



Michael L. Thurmond
Chief Executive Officer

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

Wednesday, December 13, 2023

Planning Department Staff Analysis



Cedric Hudson
Interim Director

N2. Case No: A-24-1247143 Parcel ID(s): 15 238 01 015

Commission District 02 Super District 06

Applicant: C. Elizabeth Morris
343 Adams Street
Decatur, GA 30030

Owner: Andrew Land and Jake Green
2160 Ponce de Leon Avenue,
Atlanta, GA 30307

Project Name: 2160 Ponce de Leon – Carriage House reconstruction

Location: 2160 Ponce de Leon Avenue, Atlanta, GA 30030

Request: Variance from Section 27-2.1.1. to reduce side yard setback from 8.5 feet to 2.2 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:

This project involves the reconstruction of a carriage house which has severe structural damage to most of its wooden components. The homeowners received a Certificate of Appropriateness to reconstruct the carriage house, with a small 4' addition across part of the building, at the 06-17-24 Historic Preservation Commission meeting.

The owners are now seeking a zoning variance to reconstruct the house and install 4-foot wide addition (totaling 90 square feet within the setbacks), in order to accommodate parking for two cars, in lieu of Section 27.2.2.1, specifically to reduce to 2.2 feet from the left-hand (southwest) side property line, where an 8.5' building setback is required.

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 property exhibits extraordinary physical conditions tied to its historic nature and layout, which were not created by the current or previous owners. The carriage house, originally built in 1929 alongside the main house, predates modern zoning codes. Its placement just 2.2 feet from the side property line is a result of historical practices, and the addition of a power easement complicates modifications to the structure. Additionally, while the rear of the property slopes towards a stream, this natural feature does not directly impede the proposed development but does reinforce the importance of maintaining the existing location of the carriage house to avoid potential environmental impacts.

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 adheres to the principle of minimizing the extent of deviation from the zoning ordinance. The proposed addition of 90 square feet stays entirely within the buildable area of the property, avoiding further encroachment into the required setback and is intended to accommodate the storage of modern vehicles. Otherwise, the reconstruction aspect maintains the same footprint.

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 will not result in any material detriment to the public welfare or cause injury to neighboring properties or improvements within the zoning district. The proposed reconstruction of the carriage house, with its minor addition may serve as both an aesthetic and functional improvement to the property. The new design respects the architectural integrity of the original structure, as evidenced by the approval from the Historic Preservation Committee.

Additionally, the intended use of the carriage house as storage and parking for vehicles is consistent with the residential nature of the area and is not anticipated to generate any negative impacts on surrounding properties. The project's scope and function are modest, and the restoration of the structure will contribute positively to the preservation of the neighborhood's historical assets without disrupting the existing dynamics of the community.

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

A strict application of the setback requirements would impose an undue and unnecessary hardship on the property owners by severely limiting their ability to make meaningful improvements to the deteriorating carriage house. The existing structure, which predates the current zoning codes, is situated within the setback area, and enforcing the full 8.5-foot setback would prevent the homeowners from carrying out necessary repairs or even demolition. This would lead to further degradation of the structure, ultimately compromising the functionality of the garage and the overall value of the property.

The hardship here is not self-imposed but rather a consequence of historical circumstances and the property's unique conditions. Denying the variance would effectively render the carriage house unusable, depriving the homeowners of reasonable use of their property. Granting the variance allows for necessary restoration work to take place while preserving the historic character of the structure, which would otherwise be lost due to the strict enforcement of zoning regulations.

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 both the zoning ordinance and the DeKalb County Comprehensive Plan. Specifically, it supports the intent of the Druid Hills Historic District and the Traditional Neighborhood (TN) land use, which aim to preserve the unique character and architectural style of older communities while adapting to modern needs.

FINAL STAFF ANALYSIS:

The requested variance for the reconstruction of the historic carriage house is consistent with the spirit of the zoning ordinance, the DeKalb County Comprehensive Plan, and the preservation goals of the Druid Hills Historic District. The proposed addition remains within the buildable area of the property, does not further encroach into the setback, and maintains the integrity of the site's historic character. Moreover, it addresses modern needs without negatively impacting the surrounding community or public welfare. 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.

Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area;

(2)

Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated;

(3)

The exceptional circumstances are not the result of action by the applicant;

(4)

The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated;

(5)

Granting of the variance would not violate more than one (1) standard of this article; and

(6)

Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.

STEVENS-MORRIS

architects, llc

343 adams street, decatur, ga 30030
stevensmorris.com

20 May 2024

Paige Jennings

Preservation Planner

DeKalb County Planning Department

Re: Green/Land residence

2160 Ponce de Leon Avenue

Atlanta, GA 30307

Owner's contact information: Andrew Land - 404-309-1982 andrewcland@gmail.com

Jake Green - jakegreen@icloud.com

Dear Ms. Jennings,

Attached are the following documents to support the variance application for the above property:

Sheet No.	Sheet Description	Scale	Sheet size
	Cover sheet / Letter of Intent	n/a	8 ½" x 11"
	Signed application	n/a	8 ½" x 11"
	Photographs of existing garage (2 pages)	n/a	8 ½" x 11"
	Property survey	(1" = 30')	11"x17"
	A-1 Proposed site plan / site information	(1" = 10')	24" x 36"
	A-2 Existing plan/elevations & demo requirements	(1/4" = 1'-0")	24" x 36"
	A-3 Reconstructed plan & elevations	(1/4" = 1'-0")	24" x 36"

Letter of Intent:

This project involves the reconstruction of a carriage house on the property of Jake Green and Andrew Land, which has severe structural damage to most of its wooden components. The homeowners received a Certificate of Appropriateness to reconstruct the carriage house, with a small 4' addition across part of the building, at the 06-17-24 Historic Preservation Commission meeting.

The owners are now seeking a zoning variance for this 4-foot addition (totaling 90 square feet) across a portion of the carriage house, in order to accommodate parking for two cars. A variance is required per Section 27.2.2.1 because the existing historic carriage house is set 2.2 feet from the left-hand (southwest) side property line, where an 8.5' building setback is required. **However, the addition itself would be fully within the lot's building setback lines.** This addition was included and noted in the documents for the Certificate of Appropriateness.

The existing historic carriage house measures only 18' by 17'-8" clear inside, and a new CMU wall will need to be built within it, as it currently has only single-wythe brick foundation walls. Therefore, there will not be sufficient room to park, and access, cars.

The property owners are additionally limited on the site because of a Georgia Power easement which crosses their lot just beyond the carriage house, which would hinder the practical and appropriate siting of a new garage on the property. The easement was in place prior to the homeowners' purchase of the property.

The owners have considered constructing a second garage - within the required building setbacks, outside of the power easement, and configured for parking cars. However, the existing carriage house is almost large enough, and the homeowners would prefer to use it if possible, as it is more appropriate and practical for this historic property than the construction of a second garage. The costs associated with constructing a new garage would be better put toward rehabilitating the existing, historic carriage house. Furthermore, reusing the existing carriage house's foundation would minimize grading and land disturbance.

As such, the homeowners are committed to rehabilitating and reusing the historic carriage house, contingent upon approval of this variance.

Thank you, and please let me or the homeowners know if you have any questions.

Best,

Elizabeth Morris, NCARB

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: C. Elizabeth Morris

Mailing Address: 343 Adams Street

City/State/Zip Code: Decatur, GA 30030

Email: e.stevens.morris@gmail.com

Telephone Home: 404-316-5936 Business: 404-316-5936

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Andrew Land and Jake Green

Address (Mailing): 2160 Ponce de Leon Avenue, Atlanta, GA 30307

Email: andrewcland@gmail.com jakegreen@icloud.com Telephone Home: 404-309-1982 Business: 404-309-1982

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 2160 Ponce de Leon Avenue City: Atlanta State: GA Zip: 30030

District(s): 15 Land Lot(s): 3A and part of 3 Block: 16 Parcel: 15 244 01 040

Zoning Classification: R-85 Commission District & Super District: Commissioner District 2, Super District 6

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: 7/23/24

Applicant Signature: Clifford Fe

DATE: 7/23/24

Applicant Signature: [Signature]

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: 07-17-24

Applicant/Agent
Signature:

[Handwritten Signature]

TO WHOM IT MAY CONCERN:

(I)/ (WE): ANDREW LAND + JAKE GREEN
(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 MARIANNA N. AMOS

[Handwritten Signature]
Owner Signature

[Handwritten Signature]
Notary Public MARIANNA N. AMOS

[Handwritten Signature]
Owner Signature

Notary Public

Owner Signature





Above: Front (northeast side) of carriage house



Above: Lefthand (southeast) side of carriage house



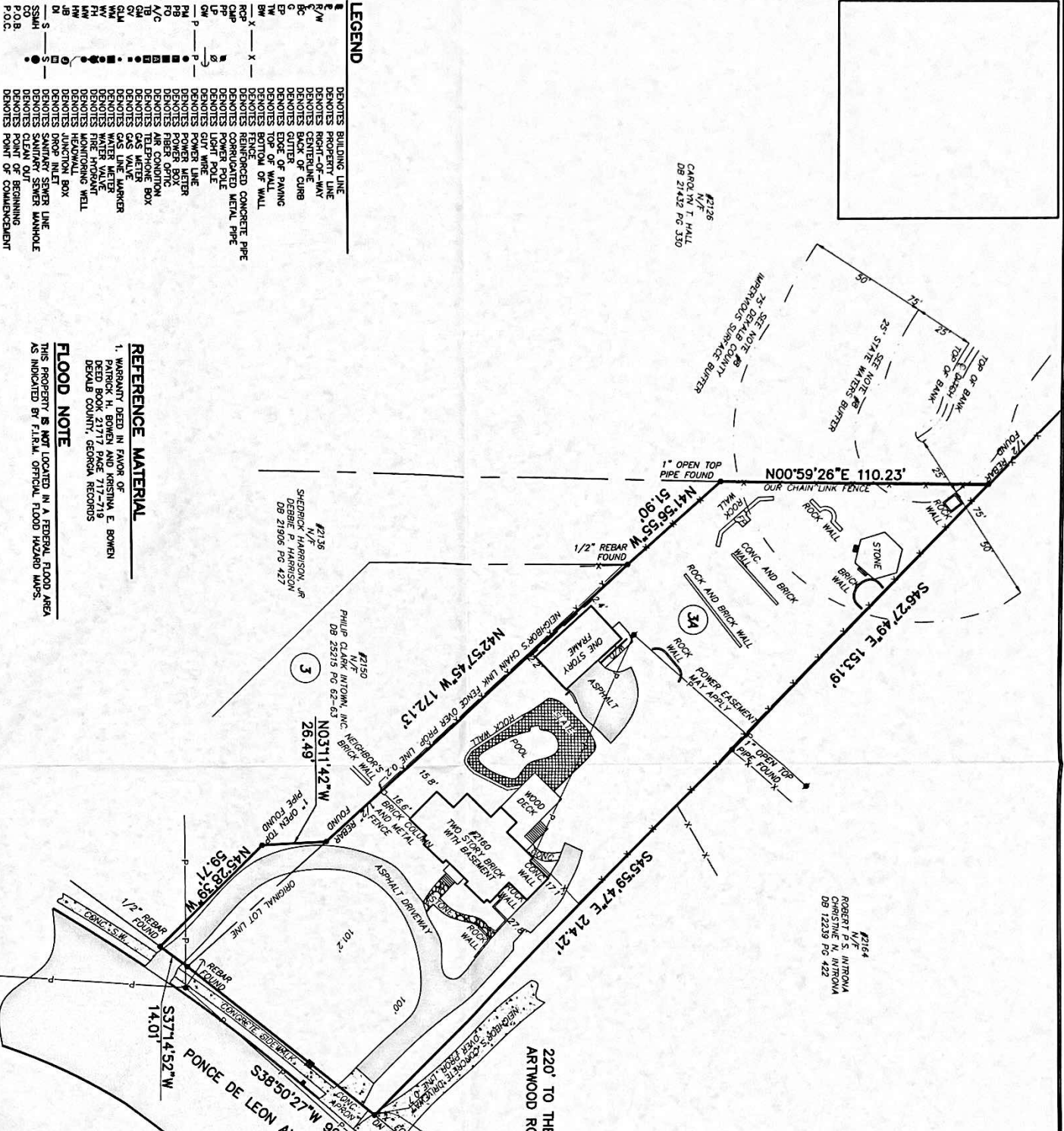
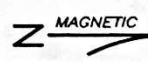
Above: right-hand (northwest) side of carriage house



Above: Rear (southwest side) of carriage house

SURVEY NOTES

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES ARE SHOWN AS SHOWN HEREON ARE BASED ON ABOVE GROUND UTILITIES UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED PLEASE CALL ALL LOCAL UTILITY PROVIDERS AND OR 811 FOR FURTHER INFORMATION.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES OR ANY 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 INCLUDING SUCH PERSON, PERSONS OR ENTITY.
4. THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED BY AN OPEN TRAVERSE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 70,311 FEET. A GEOLUX ZOOM 90 SERIES ROBOTIC TOTAL STATION WITH CARTRIDGE SURVEY 2 DATA COLLECTOR WERE USED IN THE COLLECTION OF FIELD DATA.
5. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
7. ALL REBARS SET ARE 1/2" REBARS UNLESS OTHERWISE NOTED.
8. THE EXISTENCE, SIZE, AND LOCATION OF IMPERVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.



LEGEND

1	DENOTES BUILDING LINE
2	DENOTES PROPERTY LINE
3	DENOTES CENTERLINE
4	DENOTES BACK OF CURB
5	DENOTES CUTTER
6	DENOTES TOP OF PAVING
7	DENOTES TOP OF WALL
8	DENOTES BOTTOM OF WALL
9	DENOTES REINFORCED CONCRETE PIPE
10	DENOTES CONCRETE AND METAL PIPE
11	DENOTES FENCE
12	DENOTES POWER LINE
13	DENOTES FIBER OPTIC
14	DENOTES POWER BOX
15	DENOTES LIGHT POLE
16	DENOTES GUY WIRE
17	DENOTES AIR CONDITION
18	DENOTES GAS LINE
19	DENOTES GAS VALVE
20	DENOTES WATER WELLS
21	DENOTES WATER METER
22	DENOTES FIRE HYDRANT
23	DENOTES MONITORING WELL
24	DENOTES HOODING BOX
25	DENOTES GROUP INLET
26	DENOTES SANITARY SEWER LINE
27	DENOTES SANITARY SEWER MANHOLE
28	DENOTES CLEAN OUT BEGINNING
29	DENOTES POINT OF COMMENCEMENT

REFERENCE MATERIAL

1. WARRANTY DEED IN FAVOR OF PATRICK H. BOWEN AND KRISTINA E. BOWEN DEED BOOK 2171 HARRISON DEED COUNTY, GEORGIA RECORDS

FLOOD NOTE

THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY FEMA OFFICIAL FLOOD HAZARD MAPS.

NO.	REVISIONS	DATE

McLUNG SURVEYING SERVICES, INC.
 4833 South Cobb Drive Suite 200
 Smyrna Georgia 30080
 Certificate of Authorization #LSF000752

SURVEY FOR
CLIFFORD JACKSON GREEN

2160 PONDE DE LEON AVENUE
 ATLANTA, GEORGIA
 TOTAL AREA = 0.711± ACRES
 OR 30,978± SQ. FT.

LOT 3A AND PART OF LOT 3
 BLOCK 16
 DRUID HILLS
 LAND LOT 244
 15TH DISTRICT
 DEKALB COUNTY
 GEORGIA

PLAT PREPARED: 2-19-18
 FIELD: 2-16-18 SCALE: 1"=30'

Michael R. Nokes
 Georgia RLS No. 2846
 Member SAMS9C

DATE: 2/19/18

PG 76
 PG 88
 CAB-B

CARRIAGE HOUSE RESTORATION AT THE LAND-GREEN RESIDENCE 2160 PONCE DE LEON AVENUE ATLANTA, GEORGIA 30307

PROJECT DESCRIPTION:

- RESTORATION OF DAMAGED CARRIAGE HOUSE
- ADDITION TO RESTORED CARRIAGE HOUSE

DRAWING LIST

- A-1 COVER SHEET / SITE PLAN / SITE INFORMATION
- A-2 EXISTING FLOOR PLANS, ELEVATIONS & DEMO REMOVALS
- A-3 RECONSTRUCTED PLANS & ELEVATIONS

ZONING INFORMATION:

- ZONING - R-45
- FRONT YARD SETBACK - 50 FEET
- SIDE YARD SETBACK - 5.5 FEET
- REAR YARD SETBACK - 40 FEET
- MAXIMUM LOT COVERAGE - 55%

SITE / BUILDING INFORMATION

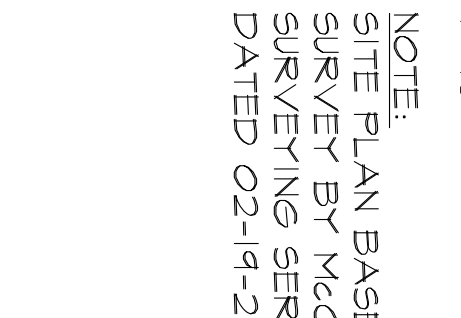
LOT SIZE	30418 SQ. FT.
EXISTING LOT COVERAGE	APPROX. 8052 (26.46%)
PROPOSED IMPERVIOUS AREA	
HOUSE	APPROX. 596
CONCRETE DRIVE	2832
FRONT WALK & STOOP	1710
FRONT ROCK WALLS	197
BRICK COLUMN	16
REAR CONC. WALK	48
REAR WOOD DECK & STAIRS	27
POOL DECK	407
POOL	807
BRICK WALL @ TURNAROUND	606
ASPHALT TURNAROUND	606
BRICK WALL @ TURNAROUND	1
EXISTING CARRIAGE HOUSE	596
WALKS @ REAR YARD	150
ROCK WALL W/ FIREPLACE	67
STONE PATIO @ REAR	276
POWER POLE	2
REBUILD GARAGE ADDITION	516+49
NEW DECK & STAIRS @ GARAGE	45
	418
	2871
	8866 SQ. FT. (APPROX.)

TOTAL NEW/MODIFIED COVERAGE AREA = 814 SQ. FT.
TOTAL PROPOSED LOT COVERAGE = 8866 (28.66%)

SITE PLAN

NOTE:
SITE PLAN BASED ON SURVEY BY MCGILL SURVEYING SERVICES DATED 02-14-2018.

1"=10'



SCALE:
1"=10'-0"

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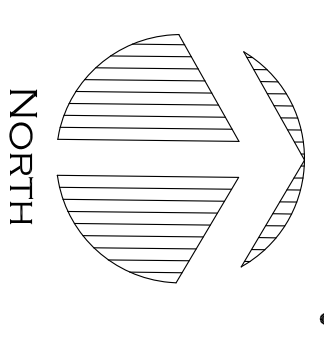
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REVISION:
PRELIMINARY

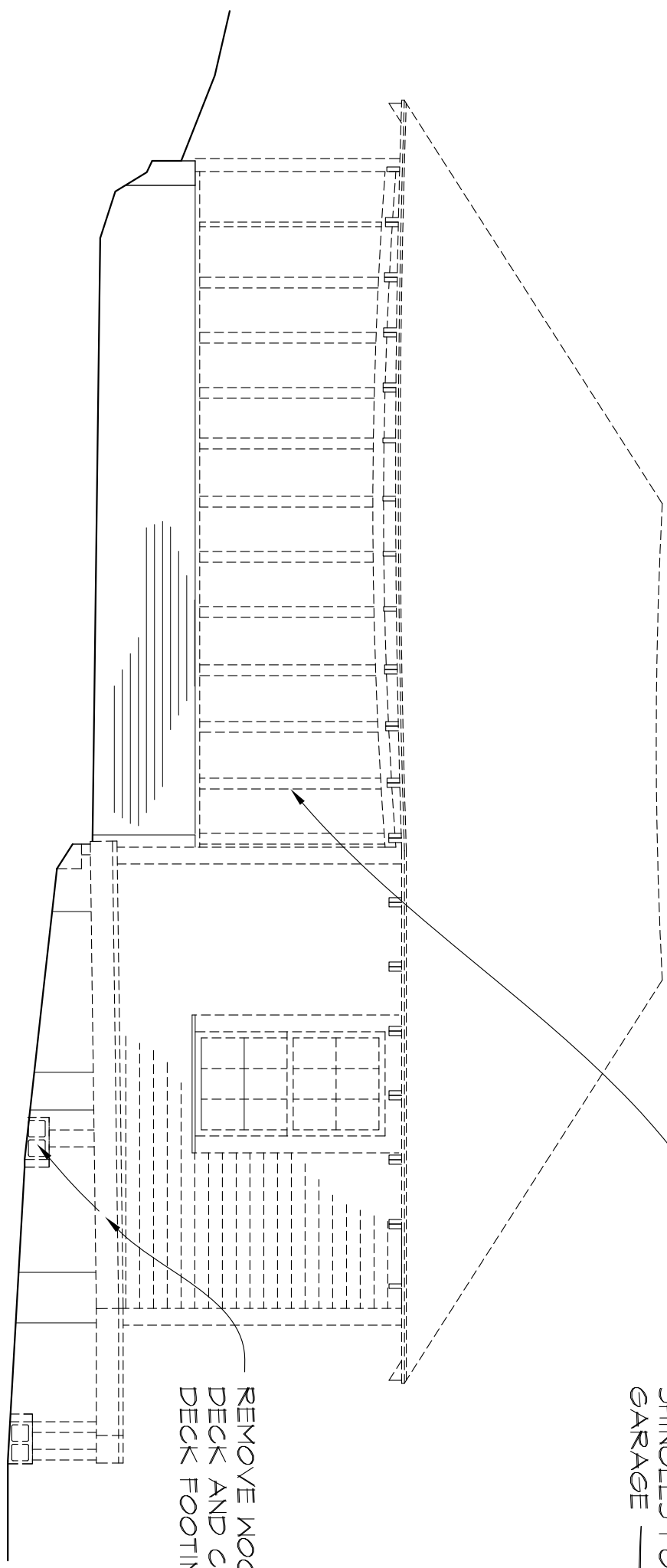
carriage house restoration at the
**LAND - GREEN
RESIDENCE**
2160 PONCE DE LEON AVE., ATLANTA, GA 30307
COVER SHEET / SITE PLAN /
SITE INFORMATION

**STEVENS-MORRIS
ARCHITECTS**
elizabeth@stevensmorris.com
404-316-5936

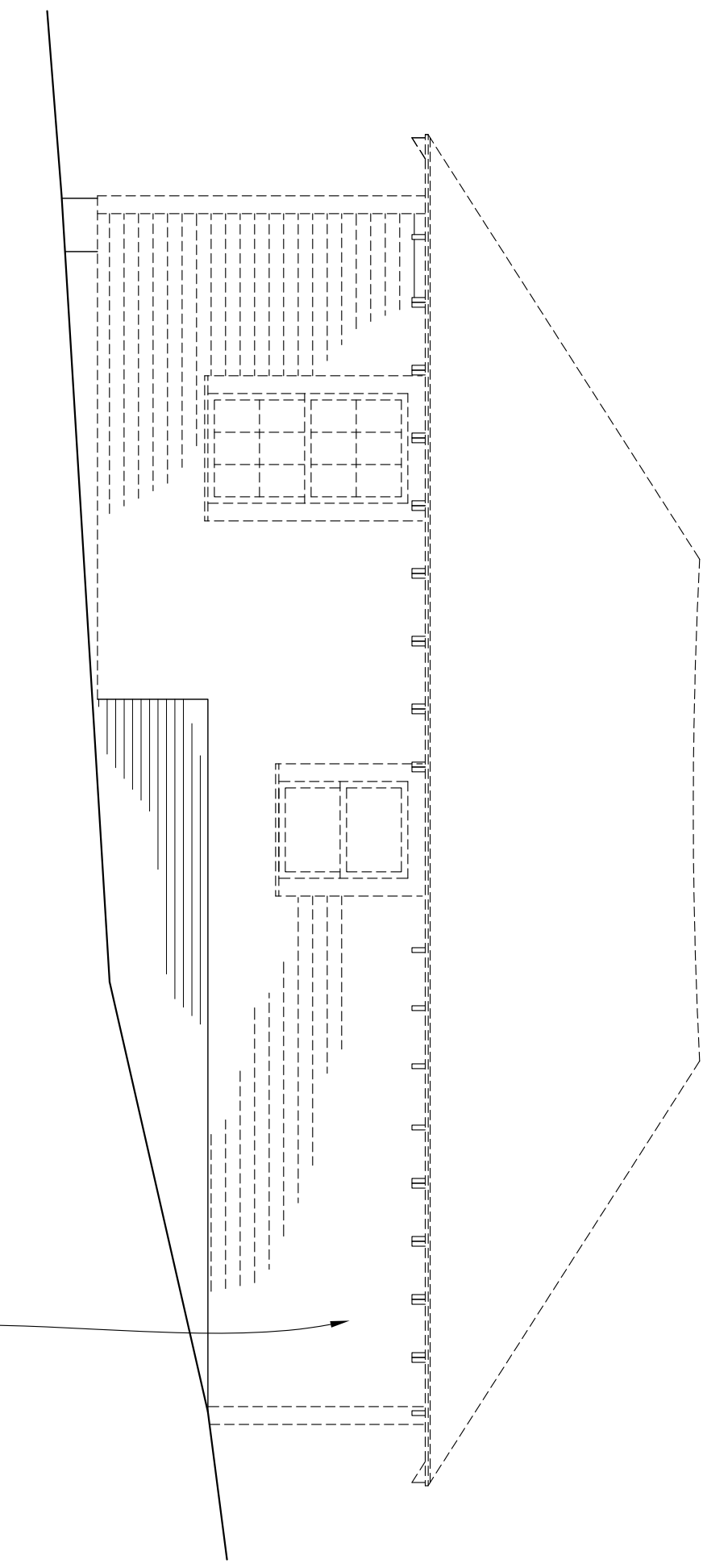
343 Adams Street
Decatur, Georgia
30030



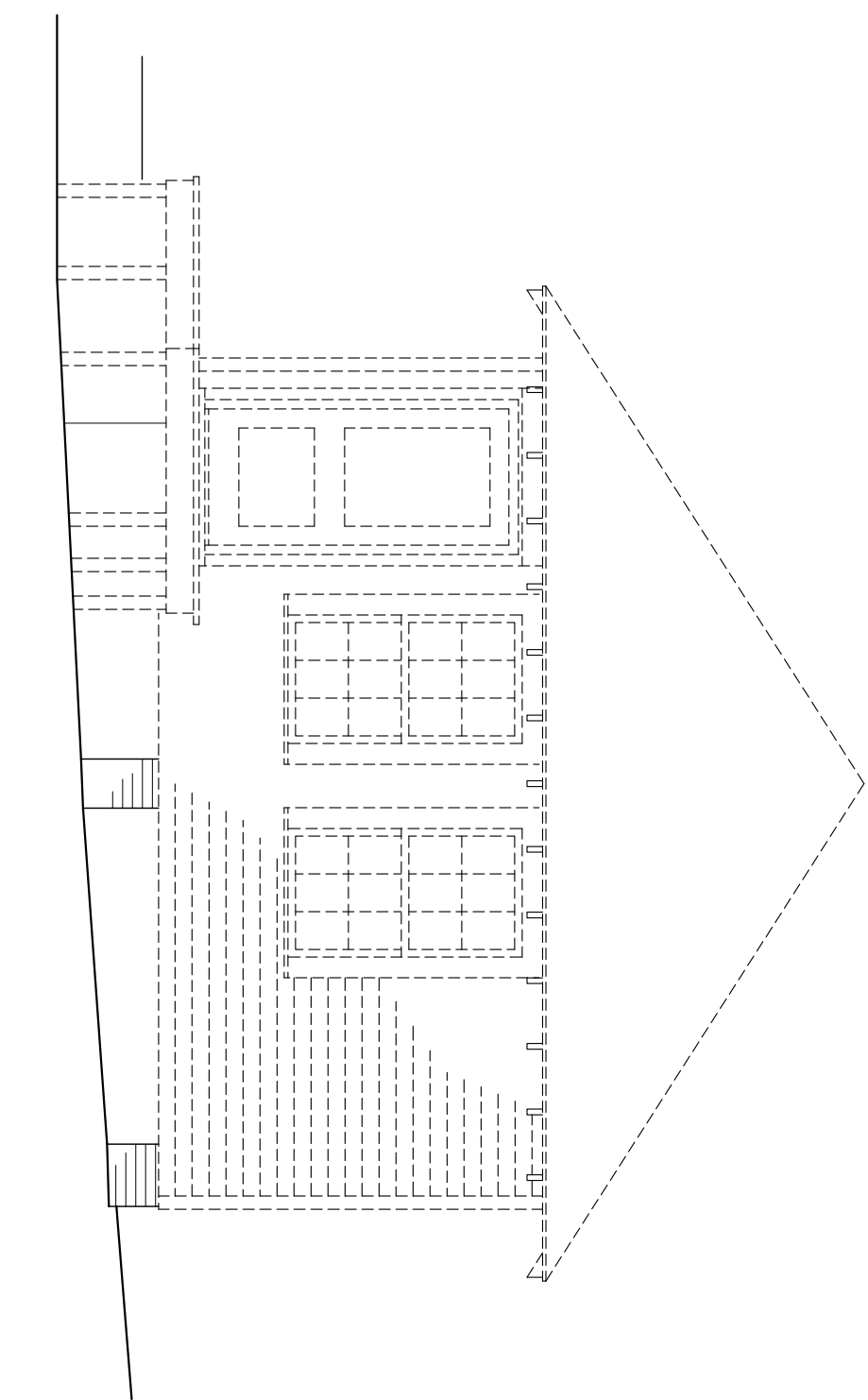
EXISTING FRONT (NORTHEAST)
ELEVATION
1/4"=1'-0"



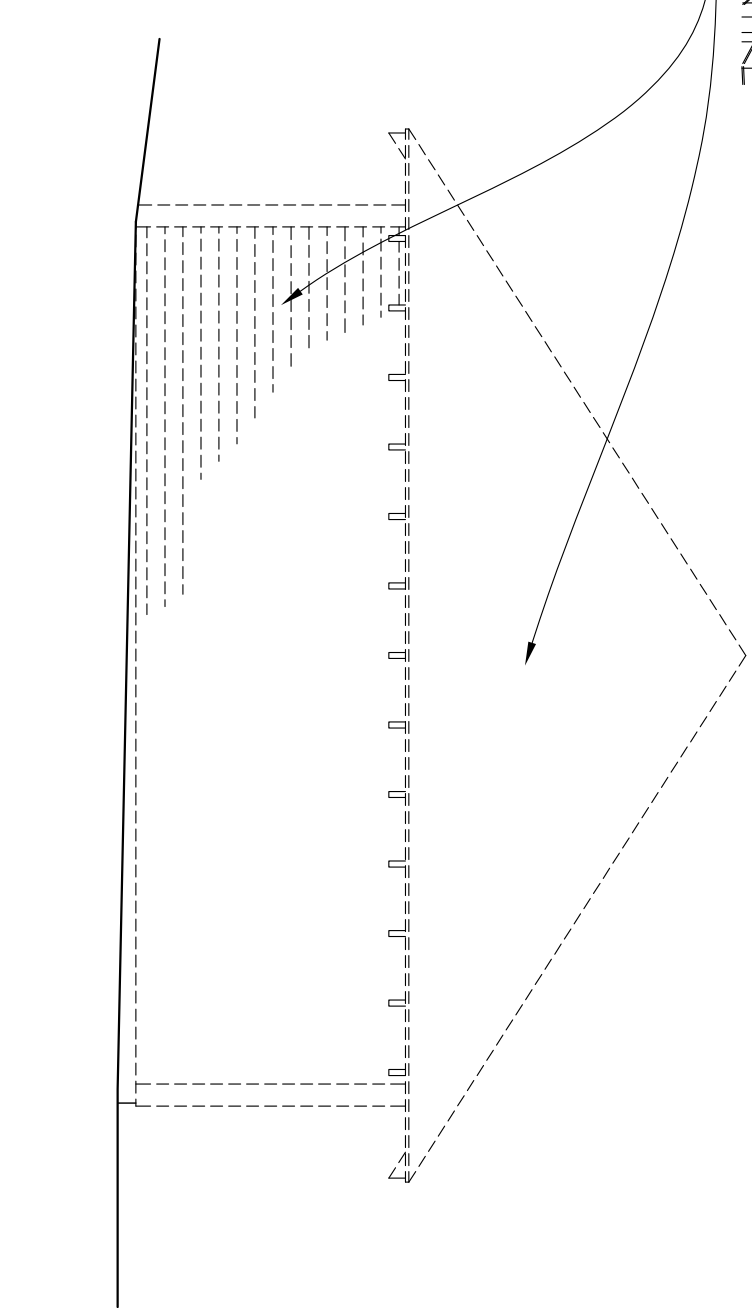
EXISTING REAR
(SOUTHWEST) ELEVATION
1/4"=1'-0"



EXISTING RIGHT
SIDE (NORTHEAST)
ELEVATION
1/4"=1'-0"



EXISTING LEFT SIDE
(SOUTHEAST) ELEVATION
1/4"=1'-0"



COMPLETELY REMOVE
SIDING, TRIM, STUDS,
RAFTERS, AND ROOF
SHINGLES FOR ENTIRE
GARAGE

COMPLETELY
REMOVE WOOD
FRAMING SIDING
AND FLOORS
FROM ENTIRE
GARAGE

COMPLETELY
REMOVE ALL
PLUMBING AND
ELECTRICAL
FIXTURES FROM
ENTIRE GARAGE

VERIFY LOCATION OF
EXISTING BRICK PIERS
INSPECT ALL PIERS AND
REMOVE/REPLACE DAMAGED
COMPONENTS AS REQUIRED

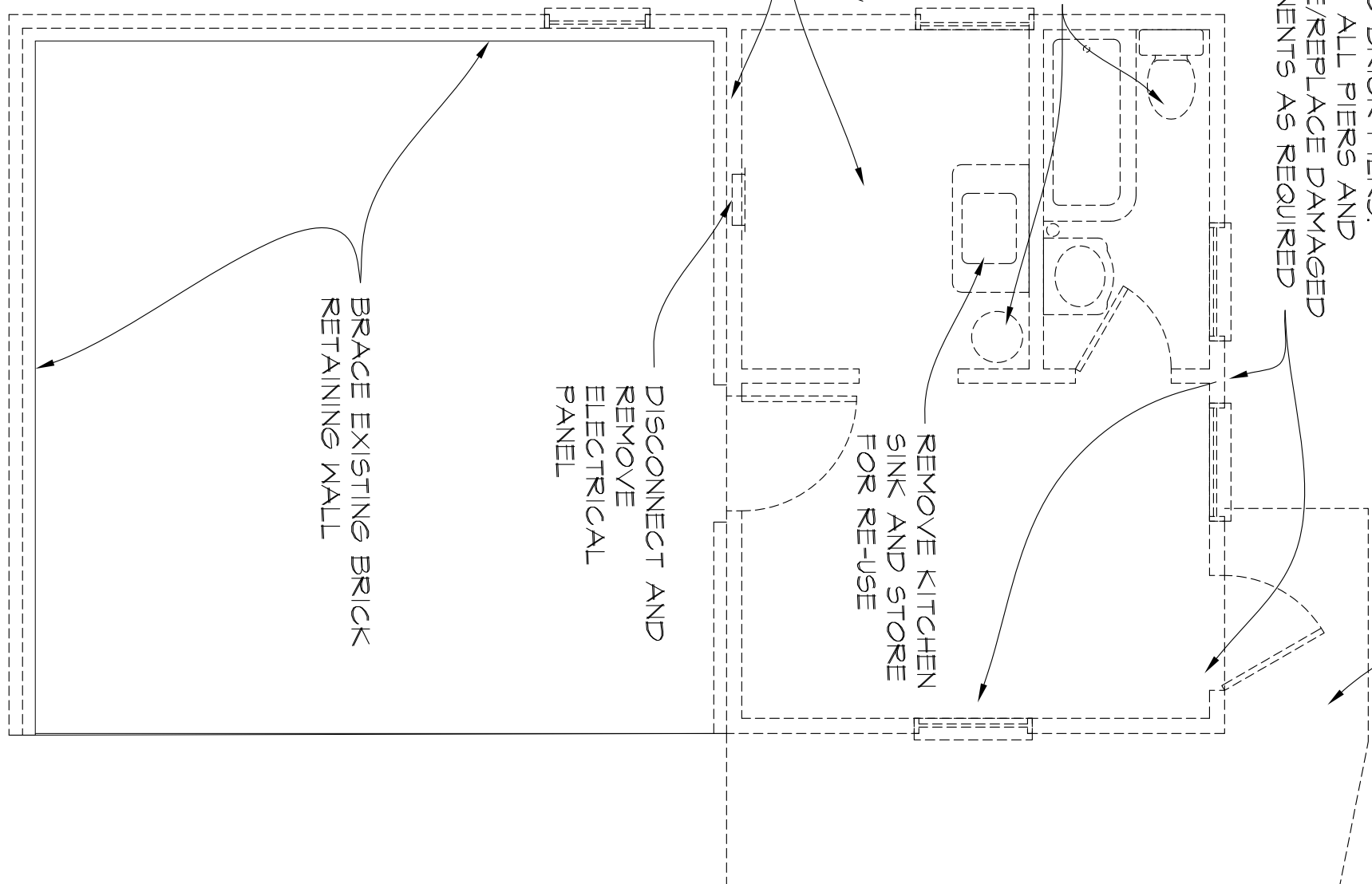
COMPLETELY
REMOVE
WOOD DECK

REMOVE KITCHEN
SINK AND STORE
FOR RE-USE

DISCONNECT AND
REMOVE
ELECTRICAL
PANEL

BRACE EXISTING BRICK
RETAINING WALL

EXISTING CARRIAGE
HOUSE PLAN
1/4"=1'-0"



carriage house restoration at the
**LAND-GREEN
RESIDENCE**

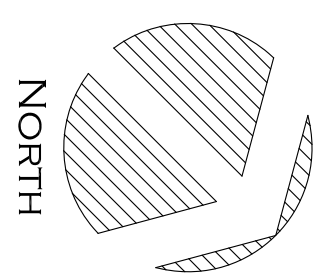
2160 PONCE DE LEON AVE., ATLANTA, GA 30307

EXISTING PLAN/ ELEV'S. & DEMO REQ'MNTS.

**STEVENS-MORRIS
ARCHITECTS**

elizabeth@stevensmorriss.com
404-316-5936

343 Adams Street
Decatur, Georgia
30030



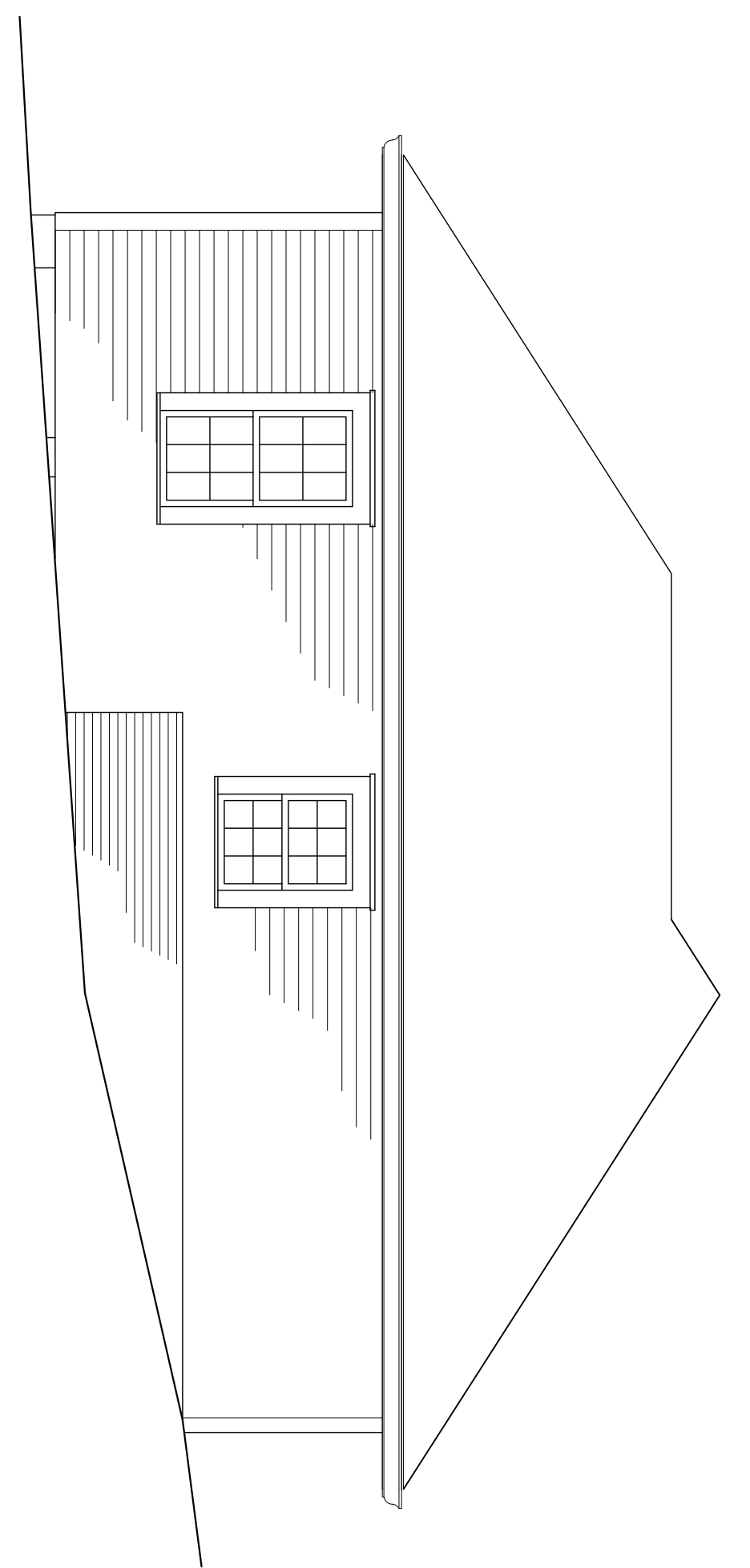
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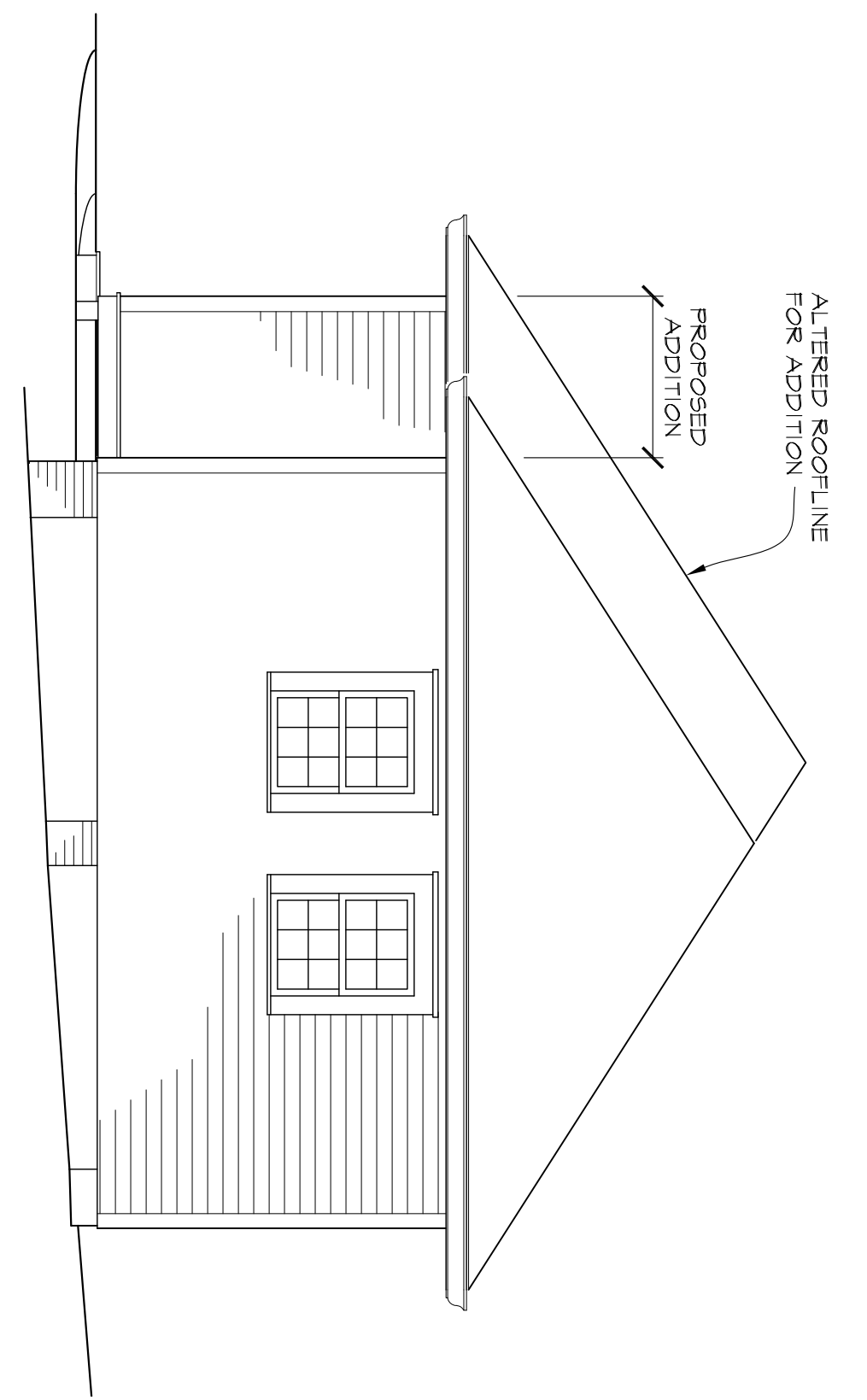
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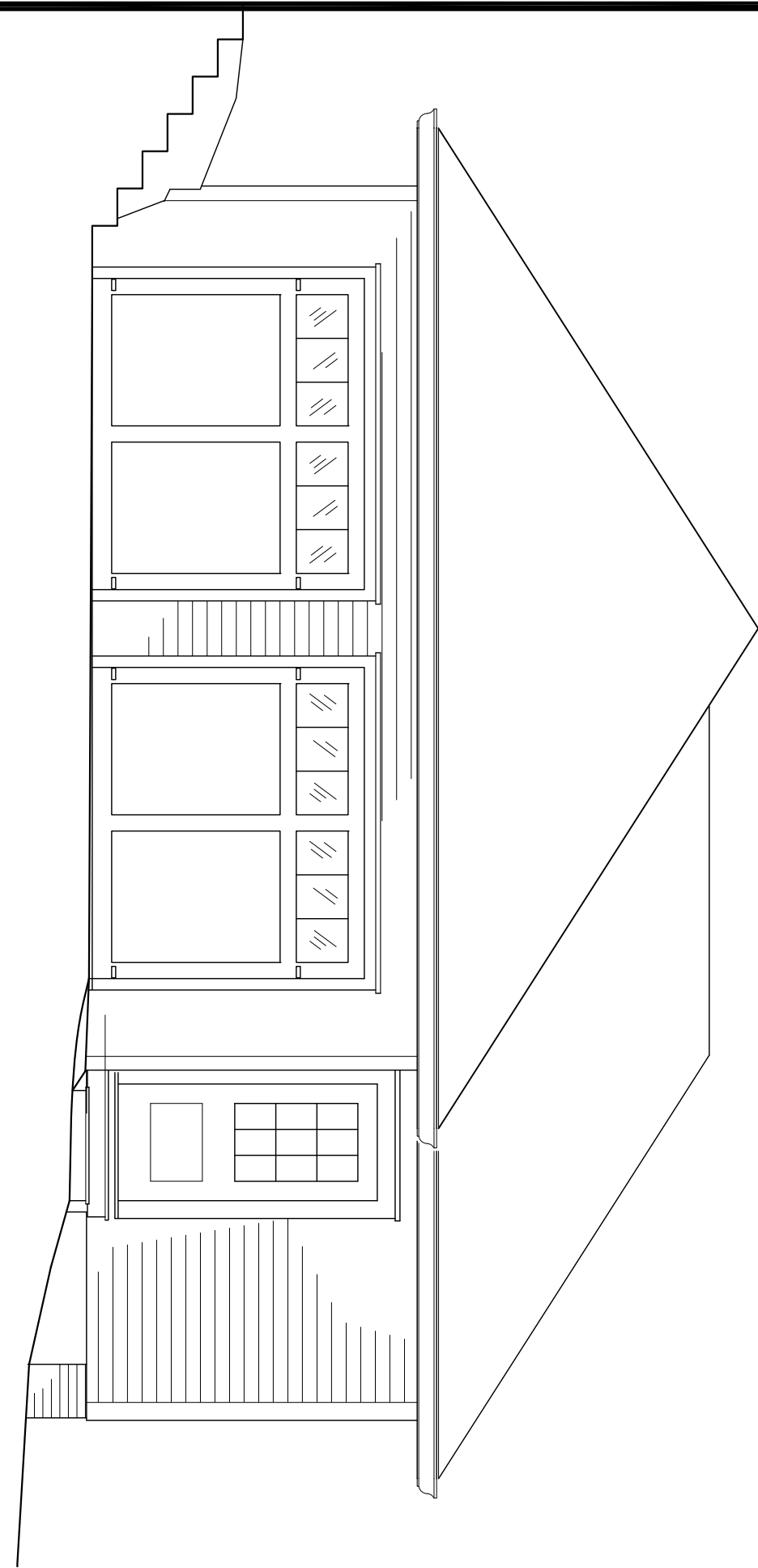
REVISION:
PRELIMINARY



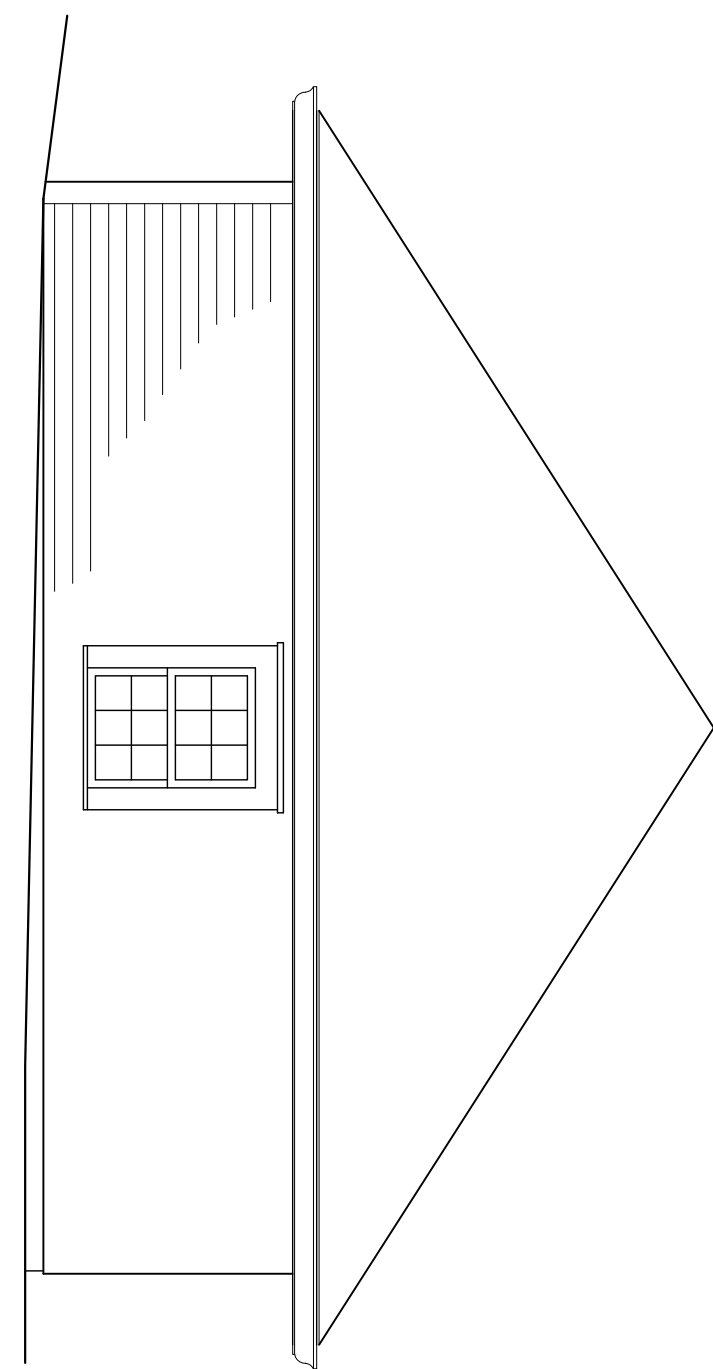
PROPOSED REAR (SOUTHWEST)
ELEVATION
1/4"=1'-0"



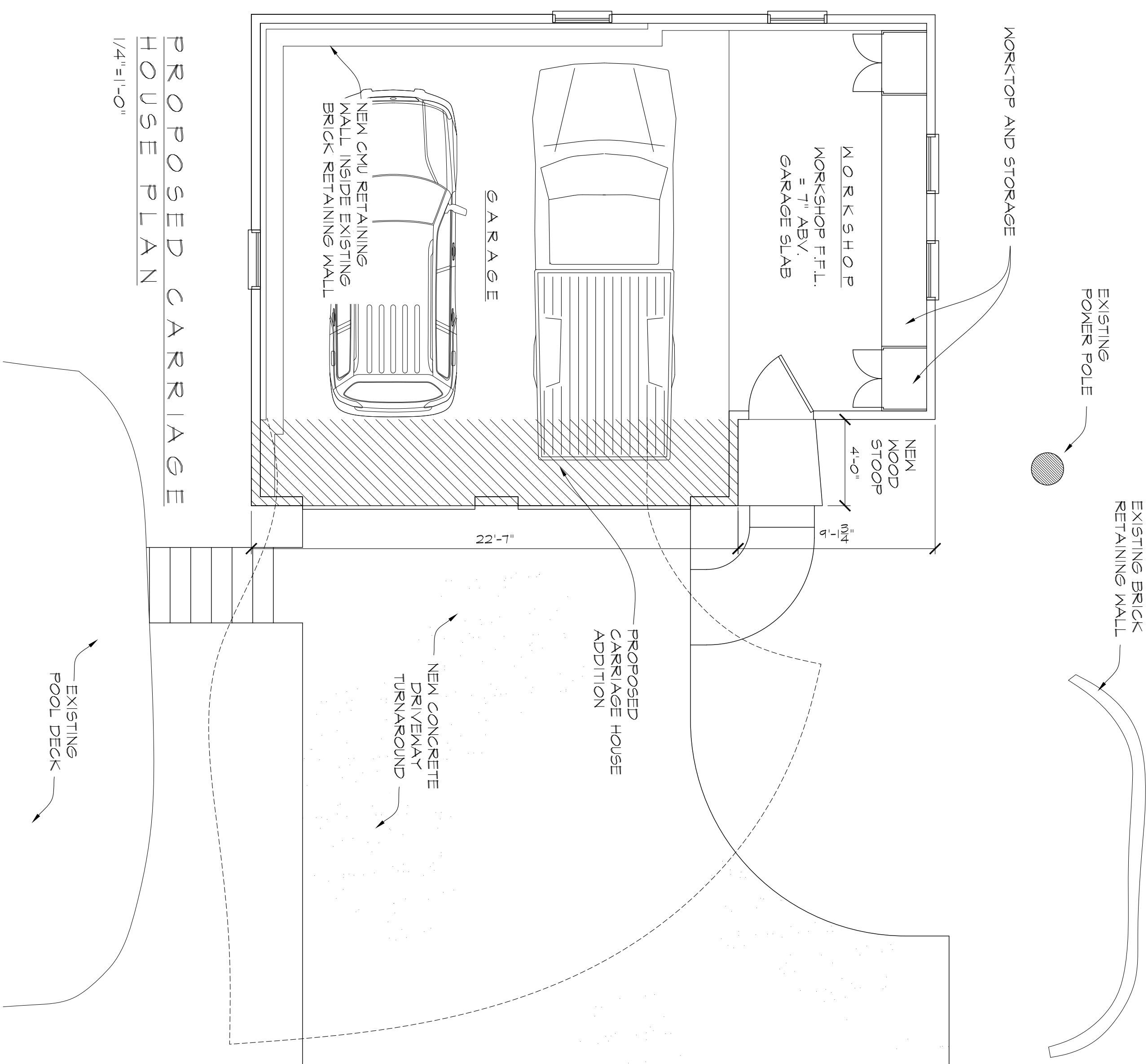
PROPOSED RIGHT SIDE
(NORTHWEST) ELEVATION
1/4"=1'-0"



PROPOSED FRONT (NORTHEAST)
ELEVATION
1/4"=1'-0"



PROPOSED LEFT SIDE
(SOUTHEAST) ELEVATION
1/4"=1'-0"



PROPOSED CARRIAGE
HOUSE PLAN
1/4"=1'-0"

SCALE:
1/4"=1'-0"

REVISION:
PRELIMINARY

carriage house restoration at the
**LAND-GREEN
RESIDENCE**

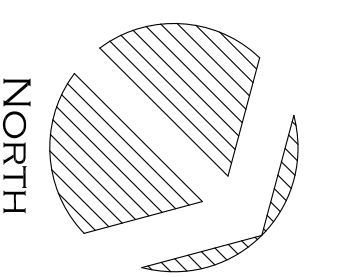
2160 PONCE DE LEON AVE., ATLANTA, GA 30307

RECONSTRUCTED PLAN & ELEVATIONS

**STEVENS-MORRIS
ARCHITECTS**

elizabeth@stevensmorriss.com
404-316-5936

343 Adams Street
Decatur, Georgia
30030



DRAWING NO.:
A-3