

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: _____ Applicant/Agent _____
Signature: _____

TO WHOM IT MAY CONCERN:

(I)/ (WE): _____
(Name of Owners)

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

Notary Public

Owner Signature

Notary Public

Owner Signature

Notary Public

Owner Signature

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: _____ Applicant _____
Signature: _____

DATE: _____ Applicant _____
Signature: _____

Subject: Variance Request for Rear Yard Setback Reduction - Section 27-2.2.1 – Enclosure of the Porch

Dear Members of the Zoning Board of Appeals,

My name is Maksim Saitgazin, and I am writing to request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance. Specifically, I am requesting a reduction of the side yard setback requirement from 40 feet to 5.7 feet for my property at 328 Walnut St, Avondale Estates, GA 30002. The purpose of this variance is to enclose the porch to create a heated floor space for hosting my aging parents. This project will also increase the square footage of housing, thereby contributing to the overall availability of housing in the community.

1. Physical Conditions of the Site

The unique physical conditions of my property present a special case that warrants this variance. The parcel is smaller than typical properties in the area, measuring just 66 feet in width and only 3,500 square feet in total area, compared to the minimum requirement of 5,000 square feet in the Scottdale Tier II district. As a result, complying with the 40-foot side yard setback is particularly challenging. These conditions are inherent to the property and not the result of actions taken by me or previous owners.

2. Minimum Variance Necessary

I assure you that this request is for the minimum variance necessary to allow for a reasonable use of my property. I intend to use the existing footprint to accommodate the new residents and ensure that the space remains functional for my family. The 5.7 foot setback will allow for a practical and reasonable enclosure of the porch without

seeking any advantages beyond those available to other property owners in the same zoning district.

3. Public Welfare

The proposed addition will have a positive impact on the neighborhood and community. The reduced setback will not harm public welfare or neighboring properties. In fact, the porch addition will be a modest and tasteful improvement that enhances my property without imposing negative effects on the surrounding area. I have received a letter of support from my neighbor, Mr. Purnell Lester, who resides at 327 N Clarendon Ave, Scottdale, GA 30079. Mr. Lester has expressed that he does not feel the proposed addition will intrude on his privacy or disrupt the character of the neighborhood.

4. Ordinance Hardship

A strict interpretation of the zoning laws in this case would create undue hardship. Adhering to the 40-foot setback would severely limit my ability to make meaningful improvements to the property. The house is legally non-conforming and already outside the required setbacks, and without this variance, no further development would be feasible. This variance is essential to allow for the reasonable use of my property and prevent unnecessary hardship.

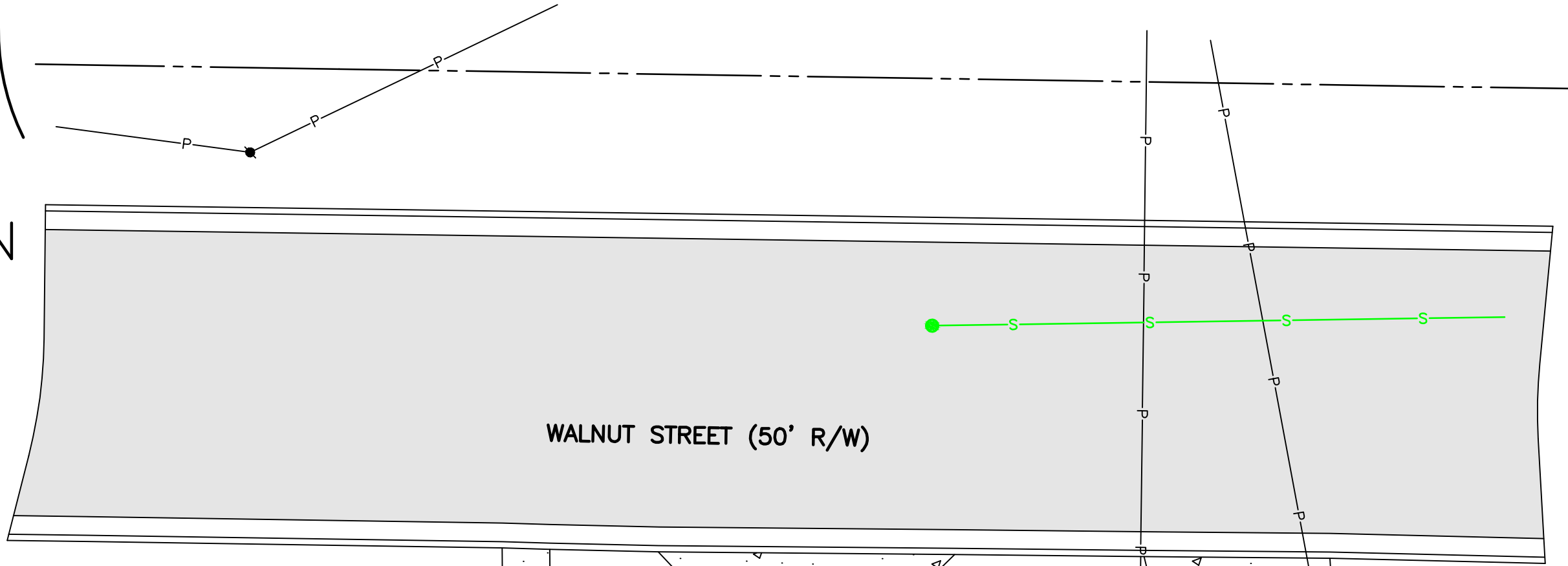
5. Alignment with the Spirit of the Law

I believe my request is in alignment with the spirit of the law as outlined in the DeKalb County Comprehensive Plan. The proposed porch enclosure supports the goals of maintaining traditional suburban land use patterns while fostering increased connectivity and accessibility. Additionally, the project will preserve and enhance the existing greenspace, contributing to the overall quality of the neighborhood.

In conclusion, I appreciate your time and consideration of my variance request. I am committed to working collaboratively with the Zoning Board to ensure that this project aligns with the broader goals and policies of DeKalb County.

Thank you for your attention to this matter.

Sincerely,
Maksim Saitgazin



WALNUT STREET (50' R/W)

110.92' TO EAST R/W OF NORTH CLARENDON AVENUE (F.K.A. GRAND AVENUE)
#327 N/F
LESTER PURNELL
DB 30568 PG 28-30

THIS PROPERTY SUBJECT TO THE FOLLOWING

- CURRENT ZONING R-75 PER DEKALB COUNTY, GEORGIA
 - MINIMUM LOT AREA= 10,000 SQ. FT.
 - MINIMUM LOT WIDTH, STREET FRONTAGE= 75 FEET
 - MINIMUM LOT WIDTH AT BUILDING LINE= 75 FEET
 - MAXIMUM LOT COVERAGE= 35%
 - MINIMUM FRONT BUILDING SETBACK= 30 FEET
 - MINIMUM SIDE BUILDING SETBACK= 7.5 FEET
 - MINIMUM REAR BUILDING SETBACK= 40 FEET
 - MINIMUM HEATED LIVING AREA= 1,600 SQ. FT.
 - MAXIMUM BUILDING HEIGHT= 35 FEET
 - MINIMUM OPEN SPACE= 20%
 - MUST BE VERIFIED BY DEKALB COUNTY BEFORE CONSTRUCTION.

FLOOD NOTE

THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAPS.

SURVEY NOTES

- 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. 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.



#321 N/F
TELESFORO MARTINEZ
LUCIA MARTINEZ

LEGEND

BB	BUILDING LINE
PR	PROPERTY LINE
CG/W	RIGHT-OF-WAY
BC	CENTERLINE
G	BACK OF CURB
EP	GUTTER
TW	EDGE OF PAVING
BW	TOP OF WALL
X	BOTTOM OF WALL
X	FENCE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
PP	POWER POLE
LP	LIGHT POLE
GW	GUY WIRE
P	POWER LINE
PM	POWER METER
PB	POWER BOX
FO	FIBER OPTIC
A/C	AIR CONDITION
CB	CABLE BOX
TB	TELEPHONE BOX
GM	GAS METER
GV	GAS VALVE
GLM	GAS LINE MARKER
WM	WATER METER
WV	WATER VALVE
FH	FIRE HYDRANT
MW	MONITORING WELL
HW	HEADWALL
JB	JUNCTION BOX
DI	DROP INLET
S	SANITARY SEWER LINE
SSMH	SANITARY SEWER MANHOLE
CO	CLEAN OUT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
D.E.	DRAINAGE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT

REFERENCE MATERIAL

- CORRECTIVE LIMITED WARRANTY DEED IN FAVOR OF MECCA DEVELOPMENT, INC. DEED BOOK 22492 PAGE 98-100 DEKALB COUNTY, GEORGIA RECORDS

BOUNDARY NOTES

- PROPERTY LINE SHOWN HEREON WERE ESTABLISHED BY LINES OF POSSESSION. THIS SURVEYOR RECOMMENDS A BOUNDARY LINE AGREEMENT ALONG ALL PROPERTY LINES.



Michael R. Noles
Georgia RLS #2646
Member SAMSOG

SURVEYOR'S CERTIFICATE

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 real 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 Regulation for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Michael R. Noles

Michael R. Noles Georgia RLS No. 2646 12-27-24

NO.	REVISIONS	DATE



McClung Surveying Services, Inc.
4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383
www.mcclungsurveying.com Certificate of Authorization #LSF000752

SURVEY FOR
MAKSIM SAITGAZIN
328 WALNUT STREET
AVONDALE ESTATES, GEORGIA
TOTAL AREA= 0.092± ACRES
OR 4,021± SQ. FT.

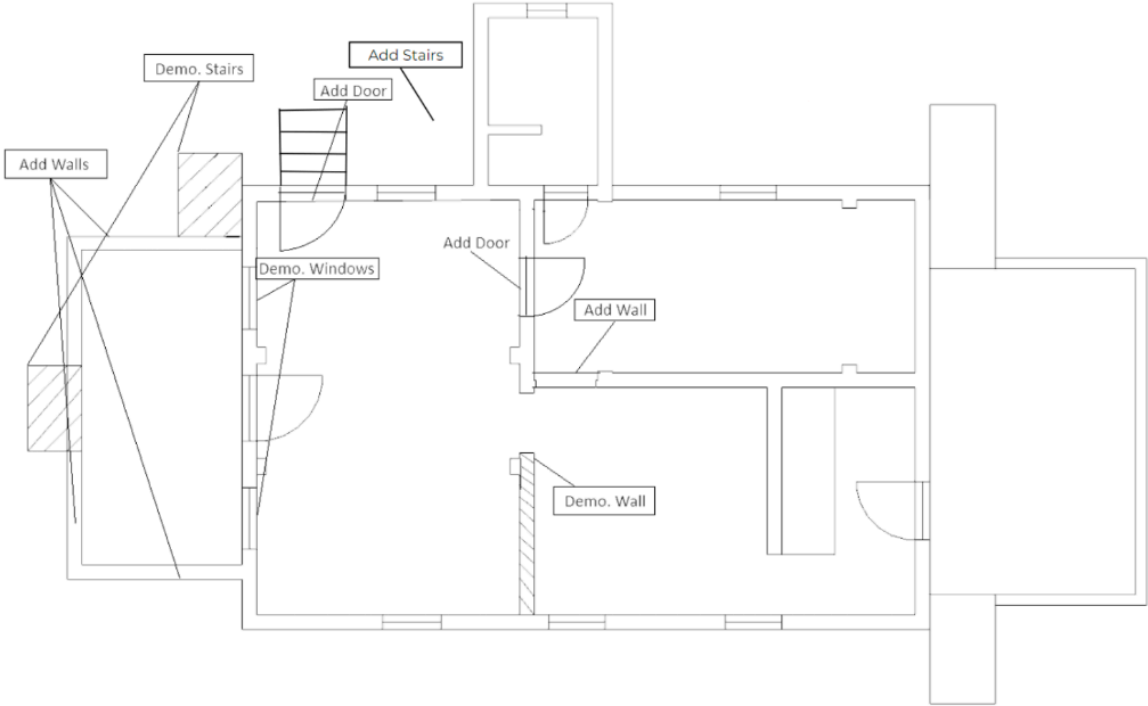


SCALE IN FEET

LAND LOT 9
18TH DISTRICT
DEKALB COUNTY, GEORGIA
PLAT PREPARED: 12-27-24
FIELD: 12-26-24 SCALE: 1"=10'
JOB#265290

PB
PG

A 1.4 Proposed Plan: Scale 1" = 6.25'



Purnell Lester

327 N Clarendon Ave, Scottdale, GA 30079
Scottdale, GA 30079

12/20/2024

Zoning Board or Planning Commission

Dear Members of the Zoning Board,

I, Purnell Lester, owner of the property located at 327 N Clarendon Ave, Scottdale, GA 30079, am writing to express my support for the variance request submitted by my neighbor, Maksim Saitgazin, for the property at 328 Walnut St, Scottdale, GA 30079.

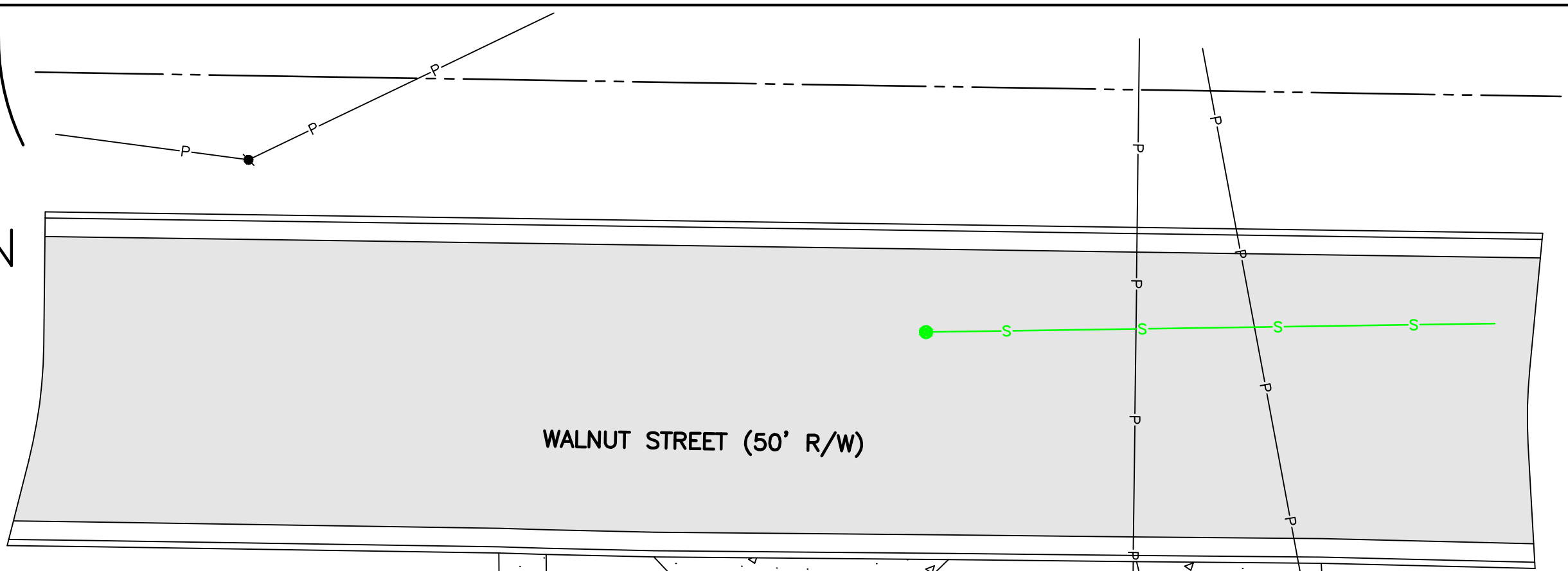
I understand that the request involves enclosing the porch, and after discussing the matter with Mr. Saitgazin, I have no objections to the proposed change. I believe that this request will not have a negative impact on my property or the surrounding neighborhood.

Thank you for considering this letter of support.

Sincerely,

Purnell Lester





WALNUT STREET (50' R/W)

110.92' TO EAST R/W OF NORTH CLARENDON AVENUE (F.K.A. GRAND AVENUE)
#327 N/F
LESTER PURNELL
DB 30568 PG 28-30

THIS PROPERTY SUBJECT TO THE FOLLOWING

- CURRENT ZONING R-75 PER DEKALB COUNTY, GEORGIA
 - MINIMUM LOT AREA= 10,000 SQ. FT.
 - MINIMUM LOT WIDTH, STREET FRONTAGE= 75 FEET
 - MINIMUM LOT WIDTH AT BUILDING LINE= 75 FEET
 - MAXIMUM LOT COVERAGE= 35%
 - MINIMUM FRONT BUILDING SETBACK= 30 FEET
 - MINIMUM SIDE BUILDING SETBACK= 7.5 FEET
 - MINIMUM REAR BUILDING SETBACK= 40 FEET
 - MINIMUM HEATED LIVING AREA= 1,600 SQ. FT.
 - MAXIMUM BUILDING HEIGHT= 35 FEET
 - MINIMUM OPEN SPACE= 20%
 - MUST BE VERIFIED BY DEKALB COUNTY BEFORE CONSTRUCTION.

FLOOD NOTE

THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAPS.

SURVEY NOTES

- 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. 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.
- 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. FOR NEW PERMITS THE LOCAL ISSUING AUTHORITY MAY REQUIRE ADDITIONAL EASEMENTS NOT SHOWN.
- 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.
- THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS GATHERED BY AN OPEN TRAVERSE AND HAS A CALCULATED POSITIONAL TOLERANCE OF 0.03 FEET. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 38,186 FEET. A GEOMAX ZOOM 90 SERIES ROBOTIC TOTAL STATION WITH CARLSON SURVEY 2 DATA COLLECTOR WERE USED IN THE COLLECTION OF FIELD DATA.
- BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.
- THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.
- ALL REBARS SET ARE 1/2" REBARS UNLESS OTHERWISE NOTED.
- THE EXISTENCE, SIZE, AND LOCATION OF IMPERVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.



#321 N/F
TELESFORO MARTINEZ
LUCIA MARTINEZ

LEGEND

BB	BUILDING LINE
PR	PROPERTY LINE
CG/W	RIGHT-OF-WAY
BC	CENTERLINE
GC	BACK OF CURB
EP	GUTTER
TW	EDGE OF PAVING
BW	TOP OF WALL
X	BOTTOM OF WALL
X	FENCE
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
PP	POWER POLE
LP	LIGHT POLE
GW	GUY WIRE
P	POWER LINE
PM	POWER METER
PB	POWER BOX
FO	FIBER OPTIC
A/C	AIR CONDITION
CB	CABLE BOX
TB	TELEPHONE BOX
GM	GAS METER
GV	GAS VALVE
GLM	GAS LINE MARKER
WM	WATER METER
WV	WATER VALVE
FH	FIRE HYDRANT
MW	MONITORING WELL
HW	HEADWALL
JB	JUNCTION BOX
DI	DROP INLET
S	SANITARY SEWER LINE
SSMH	SANITARY SEWER MANHOLE
CO	CLEAN OUT
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
D.E.	DRAINAGE EASEMENT
S.S.E.	SANITARY SEWER EASEMENT

REFERENCE MATERIAL

- CORRECTIVE LIMITED WARRANTY DEED IN FAVOR OF MECCA DEVELOPMENT, INC. DEED BOOK 22492 PAGE 98-100 DEKALB COUNTY, GEORGIA RECORDS

BOUNDARY NOTES

- PROPERTY LINE SHOWN HEREON WERE ESTABLISHED BY LINES OF POSSESSION. THIS SURVEYOR RECOMMENDS A BOUNDARY LINE AGREEMENT ALONG ALL PROPERTY LINES.



Michael R. Noles
Georgia RLS #2646
Member SAMSOG

SURVEYOR'S CERTIFICATE

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 real 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 Regulation for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Michael R. Noles

Michael R. Noles Georgia RLS No. 2646 12-27-24



McClung Surveying Services, Inc.
4833 South Cobb Drive Suite 200
Smyrna, Georgia 30080 (770) 434-3383
www.mcclungsurveying.com Certificate of Authorization #LSF000752

SURVEY FOR
MAKSIM SAITGAZIN
328 WALNUT STREET
AVONDALE ESTATES, GEORGIA
TOTAL AREA= 0.092± ACRES
OR 4,021± SQ. FT.



LAND LOT 9
18TH DISTRICT
DEKALB COUNTY, GEORGIA
PLAT PREPARED: 12-27-24
FIELD: 12-26-24 SCALE: 1"=10'
JOB#265290

PB
PG