

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

PRE-APPLICATION FORM ZONING BOARD OF APPEALS

Last updated: 12/07/23

Applicant Information

Applicant Name: _____ Phone: _____ Email: _____

Meeting Information

Date/Time: _____ Planner Name: _____

Planner Email: _____

Subject Property

Property Address: _____

Comm. District(s): _____ Tax Parcel ID: _____

Zoning: _____ Land Use: _____ Overlay: _____

Existing Use: _____ Supplemental Regs: _____

Proposed Project

Project Description:

Code sections/Titles needing a variance from:

Ordinance Criteria for Variance Hardships

Derived from the ordinance and translated into Layman's Terms

(Chapter 27 Section 7.5.2)

1. Physical Conditions of the site

Address the specific issues of the physical condition of the property that make it a special case. This could be its narrowness, shallowness, unique shape, or other physical features such as floodplains, trees, or a steep slope. These conditions should be the result of natural order, not created by you or a prior owner.

2. Minimum Variance Necessary

Demonstrate that your request is only for the *minimum necessary* to make your property usable and does not provide any special advantages that aren't available to other property owners in your zoning district.

3. Public Welfare

Discuss the potential impact of your proposed changes on your neighborhood and community. Show that the variance you're seeking won't harm public welfare, neighboring properties, or any improvements in the same zoning district.

4. Ordinance Hardship

Detail how a strict interpretation of the zoning laws would cause undue hardship for you. This could be in terms of impracticality or inability to use your property effectively.

5. Alignment with the Spirit of the Law

Demonstrate how your variance request aligns with the overall purpose of the zoning laws and the DeKalb County Comprehensive Plan. Show that your proposal does not undermine these broader goals and policies, but rather seeks a reasonable adaptation to them. Ask your assigned planner for text regarding the parcel's assigned land use.

WHAT TO EXPECT

The Application Itself

- Application requirements
 - Completeness
 - Owner Authorization
 - Property Access Form
 - Application Authorization
 - Letter of Intent (LOI)
 - See Page 4, *Preparing your Letter of Intent*
 - Site Plan requirements
 - Georgia-registered engineer/surveyor validation stamp
 - Property lines and dimensions; To-Scale
 - Locations of existing and proposed structures
 - Landmark features including trees and fences
 - Lot area and coverage breakdown
 - Legal description required if not within a platted subdivision
 - Other relevant materials (Photographs, Letters of Support, Citations, etc.)
 - Proper submittal procedure
 - See Page 3, *Application Submittal Instructions*

Public Notice Requirements

- The State of Georgia requires a minimum 30-day public notice in the form of an on-property sign posting & legal ad displayed in a geographically relevant newspaper.
 - Legal Ad (Newspaper)
 - This is handled on planning staff's end.
 - Sign Posting
 - Planning staff (DMWells@DeKalbCountyGA.gov) will email you one week ahead of the sign posting due date with a PDF file of the sign itself and instructions on ordering & posting.

Staff Report & Agenda

- Planning staff will prepare a **staff report** ahead of the meeting in which they evaluate your case against ordinance criteria for variance hardships. This report will include a staff recommendation for ZBA's action. (Approve, deny, defer, etc.)
- Staff will email this report along with the **agenda for the ZBA Meeting** when the report is prepared, typically the week before the meeting.

The Zoning Board of Appeals (ZBA) Meeting

- The Zoning Board of Appeals (ZBA) is a board of seven members appointed by the Board of Commissioners that specialize in community and zoning matters. They meet once a month to determine actions on variance requests.
- When your case is called by the Chairperson:
 - The assigned **planner will present** case context and the staff report along with the staff recommendation.
 - Community is given opportunity to **state their oppositions and support**.
 - ZBA will have **open discussion** amongst themselves in which **they may ask you questions**.
 - This means **you are required to attend the meeting**.
 - It is important to be prepared to answer any questions.
 - ZBA will then make a motion for an action regarding your case.

YOUR VARIANCE TIMELINE

Application Deadline: _____

Sign Posting Deadline: _____

ZBA Meeting: _____

APPLICATION SUBMITTAL INSTRUCTIONS

- 1. Compile all completed materials into a single PDF file, preferably in the following order.**
 - a. ZBA Public Hearing Application
 - b. Owner Authorization
 - c. Property Access Form
 - d. Application Authorization (If Applicable)
 - e. Letter of Intent
 - f. Site Plan
 - g. Other relevant materials (Photographs, Letters of Support, Citation, etc.)
- 2. Head over to <https://epermits.dekalbcountyga.gov/> to create/update your account.**
 - a. Head to the above link and create/update your account
 - b. Start a “BOA-VAR” application and follow instructions to fill in the prompted fields and submit your PDF file.
 - c. If done correctly, you should see your application number (1246XXX). This number is your case! You will need this for the next step.
 - d. You will be notified to pay the \$300 ZBA application fee.
 - e. Note: This is separate from your building permit
- 3. Email LJCarter@DeKalbCountyGA.gov with your application # (1246XXX)**
 - a. This step alerts DeKalb County Planning that you’ve submitted your application. Failure may result in a deferral.

PREPARING YOUR LETTER OF INTENT

Your Letter of Intent (LOI) serves a crucial role when seeking a zoning variance. It's your opportunity to clearly communicate your unique circumstances, address the specific zoning requirements of DeKalb County, and demonstrate how your proposal aligns with the broader goals of the community.

Formatting your letter

- Intro
 - Kindly introduce yourself to the Zoning Board of Appeals (ZBA)
 - Present context of your overall intended project
 - Address the specific code and amount you're seeking a variance for
- Body
 - Address the five variance criteria (Page 2) individually, 1-2 paragraphs each
 - Physical Conditions
 - Minimum Variance Necessary
 - Public Welfare
 - Ordinance Hardship
 - Alignment with the Spirit of the Law
- Conclusion
 - Summarize your request and thank the ZBA for their time and consideration

Pro Tips

- Write as though the reader is looking at your case for the first time
- Cost & time of your project is not a hardship. Mentioning cost may even hurt your case!
- If using AI software, ensure that all information is correct
- An example letter of intent has been provided on the next page
- Reach out to a planner if you're unsure of anything
- Variances aren't granted, they're earned.

Example Letter of Intent

Subject: Variance Request for Rear Yard Setback Reduction - Section 27-2.2.1 – Accessory Structure Construction

Dear Members of the Zoning Board of Appeals,

My name is Grover, 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 rear yard setback requirement from 40 feet to 30 feet for my property located at 124 Sesame Street. The purpose of this variance is to facilitate the construction of an accessory structure, namely the "Bird's Nest," which is crucial for the improvement and effective use of my property.

1. Physical Conditions of the Site:

The unique physical conditions of my property constitute a special case necessitating this variance. The parcel is characterized by a narrow and irregular shape, making compliance with the 40-foot rear yard setback particularly challenging. Additionally, the presence of specimen trees, a natural feature of the land, further restricts the feasible location for constructing the accessory structure. These conditions are inherent and not a result of any actions taken by me or previous property owners.

2. Minimum Variance Necessary:

I assure you that my request is solely for the minimum variance necessary to render my property usable, the Bird's Nest must be constructed to a specific parameter and size to accommodate the resident that will be residing there. The 30-foot setback is essential for the practical and reasonable placement of the Bird's Nest, ensuring that I can enjoy full use of my property without seeking advantages beyond those available to other property owners in the same zoning district.

3. Public Welfare:

The proposed addition will provide a positive impact on the neighborhood and community. The reduced setback will not pose any harm to public welfare, neighboring properties, or the overall improvements in the R-75 zoning district. The Bird's Nest will be a modest and tasteful addition, enhancing the property without imposing adverse effects on the surrounding area. I have received a letter of support from my neighbor, Oscar, who resides at 125 Sesame Street and does not feel the addition would intrude on his privacy.

4. Ordinance Hardship:

A strict interpretation of the zoning laws, in this case, would cause undue hardship for me. The impracticality of adhering strictly to the 40-foot setback would limit my ability to use the property effectively. The variance is, therefore, essential to prevent unnecessary hardship and allow for a reasonable use of my land.

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 construction of the Bird's Nest is in line with the goals of recognizing traditional suburban land use patterns while encouraging increased connectivity and accessibility. The development aims to enhance community connectivity, preserve and improve existing greenspace, and align with the proposed density of up to 8 dwelling units per acre for areas of this type.

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,

Grover

Variance Criteria

In ordinance terms

(Chapter 27 Section 7.5.2)

1. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, 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.
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.
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.
4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.
5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

Planner's Notes



DeKalb County
GEORGIA

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

Chief Executive Officer **DEPARTMENT OF PLANNING & SUSTAINABILITY** Interim Director
Michael Thurmond Cedric Hudson

ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING (VARIANCES, SPECIAL EXCEPTIONS, APPEALS OF ADMINISTRATIVE DECISIONS)

Applicant and/or Authorized Representative: Cindra Johnson
Mailing Address: 4408 Briens Place
City/State/Zip Code: Stone Mountain, GA 30083
Email: welhome11c@gmail.com
Telephone Home: 404-707-7894 Business: _____

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Cindra Johnson
Address (Mailing): 4408 Briens Place Stone Mountain, GA 30083
Email: welhome11c@gmail.com Telephone Home: 404-707-7894 Business: _____

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 4408 Briens Place City: Stone Mtn State: GA Zip: 30083
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: 11/25/24 Applicant/Agent Signature: [Handwritten Signature]

TO WHOM IT MAY CONCERN: (I) (WE): [Handwritten Name] (Name of Owners)

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

[Handwritten Signature] 11/25/24 Notary Public

[Handwritten Signature] Owner Signature

N/A Notary Public

N/A Owner Signature

N/A Notary Public

N/A Owner Signature





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: 11/25/24

Applicant
Signature:

Andrew John

DATE: N/A

Applicant
Signature:

N/A

Andra Johnson
4408 Briers Place
Stone Mountain, GA 30083
Welhomellc@gmail.com
404-707-7849
11/22/2024

Department of Planning & Sustainable Variance Board
Zoning and Variance Board members
1300 Commerce Drive
Decatur, GA, 30030

Subject: Letter Regarding the Safety, Storage, and Security Benefits of Our New Garage Addition

Dear Department of Planning & Sustainable Variance Board,

I am writing to inform you of the recent addition of a new garage to our property and to highlight the multiple benefits it brings not only to our household but also to the surrounding neighborhood. This new structure is designed to enhance safety, provide valuable storage space, and reduce the risk of property crimes such as break-ins, robberies and theft. In addition, the arrangements we have made regarding the safe storage and security of my father's assisted living equipment while he is staying with us in our home. The construction of our new garage addition also plays a key role in this process, ensuring that all necessary equipment is stored appropriately and securely.

Specifically, the new garage serves the following important purposes:

1. Increased Safety for Our Property

The addition of a secure, enclosed garage significantly improves the safety of our home. By providing a designated area for parking, we can ensure that our vehicles are kept off the street and away from potential hazards, such as traffic accidents or vandalism. The garage serves as a protective barrier between our home and the exterior, creating an additional layer of security for our family and property.

2. Enhanced Storage Space

In addition to providing security for our vehicles, the garage offers much-needed storage space for tools, equipment, and personal items. This not only helps us keep our home more organized and decluttered but also allows us to store valuable or seasonal items in a secure environment, further reducing the risk of theft or damage. The added storage space will help maintain my father's assisted living equipment, including mobility aids and other medical devices, which will

be safely stored in a designated area, reducing the risk of damage or tripping hazards within our home. This will ensure a tidy and safe environment both inside and outside our home.

3. Reduced Risk of Break-Ins and Theft

One of the primary benefits of the garage is its ability to protect our vehicles and belongings from potential theft or break-ins. With the garage securely locking our vehicles and items away from view, it reduces the temptation for criminals who might otherwise target our property if items were left unattended or visible in the driveway. This addition contributes to the overall safety of our neighborhood by minimizing opportunities for crime in the area. In our neighborhood, vehicles parked on the street and in drive-ways have been targeted by criminals checking doors, breaking into locked cars and going as far as brandishing a weapon and opening fire on a homeowner.

4. Improved Neighborhood Security

The new garage not only benefits our household but also contributes to the overall security of our neighborhood. By investing in this upgrade, we are helping to create a safer environment for everyone. The garage reduces clutter, discourages unauthorized access to our property, and sends a positive signal that our neighborhood is one where residents are proactive in safeguarding their homes and their belongings.

5. County and Government Vehicles

Street parking prevents Dekalb County Sanitation trucks from picking up the trash weekly, unless cars are moved off the street to allow the trucks to maneuver safely without incident around the cul de sac and neighborhood due to the narrow streets. This also allows road space for larger emergency vehicles (ambulance and fire trucks) access for emergency responders.

In summary, this addition has been carefully planned to meet my father's equipment storage and future needs, ensuring that his comfort, safety, and mobility are prioritized. Additionally, this new garage addition is a significant improvement that increases both the safety and security of our property while offering additional storage space. These enhancements will provide long-term benefits not only for us as homeowners but also for the community as a whole by fostering a safer, more organized living environment.

Thank you for your time and consideration. Please feel free to reach out if you have any questions or require additional information about the new garage or its benefits.

Sincerely,

Andra Johnson

22 x 22 GARAGE

FOUNDATION & FLOORING

QTY	MATERIAL	SIZE	AREA	PURPOSE
34	2x12 Wood Joist @ 16" O.C	12'-0"		First Floor
15	3/4" Subfloor	4'x8'	462 SF	First Floor
15	Hardwood Flooring(F-60)	4'x8'	462 SF	First Floor

EXTERIOR WALLS

QTY	MATERIAL	SIZE	AREA	PURPOSE
12	2x6 Top and Bottom Plate	12'-0"		Garage Floor Exterior Wall Framing
12	2x6 Top and Bottom Plate	12'-0"		Garage Floor Exterior Wall Framing
44	2x6 Wall Studs @ 24"	8'-0"		Garage Floor Exterior Wall Framing
12	2x6 Top and Bottom Plate	12'-0"		First Floor Exterior Wall Framing
12	2x6 Top and Bottom Plate	12'-0"		First Floor Exterior Wall Framing
44	2x6 Wall Studs @ 24"	8'-0"		First Floor Exterior Wall Framing
8	2x10 Water Table Board	12'-0"		Exterior Facade
-	1/2" Exterior Sheathing	-	1375 SF	Exterior Facade
104	Wood Furring	8'-0"		Exterior Facade
-	Exterior Siding	-	1375 SF	Exterior Facade

INTERIOR WALLS

QTY	MATERIAL	SIZE	AREA	PURPOSE
22	2x4 Wall Stud @ 16"	8'-0"		Interior Wall Studs on First Floor Level
18	2x4 Plates	12'-0"		Top & Bottom Plates

CEILING AND ROOFING

QTY	MATERIAL	SIZE	AREA	PURPOSE
34	2x10 Ceiling Joists @ 16" O.C	11'-0"		Ceiling
34	2x10 Roof Rafters @ 16" O.C	14'-0"		6/12 Pitched Roof
2	2x10 Lumber	12'-0"		Main Ridge
17	2x10 King Post @ 16" O.C	6'-0"		6/12 Pitched Roof
34	2x10 Roof Struts @ 16" O.C	7'-6"		6/12 Pitched Roof
34	2x10 Roof Struts @ 16" O.C	5'-6"		6/12 Pitched Roof
34	2x10 Roof Struts @ 16" O.C	3'-6"		6/12 Pitched Roof
34	2x10 Roof Struts @ 16" O.C	1'-0"		6/12 Pitched Roof
4	2x10 Roof Rafters @ 16" O.C	18'-0"		12/12 Pitched Roof
10	2x6 Roof Rafters @ 24" O.C	2'-0"		4/12 Pitched Roof over Garage Door
6/12 Pitched Roof				
19	Plywood Sub-roofing Boards	4'x8'	584 SF	Sub-roofing Materials
-	Underlayment	-	584 SF	Waterproofing Roofing Layer
-	Metal Decking	-	584 SF	Roofing
7	Fascia Board	10'-0"		Roofing
12/12 Roofing				
4	Plywood Sub-roofing Boards	4'x8'	99 SF	Sub-roofing Materials
-	Underlayment	-	99 SF	Waterproofing Roofing Layer
-	Metal Decking	-	99 SF	Roofing
4	Fascia Board	10'-0"		Roofing
4/12 Roofing over Garage Door				
1	Plywood Sub-roofing Boards	4'x8'	21 SF	Sub-roofing Materials
-	Underlayment	-	21 SF	Waterproofing Roofing Layer
-	Metal Decking	-	21 SF	Roofing

2	Fascia Board	12'-0"		Roofing
EXTERIOR STAIRS				
QTY	MATERIAL	SIZE	AREA	PURPOSE
2	2x12 Stairs Stringer	16'-0"		Exterior Stairs
2	6x6 Wood Post under Landing	8'-0"		Exterior Stairs
16	Stairs Tread	0'-2" x 0'-9" x 3'-4"		Exterior Stairs
17	Stairs Riser	0'-2" x 0'-6" x 3'-4"		Exterior Stairs
2	Railing	12'-0"		Exterior Stairs

Disclaimer: The purpose of the material list provided here is for reference only, please consult your builder or GC for an official takeoff for the construction phase. Due to various building methods and builder preferences, some materials might differ than the list provided here. It is recommended you consult your local engineer or architect before starting the building process. Build Blueprint is not responsible for any issues or damages during any building projects.



Brady Holcomb
1355 Briers Drive
Stone Mountain, GA 30083
BradyLHolcomb@gmail.com
December 30th, 2024

Dear Members of the Zoning Board of Appeals,

I am writing to oppose the construction of a 2-story garage being built at 4408 Briers Place, Stone Mountain, GA 30083. I am the owner of the property bordering the back of Andre Johnson's property and would be heavily impacted by a variance of County Zoning Ordinance.

I'd like to bring the following concerns to the attention of the Board, given the potential of negative impact to my property and the surrounding neighborhood.

Construction Without Permit

Firstly, I'd like to inform the Board that this structure in question had already begun construction in July 2024, violating zoning and permit procedures by beginning construction without County approval, and was the subject of a stop-work order issued by the County in August 2024¹ and has since been sitting incomplete. The existing construction does not appear to comply with County Zoning Ordinance, most notably setback requirements, as I discuss on the next page.

The blueprint submitted by my neighbor in the application now appears to seek retroactive approval for this structure that has already been begun seemingly in violation of zoning requirements. This raises significant concerns not only about adherence to zoning laws but also about the integrity of future developments in our neighborhood if this structure is allowed to remain as is.

No Public Hearing Sign Posted

Additionally, there has been no public hearing sign posted on any public-facing side of the property as of December 30th (within 9 days of the appeal meeting of January 8st). The Department of Planning and Sustainability required² this notice to be posted on or before December 9th 2024, however the applicant has not complied.

¹ <https://epermits.dekalbcountyga.gov/record-details/#intdetails/codeenforcement/intid/1294851>

² <https://www.dekalbcountyga.gov/sites/default/files/2024-11/2025-26%20Zoning%20Board%20of%20Appeals%20%28ZBA%29%20Calendar.pdf>

Setting Precedent for Construction without Permitting

It is my understanding that the structure was begun without appropriate permits, and is now seeking to obtain a retroactive approval to rectify County zoning violations after the fact. I am concerned that retroactively permitting a structure built without proper approval may set a dangerous precedent and encourage future violations of zoning laws in our neighborhood. This undermines the integrity of zoning laws that are meant to maintain consistency and fairness within residential areas. It is critical that this process adheres strictly to the zoning and building codes to ensure that all structures are compliant from the start.

Inaccurate Blueprint

The blueprint submitted by the applicant indicates that this unauthorized construction was already a 1-story existing garage. However, County parcel records³, County permit records⁴, and separate dated photography that I can provide all prove there was no structure there before the applicant began construction without a permit in July 2024. Additionally, the 3' setback indicated on the blueprint is in actuality less than 32" to the property-line fence, as photos I've supplied on the following page prove. Furthermore, the applicant's blueprint suggests encroachment onto my property, claiming the property line to be several feet over the fence and onto my back deck, however County parcel records prove that the property line is actually the fence⁵. Lastly, the blueprint does not disclose the existing attached 2-car garage, which would solve the parking issue brought up by the applicant.

Violation of Privacy Due to Setback

The structure's current location—less than 32 inches from my fence—appears to violate the minimum rear setback laws for the Residential Small Mix district of 20 feet (County Codes 27-2.12.3 & 27-2.11.2; *See RSM rear setback without alley for SFD*)^{6 7}. Additionally, the 2-story structure, complete with door and windows, towers an additional 15 feet above this fence (higher than even the lot's main residential building), violating both the privacy of my property and of my family. To illustrate, I can touch the side of this structure while at the same time grilling on my back porch. This height and proximity not only violates the privacy of neighbors, but also blocks light, kills existing vegetation, and could prevent firefighter personnel from effectively responding to the back area in the case of a fire.

³<https://propertyappraisal.dekalbcountyga.gov/datalets/sketchframe.aspx?mode=sketch.aspx&UseSearch=no&pin=18%20122%2002%20085&jur=000&taxyr=2024&LMparent=20>

⁴ <https://epermits.dekalbcountyga.gov/lookup-record>

⁵<https://www.arcgis.com/apps/webappviewer/index.html?id=f241af753f414cdfa31c1fdef0924584&find=4408%20Briers%20Place>

⁶https://library.municode.com/ga/dekalb_county/codes/code_of_ordinances?nodeId=CODECO_CH27ZO_AR_T2DIRE_27-2.12_DIVISION_12RSSMLOREMIDI_S2.12.3DIRE

⁷https://library.municode.com/ga/dekalb_county/codes/code_of_ordinances?nodeId=CODECO_CH27ZO_AR_T2DIRE_27-2.11_DIVISION_11MEHIDEREZODIDIRE_S2.11.2DIRE



Top Row: the incomplete structure built without permit is within 32" of the applicant's rear property line

Middle Row: The structure is within arm's reach from the property line.

Bottom Left: view from our 2nd story bedroom

Bottom Right: view from our downstairs

Incurable External Obsolescence

I am concerned about the negative impact that this structure will have on the value of my property as well as that of the other neighbors. The large scale (taller than the original residence) and imposing proximity of the structure, as well as loss of light to both existing vegetation and interior rooms, is an incurable external obsolescence that has the potential to degrade the marketability of the surrounding properties, particularly if it violates privacy, blocks sightlines, and alters the open feel of the surrounding area in such a uniquely designed neighborhood. As a result, the ability for the other neighbors and I to sell our homes at their full market values could be compromised.

Community Voice

I have spoken with multiple neighbors, and 2 of the 3 properties bordering 4408 Briers Place oppose this construction. These are the residents who will be directly and most impacted by this garage. We were informed by Andre Johnston that he would be constructing a 1.5 story structure (very different from the 2-story structure that is partially completed), yet we did not offer approval, nor were blueprints & surveys disclosed to us. We are not only concerned for the potential detriment to our property value, violation of privacy, and loss of light, but also the overall look and tone of the uniquely designed neighborhood, the lifelong project of an architect in the 1970s.

Alternative and Fair Solutions

While I understand that the garage may serve as a parking location and provide a 2nd story living area, I believe the building's scale and location are neither appropriate nor fair to the surrounding neighbors who have sought proper permitting for their own past construction. There are alternative, less intrusive solutions that would meet the same needs without infringing on the privacy and rights of neighboring property owners.

If someone is looking to create more storage, they would construct something like a shed or an additional room to the house, not an additional detached 2-story residential living space, complete with bathroom, sewer line, and exterior staircase for the 2nd story entrance. These are all features that Andre Johnston himself pointed out to me in person, indicating that this is not just a garage for storage. It appears there's a future plan that goes beyond the intent of "storage" that was disclosed to the Board. This is an unnecessary structure that causes direct negative impact to the neighbors of 4408 Briers Place.

No Additional Parking Created

Lastly, this garage does not create additional parking, as 4408 Briers Place already has a fully functional 2-car garage with a wide single door, as well as ample room for parking at least 3 additional vehicles on the driveway, as I have seen there before. The garage is built over an existing portion of the driveway, repurposing existing parking space rather than creating new parking space, thus not reducing street parking as others have claimed.

I respectfully request the Board to deny the variance and require modifications to ensure that the partially-built structure, having previously received a code-violation from Dekalb County, fully complies with all zoning and setback laws (County Code 12-7.5.7⁸).

Thank you for your time and consideration. I trust that the Board's decision will be for the betterment and protection of the community, ensuring all future development in our neighborhood adheres to the rules that safeguard the character and livability of the area.

Sincerely,
Brady Holcomb
1355 Briers Drive,
Stone Mountain GA 30083

⁸https://library.municode.com/ga/dekalb_county/codes/code_of_ordinances?nodeId=CODECO_CH27ZO_AR_T7AD_27-7.5_DIVISION_5VAAPZOBOAP_S7.5.7COSTUPDE

To Whom It May Concern,

My name is Catherine Bradford, and I owned the property at 4414 Briers Place. My neighbor, Andre Johnson, new garage is a beautiful addition to our community and his yard and will help decrease the amount of parking on our streets.

Street parking in our neighborhood is terrible and many times the sanitation department has not come to pick up our trash due to the amount of cars block their path. One year the fire department could not make it to one of the homes that was on fire and the home owner did not make it out.

Andre Johnson new garage addition is not a nuisance to our neighborhood it a new beginning to people parking in their yard and off the street.

Thank you,
Catherine Bradford
4414 Briers Place Stone Mountain Ga 30083
404-825-3194

Q

Hello Zoning Board,

Please allow my neighbors, Lesley & Andre Johnson, to continue building their detached garage.

It is my belief the addition of this structure will be an added value to our neighborhood. To illustrate, our subdivision has limited parking options for homeowners. This detached garage would help reduce street parking and provide better access to homes. This is specifically a need for our neighborhood since in the past we had issues with emergency and government services being able to access homes due to cars parking on the street.

Additionally, excess vehicle parking in the neighborhood can lure criminals and car break-ins. The detached garage can help reduced the number of automobiles on the street & possibly crime.

Please accept this letter as support for the Johnsons' detached garage. If any questions, please feel free to contact me at (504) 858-5648.

Thank you

Domonique Harris
Briers Neighbor
1337 Briers Dr, Stone Mountain, GA 30083

To whom it may concern,

I am writing this letter in support of the new garage being constructed by my neighbor Andre. As a neighbor who lives in the cul-de-sac and friend of 8 years, I am excited about the structure and hope to build one of my own in the very near future. Other neighbors have also asked about construction of their own.

As the vice president of the neighborhood association, I have spoken to many neighbors and visitors of the neighborhood who share the same sentiment as me. Our neighborhood is unique in that we have very small driveways and streets as well as homes with small garages. We have had many car break-ins and issues with street parking. Moving cars off the street is one of our main focuses in the community and we believe it will be safer if we can. Some of us have the opportunity and means to construct garages on our properties and would like to do so to help improve things in the Briers.

Andrea and Leslie have always been excellent neighbors who have supported and participated in every improvement project we have done throughout the neighborhood. They take very good care of their property and are a shining example of how many homes in the Briers should look. All neighbors I have spoken with have zero concern and are in support of not only this garage but looking into building their own.

Thank You,

Mycal Dillingham

Vice President the Briers Neighborhood

4407 Briers Place Stone Mountain Ga 30083

November 20, 2024

To Whom It May Concern:

Please know that my neighbor Andre Johnson has built a more accessible garage on his property so that he can utilize putting his truck in a secure place. It is my opinion that this addition is not a problem or unsightly for this community.

You may contact me if you need further information.

Sandra Mobley
4416 Briers Place
Stone Mountain, GA. 30038
404-416-3254

Jonathan Pascual
1395 Briers Dr
Stone Mountain, GA 30083
iamjascual@gmail.com
(404) 909-4986

Dear Members of the Zoning Board of Appeals,

As a homeowner in The Briers Neighborhood for the past 12 years, I'm writing to share my concerns about the variance request for a two-story garage addition at 4408 Briers Place, scheduled to be reviewed at the Zoning Board of Appeals meeting on January 8, 2025.

While I understand the applicant's intentions, I believe the project raises important issues that merit careful consideration.

In the variance application, one of the primary stated justifications for the project—to improve parking—is problematic. The new structure sits on the pre-existing driveway, and effectively blocks access to the pre-existing two-car garage on the property, which could otherwise serve the stated purpose of reducing street parking.

In addition, the construction has understandably raised concerns among nearby neighbors, as it impacts privacy, may violate building distancing requirements of adjacent properties, and alters the character of the immediate area. A two-story detached structure of this scale is out of place in The Briers, and approving this variance could set a precedent for future projects that might challenge the unique look and feel of our neighborhood.

I also feel it's important to note that the homeowner appears to have initially moved forward with this substantial project without intending to adhere to county zoning rules. This raises concerns about fairness and consistency in applying the standards we should follow as residents.

I respectfully urge the Board to take these considerations into account when reviewing the variance application. Thank you for your time and attention to this matter.

Sincerely,

Jonathan Pascual

From: Mail-Customer <tigerbrown17@yahoo.com>

Sent: Tuesday, December 31, 2024 10:37 AM

To: Plansustain <plansustain@dekalbcountyga.gov>

Subject: A-241247339 / 18 122 02 085 / 4408 Briers Place - Andre Johnson

Dear Members of DeKalb Co. Zoning Board,

Hi, my name is Ed Brown and I'm writing to oppose Mr. Johnson's separate 2-story garage being constructed. My house and Mr. Johnson's house are back-to-back. Mr. Johnson already has an attached two-car garage at his residence. Mr. Johnson has one of the longest and widest driveways in the Briers neighborhood. Mr. Johnson has always parked his car and truck in his driveway.

I feel this issue is not about parking on the street in the cul-de-sac, as all houses have driveways to park their cars in. Nor is this issue about crimes being committed in the neighborhood. In the last 5 years there has only been one incident, which was caused by an unlocked car which was entered into. If this is about Mr. Johnson wanting to have more storage, there are better ways to address the situation. Perhaps a shed or extra room added to the home would be much more appropriate than having a 2-story building constructed, which itself happens to be taller than his actual residence.

When I look out the window of my 2nd floor bathroom, all I see is this large building. I have no view of any of the houses on the back cul-de-sac. When I stand at my dining room window all I see is this large yellow building, and again no view of any houses on the back cul-de-sac.

I appreciate your time and consideration taken with this matter. Please feel free to reach out with any further questions you may have.

Sincerely,

Edward L. Brown
4400 Briers Place
Stone Mountain, GA 30083
(404) 296-4233
tigerbrown17@yahoo.com