CITY OF CHAMBLEE
Planning and Development Department

CITY OF CHAMBLEE
Planning and Development Department

RECEIVED
10/02/2026

VARIANCE AND WAIVER APPLICATION

CHECK ALL THAT APPLY: ☑ Zoning Variance ☐ Sign Variance ☐ Stream Buffer Variance ☐ Waiver

3806 Captain Drive Fence Replacement
Name of Project

3806 Captain Drive Chamblee, GA 30341
Property Address

Corner Lot replacement of non-compliant fence at 3806 Captain Drive
Brief Description of Project

District NR-1
Zoning District

1	~175 sq ft	1	2600
Total # of Properties Involved	Total Project Acreage	Total Number of Buildings	Total sq. ft. of buildings

OWNER:

Andrew & Crystal Kizer
Name and Company

[redacted] [redacted] [redacted]
Mailing Address City, State Zip Code

[redacted] [redacted]
Phone # E-mail

APPLICANT: ☑ Check here if Applicant is also the Property Owner

Andrew & Crystal Kizer
Name and Company

[redacted] [redacted] [redacted]
Mailing Address City, State Zip Code

[redacted] [redacted]
Phone # E-mail

Applicant Signature 10/1/2026 Date

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

NOTARY:

Sworn to and subscribed before me this 1 day of Oct, 20 26

Notary Public:

SHATEKELA WALKER
COM. EXP.
NOTARY PUBLIC
July 14, 2029
DEKALB COUNTY, GEORGIA

CITY OF CHAMBLEE Planning and Development Department

CITY OF CHAMBLEE Planning and Development Department

RECEIVED
10/02/2026

Owner Permission Affidavit

Subject Property Street Address: 3806 Captain Drive Chamblee, GA

Subject Property Tax ID number: 18 - 324 09038 - _____ - _____

Owner:

Name (Person, Firm, Corporation, or Agency): Andrew & Crystal Kizer

Mailing Address: [redacted]

Phone: [redacted]

Email: [redacted]

Property Owner's Agent (If applicable)

Name (Person, Firm, Corporation, or Agency): N/A

Mailing Address: N/A

Phone: N/A

Email: N/A

I am applying for, or I hereby give authority to the applicant to file an application for: Variance for Fence replacement

Owner/Agent signature

Crystal Kizer
Owner/Agent printed name

This instrument was signed before me on this date _____

County Dekalb Georgia Notary Signature: _____

SHATERIA A. WALKER NOTARY PUBLIC COM. EXP. July 14, 2029 DEKALB COUNTY, GEORGIA

Affix seal/stamp as close to signature as possible

City of Chamblee Planning and Development Department
3518 Broad St • Chamblee, GA 30341 • 770-986-5010 • www.chambleega.com

Disclosure of Campaign Contributions

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a Variance, Amendment, or Development of Community Impact.

GA Citation/Title
GA Code 36-67A-3, Disclosure of Campaign Contributions
*38069 Code, 36-67A-3

CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2016 General Assembly)

36-67A-3 Disclosure of campaign contributions.

a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating $250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

   1) The name and official position of the local government official to whom the campaign contribution was made; and
   2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.

c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating $250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:

   1) The name and official position of the local government official to whom the campaign contribution was made; and
   2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

Official Code of Georgia Annotated Copyright 1982 – 2016 State of Georgia.

CITY OF CHAMBLEE
Planning and Development Department

CITY OF CHAMBLEE
Planning and Development Department

RECEIVED
10/02/2026

Campaign Contributions Disclosure Form

Have you as applicant, agent for applicant, property owner, or person associated with the application for property, located at 3806 Captain Drive Chamblee, GA 30341, within the two (2) years immediately preceding the filing of this application, made campaign contributions aggregating $250.00 or more to an elected official of the City of Chamblee? ☐ YES ☑ NO

Applicant/ Owner	Name: Andrew & Crystal Kizer
	Address: [redacted]
	Signature:
	Date: 10/1/202

If the answer above is YES, then please complete the following section:

Date	Government Official	Official Position	Description	Amount

CITY OF CHAMBLEE
Planning and Development Department
RECEIVED
10/02/2026

Legal Description of Property:

Excerpt taken from Property QuitClaim Deed

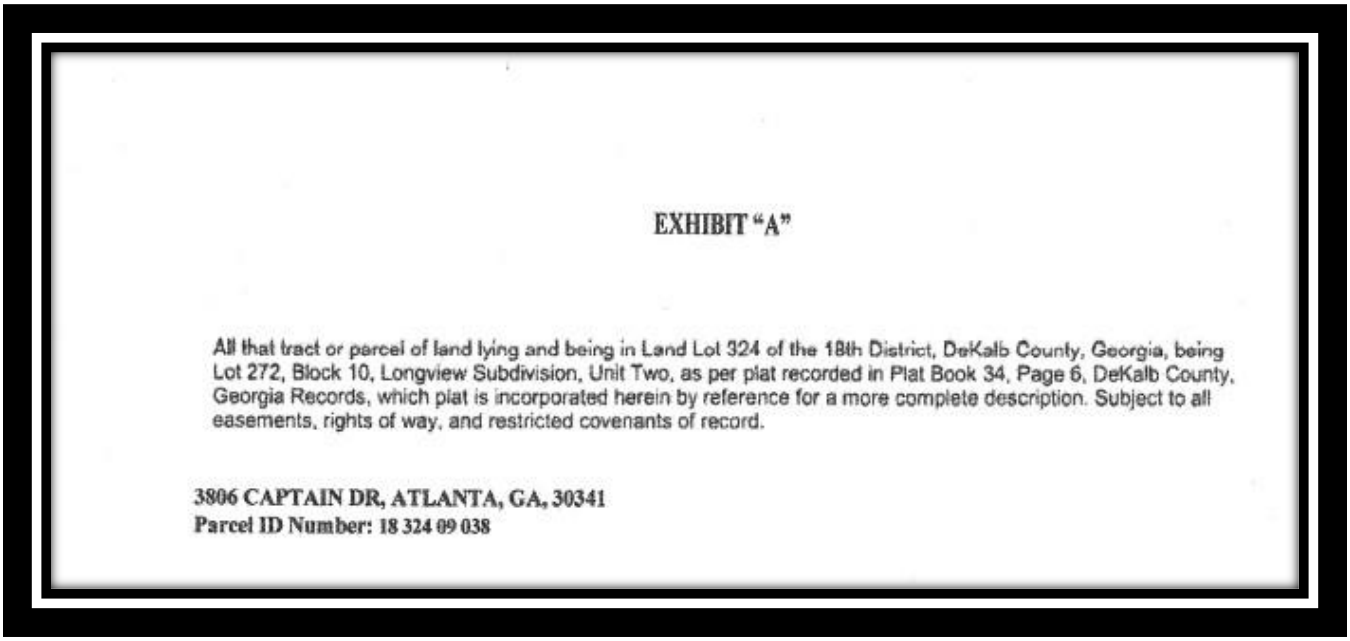


EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 324 of the 18th District, DeKalb County, Georgia, being Lot 272, Block 10, Longview Subdivision, Unit Two, as per plat recorded in Plat Book 34, Page 6, DeKalb County, Georgia Records, which plat is incorporated herein by reference for a more complete description. Subject to all easements, rights of way, and restricted covenants of record.

3806 CAPTAIN DR, ATLANTA, GA, 30341
Parcel ID Number: 18 324 09 038

CITY OF CHAMBLEE
Planning and Development Department

PRE-APPLICATION INF

This page must be complete

CITY OF CHAMBLEE
Planning and Development Department
RECEIVED
10/02/2026

APPLICANT

Crystal Kizer
Name

Company

[redacted] Mailing Address | Suite/Apt. # | [redacted] City, State | Zip Code

[redacted] Alternate Phone # | [redacted] E-mail

PROJECT SUMMARY

3806 Captain Drive Chamblee GA
Address of Project

Name of Project

Fence Variance
Application Type (Amend Zoning Map, Development of Community Impact (DCI), Variance/Waiver, Subdivide Land, Other)

175 sq ft
Total Project Acreage

Detailed Description (*Include Proposed Use(s) and Square Footage of Floor Area for each use*):

Please see attached detailed information included

Applicant Signature Date: 9 / 23 / 2026

NOTE: This form must be signed by staff and submitted with your application.

For Internal Use Only:

Pre-Application Meeting Date: 09/30/2026

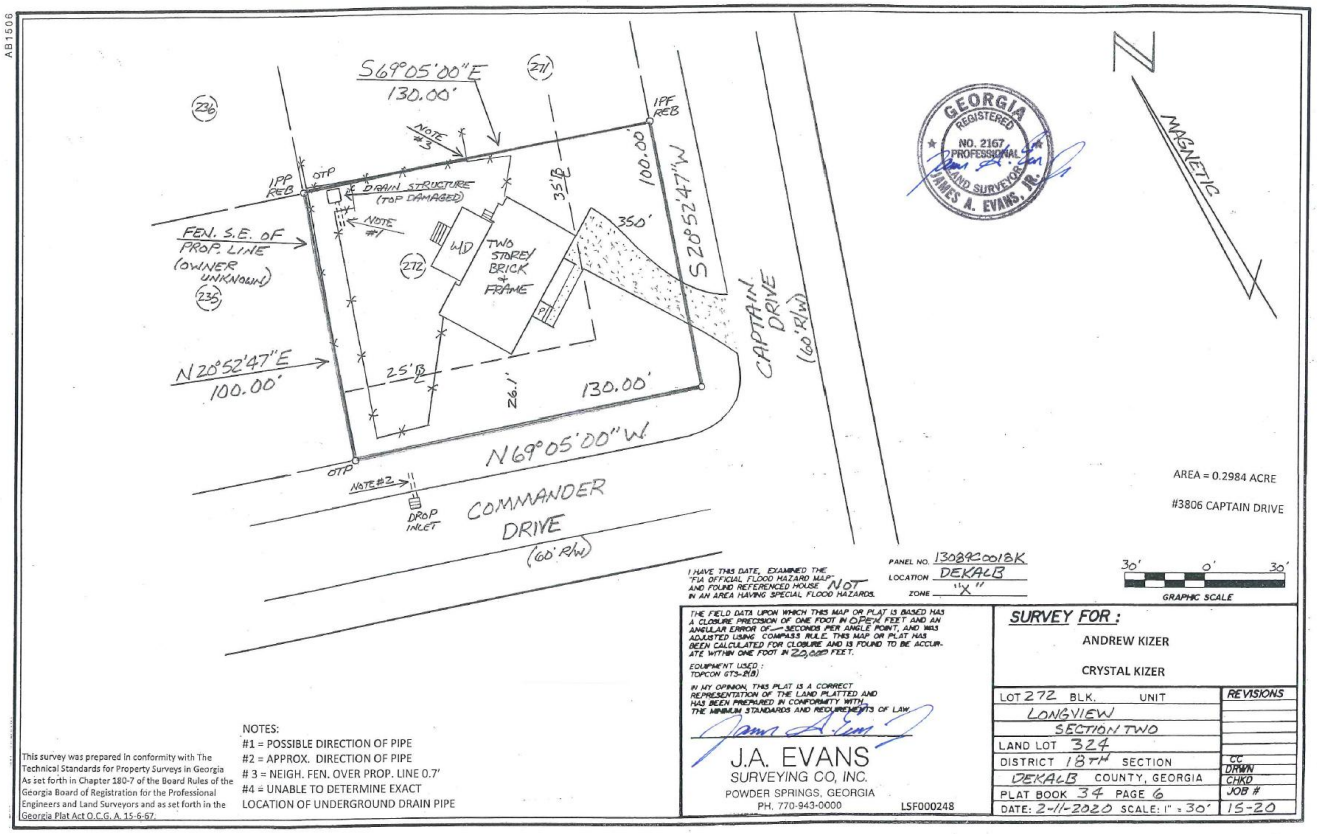
Staff Printed Name: John Torres Signed: JOHN TORRES

CITY OF CHAMBLEE
Planning and Development Department

RECEIVED
10/02/2026

Original Property Survey

The property survey was prepared by Surveying Co., Inc. and received from James A. Evans on February 14, 2020, during the purchase of 3806 Captain Drive. This unmarked survey is provided to show the property's current surveyed layout.



CITY OF CHAMBLEE Planning and Development Department

RECEIVED
10/02/2026

Fence Variance Application – 3806 Captain Drive, Chamblee, GA

Applicant Information

[redacted]

Project Overview

Project Name: 3806 Captain Drive Fence Replacement
Application Type: Variance/Waiver
Total Fence Length: Approximately 175 linear feet

The applicant requests limited relief from Sections 230-6(c)(1)(a) and 230-6(c)(1)(b) to replace the deteriorating fence along the Captain Drive street-side yard with a six-foot, non-transparent wood privacy fence. The replacement will generally follow the existing fence footprint, remain within the property boundaries, and preserve the required twenty-foot sight triangle. Approval will allow the property to retain a safe, functional, and private enclosed yard without obstructing traffic visibility or altering the residential character of the neighborhood.

Project Description

The project will replace the deteriorating wood privacy fence on the corner lot at 3806 Captain Drive. The replacement fence will generally follow the existing footprint, except that the rear fence line will shift approximately five feet toward the shared property line with 3813 Longview Drive. This adjustment will reduce the existing gap between the two fences and create a cleaner, more functional boundary while allowing sufficient space to preserve the existing trees.

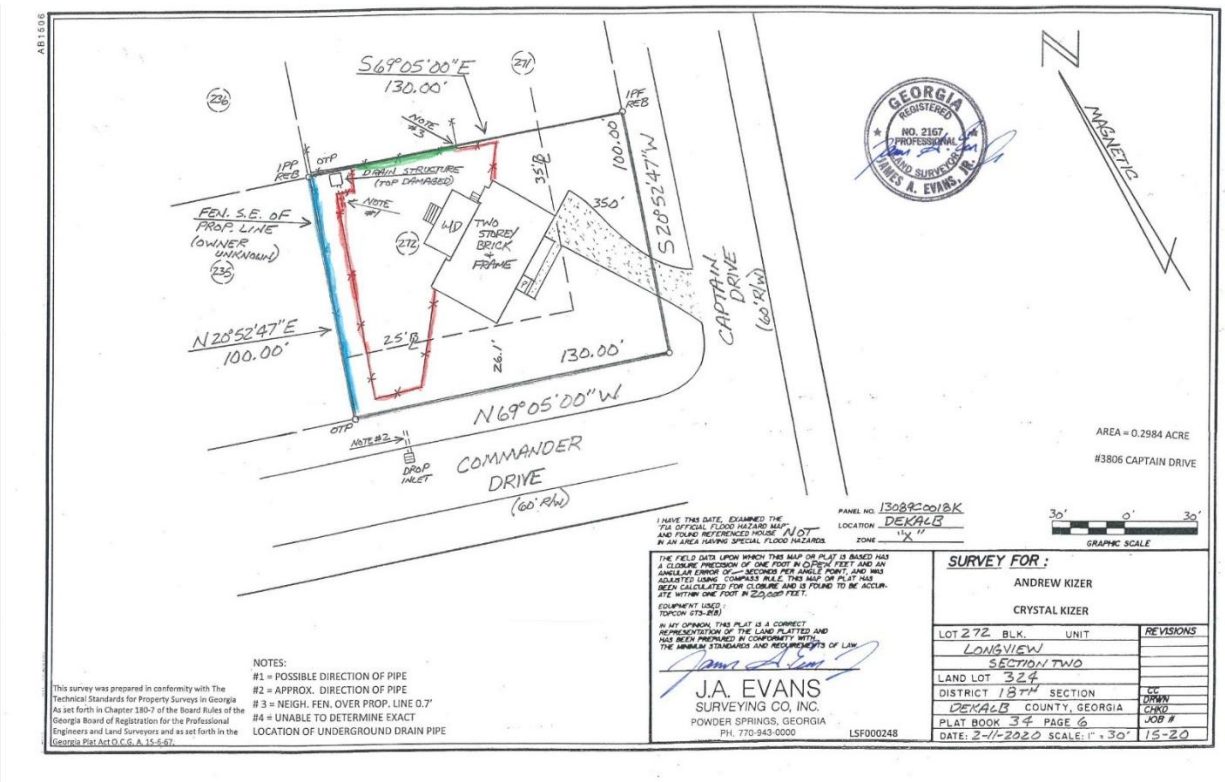
Between the two existing fences, there are approximately four to five smaller trees that have grown naturally over time. The intent is to place the new fence in a way that will preserve these trees instead of removing them. While the fence line will be moved closer to

the property boundary, a small gap may remain to accommodate the existing trees and maintain the natural environment. This approach allows the fence to be repositioned more appropriately without disrupting the established vegetation.

The image below shows the current fence layout overlaid on the property survey provided when the home was purchased. The existing fence sections proposed for replacement are shown in red.

The green line marks the fence section along the property boundary with 3814 Captain Drive that is in acceptable condition and will remain in place. The blue line marks the rear property boundary and indicates where the rear fence line is proposed to move closer to that boundary.

Current Fence Layout (Grandfathered Fence)



The requested relief is limited to the portion of the replacement fence located within the street-side yard along Captain Drive. The UDO permits a maximum fence height of four feet in this area and requires at least fifty percent transparency. The applicant therefore requests the following variances:

- **Sec 230-6(c)(1)(a):** To increase the maximum permitted fence height in the street side yard from four feet to six feet.

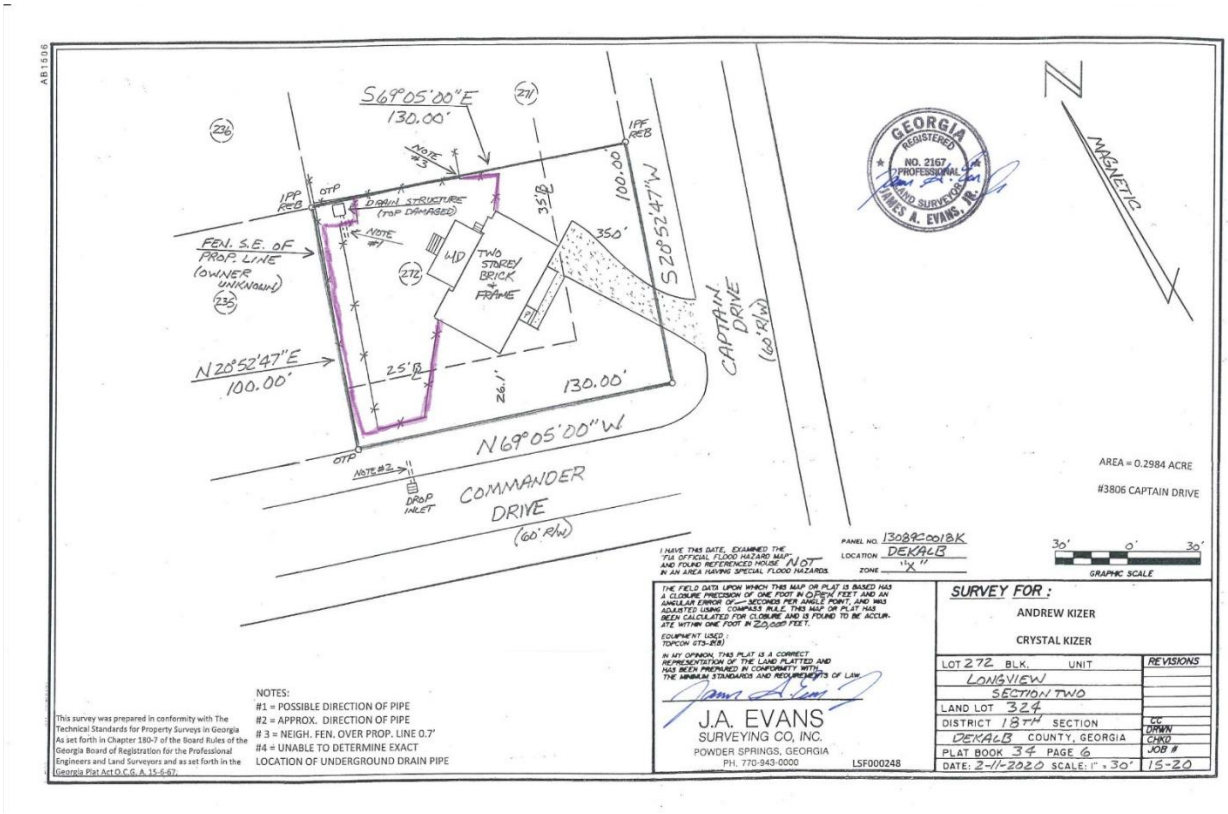
- **Sec 230-6(c)(1)(b):** To construct a fence in the street side yard that does not meet the minimum fifty percent transparency requirement.

The requested fence also serves an important safety and nuisance-prevention function. The household's three dogs react to visible pedestrian, animal, delivery, and vehicle activity, and one dog is capable of clearing a four-foot barrier. A six-foot opaque fence reduces visual triggers, helps prevent escape, limits barking and disturbances, and maintains separation from the large reactive dog on the adjoining property.

The proposed fence does not extend into the public right-of-way and does not obstruct the required twenty-foot sight-triangle area for corner lots. The fence sits well within the property boundaries and does not interfere with traffic visibility.

The image below shows the proposed fence layout overlaid on the current property survey, with the requested fence line highlighted in purple. The proposed layout generally follows the existing fence footprint but moves the rear section closer to the property line, reducing the current gap between the two fences.

Proposed New Fence Layout



CITY OF CHAMBLEE
Planning and Development Department
RECEIVED
10/02/2026

Letter of Intent & Justification for Review and Approval Criteria (Section 280-32)

1. Extraordinary and Exceptional Conditions Pertaining to the Property

The property at 3806 Captain Drive has physical characteristics that distinguish it from a typical residential lot in Chamblee. It is a corner lot with the home positioned at an angle to both streets, creating a comparatively small rear yard and a large, exposed street-side yard. This configuration limits the locations where an enclosed outdoor area can be established while maintaining practical access, privacy, and separation from activity along the adjoining streets.

The existing six-foot privacy fence, which has been grandfathered in, reflects how the property has historically addressed the practical effects of its corner-lot configuration, angled home placement, limited rear yard, and exposure to two streets. The fence is now deteriorating and requires replacement. A four-foot, fifty-percent-transparent fence would not provide the same degree of enclosure, privacy, safety, or separation from activity along the adjoining streets.

For the past six years, our household and the residents of 3813 Longview Drive have maintained a friendly and respectful relationship, and there have been no incidents involving our dogs or theirs. Both households have been mindful of the dogs' potential reactions when frightened or provoked, and the existing six-foot privacy fence has helped preserve safe separation by limiting visibility and preventing direct interaction. Replacing it with a shorter or partially transparent fence could introduce visual triggers and an avoidable safety concern where none currently exists. Maintaining the six-foot opaque fence will allow both households to continue managing the adjoining outdoor areas responsibly while preserving the positive relationship between the properties.

Taken together, the property's physical configuration and the relationship between the adjoining outdoor areas create an exceptional condition specific to this property. The requested fence preserves the practical separation that has allowed the property to function safely and privately while maintaining the required sight triangle, remaining within the property boundaries, and supporting the positive relationship with the neighboring household.

2. Application of the UDO Creates an Unnecessary Hardship

Strict application of the UDO would materially reduce the privacy and functionality of the property's primary outdoor area. Because the home is angled and the rear yard is limited, the street-side yard serves as the principal usable enclosed space.

A four-foot fence with fifty-percent transparency would leave this area significantly more exposed to the adjoining street and neighboring property, reducing the enclosure and separation that the current fence provides.

This hardship is not a matter of preference. The limited rear yard cannot provide a comparable private and functional outdoor area, and the requested variance is limited to the relief necessary to preserve the property's residential use, privacy, and functionality. In addition to these property-based impacts, the six-foot opaque fence supports safe use of the primary outdoor area by limiting visual triggers, preventing one of the household's dogs from clearing a four-foot barrier, and reducing the risk of avoidable interactions with pedestrians, animals, and the neighboring property.

3. Conditions Are Peculiar to This Particular Property

The conditions creating this hardship are specific and peculiar to 3806 Captain Drive. The property is a corner lot with the home positioned at an angle, resulting in a comparatively small rear yard and a large, exposed street-side yard. Unlike an interior lot with a conventional rear yard, this configuration places the property's primary usable outdoor area along a street frontage.

The property's frontage along two streets creates greater visibility and exposure to pedestrians, delivery drivers, passing animals, and other activity, while the adjoining property line directly borders the principal outdoor area. A shorter or partially transparent fence could introduce visual triggers for both the household's dogs and the neighboring dog, increasing the risk of avoidable reactions or interactions. The existing six-foot opaque fence helps protect the dogs, neighboring residents, and people passing the property by maintaining a secure physical and visual barrier.

These combined conditions make a standard fence configuration less effective on this property than on a typical interior lot. The underlying need for relief arises from the lot's fixed geometry, orientation, and exposure, while the six-foot opaque fence provides the separation needed to preserve privacy and reduce preventable safety concerns.

4. Conditions Are Not the Result of Actions by the Property Owner

The physical conditions supporting the variance were not created by the property owner. The corner-lot configuration, lot lines, angled placement of the home, and relative proportions of the rear and street-side yards were established before the owner acquired the property. The owner has not altered the lot boundaries, grade, or orientation of the home.

The deteriorating fence was present when the property was acquired and has reached the point where replacement is required. The need for relief arises from the preexisting corner-lot configuration, the home's angled placement, the limited rear yard, and the exposure of the principal outdoor area to two streets. Replacing the fence does not create or intensify those conditions; it addresses the continued use of the property within its established physical constraints.

5. Relief Would Not Cause Detriment to the Public Good or Impair the Intent of the Ordinance

Granting the requested variance would not cause substantial detriment to the public good and would not impair the intent of the zoning ordinance. The proposed fence height and privacy level are consistent with the residential character of the neighborhood and will be constructed safely and attractively.

The fence does not extend into the public right-of-way and does not obstruct the required twenty-foot sight-triangle area for corner lots. It sits well within the property boundaries and does not interfere with traffic visibility. Even at six feet in height, the fence does not block street views or create any hazard for drivers, cyclists, or pedestrians.

Maintaining a private backyard reduces noise, prevents dog reactivity, and enhances safety for neighbors, delivery drivers, and people walking along the side street. It also preserves the positive relationship with the adjacent property owner by maintaining the visual barrier that has prevented conflicts between the dogs on both sides of the fence.

The requested relief is narrowly tailored to the affected street-side portion of the replacement fence. The proposed fence will remain within the property boundaries, preserve the required twenty-foot sight triangle, and avoid interference with traffic visibility. Allowing a six-foot privacy fence in this limited location will maintain a usable enclosed yard, reduce noise and safety concerns, and preserve the established residential appearance without extending the relief beyond what is necessary for this property.

Property Images and Supporting Exhibits

The following images are included in this variance packet to help city officials visualize the property at 3806 Captain Drive, the current condition of the existing fence, and the proposed replacement fence.

Existing Conditions

The existing wood privacy fence runs along the side and rear portions of the property. The below photographs show aging and deterioration, including uneven panels and discoloration, as well as the fence's location relative to the home, Captain Drive, mature trees, and surrounding landscaping.

View of Current Fence from Captain Drive



Current Fence — Street View from Commander Drive

Shows the fence's current visibility from Commander Drive and surrounding neighborhood context.



Shared Property Line and Tree Preservation

The following images show the existing gap between the two fences near the property line shared with 3813 Longview Drive, including the trees and vegetation within that area. The owners of 3806 Captain Drive intend to work with the fencing contractor to move the replacement fence closer to the property line while preserving the existing trees. Retaining these trees is important because they provide habitat for birds and support the property owner's interest in birdwatching.

CITY OF CHAMBLEE
Planning and Development Department

RECEIVED
10/02/2026





CITY OF CHAMBLEE
Planning and Development Department
RECEIVED
10/02/2026



Existing Fence Deterioration

The following images document the fence's current deterioration and the temporary measures used to extend its service life. The property owners have tied posts together with rope and added supplemental panels and chicken wire to close gaps that could allow their dogs to escape or other animals to enter the yard.

CITY OF CHAMBLEE
Planning and Development Department

RECEIVED
10/02/2026



CITY OF CHAMBLEE
Planning and Development Department

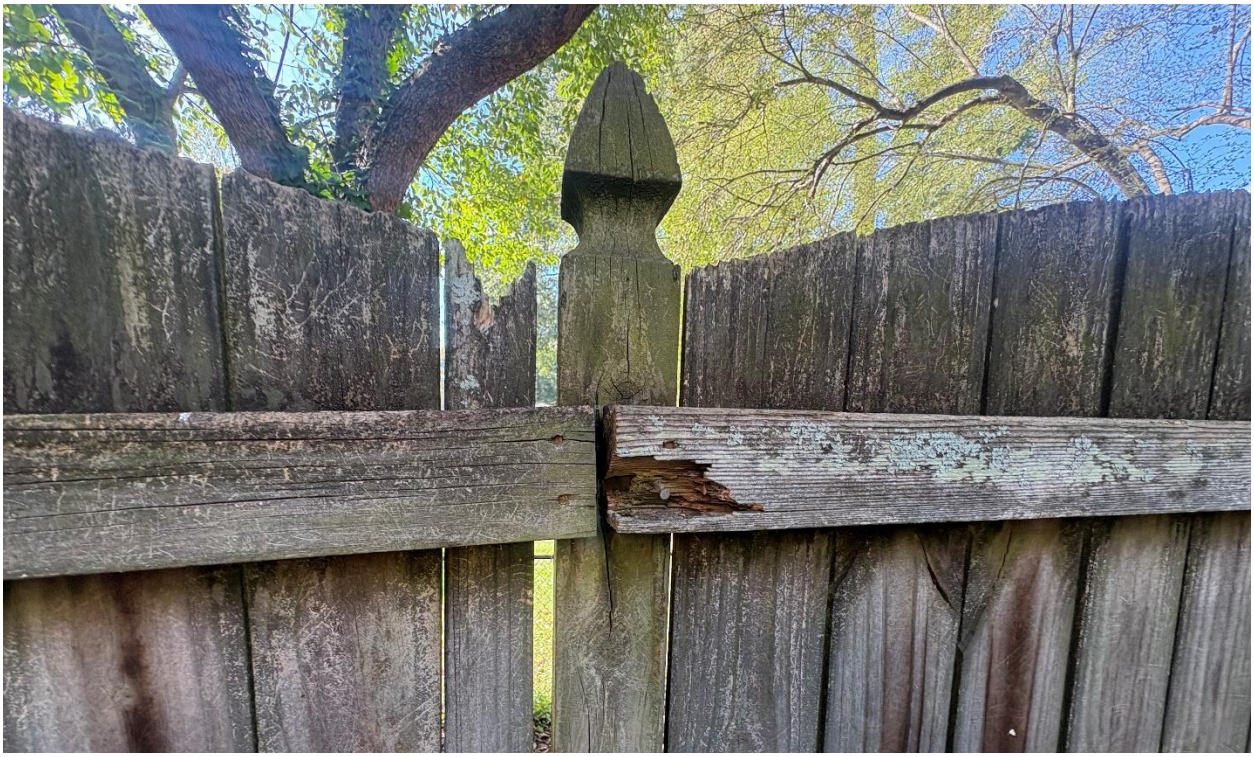
RECEIVED
10/02/2026





CITY OF CHAMBLEE
Planning and Development Department

RECEIVED
10/02/2026





CITY OF CHAMBLEE
Planning and Development Department

RECEIVED
10/02/2026

Side View Showing Fence Location Relative to the Public Right-of-Way



CITY OF CHAMBLEE
Planning and Development Department

RECEIVED
10/02/2026





CITY OF CHAMBLEE
Planning and Development Department

RECEIVED
10/02/2026

Example of Proposed Replacement Fence

