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PJS

BRIARCLIFF ROAD

REZONING CASE –ELEGANT HOMES

Z-19-1243376

18-001-05-021 THROUGH -023

1043, 1047 AND 1051 BRIARCLIFF ROAD

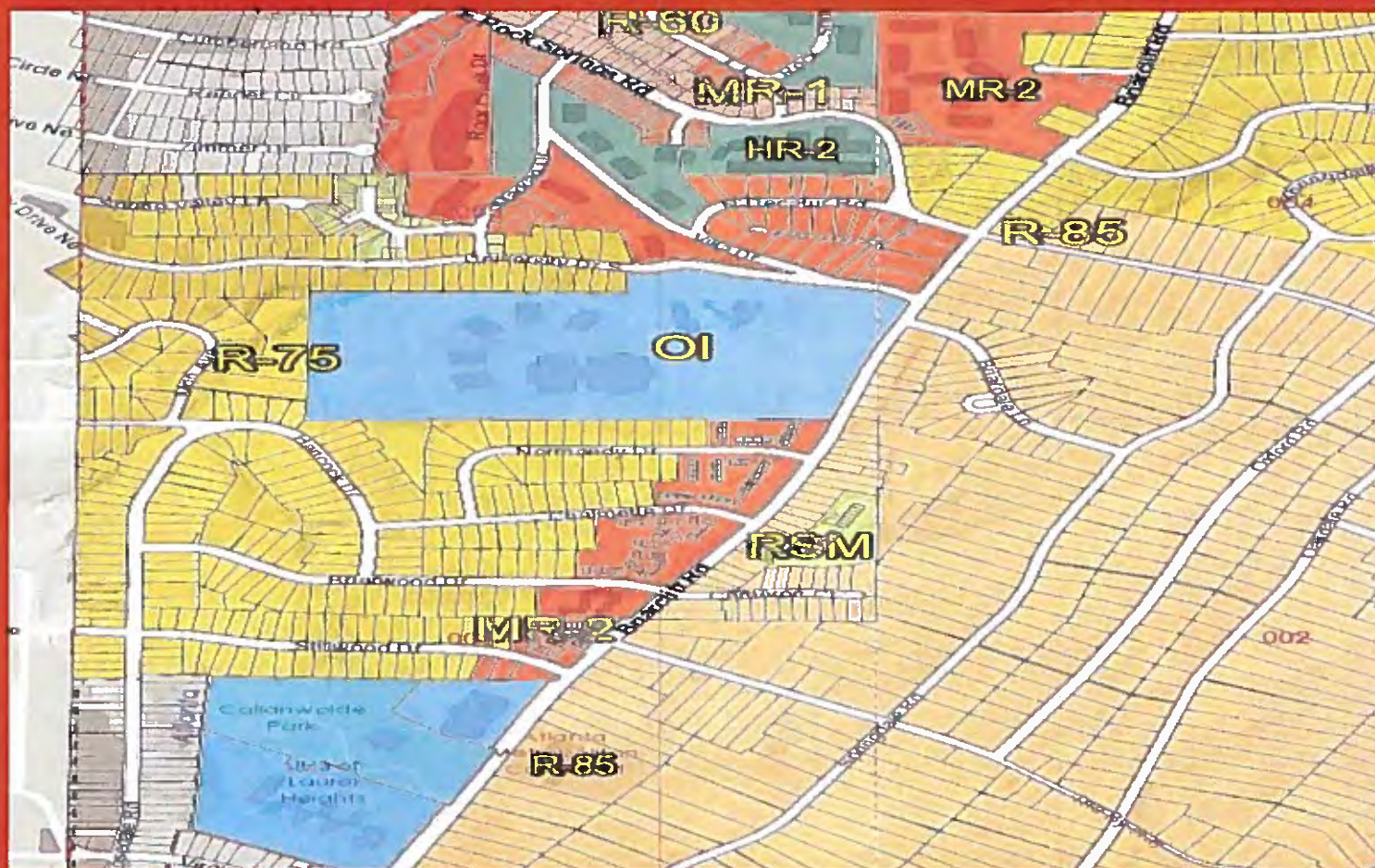
Dunlavy Law Group, LLC



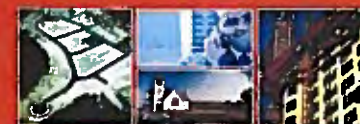


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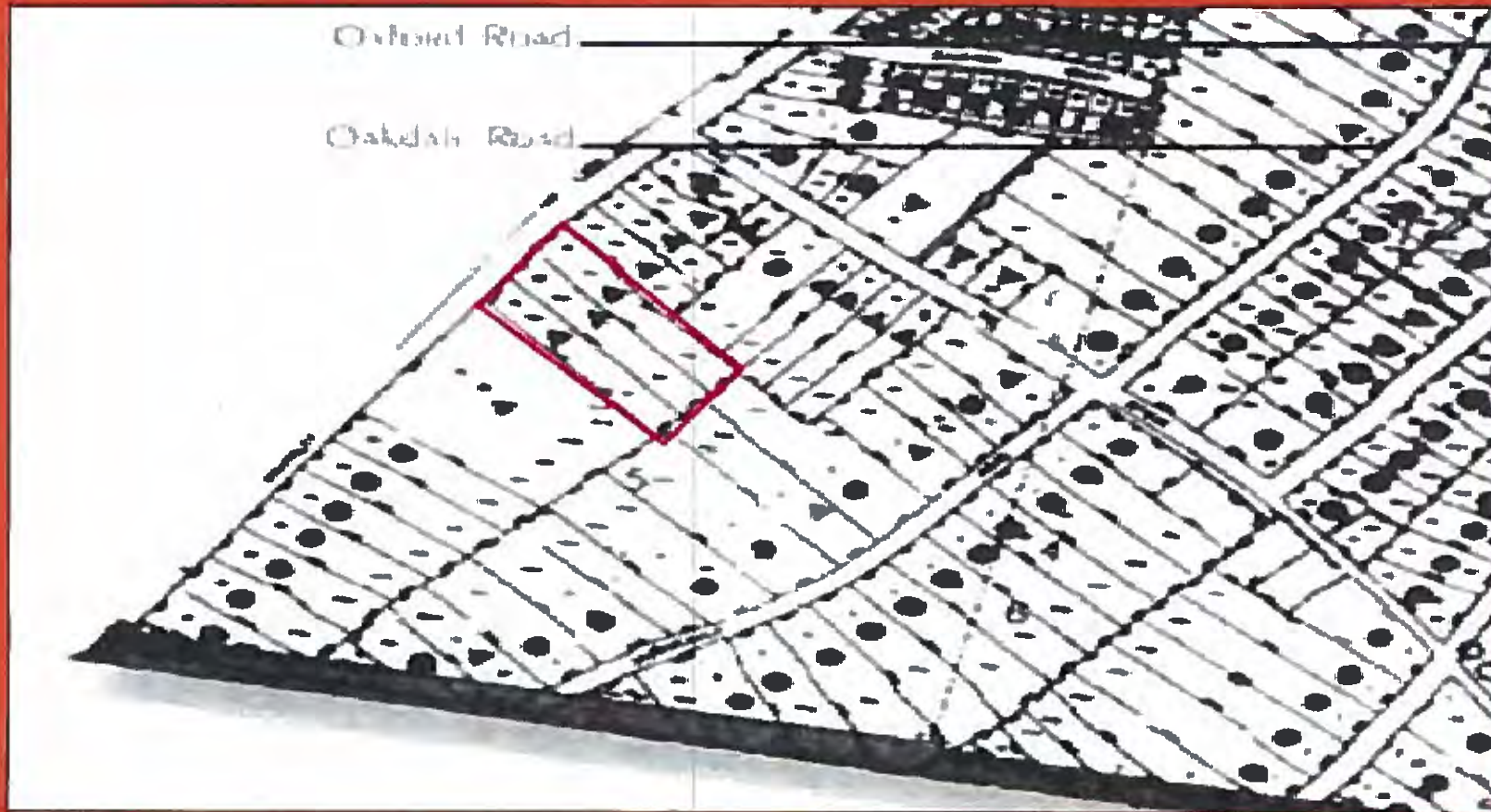


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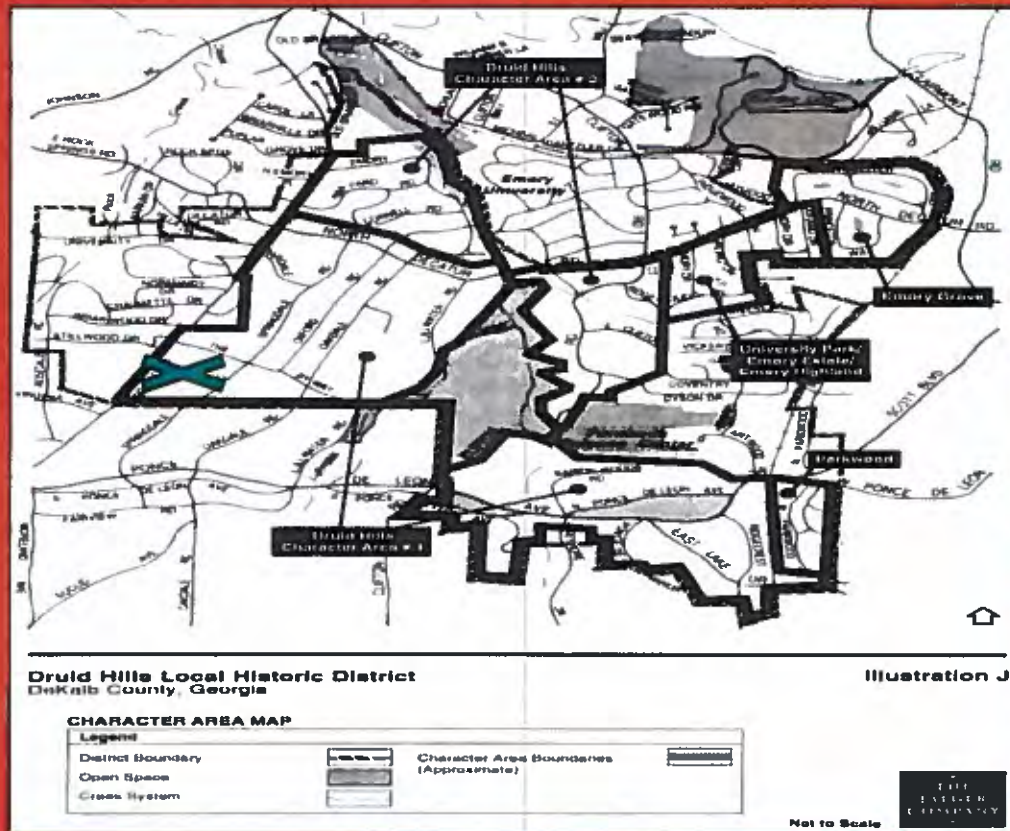


Illustration J

Dunlavy Law Group, LLC





Dunlavy Law Group, LLC



Elevation Study

Looking at units 1-6 facing Briarcliff Road

for: Elegant Homes, LLC

by: TSW

07/03/2019

TSW

PLANNING
ARCHITECTURE
LANDSCAPE ARCHITECTURE



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PRELIMINARY EAST FACADE ELEVATION

Dunlavy Law Group, LLC



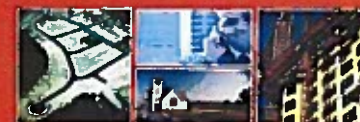


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Feature	Specification
Lot size (3 lots combined)	3.02 acres
Density with 16 units	5.3 upa (max of 12 upa allowed)
Open space	64%
Zoning R 85 / TN	To RSM (small lot residential)/TN
Building height	35 feet
Front yard set back	141 feet
Rear yard set back	70 feet

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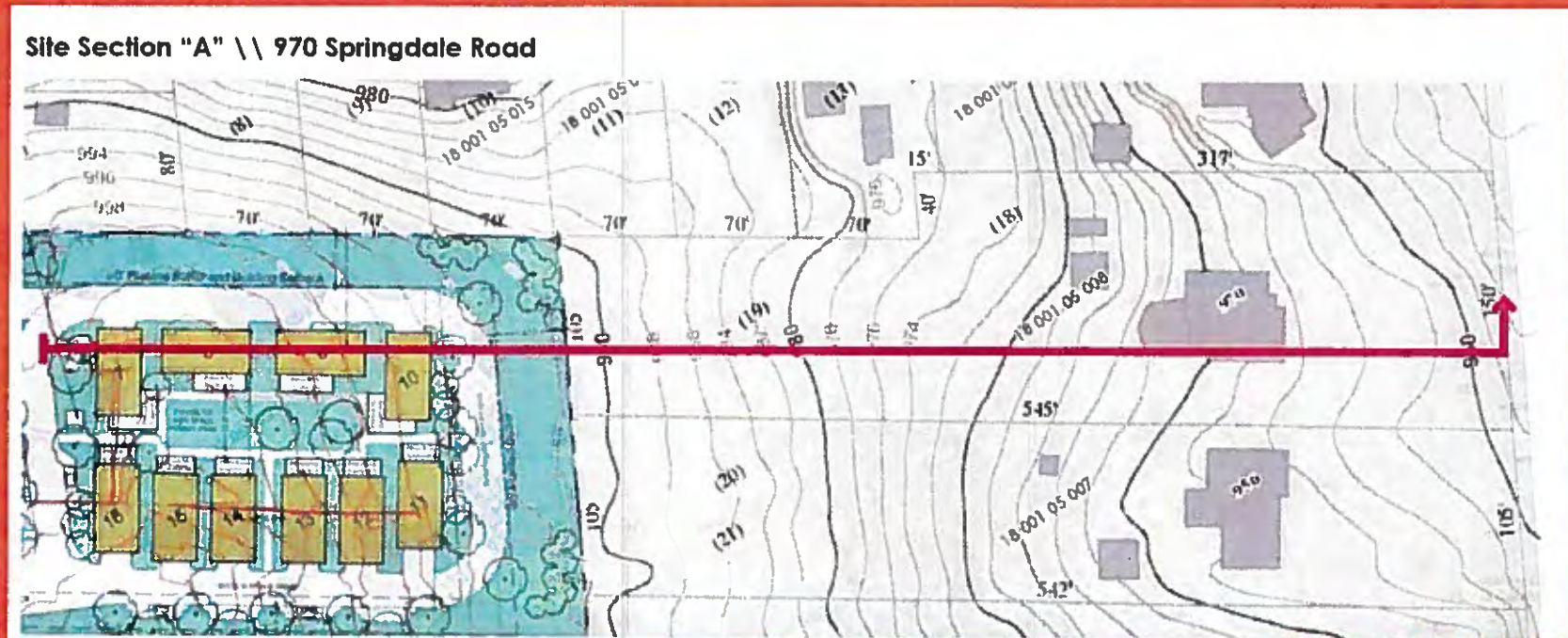


Feature	Specification
Interior side yard setbacks	30 feet
Planted buffers	40 feet at rear 30 foot north side 10 foot south side
Lot coverage	36%
Parking	64 total 19 for guests
Amenities	Courtyard open space Natural garden in front Interconnected pedestrian pathways
Druid Hills Architecture	Compliant with guidelines

Dunlavy Law Group, LLC

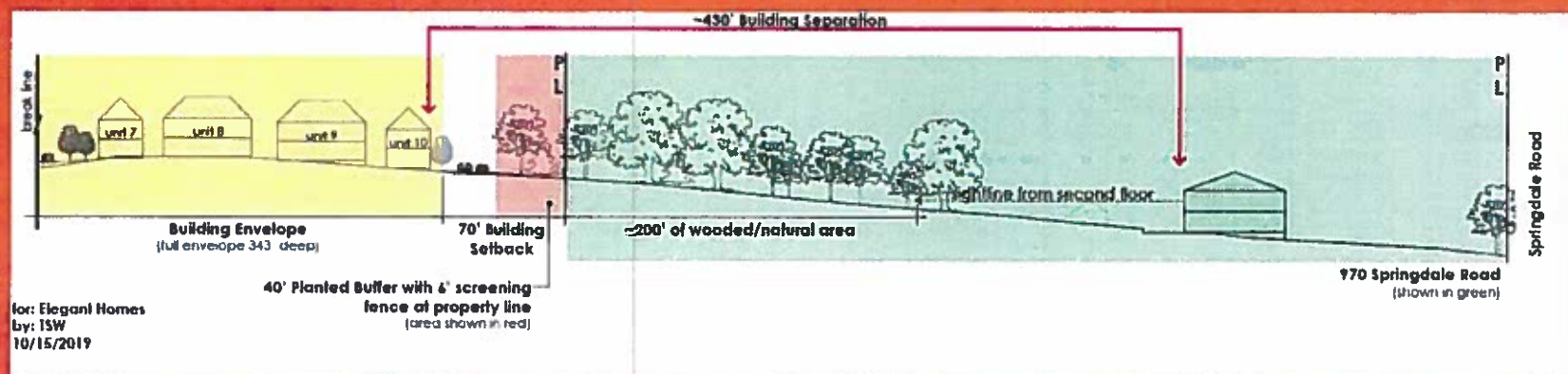


Site Section-970 Springdale



Dunlavy Law Group, LLC





Dunlavy Law Group, LLC





~430' Building Separation



A large, irregular teal-colored ink splatter or blotch is centered on a white background. The splatter has a textured, painterly appearance with darker and lighter shades of teal. Several small, dark teal droplets are visible above and to the left of the main blotch. A thin, vertical grey line runs down the center of the image, passing through the middle of the teal blotch.

Approval with
conditions

**Comments in Support
and
Comments in Opposition**

APPLICATION OF ELEGANT HOMES, LLC,
TO AMEND THE OFFICIAL ZONING
MAP OF DEKALB COUNTY, GEORGIA

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Z/CZ No. Z-19-1243376

COMES NOW Timothy and Lynn Baxter (“The Baxters”), and file this Opposition to the Application Of Elegant Homes, LLC To Amend The Official Zoning Map Of DeKalb County, Georgia (the “Application”), respectfully show as follows:

- 1 -

6. If EM is successful, the EM Properties would transition from the least dense zoning designation in Druid Hills (R-85) to a designation (RSM) that would permit 12 units per acre.

7. Rezoning of single family residential lots to this level of density (including multi-family units) in the Druid Hills Historic District sets a terrible precedent, and is, in fact, unprecedented; it has never been done.

8. The Application is the very definition of “spot zoning,” i.e., a markedly different zoning for a parcel of land within a larger zoned area, but where that different zone is at odds with a municipality’s master plan and current zoning restrictions. See, *e.g., East Lands, Inc. v. Floyd County*, 244 Ga. 761 (1979).

9. The denser uses on the West Side of Briarcliff - on which the Application is based - is irrelevant to support EH’s position.

10. When the Druid Hills Local Historic District was created, the uses on the West Side were already established, but the decision was made to preserve the historic character of the neighborhood by a R-85 designation beginning on the East Side of Briarcliff that continues further East.

11. A primary goal of the Historic District’s zoning is to prevent further degradation of the neighborhood’s historic character. Stated another way, the Historic District was created for a reason: to protect the character of Druid Hills as designed by Frederick Law Olmsted - a peaceful residential neighborhood set in harmony with the natural landscape. The zoning scheme’s density and lot sizes were selected to further this aim. If developers such as EH are permitted to start chipping away at the configuration of the Historic District, the historic designation will serve no purpose.

12. The Design Manual specifically addresses, in several places, the issues raised by the Application. For example, with respect to why non-historic properties are included within the Historic District, the Design Manual states:

One of the primary reasons for designating historic districts is to protect the historic character and integrity of the **district as a whole**. Selectively deleting non historic properties from boundaries would create a “Swiss cheese” effect (emphasis in original).

Design Manual at Appendices, p. ix.

13. In addition, the Design Manual states:

Intrusions (that is, areas with a high concentration of nonhistoric development) within the core area are included **because of their potential to impact surrounding historic properties and the district as a whole** (emphasis added).

14. Section 9.1 of the Design Manual, “Original Subdivision Forms” also states:

The historic layout of the neighborhoods and subdivisions, located within the Druid Hills Local Historic District, has created the physical framework for the district. This layout, created originally by Frederick Law Olmsted, Sr., has definable characteristics that have been replicated in more recent development plats by later designers. These plans guided the configuration of streets, public open spaces, and private lots. **The original layout creates a historical context for the district. The cumulative effect of alterations to this layout would destroy this context.** (emphasis added).

15. There have been earlier attempts to rezone a residential stretch of Briarcliff to medium density. In 1997, the owner of the historic home at 957 Briarcliff Road, a Ms. Gloria Trencio, sought a zoning variance to permit apartments within the house. The DeKalb Board of Commissioners ruled against Mrs. Trencio, and she appealed that decision to the DeKalb County Superior Court. Mrs. Trencio’s suit was eventually dismissed.

16. Contrary to EP's statements, there is more than sufficient housing stock available for people who want to remain in or near the neighborhood and yet live in a smaller footprint. Some examples including new multifamily units at Ponce and Briarcliff in the United Methodist Church, multifamily units Briarcliff north of Ponce to the Atlanta City Line, units presently under construction at Virginia Avenue and Briarcliff (City of Atlanta), and the historic apartments on the West Side of Briarcliff just north of the By-Way.

17. Traffic on Briarcliff Road is already very difficult. Local residents note the terrible late afternoon /evening traffic on Briarcliff, Springdale, Oakdale, and Lullwater heading south, making it impossible difficult to cross Ponce at that time of day. North Decatur East of Briarcliff on into Emory Village is also frequently "clogged."

WHEREFORE, and for all of the foregoing reasons, Timothy and Lynn Baxter respectfully request that the DeKalb County Historical Commission recommend denial of the Application of Elegant Homes, LLC To Amend The Official Zoning Map.

Respectfull submitted this 16th day of August, 2019



Timothy Baxter



Lynn Baxter

939 Briarcliff Rd., NE
Atlanta, GA 30306-4664

Furman, Melora L.

From: Furman, Melora L.
Sent: Monday, August 19, 2019 5:18 PM
To: Furman, Melora L.
Subject: FW: 1043 Briarcliff Rd rezoning

From: Christopher Liggett <cristofer53@att.net>
Sent: Sunday, August 18, 2019 1:41 PM
To: Cullison, David <dccullis@dekalbcountyga.gov>
Subject: 1043 Briarcliff Rd rezoning

**** WARNING: The sender of this email could not be validated and may not match the person in the "From" field. ****

Mr. Cullison,

I am writing to support the application for rezoning of the properties at 1043, 1047, and 1051 Briarcliff Road, owned by Elegant Homes, LLC. I live in the Druid Hills neighborhood and am a member of the Druid Hills Civic Association, however, I am submitting these comments as a private citizen. I have noted the opposition raised in response to the application for rezoning, and I feel it makes some misleading and inaccurate statements.

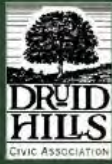
Opponents rely on the fact that the subject properties lie in the Druid Hills Local Historic District, and that therefore the R-85 zoning must be preserved. They claim that a rezoning to higher density has never been done before. I am dubious of both these claims. Simply looking at the DeKalb County Parcel Viewer map (<http://maps.dekalbcountyga.gov/parcel/>) shows that there are many areas along the east side of Briarcliff Road between Ponce deLeon Avenue and North Decatur Road where higher density has been permitted. I don't know for certain if the higher density development preceded or followed the designation of the local historic district, but in either case, they exist, and they do not, in my opinion, create a "Swiss cheese" effect, as mentioned in the Druid Hills Historic District Design Manual (Appendices, p. ix).

I call your attention to the properties at 811 Briarcliff Road (Virginia Park Townhomes), 0 Briarcliff Road (The Residences at Lullwater Park, and Highland Hall Condominiums), 891 Briarcliff Road (Virginia Place Townhomes), and 1231 Oak Park Drive (Oak Park Homeowners Association). These are all clear examples of higher density zoning that sit unobtrusively along the edge of the Druid Hills neighborhood. Given that they are all accessed from Briarcliff Road, they have virtually no ability to create negative impacts to the single-family properties behind them.

Further north are the houses along Cameron Court, and in the wedge bordered by Briarcliff Road and Briardale Lane (and extending to the other side of Briardale Lane). These properties are nominally zoned as R-85, but some of the lots are less than 85' of frontage, some as narrow as 45' (the Elegant Homes properties are all 80' wide). The acreages in the Briardale area average about .31 acres, and the lots in Cameron Court are as small as .18 acres. So there are many examples of higher-density development in existence along the east side of Briarcliff Road. The proposal from Elegant Homes is not out of line with these prior examples, and should not be rejected on the basis of increased density.

Please evaluate this proposal for rezoning on its merits and in the context of other properties along Briarcliff Road. The aerial view site plan that I have seen shows a setback from Briarcliff Road equal to other properties along the street, and the rear setback is exceeded, in fact it is doubled. Issues of design aesthetics can be reviewed by the Historic Preservation Commission, but the zoning issue should be resolved in favor of the applicant.

Thank you for your consideration,



DRUID HILLS CIVIC ASSOCIATION

September 6, 2019

DeKalb County Planning Commission
1300 Commerce Drive
Decatur, GA 30030

Re: Rezoning Application Z-19-1243376
1043,1047 & 1051 Briarcliff Road

Ladies & Gentlemen,

The Druid Hills Civic Association opposes this application (currently on the Commission's September 10th agenda) which would permit Elegant Homes, LLC to combine three (3) single family lots within the Druid Hills Historic District into a 16 unit condominium development by rezoning the lots from R-85 to RSM.

We oppose this attempted rezoning because it constitutes an obvious case of "spot zoning" at its worst. The properties along the east side of Briarcliff Road are uniformly zoned, as they have been since DeKalb's zoning regulations, as R-85, single family residential. (See attached chart). Allowing these lots to be converted to a more dense residential use would likely start a process by which other lots near it would seek and obtain rezonings for more intensive residential uses.

More importantly, these lots are in the County's Druid Hills Historic District and subject to its regulations, many of which seek to preserve the original platting of all the properties within the Historic District.

Equally important is the fact there has been no showing that it is infeasible to either maintain or redevelop these lots as single family homes. There are a number of homes along both sides of Briarcliff Rd. that have recently been substantially renovated as single family homes or replaced with homes of significant value.

The Druid Hills Civic Association's Board recently voted unanimously to oppose this development. On August 13th the Community Council UNAMIOUSLY recommended the denial of this application. The matter was deferred at the request of the applicant from the Historic Preservation Commission's August calendar. We understand that the applicant, Elegant Homes, has now retained counsel and intends to seek a continuance of this matter. We would oppose that request in that the facts and circumstances of this application have not changed and there is no need to defer consideration of this application.

For the reasons set forth above the Druid Hills Civic Associations request that this application be denied.

Kit Eisterhold

President, Druid Hills Civic Association

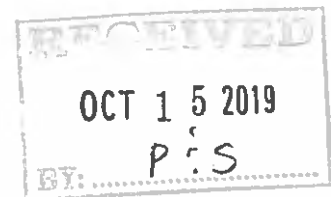
cc: Mr. Andrew A. Baker, Director
encl.



DRUID HILLS CIVIC ASSOCIATION

October 15, 2019

DeKalb County Community Council
1282 McConnell Dr.
Decatur, GA 30032



Re: Rezoning Application Z-19-1243376
1043,1047 & 1051 Briarcliff Road

Ladies & Gentlemen,

The Druid Hills Civic Association opposes this application which would permit Elegant Homes, LLC to combine **three** (3) single family lots within the Druid Hills Historic District into a **16** unit condominium development by rezoning the lots from R-85 to RSM.

This same application for rezoning was originally heard by the Community Council and denied by unanimous vote on August 13, 2019. Applicant then hired counsel who had the application deferred from the Planning Commission's, Historic Preservation Commission's and Board of Commissioner's September agendas. The Applicant has made no significant changes in its plans presented to the Community Council in August.

We oppose this attempted rezoning because it constitutes an obvious case of "spot zoning" at its worst. The properties along the east side of Briarcliff Road are

uniformly zoned, as they have been since DeKalb's zoning regulations, as R-85, single family residential. (See attached map). Allowing these lots to be converted to a more dense residential use would likely start a process by which other lots near it would seek and obtain rezonings for more intensive residential uses.

More importantly, these lots are in the County's Druid Hills Historic District and subject to its regulations, many of which seek to preserve the original platting of all the properties within the Historic District.

Equally important is the fact there has been no showing that it is infeasible to redevelop these lots with single family homes. There are a number of homes along both sides of Briarcliff Rd. that have recently been substantially renovated as single family homes or replaced with single family homes of significant value.

The Druid Hills Civic Association's Board voted unanimously to oppose this development. On August 13th the Community Council unanimously recommended the denial of this application. There is no significant difference between the current application and the one presented to and denied by the Community Council in August.

For the reasons set forth above the Druid Hills Civic Association requests that this application be denied.

Kit Eisterhold

Kit Eisterhold

President, Druid Hills Civic Association

Encl.

Briarcliff Road





1377 BRIARCLIFF, 1287 HARVARD

REC'D

OCT 18 2018

BY:



APPLICATION OF ELEGANT HOMES, LLC,
TO AMEND THE OFFICIAL ZONING
MAP OF DEKALB COUNTY, GEORGIA

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Z/CZ No. Z-19-1243376

COMES NOW Timothy and Lynn Baxter (“The Baxters”), and file this Supplemental Opposition to the Application Of Elegant Homes, LLC To Amend The Official Zoning Map Of DeKalb County, Georgia (the “Application”), respectfully showing as follows:

If approved, this Application to change three single family homes / parcels to a large and dense housing complex would do significant damage to the historic fabric of an important part of the Druid Hills Local and Federal Historic Districts, with the potential to set precedent for additional, damaging incursions. The East Side of Briarcliff was part of the original platting by the Druid Hills Corporation and continues to reflect the original intent of Frederick Law Olmsted in his vision for the community.

- 1 -

Finally, an approval would violate “best practices” applicable to the proper maintenance of Historic Districts, where intrusions (or “non-contributing properties”) are included when, as here, they are directly adjacent to historic properties and/or manifest important aspects of original intent (in this instance, single family homes on deep lots in a heavily-wooded setting).

BACKGROUND

1. Applicant Elegant Homes, LLC (the “Applicant”) is the owner of three adjacent properties on Briarcliff Road with numbers 1051, 1047 and 1043 (the “Subject Properties”).

2. The Subject Properties are all located in unincorporated DeKalb County, and are in both (a) the Druid Hills National Register District, and (b) the Druid Hills Local Historic District (see Design Manual For Druid Hills Local Historic District (the “Design Manual”) at Illustration C.

3. The Baxters are owners of property at 939 Briarcliff Rd., located approximate 700 feet south of the Subject Properties.

4. The Subject Properties are presently zoned R-85, which is the least dense (single family) residential zoning designation within the Druid Hills Local Historic District.

5. The Applicant is seeking to amend the DeKalb County Zoning Map to create a small cluster of RSM zoning co-extensive with the Subject Properties.

6. If the Applicant is successful, the Subject Properties would transition from the least dense zoning designation in Druid Hills (R-85) to a designation (RSM) that permits 12 units per acre.

7. Rezoning of single family residential lots to this level of density (including multi-family units) in the Druid Hills Historic District sets a terrible precedent, and is, in fact, unprecedented; it has never been done.

REZONING CONSIDERATIONS

8. The Application is the very definition of “spot zoning,” i.e., a markedly different zoning for a parcel of land within a larger zoned area, but where that different zone is at odds with a municipality’s master plan and current zoning restrictions. See, e.g., *East Lands, Inc. v. Floyd County*, 244 Ga. 761 (1979).

9. The denser uses on the West Side of Briarcliff - on which the Application is based - is irrelevant to support the Applicant’s position.

10. In addition, the West Side of Briarcliff is not part of the most significant of the Druid Hills Character Areas - “Character Area No. 1,” while the East Side is. See Design Manual at 102.

THE DRUID HILLS HISTORIC DISTRICT – LOCAL AND FEDERAL; INCLUSION OF “INSTRUSIVE” AND NON HISTORIC PROPERTIES ALONG BRIARCLIFF ROAD

11. When the Druid Hills Local Historic District (the “Historic District”) was created, the uses on the West Side were already established, but the decision was made to preserve the historic character of the neighborhood by a R-85 designation beginning on the East Side of Briarcliff that continues further East.

12. A primary goal of the Historic District’s zoning is to prevent further degradation of the neighborhood’s historic character. The zoning scheme’s density and lot sizes were selected to further this aim. If developers such as the Applicant are

permitted to start chipping away at the configuration of the Historic District, the historic designation will serve no purpose.

13. The Design Manual specifically addresses, in several places, the issues raised by the Application, *and also specifically calls out Briarcliff Road and explains the rationale for it being included in the Historic District notwithstanding some non-historic properties.*

14. With respect to why non-historic properties are included within the Historic District, the Design Manual states:

One of the primary reasons for designating historic districts is to protect the historic character and integrity of the **district as a whole**. Selectively deleting non historic properties from boundaries would create a “Swiss cheese” effect (emphasis in original).

Design Manual at Appendices, p. ix.

15. In addition, the Design Manual states:

Intrusions (that is, areas with a high concentration of nonhistoric development) within the core area are included **because of their potential to impact surrounding historic properties and the district as a whole** (emphasis added).

16. Of particular significance to this case is the Design Manual’s discussion of why non-historic aspects of Briarcliff Road are included in the Local District; the reasoning in that buffer areas at the edges of the Historic District are critical to preserve the character of the District as a whole.

Buffer areas have been included in certain places at the edges of the district. These buffer areas include non-historic properties, changes to which have the potential to impact surrounding historic properties as well as the district as a whole. **Falling into this category are certain areas along Briarcliff Road** and some non-historic developments along

the southern boundary of the district. (emphasis added)”
Design Manual at § 1.2.

17. Yet a **key argument of the Applicant here is that it is entitled to make its changes precisely because its properties “are at the edge of the Historic District.”** Such an argument runs completely contrary to the Design Manual’s intentions regarding the inclusion of intrusive properties, and, more specifically, the zoning on the East Side of Briarcliff Road – all to protect the integrity of the Historic District as a whole.

PLATTING HISTORY – PART A
HISTORICAL INCLUSION OF THE EAST SIDE
OF BRIARCLIFF ROAD IN HISTORIC DRUID HILLS PLATTING

18. As described in the Design Manual, the East Side of Briarcliff Road was always included in the original layout and platting of Druid Hills, which was performed by Civil Engineer O. F. Kauffman on behalf of the Druid Hills Corporation (successors to the Olmsted firm). *Design Manual* at 10-11.

19. Exhibit “A” hereto shows the Kauffman Platting of Druid Hills (from *Design Manual* at 24), which includes the entire East Side of Briarcliff, but not the West Side. It thus makes sense that the Design Manual, and the National Druid Hills District, would seek to preserve the East Side of Briarcliff in as much of its original form as possible.

PLATTING HISTORY (B)
HISTORICAL PLATTING THAT INCLUDED THE APPLICANT’S PROPERTIES

20. Exhibits “B” and “C” hereto are specific plats of the subject Properties during the early development of Druid Hills (circa 1926). It can be seen that all lots on Briarcliff and Springdale share back boundary lines, and that there are no platted properties whatsoever on the By-Way (which was built as a means by which the streetcar could reach Emory Village; see *Design Manual* at 11).

21. The area represented by Applicant's Properties were platted with 110 feet of frontage, as opposed to the 80 feet of frontage they enjoy now. The depth of these lots remains the same as they did during Druid Hills' development. 100 feet is the standard frontage on the historic properties at this portion of Briarcliff Road (including the historic homes at 921, 931, 939, 949, 957, 967 and 975 Briarcliff Road).

22. Exhibit "C," which includes owner designations on the plat, shows that the Applicant's Properties were part of numerous individually platted parcels owned by William Candler, whose "Rest Haven" mansion still stands at 940 Springdale Road. Like his brother Charles Howard Candler at Callanwolde, William Candler placed extensive acreage around his home.

23. William Candler died in 1936; the platted lots that comprised his "grounds" were replatted and developed after the "historic period" (said by the Applicant to have ended in 1946).¹ This includes property (a) on Briarcliff, beginning with the Metro Church to the By-Way (b) Lots on the South side of the By-Way between Briarcliff and Springdale; and (c) Lots both north and south of "Rest Haven" at 940 Springdale Road.

24. At that time (circa 1946), the platting for the properties that comprised William Candler's holdings were laid out as they presently stand. See Exhibit D hereto; a present day tax map of the area in question.

25. However, it is important to recognize that the Applicant's lots are of a size and shape (80' x 500') that closely mirrors the original plats, and are quite similar to the

¹ There appears to have been some ten years' time between when Mr. Candler died, and when his heirs sold the lots adjacent to "Rest Haven."

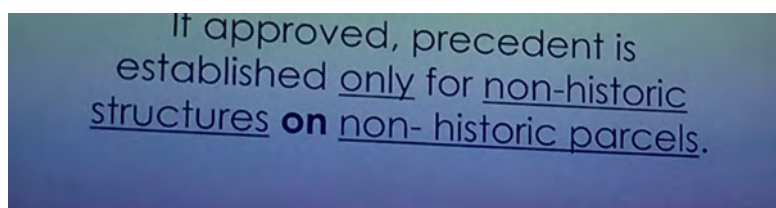
parcels on the historic properties further south on Briarcliff Rd (which have 100 foot frontages, and depths of less than 400').

26. This is consistent with the Design Manual, which discusses how later platting that is done in a manner similar to the original layout lends strength to the original plan:

The historic layout of the neighborhoods and subdivisions, located within the Druid Hills Local Historic District, . . . **has definable characteristics that have been replicated in more recent development plats by later designers.** These plans guided the configuration of streets, public open spaces, and private lots. **The original layout creates a historical context for the district. The cumulative effect of alterations to this layout would destroy this context.** (emphasis added). *Design Manual* at § 9.1.

THE “DOMINO” PRECEDENT FOR THE REZONING OF
NON HISTORIC PROPERTIES THAT WOULD BE SET BY
AN APPROVAL OF THE APPLICATION

27. According to the Applicant, the rezoning of his Properties would establish a precedent for “non-historic structures on non-historic properties.” The following is an excerpt from the Applicant’s presentation at the Community Meeting on October 10, 2019



28. Yet if this is so, there are numerous parcels whose zoning could be changed and which could be repurposed in the same manner as proposed by the Application; these include:

- Lots north of Applicant’s on Briarcliff Rd
- Lots south of Applicant’s lots on Briarcliff Rd (Metro Church)
- Nearly all lots/properties on the By-Way, all the way to Lullwater Road
- The By-Way originally just a street car line, no houses fronting it

- Several lots on Springdale near the corner of the By-Way and two properties on the other side of “Rest Haven”

See Exhibit E hereto, a depiction of adjacent properties that have non-historic parcels on non-historic lots; compare to platting as original on Exhibits B and C.

29. Exhibit E shows *only* the non-historic structures on non-historic parcels adjacent to the Applicant’s properties, but the Druid Hills Historic District is rife with similar examples.

30. Obviously the Metro Church would be the next property sought by a developer (perhaps Minerva again), and the Applicant’s Project puts the corner of The By-Away and Briarcliff Road at immediate risk for similar development.

“EDGE OF THE NEIGHBORHOOD / DISTRICT RATIONALE”

31. The Applicant argues that the changes it proposes are permissible because “it’s only the edge of the Historic District.”

32. First, this sort of rationale renders the notion of a boundary meaningless. **A boundary is a boundary.** But we know that the East Side of Briarcliff was chosen for inclusion within the Federal Historic District² because it had been originally platted by the O. F. Kauffman, C.E., of the Druid Hills Corporation (referred to in the Design Manual as “Olmsted’s protégé), and which platting was based on the F.L. Olmsted designs. See Design Manual at 11 and ¶¶ 18-19 above.

33. While much of the West Side of Briarcliff was originally taken up by the grounds of Callanwolde (Callanwolde’s property originally included all the property on which Pruitt Health and Laurel Heights stand), there was also almost immediately non-

² It is worth noting that the Local Druid Hills Historic District is quite a bit further West; this Project is not near “the edge” of that District at all.

residential uses (for example, a gas station stood at the north west corner of Stillwood and Briarcliff across from the Subject Properties).

34. Most importantly, and as shown above, an approval of this Project would functionally create a new “Edge of the Neighborhood” for the *next* developer to tee off from.

35. And as previously noted, the Design Manual states:

Buffer areas have been included in certain places at the edges of the district. These buffer areas include non-historic properties, changes to which have the potential to impact surrounding historic properties as well as the district as a whole. Falling into this category are certain areas along Briarcliff Road and some non-historic developments along the southern boundary of the district. (emphasis added)” See Design Manual at § 1.2.

ECONOMIC FEASIBILITY

36. The Applicant is claiming that its parcels are not economically feasible for single family development.

37. Yet this committee will, **on the same night it hears this application, review a COA application for a new single-family home at 957 Briarcliff Road** (approximately 500 feet south of the Applicant’s Properties). This COA application will seek approval for both the demolition of an existing structure, as well as the construction of a new, historically appropriate home.

38. Further, the dimensions of the lot at 957 Briarcliff are **smaller** than the smallest of the Applicant’s lots.

39. The lot at 957 Briarcliff Road measures 41,514 sf. (102’ x 407’); the smallest of the Applicant’s lots at 1043 Briarcliff Road measures 43,360 sf. (80’ x 542’). See Exhibits E and F hereto.

40. In addition, there are at least two additional single family homes being constructed on the East Side of Briarcliff Road at the corner of Harvard Road, approximately one mile north of the Subject Properties.

41. The Applicant's economic feasibility argument is without merit.

THE EAST SIDE OF BRIARCLIFF ROAD IS INTRINSICALLY
HISTORICAL AND WORTH PRESERVING

42. The East Side of Briarcliff Road retains the objective of the Kauffman Plats and the Olmstead vision of the Druid Hills community - single family homes set on individual deep lots in harmony with the natural landscape of the area. The Application is completely contrary to these concepts.

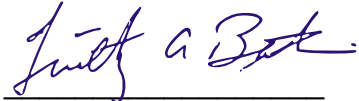
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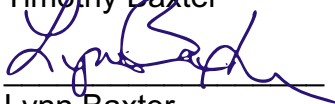
45. If the Application is approved, it would create an unprecedented intrusion into the National Historic District on the East Side of Briarcliff Road and set the stage for future such intrusions that would cumulatively destroy the character of the neighborhood and render the historic designations meaningless.

WHEREFORE, and for all of the foregoing reasons, Timothy and Lynn Baxter respectfully request that the DeKalb County Historical Commission recommend denial of the Application of Elegant Homes, LLC To Amend The Official Zoning Map.

Respectfully submitted this 18th day of October, 2019

A handwritten signature in blue ink, appearing to read "Timothy A. Baxter", written over a horizontal line.

Timothy Baxter

A handwritten signature in blue ink, appearing to read "Lynn Baxter", written over a horizontal line.

Lynn Baxter

939 Briarcliff Rd., NE
Atlanta, GA 30306-4664

EXHIBIT A



Druid Hills Local Historic District
DeKalb County, Georgia

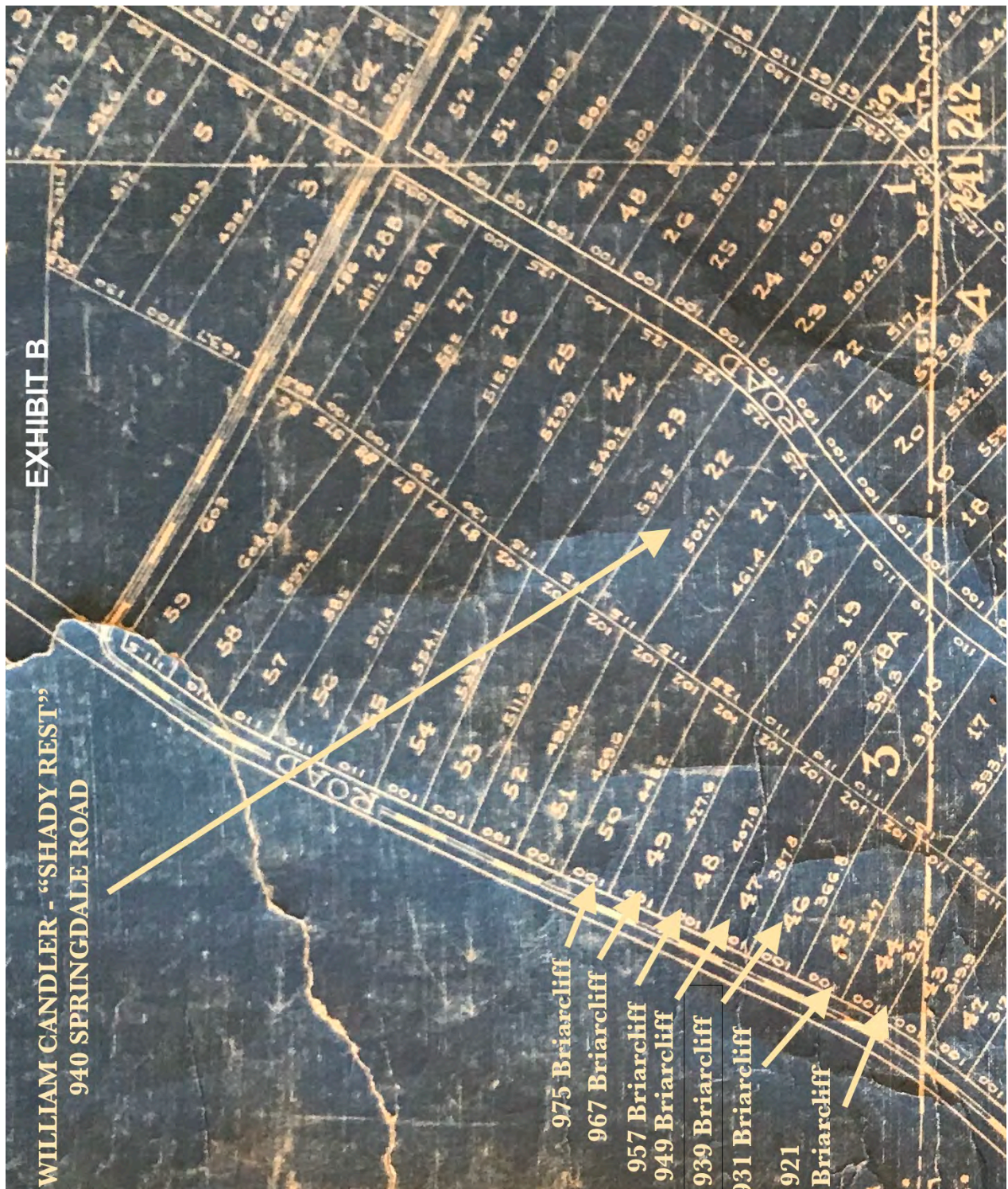
Illustration E

O. F. KAUFFMAN PLATS

District Boundary		Areas Platted by O. F. Kauffman or O. F. Kauffman & Bros., C. E.	
Open Space			
Plat Boundaries			

Not to Scale



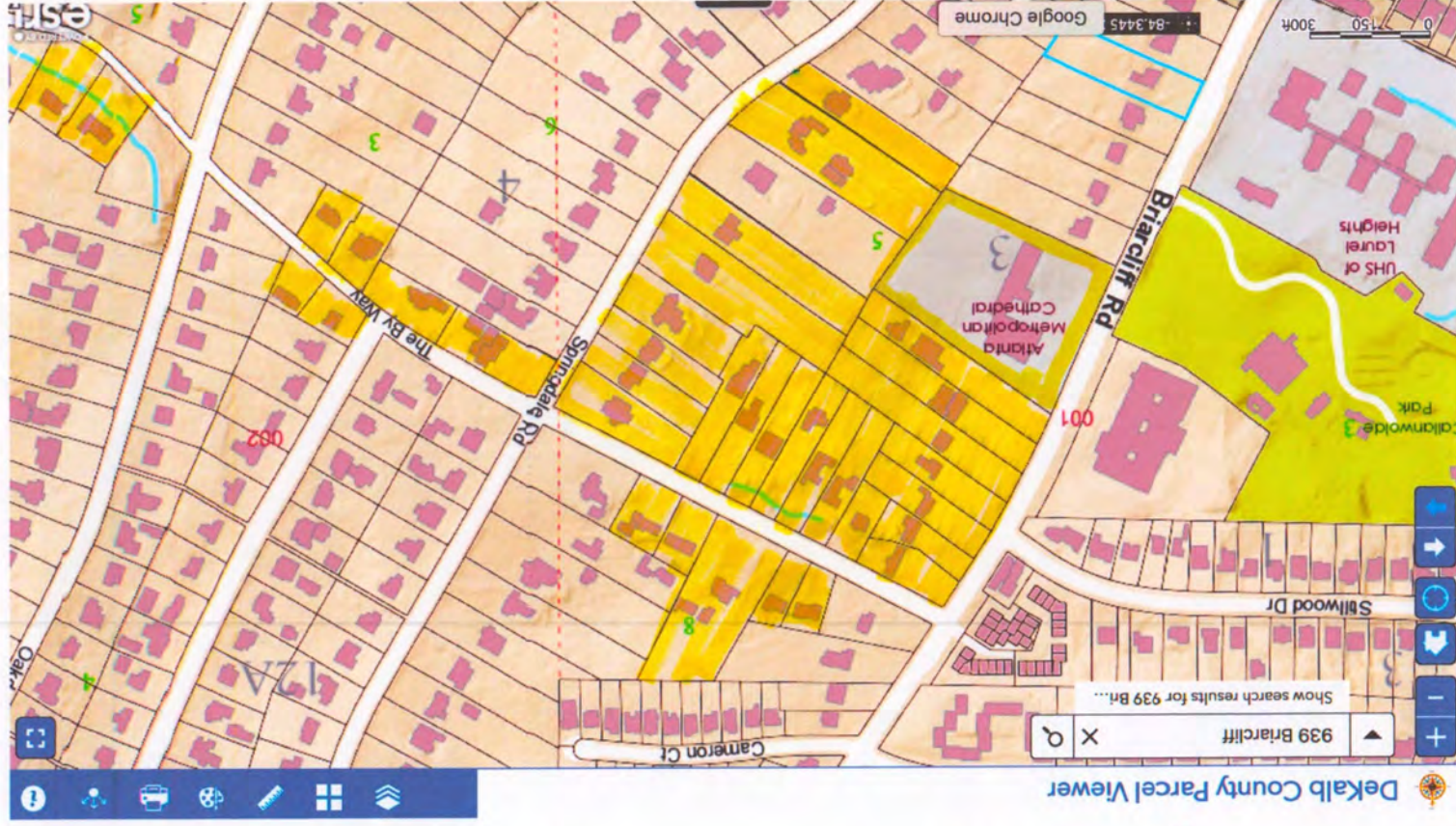


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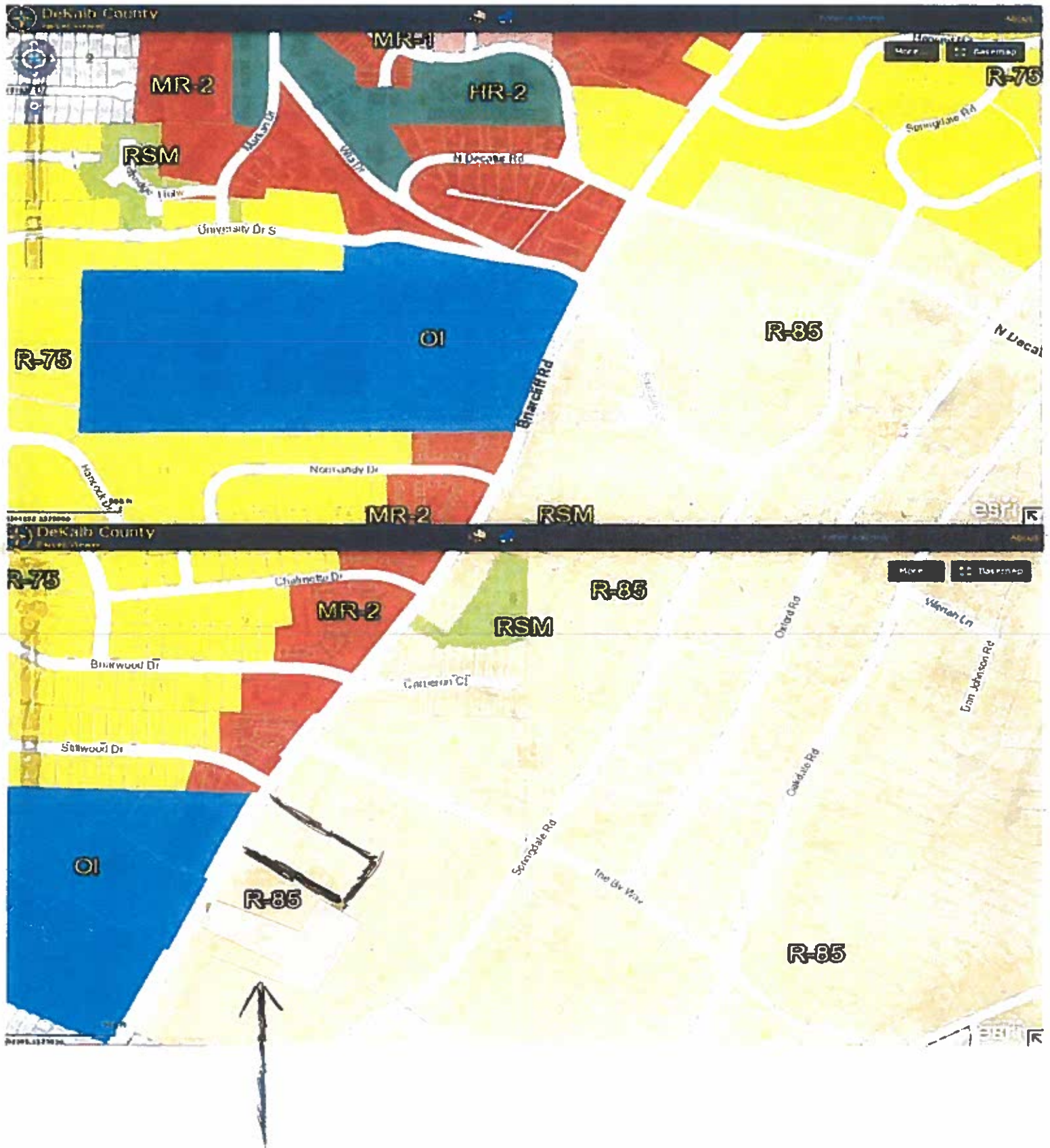
EXHIBIT D



EXHIBIT E
 Some of the many lots that could be redeveloped under the Applicant's criterion:
 "non-historic houses on non-historic parcels." (HIGHLIGHTED IN ORANGE)



Briarcliff Road



Furman, Melora L.

From: Furman, Melora L.
Sent: Thursday, October 24, 2019 6:23 PM
To: Furman, Melora L.
Subject: FW: Elegant Homes, LLC - Briarcliff Rd.

From: Timothy Baxter <baxterlaw@mindspring.com>
Subject: Re: Elegant Homes, LLC - Briarcliff Rd.
Date: October 24, 2019 at 10:22:50 AM EDT
To: "Cullison, David" <dccullis@dekalbcountyga.gov>

Hi David,

No at the meeting I passed out a PowerPoint presentation. Similar content but geared to an oral presentation. I just sent you links to that do you can download from DropBox; I would appreciate it being included in the record. I am in Boston in meetings but I can have my assistant send you a hard copy if you can't download.

Below are the comments made by members of the HPC during the discussion period:

COMMENTS FROM COMMISSIONERS AT HPC 10/21/19

(Man): *"Our hands are tied by the land use. The present argument is extremely valid."*

[With the argument the Applicant is making about all of Druid Hills being "traditional neighborhood" in 2035 master plan and subject to higher density uses] "People could do the same thing on Oakdale and combine 3 lots and say 'we are all in the same traditional neighborhood – we would like an even higher density'."

"This is a no brainer for denial"

"Nothing in this proposal complies with the guidelines"

(Heather): *"What is the compelling argument to make this change?" "Even the traditional neighborhood [designation in the 2035 comprehensive plan] doesn't say to change the zoning on these 3 lots"*

"I can't imagine how the historic district wants this"

(Other female commissioner): *"Our hands are tied – we have to preserve the historic plats."*

(Man): *"The only option to change these plats would be to go more historic."*

Commissioners voted unanimously to deny.

21. The area represented by Applicant's Properties were platted with 110 feet of frontage, as opposed to the 80 feet of frontage they enjoy now. The depth of these lots remains the same as they did during Druid Hills' development. 100 feet is the standard frontage on the historic properties at this portion of Briarcliff Road (including the historic homes at 921, 931, 939, 949, 957, 967 and 975 Briarcliff Road).

22. Exhibit "C," which includes owner designations on the plat, shows that the Applicant's Properties were part of numerous individually platted parcels owned by William Candler, whose "Rest Haven" mansion still stands at 940 Springdale Road. Like his brother Charles Howard Candler at Callanwolde, William Candler placed extensive acreage around his home.

23. William Candler died in 1936; the platted lots that comprised his "grounds" were replatted and developed after the "historic period" (said by the Applicant to have ended in 1946).¹ This includes property (a) on Briarcliff, beginning with the Metro Church to the By-Way (b) Lots on the South side of the By-Way between Briarcliff and Springdale; and (c) Lots both north and south of "Rest Haven" at 940 Springdale Road.

24. At that time (circa 1946), the platting for the properties that comprised William Candler's holdings were laid out as they presently stand. See Exhibit D hereto; a present day tax map of the area in question.

25. However, it is important to recognize that the Applicant's lots are of a size and shape (80' x 500') that closely mirrors the original plats, and are quite similar to the

¹ There appears to have been some ten years' time between when Mr. Candler died, and when his heirs sold the lots adjacent to "Rest Haven."

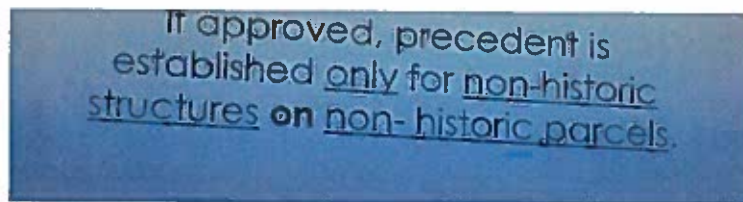
parcels on the historic properties further south on Briarcliff Rd (which have 100 foot frontages, and depths of less than 400').

26. This is consistent with the Design Manual, which discusses how later platting that is done in a manner similar to the original layout lends strength to the original plan:

The historic layout of the neighborhoods and subdivisions, located within the Druid Hills Local Historic District, **has definable characteristics that have been replicated in more recent development plats by later designers.** These plans guided the configuration of streets, public open spaces, and private lots. **The original layout creates a historical context for the district. The cumulative effect of alterations to this layout would destroy this context.** (emphasis added). *Design Manual* at § 9.1.

THE "DOMINO" PRECEDENT FOR THE REZONING OF
NON HISTORIC PROPERTIES THAT WOULD BE SET BY
AN APPROVAL OF THE APPLICATION

27. According to the Applicant, the rezoning of his Properties would establish a precedent for "non-historic structures on non-historic properties." The following is an excerpt from the Applicant's presentation at the Community Meeting on October 10, 2019



28. Yet if this is so, there are numerous parcels whose zoning could be changed and which could be repurposed in the same manner as proposed by the Application; these include:

- Lots north of Applicant's on Briarcliff Rd
- Lots south of Applicant's lots on Briarcliff Rd (Metro Church)
- Nearly all lots/properties on the By-Way, all the way to Lullwater Road
- The By-Way originally just a street car line, no houses fronting it

- Several lots on Springdale near the corner of the By-Way and two properties on the other side of "Rest Haven"

See Exhibit E hereto, a depiction of adjacent properties that have non-historic parcels on non-historic lots; compare to platting as original on Exhibits B and C.

29. Exhibit E shows *only* the non-historic structures on non-historic parcels adjacent to the Applicant's properties, but the Druid Hills Historic District is rife with similar examples.

30. Obviously the Metro Church would be the next property sought by a developer (perhaps Minerva again), and the Applicant's Project puts the corner of The By-Away and Briarcliff Road at immediate risk for similar development.

"EDGE OF THE NEIGHBORHOOD / DISTRICT RATIONALE"

31. The Applicant argues that the changes it proposes are permissible because "it's only the edge of the Historic District."

32. First, this sort of rationale renders the notion of a boundary meaningless. **A boundary is a boundary.** But we know that the East Side of Briarcliff was chosen for inclusion within the Federal Historic District² because it had been originally platted by the O. F. Kauffman, C.E., of the Druid Hills Corporation (referred to in the Design Manual as "Olmsted's protégé), and which platting was based on the F.L. Olmsted designs. See Design Manual at 11 and ¶¶ 18-19 above.

33. While much of the West Side of Briarcliff was originally taken up by the grounds of Callanwolde (Callanwolde's property originally included all the property on which Pruitt Health and Laurel Heights stand), there was also almost immediately non-

² It is worth noting that the Local Druid Hills Historic District is quite a bit further West; this Project is not near "the edge" of that District at all.

residential uses (for example, a gas station stood at the north west corner of Stillwood and Briarcliff across from the Subject Properties).

34. Most importantly, and as shown above, an approval of this Project would functionally create a new "Edge of the Neighborhood" for the *next* developer to tee off from.

35. And as previously noted, the Design Manual states:

Buffer areas have been included in certain places at the edges of the district. These buffer areas include non-historic properties, changes to which have the potential to impact surrounding historic properties as well as the district as a whole. Falling into this category are certain areas along Briarcliff Road and some non-historic developments along the southern boundary of the district. (emphasis added)" See Design Manual at § 1.2.

ECONOMIC FEASIBILITY

36. The Applicant is claiming that its parcels are not economically feasible for single family development.

37. Yet this committee will, **on the same night it hears this application, review a COA application for a new single-family home at 957 Briarcliff Road** (approximately 500 feet south of the Applicant's Properties). This COA application will seek approval for both the demolition of an existing structure, as well as the construction of a new, historically appropriate home.

38. Further, the dimensions of the lot at 957 Briarcliff are **smaller** than the smallest of the Applicant's lots.

39. The lot at 957 Briarcliff Road measures 41,514 sf. (102' x 407'); the smallest of the Applicant's lots at 1043 Briarcliff Road measures 43,360 sf. (80' x 542'). See Exhibits E and F hereto.

40. In addition, there are at least two additional single family homes being constructed on the East Side of Briarcliff Road at the corner of Harvard Road, approximately one mile north of the Subject Properties.

41. The Applicant's economic feasibility argument is without merit.

THE EAST SIDE OF BRIARCLIFF ROAD IS INTRINSICALLY
HISTORICAL AND WORTH PRESERVING

42. The East Side of Briarcliff Road retains the objective of the Kauffman Plats and the Olmstead vision of the Druid Hills community - single family homes set on individual deep lots in harmony with the natural landscape of the area. The Application is completely contrary to these concepts.

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44. In addition, other portions of Briarcliff Road are recognized as additional "potential additional Character Areas" by the Design Manual. See Design Manual at 97.

45. If the Application is approved, it would create an unprecedented intrusion into the National Historic District on the East Side of Briarcliff Road and set the stage for future such intrusions that would cumulatively destroy the character of the neighborhood and render the historic designations meaningless.

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Respectfully submitted this 18th day of October, 2019



Timothy Baxter



Lynn Baxter

939 Briarcliff Rd., NE
Atlanta, GA 30306-4664

EXHIBIT A



Druid Hills Local Historic District
DeKalb County Georgia

Illustration E

O. F. KAUFFMAN PLATS

District Boundary		Areas Platted by O. F. Kauffman	
Open Space		or O. F. Kauffman & Bros. C E	
Plat Boundaries			

Not to Scale



EXHIBIT C

EXHIBIT D

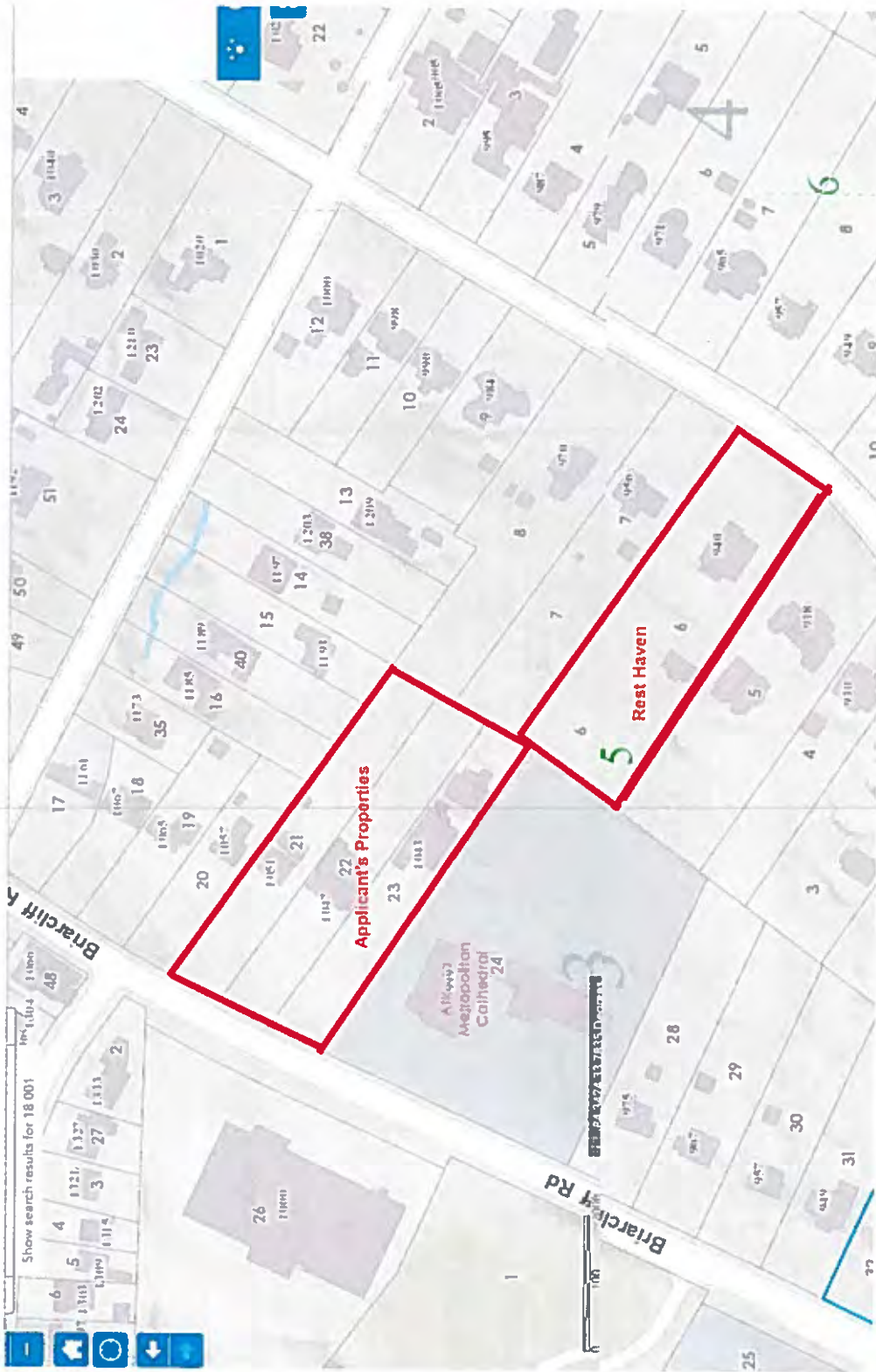
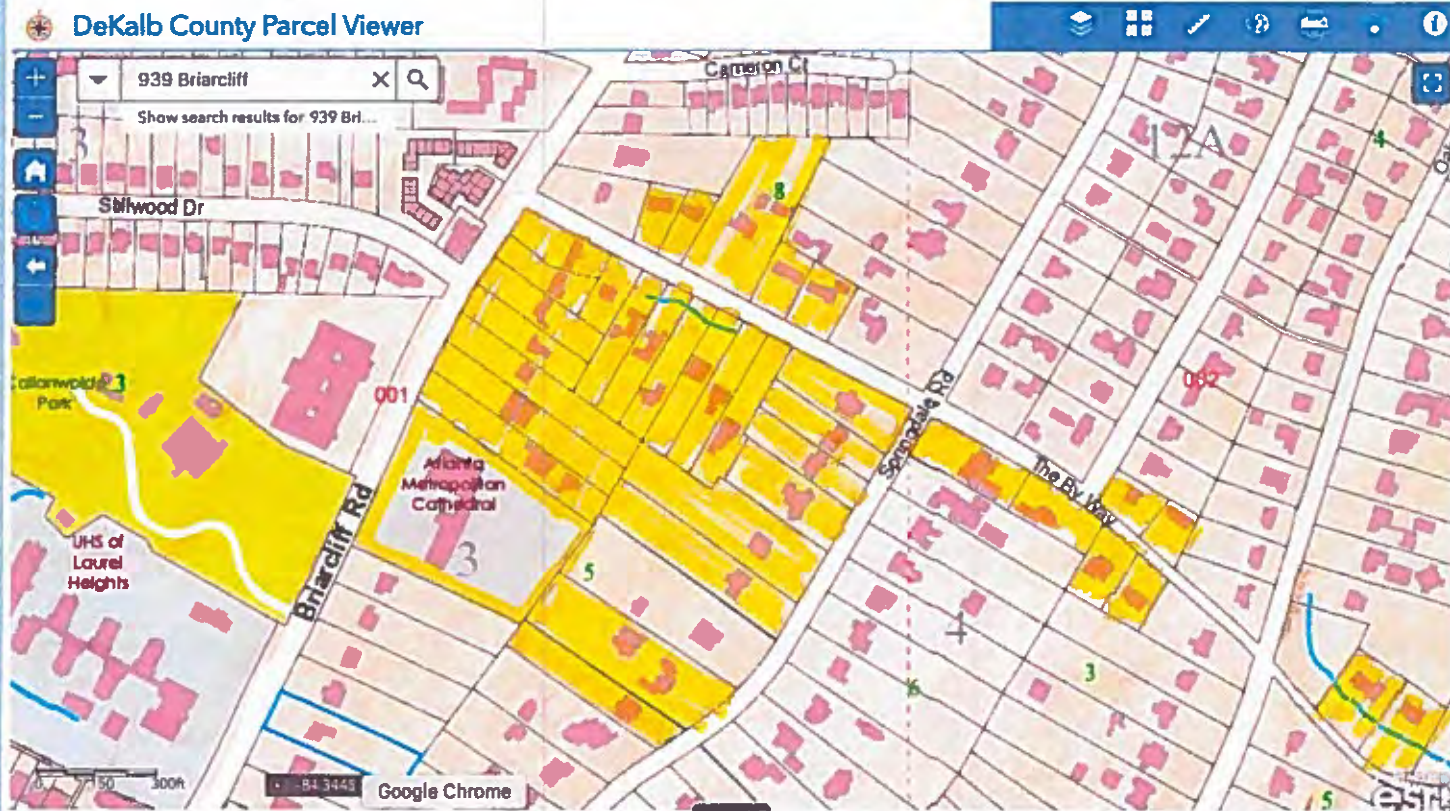


EXHIBIT E

Some of the many lots that could be redeveloped under the Applicant's criterion:
"non-historic houses on non-historic parcels." (HIGHLIGHTED IN ORANGE)



***OPPOSITION TO APPLICATION
OF ELEGANT HOMES, LLC TO
REZONE THREE PROPERTIES ON
BRIARCLIFF ROAD – No. Z-19-1243376***

Timothy and Lynn Baxter
939 Briarcliff Road

Elegant Homes' Application is in violation of:

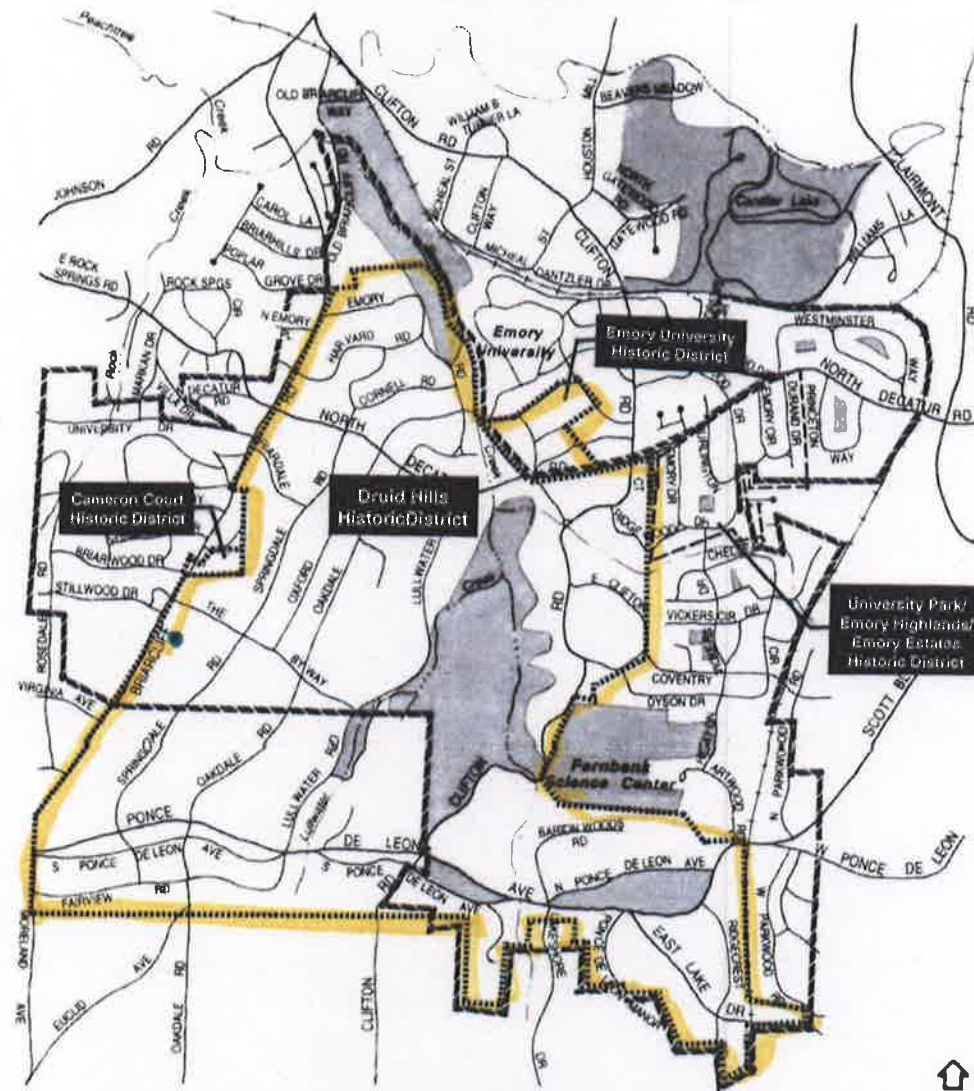
- Applicable zoning and zoning law ("spot zoning")
- Druid Hills Historic District Guidelines and Design Manual
- DeKalb County 2035 Comprehensive Plan

Zoning – Historic District

- Current zoning is R-85
 - Least dense zoning designation within National Historic District in unincorporated DeKalb County
- The Applicant seeks RSM, residential mixed use – justifications:
 - Long-standing RSM uses on the West Side of Briarcliff Road;
 - Non-historic houses located on non-historic parcels;
 - “No domino effect” if these lots are changed to permit a dense cluster-home project;
 - Elderly downsizing (**into \$1,000,000 condominiums!**) (*no evidence*)
 - Economic necessity (*provably false*)

THE DENSE USES ON THE WEST SIDE OF BRIARCLIFF ROAD DO NOT SUPPORT THE APPLICATION

- The West Side of Briarcliff was never part of Druid Hills, while the East Side was and is (see Kauffman Plats, Design Manual at 10-11)
- All of the high-density properties on the West Side of Briarcliff referenced by the Applicant were in existence at the time of the zoning code's enactment, as well as the *Druid Hills Historic District Design Manual*
- The East Side of Briarcliff is part of the National Historic District, the West Side is not



Druid Hills Local Historic District
DeKalb County, Georgia

Illustration C

NATIONAL REGISTER DISTRICTS

Legend

Druid Hills Local District Boundary



Open Space



Listed National Register Boundaries



Pending National Register Boundaries

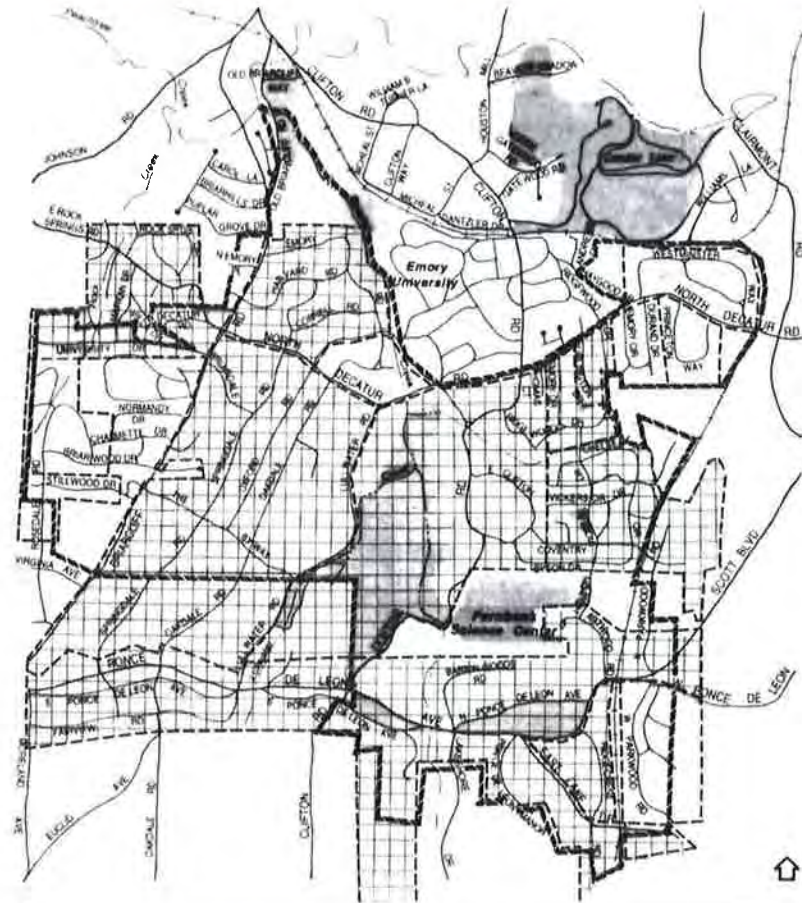


Not to Scale



Opposition to Elegant Homes, LLC

6



Druid Hills Local Historic District
DeKalb County, Georgia

Illustration E

O. F. KAUFFMAN PLATS

District Boundary		Areas Platted by O. F. Kauffman or O. F. Kauffman & Bros., C. E.	
Open Space			
Plat Boundaries			

Not to Scale



According to the Design Manual O.F. Kauffman was Olmsted's protégé and "appears to have been directly associated with the layout of about 70 percent of the Druid Hills Local Historic District." Design Manual at 15.

NON-HISTORIC? THE ORIGINAL KAUFFMAN PLATTING FOR THESE PROPERTIES WAS SUBSTANTIALLY THE SAME AS NOW

- The lots, as platted at this location, originally had 110 feet of frontage; they now have 80 foot frontage (100 feet is the standard frontage on this stretch of Briarcliff, including all of the historic properties at 921, 931, 939, 949, 957, 967 and 975 Briarcliff Road).
- *The present layout of a deep lot within adequate frontage is within the historical context for original parcels on this section of Briarcliff.*
- The Design Manual (§ 9.1) describes how later platting that is done in a manner similar to the original layout lends strength to the original plan:

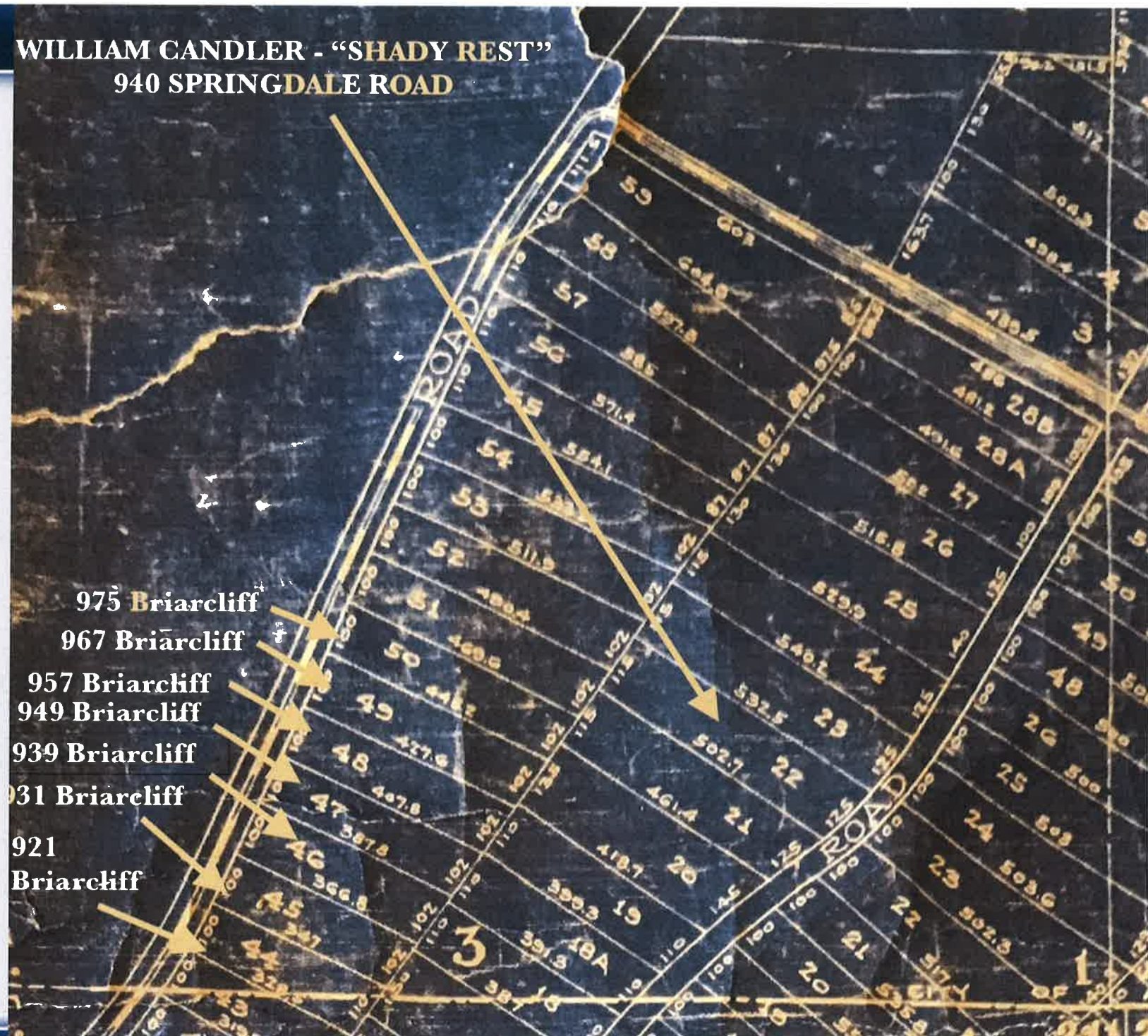
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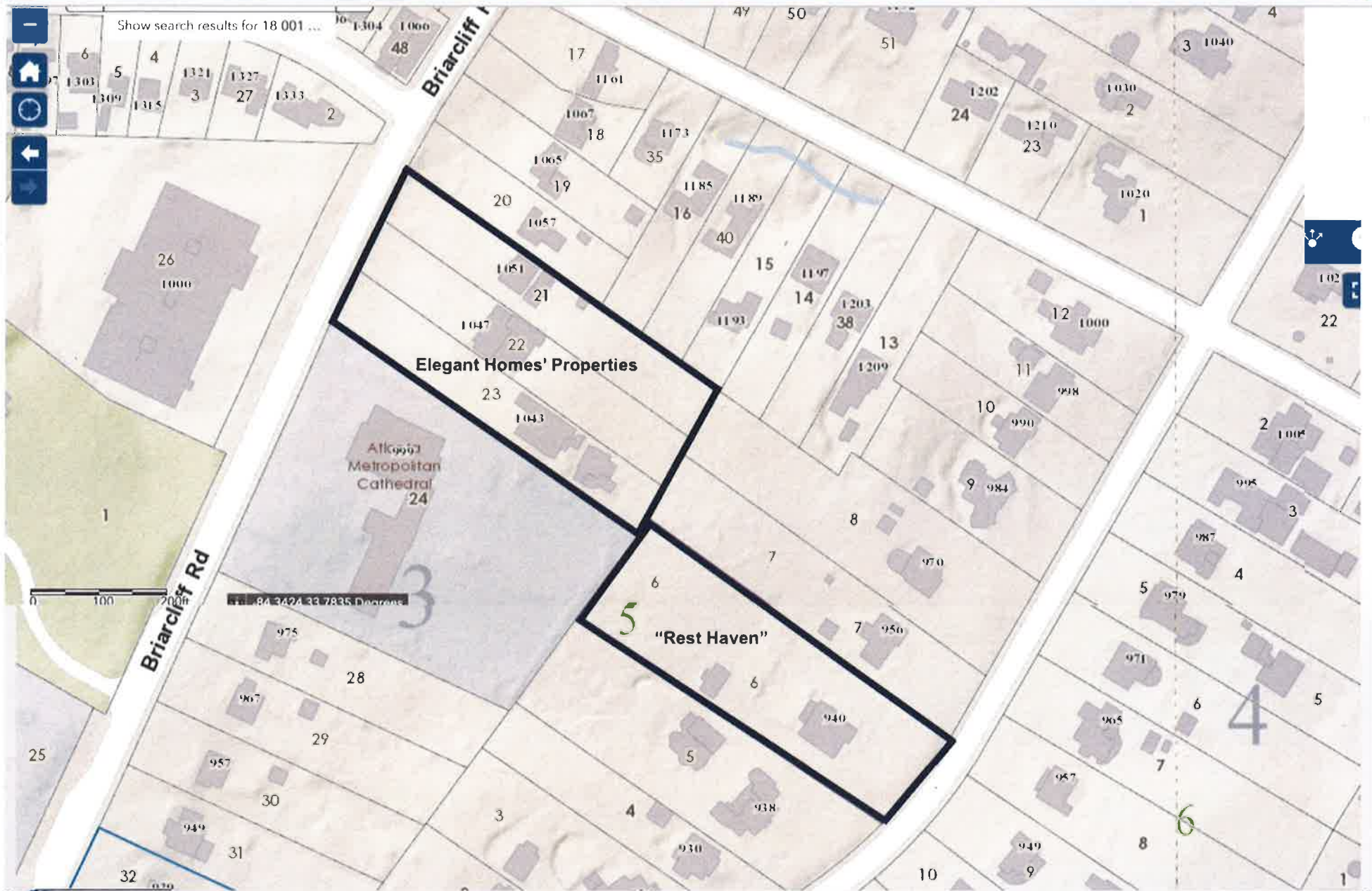
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PLATTING HISTORY

- Applicant's Properties were part of numerous individually platted parcels owned by William Candler, whose "Rest Haven" mansion still stands at 940 Springdale Road
- After William Candler's death in 1936; the platted lots that comprised his "grounds" were replatted and developed after the "historic period" (said by the Applicant to have ended in 1946)
- This includes:
 - Lots on Briarcliff, beginning with the Metro Church to the By-Way
 - Lots on the South side of the By-Way between Briarcliff and Springdale
 - Lots both north and south of "Rest Haven" at 940 Springdale Road

WILLIAM CANDLER - "SHADY REST"
940 SPRINGDALE ROAD





**WILLIAM CANDLER -
"SHADY REST"
940 SPRINGDALE ROAD**

975 Briarcliff

967 Briarcliff

957 Briarcliff

949 Briarcliff

939 Briarcliff

931 Briarcliff

921 Briareliff

CORPORATE

LIMIT

OF

THE

THE APPLICANT CHARACTERIZES THE PLATTING AS INTRUSIVE, YET . . .

- This is technically true, but these three lots are nearly indistinguishable in terms of dimensions from the historic parcels further south on Briarcliff (80' x 500' vs. 100' x 396')
- In addition, the smallest of the Applicant's lots has a greater square footage than any of the historic parcels with intact historic houses further south on Briarcliff
- But, assuming these Properties to be frank intrusions . . .

NON-HISTORIC PROPERTIES ARE INCLUDED IN HISTORIC DISTRICTS, FOR STRONG REASONS

- Intrusions (that is, areas with a high concentration of nonhistoric development) within the core area are included **because of their potential to impact surrounding historic properties and the district as a whole** (emphasis added). Design Manual at § 9.1.
- “One of the primary reasons for designating historic districts is to protect the historic character and integrity of the **district as a whole**. Selectively deleting non-historic properties from boundaries would create a “Swiss cheese” effect (emphasis in original).” Design Manual at Appendices, p. ix.
 - (The Applicant is proposing exactly this – a “selective deletion”)

COULD THERE BE A DOMINO EFFECT FROM APPROVING THE APPLICATION?

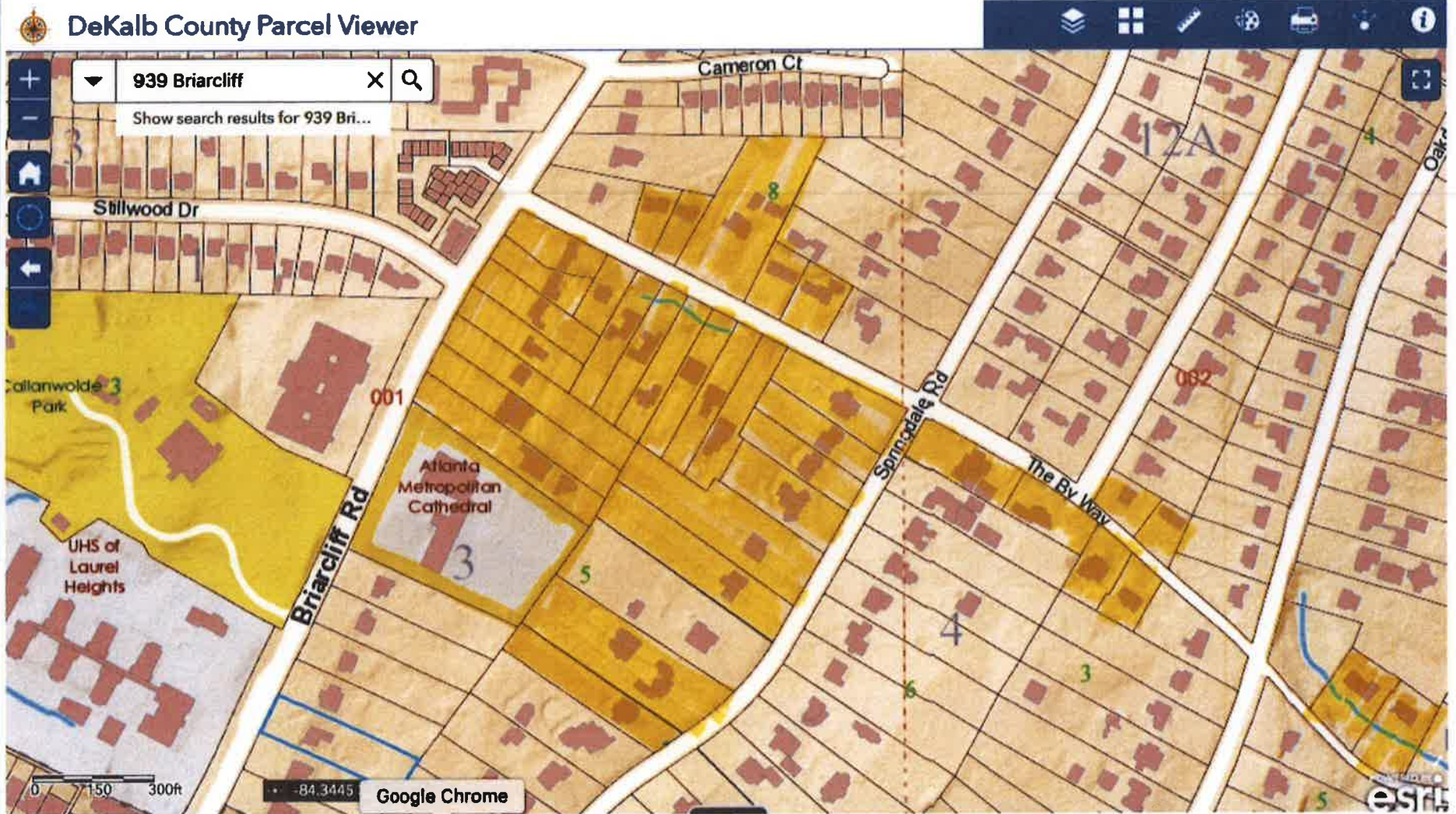
- Yes! And the Applicant's spokesperson said so last week:

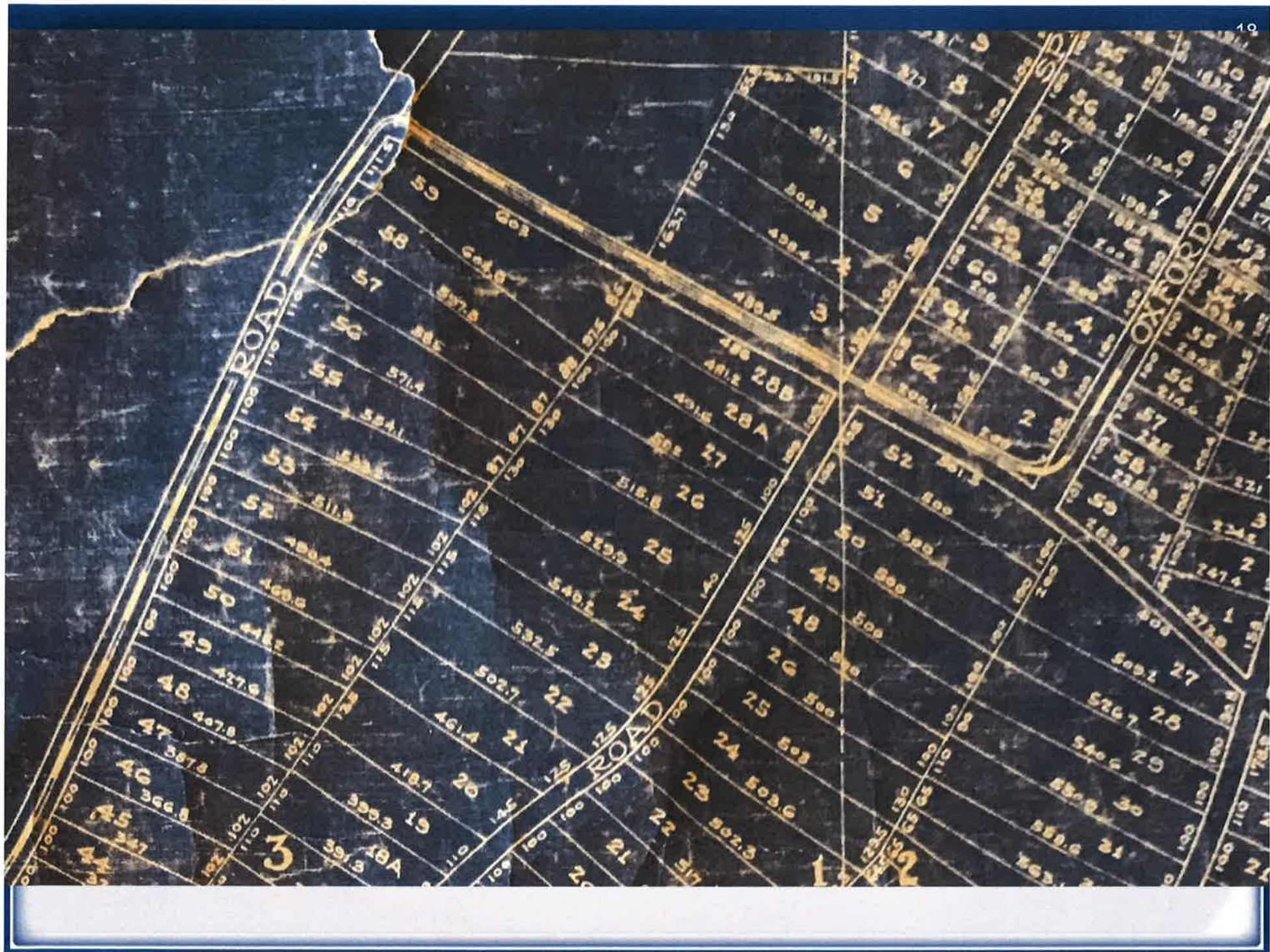
If approved, precedent is established only for non-historic structures **on** non-historic parcels.

THUS IF THE APPLICANT'S LOTS CAN BE DEVELOPED AS MULTI-FAMILY UNITS . . .

- *Then so can every other non-historic house on a non-historic parcel in the Historic District on R-85 properties – This would include:*
 - Lots north of Applicant's on Briarcliff Rd
 - Lots south of Applicant's lots on Briarcliff Rd (Metro Church)
 - Nearly all lots/properties on the By-Way, all the way to Lullwater
 - The By-Way originally just a street car line, no houses fronting it
 - Several lots on Springdale near the corner of the By-Way and two properties on the other side of "Rest Haven"
 - If a developer is paying nearly \$1,000,000 per lot, would even the new construction on the By-Way be safe?
 - If you can put several \$1,000,000 townhomes on a single lot, it makes economic sense to tear down!

Lots that could be redeveloped under the Applicant's criterion:
"non-historic houses on non-historic parcels."



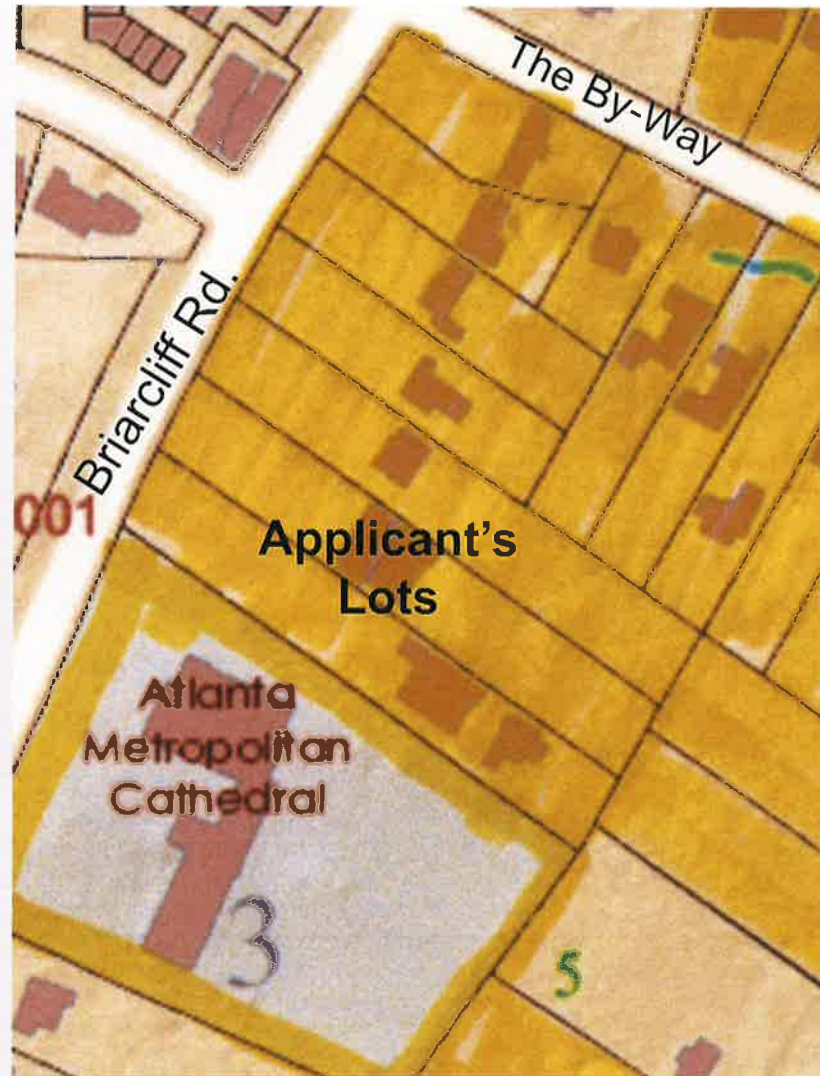


REALITY CHECK (?)

- It is (hopefully) unlikely that a developer would be successful in persuading the county to pull down some of the nicer, aesthetically-sensitive homes on Springdale (that are non-historic and on non-historically platted lots) for RSM
 - But there are ranch houses on Springdale on non-historic lots
 - One has recently been torn down to put up a “classic” house (at 956 Springdale)
- And there is every reason to believe that the entire By-Way could be “in play” - *especially* - at the corner of the By-Way and Briarcliff and at the Metro Church.

Opposition to Elegant Homes, LLC

20



“BUT IT’S ONLY THE EDGE OF THE NEIGHBORHOOD”

- An historic district boundary should be static!
- As demonstrated above: This project has the potential to push similarly inappropriate developments deep into the neighborhood, creating a new “Edge of the Neighborhood” for the *next* developer to tee off from
- But in addition, the issue of Briarcliff Road as a buffer that should be retained is specifically addressed in the Design Manual:
 - “Buffer areas have been included in certain places at the edges of the district. These buffer areas include non-historic properties, changes to which have the potential to impact surrounding historic properties as well as the district as a whole. **Falling into this category are certain areas along Briarcliff Road** and some non-historic developments along the southern boundary of the district. (emphasis added)” *Design Manual* at § 1.2.

WHAT ABOUT THE 2035 COMPREHENSIVE PLAN?

- Druid Hills is designated therein as a “traditional neighborhood”
- But any permitted zoning is subject to the Druid Hills “Overlay District”
 - “The Overlay District is a planning tool used to supplement current zoning classifications. Overlay districts have their own standards and criteria that must be followed in addition to the existing zoning requirements.” *Comprehensive Plan Appendix* at 8.
 - The Comprehensive Plan identifies only two Historic Overlay Districts: Druid Hills and Soapstone Ridge, and states: “These are designed to protect historic areas within the County.” *Comprehensive Plan Appendix* at 8.

OTHER CONSIDERATIONS

- Increased traffic
- Noise
- Destruction of tree canopy
- Additional water runoff
- Unsightly large buildings out of character with neighborhood
 - Ugly site lines for adjacent abutters on Briarcliff, The By-Way and Springdale
- To the extent the "downsizing" argument has legs, there is an abundance of smaller units for sale close to these properties:
 - Minerva project (formerly Druid Hills UMC)
 - New project at Briarcliff and Virginia (destruction of classic home);
 - Minerva project adjacent to Fox 5
 - All of the properties identified in the Applicant's submissions on the West Side of Briarcliff

Thank you!

Furman, Melora L.

From: dhardy@interiormedia.com
Sent: Monday, October 21, 2019 6:16 PM
To: Furman, Melora L.
Subject: Support for rezoning of the properties at 1043, 1047, and 1051 Briarcliff Road

Ms Furmam,

I am writing to support the application for rezoning of the properties at 1043, 1047, and 1051 Briarcliff Road, owned by Elegant Homes, LLC. I have lived in the Druid Hills neighborhood since 1998 and own the home at 1601 Emory Rd.

It always seems like the most vocal in this neighborhood will fight any kind of modernity. However, in this case the neighborhood and Historic are getting to weigh in and guide the project to be suitable. What's at issue is the density/zoning and precedent. But on that street, it already exists. To me, here is chance to place a nice product in an area that needs it. And a developer that is not trying to put in a cheap, underbuilt or under designed product.

As my wife and I are looking ahead when we will be empty nesters, we see a lack a lack of choices for downsizing and staying in the community we love. From what I've read, the rezoning is consistent with the future land use plan vision for the community in that it provides for a mix of uses and it promotes modern density while preserving the neighborhood development style.

I think the proposed plan has a more than adequate regard for its neighboring residents by providing great setback and buffers than required. It also provides for natural landscaping and is respectful of the environment with 64% open space and other natural screening features.

Compared to its many institutional neighbors (i.e. Metropolitan Cathedral, Callenwolde, Pruitt Health and Laurel Heights Hospital) and higher density residential developments, this low density project should be a welcome sight to the neighborhood. And furthermore, I believe that the higher value per square foot nature of the project, will lift values of surrounding properties.

There are plenty denser developments along the Briarcliff corridor in the City and a couple within the County. They have not caused any negative impact to the historic district and there is no reason to believe that this would have a negative impact. On the contrary, it would set a high bar for the eventual redevelopment of the church property next door and any other surround projects.

I am personally familiar with Amir and Elegant Homes and have firsthand knowledge of the product he provides. It is of an extremely high quality and have no reason to believe that what he builds on Briarcliff will be anything less than an asset to the community.

Please evaluate this proposal for rezoning on its merits and in the context of other properties along Briarcliff Road. Any issues of design aesthetics can be reviewed by the Historic Preservation Commission, but the zoning issue should be resolved in favor of the applicant.

David Hardy | Interior Media

<http://www.interiormedia.com>

dhardy@interiormedia.com | o 404 869 1919 | m 404 307-7424

DHCA's Statement in Opposition to the Application

RE: Applications on 1043, 1047, 1051 Briarcliff Road- Request to Rezone from R-85 to RSM (Elegant Homes)

Viability of these lots as single-family home lots:

Relating to the applicant's claim that single family homes are not a viable alternative for developing on the existing 3 lots, market research and activity prove this is inaccurate statement. The majority of land use along the Druid Hill's stretch of Briarcliff is in fact single family homes, both newly built and existing historic/older properties.

Recent activity on the FMLS shows just one single family home is for sale asking \$1,249,000 for a 5 bedroom 3.5 bath home. Of the 8 homes sold in the past 12 months as of end of September, prices range from \$450k-\$875k for older stock (Pre-1970 built). This limited availability of supply of available homes for purchase furthers the case that demand exists for single family along this corridor at prices that greatly exceed the median home price.

Residential Detached

Active

#	FMLS #	Address	Subdivision	#Bd	#FB	#HB	Yr Built	Orig Price	List Price
1	5861487	1323 Briarcliff Road Ne	Druid Hills	5	3	1	1925	\$1,249,000	\$1,235,000
# LISTINGS:		1	AVG VALUES:		5	3	1	1925	\$1,249,000 \$1,235,000

Closed

#	FMLS #	Address	Subdivision	#Bd	#FB	#HB	Yr Built	Orig Price	List Price	CC	Sold Date	Sold Price	SP/OLP%	TDOM
1	5875298	1385 Ne Briarcliff Road	Druid Hills	5	3	0	1950	\$450,000	\$450,000	\$0	03-01-2018	\$480,000	106.67	30
2	6129204	1271 Briarcliff Road Ne	Druid Hills	3	2	0	1953	\$475,000	\$464,900	\$2,750	04-23-2019	\$460,000	96.84	32
3	6108018	1397 Briarcliff Road Ne	Druid Hills	3	2	0	1947	\$464,900	\$464,900	\$6,000	01-28-2019	\$450,000	96.80	111
4	5912433	1157 Briarcliff Road Ne	Druid Hills	3	2	0	1930	\$529,900	\$499,900	\$10,000	03-16-2018	\$500,000	94.36	143
5	5988636	1411 Briarcliff Road Ne	Druid Hills	4	2	1	1923	\$549,000	\$549,000	\$0	05-21-2018	\$565,000	102.91	5
6	5965586	1362 Briarcliff Road Ne	Druid Hills	3	2	0	1948	\$549,900	\$549,900	\$10,500	03-30-2018	\$542,200	98.60	16
7	6037159	1355 Briarcliff Road Ne	Druid Hills	6	3	1	1925	\$739,000	\$719,000	\$6,000	12-12-2018	\$715,000	96.75	114
8	6073310	1303 Briarcliff Road Ne	Druid Hills	5	4	2	1925	\$975,000	\$899,900	\$4,000	04-29-2019	\$875,000	89.74	163
# LISTINGS:		8	AVG VALUES:		4	3	1	1938	\$591,588	\$574,688	\$4,906	\$573,400	97.83	77

The current property owner, Elegant Homes, purchased 3 homes/lots at substantial valuations given his intent to tear them down:

According to the tax assessor's site they paid:

1043 Briarcliff: \$1,250,000 (2/15/2016)

1047 Briarcliff: \$850,000 (2/15/2016)

1051 Briarcliff: \$750,000 (2/15/2016)

\$2,850,000 in Total

The current property owner/developer clearly intended to re-zone the lots for higher density given the amounts paid and effectively paid the seller's as if zoning was already granted, which it is being contested by neighbors and the Druid Hills Civic Association.

This approach limits the ability to build and sell at a profit under its current R85 zoning classification due to the owner's investment basis/cost in the land and not due to the viability for single family on the lots as is allowed by right. The community should not be negatively impacted for the owner's decision to effectively overpay for the property on the bet he's successful in a rezoning.

Example 1: Currently two homes under construction at Harvard Rd & Briarcliff:



Both homes are spec builder offerings, furthering the evidence of marketability and demand for high end single family along Briarcliff.

Example 2: New home under construction underway at the corner of Briarcliff Road & Briardale Lane



Example 3: Teardown of existing historic home that burned down and plans submitted to replace it with a single family home at 957 Briarcliff



Example 4: Further investing into single family home at 975 Briarcliff with the addition of a freestanding 3 car garage.

