DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director

AMENDED AND RESTATE
APPLICATION TO AMEND OFFICIAL ZONING MAP
OF DEKALB COUNTY, GEORGIA

Z/CZ No. Z-20-124 3841
Filing Fee: $1500

Date Received: February 27, 2020
Application No.: _______________________

Applicant: Parkland Communities, Inc. c/o Battle Law, P.C. E-Mail: nllo@battlelawpc.com

Applicant Mailing Address:

One West Court, Suite 750, Decatur, GA 30030

Applicant Phone: 404.861.7616 Fax: 404.745.0045

Owner(s): See Attached E-Mail: _______________________

Owner's Mailing Address: See Attached

Owner(s) Phone: _______________________

Address/Location of Subject Property: 1513 Stephenson Road Lithonia, GA 30058

Tax Parcel 16 162 05 003

16 169 & 162 01 & 05 003 & 002

Acreage: 45.662

Commission District(s): 5 & 7

Present Zoning Category: R-100

Proposed Zoning Category: RSM

Present Land Use Category: SUB

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 38-67A, the following questions must be answered:

Have you the applicant made $250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes X No

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

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

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the DeKalb County Board of Commissioners, DeKalb County, 1900 Commerce Drive, Decatur, Ga. 30030.

Parkland Communities, Inc.

NOTARY

SIGNATURE OF APPLICANT / DATE

Check One: Owner X Agent

EXPIRATION DATE

FEB 26 2020

Page 1 of 3

Revised 11/1/17
May 6, 2020

VIA EMAIL

Karen F. Hill, Senior Planner
DeKalb County Planning & Sustainability Dept
330 W. Ponce de Leon Avenue
Decatur, GA 30030

Re: Z-20-1243841 Parkland Communities, Inc. Stephenson Road

Dear Karen,

In order to address the comments received from the community and staff regarding the above-referenced rezoning application, on behalf of the Applicant, Parkland Communities, Inc., I am hereby submitting the attached Amended and Restated Rezoning Application which addresses the following issues:

1. The property at 1513 Stephenson Road has been added to the Application, which resulted in the total number of units increasing from 160 units to 164 units at a density of 3.59 units per acre. To effectuate these changes in the Application, the following documents have been added to the Amended and Restated Rezoning Application:
   - Revised 1st Page of Rezoning Application providing additional parcel information
   - Amended List of Owners
   - Updated Survey
   - Updated Legal Description
   - Updated Site Plan
   - Amended and Restated Statement of Intent and Impact Analysis

Please let me know if you have any questions or comments regarding the enclosed.

Sincerely,

Michele L. Battle
# PARKLAND COMMUNITIES, INC.

## REZONING APPLICATION

AMENDED

### LIST OF OWNERS AND PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Owner</th>
<th>Address</th>
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</tr>
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<tr>
<td>Judith King Estes and Paulinda King Hall</td>
<td>1467 Stephenson Road</td>
<td>16 159 01 003</td>
<td>R-100</td>
</tr>
<tr>
<td>Executors of the Estate of Paul King</td>
<td>Lithonia, GA 30058</td>
<td></td>
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<tr>
<td>Vickie S. McGhee</td>
<td>1503 Stephenson Road</td>
<td>16 162 05 002</td>
<td>R-100</td>
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<tr>
<td>Owner Wayne A. Gunter</td>
<td>Lithonia, GA 30058</td>
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<td></td>
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<tr>
<td>Dorothy Lee Cape c/o Richard Cape</td>
<td>1513 Stephenson Road</td>
<td>16 162 05 003</td>
<td>R-100</td>
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<tr>
<td>Her Estate, Admin, Executor, and Heirs Known and Unknown</td>
<td>Lithonia, GA 30058</td>
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### Multiple Tax Parcels/Address

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<td>16 162 05 003</td>
<td>1513 Stephenson Road</td>
<td>R-100</td>
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REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is not the owner of the property.

DATE: 01/08/2020

CHECK TYPE OF APPLICATION:

( ) LAND USE PLAN

( ) REZONE

( ) MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

( ) (WE),

Judith King Estes, Paulinde King Haft

(Name of owner(s))

Executors of the Estate of Paul King

being (owner)/(owners) of the property described below or attached hereby delegate authority to

Parkland Communities, Inc. and Battle Law, P.C.

(Name of Applicant or Agent Representing Owner)

to file an application on (my) / (our) behalf.

[Signature]
Owner

[Signature]
Owner

Notary Public

[Signature]
Owner

Notary Public
REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is not the owner of the property.

DATE: 2/11/2020

CHECK TYPE OF APPLICATION:

( ) LAND USE PLAN

( ) REZONE

( ) MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

(1) (WE), Vickie S. McGnee and Wayne A Gunter

(Name of owner(s))

being (owner )/(owners) of the property described below or attached hereby delegate authority to

________________________

(Name of Applicant or Agent Representing Owner)

to file an application on (my) / (our) behalf.

________________________

Owner

________________________

Owner

________________________

Owner
REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is not the owner of the property.

DATE: May 4, 2020

CHECK TYPE OF APPLICATION:

( ) LAND USE PLAN
( ) REZONE
( ) MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

(1) (WE), Melissa Harl

(Name of owner(s))

being (owner )/(owners) of the property described below or attached hereby delegate authority to

Tonka Maynor with Parkland Communities, Inc, and Battle Law, P.C.

(Name of Applicant or Agent Representing Owner)

to file an application on (my) / (our) behalf.

______________________________
Notary Public

______________________________
Notary Public

______________________________
Owner

______________________________
Owner

______________________________
Owner
REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is not the owner of the property.

DATE: May 4, 2020

CHECK TYPE OF APPLICATION:

( ) LAND-USE PLAN
( ) REZONE
( ) MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

(1) WE), Danielle Capes (Name of owner(s))

being (owner )/(owners) of the property described below or attached hereby delegate authority to

Battle Law, P.C. (Name of Applicant or Agent Representing Owner)

to file an application on (my) / (our) behalf.

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner
REZONE APPLICATION AUTHORIZATION

Completion of this form is required if the individual making the request is not the owner of the property.

DATE: 5/5/2020

CHECK TYPE OF APPLICATION:

( ) LAND USE PLAN

( ) REZONE

( ) MINOR MODIFICATION

TO WHOM IT MAY CONCERN:

( ) (WE), Samuel M. Cape

(Name of owner(s))

being (owner )/(owners) of the property described below or attached hereby delegate authority to

Battle Law, P.C.

(Name of Applicant or Agent Representing Owner)

to file an application on (my) / (our) behalf.

Notary Public

Owner

Notary Public

Owner

Notary Public
AFFIDAVIT OF DESCENT

Personally appeared before me, the undersigned officer duly authorized to administer oaths, LISA CAPE (“Deponent”), who, upon being duly sworn according to law, deposes and says as follows:

1. Deponent is of majority age, is sui juris, and personally familiar with the matters set forth herein.

2. Deponent herein sets forth below the following information with regards to his family members, all with respect to the sale of certain real property owned by Dorothy Cape.

3. Dorothy Cape, died (intestate) with issue on August 26, 2006.

Dorothy Cape was predeceased in death by her husband, Olin Cape, deceased, who died on October 26, 1981, and was survived by her son, Richard William Cape and by her grandchildren, Danielle Cape, of Georgia.

4. Richard William Cape, died (intestate) with issue on June 3, 2015. Richard William Cape was survived by his wife, Lisa Cape, of Georgia, and by three children, Melissa Cape Harl, of Virginia, Alexander Cape, of Georgia, and Samuel Cape, of Georgia.

5. Alexander Cape, died (intestate) with no issue on January 26, 2018.

6. Danny Glen Cape, died (intestate) with issue on July 25, 1995, and is survived by his daughter, Danielle Cape, of Georgia.
Signed, sealed and delivered in the presence of
and sworn to and subscribed before the undersigned
notary public this ___ day of May, 2020

[Unofficial Witness]

[Notary Public]

My Commission Expires

[Notary Seal]
PRE-APPLICATION FORM
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE
(Required prior to filing application: signed copy of this form must be submitted at filing)

Applicant Name: Park Land Communities, Inc.
Phone: 404-601-7816
Email: mlb@battelawpc.com

Property Address: 4677 Stephenson Road Lithonia 30058

Tax Parcel ID: 151-159-01-003 Comm. District(s): 5-7 Acreage: 45.096

Existing Use: Single-Family Residences Proposed Use 110 Detached Single-Family Residences

Supplemental Regs: N/A Overlay District: N/A DRI: N/A

Rezoning: Yes [ ] No [ ]

Existing Zoning: R-100 Proposed Zoning: RSM Square Footage/Number of Units: 110 units

Rezoning Request: Develop 110 units on 45.096 acres at 3.54 units per acre

Land Use Plan Amendment: Yes [ ] No [✓]

Existing Land Use: Sub Proposed Land Use: Sub Consistent [✓] Inconsistent

Special Land Use Permit: Yes [ ] No [ ] Article Number(s) 27-

Special Land Use Request(s)

Major Modification:

Existing Case Number(s):

Condition(s) to be modified:

November 1, 2018
WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: 2/25/20  Review Calendar Dates: _____ PC: _____ BOC: _____
Zoning Conditions: _____ Community Council Meeting: _____ Public Notice, Signs: _____
Tree Survey, Conservation: _____ Land Disturbance Permit (LDP): _____ Sketch Plat: _____
Bldg. Permits: _____ Fire Inspection: _____ Business License: _____ State License: _____
Lighting Plan: _____ Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS PLEASE

Review of Site Plan

Open Space: _____ Setbacks: front _____ sides _____ side corner _____ rear _____ Lot Size:
_____ Frontage: _______ Street Widths: _______ Landscape Strips: _______ Buffers: _______
Façade Design: _______ Garages: _______ Pedestrian Plan: _______ Perimeter Landscape Strip: _______
Possible Variances:

Comments:


Planner: Kwon & Hill - Senior Planner
Date 2/13/20

Filing Fees

REZONING: RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1 $500.00
RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5 $750.00
OL, OD, OIT, NS, C1, C2, M, M2 $750.00

LAND USE MAP AMENDMENT

SPECIAL LAND USE PERMIT

p:\current_planning\forms\application forms 2018\pre application conference form.docx

11/01/2018 MMA
We take this opportunity to encourage you to come out and participate.

COMMUNITY MEETING
Tuesday, February 25, 2020
6:30 pm until 8:00 pm
Colonnade Room
8010 Rockbridge Road, SW
Lithonia, Georgia 30058

*Please note that the Colonnade Room is located in the same shopping plaza as the Department of Driver Services.

COMMUNITY MEETING
Rezoning Application From R-100 to RSM for the Development of a Single Family Detached Subdivision

What is a Community Meeting?
Community meetings are designed to inform the surrounding communities of current rezoning, and special land use permit applications. It's an opportunity for the community to learn about the proposed projects, ask questions, present concerns, and make suggestions. We take this opportunity to encourage you to come out and participate. Owner? Renter? Doesn't matter. All are welcome.

For More Info Contact Batoya Clements at:
Phone: 404-601-7616 ext. 2
Fax: 404-745-0045
Email: bdc@battlelawpc.com

SUBJECT PROPERTIES:
1467 & 1503 Stephenson Road
Lithonia, Georgia 30058
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Bernarda Castillo 1589 Stephenson Rd Lithonia GA 30058-6024
Beth Harper Rodriguez 993 Palmer Rd Lithonia GA 30058-9088
Betty Bey 7257 Wheeler Trl Lithonia GA 30058-9017
Betty McCullough 7217 Iverson Trl Lithonia GA 30058-9015
Billy R David 7119 Stonebrook Ln Lithonia GA 30058-9032
Bobbie Triplett 6934 Timbers East Dr Lithonia GA 30058-6072
Breckenridge Estates Homeowners Po Box 922149 Norcross GA 30010-2146
Breken Place Trust 3225 McLeod Dr Ste 777 Las Vegas NV 89121-2257
Brian Gibson 329 Jerome St Brooklyn NY 11207-3807
Byron C Middleton 1063 Old Greystone Dr Lithonia GA 30058-9014
Carl S Hope 1111 Old Greystone Dr Lithonia GA 30058-9094
Carl Washington Jr 6968 Deshon Ridge Dr Lithonia GA 30058-8203
Carmen Peoples Nelson 7231 Iverson Trl Lithonia GA 30058-9019
Carol Mattox 1017 Brecken Ln Lithonia GA 30058-6722
Carol Williams 908 Stonebrook Dr Lithonia GA 30058-9041
Caroline Cusack Po Box 68 Stone Mountain GA 30087-0006
Carolyn P Richards Po Box 870022 Stone Mountain GA 30087-0001
Carolyn Scott 1029 Brecken Ln Lithonia GA 30058-6722
Cecil C Pryor 984 S Deshon Rd Lithonia GA 30058-6025
Cerberus Sfr Holdings Lp 875 3rd Ave New York NY 10022-6225
Charles Osborne 7000 Brecken Pl Lithonia GA 30058-2966
Charlotte R Ross 7094 Brecken Pl Lithonia GA 30058-2966
Chavez Ma Martha Gamez 959 Old Greystone Dr Lithonia GA 30058-9012
Cheryl A McKay 7235 Wheeler Ct Lithonia GA 30058-9043
Cheryl Parker 6995 Brecken Trce Lithonia GA 30058-6742
Chinoel Gregg Kendrick 6519 Cheval Ct Stone Mountain GA 30087-6077
Chiron Lashay Rutledge 1017 Palmer Rd Lithonia GA 30058-9083
Cindy Gordon 1040 Palmer Rd Lithonia GA 30058-9085
Cliff Pettway 7041 Brecken Trce Lithonia GA 30058-9043
Constella L Hughes 923 Stonemill Mnr Lithonia GA 30058-8234
Courtney Kahlil Jones 7250 Wheeler Ct Lithonia GA 30058-9042
Courtney Sanders 1079 Old Greystone Dr Lithonia GA 30058-9081
Cross Of Calvary Baptist Church 1451 Stephenson Rd Lithonia GA 30058-5932
Curtis Kinzel 7211 Wheeler Trl Lithonia GA 30058-9017
Curtis Sharon 894 Stonebrook Dr Lithonia GA 30058-9041
Cyntelia Abrams 7213 Iverson Trl Lithonia GA 30058-9015
Cynthia M Jones 899 Stonebrook Dr Lithonia GA 30058-9043
Cynthia Walton M Morris 982 Old Greystone Dr Lithonia GA 30058-9011
Daen Alexandre 948 S Deshon Rd Lithonia GA 30058-6025
Daisy D Jones 929 Stonemill Mnr Lithonia GA 30058-8234
Daisy Vershia Walker 1020 Leslie Pl Lithonia GA 30058-8286
Daniel J Pierre 1109 Palmer Rd Lithonia GA 30058-2947
Daniel Mahoney 7225 Wheeler Trl Lithonia GA 30058-9017
Daphne Alice Smith 7030 Brecken Trce Lithonia GA 30058-2974
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<th>Address</th>
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Garry C Baker 960 Old Greystone Dr Lithonia GA 30058-9011
George E Clarke 904 S Deshon Rd Lithonia GA 30058-602€
Geraldine Hawkins Robinson 1056 Palmer Rd Lithonia GA 30058-908€
Gloria A Ortiz 976 Palmer Rd Lithonia GA 30058-9087
Gloria Minta 1046 Palmer Rd Lithonia GA 30058-908€
Gordon Persons 1141 Leslie Pl Lithonia GA 30058-8202
Grace C Rodrigues 27 Dearborn St Springfield MA 01109-270‡
Greystone Community 2555 Westside Pkwy Alpharetta GA 30004-4187
Gwendolyn L Nicolls 980 Palmer Rd Lithonia GA 30058-9087
H Benedict Telesford 7245 Wheeler Ct Lithonia GA 30058-904‡
Harlene Moise 983 Old Greystone Dr Lithonia GA 30058-9012
Harvey L Jones 990 Palmer Rd Lithonia GA 30058-9087
Hillsworth E Charles 7236 Wheeler Ct Lithonia GA 30058-904‡
Holly Semple 1115 Leslie Pl Lithonia GA 30058-8202
Home Sfr Borrower Llc 8300 N Mopac Expwy Austin TX 78750-8330
Horace McClarin III 1023 Brecken Ln Lithonia GA 30058-672‡
Hubert Karl Thomas 971 Old Greystone Dr Lithonia GA 30058-9012
Ibitola O Alalade Po Box 52553 Atlanta GA 30355-055‡
Ingrid R Williams 1156 Leslie Pl Lithonia GA 30058-8201
Itamar Zamor 898 Stonemill Mnr Lithonia GA 30058-823€
Jacin Q Thompson 911 Stonemill Mnr Lithonia GA 30058-823€
Jackie Wilborn 7002 Brecken Trce Lithonia GA 30058-671€
James A Williams 7195 Iverson Trl Lithonia GA 30058-901€
James E Jones 956 S Deshon Rd Lithonia GA 30058-602€
James H Ward 1045 Leslie Pl Lithonia GA 30058-828€
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James Tyler Pattman 7252 Iverson Trl Lithonia GA 30058-901€
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Janie Asante 2308 Lochinver Ln Sw Conyers GA 30094-6851
Jason Whitfield 7125 Brecken Pl Lithonia GA 30058-296€
Jerry McMillan 5033 Doby Ln Austell GA 30106-283€
Joann Harris 7256 Wheeler Trl Lithonia GA 30058-901€
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John H Cowart 1370 Center Dr Atlanta GA 30338-413€
John H Herriott 944 Old Greystone Dr Lithonia GA 30058-9011
John Z Clemons Jr 1110 Palmer Trl Lithonia GA 30058-909‡
Johnny Billings 999 Palmer Rd Lithonia GA 30058-908€
Jonathan Brewer 7129 Stonebrook Ln Lithonia GA 30058-903€
Joseph G Locurto 6982 Kimberland Gardens Ln Lithonia GA 30058-601€
Justin Myers 5245 Mainstreet Park Dr Stone Mount GA 30088-2407
Kathy E Boozer King 1411 Stephenson Rd Lithonia GA 30058-5934
Martha Glover  
988 Brecken Ln  
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Marva Reid  
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Mary J Stevenson  
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Mary Jones  
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Mary McRae  
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Matthew O Lindsay  
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Maurice O Heron  
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Maurice N Coleman  
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Maxwell Donna Williams  
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Melaf Ga Llc  
853 Broadway Fl 5  
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Melissa Bolden  
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Melvyn Dean Underwood  
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Michael D Anderson II  
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Michael H Macon  
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Michael J Stephens  
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Michelle Tulloch  
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Mills Valencia N Strickland  
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Mort Com Everhome  
8100 Nations Way  
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Mr Paul W King  
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Steven Spivey 1068 Leslie Pl Lithonia GA 30058-8286
Stevie Jackson 1204 Leslie Pl Lithonia GA 30058-9066
Stuart H Dorfman 989 S Deshon Rd Lithonia GA 30058-6006
Suleiman Mahamed Hassan 966 Palmer Rd Lithonia GA 30058-9087
Sylvia Samuel 7044 Brecken Pl Lithonia GA 30058-2963
Tah 2018 1 Borrower Llc 1508 Brookhollow Dr Santa Ana CA 92705-5433
Tah Ms Borrower Llc 1508 Brookhollow Dr Santa Ana CA 92705-5433
Takawira P Sanganza 1104 Leslie Pl Lithonia GA 30058-8201
Takiya M Nelson 6988 Brecken Pl Lithonia GA 30058-3234
Tangula L Wright 7223 Iverson Trl Lithonia GA 30058-9014
Tanya Louise Lynn Smith 1401 Stephenson Rd Lithonia GA 30058-5993
Teeshah Thomas 1110 Palmer Rd Lithonia GA 30058-2944
Teresa Gail Teasley Vickery 1470 Stephenson Rd Lithonia GA 30058-5934
Terri Lawson-Adams 1899 Chedworth Ct Stone Mountain GA 30087-213C
Theresa A Brown 6992 Brecken Cir Lithonia GA 30058-2971
Theresa Anntionette Carter 7068 Brecken Pl Lithonia GA 30058-2965
Thomas J Marshall 7133 Stonebrook Ln Lithonia GA 30058-9032
Tiawanna T Thompson 7193 Iverson Trl Lithonia GA 30058-9014
Tiffany Butler 2319 Cherokee Valley Cir Lithonia GA 30058-5382
Timothy H Finney 445 Stonemill Mnr Lithonia GA 30058-9064
Timothy Lee King 1006 Palmer Rd Lithonia GA 30058-9085
Timothy R Paul 4988 Fairhaven Way Ne Roswell GA 30075-6111
Todd P Tyler 7036 Brecken Trce Lithonia GA 30058-2973
Toni P Walker 1061 Leslie Pl Lithonia GA 30058-8287
Tracy D Adams 1108 Old Greystone Dr Lithonia GA 30058-9096
Trina N Stroupe 7035 Brecken Pl Lithonia GA 30058-2964
Troy M Lewis 1106 Palmer Rd Lithonia GA 30058-2948
Troy Strohman 7106 Brecken Pl Lithonia GA 30058-2973
Tyler Penny 1094 Palmer Rd Lithonia GA 30058-9088
Tyrlone Rogers 1212 Old Greystone Ct Lithonia GA 30058-2955
Ucall L Gooden 7090 Brecken Pl Lithonia GA 30058-2965
Union Jack Properties Llc Po Box 8503 Atlanta GA 31106-0504
Valerie Campbell 7033 Brecken Trce Lithonia GA 30058-2975
Vanessa Goodridge 932 S Deshon Rd Lithonia GA 30058-6025
Vanessa Luke 7202 Brighton Ct Lithonia GA 30058-8230
Vanessa Peterson 983 Palmer Rd Lithonia GA 30058-9087
Vanessa R Byams 990 Old Greystone Dr Lithonia GA 30058-9011
Vickie S McGhee 10140 Saint Simonds Ct Johns Creek GA 30022-6026
Voice Of Praise New Testament 1368 Stephenson Rd Lithonia GA 30058-5937
Voice Of Praise New Testament 1368 Stephenson Rd Lithonia GA 30058-5937
W H J Properties Llc 4173 Bent Willow Dr Sw Lilburn GA 30047-3366
Wade Wimberly 438 Stonemill Mnr Lithonia GA 30058-9066
Wentworth E Rennalls 1034 Brecken Ln Lithonia GA 30058-6721
Wesley Murdock 7191 Iverson Trl Lithonia GA 30058-9014
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<td>Yanan Wang</td>
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<td>Ynz Properties Llc</td>
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<td>7226 Wheeler Trl</td>
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**COMMUNITY MEETING**
**SIGN IN SHEET**
1467 & 1503 Stephenson Road, Lithonia, GA 30058
Colonnade Room, 8010 Rockbridge Road, SW, Lithonia, GA 30058
Tuesday, February 25, 2020 6:30 PM – 8:00 PM

*Please print legibly*

<table>
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<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Address</th>
<th>City, State</th>
<th>Zip Code</th>
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<td>Paulinda Hall</td>
<td>1932 Young Rd</td>
<td>Lithonia, GA 30058</td>
<td>404-634-4005</td>
<td><a href="mailto:paulinhall888@gmail.com">paulinhall888@gmail.com</a></td>
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<tr>
<td>Potholcombe</td>
<td>651 Stonewall Manor</td>
<td>Lithonia, GA 30058</td>
<td>770-633-1258</td>
<td><a href="mailto:gailcassar@yahoo.com">gailcassar@yahoo.com</a></td>
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<tr>
<td>Priscilla Brown</td>
<td>6921 Springbank Way</td>
<td>Stone Mtn, GA 30087</td>
<td>404-386-3882</td>
<td><a href="mailto:dwv83567@bellsouth.net">dwv83567@bellsouth.net</a></td>
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<tr>
<td>Gail Cassar</td>
<td>457 Watson Bridge,</td>
<td>Stone Mtn, GA 30087</td>
<td>404-376-3882</td>
<td><a href="mailto:gailcassar@yahoo.com">gailcassar@yahoo.com</a></td>
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<tr>
<td>Louise Bembry</td>
<td>7156 Woodstone Dr</td>
<td>Lithonia, GA 30058</td>
<td>770-413-7132</td>
<td><a href="mailto:1bembry@yahoo.com">1bembry@yahoo.com</a></td>
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<tr>
<td>Faye Parker</td>
<td>616 Woodstone Rd</td>
<td>Lithonia, GA 30058</td>
<td>404-790-3744</td>
<td><a href="mailto:fparker1974@gmail.com">fparker1974@gmail.com</a></td>
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<tr>
<td>Lisa Verrill</td>
<td>495 Wills Neck Ct</td>
<td>Stone Mtn, GA 30087</td>
<td>470-352-0020</td>
<td><a href="mailto:lcv716@gmail.com">lcv716@gmail.com</a></td>
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<tr>
<td>Lane Hammonds</td>
<td>6915 Water Edge Dr</td>
<td>Stone Mtn, GA 30087</td>
<td>470-465-3116</td>
<td><a href="mailto:ahammonds@gmail.com">ahammonds@gmail.com</a></td>
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<tr>
<td>Star Morris</td>
<td>6459 Deshon Ridge Dr</td>
<td>Lithonia, GA 30058</td>
<td>404-516-4437</td>
<td><a href="mailto:starmorris2@earthlink.net">starmorris2@earthlink.net</a></td>
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<tr>
<td>Glenda Lee</td>
<td>6950 Deshon Ridge Dr</td>
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<td><a href="mailto:glenda101@gmail.com">glenda101@gmail.com</a></td>
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<tr>
<td>Margaret Jones</td>
<td>6975 Deshon Ridge Dr</td>
<td>Lithonia, GA 30058</td>
<td>770-482-5615</td>
<td><a href="mailto:Sonyj40@bellsouth.net">Sonyj40@bellsouth.net</a></td>
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*Stephen > Middleton*
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<tr>
<td>Jan</td>
<td>Costello</td>
<td>1813 S Hidden Hills</td>
<td>Stone Mn</td>
<td>30083</td>
<td>770 815 0105</td>
<td><a href="mailto:jan.r.costello@gmail.com">jan.r.costello@gmail.com</a></td>
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<tr>
<td>S</td>
<td>Williams</td>
<td>Stonebrook Subdiv</td>
<td>Lithonia</td>
<td>30052</td>
<td>770 826 7196</td>
<td><a href="mailto:swm908@gmail.com">swm908@gmail.com</a></td>
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<tr>
<td>R</td>
<td>Face</td>
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<td><a href="mailto:Ricknyce@gmail.com">Ricknyce@gmail.com</a></td>
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<td>LAshana</td>
<td>Middleton</td>
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<td>678 906 1199</td>
<td><a href="mailto:shawaisyoursagent@gmail.com">shawaisyoursagent@gmail.com</a></td>
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<tr>
<td>Rhonda</td>
<td>Burns</td>
<td>St Mt</td>
<td>30057</td>
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<td></td>
<td><a href="mailto:rtyson14@yahoo.com">rtyson14@yahoo.com</a></td>
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<tr>
<td>J</td>
<td>Beat Thomas</td>
<td>971 Old Greystone Dr</td>
<td>Lithonia</td>
<td>30058</td>
<td></td>
<td><a href="mailto:caejam@bellsouth.net">caejam@bellsouth.net</a></td>
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*Note: Please print legibly*
COMMUNITY MEETING
SIGN IN SHEET
1467 & 1503 Stephenson Road, Lithonia, GA 30058
Colonade Room, 8010 Rockbridge Road, SW, Lithonia, GA 30058
Tuesday, February 25, 2020 6:30 PM – 8:00 PM

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<td>Thomas</td>
<td>7235 Iverson Trail</td>
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<td>30058</td>
<td>770-482-1670</td>
<td><a href="mailto:nmt@thomasvisions.com">nmt@thomasvisions.com</a></td>
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<tr>
<td>Tina</td>
<td>Winters</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:clementina.winters@comcast.net">clementina.winters@comcast.net</a></td>
</tr>
<tr>
<td>Jw</td>
<td>Eady</td>
<td></td>
<td></td>
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<td></td>
<td><a href="mailto:jweady@bellsouth.net">jweady@bellsouth.net</a></td>
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<tr>
<td>Veronica</td>
<td>Ford</td>
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<td>Juandell</td>
<td>Wilson</td>
<td>2023 Arbor Dr</td>
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<td>678.438.9497</td>
<td><a href="mailto:juandell.wilson@gmail.com">juandell.wilson@gmail.com</a></td>
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Campaign Contribution Disclosure Statements

CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT

Pursuant to the provisions of 36 O.C.G.A. 67(A), please find below a list of those contributions made by Michèle L. Battle or Battle Law, P.C. in the past two years, aggregating $250.00 or more, to local government officials who will consider this application.

<table>
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<td>Kathie Gannon</td>
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<tr>
<td>Mereda Davis Johnson</td>
<td>Commissioner</td>
<td>$500</td>
</tr>
<tr>
<td>Larry Johnson</td>
<td>Commissioner</td>
<td>$700</td>
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<tr>
<td>Lorraine Cochran-Johnson</td>
<td>Commissioner</td>
<td>$250</td>
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By: [Signature]
Printed Name: Michèle L. Battle
QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF DEKALB

THIS INDENTURE made the 16th day of March, 2019, between UNA C. VALENTINE, (of the County of Oconee, State of Georgia), and TABATHA SAVAGE, (of the County of Barrow, State of Georgia), as parties or parties of the first part, hereinafter called Grantors, and WAYNE A. GASTER (of the County of Hall, State of Georgia), and VICKIE S. McGHEE, (of the County of Fulton, State of Georgia), as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: that Grantor, for and in consideration of the sum of one dollar ($1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby resell, convey and forever QUITCLAIM unto the said Grantees:

Beginning at a point on the west line of Land Lot 162 Two thousand eighty-five (2,085) feet north from the southwest corner of said Land Lot, running thence north sixty (60) degrees thirty minutes west five hundred seventy (570) feet to a permanant tree, thence north thirty (30) degrees thirty minutes east two hundred eighty (280) feet to the center of Stephenson Road, thence southwesterly along the center of said road one hundred four (104.4) feet; thence south fourteen (14) degrees twenty (20) minutes west one hundred sixty (160) feet; thence north fourteen (14) degrees twenty (20) minutes west one hundred sixty (160) feet; thence north forty-five (45) degrees forty-five (45) minutes west two hundred sixty (260) feet; thence north thirty (30) degrees five (5) minutes west six hundred eighty (680) feet to the point of beginning; containing 16.8 acres according to the plat made by Gordon Nalley, S.C., dated May 1, 1946.

This is Land Lot 162 of the 16th District of Dekalb County, Georgia, by the present numbering system utilized in Dekalb County, Georgia, known as 1903 Stephens Road.

TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantee has signed and sealed this deed, the day and year first above written.

(Signatures continued on following page)
(Signatures continued from previous page)

Signed, sealed and delivered in the presence of:

Ashley H. Clark
(Unofficial Witness)

Cynthia L. Winsett
(Notary Public)

Cynthia Valentine
(Seal)

Cynthia L. Winsett
Notary Public
Walton County
State of Georgia
Notary # W-00233133
My Commission Expires on April 10, 2019

Tabatha Savage, Notary Public

Tabatha Peazell
(Unofficial Witness)

(Notary Public)
QUITCLAIM DEED

STATE OF GEORGIA
COUNTY OF DEKALB

THIS INDENTURE made this ___ day of ___ , 2019, between UNA C. VALENTINE, (of the County of Gwinnett, State of Georgia), and TABATHA SAVAGE, f/k/a TABATHA FEAZEL, (of the County of Barrow, State of Georgia), as party or parties of the first part, hereinafter called Grantors, and WAYNE A. GUNTER (of the County of Hall, State of Georgia), VICKIE S. McGHEE, (of the County of Fulton, State of Georgia), as parties of the second part, hereinafter called Grantees, (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that Grantors, for and in consideration of the sum of one dollar ($1.00) and other valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUITCLAIM unto the said Grantees:

Beginning at a point on the west line of Land Lot 162 Two thousand eighty (2,080) feet north from the southwest corner of said Land Lot; running thence north 68 degrees 30 minutes west five hundred seventy (570) feet to a persimmon tree, thence north 50 degrees 36 minutes east two hundred eighty five (285) feet to the center of Stephenson Road; thence southeasterly along the center of said road one hundred four and one-tenth (104.1) feet; thence south 14 degrees 20 minutes west thirteen hundred sixty four and five-tenths (1,364.5) feet to the center of Swift Creek; thence westerly following the meanderings of said creek four hundred ninety nine and five-tenths (499.5) feet to the west line of Land Lot 162; thence north 0 degrees 30 minutes west along the west Land Lot line eight hundred eighty six and five-tenths (886.5) feet to the point of beginning; containing 16.8 acres according to the plat made by Gordon Nalley, S.C., dated May 1, 1946.

This is Land Lot 162 of the 16th District of DeKalb County, Georgia, by the present numbering system utilized in DeKalb County, Georgia as 1503 Stephenson Road.

TO HAVE AND TO HOLD the said described premises to Grantees, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the day and year first above written.

(Signatures continued on following page)
(Signatures continued from previous page)

Signed, sealed and delivered in the presence of:

____________________________________ {SEAL}
UNA C. VALENTINE

(Official Witness)

(Notary Public)

____________________________________ {SEAL}
TABATHA SAVAGE, f/k/a TABATHA FEAZEL

(Official Witness)
Owner: Judith King Estes and Paulinda King Hall
Executors of the Estate of Paul King
Address: 1467 Stephenson Road
Lithonia, GA 30058
Tax Parcel: 16 159 01 003
Address: 1467 Stephenson Road
Zoned: R-100

Owner: Vickie S. McGhee
Owner: Wayne A. Gunter
Address: 1503 Stephenson Road
Lithonia, GA 30058
Tax Parcel: 16 162 05 002
Address: 1503 Stephenson Road
Zoned: R-100

Multiple Tax
Parcels/Address: 16 159 01 003 1467 Stephenson Road Zoned: R-100
16 162 05 002 1503 Stephenson Road Zoned: R-100
Legal Description,

A parcel of land situated in Land Lots 159 and 162 of the 16th District of DeKalb County, Georgia, said parcel being more particularly described as follows:

Begin at a found capped rebar, said point marking the intersection of the Southerly right of way of Stephenson Road (Public Right of Way Varies) and the line between the aforementioned Land Lot 159 and 162; thence run South 67 degrees 53 minutes 34 seconds East along said Right of Way for a distance of 64.91 feet to a found 1 and 1/2 inch opentop pipe; thence leaving said right of way run South 00 degrees 04 minutes 45 seconds West for a distance of 465.74 feet to a found 3/4 inch rebar; thence run North 89 degrees 50 minutes 03 seconds East for a distance of 200.05 feet to a found 3/4 inch rebar; thence run North 00 degrees 03 minutes 48 seconds West for a distance of 385.56 feet to a found 1 and 1/2 inch opentop pipe, said point lying on the aforementioned Southerly Right of Way of Stephenson Road, said point also lying on an non-tangent curve to the left, said curve having a radius of 4,597.62 feet, a central angle of 03 degrees 20 minutes 19 seconds, a chord bearing of South 69 degrees 50 minutes 50 seconds East and a chord distance of 267.86 feet; thence run along the arc of said curve and said Right of Way for a distance of 267.90 feet to a point, said point lying on a curve to the left, said curve having a radius of 1,825.67 feet, a central angle of 10 degrees 19 minutes 16 seconds, a chord bearing of South 76 degrees 40 minutes 31 seconds East, and a chord distance of 328.43; thence run along the arc of said curve and said Right of Way for a distance of 328.88 feet to a set 5/8 inch capped rebar; thence run South 16 degrees 02 minutes 18 seconds West along said Right of Way for a distance of 16.12 feet to a point; thence run South 81 degrees 40 minutes 11 seconds West for a distance of 89.23 feet to a set 5/8 inch capped rebar; thence leaving said Right of Way run South 12 degrees 56 minutes 36 seconds West for a distance of 209.90 feet to a set 5/8 inch capped rebar; thence run South 60 degrees 06 minutes 50 seconds West for a distance of 143.40 feet to a set 5/8 inch capped rebar; thence run South 16 degrees 02 minutes 18 seconds West along the Westerly line of Greystone Subdivision as recorded in Plat Book 87, Page 25 in the Dekalb County Superior Court Clerk’s Office, for a distance of 1025.91 feet to a point, said point lying on the centerline of a creek; thence run along the centerline of said creek the following calls and distances:

South 79 degrees 09 minutes 50 seconds West for a distance of 52.95 feet;
North 81 degrees 17 minutes 36 seconds West for a distance of 55.51 feet;
South 78 degrees 23 minutes 10 seconds West for a distance of 29.44 feet;
South 52 degrees 46 minutes 36 seconds West for a distance of 27.00 feet;
North 80 degrees 51 minutes 53 seconds West for a distance of 34.83 feet;
North 70 degrees 03 minutes 33 seconds West for a distance of 28.94 feet;
South 66 degrees 20 minutes 16 seconds West for a distance of 21.67 feet;
South 88 degrees 54 minutes 01 seconds West for a distance of 40.15 feet;
North 72 degrees 01 minutes 49 seconds West for a distance of 49.65 feet;
North 77 degrees 20 minutes 20 seconds West for a distance of 60.81 feet;
North 87 degrees 22 minutes 37 seconds West for a distance of 31.20 feet;
North 67 degrees 22 minutes 05 seconds West for a distance of 48.64 feet;
North 64 degrees 01 minutes 37 seconds West for a distance of 21.95 feet;
South 70 degrees 44 minutes 16 seconds West for a distance of 27.99 feet;
South 40 degrees 09 minutes 52 seconds West for a distance of 26.96 feet;
South 29 degrees 00 minutes 33 seconds West for a distance of 62.40 feet;
South 53 degrees 58 minutes 13 seconds West for a distance of 57.14 feet;
South 70 degrees 05 minutes 05 seconds West for a distance of 95.38 feet;
Thence leaving said Centerline of Creek run North 40 degrees 50 minutes 29 seconds West for a distance of 801.60 feet to a point, said point lying on the centerline of a second creek; thence run along the centerline of said creek the following calls and distances:

North 51 degrees 05 minutes 28 seconds West for a distance of 51.63 feet;
North 56 degrees 27 minutes 15 seconds West for a distance of 38.26 feet;
North 42 degrees 00 minutes 51 seconds West for a distance of 81.73 feet;
North 75 degrees 41 minutes 32 seconds West for a distance of 16.27 feet;
North 30 degrees 46 minutes 00 seconds West for a distance of 68.21 feet;
North 07 degrees 02 minutes 21 seconds West for a distance of 27.18 feet;
North 23 degrees 27 minutes 55 seconds West for a distance of 81.61 feet;
North 10 degrees 15 minutes 55 seconds East for a distance of 26.01 feet;
North 15 degrees 00 minutes 19 seconds West for a distance of 38.35 feet;
North 49 degrees 00 minutes 47 seconds West for a distance of 15.70 feet;
North 33 minutes 22 minutes 15 seconds West for a distance of 37.87 feet;
North 04 degrees 38 minutes 23 seconds East for a distance of 24.74 feet;
North 30 degrees 33 minutes 51 seconds West for a distance of 17.90 feet;
North 51 degrees 21 minutes 39 seconds East for a distance of 6.22 feet;
North 01 degrees 53 minutes 41 seconds East for a distance of 16.41 feet;
North 10 degrees 54 minutes 08 seconds East for a distance of 22.46 feet;
North 35 degrees 15 minutes 36 seconds West for a distance of 25.26 feet;
North 04 degrees 11 minutes 30 seconds West for a distance of 18.28 feet;
North 71 degrees 55 minutes 37 seconds West for a distance of 45.96 feet;
North 13 degrees 48 minutes 59 seconds East for a distance of 20.05 feet;
North 14 degrees 37 minutes 59 seconds West for a distance of 35.89 feet;
North 69 degrees 54 minutes 15 seconds West for a distance of 26.19 feet;
North 23 degrees 04 minutes 25 seconds West for a distance of 11.08 feet;
North 19 degrees 05 minutes 34 seconds East for a distance of 28.19 feet;
North 07 degrees 29 minutes 57 seconds West for a distance of 29.44 feet;
North 02 degrees 59 minutes 16 seconds West for a distance of 18.63 feet;
North 20 degrees 57 minutes 40 seconds East for a distance of 29.79 feet;
North 12 degrees 38 minutes 51 seconds West for a distance of 24.61 feet;
North 11 degrees 49 minutes 53 seconds West for a distance of 67.98 feet;
North 41 degrees 00 minutes 38 seconds East for a distance of 63.17 feet;
North 56 degrees 36 minutes 23 seconds East for a distance of 28.28 feet;
North 52 degrees 03 minutes 47 seconds East for a distance of 25.46 feet;

Thence leaving the centerline of said Creek run South 74 degrees 07 minutes 00 seconds East for a distance of 232.03 feet to a found stone; thence run North 80 degrees 17 minutes 18 seconds East for a distance of 796.86 feet to a found capped rebar, said point lying on the aforementioned Land Lot Line; thence run North 00 degrees 01 minutes 08 seconds East along said Land Lot line for a distance of 149.47 feet to the POINT OF BEGINNING. Said parcel contains 1,989,045.37 Square Feet or 45.662 Acres.
KINGSLEY CREEK

CHARACTER IMAGES

50' LOTS

60' LOTS

AMENITY AREA

50' LOTS

60' LOTS

AMENITY AREA

THESE CHARACTER IMAGES ARE CONCEPTUAL AND ARE SUBJECT TO CHANGE.
AMENDED AND RESTATED STATEMENT OF INTENT AND IMPACT ANALYSIS

and

Other Material Required by DeKalb County Zoning Ordinance for the Application for Rezoning of

Parkland Communities, Inc. c/o Battle Law, P.C.

for

45.662± acres of land located at 1467, 1503 & 1513 Stephenson Road

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
One West Court Square, Suite 750
Decatur, Georgia 30030
Phone: (404) 601-7616
Fax: (404) 745-0045
Email: mlb@battlelawpc.com
I. AMENDED STATEMENT OF INTENT

The Applicant, Parkland Communities, Inc., is seeking to rezone the properties located at 1467, 1503 and 1513 Stephenson Road, Lithonia, Unincorporated DeKalb County, GA having an aggregate acreage of 45.662 acres (the “Subject Property”) from R-100 to RSM for the development of a 164 unit single-family detached subdivision at a density of 3.59 units per acre. The Subject Property has a land use designation of Suburban.

This document is submitted both as a Statement of Intent regarding this Application, a preservation of the Applicant’s constitutional rights, and the Impact Analysis of this Application as required by the DeKalb County Zoning Ordinance. A surveyed plat and conceptual site plan of the Subject Property controlled by the Applicant has been filed contemporaneously with the Application, along with other required materials.

II. IMPACT ANALYSIS

(a) Suitability of use: The proposed rezoning will allow for the development of residential lots at a density that is suitable for the area considering the existing uses and zoning classifications in the area. The Subject Property is located on Stephenson Road, and all ingress and egress to the Subject Property will be through Stephenson Road. The Subject Property wraps around the Cross of Calvary Baptist Church located at 1451 Stephenson Road, which is zoned R-100. Abutting the Subject Property are three residential subdivisions which are zoned RSM, being Breckenridge Estates, and Units 1 and 2 of the Greystone Subdivision. Additionally, the Stonebrook and Stonemill Manor Subdivisions, which are also zoned RSM, are across the street on the North side of Stephenson Road. It
is the Applicant’s intent to develop the Subject Property to allow for the building of two story homes which have a minimum square footage of 1,800 sq. ft., with an anticipated minimum sales price of $225,000, without any interior upgrades.

(b) **Effect on adjacent property:** The proposed development will have a positive impact on the surrounding community. The Subject Property has a long history of criminal activity, including drugs and robbery. According to one of the heirs of the Estate of Dorothy Cape, the property at 1513 Stephenson Road in the past being used as meth lab/drug distribution house. For years they tried to clean up the property and keep squatters out but then they finally gave up once the tax bills mounted up. Therefore, removing this blight and element from the community will be a major win.

The proposed subdivision will also help support the continued recovery of the area from the 2007 economic downturn which devastated South DeKalb. The proposed homes will be sold at a price point which will be in excess of many of the surrounding values. Furthermore, the community will have sidewalks, pedestrian scale lighting, greenspace areas around the perimeter of the subdivision, as well as trees plated throughout the community, a mulched walking trail, an amenity area, a pocket park and a mandatory homeowners association, all of which enhance the viability and marketability of the community.

(c) **Effect on public facilities:** The Subject Property is in an area with public utility availability. The proposed rezoning will not cause excessive use of streets, transportation facilities, or utilities in the area. The Applicant will be installing sidewalks along Stephenson Road, which will support the continued improvement of the Stephenson Road right of way.
With respect to the impact on the local schools, the proposed subdivision will bring new student into the school system, which in this area is needed. According to the DeKalb County Public School Enrollment Capacity information, the elementary school, middle school and high school for the area in which the Subject Property is located are all currently well below enrollment capacity. Declining enrollment is an indicator that new families with children are not moving into the neighborhood, and that those currently in the community are either empty nesters or chose to send their children to private schools. Either way, without a new influx of students the public schools in the area will suffer. This project provides an opportunity to address this trend.

<table>
<thead>
<tr>
<th>Facility/School</th>
<th>Type</th>
<th>Cluster</th>
<th>Region</th>
<th>Enrollment</th>
<th>Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pine Ridge ES</td>
<td>ES</td>
<td>Stephens</td>
<td>3</td>
<td>570</td>
<td>856</td>
</tr>
<tr>
<td>Princeton ES</td>
<td>ES</td>
<td>Stephens</td>
<td>3</td>
<td>743</td>
<td>958</td>
</tr>
<tr>
<td>Rock Chapel ES</td>
<td>ES</td>
<td>Stephens</td>
<td>3</td>
<td>537</td>
<td>697</td>
</tr>
<tr>
<td>Stephenson HS</td>
<td>HS</td>
<td>Stephens</td>
<td>3</td>
<td>1387</td>
<td>2041</td>
</tr>
<tr>
<td>Stephenson MS</td>
<td>MS</td>
<td>Stephens</td>
<td>3</td>
<td>988</td>
<td>1374</td>
</tr>
</tbody>
</table>

(d) **Economic use of current zoning:** The Subject Property has minimal use as currently zoned R-100. The development of large lot single family homes is not currently marketable in the area as the sales prices of the homes and lots would be significantly higher than current market rates due to building and infrastructure costs. Additionally, smaller residential lots reduce the impact of continue urban sprawl and allows for homes to be built which support working families.

(e) **Effect on historic building, sites, etc.** The approval of this Application will not have any adverse impact on any historic buildings, sites, districts or archaeological resources in the area.

(f) **Compatibility with Comprehensive Land Use Plan.** The Subject Property has a land use designation of Suburban which supports the RSM zoning district.
IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Land use Amendment Application at issue be approved. Please note that the Applicant’s Notice of Constitutional Allegations and Preservation of Constitutional Rights have been submitted with this Application and are attached hereto and by this reference incorporated herein.

This 5th day of May, 2020.

Respectfully submitted,

Michèle L. Battle, Esq.
Attorney For Applicant
NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant’s property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant’s Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant’s utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinafore.

A refusal to allow the rezoning in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.
A refusal to allow the rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of DeKalb County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney’s fees and other damages arising out of the unlawful deprivation of the Applicant’s property rights.
LETTER SHOWING SEWER CAPACITY

December 4, 2019

Attention: Kevin Cardinal
AEP
299 S. Main St., Suite A
Alpharetta, GA 30009

Re: 1467 & 1503 Stephenson Rd.
16th Dist, LL 162
Stephenson Tracts
Polebridge

Dear Mr. Cardinal:

The DeKalb County Department of Watershed Management ("DWM") received a sewer capacity request regarding the potential availability of sanitary sewer capacity at the above-referenced location. In response to the inquiry, DWM staff confirms that sanitary sewer capacity may be available for the subject property at this time. After evaluating your capacity request, it has been determined based on the criteria set forth in DWM’s Interim Sanitary Sewer Capacity Evaluation Program dated July 13, 2018 that DWM’s wastewater collection, transmission, and treatment system has adequate capacity to receive the wastewater flow contribution from your sewer service connection as documented in your sewer capacity request. As such, approval to proceed with the project is granted with regards to sanitary sewer capacity.

Please note that the determination of available capacity expressed herein is not guaranteed as it is based upon the known conditions as of the date of this correspondence and on the provided anticipated capacity needs associated with the project. In the event that sewer system infrastructure improvements are required to accommodate any new flow contribution and ensure adequate sewer system capacity as a result of development on the referenced property, the developer will be responsible for the cost associated with installing any such improvements to the existing sewer system infrastructure pursuant to DeKalb County Code of Ordinances, Chapter 25, Article IV – “Sewers and Sewerage Disposal”. Once installed and accepted by DeKalb County, the improvements will be owned and maintained by DeKalb County.

This information is based on currently available data and should only be used to substantiate the potential availability of sewer services as of the date of this correspondence. Circumstances are subject to change and the potential capacity indicated herein is in no way guaranteed.

Should you have any questions or concerns in reference to this response, please do not hesitate to contact the Division of Planning & Development of DWM at mlotts@dekalbcountyga.gov.

Sincerely,

Zachary L. Williams
Executive Assistant/Chief Operating Officer

Darren Eastall
Program Administrator-Consent Decree
MEMORANDUM

To: Jim Jacobi, Parkland Communities, Inc.

From: John D. Walker, P.E., PTOE
       Jin Seo, P.E.

Date: February 24, 2020

RE: Stephenson Road Tract – DeKalb County – Trip Generation Memo

Kimley-Horn is pleased to provide this memorandum regarding the project trip generation for the proposed Stephenson Road Tract development in DeKalb County, Georgia.

PROJECT OVERVIEW

The Stephenson Road Tract development (located at 1467 and 1503 Stephenson Road) is a proposed residential development bordered by Stephenson Road to the north in DeKalb County, Georgia. The proposed development consists of approximately 160 single-family lots.

TRIP GENERATION

Project traffic, for the purposes of this evaluation, is defined as the vehicle trips expected to be generated by the proposed development. Anticipated trip generation for the Stephenson Road development was calculated using rates and equations contained in the Institute of Transportation Engineers’ (ITE) Trip Generation Manual, 10th Edition, 2017. This analysis generated the project trips using the following land use: Single-Family Detached Housing (ITE Code 210).

The proposed density and the anticipated project trip generation are summarized in Table 1.
Table 1: Trip Generation

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Density</th>
<th>ITE Code</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total Enter</td>
<td>Exit</td>
</tr>
<tr>
<td>Single-Family Detached Housing</td>
<td>160 units</td>
<td>210</td>
<td>1,602</td>
<td>801</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>1,602</td>
<td>801</td>
</tr>
</tbody>
</table>

Note: No reductions for alternative transportation modes (walking, cycling, transit, carpooling, etc.), mixed-use, or pass-by were taken.

As shown in Table 1, the proposed development is projected to generate 1,602 total daily trips (801 in; 801 out), 118 total AM peak hour trips, and 160 total PM peak hour trips.

We hope this information is helpful. If you have any questions concerning this letter or need additional information, please do not hesitate to contact me.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

John D. Walker, P.E., PTOE  
Senior Vice President/Senior Associate

Jin Seo, P.E.  
Project Engineer

Attachments:
- Trip Generation Analysis
- Proposed Site Plan
## Trip Generation Analysis

**Stephenson Road Tract Development**  
**DeKalb County, GA**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Intensity</th>
<th>Daily Trips</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Total</td>
<td>In</td>
</tr>
<tr>
<td><strong>Proposed Site Traffic</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>210 Single-Family Detached Housing</td>
<td>160 d.u.</td>
<td>1,602</td>
<td>118</td>
<td>30</td>
</tr>
</tbody>
</table>

| Gross Trips                |           |             |       |     |     |       |     |     |
|                           |           |             |       |     |     |       |     |     |
| Residential Trips         |           |             |       |     |     |       |     |     |
| Mixed-Use Reductions      | 0         | 0           | 0     | 0   | 0   | 0     | 0   | 0   |
| Alternative Mode Reductions | 0       | 0           | 0     | 0   | 0   | 0     | 0   | 0   |
| Adjusted Residential Trips | 1,602    | 118         | 30    | 88  | 160 | 101   | 59  |     |

| Mixed-Use Reductions - TOTAL | 0   | 0   | 0   | 0   | 0   | 0     | 0   | 0   |
| Alternative Mode Reductions - TOTAL | 0     | 0   | 0   | 0   | 0   | 0     | 0   | 0   |
| Pass-By Reductions - TOTAL  | 0   | 0   | 0   | 0   | 0   | 0     | 0   | 0   |

| New Trips  | 1,602 | 118  | 30   | 88   | 160  | 101  | 59  |
| Driveway Volumes | 1,602 | 118  | 30   | 88   | 160  | 101  | 59  |