



## VARIANCE AND WAIVER APPLICATION

CHECK ALL THAT APPLY:

☒ Zoning Variance

☐ Sign Variance

☐ Stream Buffer Variance

☐ Waiver

Wakeman Renovation  
Name of Project

2808 Shallowford Rd. NE, Chamblee, GA 30341  
Property Address

Renovate and finish basement of existing building with separate entrance for mixed use.  
Brief Description of Project

Zoning District

1  
Total # of Properties Involved

1.4  
Total Project Acreage

1  
Total Number of Buildings

≈ 2800 sq ft  
Total sq. ft. of buildings

### OWNER:

Hans Wakeman DC Wakeman Chiropractic & Healing Ctr. PC  
Name and Company

2808 Shallowford Rd. NE Chamblee GA 30341  
Mailing Address

City, State Zip Code

404) 281-7493 hwakeman@gmail.com  
Phone # E-mail

### APPLICANT: ☒ Check here if Applicant is also the Property Owner

Hans Wakeman DC Wakeman Chiropractic & Healing Ctr. PC  
Name and Company

2808 Shallowford Rd. NE Chamblee GA 30341  
Mailing Address

City, State Zip Code

404) 281-7493 hwakeman@gmail.com  
Phone # E-mail

Hans Wakeman DC 2/26/24  
Applicant Signature Date

☐ I hereby certify that all information provided herein is true and correct.

### NOTARY:

Sworn to and subscribed before me this 26<sup>th</sup> day of February, 2024

Notary Public: Annie W. Ramey

ANNIE W RAMEY  
NOTARY PUBLIC  
DeKalb County  
State of Georgia  
My Comm. Expires July 22, 2025

Originally sent on February 25, 2024  
Updated on 6/27/2024

Chamblee Zoning Department]

Subject: Request for Zoning Variances at 2803 Shallowford Rd.NE, Chamblee, GA 30341

Greetings,

I am writing to formally request zoning variances 240-13b(4)(a), 240-13(4)(b), and 240-13(4)(c) for the property located at 2803 Shallowford Rd. NE, Chamblee, GA 30341.

My wife and I recently achieved a lifelong goal of owning a building for our chiropractic business in January 2020. With over 30 years of practice in the area and having been residents of the community for many years, we were drawn to the potential of our property's zoning. Our intention is to create a live-work environment that enables us to downsize from our current home while continuing to operate our business efficiently for years to come.

The proposed plan involves remodeling the existing 1970s or older basement apartment within our office building. This space, primarily above ground with windows on three sides, already features a full bath, requiring no structural modifications.

We have since learned that to actualize our vision, we require a variance to specify mixed use. We firmly believe that our intended use aligns with the spirit of mixed-use zoning, albeit not in the conventional context of new constructions. Notably, our property is directly adjacent to mixed-use zoning along Shallowford Road. Furthermore, the surrounding area, still in a transitional phase, comprises apartments, homes, St. Pius, and an office building across the street. Importantly, our proposed usage would not pose any substantial detriment to public welfare. There would be no additional parking demands, traffic increases, noise pollution, or external structural alterations.

We are enthusiastic about the opportunity to be more actively engaged stakeholders in the future success of Chamblee and its community. Thank you for considering our request. We eagerly anticipate the possibility of collaborating with you to achieve our goals.

We would also like to request the following variances or waivers;

230-26 Our property is on a substantial size lot with the building sitting well over 100' from the road. For the scope of this project the cost of replacing the sidewalk would be cost prohibitive. Our business is not a retail or walk-in type of business, but a service business, so we really don't have a lot of foot traffic. The rest of the sidewalk up and down Shallowford road around us are also 3 ½' and so we don't believe our sidewalk not being 5' would pose any undue hardship on the foot traffic across the front of our property. In the spirit of the proposed changes we would offer to install a decorative type black iron fence approximately 35-45' long and 5' high. It

would be located just in front of a recently planted row of shrubs and in front of that on the street side we plan to plant seasonal flowers. We will also replant or add grass turf to the strip between the sidewalk and the road. We are very proud of our property and will continue to make improvements as long as we have this property.

Per direct and specific advisement by Chamblee Zoning Staff, we request variances to Sections 230-26 (e) Landscape Design Requirements, 230-26 (f) Sidewalk Clear Zone Requirements, and 230-26 (g) Supplements Zone Requirements.

Per direct and specific advisement by Chamblee Zoning Staff, we request variances to Sections 230-27 (a) (6) fenestration, 230-27 (a) (10) Minimum Height, and 230-27 (a) (11) Heat Reflective Roofing Materials.

320 article 3. The property has a fence in the back and not the street side that has been on the property for at least 25 years as far as we can estimate. A portion of the fence encroaches on the apartment complex or public land as there is a drainage ditch also there. Beyond the fenced in area there is a heavily wooded area with lots of trees and kudzu vines etc. It does effectively create a visual barrier between us and the complex. We can't see them and they can't see us because it is heavily wooded. In order to adhere to this provision we would have to tear out some of our parking lot and plant lots of barrier plants that would be very odd on the property as is. The previous owners must have had some agreement or understanding to have installed the fencing and parking lot where it is. This is something we have not thought much about as the property has been established for so long this way. As we are not changing the outside of our building and not increasing the traffic we cannot imagine this will create any undue hardship on the public or our neighbors at the apartment complex.

Per direct and specific advisement by Chamblee Zoning Staff, we request variances to Sections 320-12 (a) (1) Landscaped Permanent Buffers, 320-20 (c) Landscape Zone Planting Requirements, 350-2 (a) Installation of Street and Pedestrian Lights, 350-2 (b) Streetlights for New Subdivisions, and 350-2 (c) Streetlights for Existing Public Streets.

We would like to point out that these are pre-existing conditions which predate the ordinances. The variance requests will not create a detriment to the community or to the intent of the ordinances. Compliance would create an unnecessary financial burden on the property owner. The Building itself and the Property already stand out among the adjacent occupants and uses because it is much, much more attractive than anything nearby, and the extremely light commercial use will not create any additional burden on traffic or pedestrian circulation in the area.

Warm regards,

Hans D. Wakeman DC  
404-281-7493