

ZONING BOARD OF APPEALS (ZBA) APPLICATION**to Amend the Official Zoning Map of DeKalb County, Georgia**APPLICANT/OWNER: Sunspaces South Atlanta / Pete KONTOSSubject Property Address: 2761 Lavista RoadCity: Decatur State: Georgia Zip: 30033Parcel ID Number(s): 4683241Commission District(s): 04 Super District(s): _____ Acreage: Total lot 1.792 ac**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 5.

FAILURE TO FOLLOW GUIDELINES MAY RESULT IN SCHEDULING DELAYS.*

NOTE: PLEASE BE MINDFUL THAT THE APPLICATION AND ALL OF ITS CONTENTS IS A PUBLIC RECORD ONCE SUBMITTED AND ACCEPTED FOR A ZONING CYCLE

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

Owner ☒ Agent ☐Signature [Signature]Date 6-10-2026Email plansustain@dekalbcountyga.gov with any questions

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.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

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.

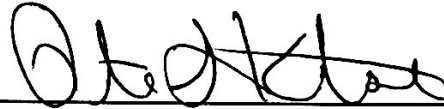
DATE: 6-10-2026

Applicant
Signature:



DATE: 6-10-2026

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.

6-10-2026
Date

[Signature]
Applicant/Owner Signature:

TO WHOM IT MAY CONCERN:

(I)/ (WE): Kontoes & Sons Property LLC [Signature]
(Name of Owners)

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

[Signature]
Notary Public

[Signature]
Owner/Applicant Signature

6-10-2026
Date:



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURTHOUSE

ZONING NOTE:

BEFORE DEVELOPMENT OF THIS PROPERTY, DEVELOPER AND ARCHITECT TO CONFIRM ZONING DISTRICT, PER ZONING DEPARTMENT. ZONING INFORMATION SHOWN HEREON WAS DERIVED FROM ONLINE SOURCE MUNICODE.



PROPERTY IS ZONED C-1 UNINCORP. DEKALB COUNTY

BUILDING SETBACKS:
FRONT 60' (ARTERIAL)
SIDE 20' (INTERIOR), 50' (CORNER SIDE)
REAR 30'
AS PER DEKALB COUNTY
ADAM W. CHAPPELL, AICP
SENIOR PLANNER-ZONING REVIEW TEAM LEAD
DATE: 06/25/2026

MAGNETIC

SURVEY NOTES:

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, TELEPHONE, ELECTRIC, WATER AND SEWER, GAS COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
2. THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE LOCATED USING SIDE DIMENSIONS FROM THE HOUSE. ALL MATTERS OF THE TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAY PUBLIC OR PRIVATE.
3. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD RECORDED AND NOT RECORDED, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED. PROPERTY OWNER OR PERSONS ORDERING THE SURVEY IS RESPONSIBLE TO CONTACT CLOSING ATTORNEY OR TITLE COMPANY FOR A FULL TITLE SEARCH AND COMMITMENT INCLUDING ALL THE EXCEPTION.
5. SURVEY LAND EXPRESS, INC IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, TELEPHONE CONVERSATION WITH ZONING OFFICE AT THE COUNTY OR CITY, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.
6. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS, ENTITY.

AS PER FEDERAL AID PROJECT
GEORGIA D.O.T. P.I. NO. 0008374
RIGHT OF WAY PLANS FOR INTERSECTION
IMPROVEMENTS AT LAVISTA ROAD
AND OAK GROVE ROAD
CSSTP-0008-00(374)

THIS SURVEY PLAT OF THE PROPERTY MUST BE USED AS A SINGLE STAND ALONE DOCUMENT. IT CAN NOT BE SCANNED AND ALTERED, CROPPED OUT COPY/PASTE OR MODIFIED WITH SURVEY LAND EXPRESS TITLE BLOCK, SURVEYOR'S STAMP AND SIGNATURE. THIS SURVEY PLAT CAN BE ONLY ATTACHED AS A SEPARATE DOCUMENT BY ITSELF TO DEVELOPMENT PROJECTS AND SITE PLANS AND CAN NOT BE INSERTED WITH SURVEY LAND EXPRESS TITLE BLOCK, SURVEYOR'S STAMP AND SIGNATURE TO SOME OTHER DEVELOPMENT PROJECTS PREPARED BY ANY OTHER PARTY WITHOUT WRITTEN APPROVAL AND ORIGINAL BLUE INK SIGNATURE OF THE SURVEYOR OF RECORD.

* LEGEND *

- | | | | |
|--------|--------------------------|------|-------------------------|
| AC | AIR CONDITIONING | IM | IRRIGATION METER |
| APD | AS PER DEED | IV | IRRIGATION VALVE |
| AE | ACCESS EASEMENT | JB | JUNCTION BOX |
| APF | AS PER FIELD | LP | LIGHT POLE |
| AI | ANGLE IRON FOUND | LLL | LAND LOT LINE |
| AIF | ANGLE IRON FOUND | MAG | MAGNETIC READING |
| APP | AS PER PLAT | MGN | MAGNOLIA TREE |
| APR | AS PER RECORD | MH | MAN HOLE |
| APZ | AS PER ZONING | MNT | MONUMENT |
| B | BOLLARD | MTF | METAL FENCE |
| BC | BACK OF CURB | N | N'BORS. |
| BLK | BLOCK | OH | OVERHANG |
| BL | BUILDING LINE SETBACK | OTF | OPEN TOP PIPE FOUND |
| BR | BRICK | OU | OWNERSHIP UNCLAR |
| CB | CATCH BASIN | P | PORCH |
| CBX | CABLE BOX | PC | PROPERTY CORNER |
| CL | CENTER LINE | PL | PROPERTY LINE |
| CLF | CHAIN LINK FENCE | PN | PINE TREE |
| CM | CADAstral MAP | POB | POINT OF BEGINNING |
| CMP | CORRUGATED METAL PIPE | POC | POINT OF COMMENCEMENT |
| C.O.A. | CITY OF ATLANTA | PP | POWER POLE |
| CO | SAN. SEWER CLEANOUT | PW | POWER LINE |
| CONC | CONCRETE (C) | (P) | PLAT |
| CP | CALCULATED POINT | R | RECORD |
| CR | CORNER | RBF | REINFORCING BAR FOUND |
| CTP | CRIMP TOP PIPE FOUND | RBS | REINFORCING BAR SET |
| D | DEED | ROC | REINFORCED CONC. PIPE |
| DI | DRAINAGE EASEMENT | R/W | RIGHT-OF-WAY |
| DI | DRAINAGE INLET | SN | SIGN |
| EB | ELECTRIC POWER BOX | SSL | SANITARY SEWER LINE |
| EM | ELECTRIC METER | SSE | SANITARY SEWER EASEMENT |
| EP | EDGE OF PAVEMENT | STN | STONE |
| F | FIELD | S/P | SCREENED PORCH |
| FC | FENCE CORNER | SW | SIDEWALK |
| FH | FIRE HYDRANT | TB | TOP OF BANK |
| FP | FENCE POST | TP | TRAFFIC POLE |
| FR | FRAME | UE | UTILITY EASEMENT |
| GL | GAS LINE | WD | WOOD |
| GM | GAS METER | WDF | WOOD FENCE |
| GV | GAS VALVE | WDK | WOOD DECK |
| GW | GUY WIRE | WL | WATER LINE |
| GT | GREASE TRAP | WM | WATER METER |
| HDW | HEAD WALL | WRF | WIRE FENCE |
| HW | HARDWOOD TREE | WV | WATER VALVE |
| ICM | IRRIGATION CONTROL METER | WW | WEI. WEATHER |
| IPF | IRON PIN FOUND | YI | YARD INLET |
| IPS | IRON PIN SET | -X-X | FENCE |
| IR | IRON ROD FOUND | | |
| IRF | IRON FENCE | | |

* LINE INDICATORS *

- | | | | | | | | | |
|----------------------|----------------------|-------------------------------|-------------------------------|-------------------------|----------------------------|----------------------------|------------------------|------------------------|
| INDICATES EASEMENT | INDICATES FENCE LINE | INDICATES POWER LINE | INDICATES SANITARY SEWER LINE | INDICATES DRAINAGE LINE | INDICATES WATER LINE | YELLOW LINE (FUEL/GAS/OIL) | RED LINE (ELECTRICAL) | ORANGE LINE (TELECOMM) |
| INDICATES FENCE LINE | INDICATES POWER LINE | INDICATES SANITARY SEWER LINE | INDICATES DRAINAGE LINE | INDICATES WATER LINE | YELLOW LINE (FUEL/GAS/OIL) | RED LINE (ELECTRICAL) | ORANGE LINE (TELECOMM) | |

* SYMBOLS *

- | | | | | | | | | | | | | |
|----------------------|-------------|-----------------|-----------|-------------|------------------|------------------------|---------------|-------------------|------------|-----------|--------------|----------------|
| ELECTRIC PANEL/METER | WATER METER | AIR CONDITIONER | GAS METER | WATER VALVE | IRRIGATION VALVE | SANITARY SEWER MANHOLE | STORM MANHOLE | TRAFFIC/INFO SIGN | GAS MARKER | LAMP POST | FIRE HYDRANT | DRAINAGE INLET |
| ELECTRIC PANEL/METER | WATER METER | AIR CONDITIONER | GAS METER | WATER VALVE | IRRIGATION VALVE | SANITARY SEWER MANHOLE | STORM MANHOLE | TRAFFIC/INFO SIGN | GAS MARKER | LAMP POST | FIRE HYDRANT | DRAINAGE INLET |

SURVEYORS CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Eugene Stepanov
GA Reg. Land Surveyor No. 3197
06/23/2026
Date

LOT	18TH DISTRICT
SUBDIVISION	DB.24782/PG.164
LAND LOT 149	DB.13315/PG.588
DEKALB COUNTY, GEORGIA	
FIELD WORK DATE JUNE 19, 2026	PRINTED/SIGNED JUNE 23, 2026
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	PAPER SIZE: 18" x 24"

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 TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

AP
COORD #20260915
DWG #20120250

SURVEY LAND EXPRESS, INC
LAND SURVEYING SERVICES

24 LENOX POINT
ATLANTA, GA 30324
FAX 404-601-0941
TEL 404-252-5747
INFO@SURVEYLANDEXPRESS.COM

PLAT PREPARED FOR:

SHEET 1 OF 1

ROBERT SHELLENBERGER

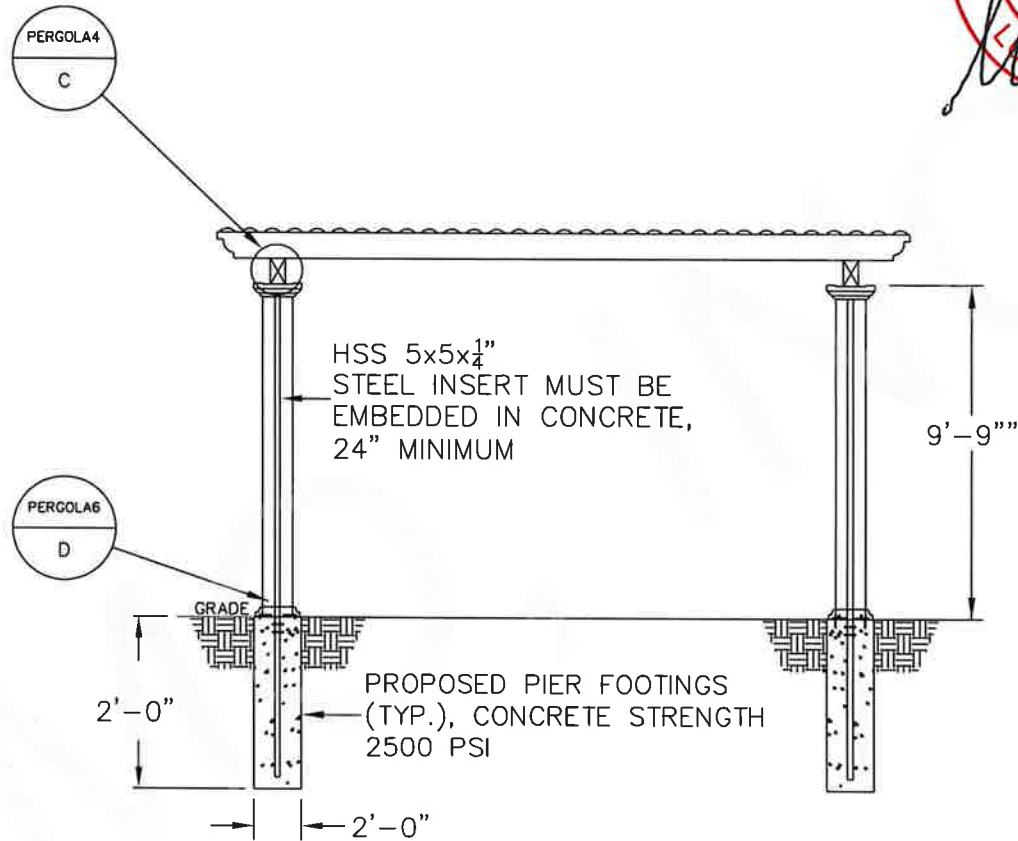
PROPERTY ADDRESS:
2749 LAVISTA ROAD
DECATUR, GA 30033



TOTAL LAND AREA
81,048.33 SF / 1.861 AC

0 30
SCALE 1" = 30'

Today's Date: JUN 10, 2026



SECTION 'A'

The engineering specifications and calculations provided herein are intended solely for use in conjunction with TEMO products. The engineering drawings do not account for variations in soil conditions. Foundation design is based on 1,500 p.s.f. soil bearing pressure, decking materials, or any other site-specific factors. It is the responsibility of the user to conduct site-specific assessments and engage appropriate professionals to address these considerations.

ROOF LOAD: 20 P.S.F.



20400 HALL RD.
CLINTON TWP., MI 48038

L. S. ESHO P.E.
20400 HALL RD.
CLINTON TWP. MI, 48038
PH: (800) 344-8366
PROFESSIONAL ENGINEER
GA Lic. #PE037835

JOB NAME: SCHELLENBERGER, ROBERT
2761 LAVISTA RD
DECATUR, GA 30033

PART NUMBER:
PABK-FCNF024X24-26W8765

REV:
A

DRAWN BY:
DREW JONES

DATE:
03/24/26

APPROVED BY

DATE:

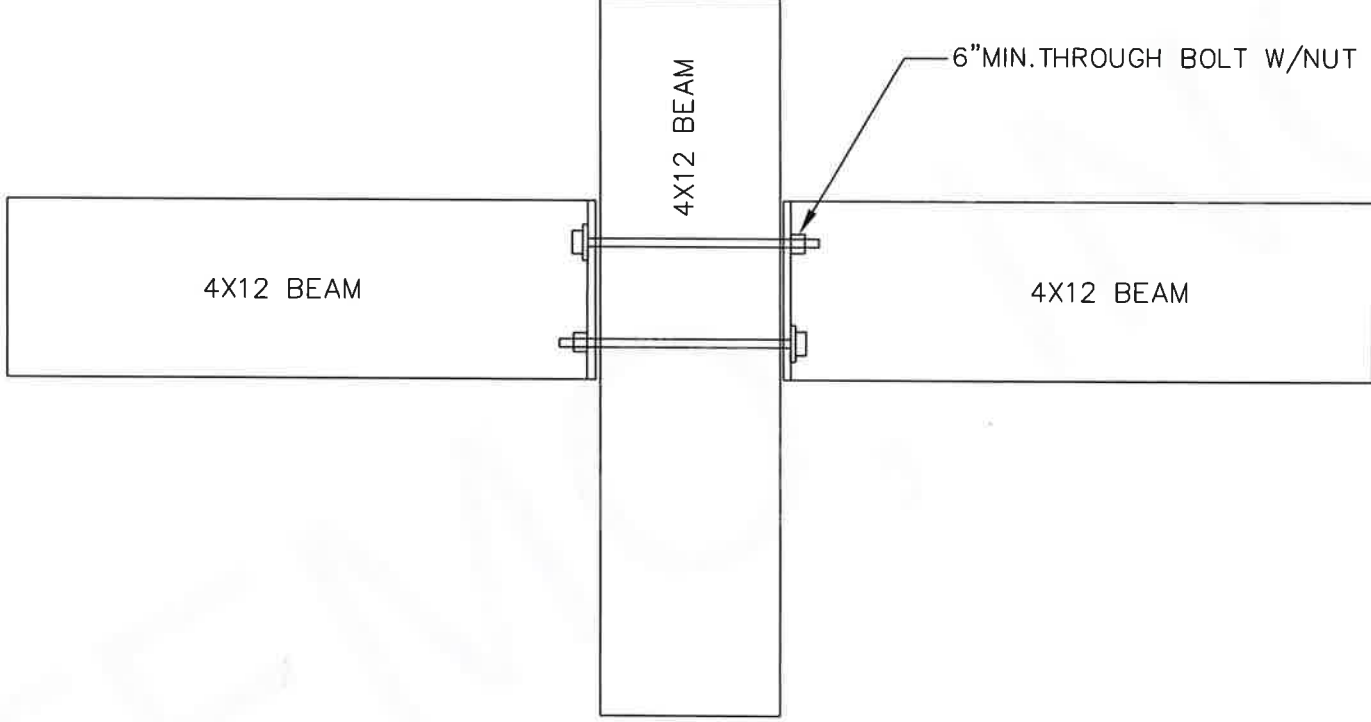
DEALER:
CARTER

SCALE:

DESCRIPTION: 24X24 FREESTAND FLORENTINE CONTEMP OP. PERGOLA BLACK

FILE NAME: 26W8765

SHEET: 3



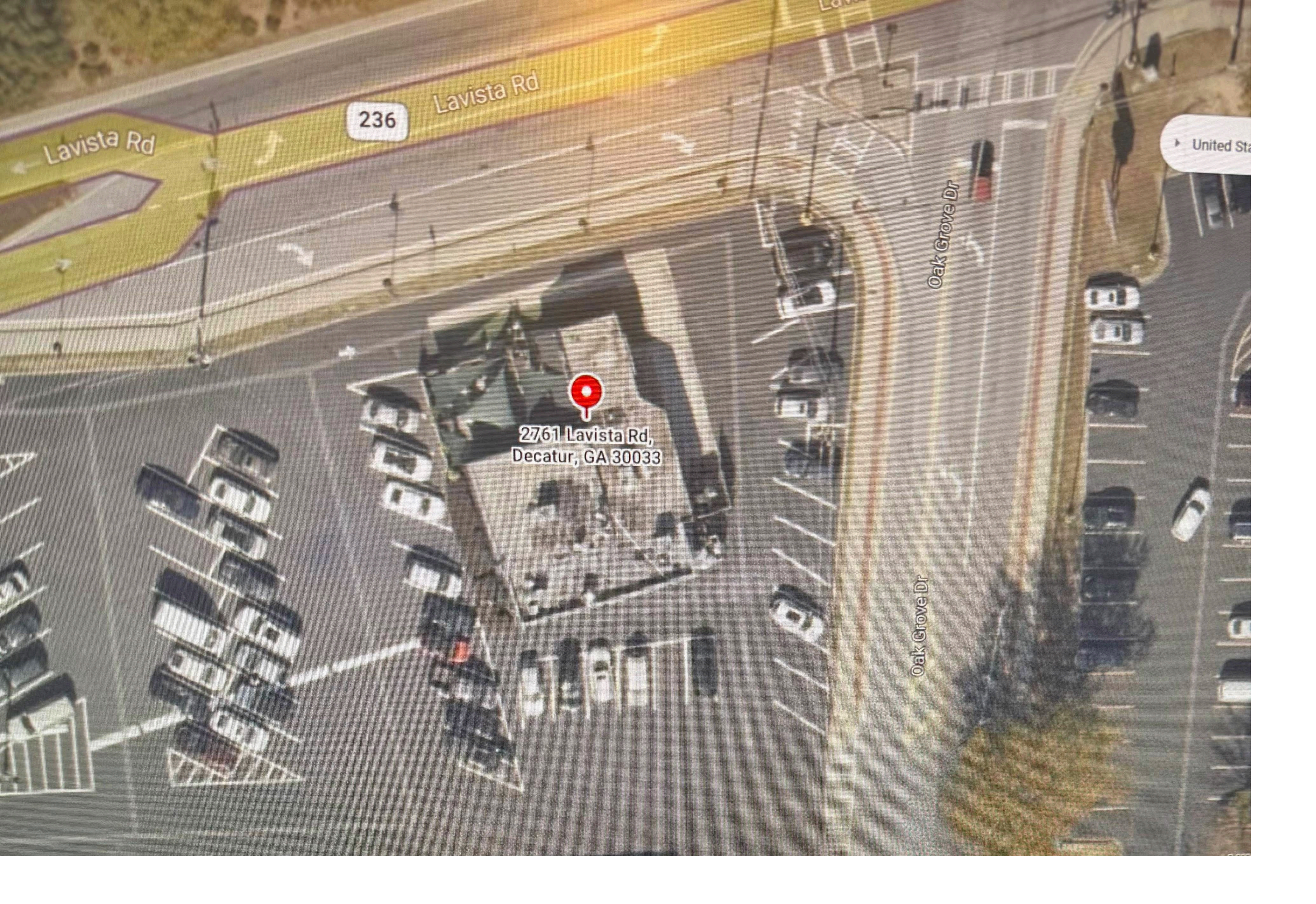
DETAIL "A"
BEAM THROUGH CONNECTION

Luay S. Esho
6/10/26

GEORGIA
REGISTERED
No. PE037835
PROFESSIONAL
ENGINEER
LUAY S. ESHO



JOB NAME: SCHELLENBERGER, ROBERT 2761 LAVISTA RD DECATUR, GA 30033		20400 HALL RD. CLINTON TWP., MI 48038		LUAY ESHO P.E. 20400 HALL RD. CLINTON TWP. MI, 48038 PH: (800) 344-8366 PROFESSIONAL ENGINEER GA Lic #PE037835	
PART NUMBER: PABK-FCNF024X24-26W8765	DEALER: CARTER	REV: A	SIZE: .	DRAWN BY: DREW JONES	DATE: 03/24/26
			SCALE: .	APPROVED BY .	DATE: .
DESCRIPTION: 24X24 FREESTAND FLORENTINE CONTEMP OP. PERGOLA BLACK			FILE NAME: 26W8765	SHEET: 2	



Lavista Rd

236

Lavista Rd

United Sta

Oak Grove Dr

2761 Lavista Rd,
Decatur, GA 30033

Oak Grove Dr

The Grove Restaurant
Robert Shellenberger
2749 Lavista Rd
Decatur, Ga 30033

LETTER OF INTENT
Request for Front Setback Variance

Property Address: 2761 Lavista Road, Decatur, Georgia

To the Members of the Zoning Board of Appeals,

I am respectfully requesting approval of a variance to reduce the required front setback for the property located at **2761 Lavista Road, Decatur, Georgia.**

The current zoning ordinance requires a **60-foot front setback**. We are requesting that the required front setback be reduced from **60 feet to 35 feet**, allowing the proposed construction to be located 35 feet from the front property line.

This request is the minimum variance necessary to allow for the reasonable use and development of the property. The proposed reduction will not adversely affect neighboring properties, public safety, or the overall character of the surrounding area. The improvement has been designed to fit within the existing site constraints while maintaining appropriate spacing, visibility, and access.

The requested variance will not create a special privilege that is inconsistent with other properties in the area. Rather, it will allow the property to be used in a reasonable manner while respecting the intent of the zoning ordinance. The proposed setback will remain sufficient to preserve the streetscape and will not interfere with traffic visibility or utility easements. We respectfully ask the Board to consider this request and approve the reduction of the required front setback from **60 feet to 35 feet**.

Thank you for your time and consideration. We appreciate the opportunity to present this request and are available to answer any questions the Board may have.

Sincerely,



Property Owner / Authorized Representative

Date: 6-23-26