

1. Meeting Called To Order

2. Approval Of Agenda

Documents:

[FEB 16 AGENDA.PDF](#)

3. New Business:

3.I. 2996 Majestic Circle – Fence Height Variance

Documents:

[2996 MAJESTIC CIRCLE APPLICATION.PDF](#)

3.II. 6 Olive Street – Parking Variance Withdrawn By Applicant

4. Other Items Deemed Appropriate For Discussion

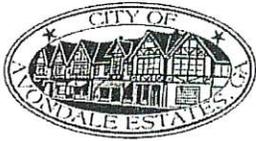
5. Adjournment



**BOARD OF APPEALS**  
**Tuesday, February 16, 2021**  
**6:30 p.m.**

**AGENDA**

- Item No. 1            Meeting called to Order
- Item No. 2            Approval of the Agenda
- Item No. 3            New Business:
- 2996 Majestic Circle – Fence Height Variance
  - ~~6 Olive Street – Parking Variance~~ Withdrawn by Applicant
- Item No. 4            Other Items for Discussion
- Item No. 5            Adjournment



City of Avondale Estates  
Variance Application

Name of Applicant: Sam & Jody Harris

Phone #: 7707769766 (Sam)

Address: 2996 Majestic Cir  
AE, GA 30002

E-mail Address: samuelharris53@gmail.com

Property Owner: Sam & Jody Harris

Phone # Same ↗

Address: Same ↗

Location of property for which variance is sought:

Address: 2996 Majestic Cir  
30002 Parcel ID: Land Lot 231

Variance(s) Requested:

	From	To
<u>Increase in fence height @ low area</u>	<u>6'</u>	<u>6' and 8'</u>

Attachments: (7 copies of each)

- \* Legal description and plat of the property
- \* Scale drawing showing the proposed improvement

If the applicant is not the current property owner, please provide a notarized authorization for this application from the current property owner

Please include a check in the amount of \$100 payable to the City of Avondale Estates with application.

[Signature]  
Applicant Signature

2/12/2021  
Date

Date: February 10, 2021

Subject: 2996 Majestic Circle, Avondale Estates, GA 30002

Applicant: Sam and Jody Harris

**Request:**

The Applicant is requesting a variance to Section 802, II.A, Fence Height. The maximum fence height for side and rear yards is six (6) feet. The applicant is requesting a fence height variance to increase a section of their fencing from six (6) feet to eight (8) feet due to low grading in the western corner of the residential lot.

## Article 8. PERMITTED USES

## Sec. 802. Fences and Walls

The following provisions shall apply to fences and walls in all residential districts:

*I. Permits Required*

Installation of a fence requires a building permit and may require a certificate of appropriateness or approval from the Historical Preservation Commission or Architectural Review Board depending on the location of the property.

*II. Fence Height*

**A. The maximum fence height for side and rear yards is six (6) feet. For the purposes of regulating fences or walls, the "front yard" shall include that area of the side yard between the rear lot line and the rear elevation of the dwelling. Greater fence or wall height may be approved by the Board of Appeals upon a finding that the peculiarities of the site greatly diminish the effectiveness of a six foot fence or wall except as provided in Subsection III.A, below.**

B. Fence or wall height shall be measured from the finished grade along the exterior side of the fence or wall to the top of the fence or wall. For fences or walls built on a berm, mound or wall (fences only), the combined height of the fence and berm, mound or wall must not exceed the allowable fence or wall height. On sloping ground, the fence or wall must follow the slope or step with the slope so as not to exceed the allowable height at any point along the fence or wall. Greater fence or wall height achieved through filling or mounding on a site shall not be permitted.

*III. Fence Placement Design and Materials*

A. The Historic Preservation Commission may approve installation of a fence in the front yard upon a finding that the proposed fencing is appropriate to the architectural or historic context of the surrounding neighborhood. For the purposes of regulating fences only, the "front yard" shall be defined as that area of the side yard between the right-of-way and the rear elevation of the dwelling.

B. The following provisions shall apply to all fences erected on a residentially zoned or developed lot:

- Border fences permitted; maximum height of 4 feet
  - Design: wood or metal pickets/solid brick or stone/pierced brick
  - Supports: wood or metal posts/masonry piers
  - Prohibited material: vinyl
- Privacy fences permitted "substantially set back from the front wall of the house;" maximum height of 6 feet
  - Design: wood planks
  - Supports: wood or metal posts/masonry piers
  - Prohibited material: vinyl
- Containment fences permitted "substantially set back from the front wall of the house;" maximum height of 4 feet
  - Design: wire/vinyl-coated chain link
  - Supports: wood or metal dark-coated vinyl chain link posts

C. All fences shall be constructed so that the side of the fence facing a street or an adjacent property is finished.

D. The use of razor wire, barbed wire, hog wire and materials not specifically designed for fencing shall be prohibited.

JUN. 2002201

**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.

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 stated herein.

**RECORDATION OF THIS PLAT DOES NOT IMPLY 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 Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-6-67.

REFERENCE: DEED BOOK 27552 PG 400  
 PLAT BOOK 30 PG 146

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DETERMINED BY FIRM MAP OF DEKALB COUNTY, GEORGIA 1308600899 EFFECTIVE DATE MAY 16, 2013

SURVEY DATA:

TYPE OF SURVEY: RETRACEMENT  
 SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY: DB 27552 PG 400 SURVEY: SAMUEL HARRIS, DONALD HARRIS  
 PARCEL NUMBER: 15-231-02-022

BEARING BASIS IS A SINGLE COMPASS READING & ANGLES TURNED

TOTAL AREA: 23,463.37 SQ FT, 0.539 AC

CALCULATED PLAT CLOSURE: 1:213,688.05

FIELD DATA:

DATE OF FIELD SURVEY 2-12-2020

THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.015 FEET.

EQUIPMENT:  
 ELECTRONIC TOTAL STATION

**BOUNDARY SURVEY FOR**

**JODY HARRIS**

LOT 9, P/O LOT 8, BLOCK E, MAJESTIC ACRES SUBDIVISION

**2996 MAJESTIC CIRCLE**

CITY OF AVONDALE ESTATES, DEKALB COUNTY, GEORGIA

LAND LOT 231, DIST 15

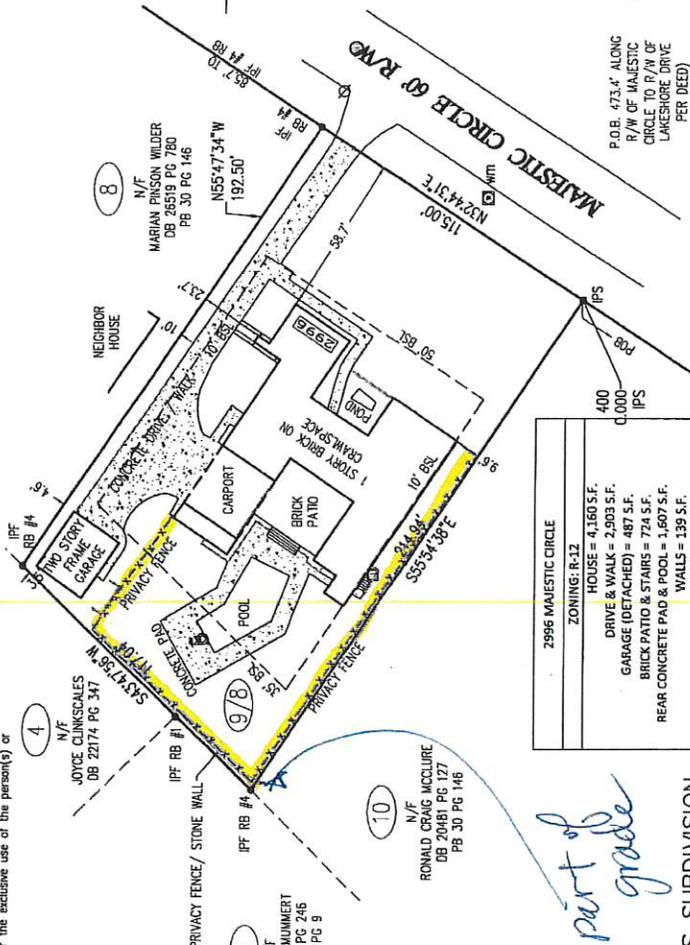
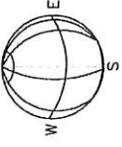
DATE: FEBRUARY 20, 2020

**LEGEND**

- EDGE OF PAVEMENT (CURB)
- POWER POLE
- R/W
- RIGHT OF WAY
- IRON PIN FOUND
- 1/2" REBAR SET
- SW SIDE WALK
- BELLARD
- OVERHEAD POWER
- FH FIRE HYDRANT
- CATCH BASIN
- MANHOLE
- WATER METER
- WV WATER VALVE
- GV GAS VALVE
- GM GAS METER
- LM LIGHT POLE
- LP
- CONCRETE PAD



N (COMPASS)



2996 MAJESTIC CIRCLE	
ZONING: R-12	
HOUSE = 4,160 S.F.	
DRIVE & WALK = 2,993 S.F.	
GARAGE (DETACHED) = 487 S.F.	
BRICK PATIO & STAIRS = 724 S.F.	
REAR CONCRETE PAD & POOL = 1,607 S.F.	
WALLS = 139 S.F.	
POND = 34 S.F.	
SIDE STAIRS & PAD = 37 S.F.	
IMPERVIOUS TOTAL = 10,090 S.F.	
LOT AREA = 23,463 S.F.	
LOT COVERAGE (%) = 43.0	



FOR  
 DEKALB SURVEYS, INC.  
 407 WEST PONCE DE LEON AVENUE  
 SUITE B  
 DECATUR, GEORGIA 30030  
 404-373-9003



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## EXHIBIT "A"

### Legal Description

ALL THAT TRACT or parcel of land lying and being in Land Lot 231, 15th District, DeKalb County, Georgia, being Lot 9 and part of Lot 8, Block E, Section 5, Majestic Acres, as per plat recorded in Plat Book 30, Page 146, DeKalb County Records, and being more particularly described as follows:

BEGINNING at an iron pin on the northwesterly side of Majestic Circle four hundred seventy-three and four tenths (473.4) feet northeasterly from the corner formed by the intersection of the northwesterly side of Majestic Circle with the northeasterly side of Lakeshore Drive, if said street lines were extended to form an angle instead of a curve, said point of beginning also being at the line dividing Lots 9 and 10, said block and subdivision; run thence northeasterly along the northwesterly side of Majestic Circle one hundred fifteen (115) feet to an iron pin; run thence north 57° 29' 26" east one hundred ninety-two and forty-two hundredths (192.42) feet to an iron pin; run thence southwesterly one hundred seventeen (117) feet to an iron pin and said Lot 10; run thence south 57° 35' 56" east along the northeasterly line of said Lot 10 two hundred fourteen and ninety-four hundredths (214.94) feet to the northwesterly side of Majestic Circle and the point of beginning, being improved property having a one-story brick house thereon known as 2996 Majestic Circle according to the present system of numbering houses in DeKalb County, Georgia.

2996 Majestic Circle Fence replacement permit and height limit variance application.



Above: View looking approximately West toward the houses on Lakeview Plaza. Line shows change from a 6' height on the right, gradually increasing to 8' at the far left. Below: View looking along the NW edge looking approximately NW toward the houses on Lakeview Plaza. Line shows stepped height starting at 6' at the left, increasing to 8' approaching the corner at the bottom of the grade.



2996 Majestic Circle Fence replacement permit and height limit variance application.



6'

Above: Looking along the SW edge between the two adjacent houses on Majestic. Pools are in both yards. The section seen here will remain at 6' height. Below: Looking approximately North, the fence begins at the right, goes past the outbuilding on our property, then turns Southwest and goes down grade to the corner. This is where we would like to have the horizontal fence be more level.





Four examples of existing fences in Avondale Estates that exceed 6' in height.

1068 Viscount



1038 Viscount



5 Fairfield



3 Fairfield