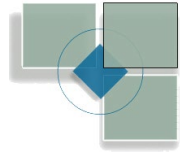




DeKalb County Department of Planning & Sustainability

**178 Sams Street
Decatur, GA 30030**

(404) 371-2155 / plansustain@dekalbcountyga.gov



Michael Thurmond
Chief Executive Officer

**Planning Commission Hearing Date: May 2, 2023
Board of Commissioners Hearing Date: May 25, 2023**

STAFF ANALYSIS

Case No.: Z-23-1246379 **Agenda #:** 2023-0342

Location/Address: 1439 Conway Road **Commission District:** 4 **Super District:** 6
Decatur, GA 30030

Parcel ID: 15-201-01-010

Request: To rezone property from R-75 (Residential Medium Lot-75) to R-60 (Residential Small Lot-60) to allow a lot split to accommodate two single-family detached homes.

Property Owner: Samadi Daoud

Applicant/Agent: Ivo Bakovic

Acreage: 0.756 acres

Existing Land Use: Undeveloped

Surrounding Properties: R-75 (Residential Medium Lot-75)

Adjacent Zoning: **North:** R-75 **South:** R-75 **East:** R-75 **West:** R-75

Comprehensive Plan: SUB (Suburban) **(Consistent)**

Staff Recommendation: Disapproval

The applicant, Ivo Bakovic, on behalf of the property owner Samadi Daoud, has submitted a rezoning request for the property located on the south side of Conway Dr, approximately 900 feet north of the intersection of Memorial Drive and Conway Road. The rezoning request, filed under Case No. Z-23-1246379, seeks to change the zoning designation from R-75 (Residential Medium Lot-75) to R-60 (Residential Small Lot-60) to allow a lot split to construct two single-family detached homes on an undeveloped 0.756-acre parcel.

The proposed rezoning request to R-60 (Residential Small Lot-60) would be inconsistent with the surrounding community. The current zoning character of the area is predominantly R-75 and allowing a conversion to R-60

could disrupt the established harmony and cohesion of the neighborhood and may not be compatible with *DeKalb County's 2050 Comprehensive Plan* which encourages small-scale infill and diverse housing options that do not disrupt neighborhood patterns. (Page 41) Rezoning to R-60 could significantly disrupt established development patterns, deviating from the Plan's objectives and undermining the community's vision for harmonious land use.

Pursuant to Sec. 7.3.5 of the Zoning Ordinance, the following analysis has been conducted to evaluate the proposed rezoning request:

- A. The proposed rezoning to R-60 does not conform to the policy and intent of the DeKalb County's 2050 Comprehensive Plan, which encourages small-scale infill and diverse housing options without disrupting existing neighborhood patterns.
- B. Allowing a conversion to R-60 may not be suitable in view of the use and development of adjacent and nearby properties, which are predominantly zoned R-75, and may disrupt the established harmony and cohesion of the neighborhood.
- C. The property currently has a reasonable economic use as zoned R-75, and the applicant has not provided evidence to the contrary.
- D. Rezoning to R-60 could significantly disrupt established development patterns, potentially adversely affecting the existing use or usability of adjacent or nearby properties.
- E. No other existing or changing conditions have been identified that would support either approval or disapproval of the zoning proposal.
- F. The zoning proposal does not involve any known historic buildings, sites, districts, or archaeological resources.
- G. The applicant has not provided sufficient information to determine whether the proposed rezoning to R-60 will result in an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- H. The applicant has not provided sufficient information to assess whether the proposed rezoning to R-60 would adversely impact the environment or surrounding natural resources.

The applicant failed to properly host a community meeting before submitting the rezoning application and were required to host a second community meeting. However, the invitations to the second meeting appear to have been sent out incorrectly. A resident has reported receiving an invitation letter for the virtual community meeting that failed to provide a link and instructions on how to access the meeting. Therefore, this application has not complied with the community engagement process of the *Zoning Ordinance*.

Therefore, upon review of Section 7.3.5 A & B, the Planning & Sustainability Department recommends denial of this rezoning request.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
RACHEL BRAGG RLBRAGG@DEKALBCOUNTYGA.GOV OR
JOHN REID JREID@DEKALBCOUNTYGA.GOV

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

Case No.: SLUP-23-1246382

Parcel I.D. #: 15-201-01-010

Address: 1439 Conway Road

Decatur, Ga 30030

WATER:

Size of existing water main: 8" DIP (adequate/inadequate)

Distance from property to nearest main: Adjacent

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Shoal Creek

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

Water Treatment Facility: Snapfinger () adequate () inadequate

Sewage Capacity; 36 (MGPD) Current Flow: 28 (MGPD)

COMMENTS:

Sewer capacity may be required.

Signature: Yola Lewis

Board of Health

4/14/2023

To: Mr. John Reid, Senior Planner
From: Ryan Cira, Environmental Health Manager
Cc: Alan Gaines, Environmental Health Deputy Director
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.


Board of Health

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.

N1 2023-0334**SLUP 23-1246378**

16-183-02-003, 16-202-02-005

4449 Rockbridge Road, Stone Mountain, GA 30083

- Please review general comments.
- Note: There are several properties of septic in this area.

N2 2020-0335**Z-23-1246378**

16-183-02-003, 16-202-02-005

8361 & 8637 Covington Highway, Lithonia, GA 30058

- Please review general comments.

N3 2023-0335**SLUP 23-1246382**

18-053-02-036

1500 North Decatur Road, Atlanta, GA 30306

- Please review general comments.

N4 2023-0337**CZ 23-1246383**

18-103-03-017, 18-103-03-018

1799 & 1805 Clairmont Road, Decatur, GA 30033

- Please review general comments.
- Our record indicates a septic system installed on surrounding property at 1788 Clairmont. No record in our office for 1799 or 1805 Clairmont Road. This property may have a septic system.

Board of Health

N5 2023-0338**Z -23-1246384**

15-053-03-001, 15-044-09-030

2001 River Road & 2938 Bouldercrest Road, Ellenwood, GA 30394

- Please review general comments.
- Note: Septic system indicated on surrounding areas.

N6 2023-0339**SLUP 23-1246386**

15-200-02-040 15-200-02-040

3507 Memorial Drive, Decatur, GA 30032

- Please review general comments.
- This establishment should contact Health Department Division of Environmental Health

N7 2023-0340**Z 23-1246390**

15-021-01-010, 15-021-02-015, 15-021-01-016

2098 & 2124 Cedar Grove Road, Conley, GA 30288

- Please review general comments.
- Note: Septic system location on this property installed on 11/08/1985.

N8 2023-0341**SLUP 23-1246391**

15-021-01-010, 15-021--01-015, 15-021-021-01-016

2098 & 2124 Cedar Grove Road, Conley, GA 30288

- Please review general comments.
- Note: Septic system location on this property installed on 11/08/1985.

N9 2023-0342**Z-23-1246379**

15-201-01-010

1439 Conway Road, Decatur, GA 30030

- Please review general comments

Zoning Comments – April 2023

N1. 4449 Rockbridge Road - Rockbridge Road is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 10-foot multiuse path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Only one access point allowed on Rockbridge Rd. Watch required driveway spacing in Code Section 14-200(6).

N2. 8361 Covington Hwy/8367 Covington Hwy - Stonecrest Overlay District Tier 1. Covington Hwy is classified as a major arterial. (This section is not a state route.) Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 10-foot multiuse path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Only one access point allowed on Rockbridge Rd. Please provide sheet C-112 (as referenced) for the ROW improvements.

N3. 1526 North Decatur Road - Within the Druid Hills Historic District. North Decatur Road is a minor arterial. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 10-foot multiuse path (dependent on Historic District Review). No poles may remain within the limits of the path. Requires pedestrian scale streetlights of the historic district street lighting standard. (hefowler@dekalbcountyga.gov)

N4. 1799/1805 Clairmont Road - Clairmont Road is SR 155. DeKalb County standards apply unless more restrictive standards are required by GDOT. GDOT review and approval required prior to permitting. (mwilson@dot.ga.gov) GDOT Right of way AND Signal upgrade permits required. Upgrade pedestrian signal head/crosswalks at the signalized intersection. Clairmont Road is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 10-foot multiuse path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.)

N5. 2001 River Road - Project within the Bouldercrest Overlay District Tier Corr 1. Bouldercrest Road is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 10-foot multiuse path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) River Road is classified as a minor arterial. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 10-foot multiuse path. Old Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Old River Road is classified as a local residential road. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 5-foot sidewalk. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.)

N6. 3507 Memorial Drive - Memorial Drive a state route. DeKalb County standards apply unless more restrictive standards are required by GDOT. GDOT review and approval required prior to permitting. (mwilson@dot.ga.gov). Memorial Drive is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 10-foot multiuse path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Connect sidewalks in front of outparcels, as right of way allows. Coordinate with the Transportation Division.

N7. & N8. 3345 Bouldercrest Rd/2098 Cedar Grove Road - Bouldercrest overlay Dist. Tier 3. Soapstone Hist District (2098). Bouldercrest Road is classified as a major arterial. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 10-foot multiuse path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Cedar Grove Road is classified as a Minor Arterial. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 10-foot multiuse path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Extend sidewalks to Clark Street, as right of way allows. Coordinate with the Transportation Division. Relocate guest parking away from Bouldercrest Road to reduce conflicts with entering/exiting space, driveway, and Bouldercrest Rd.

N9. 1439 Conway Drive - Conway Drive is classified as a local road. Extend road along property frontages. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip from back of curb with a 5-foot sidewalk. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.)



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:

- **Storm Water Management**

- (1) 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 **(those sections have been amended recently, and available in Municode)**, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the state waters and special flood hazard areas.
- (2) The county codes require the hydrology study to model the existing conditions as wooded
- (3) Runoff Reduction Volume shall be provided unless technical justification is provided regarding the unfeasibility. Strongly recommend investigating the site and identify location where RRv can be provided and re-design/revise the layout to comply with the RRv requirement.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was 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. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was 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.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

1-9

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: N-9-2283-0342
2-23-1246379 Parcel I.D. #: 15-201-01-010

Address: 1439
Conway Rd
Decatur, Ga 30030

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) 6/7TH 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:

Field And plans reviewed. Nothing found that would show traffic pattern change.

Signature: [Signature]

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Date Received: _____ Application No: _____

Applicant Name: Ivo Bakovic

Applicant E-Mail Address: Ivo0bakovic@gmail.com

Applicant Mailing Address: 1420 Bellsmith Dr. Roswell GA 30076

Applicant Daytime Phone: 4705462805 Fax: _____

Owner Name: Samadi Daoud

If more than one owner, attach list of owners.

Owner Mailing Address: 3702 Lake Edge Dr. Suwanee GA. 30024

Owner Daytime Phone: (678) 571-0474

Address of Subject Property: 1439 Conway Dr. Decatur GA. 30030

Parcel ID#: 152010101

Acreage: 0.756 Commission District: _____

Present Zoning District(s): 04 -unincorporated

Proposed Zoning District: 04 -unincorporated

Present Land Use Designation: Residential Lot

Proposed Land Use Designation (if applicable): Residential Dwelling

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: David Samadi Phone: : 678-571-0474 Email: davidsamadi@charter.net

Property Address: 1439 Conway Rd

Tax Parcel ID: 15 201 01 010 Comm. District(s): 4 & 6 Acreage: .79

Existing Use: Vacant Land Proposed Use Single-family detached

Supplemental Regs: N. Overlay District: NA DRI: NA

Rezoning: Yes No

Existing Zoning: R-75 (Single-family)

Proposed Zoning: R-60 (Single-family)

Square Footage/Number of Units: _____

Rezoning Request: R-75 R-60 for single-family detached homes

Land Use Plan Amendment: Yes No

Existing Land Use: SUB Proposed Land Use: NA----- Consistent Inconsistent

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

Special Land Use Request(s) NA

Major Modification:

Existing Case Number(s): NA

Condition(s) to be modified:

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: Review Calendar Dates: PC: 03/07/23*
BOC: 03/30/23* Letter of Intent: Impact Analysis: Owner Authorization(s):
Campaign Disclosure: Zoning Conditions: Community Council Meeting: 02/13/23 or
02/16/23* Public Notice, Signs: (**Applicant must pick up and post and/or will be done by
Staff**) 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

***These are the relevant deadlines assuming the Board of Commissioners adopts the 2023 calendar on
November 17th, 2022.**

***Deadline for hosting pre-community meeting with 15 days notice for March 2023 agenda cycle would
be 12/21/22 and Filing Deadline for **complete** application would be 12/22/22.**

***If a complete application is submitted after 20 cases have been submitted, application will be moved to
the May 2023 agenda cycle.**

Review of Site Plan

Density: Density Bonuses: Mix of Uses: Open Space:
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: Streetscapes: Sidewalks: Fencing/Walls:
Bldg. Height: Bldg. Orientation: Bldg. Separation: Bldg. Materials: Roofs:
 Fenestration: Façade Design: Garages: Pedestrian Plan:
Perimeter Landscape Strip:

Possible Variances: Applicant will need to justify how the proposed R-60 rezoning is consistent and
compatible with R-75 zoned single-family surrounding area. Show compliance with R-60 requirements,
including but not limited to minimum lot area and lot width, maximum building height, streetscape
improvements, etc. The applicant is encouraged to contact Land Development Division of Public Works
regarding required storm water management, floodplain, and stream buffer issues.

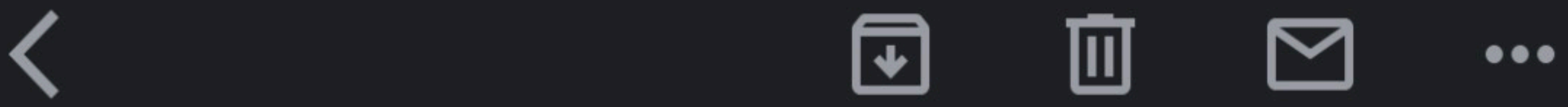
DEPARTMENT OF PLANNING & SUSTAINABILITY

This only a preliminary review and is not a complete list of zoning requirements, a final and complete review will be done upon official submission of a rezoning application and concept plan.

Planner: John Reid _____ Date 11/08/22 _____

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



Zoom meeting invitation - 1439

Conway Dr

Inbox

Deleted Messages



me Feb 4



to ConnorABuckley, carlosdurrah, c... ▾

Ivo Bakovic is inviting you to a scheduled Zoom meeting for 1439 Conway dr

Topic: PROPERTY R-ZONING

Time: Feb 7, 2023 12:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us05web.zoom.us/j/9659482731?pwd=TytPWm40M2s1SFkwUGNuODFab3RKUT09>

Meeting ID: 965 948 2731

Passcode: bt0f5a

Sent from my iPhone

Sent from my iPhone

[VIEW ENTIRE MESSAGE](#)

Zoom-Meeting.ics



ics

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: 1/31/2023

TO WHOM IT MAY CONCERN:

(I) (WE) DAUD SAMADI AND ELVIE SAMADI
Name of owner(s)

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

B3- RESIDENTIAL LOT
PROPERTY ID 15 201 01 010
1439 CONWAY RD
DECATUR, GA 30030

Ivo F. BAKOVIC GUZMAR

Name of Agent or Representative

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

Pamela Kay Harriss
Notary Public
Pamela Kay Harriss
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires 09/08/2026

[Signature]
Owner
[Signature]
Owner

Notary Public

Owner

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 filing of this application?

Yes _____ No X *

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

[Signature] 1/31/23
Signature of Applicant /Date

Check one: Owner Agent _____

Expiration Date/ Seal

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

2021196149 DEED BOOK 29943 Pg 48
Filed and Recorded: 12/2/2021 8:30:00 AM
Recording Fee: \$25.00
Real Estate Transfer Tax: \$91.00
Prepared By:
1663542869
0848497841

Campbell & Brannon, LLC
664 Seminole Avenue NE
Suite 103
Atlanta, GA 30307
File No.: HI212236N
(Phone No.: (404) 446-3930)

STATE OF GEORGIA
COUNTY OF FULTON
PARCEL ID NUMBER: 15 201 01 010

LIMITED WARRANTY DEED

THIS INDENTURE, made on 30th day of November, 2021, between

Tatum M. Masser-Manlove and Laura A. Masser-Manlove

(hereinafter referred to as "Grantor") and

Daoud Samadi and Elvie Samadi
AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP

(hereinafter referred to as "Grantee"), the words "Grantor" and "Grantee" to include the heirs, executors, legal representatives, successors and assigns of said parties where the context requires or permits;
WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee,

See Exhibit A attached hereto and made a part hereof.

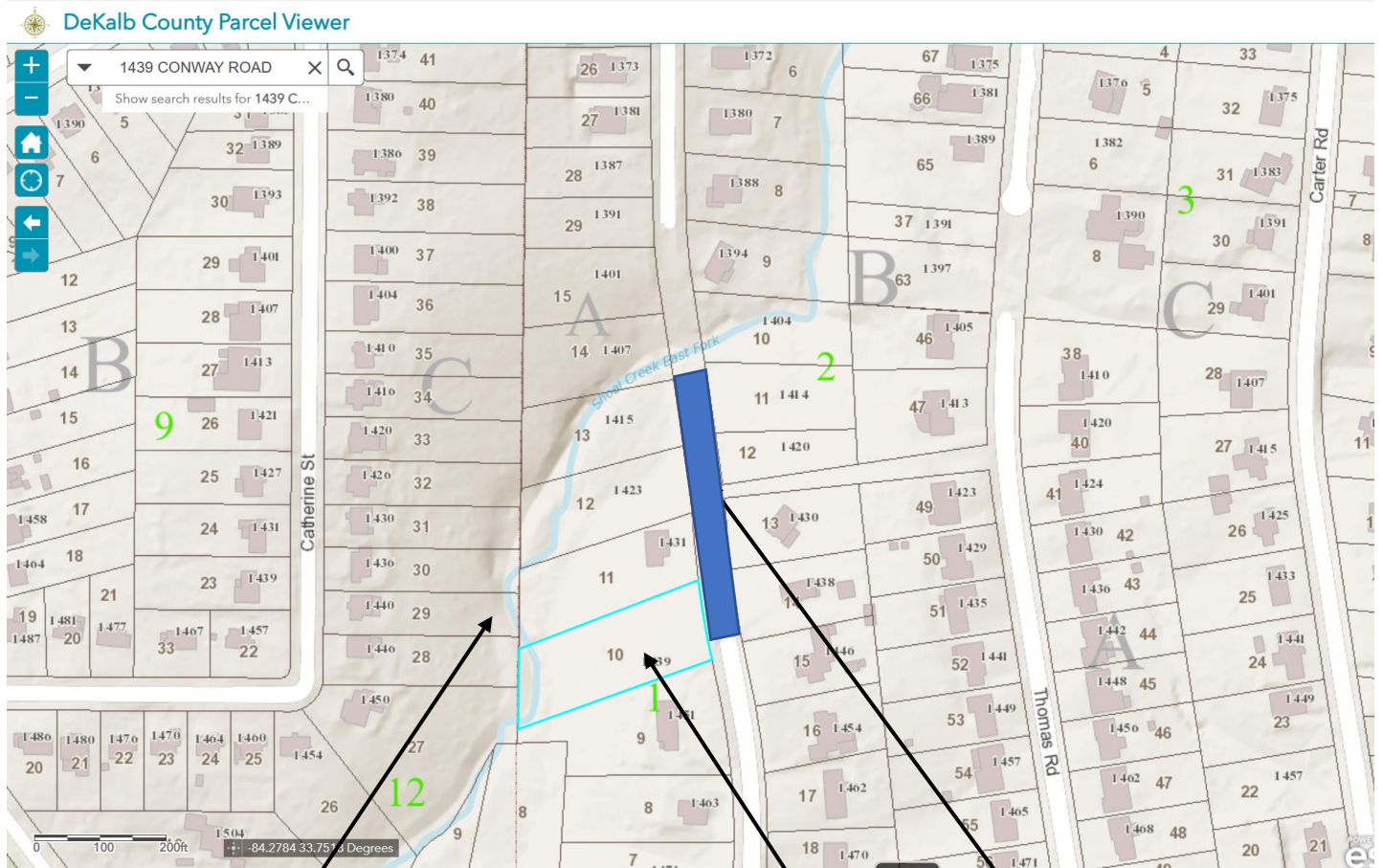
TOGETHER WITH all and singular the rights, members and appurtenances thereto (hereinafter collectively referred to as the "Premises"), the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee.
Subject to all easements, rights of way, and restrictive covenants of record (hereinafter referred to as the "Exceptions").

TO HAVE AND TO HOLD the Premises, subject to the Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all persons claiming by, through or under Grantor, but not otherwise.

2021196149 DEED BOOK 29943 Pg 49
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

EXHIBIT "A"
LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 201 of the 15th District of DeKalb County, Georgia, and being Lot 10 and 20 feet off of the north side of Lot 11, Block A of Columbia Acres Subdivision, as shown on plat recorded in Plat Book 11, Page 88, DeKalb County, Georgia records, which plat is incorporated herein by reference and made a part hereof.

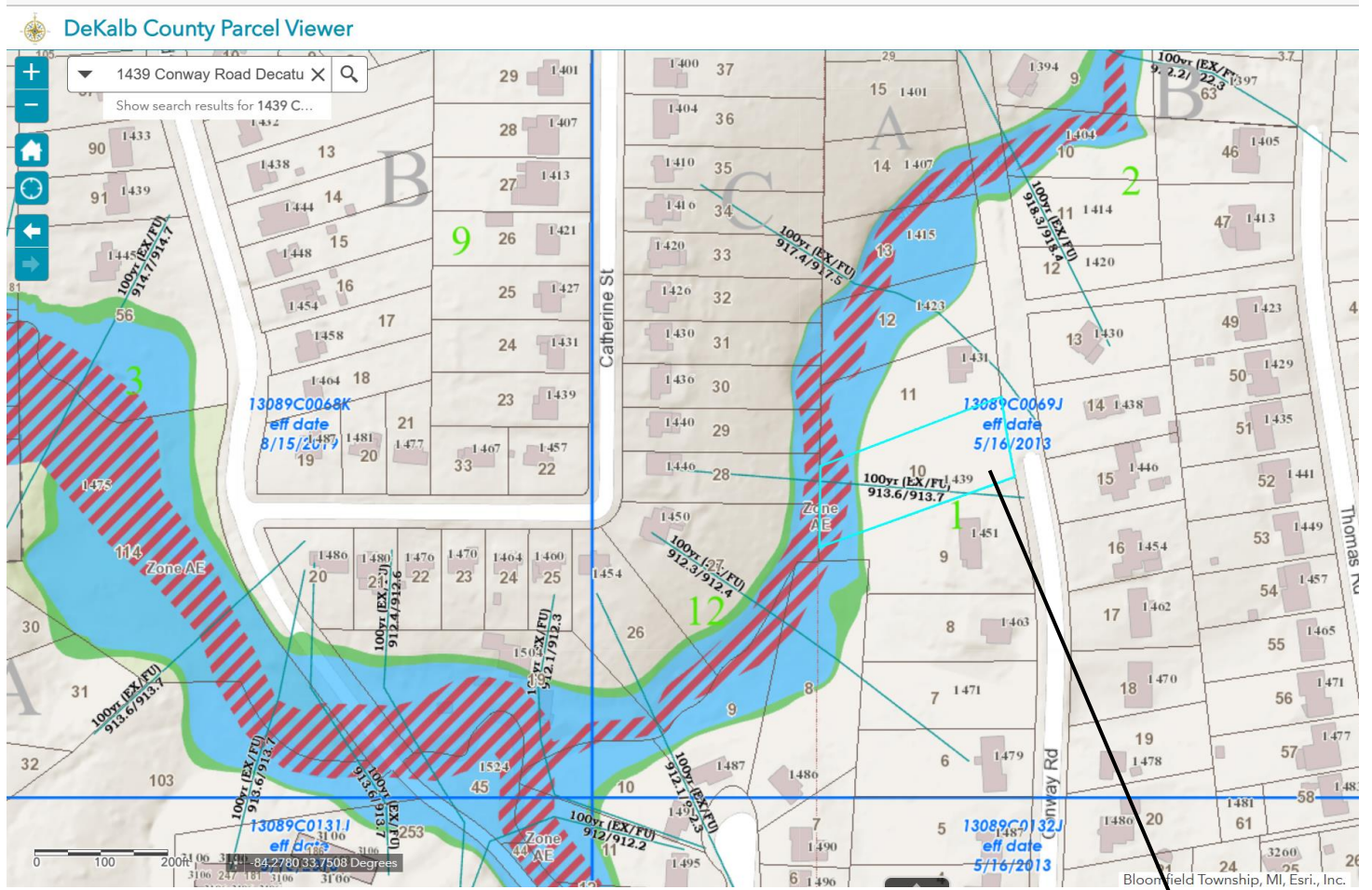


R-75 PROPERTIES WITH LESS THAN 75' FRONTAGE IN THE AREA

PROPERTY LOCATION

UNDEVELOPES STREET

EXHIBIT – 2



PROPERTY LOCATION

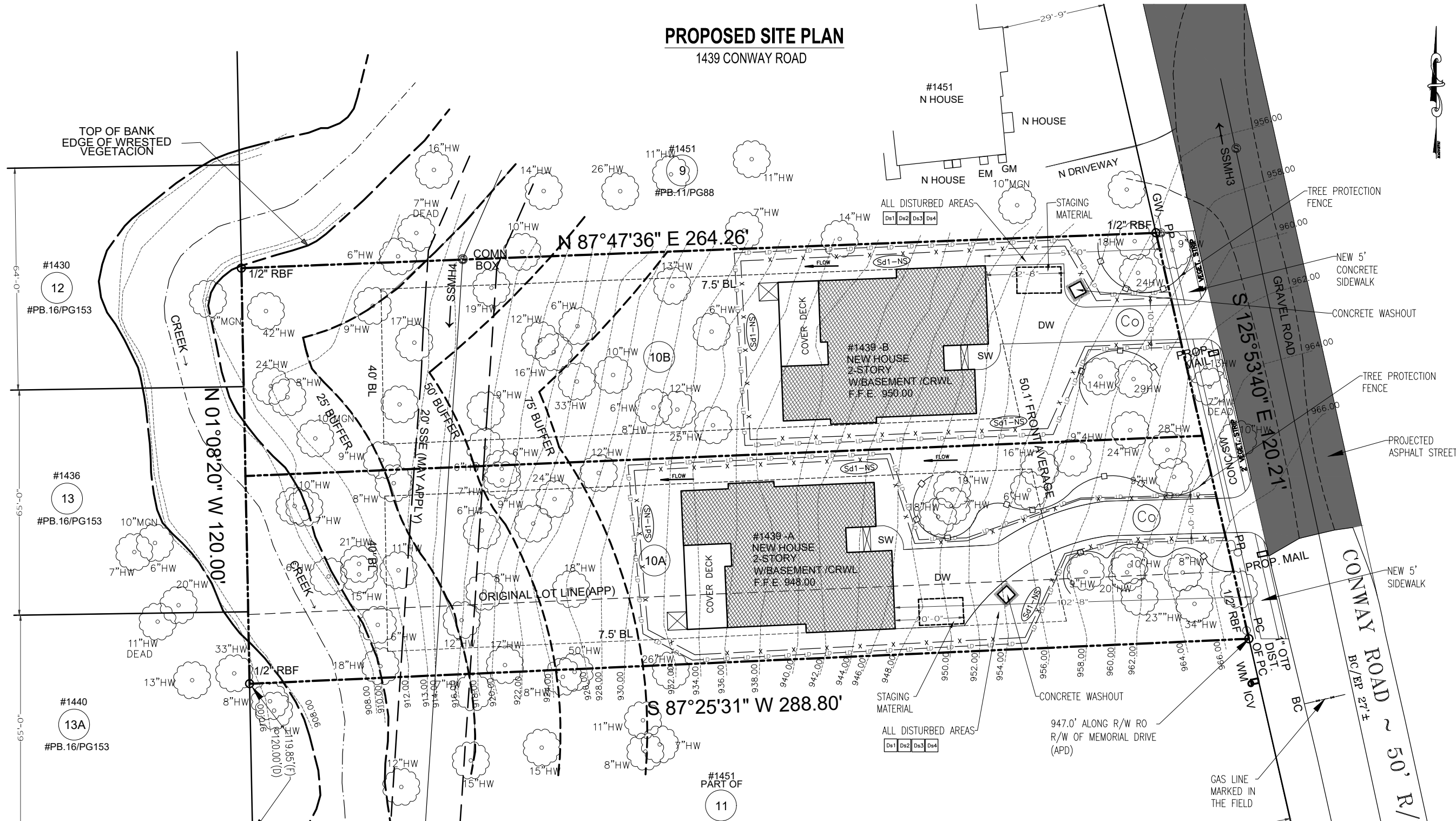
END OF PAVED AREA



BEGINNING OF PROPERTY

PROPOSED SITE PLAN

1439 CONWAY ROAD



LEGEND

- APD AS PER DEED
- AE ACCESS EASEMENT
- APF AS PER FIELD
- AI ANGLE IRON FOUND
- APP AS PER PLAT
- APR AS PER RECORD
- BC BACK OF CURB
- BLK BLOCK
- BLS BUILDING LINE SET BACK
- BRK BRICK
- CBX CABLE BOX
- CB CATCH BASIN
- CL CENTER LINE
- CLF CHAIN LINK FENCE
- CMP CORRUGATED METAL PIPE
- C.O.A CITY OF ATLANTA
- C.O SAN SEWER CLEAN OUT
- C.P. CALCULATED POINT
- CTP CRIMP TOP PIPE FOUND
- D DEED
- DE DRAINAGE INLET
- EB ELECTRIC POWER BOX
- EM ELECTRIC METER
- EP EDGE OF PAVEMENT
- F FIELD
- FP FENCE POST
- FC FENCE CORNER
- FH FIRE HYDRANT
- FR FRAME
- GL GAS LINE
- GM GAS METER
- GV GAS VALVE
- GW GU WIRE
- HDW HEAD WALL
- HW HARDWOOD TREE
- IPF IRON PIN FOUND
- IPS IRON PIN SET
- IR IRON ROD FOUND
- IV IRRIGATION VALVE
- JB JUNCTION BOX
- LLL LAND LOT LINE
- IR IRON ROD FOUND
- MGN MAGNOLIA TREE
- MH MAN HOLE
- MTF METAL FENCE
- N N'BORS
- OH OVEHANG
- OTP OPEN TOP PIPE FOUND
- OU OWNERSHIP UNCLEAR
- P PORCH
- PC RPROPERTY CORNER
- PL PROPERTY LINE
- PN PINE TREE
- POB POINT OF BEGINNING
- PP POWER POLE
- PW POWER LINE
- (P) PLAT
- R RECORD
- RBF REINFORCING BAR FOUND
- RBS REINFORCING BAR SET
- RCP REINFORCED CONC. PIPE
- RD ROOF DRAIN
- R/W RIGHT-OF-WAY
- SN SIGN
- SSL SANITARY SEWER LINE
- SSE SANITARY SEWER EASEMENT
- SP SCREENED PORCH
- SW SIDE WALK
- ST SEWER TAP
- TB TOP OF BANK
- UE UTILITY EASEMENT
- WD WOOD
- WDF WOOD FENCE
- WL WATER LINE
- WM WATER METER
- WRF WIRE FENCE
- WV WATER VALVE
- WW WET WEATHER
- YI YARD INLET
- ⊠ INDICATES STAIRS
- ◻ CONC. WASHOUT

PROP. SITE PLAN PREPARED FOR: NAME: DAVID SAMADI 1439 CONWAY ROAD DECATUR, GA. 30030 PHONE: 678.571.0474			SHEET 1
PROPERTY ADDRESS: 816 SYCAMORE DRIVE DECATUR, GA. 30030			
PARCEL ID: 15 201 01 010 LOT: 10 COUNTY: DEKALB GEORGIA	ENGINEER ACCURATE ENGINEER, INC. 4560 TRINITY PLACE DECATUR, GA 30058 PHONE: 404.218.1504	DISTRICT: 15TH SUBDIVISION: JAN. 7TH, 2023	DELCASDESIGN@GMAIL.COM 470.800.5160

PROPERTY IS ZONED R-75
 PROPOSED ZONE R-60
 BUILDING SETBACKS:
 FRONT - AVERAGE
 REAR - 40'
 SIDE 7.5'
 MAX. BUILDING HEIGHT 35'

FLOOD NOTE:
 I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS IN AN AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO ITS OPINION FOR SAID PARCEL.
 MAP ID: 13099C0099J
 EFFECTIVE DATE: 05/16/2013
 ZONE: X & AE

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS AND INSURANCE COMPANY OR AN APPRAISER.

LOT 10A
 NEW LOT AREA: 16464.915 SF / 0.377
 DISTURBED AREA
 6403.9 SF / 0.14 AC / 19.44%
 PROPOSED IMPERVIOUS AREA
 3745.5 SF / 0.08 AC / 11.37%

PROP. BUILDING AREAS BREAKDOWN
 NEW 1ST FLOOR = 1471.5 Sq/Ft ≈(4.1%)
 NEW SECOND FLOOR = 1665.5 Sq/Ft ≈(4.8%)
 NEW BASEMENT = 781.5 Sq/Ft ≈(2.3%)
 NEW GARAGE = 564.9 Sq/Ft ≈(1.71%)
 NEW FRONT PORCH = 52.2 Sq/Ft ≈(0.16%)
 NEW COVERED DECK = 290.7 Sq/Ft ≈(0.88%)
 NEW DRIVEWAY = 1366.2 Sq/Ft ≈(4.14%)
 TOTAL HEATED AREA = 3918 Sq/Ft

LOT 10B
 NEW LOT AREA: 16464.915 SF / 0.377
 DISTURBED AREA
 6403.9 SF / 0.14 AC / 19.44%
 PROPOSED IMPERVIOUS AREA
 3745.5 SF / 0.08 AC / 11.37%

PROP. BUILDING AREAS BREAKDOWN
 NEW 1ST FLOOR = 1471.5 Sq/Ft ≈(4.1%)
 NEW SECOND FLOOR = 1665.5 Sq/Ft ≈(4.8%)
 NEW BASEMENT = 781.5 Sq/Ft ≈(2.3%)
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 NEW COVERED DECK = 290.7 Sq/Ft ≈(0.88%)
 NEW DRIVEWAY = 1366.2 Sq/Ft ≈(4.14%)
 TOTAL HEATED AREA = 3918 Sq/Ft

PROPOSED HOUSE

1439 CONWAY ROAD

BUILDING AREAS

1ST FLOOR = 1471.5 Sq/Ft

SECOND FLOOR = 1665.5 Sq/Ft

BASEMENT = 781.5 Sq/Ft

TOTAL HEATED AREA = 3918.5 Sq/Ft

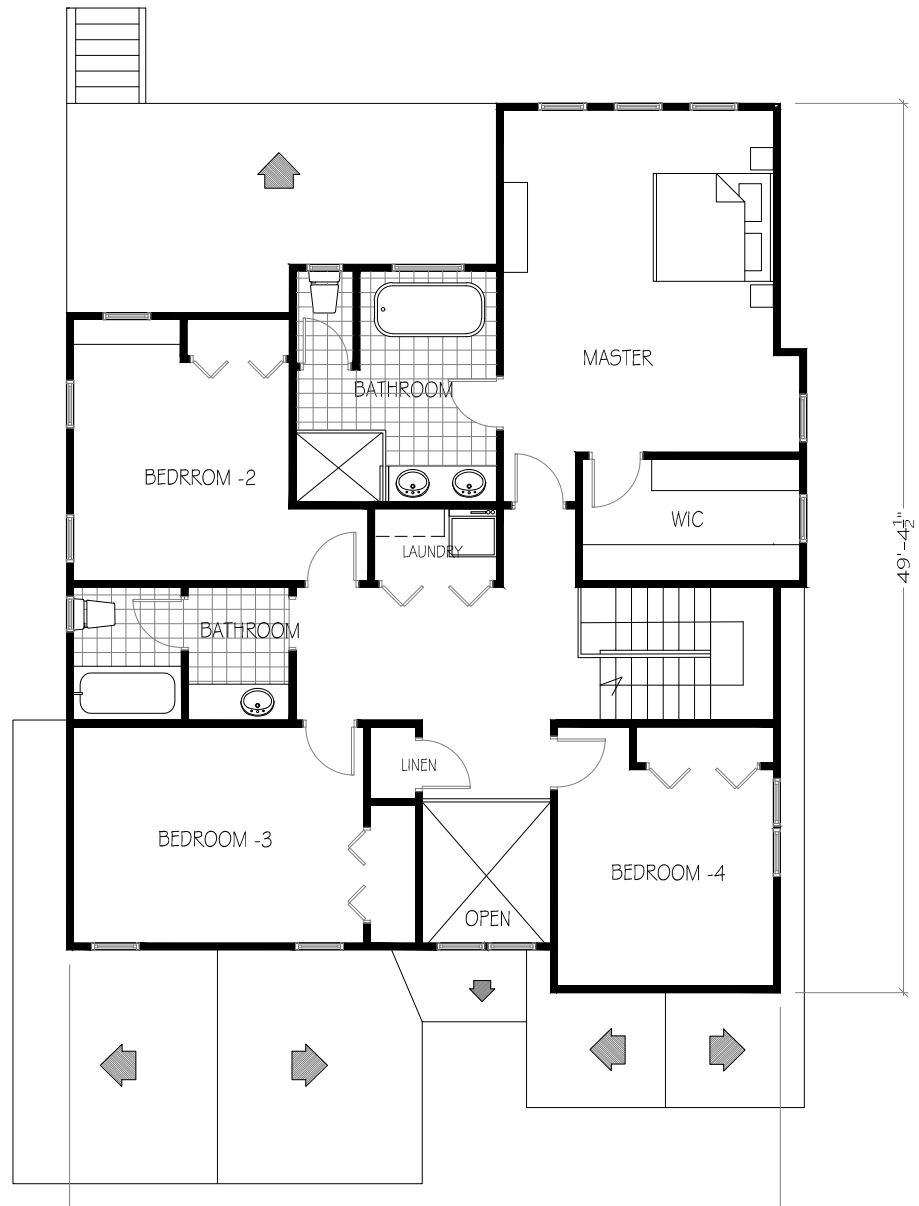


PROPOSED FIRST FLOOR

SCALE 3/32" = 1'-0"

PROPOSED HOUSE

1439 CONWAY ROAD

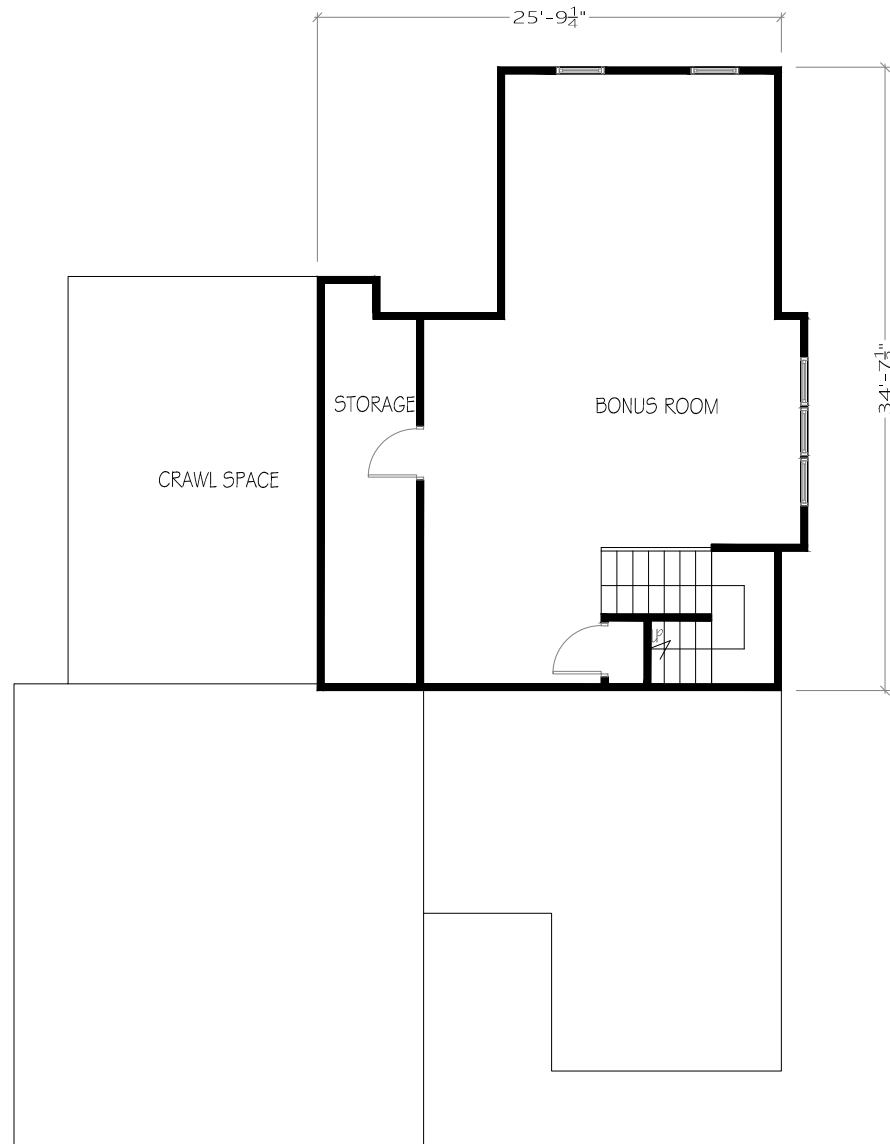


PROPOSED SECOND FLOOR

SCALE 3/32" = 1'-0"

PROPOSED HOUSE

1439 CONWAY ROAD

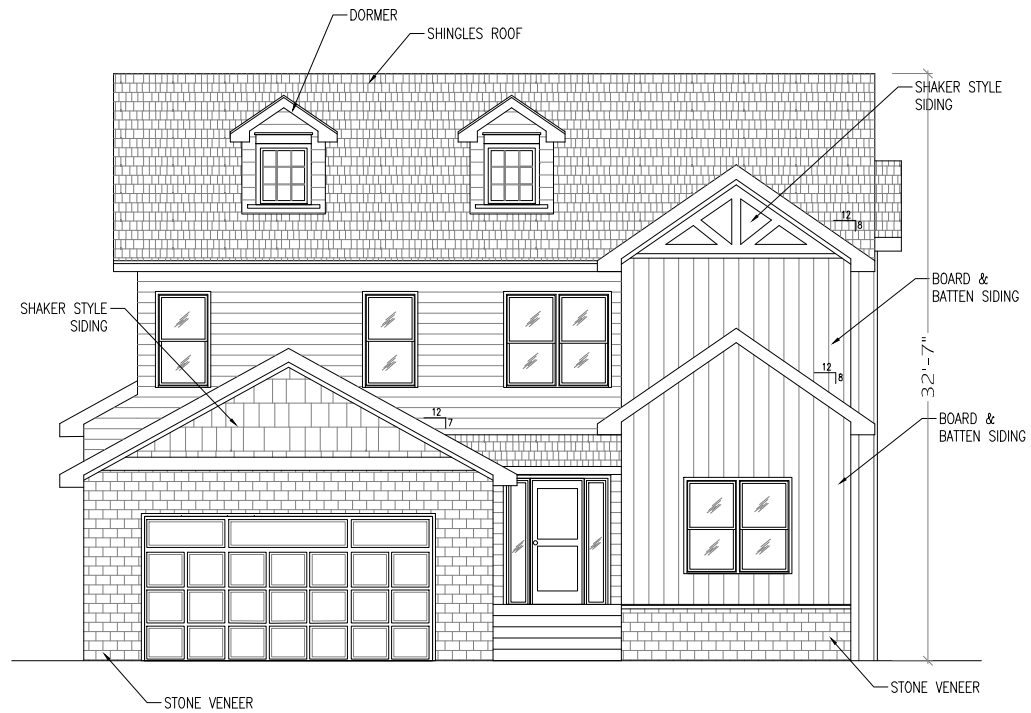


PROPOSED BASEMENT FLOOR PLAN

SCALE 3/32" = 1'-0"

PROPOSED HOUSE

1439 CONWAY ROAD



PROPOSED FRONT ELEVATION

SCALE 3/32" = 1'-0"

PROPOSED HOUSE

1439 CONWAY ROAD

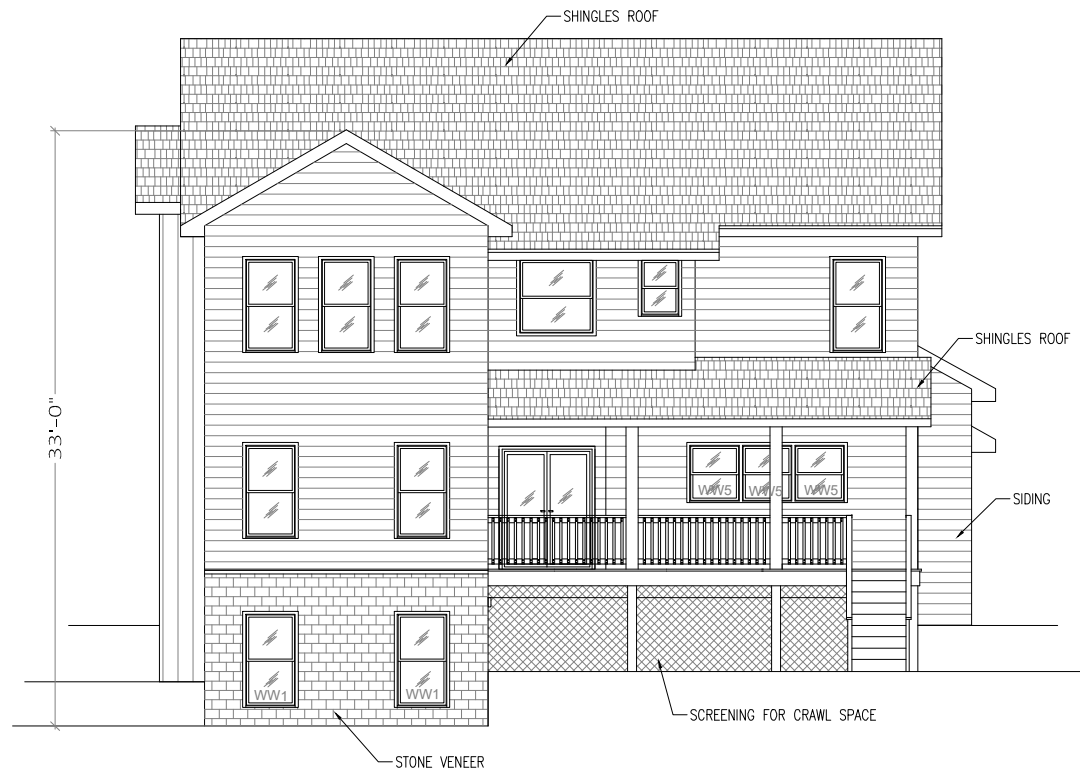


PROPOSED LEFT SIDE ELEVATION

SCALE 3/32" = 1'-0"

PROPOSED HOUSE

1439 CONWAY ROAD

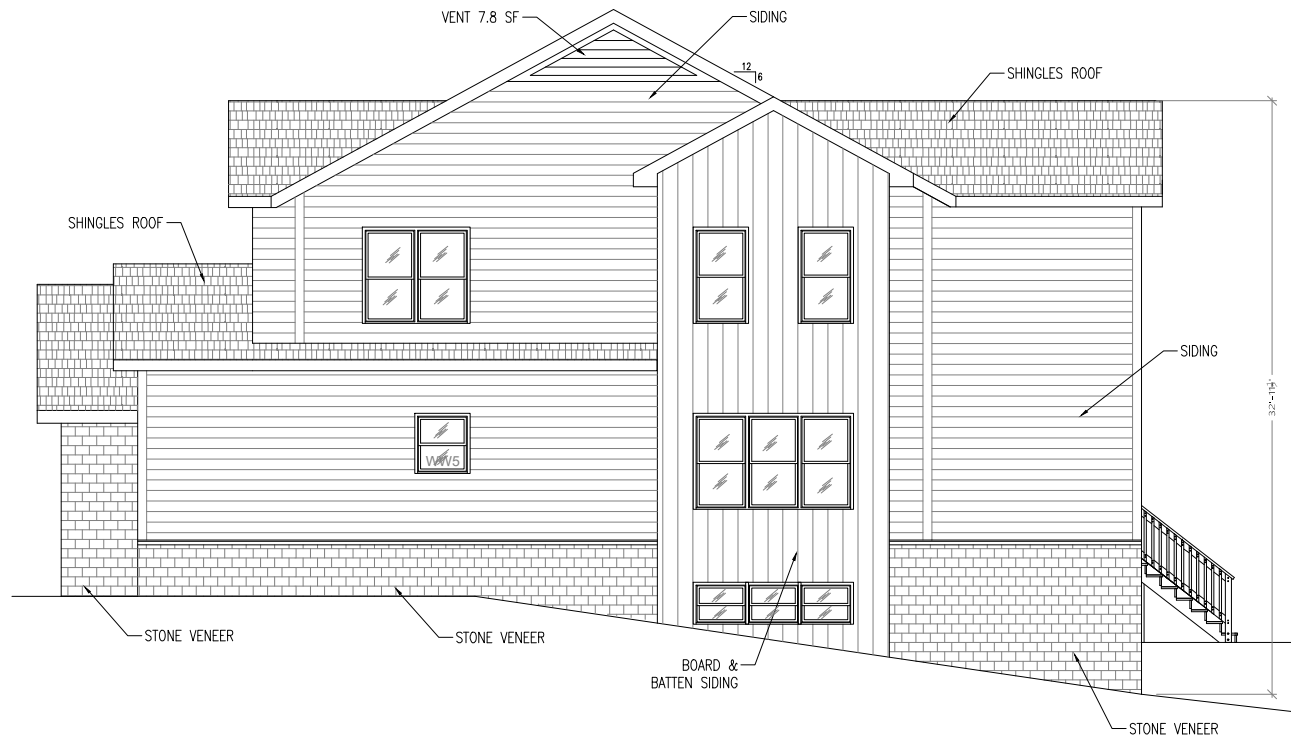


PROPOSED REAR ELEVATION

SCALE 3/32" = 1'-0"

PROPOSED HOUSE

1439 CONWAY ROAD



PROPOSED RIGHT SIDE ELEVATION

SCALE 3/32" = 1'-0"

LETTER OF INTENT

R-ZONING

February 07 th, 2023

TO WHOM THIS MAY CONCERN:

The R-Zoning we are requesting is for the Property located at 1439 Conway Road Decatur, GA. Property ID. 15 201 01 010.

This property is a vacant lot, and this application is to change the existing zoning from R75 to R60 to be able to subdivide the lot in two equal parts and to build (2) single family houses.

The property has 32929.3 Sf / 0.756 Acres with an existing frontage of 120.21 Feet which will result in (2) lots of 16464.65 Sf with 60.1 Feet of front each, in the case the Variance is granted.

The lot is in a Residential Neighborhood on Conway Road which is mainly a paved street, Nevertheless, just in front of the lot, the street change to a dirt road with no further access to the other side of the street.

At this point, the street has not been developed and/or maintained. As a result, especially during rainy season, the dirt and gravel is washed away by the rain into the storm drains, into the property and affecting the creek that surrounds the area, which is in a lower level than the street.

The applicant believes that actions are necessary to create a clear and clean access to all the properties after his lot and finally clean and complete the street and connect it to the rest of the neighborhood because now, the end of the street looks abandoned and disconnected.

The applicant intention is to build two single family aircraft houses and to bring the undeveloped street to the same standards as the existing to finally connect this forgotten portion of the street into the neighborhood. For this purposed, and because of the necessary investment, he is proposing two houses because only one won't allow him to make the mentioned improvements. In the other hand not doing it, diminish the competitive value and the potential that the lot/house has, to be sold; which does not happen to other properties in the same street on the paved area.

According to the GIS map information of Dekalb county, we know that a few houses away from the lot in the other side of the creek and behind the lot, there are lots zoned R75 with frontages in the 60's. In this context, the intension of subdividing the lot does not fall into a irrational petition since the min lot size in R75 is 10.000 Sf and we will provide (2) lots with more Square feet than the min required if the Variance is granted.

The proposed site plan shows the applicant intension to provide a suitable project with the current and proposed zoning complying with the spirit and purposed of the zoning ordinance.

The Applicant believes that the grant of the R-zoning does not constitute a detrimental to the neighbors, in fact, contrary to that, two beautiful new houses and the improvement of the street will contribute to the enhancement and positive development of the area and does not constitute any hardship for third parties.

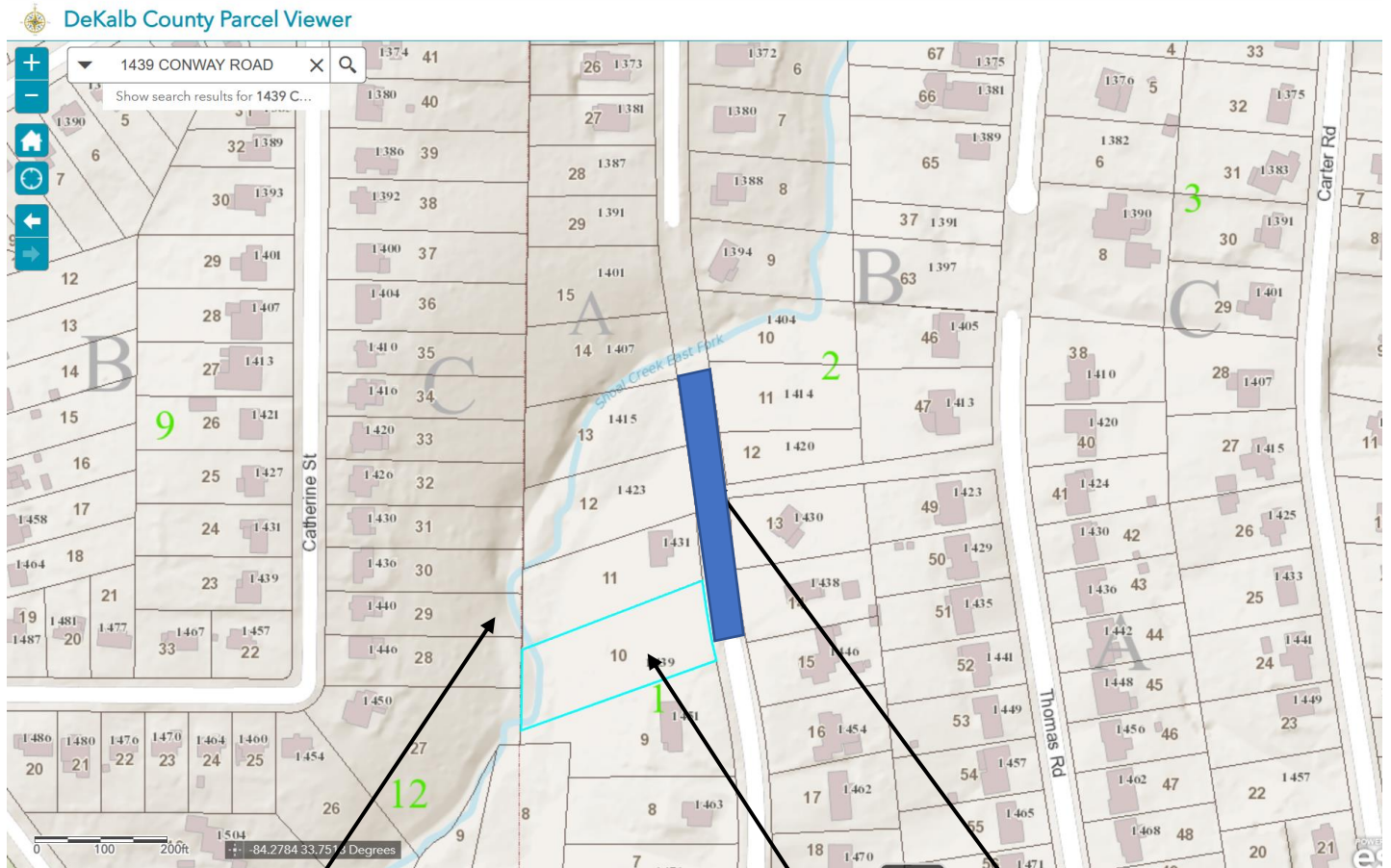
We respectfully request the variance is granted.

Regards,

Ivo Bakovic

Applicant and Owner's Representative.

EXHIBIT – 1

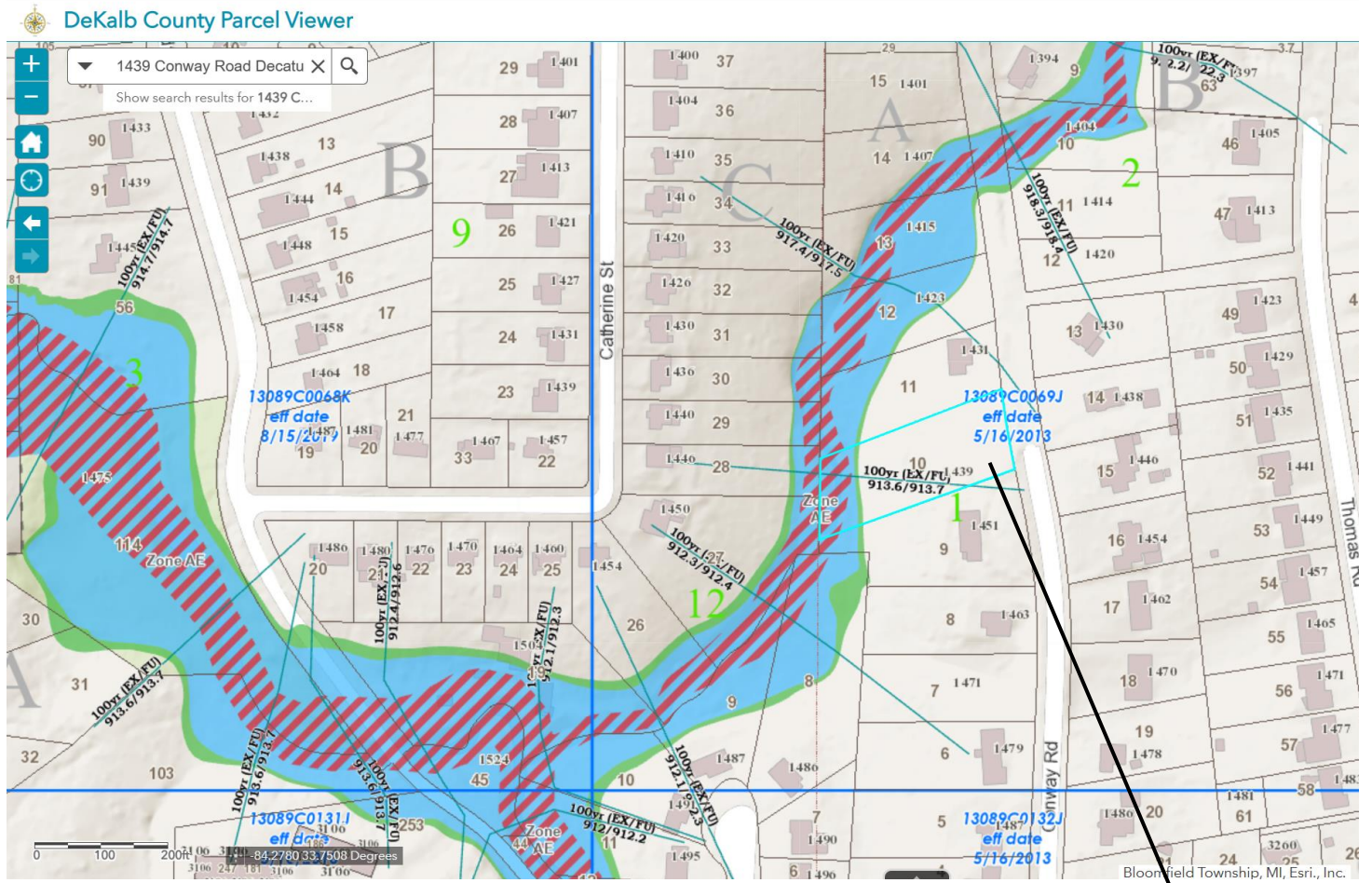


R-75 PROPERTIES WITH LESS THAN 75' FRONTAGE IN THE AREA

PROPERTY LOCATION

UNDEVELOPES STREET

EXHIBIT – 2



PROPERTY LOCATION

EXHIBIT -3

END OF PAVED AREA



BEGINNING OF PROPERTY



404.371.2155 (o) | Clark Harrison Building
404.371.4556 (f) | 330 W. Ponce de Leon Ave
DeKalbCountyGa.gov | Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Date Received: _____ Application No: _____

Applicant Name: Ivo Bakovic

Applicant E-Mail Address: Ivo0bakovic@gmail.com

Applicant Mailing Address: 1420 Bellsmith Dr. Roswell GA 30076

Applicant Daytime Phone: 4705462805 Fax: _____

Owner Name: Samadi Daoud

If more than one owner, attach list of owners.

Owner Mailing Address: 3702 Lake Edge Dr. Suwanee GA.30024

Owner Daytime Phone: (678) 571-0474

Address of Subject Property: 1439 Conway Dr. Decatur GA.30030

Parcel ID#: 152010101

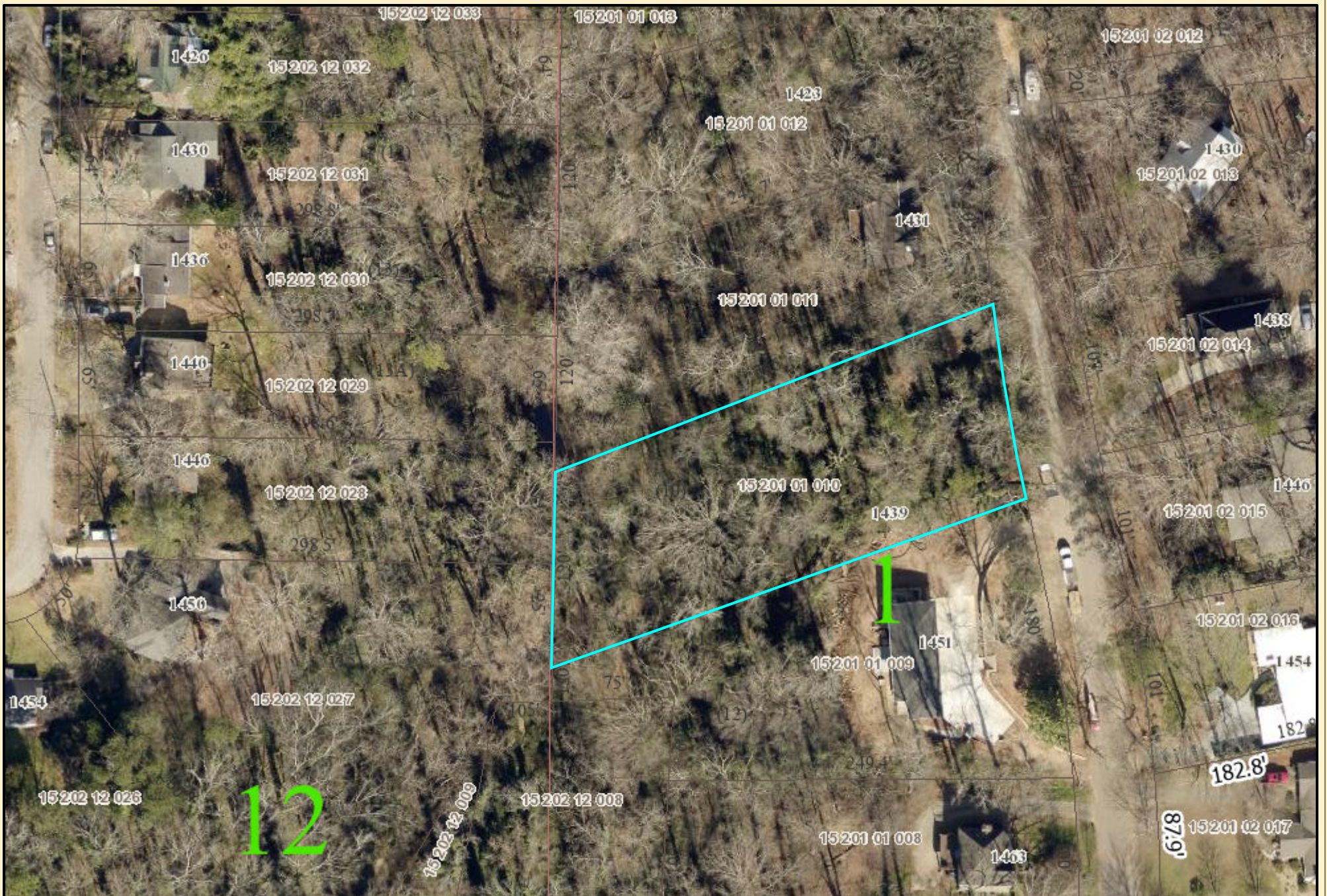
Acreage: 0.756 Commission District: _____

Present Zoning District(s): 04 -unincorporated

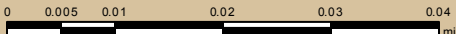
Proposed Zoning District: 04 -unincorporated

Present Land Use Designation: Residential Lot

Proposed Land Use Designation (if applicable): Residential Dwelling



DeKalb County Parcel Map

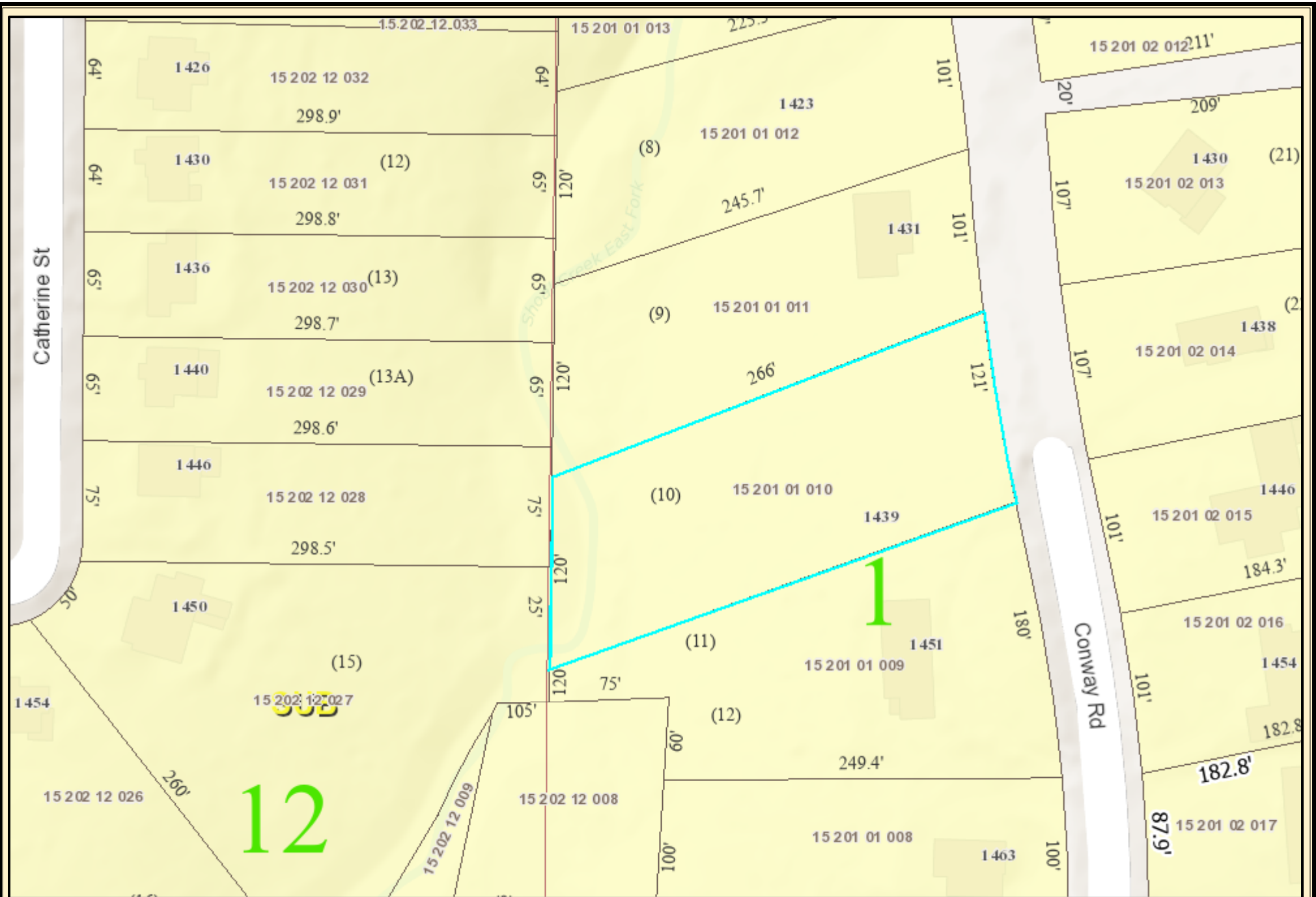


Date Printed: 3/13/2023

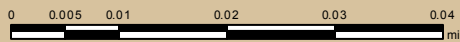


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DeKalb County Parcel Map

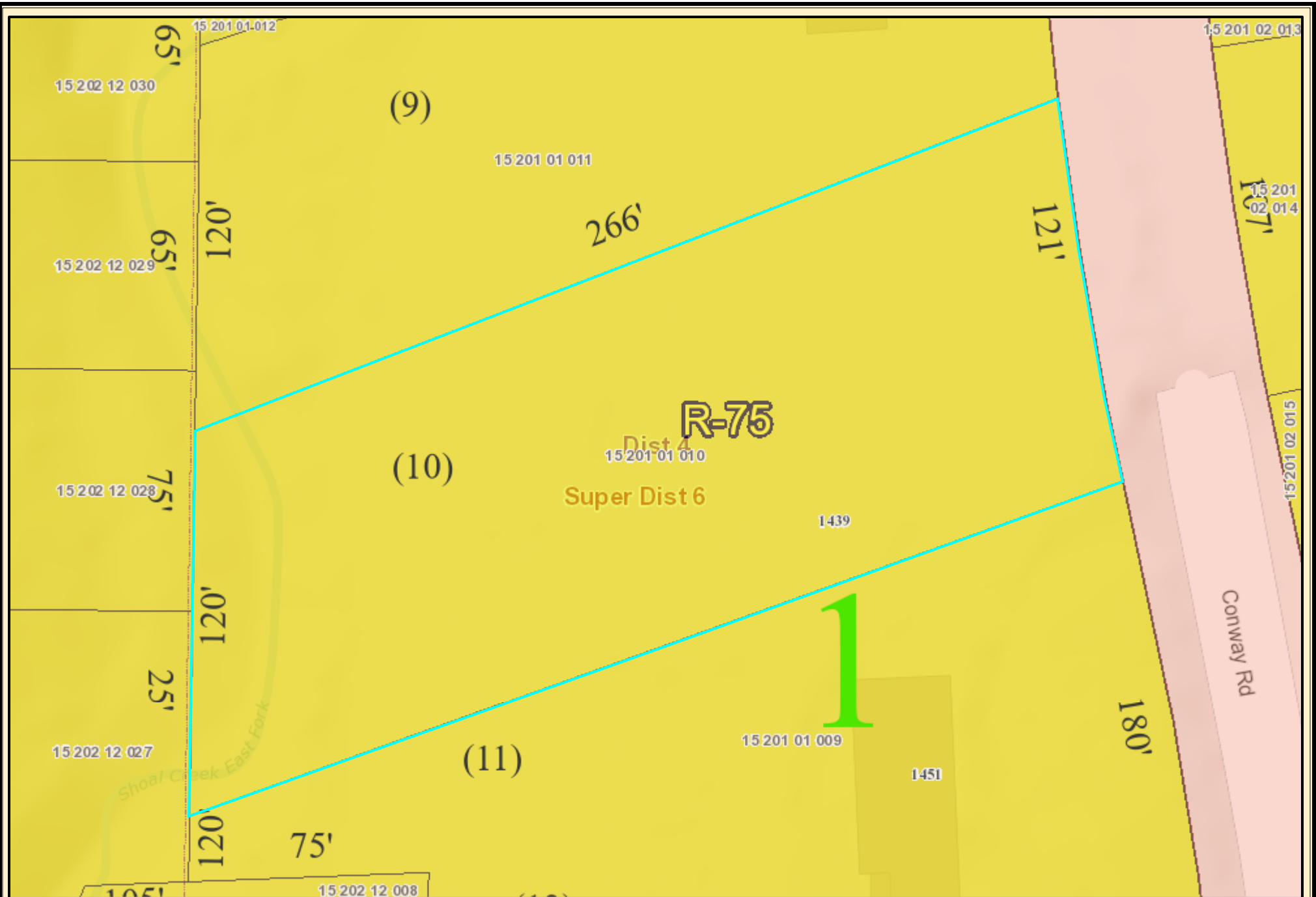


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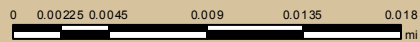


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DeKalb County Parcel Map



Date Printed: 3/13/2023



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