

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 2 & 6

N3 Dave Howe – Rezone Z-18-1235086

PETITION NO: Z-18-1235086

PROPOSED USE: Two-Single Detached Residences

LOCATION: 1325 Emory Road NE, Atlanta, GA 30306

PARCEL NO.: 18-054-12-001

INFORMATION CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application of Dave Howe to rezone property from R-75 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to create a second lot in order to construct a second single-family detached residence on the subject site. The property is located on the east side of Briarcliff Road and the south side of Emory Road, at 1325 Emory Road, Atlanta, Georgia. The property has approximately 205 feet of frontage along the south side of Emory Road, 74 feet of frontage along the east side of Briarcliff Road and contains 0.44 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: Denial

PLANNING COMMISSION: Withdrawal Without Prejudice

PLANNING STAFF: Withdrawal Without Prejudice

PLANNING STAFF ANALYSIS: The proposed R-60 (Residential Small Lot) District on the subject site is consistent with adjacent and nearby properties if the site is developed as proposed by the applicant for 2 single-family residences. The proposed rezoning is consistent with Comprehensive Plan policy to “Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density “. On August 21, 2018, the applicant submitted a letter to Planning Staff requesting withdrawal of the application. Therefore, the Department of Planning and Sustainability recommends **“WITHDRAWAL WITHOUT PREJUDICE”** of the rezoning request.

PLANNING COMMISSION VOTE: 8-0-0. J. Johnson moved, M. Butts seconded for withdrawal without prejudice, per the applicant's request and Staff recommendation.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: 5-0-0/ Denial



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

(404) 371-2155 / plandev@dekalbcountyga.gov

Planning Commission Hearing Date: September 6, 2018, 6:30 P.M.

Board of Commissioners Hearing Date: September 25, 2018, 6:30 P.M.

STAFF ANALYSIS

Case No.: 2018-2443/ Z-18-1235090 **Agenda #:** N.3

Location/Address: The east side of Briarcliff Road and the south side of Emory Road within the Druid Hills Historic District at 1325 Emory Road, Atlanta, Georgia. **Commission District:**2 **Super District:**6

Parcel ID: 18-054-12-001

Request: To rezone property from R-75 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to create another lot to construct a second single-family detached residence on the site.

Property Owners: Dave Howe

Applicant/Agent: Dave Howe

Acreage: 0.44 Acres

Existing Land Use: Single-Family Residence

Surrounding Properties: Single-Family detached residences

Adjacent & Surrounding Zoning: North, South, East & West: R-75 (Residential Medium Lot) District

Comprehensive Plan: Traditional Neighborhood Consistent X

Proposed Units: 2 Single-Family Detached Residences	Existing: 1 Single Family Detached Residence
Proposed Lot Coverage: < 35% Per Lot	Existing Lot Coverage: N/A

Zoning History: Based on DeKalb County records, it appears that the property has been zoned R-75 (Residential Medium Lot) District since adoption of the first zoning ordinance and map in 1955.

SUBJECT SITE

The subject property at 1325 Emory Road consists of 0.448 acres at the southeast intersection of Briarcliff Road (a major thoroughfare) and Emory Road (a local street) within the Druid Hills Historic District. The lot has approximately 205 feet of frontage on Emory Road and 74 feet of frontage on Briarcliff Road. The site is developed with a one (1) story brick single-family residence with basement consisting of approximate total 2,723 square feet. Access to the site is via one existing driveway on Emory Road. The site is surrounded by single-family detached residences along Emory and Briarcliff Road with long deep lots.

ZONING ANALYSIS

The applicant is requesting to rezone the subject site from the R-75 (Residential Medium Lot) District to the R-60 (Residential Small Lot District) to develop a second single-family detached residence on the subject site. The existing R-75 zoning district has a minimum lot size of minimum 10,000 square feet. However, the size of the site does not allow for two 10,000 square foot lots. Per the submitted survey, the existing lot size is 19,681 square feet. The submitted site plan depicts, one (1) lot-13a is 10,479.66 square feet and the other lot-13b is 9,057.89 square feet. The second lot is less than 50 square feet of the required minimum 10,000 square feet for R-75 zoned property.

The proposed R-60 zoning district has a minimum lot size of 6,000 square feet with a minimum lot width of 60 feet. Although there are no other surrounding properties zoned R-60 in the area, the proposed lots are compatible with existing developed single-family lots along Emory Road. There are several existing non-conforming R-75 lots with a minimum lot width of 60 feet along Emory Road. The proposed R-60 zoned lots for the subject site have a minimum lot width of 89.37 feet along Emory Road.

Given that the site is located within the Druid Hills Historic District, new construction will require a Certificate of Appropriateness from the DeKalb County Historic Preservation Board. This process will ensure consistency with development standards in the area and will not have a negative impact on the character of existing single-family residences along Emory Road.

PROJECT ANALYSIS

Per the submitted site plan, the applicant intends to subdivide the existing residential property and construct another single-family at the corner of Briarcliff Road and Emory Road. Although the propose rezoning would allow R-60 development standards, the submitted site plan depicts development standards at least equal to or exceeding the R-75 district except for the minimum lot size and rear yard setback as depicted in the following chart.

Applicant's Proposed Lot Standards compatibility with required R-75 District Standards:

R-75 STANDARD		REQUIREMENT	PROPOSED	COMPATIBILITY
MIN. LOT WIDTH		75 Feet	89.37 Feet	Exceeds R-75 standard
MIN. LOT AREA		10,000 sq. ft.	10,479.66 sq. ft. 9,057.89 sq. ft.	Exceeds R-75 standard Slightly less 42.11 feet
MIN. YARD SETBACKS	FRONT	Emory Road 30 ft. Briarcliff Rd 35 Ft.	32 feet 50 feet	Exceeds R-75 standard Exceeds R-75 standard
	INTERIOR LOT	7.5 feet	7.5 feet	Same as R-75 standard
	REAR	40 feet	30 feet	10 Feet less R-75 standard
MAX. HEIGHT		35 ft.	35 feet	Same as R-75 standard
MIN. FLOOR AREA OF DWELLING		1,600 sq. ft.	1,971 sq. ft.	Exceeds R-75 standard
MAX. LOT COVERAGE		35%	35%	Same as R-75 standard
MIN. PARKING Article 6 Parking		Minimum 2 parking spaces	Minimum 2 parking spaces	Same

COMPLIANCE WITH DISTRICT STANDARDS

Per the chart below, the proposed single-family detached residences submitted by the applicant can comply with minimum development standards of the R-60 (Residential Small Lot) District per Table 2.2 of the DeKalb County Zoning Ordinance.

R-60 STANDARD		REQUIREMENT	PROPOSED	COMPLIANCE
MIN. LOT WIDTH		60 feet	89.37 feet	Yes.
MIN. LOT AREA		6,000 sq. ft.	9,057 sq. feet	Yes.
MIN. YARD SETBACKS	FRONT	20 ft.	Emory Rd - 30 feet Briarcliff - 50 feet	Yes.
	INTERIOR LOT	7.5 feet	7.5 Feet	Yes.
	REAR	30 feet	30 feet	Yes.
MAX. HEIGHT		35 feet.	35 feet	Yes

MIN. FLOOR AREA OF DWELLING	1,200 sq. ft.	1,971 sq. ft.	Yes.
MAX. LOT COVERAGE	35%	35%	Yes.
MIN. PARKING Article 6	Minimum 2 parking spaces	Minimum 2 parking spaces	Yes.

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:

Located within a Traditional Neighborhood Character Area, the proposed rezoning is consistent with the following policy of the 2035 Comprehensive Plan: “Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density”.

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 rezoning request to R-60 with proposed development standards as submitted by the applicant, would permit a use suitable in view of adjacent and nearby properties in the area.

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

The property currently zoned R-75 has a reasonable economic use as currently zoned. However, rezoning to R-60 to allow another lot on the site would allow a greater economic use of the property.

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

The proposed R-60 zoning of the property will not adversely affect adjacent or nearby properties.

E. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal:

The property has a significant amount of street frontage along Emory Road and can accommodate an additional curb cut without impacting other residential properties. The minimum lot width of 89.37 feet exceeds the average lot width of 60 feet along Emory Road.

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

The property is located within the Druid Hills Historic District. Development of the site would require a certificate of appropriateness from the Historic Preservation Commission before construction. This will ensure capability with existing homes in the 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:

The zoning request resulting in one (1) additional residential lot will not cause a burden on the existing streets, utilities, or schools.

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

The zoning proposal is not expected to impact the environment or surrounding natural resources.

STAFF RECOMMENDATION:

The proposed R-60 (Residential Small Lot) District on the subject site is consistent with adjacent and nearby properties if the site is developed as proposed by the applicant for 2 single-family residences. The proposed rezoning is consistent with Comprehensive Plan policy to "Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density ". On August 21, 2018, the applicant submitted a letter to Planning Staff requesting withdrawal of the application. Therefore, the Department of Planning and Sustainability recommends **"WITHDRAWAL WITHOUT PREJUDICE"** of the rezoning request.

Attachments:

1. Letter Requesting Withdrawal from the Applicant
2. Department and Division Comments
3. Application
4. Zoning Map
5. Land Use Plan Map
6. Aerial Photograph
7. Site Photograph

Dave Howe

1325 Emory Road NE
Atlanta, GA 30306
404-391-4319

August 21, 2018

VIA HAND DELIVERY

Andrew A. Baker, AICP Director
DeKalb County Department of Planning & Sustainability
330 West Ponce de Leon Avenue
Decatur, GA 30030

RE: Retraction of Application for Rezoning of
1325 Emory Road NE, Dekalb County, GA
0.448 Acres, Land Lot 54, 18th District

Dear Mr. Baker

I am retracting the formal application for proposed rezoning on the R-75 parcel of property located at 1325 Emory Road, Atlanta GA 30306 to R-60 zoning. This property currently encompasses Land Lot 54, in 18th District of the Druid Hills Neighborhood (Lot 13, Block 33). As the Owner of the subject property, I ask Dekalb County to cancel the application and proposal to rezone this parcel without prejudice.

The Z/CZ Number for this request is Z-18-1235090 and the application was filed on July 5, 2018. Please contact me if you have any questions or concerns.

Sincerely,

Dave Howe

Dave Howe
404-391-4319
davelh206@gmail.com

NEXT STEPS

Following an approval of this request, 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 space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)*
- ✓ • **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
 - **Sketch Plat & Final 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.

SEPTEMBER 2018 REZONING AGENDA – TRANSPORTATION COMMENTS

N1. Lawrenceville Hwy is a major arterial on a state route. Dedicate right of way at least 50 from centerline. Install sidewalks along property frontage (ensure sidewalks are within right of way). GDOT review and permits required. Street lights required 1 foot behind sidewalks on right of way.

N2. Clairmont Road is a major arterial on a state route. Dedicate right of way at least 50 from centerline. GDOT review and permits required.

N3. Briarcliff Road is a minor arterial and state route. GDOT review and permits required. No access allowed onto Briarcliff Road.

N4. No Comments.

N5. No Comments.

N6. No Comments.

N7. No Comments.

N8 & N9. Columbia Drive is a minor arterial. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) 40 feet right of way dedication from centerline. 6-foot sidewalks, 4-foot bike lanes. Street lights behind the sidewalk within right of way. As shown in the application, interior roads must be private.

N10. Candler Road is a major arterial and a state route. GDOT review and permits required. Kelly Lake Road is a local road. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) Right of way dedication of 50 from centerline on Candler Road, 6-foot sidewalks. Right of way dedication on Kelly Lake Road 27.5 feet from centerline, 5-foot sidewalks. Extend sidewalks along Kelly Lake Road within existing right of way to Candler Road. Street Lights required on back of sidewalk within right of way along both frontages. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect.)

N11. Treadway Road is classified local. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) Public local roads require a 27.5 foot right of way from the centerline (for a total of 55 feet), 5-foot sidewalks, 5-foot landscape strip and street lights within the right of way. The right of way width show on the application does not seem to meet the 55 feet for the interior streets. Cul-de-sac appears to be substandard also. These will need to be corrected prior to permitting and will impact storm detention, setbacks, etc.

N12. McClendon is a collector street. Allow only one standard size commercial curb cut on McClendon Dr. Install sidewalks along property frontage. Street lights required behind sidewalk within right of way at permitting.

N13. Memorial Drive is a major arterial and a state route. GDOT review and permits required.

N14. Memorial Drive is a major arterial and a state route. GDOT review and permits required. Eliminate a curb cut on 6158 and restore streetscape.

N15. Snapfinger Road is a major arterial. Site limited to right in/right out access point.

N16. Rockbridge Road is a minor arterial. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) 40 feet right of way dedication from centerline. 6-foot sidewalks, 4-foot bike lanes. Street lights behind the sidewalk within right of way. Construct sidewalks along Rockbridge Road to Allgood Circle within right of way. Limited to one access point onto Rockbridge Road.

N17. Bermuda Road is a collector road. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) 35 feet right of way dedication from centerline. 6-foot sidewalks, 4-foot bike lanes. Street lights behind the sidewalk within right of way. Add roundabout at the intersection of Stewart Mill Road and Bermuda Road. Gordon Burkett at Keep DeKalb Beautiful is working on the concept for this project. Add sidewalks and street lights along Bermuda Road (within right of way) to the intersection of Stewart Mill Road. Complete all requirements of GRTA's notice of decision that are within DeKalb County. Design to restrict truck movements from using Stewart Mill Road to get to Rockbridge Road.

N18. Norris Lake is a collector road. Pleasant Hill is a minor arterial. Pleasant Hill Way is a local road. Pleasant Hill Way appears to be public in some areas where the development is proposed. I assume they are planning a right of way abandonment. Provide ped/bike access from the neighborhood into the park, as approved by the Parks and Recreation Department. Frontage on Pleasant Hill Way must be improved to Code also. 339 lots requires a traffic study be completed prior to zoning. Traffic study should include the access points and the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Left turn lane required on Pleasant Hill Road. Add sidewalks along frontage of Norris Lake Road and extend to the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Add sidewalks along frontage of Pleasant Hill Road and extend to the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Consider moving the roundabout to Pleasant Hill Road. **Request deferral until the study is received.** Norris Lake requires right of way dedication of 35' from centerline, 6-foot sidewalks, 4-foot bike lanes and street lights on back of curb within the proposed right of way. Pleasant Hill Road requires right of way dedication of 40' from centerline, 6-foot sidewalks, 4-foot bike lanes and street lights on back of curb within the proposed right of way. Pleasant Hill Way right of way dedication of 27.5' from centerline, 12-foot travel lane on the development side from centerline, 5 foot sidewalks and street light on back of curb within the proposed right of way.

N19. No Comments.

N20 & N21. Rock Chapel Road is a major arterial and state route. GDOT review and permits required at permitting. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.)

N22. S. Stone Mountain Lithonia Road is a minor arterial. Add sidewalks and street lights behind sidewalks and within right of way along property frontage and dedicate 40 feet of right of way from centerline.

N23. Stephenson Road is a collector road. Dedicate 35 feet of right of way from centerline, add sidewalks and street lights behind sidewalks and within right of way.

N24. Briarcliff Road is a minor arterial and a state route. GDOT has already permitted the right in only driveway. The right-out driveway was probably not allowed due to restricted sight distance when exiting due to the curve (trying to verify with GDOT). No other comments.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

3

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

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

2018-2443

Case No.: 2-18-1235090

Parcel I.D. #: 18-054-12-.001

Address: 1325

EMORY Rd

ATLANTA, GA

Adjacent Roadway (s):

(classification)

(classification)

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

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

Did field reviewed, NO problem that would
interfere with traffic flow.

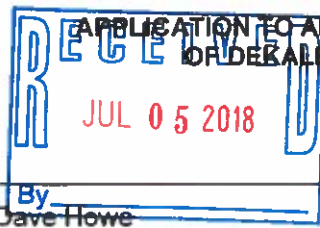
Signature: Jerry White



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. 2-18-1235090
Filing Fee: _____

Date Received: _____ Application No.: _____
By: Dave Howe
Applicant: _____ E-Mail: davelh206@gmail.com

Applicant Mailing Address: 1325 Emory Road NE Atlanta, GA 30306

Applicant Phone: 678-276-5999 Fax: _____

Owner(s): Dave Howe E-Mail: davelh206@gmail.com
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: 1325 Emory Road NE Atlanta, GA 30306

Owner(s) Phone: 404-391-4319 Fax: _____

Address/Location of Subject Property: 1325 Emory Road NE Atlanta, GA 30306

District(s): 18 Land Lot(s): 54 Block: 33-12 Parcel(s): 18-054-12-001

Acreage: 0.448 Commission District(s): 2

Present Zoning Category: R75 Proposed Zoning Category: R60

Present Land Use Category: TN

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 X 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, 1500 Commerce Drive, Decatur, Ga. 30030.

[Signature]
NOTARY
06/12/2021
EXPIRATION DATE
Symone Davis
NOTARY PUBLIC
DeKalb County, GEORGIA
Comm. Expires 06/12/2021

[Signature] 7-5-2018
SIGNATURE OF APPLICANT / DATE
Check One: Owner X Agent _____

330 West Ponce de Leon Avenue - Suites 100-500 - Decatur, Georgia - 30030
[voice] 404.371.2155 - [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007
Web Address <http://www.dekalbcountyga.gov/planning>
Email Address: planninganddevelopment@dekalbcountyga.gov

Public Notice

To

Request for a Special Land Use Permit

Filed by: David Howe

Located at: 1325 Emory Rd.

Atlanta, GA 30306

Current Use: Residential R75

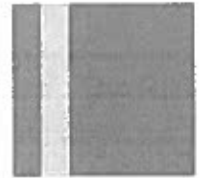
Proposed Use: Residential R60

**PRE-SUBMITTAL COMMUNITY MEETING TO
TAKE PLACE AT:** Church on Ponce

Location: 1085 Ponce De Leon Ave NE,
Atlanta, GA 30306

Date & Time: Monday, July 2nd, 2018 at 7:00 pm

David Howe
1325 Emory Road NE
Atlanta, GA 30306



6-27-2018

Dear Neighbor,

In accordance with the procedures of Dekalb County Planning and Development Department, we have been directed to invite you to discuss the proposal we have submitted before an application can be filed. This will be an informal meeting to give you the opportunity to review the proposed plan and discuss the proposal and ask any questions.

The Meeting information is attached and hope to see you on Monday night. We will also be more than happy to talk before the meeting if you are unable to attend. Please contact myself or Harriett Lane at 678-276-5999

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Howe', followed by a long horizontal line.

David Howe



Dave Howe

1325 Emory Road NE Atlanta, GA 30306

July 1, 2018

To Whom It May Concern:

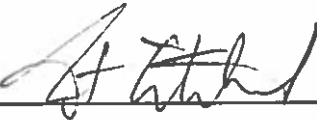
This letter serves as verification that Dave Howe has notified the Druid Hills Civic Association Land Use Chair, Kit Eisterhold of my application and site plans to rezone 1325 Emory Road, NE. This letter is to meet one of the application requirements for notifying the neighborhood associations and its residents.

Sincerely,



Dave Howe

Signature _____



**Kit Eisterhold
DHCA Land Use Chairperson**

MEETING SIGN-IN SHEET

Project: 1325 Emory Rd

Meeting Date: 7-2-2018

Facilitator: David Howe

Location: 1085 Ponce de Leon Ave

Church on Ponce & Highland

[illegible]

ed
emory)
ery.
(edu
ail.co

Dave Howe

1325 Emory Road NE
Atlanta, GA 30306
404-391-4319

July 2, 2018

VIA HAND DELIVERY

Andrew A. Baker, AICP Director
DeKalb County Department of Planning & Sustainability
330 West Ponce de Leon Avenue
Decatur, GA 30030

RE: Letter of Application
Application for Rezoning of
1325 Emory Road NE, DeKalb County, GA
0.448 Acres, Land Lot 54, 18th District

Dear Mr. Baker

I am submitting a formal application for proposed rezoning on the R-75 parcel of property located at 1325 Emory Road, Atlanta GA 30306 to R-60 zoning. This property currently encompasses Land Lot 54, in 18th District of the Druid Hills Neighborhood (Lot 13, Block 33). As the Owner of the subject property, I ask DeKalb County to approve the application and proposal to rezone this parcel.

The following represent some, but not all rationale in favor of re-zoning:

Owner Hardship: Owner is encumbered from developing the property due the hardship of the lot size. The total square footage of the property is 19,681 square feet, barely shy of the 20,000sf required for subdividing to lots under R-75 Zoning. Historically, properties in this area with road frontages of 60' were zoned R-60 and at some point changed to R-75.

Continued Zoning Compliance: As shown on the accompanying plans, the property can be re-zoned R-60 and subdivided as shown, and the two resulting lots can be developed in compliance with the existing zoning regulations; all the while maintaining the continuity and character of the existing neighborhood.

Property Use: Currently the portion of the site located along Briarcliff Road remains undeveloped and unlit in the evening hours, representing a potential gathering place for pedestrians and or loiterers out of sight of neighborhood residents. The Owner is continually cleaning up litter and debris within the wooded area left behind by vagrant activity. Developing an appropriate residence on this site would provide additional security to the neighborhood by eliminating the gathering place and improve both pedestrian lighting and views in the corridor and improve overall safety for pedestrians.

County Revenue: Presumably the local tax base would be enhanced by the subdivision of the property and subsequent construction of an appropriate residence. Off street parking will also provide help with the flow of traffic to and from Emory University via Briarcliff Road.

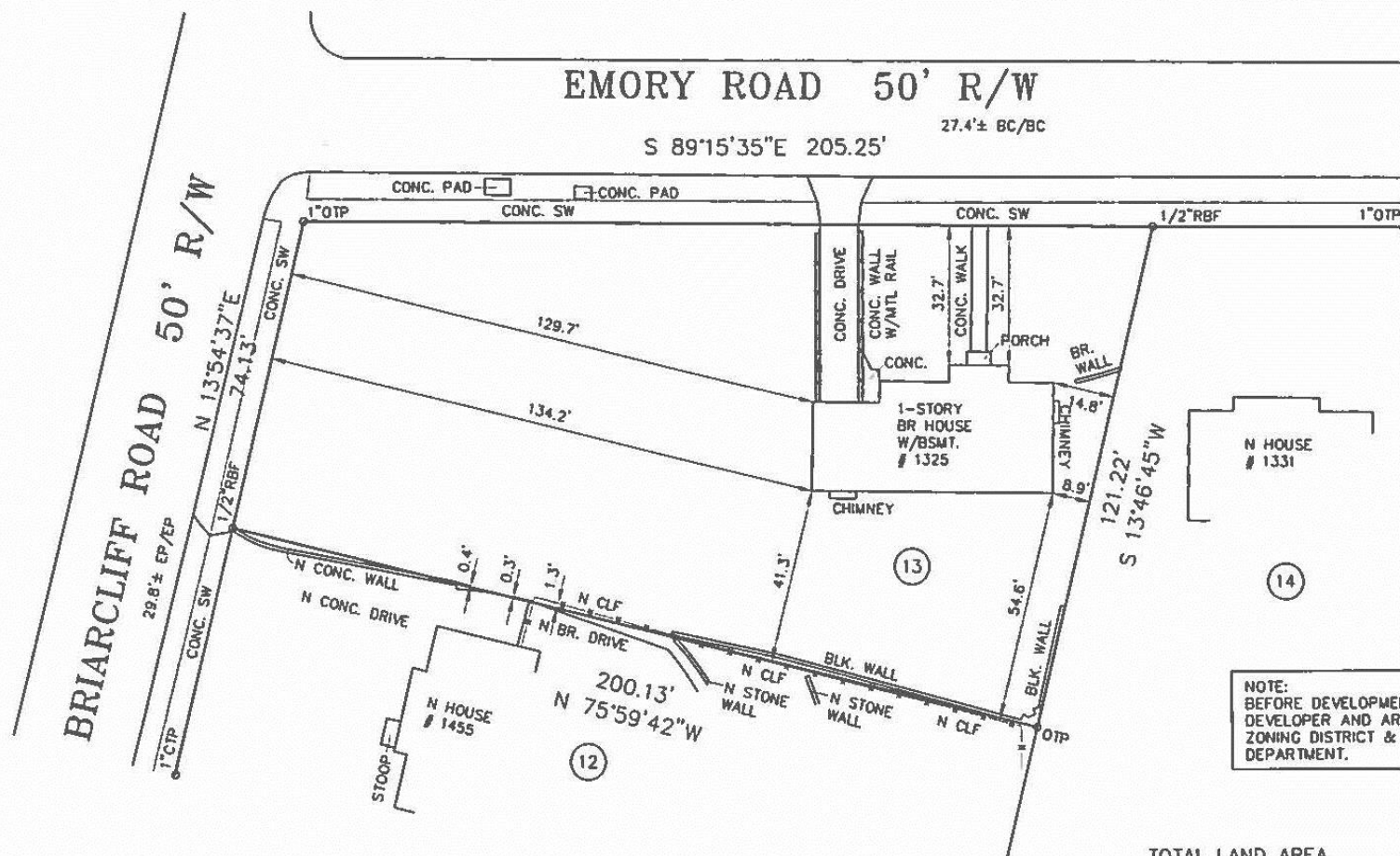
Neighborhood Character: Construction of an appropriate new residence with appropriate materials at the entrance to the street and the second, subdivided portion of the property would enhance home values along the street and add to the character of the neighborhood. Construction of the proposed residence is consistent with the existing character of the neighborhood.

The above represents our rationale in favor of rezoning the above reference parcel of Property. We ask that the board please consider our request favorably, and we appreciate your time immensely. I look forward to working with you and please call if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Howe", with a long horizontal flourish extending to the right.

Dave Howe



* LEGEND *

APD	AS PER DEED	IR	IRON ROD FOUND
AE	ACCESS EASEMENT	IV	IRRIGATION VALVE
APF	AS PER FIELD	JB	JUNCTION BOX
A	ANGLE IRON FOUND	LL	LAND LOT LINE
APP	AS PER PLAT	LLM	MAGNETIC READING MP
APR	AS PER RECORD	MGN	MAGNOLIA TREE
BC	BACK OF CURB	WH	WATER HOLE
BLK	BLOCK	MTF	METAL FENCE
BLS	BUILDING LINE SETBACK	N	NAIL
BRK	BRICK	OH	OVERHANG
BSMT	BASEMENT	OTP	OPEN TOP PIPE FOUND
CBX	CABLE BOX	OU	OWNERSHIP UNCLEAR
C	CONCRETE	P	PORCH
CB	CATCH BASIN	PC	PROPERTY CORNER
CL	CENTER LINE	PL	PROPERTY LINE
CLF	CHAIN LINK FENCE	PWT	PINE TREE
CMP	CORRUGATED METAL PIPE	PCH	POINT OF BEGINNING
C.O.A.	CITY OF ATLANTA	PP	POWER POLE
CD	SAN SEWER CLEANOUT	PW	POWER LINE
CRWL	CRAWL SPACE	P	PORCH
CP	CALCULATED POINT	(P)	PLAT
CPT	CARPENTRY	R	RECORD
CTP	CRIMP TOP PIPE FOUND	RBF	REINFORCING BAR FOUND
D	DEED	RBS	REINFORCING BAR SET
DE	DRAINAGE EASEMENT	RCP	REINFORCED CONC. PIPE
DI	DRAINAGE INLET	R/W	RIGHT-OF-WAY
EB	ELECTRIC POWER BOX	SH	SIGN
EM	ELECTRIC METER	SS	SANITARY SEWER LINE
EP	EDGE OF PAVEMENT	SSE	SANITARY SEWER EASEMENT
F	FIELD	SP	SCREENED PORCH
FP	FENCE POST	SW	SIDEWALK
FC	FENCE CORNER	TB	TOP OF BANK
FR	FIRE HYDRANT	UE	UTILITY EASEMENT
FR	FRAME	WD	WOOD
GL	GAS LINE	WOF	WOOD FENCE
GM	GAS METER	WOK	WOOD DECK
GV	GAS VALVE	WL	WATER LINE
GW	GUY WIRE	WM	WATER METER
HW	HARDWOOD TREE	WF	WIRE FENCE
IPF	IRON PIN FOUND	WV	WATER VALVE
IPS	IRON PIN SET	WW	WET WEATHER
		W/	WITH
		Y	YARD INLET

PROPERTY IS ZONED R-75
BUILDING SETBACK LINE:
FRONT AVERAGE 50.3' & 32.7'
SIDE 7.5'
REAR 40'
MAX. BUILDING HEIGHT 35'
MAX. LOT COVERAGE 35%
MIN. FRONTAGE 75'
MIN. LOT AREA 100000 SF

SURVEY NOTES:

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, TELEPHONE, ELECTRIC, WATER AND SEWER, GAS COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
2. THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE LOCATED USING SIDE DIMENSIONS FROM THE HOUSE. ALL MATTERS OF THE TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAY PUBLIC OR PRIVATE.
3. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD RECORDED AND NOT RECORDED, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED. PROPERTY OWNER OR PERSON ORDERING THE SURVEY IS RESPONSIBLE TO CONTACT CLOSING ATTORNEY OR TITLE COMPANY FOR A FULL TITLE SEARCH AND COMMITMENT INCLUDING ALL THE EXCEPTION.
5. SURVEY LAND EXPRESS, INC IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, TELEPHONE CONVERSATION WITH ZONING OFFICE AT THE COUNTY OR CITY, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.
6. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RE-CERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS, ENTITY.

LOT 13	BLOCK 33
SUBDIVISION DRUID HILLS	UNIT
LAND LOT 54	18TH DISTRICT
DEKALB COUNTY, GEORGIA	SECTION
FIELD WORK DATE JULY 06, 2018	PB.7/PG.77 DB.13512/PG.606
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED	PAPER SIZE: 11" x 17"

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

AM
COORD #20161498
OWC #20161498

SURVEY LAND EXPRESS, INC
LAND SURVEYING SERVICES

24 LENOX POINTE
ATLANTA, GA 30324
FAX 404-601-0941
TEL 404-252-3747

#FDS@SURVEYLANDEXPRESS.COM

BOUNDARY SURVEY PREPARED FOR:
DAVE HOWE

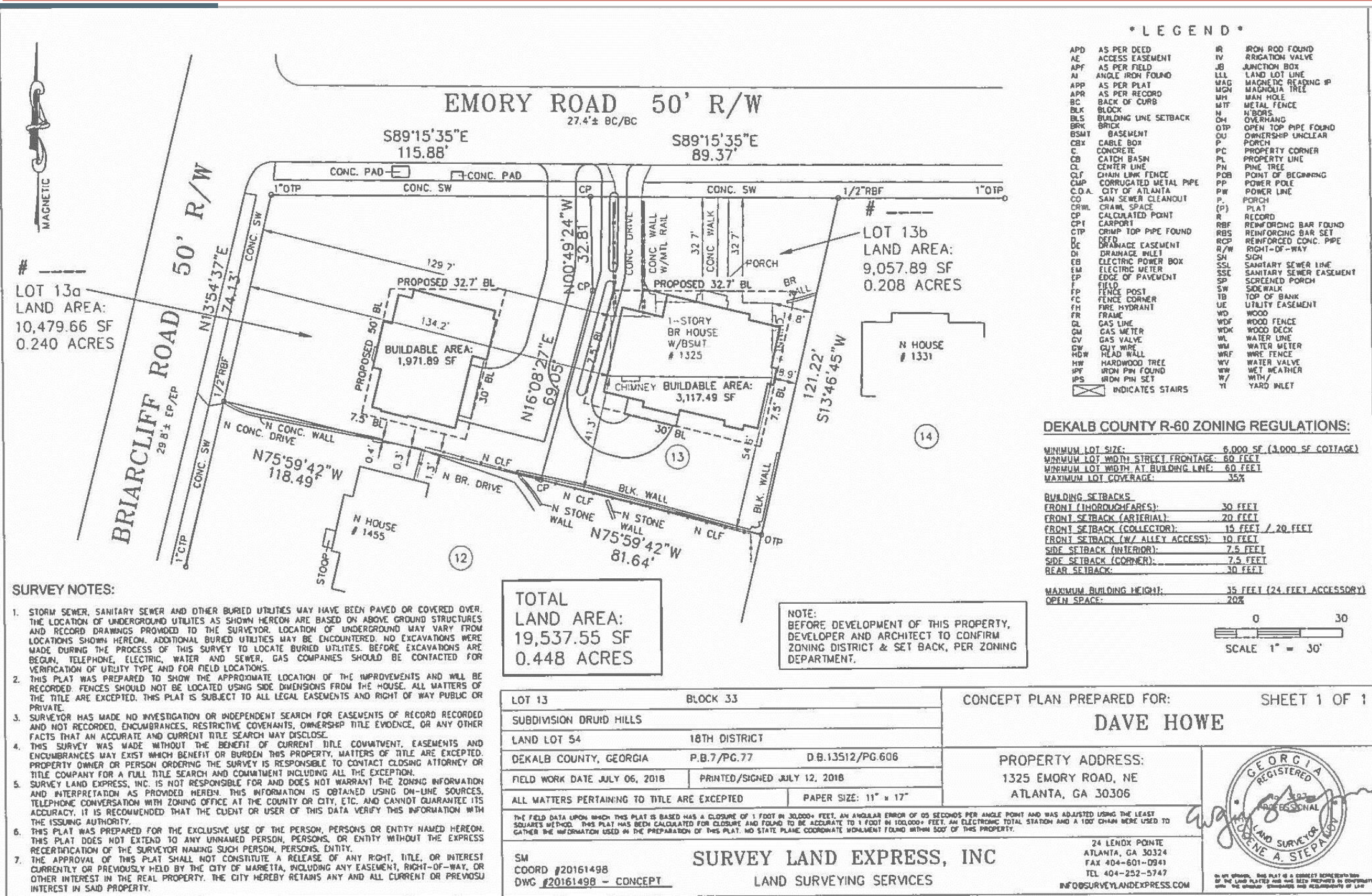
PROPERTY ADDRESS:
1325 EMORY ROAD, NE
ATLANTA, GA 30306

0 30
SCALE 1" = 30'

SHEET 1 OF 1



IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND THE INFORMATION THEREON. I AM A MEMBER, IN GOOD STANDING, OF THE SURVEYING AND MAPPING SOCIETY OF GEORGIA.



BRIARCLIFF ROAD 50' R/W
N 13°54'37"E
74.13'

EMORY ROAD 50' R/W

27.4'± BC/BC

S 89°15'35"E

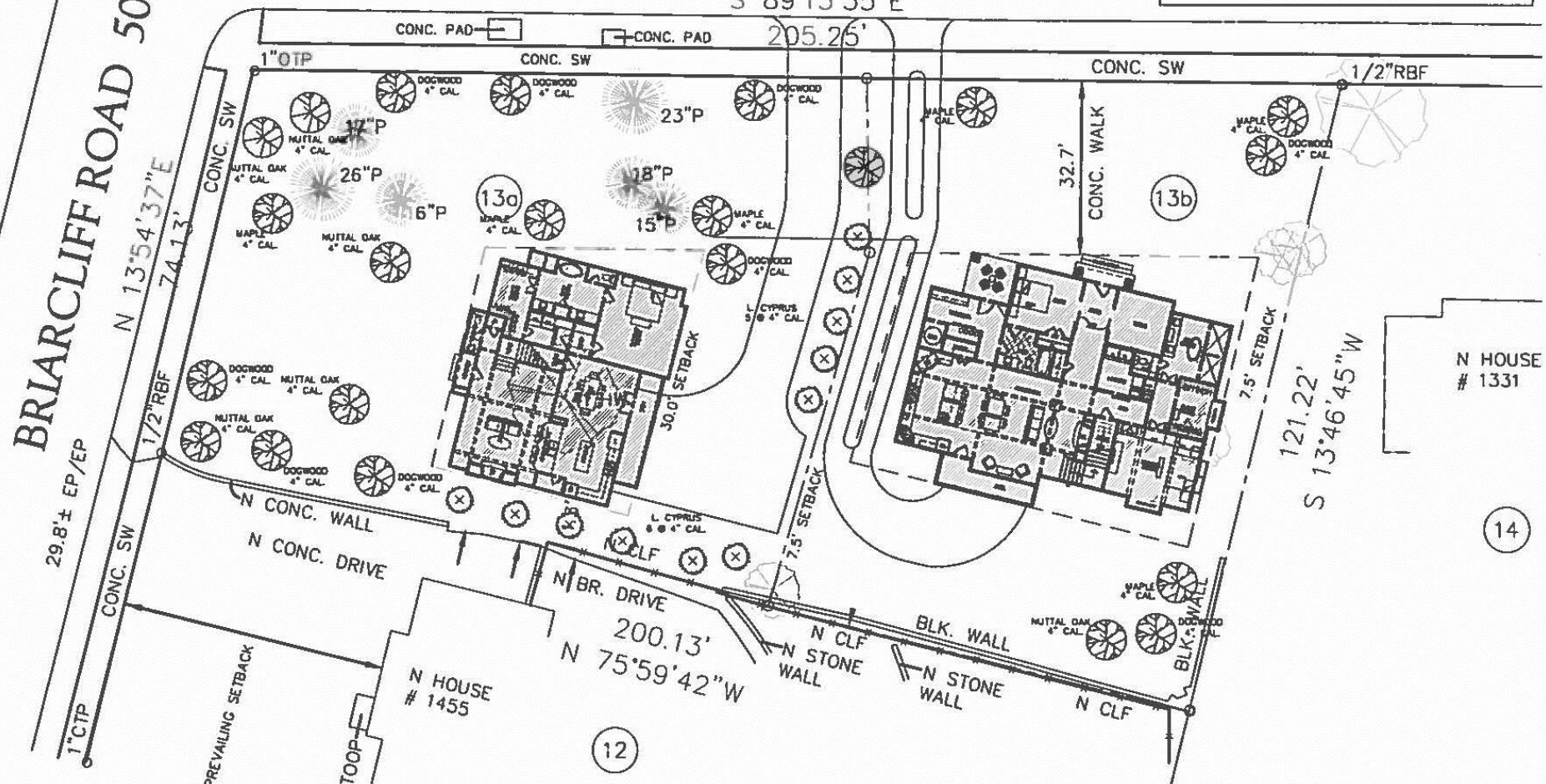
TREE REPLANTING NOTE:
SUBJECT PROPERTY MINIMUM REQUIRE TREE REPLACEMENT 1:1 MATCH FOR DIA. OF REMOVED

TREE REMOVAL LOT 13a:
41" HARDWOOD, 36" HARDWOOD, 6" HARDWOOD,
7" HARDWOOD, 8" HARDWOOD = 98" TOTAL

TREE REQUIRED REPLACEMENT @ 4": 25
TOTAL NEW TREES @ 4": 21

TREE REMOVAL LOT 13b:
24" HARDWOOD = 24" TOTAL

TREE REQUIRED REPLACEMENT @ 4": 6
TOTAL NEW TREES @ 4": 6



103

PROPOSED TREE REPLACEMENT PLAN LOTS 13a & 13b
SCALE: 1" = 10'-0"

PROJECT NUMBER

1608

DATE

June 18, 2018

DRAWN BY

APPROVED BY

M/M

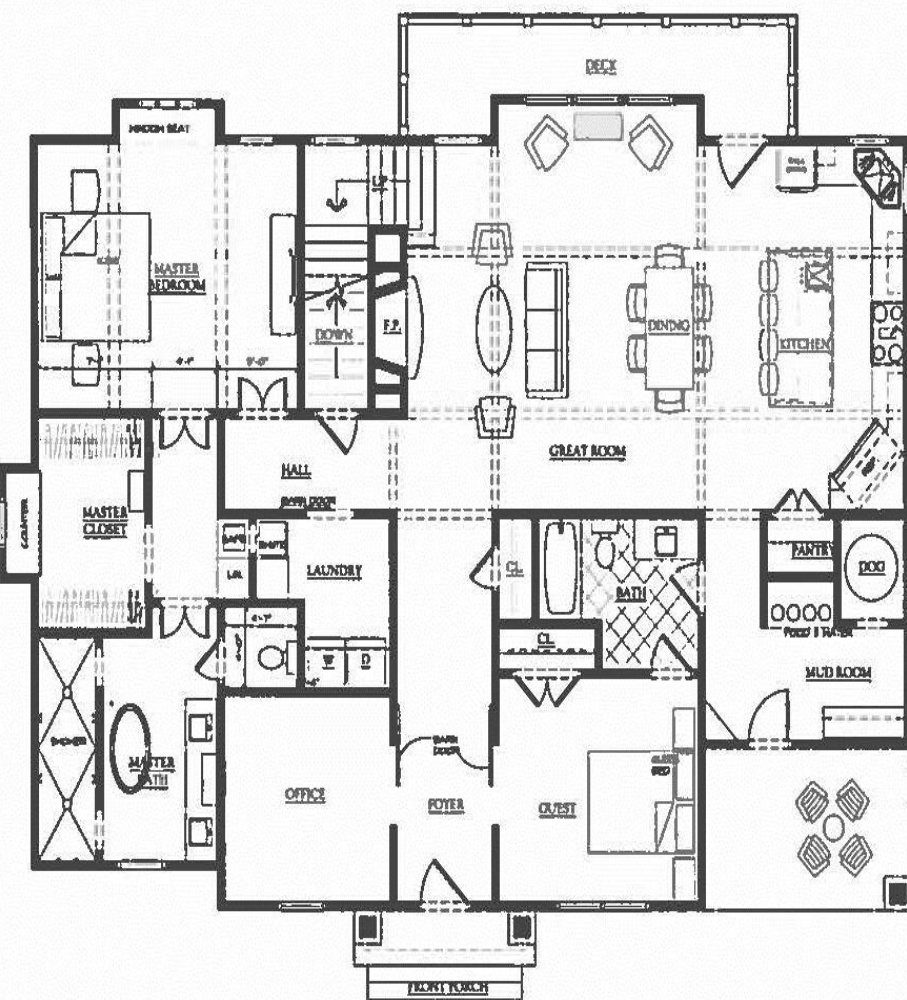
REVISIONS

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SHEET NUMBER

AO.3

CONCEPTUAL SITE PLAN
Request for Variance Lot 13
1325 Emory Road NE
Decatur, Georgia



13b CONCEPTUAL FLOOR PLAN: MAIN LEVEL

SCALE: 1/4" = 1'-0"



13b CONCEPTUAL FRONT ELEVATION

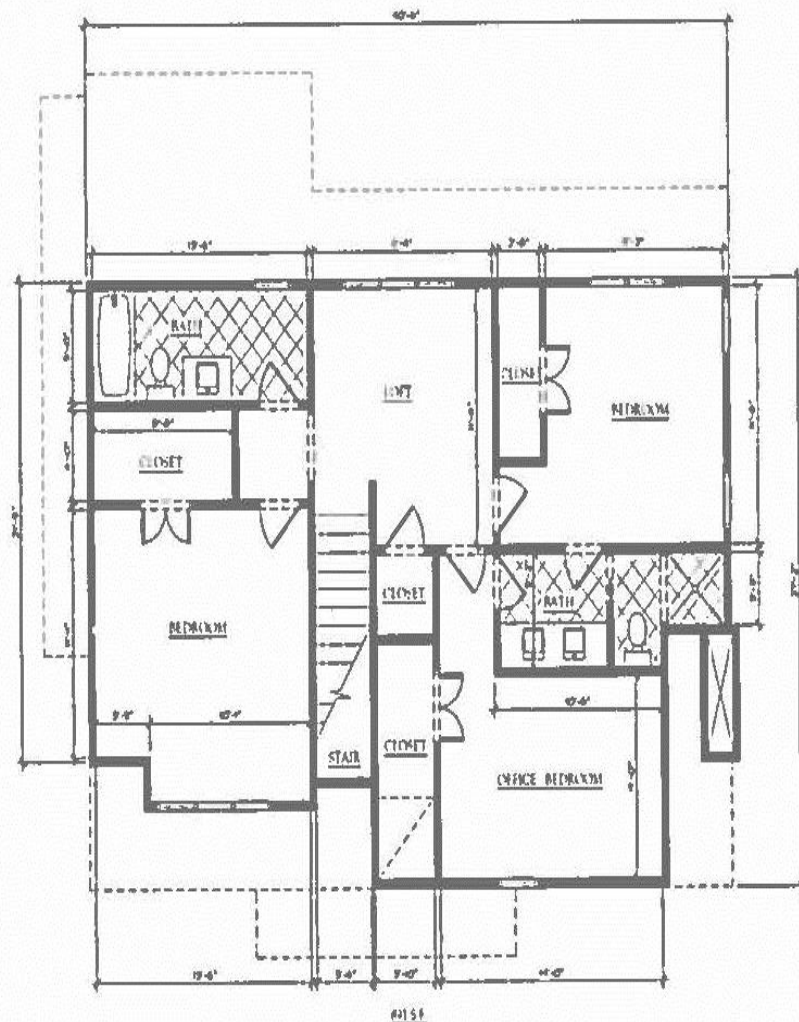
SCALE: 1/4" = 1'-0"

CONCEPTUAL FLOOR PLAN
Request for Variance Lot 13
1325 Emory Road NE
Decatur, Georgia

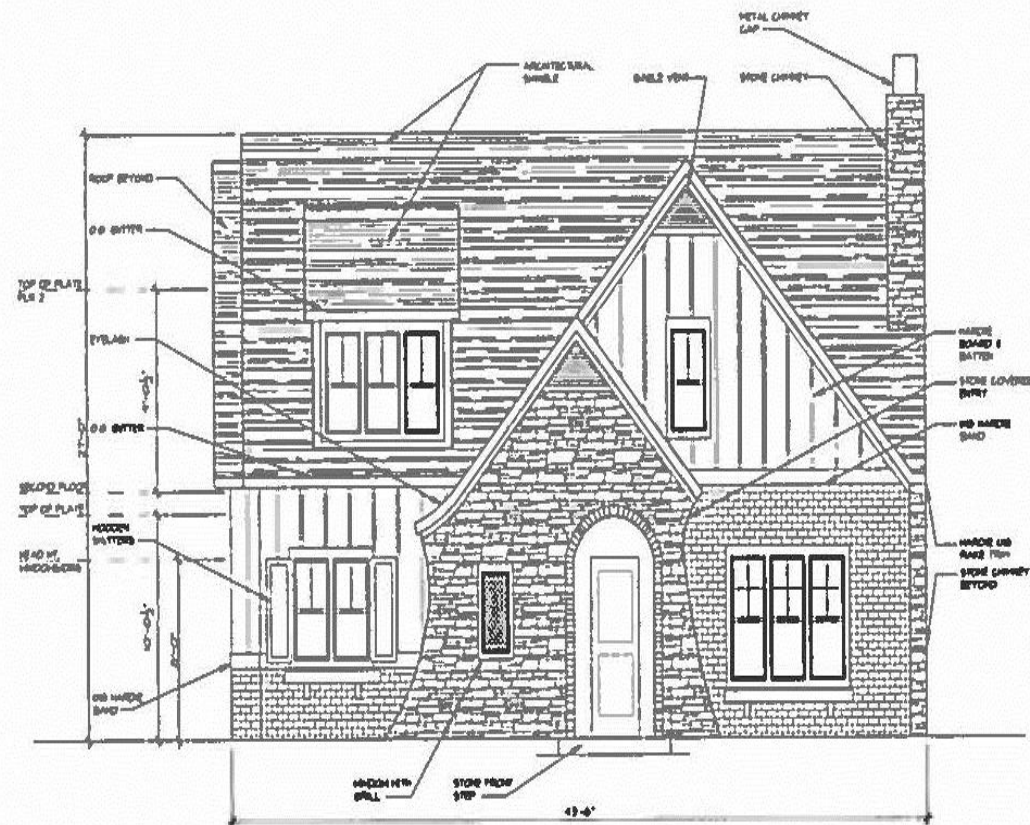
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SHEET NUMBER

A13



NORTH
13a FLOOR PLAN: UPPER LEVEL
SCALE: 1/4" = 1'-0"



2 PROPOSED FRONT (WEST) ELEVATION
SCALE: 1/4" = 1'-0"

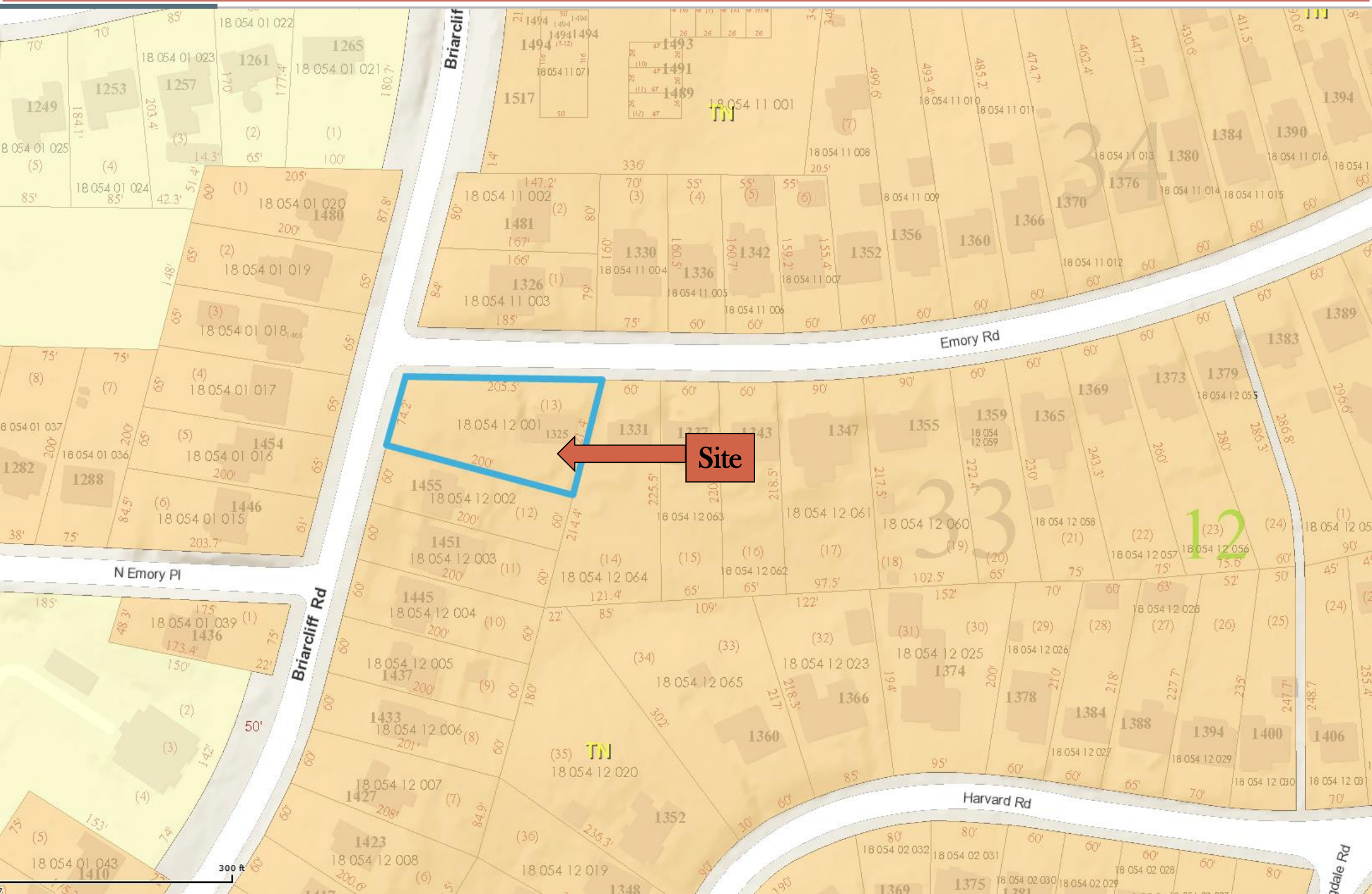
CONCEPTUAL FLOOR PLAN
Request for Variance Lot 13
1325 Emory Road NE
Decatur, Georgia

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SHEET NUMBER

A1.2





N.3

Z-18-1235090

Aerial



EMORY ROAD

Site

BRIARCLIFF ROAD

300ft

POWERED BY
esri



Emory Road Frontage



Briarcliff Road Frontage