



DeKalb County Department of Planning & Sustainability

**330 Ponce De Leon Avenue, Suite 300
Decatur, GA 30030
(404) 371-2155 / plandev@dekalbcountyga.gov**

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

STAFF ANALYSIS

Case No.: Z-18-21938 **Agenda #:** N.6

Location/Address: The south side of E. Tupelo Street (existing paper right-of-way) at 2421, 2431 and 2435 E. Tupelo Street, Atlanta, Georgia. **Commission District:** 3 **Super District:** 6

Parcel ID: 15-292-07-010; 15-202-07-011; 15-202-07-012

Request: To rezone 1.23 acres of R-75 (Residential Medium Lot District) zoned property to C-1 (Local Commercial District) to develop a 3-story self-storage facility (mini-warehouse) in conjunction with the adjacent 1.45 acre tract zoned C-1 with frontage on Memorial Drive.

Property Owners: IPARCEL.NET, L.L.C.

Applicant/Agent: Blue Tiger Properties, L.L.C.

Acreage: 1.23 Acres

Existing Land Use: Undeveloped

Surrounding Properties: Single-Family Detached Residences; Waffle House
Exxon Auto Fuel Gas Pumps; St Phillip AME Church

Adjacent & Surrounding Zoning: North & East: R-75 (Residential Medium Lot) District
South: C-1 (Local Commercial) District
West: City of Atlanta (Residential)

Comprehensive Plan: Suburban (SUB) Consistent X

Proposed Building Square Feet: 39,100 square feet on 1.23 acres	Existing Building Square Feet: N/A
Proposed Lot Coverage: <80%	Existing Lot Coverage: N/A

SUBJECT SITE & ZONING HISTORY

Per the submitted survey, the site consists of 1.23 undeveloped acres on unimproved East Tupelo Street, located east of the City of Atlanta and west of North Ellington Street. Located at 2421, 2431 and 2435 E. Tupelo Street, Atlanta, Georgia, the site consists of mature dense vegetation. Surrounding and nearby properties include commercial uses west and south of the site along Memorial Drive and Candler Road. East of the site is single-family detached residences along North Ellington Street. The site has been zoned R-75 (Residential Medium Lot) District since the adoption of the DeKalb Zoning Ordinance in 1956.

PROJECT ANALYSIS

The request is to rezone property from the R-75 (Residential Medium Lot) District to C-1 (Local Commercial) District to allow development of a storage facility in combination with the adjacent C-1 zoned property fronting on Memorial Drive for a total of 2.68 acres. Per the information and site plan submitted with the application, the subject site is landlocked to the extent that the right-of-way for Tupelo Street is not improved. The subject site makes up the rear portion of the proposed storage facility. A portion of the subject site (.61 acres) will be undisturbed green space. The remainder will be developed with as a 2-story with basement storage facility consisting of 39,100 square feet. The adjoined C-1 zoned property will be developed with a 3-story storage facility with basement and office consisting of 136, 896 square feet. The overall building total square footage is 175,996 square feet.

The submitted site plan depicts one (1) full service curb cut on Memorial Drive (a major arterial & SR 154). No road improvements are proposed for East Tupelo Street. An internal drive extends along the west property line to access the two-story storage facility in the rear of the site. Six (6) parking spaces are depicted along the property frontage on Memorial Drive. Proposed hours of operation to access the storage units are 6:00a.m. until 10:00p.m. The office will be open Monday through Saturday from 9:00 a.m. until 6:00p.m.

The site plan fails to depict transitional buffer and fencing adjacent to residential zoned properties as required per Article 5.4.5 of the DeKalb County Code. The applicant has indicated to Planning Staff that a buffer variance will be requested from the Zoning Board of Appeals.

ZONING ANALYSIS

The requested C-1 (Local Commercial) District without required transitional buffers and fence screening is not compatible with adjacent single-family development east of the subject site along N Ellington Street. North and east of the site is zoned R-75 (Residential Medium Lot District). Given that the subject site is the rear portion of the self-storage facility with no access on an unimproved street, traffic within the site may negatively affect adjacent residential properties. In lieu of the buffer and fence screening, the site plan depicts a proposed 20-foot landscape strip adjacent to residential zoned and developed properties. Therefore, given the site's inability to protect existing residential uses and the character of the area along N. Ellington Street, the requested C-1 (Local Commercial) District would not be appropriate for the subject site.

Chapter 27-Article 7.3.5. Standards and factors governing review of proposed amendments to the Official Zoning Map. The following standards and factors are found to be relevant to the exercise of the county's zoning powers and 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.

Located within a Suburban Character Area designated by the 2035 Comprehensive Plan and adjacent to property along a major arterial, the rezoning request to the C-1(Local Commercial) District will allow the extension of commercial related service establishments to encroach within an established residential area and reflect inconsistency with the following Comprehensive Plan Policies: Encourage the use of buffers by large

scale office and commercial uses to reduce noise in residential neighborhoods; and Commercial and offices uses that would have a negative influence on adjacent residential neighborhoods shall not be permitted.

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties.

The rezoning request to allow a self-storage facility without required transitional buffer and screening would not be suitable in view of adjacent and developed residential zoned properties east of the site along N. Ellington Street.

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

The request may not have a reasonable economic use as currently zoned R-75 (Residential Medium Lot) District given the location on an unimproved street (East Tupelo Street).

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

The rezoning proposal to C-1 (Local Commercial) will adversely affect the use of adjacent residential property. Without required buffer and screening, existing single-family residences will be able to view the proposed storage facility and observe customers accessing the facility making the usability of their property unappealing and burdensome for family activities.

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.

Existing, contiguous and surrounding property along unimproved E. Tupelo Street is zoned and developed for single-family detached residences.

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

The proposed rezoning request should not have an adverse effect on historic buildings, sites, districts, or archaeological resources.

G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Per the submitted site for the zoning proposal, there will be no road improvements to access the site from the current unimproved road (East Tupelo Street). All access to the combined site for the self-storage facility will be from Memorial Drive (a four-lane major arterial). The proposed use will have no impact on area schools.

H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

The rezoning proposal to the C-1 district for commercial use should not adversely impact the environment or surrounding natural resources. A significant amount of green space will be maintained in the rear of the site.

COMPLIANCE WITH PROPOSED C-1 DISTRICT STANDARDS

Per the chart below, the proposed use and building does not meet required buffer standards adjacent to residential zoned property.

STANDARD	REQUIREMENT	PROPOSED	COMPLIANCE
LOT WIDTH (C-1)	A minimum 100 feet of lot width on a public street frontage	Approximately 202 feet of frontage along unimproved East Tupelo Street.	Yes
LOT AREA (C-1)	53,471 Square Feet	1.2275 acres	Yes
FRONT BUILDING SETBACK	Minimum 20 Feet Maximum 60 Feet	No front building setback along unimproved E. Tupelo Street frontage. The site area will be the rear of the adjoining property fronting on Memorial Drive.	N/A
TRANS. BUFFERS Table 5.2(a)	50 feet adjacent to R-75 (Residential Medium Lot) District along east property line zoned district.	20-foot landscape strip.	No. The site will need a variance.
HEIGHT	Up to 5 stories	Subject 1.23 acre site will not exceed 2-stories. Overall development will not exceed 3 stories.	Yes
PARKING Article 6	Minimum 1 space for every 8,000 square feet of floor area or max 1 space for each 5,000 square feet.	Subject 1.23 acre site does not depict any parking spaces. The site plan depicts 6 parking spaces on the contiguous parcel along Memorial Drive.	N/A per site plan.

Staff Recommendation: WITHDRAWAL

The applicant is requesting to rezone the property from the R-75 (Residential Medium Lot) District to the C-1 (Local Commercial) District to develop the subject site as a self-storage facility in conjunction with contiguous property fronting along Memorial Drive. Located within a Suburban Character Area designated by the 2035 Comprehensive Plan and adjacent to property along a major arterial, the rezoning request to the C-1(Local Commercial) District will allow the extension of commercial related service establishments to encroach within an established residential area which could encourage other commercial properties fronting on Memorial Drive to increase depth thereby having a negative impact on existing neighborhoods. The proposed request reflects inconsistency with the following Comprehensive Plan Policies: Encourage the use of buffers by large scale office and commercial uses to reduce noise in residential neighborhoods; and Commercial and offices uses that would

have a negative influence on adjacent residential neighborhoods shall not be permitted. Per the applicant's request, the Department of Planning and Sustainability recommends **"WITHDRAWAL"** of the rezoning request to C-1 (Local Commercial). However, should the Board of Commissioners approve the request, Planning Staff offers the following conditions:

1. Limit site to a two-story with basement, 39,100 square foot self-storage facility to be developed in conjunction with the adjacent C-1 (Local Commercial) property south of the site and fronting on Memorial Drive. Site plan is conceptual and subject to the approval of the Director for compliance to zoning code and approved conditions.
2. The self-storage facility hours shall be daily from 6:00 a.m. until 10:00p.m. Storage office hours are limited to Monday through Saturday, 9:00a.m. until 6:00p.m.
3. No building access from the rear or east side of the building. The road extending from entrance lane at the rear of the building is restricted for emergency vehicles only.
4. Street access to the self-storage facility shall be limited to the adjacent property on Memorial Drive as required by the Transportation Division of the Department of Public Works.
5. All refuse areas shall be located to the rear of the site and screened from public view with fencing or similar building materials to match the primary structure.
6. The building facades shall be of dark or earth tones.
7. Provide .61 acres of undisturbed transitional buffer in area depicted as green space on the submitted site plan.
8. Ground signage must be a monument sign with a brick base not to exceed an overall height of ten (10) feet. Sign area shall not exceed thirty-two (32) square feet.
9. Wall-mounted signs shall be channel cut letters directly applied to the building façade. Individual letters shall not exceed 18 inches in height.
10. Provide outside trash receptacles for patrons.
11. Screen roof-top equipment.
12. Obtain lot combination for contiguous parcels prior to obtaining a Land Disturbance Permit (LDP).
13. The 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 Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.

Attachments:

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

NEXT STEPS

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

-  **Land Disturbance Permit** (Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)
-  **Building Permit** (New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)
-  **Certificate of Occupancy** (Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)
- **Plat Approval** (Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)
- **Sketch Plat & Final Plat Approval** (Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)
- **Overlay Review** (Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)
- **Historic Preservation** (A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)
-  **Variance** (Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)
- **Minor Modification** (Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)
- **Major Modification** (Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)
-  **Business License** (Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).
- **Alcohol License** (Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)

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



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control is required as a condition of land development permit approval.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.

N1. Requesting the number of proposed units to determine if traffic study is required per Section 5.3.4.

Presidential Parkway is located within the GDOT right of way for I-285/I-85 interchange. GDOT review and permits are required. At a minimum, 5' sidewalks, pedestrian scale lights and street lights are required per zoning code page 5-14. Relocate entrance to convert existing pavement to provide a left turn lane into property.

N2. See N1.

N3. Add sidewalks, pedestrian scale lights and street lights along the street frontage.

N4. Need more information to comment. Are any of the changes to conditions or removal of conditions related to the Transportation Conditions- please provide.

N5. Fill in sidewalk gaps along Hancock Vw and Hancock Dr. Add pedestrian scale lights and street lights per Zoning Code Chapter 5, page 14.

N6. Memorial Drive is a state route. GDOT review and approval is required. It is also a major arterial. See Chapter 5, page 14 of the Zoning Code and Section 14-190 of the Land Development Code for infrastructure requirements. Street lights, sidewalks and bike lanes (10' path ok in lieu of bike lanes) are required.

N7. Memorial Drive is a state routes. GDOT review and approval is required. It is also a major arterial. See Chapter 5, page 14 and Section 14-190 of the Land Development Code for infrastructure requirements. Street lights, sidewalks and bike lanes (10' path ok in lieu of bike lanes) are required. South Howard is a collector. Dedicate 35' from centerline. Extend sidewalk to driveway at 213 S. Howard Street. Add new curb and gutter, as needed to have at least 5 inches of curbing above asphalt for pedestrian protection. Dedicate a miter of right of way at the corner of South Howard and Memorial.

N8. Rowland Road is a collector road. Dedicate 35 feet from centerline.

N9. South Deshon Road is a minor arterial. Street lights, bike lanes, and a 6' sidewalk required. (See Chapter 5, page 14 of the Zoning Code). Forty foot right of way dedication required from centerline (Section 14-190 of the Land Development Code). New local roads require 55 foot right of way, two 12 foot travel lanes, 5 foot sidewalks and street lights. (Chapter 5, page 14 of Zoning code, Section 14-190 of Land Development Code.) Due to the curve and the new road being on the interior of the curve, verify stopping and intersection sight distance at the intersection (Per AASHTO standards, Speed limit 45mph). Mitigation may be required during the land development process if sight distance is restricted including, but not limited to, right turn lanes, left turn lanes, clearing and grading of right of way to improve sight distance.

N10. No comments

N11. No comments

N12. Both Turner Hill Road and Covington Hwy are state routes and require GDOT review and permits. Both are major arterials. At a minimum- DeKalb requires 6 foot sidewalks, 50 foot right of way dedication (or as much as required for all public infrastructure to be within the public right of way), bike lanes (10 foot path can be constructed in lieu of bike lanes), pedestrian lighting and street lighting. See Chapter 5, page 14 of the Zoning Code and Section 14-190 of the land development code.

N13. See N12

N14. See N12

N15. Text not provided for review.

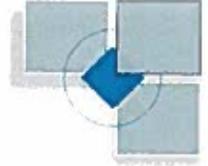
N16. No comments.



DeKalb County Department of Planning & Sustainability

Michael L. Thurmond
Chief Executive Officer

Andrew A. Baker, AICP
Director



NOV 02 2017

APPLICATION TO AMEND OFFICIAL ZONING MAP
OF DEKALB COUNTY, GEORGIA

Z/CZ No. 2-18-21938
Filing Fee:

Date Received: 11/2/17 Application No.:

Applicant: BlueTiger Properties, LLC E-Mail: billokvist@gmail.com

Applicant Mailing Address: 602 Cedar Creek Ridge Rd, Hartsburg, MO 65039

Applicant Phone: 404 998 7082 Fax:

Owner(s): IPARCEL.NET, L.L.C. E-Mail:
(If more than one owner, attach as Exhibit "A")

Owner's Mailing Address: 2025 N Decatur Rd NE, Atlanta, GA 30307

Owner(s) Phone: Fax:

Address/Location of Subject Property: 2421, 2431 & 2435 E Tupelo street

District(s): 15 Land Lot(s): 202 Block: 07 Parcel(s): 010, 011, 012

Acreage: 1.23 Commission District(s): 3

Present Zoning Category: R-75 Proposed Zoning Category: C-1

Present Land Use Category: SUB

PLEASE READ THE FOLLOWING BEFORE SIGNING

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

Disclosure of Campaign Contributions

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

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

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

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

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

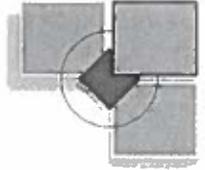


Signature of Applicant / DATE 11/1/17

Check One: Owner Agent X



DeKalb County Department of Planning & Sustainability



Michael L. Thurmond
Chief Executive Officer

NOV 02 2017

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: E-Mail:
Applicant Mailing Address:
Applicant Phone: Fax:
Owner(s): E-Mail:
Owner's Mailing Address:
Owner(s) Phone: Fax:
Address/Location of Subject Property:
District(s): Land Lot(s): Block: Parcel(s):
Acreage: Commission District(s):
Present Zoning Category: Proposed Zoning Category:
Present Land Use Category:

PLEASE READ THE FOLLOWING BEFORE SIGNING

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SIGNATURE OF APPLICANT / DATE
Check One: Owner Agent
Attorney for Applicant



DeKalb County
GEORGIA

404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

NOV 02 2017

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

**PRE-APPLICATION
REZONES, LAND USE AND SPECIAL LAND USE**
(Pre-application required by appointment prior to filing-submit copy at filing)

Property Frontage/Address: 2934, 2940, 2946 Memorial Drive + 2421, 2431, 2421 ^{Dist 3/6} ^{East Tupelo}

Parcel I.D.: 15-202-07-001 thru 003 + 15-202-07012 + 010 Acreage: _____

Proposed Development Name: R60 + C-1 (20,000 sq ft) DRI _____ Yes _____ No

Existing Development/Use: undeveloped

Proposed Use: 3 SF + Mini Warehouse Proposed Density/#Units: _____

Existing Zoning: R75 + R-75 Proposed Zoning: _____

Existing Plan Designation: Suburban + ERC Consistent Inconsistent
Memorial Dr. + warehouse

Proposed Land Use Plan: NA Proposed Access: Improved Topographical for

SLUP Request: _____ Art. 27: _____

Contact Person: Carl Westmoreland Phone: _____

Address: _____ Email: Cwestmoreland@mwmmlaw.com

- Reviewed Required Submittals/ Schedule/DRI
- Reviewed Zoning Standards/Reference Chapter 14
- Reviewed Site Plan Check list
- Discussed Consistency with Plan and Surrounding Zoning/uses
- SLUP Requirements/Supplemental Regs
- Staff Comments: _____

NOV 02 2017

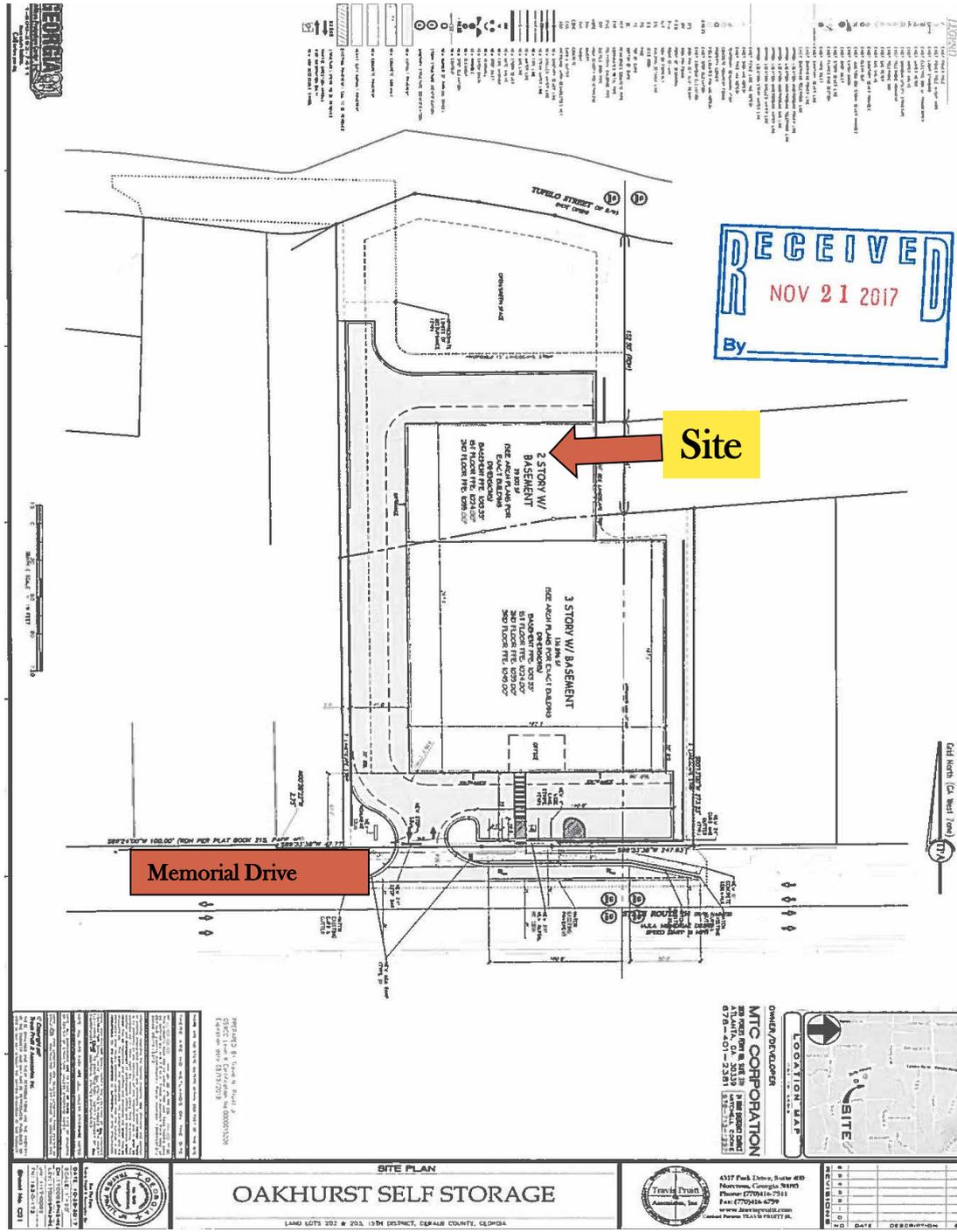
MBS
Planner

8/29/17
Date

NOV 02 2017

RE: MTC/Memorial
Pre-Application Meeting

A meeting was held on October 30 at 7:00 p.m. at St. Phillip's Church, located at 240 Candler Road. A sign-in sheet from the meeting is attached. The meeting lasted approximately 1.5 hours and the bulk of the discussion involved the neighbors' interest in preserving as much greenspace as possible to the rear of the property. Conditions regarding lighting, access, etc. were also discussed and will be addressed in the application.



OWNER/DEVELOPER
MTC CORPORATION
 200 WEST PARK BLVD. SUITE 200
 ATLANTA, GEORGIA 30339
 (404) 525-4211

DATE
 11/21/17

SCALE
 1" = 10'

PROJECT
 OAKHURST SELF STORAGE

LOCATION
 LAND LOTS 202 & 203, 15TH DISTRICT, DEKALB COUNTY, GEORGIA

SITE PLAN
OAKHURST SELF STORAGE

LAND LOTS 202 & 203, 15TH DISTRICT, DEKALB COUNTY, GEORGIA

DATE
 11/21/17

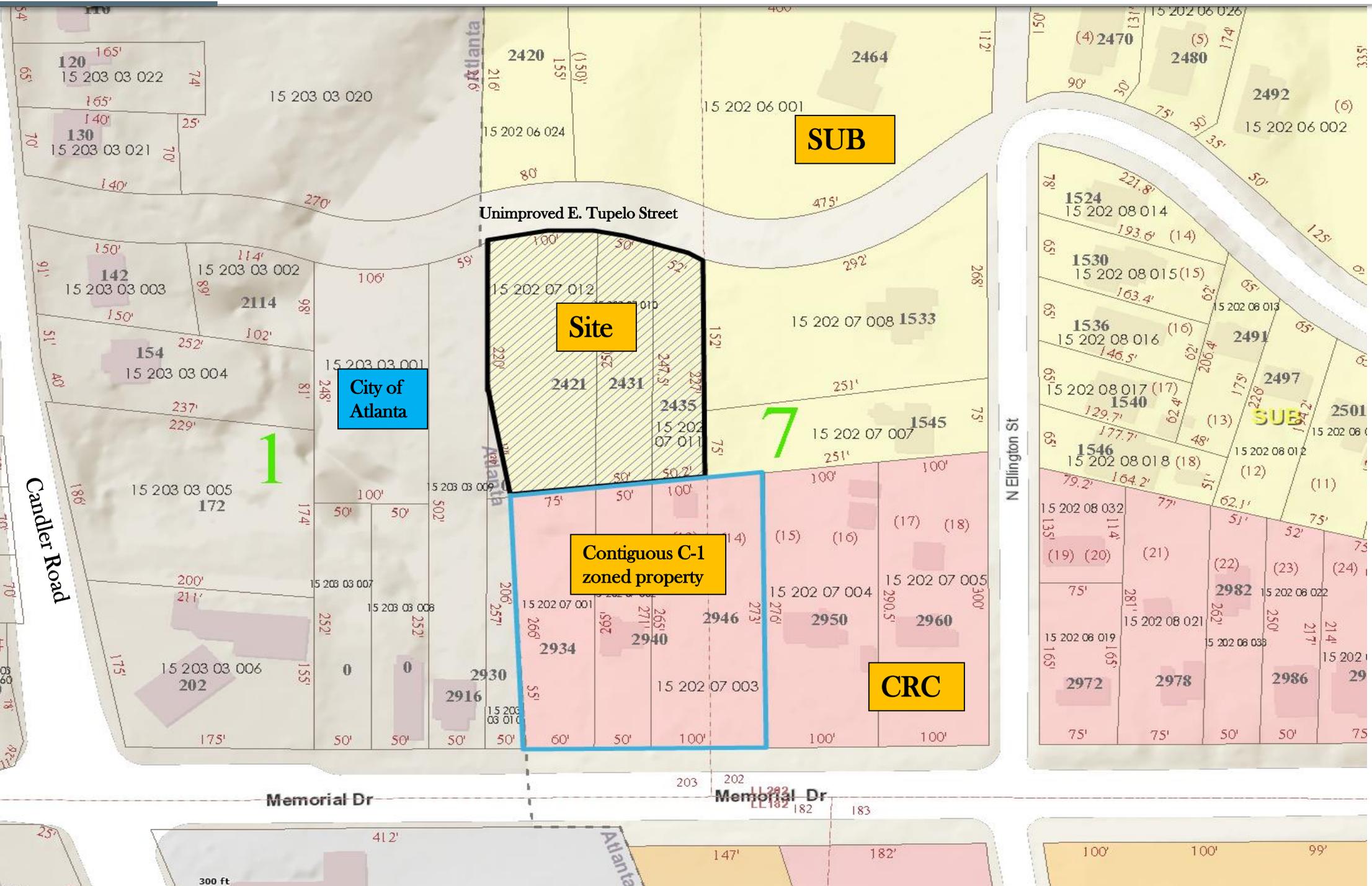
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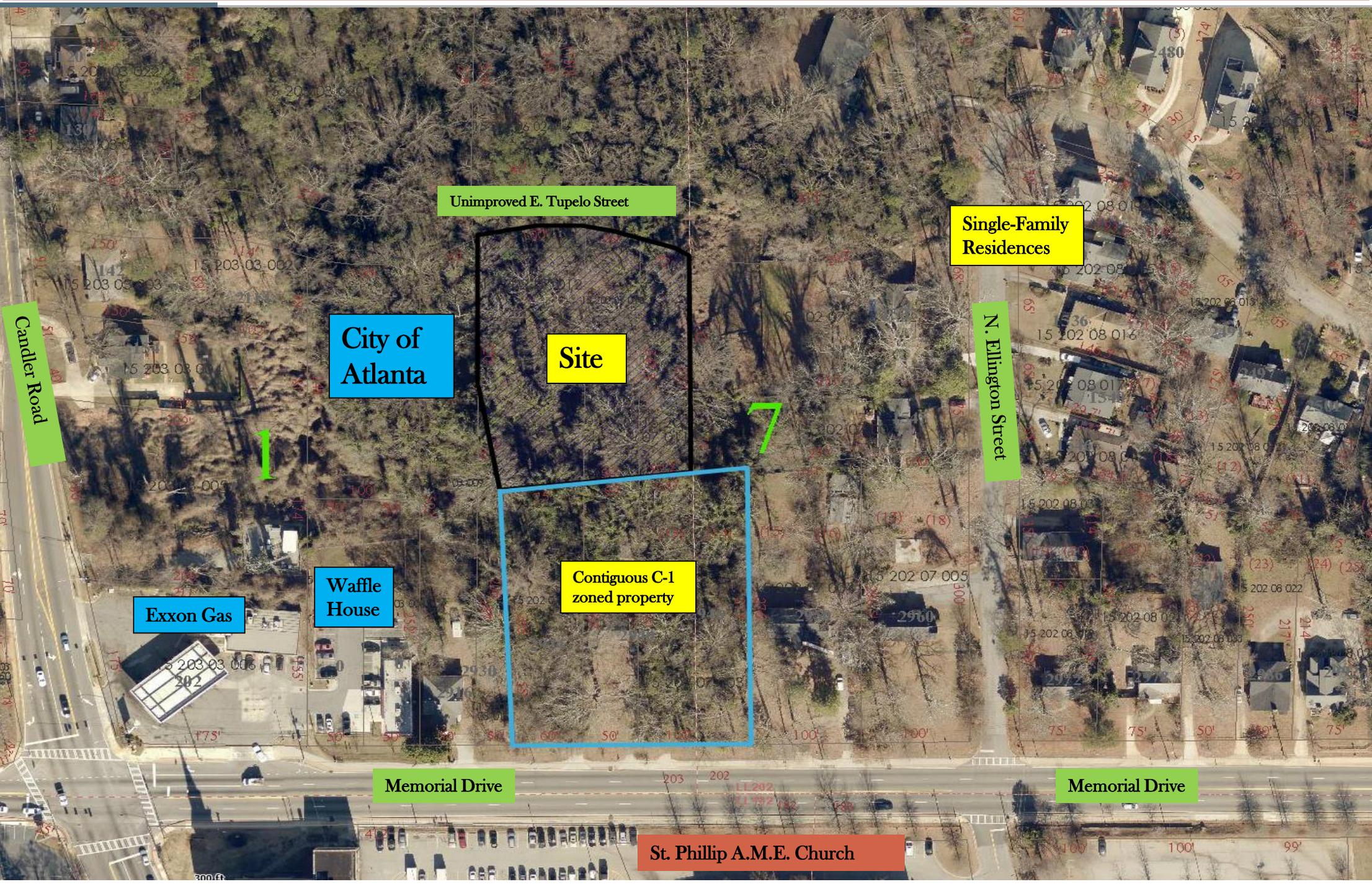
PROJECT
 OAKHURST SELF STORAGE

LOCATION
 LAND LOTS 202 & 203, 15TH DISTRICT, DEKALB COUNTY, GEORGIA



BUILDING	DATE	DESCRIPTION
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Unimproved E. Tupelo Street

Single-Family Residences

City of Atlanta

Site

N. Ellington Street

Candler Road

Contiguous C-1 zoned property

Waffle House

Exxon Gas

Memorial Drive

Memorial Drive

St. Phillip A.M.E. Church

7

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