



DEPARTMENT OF PLANNING & SUSTAINABILITY

ZONING BOARD OF APPEALS APPLICATION

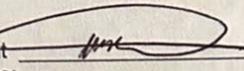
AUTHORIZATION OF THE PROPERTY OWNER

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

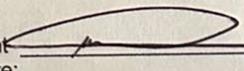
I hereby certify that the information provided in the application is true and correct.

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

DATE: 07/05/24

Applicant Signature: 

DATE: 07/05/24

Applicant Signature: 



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

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

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

Applicant and/or
Authorized Representative: Alrick McIntyre
Mailing Address: 1157 school side dt
City/State/Zip Code: Lithonia Georgia 30083
Email: alrickm@gmail.com
Telephone Home: 6505375303 Business: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Alrick McIntyre
Address (Mailing): 1157 school side dr, Lithonia, Georgia 30083
Email: alrickm@gmail.com Telephone Home: 6505375303 Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 3140 Kelly st City: Scottdale State: GA Zip: 30079
District(s): 04 Land Lot(s): 24 Block: 42 Parcel: 1804721017
Zoning Classification: R-75 Tier-2 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.

Letter of intent

Subject: Variance request from Section 27-3.36.10 to reduce to reduce rear yard setback from 30' to 12'.

Dear Members of the Zoning Board of Appeals,

My name is Alrick McIntyre, and I am writing to formally request a variance from Section 27-3.36.10 of the DeKalb County Zoning Ordinance. My request pertains to the reduction of the reduce rear yard setback from 30' to 12'.

my property located at 3140 Kelly St. Scottdale Georgia. The purpose of this variance is to facilitate the construction of Single Family Residential House Minimally sized for the effective use of same lot.

1. Physical Conditions of the Site:

The Unusual Small sized lot renders it impossible to construct a home with the current setbacks for DEKALB county Zone R75. The lot has a narrow dept of 50' with 10' buffer between the lot and the front street, combined to give a total of 60 feet from the from street to the back of the lot.

2. Minimum Variance Necessary:

This request is solely for the minimum variance necessary to render my property usable for the construction of a single family home. My request is supported by requisite Site plan, House Plan and Survey which illustrates this unique request, to reduce rear yard setback from 30' to 10'. This request provides no special advantage that is not afforded to other members of this community.

3. Public Welfare:

The proposed addition will provide a positive impact on the neighborhood and community. The reduced setback will not pose any harm to public welfare or neighboring properties. This new construction will add to the development of the community zone in a traditional neighborhood, tier11 overlay.

- The setback reduction taken from rear to minimize impact on neighbors.
- This Construction will provide more housing facilities for the community.
- No variance is been requested for the sides, which have adequate vegetation for privacy of adjacent properties.

4. Ordinance Hardship:

A strict interpretation of the zoning laws, in this case, would cause undue hardship for me.

A front yard setback of 30' combined with rear yard setback of 30', renders it impossible to build on lot that is 50' long. This request is therefore, essential to prevent unnecessary hardship and allow for a reasonable use of this lot.

5. Alignment with the Spirit of the Law:

I firmly believe that my variance request aligns with the intent of the Suburban Character Area, as outlined in the

DeKalb County Comprehensive Plan. The proposed construction of the Bird's Nest is in line with the goals of

recognizing traditional suburban land use patterns while encouraging increased connectivity and accessibility. The

development aims to enhance community connectivity, preserve and improve existing greenspace, and align with the

proposed density of up to 8 dwelling units per acre for areas of this type.

In conclusion, I appreciate your time and consideration of my variance request. I am committed to working

collaboratively to ensure that my proposed changes align with the broader goals and policies of DeKalb County.

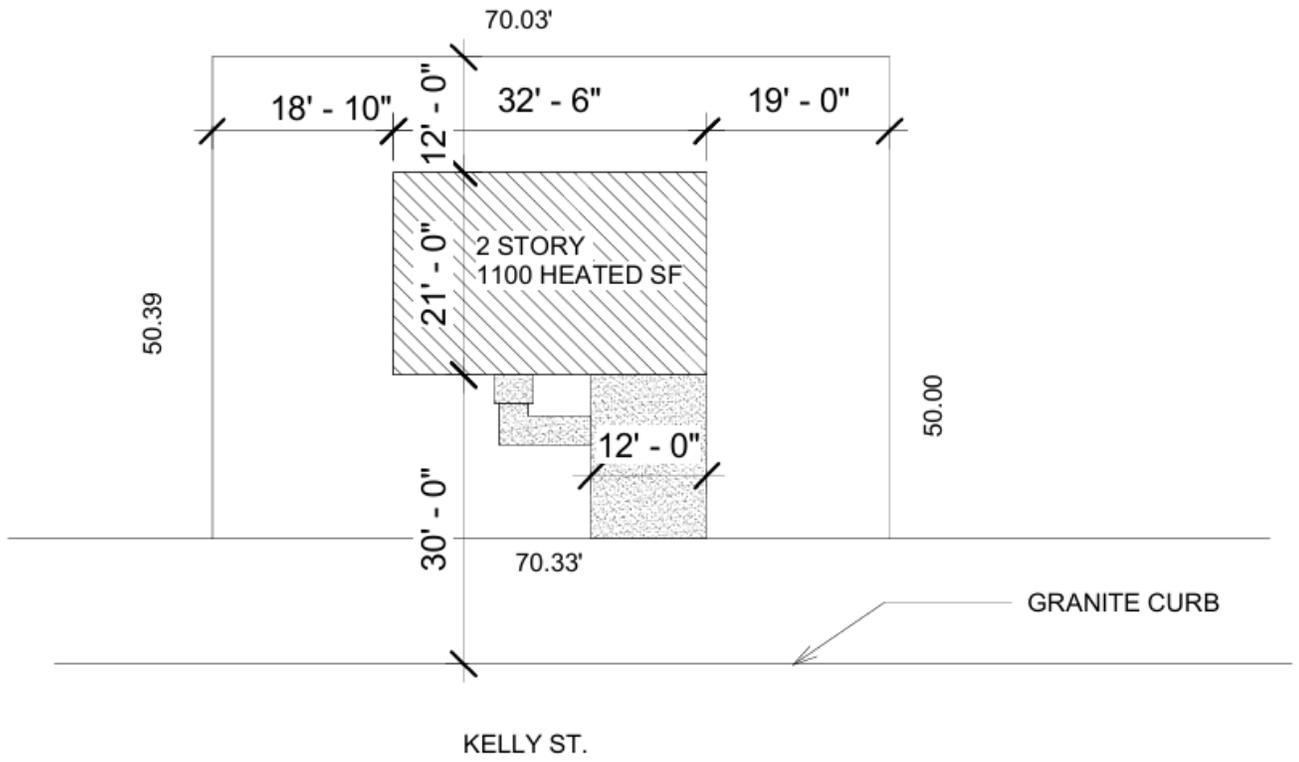
Thank you for your attention to this matter.

Sincerely,

Alrick McIntyre.

Site Plan

3140 KELLY ST



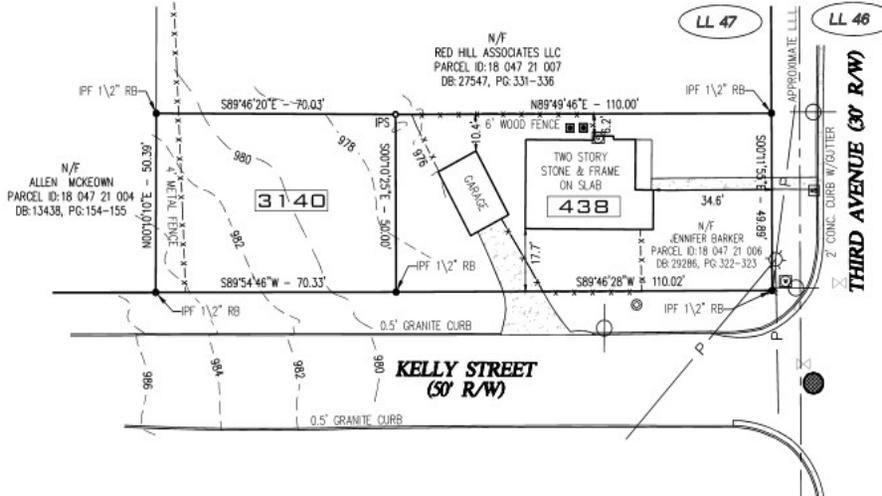
Survey

THIS BOX RESERVED FOR THE CLERK OF THE SUPERIOR COURT

GENERAL NOTES:
 1: This Plat has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plat.
 2: This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
 3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
 4: No Geodetic monuments were found within 500 feet of this site.
 5: This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

DEKALB COUNTY
 ZONING: R-75
 MINIMUM FRONT SETBACK - 45'
 THOROUGHFARES, 35' ARTERIAL, 30'
 COLLECTOR AND ALL OTHER STREETS AND
 25' W/ALLEY ACCESS
 MINIMUM SIDE SETBACK - 7.5'
 MINIMUM REAR SETBACK - 40'
 FIELD DATA:
 DATE OF FIELD SURVEY 9-13-23.
 THE CALCULATED POSITIONAL
 TOLERANCE BASED ON REDUNDANT
 LINEAR MEASUREMENTS OF
 OBSERVED POSITIONS WAS FOUND
 TO BE 0.00 FEET.
 EQUIPMENT:
 ELECTRONIC TOTAL STATION AND NETWORK GPS
 GPS RECEIVER: SP 85
 SN: 6129500077
 NETWORK: TRIMBLE VRS Now RTK GNSS

TOTAL AREA: 3,522 SQ FT, 0.081 AC
 CALCULATED PLAT CLOSURE: 1 FOOT IN 52,987 FEET
 SURVEY DATA:
 TYPE OF SURVEY: RETRACEMENT
 SOURCE OF TITLE DESCRIPTION FOR SUBJECT
 PROPERTY: DB 30891 PG 222-224
 PROPERTY OWNER AT TIME OF SURVEY:
 CAVALIER RECOVERY LLC
 PARCEL NUMBER: 18 047 21 017
 REFERENCE: DEED BOOK 30891 PG 222-224
 DEED BOOK 29286 PG 322-323
 FLOOD HAZARD NOTE: THIS PROPERTY IS
 NOT LOCATED IN A FLOOD HAZARD AREA
 AS DEFINED BY FIRM MAP OF DEKALB
 COUNTY, GEORGIA 13089C0067K EFFECTIVE
 DATE AUGUST 15, 2019



SCALE: 1"=30'
 GRAPHIC SCALE - IN FEET
 CLIENT: ALRIOX MONTYRE

DESIGNED BY: JTF
 SHEET NUMBER: 1 of 1
 FILE NAME: 3140 KELLY STREET_LN
 DATE: 9-27-2023
 JOB NUMBER: SURV-1893

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KEYSTONE LAND SURVEYING, INC.
 262 WEST CROGAN STREET
 LAWRENCEVILLE, GEORGIA 30046
 770.545.8700
 www.keystoneandsurveying.com

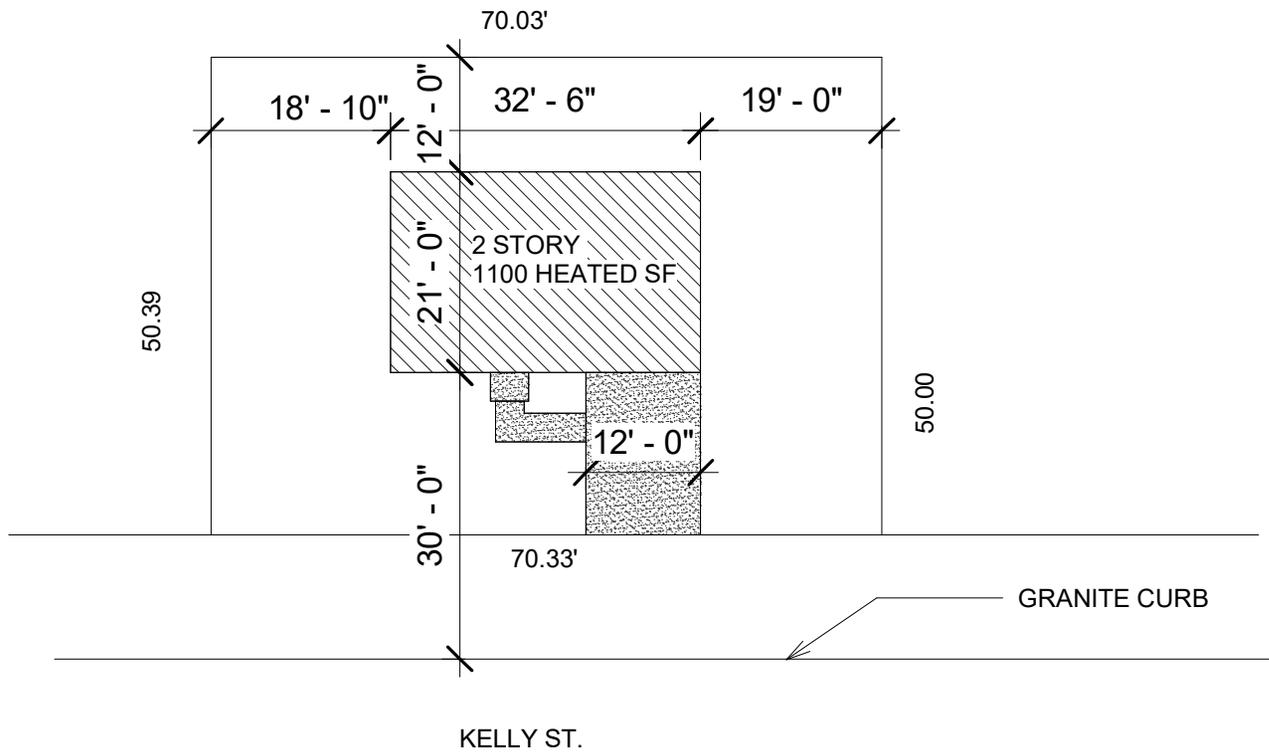
BOUNDARY SURVEY FOR	
THE ARTHUR GRESHAM SUBDIVISION	
LOT 24, BLOCK 42	
3140 KELLY STREET	
LAND LOT 47, 18TH DISTRICT	
DEKALB COUNTY, GEORGIA 30079	
R E V I S I O N S	
1	
2	
3	
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5	

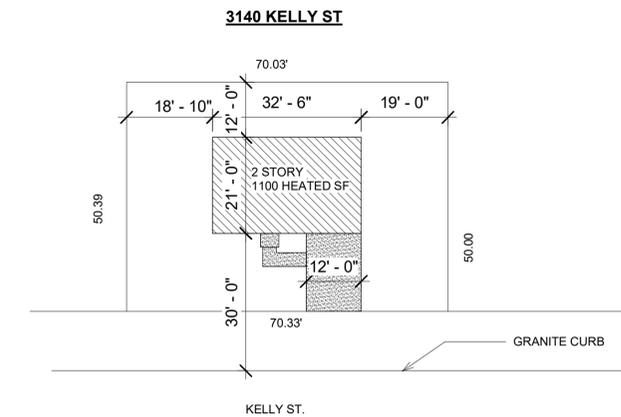


This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plat, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set for in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A Section 15-6-67

LEGEND	
BSL	BUILDING SETBACK LINE
DE	DRAINAGE EASEMENT (STORM)
SE	SANITARY SEWER EASEMENT
EDP	EDGE OF PAVEMENT (CURB)
R/W	RIGHT OF WAY
S/W	SECTION
FFE	FINISHED FLOOR ELEVATION
GFC	GARAGE FLOOR ELEVATION
MFE	MFR FINISHED FLOOR ELEVATION
FA	PROPOSED FLOW ARROW
SA	PROPOSED SALT FENCE
PO	POWER POLE
FR	5" IRON REBAR SET
RF	IRON PIN FOUND
BL	BOLLARD
OP	OVERHEAD POWER
FM	FIRE HYDRANT
WM	WATER METER
WV	WATER VALVE
GV	GAS VALVE
GM	GAS METER
LP	LIGHT POLE
CP	CONCRETE PAD
EM	ELECTRICAL METER
AC	AIR CONDITIONER UNIT
MB	MAIL BOX
CO	CLEAN OUT
SM	SANITARY SEWER MANHOLE
LCB	LEFT WING CATCH BASIN
RCB	RIGHT WING CATCH BASIN
DCB	DOUBLE WING CATCH BASIN
DI	DROP INLET
HE	HEADWALL

3140 KELLY ST





② SURVEY
1" = 20'-0"

DRAWING/SHEET INDEX		
1 OF 4	A0	COVER SHEET
2 OF 4	A1	ELEVATIONS
3 OF 4	A2	FOUNDATION/FLOOR FRAMING
4 OF 4	A3	FIRST FLOOR/CEILING FRAMING

AREA SCHEDULE	
1ST FL:	421 SF
2ND FL:	679 SF
TOTAL HVAC:	1100 SF
GARAGE:	258 SF
TOTAL AREA UNDER ROOF:	1358 SF

REVISIONS:	
LG	10/29/25
	11/04/25
	11/14/25
	11/21/25

CODE COMPLIANCE INFORMATION:

INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)

INTERNATIONAL FIRE CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)

INTERNATIONAL PLUMBING CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020), (2022), (2023)

INTERNATIONAL MECHANICAL CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020)

INTERNATIONAL FUEL GAS CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS ((2020), (2022))

NATIONAL ELECTRICAL CODE, 2020 EDITION, WITH GEORGIA AMENDMENTS (2021)

INTERNATIONAL ENERGY CONSERVATION CODE, 2015 EDITION, WITH GEORGIA SUPPLEMENTS & AMENDMENTS (2020), (2022), (2023)

INTERNATIONAL SWIMMING POOL & SPA CODE, 2018 EDITION, WITH GEORGIA AMENDMENTS (2020),

LIFE SAFETY CODE (NFPA 101, 2018 EDITION), WITH STATE AMENDMENTS (2020)

DRAWN BY: LANETTE GRACE
LADIES TOUCH HOMES
423-774-0677
CLGRACE2015@GMAIL.COM

BUILDER:

OWNER:

Cover Sheet

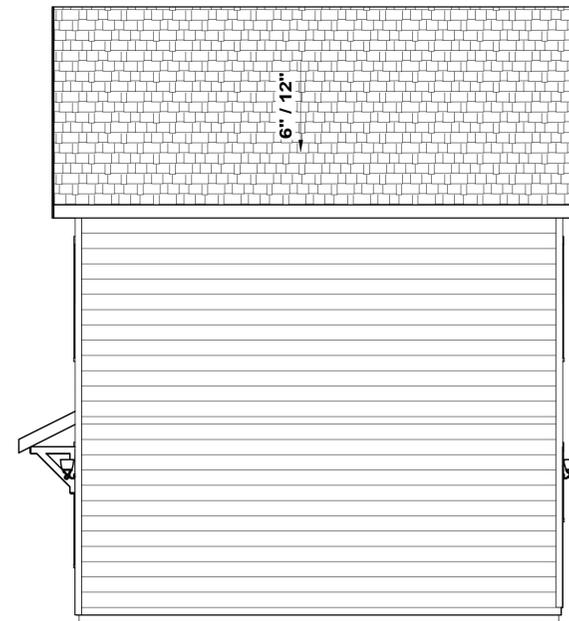
Date	Issue Date
Drawn by	Author

A0

Scale 1" = 20'-0"



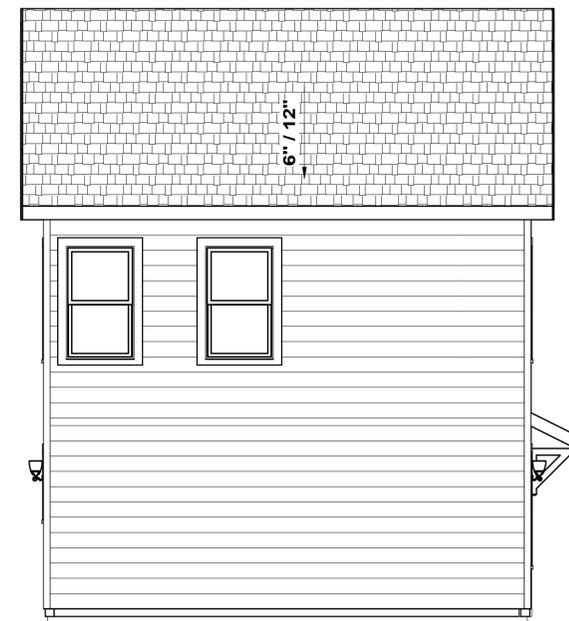
FRONT ELEVATION
SCALE 1/4" = 1'-0"



RIGHT ELEVATION
SCALE 1/4" = 1'-0"



REAR ELEVATION
SCALE 1/4" = 1'-0"



LEFT ELEVATION
SCALE 1/4" = 1'-0"

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BUILDER:

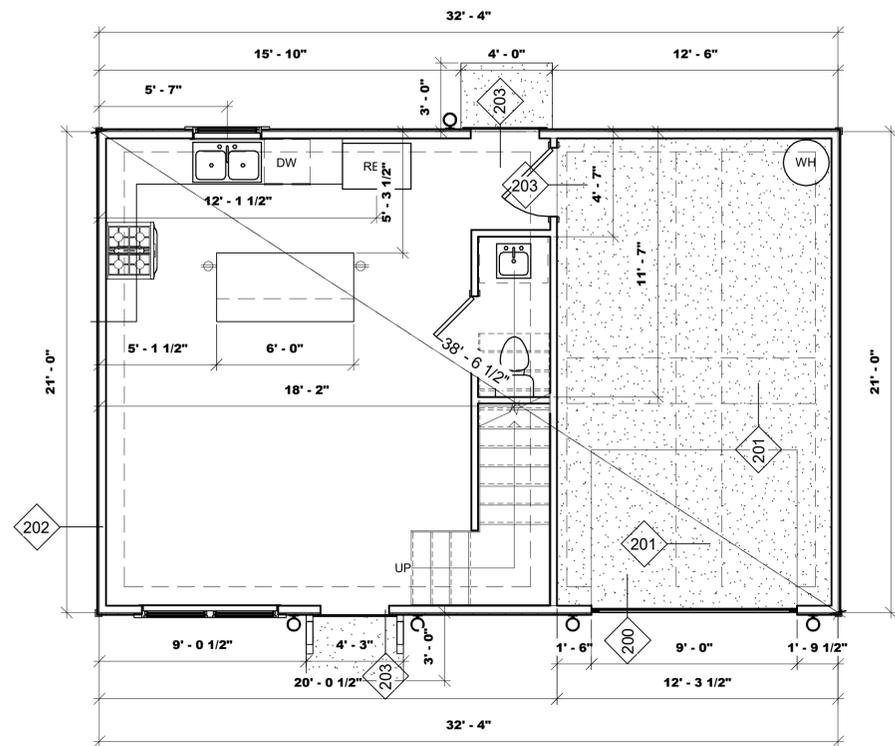
OWNER:

Elevations

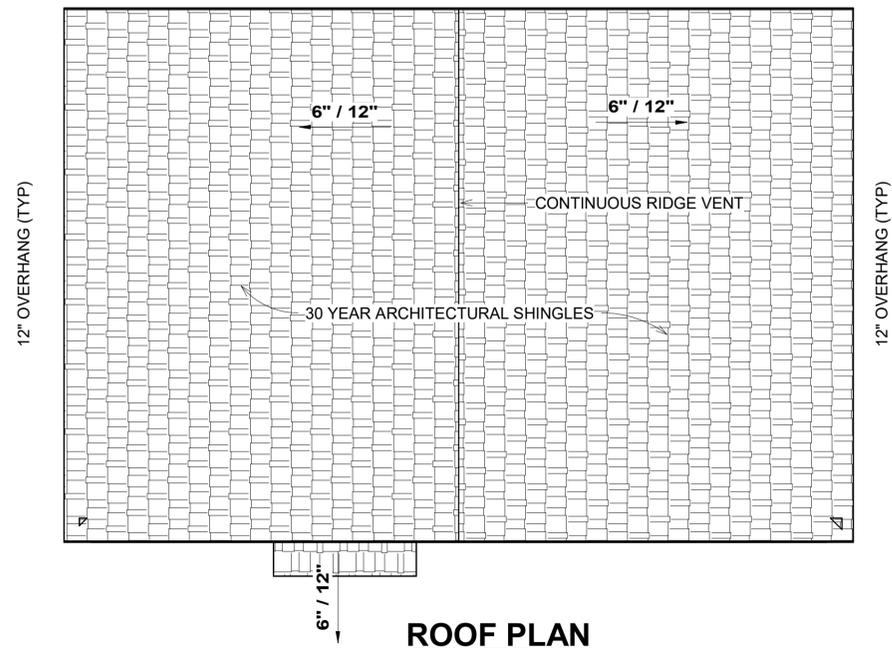
Date	Issue Date
Drawn by	Author

A1

Scale 1/4" = 1'-0"

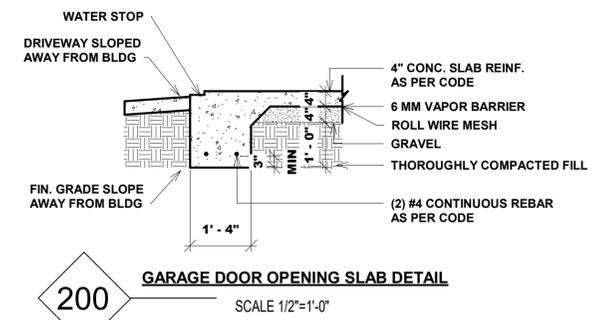


SLAB FOUNDATION PLAN
SCALE 1/4" = 1'-0"

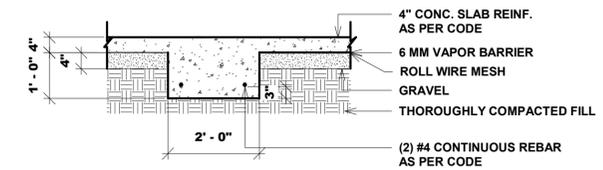


ROOF PLAN
SCALE 1/4" = 1'-0"

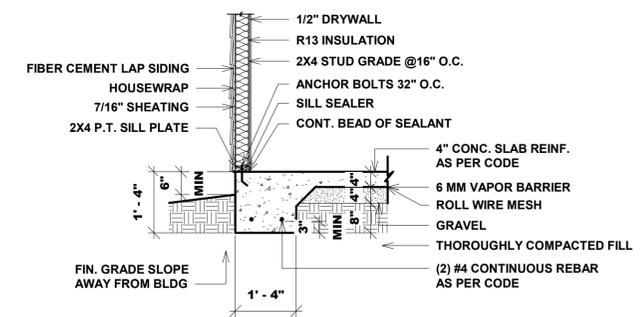
SLAB FOUNDATION NOTES:
1. CONCRETE SLABS TO BE 4" (3000 psi MIN), REINFORCED AS PER CODE.
2. CONTRACTOR TO ADAPT PLANS AS REQUIRED TO MEET ALL APPLICABLE CODES AT SITE.



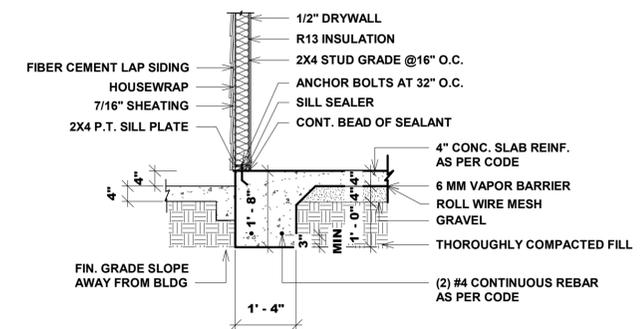
200 GARAGE DOOR OPENING SLAB DETAIL
SCALE 1/2"=1'-0"



201 GARAGE GRADE BEAM SLAB DETAIL
SCALE 1/2"=1'-0"



202 MONOLITHIC SLAB DETAIL
SCALE 1/2"=1'-0"



203 4" DROP IN SLAB DETAIL
SCALE 1/2"=1'-0"

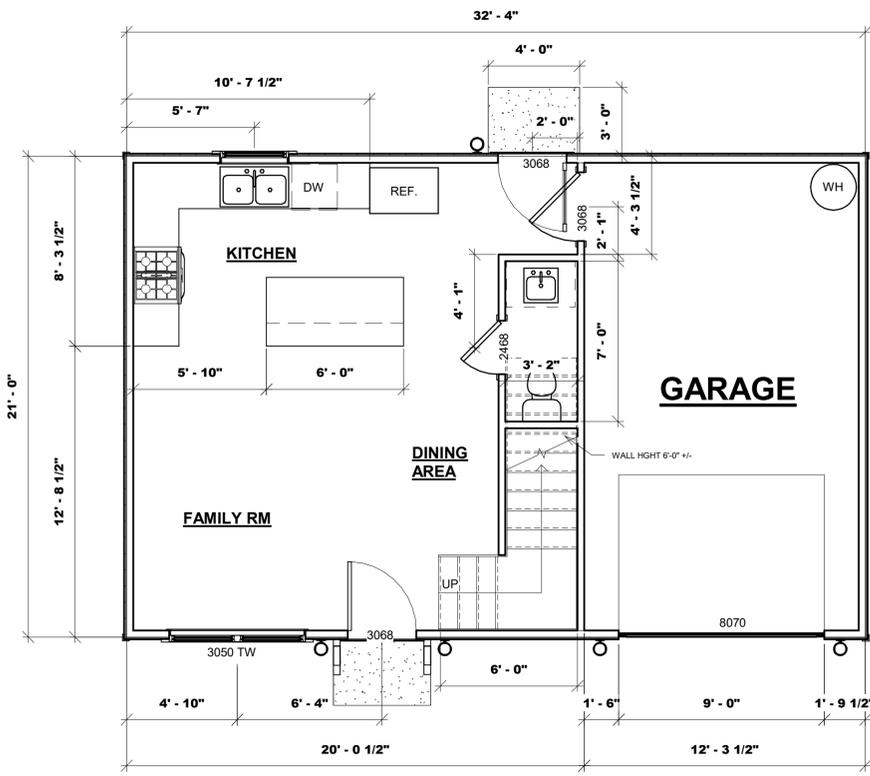
DRAWN BY: LANETTE GRACE
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BUILDER:

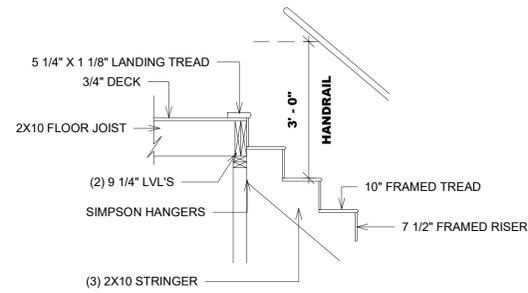
OWNER:

Foundation & Roof
Plan

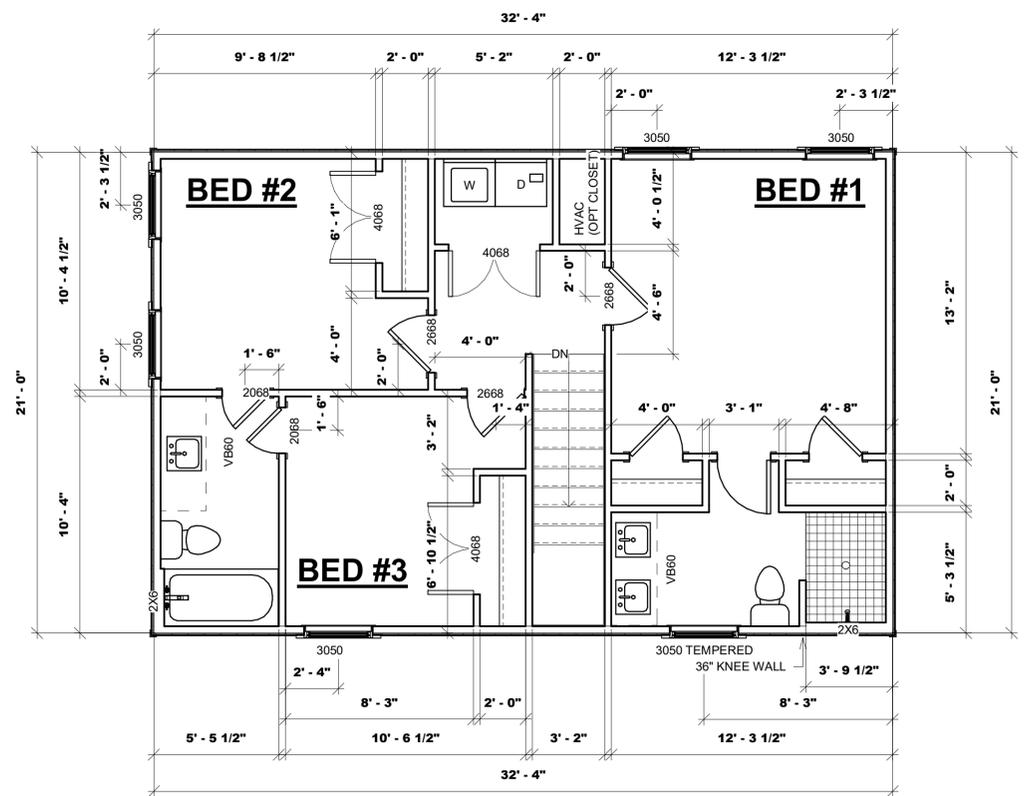
Date	Issue Date
Drawn by	Author
A2	
Scale	As indicated



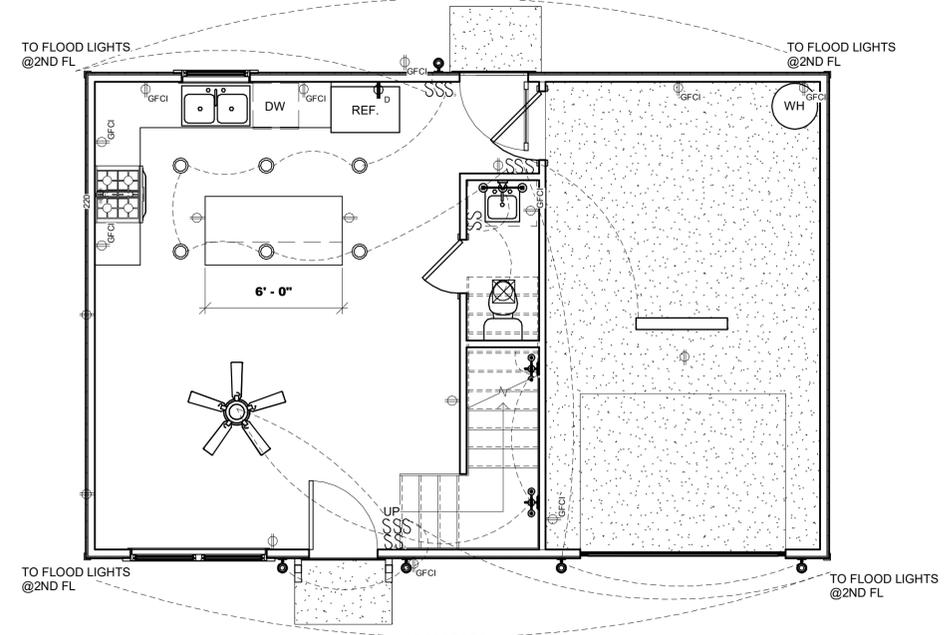
1ST FLOOR
SCALE 1/4" = 1'-0"



STAIR DETAIL
SCALE 1/2" = 1'-0"



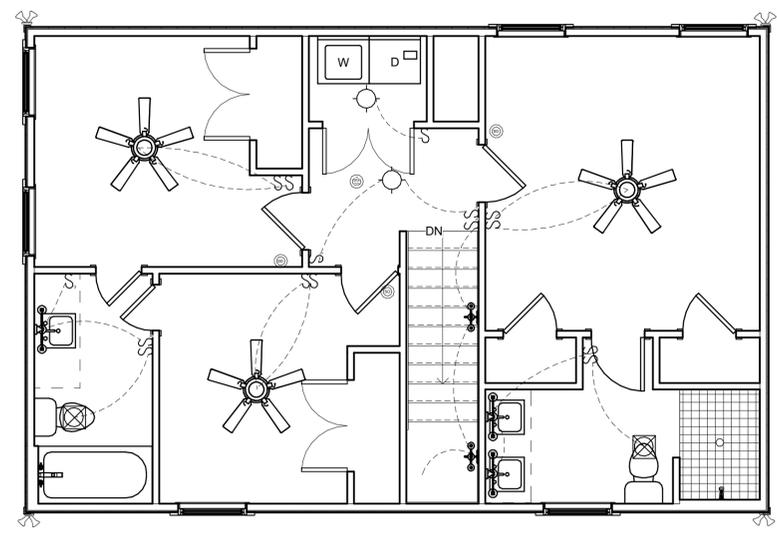
2ND FLOOR PLAN
SCALE 1/4" = 1'-0"



1ST FLOOR ELECTRICAL PLAN

SCALE 1/4" = 1'-0"

- ⊕ WATERPROOF CAN LIGHT
- CAN LIGHT
- ⊙ SMOKE DETECTOR
- ⊙ CARBON/SMOKE DETECTOR
- FLUSH MOUNT
- ⊠ FAN
- ☼ FLOOD LIGHT



2ND FLOOR ELECTRICAL PLAN

SCALE 1/4" = 1'-0"

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CLGRACE2015@GMAIL.COM

BUILDER:

OWNER:

1st Floor Plan

Date Issue Date
Drawn by Author

A3

Scale As indicated