

DEPARTMENT OF PLANNING & SUSTAINABILITY

APPLICATION TO AMEND COMPREHENSIVE LAND USE (FUTURE
DEVELOPMENT) MAP PLAN OF DEKALB COUNTY, GEORGIA

Applicant Name: Tracy T. Swearingen, Sr., J.D.

Applicant Email Address: [REDACTED]

Applicant Mailing Address: [REDACTED]

Applicant Phone Number: [REDACTED]

Owner Name: 7 Stone Capital L.L.C. (Ian Smith, Member)
(If more than one owner, attach list of owners.)

Owner Email Address: [REDACTED]

Owner Mailing Address: [REDACTED]

Owner Phone Number: [REDACTED]

Subject Property Address: 1680 & 1700 Henrico Road
Conley, GA 30288

Parcel ID Number(s): 15046 01001 and 15046 01005

Acreage: 20.1 / 5.85 Commission District(s): 3 Super District: 6

Existing Zoning District(s): Tier 4a and M Proposed Zoning District(s): Tier 5 w/R-100 underlying

Existing Land Use Designation(s): LIND Proposed Land Use Designation(s): SUB (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: [REDACTED]

Agent: [REDACTED]



Signature of Applicant:

Eisenhower Services, Inc.



Notice of: *Proposed Rezoning (from M to R100); and Land Use Map Amendment Application* Community Meeting

To: Homeowner / Community Stakeholder

We are planning to apply for a Dekalb County Proposed Rezoning (from M to R100) Application, and a Land Use Map Amendment Application for both 1680 & 1700 Henrico Road, Conley, GA 30288. Our client, 7 Stone Capital L.L.C. is seeking to change conditions for the property from M (Light Industrial Zoning) to R100 (Residential Single Family), and to amend the Land Use Map for the affected areas to reflect Suburban Future Land Use vs. Light Industrial. Find out more about the project, ask questions, and voice your opinion at the following community meeting:

Date: December 8, 2025

Time: 6:30 pm – 7:30 pm

Location: Zoom meeting ID

Invite Link -

<https://us06web.zoom.us/j/88147476959?pwd=bPfEm0rOacEUYdnnxGM9kthkFyAUlf.1>

Meeting ID - 881 4747 6959

Passcode - 567455

If you have any questions about the meeting, please call 678-357-6238 or e-mail me at eisenhowersvcs@gmail.com. We look forward to seeing you there!

Sincerely,

Tracy

Tracy T. Swearingen, Sr., J.D.

President

Eisenhower Services, Inc.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



9590 9402 9843 5266 5691 77

2. Article Number (Transfer from service label)

9589 0710 5270 3071 6828 75

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

 Agent Addressee

B. Received by (Printed Name)

JULIA WILSONS

C. Date of Delivery

12-3-23

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

RECEIVED 12-3-23

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Restricted Delivery

/All

/All Restricted Delivery

(0)

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

9589 0710 5270 3071 6828 75
 Return Receipt \$4.40
 Tracking #: 9590 9402 4676 8323 2831 41
 Total \$10.48

Grand Total:	\$938.36
Credit Card Remit	\$938.36
Card Name: VISA	
Account #: XXXXXXXX01242	
Approval #: 110326	
Transaction #: 255	
AID: A0000000980840	Contactless
AL: US DEBIT	

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 Refunds for guaranteed services only.
 Thank you for your business.

Customer Service
 1-800-ASK-USPS
 (1-800-275-8777)

Agents do not have any additional information other than what is provided on USPS.com.

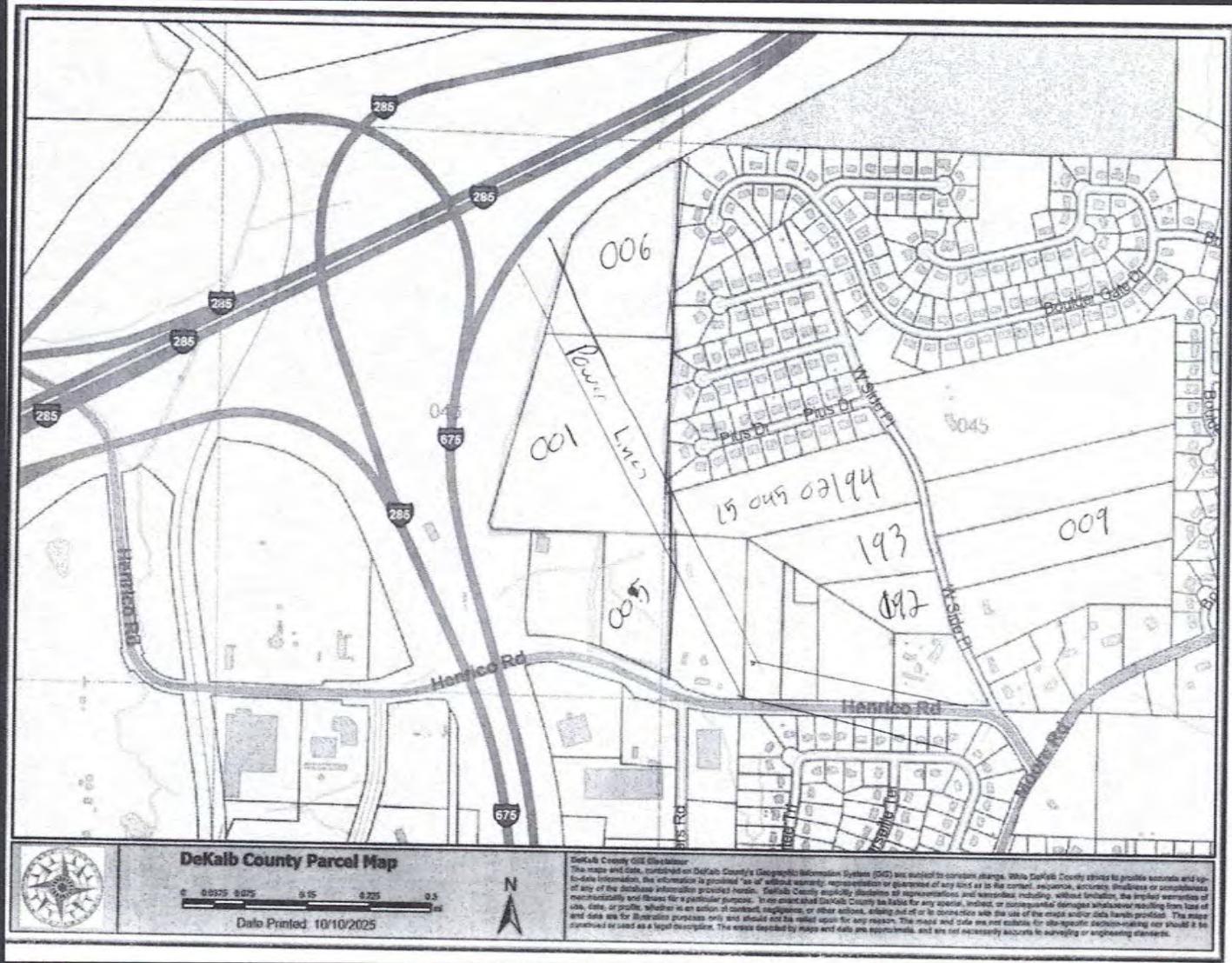
Tell us about your experience.
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 or scan this code with your mobile device.



An older version of this document is available. Received from Ian on 10/10/25

Scan2025-10-10_125347 copy

Open



Tracy T. Swearingen, Sr., J.D.

CC3 Board - Wayne P...

CC3 Board - Wayne Powell

D

Danielle



Sita Smith

PHOBDY

PHOBDY

LETTER OF APPLICATION

Please identify the following details such as:

- The proposed zoning classification? *Tier 5 with R-100 underlying for single-family.*
- The reason for the rezoning request? *The 2 lots currently (1680 + 1700) abut other currently zoned residential and light commercial properties and owner owns other parcels of residential that abut.*
- The existing and proposed use of the property? *Existing use is M "light commercial and proposed is R-100 single family.*
- Detail characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation)? *Between 1680 + 1700 Henrico Rd. along with owners of other abutting properties that are already zoned R-100 (1690 Henrico Rd. + 3917/3891/3893 West Side Place) are to be jointly (all 6 parcels) used for a proposed 2 phase approximately 243 total single family residences. Each proposed home would likely be about 25 acre lot with a 2 story 2400-3000 sq. ft. home (single-family).*



**DEKALB COUNTY IMPACT ANALYSIS FOR 1680 & 1700 HENRICO ROAD,
CONLEY, GA 30288**

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

The 2 Subject Properties have a current future land use designation of Light Commercial; however, the 2 Subject Properties also landlock an additional property (1690 Henrico Rd.) that is also owned by "7 Stone Capital L.L.C."; 1690 has a future land use of Suburban meaning the intent of 1690's current zoning is to preserve single family residences. "7 Stone Capital L.L.C." also owns 3917/3891/3893 West Side Place abutting properties that also have a future land use of Suburban. The Suburban land use designation promotes housing choice and income diversity without sacrificing traditional neighborhood layouts.

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 nearby area is predominantly residential and / or zoned residential R-100; thus, the rezoning of the 2 Subject Properties would place them in conformity with the abutting properties and their zoned use of residential single-family use. This would also justify a Comprehensive Plan Amendment for the 2 Subject Properties from Light Commercial to Suburban. This proposed residential development would be in alignment with the residential character of the area by adding additional single family detached housing and conserving a substantial amount of open space for the community.

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

The 2 Subject Properties do not have a reasonable economic use as currently zoned. The existing Tier 4a and M designation present since 2013 with amendment in 2021 have greatly restricted the light industrial uses of the 2 Subject Properties; for example, the property immediately to the left of 1700 Henrico Rd. and immediately below a significant portion of 1680 Henrico Rd. (i.e., 1670 Henrico Rd.) is currently used as commercial truck parking while

1700 & 1680 Henrico Rd. are restricted from the same type of light industrial usage as 1670 Henrico Rd. is afforded due to the afore mentioned 2013 designation and the 2021 more restrictive amendments, thus, creating no viable light industrial use for the 2 Subject Properties. A rezoning to Tier 5 with R-100 underlying for single-family residential development would provide a reasonable economic use for the 2 Subject Properties.

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

The proposed modification would 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 gives supporting grounds for either approval or disapproval of the zoning proposal?

The Applicant is not aware of any other existing or changing conditions that give grounds for the approval or disapproval of the zoning proposal.

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

The Applicant is not aware of any adverse affect the Applicant's zoning proposal would have on historic building, sites, districts, or archaeological resources on the 2 Subject Properties.

G. Whether the zoning proposal will result in a use which would or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

The Applicant is not aware of any potential or actual excessive or burdensome use of existing streets, transportation, facilities, utilities, or schools that would likely result from the zoning proposal.

CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a Modification of Zoning Conditions for the 2 Subject Properties from Tier 4a and M to Tier 5 and R-100 be approved. The Applicant welcomes any questions and / or feedback from the planning staff.

NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the 2 Subject Properties, which restrict or classify or may restrict or classify the 2 Subject Properties so as to prohibit their 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 2 Subject Properties 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 I of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to grant the modification of zoning conditions 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 major modification of zoning conditions 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 2 Subject Properties to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

A refusal to allow the modification of zoning conditions 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 modification of zoning conditions 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 2 Subject Properties is unconstitutional as it applies to the 2 Subject Properties . 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 2 Subject Properties , diminution of value of the 2 Subject Properties, attorney's fees, and other damages arising out of the unlawful deprivation of the Applicant's property rights.



Tracy T. Swearingen, Sr., J.D.
President, Eisenhower Services, Inc.
Agent for the Applicant



DeKalb County
GEORGIA

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: 12-11-2025

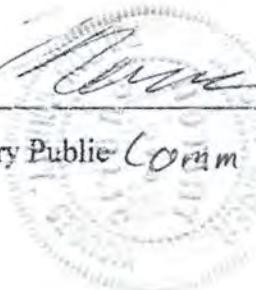
TO WHOM IT MAY CONCERN:

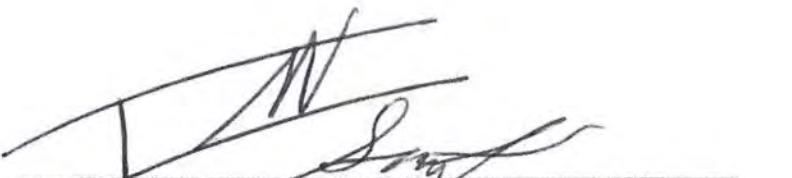
I/WE: 75 Stone Capital LLC (Ian Smith / Member)
Name of Owner(s)

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

Tracy T. Swearingen, President, Eisenhower Services, Inc.
Name of Agent or Representative

to file an application on my/our behalf.


Notary Public Comm. Expires 8/17/27


Owner Ian Smith / 75 Stone Capital LLC

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?

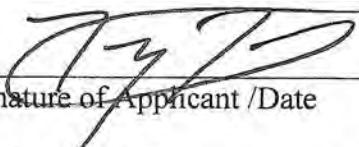
Yes: _____ No: X *

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.

Notary

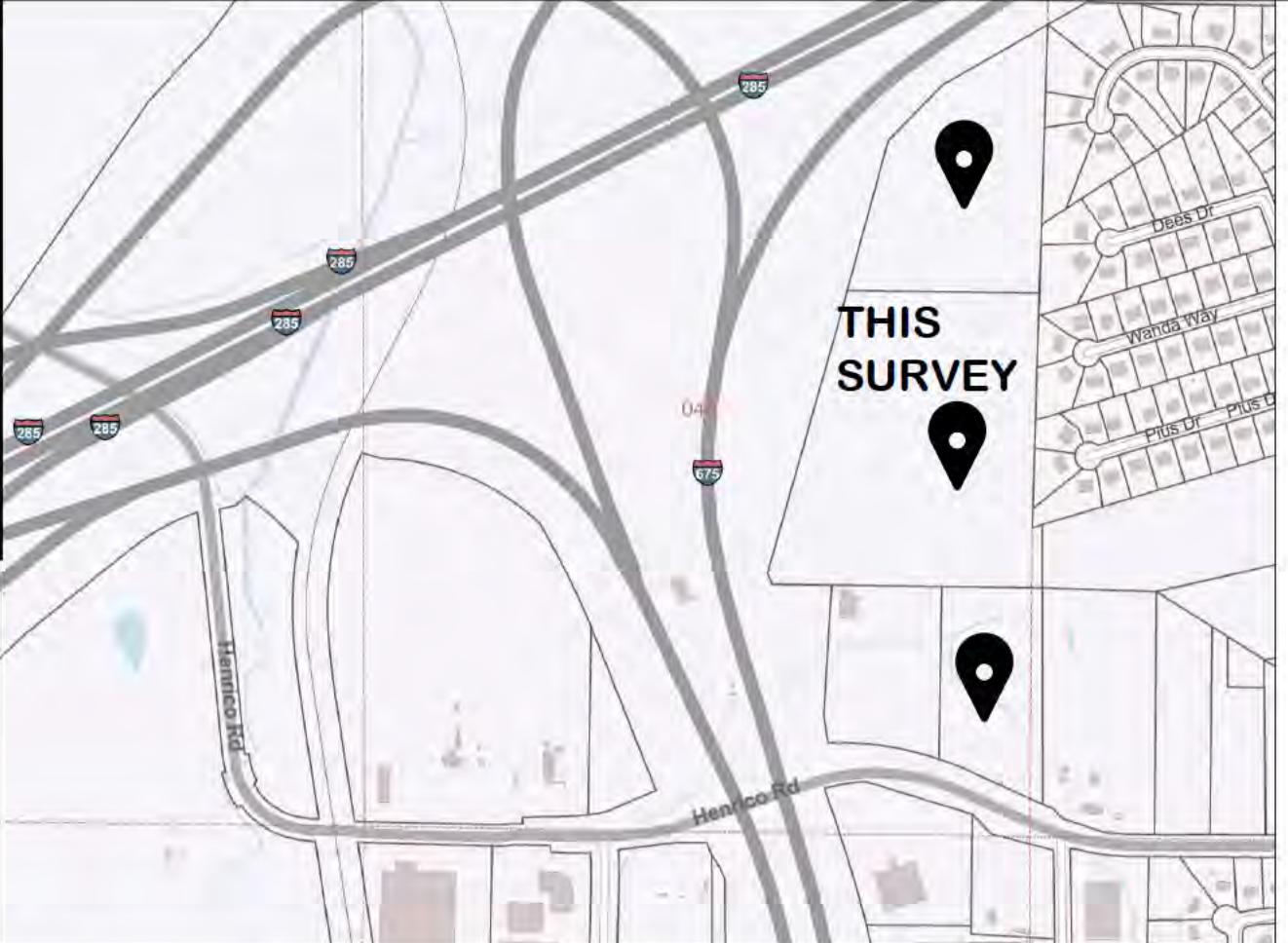
 12-12-2025
Signature of Applicant /Date

Check one: Owner _____ Agent X

Expiration Date/ Seal

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

BLOCK RESERVED FOR CLERK OF SUPERIOR COURT



LEGAL DESCRIPTION (AS SURVEYED)

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 46 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT FORMED BY THE SHARED CORNER OF LAND LOTS 45, 46, 51, & 52, SAID COUNTY AND DISTRICT, AS DEPICTED ON THAT CERTAIN PLAT OF SURVEY KNOWN AS "FINAL PLAT FOR BOULDER FOREST, PHASE 2" AS RECORDED AT PLAT BOOK 139, PAGE 87 OF THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA.

THENCE ALONG SHARED LAND LOT LINE OF LAND LOTS 45 AND 46, SAID DISTRICT AND COUNTY SDT1933W A DISTANCE OF 80.85 FEET TO A FOUND 1/2" REBAR ON THE SOUTHERLY RW OF THE INTERSTATE 675 NORTHBOUND EXIT TO INTERSTATE 285 AND THE POINT OF BEGINNING.

THENCE DEPARTING SAID SOUTHERLY RW AND FOLLOWING THE EAST LINE OF THAT CERTAIN PLAT OF SURVEY KNOWN AS "FINAL PLAT FOR BOULDER FOREST, PHASE 2" AS RECORDED AT PLAT BOOK 139, PAGE 87 OF THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA, SDT1933W A DISTANCE OF 71.98 FEET TO A FOUND 1/2" REBAR.

THENCE FOLLOWING THE EAST LINE OF THAT CERTAIN PLAT OF SURVEY KNOWN AS "FINAL PLAT FOR WEST SIDE PLACE," AS IT IS RECORDED AT PLAT BOOK 159, PAGE 38, OF THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA, SDT1933W A DISTANCE OF 72.92 FEET TO A FOUND 1/2" REBAR.

THENCE DEPARTING SAID SOUTHERLY RW AND FOLLOWING THE EAST LINE OF THAT CERTAIN PLAT OF SURVEY KNOWN AS "FINAL PLAT FOR BOULDER FOREST, PHASE 2" AS RECORDED AT PLAT BOOK 139, PAGE 87 OF THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA, SDT1933W A DISTANCE OF 71.98 FEET TO A FOUND 1/2" REBAR.

THENCE SDT1933W A DISTANCE OF 253.31 FEET TO A FOUND 1/2" REBAR.

THENCE SDT1933W A DISTANCE OF 187.02 FEET TO A FOUND 1/2" REBAR;

THENCE SDT1933W A DISTANCE OF 288.93 FEET TO A FOUND 1/2" REBAR;

THENCE SDT1933W A DISTANCE OF 526.49 FEET TO A FOUND 1/2" REBAR;

THENCE SDT1933W A DISTANCE OF 524.84 FEET TO A CALCULATED POINT TO BE SET ON THE NORTHERLY RW OF HENRICO ROAD VARIABLE RW PER GEORGIA DEPARTMENT OF TRANSPORTATION PLAN AND PROFILE OF PROPOSED SOUTH ATLANTA FREEWAY, PROJECT ID: I-675-(137), IN NUMBER 71080Z.

THENCE ALONG SAID NORTHERLY RW OF HENRICO ROAD SDT1933W A DISTANCE OF 237.54 FEET TO A CALCULATED POINT TO BE SET;

THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 72.02 FEET, WITH A RADIUS OF 581.81 FEET, BEING SUBSTED BY A CHORD LENGTH OF N88°49'20" W, WITH A CHORD LENGTH OF 71.98 FEET, TO A CALCULATED POINT TO BE SET;

THENCE DEPARTING SAID NORTHERLY RW OF HENRICO ROAD SDT1933W A DISTANCE OF 61.99 FEET TO A FOUND 1/2" REBAR.

THENCE FOLLOWING THE EAST LINE OF THAT CERTAIN PLAT OF SURVEY KNOWN AS "FINAL PLAT FOR BOULDER FOREST, PHASE 2" AS RECORDED AT PLAT BOOK 139, PAGE 87 OF THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA, SDT1933W A DISTANCE OF 208.61 FEET TO A CALCULATED POINT TO BE SET;

THENCE SDT1933W A DISTANCE OF 250.61 FEET TO A CALCULATED POINT TO BE SET ON THE WESTERLY RW OF INTERSTATE 675 RAMP "NE" PER AFORESAID GEORGIA DEPARTMENT OF TRANSPORTATION PLANS.

THENCE ALONG THE WESTERLY RW OF INTERSTATE 675 RAMP "NE" PER AFORESAID GEORGIA DEPARTMENT OF TRANSPORTATION PLANS SDT1933W A DISTANCE OF 33.14 FEET TO A FOUND CONCRETE RW MONUMENT;

THENCE N18°17'38"E A DISTANCE OF 707.27 FEET TO A FOUND CONCRETE RW MONUMENT;

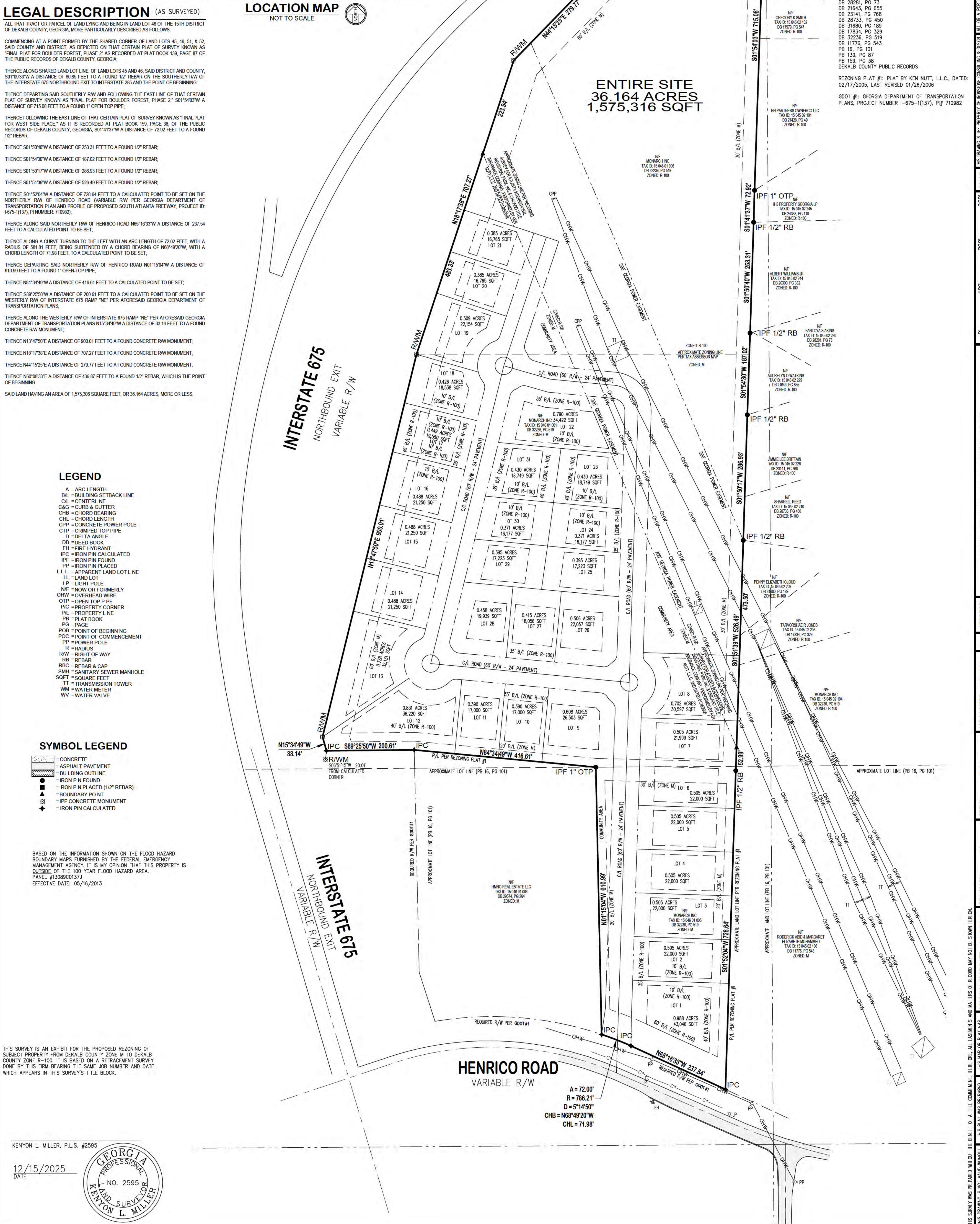
THENCE N44°15'25"E A DISTANCE OF 279.77 FEET TO A FOUND CONCRETE RW MONUMENT;

THENCE N60°08'33"E A DISTANCE OF 436.87 FEET TO A FOUND 1/2" REBAR, WHICH IS THE POINT OF BEGINNING.

SAID LAND HAVING AN AREA OF 1,575,316 SQFT, OR 36.164 ACRES, MORE OR LESS.

LOCATION MAP

NOT TO SCALE



KENYON L. MILLER, P.L.S. #2595

12/15/2025



Three Tab Architectural Roof Shingles on Underlayment and with Continuous Ridge Vents



**Brick Veneer
Front, Left and Right sides Brick
Rear side cement board siding and trim**

**Front Elevation One of Six
REZONING & LAND USE for
1680 & 1700 HENRICOROAD CONLEY, GEORGIA
1/8" = 1'-0"**

Robert Jay Architect

December 29, 2025

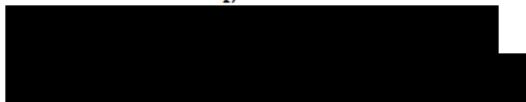
**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



**Front Side Board and Batten
Left right and rear sides cement
board siding and trim**

**Front Elevation Two of Six
REZONING & LAND USE for
1680 & 1700 HENRICOROAD CONLEY, GEORGIA
1/8" = 1'-0"**

Robert Jay Architect



December 29, 2025

**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



**Front Side Board and Batten over Brick Veneer. Left, right
and Rear Sides Cement Board Siding and Trim**

**Front Elevation Three of Six
REZONING & LAND USE for
1680 & 1700 HENRICOROAD CONLEY, GEORGIA
1/8" = 1'-0"**

Robert Jay Architect



December 29, 2025

**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



Four Sides Cement Board Siding and Trim

**Front Elevation Four of Six
REZONING & LAND USE for
1680 & 1700 HENRICOROAD CONLEY, GEORGIA
1/8" = 1'-0"**

Robert Jay Architect



December 29, 2025

**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



**Front Side Board and Batten Siding over Stucco Finish
System with Trim. Left, right and Rear Sides Cement Board
Siding and Trim**

**Front Elevation Five of Six
REZONING & LAND USE for
1680 & 1700 HENRICOROAD CONLEY, GEORGIA
1/8" = 1'-0"**

Robert Jay Architect



2025

December 29,

**Three Tab Architectural Roof Shingles
on Underlayment and with Continuous Ridge Vents**



Four Sides Cement Board Siding and Trim

**Front Elevation Six of Six
Left, right and Rear Sides Cement Board
Siding and Trim
 $1/8" = 1'-0"$**

Robert Jay Architect



2025

December 29,

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: 12/8/25 w 15 days notice Calendar Dates: CC: 02/11/26
PC: 03/03/26 BOC: 03/26/26

Letter of Intent: X Impact Analysis: X Owner Authorization(s): X Campaign Disclosure: X
Public Notice, Signs: X 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: Calendar dates are tentative until adoption by BOC on 11.20.2025.

Applicant will need to apply for a Land Use Amendment from LIND to SUB, and a rezoning application from Tier 4a and M to Tier 5 and R-100. Applicant to show how proposed use is compatible with surrounding area. Applicant to show how proposal complies with Tier 5 Bouldercrest Overlay and the DeKalb County zoning ordinance regarding minimum building setbacks, max building height, minimum parking, sidewalks, street trees, etc. Applicant will need to show address impact of land use amendment on properties to remain in Tier 4a/M. This is not a complete review. A complete review will occur upon official submission of rezone and land use amendment application