

**Public Hearing:** YES ☒ NO ☐

**Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06

**Application of Thomas J Mazzolini to rezone property from R-75 (Residential Medium Lot) zoning district to R-60 (Residential Small Lot) zoning district to allow a lot split to accommodate two single-family, detached homes, at 2739 Craigie Avenue.**

**PETITION NO:** N15-2022-2265 Z-22-1246096

**PROPOSED USE:** Rezone to allow a lot split.

**LOCATION:** 2739 Craigie Avenue, Decatur, Georgia 30030

**PARCEL NO. :** 15-248-09-015

**INFO. CONTACT:** Planning & Sustainability

**PHONE NUMBER:** 404-371-2155

**PURPOSE:**

Application of Thomas J Mazzolini to rezone property from R-75 (Residential Medium Lot) zoning district to R-60 (Residential Small Lot) zoning district to allow a lot split to accommodate two single-family, detached homes. The property is located on the south side of Craigie Avenue, approximately 400 feet east of Katie Kerr Drive, at 2739 Craigie Avenue in Decatur, Georgia. The property has approximately 170 feet of frontage along Craigie Avenue and contains 0.4 acre.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Approval.

**PLANNING COMMISSION:** Denial.

**PLANNING STAFF:** Denial.

**STAFF ANALYSIS:** The majority of parcels in this neighborhood appear to be between 55 feet and 70 feet wide and are zoned R-75. Nevertheless, the rezoning of this single parcel to R-60 would be inconsistent with the surrounding R-75 zoning and may not be compatible with the following policies and strategies of the Traditional Neighborhood (TN) Character Area: 1. Protect stable neighborhoods from incompatible development that could alter established residential patterns and density (“Residential Protection” policy, page 119) and 2. Enforce residential infill development regulations to preserve and stabilize existing neighborhoods (“Infill Development” policy, page 119). Therefore, it is the recommendation of the Planning & Sustainability Department that this application be “Denied”.

**PLANNING COMMISSION VOTE:** **Denial 5-3-0.** Jana Johnson moved, LaSonya Osler seconded for denial, per Staff recommendation. Jon West, April Atkins and Jan Costello opposed.

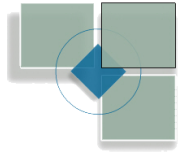
**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** **Approval 7-0-1.**



Michael Thurmond  
Chief Executive Officer

## **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 1, 2022**

**Board of Commissioners Hearing Date: November 17, 2022**

### **STAFF ANALYSIS**

<b>Case No.:</b>	Z-22-1246096	<b>Agenda #:</b> N15
<b>Location/ Address:</b>	The south side of Craigie Avenue, approximately 400 feet east of Katie Kerr Drive, at 2739 Craigie Avenue in Decatur Georgia.	Commission District: 4 Super District: 6
<b>Parcel ID:</b>	15 248 09 015	
<b>Request:</b>	To rezone property from R-75 (Residential Medium Lot) to R-60 (Residential Small Lot) to allow a lot split to accommodate two single-family detached homes.	
<b>Property Owner:</b>	Thomas Mazzolini	
<b>Applicant/Agent:</b>	Thomas Mazzolini	
<b>Acreage:</b>	.4	
<b>Existing Land Use:</b>	Single-Family home	
<b>Surrounding Properties:</b>	Single-family detached homes	
<b>Adjacent Zoning:</b>	<b>North:</b> R-75 <b>South:</b> MR-2 <b>East:</b> R-75 <b>West:</b> R-75	
<b>Comprehensive Plan:</b>	TN (Trad. Neighborhood) <b>Consistent</b> <input checked="" type="checkbox"/>	<b>Inconsistent</b> <input type="checkbox"/>
<b>Proposed Density:</b>	5 units per acre	<b>Existing Density:</b> NA
<b>Proposed Units/Square Ft.:</b>	2 single-family detached units on two lots (1 SFD unit currently exists on property)	<b>Existing Units/Square Feet:</b> One single-family detached home.
<b>Proposed Lot Coverage:</b>	NA	<b>Existing Lot Coverage:</b> NA

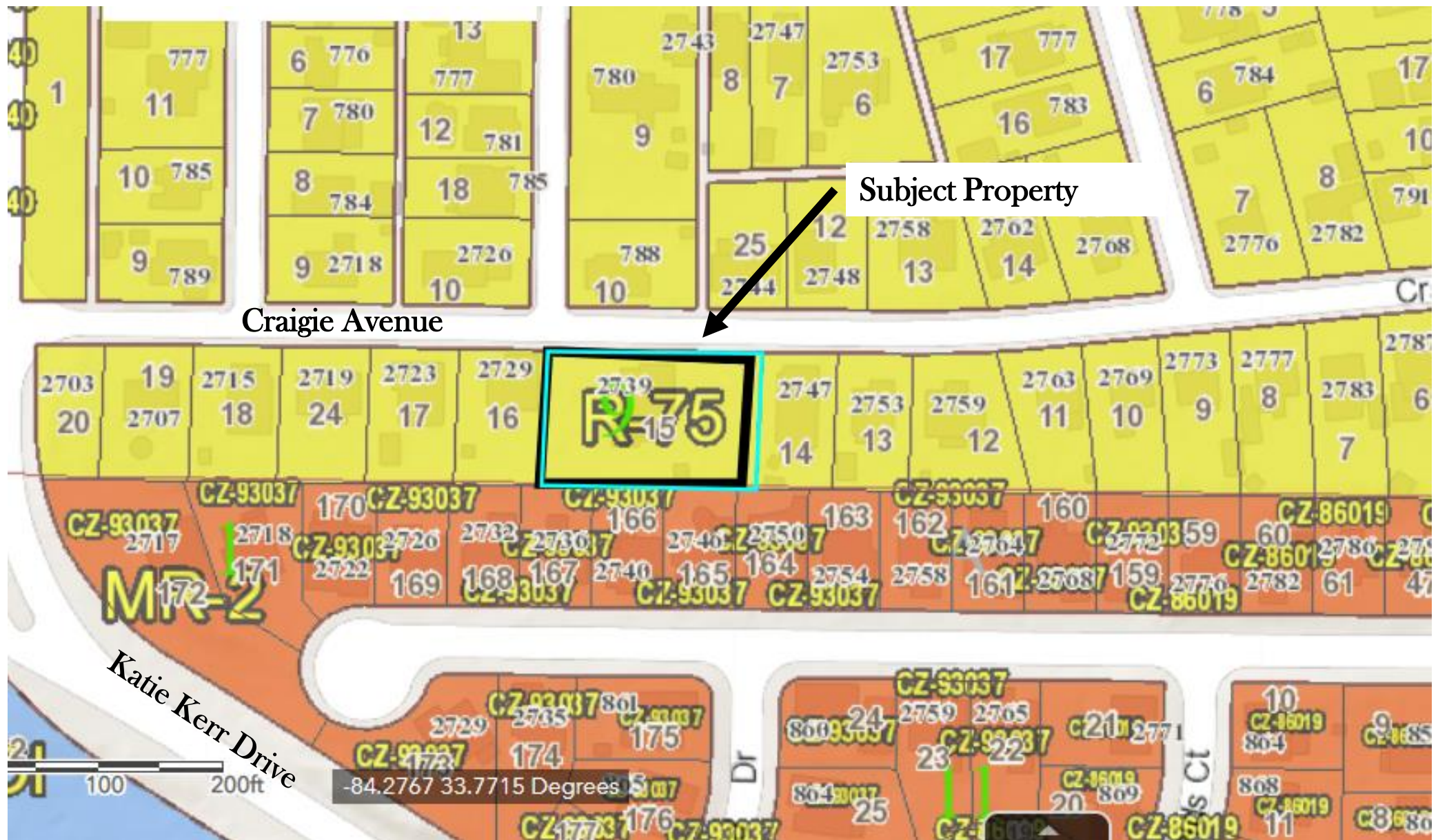
### **Staff Recommendation: DENIAL**

The majority of parcels in this neighborhood appear to be between 55 feet and 70 feet wide and are zoned R-75. Nevertheless, the rezoning of this single parcel to R-60 would be inconsistent with the surrounding R-75 zoning and may not be compatible with the following policies and strategies of the Traditional Neighborhood (TN) Character Area: 1. Protect stable neighborhoods from incompatible development that could alter established residential patterns and density ("Residential Protection" policy, page 119) and 2. Enforce residential infill development regulations to preserve

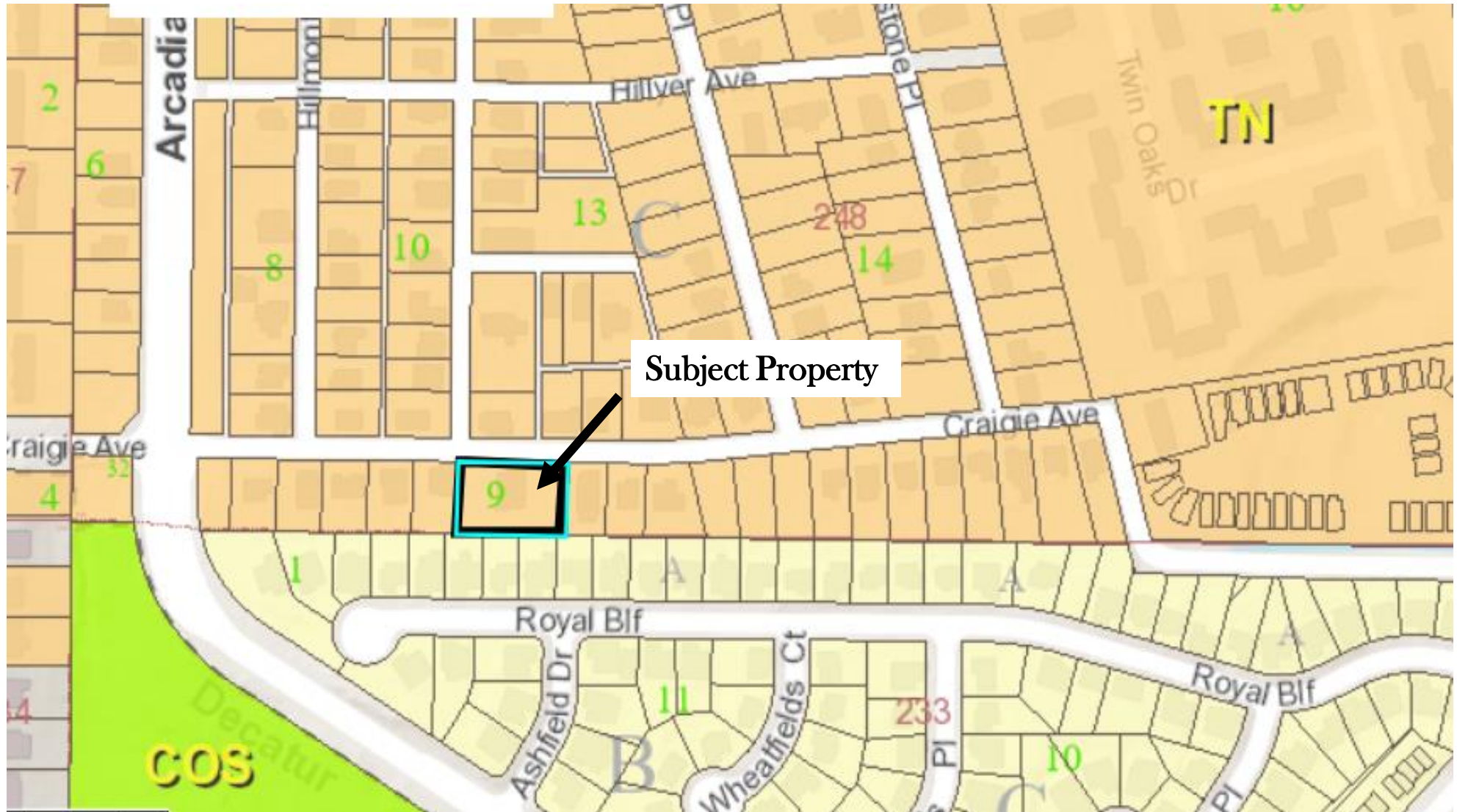
and stabilize existing neighborhoods (“Infill Development” policy, page 119). Therefore, it is the recommendation of the Planning & Sustainability Department that this application be “Denied”.

**N15 Z 22 1246096**

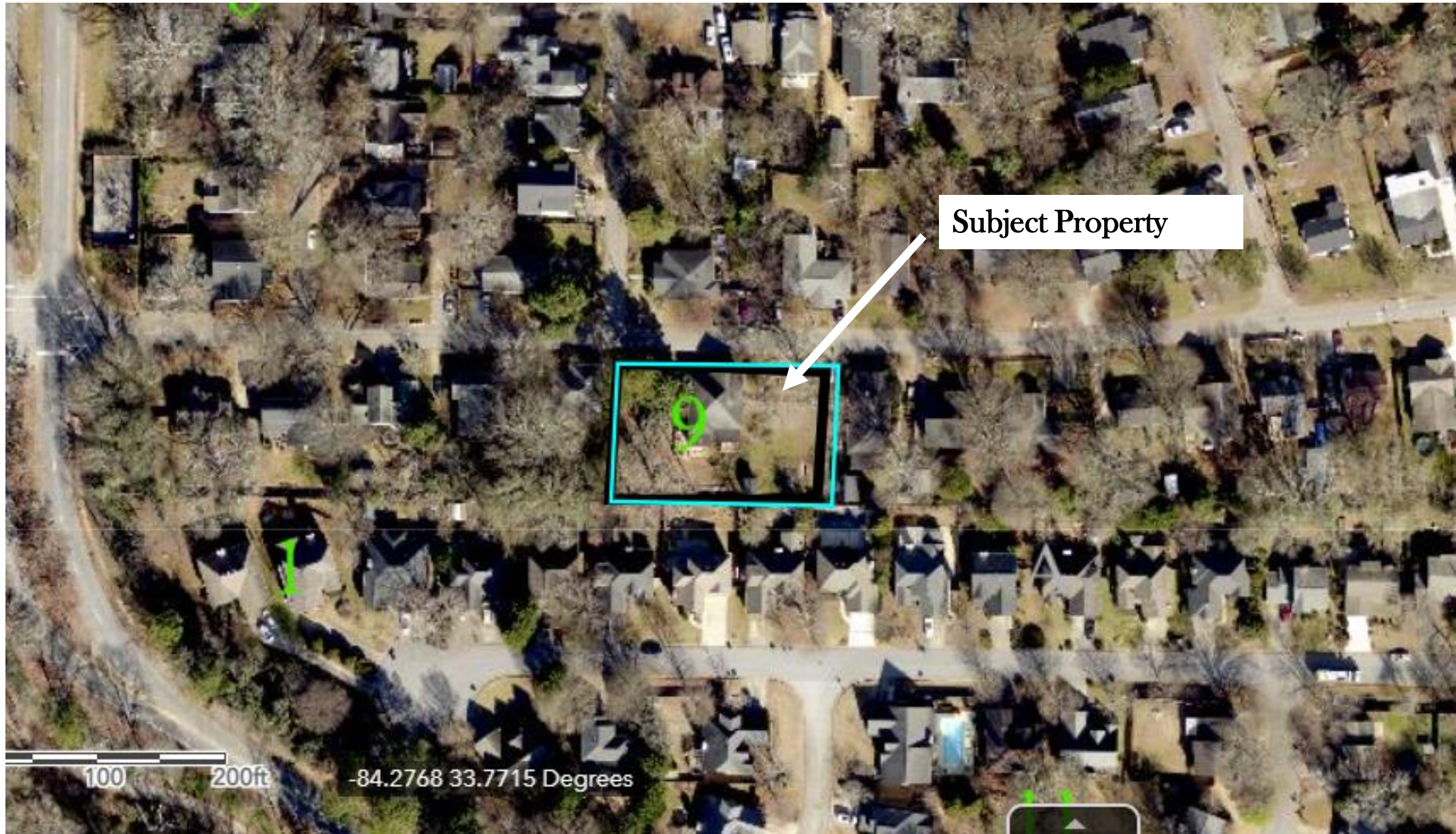
# ZONING MAP



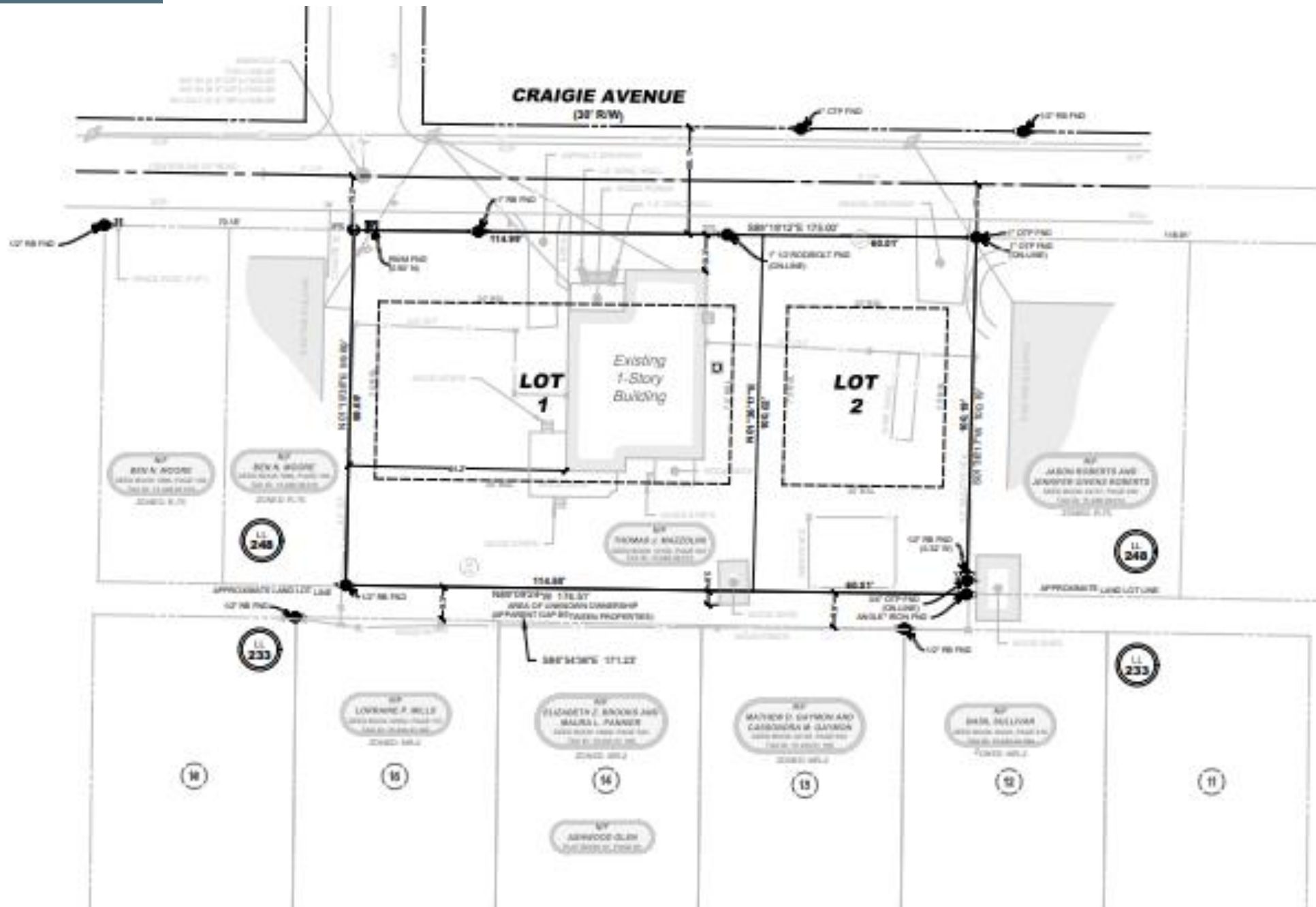
















**DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM**

**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 WATER AND SEWER**

Case No.: Z-22-1246096

Parcel I.D. #: 15-248-09-015

Address: 2739 CRAIGIE AVE

DECATUR, GA 30030

\_\_\_\_\_

**WATER:**

Size of existing water main: 6" AC (~~adequate~~/inadequate)

Distance from property to nearest main: adjacent

Size of line required, if inadequate: unknown

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**SEWER:**

Outfall Servicing Project: Shoal Creek

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

Water Treatment Facility: SnapFinger ( ) adequate ( ) inadequate

Sewage Capacity: 36 (MGPD)

Current Flow: 28.2 (MGPD)

**COMMENTS:**

Sewer Capacity request not required if work is an addition

Signature: Yola Lewis





10/17/2022

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

General Comments:

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

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

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

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

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

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

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

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

## DeKalb County Board of Health

404.508.7900 • [www.dekalbhealth.net](http://www.dekalbhealth.net)

10/17/2022

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N13 2022-2263

Z-22-1246093 18-267-01-004, 18-267-01-007, 18-267-01-008

3375 Northeast Expy, Chamblee, GA 30341

☐ Amendment

- Please review general comments.
- Note: This property may be on septic. Based on our records several surrounding properties have septic system installed. Our office does not have records that indicates installation.

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N14 2022-2264

Z-22-1246095 18-049-01-012, 18-049-01-013

1620 Scott Blvd., Decatur, GA 30033

☐ Amendment

- Please review general comments.
- Note: This property may be on septic. Based on our records several surrounding properties have septic system installed. Our office does not have records that indicates installation.

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N15 2022 2265

Z22-1246096 15-248-09-015

2739 Craigie Ave., Decatur, GA 30030

☐ Amendment

- Please review general comments.

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N16 2022-2268

SLUP-22-1246099 15-224-09-062

1193 Sherrington Drive, Stone Mountain, GA 30083

☐ Amendment

- Please review general comments.

## Zoning Comments – October 2022

- N1.** No package to review.
- N2. 1845 Lawrenceville Hwy.** Lawrenceville Hwy is a state route. GDOT review and approval required prior to permitting. Lawrenceville Hwy is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Add ADA Ramps and a pedestrian crossing across Jordan Lane. Requires a 5-foot landscape strip with a 10 foot multi-use path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Jordan Lane is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires 12-foot travel lane from centerline with curb and gutter. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. No poles may remain within the limits of the sidewalk. Driveway on Jordan Lane cannot be relocated without Transportation approval- proposed location acceptable.
- N3. 1251 Robinwood Rd.** Build 5 foot sidewalks in front of the subject property and extend to Lawrenceville Hwy within the current right of way. Robinwood Rd is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires 12 foot travel lane from centerline with curb and gutter. Requires a 5 foot landscape strip with a 5 foot sidewalk on right of way. Requires pedestrian scale streetlights. Street parking within the right of way must be approved by Roads & Drainage prior to permitting. No poles may remain within the limits of the sidewalk. Interior streets/alleys must be private.
- N4. 3458 Mountain Drive.** Mountain Drive is a state route and requires GDOT review and approval prior to permitting. Requires traffic study to determine required number of lanes and queue lengths at entrances. The study will also determine the need for left turn lanes into the development. Mountain Drive is classified as a collector road. Requires a right of way dedication of 35 from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot multi-use path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Speed Limit is 45 mph (per plans). Watch minimum driveway separation spacing in Sec 14-200(6). Speed Limits between 36 to 45mph requires 245 feet of separation between driveways. Developments with 151-300 residential units require 3 access points (Land development Code Sec 14-200(5).) Suggest that if you are seeking a variance that you do it within the zoning process. Interior street must be private.
- N5. 6168 Marbut Rd.** No parking allowed on Marbut Road.
- N6/N7. 2179 Bouldercrest Road.** Bouldercrest Road is classified as a major arterial. Requires a right of way dedication of 50 from centerline OR such that all public infrastructure is within right of way, whichever greater. Replace curbing along property frontage. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. No Parking allowed within the right of way.
- N8. 3507 Memorial Drive.** Memorial Drive is a state route. GDOT review and approval required prior to permitting. No comment. Based on the plan, this site it interior to the property and not adjacent to a right of way.

- N9. 311 South Howard St.** (They have the wrong address on the application. It is 211 South Howard Street.) Memorial Drive is a state route within the City of Atlanta. Both agencies will have to review and approve the requirements prior to permitting. For DeKalb: Memorial Drive requires a right of way dedication of 50 foot from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. DeKalb Transportation will defer to the City of Atlanta comments for right of way improvements. South Howard St is classified as a collector street. South Howard Street requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Access point must remain at the southern property line on South Howard St. Interior private alley (instead of a shared drive for permitting) must be private. Shared drives not allowed for 6 lots, private alley in this case is allowed.
- N10. 1347 Bermuda Road.** By Code- shared driveways can only be for 2 lots. A variance will be necessary to have 6 lots on a shared driveway. Suggestion: widen to 24 feet and make it a private road. Bermuda Road is classified as a collector road. requires a right of way dedication of 35 from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Watch minimum separation of drives/roads in section 14-200(6) based on the speed limit of the road.
- N11. 8067 Rockbridge Road.** No Access on The Trace. Rockbridge Road is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. The Trace is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 5 foot sidewalk path. No poles may remain within the limits of the sidewalk. Requires pedestrian scale streetlights. This property is within the interior of a curve. Intersection sight distance exiting the property (based on AASHTO guidance and sealed by a professional engineer) must be met prior to permitting. Guardrail resign must also take place by a professional engineer along the Rockbridge frontage.
- N12. 1065 Fayetteville Rd.** Fayetteville Road is classified as a collector road. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. Graham Circle is classified as a local road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 12 foot travel lane from centerline of road. Requires a 5 foot landscape strip with a 5 foot sidewalk path. No poles may remain within the limits of the sidewalk. Requires pedestrian scale streetlights. Interior streets are shown on site plan as private. If they become public: Requires a right of way dedication of 55 feet. Requires a 5 foot landscape strip with a 6 foot sidewalk. No poles may remain within the limits of the sidewalk. Requires pedestrian scale streetlights.
- N13. 2255, 3375, 3395 Northeast Expressway.** All access is from GDOT right of way. GDOT review and permits required. Further discussions required around the Peachtree Greenway Trail connection. All public infrastructure must be on right of way.
- N14. 1602 Scott Blvd.** Scott Blvd is a state route. GDOT review and approval required prior to permitting. Scott Blvd is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with a 10 foot mulituse path. Extend Path to and along Blackmon Drive frontage. No poles may remain within the limits of the path. Requires pedestrian scale streetlights. All interior streets to be private. No access allowed on Blackmon Drive Right in right out only allowed on Scott Blvd- with proper design to prohibit restricted movements.
- N15. 2739 Craigie Ave.** No comment.
- N16. 1259 Sheppard Ct.** No comment.

**N17/N18.** Not in package to review.

**N19.** No comment.





## DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

### DEVELOPMENT ANALYSIS:

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control **(sections have been amended recently; please request the amended chapter)**, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

N-15

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

COMMENTS FORM:  
**PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: Z-22-1246096 Parcel I.D. #: 15-248-09; 015

Address: 2739  
Craigie Ave.  
Decatur, GA. 30030

Adjacent Roadway (s):

_____	_____
(classification)	(classification)

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

Please provide additional information relating to the following statement.

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

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

COMMENTS:

Plans and field Reviewed. No Issue that
would interfere with Traffic Flow.

Signature: Jeffrey White

Chief Executive Officer  
Michael Thurmond

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

Director  
Andrew A. Baker, AICP

**PRE-APPLICATION FORM**  
**REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE**  
**(Required prior to filing application: signed copy of this form must be submitted at filing)**

Applicant Name: Tom Mazzolini c/o Baattle Law, P.C. --- Phone: 404.601.7616 --- Email:  
[mlb@battlawpc.com](mailto:mlb@battlawpc.com) ---

Property Address: 2739 Craigie Avenue, Decatur, GA 30030

Tax Parcel ID: 15-248-09-015 Comm. District(s): 4 & 6 Acreage: .42

Existing Use: Single-family detached home Proposed Use Single-Family Detached Residential

Supplemental Regs: No Overlay District: NA DRI: NA

**Rezoning:** Yes X No ---

Existing Zoning: R-75 Proposed Zoning: R60 Square Footage/Number of Units: ---

Rezoning Request: to rezone from R-75 to R-60 to allow the lot to be subdivided into two single-family detached lots.

**Land Use Plan Amendment:** Yes --- No X

Existing Land Use: TN (Traditional Neighborhood) Proposed Land Use: na  
Consistent X Inconsistent ---

**Special Land Use Permit:** Yes --- No X Article Number(s) 27-  
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**Major Modification:**

Existing Case Number(s): NA

Condition(s) to be modified:  
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**WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION**

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

Pre-submittal Community Meeting: ☒ Review Calendar Dates: ☒ PC: ☐ 11/1/22\*\*  
BOC: 11/17/22\*\* Letter of Intent: ☒ Impact Analysis: ☒ Owner Authorization(s): ☒  
Campaign Disclosure: ☒ Zoning Conditions: ☐ na Community Council Meeting:  
☐ 10/18/22\*\* Public Notice, Signs: ☒ Tree Survey, Conservation: Land  
Disturbance Permit (LDP): Sketch Plat: Bldg. Permits: ☒ Fire Inspection:  
☒ Business License: ☒ State License: Lighting Plan: Tent Permit:  
Submittal Format: NO STAPLES, NO BINDERS PLEASE

**\*\*Last day to hold –pre-community digital meeting with 15 days notice to qualify for November 2022 agenda cycle is August 31, 2022**

**\*\*Filing Deadline for application is September 1, 2022**

**Review of Site Plan**

Density: ☐ NA Density Bonuses: ☐ NA Mix of Uses: ☐ NA Open Space: ☐ NA  
Enhanced Open Space: ☐ NA Setbacks: front ☐ NA sides ☐ NA side corner rear  
☐ Lot Size: ☒ Frontage: ☒ Street Widths: ☐ NA Landscape  
Strips: ☒ Buffers: ☒ Parking Lot Landscaping: ☒ Parking - Auto: ☒  
Parking - Bicycle: ☐ NA Screening: ☒ Streetscapes: ☒ Sidewalks:  
☒ Fencing/Walls: Bldg. Height: ☒ Bldg. Orientation: Bldg. Separation: Bldg.  
Materials: Roofs: Fenestration: ☒ Façade Design: ☒ Garages: ☒  
Pedestrian Plan: ☒ Perimeter Landscape Strip:  
Possible Variances: ☐ NA concept plan not provided.

Comments: ☐ Applicant will need to demonstrate how proposed rezoning is consistent with Traditional Neighborhood Character area as well as how is compatible with surrounding residential area. Applicant will need to demonstrate compliance with R-60 zoning requirements.

Planner: John Reid Date 08/30/22

**Filing Fees**

<b>REZONING:</b> RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00

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**DEPARTMENT OF PLANNING & SUSTAINABILITY**

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OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
<b>LAND USE MAP AMENDMENT</b>	\$500.00
<b>SPECIAL LAND USE PERMIT</b>	\$400.00



DEPARTMENT OF PLANNING & SUSTAINABILITY

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

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

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Applicant Name: Tom Mazzolini c/o Battle Law P.C.

Applicant E-Mail Address: mlb@battlelawpc.com

Applicant Mailing Address: 3562 Habersham at Northlake, Bldg. J. Suite 100 Tucker, GA 30084

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Applicant Daytime Phone: 404.601.7616 Fax: 404.745.0045

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Owner Name: Tom Mazzolini

If more than one owner, attach list of owners.

Owner Mailing Address: 2739 Craigie Avenue Decatur GA 30030

Owner Daytime Phone: 1 (404) 313-1616

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Address of Subject Property: 2739 Craigie Avenue Decatur GA 30030

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Parcel ID#: 15 248 09 015

Acreage: 0.4 Commission District: 4 & 6

Present Zoning District(s): R75 - SF RES DIST

Proposed Zoning District: R-60

Present Land Use Designation: TN

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



DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 8/17/2022

TO WHOM IT MAY CONCERN:

(I) (WE) Thomas J. Mazzolini  
Name of owner(s)

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

Battle Law Firm  
Name of Agent or Representative

to file an application on (my) (our) behalf



Notary Public Amber Simon

AMBER SIMON  
NOTARY PUBLIC  
Douglas County  
State of Georgia  
My Comm. Expires June 6, 2025

  
Owner

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Owner



DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

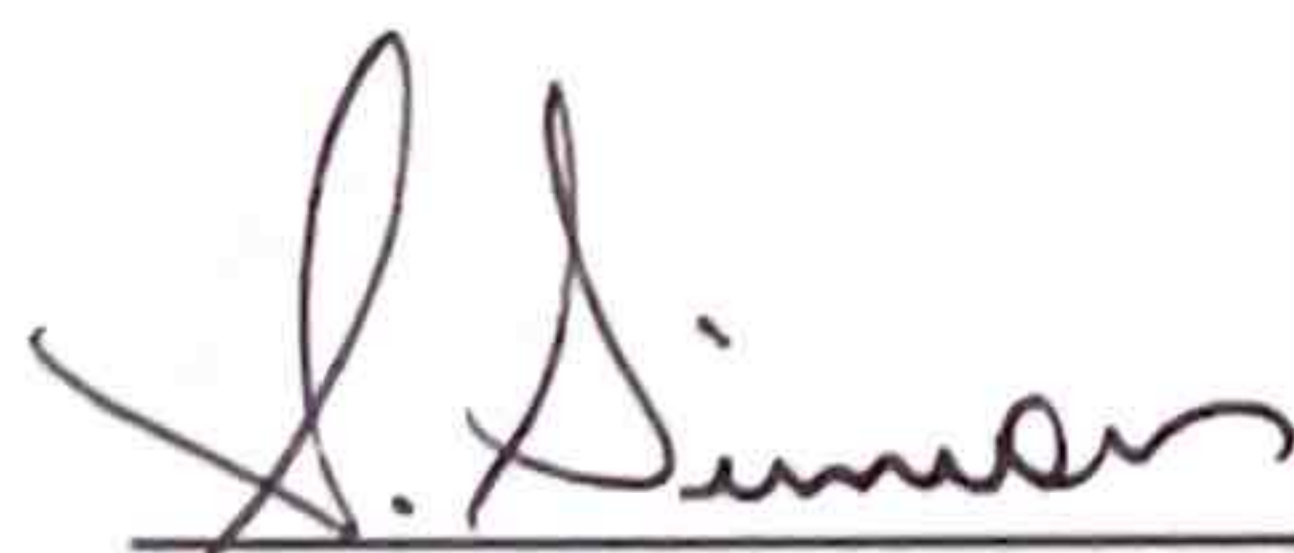
Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

Yes \_\_\_\_\_ No X \*

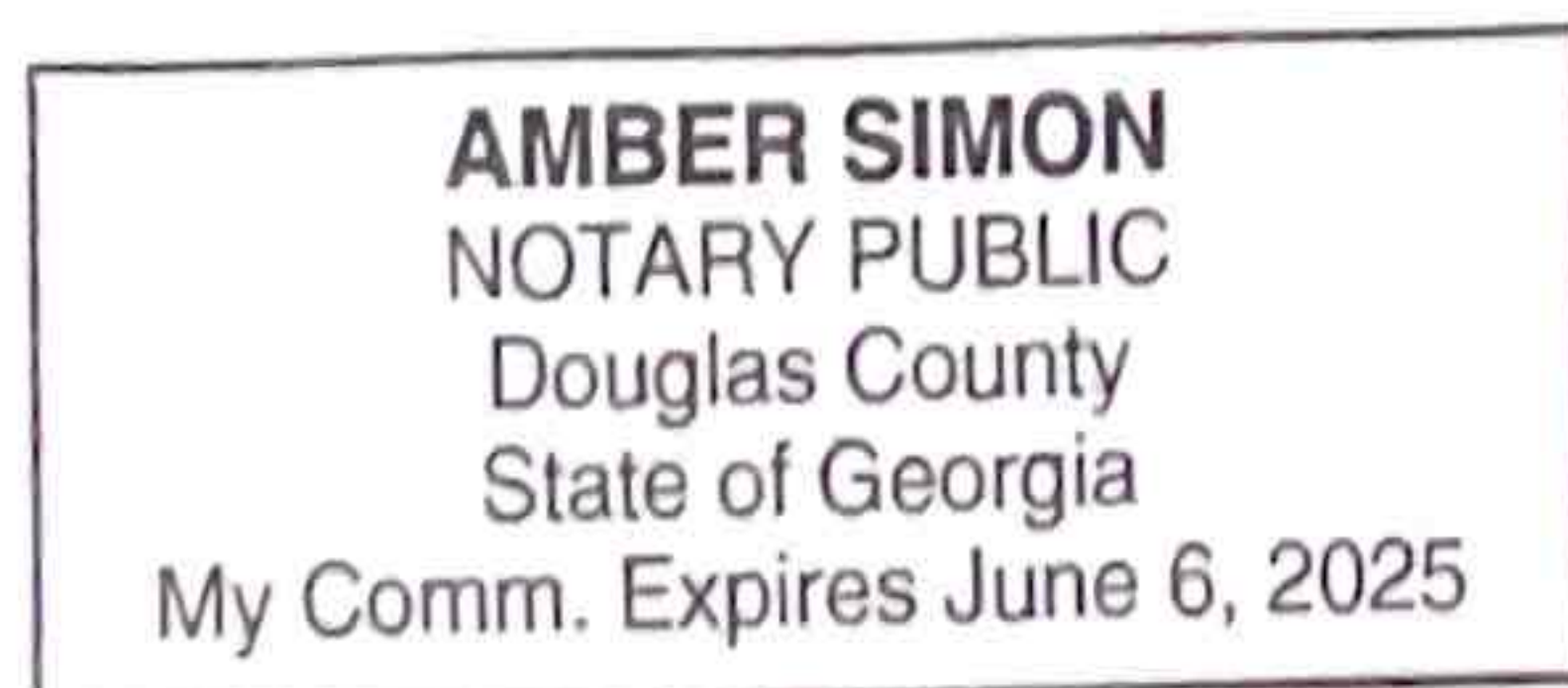
If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:


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 to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.



Notary



 8/17/22  
Signature of Applicant /Date

Check one: Owner X Agent \_\_\_\_\_

June 06, 2025

Expiration Date/ Seal

\*Notary seal not needed if answer is "no".





## Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100  
Tucker, Georgia 30084

### Zoom Instructions:

Go to <https://otago.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click "Join" . To join by phone, please dial (646) 558-8656. If you are unable to attend or would like to learn more about the proposed project, please call our office at the number below.

We encourage you to come out and participate!

For More Information Contact  
Batoya Clements at:  
Phone: 404-601-7616 ext. 2  
Fax: 404-745-0045  
Email: [bdc@battlelawpc.com](mailto:bdc@battlelawpc.com)

## REZONING FROM R-75 TO R-60 TO ALLOW FOR THE DEVELOPMENT OF A SINGLE FAMILY DETACHED HOME

**Project Title: 2739 Craigie Avenue**

**When: AUGUST 31, 2022**

**Time: 6:30 PM Eastern (US and Canada)**

**Register in advance for this meeting:**

**<https://otago.zoom.us/join>**

**Meeting ID: 848 8300 2641**

**Passcode: 660495**

**PROPOSED LOCATION(S):**

**2739 CRAIGIE AVENUE  
DECATUR, GEORGIA 30030**

Owner Name 1	Owner Name 2	Owner Address	Owner City	Owner State	Owner Zip
Adrian Joseph Speigal	Christian Alan Speigal	2776 Royal Blf	Decatur	GA	30030-5301
Alam Melissa A Conrad		730 Brown Pl	Decatur	GA	30030-3906
Alan Loehle	Nicole Liveratos	2763 Craigie Ave	Decatur	GA	30030-3926
Aldobino Braga	Melinda Scribner	2834 Royal Blf	Decatur	GA	30030-5304
Alice Irene Lioy		742 Hillmont Ave	Decatur	GA	30030-3941
Alisha O Paull	Stephen D Roberts	2782 Craigie Ave	Decatur	GA	30030-3929
Allyson C Crehan	Jonathan H Astor	2753 Craigie Ave	Decatur	GA	30030-3926
Amanda Pettus	Jeff H Dake	788 Livingstone Pl	Decatur	GA	30030-3949
Andrew Gilbert	Annie L Gilbert	2452 Shadydale Ln	Decatur	GA	30033-4824
Ann F Frazer	Susan R Kibler	740 Brown Pl	Decatur	GA	30030-3906
Anne K Kalcevic	Barry C Graham	725 Livingstone Pl	Decatur	GA	30030-3948
Anne L Sinclair		876 Wheatfields Ct	Decatur	GA	30030-5306
Anne M Kelly		2787 Craigie Ave	Decatur	GA	30030-3926
Anne Washington Saunders		748 Dalerose Ave	Decatur	GA	30030-3934
Anthony S Able		2781 Hillyer Ave	Decatur	GA	30030-3946
Arcadia Cottages LLC		1904 Monroe Dr NE	Atlanta	GA	30324-4858
Arcadia Cottages LLC		Po Box 1305	Decatur	GA	30031-1305
Ashley Gibbs Davis	Carter B Davis	118 Winnona Dr	Decatur	GA	30030-3706
Avondale 212 LLC		433 E Las Colina Blvd	Irving	TX	75039
Barbara Warner		780 Dalerose Ave	Decatur	GA	30030-3937
Basil Sullivan		915 Katie Kerr Dr	Decatur	GA	30030-4151
Ben N Moore		2729 Craigie Ave	Decatur	GA	30030-3926
Ben Skillman		773 Dalerose Ave	Decatur	GA	30030-3933
Bengt Martin Blomqvist	Jennifer Blomqvist	2866 Royal Blf	Decatur	GA	30030-5304
Berndt H Griner	Barbara C Emmanuel	776 Hillmont Ave	Decatur	GA	30030-3944
Beverly A Towns		720 Brown Pl	Decatur	GA	30030-3906
Brett T Norton	Carol Norton	2828 Royal Blf	Decatur	GA	30030-5304
Brian Pashel	Kimberly Martin	746 Hillmont Ave	Decatur	GA	30030-3941
Brian W Gonsalves	Kari A Gonsalves	861 Wheatfields Pl	Decatur	GA	30030-5309
Bryan F Barnett		762 Hillmont Ave	Decatur	GA	30030-3944
Burnette Bryan Liv Tr		760 Dalerose Ave	Decatur	GA	30030-3936
Cameron Charles Barnes		728 Dalerose Ave	Decatur	GA	30030-3971
Carmen M Benoit		751 Piedmont Ave NE	Atlanta	GA	30308-1478
Caroline Carnevale	Peter Minchella	729 Hillmont Ave	Decatur	GA	30030-3942
Cassandra Andrews	Kathy Negrelli	2772 Royal Blf	Decatur	GA	30030-5301
Catherine E Waghorn	Trevor W Waghorn	432 Blue Smoke Trl	Peachtree City	GA	30269-1264
Charles D Nickens	Gregory B Moseley	763 Brown Pl	Decatur	GA	30030-3908
Charles Day		749 Brown Pl	Decatur	GA	30030-3907
Charles Jackson Held	Elise Cyr Caruso	770 Brown Pl	Decatur	GA	30030-3909
Charlotte Marie Howard	Michael Patrick Sisbarro	884 Wheatfields Ct	Decatur	GA	30030-5306
Christopher L Engelhorn		2811 Craigie Ave	Decatur	GA	30030-3932
Christopher Ostermann	Julie D Byrd	763 Livingstone Pl	Decatur	GA	30030-3950
Chung Be S Etal Trustees		2764 Royal Blf	Decatur	GA	30030-5301
Cindy S Aber		735 Dalerose Ave	Decatur	GA	30030-3935
City Of Decatur Public Facilities		509 N McDonough St	Decatur	GA	30030-3309
Claire Elizabeth Anderson	Kelsey K Gee	843 Derrydown Way	Decatur	GA	30030-4127
Clayton Miles Anderson		870 Ashwood Walk	Decatur	GA	30030-4190
Colin Douglas Holtz	Mary Colleen Holtz	2783 Craigie Ave	Decatur	GA	30030-3926
College Avenue Investments LLC		2693 E College Ave	Decatur	GA	30030-3912



Cordell J Donofrio	Laura Margaret Kertz	2723 Craigie Ave	Decatur	GA	30030-3926
Courtney Forson	Matthew M Hobbs	723 Dalerose Ave	Decatur	GA	30030-3935
Craigie Holdings LLC		Po Box 2456	Decatur	GA	30031-2456
Crystal Barnwell		2850 Royal Blf	Decatur	GA	30030-5304
Crystal Leigh Jackson		788 Dalerose Ave	Decatur	GA	30030-3937
Curtis O Bailey	Wilhmenia Bailey	2816 Royal Blf	Decatur	GA	30030-5304
Dalerose LLC		768 Dalerose Ave	Decatur	GA	30030-3936
Dalerose Property Management LLC		729 Dalerose Ave	Decatur	GA	30030-3935
Daniel Day Tucker	Tucker Katherine Ruth Landers	722 Dalerose Ave	Decatur	GA	30030-3934
Danny Whittle	Whittle Dollie Simmons	2718 Royal Blf	Decatur	GA	30030-5301
Darya V Kishinevskaya		2794 Royal Blf	Decatur	GA	30030-5301
David E Houchins	Timothy A Sapp	2846 Royal Blf	Decatur	GA	30030-5304
David F Purdy		2758 Royal Blf	Decatur	GA	30030-5301
David Hoff		1460 Bates Ct NE	Brookhaven	GA	30319-3506
David R King	Marita Neve King	717 Dalerose Ave	Decatur	GA	30030-3935
Deborah A Donaldson		773 Brown Pl	Decatur	GA	30030-3908
Deborah K Stephenson	Melanie A Hill	733 Hillmont Ave	Decatur	GA	30030-3942
Dekalb County		1300 Commerce Dr	Decatur	GA	30030-3222
Derrydown Holdings LLC		2677 E College Ave	Decatur	GA	30030-3912
Derrydown Houses LLC		1904 Monroe Dr NE	Atlanta	GA	30324-4858
Derrydown Houses LLC		Po Box 1305	Decatur	GA	30031-1305
Derrydown Quads LLC		1904 Monroe Dr NE	Atlanta	GA	30324-4858
Dian A Shaffer		2718 Craigie Ave	Decatur	GA	30030-3927
Diane M Lacole		759 Brown Pl	Decatur	GA	30030-3908
Donna L Nelson	Michael B Nelson	2794 Ashwood Pl	Decatur	GA	30030-4193
Doris Martinez		881 Wheatfields Ct	Decatur	GA	30030-5306
Douglas Ridgeway		887 Wheatfields Ct	Decatur	GA	30030-5306
Dynamic Community LLC		1718 Peachtree St Nw Se 684	Atlanta	GA	30309
E Davis Moore		748 Brown Pl	Decatur	GA	30030-3906
Economy Victor J		1833 Smokerise Smt	Stone Mountain	GA	30087-2325
Elena Donnelly	Scott Joseph Michael	2842 Royal Blf	Decatur	GA	30030-5304
Elizabeth Anne Williams		877 Ashwood Walk	Decatur	GA	30030-4190
Elizabeth Lawes		2793 Craigie Ave	Decatur	GA	30030-3926
Elizabeth Stilwell		734 Dalerose Ave	Decatur	GA	30030-3934
Elizabeth Z Brooks	Maura L Pannier	2740 Royal Blf	Decatur	GA	30030-5301
Eric Randolph Vass		894 Wheatfields Pl	Decatur	GA	30030-5308
Erin Givens Walker		767 Dalerose Ave	Decatur	GA	30030-3933
Ernest M Eden	Martha E Frazer	764 Brown Pl	Decatur	GA	30030-3909
Ethan Tussey	Rebecca J Tussey	865 Wheatfields Pl	Decatur	GA	30030-5309
Eubert Querubin	Jennifer Querubin	785 Dalerose Ave	Decatur	GA	30030-3933
F Martin Ripley Jr		844 Derrydown Way	Decatur	GA	30030-4161
Farmer Melanie Nikole McNeely	Matthew Turner Farmer	2854 Royal Blf	Decatur	GA	30030-5304
Fatima Ali		271 Three Oaks Dr	Lawrenceville	GA	30046-6478
Fesseha Nega	Kidist Bekele	899 Wheatfields Pl	Decatur	GA	30030-5309
Galen Wynne Balster	Julie Ann Balster	857 Wheatfields Pl	Decatur	GA	30030-5309
Gareth John O Sullivan	Anna Lovisa Thorsdottir	809 Derrydown Way	Decatur	GA	30030-4127
Gary A Cooper Jr	Ashley H Degracia	2808 Royal Blf	Decatur	GA	30030-5304
George L Allen	Changyung Gim	2798 Ashwood Pl	Decatur	GA	30030-4193
Gladymyr I Perez		716 Hillmont Ave	Decatur	GA	30030-3941
Gregory L Godwin	Kathleen A Lum	831 Derrydown Way	Decatur	GA	30030-4127

Gregory Martinez		792 Livingstone Pl	Decatur	GA	30030-3949
Grove At Avondale Homeowners Assoc Inc		1465 Northside Dr NW	Atlanta	GA	30318-4212
Heather Salters		766 Livingstone Pl	Decatur	GA	30030-3949
Herbert John G		1904 Monroe Dr NE	Atlanta	GA	30324-4858
Herndon Bodfish Living Trust		2726 Craigie Ave	Decatur	GA	30030-3927
Holly Stewart Boever	Anthony David Boever	769 Brown Pl	Decatur	GA	30030-3908
Holly Stewart Boever	Anthony David Boever	785 Hillmont Ave	Decatur	GA	30030-3943
Hugh F Beasley		Po Box 3682	Decatur	GA	30031-3682
Ian Henry Pesta	Tara Johnessee Pesta	821 Derrydown Way	Decatur	GA	30030-4127
Ina T Jacobson	Michael P Law	791 Livingstone Pl	Decatur	GA	30030-3950
Jacob Vance		75 Hancock St	Cambridge	MA	02139-2232
Jacquelyn M Damico	Matthew F Damico	2758 Craigie Ave	Decatur	GA	30030-3928
James Bradley Burkett	Tonya Parkes Burkett	2748 Craigie Ave	Decatur	GA	30030-3928
James M A Rogers	Sharon Rogers	2790 Royal Blf	Decatur	GA	30030-5301
James Robert Owens	Benjamin Michael Sanzin	265 Royal Blf	Decatur	GA	30030
Janice Duncker		778 Brown Pl	Decatur	GA	30030-3909
Jared Scott Sarubbi		774 Brown Pl	Decatur	GA	30030-3909
Jason Higdon		2715 Craigie Ave	Decatur	GA	30030-3926
Jason Roberts	Givens Jennifer Roberts	2747 Craigie Ave	Decatur	GA	30030-3926
Jason S Graham	Anne D Bartolucci	740 Livingstone Pl	Decatur	GA	30030-3947
Jenice Reddick		2874 Royal Blf	Decatur	GA	30030-5304
Jennie Muhlhausen	David Muhlhausen	745 Brown Pl	Decatur	GA	30030-3907
Jennifer Finley		874 Ashwood Walk	Decatur	GA	30030-4190
Jennifer St John		868 Wheatfields Ct	Decatur	GA	30030-5306
Jeremy Merrill	Megan Merrill	2790 Ashwood Pl	Decatur	GA	30030-4193
Jian Xin Chen		873 Ashwood Walk	Decatur	GA	30030-4190
Jim Fleischhacker	Anna Fleischhacker	222 Mermaids Bight	Naples	FL	34103-3521
Joachim Bagriansky		1904 Monroe Dr NE	Atlanta	GA	30324-4858
John B Underwood	William E Underwood Jr	738 Hillmont Ave	Decatur	GA	30030-3941
John Cannon	Arnett S Oliver	2759 Craigie Ave	Decatur	GA	30030-3926
John Cooper Sweat	Puspita Patricia Intan Harya	734 Hillmont Ave	Decatur	GA	30030-3941
John F Streit IV		764 Dalerose Ave	Decatur	GA	30030-3936
John M Hinson		771 Livingstone Pl	Decatur	GA	30030-3950
John Ohrenberger	Lily Ohrenberger	784 Livingstone Pl	Decatur	GA	30030-3949
Jon Claussen	Brandy Claussen	803 Derrydown Way	Decatur	GA	30030-4127
Jordan Elliott Bradley	Audrey Martha Gailey	872 Ashfield Dr	Decatur	GA	30030-5313
Joseph C Gargiulo		Po Box 33623	Decatur	GA	30033-0623
Joseph D Hottel	Molly Hottel	787 Livingstone Pl	Decatur	GA	30030-3950
Joseph H Todd	Ximena Castro Todd	872 Wheatfields Ct	Decatur	GA	30030-5306
Joshua Russell	Kathryn Pratt Russell	882 Wheatfields Pl	Decatur	GA	30030-5308
Juan Aggio	Jolie Luba	2762 Craigie Ave	Decatur	GA	30030-3928
Juliana Souki		2735 Royal Blf	Decatur	GA	30030-5312
Julie K Hale		767 Hillmont Ave	Decatur	GA	30030-3943
Kaitlin Baker Proctor	John Ryan Proctor	861 Ashfield Dr	Decatur	GA	30030-5314
Kara Laine Barrett		784 Brown Pl	Decatur	GA	30030-3909
Karen A Rosen		869 Wheatfields Ct	Decatur	GA	30030-5306
Karen M Hirsch		865 Ashfield Dr	Decatur	GA	30030-5314
Kari Ann Kemnitz		726 Brown Pl	Decatur	GA	30030-3906
Katelyn Merrihew	Thomas Merrihew	866 Wheatfields Pl	Decatur	GA	30030-5308
Katherine F Shrader		736 Brown Pl	Decatur	GA	30030-3906

Katherine Ostrom	Rebecca Weaver	780 Livingstone Pl	Decatur	GA	30030-3949
Katherine Turner Hoffman	Nicholas Ian Hoffman	885 Wheatfields Ct	Decatur	GA	30030-5306
Kathleen Martin		2870 Royal Blf	Decatur	GA	30030-5304
Kathleen O Rinehart	Debra J Keys	2798 Royal Blf	Decatur	GA	30030-5301
Kayla Elizabeth Brown	Ryan Brown	777 Brown Pl	Decatur	GA	30030-3908
Keith M Johnson		759 Livingstone Pl	Decatur	GA	30030-3950
Kenneth Hicks	Alyce Millicent Hicks	2809 Royal Blf	Decatur	GA	30030-5305
Kevin J Foster	William D Casler	741 Hillmont Ave	Decatur	GA	30030-3942
Kilgore Family Rev Liv Tr		749 Dalerose Ave	Decatur	GA	30030-3935
Kristi L Hanna	Mason Bumgarner	739 Livingstone Pl	Decatur	GA	30030-3948
Kristopher D Cochran	Kate Cochran	879 Wheatfields Pl	Decatur	GA	30030-5309
Larry G Conley		2786 Royal Blf	Decatur	GA	30030-5301
Laura C Schwin		898 Wheatfields Pl	Decatur	GA	30030-5308
Laura Ostapiej	Alex Ostapiej	757 Dalerose Ave	Decatur	GA	30030-3933
Lawrence McClellan Jr		878 Wheatfields Pl	Decatur	GA	30030-5308
Lbs Holdings LLC		2677 E College Ave	Decatur	GA	30030-3912
Leo Ferguson Jr	Sharron K Ferguson	827 Derrydown Way	Decatur	GA	30030-4127
Lewis R Cooley	Leonora Grant	747 Livingstone Pl	Decatur	GA	30030-3948
Linda J Frederick		868 Ashfield Dr	Decatur	GA	30030-5313
Lorraine P Mills		2736 Royal Blf	Decatur	GA	30030-5301
Lu Hsi Tseng McCoy		789 Hillmont Ave	Decatur	GA	30030-3943
Luther R Moore		874 Wheatfields Pl	Decatur	GA	30030-5308
Lydia Soleil	David Soleil	864 Wheatfields Ct	Decatur	GA	30030-5306
Lynn R Sims		2882 Royal Blf	Decatur	GA	30030-5304
Madeleine P Patrick		744 Brown Pl	Decatur	GA	30030-3906
Mandy Mitchell North		3395 Rowan Rd SW	Conyers	GA	30094-3450
Margaret Lee Paschal		717 Hillmont Ave	Decatur	GA	30030-3942
Mariam G Nassery		870 Wheatfields Pl	Decatur	GA	30030-5308
Marie Herbert		1828 Christopher Dr	Conyers	GA	30094-2734
Marilyn P Cooper		1065 Windsor Place Cir	Grayson	GA	30017-4915
Marta		3424 Peachtree Rd NE	Atlanta	GA	30326-1118
Mary C Psaila		730 Hillmont Ave	Decatur	GA	30030-3941
Mary E Paguaga	Frances C Cohen	735 Brown Pl	Decatur	GA	30030-3907
Mary Jobson		2743 Zoar Ave	Decatur	GA	30030-3957
Mary Primiano		2782 Royal Blf	Decatur	GA	30030-5301
Matthew Brennan Garber	Erin Alissa Bach	777 Hillmont Ave	Decatur	GA	30030-3943
Matthew D Gaymon	Cassandra M Gaymon	2746 Royal Blf	Decatur	GA	30030-5301
Maxwell B Davenport	Brian J Davenport	733 Livingstone Pl	Decatur	GA	30030-3948
Melanie G Burrows		895 Wheatfields Pl	Decatur	GA	30030-5309
Merriam Avenue Ventures LLC		675 Seminole Ave NE Ste 301	Atlanta	GA	30307-3414
Michael J Thompson		737 Hillmont Ave	Decatur	GA	30030-3942
Michael V Brown	Kathryn D Huber	768 Dalerose Ave	Decatur	GA	30030-3936
Michele Ritan		836 Derrydown Way	Decatur	GA	30030-4161
Mithun Manivannan	Palak Bawa	784 Hillmont Ave	Decatur	GA	30030-3944
Nate Hybl	Justine Vadini Hybl	770 Livingstone Pl	Decatur	GA	30030-3949
Nathan P Edge	Mackenzie R Mann	758 Hillmont Ave	Decatur	GA	30030-3944
Nicholas A Snyder	Jenna B Snyder	2707 Craigie Ave	Decatur	GA	30030-3926
Nicholas Nonneman	Megan Skelley	2729 Royal Blf	Decatur	GA	30030-5312
Nicole Kautter	Brad Fink	766 Hillmont Ave	Decatur	GA	30030-3944
Norman David Hulme		2747 Zoar Ave	Decatur	GA	30030-3957

Olivia Kathryn Devitt		2773 Craigie Ave	Decatur	GA	30030-3926
Opal Yates Ousley		2726 Royal Blf	Decatur	GA	30030-5301
Opendoor Property Trust I		410 N Scottsdale Rd Ste 1600	Tempe	AZ	85288-0976
Patricia A Kerner		754 Hillmont Ave	Decatur	GA	30030-3944
Paul A Jones		888 Wheatfields Ct	Decatur	GA	30030-5306
Paul Richard Cinquepalmi Jr	Dannie Scott Meeker	864 Ashfield Dr	Decatur	GA	30030-5313
Paula Ann Musselman	Lynne C Hardy	860 Ashfield Dr	Decatur	GA	30030-5313
Ratel Terez Gyarmati		774 Livingstone Pl	Decatur	GA	30030-3949
Raylynn Hughes	Jon Ludwig	756 Dalerose Ave	Decatur	GA	30030-3936
Rebecca T Sherman	Stephen C Sherman	889 Wheatfields Pl	Decatur	GA	30030-5309
Rhoen C Carlson		755 Hillmont Ave	Decatur	GA	30030-3943
Richard Kelly James		862 Wheatfields Pl	Decatur	GA	30030-5308
Riley Kenneth Shanahan		783 Livingstone Pl	Decatur	GA	30030-3950
Robert Martin Nurse		762 Livingstone Pl	Decatur	GA	30030-3949
Roger D McCurley Sr	Tina R McCurley	2777 Craigie Ave	Decatur	GA	30030-3926
Ronald E Borden		2802 Ashwood Pl	Decatur	GA	30030-4198
Russell C Brookshire		814 Derrydown Way	Decatur	GA	30030-4161
Ryan Delehanty		880 Wheatfields Ct	Decatur	GA	30030-5306
Ryan Duncan		2123 Stone Hollow Ct	Marietta	GA	30062-6357
Ryan P Soule	Ashley C Soule	736 Dalerose Ave	Decatur	GA	30030-3934
Ryan T Winter		780 Hillmont Ave	Decatur	GA	30030-3944
Saliena Guzman	Jason Guzman	747 Hillmont Ave	Decatur	GA	30030-3942
Sally Dijkerman	Brad Johnson	871 Ashfield Dr	Decatur	GA	30030-5314
Sally Elizabeth Barr	G Gail Douglas	775 Livingstone Pl	Decatur	GA	30030-3950
Sarah Elizabeth Smith		739 Dalerose Ave	Decatur	GA	30030-3935
Savitri D Singh		2765 Royal Blf	Decatur	GA	30030-5302
Scott Dumais		783 Brown Pl	Decatur	GA	30030-3908
Scott P Gibbons	Amy S Gibbons	802 Derrydown Way	Decatur	GA	30030-4161
Seaboard Properties LLC		Po Box 1305	Decatur	GA	30031-1305
Sean Samuel Reagin	Jade Yang	772 Hillmont Ave	Decatur	GA	30030-3944
Shelby Lyn Speegle	Joseph William Pohana	2822 Royal Blf	Decatur	GA	30030-5304
Simona Platukyte	Scott Butckovitz	2802 Royal Blf	Decatur	GA	30030-5304
Sonya Linkthun	Lupe Linkthun	2717 Royal Blf	Decatur	GA	30030-5312
Steven Alford	Natalie K Alford	2803 Craigie Ave	Decatur	GA	30030-3932
Steven H Thiel	Mary B Weber	777 Dalerose Ave	Decatur	GA	30030-3933
Steven L Walkup	Nicolette M Dutken	2878 Royal Blf	Decatur	GA	30030-5304
Steven M Wohl	Judith F Wohl	2759 Royal Blf	Decatur	GA	30030-5302
Susan Billie Lauren		2776 Craigie Ave	Decatur	GA	30030-3929
Susan C Casey		525 Hardendorf Ave NE	Atlanta	GA	30307-1715
Susan D Harrison		858 Wheatfields Pl	Decatur	GA	30030-5308
Talley Columbia LLC		Po Box 1305	Decatur	GA	30031-1305
Tara M Vogt		758 Livingstone Pl	Decatur	GA	30030-3949
Tbr Sfr Atl Owner 1 Lp		9200 E Hampton Dr	Capitol Heights	MD	20743-3820
Teresa M Sims		2807 Craigie Ave	Decatur	GA	30030-3932
Terry L Boswell	Maxine M Boswell	873 Wheatfields Pl	Decatur	GA	30030-5309
Thomas J Mazzolini		2739 Craigie Ave	Decatur	GA	30030-3926
Thomas L Tucker		2768 Royal Blf	Decatur	GA	30030-5301
Timothy T Scantlin	Jennifer Scantlin	2722 Royal Blf	Decatur	GA	30030-5301
Tomina Jean Schwenke		748 Livingstone Pl	Decatur	GA	30030-3947
Tracy L Oosterman		886 Wheatfields Pl	Decatur	GA	30030-5308

Trucks Duane Hudson		2744 Craigie Ave	Decatur	GA	30030-3928
Tyler Ott	Dana Hernandez	729 Brown Pl	Decatur	GA	30030-3907
Uri Wurtzel	Heidi Meredith Glick	2753 Zoar Ave	Decatur	GA	30030-3957
Vand Group LLC		240 Glen Lake Dr	Atlanta	GA	30327-4818
Vi Thanh Nguyen	Ky Quan J Nguyen	2729 E College Ave	Decatur	GA	30030-3917
Ward W Hobbs	Lisa A Boyd	725 Brown Pl	Decatur	GA	30030-3907
Waymon Shaw	Margeret C Shaw	755 Brown Pl	Decatur	GA	30030-3908
William Delia Jr Jr		2732 Royal Blf	Decatur	GA	30030-5301
William G Cote	Barbara J Siens-Cote	2824 Royal Blf	Decatur	GA	30030-5304
William M Tuck III		2812 Royal Blf	Decatur	GA	30030-5304
Yudit Jung		2754 Royal Blf	Decatur	GA	30030-5301
Zachary Koffler	Luka Anic	2719 Craigie Ave	Decatur	GA	30030-3926
James J Wells		Po Box 767352	Roswell	GA	30076-7352

**Community Meeting for  
2739 Craigie Avenue  
August 31, 2022 – 6:30PM  
Sign In Sheet**

<a href="#">kara barrett</a>	karabarrett@comcast.net	Aug 31, 2022 07:14 PM
<a href="#">TR</a>	tr@me.com	Aug 31, 2022 06:39 PM
<a href="#">Crystal Jackson</a>	crystal.jackson23@gmail.com	Aug 31, 2022 06:36 PM
<a href="#">Mike Law</a>	mlaw@leveragelearning.net	Aug 31, 2022 06:35 PM
<a href="#">Mike Law</a>	mikelaw2010@gmail.com	Aug 31, 2022 06:29 PM
<a href="#">Jennifer Roberts</a>	jpgroberts@bellsouth.net	Aug 31, 2022 06:28 PM
<a href="#">Joshua Mahoney</a>	jsm@battlelawpc.com	Aug 31, 2022 06:27 PM
<a href="#">Ina Jacobson</a>	ljacob2@emory.edu	Aug 31, 2022 06:12 PM
<a href="#">tony able</a>	abletony@aol.com	Aug 31, 2022 05:52 PM
<a href="#">Thomas Mazzolini</a>	tmolini@msn.com	Aug 31, 2022 05:38 PM
<a href="#">Kara Barrett</a>	karalaine47@gmail.com	Aug 31, 2022 07:16 PM
<a href="#">Madeleine Patrick</a>	madeleine.p.patrick@gmail.com	Aug 22, 2022 09:34 AM

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

Yes ☒ 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 to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary

Signature of Applicant /Date

Check one: Owner ☐ Agent ☒

Expiration Date/ Seal

May 04, 2024




\*Notary seal not needed if answer is "no".

Campaign Contribution Disclosure Statements  
Last Updated 6/17/2022

**CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT**

Pursuant to the provisions of 36 O.C.G.A. 67(A), please find below a list of those contributions made by Michèle L Battle or Battle Law, P.C. in the past two years, aggregating \$250.00 or more, to local government officials who will consider this application.

NAME OF GOV'T OFFICIAL	OFFICIAL POSITION	AMOUNT OF CONTRIBUTION
Ted Terry	Commissioner	\$500
Mereda Davis Johnson	Commissioner	\$250
Lorraine Cochran-Johnson	Commissioner	\$750

By:   
Printed Name: Michele L Battle





# Battle Law

## STATEMENT OF INTENT

and

Other Material Required by  
DeKalb County Zoning Ordinance  
For  
A Rezoning from  
R-75 to R-60

of

**TOM MAZZOLINI**  
**c/o Battle Law, P.C.**

for

**+/-0.42 Acres of Land**  
Being 2739 Craigie Avenue  
DeKalb County, Georgia and  
Parcel Nos. 15 248 09 015

Submitted for Applicant by:

Michèle L. Battle, Esq.  
Battle Law, P.C.  
Habersham at Northlake, Building J, Suite 100  
Tucker, Georgia 300384  
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# Battle Law

## **I. LETTER OF INTENT**

Tom Mazzolini (the “Applicant”) is seeking to develop on +/- 0.42 acres of land being Tax Parcel No. 15 248 09 015 having frontage on 2739 Craigie Avenue (the “Subject Property”) with a single family detached home. The Applicant intends to rezone the Subject Property and then split the parcel into two lots, the new lot being the Eastern portion of the existing parcel. The Applicant is seeking a Rezoning of the Subject Property from R-75 to R-60. This document serves as a statement of intent, analysis of the criteria under the DeKalb County Zoning Ordinance and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

## **II. DEKALB COUNTY REZONING CRITERIA**

### *A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;*

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The future land use designation of the property is Traditional Neighborhood, which specifically permits “single-family homes” and the R-60 zoning district. According to the Comprehensive Plan the intent of the Traditional Neighborhood Character Area is “to preserve the style and appeal of older traditional neighborhood communities...they have...small, regular lots, and buildings closer to the front property line.”

Not only does this zoning proposal preserve the style and appeal of the surrounding neighborhood by proposing to build a home based on the design of the surrounding home, the proposal helps to bring the existing parcel closer to the size of the other parcels while also creating a new parcel that is right in line with the size and shape of the other existing parcels. The Subject Property is much larger than the surrounding parcels at 175 feet wide. The nearby parcels range from fifty-five (55) feet wide, to seventy (70) feet wide. The zoning proposal would reduce the width of the Subject Property from 175 feet wide to 115 feet wide and create a new parcel that is sixty (60) feet wide. The new sixty (60) foot wide lot would qualify as a “small, regular” lot and the home to be built upon it would mirror the features of the surrounding homes, thereby preserving the character of the neighborhood.

Therefore, the zoning proposal is in conformity with the policy and intent of the Comprehensive 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;*

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The zoning proposal will allow for one single-family detached home to be built. The surrounding properties are developed with single-family detached homes as well. Presently the Subject Property is developed with a single-family detached home. The



## Battle Law

zoning proposal simply creates another, smaller, lot and adds another single-family detached home. Therefore, the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

*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 Subject Property is currently developed with a single-family detached home. The proposal seeks to split the lot to create a new one and develop that with a single-family detached home. Due to the existing development on the Subject Property, this goal cannot be achieved under the existing R-75 zoning district because creating a seventy-five (75) foot wide lot would create a property line that encompasses some of the existing buildings on the Subject Property. However, a sixty (60) foot wide lot can avoid that issue and is much closer in size to the other parcels nearby. Therefore, while the property to be affected by the zoning proposal has a reasonable economic use as currently zoned, the zoning proposal allows for a better use of the Subject Property.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The adjacent and nearby properties are all single-family detached homes. The zoning proposal simply adds another home into that already residential environment. The new home would not affect the surrounding homes any more than the existing homes affect each other now. Therefore, the zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties.

*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 Applicant is not aware of any other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

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

The zoning proposal will not adversely affecting historic buildings, sites, districts, or archaeological resources. The Subject Property is not located in any historic district and there are no historic sites, buildings, or any archaeological resources on the Subject Property that the Applicant is aware of. Therefore, the zoning proposal will not adversely affecting historic buildings, sites, districts, or archaeological resources.



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*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;*

The zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The zoning proposal allows only for one single-family detached home. Under no circumstances could that use cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

The zoning proposal will not adversely impact the environment or surrounding natural resources.

### **III. CONCLUSION**

For the foregoing reasons, the Applicant hereby requests that the application for a Rezoning from/to R-75 to R-60 be approved. The Applicant welcomes any questions and feedback from the planning staff.

### **IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONTITUTIONAL RIGHTS**

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.



## Battle Law

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights 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 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any REZONING of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or Rezoning in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or Rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

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Michele L. Battle, Esq.  
Attorney for the Applicant

**DESCRIPTION OF**  
**2739 Craigie Avenue**

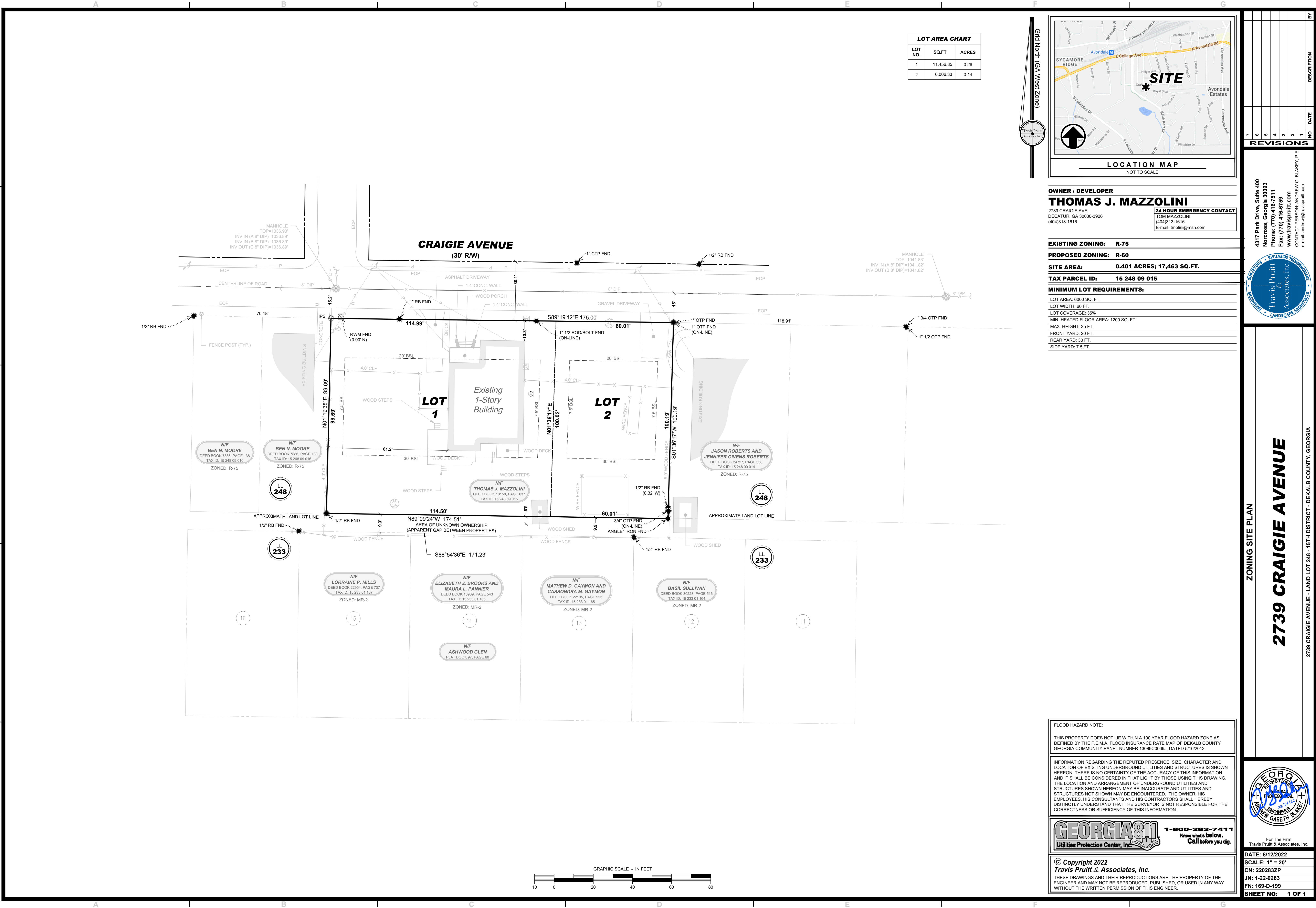
All that tract or parcel of land lying and being in Land Lot 248 of the 15th District, Dekalb County, Georgia and being more particularly described as follows:

**COMMENCING** at the intersection of the Northerly right of way line of Craigie Avenue (30' R/W) and the Easterly right of way line of Dalerose Avenue (30' R/W); **THENCE** proceeding along a tie line South 32 degrees 55 minutes 04 seconds West a distance of 35.55 feet to an iron pin set on the Southerly right of way line of Craigie Avenue (30' R/W), said point being the **TRUE POINT OF BEGINNING.**

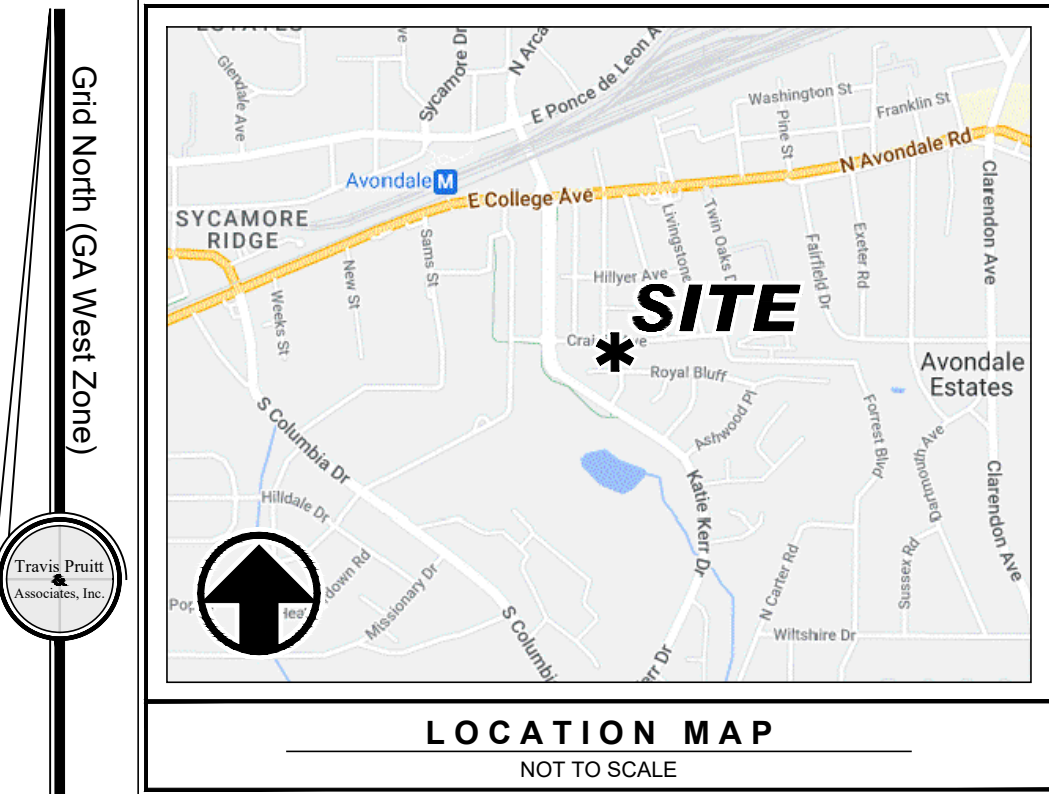
**THENCE** from said **TRUE POINT OF BEGINNING** continuing along the Southerly right of way line of Craigie Avenue (30' R/W), South 89 degrees 19 minutes 12 seconds East a distance of 175.00 feet to a 1" open top pipe found; **THENCE** leaving the Southerly right of way line of Craigie Avenue (30' R/W) and proceeding South 01 degrees 36 minutes 17 seconds West a distance of 100.19 feet to a 1" angle iron found; **THENCE** North 89 degrees 09 minutes 24 seconds West a distance of 174.51 feet to a ½" rebar found; **THENCE** North 01 degrees 19 minutes 38 seconds East a distance of 99.69 feet to an iron pin set on the Southerly right of way line of Craigie Avenue (30' R/W), said point being the **TRUE POINT OF BEGINNING.**

Said tract contains 17,463 square feet or 0.401 acres.





LOT AREA CHART		
LOT NO.	SQ.FT	ACRES
1	11,456.85	0.26
2	6,006.33	0.14



**OWNER / DEVELOPER**  
**THOMAS J. MAZZOLINI**  
2739 CRAIGIE AVE  
DECATUR, GA 30030-3926  
(404)313-1616

**24 HOUR EMERGENCY CONTACT**  
TOM MAZZOLINI  
(404)313-1616  
E-mail: tmmoln@msn.com

<b>EXISTING ZONING:</b>	<b>R-75</b>
<b>PROPOSED ZONING:</b>	<b>R-60</b>
<b>SITE AREA:</b>	<b>0.401 ACRES; 17,463 SQ.FT.</b>
<b>TAX PARCEL ID:</b>	<b>15 248 09 015</b>
<b>MINIMUM LOT REQUIREMENTS:</b>	
LOT AREA: 6000 SQ. FT.	
LOT WIDTH: 60 FT.	
LOT COVERAGE: 35%	
MIN. HEATED FLOOR AREA: 1200 SQ. FT.	
MAX. HEIGHT: 35 FT.	
FRONT YARD: 20 FT.	
REAR YARD: 30 FT.	
SIDE YARD: 7.5 FT.	

4317 Park Drive, Suite 400  
Norcross, Georgia 30093  
Phone: (770) 416-7511  
Fax: (770) 416-6759  
www.travispruit.com  
CONTACT PERSON: ANDREW G. BLAKEY, P.E.  
E-mail: andrew@travispruit.com



**ZONING SITE PLAN**  
**2739 CRAIGIE AVENUE**

2739 CRAIGIE AVENUE - LAND LOT 248 - 15TH DISTRICT - DEKALB COUNTY, GEORGIA

**FLOOD HAZARD NOTE:**

THIS PROPERTY DOES NOT LIE WITHIN A 100 YEAR FLOOD HAZARD ZONE AS DEFINED BY THE F.E.M.A. FLOOD INSURANCE RATE MAP OF DEKALB COUNTY, GEORGIA COMMUNITY PANEL NUMBER 13089C0069J, DATED 5/10/2013.

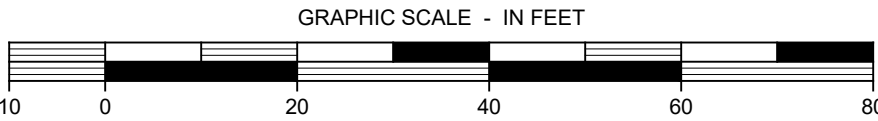
INFORMATION REGARDING THE REPUTED PRESENCE, SIZE, CHARACTER AND LOCATION OF EXISTING UNDERGROUND UTILITIES AND STRUCTURES IS SHOWN HEREON. THERE IS NO CERTAINTY OF THE ACCURACY OF THIS INFORMATION, AND IT SHALL BE CONSIDERED IN THAT LIGHT BY THOSE USING THIS DRAWING. THE LOCATION AND ARRANGEMENT OF UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON MAY BE INACCURATE AND UTILITIES AND STRUCTURES NOT SHOWN MAY BE ENCOUNTERED. THE OWNER, HIS EMPLOYEES, HIS CONSULTANTS AND HIS CONTRACTORS SHALL HEREBY DISTINCTLY UNDERSTAND THAT THE SURVEYOR IS NOT RESPONSIBLE FOR THE CORRECTNESS OR SUFFICIENCY OF THIS INFORMATION.

**GEORGIA811**  
Utilities Protection Center, Inc.  
1-800-282-7411  
Know what's below.  
Call before you dig.

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**FOR THE FIRM**  
**Travis Pruitt & Associates, Inc.**

**DATE:** 8/12/2022  
**SCALE:** 1" = 20'  
**CN:** 220283ZP  
**JN:** 1-22-0283  
**FN:** 169-D-199  
**SHEET NO:** 1 OF 1





THIS BOX RESERVED FOR  
THE CLERK OF THE SUPERIOR COURT

#### LEGEND

	MAILBOX
	FLAG POLE
	IRON PIN FOUND (AS NOTED)
	IRON PIN SET (1/2" REBAR W/ CAP) (IPS)
	RIGHT OF WAY MONUMENT (RWM)
	LOT NUMBER
	NOW OR FORMERLY
	RIGHT OF WAY
	FOUND
	REBAR
	CRIMP TOP PIPE
	OPEN TOP PIPE
	EDGE OF PAVEMENT
	CONCRETE
	SIDEWALK
	CHAINLINK FENCE
	LIGHT STAND
	AC UNIT
	POWER POLE
	DUCTILE IRON PIPE
	SANITARY SEWER MANHOLE
	CLEAN OUT
	GAS METER
	WATER METER
	WATER VALVE
	FENCE LINE
	SANITARY SEWER LINE
	OVERHEAD POWER

#### Tree Legend

HO	HOLLY TREE
OA	OAK TREE

