



Lorraine Cochran-Johnson

Chief Executive Officer

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

Wednesday, September 9, 2026

Planning Department Staff Analysis



Juliana
Njoku

Director

N3. Case No: A-26-1248218
Commission District 02 | Super District 06

Parcel ID(s): 18 052 10 041

Applicant: Robert M. Lurie
1849 Westminster Way
Atlanta, GA 30307

Owner: Robert M. Lurie and Jeanne Lurie,

Project Name: Lurie Residence Accessory Dwelling Unit

Location: 1849 Westminster Way, Atlanta, GA 30307

Requests:

Increase the maximum heated floor area of an accessory dwelling unit from 900 square feet to 1,025 square feet pursuant to Section 27-4.2.3, within the existing residence in the R-75 zoning district and Druid Hills Historic District.

Staff Recommendation: Withdrawal without prejudice

STAFF FINDINGS

Staff recommends withdrawal of the application to allow the applicant to revise the proposal and clarify the intended use of the existing addition. Based on the submitted floor plan and square footage, the addition exceeds the dimensional standards applicable to an accessory dwelling unit (ADU) and, as currently configured, appears more consistent with a second dwelling unit/duplex than an ADU. The addition was constructed in approximately 2006, indicating that the dimensional condition for which relief is requested was created through a prior expansion of the residence rather than resulting from an inherent condition of the property. Accordingly, staff finds insufficient basis to establish a zoning hardship and recommends withdrawal rather than proceeding with the requested variance in its current form.

ZONING BOARD OF APPEALS (ZBA) APPLICATION

to Amend the Official Zoning Map of DeKalb County, Georgia

Subject Property Address: 1849 Westminster Way, NE

City: Atlanta State: GA Zip: 30307

Parcel ID Number(s): 18 052 10 041 Acreage: .261

District: 18 Land Lot: 52 Block: E Parcel: 31

Commission District(s): 2 Super District: 6

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

Robert M. Lurie
Signature

9 July 2026
Date

ZONING BOARD OF APPEALS (ZBA) APPLICATION FEE:

\$300.00

**DeKalb County does not require payment by wire transfer.
Be aware of scammers and fraudulent emails.**

Email plansustain@dekalbcountyga.gov with any questions

DEPARTMENT OF PLANNING & SUSTAINABILITY

ZONING BOARD OF APPEALS APPLICATION

AUTHORIZATION OF THE PROPERTY OWNER

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

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

I hereby certify that I am the owner of the property subject to the application.

DATE: 9 July 2026

Applicant Robert M. Lwike
Signature: _____

DATE: _____

Applicant _____
Signature: _____

Robert M. Lurie
1849 Westminister Way
Atlanta, GA 30307
678-640-6901
BobLurie1849@gmail.com

July 9, 2026

Board of Zoning Appeals
DeKalb County, Georgia
178 Sams Street
Decatur, GA 30030

Subject: Letter of Intent in Support of Application for Variance
1849 Westminister Way, NE Atlanta, GA

To Whom It My Concern:

I wish to create an accessory dwelling unit (ADU) within the existing house located at the subject address. No addition to its size or modification to its exterior is contemplated.

In 2006, I built an addition to the original house (built in 1941) then existing at the subject address. The original house and proposed addition are shown on the attached drawing numbered "A1" that was submitted as part of an application for the attached Certificate of Appropriateness (C of A) issued on December 2, 2005. A side panel on Drawing A1 also shows how the "Existing House" and the "New Addition" relate to the boundaries of the lot as a whole.

The original house comprises 1,025 square feet of heated floor area measured from the interior face of the exterior walls. I intend to convert it to an ADU. The entrance to the ADU will be through the front door of the original house. The entrance to the principal residence will be through a side door that was built as part of the 2006 addition. I plan to live in the principal residence.

I seek a variance from Chapter 27, Article 4, Sec. 4.2.3 C 10 of the DeKalb County Ordinances which limits the heated floor area of an accessory dwelling unit to 900 square feet. Since the proposed ADU comprises 1,025 square feet, the variance requested is to allow the floor area of the ADU to be 125 square feet over the limit.

When the addition was built in 2006, the kitchen of the original house was removed and replaced by a half bath. The ADU will require a new kitchen. It is shown on the attached partial floor plan of the western end of the original house titled "Renovations to Lurie Residence." A survey of the property made in 2005 is also attached showing the original house and the footprint of the proposed addition.

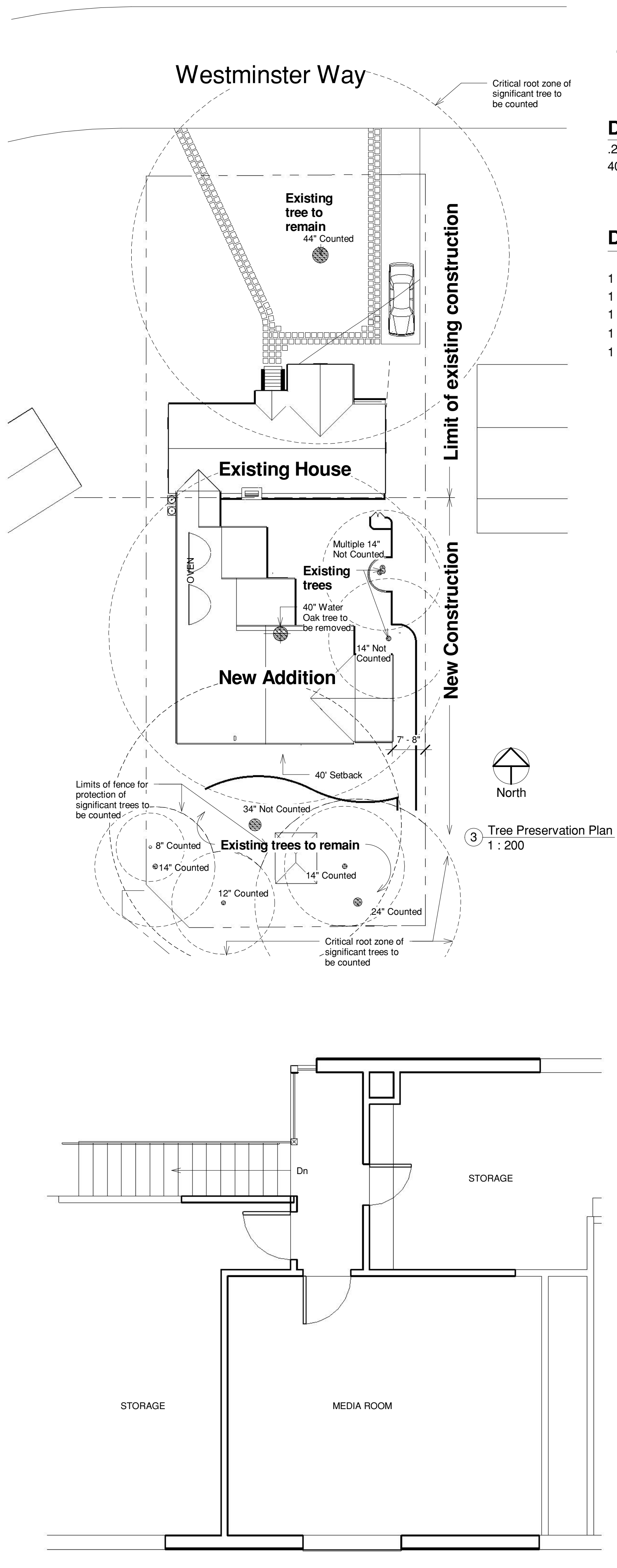
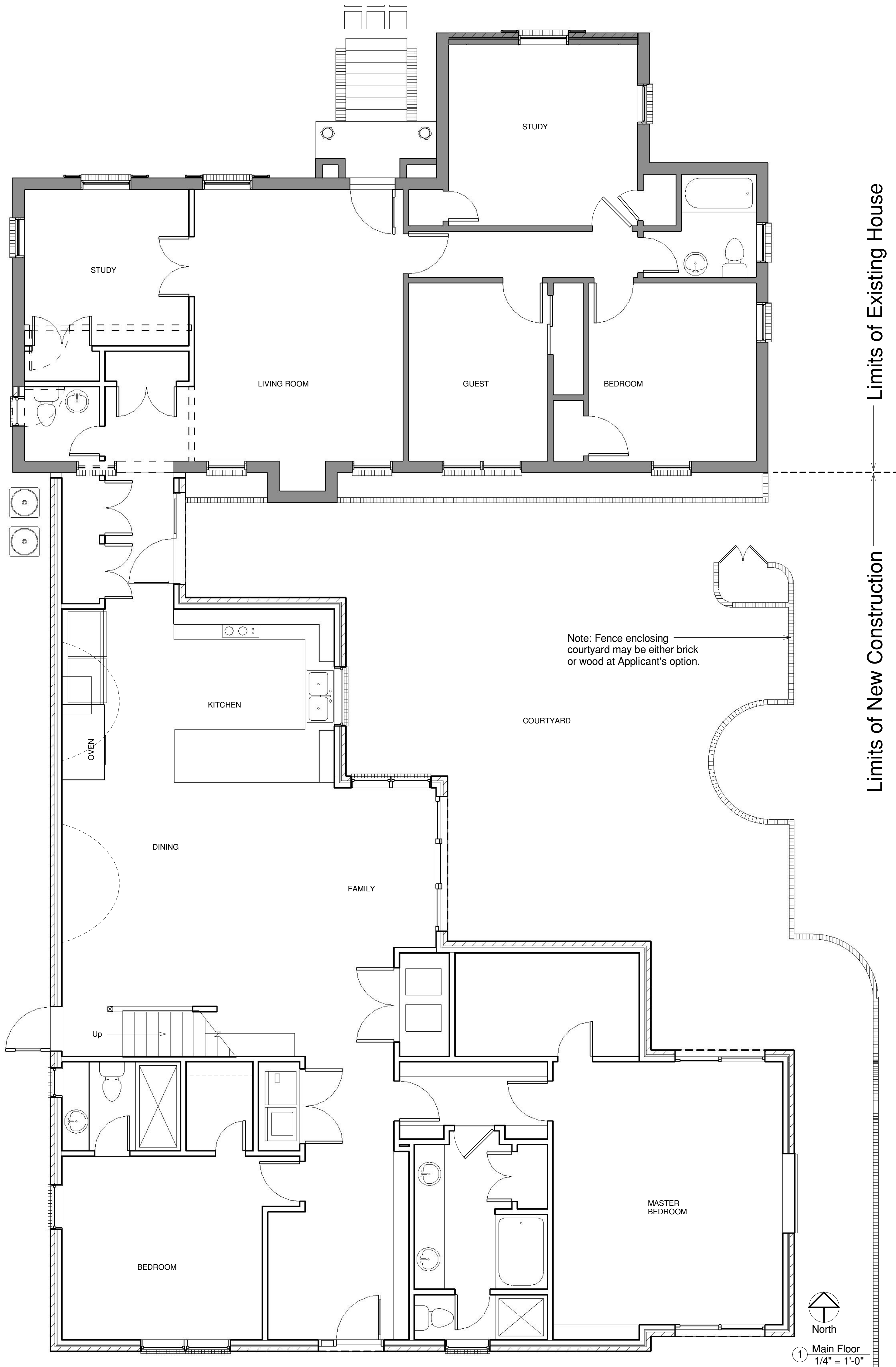
I believe the variance requested is reasonable. It will result in no increase to the total floor area or change to the exterior appearance of the property. Because a C of A was issued for the 2006 addition, the combined ADU and principal residence have been judged to be compatible with neighboring properties. The variance will allow the integrity of the original house to be retained – an important consideration that was made when the C of A was issued.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Robert M. Lurie". The signature is written in a cursive style with a large, stylized "R" and "L".

Robert M. Lurie



Tree Preservation and Replacement Requirements

DBH Inches Required	
.261 Acres @ 120 DBH in. per acre	31.3
40 in. DBH tree to be removed @ 1.5 times DBH	60.0
Total DBH Inches Required	91.3

DBH Inches Provided	
1 @ 44 in. DBH	44.0
1 @ 8 in. DBH	8.0
1 @ 12 in. DBH	12.0
1 @ 14 in. DBH	18.0
1 @ 24 in. DBH	24.0
Total DBH Inches Provided	106.0
Net Surplus DBH Inches Provided	14.7

Date: 1/26/2006 11:06:42 AM
Revisions

Robert M. Lurie, Architect
1007 Ladson Court
Marietta, GA 30033
PH: 404-248-9301

Lurie Family Home Addition
1849 Westminster Way
Atlanta, GA 30307

A1

Floor Plans and Tree Inventory



DeKalb County Historic Preservation Commission

1300 Commerce Drive•Suite 400•Decatur, GA 30030
404/371-2155•404/371-2813 fax

December 2, 2005

CERTIFICATE OF APPROPRIATENESS

SITE ADDRESS: 1849 WESTMINSTER WAY
ATLANTA, GA 30307
PARCEL ID: 18-052-10-041
APPLICATION DATE: 11/4/05
APPLICANT: Robert M. & Jeanne Lurie
MAILING ADDRESS: 1007 Ladson Court
Decatur, GA 30033

THIS IS TO ADVISE YOU THAT THE DEKALB COUNTY HISTORIC PRESERVATION COMMISSION, AT ITS PUBLIC MEETING ON NOVEMBER 21, 2005, REACHED THE FOLLOWING DECISION ON THIS APPLICATION:

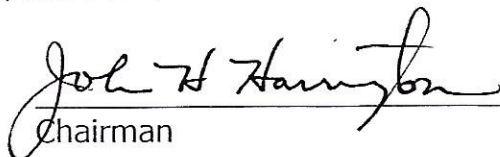
ACTION: APPROVAL WITH MODIFICATION

1. Build rear addition. The addition will be connected to the house by a narrow section, resulting in minimal change to the original structure. The bulk of the addition will be separated from the house by a courtyard and the west (right) side wall will be set in from the west wall of the original. A section of the addition at the rear will be two-story. The roof will step up in a series of three gables as it proceeds toward the rear.
2. Replace the damaged front door, add columns and roof over main entry.
3. Repave driveway and 3' wide front walkway in existing footprint with poured concrete. A stepping stone pathway may run from the front porch at an angle to the right front corner of the property.
4. Build brick or wood fence/wall between the rear of the house and the front of the addition to set off the courtyard. The wall will circle around a sassafras tree in an attempt to protect it. The maximum height of the wall will be just over 6' at the front. The top will remain level so that the height will decrease as it runs into the higher ground toward the rear of the yard.
5. A low retaining wall will begin near the left front corner of the addition and wrap around to the rear of the house to redirect runoff away from the house.
6. Extend eaves 6 inches all around the house to correct the water infiltration problems caused by the existing minimal overhang.
7. Remove 39 or 40" diameter water oak in backyard based on arborist's report.
8. Build tool shed in backyard. A zoning variance will be necessary to build it at the 5' setback specified on the site plan.

Replacement of wood siding around the front door has not been approved.

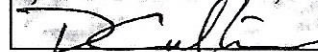
Parking pad has not been approved.

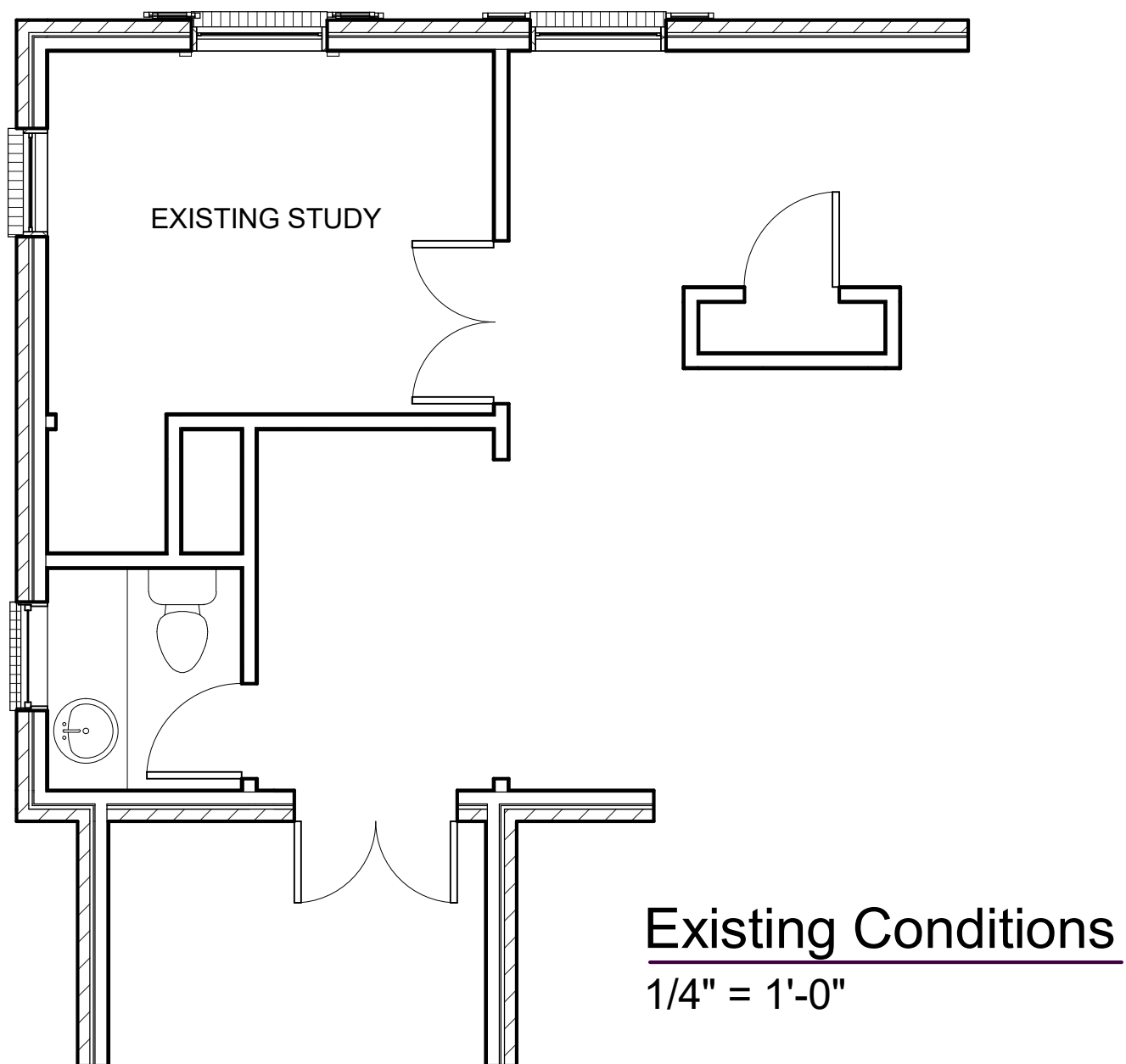
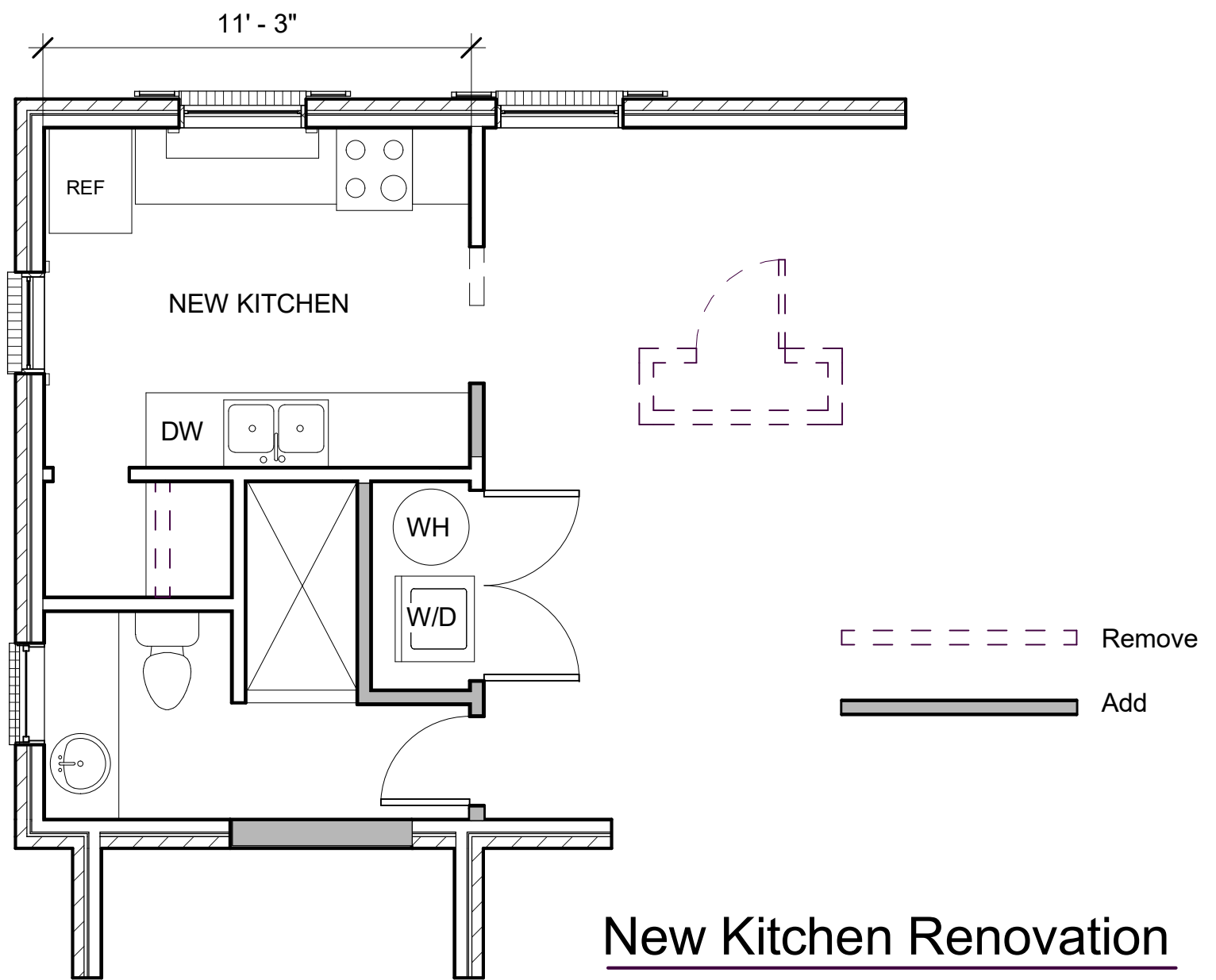
With the exceptions noted, all the above to be as shown on attached plans.


Chairman

12/2/05
Date

No appeals have been
filed. December 6, 2005





Renovations to Lurie Residence
 1849 Westminster Way, NE
 Atlanta, GA 30307

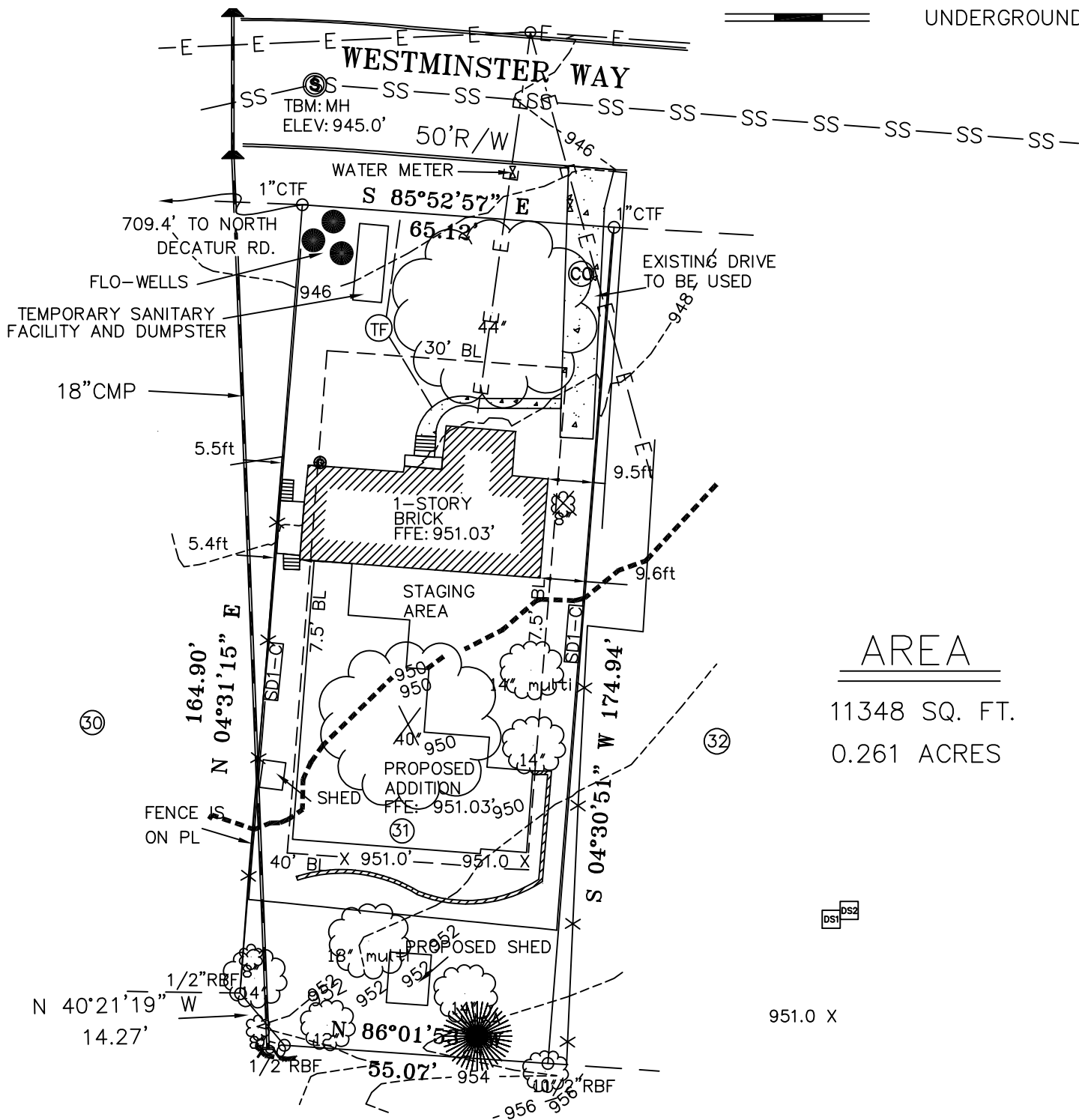
MAGNETIC NORTH



LEGEND

These standard symbols will be found in the drawing.

- ▲ TRAVERSE POINT
- PK NAIL FOUND
- IRON PIN SET
- IRON PIN FOUND
- ▲ CATCH BASIN
- 田 DRAIN
- ↓ GUY WIRE
- ☼ LIGHT POLE
- ⊙ MANHOLE
- ⊖ POWER POLE
- × SPOT ELEVATION
- ☼ HARD WOOD (OAK)
- PINE TREES
- SS — SS — SANITARY SEWER
- E — E — ELECTRIC
- X — X — FENCE
- == UNDERGROUND PIPELINE



AREA

11348 SQ. FT.
0.261 ACRES

I HAVE THIS DATE, EXAMINED THE "FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL (■) (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL

MAP ID 13089C0062 H EFFECTIVE DATE : MAY 7, 2001

REFERENCES
PB 12 PG 112

ELEVATIONS ASSUMED AT 100.0

The field data upon which this plat is based was gathered by an open traverse. This plat has been calculated for closure and found to be accurate to 1 foot in 173,655 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.

F27-126 1849 WESTMINSTER WAY

JOB NO. 183123	SHEET 1 OF 1	PLAT PREPARED FOR :			ROBERT LURIE	DATE	7/5/05	GA. LAND SURVEYING CO., INC.				REVISION:			
					JEANNE LURIE	SCALE	1" = 30'								
		LAND LOT 52	18 DISTRICT	2 SECTION	DEKALB COUNTY, GEORGIA									LAND SURVEYING ~ LAND PLANNING	
		LOT 31	BLOCK E			UNIT								155 CLIFTWOOD DRIVE	
		SUBDIVISION EMORY GROVE			PARTY CHIEF: LF									ATLANTA, GEORGIA. 30328	
								PHONE (404) 255-4671	FAX (404) 255-6607		DATE:				