



DeKalb County Zoning Board of Appeals

Department of Planning & Sustainability

178 Sams Street,
Decatur, GA 30030



Wednesday, January 14, 2026

Juliana A. Njoku

Planning Department Staff Analysis

Chief Executive Officer

Director

N9. Case No: A-26-247905

Parcel ID(s): 15 066 01 040

Commission District 03 Super District 07

Applicant/Owner: Rona Swann & Semelda Haynes



Project Name: 3310 White Castle Drive – ADU Conversion

Location: 3310 White Castle Drive, Decatur, GA, 30034

Request: Variance from Section 27-4.2.3 of the DeKalb County Zoning Ordinance to increase in the maximum size of an Accessory Dwelling Unit (ADU) from 900 square feet to 1,738 square feet to facilitate the conversion of an existing basement into an ADU within a single-family residence in the R-100 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 ADU shall remain subordinate to the principal dwelling and shall not be separately subdivided or conveyed.
3. The ADU shall be limited to the basement area as shown on the submitted plans. Any expansion beyond the approved floor area shall require additional review and approval.
4. Owner occupancy of either the principal dwelling or the ADU shall be maintained in accordance with Section 4.2.3.

STAFF FINDINGS:

The applicant requests a variance to increase the allowable size of an accessory dwelling unit from 900 square feet to 1,738 square feet to enable conversion of an existing basement at 3310 White Castle Drive. The property is zoned R-100 and contains a single-family residence with a basement that was constructed as part of the original home.

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 an existing basement with sufficient ceiling height and floor area to function as a self-contained living space. Due to the configuration of the original structure, the basement area exceeds the maximum ADU size otherwise permitted under Section 4.2.3. These conditions were not created by the current owners and are inherent to the design and construction of the home. Strict application of the ordinance would prevent reasonable use of existing floor area and limit the homeowner's ability to utilize the basement in a manner consistent with evolving residential needs, including multigenerational living.

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 variance represents the minimum relief necessary to allow the basement conversion to function as an ADU. The proposal does not involve exterior expansion of the building footprint or additional lot coverage. The increased ADU size is directly tied to the existing basement configuration, and no new habitable space is proposed beyond what already exists within the structure.

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 ADU conversion will not be materially detrimental to public welfare or injurious to adjacent properties. The conversion occurs entirely within the existing building envelope and will not alter the outward appearance, scale, or massing of the home. No adverse impacts related to traffic, noise, drainage, or neighborhood character are anticipated. Staff notes that the property remains consistent with single-family residential use, and the ADU is intended to function as an accessory use subordinate to the primary dwelling.

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

Strict enforcement of the ADU size limitation would impose an undue and unnecessary hardship by rendering a portion of the existing basement unusable for reasonable residential purposes. Given the size and configuration of the basement, denial of the variance would not advance the intent of the ordinance and would unnecessarily restrict adaptive reuse of existing space.

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. Allowing limited flexibility for ADU size supports housing diversity, multigenerational living, and efficient use of existing residential structures while maintaining neighborhood stability within the Suburban Character Area.

FINAL STAFF ANALYSIS:

The application satisfies the variance criteria outlined in Section 27-2.2.1 of the DeKalb County Zoning Ordinance. The existing basement configuration constitutes a legitimate site constraint, and the requested relief is limited to facilitating adaptive reuse without exterior expansion. With appropriate conditions to ensure continued compliance with ADU standards, the request may be reasonable and appropriate.

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 ADU shall remain subordinate to the principal dwelling and shall not be separately subdivided or conveyed.
3. The ADU shall be limited to the basement area as shown on the submitted plans. Any expansion beyond the approved floor area shall require additional review and approval.
4. Owner occupancy of either the principal dwelling or the ADU shall be maintained in accordance with Section 4.2.3.



DeKalb County

GEORGIA

Chief Executive Officer
Michael Thurmond

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

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: **Rona Swann and Semelda Haynes**

Mailing Address: [REDACTED]

City/State/Zip Code: **Decatur, GA 30034**

Email: [REDACTED]

Telephone Home: [REDACTED] Business: [REDACTED]

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: **Rona Swann**

Address (Mailing): **3310 White Castle Drive, Decatur, GA 30034**

Email: [REDACTED] Telephone Home: [REDACTED]

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: **3310 White Castle Drive** City: **Decatur** State: **GA** Zip: **30034**

District(s): [REDACTED] Land Lot(s): [REDACTED] Block: [REDACTED] Parcel: **1506601040**

Zoning Classification: **R-100** Commission District & Super District: **3/7**

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 with any questions.

DEPARTMENT OF PLANNING & SUSTAINABILITY

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: 12/04/2025 
Applicant
Signature

DATE: _____ 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: 12/4/2025

Applicant/Agent
Signature:

A handwritten signature in black ink that appears to read 'Linda H.'

TO WHOM IT MAY CONCERN:

(I)/ (WE): Rona Swann
(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

LETTER OF INTENT / STATEMENT OF HARDSHIP

Variance Request – Accessory Dwelling Unit Size

DeKalb County Zoning Board of Appeals

Property Address: 3310 White Castle Drive

Parcel Number: 15 066 01 040

Applicant: Rona Swann/Semelda Haynes

Requested Variance: Section 27-4.2.3 (C)(10) – ADU Size Limitation

Current Basement Size: 1,738 sq. ft.

Maximum Permitted ADU Size: 900 sq. ft.

To the Honorable Members of the DeKalb County Zoning Board of Appeals,

I respectfully submit this Letter of Intent in support of my request for a variance from Section 27-4.2.3 (C)(10) of the DeKalb County Zoning Ordinance, which limits Accessory Dwelling Units (ADUs) to nine hundred (900) square feet of heated floor area. I am requesting approval to permit an existing 1,738-square-foot basement area to be used as an Accessory Dwelling Unit.

Basis of Hardship:

The subject property was constructed in 1968, decades before the adoption of DeKalb County's ADU regulations in 2015. At the time of construction, there was no governing zoning framework regulating basement sizes or classifying basement living spaces as accessory dwelling units. As such, the home was lawfully built with a basement footprint nearly equal to the main living level.

Because the basement already existed in its current configuration long before ADU regulations were enacted, it is physically impossible to reduce the size of the basement to meet the 900-square-foot limitation without extraordinary and unreasonable structural alteration. This creates a unique hardship that is not self-created and is specific to the property.

Community and Family Necessity:

The basement has been renovated to provide safe, code-compliant living space due to real and ongoing community needs:

We are currently hosting a local family displaced by a house fire. This family would have experienced significant hardship without this available space.

An immediate family member, who is a military veteran suffering from severe PTSD, has requested to reside in the basement once the neighbors have left, so that we may provide caregiving and emotional support.

Without this space, these individuals would face undue hardship, and our family would be unable to provide necessary assistance. These are not speculative uses—this space is actively serving community and humanitarian needs today.

Consistency with the Spirit of the Ordinance:

While the Code restricts ADU size, the intent of Suburban Land Use Areas is to:

Increase housing availability,

Promote infill development,

Preserve neighborhood character,

Encourage safe, responsible density

This variance supports every one of those objectives:

No new construction is being added,

No change to exterior appearance or neighborhood character,

No increased building height or footprint,

No adverse impact on surrounding properties,

Provides urgently needed housing options for displaced and vulnerable individuals.

The ordinance, as currently written, fails to contemplate pre-existing basement conditions like this property, resulting in an inequitable and unintended restriction.

Neighborhood Compatibility:

All renovations are complete and am currently in the process of pulling permits to confirm code-compliance,

No objections have been raised by neighboring property owners,

The HOA President and Vice President are both aware and supportive,

No increase in traffic, noise, or visual impact has occurred.

Conclusion:

The requested variance is reasonable, necessary, and consistent with the spirit and intent of the zoning ordinance. Denial would impose a significant and unnecessary hardship on this property and would undermine the ordinance's purpose of supporting responsible infill housing and community stability.

For these reasons, I respectfully request approval of this variance to permit the use of the existing 1,738 sq. ft. basement as an Accessory Dwelling Unit.

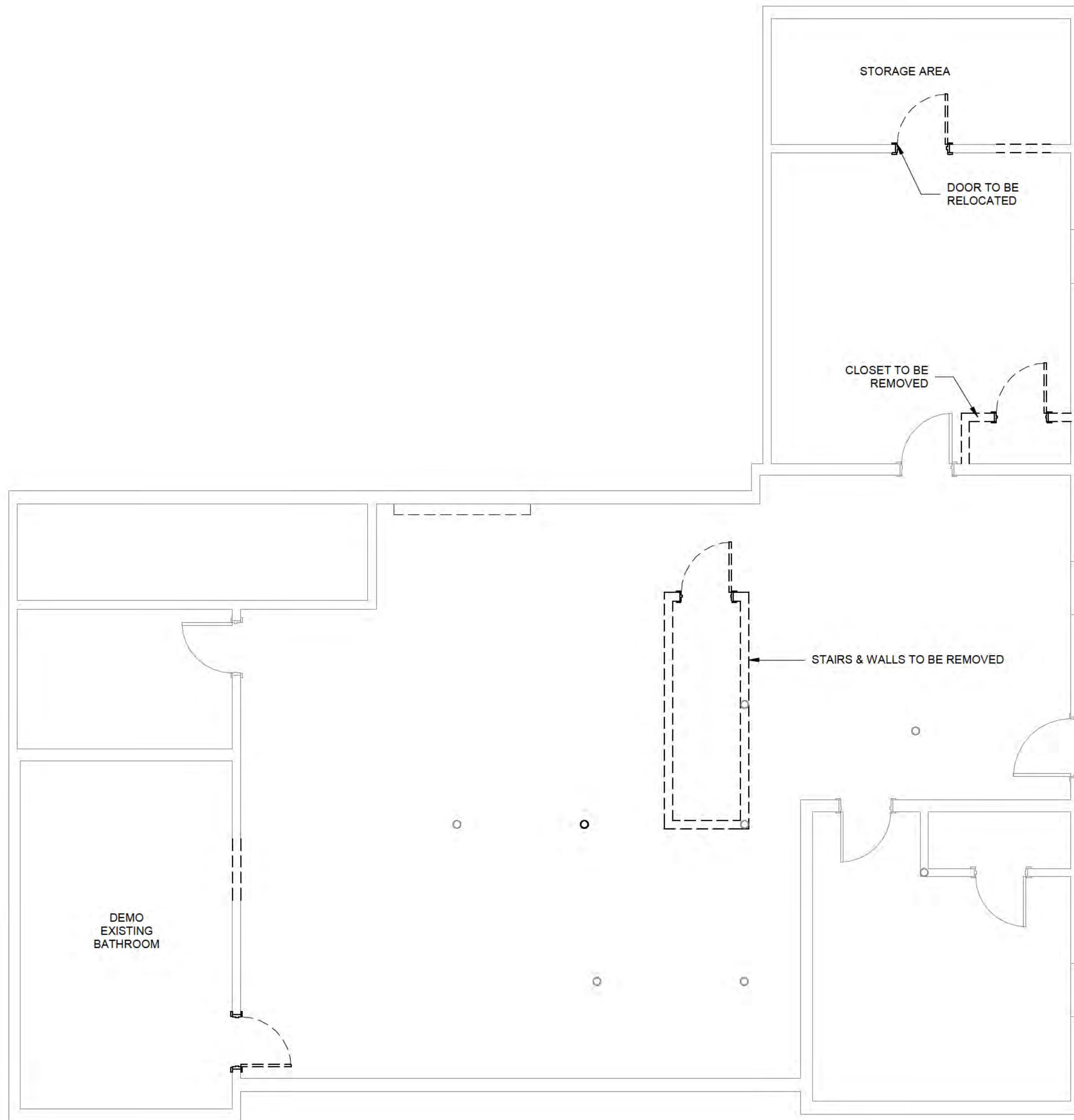
Thank you for your time, service, and thoughtful consideration.

Respectfully submitted,

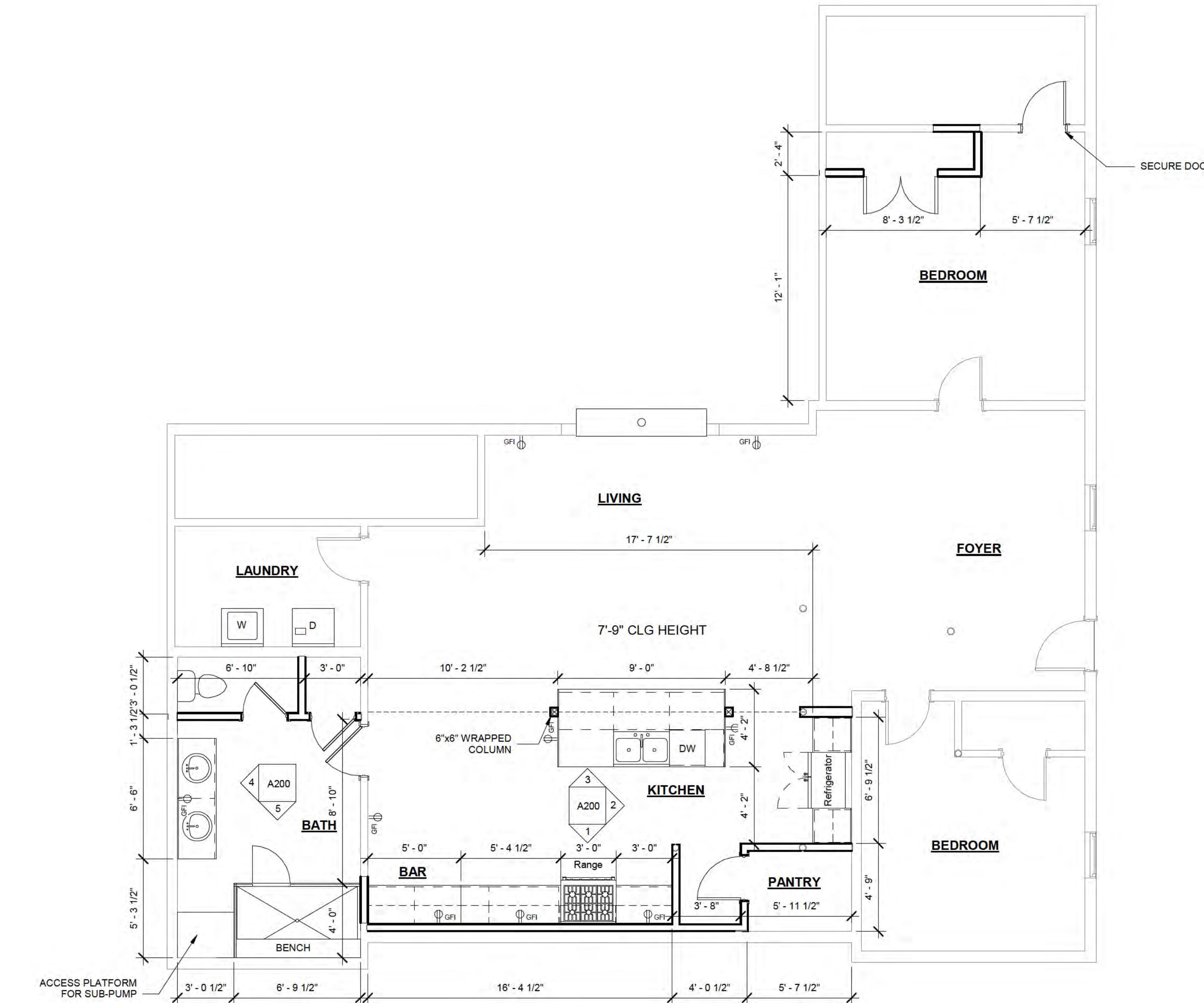
Rona Swann/Semelda Haynes

PLAN NOTES:

1. ALL DIMENSION LINES ARE TO THE FACE OF THE STUD OR CONCRETE.

**EXISTING/DEMO 1ST FLOOR**

① 1/4" = 1'-0"

**PROPOSED 1ST FLOOR**

② 1/4" = 1'-0"

White Castle Basement Design

3310 White Castle Dr, Decatur, GA 30034

EXISTING & PROPOSED BASEMENT PLANS

Richard Bodrick II, Freelance Designer2997 Cobb Pkwy #725368
Atlanta, GA 31139
(470) 528-7126

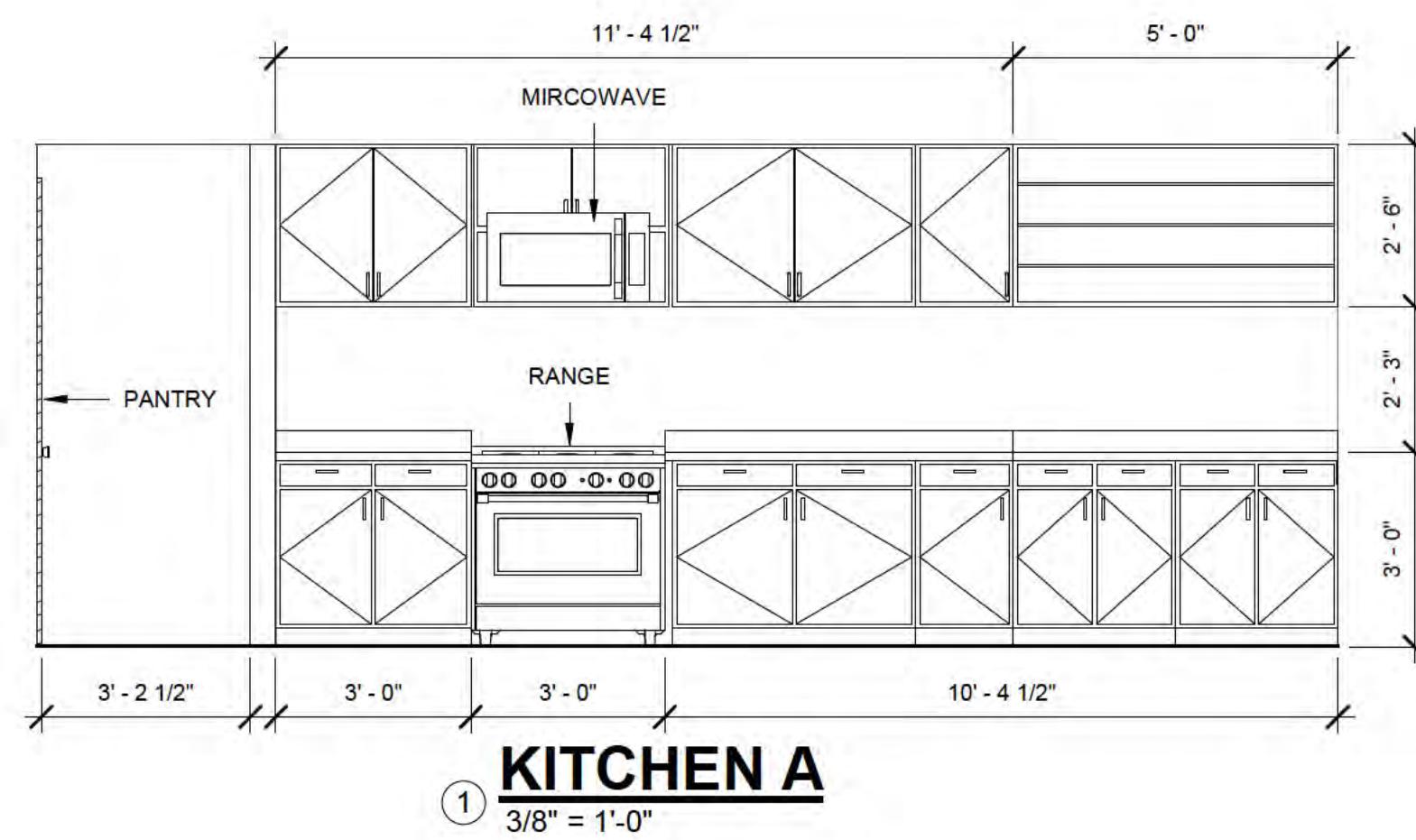
REVISION SCHEDULE		
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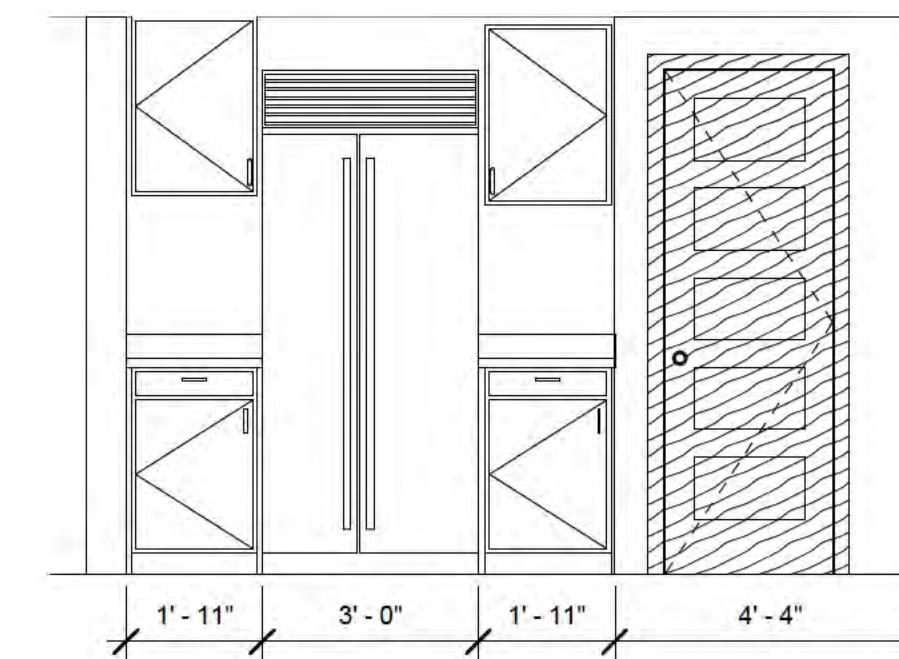
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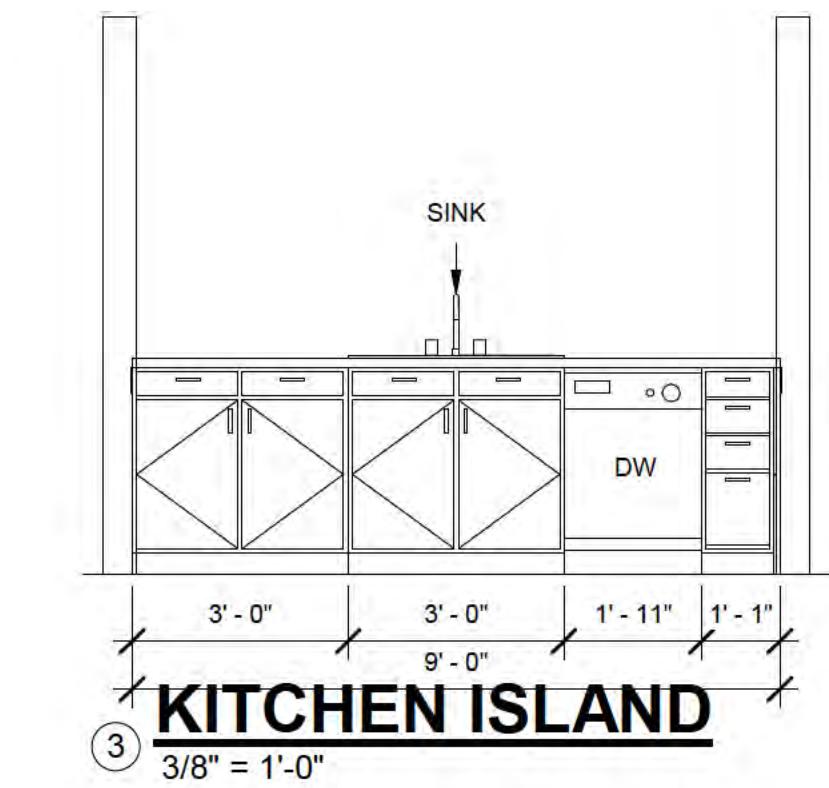
EXTERIOR MATERIAL LEGEND



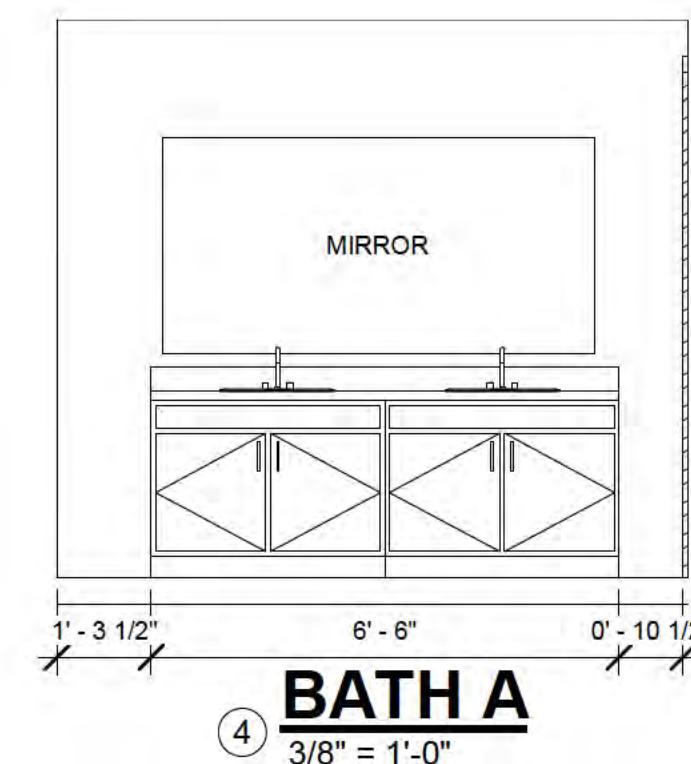
① **KITCHEN A**



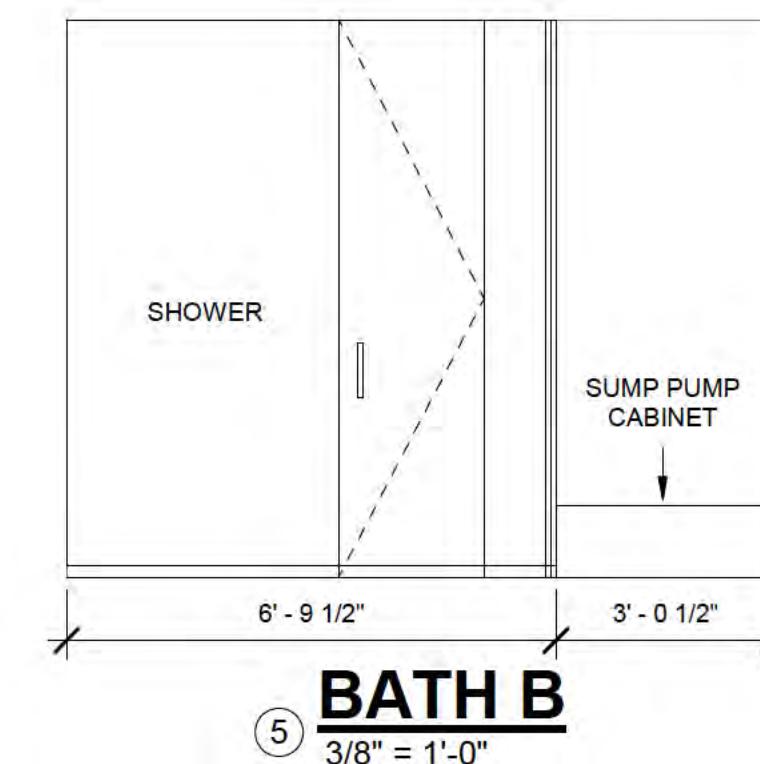
② **KITCHEN B**



KITCHEN ISLAND



④ **BATH A**
 $\frac{3}{8}'' = 1'-0''$



⑤ **BATH B**
3/8" = 1'-0"

Richard Bodrick II, Freelance Designer

2997 Cobb Pkwy #725368
Atlanta, GA 31139
(470) 528-7126

REVISION SCHEDULE

DATE 00/00/0000
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