

Planning Commission Hearing Date: November 6, 2025
Board of Commissioners Hearing Date: November 20, 2025

STAFF ANALYSIS

CASE NO.:	Z-25-1247710	File ID #: 2025-1221
Address:	447 Warren Avenue Scottdale, GA 30079	Commission District: 4 Super District: 6
Parcel ID(s):	18-046-04-176	
Request:	Rezone property from R-75 (Residential Medium Lot-75) Zoning District and Tier 2 of the Scottdale Overlay District to RSM (Small Lot Residential Mix) Zoning District and Tier 1 of the Scottdale Overlay to allow for the development of a duplex.	
Property Owner(s):	Marvin Gavins, II	
Applicant/Agent:	Marvin Gavins, II	
Acreage:	0.17 acre	
Existing Land Use:	Vacant	
Adjacent Zoning:	North: R-75/Scottdale Tier 1 East: MR-2/Scottdale Tier 1 South: R-75/Scottdale Tier 2 West: R-75/Scottdale Tier 2 (across Warren Avenue)	
Character Area	Traditional Neighborhood (TN)	
Comprehensive Plan:	Consistent <u>X</u> Inconsistent <u>_</u>	

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The subject property comprises approximately 7,500 square feet and is vacant at the time of this analysis. The property is located within a Traditional Neighborhood (TN) Character Area, per the DeKalb 2050 Unified Plan. The intent of the TN Character Area is “to preserve the style and appeal of older traditional neighborhood communities. These areas primarily consist of residential areas in older parts of the community that were typically developed prior to World War 2 (WWII). These characteristics include higher pedestrian orientation, sidewalks and more grid-like street patterns. They have on-street parking, small, regular lots, and buildings closer to the front property line...” In terms of land use compatibility, the TN Character Area permits “cottage court developments, accessory housing units, new well-designed, small-scale infill multi-family residences, and other innovative housing types to increase housing choice, income diversity, and limited neighborhood density” (*DeKalb 2050 Unified Plan*, page 43).

The applicant, Marvin Gavins II, proposes rezoning the subject property from the R-75 (Residential Medium Lot-75) Zoning District and Tier 2 of the Scottdale Overlay District to the RSM (Small Lot Residential Mix) Zoning District and Tier 1 of the Scottdale Overlay District to allow for the development of a two-family (duplex) dwelling.

Tier 2 of the Scottdale Overlay District covers the approximate area of the Overlay designated as Central Scottdale and Eskimo Heights. Tier 2 notably does not permit two-family dwellings, only permitting single-family detached dwellings at a maximum density of six (6) units per acre by-right. However, the subject property is adjacent to properties to the north and east that are located within Tier 1, covering the North Decatur Road Corridor of the Overlay; Tier 1 specifically allows for higher-density and mixed-uses, including single-family attached townhomes and multifamily dwellings at a density of up to 12 units per acre. The property designated as 3485 Creekview Place to the immediate east is improved with a multifamily development; the properties designated as 451-460 Warren Avenue to the immediate north are vacant but could

theoretically be developed with a higher density townhome or even nonresidential development, provided it met the development standards of Section 3.36.10. of the *Zoning Ordinance*. While the rest of Warren Avenue to the south of North Decatur Road is developed with a handful of single-family detached dwellings, the proposal to rezone the subject property for a two-family dwelling could be seen as establishing a middle transition zone between areas of lower density to the south and higher density to north – consistent with the goals of the *DeKalb 2050 Unified Plan* (Section 7.3.5. (A)). There is a precedent for such a transition across North Decatur Road at the property designated as 491 Warren Avenue, which, although undeveloped at the time of this analysis, could be developed with a similar two-family dwelling by-right.

The original site plan and renderings submitted by the applicant showed the proposed dwelling units side-by-side, which Staff did not believe were compatible with the existing character and orientation of other dwellings along Warren Avenue and Tier 2 of the Overlay District. A revised site plan and renderings were received by Staff on November 11, 2025, showing a design more closely resembling a single-family dwelling. This design, with a second unit entrance in the rear of the structure, would, in the opinion of Staff, provide a proper and more seamless transition from multifamily and attached townhome dwellings to single-family detached dwellings. This modified duplex design, similar to what is common in adjacent municipalities such as the Cities of Atlanta and Decatur, would appear to be suitable in view of the use and development of adjacent and nearby properties (Section 7.3.5. (B)).

The original request to rezone the subject property to the RSM Zoning District - which could be considered “spot zoning” as both properties to the north and south have an underlying zoning of R-75 – has been eliminated.

Upon review of the criteria under Section 7.3.5. of the *Zoning Ordinance*, the Planning and Sustainability recommends ***Approval*** of this rezoning application ***with the following conditions***:

1. The subject property shall be rezoned only to Tier 1 of the Scottdale Overlay District and shall maintain its underlying zoning designation of R-75 (Residential Medium Lot-75). The subject property shall be limited to the use of a two-family (duplex) dwelling, in general conformance with the site plan and architectural elevations dated 11/11/2025.
2. The two-family dwelling shall be designed to have the second unit located horizontally behind (or east of) the first unit, with both unit entrances on the first floor of the structure. The first unit shall have its entrance directly from the front facade; the second unit (Unit B on the site plan) shall also have its entrance viewable from the adjacent street.
3. Garages, if provided, shall be located at a distance of at least ten (10) linear feet behind the front facade of the structure and shall be side loading.
4. A front yard setback of 30 feet and a side yard setback of 7.5 feet shall be provided. Lot coverage shall not exceed 55 percent of the area of the lot.
5. A five (5)-foot sidewalk and a landscape strip shall be provided prior to any issuance of a Certificate of Occupancy (CO). Location and overall dimensions of the streetscape zone shall be subject to the Director of Planning and Sustainability.
6. Approval of this rezoning application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Planning Commission, the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by each entity.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief of Executive Officer
Lorraine Cochran-Johnson

Director
Juliana A. Njoku

Zoning Comments November 2025

Z-25-1247710 (2025-1221) 447 Warren Avenue:

Warren Avenue is classified as a local road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.

SLUP-25-1247734 (2025-1222) 2050 Lawrenceville Hwy:

N. Druid Hills Road & Lawrenceville Highway are both classified as a Major Arterials, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights. Verify that all access points have intersection and stopping sight distance as described by AASHTO.

SLUP-25-1247732 (2025-1223) 4144 Memorial Dr; 3416 Covington Hwy:

Memorial Drive & Covington Highway are both classified as a Major Arterials, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights.

SLUP-25-1247733 (2025-1223) 4144 Memorial Dr; 3416 Covington Hwy:

Memorial Drive & Covington Highway are both classified as a Major Arterials, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights.

SLUP-25-1247735 (2025-1225) 4717 Memorial Drive:

Memorial Drive is classified as a Major Arterial, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights. Collingwood Drive is classified as a local road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.

SLUP-25-1247739 (2025-1226) 4717 Memorial Drive:

Memorial Drive is classified as a Major Arterial, also a Georgia State Route. Refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. If not already in place: Requires a right of way dedication of 75 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 10-foot multiuse path with pedestrian scale streetlights. Collingwood Drive is classified as a local road. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from the centerline of roadway, all public infrastructure must be within right of way. Requires a 5-foot landscape strip with a 5-foot sidewalk.



Friday, September 12, 2025

To: Mr. John Reid, Senior Planner
From: Ryan Cira, Director, Division of Environmental Health
Cc: Alan Gaines, Deputy Director, Division of Environmental Health
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

9/12/2025

N1-2025-1221

Z-25-1247710

447 Warren Avenue, Scottdale, GA 30079

- See general comments

N2-2025-1222

SLUP-25-1247734

2050 Lawrenceville Highway, Decatur, Ga 30033

- See general comments

N3-2025-1223

SLUP-25-1247732

4144 Memorial Drive, Decatur GA; 3416 Covington Highway, Decatur, 30032

- See general comments



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

- **Storm Water Management**

- **Flood Hazard Area/Wetlands**

- **Landscaping/Tree Preservation**

- **Tributary Buffer**

- **Fire Safety**



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**REZONE
COMMENTS FORM:**

PUBLIC WORKS ROAD AND DRAINAGE

Case No.: _____ Parcel I.D. #: _____

Address: _____

Drainage Basin: _____

Upstream Drainage Area: _____

Percent of Property in 100-Year Floodplain: _____

Impact on property (flood, erosion, sedimentation) under existing zoning: _____

Required detention facility(s): _____

COMMENTS:

Signature: Akin Akinsola



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: Z-25-1247710 (2025-1221) Parcel I.D. #s: 18 046 04 176
Address: 447 Warren Avenue, Scottdale 30079

Adjacent Roadway (s):

(classification) (classification)

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

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

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7th Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS: Did not see any traffic engineering concerns
at this time.

Signature: Jerry White



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**COMMENTS FORM:
PUBLIC WORKS WATER AND SEWER**

Case No.: _____ **Parcel I.D. #:** _____

Address: _____

WATER:

Size of existing water main: _____ (adequate/inadequate)

Distance from property to nearest main: _____ **Size of line required, if inadequate:** _____

SEWER:

Outfall Servicing Project: _____

Is sewer adjacent to property: Yes ____ No ____ **If no, distance to nearest line:** _____

Water Treatment Facility: _____ **adequate** ____ **inadequate** ____

Sewage Capacity: _____ (MGPD) **Current Flow:** _____ (MGPD)

COMMENTS:

Signature: _____

From: [James Alec](#)
To: [Chakira J. Johnson](#); [Ted Terry](#)
Cc: [Brooks, Alesia D.](#); [Bragg, Rachel L.](#); [Chappell, Adam W.](#); [Cato, Kelly E.](#); [Victoria Webb](#); [Juliana A. Njoku](#); [Mike Cooper](#)
Subject: Opposition to Nov. 20 Agenda Item N.1, 447 Warren
Date: Wednesday, November 12, 2025 1:37:05 AM

Commissioners:

I am writing to ask that you please vote to deny the application for a rezone that appears as N.1 on your November 20 agenda.

A developer is trying to rezone a lot from Tier II to Tier I in the Scottsdale Overlay. He is trying to put two residences on one lot, which is not allowed in Tier II. At the October 21 District 4 Community Council Meeting, the Council voted 7-1 to defer as final plans were not presented. I was the lone "no" vote as I believed that the request should have been denied outright.

The applicant was requesting the following: "Application of Marvin Gavins, II to rezone property from R-75 (Residential Medium Lot-75) zoning district and Tier 2 of the Scottsdale Overlay district to RSM (Small Lot Residential Mix) zoning district and Tier 1 of the Scottsdale Overlay District to allow for the development of a duplex."

As I mentioned above, the applicant did not have final plans at the October 21 meeting, just concepts of a plan. That justified the deferral. However, I strongly believe that the Scottsdale Overlay should be respected as it is, and no parcels should be rezoned to "lower" Tiers.

The applicant is basically making the argument that the lot in question is on the border with Tier I, so basically, "what's the big deal?" The problem is that we cannot go down this slippery slope of allowing "border" properties to be rezoned to lower tiers. If this application were to be approved, the floodgates are going to open to do just that. Other developers will point to this project to justify requesting that their border properties get moved into tiers, then properties adjoining those will now be new border properties, and on it goes. Indeed, and fyi, a request to rezone a Tier IV parcel to Tier II went nowhere several years ago over strong community opposition.

Also FYI, staff recommended denial at the October 21 Community Council meeting. Victoria Webb and I have previously opposed requests to change lots from one tier to another without going through a text amendment process, as was done in 2018. We were pleased to see that staff opposed the request in question.

I attended the Planning Commission meeting where this item was heard on November 6 believing, erroneously, that staff was still recommending denial. Staff did not reach out to Victoria or me prior to the meeting to let us know that the recommendation had changed since the October 21 Community Council meeting, even knowing how engaged we were on this issue, so we had no reason to think otherwise. Accordingly, neither of us went online before that meeting to review the staff recommendation.

It turned out that by the time of the Planning Commission meeting, the applicant had withdrawn his request to rezone from R-75 to RSM, and was only seeking to have the property changed from Tier II to Tier I. He also changed the theoretical design of the project from two homes – one in the front of the lot, and one in the back – to one building with two garden units. However, there were no final plans in place. Moreover, the application was not amended in any way to note the change in request with regards to R-75 to RSM. On staff recommendation, the Planning Commission voted to approve the application.

At the very least, this item should be deferred for a full cycle and sent back to the Community Council. However, I am hoping that you please just vote outright on November 20 to deny the application.

Thank you for your consideration of this issue.

Sincerely,

James Alec Gelin

From: [Victoria Webb](#)
To: [Bragg, Rachel L.](#); [Chappell, Adam W](#)
Cc: [James Alec](#)
Subject: PC meeting tonight
Date: Thursday, November 6, 2025 12:53:44 PM

Rachel, Adam,

I'm unable to attend tonight's Planning Commission meeting and hope it's not too late to send in comments. If you can, please forward to the PC leadership.

D1-2025-0972, Data Centers:

While the language is stronger in this 11/03 draft, I question why these 2 clauses were eliminated from the previous 8/25 draft. I would also like to see a prohibition of any data center in an overlay or historic district.

- a. No new data center development shall be permitted within 3,960 feet (i.e., three-fourths of a mile) of the property line of any other data center development; ([Sec. 27-4.2.28](#))
- b. There shall be no more than 4 total major data centers within a 2 mile radius (10,650 feet).

N1-2025-1221 447 Warren Ave., Scottdale:

There has never been a rezone in our overlay district since it was established in 2008. Approving this rezoning could allow for future rezoning, with negative consequences for neighbors who may live in adjacent tiers.

I'm very much in support of additional and affordable housing, but could Planning find a way for Mr. Gavins to build two homes without a rezoning?

Thanks, hope you're both well,

Victoria

Victoria Webb
[Co-chair, Avondale-Rockbridge Civic Alliance](#)
[DeKalb Community Council District 4 Vice Chair](#)
[DeKalb Soil & Water Conservation District Supervisor](#)
[Southeast Beaver Alliance](#)
404.484.6248
vic@furioustdreams.com
Avondale Estates, GA 30002

**Rezoning Application to Amend the Official Zoning Map
of DeKalb County, Georgia**

Applicant Name: Marvin Gavins II

Applicant Email Address: Gavinsengineering@gmail.com

Applicant Mailing Address: 712 Lost Creek Circle, Stone Mountain, GA 30088

Applicant Phone Number: 404-542-9554

Owner Name: Marvin Gavins II
(If more than one owner, attach list of owners.)

Owner Email Address: Gavinsengineering@gmail.com

Owner Mailing Address: 712 Lost Creek Circle, Stone Mountain, GA 30088

Owner Phone Number: 404-542-9554

Subject Property Address: 447 Warren Ave., Scottdale, GA 30079

Parcel ID Number(s): 18 046 04 176

Acreage: 0.172 Commission District(s): 4 Super District: 6

Existing Zoning District(s): 18 Proposed Zoning District(s): 18

Existing Land Use Designation(s): R75/Tier 2 (TN) Proposed Land Use Designation(s): RSM/Tier 1 (NA) (if applicable)

I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

Owner: X Agent: _____



Signature of Applicant:

To whom it may concern,

I am Marvin Gavins II, and I am the owner of 447 Warren Ave., Scottdale, GA 30079. This property is a vacant land parcel that I am seeking to rezone from Scottdale Overlay District Tier 2 to Scottdale Overlay District Tier 1. I am planning to build a duplex property on this parcel and rezoning this property would allow me to take advantage of this permitted use associated with the Tier 1 Overlay. You have received this notice because the Dekalb County Ga. Rezoning Application Checklist requires that all applicants conduct a publicized pre-submittal community meeting(s) with surrounding neighborhood association(s)/community groups within one-half (1/2) mile of the subject property and adjacent and nearby property owners within five hundred (500) feet of the subject property. I am writing to you to notify you of a Pre-Submittal community meeting scheduled for 7/3/2025 at 5:15 pm. In this meeting I will discuss why I am seeking to rezone this property and hopefully answer any questions that you may have. I look forward from hearing from you and receiving any helpful feedback that you may provide. This will be a virtual Zoom Meeting and the link is below. You contact me at 404-542-9554 or email me at Gavinsengineering@gmail.com if you want to discuss the project prior to the meeting or you need me to email you the Zoom link.

<https://us05web.zoom.us/j/9479788804?pwd=B7cAaN95Dorrxy3NTTAEV87Cje1l6e.1&omn=81045700314>

Sincerely,



Audio file

[audio1265252099.m4a](#)

Transcript

00:00:04

Good afternoon. I am Marvin Gavins and the purpose for the meeting for this meeting this evening is the pre submittal community meeting. The project location is 447 Warren Ave. Scottsdale, Georgia 30079.

00:00:21

And the date is July the 3th.

00:00:28

The objectives that we will identify in this.

00:00:32

Presentation or I will introduce myself.

00:00:35

I will detail the purpose for this meeting. I will identify the project location. I will specify the building standards. I'll answer the question of why I'm designed to rezone and I open the floor to any questions.

00:00:51

So this is my background. I am Marvin Gavins junior and I am a graduate of the Georgia Southern University with a Bachelors in civil engineering.

00:01:02

I've worked in the public and private sector as a civil engineer since 2006.

00:01:07

And I've had my professional civil engineer license in the state of Georgia since 2013.

00:01:16

So the purpose for this meeting is I'm seeking to rezone.

00:01:20

447 Warren Ave. which is located in Scottdale, GA, ZIP code 30079 from Scottdale Overlay District Tier 2 to Tier 1.

00:01:31

And per the de Kalb County, Georgia, rezoning application checklist, a pre submittal community meeting must be held with surrounding HOA's within half a mile of the property and adjacent and nearby property owners within 500 feet of the property.

00:01:48

This is the project location.

00:01:51

This is the overlay map which is found on DeKalb County's property tax website. As you can see, the pink is overlay District Tier 2 and the adjacent property is Tier 1 which is in the brown.

00:02:10

This is the existing project location.

00:02:13

This is a wooded lot with vegetation on it and it has been undeveloped.

00:02:22

This is the project location, an existing survey.

00:02:27

This is a 0.172 acre lot, approximately 7500 square feet.

00:02:35

It had it. The width is 50 feet and the depth is 150 feet. There are currently no impervious areas on the slot.

00:02:49

This.

00:02:51

Shows the building standards from Chapter 27 of the de Kalb County Muni code.

00:02:58

And it shows you the differences between Tier 1 and Tier 2. As far as the the size of the House, you can develop the setbacks for the parcel.

00:03:10

And the maximum height allowed of the building.

00:03:16

Section 3. Point 36.5, which is specific to Scottsdale overlay it. This tells you all of the permitted uses which are allowed for Tier 1. You can use office and office in the institutional.

00:03:34

Office distribution, local commercial general commercial light industrial.

00:03:39

Neighborhood shopping. Local commercial.

00:03:42

Medium density residential and mixed-use.

00:03:47

So why I want to rezone it will allow for me to construct a duplex utilizing the the following MR-1 permitted uses.

00:03:58

It could follow in the dwelling to family a live work unit, A dwelling with single family attached. It allows for me to reduce the building setbacks. It allows for me to increase the maximum allowable lock con.

00:04:12

Which?

00:04:13

It also allows me to build a taller building if need be, and it promotes the mission of DeKalb County, Georgia, which is blight removal, economic development and affordable housing development with the potential to partner with the Housing Authority of DeKalb County.

00:04:32

And this is a conceptual plan that I've created and I hope this shows y'all the vision that I have for this parcel.

00:05:21

I'll open the floor up to any questions and I'll leave my contact information on the background.

00:05:29

Does anyone have any questions?

00:05:48

With that being said, I appreciate everybody's time. Thank you.

August 20, 2025

DeKalb County Dept. of Planning & Sustainability

1300 Commerce Drive

Decatur, GA 30030

Dear DeKalb County Planning Staff and Commissioners:

We are submitting this application to rezone the property at 447 Warren Ave., Scottdale, GA 30079 from Scottdale Overlay District Tier 2 to Scottdale Overlay District Tier 1. Rezoning to the Tier 1 Overlay would allow me to take advantage of the permitted uses of the RSM (Single-Family Attached) zoning classification and develop a duplex residence. This rezoning request is consistent with DeKalb County's updated zoning policies, which encourage more diverse and efficient housing types, such as multi-family housing, to address the growing need for affordable and accessible housing options.

The current use of the property is a lot of vacant land. By rezoning the property to RSM (Single-Family Attached), we are responding to DeKalb County's need for more diverse housing options. The proposed duplex development will complement the adjacent existing multi-family housing, such as the apartment townhome subdivision "Creekview", which is behind the subject property and the vacant land lot at 451 Warren Ave. that is currently in the Tier 1 Overlay District. This development offers the most beneficial use of a lot of land of this size.

The following are the characteristics of the proposed use:

Number of units: 2

Building Footprint Area – 40 ft. x 43 ft. – 1720 sf (Total)

Building Footprint Area – 20 ft. x 43 ft. – 860 sf (Each Unit)

Building Area – 4200 sf (Enclosed heated area – Total)

Building Area – 2100 sf (Enclosed heated area – Each Unit)

Building Height – 35 ft. (Max.)

We believe that the proposed development will provide a valuable housing option for DeKalb County and will contribute positively to the local community. I look forward to further discussions and I am willing to provide any requested information. Please contact me at 404-746-7226 or at mgavins@dot.ga.gov.

Sincerely,



IMPACT ANALYSIS

447 Warren Ave., Scottdale, GA 30079

Summary of Proposed Project

The proposed use of the site is the new construction of a single-family attached (duplex) residence. The zoning of this location will need to be rezoned from Scottdale Overlay District Tier 2 to Scottdale Overlay District Tier 1, to take advantage of the permitted uses of the RSM Zoning.

Ingress and Egress

- a. Is the zoning proposal in conformity with the policy and intent of the Comprehensive Plan?

The zoning proposal is in conformity with the policy and the intent of the Comprehensive Plan in the following ways:

- 1. To preserve, protect and enhance the existing character of the Scottdale Community. This project would enhance the existing character of the Scottdale Community by converting a wooded lot into a modern new construction residence, assisting to deter the blight on the street.**
- 2. To encourage new development that is appropriate to the existing character of the Scottdale Community. This project will encourage new development on Warren Ave., encouraging other vacant landowners to construct along the road.**
- 3. To encourage mixed-use developments along appropriate corridors which have sufficient access and infrastructure to support such developments. The adjacent properties are zoned as mixed-use and this will continue to encourage mixed-use development along the North Decatur corridor.**

IMPACT ANALYSIS

447 Warren Ave., Scottdale, GA 30079

- b. Will the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby properties?

The adjacent properties are zoned as mixed-use, and this will continue to encourage mixed-use development along the North Decatur corridor.

- c. Does the property to be affected by the zoning proposal have a reasonable economic use as currently zoned?

Yes, as currently zoned a single-family residence can be constructed, but that would not be maximizing the potential use of this property and would not encourage mixed-use development.

- d. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby properties?

The zoning proposal will not adversely affect the adjacent properties. One adjacent property is a vacant land lot within Tier 1 and the property to the rear are existing apartment buildings within Tier 1 and the other adjacent property is an existing single-family residence.

- e. Are there other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal?

There are no other known existing or changing conditions affecting the use and development of the property.

- f. Will the zoning proposal adversely affect historic building, sites, districts, or archaeological resources?

The zoning proposal will not adversely affect historic building, sites, districts, or archaeological resources.

- g. Will the zoning proposal result in a use which would or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?

The zoning proposal will not result in a use which would or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

- h. Will the zoning proposal adversely impact the environment or surrounding natural resources?

IMPACT ANALYSIS

447 Warren Ave., Scottdale, GA 30079

The zoning proposal will not adversely impact the environment or surrounding natural resources.

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: _____

TO WHOM IT MAY CONCERN:

I/WE: _____
Name of Owner(s)

being owner(s) of the subject property described below or attached hereby delegate authority to:

Name of Agent or Representative

to file an application on my/our behalf.

Notary Public



Owner

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

Yes: _____ No: _____ *

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

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

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

Notary

 8/12/2025

Signature of Applicant /Date

Check one: Owner _____ Agent _____

Expiration Date/ Seal

***Notary seal not needed if answer is "No".**



FRONT



SIDE (EAST)



REAR



SIDE (WEST)

NO.	DESCRIPTION	BY	DATE

SHEET TITLE:
BUILDING ELEVATION
DRAWINGS

PROJECT DESCRIPTION:
447 WARREN AVE.
SCOTTDALE, GA 30079

DRAWINGS PROVIDED BY:
GAVINS
ENGINEERING, LLC

DATE:
11/11/2025

SCALE:
1/4" = 1' (FRONT/
REAR)
1/8" = 1' (SIDE)

SHEET:
A-1

LAND SURVEYING - CONSULTING - COMMERCIAL - RESIDENTIAL

THIS SPACE RESERVED FOR THE CLERK OF COURT

DISTANCES ARE HORIZONTAL GROUND DISTANCES.

THE SURVEY DIMENSIONS ARE BASED ON THE U.S. FOOT (39.37 INCHES = 1 METER)

EQUIPMENT USED:
THEODOLITE READING DIRECTLY TO 02 SECONDS,
ELECTRONIC DISTANCE METER READINGS DIRECTLY TO .005 FEET.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A HORIZONTAL CLOSURE OF 1 FOOT IN 48,100 FEET. THIS SURVEY HAS BEEN CALCULATED FOR CLOSURE BY LATITUDE AND DEPARTURE AND IS FOUND TO BE ACCURATE WITHIN 1 FOOT IN 4,00E+22 FEET.

THIS PROPERTY HAS BEEN FIELD SURVEYED.

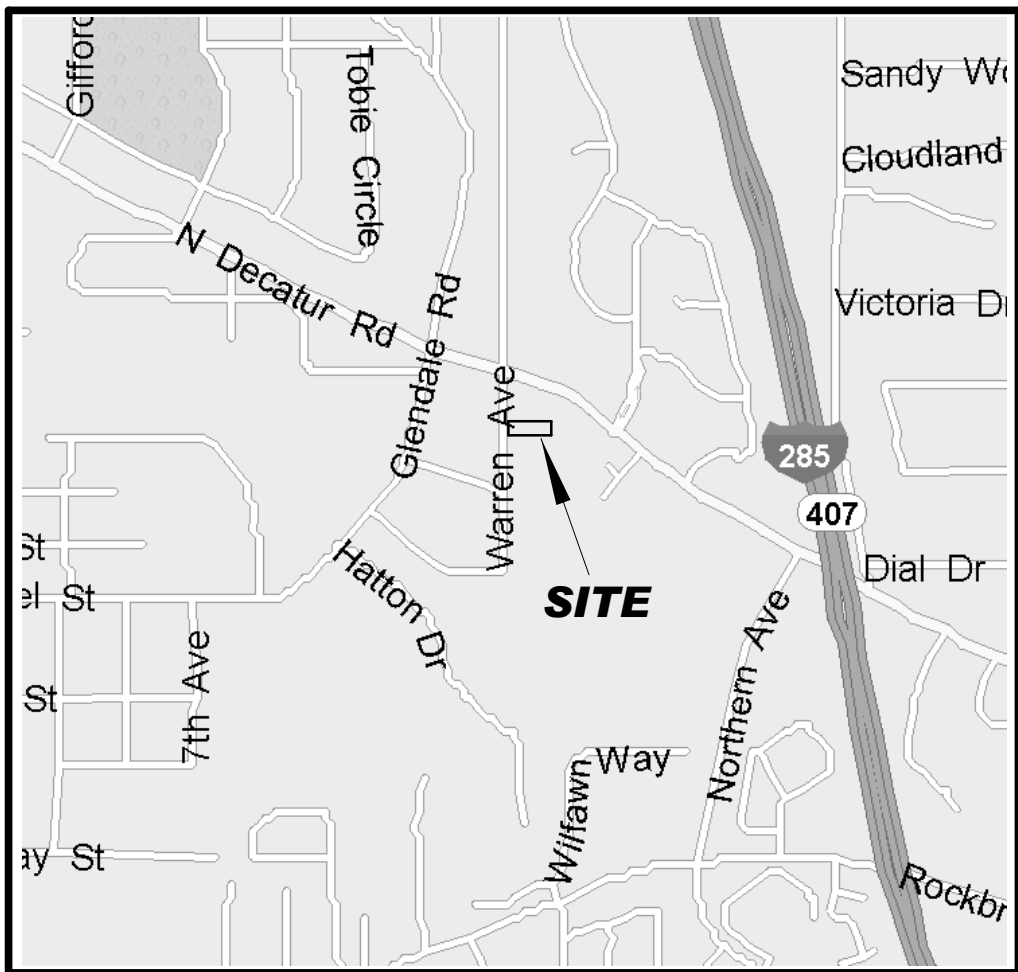
THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION AND MAY BE SUBJECT TO OTHER EASEMENTS AND ENCUMBRANCES NOT SHOWN THAT MAY OR MAY NOT BE OF RECORD.

LEGEND

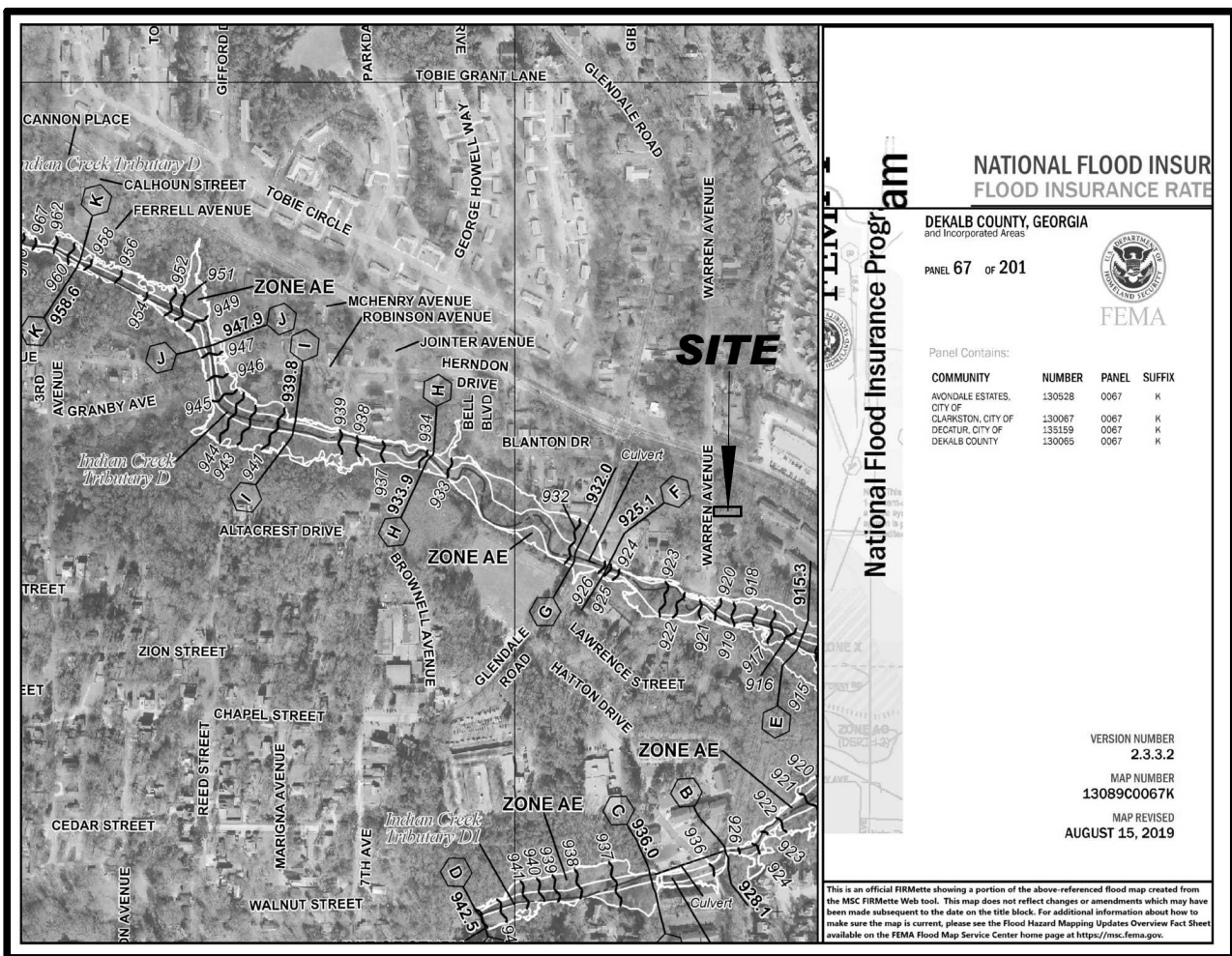
- REBAR FOUND OR SET (RBF) (RBS)
- CORNER CALCULATED OR SET (IPS)
- ⊗ LIGHT POLE (LP) / POWER POLE (PP)
- ⊠ WATER METER (WM)
- ⊕ GAS METER (GM)

SUBJECT LOT IS
LOT 16 BLOCK "21"
ESKIMO HEIGHTS SUBDIVISION
AS RECORDED IN
PLAT BOOK 8 PAGE 63
TAX ID 18 046 04 176

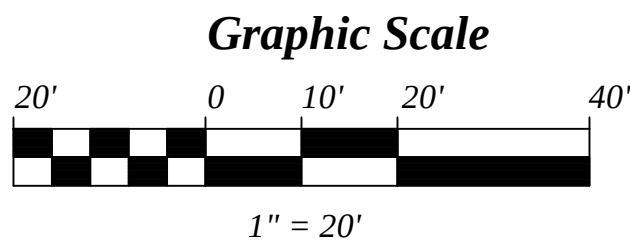
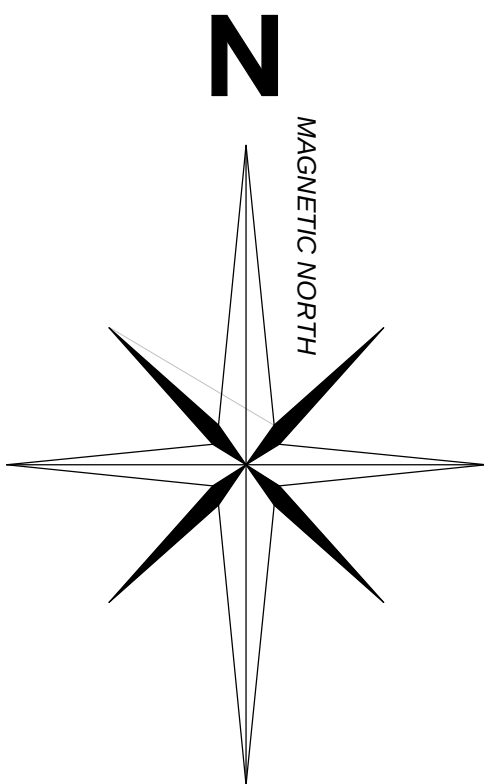
SITE REFERENCES:
1) DEED BOOK 29635 PAGE 610
2) DEED BOOK 29012 PAGE 323
3) PLAT BOOK 8 PAGE 63
4) TAX MAPS AND TAX DATA AVAILABLE ONLINE FROM THE DEKALB COUNTY WEB SITE.



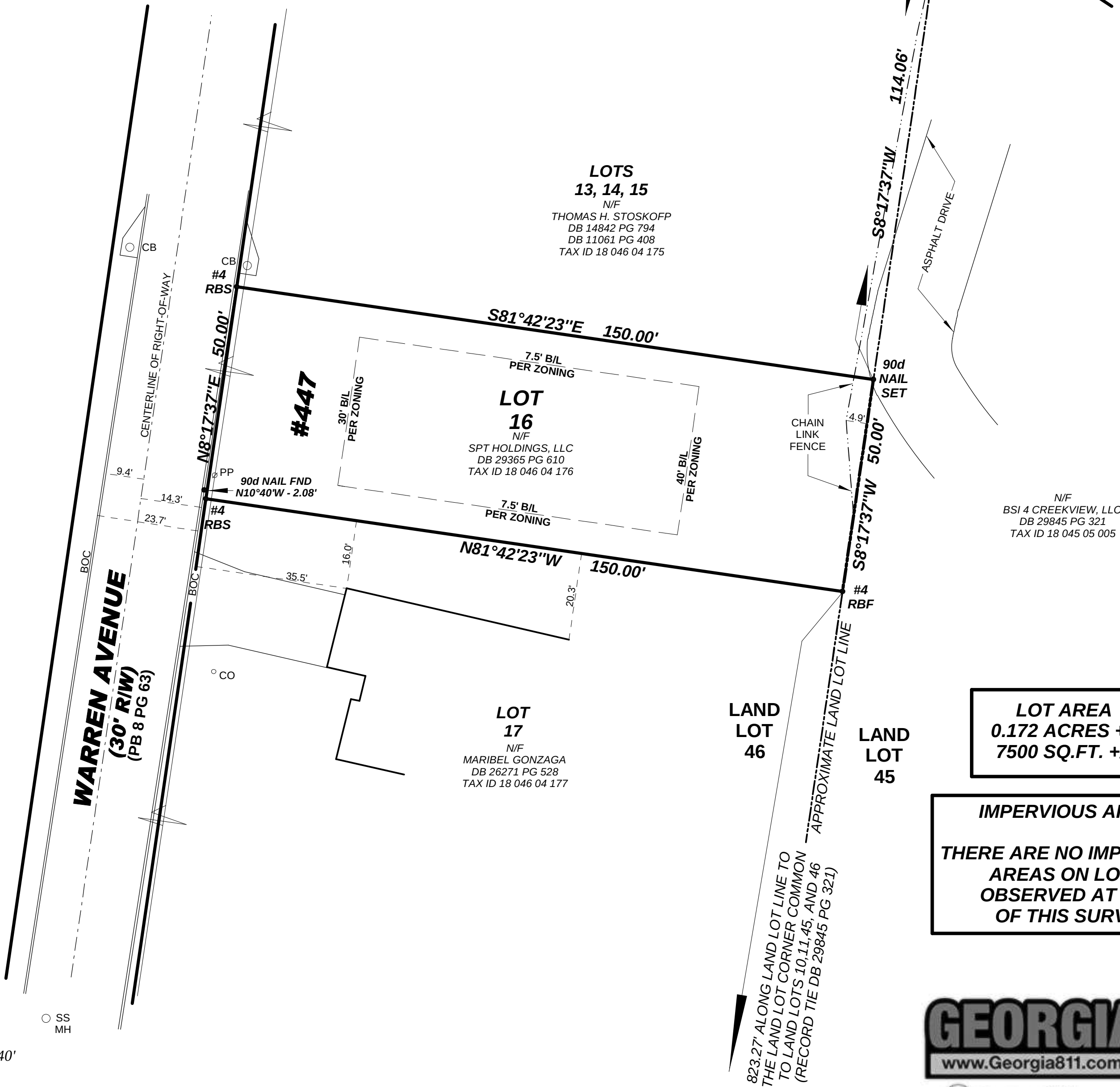
LOCATION MAP
NOT TO SCALE



NO PORTION OF THIS PARCEL IS IN A SPECIAL FLOOD HAZARD AREA PER FEMA FLOOD INSURANCE RATE MAP NUMBER 13089C0067K PANEL 67 OF 201 COVERING DEKALB COUNTY, GEORGIA DATED AUGUST 15, 2019.



1" = 20'



N. DECATUR ROAD
(85' R/W)
DB 1551 PG 760

LOT AREA
0.172 ACRES +/-
7500 SQ.FT. +/-

IMPERVIOUS AREAS

THERE ARE NO IMPERVIOUS
AREAS ON LOT 16
OBSERVED AT TIME
OF THIS SURVEY



Contact 811 before you dig.

UNDERGROUND UTILITY DISCLAIMER

Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information as it relates to underground facilities and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and such underground utilities and structures not shown may be encountered. The Owner, his employees, his consultants and his contractors shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of the information shown hereon as it relates to underground utilities and structures. The limitations as to accuracy contained in this paragraph shall not apply to the utilities and/or structures of any kind which are visible from the surface. All such above ground utilities and/or structures have been field located and are accurately depicted hereon.

PLAT CERTIFICATION NOTICE

THIS PLAT HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS OR ENTITY WITHOUT EXPRESS RE-CERTIFICATION BY THE SURVEYOR HEREON. RENAMING THE PLAT TO SAID OTHER PERSON, PERSONS OR ENTITIES.

STATE WATERS NOTE

THIS SURVEYOR HAS MADE NO DETERMINATION OR JUDGEMENT AS TO THE EXISTENCE OF ANY STATE WATERS THAT MAY BE ON OR ADJACENT TO THE PROPERTY SHOWN ON THIS SURVEY. PRIOR TO ANY CONSTRUCTION OR OTHER WORK THE PROPERTY OWNER AND/OR THEIR CONTRACTOR SHOULD VERIFY WITH THE LOCAL AND/OR STATE AGENCIES AS TO THE EXISTENCE OF STATE WATERS THAT MAY IMPACT THIS PROPERTY. AN INDEPENDENT ENVIRONMENTAL ASSESSMENT MAY BE REQUIRED.

ACCORDING TO THE DEKALB COUNTY RECORDS THIS SITE IS ZONED R75.

THIS LOT IN NON-CONFORMING IN WIDTH AND SIZE.

NOTE THAT ANY BUILDING SETBACKS SHOWN ARE SUBJECTIVE AND HAVE BEEN INTERPOLATED FROM ZONING INFORMATION OR PLATS OF RECORD. THESE BUILDING SETBACKS MAY CHANGE WHEN REVIEWED BY THE LOCAL GOVERNING AUTHORITY.

PURSUANT TO THE OFFICIAL CODE OF GEORGIA ANNOTATED SECTION 44-1-15 IT IS UNLAWFUL FOR ANY PERSON WILLFULLY AND KNOWINGLY TO REMOVE, DESTROY, INJURE, OR DISPLACE ANY PROPERTY CORNER MONUMENT EXCEPT UNDER THE AUTHORITY OF A REGISTERED LAND SURVEYOR.

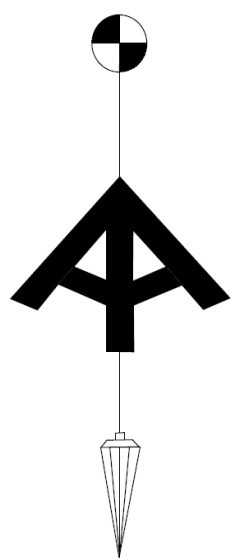
SURVEYORS CERTIFICATION

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



LAMAR K. BURKHALTER GA. R.L.S. #2581
3/11/2022
DATE

MATTERS OF TITLE ARE EXCEPTED
© COPYRIGHT AARROW SURVEYING 2022



AARROW SURVEYING

LICENSE NO. LSF000595

2245 COUNTRY WALK
SNELLVILLE, GEORGIA 30039
PH. AND FAX 770-982-9900

SHEET 01 OF 01

REVISIONS:

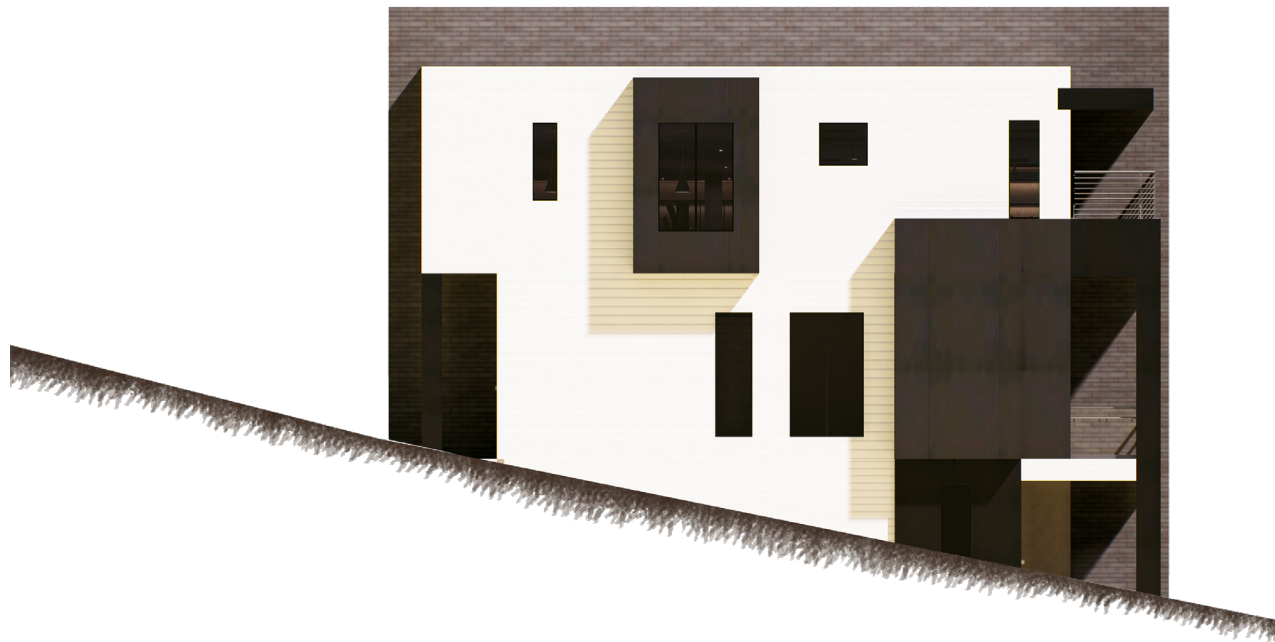
BOUNDARY/ASBUILT SURVEY FOR:

MARVIN GAVINS

LOCATED AT:

#447 WARREN AVENUE
LAND LOT 46 OF THE 18TH DISTRICT
DEKALB COUNTY, GEORGIA

JOB NUMBER: 220011	LAND LOT: 46
SCALE: 1" = 20'	DISTRICT: 18TH
DATE: 03/10/22	SECTION:
DRAWN BY: KB	COUNTY: DEKALB
PG: KB IP: KB	STATE: GEORGIA
CHECKED BY: KB	



LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



BACK ELEVATION

447 Warren Ave, Scottdale, GA 30079, USA

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

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: Marvin Gavins, Jr. Phone: 404-542-9554 Email: gavinsengineering@gmail.com
Property Address: 447 Warren Avenue, Scottdale 30079
Tax Parcel ID: 18 046 04 176 Comm. District(s): 4 & 6 Acreage: 0.17
Existing Use: _____ Proposed Use: Rezone-Tier 2 to Tier 1
Supplemental Regs: _____ Overlay District: Scottdale DRI: NA
Rezoning: Yes ☒ No _____
Existing Zoning: R-75/Tier 2 Proposed Zoning: R-75/Tier 1 Square Footage/Number of Units: _____
Rezoning Request: Requesting to revise 447 Warren Ave. 30079 from Scottdale Overlay District Tier 2 to Tier 1 to allow duplex or office

Land Use Plan Amendment: Yes _____ No ☒
Existing Land Use: TN Proposed Land Use: NA Consistent _____ Inconsistent _____
Special Land Use Permit: Yes _____ No ☒ Article Number(s) 27- _____
Special Land Use Request(s): _____

Major Modification:

Existing Case Number(s): N/A
Condition(s) to be modified:

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Review Calendar Dates: _____ PC: 7/8/25 BOC: 7/24/25
Letter of Intent: X Impact Analysis: X Owner Authorization(s): _____ Campaign Disclosure: _____
Zoning Conditions: _____ Community Council Meeting: 6/17/25 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

Density: X Density Bonuses: _____ Mix of Uses: _____ Open Space: X
Enhanced Open Space: _____ Setbacks: front _____ sides _____ side corner _____ rear _____
Lot Size: _____ Frontage: _____ Street Widths: _____ Landscape Strips: _____
Buffers: _____ Parking Lot Landscaping: _____ Parking - Auto: _____ Parking - Bicycle: _____
Screening: X Streetscapes: X Sidewalks: X Fencing/Walls: _____
Bldg. Height: X Bldg. Orientation: _____ Bldg. Separation: _____ Bldg. Materials: _____
Roofs: _____ Fenestration: _____ Façade Design: _____ Garages: _____ Pedestrian Plan: _____
Perimeter Landscape Strip: _____
Possible Variances: due to narrow lot width variances may be required.

Comments: applicant will need to decide which land use is desired (duplex or office) prior to submission of their rezoning application

last day for community meeting with 15 days notice to make july agenda cycle is 4/14/25. Filing deadline is April 21, 2025. Please verify you

have filed rezone application with John Reid and confirm he has recieved your application by filing deadlines.

Planner: John Reid, Sr. Planner Date: 02/11/2024

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
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00



Marvin Gavins <gavinsengineering@gmail.com>

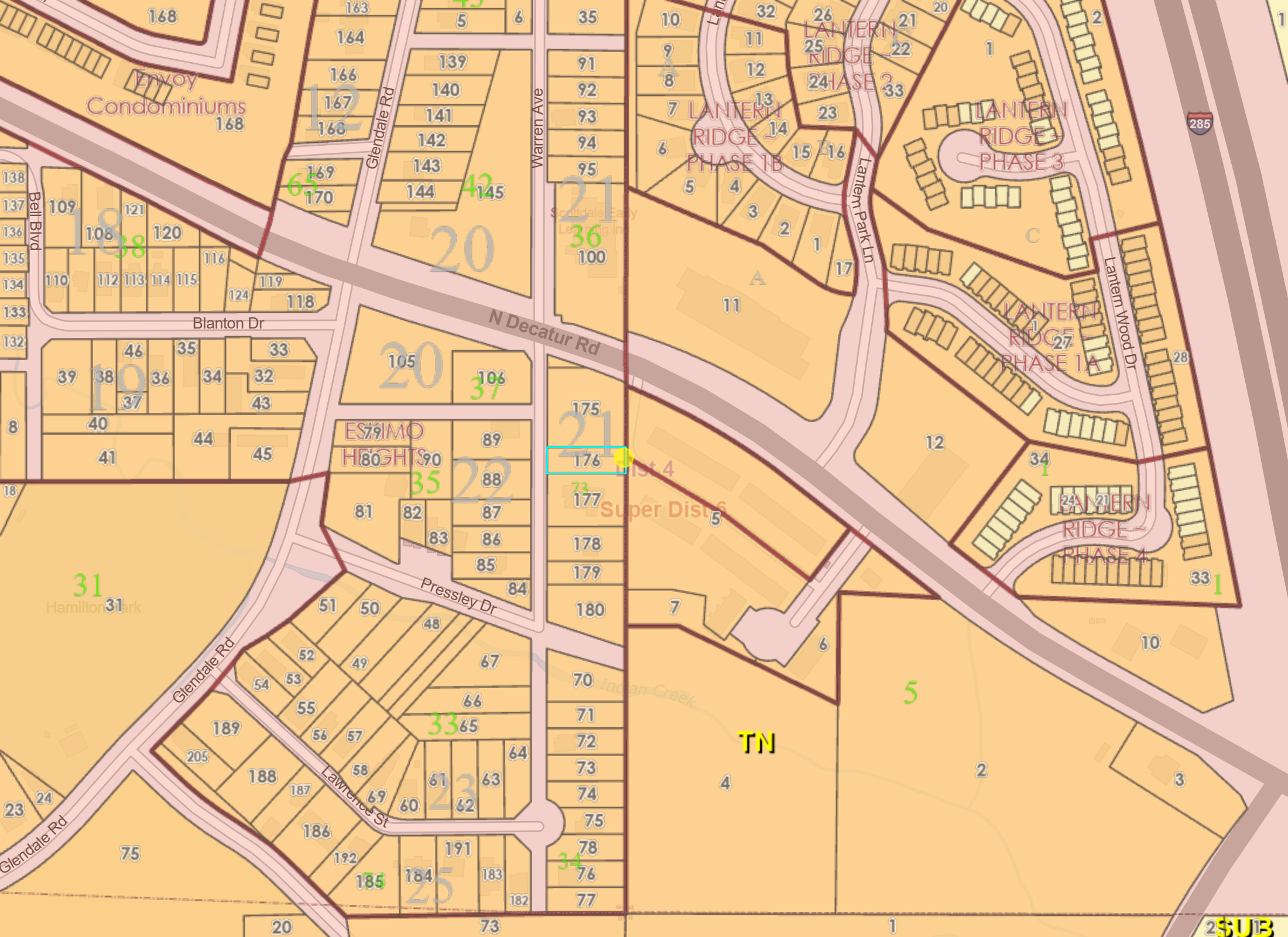
completed pre app form see attached 447 Warren AVenue

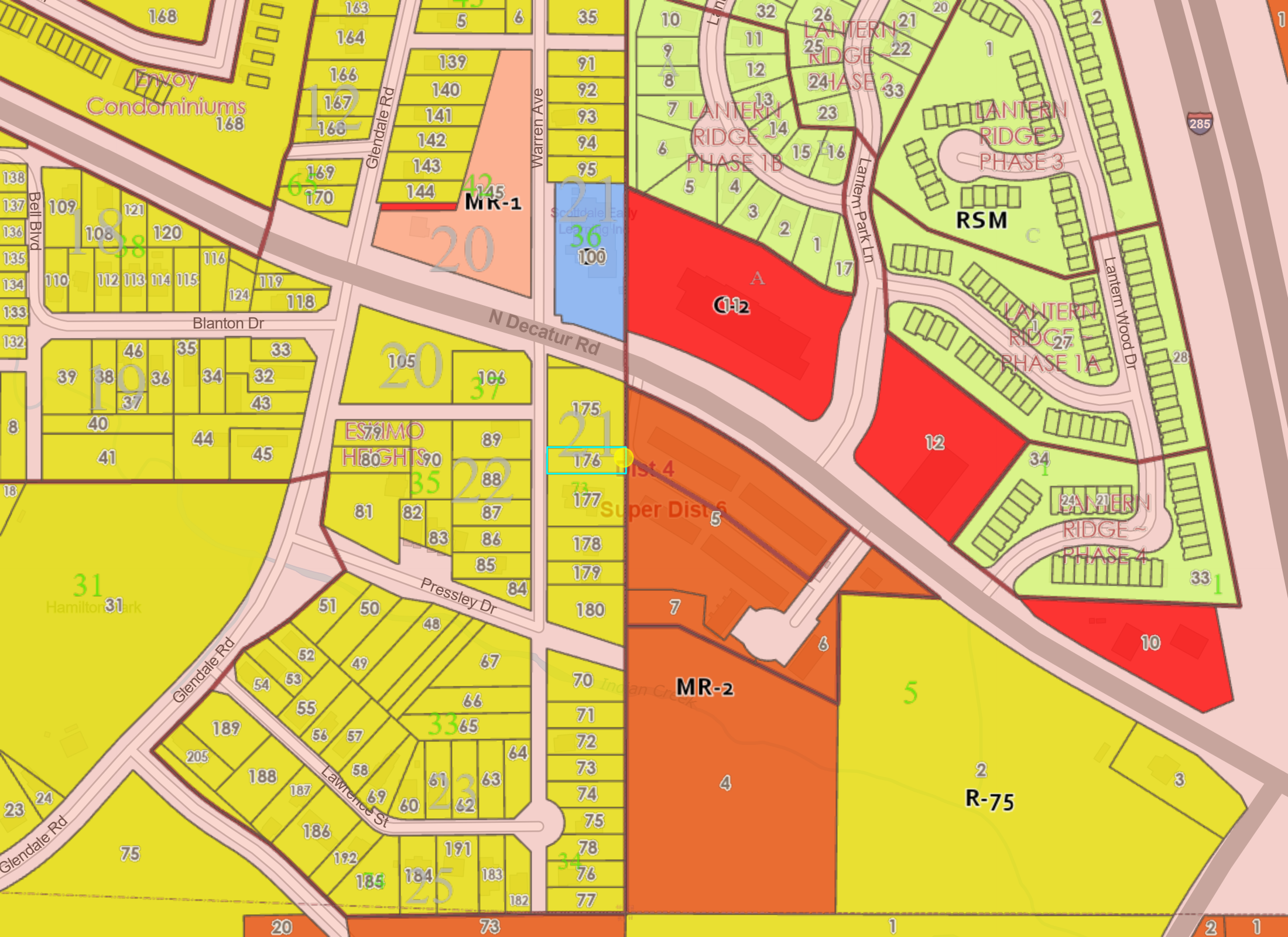
Reid, John <jreid@dekalbcountyga.gov>
To: Marvin Gavins <gavinsengineering@gmail.com>

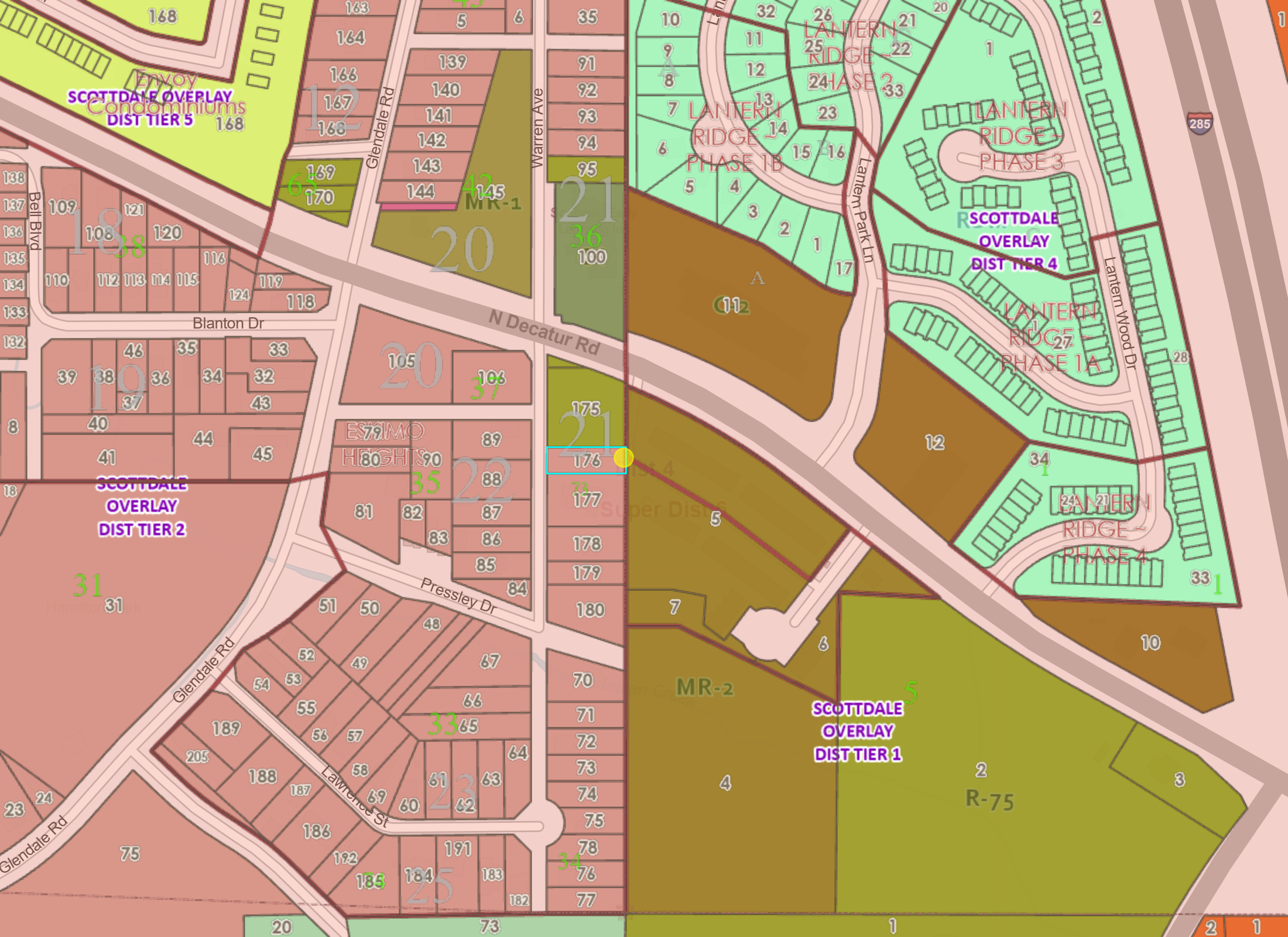
Thu, Feb 20, 2025 at 11:49 AM

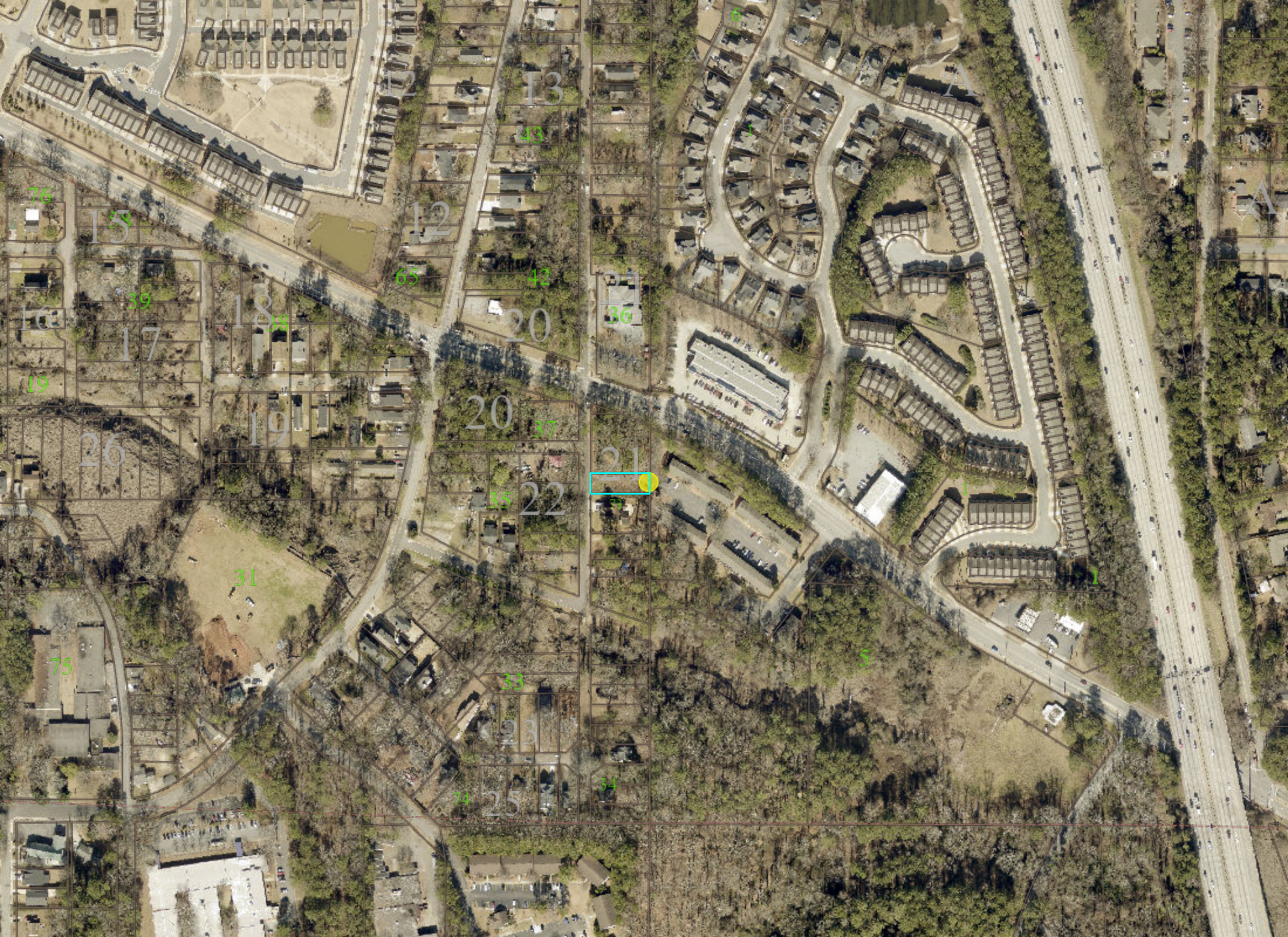


Pre Application Conference Form - 447 Warren Avenue.pdf
332K









REZONING



DeKalb County
GEORGIA



ZONING

Case Number: **Z-25-1247710 (2025-1221)**

Location: **447 WARREN AVENUE**

Purpose: To rezone property from R-75 (Residential Medium Lot-75) zoning district & Tier 2 of the Scottdale Overlay district to RSM (Small Lot Residential Mix) zoning district & Tier 1 of the Scottdale Overlay District to allow for the development of a duplex.

Planning Commission
November 6, 2025
6:00 PM
Held virtually via Zoom →



Meeting Agendas & Info
tinyurl.com/DeKalbHearings
www.dekalbcountyga.gov
plansustain@dekalbcountyga.gov
(404) 371-2155

Board of Commissioners
November 20, 2025
5:30 PM
Held @ 178 Sams Street,
Decatur, GA 30030

COMMUNITY COUNCIL



Case Number: **Z-25-1247710 (2025-1221)**

Location: **447 WARREN AVENUE**

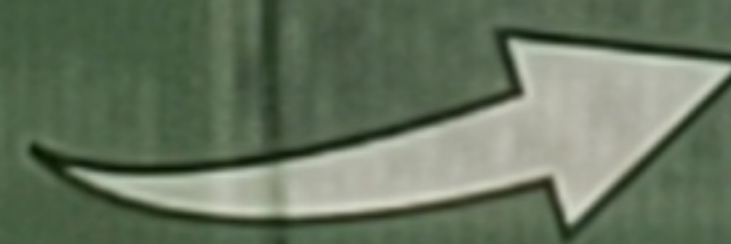
Purpose: To rezone property from R-75 (Residential Medium Lot-75) zoning district & Tier 2 of the Scottdale Overlay district to RSM (Small Lot Residential Mix) zoning district & Tier 1 of the Scottdale Overlay District to allow for the development of a duplex.

Community Council Meeting – District 4

October 21, 2025

5:30 PM

Held virtually via Zoom



Meeting Agendas & Information

[TinyURL.com/DeKalbHearings](https://tinyurl.com/DeKalbHearings)

www.dekalbcountyga.gov

plansustain@dekalbcountyga.gov

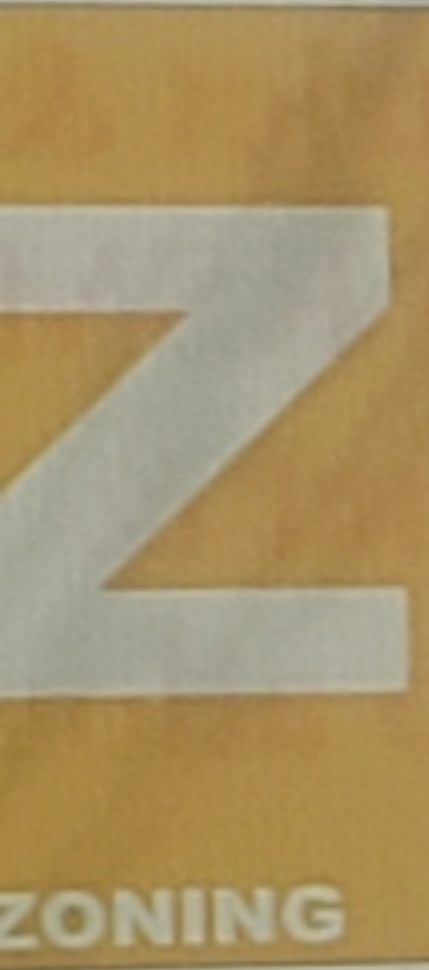
(404) 371-2155



REZONING

Case Number: **Z-25-1247710 (2025-1221)**
 Location: **447 WARREN AVENUE**

Purpose: To rezone property from R-75 (Residential Medium Lot-75) zoning district & Tier 2 of the Scottdale Overlay district to RSM (Small Lot Residential Mix) zoning district & Tier 1 of the Scottdale Overlay District to allow for the development of a duplex.



Zoning Commission
 November 6, 2025
6:00 PM
 Held virtually via Zoom



Meeting Agendas & Info
tinyurl.com/DeKalbHearings
www.dekalbcountyga.gov
plansustain@dekalbcountyga.gov
 (404) 371-2155

Board of Commissioners
 November 20, 2025
5:30 PM
 Held @ 178 Sams Street,
 Decatur, GA 30030



COMMUNITY COUNCIL

Case Number: **Z-25-1247710 (2025-1221)**
 Location: **447 WARREN AVENUE**

Purpose: To rezone property from R-75 (Residential Medium Lot-75) zoning district & Tier 2 of the Scottdale Overlay district to RSM (Small Lot Residential Mix) zoning district & Tier 1 of the Scottdale Overlay District to allow for the development of a duplex.



Community Council Meeting – District 4
October 21, 2025
5:30 PM
 Held virtually via Zoom



Meeting Agendas & Information
TinyURL.com/DeKalbHearings
www.dekalbcountyga.gov
plansustain@dekalbcountyga.gov
 (404) 371-2155

REZONING
Case Number: Z-25-1247710 (2025-1221)
Location: 447 WARREN AVENUE
Purpose: To rezone property from R-75 (Residential Medium Lot-75) zoning district & Tier 2 of the Scottdale Overlay district to RSM (Small Lot Residential Mix) zoning district & Tier 1 of the Scottdale Overlay District to allow for the development of a duplex.
Planning Commission
November 6, 2025
6:00 PM
Held virtually via Zoom
Meeting Agenda & Info
tinyurl.com/Dekalb-plansustain
www.dkalbcountyga.gov
plansustain@dkalbcountyga.gov
(404) 371-4255
Board of Commissioners
November 20, 2025
5:30 PM
Held virtually via Zoom
tinyurl.com/Dekalb-plansustain
www.dkalbcountyga.gov
plansustain@dkalbcountyga.gov
(404) 371-4255

COMMUNITY COUNCIL
Case Number: Z-25-1247710 (2025-1221)
Location: 447 WARREN AVENUE
Purpose: To rezone property from R-75 (Residential Medium Lot-75) zoning district & Tier 2 of the Scottdale Overlay district to RSM (Small Lot Residential Mix) zoning district & Tier 1 of the Scottdale Overlay District to allow for the development of a duplex.
Community Council Meeting - District 4
October 21, 2025
5:30 PM
Held virtually via Zoom
Meeting Agenda & Info
tinyurl.com/Dekalb-plansustain
www.dkalbcountyga.gov
plansustain@dkalbcountyga.gov
(404) 371-4255