

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

ZONING BOARD OF APPEALS (ZBA) APPLICATION

to Amend the Official Zoning Map of DeKalb County, Georgia

Subject Property Address: 3279 Pinehill Drive

City: Decatur State: GA Zip: 30312

Parcel ID Number(s): 15 199 04 146 Acreage:

District: 15 Land Lot: 199 Block: 04 Parcel: 146

Commission District(s): Super District:

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

Rosell P. Mah II
Signature

6/10/2026
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 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: 6/10/2026

Applicant
Signature: Rasool P. Malik II

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: 6/10/2026

Applicant/Agent Signature: Rasool P. Malik II

TO WHOM IT MAY CONCERN:

(I)/ (WE): Rasool D. Malik
(Name of Owners)

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

Kiera Gates
Notary Public



Rasool P. Malik II
Owner Signature

Notary Public

Owner Signature

Notary Public

Owner Signature

Rasool Malik

3279 Pinehill Drive, Decatur, Georgia 30032

Phone: 404-271-9432

Email: dawan.malik@gmail.com

Date: 6/10/2026

DeKalb County Zoning Board of Appeals
c/o Department of Planning & Sustainability
178 Sams Street
Decatur, Georgia 30030

Subject: Variance Request for Side Yard Setback Reduction — DeKalb County Zoning Ordinance, Chapter 27 (R-75 Single-Family Residential District)

Dear Members of the Zoning Board of Appeals,

My name is Rasool Malik, and I am the owner of the single-family residential property located at 3279 Pinehill Drive, Decatur, Georgia 30032. I am writing to respectfully request a variance from the side yard setback requirement of Chapter 27 of the DeKalb County Zoning Ordinance applicable to the R-75 single-family residential district.

Specifically, I am requesting that the required 7.5-foot side yard setback be reduced to approximately 3 feet — a distance that matches the existing condition of my home. The purpose of this variance is to allow a planned addition and renovation to be aligned with the existing exterior side wall of the home, which currently sits within the present-day setback as a legal non-conforming structure. Floor plans illustrating the proposed addition and its relationship to the existing wall are included with this application for the Board's review.

The home at 3279 Pinehill was originally built in 1955, well before the current 7.5-foot side yard setback was adopted under the modern Zoning Ordinance. Its existing exterior side wall has stood in its present location for over seventy years. The proposed addition will continue this existing wall line. It will not extend any further toward the side property line than the original 1955 structure already does.

1. Physical Conditions of the Site

The exceptional physical condition warranting this variance is the placement of the existing 1955 home itself. The original structure was lawfully built under the zoning standards then in effect, and it has been maintained continuously as a legal non-conforming (grandfathered) structure under the current ordinance. This condition was not created by me or by any recent prior owner — it is inherent to the property as originally constructed. Any meaningful addition that ties into the existing footprint must contend with this pre-existing condition: the existing exterior side wall already sits approximately three feet from the side property line.

2. Minimum Variance Necessary

The setback being requested — approximately three feet — is precisely the existing condition of the home. I am not asking the Board to permit any new encroachment beyond what has stood in place since 1955; I am asking only that the addition be allowed to follow the building line that is already there. Requiring the new construction to step in to 7.5 feet at the point where the addition begins would force a jogged exterior wall that compromises the functionality and flow of the interior floor plan, creates ongoing maintenance and weatherproofing concerns at the offset joint, and produces a visually awkward exterior inconsistent with the architectural character of both the home and the block. The accompanying floor plans illustrate these concerns. The requested variance is therefore the minimum necessary to afford reasonable relief — it does not extend the encroachment beyond what already exists, and it does not provide any privilege beyond what the existing legal non-conforming structure already enjoys.

3. Public Welfare

Granting this variance will not be materially detrimental to the public welfare or to neighboring properties. I have a long and continuing commitment to this block: I previously owned and rehabilitated the immediately adjacent property at 3285 Pinehill Drive, and I remain invested in maintaining and improving the character of this stretch of the street. Because the addition continues the existing wall line rather than extending further toward any neighbor, no adjacent property experiences any new impact on sight lines, light, air, or privacy beyond what has been in place for more than seventy years. The proposed work is consistent with the established residential character of the block and introduces no new noise, traffic, drainage, or nuisance concerns.

4. Ordinance Hardship

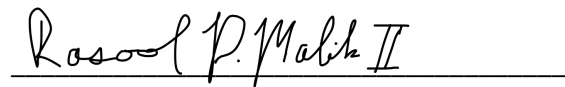
A strict and literal application of the 7.5-foot side yard setback would impose undue and unnecessary hardship on this property. Because the existing 1955 home already sits within the modern setback, this property is uniquely constrained: any meaningful addition that ties into the existing structure will, by physical necessity, fall within the setback. Strict enforcement would either require the demolition of significant portions of an otherwise sound seventy-year-old structure in order to bring it into conformance — an outcome wasteful to both the property and the neighborhood — or effectively prevent reasonable reinvestment in the home's modernization. Neither result serves the underlying purposes of the ordinance, and both would deprive me of rights and privileges enjoyed by other property owners in the R-75 district whose homes do not present the same inherited constraint.

5. Alignment with the Spirit of the Law

This request is fully consistent with the spirit and purpose of Chapter 27 and the DeKalb County Comprehensive Plan. The Comprehensive Plan designates this property within the Suburban land use category, which expressly supports thoughtful infill development, the modernization of existing housing stock, and continued reinvestment in established residential neighborhoods. Approving this variance allows for exactly that outcome: a long-tenured homeowner reinvesting in a seventy-year-old single-family home in a manner that respects the property's existing footprint and the character of the block. The variance does not change the use, the density, or the overall scale of the property — it preserves a building line that has existed since 1955 and supports the Comprehensive Plan's goals for this area.

In conclusion, I respectfully request that the Zoning Board of Appeals grant this variance to allow the proposed addition at 3279 Pinehill Drive to be aligned with the existing side wall of the home at approximately 3 feet from the side property line. I appreciate the time and careful consideration of the Board and of the planning staff, and I will be present at the public hearing to answer any questions the Board may have.

Respectfully,

A handwritten signature in black ink, reading "Rasool P. Malik II", is written over a horizontal line.

Rasool Malik

Owner, 3279 Pinehill Drive, Decatur, Georgia 30032



ZONING: R-75

SETBACKS

FRONT = 30'
REAR = 40'
SIDE = 7.5'
MIN. LOT AREA = 10,000 SQ. FT.
MIN. STREET FRONTAGE = 75'
MIN. LOT WIDTH @ BUILDING LINE = 75'
MAX. LOT COVERAGE = 35%

BOUNDARY REFERENCES:

- SUBJECT DEED BOOK 28019, PAGE 197
- PLAT BOOK 24, PAGE 7
- SEE ADJOINERS

ADDRESS

3279 PINEHILL DRIVE
DECATUR, GEORGIA, 30032

FLOOD NOTE

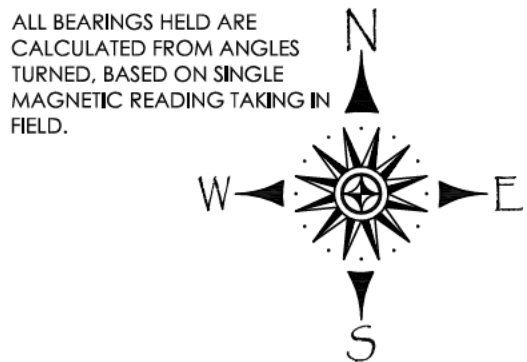
AS PER THE F.I.R.M. FLOOD INSURANCE RATE MAP DEKALB COUNTY COMMUNITY PANEL NO. 13097 C 0159 D DATED MARCH 04, 2013. THIS PROPERTY IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

TOTAL SITE AREA
(TO CENTERLINE OF CREEK)

20,549 SQ. FT.
0.472 ACRES

TOTAL SITE AREA
(TO TRAVERSE LINE)

20,086 SQ. FT.
0.461 ACRES



N/F
CARLA AUSTIN
3273 PINEHILL DRIVE
DB: 25919, PG 588

N/F
CARLA AUSTIN
3273 PINEHILL DRIVE
DB: 25919, PG 588

N/F
JUDY DECoux
3285 PINEHILL DRIVE
DB: 9553, PG 619

INSTRUMENT USED: TOPCON 8000
SERIES PULSE LASER (ROBOTIC)
WORK PERFORMED ON MAY 26,
2020.

THE DATA SHOWN ON THIS PLAT HAS
BEEN CALCULATED FOR CLOSURE
AND WAS FOUND TO BE ACCURATE
WITHIN ONE FOOT IN 100,000+ FEET.

THE FIELD DATA UPON WHICH THIS
PLAT IS BASED HAS A CLOSURE
PRECISION OF ONE FOOT IN 10,000+
FEET AND AN ANGULAR ERROR OF 5"
PER ANGLE AND WAS ADJUSTED BY
COMPASS RULE.

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 ONLY INCLUDES OBJECTS
THAT ARE VISIBLE AND IS NOT
RESPONSIBLE FOR UNDERGROUND
UTILITIES OR OTHER OBJECTS THAT ARE
NOT APPARENT BY VISUAL
OBSERVATION, I.E. UNDERGROUND
GAS TANKS, GAS LINES, WATERLINES,
SEWER LINES, ETC.

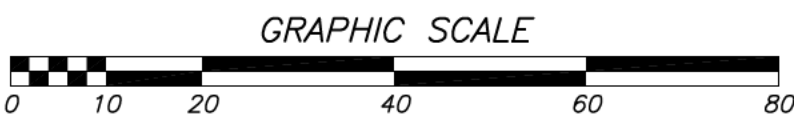
IN MY OPINION THIS PLAT IS A
CORRECT REPRESENTATION OF THE
LAND PLATTED AND HAS BEEN
PREPARED IN CONFORMITY WITH THE
MINIMUM STANDARDS AND
REQUIREMENTS OF THE LAW.



LEGEND

IPF	IRON PIN FOUND	---	PROPERTY LINE
IPS	1/2" REBAR SET	-X-X-	FENCE
CMP	CORRUGATED METAL PIPE	-T-T-	TELEPHONE LINE
R/W	RIGHT OF WAY	-G-G-	GAS LINE
Q	CENTER LINE	-W-W-	WATER LINE
R	PROPERTY LINE	-SS-SS-	SANITARY SEWER LINE
FES	FLARED END SECTION	-P-P-	POWER LINE
L.L.L.	LAND LOT LINE	OTF	OPEN TOP PIPE
T.B.M.	TEMPORARY BENCHMARK	CTP	CRIMP TOP PIPE
INV.	INVERT ELEVATION	RB	REBAR
SMH	SANITARY SEWER MANHOLE	Y.I.	YARD INLET
PO	POWER POLE	D.I.	DRAIN INLET
FD	FIRE HYDRANT	SMH	SAN. SEWER MANHOLE
LP	LIGHT POLE	CO	CLEANOUT
ICV	IRRIGATION CONTROL VALVE	WM	WATER METER
TP	TRAVERSE POINT (60D NAIL)	WV	WATER VALVE
DM	DRAINAGE MANHOLE	GW	GUY WIRE
GV	GAS VALVE	AC	AIR CONDITIONER
PT	BENCHMARK	N/F	NOW OR FORMERLY
IPF	IRON PIN FOUND	PT	PERC. TEST (BOREHOLE)
		4x4	4x4 TRANSFORMER
		RRT	RAIL ROAD TIE WALL

REVISIONS:



BOUNDARY, TOPOGRAPHIC, TREE & UTILITY SURVEY for
JEWEL BOX DEVELOPMENT PARTNERS, LLC
(PERMITTING MUNICIPALITY: DEKALB COUNTY)

LOT 5, BLOCK F, ALTOLOMA HOMES, UNIT 2
LAND LOT 199 of the 15th DISTRICT
DEKALB COUNTY, GEORGIA
DATE: 05/28/2020 SCALE: 1"= 20'

MERIDIAN GEOMATICS, LLC
Land Surveying ~ Residential, Commerical & Municipal

216 Powers Ferry Road
Marietta, Georgia 30067
phone: (770) 675-6197
surveyingatlanta@gmail.com

DRAWN BY
S.C.D.
JOB. #
2020-102

