



Michael L. Thurmond
Chief Executive Officer

DeKalb County Zoning Board of Appeals
Department of Planning & Sustainability
178 Sams Street,
Decatur, GA 30030



Cedric Hudson
Interim Director

Planning Department Staff Analysis

N1. Case No: A-24-1246783 Parcel ID(s): 15 131 10 018 Commission District 03 Super District 07

Applicant: Steven Thomas
1705 Highway 138 SE
Conyers, GA 30013

Owner: Lemuel Collins
2449 Carlow Court
Decatur, GA 30035

Project Name: 2449 Carlow Court - Garage Construction

Location: 2449 Carlow Court, Decatur, GA 30035

Request: Variance from Section 27-2.2.1 and 27-4.2.2 (C) of the DeKalb County Zoning Ordinance to reduce side-yard setback from 7.5' to 5' and allow an accessory structure in the side yard to remodel garage within the R-75 (Residential Medium Lot) zoning district.

Staff Determination: Approval with condition

Condition: The following information about this variance shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance and condition(s) of approval.

STAFF FINDINGS:

1. There is an extraordinary or exceptional physical condition(s) pertaining to the particular piece of property (such as, but not limited to, lot size, lot shape, specimen tree(s), steep slope(s), or preservation of historic characteristics of the property), which was not created by the current owner, previous owner, or applicant; by reason of a clearly demonstrable condition(s), 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, as distinguished from a special privilege or convenience sought by the property owner.

The corner lot status of the property designates what is typically considered a "backyard" as a "side_yard" per section 27-4.2.2(C). The ordinance-defined rear yard offers no space to construct a garage. The house was constructed in 1964, prior to the implementation of the current zoning code, which results in a buildable area smaller than a garage suitable for vehicle storage. The natural slope of the lot towards the proposed garage area may further limit the buildable area without significant grading.



Source: Google Maps (2023)

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:

The requested variance may not exceed the minimum necessary relief and may not grant a special privilege inconsistent with other properties in the zoning district. The garage width is designed to fit within the constraints of the lot and accommodate a single four-wheeled vehicle with room for a motorcycle and other personal items, based on the letter of intent. The proposed location for the garage appears to be the only feasible spot on the lot without necessitating the demolition of the existing deck. While two trees bordering the house and deck will need to be cut down to construct the garage, it appears this may be required to ensure the integrity of the deck and house foundation independent of the garage construction.

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 the variance is not anticipated to be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district. The applicant has supplied letters of support from the immediate bordering neighbors to the west at 4102 Tiffany Drive and to the north at 2439 Carlow Court.

4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship:

The literal interpretation and strict application of the ordinance may cause undue hardship. There are no other viable building locations available due to the property's corner lot status, resulting setbacks, and the minimum size required to accommodate vehicle storage. Strict adherence to the requirements would effectively hinder the applicant from realizing their project.

5. The requested variance would be consistent with the spirit and purpose of this Chapter and the DeKalb County Comprehensive Plan Text:

The variance request aligns with the spirit and purpose of the DeKalb County Ordinance and the DeKalb County Unified Plan. The property falls within the Suburban Character Area as outlined in the DeKalb County Comprehensive Land Use Plan. This area aims to maintain traditional suburban land use patterns while encouraging new development to enhance connectivity and accessibility. The proposed project, consistent with this vision, seeks to improve the property's functionality while preserving existing greenspace. Thus, contributing to the overall character and objectives of the Suburban Character Area.

FINAL STAFF ANALYSIS:

Staff's analysis concludes that the proposed project meets all variance criteria. The property exhibits exceptional physical conditions, including the corner lot status and resulting setbacks which may justify relief. Additionally, the variance request does not exceed the minimum necessary relief and has support from neighboring residents. The project aligns with the spirit and purpose of the Suburban Character Area as defined in the DeKalb County Comprehensive Land Use Plan. Therefore, staff recommends approval with condition of the application.

Staff Recommendation: Approval with condition

Condition: The following information about this variance shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance and condition(s) of approval.

PROJECT NARRATIVE

THE PROPOSED SITE LOCATION IS 2449 CARLOW COURT DECATUR, GA 30035. 3/2 1960SF livable area, Built in 1964
 PARCEL NUMBER: 15 131 10 018

THE PROPOSED PROJECT INCLUDES A 900 SF. ACCESSORY BUILDING.

EROSION CONTROL NOTES:

1. MINIMIZE SITE DISTURBANCE.
2. ALL EXPOSED SOIL SHALL BE MULCHED WITH STRAW OR WOOD CHIPS TO MINIMIZE SOIL EROSION. NO SOIL SHALL BE LEFT IN AN EXPOSED CONDITION. IT IS RECOMMENDED THAT THE CONTRACTOR MAINTAIN A STOCK PILE OF THIS MATERIAL ON SITE FOR QUICK APPLICATION.

GRADING NOTES:

1. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES.
2. ALL FINISH GRADES SHALL BE SMOOTH AND UNIFORM.
3. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.
4. FINAL GRADE TO CONVEY SURFACE DRAINAGE FOR NATURAL RUN-OFF WITH BACK YARD.
5. AREAS IS A PREVIOUSLY CLEARED FLOWER BED.

TREE & LANDSCAPE NOTES:

- 1 NO PROTECTED TREES TO BE IMPACTED BY THIS WORK.
- 2 OWNER RESPONSIBLE FOR LANDSCAPING - SUCH AS LAWN, TREES, SHRUBS, ETC
- 3 OWNER RESPONSIBLE FOR IRRIGATION SYSTEM, TRAILS, & STEPPING STONES.

SITE SURVEY TO VERIFY PIN LOCATIONS AND HOME LOCATION PRIOR TO ANY EXCAVATION. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES. ALL FINISH GRADES SHALL BE SMOOTH AND UNIFORM.

CALL BEFORE YOU DIG: 811 or 1-800-282-7411

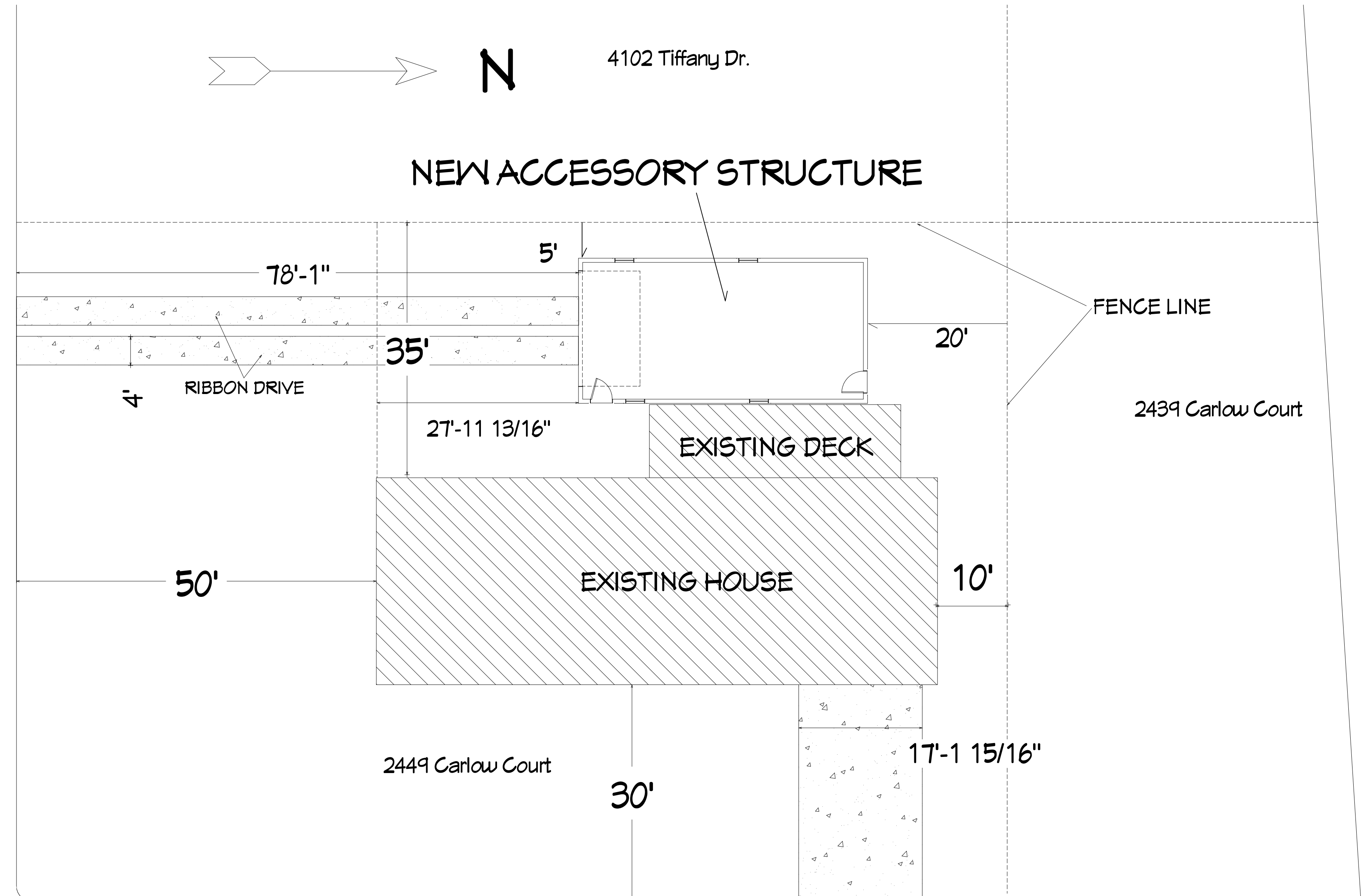
IMPERVIOUS NOTES:

TOTAL SITE AREA: 13,068 SQ.FT.
 EXISTING IMPERVIOUS(including driveway, deck & house): 2,960 sq.ft.
 PROPOSED IMPERVIOUS: GARAGE 900sq.ft & RIBBON DRIVE 488sq.ft.(1380sq.ft.)
 TOTAL IMPERVIOUS: 4,340 sq. ft.
 TOTAL IMPERVIOUS PERCENTAGE OF TOTAL SITE AREA: 33%+-

PROJECT STATISTICS:

LOT SIZE: 13,068 SF (.30 ACRE)
 ANTICIPATED DISTURBED AREA: 900 SF
 BLDG. ENVELOPE: 2,612 SF
 FRONT/REAR HEIGHT: 17' 4" / 39' 4"
 MAIN & GARAGE: 2,612 SF
 NEW ACCESSORY BUILDING: 900 SF

TIFFANY DRIVE



CARLOW COURT

SITE PLAN

SHEET NUMBER
2
Revised: 01/30/2017

SCALE @ 24" X 36"
 DATE: 10/27/2023
 Prepared By: SHW
 (770) 865-4937

SITE PLAN & GENERAL NOTES

Project Address:
 2449 CARLOW COURT
 DECATUR, GA 30035

OWNER:
 Lemuel Collins
 (502) 902-0049

Steven Handy Work, LLC.
 1705 Highway 138 SE ~ P. O. Box 83123
 Conyers, Georgia 30013
 770.865.4451 stevenhandywork.com



Thursday November 30, 2023

Dekalb County Board

RE: Granting of variance for Property 2449 Carlow Court Decatur GA. 30035

I Lemuel K. Collins owner of property 2449 Carlow Ct. Decatur Ga. 30035, have discussed the following items listed below with the owners of the neighboring properties (1) 4102 Tiffany Dr. Decatur Ga. 30035 & (2) 2439 Carlow Ct. Decatur Ga. 30035:

- Discussed in detail the need for variance to construct a garage in my back yard.
- Discussed in detail that technically the area for construction although it is behind my home it is considered the side yard since I am located on the corner lot.
- Discussed in detail the additional footage needed for the garage construction for 2449 Carlow Ct. will not have any impact on the full usage of their yard.
- Discussed in detail that this construction once completed will remain within the property line of 2449 Carlow Ct.
- Discussed in detail the integrity of our adjoining properties will remain harmoniously balanced.

After fully discussing the items listed above both neighbors and I are all in full agreement for the granting of variance for 2449 Carlow Court. Additionally, we all fully understand after the completion of construction project the property line as well as property values will remain intact.

2449 Carlow Ct. 30035: Print Name Lemuel Collins Sign 

Contact# 502-802-0049

4102 Tiffany Dr. 30035: Print Name Clinton Watkins Sign 

Contact# 408-983-1905

2439 Carlow Ct. 30035: Print Name Ruth Griggs Sign 

Contact# 404-246-4818

DEPARTMENT OF PLANNING & SUSTAINABILITY

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION TO REPRESENT THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property.

I hereby certify that the information provided in the application is true and correct.

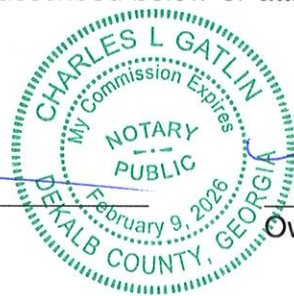
I hereby certify that I am the owner of the property and that I authorize the applicant/agent to apply for a hearing to the Zoning Board of Appeals for the requests as shown in this application.

DATE: 11/30/2023 Applicant/Agent Signature: Steven Thomas

TO WHOM IT MAY CONCERN:
(I)/ (WE): Lemuel K. Collins
(Name of Owners)

being (owner/owners) of the property described below or attached hereby delegate authority to the above signed agent/applicant.

[Signature]
Notary Public



[Signature]
Owner Signature

Notary Public

Owner Signature

Notary Public

Owner Signature



Chief Executive Officer: **DEPARTMENT OF PLANNING & SUSTAINABILITY** Interim Director
Michael Thurmond Cedric Hudson

ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING (VARIANCES, SPECIAL EXCEPTIONS, APPEALS OF ADMINISTRATIVE DECISIONS)

Applicant and/or
Authorized Representative: Steven Thomas
Mailing Address: 1705 Highway 138 SE, P.O. Box 83123
City/State/Zip Code: Conyers / GA / 30013
Email: stevenhandyworks@yahoo.com
Telephone Home: (770) 865-4937 Business: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Lemuel Collins
Address (Mailing): 2449 Carlow Court Decatur, GA. 30035
Email: lcollins440@gmail.com Telephone Home: (502)802-0049 Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 2449 Carlow Court City: Decatur State: GA Zip: 30035
District(s): 04 Land Lot(s): 131 Block: _____ Parcel: 15 131 10 018
Zoning Classification: R-75 (SUB) Commission District & Super District: 3/7

CHECK TYPE OF HEARING REQUESTED:

- VARIANCE (From Development Standards causing undue hardship upon owners of property.)
- SPECIAL EXCEPTIONS (To reduce or waive off-street parking or loading space requirements.)
- OFFICIAL APPEAL OF ADMINISTRATIVE DECISIONS.

PLEASE REVIEW THE FILING GUIDELINES ON PAGE 4. FAILURE TO FOLLOW GUIDELINES MAY RESULT IN SCHEDULING DELAYS.

Email plansustain@dekalbcountyga.gov with any questions.

DEPARTMENT OF PLANNING & SUSTAINABILITY

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION OF THE PROPERTY OWNER

I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property.

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property subject to the application.

DATE: November 30, 2023

Applicant Signature: 

DATE: _____

Applicant Signature: _____

LETTER of INTERNT

Greetings, to the Zoning Board of Appeals (ZBA).

I'm Steven Thomas, of Steven Handy Work, LLC., the Contractor Authorized Agent, for Mr. Lemuel Collins (property owner) at 2449 Carlow Court Decatur, GA. 30035. Mr. Collins hired my services to construct a 900 sq. ft. Multi-use Garage, for his luxury motorcycles, car and other personal items and use. Mr. Collins did not want to park them in the driveway, on the side of the street or under the carport for safety and protection reasons. He doesn't ride them every day. This way, having the garage built, they will not be an incumber on the neighbors and/or the neighborhood. To make the property useful to accommodate the garage for his personal items, the garage must be built. Listed are the Codes and his variance requests.

The Variance Code concerns & Mr. Collins request:

Section 27-2.2.1- Side (Interior) Setback – 7.5

2449 Carlow Court – normal back yard is, according to the new ordinance, the SIDE YARD. This is where Mr. Collins wants to put his garage and the Setback for the side is 7'5" and Mr. Collins is asking for a variance for setback reduction of 2'5" from 7'5" to 5'.

Section 27-4.2.2(C) - Accessory Building Location

The location of the Garage, according to the new ordinance, would be on the side of the house. Mr. Collins is asking for a variance to allow him to build the garage in this location.

Mr. Collins' desire is to abide by the standards that have been set by and for the neighborhood, in which he lives. He see his neighbors enjoying their backyards and it is His requests in no way undermine the broader goals and policies of DeKalb County.

In summary, Mr. Collins see his neighbors enjoying their backyards and he is hoping to be able to do the same. His request and appeal are to you, the Zoning Board of Appeals, to be able to do so. His request is to get 2 variances. One, get a variance to locate the garage on the side of the house. Which in normal cases, he view it as his backyard. Secondly, get a variance to reduce the setback from 7'5" to 5'.

Thank you for your time and consideration. Hopefully Mr. Collins can enjoy his new garage.

Steven Thomas

Steven Handy Work, LLC.

stevenhandyworks@yahoo.com.

(770) 865-4937

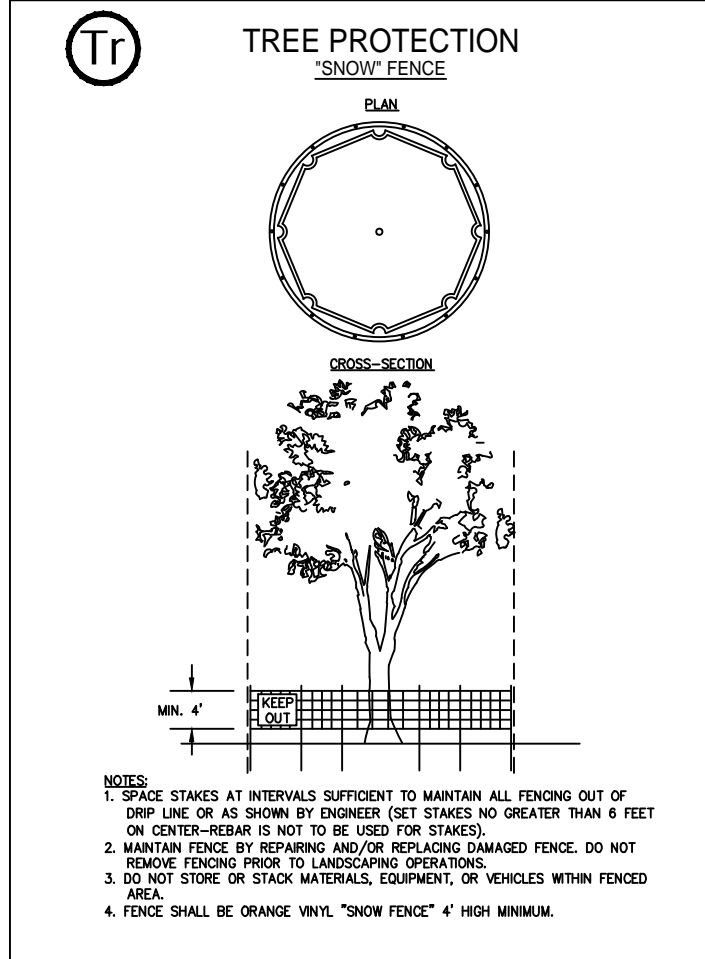
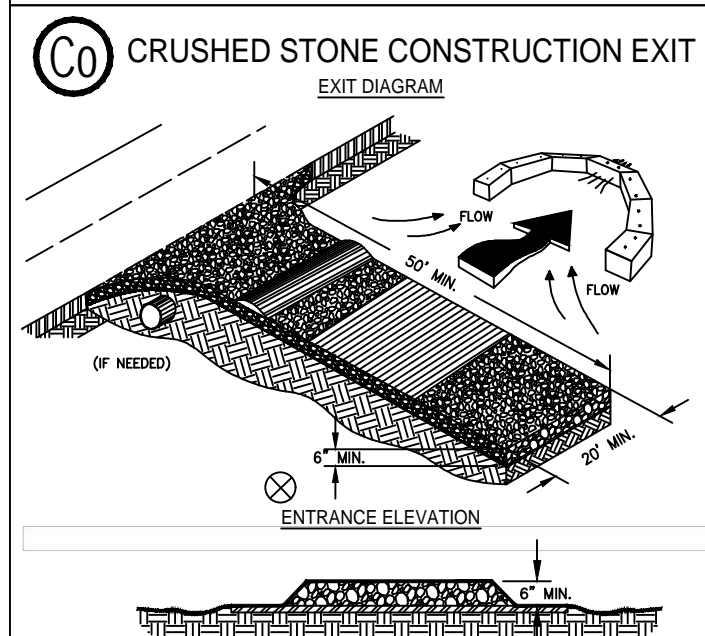
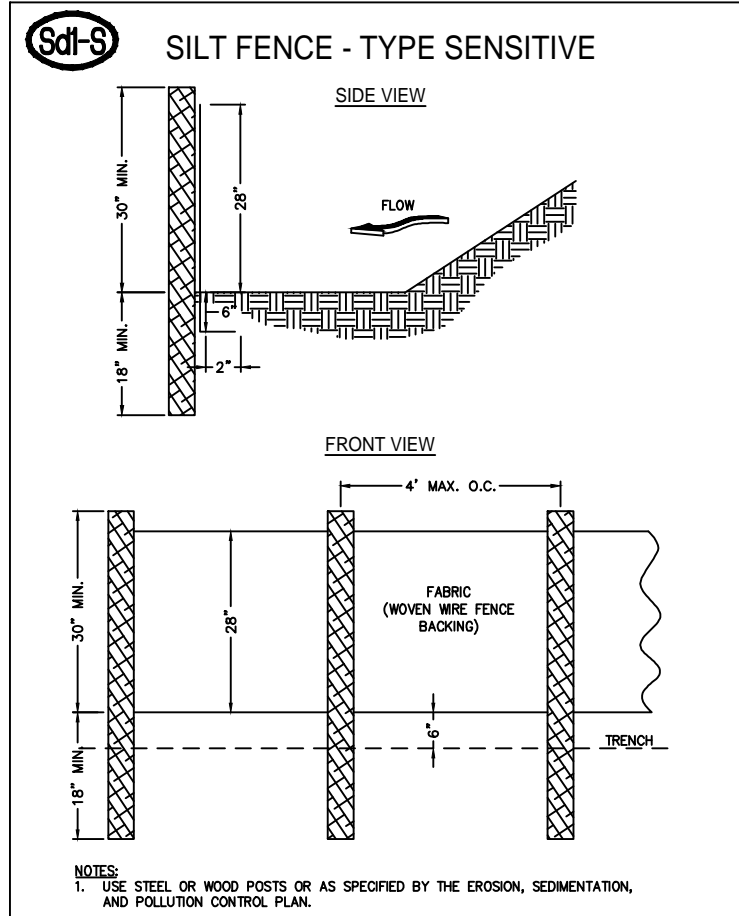
PROJECT NARRATIVE

THE PROPOSED SITE LOCATION IS 2449 CARLOW COURT DECATUR, GA 30035
 PARCEL ID: 15 131 10 018
 R3 RESIDENTIAL LOT
 LAND USE CODE: 101-RESIDENTIAL FAMILY
 ZONING: R75-SF RES DIST
 TAX DIST: 04-UNINCORPORATED

THE PROPOSED PROJECT INCLUDES A 950 SF. ACCESSORY BUILDING/GARAGE

EROSION CONTROL NOTES:

1. MINIMIZE SITE DISTURBANCE.
2. ALL EXPOSED SOIL SHALL BE MULCHED WITH STRAW OR WOOD CHIPS TO MINIMIZE SOIL EROSION. NO SOIL SHALL BE LEFT IN AN EXPOSED CONDITION. IT IS RECOMMENDED THAT THE CONTRACTOR MAINTAIN A STOCK PILE OF THIS MATERIAL ON SITE FOR QUICK APPLICATION.



GRADING NOTES:

1. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES.
2. ALL FINISH GRADES SHALL BE SMOOTH AND UNIFORM.
3. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING.
4. FINAL GRADE TO CONVEY SURFACE DRAINAGE FOR NATURAL RUN-OFF WITH BACK YARD.
5. AREAS IS A PREVIOUSLY CLEARED FLOWER BED.

TREE & LANDSCAPE NOTES:

1. NO PROTECTED TREES TO BE IMPACTED BY THIS WORK.
2. OWNER HAD A FEW TREES REMOVED BECAUSE OF STORM DAMAGES.
3. OWNER RESPONSIBLE FOR LANDSCAPING - SUCH AS LAWN, TREES, SHRUBS, ETC
4. OWNER RESPONSIBLE FOR IRRIGATION SYSTEM, TRAILS, & STEPPING STONES.

CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES. ALL FINISH GRADES SHALL BE SMOOTH AND UNIFORM.

IMPERVIOUS NOTES:

TOTAL SITE AREA: 13,068 SQ.FT.
 EXISTING IMPERVIOUS(including driveway, deck & house): 2960 sq.ft.
 PROPOSED IMPERVIOUS: GARAGE 950 sq.ft / RIBBON DRIVE 292 sq. ft.
 PROPOSED IMPERVIOUS TOTAL: 1242 sq. ft.
 TOTAL IMPERVIOUS: 4,202 sq. ft.
 TOTAL IMPERVIOUS PERCENTAGE OF TOTAL SITE AREA: 32%+-

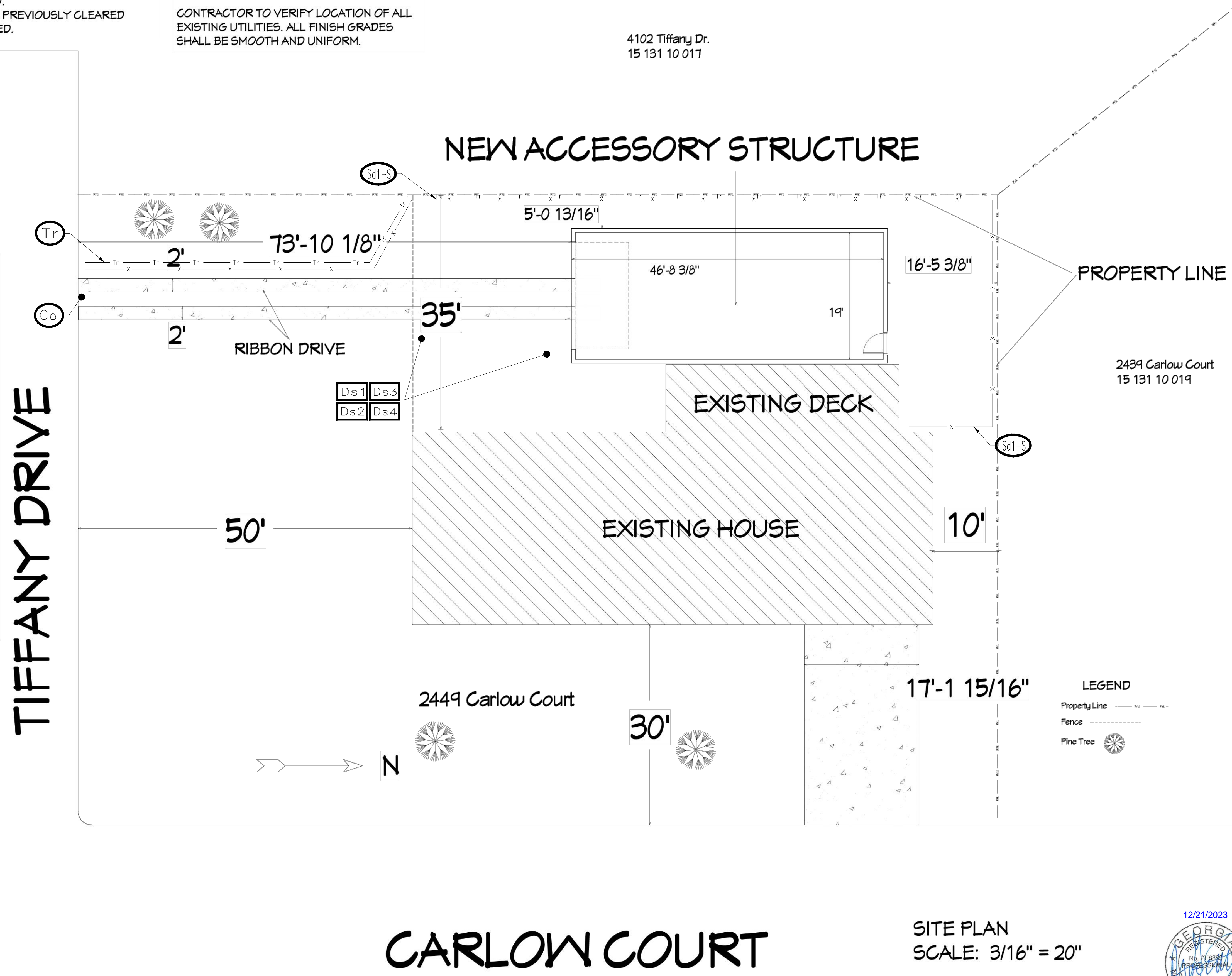
PROJECT STATISTICS:

LOT SIZE: 13,068 SF
 ANTICIPATED DISTURBED AREA: 1000 SF
 BLDG. ENVELOPE: 950 SF
 FRONT/REAR HEIGHT: 1' 4" / 22'
 MAIN: 2,612 SF
 NEW ACCESSORY BUILDING/GARAGE: 950 SF

SITE PLAN NOTES:

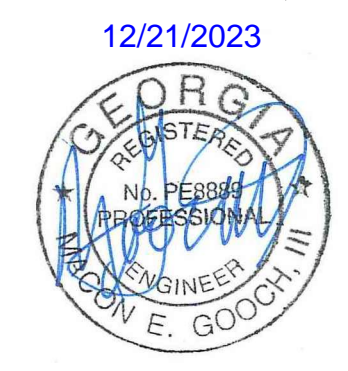
MINIMAL SOIL DISTURBANCE: THE LOCATION OF ACCESSORY BUILDING IS GOING IN PLACE OF A OLD SHED/SLAB.

THERE ARE NO TREES TO BE REMOVED. NO PROTECTED TREES TO BE IMPACTED BY THIS WORK. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES. ALL FINISH GRADES SHALL BE SMOOTH AND UNIFORM.



CALL BEFORE YOU DIG: 811 or 1-800-282-7411

SITE PLAN
 SCALE: 3/16" = 20"



Macon E. Gooch, III
 Building Consultants, Inc.
 1383 Duncan Lane
 Auburn, GA 30811
 (678) 442-1198

SHEET NUMBER
2

SCALE @ 24" X 36"
 12/13/2023
 Prepared By: SHW
 (770) 865-4937

SITE PLAN & GENERAL NOTES

Project Address:
 2449 CARLOW COURT
 DECATUR, GA 30035

OWNER:
 LEMUEL COLLINS
 (502) 802-0049

Steven Handy Work, LLC.
 1705 Highway 139 SE - P. O. Box 83123
 Conyers, Georgia 30013
 T770.865.4437 stevenhandywork.com



ZONING BOARD OF APPEALS
Case # 1348783
IC
Site 2449 Carlow Court
Request: Request variance from Section 27-2-2.1
and 27-4-2.2 (C) of the DeKalb County Zoning
Ordinance to reduce setback and allow to
build on the side yard to remodel garage within the
R-75 (Residential Medium Lot) zoning district.
DeKalb County Planning & Zoning Department
DeKalbCountyGA.com
HSA Shapiro
February 14, 2024
5:00 PM
Hear Monthly Air Zoning

ZONING BOARD OF APPEALS
Case # 1246783
Site 2449 Carlow Court
Request: Request variance from Section 27.2.2.1 and 27.4.2.2 (C) of the DeKalb County Zoning Ordinance to reduce sideyard setback and allow to build in the side yard to remodel garage within the R275 (Residential Medium Lot) zoning district.
Public Hearing: February 14, 2024
1:00 PM
Held at the Board Room
2024-01-10-10
DeKalb County Planning & Zoning Department
1000 Peachtree Street, N.E.
Atlanta, GA 30309
www.dekalbcountyga.gov