DeKalb County Zoning Board of Appeals

Department of Planning & Sustainability
330 Ponce De Leon Avenue, Suite 500
Decatur, GA 30030

Michael L. Thurmond
Chief Executive Officer

WEDNESDAY, June 13, 2018 AT 1:00 P.M.
Planning Department Staff Analysis

N-7 Case No: A-18-22309 Parcel ID(s): 18-054-10-030

Commission District: 2 Super District: 6

Applicant: Heather Shustes C/O Renewal Design Build
124 South Columbia Drive
Decatur, GA 30030

Owner: John Turner Jr; Debra Turner
1527 Emory Rd
Atlanta, GA 30306-2429

Project Name: 1527 Emory Road

Location: The property is located on the west side of Emory Road, approximately 120 feet north of Cornell Road (at 1527 Emory Road).

REQUEST: Variance request from Section 27-2.7 of the DeKalb County Zoning Ordinance to reduce the side yard setback from 7.5 feet to 5.4 feet to build an addition , relating the R-75 zoning district.

STAFF RECOMMENDATIO "APPROVAL" BASED ON THE SUBMITTED SITE PLAN RECEIVED ON MAY 3, 2018.

STAFF FINDING:

Table 1: Surrounding Zoning and Land Use

	Adjacent Zoning	Adjacent Land Use
North:	R-75	Detached single family homes
South:	R-75	Detached single family homes
East:	R-75	Detached single family homes
West:	R-75	Detached single family homes
Northeast:	R-75	Detached single family homes
Northwest:	R-75	Detached single family homes
Southeast:	R-75	Detached single family homes
Southwest:	R-75	Detached single family homes
Street Type:	Local road	

Site Location: The subject property is located on the west side of Emory Road, approximately 120 feet north of Cornell Road (at 1527 Emory Road). The site is zoned R-75 and is located within a neighborhood of detached single family homes also zoned R-75 and is within the Druid Hills Historic District. Emory Road is classified as a local street.

Variance request: The applicant is requesting a variance from Section 27-2.7 of the DeKalb County Zoning Ordinance to reduce the side yard setback from 7.5 feet to 5.4 feet to build an addition. The applicant submitted some of the following comments: "The proposed rear addition will allow the homeowners to renovate their kitchen and laundry area. The addition will follow the existing setback of the house and will be built over an existing concrete area. Therefore, the lot coverage will not change. The proposed addition is the minimum to provide relief and will not be detrimental to adjacent properties".

Variance Analysis: Based on the submitted materials, the site has 60 feet of frontage along Emory Road and totals 9,460 square feet. The R-75 zoning district requires a minimum lot frontage of 75 feet and a minimum lot area of 10,000 square feet. Tax records indicate that the home was constructed in 1930; therefore, the frontage, size, setbacks, and lot coverage appear to be legal, nonconforming characteristics of the site. The requested addition appears to be the minimum to provide relief since it encroaches into the north side yard setback for four feet and is atop of an existing concrete patio. The request appears to 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 due to the exceptional narrowness and small size of the site, which was not created by the owner or 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:

Based on the submitted materials, it appears that the requested variance does not go beyond the minimum

necessary to afford relief since it follows the existing setback of the house. Based on the submitted materials, the request 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 since other setback variances have been approved throughout the Druid Hills Historic District since the lots were platted and homes built before the first zoning code was adopted.

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, it appears that granting the variance would 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 as long as the addition is built to a one hour fire rating, which can be accomplished through cladding the exterior wall with brick.

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 if this modest improvement could not be accommodated.

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:

Tax records indicate that the home was constructed in 1930; therefore, the frontage, size, setbacks, and lot coverage appear to be legal, nonconforming characteristics of the site. The requested addition appears to be the minimum to provide relief since it encroaches into the north side yard setback for four feet and is atop of an existing concrete patio. Therefore, the Department of Planning and Sustainability recommends that the application be "approved" based on the submitted site plan received on May 3, 2018.

STAFF RECOMMENDATIOI "APPROVAL" BASED ON THE SUBMITTED SITE PLAN RECEIVED ON MAY 3, 2018.

Letter of Intent

Property: 1527 Emory Road, Atlanta, GA 30306

Response to 7.5.1 Items A 1-5

Item 1 – The lot does not meet the standard width for R-75 zoning. This narrower width affords fewer options for the placement of an addition at the rear of the house. The existing home already sits outside of the zoned 7.5' setback and is located at 5.4' from the lot line. Our request is to continue the line of the existing home for 4' on this already narrow lot.

Item 2 – The home has an excessively small kitchen, especially considering similar homes in the immediate area. To provide the homeowner with a reasonable sized kitchen and laundry, a small addition must be added to the home. We are asking for the minimum amount to achieve the space goals for the homeowner. The proposed addition does not add any new impervious lot coverage and follows the existing shape of the rear bump out at the back of the property.

Item 3 – This addition should cause no detriment to immediate neighbors or the overall neighborhood. It is a small addition, four feet beyond the existing rear line of the home. The addition follows the side yard set back line and does not make worse the existing encroachment of the home on the side yard lot line.

Item 4 – It would cause the homeowner undue hardship to adjust an addition to follow the side yard setback line. The interior space would not configure properly for a reasonable kitchen layout. In addition, there would be significant additional cost to the homeowner at the exterior to move their electrical box and move their primary entry door at the back of the house. Movement of that entry door would require a major revision to the interior of the home because any movement would impact an existing staircase and would cause multiple interior code violations. Moving the kitchen and laundry to a completely different section of the house would cause undue expense and necessary window modification would likely not achieve compliance with the Druid Hills historical review board.

Item 5 – This proposed addition has been designed to minimally impact the existing structure and afford the homeowners an appropriate improvement to their home. This request acknowledges that some homes designated R-75 simply don't achieve the requirements of said zoning and necessitate variance approval. Every effort has been made during design development to minimize the area of addition outside the setback.

DeKalb County
GEORGIA

DeKalb County Department of Planning & Sustainability

Hon. Michael Thurmond
Chief Executive Officer

Andrew Baker, AICP,
Director

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

BOA No. 22309

Applicant and/or
Authorized Representative: Heather Shuster of Renewal Design Build

Mailing Address: 124 S. Columbia Drive

City/State/Zip Code: Decatur, GA 30030

Email: [redacted] HEATHER@RENEWALDESIGNBUILD.COM

Telephone Home: _____ Business: 404-378-[redacted]69962 Fax No.: 404-378-6963

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Debra Turner

Address (Mailing): 1527 Emory Road

City/State/Zip Code: Atlanta, GA 30306

Email: turner.debra@gmail.com

Telephone Home: 404-771-3224 Business: _____ Fax No.: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 1527 Emory Rd City: Atlanta State: GA Zip: 30306

District(s): 18 Land Lot(s): 054 Block: 10 Parcel: 030

District(s): _____ Land Lot(s): _____ Block: _____ Parcel: _____

District(s): _____ Land Lot(s): _____ Block: _____ Parcel: _____

Zoning Classification: R-75 Commission District & Super District: 2/6

CIRCLE 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.)
- OFFICIALS APPEALS OF ADMINISTRATIVE DECISIONS.

TO BE COMPLETED BY PLANNING AND SUSTAINABILITY DEPARTMENT

Date Received: _____ Fee Paid: _____

RECEIVED
MAY 03 2018

330 West Ponce de Leon Avenue – Suites 100-500 – Decatur, Georgia – 30030 [voice]
404.371.2155 – [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
Web Address http://www.dekalbcountyga.gov/planning
Email Address: planninganddevelopment@dekalbcountyga.gov

RENEWAL
DESIGN + BUILD

APPLICABLE CODES

International Residential Code, 2012 Edition with Georgia Amendments (2014 & 2015)

International Fire Code, 2012 Edition with Georgia Amendments (2014)

International Plumbing Code, 2012 Edition with Georgia Amendments (2014 & 2015)

International Mechanical Code, 2012 Edition with Georgia Amendments (2015)

International Fuel Gas Code, 2012 Edition with Georgia Amendments (2014 & 2015)

National Electric Code, 2014 Edition

International Energy Conservation Code, 2009 Edition with Georgia Supplements and Amendments (2011 & 2012)

124 South Columbia Drive, Decatur, GA 30030

Designer: Whitney Jones
Project Manager: Unassigned

VARIANCE APPLICATION DRAWINGS
NOT ISSUED FOR CONSTRUCTION

Turner Residence

1527 Emory Road
Atlanta GA 30306

DRAWING INDEX:

COVER SHEET
SURVEY

A1 - SITE PLAN

SCOPE OF WORK:

Kitchen and Laundry Renovation.

Remove and rebuild addition at rear of home.
Existing facade is siding.
Proposed facade to be brick.
Existing windows at original home to remain.

The proposed addition has been designed to minimally impact the existing structure and afford the homeowners an appropriate improvement to their home.

The proposed addition does not add any new impervious lot coverage and follows the existing shape of the rear bump out at the back of the property

All interior fixtures, finishes, electrical and plumbing work to be performed.

RECEIVED
MAY 03 2018
BY:.....

RENEWAL
DESIGN + BUILD
124 S. COLUMBIA DR.
DECATUR, GA 30030
404-378-6962

NOT RELEASED FOR CONSTRUCTION

DRAWN BY: Whitney Jones

REVISIONS

DATE

PROJECT NAME & ADDRESS
TURNER RESIDENCE
1527 EMORY ROAD
ATLANTA, GA 30306

SHEET TITLE
COVER SHEET

DATE
5-1-2018

JN: 18_131

GENERAL NOTES:

1: This Plat has been prepared without the benefit of a current title report. Easements or encumberances 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.

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 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 forth 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.

0 30' 60'
1" = 30'

N (DEED)
W E
S

REFERENCE: DEED BOOK 7490 PAGE 276
PLAT BOOK 7, PAGE 77

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY FIRM MAP OF DEKALB COUNTY, GEORGIA 13089C0062J EFFECTIVE DATE MAY 16, 2013

SURVEY DATA:

TYPE OF SURVEY: TOPOGRAPHIC
SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY:
DB 7490 PG 276
PROPERTY OWNER AT TIME OF SURVEY:
JOHN & DEBRA TURNER
PARCEL NUMBER: 18-054-10-030

SOUTH PROPERTY LINE IS BEARING BASIS FROM DB 24656 PG 230

TOTAL AREA: 9,460 SQ FT, 0.217 AC

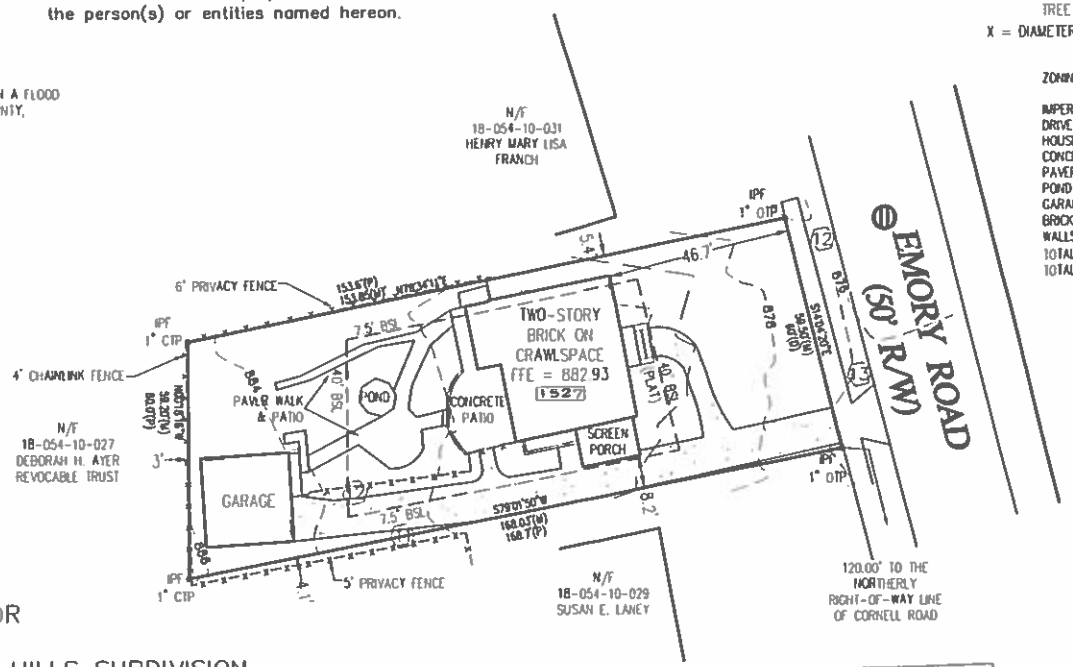
CALCULATED PLAT CLOSURE: 1:50,549

FIELD DATA:

DATE OF FIELD SURVEY 3-7-2018

THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.01 FEET.

EQUIPMENT:
ELECTRONIC TOTAL STATION



TREE SYMBOLS (X) OAK
X = DIAMETER IN INCHES (X) HARDWOOD

ZONING: R-75

IMPERVIOUS SURFACES:
DRIVE & FRONT WALK = 1,655 SQ. FT.
HOUSE = 1,368 SQ. FT.
CONCRETE PATIO & WALK = 336 SQ. FT.
PAVER PATIO & WALK = 435 SQ. FT.
POND = 63 SQ. FT.
GARAGE = 494 SQ. FT.
BRICK PAD = 28 SQ. FT.
WALLS = 24 SQ. FT.
TOTAL IMPERVIOUS= 4,403 SQ. FT. (46.5%)
TOTAL LOT = 9,460 SQ. FT.

(M) = MEASURED
(P) = PLAT

LEGEND

	EOP	EDGE OF PAVEMENT (CURB)
⊘	PP	POWER POLE
	R/W	RIGHT OF WAY
O	IPF	IRON PIN FOUND
O	IPS	1/2" REBAR SET
	SW	SIDE WALK
O		BOLLARD
	OHP	OVERHEAD POWER
	FH	FIRE HYDRANT
	CB	CATCH BASIN
	MH	MANHOLE
	WM	WATER METER
	WV	WATER VALVE
	GV	GAS VALVE
	GM	GAS METER
	LP	LIGHT POLE
		CONCRETE PAD

GEORGIA REGISTERED No. 3354 LAND SURVEYOR JONATHAN M. COE

FOR
DEKALB SURVEYS, INC.
407 W. PONCE DE LEON
SUITE B
DECATUR, GEORGIA 30030
404.373.9003

TOPOGRAPHIC SURVEY FOR
JOHN & DEBRA TURNER
LOT 7, BLOCK 37, DRUID HILLS SUBDIVISION

1527 EMORY ROAD

DEKALB COUNTY, GEORGIA
LAND LOT 54, DIST 18
DATE: MARCH 14, 2018

RECEIVED
MAY 03 2018
BY: .....

www.dekalbsurveys.com
COA 1086

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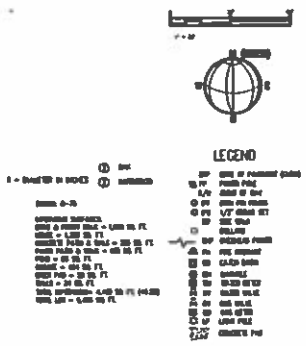
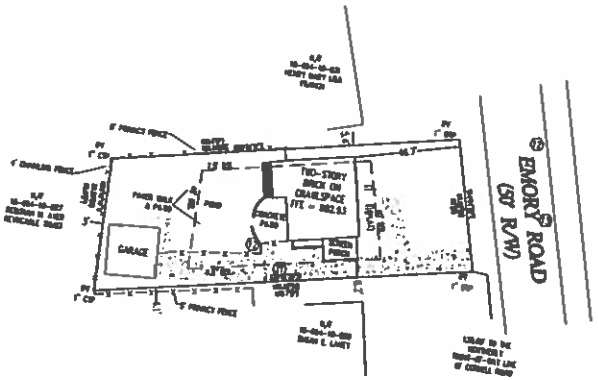




ZONE: R-75, Residential Medium Lot
Druid Hills Historic

DATE OF SURVEY: 03-07-18

PROVIDED BY: DeKalb Surveys

LOT DATA
Total Lot: 9,460 SQ. FT., 0.217 AC

IMPERVIOUS AREA
EXISTING: 4,403 SQ. FT. (46.5%)
- DRIVE & FRONT WALK = 1,655 SQ. FT.
- HOUSE = 1,368 SQ. FT.
- CONCRETE PATIO & WALK = 336 SQ. FT.
- PAVER PATIO & WALK = 435 SQ. FT.
- POND = 63 SQ. FT.
- GARAGE = 494 SQ. FT.
- BRICK PAD = 28 SQ. FT.
- WALLS = 24 SQ. FT.

PROPOSED: 4,403 SQ. FT. (46.5%) NO CHANGE
- DRIVE & FRONT WALK = 1,655 SQ. FT.
- HOUSE = 1,368 SQ. FT.
- CONCRETE PATIO & WALK = 336 SQ. FT.
- PAVER PATIO & WALK = 435 SQ. FT.
- POND = 63 SQ. FT.
- GARAGE = 494 SQ. FT.
- BRICK PAD = 28 SQ. FT.
- WALLS = 24 SQ. FT.

FLOOR AREA RATIO
Existing: 2,636 SQ. FT. (27.8%)

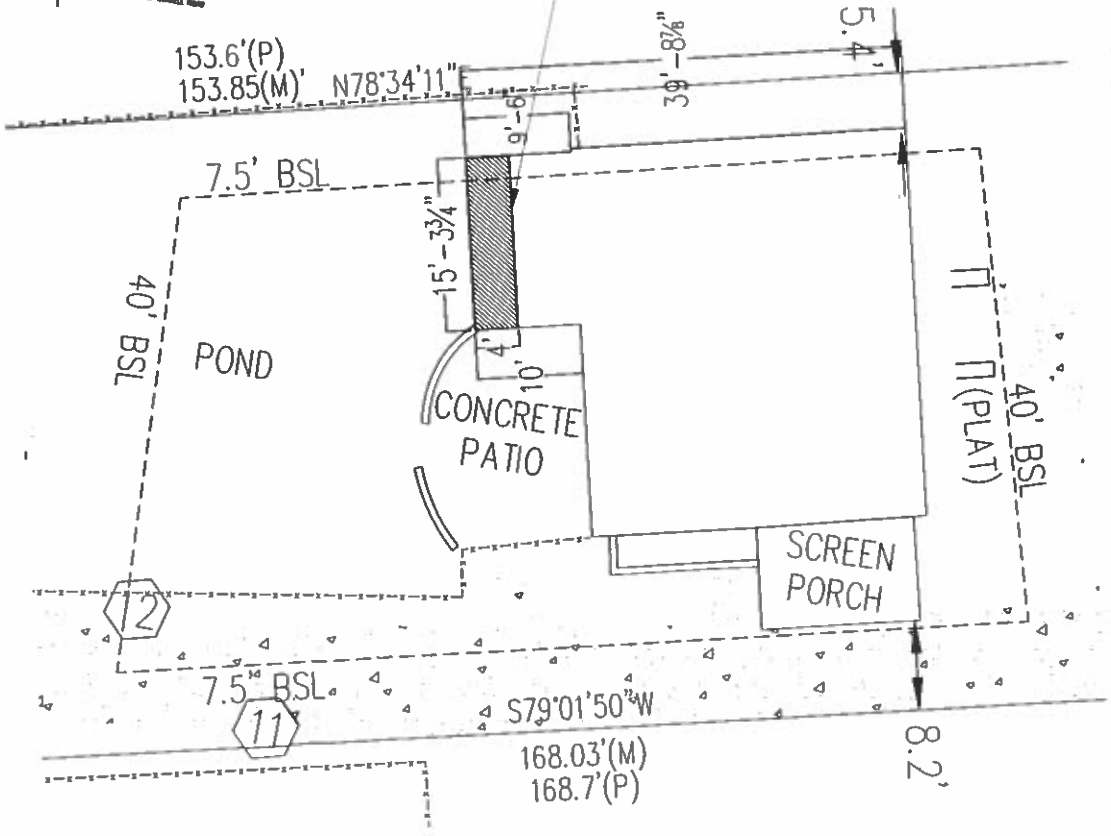
Proposed: 2,696 SQ. FT. (28.5%)

1 / A1 SITE PLAN
3/32 " 1'-0" SCALE

New Addition

*NOTE: Addition Sits at existing sidewalk location.
DOES NOT INCREASE IMPERVIOUS

RECEIVED
MAY 03 2018



RENEWAL DESIGN + BUILD
124 S. COLUMBIA DR.
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404-378-6962

NOT RELEASED FOR CONSTRUCTION

DRAWN BY: Whitney Jones

REVISIONS

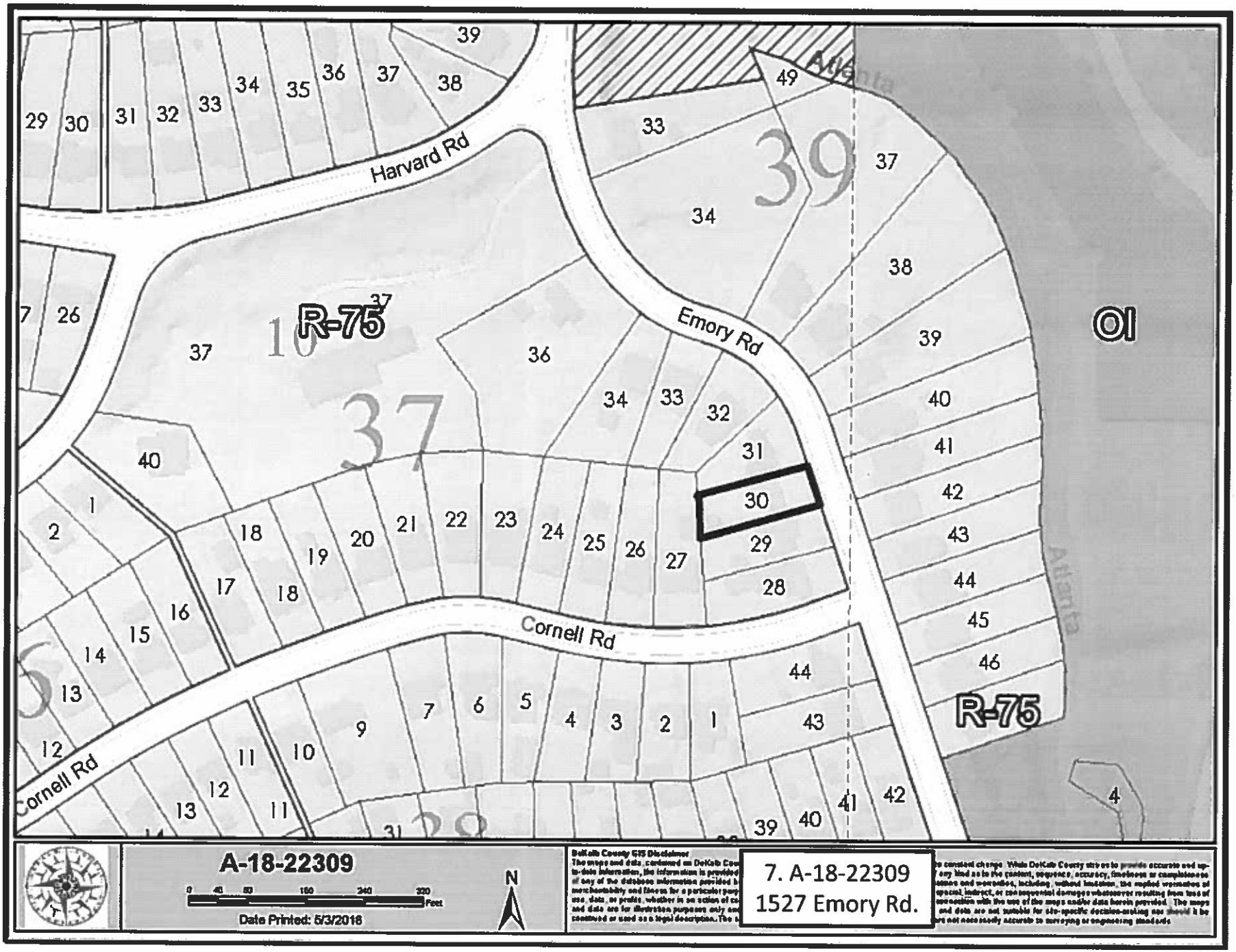
DATE

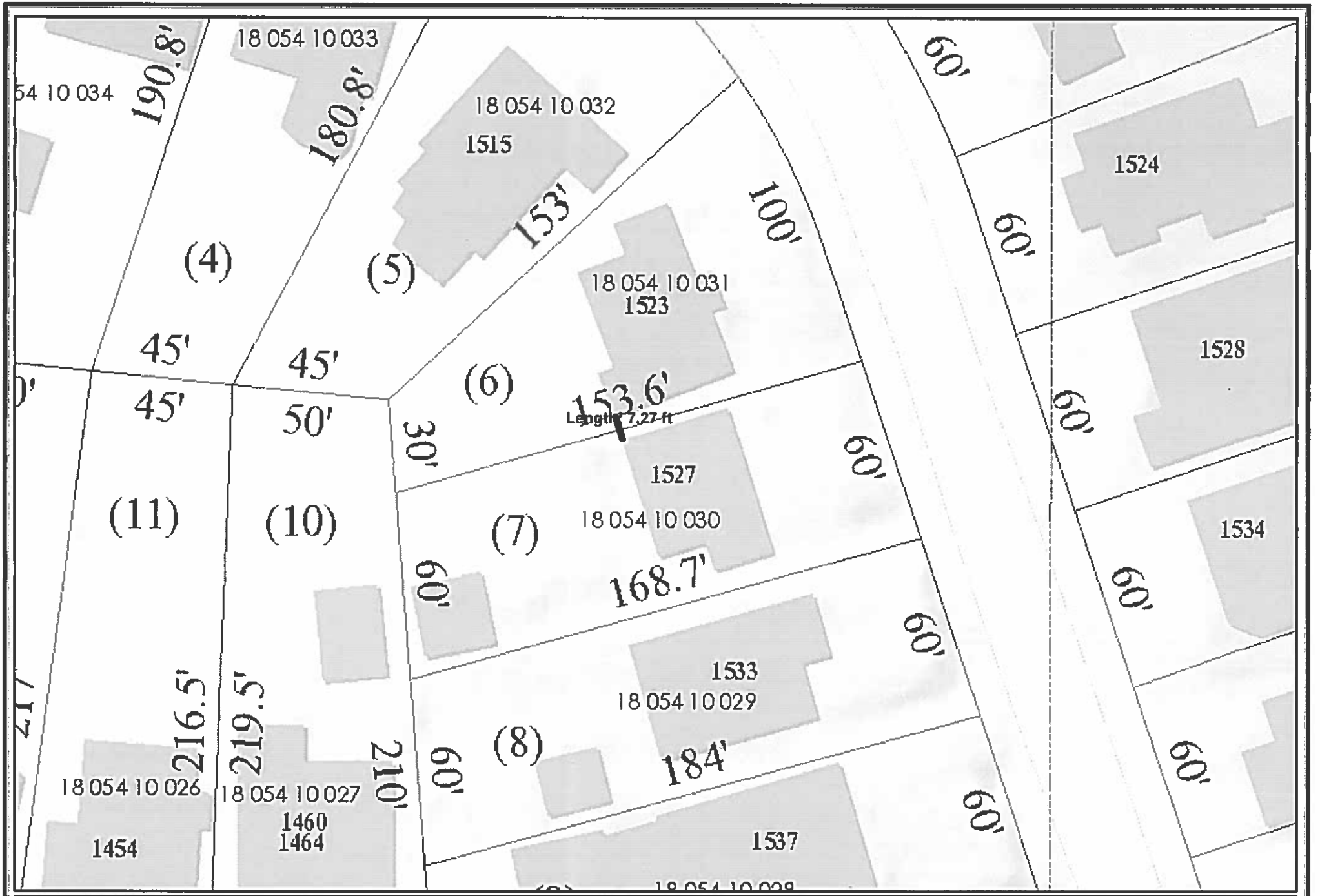
PROJECT NAME & ADDRESS
TURNER RESIDENCE
1527 EMORY ROAD
ATLANTA, GA 30306

SHEET TITLE
SITE PLAN

DATE
5-1-2018

SHEET
A1


Harvard Rd
Emory Rd
Cornell Rd
Cornell Rd
R-75
R-75
OI
Atlanta
Atlanta
A-18-22309
0 40 80 160 240 320 Feet
Date Printed: 5/3/2016
N
DeKalb County GIS Disclaimer
7. A-18-22309
1527 Emory Rd.


18 054 10 033
54 10 034
190.8'
180.8'
18 054 10 032
1515
153'
100'
60'
1524
(4)
(5)
18 054 10 031
1523
45'
45'
60'
1528
(6)
153.6'
Length: 7.27 ft
45'
50'
30'
60'
1527
(11)
(10)
(7)
18 054 10 030
60'
1534
168.7'
60'
1533
18 054 10 029
216.5'
219.5'
210'
(8)
184'
60'
60'
18 054 10 026
18 054 10 027
1460
1464
1454
1537
22309 bldg distance
0 10 20 40 60 80 Feet
Date Printed: 5/8/2018
N
DeKalb County GIS Disclaimer
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Property Tax Information Results

Print In Office Bill

Back

For additional assistance, contact (404) 298-4000.

Property Identification

Parcel ID	18 054 10 030
Pin Number	0916218
Property Address	1527 EMORY RD NE
Property Type	Real Estate
Tax District	04 - UNINCORPORATED

Owner Information

	Last Name, First Name
Jan. 1 st Owner	TURNER JOHN A JR
Co-Owner	TURNER DEBRA R
Current Owner	TURNER JOHN A JR
Co-Owner	TURNER DEBRA R
Owner Address	1527 EMORY RD NE ATLANTA GA 30306-2429
Care of Information	

Homestead Exemption

Exemption Type	H1F - BASIC EXEMPTION WITH FREEZE
Tax Exempt Amount	$0.00

Other Exemption Information

Exemption Type	
Value Exemption Amount	$0.00

Deed Information

Deed Type	WARRANTY DEED
Deed Book/Page	07490 / 00276
Plat Book/Page	0007 / 0077

Property Characteristics/ Sales Information

NBHD Code	0940
Zoning Type	R75 - SF RES DIST
Improvement Type	09-SINGLE FAMILY RESIDENTIAL
Year Built	1930
Condition Code	AVERAGE
Quality Grade	GOOD PLUS
Air Conditioning	YES
Fireplaces	1
Stories	2
Square Footage	2,636 Sq. Ft.
Basement Area	280 Sq. Ft.
% Bsmt Finished	0 Sq. Ft.
Bedrooms	4
Bathrooms	2
Last Deed Date	11/20/1992
Last Deed Amount	$193,200.00

Click here to view property map

Additional Property

Property Value/Billing Assessment

Taxable Year	2017
Land Value	$124,000
Building Value	$470,900

Tax Information Summary

Taxable Year	2017
Millage Rate	0.04409
2 nd Installment Amount	$0.00
DeKalb County Taxes Billed	$7,716.84
DeKalb County Taxes Paid	$7,716.84
DeKalb County Taxes Due	$0.00
Total Taxes Billed	$7,716.84
Total Taxes Paid	$7,716.84
Total Taxes Due	$0.00

DeKalb County Taxes

First Payment Date	9/29/2017
First Payment Amount	$3,858.42
Last Payment Date	11/15/2017
Last Payment Amount	$3,858.42

Tax Paid Receipt

-- Choose a Tax Year --

Get Tax Payoff Info.

Property Tax Mailing Address

DeKalb County Tax Commissioner
Collections Division
PO Box 100004
Decatur, GA 30031-7004

Prior Years Tax

Please note that payment posting information may be delayed due to batch processing

DeKalb County Tax

TaxYear	Total Owed	Total Paid	Total Due	Adjusted Bill Due Date
2017	$7,716.84	$7,716.84	$0.00	
2016	$7,276.12	$7,276.12	$0.00	
2015	$6,738.68	$6,738.68	$0.00	
2014	$6,769.12	$6,769.12	$0.00	
2013	$5,572.27	$5,572.27	$0.00	
2012	$6,012.02	$6,012.02	$0.00	
2011	$6,687.04	$6,687.04	$0.00	
2010	$6,012.98	$6,012.98	$0.00	

Delinquent Taxes/ Tax Sale Information

Tax Sale File Number	
FiFa-GED Book/Page	
Levy Date	
Sale Date	
Delinquent Amount Due	