

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](mailto:plansustain@dekalbcountyga.gov) with any questions.

## LETTER OF INTENT

**580 Glendale Road  
Scottdale, GA 30079**

Greetings:

Members of the Zoning Board of Appeals,

This letter is to request variances from section 27-2.2.1 and 27-3.36.10 of the Dekalb County Zoning Ordinance.

### VARIANCE REQUESTS:

- 1) TO REDUCE THE REAR (WEST) YARD SETBACK FROM THE REQUIRED 30' TO 10' AND
- 2) TO ELIMINATE THE 5' LANDSCAPE STRIP ADJACENT TO THE PROPOSED REQUIRED 5' SIDEWALK TO ERECT A NEW 2 STORY SINGLE FAMILY DWELLING

#### **1) PHYSICAL CONDITION OF SITE;**

The unique physical conditions of this property constitute a special case necessitating this variance. The parcel is characterized by a narrow and irregular shape, making compliance with the 30-foot rear yard setback, and adding a 5-foot landscaping strip challenging. The lot is a parallelogram-shaped ( a feature that was created by how the right-of-way angles) which is not like a majority of the lots in the district, as they tend to be more rectangular shaped. Additionally, the lot only has a frontage of 65 feet and a lot area of 6,122 feet. Both of these characteristics are less than the minimum required lot frontage and lot area for lots within the R-75 (underlying zoning of the property) zoning designation. These conditions are inherent and not caused by the current or previous owners of the property.

#### **2)MINIMUM VARIANCE NECESSARY:**

The variance requests are the minimal necessary to make the property usable and does not provide any special advantages that are not available to other property owners in the R-75/Scottdale Tier II Overlay district. The rear setback reduction from 30 feet to 10 feet allows for a new proposed structure that would normally fit a traditional rectangular lot and not have to encroach in the front yard setback. Again the weird shape of the lot, which creates a none traditional shaped building enveloped necessitates this variance request. The elimination of the 5' landscape strip is for safety reasons. Due to the angle of the right of way, and that 2 other streets feed into Glendale ( creating a fork like shape of the road) at this particular intersection adding more adjacent to the right of way along with trees, could created a visibility restriction which could began to cause increased traffic accidents.

#### **3)PUBLIC WELFARE:**

The proposed construction of a new single family dwelling will provide a positive impact on the neighborhood and community. The design and positioning of the proposed home will be consistent with the aesthetics of the neighborhood. The request for the elimination of the 5' landscape strip will enhance the safty conditions along that portion of the street. It is the thought that if you add the landscape strip along with trees, that it will eventually impede the view of persons traveling along Glendale and the other 2 streets that collect to the right of way near the property and the intersection. New housing is welcoming to the neighbors and a desire for new potential home owners as this is a sought after neighborhood to reside in.

#### **4)ORDINANCE HARDSHIP:**

Adherence to the strict interpretation of the zoning laws would cause undue hardship relative to the impracticability and inability to use the property effectively. Without the variance request, adequate development of this lot will not be conducive to already established patterns in this neighborhood and the district. The adverse lot conditions (size, shape, location) that are inherent, and not created by previous or the current owner are in conflict with some of the rules and regulations of the ordinance for R-75 /Scottdale Tier II Overlay district because a great bit of the standards are based on lots that are a standard shape and size. We would like to be afforded the same type

of relief granted to other lot/stakeholders in the district, neighborhood and similar zoning designations for the orderly and safe development of their land.

**5)Alignment with the Spirit of the Law**

The land use of the property TN which stands for traditional neighborhood. The proposed new single family home development with the variance requests are in keeping with the intent of the overall purpose of the zoning laws and the Dekalb County Comprehensive Plan. The minor variance requests are so that the development can get as close to as possible to the development standards that are already established in light of the unique features of the property to enhance the charm and beauty of the existing amazing neighborhood and community.

Thanks for your time and consideration of the variance requests. We are committed to aligning with Dekalb County to create sustainable development that align with the goals purpose of the County and Neighborhood Community.

**FLOOD STATEMENT**

I HAVE EXAMINED THE OFFICIAL FLOOD HAZARD MAP AND FOUND THAT BY GRAPHIC PLOTTING ONLY, NO PORTION OF THIS PROPERTY LIES IN A FLOOD HAZARD AREA ACCORDING TO FEMA FIRM MAP 13089C0067 J, DATED 5/16/2013

**STATE WATERS NOTE:**

NO STATE WATERS PRESENT WITHIN 200 FEET OF PROJECT SITE.

**ZONED: R-75  
SCOTTDALE  
OVERLAY TIER 2**

MAX. LOT % = 35%  
MAX. HEIGHT = 35'  
FRONT: 30'  
CORNER: 15'  
SIDE: 7.5'  
REAR: 30'

**SURVEY CLOSURE:**

The field data upon which this plat is based has a closure of 1 foot in  $\pm 10,000\pm$  feet, an angular error of  $\pm 0.3$  seconds per angle and was adjusted using the Least Squares Method. This plat has been calculated for closure and found to be accurate to 1 foot in  $\pm 100,000\pm$  feet. An electronic total station and a 100' chain were used to gather the information used in the preparation of this plat. All matters pertaining to title are excepted.

**REFERENCE DEEDS / PLATS**

ALTA/NSPS LAND TITLE SURVEY FOR  
LENNAR GEORGIA BY  
PLANNERS & ENGINEERS DATED 5/28/2018  
LAST REVISED 1/09/2020, PB 308, PG. 97

SURVEY FOR ELGIN PRITCHETT FOR 584  
GLENDALE ROAD, DATED 12/10/2015 BY  
DEKALB SURVEY INC.

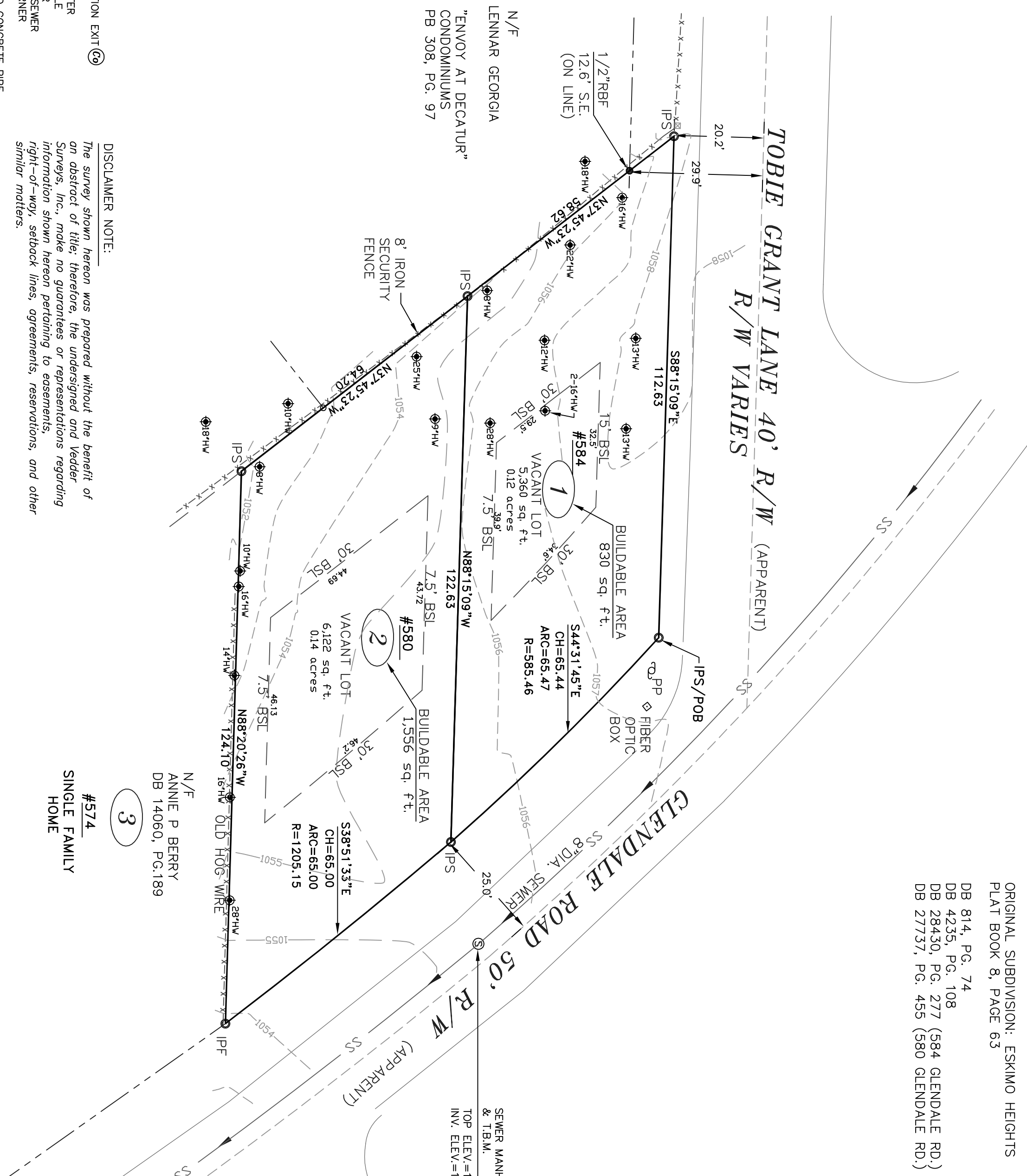
ORIGINAL SUBDIVISION: ESKIMO HEIGHTS  
PLAT BOOK 8, PAGE 63

DB 814, PG. 74  
DB 4235, PG. 108  
DB 28430, PG. 277 (584 GLENDALE RD.)  
DB 27737, PG. 455 (580 GLENDALE RD.)



**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 SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO SURVEYOR LOCATE BURIED UTILITIES BEFORE EXCAVATIONS ARE MADE. THE 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. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT INTEND TO EXPRESSLY REPRESENT PERSONS, OR SURVEYOR NAMING SUCH PERSON, PERSONS OR ENTITY.



**LEGEND**

- |     |                       |       |                          |
|-----|-----------------------|-------|--------------------------|
| IPS | IRON PIN SET          | CO    | CONCRETE                 |
| IPF | IRON PIN FOUND        | WM    | WATER METER              |
| SMH | SEWER MAN HOLE        | PP    | POWER POLE               |
| DI  | DROP INLET            | GM    | GAS METER                |
| RB  | REINFORCING BAR       | SS    | SANITARY SEWER           |
| CL  | CENTERLINE            | FC    | FENCE CORNER             |
| R/W | RIGHT-OF-WAY          | FC    | FENCE                    |
| LL  | LAND LOT              | -X-X- | REINFORCED CONCRETE PIPE |
| RF  | RIGHT-OF-WAY          | RCP   | SANITARY SEWER EASEMENT  |
| TI  | IMPACT AREA           | SSE   | AREA UNDER HOME          |
| IA  | NET IMPACT AREA       | NTA   | NET TOTAL AREA           |
| POB | POINT OF BEGINNING    |       |                          |
| POC | POINT OF COMMENCEMENT |       |                          |

**DISCLAIMER NOTE:**

The survey shown hereon was prepared without the benefit of an abstract of title; therefore, the undersigned and Vedder Surveys, Inc., make no guarantees or representations regarding information shown hereon pertaining to easements, right-of-way, setback lines, agreements, reservations, and other similar matters.

UTILITY NOTE:  
THE APPROXIMATE LOCATIONS OF UNDERGROUND UTILITIES, AS SHOWN BY THIS SURVEY ARE BASED UPON ABOVE GROUND, FIELD OBSERVATION ONLY. VEDDER SURVEYS & ASSOC. IS UNABLE TO CERTIFY TO THE ACCURACY. PLEASE CALL THE 811 UTILITY PROTECTION CENTER IN GA. BEFORE CONSTRUCTION.

**SURVEY CERTIFICATION**

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any red property boundaries. The recording information of the documents, maps, plats or other instruments which created the parcel or parcels are stated hereon. Recordation of this plat does not imply approval of any local jurisdiction, availability of permits, compliance with local regulations or requirements, or suitability for any use or purpose of the land. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. section 15-6-67

**VEDDER SURVEYS & ASSOCIATES, LLC**

39 Forsyth Landing Blvd.,  
Forsyth, Ga 31029  
TELEPHONE (678) 544-2585  
EMAIL: GEORGE@VEDDERSURVEY.COM



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DECLARATION IS MADE TO ORIGINAL PURCHASER OF THE SURVEY. IT IS NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

**SURVEY FOR:**

**GREG EVANS**  
ADDRESS: 580-584 GLENDALE ROAD  
LAND LOT 46 OF THE 18 TH DISTRICT DEKALB CO. GA.

LOTS 1 & 2 BLOCK 7 UNIT:  
ESKIMO HEIGHTS S/D, PB 8, PG. 63  
SURVEY DATE: 6/05/2023 CITY OF SCOTTDAL, GA

