



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

N4. Case No: A-26-1247993

Parcel ID(s): 18 009 28 021

Commission District 04 Super District 06

Applicant: Georgiy Kotanchiyev
219 Ohm Avenue
Avondale Estates, GA 30002

Owner: Georgiy Kotanchiyev
219 Ohm Avenue
Avondale Estates, GA 30002

Project Name: 219 Ohm Avenue - Rear Covered Porch and Patio

Location: 219 Ohm Avenue, Avondale Estates, GA 30002

Requests: Variance request from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to increase the maximum lot coverage from 35 percent to 37 percent to facilitate construction of a rear covered porch and adjacent patio on property zoned R-75 within the Scottdale Overlay District Tier 4.

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.

STAFF FINDINGS:

The subject property is located at 219 Ohm Avenue in Avondale Estates, identified as Parcel No. 18 009 28 021, and contains an existing single-family residence on approximately 0.18 acres. The property is zoned R-75 and is within the Traditional Neighborhood character area and the Scottsdale Overlay District Tier 4. The applicant proposes to construct a rear covered porch and adjacent open patio. The submitted site plan identifies existing lot coverage at approximately 33 percent and proposed lot coverage at approximately 37 percent. The site plan also shows the work confined to the rear of the existing residence, with an indicated disturbance area of approximately 520 square feet. Photographs included in the file depict the existing rear façade with a small slab and no meaningful covered outdoor 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 conditions described, including sun exposure, weather impacts, and lack of covered outdoor space, are common to residential properties and do not constitute extraordinary physical conditions of the land itself. The record does not demonstrate constraints such as unusual lot shape, topography, environmental limitations, or other inherent site conditions required to meet the variance standard.

Instead, the materials primarily describe a preference for enhanced outdoor living space and improved rear-yard functionality. Staff finds that these circumstances do not rise to the level of an exceptional physical condition that deprives the owner of rights enjoyed by other properties in the same zoning district. The property retains the same development potential and use rights as other R-75 properties, including the ability to construct improvements within ordinance limits. The residence is relatively modern and was constructed in compliance with current development standards, further indicating that the site does not contain legacy constraints typical of older properties.

The lot meets the minimum standards of the Scottsdale Overlay District Tier 4. Notably, minimum lot size of .18 acres (7,840 square feet) exceeds the minimum of 6,000 square feet.

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 increase is limited in scale. The application seeks a 2 percent increase in lot coverage, from 35 percent to 37 percent, and the applicant states that the design was reduced from earlier concepts to minimize coverage while maintaining a functional covered area and adjacent patio. The site plan shows the proposed improvements limited to the rear yard. While the requested increase is modest in scale, the variance standard requires more than a minimal deviation. The request must be justified by a qualifying hardship, which has not been established.

The record suggests that compliance may be achievable through design modifications, including reduction in patio area or incorporation of pervious materials.

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:

Staff finds that the requested variance is not likely to be materially detrimental to the public welfare. The porch and patio are proposed at the rear of the residence, do not alter the residential use of the property, and appear visually unobtrusive from the public right-of-way. The application file also includes a letter from the Harris Park Homeowners Association expressing support for the request and stating that the design is appropriate for the neighborhood and consistent with its architectural standards. Based on the submitted materials, the proposed improvements are not likely to injure nearby properties or adversely affect the character of the surrounding residential area.

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

There may not be sufficiently established undue and unnecessary hardship. The applicant states that denial would prevent a meaningful rear addition and leave the home without a functional covered rear outdoor space. The inability to construct a desired improvement, or to achieve a preferred design configuration, does not constitute an undue hardship under the ordinance. The property is already improved with a functional single-family residence, and the file does not demonstrate that strict application of the ordinance would deprive the owner of reasonable use of the property. Rather, it would limit the specific improvement now proposed.

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

The subject property is within the Traditional Neighborhood character area and the Scottdale Overlay District Tier 4. The proposed improvements are residential in nature, located to the rear of the home, and generally compatible with the neighborhood's character. The HOA support letter further indicates that the proposal is consistent with the neighborhood's architectural standards. While this support reflects neighborhood compatibility, it does not substitute for the required hardship finding under the zoning ordinance. Staff finds that the request is generally consistent with the spirit and purpose of the ordinance and the Comprehensive Plan, although consistency with broader policy goals does not, by itself, overcome the lack of a demonstrated hardship.

FINAL STAFF ANALYSIS:

The applicant requests a modest increase in lot coverage to allow construction of a rear covered porch and patio. The record supports that the proposal is limited in scope, located to the rear of the residence, and unlikely to create material adverse impacts on surrounding properties. The file also reflects neighborhood-level support through the Harris Park Homeowners Association. However, the variance criteria require more than a modest and compatible proposal. In this case, the application does not sufficiently demonstrate an extraordinary physical condition of the property, and it does not establish that strict application of the ordinance would cause an undue and unnecessary hardship as opposed to preventing the applicant's preferred improvement. Because the request is supported primarily by functionality, and design preference rather than qualifying zoning hardship, 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.

ZONING BOARD OF APPEALS (ZBA) APPLICATION

to Amend the Official Zoning Map of DeKalb County, Georgia

Subject Property Address: 219 Ohm Avenue

City: Avondale Estates State: GA Zip: 30002

Parcel ID Number(s): 18 009 28 021 Acreage: 0.18

District: 18 Land Lot: 9 Block: Parcel:

Commission District(s): Unincorporated Dekalb 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.

[x] Owner [] Agent

Signature (with handwritten signature)

2/9/2026
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

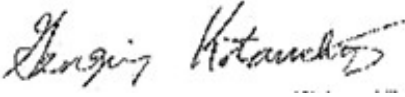
ZONING BOARD OF APPEALS APPLICATION

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: 2/9/2026 Applicant 
Signature: _____

DATE: _____ Applicant _____
Signature: _____

Letter of Intent – Variance Request

February 9, 2026

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

Subject: Variance Request for Impervious Lot Coverage Increase – Section 27-2.2.1 – Rear Covered Porch and Patio

Dear Members of the Zoning Board of Appeals:

We are Georgiy and Sarah Kotanchiyev, owners of the property at 219 Ohm Avenue, Avondale Estates, Georgia 30002. We respectfully request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to increase the maximum impervious lot coverage from 35% to 37% (a 2% increase). This variance is required to permit construction of a rear covered porch with an adjacent open patio.

Project Scope and Location

The work consists of a covered porch (yellow on the site plan) and an open patio (blue on the site plan) at the rear of the residence. The improvements are confined to the rear yard and are not intended to change the use of the property or the residential character of the neighborhood.

1. Physical Conditions of the Site

The rear of the home is currently exposed to direct sunlight for much of the day. Despite the house being only 10 years old, we've already had to replace windowsills due to water damage from rain. The rear of the home is not currently served by any covered outdoor space, which limits practical use of the rear yard.. The existing layout and rear yard configuration constrain where a covered structure can reasonably be placed. These conditions are inherent to the parcel and were not created by us or a prior owner.

2. Minimum Variance Necessary

This request is the minimum relief necessary. The property's existing impervious coverage is approximately 33%, and the proposed porch and patio increase coverage to 37%. It should be noted that the design has been reduced from earlier concepts to minimize coverage while remaining functional. Specifically, the open patio area was shortened to the smallest practical size that allows safe grill and smoker placement and maintains separation from the roofed area. A design limited to 35% would require further reductions that eliminate basic function and result in an impractical configuration.

Why 35% Does Not Function

A strict 35% cap forces one of two outcomes, both of which defeat the project's purpose: (1) shrinking the covered portion so it no longer provides meaningful sheltered space, or (2)

removing/fragmenting the adjacent patio so that safe grill and smoker placement and usable circulation are not achievable. The current layout is the smallest configuration that delivers (i) comfortable covered space, (ii) a minimally sized adjacent patio for safe cooking, and (iii) a workable arrangement given the rear-yard conditions. The incremental 2% increase is therefore the least deviation that makes the improvement viable.

3. Public Welfare

The proposed improvements will not be materially detrimental to public welfare or injurious to nearby property or improvements. The work is located at the rear of the house, is visually unobtrusive from the public right-of-way, and does not change the property's residential use. The covered area provides sheltered outdoor space and improves day-to-day yard usability, including the ability to supervise children playing in the backyard. We have three young children (ages 6, 4, and under 1) as well as several neighboring children of similar ages who like to spend time outside playing. The request is modest in scale and consistent with typical rear-yard residential improvements.

4. Ordinance Hardship

Strict application of the 35% impervious coverage limit would prevent a meaningful rear addition because the parcel is already near the standard (approximately 33%) and the project cannot be reduced to comply without losing basic utility. Denial would leave the home without any functional covered rear outdoor space and would continue the practical limitations associated with the rear yard conditions described above. The hardship is one of reasonable use and practicality.

5. Alignment with the Spirit of the Law

The property is within a Traditional Neighborhood (TN) and the Scottdale Overlay District Tier 4. The proposed rear porch and patio are compatible with the area's residential character and do not undermine the purpose of the zoning ordinance or the Comprehensive Plan. The improvements are modest, located to the rear, and support long-term maintenance and reasonable residential use without introducing adverse impacts.

Conclusion

For the reasons above, I respectfully request approval of a variance to increase impervious lot coverage from 35% to 37% to permit the rear covered porch and patio at 219 Ohm Avenue. Thank you for your time and consideration.

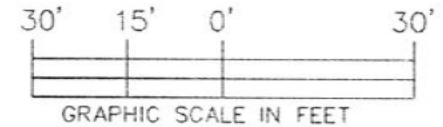
Sincerely,

Georgiy and Sarah Kotanchiyev
Property Owner
219 Ohm Avenue
Avondale Estates, GA 30002

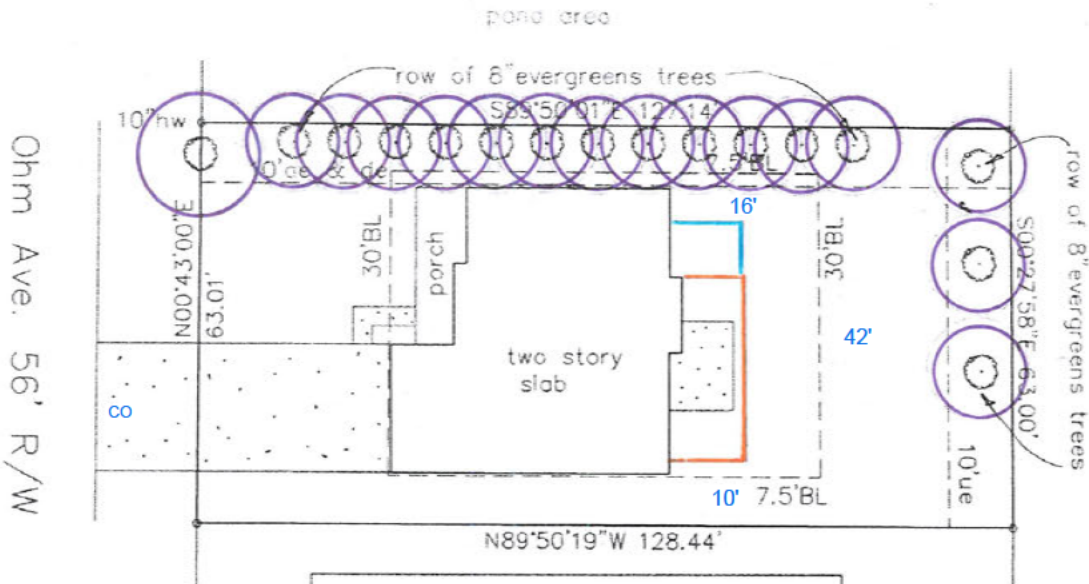
LEGEND

- IPS=IRON PIN SET
- IPF=IRON PIN FOUND
- CL=CENTER LINE
- BL=BUILDING LINE
- N/F=NOW OR FORMERLY
- MH=MAN HOLE
- S=SANITARY
- P=POWER
- W=WATER
- G=GAS
- X--FENCE
- BC=BACK OF CURB
- WM=WATER METER
- WV=WATER VALVE
- PB=POWER BOX
- GM=GAS METER
- SSE=SANITARY SEWER ESM'T
- DE=DRAINAGE ESM'T
- ESM'T=EASEMENT
- CB=CATCH BASIN
- HW=HEAD WALL
- DI=DROP INLET
- JB=JUNCTION BOX
- LLL=LAND LOT LINE

MAG



REFERENCE
PLAT BOOK 237 PAGE 35



total lot.....	8051 sf
house.....	1730 sf
drive, walk, porch.....	821 sf
rear slab.....	130 sf
total.....	2681 sf
2681 / 8051 = 33% impervious	

Proposed Lot Coverage

total lot = 8051 SQFT
 house = 1730 SQFT
 drive, walk, porch = 821 SQFT
 rear slab = 130 SQFT
 new porch = 224 SQFT (Excluded shared rear slab coverage)
 new patio = 104 SQFT

total = 3009 SQFT

All disturbed areas to be stabilized with Ds3 (Perm Seeding) 3009 / 8051 SQFT = 37% Impervious

- Ds1** Disturbed Area Stabilization (With Mulching Only)
- Ds2** Disturbed Area Stabilization (With Temporary Seeding)
- Ds3** Disturbed Area Stabilization (With Permanent Vegetation)
- Ds4** Disturbed Area Stabilization (With Sodding)
- Du** Dust Control on Disturbed Area

site survey for

Georgiy Kotanchiyev



IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATED

Jeffrey J. Johnson

JEFFREY J. JOHNSON R.L.S. 2505

THE FIELD DATA WHICH THIS SURVEY IS BASED HAS A PRECISION OF ONE FOOT IN 10000+ FEET AND AN ANGULAR ERROR OF 3" PER ANGLE POINT

THE PLAT CLOSURE IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10000+ FEET

EQUIPMENT USED: Nikon-322

JOHNSON
SURVEYING

Atlanta Ga. 30253
678-557-1449

Land Lot 9
District 18
DeKalb County, Ga.
Harris Park
Lot 4
219 Ohm Ave.

DATE: 7-14-2025

SCALE: 1"=30'

JOB NO: 25-41

February 4, 2026

To the Zoning Board of Appeals:

RE: Variance Request for Covered Porch – [219 Ohm Avenue, Avondale Estates, GA 30002]

As President of the Harris Park Homeowners Association, I am writing to express our support for the variance request submitted by Georgiy Kotanchiyev regarding their covered porch project.

The HOA previously reviewed and approved this covered porch project. We find the design appropriate for our neighborhood and consistent with our architectural standards.

We understand the proposed construction requires a variance to exceed the impervious lot coverage cap by 2% (from 35% to 37%). Given the modest nature of this increase and our prior approval of the project, we support granting this variance.

The covered porch will enhance the property while maintaining the character of our community. We have no objections to the Zoning Board of Appeals approving this request.

Sincerely,

Jeremy Dickens

President, Harris Park Homeowners Association





