



Lorraine Cochran-Johnson

Chief Executive Officer

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

Wednesday, August 12, 2025

Planning Department Staff Analysis



Julian Njoku

Director

D3. Case No: A-26-1248082

Parcel ID(s): 18 103 01 006

Commission District 02 Super District 06

Applicant: Kush Patel / Kimley-Horn and Associates
410 Peachtree Parkway, Suite 4230
Cumming, GA 30041

Owner: Shepherd Center, Inc.
2020 Peachtree Road NW
Atlanta, GA 30309

Project Name: 1932 Clairmont Road - Parking Lot Addition

Location: 1932 Clairmont Road, Decatur, GA 30033

Requests: Variance request from Sections 27-6.1.3 and 27-5.4.5 of the DeKalb County Zoning Ordinance to:

- Allow parking within the front yard; and
- Reduce the required transitional buffer from 50 feet to 40 feet, allow existing encroachments into the transitional buffer to remain, and allow the existing detention pond located within the transitional buffer to remain unplanted to buffer standards

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 applicant requests variance relief to facilitate a parking lot addition for the existing Shepherd Center facility at 1932 Clairmont Road. The subject property is zoned O-I (Office-Institutional) and is developed with existing institutional/medical office use. The applicant indicates that the 1924 Clairmont Road parcel is in the process of combining 1932 Clairmont Road to create an approximately 1.9-acre overall parcel, and that the proposed parking lot addition is intended to replace off-site leased parking currently used by employees and patients.

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 contains an established institutional/medical office use and includes legal non-conforming site improvements that constrain the practical placement of additional parking and impede into the transitional buffer. The submitted materials indicate that the property is being assembled from 1924 and 1932 Clairmont Road and that the combined property must accommodate existing building improvements, access points, right-of-way dedication, existing stormwater detention, drainage and buffer areas, and transitional buffer requirements adjacent to residential zoning.

The proposed parking addition is further constrained by the location of the existing Shepherd Center building, existing surface and under-building parking, an existing detention pond, a 10-foot drainage easement, and the required transitional buffer along the rear of the site.

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 relief is limited to the parking lot addition and site configuration shown on the submitted site plan. The proposed transitional buffer reduction from 50 feet to 40 feet is to accommodate existing encroachments and an existing detention pond to remain, rather than to expand. The requested front yard parking relief is tied to a specific parking layout and is necessary because the rear and side portions of the property are constrained by transitional buffer requirements and existing building placement.

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 parking lot addition is intended to serve an existing institutional/medical office facility and reduce reliance on off-site leased parking. Consolidating employee and patient parking on or adjacent to the facility may improve operational efficiency and reduce the need for users to walk from off-site parking locations. The submitted plan includes sidewalk improvements and internal connections to the existing main parcel, which support safer circulation within the site. The transitional buffer reduction is modest and accommodates existing infrastructure and may likely have minimal impact on the adjacent residences.

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 front yard parking restriction would leave the applicant with limited practical options for providing additional parking on the combined property. The submitted materials indicate that the facility currently relies on off-site leased parking for employees and patients. Requiring strict compliance would perpetuate that operational hardship and limit the ability of the existing institutional use to provide parking in closer proximity to the facility.

Strict application the transitional buffer would be required for any meaningful improvements to the property as legal non-conforming components currently impede it.

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

The purpose of the front yard parking and transitional buffer standards is to maintain orderly site design, protect adjacent properties, preserve streetscape quality, and reduce the visual and operational impacts of nonresidential development near residential areas. The proposal remains consistent with those purposes as it retains a transitional buffer, limits the relief to a defined parking layout, preserves existing stormwater infrastructure, and remains subject to departmental review for landscaping, stormwater, circulation, and public safety.

FINAL STAFF ANALYSIS:

The applicant requests variances to allow front yard parking and to reduce and modify the required transitional buffer to facilitate a parking lot addition for the existing Shepherd Center facility at 1932 Clairmont Road. The record indicates that the property is being combined with the adjacent parcel at 1924 Clairmont Road, and the proposed parking lot addition is intended to provide on-site parking for employees and patients who currently rely on off-site parking arrangements.

The site is constrained by existing institutional development, right-of-way dedication, existing stormwater detention, drainage easements, access limitations, and transitional buffer requirements adjacent to residential zoning. The proposed plan maintains a 40-foot transitional buffer, preserves the existing detention pond, and confines the parking relief to a defined site layout. While the request modifies standards intended to protect adjacent residential properties, the relief is limited in scope and can be conditioned to preserve the remaining buffer function and ensure departmental review of landscaping, stormwater, circulation, and safety requirements. Therefore, Staff recommends approval with 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.

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

APPLICANT/OWNER: SHEPHERD CENTER, INC

Subject Property Address: 1932 CLAIRMONT ROAD

City: DECATUR State: GA Zip: 30033

Parcel ID Number(s): 18 103 01 006

Commission District(s): 2 Super District(s): 6 Acreage: 1.90

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

Kush Patel

Signature

04/06/2026

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

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

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.

04/06/2026

Date

Kush Patel

Applicant/Owner Signature:

TO WHOM IT MAY CONCERN:

(I)/ (WE): Shepherd Center, Inc.

(Name of Owners)

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



Notary Public

Susan Speer Holt
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
My Commission Expires 03/12/2029



Owner/Applicant Signature

Stephen K. Marsh, Shepherd Center, Inc.
General Counsel + Chief Compliance Officer

Date:

4/6/26

DEPARTMENT OF PLANNING & SUSTAINABILITY

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION OF THE PROPERTY OWNER

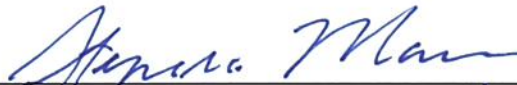
I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property.

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: 04/06/2026

Applicant
Signature:


Stephen K. Marsh, Shepherd Center, Inc.
General Counsel + Chief Compliance Officer

DATE: _____

Applicant
Signature: _____

Filing Guidelines for Applications to the Zoning Board of Appeals

1. Submit Application Materials:

- a. To ensure proper processing and payment, please create a profile and upload at least page 1 of your application to: <https://epermits.dekalbcountyga.gov/> (no more than 10mb permitted).
 - If you have an existing account, you may use that account and create a *new application number* by selecting the proper application type.
 - Fill out *all* Account Portal Questions
 - Put your **email address** under “WEB ACCOUNT”
 - SAVE APPLICATION NUMBER (1246XXX) – send to staff when you email your complete application.
- b. After portal submittal, email one (1) combined PDF document of the completed application and materials to plansustain@dekalbcountyga.gov and licarter@dekalbcountyga.gov along with application number.
- c. Please confirm we have received your application.
- d. For any questions, please contact plansustain@dekalbcountyga.gov

2. Order of Submitted Materials:

- a. Application Form
- b. Signatures and authorization (including permission to go on property)
- c. Letter of Intent
- d. Surveys, site plans.
- e. Other relevant materials (e.g., photographs, letters of support, citation, etc.)

3. Authorization:

- a. If property owner is different from the applicant, the form to authorize the application must be signed by the owner and stamped by a notary.
- b. If property is owned by more than one property owner, all property owners must authorize the request.

4. Letter of Intent:

- a. **Explain what you are asking for and why.**
- b. A typed statement indicating the request and clarifying justification for the proposal based on the criteria as indicated in Section 27-7.5.3 or 7.5.4 of the DeKalb County Zoning Ordinance (see attached information).
- c. Reference the section of the code you are requesting to vary and the amount of requested change, (such as to reduce the rear yard setback from forty (40) feet to twenty (20) feet to construct an addition).

5. Surveys and site plans of the Subject Property:

- a. Must be stamped by a professional engineer or surveyor, registered in the State of Georgia.
- b. All plans and surveys must include the following information:
 1. Must show all property lines with dimensions.
 2. Must show the location of all existing and proposed buildings, structures, parking and setbacks (their relationship to the property boundaries).
 3. Must show any other features related to the request such as trees, fences, topography, streams, etc.
 4. Must be to-scale
 5. Must show lot area and lot coverage (impervious materials, including paving and structures).

6. **Application Fee is \$300.** You will be able to pay by credit card on the epermitting portal. A receipt will be provided.

Writing the Letter of Intent

Please address the following criteria as appropriate:

7.5.1 Applications for variances; and criteria to be used by the zoning board of appeals in deciding applications for variances.

The zoning board of appeals shall hear and decide applications for variances from the strict application of the regulations of this chapter and chapter 21 where the strict application of any regulation enacted under said chapters would result in exceptional and undue hardship upon the owner of such property. In determining whether or not to grant a variance, the board shall apply the criteria specified in this section to the facts of each case. The board may attach reasonable conditions to any approved variance in accordance with section 7.3.9. Once imposed, conditions shall become an integral part of the approved variance and shall be enforced as such. No changes to an approved condition attached to a variance shall be authorized except by re-application to the zoning board of appeals in full compliance with the applicable provisions of this division. No relief may be granted or action taken under the terms of this division unless such relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this chapter and the comprehensive plan. The zoning board of appeals shall apply the following criteria to the types of applications specified below as follows:

- A. Variances from the provisions or requirements of this chapter other than variances described in section 7.5.4 shall be authorized only upon making all of the following findings in writing:
 - 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.
 - 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.
 - 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.
 - 4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.
 - 5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.
- B. Appeals of decisions regarding building architectural design standards shall be evaluated using the same criteria as section 7.6.7(B).

- C. Appeals to the height standards, but not to add stories, shall be evaluated using the criteria as follows:
1. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.
 2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.
 3. Adequacy of public services, public facilities, and utilities to serve the proposed use.
 4. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.
 5. Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.
 6. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

7.5.2 Applications for variances to reduce or waive off-street parking or loading space requirements.

The zoning board of appeals shall hear and decide applications for variances to reduce or waive required off-street parking or loading spaces in accordance with the provisions and standards of this section. All such applications shall be heard and decided based on the notice requirements of section 7.2.4. The zoning board of appeals may waive or reduce the required number of parking or loading spaces in any district only upon an expressed finding that:

- A. The character of the use of the building(s) is such as to make unnecessary the full provision of parking or loading spaces;
- B. The lot upon which the building(s) is located is within one thousand (1,000) feet of the boundary of a MARTA RapidTransit Station;
- C. The provision of the full number of parking spaces would have a deleterious effect on a historic building, site, district or archaeological resource;
- D. The use has a characteristic that differentiates it from the typical use example used in the formulation of this Zoning Ordinance;
- E. The location of the proposed development is relatively isolated where the opportunity for diversity of use, pedestrian access, and alternative modes is not available; or
- F. The developer is providing the additional spaces for general public parking (for hourly or daily parking charges) to serve surrounding development.

Section 21-27. Sign Variances.

- (a) Where a literal application of this article, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted by the zoning board of appeals after receiving evidence that the applicant meets all of the following criteria:
1. Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area;
 2. Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated;
 3. The exceptional circumstances are not the result of action by the applicant;
 4. The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated;
 5. Granting of the variance would not violate more than one (1) standard of this article; and
 6. Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.
- (b) No variance shall be granted to the height of a sign or the aggregate area of signs permitted on a lot.
- (c) No variance shall be granted which increases the size of a sign more than twenty (20) percent of that allowed by this chapter. (Ord. No. 13-03, Pt. I, 6-10-03)

7.5.3 Appeals of decisions of administrative officials.

- A. *General Power.* The zoning board of appeals shall have the power and duty to hear and decide appeals where it is alleged by the appellant that there is error in any final order, requirement, or decision made by an administrative official based on or made in the enforcement of this Zoning Ordinance or as otherwise authorized by local law or the Code of DeKalb County as Revised 1988. Administrative officials must make final decisions covered by this section within one hundred and eighty (180) days of receipt of all necessary information to make such decision. A failure to act prior to the passage of one hundred and eighty (180) days shall not be construed to be a final order, requirement or decision within the meaning of this division. If a decision is not made by the 181st day, the requested decision is deemed denied, and becomes appealable. All such appeals shall be heard and decided following the notice requirements of section 7.2.4, and pursuant to the following criteria and procedural requirements.
- B. *Appeals of decisions of administrative officials.* Appeals of decisions of administrative officials may be filed by (1) any person aggrieved by; (2) any elected member of the DeKalb County Governing Authority affected by; or (3) an owner of property within two hundred and fifty (250) feet of the nearest property line of the property that is the subject of any final order, requirement, or decision of an administrative official, based on or made in the enforcement of this Zoning Ordinance, or as otherwise authorized by local law or the Code of DeKalb County as Revised 1988. by filing with the secretary of the zoning board of appeals an application for appeal, specifying the grounds thereof, within fifteen (15) days after the action was taken by the official that is the subject of the appeal.
- C. *Appeal stays all legal proceedings.* An appeal of a decision of an administrative official stays all legal proceedings in furtherance of the action or decision appealed from unless the official from whom the appeal is taken certifies to the zoning board of appeals, after notice of appeal has been filed, that by reason of facts stated in the certificate, a stay would, in that official's opinion, cause imminent peril to life or property. In such a case, legal proceedings shall be stayed only pursuant to a restraining order granted by a court of competent jurisdiction directed to the officer from whom the appeal is taken and



DEPARTMENT OF PLANNING & SUSTAINABILITY

- D. *Appeal stays land disturbance or construction activity in certain situations.* If the action or decision appealed from permits land disturbance or construction activity to commence or continue on residentially zoned property, the appeal stays the land disturbance or construction activity until the zoning board of appeals issues a decision on the appeal. Thereafter, land disturbance or construction activity in such cases shall only be stayed by an order from a court of competent jurisdiction. In all cases involving non-residentially zoned property, the appeal to the zoning board of appeals does not stay land disturbance or construction activity; such activity shall only be stayed by an order from a court of competent jurisdiction.
- E. Thereafter, in such situations land disturbance or construction activity shall only be stayed by an order granted by a court of competent jurisdiction.
- F. *Time of hearing.* The zoning board of appeals shall fix a reasonable time for the hearing of the appeal and give notice thereof pursuant to the requirements of section 7.2.4 as well as written notice to the appellant. Any party may appear at the hearing in person, by an agent, by an attorney, or by the submission of written documentation.
- G. *Decision of the zoning board of appeals.* Following the consideration of all testimony, documentary evidence, and matters of record, the zoning board of appeals shall make a determination on each appeal and shall issue a written decision explaining the reasons for its decision. The zoning board of appeals shall decide the appeal within a reasonable time, but in no event more than sixty (60) days from the date of the hearing. An appeal shall be sustained only upon an expressed finding by the zoning board of appeals that the administrative official's action was based on an erroneous finding of a material fact, erroneously applied the Zoning Ordinance to the facts, or that the administrative official acted in an arbitrary manner. In exercising its powers, the zoning board of appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all the powers of the administrative official from whom the appeal was taken and may issue or direct the issuance of a permit, provided all requirements imposed by any applicable laws are met.

7.5.4 Limitations of authority of the zoning board of appeals.

No variance shall be granted by the zoning board of appeals to:

- A. Allow a structure or use not listed as a permitted use or a special use in the applicable zoning district or a density of development that is not authorized within such district. This prohibition does not apply to any variance from the supplemental regulations of Article 4 of this Zoning Ordinance or from any other accessory feature or characteristic of a permitted or special use, unless said variance is otherwise prohibited by the regulations of this chapter.
- B. Allow any variance which conflicts with or changes any requirement enacted as a condition of zoning or of a special land use permit by the board of commissioners.
- C. Reduce, waive or modify in any manner the minimum lot width unless the purpose is to reverse a lot merger.
- D. Reduce, waive or modify in any manner the minimum lot area established by this chapter.
- E. Extend the time period for a temporary outdoor social, religious, entertainment or recreation activity approved by the director of planning.
- F. Permit the expansion or enlargement of any nonconforming use of land, nonconforming use of land and buildings in combination, nonconforming use of land and structures in combination, or nonconforming use requiring special land use permit.
- G. Permit the reestablishment of any nonconforming use of land, nonconforming use of land and buildings in combination, nonconforming use of land and structures in combination, or nonconforming use requiring special land use permit where such use has lapsed pursuant to the requirements and limitations of Article 8 of this chapter.
- H. Permit customer contact for a home occupation authorized by this chapter.
- I. Allow any variance to increase the height of a building which will result in adding a story.

Summary of Zoning Board of Appeals Application Process:

1. **Timeline.** It takes ~45-60 days to submit your application and receive an initial decision from the Zoning Board of Appeals regarding your request.
2. **Pre-application Meetings.** DeKalb County now mandates pre-application meetings. Please email plansustain@dekalbcountyga.gov to schedule a virtual appointment to meet with a Planner assigned to the Zoning Board of Appeals. During the virtual meeting, we will review and provide feedback regarding your request, review the application process, and answer any questions.
3. **Application Submittals.** Create a profile and upload at least page 1 of your application to: <https://epermits.dekalbcountyga.gov/> (no more than 10mb permitted). Email a combined PDF document of the completed application and materials to plansustain@dekalbcountyga.gov and ljcarter@dekalbcountyga.gov along with the application number.
4. **Public Hearing Signs.** You will need to post at least one sign per street frontage of the property. Staff will prepare a sign template. You will need to coordinate sign printing and posting with a sign company of your choice, at least 30 days prior to the ZBA hearing. Sign(s) must remain posted until final Board of Appeals action regarding the request. If the application is deferred, you may update the sign(s).
5. **Revisions or amendments.** An application must be submitted in writing and must be received a least 14-days before the scheduled meeting to be addressed by the staff report.
6. **Staff Report.** Staff prepares reports and recommendations for each application. These recommendations are based on the attached criteria established by the [DeKalb County Zoning Code](#). Final staff reports are available to the applicant and the public prior to the scheduled Board of Appeals meeting. Find current reports on our website, here: <https://www.dekalbcountyga.gov/planning-and-sustainability/public-hearing-agendas-info>
7. **Monthly Meetings.** The Zoning Board of Appeals meets once a month, generally on the second Tuesday of each month at 1:00 P.M., via Zoom. Find agendas on our website, [HERE](#).
8. **Applicant and/or Representative must be Present.** Applicants or their representatives must be present at the public hearing to present the request to the Zoning Board of Appeals.
9. **Public Hearing portion of Meeting.** Applicants and others in favor of an application are given a total of five (5) minutes to present to the Board. That is five minutes combined, no matter how many people wish to speak. Applicants should be prepared to explain their variance, why they are requesting it and answer questions from the board. Anyone speaking in opposition also has a total of five (5) minutes to address the application in front of the board. Be prepared to raise your hand or announce yourself when the chair asks for those in support or opposition to the application.
10. **Applicant and/or Representative must be Present.** Applicants or their representative must be present at the public hearing to present the request to the Zoning Board of Appeals.
11. **Executive Session.** After the public hearing, the Board of Appeals will close the public hearing, go into executive session for discussion, and will then take an action on an application. Applicants are not allowed to address the Board of Appeals during Executive Session unless they are asked questions by members of the Board of Appeals.

DEPARTMENT OF PLANNING & SUSTAINABILITY

- 12. Zoning Board of Appeals Actions.** The Board of Appeals is authorized to:
- Approve the application as submitted;
 - Approve a revised application;
 - Approve an application with conditions;
 - Deny an application (if an application is denied, no variance can be considered on the same site within 24 months);
 - Allow an application to be "Withdrawn without Prejudice" at the request of the applicant.
- 13. Compliance with standards upon denial.** In such case that a variance request is initiated due to an existing code violation and such application is denied, the violation shall be required to be brought into compliance within thirty (30) days of such denial or as specified by the board if a greater time period is approved.
- 14. Successive applications.** Section 27-920 of the DeKalb County Zoning Ordinance states: An application for a variance or special exception affecting all or a portion of the same property which was denied by the Zoning Board of Appeals shall not be submitted more than once every twenty-four (24) months measured from the date of final decision by the zoning board of appeals. The Zoning Board of Appeals may waive or reduce this twenty-four-month time interval by resolution provided that if the application for a variance or special exception was denied by the Zoning Board of Appeals, the time interval between the date of said denial and any subsequent application or amendment affecting the same property shall be no less than six (6) months.
- 15. Appeals of Decisions.** Any person aggrieved by a final decision of the board, or any officer, department, board or agency affected by such decision, may seek review of such decision by petitioning the Superior Court of DeKalb County. Such petition shall be filed within 30 days after the final decision of the board is rendered.

MEMORANDUM

To: Lucas Carter

From: Kimley-Horn and Associates, Inc.

Date: 07/27/2026

Subject: 1932 Clairmont Road - Stormwater and Detention Narrative

This memorandum summarizes the current stormwater, detention, hydrology, landscape, and coordination considerations associated with the 1932 Clairmont Road project and the two variance request pending before the Board of Zoning Appeals: (1) allowing parking within the front yard; and (2) reducing the required transitional buffer from 50 to 40 feet and allowing existing encroachments within the transitional buffer to remain (e.g., allowing the existing detention pond to remain within the transitional buffer as permitted by the 1999 variance).

Based on the current site evaluation and coordination completed to date, the responses below are intended to document Kimley-Horn's understanding of the drainage conditions, proposed detention improvements, buffer preservation approach, and anticipated permitting commitments that we believe satisfy the ZBA's concerns and which may inform the ZBA about conditions needed to approve the variance requests

Kimley-Horn has heard the concerns raised by the downstream and adjoining property owners, reevaluated existing site conditions, and updated the hydrology evaluation to better understand the limits of onsite and offsite drainage contributing to the subject area.

The related drainage exhibits should clearly identify the contributing drainage areas, including areas that do not originate on the subject property, and should number each exhibit consistently for reference within this memorandum.

RESPONSES TO QUESTIONS IDENTIFIED BY DEKALB COUNTY STAFF

How stormwater from the combined 1924, 1932, and 1944 Clairmont parcels will be handled.

- An updated drainage model has been prepared for the project area to define the contributing drainage areas and to better understand the flow patterns affecting the combined parcels. The adjoining property stormwater delineation is provided as Exhibit B.
- The analysis will be used to identify the sources and directions of natural runoff and to assist in defining opportunities for improvements to the existing detention ponds so stormwater can be more effectively managed before leaving the subject property. Existing site layout and zoning context are shown on Exhibit A.
- The proposed site improvements will improve runoff conditions by decreasing impervious surface area on the property by approximately 10% and will do so by increasing the effectiveness of the existing stormwater management measures. The pre-development and post-development impervious/pervious takeoffs are provided as Exhibits E and D, respectively.

Whether the variance and conditions legally attach to the combined parcel under the 1932 address.

- Based on the proposed lot consolidation process with DeKalb County, it is our understanding that the variance and associated conditions would apply to the combined parcel under the address: 1932 Clairmont Road.

Existing and proposed detention capacity, including runoff entering from Clairmont Road.

- The proposed improvements to the detention areas, along with the reduction in impervious space noted above, are intended to increase detention capacity by removing low level vegetation and undergrowth within each pond and by increasing the wall height of one pond, where appropriate, to maximize available volume and improve stormwater management.

The hydrology analysis using the discussed curve number of 85.

- Based on discussions with DeKalb County staff, the hydrology analysis uses a curve number of 85 for pre-developed conditions.
- The drainage-area delineation shown on Exhibit B and the impervious/pervious takeoffs shown on Exhibits D and E support the hydrology assumptions used for the analysis.
- The project team will continue to document the assumptions used in the hydrology model and coordinate with DeKalb County during permit review to confirm that the design approach is acceptable.

How the overgrown detention pond will be restored and maintained.

- The overgrown detention pond areas are to be restored by removing lower-story vegetation within the pond limits by hand to avoid unnecessary disturbance to the surrounding buffer vegetation.
- The project team intends to maintain the buffer within the 50-foot transitional buffer on the 1924 parcel through preservation of the upper-story vegetation that currently provides screening and buffer function.
- Future maintenance of the detention pond areas should focus on keeping the pond, outlet structures, and storage areas functional while preserving the required buffer density.
- It should be noted that the pond on the property currently addressed as 1924 Clairmont Road is a DeKalb county pond within an established easement controlled by DeKalb County. DeKalb County is expected to permit the proposed maintenance and pond repair within its easement as part of the land development permit process.

What vegetation can remain and where replacement evergreen screening will be installed.

- Upper-story buffer vegetation is proposed to remain to maintain the existing density and green-screening function of the transitional buffer.
- During the permitting process, the project team will evaluate the buffer area and consider additional planting where needed to supplement screening or address areas disturbed by detention improvements.

Landscaping and trees within the proposed parking lot.

- Landscaping and tree planting within the proposed parking lot will be designed to meet applicable DeKalb County standards.
- Final parking lot landscape locations and species should be confirmed during permit plan preparation to coordinate with grading, stormwater, utilities shown on Exhibit C, and visibility requirements.

Whether detention work can occur while preserving an effective green screen along McConnell Drive.

- Yes. The detention improvements can be performed while preserving the effective green screen along McConnell Drive by limiting removal to lower-story vegetation within the detention pond areas and maintaining upper-story vegetation that provides the primary screening function.
- The proposed approach is intended to allow the detention ponds to be restored and maintained while preserving the visual buffer provided by existing vegetation.

Results of coordination with Dr. John Musser and the affected rear neighbors.

- The project team met onsite with Dr. John Musser to review the drainage concerns and existing site conditions.
- Runoff entering the study area from Clairmont Road and other offsite contributing areas are shown on Exhibit B so the source and direction of contributing flows are clearly documented.
- A follow-up meeting is planned to continue coordination with Dr. Musser and the affected rear neighbors after the updated evaluation and exhibits are further developed.

OTHER CONSIDERATIONS**Previously BZA Approved Variance in Buffer Reduction**

- In 1999, 1932 Clairmont Road (Parcel ID: 18 103 01 006), received a variance approval by the BZA to reduce the then 40' transitional buffer to a 5' landscape strip in the detention area. The existing detention pond behind the Shepherds Pathway building has been detaining stormwater and has been maintained for over 27 years. (See Exhibit F)

Previous 1999 Front Setback Variance

- In 1999, 1932 Clairmont Road (Parcel ID: 18 103 01 006), received an administrative variance to allow parking in front of the facility and has been operating under this variance for over 27 years. The requested variance for front yard parking is consistent with this older variance. (See Exhibit G)

POTENTIAL CONDITIONS**No Reduction in Transitional Buffer for 1924 Parcel**

- Applicant agrees that it will maintain a 50-foot transitional buffer for the newly acquired parcel (1924 Clairmont Road), and only proposes limited entry to maintain detention pond, clean undergrowth, and enhance function of stormwater facility.
- Applicant agrees that it will not expand any encroachments within the existing transitional buffer through the remainder of combined property (i.e., no expansion of any structures currently within the 40-foot transition buffer).

ATTACHMENTS

The exhibits referenced in this memorandum are identified as follows:

- Exhibit A – 2026-07-22 1932 Clairmont Road Zoning Site Plan
- Exhibit B – 2026-07-22 Adjoining Property Stormwater Delineation
- Exhibit C – 2026-07-22 GIS Utilities Map
- Exhibit D – 2026-07-22 Pre Development Impervious/Pervious Takeoff
- Exhibit E – 2026-07-22 Post Development Impervious/Pervious Takeoff
- Exhibit F – 1999 Approved BZA Variance to Reduce 40' buffer to 5' landscape strip
- Exhibit G – 1999 Approved Administrative Variance to allow front yard parking

Please contact us with any questions at kush.patel@kimley-horn.com, or 470-489-1875.

April 6, 2026

DeKalb County Department of Planning & Sustainability
Attn: Director of Planning
178 Sams Street
Decatur, GA 30030

RE: *Request for Variances for 1924 and 1932 Clairmont Road, Decatur, GA.*

Dear Director and Staff,

This Letter of Intent is submitted in support of an application for variances from **Section 6.1.3.5** and **Section 5.4.5** of the DeKalb County Code of Ordinances for the above-referenced property.

The subject property is located at 1924 Clairmont Road, Decatur, GA (PID 18 103 01 007) which at the time of this application is in the process of being combined with 1932 Clairmont Road, Decatur, GA (PID 18 103 01 006) to form an overall parcel of 1.9 acres with the latter's address and parcel id number. Shepherd Pathway's is a non-profit entity that operates a rehabilitation facility at 1932 Clairmont Road. As part of their operations, they are currently leasing off-site parking spaces for their employees and patients to park at and walk to. In an effort to ease employees' and patients' experience, they purchased the property adjacent to themselves located at 1924 Clairmont Road. The proposed plan for the center is to demolish the existing building at 1924 Clairmont Road and convert the use into a parking lot. The requests for variances to Section 6.1.3.5 and Section 5.4.5 not only arises from the above-mentioned plan but also are existing non-conformities. The existing building at 1932 Clairmont Road encroaches into the 50' transitional buffer and has parking that is in the front yard.

We respectfully requests variances from the following sections of the Code:

- **Section 6.1.3.5**, to permit parking in the front yard of the new combined lot.
- **Section 5.4.5**, to allow for a reduction of the required transitional buffer from 50' to 40', to allow all existing encroachments into the buffer to remain as-is, existing detention ponds in transitional buffer to not be planted to buffer standards.

These requests are limited in scope and represent the minimum relief necessary to reasonably develop and use the property. They are warranted due to unique site conditions that create practical difficulty in meeting the strict application of the Code, including but not limited to:

- As previously mentioned, existing conditions are existing non-conformities to the current DeKalb County Code. The variance request is to make them legal conforming.
- With the required transitional buffer at the rear of the lot, it is impossible to avoid the need for the variance to allow front yard parking.

These conditions are not self-imposed and are specific to the subject property, making strict compliance with Sections 6.1.3.5 and 5.4.5 unreasonable without variance relief.

Granting the requested variances will remain consistent with the purpose and intent of the DeKalb County Code of Ordinances. The proposed development:

- Preserves the overall goals of public safety, orderly development, and aesthetic quality;
- Does not undermine the intent of the regulations from which relief is sought; and
- Maintains consistency with surrounding land uses and development patterns.

Approval of the variances will not negatively impact adjacent properties or the surrounding community. Specifically, no adverse effects on traffic, drainage, utilities, or public services are anticipated; the request will not impair neighboring property values or use and enjoyment; and the proposal complies with all other applicable zoning, building, and development regulations.

For the reasons stated above, we respectfully requests approval of the variances from Section 6.1.3.5 and Section 5.4.5. The requested relief is reasonable, justified by site-specific conditions, and consistent with the intent of the DeKalb County Code of Ordinances.

Thank you for your time and consideration. Please feel free to contact me should you require any additional information.

Sincerely,

Kimley-Horn and Associates

A handwritten signature in blue ink, appearing to read 'K. Patel', with a long horizontal flourish extending to the right.

Kush Patel, P.E.

EXHIBIT A

PROPERTY ADDRESS AND PARCEL NUMBER BASED ON DEKALB COUNTY GIS

1944
PARCEL NUMBER: 18 103 01 011

1932
PARCEL NUMBER: 18 103 01 006

1924
PARCEL NUMBER: 18 103 01 007

SITE DEVELOPMENT SUMMARY	
SITE SUMMARY	
ZONING:	O-1
SITE AREA:	1.246 ACRES
ROW DEDICATION:	0.079 ACRES
ADJUSTED SITE AREA:	1.167 ACRES
TOTAL DISTURBED AREA:	0.5108 ACRES
BUILDING SETBACKS:	
FRONT (CLAIRMONT ROAD):	60 FT
SIDE:	20 FT
REAR:	30 FT
PARKING SUMMARY	
REQUIRED PARKING:	
OFFICE, DOCTOR (39,000 SF)	78 SPACES (MIN. 1/500 SF) 195 SPACES (MAX. 1/200 SF)
EXISTING PARKING:	
SURFACE PARKING	40 SPACES
UNDERGROUND PARKING DECK	22 SPACES
PROPOSED PARKING:	
EXISTING SURFACE PARKING	39 SPACES
UNDER BUILDING PARKING	22 SPACES
STANDARD	31 SPACES
COMPACT	15 SPACES
VARIANCES REQUESTED	
1. Sec. 6.1.3.5	
PARKING SHALL NOT BE PERMITTED WITHIN THE FRONT YARD.	
2. Sec. 5.4.5	
TRANSITIONAL BUFFERS REQUIRED WHEN O1 ZONING ABUTS RESIDENTIAL ZONING.	

- SITE NOTES**
- EXISTING CONDITIONS SHOWN HEREON ARE FROM A SURVEY FILE PROVIDED BY GEORGIA LAND SURVEYING CO., DATED 01.29.2026.
 - ALL DIMENSIONS ARE FROM FACE OF CURB TO FACE OF CURB UNLESS OTHERWISE NOTED.
 - SIDEWALK INSTALLED AGAINST BACK OF CURB SHALL BE INSTALLED PER THE PLAN AS MEASURED FROM THE BACK OF CURB.
 - ALL SIGNAGE AND STRIPING MUST MEET THE LATEST REQUIREMENTS SET FORTH BY MUTCD, GDOT, AND GEORGIA STATE CODE.
 - REFERENCE LANDSCAPE PLANS FOR ALL HARDSCAPE AND LANDSCAPE DETAILS AND SPECIFICATIONS.

- SITE NOTES**
- PROPERTY LINE
 - 60 FT BUILDING SETBACK LINE
 - 5 FT LANDSCAPE BUFFER LINE
 - STANDARD DUTY ASPHALT PAVEMENT
 - HEAVY DUTY CONCRETE PAVEMENT
 - CONCRETE SIDEWALK
 - PARKING COUNT



Kimley»Horn

11720 AMBER PARK DRIVE
SUITE 600
ALPHARETTA, GA 30009

PHONE 770.616.4599
WWW.KIMLEY-HORN.COM
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.

SHEPHERD CENTER

2020 PEACHTREE ROAD NW
ATLANTA, GA 30309

1932 CLAIRMONT ROAD

18 103 01 006 LAND LOT 193
18TH DISTRICT

1932 CLAIRMONT ROAD
DECATUR, GA 30033

GEORGIA

REGISTERED

Professional Engineer

1817 HARISH PATEL

07/16/2026

GSWCC NO. (LEVEL II) 0000095764

DRAWN BY DR

DESIGNED BY DR

REVIEWED BY KHP

DATE 04/08/2026

PROJECT NO. 013679005

TITLE

SITE PLAN

SHEET NUMBER

C2.00

PRELIMINARY: NOT FOR CONSTRUCTION

Drawing name: C:\ACCC\ACCDocs\Kimley-Horn\13679005 - 1924 CLAIRMONT\Project Files\CAD\Plans\C2.00 - SITE PLAN.dwg C2.00 SITE PLAN Jul 22, 2026 7:29pm by Kush Patel

EXHIBIT B

PATH OF STORMWATER
TO NEIGHBORS PARCEL

APPROXIMATE LOCATION OF
STORMWATER DISCHARGE BY
TOWNHOME DEVELOPMENT

EXTENTS OF SHEPHERD
PATHWAYS' PROPERTY

RIDGE CREATED WITH CURB LINE AND
SHOULDER SENDING STORMWATER
FROM DEVELOPED PORTIONS
TOWARDS ONSITE DETENTION POND

APPROXIMATE LOCATION OF
EX. 15" HDPE PIPE THAT
DISCHARGES THE DETENTION
POND PER COUNTY GIS

1944

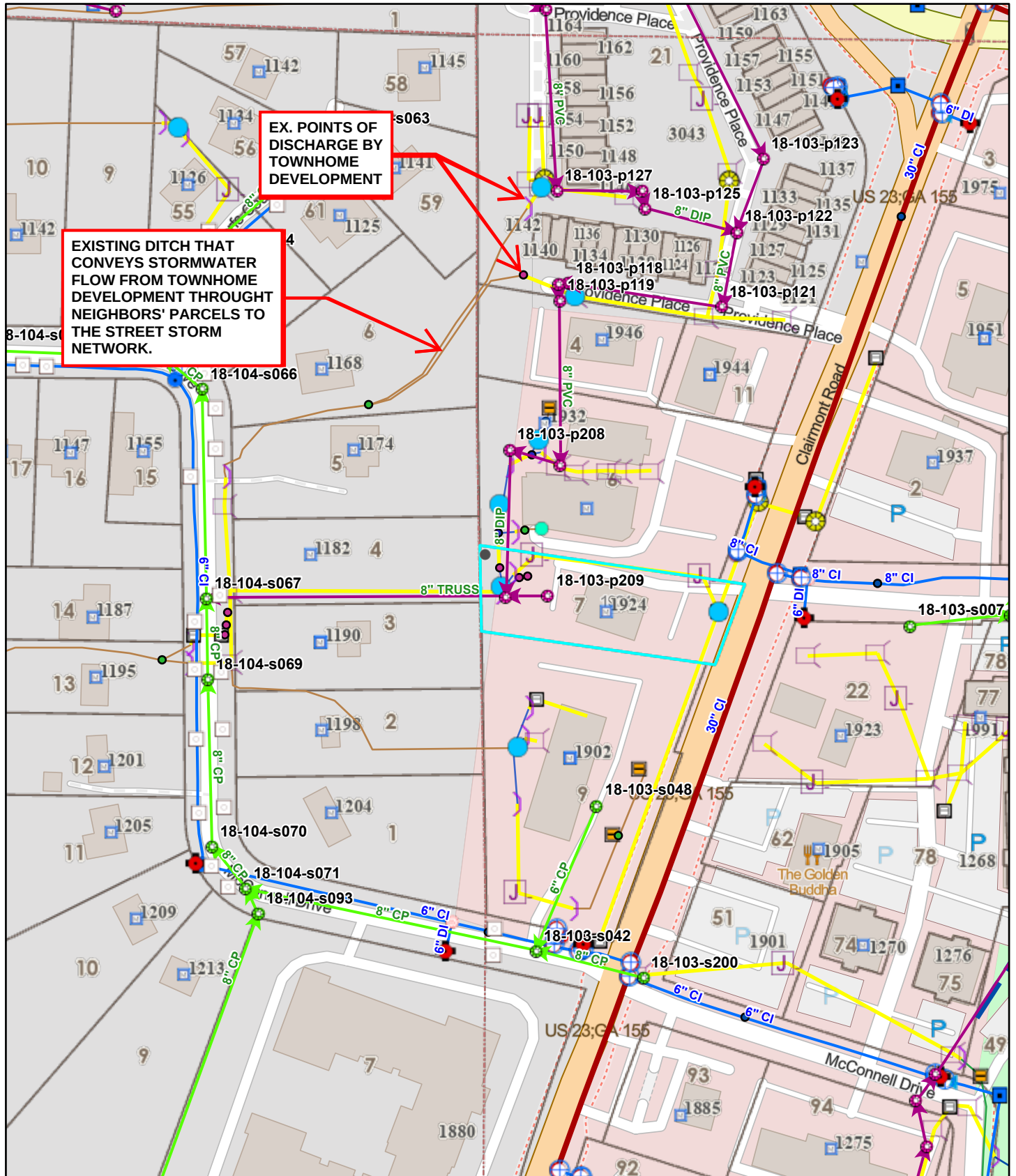
1932

1924

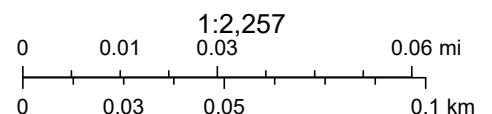
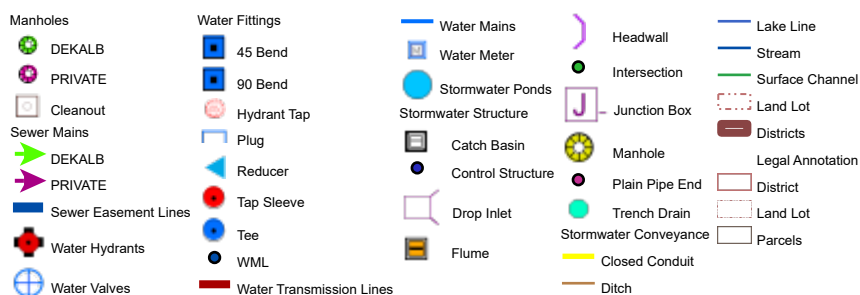
Clairmont Road

EXHIBIT C

1924 Clairmont Road, Decatur GA 30033



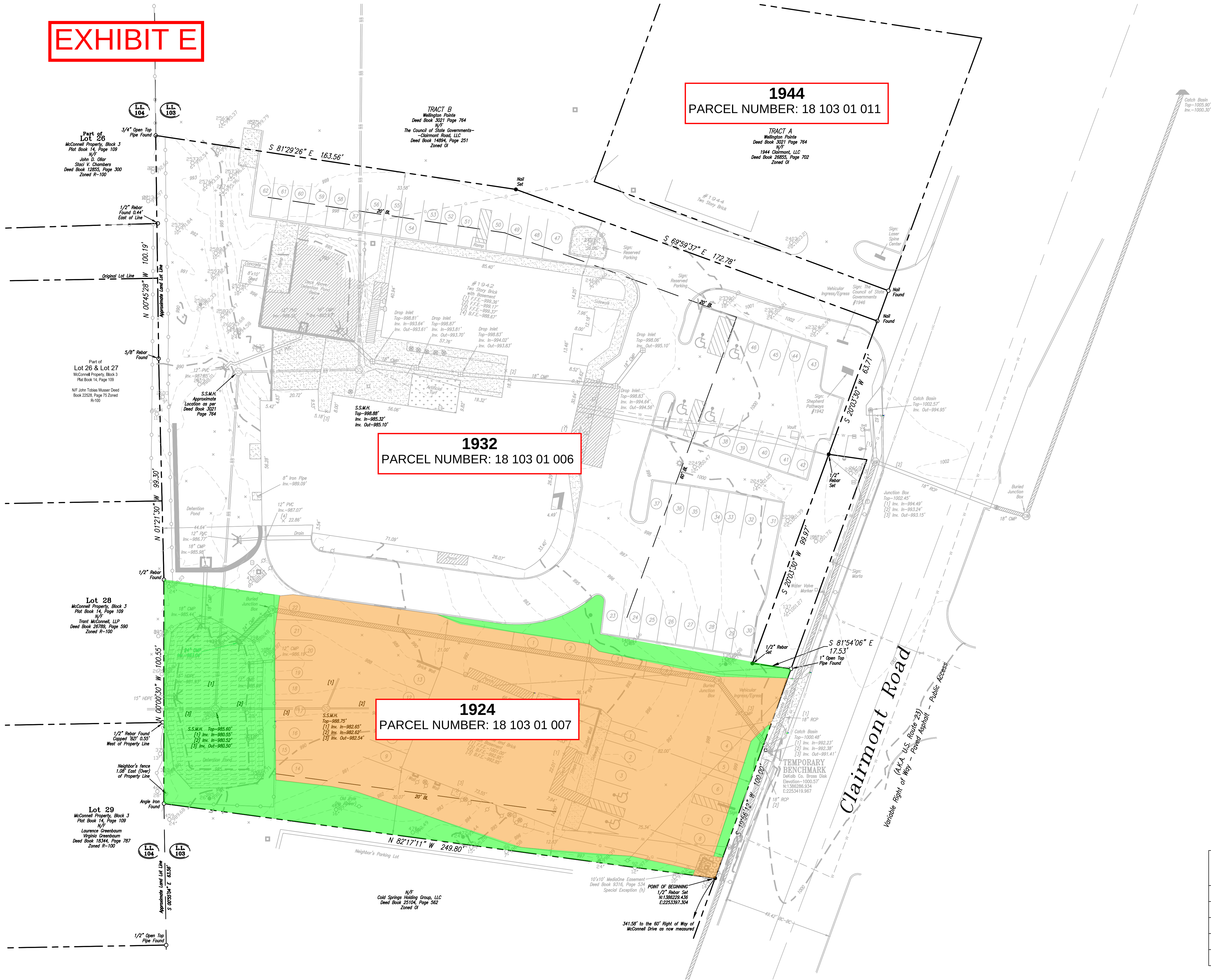
10/21/2025, 4:05:29 PM



Map data © OpenStreetMap contributors, Microsoft, Facebook, Google, Esri
Community Maps contributors, Map layer by Esri

DeKalb County Watershed Management
The data provided in this map is provided for informational and planning purposes only. DeKalb County DWM is not responsible for the misuse or misrepresentation of the data.

EXHIBIT E



DRAINAGE BASIN LEGEND	
	ONSITE IMPERVIOUS TO POND
	ONSITE PERVIOUS TO POND

PRE DEVELOPMENT PERVIOUS AND IMPERVIOUS AREAS OF PROPOSED PROJECT		
LAND COVER	AREA	PERCENTAGE
PERVIOUS	0.19 ACRES	30.60%
IMPERVIOUS	0.43 ACRES	69.40%
TOTAL	0.62 ACRES	

EXHIBIT D



DRAINAGE BASIN LEGEND	
	ONSITE IMPERVIOUS TO POND
	ONSITE PERVIOUS TO POND

PRE DEVELOPMENT PERVIOUS AND IMPERVIOUS AREAS OF PROPOSED PROJECT		
LAND COVER	AREA	PERCENTAGE
PERVIOUS	0.25 ACRES	40.32%
IMPERVIOUS	0.37 ACRES	59.68%
TOTAL	0.62 ACRES	

DeKalb County, Georgia



Development Department
(404) 371-4915

1300 Commerce Drive, Room 302, Decatur, Georgia 30030

NOTICE OF DECISION BY DEKALB COUNTY BOARD OF APPEALS

Re: Application of Dr. Gary R. Ulicny/SHEPHERD Center, Inc.
Case Number A-99026
Property Location 1932 Clairmont Road

This is to advise that the Board of Appeals, at its meeting of 03/10/99, reached the following decision on the above application:

APPROVED #1 (#2 and #3 withdrawn prior to hearing; handled administratively.)

The DeKalb County Zoning Ordinance provides that an appeal from this decision may be filed for hearing before the DeKalb County Board of Commissioners within ten (10) days from the date of the above decision, either by the applicant or the opposition.

This appeal must be filed with the Development Department, 3rd floor, Room 302 of the Manuel J. Maloof Administration Building, 1300 Commerce Drive, Decatur, GA 30030, on the proper form provided by that office.

The fee for an appeal is \$150.00 and must be received at the time the proper form is filed.

The deadline for filing an appeal from the above decision will be 5:00 P.M., March 22, 1999. The above decision does not become final until that date and time, and no permits or business licenses may be obtained until after that date on approved applications.

DEKALB COUNTY A COMMUNITY DEVELOPMENT DEPARTMENT APPLICATION FOR ADMINISTRATIVE VARIANCE

3/2/99

FEE: \$100.00 (Non-refundable) payable when application is filed. Attach a scale plat showing all property lines with dimensions; locations of all buildings, storm drains, sanitary sewers, flood plains, creeks, easements and fences; north arrow; land lot and district; location of setback lines or other dimensional requirements from which the variance is sought. A variance may be granted only from dimensional requirements in accordance with Section 27-31 of the DeKalb County Zoning Ordinance.

APPLICANT: HAYES, JAMES & ASSOCIATES, INC.

ADDRESS 3005 Breckinridge Blvd Suite 200 Dunwoody GA 30096 PHONE # 770-923-1600

OWNER SHEPHERD CENTER INC.

ADDRESS 2020 PEACHTREE ROAD NW ATLANTA GA 30309 PHONE # 404-350-7311

1. ADDRESS OF PROPERTY FOR WHICH VARIANCE IS REQUESTED:
1932 CLAIRMONT ROAD ATLANTA GA
2. WHAT IS THE VARIANCE REQUESTED? PARKING IN FRONT YARD AND REDUCTION OF PARKING SPACE COUNT FROM REQUIRED 84 SPACES TO 68 SPACES
3. WHAT SPECIAL CONDITIONS OR CIRCUMSTANCES, IN YOUR OPINION, WARRANT THE GRANTING OF VARIANCE?

PROPOSED BUILDING IS BEING DESIGNED TO WORK WITH EX. BLDG. (E. SHARED ACCESS, PARKING, PATIOS ETC.) IN AN EFFORT TO MAX SPACE, PARKING IS SHOWN WITHIN 50' FRONT YARD SETBACK. IN ORDER TO SAVE THE SPRUCE TREES, NO PARKING WAS PLACED NEAR TREES. OWNER REQUESTS MORE PK SPACES THAN REQ. DUE TO MEDICAL NATURE OF BLDG USE. PK SPACES TAKE UP MORE FOR

DATE: 2/22/99 APPLICANT Christie Sims / Hayes James & Associates
OWNER G.R. W. President CEO Shepherd Center

TO BE COMPLETED BY DEVELOPMENT DEPARTMENT

APPLICATION RECEIVED BY: B. POWELL [Signature]
Manager's Signature

DATE RECEIVED FEB. 21, 1999 MAP REFERENCE 18-103-1-6
AMOUNT \$100.00 ZONING DISTRICT O-I 2-72174
RECEIPT # 448143G DEV. FILE # -

TYPE OF VARIANCE

FRONT SETBACK _____
REAR SETBACK _____
SIDEYARD SETBACK _____
DISTANCE BETWEEN BLDGS. ON SAME LOT _____

AMOUNT OF VARIANCE

PARKING REDUCTION 84 SPACES TO 68 SPACES

16 SPACES (19%)

PARKING IN REQ. FRONT YARD AS PER ATTACHED PLAN

OTHER _____

ACTION TAKEN Approved per plan

DATE 2/26/99

[Signature]
ASSISTANT DIRECTOR OF PUBLIC WORKS-DEVELOPMENT

[Signature]
2/25/99

DEKALB COUNTY PUBLIC WORKS-DEVELOPMENT APPLICATION FOR ADMINISTRATIVE VARIANCE

FEE: \$100.00 (Non-refundable) payable when application is filed. Attach a scale plat showing all property lines with dimensions; locations of all buildings, storm drains, sanitary sewers, flood plains, creeks, easements and fences; north arrow; land lot and district; location of setback lines or other dimensional requirements from which the variance is sought. A variance may be granted only from dimensional requirements in accordance with Section 27-31 of the DeKalb County Zoning Ordinance.

APPLICANT HAYES, JAMES & ASSOCIATES, INC.

ADDRESS 3005 Bieckinridge Blvd Suite 200 Duluth GA 30096 PHONE # 770-923-1600

OWNER SHEPHERD CENTER INC.

ADDRESS 2020 PEACHTREE ROAD NW ATLANTA GA 30309 PHONE # 404-350-7311

1. ADDRESS OF PROPERTY FOR WHICH VARIANCE IS REQUESTED:

1932 CLAIRMONT ROAD ATLANTA GA

2. WHAT IS THE VARIANCE REQUESTED? PARKING IN FRONT YARD AND REDUCTION OF PARKING SPACE COUNT FROM REQUIRED 84 SPACES TO 60 SPACES

3. WHAT SPECIAL CONDITIONS OR CIRCUMSTANCES, IN YOUR OPINION, WARRANT THE GRANTING OF VARIANCE?

PROPOSED BUILDING IS BEING DESIGNED TO WORK WITH EX. BLDG. (IE. SHARED ACCESS, PARKING, PATIOS ETC.) IN AN EFFORT TO MAXIMIZE PACE, PARKING IS SHOWN WITHIN 50' FRONT YARD SETBACK, IN ORDER TO SAVE THE SPECIMEN TREES, NO PARKING WAS PLACED NEAR TREES. OWNER REQUESTS MORE HC SPACES THAN REQ. DUE TO MEDICAL NATURE OF BLDG USE. HC SPACES TAKE UP MORE ROOM

DATE: 2/22/99 APPLICANT Christie Sims / Hayes James Associates
OWNER G.R. Uy President / CEO Shepherd Center

TO BE COMPLETED BY DEVELOPMENT DEPARTMENT

APPLICATION RECEIVED BY: _____ Manager's Signature _____

DATE RECEIVED _____ MAP REFERENCE _____

AMOUNT _____ ZONING DISTRICT _____

RECEIPT # _____ DEV. FILE #. _____

TYPE OF VARIANCE _____ AMOUNT OF VARIANCE _____

FRONT SETBACK _____

REAR SETBACK _____

SIDEYARD SETBACK _____

DISTANCE BETWEEN BLDGS. ON SAME LOT _____

PARKING REDUCTION _____

PARKING IN REQ. FRONT YARD _____

OTHER _____

ACTION TAKEN _____

DATE _____

ASSISTANT DIRECTOR OF PUBLIC WORKS-DEVELOPMENT



Development Department
(404) 371-4915

**NOTICE OF PUBLIC HEARING
DEKALB COUNTY ZONING BOARD OF APPEALS**

The application described below will be heard by the DeKalb County Zoning Board of Appeals on 03/10/99 at 1:00 P.M. in the auditorium of the Manuel J. Maloof Center annex, 1300 Commerce Drive, Decatur, GA (corner West Trinity Place and Commerce Drive in downtown Decatur). **This is not a rezoning.**

Agenda Item #4

Application of SHEPHERD CENTER INC./DR. GARY R. ULICNY for the following variances for proposed 17,600 sq. ft. office building at 1932 Clairmont Road:

1. Reduce buffer along west property line for detention area from required 40 ft. to a relandscaped 5 ft.;
2. Reduce parking from required 70 spaces to proposed 21 spaces;
3. Reduce required parking setback from Clairmont Road future right-of-way from 50 ft. to 15 ft.

The property is located on the west side of Clairmont Road approx. 500 ft. north of McConnell Drive. The zone is O-I.

NOTE TO APPLICANT(S): For the Zoning Board of Appeals to fully understand the above request, it is important that the applicant or a spokesperson attend the hearing to present the applicant's position on the request. Without representation for the application, the Board may not fully understand the request and the application could be denied. Attendance is also important for renewal requests. If the applicant/spokesperson cannot attend the hearing, please contact our office.

NOTE TO ABUTTING PROPERTY OWNERS: DeKalb County tax records indicate you are an abutting property owner. If you have an interest in the above hearing, you may appear before the Zoning Board at the time and date specified. If a group is to appear, it is suggested that you appoint a spokesperson. Since this notice is sent only to abutting property owners, if you know of others in the area who are interested in this application, please advise them so that they may also attend the hearing. If you plan to attend the hearing as an interested party to a particular application, you may contact our office the morning of the hearing to determine if that application is still on the agenda.

NOTE: Anything submitted to the Zoning Board during a presentation, including photographs, remains part of the record of the hearing and cannot be returned. Please make copies for yourself prior to the hearing of anything you wish to retain for your records. Photographs must be identified.