



DeKalb County Zoning Board of Appeals  
Department of Planning & Sustainability  
330 Ponce De Leon Avenue, Suite 300  
Decatur, GA 30030



Michael L. Thurmond  
Chief Executive Officer

Wednesday, February 12, 2020 at 1:00 PM

Planning Department Staff Analysis

N1 Case No: A-20-1243749 Parcel ID(s): 15-190-01-092

**Commission District: 05 Super District 07**

**Applicant:** Esther B. Wooley  
2261 Saratoga Drive  
Decatur, GA 30032

**Owner:** Same as the applicant

**Project Name:** 4633 Covington Highway

**Location:** The property is located on the east side of Covington Highway, approximately 2,104 feet north of Glenwood Road, at 4633 Covington Highway, Decatur, Georgia 30035.

**REQUEST:** Variance from the DeKalb County Zoning Ordinance: Section 27-2.24.1 (Table 2.2) to reduce the southern side yard setback from for a proposed addition to an existing place of worship, relating to the OI (Office Institutional) zoning district.

**Staff Recommendation:** "Approval" to reduce the southern side yard setback for a proposed addition to an existing place of worship as shown on the submitted site plan received December 31, 2019.

**STAFF FINDINGS:**

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

	<b>Adjacent Zoning</b>	<b>Adjacent Land Use</b>
North	C-1	Detached single family homes
East	R-85	Detached single family homes
South	MR-1	Vacant
West	MR-1	Multi-Family
Northeast	R-85	Detached single family homes
Northwest	MR-1	Multi-Family
Southeast	MR-1	Vacant
Southwest	MR-1	Multi-Family
Street Type		Major Arterial

**Site Location:** The property is located on the east side of Covington Highway, approximately 2,104 feet north of Glenwood Road, at 4633 Covington Highway, Decatur, Georgia 30035. The site is zoned OI (Office Institutional) zoning district. The property is surrounded by C-1 (Local Commercial) District zoned property to the north, MR-1 (Residential Medium) zoned properties to the west and south, and R-85 (Residential Medium Lot) District properties to the east. The subject property currently fronts Covington Highway which is classified as a major arterial.

**Variance request:** The applicant is requesting Variance from the DeKalb County Zoning Ordinance: Section 27-2.24.1 (Table 2.2) to reduce the southern side yard setback for a proposed addition to an existing place of worship.

**Variance Analysis:** Based on the submitted materials, the applicant is proposing to add approximately 353 square feet of floor area space to the existing 544 square foot sanctuary to accommodate additional seating. The current sanctuary has approximately 48 fixed seats, with the addition of the proposed expansion, the sanctuary will provide additional 27 fixed seats. Based on County records, the existing building was constructed in 1955. The current structure encroaches approximately into to the southern side yard setback. The OI zoning district requires a minimum 20 foot side yard setback. Based on staff's site visit and submitted materials, the requested variance meets 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, by reason of the shape of the lot and placement of the existing structure the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners.

**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 and site visit, the requested variance does not appear to go beyond the minimum necessary to afford relief. The requested variance 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.

**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:**

Granting this 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 since the property to the south is vacant.

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

It appears that the strict application of the applicable provisions or requirements of this chapter would cause an undue and unnecessary hardship due to the placement the existing structure.

**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.

**FINAL STAFF ANALYSIS:**

It appears that the strict application of the applicable provisions or requirements of this chapter would cause an undue and unnecessary hardship due to the placement the existing structure. Therefore, the Department of Planning and Sustainability recommends that the application be “approved” based on the materials received on December 5, 2019.

**STAFF RECOMMENDATION: “Approval” to reduce the southern side yard setback for a proposed addition to an existing place of worship as shown on the submitted site plan received December 31, 2019.**