



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

N3 Case No: A-20-1243865 Parcel ID(s): 18-101-02-008

Commission District: 02 Super District 06

Applicant: Meghan Byrne
PO Box 3599
Decatur, GA 30031

Owner: Same as the applicant

Project Name: 948 Gaylemont Circle

Location: The property is located on the east of Gaylemont Circle, approximately 400 feet south of Hunting Valley Drive, at 948 Gaylemont Circle Decatur, GA 30033.

REQUEST: Variance from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements) to reduce the minimum unit size for a proposed detached single family home from 1,600 square feet to 1,540 square feet, 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 east of Gaylemont Circle, approximately 400 feet south of Hunting Valley Drive, at 948 Gaylemont Circle Decatur, GA 30033. 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 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 minimum unit size for a proposed detached single family home from 1,600 square feet to 1,540 square feet, relating to the R-75 zoning district.

Variance Analysis: Based on the submitted materials, the applicant is proposing to build a single-family detached home. The DeKalb County zoning ordinance requires a minimum unit size of 1,600 square feet for lots within the R-75 zoning district. The applicant is proposing to reduce the minimum unit size to 1,540 square feet. Based on the submitted site plan, the proposed single-family detached home will be place on an undeveloped lot with several site constraints such as steep topography and a creek that runs east and west on the center of the subject property, causing an undue hardship for the applicant.

Based on the submittal materials, due to the site constraints of the subject property, 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 the steep topography and the existing creek that runs east and west on the center of the subject property, 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 existing site constraints, 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 steep topography and the placement of the existing creek, 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 steep topography and the placement of the existing creek that runs east and west on the center of the subject property, 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.