



**DeKalb County Department of Planning & Sustainability**

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

**Decatur, GA 30030**

**(404) 371-2155 / [www.dekalbcountyga.gov/planning](http://www.dekalbcountyga.gov/planning)**

Michael Thurmond  
Chief Executive Officer

**Planning Commission Hearing Date: March 2, 2021**  
**Board of Commissioners Hearing Date: March 25, 2021**

**STAFF ANALYSIS**

**Case No.:** Z-21-1244581 **Agenda #:** N7

**Location/Address:** 2346 Pine Mountain Street **Commission District:** 05 **Super District:** 07

**Parcel ID:** 16-168-01-008

**Request:** To rezone the subject property from the RE (Residential Estate) Zoning District to the M (Light Industrial) Zoning District to allow future light industrial and/or commercial uses.

**Property Owner(s):** MH Lithonia Holdings, LLC & Neisem Properties, LLC

**Applicant/Agent:** Joseph Cooley, Esq.

**Acreage:** 1.8 acres

**Existing Land Use:** Vacant

**Surrounding Properties:** To the north of the subject property is a residential parcel, to the south are undeveloped parcels, to the west are undeveloped parcels, and to the east is a truck lot.

**Adjacent Zoning:** North: M South: M East: M West: M

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

<b>Proposed Density:</b> N/A	<b>Existing Density:</b> N/A
<b>Proposed Square Ft.:</b> N/A	<b>Existing Units/Square Feet:</b> N/A
<b>Proposed Lot Coverage:</b> N/A	<b>Existing Lot Coverage:</b> 14%



404.371.2155 (o)  
404.371.4556 (f)  
[DeKalbCountyGa.gov](http://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 \_\_\_\_\_

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:

LAND USE MAP AMENDMENT

REZONE

MINOR MODIFICATION

SPECIAL LAND USE PERMIT

TO WHOM IT MAY CONCERN:

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

MH Lithonia Holdings LLC & Neisem Properties LLC

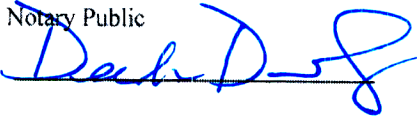
being (owner) / (owners) of the property described below or attached hereby delegate authority to

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



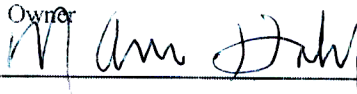
Notary Public

\_\_\_\_\_

Notary Public

\_\_\_\_\_

Owner

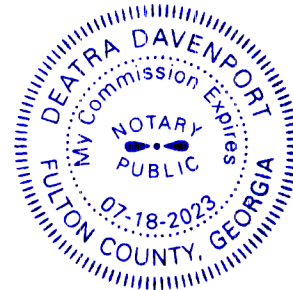


Owner

\_\_\_\_\_

Owner

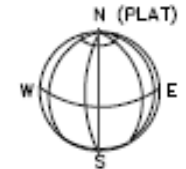
\_\_\_\_\_



**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 herein 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 herein.

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 herein. 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. Sections 15-8-67.



**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
- SOLLARD
- OPH 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

IMPERVIOUS CALCULATIONS 2346 PINE MOUNTAIN STREET	
COMC. PADS =	3,839 S.F.
GRAVEL =	7,470 S.F.
IMPERVIOUS TOTAL =	11,089 S.F.
LOT COVERAGE	
11,089 S.F. /	79,361 S.F. = 14.0%

REFERENCE: DB 21038 PG 155  
DB 23479 PG 188  
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, 2018

**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: 1:237,084

**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.

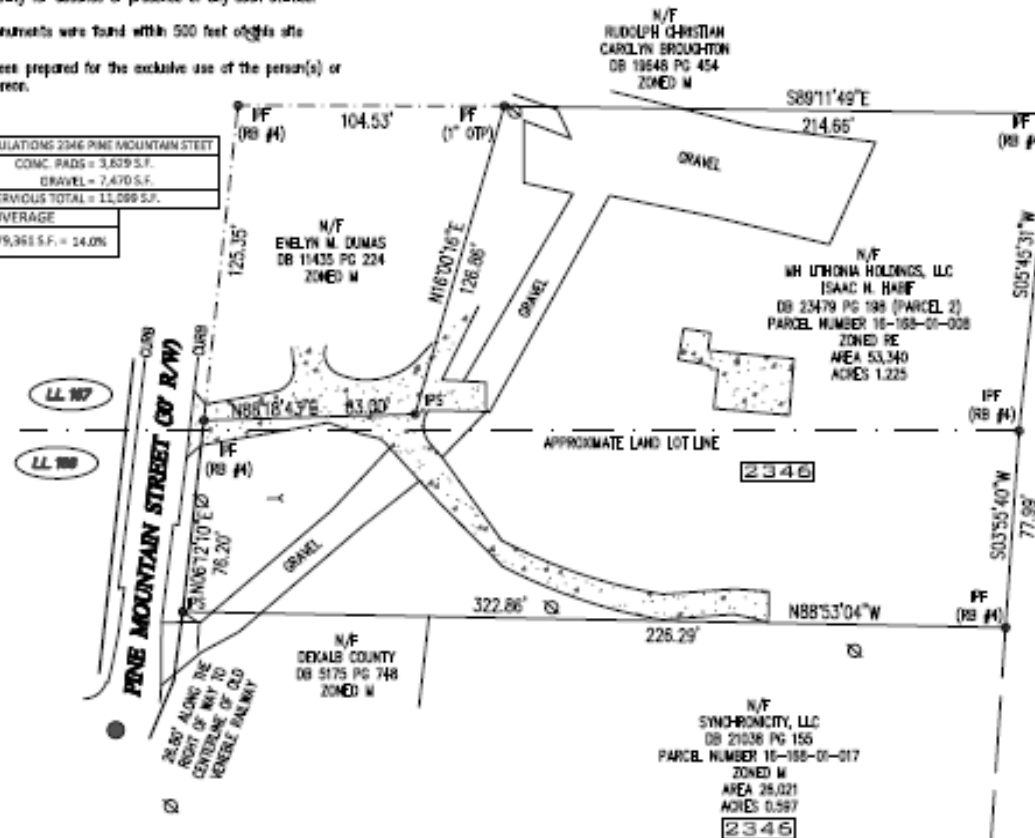
**EQUIPMENT:**

ELECTRONIC TOTAL STATION

SURVEY FOR  
SHARON ANDERSON

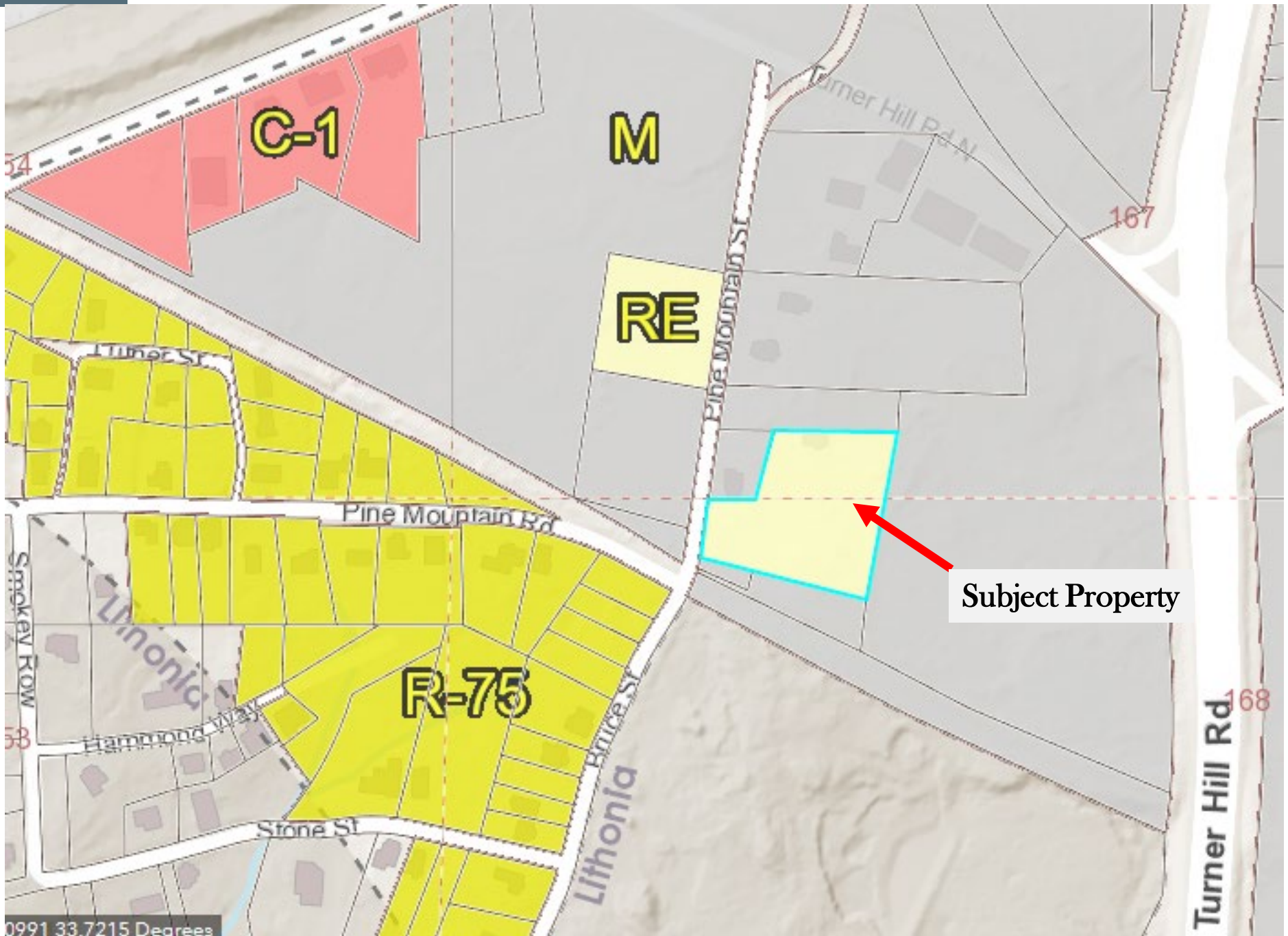
2346 PINE MOUNTAIN STREET

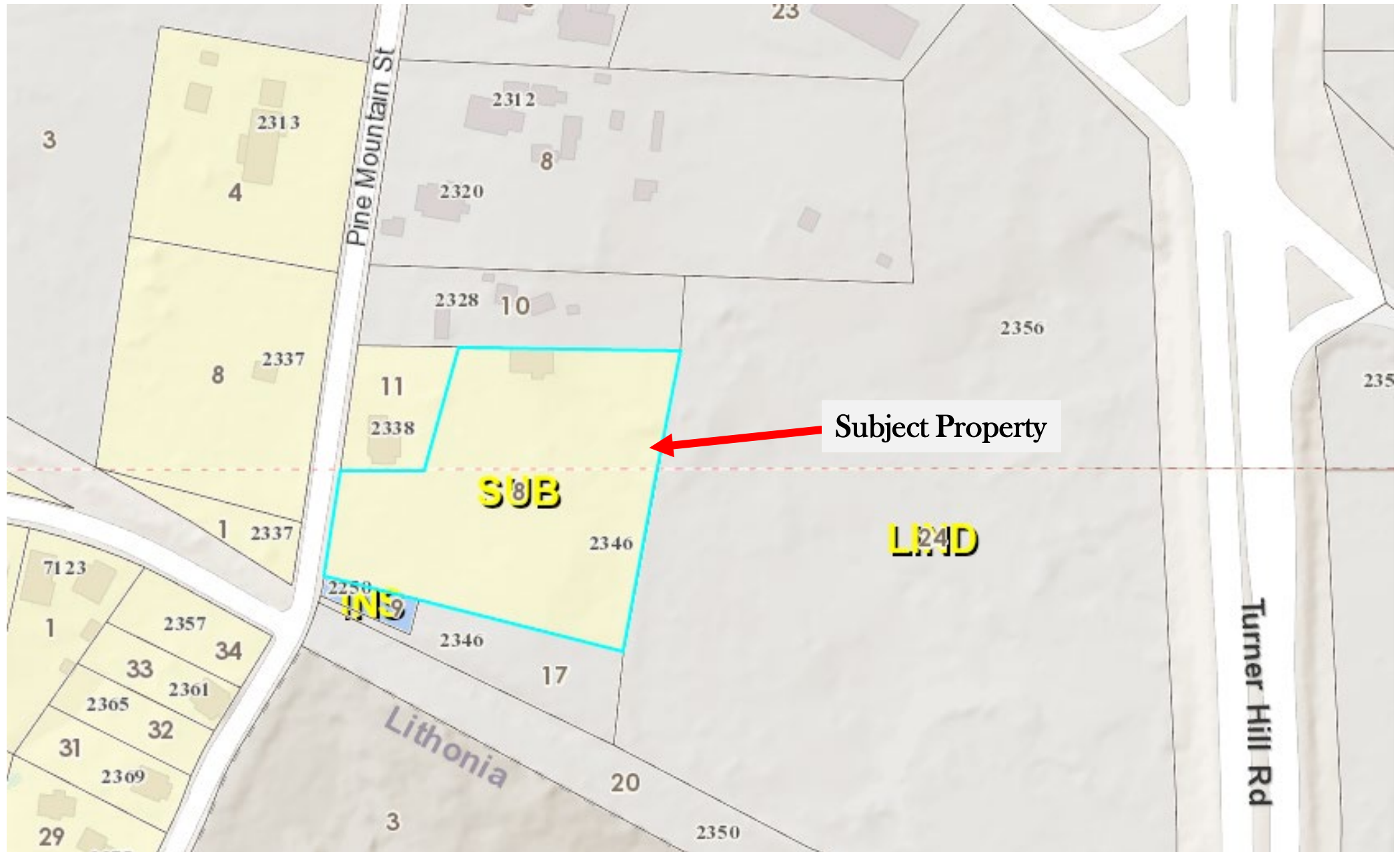
DEKALB COUNTY, GEORGIA  
LAND LOT 167 & 168, DIST 16  
DATE: AUGUST 23, 2018



www.dekalbsurveys.com  
CSA 1086

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N7

Z-21-1244581

Aerial

