



Lorraine Cochran-Johnson

Chief Executive Officer

DeKalb County Zoning Board of Appeals
Department of Planning & Sustainability
178 Sams Street,
Decatur, GA 30030

Wednesday, May 13, 2026

Planning Department Staff Analysis



Juliana Njoku

Director

N1. Case No: A-26-1248005

Parcel ID(s): 15 163 05 025

Commission District 03 Super District 06

Applicant: Gail Mooney
660 Lake Drive
Snellville, GA 30039

Owner: Jim Austin
5250 Island Drive
Stone Mountain, GA 30087

Project Name: 4873 Covington Highway – Commercial Building

Location: 4873 Covington Highway, Decatur, GA 30035

Requests: Request variances from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to: (1) allow the building to face Covington Highway; or (2) reduce the required side yard setback to facilitate construction of a commercial building in the C-1 (Local Commercial) zoning district.

Staff Recommendation: Approval with conditions

Conditions:

- 1. The following information about this variance shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance, and condition(s) of approval.
2. Any permit drawings submitted for review shall be substantially consistent with the site layout and improvements presented with this application, including the proposed commercial building, parking areas, sidewalk connection, retaining wall, and dumpster area.

3. Prior to issuance of any land disturbance permit or building permit, the applicant shall identify and commit to either Option 1 (building orientation toward Covington Highway) or Option 2 (reduced side yard setback) as presented in the application. The approved development shall conform exclusively to the selected option, and no combination of elements from both options shall be permitted unless further approval is obtained from the Zoning Board of Appeals.
4. The final site plan and all permit drawings shall clearly reflect the building orientation, setbacks, and site layout associated with the approved variance option. Any material deviation from the approved orientation or setback configuration shall require review and approval by the Zoning Board of Appeals.

STAFF FINDINGS:

The subject property is a vacant commercial parcel located at 4873 Covington Highway in the C-1 zoning district. The site is approximately 0.54 acre, or about 23,716 square feet, at the corner of Covington Highway and Haynes Drive. The application includes a preliminary site plan, survey, and supporting aerial and ground photographs showing an undeveloped lot with notable grade changes and multiple existing oak trees.

The applicant presents two alternative options to the ZBA, each requiring a different variance:

1. A proposed building that faces Covington Highway (Section 27-5.1.4 – Lots, corner)
2. A proposed building that would require a side yard setback reduction from 50 feet to 30 feet (Section 27-2.24.1 – Dimensional Requirements)

1. There is an extraordinary or exceptional physical condition(s) pertaining to the particular piece of property (such as, but not limited to, lot size, lot shape, specimen tree(s), steep slope(s), or preservation of historic characteristics of the property), which was not created by the current owner, previous owner, or applicant; by reason of a clearly demonstrable condition(s), 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, as distinguished from a special privilege or convenience sought by the property owner.

The subject property appears to exhibit unusual physical conditions associated with its corner-lot configuration, dual street frontage, irregular shape, and topography. The lot fronts both Covington Highway, a major corridor, and Haynes Drive, and the site plan and survey show a constrained buildable area shaped by the parcel geometry and changing elevations across the site. These conditions were not created by the current owner or applicant and reasonably distinguish the property from a more typical rectangular commercial lot with simpler frontage and grading conditions.

Specifically, the site slopes from an elevation of approximately 958 feet at the Covington Highway frontage to approximately 946 feet within the buildable area, representing a change of approximately 12 feet.

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:

Both options appear to represent reasonable approaches to the minimum relief necessary to allow development of the site. Staff recognizes that each option responds to the site's constraints in a different way and leaves the ultimate preference between the two options to the Board's discretion.

Option 1 would allow the building to face Covington Highway and has the benefit of aligning the development with the commercial corridor along Covington Highway. This orientation may also provide a more appropriate transition and buffer toward the residential character to the rear of the property. From the standpoint of compatibility with the existing commercial corridor, staff has a slight preference for this option.

Option 2 would maintain the building orientation toward Haynes Drive and instead require a dimensional setback variance. While this option is also directed toward enabling reasonable development of the property, it relies more directly on dimensional relief.

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:

The parcel is zoned for commercial use, and the proposed development is commercial in nature. The surrounding context shown in the packet includes other developed properties along Covington Highway, and the applicant states that the project will otherwise comply with zoning, buffering, parking, and site-development requirements. Subject to compliance with all other applicable review and permitting requirements, the requested relief is not expected to be materially detrimental to the public welfare or injurious to nearby properties.

4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship:

Strict application of the setback and orientation requirements would appear to create practical difficulty in reasonably developing this vacant commercial parcel. The lot's corner condition, its exposure to both Covington Highway and Haynes Drive, its irregular geometry, and its topographic variation all compress the usable building area and complicate a conventional site layout. On balance, the record supports a finding that literal application of the ordinance would impose an unnecessary hardship on reasonable development of the site.

5. The requested variance would be consistent with the spirit and purpose of this Chapter and the DeKalb County Comprehensive Plan Text:

The requested variance would be generally consistent with the spirit and purpose of this Chapter and with the DeKalb 2050 Comprehensive Plan's Commercial Redevelopment Corridor character area. The CRC land use guidance encourages redevelopment of aging commercial corridors in a manner that improves site function, aesthetics, pedestrian conditions, and overall community character. The request would facilitate development of a vacant commercial parcel with a building and customary site improvements along a major corridor, rather than introduce a use inconsistent with the property's zoning or corridor context.

FINAL STAFF ANALYSIS:

The subject property is a vacant C-1 commercial parcel with an irregular corner-lot configuration, dual frontage on Covington Highway and Haynes Drive, and visible topographic constraints. The requested relief is tied to enabling construction of a building and related site improvements on a site whose shape, orientation, and grading limit a straightforward conforming layout. Based on the materials submitted, staff finds that the record presents sufficient grounds for approval of the requested variance, subject to conditions requiring consistency with the submitted plan and all other applicable approvals.

Staff Recommendation: Approval with conditions

Conditions:

1. The following information about this variance shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance, and condition(s) of approval.
2. Any permit drawings submitted for review shall be substantially consistent with the site layout and improvements presented with this application, including the proposed commercial building, parking areas, sidewalk connection, retaining wall, and dumpster area.

ZONING BOARD OF APPEALS (ZBA) APPLICATION

to Amend the Official Zoning Map of DeKalb County, Georgia

Subject Property Address: 4873 COVINGTON HWY

City: DECATUR State: GA Zip: 30030035

Parcel ID Number(s): 15 163 05 025 Acreage:

District: 15TH Land Lot: 163 Block: Parcel:

Commission District(s): 3 Super District: 6

Type of Hearing Requested (check one):

- [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.*

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

[] Owner [X] Agent

Gail Mooney
Signature

3/12/2026
Date

ZONING BOARD OF APPEALS (ZBA) APPLICATION FEE:
\$300.00

DeKalb County does not require payment by wire transfer.
Be aware of scammers and fraudulent emails.

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: 3-4-2026

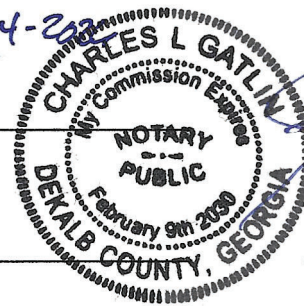
Applicant/Agent Signature: 

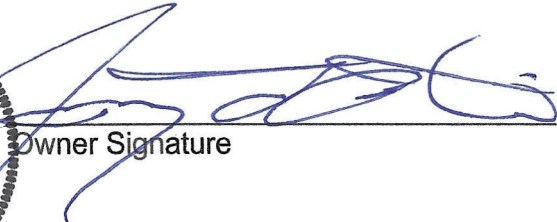
TO WHOM IT MAY CONCERN:

(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

DEPARTMENT OF PLANNING & SUSTAINABILITY

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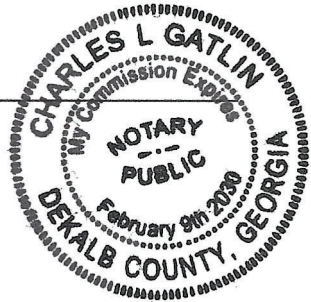
I hereby certify that I am the owner of the property subject to the application.

DATE: 3-4-23

Applicant
Signature: 

DATE: _____

Applicant
Signature:  3-4-2026



ZONING BOARD OF APPEALS

LETTER OF INTENT

Variance Application – AP# 1248005

Property Address: 4873 Covington Hwy, Decatur, GA 30035

Zoning: C-1 (Local Commercial) Owner: Jim Austin

This request is submitted for the property at **4873 Covington Highway**, a vacant C-1 zoned commercial parcel with frontage along a major arterial roadway. Due to site-specific conditions, the applicant respectfully requests approval of **one of the following alternative variance options**:

1. Allow the proposed building to **face Covington Highway, or**
2. Allow a **rear setback reduction to 30 feet** if the building is oriented to face **Haynes Street**.

Extraordinary Physical Conditions:

The property is uniquely affected by its location along Covington Highway, combined with secondary access and adjacent properties along Haynes Street. These conditions were not created by the applicant and limit reasonable building orientation and site layout if strictly applied.

Minimum Variance Necessary:

The request represents the **least relief necessary** to allow reasonable development. No increase in use, intensity, or density is proposed. Either option provides a limited adjustment to address the site's constraints.

No Detriment to Public Welfare:

Approval will not negatively impact surrounding properties or the public welfare. The development will comply with all other zoning, buffering, parking, and site development requirements and will remain consistent with the existing commercial character of the area.

Undue Hardship:

Strict application of the ordinance would create an **undue and unnecessary hardship** by preventing reasonable use of the property due to its physical and locational constraints.

Consistency with Ordinance and Comprehensive Plan:

The requested variance is consistent with the **intent of the zoning ordinance** and the **DeKalb County Comprehensive Plan**, supporting appropriate commercial development along a major corridor.

Conclusion:

For these reasons, the applicant respectfully requests approval of **one of the two options** to allow reasonable and compliant development of the property. Thank you for your time and consideration.

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 STATES HEREON, RECORDATION OF THIS PLAT DOES NOT APPLY 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



GERALD H. BERNHARD GEORGIA RLS NO. 2688

FLOOD HAZARD STATEMENT

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

PANEL 13089C0152J EFFECTIVE DATE: 05/16/2013
ZONE 'X'

LINE	LENGTH	BEARING
L1	34.00'	S 08°53'35"E
L2	20.00'	N 42°48'10"E
L3	25.00'	S 50°04'10"E
L4	20.00'	S 42°38'50"W
L5	11.00'	S 50°11'36"E

* L E G E N D *

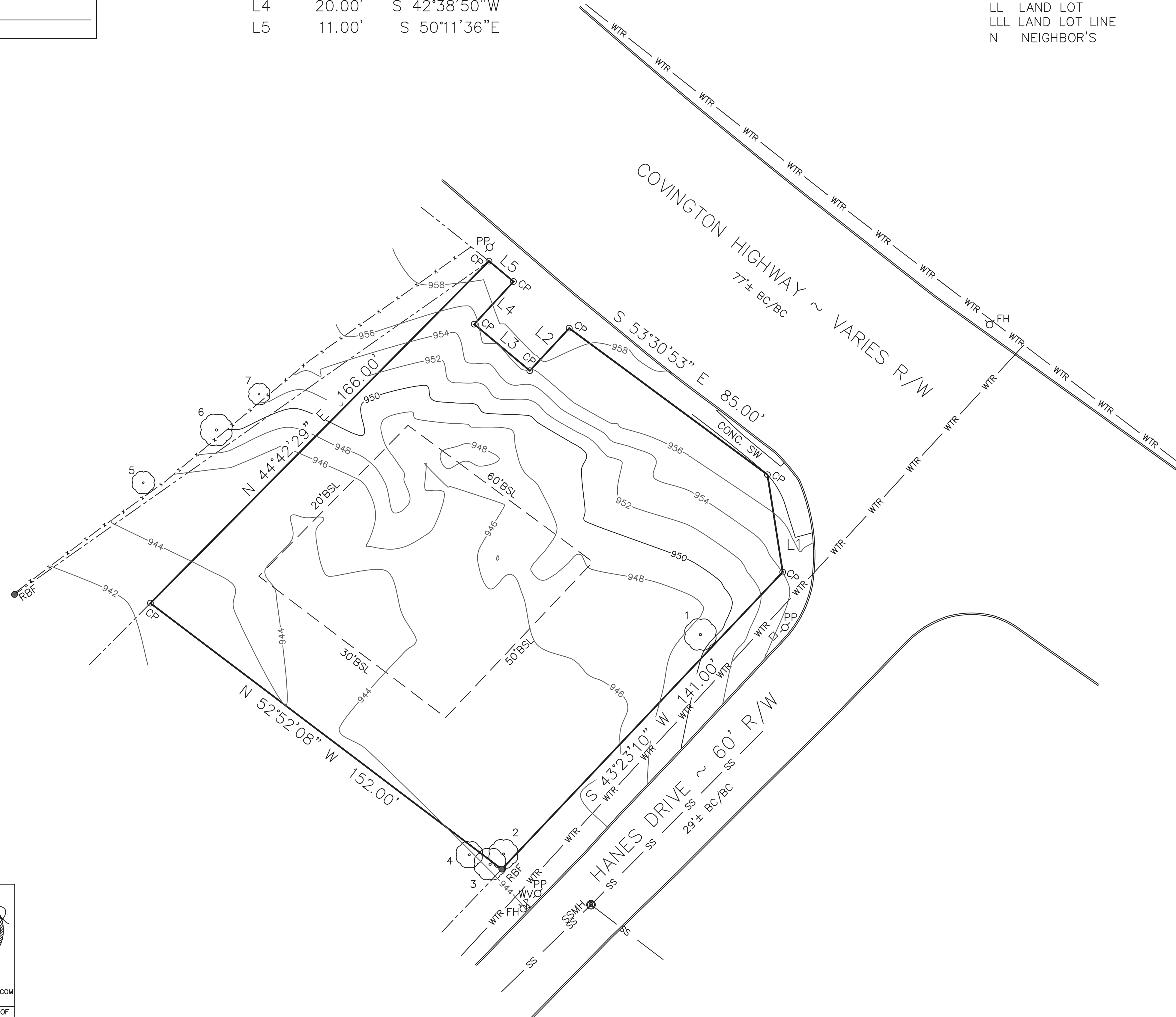
NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
 AKA ALSO KNOWN AS N/F NOW OR FORMERLY
 APD AS PER DEED NAIL NAIL FOUND
 APP AS PER PLAT P PLAT (BOOK/PAGE)
 BSL BUILDING (SETBACK) LINE POB POINT OF BEGINNING
 CP COMPUTED POINT POC POINT OF COMMENCEMENT
 CTP CRIMP TOP PIPE FOUND R RADIUS LENGTH
 OTP OPEN TOP PIPE FOUND R/W RIGHT-OF-WAY
 D DEED (BOOK/PAGE) RBF REINFORCING BAR FOUND
 DW DRIVEWAY (1/2" UNO)
 EP EDGE OF PAVEMENT RBS 1/2" REINFORCING BAR SET
 FFE FINISH FLOOR ELEVATION SW SIDEWALK
 FKA FORMERLY KNOWN AS SSE SANITARY SEWER EASEMENT
 IPF IRON PIN FOUND SSCO SANITARY SEWER CLEANOUT
 L ARC LENGTH -X- FENCE LINE
 LL LAND LOT CB CATCH BASIN
 LLL LAND LOT LINE SWCB STORM WATER CATCH BASIN
 N NEIGHBOR'S WALL



ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE. NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES. IT IS THE CLIENT'S OBLIGATION TO CONFIRM WITH PERMITTING AGENCIES BASED ON THEIR SPECIFIC CONSTRUCTION PROJECTS. ~ THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED ELEVATIONS, THEN ADJUSTED TO NAVD 88 BASED ON MULTIPLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES. THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT).

TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIPLINE). NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.



PROPERTY ADDRESS: 4873 COVINGTON HWY, DECATUR, GA 30035	PLAT PREPARED FOR: 4873 COVINGTON HIGHWAY		
LAND AREA: 23,716 SF 0.54 AC	LOT XX BLOCK XXX SUBDIVISION	SURVEY SYSTEMS ATLANTA 660 LAKE DR, SW, SNELLVILLE, GA 30039 COA #LS000867, JOB#BORDERSSURVEYSATLANTA.COM CELL 878-591-8084 ~ OFFICE 404-780-0010	
ZONING: C-1	LAND LOT 163 15th DISTRICT PARCEL ID: 15 163 05 025 BY:	DRAWN DATE: 07-09-2024 AE	
	DAKALB COUNTY, GEORGIA FIELD DATE: 07-08-2024 JT	REFERENCE: PLAT BOOK XXXX, PAGE XXX ALL MATTERS OF TITLE ARE EXCEPTED. NOT TO BE RECORDED UNLESS USED TO CORRECT PROPERTY.	
	CITY OF	THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF +/- 1 SECOND PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 30,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.	
		THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.	

TREE TABLE		
TR.NO.	DIAMETER	TYPE
1	30	OAK
2	22	OAK
3	24	OAK
4	20	OAK
5	17	OAK
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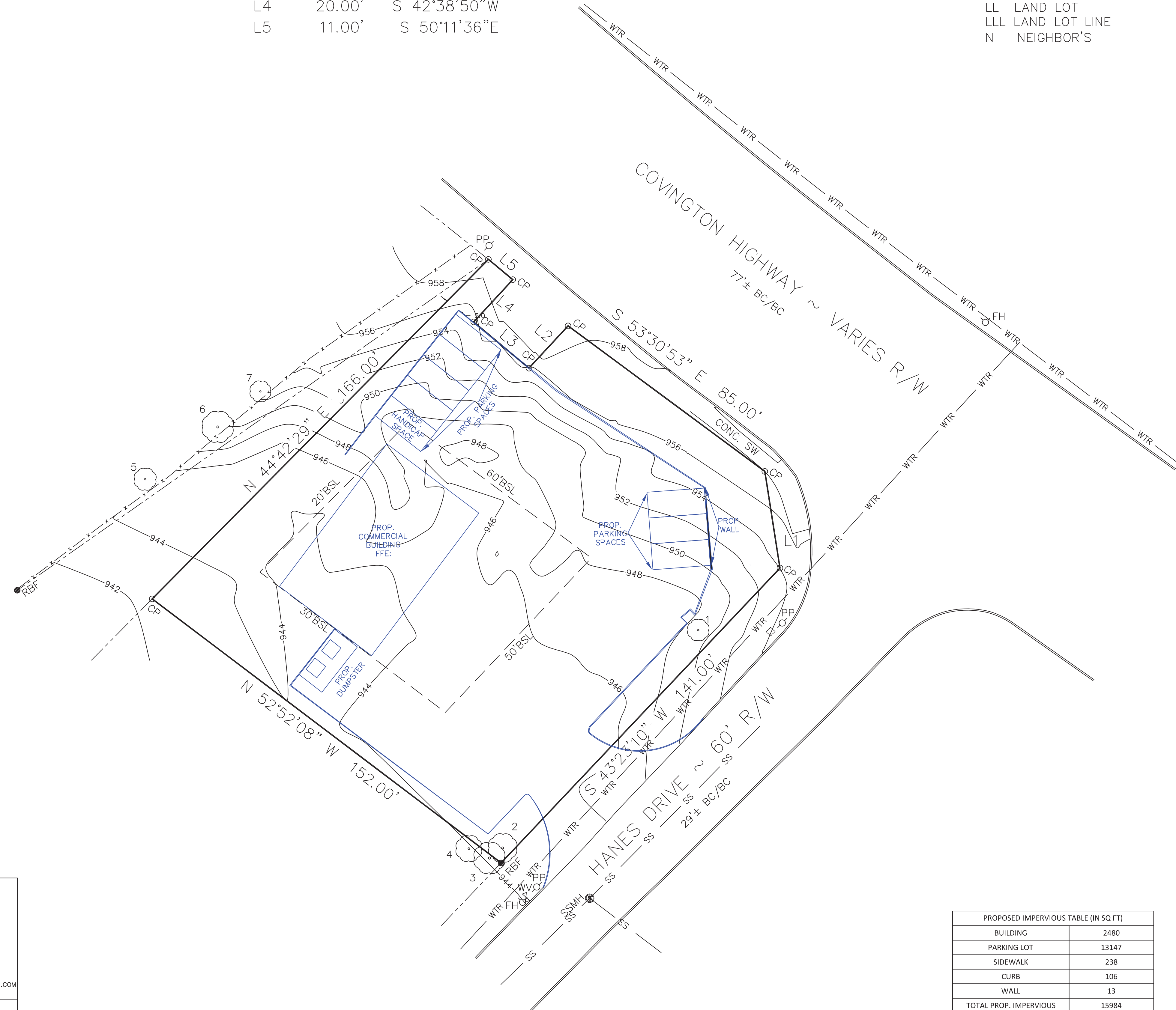
EFFECTIVE DATE: 05/16/2013

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PROPERTY ADDRESS:
4873 COVINGTON HWY,
DECATUR, GA 30035

LAND AREA:
23,716 SF
0.54 AC

ZONING: C-1

PRELIMINARY SITE PLAN PREPARED FOR:
4873 COVINGTON HIGHWAY

LOT XX	BLOCK XXX	SUBDIVISION
LAND LOT 163	15th DISTRICT	PARCEL ID: 15 163 05 025
DeKALB COUNTY, GEORGIA	FIELD DATE: 07-08-2024	BY: JT
	DRAWN DATE: 07-09-2024	AE



SURVEY SYSTEMS ATLANTA
860 LAKE DR. SW, SNELLVILLE, GA 30039
COA #SF000867, JOBORDERS@SURVEYSATLANTA.COM
CELL 678-591-6064 ~ OFFICE 404-760-0010

ALL MATTERS OF TITLE ARE
EXCEPTED, NOT TO BE RECORDED
NOR USED TO CONVEY PROPERTY.

0 20
SCALE 1" = 20'

PROPOSED IMPERVIOUS TABLE (IN SQ. FT)	
BUILDING	2480
PARKING LOT	13147
SIDEWALK	238
CURB	106
WALL	13
TOTAL PROP. IMPERVIOUS	15984
IMPERVIOUS %	0.673975375

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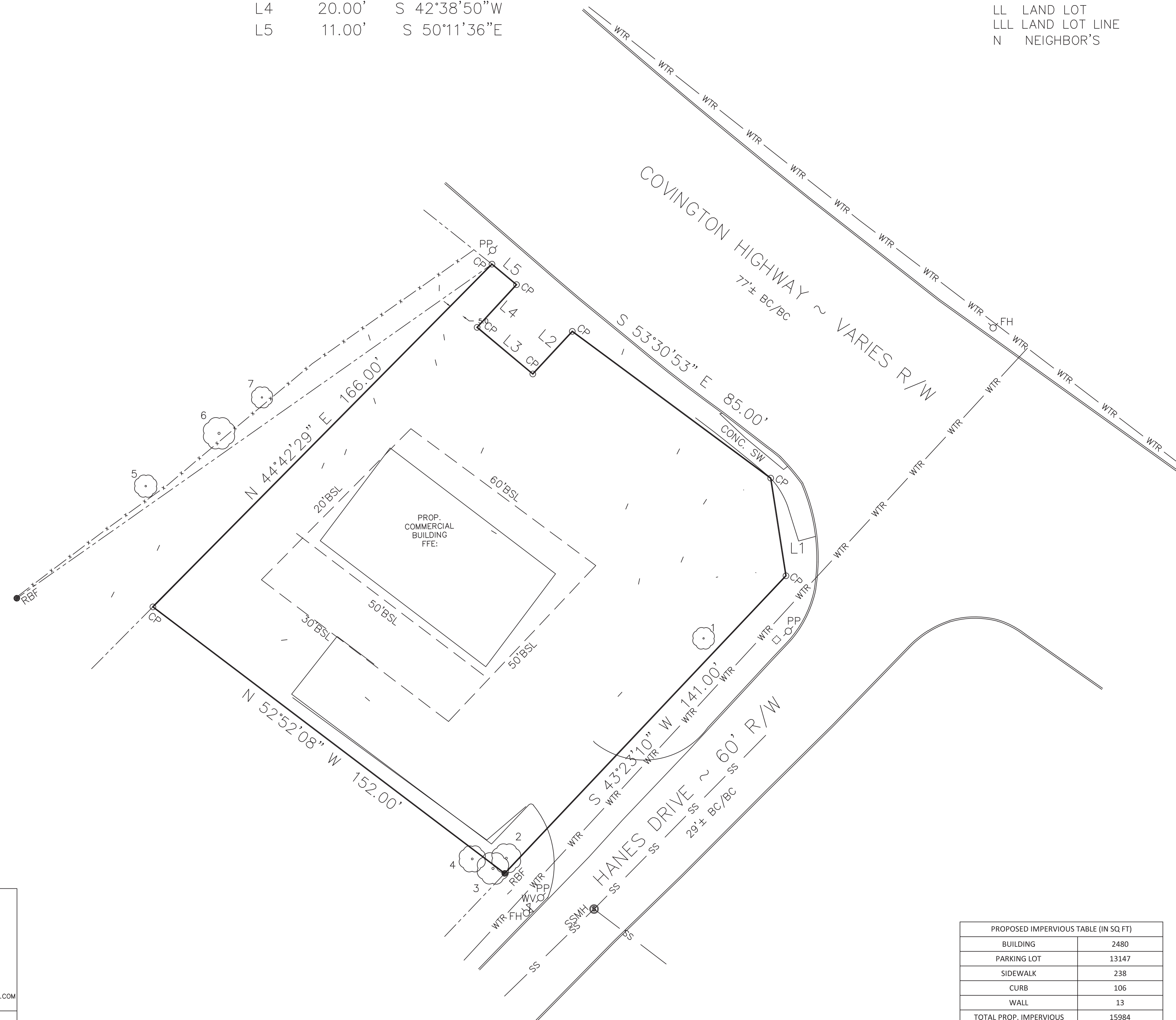
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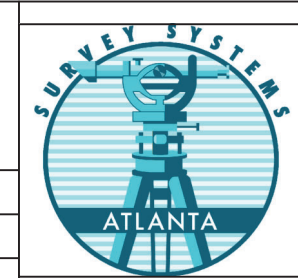
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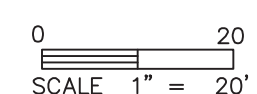
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4873 COVINGTON HIGHWAY

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DeKALB COUNTY, GEORGIA		FIELD DATE: 07-08-2024
DRAWN DATE: 07-09-2024		AE
REFERENCE: PLAT BOOK XXXXX, PAGE XXX		ALL MATTERS OF TITLE ARE
REFERENCE: DEED BOOK 30743, PAGE 82		EXCEPTED. NOT TO BE RECORDED
		NOR USED TO CONVEY PROPERTY.



SURVEY SYSTEMS ATLANTA
660 LAKE DR. SW, SNELLVILLE, GA 30039
COA #LSF00867, JOBS@SURVEYSYSTEMSATLANTA.COM
CELL 678-591-6064 ~ OFFICE 404-760-0010



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PARID: 15 163 05 025

Tax Dist: 04-UNINCORPORATED

BAJUNAID AISHAH

4873 COVINGTON HWY

Parcel

Status	ACTIVE
Parcel ID	15 163 05 025
Alt ID	270822
Address	4873 COVINGTON HWY
Unit	
City	DECATUR
Zip Code	30035-
Neighborhood	9130
Super NBHD	
Class	C3 - COMMERCIAL LOT
Land Use Code	300-Vacant Commercial Land **
Living Units	
Zoning	C1 - LOCAL COMM DIST
Appraiser	EAS - E.A. STANFIELD (404) 371-2774

Mailing Address

BAJUNAID AISHAH
NABAVI ALAEDDIN
4873 COVINGTON HWY
DECATUR GA 30035

Current Ownership

Owner	Co-Owner
BAJUNAID AISHAH	NABAVI ALAEDDIN

Ownership on January 1st

Owner	Co-Owner
BAJUNAID AISHAH	NABAVI ALAEDDIN

Notices of Assessment

Tax Year	Notice Type	Download
2024	Annual Notice\Real	Click Here
2023	Annual Notice\Real	Click Here
2022	Annual Notice\Real	Click Here

File an Appeal to Board of Equalization

[Click Here](#) To File an Appeal Online

4873 COVINGTON HWY X Q
Show search results for 4873 C...



20 40ft

15 163
-84.2165 33.7346 Degrees

POWERED BY
esri







