DeKalb County
GEORGIA

Development Services Center
178 Sams Street
Decatur, GA 30030
www.dekalbcountyga.gov/planning
404-371-2155 (o); 404-371-4556 (f)

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING (VARIANCES, SPECIAL EXCEPTIONS, APPEALS OF ADMINISTRATIVE DECISIONS)

Applicant and/or Authorized Representative: RLF III East, LLC c/o Clark Hill PLC, Henry Bailey, Esq.

Mailing Address: [redacted]

City/State/Zip Code: [redacted]

Email: [redacted]

Telephone Home: _____ Business: [redacted]

OWNER OF RECORD OF SUBJECT PROPERTY

Owner: RLF III East, LLC

Address (Mailing): 1679 Koppers Court, DeKalb County, Georgia

Email: [redacted] Telephone Home: _____ Business: [redacted]

ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 1679 Koppers Court City: N/A State: GA Zip: 3028[redacted]

District(s): 15 Land Lot(s): 019, 020 Block: _____ Parcel: 15-019-05-015

Zoning Classification: M Commission District & Super District: District 3, Super 6

CHECK TYPE OF HEARING REQUESTED:

X 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.

Email plansustain@dekalbcountyga.gov with any questions.

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: 10/6/2026 Applicant/Agent Signature: B.K. Dang

TO WHOM IT MAY CONCERN:

(I)/ (WE): RLF III East, LLC
(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 Signature: B.K. Dang

Notary Public — Owner Signature

Notary Public — Owner Signature

KRISTIE L PHILLIPS
Notary Public - State of Maryland
Anne Arundel County
My Commission Expires Apr 12, 2030

DeKalb County
GEORGIA

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: 10/6/2026 Applicant Signature: B.K. Dang

DATE: _____ Applicant Signature: _____

Henry A. Bailey
T [redacted]
F [redacted]
Email: [redacted]

Clark Hill PLC
[redacted]
F [redacted]

October 9, 2026

VIA ELECTRONIC FILING

DeKalb County Office of Planning and Sustainability
1300 Commerce Drive
Decatur, Georgia 30030

Re: **Letter of Intent - DeKalb County Zoning Board of Appeals application and resolution request (the "Application") by RLF III East, LLC (the "Applicant") for the property located at 1679 Koppers Court in unincorporated DeKalb County (the "Property")**

To Whom It May Concern:

The owner of the Property as the Applicant is submitting an application for a variance from Section 3.39.6(C)1 of the Unified Development Code (the "Code") to bring the Property into compliance specifically as it relates to sidewalks. The Applicant previously filed an application to the DeKalb County Zoning Board of Appeals on this Property – Case No: A-23-1246576 – that was approved in part and denied in part on December 13, 2023 (the "Prior Application"). The part of the Prior Application that was denied is the basis of the current request, which is to reduce the current sidewalk requirement. Applicant also made another application on January 21, 2025 that was ultimately withdrawn. Since withdrawal, Applicant has worked with the immediate neighbors and East Conley Zoning Committee to enter into a private agreement. Applicant and the neighborhood representatives have agreed in principle to terms of the agreement that will be enforceable between the parties.

As a reminder and to provide background, the Property is designated as industrial and is located in the Bouldercrest Overlay District-Tier 4A. The Property is located in a largely industrial area dominated by vehicular and trucking activity. This Property has been used largely in the same manner as the current uses since 1983 with some alterations/expansions along the way. The lone issue standing between the Property and compliance with the Code is the sidewalk requirement of Section 3.39.6(C)1. The criteria considered for approval is enclosed herein.

Sincerely,



Henry A. Bailey

DeKalb County Zoning Board of Appeals
Criteria for Approval

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.

There are extraordinary and exceptional physical conditions pertaining to the Property. Specifically, much of the area of the Property along the northern portion on Koppers Road has significant and extreme elevation changes. Considerable engineering and earth moving would be required to install a sidewalk in this location where it is unclear whether there is demand for significant pedestrian activity given the industrial nature of the immediate area. These elevation changes were not created by the current or prior owner and by requiring strict compliance with the Code in this section would deprive the owner of rights and privileges enjoyed by other property owners in the same district. To be clear, on sites where there is not as significant change in elevation, the owner could simply install the sidewalks without the amount of engineering and earth moving that would be required here. Simply put, the sidewalk requirement in this particular area of the property is misaligned with the amount work required to install it and the subsequent demand for its use.

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.

As shown on the site plan, the Applicant is not requesting to completely eliminate the sidewalks on the Property. Rather, the Applicant is requesting to install the sidewalks on a portion of the frontage while connecting to the existing sidewalk located along the frontage of property located across Koppers Road to create a more connected pedestrian network. This request does not go beyond the minimum necessary to afford relief.

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 grant of the variance will eliminate the requirement to construct a sidewalk in an area where there has been little known pedestrian demand. To the extent there is any pedestrian demand in the area the Applicant is proposing to further build out that network in accordance with the enclosed site plan. As such, there is nothing about the request that is materially detrimental to the public welfare or injurious to the Property or improvements in the zoning district.

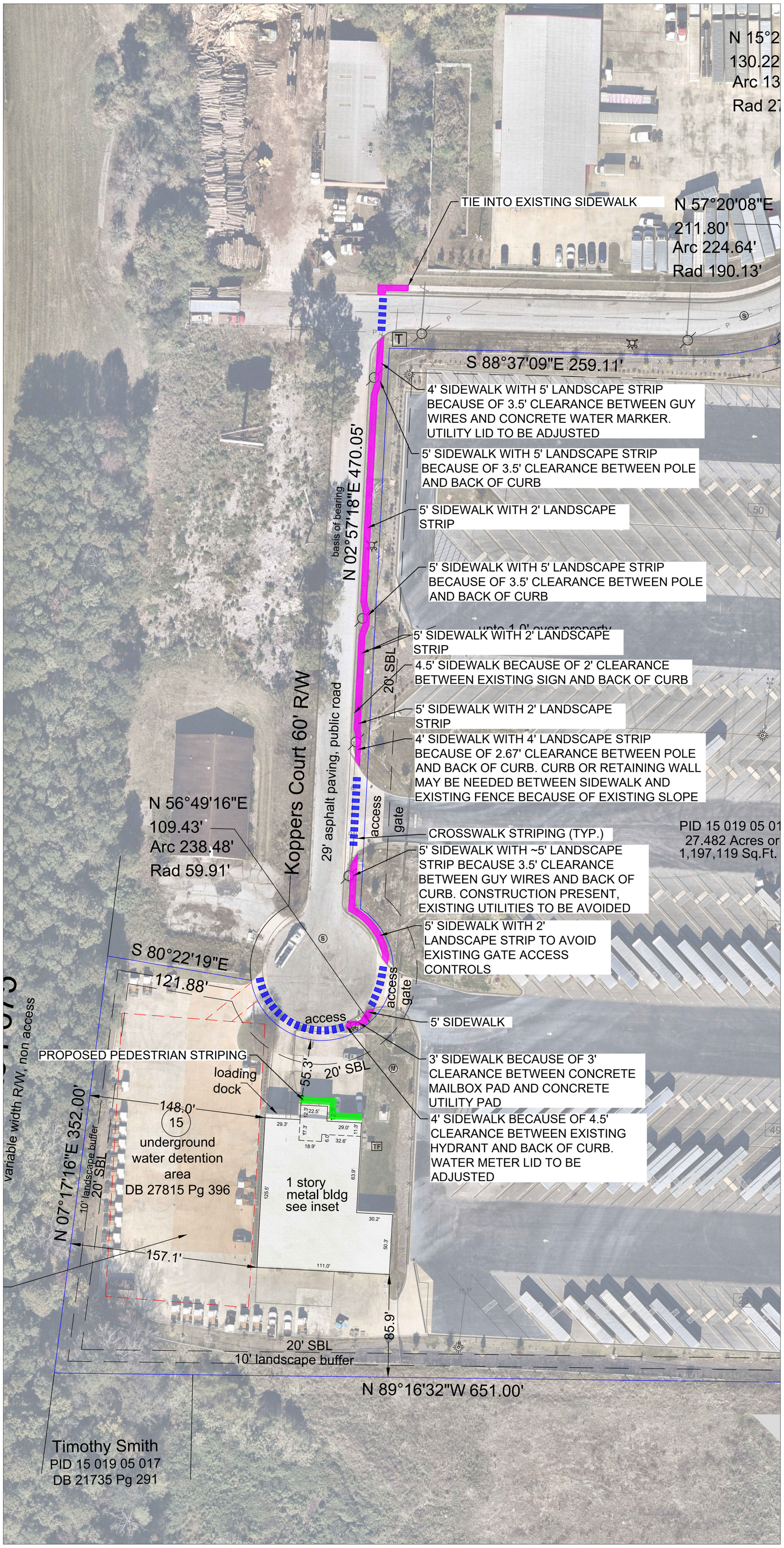
4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.

As noted above, the strict application of the provisions of the Code are misaligned with amount of engineering and earth moving required to comply with the existing pedestrian demand in this location. Requiring the Applicant to conduct such earth moving activity to install a sidewalk where there is little to no demand would cause an undue and unnecessary hardship.

5. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.

The requested variance is consistent with the spirit and purpose of this chapter. That is, the requested reduction in the sidewalk requirement is consistent with the stated intent of the Bouldercrest-Cedar Grove-Moreland Overlay District, where the property is located. One of the stated goals is to provide for the development of sidewalks and walkways to promote safe and convenient pedestrian access. The proposed variance request does just that as the site plan shows development of the sidewalk along Koppers Ct emanating from the cul-de-sac and connecting via a crosswalk with the existing sidewalk across Koppers Rd. This directly promotes safe and convenient pedestrian access to the area. Further, one other stated intent is to allow flexibility in development standards to encourage the design of innovative development. Considering this Property is already developed, the requested flexibility in the development standards as it relates to the sidewalks is directly aligned with this goal. Flexibility in the development standards in this case will allow for a creative and innovative approach to encouraging pedestrian activity in an area where there is not much of said activity at present.

As it relates to the Comprehensive Plan text, the Property is designated LIND – Light Industrial. One of the stated goals of this designation is to improve safety and community character by providing consistent lighting and landscaping, particularly street trees, along public rights of way. The Property has already met this goal and has installed significant landscaping and street trees along the public right of way. Additionally, by granting the requested variance, improving safety and community character will also be satisfied as the sidewalk connection to the existing sidewalk across Koppers Road will help enhance the pedestrian network in the area as described above.



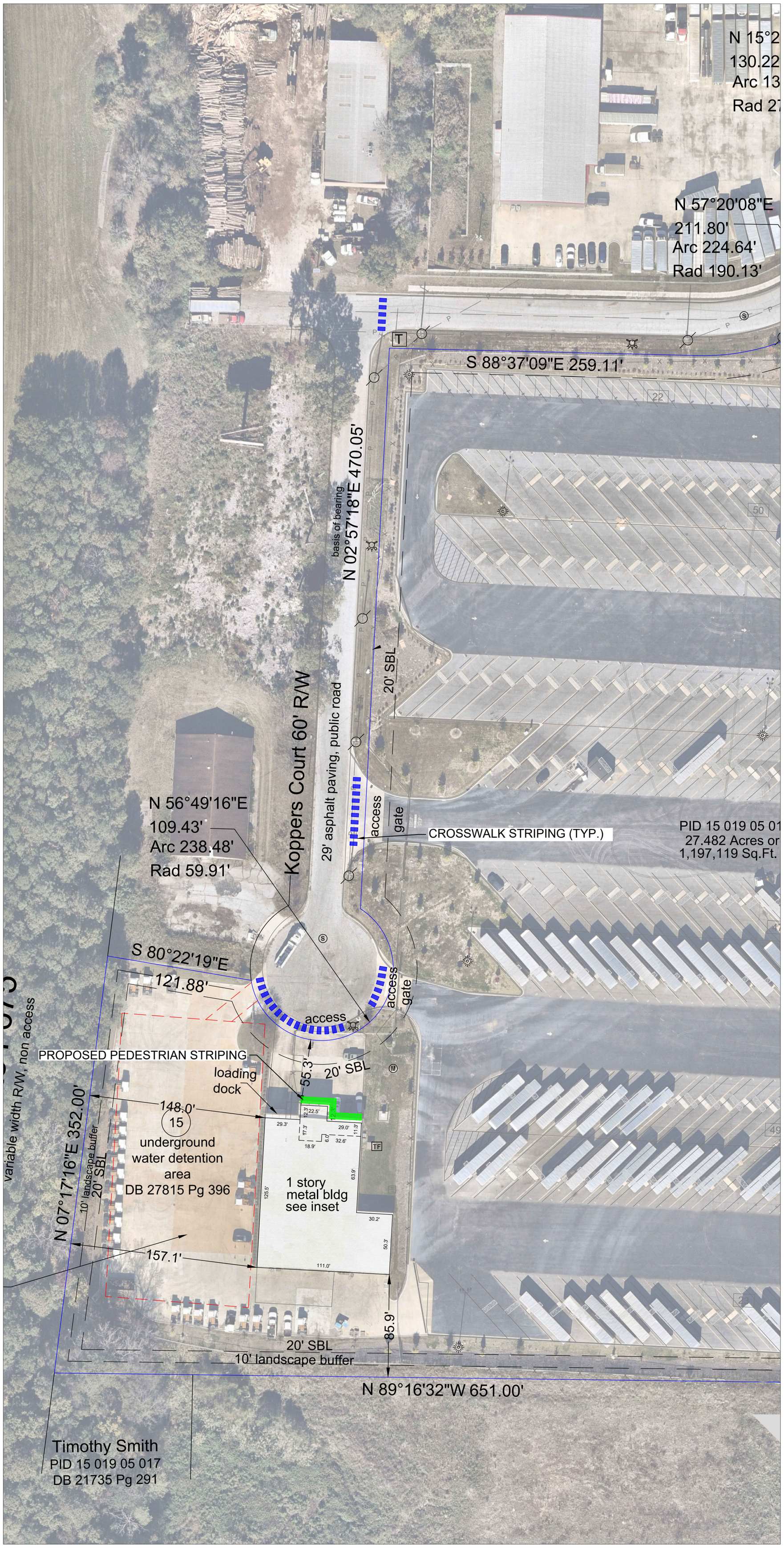
SITE PLAN

11/14/2024

Kimley»Horn

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NORTH

GRAPHIC SCALE IN FEET
0 20 40 80

11/14/2024

SITE PLAN

Kimley»Horn

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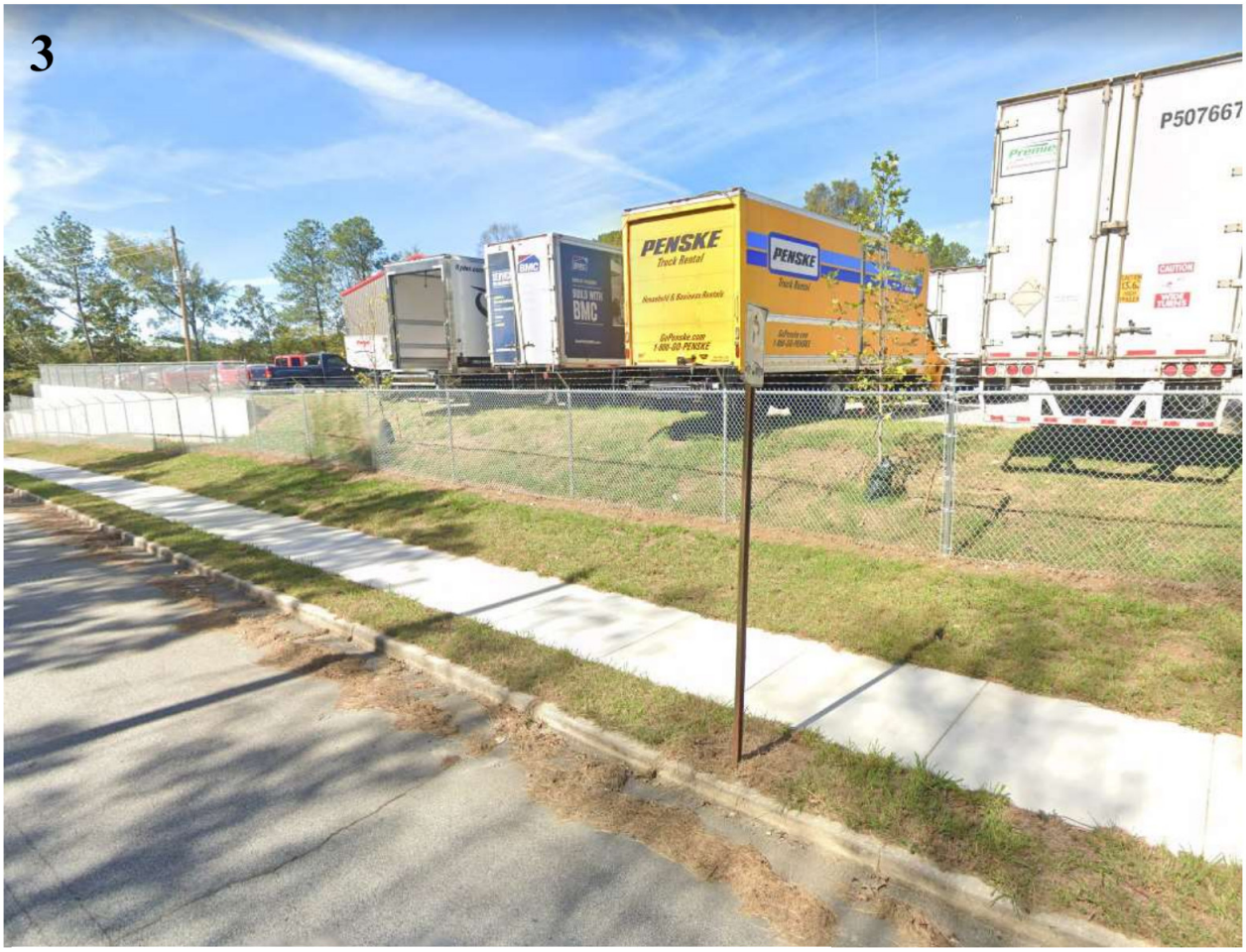
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Site Photo Location Map




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2



Adjacent Property Sidewalk- 1678 Koppers Road




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