



Lorraine Cochran-Johnson

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

Wednesday, July 8, 2026



Juliana
Njoku

Planning Department Staff Analysis

Chief Executive Officer

Director

N3. Case No: A-26-1248139

Parcel ID(s): 18 002 04 005

Commission District 02 Super District 06

Applicant: **David Price**
1595 Nottingham Way
Atlanta, GA 30309

Owner: **Abigail Shefer**
1169 Oxford Road
Atlanta, GA 30306

Project Name: **1169 Oxford Road - Porch/Deck Addition**

Location: 1169 Oxford Road, Atlanta, GA 30306

Requests: Request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to increase the maximum lot coverage from 35% to approximately 42% to allow a minor porch/deck expansion and associated residential improvements in the R-85 (Residential Medium Lot-85) zoning district and Druid Hills Historic 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.

STAFF FINDINGS:

The subject property is located at 1169 Oxford Road in the R-85 zoning district and within the Druid Hills Historic District. The property contains an existing single-family residence, driveway, pool, pool deck, porch, and other residential hardscape improvements. The property is approximately 0.3937 acre, or 17,148 square feet. The submitted site plan identifies existing lot coverage of approximately 42%, exceeding the 35% maximum lot coverage permitted in the R-85 zoning district.

The applicant proposes a minor expansion of an existing porch/deck area. According to the submitted materials, the proposed porch expansion would add approximately 61 square feet of new lot coverage over an existing dirt area, while approximately 71 square feet of existing stone patio would be removed. As represented by the applicant, the project would not materially increase the existing nonconforming lot coverage and may result in a slight reduction in total lot coverage. (From 41.92% to 41.85%)

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 includes a house constructed in 1928 and a pool and related hardscape improvements that the applicant states were constructed in 1984. These existing improvements predate the current application and appear to have resulted in an existing lot coverage condition that exceeds the current R-85 maximum. Although the lot itself is generally rectangular and meets the minimum lot size for the zoning district, the physical development of the property is shaped by historic and long-standing improvements that were not created by the current owner or applicant.

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:

The requested variance appears to be limited to the minimum relief necessary to allow the proposed porch/deck improvement while maintaining the property's existing residential use. The application does not propose a substantial expansion of lot coverage. Rather, the applicant states that approximately 61 square feet of new coverage would be offset by removal of approximately 71 square feet of existing stone patio. As a result, the proposed work would not materially increase the existing nonconforming lot coverage and may slightly reduce it.

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 proposed work is residential in character and is located on an existing single-family residential property. The porch/deck improvements are shown at the rear/side area of the existing house, in proximity to existing residential hardscape and pool improvements. The project does not propose a new use, increased residential density, or a major site redevelopment.

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 R-85 lot coverage standard would require the property to be brought down from approximately 42% lot coverage to 35% lot coverage before a minor porch/deck improvement could proceed. Given that much of the existing lot coverage is associated with long-standing improvements, including the house, driveway, pool, pool deck, and related hardscape, full compliance would require removal or alteration of existing site features beyond the scope of the proposed project.

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 the Zoning Ordinance and the DeKalb County Comprehensive Plan. The property is located within a Traditional Neighborhood character area and the Druid Hills Historic District. The request would allow a limited residential improvement to an existing single-family residence without changing the use, density, or general neighborhood character of the property.

FINAL STAFF ANALYSIS:

The subject property is an existing single-family residential lot in the R-85 zoning district and Druid Hills Historic District. The property contains long-standing residential improvements that result in lot coverage of approximately 42%, which exceeds the current 35% maximum. The applicant proposes a minor porch/deck expansion, with new coverage offset by removal of existing stone patio area. Based on the submitted materials, the proposed project would not materially increase the existing nonconforming lot coverage and may result in a slight reduction.

Staff finds that the request is limited in scope, compatible with the existing residential use of the property, and not expected to be detrimental to surrounding properties or the public welfare. The requested relief is appropriate only as applied to the submitted porch/deck improvements and should not authorize additional lot coverage beyond the scope of the application. Therefore, staff recommends approval of the variance request, subject to conditions.

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.

ZONING BOARD OF APPEALS (ZBA) APPLICATION

to Amend the Official Zoning Map of DeKalb County, Georgia

Subject Property Address: 1169 Oxford Road 30306

City: Atlanta State: GA Zip: 30309

Parcel ID Number(s): 18 002 04 005 Acreage: 0.3937

District: 18 Land Lot: 2 Block: 12 Parcel: 39

Commission District(s): 2 Super District: 6

Type of Hearing Requested (check one):

- ☒ 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 ☒ Agent

David W. Price
Signature

5-14-26
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

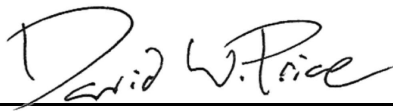
AUTHORIZATION OF THE PROPERTY OWNER

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: 5-14-26

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: 5/14/2026

Applicant/Agent
Signature: David W. Rice

TO WHOM IT MAY CONCERN:

(I)/ (WE): Abigail Shefer
(Name of Owners)

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

C Daley Fennell
Notary Public

Abigail Shefer
Owner Signature

Notary Public

Owner Signature

Notary Public

Owner Signature

C DALEY FENNELL
NOTARY PUBLIC
DeKalb County
State of Georgia
My Comm. Expires Dec. 23, 2029

Price Residential Design
1595 Nottingham Way Atlanta, Georgia 30309
dave@priceresidentialdesign.com
404-245-4244

May 14, 2026

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

RE: **1169 Oxford Road** - Request for Variance from DeKalb County zoning ordinance sec. 27-2.2.1 to increase the lot coverage from 35% maximum to 42% existing to allow a minor expansion of a porch.

Dear Board members and staff:

We believe this request conforms to the criteria set forth in code and ask that the Board grant relief in this unique case.

(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.

The lot is a rectangular shape that meets the current R-85 zoning lot size minimum limit. The house and driveway was built in 1928 and is located in the Druid Hills Historic District. The swimming pool and its concrete deck also precedes the current Zoning Code, built in 1984. The size and shape of the pool was consistent with the style at that time. Since then, there has been no alteration to the exterior spaces, and the current owners bought the property in 2002.

(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.

The variance does not constitute a grant of special privilege or go beyond the minimum necessary to afford relief because the pool was built by prior owners when the County was less restrictive on lot coverage and the owners had no part in its construction. There will be no expansion of lot coverage because the portion of the new porch that will cover currently uncovered dirt will be offset by removing a stone patio with a slightly larger area.

We have closely examined other areas where existing coverage could be reduced and found none. Typically, a driveway grass strip can be added but this driveway was built with a swale down the middle to direct water to the rear (see water stains on the attached driveway photos). If we cut a strip in that area, water will constantly erode out the dirt and grass and cause a permanent maintenance nightmare. The pool deck was built with the 42-year-old pool and a pool company told the owner the control joints were poured years ago, "messing with the pool deck will cause future problems I don't want to create".

The expansion of the porch creates only 61 square feet of new coverage, and 71 square feet will be removed. Any wholesale reduction of coverage will balloon the scope of work well beyond

what makes sense to continue, so we hope the Board will allow the existing hardscapes to remain.

(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 granting of the variance would not be detrimental to the public welfare or injurious to the surrounding properties because all of the coverage has been in place for 42 years on a house nearly 100 years old. We hope that the Historic Preservation Commission will approve our project, concluded that the work is appropriate to the District.

While much of the coverage is 100% impervious, there are existing areas that either are not fully impervious or do not contribute to runoff like fully impervious coverage would. The 170 sq ft brick entry walk does have mortar between the bricks but water can infiltrate that coverage to some extent. The pool itself is 913 square feet, and it will retain rainwater rather than allowing it to run to the stormwater system. If these areas are removed from the fully impervious calculation, the lot coverage is reduced to 35.5%.

(4) the literal interpretation and strict application of the applicable provisions or requirements of this Chapter would cause undue and unnecessary hardship.

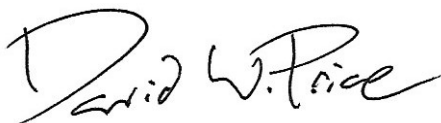
The literal interpretation and strict application of the current setbacks would cause undue and unnecessary hardship because the current owners of the property are not currently allowed to do any work of any size to the property, even though they had nothing to do with the lot coverage overage and we believe the coverage had been done in accordance with the law at the time. This is a legal non-conforming situation where any large-scale reduction of coverage will incur such costs to the owners as to make the project not viable.

The owners have been long-term residents that plan to remain, with this expanded porch a major point of enjoyment in the future. The owner has been an active for years on the Board of the County-owned Callenwolde Fine Arts Center Foundation and her husband is a past chair of the Emory Village Alliance, where he has been active for years.

(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 consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text since the purpose of the variance process is to encourage flexibility when dealing with odd or non-conforming existing conditions such as the existing non-conformities on historic properties. The HPC will hopefully conclude that the project is appropriate and we hope the ZBOA will concur.

Thank you for your consideration,

A handwritten signature in black ink that reads "David W. Price". The signature is fluid and cursive, with the first name "David" being more prominent than the last name "Price".

David W. Price, Applicant
For Abigail Shefer, Owner



Stains show existing years-old swale in current driveway, making grass strip impractical



Existing front walk, we believe it is not 100% impervious

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.

NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

NOTE: PROPERTY LINES SHOWN ON THIS SURVEY/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 SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS SURVEY IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.



- * L E G E N D *
- NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
- AKA ALSO KNOWN AS

APD AS PER DEED

APP AS PER PLAT

BL BUILDING (SETBACK) LINE

CP COMPUTED POINT

CTP CRIMP TOP PIPE FOUND

D DEED (BOOK/PAGE)

DW DRIVEWAY

EP EDGE OF PAVEMENT

FFE FINISH FLOOR ELEVATION

FKA FORMERLY KNOWN AS

IPF IRON PIN FOUND

HWD HARD WOOD TREE

L ARC LENGTH

LL LAND LOT

LLL LAND LOT LINE
- N NEIGHBOR'S

N/F NOW OR FORMERLY

NAIL NAIL FOUND

P PLAT (BOOK/PAGE)

POB POINT OF BEGINNING

POC POINT OF COMMENCEMENT

R RADIUS LENGTH

R/W RIGHT-OF-WAY

RBF REINFORCING BAR FOUND (1/2" UNO)

RBS 1/2" REINFORCING BAR SET

SW SIDEWALK

UNO UNLESS NOTED OTHERWISE

W/ WITH

-X- FENCE LINE

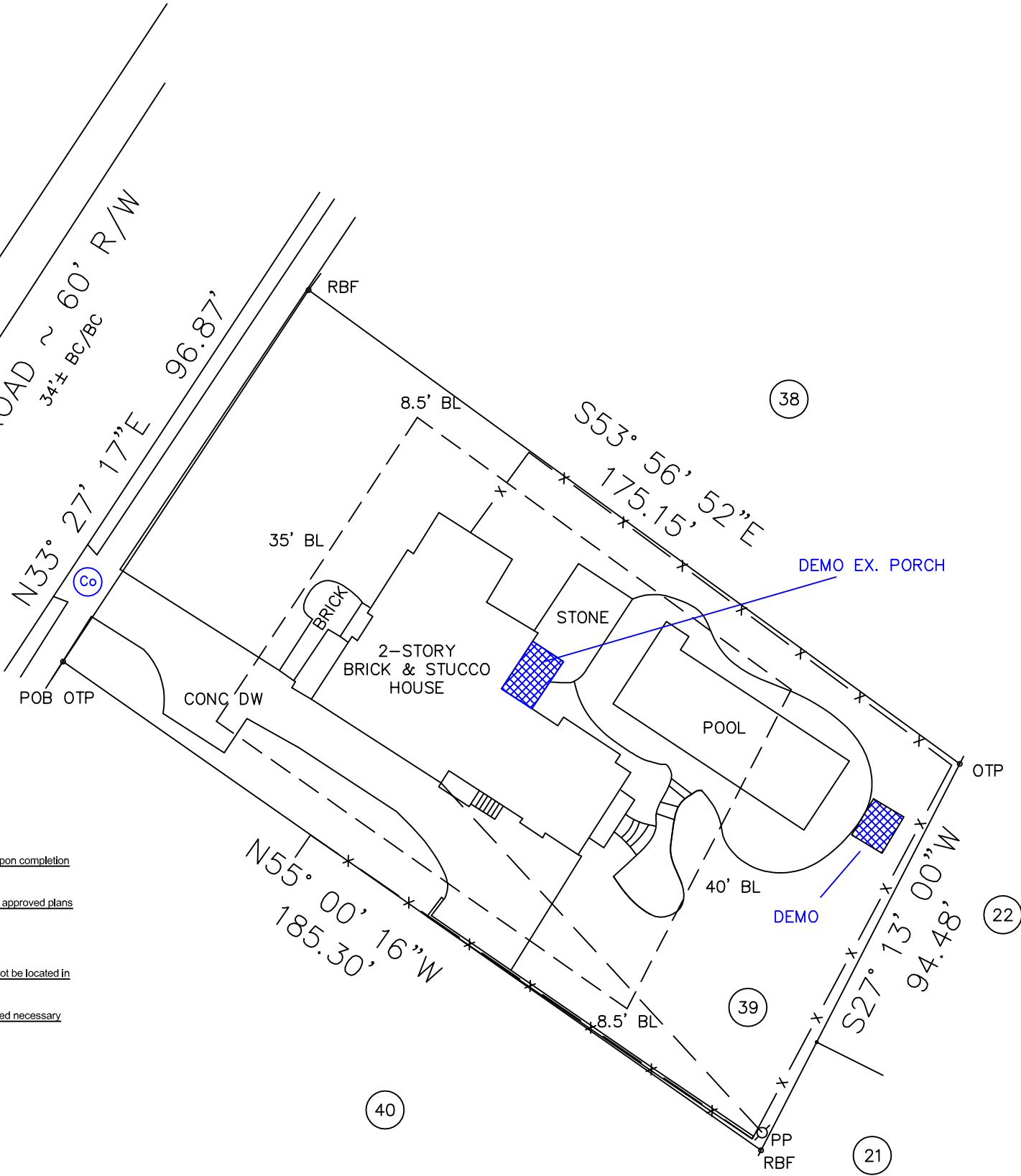
OTP OPEN TOP PIPE FOUND

Notes

- All land disturbance to be stabilized with vegetation upon completion of demolition.
- All trees to remain and have proper protection unless approved plans indicates otherwise.
- All demolition debris to be hauled off site.
- Dumpsters and/or temporary sanitary facilities shall not be located in street or tree protection area or right of way.
- Additional erosion controls shall be installed as deemed necessary by the on-site inspector.
- Call for final inspection at 404-371-4913.

24 HOUR CONTACT:
Dave Price
HOME: 404-724-9570
CELL: 404-245-4244

AS PER PLANS: INTERIOR RENOVATIONS OF HOUSE ARE PLANNED AND WILL NOT AFFECT FOOTPRINT OR DISTURB AREA AROUND FOOTPRINT.
EXISTING DRIVEWAY TO BE USED AS CONSTRUCTION ENTRANCE AND MATERIAL STORAGE.



PROPERTY ADDRESS:
1169 OXFORD RD
ATLANTA, GA

LAND AREA:
17148 SF
0.3937 AC

IMPERVIOUS AREA:
HSE= 2234 SF
STOOPS= 174 SF
BRICK= 149 SF
STONE= 292 SF
PORCH= 99 SF
DW= 1900 SF
FD= 71 SF
POOL= 2293 SF
EXIST= 7212 SF~42%
MAX=35%

ZONING: R-85

DEMO PLAN PREPARED FOR:
Donald M. Walter & Abigail Walter

LOT 39 BLOCK 12-B SUBDIVISION DRUID HILLS

LAND LOT 2 18th DISTRICT

SECTION

BY:

7-15-2015

DeKALB COUNTY, GEORGIA

FIELD: DATE 6-18-2015

TH

UNINCORP

DRWN: DATE 6-22-2015

TW

PLAT BOOK , PAGE
DEED BOOK , PAGE

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TO TITLE ARE EXCEPTED

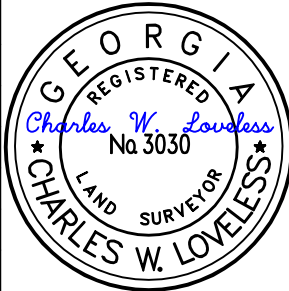
IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS 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 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

0 30
SCALE 1" = 30'

SURVEY SYSTEMS & ASSOC., INC.
657 Lake Drive, Snellville, GA 30039
COA # LSF000867

CELL 770-558-7895
OFFICE 404-760-0010
INFO@SURVEYSYSTEMSATLANTA.COM



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DW DRIVEWAY	R/W RIGHT-OF-WAY
EP EDGE OF PAVEMENT	RBF REINFORCING BAR FOUND (1/2" UNO)
FFE FINISH FLOOR ELEVATION	RBS 1/2" REINFORCING BAR SET
FKA FORMERLY KNOWN AS	SW SIDEWALK
IPF IRON PIN FOUND	UNO UNLESS NOTED OTHERWISE
HWD HARD WOOD TREE	W/ WITH
L ARC LENGTH	-X- FENCE LINE
LL LAND LOT	OTP OPEN TOP PIPE FOUND
LLL LAND LOT LINE	

Notes

All land disturbance to be stabilized with vegetation upon completion of demolition.

All trees to remain and have proper protection unless approved plans indicates otherwise.

All demolition debris to be hauled off site.

Dumpsters and/or temporary sanitary facilities shall not be located in street or tree protection area or right of way.

Additional erosion controls shall be installed as deemed necessary by the on-site inspector.

Call for final inspection at 404-371-4913.

DIRT STATEMENT:
NO GRADING
CUT=0 CU.YDS.
FILL=0 CU. YDS.

AREA OF DISTURBANCE:
677 SF
0.0155 ACRES

WOOD DECK & STAIRS
OVER DIRT DOESN'T
COUNT TOWARDS LOT
COVERAGE

PROPOSED
WOOD DECK

GRAY SHADED AREA
IS THE PROPOSED
ENLARGED PORCH

STONE PATIO TO BE
DEMOLISHED HERE

IMPERVIOUS AREA:
HSE= 2234 SF
STOOPS= 174 SF
BRICK= 149 SF
STONE= 292 SF
DECK= 99 SF
DW= 1900 SF
POOL= 2293 SF
EXIST= 7188 SF~42%

EXPANDED PORCH COVERS
CURRENT DIRT FOR 61 SQ FT
ADDITIONAL LOT COVERAGE.
71 SQ FT STONE PATIO TO BE
REMOVED SO LOT COVERAGE
GOES DOWN BY 10 SQ FT TO
7178 SQ FT (FROM 41.92% TO
41.85%)

AS PER PLANS: INTERIOR RENOVATIONS OF HOUSE ARE
PLANNED AND WILL NOT AFFECT FOOTPRINT OR
DISTURB AREA AROUND FOOTPRINT.

EXISTING DRIVEWAY TO BE USED AS CONSTRUCTION
ENTRANCE AND MATERIAL STORAGE.

ZONING: R-85

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ATLANTA, GA

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SITE PLAN PREPARED FOR:
Donald M. Walter & Abigail Walter

LOT 39 BLOCK 12-B SUBDIVISION DRUID HILLS

LAND LOT 2 18th DISTRICT

DeKALB COUNTY, GEORGIA

UNINCORP

PLAT BOOK , PAGE
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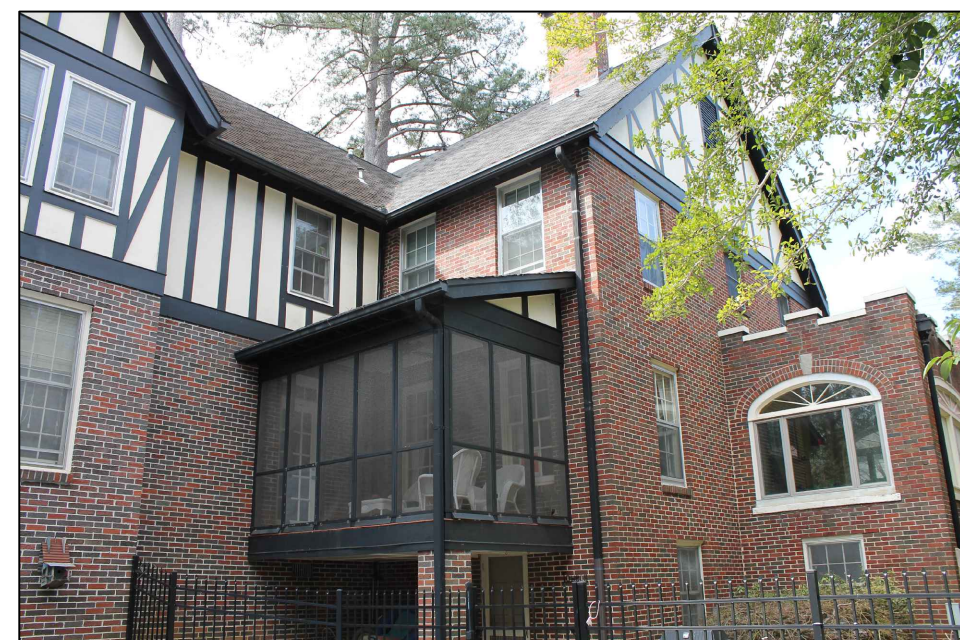
PRICE RESIDENTIAL DESIGN
1595 NOTTINGHAM WAY
ATLANTA, GEORGIA
30303
dave@priceresidentialdesign.com
404-245-4244



PORCH LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



PORCH REAR ELEVATION
SCALE: 1/4" = 1'-0"



THESE PHOTOS ARE FROM THE 2015 WHEN THE PORCH WAS PREVIOUSLY APPROVED



WALTER RESIDENCE
1169 OXFORD ROAD
ATLANTA, GEORGIA

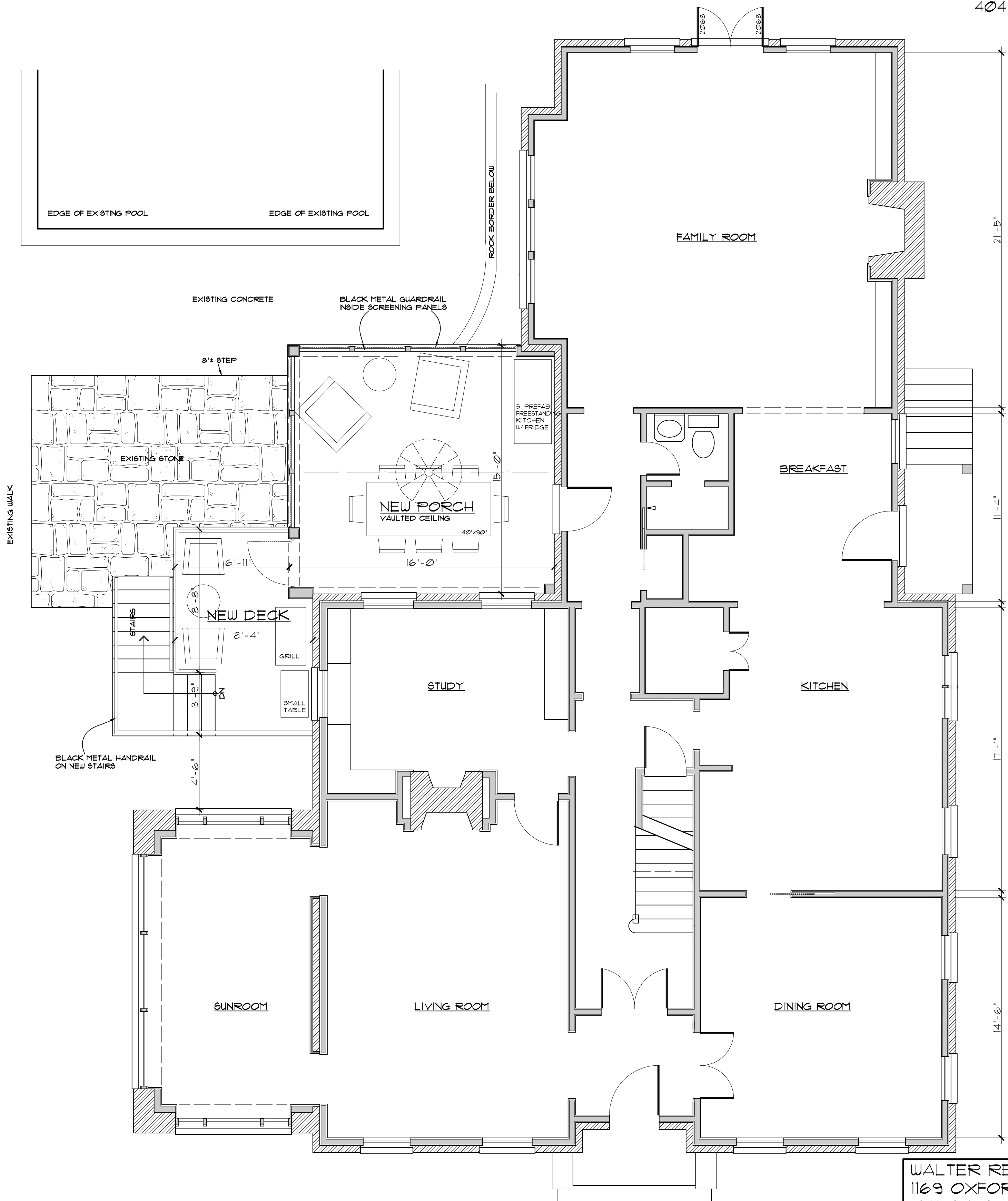
PROPOSED PORCH /
DECK ELEVATIONS

SHEET A-1

APRIL 17, 2026



PRICE RESIDENTIAL DESIGN
1595 NOTTINGHAM WAY
ATLANTA, GEORGIA
30309
dave@priceresidentialdesign.com
404-245-4244



PROPOSED MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"



WALTER RESIDENCE
1169 OXFORD ROAD
ATLANTA, GEORGIA
MAIN FLOOR PORCH
ADDITION
SHEET A-2
APRIL 17, 2026

PRICE RESIDENTIAL DESIGN
WALTER RESIDENCE
1169 OXFORD ROAD