



**DeKalb County Department of Planning & Sustainability**

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

Michael Thurmond  
Chief Executive Officer

**Planning Commission Hearing Date: May 4, 2021, 5:30 P.M.  
Board of Commissioners Hearing Date: May 27, 2021, 5:30 P.M.**

**MAJOR MODIFICATION – CHANGE OF CONDITIONS  
STAFF ANALYSIS**

**Case No.:** CZ-21-1244672 **Agenda #:** N. 6

**Location/Address:** 1630 South Indian Creek Drive, Stone Mountain, GA **Commission District:** 5 **Super District:** 7

**Parcel ID:** 15-195-08-035

**Request:** Major Modification to zoning conditions approved pursuant to CZ-96024 to allow a Place of Worship in an OI (Office Institutional) district.

**Property Owner:** Sarah Powell

**Applicant/Agent:** Sarah Powell

**Acreage:** 1.11

**Existing Land Use:** A one-story building.

**Surrounding Properties:** To the northwest, north, and northeast: single-family residential (zoned R-75); to the east and southeast: a scrap yard (zoned C-1); to the south: an office park (zoned OI), undeveloped land (zoned R-75), and a vacant church (zoned OI); to the southwest and west: single-family residential (zoned R-75)

**Comprehensive Plan:** CRC (Commercial Redevelopment Corridor)  Consistent  Inconsistent

<b>Proposed Building Square Feet:</b> 2,046 square feet	<b>Existing Building Square Feet:</b> 1,056 square feet
<b>Proposed Lot Coverage:</b> maximum 80%	<b>Existing Lot Coverage:</b> (estimated) 15%

**Zoning History:**

In 1996, the Board of Commissioners approved rezoning of the subject property from R-75 to OI pursuant to CZ-96024, with conditions to use the property for a school for biblical studies in a structure that was already located on the property, and to landscape the northern boundary of the property.

**SITE AND PROJECT ANALYSIS**

The subject property is a 1.11-acre parcel with 150 feet of frontage on South Indian Creek Drive, a two-lane collector. The property is located approximately 625 north of the intersection of South Indian Creek Drive and Covington Highway, a major thoroughfare. A one-story, 990-square foot building is located on the property. An overgrown gravel and dirt driveway provides vehicular access to the building. The center of the property is cleared; trees and undergrowth are growing around the edges of the property. The site sits approximately 8 feet lower than the street and the topography of the site is level; grading will be required to construct a driveway with an acceptable slope as it enters the site.

The property is located at the edge of a single-family residential neighborhood. Adjoining properties to the south and southeast are deep lots that front on Covington Highway and are developed with non-residential uses, except for one residentially zoned site that is currently undeveloped. The residentially zoned property is likely to be rezoned in the future for a non-residential purpose, consistent with the non-residential uses in the rest of the Covington Highway commercial corridor. However, at this time the transitional buffer requirement applies to section of the subject property that adjoins the residentially zoned property.

The properties on the directly opposite side of South Indian Creek Drive from the subject property are zoned R-75 and are developed with single-family homes. They are part of the southern edge of the R-75 single-family neighborhood that extends to the north, northwest, and northeast of Covington Highway along South Indian Creek Drive.

The proposal currently under consideration is to add to the front and rear of the existing building to increase the square footage of the building by 725 square feet. Thus, the sanctuary of the church would be enlarged to 1,485 square feet, and it would accommodate a total of 105 movable seats. A 44-space parking lot would be constructed to the sides and rear of the building.

**Compliance with District Standards:**

O-I STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. LOT AREA		20,000 square feet	1.1 acre	Yes
MIN. LOT WIDTH		100 feet	150 feet	Yes
MAX. LOT COVERAGE		80%	80%	Yes
BUILDING SETBACKS	FRONT	Min. – 20 ft.; Max. 60 ft.	Information not provided.	The building must comply or a variance will be necessary.
	INTERIOR SIDE	North side – superseded by 50 ft. transitional buffer  South side – min. 20 ft. except for a portion that is a transitional buffer	Information not provided.	The building and parking lot must comply with transitional buffers or variances will be necessary.
	REAR	Min. 30 ft.		Yes

O-I STANDARD	REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. OPEN SPACE	No enhanced open space required	N.A.	N.A.
MAX. BLDG. HEIGHT WITHOUT SLUP	5 stories and 70 ft.	1 story; less than 70 feet	Yes
TRANSITIONAL BUFFER	Min. 50 ft. w/screening fence along north and part of south property lines.		
PARKING	Min. 1 space/40 s.f. in largest assembly room = 37 spaces  Max 1 space/20 s.f. in largest assembly room = 74 spaces	44 spaces	Yes

**LAND USE AND ZONING ANALYSIS**

Section Sec. 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 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:**

The proposal is consistent with the policies of the *2035 Comprehensive Plan*. It would allow a place of worship to add to the civic and spiritual life of the surrounding community.

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

As with many non-residential properties that are located at the edge of residential neighborhoods, screening and buffering is necessary to mitigate potential negative effects on adjoining residential properties. The required transitional buffer and screen would be sufficient to make the proposed use suitable in view of the use and development of adjacent and nearby properties.

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

The building appears to have been vacant for several years. A bible school is located on another nearby property, located at the northwest corner of South Indian Creek Drive and Covington Highway. It is very unlikely that the subject property has reasonable economic use with the condition for use as a bible school.

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

If existing dense vegetation along the north property line is left in place, and required screening along the south property line is put in place, the proposed church would not cause a disturbance to adjoining and nearby residential properties, and may be suitable at the proposed location.

**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 non-residential character of the property was established in 1996. While the proposed place of worship would introduce more activity onto the property than the small bible school that was permitted at the original time of rezoning, it is a relatively small church and is located approximately 600 feet from an intersection with a major thoroughfare, which allows for good access by congregants without the necessity to travel to the place of worship through a residential intersection.

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

No historic buildings, sites, districts, or archaeological resources are 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:**

Comments by the County Division of Transportation and the County Division of Traffic Engineering indicate that South Indian Creek Drive and other access routes have sufficient traffic carrying capacity for the proposed use. There have been no indications from other commenting departments, divisions, and agencies that the proposed place of worship would overburden the public infrastructure.

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

The property is located on a cleared lot and the loss of natural resources would be minimal.

**STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS.**

The proposal is consistent with the policies of the *2035 Comprehensive Plan*. It would allow a place of worship to add to the civic and spiritual life of the surrounding community. The church building is located towards the south side of the site, where adjoining non-residential properties (with the exception of one vacant, residentially zoned property that is likely to be rezoned for non-residential use) would not be negatively impacted by any noise that would result from church activities. The screening fence that is required along the transitional buffer on the north side of the property, as well as the transitional buffer itself, is expected to adequately screen the adjoining residential property from the proposed church and parking lot. Comments by the County Division of Transportation and the County Division of Traffic Engineering indicate that South Indian Creek Drive and other access routes have sufficient traffic carrying capacity for the proposed use. Public services, public facilities, and utilities appear to be adequate to serve the existing place of worship, and there has been no other indication from reviewing departments and agencies that the new sanctuary will generate increased demands on the public infrastructure to the extent that the infrastructure would become inadequate. The proposed use would be consistent with the needs of the neighborhood and of the community as a whole. Therefore, the Department of Planning and Sustainability recommends "Approval" with the following modifications to the conditions approved pursuant to CZ-96024:

(Note: a clean version of these conditions follows this marked-up version)

1. The property shall be used as a ~~school for biblical studies~~ **1,715 square foot place of worship**.
2. ~~The existing structure shall be maintained.~~
3. ~~A visual screening of n~~ **Natural vegetation shall be installed maintained in the transitional buffer** along the northern boundary of the property.

Revised Conditions

1. The property shall be used as a 1,715 square foot place of worship.
2. Natural vegetation shall be maintained in the transitional buffer along the northern boundary of he property.



**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.: CZ-21-1244672

Parcel I.D. #: 15-195-08-035

Address: 1630 South Indian Creek Drive

Stone Mountain, Georgia

**WATER:**

Size of existing water main: 6" CI & 24" DI Water Main (~~adequate~~ inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

**SEWER:**

Outfall Servicing Project: Snapfinger Creek Basin

Is sewer adjacent to property: Yes (X) No ( ) If no, distance to nearest line: \_\_\_\_\_

Water Treatment Facility: Snapfinger WTF ( ) adequate ( ) inadequate

Sewage Capacity; \* (MGPD)

Current Flow: 21.77 (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.

*Capacity restricted area IT  
Indian Creek  
As of Dec. 2020 maps*

Signature: \_\_\_\_\_



## 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, 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 statewaters and special flood hazard areas.

- **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. 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 not** reflected in the G.I.S. records for the site, **but a creek is reflected on an adjacent property and the is buffer may extend to the site in question.** 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.



#### Zoning Comments 4.19.21

N1. SR 8- GDOT review and permits required prior to DeKalb permitting. GDOT District 7: [juhatch@dot.ga/gov](mailto:juhatch@dot.ga/gov) Existing curb cut must be modified to come in at a 90 degree angle. Lawrenceville Hwy is a major arterial. Please see Chapter 5 of the Zoning Code and Section 14-190 of the Land Development Code for required infrastructure improvements. Dedicate 50 feet of right of way from centerline OR the amount to include all public infrastructure, whichever greater. Requires bike lanes (or multiuse path), 6-foot sidewalks, streetlights, 10-foot landscape strip.

N2. Private road must be brought up to current standards either as a road or a driveway. We have lots of problem with truck parking in the immediate area (the public part).

N3. Jamieson Place and Market Street both local residential. Please see Chapter 5 of the Zoning Code and Section 14-190 of the Land Development Code for required infrastructure improvements. Dedicate 27.5 feet of right of way from centerline OR the amount to include all public infrastructure, whichever greater. Requires 6-foot sidewalks, streetlights, 6-foot landscape strip. Reviewer will be looking at driveway placement in relationship with the intersection during the development review process- please maximize during design.

N4. No comments

N5. . SR 155- GDOT review and permits required prior to DeKalb permitting. GDOT District 7: [juhatch@dot.ga/gov](mailto:juhatch@dot.ga/gov) Flat Shoals Parkway is a major arterial. Please see Chapter 5 of the Zoning Code and Section 14-190 of the Land Development Code for required infrastructure improvements. Please be aware of the minimum number of access points for the number of units this road would serve. Complete a traffic signal warrant study at the intersection of Flat Shoals Pkwy at Woodberry Pkwy to include analysis on the number of required exit lanes. Dedicate 50 feet of right of way from centerline OR the amount to include all public infrastructure, whichever greater. Requires bike lanes (or multiuse path), 6-foot sidewalks, streetlights, 10-foot landscape strip.

N6. South Indian Creek Road is classified as a collector street. Please see Chapter 5 of the Zoning Code and Section 14-190 of the Land Development Code for required infrastructure improvements. Dedicate 35 feet of right of way from centerline OR the amount to include all public infrastructure, whichever greater. Requires bike lanes (or multiuse path), 6-foot sidewalks, streetlights, 10-foot landscape strip.

04/19/2021

To: Mr. John Reid, Senior Planner  
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 Operations, Tourist Accommodations, Body Art Studios, Swimming Pools and Water Parks 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

- N.1 Z-21-1244664 18-116-01-031  
2382 Lawrenceville Highway, Decatur, GA 30033  
Commission District: 4 Super District: 6  
Acreage: .81 acres  
- Please review general comments.
- N.2 CZ-21-1244668 15-096-02-002,009, -010, & 071, and 15-065-02-04  
3138 Snapfinger Road, Decatur GA  
Commission District: 5 Super District: 3  
Acreage: 6.89 acres  
- Please review general comments.
- N.3 Z-21-1244669 18-067-03-011  
3720 Jamieson Place, Clarkston, GA  
Commission District: 4 Super District: 6  
Acreage: .44 acres  
- Septic installed October 22,1999  
- 1000 gallons  
- Please review general comments.
- N.4 SLUP-19-1243861 15-041-01-152  
2902 Cedar Trace Drive, Ellenwood, GA 30294  
Commission District: 3 Super District: 6  
Acreage: .4 acres  
- Please see general comments.
- N.5 Z-21-1244671 15-061-03-001  
4743 Flat Shoals Pkwy, Decatur, GA 30034  
Commission District: 03 Super District: 07  
Acreage: 17.52 acres  
- Please review general comments.
- N.6 CZ-21-1244672 15-195-08-035  
Stone Mountain, GA 30038  
Acreage: 1.11 acres  
- Septic installed in surrounding area.  
- Please review general comments.



**DEKALB COUNTY GOVERNMENT  
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DISTRIBUTION FORM**

N-6

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**COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: CZ-21-1244672 Parcel I.D. #: 15-195-08-035

Address: 1630  
S. Indian Creek Dr  
S.W. Mtn., 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:

<p>Plans and field reviewed. Found nothing that would disrupt traffic.</p>

Signature: 



DEPARTMENT OF PLANNING & SUSTAINABILITY

MAJOR MODIFICATION APPLICATION

RECEIVED  
JAN 21 2021  
BY:.....

Existing Conditional Zoning No.: CZ-96-024

APPLICANT NAME: SARAH POWELL

Daytime Phone#: 917-651-5176 Fax #: \_\_\_\_\_ E-mail: Sarajoypowell@yahoo.com

Mailing Address: 1669 DETROIT AVE NW, ATLANTA, GA, 30314

OWNER NAME: SARAH POWELL (If more than one owner, attach contact information for each owner)

Daytime Phone#: 917-651-5176 Fax #: \_\_\_\_\_ E-mail: Sarajoypowell@yahoo.com

Mailing Address: 1669 DETROIT AVE NW, ATLANTA, GA, 30314

SUBJECT PROPERTY ADDRESS OR LOCATION: 1630 SOUTH INDIAN CREEK DR, Stone Mountain, DeKalb County, GA, 30038

District(s): 15 Land Lot(s): 195 Block(s): \_\_\_\_\_ Parcel(s): 1519508035

Acreeage or Square Feet: 1.11 Commission District(s): 5&7 Existing Zoning: OI

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

Have you, the applicant, made a campaign contribution of \$250.00 or more to a DeKalb County government official within the two year period that precedes the date on which you are filing this application?

Yes  No  If "yes", see page 4. (Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A)

Owner:  Agent: \_\_\_\_\_  
(Check One)

Signature of Applicant: Sarah Powell

Printed Name of Applicant: SARAH POWELL Major Modification Application

# Pastor Sarah J. Powell

1669 Detroit Ave NW  
Atlanta, Georgia 30314  
917-651-5176  
January 21<sup>st</sup>. 2021

## NOTICE

RE: 1630 South Indian Creek Drive, Stone Mountain, Georgia 30038

Dear Neighbors,

I hope all is well. This notice is to invite you to a Zoom meeting (information below). The purpose of meeting is to answer any questions or concerns you may have on changes that will be done at 1630 S. Indian Creek Drive, Stone Mountain, GA 30038. The zone for this property will be changed from Office & Religious Institute to Place of Worship & Religious Institute.

### Information of Meeting:

Date: January 30, 2021

Time: 6:00pm – 6:30pm

Join Zoom Meeting at:

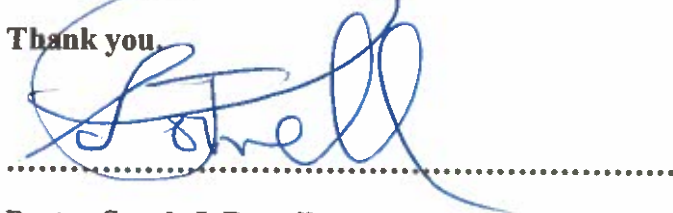
<https://us04web.zoom.us/j/9415191690?pwd=UHZMelk4Q3ZMbXBzaFFaOThWMDF2QT09>

Meeting ID: 941 519 1690

Passcode: 4KGSPE

I am looking forward to seeing you, hearing your thoughts and concerns and answer your question the usage of Building.

Thank you.

A handwritten signature in blue ink, appearing to read "Sarah J. Powell", is written over a dotted line. The signature is fluid and cursive.

Pastor Sarah J. Powell

**1630 SOUTH INDIAN CREEK DRIVE, STONE MOUNTAIN,  
GEORGIA 30083**

LIST OF PEOPLE WHO LIVE 500 FEET FROM PROPERTY- AND WHO RECEIVED NOTICE OF MEETINGS

NAMES	ADDRESS	TELEPHONE /email
Erica Raven	1605 S. Indian Creek Drive, Stn Mt. GA 3083	678-252-8360/
Jorge Perez Monica Hernandez	1636 S. Indian Creek Dr. Stn. Mt. GA. 3083	
Lisa Chambers	1627 S. Indian Creek Dr. Stn. Mt. GA. 3083	
Irvin Romero	1597 S. Indian Creek Dr., Stn. Mt. GA. 3083	
Paulene Kelly	1583 S. Indian Creek Dr., Stn. Mt. GA 3083	
Abundant house	1620 S. Indian Creek Dr., Stn	
Wendell Morris	1659 S. Indian Creek Dr., Stn. Mt. 30083	404-286-1009
Charles Miller	4484 Covington HWY	404-8406189
Jodi Shoemake	4484 Covington HWY	678-201-7259

## DeKalb County Neighborhood Registry - Commission District

First Name	Last Name	Email	Address	City	State	Zip Code	
Dennis	Allen	dennisallen05@comcast.net					Community
Kenesha	Barksdale	kbarksdal22@gmail.com					Community
Samson	Burrell	Samson_burrell@yahoo.com					Community
Barbara	Campbell	dstcampbell@bellsouth.net					Community
Jan	Costello	Janrcostello@gmail.com					Community
Jay	Cunningham	Jaycunningham2014@yahoo.com					Community
Marshall	English	marshallenglishsr@yahoo.com					Community
Tonya	Jones	mstonya@earthlink.net					Community
Preston	Mercer	mercernic451@gmail.com					Community
Joscelyn	O'Neil	oneillooo4@comcast.net					Community
Charles	Peagler	konceptatlanta@bellsouth.net					Community
Jonathan	Phillips	Jonathanjaypee@aol.com					Community
Danny	Tripplin	dadrtrip@yahoo.com					Community
Wayne	Williams	w_duane_williams@yahoo.com					Community
Michelle	Henson		4140 Creek Stone Court	Stone Mountain	GA	30083	State Rep DI
Patricia	Elmore	pedge@urbanretail.com	2929 Turner Hill Rd	Lithonia	GA	30038	Stonecrest N
Bina S.	Mangham	manghamlaw@att.net	8179 Pleasant Hill Rd	Lithonia	GA	30058	Eaast DeKalt
Marcella	Salter	cellasalt5@yahoo.com	1664 Stone Meadow Rd	Lithonia	GA	30058	
Larry	Salter	salter37@yahoo.conm	1664 Stone Meadow Rd	Lithonia	GA	30058	
Denis	Travis	denisettravis74@gmail.com	1658 Stone Meadow Rd	Lithonia	GA	30058	
Harold	Morrie	harold53@hotmail.com	1743 Harmony Hills Ct	Lithonia	GA	30058	Harmony Hil
Consuelo	Espinoza Godden	goddenc@gptc.edu	6720 Marbut Road	Lithonia	GA	30058	Georgia Piec



**Pastor Sarah J. Powell**

The New Creation Apostolic Faith Church of Jesus Christ Int'l Ministries Inc.,  
**Property Address:** 1630 South Indian Creek Drive, Stone Mountain, GA. 30038.

**Mailing Address:** 1669 Detroit Ave. NW, Atlanta, GA 30314  
917-651-5176

January 21<sup>st</sup>, 2021

RE: Letter of Application and Description of Property

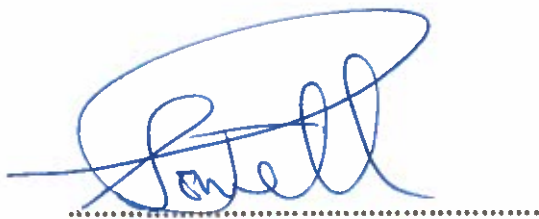
Dear Sir/Madam,

Good day, I acquired the property at 1630 South Indian Creek Drive, Stone Mountain, Georgia 30038 in 2020 to use as a place of worship. It was preciously use for an office and biblical studies and needs major modification to zone as a place of worship and biblical studies. It also needs renovation permit for repair to the building as it was not used for several years and had then deteriorated.

My intention is to make a new extension to the frontal area as is seen in the site plan on the propose drawings. Other Repair will be done on foundation, roof and on flooring of building.

The materials that I will be used for the exterior extension is the hardy plank sidings (cement with other materials). Concrete slab will use to repair and add foundation. Roofing materials for addition or repair of roof will be taken from the Dekalb county recommendations.

Thank you.



Pastor Sarah Powell

**Section 27-7.3.4. 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.**

The zoning proposal is within the compliance standard of the comprehensive plan. The proposal expansion will NOT change the use of property or the land. There is a parking lot already exist to the posterior area of building. The property can accommodate the new expansion of building without encroachment into required setbacks. It is at acceptable distant from any residentially zoned property and meets the standard of the comprehensive plan.

**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 church meets the standard for zoning proposal and will NOT create adverse impacts upon the adjacent and nearby properties-- due to the hours of operation.

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

The property will NOT be affected by zoning proposal as it will remain within reasonable standard of economic use as currently zoned: Place of Worship and a small Religious Institute.

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

The zoning proposal is NOT expected to create any adverse effects on the usability of any adjacent of nearby properties -- due to the distance of the church from other properties, the hours of operation and small amount of membership.

**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.**

Except for the addition of a second rest room which may need permit for internal renovation to do so. The is a proposed internal expansion and is NOT expected to affect the use or the development of the property or adjacent properties.

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

NO historic buildings, sites, districts, or archaeological resources are located on the property or in the surrounding area.

## **SUPPLEMENTAL REGULATIONS FOR 1630 S. INDIAN CREEK DRIVE**

- A. Any building or structure established in connection with places of worship, monasteries or convents shall be located at least fifty (50) feet from any residentially zoned property.**

The proposed Church building, and the Religious Institute meet this standard.

- B. The required setback from any street right-of-way shall be the front-yard setback for the applicable residential district.**

The proposed church building meets this standard.

- C. The parking areas and driveways for any such uses shall be located at least twenty (20) feet from any property line, with a visual screen, provided by a six-foot-high fence or sufficient vegetation established within that area.**

The driveway is on the north side of the proposed church building meets this standard. The applicant proposes to screen the proposed driveway/parking area with trees as screening. The southern parking area meets the standard, it is located posterior to church building and is within acceptable footage of applicable property lines --- with trees as screening.

- D. Places of worship, convents and monasteries shall be located on a minimum lot area of three (3) acres and shall have frontage of at least one hundred (100) feet along a public street.**

The subject property meets this standard. Church on approximately 1.1 acre of land and frontage is greater than two hundred feet (200) from public street.

- E. Places of worship, convents and monasteries shall be located only on a thoroughfare or arterial.**

The subject property meets this standard. It is located on South Indian Creek Drive, a minor arterial street.

REV. 3/89

DEKALB COUNTY  
BOARD OF COMMISSIONERS

ITEM NO. 6  
739

ZONING - AGENDA/MINUTES

PREL.	___
ACTION	___
PUB.HRG.	<u>X</u>

MEETING DATE April 25, 1996

RESOLUTION	___
ORDINANCE	<u>X</u>
PROCLAMATION	___

**SUBJECT:** Rezoning Application - Atlanta School of Biblical Studies

**COMMISSION DISTRICTS:** 5 & 7

**DEPARTMENT:** Planning

**PUBLIC HEARING:** X Yes \_\_\_ No

**ATTACHMENT:** X Yes \_\_\_ No 9 PP

**INFORMATION CONTACT:** Ray White or Charles Coleman  
**PHONE NUMBER:** 371-2155 *cc*

Deferred from the 3/27/96 zoning hearing for public hearing.

**PURPOSE:**

CZ-96024 - To consider the application of Atlanta School of Biblical Studies to rezone property located on the east side of South Indian Creek Drive, 570' north of Covington Highway, from R-75 to OI (conditional). The property has frontage of 149' and contains 1.11 acres. The application is conditioned on expansion of the adjoining school.

**SUBJECT PROPERTY:**

15-195-8-35 (1630 South Indian Creek Drive).

**RECOMMENDATION(S):**

**PLANNING DEPARTMENT:** Denial. The request for OI is inconsistent with recommendations of the Comprehensive Plan and incompatible with the zoning on three sides of the lot. In many cases OI is used as an interim zoning between commercial and residential uses. In this instance it represents an extension of nonresidential zoning into a residential area without serving as a reduction of zoning intensity. The property is suitable for use as currently zoned and contains adequate land area for the development of another residential lot.

**PLANNING COMMISSION:** Approval with the following conditions:

1. The property be used as a school for biblical studies.
2. The existing structure be maintained.
3. A visual screening of natural vegetation be installed along the northern boundary of the property.

**COMMUNITY COUNCIL:** Approval.

740

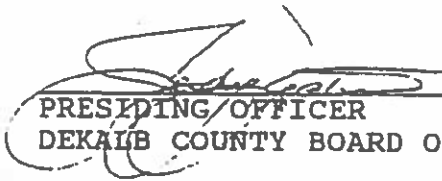
FOR USE BY COMMISSION OFFICE/CLERK ONLY

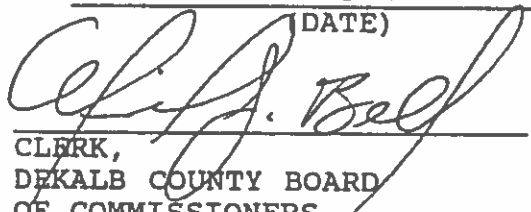
ACTION:

MOTION was made by Commissioner Sanford, seconded by Commissioner Brown, and passed 7-0-0-0, to approve the application of Atlanta School of Biblical Studies with the following conditions recommended by the Planning Department: 1. Use of the property is limited to an office for the Atlanta School of Biblical Studies only; 2. The residential facade of the building remains the same; 3. No additional parking area is provided on the site; 4. Additional screening vegetation is planted in the buffer along the north property line; 5. There shall be no signs identifying the use of the building; 6. Pedestrian access is provided between the school and the office. (See attached list of conditions.)

ADOPTED: APR 25 1996  
(DATE)

CERTIFIED: APR 25 1996  
(DATE)


  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF COMMISSIONERS

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: JUL 29 1996  
(DATE)

VETOED: \_\_\_\_\_  
(DATE)

  
CHIEF EXECUTIVE OFFICER  
DEKALB COUNTY

CHIEF EXECUTIVE OFFICER  
DEKALB COUNTY

VETO STATEMENT ATTACHED: \_\_\_\_\_

MINUTES:

The following people spoke in favor of the application: Ms. Deborah Davis, 3929 Chimney Ridge Drive, Ellenwood, Georgia, 30049; and Ms. Jennifer Watkins, 1630 S. Indian Creek, Stone Mountain, Georgia, 30083.

No one spoke in opposition.

ATTACHMENT

	FOR	AGAINST	ABSTENTION	ABSENT
DISTRICT 1 - ELAINE BOYER	✓	_____	_____	_____
DISTRICT 2 - GALE WALLDORFF	✓	_____	_____	_____
DISTRICT 3 - JACQUELINE SCOTT	✓	_____	_____	_____
DISTRICT 4 - KEN DAVIS	✓	_____	_____	_____
DISTRICT 5 - WILLIAM C. "BILL" BROWN	✓	_____	_____	_____
DISTRICT 6 - JUDY YATES	✓	_____	_____	_____
DISTRICT 7 - PORTER SANFORD, III	✓	_____	_____	_____

02-96024

15-195-8-35

Atlanta School of Biblical Studies

R-75 to OI cond,

PD - Denial

PC - Approval w/c 3/7/96

BC - Deferred to 4/25/96 (re-advertise) 3/27/96

BC - Approval OI w/c 4/25/96





2020130981 DEED BOOK 28629 Pg 742  
Filed and Recorded  
9/11/2020 2:54:33 PM  
Debra DeBerry  
Clerk of Superior Court  
DeKalb County, Georgia

Real Estate Transfer Tax \$65.00

Return Document to:



11097 Houze Road, Suite 100  
Roswell, Georgia 30076  
File No.: 200841CP

## Warranty Deed

STATE OF GEORGIA  
COUNTY OF FULTON

This Indenture made this 4th day of September, 2020, between Atlanta School of Biblical Studies, Inc. now known as American University of Biblical Studies, Inc., as party or parties of the first part, hereinafter called Grantor(s), and Sarah Powell, as party or parties of the second part, hereinafter called Grantee(s) (the words "Grantor(s)" and "Grantee(s)" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH:** Grantor(s), for and in consideration of the sum of TEN and 00/100 (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee(s), in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

All that tract or parcel of land lying and being in Land Lot 195 of the 15th District, DeKalb County, Georgia, being more particularly described as follows:

Beginning at a 3/4 inch rod found on the easterly right of way of South Indian Creek Drive (R/W varies) 570.7 feet northerly from the intersection of the easterly right of way of South Indian Creek Drive and the northerly right of way of Covington Highway; thence along the easterly right of way of South Indian Creek Drive North 27 degrees 11 minutes 13 seconds east a distance of 149.66 feet to a 3/4 inch rod found; thence south 57 degrees 43 minutes 27 seconds east a distance of 298.54 feet to a 1 inch crimp top pipe found; thence south 23 degrees 29 minutes 00 seconds west a distance of 172.47 feet to a 1/2 rebar set; thence north 53 degrees 48 minutes 00 seconds west a distance of 312.36 feet to a 3/4 inch rod found and the point of beginning; said tract contains 1.114 acres of land.

PIN: 15 195 08 035

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantees, in FEE SIMPLE, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

AND THE SAID Grantor(s) will warrant and forever defend the right and title to the above-described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor(s) (has) (have) signed and sealed this deed, the day and year first above-written.

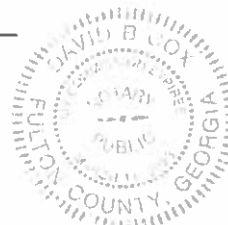
Signed, sealed and delivered in the presence of:

\_\_\_\_\_  
(Unofficial witness)

\_\_\_\_\_  
(Notary Public)

My Commission Expires: 3/11/23

AMERICAN UNIVERSITY OF BIBLICAL STUDIES, INC.  
  
\_\_\_\_\_  
(Seal)  
James W. McKay, Jr., Chairman of the Board of Directors



**OWNER'S SCHEDULE A****ALTA Owner's Policy (6/17/06)****SCHEDULE A****File No.:** 200841CP**Policy No.:** O-9301-004813672**Date of Policy:** 9/04/2020

(Or the recording of the insured instrument, whichever is later)

**Amount of Insurance:** \$65,000.00**Premium:** \$269.75**1. Name of Insured:**

Sarah Powell

**2. The estate or interest in the land which is covered by this policy is:**

Fee Simple.

**3. Title to the estate or interest in the land is vested in:**

Sarah Powell

**4. The land referred to in this policy is described as follows:**

All that tract or parcel of land lying and being in Land Lot 195 of the 15th District, DeKalb County, Georgia, being more particularly described as follows; Beginning at a 3/4 inch rod found on the easterly right of way of South Indian Creek Drive (R/W varies) 570.7 feet northerly from the intersection of the easterly right of way of South Indian Creek Drive and the northerly right of way of Covington Highway; thence along the easterly right of way of South Indian Creek Drive North 27 degrees 11 minutes 13 seconds east a distance of 149.66 feet to a 3/4 inch rod found; thence south 57 degrees 43 minutes 27 seconds east a distance of 298.54 feet to a 1 inch crimp top pipe found; thence south 23 degrees 29 minutes 00 seconds west a distance of 172.47 feet to a 1/2 rebar set; thence north 53 degrees 48 minutes 00 seconds west a distance of 312.36 feet to a 3/4 inch rod found and the point of beginning; said tract contains 1.114 acres of land.

PIN: 15 195 08 035

Address of Property (For Identification purposes only).

Street: 1630 S Indian Creek Drive  
 City: Stone Mountain,  
 State: GA 30083  
 Unit/Lot:  
 Subdiv/Condo:

**This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:**

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Taxes for the year 2020 and thereafter. Any additional taxes, interest and/or penalties which may be assessed for prior tax years by virtue of adjustments, reappraisal, re-assessment, appeal or other amendment to the tax records of the city or county in which the subject property is located.

Chief Executive Officer  
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director  
Andrew A. Baker, AICP

**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: Sara Powell Phone (417) 651- Email: sarajoypowell@yahoo.com  
Property Address: 1630 So. Indian Creek 5176 Drive

Tax Parcel ID: \_\_\_\_\_ Comm. District(s): 517 Acreage: \_\_\_\_\_

Existing Use: Educational facility Proposed Use Place of worship

Supplemental Regs: Yes Overlay District: No DRI: No

Rezoning: Yes \_\_\_\_\_ No X

Existing Zoning: OI Proposed Zoning: OI Square Footage/Number of Units: \_\_\_\_\_

Rezoning Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Land Use Plan Amendment: Yes \_\_\_\_\_ No X

Existing Land Use: CRC Proposed Land Use: \_\_\_\_\_ Consistent \_\_\_\_\_ Inconsistent \_\_\_\_\_

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

Special Land Use Request(s) \_\_\_\_\_  
\_\_\_\_\_

**Major Modification:**

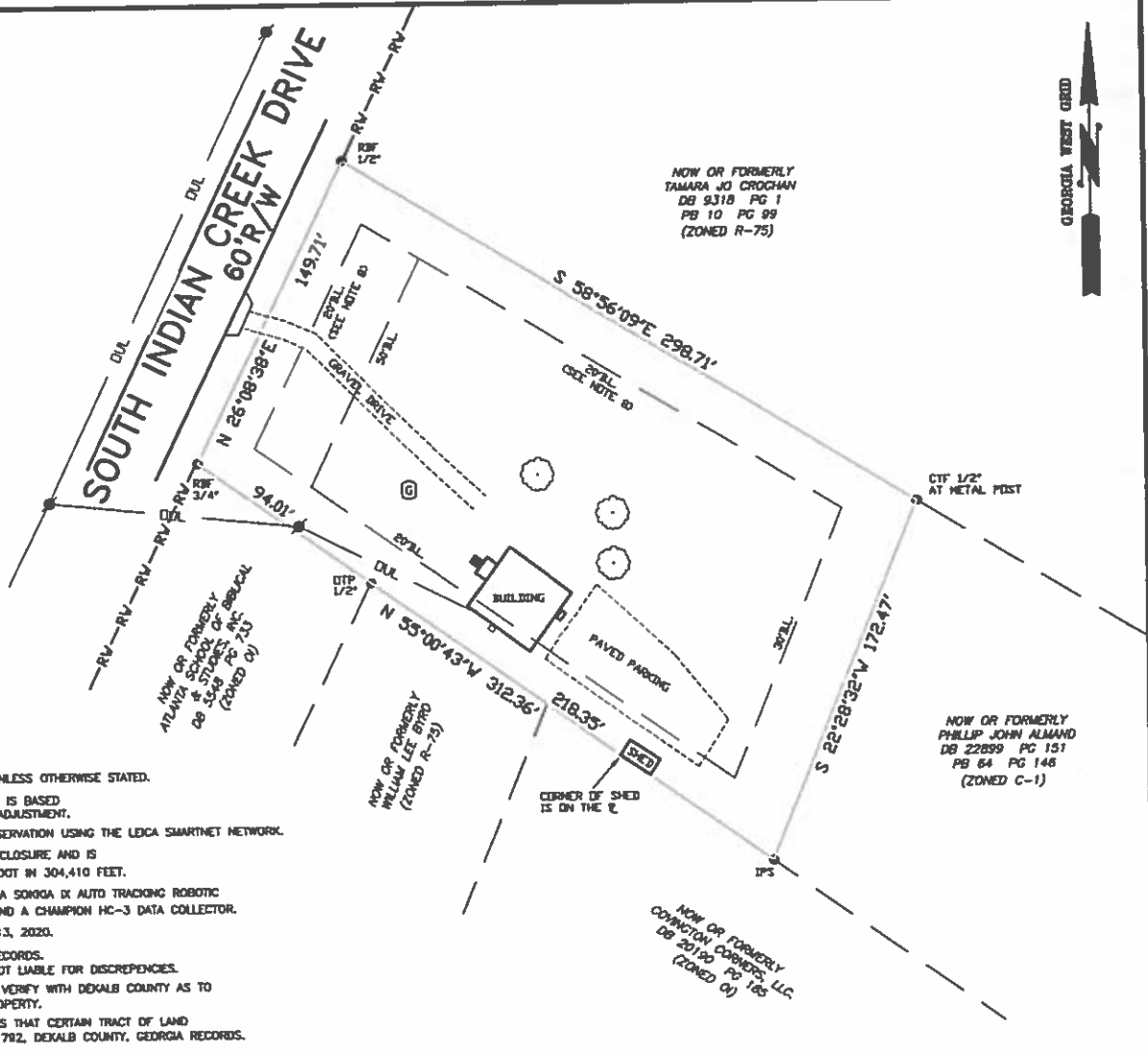
Existing Case Number(s): CZ-96-024

Condition(s) to be modified:  
Use of property for an educational facility.  
\_\_\_\_\_  
\_\_\_\_\_

Pastor Sarah Joy Powell  
1669 Detroit Ave NW  
Atlanta, GA 30314

THIS BLOCK RESERVED FOR THE  
CLERK OF THE SUPERIOR COURT.

TAX PARCEL: 15 195 08 035  
1630 SOUTH INDIAN CREEK DRIVE  
DECATUR, GEORGIA 30035  
ZONED: OI (DEKALB)



**NOTES:**

1. ALL IRON PINS SET ARE 1/2" REBAR UNLESS OTHERWISE STATED.
2. THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS AN OPEN TRAVERSE AND HAD NO ADJUSTMENT.
3. BEARING BASIS TAKEN FROM A GPS OBSERVATION USING THE LEICA SMARTNET NETWORK.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 304,410 FEET.
5. EQUIPMENT USED IN THIS SURVEY WAS A SOKKIA DX AUTO TRACKING ROBOTIC TOTAL STATION, A CHAMPION GPS 880 AND A CHAMPION HC-3 DATA COLLECTOR.
6. FIELD WORK COMPLETED ON OCTOBER 13, 2020.
7. SETBACK SHOWN ARE FROM COUNTY RECORDS. DAVID GARRISON LAND SURVEYING IS NOT LIABLE FOR DISCREPANCIES.
8. OI ZONING HAS CONDITIONAL SETBACK. VERIFY WITH DEKALB COUNTY AS TO WHAT CONDITIONS APPLIES TO THIS PROPERTY.
9. REFERENCED PROPERTY IS THE SAME AS THAT CERTAIN TRACT OF LAND RECORDED IN DEED BOOK 9182, PAGE 782, DEKALB COUNTY, GEORGIA RECORDS.

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

THE REGISTERED LAND SURVEYOR FURTHER CERTIFIES THAT THIS MAP, PLAT OR PLAN COMPLIES WITH THE MINIMUM STANDARDS AND SPECIFICATIONS OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE GEORGIA SUPERIOR COURT CLERK'S COOPERATIVE AUTHORITY.



RETRACEMENT SURVEY FOR:  
**THE NEW CREATION APOSTOLIC  
FAITH CHURCH OF JESUS CHRIST  
INTERNATIONAL MINISTRIES, INC.**

DISTRICT 15, LAND LOT 195  
DEKALB COUNTY, GEORGIA

DATE : OCTOBER 19, 2020  
JOB NO. : 1630 SOUTH INDIAN CREEK DR  
FILE NO : 1630 SOUTH INDIAN CREEK DR

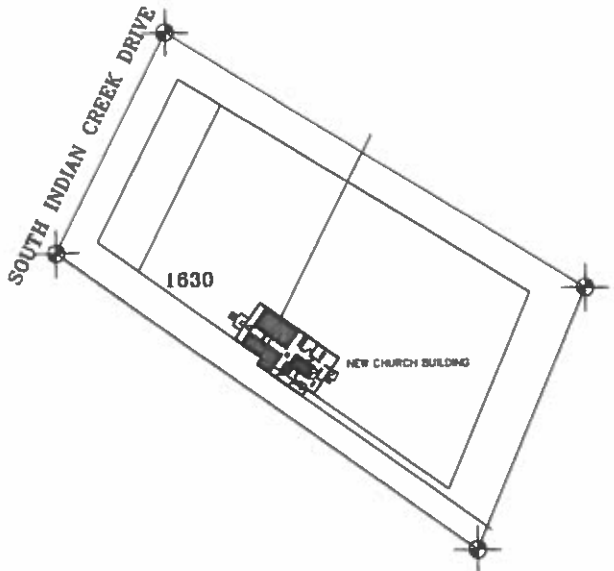
- LEGEND**
- CTF CRIMP TOP FOUND
  - OTF OPEN TOP PIPE
  - CMF CONCRETE MONUMENT FOUND
  - IPS IRON PIN SET
  - REB REBAR FOUND
  - ⊕ FIRE HYDRANT
  - ⊙ UTILITY POLE
  - ⊙ WATER METER
  - ⊙ UTILITY POLE
  - ⊙ GAS METER
  - RV RIGHT OF WAY
  - ⊙ STORM WATER JUNCTION BOX
  - ⊙ SANITARY SEWER MANHOLE
  - PINE TREE
  - HARDWOOD TREE

**AREA = 1.11 ACRE**

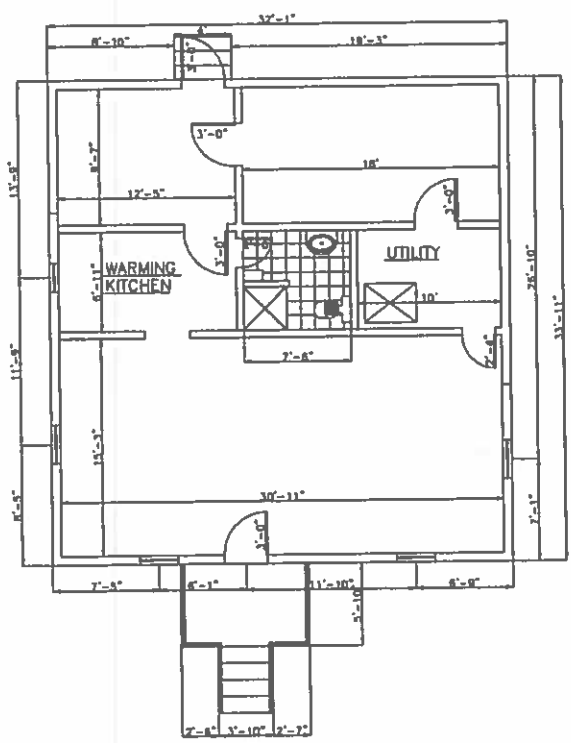


**DAVID L. GARRISON**  
**LAND SURVEYING**

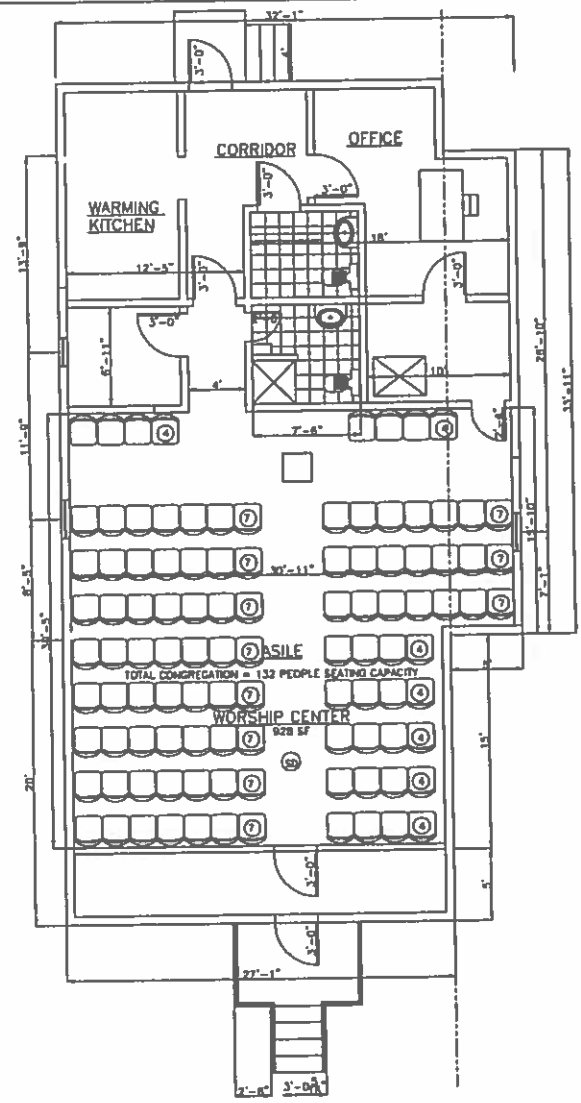
969 HALE ROAD  
MAYSVILLE, GEORGIA 30558  
PH. (770) 560-8031 EMAIL: DGARRISON@GARRISONLANDSURVEYING.COM



1 SITE PLAN  
A-1 20' = 1'-0"



2 EXISTING/ DEMOLITION FLOOR PLAN  
A-1 1/4" = 1'-0"



3 REVISED FLOOR PLAN  
A-1 1/4" = 1'-0"

RELEASED FOR CONSTRUCTION

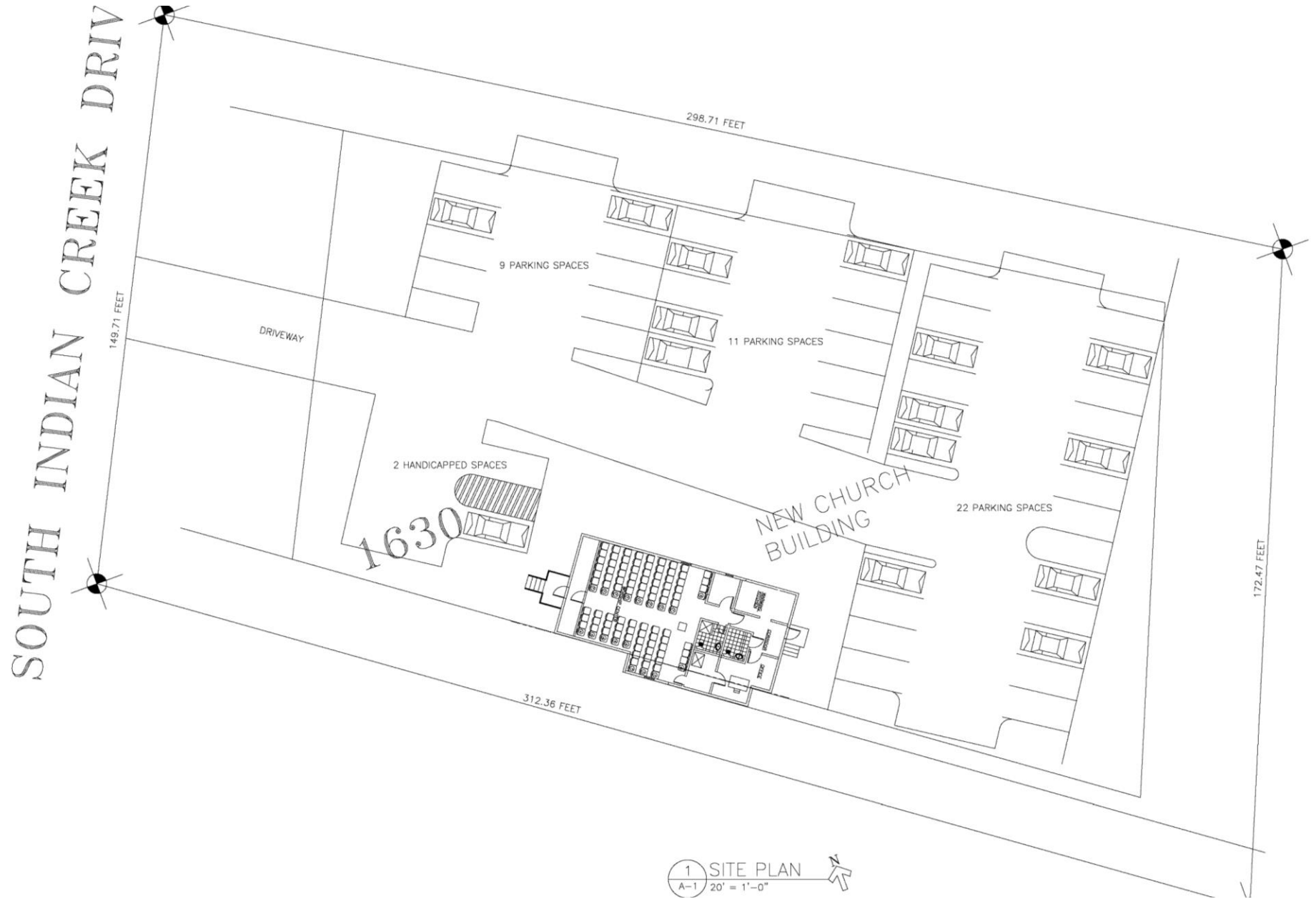
REVISIONS	DATE	DATE
NO NOTE		20 OCTOBER 2020
		DESIGNED BY: EFB
		DRAWN BY: IFD
		CHECKED BY: EFB

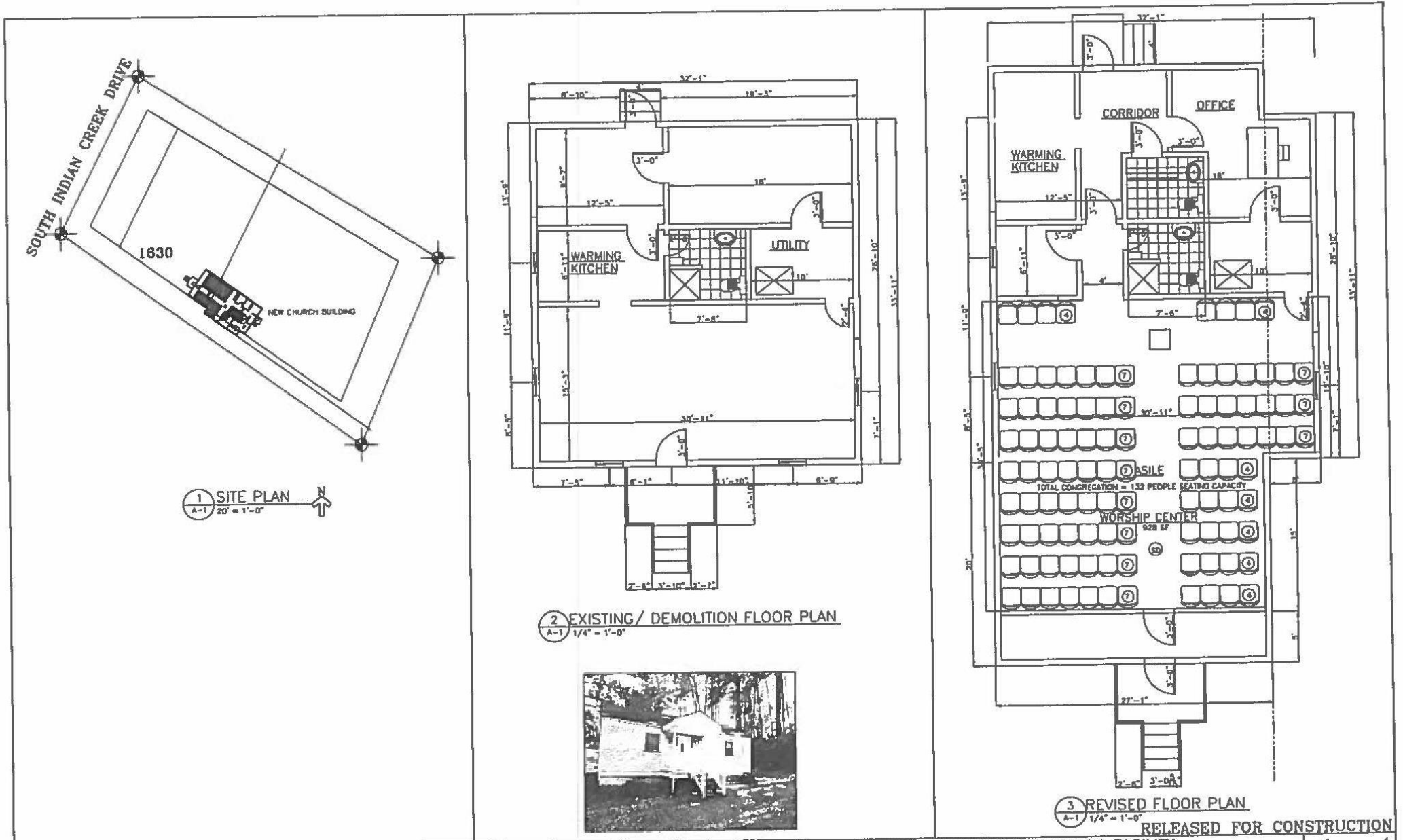


**E. F. BRATHWAITE AND COMPANY, ARCHITECTS**  
A. I. A., NOMA  
3824 RAIDERS RIDGE DRIVE Suite 100 Lithonia, Ga. 30038 770/617-8621 EFBRATH@aol.com

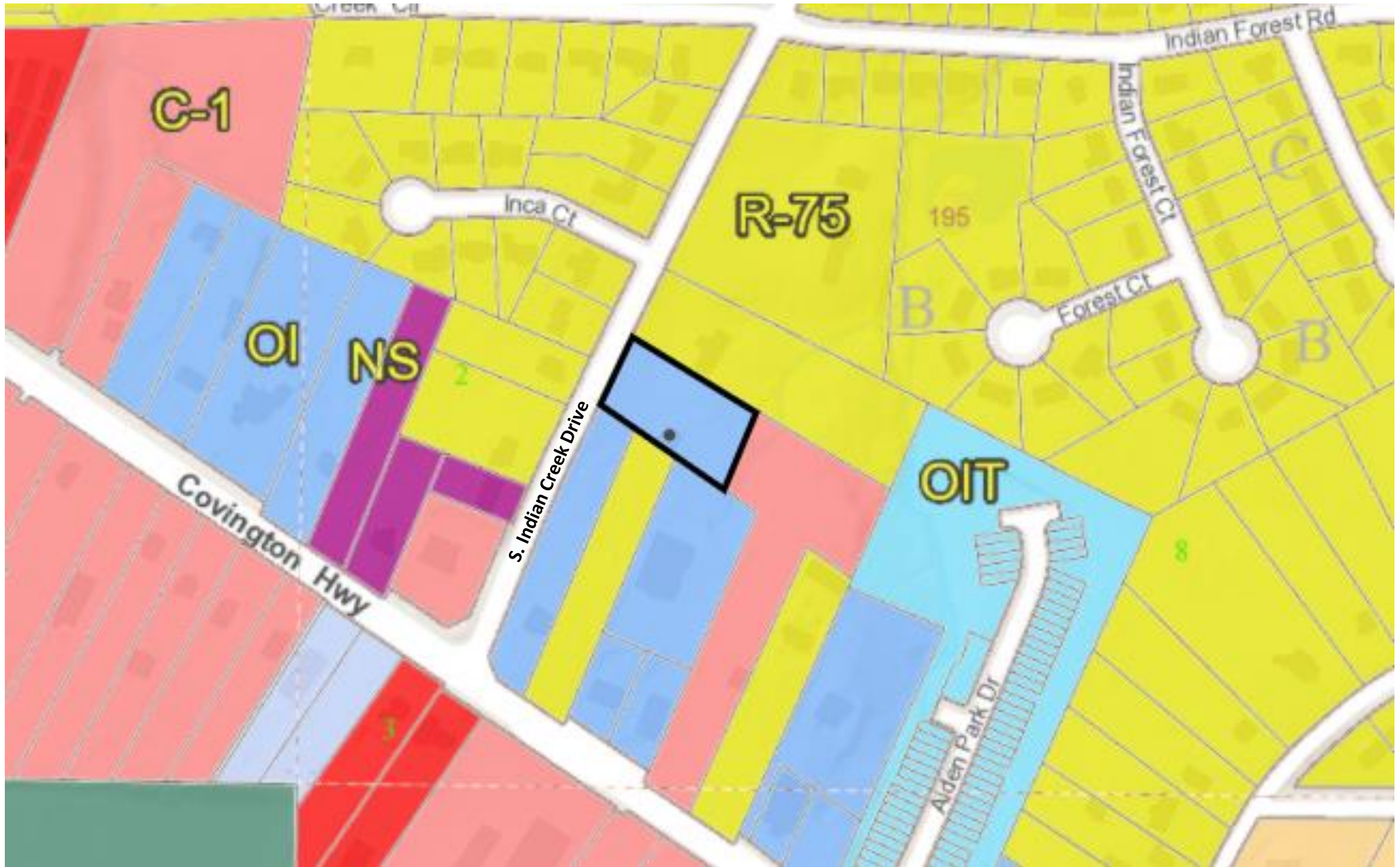
**NEW ASSEMBLY OCCUPANCY FACILITY**  
THE NEW CREATION APOSTOLIC FAITH CHURCH OF JESUS CHRIST INTERNATIONAL MINISTRIES, INC.  
**1630 SOUTH INDIAN CREEK DRIVE**  
STONE MOUNTAIN, DEKALB COUNTY, GEORGIA 30083  
PASTOR SARAH POWELL, OWNER REPRESENTATIVES

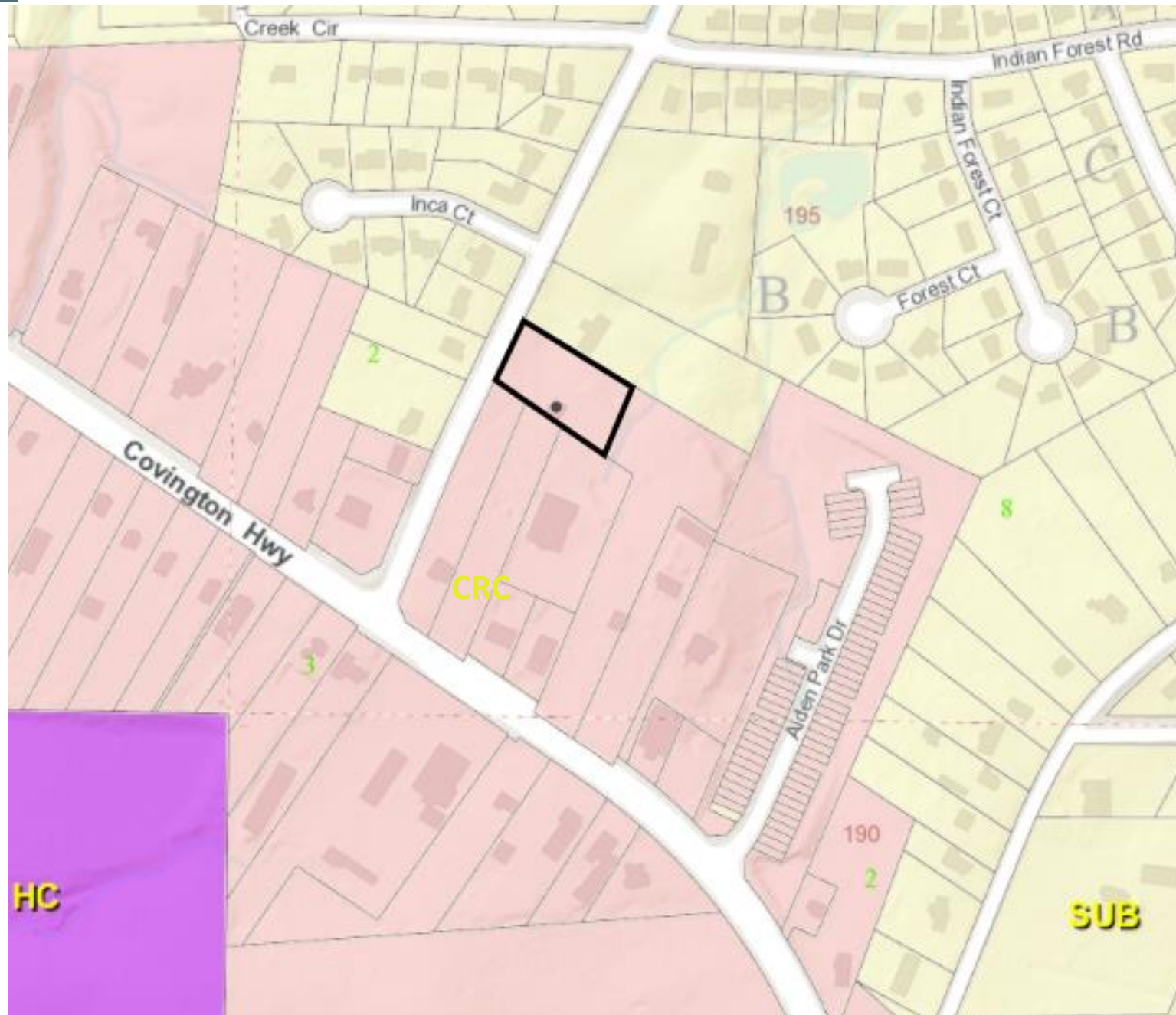
**A-1**  
OF 1  
PROJ. NO. 2018  
FILE #  
1077 WEST AVE-A-1















Subject Property