

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: uBuildHome, LLC (Mohemmad Habib)

Mailing Address: 870 Johnston Oak Lane NW

City/State/Zip Code: Lilburn, Georgia 30047

Email: 3dsecurityinc@gmail.com

Telephone Home: (404) 593-3211 Business: (404) 593-3211

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: uBuildHome, LLC

Address (Mailing): 870 Johnston Oak Lane NW

Email: 3dsecurityinc@gmail.com Telephone Home: (404) 593-3211 Business: (404) 593-3211

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 3641 Cobb Creek Court City: Dectur State: GA Zip: 30032

District(s): 15 Land Lot(s): 133/156 Block: _____ Parcel: 15 133 01 143

Zoning Classification: R-75 Commission District & Super District: 3

CHECK TYPE OF HEARING REQUESTED:

- ☒ X 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

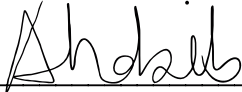
ZONING BOARD OF APPEALS APPLICATION

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: 01/13/2025 Applicant
Signature: 

DATE: _____ Applicant
Signature: _____

January 13, 2025

Dekalb County Zoning Board of Appeals
C/O Dept. of Planning & Sustainability
178 Sams Street
Decatur, Georgia 30030



Re: Variance Application - Letter of Intent
3641 Cobb Creek Court (Parcel: 15 133 01 143)

To Whom it May Concern:

Please accept the attached application form, this letter and included supplemental documents in support of our request for a Variance required for the development of an owner-occupied single-family residence on Lot 29 of Carlyle Glynn Unit One (PB 92 PG 141) subdivision located at 3641 Cobb Creek Court in unincorporated Dekalb County. An application for a building permit on the lot has been submitted by the owner, and permit fees have been assessed by Dekalb County and paid by the landowner. Subsequent comments from Dekalb County staff have indicated that the lot in question is no longer a buildable lot due to the presence of an existing detention facility that lies across a part of the lot as well as three other contiguous lots in the subdivision (Lots 28, 29, 31 & 32). With this application we hereby request an exemption from Chapter 27, Article 5, Section 5.6.2 prohibiting the location of a detention facility on the same lot as a single-family home.

Three of the four lots containing the pond area already support existing owner-occupied single-family residential homes as originally intended. The subject parcel was platted in 1990 as a buildable lot with a dedicated sanitary sewer service lateral provided during the construction of the subdivision. In 2015 Section 5.6.2 of the Dekalb County Zoning Ordinance was enacted. A site plan has been provided in compliance with the applicable development standards for the proposed home construction. The area of the pond has been excluded from coverage calculations per Dekalb County staff, and the planned improvements still fall within the coverage standards.

The subject lot has been taxed as a buildable lot for 35 years at the same rate as other buildable lots in the same subdivision. The landowner has invested substantial funds in plans to develop this lot, and the new homeowner has made plans to move in this spring. Given the immediate evidence of the pond on the existing developed lots on either side of the subject parcel, the landowner has been shocked to find that the same rules do not apply to his lot and that the strict application of Sec. 5.6.2 would leave the parcel with effectively no market value and no meaningful allowable use.

No other parcels will be affected by the approval of this variance, and there is no reason to believe that this Variance have any negative impact on the public or other landowners. The approval of this variance would serve only to restore the intentions and expectations of all parties as this has always been a lot intended, taxed, developed, platted and marketed for home construction. The intent of code Section 5.6.2 was not to condemn existing buildable lots. It was to guide future land development projects. In this case a Dekalb County resident will suffer considerable damages as a result of strict application of this code. Please consider granting this request for a variance in order to prevent these damages, to allow this project to move forward and to support our residents' efforts to make Dekalb County their home.

Thank you for your careful review and consideration of this application.

Sincerely,

Mohemmad Habib
uBuildHome, LLC

[illegible]

LEGEND

- | SYMBOL | DESCRIPTION |
|--------|---------------------------|
| | 1 ACCESS OR EGRESS LINE |
| | 2 BARRIER FENCE |
| | 3 CHAIN LINK FENCE |
| | 4 CONCRETE FOUNDATION |
| | 5 CONCRETE SLAB |
| | 6 CONCRETE WALL |
| | 7 CONCRETE WALL (NOT SET) |
| | 8 FIRE HYDRANT |
| | 9 FILLER MATERIAL |
| | 10 FOOTING |
| | 11 GAS MAIN |
| | 12 GAS MAIN (NOT SET) |
| | 13 GRAVEL |
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OWNER

IRON MASTER (A) OF LLC,
105 HIXON CHASE PARKWAY
CONIFERTON, GEORGIA 30006

DEVELOPER/AGENT
• 24 HOUR CONTACT

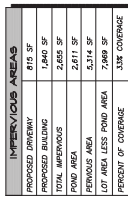
SURVEYOR

BOULVARD L. DESPUP
P.O. BOX 431
HAYESVILLE, NC 28924
PHONE: (810) 377-4481
E-MAIL: BDESUP@BULVARDL.COM

I, BENJAMIN J. ROSENBERG, U.S. CUSTOMER, UNDER PENALTY OF LAW, THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENTS, UNDER MY DIRECT SUPERVISION.

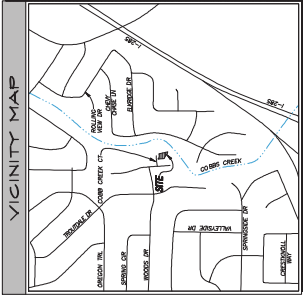
11/15/2024

REMARKS	DATE
BENJAMIN J. ROSENBERG, U.S. CUSTOMER	11/15/2024



NO WATER METER FOUND ON-SITE DURING SURVEY FIELDWORK. CONTRACTOR TO PROBE AND POTHOLE TO FIND EXISTING WATER METER AND RUN A 3/4" COPPER SERVICE LINE TO THE HOUSE.

- 4) IN WETLANDS AND TEMPORARILY INUNDATED AREAS, SHALL NOT BE LOCATED IN THE CENTER OF THE WETLAND OR TEMPORARILY INUNDATED AREA.
- 5) ADDITIONAL PROTECTION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTORS.
- 6) FILLING SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-USE/COVER CONVERSION.
- 7) PROPOSED AND REMEDIATION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES UNTIL THE EROSION AND/or THE CONTIGUOUS AREAS HAVE BEEN RECLAIMED.
- 8) ALL EXISTING VEGETATION SHALL BE MAINTAINED TO THE MAXIMUM EXTENT POSSIBLE. THE LANDSCAPE SHALL BE IMPROVED TO CONFORM TO THE CHARACTER OF THE ADJACENT WETLANDS.
- 9) ALL LANDSCAPES WITH 2' OF ALL OF GREATER MUD REQUIRE A COMBINATION OF VEGETATION AND FILL TO PROTECT FROM EROSION AND TO PREVENT A RELEASE OF FILL AND OR FILL TO FLOODING BEING PAUSED.
- 10) ALL EXISTING VEGETATION SHALL BE MAINTAINED TO THE MAXIMUM EXTENT POSSIBLE AND FILL SHALL BE MAINTAINED TO THE MAXIMUM EXTENT POSSIBLE.
- 11) ALL THESE PROTECTION MEASURES ARE TO PROTECT POND SEDIMENTATION.
- 12) ALL THESE PROTECTION DEVICES TO BE INSTALLED FROM LAND TO DISTURBANCE AND MAINTAINED UNTIL LAND IS RECLAIMED.
- 13) ALL THESE PROTECTION DEVICES TO BE INSTALLED DAILY AND REPAIRED OR REPLACED AS NEEDED.
- 14) A PUMP AS-BUILT MUST BE SUBMITTED PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLETION.
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- 1) THE BASIS OF BEARING FOR THIS PLAT IS THE GEORGINA STATE PLANE COORDINATE SYSTEM (NAD 83). THE MERIDIAN DATUM IS WGS 84.
- 2) THE UNITS OF MEASURE FOR THIS PLAT ARE METERS.
- 3) THE UNITS SHOWN HEREIN ARE BASED ON MEASUREMENTS OBTAINED USING A TOTAL STATION OF ACCURACY ± 1 MM + 1 PPMM.
- 4) THE PLAT IS CONSIDERED TO BE A TRUE AND CORRECT REPRESENTATION OF THE ACTUAL SURFACE OF THE LAND, AND THE SURVEYOR'S FIELD NOTES SHOULD BE USED TO CORRECT ANY DISCREPANCIES OF ACCURACY OF UTILITY LOCATIONS.
- 5) A PORTION OF THE PROPERTY SPECIFIED HEREIN LIES WITHIN A FLOOD HAZARD ZONE PER FIRM MAP NUMBER 1506010104A, EFFECTIVE DATE 5/11/2013.
- 6) THE FIELD DATA ON WHICH THIS PLAT IS BASED HAS A BEARING POSITIONAL ACCURACY OF ± 1 CM.
- 7) THE PLAT IS BASED ON THE 2011 AERIAL PHOTOGRAPHY OF THE PROPERTY. THE PLAT IS BASED ON THE 2011 AERIAL PHOTOGRAPHY OF THE PROPERTY. THE PLAT IS BASED ON THE 2011 AERIAL PHOTOGRAPHY OF THE PROPERTY.
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TREE SURVEY NOTES

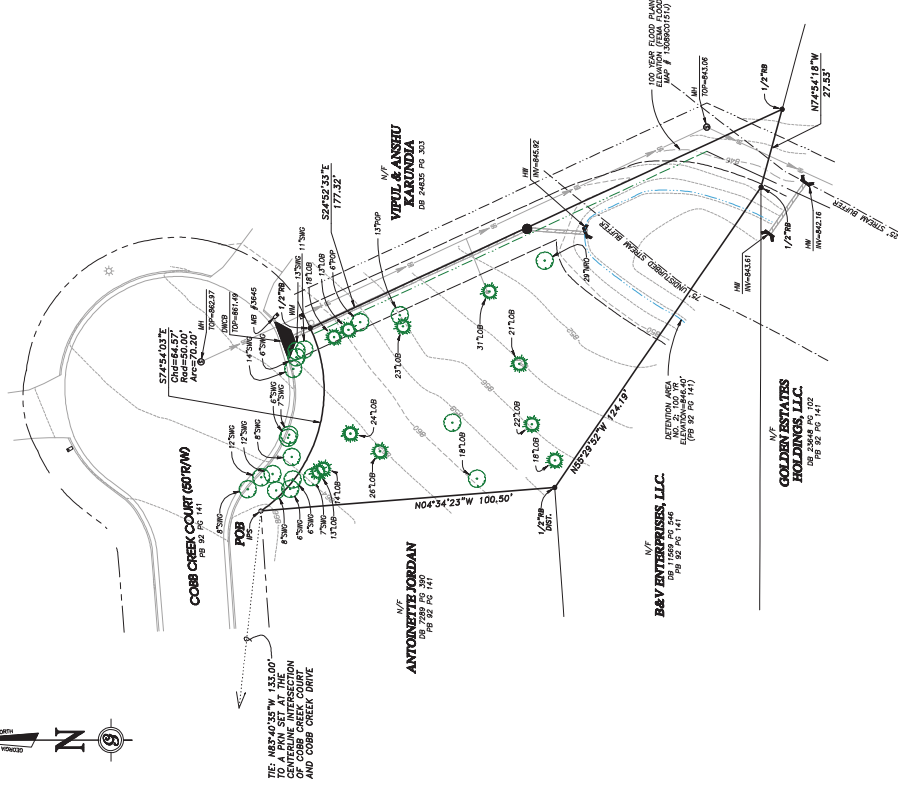
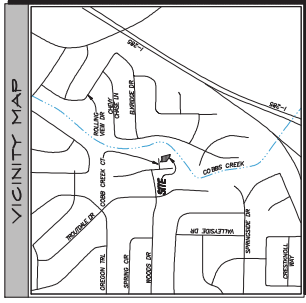
THE PURPOSE OF THIS TREE SURVEY IS TO SHOW ALL TREES ON THE SUBJECT PROPERTY. CONVEYANCE OF THE PROPERTY IS NOT GUARANTEED BY THIS SURVEY. ALL TREES SHOWN HEREON ARE TO BE REMOVED FROM THE SITE FOR THE PURPOSE OF DEVELOPMENT.

TREE LEGEND

- LDB - LARGELY PINE
- NRD - NORTHERN RED OAK
- SP - SPANISH OAK
- SYC - SYCAMORE

LEGEND

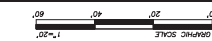
- ADDITIONAL NOTES
 - 1. BUILDING SETBACK LINE
 - 2. BUILDING FOOTPRINT
 - 3. BUILDING EXTERIOR WALL
 - 4. BUILDING ROOF
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3 D SECURITY, INC.
3641 COBB CREEK COURT
DEKALB COUNTY, GEORGIA



REVISIONS	
1	11/19/24 - ADDRESS COMMENTS
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3	
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P.O. BOX 651, JEFFERSON, GA 30648
PHONE: (478) 777-4631
BROWNS@BROWNSURVEYING.COM



JOB NUMBER: DMB-133-1
MANAGER: BLD
CAD: MACC
DRAWING DATE: 10/27/24
LAST FIELD WORK: 5/31/24
FILE: 3641080800000000
CROWN CHIEF: JMF

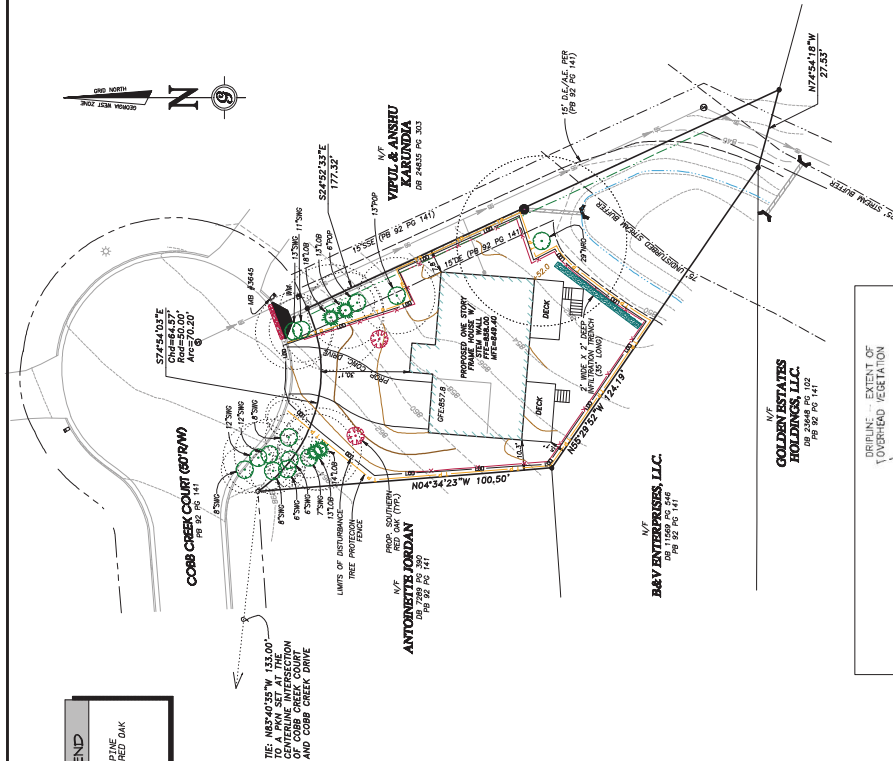
TREE PROTECTION NOTES

- 1) THE PURPOSE OF THIS PLAN IS TO SHOW ALL TREES ON THE SUBJECT PROPERTY THAT ARE IN COMPLIANCE WITH DEKALB COUNTY'S TREE PROTECTION LAND DEVELOPMENT CODE.
- 2) ALL TREES SHOWN HEREON THAT ARE TO BE REMOVED FOR THE PURPOSE OF DEVELOPMENT.
- 3) TREE PROTECTION SIGNS ARE TO BE PLACED AT LEAST EVERY 50' ALONG THE LENGTH OF THE TREE PROTECTION FENCE. THE SIGNS SHOULD BE IN LANGUAGE SO UNDERSTOOD BY THE GENERAL PUBLIC.

Tree Preservation Calculations

Project	3641 Cobb Creek Court	By	BLD	1/15/2024
Tree Preservation Requirements				
Site Area:	0.34 AC	$\times 15\%$ / AC =	29	DBH Inches to Preserve
# Existing Significant Trees:	46	Trees $\times 25\%$ =	12	Trees to Preserve
TDBL Required/AC:	15	AC	3.1	TDBL to Preserve
Tree Response Requirements				
Scenario Tree Losses (DBH) Preserved	31	$\times 1.5$ =	47	DBH Inches to Preserve
Tree Preservation Provided				
Proposed Trees:	2			Proposed Planting TDBL
# Significant Trees Preserved:	14	Trees	30	% Significant Trees Preserved
DBH Inches Preserved:	197	IN	84	DBH Inches Preserved / AC
TDBL Preserved:	60	TDBL	2.62	TDBL Preserved / AC
* See attached Tree Inventory Worksheet				
Tree Species Tree Calculators				
Tree Size	Decades	TDBL	Sound	
31 LOB	31	10.4	☐	108 DBH INCHES
			☐	Preserved DBH Inches
			☐	0.0
			☐	Removed DBH Inches
			☐	91.0
			☐	
			☐	
			☐	

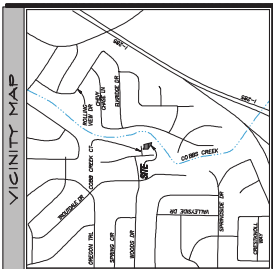
Tree Inventory Worksheet

[illegible]

TREE LEGEND

- | | |
|-----|--------------------|
| LOB | - LOBLOLLY PINE |
| NRO | - NORTHERN RED OAK |
| POP | - POPLAR |
| SWG | - SWEETGUM |
| SYC | - SYCAMORE |

VICINITY MAP



- [illegible]

LEGEND

- | SYMBOL | DESCRIPTION | SYMBOL | DESCRIPTION |
|--------|-----------------------|--------|--------------|
| 1 | ANGLE IRON TRACK LINE | 1 | SOFT-SHNS |
| 2 | ANGLE IRON TRACK LINE | 2 | WOODEN FENCE |
| 3 | ANGLE IRON TRACK LINE | 3 | CHAIN LINK |
| 4 | ANGLE IRON TRACK LINE | 4 | IRON PILING |
| 5 | ANGLE IRON TRACK LINE | 5 | STEEL PILING |
| 6 | ANGLE IRON TRACK LINE | 6 | STEEL PILING |
| 7 | ANGLE IRON TRACK LINE | 7 | STEEL PILING |
| 8 | ANGLE IRON TRACK LINE | 8 | STEEL PILING |
| 9 | ANGLE IRON TRACK LINE | 9 | STEEL PILING |
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