



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, November 13, 2019 at 2:00 PM

Planning Department Staff Analysis

**N3 Case No: A-19-1243556 Parcel ID(s): 18-192-13-001**

**Commission District: 01 Super District 07**

**Applicant:** Charles Doppelhever  
1139 Timberland Drive  
Lilburn, GA 30047

**Owner:** Jason and Erin Jarrells  
1881 Cedar Canyon Drive  
Atlanta, GA 30345

**Project Name:** 1881 Cedar Canyon Drive

**Location:** The property is located on the southeast corner of Cedar Canyon Drive and Cedar Canyon Court, at 1881 Cedar Canyon Drive, Atlanta, Georgia 303454.

**REQUEST:** Variance from section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce the rear yard setback from 40 feet to 20 feet for a proposed rear addition.

**Staff Recommendation:** "Approval" as shown on the submitted site plan received September 27, 2019.

**STAFF FINDINGS:**

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

	<b>Adjacent Zoning</b>	<b>Adjacent Land Use</b>
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 southeast corner of Cedar Canyon Drive and Cedar Canyon Court, at 1881 Cedar Canyon Drive, Atlanta, Georgia 303454. The site is zoned R-100 and is surrounded by R-100 zoned property to the north, east, west and south. The subject property fronts Cedar Canyon Drive and Cedar Canyon Court which are classified as local streets.

**Variance request:** The applicant is requesting a variance from section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce the rear yard setback from 40 feet to 20 feet for a proposed rear addition.

**Variance Analysis:** Based on the submitted materials, the site has approximately 120 feet of street frontage along Cedar Canyon Drive and 111 feet Cedar Canyon Court. The site has approximately 18,572 square feet of lot area. The R-100 zoning district requires a minimum lot frontage of 100 feet and a minimum lot area of 15,000 square feet. The site does comply with these minimum standards, but is an odd shaped interior lot. Based on the county records, the house was constructed in 1967, 15 years after the adoption of the 1956 zoning ordinance.

Based on the submitted site plan, the existing residential structure consists of one level. The applicant is proposing to extend the existing house on the south side in order to build a rear addition. This extension will follow the footprint of the existing house along the rear wall, and therefore encroach 20 feet into the rear yard setback. The addition will meet the required front and side yard setbacks. 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:**

The existing residence is on an irregular-shaped parcel, therefore, for 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 proposed addition 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. The current single-family detached home is placed on an irregular shape lot.

**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:**

Considering the submitted support documents from neighboring properties, 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.

**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 literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause an undue and unnecessary hardship considering the irregularly shaped lot.

**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 as it adheres to the front and side yard setbacks.

**FINAL STAFF ANALYSIS:**

Based on the submitted materials and site visit, the requested variance does not appear to go beyond the minimum necessary to afford relief. The proposed addition 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. The current single-family detached home is placed on an irregular shape lot. Therefore, the Department of Planning and Sustainability recommends that the application be "approved" based on the materials received on September 27, 2019.

**STAFF RECOMMENDATION: "Approval" as shown on the submitted site plan received September 27, 2019.**