



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, 2026

Planning Department Staff Analysis



Juliana Njoku

Director

N2. Case No: A-26-1248173

Parcel ID(s): 16-186-02-007

Commission District 05 Super District 07

Applicant Layne A. Fields

Owner: McArthur Robbins Sr. and Annie A. Robbins

Project Name: 7461 Union Grove Road – Detached Accessory Dwelling Unit

Location: 7461 Union Grove Road, Lithonia, Georgia 30058

Requests: Variance request from Section 27-4.2.3(C)(7) of the DeKalb County Zoning Ordinance to:

- Allow a detached accessory dwelling unit (ADU) in front yard rather than the required rear yard.

Staff Recommendation: Approval with Conditions

Conditions: See Page 4

STAFF FINDINGS:

The applicant requests a variance from Section 27-4.2.3(C)(7) of the DeKalb County Zoning Ordinance to allow a detached accessory dwelling unit (ADU) in an area that functions as a front yard, rather than in the required rear yard. The proposed ADU would contain two bedrooms and two bathrooms and would remain accessory to the existing single-family residence at 7461 Union Grove Road.

The subject property is an approximately 3.02-acre, 428-foot-wide residential parcel on the south side of Union Grove Road. The property is zoned R-85 (Residential Medium Lot-85) and is within the Suburban (SUB) Character Area. The parcel is developed with one detached single-family residence served by a curving driveway. Detached residential lots line Union Grove Road, and the Pittston Farm subdivision is immediately to the south.

The submitted plans list the ADU at 902 square feet and 15 feet 9 inches in height, with proposed impervious coverage of approximately 6.2 percent. The Zoning Ordinance limits an ADU to 900 square feet of heated floor area and requires one additional paved off-street parking space. The packet does not include a topographic survey or septic plan; compliance with the floor-area, parking, septic, setback, grading, drainage, and other applicable requirements must therefore be confirmed during permit review. The variance request shall only be limited to the scope of building location and all other standards will be enforced in the permitting process.

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 parcel has an atypical relationship between its broad frontage, the location of the existing residence, and the limited area that functions as a conventional rear yard. The applicant identifies steep grades, rock outcroppings, retaining walls, mature trees, septic infrastructure, and limited access behind the existing house. These conditions appear inherent to the established site and were not created for the proposed ADU.

The proposed ADU would be placed west of the principal residence and connected to the existing driveway by a new driveway. The site plan shows the ADU outside the principal residence's conventional rear yard but within the broad open area between the western property line and the existing home. The land directly behind the residence is constrained by grade changes, retaining walls, exposed granite and rock, mature and fruit trees, limited construction access, septic infrastructure, an accessibility ramp, and the elevated rear/basement condition of the house.

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 application requests relief only from the rear-yard placement requirement. No setback, height, or lot-coverage variance is requested. The proposed ADU remains subordinate to the principal residence, and the submitted 15-foot-9-inch height is within the maximum allowed.

The plan's 902-square-foot notation cannot be treated as approval of an unrequested size variance; compliance with the 900-square-foot heated-area cap shall be enforced at the permit stage which follows the variance stage. With that limitation and substantial conformance to the submitted placement, the requested relief is the minimum necessary and does not confer a special privilege.

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 proposal remains residential and accessory to the existing single-family use. The ADU would be separated from Union Grove Road by the front portion of the site and from nearby homes by the parcel's substantial width, tree cover, and the location of the principal residence.

Placing the unit in the open west-side area appears to reduce grading and avoids concentrating three residences in a direct north-south alignment with the home in the subdivision to the rear. Conditions addressing residential use, short-term rental, plan conformance, privacy, lighting, drainage, and landscape retention should protect adjacent properties.

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

Literal enforcement would require the detached ADU to be placed in the conventional rear yard, where the applicant reports topographic, geologic, access, vegetation, septic, and existing-improvement constraints. Strict rear-yard placement would either require substantially greater disturbance and construction difficulty or make the proposed detached ADU impracticable in its intended accessible, family-caregiving form.

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

The request preserves the site's single-family residential character while allowing a subordinate housing unit for family support and aging in place. A detached ADU is permitted by right in the R-85 district when all supplemental standards are met; the variance changes only its yard placement.

The proposal is compatible with the Suburban Character Area's low-density residential pattern and advances housing flexibility without subdivision of the parcel or introduction of a nonresidential use. With conditions preserving scale, appearance, privacy, and owner occupancy, the request is consistent with the ordinance and Comprehensive Plan.

FINAL STAFF ANALYSIS:

The subject property is substantially larger and wider than a typical R-85 lot, but its established house placement and reported rear-site constraints make the broad area west of the residence the least disruptive location for a detached ADU. The proposal does not seek a change in use or residential density beyond the accessory unit already allowed by the zoning ordinance. Its low height, extensive separation from the street and neighboring residences, and existing vegetation reduce compatibility concerns.

Approval should be narrowly limited to the submitted placement and should not be construed to grant relief from the 900-square-foot heated-floor-area limit, parking requirements, septic review, setbacks, building codes, stormwater requirements, or any other ordinance standard. The site conditions cited by the applicant should be confirmed during permit review, and the proposed ADU should remain subordinate to the principal residence and residential in use and appearance.

With the recommended conditions, staff finds that all five variance criteria can be satisfied. Therefore, staff recommends approval with conditions of the requested variance from Section 27-4.2.3(C)(7) of the DeKalb County Zoning Ordinance.

Staff Recommendation: Approval with Conditions

Recommended 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 all conditions of approval.
2. Permit drawings shall be substantially consistent with the ADU location, building footprint, floor plan, elevations, height, driveway connection, and related improvements shown in the application packet for A-26-1248173. Any material relocation of the ADU or material change to the approved site layout shall require review and approval by the Zoning Board of Appeals.

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: McArthur Robbins Sr. & Annie Robbins

Subject Property Address: 7461 Union Grove Road

City: Lithonia State: Georgia Zip: 30058

Parcel ID Number(s): 16 186 02 007

Commission District(s): 5 Super District(s): 7 Acreage: 3.02

TYPE OF HEARING REQUESTED (check one)

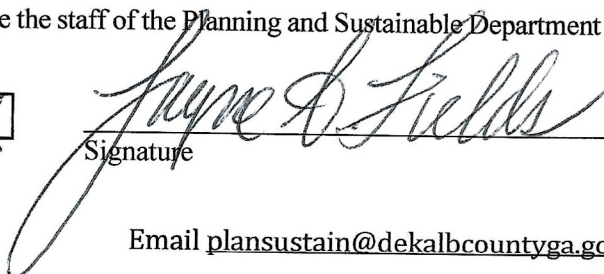
- ☒ VARIANCE (from Development Standards causing undue hardship upon owners of property.)
☐ SPECIAL EXCEPTIONS (to Reduce or Waive off-street parking or loading space requirements.)
☐ OFFICIAL APPEAL OF ADMINISTRATIVE DECISIONS.

***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

06/09/2026

Date

Email 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: 06/08/2026

Applicant
Signature:

M. Robline^{SR.} A Robline

DATE: 06/08/2026

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.

06/08/2026

Date

 ^{SR.} 
Applicant/Owner Signature:

TO WHOM IT MAY CONCERN:

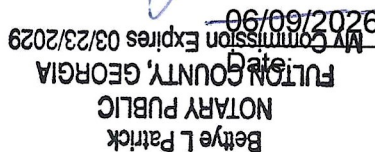
(I)/ (WE): McArthur Robbins Sr. & Annie Robbins

(Name of Owners)

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


Notary Public


Owner/Applicant Signature


Bette L. Patrick
NOTARY PUBLIC
FULTON COUNTY, GEORGIA
My Commission Expires 03/23/2029

LETTER OF INTENT

Subject: Variance Request for Detached Accessory Dwelling Unit (ADU) Placement

Property Address: 7461 Union Grove Road, Lithonia, Georgia 30058

Parcel ID: 16 186 02 007

Dear Members of the DeKalb County Zoning Board of Appeals,

We respectfully submit this Letter of Intent in support of our request for a variance to allow the construction of a detached Accessory Dwelling Unit (ADU) on our property located at 7461 Union Grove Road in Lithonia, Georgia. Specifically, we are requesting relief to allow placement of a detached ADU within an area that may be classified as the front and/or side yard under current zoning regulations.

The purpose of the proposed ADU is to allow immediate family members to reside on the property and assist us as we continue to age. One of the homeowners is a 100% disabled combat veteran who was awarded both the Purple Heart and Bronze Star for his military service to our country. The proposed ADU will allow family members to provide support and assistance while helping us remain on our property and maintain our independence for years to come. It would also provide future flexibility should mobility decline and additional accommodations become necessary.

The proposed ADU is intended solely for family use. We have no intention of subdividing the property and wish to preserve the parcel as a single-family property for future generations.

1. Physical Conditions of the Property

The unique physical characteristics of this property create circumstances that differ substantially from a typical suburban residential lot. Although the property is currently zoned R-85, the parcel is significantly wider than many surrounding residential lots and contains unusual site conditions that greatly influence where development can reasonably occur.

The area directly behind the existing residence contains steep grade changes, retaining walls, exposed granite and rock outcroppings, mature trees, established fruit trees, and limited construction access. One side of the residence contains a handicap accessibility ramp and septic infrastructure, while the rear of the home includes an above-grade basement area and additional topographic challenges.

These conditions were not created by the current owners and are the result of the property's natural features and long-established improvements. Due to the placement of the residence, driveway, septic system, retaining walls, and terrain, the property functions much differently than a conventional lot. Much of the usable open land exists to the side of the residence and functions more as a backyard than a traditional side yard.

2. Minimum Variance Necessary

The requested variance represents the minimum relief necessary to reasonably accommodate the proposed ADU.

Prior to selecting the proposed location, multiple placement alternatives were considered and evaluated with builders and site professionals. Following site visits and review of the property's physical constraints, it was determined that the proposed location represents the most practical and least disruptive area available for construction. This recommendation was based on existing topography, granite outcroppings, retaining walls, septic infrastructure, limited construction access, established vegetation, and the location of existing site improvements.

Alternative locations, including areas directly behind the existing residence, were found to be significantly more constrained and would require substantially greater site disturbance, increased grading, interference with existing improvements, removal of mature vegetation, and more difficult construction access. In addition, placement directly behind the residence would create a more compressed arrangement of structures due to the existing neighboring home located behind the property within the adjacent subdivision. Such placement would reduce the separation between homes and create a more congested site layout than the proposed location.

The proposed location is not based on convenience or personal preference. Rather, it was identified through professional evaluation of the property's unique physical conditions as the area of least resistance and least impact. The requested variance therefore represents only the minimum relief necessary to allow reasonable use of the property while minimizing impacts to existing improvements, natural features, and neighboring properties.

3. Public Welfare and Neighborhood Impact

The proposed ADU will not be materially detrimental to neighboring properties or the surrounding community.

The structure is intended solely for family occupancy and will not be used for commercial purposes. The proposed location is situated away from neighboring residences and is surrounded by existing vegetation and wooded areas that naturally preserve privacy. The ADU will not be visible from Union Grove Road and will be oriented toward the interior and rear portions of the property.

In many respects, the proposed placement creates less impact than forcing construction into the more constrained areas directly behind the residence. The project is not expected to generate significant traffic, noise, or other disturbances. Instead, it will support family caregiving,

aging-in-place objectives, and long-term stability while preserving the character of the neighborhood.

We also intend to provide letters of support from neighboring property owners, where available, demonstrating community support for the project.

4. Hardship Created by Strict Application of the Ordinance

Strict application of the current placement requirements would create an unnecessary hardship due to the property's unique physical limitations.

During the planning process, multiple placement alternatives were evaluated with builders and site professionals. After reviewing the property's physical characteristics and construction constraints, the proposed location was identified as the most practical and least disruptive area available for development. This conclusion was based on the property's topography, granite outcroppings, retaining walls, septic infrastructure, limited construction access, and the location of existing improvements.

Requiring the ADU to be located in a more traditional rear-yard position would force development into areas constrained by steep slopes, exposed granite, retaining walls, mature landscaping, established fruit trees, and limited access. Such placement would require substantially greater disturbance to the property and could damage improvements and landscape features that have been established and maintained for many years.

Additionally, requiring the ADU to be placed directly behind the existing residence would create a more compressed arrangement of structures on the property. There is an existing home located behind the property within the neighboring subdivision. Placing the ADU directly to the rear would effectively position the neighboring residence, the proposed ADU, and the primary residence in close alignment with one another. This arrangement would reduce the sense of separation between structures and create a more congested site layout than the proposed location.

By contrast, the proposed placement allows the ADU to be situated in a more open and workable portion of the property where it can maintain greater separation from surrounding residences while minimizing impacts to existing site conditions. The proposed location therefore represents a more practical and less intrusive solution than strict adherence to a traditional rear-yard placement.

If the requested variance is denied, the practical alternatives would either create substantially greater impacts to the property and surrounding area or make construction of the ADU largely infeasible. The hardship is therefore directly related to the property's unique physical characteristics and not to financial considerations, personal preference, or convenience.

5. Consistency with the Spirit and Purpose of the Ordinance

The proposed variance is consistent with both the spirit of the DeKalb County Zoning Ordinance and the goals of the DeKalb County Comprehensive Plan.

The request promotes housing diversity, supports aging-in-place objectives, and encourages family-based caregiving arrangements that allow residents to remain in their community as their needs evolve. The proposal maintains the property as a single-family parcel while providing a reasonable housing solution that respects the character of the surrounding area.

The proposed ADU will remain subordinate to the primary residence and is intended solely for family use. It is not proposed as a separate development, commercial use, or future subdivision of the property. The ADU will be situated in a manner that minimizes visual impacts, preserves privacy, and maintains compatibility with the surrounding neighborhood.

The proposal also reflects a reasonable adaptation to the property's unique physical conditions. By locating the ADU in the area identified as the least disruptive and most practical for development, the request helps preserve existing natural features, minimizes disturbance to established improvements, and avoids creating a more congested arrangement of structures than would occur with a traditional rear-yard placement.

The request represents a balanced solution that allows reasonable use of the property while remaining consistent with the broader planning goals for the area, including support for aging-in-place, family support networks, and preservation of neighborhood character.

Conclusion

For the reasons described above, we respectfully request approval of this variance to allow construction of a detached Accessory Dwelling Unit in the proposed location.

The request is driven by the unique physical characteristics of the property, represents the minimum relief necessary, avoids adverse impacts on neighboring properties, and supports important family caregiving and aging-in-place goals. As the family of a 100% disabled Purple Heart and Bronze Star veteran, we hope to continue caring for one another while preserving the integrity and character of this property for future generations.

We appreciate the Board's time, consideration, and service to the residents of DeKalb County and respectfully ask for your approval.

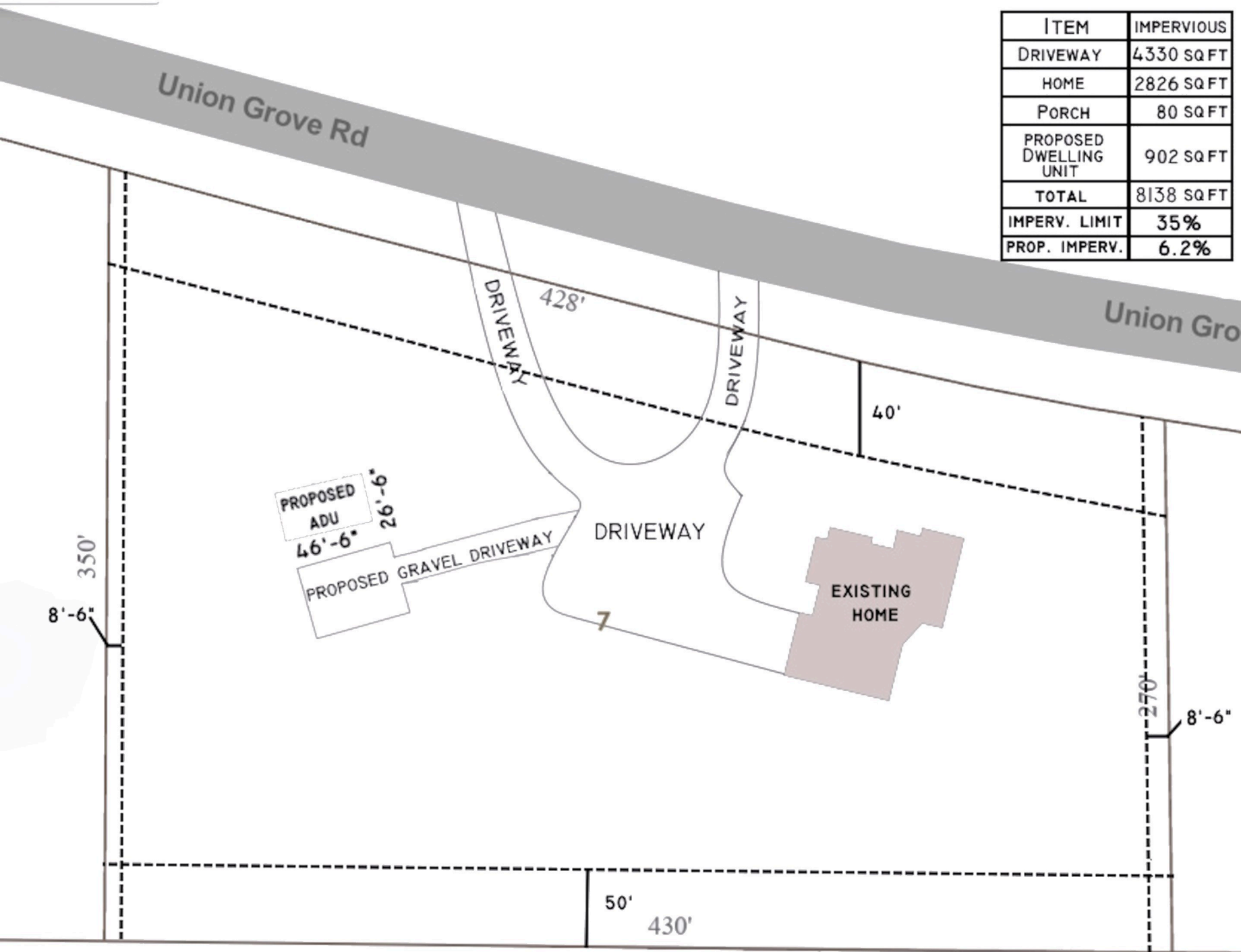
Sincerely,

McArthur Robbins Jr.

Anne Robbins

Property Owners

ITEM	IMPERVIOUS
DRIVEWAY	4330 SQ FT
HOME	2826 SQ FT
PORCH	80 SQ FT
PROPOSED DWELLING UNIT	902 SQ FT
TOTAL	8138 SQ FT
IMPERV. LIMIT	35%
PROP. IMPERV.	6.2%





SOUTH EXTERIOR ELEVATION

SCALE = 1/4" : 1' - 0"



NORTH EXTERIOR ELEVATION

SCALE = 1/4" : 1' - 0"

NOTES

[illegible]

Project number

Date

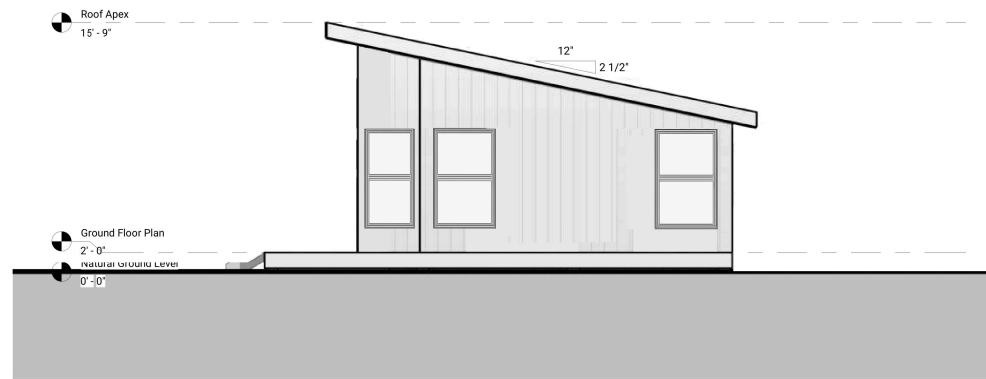
Drawn by

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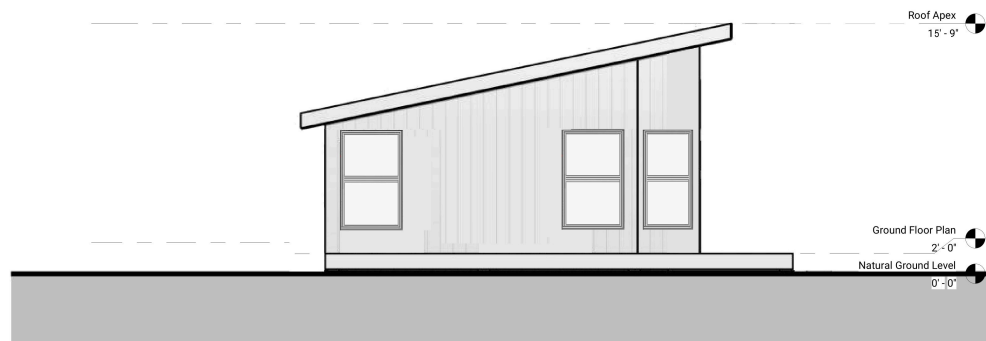
Scale

1/4" = 1'-0"



EAST EXTERIOR ELEVATION

SCALE = 1/4" : 1' - 0"



WEST EXTERIOR ELEVATION

SCALE = 1/4" : 1' - 0"

NOTES[illegible]

Project number	
Date	
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Sheet Number	
Scale	1/4" = 1'-0"



Sheet Number	
Scale	1/4" = 1'-0"



SCALE = 3/8" : 1' - 0"

[illegible]

DOOR SCHEDULE

[illegible]

NOTES

[illegible]

Project number _____ Date _____ Drawn by _____ Checked by _____	
Sheet Number _____ Scale _____ $1/4" = 1'-0"$	

FL					
Mark/Tag	W1	W2	W3	W4	W5
Quantity	1	2	1	1	5
Location	Bedroom Kitchen	Bathroom Clerestory	Living Room Clerestory	Bedroom Clerestory Living Room Clerestory	Kitchen West Facade
Description	Double Casement Window Double Glazed Wood Frame	Fixed Window Double glazed Wood frame	Fixed Window Double glazed Wood frame	Fixed Window Double glazed Wood frame	Double Casement Window Double glazed Wood frame
FL					
Mark/Tag	W6				
Quantity	6				
Location	Bedroom Kitchen				
Description	Double Casement Window Double Glazed Wood Frame				

[illegible]

Sheet Number	
Scale	1/4" = 1'-0"



TYPICAL EXTERIOR WALL



TYPICAL INTERIOR WALL



PLUMBING WALL @ TILE FLOOR



WAINSCOT DETAIL



CEILING DETAIL



FOUNDATION DETAIL



DETAIL SECTION THROUGH CHIMNEY

NOTES[illegible]

Project number
Date
Drawn by
Checked by

Sheet Number
Scale

1/4" = 1'-0"



1/4" = 1'-0"