

**Rezoning Application to Amend the Official Zoning Map
of DeKalb County, Georgia**Applicant Name: Sunlight Leaf, LLC c/o Battle Law PCApplicant Email Address: cag@battlelawpc.comApplicant Mailing Address: 3562 Habersham at Northlake Rd, Building J, Suite 100
Tucker, GA 30084Applicant Phone Number: 678-424-0387Owner Name: Sunlight Leaf, LLC

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

Owner Email Address: ██████████Owner Mailing Address: ██████████
██████████Owner Phone Number: ██████████Subject Property Address: 1437 & 1453 South Indian Creek DriveStone Mountain, GAParcel ID Number(s): 15 222 03 014 & 15 222 03 033Acreage: 5.53 Commission District(s): 5 Super District: 7Existing Zoning District(s): R-75 Proposed Zoning District(s): R-60Existing Land Use Designation(s): SUB 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: Henry K Agent: ██████████Henry K
Signature of Applicant:

Name (original name)	Email	Total duration (minutes)	Guest
Colleen Mac Nulty	[REDACTED]	48	Yes
Kelly Mauldin	[REDACTED]	47	Yes
Jessie's Notetaker (Otter.ai)	[REDACTED]	2	Yes
Lenora Spruce	[REDACTED]	23	Yes
Carita Boyer	[REDACTED]	58	Yes
K D	[REDACTED]	22	Yes
Josh Mahoney	[REDACTED]	67	No
Gerald Boyer	[REDACTED]	50	Yes
Cassie Yin	[REDACTED]	44	Yes



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STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance
For

A Rezoning from R-75 to R-60 to Allow
Thirty (30) Single-Family Detached Cottage Homes

of

**Sunlight Leaf, LLC
c/o Battle Law, P.C.**

for

+/-5.53 Acres of Land
Being 1437 and 1453 South Indian Creek Drive
DeKalb County, Georgia and
Parcel Nos. 15 222 03 014 and 15 222 03 033

Submitted for Applicant by:

Michèle L. Battle, Esq.
Joshua S. Mahoney, 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
jsm@battlelawpc.com



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I. LETTER OF INTENT

Sunlight Leaf, LLC (the “Applicant”) is seeking a rezoning from R-75 to R-60 to develop on +/- 5.53 acres of land being tax parcel numbers 15 222 03 014 and 15 222 03 033 having frontage on 1437 and 1453 South Indian Creek Drive (the “Subject Property”) with thirty (30) cottage homes.

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

II. DEKALB COUNTY REZONING CRITERIA

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

The Subject Property has a future land use designation of Suburban, which specifically allows for the R-60 zoning district. The R-60 district is a residential district that advances the vision of the Suburban land use designation. Cottage homes are specifically allowed in the R-60 district. So, by extension, cottage home developments advance the DeKalb County Comprehensive Plan’s vision when they are in the Suburban land use designation. Therefore, the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

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

The Subject Property is surrounded by other residential uses. Specifically, the Subject Property is surrounded by other single-family detached homes. The zoning proposal for cottage homes still provides single-family detached homes, but in a form factor that helps to address the housing shortage and with a unique layout. Therefore, the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

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

The Subject Property does not have a reasonable economic use as currently zoned.

- 4. 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. Some community members have expressed concern about the state of the creek to the south of the Subject Property and how this development might contribute to ongoing erosion. This proposal should help the ongoing erosion by mitigating stormwater runoff by grading the site and building stormwater detention into the included greenspaces. The stormwater detention facilities will collect stormwater from the newly constructed impervious surfaces rather than



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allowing it to flow freely across the site to the creek as it does today. This change will reduce the erosion resulting from stormwater runoff coming from the Subject Property today.

5. *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 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.

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

The zoning proposal will not adversely affect historic buildings. The Subject Property is not within a historic district or site. The Applicant is not aware of any archaeological resources on the Subject Property.

7. *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; and*

The zoning proposal will not result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

The zoning proposal will not adversely impact the environment or surrounding natural resources. This zoning proposal does not seek to encroach into or reduce the stream buffer to the south of the Subject Property. Furthermore, the stormwater detention facilities will help to mitigate impacts from stormwater runoff from the newly constructed impervious surfaces.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning from R-75 to R-60 to allow thirty (30) single-family detached cottage homes 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



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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 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 question 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.



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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.

Michele L. Battle, Esq.
Attorney for the Applicant

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: 7/10/2025

TO WHOM IT MAY CONCERN:

I/WE: Sunlight Leaf, LLC

Hong Ye

Name of Owner(s)

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

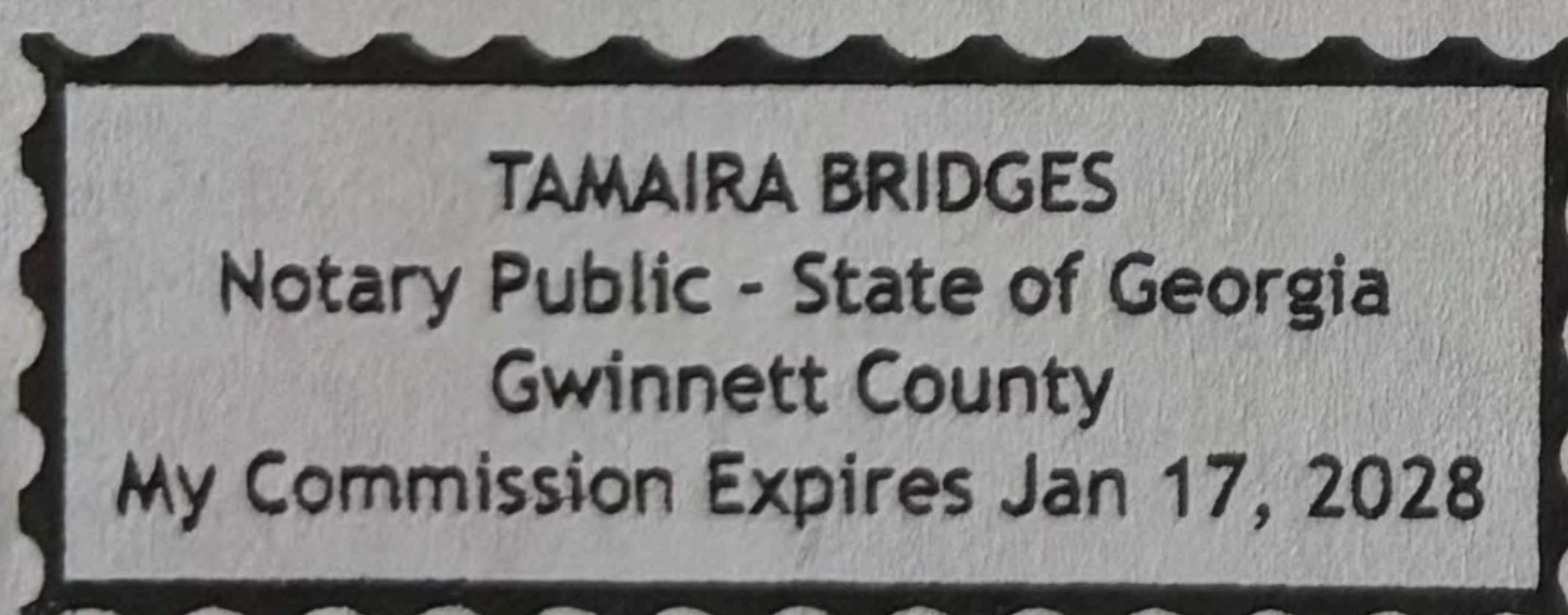
Battle Law, P.C.

Name of Agent or Representative

to file an application on my/our behalf.

Tamairah Bridges
Notary Public

Hong Ye
Owner



DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

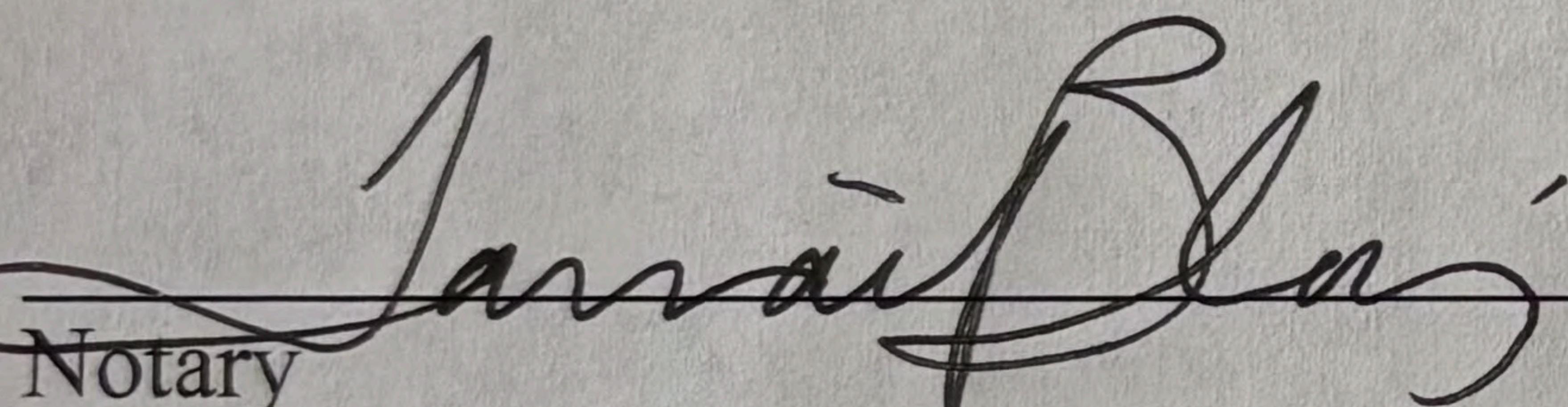
Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

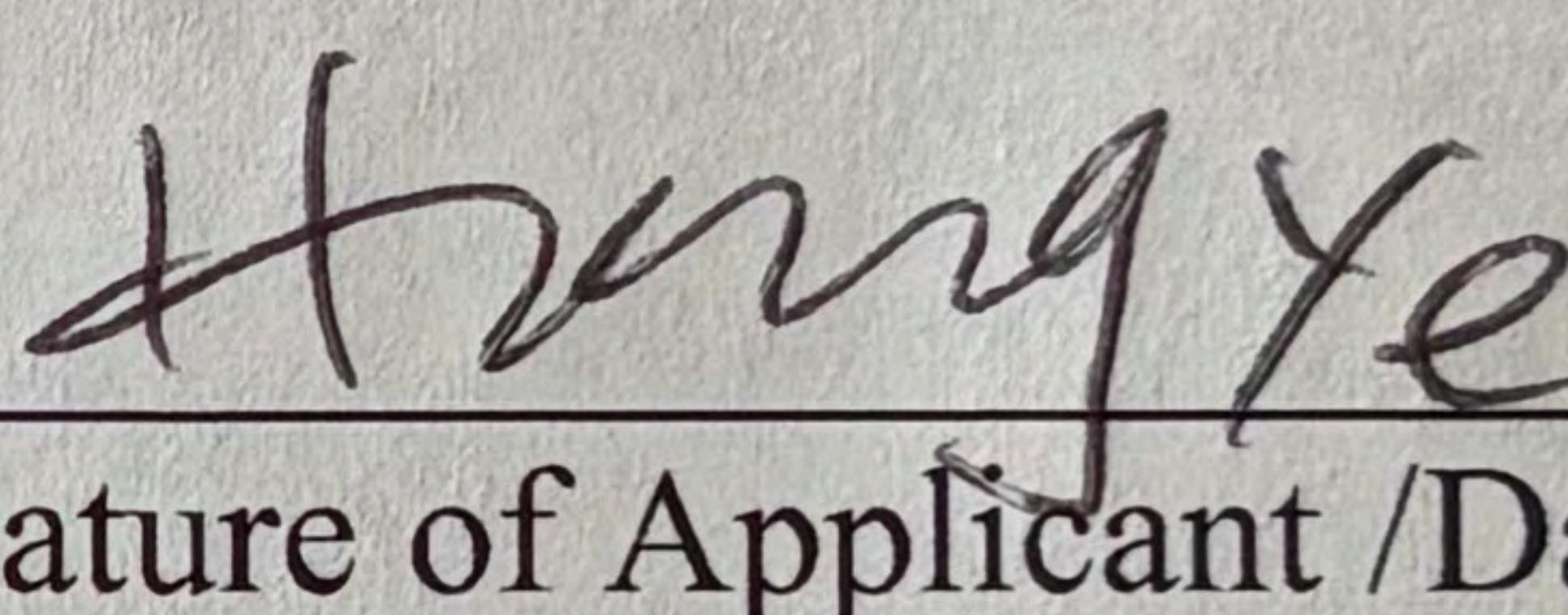
Yes: ✓ No: _____ *

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

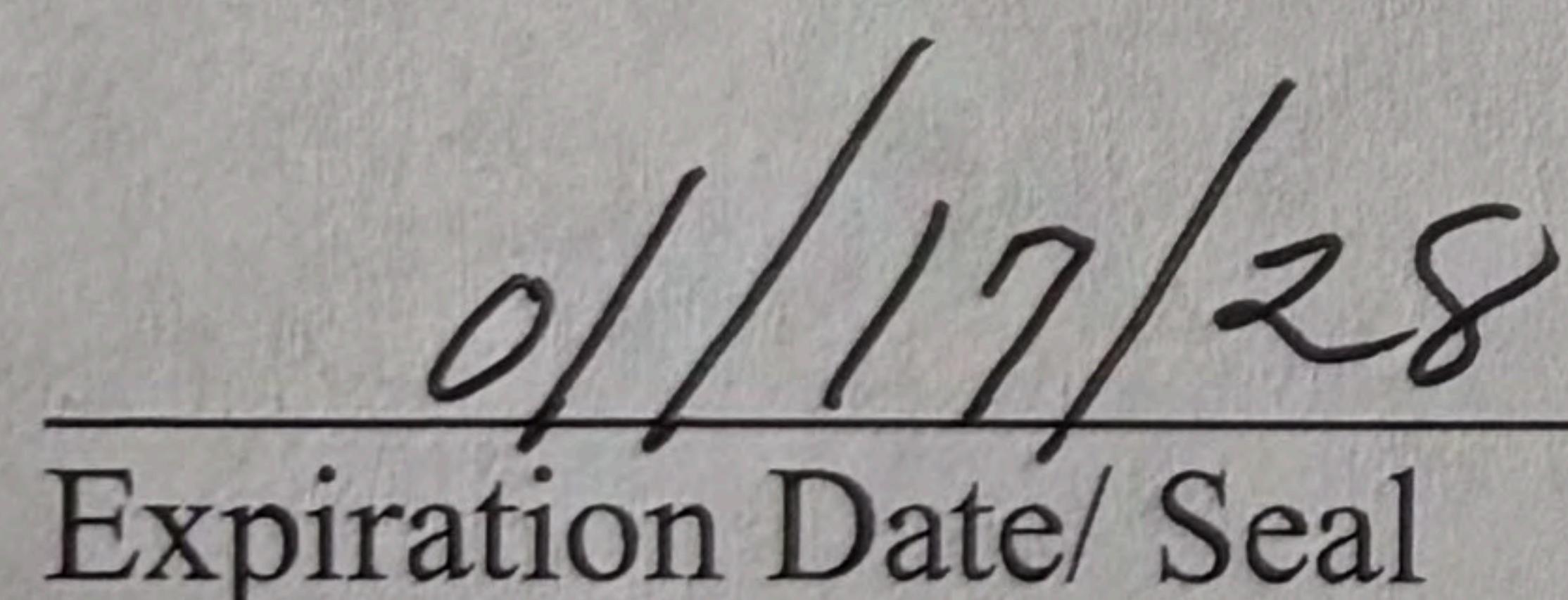
1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

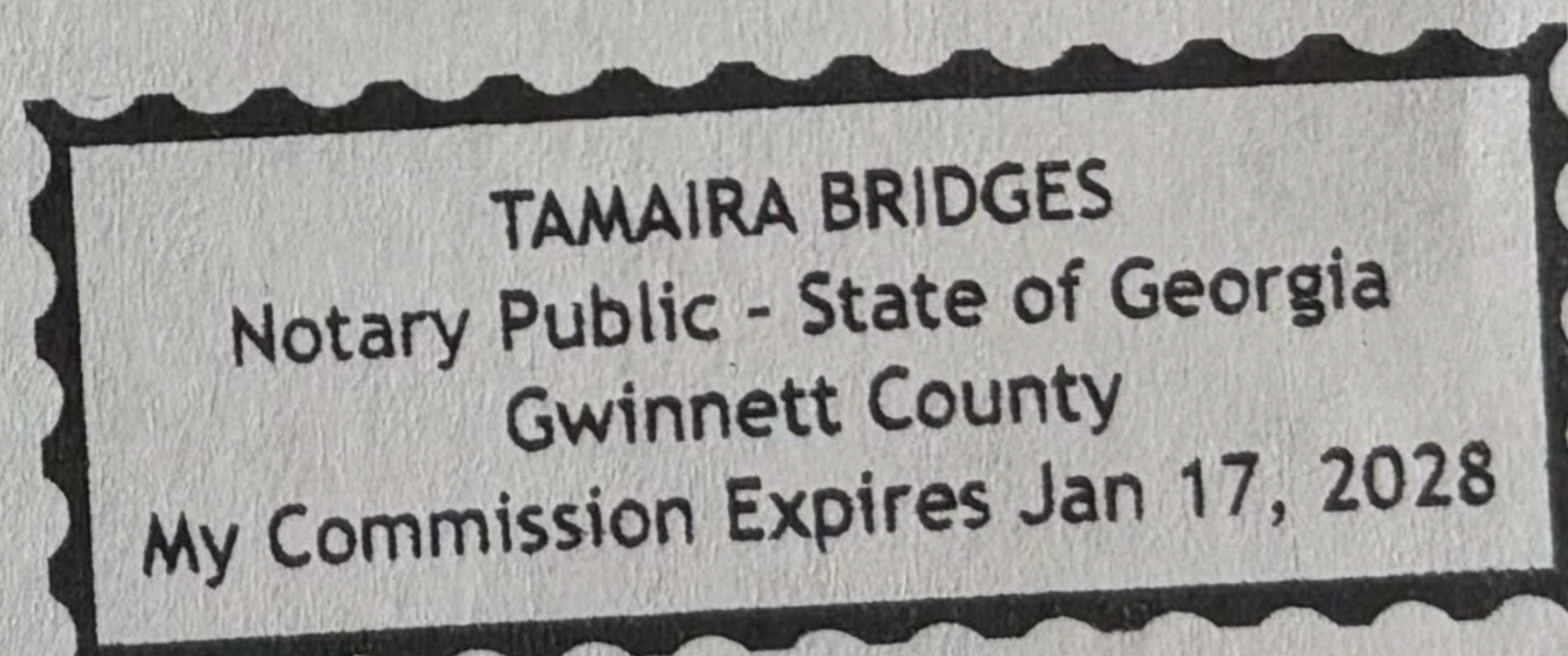
The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.


Notary


Signature of Applicant /Date

Check one: Owner ✓ Agent _____


01/17/28
Expiration Date/ Seal



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



DeKalb County
GEOGRAPHIA

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 filling of this application?

Yes **XX** 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 **XX**



Expiration Date/ Seal

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

The field data upon which this plat is based has a closure precision of one foot in 15,000 feet and an angular error of 0.37 seconds per angle point and was adjusted using the Compass Rule. This plat has been calculated for closure and is found to be accurate within one foot in 100,000 feet.

Equipment used: Topcon GTS-213 Total Station.

FLOOD HAZARD STATEMENT

A PORTION OF THIS PROPERTY IS IN A FLOOD HAZARD AREA AS PER THE FIRM FLOOD HAZARD MAP OF DEKALB COUNTY, GEORGIA, COMMUNITY PANEL NUMBER 13089C 0088J, DATED 05/16/13

ZONING INFORMATION:

CLASSIFICATION: R-75
SETBACKS: FRONT - 30 FEET
SIDE - 7.5 FEET
REAR - 40 FEET

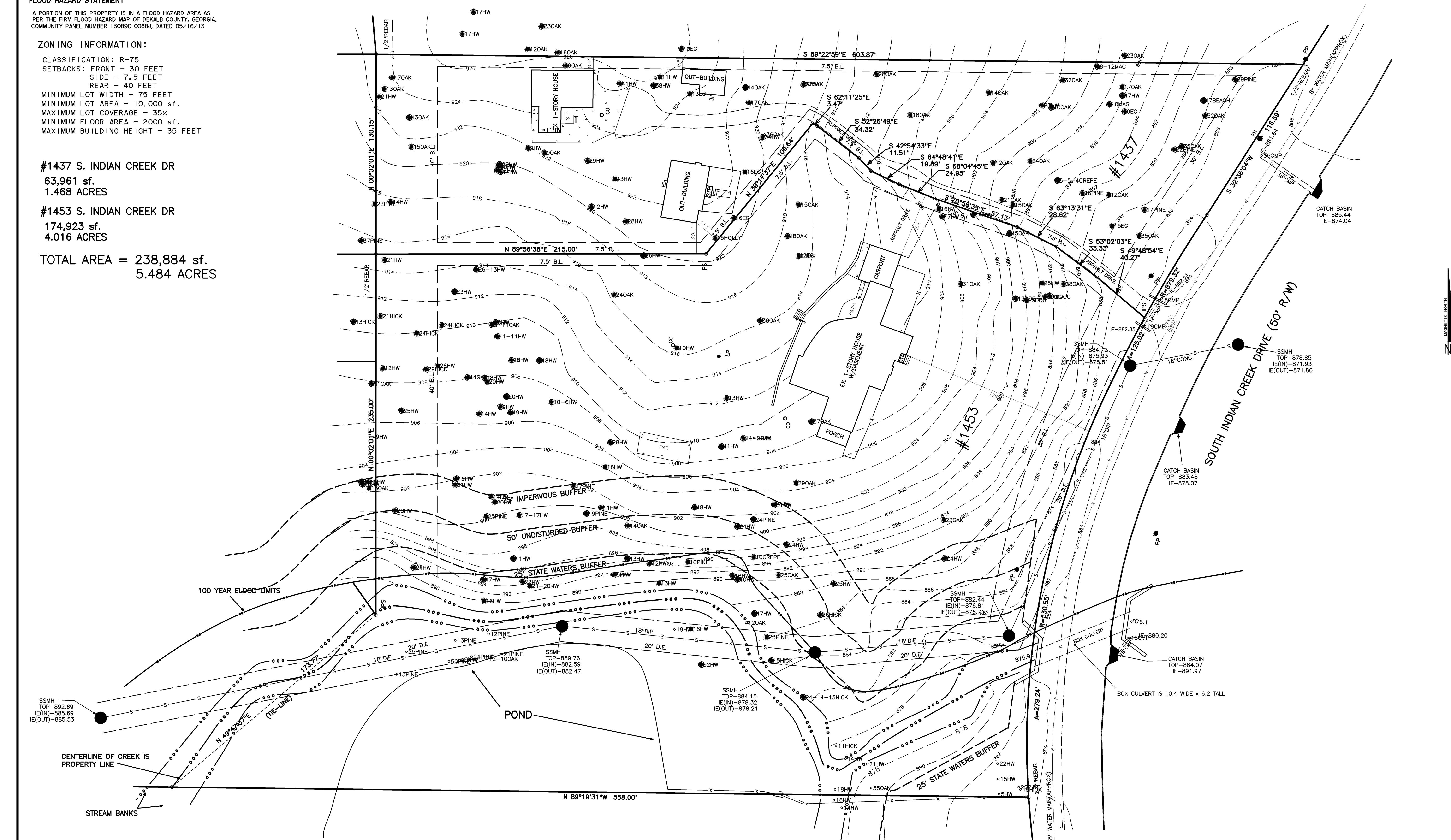
MINIMUM LOT WIDTH - 75 FEET
MINIMUM LOT AREA - 10,000 sf.
MAXIMUM LOT COVERAGE - 35%
MINIMUM FLOOR AREA - 2000 sf.
MAXIMUM BUILDING HEIGHT - 35 FEET

#1437 S. INDIAN CREEK DR
63,961 sf.
1.468 ACRES

#1453 S. INDIAN CREEK DR
174,923 sf.
4.016 ACRES

TOTAL AREA = 238,884 sf.
5.484 ACRES

LEGEND
IPF = 1/2" REBAR FOUND
IPS = 1/2" REBAR PIN SET
LLL = LAND LOT LINE
P.L. = PROPERTY LINE
CL = CENTERLINE
BL = BUILDING LINE
R/W = RIGHT OF WAY
S.S.E. = SANITARY SEWER EASEMENT
D.E. = DRAINAGE EASEMENT
MH = MANHOLE
C.B. = CATCH BASIN
UB = USE BOX
HW = HEADWALL
D.I. = DROP INLET
PP = POWER/UTILITY POLE
F.H. = FIRE HYDRANT
I.E. = INVERT ELEVATION
F.F.E. = FINISHED FLOOR ELEVATION
F.F.B. = FINISHED FLOOR BASEMENT
F.F.G. = FINISHED FLOOR GARAGE
BOC = BACK OF CURE
ED = END OF PAMENT
N/F = NOW OR FORMERLY
P.O.B. = POINT OF BEGINNING
SS = SANITARY SEWER LINE/PIPE
X-X-X = FLOOD HAZARD ZONE LINE
O = FLOOD SEWER LINE/PIPE
W = WATER LINE
G = GAS LINE
CM = CONCRETE MONUMENT
C.E. = CONCRETE EASEMENT
C&G = CURB AND GUTTER
LS = LIGHT STANDARD
OTP = OPEN TOP PIPE
CTP = CRIMP TOP PIPE FOUND



AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

RR
ROBERT W. RICHARDSON, GA RLS #3419
DATE: 08/28/2013



30 0 30 60 90
GRAPHIC SCALE - FEET

ALPHA LAND SERVICES
P.O. BOX 1651
LOGANVILLE, GA 30052
ENGINEERING & LAND SURVEYING
OFF: 770.696.4054 EMAIL: ROBERT@ALPHASURVEYOR.COM
REVISION: 08/18/25 08/28/25
LAND LOT: 1222 DISTRICT: 15TH SUB: BLOCK:
DRAFT: DEKALB COUNTY
FIELD DATE: 07/01/25 PLAT DATE: 07/15/25 AREA: 5.484 ACRES
REF. PLAT: PB. P. JOB No.: 25-06-306

Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

Return to:
Wagner Law Group, LLC
2801 Buford Highway, Suite 480
Brookhaven, GA 39329
File No.: 2400108

Parcel #15 222 0304 WARRANTY DEED

STATE OF GEORGIA
COUNTY OF DEKALB

THIS INDENTURE, made this the 28th day of June, 2024, between

YUAN LONG

of the County of DEKALB, and State of California, as party or parties of the first part, hereinafter called Grantor,
and

SUNLIGHT LEAF LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include
their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00) AND
OTHER GOOD AND VALUABLE CONSIDERATION**, in hand paid at and before the sealing and delivery of these
presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and
confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 222 of the 15th District of DeKalb County, Georgia and
being shown as Tract Two on a plat of property of Sherry H. Slater by McClung Surveying Services, Inc. dated
12-12-2002 and last revised 3-4-2003 and being more fully described as follows:

To reach the point of beginning, start at the center line intersection of Chedworth Way (50' R/W) and South Indian Creek Drive (R/W varies); Thence running Northerly along the said centerline of South Indian Creek Drive a
distance of 614.11 feet to a point; Thence leaving the said centerline of said South Indian Creek Road and running
North 89 degrees 19 minutes 31 seconds West a distance of 31.05 feet to a point on the Westerly right-of-way of
said South Indian Creek Drive; Thence running the following course and distances along the said and
Northwesterly right-of-way of said South Indian Creek Drive; following the arc of a curve to the right an arc
distance of 278.54 feet (said arc having a radius of 550.55 feet, a chord bearing of North 11 degrees, 24 minutes
48 seconds East and a chord distance of 275.58 feet) to a point, following the arc of a curve to the right an arc
distance of 47.00 feet (said arc having a radius of 1,070.08 feet, a chord bearing of North 27 degrees, 09 minutes
55 seconds East and a chord distance of 46.99 feet) to a point on a proposed property line at the Southeast corner
of tract two and the point of beginning; Thence from the point of beginning and leaving the said Northerly
right-of-way of said South Indian Creek Drive and running the following courses and distances along proposed
property lines; North 49 degrees, 44 minutes 36 seconds West a distance of 40.27 feet to a point; North 52
degrees, 57 minutes 45 seconds West a distance of 33.33 feet to a point; North 63 degrees, 09 minutes 13
seconds West a distance of 28.62 feet to a point; North 70 degrees, 55 minutes 17 seconds West a distance of
57.13 feet to a point; North 68 degrees, 00 minutes 27 seconds West a distance of 24.95 feet to a point; North 64
degrees, 44 minutes 23 seconds West a distance of 19.89 feet to a point; North 42 degrees, 50 minutes 15
seconds West a distance of 11.51 feet to a point; North 52 degrees, 22 minutes 31 seconds West a distance of
34.32 feet to a point; North 62 degrees, 07 minutes 07 seconds West a distance of 3.47 feet to a point; South 39
degrees, 21 minutes 55 seconds West a distance of 109.64 feet to a point; North 89 degrees, 59 minutes 04
seconds West a distance of 215.00 feet to a rebar found located at the Southwest corner of tract two; Thence
leaving said proposed property lines and running North 00 degrees 00 minutes 56 seconds East a distance of
130.04 feet to a rebar found located at the Northwest corner of tract two; Thence running South 89 degrees 22
minutes 58 seconds East a distance of 603.01 feet to a rebar found located on the said Northwest right-of-way of
said South Indian Creek Drive and the Northeast corner of tract of tract two; Thence running South 32 degrees 36
minutes 04 seconds West along the said Northwest right-of-way of said South Indian Creek Drive a distance of
116.59 feet to a point; Thence following the arc of a curve to the left and continuing along the said Northwest
right-of-way of said South Indian Creek Drive and arc distance of 78.02 feet (said arc having a radius of 1,070.08
feet, a chord bearing of South 30 degrees 30 minutes 45 seconds West and a chord distance of 78.00 feet) to said
point located at the said Southeast corner of tract two and the point of beginning.

Said tract or parcel of land containing 1.47 acres or 174,240 square feet, said tract or parcel of land also
containing One (1) story concrete block residence designated as 1437-B South Indian Creek Drive, in the County
of DeKalb, Georgia as per the present numbering system of DeKalb County, Georgia.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said
described property.

SITE NOTES:

- THE SITE CONTAINS: 238,884 SQ.FT = 5.48 ACRES
- TOTAL DISTURBED ACREAGE: TBA
- SITE ADDRESS: 1437 S. INDIAN CREEK DRIVE, STONE MOUNTAIN, GA 30035
- SURVEY INFORMATION TAKEN FROM SURVEYS PERFORMED BY ALPHA LAND SERVICES, DATED 7/15/25
- HORIZONTAL DATUM IS NAD83 GEORGIA GRID WEST ZONE. VERTICAL DATUM IS NAVD88.
- PART OF THIS SITE IS LOCATED WITHIN A ZONE [A, AE, SHADED ZONE X] AS DEFINED BY F.I.R.M. COMMUNITY PANEL NUMBER 13089CC0088 J DATED MAY 16, 2013 FOR DEKALB COUNTY, GEORGIA.
- THERE ARE EXISTING EASEMENTS, STATE WATER BUFFERS, STREAM BUFFERS OR FLOODPLAIN BUFFER THAT APPLY TO THIS PROPERTY.
- ANY CONSERVATION AREAS WILL BE RECORDED AT THE DEKALB COUNTY COURTHOUSE IN PERPETUITY WITH THE Affected PROPERTIES.

ZONING CONFORMANCE:

CURRENT ZONING:	R-75
PROPOSED ZONING:	R-60 - COTTAGE HOME DEVELOPMENT
DENSITY UNITS/ACRE:	PROPOSED DENSITY: 30 UNITS/5.48 ACRE = 5.47 UNITS/AC
PROPOSED NUMBER OF LOTS:	30
MINIMUM OPEN SPACE:	20% (MIN)
PROVIDED OPEN SPACE:	72.3%
BUILDING SETBACKS	
FRONT SETBACK	20 FT
SIDE SETBACK	10 FT
REAR SETBACK	10 FEET

POST LOT COVERAGE:

ASPHALT DRIVES	25,212 FT ²
CONCRETE PAVEMENT	1,145 FT ²
HOUSES (15X1500)	29,115 FT ²
PAVILION	576 FT ²
TOTAL IMPERVIOUS AREA	56,048 FT²
TOTAL SITE AREA	238,884 FT ²
TOTAL COVERAGE	23.46%
PERVIOUS PAVEMENT	9,945 FT ²

OPEN SPACE REQUIRED: 20% OF TOTAL SITE = 47,778 FT²
OPEN SPACE PROVIDED: 92,989 FT² (38.9%)

PARKING COUNT

2 SPACES @ CARPORTS FOR UNITS 1 THRU 9 =	18
ADA SPACES	= 3
STANDARD SPACES	= 31
TOTAL PARKING SPACES PROVIDED	= 52 SPACES

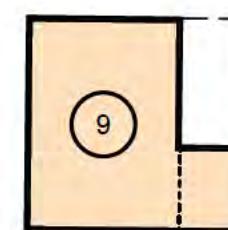
OPEN SPACE REQUIREMENTS

TOTAL ORIGINAL SITE AREA = 5.48 ACRES - 20.0% REQUIRED (1.096 ACRES)
OPEN SPACE AREA PROVIDED = 3.96 ACRES / 172,678 FT² (72.3%)

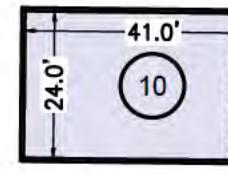
BREAKDOWN OF OPEN SPACE
OPEN SPACE INSIDE OF BUFFERS = 2.00 ACRES / 87,175 FT² (36.5%)
OPEN SPACE - COURTYARD = 0.66 ACRES / 28,808 FT² (12.0%)
OPEN SPACE - LOT GREENSPACE = 0.68 ACRES / 29,734 FT² (12.4%)
OPEN SPACE - OTHER GREENSPACE = 0.53 ACRES / 22,986 FT² (9.7%)
OPEN SPACE - DRAINAGE EASEMENT = 0.09 ACRES / 3975 FT² (1.6%)

30 COTTAGE LOTS ARE PROPOSED

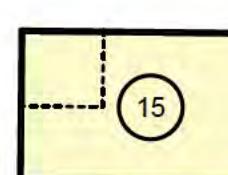
COTTAGE TYPE 1: 9 UNITS



COTTAGE TYPE 2: 10 UNITS



COTTAGE TYPE 3: 11 UNITS



CONSTRUCTION PLANS FOR:
1437 & 1453 S INDIAN CREEK DR
LAND LOT 22, 15 DISTRICT
STONE MOUNTAIN, DEKALB, GEORGIA

CVE PI # 25-242

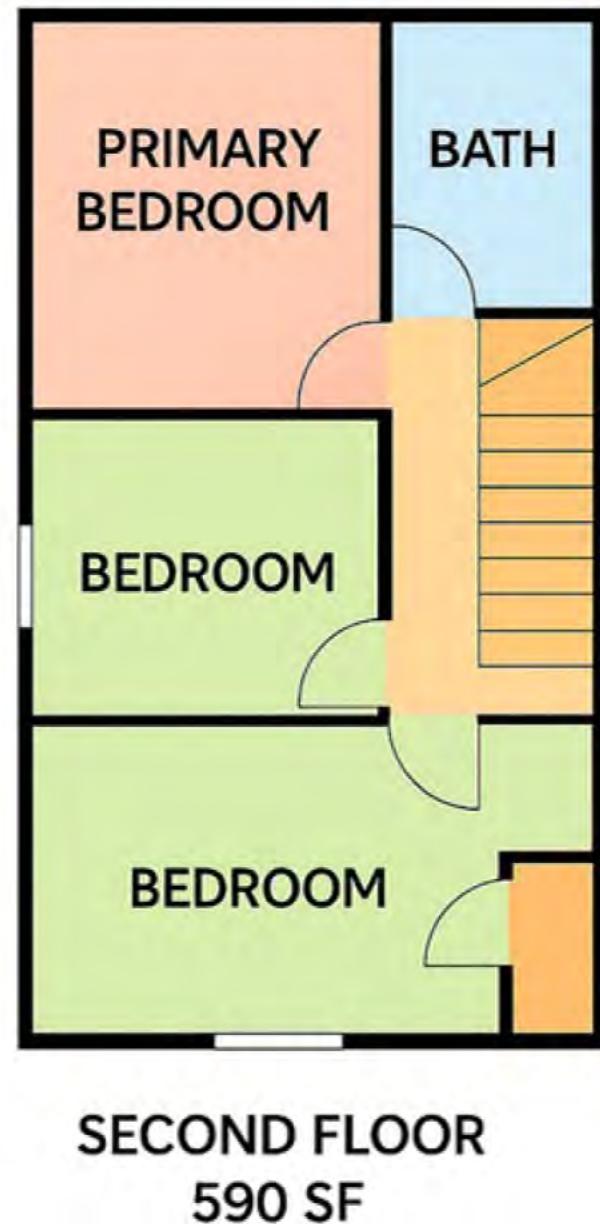
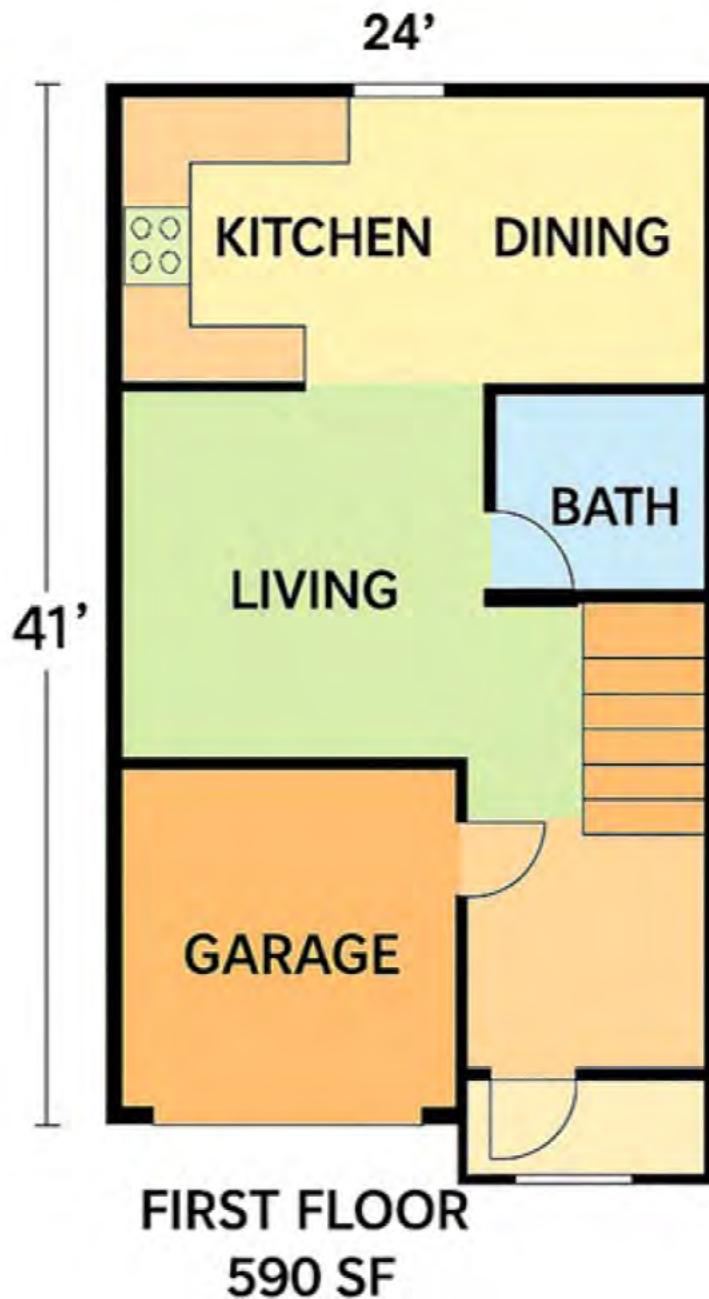
SHEET NO.

C-1

Prepared By:
CRESCENT VIEW
ENGINEERING, LLC:
211 Fraser Street
Marietta, GA 30060
www.crescentvieweng.com

Prepared For:
SUNLIGHT LEAF, LLC
ADDRESS:
4107 WATER MILL DRIVE,
BUFORD, GA, 30519

REZONING SITE PLAN		
DESIGNED BY	REV'D BY	DATE
A. RAVAT		
A. RAVAT		
CHEKET		
G.H. BALTZ		
P. ZHANG		
P. THANG		
		15 SEPT. 2025



FIRST FLOOR – 590 SF
SECOND FLOOR- 590 SF
TOTAL – 1180 SF















Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

DEPARTMENT OF PLANNING & SUSTAINABILITY

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: Joshua Mahoney

Phone: [REDACTED]

Property Address: 1437 & 1453 South Indian Creek Drive, Stone Mountain 30083

Tax Parcel ID: 15 222 03 014 & 15 222 03 033 Comm. District(s): 5 & 7 Acreage: Approx 5.54

Existing Use: [REDACTED] Proposed Use: **Rezone to R-60.**

Supplemental Regs: Cottage Ord. Section 5.7.9 Overlay District: [REDACTED]

Rezoning: Yes No Existing Zoning: **R-75** Proposed Zoning: **R-60**

DRI: [REDACTED] Square Footage/Number of Units: **30 +/-**

Rezoning Request: The applicant is proposing a 30 unit cottage development.

Land Use Plan Amendment: Yes No Existing Land Use: **SUB**

Proposed Land Use: **N/A** Consistent Inconsistent

Special Land Use Permit: Yes No Article Number(s) 27- [REDACTED]

Special Land Use Request(s): [REDACTED]

Major Modification: Yes No Existing Zoning Conditions: **None**

Major Modification Request: **n/a**

Condition(s) to be modified: **n/a**

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): n/a

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: Variances may be sought - site plan is conceptual.

Comments: Draft 2026-27 Zoning Calendar dates are tentative until adoption by BOC.

The Applicant may request a roundtable review with the Fire and Sanitation Divisions regarding the units in the southwest corner (fire) and dumpster access. Additionally, it seems that there may be an opportunity to revise the overall design for better vehicular flow, connectivity with sidewalks from the parking area, and orienting the yellow central units differently to incorporate a loop for ingress & egress into the development (not to public street standards). There should be sidewalk access into the development from S. Indian Creek Road. There is a 75 foot stream buffer along the south of the property. Applicant will need to apply for a lot combination. Please review the cottage ordinance in 5.7.9. Applicant will need to specify the open space breakdown.

Planner: Andrea Folgherait, Sr. Planner

Date: November 10, 2025