



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

## Agenda Item

**File #:** 2019-4069

11/5/2019

**File Status:** Preliminary Item

**Public Hearing:** YES ☒ NO ☐

**Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** 2 & 6

**Application of Elegant Homes, LLC to rezone property from R-85 (Residential Medium Lot-85) to RSM (Residential Small Lot Mix) to allow development of a 16-unit mixed residential development, at 1051, 1047 & 1043 Briarcliff Road.**

**PETITION NO:** D1. Z-19-1243376

**PROPOSED USE:** Three-family and single-family residential development.

**LOCATION:** 1051, 1047, & 1043 Briarcliff Road, Atlanta

**PARCEL NOS.:** 18-001-05-021, -022, & -023

**INFO. CONTACT:** Marian Eisenberg

**PHONE NUMBER:** 404-371-4922

**PURPOSE:**

Application Z-19-1243376 of Elegant Homes, LLC to rezone property within the Druid Hills Historic District from R-85 (Residential Medium Lot-85) to RSM (Residential Small Lot Mix) to allow development of a 16-unit mixed residential development consisting of urban single-family detached and three-family homes at a density of 5.3 units per acre. The property is located on the east side of Briarcliff Road, approximately 311 feet south of The By Way, at 1051, 1047, & 1043 Briarcliff Road, Atlanta. The property has approximately 240 feet of frontage along the east side of Briarcliff Road and contains 3.02 acres.

**RECOMMENDATIONS:**

**COMMUNITY COUNCIL:** (10/15/19) FULL CYCLE DEFERRAL. (8/13/19) DENIAL.

**PLANNING COMMISSION:** (9/10/19) FULL CYCLE DEFERRAL.

**PLANNING STAFF:** (11/5/19) DENIAL. (9/10/19) FULL CYCLE DEFERRAL.

**STAFF ANALYSIS:** (11/5/19) The proposed development is not consistent with the policies contained in the 2035 Comprehensive Plan for the TN (Traditional Neighborhood) character area. The development does not introduce the kind of mixture of uses that is contemplated by TN Policies 2 and 3. It is not consistent with TN Policy No. 1, which states, "Protect stable neighborhoods from incompatible development that could alter

established residential development patterns and density.” Historic district designation of the property reinforces the importance of maintaining the established density of the development. While the policy might apply to other TN neighborhoods where population increases are desirable (for example, to supply potential riders for new public transit projects or to support nearby commercial redevelopment projects), no such conditions are found in the surrounding neighborhood. Moreover, based on the proposed home prices described by the applicant, it is unlikely that the development would result in income diversification in the manner intended by the policy. Policy No. 15, which addresses density, states: “Promote moderate density, traditional neighborhood development style residential subdivisions, which may utilize alley ways and rear vehicular access.” The proposed development does not reflect the lot layout that is traditional in the Druid Hills Historic District, nor is it a traditional single-family residential subdivision with the grid pattern of streets and alleys found in other TN character areas in the County. It appears that the property to be affected by the zoning proposal has a reasonable economic use as currently zoned. Single-family detached homes are currently under construction on three historic district properties on the east side of Briarcliff Road and on large, deep lots throughout the Historic District. The zoning proposal would set a negative precedent for future rezoning of nearby properties, (particularly the four residential properties to the north, between the subject property and The By Way, which have similar characteristics as the lots that comprise the subject property. The proposed development would adversely affect the Druid Hills Historic District. Regarding the zoning proposal, Historic Preservation Commission commented: “We are required to preserve historic plat patterns. We can’t support this.” Therefore, the Department of Planning & Sustainability recommends, “Denial”.

**PLANNING COMMISSION VOTE: (9/10/19) Full Cycle Deferral, 9-0-0.** A. Atkins moved , E. Patton seconded for a full cycle deferral, as per the staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: (10/15/19) Full Cycle Deferral, 4-1-1.** The Community Council recommended full cycle deferral because they wanted feedback from the HPC before making a final vote. **(8/13/19) Denial, 6-0-0.** The Community Council thought that the proposal is not compatible with the surrounding area and the Druid Hills Historic District.





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

**330 Ponce De Leon Avenue, Suite 500**

**Decatur, GA 30030**

**(404) 371-2155 / plandev@dekalbcountyga.gov**

**Planning Commission Hearing Date: November 5, 2019, 6:30 P.M.**

**Board of Commissioners Hearing Date: November 19, 2019, 6:30 P.M.**

### **STAFF ANALYSIS**

**Case No.:** Z-19-1243376 **Agenda #:** D1

**Location/Address:** 1051, 1047, and 1043 Briarcliff Road, Atlanta **Commission District:** 2 **Super District:** 6

**Parcel ID(s):** 18-001-05-021 through -023

**Request:** Rezone property within the Druid Hills Historic District from R-85 (Residential Medium Lot-85) to RSM (Residential Small Lot Mix) to allow development of a 16-unit mixed residential development consisting of two-family, three-family, and urban single-family detached homes at a density of 5.3 units per acre.

**Property Owner(s):** Elegant Homes, LLC

**Applicant/Agent:** Elegant Homes, LLC

**Acreage:** 3.02

**Existing Land Use:** Three single-family detached homes.

**Surrounding Properties:** To the northwest: single-family residential homes (zoned MR-2); to the north: the Stillwood Chase condominium development (zoned MR-2); to the northeast, east, and southeast: single-family residential homes (zoned R-85); to the south: Metro City Church/Morningside Elementary School Kindergarten Center (the former Metropolitan Cathedral site) (zoned R-85); to the southwest and west: Callanwolde Art Center and Pruitt Health nursing home (zoned O-I).

**Comprehensive Plan:** TN (Traditional Neighborhood)



**Consistent**



**Inconsistent**

<b>Proposed Density:</b> 5.3 units/acre	<b>Existing Density:</b> 1 unit/acre
<b>Proposed Units:</b> 16	<b>Existing Units:</b> 3
<b>Proposed Lot Coverage:</b> 40%	<b>Existing Lot Coverage:</b> (estimated) less than 10%

**Zoning History:** Based on DeKalb County records, it appears that the R-85 zoning of the property has not changed since adoption of the first zoning ordinance and map in 1956. The property is located within the boundaries of the Druid Hills Historic District and was listed on the National Register of Historic Places in 1979. In 1996, the County approved the Druid Hills Historic District as a local district, adopted the Druid Hills Design Guidelines, and instituted a public hearing process for review of changes to sites and buildings in the District.

## **SITE AND PROJECT ANALYSIS**

The subject property is a 3.02-acre tract with approximately 240 feet of frontage on the east side of Briarcliff Road, a two-way, four-lane arterial. The property is comprised of three lots that were developed with single-family homes between 1947 and 1950. The topography of the site slopes declines gradually from Briarcliff Road, rises to a higher elevation in the center of the rear half of the property, then falls away again to the rear property line. Mature trees, including many with trunks over 20 feet in diameter, are located in the front yards of all three parcels, and are densely located in the rear yards of 1047 and 1051 Briarcliff Road.

The property is located just north of the City of Atlanta boundary, approximately .7 miles north of the intersection of Briarcliff Road with Ponce de Leon Avenue, a major arterial that connects with the City of Decatur on the east and Interstate 85 on the west. The subject property is located at the western edge of a single-family residential neighborhood that was platted with large, deep lots typical of the oldest parts of the Druid Hills Historic District. The adjoining lots to the rear of the site and lots to the south of the adjoining Metro City Church property show these characteristics. Lot sizes of properties to the north of the site, up to The By Way and along the By Way to Springdale Road, are smaller although the homes on these lots are set back a considerable distance from the street, allowing space for heavy landscaping and tree cover in their front yards.

The property, as well as almost the entirety of the surrounding Druid Hills historic district, is designated on the Future Land Use Map of the 2035 Comprehensive Plan as a Traditional Neighborhood (TN) character area. (Portions of the historic district in the City of Atlanta are not designated on the county Land Use Map.)

The Metro City Church/Morningside Elementary School Kindergarten Center (formerly, the Metropolitan Cathedral), constructed in 1960, adjoins the subject property to the south. The Pruitt Health-Virginia Park nursing home and rehabilitation center is located directly across Briarcliff Road from the subject property. The Callanwolde Art Center and the Laurel Heights Hospital are located on the adjoining properties to the south of the nursing home. The Stillwood Chase condominiums are located to the northwest, across Briarcliff Road at the corner of Stillwood Drive. These properties depart from the predominantly single-family residential character of the Historic District. A row of single-family homes on the east side of Briarcliff Road, south of the Metro Church property (975 – 921 Briarcliff Road), are typical of the larger estate-size historic homes found along Ponce de Leon Avenue and other parts of in the District: they are two or two and a half stories, brick, have 3,000 to 3,800 square feet of floor area, and are designed in the Tudor, Georgian, or Italianate style.

The proposal under consideration is for a 16-unit residential development comprised of two three-family buildings and ten urban single-family detached homes. As proposed, the three-family buildings are set back from the front of the property to be consistent with the average setback of the homes located between the subject property and The By Way. The three-family buildings, which would be the most visible component of the development from the street, are designed in the Italian Renaissance style. The urban single-family detached homes are located behind the three-family buildings, laid out around a central green space. The front of the site is proposed to be enhanced open space in the form of a Green with soft-surface pedestrian paths.

As proposed, vehicular access to the units is provided by a 20-foot wide private drive that circles around the detached homes. The garage entrances to the three-family buildings are at the rear of each building. Garage entrances to the urban single-family detached units are on the sides of the units that overlook the private drive. The applicant has explained that the front doors of the single-family units face the central green space. Visitor parking is provided at the rear of the three-family units and along the portion of the private drive located closest to the adjoining Metro Church site. In addition, two visitor parking spaces are located along the southeastern portion of the private drive. A pedestrian path links the units with the existing sidewalk located along Briarcliff Road.

The application states that the units “would range in size from 2,500 to 3,500 square feet and are estimated to market for \$750,000 to \$1 million apiece.”

**Access and Transportation Considerations:**

Briarcliff Road is a two-way, three-lane minor arterial. Travel lanes are approximately 8.5 feet wide; i.e., approximately 2.5 feet narrower than the current standard of 11 feet. The property is located approximately 80 feet south of the signalized intersection of Briarcliff Road and Stillwood Drive, a two-way local street that terminates on the west side of Briarcliff Road, and approximately 311 feet south of the intersection of Briarcliff with The By Way, a two-way local street that terminates on the east side of Briarcliff Road. A four- to five-foot sidewalk is located along Briarcliff Road. Briarcliff Road is served by the No. 6 MARTA bus route.

**Compliance with District Standards:**

RSM STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. D.U.s/ACRE		Base: 4; with bonuses: up to 8 units/acre	5.3 units/acre	Yes (allowed by density bonus)
DENSITY BONUSES		Enhanced open space $\geq 20\%$ of site for 50% bonus (+ 2 units/acre)	Enhanced open space (green at front of site and pocket park in interior) = 64% of site	Yes
MIN. OPEN SPACE /ENHANCED OPEN SPACE		Not required. (20% required if project is > 5 ac. or $\geq 36$ d.u.s)	Open space = 64% of site Enhanced open space = $\frac{1}{2}$ open space = 32% of site	Not required.
MIN. LOT AREA		Not applicable; no individual lots proposed.	Not applicable.	Not applicable.
MIN. LOT WIDTH		Not applicable; no individual lots proposed.	Not applicable.	Not applicable.
MAX. LOT COVERAGE (of total parcel acreage)		Urban single-fam. detached: 70%; Two- and three-family: 50%	40%	Yes
BUILDING SETBACKS	FRONT (for overall site)	(Druid Hills Design Guidelines) Average setback – 141 feet	148 - 155 feet	Yes
	INTERIOR SIDE (for overall site)	Not applicable; superseded by required transitional buffer	Not applicable.	Not applicable.
	REAR W/O ALLEY (for overall site)	Not applicable; superseded by required transitional buffer	Not applicable.	Not applicable.
BUILDING SPACING		Min. 3 ft. with fire rating or min. 7 ft. w/out fire rating & no windows (ICC Code)	8 – 25 feet	Yes

RSM STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MINIMUM UNIT SIZE	Urban single-fam. detached: 1,100 s.f.; Two- and three-family: 1,000 sq. ft.	Units will meet size minimums.	Yes
MAX. BLDG. HEIGHT	Urban single-fam. detached: 3 stories or 45 ft. ; Two-family: 35 ft.	Building heights will not exceed 35 ft.	Yes
MIN. STREETSCAPE DIMENSIONS - PROPERTY FRONTAGE	(Arterials) 5-ft. landscape strip, 5-ft. sidewalk, street trees 50 ft. on center	Existing historic sidewalk with no street trees	Administrative variance is required.
MIN. STREETSCAPE DIMENSIONS - PRIVATE DRIVES	5-ft. landscape strip and 5-ft. sidewalk on each side; street trees for every unit, or separation of peds & autos	Pedestrian paths separate pedestrians and automobiles.	Yes
TRANSITIONAL BUFFERS	20-ft. buffer & screening fence required next to R-85 property unless developed with a non-residential use.	North side: 30 feet Rear: 40 feet	Yes
PARKING	Urban s-f detached – min. 2, max. 4 spaces per unit = min. 20, max. 40  Two- and three family, not including garage – min. 1 space, max. 4 spaces = min. 6, max. 24	20 garage spaces (2 per unit) 7 visitor spaces  12 garage spaces 12 visitor spaces	Yes

#### QUALITY OF LIFE METRICS

Open Space: 42,396 square feet (64%)

Pedestrian Paths: 1,077 linear feet

#### LAND USE AND ZONING ANALYSIS

Section 27-832 of the Zoning Ordinance, “Standards and factors governing review of proposed amendments to the official zoning map” states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

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

The proposed development is not consistent with the policies contained in the 2035 Comprehensive Plan for the TN (Traditional Neighborhood) character area. The development does not introduce the kind of mixture of uses that is contemplated by TN Policies 2 and 3, which identify “pedestrian-accessible retail” and “small-scale convenience goods/services” at “qualifying intersections”. TN Policy No. 7 states, “Permit accessory housing units, or new well-designed, small-scale infill multifamily residences to increase neighborhood density and income diversity.” This policy must be balanced against TN Policy No. 1, which states, “Protect stable neighborhoods from incompatible development that could alter established residential development patterns

and density.” Historic district designation of the property reinforces the importance of maintaining the established density of the development. While Policy No. 7 might apply to other TN neighborhoods where population increases are desirable (for example, to supply potential riders for new public transit projects or to support nearby commercial redevelopment projects), no such conditions are found in the surrounding neighborhood. Moreover, based on the proposed home prices described by the applicant, it is unlikely that the development would result in income diversification in the manner intended by the policy. Policy No. 4, which addresses density increases, it does not directly encourage such increases but instead simply says that such increases “should be evaluated for their impact on county facilities and should not degrade the overall quality of service delivery and quality of life for the surrounding established neighborhood.” Policy No. 15, which also addresses density, states: “Promote moderate density, traditional neighborhood development style residential subdivisions, which may utilize alley ways and rear vehicular access.” The proposed development is not a traditional single-family residential subdivision contemplated by Policy No. 15, nor does it have the grid pattern of streets and alleys found in some traditional subdivisions in other TN character areas in the County. Moreover, it does not reflect the lot layout that is traditional in the Druid Hills Historic District. Policy No. 15 clearly does not apply to the development proposal under consideration.

**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 proposed development would not be suitable in view of the use and development of adjacent and nearby properties. The proposed development would be residential, like surrounding residential properties. However, inclusion of proposed and nearby land uses in the general land use category of “residential” may be necessary to determine suitability, but it is not sufficient to determine suitability for every proposal. The cluster of urban single-family detached homes located to the rear of the site would be dissimilar in density to the homes on adjacent and nearby properties. Even if the three-family buildings were hidden from view by the trees in the front of the site, and if the urban single-family homes were hidden by from view by the three-family buildings, the density of the proposed development is not suitable in the context of the property’s surroundings.

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

The property to be affected by the zoning proposal has a reasonable economic use as currently zoned. The single-family/historic district zoning of properties on the east side of Briarcliff Road, and on other comparable properties, has not deterred redevelopment of these lots. Single-family detached homes are currently under construction on three historic district properties on the east side of Briarcliff Road: a 4,000 square foot home is under construction at 1250 Briardale Lane, (located at the northeast corner of Briarcliff and Briardale); a 4,652 square foot home is under construction at 1377 Briarcliff Road; and a 4,432 square foot home is under construction at 1287 Harvard Road (at the southeast corner of Briarcliff and Harvard Road). All three lots are smaller than those that comprise the subject property. They are .28 -.35 acres in size, whereas those of the subject property are 1 – 1.02 acres in size and 542 – 557 feet deep. The applicant has argued that high land costs in the area pose challenges to redevelopment of large lots such as those that comprise the subject property for single-family residential homes. However, the following other homes in the Historic District currently under construction or recently constructed have large, deep lots:

851 Oakdale Road (.99 acres, depth 428-430 feet)  
956 Springdale Road (1.22 acres, depth 542-545 feet)  
929 Springdale Road (1.11 acres, depth 217-310 feet)  
879 (a.k.a. 913) Lullwater Parkway (1.22 acres, 303-323 feet)

In addition, a Certificate of Occupancy was issued in 2018 for construction of a new home at 627 Ridgecrest Road, a lot with 1.2 acres and 406-469 feet of depth.

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

Transitional buffers along the north and east property lines, at depths that exceed the required 20 feet, have been proposed to mitigate potential impacts of the proposed development on adjoining properties. In addition, the majority of the guest parking has been moved to the south property line where it adjoins the Metro Church site. The topographic section provided by the applicant shows that the urban single-family detached homes proposed to be located at the rear of the subject property would be separated from the existing homes on adjoining properties to the east by approximately 430 feet. The topographic section, and the County topographic map show that the proposed homes would be building on grades approximately 31 – 41 feet higher than those of the homes to the east. Screening of the proposed homes relies on preservation of the mature trees in the proposed rear transitional buffer and in the rear yards of the adjoining homes. Similarly, trees in the proposed transitional buffer along the north property line would need to be preserved in order to screen the subject property from view from adjoining properties to the north.

**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 zoning proposal would set a negative precedent for future rezoning of nearby properties, particularly the four residential properties to the north, between the subject property and The By Way (1057, 1065, 1067, and 1161 Briarcliff Road). These four properties have similar characteristics as the lots that comprise the subject property; that is, they are located on the east side of Briarcliff Road and they were developed with contributing structures on lots that were platted after 1946. There is no natural boundary between the subject property and the four lots to the north. If the proposed zoning classification of RSM were approved for the subject property, such a boundary could prevent future expansion of RSM district up to The By Way. In a similar manner, the zoning proposal could be used as a precedent to rezone the Metro Church site to a classification that would allow higher density residential development. There are already several higher-density residential and non-residential land uses in the immediate vicinity of the subject property. Rezoning of other properties on Briarcliff Road to higher residential densities would further compromise the historic character of the Briarcliff Road corridor and the residential character of the neighborhood on the east side of Briarcliff Road.

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

The proposed development would adversely affect the Druid Hills Historic District. Development of the subject property as proposed would consolidate three lots that were platted in the characteristic pattern found on lots to the rear of the subject property, to the south of the adjoining Metro City Church property, and throughout the Druid Hills Historic District. The three lots were platted after 1946; i.e., after the period of significance defined for local historic district designation, and are thus considered “non-historic”. However, the size and shape of the three lots closely resemble that of lots that were platted in the Historic District as early as the period between 1924 and 1931, including the lots on the east side of Briarcliff Road, south of the Metropolitan Church property. The three lots have been deemed contributing properties to the National Register District, and are considered to have become part of the historic layout of the District. The Design Manual recommends, for National Register Character Area 1, in which the subject property is located: “Preserve the historic plat pattern through respect for existing site development patterns and rhythms. Subdivision of large lots should be strongly discouraged.”

Regarding the zoning proposal, Historic Preservation Commission commented: “We are required to preserve historic plat patterns. We can’t support this.”

**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 Transportation Division does not typically comment on the capacity of the surrounding road system to absorb the number of cars that would be generated by a proposed development, but instead recommends road improvements that would enable the county to provide adequate infrastructure for new development. However, it should be noted that the DeKalb County 2014 Transportation Plan (Figure 5-21) indicates that the segment of Briarcliff Road between the Atlanta city line and North Decatur Road (a .90 mile length which includes the roadway directly in front of the subject property) is projected by 2040 to have Level of Service F during the PM peak traffic hours. Regarding traffic geometrics of the site, consolidation of the existing three driveways into one driveway would tend to improve the safety of turning movements in and out of the property, and the Public Works Division of Traffic Engineering has commented that there are no observable traffic engineering concerns at this time.

There has been no indication from reviewing departments and agencies that the proposed development would burden utilities or schools.

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

Existing trees at the front of the site would be preserved to a depth of 141 feet, and trees would be planted along the sides and rear of the site. After redevelopment, 64% of the site would be natural or enhanced open space, thereby exceeding the requirement for applicable development in the RSM district by 44%. Thus the redevelopment proposal would allow for preservation of a significant number of trees, and for provision of a relatively large amount of open space. However, it is likely that redevelopment of the subject property for three single-family homes under the existing zoning would preserve as much or more natural area.

**STAFF RECOMMENDATION:**

The proposed development is not consistent with the policies contained in the 2035 Comprehensive Plan for the TN (Traditional Neighborhood) character area. The development does not introduce the kind of mixture of uses that is contemplated by TN Policies 2 and 3. It is not consistent with TN Policy No. 1, which states, "Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density." Historic district designation of the property reinforces the importance of maintaining the established density of the development. While the policy might apply to other TN neighborhoods where population increases are desirable (for example, to supply potential riders for new public transit projects or to support nearby commercial redevelopment projects), no such conditions are found in the surrounding neighborhood. Moreover, based on the proposed home prices described by the applicant, it is unlikely that the development would result in income diversification in the manner intended by the policy. Policy No. 15, which addresses density, states: "Promote moderate density, traditional neighborhood development style residential subdivisions, which may utilize alley ways and rear vehicular access."

The proposed development does not reflect the lot layout that is traditional in the Druid Hills Historic District, nor is it a traditional single-family residential subdivision with the grid pattern of streets and alleys found in other TN character areas in the County. It appears that the property to be affected by the zoning proposal has a reasonable economic use as currently zoned. Single-family detached homes are currently under construction on three historic district properties on the east side of Briarcliff Road and on large, deep lots throughout the Historic District.

The zoning proposal would set a negative precedent for future rezoning of nearby properties, (particularly the four residential properties to the north, between the subject property and The By Way, which have similar characteristics as the lots that comprise the subject property.

The proposed development would adversely affect the Druid Hills Historic District. Regarding the zoning proposal, Historic Preservation Commission commented: "We are required to preserve historic plat patterns. We can't support this."

Therefore, the Department of Planning & Sustainability recommends, "Denial".





**Attachments:**

1. Department and Division Comments
2. Board of Health Comments
3. Board of Education Comments
4. Application
5. Survey (existing conditions)
6. Site Plan
7. Elevations
8. Zoning Map
9. Land Use Map/Druid Hills HD
10. Aerial View
11. Site Photos

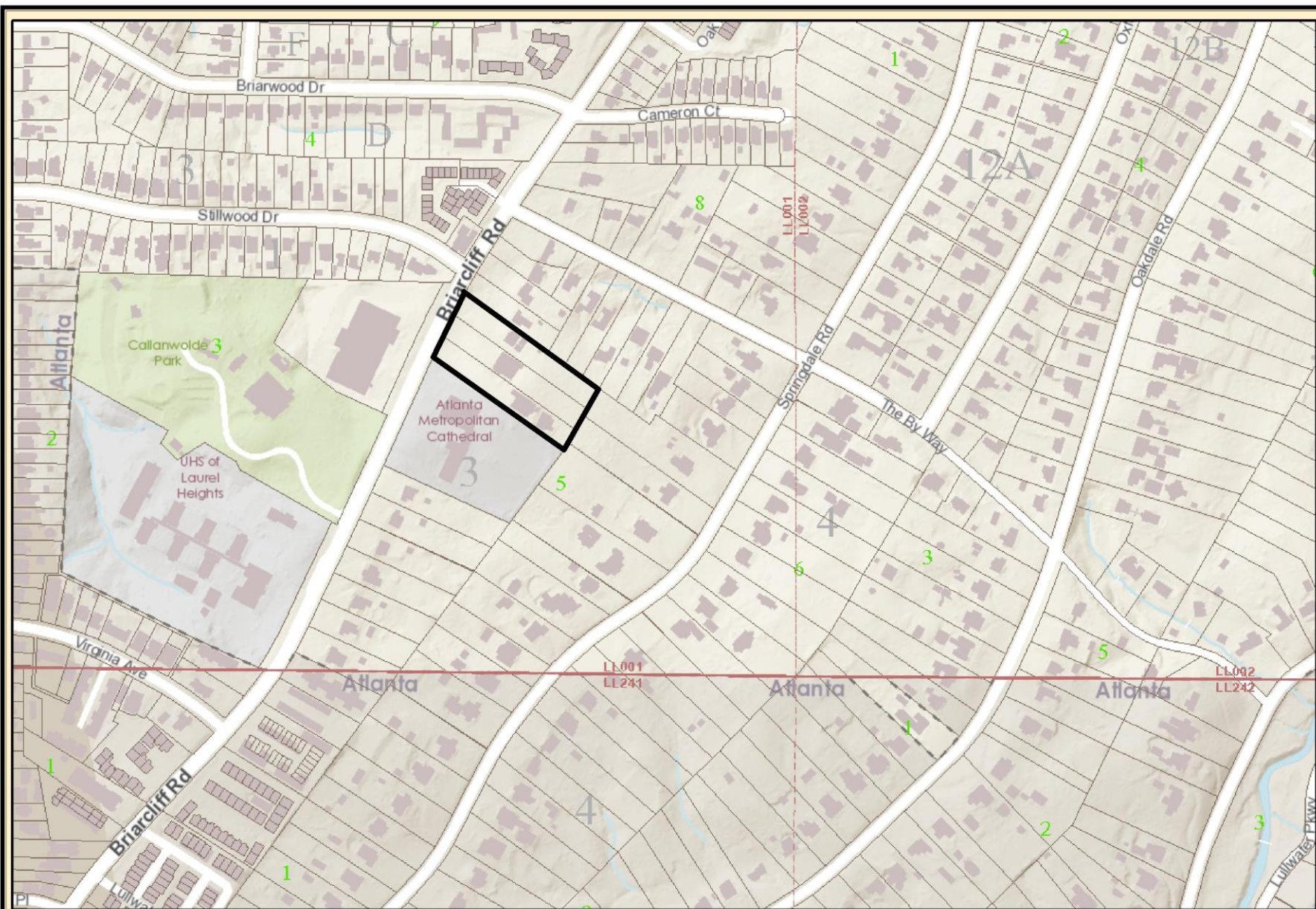


## NEXT STEPS

*Following an approval of this zoning 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 or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
-  **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- **Sketch 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.**



## Platting Pattern



Date Printed: 10/24/2019




### DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.

## Comments – Transportation Division

N1. No customer parking on Tolbert Drive between the driveway and Frazier Rd. All parking must be on property or east of driveway on Tolbert Drive as to not interfere with the intersection of Frazier Rd at Frazier Ct/Tolbert Dr.

 N2. Briarcliff Road is SR 42. GDOT review and approval of access points and right of way improvements required prior to issuance of permits. Briarcliff Road is classified as a minor arterial. Right of way dedication of 40 feet from centerline required. 6-foot sidewalk, bike facilities and street lights required. Bring sidewalks and header curb up to current code requirements. Verify sight distance for access point prior within plan approval submittal.

N3. Owner needs to coordinate with the plans for the adjacent Kroger Shopping Center. Kroger has approval for proposed work in the right of way in front of this property to add a turn lane onto Henderson Mill Road (for the tapers). Chamblee Tucker Road and Henderson Mill Roads are both classified as minor arterials. Right of way dedication of 40 feet from centerline required. 6-foot sidewalk, bike facilities and street lights required. Bring sidewalks and header curb up to current code requirements. Only one access point allowed on each road as far away from traffic signal as possible. Provide ADA ramps for the crosswalks at signal (existing, but not shown on plan).

N4. Build sidewalks along entire frontage of Citadel Square on Memorial College Drive. Street lights required. Memorial Drive is classified as a collector. Right of way dedication required 35 feet from centerline. Bike lanes required- but if developer would install the 6' sidewalks along the entire shopping center property frontage on Memorial College Drive, I would support a variance for the bike lanes.

N5. Eastland Road is classified as a collector street. Right of way dedication of 35 from centerline required. 6 foot sidewalks, street lights and 5 foot landscape strip required. Bike lanes required. Lake Drive is classified as a local street. Must bring street up to standards- complete improvements of half the road along the frontage. Dedication 27.5 feet from centerline of right of way. 6 inch header curb, five foot sidewalks, five foot landscape strip, street lights.

N6. Flat Shoals Parkway is DR 155. GDOT review and approval of access points and right of way improvements required prior to issuance of permits. Flat Shoals Parkway is classified as a major arterial. 6-foot sidewalk, bike facilities, 50 right of way dedication, and street lights required. Only Right in/right out access point allowed. No acceleration lane. Local streets must have a 55 foot right of way, 12-foot travel lanes, 6-foot landscape strip, 5-foot sidewalk and street lights required. Verify sight distance for vehicles existing site within plan approval submittal.

N7. Coordination with GDOT's MMIP projects along I-20 required prior to permitting. Coordination with MARTA I-20 east line required prior to permitting. Bring Snapfinger Road along property frontage down to apartment driveway (Wesley Club Drive) up to current county standards (24 pavement, header curb, 5-foot sidewalk, landscape strip, and street lights). Please note that existing site plans appears to use a County owned ROW corridor (Kelly Chapel Road). Roundabout also appears to be on property owned by others. Streets beyond roundabout to be private.



# 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) AND/OR LASONDRA HILL  
[lahill@dekalbcountyga.gov](mailto:lahill@dekalbcountyga.gov)

## COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: 043, 1047, Z-19-1243376 Parcel I.D. #: 18-001, 05-021 thru 023  
Address: 1051 Bjarcliff Road  
Atlanta, Ga. 30306

### 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<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:

Did not see any traffic engineering concerns at this time.

Signature: Kimberly Russell





DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

**NOTE:** PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER [mmalexander@dekalbcountyga.gov](mailto:mmalexander@dekalbcountyga.gov) OR JOHN REID [jreid@DEKALBCOUNTYGA.GOV](mailto:jreid@DEKALBCOUNTYGA.GOV)

COMMENTS FORM:  
PUBLIC WORKS WATER AND SEWER

Case No.: Z-19-1243376

Parcel I.D. #: 18-001-05-021, 18-001-05-022, & 18-001-05-023

Address: 1051, 1047, and 1043 Briarcliff Road

Atlanta, Georgia

WATER:

Size of existing water main: 6" CI Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

MAY NEED TO UPGRADE TO 8" FOR INCREASED WATER DEMAND FOR 19 UNITS. MFO

SEWER:

Outfall Servicing Project: Peavine Creek Basin

Is sewer adjacent to property: Yes (X) No ( ) If no, distance to nearest line: \_\_\_\_\_

Water Treatment Facility: R. M. Clayton WTF ( ) adequate ( ) inadequate

Sewage Capacity: \* (MGPD)

Current Flow: 127 (MGPD)

COMMENTS:

\* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process. *JK*

Signature: *Carl B.*

DEKALB COUNTY

Board of Health

8/15/2019

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

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

8/15/2019

N.1

SLUP-19-1243346/18-145-05-015

1513 Frazier Road, Decatur, GA 30333

☐ Amendment

- Please review comments.



N.2

Z-19-1243376 2019-4069 18-001-05-021, 18-001-5-022, 18-001-05-023

1051, 1047 & 1043 Braircliff Road, Atlanta, GA 30306

☐ Amendment

- Please review comments.

N.3

SLPU-19-1243377 2019-4070 19-285-02-009

3645 Chamblee Tucker Road, Chamblee, GA 30341

☐ Amendment

- Please review comments.

N.4

Z-19-1243380 2019-4071 18-043-01-026

5100 Memorial Drive, Decatur, GA

☐ Amendment

- Please review comments.

**DeKalb County School District  
Development Review Comments**

**Analysis Date: 8/16/2019**

**Submitted to:** DeKalb County

**Case #:** Z-19-1243376

**Parcel #:** 18-001-05-021/-022/-023

**Name of Development:** 1051, 1047 & 1043 Briarcliff Road

**Location:** Briarcliff Road near the by-way

**Description:** Proposed 16-unit development with a mix of attached and detached units.

**Impact of Development:** When fully constructed, this development would be expected to house 3 students: 1 at Fernbank ES, and 2 in private school. All three neighborhood schools have capacity for additional students.

<b>Current Condition of Schools</b>	<b>Fernbank ES</b>	<b>Druid Hills MS</b>	<b>Druid Hills HS</b>	<b>Other DCSD Schools</b>	<b>Private Schools</b>	<b>Total</b>
Capacity	950	1,182	1,405			
Portables	0	0	0			
Enrollment (Fcst. Oct. 2019)	790	949	1,388			
Seats Available	160	233	17			
Utilization (%)	83.2%	80.3%	98.8%			
<b>New students from development</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>3</b>

New Enrollment	791	949	1,388
New Seats Available	159	233	17
New Utilization	83.3%	80.3%	98.8%

<b>Yield Rates</b>	<b>Attend Home School</b>	<b>Attend other DCSD School</b>	<b>Private School</b>	<b>Total</b>
Elementary	0.0608	0.0073	0.0853	0.1534
Middle	0.0146	0.0005	0.0325	0.0476
High	0.0276	0.0051	0.0390	0.0716
<b>Total</b>	<b>0.1030</b>	<b>0.0129</b>	<b>0.1568</b>	<b>0.2726</b>

<b>Student Calculations</b>	
<b>Proposed Units</b>	10
<b>Unit Type</b>	SF/TH
<b>Cluster</b>	Druid Hills HS

<b>Units x Yield</b>	<b>Attend Home School</b>	<b>Attend other DCSD School</b>	<b>Private School</b>	<b>Total</b>
Elementary	0.61	0.07	0.85	1.53
Middle	0.15	0.00	0.32	0.47
High	0.28	0.05	0.39	0.72
<b>Total</b>	<b>1.04</b>	<b>0.12</b>	<b>1.56</b>	<b>2.72</b>

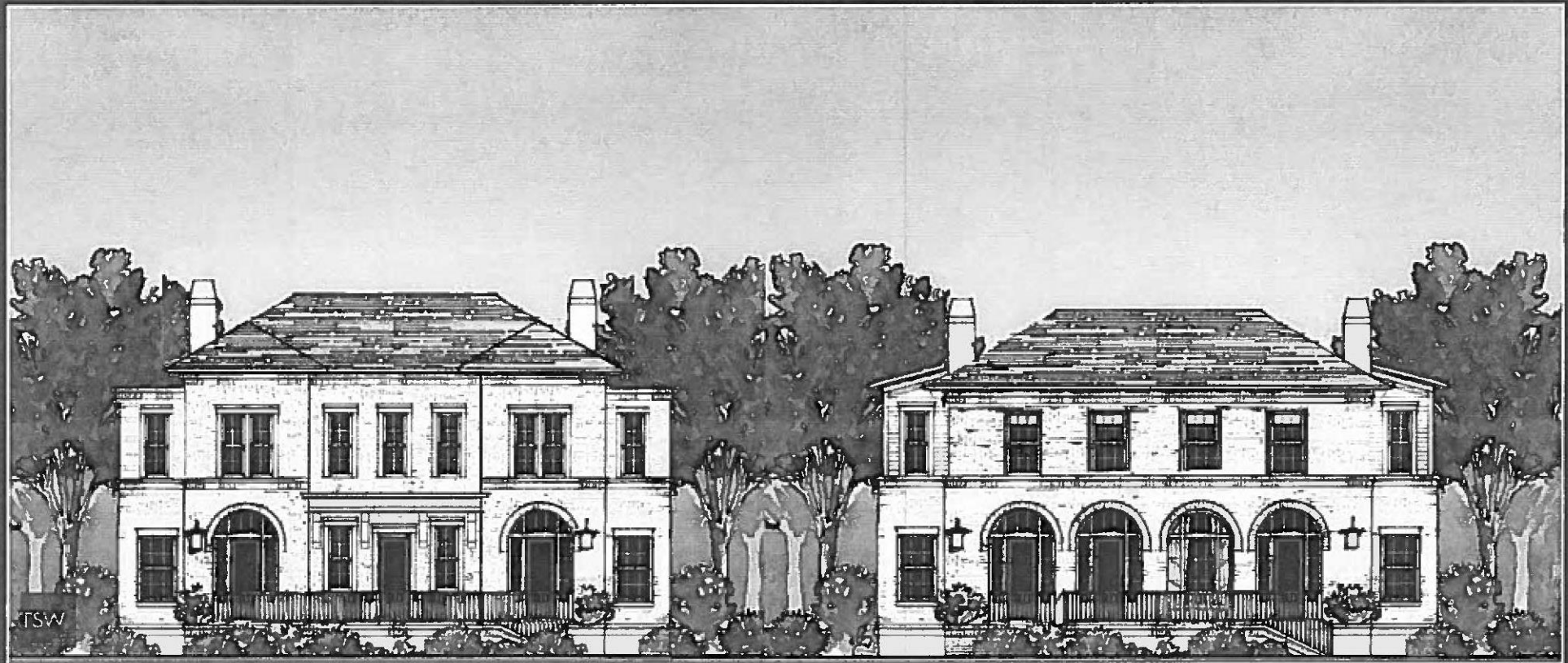
  

<b>Anticipated Students</b>	<b>Attend Home School</b>	<b>Attend other DCSD School</b>	<b>Private School</b>	<b>Total</b>
Fernbank ES	1	0	1	2
Druid Hills MS	0	0	0	0
Druid Hills HS	0	0	1	1
<b>Total</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>3</b>









## Elevation Study

Looking at units 1-6 facing Briarcliff Road

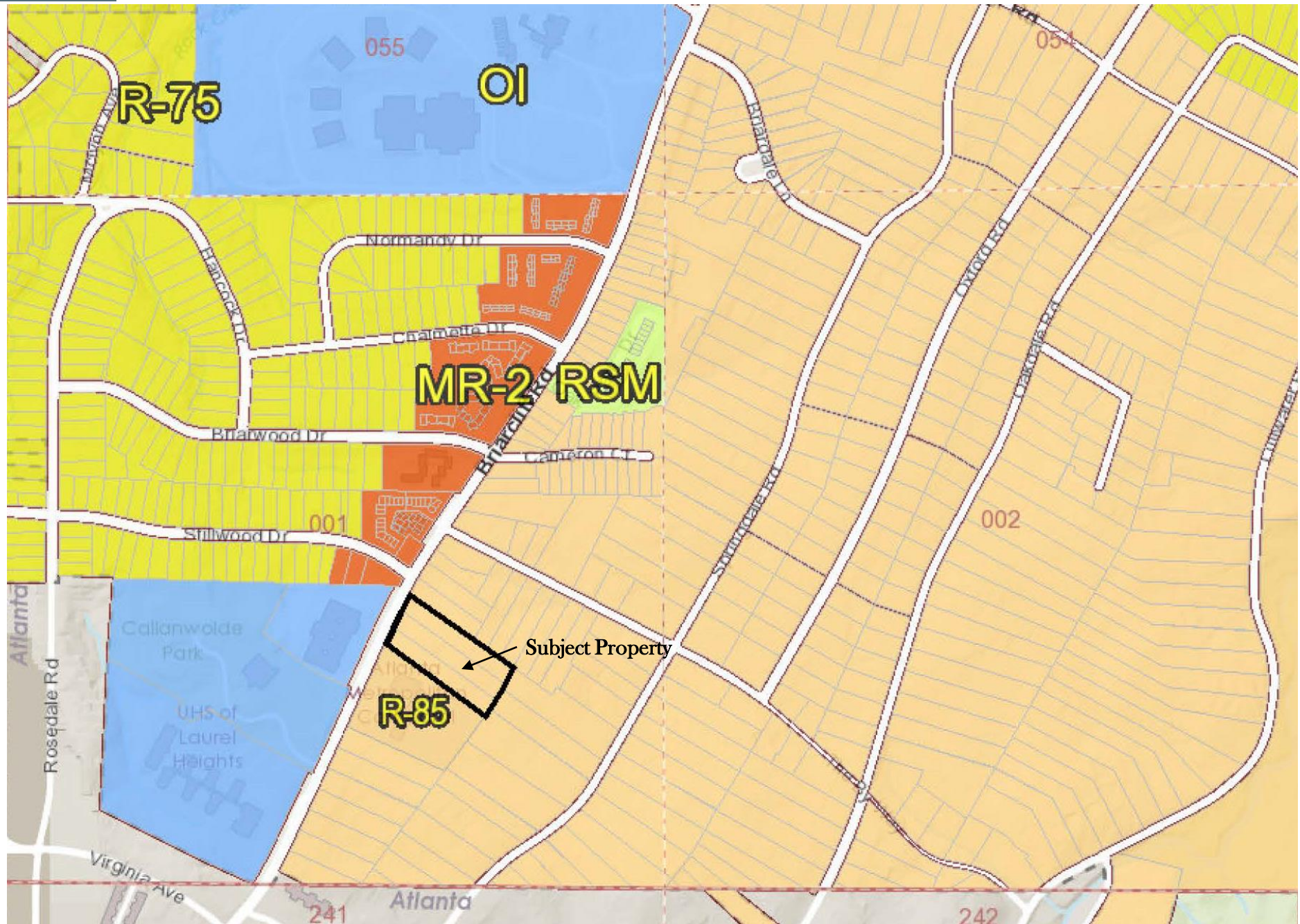
for: Elegant Homes, LLC

by: TSW

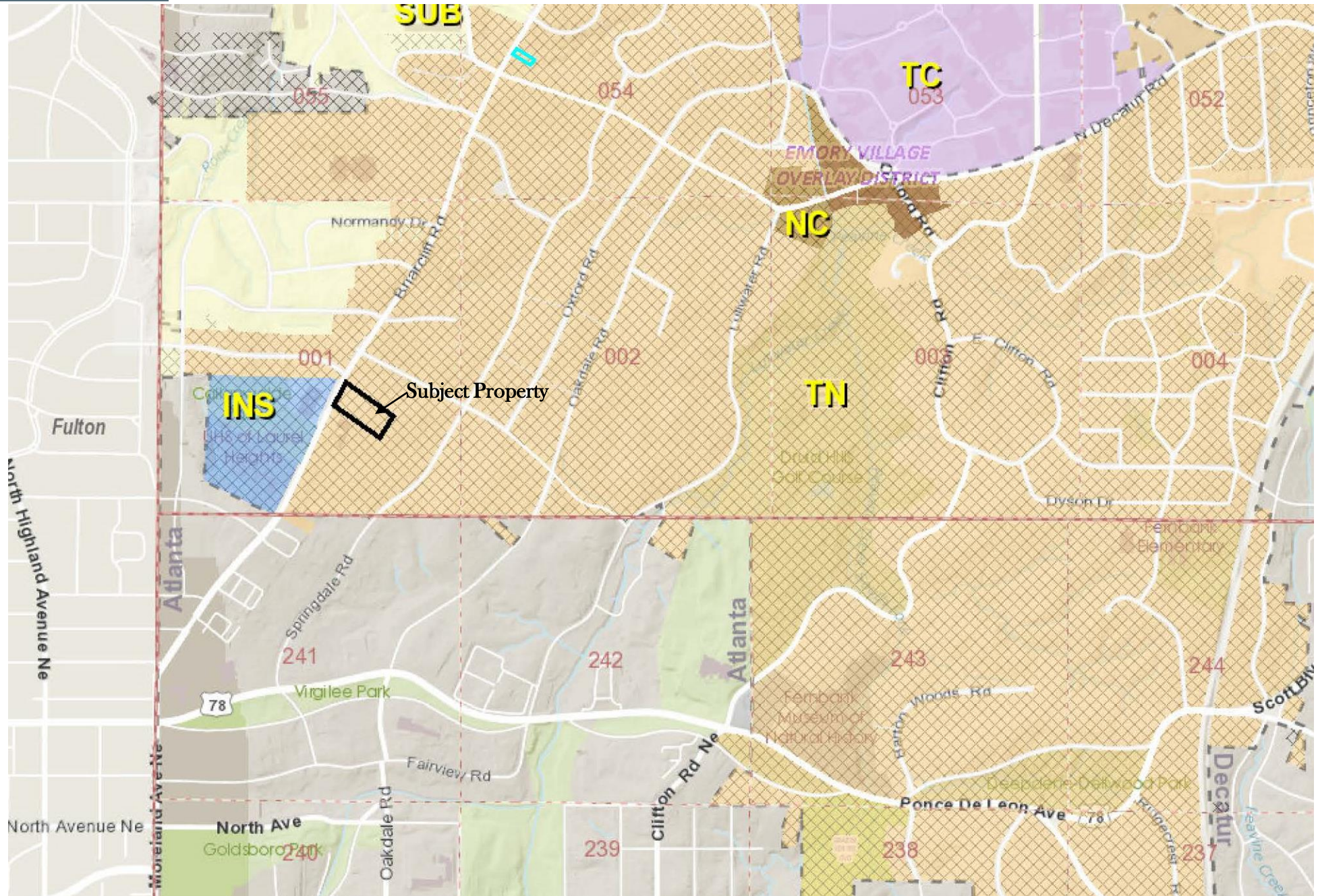
07/03/2019

TSW  
PLANNING  
ARCHITECTURE  
LANDSCAPE ARCHITECTURE

















Views of Briarcliff Road, looking northward from Metro Church site.







(left) 1043 Briarcliff Road and Metro Church/Kindergarten

(right) 1047 and 1051 Briarcliff Road





# DeKalb County Department of Planning & Sustainability

Michael L. Thurmond  
Chief Executive Officer

Andrew A. Baker, AICP  
Director

## APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA

JUL 03 2019

ZICZ No. 2-19-1243376  
Filing Fee: \_\_\_\_\_

Date Received: \_\_\_\_\_ Application No.: \_\_\_\_\_

Applicant: Elegant Homes, LLC E-Mail: amir@useliteestates.com

Applicant Mailing Address: 2870 Peachtree Road, No. 342 Atlanta GA 30305

Applicant Phone: 678.517.2799 Fax: N/A

Owner(s): Elegant Homes, LLC E-Mail: amir@useliteestates.com  
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: 2870 Peachtree Road, No. 342 Atlanta GA 30305

Owner(s) Phone: 678.517.2799 Fax: n/a

Address/Location of Subject Property: 1051, 1047, 1043 Briarcliff Road

District(s): 18th Land Lot(s): 001 Block: \_\_\_\_\_ Parcel(s): 18-001-05-021;022;023

Acreage: 3.02 Commission District(s): 2.6

Present Zoning Category: R-85 Proposed Zoning Category: RSM

Present Land Use Category: TN

### PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

#### Disclosure of Campaign Contributions

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? \_\_\_\_\_ Yes X No

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and the Board of Commissioners, DeKalb County, 1300 Commerce Drive, Decatur, Ga. 30030.

NOTARY

SIGNATURE OF APPLICANT / DATE

Check One: Owner X Agent \_\_\_\_\_

EXPIRATION DATE / SEAL

330 West Ponce de Leon Avenue - Suites 100-500 - Decatur, Georgia - 30030  
[voice] 404.371.2155 - [Planning Fax] (404) 371-4555 [Development Fax] (404) 371-3007  
Web Address <http://www.dekalbcountyga.gov/planning>  
Email Address [planninganddevelopment@dekalbcountyga.gov](mailto:planninganddevelopment@dekalbcountyga.gov)





## Public Notice

To

### Request for Rezoning

Filed by: Elegant Homes

Located at: 1051, 1047, 1043 Briarcliff Road NE

Atlanta, Georgia 30306

**Current Zoning:** R-85, Traditional Neighborhood

**Proposed Zoning:** RSM, Traditional Neighborhood

**Overview:** Applicant proposes to rezone three properties off Briarcliff Road for a single family development. The development will be comprised of single family attached and detached product designed to respect the Druid Hills historic district. Please join us at the community meeting to view the proposed plan. Project designers will be available to address any questions or concerns.

**PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT:** St. John's Lutheran Church

**Location:** 1410 Ponce de Leon Avenue, NE

Atlanta, GA 30307

**Date & Time:** June 27, 2019 at 7pm

# MEETING SIGN-IN SHEET

Project: 1051, 1047, 1043 Briarcliff Rd. Meeting Date: 6/27/2019  
Facilitator: Ryan S. (TSW) Location: St. John's Lutheran

Name	Address	Phone	E-Mail
Hannah Shaw	1161 THE BY WAY NE	678 5122942	HSHAW17@GMAIL.COM
Kate David	1067 Briarcliff Road NE	404-729-4446	Katedavid@gmail.com
Allen Ballou	324 S. Edwards Ave	755/9000	allballou@ix.netcom.com
Kevin Sullivan	1065 Briarcliff Rd NE	908-246-3571	sullikts@gmail.com
Melanie Pinkerton	1193 The By Way NE	404-461-1443	pinkertonml@yahoo.com
Malissa Peace	1066 Briarcliff Rd NE	404-512-4160	mpeace45@gmail.com
Briley Brisendine	956 SPRINGDALE	678-429-3460	bbrisendine@sitone.com brileybrisendine@gmail.com
Elena Parent	"	404-229-9596	elena.parent@gmail.com
→ Marshall Orson	970 Springdale	404-621-3205	morsone@mail.com
Peggy Orson	"	404-275-7654	peggy.orson@wellstar.com



## Briarcliff Road Site – Letter of Application

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June 28, 2019

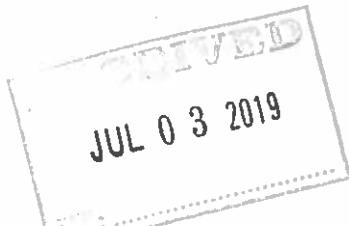
### REZONING

Applicant proposes to rezone three properties off Briarcliff Road for a single family development. The development will enable a mix of single family attached and detached housing options designed to respect the Druid Hills historic district.

- a) **Proposed zoning classification:** RSW
- b) **Reason for the rezoning:** to enable a mix of single family attached and detached housing options.
- c) **Existing and proposed use of the property:** Currently the property is zoned R-85 with a Traditional Neighborhood future land use designation. The site consist of three existing single family detached units that are unoccupied. Upon successful rezoning to RSM, it is proposed a mix of attached and detached product will be developed as illustrated on the site plan; providing housing options not currently available in this area. The proposed units (as seen on the site plan) will be designed and constructed with quality materials respecting the Druid Hills Historic District.
- d) **Detailed characteristics of the proposed use** (e.g. floor area, height of building(s), number of units, mix of unit types):
  - a. **Floor Area:** each unit will be greater than 1,200sf
  - b. **Height of Buildings:** TTF will not exceed 35'; U-SF will not exceed 45'
  - c. **Number of Units:** 19
  - d. **Unit Mix:** urban single family attached/ detached; two/three family
- e) **Statement of conditions discussed with the neighborhood or community:** A Pre-Submittal Community Meeting was held on June 27, 2019 at St. John's Lutheran Church. Applicant is reviewing comments received at the meeting; no conditions have been presented at this time.

Attached as Exhibit A, please find a rendering of the proposed development.





## **Briarcliff Road Site – Impact Analysis**

June 28, 2019

Section 27-7.3.5. The following standards and factors are found to be relevant to the exercise of the county's zoning powers and 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.
  - a. The DeKalb County Comprehensive Plan's 2035 Future Land Use Map currently list the property as Traditional Neighborhood (TN). All other properties on the block are also listed as TN. This rezoning request does not conflict with the 2035 Future Land Use Plan.
- B) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
  - a. The zoning proposal will not adversely affect existing developments or reduce the usability of existing developments. This section of the Briarcliff corridor is a mix of single family detached, townhouse, multifamily (condo/rental), healthcare providers, and institutions (both cultural and religious). The proposed mix of attached and detached housing options does not conflict with the eclectic mix of uses currently found on adjacent and nearby properties.
- C) Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned.
  - a. The proposed plan provides optimal economic use for the property while keeping with the 2035 Future Land Use Map. The property is currently comprised of three vacant single family detached units that require costly lead and mold abatement. The units sit on 80' wide lots that vary in depth from approximately 525' to 550'. It would be impracticable to renovate the units to meet the expected standards of the Druid Hills homebuyer. Additionally, the depth of the lots are not conducive to the existing small midcentury units. It appears the existing units are "infill" housing; placed in an area originally intended for houses with greater frontage on Briarcliff Road. The existing long rectangular parcels are inefficient and prevent a reasonable economic use for the land.
- D) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties.
  - a. No properties nearby will be affected by the rezoning of the property to RSM. The area currently has a mix of zoning designation including RSM, OI, R-85(existing), and MR-2 along this section of the Briarcliff corridor.
- 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.

- a. The property has always functioned as residential. The rezoning of the property would allow for greater flexibility in housing options along this corridor.
- F) Where the zoning proposal will adversely affect historic building, sites, district, or archaeological resources.
  - a. The zoning proposal is within the Druid Hills Historic District. The proposed site plan has been organized so to respect the corridor by placing two structures at the front of the property. Each structure will be designed to appear as traditional single family detached house, in keeping with the historic district, containing three dwelling units each. Additional units are organized behind the two main structures so to not directly affect the view shed of the Briarcliff corridor. The property has three existing units that are not within the 1895-1941 period of significance for the historic district. The existing units appear to be infill houses developed on vacant lots around 1950.
- G) Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
  - a. The proposed plan is expected to appeal to "empty nesters" who wish to downsize and stay within the Druid Hills neighborhood. This proposal is not expected to cause excessive burdensome on schools or transportation facilities. Due to the density increase an impact on existing streets will be created, but the impact should not be concentrated excessive of burdensome.
- H) Whether the zoning proposal adversely impacts the environment or surrounding natural resources.
  - a. No streams or wetlands are on the property in question. As part of the proposed development, the landscaping and drainage on the property will be improved. The applicant understands stormwater runoff maybe be a concern of neighboring properties and will provide adequate engineering during the design process to avoid any unwarranted runoff.



6. If EM is successful, the EM Properties would transition from the least dense zoning designation in Druid Hills (R-85) to a designation (RSM) that would permit 12 units per acre.

7. Rezoning of single family residential lots to this level of density (including multi-family units) in the Druid Hills Historic District sets a terrible precedent, and is, in fact, unprecedented; it has never been done.

8. The Application is the very definition of "spot zoning," i.e., a markedly different zoning for a parcel of land within a larger zoned area, but where that different zone is at odds with a municipality's master plan and current zoning restrictions. See, e.g., *East Lands, Inc. v. Floyd County*, 244 Ga. 761 (1979).

9. The denser uses on the West Side of Briarcliff - on which the Application is based - is irrelevant to support EH's position.

10. When the Druid Hills Local Historic District was created, the uses on the West Side were already established, but the decision was made to preserve the historic character of the neighborhood by a R-85 designation beginning on the East Side of Briarcliff that continues further East.

11. A primary goal of the Historic District's zoning is to prevent further degradation of the neighborhood's historic character. Stated another way, the Historic District was created for a reason: to protect the character of Druid Hills as designed by Frederick Law Olmsted - a peaceful residential neighborhood set in harmony with the natural landscape. The zoning scheme's density and lot sizes were selected to further this aim. If developers such as EH are permitted to start chipping away at the configuration of the Historic District, the historic designation will serve no purpose.

12. The Design Manual specifically addresses, in several places, the issues raised by the Application. For example, with respect to why non-historic properties are included within the Historic District, the Design Manual states:

One of the primary reasons for designating historic districts is to protect the historic character and integrity of the **district as a whole**. Selectively deleting non historic properties from boundaries would create a "Swiss cheese" effect (emphasis in original).

Design Manual at Appendices, p. ix.

13. In addition, the Design Manual states:

Intrusions (that is, areas with a high concentration of nonhistoric development) within the core area are included **because of their potential to impact surrounding historic properties and the district as a whole** (emphasis added).

14. Section 9.1 of the Design Manual, "Original Subdivision Forms" also states:

The historic layout of the neighborhoods and subdivisions, located within the Druid Hills Local Historic District, has created the physical framework for the district. This layout, created originally by Frederick Law Olmsted, Sr., has definable characteristics that have been replicated in more recent development plats by later designers. These plans guided the configuration of streets, public open spaces, and private lots. **The original layout creates a historical context for the district. The cumulative effect of alterations to this layout would destroy this context.** (emphasis added).

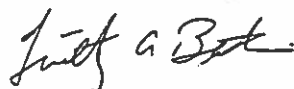
15. There have been earlier attempts to rezone a residential stretch of Briarcliff to medium density. In 1997, the owner of the historic home at 957 Briarcliff Road, a Ms. Gloria Trencio, sought a zoning variance to permit apartments within the house. The DeKalb Board of Commissioners ruled against Mrs. Trencio, and she appealed that decision to the DeKalb County Superior Court. Mrs. Trencio's suit was eventually dismissed.

16. Contrary to EP's statements, there is more than sufficient housing stock available for people who want to remain in or near the neighborhood and yet live in a smaller footprint. Some examples including new multifamily units at Ponce and Briarcliff in the United Methodist Church, multifamily units Briarcliff north of Ponce to the Atlanta City Line, units presently under construction at Virginia Avenue and Briarcliff (City of Atlanta), and the historic apartments on the West Side of Briarcliff just north of the By-Way.

17. Traffic on Briarcliff Road is already very difficult. Local residents note the terrible late afternoon /evening traffic on Briarcliff, Springdale, Oakdale, and Lullwater heading south, making it impossible difficult to cross Ponce at that time of day. North Decatur East of Briarcliff on into Emory Village is also frequently "clogged."

WHEREFORE, and for all of the foregoing reasons, Timothy and Lynn Baxter respectfully request that the DeKalb County Historical Commission recommend denial of the Application of Elegant Homes, LLC To Amend The Official Zoning Map.

Respectfull submitted this 16<sup>th</sup> day of August, 2019



Timothy Baxter



Lynn Baxter

939 Briarcliff Rd., NE  
Atlanta, GA 30306-4664





PROJECT NAME:  
19035 Briarcliff Road

Date:  
8/02/2019

TO:  
DeKalb County and Elegant Homes

From:  
TSW

Subject:  
HP review of properties at 1043, 1047, 1051 Briarcliff Road

- National Register District (summary)
  - 1043 Briarcliff - Intrusion
  - Metro Church – Intrusion
  - "Intrusions and non-conforming properties in DH are generally brick ranch houses dating from 1950s-1960s"
  - County tax records indicate the following building dates:
    - 1043 Briarcliff: built 1947
    - 1047 Briarcliff: built 1950
    - 1051 Briarcliff: built 1949

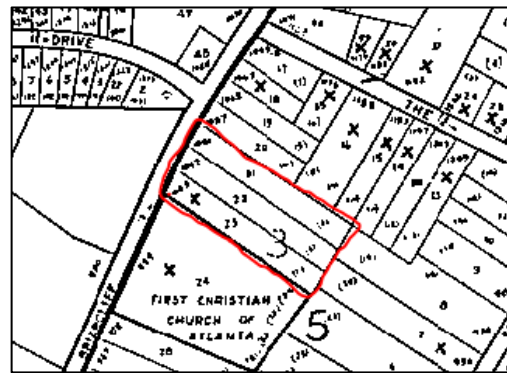


Figure 1: Subject property in red; "x" represents non-conforming structure

- Druid Hills Design Guidelines (summary)
  - All properties identified as nonhistoric
  - "These design guidelines have been established primarily for use by the Preservation Commission in evaluating proposed alterations to historic properties in the Druid Hills Local Historic District."
  - "The guidelines are not rigid restrictions but rather should be viewed as standards which, if followed, will result in sound preservation practices."

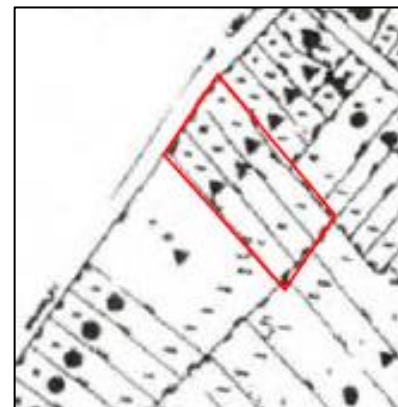


Figure 2: Subject property in red; triangle represents non-conforming structure

Sanborn Maps: 1924-1931



Sanborn Maps: 1924-1941



\*Photographs on this page are of archived documents belonging to the Atlanta History Center

Sanborn Maps: 1924-1965



*\*Photographs on this page are of archived documents belonging to the Atlanta History Center*







Adair Plats: c1920



\*Photographs on this page are of archived documents belonging to the Atlanta History Center



## 1928 Atlanta City Map

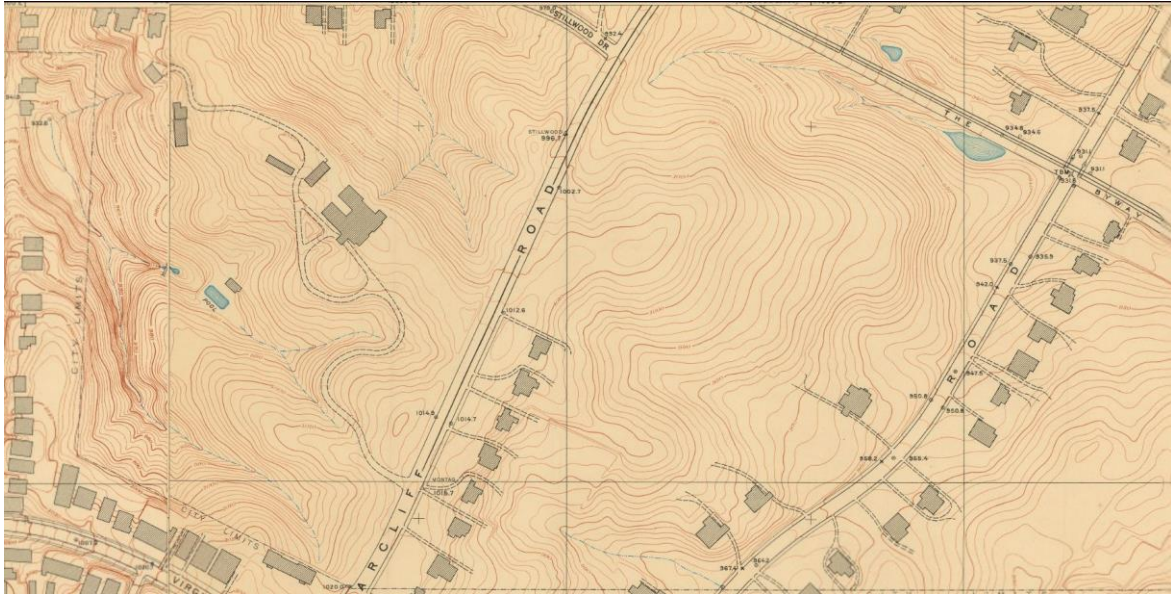


Figure 3 Image courtesy of Emory Libraries Digital Scholarship Commons

## 1949 Aerial Image



Figure 4 Image courtesy of Georgia State University Library

**SUPPLEMENTAL WRITTEN JUSTIFICATION**

And

Other Material Required by  
DeKalb County Zoning Ordinance

Of

ELEGANT HOMES, LLC

For

REZONING (Z-19-1243376) OF THREE RESIDENTIAL LOTS (+/- 3.02 ACRES)  
FROM R-85 TO RSM TO ALLOW FOR THE CONSTRUCTION OF A 16 UNIT  
RESIDENTIAL COMMUNITY

Located in

Land Lot 1, 18th District, DeKalb County

1051 Briarcliff Road (18-001-021)

1047 Briarcliff Road (18-001-022)

1043 Briarcliff Road (18-001-023)

Submitted for Applicant by:

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## **I. INTRODUCTION**

This Application seeks to rezone three parcels of land on Briarcliff Road currently zoned R-85 for single family residential use to RSM (small lot residential mixed) to allow for the development of a high quality 16 unit residential community comprised of 10 single family homes and two buildings with three condominium units in each. With the retention of legal counsel, the Applicant is supplementing the original filing dated July 3, 2019.

### **A. SUBJECT PROPERTY**

The Subject Property is comprised of +/- 3.02 acres and located south of the Stillwood Drive on the east side of Briarcliff directly across the road from Pruitt Health-Virginia Park (1000 Briarcliff Road) , a 125 bed skilled nursing home and rehabilitation center and Callanwolde Fine Arts Center (980 Briarcliff Road). Both of the foregoing uses are zoned O-I. Immediately to the south adjoining 1043 Briarcliff Road at 999 Briarcliff Road is the Morningside Elementary Kindergarten, a part of the APS school system with 165 enrolled students and 23 staff members operating from 7 a.m. to 2:30 five days per week.<sup>1</sup> Further to the southwest is UHS of Laurel Heights Hospital (934 Briarcliff Road-zoned O-I), a private residential child and adolescent behavioral health facility with eight treatment units, a school, gymnasium and outdoor play areas. There are only seven residential lots on Briarcliff Road within DeKalb County south of the Morningside Elementary Kindergarten before the City of Atlanta line. With the exception of the lot at 975 Briarcliff, these residential lots are smaller and shallower than the lots

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<sup>1</sup> Although zoned R-85, the uses currently on this property are non-conforming insofar as they would require special use permits under the current code. *See Use Table 4.1 of zoning ordinance.*



forming the Subject Property. To the northwest are Stillwood Chase condominiums 9 (zoned MR-2), comprised of 35 attached homes at 1309 Stillwood Chase and the Briarwood Apartments (1078 Briarcliff Road). Further north on Briarcliff are other medium density residential uses such as Briar Hills zoned MR-2 with 52 condominium units and a density of 14 units per acre at 1100 Briarcliff Road and condominiums on Oak Park Drive (15 units)<sup>2</sup> 1135 Briarcliff Road, and the Briarcliff Normandy Condominiums (85 units at 28.6 upa) at 1144 Briarcliff Road. All of these higher density residential developments are within the Druid Hills Historic District like the Subject Property. Another medium density residential development is under construction at 1517 Briarcliff Road (20 units-zoned MR-1 with an effective density of 12.8 upa). Directly to the north of the Subject Property are four single family homes on significantly smaller lots before the ByWay. Single family homes on significantly smaller lots fronting Briarcliff predominate on the east side of Briarcliff from Cameron Court<sup>3</sup> north to Emory Road.<sup>4</sup>

Currently the Subject Property is developed with three older homes built between 1947 and 1950. 1047 was designed and used as a duplex for most of its life, whereas the other two homes were uses as single-family residences. The duplex was a rental property and the other two were owned by aging owners who decided to sell because of their inability to keep up with the increasing demands of maintaining the homes and the large lots. Although the property is within the Druid Hills local historic district, the homes

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<sup>2</sup> Oak Park condos were zoned in 1983 and bear a current zoning classification of RSM—the same as what is sought by the Applicant for the Subject Property.

<sup>3</sup> A 21 lot subdivision zoned R-85 but not conforming to R-85 standards with lots averaging 7000 square feet in area and 48 foot frontages. An approximate density of 6.2 upa—1 upa more than what is being sought by the Applicant.

<sup>4</sup> Single family lots north of North Decatur are zoned R-75 presumably to reflect the smaller lot sizes.

were built after the “period of significance” (pre-1946) and thus not considered “historic” per the Druid Hills Guidelines and the Historic Preservation Ordinance. *See definition of “nonhistoric” in Guidelines included herein.* The Subject Property and the homes on it are listed in the local historic district as “non-contributing”—in other words neither the Subject Property nor the structures on it are “essential to the full significance of the historic district”<sup>5</sup>. *See Guidelines for definition.* The ranch style homes on the Subject Property are considered “intrusions” within the District. *See National Registry documents filed herein.* Moreover, the 3 lots comprising the Subject Property were not part of the originally platted lots for Druid Hills. The Adair Plats show the Subject Property as part of a larger parcel of unplatted land/open space on the east side of Briarcliff Road. Sanborn maps and other historical resources show that the 3 lots were not platted until after the period of significance (they were post 1946).

After inspection by Christopher Schaeffer<sup>6</sup> on September 6, 2019, it was found that two of the homes on the Subject Property (at 1047 and 1051 Briarcliff Road) contained evidence of significant roof leaks, damaged sheetrock, mold and mildew to the extent that Mr. Schaeffer concluded that “remediation of these structures to the proposed standards would require tearing the structures down to such an extent that demolishing and rebuilding new structures is the most efficient course of action.”

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<sup>5</sup> While it is acknowledged that the property at 1047 Briarcliff is identified as “contributing” in the National Register nomination packet of 1979, a comprehensive review of the SHPO documents by counsel for the Applicant and the Applicant’s design professional team make it clear that there was no substantiating evidence submitted as to the designation of this property as “contributing”—for that matter there was no substantiating evidence or description of the parameters of “contributing” in the NR packet. On the contrary, what appeared to be clear from the packet is that SHPO did not make any determination as to “contributing” status of this or any other properties within the nominated district because it was short staffed. It apparently left this determination to the DHCA and other individuals without historic preservation credentials. It appears that the designation of 1047 Briarcliff as “contributing” may have been a transcriptional error as field notes within the SHPO file do not identify it as “contributing”. As such, the NR designation of 1047 Briarcliff should be accorded any weight.

<sup>6</sup> Mr. Schaeffer is a licensed structural engineer in the state of Georgia.

## **B. APPLICANT'S PROPOSAL**

Elegant Homes proposes to demolish the substandard housing on the Subject Property and replace it with a high quality<sup>7</sup> in fill community comprised of urban single family detached homes in the rear of the Subject Property and two buildings set back approximately 150 feet from Briarcliff Road in the front designed to look like historic Druid Hills single family homes but in fact each containing 3-three family units apiece. *See elevations included with this submittal.* The 10 units in the rear would be stand-alone urban single family homes clustered around a landscaped courtyard. The resulting community would have approximately 64% of open space and contain interconnected pedestrian pathways allowing residents to navigate through the site on foot and onto Briarcliff Road. Vehicular access would be via a shared driveway off Briarcliff. Residents of the units in the front would have rear loaded garages under the proposed buildings which, in conformity with residences in the Druid Hills District would be no more than 35 feet in height. The rear units would be accessed through the same entry drive which at the rear turns into a circular drive accessing every unit. All units would range in size from 2,500 to 3,500 square feet and are estimated to market for \$750, 000 to \$1 million apiece. Elevators would be an optional add on for all units and master on main designs would also be available. It is anticipated that this type of product would fill a largely unfilled need for current residents of Druid Hills looking to stay in the area but looking to downsize and reduce maintenance demands currently placed on them from living space they no longer need or desire and from the need to upkeep large expansive

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<sup>7</sup> Elegant Homes has more than 20 years of experience in the residential building community. Examples of its products are included herein.

grounds. It is expected that the diversity of product offered by the proposed project can help meet that need and allow residents to remain within the District. The homes would offer high quality amenities and finishes and will be designed in conformity with the Druid Hills Historic District Guidelines. It is not anticipated that any variances will be needed.

The Applicant and its design team have had several meetings with community members already and will continue to engage these residents throughout the zoning process. Meetings to date have already resulted in responsive design changes, namely reduction of the original number of units from 19 to 16 and increasing of the rear yard setback to create 40 feet of greenspace and a 70 foot rear yard building set back. This latter change assures building separation of the rear most units from the residence at 956 Springdale of approximately 430 feet. The front yard setback is 141 feet with the two front buildings set back approximately 150 feet behind a designed natural landscape which preserves many of the existing trees on the Subject Property. From the street the rear units will not be visible. The site will read from the street as two larger Druid Hills homes with natural landscaping at the front and rear. The density of the proposed development will be 5.2 units per acre and the proposed project exceeds all of the development standards pertaining to planted buffers and building setbacks. *See site plan included along with a PowerPoint Presentation made to the Planning Commission containing most of the referenced details.*

## **II. IMPACT ANALYSIS**

Pursuant to Section 7.3.5 of the Zoning Ordinance, approval of requests such as that of the Applicant are governed by consideration of certain factors and standards by

the Board of Commissioners. These standards and factors for review along with their application to the Applicant's request are as follows:

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

The Subject Property was designated on the most recent Future Land Use Map as TN (Traditional Neighborhood) in the 2035 Comprehensive Plan. Primary uses within the TN character Area are listed as single family homes and apartments. Permitted zoning with the TN Character area includes RSM. The current R-85 zoning classification is a non-conforming zoning classification within the TN Character Area.<sup>8</sup> The TN Character area allows up to 12 units per acre. p. 57 of comprehensive Plan. *See Comprehensive Plan excerpts filed with this submittal.* The Applicant's proposal for urban single family homes and three family units at a density of 5.2 units per acre is clearly in conformity with the TN land use designation. The stated intent of the TN Character Area is "to preserve the style and appeal of older traditional neighborhood communities." p. 79 of Comprehensive Plan. Policies identified include: 1) Protecting stable neighborhoods from incompatible development; 2) Encouraging residential development that includes a higher mix of uses; 3) Allow density increases that do not degrade the overall quality of service delivery and quality of life for surrounding established neighborhoods; 4) Permit well designed, small-scale infill multifamily residences to increase neighborhood density and income diversity; 5) Promote moderate density, traditional neighborhood development style residential subdivisions; and 6) encourage compatible architecture styles that maintain regional and neighborhood

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<sup>8</sup> It became non-conforming when the land use designation was changed from Suburban to TN sometime after 2007.

character. Housing Policy No. 9 of the Comprehensive Plan is to "...provide a variety of housing opportunities and choices to better accommodate the needs of the residents."

The Applicant's proposed development furthers many of the stated policies within the TN Character Area: By reestablishing structures at the front of the property which appear to be estate style Druid Hills homes, it eliminates the intrusive attributes of the existing ranch style homes built after the period of significance and serves to provide a heretofore lacking visual anchor for the site as you move down Briarcliff Road. This promotes stability and compatible infill development while at the same time providing a mixture of uses grossly lacking within the District without sacrificing architectural integrity. It provides for high quality, small scale development while increasing density. The ten single-family homes are not visible from Briarcliff but remain connected to each other and the community through pedestrian walk ways. All of these design elements are in conformity with the policies and intent of the Comprehensive Plan.

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

The Briarcliff corridor, as noted above on pp. 2-3 above, contains a large mix of uses on both sides ranging from the kindergarten use next door to the rehabilitation hospital for youth to the Callanwolde Performing Arts Center to single family homes and apartment complexes to the northwest. Across the City of Atlanta line to the south denser development predominates with Briarcliff Court apartments, Virginia Place, Highland Hall condominiums, Lullwater Park, and Virginia Park Circle.

In reviewing the proposed MR-1 zoning for 20 townhomes on the property at 1551 Briarcliff (Z-16-20319), in response to this question, staff noted that, “Residential development is suitable at a location where most of the adjoining and nearby properties are developed for residential uses. The natural topography of the site...and screening provided by preservation of existing trees along the perimeter of the site, will hide the development from view.” The same statement can and should be made for the Subject Property. As can be seen by the site sections provided in the attached PowerPoint Presentation made to the Planning Commission, the Subject Property will be developed in such a way that there will be 141 feet of natural garden in the front of the first two buildings on the site, a 70 foot rear yard building setback, natural buffers on the north and south sides and a building separation of more than 430 feet from the rearmost unit to the closest structure at the rear of Springdale Road. This development will be “hidden from view” but for the first two buildings which will read as single-family homes compatible with the architectural style of homes to the south of the Metropolitan Cathedral property fronting on Briarcliff.

Staff made a similar comment when analyzing the zoning application of Minerva (Z-16-20784) on the Metropolitan Cathedral property for a 37 unit mix of single family detached homes and multi-family condominiums. Staff stated, “The residential component will allow single-family detached residences compatible with the adjacent and surrounding residences in the area.” The same is obviously true of the significantly less dense project proposed by this applicant.

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

The deep lots comprising the Subject Property along with high land prices in this area, make it extremely difficult if not impossible to redevelop the lots for 3 new single-family homes. Two of the previous owners sold in order to avoid the ongoing high costs of upkeep on the aging homes and maintenance of the large lots. The Subject Property with its location next to a Kindergarten, on an extremely busy section of Briarcliff Road and across from many denser uses is challenged under the current zoning and these conditions may have a negative impact on the economics of attempting to redevelop the Subject Property as zoned.

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

The use and development of adjacent and nearby properties will not be negatively impacted by this high quality, sensitively designed in fill project. On the contrary, the project will restore (in part) the rhythm along Briarcliff by anchoring the site with two homes at the front of the property in place of the large gap that is there now and will stabilize this vulnerable section of Briarcliff Road. This will not have negative impacts on property values as feared by some. One need only look at property values along Springdale for those properties backing up to the rear of high density apartment and condominium developments to affirm this. *See Zillow Excerpts included herein.* One can see that such properties on Springdale have some of the highest property values in the District: ranging from \$1.1 M to \$2.5 M where adjoining multi-family and higher density housing fronting on Briarcliff.

The sensitive design elements found in the Applicant's project work to assure no adverse effect. The 64% open space, a front yard set back behind a natural garden of 141



feet, a 70 foot rear yard set back with a 40 foot planted buffer, interior side yard planted buffers, pedestrian connections throughout the site and the rear units nestled behind two estate style homes in the front all work together to assure no adverse effects on the use of usability of nearby properties.

*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 population of Druid Hills, and for that matter metro Atlanta has changed significantly over the course the past decade. More than 10,000 baby boomers turn 65 every day and Atlanta, according to Forbes Magazine in 2015 was “America’s No.1 rapidly aging city.” *See included news articles on this phenomenon.* With aging, residents of Metro and Druid Hills are looking to down size either their homes, their lots or both. Within Druid Hills in unincorporated DeKalb, there are very few options which work to meet that need. Smaller homes on lots maintained by an association are in big demand in the District. The proposed development hopes, in part, to tap and serve that need by providing homes ranging in size from 2500 square feet to 3,500 square feet along with elevator options and self-contained green space maintained by an association but proximate to all the amenities that attract Druid Hills residents to its location. Providing the high quality looked for in Druid Hills on a smaller scale will enable current residents to remain in the district they love and reduce the burdens of large home and property ownership.

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

The proposed development will be in full compliance with all relevant

Guidelines of the local Druid Hills Historic District. The architecture will be compatible with existing styles in the District. Any structure on the Subject Property must go through the certificate of appropriateness review process of the Historical Preservation Commission to assure that sufficient and appropriate attention to scale, massing, rhythm, architectural details and more is given. The HPC is required to review applications for new construction and consider historical and architectural value and significance; architectural style; scale; height; setback; landscaping; general design; arrangement; texture and materials of the architectural features involved and the relationship thereof to the exterior architectural style; and pertinent features of other properties in the immediate neighborhood. By law the HPC cannot approve any structure or site design that has a substantial adverse effect on the aesthetic, historic or architectural significance and value of the historic property or the historic district.

*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.*

While it must be acknowledged that Briarcliff Road (a minor arterial) is a busy and often congested road, the additional cars generated by the proposed project will be de minimis when compared to number of cars already on this roadway (estimated at 30,000 per day). Nothing this project does or does not do will tip Briarcliff Road over the edge, nor save it from itself. GDOT is required to approve the access point prior to the issuance of permits and the DeKalb Public Works Engineering “did not see any traffic engineering concerns at this time.” All traffic generated from the site will enter from and exit onto Briarcliff without burdening local streets. The project is estimated to generate only 3 additional students in a

school district which has new seats available to meet the need. Utilities are available and adequate on site.

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

There are no environmentally sensitive features such as wetlands or streams. Every reasonable effort will be made to protect and preserve existing trees of any significance. A 141 foot wide natural garden will be created at the front of the Subject Property consisting of existing trees and additional new trees and shrubs. Planted buffers will run along the interior side and rear yards. After redevelopment there will be 64% open space comprised of these buffers, natural garden and a shared courtyard for the ten single family units at the rear. The Subject Property was developed almost 70 years ago and, as such, has grossly inadequate storm water infrastructure. With redevelopment of the Subject Property, modern infrastructure and systems will be installed to reduce any existing storm water runoff problems.

Based on the foregoing, the Applicant submits that the Application meets all of the relevant standards required for rezoning of the Subject Property and asks for Board approval of same.

### **III. PRESERVATION OF CONSTITUTIONAL RIGHTS**

The Applicant respectfully submits that the current zoning classification, to the extent that it prohibits the use proposed, constitutes an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because it bears no substantial relationship to the public health, safety, morality or general welfare of the public and

substantially harm the Property owners in violation of the due process and equal protection rights of the property owner guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia. Further, the failure to allow this use would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

Further, the Applicant respectfully submits that the Board's failure to approve the requested rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

#### **IV. CONCLUSION**

For the foregoing reasons, the Applicant respectfully requests that the application for rezoning of the Subject Property from R-85 to RSM be approved. The Applicant also invites and welcomes any comments from Planning and Sustainability Staff or other officials of County and members of the community so that such recommendations or input might be incorporated as this application undergoes further review.

This 24th day of September, 2019.

Respectfully submitted,



Linda I. Dunlavy  
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Attorney for Applicant

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STATE OF GEORGIA       )  
  )  
DEKALB COUNTY        )

**AFFIDAVIT OF AMIR RAHBAR**

Personally appeared before the undersigned officer duly authorized by law to administer oaths, **AMIR RAHBAR**, who being first duly sworn, deposes and states as follows:

1.

I, AMIR RAHBAR, hereby certify that I am over the age of eighteen (18) and legally authorized and competent to testify to the facts and matters set forth herein. I am a principal of Elegant Homes, LLC.

2.

Elegant Homes is the current owner of the property at 1043, 1047 and 1051 Briarcliff Road ("Subject Property"). It purchased all three properties in early (February for 1047 and 1051) and mid-(May for 1043) 2016.

3.

Elegant Homes hopes to have the Subject Property rezoned from R-85 (a large lot single-family residential zoning designation) to RSM (a small lot residential mix designation) because building three single family detached homes on the current three lots of approximately 1 acre apiece is not economically viable.

4.

A total of \$2.85 million was paid for the three lots with older homes on them, comprising +/- 3.02 acres in the Druid Hills area of unincorporated DeKalb County, Georgia. At the time, because of prospective future development for higher density

residential projects and back up offers on the Subject Property, this appeared to be a reasonable price for the property. The opposition to the zoning application takes the position however that the **only** reason Elegant needs this property rezoned is that it overpaid for the Subject Property. The calculations contained below in this affidavit make it clear that the price paid for these lots is not the **only** reason development of them as zoned is not economically viable.

5.

As a principal with Elite Estates, LLC, I have nearly two decades of experience and knowledge in the high-end custom home construction business and am very familiar with the costs of construction and development reasonably incurred in the construction of in-fill homes.

6.

As a general rule, high-end custom home construction costs in the metro area (not counting the land, development and financing costs) will run approximately \$200 to \$250 per square foot. Attached as Exhibit 1 to this affidavit is a real-life sample accounting of the costs associated with high-end infill construction in 2019 for 1323 Battle View Drive in the Peachtree Battle area of Atlanta. I was the builder on this project and kept detailed records of the construction and other costs associated with this project. A copy of the itemized costs for this project is attached hereto as Exhibit 1 along with a photo of the completed house.

7.

In Exhibit 1, it can be seen that the lot was purchased for \$576,600 and direct building costs exceeded 1.3 million dollars. Direct building and construction costs plus

the cost of the lot, land development expenses and financing costs totaled more than \$2.1 million. As such, the resulting home must be sold for that price in order to just break-even—without any profit. A similar scenario can be expected with the three lots on Briarcliff.

8.

Even if it is assumed that the price Elegant Homes paid per lot was too high, as argued by opponents to the rezoning application, recent sales identified by the opposition of homes and lots fronting on Briarcliff show that the average sales price for a lot with a structure on it in 2018/2019 was \$ 573, 400. If Elegant had paid the average sales price identified by the opposition of \$573, 400 for each of the three lots and invested \$200-\$250 per square foot in direct construction costs for a 4250 square foot house (perhaps smaller than warranted on a 1 acre lot but the average square footage for homes south of the Metropolitan Cathedral) plus an approximate \$200,000 (on low end) for Land Development and Financing costs, Elegant would need to sell the resulting homes on the lots for no less than \$1.6 million (at the \$200 per square foot cost) or \$1.8 million (at the \$250 per square foot cost) just to break even. See Exhibit 2 attached with opposition sales information.

9.

Even using the most conservative of metrics <sup>1</sup>to determine the viability of demolishing the single-family homes on the Subject Property and constructing new residences thereon as zoned, it is clear that such an effort would not be economically

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<sup>1</sup> I used the average land sales listed by the opposition. I did not add value to the land sale based on the fact that the three lots comprising the Subject Property are significantly larger than those listed. I used the lower square footage costs and reduced soft costs and did not include the legal fees that would be necessary to get the necessary Certificates of Appropriateness from the DeKalb County HPC for each home. I also did not include interest and carrying costs on the money invested in the Subject Property prior to any future sale.



viable. No home has ever sold fronting on Briarcliff in the general vicinity of the Subject Property for the price necessary to break even --\$1.62 million to \$1.84 million. The highest listing on Briarcliff is cited in the opposition materials for 1323 Briarcliff at \$1.235 million (\$385,000 less than the lowest break-even price for the Subject Property) and to date the highest recorded sale price has been for 1077 Briarcliff in 2009 for \$1.15 million, fully \$ 470,000 below the lowest break-even<sup>2</sup> price for a home on the Subject Property. See Exhibit 3 containing sales information on 1077 Briarcliff Road.

10.

A reasonable profit in the high-end single-family home construction business would be in the neighborhood of 10 to 15 % of the sales price. In order to see a reasonable profit at the lower percentage, houses on each of the three lots would need to sell for in excess of \$1.78 million. With that kind of selling price, buyers are more likely to buy homes on the interior of the District, which do not suffer from the negative elements of traffic on Briarcliff Road and proximity to the Metropolitan Cathedral. The availability of homes for \$1.78 million or significantly less that do not front on Briarcliff within the Druid Hills historic district coupled with the lack of sales on this section of Briarcliff at such prices make it abundantly clear that building three homes on the Subject Property is simply not viable economically and to require such would place Elegant Homes at a significant detriment when compared with similarly situated properties within the same zoning classification. As such the current zoning is not economically feasible/viable.

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<sup>2</sup> It should be noted that even though I am calling this a “break even price”, it really isn’t because I would lose money on carrying costs on loans, legal fees and other unaccounted for unanticipated costs. At the “break even cost”, I would still lose money.

FURTHER AFFIANT SAYETH NAUGHT.



AMIR RAHBAR

Sworn and subscribed to before me  
on this 29<sup>th</sup> day of October, 2019.



NOTARY PUBLIC

JENNIFER LLOYD

NOTARY PUBLIC

DEKALB COUNTY, GEORGIA

MY COMM. EXPIRES

03/25/2022

# Elegant Homes Single Family Spec Home

Construction cost  
(5258 Sq.Ft. w/unfinished basement)

	Act. Cost
<b>1-1000 (LAND DEVELOPMENT &amp; PRELIMINARIES)</b>	
1-0103 (Engineering Fees)	8,550.00
1-0104 (Architectural Fees)	21,800.00
1-0105 (Interior Designer Fees)	6,500.00
1-0107 (Land Surveying)	4,500.00
1-0108 (Title Insurance)	1,863.00
1-0109 (Settlement Charges)	1,309.00
1-0112 (Permit and Fees)	7,734.00
1-0114 (Portable Toilet Rental)	1,007.00
1-0117 (Supervisors)	15,000.00
1-0118 (Inspections)	450.00
1-0119 (Builder's Risk Insurance)	1,800.00
1-0120 (City/County Taxes)	23,272.00
1-0122 (Sanitary Tax)	2,157.00
1-0123 (Utility Bills)	10,281.00
1-1102 (Lot acquisition Expense)	576,600.00
<b>Total 1-1000 (LAND DEVELOPMENT &amp; PRELIMINARIES)</b>	<b>682,823.00</b>
<b>2-1000 (FINANCING AND SALES)</b>	
2-0102 (Sales Commissions)	145,000.00
2-0103 (Closing Fees to Company)	6,180.00
2-3102 (Staging)	6,125.00
<b>Total 2-1000 (FINANCING AND SALES)</b>	<b>157,305.00</b>
<b>3-1000 (DIRECT BUILDING AND CONSTRUCTION)</b>	
<b>3-0100 (PREPARATION)</b>	
3-0101 (Erosion Control)	4,483.24
3-0102 (Tree Removal)	7,550.00
3-0104 (Asbestos Abatement)	12,500.00
3-01041 (Demolition)	19,700.00
3-0105 (Clearing and Rough Grading)	6,164.38
3-0106 (Excavation and Hauling)	24,475.00
3-0107 (Water quality and storm drain system)	26,700.00
3-0108 (Dumpsters)	6,215.00
<b>Total 3-0100 (PREPARATION)</b>	<b>107,787.62</b>
<b>3-1100 (FOUNDATION)</b>	
3-1101 (Footings)	10,001.88
3-1102 (Foundation Walls)	35,796.25
3-1104 (Foundation Waterproofing)	2,140.00
3-1105 (Foundation Drainage System)	4,498.39



# Elegant Homes Single Family Spec Home

**Construction cost  
(5258 Sq.Ft. w/unfinished basement)**

	<b>Act. Cost</b>
3-1106 (Termite Treatment)	375.00
3-1108 (Slab)	29,801.99
3-1109 (Concrete Pump)	2,035.50
<b>Total 3-1100 (FOUNDATION)</b>	<b>84,649.01</b>
<b>3-1200 (ROUGH STRUCTURE and DRY-IN)</b>	
3-1202 (Framing)	159,893.05
3-1203 (House Wrap)	2,400.00
3-1204 (Stairs)	10,900.99
3-1205 (Roofing)	12,734.06
3-1206 (Metal Roofing and Flashing)	15,000.00
3-1207 (Windows)	29,945.22
3-1208 (Exterior Doors)	3,046.08
3-1209 (Iron/ Specialty Windows and Doors)	16,014.36
3-1210 (Windows and Exterior doors Installation)	2,200.00
3-1211 (Exterior Trim Work)	6,301.23
3-1212 (Exterior Siding)	3,779.50
3-1213 (Stucco work)	5,000.00
3-1214 (Stone Masonry Work)	20,750.00
3-1215 (Brick Masonry Work)	71,005.80
3-1216 (Exterior Painting)	17,000.00
<b>Total 3-1200 (ROUGH STRUCTURE and DRY-IN)</b>	<b>375,970.29</b>
<b>3-1300 (MECHANICAL ROUGH)</b>	
3-1302 (Plumbing Rough)	10,365.27
3-1303 (HVAC Rough)	13,820.45
3-1304 (Electrical Rough)	19,000.00
3-1305 (Security & Low Voltage)	4,473.89
3-1306 (Central Vacuum)	1,500.00
3-1307 (Fireplaces)	14,137.49
<b>Total 3-1300 (MECHANICAL ROUGH)</b>	<b>63,297.10</b>
<b>3-1400 (INSULATION &amp; DRYWALL)</b>	
3-1401 (Wall Insulation - Batting)	6,723.82
3-1403 (Wall Insulation - Spray foam)	11,102.51
3-1406 (Drywall)	35,776.00
<b>Total 3-1400 (INSULATION &amp; DRYWALL)</b>	<b>53,602.33</b>
<b>3-1500 (INTERIOR FINISHES)</b>	
3-1501 (Interior Tile/Marble/Stone work)	23,870.79
3-1502 (Hardwood Floors)	53,101.08
3-1504 (Interior Doors)	14,147.69
3-1506 (Trim / Finish Carpentry)	57,715.66

# Elegant Homes Single Family Spec Home

**Construction cost  
(5258 Sq.Ft. w/unfinished basement)**

	<b>Act. Cost</b>
3-1507 (Interior Paint)	46,347.23
3-1510 (Floor Covering/Protection)	231.55
<b>Total 3-1500 (INTERIOR FINISHES)</b>	<b>195,414.00</b>
<b>3-1600 (CABINET &amp; SPECIALTY WORK)</b>	
3-1602 (Kitchen Cabinets)	76,925.37
3-1609 (Kitchen Countertop)	27,285.09
3-1611 (Back Splash)	2,597.31
3-1612 (Mirrors)	1,811.94
3-1613 (Shower Doors and Enclosures)	4,600.00
3-1615 (Secondary Closets and Shelving)	2,223.58
3-1616 (Wallpaper)	902.48
<b>Total 3-1600 (CABINET &amp; SPECIALTY WORK)</b>	<b>116,345.77</b>
<b>3-1700 (MECHANICAL TRIM OUT/ FINISH WORK)</b>	
3-1701 (Plumbing fixtures)	11,348.95
3-1705 (Plumbing Trim out)	17,067.49
3-1706 (HVAC Trim out)	13,199.84
3-1709 (Electrical Fixtures)	17,226.47
3-1710 (Electrical Final / Trim out)	22,566.00
3-1713 (Appliances)	34,871.98
3-1715 (Appliances Installation)	1,000.00
3-1717 (Punchout Labor)	5,300.00
<b>Total 3-1700 (MECHANICAL TRIM OUT/ FINISH WORK)</b>	<b>122,580.73</b>
<b>3-1800 (EXTERIOR AND SITEWORKS)</b>	
3-1801 (Sewer Service Connection)	9,472.42
3-1804 (Electric Service Connection)	750.00
3-1805 (Driveway and Sidewalks)	28,377.32
3-1806 (Patios & Walks)	14,237.46
3-1807 (Irrigation System)	6,800.00
3-1810 (Landscaping)	56,939.95
3-1812 (Deck & Porch)	996.57
3-1814 (Fencing)	14,250.00
3-1815 (Gutters)	8,550.00
3-1816 (Garage Doors)	6,828.00
3-1817 (Iron Railings)	7,000.00
3-1818 (Mailbox)	375.71
<b>Total 3-1800 (EXTERIOR AND SITEWORKS)</b>	<b>154,577.43</b>
<b>3-1900 (MISCELLANEOUS)</b>	
3-1901 (Door Hardware)	5,360.27
3-1902 (Bathrooms Hardware)	502.95



# Elegant Homes Single Family Spec Home

**Construction cost  
(5258 Sq.Ft. w/unfinished basement)**

	<b>Act. Cost</b>
<b>3-1904 (Shutters)</b>	850.00
<b>3-1906 (Rough Clean up)</b>	3,724.67
<b>3-1907 (Final Clean up)</b>	6,921.26
<b>3-1908 (Elevator)</b>	23,240.00
<b>3-1909 (Cabinet Hardware)</b>	1,637.10
<b>Total 3-1900 (MISCELLANEOUS)</b>	42,236.25
<b>Total 3-1000 (DIRECT BUILDING AND CONSTRUCTION)</b>	1,316,460.53
	2,156,588.53
<b>TOTAL</b>	<b>2,156,588.53</b>



## DHCA's Statement in Opposition to the Application

### **RE: Applications on 1043, 1047, 1051 Briarcliff Road- Request to Rezone from R-85 to RSM (Elegant Homes)**

#### **Viability of these lots as single-family home lots:**

Relating to the applicant's claim that single family homes are not a viable alternative for developing on the existing 3 lots, market research and activity prove this is inaccurate statement. The majority of land use along the Druid Hill's stretch of Briarcliff is in fact single family homes, both newly built and existing historic/older properties.

Recent activity on the FMLS shows just one single family home is for sale asking \$1,249,000 for a 5 bedroom 3.5 bath home. Of the 8 homes sold in the past 12 months as of end of September, prices range from \$450k-\$875k for older stock (Pre-1970 built). This limited availability of supply of available homes for purchase furthers the case that demand exists for single family along this corridor at prices that greatly exceed the median home price.

#### **Residential Detached**

##### **Active**

#	FMLS #	Address	Subdivision	#Bd	#FB	#HB	Yr Built	Orig Price	List Price
1	5861487	1323 Briarcliff Road Ne	Druid Hills	5	3	1	1925	\$1,249,000	\$1,235,000
# LISTINGS:		1	AVG VALUES:	5	3	1	1925	\$1,249,000	\$1,235,000

##### **Closed**

#	FMLS #	Address	Subdivision	#Bd	#FB	#HB	Yr Built	Orig Price	List Price	CC	Sold Date	Sold Price	SP/OLP%	TDOM
1	5875298	1395 Ne Briarcliff Road	Druid Hills	5	3	0	1950	\$450,000	\$450,000	\$0	03-01-2018	\$480,000	106.67	30
2	6129204	1271 Briarcliff Road Ne	Druid Hills	3	2	0	1953	\$475,000	\$464,900	\$2,750	04-23-2019	\$460,000	96.84	32
3	6108018	1397 Briarcliff Road Ne	Druid Hills	3	2	0	1947	\$464,900	\$464,900	\$6,000	01-28-2019	\$450,000	96.80	111
4	5912433	1157 Briarcliff Road Ne	Druid Hills	3	2	0	1930	\$529,900	\$499,900	\$10,000	03-16-2018	\$500,000	94.36	143
5	5988636	1411 Briarcliff Road Ne	Druid Hills	4	2	1	1923	\$549,000	\$549,000	\$0	05-21-2018	\$565,000	102.91	5
6	5965586	1362 Briarcliff Road Ne	Druid Hills	3	2	0	1948	\$549,900	\$549,900	\$10,500	03-30-2018	\$542,200	98.60	16
7	6037159	1355 Briarcliff Road Ne	Druid Hills	6	3	1	1925	\$739,000	\$719,000	\$6,000	12-12-2018	\$715,000	96.75	114
8	6073310	1303 Briarcliff Road Ne	Druid Hills	5	4	2	1925	\$975,000	\$899,900	\$4,000	04-29-2019	\$875,000	89.74	163
# LISTINGS:		8	AVG VALUES:	4	3	1	1938	\$581,588	\$574,688	\$4,906		\$573,400	97.83	77



Property Information

DeKalb County Parcel

DeKalb County Prop

1181 Cameron Ct

1077 Brnardiff Rd

zillow.com/homedetails/1077-Brnardiff-Rd-NE-Atlanta-GA-30306/14507741\_zpid/

AppsGoogleGeorgia Clerks Aut...HomeBusiness Solutions...Georgia Secretary o...ClientListView - Mu...Google EarthEast Point, GA - Off...

Correct Home Facts

SAVE

SHARE

MORE

CLOSE

ZESTIMATE RANGE

\$1.42M - \$1.72M

LAST 30 DAY CHANGE

+\$17,647 (+1.1%)

ONE YEAR FORECAST

\$1,543,325 (-1.1%)

Zestimate history & details

Price / Tax History

Price HistoryTax History

DATE	EVENT	PRICE		AGENTS	
7/24/2009	Sold	\$1,150,000	-45.2%	Peggy B Hibbert	
3/10/2008	Listing removed	\$2,100,000			
10/10/2007	Listed for sale	\$2,100,000	+228.1%		
4/21/2006	Sold	\$640,000	+42.2%		
9/30/1998	Sold	\$450,000			

Report issue with price history

Neighborhood: 30306

Home Expenses

Nearby Schools in Druid Hills

Get no deposit + \$50 back

Sponsored



# **Elegant Homes Brochure**





With nearly two decades of experience in Metro Atlanta, Amir Rahbar of Elegant Homes has maintained a standard of excellence to be proud of. Our philosophy is defined by preservation and harmony with community. By way of thoughtful and meticulous design choices, we ensure the legacy of Atlanta's rich heritage lives on in the modern world.



Elegant Homes is well-equipped to adapt to the style and functional needs of each individual project. We understand the scope of a home or community within the context of a neighborhood environment, and set out to deliver a product that fits naturally with its surroundings.

Quality matters. Every time.



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## BUILDING ELEGANT COMMUNITIES

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# EXTERIORS

















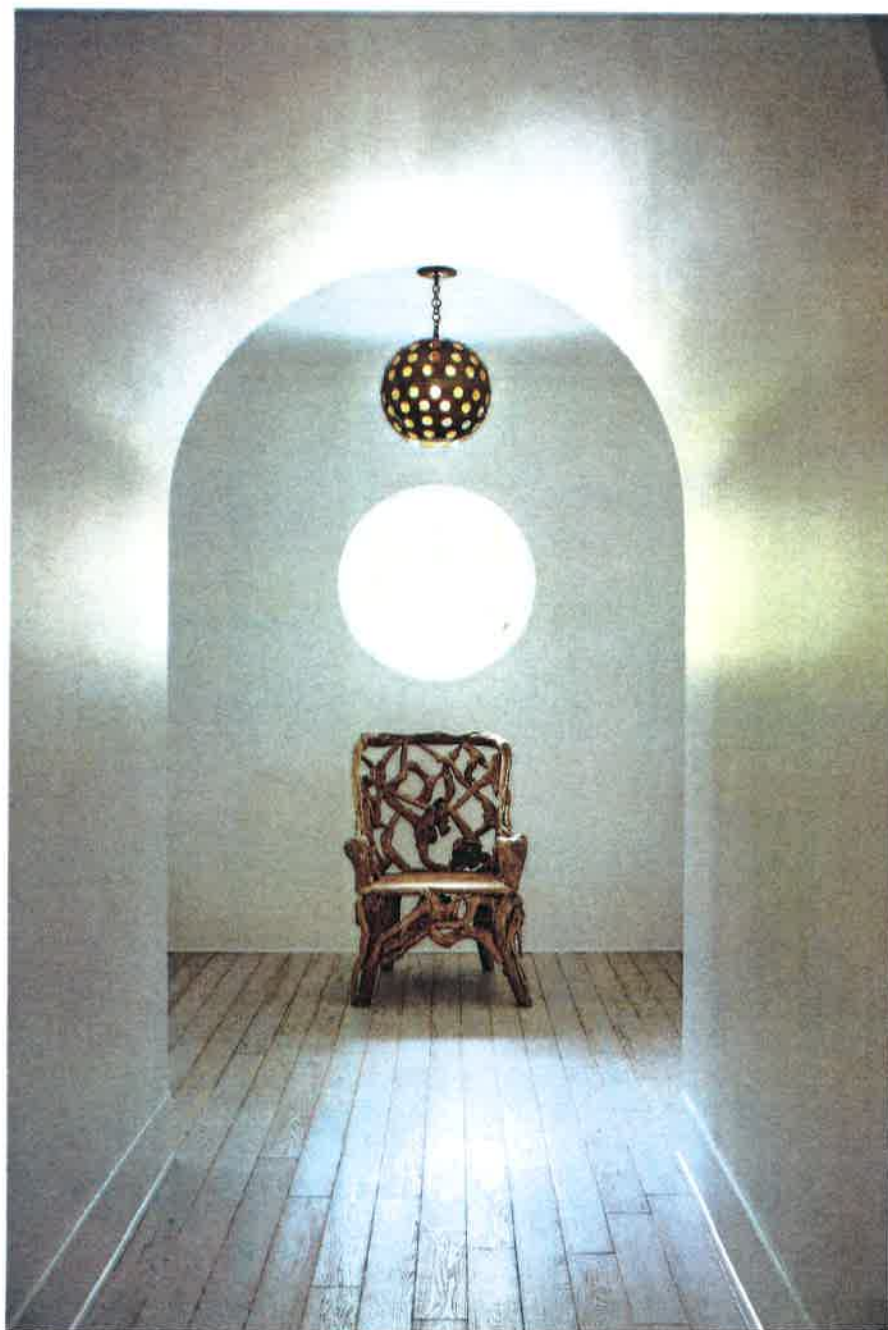




# INTERIORS



















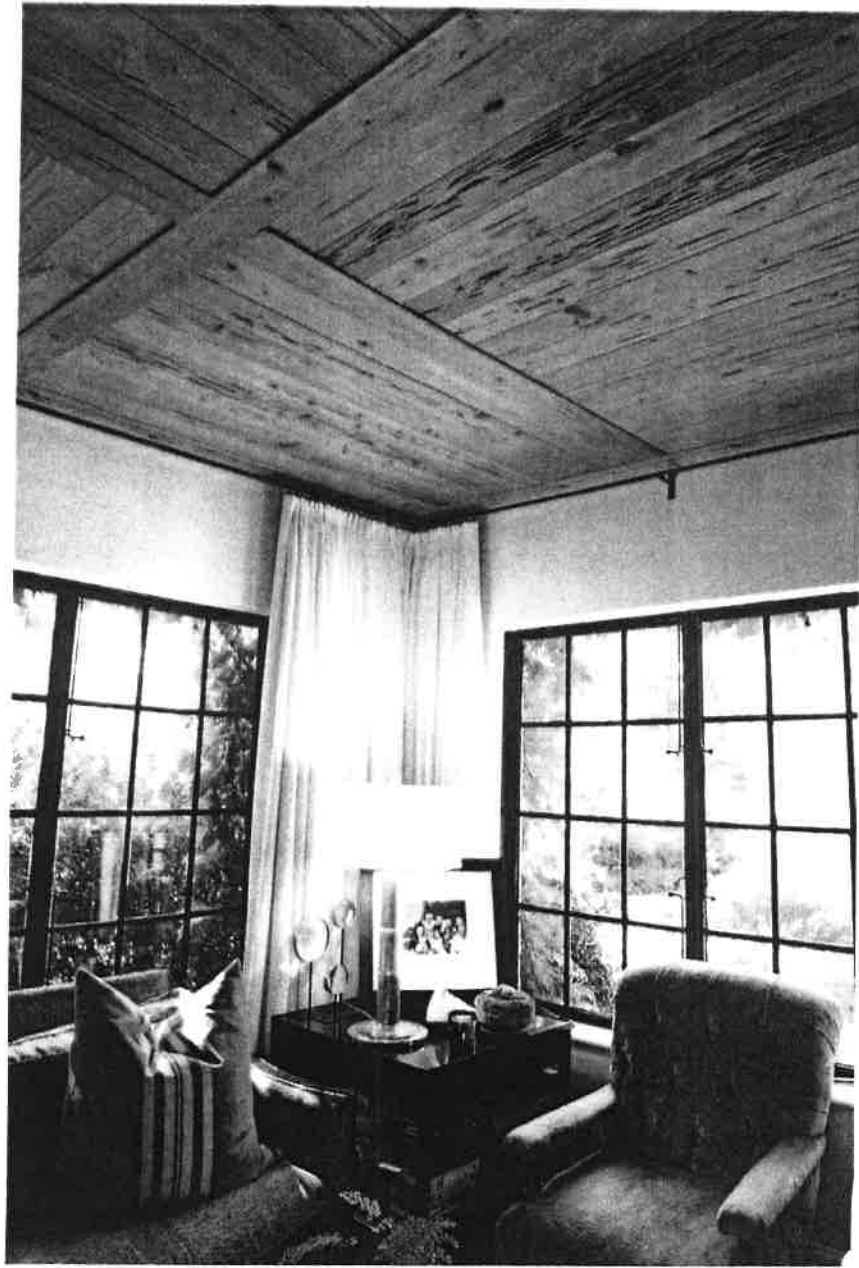




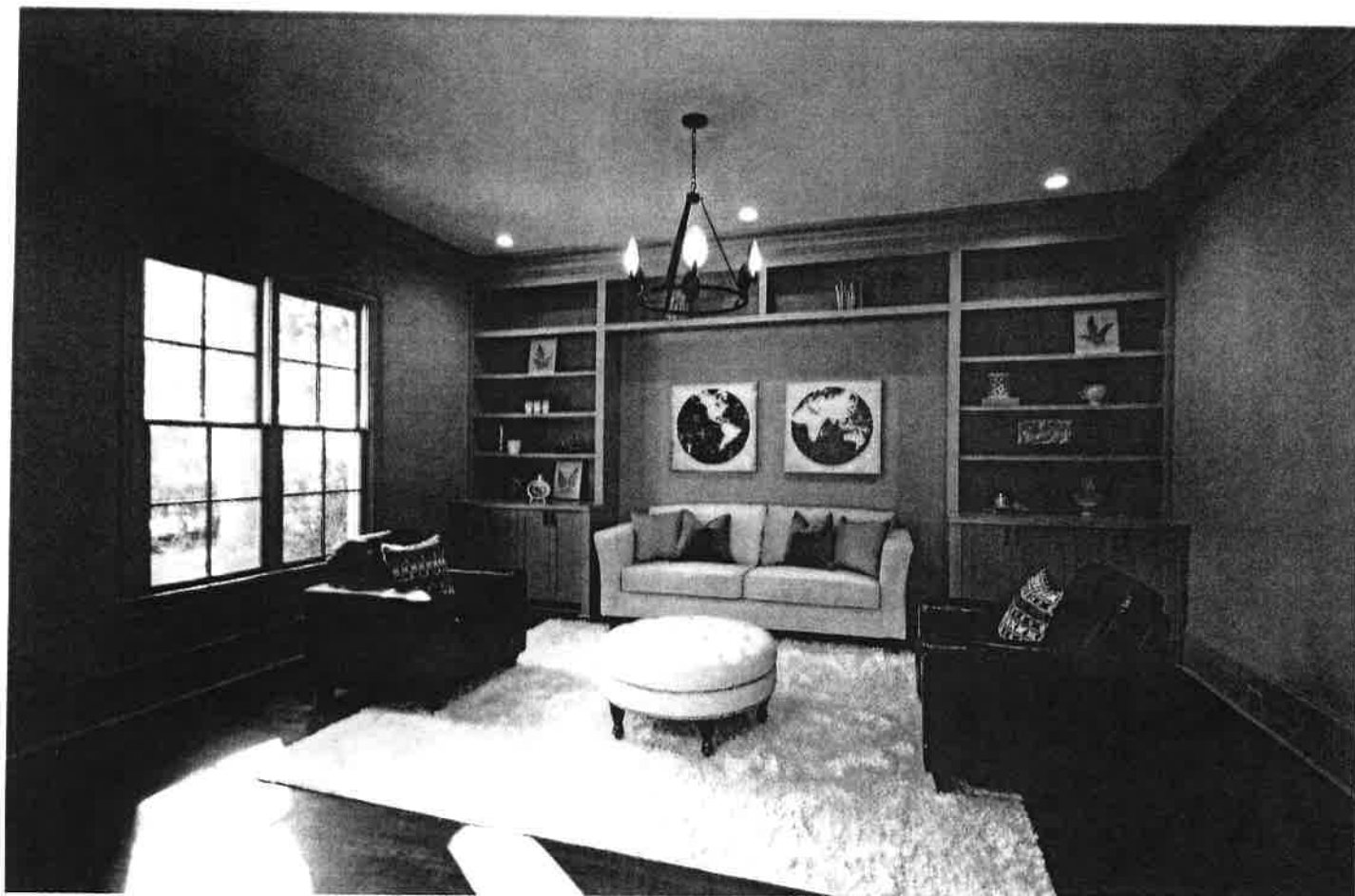








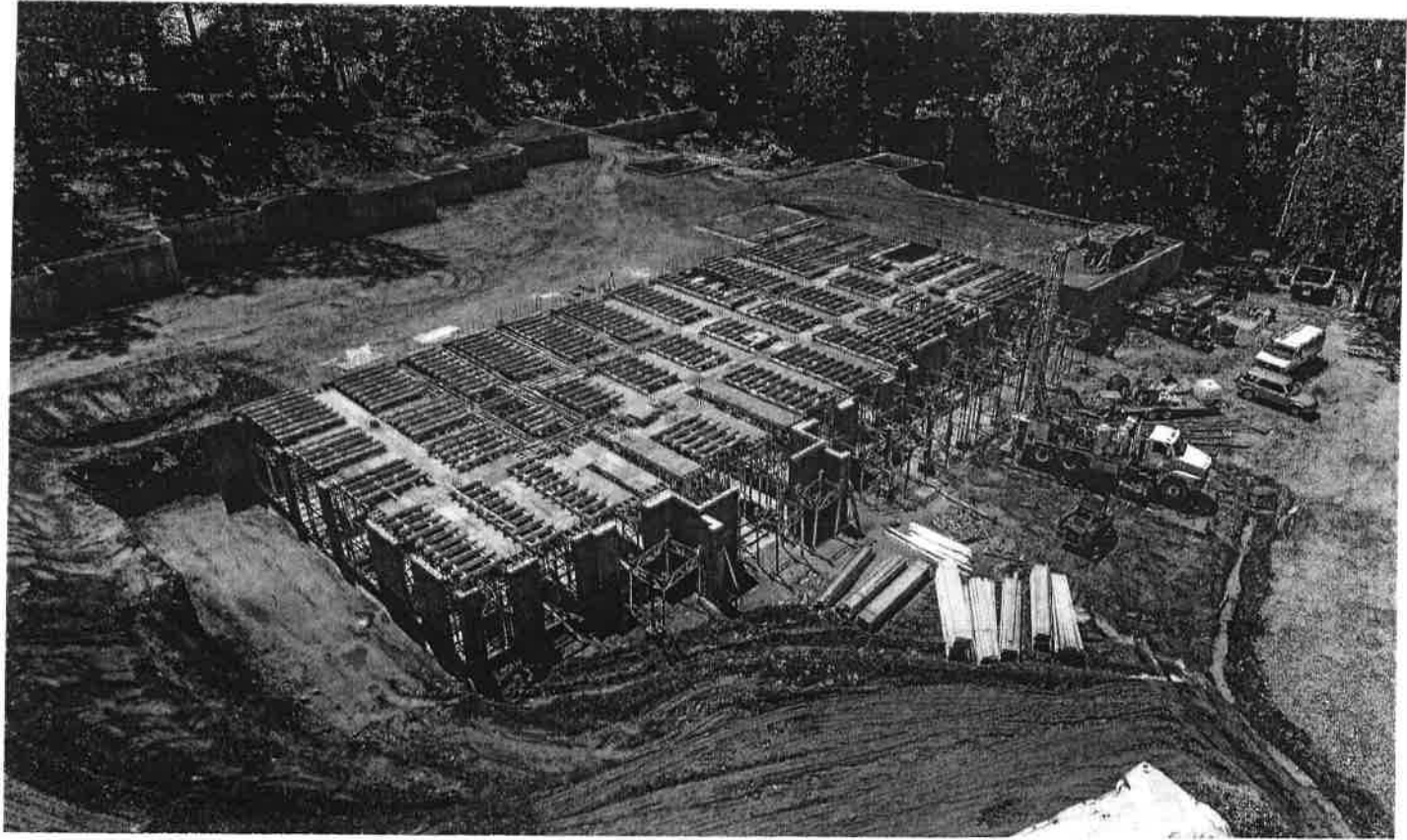




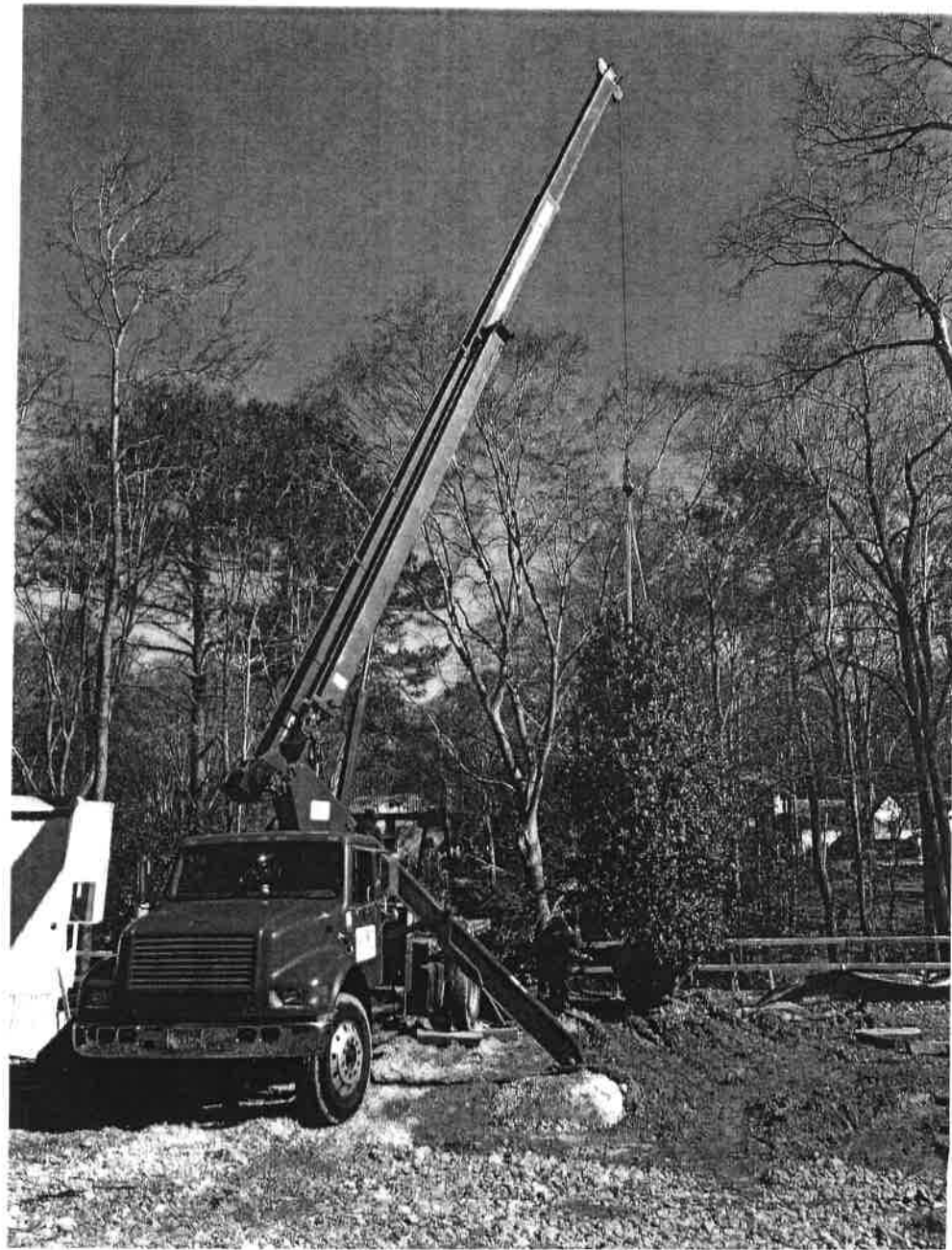
# PROGRESS







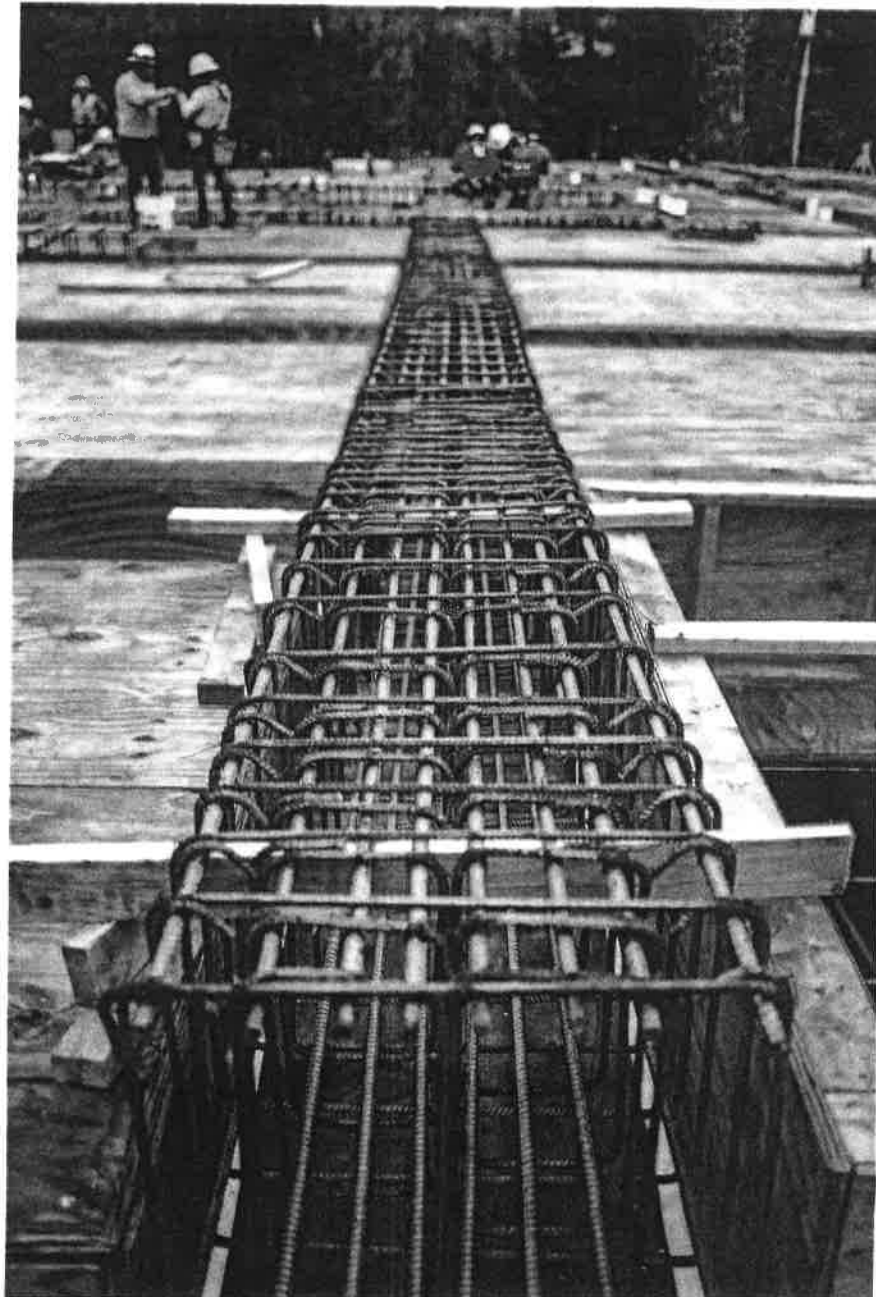


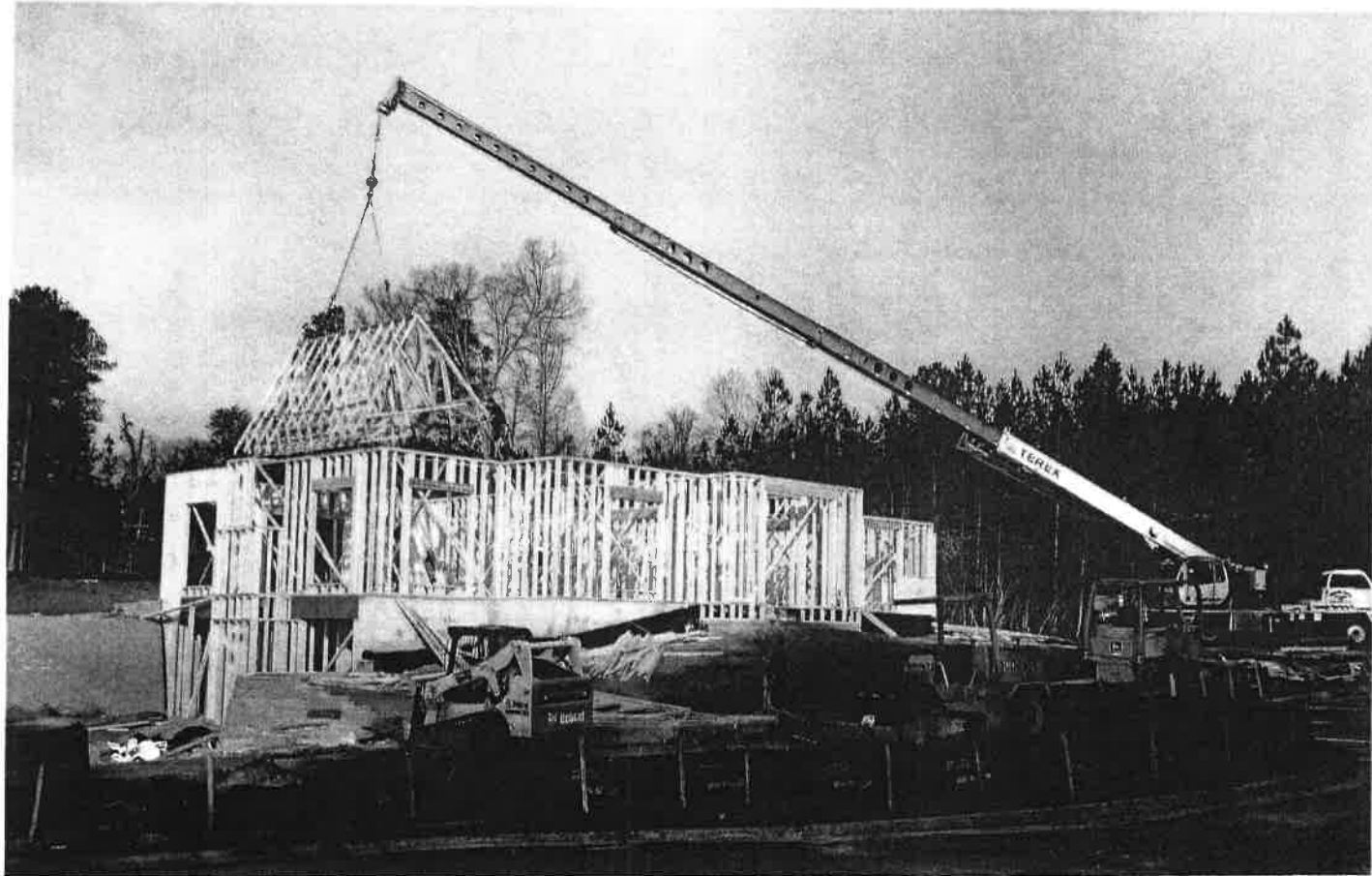












# BRIARCLIFF ROAD

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Rezoning Case – Planning Commission Meeting

09.10.2019 | TSW | DeKalb County, Georgia

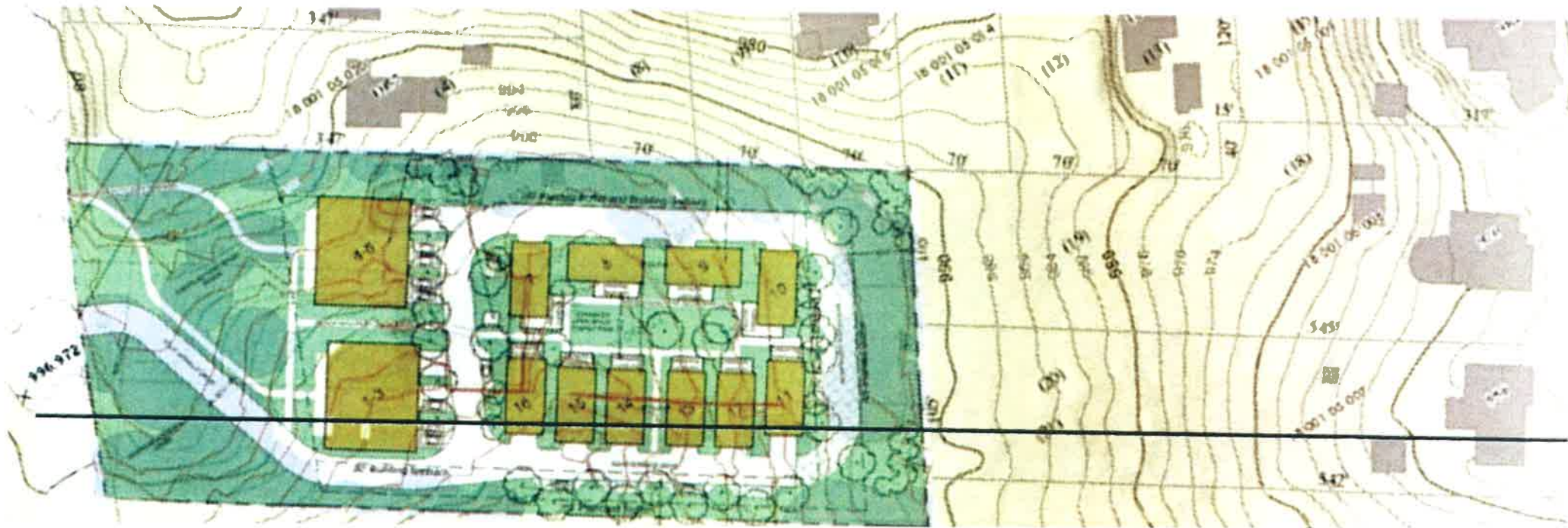




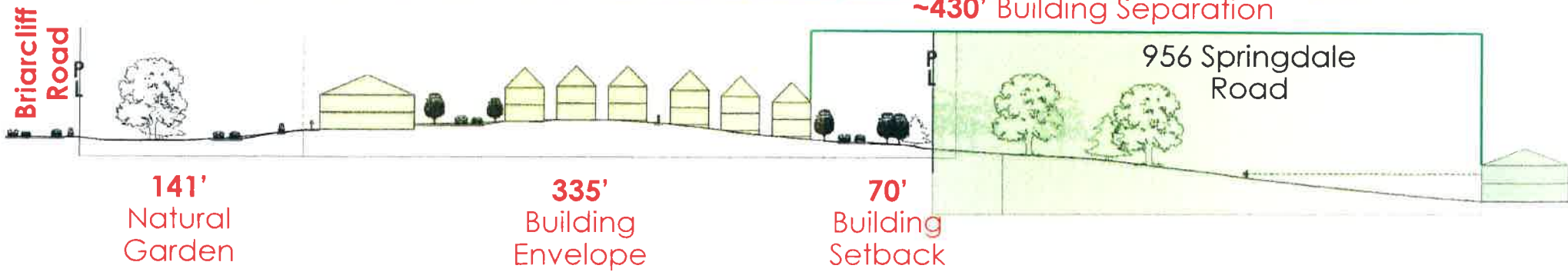






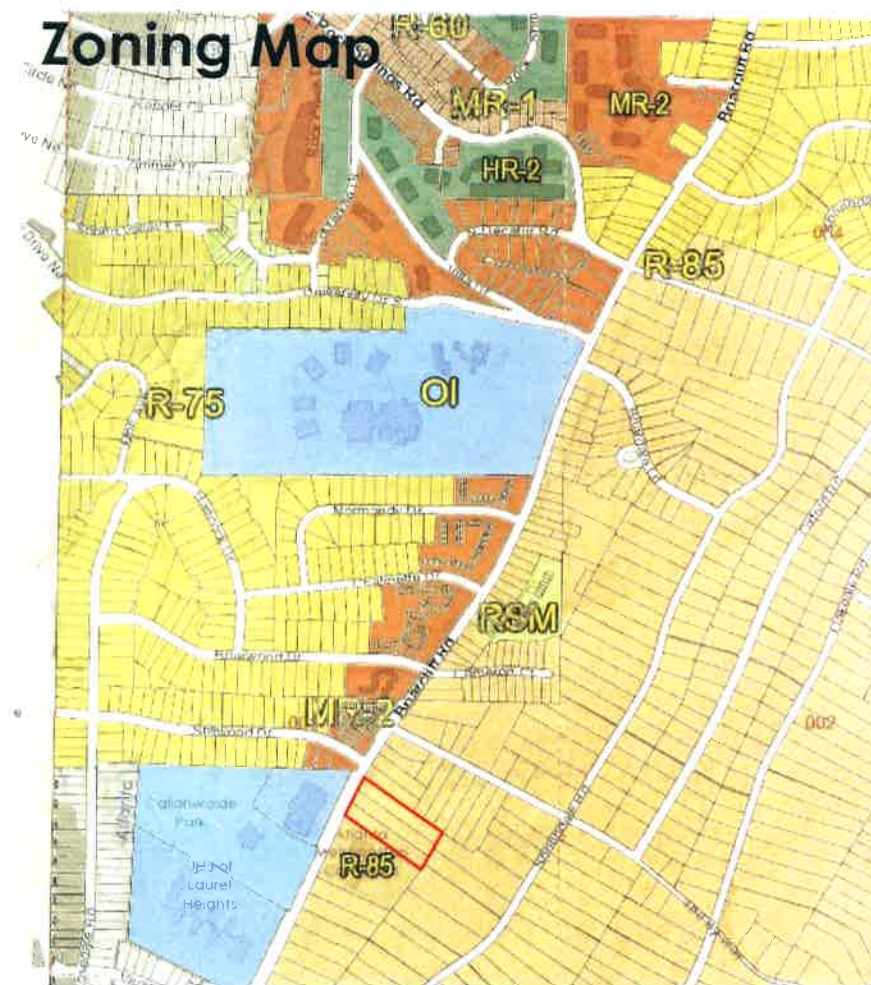


~430' Building Separation



## Briarcliff Road Site

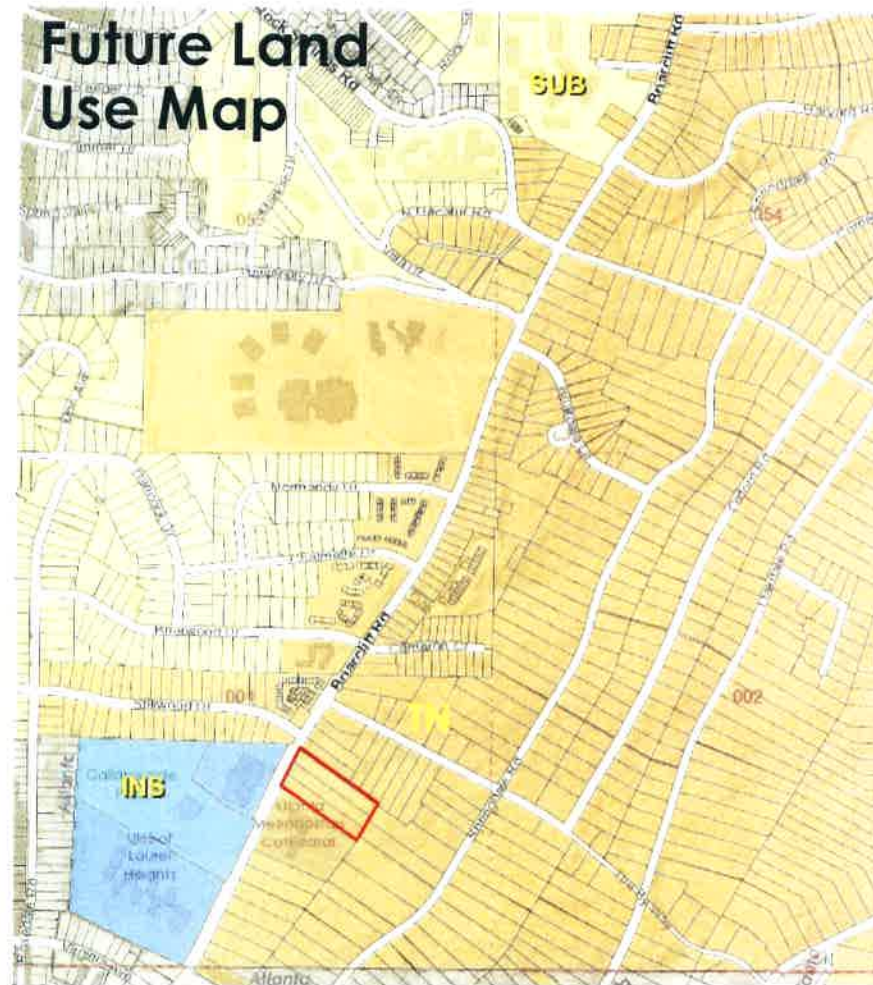
- Request
  - Rezoning from R-85 to RSM
  - Density Bonus of 50% greater than max
- Conformance:
  - Maintain Future Land Use designation of Traditional Neighborhood
  - Consistent with Druid Hills historic district guidelines
  - No variance requests are evident at this time





## Briarcliff Road Site

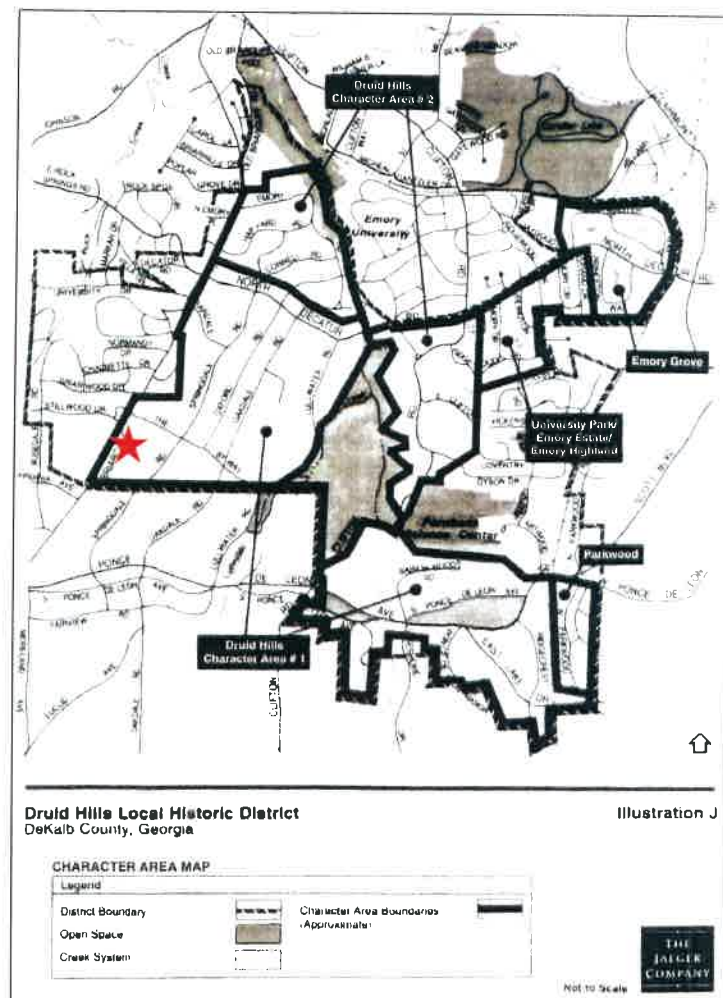
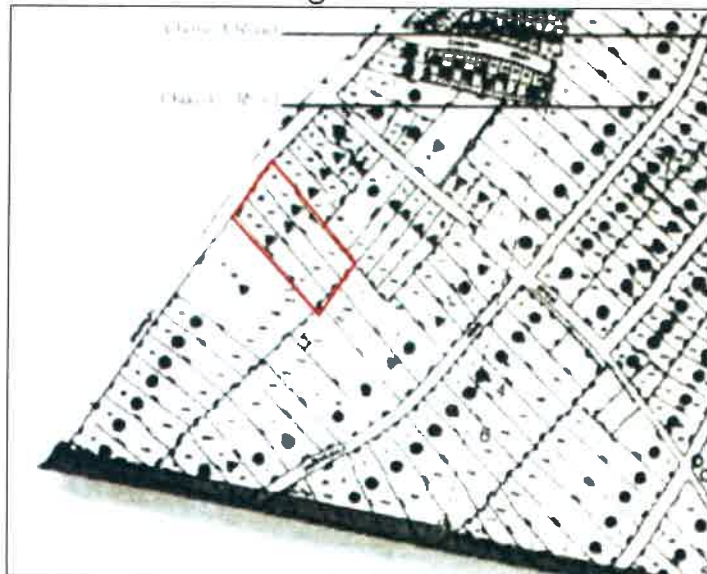
- Request
  - Rezoning from R-85 to RSM
  - Density Bonus of 50% greater than max
- Conformance:
  - Maintain Future Land Use designation of Traditional Neighborhood
  - Maintain Druid Hills historic Overlay
  - No variance request are evident at this time



## Briarcliff Road Site

- Request
  - Rezoning from R-85 to RSM
  - Density Bonus of 50% greater than max
  - Density sought is 5.3 upa with 16 units on site
- Conformance:
  - Maintain Future Land Use designation of Traditional Neighborhood-which allows up to 12 upa
  - Maintain Druid Hills historic Overlay
  - No variance requests are evident at this time

**District Intrusions**  
marked with triangles





## The Process \ \ Timeline



## The Process \ Design

- Initial Plan:
  - submitted with rezoning application
  - Active: 5/28-8/01
  - Reduced number of units and otherwise revised after community meeting



1043, 1047, 1051  
Briarcliff Road  
Unincorporated DeKalb  
LAND LOT 001  
18TH DISTRICT  
DeKalb County, Georgia

## Briarcliff Road Site Plan



## The Process \ \ Listening

- Highlights of what's changed

Item	Original Plan	Revised Plan
Planted Buffer - Rear	20'	40' (none required)
Planted Buffer – Interior side yard-North	20'	30' (none required)
Building Setback – Rear	45'	70' (required 15')
Building Setback – Interior side yard South	20'	30' (required 20')
Screening – Fence At North and East Boundary Line	None	Provided (not required)
Density (4-8 allowed)	6.3 units/acre	5.3 units/ acre

- Revised Plan:
  - Submitted August 6, 2019



**TSW**  
PLANNERS  
ARCHITECTS  
LANDSCAPE ARCHITECTS

1043, 1047, 1051  
Briarcliff Road  
Unincorporated DeKalb  
LAND LOT 001  
10TH DISTRICT  
DeKalb County Georgia

Briarcliff Road  
Rezoning  
Site Plan

1. *Staphylococcus aureus* (Staph. aureus) is a Gram-positive, spherical bacterium that is commonly found on the skin and in the nose of humans and animals. It is a facultative anaerobe and can grow in a wide range of environments. Staph. aureus is a major cause of skin infections, such as abscesses, boils, and impetigo. It can also cause more serious infections, such as pneumonia, osteomyelitis, and sepsis. Staph. aureus is resistant to many antibiotics, making it a difficult pathogen to treat.

brightest group  
site

Variable	Mean	SD	Range
Age (years)	34.5	10.2	20-55
Gender (male/female)	15/15	-	-
Education (years)	12.5	1.5	10-15
Occupation (white/blue)	10/5	-	-
Income (€1000/month)	1.5	0.5	1-2

$\frac{d}{dt} \left( \frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$



## Site Plan \ \ Overview

- Revised Plan:
  - Designed natural landscape at front
  - Increased planted buffers
  - Increased building setbacks
  - Density reduction
  - Expected tree save area defined
  - Reinforced turf creates 60' of green space at rear
  - Site circulation defined





## Elevation Study

Looking at units 1-6 facing Briarcliff Road

for: Elegant Homes, LLC

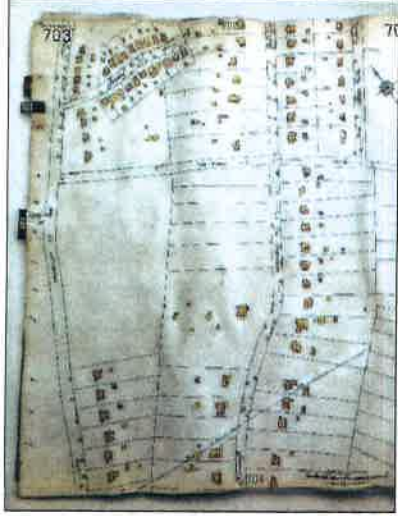
by: TSW

07/03/2019

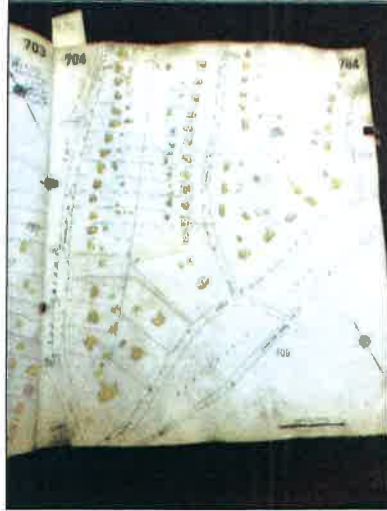
**TSW**  
TARNER  
ARCHITECTS  
LANDSCAPE ARCHITECTS



Sanborn Maps: 1924-1931



Sanborn Maps: 1924-1941



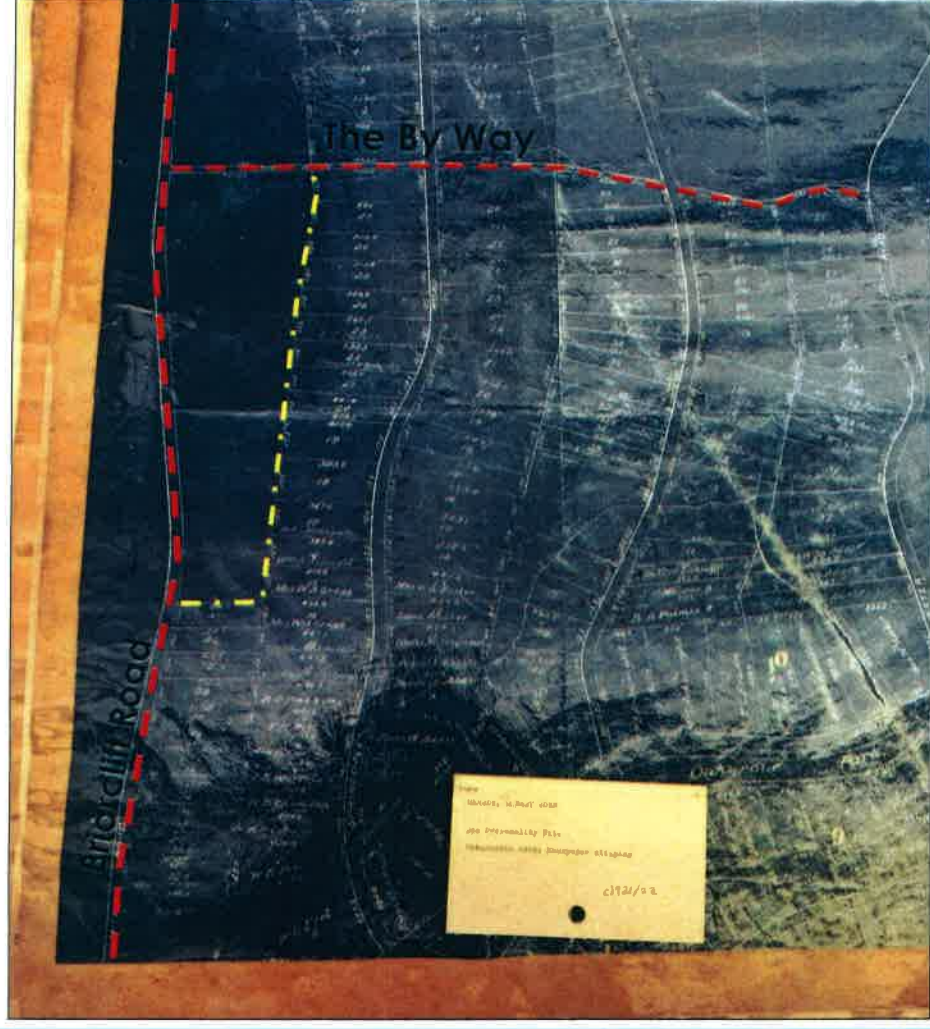
Sanborn Maps: 1924-1965



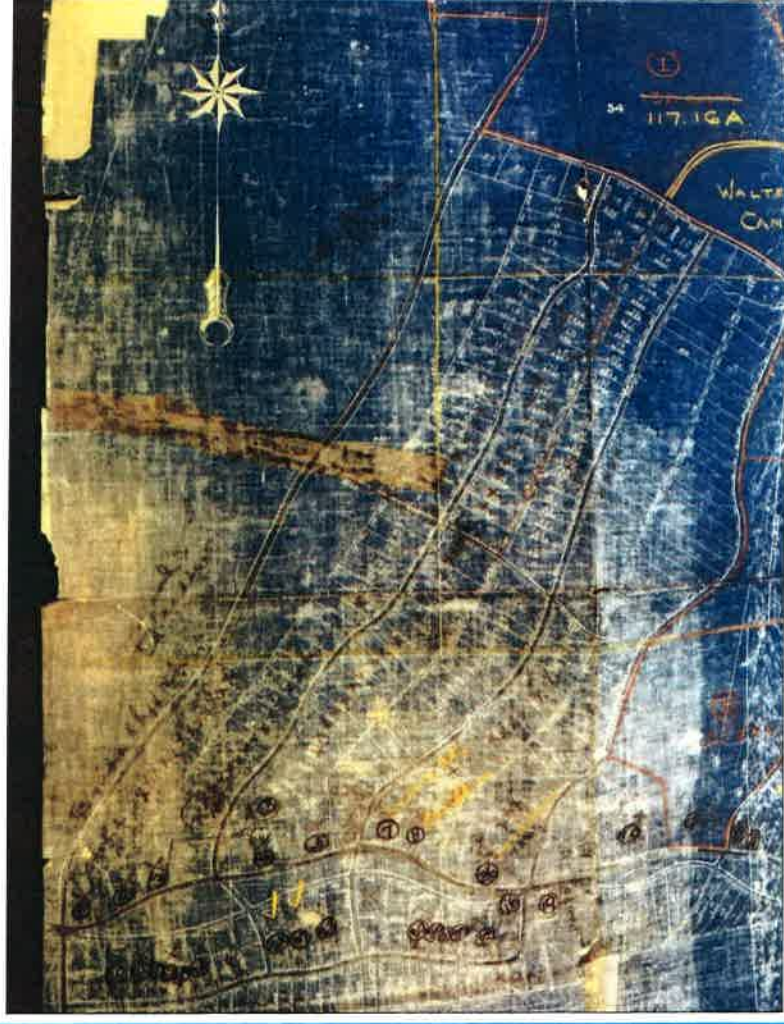
*\*Photographs on this page are of  
archived documents belonging  
to the Atlanta History Center*



Adair Plats: 1908



Adair Plats: 1920



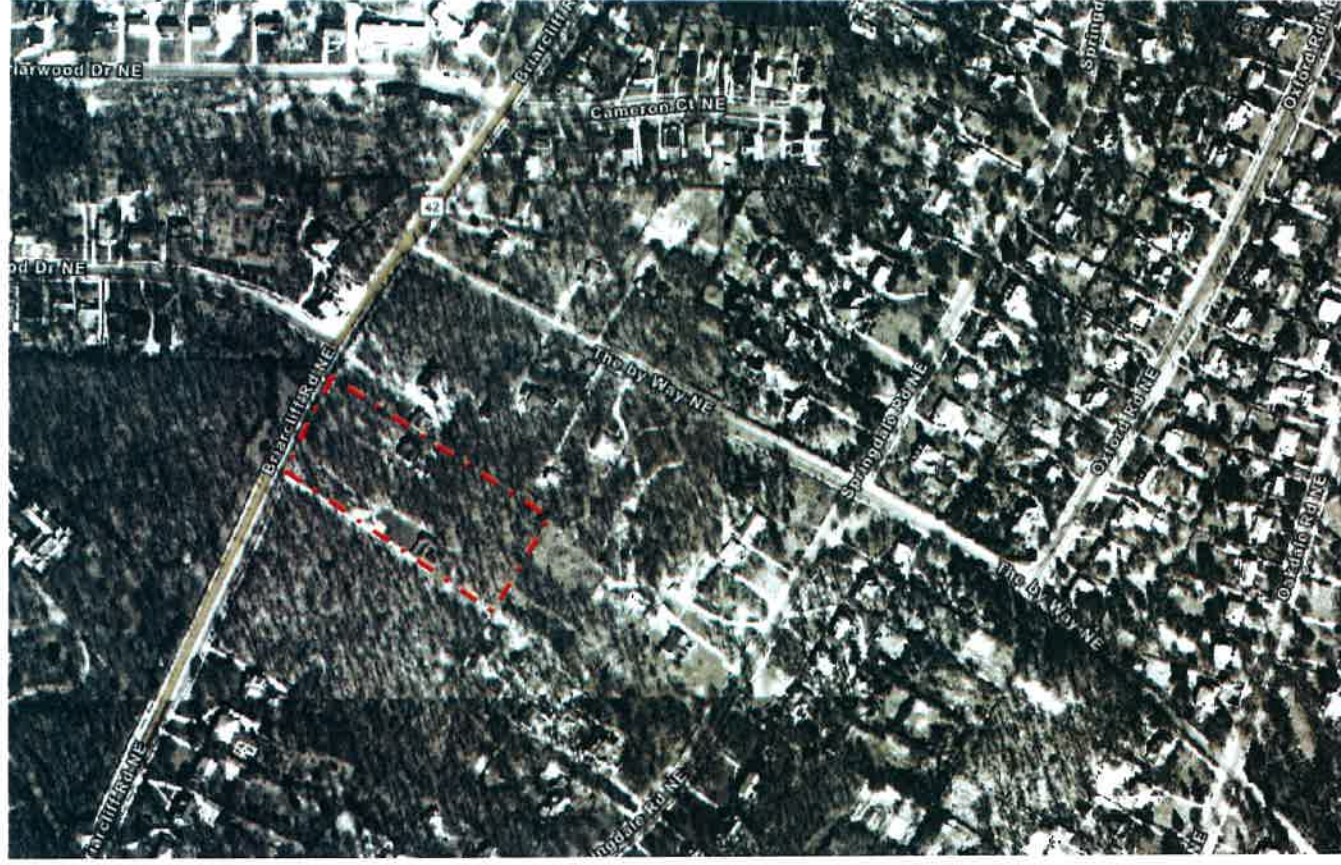


## 1928 City of Atlanta Map



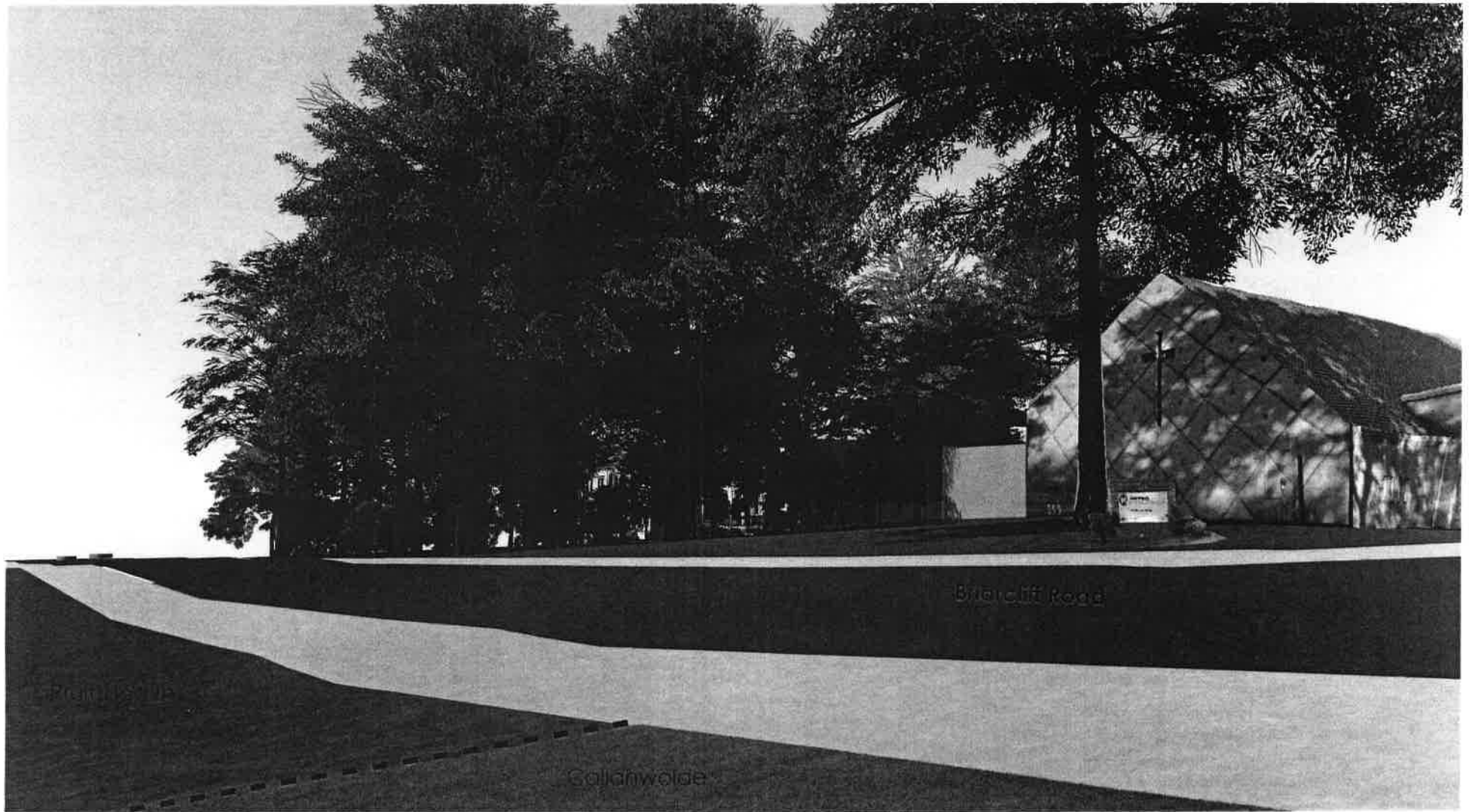


1949 Aerial image



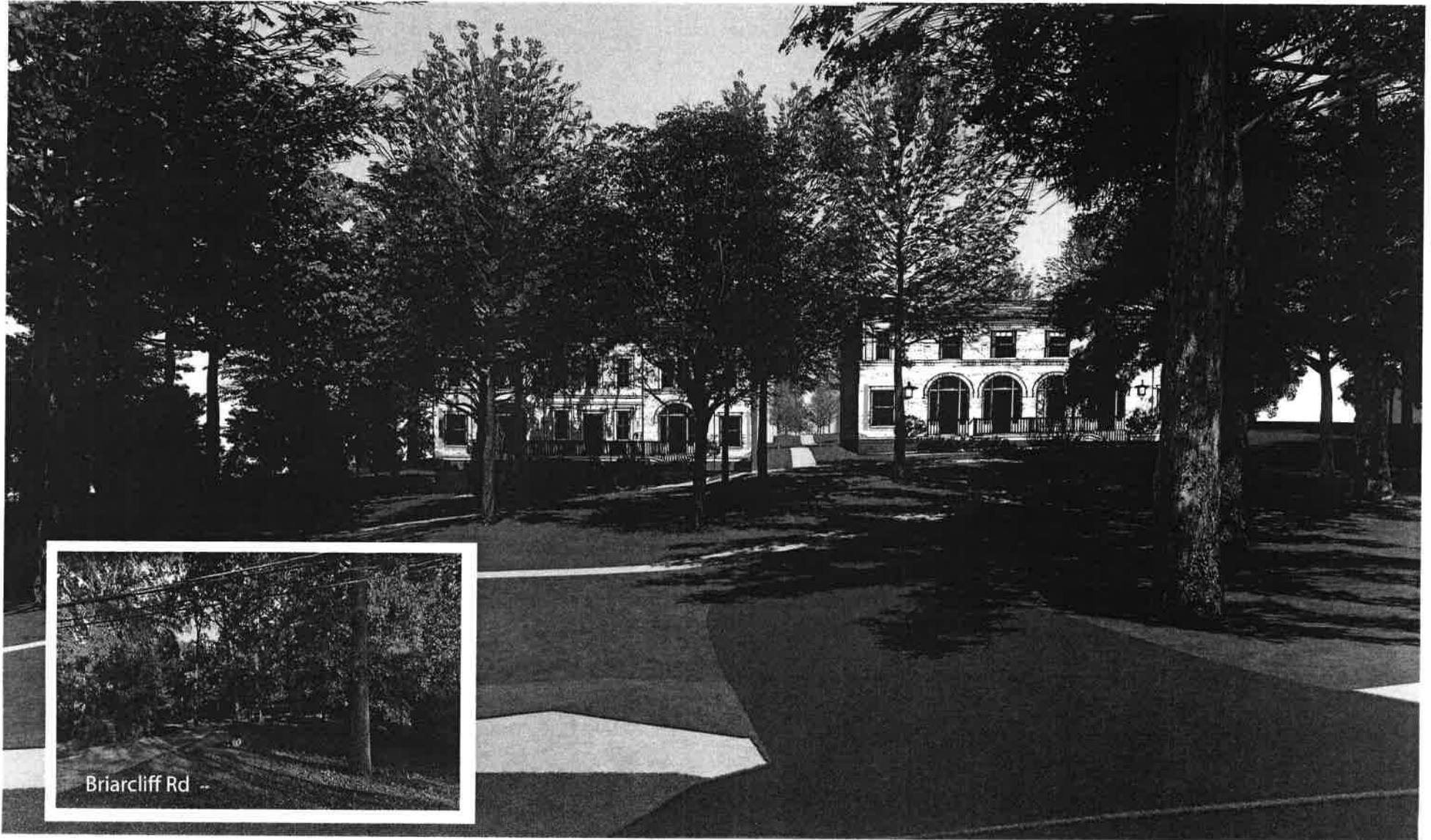
# **3-D View of Developed Site**

View from edge of Callanwolde property





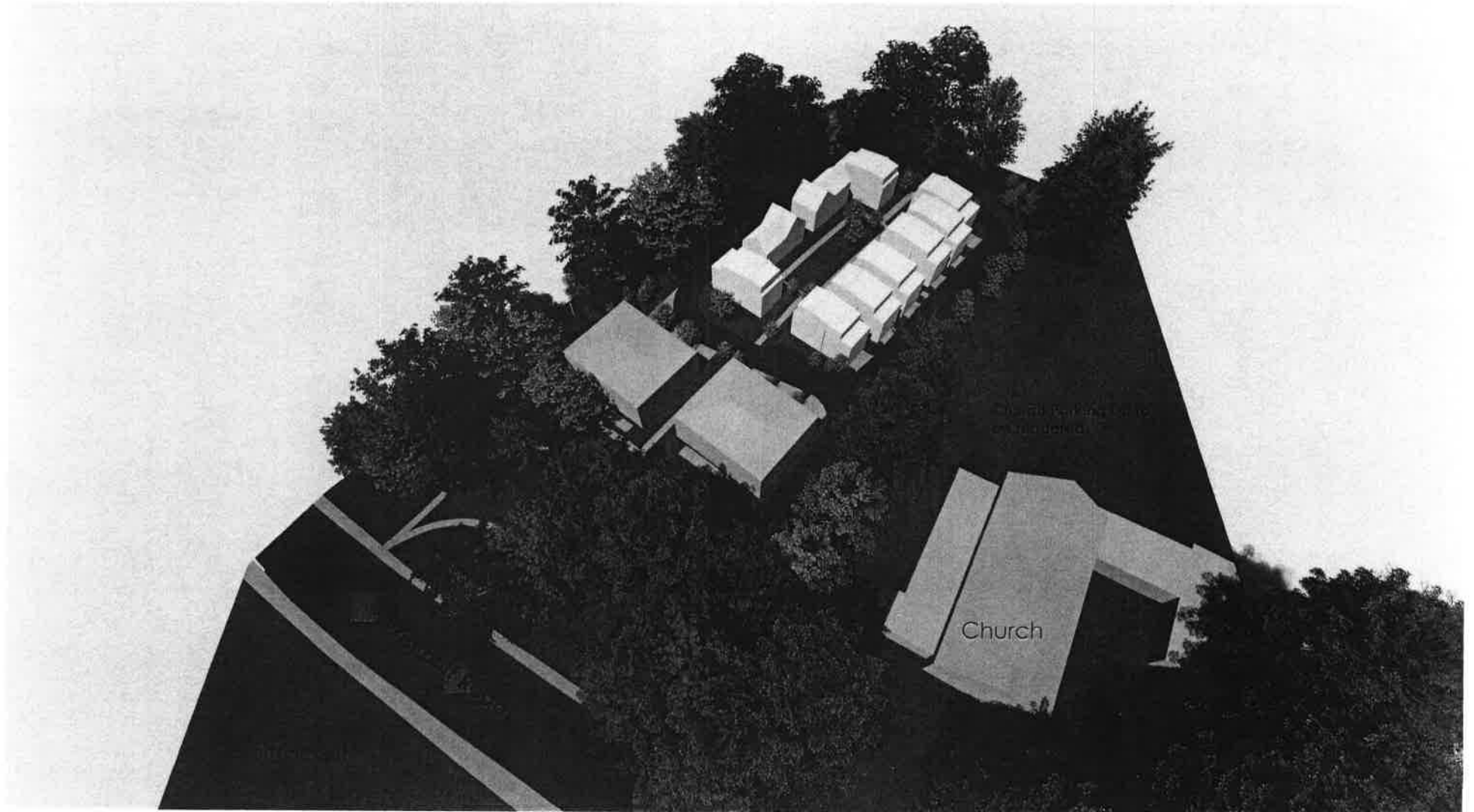
View from looking east from Briarcliff Road



View from looking southeast from Briarcliff Road

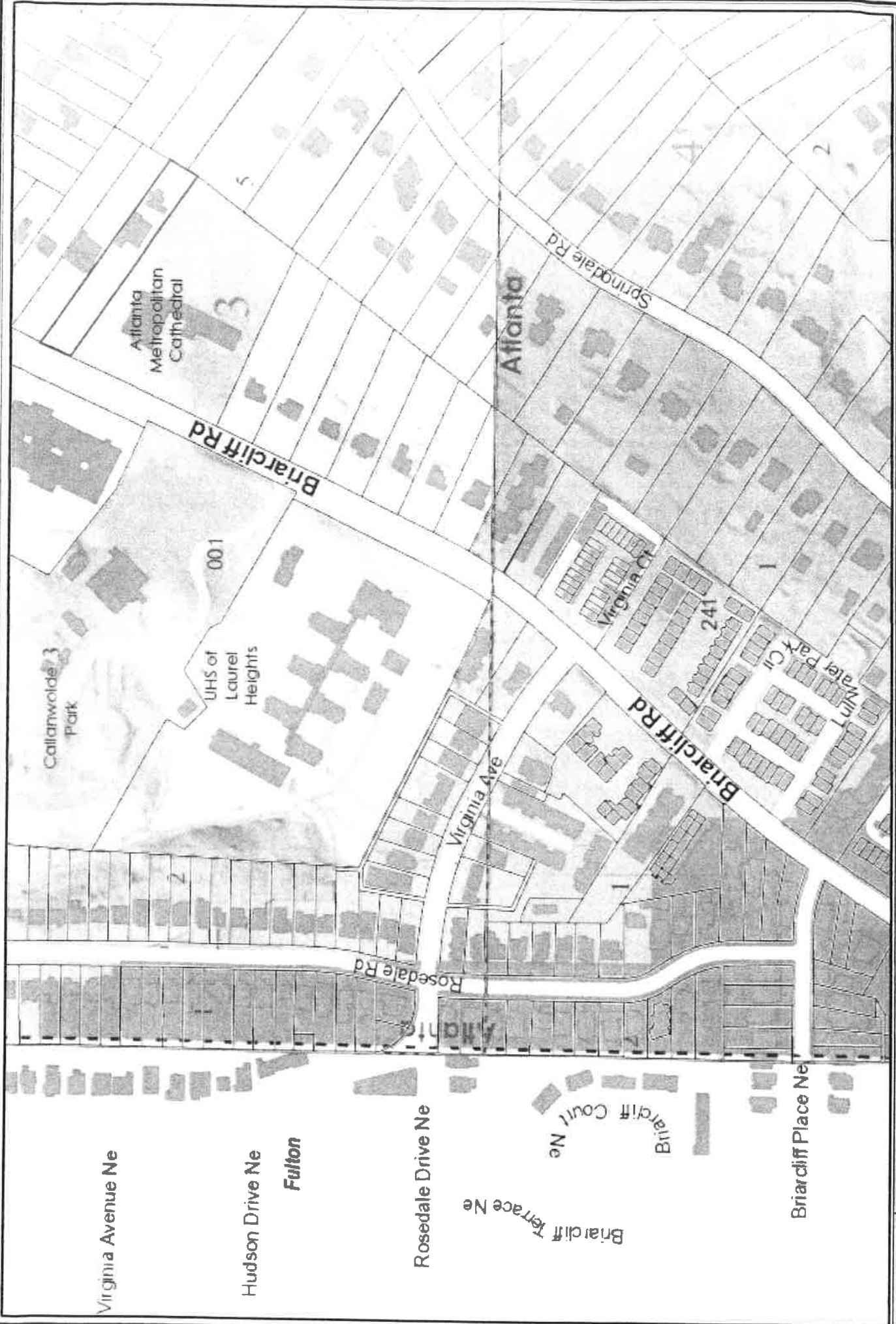


Birds-eye view looking northeast at site



# **Tax Maps**





# DeKalb County Parcel Map

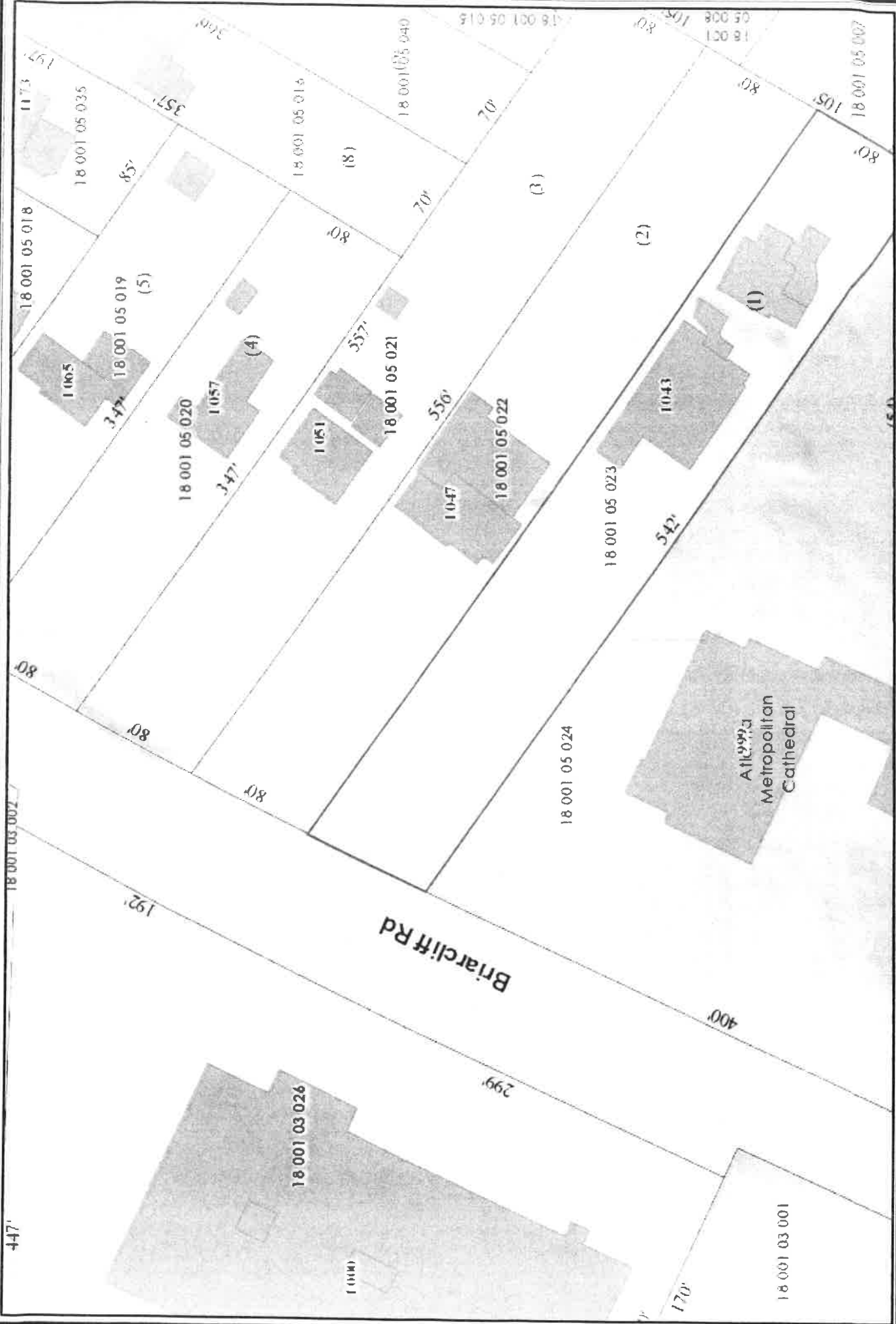


Date Printed: 9/10/2019




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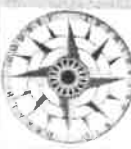
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0 0.005 0.01 0.02 0.03 0.04 mi

## DeKalb County Parcel Map

Date Printed: 9/10/2019



# **Sales Information**

●●● For Sale,...

Price

Beds

Home type

More

Save

Q

Schools

Dr

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Buy Rent Sell Home Loans Agent finder

Druid Hills, GA  For Sale, ... Price Beds Home type More



Sell Home Loans Agent finder



For Sale,... Price Beds Home type More Save Search



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Public View

Owner View

Georgia • Druid Hills • 30306 • 949 Briarcliff Rd Ne

Public View

Owner View



949  
Briarcliff Rd  
NE  
Atlanta, GA  
30306

5 beds • 2.5 baths •  
5,367 sqft

♥ OFF

MARKET

Zestimate®:

\$1,230,614

Rent

Zestimate®:

\$3,100 /mo

EST. REFI

PAYMENT

Est. Refi

Payment:

\$4,813/mo



💰 See current r

Home Shoppers are  
Waiting

146 shoppers are looking in your  
neighborhood and price range.

👤 Your name

☎ Phone

✉ ldunlavy@dunlavylawgroup.com

I own this home and would like to ask  
an agent about selling 949 Briarcliff



RESIDENTIAL BROKERAGE

ColdwellBankerHomes.com

1047 Briarcliff Rd NE, Atlanta, GA 30306

\$850,000

Sold Closed Lots/Land 5 Beds 3 Full Baths



Currently zoned R-85 combined with the next door listing you could get 7 homes. If rezoned to RM-100 12 townhouses. Located in highly sought after area of Druid Hills. Walking distance to Emory University, Virgilee Park, and Druid Hills golf course. Potential custom build opportunity. Seller is motivated to sell. Duplex is in very good condition. There has never been a better opportunity to buy in Druid Hills. Home sits on a one acre lot that can accommodate a large home and carriage house. Don't disturb tenant land only.

## Full Property Details for 1047 Briarcliff Rd NE

### General

Sold For: \$850,000

Taxes: \$7,158 (2014)

Status: Closed

Type: Lots/Land

MLS ID: 5633053

Added: 1, 343 day(s) ago

Viewed: 4 times

### Interior

Rooms/Areas: Breakfast Area

### Rooms

#### BATHROOMS

Total Bathrooms: 3

Full Bathrooms: 3

#### BEDROOMS

Total Bedrooms: 5

Bedroom Features: Bedroom on Main Level

### Lot Features

Lot Size: 81x549x80x554

Street/Road Desc.: Paved

Topography: Level

Land Use: Multifamily

Zoning: R-85

### Water Features

Water Front Name: None

### Financial Considerations



## Location

Area: 52 - Dekalb-West

County: Dekalb

Driving Directions: 85N to exit 89, keep right off of ramp. Travel 1/4 miles and turn right on Briarcliff Road.

Price Per Acre: \$850,000

Tax Amount: \$7,158

Tax Year: 2014

Terms: Cash

## School Information

Elementary School: Fernbank

Middle School: Druid Hills

High School: Druid Hills

## Disclosures and Reports

Special Conditions: None

Documents Avail.: Survey

Options: Other

## Utilities

Utility Description: Cable, Electricity, Nat Gas

Onsite: Cable TV, Electricity, Natural Gas

## Structural Information

Architectural Style: Ranch

Storage: None

Current Bldg. Use: Multifamily

Potential Bldg. Use: Multifamily, Residential

Year Built: 1950

Listed by Chapman Hall Realtors

Sold by Harry Norman Realtors



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## Schools serving 1047 Briarcliff Rd NE

School District:Dekalb County Schools

Score	Name	Grades	Distance
6	<u><a href="#">Fernbank Elementary School</a></u> 157 Heaton Park Dr, Atlanta, GA 30030	PK-5	1.5 mi
6	<u><a href="#">Druid Hills Middle School</a></u> 3100 Mount Olive Dr, Decatur, GA 30033	6-8	4.8 mi
5	<u><a href="#">Druid Hills High School</a></u> 1798 Haygood Dr Ne, Atlanta, GA 30307	9-12	1.7 mi

Disclaimer: School ratings provided by [GreatSchools](#). Ratings are on a scale of 1-10. [Learn more about GreatSchools ratings](#). School attendance boundaries provided by Pitney Bowes and are for reference only. Contact the school directly to verify enrollment eligibility.

## Price & Sales History for 1047 Briarcliff Rd NE

Date	Details	Price	Change	Source
2/15/2016	Sold	\$850,000	0.12%	MLS
1/07/2016	Listed	\$849,000	—	MLS

Disclaimer: Historical sales information is derived from public records provided by the county offices. Information is not guaranteed and should be independently verified.

1047 Briarcliff Road Ne, Atlanta, GA 30306 (MLS# 5633053) is a Lots/Land property that was sold at \$850,000 on February 15, 2016. Want to learn more about 1047 Briarcliff Road Ne? Do you have questions about finding other Lots/Land real estate for sale in Atlanta? You can browse all Atlanta real estate or contact a Coldwell Banker agent to request more information.

# **Callanwolde Fine Arts Center**

# About Callanwolde

## Who We Are

The Callanwolde Fine Arts Center is a community arts conservatory and renowned venue located on a historic 12-acre campus in the heart of Atlanta. It is owned and operated by the Callanwolde Foundation, Inc., a 501(c)(3) non-profit organization with the mission of preserving, restoring, and developing the Callanwolde Estate to be the premiere public arts and cultural center.

BOARD OF  
DIRECTORS

HISTORY

CONTACT US

ADMINISTRATIVE  
STAFF



## CONTACT US

930 Briarcliff Road

NE

Atlanta, GA 30306

P: (404) 872-5338

Monday to Thursday

9am - 5pm

Friday & Saturday

10am - 12pm

Sunday: Closed

## BROWSE

### CALLANWOLDE

Home

Events Calendar

Venue Rentals

About Callanwolde

Support Callanwolde

## NEWSLETTER

### SIGN UP

Your email address

SIGN UP

## CONNECT WITH

US



# Laurel Heights



LAUREL HEIGHTS



(<https://laurelheightshospital.com>)

☎ 404-888-5475 (tel:404-888-5475)

## Our Campus

# Laurel Heights Hospital Campus

---

Our psychiatric hospital campus includes eight separate treatment units, a school, a gymnasium and multiple outdoor recreational areas appropriate to the physical, developmental and clinical needs of our patients. Outdoor recreational areas include a playing field, basketball and volleyball courts, a swimming pool, a picnic area and multiple playgrounds where sensory needs can be met in a serene, natural environment.





404-888-5475 (tel:404-888-5475)

## Welcome to Laurel Heights Hospital

We offer compassionate, comprehensive care for children and adolescents who face complex psychiatric, behavioral and neurodevelopmental disorders.

## Our Camp

Our hospital has outdoor recreational areas.



## We're Here to Help

Laurel Heights Hospital's professional staff are ready to help find the best treatment options for your child. Call [404-888-5475 \(tel:404-888-5475\)](tel:404-888-5475) for a no-cost, confidential assessment 24 hours a day, 7 days a week. If you need immediate medical assistance, contact 911 or seek the nearest emergency room.



Physicians are on the medical staff of Laurel Heights Hospital, but, with limited exceptions, are independent practitioners who are not employees or agents of Laurel Heights Hospital. The facility shall not be liable for actions or treatments provided by physicians. Model representations of real patients are shown. Actual patients cannot be divulged due to HIPAA regulations. TRICARE® is a registered trademark of the Department of Defense, Defense Health Agency. All rights reserved.

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LAUREL HEIGHTS

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<https://laurelheightshospital.com>

[Sitemap](#)

 [404-888-5475 \(tel:404-888-5475\)](tel:404-888-5475)  
[Download Adobe Acrobat Reader](#)

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## Treatment & Services

# Find a Program that Fits Your Child's Needs

---

At Laurel Heights Hospital, we are committed to providing the highest quality of psychiatric and behavioral care. Our comprehensive pediatric programs and services are designed to bring hope and healing to children and adolescents who face complex psychiatric, behavioral and neurodevelopmental disorders. We strive to cater our approach to treatment to the needs of each child who comes into our care.

Treatment programs at Laurel Heights Hospital are structured for youth ages 6–17 who are dealing with general psychiatric difficulties and trauma. We also offer specialty mental health programs for children with co-occurring neurodevelopmental disabilities, including Autism Spectrum Disorders.

Within each of our programs, services are provided by multidisciplinary treatment staff and include:

- Psychiatric treatment by board-certified child and adolescent psychiatrists

- Nursing care and medication management

- Crisis stabilization

- Individual, family and group therapy

- Specialized groups addressing trauma, substance abuse and sexual reactivity

- Recreation/expressive therapy

- Psychological evaluation

Functional behavioral assessments and behavior support

Laurel Heights  
Applied behavioral analysis  
(<https://laurelheightshospital.com>)

An educational program staffed with certified teachers

Transition and discharge planning



## Services for Children

---

Treatment options for children at Laurel Heights Hospital include our **Acute Inpatient Psychiatric Program** (<https://laurelheightshospital.com/treatment-and-services/children/acute-inpatient-psychiatric/>) (for boys and girls ages 6 and above), our Acute Residential **Psychiatric Program** (<https://laurelheightshospital.com/treatment-and-services/residential-treatment/acute-residential-psychiatric/>) (for boys ages 6 and above) and our Specialized Residential Treatment Program for **patients with Autism Spectrum Disorder** (<https://laurelheightshospital.com/treatment-and-services/residential-treatment/specialized-residential-treatment/>) (for boys and girls ages 6 and older).

## Services for Adolescents

---

Adolescent treatment options include our **Acute Inpatient Psychiatric Program** (<https://laurelheightshospital.com/treatment-and-services/adolescents/acute-inpatient-psychiatric/>) (for boys and girls up to age 17), a Acute Residential **Psychiatric Program** (<https://laurelheightshospital.com/treatment-and-services/residential-treatment/acute-residential-psychiatric/>) (for boys up to age 17 and girls ages 12–17), our Specialized Residential Treatment Program (<https://laurelheightshospital.com/treatment-and-services/residential-treatment/specialized-residential-treatment/>) for patients with Autism Spectrum Disorder (for boys and girls up to age 17), and our Long-Term Psychiatric **Residential Treatment Program** (<https://laurelheightshospital.com/treatment-and-services/residential-treatment/long-term-psych-for-adol-males/>) for boys 12–17 (including our SOAR program for those in need of treatment for inappropriate sexual behavior). We also offer a **TRICARE®-certified residential** (<https://laurelheightshospital.com/treatment-and-services/residential-treatment/>) treatment program for teen boys.

We offer therapeutic foster care for children ages 4–17 through our [Olympus Program](https://laurelheightshospital.com/treatment-and-services/residential-treatment/foster-care/) (<https://laurelheightshospital.com/treatment-and-services/residential-treatment/foster-care/>). Our goal is to give children who struggle with emotional or behavioral difficulties a chance to live within the community in the naturally therapeutic environment of a family. Foster parents who participate in this program are trained, supervised and supported by the Laurel Heights Specialized Foster Care Treatment Team. Family Consultants work with the foster family, birth parents, case managers and the child to ensure that therapeutic, academic, social and medical needs are met.

## Program Brochures

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[Breakthrough Acute Program \(/wp-content/uploads/2019/05/Breakthrough-Acute-Program.pdf\)](/wp-content/uploads/2019/05/Breakthrough-Acute-Program.pdf)

[Discovery Autism Residential Program \(/wp-content/uploads/2019/05/Discovery-Autism-Residential-Program.pdf\)](/wp-content/uploads/2019/05/Discovery-Autism-Residential-Program.pdf)

[Enlightenment Acute Program \(/wp-content/uploads/2019/05/Laurel-Enlightenment-Program.pdf\)](/wp-content/uploads/2019/05/Laurel-Enlightenment-Program.pdf)

[Residential Programs \(/wp-content/uploads/2019/05/Laurel-Residential-Programs.pdf\)](/wp-content/uploads/2019/05/Laurel-Residential-Programs.pdf)

## We're Here to Help

---

Laurel Heights Hospital's professional staff are ready to help find the best treatment options for your child. Call [404-888-5475 \(tel:404-888-5475\)](tel:404-888-5475) for a no-cost, confidential assessment 24 hours a day, 7 days a week. If you need immediate medical assistance, contact 911 or seek the nearest emergency room.






LAUREL HEIGHTS



<https://laurelheightshospital.com>



 404-888-5475 (tel:404-888-5475)

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## Programs Designed to Change Lives

### The Intensive Residential Programs

Laurel Heights Hospital provides intensive residential treatment to children and adolescents, ages 6 -17, with severe and complex psychiatric and behavioral difficulties impacting multiple areas of functioning.

#### *Themed Cottages and Programs*

Children are placed within separate cottages based on age, gender, and special treatment needs. This ensures that programming can be tailored to specific developmental needs in addition to individualized treatment issues, such as mood disorders, self-injurious behaviors, psychotic symptoms, impulse control, emotional regulation difficulties and trauma symptoms.

- *Landmark:* General psychiatric residential treatment for boys, ages 6 - 11
- *Inspiration:* General psychiatric residential treatment for girls, ages 12 - 17
- *Declaration:* General psychiatric residential program with accommodations for mildly intellectually delayed patients for boys
- *Question:* General psychiatric residential program for boys, ages 12 - 17, with a Subset program for patients with sexually acting out behaviors detrimental to their health and others.
- *Discovery:* Specialized psychiatric residential treatment for patients with severe, co-occurring autism spectrum disorder symptoms
- *Reimagination:* General psychiatric residential program with accommodations for mildly intellectually delayed patients for girls, ages 12 - 17

All children in our residential programs attend Laurel Heights Academy, accredited by the Southern Association of Colleges and Schools, on campus. Following the Georgia Department of Education curriculum, Laurel Heights Academy provides Reading, Language Arts, Mathematics, Social Studies, Science and Physical Education/Recreation Therapy. During the school year, instruction and learning will occur in full-day sessions. During the summer months, half-day sessions with additional field trips are held.

#### Multi-Disciplinary Team

- Board Certified & Licensed Child & Adolescent Psychiatrists
- Licensed Therapists
- Licensed Registered Nurses / LPN'S
- Board Certified Behavior Analysts (BCBA) - Discovery Program
- Certified Recreational Therapists
- Medication Management

#### Treatment Modalities

Cognitive Behavior Therapy (CBT)  
Trauma-Focused Cognitive Behavior Therapy (TFCBT)  
Play Therapy  
Mindfulness  
Dialectical Behavioral Therapy (DBT)



*For additional information*

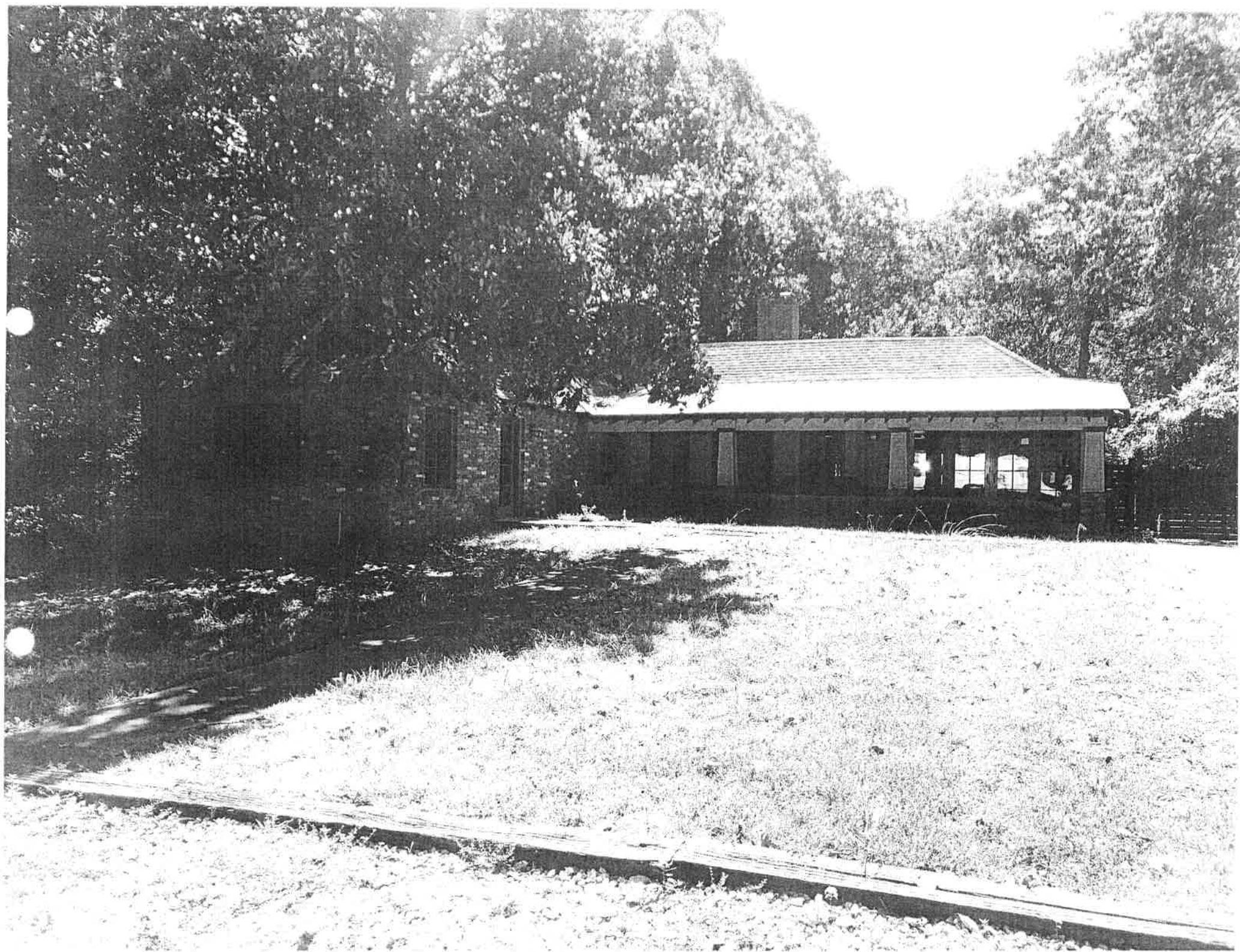
**404.888.5475**

[www.laurelheightshospital.com](http://www.laurelheightshospital.com)

Email: [admissions.laurelheights@uhsinc.com](mailto:admissions.laurelheights@uhsinc.com)

*Most private insurance, managed  
Medicaid and Tricare ® accepted.*

**1043 Briarcliff**









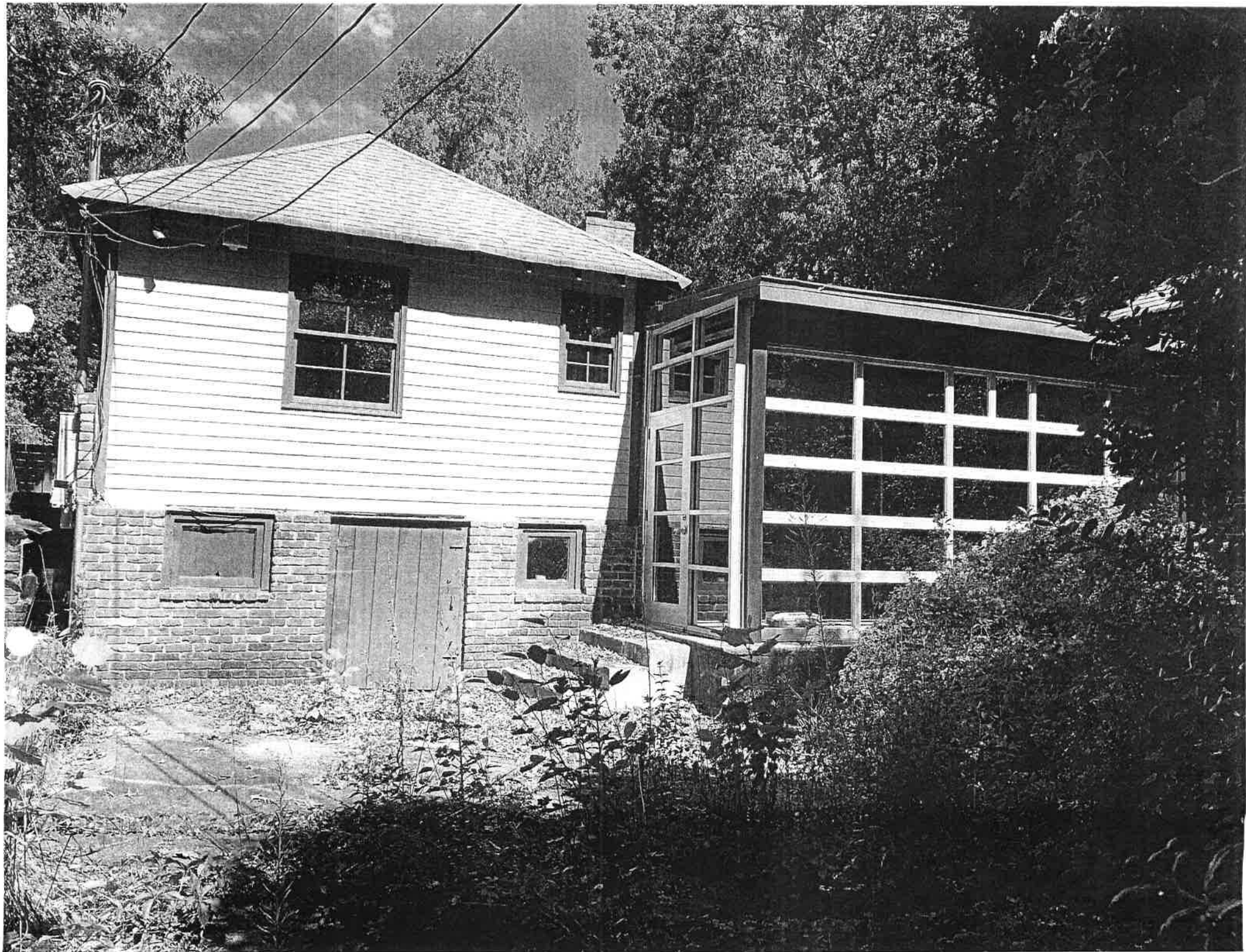




























# **1047 Briarcliff Middle**

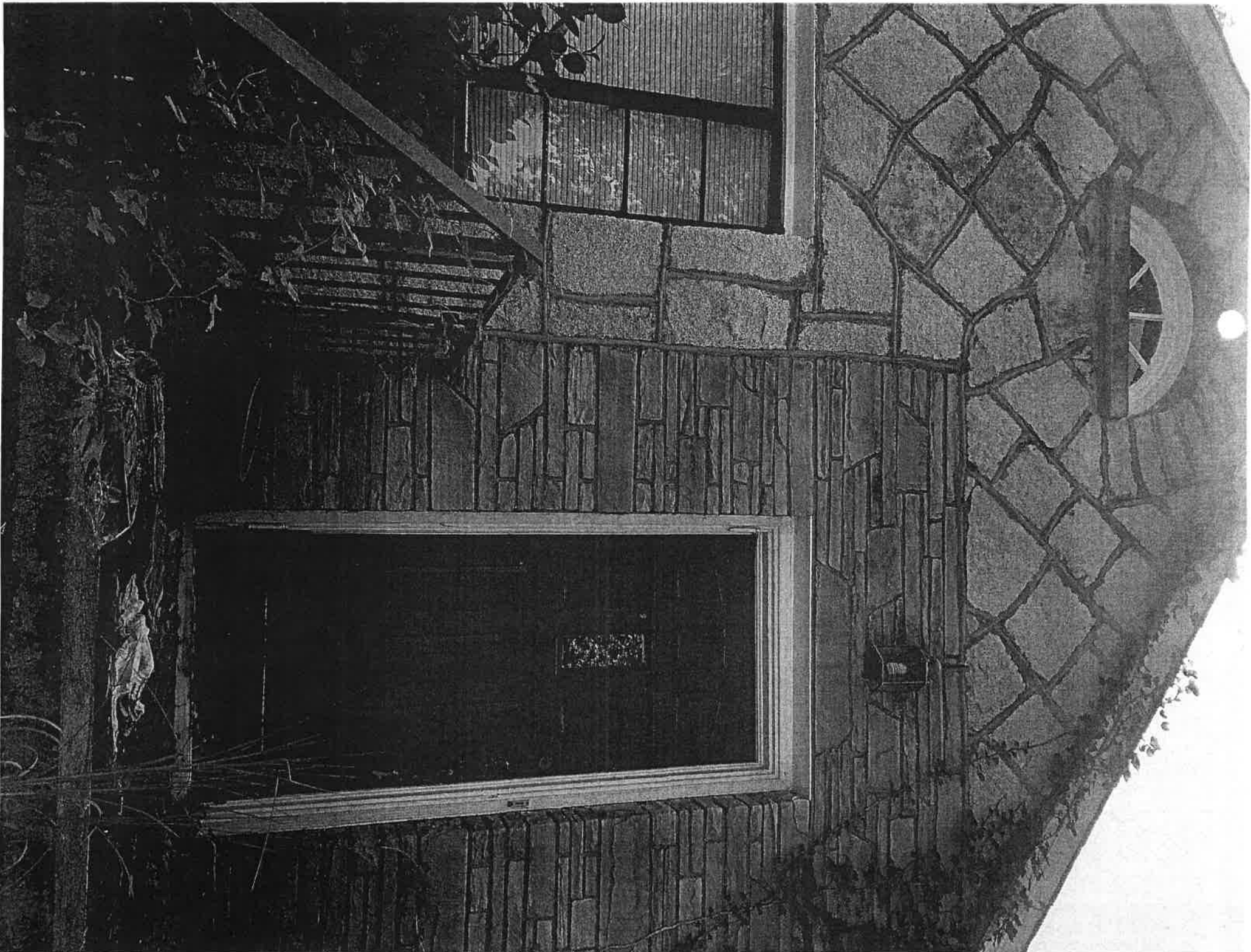






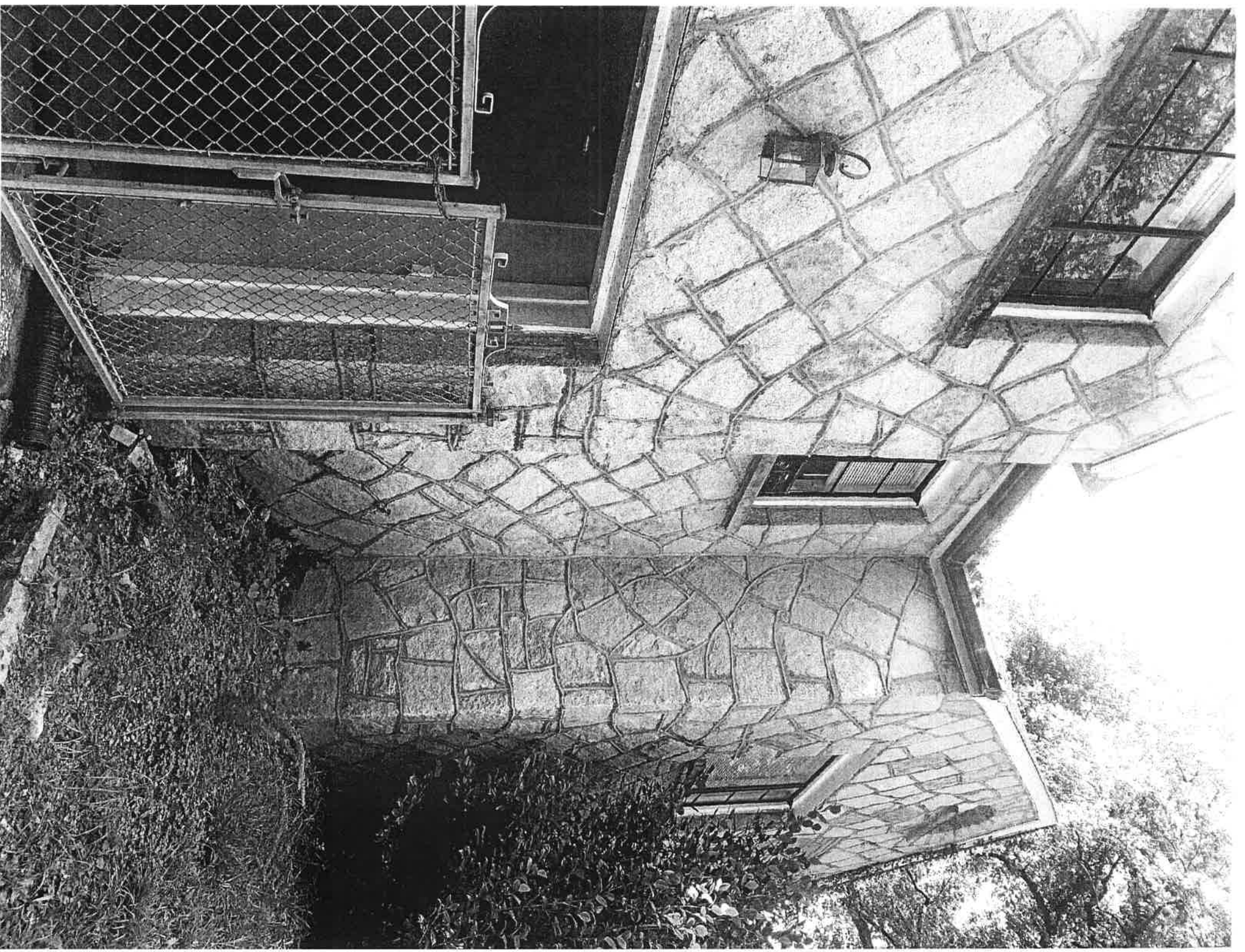








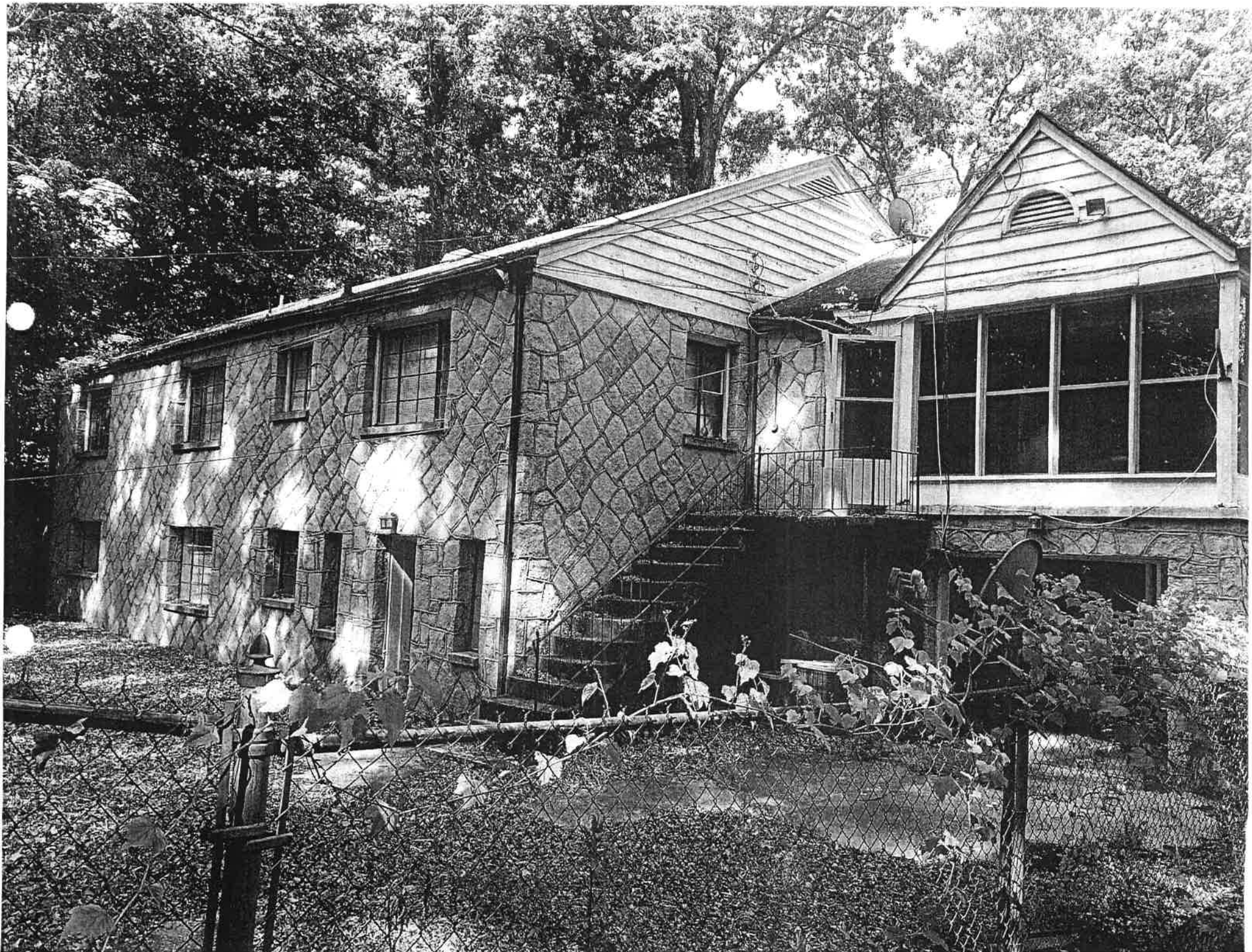




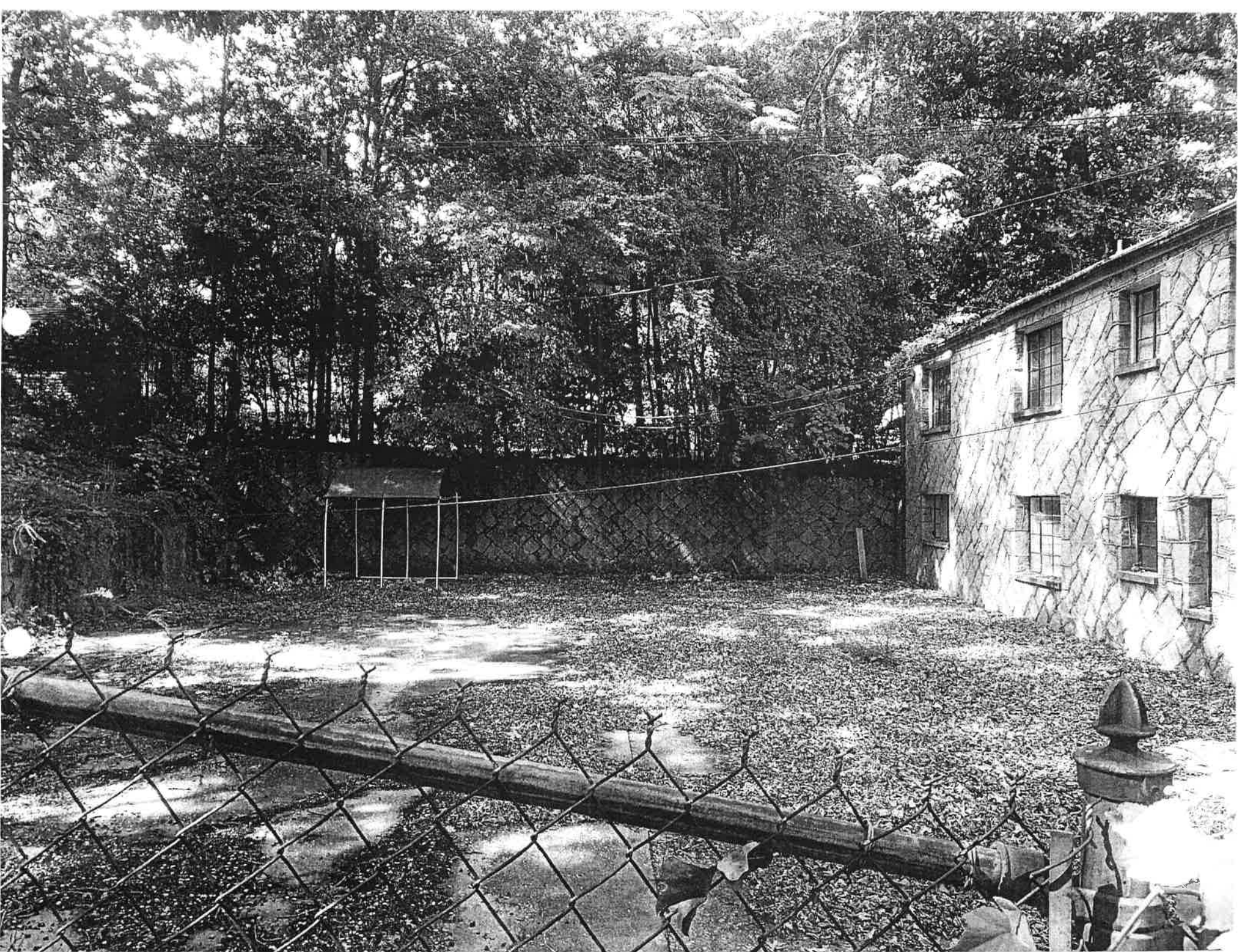




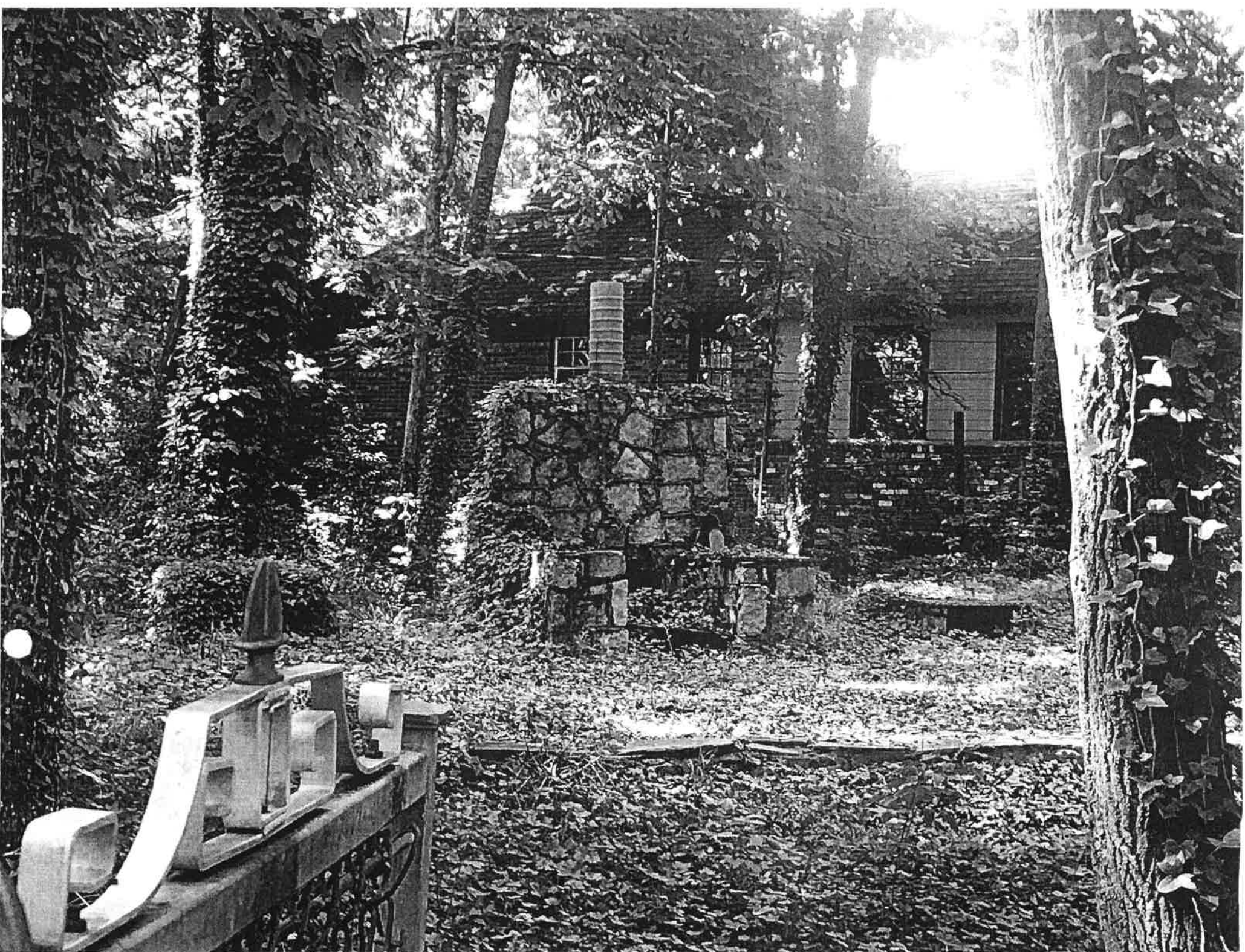


















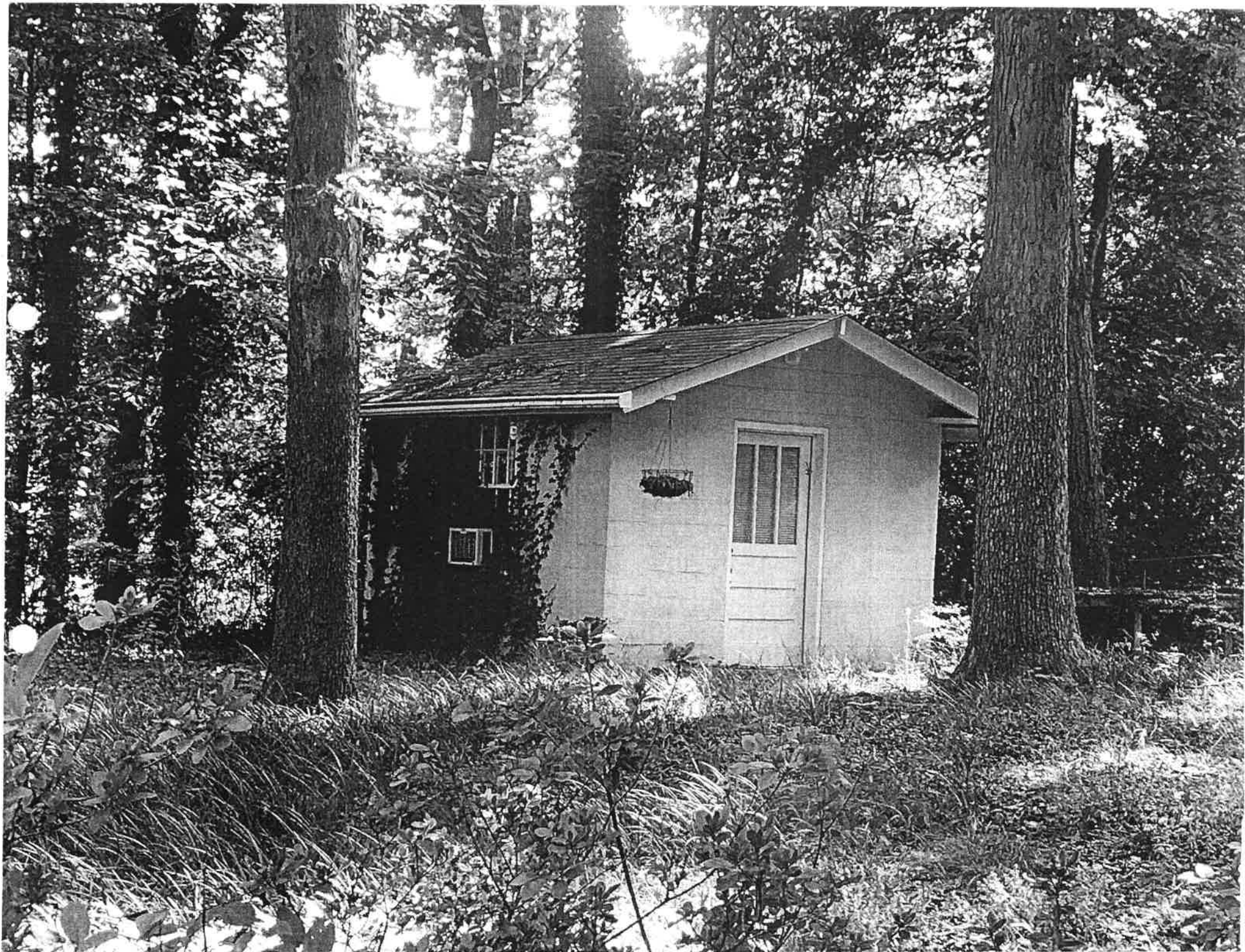






**1051 Briarcliff**























# **Pruitt Health – Virginia Park**

PARID: 18 001 03 026

Tax Dist: 04-UNINCORPORATED

DEKALB HEATHCARE PROPERTIES INC

1000 BRIARCLIFF RD

**Parcel**

---

Status	ACTIVE
Parcel ID	18 001 03 026
Alt ID	782416
Address	1000 BRIARCLIFF RD
Unit	
City	ATLANTA
Zip Code	30306-2618
Neighborhood	7015
Super NBHD	
Class	C3 - COMMERCIAL LOT
Land Use Code	316-Nursing Home
Living Units	
Zoning	-
Appraiser	MEAD - MEAD SCHLEMMER (404) 371-2512

**Mailing Address**

---

DEKALB HEATHCARE PROPERTIES INC  
1626 JEURGENS CT  
NORCROSS GA 30093

**Current Ownership**

---

Owner	Co-Owner
DEKALB HEATHCARE PROPERTIES INC	

**Ownership on January 1st**

---

Owner	Co-Owner
DEKALB HEATHCARE PROPERTIES INC	

**Notices of Assessment**

---

Tax Year	Notice Type	Download
2019	Annual Notice	<a href="#">Click Here</a>
2018	Annual Notice	<a href="#">Click Here</a>
2017	Annual Notice	<a href="#">Click Here</a>

**Property Tax Information**

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[Click Here](#) for Property Tax Information

## PruittHealth - Virginia Park

1000 Briarcliff Road N.E., Atlanta, GA, 30306

tel: 404-875-6456 fax: (404) 815-8864

---

### *Request More Information*

## PruittHealth - Virginia Park

Our skilled nursing and rehabilitation center is one of many in the PruittHealth family of providers throughout the Southeast. We offer a comprehensive menu of services and are committed to caring for you and your health. We can help you with the complex decisions you are facing now by providing a clear understanding of the short- and long-term care processes, while offering a customized solution to your individual health care needs. Our center provides exceptional care through our therapy services and cozy, home-like environment and is on the cutting edge of rehabilitation and aging care. We understand the difficulties and emotional struggles of having to leave the comfort of your home, and that is why our attentive staff is dedicated to facilitating smooth transitions and to providing comfort and companionship with a warm and personal touch. Under the care of our highly skilled professional staff, we will continue to provide quality care and will stay committed to caring for your individual health care needs.

### Services

- Tracheostomy Patients
- 24-Hour Nursing Services
- I.V. Therapy
- Wound Care Management
- Pain Management
- Central Lines
- Oxygen Therapy



- Respiratory Therapy
- Physical Therapy
- Occupational Therapy
- Speech Therapy

#### Additonal Services Available:

- Dietetic Programming & Nourishment Care
- Recreational Activities Programming
- Hospice Services
- Chaplain/Counseling Services
- Religious Services
- Laundry Services
- Beauty Salon/Barber Shop
- Pharmacy Services
- Volunteer Services
- Medication Management

#### Amenities

- 125 beds - private and semi-private rooms are available
- Nurses' Monitoring Stations - fully equipped and strategically located to allow for constant communication between staff and patients
- Conveniently located in midtown, with hospital and medical services nearby
- Exercise Classes
- Arts & Crafts
- Gardening On-Site
- Media Room
- Chapel
- Beauty & Barber Salon

- Accompanied walks around grounds
- Relaxing common areas for guests
- Assistance with activities of daily living
- Child visits

## Admissions/Discharge Information

[VIEW QUALITY REPORT](#)

---

## PATIENTS & FAMILIES

Model of Care (<http://www.pruitthealth.com/model-of-care>)

Care management (<http://www.pruitthealth.com/care-management>)

Care service providers (<http://www.pruitthealth.com/care-service-providers>)

Care pathways therapies & programs (<http://www.pruitthealth.com/care-pathways-therapies-programs>)

Home Infusion Services (<http://www.pruitthealth.com/patient-and-families-infusion-services>)

## HEALTHCARE PROFESSIONALS

Consulting (<http://www.pruitthealth.com/consulting>)

Pharmacy services (<http://www.pruitthealth.com/pharmacy>)

Medical & Nutritional Supply (<http://www.pruitthealth.com/medical-supply>)

Therapy Services (<http://www.pruitthealth.com/therapy-services>)

Home Infusion Services (<http://www.pruitthealth.com/healthcare-infusion-services>)

Physicians Services (<http://www.pruitthealth.com/Pages/physicians-services.aspx>)

## OUR COMPANY

About (<http://www.pruitthealth.com/about>)

News (<http://www.pruitthealth.com/news-list>)

Career Opportunities (<http://www.pruitthealth.com/employment>)

Contact us (<http://www.pruitthealth.com/contact-us>)

Volunteers (<http://www.pruitthealth.com/volunteer-registration>)

Legislative Action Center (<http://capwiz.com/uhspruitt/home/>)

Healthcare Transparency (<http://www.pruitthealth.com/healthcare-transparency>)

Download Quality Report (<http://www.pruitthealth.com/Documents/Annual%20Quality%20Report.pdf>)

Download Caring People (<http://www.pruitthealth.com/Documents/CaringPeople.pdf>)

Partner Services (<http://www.pruitthealth.com/Pages/Partner-Services.aspx>)

Privacy Practices (</privacy-practices>)

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Privacy Policy (</privacy-policy>)

Notice of Nondiscrimination (<http://www.pruitthealth.com/Documents/Section%201557%20Notice%20-%20Doc%20for%20Website.pdf>)

Espanol

Kreyol Ayisyen

Francais

Portugues

Deutsch

Tagalog

繁體中文

Tieng Viet

한국어

Italiano

العرب

Русский

हिंदी

Igbo asusu

ગુજરાતી

(<http://www.pruitthealth.com/Documents/Section%201557%20Notice%20-%20Doc%20for%20Website.pdf>)

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## FOLLOW US

## Tweets by @PruittHealth

PruittHealth Retweeted

 **Second Wind Dreams**  
@SecondWindDream

Wishing our Corporate Partner,  
@PruittHealth a Happy 50th  
Anniversary! Thanks to your  
dedicated staff members who  
have gone above & beyond to  
make elders' dreams come true.  
And thanks to your skilled  
nursing centers that have  
completed VDT training.

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Secure: Non-secure:



**Morningside  
Kindergarten  
Center**

# WELCOME TO THE MES KINDERGARTEN CENTER

The Morningside Kindergarten Center is located at the Atlanta Metropolitan Cathedral (999 Briarcliff Road NE, Atlanta, Georgia 30306)

The Morningside Kindergarten Center opened at the start of the 2018/2019 school year to help address capacity challenges at the MES Main Campus.

For more information, please visit: MES Community Page.

**Contacts:** Kindergarten Center main phone number 404-802-8700

- Holly Brookins, Ph.D. | MES Kindergarten Center - Program Administrator
- Sharon Gardner-Pierre | MES Kindergarten Center - Secretary
- Meet our Kindergarten Center Team visit Kindergarten Center Faculty and Staff Contacts Page

**Note:** As a reminder, this page may be translated by selecting the translate text/icon from the menu/sidebar and select your preferred language.

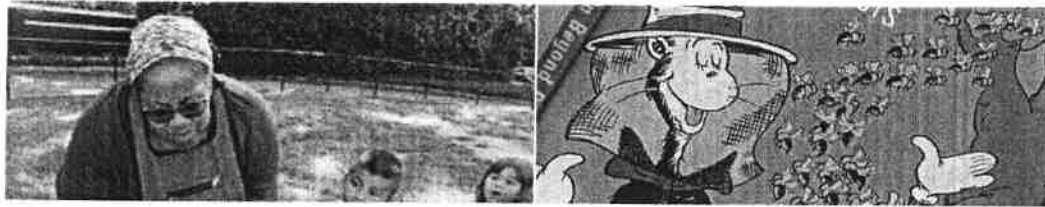
## Tweets by @HMBrookins



**Holly Brookins, Ph.D.**

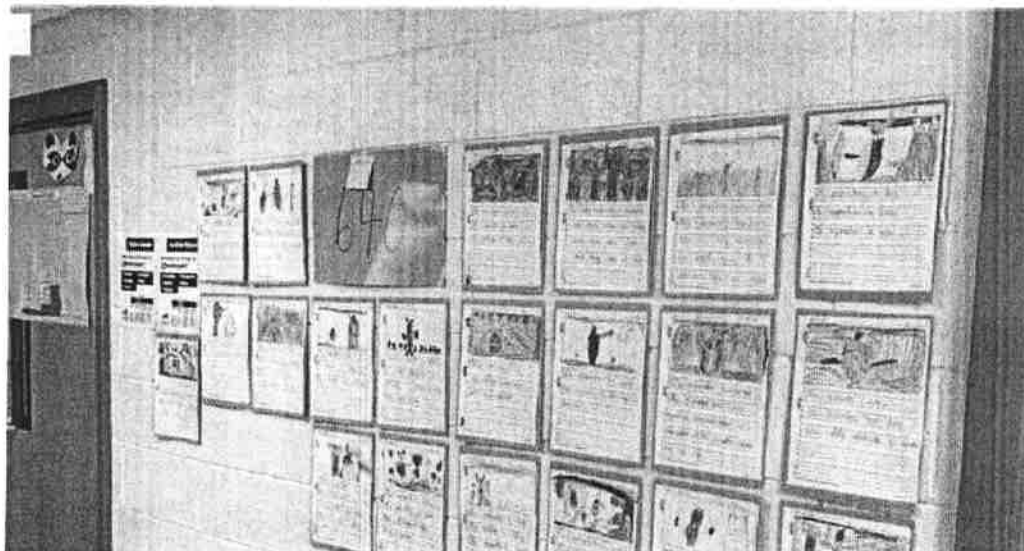
@HMBrookins

Learning all about bugs in our garden today  
@APSMorningside K Center! So interesting!  
@OutdoorOwens @AudreySofianos @APLeverette  
@MrPaul24 @atlantaeducator 🐛 🐛 🦋

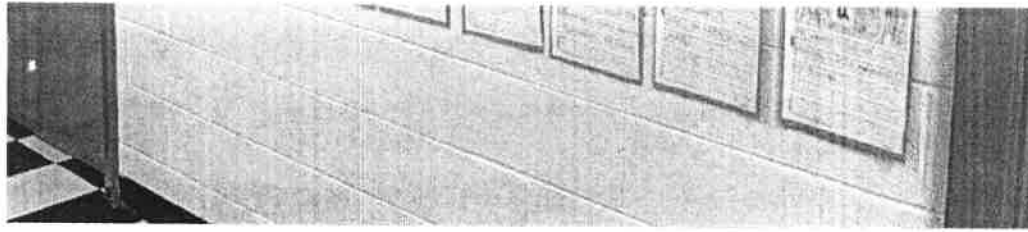


[Embed](#)

[View on Twitter](#)



[Contact Us](#)



Hello Rising Kindergartener Families! We will update this webpage to provide all far communication.

- **19/20 Rising Kindergarten Information:** Starting School at MES in 2019/20? This will be.
- **Kindergarten Center Updates:** scroll down to learn what exciting opportunities involved in this inaugural year.

## KINDERGARTEN CENTER UPDATES:

K Center Update 8-8-19

*Posted by Holly Brookins on 8/7/2019 2:00:00 PM*

Dear Families,

We are on the countdown to Day One! It is going to be such an amazing year. We have an awesome team here at the K Center and we are so excited to welcome your family!

- We are looking forward to seeing you at our **Meet Your Teacher event on Friday, August 9th**. You can drop off school supplies at that time if you have them and the kits will be delivered to the class.

Contact Us



of the cleaning products).

Here is the schedule for K Center and for Main Campus, if you have older kids! Please scheduled time as much as possible - this will help us to keep things running smooth

- **MES Kindergarteners:** See visit schedule below based on student's last name.
  - Time to Visit Class:
    - A - H: 7:30 - 8:05am
    - I - P: 8:15 - 8:50am
    - Q - Z: 8:55 - 9:30am
  - Location: MES Kindergarten Center (Atlanta Metropolitan Cathedral) 999
- **MES Grades 1-5 :** 9:30 - 11:30am
  - Location: MES Main Campus 1053 E Rock Springs Rd NE, Atlanta, GA 3030
- **Kindergarten Student Information 2019-2020** - Once you have received your letter (we were mailed Monday afternoon!), please fill out our Google form with important information and return it to the Multi-Purpose room upstairs during Meet Your Teacher, if you prefer.

The form also asks for dismissal info and will send you an email with your response. We will close the form out after Meet Your Teacher. If you are not able to fill out the form, please send a note with your child so we know how they will be dismissed. Remember, our goal is to have your dismissal as uniform as possible to allow your kids to learn their routine!

#### **Kindergarten Student Information Form 2019-2020:**

<https://forms.gle/fV713hyhneKrQ2W38>

- **Bus Info** - If your child will be a bus rider, be sure to stop by our Transportation room during Meet Your Teacher so you can sign up for the Bus Remind list to be kept informed.
  - You can locate your bus stop here
- If you have a child with an allergy or a medical need that requires a plan or medication, please check in with Nurse Vicky. We must have this packet filled out by your physician to administer medication or to have a medical plan in place. If you have questions, email Nurse Vicky at [clifton@atlanta.k12.ga.us](mailto:clifton@atlanta.k12.ga.us). The medication packet is located in the Multi-Purpose room upstairs.

Contact Us

- Don't forget to RSVP to the **Kinder Mixer hosted by our fabulous MES Foundation** 8pm at The Family Dog (1402 N Highland Ave). It will be a great opportunity to meet other students and make new friends! RSVP here: <https://tinyurl.com/yxnxtpdv>
- Arrival and Dismissal will likely take a bit longer on the first few days. Please remember that everyone will settle quickly into a routine!
- **Upcoming Events/Meetings** - Below are some upcoming events that may be of interest. The **Calendar** is updated regularly and always available on the MES website.
  - Please join us for **Coffee and Kleenex** on the first day after drop-off in the morning.
  - We would love to see you at the **Principal's Coffee at the K Center** on Tuesday, August 21, 2019 (8:30am-10:00am at the Main Campus if that works better for your schedule location!). It is a great time to meet Principal Sofianos, get the latest updates on school news, and enjoy informal meetings that we host throughout the year.
  - The PTA would love to see all our K families at the **first general PTA Meeting** on Friday, August 23 at the Main Campus Auditorium, where they will be discussing the PTA's mission and the 2019/2020 PTA budget for approval. You can learn more about the PTA [here](#).
- The **"A to Z Index"** section of the MES website is a GREAT resource. It is accessible from the homepage. This is an alphabetical index of just about everything you can think of. If you have a question, it is a great place to start.

## **FUN FACT: Birthdays at School**

Wondering how we celebrate birthdays at Morningside? Here is some information for you. We hope this information that will help us all to be on the same page.

## **BIRTHDAYS AT SCHOOL**

### **◦ School Wellness Policy**

Morningside Elementary School and its PTA will not use food or beverages as reward for academic performance, good behavior, or goal attainment. As an alternative, teachers shall use

Contact Us

pencils, erasers, stickers, or small prizes as rewards and incentives for academic per

### **Birthday Policy**

Morningside Elementary School recognizes that birthdays are a special day for our s and celebrations do not disrupt the instructional day or interfere with the health and occurring on weekends are recognized the following Monday. Summer birthdays are year.

- **Eat lunch with your child:** Parents are encouraged to sign-in at the main office birthday. Parents, visitors, staff, and students are prohibited from distributing gifts to other students.
- **Birthday Bulletin Board:** Pictures of students may be displayed on the Birthday birthday month. Send in a picture of your child during their birthday month.
- **Birthday Announcements & Table:** Every child's name is called during the morri birthday. Children are invited to visit the birthday table outside the office to rec ribbon.

**Reminder: Please do not send birthday party invitations to school.**

As always, feel free to reach out with any questions- we are always here to help! Can'

Dr. Brookins

[Holly.Brookins@atlanta.k12.ga.us](mailto:Holly.Brookins@atlanta.k12.ga.us)

K Center Beginning of Year Update

*Posted by Holly Brookins on 7/23/2019 8:00:00 AM*

Hello, MES K Center families! I hope everyone is having a great summer. I have been up in New England visiting my family and friends for the last two weeks and had a wonderful time spending time with everyon

Contact Us

rising 2<sup>nd</sup> at Morningside!), and I drove up there with stops along the way to visit friends in DC and we even made it to the Greenbrier in West Virginia for some relaxation time. Our school is getting ready for our new Kindergarteners!

I have a few updates for you that will help in your planning for the new school year:

\*Have you gotten your school supplies yet? I know many places are already starting sales (and it's only July!!)! For those of you that ordered the packaged deal, that will be further for you to do.

Here is a link to the school supply lists:

<https://www.atlantapublicschools.us/Page/56137>

\*We know how important those pictures of the first day of Kindergarten are for our families. We typically have Walkers at the K Center but you can walk your child in to the classroom. We will take pictures of your kiddos to share with your family and friends! When you walk them in, it's hard on us as parents but it is easier on the kids if we don't prolong it. Expect that so when you say goodbye- that is normal- and usually subsides as soon as the parent leaves and they see the teacher and friends!

Please note that we ask that parents not walk kids in after the first few days as it is important to get them into their routine. You will be amazed at how independent they are going to become throughout the year!

\*Mark your calendars for these important dates:

Registration for grades K-5 at Main Campus **July 15-August 7** (weekdays only):

Kindergarten Popsicles in the Park- Saturday, **July 27th** at 10am, Noble Park

Meet Your Teacher- On Friday, **August 9th**, make plans to meet teachers, classmates, and drop off school supplies in your new classroom. (Reminder that K students will receive a letter with teacher assignment at the beginning of August!)

- **MES Kindergarten Meet Your Teacher:** See visit schedule below based on [student](#)

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- Time to Visit Class:
  - A - H: 7:30 - 8:05am
  - I - P: 8:15 - 8:50am
  - Q - Z: 8:55 - 9:30am
- Location: MES Kindergarten Center (Atlanta Metropolitan Cathedral) 999

\*Back to School info- Click <https://www.atlantapublicschools.us/Page/52082> for all y

\*Infinite Campus Activation keys will be given out during Meet Your Teacher and if r first week!

\*Extracurriculars- just a reminder that Extracurricular activities are not offered to Ki second semester they are offered only to students enrolled in the Morningside After run by My After School Program. For a list of after-school programs, click here <https://www.atlantapublicschools.us/Page/52931>

\*Nut aware- please be aware that our K Center is "Nut Aware". Because we have so m that you carefully check labels and do not send snacks or lunch containing nuts or n this!

\*Carpool at Arrival and Dismissal: At dismissal time, to keep the flow of our carpool a please pull out of the line and into the parking lot to help your child strap in to his/h motor skills and teach the kids how to unstrap and strap into their seats! Consider p will get in and out at carpool. We want to keep our kids and staff safe and our carpool.

**Fun Fact!** Did you know that we have our very own AMAZING school nurse here at th her bio!

**I wanted to be a nurse since I was a preteen candy striper at a hospital in Charleston, South Carolina! This dream came true for me in the early 2000's when I graduated with my Bachelor's of Science in Nursing from Marymount University in Arlington, Virginia. My career started on a very busy medical-surgical floor at Fairfax Hospital i**

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postoperative surgical and medical adult patients. A few years later, I moved to San Francisco and worked at the University of California, San Francisco. There I transitioned my nursing world to the Neonatal Intensive Care Unit, caring for very sick neonates requiring me to work great years, life brought us to Atlanta, Georgia! I worked two years of night shift at Children's Hospital taking care of the sick surgical neonates in the Intensive Care Unit. Our first child was born and we stayed home to stay home and raise him and (2 years later) his two brothers. Our oldest child is a rising 1<sup>st</sup> grader at Morningside Elementary School!

This is my second year as a school nurse and I absolutely loved jumping back into nursing at the K Center! I am eager to care for all the kindergartners this year and to keep them safe and healthy. We will always be open to the children and parents of the K Center! I am excited to meet you all!

Ok, folks, that's it for now! As always, please email me with any questions! If there is anything I can do for you, please let me know.

I am really looking forward to getting to know all of you and your families this year!

**Holly Brookins, Ph.D.**

Program Administrator

Morningside Elementary School Kindergarten Center

999 Briarcliff Road, Atlanta, GA 30306

404-802-8700

[Holly.Brookins@atlanta.k12.ga.us](mailto:Holly.Brookins@atlanta.k12.ga.us)

2019-2020 K Center Welcome from Dr. Brookins

*Posted by Brian Baron on 6/18/2019 9:00:00 AM*

***Hello, Kindergarten families!***

Contact Us

I am so excited for the 2019-2020 school year to begin! I am the Program Administrator for our second year in this fabulous space! I am in the unique position of being the Administrator of a rising 2<sup>nd</sup> grade son and a rising 1<sup>st</sup> grade daughter this year!

You might be wondering what the title Program Administrator means... as Program Administrator for K Center I will have the opportunity to work with your sweet kiddos and our fabulous and amazing principal, [Audrey Sofianos](#). Mrs. Sofianos will be visiting us frequently so she can meet all of our Kindergartners and their families.

I know you have lots of questions (and maybe some anxiety which is totally normal!) so I will send you some communication in advance! Please reach out to me or our secretary, and our door is always open to our families and communication is very important to us!

### **K Center FAQs**

- **Who will be working with my child this year?** Permanent staff at the Kindergarten Center include the Program Administrator, 8 teachers, 7 paraprofessionals, a Registered Nurse, a secretary, and a maintenance worker. We will also have our own dedicated Special Area teachers: PE, Art, and Music. A garden paraprofessional will visit us on a regular schedule from the Main Campus. We are all excited to meet you together and we can't wait to get started!
- **How do I find out which class my child will be in?** At the beginning of August, you will receive a letter letting you know who your awesome K teacher will be. Be on the lookout for it!
- **How will my child get to school?**
  - Option 1: Assigned neighborhood bus (check out the [APS Bus Stop Locator](#) to determine if you are in a bus route)
  - Option 2: Carpool or Walk to Main Campus by 7:40am and your student can ride the bus to K Center
  - Option 3: Carpool to the K Center

\*Please note that for safety reasons, K Center walkers is not an option

- **How will my child get home from school?**

Contact Us

- Option 1: Assigned neighborhood bus (check out the [APS Bus Stop Locator](#) to determine the bus stop)
- Option 2: Main Campus Carpool, Walker, Haygood Hut, or Morningside After School Care (check with your provider- some pick up from the bus from the K Center to the Main Campus and staff will assist in getting them to the bus stop)
- Option 3: Daycare vans from K Center (check with your provider- some pick up from the bus from the K Center to the Main Campus and staff will assist in getting them to the bus stop)
- Option 4: K Center Carpool

\*Please note that for safety reasons, K Center walkers is not an option

- ***Arrival/Dismissal Schedule:*** We have been busy refining our schedule, and have the following schedule for the 2023-2024 school year.
  - **7:30 - 8:00am** |Carpool begins at Kindergarten Center (999 Briarcliff Road) and students are considered tardy.
  - **7:40am** | K Shuttle leaves Main Campus (1053 E.Rock Springs Road)
    - *Please note that there is only one K Shuttle departure time. If your child is not on the shuttle, they will have to be picked up by a parent or guardian and then transferred to K Center and drop them off.*
    - Students can ride their assigned bus from their house and transfer to the K Shuttle
  - **8:00am** | School begins at K Center; students must be present and in their classrooms by 8:00am
  - **2:20pm** | K Shuttle leaves K Center to Main Campus
    - Transfers to assigned bus, Morningside After Care, Main Carpool, walker, or parent/guardian pick up at Main Campus with staff assistance
  - **2:20pm** | Carpool begins at K Center

### Fun Fact:

Did you know that all our kindergarten classrooms use [Promethean](#) boards? Teacher "ipads/tablets" called Promethean boards to engage their students during their daily lessons. A few years ago the [MES PTA and Morningside Foundation](#) came together and purchased one for each of our MES classrooms. It has been an amazing tool to use in the classroom and our teachers can't wait to show your kiddos how they use technology to learn!

Contact Us



I want to keep you all *"in the know"* so please check back on this page for updates. A easily be translated by clicking on the "translate" button on the sidebar or top menu , the language preference. Communication is important to me, please feel free to reach

***Enjoy your summer! - Holly Brookins, Ph.D.***

Program Administrator Kindergarten Center | Morningside Elementary School  
404-802-8700

[holly.brookins@atlanta.k12.ga.us](mailto:holly.brookins@atlanta.k12.ga.us)

**StrengthsFinder: Maximizer-Harmony-Competition-Adaptability-Individualization**

April 16: Chickens, honeybees and goats oh my!

*Posted by Deonne Malick on 4/16/2019 1:35:00 PM*

First chickens, then honeybees, now goats! We are always busy learning about nature Earth Week! ☐ ☐ ♥ [@AudreySofianos](#) [@atlantaeducator](#) [@MrPaul24](#) [@APLeverette](#) pi

– Holly Brookins, Ph.D. (@HMBrookins) [April 16, 2019](#)

Contact Us



April 10: Careers on Wheels

*Posted by Deonne Malick on 4/10/2019 10:35:00 PM*

Careers on Wheels Day @APSMorningside K Ctr! Thx City of Atlanta Fire, APS Police, @APSPDChief @atlantaeducator @AssocSupBrown @APLeverette @MrPaul24 pic.tw

— Holly Brookins, Ph.D. (@HMBrookins) April 10, 2019



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March 20: Kindergarten Patriotic Parade at Main Campus

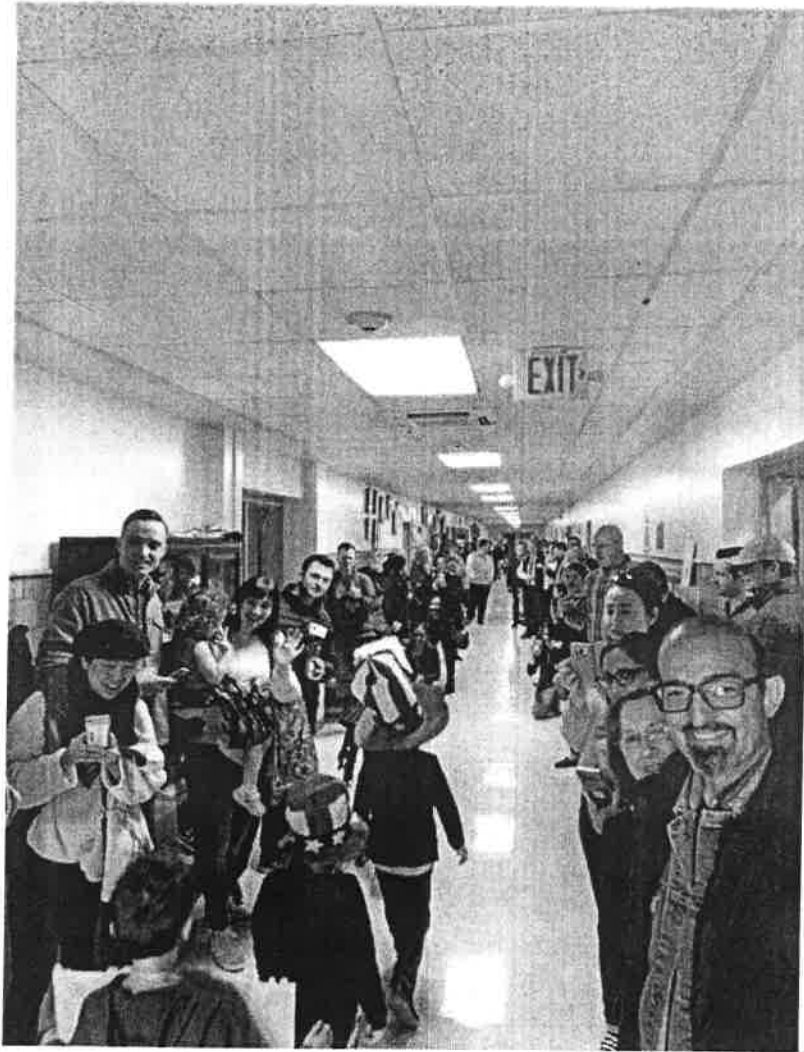
*Posted by Deonne Malick on 3/20/2019 9:10:00 PM*

Standing room only @APSMorningside main campus as we welcome 200 family members to the American Symbols parade! Smiles everywhere! [pic.twitter.com/6TeUpPICQb](https://pic.twitter.com/6TeUpPICQb)

— Audrey Sofianos (@AudreySofianos) [March 20, 2019](#)



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January 30 | Bookfair with Little Shop of Stories

*Posted by Deonne Malick on 1/30/2019 11:35:00 PM*

Browsing the Bookfair at K Center! Thank you, PTA! [@APSMorningside](#) [@AudreySofianos](#) [@APLeverette](#) [@atlantaeducator](#) [@MrPaul24](#) [pic.twitter.com/2l1CGtkxhi](https://pic.twitter.com/2l1CGtkxhi)

– Holly Brookins, Ph.D. ([@HMBrookins](#)) [January 30, 2019](#)

Contact Us





January 26 | Junie B Jones Field Trip

*Posted by Deonne Malick on 1/26/2019 10:35:00 PM*

K-2 loved Georgia Ensemble Theater's Junie B Jones!! 3-5 loved A Wrinkle In Time!! T  
[@AudreySofianos](#) [@atlantaeducator](#) [@HMBrookins](#) [@APLeverette](#) [@MrPaul24](#) [pic.twitter.com/...](#)

— Morningside ES (APS) ([@APSMorningside](#)) [January 26, 2019](#)

Contact Us



January 24 | 100th Day of School

*Posted by Deonne Malick on 1/24/2019 10:35:00 PM*

What can you build with 100 cups? [#100thDayofSchool](#) [#mathcenters](#) [@APSMorning](#):

— Becky Georges (@GeorgesBecky) [January 24, 2019](#)



Contact Us

**Photos South on Both  
Sides of Briarcliff to  
Atlanta Line**

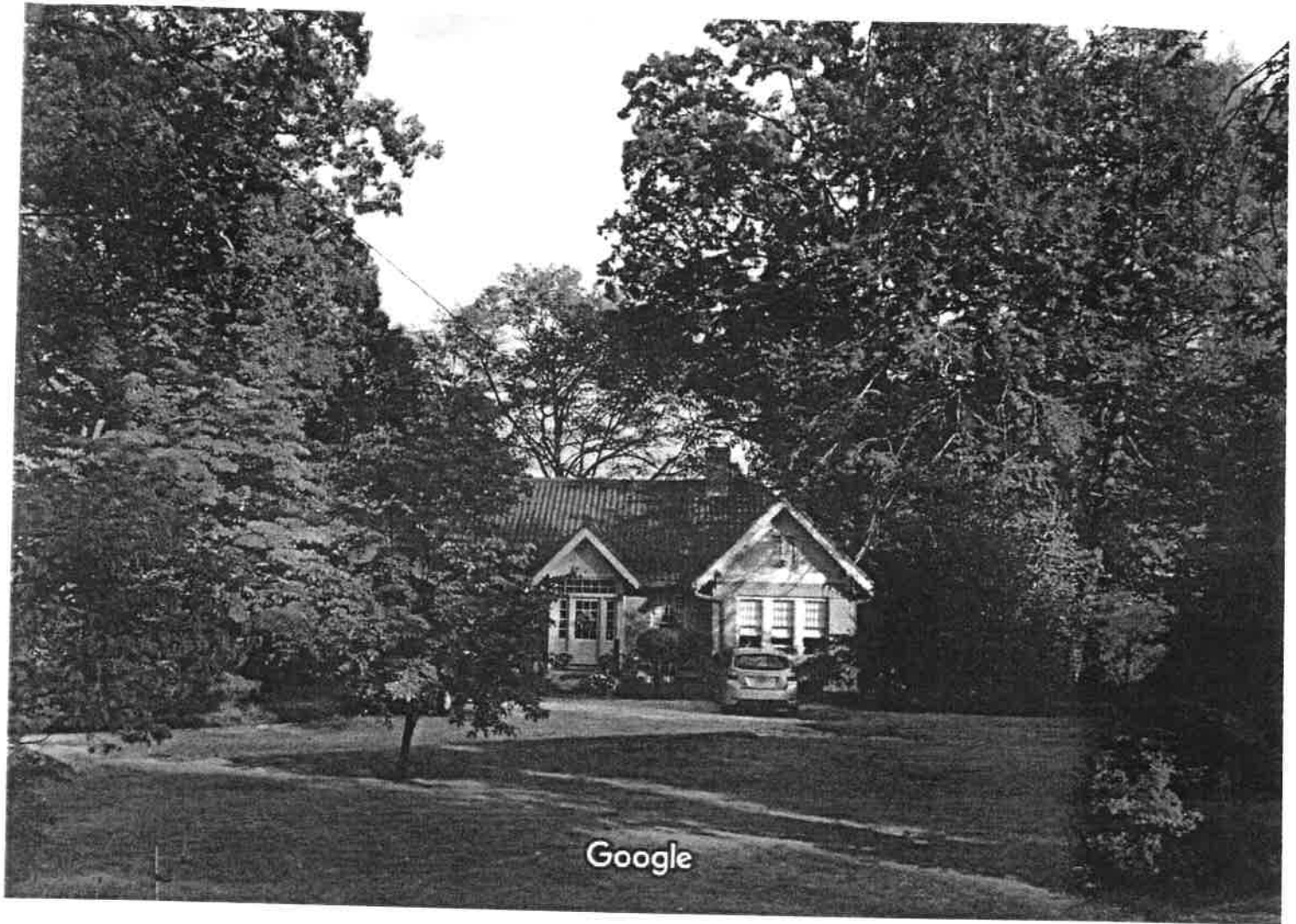


Image capture: Oct 2018 © 2019 Google

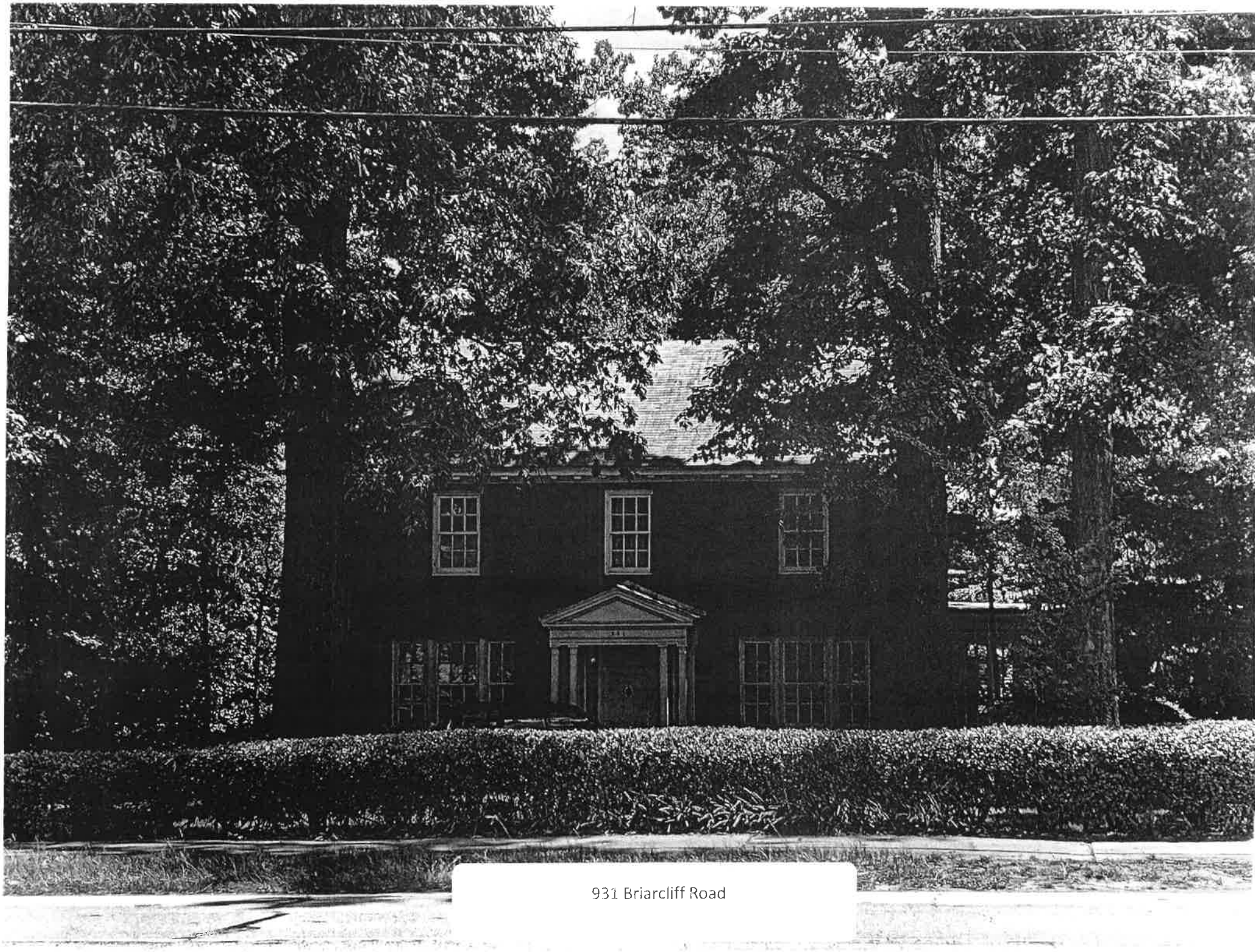
Atlanta, Georgia



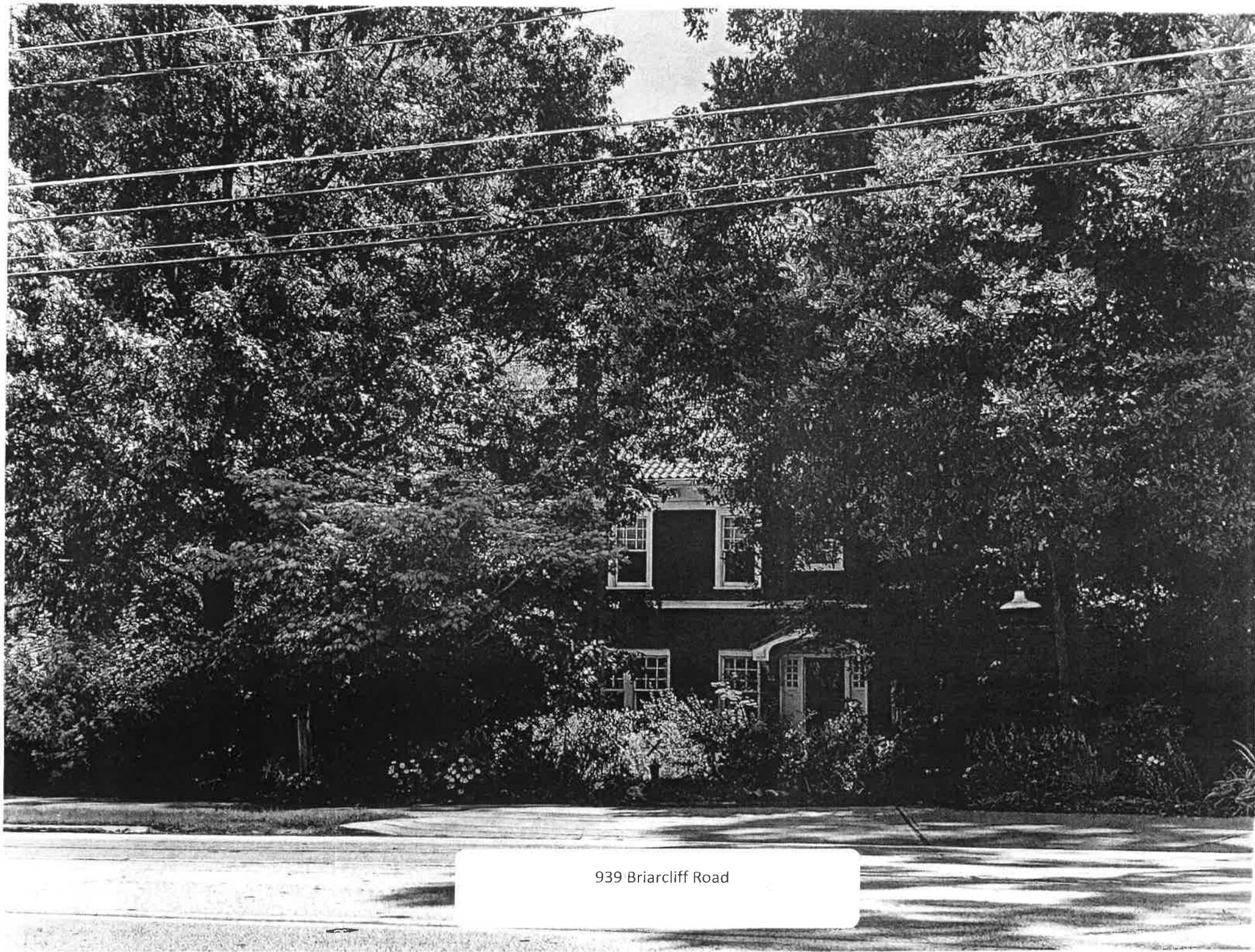
Street View - Oct 2018

921 Briarcliff Road



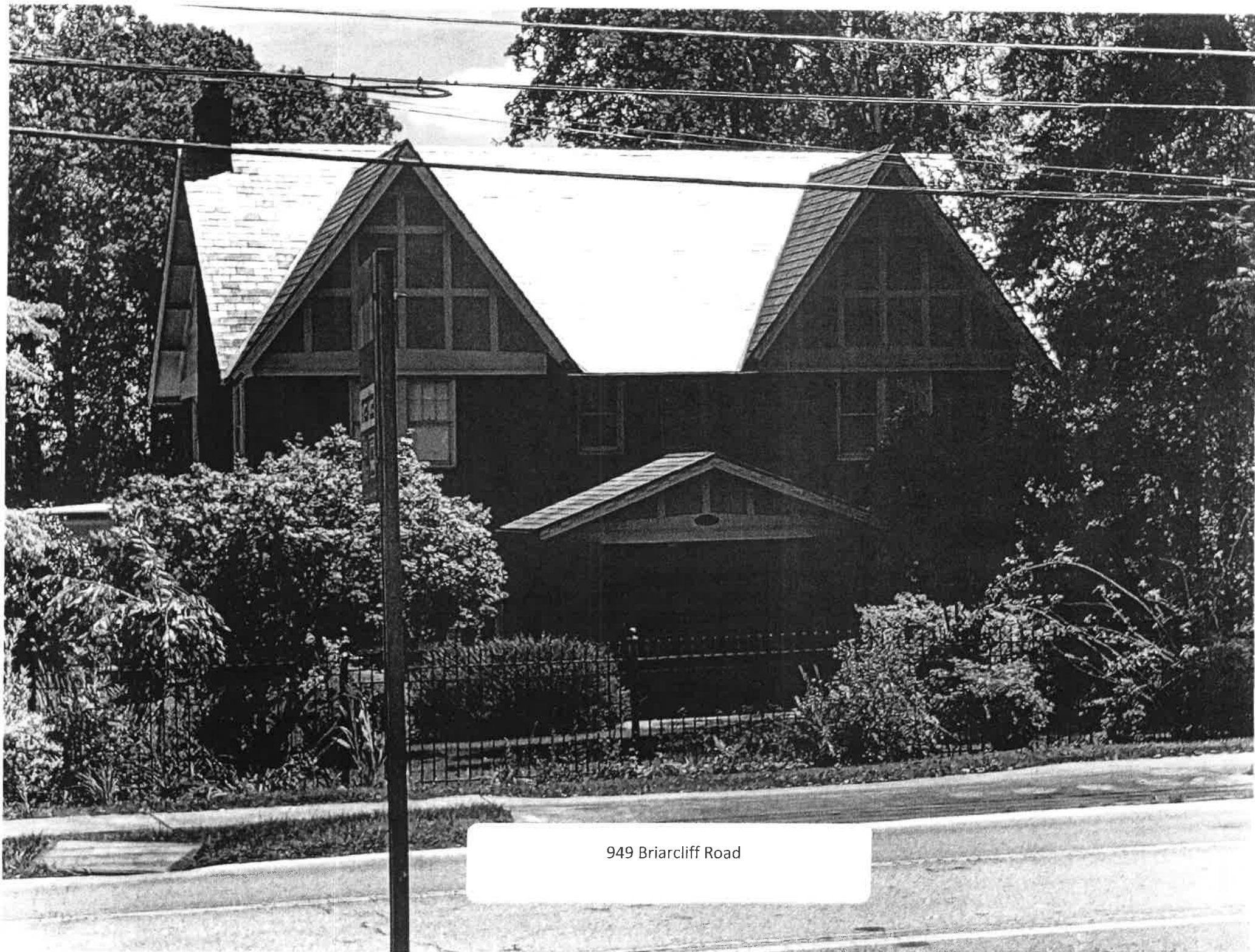


931 Briarcliff Road

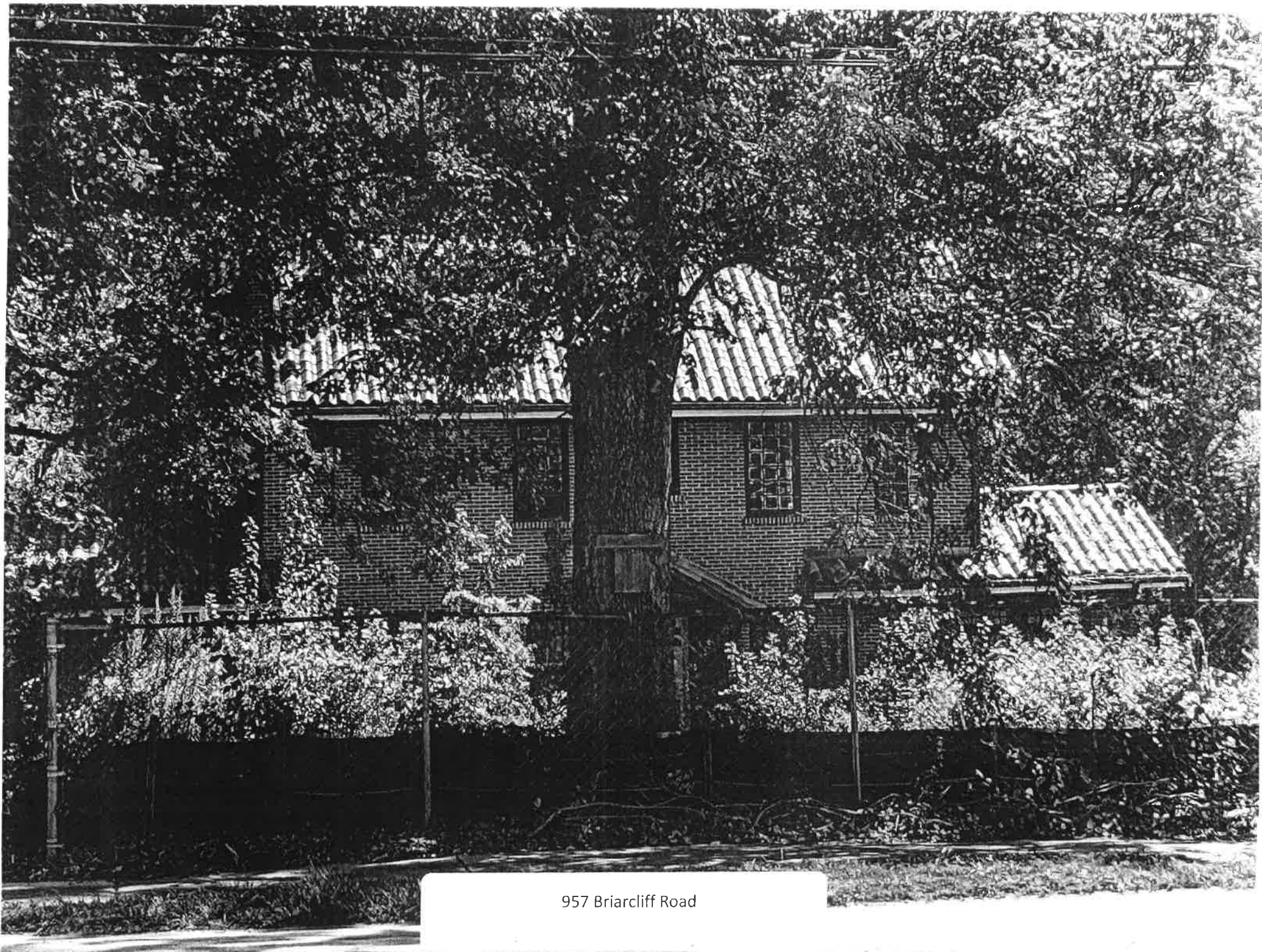


939 Briarcliff Road



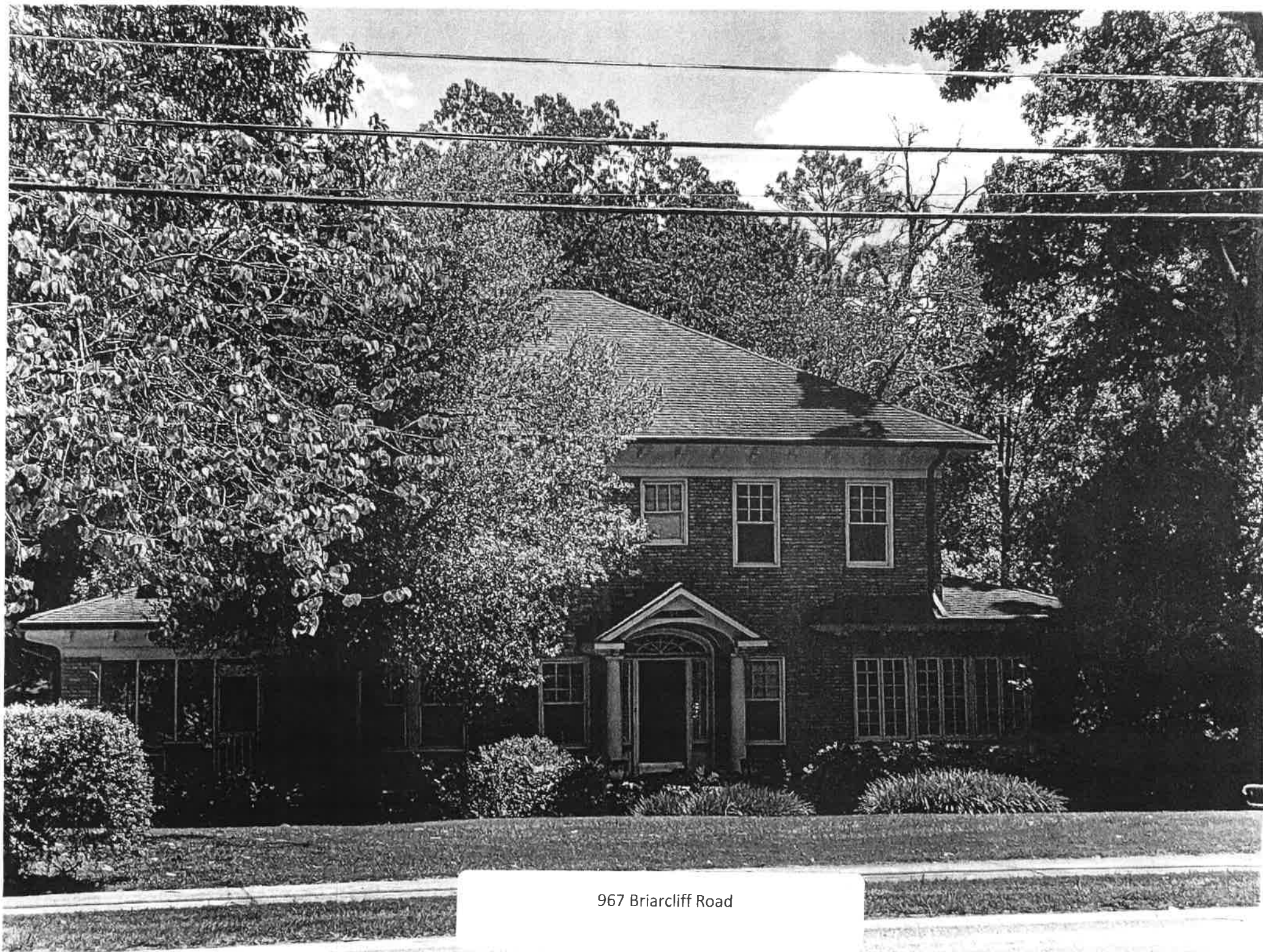


949 Briarcliff Road

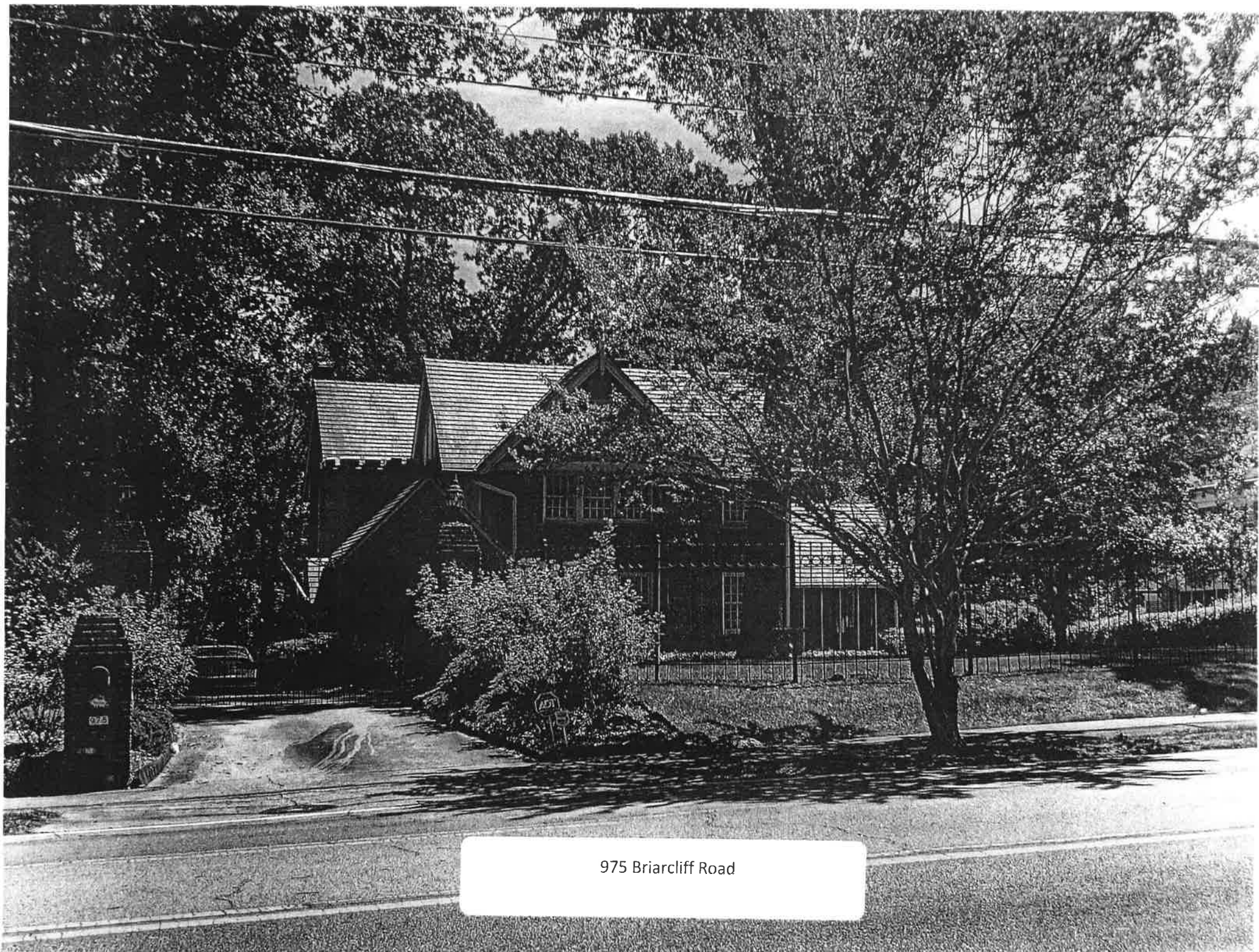


957 Briarcliff Road





967 Briarcliff Road

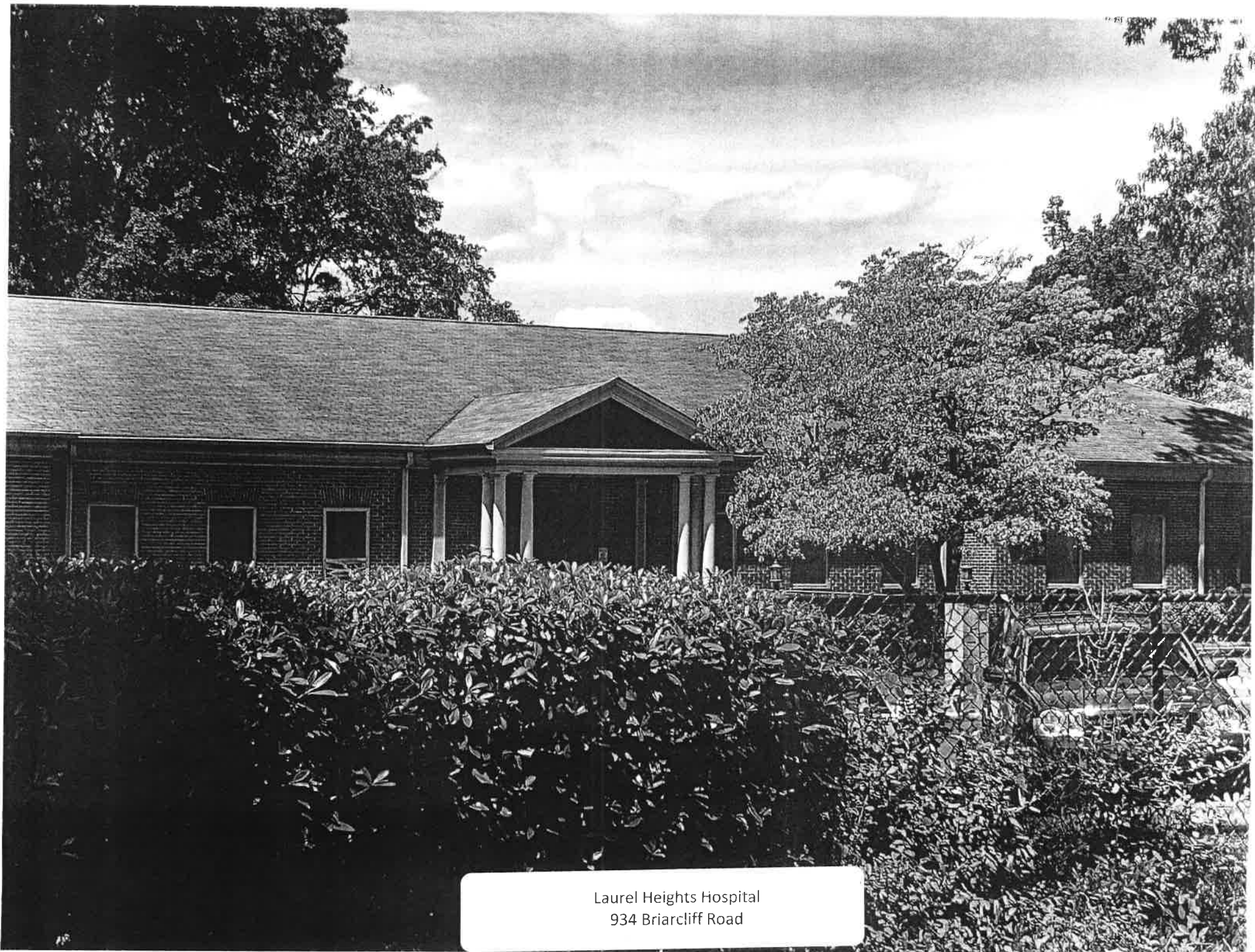


975 Briarcliff Road



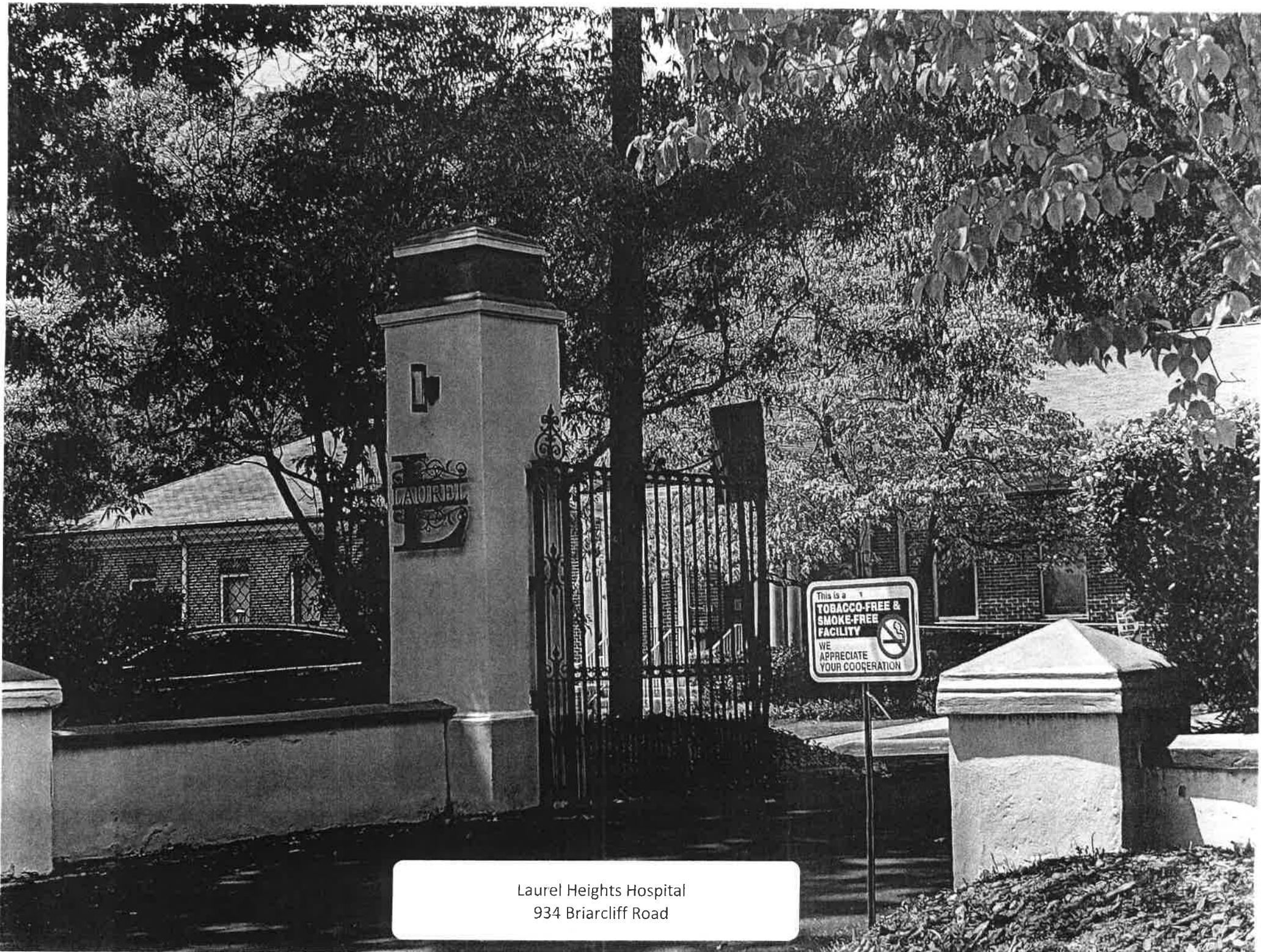


Corner of Briarcliff Road and Stillwood Drive

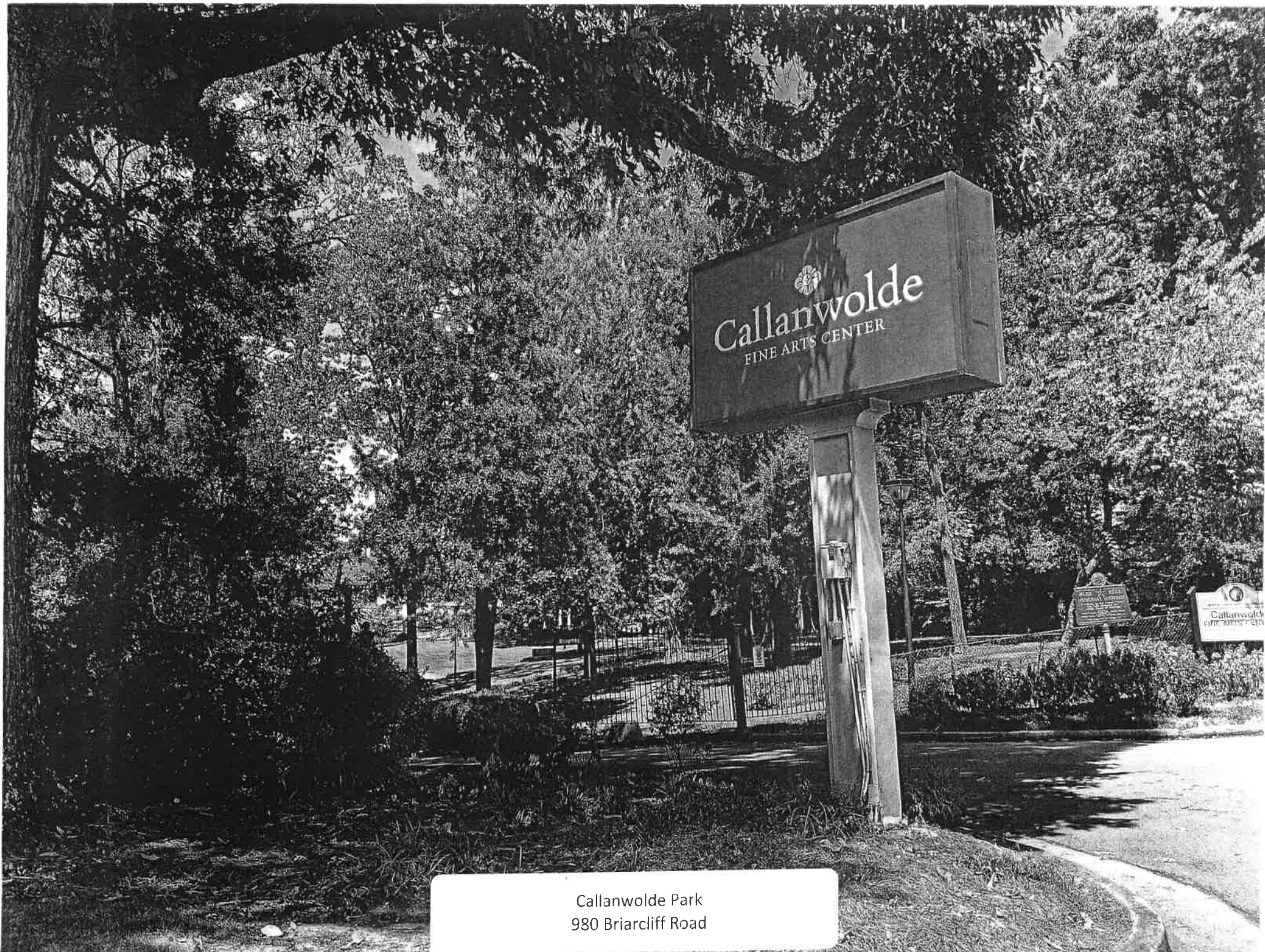


Laurel Heights Hospital  
934 Briarcliff Road





Laurel Heights Hospital  
934 Briarcliff Road



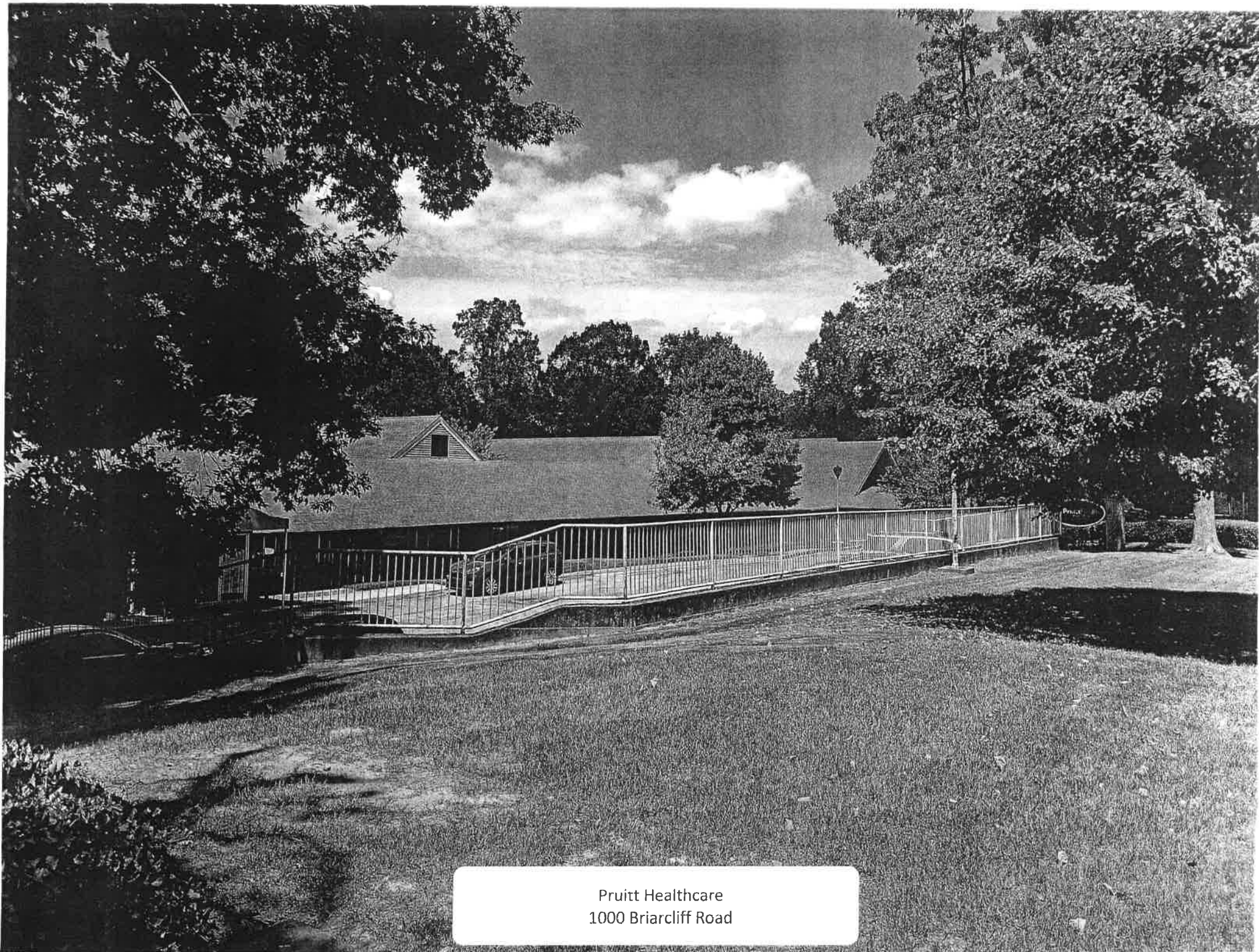
Callanwolde Park  
980 Briarcliff Road





Pruitt Healthcare  
1000 Briarcliff Road





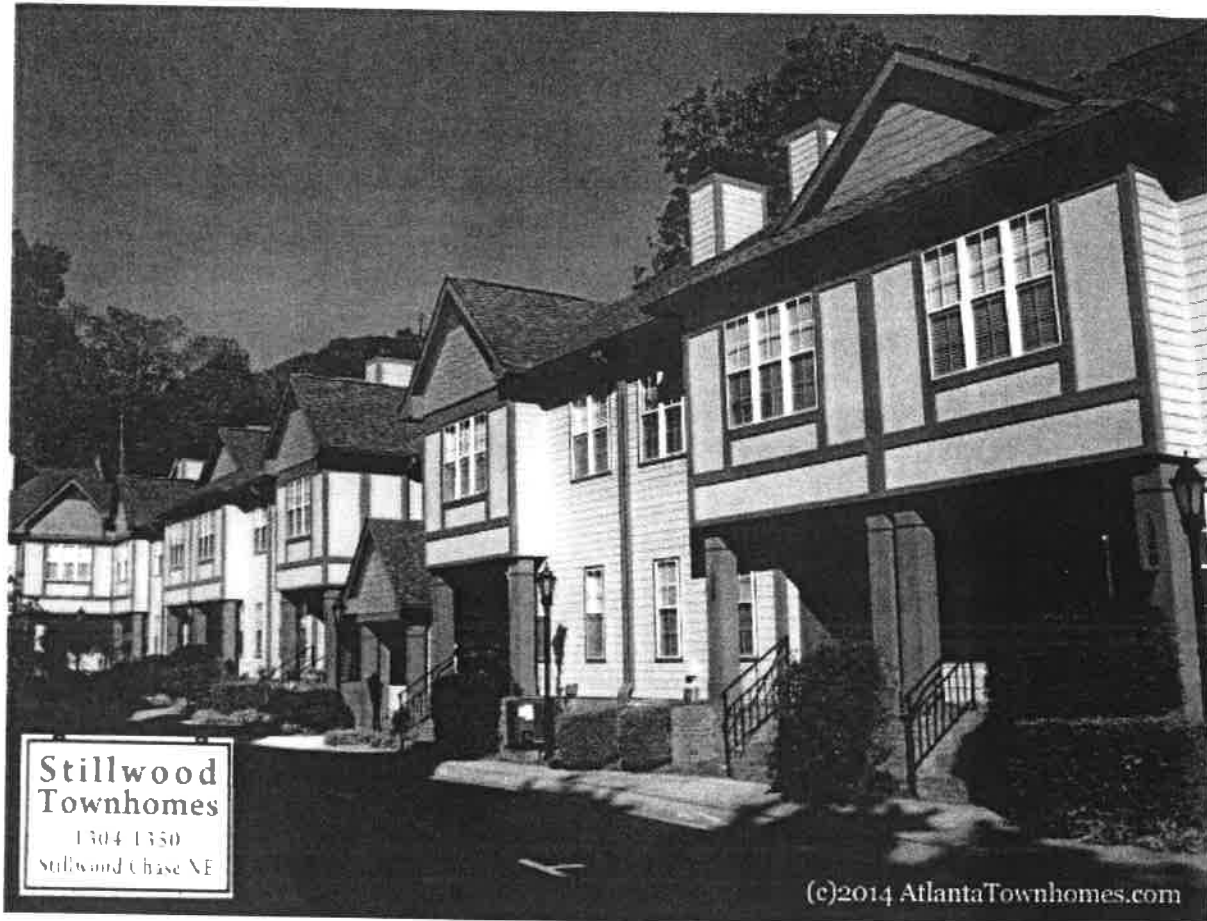
Pruitt Healthcare  
1000 Briarcliff Road





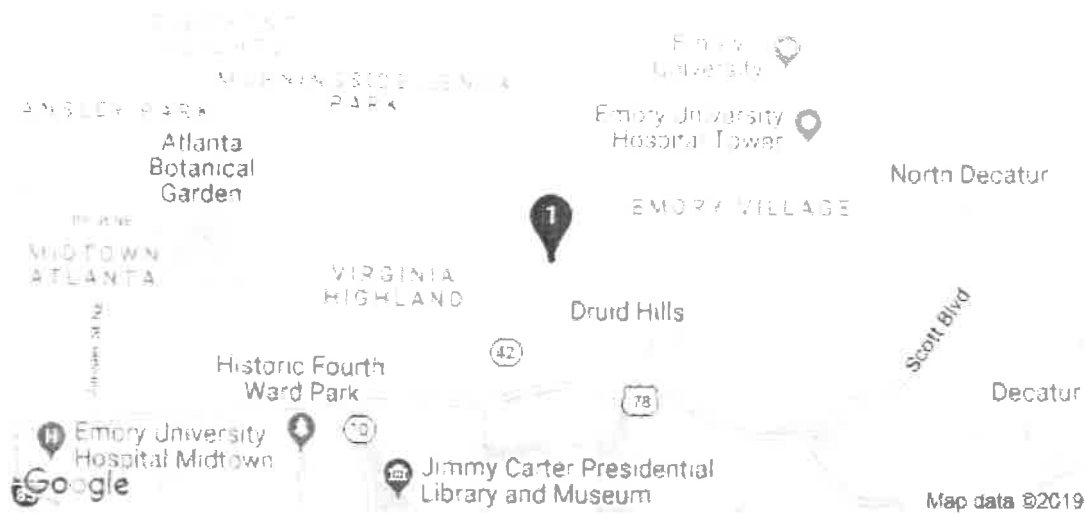
Stillwood Townhomes  
Corner of Briarcliff and Stillwood

# **Stillwood Chase**



## Stillwood Chase

Atlanta, GA 30306, Virginia Highlands. DeKalb County. Briarcliff Rd./Stillwood Chase. —  
*Directions: From Ponce de Leon Ave go north on Briarcliff to left into Stillwood Chase townhome complex.*



## Amenities & Schools

Fee simple, Marta. \*Schools: Briar Vista Elementary, Druid Hills Middle, Druid Hills High.

Show Recently Sold in Subdivision



\*Information herein not warranted or guaranteed, subject to errors/omission.

## Remarks

Stillwood Chase is a small (35 homes) "Euro-Style" townhome community in Virginia Highlands/Morningside built circa 1988. Each townhome in a 2 bedroom, 2.5 bath, 2 car garage floor plan. Expect 9' ceilings, hardwood floors, and fireplace on the main level.

Stillwood Chase townhomes are convenient to Emory University, CDC, Piedmont Park. No city of Atlanta taxes (DeKalb County instead of Fulton County). If you would like to purchase a townhome here or sell your townhome, contact me and let's discuss how I can help you. Sorry, I no longer work with properties for rent or lease.

Townhomes for sale in Stillwood Chase are pictured below.

(No pictures or profiles below? Then nothing "Listed" available for sale. Sorry, I don't work with rental properties.)





## No Results Found.

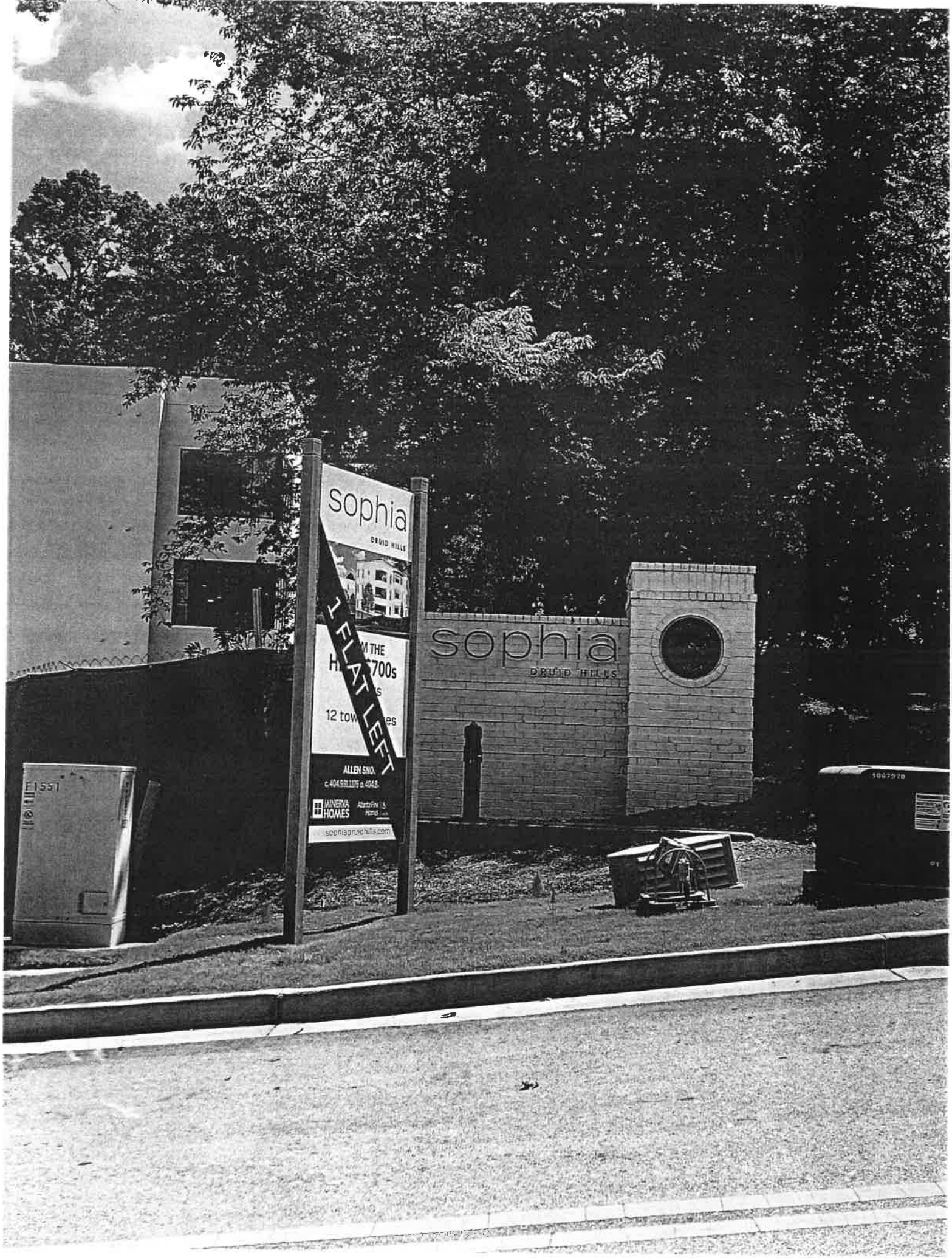
[See All Results](#)

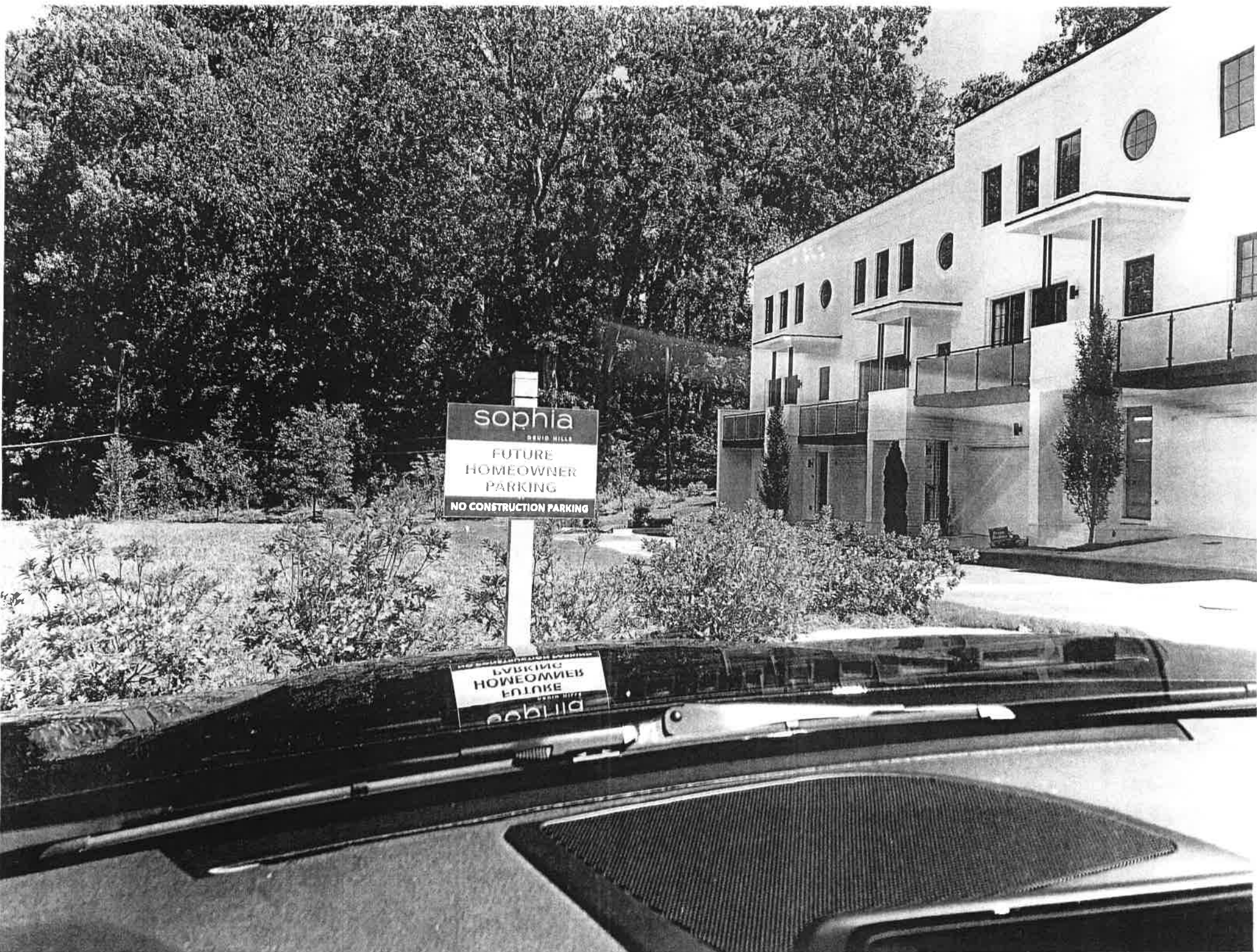
Not finding the Townhome for sale you are looking for? Contact me if you would like to be notified when something else comes for sale in this community. Or click on the link to the right to browse other popular Townhome communities in the same area.

[See more communities like Emory-Decatur](#)

[Go to Emory-Decatur](#)

**Sophia**

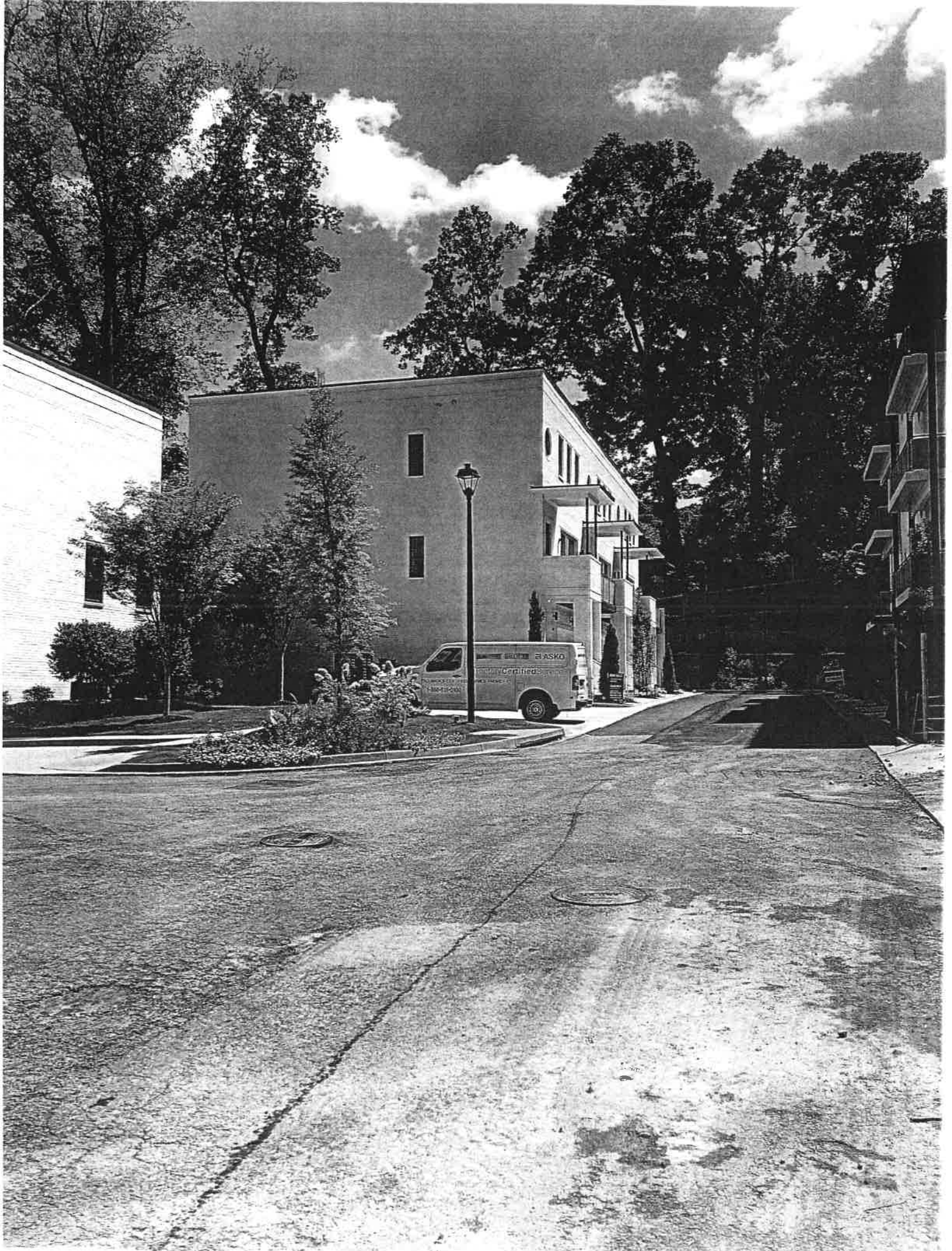


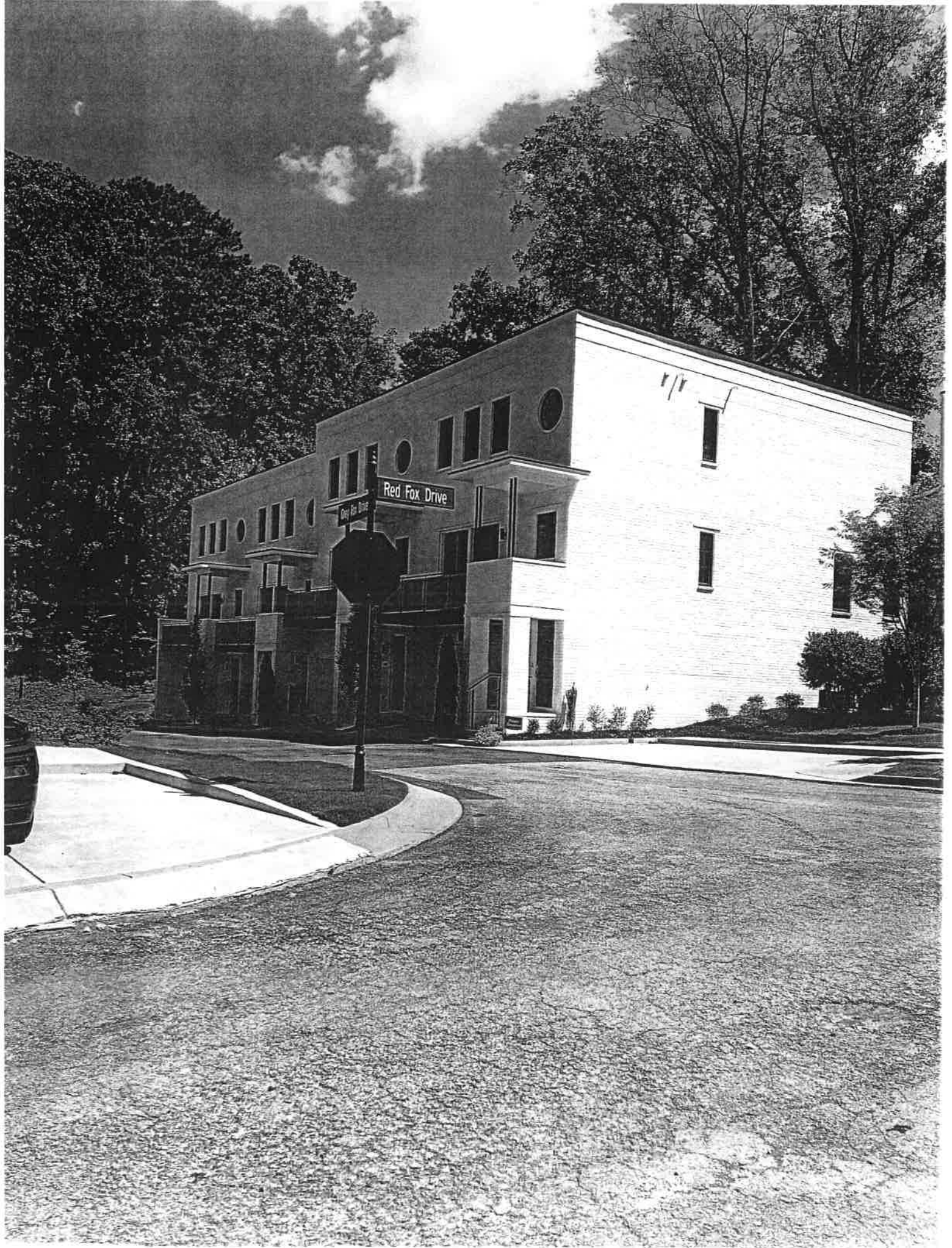


sophia  
DAVID HILLS  
FUTURE  
HOMEOWNER  
PARKING  
NO CONSTRUCTION PARKING

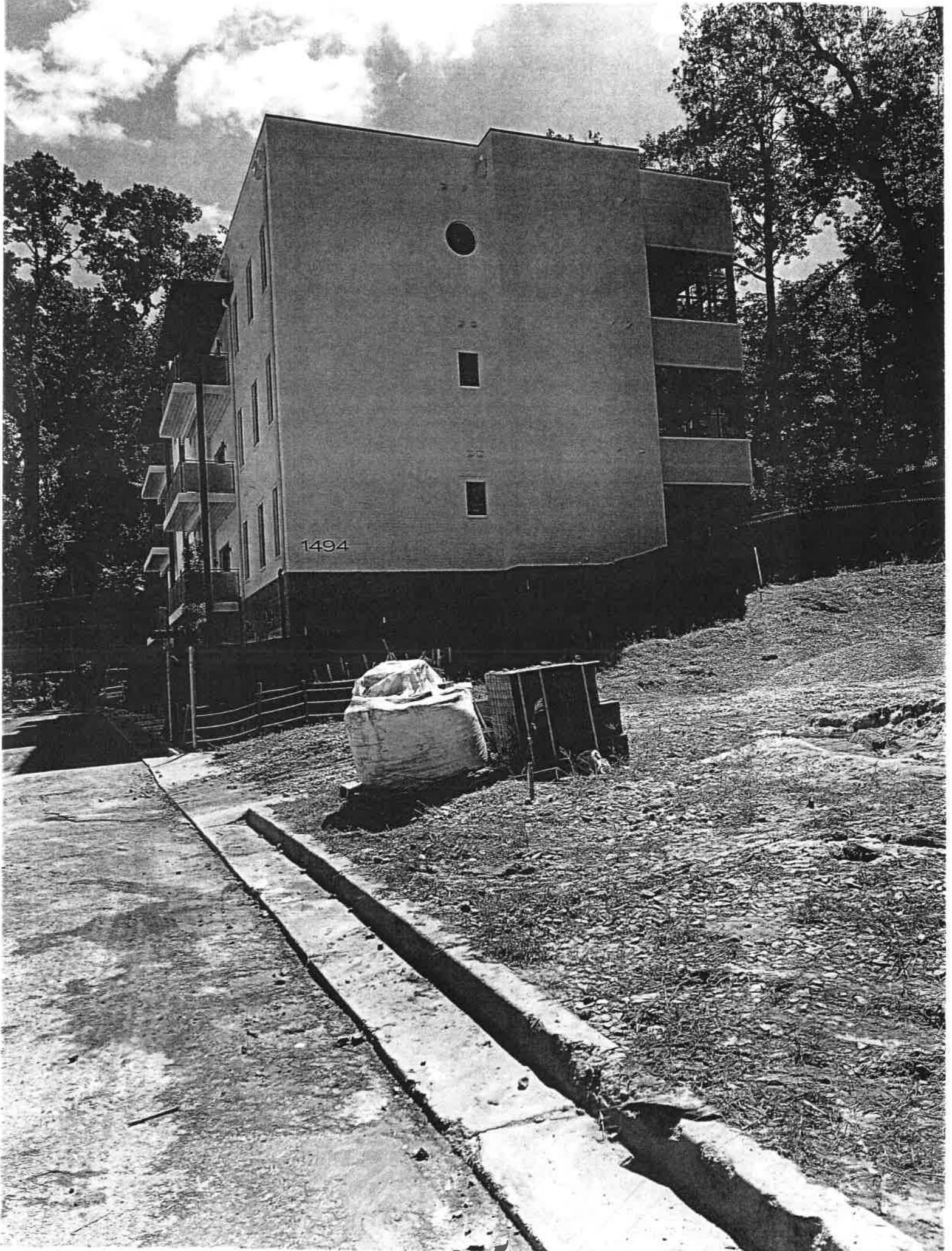
NO CONSTRUCTION PARKING  
FUTURE HOMEOWNER  
PARKING  
sophia  
DAVID HILLS











# **Comprehensive Plan Excerpts**

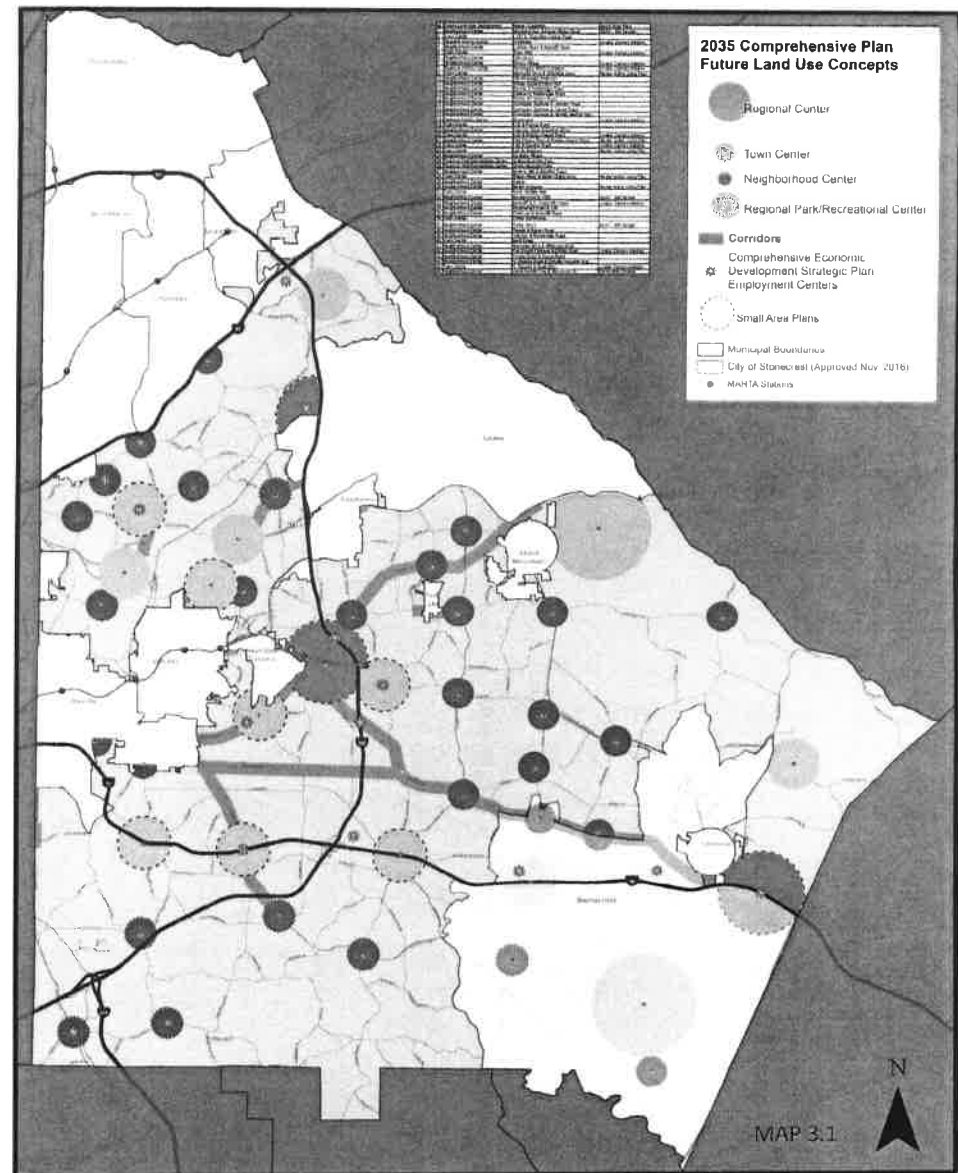


**The Development Plan Concept.** The Future Land Use Map provides specific and detailed future development patterns for the County. This Future Land Use Plan and Map consists primarily of the Activity Centers which emerged from the concept map. There are three types of Activity Centers: Neighborhood Centers, Town Centers and Regional Centers, which have emerged and included as a part of the Future Development Plan. There are a total of 46 Activity Centers countywide. In addition, the Future Development Plan includes residential designations: Rural, Suburban, and Traditional.

Table 7.1

Id	Future Land Use Designation	Name / Location	Small Area Plan
1	Neighborhood Center	Moreland Ave. & Cedar Grove Road	SDAT - SW DeKalb
2	Town Center	I-285 & Chamblee Tucker Road	
3	Regional Activity Center	Northlake	Livable Centers Initiative
4	Neighborhood Center	LaVista Road & Briarcliff Road	
5	Town Center	Toco Hills	Livable Centers Initiative
6	Neighborhood Center	Oak Grove	
7	Neighborhood Center	Emory Village	Livable Centers Initiative
8	Regional Activity Center	Kensington MARTA Station	Livable Centers Initiative
9	Town Center	Memorial Drive & Columbia Drive	Master Active Living Plan
10	Neighborhood Center	GSU/Georgia Piedmont	
11	Neighborhood Center	Village Square/Value Mall	
12	Neighborhood Center	Panola & Rockbridge Road	
13	Neighborhood Center	Deshon & Rockbridge Road	
14	Neighborhood Center	Redan & Hairston Road	
15	Neighborhood Center	Covington Highway & Hairston Road	
16	Neighborhood Center	Covington Highway & Panola Road	
17	Neighborhood Center	Covington Highway & DeKalb Medical Way	
18	Regional Activity Center	Stonecrest	Livable Centers Initiative
19	Town Center	I-20 & Panola Road	
20	Neighborhood Center	Hairston Road & Central Drive	
21	Town Center	I-20 & Wesley Chapel Road	Livable Centers Initiative
22	Neighborhood Center	Flat Shoals Pkwy & Wesley Chapel Road	Master Active Living Plan
23	Town Center	I-20 & Candler Road	Livable Centers Initiative
24	Town Center	I-20 & Gresham	Master Active Living Plan
25	Neighborhood Center	Eastlake Village	
26	Regional Park/Recreational Center	Arabia Mountain Park	
27	Regional Park/Recreational Center	Stone Mountain Park	
28	Neighborhood Center	Browns Mill & Klondike Road	
29	Town Center	Redan Road & Indian Creek Drive	Master Active Living Plan
30	Neighborhood Center	Redan	
31	Neighborhood Center	Salem Crossing	Master Active Living Plan
32	Town Center	North DeKalb Mall	
33	Neighborhood Center	Bouldercrest & I-285	SDAT - SW DeKalb
34	Neighborhood Center	Briarcliff & N. Druid Hills Road	Livable Centers Initiative
35	Neighborhood Center	Shallowford Road & I-85	
36	Neighborhood Center	Clairmont & Briarcliff Road	
37	Town Center	Clifton Community	
38	Neighborhood Center	Cedar Grove	SDAT - SW DeKalb
39	Neighborhood Center	Panola & Redan Road	
40	Neighborhood Center	Hairston & Rockbridge Road	
41	Town Center	Swift Creek	
42	Neighborhood Center	Memorial Drive & Wilkinson Drive	
43	Neighborhood Center	Flat Shoals Parkway & Clifton Road	Livable Centers Initiative
44	Neighborhood Center	Panola Road & Young Road	
45	Neighborhood Center	N. Decatur Road & DeKalb Industrial Way	
46	Town Center	N. Decatur & Scott Blvd	Livable Centers Initiative
47	Neighborhood Center	Lawrenceville Hwy & McLendon Dr.	Community Choices

## DeKalb County Development Concept Map



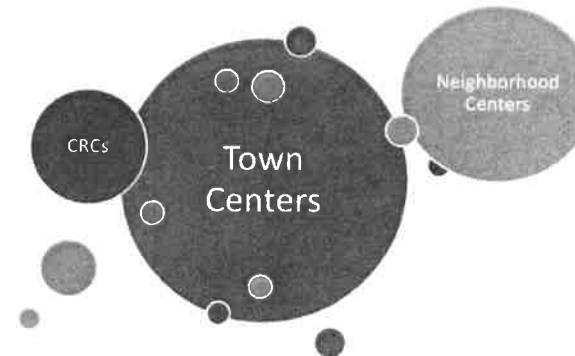
### Land Use Trends in DeKalb

This table shows the number and types of land use amendments that have occurred from 2007 through 2016. There were no land use amendments moving **from** or **to**, for the following character areas:

- Conservation/Greenspace
- Rural Residential
- Regional Center

All of the other character areas experience some sort of change. The character area experiencing the most development change were Suburban, Commercial Redevelopment Corridors, and Town Centers. The trend of development has leaned towards projects with more commercial and mixed-use.

### DeKalb Trends Towards Mixed Use



**Table 7.3: DeKalb County Land Use Amendments (2007-2016)**

Change From	Change To													TOTAL AMENDS FROM
	COS	RR	SUB	TN	NC	TC	RC	OP	LIND	IND	CRC	HC	INS	
Conservative / Opens Space (COS)														
Rural Residential (RR)														
Suburban (SUB)				1	3	8			1	1	5		1	20
Traditional Neighborhood (TN)						1								1
Neighborhood Center (NC)														
Town Center (TC)														
Regional Center (RC)														
Office Park (OP)						1								1
Light Industrial (LIND)								1						1
Industrial (IND)														
Commercial Redevelopment Corridor (CRC)			1											1
Highway Corridor (HC)									1					1
Institutional (INS)					1									1
<b>TOTALS AMENDS TO</b>			1	1	4	10		1	2	1	5		1	26

Table 7.4: Character Area / Land Use Summary

Character Area / Land Use	Density Max (du/ac)	Primary Uses	Permitted Zoning	Small Area Plans (SAP) (Refer to study master plan and SAP policies in this plan. Densities & building heights may vary)
<b>Regional Center</b>	Over 60, no max	Townhomes; Condominiums; Apartments; Retail and commercial; Office; Park & Rec; Institutional; Civic; Entertainment & Cultural; Health Care, Technology Centers	MU-5, MU-4, MU-3, MU-2, MR-1, MR-2, C-1, OI, HR-1, HR-2, HR-3	Kensington LCI
<b>Town Center</b>	Up to 60	Townhomes; Condominiums; Apartments; Retail and commercial; Office; Park & Rec; Institutional; Civic; Entertainment & Cultural; Health Care, Technology Centers	MU-5, MU-4, MU-3, MU-2, MU-1, MR-1, MR-2, C-1, OI, HR-1, HR-2, RSM,	Candler Road LCI; Emory Village LCI; N. Druid Hills LCI; Wesley Chapel LCI, Medline LCI, Panola MALP
<b>Neighborhood Center</b>	Up to 24	Townhomes; Condominiums; Apartments; Retail and commercial; Office; Park & Rec; Institutional; Civic;	MU-3, MU-2, MU-1, MR-1, MR-2, NS, C-1, OI, NSRSM,	Portion of N. Druid Hills (Mason Mill Node)
<b>Commercial Redevelopment Corridor</b>	18	Commercial and Retail; Office; Condominiums; Townhomes; Mixed Use; Apartments; Institutional	MU-3, MU-2, MU-1, MR-1, MR-2, OI, OD, RSM	Covington and Belvedere MALP
<b>Traditional Neighborhood</b>	12	Traditional SF homes; Apartments; Assisted living; Neighborhood Retail; Schools; Institutional	MU-2, MU-1, MR-1, C-1, OI, NS, RSM	None
<b>Highway Corridor</b>	30	Commercial and Retail; Office; Condominiums; Townhomes; Mixed Use; Apartments; Institutional	MU-2, MU-1, MR-1, C-1, OI, NS, RSM	None
<b>Suburban</b>	Up to 8	SF detached; Townhomes; Assisted Living facilities; Neighborhood Retail; Schools; Libraries; Parks and Related; Health Care; Civic	MU-1, C-1, OI, NS, RSM, RE, RLG, R-100, R-85, R-75, R-60, MHP, RNC	Hidden Hills
<b>Rural Residential</b>	Up to 4	Low-density single family detached; Agricultural related; Cultural & Historic; Institutional	NS, RE, RLG	None
<b>Conservation / Open Space</b>	N/A	Passive parks; Nature trails; Flood plains, wetlands, watersheds; Golf Courses; Athletic Fields, Amphitheaters	All zoning classifications	None
<b>Light Industrial</b>	Up to 120	Warehouse Distribution; Wholesale/Trade; Automotive; Entertainment;	OD, C-2, M-1, HR-1, HR-2, HR-3	None
<b>Heavy Industrial</b>	N/A	Manufacturing; Warehouse Distribution; Wholesale/Trade; Automotive; Entertainment;	OD, C-2, M and M-2	None

## Traditional Neighborhood (TN)

The intent of the Traditional Neighborhood Character Area is to preserve the style and appeal of older traditional neighborhood communities. These areas primarily consist of residential areas in older parts of the community that were typically developed prior to WWII. The characteristics include higher pedestrian orientation, sidewalks and more grid-like street patterns. They have on-street parking, small, regular lots, and buildings closer to the front property line. Many of these areas have a predominance of alleys and neighborhood-scale commercial scattered throughout. The proposed density for areas of this type is up to 12 dwelling units per acre.



New construction with traditional neighborhood character

Primary Land Uses	Permitted Zoning	
<ul style="list-style-type: none"> <li>• Traditional Single Family Residential Homes</li> <li>• Apartments</li> <li>• Assisted Living Facilities</li> <li>• Neighborhood Retail</li> <li>• Schools</li> <li>• Libraries</li> <li>• Health Care Facilities</li> <li>• Parks and Recreational Facilities</li> <li>• Institutional Uses</li> </ul>	<ul style="list-style-type: none"> <li>• RE</li> <li>• RLG</li> <li>• R-100</li> <li>• R-85</li> <li>• R-75</li> <li>• R-60</li> <li>• RNC</li> <li>• RSM</li> <li>• MR-1</li> <li>• MU-1</li> </ul>	<ul style="list-style-type: none"> <li>• MU -2</li> <li>• NS</li> <li>• C-1</li> <li>• OIT</li> <li>• OI</li> </ul>



Grid street pattern common in traditional neighborhoods.



## Traditional Neighborhood Character Area Policies

1. **Residential Protection** - Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density. Protect stable neighborhoods adjacent Activity Centers from incompatible development that could alter established residential development patterns and density.
2. **Traditional Neighborhood Principles** Encourage residential development to conform with existing traditional neighborhood development principles including, existing grid street patterns, a higher mix of uses, and increased pedestrian access to retail and other activities.
3. **Non-Residential Development** - The non-residential development in suburban areas shall be limited to small-scale convenience goods/services to meet the needs of the surrounding residents. Small scale nonresidential development shall be limited to qualifying intersections (collector roadway and above).
4. **Density Increases** - This shall be evaluated for their impact on county facilities and shall not degrade the overall quality of service delivery and quality of life for the surrounding established neighborhood.
5. **Walkability** - Locate development and activities within easy walking distance of transportation facilities.
6. **Infill Development** - Enforce residential infill development regulations in efforts to preserve and stabilize existing neighborhoods.
7. **Infill Development** - Permit accessory housing units, or new well-designed, small-scale infill multifamily residences to increase neighborhood density and income diversity.
8. **Transitional Buffer** - In areas adjacent to Activity Centers, require the transition of higher densities/intensities to occur within Activity Center and abiding by the delineated Activity Center boundary.
9. **Greenspace** - Wherever possible, connect to a regional network of greenspace and trails, available to pedestrians.
10. **Connectivity** - Connect new streets and minimize or prohibit cul-de-sacs to disperse traffic, shorten walking/biking trips.
11. **Street Design** - Promote street design that fosters traffic calming including narrower residential streets, on-street parking, and the addition of bicycle and pedestrian facilities.
12. **Bicycle and Pedestrian** - Encourage good vehicular and pedestrian/bike connections to retail/commercial services as well as internal street connectivity, connectivity to adjacent properties/subdivisions, and multiple site access points.
13. **Transportation Alternatives** - Provide a variety of transportation alternatives such as bicycle and pedestrian paths and greenway areas.
14. **Sense of Place** - Promote sense of place initiatives such as public art, fountains, plazas, signage and other design guidelines to improve the public realm.
15. **Density** - Promote moderate density, traditional neighborhood development style residential subdivisions, which may utilize alley ways and rear vehicular access.
16. **Nodes** - (A) Create neighborhood focal points through the use of existing pockets parks and squares for community activities. (B) Create neighborhood focal points by locating schools, community centers, or well-designed small commercial centers at suitable locations within walking distance of residences.
17. **Street Character** - Improve street character with consistent signage, lighting, landscaping and other design features.
18. **Architecture** - Encourage compatible architecture styles that maintain regional and neighborhood character.

# **National Registry Documents**



Joe B. Wanner  
COMMISSIONER

Henry B. Struble  
DIRECTOR

Department of Natural Resources  
PARKS AND HISTORIC SITES DIVISION

October 18, 1979

Ms. Carol Dubie  
National Register of Historic Places  
Heritage Conservation and Recreation  
Service

U. S. Department of Interior  
440 G Street, N. W.  
Washington, D. C. 20243

RE: Druid Hills  
Atlanta, DeKalb County

Dear Carol:

Enclosed please find eight representative photographs of intrusive apartment buildings and ranch houses in the Druid Hills historic district. We hope that these photographs adequately convey to you the character and appearance of such contemporary structures - a character and appearance that words alone are apparently unable to express.

We are looking forward to the speedy registration of Druid Hills. You would not believe the reaction to the news that the nomination is being held up for want of a photograph of a ranch house.

Sincerely,

Richard

Richard Cloues  
Architectural Historian  
Historic Preservation Section

:dm  
losures

DRUID HILLS

Atlanta, DeKalb County, Georgia

Photographer: James R. Lockhart

Date: October 1979

Negative: Department of Natural Resources

Description: Ranch houses (intrusions),

East Clifton at Dyson; photographer  
facing north



DRUID HILLS

Atlanta, DeKalb County, Georgia

Photographer: James R. Lockhart

Date: October 1979

Negative: Department of Natural Resources

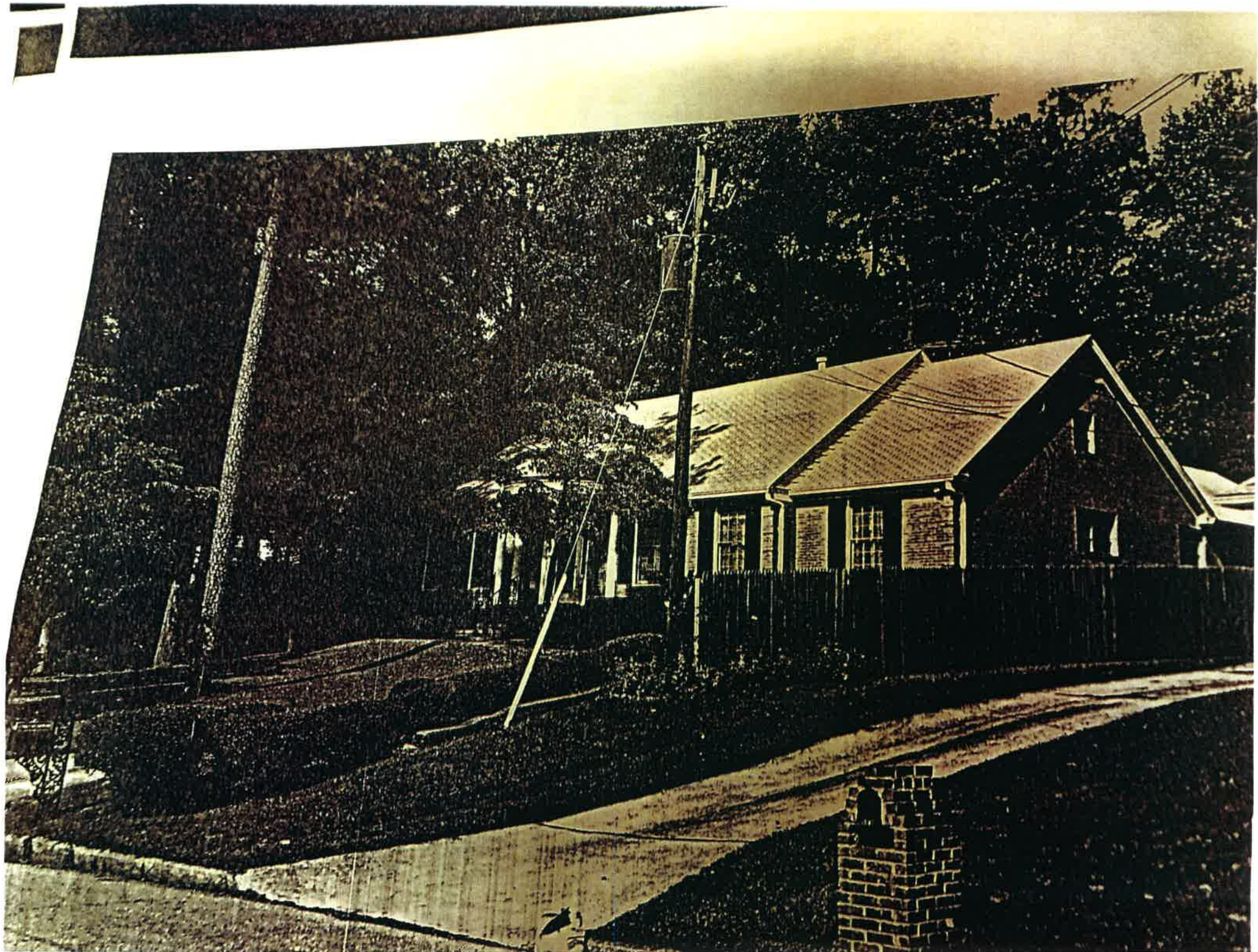
Description: Colonial Revival (intrusion),  
Ponce de Leon Manor, east side of street;  
photographer facing northeast



/ /

have received an unqualified  
response to meet our efforts. The  
don has been few in number, but  
met the record straight.  
For years of decline in the village,  
plan to improve a part of the village  
ing spaces in front of and behind  
Once to residents, catering both  
r, small shops, a bakery,  
aded, for example, a clothing shop,  
and renovated environment  
trees, planters, benches,  
the first steps in  
center that began in  
State of Georgia  
Send  
to







of scale among architecture, landscape architecture, and streetscape. Druid Hills is an exceptionally well-preserved, early-twentieth-century suburb with few non-contributing properties and even fewer intrusions.

### Intrusions and Non-contributing Properties

Intrusions and non-contributing properties in Druid Hills are marked on the enclosed maps. Generally, these are brick ranch houses dating from the 1950s and 1960s, low-rise brick apartment buildings from the same decades, and a few "contemporary" houses. The ranch houses are situated individually or in small groups where large estates have been partially or wholly subdivided. The individual ranch houses are scattered throughout the district and tend to conform in terms of their setbacks and landscaping, if not their massing and detailing, to early-twentieth-century period standards. Concentrations of ranch houses occur along East Lake Road and around the Clifton-East Clifton Road circle. Subdivisions of the ranch houses are generally located off the main streets and are screened from public view by topography or trees. Apartment buildings are confined to the lower east side of Briarcliff Road and to a few locations along Ponce de Leon Avenue and North Druid Hills Road. Vacant lots resulting from a recent fire in the commercial center at the intersection of North Druid Hills and Oxford Roads constitute non-contributing properties at present.

### Boundaries

Boundaries for the Druid Hills historic district have been carefully developed by the Kirkwood Land



CGA



A15 241A



Druid Hills Civic Association  
INCORPORATED

Serving a Section of Beautiful Homes  
1057 Briarcliff Rd. N.E. Atlanta, Ga. Jan. 10, 1979.  
30306

Historical Preservation Section  
Department of Natural Resources  
Atlanta, Ga.

Herewith are 12 Land Lot maps together with print outs of properties and ownerships in Druid Hills showing information pertinent to historic preservation actions. Since the maps and lists are inclusive of all the properties, those involved with National Register considerations are designated by check marks. On the lists those checks are along the left hand side of the sheets - on the maps the check marks are on or adjacent to the lots proper.

Two lists are furnished - one the 1977 print out, updated by corrections to give current application, the other a 1978 print out. Believe the 1977 update has most value in that it contains mailing addresses to include the Zip Codes. However, please note that the 1978 print out for LL 15-241E and 15-241F - addresses 1455-479 Ponce de Leon Ave N.E. and 1323-1337 Ponce de Leon Ave contains the names of condominium owners not shown on the 1977 update. These ownerships are on page two of the its attached to the map for 242A for that page has both L. 241A and 242A names on it.

Both the 1977 update and 1978 versions were carefully checked and with the maps as well.

Sincerely,  
Adellou H. Hagan



#### D. Intrusions and Non-historic Properties

*Intrusions* within the district are those areas of development that are intrusive to the district's historic development pattern. These intrusive areas are non-historic (constructed after 1946) and have a development pattern very different from the district's historic layout. Some of these intrusive areas have subdivided the original lot layout and added streets in sharp contrast to the historic street patterns. Other intrusive areas replaced historically open space. The following areas are identified as intrusive on the *Historic District Map*.

- Vilenah Lane and Dan Johnson Road
- Briardale Lane
- Artwood Road
- Barton Wood Road
- Ponce de Leon Manor
- Ridgecrest Court
- Oakpark Townhouses
- Institutional Development on Briarcliff Road

*Non-historic properties* within the district are those properties constructed after 1946 that do not detract from the overall historic character and appearance of the district. Non-historic properties are identified on the *Historic District Map*.

*Historic properties* within the district are those properties constructed from the beginning of the area's development through 1946 (fifty-year cut-off date). Historic properties are identified on the *Historic District Map*.

*Buffer areas* exist in several places within the district. These areas are generally located along the district boundaries and adjacent to historic areas within the district. They are non-historic but similar in scale and character to the district's historic development. These areas provide a buffer against intrusive development that might encroach upon the district. Following are three examples of buffer areas.



# **Aging Demographics**

**FOR THE EXCLUSIVE USE OF JLLOYD@DUNLAVYLAWGROUP.COM**

From the Atlanta Business Chronicle:

<https://www.bizjournals.com/atlanta/news/2016/03/23/forbes-atlanta-is-nations-no-1-rapidly-aging-city.html>

## Forbes: Atlanta is nation's No. 1 rapidly aging city

Mar 23, 2016, 2:28pm EDT

The Big Peach is getting wrinkly.

Atlanta is America's No. 1 rapidly aging city, according to Forbes.com.

Atlanta's senior population grew 20 percent between 2010 and 2014, well above the average 11.3 percent increase seen across the country's 53 largest metropolitan areas.

By 2050, the number of Americans over 65 will nearly double to 81.7 million. Seniors represent roughly 15 percent of the overall population now, but this number is projected to rise to 21 percent.

More than 10,000 baby boomers turn 65 every day. Not surprisingly, popular retirement destinations like Tampa-St. Petersburg, Fla.; Tucson, Ariz.; and Miami have older than average populations. The Rust Belt, or the Northeastern United States, whose top industries like manufacturing have been declining for decades, also has an older population because it loses so many younger residents to other regions of the country.

Atlanta's rapidly growing senior population isn't because of good weather or declining industries, but rather its low cost of living, Forbes said. Over the past 40 years, a migration pattern of large numbers of people to lower cost, growing states has emerged.

Here's the top 10 rapidly aging U.S. cities:

### Atlanta

Raleigh, N.C.

Las Vegas

Portland, Ore.

Jacksonville, Fla.

Denver

Austin, Texas

Phoenix

Sacramento

Tucson, Ariz.

### Ellie Hensley

Staff Writer



THINKSTOCK

The Big Peach is getting wrinkly. Atlanta is America's No. 1 rapidly aging city, according to Forbes.com.

# **Engineers Letter**





**michael quinn and associates, p.c.**

6767 peachtree industrial blvd. • suite p  
norcross, georgia 30092  
770-452-0744

September 9, 2019

Mr. Amir Rahbar  
Elite Estates, LLC  
1043 Briarcliff Road NE  
Atlanta, Georgia 30306

RE: 1047 & 1051 Briarcliff Road NE  
MQ + A Project No. 19241


Dear Amir:

On September 6, 2019, the undersigned visited the referenced residences to evaluate the existing structures. Our observations were limited to the exposed portions of these structures, no soil or material tests were performed.

At the time of our visit, these structures were unoccupied. Evidence of roof leaks, including damaged sheetrock, mold and mildew was observed. Cracks in the exterior veneer indicating foundation settlement were observed. In our opinion, remediation of these structures to the proposed standards would require tearing the structures down to such an extent that demolishing and rebuilding new structures is the most efficient course of action.

Please do not hesitate to call if you have any questions, or if we can be of further assistance.

Sincerely,  
Michael Quinn & Associates, P.C.

  
Clinton G. Schaeffer



consulting engineers

RECEIVED  
OCT 15 2019

PJS

## **BRIARCLIFF ROAD**

REZONING CASE –ELEGANT HOMES

Z-19-1243376

18-001-05-021 THROUGH -023

1043, 1047 AND 1051 BRIARCLIFF ROAD

**Dunlavy Law Group, LLC**







\*Approximate  
parcel lines

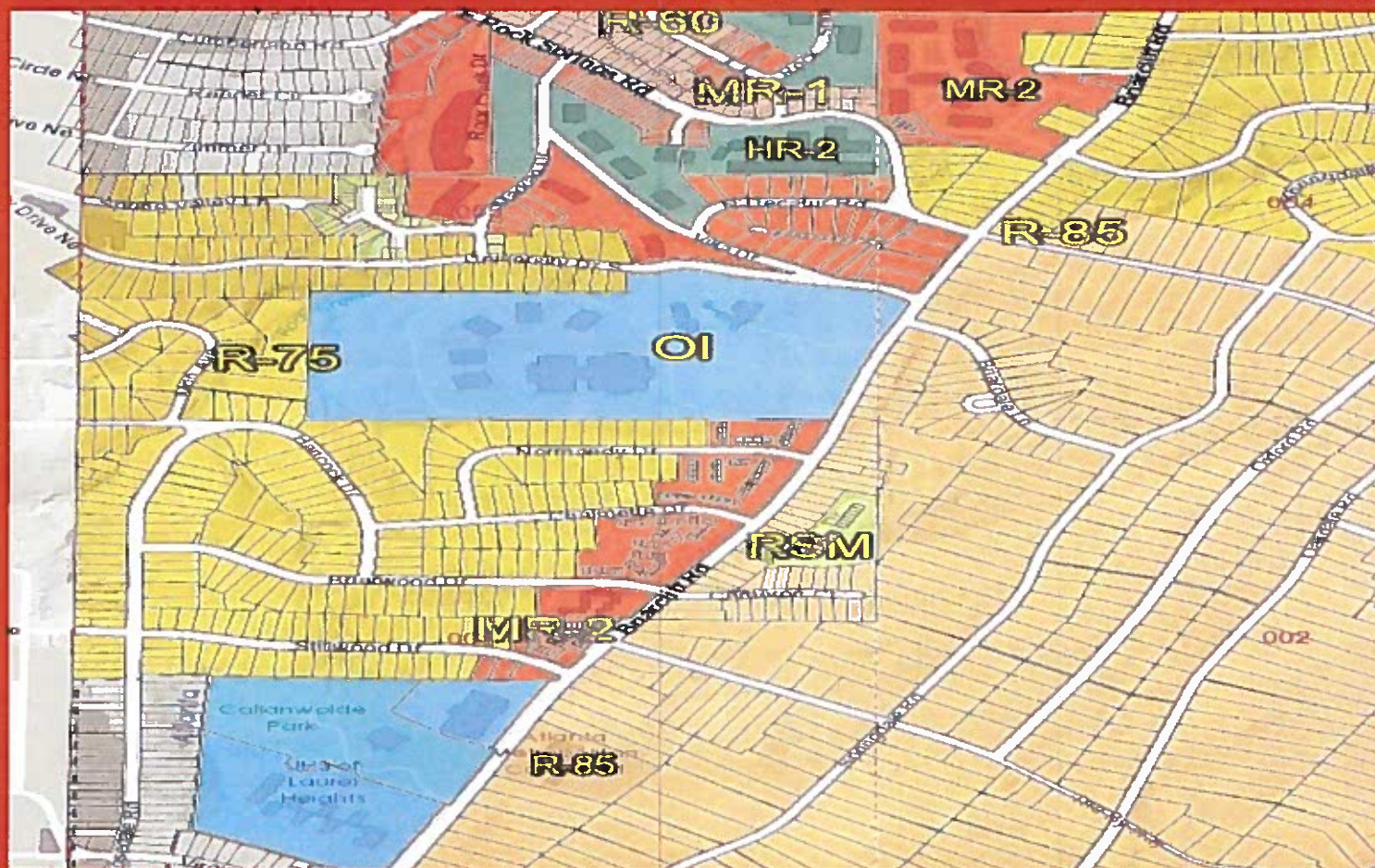




Dunlavy Law Group, LLC



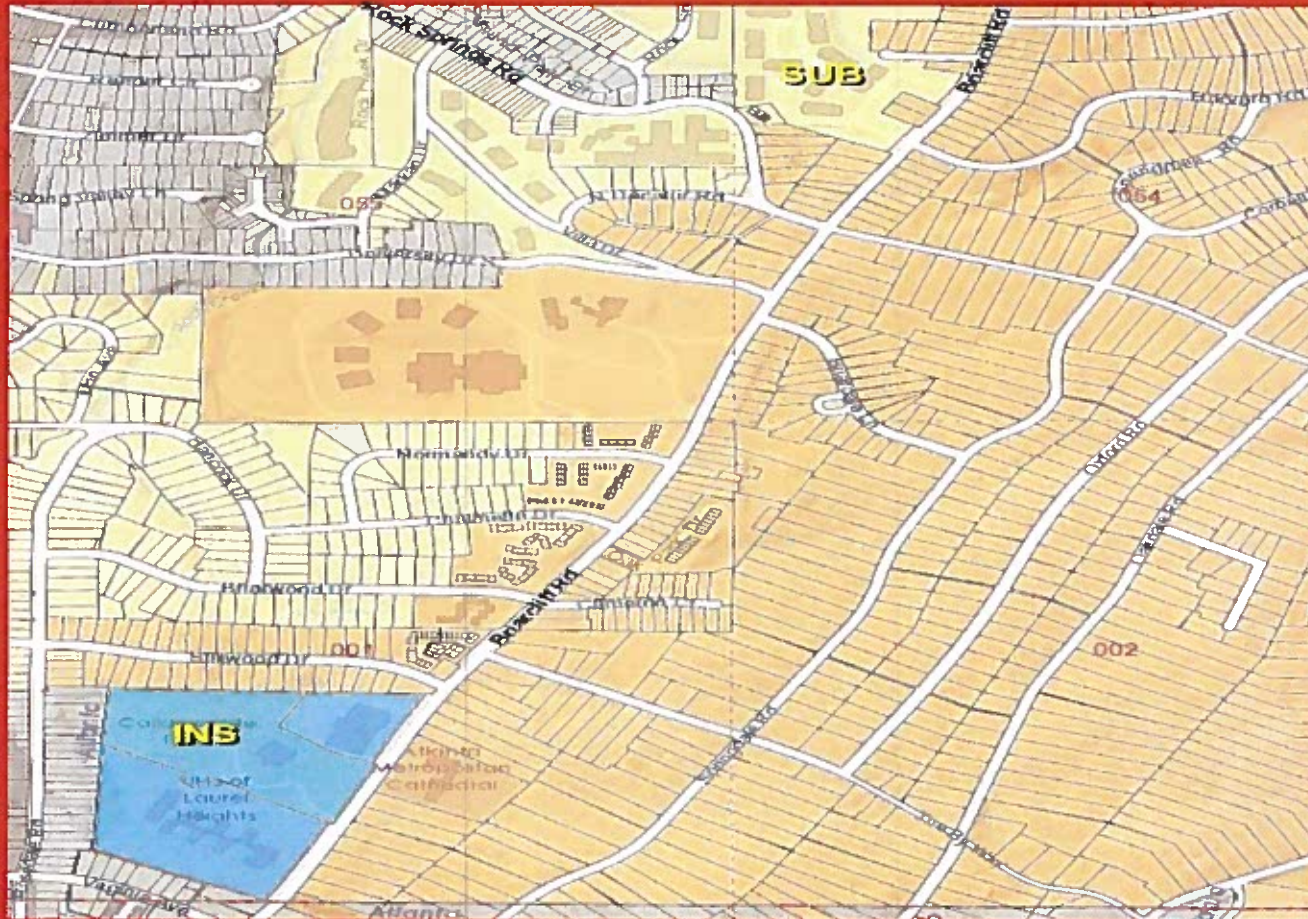




Dunlavy Law Group, LLC

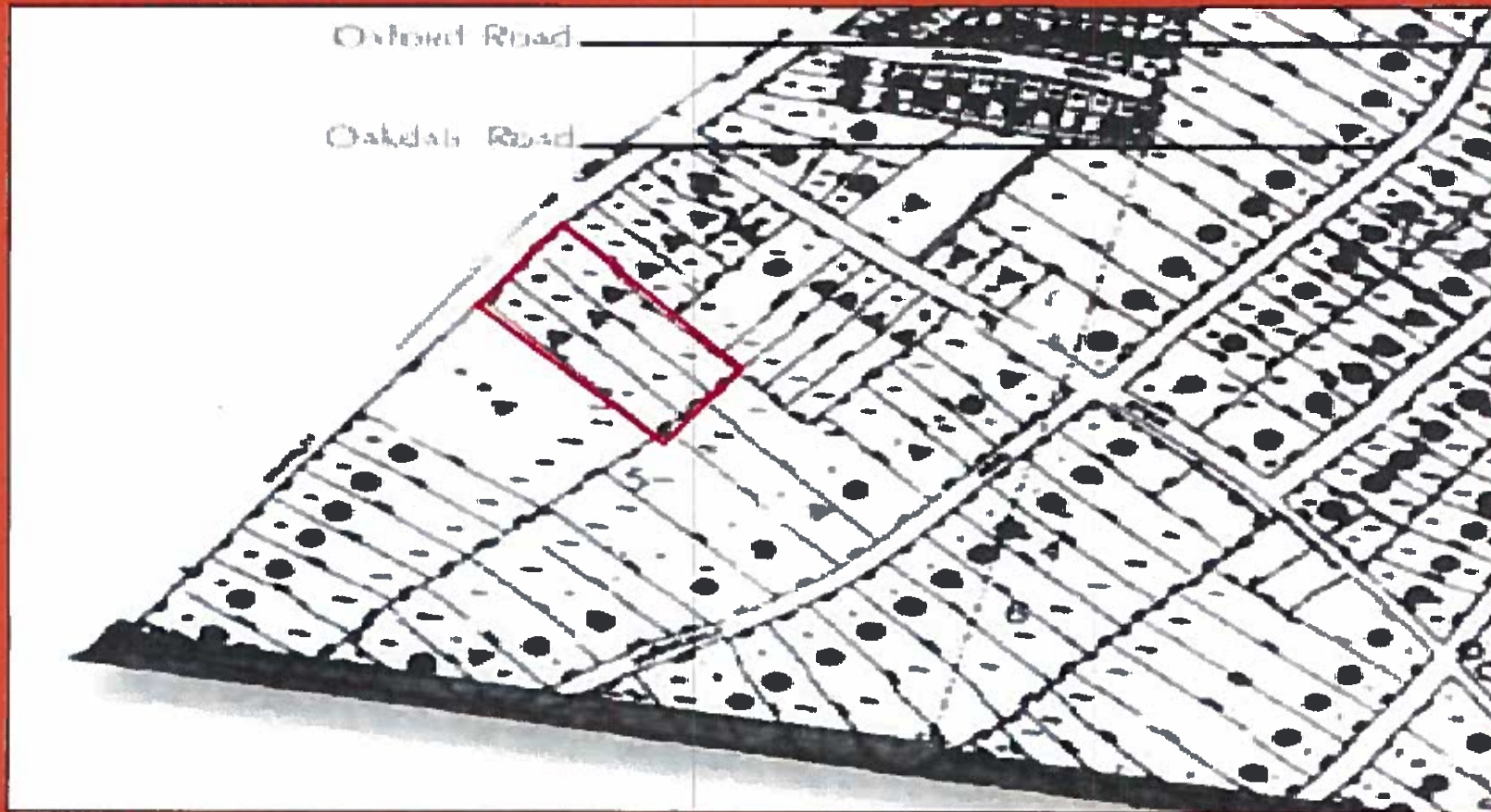






Dunlavy Law Group, LLC





Dunlavy Law Group, LLC



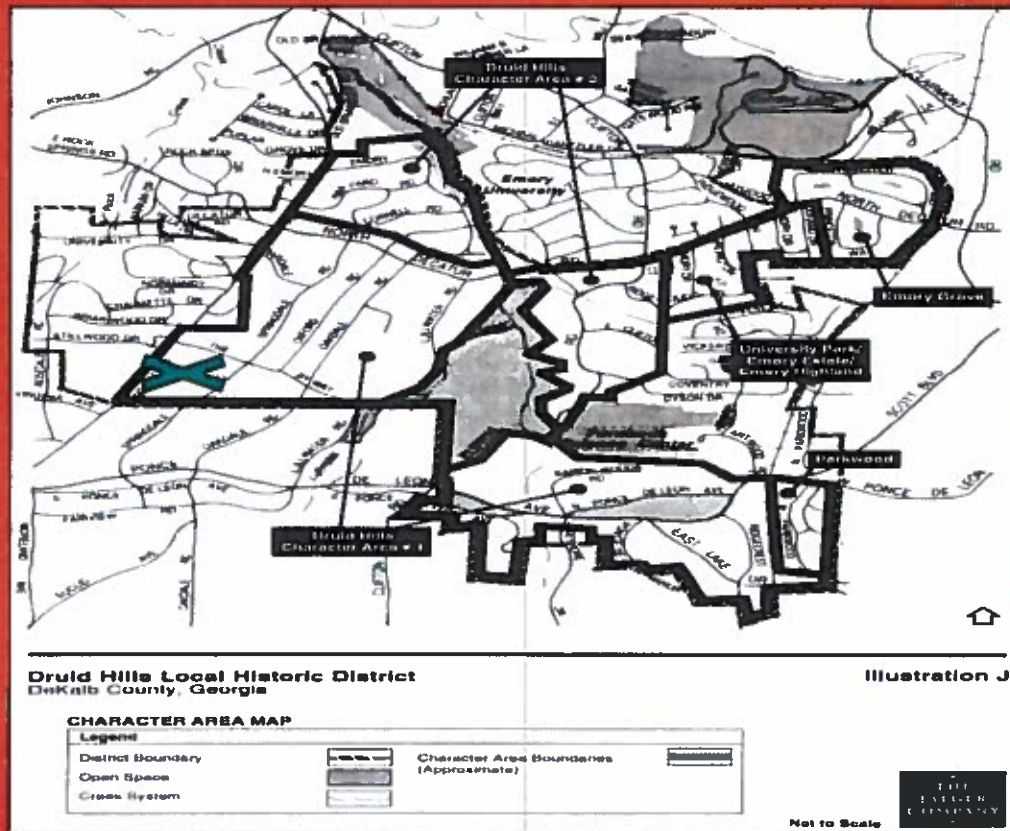


Illustration J

Dunlavy Law Group, LLC







# Dunlavy Law Group, LLC







## Elevation Study

Looking at units 1-6 facing Briarcliff Road

for: Elegant Homes, LLC

by: TSW

07/03/2019

TSW

PLANNED  
ARCHITECTURE  
LANDSCAPE ARCHITECTURE





Dunlavy Law Group, LLC



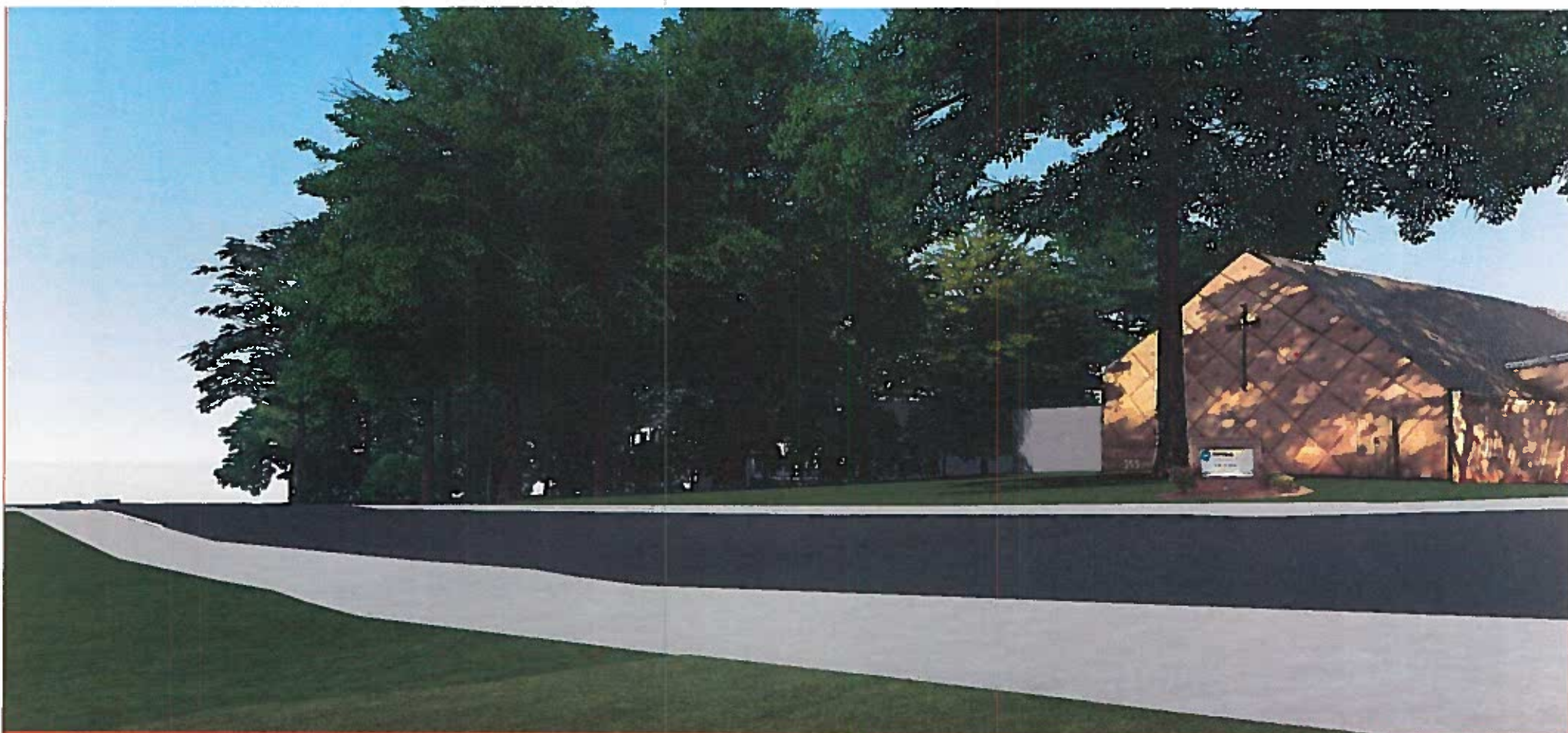




Dunlavy Law Group, LLC



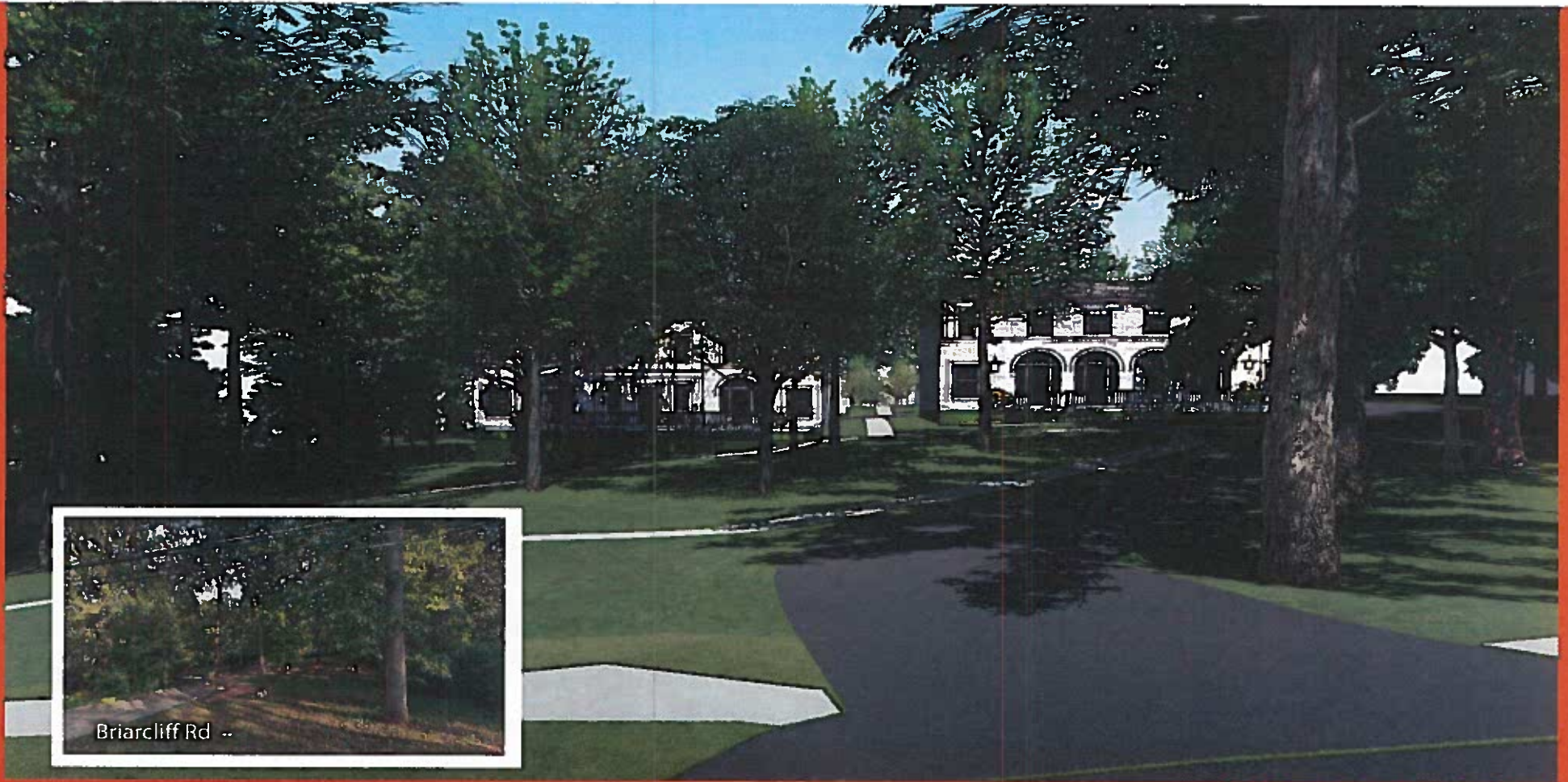




Dunlavy Law Group, LLC







Dunlavy Law Group, LLC







Dunlavy Law Group, LLC







**Dunlavy Law Group, LLC**





PRELIMINARY EAST FACADE ELEVATION

Dunlavy Law Group, LLC







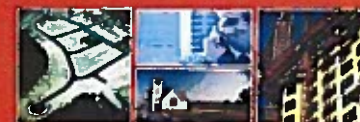
Dunlavy Law Group, LLC





Feature	Specification
Lot size (3 lots combined)	3.02 acres
Density with 16 units	5.3 upa (max of 12 upa allowed)
Open space	64%
Zoning R 85 / TN	To RSM (small lot residential)/TN
Building height	35 feet
Front yard set back	141 feet
Rear yard set back	70 feet

**Dunlavy Law Group, LLC**



Feature	Specification
Interior side yard setbacks	30 feet
Planted buffers	40 feet at rear 30 foot north side 10 foot south side
Lot coverage	36%
Parking	64 total 19 for guests
Amenities	Courtyard open space Natural garden in front Interconnected pedestrian pathways
Druid Hills Architecture	Compliant with guidelines

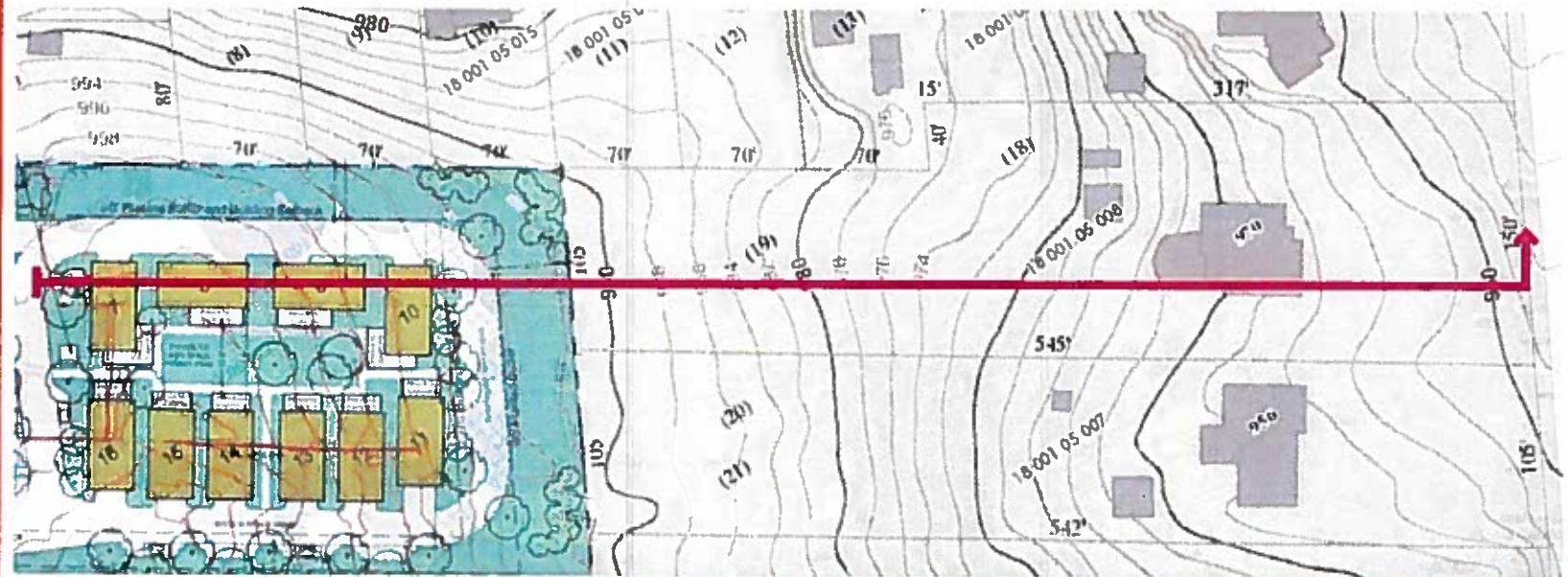
**Dunlavy Law Group, LLC**





# Site Section-970 Springdale

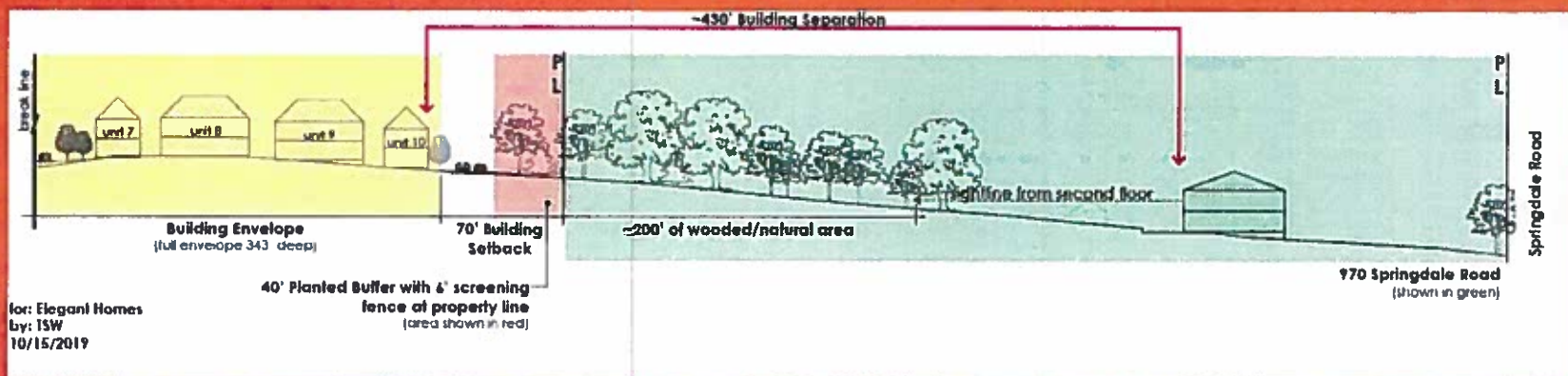
Site Section "A" \ 970 Springdale Road



Dunlavy Law Group, LLC





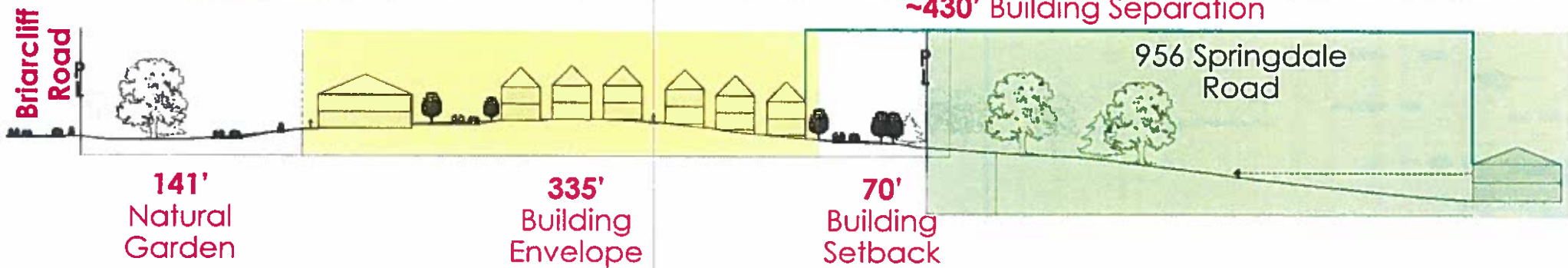


Dunlavy Law Group, LLC





**~430' Building Separation**





A large, irregular teal ink splatter or blotch serves as the background for the text. The splatter has a textured, painterly appearance with darker teal in the center and lighter, more diffused edges. It is centered on a plain white background.

Approval with  
conditions



**Comments in Support  
and  
Comments in Opposition**

APPLICATION OF ELEGANT HOMES, LLC,  
TO AMEND THE OFFICIAL ZONING  
MAP OF DEKALB COUNTY, GEORGIA

)  
)  
)  
)  
)  
)

Z/CZ No. Z-19-1243376

COMES NOW Timothy and Lynn Baxter (“The Baxters”), and file this Opposition to the Application Of Elegant Homes, LLC To Amend The Official Zoning Map Of DeKalb County, Georgia (the “Application”), respectfully show as follows:

- 1 -

6. If EM is successful, the EM Properties would transition from the least dense zoning designation in Druid Hills (R-85) to a designation (RSM) that would permit 12 units per acre.

7. Rezoning of single family residential lots to this level of density (including multi-family units) in the Druid Hills Historic District sets a terrible precedent, and is, in fact, unprecedented; it has never been done.

8. The Application is the very definition of “spot zoning,” i.e., a markedly different zoning for a parcel of land within a larger zoned area, but where that different zone is at odds with a municipality’s master plan and current zoning restrictions. See, *e.g., East Lands, Inc. v. Floyd County*, 244 Ga. 761 (1979).

9. The denser uses on the West Side of Briarcliff - on which the Application is based - is irrelevant to support EH’s position.

10. When the Druid Hills Local Historic District was created, the uses on the West Side were already established, but the decision was made to preserve the historic character of the neighborhood by a R-85 designation beginning on the East Side of Briarcliff that continues further East.

11. A primary goal of the Historic District’s zoning is to prevent further degradation of the neighborhood’s historic character. Stated another way, the Historic District was created for a reason: to protect the character of Druid Hills as designed by Frederick Law Olmsted - a peaceful residential neighborhood set in harmony with the natural landscape. The zoning scheme’s density and lot sizes were selected to further this aim. If developers such as EH are permitted to start chipping away at the configuration of the Historic District, the historic designation will serve no purpose.



12. The Design Manual specifically addresses, in several places, the issues raised by the Application. For example, with respect to why non-historic properties are included within the Historic District, the Design Manual states:

One of the primary reasons for designating historic districts is to protect the historic character and integrity of the **district as a whole**. Selectively deleting non historic properties from boundaries would create a “Swiss cheese” effect (emphasis in original).

Design Manual at Appendices, p. ix.

13. In addition, the Design Manual states:

Intrusions (that is, areas with a high concentration of nonhistoric development) within the core area are included **because of their potential to impact surrounding historic properties and the district as a whole** (emphasis added).

14. Section 9.1 of the Design Manual, “Original Subdivision Forms” also states:

The historic layout of the neighborhoods and subdivisions, located within the Druid Hills Local Historic District, has created the physical framework for the district. This layout, created originally by Frederick Law Olmsted, Sr., has definable characteristics that have been replicated in more recent development plats by later designers. These plans guided the configuration of streets, public open spaces, and private lots. **The original layout creates a historical context for the district. The cumulative effect of alterations to this layout would destroy this context.** (emphasis added).

15. There have been earlier attempts to rezone a residential stretch of Briarcliff to medium density. In 1997, the owner of the historic home at 957 Briarcliff Road, a Ms. Gloria Trencio, sought a zoning variance to permit apartments within the house. The DeKalb Board of Commissioners ruled against Mrs. Trencio, and she appealed that decision to the DeKalb County Superior Court. Mrs. Trencio’s suit was eventually dismissed.

16. Contrary to EP's statements, there is more than sufficient housing stock available for people who want to remain in or near the neighborhood and yet live in a smaller footprint. Some examples including new multifamily units at Ponce and Briarcliff in the United Methodist Church, multifamily units Briarcliff north of Ponce to the Atlanta City Line, units presently under construction at Virginia Avenue and Briarcliff (City of Atlanta), and the historic apartments on the West Side of Briarcliff just north of the By-Way.

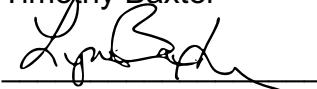
17. Traffic on Briarcliff Road is already very difficult. Local residents note the terrible late afternoon /evening traffic on Briarcliff, Springdale, Oakdale, and Lullwater heading south, making it impossible difficult to cross Ponce at that time of day. North Decatur East of Briarcliff on into Emory Village is also frequently "clogged."

WHEREFORE, and for all of the foregoing reasons, Timothy and Lynn Baxter respectfully request that the DeKalb County Historical Commission recommend denial of the Application of Elegant Homes, LLC To Amend The Official Zoning Map.

Respectfull submitted this 16<sup>th</sup> day of August, 2019



Timothy Baxter



Lynn Baxter

939 Briarcliff Rd., NE  
Atlanta, GA 30306-4664

**Furman, Melora L.**

---

**From:** Furman, Melora L.  
**Sent:** Monday, August 19, 2019 5:18 PM  
**To:** Furman, Melora L.  
**Subject:** FW: 1043 Briarcliff Rd rezoning

**From:** Christopher Liggett <[cristofer53@att.net](mailto:cristofer53@att.net)>  
**Sent:** Sunday, August 18, 2019 1:41 PM  
**To:** Cullison, David <[dccullis@dekalbcountyga.gov](mailto:dccullis@dekalbcountyga.gov)>  
**Subject:** 1043 Briarcliff Rd rezoning

**\*\* WARNING: The sender of this email could not be validated and may not match the person in the "From" field. \*\***

Mr. Cullison,

I am writing to support the application for rezoning of the properties at 1043, 1047, and 1051 Briarcliff Road, owned by Elegant Homes, LLC. I live in the Druid Hills neighborhood and am a member of the Druid Hills Civic Association, however, I am submitting these comments as a private citizen. I have noted the opposition raised in response to the application for rezoning, and I feel it makes some misleading and inaccurate statements.

Opponents rely on the fact that the subject properties lie in the Druid Hills Local Historic District, and that therefore the R-85 zoning must be preserved. They claim that a rezoning to higher density has never been done before. I am dubious of both these claims. Simply looking at the DeKalb County Parcel Viewer map (<http://maps.dekalbcountyga.gov/parcel/>) shows that there are many areas along the east side of Briarcliff Road between Ponce deLeon Avenue and North Decatur Road where higher density has been permitted. I don't know for certain if the higher density development preceded or followed the designation of the local historic district, but in either case, they exist, and they do not, in my opinion, create a "Swiss cheese" effect, as mentioned in the Druid Hills Historic District Design Manual (Appendices, p. ix).

I call your attention to the properties at 811 Briarcliff Road (Virginia Park Townhomes), 0 Briarcliff Road (The Residences at Lullwater Park, and Highland Hall Condominiums), 891 Briarcliff Road (Virginia Place Townhomes), and 1231 Oak Park Drive (Oak Park Homeowners Association). These are all clear examples of higher density zoning that sit unobtrusively along the edge of the Druid Hills neighborhood. Given that they are all accessed from Briarcliff Road, they have virtually no ability to create negative impacts to the single-family properties behind them.

Further north are the houses along Cameron Court, and in the wedge bordered by Briarcliff Road and Briardale Lane (and extending to the other side of Briardale Lane). These properties are nominally zoned as R-85, but some of the lots are less than 85' of frontage, some as narrow as 45' (the Elegant Homes properties are all 80' wide). The acreages in the Briardale area average about .31 acres, and the lots in Cameron Court are as small as .18 acres. So there are many examples of higher-density development in existence along the east side of Briarcliff Road. The proposal from Elegant Homes is not out of line with these prior examples, and should not be rejected on the basis of increased density.

Please evaluate this proposal for rezoning on its merits and in the context of other properties along Briarcliff Road. The aerial view site plan that I have seen shows a setback from Briarcliff Road equal to other properties along the street, and the rear setback is exceeded, in fact it is doubled. Issues of design aesthetics can be reviewed by the Historic Preservation Commission, but the zoning issue should be resolved in favor of the applicant.

Thank you for your consideration,





# DRUID HILLS CIVIC ASSOCIATION

September 6, 2019

DeKalb County Planning Commission  
1300 Commerce Drive  
Decatur, GA 30030

Re: Rezoning Application Z-19-1243376  
1043,1047 & 1051 Briarcliff Road

Ladies & Gentlemen,

The Druid Hills Civic Association opposes this application (currently on the Commission's September 10<sup>th</sup> agenda) which would permit Elegant Homes, LLC to combine three (3) single family lots within the Druid Hills Historic District into a 16 unit condominium development by rezoning the lots from R-85 to RSM.

We oppose this attempted rezoning because it constitutes an obvious case of "spot zoning" at its worst. The properties along the east side of Briarcliff Road are uniformly zoned, as they have been since DeKalb's zoning regulations, as R-85, single family residential. (See attached chart). Allowing these lots to be converted to a more dense residential use would likely start a process by which other lots near it would seek and obtain rezonings for more intensive residential uses.

More importantly, these lots are in the County's Druid Hills Historic District and subject to its regulations, many of which seek to preserve the original platting of all the properties within the Historic District.

Equally important is the fact there has been no showing that it is infeasible to either maintain or redevelop these lots as single family homes. There are a number of homes along both sides of Briarcliff Rd. that have recently been substantially renovated as single family homes or replaced with homes of significant value.

The Druid Hills Civic Association's Board recently voted unanimously to oppose this development. On August 13<sup>th</sup> the Community Council UNANIMOUSLY recommended the denial of this application. The matter was deferred at the request of the applicant from the Historic Preservation Commission's August calendar. We understand that the applicant, Elegant Homes, has now retained counsel and intends to seek a continuance of this matter. We would oppose that request in that the facts and circumstances of this application have not changed and there is no need to defer consideration of this application.

For the reasons set forth above the Druid Hills Civic Association's request that this application be denied.

Kit Eisterhold

---

President, Druid Hills Civic Association

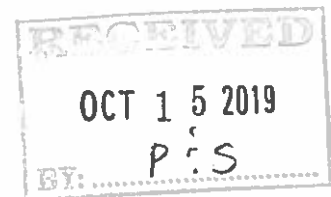
cc: Mr. Andrew A. Baker, Director  
encl.



# DRUID HILLS CIVIC ASSOCIATION

October 15, 2019

DeKalb County Community Council  
1282 McConnell Dr.  
Decatur, GA 30032



Re: Rezoning Application Z-19-1243376  
1043,1047 & 1051 Briarcliff Road

Ladies & Gentlemen,

The Druid Hills Civic Association opposes this application which would permit Elegant Homes, LLC to combine **three** (3) single family lots within the Druid Hills Historic District into a **16** unit condominium development by rezoning the lots from R-85 to RSM.

This same application for rezoning was originally heard by the Community Council and denied by unanimous vote on August 13, 2019. Applicant then hired counsel who had the application deferred from the Planning Commission's, Historic Preservation Commission's and Board of Commissioner's September agendas. The Applicant has made no significant changes in its plans presented to the Community Council in August.

We oppose this attempted rezoning because it constitutes an obvious case of "spot zoning" at its worst. The properties along the east side of Briarcliff Road are



uniformly zoned, as they have been since DeKalb's zoning regulations, as R-85, single family residential. (See attached map). Allowing these lots to be converted to a more dense residential use would likely start a process by which other lots near it would seek and obtain rezonings for more intensive residential uses.

More importantly, these lots are in the County's Druid Hills Historic District and subject to its regulations, many of which seek to preserve the original platting of all the properties within the Historic District.

Equally important is the fact there has been no showing that it is infeasible to redevelop these lots with single family homes. There are a number of homes along both sides of Briarcliff Rd. that have recently been substantially renovated as single family homes or replaced with single family homes of significant value.

The Druid Hills Civic Association's Board voted unanimously to oppose this development. On August 13<sup>th</sup> the Community Council unanimously recommended the denial of this application. There is no significant difference between the current application and the one presented to and denied by the Community Council in August.

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For the reasons set forth above the Druid Hills Civic Association requests that this application be denied.

Kit Eisterhold

Kit Eisterhold

President, Druid Hills Civic Association

Encl.

# Briarcliff Road







UNDER CONTRACT

OCT 18 2019

PES

DEVELOPED



ROMA VENTURES

WWW.ROMA-VENTURES.COM  
INFO@ROMA-VENTURES.COM  
404 641 0515

JOB

OCT 18 2019  
LOT

BLOCK

WARNING!  
THIS IS A DESIGNATED CONSTRUCTION SITE.  
TRESPASSING WILL BE PROSECUTED  
TO THE FULLEST EXTENT OF THE LAW.



1377 BRIARCLIFF, 1287 HARVARD



REC'D

OCT 18 2018

BY: .....





APPLICATION OF ELEGANT HOMES, LLC,  
TO AMEND THE OFFICIAL ZONING  
MAP OF DEKALB COUNTY, GEORGIA

)  
)  
)  
)  
)  
)

Z/CZ No. Z-19-1243376

COMES NOW Timothy and Lynn Baxter (“The Baxters”), and file this Supplemental Opposition to the Application Of Elegant Homes, LLC To Amend The Official Zoning Map Of DeKalb County, Georgia (the “Application”), respectfully showing as follows:

If approved, this Application to change three single family homes / parcels to a large and dense housing complex would do significant damage to the historic fabric of an important part of the Druid Hills Local and Federal Historic Districts, with the potential to set precedent for additional, damaging incursions. The East Side of Briarcliff was part of the original platting by the Druid Hills Corporation and continues to reflect the original intent of Frederick Law Olmsted in his vision for the community.

- 1 -

Finally, an approval would violate “best practices” applicable to the proper maintenance of Historic Districts, where intrusions (or “non-contributing properties”) are included when, as here, they are directly adjacent to historic properties and/or manifest important aspects of original intent (in this instance, single family homes on deep lots in a heavily-wooded setting).

### BACKGROUND

1. Applicant Elegant Homes, LLC (the “Applicant”) is the owner of three adjacent properties on Briarcliff Road with numbers 1051, 1047 and 1043 (the “Subject Properties”).

2. The Subject Properties are all located in unincorporated DeKalb County, and are in both (a) the Druid Hills National Register District, and (b) the Druid Hills Local Historic District (see Design Manual For Druid Hills Local Historic District (the “Design Manual”) at Illustration C.

3. The Baxters are owners of property at 939 Briarcliff Rd., located approximate 700 feet south of the Subject Properties.

4. The Subject Properties are presently zoned R-85, which is the least dense (single family) residential zoning designation within the Druid Hills Local Historic District.

5. The Applicant is seeking to amend the DeKalb County Zoning Map to create a small cluster of RSM zoning co-extensive with the Subject Properties.

6. If the Applicant is successful, the Subject Properties would transition from the least dense zoning designation in Druid Hills (R-85) to a designation (RSM) that permits 12 units per acre.



7. Rezoning of single family residential lots to this level of density (including multi-family units) in the Druid Hills Historic District sets a terrible precedent, and is, in fact, unprecedented; it has never been done.

#### REZONING CONSIDERATIONS

8. The Application is the very definition of “spot zoning,” i.e., a markedly different zoning for a parcel of land within a larger zoned area, but where that different zone is at odds with a municipality’s master plan and current zoning restrictions. See, e.g., *East Lands, Inc. v. Floyd County*, 244 Ga. 761 (1979).

9. The denser uses on the West Side of Briarcliff - on which the Application is based - is irrelevant to support the Applicant’s position.

10. In addition, the West Side of Briarcliff is not part of the most significant of the Druid Hills Character Areas - “Character Area No. 1,” while the East Side is. See Design Manual at 102.

#### THE DRUID HILLS HISTORIC DISTRICT – LOCAL AND FEDERAL; INCLUSION OF “INSTRUSIVE” AND NON HISTORIC PROPERTIES ALONG BRIARCLIFF ROAD

11. When the Druid Hills Local Historic District (the “Historic District”) was created, the uses on the West Side were already established, but the decision was made to preserve the historic character of the neighborhood by a R-85 designation beginning on the East Side of Briarcliff that continues further East.

12. A primary goal of the Historic District’s zoning is to prevent further degradation of the neighborhood’s historic character. The zoning scheme’s density and lot sizes were selected to further this aim. If developers such as the Applicant are

permitted to start chipping away at the configuration of the Historic District, the historic designation will serve no purpose.

13. The Design Manual specifically addresses, in several places, the issues raised by the Application, *and also specifically calls out Briarcliff Road and explains the rationale for it being included in the Historic District notwithstanding some non-historic properties.*

14. With respect to why non-historic properties are included within the Historic District, the Design Manual states:

One of the primary reasons for designating historic districts is to protect the historic character and integrity of the **district as a whole**. Selectively deleting non historic properties from boundaries would create a “Swiss cheese” effect (emphasis in original).

Design Manual at Appendices, p. ix.

15. In addition, the Design Manual states:

Intrusions (that is, areas with a high concentration of nonhistoric development) within the core area are included **because of their potential to impact surrounding historic properties and the district as a whole** (emphasis added).

16. Of particular significance to this case is the Design Manual’s discussion of why non-historic aspects of Briarcliff Road are included in the Local District; the reasoning in that buffer areas at the edges of the Historic District are critical to preserve the character of the District as a whole.

Buffer areas have been included in certain places at the edges of the district. These buffer areas include non-historic properties, changes to which have the potential to impact surrounding historic properties as well as the district as a whole. **Falling into this category are certain areas along Briarcliff Road** and some non-historic developments along

the southern boundary of the district. (emphasis added)”  
*Design Manual* at § 1.2.

17. Yet a **key argument of the Applicant here is that it is entitled to make its changes precisely because its properties “are at the edge of the Historic District.”** Such an argument runs completely contrary to the Design Manual’s intentions regarding the inclusion of intrusive properties, and, more specifically, the zoning on the East Side of Briarcliff Road – all to protect the integrity of the Historic District as a whole.

PLATTING HISTORY – PART A  
HISTORICAL INCLUSION OF THE EAST SIDE  
OF BRIARCLIFF ROAD IN HISTORIC DRUID HILLS PLATTING

18. As described in the Design Manual, the East Side of Briarcliff Road was always included in the original layout and platting of Druid Hills, which was performed by Civil Engineer O. F. Kauffman on behalf of the Druid Hills Corporation (successors to the Olmsted firm). *Design Manual* at 10-11.

19. Exhibit “A” hereto shows the Kauffman Platting of Druid Hills (from *Design Manual* at 24), which includes the entire East Side of Briarcliff, but not the West Side. It thus makes sense that the Design Manual, and the National Druid Hills District, would seek to preserve the East Side of Briarcliff in as much of its original form as possible.

PLATTING HISTORY (B)  
HISTORICAL PLATTING THAT INCLUDED THE APPLICANT’S PROPERTIES

20. Exhibits “B” and “C” hereto are specific plats of the subject Properties during the early development of Druid Hills (circa 1926). It can be seen that all lots on Briarcliff and Springdale share back boundary lines, and that there are no platted properties whatsoever on the By-Way (which was built as a means by which the streetcar could reach Emory Village; see *Design Manual* at 11).



21. The area represented by Applicant's Properties were platted with 110 feet of frontage, as opposed to the 80 feet of frontage they enjoy now. The depth of these lots remains the same as they did during Druid Hills' development. 100 feet is the standard frontage on the historic properties at this portion of Briarcliff Road (including the historic homes at 921, 931, 939, 949, 957, 967 and 975 Briarcliff Road).

22. Exhibit "C," which includes owner designations on the plat, shows that the Applicant's Properties were part of numerous individually platted parcels owned by William Candler, whose "Rest Haven" mansion still stands at 940 Springdale Road. Like his brother Charles Howard Candler at Callanwolde, William Candler placed extensive acreage around his home.

23. William Candler died in 1936; the platted lots that comprised his "grounds" were replatted and developed after the "historic period" (said by the Applicant to have ended in 1946).<sup>1</sup> This includes property (a) on Briarcliff, beginning with the Metro Church to the By-Way (b) Lots on the South side of the By-Way between Briarcliff and Springdale; and (c) Lots both north and south of "Rest Haven" at 940 Springdale Road.

24. At that time (circa 1946), the platting for the properties that comprised William Candler's holdings were laid out as they presently stand. See Exhibit D hereto; a present day tax map of the area in question.

25. However, it is important to recognize that the Applicant's lots are of a size and shape (80' x 500') that closely mirrors the original plats, and are quite similar to the

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<sup>1</sup> There appears to have been some ten years' time between when Mr. Candler died, and when his heirs sold the lots adjacent to "Rest Haven."

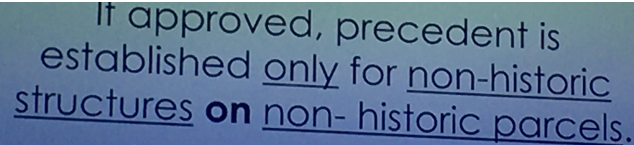
parcels on the historic properties further south on Briarcliff Rd (which have 100 foot frontages, and depths of less than 400').

26. This is consistent with the Design Manual, which discusses how later platting that is done in a manner similar to the original layout lends strength to the original plan:

The historic layout of the neighborhoods and subdivisions, located within the Druid Hills Local Historic District, . . . **has definable characteristics that have been replicated in more recent development plats by later designers.** These plans guided the configuration of streets, public open spaces, and private lots. **The original layout creates a historical context for the district. The cumulative effect of alterations to this layout would destroy this context.** (emphasis added). *Design Manual* at § 9.1.

THE “DOMINO” PRECEDENT FOR THE REZONING OF  
NON HISTORIC PROPERTIES THAT WOULD BE SET BY  
AN APPROVAL OF THE APPLICATION

27. According to the Applicant, the rezoning of his Properties would establish a precedent for “non-historic structures on non-historic properties.” The following is an excerpt from the Applicant’s presentation at the Community Meeting on October 10, 2019



If approved, precedent is established only for non-historic structures **on** non-historic parcels.

28. Yet if this is so, there are numerous parcels whose zoning could be changed and which could be repurposed in the same manner as proposed by the Application; these include:

- Lots north of Applicant’s on Briarcliff Rd
- Lots south of Applicant’s lots on Briarcliff Rd (Metro Church)
- Nearly all lots/properties on the By-Way, all the way to Lullwater Road
- The By-Way originally just a street car line, no houses fronting it

- Several lots on Springdale near the corner of the By-Way and two properties on the other side of “Rest Haven”

See Exhibit E hereto, a depiction of adjacent properties that have non-historic parcels on non-historic lots; compare to platting as original on Exhibits B and C.

29. Exhibit E shows *only* the non-historic structures on non-historic parcels adjacent to the Applicant’s properties, but the Druid Hills Historic District is rife with similar examples.

30. Obviously the Metro Church would be the next property sought by a developer (perhaps Minerva again), and the Applicant’s Project puts the corner of The By-Away and Briarcliff Road at immediate risk for similar development.

#### “EDGE OF THE NEIGHBORHOOD / DISTRICT RATIONALE”

31. The Applicant argues that the changes it proposes are permissible because “it’s only the edge of the Historic District.”

32. First, this sort of rationale renders the notion of a boundary meaningless. **A boundary is a boundary.** But we know that the East Side of Briarcliff was chosen for inclusion within the Federal Historic District<sup>2</sup> because it had been originally platted by the O. F. Kauffman, C.E., of the Druid Hills Corporation (referred to in the Design Manual as “Olmsted’s protégé), and which platting was based on the F.L. Olmsted designs. See Design Manual at 11 and ¶¶ 18-19 above.

33. While much of the West Side of Briarcliff was originally taken up by the grounds of Callanwolde (Callanwolde’s property originally included all the property on which Pruitt Health and Laurel Heights stand), there was also almost immediately non-

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<sup>2</sup> It is worth noting that the Local Druid Hills Historic District is quite a bit further West; this Project is not near “the edge” of that District at all.



residential uses (for example, a gas station stood at the north west corner of Stillwood and Briarcliff across from the Subject Properties).

34. Most importantly, and as shown above, an approval of this Project would functionally create a new “Edge of the Neighborhood” for the *next* developer to tee off from.

35. And as previously noted, the Design Manual states:

Buffer areas have been included in certain places at the edges of the district. These buffer areas include non-historic properties, changes to which have the potential to impact surrounding historic properties as well as the district as a whole. Falling into this category are certain areas along Briarcliff Road and some non-historic developments along the southern boundary of the district. (emphasis added)” See Design Manual at § 1.2.

#### ECONOMIC FEASIBILITY

36. The Applicant is claiming that its parcels are not economically feasible for single family development.

37. Yet this committee will, **on the same night it hears this application, review a COA application for a new single-family home at 957 Briarcliff Road** (approximately 500 feet south of the Applicant’s Properties). This COA application will seek approval for both the demolition of an existing structure, as well as the construction of a new, historically appropriate home.

38. Further, the dimensions of the lot at 957 Briarcliff are **smaller** than the smallest of the Applicant’s lots.

39. The lot at 957 Briarcliff Road measures 41,514 sf. (102’ x 407’); the smallest of the Applicant’s lots at 1043 Briarcliff Road measures 43,360 sf. (80’ x 542’). See Exhibits E and F hereto.

40. In addition, there are at least two additional single family homes being constructed on the East Side of Briarcliff Road at the corner of Harvard Road, approximately one mile north of the Subject Properties.

41. The Applicant's economic feasibility argument is without merit.

THE EAST SIDE OF BRIARCLIFF ROAD IS INTRINSICALLY  
HISTORICAL AND WORTH PRESERVING

42. The East Side of Briarcliff Road retains the objective of the Kauffman Plats and the Olmstead vision of the Druid Hills community - single family homes set on individual deep lots in harmony with the natural landscape of the area. The Application is completely contrary to these concepts.

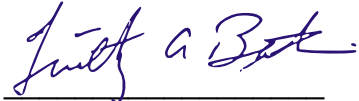
43. The East Side of Briarcliff Road at issue here is clearly within "Character Area No. 1" of the Historic District.

44. In addition, other portions of Briarcliff Road are recognized as additional "potential additional Character Areas" by the Design Manual. See Design Manual at 97.

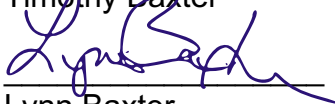
45. If the Application is approved, it would create an unprecedented intrusion into the National Historic District on the East Side of Briarcliff Road and set the stage for future such intrusions that would cumulatively destroy the character of the neighborhood and render the historic designations meaningless.

WHEREFORE, and for all of the foregoing reasons, Timothy and Lynn Baxter respectfully request that the DeKalb County Historical Commission recommend denial of the Application of Elegant Homes, LLC To Amend The Official Zoning Map.

Respectfully submitted this 18<sup>th</sup> day of October, 2019

A handwritten signature in blue ink, appearing to read "Timothy A. Baxter", written over a horizontal line.

Timothy Baxter

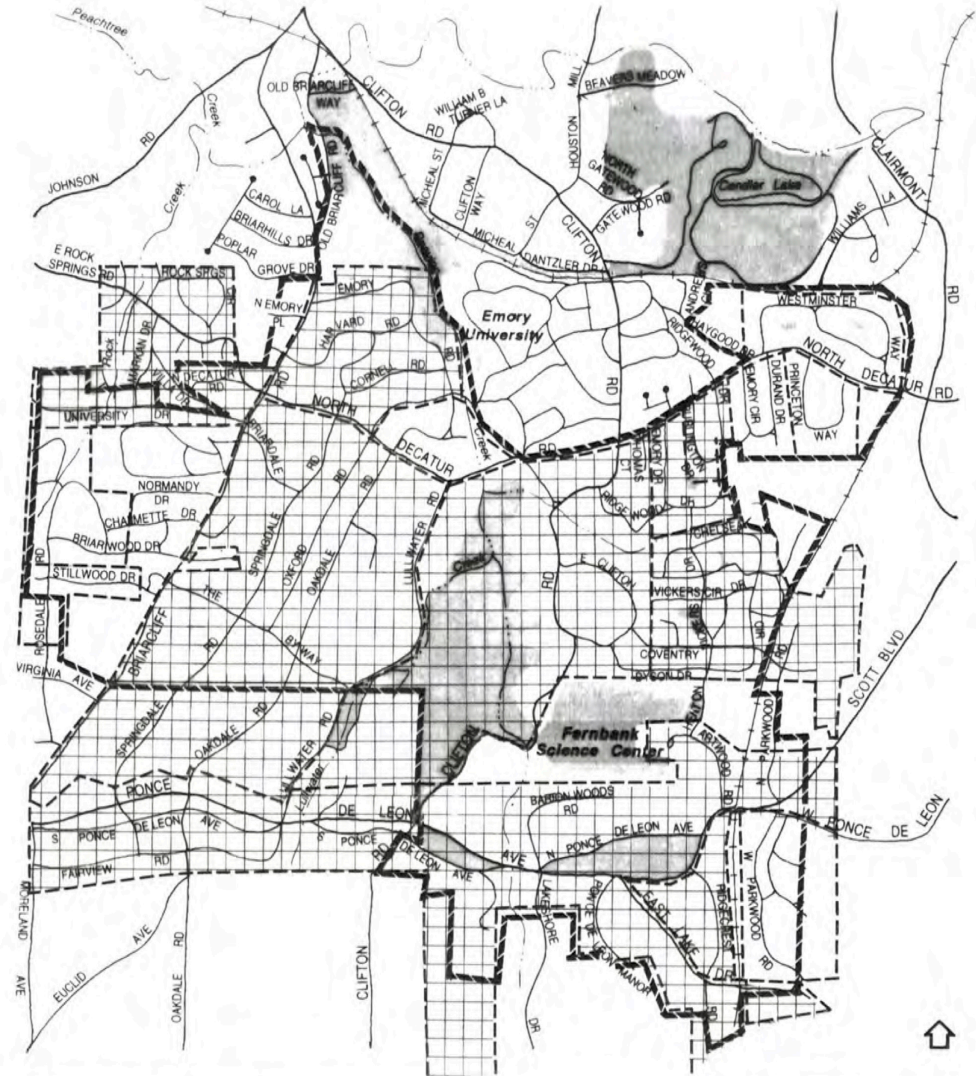
A handwritten signature in blue ink, appearing to read "Lynn Baxter", written over a horizontal line.

Lynn Baxter

939 Briarcliff Rd., NE  
Atlanta, GA 30306-4664



# EXHIBIT A



**Druid Hills Local Historic District**  
DeKalb County, Georgia

**Illustration E**

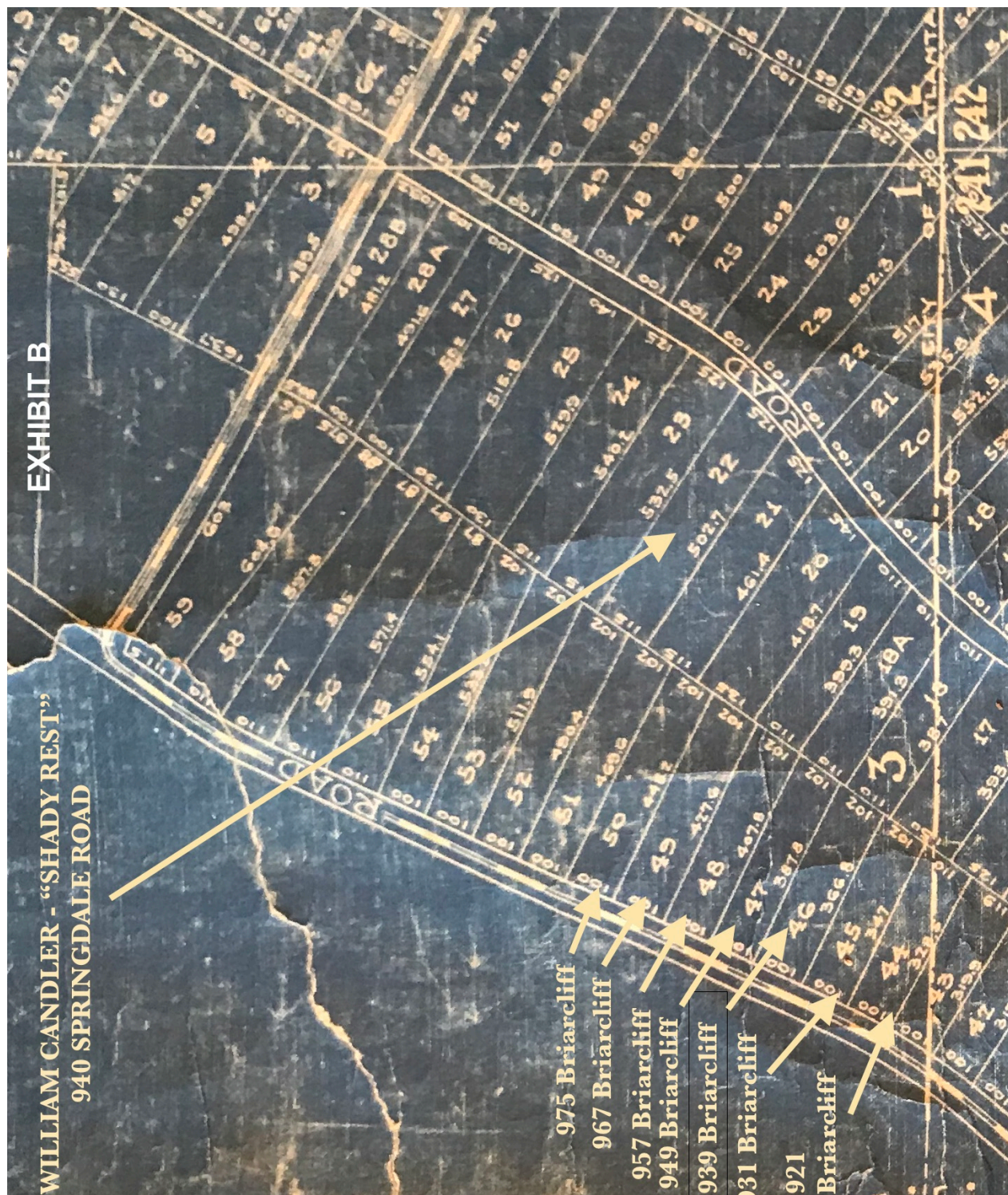
## O. F. KAUFFMAN PLATS

District Boundary		Areas Platted by O. F. Kauffman or O. F. Kauffman & Bros., C. E.	
Open Space			
Plat Boundaries			

Not to Scale









81



EXHIBIT D

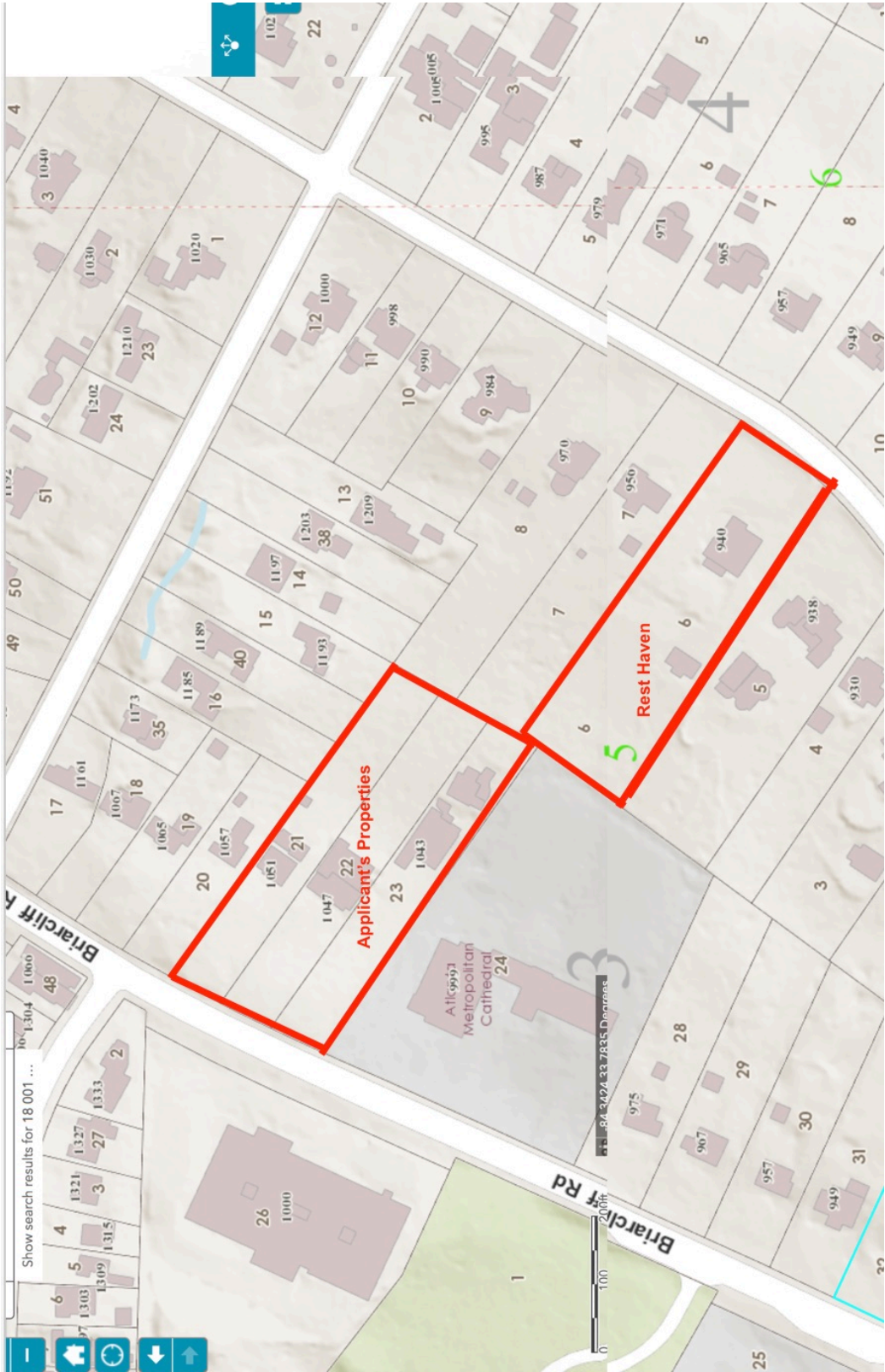
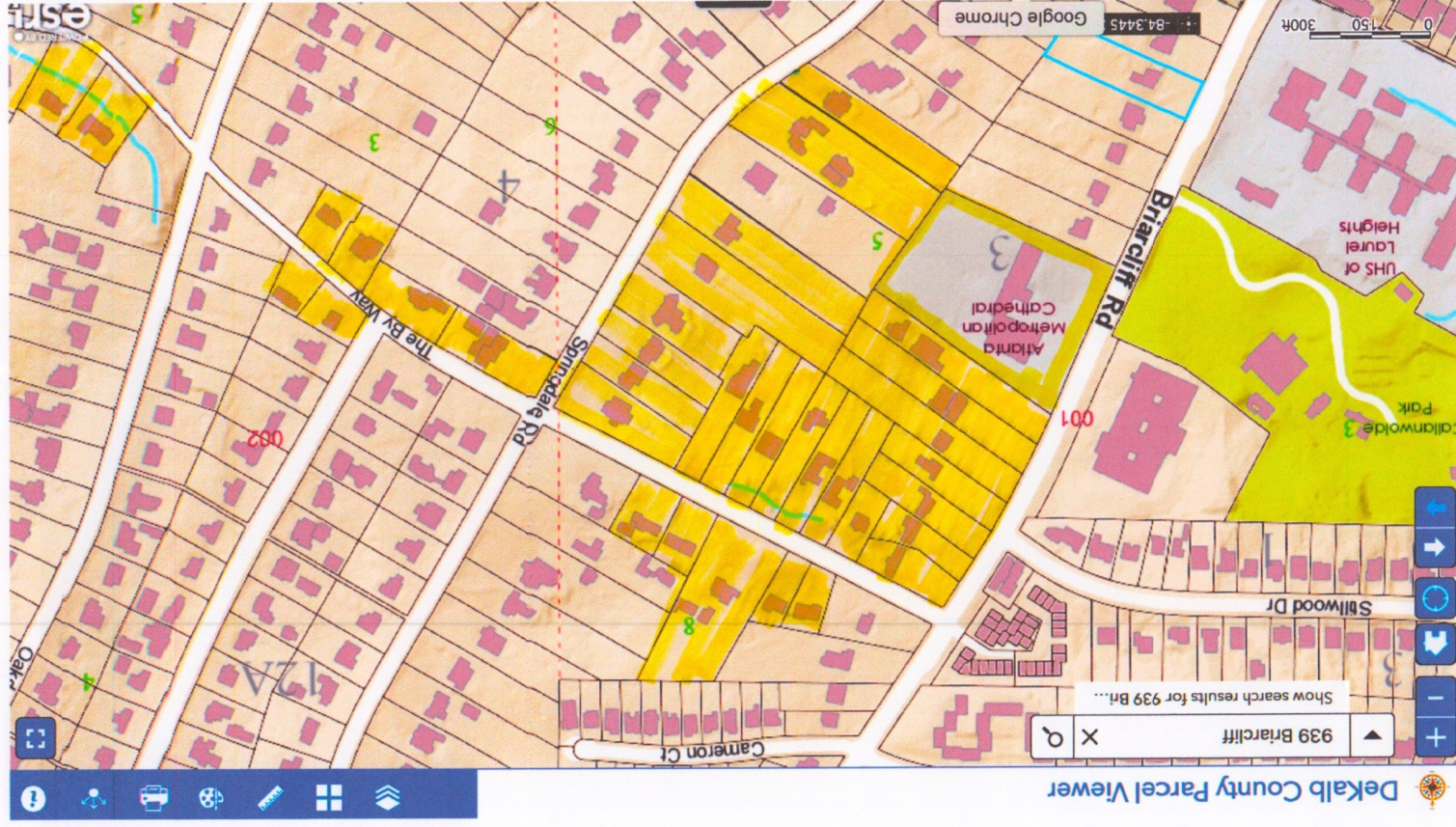


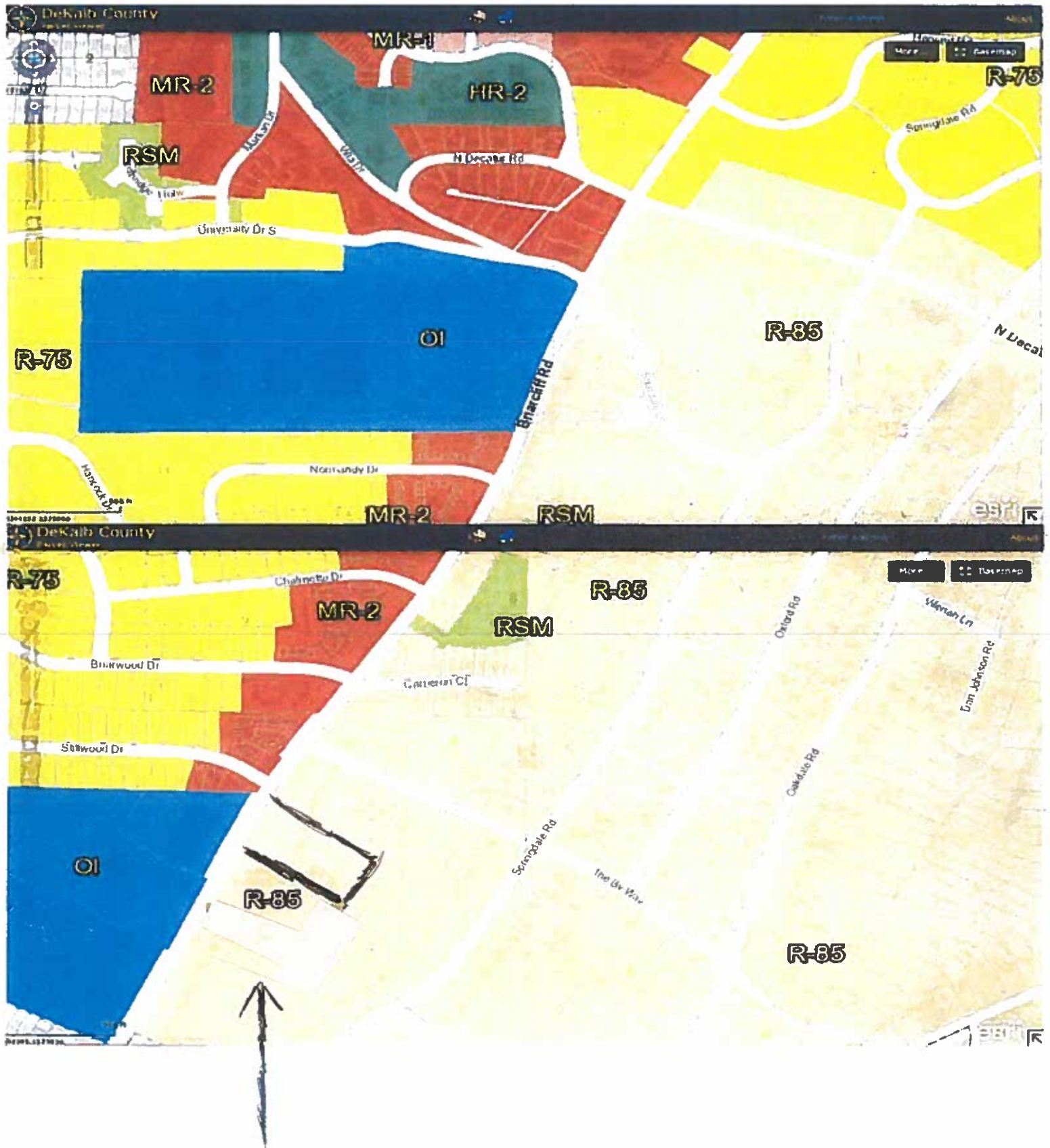


EXHIBIT E  
 Some of the many lots that could be redeveloped under the Applicant's criterion:  
 "non-historic houses on non-historic parcels." (HIGHLIGHTED IN ORANGE)





# Briarcliff Road





## **Furman, Melora L.**

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**From:** Furman, Melora L.  
**Sent:** Thursday, October 24, 2019 6:23 PM  
**To:** Furman, Melora L.  
**Subject:** FW: Elegant Homes, LLC - Briarcliff Rd.

**From:** Timothy Baxter <[baxterlaw@mindspring.com](mailto:baxterlaw@mindspring.com)>  
**Subject:** Re: Elegant Homes, LLC - Briarcliff Rd.  
**Date:** October 24, 2019 at 10:22:50 AM EDT  
**To:** "Cullison, David" <[dccullis@dekalbcountyga.gov](mailto:dccullis@dekalbcountyga.gov)>

Hi David,

No at the meeting I passed out a PowerPoint presentation. Similar content but geared to an oral presentation. I just sent you links to that do you can download from DropBox; I would appreciate it being included in the record. I am in Boston in meetings but I can have my assistant send you a hard copy if you can't download.

Below are the comments made by members of the HPC during the discussion period:

### **COMMENTS FROM COMMISSIONERS AT HPC 10/21/19**

(Man): *"Our hands are tied by the land use. The present argument is extremely valid."*

*[With the argument the Applicant is making about all of Druid Hills being "traditional neighborhood" in 2035 master plan and subject to higher density uses] "People could do the same thing on Oakdale and combine 3 lots and say 'we are all in the same traditional neighborhood – we would like an even higher density'."*

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*"This is a no brainer for denial"*

*"Nothing in this proposal complies with the guidelines"*

(Heather): *"What is the compelling argument to make this change?" "Even the traditional neighborhood [designation in the 2035 comprehensive plan] doesn't say to change the zoning on these 3 lots"*

*"I can't imagine how the historic district wants this"*

(Other female commissioner): *"Our hands are tied – we have to preserve the historic plats."*

(Man): *"The only option to change these plats would be to go more historic."*

**Commissioners voted unanimously to deny.**

21. The area represented by Applicant's Properties were platted with 110 feet of frontage, as opposed to the 80 feet of frontage they enjoy now. The depth of these lots remains the same as they did during Druid Hills' development. 100 feet is the standard frontage on the historic properties at this portion of Briarcliff Road (including the historic homes at 921, 931, 939, 949, 957, 967 and 975 Briarcliff Road).

22. Exhibit "C," which includes owner designations on the plat, shows that the Applicant's Properties were part of numerous individually platted parcels owned by William Candler, whose "Rest Haven" mansion still stands at 940 Springdale Road. Like his brother Charles Howard Candler at Callanwolde, William Candler placed extensive acreage around his home.

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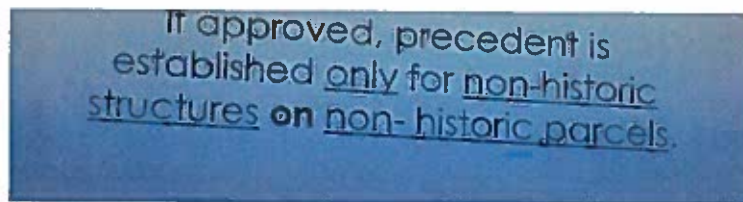
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residential uses (for example, a gas station stood at the north west corner of Stillwood and Briarcliff across from the Subject Properties).

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42. The East Side of Briarcliff Road retains the objective of the Kauffman Plats and the Olmstead vision of the Druid Hills community - single family homes set on individual deep lots in harmony with the natural landscape of the area. The Application is completely contrary to these concepts.

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Respectfully submitted this 18<sup>th</sup> day of October, 2019



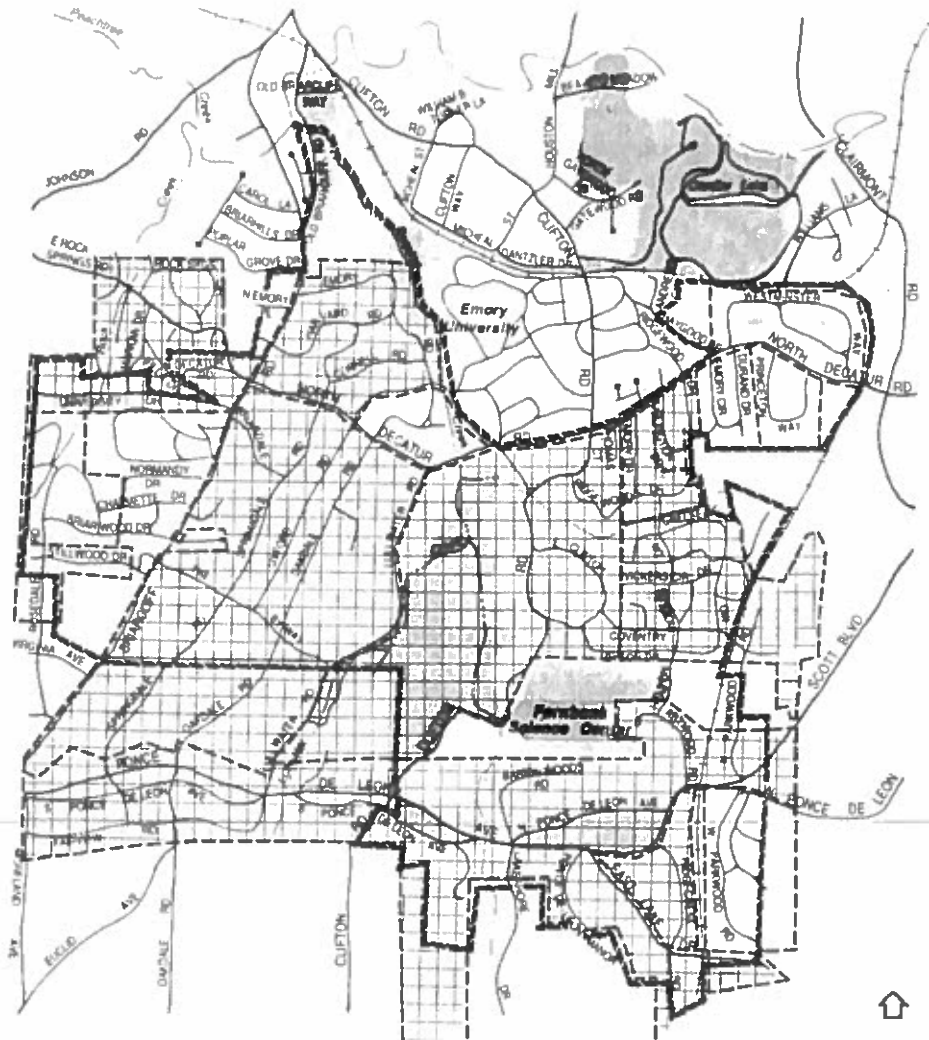
Timothy Baxter



Lynn Baxter

939 Briarcliff Rd., NE  
Atlanta, GA 30306-4664

# EXHIBIT A



**Druid Hills Local Historic District**  
DeKalb County, Georgia

**Illustration E**

## O. F. KAUFFMAN PLATS

District Boundary		Areas Platted by O. F. Kauffman or O. F. Kauffman & Bros., C. E.	
Open Space			
Plat Boundaries			

Not to Scale



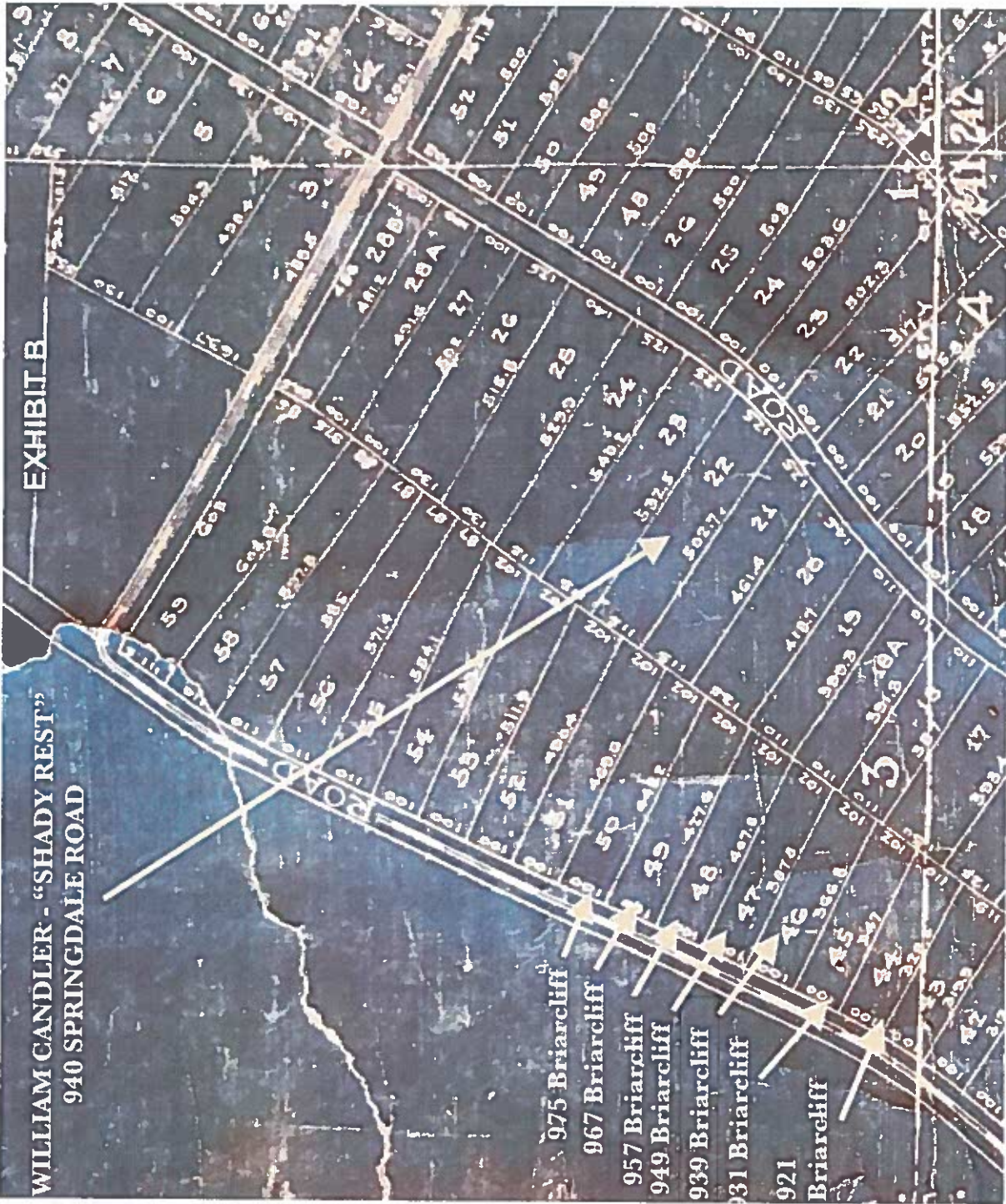




EXHIBIT C

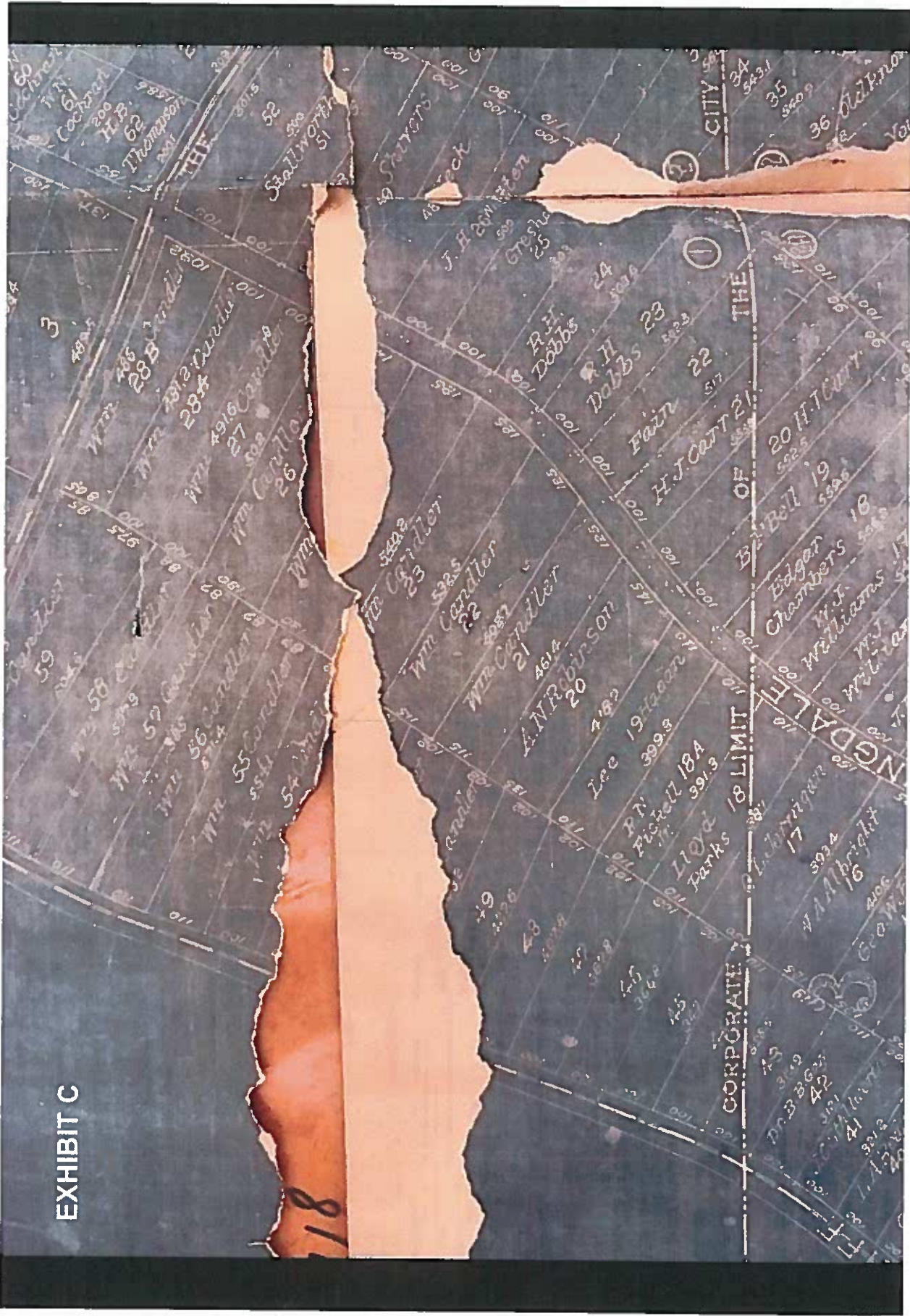


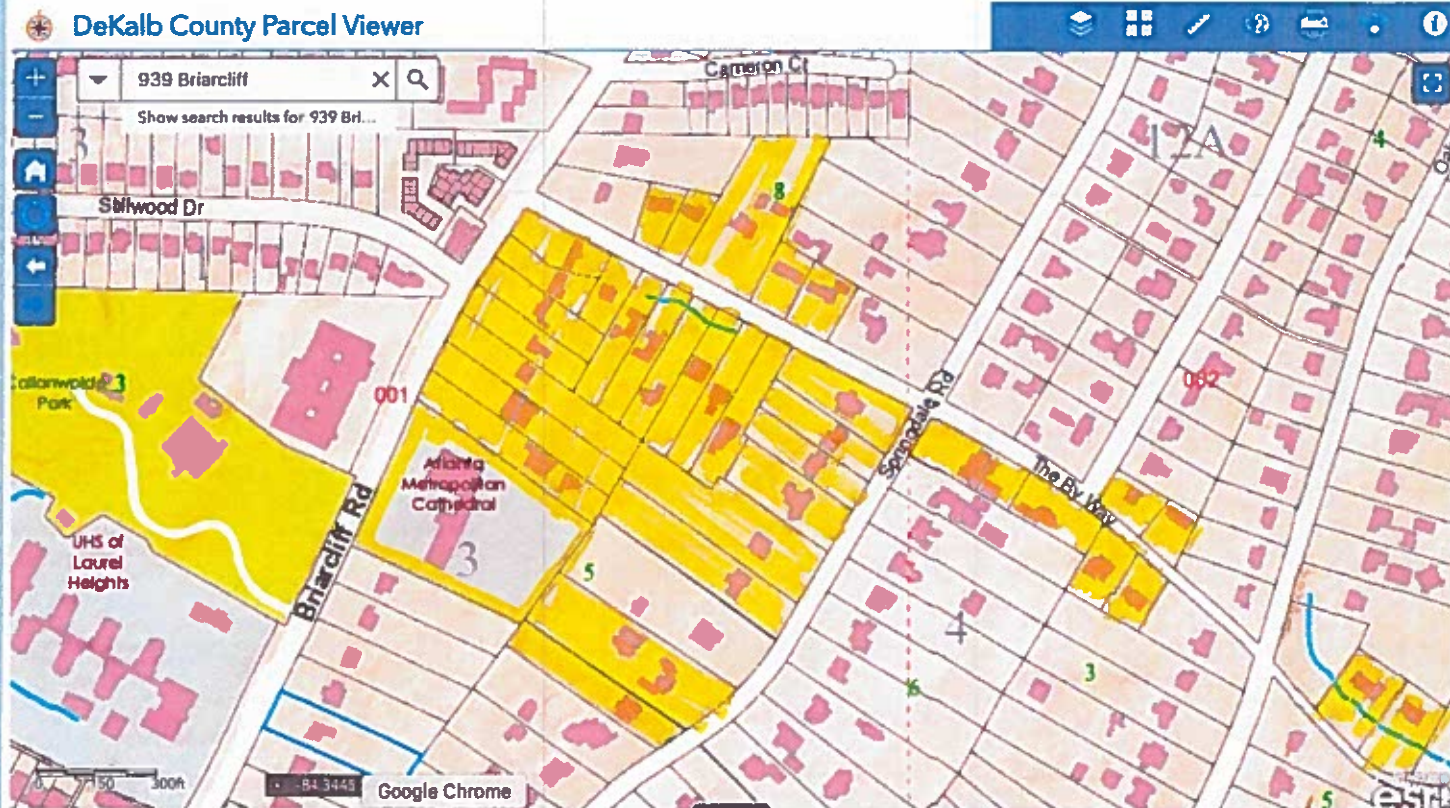
EXHIBIT D





EXHIBIT E

Some of the many lots that could be redeveloped under the Applicant's criterion:  
"non-historic houses on non-historic parcels." (HIGHLIGHTED IN ORANGE)





***OPPOSITION TO APPLICATION  
OF ELEGANT HOMES, LLC TO  
REZONE THREE PROPERTIES ON  
BRIARCLIFF ROAD – No. Z-19-1243376***

Timothy and Lynn Baxter  
939 Briarcliff Road

### **Elegant Homes' Application is in violation of:**

- Applicable zoning and zoning law ("spot zoning")
- Druid Hills Historic District Guidelines and Design Manual
- DeKalb County 2035 Comprehensive Plan

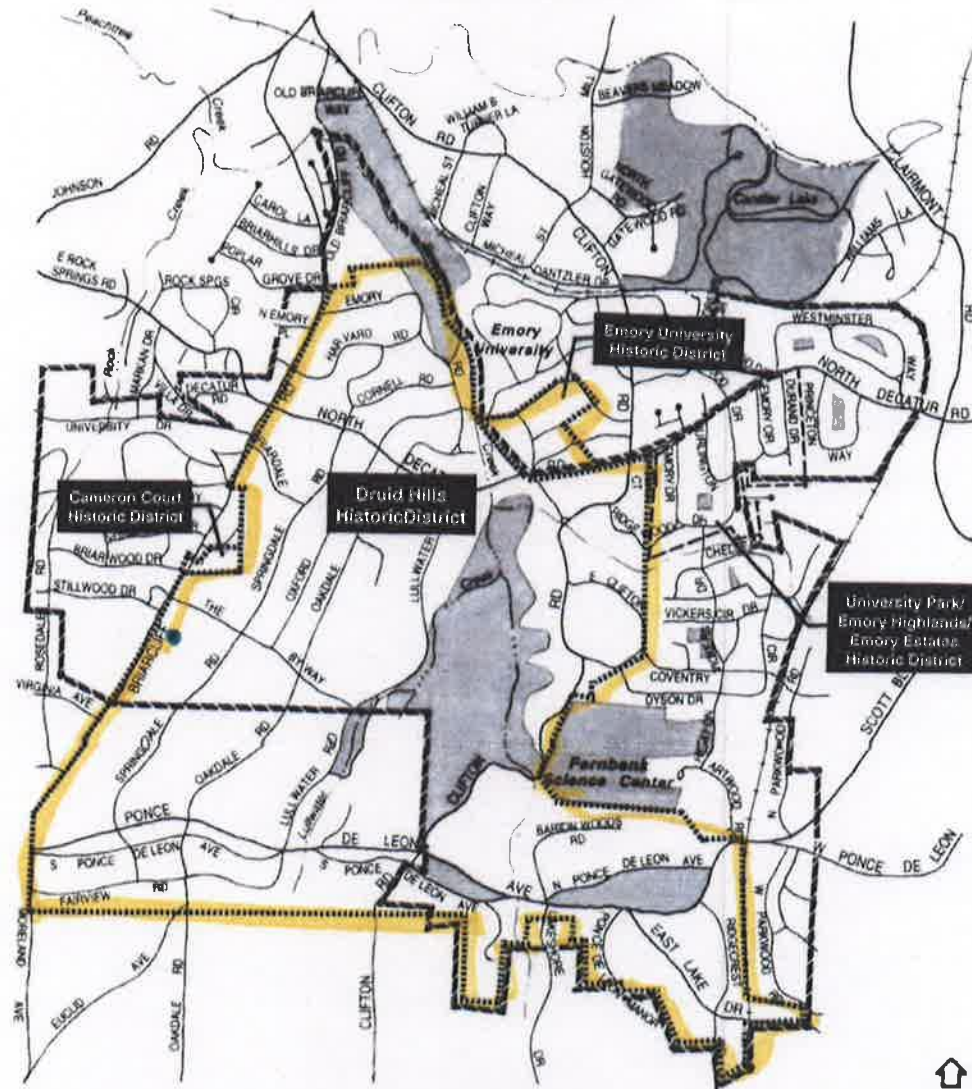
## Zoning – Historic District

- Current zoning is R-85
  - Least dense zoning designation within National Historic District in unincorporated DeKalb County
- The Applicant seeks RSM, residential mixed use – justifications:
  - Long-standing RSM uses on the West Side of Briarcliff Road;
  - Non-historic houses located on non-historic parcels;
  - “No domino effect” if these lots are changed to permit a dense cluster-home project;
  - Elderly downsizing (**into \$1,000,000 condominiums!**) (*no evidence*)
  - Economic necessity (*provably false*)



## THE DENSE USES ON THE WEST SIDE OF BRIARCLIFF ROAD DO NOT SUPPORT THE APPLICATION

- The West Side of Briarcliff was never part of Druid Hills, while the East Side was and is (see Kauffman Plats, Design Manual at 10-11)
- All of the high-density properties on the West Side of Briarcliff referenced by the Applicant were in existence at the time of the zoning code's enactment, as well as the *Druid Hills Historic District Design Manual*
- The East Side of Briarcliff is part of the National Historic District, the West Side is not



**Druid Hills Local Historic District**  
DeKalb County, Georgia

**Illustration C**

**NATIONAL REGISTER DISTRICTS**

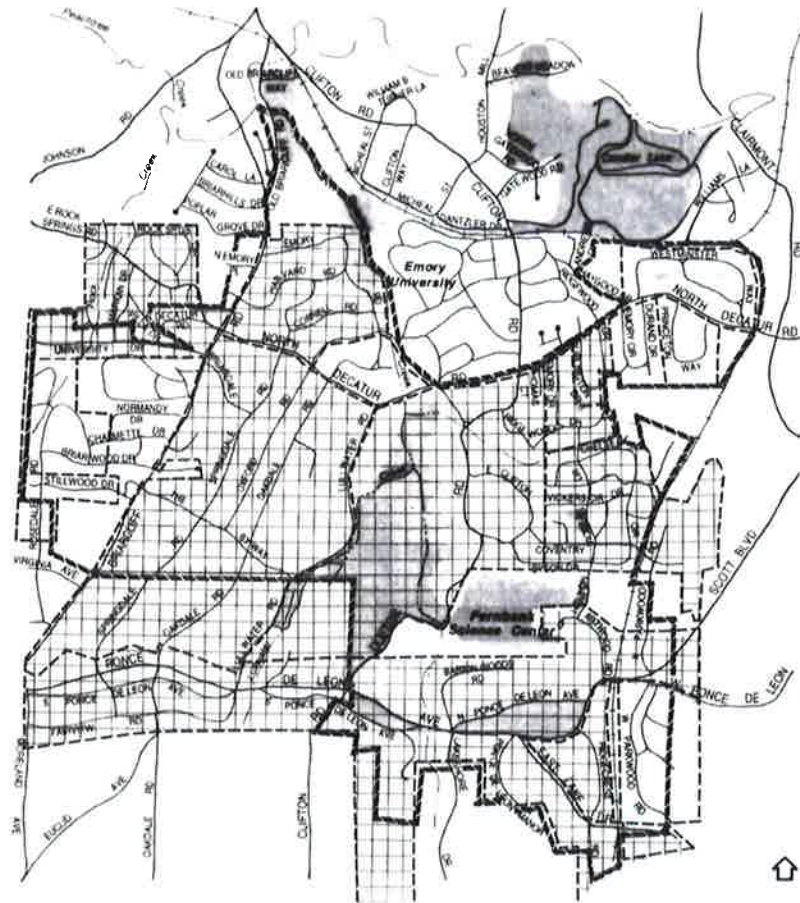
Legend	
Druid Hills Local District Boundary	
Open Space	
Listed National Register Boundaries	
Pending National Register Boundaries	

Not to Scale



# Opposition to Elegant Homes, LLC

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**Druid Hills Local Historic District**  
DeKalb County, Georgia

**Illustration E**

## O. F. KAUFFMAN PLATS

District Boundary		Areas Platted by O. F. Kauffman or O. F. Kauffman & Bros., C. E.	
Open Space			
Plat Boundaries			

Not to Scale



According to the Design Manual O.F. Kauffman was Olmsted's protégé and "appears to have been directly associated with the layout of about 70 percent of the Druid Hills Local Historic District." Design Manual at 15.



## NON-HISTORIC? THE ORIGINAL KAUFFMAN PLATTING FOR THESE PROPERTIES WAS SUBSTANTIALLY THE SAME AS NOW

- The lots, as platted at this location, originally had 110 feet of frontage; they now have 80 foot frontage (100 feet is the standard frontage on this stretch of Briarcliff, including all of the historic properties at 921, 931, 939, 949, 957, 967 and 975 Briarcliff Road).
- *The present layout of a deep lot within adequate frontage is within the historical context for original parcels on this section of Briarcliff.*
- The Design Manual (§ 9.1) describes how later platting that is done in a manner similar to the original layout lends strength to the original plan:

“The historic layout of the neighborhoods and subdivisions, located within the Druid Hills Local Historic District, . . . . **has definable characteristics that have been replicated in more recent development plats by later designers.**”

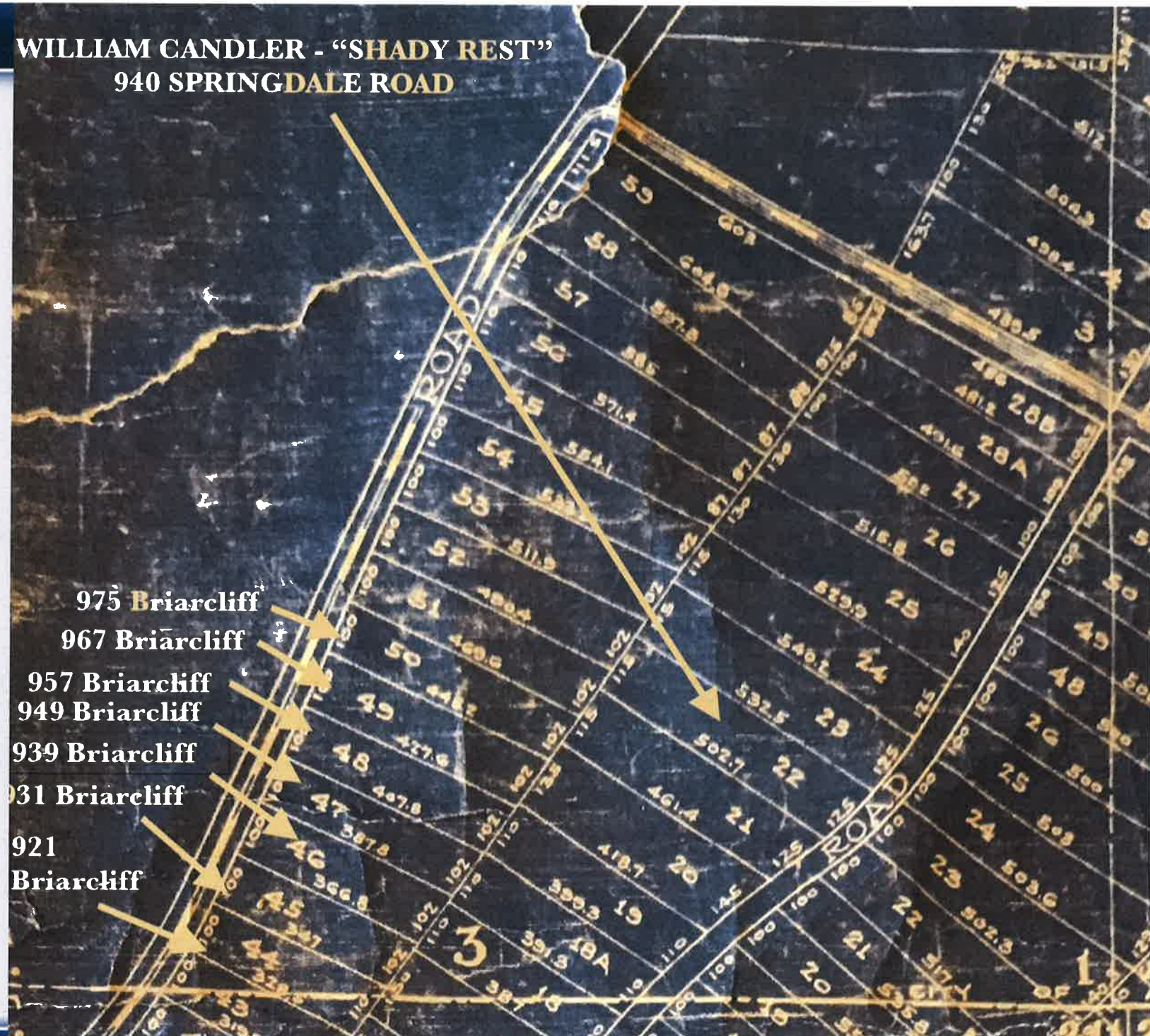
**INTENTIONALLY BLANK**

## PLATTING HISTORY

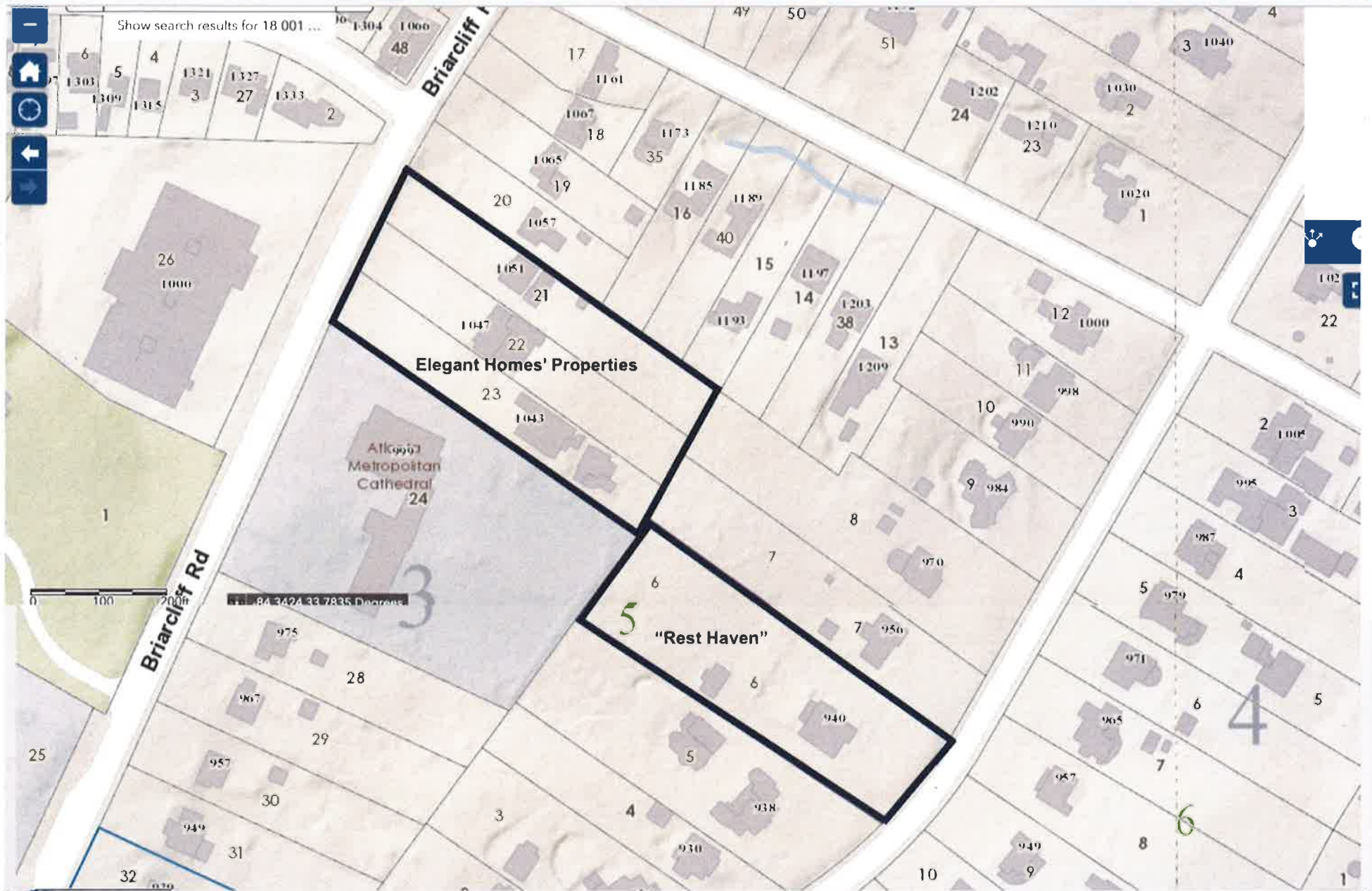
- Applicant's Properties were part of numerous individually platted parcels owned by William Candler, whose "Rest Haven" mansion still stands at 940 Springdale Road
- After William Candler's death in 1936; the platted lots that comprised his "grounds" were replatted and developed after the "historic period" (said by the Applicant to have ended in 1946)
- This includes:
  - Lots on Briarcliff, beginning with the Metro Church to the By-Way
  - Lots on the South side of the By-Way between Briarcliff and Springdale
  - Lots both north and south of "Rest Haven" at 940 Springdale Road



**WILLIAM CANDLER - "SHADY REST"**  
**940 SPRINGDALE ROAD**









**WILLIAM CANDLER -  
"SHADY REST"  
940 SPRINGDALE ROAD**

**975 Briarcliff**

**967 Briarcliff**

**957 Briarcliff**

949 Briarcliff

### 939 Briarcliff

**931 Briarcliff**

**921 Briareliff**

CORPORATE

LIMIT

OF

THE



### **THE APPLICANT CHARACTERIZES THE PLATTING AS INTRUSIVE, YET . . .**

- This is technically true, but these three lots are nearly indistinguishable in terms of dimensions from the historic parcels further south on Briarcliff (80' x 500' vs. 100' x 396')
- In addition, the smallest of the Applicant's lots has a greater square footage than any of the historic parcels with intact historic houses further south on Briarcliff
- But, assuming these Properties to be frank intrusions . . .

## NON-HISTORIC PROPERTIES ARE INCLUDED IN HISTORIC DISTRICTS, FOR STRONG REASONS

- Intrusions (that is, areas with a high concentration of nonhistoric development) within the core area are included **because of their potential to impact surrounding historic properties and the district as a whole** (emphasis added). Design Manual at § 9.1.
- “One of the primary reasons for designating historic districts is to protect the historic character and integrity of the **district as a whole**. Selectively deleting non-historic properties from boundaries would create a “Swiss cheese” effect (emphasis in original).” Design Manual at Appendices, p. ix.
  - (The Applicant is proposing exactly this – a “selective deletion”)

## COULD THERE BE A DOMINO EFFECT FROM APPROVING THE APPLICATION?

- Yes! And the Applicant's spokesperson said so last week:

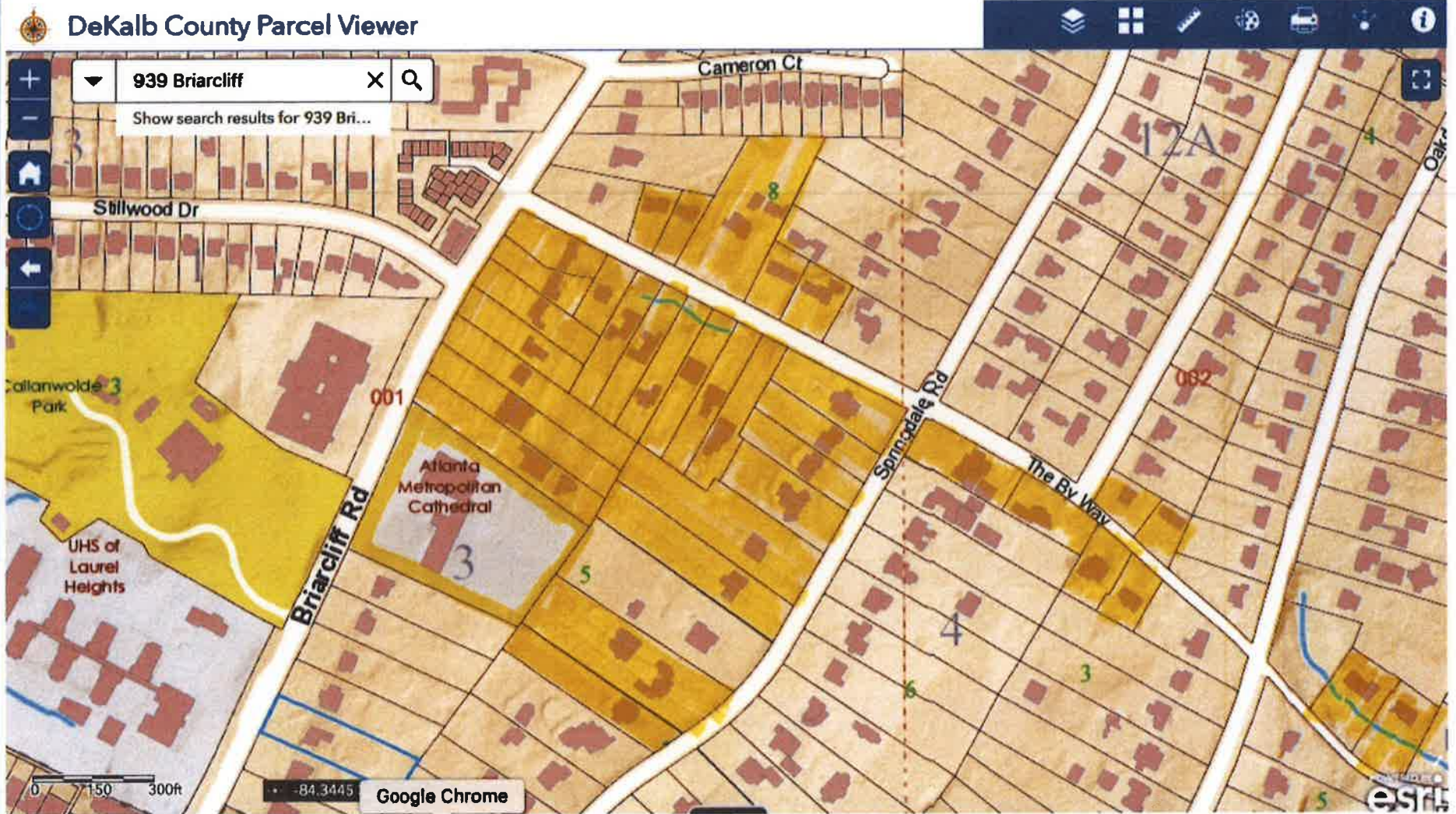
If approved, precedent is established only for non-historic structures **on** non-historic parcels.



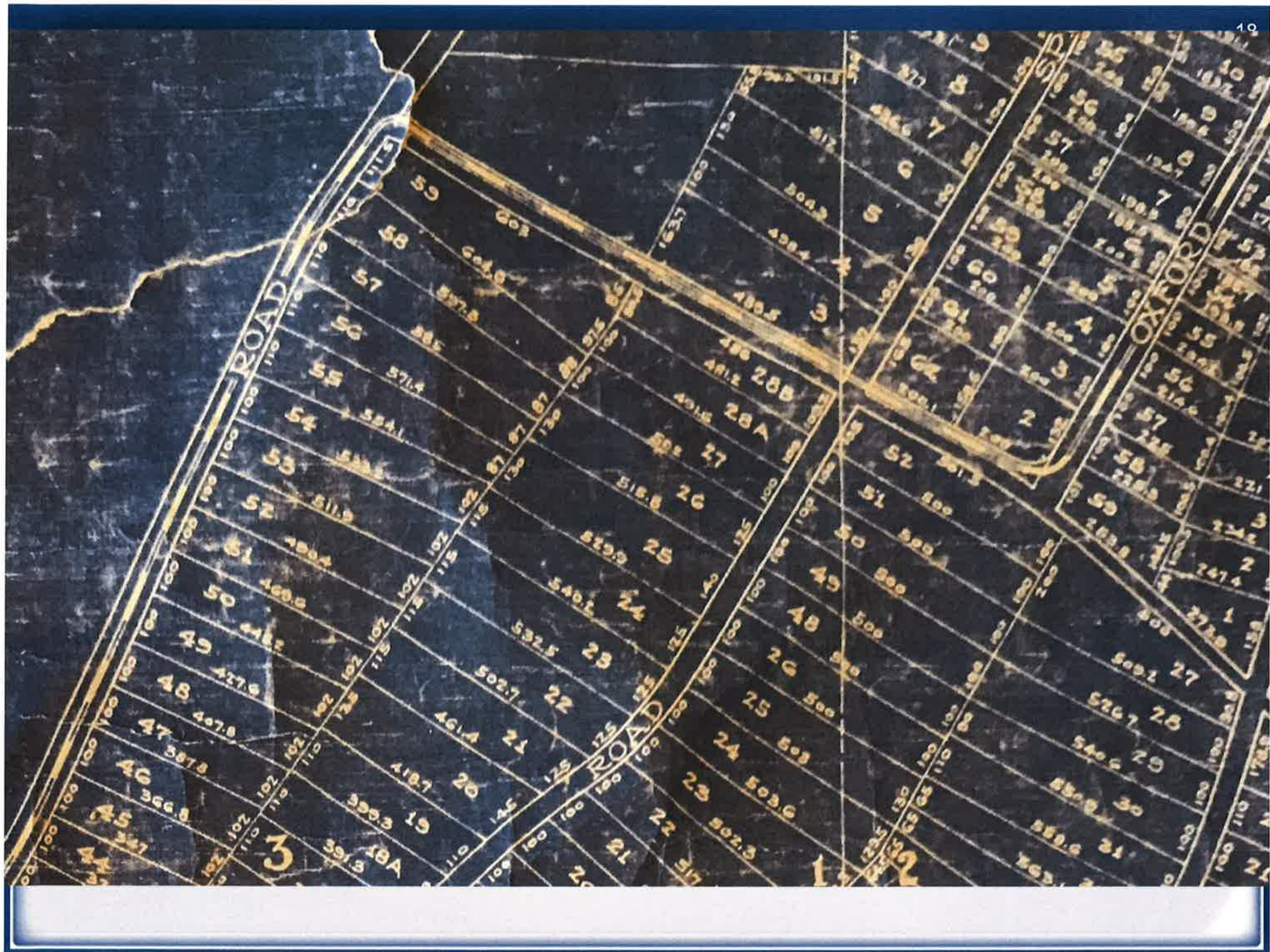
## ***THUS IF THE APPLICANT'S LOTS CAN BE DEVELOPED AS MULTI-FAMILY UNITS . . .***

- *Then so can every other non-historic house on a non-historic parcel in the Historic District on R-85 properties – This would include:*
  - Lots north of Applicant's on Briarcliff Rd
  - Lots south of Applicant's lots on Briarcliff Rd (Metro Church)
  - Nearly all lots/properties on the By-Way, all the way to Lullwater
    - The By-Way originally just a street car line, no houses fronting it
  - Several lots on Springdale near the corner of the By-Way and two properties on the other side of "Rest Haven"
    - If a developer is paying nearly \$1,000,000 per lot, would even the new construction on the By-Way be safe?
    - If you can put several \$1,000,000 townhomes on a single lot, it makes economic sense to tear down!

Lots that could be redeveloped under the Applicant's criterion:  
"non-historic houses on non-historic parcels."







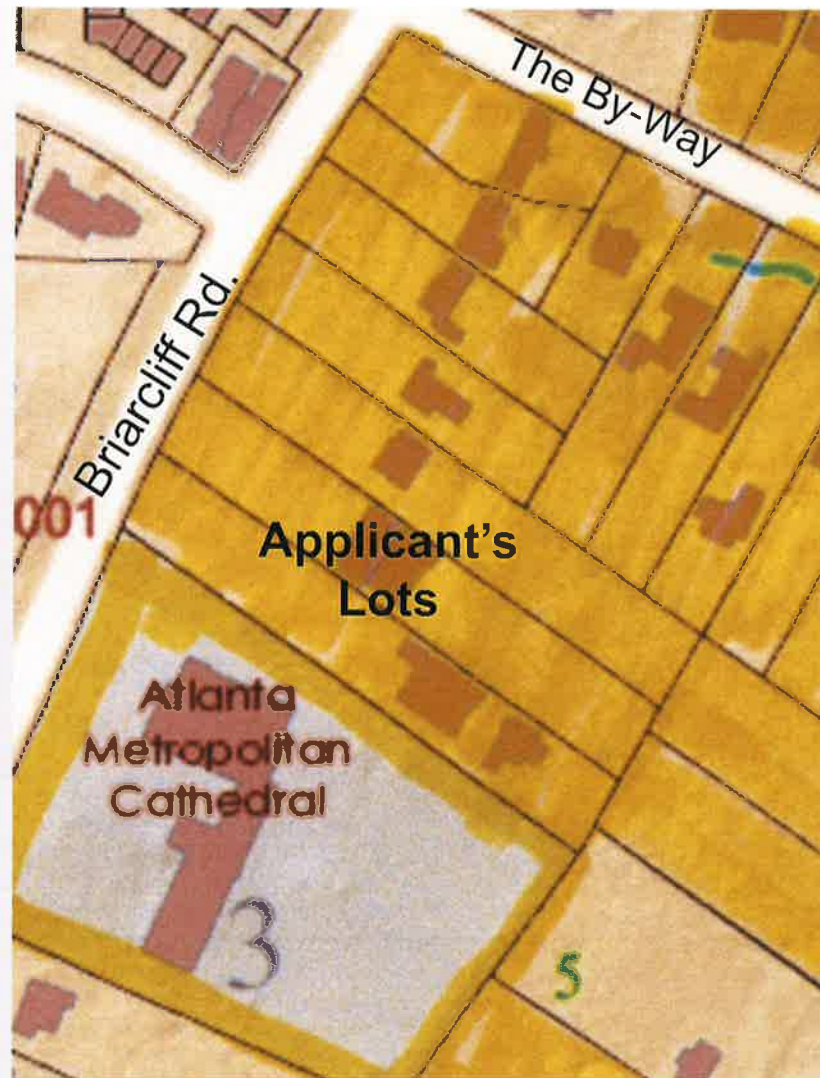


## REALITY CHECK (?)

- It is (hopefully) unlikely that a developer would be successful in persuading the county to pull down some of the nicer, aesthetically-sensitive homes on Springdale (that are non-historic and on non-historically platted lots) for RSM
  - But there are ranch houses on Springdale on non-historic lots
  - One has recently been torn down to put up a “classic” house (at 956 Springdale)
- And there is every reason to believe that the entire By-Way could be “in play” - *especially* - at the corner of the By-Way and Briarcliff and at the Metro Church.

# Opposition to Elegant Homes, LLC

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## “BUT IT’S ONLY THE EDGE OF THE NEIGHBORHOOD”

- An historic district boundary should be static!
- As demonstrated above: This project has the potential to push similarly inappropriate developments deep into the neighborhood, creating a new “Edge of the Neighborhood” for the *next* developer to tee off from
- But in addition, the issue of Briarcliff Road as a buffer that should be retained is specifically addressed in the Design Manual:
  - “Buffer areas have been included in certain places at the edges of the district. These buffer areas include non-historic properties, changes to which have the potential to impact surrounding historic properties as well as the district as a whole. **Falling into this category are certain areas along Briarcliff Road** and some non-historic developments along the southern boundary of the district. (emphasis added)” *Design Manual* at § 1.2.



## WHAT ABOUT THE 2035 COMPREHENSIVE PLAN?

- Druid Hills is designated therein as a “traditional neighborhood”
- But any permitted zoning is subject to the Druid Hills “Overlay District”
  - “The Overlay District is a planning tool used to supplement current zoning classifications. Overlay districts have their own standards and criteria that must be followed in addition to the existing zoning requirements.” *Comprehensive Plan Appendix* at 8.
  - The Comprehensive Plan identifies only two Historic Overlay Districts: Druid Hills and Soapstone Ridge, and states: “These are designed to protect historic areas within the County.” *Comprehensive Plan Appendix* at 8.

## OTHER CONSIDERATIONS

- Increased traffic
- Noise
- Destruction of tree canopy
- Additional water runoff
- Unsightly large buildings out of character with neighborhood
  - Ugly site lines for adjacent abutters on Briarcliff, The By-Way and Springdale
- To the extent the "downsizing" argument has legs, there is an abundance of smaller units for sale close to these properties:
  - Minerva project (formerly Druid Hills UMC)
  - New project at Briarcliff and Virginia (destruction of classic home);
  - Minerva project adjacent to Fox 5
  - All of the properties identified in the Applicant's submissions on the West Side of Briarcliff

***Thank you!***



**Furman, Melora L.**

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**From:** dhardy@interiormedia.com  
**Sent:** Monday, October 21, 2019 6:16 PM  
**To:** Furman, Melora L.  
**Subject:** Support for rezoning of the properties at 1043, 1047, and 1051 Briarcliff Road

Ms Furmam,

I am writing to support the application for rezoning of the properties at 1043, 1047, and 1051 Briarcliff Road, owned by Elegant Homes, LLC. I have lived in the Druid Hills neighborhood since 1998 and own the home at 1601 Emory Rd.

It always seems like the most vocal in this neighborhood will fight any kind of modernity. However, in this case the neighborhood and Historic are getting to weigh in and guide the project to be suitable. What's at issue is the density/zoning and precedent. But on that street, it already exists. To me, here is chance to place a nice product in an area that needs it. And a developer that is not trying to put in a cheap, underbuilt or under designed product.

As my wife and I are looking ahead when we will be empty nesters, we see a lack a lack of choices for downsizing and staying in the community we love. From what I've read, the rezoning is consistent with the future land use plan vision for the community in that it provides for a mix of uses and it promotes modern density while preserving the neighborhood development style.

I think the proposed plan has a more than adequate regard for its neighboring residents by providing great setback and buffers than required. It also provides for natural landscaping and is respectful of the environment with 64% open space and other natural screening features.

Compared to its many institutional neighbors (i.e. Metropolitan Cathedral, Callenwolde, Pruitt Health and Laurel Heights Hospital) and higher density residential developments, this low density project should be a welcome sight to the neighborhood. And furthermore, I believe that the higher value per square foot nature of the project, will lift values of surrounding properties.

There are plenty denser developments along the Briarcliff corridor in the City and a couple within the County. They have not caused any negative impact to the historic district and there is no reason to believe that this would have a negative impact. On the contrary, it would set a high bar for the eventual redevelopment of the church property next door and any other surround projects.

I am personally familiar with Amir and Elegant Homes and have firsthand knowledge of the product he provides. It is of an extremely high quality and have no reason to believe that what he builds on Briarcliff will be anything less than an asset to the community.

Please evaluate this proposal for rezoning on its merits and in the context of other properties along Briarcliff Road. Any issues of design aesthetics can be reviewed by the Historic Preservation Commission, but the zoning issue should be resolved in favor of the applicant.

David Hardy | Interior Media

<http://www.interiormedia.com>

[dhardy@interiormedia.com](mailto:dhardy@interiormedia.com) | o 404 869 1919 | m 404 307-7424

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## **DHCA's Statement in Opposition to the Application**

### **RE: Applications on 1043, 1047, 1051 Briarcliff Road- Request to Rezone from R-85 to RSM (Elegant Homes)**

#### **Viability of these lots as single-family home lots:**

Relating to the applicant's claim that single family homes are not a viable alternative for developing on the existing 3 lots, market research and activity prove this is inaccurate statement. The majority of land use along the Druid Hill's stretch of Briarcliff is in fact single family homes, both newly built and existing historic/older properties.

Recent activity on the FMLS shows just one single family home is for sale asking \$1,249,000 for a 5 bedroom 3.5 bath home. Of the 8 homes sold in the past 12 months as of end of September, prices range from \$450k-\$875k for older stock (Pre-1970 built). This limited availability of supply of available homes for purchase furthers the case that demand exists for single family along this corridor at prices that greatly exceed the median home price.

#### **Residential Detached**

##### **Active**

#	FMLS #	Address	Subdivision	#Bd	#FB	#HB	Yr Built	Orig Price	List Price
1	5861487	1323 Briarcliff Road Ne	Druid Hills	5	3	1	1925	\$1,249,000	\$1,235,000
# LISTINGS:		1	AVG VALUES:		5	3	1	1925	\$1,249,000 \$1,235,000

##### **Closed**

#	FMLS #	Address	Subdivision	#Bd	#FB	#HB	Yr Built	Orig Price	List Price	CC	Sold Date	Sold Price	SP/OLP%	TDOM
1	5875298	1385 Ne Briarcliff Road	Druid Hills	5	3	0	1950	\$450,000	\$450,000	\$0	03-01-2018	\$480,000	106.67	30
2	6129204	1271 Briarcliff Road Ne	Druid Hills	3	2	0	1953	\$475,000	\$464,900	\$2,750	04-23-2019	\$460,000	96.84	32
3	6108018	1397 Briarcliff Road Ne	Druid Hills	3	2	0	1947	\$464,900	\$464,900	\$6,000	01-28-2019	\$450,000	96.80	111
4	5912433	1157 Briarcliff Road Ne	Druid Hills	3	2	0	1930	\$529,900	\$499,900	\$10,000	03-16-2018	\$500,000	94.36	143
5	5988636	1411 Briarcliff Road Ne	Druid Hills	4	2	1	1923	\$549,000	\$549,000	\$0	05-21-2018	\$565,000	102.91	5
6	5965586	1362 Briarcliff Road Ne	Druid Hills	3	2	0	1948	\$549,900	\$549,900	\$10,500	03-30-2018	\$542,200	98.60	16
7	6037159	1355 Briarcliff Road Ne	Druid Hills	6	3	1	1925	\$739,000	\$719,000	\$6,000	12-12-2018	\$715,000	96.75	114
8	6073310	1303 Briarcliff Road Ne	Druid Hills	5	4	2	1925	\$975,000	\$899,900	\$4,000	04-29-2019	\$875,000	89.74	163
# LISTINGS:		8	AVG VALUES:		4	3	1	1938	\$591,588	\$574,688	\$4,906	\$573,400	97.83	77



The current property owner, Elegant Homes, purchased 3 homes/lots at substantial valuations given his intent to tear them down:

According to the tax assessor's site they paid:

1043 Briarcliff: \$1,250,000 (2/15/2016)

1047 Briarcliff: \$850,000 (2/15/2016)

1051 Briarcliff: \$750,000 (2/15/2016)

**\$2,850,000 in Total**

The current property owner/developer clearly intended to re-zone the lots for higher density given the amounts paid and effectively paid the seller's as if zoning was already granted, which it is being contested by neighbors and the Druid Hills Civic Association.

This approach limits the ability to build and sell at a profit under its current R85 zoning classification due to the owner's investment basis/cost in the land and not due to the viability for single family on the lots as is allowed by right. The community should not be negatively impacted for the owner's decision to effectively overpay for the property on the bet he's successful in a rezoning.

**Example 1:** Currently two homes under construction at Harvard Rd & Briarcliff:



Both homes are spec builder offerings, furthering the evidence of marketability and demand for high end single family along Briarcliff.

**Example 2:** New home under construction underway at the corner of Briarcliff Road & Briardale Lane





**Example 3:** Teardown of existing historic home that burned down and plans submitted to replace it with a single family home at 957 Briarcliff



**Example 4:** Further investing into single family home at 975 Briarcliff with the addition of a freestanding 3 car garage.

