



**DeKalb County Department of Planning & Sustainability**

**330 Ponce De Leon Avenue, Suite 300**

**Decatur, GA 30030**

**(404) 371-2155 / [www.dekalbcountyga.gov/planning](http://www.dekalbcountyga.gov/planning)**

Michael Thurmond  
Chief Executive Officer

**Planning Commission Hearing Date: September 01, 2020**

**Board of Commissioners Hearing Date: September 24, 2020**

**STAFF ANALYSIS**

**Case No.:** Z-20-1244113 **Agenda #:** N.6

**Location/Address:** The property is located along the north side of Pleasant Hill Way at 8400 Pleasant Hill Way, Lithonia, GA. **Commission District:** 5 **Super District:** 7

**Parcel ID:** 16-252-02-002

**Request:** To rezone properties from R-85 (Residential Medium Lot) District to RNC (Neighborhood Conservation) District to develop 36 single-family detached residences at a density of 4.21 units per acre.

**Property Owner:** D.R. Horton-Crown, LLC

**Applicant/Agent:** D.R. Horton-Crown, LLC – c/o Battle Law P.C.

**Acreage:** 8.548 Acres

**Existing Land Use:** Pleasant Hill Park

**Surrounding Properties Adjacent Zoning:** South and West: Single-Family Detached Residences  
North and East: Undeveloped

**Comprehensive Plan:** **Conservation Open Space (COS)**  **Consistent**  **Inconsistent**

<b>Proposed Building Sq. Ft.:</b> N/A	<b>Existing Building Sq. Footage:</b> None. Pleasant Hill Park
<b>Proposed Lot Coverage:</b> 35% Per Lot	<b>Existing Lot Coverage:</b> N/A

## **SUBJECT PROPERTY:**

The 8.548-acre site is an undeveloped tract along the north side of Pleasant Hill Way. The site is heavily wooded with dense mature trees and shrubbery. The subject property had been designated as Pleasant Hill Park, but it was never developed. A creek exists along the northeast portion of the site. Existing and surrounding land uses include single-family residences south of Pleasant Hill Way and north of Pleasant Hill Road within the Sierra Highlands subdivision. A few scattered single-family residences are west of the subject site along Pleasant Hill Way. The site is zoned R-85 (Residential Medium Lot) District. Adjacent properties are zoned RNC (Residential Neighborhood Conservation) District.

## **ZONING ANALYSIS**

The applicant is requesting an amendment to the Official Zoning Map pursuant to Chapter 27, Article 7.3 of the DeKalb Code of Ordinances to rezone the 8.548 acre site from R-85 (Residential Medium Lot) District to the RNC (Residential Neighborhood Conservation) District to allow for the development of 36 detached single-family residences. The proposed residences will become part of the 321-unit Champion's Run Subdivision adjacent to the site along the east and west property lines that was rezoned from R-85 to RNC on September 25, 2018 by the DeKalb County Board of Commissioners pursuant to CZ-18-1235046 . The proposed request is also consistent with approval for the RNC (Residential Neighborhood Conservation) District on Pleasant Hill Road southwest of the site pursuant to Z-18-22130.

The R-85 (Residential Medium Lot) District allows single-family detached residences on minimum 12,000 square foot lots. The RNC zoning district has a minimum lot size of 6,000 square feet. The RNC (Residential Neighborhood Conservation) District was created to encourage residential development within the county that preserves unique environmental features and be consistent with the comprehensive land use plan. The RNC encompasses elements of the Green DeKalb Initiative by providing greenspace areas and preserving existing natural trees and vegetation. The goals of the RNC District regulations are: To conserve significant areas of useable greenspace within single-family neighborhoods in the rural and suburban character areas of the comprehensive plan; To provide a residential development that permits flexibility of design in order to promote environmentally sensitive and efficient use of land in compliance with the Code; To promote construction of accessible landscaped walking trails and bike paths both within subdivisions and where possible connected to neighboring communities, business, and facilities to reduce reliance on automobiles; To preserve natural features, specimen trees, historic buildings, archaeological sites and establish a sense of community; To improve water quality and reduce runoff and soil erosion by reducing the total amount of clearing, grading, and paving, within the total area of a development, and To encourage efficient community design that reduces infrastructure maintenance and public service costs borne by the county. Given that the site will be incorporated into an existing approved RNC subdivision, the requested rezoning district would be appropriate for the site.

## **PROJECT ANALYSIS:**

The submitted site plan for the 8.548-acre site depicts 36 single-family detached residences at a density of 4.21 units per acre. The development will be combined with the approved 321 residences within the adjacent RNC subdivision pursuant to Z-18-1235046. The total 357 units has an overall density of 2.72 units per acre.

Access to the added lots is via the access points for the approved adjacent RNC subdivision. No additional curb cuts will be added to the overall development on Pleasant Hill Way. The submitted site plan indicates that the remaining portion of Pleasant Hill Way from the subject 8.548-acre site will be abandoned in the future. It appears that required buffers are depicted adjacent to identified streams on the site plan. The proposed single-family detached residences are subject to the following RNC development standards.

Development Standards	RNC Per Article 2.10	Proposed	Compliance
Lot Area	6,000 Square Feet	6,000 Square Feet	Yes
Side Yard Setback	7.5 Feet	5 Feet with minimum 10 Feet separation between buildings	No. Revise site plan or apply for variance from the ZBOA (Zoning Board of Appeals)
Lot Width	60 Feet	60 Feet	Yes
Front Yard Setback	20 Feet	20 Feet	Yes
Rear Yard	20 Feet	20 Feet	Yes
Open Space	30%	32.01%	Yes

**IMPACT ANALYSIS:**

**Section 27-7.3.5 of the Zoning Ordinance, “Standards and factors governing review of proposed amendments to the official zoning map” states that the following standards and factors shall govern the review of all proposed amendments to the Official Zoning Map.**

- A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.** The current character area plan designation for the site is COS (Conservation Open Space) which does not allow for single-family detached residences. The applicant is requesting a companion Land Use Amendment (LP-20-1244114) to change the land use designation to SUB (Suburban). The rezoning proposal to the RNC (Neighborhood Conservation) District would be consistent with a suburban land use designation and consistent with comprehensive plan policy to “Ensure that new development and redevelopment is compatible with existing residential areas”.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.** The RNC zoning district would allow single-family residences with compatible lot sizes in conjunction with approved adjacent RNC zoned properties for single-family detached residential development.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.** The site may have a reasonable economic use as currently zoned R-85 (Residential Medium Lot) District, however adjacent and surrounding properties are zoned RNC (Residential Neighborhood Conservation) District.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property:** The proposed RNC zoning district will not adversely affect the use or usability of adjacent or nearby residential properties.
- E. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.** The intent of the RNC zoning district is to provide a residential development that permits flexibility of design in order to promote environmentally sensitive and efficient use of land in compliance with the Zoning Code. The approval of the RNC zoning district on this site will allow development that is compatible with other approved RNC subdivisions in the area pursuant to CZ-18-22130 and CZ-18-1235046.

- F. **Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources.** It appears there are no historic buildings, sites, districts, or archaeological resources located on the property or in the surrounding area.
- G. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.** A traffic study conducted by CALYX Engineers & Consultants in 2018 on the adjacent site approved for a 321 detached single-family residential RNC subdivision pursuant to CZ-18-1235046 concluded that all the affected traffic intersections are expected to operate adequately. (see attached traffic study). The additional 36 lots from the proposed development should not affect the results of the traffic study. The subject site on Pleasant Hill Way will be impacted by traffic on Pleasant Hill Road. Given that Pleasant Hill Road is a minor arterial, it should be able to absorb additional traffic resulting from the additional 36 lots proposed by this development.
- H. **Whether the zoning proposal adversely impacts the environment or surrounding natural resources.**

The RNC (Neighborhood Conservation) District has a positive impact on the environment and surrounding natural resources by incorporating the natural resources (rock, streams, wetlands) in the overall design of the proposed subdivision.

**STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS**

The proposed rezoning request from R-85 (Medium Lot Residential) District to the RNC (Residential Neighborhood Conservation) District is compatible with adjacent RNC residential zoned properties. The RNC District is consistent with the following DeKalb County 2035 Comprehensive Plan policies: Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density; and Ensure that new development and redevelopment is compatible with existing residential areas. The Department of Planning and Sustainability recommends **APPROVAL** of an RNC (Residential Neighborhood Conservation) District on the subject site per the following recommended conditions:

1. Limit the use to no more than 36 single-family detached residences pursuant to development standards of an RNC (Residential Neighborhood Conservation) District zoned subdivision and subject to review and approval by the Planning and Sustainability Department.
2. Access is subject to approval by the Transportation Division within the Department of Public Works.
3. Dedicate at no cost to DeKalb County 27.5 feet from centerline of right-of-way on Pleasant Hill Way or such that all public infrastructure is within the right-of-way, whichever greater; 12-foot travel lanes on the development side from centerline; five-foot wide sidewalks; six-foot wide landscaped area, and street lights are required; and improvements required on the development side of the road, but the road must be at least 20-foot wide.
4. Intersection analysis required at Pleasant Hill Way and Pleasant Hill Road to include future level of service and intersection/left turn sight distance to verify that the intersection is capable of safely handling the additional traffic.
5. Sidewalks along property frontage must connect with adjacent parcels.
6. The heated floor area shall be no less than 1,200 square feet.
7. Each home shall have a minimum two-car garage (side entry garages where lot area allows).
8. Provide underground utilities.

9. Front and side yards shall be sodded prior to the issuance of a Certificate of Occupancy.
10. Any applicant for development within this approved RNC shall be required to provide a legal mechanism for unified control of the entire parcel to be developed for review and approval by the county attorney prior to the issuance of any land disturbance or building permit.
11. The approval of this rezoning application by the Board of Commissioners has no bearing on other approvals by the Zoning Board of Appeals or other authority, whose decision should be based on the merits of the application before said authority.

**Attachments:**

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

## NEXT STEPS

***Following an approval of this zoning action, one or several of the following may be required:***

- ✓ **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- ✓ **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. zoning, site development, watershed and health department standards will be checked for compliance.)*
- ✓ **Certificate of Occupancy** *(Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)*
- ✓ **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- ✓ **Variance or Special Exception** *(Required seeking relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*

**Each of the approvals and permits listed above require submittal of application, fees and supporting documents. Please consult with the appropriate department/division.**

## TRANSPORTATION COMMENTS—SEPTEMBER 2020 ZONING CASES

1. N.1 North Druid Hills is classified as a major arterial. Right of way dedication of 50 foot from centerline or such that all public infrastructure is within the right of way, whichever greater, required. Six-foot wide sidewalks, bike lanes (or ten-foot wide multiuse path in lieu of bike lanes), streetlights required. Developer needs to combine driveways or request grandfather in the existing driveway locations as part of zoning- as they do not meet current DeKalb County Code spacing. This may become an issue when the Land Development Permit is sought. Maintain inter-parcel access. Verify intersection and turning sight distances meet AASHO requirements at permitting.
2. N.2 & N.3 Clairmont Road is SR 155. GDOT review and approval required prior to permitting. Clairmont Road is classified as a major arterial. Right of way dedication of 50 foot from centerline or such that all public infrastructure is within the right of way, whichever greater, required. Six-foot wide sidewalks, bike lanes (or ten-foot wide multiuse path in lieu of bike lanes), 10-foot landscape area, streetlights required. Briarcliff Road is classified as a minor arterial. Right of way dedication of 40 foot from centerline or such that all public infrastructure is within the right of way, whichever greater, required. Six-foot wide sidewalks, bike lanes (or ten-foot wide multiuse path in lieu of bike lanes), 10-foot landscape area, streetlights required. Verify intersection and turning sight distances meet AASHO requirements at permitting. Access points are to remain as far away from the intersection of Clairmont Rd and Briarcliff Rd as possible. Coordinate and donate right of way necessary for GDOT PIs 0015680 and 0015956. Provide pedestrian connections between site destinations and sidewalks on public right of way. Verify intersection and turning sight distances meet AASHO requirements at permitting. One site driveway appears to be off the property, access easement required for permitting.
3. N.4 Chamblee Tucker Road is classified as a minor arterial. Right of way dedication of 40 foot from centerline or such that all public infrastructure is within the right of way, whichever greater, required. Six-foot wide sidewalks, bike lanes (or ten-foot wide multiuse path in lieu of bike lanes), 10-foot landscape area, streetlights required. Throat length for driveway must meet minimum County standards. At the existing signal. add pedestrian facilities and signal heads across driveway. Modify U-Turn pavement markings into left turn pavement markings and verify storage length will hold 95 percentile queues.
4. N.5 & N.6 Pleasant Hill Way is classified as a local road. Right of way dedication of 27.5 foot from centerline or such that all public infrastructure is within the right of way, whichever greater, required. Twelve-foot travel lanes, five-foot wide sidewalks, six-foot landscape area, streetlights required. Improvements required on the development side of the road, but the road must be at least 20-foot wide. Request intersection analysis at Pleasant Hill Way and Pleasant Hill Road to include future level of service and intersection/left turn sight distance to verify that the intersection is capable of safely handling the additional traffic. Add sidewalks on park frontage leading to the park and connecting the two parcels.
5. N.7 Scott Blvd is SR 10. GDOT review and permit required prior to permitting. Pensdale Rd is classified as a local road. Right of way dedication of 27.5 foot from centerline or such that all public infrastructure is within the right of way, whichever greater, required. Twelve-foot travel lanes, five-foot wide sidewalks, six-foot landscape area, streetlights required. Applicant is encouraged to seek requested variances during the zoning process for infrastructure improvements.

6. Memorial Drive is a state route. GDOT review and approval required prior to permitting. Memorial Drive is classified as a major arterial. Right of way dedication of 50 foot from centerline or such that all public infrastructure is within the right of way, whichever greater, required. Six-foot wide sidewalks, bike lanes (or ten-foot wide multiuse path in lieu of bike lanes), 10-foot landscape area, streetlights required. Conway Rd, Thomas Road and Julian St are classified as local roads and must be brought up to county standards on the development side with the pavement being at least 20 feet wide. Right of way dedication of 27.5 foot from centerline or such that all public infrastructure is within the right of way, whichever greater, required. Twelve-foot travel lanes, five-foot wide sidewalks, six-foot landscape area, streetlights required. Entrances on Conway and Thomas must meet the GDOT minimum distance for connecting streets related to Memorial Drive. Proposed interior street on Conway is too close to Memorial Drive. One direction streets would work better going in the opposite directions (with less impacts to existing roads). All interior streets must be private. No walls or private structures allowed on right of way. Verify intersection and turning sight distances meet AASHO requirements at permitting.





DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

**NOTE:** PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER [mmalexander@dekalbcountyga.gov](mailto:mmalexander@dekalbcountyga.gov) OR JOHN REID [JREID@DEKALBCOUNTYGA.GOV](mailto:JREID@DEKALBCOUNTYGA.GOV)

COMMENTS FORM:  
PUBLIC WORKS WATER AND SEWER

Case No.: Z-20-1244113

Parcel I.D. #: 16-252-02-002

Address: 8400 Pleasant Hill Way

Lithonia, Georgia

WATER:

Size of existing water main: 8" DI Water Main MJO (adequate/inadequate)

Distance from property to nearest main: Approximately 1,686 feet East of property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Yellow River Creek Basin

Is sewer adjacent to property: Yes ( ) No (X) If no, distance to nearest line: Approximately 1,811 feet Southwest of property

Water Treatment Facility: Pole Bridge WTF ( ) adequate ( ) inadequate

Sewage Capacity: \* (MGPD)

Current Flow: 6.48 (MGPD)

COMMENTS:

\* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

EXTENSION OF SS TO SITE IS SOLELY RESPONSIBILITY OF DEVELOPER. MJO

Signature: [Signature]



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-20-124413 Parcel I.D. #: 16-252, 02-002

Address: 8400 Pleasant Hill Way  
Lithonia, Ga.

Adjacent Roadway (s):

\_\_\_\_\_  
\_\_\_\_\_  
(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	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) 6/7<sup>TH</sup> 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: Janita Rosal

08/13/2020

To: Current Planning  
From: Ryan Cira, Environmental Health Manager  
Cc: Alan Gaines, Technical Services Manager  
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. Recommendation: Provide trash can with liner at each bus stop with bench and monitor for proper removal of waste.

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

Board of Health

**New Cases:**

- N.1 SLUP-20-12244105 2020-0833 / 18-111-03-018  
2933 North Druid Hills Road, Atlanta, GA 30329
  - Please review general comments.
  - Septic system installed on location surrounding 2933 North Druid Hills. The location with septic system installed was 2814 North Druid Hills Road on 08/02/1963.
  
- N.2 LP-20-1244107 / 2020-0834 /18-196-04,18-196-04-033, 18-196-04-034, 18-196-04-035, 18-196-04-037, 18-196-04-038, 18-196-04-039, 18-196-04-040, 18-196-04-041  
2814 Clairmont Road, Atlanta, GA 30329
  - Please review general comments.
  - Septic installed on property 2920 Clairmont Road on 04/07/1974 within the vicinity of property 2814 Clairmont.
  
- N.3 Z-20-1244108 / 2020-0835 / 18-196004-029, 18-196-04-033, 18-196-04-034, 18-196-04-035, 18-196-04-037, 18-196-04-038, 18-196-04-039, 18-196-04-040, 18-196-04-041  
2814 Clairmont Road, Atlanta, GA 30329
  - Please review general comments.
  
- N.4 SLUP-20-1244110 / 2020-0836 / 18-283-02-012, 18-283-02-007, 18-283-02-008  
3214 Chamblee-Tucker Road, Chamblee, GA 30341
  - Please review general comments.
  - Septic system installed on property 04/13/1961
  
- N.5 LP-20-1244114 / 2020-0837 / 16-252-02-002  
8400 Pleasant Hill Way, Lithonia, GA 30058
  - Please review general comments.
  - Septic system installed on property near vicinity at 8406 Pleasant Hill Way
  
- N.6 Z-20-1244113 / 2020-0838 / 16-254-02-002  
8400 Pleasant Hill Way, Lithonia, GA 30058
  - Please review general comments.
  
- N.7 Z-20-1244119 / 2020-0839 / 18-050-12-005  
1377 Scott Blvd., Decatur, GA 30030
  - Please review general comments.



**Board of Health**

**N.8 Z-20-1244120 / 2020-0840 / 15-201-07-001, 15-201-07-003, 15-201-07-004, 15-201-07-005, 15-201-07-007**

**3229 Memorial Drive, Decatur, GA 30032**

- Septic system installed on in same vicinity. The location is 3232 Memorial Drive on 04/21/1970.
- Please review general comments.

**N.9 TA-20-1244141 / 2020-0841 / 18-043-01-004**

**4900 Memorial Drive, Stone Mountain, GA 30083**

- Please review general comments.
- Septic System installed on 09/11/1964 at property 4947 Memorial Drive.

**DeKalb County Board of Health**

445 Winn Way – Box 987

Decatur, GA 30031

404.294.3700 • [www.dekalbhealth.net](http://www.dekalbhealth.net)

**DeKalb County School District  
Development Review Comments**

**Analysis Date:** 8/13/2020

**Submitted to:** DeKalb County

**Case #:** Z-20-1244113

**Parcel #:** 16-252-02-002

**Name of Development:** Red Stag Ext.  
**Location:** 8400 Pleasant Hill Way

**Description:** 36 additional single family homes as part of a larger planned development.

**Impact of Development:** When fully constructed, this development would be expected to generate 17 students: 4 at Rock Chapel ES, 2 at Lithonia MS, 3 at Lithonia HS, 7 at other DCSD schools, and 1 at private schools. All three neighborhood schools have capacity for additional students.

Current Condition of Schools	Rock Chapel			Other	Private	Total
	ES	Lithonia MS	Lithonia HS	DCSD Schools	Schools	
Capacity	675	1,188	1,416			
Portables	0	0	0			
Enrollment (Fcast. Oct. 2020)	522	1,151	1,394			
Seats Available	153	37	22			
Utilization (%)	77.3%	96.9%	98.4%			
<b>New students from development</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>7</b>	<b>1</b>	<b>17</b>
New Enrollment	526	1,153	1,397			
New Seats Available	149	35	19			
New Utilization	77.9%	97.1%	98.7%			

Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.116598	0.075366	0.013477	0.205440
Middle	0.058415	0.053346	0.005240	0.117000
High	0.081802	0.062057	0.004762	0.148621
<b>Total</b>	<b>0.2568</b>	<b>0.1908</b>	<b>0.0235</b>	<b>0.4711</b>
<b>Student Calculations</b>				
Proposed Units	36			
Unit Type	SF			
Cluster	Lithonia HS			
Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	4.20	2.71	0.49	7.40
Middle	2.10	1.92	0.19	4.21
High	2.94	2.23	0.17	5.34
<b>Total</b>	<b>9.24</b>	<b>6.86</b>	<b>0.85</b>	<b>16.95</b>
Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Rock Chapel ES	4	3	1	8
Lithonia MS	2	2	0	4
Lithonia HS	3	2	0	5
<b>Total</b>	<b>9</b>	<b>7</b>	<b>1</b>	<b>17</b>

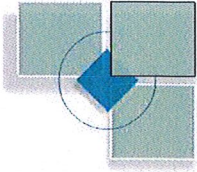




DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



APPLICATION TO AMEND OFFICIAL ZONING MAP
OF DEKALB COUNTY, GEORGIA

Z/CZ No. \_\_\_\_\_
Filing Fee: \_\_\_\_\_

Date Received: \_\_\_\_\_ Application No.: \_\_\_\_\_

Applicant: D.R. Horton - Crown, LLC E-Mail: mlb@battlelawpc.com

Applicant Mailing Address:
c/o Battle Law P.C., One West Court Square., Suite 750, Decatur, GA 30030

Applicant Phone: 404.601.7616 Fax: 404.745.0045

Owner(s): D.R. Horton - Crown, LLC E-Mail: JRCoombe@drhorton.com
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address:
1371 Dogwood Drive, SW, Conyers, GA 30012

Owner(s) Phone: 678.509.0555 Fax: 866.658.1753

Address/Location of Subject Property: 8400 Pleasant Hill Way, Lithonia, GA 30058

District(s): 16th Land Lot(s): 252 Block: \_\_\_\_\_ Parcel(s): 16-252-02-002

Acreage: 8.548 Commission District(s): District 5

Present Zoning Category: R-85 Proposed Zoning Category: RNC

Present Land Use Category: Suburban

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before the Planning Department accepts it. It must include the attachments and filing fees identified on the attachments. An application, which lacks any of the required attachments, shall be determined as incomplete and shall not be accepted.

Disclosure of Campaign Contributions

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

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

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

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

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

Notary signature and date: 03/01/2020, 6/24/2020

NOTARY PUBLIC ROBYN FUNDERBURG
Check One: Owner XX Agent

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

June 12, 2020

**RE:** Proposed Rezoning Project at 8400 Pleasant Hill Way, Lithonia, Georgia 30058

Dear Property Owner:

We would like for you to join our Zoom Video Meeting Monday, June 29, 2020 from 6:00 pm – 7:00 pm to discuss the proposed rezoning of the property at 8400 Pleasant Hill Way, Lithonia, Georgia 30058. My client, D. R. Horton, is seeking to rezone the property from R-85 to RNC for the development of a Residential Community with single family homes.

Below are the meeting instructions. There are multiple ways for you to join the meeting, including via your computer, tablet, or cell phone, with or without video. If you are unable to make it, but would like to learn more, please contact our office at (404) 601-7616 ext. 2 or email us at [bdc@battlelawpc.com](mailto:bdc@battlelawpc.com) and we'll send you a summary of the meeting.

**Zoom Meeting Details**

**Meeting ID:** 883 9355 6604

**Password:** 630934

Internet: <https://otago.zoom.us/join>

Telephone: (646) 558-8656

Please contact our offices if you have any questions regarding the meeting.

Sincerely,

*Michèle Battle*

Michèle L. Battle





## **Zoom Step by Step Instructions**

Go to <https://otago.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click “Join” (the meeting ID will be a 9 digit or 10 digit number)

### **If joining from a mobile Device**

If you are joining from a mobile device (Android smartphone/tablet, Apple iPhone/iPad) then it will simply prompt you to download the Zoom Cloud Meeting app from the App/Play Store.

### **If joining from a computer**

When entering a Zoom meeting for the first time from a computer you may need to download a small application file. This process is easy to complete on all commonly used browsers. Google Chrome should automatically download the file.

Just before Entering the meeting you will be prompted to enter a display name. This name is simply to identify you in the meeting.

### **Join Audio via Computer**

You will then be prompted how you wish to join your audio. If you wish to join audio via the telephone, follow the instructions further down, otherwise simply select Join Computer by Audio

### **Join Audio via Telephone**

Dial in as using the number provided, however after entering the Meeting ID, you will be prompted to enter your Participant ID/Password. Simply enter this number followed by # and the video audio will then be synchronized.

### **Raising Your Hand**

As the non-speaker if you wish to ask a question or make a point during the meeting it’s good protocol to use the “Raise Hand” facility.

If the tool bar is not showing at the bottom of the Zoom window, place your cursor over the Zoom window so it appears and select the “Participants” icon.

A window listing other participants will appear, there is also a “Raise Hand” icon, click the icon to make it known to the Host that you would like to raise your hand.

If you wish to lower your hand, click the “Lower Hand” icon that will have replaced the “Raise Hand” icon.

### **Leave Meeting**

To leave a meeting from Zoom on your desktop, select “End Meeting” then “Leave Meeting.”



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3.	DIXSON RICKEY 8344 FALLING ROCKS WAY LITHONIA GA 30058													
4.	KEGLER MELODY BERNICE 8326 FALLING ROCKS WAY LITHONIA GA 30058													
5.	WILLIAMS CARLA DENISE 8367 FALLING ROCKS WAY D LITHONIA GA 30058													
6.	HAUGABROOK TREMEKA 8425 FALLING ROCKS WAY LITHONIA GA 30058													
7.	PROGRESS RESIDENTIAL BORROWER 5 LI PO BOX 4090 SCOTTSDALE AZ 85261													
8.	JOHN MICHAEL 8404 FALLING ROCKS WAY LITHONIA GA 30058													

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3.	GIBSON BETTY C 8375 FALLING ROCKS WAY LITHONIA GA 30058													
4.	BROUGHTON JOHNNY M 8353 FALLING ROCKS WAY LITHONIA GA 30058													
5.	HILTON WILLIAM 8352 FALLING ROCKS WAY LITHONIA GA 30058													
6.	JACKSON JASON OZIAS 1732 BOULDER CV LITHONIA GA 30058													
7.	BONILLA MARCOS JOSE SALVADOR 8374 FALLING ROCKS WAY LITHONIA GA 30058													
8.	RICHARDSON VIVIANNA 1720 BOULDER CV LITHONIA GA 30058													

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2.	DEKALB COUNTY 1300 COMMERCE DR DECATUR GA 30030													
3.	SHAW RUPERT A 8321 FALLING ROCKS WAY LITHONIA GA 30058													
4.	SIMMONS SYLVESTER N P.O. BOX 1053 CONYERS GA 30012													
5.	ARTHUR GWENDOLYN L 8394 FALLING ROCKS WAY LITHONIA GA 30058													
6.	CODY JEAN O 8381 FALLING ROCKS WAY LITHONIA GA 30058													
7.	MATTHIAS AMY 8358 FALLING ROCKS WAY LITHONIA GA 30058													
8.	D R HORTON CROWN LLC 1371 DOGWOOD DR CONYERS GA 30012													
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	TAH 2018 1 BORROWER LLC 1508 BROOKHOLLOW DR SANTA ANA CA 92705																				
	THOMAS CHERYL V 1719 BOULDER CV LITHONIA GA 30058									Handling Charge - if Registered and over \$50.000 in value											
	PHILLIPS SANTRICA 8366 FALLING ROCKS WAY LITHONIA GA 30058													Adult Signature Required	Adult Signature Restricted Delivery						
	GIBBS FRANKIE H 1704 ROLLING STONE DR LITHONIA GA 30058														Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling		
	PHIFER LONNIE K 8339 FALLING ROCKS WAY LITHONIA GA 30058																				
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**STATEMENT OF INTENT AND**  
**IMPACT ANALYSIS**

and

Other Material Required by  
DeKalb County Zoning Ordinance  
for the  
Application to Amend Official Zoning Map

of

**D.R. HORTON – CROWN, LLC**

for

+/-8.548 Acres of Land  
located in  
Land Lot 252 of the 16th District, DeKalb County

**From R-85 to RNC (Residential Neighborhood Conservation District)**

Submitted for Applicant by:

Michèle L. Battle, Esq.  
Battle Law, P.C.  
One West Court Square, Suite 750  
Decatur, Georgia 30030  
(404)601-7616 Phone  
(404)745-0045 Facsimile  
[mlb@battlelawpc.com](mailto:mlb@battlelawpc.com)

## **I. LETTER OF INTENT**

The Applicant, D. R. Horton – Crown, LLC, is seeking to rezone an 8.548 acre tract of land known as 8400 Pleasant Hill Way, Lithonia, Georgia and being Tax Parcel 16 252 02 002 (the “Subject Property”) which they recently acquired from DeKalb County, from R-85 to R-NC. The Subject Property is proposed to be developed for 36 single-family detached units, which will be become a part of the 321 unit Champion’s Run Subdivision that was rezoned from R-85 to R-NC on September 25, 2018 by the DeKalb County Board of Commissioner pursuant to Rezoning Case No. CZ 18-1235046. Simultaneously with the submission of this Rezoning Application, the Applicant has applied to amend the land use designation for the Subject Property from COS to Suburban

This document is submitted both as a Statement of Intent with regard to 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, § 27-7.3.5. A surveyed plat and site plan of the Subject Property has been filed contemporaneously with the Application, along with other required materials.

## **II. IMPACT ANALYSIS**

### **A.**

#### **THE ZONING PROPOSAL IS IN CONFORMITY WITH THE POLICY AND INTENT OF THE COMPREHENSIVE PLAN**

The Subject Property is designated Conservation Open Space under the DeKalb Comprehensive Land Use Plan through 2035. DeKalb County acquired the Subject Property

through a tax deed sale in 1979. Since that time the property remained undeveloped, along with the majority of the property surrounding the Subject Property. The Subject Property had been designated as park property, but the Subject Property was never developed as park property over the last 40 years. As the Subject Property has recently been conveyed to the Applicant, the Applicant is seeking to amend the land use for the Subject Property to Suburban which is the predominate land use designation for property in the surrounding area. It is the Applicant's contention that the proposed rezoning is in conformity the following policies under the Suburban land use designation:

1. Promote new communities that feature greenspace and neighborhood parks, pedestrian circulation transportation options, and appropriate mix of uses and housing types:
2. Protect environmentally-sensitive areas including wetlands, floodplains, water supply watersheds and stream corridors
3. Encourage the preservation of open space, farmland, natural and critical environmental areas
4. Implement zoning tools that preserve open space, natural resources and the environment
5. Preserve trees and other natural resources to protect the environment and aesthetically enhance communities.



**B.**

**THE PROPOSED REZONING PERMITS A USE THAT IS  
SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND  
NEARBY PROPERTY.**

The proposed rezoning to RNC will permit the continued development of single-family detached housing along the Pleasant Hill Road and Norris Lane Road corridor. The Subject Property is surrounded by parcels that are either developed, or to be developed, for single-family residential use. The Champion's Run Subdivision adjacent to the Subject Property was approved for 321 units at a density of 2.62 units per acre. The proposed 36 units will be incorporated into the larger project, which will result in a total of 357 lots being built at a density of 2.72 units per acre. The lot dimensions will be identical to what was approved under CZ 18-1235046, which will provide consistency with the balance of the subdivision. Additionally, the rezoning to RNC is supported by the stream that crosses the Subject Property along with the significant number of trees on the site, particularly when combined with the environmentally sensitive areas on the surrounding 122.77 acres. It should also be noted that the proposed rezoning will not set a precedent in the community for medium density zoning districts, as the proposed rezoning to R-NC is only allowed for parcels that meet the environmental criteria stated in the R-NC District Regulations.

C.

**THE SUBJECT PROPERTY DOES NOT HAVE A REASONABLE ECONOMIC USE AS PRESENTLY ZONED.**

The Subject Property as currently zoned has marginal value, due to the costs associated with the development of the Subject Property in its entirety to achieve a marketable lot yield. The Applicant and the owners respectfully submit that the Zoning Ordinance of DeKalb County, Georgia, as amended from time to time and known as the "DeKalb County Zoning Ordinance", to the extent that it classifies the Subject Property in any zoning district which would preclude the development of this project, is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Subject Property pursuant to the DeKalb County Zoning Ordinance deprives the current owner of any alternative reasonable use and development of the Subject Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and the one requested herein, would deprive the current owner of any reasonable use and development of the Subject Property. Further, an attempt by the Board of Commissioners to impose greater restrictions upon the manner in which the Subject Property will be developed than presently exist, such as by way of approving the zoning district requested but limiting development to standards allowed under more stringent zoning classifications, would be equally unlawful.

The Applicant submits that the current zoning classification and any other zoning of the Subject Property save for what has been requested by it as established in the DeKalb County Zoning Ordinance constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general

welfare of the public and substantially harm the Applicant. All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality or general welfare of the public and would substantially harm the Applicant. Further, the existing inconsistent zoning classifications constitute, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this project would constitute a taking of the owner's private property without just compensation and without due process in violation of 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 and the Due Process Clause of the Fourteenth Amendment of the United States Constitution and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that the Board of Commissioners' failure to approve the requested zoning change would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

The Applicant respectfully submits that the Board of Commissioners cannot lawfully impose more restrictive standards upon the development of the Subject Property than presently exist as to do so not only would constitute a taking of the Subject Property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood

opposition, in violation of Article IX, Section IV, Paragraph II of the Georgia Constitution.

Finally, the Applicant protests any action which would prohibit development of the Subject Property as requested inasmuch as the Zoning Ordinance was adopted in violation of or in other respects does not comply with the Zoning Procedures Law, O.C.G.A. § 36-66-1 et seq. and minimum procedural due process standards guaranteed by the Constitutional provisions set forth above.

**D.**

**THE PROPOSED REZONING WILL NOT ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY**

The proposed rezoning will not adversely affect the existing use or usability of adjacent or nearby property. As noted above, development patterns in the area are entirely consistent with the proposed use for the Subject Property.

**E.**

**OTHER EXISTING OR CHANGING CONDITIONS AFFECTING THE USE AND DEVELOPMENT OF THE PROPERTY**

The area in which the Subject Property is a residential community. The Subject Property has been undeveloped for in excess of forty (40) years. The incorporation of the Subject Property into the development of the Champion's Run Subdivision adjacent to the Subject Property is the only logical use for the Subject Property now that it is owned by the Applicant.

**F.**

**THE ZONING PROPOSAL WILL NOT ADVERSELY AFFECT HISTORIC BUILDINGS, SITES, DISTRICTS OR ARCHAEOLOGICAL RESOURCES**

The Applicant knows of no historic buildings, sites, districts, or archaeological resources either on the Subject Property or located in the immediate vicinity that would suffer adverse impacts from the rezoning requested.

**G.**

**THE REQUESTED REZONING WILL NOT RESULT IN A USE WHICH WILL OR COULD CAUSE EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS**

The proposed rezoning, if approved, will not affect existing transportation facilities or utilities, and it will not negatively impact the schools in the area, which are all below capacity, according to the DeKalb County Public School website Enrollment Report. With respect to sanitary sewer capacity, the Applicant has submitted a Sewer Capacity Request Letter for the area. Finally, the previously submitted application for the development of the 321 units addresses the traffic improvements needed in the area, as the additional 36 homes will have a negligible impact on traffic in terms of the overall subdivision.

**H.**

**THE REQUESTED REZONING WILL NOT RESULT IN A USE WHICH WILL ADVERSELY IMPACT THE ENVIRONMENT OR SURROUNDING NATURAL RESOURCES**

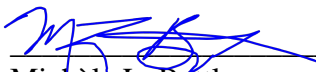
The proposed rezoning, if approved, will not result in a use which will adversely impact the environment or surrounding natural resources. The Applicant is seeking to rezone the Subject Property to R-NC as part of the larger Champion's Run Subdivision in order to preserve as much of the natural sources, and environmentally sensitive areas on the Subject Property and adjacent property, as possible.

**IV. CONCLUSION**

For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of DeKalb County so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 1<sup>st</sup> July, 2020.

Respectfully submitted,

  
\_\_\_\_\_  
Michèle L. Battle  
Attorney For Applicant

## ADDITIONAL CONSTITUTIONAL ALLEGATION

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 Subject Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional zoning classification within a reasonable time, a claim will be filed by the Applicant 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.

NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION SUPPLIED AND TO THE SURVEYOR'S BEST KNOWLEDGE ARE APPROXIMATELY AS SHOWN. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.
2. I HAVE EXAMINED THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR DEKALB COUNTY, GEORGIA AND INCORPORATED AREAS, COMMUNITY PANEL NUMBERS 13089C010K, PANEL 181 OF 201, AND 13089C010K, PANEL 118 OF 201 EFFECTIVE DATE DECEMBER 8, 2016 AND FOUND NO PORTION OF THE PROPERTY SHOWN HEREON TO FALL WITHIN A DESIGNATED FLOOD ZONE "AE" (AREAS OF 100 YEAR FLOOD).
3. THIS SITE IS TIED TO A GRID NORTH BASED ON GPS OBSERVATIONS AND WERE ADJUSTED BY PLANNERS AND ENGINEERS COLLABORATIVE IN MAY 2018. NORTH AMERICAN DATUM OF 1983 (NAD83), NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), GEORGIA WEST ZONE STATE PLANE COORDINATES.
4. THE TERM "CERTIFICATION" RELATING TO PROFESSIONAL ENGINEERING AND LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
5. NO ZONING INFORMATION PROVIDED FOR BUILDING SETBACKS.
6. THERE IS NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
7. A COMPREHENSIVE FIELD REVIEW OF THE WETLANDS, INTERMITTENT STREAMS, PERENNIAL STREAMS AND OPEN WATERS WAS COMPLETE ON MAY 17, 2018 BY TUPELO ECOLOGICAL ASPECTS, INC.
8. THIS SURVEY IS A RETRACEMENT OF EXISTING PROPERTY.
9. PLEASANT HILL WAY HAS AN APPARENT 50 FOOT WIDE RIGHT OF WAY. THE RIGHT OF WAY FOR PLEASANT HILL WAY WAS ESTABLISHED BY A BEST FIT, CALCULATED CENTERLINE USING THE EXISTING ROAD LOCATION.

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 228, 229, 232, 253, 257 AND 258 OF THE 16<sup>TH</sup> DISTRICT DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE FROM AN IRON PIN FOUND AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF NORRIS LAKE DRIVE (60' R/W) WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF PLEASANT HILL ROAD (60' R/W). THENCE LEAVING SAID INTERSECTION AND FOLLOWING ALONG SAID RIGHT-OF-WAY LINE OF PLEASANT HILL ROAD THE FOLLOWING COURSES AND DISTANCES: SOUTH 43 DEGREES 28 MINUTES 35 SECONDS WEST A DISTANCE OF 327.61 FEET TO AN IRON PIN FOUND; THENCE SOUTH 43 DEGREES 03 MINUTES 03 SECONDS WEST A DISTANCE OF 156.12 FEET TO A POINT AT THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY LINE OF PLEASANT HILL ROAD AND THE NORTHERN RIGHT-OF-WAY LINE OF PLEASANT HILL WAY (50' R/W); THENCE LEAVING SAID RIGHT-OF-WAY LINE OF PLEASANT HILL ROAD AND FOLLOWING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF PLEASANT HILL WAY THE FOLLOWING COURSES AND DISTANCES: THENCE SOUTH 79 DEGREES 29 MINUTES 30 SECONDS WEST A DISTANCE OF 606.01 FEET TO A POINT; THENCE SOUTH 78 DEGREES 44 MINUTES 34 SECONDS WEST A DISTANCE OF 447.46 FEET TO A POINT; THENCE SOUTH 83 DEGREES 33 MINUTES 31 SECONDS WEST A DISTANCE OF 121.33 FEET TO A POINT; THENCE SOUTH 87 DEGREES 59 MINUTES 32 SECONDS WEST A DISTANCE OF 215.09 FEET TO A POINT; THENCE SOUTH 79 DEGREES 49 MINUTES 0 SECONDS WEST A DISTANCE OF 95.31 FEET TO A POINT; THENCE SOUTH 84 DEGREES 5 MINUTES 22 SECONDS WEST A DISTANCE OF 119.53 FEET TO A POINT; THENCE SOUTH 89 DEGREES 38 MINUTES 39 SECONDS WEST A DISTANCE OF 60.23 FEET TO A POINT; THENCE NORTH 89 DEGREES 18 MINUTES 57 SECONDS WEST, A DISTANCE OF 67.15 FEET TO A POINT; ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 31.08 FEET, SAID CURVE HAVING A RADIUS OF 399.89 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 88 DEGREES 27 MINUTES 29 SECONDS WEST, AND A CHORD LENGTH OF 31.07 FEET, TO A POINT; SAID POINT BEING THE TRUE POINT OF BEGINNING.

THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF PLEASANT HILL WAY THE FOLLOWING COURSES: A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 37.56 FEET, SAID CURVE HAVING A RADIUS OF 399.89 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 83 DEGREES 32 MINUTES 31 SECONDS WEST, AND A CHORD LENGTH OF 106.80 FEET; SAID CURVE HAVING A RADIUS OF 988.10 FEET, BEING SUBTENDED BY A CHORD BEARING OF SOUTH 83 DEGREES 36 MINUTES 54 SECONDS WEST, AND A CHORD LENGTH OF 106.74 FEET, TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 37.54 FEET, TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 37.54 FEET, TO A POINT; THENCE WITH A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 26.27 FEET, SAID CURVE HAVING A RADIUS OF 97.04 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 85 DEGREES 11 MINUTES 57 SECONDS WEST, AND A CHORD LENGTH OF 26.18 FEET, TO A POINT; THENCE NORTH 77 DEGREES 26 MINUTES 34 SECONDS WEST, A DISTANCE OF 37.19 FEET TO A POINT; THENCE NORTH 75 DEGREES 28 MINUTES 08 SECONDS WEST, A DISTANCE OF 42.70 FEET, SAID CURVE HAVING A RADIUS OF 639.92 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 77 DEGREES 23 MINUTES 31 SECONDS WEST, AND A CHORD LENGTH OF 42.88 FEET, TO A POINT; THENCE NORTH 73 DEGREES 18 MINUTES 33 SECONDS WEST, A DISTANCE OF 84.85 FEET TO A POINT; THENCE NORTH 77 DEGREES 43 MINUTES 59 SECONDS WEST, A DISTANCE OF 54.01 FEET; THENCE ALONG A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 51.67 FEET, SAID CURVE HAVING A RADIUS OF 830.03 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 73 DEGREES 22 MINUTES 00 SECONDS WEST, AND A CHORD LENGTH OF 51.62 FEET, TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 131.45 FEET, SAID CURVE HAVING A RADIUS OF 879.56 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 74 DEGREES 34 MINUTES 30 SECONDS WEST, AND A CHORD LENGTH OF 131.25 FEET, TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 67.78 FEET, SAID CURVE HAVING A RADIUS OF 261.53 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 72 DEGREES 43 MINUTES 29 SECONDS WEST, AND A CHORD LENGTH OF 67.59 FEET, TO AN IRON PIN FOUND; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF PLEASANT HILL WAY NORTH 01 DEGREES 36 MINUTES 30 SECONDS WEST, A DISTANCE OF 231.82 FEET TO AN IRON PIN SET; THENCE NORTH 03 DEGREES 17 MINUTES 54 SECONDS WEST, A DISTANCE OF 291.25 FEET TO AN IRON PIN FOUND; THENCE NORTH 89 DEGREES 11 MINUTES 19 SECONDS EAST, A DISTANCE OF 500.16 FEET TO AN IRON PIN FOUND; THENCE SOUTH 18 DEGREES 27 MINUTES 10 SECONDS EAST, A DISTANCE OF 705.31 FEET TO A POINT FOUND ON THE NORTHERLY RIGHT-OF-WAY LINE OF PLEASANT HILL WAY, WHICH IS THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINING 8.548 ACRES, MORE OR LESS.

TITLE EXCEPTIONS

Old Republic National Title Insurance Company Commitment no. 2-3205(01) with an effective date of April 9, 2018 at 5:00 p.m. was used in the preparation of this survey and the listed exceptions are as follows:

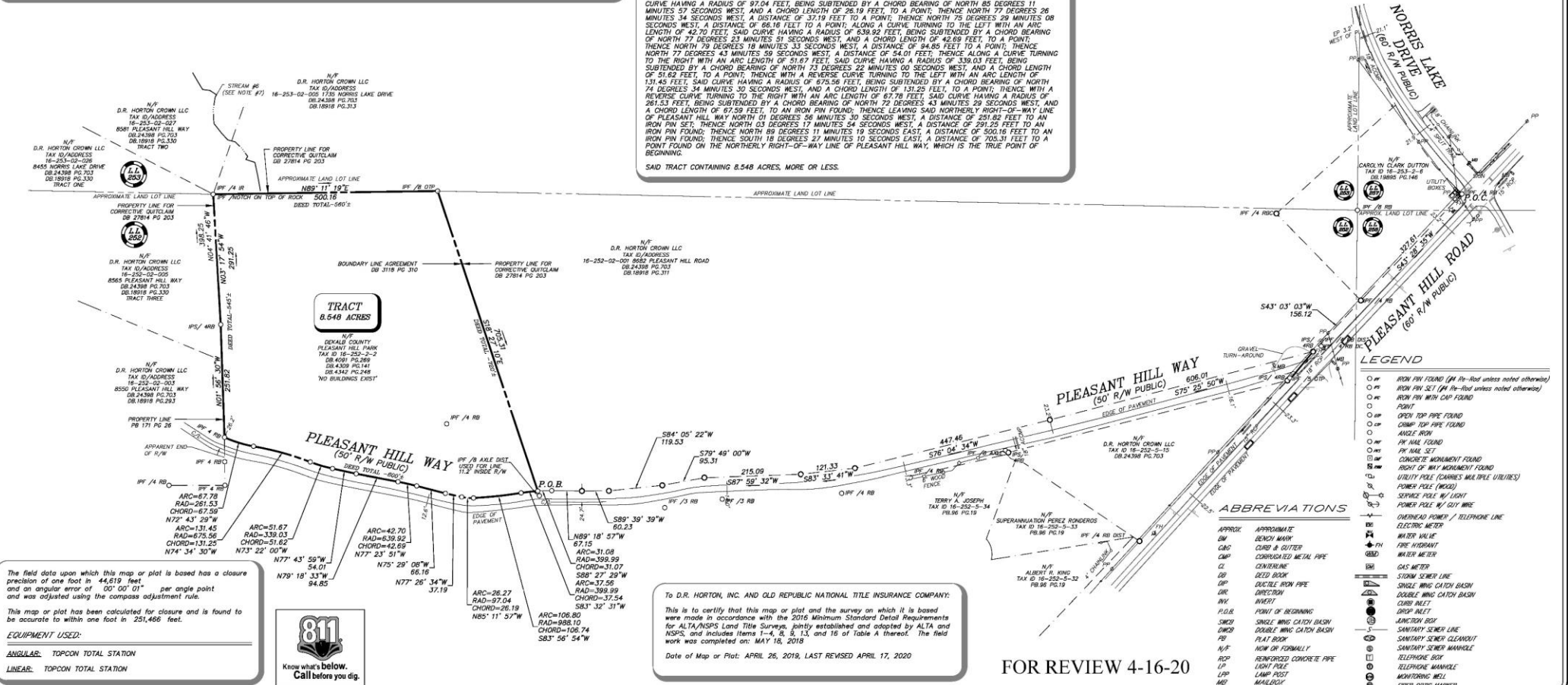
Special Exceptions:

(d) Boundary Line Agreement by and between Nationwide Holding Corporation and Jessie H. Smith, individually, and as executor under the last will and testament of Mrs. Ramie Tuck Smith, dated November 28, 1973, filed for record January 7, 1974 at 4:03 p.m., recorded in deed book 3118, Page 310, Records of DeKalb County, Georgia.

Affects East Property Line as shown on survey.

(e) All those matters as disclosed by that certain plat recorded in Plat Book 171, Page 26, aforesaid records.

Affects a portion of the West Property Line as shown on survey.



**PLANNERS AND ENGINEERS COLLABORATIVE**  
"WE PROVIDE SOLUTIONS"

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350 BRANCH COUNTRY FRANCHISE CORPORS. OFFICE, GATHERS, 30097  
1770451-2741 WWW.PECCAL.COM  
C.O.A. 1309999A

REV	DATE	DESCRIPTION	BY
5			
4			
3			
2	04/17/20	REMOVE GAP AREA	MW
1	02/26/19	REVERSE LAND LOT LINE AND ADJOINERS	MW

**LAND LOTS** 252 & 253  
**DISTRICT** 16th

**ALTA/NSPS LAND TITLE SURVEY**  
FOR  
**D.R. HORTON, INC. AND  
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

DEKALB COUNTY  
GEORGIA

**DRAWN BY:** MW  
**CHECKED BY:** JHN  
**FILE NO:** 16309.00  
**DATE:** 04/26/2019  
**SCALE:** 1"=100'  
**DATE OF FIELD WORK:** 05/18/2018





















