ZONING BOARD OF APPEALS (ZBA) APPLICATION

to Amend the Official Zoning Map of DeKalb County, Georgia

Subject Property Address: 1945 LA MESA LN.

City: DECATUR State: GA Zip: 30127

Parcel ID Number(s): 15 166 01 030 Acreage: 0.26

District: 15TH Land Lot: 166 Block: C Parcel: II

Commission District(s): 1-5 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 REVIEWTHE 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 Marcus Kindall
Signature

Date

ZONING BOARD OF APPEALS (ZBA) PPLICATION 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

01.2026

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

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: 10/13/2026 Applicant Signature: Marcus Kindall

DATE: 10/13/2026 Applicant Signature: Marcus Kindall

DeKalb County
GEORGIA

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 ZoningBoard of Appeals for the requests as shown in this application.

DATE: _____ Applicant/Agent Signature: _____

TO WHOM IT MAY CONCERN:

(I)/ (WE): Joseph A. Flores
(Name of Owners)

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

Haley Nellenback
NOTARY PUBLIC
NEWTON COUNTY, GEORGIA
My Commission Expires 03/03/2030

Notary Public _____ Owner Signature _____

Notary Public _____ Owner Signature _____

Notary Public _____ Owner Signature _____

Letter of Intent

Administrative Rear Yard Setback Variance

September 22, 2026
Director of Planning
DeKalb County Department of Planning and Sustainability
178 Sams Street
Decatur, Georgia 30030

RE: 1945 La Mesa Lane, Decatur, Georgia 30032 | R-75 Zoning | Rear Yard Setback Variance

Dear Director of Planning:

Kennedy Holding, LLC, the owner of the property at 1945 La Mesa Lane, respectfully requests an administrative variance under Section 27-922 of the DeKalb County Zoning Ordinance to reduce the required 40-foot rear yard setback by 10.5 feet. The proposed bedroom addition would maintain a rear setback of 29 feet, as shown on the submitted variance plan. The request is limited to the addition footprint shown on that plan.

Extraordinary or Exceptional Property Conditions

The property is a relatively narrow 75-foot-wide lot containing an established single-family home, mature oak trees, and existing grades that fall approximately 14 feet across the site. These existing lot dimensions, natural grade conditions, mature vegetation, and the established position and layout of the residence substantially limit practical locations for a compatible addition. The conditions were not created for the purpose of obtaining this variance. Strict application of the 40-foot rear setback would prevent a reasonable bedroom expansion in a location that connects efficiently to the existing house, or would force a materially more disruptive redesign involving additional grading, site disturbance, or potential impacts to existing site features. The requested relief would allow the owner to use and improve the residence in a manner reasonably available to other R-75 property owners, rather than granting a mere convenience or special privilege.

Minimum Relief Necessary

The requested 10.5-foot reduction is confined to the proposed bedroom addition and does not alter the setback requirements for the remainder of the property. The addition will remain 29 feet from the rear property line. Its placement follows the existing residence and avoids unnecessary expansion elsewhere on the lot. The request therefore represents the minimum relief necessary to permit a functional addition and does not confer a special privilege inconsistent with limitations applicable to other properties in the R-75 zoning district.

No Material Detriment

Approval will not be materially detrimental to the public welfare or injurious to nearby property or improvements. The use will remain a single-family residence, and the addition will be located entirely within the subject property. The request does not change the property's residential use, create a new access point, or require removal of the mature trees identified on the plan. The addition will remain separated from the rear property line by 29.5 feet and will be subject to all applicable building, drainage, stormwater, and life-safety requirements.

Undue and Unnecessary Hardship

Literal enforcement of the 40-foot rear setback, when applied to the existing lot width, topography, mature site features, and established house configuration, would create an undue and unnecessary hardship. It would substantially restrict a reasonable residential improvement even though the proposed design maintains a meaningful rear-yard separation and can be constructed without changing the character of the

property or neighborhood. Granting the limited variance would provide reasonable relief while preserving the intent of the zoning ordinance.

For these reasons, the owner respectfully requests approval of the administrative variance to reduce the required rear yard setback from 40 feet to 29 feet for the proposed bedroom addition shown on the submitted variance plan.

Respectfully submitted,

_____

Joseph Floarea, Authorized Representative
Kennedy Holding, LLC

Prepared by: Marcus Kindall
MLK Permit Expediter Consulting, LLC
[redacted]

REAR YARD SETBACK VARIANCE PLAN –PROPOSED BEDROOM ADDITION
1945 La Mesa Lane | R-75 Zoning



LOCATION MAP

VARIANCE REQUEST: A variance is requested to reduce the required 40-foot rear yard setback by 10.5 feet, allowing a 29-foot rear yard setback for the proposed bedroom addition to the existing single-family residence.

LIMIT OF RELIEF: The requested variance applies only to the proposed addition footprint shown on this plan. Dimension the closest proposed exterior wall at 29. feet from the rear property line and show the required 40-foot setback line.

NOTE:
THE ORIGINAL EXISTING UTILITIES ARE TO BE UTILIZED FOR THE PROPOSED NEW STRUCTURE. CONTRACTOR TO FIELD VARIFY LOCATION OF EXISTING UTILITIES PRIOR TO ANY NEW CONSTRUCTION

TREE PRESERVATION
NO TREES ARE PROPOSED FOR REMOVAL UNDER THIS DEMOLITION PERMIT. ALL EXISTING TREES SHALL REMAIN AND BE PROTECTED.

LOT COVERAGE
EXISTING IMPERVIOUS (IN SQUARE FEET)

IMPERVIOUS (IN SQUARE FEET)	
HOUSE	1970
CONC. DW	616
CONC. SW	102
PORCH	22
STEPS	23
TOTAL IMPERVIOUS	2733

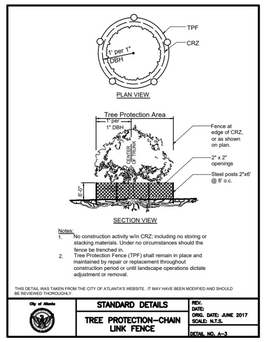
EXISTING IMPERVIOUS - 2,733 / 11,250 = 24%

FLOOD HAZARD STATEMENT

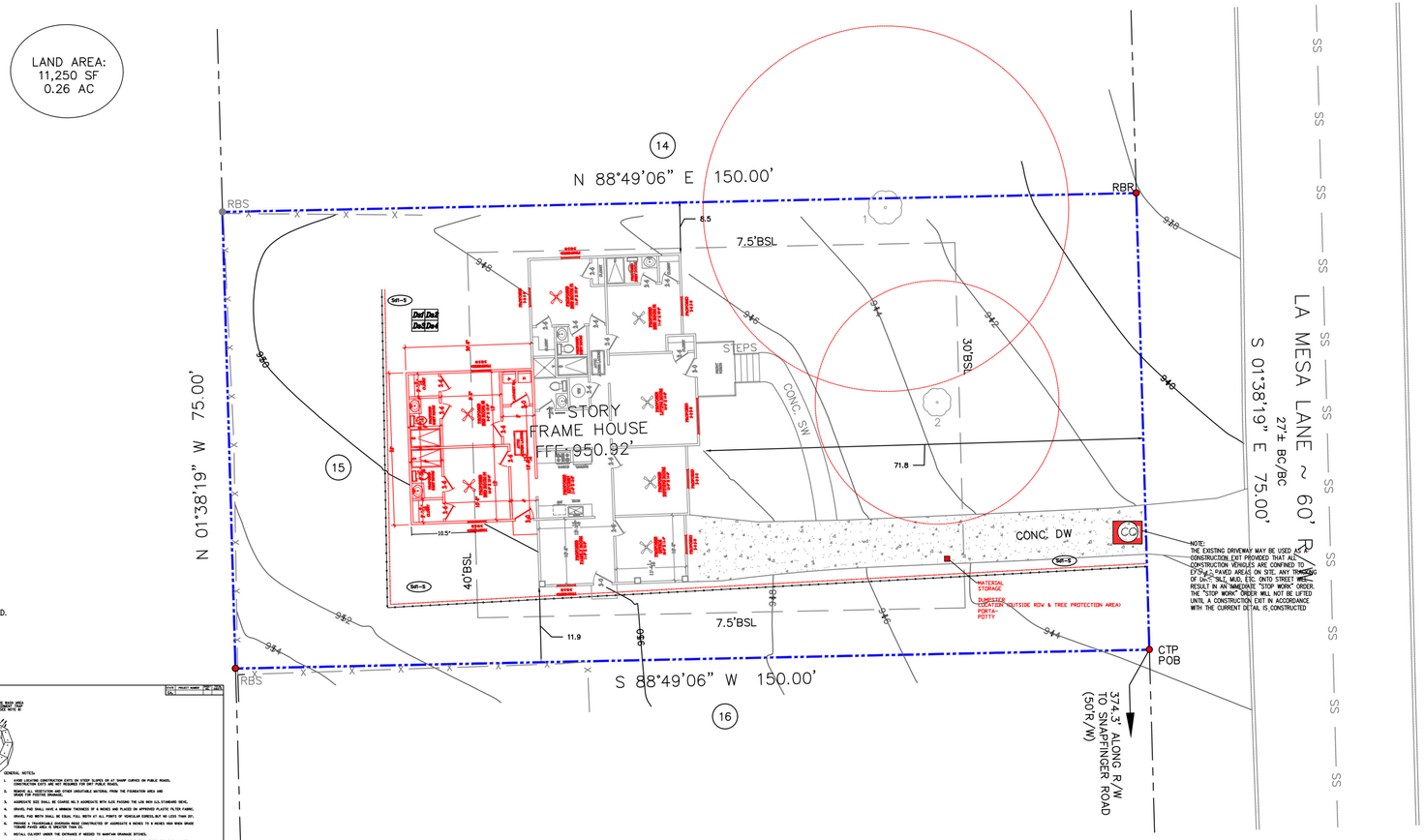
I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

PANEL 13089C0151J EFFECTIVE DATE: 05/16/2013

ZONE 'X'



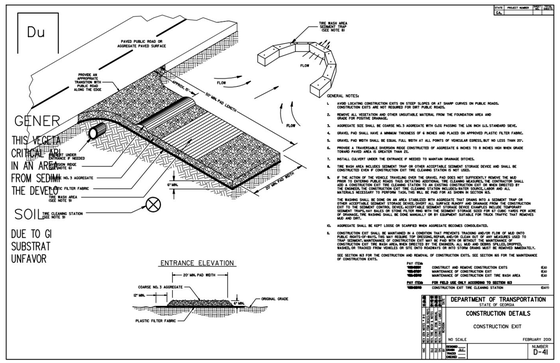
LAND AREA:
11,250 SF
0.26 AC



TREE TABLE		
TR.NO.	DIAMETER	TYPE
1	30	OAK
2	20	OAK

NERAL NOTES

1. INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER, AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS, HIS CONTRACTORS, AND/OR HIS AGENTS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION SHOWN HEREON AS TO SUCH UNDERGROUND INFORMATION.
2. RIGHT-OF-WAYS ARE BASED ON CENTERLINES OF EXISTING PATHS OF TRAVEL, UNLESS NOTED OTHERWISE.
3. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
4. NO VISIBLE EVIDENCE OF A CEMETERY FOUND
5. BEARINGS BASED ON A SINGLE MAGNETIC NORTH OBSERVATION.
6. SUBJECT PROPERTY CURRENTLY ZONED "R-75" CITY OF DEKALB ZONING MAP AND REFERENCED FINAL PLAT.
   BUILDING SETBACKS:
   1. FRONT: 30'
      SIDE: 7.5'
      REAR: 40'
   2 LOCATION LAND 166, 15TH DISTRICT,
7. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT POLICY; THEREFORE EXCEPTION IS MADE HEREIN TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD WHICH MAY EXIST.
8. WATERS OF THE STATE REQUIRING BUFFER PROTECTION DO NOT EXIST WITHIN 200 FEET OF THE PROJECT SITE. (AS SHOWN)
9. ALL EASEMENTS DEPICTED ARE PER PUBLIC RECORD, UNLESS OTHERWISE NOTED.



PROPERTY IS ZONED R-75

BUILDING SETBACK:
FRONT 30'
SIDE 7.5'
REAR 40'
MAX LOT COVERAGE 35%

RELEASE FOR CONSTRUCTION

GRAPHIC SCALE: 1" = 10'

GEORGIA811 Utilities Protection Center, Inc.
Know what's below, CALL before you dig

DWNER:
KENNEDY HOLING, LLC
(JOSEPH FLOAREA)
2627 FOREST MEADOW LN.
LAWRENCEVILLE, GA 30043
PHONE: 248-217-0063
EMAIL: gc@khrenovation.com

MLK PERMIT EXPEDITER consulting

MLK
PERMIT. EXPEDITER. CONSULTING.
MARCUS KINDALL
[redacted]

KENNEDY HOLING, LLC
(JOSEPH FLOAREA)
1945 LA MESA LN.
DECATUR, GA 30032

DRA
MLK
CHECKED BY
MLK
SCALE
1"=10'
DATE
09/11/2026
FILE NUMBER:

VARIANCE PLAN

SHEET NUMBER
A-1

FLOOD HAZARD STATEMENT

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS.

PANEL 13089C0151J EFFECTIVE DATE: 05/16/2013

ZONE 'X'

THIS SURVEY PLAT OF EXISTING CONDITIONS ON 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 SYSTEMS ATLANTA 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 SYSTEMS ATLANTA 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.

ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.

NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES. IT IS THE CLIENT'S OBLIGATION TO CONFIRM WITH PERMITTING AGENCIES BASED ON THEIR SPECIFIC CONSTRUCTION PROJECTS.

~ THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED ELEVATIONS, THEN ADJUSTED TO NAVD 88 BASED ON MULTIPLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES.

THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT).

TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIPLINE). TREES SHOWN HEREON ARE IDENTIFIED BASED SOLELY ON VISUAL CHARACTERISTICS OBSERVED AT THE TIME OF THE SURVEY. NO WARRANTY OR GUARANTEE IS MADE AS TO THE CORRECT SPECIFIES IDENTIFICATION OF ANY TREE.

NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.

SURVEYOR'S CERTIFICATION

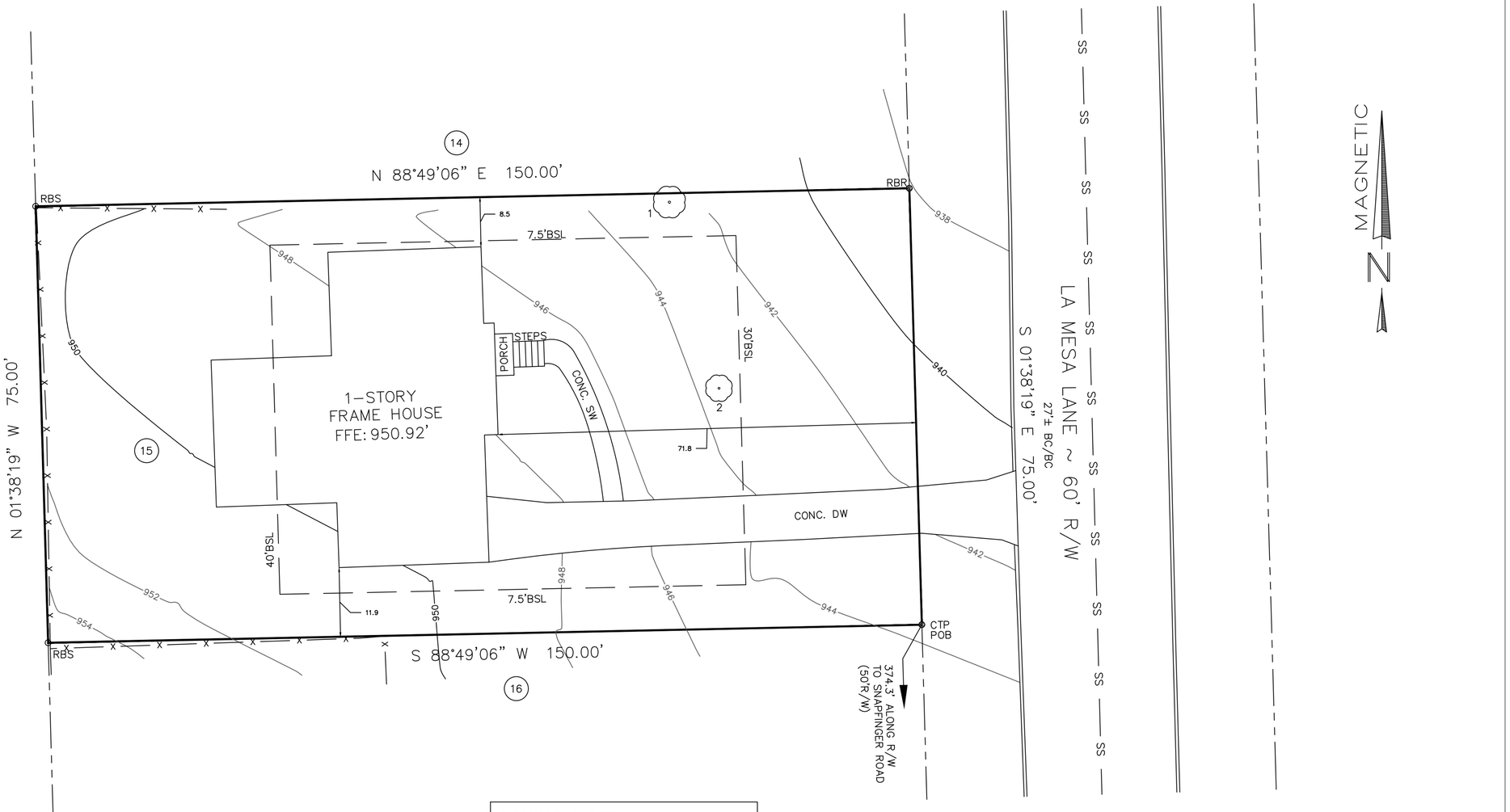
THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATES HEREON, RECORDATION OF THIS PLAT DOES NOT APPLY 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 REGULATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67

GERALD H. BERNHARD GEORGIA RLS NO. 2688

* L E G E N D *

NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.

AKA ALSO KNOWN AS
APD AS PER DEED
APP AS PER PLAT
BSL BUILDING (SETBACK) LINE
CP COMPUTED POINT
CTP CRIMP TOP PIPE FOUND
OTP OPEN TOP PIPE FOUND
D DEED (BOOK/PAGE)
DW DRIVEWAY
EP EDGE OF PAVEMENT
FFE FINISH FLOOR ELEVATION
FKA FORMERLY KNOWN AS
IPF IRON PIN FOUND
L ARC LENGTH
LL LAND LOT
LLL LAND LOT LINE
N NEIGHBOR'S
N/F NOW OR FORMERLY
NAIL NAIL FOUND
P PLAT (BOOK/PAGE)
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
R RADIUS LENGTH
R/W RIGHT-OF-WAY
RBF REINFORCING BAR FOUND (1/2" UNO)
RBS 1/2" REINFORCING BAR SET
SW SIDEWALK
SSE SANITARY SEWER EASEMENT
SSCO SANITARY SEWER CLEANOUT
SSMH SANITARY SEWER MANHOLE
-X- FENCE LINE
CB CATCH BASIN
SWCB STORM WATER CATCH BASIN
WALL



PROPERTY ADDRESS:
1945 LA MESA LN,
DECATUR, GA 30032

LAND AREA:
11,250 SF
0.26 AC

IMPERVIOUS AREA:
EXIST= 2,733 SF= 24.3%

ZONING:R-75

0 10
SCALE 1" = 10'

PLAT PREPARED FOR:

1945 LA MESA LANE

LOT 15	BLOCK C	UNIT II	CINDY-ROBERT SUBDIVISION
LAND LOT 166	15th DISTRICT	PARCEL ID: 15 166 01 030	BY:
DeKALB COUNTY, GEORGIA		FIELD DATE: 09-08-2026	ES
		DRAWN DATE: 09-09-2026	AE
REFERENCE: PLAT BOOK 23, PAGE 79		ALL MATTERS OF TITLE ARE EXCEPTED, NOT TO BE RECORDED NOR USED TO CONVEY PROPERTY.	
REFERENCE: DEED BOOK 32377, PAGE 595			

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 10,000+ FEET, AN ANGULAR ERROR OF +/-1 SECOND 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 30,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

SURVEY SYSTEMS ATLANTA
5950 LIVE OAK PKWY SUITE 172 NORCROSS GA 30039
COA #LSF000867, JOBORDERS@SURVEYSATLANTA.COM
CELL 678-591-6084 ~ OFFICE 404-760-0010

GEORGIA REGISTERED PROFESSIONAL LAND SURVEYOR
09-09-2026

IF YOU DIG GEORGIA...
CALL US FIRST
1-800-282-7411
770-623-4344
(METRO ATLANTA ONLY)
UTILITY PROTECTION CENTER
IT'S THE LAW

ZONING NOTE:

BEFORE DEVELOPMENT OF THIS PROPERTY, DEVELOPER AND ARCHITECT TO CONFIRM ZONING DISTRICT, PER ZONING DEPARTMENT.

PROPERTY IS ZONED R-75

BUILDING SETBACK:
FRONT 30'
SIDE 7.5'
REAR 40'
MAX LOT COVERAGE 35%

TREE TABLE		
TR.NO.	DIAMETER	TYPE
1	30	OAK
2	20	OAK

IMPERVIOUS (IN SQUARE FEET)	
HOUSE	1970
CONC. DW	616
CONC. SW	102
PORCH	22
STEPS	23
TOTAL IMPERVIOUS	2733