

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Applicant Name: DR Horton c/o Battle Law PC

Applicant Email Address: cag@battlelawpc.com ; mlb@battlelawpc.com

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

Applicant Phone Number: 404-601-7616

Owner Name: DR Horton Crown LLC

(If more than one owner, attach list of owners.)

Owner Email Address: mlb@battlelawpc.com

Owner Mailing Address: 1371 Dogwood Dr, Conyers, GA 30012

Owner Phone Number: 770-876-1671

Subject Property Address: 8277 Norris Lake Way

Parcel ID Number(s): 16 228 01 007

Acreage: 113.54 Commission District(s): 5 Super District: 7

Existing Zoning District(s): R-85 Proposed Zoning District(s): RNC

Existing Land Use Designation(s): Subur Proposed Land Use Designation(s): n/a (if applicable)

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

Owner: X Agent: _____

[Signature]
Signature of Applicant:

Zoning Meeting

A new project is proposed near you...

Please join Battle Law for a Community Meeting to discuss this project and what it means for the community. To register please use the QR code below.

If you would like the information emailed to you, please send an email to projects@battlelawpc.com to request the information.



*Virtual Registration Link

8277_Norris_Lake_Way_Snellville__GA_30039_500_Feet

OWNERNME1	PSTLADDRESS
MARTIN MARIETTA MATERIALS	4123 PARKLAKE AVE
DEKALB COUNTY	1300 COMMERCE DR
LOPEZ EVANGELINA	8318 NORRIS LAKE WAY
ANDERSON SYBIL YVONNE	8368 NORRIS LAKE WAY
CERVANTES PEREZ SERGIO A	8329 NORRIS LAKE WAY
D R HORTON INC	1371 DOGWOOD DR SW
BROWN LEE	8278 NORRIS LAKE WAY
FEDORYUK LYUDMILA I	8288 NORRIS LAKE WAY
WRIGHT ANTHONY	8298 NORRIS LAKE WAY
ROJO MENDEZ ZENAIDO CERVANTES ROJO L TAN	4308 NORRIS LAKE WAY
FANFAN ROSE MACULA	8633 SECRETARIAT DR
WILLIAMS JOHNETTA	8631 SECRETARIAT DR
ROBINSON KENDRA DANIELLE	8629 SECRETARIAT DR
RENNALLS BRITTANY MARTINQUE	8627 SECRETARIAT DR
SIMMONS ANNETTA	8625 SECRETARIAT DR
PRICKETT TAMARA CHERON	8623 SECRETARIAT DR
STARKS SCIOSCIA R	8590 PREAKNESS PASS
HAMILTON NEKOLA CAVER	8592 PREAKNESS PASS
JOYNER JASON ALAN	8594 PREAKNESS PASS
JARVIS ROBERT DAY	8596 PREAKNESS PASS
DANIEL EMERLY NAOMI ABBOT	8598 PREAKNESS PASS
BLANCHARD MELVYN D	8600 PREAKNESS PASS
CROCKETT TONIA G	8602 PREAKNESS PASS
JONES BRYSON DENARD	8604 PREAKNESS PASS
MACK JADA ARIEL	8606 PREAKNESS PASS
MACK WILHELMENA RANSOM	8608 PREAKNESS PASS
CARTER LAQUINTA NICOLE	8610 PREAKNESS PASS
STRACHAN CASANDRA L	8612 PREAKNESS PASS
BUBB DENISE TERESA	8626 SECRETARIAT DR
ATLANTA TRANSPORTATION SYSTEMS INC	2211 CASCADE RD
GRANDISON TERRY	8630 SECRETARIAT DR
SAINTE KETSIA	8632 SECRETARIAT DR
DAVY CRYSTAL	8611 PREAKNESS PASS
DRUMMOND CAMILLE ELYSSE	8609 PREAKNESS PASS
MCDANIEL YOLANDA ROCHELLE	8607 PREAKNESS PASS
ALESSOU MESSAN PAULIN	8605 PREAKNESS PASS
NGWENYA RUSSELL MDUDUZI	8603 PREAKNESS PASS
THOMAS ELCOCK CANDACE R	8601 PREAKNESS PASS
CALDWELL PORTIA RENEE	8599 PREAKNESS PASS
DOBSON TANECIA ANTONETTE	8597 PREAKNESS PASS
LESPERANCE MEGHAN ELIZABETH	8595 PREAKNESS PASS
NICHOLS SAMUEL GEORGE	8591 PREAKNESS PASS
WILLIAMS ROMONA	8589 PREAKNESS PASS
JONES NICKY DAMONE	8588 SEABISCUIT RD
ROZIER MAYA JAVELLE	8590 SEABISCUIT RD
SMITH DONNA WAY	8592 SEABISCUIT RD
INGRAM SONYA GENETTE	8594 SEABISCUIT RD
THOMAS AMINA	8596 SEABISCUIT RD
NEMOEDE OLIVIA R	8598 SEABISCUIT RD
MCDOWELL ABRAHAM LINCOLN	8600 SEABISCUIT RD
OGLE JACQUELINE N	8602 SEABISCUIT RD
SUMTER IMANI RAYVEON RUTH	8604 SEABISCUIT RD

8277_Norris_Lake_Way_Snellville__GA_30039_500_Feet

ADAMS COURTNEY ALYSE	8606 SEABISCUIT RD
LYLES NORMAN EDWARD TRUST	8601 SEABISCUIT RD
YEMI MIREILLE	8599 SEABISCUIT RD
PETERS ALFONZA	8597 SEABISCUIT RD
BROWN JAMEL ANTONIO	8595 SEABISCUIT RD
PYNE RAYON	8593 SEABISCUIT RD
D R HORTON CROWN LLC	8200 ROBERTS DR # 100
HOWARD MICHAEL E	8358 NORRIS LAKE WAY
COURSEY JERRY LEE	8464 NORRIS LAKE WAY
THOMAS MELVIN	8440 NORRIS LAKE WAY
LUCAS EPHRAIM	1613 FLAT ROCK
BREWER APRIL A	8402 NORRIS LAKE WAY
DAFFRON DAVID	8328 NORRIS LAKE WAY
LORD SHARLENCIA	8338 NORRIS LAKE WAY
PALMER NOEL A	8348 NORRIS LAKE WAY
NORRIS LANDING LOT CO LLC	P O BOX 128
ADAMS HOMES AEC LLC	100 W GARDEN ST
DURHAL JACQUELYN	1691 NORRIS LANDING DR
ANDERSON ALEXANDER A	2070 YOUNG RD
CORNERSTONE BUILDING VENTURES LLC	2330 SCENIC HWY STE 217
DEKALB COUNTY	4380 MEMORIAL DR # 100
PORTILLO EDUARDO	1635 NORRIS LAKE DR
BINAL OF DEKALB LLC	1493 AMBERHILL AVE
LAND KING INVESTMENT PROPERTIES LLC	8401 NORRIS LAKE WAY
TOVAR RUIZ VILA	1659 NORRIS LAKE DR
8431 NORRIS LAKE WAY LAND TRUST	8401 NORRIS LAKE WAY
JONES RAYNELLE S	2844 MIDDLESEX CT SW
CHRISTIE EVADNE LIVING TRUST	2922 W 75TH ST
FALCHER LLEWELLYN	1966 PITTSTON FARM RD
SUBRAMANIAN BASKAR	3066 MONTCLAIR CIR SE
ROBLERO REYNERI FAVIOLA ORDONEZ	2919 MARLIN DR
ANDERSON ALEXANDER AKA	PO BOX 1618
YORK JERRY L	8800 PLEASANT HILL RD
RICE KEVIN	1604 NORRIS LAKE DR
YORK JERRY	8800 PLEASANT HILL RD

PSTLCITY__PSTLSTATE__PSTLZIP5

RALEIGH , NC 27612

DECATUR , GA 30030

SNELLVILLE , GA 30039

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CONYERS , GA 30012

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SNELLVILLE , GA 30039
CONYERS , GA 30094
SNELLVILLE , GA 30039
LITHONIA , GA 30058
SNELLVILLE , GA 30039
LITHONIA , GA 30058
VILLA RICA , GA 30180
PENSACOLA , FL 32502
SNELLVILLE , GA 30039
LITHONIA , GA 30058
SNELLVILLE , GA 30078
DECATUR , GA 30032
SNELLVILLE , GA 30039
GRAYSON , GA 30017
SNELLVILLE , GA 30039
ATLANTA , GA 30339
SNELLVILLE , GA 30039
SNELLVILLE , GA 30078
LOS ANGELES , CA 90043
LITHONIA , GA 30058
SMYRNA , GA 30080
CHAMBLEE , GA 30351
LOGANVILLE , GA 30052
LITHONIA , GA 30058
SNELLVILLE , GA 30039
LITHONIA , GA 30058



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STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance
For
A Rezoning to
Residential Neighborhood Conservation (RNC)

of

D.R. Horton
c/o Battle Law, P.C.

for

+/- 106.76 acres
Being 8277 Norris Lake Way
Tax Parcel No. 16 228 01 007

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com



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I. LETTER OF INTENT

D.R. Horton (the “Applicant”) is the owner of 8277 Norris Lake, a +/- 106.76 acre tract of land being Tax Parcel No. 16 228 01 00 (the “Subject Property”). The Applicant is seeking to rezone the Subject Property from R-85 to RNC for the development of 214 single-family detached conservation subdivision, which will be Phases 3 and 4 of the adjacent Champions Runs Subdivision. The Applicant is seeking approval of the RNC Zoning District subject to zoning conditions that are similar to the fourteen (14) zoning conditions approved for Phases 1 and 2 of the Champion’s Run (CZ-18-1235046), a copy of which are included with this submission.

This document serves as a statement of intent, analysis of the criteria under DeKalb County Zoning standards, and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. IMPACT ANALYSIS

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

The Residential Neighborhood Classification Zoning Designation of this particular property complies with the policy and intent of the Comprehensive Plan. The Subject Property’s Future Land Use is Suburban, which allows for the RNC designation. Additionally, under the Suburban designation, the goal of all new development is to instill features into the community that it currently lacks. The Subject Property is currently an oddly shaped parcel surrounded by other residences. It includes access to the Yellow River, and the Site Plan is orientated in a way to preserve access to the river as well as contiguous green space shared by the neighborhood. The Comprehensive Plan looks to spur new residential development due to immense pressures caused by the Housing Crisis plaguing most of the country.

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



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This rezoning would fit properly within the adjacent neighbors and community. The Subject Property abuts another development by the Applicant who has designed the site plan to integrate with the other neighborhood. The large tract allows for acceptable buffers and other environmental factors to mitigate any externalities felt by those neighbors. Finally, the property fronts the Yellow River, which naturally creates a transitional zone to any other developments on the opposite side.

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

The Subject Property has no reasonable economic use as currently zoned. The Subject Property is an irregularly shaped parcel with several creek branches running through it which make development difficult. Requiring 12,000 sq. ft. lots on the site would result in having to place portions of the environmentally sensitive areas without individual lots which could have a negative impact on the sensitive areas.

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

The proposed rezoning would not adversely affect the existing usability of adjacent or nearby properties as the site plan designates extensive borders around the Subject Property and all infrastructure will be customized and built out specifically to carry the load of all new structures. Additionally, the Applicant is currently developing the property to the south of the Subject Property and intends on carrying it out in a way that integrates among each other.

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.

Currently, the Subject Property is only suited to carry a residential designation. Furthermore, due to the topography, shape, and other natural features of the property, it would be difficult to develop larger lots and maintain the intention of the Comprehensive Plan. By allowing RNC, the Board of Commissioners would enable growth in the housing stock at a more economical price, that also keeps all open space and other greenspace goals set out in the Comprehensive Plan.



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

The Subject Property is currently undeveloped. No improvements or historical features exist that development could harm. The site does contain natural features the Applicant not only intends to include in the design but would provide an asset for the community and the surrounding residents.

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.

Due to the residential nature of the proposed use, there will be an increase in the burden on streets, schools, and utilities, however, all will be made up through the creation of individual parcels and associated gains in property tax revenue. The Applicant intends on building out the entirety of the infrastructure internally, and only tapping into the existing network of utilities and transportation. Currently the surrounding properties are a combination of large and small lots. The extensive road network connecting to major thoroughfares has the capability of carrying more traffic. This area provides an opportunity to create more housing for the growing county, while mitigating the strain on existing roadways experiencing extensive travel.

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

The Applicant intends to utilize the natural features as a draw for prospective homeowners and completely orient the design to accentuate them. Improvements such as houses and other residential requirements will occupy the property, the intentional site plan mitigates all effects while balancing the need for new housing. RNC bars development that ignores the conservation element of developing a large tract which the Applicant understands and appreciates. Through the process of rezoning, the Applicant is open to all suggestions to better comply with the intention of all zoning ordinances regarding the environment or surrounding natural resources.



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III. CONCLUSION

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

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL 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.

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



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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 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 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 DeKalb 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.

Michele L. Battle, Esq.
Attorney for the Applicant

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 filling 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.

T. Lester
Notary

[Signature] 10/20/2025
Signature of Applicant /Date
Check one: Owner _____ Agent X

T. Lester
NOTARY PUBLIC
Henry County, Georgia
My Commission Expires 12/15/2028

Expiration Date/ Seal

*Notary seal not needed if answer is "No".



DeKalb County
GEORGIA

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

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Notary

Signature of Applicant /Date

Check one: Owner _____ Agent XX



Expiration Date/Seal

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

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: 10/20/2025

TO WHOM IT MAY CONCERN:

I/WE: D.R. Horton Crown, LLC

Name of Owner(s)

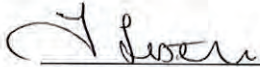
being owner(s) of the subject property described below or attached hereby delegate authority to:

Battle Law, P.C.

Name of Agent or Representative

to file an application on my/our behalf.

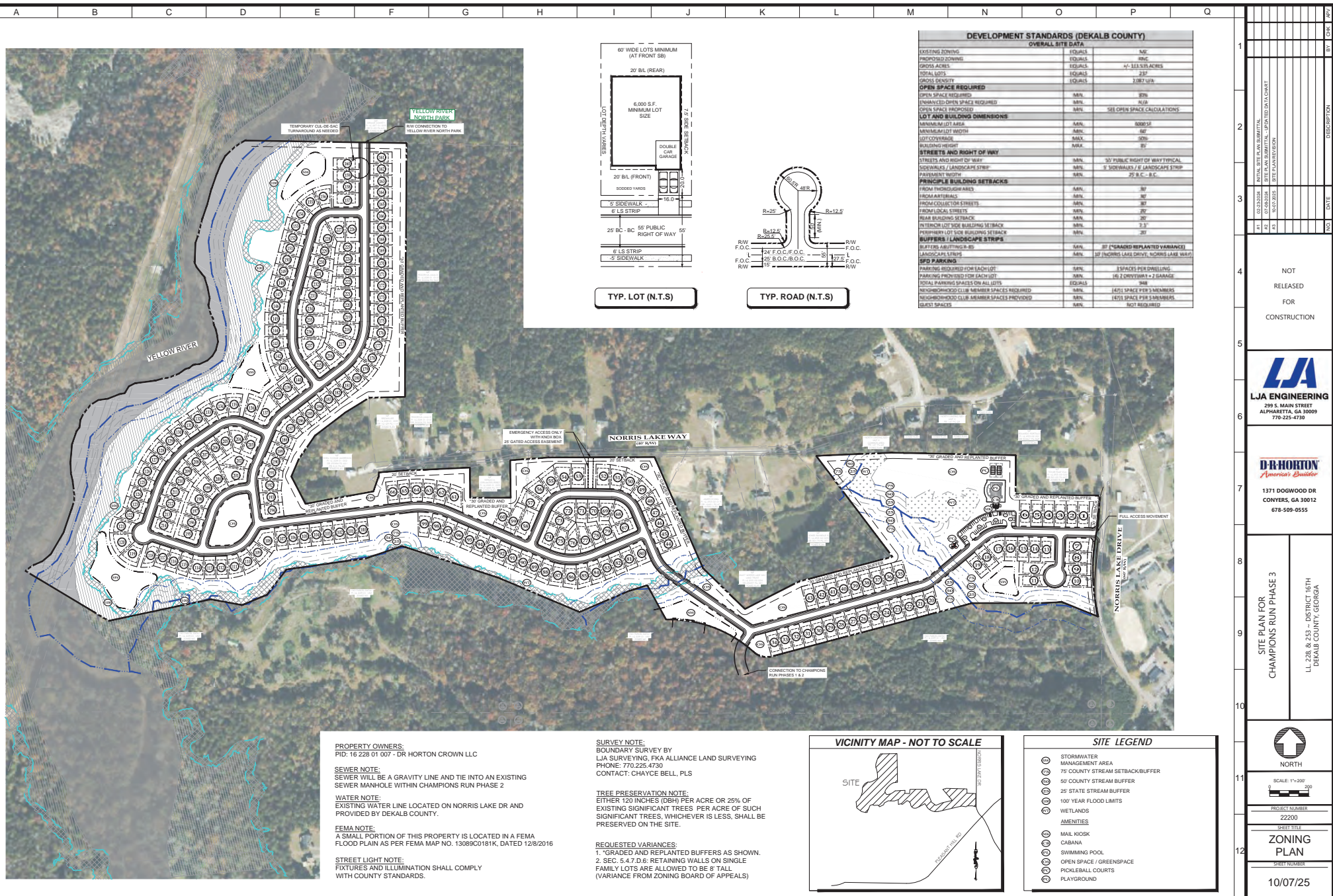
T. Lester
NOTARY PUBLIC
Henry County, Georgia
My Commission Expires 12/15/2028



Notary Public



Owner













DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

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(s) Name: _____

Phone: _____ Email: _____

Property Address: _____

Tax Parcel ID: _____ Comm. District(s): _____ Acreage: _____

Existing Use: _____ Proposed Use: _____

Supplemental Regs: _____ Overlay District: _____

Rezoning: Yes No Existing Zoning: _____ Proposed Zoning: _____

DRI: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes No Existing Land Use: _____

Proposed Land Use: _____ Consistent _____ Inconsistent _____

Special Land Use Permit: Yes No Article Number(s) 27- _____

Special Land Use Request(s): _____

Major Modification: Yes No Existing Zoning Conditions: _____

Major Modification Request: _____

Condition(s) to be modified: _____

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Calendar Dates: CC: _____

PC: _____ BOC: _____

Letter of Intent: _____ Impact Analysis: _____ Owner Authorization(s): _____ Campaign Disclosure: _____

Public Notice, Signs: _____ Tree Survey, Conservation (if applicable): _____

Submittal Format:

ONE (1) COMBINED, PDF DOCUMENT UPLOAD via OUR ONLINE PORTAL.

Site Plan Checklist, if applicable:

- | | | |
|---|---|------------------------|
| * Density | * Frontage | * Sidewalks |
| * Density Bonuses | * Street Width | * Fencing/Walls |
| * Mix of Uses | * Landscape Strips | * Building Height |
| * Open Space | * Parking - Auto | * Building Separation |
| * Enhanced Open Space | * Parking – Bicycle | * Building Orientation |
| * Pedestrian Plan | * Screening | * Streetscapes |
| * Lot Size | * Perimeter Landscapes | * Garages |
| * Setbacks: front, sides, side corner, rear | * Bldg Materials: Roof, Fenestration, Façade Design | |

Possible Variances: _____

Comments: _____

Planner: _____ Date: _____