



Michael L. Thurmond  
Chief Executive Officer

## DeKalb County Zoning Board of Appeals

Department of Planning & Sustainability  
330 Ponce De Leon Avenue, Suite 300  
Decatur, GA 30030



Wednesday, September 12, 2018 at 1:00 PM

### Planning Department Staff Analysis

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N.2 Case No: A-18-1235141 Parcel ID(s): 15-019-05-015

Commission District: 03 Super District 06

**Applicant:** JPG TRANS COMPANY, INC/ LAWRENCE K. KAISER, Agent  
945 Bank Street, Suite 200  
Conyers, GA 30012

**Owner:** JPG Trans Company, Inc.  
4060 Koppers Court  
Conley, GA 30288

**Project Name:** 4060 Koppers Court

**Location:** The property is located on the southeast corner of Koppers Court and Koppers Road at 4060 Koppers Court.

**REQUEST:** Variance requests to reduce the buffer on the eastern property boundary line from 75' to 40' (Section 27-5.4.5-Transitional Buffers, Buffer dimensions and specifications) to allow for additional truck parking; to waive the parking provision of parking no closer than 15' from the western edge of the utility easement to allow encroachment into the utility easement setback (Section 27-3.39.6, Table 1); to reduce the buffer on the southern property boundary from 75' to 55' (Section 27-5.4.5-Transitional Buffers, Buffer dimensions and specifications) to allow for expansion of truck parking; and to reduce the Koppers Road and Koppers Court setbacks from 60' to 20 (Section 27-2.31.3) to allow for expansion of existing business of additional parkin .

#### Staff

**Recommendation:** "APPROVAL" based on the submitted site plan received on August 1, 2018 and with condition that all stormwater and water quality requirements are met "

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## STAFF FINDINGS:

**Table 1: Surround Zoning and Land Use**

	Adjacent Zoning	Adjacent Land Use
North	M	Industrial
East	R-100	Detached single family homes
South	R-100	Detached single family homes
West	M-2	Across Interstate-675, Multi-Family homes
Northeast	R-100	Detached single family homes
Northwest	M	Industrial
Southeast	R-100	Detached single family homes
Southwest	R-100	Detached single family homes
Street Type	Local Street	

Site Location: The property is located on the southeast corner of Koppers Court and Koppers Road at 4060 Koppers Court. The site is zoned M and lies within the Bouldercrest Overlay District and is currently developed. The property fronts Koppers Court and is classified as a local street.

Variance request: The applicant is requesting variances to reduce the buffer on the eastern property boundary line from 75' to 40' (Section 27-5.4.5-Transitional Buffers, Buffer dimensions and specifications) to allow for additional truck parking; to waive the parking provision of parking no closer than 15' from the western edge of the utility easement to allow encroachment into the utility easement (Section 27-3.39.6, Table 1); to reduce the buffer on the southern property boundary from 75' to 55' (Section 27-5.4.5-Transitional Buffers, Buffer dimensions and specifications) to allow for expansion of truck parking; and to reduce the Koppers Road and Koppers Court front yard setbacks from 60' to 20' (Section 27-2.31.3) to allow for adequate truck parking and movement within parking area.

Variance Analysis: Based on the submitted survey, the site has 579- feet of frontage along Koppers Court and 259-feet along Koppers Road. The total lot area is 208,668.25 square feet (4.790 acres). The M zoning district requires 100 feet of frontage along a public street and a minimum lot area of 30,000 square feet; subject parcel meets these requirements.

Based on the submitted site plan, the proposed truck parking will include approximately 404 parking spaces, 64 spaces will be designated for 13' X 20' bobtail parking and 340 13' X 79' will be designated for tractor trailer parking. Per the submitted site plan, the nearest single family homes are approximately 100-feet east and will consist of 78% impervious surface of the subject property. Based on the submitted materials and a site visit it appears that the requested variance does comply with the criteria for approval, based on the following findings:

**1. By reason of exceptional narrowness, shallowness or shape of a specific lot, or by reason of exceptional topographic conditions, which were not created by the owner or applicant, 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:**

Based on the submitted materials, it appears that 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 since the property is has an irregular shaped lot that complies with the minimum lot area standards for the M zoning district and for trucking parking with fairly steep slopes on the eastern side by the GA Power easement. The 6A power easement separates the subject parcel from the adjacent single-family homes. The shape and topography were not created by the owner.

**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:**

Given the operational needs for the use (truck parking) and the topographical features of the property, the requested variances do not go beyond the minimum necessary to afford relief. The requests do not grant special privilege inconsistent with other properties in the M zoning district.

**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:**

Based on the submitted materials, granting these variances will provide positive benefits to the public welfare and not be injurious to improvements in the industrial zoning district. The variances will allow for additional truck parking that will provide relief to commercial and residential areas and focus the truck traffic within the industrial areas. Reducing the number of trucks parking on the roadway shoulders in the Conely area is particularly critical given the new federal law that requires truck operator hours of service to be limited to a maximum of 11 hours after ten consecutive hours off duty. These variances will allow for improvements to the property and drainage of the property that will provide for stormwater detention on the western side (Interstate-675) of the property away from the eastern side of the R-100 district. The variances also would provide proper and adequate truck movement within the property.

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

Based on the submitted materials, it appears that the literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause an undue and unnecessary hardship due to the uniqueness of the lot shape and the existing 100-foot GA Power Company easement that runs north and south which created design constraints on the property.

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

Based on the submitted materials, it appears that the requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

**FINAL STAFF ANALYSIS:**

Based on the submitted materials, it appears that the literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause an undue and unnecessary hardship due to the uniqueness of the lot shape and the existing 100-foot GA Power Company easement that runs north and south which created design constraints on the property. Therefore, the Department of Planning and Sustainability recommends that the application be "Approve".

**STAFF RECOMMENDATION: "APPROVAL" based on the submitted site plan received on August 1, 2018 and with condition that all stormwater and water quality requirements are met "**