



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: January 4, 2018, 6:30 P.M.
Board of Commissioners Hearing Date: January 23, 2018, 6:30 P.M.**

STAFF ANALYSIS

Case No.: Z-18-21945 **Agenda #:** D. 2

Location/Address: 211 South Howard Street **Commission District:** 3 **Super District:** 6

Parcel ID(s): 15-179-06-062

Request: To rezone property from 75 (Single-Family Residential) to MR-2 (Medium-Density Residential-2) to allow construction of six attached townhomes. (Revised from request to rezone property to the R-60 (Single-Family Residential) district to allow a lot split and construction of a single-family house on the resulting new lot.)

Property Owner(s): Benjamin Leininger

Applicant/Agent: Benjamin Leininger

Acreage: .427 acres

Existing Land Use: A single-family house.

Surrounding Properties: Single-family residential and multifamily residential.

Adjacent Zoning: **North:** City of Atlanta **South:** R-75 **East:** R-75 **West:** R-75 **Northeast:** City of Atlanta
Northwest: City of Atlanta **Southeast:** R-75 **Southwest:** R-75

Comprehensive Plan: NC (Neighborhood Commercial) ☒ **Consistent** ☐ **Inconsistent**

Proposed Density: 14.05 units/acre	Existing Density: 2.5 units/acre
Proposed Units: 6	Existing Units: One
Proposed Lot Coverage: 39.74%	Existing Lot Coverage: (estimated) 20%

Zoning History: Based on DeKalb County records, it appears that the property has been zoned R-75 since adoption of the original zoning map.

PROJECT ANALYSIS

The subject property is a .4-acre lot located on the southwest corner of Memorial Drive and South Howard Street, approximately 1.7 miles west of Candler Road. It is developed with a 1,178 square foot, one story house. The topography of the lot slopes approximately 3% towards the corner of Memorial Drive and South Howard Street. There is a mature tree in the south side yard, and two mature trees at the back of the house.

The applicant requests the rezoning in order to construct a three-story, six-unit townhome development. The units would face Memorial Drive. The site plan indicates that each unit is proposed to have a covered front stoop and a walkway that would connect with the existing sidewalk on Memorial Drive. Vehicular access to the units is proposed from South Howard Street, via a shared driveway that will lead to a garage at the rear of each unit. The applicant envisions the building to have brick facades and traditionally styled exterior detailing. In order to achieve a density bonus of 3 units per acre, the applicant proposes to install a bench at the MARTA bus stop located on Memorial Drive near the west property line of the subject property.

Memorial Drive, a four-lane major thoroughfare, forms the boundary between the City of Atlanta, to the north, and DeKalb County. Nearby DeKalb County properties to the west, southwest, east, and southeast are zoned R-75, MR-2 (Medium-Density Residential-2), and R-60 (Residential Small Lot – 60).

The property is located in a Neighborhood Commercial character area that is anchored by Parkview Plaza, a shopping center that was renovated in 2010 to allow use for a charter school, health clinic, and offices. Other properties in the character area have undergone noticeable redevelopment and renovation. Adjoining and nearby properties are predominantly single-family residential, although townhome developments are proposed or have been constructed recently within a 500-foot radius of the subject property. In 2017, the Board of Commissioners rezoned 1911, 1913, 1915, and 1921 Memorial Drive, located approximately 350 feet to the west, to MR-2 for construction of 12 townhomes at a density of 20 units per acre (CZ-17-21293). In 2015, a subdivision plat was approved for 62 townhome units (“the Moderns”) at 2029 Memorial Drive, located approximately 500 feet to the east, at a density of approximately 15 units per acre. In addition, a nine-unit townhome development is located directly across Memorial Drive, at approximately 20 units per acre.

LAND USE AND ZONING ANALYSIS

Section 27-832 of the Zoning Ordinance, “Standards and factors governing review of proposed amendments to the official zoning map” states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan:

The proposal is consistent with the intent of the Neighborhood Center character area which envisions housing of up to 24 units per acre. The street-facing orientation of the proposed townhomes is consistent with the following policy of the 2035 Comprehensive Plan: “Create pedestrian communities that focus on the relationship between the street, buildings, streetscaping, and people.” (NC Policy No. 4)

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 proposed development would be located on a major thoroughfare, which is a suitable location for residential development of the proposed density and height. The proposal is similar to other existing and proposed townhome developments located within 500 feet of the subject property.

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

The location of the property on a busy throughfare, from which there can be no driveway access, limits its economic use under the current R-75 zoning classification.

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

Staff recommends a landscape screen to help mitigate potential negative impacts on the adjoining single-family properties to the south and west.

There is no indication that storm water runoff would be problematic, because the proposed development would need to be built to the County standard that post-development runoff is no greater than pre-development conditions.

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 zoning proposal is supported by recent County approval of similar proposed townhome developments located on Memorial Drive within 500 feet of the subject property, including 1911-1921 Memorial Drive, with a density of 20 units per acre, and the Moderns, with a density of approximately 15 units per acres.

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

No historic buildings, sites, districts, or archaeological resources are located on the property or in the surrounding area.

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

There has been no indication that the zoning proposal would cause excessive demand on public infrastructure.

H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources: The property is located in an urbanized area, where environmental impact would be negligible.

Compliance with District Standards:

MR-2 STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MAX. D.U.s/ACRE (BASE, W/BONUSES)	Base: 12 d.u.s/acre W/Bonuses: 24 d.u.s/ac.	14.05 units/acre Bonus density of 20% from proximity to Parkview Plaza shopping center(12 + 2.4=14.4)	Yes

MR-2 STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. OPEN SPACE		15%	60.26%	
MIN. TRANSITIONAL BUFFER		50 feet on west and south sides	West side: 14 ft. South side: 25 ft.	The site plan must be reconfigured or the applicant must obtain variances.
MIN. LOT AREA		1,000 square feet	2,500 s.f. – 4,500 s.f	Yes
MIN. LOT WIDTH		20 ft.	25 ft. – 45 ft.	
MAX. LOT COVERAGE		85%	39.74%	Yes
MIN. LOT WIDTH – NEW CORNER LOT		35 ft.	45 ft.	Yes
BUILDING SETBACKS	FRONT	Arterials: min. 10 ft.; max. 20 ft.	25 ft.	Yes
	INTERIOR SIDE (west side)	Superseded by required transitional buffer	-----	-----
	SIDE ON STREET (CORNER LOT)	Same as front: min. 10 ft.; max. 20 ft.	20 ft.	Yes
	REAR W/O ALLEY	Superseded by required transitional buffer	_____	_____
MINIMUM UNIT SIZE		1,000 sq. ft.	2,000 sq. ft.	Yes
MAX. BLDG. HEIGHT		3 stories or 45 ft., whichever is less	3 stories	To be determined during building permitting phase
PARKING		Min. 1.75/unit; Max. 3.25/unit	Two/unit	Yes
SIDEWALKS AND STREETSCAPING		South Howard Street: 5- ft sidewalk, 6-ft landscape strip between curb and sidewalk, street trees every 30 feet on center, pedestrian crossing strip across the driveway. Memorial Drive: 5-ft sidewalk, 10-ft landscape strip between curb and sidewalk, street trees every 30 feet on center.	Not shown on site plan.	Applicant is aware of requirements and will revise site plan to show streetscaping on S. Howard. The site plan must be reconfigured or the applicant must obtain variances.

STAFF RECOMMENDATION:

The proposal is consistent with the intent of the Neighborhood Center character area which envisions housing of up to 24 units per acre. The street-facing orientation of the proposed townhomes is consistent with the following policy of

the 2035 Comprehensive Plan: “Create pedestrian communities that focus on the relationship between the street, buildings, streetscaping, and people.” (NC Policy No. 4) The proposed development would be located on a major thoroughfare, which is a suitable location for residential development of the proposed density and height. Moreover, it is supported by recent County approval of similar proposed townhome developments located on Memorial Drive within 500 feet of the subject property, including 1911-1921 Memorial Drive (CZ-17-21293), with a density of 20 units per acre, and the Moderns, with a density of approximately 15 units per acres. Because the full transitional buffer is not provided next to the west side and the rear property lines, staff recommends a landscape screen to buffer adjoining single-family residential properties. If conditioned as recommended by staff, the proposed development is expected to be suitable. Therefore, the Department of Planning and Sustainability recommends “Approval” with the following conditions:

1. The subject property shall be developed for no more than six fee simple townhomes, in substantial compliance with the layout shown on the site plan titled “Subdivision Plat for Ben Leininger”, prepared by Adam and Lee Plating, stamped as received by the Department of Planning and Sustainability on January 4, 2018, subject to subdivision sketch plat review.
2. An evergreen landscape screen shall be planted along the west and south property lines, subject to approval by the County Arborist, to screen the proposed development from view by residents of adjoining properties. The required transitional buffer fence shall be installed with the fence’s finished side facing outward.
3. Landscaping along the Memorial Drive frontage shall not prevent pedestrian access from the sidewalk into front doors of the individual units.
4. No second-story decks or balconies shall be allowed on the south sides of the units.
5. All exterior lighting shall be screened or shielded to minimize light spillage outside the development.
6. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Application
4. Site Plan
5. Zoning Map
6. Land Use Plan Map
7. Aerial Photograph
8. Site Photographs

NEXT STEPS

Following an approval of this zoning action, one or several of the following may be required:

- ✓ • **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- ✓ • **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
- ✓ • **Certificate of Occupancy** *(Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- ✓ • **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- ✓ • **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- ✓ • **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
- **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.



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:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **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 is required as a condition of land development permit approval.

- **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.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 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.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MADOLYN SPANN MSPANNG@DEKALBCOUNTYGA.GOV OR JOHN REID JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-18-21945 Parcel I.D. #: 15-179-06; 062

Address: 211
South Howard street

MEMORIAL DR 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) 6/7TH 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. It would be a Traffic interfere
with Traffic Flow.

Signature: Jerry White

N1. Requesting the number of proposed units to determine if traffic study is required per Section 5.3.4.

Presidential Parkway is located within the GDOT right of way for I-285/I-85 interchange. GDOT review and permits are required. At a minimum, 5' sidewalks, pedestrian scale lights and street lights are required per zoning code page 5-14. Relocate entrance to convert existing pavement to provide a left turn lane into property.

N2. See N1.

N3. Add sidewalks, pedestrian scale lights and street lights along the street frontage.

N4. Need more information to comment. Are any of the changes to conditions or removal of conditions related to the Transportation Conditions- please provide.

N5. Fill in sidewalk gaps along Hancock Vw and Hancock Dr. Add pedestrian scale lights and street lights per Zoning Code Chapter 5, page 14.

N6. Memorial Drive is a state route. GDOT review and approval is required. It is also a major arterial. See Chapter 5, page 14 of the Zoning Code and Section 14-190 of the Land Development Code for infrastructure requirements. Street lights, sidewalks and bike lanes (10' path ok in lieu of bike lanes) are required.

N7. Memorial Drive is a state routes. GDOT review and approval is required. It is also a major arterial. See Chapter 5, page 14 and Section 14-190 of the Land Development Code for infrastructure requirements. Street lights, sidewalks and bike lanes (10' path ok in lieu of bike lanes) are required. South Howard is a collector. Dedicate 35' from centerline. Extend sidewalk to driveway at 213 S. Howard Street. Add new curb and gutter, as needed to have at least 5 inches of curbing above asphalt for pedestrian protection. Dedicate a miter of right of way at the corner of South Howard and Memorial.

N8. Rowland Road is a collector road. Dedicate 35 feet from centerline.

N9. South Deshon Road is a minor arterial. Street lights, bike lanes, and a 6' sidewalk required. (See Chapter 5, page 14 of the Zoning Code). Forty foot right of way dedication required from centerline (Section 14-190 of the Land Development Code). New local roads require 55 foot right of way, two 12 foot travel lanes, 5 foot sidewalks and street lights. (Chapter 5, page 14 of Zoning code, Section 14-190 of Land Development Code.) Due to the curve and the new road being on the interior of the curve, verify stopping and intersection sight distance at the intersection (Per AASHTO standards, Speed limit 45mph). Mitigation may be required during the land development process if sight distance is restricted including, but not limited to, right turn lanes, left turn lanes, clearing and grading of right of way to improve sight distance.

N10. No comments

N11. No comments

N12. Both Turner Hill Road and Covington Hwy are state routes and require GDOT review and permits. Both are major arterials. At a minimum- DeKalb requires 6 foot sidewalks, 50 foot right of way dedication (or as much as required for all public infrastructure to be within the public right of way), bike lanes (10 foot path can be constructed in lieu of bike lanes), pedestrian lighting and street lighting. See Chapter 5, page 14 of the Zoning Code and Section 14-190 of the land development code.

N13. See N12

N14. See N12

N15. Text not provided for review.

N16. No comments.



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COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER

Case No.: Z-18-21945

Parcel I.D. #: 15-179-06-062

Address: 211 South Howard Street

Atlanta GA. 30317

WATER:

Size of existing water main: 6" C.I. Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Entrenchment Creek Basin

Is sewer adjacent to property: Yes () No (X) If no, distance to nearest line: APPROX. 225 FT. WEST of PROPERTY.

Water Treatment Facility: SnapFinger WWTP () adequate () inadequate

Sewage Capacity: * (MGPD)

Current Flow: 21.77 (MGPD)

COMMENTS:

* Please note that the determination of available capacity expressed herein is not guaranteed as it is based upon the known conditions as of the date of this correspondence and on the anticipated capacity needs associated with your project.

Signature



REVISED

DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director

APPLICATION TO AMEND OFFICIAL ZONING MAP OF DEKALB COUNTY, GEORGIA



Z/CZ No. _____ BY: _____
Filing Fee: _____

Date Received: 1/29/18 Application No.: _____

Applicant: Benjamin Leininger E-Mail: benleining@yahoo.com

Applicant Mailing Address: 211 S. Howard St SE, Atlanta, GA 30317

Applicant Phone: 901-486-7565 Fax: _____

Owner(s): Benjamin Leininger E-Mail: benleining@yahoo.com
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: 211 S. Howard St SE, Atlanta, GA 30317

Owner(s) Phone: 901 486 7565 Fax: _____

Address/Location of Subject Property: 211 S. Howard St SE, Atlanta, GA 30317

District(s): 15 Land Lot(s): 179 Block: 06 Parcel(s): 062

Acreage: 1.4 Commission District(s): _____

Present Zoning Category: R-75 Proposed Zoning Category: MR-2

Present Land Use Category: NC

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

Disclosure of Campaign Contributions

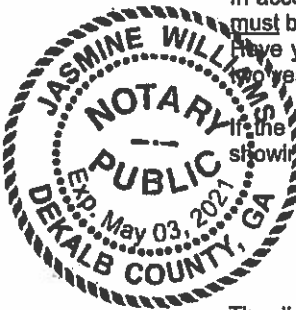
In accordance with the Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A, the following questions must be answered:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the 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:

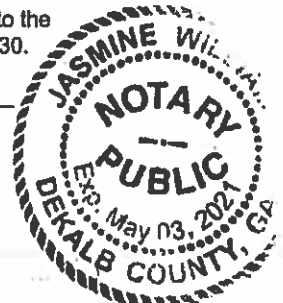
1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

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



Jasmine Williams
NOTARY
5/3/2021
EXPIRATION DATE / SEAL

[Signature] 1/25/18
SIGNATURE OF APPLICANT / DATE
Check One: Owner ☒ Agent ☐



Public Notice and Meeting

Initial application was for rezoning lot from R-75 to R-60 to allow for the creation of a new lot and single family home. For the initial rezoning application the Applicant passed out public notices and held a community meeting at the property to discuss the plans for rezoning per the county requirements.

After finding Georgia department of transportation would not allow for the access off Memorial Drive to the newly created lot, the applicant revised the application to now rezone the lot from R-75 to MR-2 to allow for the development discussed previously in the application.

Though a new community meeting was not a requirement of altering the zoning application the applicant felt it was the proper course of action to inform the community of the change prior to submitting the application and distributed an ammended Public Notice with contact information.

On the following pages are the initial Public notice sent on 9/26/27, the meeting sign in sheet from 10/11/17 for this meeting, and the amended public notice sent out on 1/25/18.

Notice Date: Thursday January 25, 2018

PUBLIC NOTICE

To

Request for Rezoning

AMENDED

Filed by: Ben Leininger

Located at: 211 S Howard St SE

Atlanta, GA 30317

This letter is to make aware of an amendment to zoning application # Z-18-21945 from the originally applied R-60 zoning the newly amended MR-2 zoning designation.

Current Use – R-75 Residential Medium Lot - 75

Proposed Use – MR-2 Medium Density Residential -2

Any questions in regard to this amendment can be directed to Ben Leininger at (901) 486-7565.

Notice Date: Tuesday, September 26, 2017

PUBLIC NOTICE

To

Request for Rezoning

Filed by: Ben Leininger

Located at: 211 S Howard St SE

Atlanta, GA 30317

Current Use – Single Family Dwelling

Proposed Use – Two Single Family Lots

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT: Project Site

Location: 211 S Howard St SE Atlanta, GA 30317

Date & Time: Thursday, October 12, 2017 at 7:00PM

Contact Info: 901.486.7565/benleining@yahoo.com

Project: 211 S. Howard - Rezone	Meeting Date: 10/11/17
Facilitator: Ben Leininger	Location: 211 S. Howard St SE

Meeting Date: 10/11/17

Location: 211 S. Woodward St SE

[illegible]

Letter of Application

To Whom it May Concern,

Please accept this application for rezoning of Parcel Number 15 179 06 062 located at 211 S. Howard St SE. Unincorporated DeKalb County 30317.

The Parcel is currently zoned as R-75. The purpose of the application is to rezone the property from R-75 to MR-2, with the ultimate intention of subdividing the lot into Six (6) parcels along the "Proposed Boundary Line" defined in the attached Legal Boundary Survey to allow for the construction of attached single family housing.

This Parcel currently has one single family home on the property, and is located in a parcel designated as a Neighborhood Center (NC) character area by the 2035 DeKalb County Comprehensive plan. The current R-75 zoning designation is not an approved zoning for the NC character area per Table 1.2 : "Character areas and permitted zoning districts" located on page 1-10 of the in the September 1st, 2015 version of the DeKalb County Zoning Ordinance. Rezoning this plot from R-75 to an MR-2 fall in line with the approved zoning districts for Neighborhood Center Character areas as well as satisfy condition in section 1.2.3 "Relationship between character areas and zoning districts" (pg. 1-10) that states

The Character area categories established in the adopted comprehensive plan and shown on the future development map are to be implemented by approving rezonings to the zoning districts listed within the following categories in Table 1.2...

The intention of this application is to not only develop this plot, but also to help in step with the development strategy of DeKalb County set forth in the 2035 Development plan. Table and section cited above are included on the next page of this application for easy reference.

Kind Regards,
Ben Leininger

1.2.3 Relationship between character areas and zoning districts.

The character area categories established in the adopted comprehensive plan and shown on the future development map are to be implemented by approving rezonings to zoning districts listed within the following categories in Table 1.2, except the Scenic Corridor character area in which any zoning district may be approved. The zoning districts that are permitted within each character area shall be restricted as provided by Table 1.2.

1.2.4 Relationship between supplemental plans and zoning districts.

Section 5.7, Supplemental Plans of the comprehensive plan references all supplemental plans that focus on areas, situations, or issues of importance to DeKalb County. These plans include, but not limited to, redevelopment plans, neighborhood plans, county wide plans, corridor plans, or plans for conservation management. Where the board of commissioners has adopted a supplemental plan's policies and development standards, these policies and development standards will serve as specific guidelines to support the existing Future Development Plan (Section 4.3 Future Development Plan) and character area policies (Section 5.4-13.1 Land Use Character Area Policies and Strategies).

Table 1.2: Character areas and permitted zoning districts.

	Rural Residential (max 4 du/a)	Suburban (max 8 du/a)	Traditional Neighborhood (max 12 du/a)	Neighborhood Center (max 24 du/a)	Town Center (max 60 du/a)	Regional Center (max 120 du/a)	Office Park (max 30 du/a)	Institutional	Industrial	Light Industrial	Commercial Redevelopment Corridor (max 18 du/a)	Highway Corridor (max 30 du/a)
Zoning District	RE	RE	RE	R-60	RSM	MR-1	HR-1	R-100	M	C-2	RSM	HR-1
	RLG	RLG	RLG	RSM	MR-1	MR-2	MU-1	R-85	M-2	OD	MR-1	MU-1
	R-100	R-100	R-100	MR-1	MR-2	HR-1	MU-2	R-75	OD	OI	MR-2	MU-2
	R-85	R-85	R-85	MR-2	HR-1	HR-2	MU-3	R-60	C-2	M	MU-1	MU-3
	R-75	R-75	R-75	MU-1	HR-2	HR-3	MU-4	RSM		M-2	MU-2	MU-4
	RNC	R-60	R-60	MU-2	MU-1	MU-1	NS	MR-1			MU-3	C-1
	MHP	RNC	RNC	MU-3	MU-2	MU-2	C-1	MR-2			NS	C-2
	NS	MHP	RSM	NS	MU-3	MU-3	C-2	MU-1			C-1	OD
		RSM	MR-1	C-1	MU-4	MU-4	OIT	MU-2			C-2	OI
		MU-1	MU-1	OI	MU-5	MU-5	OI	MU-3			OI	OIT
		NS	MU-2	OIT	OI	OI	OD	OI			OD	M
		C1	NS		OIT	OIT		OIT			OIT	M-2
		OIT	C-1		C-1	C-1						
		OI	OIT		C-2	C-2						

*du/a = dwelling units per acre

Detailed Analysis of Impact

It is anticipated that the rezoning of the parcel in question will have no adverse impact on the surrounding properties and neighborhood, and furthermore actually be more congruent with existing development and zoning in the immediate area. The two blocks adjacent to where parcel 15 079 06 072 is located on both the east and west both have current MR-2 zoning and a parcel directly north across Memorial Drive currently has a nine (9) attached single family housing development on a similarly sized plot (.46 acres).

Once the lot is rezoned to MR-2 the intended use of the property is have approved a demolition of the existing structure and apply for approval of subdivision allowing for construction of Six (6) single family attached units.

While final building plans are to be fully confirmed, the current proposal is for each building are expected to have a footprint of 25' x 50' and be three (3) stories tall. This plan is well within all Dimensional and Density requirements set forth in the Zoning district regulations located in Table 2.4 "Medium and High Density Residential Zoning Districts Dimensional Requirements" (pg 2-22), and is not anticipated to require any special land use permits or variances to exiting codes.

Furthermore, the development of this property as explained above is anticipated to have a positive effect on housing and property values of the surrounding area and contribute the beautification and development of the Memorial Drive corridor through DeKalb county.

Lastly, this rezoning request is lock step with the 20 year development plan for DeKalb County and will proactively advance the Community Goals outlined in the DeKalb County 2035 Comprehensive Plan.

Initial Proposed Building Plans

The requested rezoning for the parcel located at 211 S Howard St. is for the future development of six (6) attached single family homes. The proposed units are to fall fully within the proposed survey lines shown in the following site surveys. Per the current plans this development will comply with all zoning and development codes for Single Family Attached homes located within a DeKalb County Georgia Medium Density Residential Zoning (MR-2) zoning code.

Every intention was taken to comply fully with any and all building codes while creating the projected specifications presented below and in the following page. However please keep in mind that since the rezoning of the property has yet to be approved, final construction plans for this development have yet to be fully commissioned, completed, or approved.

The Applicant kindly asks the community council, planning committee/staff, and all county commissioners reviewing this case to include recommended and required alterations to the below proposed plan as a condition or provision to rezoning.

Development Element	MR-2 (SFA) (NC) Requirements	Proposed Development	Notes
Dwelling Units Per Acre (Max Base - Max possible w/ Bonus)	12 - 24	14.05	Plot includes 20% bonus for Public Improvements (Marta Bus Bench)*
Open Space Requirement for overall site	15%	40.80%	
Min Lot Area (Sq/ft)	1,000	1250	
Min Lot Width (ft)	20	25	
Lot Coverage (Max % per lot or total Parcel Acreage)	85%	59.20%	59.2% for total parcel, 78.8% per smallest interior lot
Front setback min (ft)	10 - 20	17	
Side-Interior (ft)	N/A	n/a	
Side - Corner lot (ft)	10 - 20	20	
Rear- w alley	10	10	10' to driveway 25' to building setback
Unit size - heated living area (Sq ft. min)	1000		
Transitional Buffer	Non-Required	n/a	
Maximum Height	3 stories or 45 feet	3 stories	

**The 20% bonus will be achieved per provisions given in section 2.12.5 of DeKalb county zoning code and through the installation of a MARTA bus stop on the far west corner of the development. There is currently a MARTA transit stop with no bench or cover. Riders currently sit on the ground in this location waiting for the bus. Construction of a shelter in accordance with MARTA standards will not only allow for the 20% density, but also greatly improve the community. Approved density with the 20% bonus would be 14.44 units per acre. The density of the six (6) units on the proposed .427 acres is 14.05/acre.*

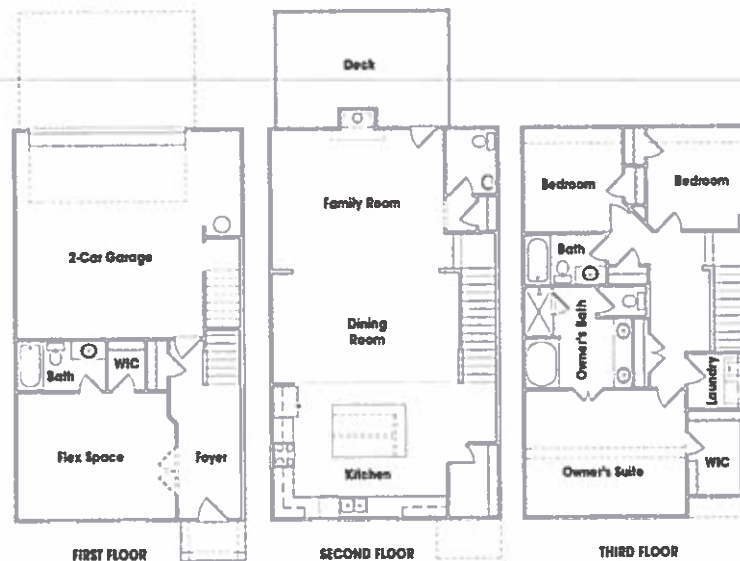
Application for 211 S. Howard Rezoning

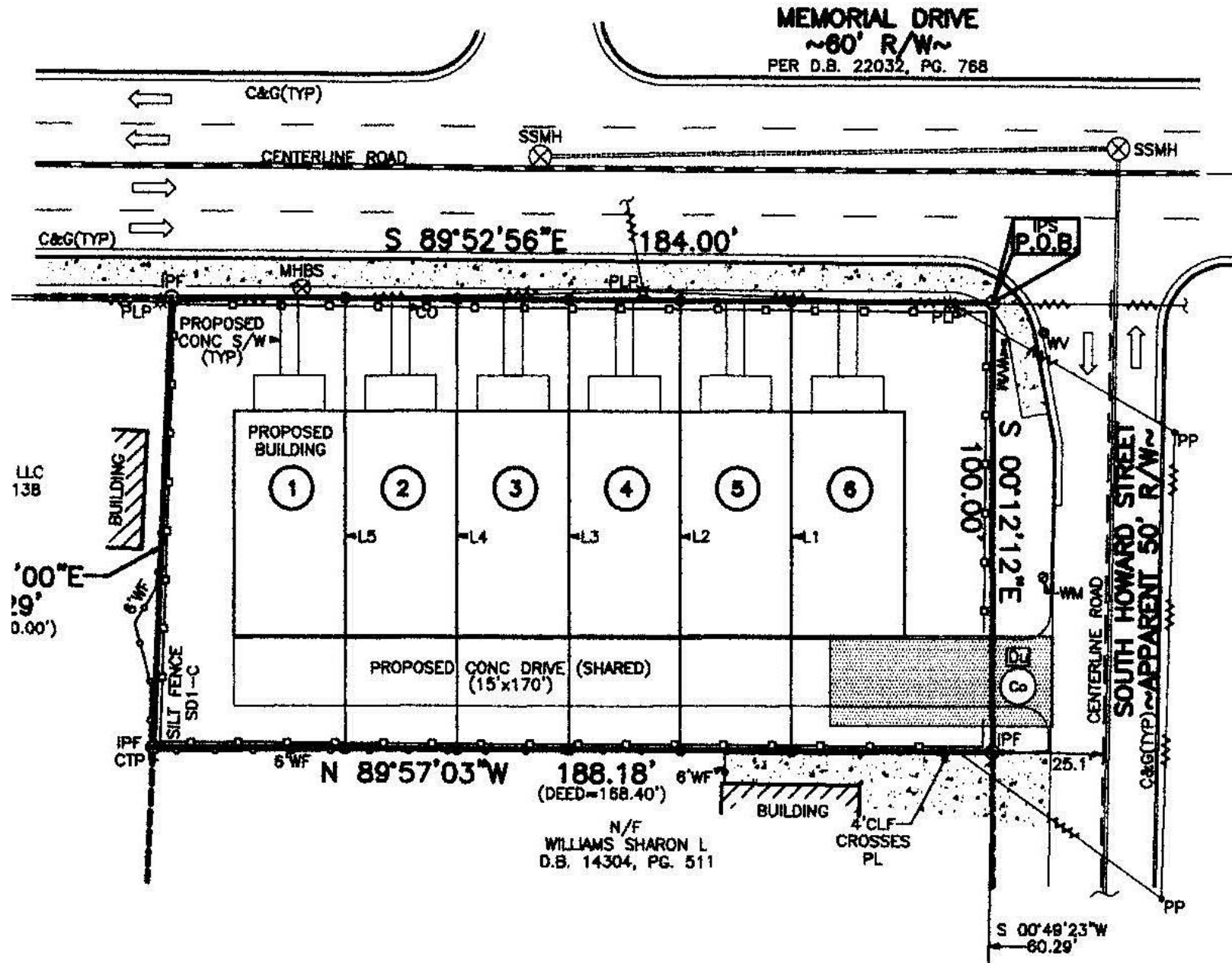
Building design will be consistent in style and feel with surrounding architecture and design. The proposed units will be three (3) stories tall consisting of a rear entry garage and 2000+ sq/ft of heated living space.

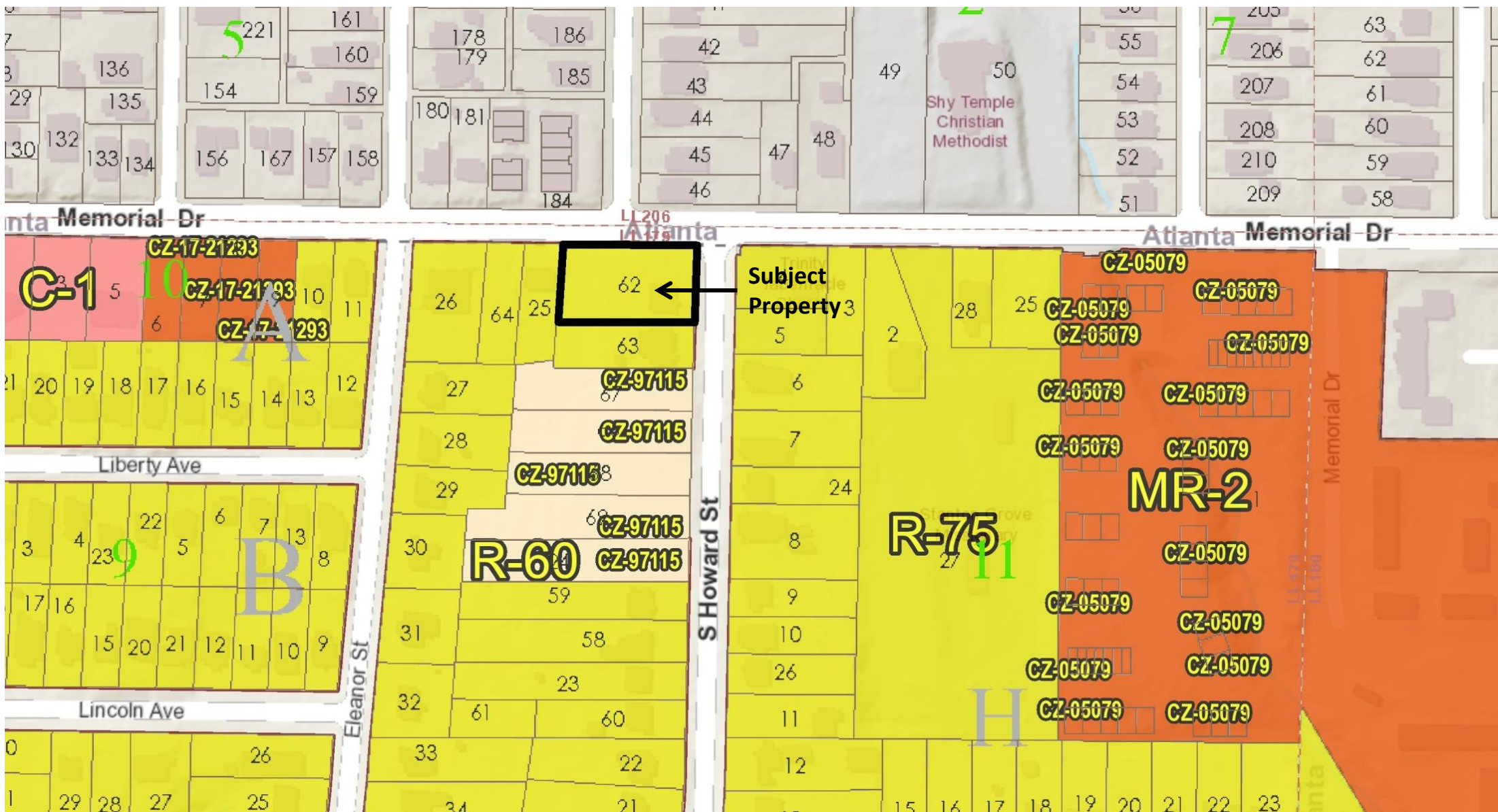
Building exterior design will be consistent with all DeKalb county zoning codes found in the Zoning ordinance of DeKalb County and is initially planned as a brick façade including a minimum of 60% of the front street facing façade to consist of doors, balconies, or windows. Building exteriors will also include different color exterior material for each unit, a covered front porch and pillars. Please note images below as a guide, but note neither is exactly the units to be constructed, however they are the inspiration until zoning is approved and resources can be committed to final design.



The interior floorplan is planned to be similar as shown below.

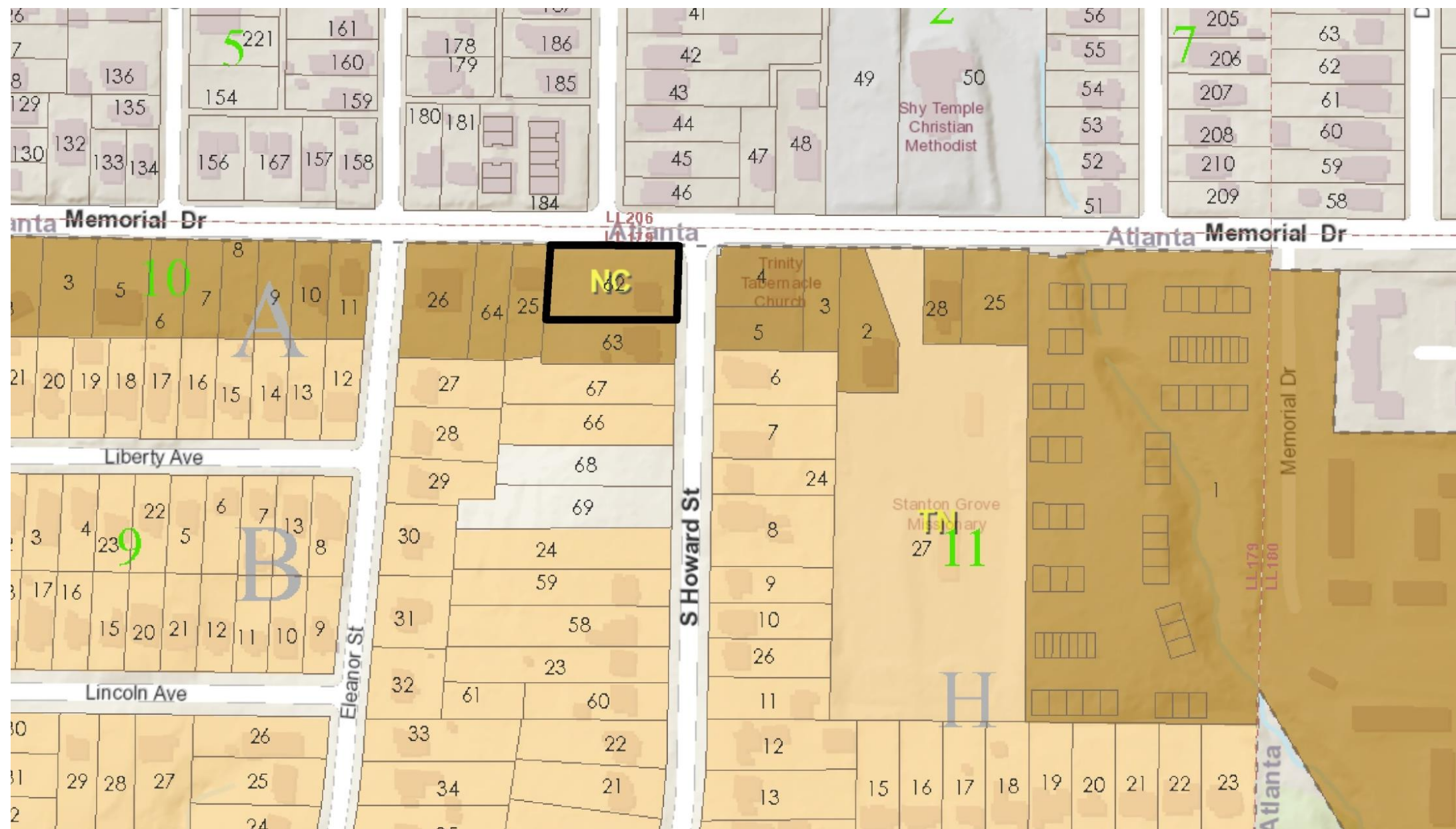






D. 2 Z-18-21945

Land Use Map







Front of subject property on South Howard Street.

Rear yard of subject property.

