

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: Maksim Saitgazin  
Mailing Address: 1957 Regency Cove Ct  
Atlanta, GA, 30341  
City/State/Zip Code: Atlanta, GA, 30341  
Email: maksim.saitgazin@gmail.com  
Telephone Home: 320-279-2900 Business: \_\_\_\_\_

#### OWNER OF RECORD OF SUBJECT PROPERTY

Owner: Maksim Saitgazin  
Address (Mailing): 1957 Regency Cove Ct, Atlanta, GA, 30341  
Email: maksim.saitgazin@gmail.com Telephone Home: 320-279-2900 Business: \_\_\_\_\_

#### ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 3526 E Ponce De Leon Ave City: Scottdale State: GA Zip: 30076  
District(s): 4/6 Land Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Parcel: 18 064 02  
Zoning Classification: R-75 Commission District & Super District: 18 064 02 084

#### 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](mailto:plansustain@dekalbcountyga.gov) with any questions.

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DEPARTMENT OF PLANNING & SUSTAINABILITY

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**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: 1/13/2025	Applicant Maksim Saitgazin
_____	Signature: _____

DATE: _____	Applicant _____
	Signature: _____

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DEPARTMENT OF PLANNING & SUSTAINABILITY

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**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: 1/13/2025      Applicant/Agent Maksim Saitgazin  
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,

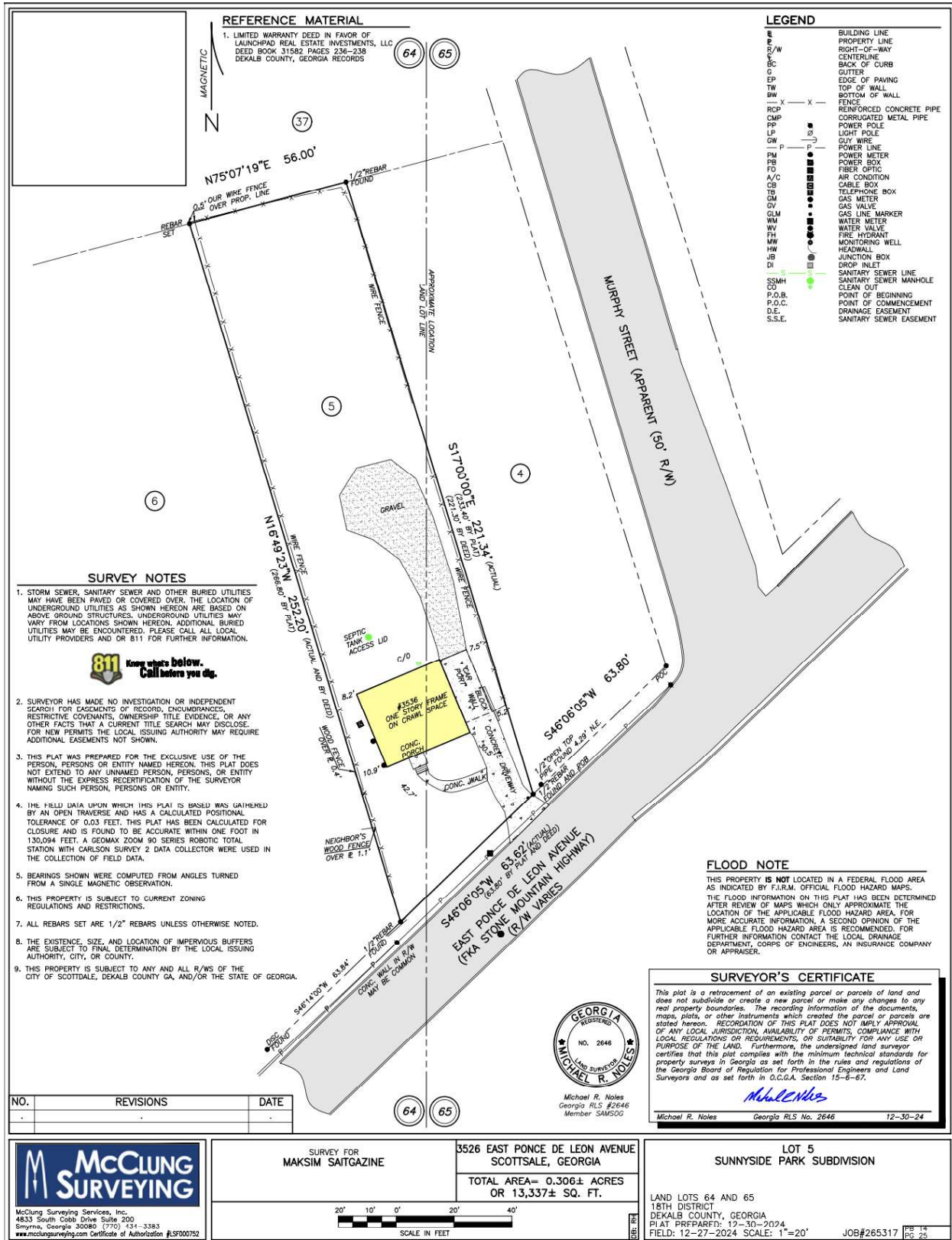
I, Real Gustavo, owner of the properties located at 3520 and 3530 E Ponce De Leon Ave, Scottdale, GA 30079, am writing to express my support for the variance request submitted by my neighbor, Maksim Saitgazin, for the property at 3526 E Ponce De Leon Ave, Scottdale, GA 30079.

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*

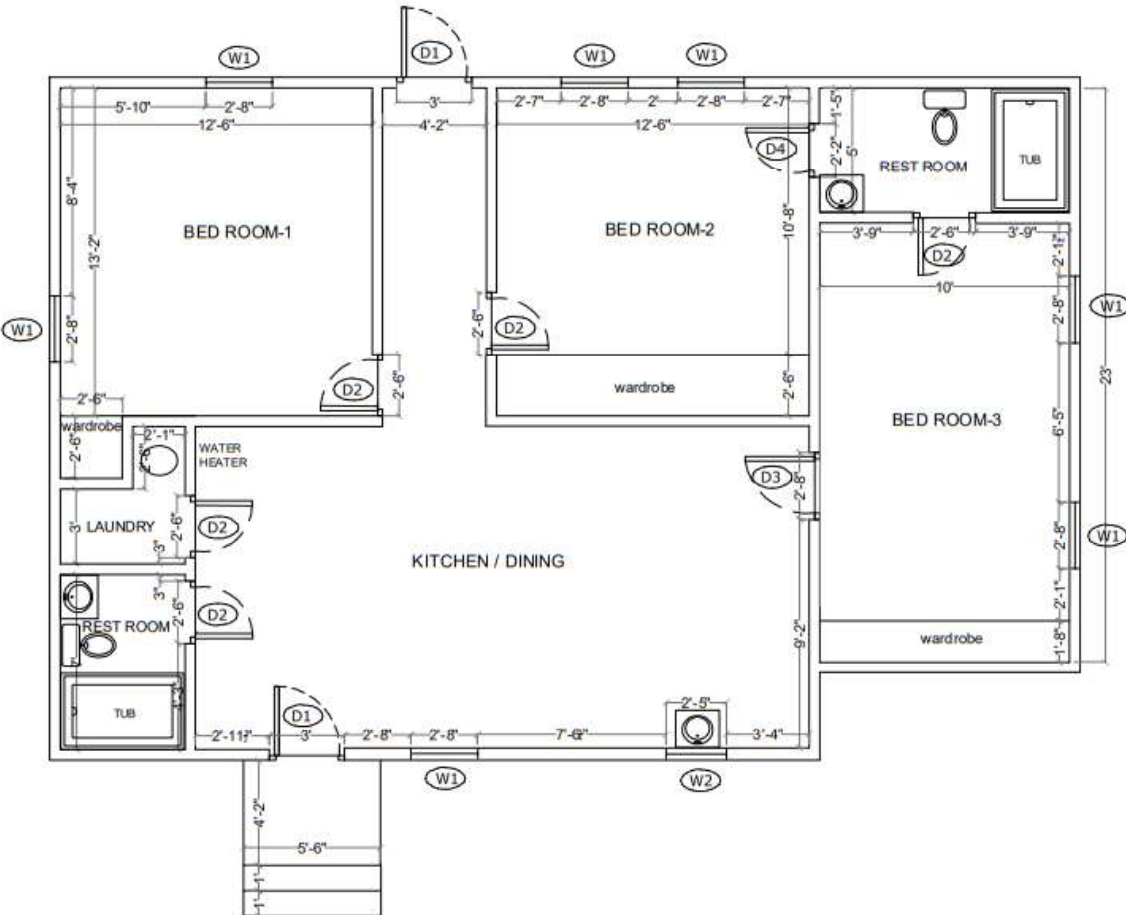






The floor plan shows a rectangular house with a central 'KITCHEN / DINING' area. To the left of the kitchen is a 'REST ROOM' containing a 'TUB' and a toilet. Above the kitchen is a 'LAUNDRY' room with a washer/dryer area. To the right of the kitchen is a large 'BED ROOM-2' which includes a 'wardrobe'. To the left of the kitchen is 'BED ROOM-1'. A 'Porch for car' is attached to the right side of the house. The plan includes various windows (W1, W2) and doors (D1, D2, D3) with their respective dimensions. A 'WATER HEATER' is located near the laundry area. The overall dimensions of the house are 23'-10" wide by 34'-0" deep.

Proposed layout



# REFERENCE MATERIAL

1. LIMITED WARRANTY DEED IN FAVOR OF LAUNCHPAD REAL ESTATE INVESTMENTS, LLC DEED BOOK 31582 PAGES 236-238 DEKALB COUNTY, GEORGIA RECORDS

# LEGEND

B	BUILDING LINE
P	PROPERTY LINE
R/W	RIGHT-OF-WAY
V	CENTERLINE
BC	BACK OF CURB
G	GUTTER
EP	EDGE OF PAVING
TW	TOP OF WALL
BW	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
JB	HEADWALL
DI	JUNCTION BOX
S	DROP INLET
SSMH	SANITARY SEWER LINE
CO	SANITARY SEWER MANHOLE
P.O.B.	CLEAN OUT
P.O.C.	POINT OF BEGINNING
D.E.	POINT OF COMMENCEMENT
S.S.E.	DRAINAGE EASEMENT
	SANITARY SEWER EASEMENT

MAGNETIC  
N

N75°07'19"E 56.00'

0.5" OUR WIRE FENCE OVER PROP. LINE

REBAR SET

1/2" REBAR FOUND

WIRE FENCE

APPROXIMATE LAND LOT LINE

MURPHY STREET (APPARENT (50' R/W))

5

4

6

WIRE FENCE

N16°49'25"W 252.20'

(266.80' BY DEED)

SEPTIC TANK ACCESS LID

C/O

8.2'

10.9'

NEIGHBOR'S WOOD FENCE OVER E 1.1'

1/2" REBAR FOUND

CONC. WALL IN R/W MAY BE COMMON

63.84'

63.80'

1/2" REBAR FOUND

63.80'

63.80'

63.80'

63.80'

63.80'

63.80'

## SURVEY NOTES

1. 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.



2. 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.

3. 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.

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.

5. BEARINGS SHOWN WERE COMPUTED FROM ANGLES TURNED FROM A SINGLE MAGNETIC OBSERVATION.

6. THIS PROPERTY IS SUBJECT TO CURRENT ZONING REGULATIONS AND RESTRICTIONS.

7. ALL REBARS SET ARE 1/2" REBARS UNLESS OTHERWISE NOTED.

8. THE EXISTENCE, SIZE, AND LOCATION OF IMPIEVIOUS BUFFERS ARE SUBJECT TO FINAL DETERMINATION BY THE LOCAL ISSUING AUTHORITY, CITY, OR COUNTY.

9. THIS PROPERTY IS SUBJECT TO ANY AND ALL R/WS OF THE CITY OF SCOTSDALE, DEKALB COUNTY GA, AND/OR THE STATE OF GEORGIA.

## FLOOD NOTE

THIS PROPERTY IS NOT LOCATED IN A FEDERAL FLOOD AREA AS INDICATED BY F.I.R.M. OFFICIAL FLOOD HAZARD MAPS. THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. FOR MORE ACCURATE INFORMATION, A SECOND OPINION OF THE APPLICABLE FLOOD HAZARD AREA IS RECOMMENDED. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS, AN INSURANCE COMPANY OR APPRAISER.

## 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

12-30-24



Michael R. Noles  
Georgia RLS #2646  
Member SAMSOG

NO.	REVISIONS	DATE
1		

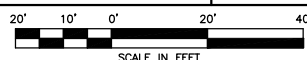


McClung Surveying Services, Inc.  
4833 South Cobb Drive Suite 200  
Smyrna, Georgia 30080 (770) 434-3383  
www.mcclungsurveying.com Certificate of Authorization #LSF000752

SURVEY FOR  
MAKSIM SAITGAZINE

3526 EAST PONCE DE LEON AVENUE  
SCOTTSVILLE, 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 14  
PG 25



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MAGNETIC  
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New Duplex or Triplex?

Current Duplex

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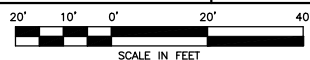


McClung Surveying Services, Inc.  
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Smyrna, Georgia 30080 (770) 434-3383  
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