



Lorraine Cochran-Johnson

Chief Executive Officer

DeKalb County Zoning Board of Appeals
Department of Planning & Sustainability
178 Sams Street,
Decatur, GA 30030

Wednesday, April 8, 2025

Planning Department Staff Analysis



Juliana Njoku

Director

N1. Case No: A-26-1247980

Parcel ID(s): 18 048 08 011

Commission District 04 Super District 06

Applicant: Chad Evans
2373 North Forest Drive
Marietta, GA 30062

Owner: Michael A. Cress
8491 SE Driftwood Street
Hobe Sound, FL 33455

Project Name: 2806 North Decatur – Retirement Community

Location: 2806 North Decatur Road, Decatur, GA 30033

Requests: Variance request from Section 27-2.24.1 of the DeKalb County Zoning Ordinance to reduce the minimum dwelling unit size from 1,000 square feet to 350 square feet to facilitate construction of additional senior living and personal care facility units within the existing retirement community in the O-I (Office-Institution) zoning district.

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 internal conversion of 26 fifth-floor one-bedroom units into 52 studio/personal care units, as reflected in the submitted application materials. No expansion of the existing building footprint or exterior envelope shall occur unless otherwise approved in accordance with applicable County requirements.
3. All other applicable development regulations, life safety requirements, licensing requirements, and permit approvals shall be met.

STAFF FINDINGS:

The subject property is an existing retirement community located at 2806 North Decatur Road, zoned O-I and designated Town Center (TC) Character Area. The application materials show the site as a 2.80-acre property containing a 129-unit retirement community that provides independent living and personal care services. The applicant proposes to convert 26 existing fifth-floor one-bedroom apartments into 52 studio suites of approximately 350 square feet each to better serve personal care residents. The proposal is described as an internal renovation that would eliminate full kitchens, expand bathrooms, and leave the exterior appearance of the building unchanged.

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 record does not clearly establish an exceptional physical condition of the land that creates a hardship under this criterion. It appears there are no physical features preventing compliance with the 1,000-square-foot standard. The applicant states the existing building configuration, evolution of the assisted living market, and the operational suitability of smaller units for personal care residents are the presented hardship(s). While the building's existing internal layout may make a smaller-unit conversion more efficient, that circumstance is tied to the design of the existing development and service model, not to a site condition of the type typically contemplated by the variance criteria.

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 applicant states that 350 square feet is appropriate for personal care residents because full kitchens are not significantly utilized, three meals per day are provided, and larger bathrooms are needed for accessibility and caregiver assistance. The materials also state that the proposed suites would be comparable to or larger than units in other assisted living properties and that the conversion would be limited to 26 existing fifth-floor apartments within the current building envelope. However, the request would reduce the minimum unit size by 650 square feet and effectively double the number of units in the affected portion of the building from 26 to 52. The record does not sufficiently demonstrate why 350 square feet, as opposed to a larger reduced size, is the minimum necessary to afford relief. therefore may grant special privilege.

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 requested variance is not likely to be materially detrimental to public welfare. The proposed work is described as an internal renovation with no exterior expansion or visible alteration to the building. The applicant states that parking demand at the property is low relative to the 129-space parking lot, with a recent count of approximately 40 vehicles including residents, guests, and employees. The materials further state that many residents rely on provided transportation services and that many employees use the bus stop located in front of the building. On the basis of the submitted materials, the request does not appear likely to create significant visual, traffic, or parking impacts on surrounding properties.

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

The submitted materials do not establish an undue and unnecessary hardship within the meaning of the ordinance. The property is already developed and actively functions as a retirement community with independent living and personal care services. The request is intended to maintain affordability, remain competitive in the current assisted living market, and better align the unit design with the services being provided. Denial of the variance would not prevent use of the property as a retirement community, nor would it deprive the owner of all reasonable use of the site. Rather, it would prevent the applicant from implementing the preferred unit mix and reduced unit size now proposed. Therefore, there does not appear to be an 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:

The request appears consistent with the *2050 Unified Plan* and the Town Center (TC) land use designation which supports walkability, pedestrian-oriented residences and business fronts, accessibility, and a mixture of uses. The proposal provides additional senior-oriented personal care units within an existing institutional-style residential facility and is generally compatible with those policy themes. The requested variance also appears consistent with the spirit of adaptive reuse and the continued provision of housing options for older residents, particularly where the exterior building form would remain unchanged

FINAL STAFF ANALYSIS:

The applicant has presented a proposal that appears operationally compatible with the existing retirement community and generally consistent with the Town Center character area. The record also supports the conclusion that the renovation would occur within the existing building and would be unlikely to create substantial adverse external impacts. However, the variance criteria require more than compatibility and policy support. In this case, the application does not establish a qualifying extraordinary physical condition of the site, does not sufficiently demonstrate that the requested reduction from 1,000 square feet to 350 square feet is the minimum necessary to afford relief, and does not show that strict application of the ordinance would cause an undue and unnecessary hardship as opposed to limiting a preferred operational model. Because the property already functions as a retirement community and the hardship asserted is primarily tied to affordability, market conditions, and program design, staff recommends denial.

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 internal conversion of 26 fifth-floor one-bedroom units into 52 studio/personal care units, as reflected in the submitted application materials. No expansion of the existing building footprint or exterior envelope shall occur unless otherwise approved in accordance with applicable County requirements.
3. All other applicable development regulations, life safety requirements, licensing requirements, and permit approvals shall be met.

**COVENTRY LIMITED (LP)
2806 NORTH DECATUR ROAD
DECATUR, GEORGIA 30033**

Letter of Intent

Coventry Limited, (LP), dba Coventry Place
Variance Request regarding a reduction in the minimum
dwelling construction size under Section 27-2.24.1

January 26, 2026

Dear Members of the Zoning Board of Appeals:

My name is Chad Evans, I am the Director of maintenance and construction at Coventry Place (CP) Retirement Community located at 2806 North Decatur Road in Decatur, Georgia. CP is a 129 unit retirement community that offers Independent Living (IL) and Personal Care (PC) services to senior citizens, generally over the age of 80. Our IL and PC services (also known as Assisted Living (AL).services) are provided to our residents that reside in our mostly one bedroom apartments that include full sized kitchens, a living room and significant storage space. The apartments include all utilities, cable TV and internet access. IL residents receive a minimum one meal per day (with the option to receive additional meals), housekeeping, laundry, activities, local transportation and security oversight services 24 hours a day.. Coventry is a licensed Personal Care property and abides by the rules and regulations stipulated by the State of Georgia. In addition, our PC residents receive three meals a day and our care givers provide most activities of daily living services (ADL's) including bathing, incontinence management and 24 hour oversight.

1. Physical Condition of the Site:

CP was constructed in 1986-7, opening to the public in May 1987. The property was constructed as an independent living facility with primarily large one bedroom apartments of approximately 700 square feet. The property was constructed prior to the Assisted Living boom that took place in the 1990's. With the influx of large, well financed developers, the Atlanta metro market became significantly overbuilt in senior living properties. CP's answer to the AL evolution was, in 1994, to design a PC attached wing of 96 studio suites of approximately 350 square feet, half the size of our one bedroom apartments, in line with the apartment size most new AL senior living properties that were being built.. CP asked for and received a zoning variance from Dekalb County, approving the construction of the new wing in 1994.

2. Minimum Variance Necessary:

The current building was constructed with "stacks" of five vertical apartments over 5 stories. The construction plan calls for the conversion of 26 5th floor one bedroom apartments into 52 studio suites. The construction plan eliminates the full size kitchens that are not being significantly utilized since the State Regulations provide that PC residents receive a minimum three meals a day and the existing stoves cannot be utilized. The 350 square foot size is an adequate size for the PC residents that are primarily there to receive ADL services provided by our care givers. The 350 square foot size allows for the current bathrooms to be expanded, giving ample space for

wheel chair and walkers being used by many PC residents. The 350 square foot size allows for minimum demolition, utilizing the existing walls. The 350 square foot size provides an adequate size for seniors who are primarily interested in receiving PC services at affordable prices. The 350 square foot suites that are proposed are equal or larger in size than most other AL properties serving the seniors market.

3. Public Welfare:

CP has always been about providing affordable services to seniors that do not have the financial resources to reside in many of the newer AL properties constructed over the past 25 year. Many of our competitors charge rates that are twice the CP rates. Over the last 39 years, most of our residents previously resided in Dekalb County but were not rich and need to conserve their savings; seniors are living longer nowadays and need to preserve their funds for the long run. CP offers that alternative, offering a nice facility to live in while receiving the services they need.

4. Ordinance Hardship:

Over the last 35 years, CP has provided PC services in our 5th floor IL apartments. CP's 1994 plan to construct PC suites in a separate wing proved to be financially not justifiable. As building cost escalated over the years, it became increasingly difficult to provide PC staffing and services at an affordable cost for our "middle market" residents. The 1,000 SF required minimum unit size is impossible for our property to adhere to, no senior PC properties that we know of have apartments that size. As operating cost have escalated over the years, the only way we can maintain an affordable price for our future residents is to alter the 5th floor apartment size and concentrate on providing the affordable services we have been providing. The CP renovation plan is to construct the type units that were approved in the 1994 variance. CP needs to make adjustments to be competitive going forward. The granting of the variance to allow us to increase the number of 5th floor PC residents is an important step forward. This present variance request is for only 26 additional apartments; the 1994 variance approved the construction of 96 additional apartments identical to the proposed apartments in our current variance request. CP has always and intends to continue providing affordable services for the senior citizens of Dekalb County. As the over 80 population continues to grow, senior citizens may be facing a shortage in housing options available, by providing more apartments, CP will do what it can to alleviate the problem.

5. Alignment with the Spirit of the Law:

The CP renovation plan will have little, if any, impact on the neighborhood. The planned construction will not be visible from the outside.. The parking requirements of the property are minimal: a recent count totaled 40 vehicles in our 129 spaces lot The count included peak resident, normal guest and employee parking. Most residents take advantage of our provided local transportation services to medical appointments and shopping, they don't need to drive.. Most employees use the bus stop conveniently located in front of our building. Many of the cars located in our parking lot are just parked and never move. The surrounding properties will not be impacted from a significant increase in traffic or congestion. The outside appearance of the building will not be altered in any way.

In conclusion, Coventry Place has been apart of the Dekalb County senior housing market for 39 years, providing a nice place for Dekalb residents to live while receiving the affordable services they deserve. The variance provides a needed alteration to the property that will allows us to remain viable and in line with the AL/PC market that exist today, CP plans to continue providing an important alternative for Dekalb County residents over the next 39 years. Thank you for taking the time to review our request. I will be available to answer any questions you might have.

Sincerely,

Chad Evans, Director of Construction and Maintenance
Coventry Place Retirement Community.



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: 1/20/26 Applicant/Agent Signature: [Signature]

TO WHOM IT MAY CONCERN:

(I)/ (WE): MICHAEL A. CRESS
(Name of Owners)

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



[Signature]
Notary Public

[Signature]
Owner Signature

Notary Public

Owner Signature

Notary Public

Owner Signature

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

ZONING BOARD OF APPEALS (ZBA) APPLICATION
to Amend the Official Zoning Map of DeKalb County, Georgia

Subject Property Address: 28006 North Decatur Road

City: Decatur State: Georgia Zip: 30033

Parcel ID Number(s): 18 048 08 011 Acreage: 2.80 acres

District: UNICORP Land Lot: 48 Block: Parcel:

Commission District(s): 18th District (416) Super District:

Type of Hearing Requested (check one):

- [X] 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.*

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

[] Owner [X] Agent

[Signature] Signature

1/26/2026 Date

ZONING BOARD OF APPEALS (ZBA) APPLICATION FEE:
\$300.00

DeKalb County does not require payment by wire transfer.
Be aware of scammers and fraudulent emails.

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: 1/26/26 Applicant Signature: [Handwritten Signature]

DATE: _____ Applicant Signature: _____

