



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

N2 Case No: A-20-1243862 Parcel ID(s): 18-150-05-005

Commission District: 02 Super District 06

Applicant: George Dunwoody & Kingsley Dunwoody
2058 Beaver Road Northeast
Atlanta, GA 30345

Owner: Same as the applicant

Project Name: 2058 Beaver Road

Location: The property is located on the north side of Beaver Road, approximately 180 feet east of Deer Park Road, at 2058 Beaver Road Atlanta, GA 30345.

REQUEST: Variance from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements) to reduce the western side yard setback from 10 feet to 5.9 feet for a proposed addition, relating to the R-100 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-100	Detached single family homes
East	R-100	Detached single family homes
South	R-100	Detached single family homes
West	R-100	Detached single family homes
Northeast	R-100	Detached single family homes
Northwest	R-100	Detached single family homes
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 north side of Beaver Road, approximately 180 feet east of Deer Park Road, at 2058 Beaver Road Atlanta, GA 30345. The site is zoned R-100 and is surrounded by R-100 zoned properties to the north, east, south and west. The subject property currently fronts Beaver 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 reduce the western side yard setback from 10 feet to 5.9 feet for a proposed addition to an existing single-family detached structure.

Variance Analysis: Based on the submitted materials, the applicant is proposing to enclose the existing carport for a proposed interior living space. The DeKalb County zoning ordinance requires a minimum 10-foot side yard setback for lots within the R-100 zoning district. Based on the submitted survey, the existing carport currently encroaches approximately 5.9 feet into the west side yard setback causing the existing structure to become non-conforming. Therefore, due to placement of the existing single-family structure, it appears that 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, by reason of shape of lot and the non-conformity of the existing single family detached 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:

Due to the shape of lot and the non-conformity of the existing single family detached structure, 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.

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, due to the irregular shape lot and the placement of the existing single family detached structure, 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:

Based on the submitted materials, due to the irregular shape lot and the placement of the existing single family detached structure, the strict application of the applicable provisions and requirements of this chapter would cause an undue hardship for the applicant. Therefore, the Department of Planning and Sustainability recommends that the application be “approved” as shown on the submitted site plan received on February 27, 2020.

STAFF RECOMMENDATION: “APPROVAL” as shown on the submitted site plan received on February 27, 2020.