

VARIANCE APPLICATION

Planning & Zoning

2635 Talley Street
Decatur, GA 30030
Phone 404-377-6198
Fax 404-378-5054



Attach a survey of the property drawn to scale and showing the following information. Please provide one full-size copy of all plans, as well as one copy of all plans in an 8½" x 11" format. It is helpful to show floor plans and elevations of proposed building improvements, as well as a letter of support from adjacent property owners. If the applicant is not the current property owner, provide a notarized authorization for this application from the current property owner. See the stream variance submittal checklist for additional requirements for stream variances.

1. all property lines with dimensions
2. location of buildings and other structures, creeks and easements referenced to property lines
3. north arrow, scale, lot and block numbers and land lot
4. topographic and drainage information if pertinent

Address of property _____ Decatur, GA 30030

Name of applicant _____ Phone _____

Address _____ City/state/ZIP _____

Email _____

Name of property owner _____ Phone _____

Address _____ City/state/ZIP _____

Current zoning of property _____

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Please answer all of the following questions on a separate sheet.

1. What is the variance requested? What code requirement do you wish to vary from?
2. What are the special conditions relating to the specific piece of property in question (narrowness, shallowness, shape, topography, or other extraordinary and exceptional situation)?
3. Explain how the application of the zoning ordinance to this specific piece of property results in peculiar, extraordinary and practical difficulties?
4. Are the circumstances or conditions applying to the building or land in question peculiar to the premises? Do they apply generally to other land or buildings in the vicinity?
5. Explain why the granting of this variance is necessary for the preservation and enjoyment of a property right and does not merely serve as a convenience to the applicant.
6. Did the condition for which the variance is sought result from an action by the applicant?
7. Explain how the variance will affect the supply of light and air to adjacent property, the traffic on public streets, the danger of fire, the public safety and established property values.
8. Explain how the granting of the variance will be in harmony with the general purpose and intent of the Decatur land use plan.
9. Will the granting of the variance allow a structure or use in a district restricted against such structure or use?

.....

I hereby certify that the above and attached statements and documents are true to the best of my knowledge and belief.

Applicant signature _____ Date _____

Hop N Shop Variance Request

March 29, 2024

1. What is the variance requested? What code requirement do you wish to vary from?

Applicant requests variance from code section listed below, namely, the rules specific to building types transparency requirement for building facing front and side (regarding fenestration) and the blank wall requirement.

2.2.3. - Rules Specific to Building Types

2. What are the special conditions relating to the specific piece of property in question (narrowness, shallowness, shape, topography, or other extraordinary and exceptional situation)?

This property is situated on a unique lot, spanning the intersection of two streets. Neither of these streets serves as the primary frontage. Interestingly, the original building's front does not directly face either of these streets. Instead, it currently faces the parking lot, with one side oriented toward W. Hill Street and the other side toward E. Lake Dr.

3. Explain how the application of the zoning ordinance to this specific piece of property results in peculiar, extraordinary and practical difficulties?

The rectangular shape of the building presents a challenge, especially since its width faces the side streets, its entrance faces the parking lot (as described in greater detail above), and it is located between two streets. Additionally, the interior layout of the lot complicates matters. We intend to place a Walk-In Cooler adjacent to the wall facing West Hill St. and Storage adjacent to the wall facing E. Lake Dr. To comply with the strict requirements of the UDO would create substantial hardship and may be impossible given the building orientation and other described matters. The applicant intends to adhere to the UDO guidelines to the fullest extent possible given the uniqueness of this lot, including glass elements in the façade but does require a variance. While we may not meet the precise specifications, we ensure that the design addresses the streets that run alongside the building.

4. Are the circumstances or conditions applying to the building or land in question peculiar to the premises? Do they apply generally to other land or buildings in the vicinity?

Condition applying to this property considering its location, Building orientation, original construction, and size sets it apart from others in the vicinity. While some aspects may be shared by other properties, the combination of the factors described makes this property's circumstances truly unique.

5. Explain why the granting of this variance is necessary for the preservation and enjoyment of a property right and does not merely serve as a convenience to the applicant.

As the original building believed to be originally constructed 35 plus year ago, -the renovation/addition to this property will greatly enhance our ability to serve the neighborhood with enhanced offerings, better ambiance, more natural lighting, better customer traffic flow, improved energy efficiency, a more modernized facade and aesthetically pleasing building that harmonizes with location and the neighborhood. It appears that given the configuration described above, strict compliance with the UDO would be impossible in all events.

6. Did the condition for which the variance is sought result from an action by the applicant?

No. The conditions described above are necessitated by the existing street layout and lot configuration.

7. Explain how the variance will affect the supply of light and air to adjacent property, the traffic on public streets, the danger of fire, the public safety and established property values.

With no adverse affect to any of the adjacent properties or traffic, this renovation will greatly reduce fire danger, improve public safety and enhance property values of the neighborhood.

8. Explain how the granting of the variance will be in harmony with the general purpose and intent of the Decatur land use plan.

This planned renovation aims to address key aspects of creating a vibrant, functional, energy efficient and aesthetically pleasing community. It seeks to strike a balance between economic growth and enhancing quality of life. The proposed changes align with the neighborhood's character, particularly through a modernized facade that harmonizes with the surroundings.

9. Will the granting of the variance allow a structure or use in a district restricted against such structure or use?

No.

GENERAL NOTES:

- 1: This Plat has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plat.
- 2: This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
- 3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
- 4: No Geodetic monuments were found within 500 feet of this site
- 5: This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

SURVEY DATA:

TYPE OF SURVEY: TOPOGRAPHIC
 SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY: DB 10983 PG 216
 PROPERTY OWNER AT TIME OF SURVEY: AARIZ, INC.
 PARCEL NUMBER: 15 213 02 031

RIGHT OF WAY OF EAST LAKE DRIVE IS BEARING BASIS FROM DB 10983 PG 217

DATUM BASED ON DEKALB COUNTY GIS
 TOTAL AREA: 12,583 SQ FT, 0.29 AC

CALCULATED PLAT CLOSURE: 1:565,377

FIELD DATA:

DATE OF FIELD SURVEY 7-26-2017, 8-25-2017

THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.015 FEET.
 EQUIPMENT:
 ELECTRONIC TOTAL STATION

BOUNDARY & TOPOGRAPHIC SURVEY FOR ASIF HUSSAIN

710 EAST LAKE DRIVE

CITY OF DECATUR, DEKALB COUNTY, GEORGIA

LAND LOT 213, DIST 15

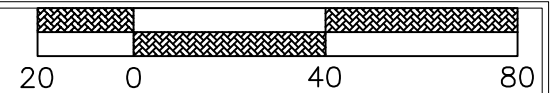
DATE: AUGUST 2, 2017 ADD INVERTS 8-28-2017

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY FIRM MAP OF DEKALB COUNTY 13089C0068H DATED MAY 7, 2001

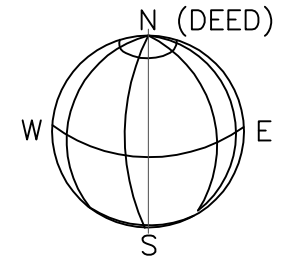
ZONING: XXX

IMPERVIOUS SURFACES:
 ASPHALT = 8,791 SQ. FT.
 BLDG = 2,231 SQ. FT.
 CONC = 1,196 SQ. FT.
 WALL = 61 SQ. FT.
 TOTAL IMPERVIOUS= 12,279 SQ. FT. (97.6%)
 LOT AREA = 12,583 SQ. FT.

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. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.

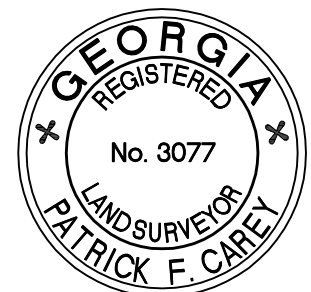


1" = 40'



LEGEND

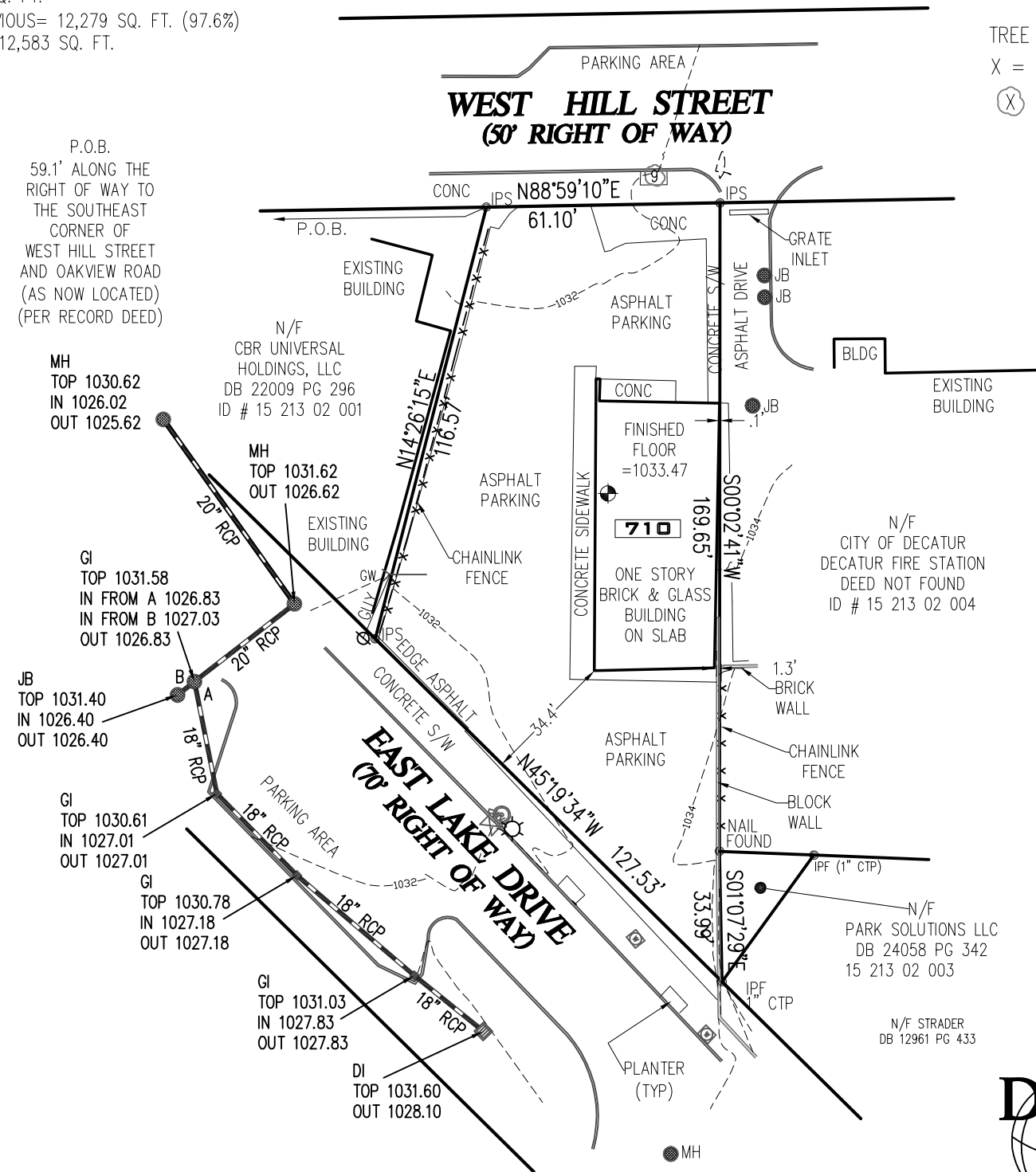
- EOP EDGE OF PAVEMENT (CURB)
- PP POWER POLE
- R/W RIGHT OF WAY
- IPF IRON PIN FOUND
- IPS 1/2" REBAR SET
- SW SIDE WALK
- BOLLARD
- OHP OVERHEAD POWER
- FH FIRE HYDRANT
- CB CATCH BASIN
- MH MANHOLE
- WM WATER METER
- WV WATER VALVE
- GV GAS VALVE
- GM GAS METER
- LP LIGHT POLE
- CONCRETE PAD



FOR
 DEKALB SURVEYS, INC.
 407 W. PONCE DE LEON
 SUITE B
 DECATUR, GEORGIA 30030
 404.373.9003

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TREE SYMBOLS
 X = DIAMETER IN INCHES
 (X) OAK



www.dekalbsurveys.com
 COA 1086

