



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

## Agenda Item

**File #:** 2017-1486  
**File Status:** Approval Review

1/23/2018

**Public Hearing:** YES  NO       **Department:** Planning & Sustainability

**SUBJECT:**

Z-18-21931 Gail Mooney

**COMMISSION DISTRICT(S):** 4 & 7

**PETITION NO:** Z-18-21931

**PROPOSED USE:** 44-Lot Single-Family Subdivision

**LOCATION:** 1135 South Deshon Road

**PARCEL NO.:** 16-130-01-004

**INFORMATION CONTACT:** Marian Eisenberg

**PHONE NUMBER:** 404-371-4922

**PURPOSE:**

To rezone from R-100 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to develop a 44-lot single-family detached residential subdivision. The property is located on the west side of South Deshon Road, across from Deshon Ridge Drive at 1135 South Deshon Road, Lithonia, Georgia. The property has approximately 1,100 feet of frontage along South Deshon Road and contains 13.66 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Approval with Condition

**PLANNING COMMISSION:** Approval with Conditions

**PLANNING STAFF:** Approval with Conditions

**PLANNING STAFF ANALYSIS:** The zoning proposal to the R-60 (Residential Medium Lot) District is consistent with the following policy of the 2035 Comprehensive Plan: Encourage compatible architecture styles that maintain regional and neighborhood character. The development as proposed is compatible with adjacent and nearby residential subdivisions along South Deshon Road. Transportation improvements as required by DeKalb County Public Works Department will help mitigate the impact on traffic in the area. The Department of Planning and Sustainability recommends “**APPROVAL**” of the rezoning request subject to the

recommended conditions.

**PLANNING COMMISSION VOTE:** 5-2-1. L. Osler moved, J. Johnson seconded for approval as recommended and conditioned by Staff. J. West & M. Butts opposed; A. Atkins abstained.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Approval with Condition 9-1-0. Council recommended approval with added condition that no homes encroach into 75-foot stream buffer.

## Z-18-21931 RECOMMENDED CONDITIONS

1. The development shall have a maximum of 44 single-family detached residences at a maximum density of 3.22 units per acre.
2. The minimum house size shall be 1,400 square feet.
3. No more than one (1) curb cut on South Deshon Road. Vehicular ingress and egress and required transportation improvements shall be subject to the Transportation Division within the Department of Public Works.
4. Apply for a variance with the Zoning Board of Appeals (ZBOA) for reduction in size pursuant to Chapter 27-Article 5 of the DeKalb County Code.
5. Provide street lights per approval by the Public Works Department.
6. The front building facades except window fenestrations shall consist of 80% brick, masonry stucco, stone, cedar shake or cementitious siding. No exposed concrete block. Vinyl siding is prohibited.
7. Front, sides and back lawns shall be sodded prior to the issuance of a Certificate of Occupancy.
8. No more than one (1) brick base monument sign shall be erected at the subdivision entrance. Sign area shall not exceed 32 square feet, excluding base and shall not exceed eight (8) feet in height.
9. 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.
10. Final lot layout subject to sketch plat approval in accordance with DeKalb County Ordinances, Chapter 27 (Zoning Code) & Chapter 14 (Land Development Code) before applying for a Land Disturbance Permit (LDP).



**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: January 09, 2018, 6:30 P.M.  
Board of Commissioners Hearing Date: January 23, 2018, 6:30 P.M.**

**STAFF ANALYSIS**

**Case No.:** Z-18-21931 **Agenda #:** N.9

**Location/Address:** The west side of South Deshon Road, across from Deshon Ridge Drive at 1135 South Deshon Road, Lithonia Georgia. **Commission District:** 4 **Super District:** 7

**Parcel ID:** 16-130-01-004

**Request:** To rezone property from R-100 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to develop a 44-lot single-family detached residential subdivision.

**Property Owners:** Leada Abushawareb

**Applicant/Agent:** Gail Mooney

**Acreage:** 13.66 Acres

**Existing Land Use:** Undeveloped

**Surrounding Properties:** Single-Family Detached Residences & Subdivisions

**Adjacent & Surrounding Zoning:** North, South, West & East: R-100 (Residential Medium Lot) District

**Comprehensive Plan:** Suburban (SUB) Consistent X

<b>Proposed Building Square Feet:</b> Minimum 1,200 square feet per lot	<b>Existing Building Square Feet:</b> N/A
<b>Proposed Lot Coverage:</b> Lots coverage shall not exceed 35%	<b>Existing Lot Coverage:</b> N/A

## **SUBJECT SITE & ZONING HISTORY:**

The subject property is a 13.66 acre undeveloped parcel located on a two-lane minor arterial at 1135 South Deshon Road in unincorporated DeKalb County. The site has been zoned R-100 (Residential Medium Lot) District since the adoption of the 1956 DeKalb Coning Ordinance. The site is heavily wooded with mature trees and shrubbery. State waters have been identified on the site near the north and western property lines. Single-family detached residences abut the site along all perimeter property lines. Subdivisions adjacent to and near the subject site include Timbers Subdivision along the north property line and McKenzie Cove and Deshon Ridge Subdivisions along the east side of Deshon Road across from the subject site. Further west along South Deshon Road is Princeton Park, Huntington Crossing and Huntington Place Subdivisions. Further north is Breckenridge Estates.

## **PROJECT ANALYSIS:**

Per the submitted application, the applicant is requesting to rezone the site from the R-100 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to develop 44 single-family detached residences. Per information submitted by the applicant, the detached residences would range in house size from 1,400 to 2,250 square feet with a two (2) car garage. One entrance to the site is proposed along South Deshon Road (a minor arterial). A 20-foot transitional buffer is depicted along all perimeter property lines.

It is recommended that the applicant request a pre-submittal sketch plat roundtable meeting with Planning & Sustainability to review lot layout before zoning is finalized with site plan.

## **DEVELOPMENT STANDARDS**

The submitted site plan depicts compliance to required 25-foot state stream buffer in addition to the 50-foot county buffer on the subject site along the rear of lots 12 through 18.

Chapter 27-Article 5.2.3 of the DeKalb County Code requires compatible lot sizes of new subdivisions with adjacent subdivisions. New lots must be at least 80% of the lot width of an adjacent existing subdivision. Staff notes several proposed lots on the submitted site plan that abut existing single-family residences on extremely large lots exceed the district standards. The applicant must request a variance to this standard for those lots.

Chapter 27-Article 5.7.5.N.1 requires street-facing garages to be at least two (2) feet behind the primary front façade. The applicant intends to redesign the proposed housing facades to meet this standard.

## **LAND USE**

The site is located within a Suburban Character Area designated by the 2035 Comprehensive Plan. The R-60 District is a permitted zoning within the Suburban Character Area and is consistent with the following Plan policies: Encourage residential development to conform with existing traditional neighborhood development principals; enforce residential infill development regulations in efforts to preserve and stabilize existing neighborhoods; and Encourage compatible architecture styles that maintain regional and neighborhood character.

## **ZONING ANALYSIS**

The applicant is requesting to rezone the subject site from the from R-100 (Residential Medium Lot) District to R-60 (Residential Small Lot) District. The intent of the R-100 District is to provide protection of neighborhoods within the county where lots have a minimum of 15,000 square feet at a density of 2.90 units per acre. The R-60 District allows residential developments on minimum 6,000 square foot lots at a density of 7.26 units per acre within a Suburban Character Area.

The zoning map depicts RSM (Small Lot Residential Mix) Districts developed with single-family detached subdivisions along South Deshon Road in the area of the subject site. The RSM district has a smaller minimum lot size of 5,000 square feet and a maximum density of 8 units per acre within the Suburban Character Area. The proposed R-60 zoning district has a larger minimum lot size of 6,000 square feet. Compliance to required stream buffers on the subject site allows development at a smaller density of 3.22 units per acre which is compatible with nearby residential subdivisions zoned R-100 in the area. The minimum house size for the R-60 zoned district is being increased from 1,200 square feet to 1,400 square feet for the proposed development. Given the compatibility of development standards (lot size, house & density) with other subdivisions along South Deshon Road, Planning and Sustainability is of the opinion that the proposed R-60 zoning district is suitable for the subject site.

**Section 27-7.3.4 of the DeKalb County Code states that the following standards and factors shall govern the review of all proposed amendments to the Official Zoning Map.**

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

At 3.22 units per acre, the proposed development fits in with a density of 4 units per acre that is allowed by right in the Suburban character area. The zoning proposal is consistent with the following policies of the 2035 Comprehensive Plan: Enforce residential infill development regulations in efforts to preserve and stabilize existing neighborhoods; and Encourage compatible architecture styles that maintain regional and neighborhood character.

**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 the R-60 (Residential Small Lot) District as proposed will allow compatible house sizes on smaller lots in the area along South Deshon Road. Information submitted by the applicant stated the house sizes would range in size from 1,400 square feet to 2,250 square feet. Adjacent and nearby R-100 districts require a minimum 2,000 square foot house size. Further north and east of the site are RSM zoned districts with a minimum house size of 1,200 square feet.

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

Currently zoned R-100, there is a reasonable economic use for the property to be developed. However, the proposed R-60 district would have a higher economic value. The property as currently zoned R-100 has a minimum lot size of 15,000 square feet. Given the required stream buffers on the site, 15,000 square foot lots would have a lower lot yield than the requested 6,000 square foot lots for the R-60 rezoning request.

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

The number of trips that would be generated by the proposed development would add to existing traffic on South Deshon Road during A.M. and P.M. peak hours. Potential traffic congestion will be mitigated by provision of a right turn lane in front of the subject property.

**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 rezoning request to R-60 allows 6,000 square foot lots. Staff notes there are other subdivisions along South Deshon Road in the area of the subject site that are zoned RSM (Small Lot Residential Mix) District which has a

minimum lot size of 5,000 square feet. The different zoning districts would allow a mixture of smaller lots with compatible housing sizes to give a variety of housing options in the area.

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

There has been no indication that the proposed rezoning will adversely affect historic buildings, sites, districts or archaeological resources.

**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 from reviewing departments and agencies that the proposal will or could cause excessive use of existing streets, transportation facilities, utilities, or schools.

**COMPLIANCE WITH DISTRICT STANDARDS:**

<b>R-60 STANDARD</b>	<b>REQUIREMENT</b>	<b>PROPOSED</b>	<b>COMPLIANCE</b>
MIN. LOT SIZE	6,000 square feet except adjacent to existing subdivision lots per 5.2.3.B.2	6,000 square feet for all lots	No. Applicant will request a variance.
MIN. UNIT SIZE	1,200 square feet	1,400 square feet	Yes
MIN. LOT WIDTH Single Family Detached.	60 feet	60 feet per lot 35 feet fronting Cul-de-sac	Yes Yes
MAX. LOT COVERAGE PER (USFD) LOT	35%	50%	No. Site must comply during LDP Phase.
OPEN SPACE	20%	None depicted on submitted site plan	Must comply at Land Disturbance Permitting Phase
FRONT SETBACK	20 feet	20 feet	Yes
REAR SETBACK	30 feet	30 feet	Yes
SIDE INTERIOR SETBACK	7.5 feet	7.5 feet	Yes
PARKING Single Family Detached. (USFD)	Maximum 4 parking spaces per dwelling unit.	2 parking spaces per unit	Yes

**STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS**

The zoning proposal to the R-60 (Residential Medium Lot) District is consistent with the following policy of the 2035 Comprehensive Plan: Encourage compatible architecture styles that maintain regional and neighborhood character. The development as proposed is compatible with adjacent and nearby residential subdivisions along South Deshon Road. Transportation improvements as required by DeKalb County Public Works Department will help mitigate the impact on traffic in the area. The Department of Planning and Sustainability recommends “**APPROVAL**” of the rezoning request subject to the recommended conditions.

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**Attachments:**

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



## NEXT STEPS

*Following an approval of this rezoning 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 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.**



## 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.

**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.

**DeKalb County School District  
Zoning Review Comments**

Analysis Date: 12/11/2017

**Submitted to:** Dekalb County

**Case #:** Z-18-21931

**Name of Development:** 1135 S Deshon Road

**Parcel #:** 16-130-01-004

**Location:** S Deshon Road across from Deshon Ridge Drive

**Description:** 43 Single-family detached homes on mostly vacant land (1 small house on property)

**Impact of Development:** When fully constructed, this development would be expected to house 24 students: 6 at Princeton ES, 4 at Stephenson MS, 7 at Stephenson HS, and 7 at other DCSD schools. All three neighborhood schools have capacity for additional students.

<b>Current Condition of Schools</b>	<b>Princeton ES</b>	<b>Stephenson MS</b>	<b>Stephenson HS</b>	<b>Other DCSD Schools</b>	<b>Private Schools</b>	<b>Total</b>
Capacity	982	1,371	2,040			
Portables	0	0	0			
Enrollment (Fcst. Oct. 2017)	840	945	1,512			
Seats Available	142	426	528			
Utilization (%)	85.5%	68.9%	74.1%			
<b>New students from development</b>	<b>6</b>	<b>4</b>	<b>7</b>	<b>7</b>	<b>0</b>	<b>24</b>

New Enrollment	846	949	1,519
New Seats Available	136	422	521
New Utilization	86.2%	69.2%	74.5%

<b>Yield Rates</b>	<b>Attend Home School</b>	<b>Attend other DCSD School</b>	<b>Private School</b>	<b>Total</b>
Elementary	0.134889	0.079882	0.008250	0.223021
Middle	0.098729	0.029257	0.005729	0.133715
High	0.157901	0.036927	0.007792	0.202620
<b>Total</b>	<b>0.3915</b>	<b>0.1461</b>	<b>0.0218</b>	<b>0.5594</b>
<b>Student Calculations</b>				
<b>Proposed Units</b>	43			
<b>Unit Type</b>	SF			
<b>Cluster</b>	Stephenson			
<b>Units x Yield</b>	<b>Attend Home School</b>	<b>Attend other DCSD School</b>	<b>Private School</b>	<b>Total</b>
Elementary	5.80	3.43	0.35	9.58
Middle	4.25	1.26	0.25	5.76
High	6.79	1.59	0.34	8.72
<b>Total</b>	<b>16.84</b>	<b>6.28</b>	<b>0.94</b>	<b>24.06</b>
<b>Anticipated Students</b>	<b>Attend Home School</b>	<b>Attend other DCSD School</b>	<b>Private School</b>	<b>Total</b>
Princeton ES	6	4	0	10
Stephenson MS	4	1	0	5
Stephenson HS	7	2	0	9
<b>Total</b>	<b>17</b>	<b>7</b>	<b>0</b>	<b>24</b>



# 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

NOV 01 2017

ZICZ No. \_\_\_\_\_

Date Received: \_\_\_\_\_ Application No.: 2-18-21931 Filing Fee: \_\_\_\_\_

Applicant: GAIL MOONEY E-Mail: gail@surveysouth.com

Applicant Mailing Address: 657 LAKE DR, SHELLVILLE GA 30039

Applicant Phone: 170.558.7895 Fax: \_\_\_\_\_

Owner(s): LEADA G. ABUSHAWTAREH E-Mail: \_\_\_\_\_  
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: 2100 SKYLAND COVE LN, SHELLVILLE GA 30039

Owner(s) Phone: 770.687.2721 Fax: \_\_\_\_\_

Address/Location of Subject Property: 1135 S DEXTER RD

District(s): 16 Land Lot(s): 130 Block: 01 Parcel(s): 004

Acreage: 13.663 Commission District(s): 447

Present Zoning Category: R-100 Proposed Zoning Category R-60

Present Land Use Category: RESIDENTIAL

### 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



Leada G. Abushawtareh 11-9-17  
SIGNATURE OF APPLICANT / DATE

Check One: Owner  Agent

West Ponce de Leon Avenue - Suites 100-500 - Decatur, Georgia - 30030  
4371.2155 - [Planning Fax] (404) 371-4556 [Development Fax] (404) 371-3007  
Web Address <http://www.dekalbcountyga.gov/planning>  
Email Address: [planninganddevelopment@dekalbcountyga.gov](mailto:planninganddevelopment@dekalbcountyga.gov)

Chief Executive Officer  
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director  
Andrew A. Baker, AICP

*Handwritten:* A. Mooney

**PRE-APPLICATION  
REZONES, LAND USE AND SPECIAL LAND USE**

(Pre-application required by appointment prior to filing; submit copy at filing)

Property Frontage/Address: South Deshon Rd

Parcel I.D.: 16-130-01-004 Acreage: 14 Acres

Proposed Development Name: \_\_\_\_\_ DRI? Yes  No

Existing Development/Use: Undeveloped

Proposed Use: Townhomes <sup>Attached</sup> Proposed Density/#Units: \_\_\_\_\_

Existing Zoning: R-100 Proposed Zoning: RSM or B-60 [if single-family detached]

Existing Plan Designation: Suburban  Consistent  Inconsistent

Current Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_

Proposed Access: \_\_\_\_\_

SLUP Request: \_\_\_\_\_ Art. 27: \_\_\_\_\_

Contact Person: GAIL MOONEY Phone: 770.558.7891  
Address: 657 LAKE DR, SNELLVILLE Email: gail@surveys  
ATLANTA GA

Reviewed Required Submittals/ Schedule/DRI

Reviewed Zoning Standards/Reference Chapter 14

Reviewed Site Plan Check list

NOV 01 2017

Discussed Consistency with Plan and Surrounding Zoning/Uses

SLUP Requirements/Supplemental Regs

Process explained to applicant:

Staff Comments: \_\_\_\_\_

Planner [Signature]

Date 8/11/17

Notice Date: Monday, August 14, 2017

NOV 01 2017

## **PUBLIC NOTICE**

To

**Request for Rezoning from R-100 (Single-Family) to R-60 (Single-Family)**

**Filed by:** Shawn Dhanani/Paramount Buildings LLC

**Located at:** 1135 S. Deshon Rd Lithonia, GA 30058

Current use: Undeveloped

Proposed use: Detached single family homes

**Pre-submittal community meeting to take place at:** Redan-Trotti Library

Location: 1569 Wellborn Rd, Lithonia, GA 30058

Date & Time: Tuesday, August 29, 2017 at 7PM-8PM

Contact Info: 678-697-2914 / [paramountbuildingsllc@gmail.com](mailto:paramountbuildingsllc@gmail.com)







SURVEY SYSTEMS ATLANTA  
657 Lake Drive  
Snellville, GA 30039  
770-558-7895  
gail@surveysystemsatlanta.com

NOV 01 2017

November 1, 2017

1135 SOUTH DESHON RD REZONE FROM R-100 TO R-60

LETTER OF APPLICATION

The applicant seeks to rezone the subject parcel from R-100 to R-60 to construct single family residences. The plat demonstrates the proposed development. Rezoning to R-60 reduces the square footage requirements of both the lot and the structures, and will allow the developer to build and sell single family homes at a value that is consistent with the area. There has not been any recent development in this area and this project would bring much needed residential development to this area.

Following is an example of home values in adjoining properties with similar bedrooms and bathrooms:

North Timberclair Court: \$56,000 to \$89,000  
West – Princeton Park: \$125,000-\$198,000  
South: Edmonton Court: \$86,000 - \$114,000

The anticipated price point is \$200,000 to \$250,000. Each home will have 3-4 bedrooms and 2-3 bathrooms, with options for basement, and a two car garage.

If you have any question, please feel free to contact me at 770-558-7895.

Sincerely,

*Gail Mooney*

Gail Mooney



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In response to the standards and factors governing review of proposed amendments to official zoning maps per DeKalb County:

- A: Yes. The zoning proposal is in conformity with the policy and intent of the comprehensive plan as the request is still residential zoning..
- B: Yes. The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties, which are all residential.
- C: No. The property to be affected by the zoning proposal does not have a reasonable economic use. R-100 zoning conditions and minimum square footages could price homes substantially higher than existing homes in this area.
- D: No. The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The rezoning proposal would potentially increase home values as no new construction is occurring in this area.
- E: 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. This area of DeKalb County has not seen much new construction, and this project would demonstrate economic growth and economic viability for the area.
- F: No. The zoning proposal will not adversely affect historic buildings, sites, districts, or archaeological resources, as none exist.
- G: No. The zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools. If this area were developed with R100 zoning, it would add approximately 20-25 new homes. The rezoning to R-60 would only add an additional 20 homes, which would not burden the existing infrastructure.

if you have any question, please feel free to contact me at 770-558-7895.

Sincerely,

*Gail Mooney*  
Gail Mooney

**LEGAL DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 130 AND 159, 16TH DISTRICT, DEKALB COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR FOUND WHERE ROGERS LAKE ROAD DEAD ENDS ON THE NORTHERLY RIGHT OF WAY OF SOUTH DESHON ROAD; THENCE RUNNING  $N0^{\circ}55'54''W$  A DISTANCE OF 351.28' TO A REBAR FOUND; THENCE RUNNING  $S88^{\circ}45'00''W$  A DISTANCE OF 227.27' TO A CALCULATED POINT; THENCE RUNNING  $N0^{\circ}50'55''W$  A DISTANCE OF 631.00' TO AN OPEN TOP PIPE; THENCE RUNNING  $S89^{\circ}50'00''E$  A DISTANCE OF 959.07' TO A CALCULATED POINT; THENCE RUNNING ALONG THE NORTHERLY RIGHT OF WAY OF SOUTH DESHON ROAD  $S18^{\circ}49'36''W$  A DISTANCE OF 406.01' TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1003.00' AND AN ARC LENGTH OF 384.45' BEING SUBTENDED BY A CHORD OF  $S31^{\circ}02'49''W$  A DISTANCE OF 382.00' TO A CALCULATED POINT; THENCE LEAVING AFOREMENTIONED RIGHT OF WAY AND RUNNING  $N47^{\circ}41'31''W$  180.00' TO A CALCULATED POINT; THENCE RUNNING  $S47^{\circ}23'12''W$  A DISTANCE 152.63' TO AN OPEN TOP PIPE; THENCE RUNNING  $S38^{\circ}07'53''E$  A DISTANCE OF 180.00' TO A CALCULATED POINT ON THE NORTHERLY RIGHT OF WAY OF SOUTH DESHON ROAD; THENCE RUNNING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1003.00' AND AN ARC LENGTH OF 291.17' BEING SUBTENDED BY A CHORD OF  $S61^{\circ}26'00''W$  A DISTANCE OF 290.15' TO A REBAR FOUND AND THE POINT OF BEGINNING,

SAID PROPERTY CONTAINS 13.663 ACRES AS SHOWN BY THAT CERTAIN REZONING PLAN PREPARED FOR SOUTH DESHON DEVELOPMENT, PREPARED BY SURVEY SYSTEMS & ASSOC., INC. DATED AUGUST 2, 2017.

NOV 01 2017















