

Development Services Center 178 Sams Street Decatur, GA 30030 www.dekalbcountyga.gov/planning 404-371-2155 (o); 404-371-4556 (f)

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: Benjamin Middlebrooks/BYNCORP, LLC
Mailing Address: P. D. Box 2772
City/State/Zip Code: Mc Donungh, Gn 30253
Email: byncorp mg mt og mail.com
Telephone Home: 470-227-5319 Business:
OWNER OF RECORD OF SUBJECT PROPERTY
Owner: The Maren League , LC
Address (Mailing): 561 Ashburton Que Decatur, 5n 30032
Email: mavenlegue & gmail.com Telephone Home: 404-307-6823 Business:
ADDRESS/LOCATION OF SUBJECT PROPERTY
Address: 561 Ashburton Are City: Decatur State: Cr Zip:30032
District(s): 3/7 Land Lot(s): Block: Parcel: [5]712)025
Zoning Classification: <u>R-7S</u> 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 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: 12-31-24 Applicant Signature: DATE: 12,31.24 Applicant Signature:

DeKalb County

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 ZoningBoard of Appeals for the requests as shown in this application.

12:31.24 DATE:

Applicant/Agent Signature:

TO WHOM IT MAY CONCERN:

MAVEN LEAGUELUCC 1Ē (I)/ (WE): (Name of Owners)

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

NOTA	RYPUBLIC
Notary Public Reco	OI/ 2021 OWNER Signature

Notary Public

Owner Signature

Notary Public

Owner Signature



Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

ZBOA APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is not the owner of the property.

DATE: 1.21.25

CHECK TYPE OF APPLICATION:

() ADMINISTRATIVE APPEAL

WARIANCE.

() SPECIAL EXCEPTION

TO WHOM IT MAY CONCERN:

Beshon Brown LLC ordaneious (1)/ (WE), <u>The</u> íh NP [Name of owner(s)]

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

_ \$2 _

Benjanin Middlebooks [Name of Applicant or Representative]

to file an application on (my) / (our) behalf.

Notary Public

× 30

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Notary Public

Owner

Notary Public

Owner

1/17

LETTER OF INTENT

Subject: Variance Request For Reduction Of Side Yard Setback-Section 27-2.2.1 From 7'5 to 0

Dear Members of the Zoning Board Of Appeals,

My name is Benjamin Middlebrooks, and I am writing to formally request a variance from Section 27-2.2.1 of the Dekalb County Zoning Ordinance. My request pertains to the reduction of the side yard setback requirements from 7.5 feet to 5.0 feet for the property located at 561 Ashburton Ave Decatur, Ga 30032. The purpose of this variance is to facilitate the second story addition which will enhance the beauty of the property and increase the heated space.

1. PHYSICAL CONDITIONS OF THE SITE:

The property is only 65' wide (R-75). It is an unusually small lot (9000 square feet versus 10,000 for R-75. It has possible slope issues in the rear which affected rear addition.

2. MINIMUM VARIANCE NECESSARY:

My request is to alleviate prior damages from the prior owner of the property. As previously stated, we would have had to demolish the second story addition and move to the rear which kinda slopes creating another challenge.

3.PUBLIC WELFARE:

After a visit to the neighborhood, the adjacent owners welcomed the work, stating that it beautifies the neighborhood and that there are other two story structures in the neighborhood and that it does not create an eyesore.

4.ORDINANCE

A strict interpretation of the zoning laws, in this case, would cause hardship to the current owner as we desire to alleviate damages from the prior owner. Denial would force us to teart down the structure which would cause more hardship to the owner and surrounding neighborhood.

5. ALIGNMENT WITH THE SPIRIT OF THE LAW:

I FIRMLY BELIEVE THAT MY VARIANCE REQUEST ALIGNS WITH THE INTENT OF THE Suburban Character Area, as outlined in the Dekalb County Comprehensive Plan. The proposed applications aligns with the TN(Traditional Neighborhood), it provides more housing to the county an the aesthetic improvement is welcomed in the area and continues to push for higher density development.

In conclusion, I appreciate your time and consideration of my variance request. I am committed to working collaboratively to ensure that my proposed changes align with the broader goals and policies of Dekalb County. Thank you for your attention to this matter.

Sincerely, Benjamin

GENERAL NOTES:

NON-STORMWATER POLLUTION CONTROL BMPS

- STORE ALL PAINTS, STAINS, SOLVENTS AND HAZARDOUS MATERIAL IN A COVERED STORAGE AREA.
- DISPOSE OF ALL TRASH AND/OR DEBRIS THAT COULD ENTER STORM SYSTEM IN A DUMPSTER OR TRASH CAN.
- CLEAN UP SPILLS PROMPTLY USING DRY CLEANUP METHODS. • DISPOSE OF CONCRETE WASHOUT IN APPROVED LOCATIONS TO REDUCE POTENTIAL FOR DISCHARGE FROM CONSTRUCTION SITE.
- ADDITIONAL CONSTRUCTION SITE BMPS • SWEEP STREET AND/OR HARD SURFACES DAILY AND PROPERLY DISPOSE OF ALL MATERIALS
- REMOVE TEMPORARY CONTROL MEASURES WHEN NO LONGER NEEDED.
- INSTALL GUTTERS & DOWNSPOUTS AS EARLY AS POSSIBLE. CAPTURE RUNOFF TO PREVENT ADDITIONAL ONSITE EROSION E.G. SWALE, RAIN GARDEN, FRENCH DRAIN.
- IF EXISTING VEGETATION IN RIGHT OF WAY IS DISTURBED AND SOIL IS EXPOSED, INSTALL PERIMETER SEDIMENT CONTROL TO PREVENT MATERIAL FROM ENTERING ROADWAY.

SITE NOTES:

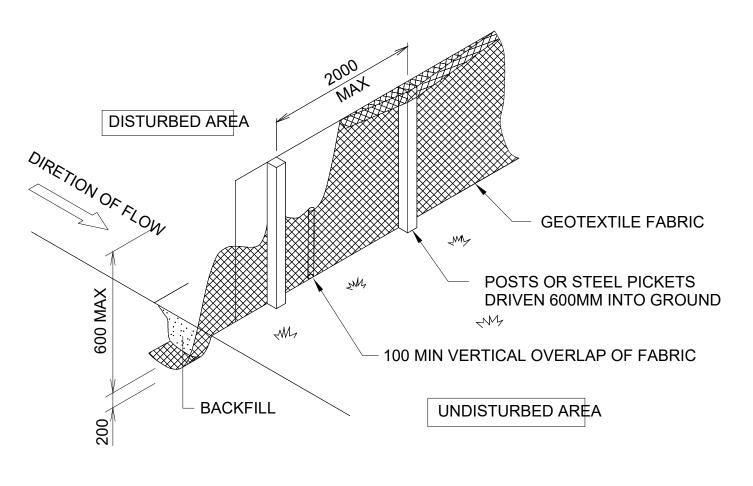
- ALL CONSTRUCTION AND MATERIALS TO CONFORM TO THE LATEST STANDARDS AND 1.
- SPECIFICATIONS OF CITY OF ATLANTA AND FULTON COUNTY.
- CONSTRUCTION EXIT PAD AGGREGATE SIZE SHALL BE IN ACCORDANCE WITH A. S.T.M. 0448 SIZE #1. 2. THIS PLAN WAS PREPARED FOR PERMIT APPROVAL ONLY. ACTUAL CONSTRUCTION SHOULD BE 3.
- BASED ON FIELD STAKING
- ALL ELEVATIONS ON SITE NEED TO BE VERIFIED PRIOR TO ANY CONSTRUCTION. 4. THIS PLAN WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, EASEMENTS AND 5.
- ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.
- ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NAVD 1988 DATUM
- UNDERGROUND UTILITIES ARE SHOWN AS PER PAINT MARKINGS BY OTHERS. NO GRADING TO BE CONDUCTED IN THE RIGHT-OF-WAY, NEED QUALIFIED CONTRACTOR PERMIT
- AT ALL POINTS ALONG THE PUBLIC RIGHT OF WAY WHERE THE EXISTING CURB HEIGHT IS LESS THAN
- 5 INCHES HIGH, THE EXISTING CURB SHALL BE REMOVED AND REPLACED OR RESET TO MINIMUM CITY
- OF ATLANTA REQUIREMENTS AND THE SIDEWALK REPLACED.
- EXISTING SANITARY SEWER LINE TO REMAIN IN SERVICE. CONTRACTOR TO TAKE REASONABLE MEASURES 10. TO MAINTAIN AND PROTECT EXISTING SANITARY SEWER DURING CONSTRUCTION.
- 11. CONTRACTOR AND OWNER MUST ENSURE UTILITIES ARE DISCONNECTED PRIOR TO ANY DEMOLITION WORK TAKING PLACE
- 12. DUMPSTERS AND/OR TEMPORARY SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET, TREE PROTECTION AREA, OR RIGHT OF WAY. 13. IRRIGATION SYSTEMS ARE NOT ALLOWED WITHIN THE PUBLIC RIGHT-OF-WAY NOR WITHIN THE STRUCTURAL ROOT PLATE OF EXISTING TREES

LANDSCAPE NOTES:

NO HEAVY MACHINERY ALLOWED WITHIN THE CR.Z!

10. NO TREES TO BE PLANTED WITHIN ANY EASEMENT.

- DO NOT TRENCH IN THE SILT FENCE WITHIN THE DRIP LINE OF ANY TREES (USE STAKED HAYBALES OR SANDBAGS)
- ANY DEMOLITION OR DEBRIS REMOVAL WITHIN THE CRITICAL ROOT ZONE OF TREES WILL BE DONE BY HAND
- NO TREES ARE TO BE DESTROYED DURING DEMOLITION. NO CUT OR FILL OF EARTH WITHIN THE CRZ OF AN EXISTING TREE.
- ALL TREE PROTECTION DEVISES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED. SERESTE
- PROVISIONS FOR TREE PROTECTION ON THE SITE SHALL BE, AS A MINIMUM, IN CONFORMANCE WITH THE REOUIREMENTS OF THE
- LATEST EDITION OF THE CITY OF ATLANTA TREE PRESERVATION ORDINANCE, ZONING ORDINANCE AND ADMINISTRATIVE
- GUIDELINES PERTAINING TO TREE PROTECTION.
- IF THE LANDSCAPE DESIGN AND PLANT MATERIAL ARE CHANGED FROM THE PERMITTED PLAN THREE G) SETS OF REVISED 8. PLANS SHALL BE SUBMITTED TO THE CITY OF ATLANTA ARBORISTS OFFICE FOR APPROVAL, PRIOR TO ANY LANDSCAPE INSTALLATION. ALL LANDSCAPING FOR EACH PHASE OF DEVELOPMENT SHALL BE COMPLETED PRIOR TO THE RECORDING OF THE FINAL PLAT FOR THAT PHASE. 9. PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR THAT PHASE, OR PRIOR TO CONNECTION OF PERMANENT POWER FOR THAT PHASE.
- CONTACT SITE INSPECTION DEPARTMENT UPON COMPLETION OF LANDSCAPE INSTALLATION.



SEDIMENT FENCE DETAIL

NOT TO SCALE

GENERAL EROSION CONTROL NOTES:

A. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.

B. EROSION AND SEDIMENT CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION O FTHE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.

C. DISTURBED AREAS LEFT IDLE SHALL BE STABILIZED WITH TEMPORARY VEGETATION AFTER 14 DAYS; AFTER 30 DAYS, PERMANENT VEGETATION SHALL BE ESTABLISHED

D. EROSION CONTROL MEASURES WILL BE INSPECTED AT LEAST WEEKLY AND AFTER EACH RAIN, AND REPAIRED BY GENERAL CONTRACTOR

E. ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED IF DEEMED NECESSARY BY ON-SITE INSPECTION.

F. SILT FENCE SHALL BE "TYPE C" AS PER THE MANUAL FOR EROSION AND SEDIMENT CONTROL IN GEORGIA, AND BE WIRE REINFORCED

G. NO GRADED SLOPE SHALL EXCEES 2h: 1v

FLOOD STATEMENT

NO PORTION OF THIS PROPERTY IS LOCATED IN A FEDERAL FLOOD AREA

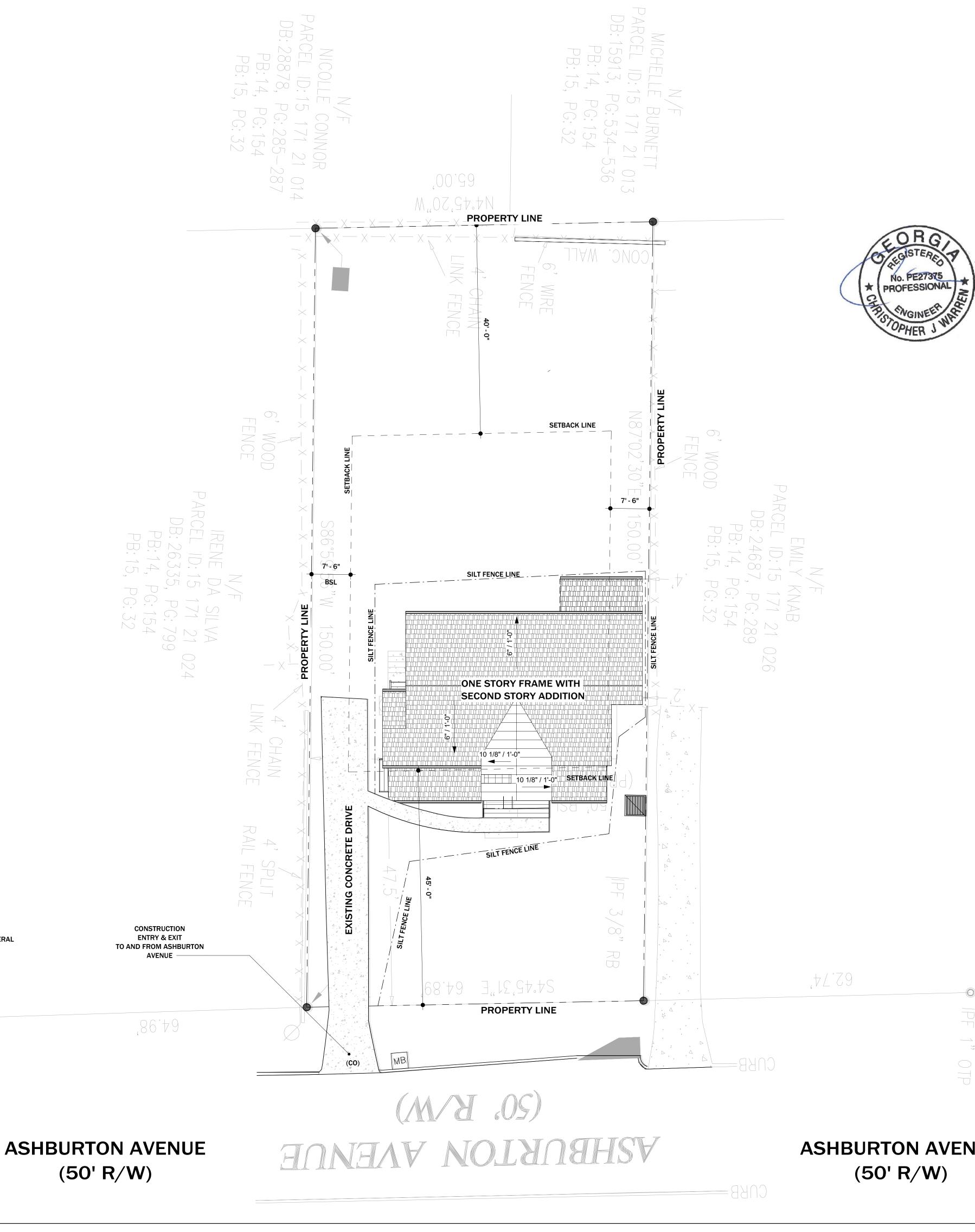
STREAM/WATERS OF THE STATE? YES___ NO _X_





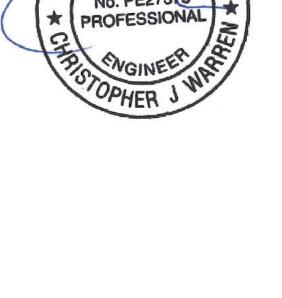
ARCHITECTURAL SITE PLAN

SCALE: 1" = 10'-0"



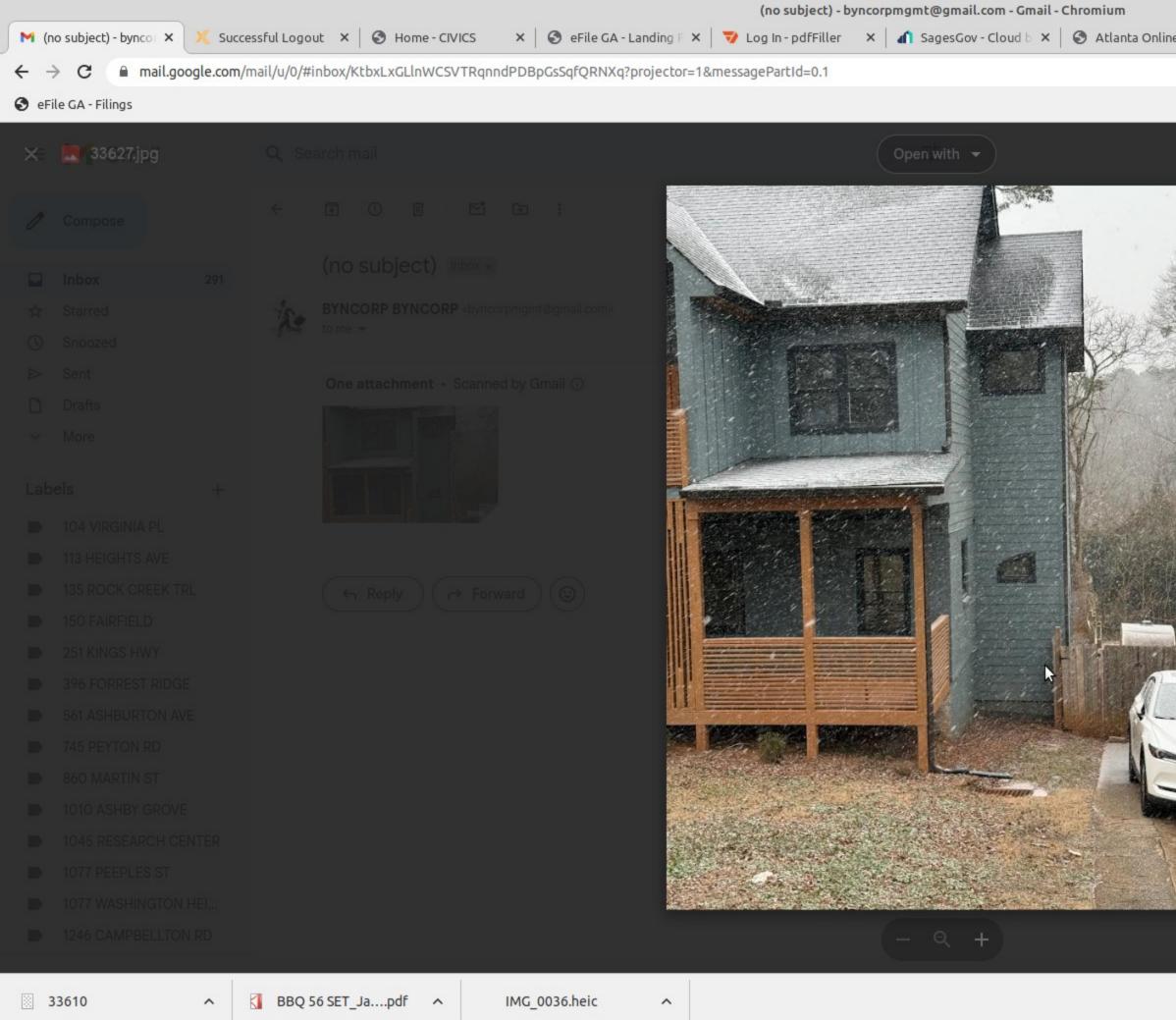


ASHBURTON AVENUE

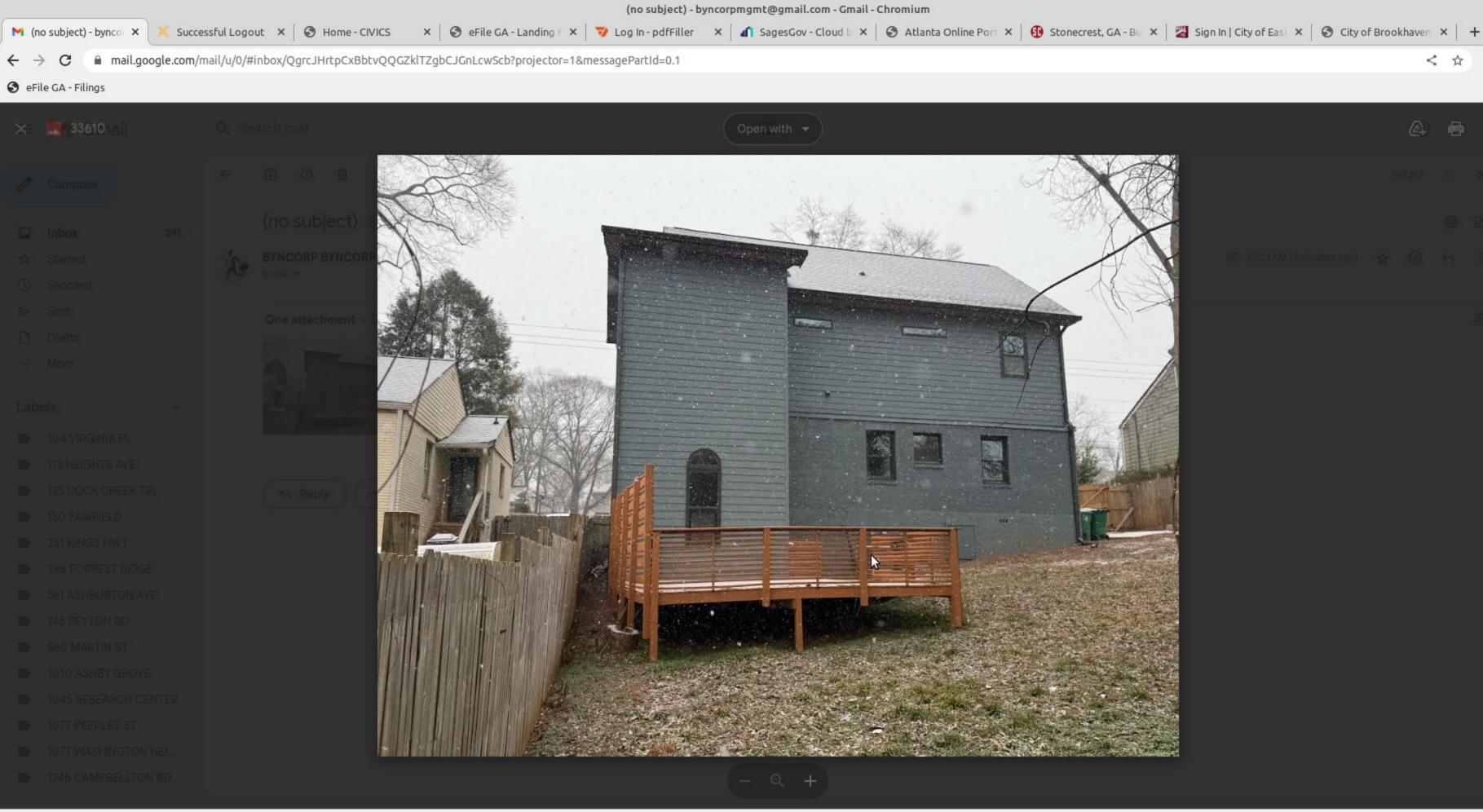








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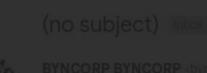
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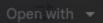
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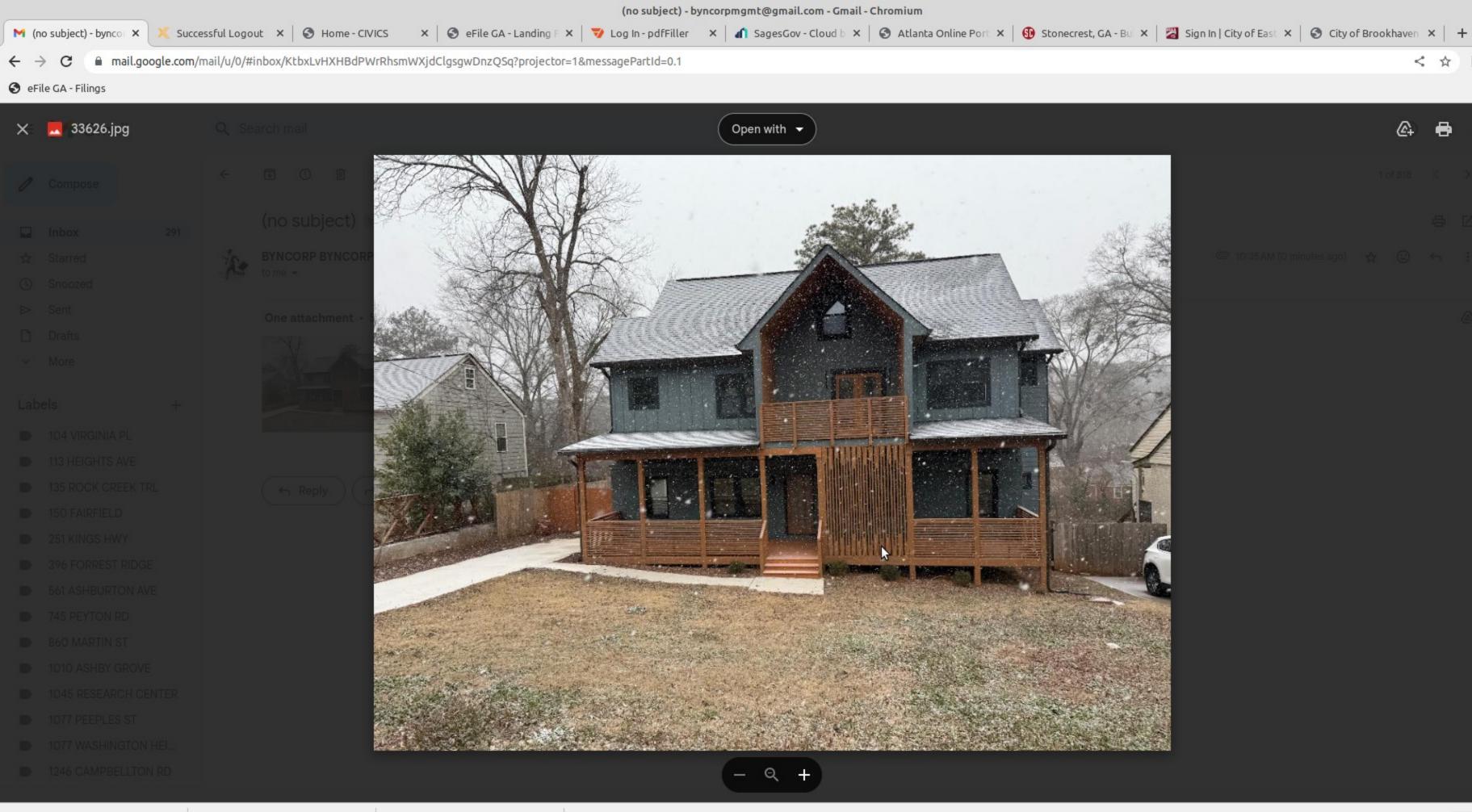






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