

ZONING BOARD OF APPEALS (ZBA) APPLICATION

to Amend the Official Zoning Map of DeKalb County, Georgia

APPLICANT/OWNER: Caren Ann Nunnally / Neal Hightower / owner: Jailette Partners LLCSubject Property Address: 449 Proctor AveCity: Scottdale State: GA Zip: 30079Parcel ID Number(s): 18-047-23-008Commission District(s): 4 Super District(s): 6 Acreage: .03**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 6/30/25Email 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: 6/30/20

Applicant
Signature:

Jaylette Partners LLC

DATE: _____

Applicant
Signature: _____



DEPARTMENT OF PLANNING & SUSTAINABILITY

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION TO REPRESENT THE PROPERTY OWNER

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

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property and that I authorize the applicant/agent to apply for a hearing to the Zoning Board of Appeals for the requests as shown in this application.

Date 6/30/24

Applicant/Owner Signature: Jaillette Partners LLC

TO WHOM IT MAY CONCERN:

(I)/ (WE): John Mangham
(Name of Owners)

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

Donna J Thomas
Notary Public

[Signature]
Owner/Applicant Signature

Date: 6/30/26



LETTER OF INTENT

Dear Members of the Zoning Board of Appeals,

I am writing to request variances for property located at 449 Proctor Ave, Scottdale GA 30079, from **Section 27-3.36.10 of the DeKalb County Zoning Ordinance** as it applies to the Scottdale Tier Two Overlay District. The subject property is a **confirmed legal lot of record**. It is unusually small compared to most of the other small lots in the neighborhood. We seek relief from the code to construct a small 2 bedroom, 1 bath, 807 SF house that is similar in nature to the original homes in the neighborhood 100 years ago.

Specifically, we seek relief from requirements related to:

- Reduce rear setback from 30 feet to 15 feet
- Reduce front setback from 30 feet to 15 feet
- Reduce side setbacks from 7.5 feet 4 feet
- Increase lot coverage from 35% to 37%
- Reduce minimum dwelling size from 1000SF to 807SF

Due to the lots' size, configuration, and overlay restrictions, strict compliance with these requirements would make development impossible.

1. Physical Conditions of the Site

The lot is exceptionally small, only 24 feet wide and 58 feet deep compared to standard R-75 parcels that are 75 feet wide and over 200 feet deep. Its dimensions were established long before the adoption of the Scottdale Tier Two overlay requirements. These conditions are inherent to the properties and were not created by the applicant. Strict compliance with current standards for coverage, setbacks and house size requirement is physically impossible due to these unique lot conditions. We have already shrunk the house below standards just to achieve these reduced requests.

2. Minimum Variance Necessary

The relief requested is the minimum necessary to allow reasonable use of the property. We propose a home of 807 square feet, which is below the 1,000-square-foot minimum required in Tier Two but represents the smallest practical size for a functional dwelling. Even reducing the house size, we still require setback variances. Relief from coverage is necessary but we have managed to follow all of the remaining hundreds of requirements of R-75 and Tier Two. Each variance request has been tailored to achieve only what is essential for development, without granting any special advantage inconsistent with other properties.

3. Public Welfare

The proposed home will not be detrimental to public welfare or injurious to neighboring properties. On the contrary, it will provide high-quality, affordable housing in an area where housing diversity is **desperately** needed. We anticipate offering this home at less than 1/3 the cost of new construction in the neighborhood. The smaller scale is consistent with the Traditional Neighborhoods Character Area in the Comprehensive Plan, which encourages walkability with very close proximity to The Path and public transportation. This will in no way diminish the neighborhood character but will instead make development feasible and weave into the fabric of the community unlike anything Scottdale has seen in over 100 years. Our mission is to provide the people with new housing options they can actually afford, a welcomed alternative from the million dollar new construction options which are currently being built in Scottdale. This is only possible with your help and the requested relief..

4. Ordinance Hardship

A literal interpretation of Section 27-3.36.10 would prohibit any reasonable development of these lots, effectively rendering them unusable as they have sat from the time they were platted until present day. Codes and requirements have only become more constrictive to smaller homes over the years. Without relief, the lot would remain vacant and unproductive. This constitutes an undue and unnecessary hardship that was not self-created, as the lot sizes, shapes, and separation predate the current ordinance.

5. Alignment with the Spirit of the Law & Comprehensive Plan Findings

The requested variances are consistent with the spirit and intent of the DeKalb County Zoning Ordinance and the **DeKalb 2050 Comprehensive Land Use Plan**. Specifically:

- **Housing Diversity and Affordability:** The Plan identifies the need for smaller, more affordable housing options to meet the needs of a broad range of residents. These homes directly advance that goal.
- **Traditional Neighborhood Character:** The Plan highlights the importance of walkable, traditional neighborhoods with smaller lots and houses closer to the street. The proposed variances allow us to maintain this character while adapting older lots for modern use.
- **Infill Development:** The Plan encourages efficient use of land through infill development on existing lots of record. Our proposal reactivates underutilized parcels without requiring new infrastructure.

- **Sustainability and Transportation:** By providing a modest-sized home, the project supports compact development patterns and aligns with County goals to reduce sprawl and encourage transit and pedestrian use.

Conclusion

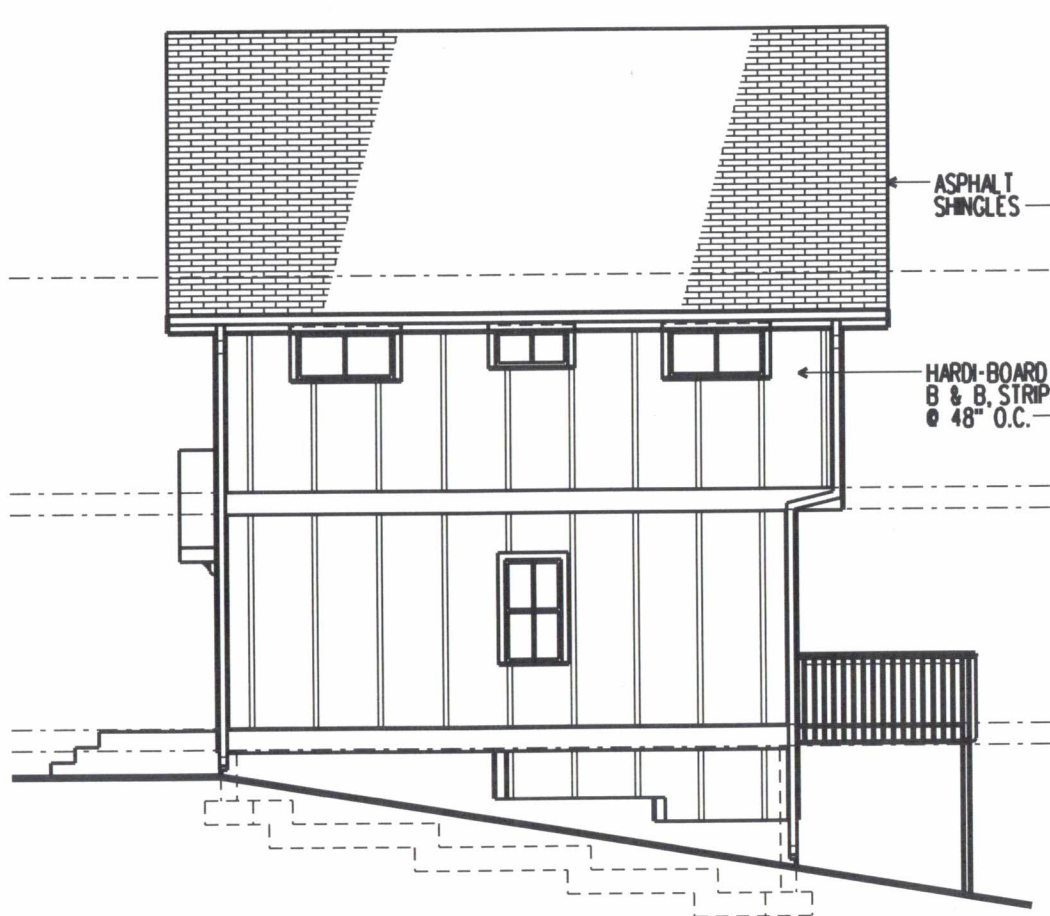
We believe that people should not be forced to live outside of our community due to unaffordability and they should be given the opportunity to own their little slice of the American Dream. For the reasons stated above, we respectfully request that the Board grant the requested variances from Section 27-3.36.10. We have met with DeKalb County planning officials on multiple occasions to thoughtfully craft the most ideal scenario that would most adhere to codes and achieve feasibility. The proposed relief represents the minimum deviation necessary to enable development of this unusually small lot, while protecting public welfare, furthering the goals of the Comprehensive Plan, and providing much-needed affordable housing in Scottdale. Approvals such as these by this Commission would free up many un-buildable lots in Scottdale and allow the County to fully utilize the land we have available.

Thank you for your time and thoughtful consideration.

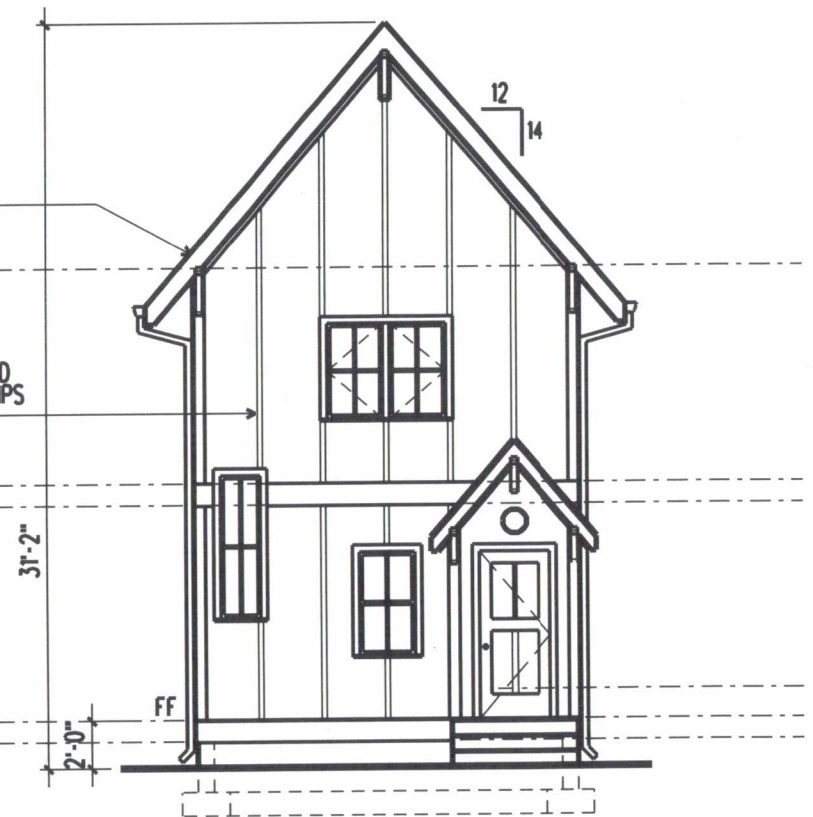
Respectfully,



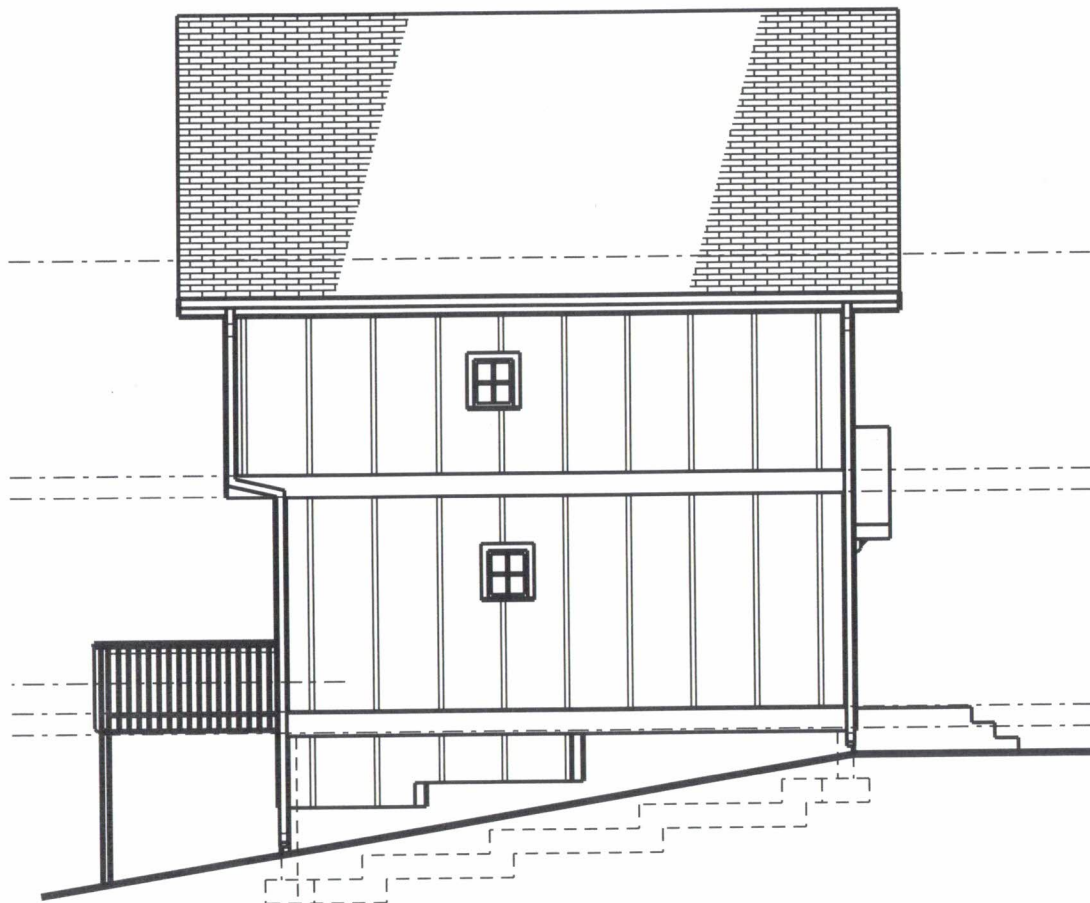
Neal Hightower



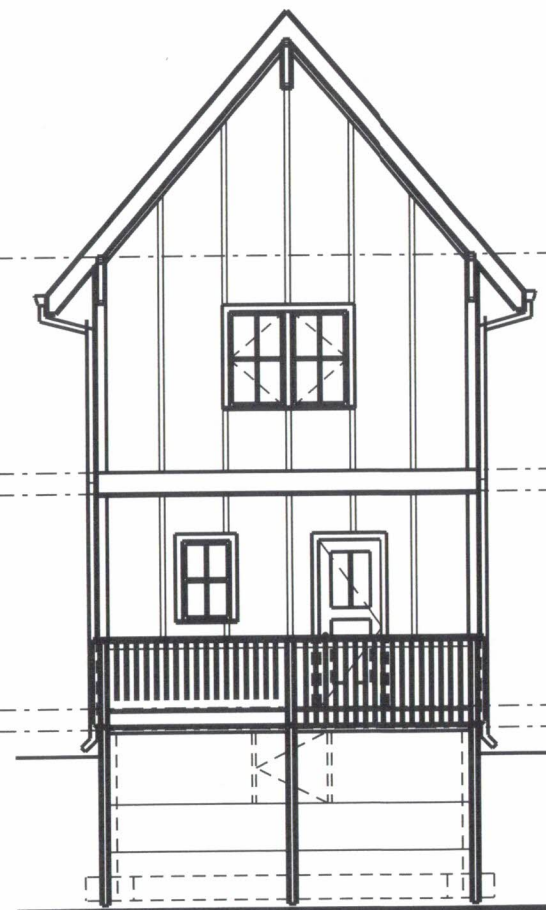
449 PROCTOR AVENUE - SOUTH ELEVATION
1" = 8'-0"



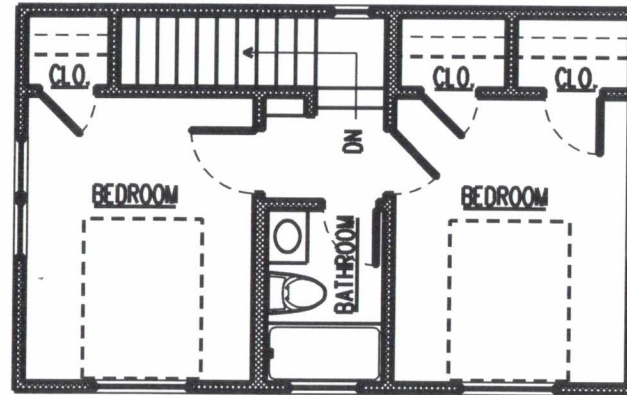
449 PROCTOR AVENUE - FACADE/WEST ELEVATION
1" = 8'-0"



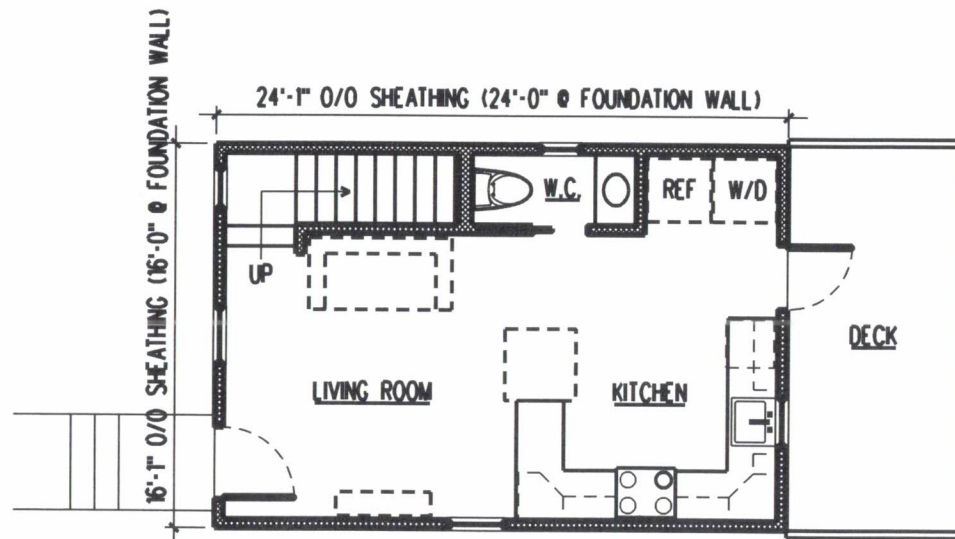
449 PROCTOR AVENUE - NORTH ELEVATION
1" = 8'-0"



449 PROCTOR AVENUE - EAST ELEVATION
1" = 8'-0"



449 PROCTOR AVENUE - SECOND FLOOR - 420 SF
 1" = 8'-0"



449 PROCTOR AVENUE - MAIN FLOOR - 387 SF
 1" = 8'-0"

The field data upon which this plat is based has a closure precision of one foot in 15,000+ feet and an angular error of 03" seconds per angle point and was adjusted using the Compass Rule. This plat has been calculated for closure and is found to be accurate within one foot in 100,000+ feet.

Equipment used: Topcon GTS-213 Total Station.

FLOOD HAZARD STATEMENT:

THIS PROPERTY IS NOT IN A FLOOD HAZARD AREA AS PER THE FIRM FLOOD HAZARD MAP OF DEKALB COUNTY, GEORGIA, COMMUNITY PANEL NUMBER 13089C 0067 K, DATED 08/15/19

ZONING INFORMATION:

CLASSIFICATION: SCOTSDALE OVERLAY TIER II

SETBACKS: FRONT - 30 FEET
SIDE - 7.5 FEET
REAR - 30 FEET

MIN. OFFSTREET PARKING - 2 SPACES

MIN. LOT SIZE - 5000 SF

MINIMUM LOT WIDTH - 50 FEET

MIN. HOUSE SIZE - 1000 SF

MAX. BUILDING HEIGHT - 32 FEET

MAX. LOT COVERAGE - 35%

LANDSCAPE STRIP - 5 FEET MIN.

SIDEWALK - 4 FEET FROM CURB MIN.

FRONT YARD TREES - 3.5" TREE EVERY 30 FEET

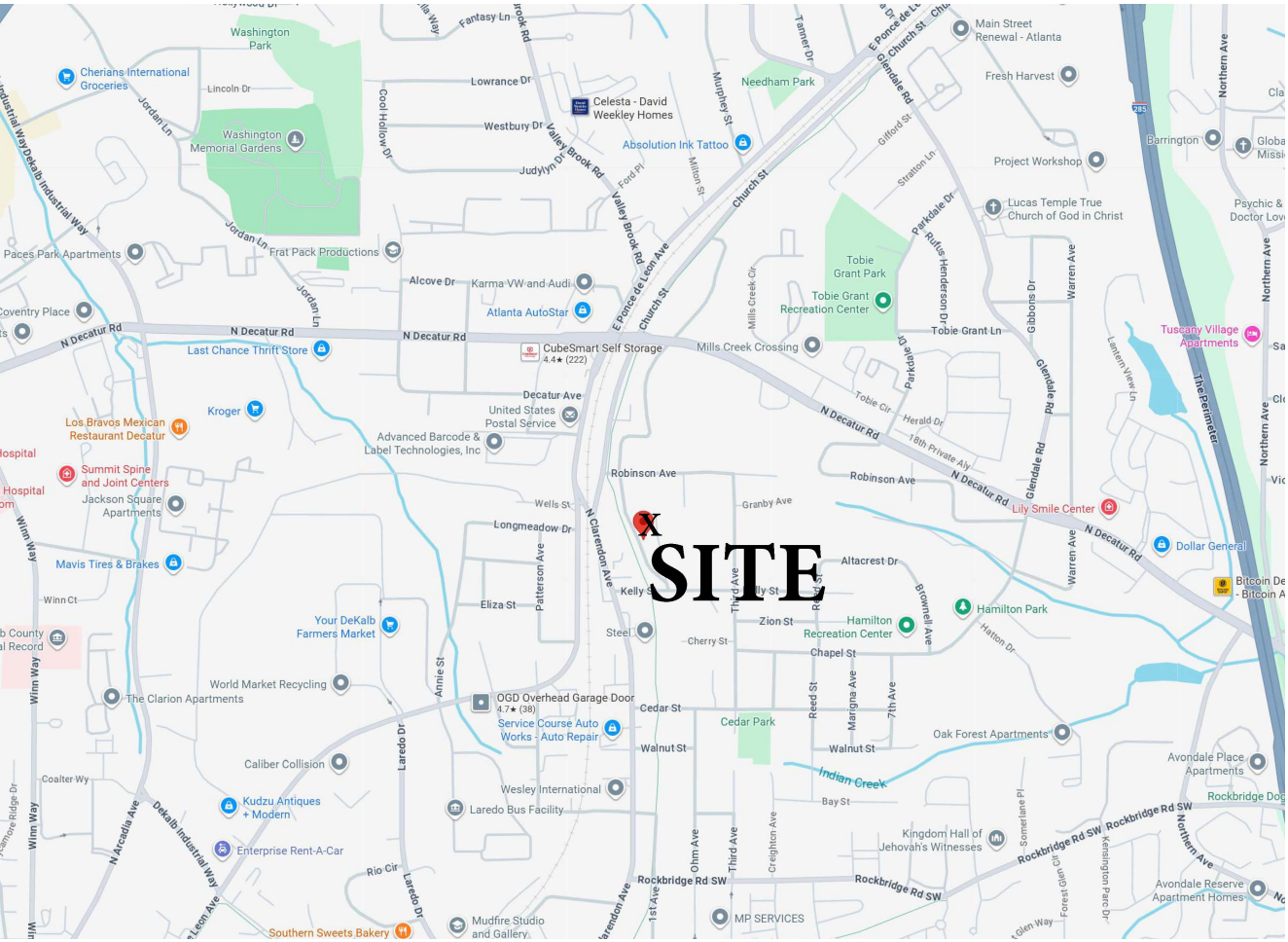
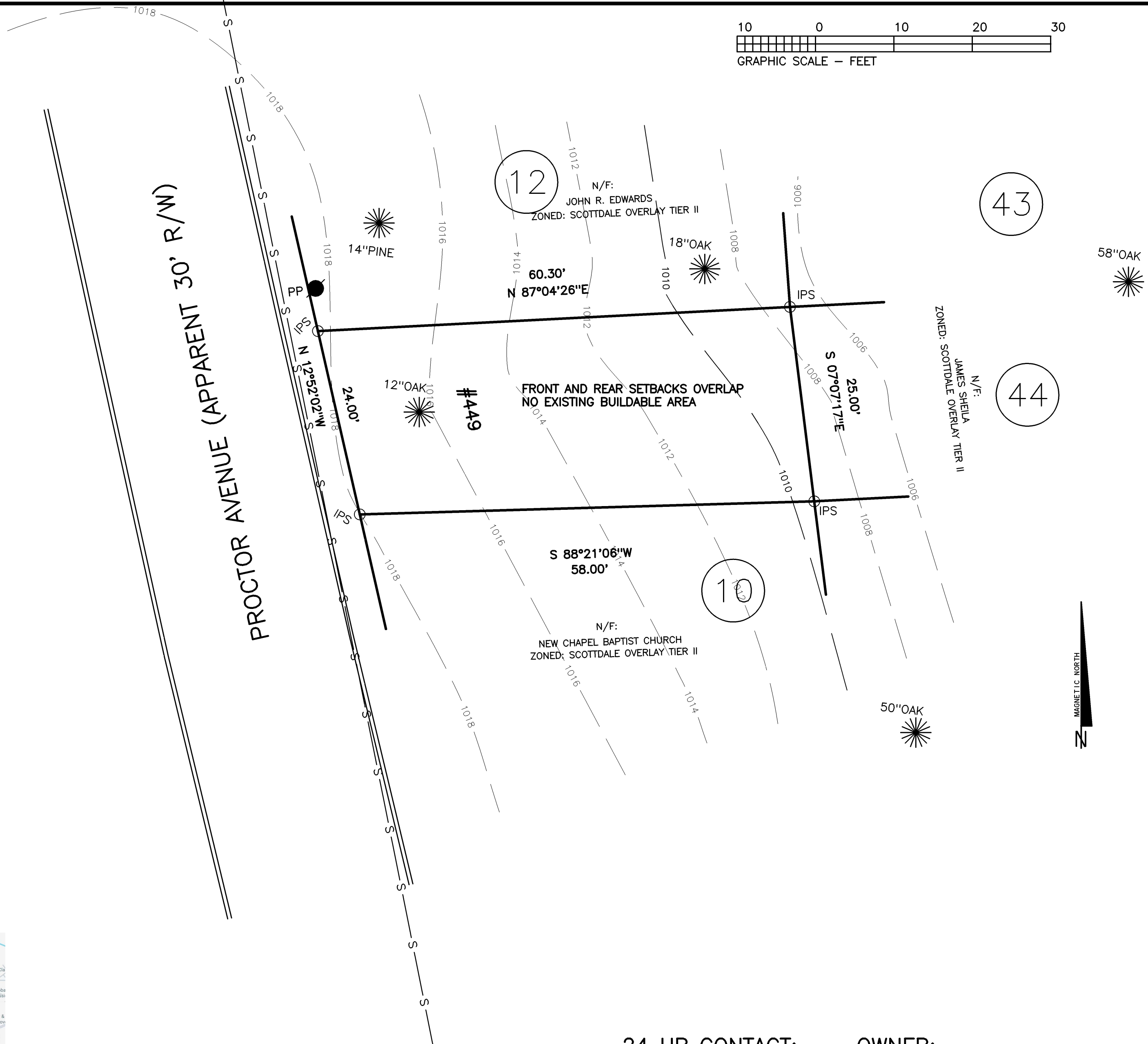
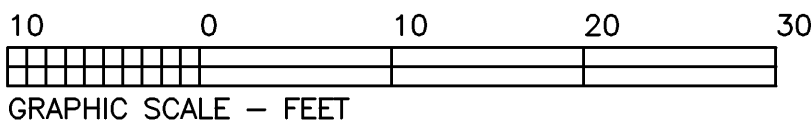
LEGEND

IPF = 1/2" REBAR FOUND
IPS = 1/2" REBAR PIN SET
L.L. = LAND LOT
L.L.L. = LAND LOT LINE
P.L. = PROPERTY LINE
CL = CENTERLINE
B.L. = BUILDING LINE
R/W = RIGHT-OF-WAY
S.S.E. = SANITARY SEWER EASEMENT
D.E. = DRAINAGE EASEMENT
MH = MANHOLE
C.B. = CATCH BASIN
J.B. = JUNCTION BOX
HW = HEADWALL
D.I. = DROP INLET
PP = POWER/UTILITY POLE
F.H. = FIRE HYDRANT
I.E. = INVERT ELEVATION
F.F.E. = FINISHED FLOOR ELEVATION
F.F.B. = FINISHED FLOOR BASEMENT
F.F.G. = FINISHED FLOOR GARAGE
B.C. = BACK OF CURB
EP = EDGE OF PAVEMENT
N/F = NOW OR FORMERLY
P.O.B. = POINT OF BEGINNING
SS = SANITARY SEWER LINE/PIPE
X-X-X = FENCE LINE
O = FLOOD HAZARD ZONE LINE
= STORM SEWER LINE/PIPE
W = WATER LINE
G = GAS LINE
FW = FLOW WELL
C.E. = CONSTRUCTION EASEMENT
WV = WATER VALVE
LS = LIGHT STANDARD
OTP = OPEN TOP PIPE FOUND
CTP = CRIMP TOP PIPE FOUND
WD = WOOD DECK
CO = CLEAN OUT
ICV = IRRIGATION CONTROL VALVE
WM = WATER METER
GW = GUY WIRE
W.M. = WATER METER

LOT AREA:

1392 sf.
0.032 ACRES

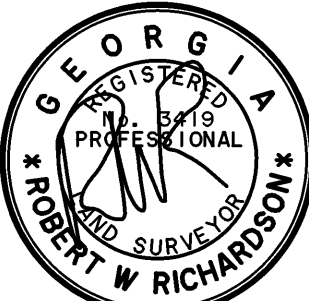
AREA DOES NOT INCLUDE
AREA TO BE DEDICATED FOR
SIDEWALK INSTALLATION



24 HR CONTACT:
NEAL HIGHTOWER
614 VALLEY BROOK DRIVE
SCOTSDALE, GA. 30079
(404)985-6454
NEALHIGHTOWER@GMAIL.COM

OWNER:
JAILETTE PARTNERS LLC
2221D PEACHTREE ROAD
SUITE 220
ATLANTA, GA. 30309
(404)872-1031
JWMANGHAM@GMAIL.COM

GSWCC GEORGIA SOIL AND WATER
CONSERVATION COMMISSION
ROBERT W. RICHARDSON
LEVEL II CERTIFIED DESIGN PROFESSIONAL
CERTIFICATION NUMBER 0000089322
ISSUED 10/12/2019 EXPIRES 10/11/2028
SIGNATURE DATE



ALPHA LAND SERVICES
P.O. BOX 1651
LOGANVILLE, GA. 30052
CONTACT: ROBERT RICHARDSON
OFF: 770.696.4054 EMAIL: ROBERT@ALPHASURVEYOR.COM
REVISION: _____
REF. PLAT: PB. 15 P. 85

EXISTING CONDITIONS SURVEY FOR:
449 PROCTOR AVENUE
TAX PARCEL #18-047-23-008
LAND LOT: 47
DISTRICT: 18TH
DEKALB COUNTY
GEORGIA
FIELD DATE: 12/24/24
PLAT DATE: 06/09/26
LOT: 11 BLOCK:
SUB: MEADOW BROOK
AREA = 0.032 ACRES
JOB No. 26306EX

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MIN. HOUSE SIZE - 1000 SF

MAX. BUILDING HEIGHT - 32 FEET

MAX. LOT COVERAGE - 35%

LANDSCAPE STRIP - 5 FEET MIN.

SIDEWALK - 4 FEET FROM CURB MIN.

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LEGEND

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GW = GUY WIRE
W.M. = WATER METER

PROPOSED LOT COVERAGE:

HOUSE = 388 sf.
DRIVE STRIPS = 65 sf.
FRONT WALK/STOOP = 60 sf.
REAR DECK = 118 sf.(PERVIOUS)
TOTAL = 513 sf.
LOT COVERAGE = 36.9%
PERVIOUS MATERIAL=8.5%

TREE INVENTORY:

SAVED:
NONE
REMOVED:
12" OAK

LANDSCAPE REQUIREMENTS:

120 x 0.032 = 3.84 = 4" DBH REQUIRED
PRESERVED = 0" DBH
MIN. 4" TO BE PLANTED
15 x 0.032 = 0.48 UNITS REQUIRED
PRESERVED = 0.0 UNITS
MIN. 0.5 UNITS TO BE PLANTED

TREE PLANTINGS:

TWO 2.5" TREES TO BE PLANTED
Qa - 2.5" WHITE OAK (1)
Cf - 2.5" FLOWERING DOGWOOD (1)

LOT AREA:

1392 sf.
0.032 ACRES

AREA DOES NOT INCLUDE
AREA TO BE DEDICATED FOR
SIDEWALK INSTALLATION

NO GRADED SLOPE SHALL EXCEED 3H:1V

ON ALL DISTURBED AREAS

Ds1 Ds2 Ds3 Ds4

DISTURBED AREA = 1380 sf.
0.032 ACRES

WATER QUALITY CALCULATIONS:

$R_v = 0.05 + 0.009(36.9) = 0.3821$
 $WQ_v = \frac{(1.2)(0.3821)(1392)}{12} = 53.2$

STORAGE REQUIRED = 54 CF
FLO-WELLS TO BE UTILIZED
31.6 CF TREATED PER WELL
54/31.6 = 1.7 = 2 WELLS REQUIRED

24" FLO-WELL (2)
H = 30"

ALL RUNOFF FROM ROOF DRAINS SHALL
BE DIRECTED TO THE WATER QUALITY BMP

OVER FLOW FROM WATER QUALITY BMP SHALL
NOT ADVERSELY AFFECT ADJACENT PROPERTIES

PROPOSED FLOOR AREA:

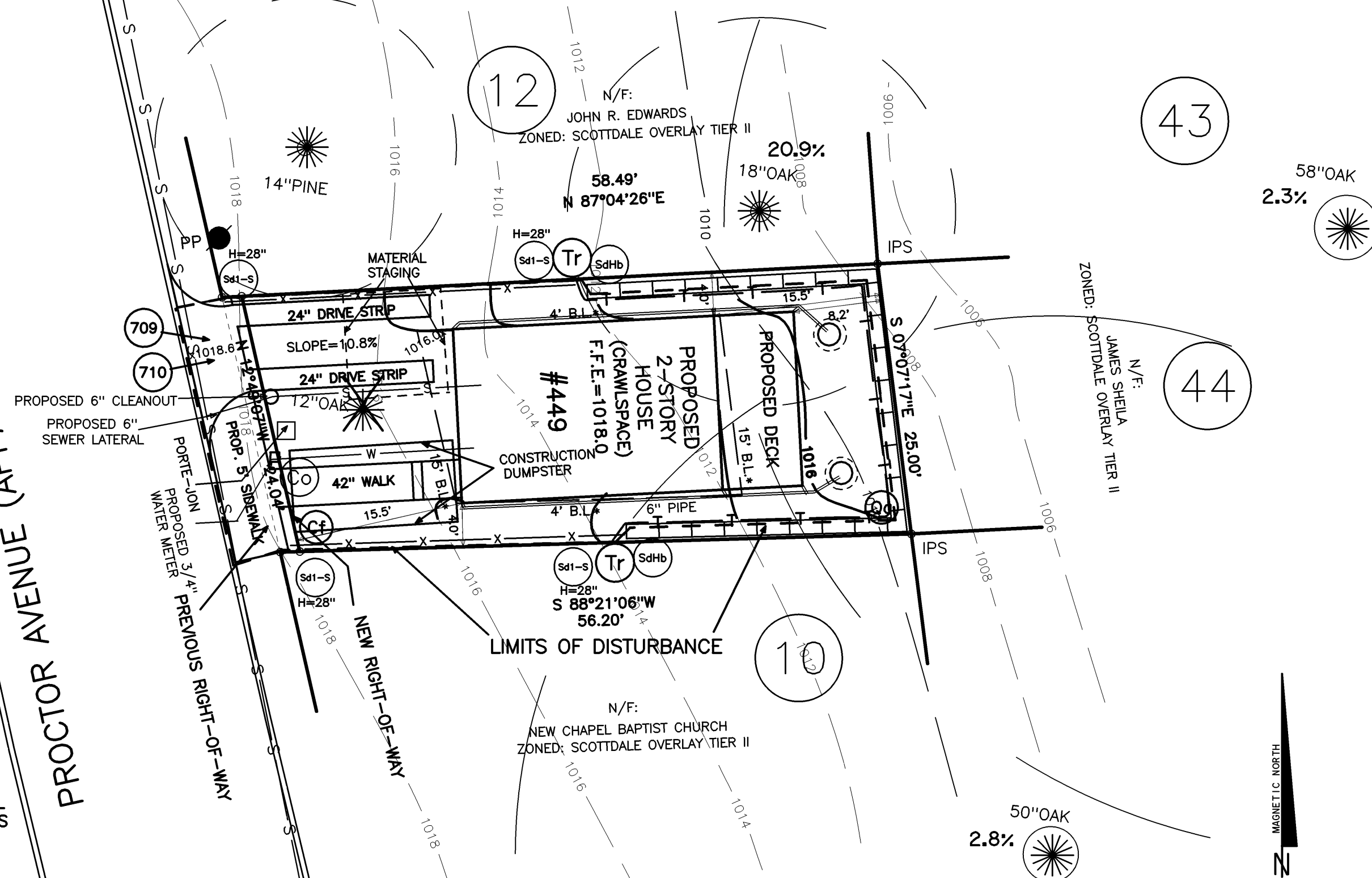
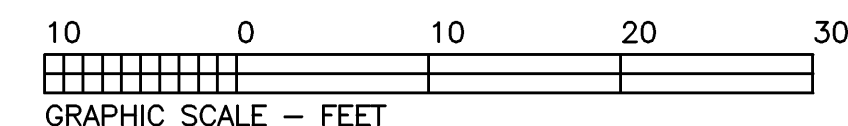
1ST FLOOR = 388 sf.
2ND FLOOR = 388 sf.
TOTAL = 776 sf.

CUT/FILL VOLUMES:

FILL VOLUME = 12 CU YRDS
CUT VOLUME = 12 CU YRDS
- SITE TO BE BALANCED
- QUANTITIES ARE APPROXIMATE

FRONT YARD COVERAGE:

FRONT YARD AREA = 408 sf.
PAVED AREA = 125 sf.
FRONT YARD COVERAGE = 30.64%



VARIANCE REQUESTS:

- 1) FRONT SETBACK REDUCTION FROM 30' TO 15'
- 2) REAR SETBACK REDUCTION FROM 30' TO 15'
- 3) SIDE SETBACK REDUCTION FROM 7.5' TO 4.0'
- 4) HOUSE SIZE REDUCTION FROM 1000 SF TO 807 sf.
- 5) MAXIMUM LOT COVERAGE INCREASE FROM 35% TO 37%

GENERAL NOTES:

- 1) THE INSTALLATION OF EROSION AND SEDIMENTATION CONTROL MEASURES AND PRACTICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND-DISTURBING ACTIVITIES.
- 2) EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION AND SEDIMENT CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
- 3) ADDITIONAL EROSION CONTROLS SHALL BE INSTALLED AS DEEMED NECESSARY BY THE ON-SITE INSPECTOR.
- 4) ALL LOTS/SITES WITH 2" OF FILL OR GREATER WILL REQUIRE A COMPACTION CERTIFICATE BY A PROFESSIONAL REGISTERED ENGINEER PRIOR TO A BUILDING PERMIT AND/OR PRIOR TO FOOTERS BEING POURED.
- 5) LOCATE AND FIELD STAKE ALL UTILITIES, EASEMENTS, PIPES, FLOOD LIMITS, STREAM BUFFERS, AND TREE SAVE AREAS PRIOR TO ANY LAND DISTURBING ACTIVITIES.
- 6) ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
- 7) ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING.
- 8) ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY AND REPAIRED OR REPLACED AS NEEDED.
- 9) A FINAL AS-BUILT LOT SURVEY REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
- 10) A FINAL AS-BUILT WATER QUALITY CERTIFICATE REQUIRED PRIOR TO CERTIFICATE OF OCCUPANCY.
- 11) DUMPSTERS AND/OR TEMPORARY SANITARY FACILITIES SHALL NOT BE LOCATED IN STREET OR TREE PROTECTION AREA OR RIGHT OF WAY.
- 12) WATER QUALITY BMP(S) TO BE INSTALLED AT THE TIME OF FINAL LANDSCAPING.
- 13) ALL COLLECTED WATER SHALL BE DIRECTED TO THE WATER QUALITY BMP(S)
- 14) NO WATER QUALITY BMP(S) ALLOWED IN UNDISTURBED STREAM BUFFERS OR TREE SAVE CRITICAL ROOT ZONE.
- 15) WORK HOURS AND CONSTRUCTION DELIVERIES ARE:

MONDAY-FRIDAY 7:00am-7:00pm
SATURDAY 8:00am-5:00pm

- 16) I ROBERT W. RICHARDSON CERTIFY UNDER PENALTY OF LAW THAT THIS PLAN WAS PREPARED AFTER A SITE VISIT TO THE LOCATIONS DESCRIBED HEREIN BY MYSELF OR MY AUTHORIZED AGENT, UNDER MY DIRECT SUPERVISION.

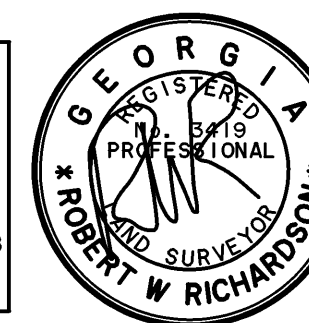
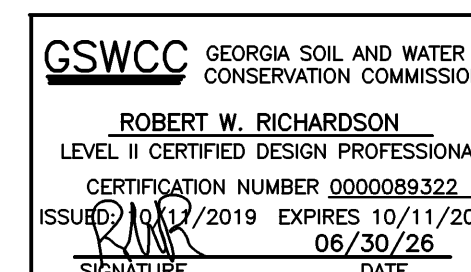
- Tr - 4' ORANGE MESH TREE-SAVE
Sd1-S - TYPE "S" SILT-FENCING
Co - CONSTRUCTION EXIT
SdHb - STAKE HAY BALES AS EROSION CONTROL

24 HR CONTACT:

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PAGE 2 OF 4
SITE PLAN FOR:
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DEKALB COUNTY
GEORGIA
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