

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 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: _____

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

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

Dear Members of the Zoning Board of Appeals,

My name is Maksim Saitgazin, and I am requesting a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance. Specifically, I am requesting a reduction of the yard setback requirement from 7'5" feet to 5" feet for my property at 3526 E Ponce De Leon Ave, Scottdale, GA 30079. The purpose of this variance is to enclose carport to create heated floor space. 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 home, built in 1954, predates modern building codes. As a result, complying with the 7'5" 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 plan to enclose the carport within the existing footprint, which will increase the livable space while preserving the functional aspects of the home. The 5" foot setback will allow for a practical and reasonable enclosure of the carport without seeking any advantages beyond those available to other property owners in the same zoning district. In addition, the enclosure of the carport matches the neighborhood's housing frontage.

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 enclosure of the carport 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, Real Gustavo, who owns 3520 and 3530 E Ponce De Leon Ave, Scottdale, GA 30079. He 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 7'5" foot setback would severely limit my ability to make meaningful improvements to the property. 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 carport enclosure supports the goals of maintaining traditional suburban land use patterns while fostering increased connectivity and accessibility. In addition, this project increases the total livable area, alleviating housing shortage. Additionally, the project will enhance and blend seamlessly with the surrounding area, positively 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

Real Gustavo

3520 and 3530 E Ponce De Leon Ave, Scottdale, GA 30079

1/13/2025

Zoning Board or Planning Commission

Dear Members of the Zoning Board,

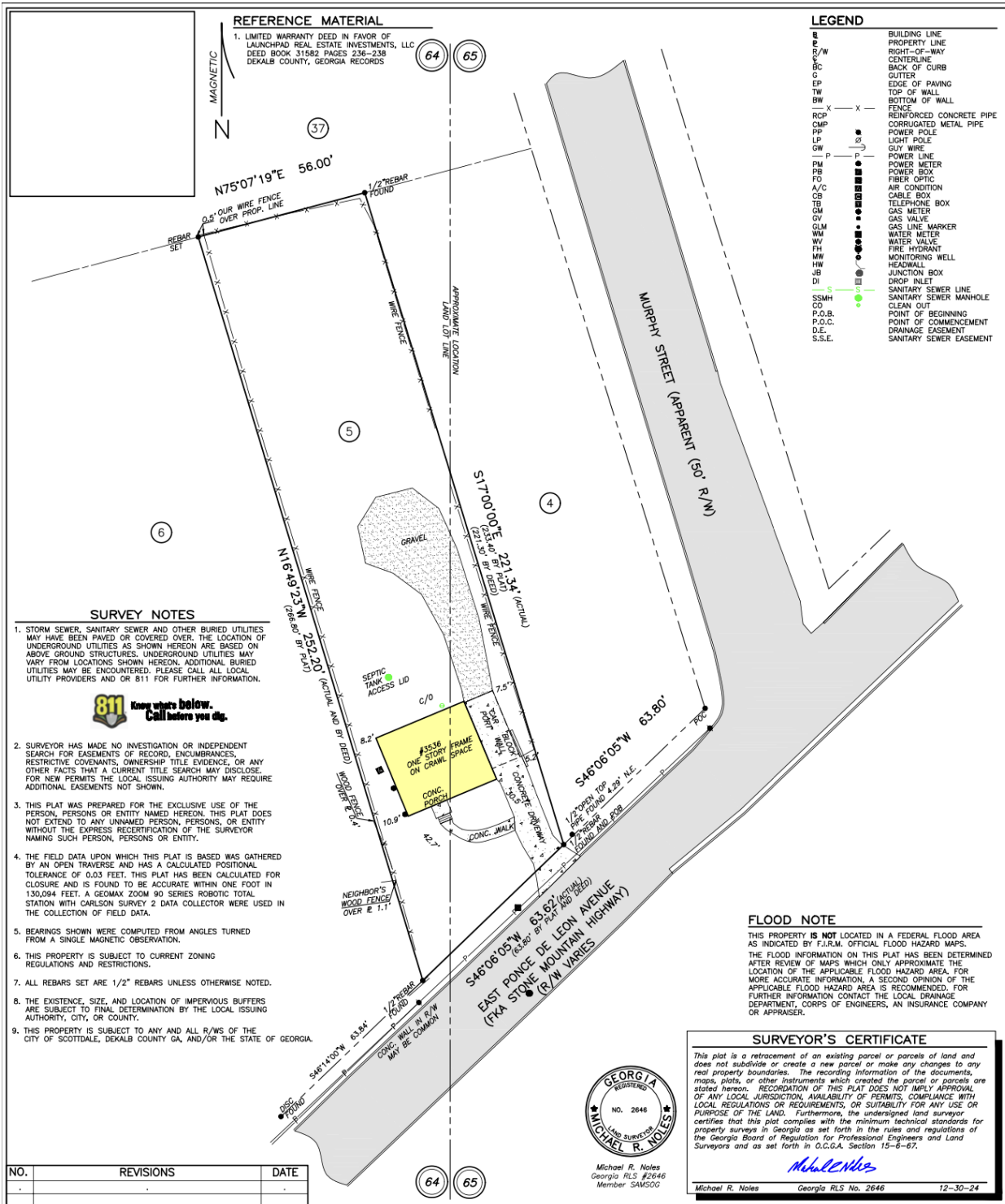
I, Real Gustavo, owner of the properties located at 3520 and 3530 E Ponce De Leon Ave, Scottdale, GA 30079, am writing to express my support for the variance request submitted by my neighbor, Maksim Saitgazin, for the property at 3526 E Ponce De Leon Ave, Scottdale, GA 30079.

I understand that the request involves enclosing the carport, 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 properties or the surrounding neighborhood.

Thank you for considering this letter of support.

Sincerely,

Real Gustavo



REFERENCE MATERIAL

1. LIMITED WARRANTY DEED IN FAVOR OF LAUNCHPAD REAL ESTATE INVESTMENTS, LLC DEED BOOK 315B2 PAGES 236-238 DEKALB COUNTY, GEORGIA RECORDS

LEGEND

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- FH FIRE HYDRANT
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- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- D.E. DRAINAGE EASEMENT
- S.S.E. SANITARY SEWER EASEMENT

SURVEY NOTES

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4. 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 130,094 FEET. A GEOMAX ZOOM 90 SERIES ROBOTIC TOTAL STATION WITH CARLSON SURVEY 2 DATA COLLECTOR WERE USED IN THE COLLECTION OF FIELD DATA.
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Michael R. Niles
Georgia RLS No. 2646
Member SAMSOG

NO.	REVISIONS	DATE

SURVEY FOR
MAKSIM SAITGAZINE

3526 EAST PONCE DE LEON AVENUE
SCOTTSALE, GEORGIA

TOTAL AREA= 0.306± ACRES
OR 13,337± SQ. FT.

SCALE IN FEET

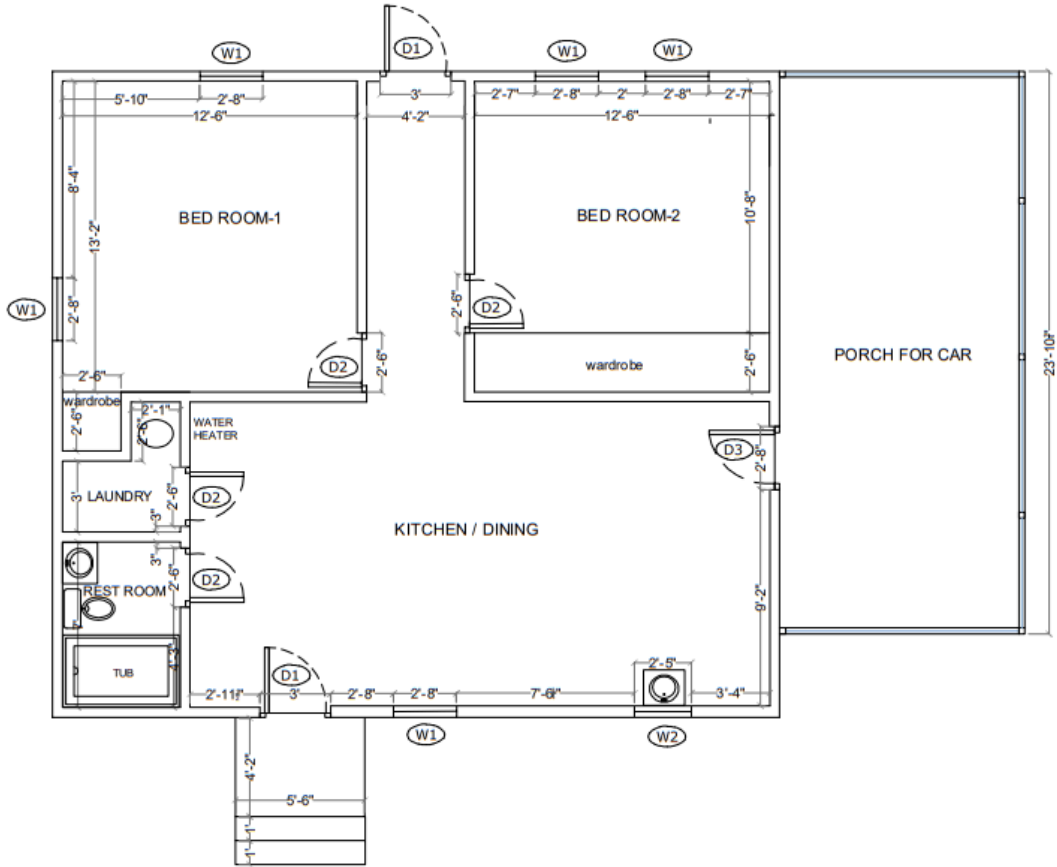
LOT 5
SUNNYSIDE PARK SUBDIVISION

LAND LOTS 64 AND 65
18TH DISTRICT
DEKALB COUNTY, GEORGIA
PLAT PREPARED: 12-30-2024
FIELD: 12-27-2024 SCALE: 1"=20'

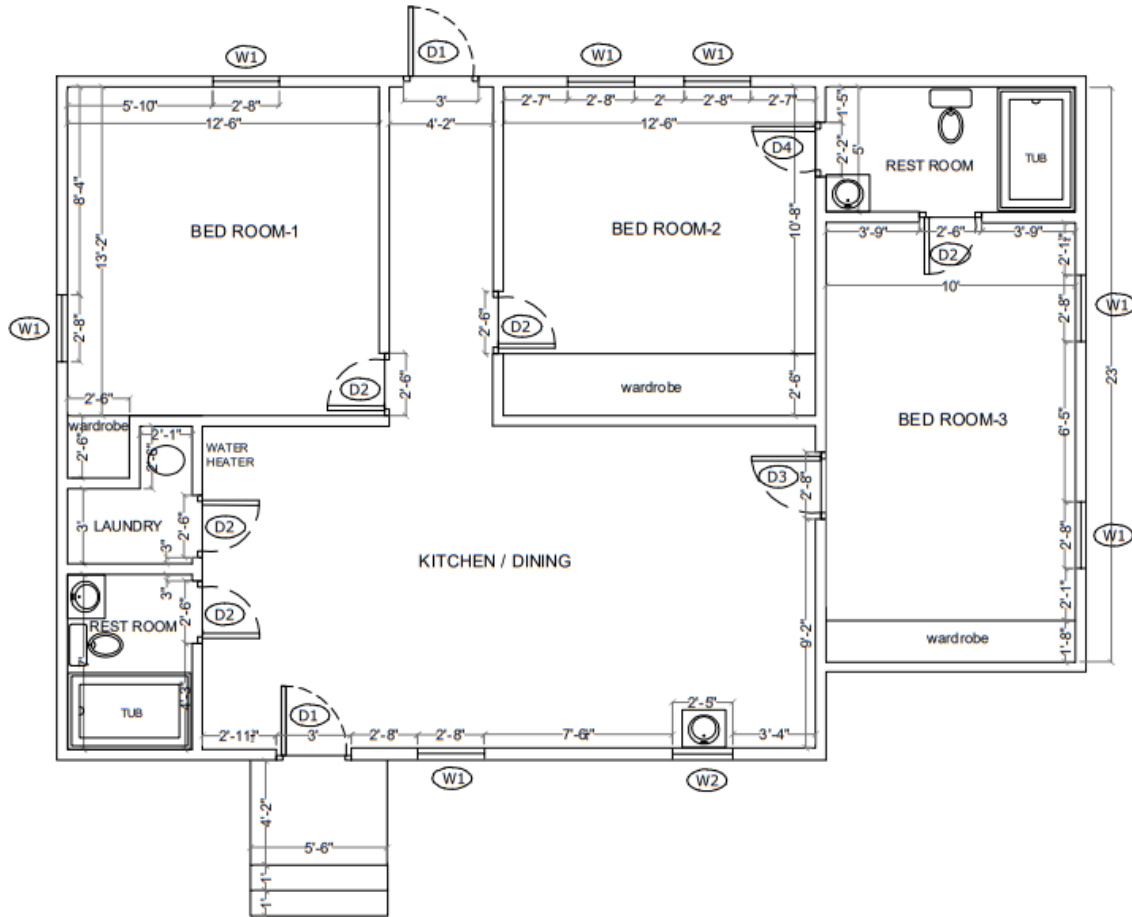
JOB#265317



Current layout



Proposed layout



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N75°07'19"E 56.00'

64 65

37

REBAR SET
0.5' OUR WIRE FENCE OVER PROP. LINE
1/2" REBAR FOUND

APPROXIMATE LOCATION LAND LOT LINE

MURPHY STREET (APPARENT 50' R/W)

6

5

4

S17°00'00"E 221.34' (ACTUAL)
(221.30' BY DEED)
(233.40' BY PLAT)

WIRE FENCE
N116°49'23"W 252.20' (ACTUAL AND BY DEED)
(266.80' BY PLAT)

GRAVEL

SEPTIC TANK ACCESS LID

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#3536 ONE STORY FRAME SPACE
CONC. PORCH
WOOD FENCE OVER R 1.1'

S46°06'05"W 63.80'
1/2" OPEN TOP PIPE FOUND 4.29' N.E.
1/2" REBAR FOUND AND POB

S46°06'05"W 63.62' (ACTUAL)
(63.80' BY PLAT AND DEED)
EAST PONCE DE LEON AVENUE
(FKA STONE MOUNTAIN HIGHWAY)
(R/W VARIES)

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Michael R. Noles
Georgia RLS #2646
Member SAMSOG

Michael R. Noles Georgia RLS No. 2646 12-30-24

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 SAITGAZINE

3526 EAST PONCE DE LEON AVENUE
SCOTTSDALE, GEORGIA

TOTAL AREA= 0.306± ACRES
OR 13,337± SQ. FT.



SCALE IN FEET

LOT 5
SUNNYSIDE PARK SUBDIVISION

LAND LOTS 64 AND 65
18TH DISTRICT
DEKALB COUNTY, GEORGIA
PLAT PREPARED: 12-30-2024
FIELD: 12-27-2024 SCALE: 1"=20'

JOB#265317 PG 25

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New Duplex or Triplex?

Current Duplex

GRAVEL

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CONC. PORCH

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Michael R. Noles

Michael R. Noles Georgia RLS No. 2646 12-30-24



Michael R. Noles
Georgia RLS #2646
Member SAMSOG

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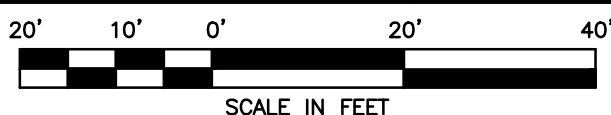


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