



## **DeKalb County Department of Planning & Sustainability**

**330 Ponce De Leon Avenue, Suite 300**

**Decatur, GA 30030**

**(404) 371-2155 / [plandev@dekalbcountyga.gov](mailto:plandev@dekalbcountyga.gov)**

**Planning Commission Hearing Date: January 08, 2019, 6:30 P.M.**

**Board of Commissioners Hearing Date: January 22, 2019, 6:30 P.M.**

### **STAFF ANALYSIS**

**Case No.:** 2018-3075/ Z-19-1242964 **Agenda #:** N.16

**Location/Address:** The east and south sides of Pleasant Hill Trail, approximately 667 feet north of the intersection of Pleasant Hill Trail and Pleasant Hill Road at 1746 Pleasant Hill Trail, Lithonia, Georgia. **Commission District:** 5 **Super District:** 7

**Parcel ID:** 16-197-03-015

**Request:** To rezone property from R-85 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to develop 25 detached single-family residences.

**Property Owners:** Roland & Phedeline Nicholas

**Applicant/Agent:** Leslie Bortier

**Acreage:** 5.67 Acres

**Existing Land Use:** Single-Family Residence & Accessory Structures (Trailer, Barn & Shed)

**Surrounding Properties:** Single-Family Detached Residences

**Adjacent & Surrounding Zoning:** North: R-100 (Residential Medium Lot) District; MU-1 (Mixed-Use Low Density) District; East, South & West: R-85 (Residential Medium Lot) District  
Further East: RNC (Neighborhood Conservation) District

**Comprehensive Plan:** Suburban (SUB) Consistent X

<b>Proposed Residential Units:</b> 25	<b>Existing Residential Units:</b> 1
<b>Proposed Lot Coverage:</b> Max 35% Per Lot	<b>Existing Lot Coverage:</b> <35%

## **SUBJECT SITE & ZONING HISTORY:**

Zoned R-85 (Residential Medium Lot) District, the subject property consists of 5.67 acres along Pleasant Hill Trail (a local street) in unincorporated DeKalb County and is developed with one single-family residence and accessory structures. The site has frontage along the east side and south side of Pleasant Hill Trail. The residence has its entrance and access via a driveway along the south side of Pleasant Hill Trail. Adjacent property to the east is an undeveloped, long and narrow 4.04-acre tract zoned R-85. South is a 2.62-acre tract zoned R-85 and developed with a single-family residence with accessory structures. Along the west side of Pleasant Hill Trail is Piedmont Trace Subdivision developed on R-85 zoned lots. Along the north side of Pleasant Hill Trail are existing single-family residences on large lots.

## **PROJECT ANALYSIS:**

Per the submitted application, the applicant is requesting to rezone the site from the R-85 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to develop twenty-five (25) single-family detached residences on the subject site. The minimum lot size is 6,000 square feet. The submitted site plan proposes two (2) points of access from Pleasant Hill Trail.

## **ZONING ANALYSIS**

The applicant is requesting to rezone from R-85 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to develop twenty-five (25) single-family detached residences. The intent of the R-85 District is to provide protection of neighborhoods within the county where lot sizes are a minimum of 12,000 square feet with 100 feet of frontage along a public street. The proposed R-60 District allows a minimum house size of 1,200 square feet on minimum 6,000 square-foot lots. Adjacent and nearby properties are zoned R-85 with a minimum house size of 1,800 square feet on 12,000 square foot lots. If the property were developed with R-75 (Residential Medium Lot) District standards, the minimum lot size would be 10,000 square feet with a minimum heated floor area of 1,600 square feet which is compatible with existing residences in the area zoned and developed with R-85 standards.

**Section 27-7.3.4 of the DeKalb County Code states that the following standards and factors shall govern the review of all proposed amendments to the Official Zoning Map.**

**A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan:**

The zoning proposal to the R-60 District is inconsistent with the following policies of the 2035 Comprehensive Plan: Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density.

**B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties:**

The zoning proposal to R-60 would permit single-family detached residences on the site. However, the minimum allowed lot size and house size for the R-60 zoning district is substantially less than surrounding existing residences developed on R-85 zoned properties in the area.

**C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned:**

The site as currently zoned R-85 on 5.67 acres can be developed with minimum 12,000 square foot lots for single-family detached residences.

**D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:**

The zoning proposal to the R-60 District to develop 25 residences would increase traffic along Pleasant Hill Trail and may affect adjacent or nearby residential properties during peak hour drive times.

**E. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal:**

The fact that there are no other R-60 zoned districts with minimum 6,000 square foot lot sizes in the area and no median transition of lot size from 12,000 square feet to 6,000 square feet, provide supporting grounds for disapproval of the zoning request.

**F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources:**

There has been no indication that the proposed rezoning will adversely affect historic buildings, sites, districts or archaeological resources.

**G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:**

The zoning proposal to the R-60 District to develop 25 residences would increase traffic along Pleasant Hill Trail (a local street) and Pleasant Hill Road (a minor arterial). The request may also impact area schools.

**H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The rezoning proposal to the R-60 district should not adversely impact the environment or surrounding natural resources.

**COMPLIANCE WITH DISTRICT STANDARDS**

Per the chart below, the proposed R-60 single-family subdivision can comply with minimum development standards of the R-60 (Residential Small Lot) District per Table 2.2 of the DeKalb County Zoning Ordinance.

R-60 STANDARD		REQUIREMENT	PROPOSED	COMPLIANCE
MIN. LOT WIDTH		60 feet	Not labeled on submitted site plan	To be determined. (TBD)
MIN. LOT AREA		6,000 sq. ft.	Minimum 6,000 square feet	Yes.
	FRONT SETBACK	Min 20 ft.	Not labeled on submitted site plan	TBD
	INTERIOR LOT - SIDE	7.5 feet	Not labeled on submitted site plan	TBD
	REAR	30 feet	Not labeled on submitted site plan	TBD

MIN. FLOOR AREA OF DWELLING	1,200 sq. ft.	Not labeled on submitted site plan	TBD
MAX. LOT COVERAGE	35%	Not labeled on submitted site plan	TBD
MIN. PARKING Article 6	Minimum 2 parking spaces	Not labeled on submitted site plan	TBD
OPEN SPACE	Minimum 20% if site is > 5 acres. Site is 5.67 acres	None depicted on submitted site plan	No.
Linear Feet of Sidewalk	5-feet wide	None depicted on site plan	No.

**STAFF RECOMMENDATION: APPROVAL SUBSTITUTE R-75 (Residential Medium Lot) District**

The zoning proposal to the R-60 (Residential Medium Lot) District is inconsistent with the following policy of the 2035 Comprehensive Plan: Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density. The requested R-60 District (minimum 6,000 square foot lots) is inconsistent with adjacent and nearby residential property zoned and developed R-85 with minimum 12,000 square foot lots along Pleasant Hill Trail. The R-75 zoning district provides a compatible minimum lot size of 10,000 square feet for single-family detached residences. Therefore, the Department of Planning and Sustainability recommends **“APPROVAL SUBSTITUTE R-75 (Residential Medium Lot) District** on the site subject to the following recommended conditions:

1. Site shall be rezoned to R-75 (Residential Medium Lot) District to develop single-family residences per development standards per Chapter 27-Table 2.2 and site design standards in Chapter 27 - Article 5 of the DeKalb County Code.
2. No access to Pleasant Hill Trail along north side of property. Access along the east side of Pleasant Hill Trail shall be determined by the DeKalb County, Transportation Division of the Department of Public Works.
3. Obtain sketch plat & final plat approval prior to obtaining a Land Disturbance Permit.
4. Each home shall have a minimum two-car garage (side entry garages where lot area allows).
5. Provide underground utilities.
6. Front and side yards shall be sodded prior to the issuance of a Certificate of Occupancy.
7. Subdivision entrance sign shall be a brick base monument sign. Sign area shall not exceed 32 square feet, excluding base and shall not exceed eight (8) feet in height.
8. The entrance to the subdivision shall be landscaped subject to the DeKalb County Arborist.
9. A mandatory homeowners association with bylaws and covenants shall be established and maintained for the subdivision. The bylaws and covenants will explain the maintenance responsibility for common space, and landscaping.

**Attachments:**

1. Department and Division Comments
2. Application
3. Site Plan
4. Zoning Map & Land Use Map
5. Aerial Photograph

## NEXT STEPS

*Following an approval of this modification action, one or several of the following may be required:*

- ✓ • **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- ✓ • **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
- ✓ • **Certificate of Occupancy** *(Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)*
- ✓ • **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- ✓ • **Sketch Plat & Final Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- ✓ • **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
- **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

**Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.**

## Zoning Comments (Jan 2019)

N1. No comment.

N2. Engineer must verify sight distance when placing driveways.

N3. No Comment.

N4 & N5. Rock Chapel Road is State Road 124. GDOT review and approval required prior to issuing any permits. GDOT Contact: Justin Hatch at [juhatch@dot.ga.gov](mailto:juhatch@dot.ga.gov) Minor Arterial. Refer to Section 14-190 of the Land Development Code and Chapter 5.4.3 of the Zoning Code for infrastructure requirements. No acceleration lane. Prefer deceleration lane. Verify driveway placement to ensure required sight distance requirements are met based on the speed limit and curvature of roadway. 6 foot sidewalk. Street lights required.

N6. No Comment.

N7. Refer to Section 14-190 of the Land Development Code and Chapter 5.4.3 of the Zoning Code for infrastructure requirements. Tilson Road is classified as a collector street. Right of way dedication of 35 feet from centerline, 6-foot sidewalks, street lights, bike lanes required. Verify driveway placement to ensure required sight distance requirements are met based on the speed limit and curvature of roadway. Interior streets to be local- 55 foot right of way, five foot landscape strip, 5 foot sidewalk, street lights required.

N8. Refer to Section 14-190 of the Land Development Code and Chapter 5.4.3 of the Zoning Code for infrastructure requirements. River Road is classified as a minor arterial. Right of way dedication of 35 feet from centerline, 6-foot sidewalks, street lights, bike lanes required. Verify driveway/roadway placement to ensure required sight distance requirements are met based on the speed limit and curvature of roadway. Interior streets to be local- 55 foot right of way, five foot landscape strip, 5 foot sidewalk, street lights required.

N9. Cook Road is within the GDOT I-20 Right of Way. GDOT review and approval for access is required prior to issuing any permits. GDOT Contact: Justin Hatch at [juhatch@dot.ga.gov](mailto:juhatch@dot.ga.gov) . Construct sidewalks up to Flat Shoals Road within the existing right of way.

N10. No comment.

N11. No comment.

N12. No comment.

N13. No comment.

N14. Candler Road is State Route 155. GDOT review and approval required prior to permitting. GDOT Contact: Justin Hatch at [juhatch@dot.ga.gov](mailto:juhatch@dot.ga.gov) GDOT review and approval for access is required prior to issuing any permits.

N15. Covington Hwy is a State Route. GDOT review and approval for access is required prior to issuing any permits. GDOT Contact: Justin Hatch at [juhatch@dot.ga.gov](mailto:juhatch@dot.ga.gov) . Refer to Section 14-190 of the Land Development Code and Chapter 5.4.3 of the Zoning Code for infrastructure requirements. Covington Hwy is classified as a major arterial. Right of way dedication of 50 feet from centerline, 6 foot sidewalks,

10 foot landscape strip, street lights, bike lanes required. Verify driveway/roadway placement to ensure required sight distance requirements are met based on the speed limit and curvature of roadway. Interior streets to be local- 55 foot right of way, five foot landscape strip, 5 foot sidewalk, street lights required. Porter Road is classified as a local street. Bring frontage of Porter up to local street standards, including right of way dedication, as needed, sidewalks and streetlights.

N16. Refer to Section 14-190 of the Land Development Code and Chapter 5.4.3 of the Zoning Code for infrastructure requirements. Pleasant Hill Trail is classified as a local road. Right of way of 27.5 feet from centerline, six foot landscape strip, 5 foot sidewalks, street lights requires. Pleasant Hill Road is classified as a minor arterial. Right of way 40 from centerline, 10 foot landscape strip, 6 foot sidewalks, street lights required. Right of way Verify driveway/roadway placement to ensure required sight distance requirements are met based on the speed limit and curvature of roadway. Interior streets to be local- 55 foot right of way, five foot landscape strip, 5 foot sidewalk, street lights required. All public road right of ways must be brought up to current standards.





(N16)

**DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO  
MICHELLE ALEXANDER [MMALEXANDER@DEKALBCOUNTYGA.GOV](mailto:MMALEXANDER@DEKALBCOUNTYGA.GOV) OR JOHN REID  
[JREID@DEKALBCOUNTYGA.GOV](mailto:JREID@DEKALBCOUNTYGA.GOV)

**COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: 219-1242964 Parcel I.D. #: 16-197-03-015

Address: 1746  
PLEASANT HILL TRL  
CITITLINA, GA 30058

Adjacent Roadway (s):

_____	_____
(classification)	(classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7<sup>TH</sup> Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the \_\_\_\_\_ square foot place of worship building would generate \_\_\_\_\_ vehicle trip ends, with approximately \_\_\_\_\_ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the \_\_\_\_\_ (Single Family Residential) District designation which allows a maximum of \_\_\_\_\_ units per acres, and the given fact that the project site is approximately \_\_\_\_\_ acres in land area, \_\_\_\_\_ daily vehicle trip end, and \_\_\_\_\_ peak hour vehicle trip end would be generated with residential development of the parcel.

**COMMENTS:**

Plains and field reviewed. Found nothing that would disrupt traffic flow.

Signature: [Signature]

12/21/2018

To: Ms. Madolyn Spann, Planning Manager  
Mr. John Reid, Senior Planner  
From: Ryan Cira, Environmental Health Manager  
Cc: Alan Gaines, Technical Services Manager  
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

## DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

12/21/2018

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N.13

SLUP-19-1235315 2018-3072 15-040-05-018

3004 KENVILLE LN, DECATUR, GA 30034

☐ Amendment

- Please see general comments.

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N.14

SLUP-19-1235320 2018-3073 MLFURMAN Commission 03 Super District: 07  
15-151-05-017

2076 CANDLER RD, DECATUR, GA 30032

☐ Amendment

- Please review general comments.

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N.15

Z-19-1235327 2018-3074 04 15-219-01-007; 15-219-01-008; 15-219-01-009;  
15-219-01-010; 15-219-01-011

3756 COVINGTON HWY, DECATUR, GA 30032

☐ Amendment

- Septic installed on 08/25/1983. Review general comments.

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N.16

Z-19-1242964 2018-3075 16-197-03-015

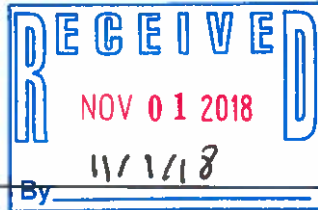
1746 PLEASANT HILL TRL, LITHONIA, GA 30058

☐ Amendment

- Please review general comments.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Rezoning Application to Amend the Official Zoning Map of DeKalb  
County, Georgia



Date Received: 11/1/18 Application No: 2-19-1242964

Applicant Name: Leslie Bortier

Applicant E-Mail Address: lesliebortier@hotmail.com / lbortier@gmail.com

Applicant Mailing Address: 3855 Pleasant Woods Drive  
Cumming GA 30028

Applicant Daytime Phone: 404-863-6653 Fax: \_\_\_\_\_

Owner Name: Robina Nicholas & Photoline Nicholas  
If more than one owner, attach list of owners.

Owner Mailing Address: 1746 Pleasant Hill Trail, Lithonia, GA 30058

Owner Daytime Phone: 770-401-7288

Address of Subject Property: 1746 Pleasant Hill Trail.  
Lithonia GA 30058

Parcel ID#: 16 197 03 015

Acreage: \_\_\_\_\_ Commission District: \_\_\_\_\_

Present Zoning District(s): R-85

Proposed Zoning District: R-60

Present Land Use Designation: SUB

Proposed Land Use Designation (if applicable): \_\_\_\_\_

**Leslie O. Bortier**

3855 Pleasant Woods DR, Cumming, Georgia, 30028 Tel: 404 862 5653

Dekalb County, Georgia  
Clark Harrison Bldg  
330 W. Ponce de Leon Ave  
Decatur, GA 30030



November 4<sup>th</sup> 2018

**To Whom It May Concern**

Dear Sir/Madam,

Please accept this as formal request of rezoning of the property address 1746 Pleasant Hill Trail, Lithonia, GA 30058, which is currently a single family home. We are applying for rezoning to sub-divide the land from R85 to R60. The property is expected to have 25 units of 2-storey single family homes; each unit comprising of 4 beds and 2.5 baths.

I have attached the required documents for the rezoning for your reference.

You may reach me at 404 863 5653 or @ [lbortier@gmail.com](mailto:lbortier@gmail.com) .

Sincerely,

Leslie Bortier

**Leslie O. Bortier**

3855 Pleasant Woods DR, Cumming, Georgia, 30028 Tel: 404 862 5653

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Dekalb County, Georgia  
Clark Harrison Bldg  
330 W. Ponce de Leon Ave  
Decatur, GA 30030

November 4<sup>th</sup> 2018



### **IMPACT ANALYSIS REPONSE**

- A. Yes, the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.
- B. Yes, the zoning proposal will permit a use that is suitable in view of the use and development of the adjacent and nearby properties.
- C. No, the property to be affected by the zoning proposal does not have reasonable economic use as currently zoned.
- D. No, the zoning proposal will not adversely affect the existing use of the usability of the adjacent or nearby properties.
- E. No, there are no other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
- F. No, the zoning proposal will not adversely affect historic building site, districts, or archeological resources.
- G. No, the zoning proposal will not result in a use which will or could cause excessive or burdensome use of exiting streets, transportation facilities, utilities or schools.
- H. No, the zoning proposal will not adversely impacts the environment or surrounding natural resources.

Notice Date: 09/18/2018

## **PUBLIC NOTICE**

To

**Request for a Special Land Use Permit**

Filed by: Leslie O. Bortier

Located at: 1746 Pleasant Hill Trail, Lithonia, GA 30058

**Current Use – Residence**

**Proposed use – Multiple Residences**

**PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT: RESIDENCE**

Location: 1746 Pleasant Hill Trail, Lithonia, 30058

Date & Time: Sunday, October 28<sup>th</sup>, 2018 at 3:00PM

# MEETING SIGN-IN SHEET

Project:

Meeting Date:

Facilitator:

Location:

Name

Address

Phone

E-Mail

Michael Harris 2555 Pleasant Hill Tr 470-2421  
CONRAD POTTINGER 1739 Pleasant Hill Tr Lithonia GA 30046  
5751 / MRRKOFF@ACL.COM



