



Michael L. Thurmond
Chief Executive Officer

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

Wednesday, June 12th, 2024

Planning Department Staff Analysis



Cedric Hudson
Interim Director

N1. Case No: A-24-1246975 Parcel ID(s): 15 238 01 015

Commission District 02 Super District 06

Applicant: Allison Hoffman Suazo, R.A.
1372 DeKalb Avenue
Atlanta, GA 30307

Owner: George Zaharatos
1751 S Ponce De Leon Avenue
Atlanta, GA 30307

Project Name: 1751 S Ponce de Leon – Garage to ADU conversion

Location: 1751 S Ponce De Leon Avenue, Atlanta, GA 30307

Request: Variance from Section 27-2.1.1. to reduce rear yard setbacks from forty (40) feet to five (5) feet and side yard setbacks from eight (8) to four (4) feet

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.

STAFF FINDINGS:

The proposed project is to convert the upper floor of a historical garage into an accessory dwelling unit (ADU). The garage was constructed in the 1920's and is legal non-conforming and lies entirely in the setbacks. To accomplish the project, the applicant is seeking a variance from Chapter 27-2.1.1. to reduce rear yards setbacks from forty (40) feet to five (5) feet and side yard setbacks from eight (8) feet to four (4) feet.

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 subject structure is a historical garage constructed in the 1920's and is legal nonconforming. Its construction includes similar exterior stone materials to the residential structure on the property, maintaining the historical aesthetic and architectural coherence of the property.

On a site visit, staff discovered the garage is unique in its structural composition, containing massive steel beams that were originally used for suspending and performing mechanical work on vehicles and small aircraft. This specialized construction may be viewed as a hardship due to historical significance and the challenges associated with modifying or relocating the structure. Otherwise, there are no extraordinary features pertaining to the land itself.

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.

This variance does not involve any expansion beyond the current footprint of the existing structure. The garage will retain its original floor dimensions. The alteration proposed is an expansion of the roof by four feet to reach the ordinance maximum height of twenty-four (24) feet. This modification is necessary to make the upper floor viable for use as an ADU, as it is currently a storage attic with a sloped roof. The variance requested does not grant any special privilege but allows the property owner to utilize the space in a manner consistent with its historical and architectural context.

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.

The project has received a Certificate of Appropriateness from the Historic Preservation Committee at the March 2024 meeting.

There is a potential concern regarding privacy for the neighboring property at 635 Harold Avenue due to the proximity of the proposed ADU. To address this, it is recommended that the applicant seeks and provides a letter of support from the neighbor at 635 Harold Avenue prior to approval of the variance request.

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 current setback requirements would result in undue and unnecessary hardship for the property owner. The historical garage, constructed in the 1920s and lying entirely within the setbacks, cannot be modified or improved meaningfully without the variance.

5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

The requested variance aligns with the spirit and purpose of the zoning chapter and the DeKalb County Comprehensive Plan text. The project supports the goals of the Druid Hills Historic District and adheres to the Traditional Neighborhood (TN) land use principles. The Druid Hills Historic District's intent includes maintaining the architectural and historical integrity and the DeKalb County Comprehensive Plan promotes infill housing to increase housing availability and optimize land use in established neighborhoods. By facilitating the adaptive reuse of a non-conforming historical structure, the variance supports the broader goals of heritage preservation and sustainable development.

FINAL STAFF ANALYSIS:

The proposed project to convert the upper floor of a historical garage into an accessory dwelling unit (ADU) requires a variance to reduce rear yard setbacks from forty (40) feet to five (5) feet and side yard setbacks from eight (8) feet to four (4) feet. The garage, constructed in the 1920s, is a legal non-conforming structure that lies entirely within the setbacks, presenting an extraordinary physical condition not created by the current or previous owners. The requested variance is the minimum necessary to afford relief, allowing the garage to retain its current footprint and preserve its historical significance. Privacy concerns for the neighboring property can be mitigated with a letter of support from the neighbor, and the project has received a Certificate of Appropriateness from the Historic Preservation Committee. Strict application of the setback requirements would cause undue hardship by preventing meaningful improvements to the garage, while the variance supports the goals of the Druid Hills Historic District and the DeKalb County Comprehensive Plan by promoting infill housing. Therefore, staff recommends approval with condition of the variance request.

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.

DEKALB COUNTY PLANNING STAFF

SITE VISIT PHOTOS











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

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

Applicant and/or Authorized Representative: ALLISON HOFFMAN SUAZO, P.A.
Mailing Address: 1372 DEKALB AVENUE
City/State/Zip Code: ATLANTA, GA 30307
Email: ALLISONARCHITECT@GMAIL.COM
Telephone Home: Business: 404.538.3403

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: GEORGE ZAHARATOS
Address (Mailing): 1751 SOUTH PONCE DE LEON AVE., ATLANTA, GA 30307
Email: ZAHARATOSG@GMAIL.COM Telephone Home: Business: 770.311.7240

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 1751 SOUTH PONCE DE LEON City: ATLANTA State: GA Zip: 30307
District(s): 15th Land Lot(s): 242 AVE. Block: "B" Parcel: 15 238 01 015
Zoning Classification: R-85 Commission District & Super District: 226

CHECK TYPE OF HEARING REQUESTED:

- [x] 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.

March 1, 2024

Allison Hoffman Suazo, R.A.
1372 Dekalb Avenue, NE
Atlanta, GA 30307

Dekalb County Department of Planning and Sustainability
Development Services Center
178 Sams Street
Decatur, GA 30030

To Whom it May Concern,

Our project is located at 751 South Ponce De Leon Avenue in the Druid Hills Historic District. We have an application in review for a certificate of appropriateness with the Historic Preservation Commission and are scheduled for the March 18th meeting. Our scope of work is as follows:

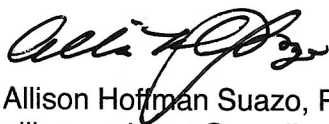
- Renovate existing three car garage to include an ADU on the upper level (currently attic/storage space.)

We are requesting a variance to add to the existing height of the current garage, in order to add an apartment on the second floor for our client's father. The garage is currently 20 feet in height and we are proposing to add 4 feet for a total of 24 feet. We are not increasing the footprint but as we are adding livable area above the garage, we are requesting a reduction in the East facing side yard setback from 8 feet (required) to 4 feet (existing) and for the South facing rear yard setback from 40 feet (required) to 5 feet (existing.)

Given that our request for a height increase meets the maximum height requirement for an accessory structure in the zoning ordinance and that the setback reductions are based on existing conditions, we believe that this request 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. The requested variance would be consistent with the spirit and purpose of the Dekalb County Comprehensive Plan. We also believe that the proposed design will add to the overall beauty of this property.

Thank you for your consideration of our request. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,



Allison Hoffman Suazo, R.A., NCARB
allisonarchitect@gmail.com
404-538-3403

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: 2/29/2024

Applicant/Agent Signature:

[Handwritten Signature]

2115-11th St. 50570, A.A.

TO WHOM IT MAY CONCERN:

(I)/ (WE): GEORGE AND JULIE ZAHARATOS
(Name of Owners)

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

[Handwritten Signature] Notary Public

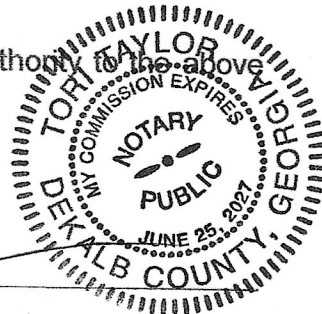
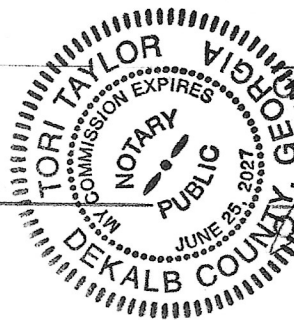
[Handwritten Signature] Notary Public

Notary Public

[Handwritten Signature] Owner Signature

[Handwritten Signature] Owner Signature

Owner Signature



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.

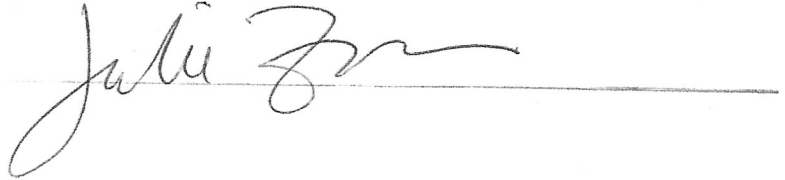
DATE: 3/19/24

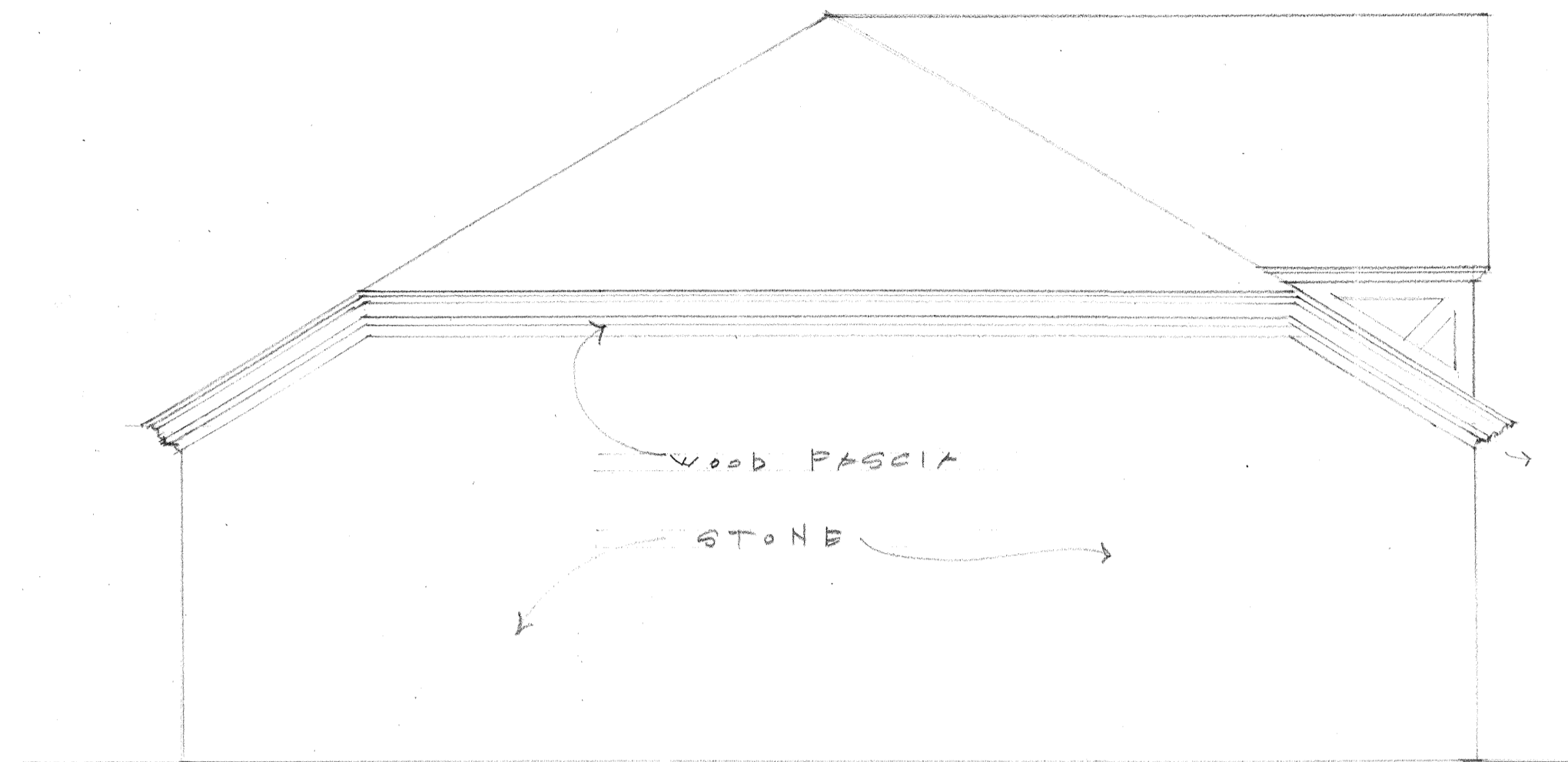
Applicant
Signature:



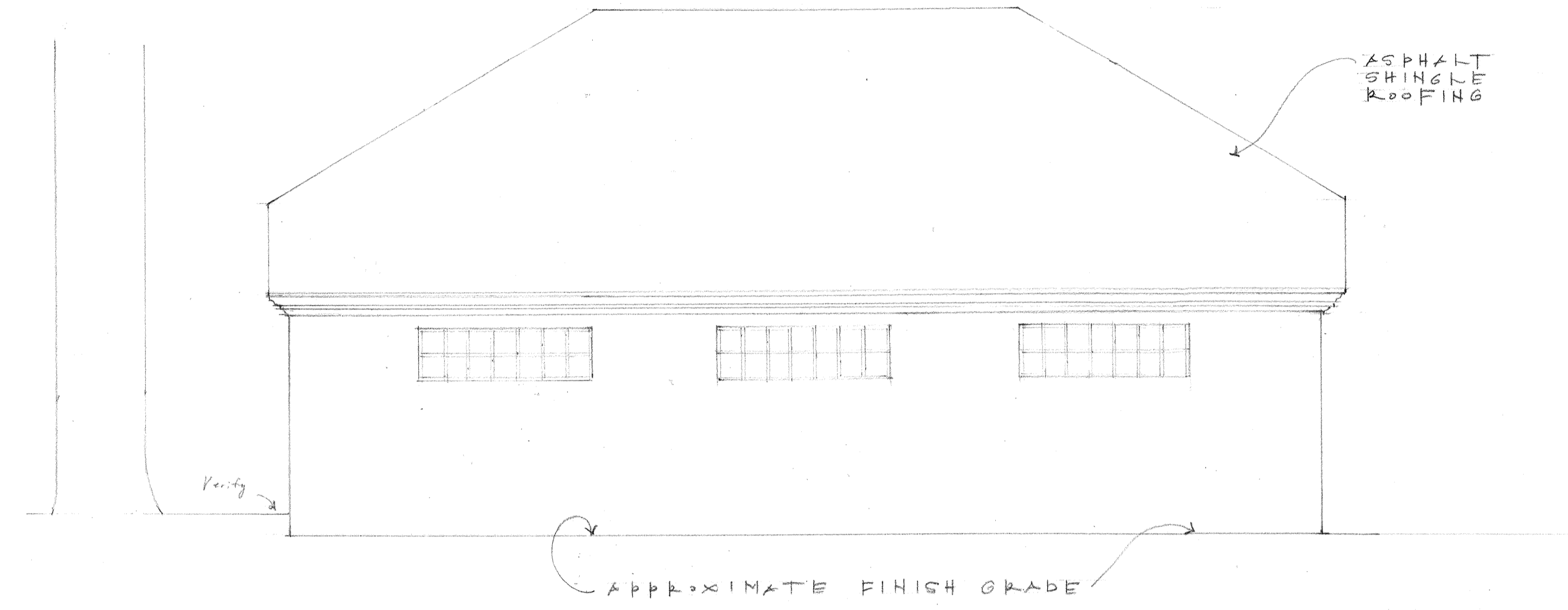
DATE: 3/19/24

Applicant
Signature:

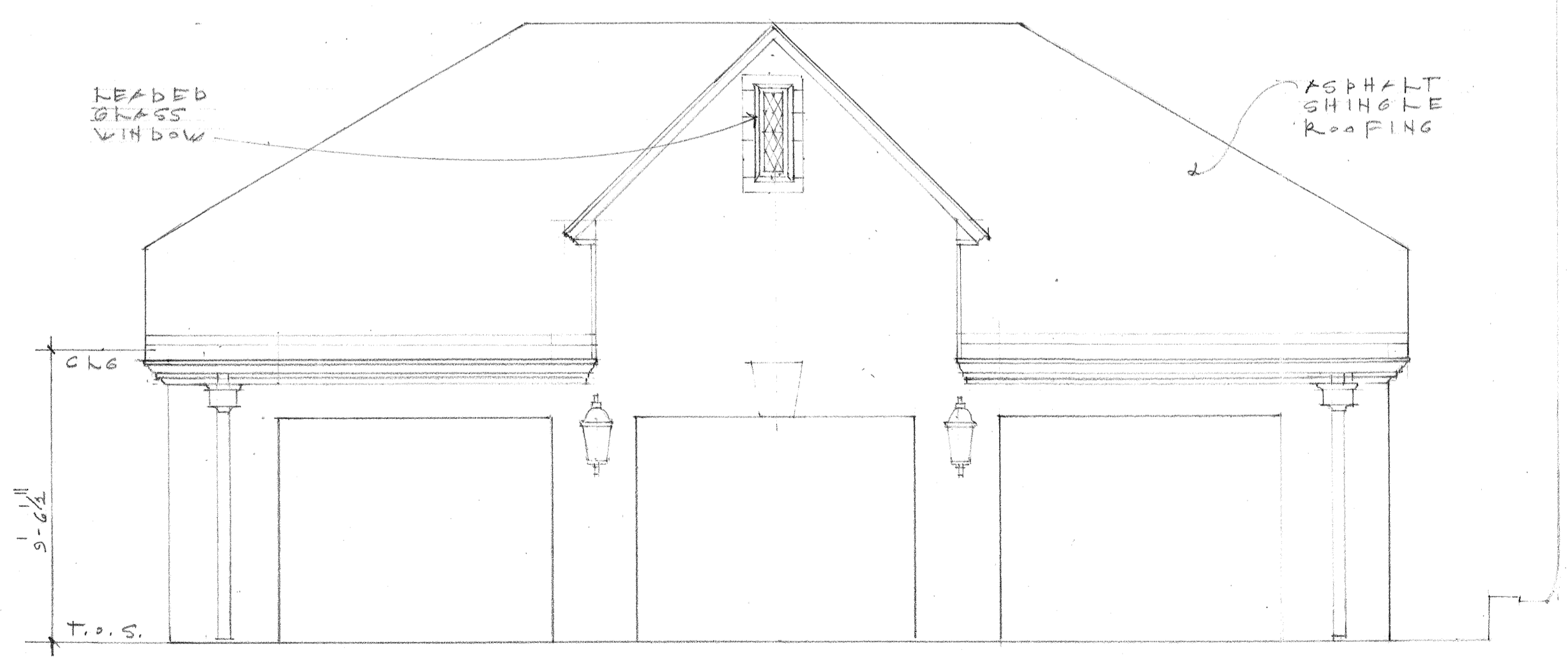




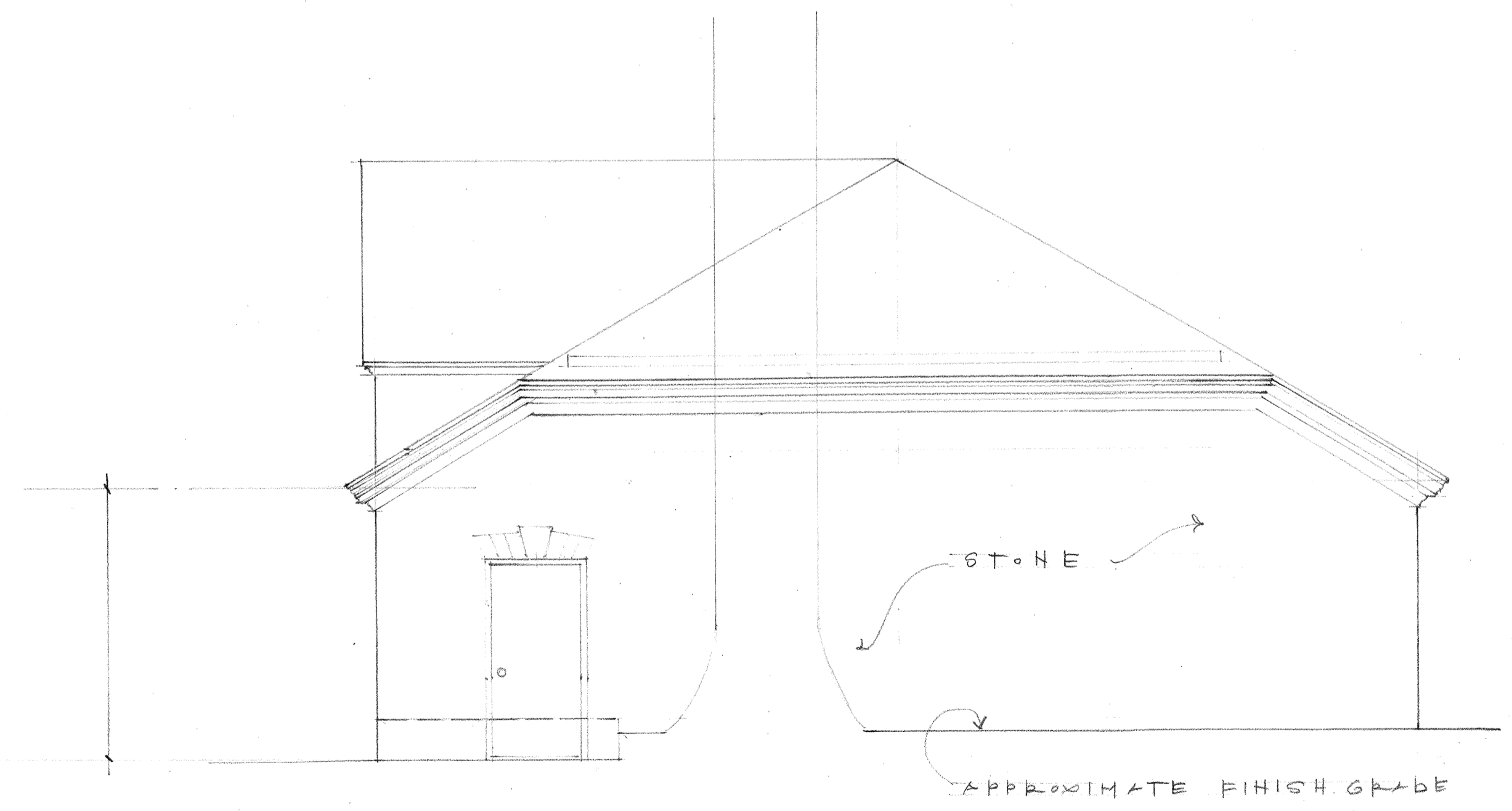
1 EXISTING SIDE ELEVATION
 SCALE 1/4" = 1'-0"



2 EXISTING REAR ELEVATION
 SCALE 1/4" = 1'-0"



3 EXISTING FRONT ELEVATION
 SCALE 1/4" = 1'-0"

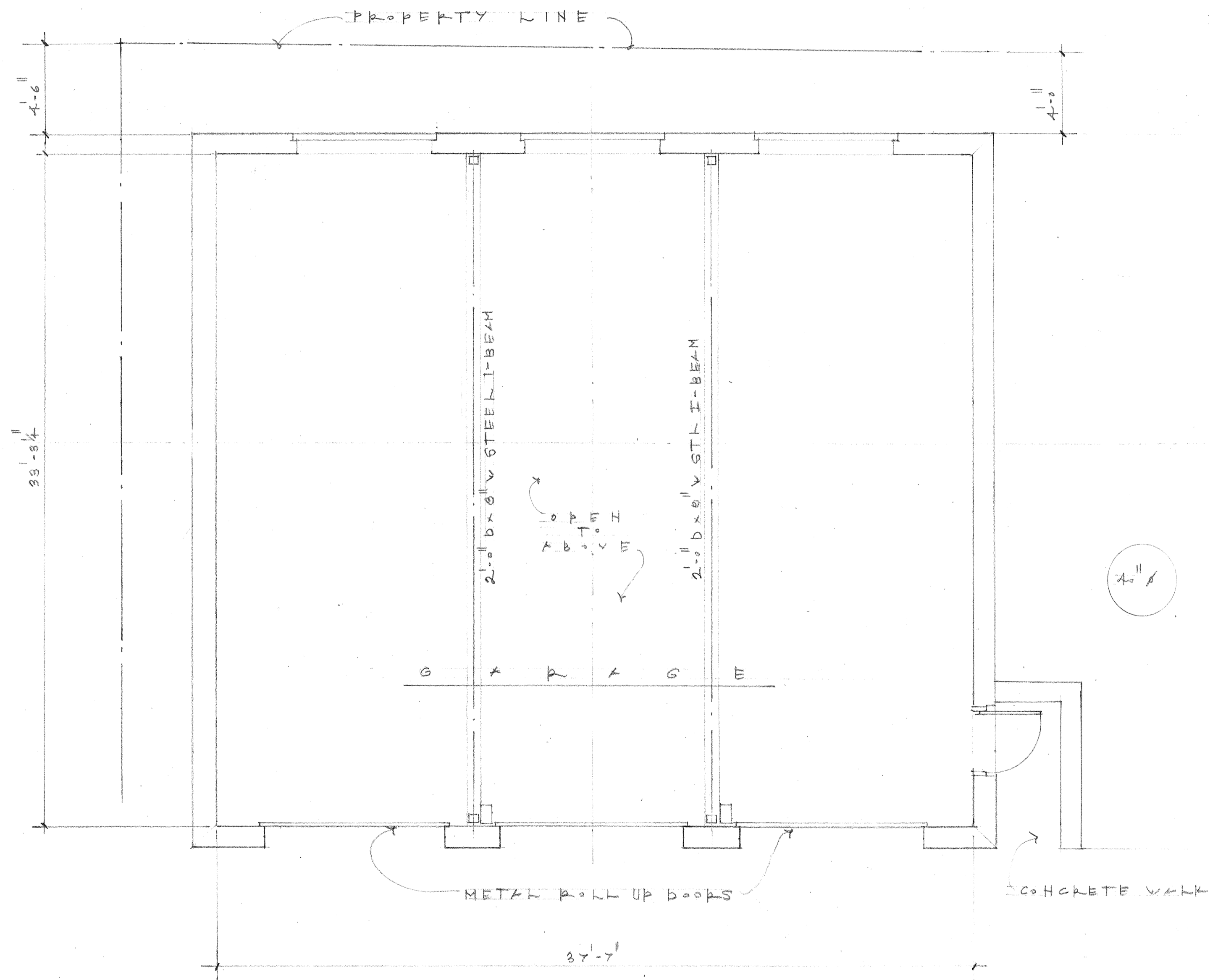


4 EXISTING SIDE ELEVATION
 SCALE 1/4" = 1'-0"

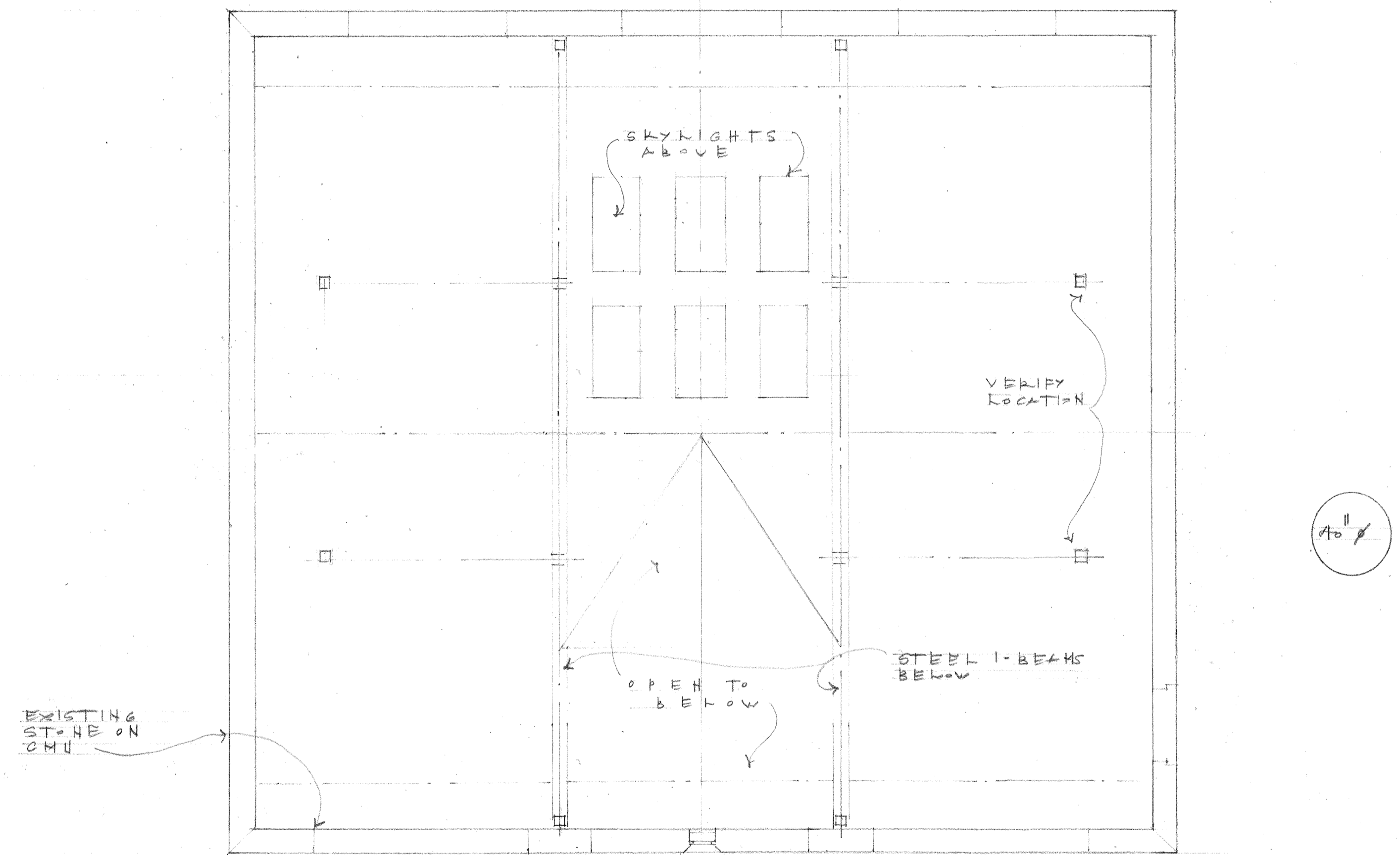
OWNER: GEORGE ZAHARATOS
 1751 SOUTH POHCE DELEH AVE.
 ATLANTA, GA 30307

A CARRIAGE HOUSE for the
 ZAHARATOS RESIDENCE

SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: <i>[Signature]</i>
DATE: 12-18-23		REVISED:
EXISTING ELEVATIONS		
APPLICANT: ALLISON H. SUAZO, P.A. 404.588.8703	DRAWING NUMBER A3.0	



1 EXISTING MAIN FLOOR & GARAGE
SCALE 1/4" = 1'-0"

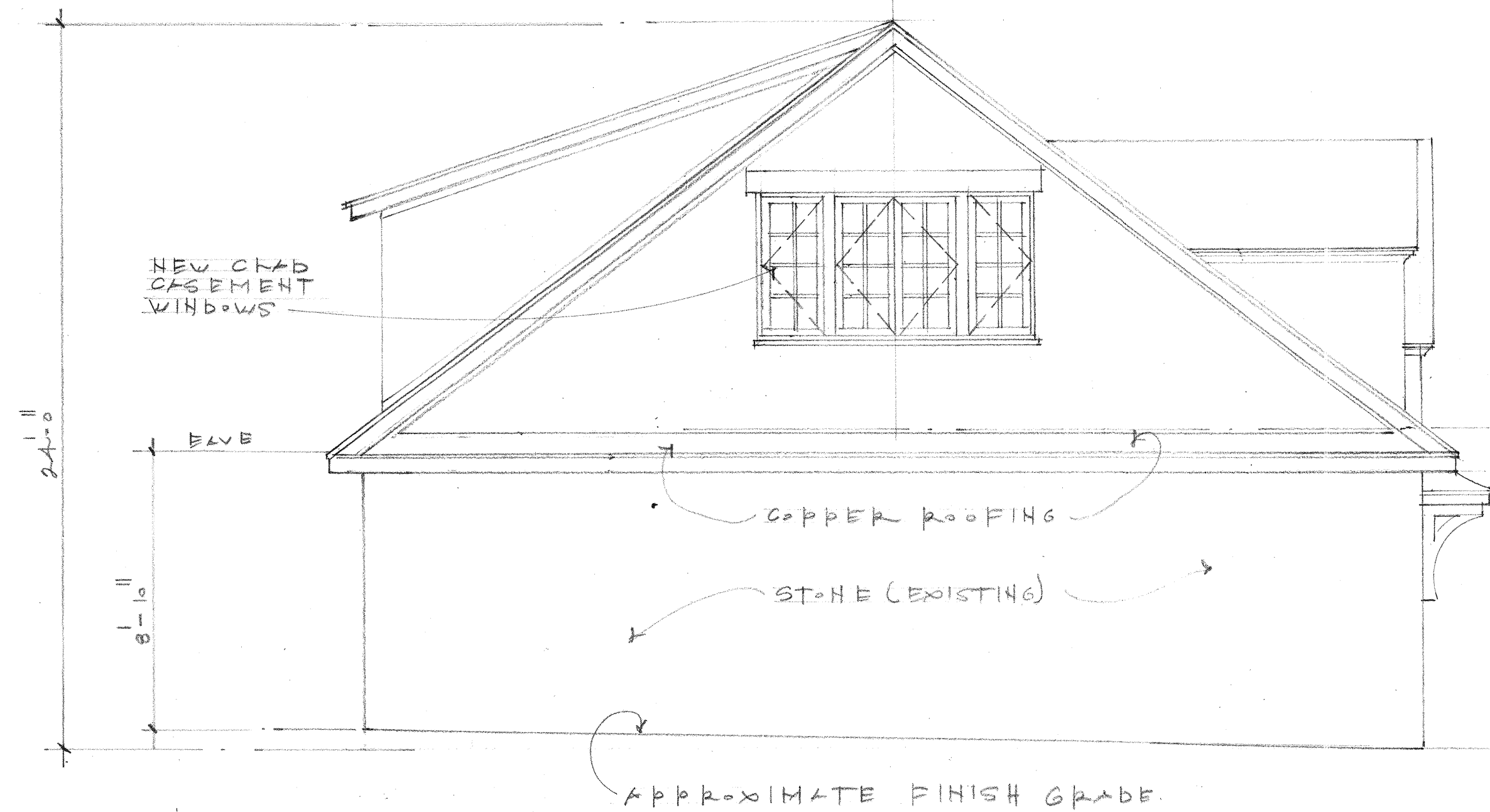


2 EXISTING ATTIC & GARAGE
SCALE 1/4" = 1'-0"

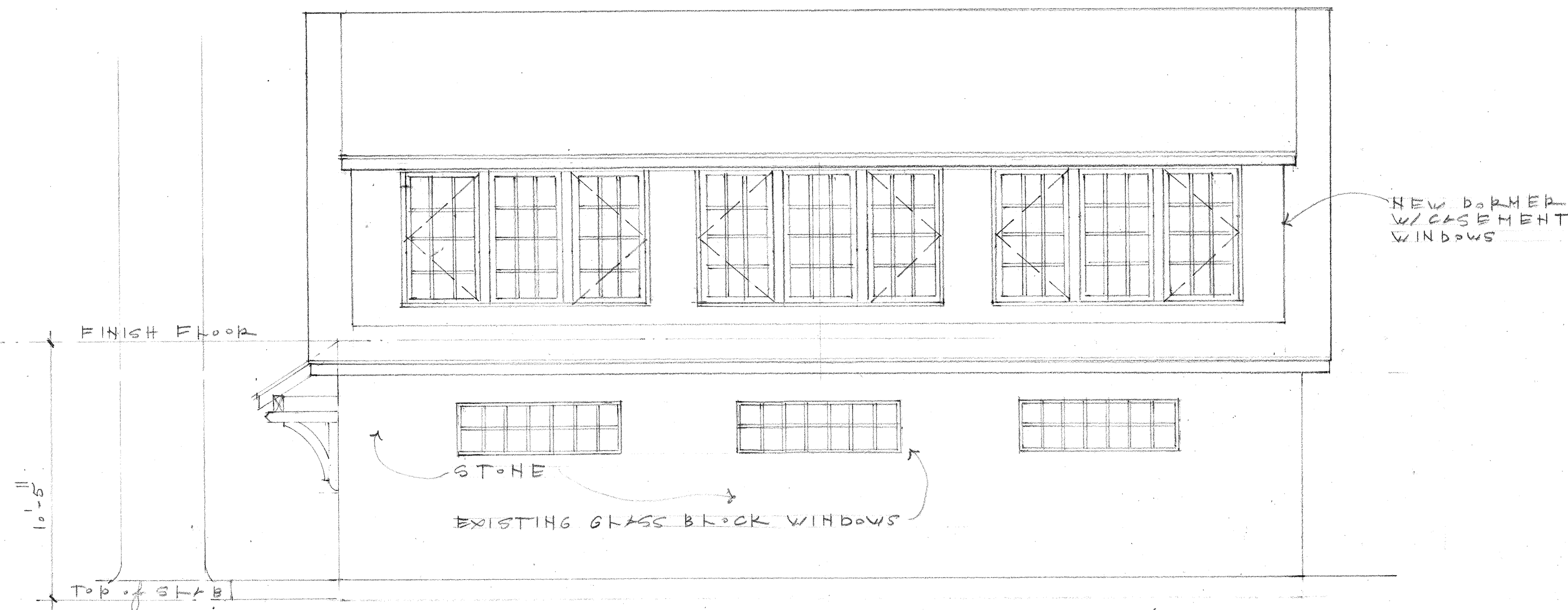
OWNER: GEORGE ZAHARATOS
1751 SOUTH PONCE DE LEON AVE
ATLANTA, GA 30307

A CARRIAGE HOUSE for the
ZAHARATOS RESIDENCE

SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: <i>[Signature]</i>
DATE: 12-18-23		REVISED:
EXISTING PLANS		
APPLICANT: PHILIP H. SUAZO, PA A04538-24-03	DRAWING NUMBER	A2.0



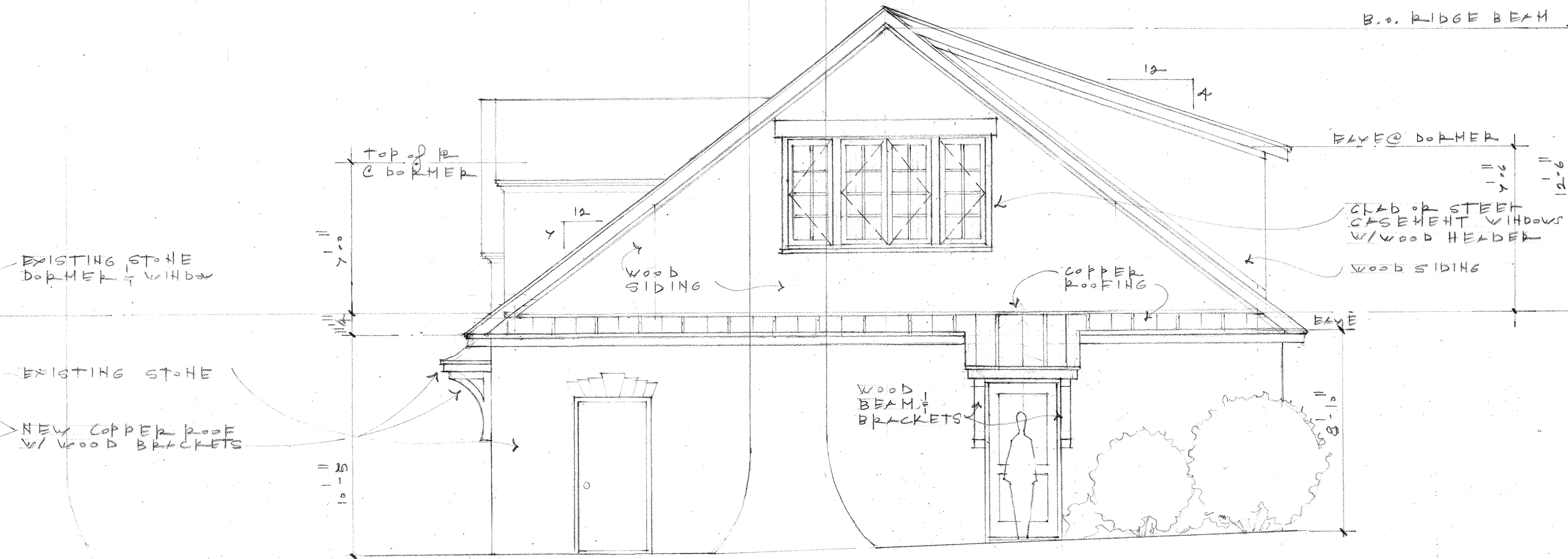
1 PROPOSED SIDE ELEVATION
 A9.1 SCALE 1/4" = 1'-0"



2 PROPOSED REAR ELEVATION
 A9.1 SCALE 1/4" = 1'-0"



3 PROPOSED FRONT ELEVATION
 A9.1 SCALE 1/4" = 1'-0"



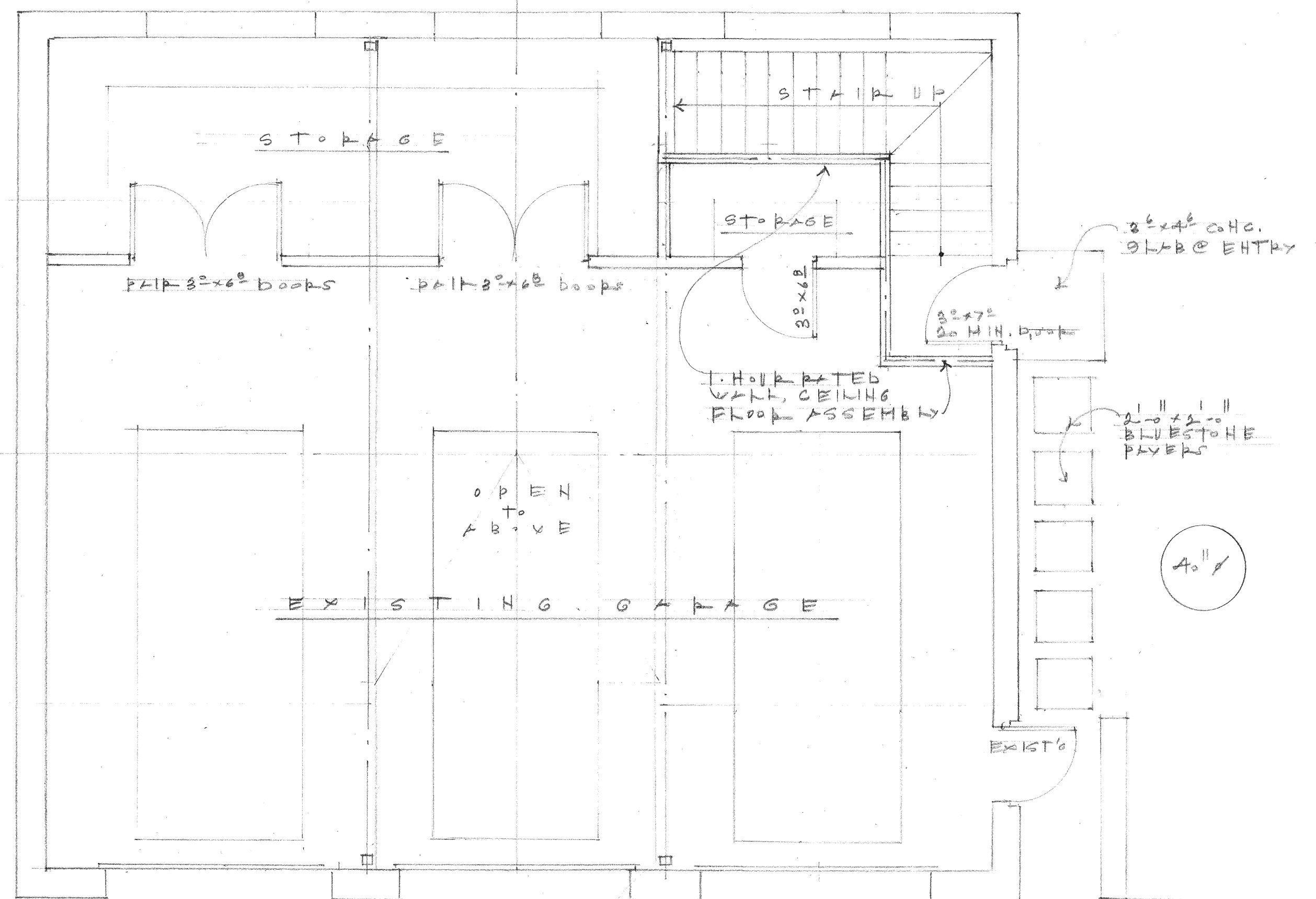
4 PROPOSED SIDE ELEVATION
 A9.1 SCALE 1/4" = 1'-0"

OWNER: GEORGE ZAHARATOS
 1751 SOUTH PONCE DE LEON AVE,
 ATLANTA, GA 30307

A CARriage HOUSE for the
ZAHARATOS RESIDENCE

SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: <i>Def</i>
DATE: 12-7-23		REVISED:
PROPOSED ELEVATIONS		
APPLICANT: ALLIEN H. SUZZO, P.A. 404.538.3408	DRAWING NUMBER	A 9.1

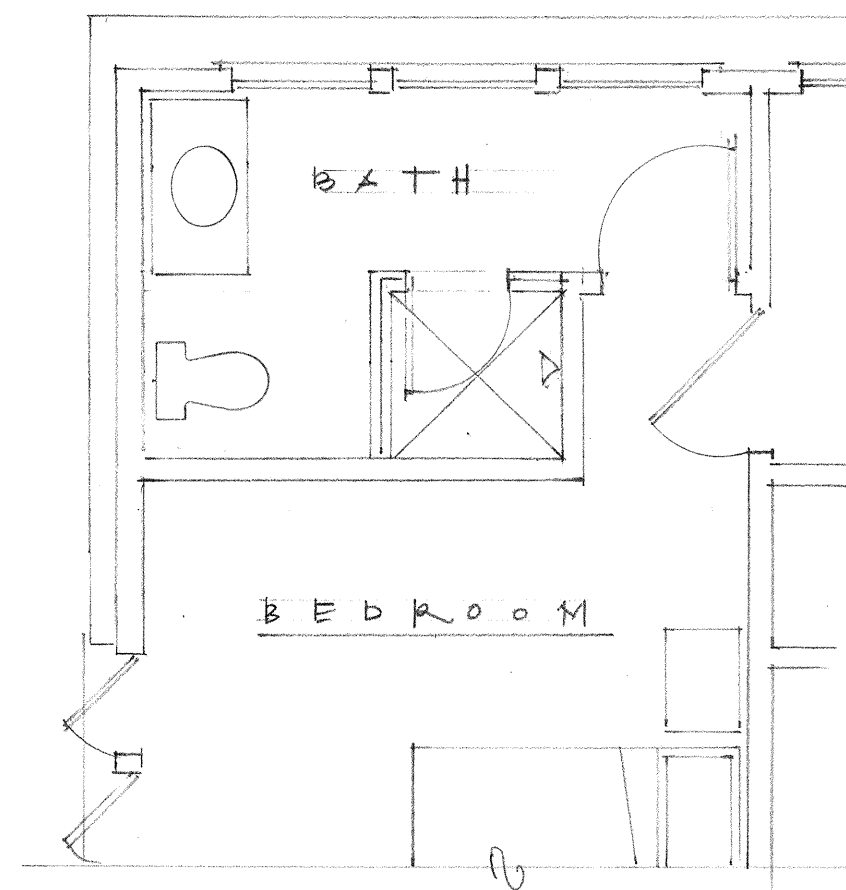
A CARRIAGE HOUSE for the ZAHARATOS RESIDENCE



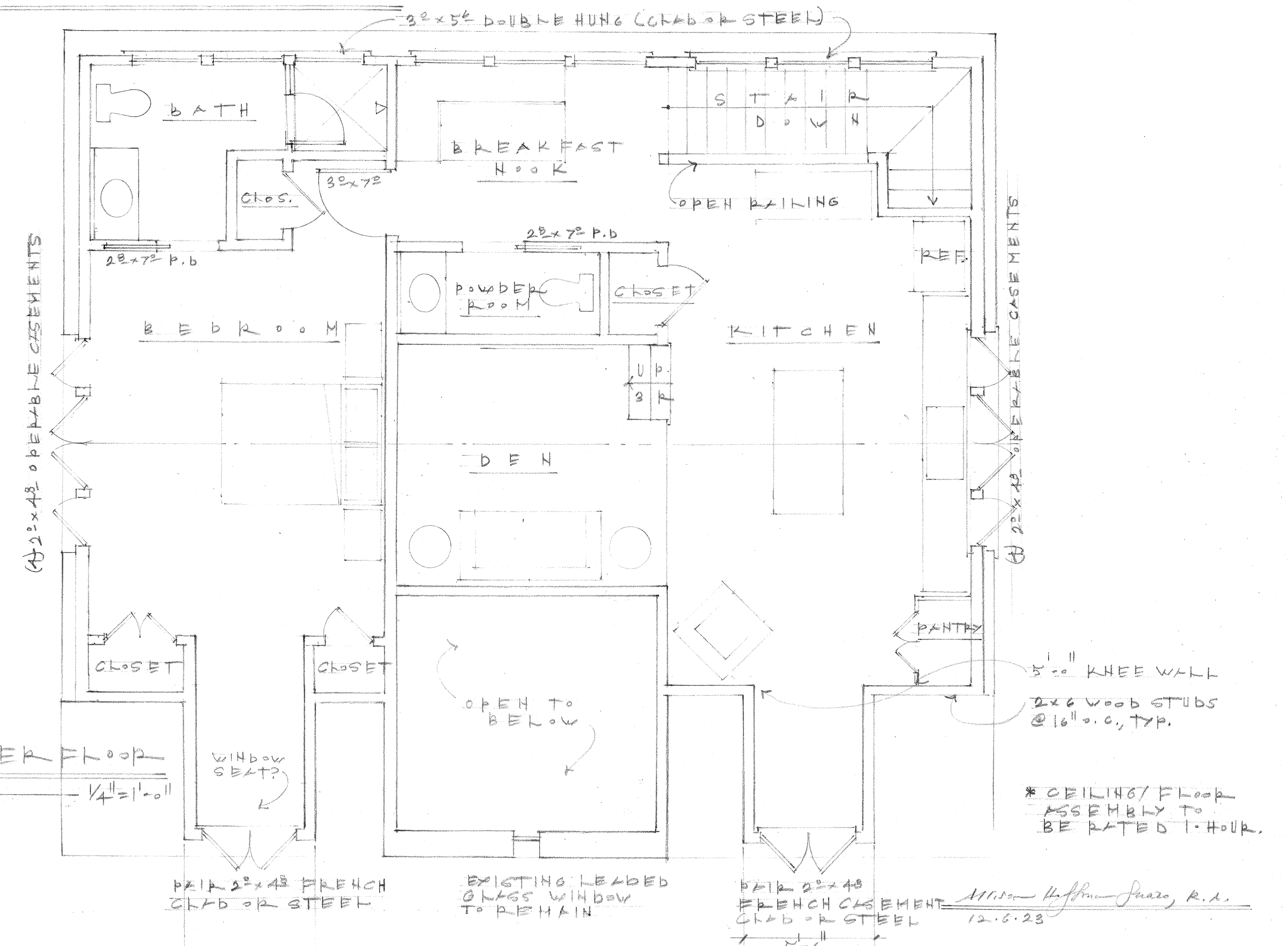
PLAN of LOWER LEVEL
SCALE 1/4" = 1'-0"

Miss. Hoffman Jones, P.E.
11-12-23

OPTION for BATH



A CARRIAGE HOUSE for the ZAHARATOS RESIDENCE



PLAN of UPPER FLOOR
SCALE 1/4" = 1'-0"

Miss. Hoffman Jones, P.E.
12-6-23

OWNER:
GEORGE ZAHARATOS
1751 SOUTH PONCE DELEON
ATLANTA, GA 30307

A CARRIAGE HOUSE for the ZAHARATOS RESIDENCE		APPROVED BY:	DRAWN BY: <i>[Signature]</i>
SCALE: 1/4" = 1'-0"	DATE: 12-12-23		REVISED:
PROPOSED PLANS			
APPLICANT: ALBION H. STAZER, P.E. A.A. 588-3403			DRAWING NUMBER A2.1

A CARRIAGE HOUSE for the ZAHARATOS RESIDENCE

ADDRESS: 1751 SOUTH PONCE DE LEON AVENUE, ATLANTA, GA 30307
SCOPE of WORK: ADD AN ADD. BOXED GARAGE / INCREASE ROOF HEIGHT / ADD INTERIOR STAIR
OWNER: GEORGE and JULIE ZAHARATOS. ZAHARATOS@GMAIL.COM
ARCHITECT: ALLISON HOFFMAN SUAZO, R.A. ALLISONHARCHITECT@GMAIL.COM 404.588.3403
STRUCTURAL ENGINEER: GARY KOBLASZ & KOBASZ / KENNETH ENGINEERS. GARY@KK-ENG.COM 404.555.4007
SURVEYOR: MICHAEL HOLES @ MOLLUNG SURVEYING. 770.484.3888
ZONING DESIGNATION: R-65 MINIMUM LOT SIZE: 12,000 SF ACTUAL LOT SIZE: 44,405 SF
 FRONT YARD SETBACK: 50 FEET. SIDE YARD SETBACK: 8.5 FEET
 REAR YARD SETBACK: 40 FEET

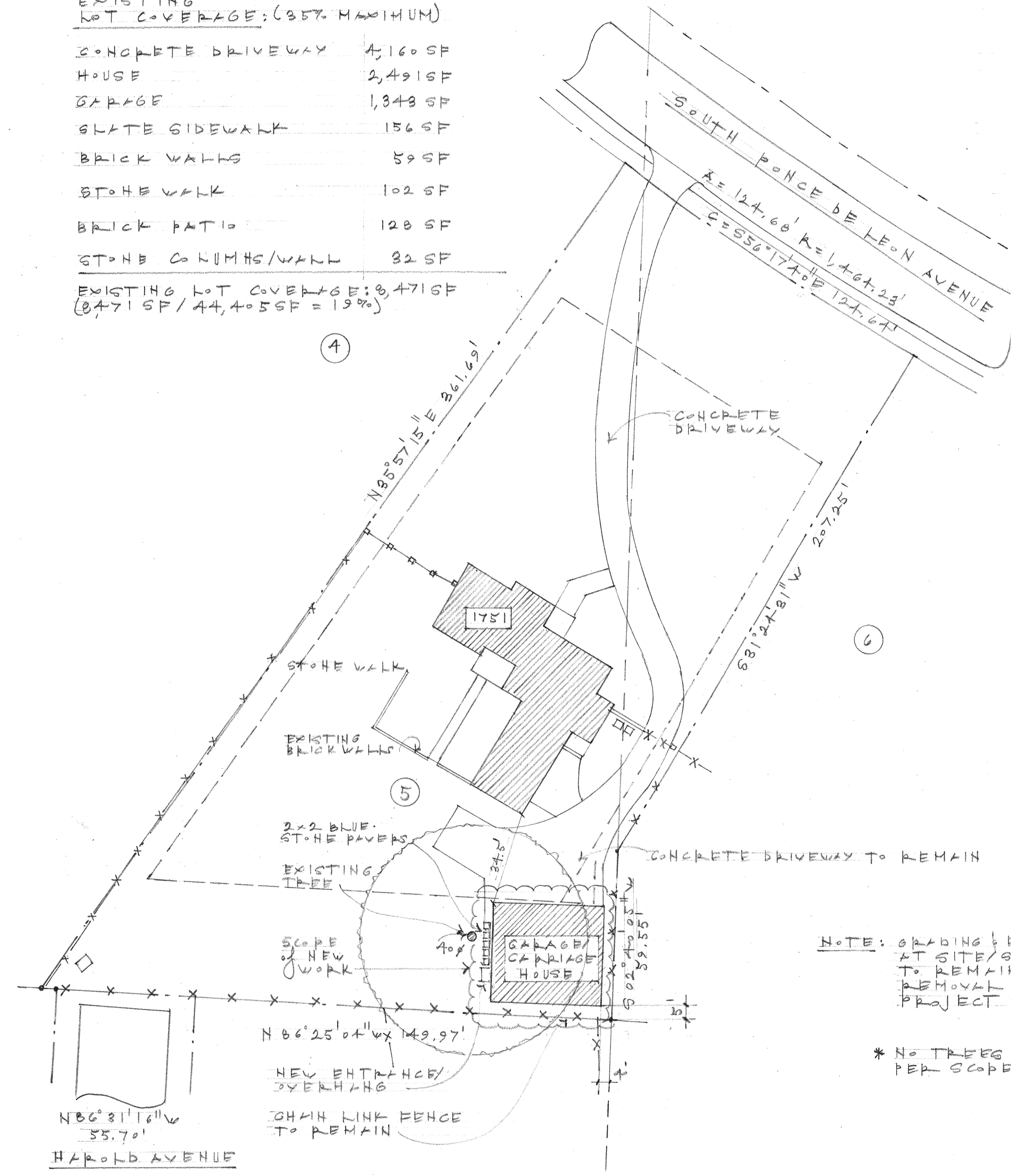
EXISTING LOT COVERAGE: (35% MAXIMUM)

CONCRETE DRIVEWAY	4,160 SF
HOUSE	2,491 SF
GARAGE	1,348 SF
SLATE SIDEWALK	156 SF
BRICK WALLS	59 SF
STONE WALK	102 SF
BRICK PATIO	120 SF
STONE COLUMNS/WALK	82 SF
EXISTING LOT COVERAGE:	8,471 SF
(8,471 SF / 44,405 SF = 19%)	

PROPOSED LOT COVERAGE:

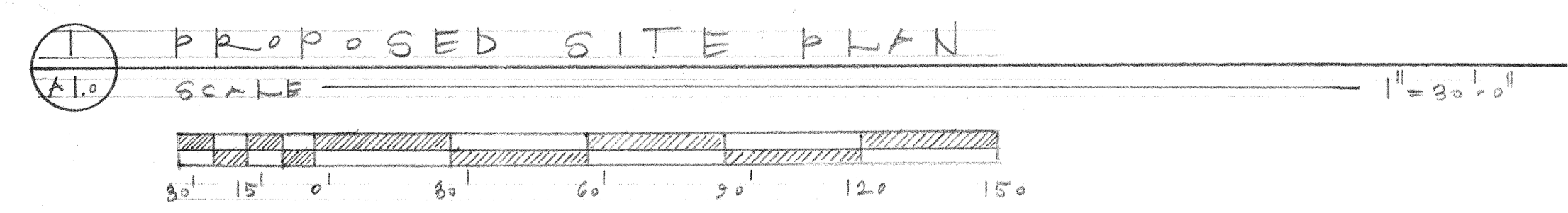
CONCRETE DRIVEWAY	4,160 SF
HOUSE	2,491 SF
GARAGE / CARRIAGE HOUSE	1,348 SF
SLATE SIDEWALK	156 SF
BRICK WALLS	59 SF
STONE WALK	102 SF
BRICK PATIO	120 SF
STONE COLUMNS/WALK	82 SF
STONE PAVERS/WALK	50 SF
PROPOSED LOT COVERAGE	8,521 SF
(8,521 / 44,405 SF = 19.2%)	

AREA of ADD: 824 CONDITINED SF
 INCLUDES UPPER FLR
 INTERIOR HALL ON 1ST FLR



NOTE: GRADING & ELEVATIONS AT SITE / SCOPE of WORK TO REMAIN, NO DIRT REMOVAL REQUIRED for PROJECT SCOPE

* NO TREES TO BE IMPACTED PER SCOPE of WORK.



OWNER: GEORGE ZAHARATOS
 1751 SOUTH PONCE DE LEON AVE.
 ATLANTA, GA 30307

A NEW CARRIAGE HOUSE for the ZAHARATOS RESIDENCE	
SCALE: 1" = 30'-0"	APPROVED BY:
DATE: 12-18-23	DRAWN BY: [Signature]
SITE PLAN, PROJECT INFORMATION	
APPLICANT: ALLISON H. SUAZO, R.A. 404.588.3403	DRAWING NUMBER: A1.0

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, PLEASE CALL ALL LOCAL UTILITY PROVIDERS.



2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
3. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED BY AND OPEN TRAVERSE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 429,090+ FEET. LINEAR AND ANGULAR MEASUREMENTS WERE OBTAINED BY USING A TOPCON TOTAL STATION.
5. BEARINGS SHOWN WERE COMPUTED FROM ANGLED TURNED FROM A SINGLE MAGNETIC OBSERVATION.
6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
7. THIS PLAT IS NOT INTENDED FOR RECORDING.

470' TO THE S.E. R/W OF CLIFTON ROAD

(242) (243)

MAGNETIC
N
Z

SOUTH PONCE DE LEON AVENUE (50' R/W)
A=124.68' R=1464.23'
C=556'17.40" E 124.64'

(4)
N/F
TARA LEE ADYANTHAYA
FREDRICK C. BOYD, III
DB 13854 PG 497

(6)
N/F
WARNER W. MCCONAUGHEY
ALLISON BATES MCCONAUGHEY
DB 17551 PG 567

(242)
(239)
N/F
JAYA TUSCHAK
SETH I. ROGERS
DB 20820 PG 339

N86°25'04"W 149.97'
N/F
LAWRENCE JACKSON
DB 23967 PG 737

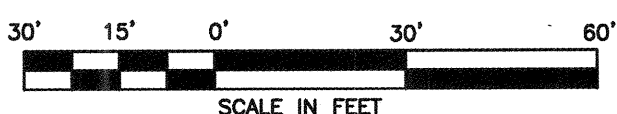
N86°31'16"W 55.70'
HAROLD AVENUE
(55' R/W)

LEGEND

P	DENOTES PROPERTY LINE
R/W	DENOTES RIGHT-OF-WAY
C	DENOTES CENTERLINE
BC	DENOTES BACK OF CURB
G	DENOTES GUTTER
EP	DENOTES EDGE OF PAVING
TW	DENOTES TOP OF WALL
BW	DENOTES BOTTOM OF WALL
X-X	DENOTES FENCE
RCP	DENOTES REINFORCED CONCRETE PIPE
CMP	DENOTES CORRUGATED METAL PIPE
PP	DENOTES POWER POLE
LP	DENOTES LIGHT POLE
GW	DENOTES GUY WIRE
P-P	DENOTES POWER LINE
PM	DENOTES POWER METER
PB	DENOTES POWER BOX
A/C	DENOTES AIR CONDITION
TB	DENOTES TELEPHONE BOX
GM	DENOTES GAS METER
GV	DENOTES GAS VALVE
GLM	DENOTES GAS LINE MARKER
WM	DENOTES WATER METER
WV	DENOTES WATER VALVE
FH	DENOTES FIRE HYDRANT
MW	DENOTES MONITORING WELL
HW	DENOTES HEADWALL
JB	DENOTES JUNCTION BOX
DI	DENOTES DROP INLET
S	DENOTES SANITARY SEWER LINE
SSMH	DENOTES SANITARY SEWER MANHOLE
CO	DENOTES CLEAN OUT

REFERENCE MATERIAL

1. WARRANTY DEED IN FAVOR OF PONCE DE LEON DEVELOPMENT PROPERTIES, INC. DEED BOOK 15736 PAGE 498 DEKALB COUNTY, GEORGIA RECORDS



No.	Revision	Date

McLUNG SURVEYING SERVICES, INC.
4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383
Certificate of Authorization #LSF000752

This property IS NOT located in a Federal Flood Area as indicated by F.I.R.M. Official Flood Hazard Maps.
In my opinion this plat is a correct representation of the land platted.

This original of this document was sealed and signed by Michael R. Noles L.S. #2646
THIS REPRODUCTION IS NOT A CERTIFIED DOCUMENT.

Michael R. Noles
Georgia RLS #2646
Member SAMSOG
JOB#241434

TOTAL AREA= 1.019± ACRES
OR 44,405± SQ.FT.

1751 S. PONCE DE LEON AVENUE
ATLANTA, GEORGIA

SURVEY FOR
**GEORGE ZAHARATOS
JULIE ZAHARATOS**

**LOT 5, BLOCK "8"
DRUID HILLS SUBDIVISION**

LAND LOTS 242 & 243
DISTRICT 15TH.
DEKALB COUNTY
GEORGIA

PLAT PREPARED: 2-19-16
FIELD: 2-17-16 SCALE: 1"=30'

DB 15736
PGS 498-499

CB-B