



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, June 10, 2020 at 1:00 PM
Planning Department Staff Analysis

N11 Case No: A-20-1243995 Parcel ID(s): 15-201-01-026

Commission District: 03 Super District 06

Applicant: April Ingram
3688 Clearview Ave, Suite 101
Atlanta, GA 30340

Owner: John Cranmer and Lisa Cranmer
1373 Conway Road
Decatur, GA 30030

Project Name: 1373 Conway Road

Location: The property is located on the west side of Conway Road, approximately 1,204 feet south of Midway Road, at 1373 Conway Road Decatur, Georgia 30030.

REQUEST: Variance from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements)) to increase the maximum allowed lot coverage from 35% to 39% for a proposed landscape and hardscape improvements for an existing single-family home, relating to the R-75 zoning district.

Staff Recommendation: **“APPROVAL” as shown on the submitted site plan received on February 27, 2020.**

STAFF FINDINGS:

Table 1: Surround Zoning and Land Use

	Adjacent Zoning	Adjacent Land Use
North	R-75	Detached single family homes
East	R-75	Detached single family homes
South	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 Street

Site Location: The property is located on the west side of Conway Road, approximately 1,204 feet south of Midway Road, at 1373 Conway Road Decatur, Georgia 30030. The site is zoned R-75 and is surrounded by R-75 zoned properties to the north, east, south and west. The subject property currently fronts Conway Road, which is classified as a local street.

Variance request: Variance from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements)) to increase the maximum allowed lot coverage from 35% to 39% for a proposed landscape and hardscape improvements for an existing single-family home.

Variance Analysis: Based on the submitted materials, the applicant is proposing to make landscaping and hardscaping improvement behind the existing single family detached structure causing an increase from the existing lot coverage of 34.3% to 39%. The DeKalb County zoning ordinance requires a maximum lot coverage of 35% for lots within the R-75 zoning district. Based on the submitted materials, it appears the variance does not go beyond the minimum necessary to afford relief, therefore the requested variance meets the criteria for approval based on the following criteria:

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 site plan, 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:

It appears that the requested variance does not go beyond the minimum necessary to afford relief. Therefore, granting this 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 is located.

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, the strict application of the applicable provisions and requirements of this chapter would cause an undue hardship for the applicant.

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:

It appears that the requested variance does not go beyond that minimum necessary to afford relief. Therefore, granting this 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. Therefore, the Department of Planning and Sustainability recommends that the application be “approved” as shown on the submitted site plan received on May 6, 2020.

STAFF RECOMMENDATION: “APPROVAL” as shown on the submitted site plan received on May 6, 2020.