



Lorraine Cochran-Johnson

Chief Executive Officer

# DeKalb County Zoning Board of Appeals

Department of Planning & Sustainability

178 Sams Street,

Decatur, GA 30030

Wednesday, February 11, 2025



Julian Njoku

## Planning Department Staff Analysis

Interim Director

D2. Case No: A-25-1247717

Parcel ID(s): 18 193 06 015

### Commission District 02 Super District 07

Applicant: Frederick Andrien  
2478 Greenglade Road  
Atlanta, GA 30345

Owner: Frederick Andrien  
2478 Greenglade Road  
Atlanta, GA 30345

Project Name: 2478 Greenglade Road – Second-Story Addition

Location: 2478 Greenglade Road, Atlanta, GA 30345

Requests: Variance request from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to:

- Reduce the required rear yard accessory structure setback from 15 feet to 4 feet, and
- Increase the maximum lot coverage from 35 percent to 39 percent

to facilitate construction of a second-story addition above a detached garage in the R-100 (Residential Medium Lot-100) zoning district.

**Staff Recommendation:** Denial

### **Recommended Conditions if Approved:**

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. Variance shall only apply to a second-story addition on the "unfinished garage" as indicated on the submitted survey. The footprint shall not be expanded and all other applicable dimensional requirements must be followed.

## STAFF FINDINGS:

The applicant proposes a second-story addition above the existing detached garage footprint. No expansion of the footprint is proposed. A variance is required to allow the addition within the reduced setback and to permit the increase in lot coverage associated with the historical property conditions.

Surrounding land uses are single-family residential, also zoned R-100. The property lies within the Suburban (SUB) Character Area.

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 parcel is triangular in shape with irregular dimensions that differ substantially from the rectangular lots that characterize the surrounding subdivision. The lot measures approximately 0.58 acres with 275 feet of street frontage, but its narrowing depth at the rear produces a constrained buildable area. This condition is compounded by the placement of the detached garage, built in 1965, which was legally permitted under prior standards but does not conform to the current 40-foot rear yard requirement. The resulting condition is unusual within the R-100 district and was not created by the applicant.

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 is framed as a second-story above the existing garage footprint, with no expansion of the footprint and no new dimensional variances other than lot coverage. Staff cannot confirm that the detached garage was legally established. Information indicates it was partially constructed without permits within the required 40-foot rear yard setback, approximately four feet from the property line. Because the garage does not hold legal nonconforming status, its placement cannot serve as the basis for granting further relief. While the proposed increase in lot coverage from 35 percent to 39 percent is modest, the core issue is that the structure already occupies a location far beyond the permitted encroachment. Approval would extend variance relief well past the minimum necessary, effectively authorizing and intensifying an unpermitted condition rather than remedying a legally established hardship.

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 variance may negatively affect the welfare of adjacent properties. The neighboring property most directly affected has expressed opposition to the request and noted negative impacts from the dilapidated shed's location. Rather than being buffered or screened, the structure sits within a few feet of the property line in a highly visible position. Allowing a second-story addition in this location would intensify the effect of the noncompliant placement and further diminish the neighbor's property value and enjoyment.

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

If the rear yard setback requirement were applied strictly, the existing garage structure would remain non-conforming and could not be modified. This would prevent the applicant from reinvesting in or upgrading the garage, effectively rendering the structure limited to its current form. Such restriction would impose a hardship by depriving the applicant of a reasonable use and modernization opportunity available to similarly situated homeowners on conforming lots.

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

The Comprehensive Plan designates the site within the Suburban (SUB) Character Area, which emphasizes preservation of established neighborhoods, reinvestment in aging housing stock, and maintenance of residential quality. The proposed second-story addition represents a modest reinvestment consistent with those policies. Staff finds that the variance request is consistent with the purpose of the zoning ordinance and with adopted land use policy.

The intent of setback and lot coverage standards is to maintain adequate separation between structures, preserve neighborhood character, and avoid overbuilding of lots. In this case, those objectives remain intact: the garage footprint will not be expanded, buffers will remain, and the overall scale of development is consistent with single-family residential character. The request aligns with the spirit of the ordinance by accommodating the unique shape and non-conforming condition of the lot without undermining zoning principles.

**FINAL STAFF ANALYSIS:**

Although the lot shape presents unusual physical conditions, staff cannot substantiate that the detached garage was a legally nonconforming structure. Evidence suggests it was partially constructed without permits within the required rear setback. Granting relief to expand upon an unpermitted encroachment exceeds the minimum necessary and would cause material detriment to adjacent property owners, as demonstrated by documented opposition from the immediately affected neighbor. While Comprehensive Plan policies encourage reinvestment in existing housing, those objectives do not outweigh the public welfare concerns created by intensifying an unpermitted structure located far inside the rear setback.

**Staff Recommendation:** Denial

**Recommended Conditions if Approved:**

1. The following information shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance, and conditions of approval.
2. The variance shall apply only to the proposed second-story addition above the existing detached garage, as indicated on the survey submitted. The garage footprint shall not be expanded, and all other applicable dimensional requirements of the R-100 district shall be met.



DeKalb County  
GEORGIA

Chief Executive Officer  
Michael Thurmond

Development Services Center  
178 Sams Street  
Decatur, GA 30030  
[www.dekalbcountyga.gov/planning](http://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:

*FREDERICK P. ANDRIESE*

Mailing Address:

*2478 GREENGLADE RD*

City/State/Zip Code:

*ATLANTA, GA 30375*

Email:

Telephone Home:

Business:

#### OWNER OF RECORD OF SUBJECT PROPERTY

Owner: *FREDERICK P. ANDRIESE & Gwendolyn S. ANDRIESE*

Address (Mailing): *2478 GREENGLADE RD, ATLANTA, GA 30375*

Email:

Telephone Home:

Business:

#### ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: *2478 GREENGLADE RD* City: *ATLANTA* State: *GA* Zip: *30375*

District(s): *18*

Land Lot(s): *193*

Block: *8*

Parcel: *1819306015*

Zoning Classification: *R-100*

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

**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.

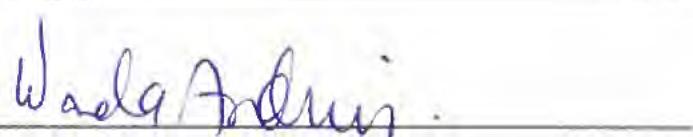
DATE: 1-31-15

Applicant  
Signature:



DATE: 6-28-15

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.

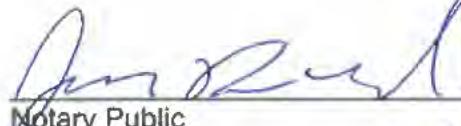
DATE: 5/27/25

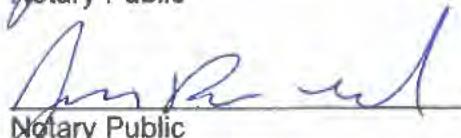
Applicant/Agent  
Signature: 

TO WHOM IT MAY CONCERN:

(I)/ (WE): Frederick P. Andrewi & Wanda S. Andrewi  
(Name of Owners)

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

  
Notary Public

  
Notary Public

Notary Public



  
Owner Signature

  
Owner Signature

Owner Signature

**SURVEYOR'S CERTIFICATE**

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, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATES HEREON. RECORDATION OF THIS PLAT DOES NOT APPLY 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 FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-87

GERALD H. BERNHARD GEORGIA RIS NO. 2688

CURVE	RADIUS	LENGTH	CH.BEARING
C1	107.74'	107.86'	103.41' S 81°06'57" W
C2	270.62'	41.82'	41.78' S 48°00'38" W

LINE	LENGTH	BEARING
1-1	25.06'	S 40°38'15" E

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.  
NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR'S OPINIONS AND/OR NEIGHBORS.

SURVEYS/PLATS. A FULL LAND TITLE REPORT  
OPINION ON ALL PROPERTIES, INCLUDING ADJACENT  
AND CONTOGUITOUS PROPERTIES MAY BE NEEDED TO  
RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR  
DISCREPANCIES.  
THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF  
A CURRENT TITLE COMMITMENT. EASEMENTS AND  
ENCUMBRANCES MAY EXIST WHICH BENEFIT AND  
BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT  
TO REVISIONS AND UPDATE UPON RECEIPT OF SAID  
TITLE COMMITMENT.

TITLE COMMITMENT.  
BUILDING LINES SHOWN HEREON DERIVED FROM  
VARIOUS ONLINE SOURCES. THEY MAY BE IN  
CONTENTION WITH OR DIFFER FROM INTERPRETATIONS.

OF GOVERNING AUTHORITIES. IT IS THE CLIENT'S  
OBLIGATION TO CONFIRM WITH PERMITTING AGENCIES  
BASED ON THEIR SPECIFIC CONSTRUCTION PROJECTS.  
~ THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED  
ELEVATIONS, THEN ADJUSTED TO NAVD 88 BASED ON  
MULIPLE OBSERVATIONS FROM GOOGLE EARTH  
SATELLITE IMAGERY OR OTHER ONLINE SOURCES.  
THE ELEVATIONS SHOWN HEREON ARE +/- 1' ( $\pm$  ONE  
FOOT).

NOTE: TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIPLINE).  
NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SE STORM, GAS, WATER, ETC. HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.

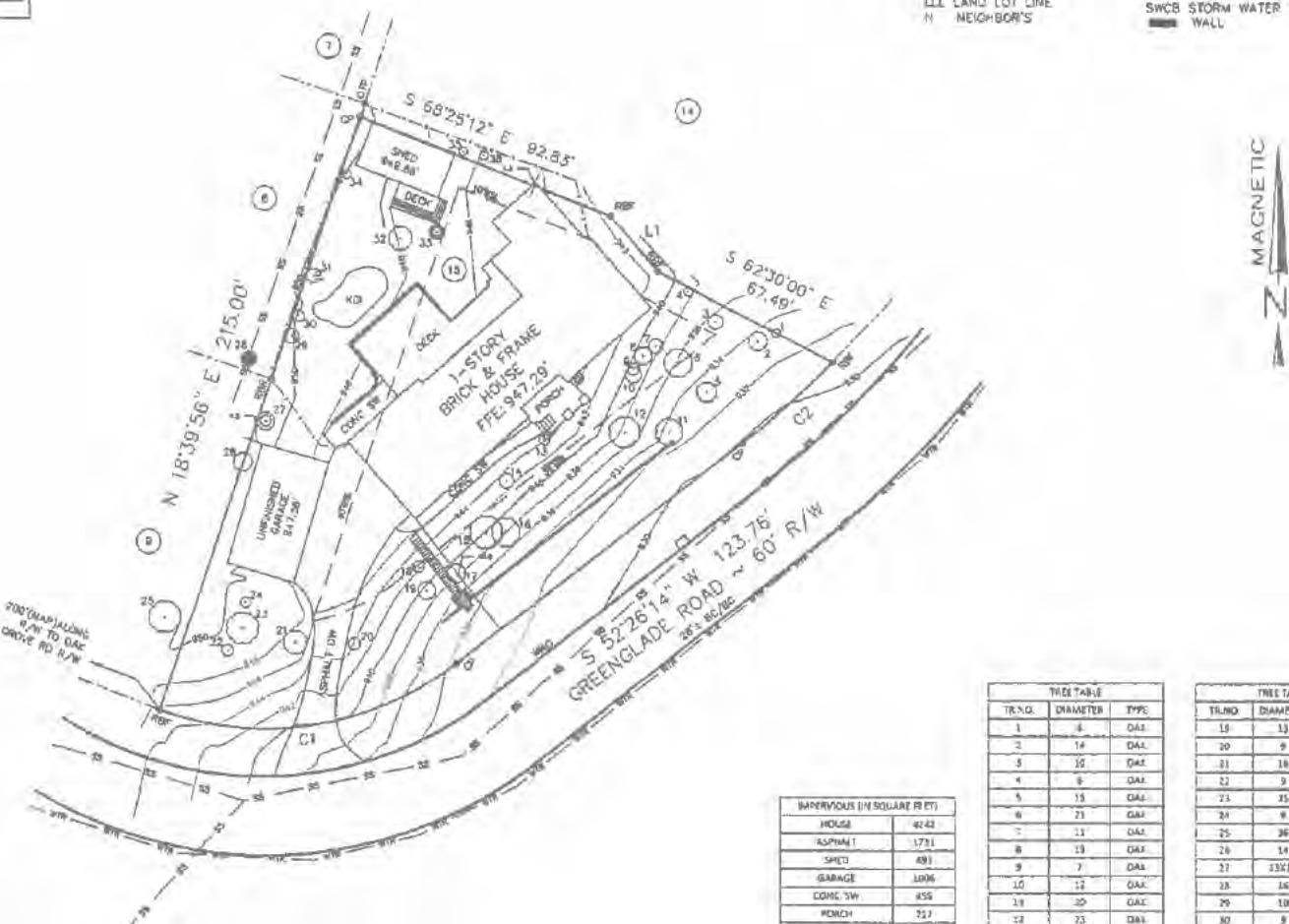
### **FLOOD HAZARD STATEMENT**

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND  
IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING  
SPECIAL FLOOD HAZARDS.

PANEL 13089C0058K

ZONE

**LEGEND \***  
 NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.  
 AKA ALSO KNOWN AS  
 APP AS PER DEED  
 APP AS PER PLAT  
 BSL BUILDING (SETBACK) LINE  
 CP COMPUTER POINT  
 CTP GROUP TOP PIPE FOUND  
 GTP OPEN TOP PIPE FOUND  
 D DEED (BOOK/PAGE)  
 DW DRIVEWAY  
 EP EDGE OF PAVEMENT  
 FFE FINISH FLOOR ELEVATION  
 FKA FORMERLY KNOWN AS  
 IPF IRON PIPE FOUND  
 L ARC LENGTH  
 LL LAND LOT  
 LLL LAND LOT LINE  
 M NEIGHBOR'S  
 H/F NOW OR FORMERLY  
 NAIL NAIL FOUND  
 P PLAT (BOOK/PAGE)  
 POB POINT OF BEGINNING  
 POC POINT OF COMMENCEMENT  
 R RADIUS LENGTH  
 R/W RIGHT-OF-WAY  
 RBF REINFORCING BAR FOUND  
 (1/2" UNO)  
 RBS 1/2" REINFORCING BAR SET  
 SW SIDEWALK  
 SSE SANITARY SEWER EASEMENT  
 SSCO SANITARY SEWER CLEANTH  
 -X- FENCE LINE  
 CB CATCH BASIN  
 SWCB STORM WATER CATCH BASIN  
 SWWJ SWWJ



IMPERVIOUS (IN SQUARE FEET)	
HOUSE	4242
ASPHALT	1731
SPILED	491
GARAGE	1006
CORE 744	456
WRENCH	212
GLOR	1136
STYPS	180
OGI	210
COLUMN	28
WALL	148
<b>TOTAL IMPERVIOUS</b>	<b>9946</b>

TR. NO.	DIA. (MM.)	TYPE
1	4	DAE
2	14	DAE
3	19	DAE
4	8	DAE
5	15	DAE
6	23	DAE
7	11	DAE
8	19	DAE
9	7	DAE
10	12	DAE
11	20	DAE
12	23	DAE
13	6	DAE
14	10	DAE
15	24	DAE
16	23	DAE
17	26	DAE
18	9	DAE

TABLE III		
TRIM	DIA. (MM.)	TYPE
19	13	DAK
20	9	DAK
21	18	DAK
22	9	DAK
23	25	DAK
24	9	DAK
25	36	DAK
26	14	DAK
27	13X18	DAK
28	16	PMK
29	18	CLUSTER
30	9	DAK
31	10	CLUSTER
32	20X18	DAK
33	100X72	DAK
34	6	DAK
35	6	DAK
36	11	DAK

*Frederick Paul Andrieni, Jr.*  
2478 GREENGLADE Road, Atlanta, GA 30345

## My Letter of Intent

TO: The DeKalb County Zoning Board of Appeals (ZBA)

**SUBJECT:** Variance Request for Rear Yard Setback Reduction - Section 27-2.2.1 - A Legally Non-Conforming garage addition to an Existing Accessory Structure:

- Rear setback reduction from 40' to 4'
- Increase lot coverage from 35% to 39%

Hello everyone, my name is Frederick P. Andrieni, I have owned and lived at 2478 Greenglade Road, Atlanta, GA 30345 for over 40 years. But first I'd like to thank you for your time and consideration in allowing me to present my request to you.

I am writing to formally request a variance from Section 27-2.2.1 of the Dekalb County Zoning Ordinance. My request pertains to the side/rear yard setback ordinance. The purpose of this request is to enable the construction of a second-story addition to an existing accessory building/garage that was built over 20 years ago. The footprint of the existing structure will not expand. The intended use of the addition is for storage. In doing so I need to increase lot coverage from 35% to 39%. In this request, I hope to demonstrate my position of fairness, appropriateness and complete desirability of the proposed addition.

### 1. Physical Condition of Site:

My property has a unique physical condition and a legally non-conforming layout which necessitates this variance. This parcel of land is characterized by an irregular shape lot that is non-conforming to a normal R-100 zoning lot. Additionally, none of the specimen trees will be disturbed or injured during the construction. None of the neighbors' houses or lots will not be effected by the improvements or the increase in lot coverage. The addition would also be in keeping with the style of the existing house which would add value to the property and neighborhood.

### 2. Minimal Variance Needed:

I can assure you that I am seeking the minimal necessary variance needed. No expansion of the currently existing footprint is proposed or required. I am requesting only to build a second story to a pre-existing structure on a non-conforming R-100 lot. The rear setback reduction that is necessary and requested is a reduction from a 40' Builders Setback Line (BSL) to 4' BSL. Please remember that this pre-existing structure is beside my house not behind it and that my lot is non-conforming R-100 lot to the other lots in the neighborhood. Also, there are plenty of buffers (mature trees and shrubs) between the existing structure and property line, even the addition would be out of view from the rear.

**3. Public Welfare:**

- The proposed second story addition would be in keeping with the design of my existing home and would "complete the property look," therefore providing a very positive impact on the neighborhood and community. I have received very positive reviews for my addition from my neighbors: Paul and Sally Rosser, Kevin and Claudia Levitas, John and Amy Hilton, Linda Janssen and Don Durfee. Also, the reduced setback will not pose any harm to public welfare, neighboring properties, or the overall improvements in the R-100 zoning district. My second story will modestly enhance the property and fit well with the neighborhood without causing any negative impact.

**4. Ordinance Hardship:**

- Due to the ongoing updates and changes to DeKalb County Zoning Ordinances, which are generally implemented for the benefit of the community and the uniformity of neighborhoods, many older houses that were originally compliant have fallen out of compliance over time. For example, homes built in the 1950s were subject to different building and zoning codes at the time of construction. Applying current building codes to older homes may raise concerns about equity, particularly in relation to property taxes associated with residing in this area. A strict interpretation of today's zoning laws would cause undue hardship for me, my property and the neighborhood. The current 40' BSL would make my existing current accessory structure totally unusable. Please remember that the current building footprint does not expand. Therefore, the variance is essential to prevent unnecessary undue hardship and allow for reasonable use of my land for the betterment of my property and the neighborhood property values.

- 

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

My small, second story, storage project will in no way affect the spirit or style of my neighborhood, if anything it will complete the look, style and value of my property; and enhance the value of the neighborhood. I firmly believe that my variance request aligns with the spirit and intent of the DeKalb County Comprehensive Plan Criteria for a Variance (Chapter 27 Section 7.5.2):

- by "reasonable non-conforming topographical lot conditions which were not created by the owner, 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."
- "the requested variance does not go beyond the minimum necessary to afford relief...does not grant a special privilege"
- "the variance will not be materially detrimental to public welfare or injurious to the property or improvements in the zoning district"
- "literal interpretation and strict application...would cause undue and unnecessary hardship"
- "the variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text".

In conclusion, I truly appreciate your time and consideration of my variance request. I have been a responsible and contributing citizen of DeKalb County for over 50 years. Throughout this time, I have served on various corporate boards of directors, church trustees, and committees. Additionally, I have owned multiple businesses within this county and have chosen to retire here, continuing my engagement with the community. My commitment has always been unwavering.

Sincerely,

*Frederick P. Andriani, Jr.*





2469 Greenglade Rd NE

Atlanta, Georgia

Google Street View

Sep 2018 See latest date

Share

X

