



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, July 10, 2019 at 1:00 PM

Planning Department Staff Analysis

N.4 Case No: A-19-1243336 Parcel ID(s): 15 186 11 012

Commission District: 03 Super District 07

Applicant: James Buckland
4918 Vireo Drive
Flowery Branch, GA 30542

Owner: Kristen Aceto Netemeyer
1666 N. Columbia Place
Decatur, GA 30032

Project Name: 1666 N. Columbia Place

Location: The property is located on the eastside of North Columbia Place, approximately 445 feet north of Columbia Drive, at 1666 North Columbia Place, Decatur, GA 30032.

REQUEST: Variance from Section 4.2.2(C) (1) of the DeKalb County Zoning Ordinance to construct a two-car detached garage on the side of an existing single-family structure, relating to the R-75 zoning district.

Staff Recommendation: "Denial"

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 eastside of North Columbia Place, approximately 445 feet north of Columbia Drive, at 1666 North Columbia Place, Decatur, Georgia 30032. The site is zoned R-75 and is surrounded by R-75 zoned property to the north, east, west and south. The subject property fronts North Columbia Place and is classified as a local street.

Variance request: Variance from Section 4.2.2(C) (1) of the DeKalb County Zoning Ordinance to construct a detached two-car garage on the side of an existing single-family structure.

Variance Analysis: Based on the submitted materials, the site has approximately 100 feet of street frontage along North Columbia Place and approximately 14,983 square feet of lot area. The R-75 zoning district requires a minimum lot frontage of 75 feet and a minimum lot area of 10,000 square feet. The site meets the minimum building width and lot area requirements per the R-75 zoning district. Additionally, the current structure sits within the required setbacks for the R-75 zoning district. The submitted site plan shows the proposed 400 square foot two-car garage on the north side of the existing structure. The proposed two-car garage will meet all the setbacks and lot coverage requirements. However, Section 4.2.2(C) (1) of the DeKalb County Zoning Ordinance requires detached garages to be only placed behind principle structures. Per the applicant, the proposed detached two-car garage will be no more than 20 feet wide and less than 14 feet high with a driveway addition that would be separated from the house by 8 feet. The front walkway will connect to the driveway and provide access to the garage. The garage will be set back at least 5 feet from the house and will be painted to be consistent with the front of the existing house.

Based on staff's site visit, the requested variance does not meet 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 a lot that is appropriate for the zoning district. Based on staff's site visit, there were no detached garages built on the side of existing residential structures along N Columbia Place. Therefore, this lot does not present a situation that would deprive the owner of privileges enjoyed by other property owners within the same zoning district.

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 appear to go beyond the minimum necessary to afford relief. Due to the size of the lot, the applicant has adequate space to place the proposed two-car garage behind the existing residential structure while satisfying all requirements per Section 4.2.2(C) (1) of the DeKalb County Zoning Ordinance.

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 that there were no detached garages built on the side of homes along N. Columbia Place, the granting of the variance will be materially detrimental to the public welfare or possibly injurious to the other properties in the zoning district.

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 are appropriate considering that there is no clear hardship on this property.

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 not be consistent with the spirit and purpose of this chapter or the DeKalb County Comprehensive Plan text as it would grant a special privilege to this specific property owner.

FINAL STAFF ANALYSIS:

Based on the submitted materials and site plan, it appears that the literal interpretation and strict application of the applicable provisions or requirements of this chapter would not cause an undue and unnecessary hardship considering that the applicant has enough adequate space to place the proposed two-car garage behind the existing residential structure while satisfying all requirements per Section 4.2.2(C) (1) of the DeKalb County Zoning Ordinance. Therefore, the Department of Planning and Sustainability recommends that the application be "denied" based on the materials received on June 6, 2019.

STAFF RECOMMENDATION: "Denial" based on the submitted site plan received June 6, 2019.