

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: _____

Mailing Address: _____

City/State/Zip Code: _____

Email: _____

Telephone Home: _____ Business: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: _____

Address (Mailing): _____

Email: _____ Telephone Home: _____ Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: _____ City: _____ State: _____ Zip: _____

District(s): _____ Land Lot(s): _____ Block: _____ Parcel: _____

Zoning Classification: _____ Commission District & Super District: _____

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 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: 2024-May-16 | 11:11 AM EDT Applicant/Agent Signature: Andy Sloan

TO WHOM IT MAY CONCERN:

(I)/ (WE): DRB Homes (Name of Owners)

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

Notary Public Charles Meyers

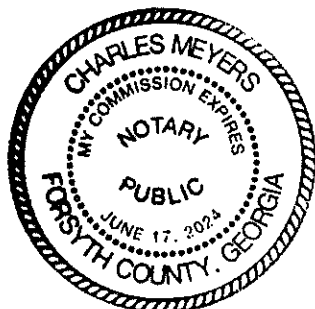
Owner Signature Michael Bushere 5/16/24

Notary Public

Owner Signature

Notary Public

Owner Signature





DeKalb County
GEORGIA

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: 2024-May-16 | 11:11 AM

EDT
Applicant
Signature:

DocuSigned by:

2F005BFD00B7400...
Andy Sloan

DATE: _____

Applicant
Signature: _____



May 15, 2024

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

RE: **Letter of Intent for Zoning Variance**
4215 Cedar Commons Way (Lot #17)
Conley, GA 30288
Parcel ID # 15 021 04 062

Dear Board Members,

This correspondence is intended to serve as the Letter of Intent for requesting relief by variance from the DeKalb County Zoning Board of Appeals, on behalf of our client **DRB Group Georgia, LLC** in regards to the above referenced property.

DRB Group Georgia LLC is requesting a variance for the front corner of the home to encroach into the Side Yard Setback for Lot #17 of the Cedar Grove Commons Sub-Division by 1.27 feet. The side yard Setbacks for this sub-division is set at 7.5 feet.

During the pouring of the foundation for this home, the house location got shifted to the left (East) by 0.53 feet and forward (North) by about 2.5 feet. This shift caused the encroachments into the Setbacks. This was not caught at any point during the vertical construction of the home, but was discovered during the Final As-Built Survey completed the week of 5/6/24. This home is completed and pending issuance of Certificate of Occupancy in order for the current prospective buyer to close and move into this new home.

This is not a simple rectangular lot as it is located on a cul-de-sac which has a front property line & subsequent build line on a radius condition making it difficult to locate the build line. Additionally, the property line on the East side has a significant jog that pinches the width immediately behind the front yard setback. Both conditions create a unique angle in the Side Yard Setback line resulting in a narrow buildable area on the front 1/3 of the lot from these set back lines at this North East front corner.

This request for encroachment into the side yard setback does not go beyond the minimum necessary to afford relief.



The granting 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 encroachment does not create any issue of "proximity to another structure" as there is a 20' Sanitary Sewer Easement between this lot and the lot to the East. Additionally, the radius front property shape makes it impossible to see the proposed encroachment in relation to other lots again making no visual impact.

The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship. This home is completed and ready for Certificate of Occupancy. The cost to tear down and rebuild the home at this stage would be cost prohibitive and require the home buyer to obtain temporary housing beyond their current arrangement while the home is re-built.

The front encroachment over the Setback by the front porch/stoop and stairs, by 1.5 feet does not pose an issue and is allowed by right per Zoning Code

27-5.2.1 - Minimum required yards and building setbacks, Sub Section A - Projections into yards, # 2 reads:
An open, unenclosed porch, balcony or hard-surfaced terrace, steps, stoops and similar fixtures of a building may project into a required front yard or rear yard for a distance not to exceed ten (10) feet, and into a side yard to a point not closer than five (5) feet from any lot line.

We appreciate the boards consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Elliott Fried", with a stylized flourish at the end.

Elliott Fried

**Complete Permitting Services LLC
11660 Alpharetta Hwy
Suite 145
Roswell, GA 30076**



Entrance to Cedar Grove Commons



**Cedar Grove Commons Lot #17 4215 Cedar Grove Commons Way
(1st house on the right)**



Cedar Grove Commons Lot #17 4215 Cedar Grove Commons Way (Center)



Cedar Grove Commons Lot #17 4215 Cedar Grove Commons Way (Right)



Cedar Grove Commons Lot #17 4215 Cedar Grove Commons Way (Right)



Cedar Grove Commons Lot #17 4215 Cedar Grove Commons Way (Left)