



DeKalb County Department of Planning & Sustainability

**330 Ponce De Leon Avenue, Suite 300
Decatur, GA 30030
(404) 371-2155 / plandev@dekalbcountyga.gov**

**Planning Commission Hearing Date: March 02, 2021, 6:30 P.M.
Board of Commissioners Hearing Date: March 25, 2021, 6:30 P.M.**

STAFF ANALYSIS

Case No.:	LP-21-1244580	Agenda #: N.6
Location/Address:	2346 Pine Mountain St, Lithonia, GA 30058	Commission District: 5 Super District:7
Parcel IDs:	16 168 01 008	
Request:	Future Land Use Plan Map Amendment	
Property Owner(s):	Mh Lithonia Holdings, LLC	
Applicant/Agent:	Joe Cooley, Esq.	
Acreage:	1.2 Acres	
Existing Land Use:	Suburban (SUB)	
Proposed Land Use:	Light Industrial (LIND)	
Surrounding Properties:		
Adjacent Zoning:	North:M (LIND) South: M/RE (SUB/LIND) East: M (LIND) West: M/RE (LIND/SUB)	
(Adjacent Land Use):	Northeast: M (LIND) Northwest: M (LIND) Southeast: RE (SUB) Southwest: M (LIND)	
Comprehensive Plan:		

Consistent **Inconsistent**

Proposed Density: N/A N/A units/acre

Existing Density: N/A

Proposed Units/Square Ft.: N/A units

Existing Units/Square Feet: N/A

Proposed Lot Coverage: N/A

Existing Lot Coverage: N/A

Companion Application:

The applicant has filed a companion application (Z-21-1244581) to amend the Zoning of the parcel from Residential Estate (RE) to Industrial (M).

STAFF RECOMMENDATION:

Attachments:

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



404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

**APPLICATION TO AMEND COMPREHENSIVE LAND USE PLAN
OF DEKALB COUNTY, GEORGIA**

Application No.: _____ Date Received: _____

Applicant's Name: Joseph Cooley, Esq. (agent for owner) _____ E-Mail: cooleylandlaw@gmail.com

Applicant's Mailing Address: 243 Highland Rose Way, Sugar Hill, GA 30518 _____

Applicant's Daytime Phone #: (770) 778-4776 _____ Fax: _____

(If more than one owner, attach information for each owner as Exhibit "A")

Owner's Name: MH Lithonia Holdings LLC & Neisem Prop LLC E-Mail: mnhabif@habifproperties.com

Owner's Mailing Address 3717 Roswell Rd NE #100 Atlanta, GA 30342.

Owner's Daytime Phone # (404) 522-9358 _____ Fax: _____

Address/Location of Subject Property:

District(s): 16th _____ Land Lot(s): 167, 168 _____ Block(s): 01 _____ Parcel(s): 008

Acreage: 1.224 _____ Commission District(s): District 5, Super-District 7

Current Land Use Designation: SUB _____ Proposed Land Use Designation: LIND _____

Current Zoning Classification(s): RE (concurrent zoning request to M)

PLEASE READ THE FOLLOWING BEFORE SIGNING

- I. **This application form must be completed in its entirety. In addition, any application that lacks any of the required attachments or payment of the filing fee shall be determined to be incomplete and shall not be accepted.**
- II.
- III. **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 filling of this application? _____ Yes X No
- IV.

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

Joseph Cooley, Esq.
SIGNATURE OF APPLICANT

EXPIRATION DATE / SEAL

Check One: Owner _____ Agent X _____ DATE _____

ATTACHMENT "A"

Application to Amend Official Zoning Map
DeKalb County, GA

Owners' Information

Owner(s): **MH Lithonia Holdings LLC — Morris Habif, Managing**

Partner **E-Mail: mnhabif@habifproperties.com**

Owner's Mailing Address: **3717 Roswell Rd. NE #100, Atlanta, GA 30342**

Owner(s) Phone: **(404) 522-9358** Fax: _____

Owner(s): **Neisem Properties LLC — Morris Habif, Managing**

Partner **E-Mail: mnhabifnhabifproperties.com**

Owner's Mailing Address: **3717 Roswell Rd. NE #100, Atlanta, GA 30342**

Owner(s) Phone: **(404) 522-9358** Fax: _____

DEPARTMENT OF PLANNING & SUSTAINABILITY

LAND USE (FUTURE DEVELOPMENT) MAP AMENDMENT APPLICATION
AUTHORIZATION

Completion of this form is required if the individual making the request is not the owner of the property.

DATE: 10/12/20

CHECK TYPE OF APPLICATION:

(X) LAND USE MAP AMENDMENT

(X) REZONE

() MINOR MODIFICATION

() SPECIAL LAND USE PERMIT

TO WHOM IT MAY CONCERN:

(1) / (WE), Morris Habib (mng. member of LLC)

MH Lithonia Holdings LLC & Neisem Properties LLC

being (owner) / (owners) of the property described below or attached hereby delegate authority to

Joseph Cooley, Esq. Cooley Planning and Land Use Law LLC

(Name of Applicant or Agent Representing Owner)

to file and application on (my) / (our) behalf.

Notary Public

Debra Davenport

Notary Public

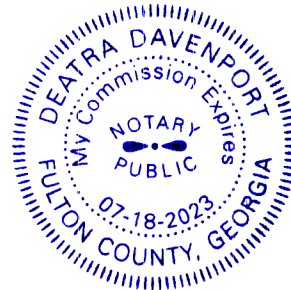
Notary Public

Owner

Morris Habib

Owner

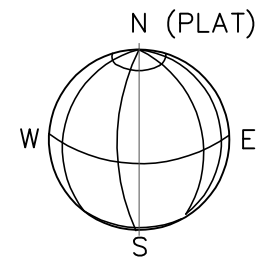
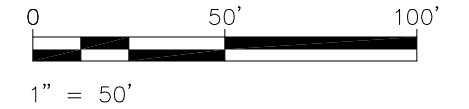
Owner



GENERAL NOTES:

- 1: This Plat has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plat.
- 2: This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
- 3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
- 4: No Geodetic monuments were found within 500 feet of this site
- 5: This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon.
 RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



IMPERVIOUS CALCULATIONS 2346 PINE MOUNTAIN STEET	
CONC. PADS = 3,629 S.F.	
GRAVEL = 7,470 S.F.	
IMPERVIOUS TOTAL = 11,099 S.F.	
LOT COVERAGE	
11,099 S.F.	/ 79,361 S.F. = 14.0%

REFERENCE: DB 21038 PG 155
 DB 23479 PG 198
 DB 19014 PG 250
 SURVEY FOR SHARON ANDERSON BY E.G. DAVIS
 DATED 3-25-2002

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY FIRM MAP OF DEKALB COUNTY, GEORGIA 13089C0178K EFFECTIVE DATE DECEMBER 8, 2016

SURVEY DATA:

TYPE OF SURVEY: RETRACEMENT
 NORTH PROPERTY LINE IS BEARING BASIS
 FROM SURVEY FOR SHARON ANDERSON BY E.G. DAVIS
 DATED 3-25-2002

TOTAL AREA: 79,361 SQ FT, 1.822 AC

CALCULATED PLAT CLOSURE: 1:237,684

FIELD DATA:

DATE OF FIELD SURVEY 8-8-2018

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

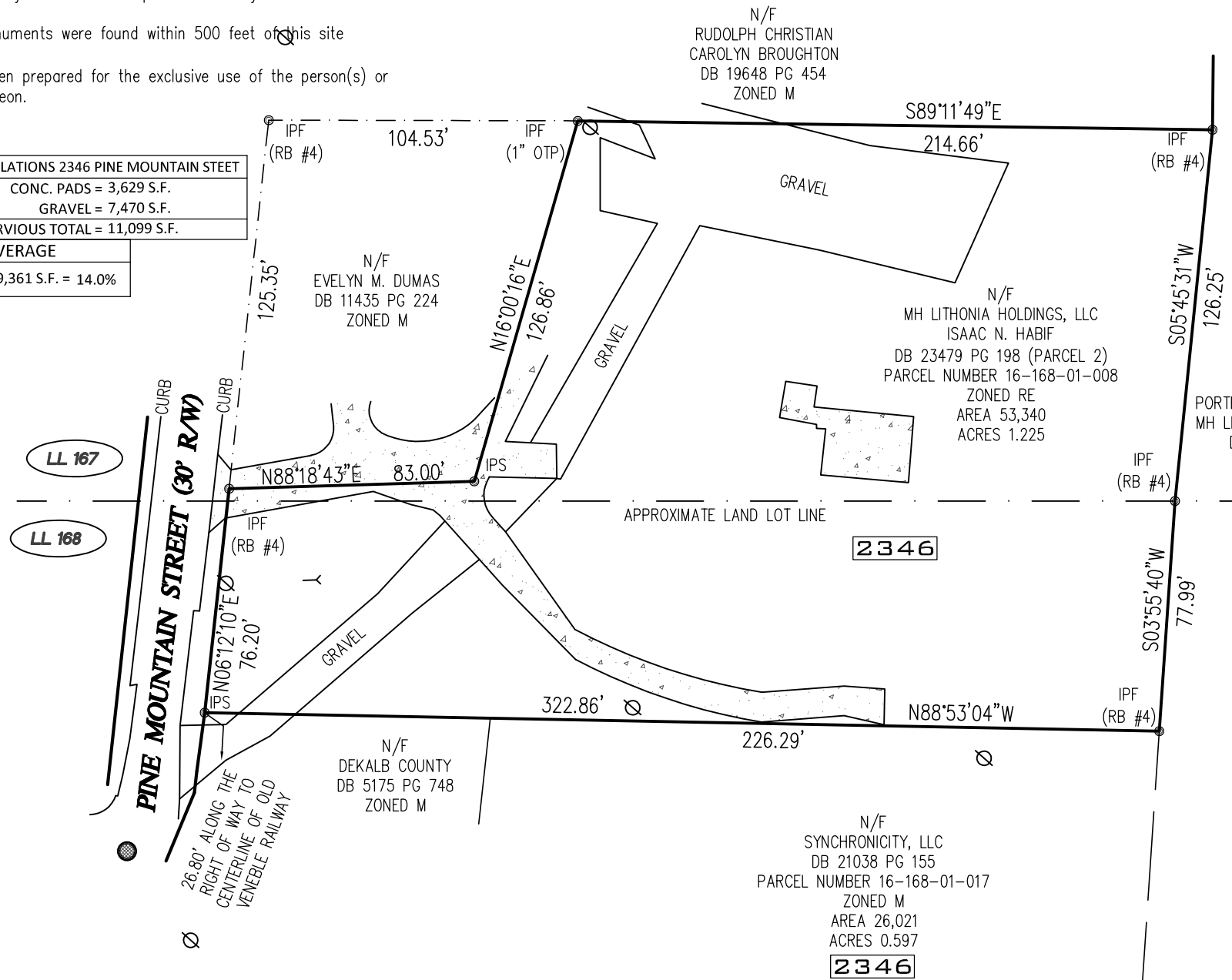
EQUIPMENT:

ELECTRONIC TOTAL STATION

SURVEY FOR
 SHARON ANDERSON

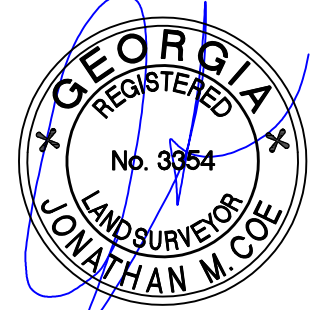
2346 PINE MOUNTAIN STREET

DEKALB COUNTY, GEORGIA
 LAND LOT 167 & 168, DIST 16
 DATE: AUGUST 23, 2018



LEGEND

- EOP EDGE OF PAVEMENT (CURB)
- PP POWER POLE
- R/W RIGHT OF WAY
- IPF IRON PIN FOUND
- IPS 1/2" REBAR SET
- SW SIDE WALK
- BOLLARD
- OHP OVERHEAD POWER
- FH FIRE HYDRANT
- CB CATCH BASIN
- MH MANHOLE
- WM WATER METER
- WV WATER VALVE
- GV GAS VALVE
- GM GAS METER
- LP LIGHT POLE
- CONCRETE PAD



FOR
 DEKALB SURVEYS, INC.
 407 WEST PONCE DE LEON AVENUE
 SUITE B
 DECATUR, GEORGIA 30030
 404.373.9003



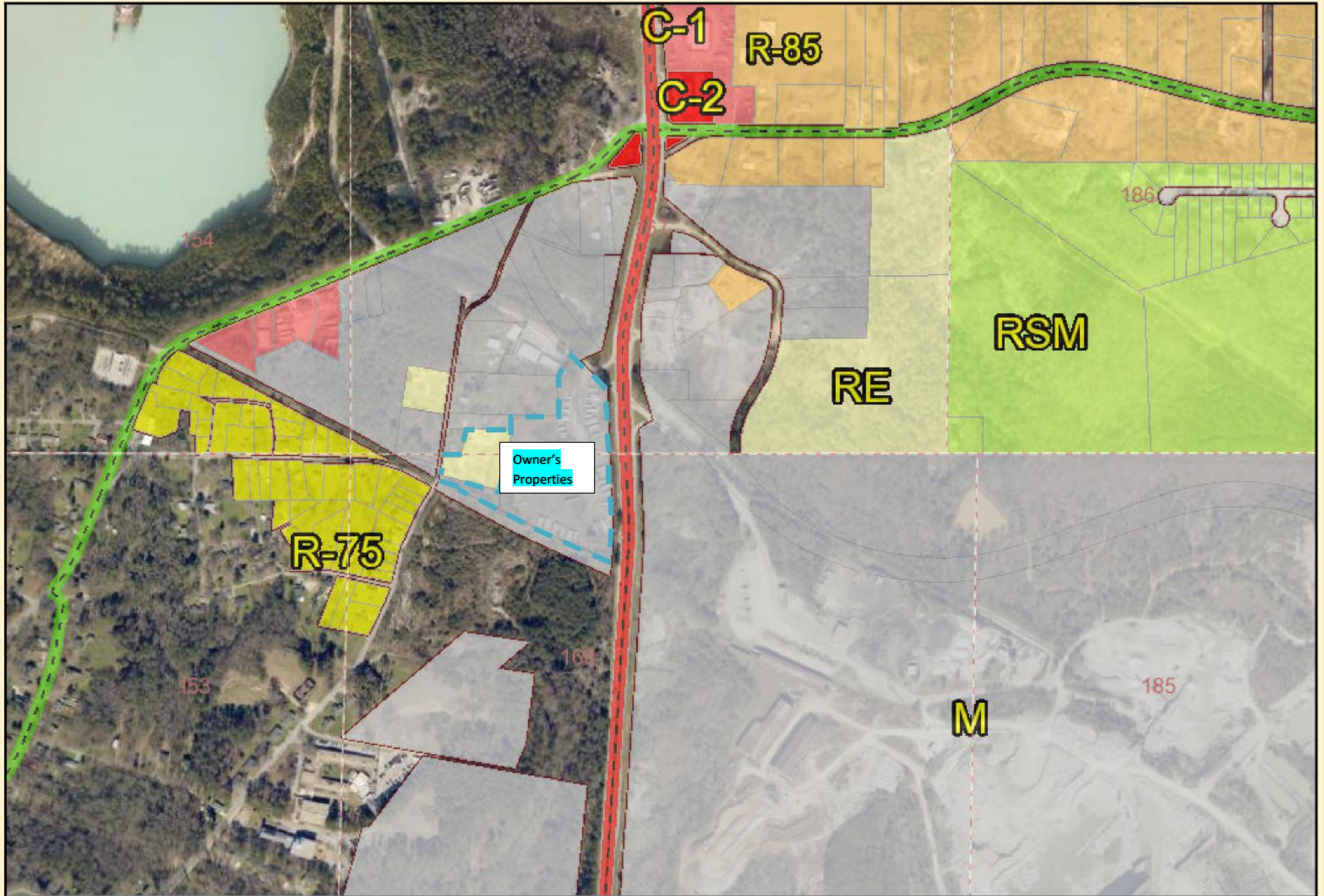
© 2018-2022: THIS 11 X 17 DRAWING AND REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 167 AND 168 OF THE 16TH DISTRICT OF DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET AT A POINT WHERE THE EASTERLY RIGHT-OF-WAY LINE OF PINE MOUNTAIN STREET (HAVING A 20 FOOT RIGHT-OF-WAY) MEETS THE NORTHERLY RIGHT-OF-WAY LINE OF OLD VENABLE RAILWAY. SAID POINT IS 26.8 FEET FROM THE CENTERLINE OF SAID RAILWAY AND PINE MOUNTAIN STREET; THENCE RUN ALONG THE EASTERLY RIGHT-OF-WAY LINE OF PINE MOUNTAIN STREET NORTH 06 DEGREES 08 MINUTES 00 SECONDS EAST A DISTANCE OF 76.20 FEET TO A NAIL IN A CONCRETE DRIVE; THENCE RUN NORTH 88 DEGREES 16 MINUTES 00 SECONDS EAST A DISTANCE OF 83.00 FEET TO A POINT; THENCE RUN NORTH 16 DEGREES 01 MINUTE 53 SECONDS EAST A DISTANCE OF 126.87 FEET TO A POINT; THENCE RUN SOUTH 89 DEGREES 11 MINUTES 49 SECONDS EAST A DISTANCE OF 214.53 FEET TO AN IRON PIN SET; THENCE RUN SOUTH 05 DEGREES 41 MINUTES SS SECONDS WEST A DISTANCE OF 126.09 FEET TO A IRON PIN SET ON THE LINE DIVIDING LAND LOTS 167 AND 168; THENCE RUN SOUTH 03 DEGREES 54 MINUTES 01 SECOND WEST A DISTANCE OF 78.00 FEET TO AN IRON PIN SET; THENCE RUN NORTH 88 DEGREES 54 MINUTES 41 SECONDS WEST A DISTANCE OF 322.86 FEET TO AN IRON PIN SET AND THE POINT OF BEGINNING, CONTAINING 1.224 ACRES AS PER SURVEY PREPARED FOR SHARON ANDERSON, BY E. G. DAVIS, GEORGIA REGISTERED LAND SURVEYING NO. 2363, DATED MARCH 25, 2002.

TOGETHER WITH A PERPETUAL EIGHT (8) FOOT WIDE EASEMENT TOGETHER WITH ALL RIGHTS, AND PROVISION NECESSARY FOR THE FULL USE AND ENJOYMENT OF SAID EASEMENT, INCLUDING THE RIGHT OF INGRESS AND EGRESS, PASS AND REPASS, TO AND ACROSS SAID EASEMENT WHICH SAID EASEMENT IS MORE FULLY DESCRIBED IN THAT WARRANTY DEED FROM CHARLES C. FURGERSON TO RANDY LAMAR ANDERSON, DATED FEBRUARY 9, 1978, RECORDED IN DEED BOCK 3747, PAGE 823, DEKALB COUNTY, GEORGIA RECORDS.



Owner's
Properties



DeKalb County Parcel Map

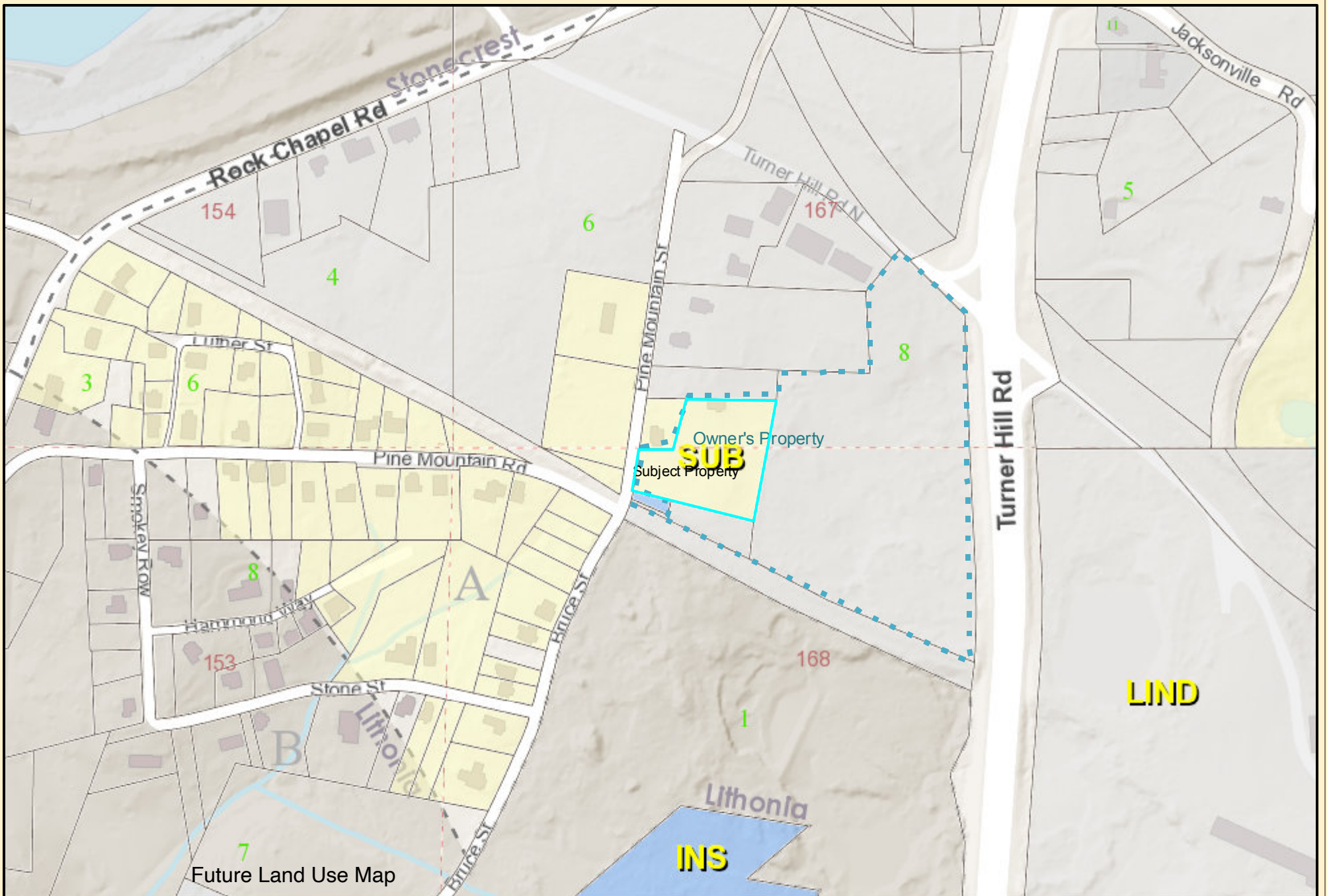


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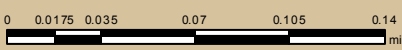


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DeKalb County Parcel Map



Date Printed: 10/13/2020



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2346 Pine Mountain Street
Aerial of 2346 Pine Mountain Street
Parcel # 16 168 01 008

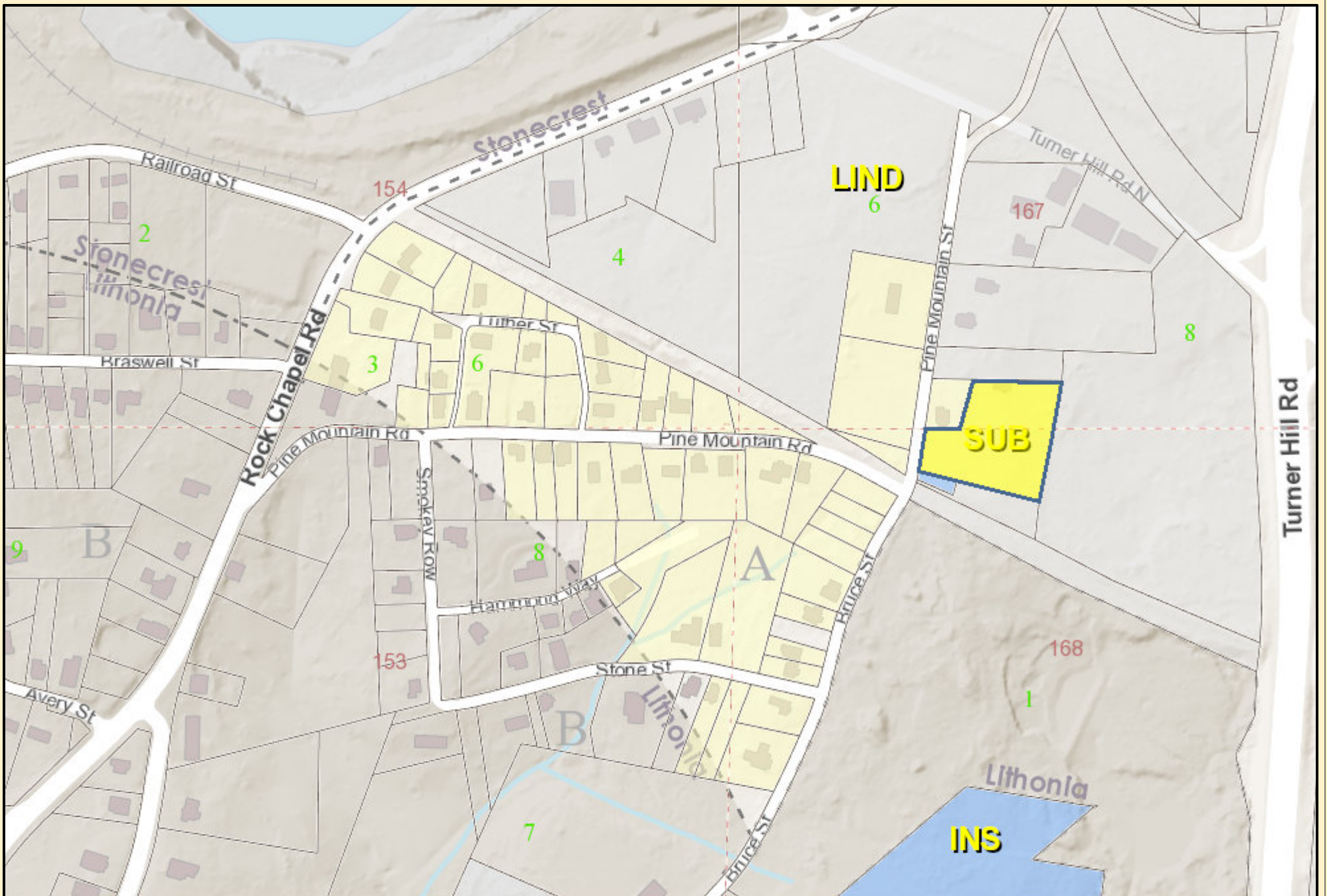
Legend
📍 2346 Pine Mountain St



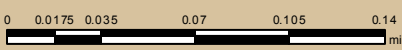
Google Earth
© 2020 Google

400 ft





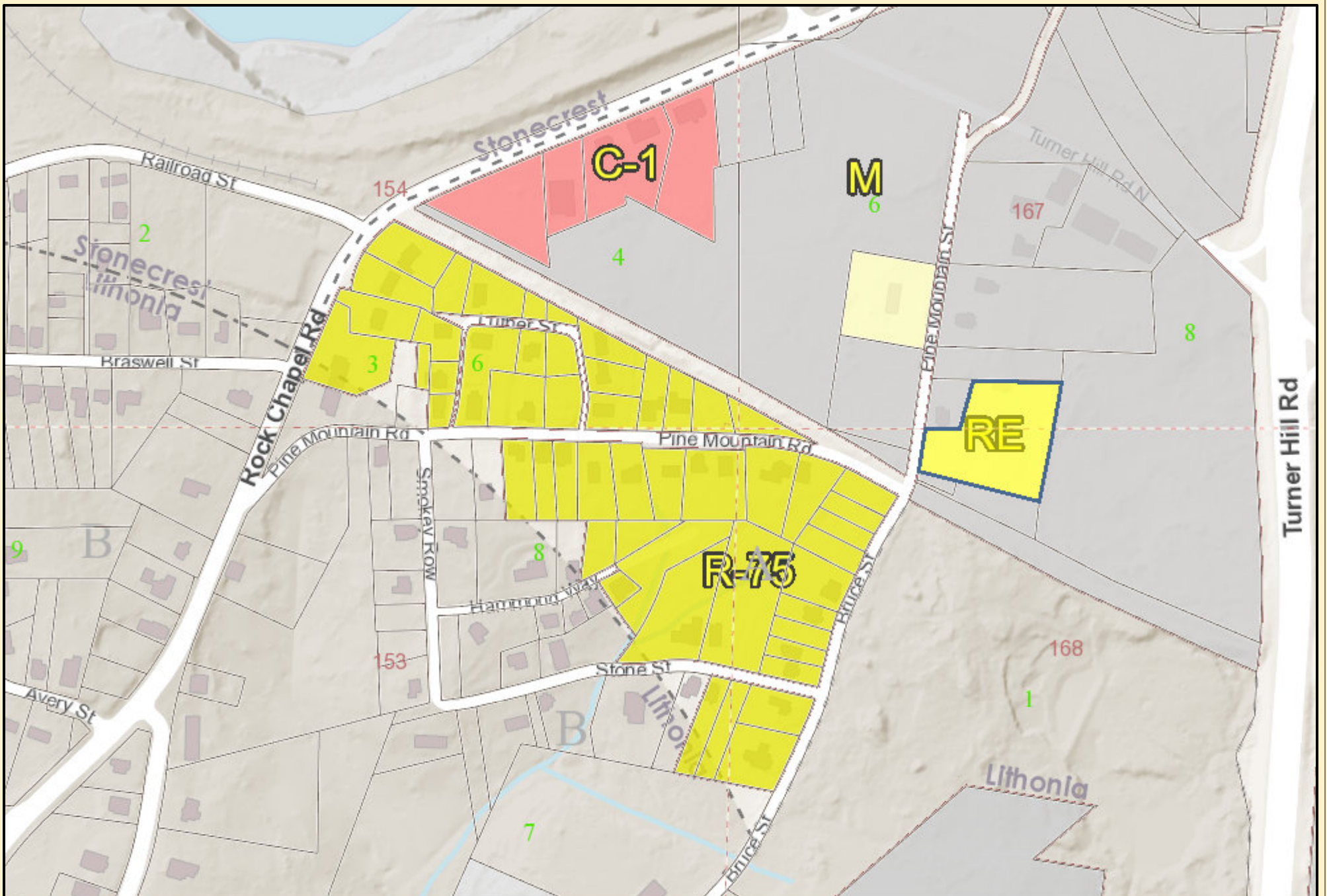
LP-21-1244580 Land Use



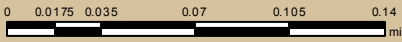
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LP-21-1244580 Zoning



Date Printed: 1/31/2021

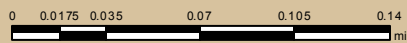


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LP-21-1244580 Aerial Map



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