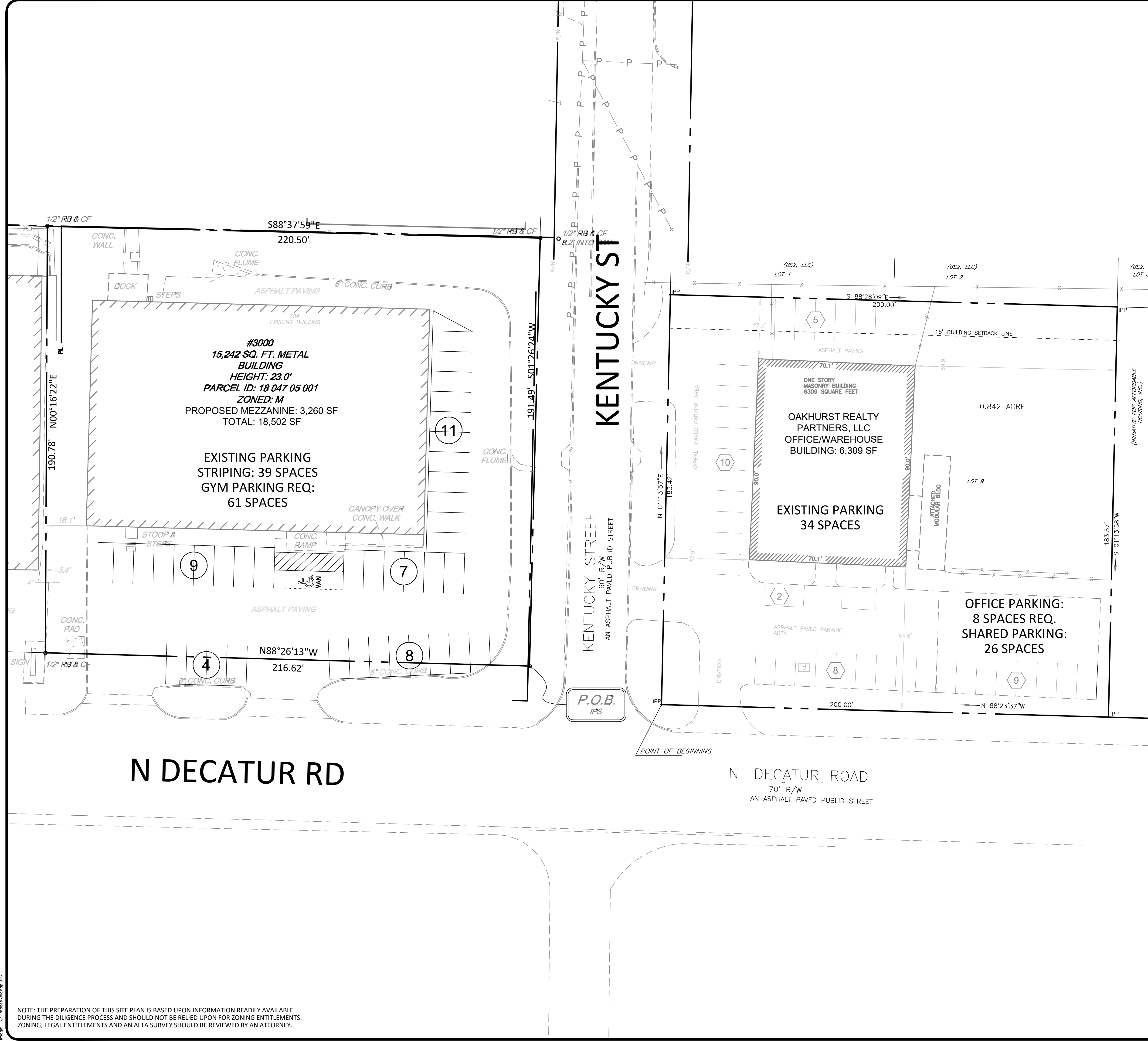
A handwritten signature in blue ink, appearing to read "Bart Lester", with a long horizontal flourish extending to the right.

Bart Lester  
Managing Partner

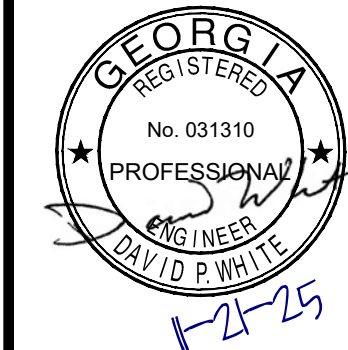
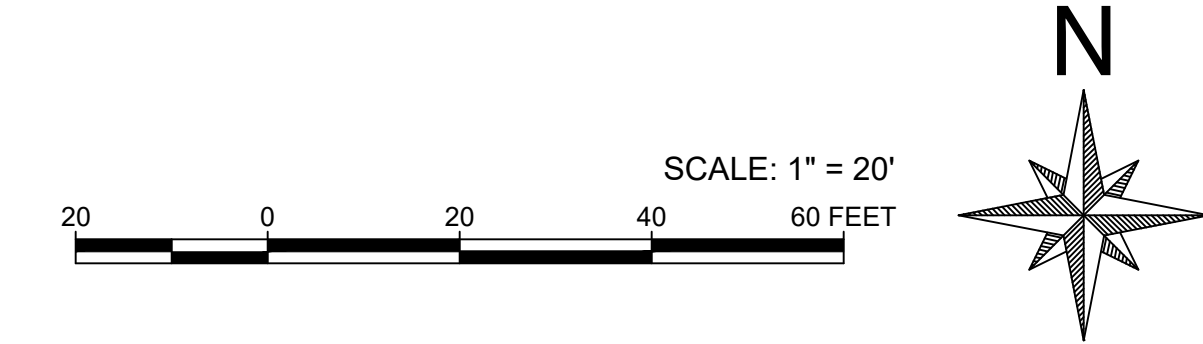


Friday, November 21, 2025 08:20:31am (GMT) 2A: C:\projects\25416\25416.dwg 25416 - Gym - Gym - Parking\25416 CP1 11-17-25.dwg [CP1]

NOTE: THE PREPARATION OF THIS SITE PLAN IS BASED UPON INFORMATION READILY AVAILABLE DURING THE DILIGENCE PROCESS AND SHOULD NOT BE RELIED UPON FOR ZONING ENTITLEMENTS. ZONING, LEGAL ENTITLEMENTS AND AN ALTA SURVEY SHOULD BE REVIEWED BY AN ATTORNEY.



Level 1		
	Existing/Req'	Proposed
Zoning	M	-
Use Allowed	Yes	-
Use Specific Req'	N/A	-
Flood Zone	No	-
National Wetlands Inventory	-	-
Overlay District	-	-
Gym (3000 N Decatur)	15, 242 SF	18,502 SF
Total Site Area	-	0.96 AC
Building Setbacks	-	-
Major	-	-
Minor	-	-
Side	-	-
Rear	-	-
Landscape Strips	-	-
Major	-	-
Minor	-	-
Side	-	-
Land Use Buffers	-	-
Environmental Buffers	-	-
Level 2		
	Existing/Req'	Proposed
3000 N.D.R. Gym Parking Req	1 space / 300 SF	18,502sf/300= 61 spaces
3016 N.D.R. Office Parking Req	1 space / 500 SF	3,500sf/500 = 7 spaces
3016 N.D.R. Warehouse Parking Req	1 space / 2,000 SF	2,800sf/2,000 = 1 space
Total Parking Required	-	68 Spaces
Parking Spaces Provided	3000 N Decatur Rd	39 Spaces
Parking Spaces Provided	3016 N Decatur Rd	34 Spaces
Total Parking Provided	-	73 Spaces
Parking Size	-	-
Compact Parking %	-	-
Loading Space	-	-
LS - Open Space %	-	-
Minimum Lot Size	-	-
Minimum Frontage	-	-
Adjacent Zoning North	-	-
Adjacent Zoning South	-	-
Adjacent Zoning East	-	-
Adjacent Zoning West	-	-
Water Sewer Proximity	-	-
Overlay Requirements	-	-



**civiloicistix**  
500 SUN VALLEY DRIVE, STE H3, ROSWELL, GA 30076  
(404) 594-4403 - civiloicistix.com

**Gym Parking Analysis**  
**Undisputed Physiques**  
3000 N Decatur Rd  
Decatur, GA 30033

**CP1**  
**25416**

**NOVEMBER 21, 2025**  
REVISIONS