



**DeKalb County Department of Planning & Sustainability**

178 Sams Street,  
Decatur, GA 30030

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

**Planning Commission Hearing Date: January 5, 2023**  
**Board of Commissioners Hearing Date: January 26, 2023**

**STAFF ANALYSIS**

<b>Case No.:</b>	<b>Z-23-1246183</b>	<b>Agenda #: 2022-2539</b>
<b>Location/Address:</b>	Around 745 Arcadia Avenue, Decatur, GA 30030	<b>Commission District: 04 Super District: 06</b>
<b>Parcel ID(s):</b>	15-247-02-028, 15-247-02-029, 15-247-02-030, 15-247-02-031, 15-247-03-013, 15-247-03-014, 15-247-03-015, 15-247-03-016, 15-248-06-005, 15-248-06-006, 15-248-06-007, 15-248-06-008, 15-248-06-009, 15-248-06-010, 15-248-06-011, 15-248-06-012,15-248-06-025	
<b>Request:</b>	Rezone properties from MR-2 (Medium Density Residential-2) zoning district and R-75 (Residential Medium Lot) zoning district to HR-2 (High Density Residential-2) zoning district to allow for the construction of multi-family apartments.	
<b>Property Owner(s):</b>	Arcadia Cottages LLC, Derrydown Quads, LLC, and John G. Herbert	
<b>Applicant/Agent:</b>	WSE Development LLC c/o Dennis J. Webb, Jr. - Smith, Gambrell & Russell, LLP	
<b>Acreage:</b>	+/- 5.201 acres	
<b>Existing Land Use:</b>	MR-2 and R-75 – single family detached residential and quad-plex multi-family residential	
<b>Surrounding Properties:</b>	<b>North:</b> Mixed use, residential <b>East:</b> R-75 Single family detached residential <b>South:</b> R-75 and OI (Office institutional) single family residential and green space <b>West:</b> City of Decatur, multi-family residential	
<b>Comprehensive Plan:</b>	<b>Traditional Neighborhood</b> <input type="checkbox"/>	<b>Consistent</b> <input type="checkbox"/> <b>Inconsistent</b> <input checked="" type="checkbox"/>

**Staff Recommendation:** Withdraw.

The applicant has requested withdrawal and staff supports this request.



**DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM**

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

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

Case No.: LP-23-1246182  
Parcel I.D. #: 15-248-06-012  
Address: 745 Arcadia Ave  
Decatur, GA 30035

**WATER:**

Size of existing water main: 8" DIP (adequate/inadequate)  
Distance from property to nearest main: adjacent  
Size of line required, if inadequate: unknown

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**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 required

Signature: Yola Lewis

12/8/2022

To: Ms. Madolyn Spann, Planning Manager  
Mr. John Reid, Senior Planner  
From: Ryan Cira, Director  
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 networks. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

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

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

Board of Health

DeKalb County Board of Health

404.508.7900 • [www.dekalbhealth.net](http://www.dekalbhealth.net)

12/8/2022

N5-202202536

Z-23-1246173 18-286-01-003

3964 Chamblee-Tucker Road, Doraville, GA 30340

Amendment

- Please review general comments.
- No septic system indicated in our system for this property. The surrounding area appears to have an installed septic system. Please note this particular property may have septic.

N6-2022-2537

SLUP-23-1246180 15-126-03-007

2571 E. Wesley Chapel Way, Decatur, GA 30035

Amendment

- Please review general comments.
- No septic system indicated in our system for this property. The surrounding area appears to have an installed septic system. Please note this particular property may have septic.

N7-2022-2538

LP-23-1246182 15-247-02-028, 15-247-02-029, 15-247-02-030, 15-247-02-031, 15-247-03-013, 15-247-03-014, 15-247-03-015, 15-247-03-016, 15-248-06-005, 15-248-06-006, 15-248-06-007, 15-248-06-008, 15-248-06-009, 15-248-06-010, 15-248-06-011, 15-248-06-012, 15-248-06-025

745 Arcadia Ave., Decatur, GA 30030

Amendment

- Please review general comments.

N8-2022-2539

Z-23-1246183/ 15-247-02-028, 15-247-02-029, 15-247-02-030, 15-247-02-031, 15-247-03-013, 15-247-03-014, 15-247-03-015, 15-247-03-016, 15-248-06-005, 15-248-06-006, 15-248-06-007, 15-248-06-008, 15-248-06-009, 15-248-06-010, 15-248-06-011, 15-248-06-012, 15-248-06-025

745 Arcadia Ave., Decatur, GA 30030

Amendment

- Please review general comments.

## Zoning Comments – December 2022

**N1, N2 & N3: 4819 Glenwood Road.** No access allowed to Janet Lane. Glenwood Road is classified as a Minor Arterial. Please see Zoning Code Chapter 5 and the Land Development Code Chapter 14-190 for required infrastructure improvements. A right of way dedication of 40 feet from centerline is required OR such that all public infrastructure is within right of way, whichever greater. A five-foot landscape strip from back of curb with a 10-foot multiuse path required. Pedestrian Street Lighting required. A plan prepared by a professional engineer showing that sight distance based on AASHTO Greenbook is achieved when exiting the driveway due to the wall and the crest of the hill. Please note that the driveway may need to be shifted to achieve sight distance.

**N4. 3964 Chamblee-Tucker Road.** No Comment

**N5. 3964 Chamblee Tucker Road.** Only one access point allowed on Chamblee Tucker Road. Chamblee Tucker Road is classified as a Minor Arterial. Please see Zoning Code Chapter 5 and the Land Development Code Chapter 14-190 for required infrastructure improvements. A right of way dedication of 40 feet from centerline is required OR such that all public infrastructure is within right of way, whichever greater. A five-foot landscape strip from back of curb with a 10-foot multiuse path required. Pedestrian Street Lighting required. A plan prepared by a professional engineer showing that sight distance based on AASHTO Greenbook is achieved when exiting the driveway must be submitted with the Land Development Permit.

**N6. 2571 E. Wesley Chapel Way.** Review and approval required by PM Tim Matthews or designee ([TMatthews@dot.ga.gov](mailto:TMatthews@dot.ga.gov)) with GDOT I-20 at I-285 MMIP Interchange Project. Provide any right of way necessary for PI 0013915. E. Wesley Chapel Way is classified as a local street. Please see Zoning Code Chapter 5 and the Land Development Code Chapter 14-190 for required infrastructure improvements. A right of way dedication of 27.5 feet from centerline is required OR such that all public infrastructure is within right of way, whichever greater. A five-foot landscape strip from back of curb with a 6-foot sidewalk is required. Pedestrian Street Lighting required.

**N7 & N8. 745 Arcadia Avenue.** Provide a traffic study for the development to include a traffic signal warrant study. If the study is approved by PW- Transportation, install a traffic signal at the intersection of Craigie Ave and Arcadia Ave/Katie Kerr. Arcadia Ave/Katie Kerr is classified as a minor arterial. Please see Zoning Code Chapter 5 and the Land Development Code Chapter 14-190 for required infrastructure improvements. A right of way dedication of 40 feet from centerline is required OR such that all public infrastructure is within right of way, whichever greater. A five-foot landscape strip from back of curb with a 10-foot multiuse path required. Pedestrian Street Lighting required. Craigie Ave and Derrydown Way are classified as local streets. Please see Zoning Code Chapter 5 and the Land Development Code Chapter 14-190 for required infrastructure improvements. A right of way dedication of 27.5 feet from centerline is required OR such that all public infrastructure is within right of way, whichever greater. A five-foot landscape strip from back of curb with a 6-foot sidewalk is required. Pedestrian Street Lighting required. The proposed plan requires a right of way abandonment to be approved by the Board of Commissioners at a future date.

**N9. 3350 Kensington Road.** Review and approval required by PW- Transportation and GDOT PM April McKown ([april.mckown@oneatlas.com](mailto:april.mckown@oneatlas.com)) for PI 0017992. Dedicate right of way necessary for the PI 0017992 (which will build most of your required infrastructure improvements below, depending on project schedules). Reserve right of way for a potential roundabout at Mountain Drive and the MARTA Station main entrance. Traffic study required. Kensington Road is classified as a minor arterial. Please see Zoning Code Chapter 5 and the Land Development Code Chapter 14-190 for required infrastructure improvements. A right of way dedication of 40 feet from centerline is required OR such that all public infrastructure is within right of way, whichever greater. A five-foot landscape strip from back of curb with a 10-foot multiuse path required. Pedestrian Street Lighting required. Mountain Drive is a state route. GDOT District 7 (Renaldo Mathis at [RMathis@dot.ga.gov](mailto:RMathis@dot.ga.gov)) review and approval required prior to permitting. Mountain Drive is classified as a collector road. Please see Zoning Code Chapter 5 and the Land Development Code Chapter 14-190 for required infrastructure improvements. A right of way dedication of 35 feet from centerline is required OR such that all public infrastructure is within right of way, whichever greater. A five-foot landscape strip from back of curb with a 10-foot multiuse path required.

**N10. 6651 Princeton Park Ct.** No Comment.





## 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**

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 **(sections have been amended recently; please request the amended chapter)**, 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.

- ✓ **The Discharge from the detention pond shall not be towards adjacent properties; and shall be connected to existing stormwater structure in the right-of-way.**
- ✓ **The county codes require the hydrology study to model the existing conditions as wooded**
- ✓ **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.**
- ✓ **A lot combination application shall be submitted and approved prior to the submittal of the Land Disturbance/Development Permit (LDP) application, since the project will require the abandonment of a section of a public right-of-way/Derydown way.**
- ✓ **Any work to be done on offsite property shall require temporary construction easement and permanent easement with the respective property owner(s)**

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not 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. 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.



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**DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM**

N7

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO  
MADOLYN SPANN [MSPANNA@DEKALBCOUNTYGA.GOV](mailto:MSPANNA@DEKALBCOUNTYGA.GOV) OR JOHN REID [JREID@DEKALBCOUNTYGA.GOV](mailto:JREID@DEKALBCOUNTYGA.GOV)**

**COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: LP-23-1246182 Parcel I.D. #: 15-247-02-028

Address: 745

ArcaDia Ave,  
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) 6/7<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:

Plans and field reviewed. No problem That would interfere with Traffic flow.

Signature: Jerry White



N-8

# DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

**NOTE:** PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO  
MADOLYN SPANN [MSPANN@DEKALBCOUNTYGA.GOV](mailto:MSPANN@DEKALBCOUNTYGA.GOV) OR JOHN REID [JREID@DEKALBCOUNTYGA.GOV](mailto:JREID@DEKALBCOUNTYGA.GOV)

## COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-23-1246183 Parcel I.D. #: 15-247-02-029

Address: 745  
Arcadia Ave  
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 _____

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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:

Plans and Field reviewed. No problem That would interfere with Traffic Flow.

Signature: Jerry White

### REZONING APPLICATION CHECKLIST

Submit 4 printed, collated sets of the complete application (no staples, no binders) and a PDF version on a flash drive

- 1. Schedule a mandatory **Pre-Application Conference** with Planning & Sustainability staff by appointment. Obtain **Pre-Application form** (to be completed in pre-application meeting). Please call 404-371-2155 for appointment.
- 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets**). Letter(s) from homeowners association(s) may also be provided.
- 3. Submit **Application** (Submit 4 printed, collated sets and a PDF version on a flash drive. Please assemble materials in the following order.)
  - A. Application form** with name and address of applicant and owner, and address of subject property;
  - B. Pre-submittal community meeting notice and sign-in sheet** and other documentation of meeting, if any;
  - C. Letter of application and impact analysis**
    - 1. **Letter of application** identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use ( e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.
    - 2. **Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.
  - D. Authorization Form**, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.
  - E. Campaign disclosure statement** (required by State law).
  - F. Legal boundary survey** of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. *(If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)*
  - G. Site Plan**, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:
    - a. complete boundaries of subject property;
    - b. dimensioned access points and vehicular circulation drives;
    - c. location of all existing and proposed buildings, structures, setbacks and parking;
    - d. location of 100 year floodplain and any streams;
    - e. notation of the total acreage or square footage of the subject property;
    - f. landscaping, tree removal and replacement, buffer(s); and
    - g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.
  - H. Reduced Site Plan**, reduced to 8.5" x 11".
  - I. Written Legal Description** of metes and bounds of the subject property (can be printed on site plan or survey).
  - J. Building Form Information**. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.
  - K. Completed, signed Pre-application Form** (Provided at pre-application meeting.)

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

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

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Applicant Name: WSE Development LLC c/o Dennis J. Webb, Jr. - Smith, Gambrell & Russell, LLP

Applicant E-Mail Address: djwebb@sgrlaw.com

Applicant Mailing Address: 1105 W. Peachtree Street, Suite 1000, Atlanta, GA 30309

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Applicant Daytime Phone: (404) 815-3620 Fax: (404) 685-6920

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Owner Name: See Attached Property Owner List  
If more than one owner, attach list of owners.

Owner Mailing Address: See Attached Property Owner List

Owner Daytime Phone: See Attached Property Owner List

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Address of Subject Property: See Attached Property Owner List

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Parcel ID#: See Attached Property Owner List

Acreage: ±5.201 acres Commission District: 4,6

Present Zoning District(s): MR-2 and R-75

Proposed Zoning District: HR-2

Present Land Use Designation: Traditional Neighborhood (TN)

Proposed Land Use Designation (if applicable): Town Center (TC)

**Exhibit A**  
**Property Owner List**

**Arcadia Cottages LLC**

111-C New Street  
Decatur, GA 30030  
Phone: (404) 834-6405  
Email: charlesbosserman@gmail.com

**Parcels Owned:**

- 745 Arcadia Avenue (Parcel ID 15 248 06 012) Zoned: MR-2
- 751 Arcadia Avenue (Parcel ID 15 248 06 011) Zoned: MR-2
- 757 Arcadia Avenue (Parcel ID 15 248 06 010) Zoned: R-75
- 763 Arcadia Avenue (Parcel ID 15 248 06 009) Zoned: R-75
- 767 Arcadia Avenue (Parcel ID 15 248 06 008) Zoned: MR-2
- 769 Arcadia Avenue (Parcel ID 15 248 06 025) Zoned: MR-2
- 775 Arcadia Avenue (Parcel ID 15 248 06 007) Zoned: MR-2
- 781 Arcadia Avenue (Parcel ID 15 248 06 006) Zoned: MR-2
- 787 Arcadia Avenue (Parcel ID 15 248 06 005) Zoned: MR-2

**Derrydown Quads, LLC**

111-C New Street  
Decatur, GA 30030  
Phone: (404) 834-6405  
Email: charlesbosserman@gmail.com

**Parcels Owned:**

- 747 Derrydown Way (Parcel ID 15 247 03 013) Zoned: MR-2
- 759 Derrydown Way (Parcel ID 15 247 03 014) Zoned: MR-2
- 771 Derrydown Way (Parcel ID 15 247 03 015) Zoned: MR-2
- 783 Derrydown Way (Parcel ID 15 247 03 016) Zoned: MR-2
- 746 Derrydown Way (Parcel ID 15 247 02 028) Zoned: MR-2
- 758 Derrydown Way (Parcel ID 15 247 02 029) Zoned: MR-2
- 770 Derrydown Way (Parcel ID 15 247 02 030) Zoned: MR-2
- 782 Derrydown Way (Parcel ID 15 247 02 031) Zoned: MR-2

**John G. Herbert**

420 Sycamore St.  
Decatur, GA 30030  
Phone: 404-310-8989

**Parcels Owned:**

- 759 Derrydown Way (Parcel ID 15 247 03 014) (Co-Owner with Derrydown Quads, LLC)
- 783 Derrydown Way (Parcel ID 15 247 03 016) (Co-Owner with Derrydown Quads, LLC)

## DEPARTMENT OF PLANNING & SUSTAINABILITY

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### IMPACT ANALYSIS

**(Please respond to the following standards and factors on a separate sheet.)**

Section 27-7.3.5. 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.
- B. Whether the zoning proposal will permit a use that is 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.
- D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties.
- E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
- F. Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

## DEPARTMENT OF PLANNING & SUSTAINABILITY

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### FILING FEES

At the time of submittal, a filing fee shall accompany each application as follows:

<u>Rezoning</u>	<u>FEE</u>
RE, RLG, R-100, R-85, R-75, R-60 MHP, RNC, RSM, MR-1. M-2	\$500.00
HR-1, HR-2, HR-3 MU-1, MU-2, MU-3, MU-4, MU-5 O-L, OD, OIT, NS, C-1, C-2, M. M-2	\$750.00

If the application is a request to rezone to more than one zoning district, the higher fee will apply.

Applications for non-contiguous property (separated by a street) must be filed separately. A separate fee will be charged for each application. Applications deferred “full cycle” do not require additional fees. An application that is withdrawn and later re- filed will be treated as a new case and will require a new fee.

DEPARTMENT OF PLANNING & SUSTAINABILITY

**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: 10/26/2022

TO WHOM IT MAY CONCERN:

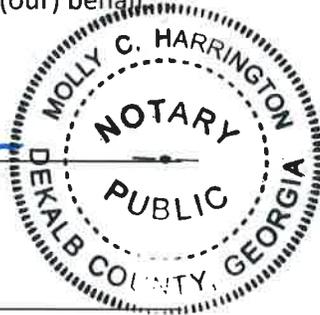
(I) (WE) John G. Herbert  
Name of owner(s)

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

Dennis J. Webb Jr., Smith Gambrell Russell  
Name of Agent or Representative

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

Molly C Harrington  
Notary Public



John G. Herbert  
Owner John G. Herbert

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

DEPARTMENT OF PLANNING & SUSTAINABILITY

Disclosure of Campaign Contribution

PLEASE READ THE FOLLOWING BEFORE SIGNING

- I. This application form must be completed in its entirety. In addition, any application that lacks any of the required attachments or payment of the filing fee shall be determined to be incomplete and shall not be accepted.
- II. 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 \$250.00 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 Commissions, DeKalb County, 1300 Commerce Drive, Decatur, Ga 30030.

John G. Herbert

Signature of Applicant

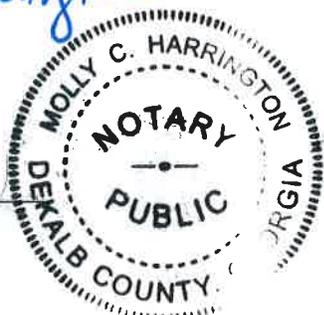
Check one: Owner  Agent \_\_\_\_\_ Date 26. OCT 22

Notary: Molly C. Harrington

6/15/2024

6/16/2024 MCH

Expiration Date/Seal



\*Notary not needed if answer is "No"

DEPARTMENT OF PLANNING & SUSTAINABILITY

**Disclosure of Campaign Contribution**

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Arcadia Cottages LLC  
c/o Charles Bosserman

Signature of Applicant

Check one: Owner  Agent \_\_\_\_\_ Date 10/27/22

Notary:

Expiration Date/Seal

\*Notary not needed if answer is "No"

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**Disclosure of Campaign Contribution**

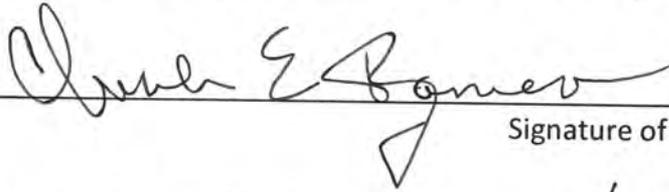
PLEASE READ THE FOLLOWING BEFORE SIGNING

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Derrydown Quads LLC  
c/o Charles Bosserman

Signature of Applicant

Check one: Owner  Agent \_\_\_\_\_ Date 10/27/22

Notary:

Expiration Date/Seal

\*Notary not needed if answer is "No"

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**Disclosure of Campaign Contribution**

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- I. This application form must be completed in its entirety. In addition, any application that lacks any of the required attachments or payment of the filing fee shall be determined to be incomplete and shall not be accepted.
  
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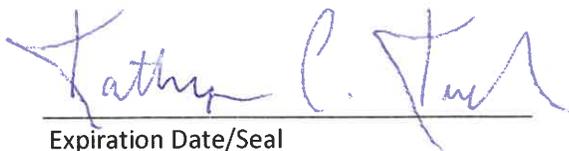
WSE Development LLC  
By: Darin W. Collier  
Title: President



Signature of Applicant

Check one: Owner \_\_\_\_\_ Agent  Date 10 / 27 / 2022

Notary:

  
Expiration Date/Seal

\*Notary not needed if answer is "No"

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

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

Yes X No \_\_\_\_\_\*

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Cathy M. Ellington  
Notary



Expiration Date/Seal

Dennis J. Webb, Jr. 10.26.2022  
Signature of Applicant /Date

Check one: Owner \_\_\_\_\_ Agent X

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

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**DISCLOSURE OF CAMPAIGN CONTRIBUTION**

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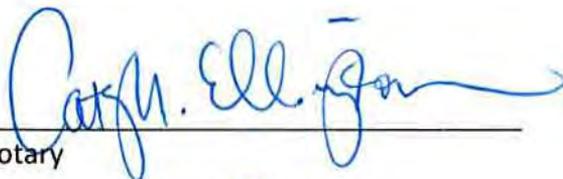
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Yes X No \_\_\_\_\_\*

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

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\_\_\_\_\_  
Notary

  
\_\_\_\_\_  
Kathryn M. Zickert 10.26.2022  
Signature of Applicant /Date

Check one: Owner \_\_\_\_\_ Agent X

  
\_\_\_\_\_  
Expiration Date/Seal

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

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**DISCLOSURE OF CAMPAIGN CONTRIBUTION**

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Yes \_\_\_\_\_ No X \*

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\_\_\_\_\_  
Notary

  
\_\_\_\_\_  
J. Alexander Brock 10.26.2022

Signature of Applicant /Date

Check one: Owner \_\_\_\_\_ Agent X

\_\_\_\_\_  
Expiration Date/ Seal

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

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**DISCLOSURE OF CAMPAIGN CONTRIBUTION**

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\_\_\_\_\_  
Notary



Kirk R. Fjelstul      10.26.2022

Signature of Applicant /Date

Check one: Owner \_\_\_\_\_ Agent X \_\_\_\_\_

\_\_\_\_\_  
Expiration Date/ Seal

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

# Pre-Application Meeting

**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: Smith Gambrell Russell Phone: 404-815-3603 Email: dwebb@sgrlaw.com

Property Address: Assemblage on Derrydown Way

Tax Parcel ID: Various ( 15 247 02 029 ) Comm. District(s): 4/6 Acreage:

Existing Use: Residential Proposed Use Residential

Supplemental Regs: \_\_\_\_\_ Overlay District: No DRI: \_\_\_\_\_

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

Existing Zoning: MR and R75 Proposed Zoning: HR-2 Square Footage/Number of Units: ~312 units

Rezoning Request: Rezone to assemble and construct multi family development

---

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

Existing Land Use: TN Proposed Land Use: TC Consistent \_\_\_\_\_ Inconsistent \_\_\_\_\_

---

**WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION**

Pre-submittal Community Meeting: \_\_\_\_\_ Review Calendar Dates: \_\_\_\_\_ PC: \_\_\_\_\_ BOC: \_\_\_\_\_

Letter of Intent: \_\_\_\_\_ Impact Analysis: \_\_\_\_\_ Owner Authorization(s): \_\_\_\_\_ Campaign Disclosure: \_\_\_\_\_

Zoning Conditions: \_\_\_\_\_ Community Council Meeting: \_\_\_\_\_ Public Notice, Signs: \_\_\_\_\_

Tree Survey, Conservation: \_\_\_\_\_ Land Disturbance Permit (LDP): \_\_\_\_\_ Sketch Plat: \_\_\_\_\_

Bldg. Permits: \_\_\_\_\_ Fire Inspection: \_\_\_\_\_ Business License: \_\_\_\_\_ State License: \_\_\_\_\_

Lighting Plan: \_\_\_\_\_ Tent Permit: \_\_\_\_\_ Submittal Format: **EMAIL AS ONE PDF**

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DEPARTMENT OF PLANNING & SUSTAINABILITY

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**Review of Site Plan**  
**NO SITE PLAN SUBMITTED**

Possible Variances: \_\_\_\_\_

Comments: \_\_\_\_\_ Check TOWN CENTER land use compatibility with 2050 Comprehensive Plan Updates.  
\_\_\_\_ Find the plan [HERE](#).

Planner: \_\_\_\_\_ Rachel Bragg \_\_\_\_\_ Date \_\_\_\_\_ 10.24.22 \_\_\_\_\_

Filing Fees

<b>REZONING:</b> 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
<b>LAND USE MAP AMENDMENT</b>	\$500.00
<b>SPECIAL LAND USE PERMIT</b>	\$400.00

# Public Notification & Community Meeting

1105 W. Peachtree St. NE, Suite 1000  
Atlanta, Georgia 30309-3608  
Tel: 404 815-3500  
www.sgrlaw.com



Dennis (Den) J. Webb, Jr.  
Direct Tel: 404-815-3620  
Direct Fax: 404-685-6920  
dwebb@sgrlaw.com

October 11, 2022

Re: Petitioner: The Worthing Companies (Dennis J. Webb, Jr.)  
Subject: Community Meeting Notice

Dear Neighbor,

You are receiving this notice because you own property within 500 feet of 17 parcels located on Arcadia Avenue and Derrydown Way, (the "Subject Property"), listed on the attached parcel list. The Subject Property totals  $\pm$  4.71 acres and is in unincorporated DeKalb County. The Petitioner is seeking to rezone the Subject Property from MR-2 (Medium Density Residential) and R-75 (Residential Medium Lot-75) to HR-2 (High Density Residential-2) and to amend the Future Land Use Map for the Subject Property from TN (Traditional Neighborhood) to TC (Town Center) to allow for the construction of a multi-family development.

The Worthing Companies will hold a virtual Community Meeting on October 26, 2022 at 7:00 pm via ZOOM to preview the proposal: <https://sgrlaw.zoom.us/join> / Webinar ID: **985 9919 6599** / Passcode: **520137**.

We look forward to discussing the project with you and getting feedback on October 26, 2022. If you are unable to attend, have any questions regarding this application, or wish to reach out beforehand, please feel free to contact me.

With kind regards,

A handwritten signature in blue ink, appearing to read "Dennis J. Webb, Jr.", written over a light blue grid background.

Dennis J. Webb, Jr.

Parcel I.D.:	Address
15 248 06 012	745 Arcadia Ave
15 248 06 011	751 Arcadia Ave
15 248 06 010	757 Arcadia Ave
15 248 06 009	763 Arcadia Ave
15 248 06 008	767 Arcadia Ave
15 248 06 025	769 Arcadia Ave
15 248 06 007	775 Arcadia Ave
15 248 06 006	781 Arcadia Ave
15 248 06 005	787 Arcadia Ave
15 247 02 028	746 Derrydown Way
15 247 03 013	747 Derrydown Way
15 247 02 029	758 Derrydown Way
15 247 02 030	770 Derrydown Way
15 247 03 015	771 Derrydown Way
15 247 02 031	782 Derrydown Way
15 247 03 014	759 Derrydown Way
15 247 03 016	783 Derrydown Way

WHITTLE DANNY  
2718 ROYAL BLF  
DECATUR GA 30030

PITTS STEVEN D  
2630 TALLEY ST UNIT 309  
DECATUR GA 30030

SEABOARD WEEKES LLC  
P.O. BOX 1305  
DECATUR GA 30031

NONNEMAN NICHOLAS  
2729 ROYAL BLF  
DECATUR GA 30030

BIERMAN RICHARD BERRY  
4120 CALGARY WAY  
LOUISVILLE KY 40241

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

TALLEY COLUMBIA LLC  
P O BOX 1305  
DECATUR GA 30031

PRINZ ASTRID  
2630 TALLEY ST # 304  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

CLAUSSEN JON  
803 DERRYDOWN WAY  
DECATUR GA 30030

BOSWELL ELLIOT  
2630 TALLEY ST UNIT 401  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

URBAN REDEVELOPMENT AGENCY OF  
509 N MCDONOUGH ST  
DECATUR GA 30030

COBB PAUL DAVID GERARD  
2630 TALLEY ST # 424  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

DEKALB COUNTY  
1300 COMMERCE DR  
DECATUR GA 30030

MASON LOIS JEANETTE  
2630 TALLEY ST UNIT 420  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

RANKINE NICOLE  
2630 TALLEY ST # 124  
DECATUR GA 30030

GRID PROPERTIES LLC  
2015 BOUNDARY ST 300  
BEAUFORT SC 29902

SPRINGDALE PARTNERS LLLP  
PO BOX 1305  
DECATUR GA 30031

PETERSON DEBORAH A  
2630 TALLEY ST UNIT 110  
DECATUR GA 30030

2670 E COLLEGE AVE DEC LLC  
1290 AVENUE OF THE AMERICAS  
NEW YORK NY 10104

ARCADIA COTTAGES LLC  
PO BOX 1305  
DECATUR GA 30031

URBAN INVESTMENTS 223 LLC  
2630 TALLEY ST UNIT 322  
DECATUR GA 30030

DERRYDOWN HOUSES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

SHUNNARAH CHRISTINA  
2630 TALLEY ST  
DECATUR GA 30030

DERRYDOWN QUADS LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

GARGIULO JOSEPH C  
PO BOX 33623  
DECATUR GA 30033

GUZMAN SALIENA  
747 HILLMONT AVE  
DECATUR GA 30030

BROOKS ELIZABETH Z  
2740 ROYAL BLF  
DECATUR GA 30030

GILLETT KREUZBURG REVOCABLE  
411 WALNUT ST # 16459  
GREEN COVE SPRNGS FL 32043

REAGIN SEAN SAMUEL  
772 HILLMONT AVE  
DECATUR GA 30032

LAVENDER REBECCA A  
885 DERRYDOWN WAY  
DECATUR GA 30030

FILOSETA JUSTIN C  
2630 TALLEY ST # 321  
DECATUR GA 30030

WINTER RYAN T  
780 HILLMONT AVE  
DECATUR GA 30030

PESTA IAN HENRY  
821 DERRYDOWN WAY  
DECATUR GA 30030

URBAN INVESTMENTS 322 LLC  
2630 TALLEY ST UNIT 322  
DECATUR GA 30030

PSAILA MARY C  
730 HILLMONT AVE  
DECATUR GA 30030

BROOKSHIRE RUSSELL C  
814 DERRYDOWN WAY  
DECATUR GA 30030

BOWLES JADE B  
2630 TALLEY ST # 409  
DECATUR GA 30030

UNDERWOOD JOHN B  
738 HILLMONT AVE  
DECATUR GA 30030

HOFF DAVID  
1460 BATES CT NE  
BROOKHAVEN GA 30319

ERICKSON SARAH  
2630 TALLEY ST # 425  
DECATUR GA 30030

SOULE RYAN P  
736 DALEROSE AVE  
DECATUR GA 30030

WINCHESTER JAMES J  
2630 TALLEY ST # 103  
DECATUR GA 30030

WOOD AMANDA M  
2630 TALLEY ST  
DECATUR GA 30030

SAUNDERS ANNE WASHINGTON  
748 DALEROSE AVE  
DECATUR GA 30030

OCONNOR PATRICIA  
2630 TALLEY ST # 119  
DECATUR GA 30030

DECATUR SV PROPERTY LLC  
3154 LAWRENCEVILLE SUWANEE RD STE 103  
SUWANEE GA 30024

STREIT JOHN F IV  
764 DALEROSE AVE  
DECATUR GA 30030

BRADLEY MARY A REVOCABLE LIVING TRUST  
2630 TALLEY ST UNIT 201  
DECATUR GA 30030

DERRYDOWN HOUSES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

JOBSON MARY  
2743 ZOAR AVE  
DECATUR GA 30030

MCCOMAS RYAN KEITH  
2630 TALLEY ST UNIT 217  
DECATUR GA 30030

HERBERT JOHN G  
1904 MONROE DR NE # 235  
ATLANTA GA 30324

TRUCKS DUANE HUDSON  
2744 CRAIGIE AVE  
DECATUR GA 30030

KALINS JEFFREY C  
140 BROADMOOR DR  
FAYETTEVILLE GA 30215

MARTA  
3424 PEACHTREE RD NE STE 300  
ATLANTA GA 30326

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

BARNETT BRYAN F  
762 HILLMONT AVE  
DECATUR GA 30030

DERRYDOWN HOUSES LLC  
PO BOX 1305  
DECATUR GA 30031

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

HERNDON BODFISH LIVING TRUST  
2726 CRAIGIE AVE  
DECATUR GA 30030

DERRYDOWN HOUSES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

QUERUBIN EUBERT  
785 DALEROSE AVE  
DECATUR GA 30030

RIPLEY F MARTIN JR  
844 DERRYDOWN WAY  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

CASEY SUSAN C  
525 HARDENDORF AVE  
ATLANTA GA 30307

BYRNE MEGHAN  
858 DERRYDOWN WAY  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

GARGIULO JOSEPH C  
P O BOX 33623  
DECATUR GA 30033

URIZ JEREMY  
2610 TALLEY ST  
DECATUR GA 30030

189 SAMS LLC  
PO BOX 1305  
DECATUR GA 30031

BURNETTE BRYAN LIVING TRUST  
760 DALEROSE AVE  
DECATUR GA 30030

KHAROD GRISHMA  
2630 TALLEY ST UNIT 101  
DECATUR GA 30030

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

JACKSON CRYSTAL LEIGH  
788 DALEROSE AVE  
DECATUR GA 30030

RUDOLPH LISA A  
2630 TALLEY ST # 105  
DECATUR GA 30030

ECONOMY VICTOR J  
1833 SMOKERISE SMT  
STONE MOUNTAIN GA 30087

MORGAN MAUREEN P  
P.O.BOX 1549  
DECATUR GA 30031

STEPHENSON DEBORAH K  
733 HILLMONT AVE  
DECATUR GA 30030

DOMKE LISA  
2630 TALLEY ST UNIT 127  
DECATUR GA 30030

HALE JULIE K  
767 HILLMONT AVE  
DECATUR GA 30030

SOUKI JULIANA  
2735 ROYAL BLF  
DECATUR GA 30030

ROBERTS CHELSEA N  
2630 TALLEY ST UNIT 127  
DECATUR GA 30030

CAMPBELL MELISSA  
2630 TALLEY ST UNIT 220  
DECATUR GA 30030

MARTA  
3424 PEACHTREE RD NE STE 300  
ATLANTA GA 30326

PASCHAL MARGARET LEE  
717 HILLMONT AVE  
DECATUR GA 30030

SPEER TRAVIA L  
2630 TALLEY ST # 202  
DECATUR GA 30030

MARTA  
3424 PEACHTREE RD NE STE 300  
ATLANTA GA 30326

MOORE BEN N  
2729 CRAIGIE AVE  
DECATUR GA 30030

STEIDEN PATRICK J  
2630 TALLEY ST UNIT 303  
DECATUR GA 30030

AVONDALE TOD I LLC  
1454 LA FRANCE ST NE STE 200  
ATLANTA GA 30307

KOFFLER ZACHARY  
2719 CRAIGIE AVE  
DECATUR GA 30030

PATEL JIMMY  
2630 TALLEY ST UNIT 307  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

EDGE NATHAN P  
758 HILLMONT AVE  
DECATUR GA 30030

ELLOTT ASHLEY  
2630 TALLEY ST # 407  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

LIOY ALICE IRENE  
742 HILLMONT AVE  
DECATUR GA 30030

C AND I REVOCABLE LIVING TRUST  
2630 TALLEY ST UNIT 411  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

KILGORE FAMILY REVOCABLE LIVING TRUST  
749 DALEROSE AVE  
DECATUR GA 30030

MCDANIEL ABBEY  
2630 TALLEY ST # 423  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

NGUYEN IV THANH  
2725 E COLLEGE AVE  
DECATUR GA 30030

BYERS BETSY L  
PO BOX 2351  
DECATUR GA 30031

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

GARGIULO JOSEPH C  
PO BOX 33623  
DECATUR GA 30033

DERRYDOWN QUADS LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

ECONOMY VICTOR J  
1833 SMOKERISE SMT  
STONE MOUNTAIN GA 30087

WARNER BARBARA  
780 DALEROSE AVE  
DECATUR GA 30030

DEKALB COUNTY  
1300 COMMERCE DR  
DECATUR GA 30030

CARNEVALE CAROLINE  
729 HILLMONT AVE  
DECATUR GA 30030

DEKALB COUNTY  
1300 COMMERCE DR  
DECATUR GA 30030

GAYMON MATTHEW D  
2746 ROYAL BLF  
DECATUR GA 30030

PAGE DONALD JAY  
2630 TALLEY ST # 206  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

ROUSE HEATHER S  
861 DERRYDOWN WAY  
DECATUR GA 30030

KUHSTOSS CHRISTOPHER MICHAEL  
2630 TALLEY ST CONDO 326  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

ALLEN WILLIAM EDWARD  
855 DERRYDOWN WAY  
DECATUR GA 30030

BROWN CONNOR  
2630 TALLEY ST UNIT 324  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

SEABOARD PROPERTIES LP  
P O BOX 1305  
DECATUR GA 30031

GUIDOTTI NICOLE M  
2630 TALLEY ST UNIT 415  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

DERRYDOWN HOUSES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

ROBERT JANE  
2872 LEXINGTON LAKES AVE  
BATON ROUGE LA 70810

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

RAMAGE TUTTLE REBECCA  
2630 TALLEY ST # 115  
DECATUR GA 30030

PLYLER GLENN B  
2630 TALLEY ST UNIT 1  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

NEWSOME JR DONALD GORDY  
2630 TALLEY ST UNIT 117  
DECATUR GA 30030

WINKLER RICHARD E  
2630 TALLEY ST # 3  
DECATUR GA 30030

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

MARCHIOLO ERYN M  
2630 TALLEY ST # 205  
DECATUR GA 30030

DERRYDOWN QUADS LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

BAUGNON MARIE  
2630 TALLEY ST #211  
DECATUR GA 30030

DERRYDOWN QUADS LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

CASLER WILLIAM D  
741 HILLMONT AVE  
DECATUR GA 30030

MCLEAN JELANI A  
4735 S LANGLEY AVE APT 2  
CHICAGO IL 60615

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

THOMPSON MICHAEL J  
737 HILLMONT AVE  
DECATUR GA 30030

CARLSON RHOEN C  
755 HILLMONT AVE  
DECATUR GA 30030

DOWNTOWN DEVELOPMENT AUTHORITY  
3715 NORTHSID PKWY PLZ STE 200  
ATLANTA GA 30327

LIA SCOTT  
2630 TALLEY ST # 228  
DECATUR GA 30030

HIGDON JASON  
2715 CRAIGIE AVE  
DECATUR GA 30030

SCANTLIN TIMOTHY T  
2722 ROYAL BLF  
DECATUR GA 30030

PETTY LINDSAY S  
2630 TALLEY ST UNIT 311  
ATLANTA GA 30030

SNYDER NICHOLAS A  
2707 CRAIGIE AVE  
DECATUR GA 30030

LINKTHUN SONYA  
2717 ROYAL BLF  
DECATUR GA 30030

THWAITS STEPHEN M  
2630 TALLEY ST UNIT 317  
DECATUR GA 30030

BURNETTE BRYAN LIVING TRUST  
760 DALEROSE AVE  
DECATUR GA 30030

O SULLIVAN GARETH JOHN  
809 DERRYDOWN WAY  
DECATUR GA 30030

JEWSOME WAUQUITA  
2630 TALLEY ST UNIT 306  
DECATUR GA 30030

OSTAPIEJ LAURA  
757 DALEROSE AVE  
DECATUR GA 30030

DOLLARHIDE ANNE  
870 DERRYDOWN WAY  
DECATUR GA 30030

JOHNSON FRED  
2630 TALLEY ST UNIT 302  
DECATUR GA 30030

SMITH SARAH ELIZABETH  
739 DALEROSE AVE  
DECATUR GA 30030

CITY OF DECATUR GEORGIA  
509 N MCDONOUGH ST  
DECATUR GA 30030

REID MARIO  
2630 TALLEY ST # 403  
DECATUR GA 30030

ABER CINDY S  
735 DALEROSE AVE  
DECATUR GA 30030

URBAN REDEVELOPMENT AGENCY  
509 N MCDONOUGH ST  
DECATUR GA 30030

BEASLEY HUGH F  
760 BROWN PL  
DECATUR GA 30030

KING DAVID R  
717 DALEROSE AVE  
DECATUR GA 30030

BLANCH ABRAHAM  
2630 TALLEY ST UNIT 120  
DECATUR GA 30030

FITCH MARVIN  
2630 TALLEY ST UNIT #422  
DECATUR GA 30030

HOBBS WARD W  
725 BROWN PL  
DECATUR GA 30030

JONES LESIA M  
PO BOX 3347 LOFT 108  
DECATUR GA 30031

2670 E COLLEGE AVE DEC LLC  
1290 AVENUE OF THE AMERICAS  
NEW YORK NY 10104

VANCE JACOB  
75 HANCOCK ST #5  
CAMBRIDGE MA 2139

JOHNSON NINA  
4328 DOGWOOD TRC  
DECATUR GA 30034

2670 E COLLEGE AVE DEC LLC  
1290 AVENUE OF THE AMERICAS  
NEW YORK NY 10104

BAGRIANSKY JOACHIM  
1904 MONROE DR NE # 235  
ATLANTA GA 30324

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

BURNETTE BRYAN LIVING TRUST  
760 DALEROSE AVE  
DECATUR GA 30030

DERRYDOWN QUADS LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

GARGIULO JOSEPH C  
P O BOX 33623  
DECATUR GA 30033

HUGHES RAYLYNN  
756 DALEROSE AVE  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

DEKALB COUNTY  
1300 COMMERCE DR  
DECATUR GA 30030

HAWK JONELLE W  
871 DERRYDOWN WAY  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

KAUTTER NICOLE  
766 HILLMONT AVE  
DECATUR GA 30030

POWELL CHRISTIE  
865 DERRYDOWN WAY  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

GRINER BERNDT H  
776 HILLMONT AVE  
DECATUR GA 30030

TEWELL RICHARD SCOTT REVOC LIVING TRUS  
849 DERRYDOWN WAY  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

GILBERT ANDREW  
2283 WINELEAS RD  
DECATUR GA 30033

SEABOARD PROPERTIES LLC  
PO BOX 1305  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

SWEAT JOHN COOPER  
734 HILLMONT AVE  
DECATUR GA 30030

RITAN MICHELE  
836 DERRYDOWN WAY  
DECATUR GA 30030

SPRINGDALE PARTNERS LLLP  
PO BOX 1305  
DECATUR GA 30031

DAVIS ASHLEY GIBBS  
118 WINNONA DR  
DECATUR GA 30030

THOMAS MATHEW J  
1274 FENWAY CIR  
DECATUR GA 30030

SEABOARD PROPERTIES LP  
111 NEW ST  
DECATUR GA 30030

NGUYEN VI THANH  
2729 E COLLEGE AVE  
DECATUR GA 30030

IZUORA KENNETH  
5646 MASA MOUNTAIN DR  
LAS VEGAS NV 89135

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

BROWN MICHAEL V  
768 DALEROSE AVE  
DECATUR GA 30030

YANG BO  
5285 BLUE YARROW RUN  
NORCROSS GA 30092

GILBERT BILLIE R  
280 RIM ROCK RD  
KERRVILLE TX 78028

DERRYDOWN QUADS LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

WHITE MARGARET M  
2630 TALLEY ST # 210  
DECATUR GA 30030

MARTA  
3424 PEACHTREE RD NE STE 300  
ATLANTA GA 30326

DEKALB COUNTY  
1300 COMMERCE DR  
DECATUR GA 30030

ROLLINS ROBERT SAM  
2630 TALLEY ST UNIT 204  
DECATUR GA 30030

MARTA  
3424 PEACHTREE RD NE STE 300  
ATLANTA GA 30326

DEKALB COUNTY  
1300 COMMERCE DR  
DECATUR GA 30030

HIRSH DANIEL MAX  
69 OAKRIDGE AVE SE  
ATLANTA GA 30317

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

DONOFRIO CORDELL J  
2723 CRAIGIE AVE  
DECATUR GA 30030

CROOM ROBERT D  
2630 TALLEY ST UNIT 328  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

DEKALB COUNTY  
1300 COMMERCE DR  
DECATUR GA 30030

ANDERSON ZACHARY W  
2630 TALLEY ST # 417  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

SKILLMAN BEN  
773 DALEROSE AVE  
DECATUR GA 30030

FORD VANESSA RENILDE  
2630 TALLEY ST # 419  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

WALKER ERIN GIVENS  
767 DALEROSE AVE  
DECATUR GA 30030

ARTER JAMES R  
2630 TALLEY ST UNIT 402  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

DALEROSE PROPERTY MANAGEMENT LLC  
729 DALEROSE AVE  
DECATUR GA 30030

HOUSING AUTHORITY OF THE  
750 COMMERCE DR # 110  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

FORSON COURTNEY  
723 DALEROSE AVE  
DECATUR GA 30030

DERRYDOWN HOLDINGS LLC  
2677 E COLLEGE AVE  
DECATUR GA 30030

ARCADIA COTTAGES LLC  
P O BOX 1305  
DECATUR GA 30031

OTT TYLER  
729 BROWN PL  
DECATUR GA 30030

GARGIULO JOSEPH C  
P O BOX 33623  
DECATUR GA 30033

PAVEY THERESA ANN  
2630 TALLEY ST UNIT 102  
DECATUR GA 30030

DECATUR SV PROPERTY LLC  
3154 LAWRENCEVILLE SUWANEE RD STE 103  
SUWANEE GA 30024

SIZER CAROLINE  
2630 TALLEY ST # 203  
DECATUR GA 30030

DERRYDOWN QUADS LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

MILLS LORRAINE P  
2736 ROYAL BLF  
DECATUR GA 30030

WRIGHT JASON  
2630 TALLEY ST UNIT 215  
DECATUR GA 30030

LBS HOLDINGS LLC  
2677 E COLLEGE AVE  
DECATUR GA 30030

OUSLEY OPAL YATES  
2726 ROYAL BLF  
DECATUR GA 30030

CAPELOUTO AARON JOSEPH  
2630 TALLEY ST UNIT 219  
DECATUR GA 30030

DERRYDOWN QUADS LLC  
1904 MONROE DR NE 235  
ATLANTA GA 30324

MCEWEN KEISHA  
891 DERRYDOWN WAY  
DECATUR GA 30030

SUNNY JAMES A  
2630 TALLEY ST UNIT 319  
DECATUR GA 30030

DERRYDOWN QUADS LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

LUDSIN HALLIE G  
881 DERRYDOWN WAY  
DECATUR GA 30030

YENNA MARSHA ANNE  
2630 TALLEY ST UNIT 323  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

ANDERSON CLAIRE ELIZABETH  
843 DERRYDOWN WAY  
DECATUR GA 30030

SAGE RYAN  
2630 TALLEY ST UNIT 320  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

FERGUSON LEO JR  
827 DERRYDOWN WAY  
DECATUR GA 30030

MONTIGNY TINA A  
2630 TALLEY ST UNIT 308  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

BOARD OF EDUCATION OF THE CITY OF DECATU  
125 ELECTRIC AVE  
DECATUR GA 30030

MORRIS ROBERT DANIEL  
2630 TALLEY ST UNIT 408  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

DYNNESON ELANE  
2630 TALLEY ST UNIT 106  
DECATUR GA 30030

MARTIN MELISSA ANN  
2630 TALLEY ST # 404  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

SEABOARD PROPERTIES LP  
111 NEW ST  
DECATUR GA 30030

WAFFLE HOUSE INC  
5986 FINANCIAL DR  
NORCROSS GA 30071

BARNES JUSTIN R  
875 DERRYDOWN WAY  
DECATUR GA 30030

189 SAMS LLC  
PO BOX 1305  
DECATUR GA 30031

HERBERT MARIE  
1828 CHRISTOPHER DR  
CONYERS GA 30094

GODWIN GREGORY L  
831 DERRYDOWN WAY  
DECATUR GA 30030

DOWNTOWN DEVELOPMENT AUTHORITY OF  
21 N AVONDALE PLZ  
AVONDALE ESTATES GA 30002

PAGUAGA MARY E  
735 BROWN PL  
DECATUR GA 30030

GIBBONS SCOTT P  
802 DERRYDOWN WAY  
DECATUR GA 30030

ARCADIA COTTAGES LLC  
P O BOX 1305  
DECATUR GA 30031

BARNES CAMERON CHARLES  
728 DALEROSE AVE  
DECATUR GA 30030

JOY RHONDA  
864 DERRYDOWN WAY  
DECATUR GA 30030

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

HUGHES RAYLYNN  
756 DALEROSE AVE  
DECATUR GA 30030

BALL JAMES M  
2112 PALIFOX DR NE  
ATLANTA GA 30307

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

ROARK MEREDITH  
2630 TALLEY ST # 125  
DECATUR GA 30030

MCCOY LU HSI TSENG  
789 HILLMONT AVE  
DECATUR GA 30030

EASTERWOOD MICHAEL H  
2915 E PONCE DE LEON AVE  
DECATUR GA 30030

GARBER MATTHEW BRENNAN  
777 HILLMONT AVE  
DECATUR GA 30030

DELIA WILLIAM JR JR  
2732 ROYAL BLF  
DECATUR GA 30030

DODD ANDREW J  
613 N PATTERSON ST  
VALDOSTA GA 31601

SHAFFER DIAN A  
2718 CRAIGIE AVE  
DECATUR GA 30030

PROCTOR KAITLIN BAKER  
861 ASHFIELD DR  
DECATUR GA 30030

WAI EE HO  
2630 TALLEY ST UNIT 222  
DECATUR GA 30030

DALEROSE LLC  
768 DALEROSE AVE  
DECATUR GA 30030

DERRYDOWN HOUSES LLC  
PO BOX 1305  
DECATUR GA 30031

ROOT DAVID F  
210 N CANDLER ST  
DECATUR GA 30030

PARK JI IN  
2630 TALLEY ST # 325  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

MAZZOLINI THOMAS J  
2739 CRAIGIE AVE  
DECATUR GA 30030

LINKENHOKER BRAD  
2630 TALLEY ST # 310  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

KERNER PATRICIA A  
754 HILLMONT AVE  
DECATUR GA 30030

BOWDEN RHONDA P  
2630 TALLEY ST UNIT 405  
DECATUR GA 30030

MARTA  
2424 PIEDMONT RD NE  
ATLANTA GA 30324

MANIVANNAN MITHUN  
784 HILLMONT AVE  
DECATUR GA 30030

ALPHONSO MERVYN L  
3830 KENNENT SQ  
SUWANEE GA 30024

SEABOARD PROPERTIES LP  
111 NEW ST  
DECATUR GA 30030

THIEL STEVEN H  
777 DALEROSE AVE  
DECATUR GA 30030

LEVETT DEANA  
1178 GRASSY OAT LN  
LAWRENCEVILLE GA 30045

AVONDALE ESTATES CITY OF  
21 N AVONDALE PLZ  
AVONDALE ESTATES GA 30002

PEREZ GLADYMYR I  
716 HILLMONT AVE  
DECATUR GA 30030

COLLEGE AVENUE INVESTMENTS LLC  
2693 E COLLEGE AVE  
DECATUR GA 30030

ARCADIA COTTAGES LLC  
PO BOX 1305  
DECATUR GA 30031

PASHEL BRIAN  
746 HILLMONT AVE  
DECATUR GA 30030

DERRYDOWN QUADS LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

ARCADIA COTTAGES LLC  
P O BOX 1305  
DECATUR GA 30031

TUCKER DANIEL DAY  
722 DALEROSE AVE  
DECATUR GA 30030

DERRYDOWN QUADS LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

ARCADIA COTTAGES LLC  
1904 MONROE DR NE STE 235  
ATLANTA GA 30324

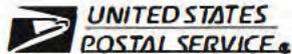
STILWELL ELIZABETH  
734 DALEROSE AVE  
DECATUR GA 30030

MARTA  
P.O. BOX 570722  
ATLANTA GA 30357

VAND GROUP LLC  
240 GLEN LAKE DR NW  
ATLANTA GA 30327

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BOEVER HOLLY STEWART  
785 HILLMONT AVE  
DECATUR GA 30030



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7.	TALLEY COLUMBIA LLC P O BOX 1305 DECATUR GA 30031	.57	.47		



26





27.	GARGIULO JOSEPH C PO BOX 33623 DECATUR GA 30033
28.	GUZMAN SALIENA 747 HILLMONT AVE DECATUR GA 30030
29.	REAGIN SEAN SAMUEL 772 HILLMONT AVE DECATUR GA 30032
30.	WINTER RYAN T 780 HILLMONT AVE DECATUR GA 30030
31.	PSAILA MARY C 730 HILLMONT AVE DECATUR GA 30030
32.	UNDERWOOD JOHN B 738 HILLMONT AVE DECATUR GA 30030
33.	SOULE RYAN P 736 DALEROSE AVE DECATUR GA 30030
34.	SAUNDERS ANNE WASHINGTON 748 DALEROSE AVE DECATUR GA 30030
35.	STREIT JOHN F IV 764 DALEROSE AVE DECATUR GA 30030
36.	JOBSON MARY 2743 ZOAR AVE DECATUR GA 30030

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37.	TRUCKS DUANE HUDSON 2744 CRAIGIE AVE DECATUR GA 30030
38.	BROOKS ELIZABETH Z 2740 ROYAL BLF DECATUR GA 30030
39.	LAVENDER REBECCA A 885 DERRYDOWN WAY DECATUR GA 30030
40.	PESTA IAN HENRY 821 DERRYDOWN WAY DECATUR GA 30030
41.	BROOKSHIRE RUSSELL C 814 DERRYDOWN WAY DECATUR GA 30030
42.	HOFF DAVID 1460 BATES CT NE BROOKHAVEN GA 30319
43.	WINCHESTER JAMES J 2630 TALLEY ST # 103 DECATUR GA 30030
44.	OCONNOR PATRICIA 2630 TALLEY ST # 119 DECATUR GA 30030
45.	BRADLEY MARY A REVOCABLE LIVING TRUST 2630 TALLEY ST UNIT 201 DECATUR GA 30030
46.	MCCOMAS RYAN KEITH 2630 TALLEY ST UNIT 217 DECATUR GA 30030

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57.	MARTA 3424 PEACHTREE RD NE STE 300 ATLANTA GA 30326
58.	189 SAMS LLC PO BOX 1305 DECATUR GA 30031
59.	ARCADIA COTTAGES LLC 1904 MONROE DR NE STE 235 ATLANTA GA 30324
60.	ECONOMY VICTOR J 1833 SMOKERISE SMT STONE MOUNTAIN GA 30087
61.	STEPHENSON DEBORAH K 733 HILLMONT AVE DECATUR GA 30030
62.	HALE JULIE K 767 HILLMONT AVE DECATUR GA 30030
63.	BARNETT BRYAN F 762 HILLMONT AVE DECATUR GA 30030
64.	HERNDON BODFISH LIVING TRUST 2726 CRAIGIE AVE DECATUR GA 30030
65.	QUERUBIN EUBERT 785 DALEROSE AVE DECATUR GA 30030
66.	CASEY SUSAN C 525 HARDENDORF AVE ATLANTA GA 30307

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67.	GARGIULO JOSEPH C P O BOX 33623 DECATUR GA 30033
68.	BURNETTE BRYAN LIVING TRUST 760 DALEROSE AVE DECATUR GA 30030
69.	JACKSON CRYSTAL LEIGH 788 DALEROSE AVE DECATUR GA 30030
70.	SOUKI JULIANA 2735 ROYAL BLF DECATUR GA 30030
71.	DERRYDOWN HOUSES LLC PO BOX 1305 DECATUR GA 30031
72.	DERRYDOWN HOUSES LLC 1904 MONROE DR NE STE 235 ATLANTA GA 30324
73.	RIPLEY F MARTIN JR 844 DERRYDOWN WAY DECATUR GA 30030
74.	BYRNE MEGHAN 858 DERRYDOWN WAY DECATUR GA 30030
75.	URIZ JEREMY 2610 TALLEY ST DECATUR GA 30030
76.	KHAROD GRISHMA 2630 TALLEY ST UNIT 101 DECATUR GA 30030

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97.	KOFFLER ZACHARY 2719 CRAIGIE AVE DECATUR GA 30030	.57	.47																	
98.	EDGE NATHAN P 758 HILLMONT AVE DECATUR GA 30030	.57	.47																	
99.	LIOY ALICE IRENE 742 HILLMONT AVE DECATUR GA 30030	.57	.47																	
100.	KILGORE FAMILY REVOCABLE LIVING TRUST 749 DALEROSE AVE DECATUR GA 30030	.57	.47																	
101.	NGUYEN IV THANH 2725 E COLLEGE AVE DECATUR GA 30030	.57	.47																	
102.	GARGIULO JOSEPH C PO BOX 33623 DECATUR GA 30033	.57	.47																	
103.	WARNER BARBARA 780 DALEROSE AVE DECATUR GA 30030	.57	.47																	
104.	DEKALB COUNTY 1300 COMMERCE DR DECATUR GA 30030	.57	.47																	
105.	GAYMON MATTHEW D 2746 ROYAL BLF DECATUR GA 30030	.57	.47																	
106.	ROUSE HEATHER S 861 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	



107.	ALLEN WILLIAM EDWARD 855 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
108.	SEABOARD PROPERTIES LP P O BOX 1305 DECATUR GA 30031	.57	.47																	
109.	DERRYDOWN HOUSES LLC 1904 MONROE DR NE STE 235 ATLANTA GA 30324	.57	.47																	
110.	RAMAGE TUTTLE REBECCA 2630 TALLEY ST # 115 DECATUR GA 30030	.57	.47																	
111.	NEWSOME JR DONALD GORDY 2630 TALLEY ST UNIT 117 DECATUR GA 30030	.57	.47																	
112.	MARCHIOLO ERYN M 2630 TALLEY ST # 205 DECATUR GA 30030	.57	.47																	
113.	BAUGNON MARIE 2630 TALLEY ST #211 DECATUR GA 30030	.57	.47																	
114.	MCLEAN JELANI A 4735 S LANGLEY AVE APT 2 CHICAGO IL 60615	.57	.47																	
115.	PAGE DONALD JAY 2630 TALLEY ST # 206 DECATUR GA 30030	.57	.47																	
116.	KUHSTOSS CHRISTOPHER MICHAEL 2630 TALLEY ST CONDO 326 DECATUR GA 30030	.57	.47																	



Complete in Ink

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127.	CARLSON RHOEN C 755 HILLMONT AVE DECATUR GA 30030	.57	.47																	
128.	HIGDON JASON 2715 CRAIGIE AVE DECATUR GA 30030	.57	.47																	
129.	SNYDER NICHOLAS A 2707 CRAIGIE AVE DECATUR GA 30030	.57	.47																	
130.	BURNETTE BRYAN LIVING TRUST 760 DALEROSE AVE DECATUR GA 30030	.57	.47																	
131.	OSTAPIEJ LAURA 757 DALEROSE AVE DECATUR GA 30030	.57	.47																	
132.	SMITH SARAH ELIZABETH 739 DALEROSE AVE DECATUR GA 30030	.57	.47																	
133.	ABER CINDY S 735 DALEROSE AVE DECATUR GA 30030	.57	.47																	
134.	KING DAVID R 717 DALEROSE AVE DECATUR GA 30030	.57	.47																	
135.	HOBBS WARD W 725 BROWN PL DECATUR GA 30030	.57	.47																	
136.	VANCE JACOB 75 HANCOCK ST #5 CAMBRIDGE MA 2139	.57	.47																	



137.	DOWNTOWN DEVELOPMENT AUTHORITY 3715 NORTHSID PKWY PLZ STE 200 ATLANTA GA 30327	.57	.47																	
138.	SCANTLIN TIMOTHY T 2722 ROYAL BLF DECATUR GA 30030	.57	.47																	
139.	LINKTHUN SONYA 2717 ROYAL BLF DECATUR GA 30030	.57	.47																	
140.	O SULLIVAN GARETH JOHN 809 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
141.	DOLLARHIDE ANNE 870 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
142.	CITY OF DECATUR GEORGIA 509 N MCDONOUGH ST DECATUR GA 30030	.57	.47																	
143.	URBAN REDEVELOPMENT AGENCY 509 N MCDONOUGH ST DECATUR GA 30030	.57	.47																	
144.	BLANCH ABRAHAM 2630 TALLEY ST UNIT 120 DECATUR GA 30030	.57	.47																	
145.	JONES LESIA M PO BOX 3347 LOFT 108 DECATUR GA 30031	.57	.47																	
146.	JOHNSON NINA 4328 DOGWOOD TRC DECATUR GA 30034	.57	.47																	



147.	LIA SCOTT 2630 TALLEY ST # 228 DECATUR GA 30030	.57	.47																	
148.	PETTY LINDSAY S 2630 TALLEY ST UNIT 311 ATLANTA GA 30330	.57	.47																	
149.	THWAITS STEPHEN M 2630 TALLEY ST UNIT 317 DECATUR GA 30030	.57	.47																	
150.	JEWSOME WAUQUITA 2630 TALLEY ST UNIT 306 DECATUR GA 30030	.57	.47																	
151.	JOHNSON FRED 2630 TALLEY ST UNIT 302 DECATUR GA 30030	.57	.47																	
152.	REID MARIO 2630 TALLEY ST # 403 DECATUR GA 30030	.57	.47																	
153.	BEASLEY HUGH F 760 BROWN PL DECATUR GA 30030	.57	.47																	
154.	FITCH MARVIN 2630 TALLEY ST UNIT #422 DECATUR GA 30030	.57	.47																	
155.	2670 E COLLEGE AVE DEC LLC 1290 AVENUE OF THE AMERICAS NEW YORK NY 10104	.57	.47																	
156.	2670 E COLLEGE AVE DEC LLC 1290 AVENUE OF THE AMERICAS NEW YORK NY 10104	.57	.47																	





167.	BROWN MICHAEL V 769 DALEROSE AVE DECATUR GA 30030	.57	.47																	
168.	BURNETTE BRYAN LIVING TRUST 760 DALEROSE AVE DECATUR GA 30030	.57	.47																	
169.	HUGHES RAYLYNN 756 DALEROSE AVE DECATUR GA 30030	.57	.47																	
170.	HAWK JONELLE W 871 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
171.	POWELL CHRISTIE 865 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
172.	TEWELL RICHARD SCOTT REVOC LIVING TRU: 849 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
173.	SEABOARD PROPERTIES LLC PO BOX 1305 DECATUR GA 30030	.57	.47																	
174.	RITAN MICHELE 836 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
175.	THOMAS MATHEW J 1274 FENWAY CIR DECATUR GA 30030	.57	.47																	
176.	IZUORA KENNETH 5646 MASA MOUNTAIN DR LAS VEGAS NV 89135	.57	.47																	



177.	YANG BO 5285 BLUE YARROW RUN NORCROSS GA 30092	.57	.47																	
178.	GILBERT BILLIE R 280 RIM ROCK RD KERRVILLE TX 78028	.57	.47																	
179.	WHITE MARGARET M 2630 TALLEY ST # 210 DECATUR GA 30030	.57	.47																	
180.	ROLLINS ROBERT SAM 2630 TALLEY ST UNIT 204 DECATUR GA 30030	.57	.47																	
181.	HIRSH DANIEL MAX 69 OAKRIDGE AVE SE ATLANTA GA 30317	.57	.47																	
182.	CROOM ROBERT D 2630 TALLEY ST UNIT 328 DECATUR GA 30030	.57	.47																	
183.	ANDERSON ZACHARY W 2630 TALLEY ST # 417 DECATUR GA 30030	.57	.47																	
184.	FORD VANESSA RENILDE 2630 TALLEY ST # 419 DECATUR GA 30030	.57	.47																	
185.	ARTER JAMES R 2630 TALLEY ST UNIT 402 DECATUR GA 30030	.57	.47																	
186.	HOUSING AUTHORITY OF THE 750 COMMERCE DR # 110 DECATUR GA 30030	.57	.47																	



187.	DONOFRIO CORDELL J 2723 CRAIGIE AVE DECATUR GA 30030	.57	.47																
188.	SKILLMAN BEN 773 DALEROSE AVE DECATUR GA 30030	.57	.47																
189.	WALKER ERIN GIVENS 767 DALEROSE AVE DECATUR GA 30030	.57	.47																
190.	DALEROSE PROPERTY MANAGEMENT LLC 729 DALEROSE AVE DECATUR GA 30030	.57	.47																
191.	FORSON COURTNEY 723 DALEROSE AVE DECATUR GA 30030	.57	.47																
192.	OTT TYLER 729 BROWN PL DECATUR GA 30030	.57	.47																
193.	LBS HOLDINGS LLC 2677 E COLLEGE AVE DECATUR GA 30030	.57	.47																
194.	DECATUR SV PROPERTY LLC 3154 LAWRENCEVILLE SUWANEE RD STE 103 SUWANEE GA 30024	.57	.47																
195.	PAVEY THERESA ANN 2630 TALLEY ST UNIT 102 DECATUR GA 30030	.57	.47																
196.	SIZER CAROLINE 2630 TALLEY ST # 203 DECATUR GA 30030	.57	.47																



197.	WRIGHT JASON 2630 TALLEY ST UNIT 215 DECATUR GA 30030	.57	.47																	
198.	CAPELOUTO AARON JOSEPH 2630 TALLEY ST UNIT 219 DECATUR GA 30030	.57	.47																	
199.	SUNNY JAMES A 2630 TALLEY ST UNIT 319 DECATUR GA 30030	.57	.47																	
200.	YENNA MARSHA ANNE 2630 TALLEY ST UNIT 323 DECATUR GA 30030	.57	.47																	
201.	SAGE RYAN 2630 TALLEY ST UNIT 320 DECATUR GA 30030	.57	.47																	
202.	MONTIGNY TINA A 2630 TALLEY ST UNIT 308 DECATUR GA 30030	.57	.47																	
203.	MORRIS ROBERT DANIEL 2630 TALLEY ST UNIT 408 DECATUR GA 30030	.57	.47																	
204.	MARTIN MELISSA ANN 2630 TALLEY ST # 404 DECATUR GA 30030	.57	.47																	
205.	MILLS LORRAINE P 2736 ROYAL BLF DECATUR GA 30030	.57	.47																	
206.	OUSLEY OPAL YATES 2726 ROYAL BLF DECATUR GA 30030	.57	.47																	



207.	MCEWEN KEISHA 891 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
208.	LUDSIN HALLIE G 881 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
209.	ANDERSON CLAIRE ELIZABETH 843 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
210.	FERGUSON LEO JR 827 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
211.	BOARD OF EDUCATION OF THE CITY OF DECA 125 ELECTRIC AVE DECATUR GA 30030	.57	.47																	
212.	DYNNESON ELANE 2630 TALLEY ST UNIT 106 DECATUR GA 30030	.57	.47																	
213.	SEABOARD PROPERTIES LP 111 NEW ST DECATUR GA 30030	.57	.47																	
214.	189 SAMS LLC PO BOX 1305 DECATUR GA 30031	.57	.47																	
215.	DOWNTOWN DEVELOPMENT AUTHORITY OF 21 N AVONDALE PLZ AVONDALE ESTATES GA 30002	.57	.47																	
216.	MCCOY LU HSI TSENG 789 HILLMONT AVE DECATUR GA 30030	.57	.47																	



217.	GARBER MATTHEW BRENNAN 777 HILLMONT AVE DECATUR GA 30030
218.	SHAFFER DIAN A 2718 CRAIGIE AVE DECATUR GA 30030
219.	DALEROSE LLC 768 DALEROSE AVE DECATUR GA 30030
220.	WAFFLE HOUSE INC 5986 FINANCIAL DR NORCROSS GA 30071
221.	HERBERT MARIE 1828 CHRISTOPHER DR CONYERS GA 30094
222.	PAGUAGA MARY E 735 BROWN PL DECATUR GA 30030
223.	BARNES CAMERON CHARLES 728 DALEROSE AVE DECATUR GA 30030
224.	HUGHES RAYLYNN 756 DALEROSE AVE DECATUR GA 30030
225.	DELIA WILLIAM JR JR 2732 ROYAL BLF DECATUR GA 30030
226.	PROCTOR KAITLIN BAKER 861 ASHFIELD DR DECATUR GA 30030

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227.	BARNES JUSTIN R 875 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
228.	GODWIN GREGORY L 831 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
229.	GIBBONS SCOTT P 802 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
230.	JOY RHONDA 864 DERRYDOWN WAY DECATUR GA 30030	.57	.47																	
231.	BALL JAMES M 2112 PALIFOX DR NE ATLANTA GA 30307	.57	.47																	
232.	ROARK MEREDITH 2630 TALLEY ST # 125 DECATUR GA 30030	.57	.47																	
233.	EASTERWOOD MICHAEL H 2915 E PONCE DE LEON AVE DECATUR GA 30030	.57	.47																	
234.	DODD ANDREW J 613 N PATTERSON ST VALDOSTA GA 31601	.57	.47																	
235.	WAI EE HO 2630 TALLEY ST UNIT 222 DECATUR GA 30030	.57	.47																	
236.	ROOT DAVID F 210 N CANDLER ST DECATUR GA 30030	.57	.47																	

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237.	PARK JI IN 2630 TALLEY ST # 325 DECATUR GA 30030	.57	.47																
238.	LINKENHOKER BRAD 2630 TALLEY ST # 310 DECATUR GA 30030	.57	.47																
239.	BOWDEN RHONDA P 2630 TALLEY ST UNIT 405 DECATUR GA 30030	.57	.47																
240.	ALPHONSO MERVYN L 3830 KENNENT SQ SUWANEE GA 30024	.57	.47																
241.	LEVETT DEANA 1178 GRASSY OAT LN LAWRENCEVILLE GA 30045	.57	.47																
242.	COLLEGE AVENUE INVESTMENTS LLC 2693 E COLLEGE AVE DECATUR GA 30030	.57	.47																
243.	SEABOARD PROPERTIES LP 111 NEW ST DECATUR GA 30030	.57	.47																
244.	AVONDALE ESTATES CITY OF 21 N AVONDALE PLZ AVONDALE ESTATES GA 30002	.57	.47																
245.	VAND GROUP LLC 240 GLEN LAKE DR NW ATLANTA GA 30327	.57	.47																
246.	BOEVER HOLLY STEWART 785 HILLMONT AVE DECATUR GA 30030	.57	.47																



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257. 247	MAZZOLINI THOMAS J 2739 CRAIGIE AVE DECATUR GA 30030	.57	.47																	
258. 248	KERNER PATRICIA A 754 HILLMONT AVE DECATUR GA 30030	.57	.47																	
259. 249	MANIVANNAN MITHUN 784 HILLMONT AVE DECATUR GA 30030	.57	.47																	
260. 250	THIEL STEVEN H 777 DALEROSE AVE DECATUR GA 30030	.57	.47																	
261. 251	PEREZ GLADYMYR I 716 HILLMONT AVE DECATUR GA 30030	.57	.47																	
262. 252	PASHEL BRIAN 746 HILLMONT AVE DECATUR GA 30030	.57	.47																	
263. 253	TUCKER DANIEL DAY 722 DALEROSE AVE DECATUR GA 30030	.57	.47																	
264. 254	STILWELL ELIZABETH 734 DALEROSE AVE DECATUR GA 30030	.57	.47																	
265.																				
266.																				



26 26

**Derrydown Way Rezoning Community Meeting - Attendee Report**

Report Generated: 10/26/2022 19:46

Topic	Webinar ID	Actual Start Time	Actual Duration (minutes)	Unique Viewers	Total Users
Derrydown Way Rezoning	985 9919 6599	10/26/2022 18:29	76	25	32

Attended	User Name (Original Name)	Email	Join Time	Leave Time	Time in Session (minutes)	Is Guest	Country/Region Name
Yes	Steven Blackburn		10/26/2022 19:07	10/26/2022 19:45	38	Yes	United States
Yes	William D'Elia		10/26/2022 18:58	10/26/2022 19:45	47	Yes	United States
Yes	R Hughes		10/26/2022 18:58	10/26/2022 19:45	47	Yes	United States
Yes	cbarnes		10/26/2022 19:04	10/26/2022 19:44	40	Yes	United States
Yes	Jenny P		10/26/2022 19:08	10/26/2022 19:44	36	Yes	United States
Yes	Sara Patenaude		10/26/2022 19:29	10/26/2022 19:45	17	Yes	United States
Yes	heidiglick		10/26/2022 18:56	10/26/2022 19:45	49	Yes	United States
Yes	Greg Godwin		10/26/2022 18:57	10/26/2022 19:14	17	Yes	United States
Yes	Greg Godwin		10/26/2022 19:14	10/26/2022 19:43	29	Yes	United States
Yes	Michele		10/26/2022 19:00	10/26/2022 19:22	23	Yes	United States
Yes	Michael McGwier	mmcgwier@worthingse.com	10/26/2022 18:57	10/26/2022 18:57	1	Yes	United States
Yes	Deborah Stephenson		10/26/2022 18:58	10/26/2022 19:44	46	Yes	United States
Yes	Russ Brookshire		10/26/2022 19:07	10/26/2022 19:45	39	Yes	United States
Yes	Heather Rouse		10/26/2022 19:09	10/26/2022 19:45	37	Yes	United States
Yes	Kathy Lum		10/26/2022 19:00	10/26/2022 19:45	45	Yes	United States
Yes	Charles Bosserman		10/26/2022 19:24	10/26/2022 19:45	22	Yes	United States
Yes	Justin Barnes		10/26/2022 18:57	10/26/2022 19:44	47	Yes	United States
Yes	Jennifer Scantlin		10/26/2022 18:55	10/26/2022 19:45	50	Yes	United States
Yes	A		10/26/2022 18:37	10/26/2022 19:45	68	Yes	United States
Yes	Link		10/26/2022 19:00	10/26/2022 19:45	46	Yes	United States
Yes	Q		10/26/2022 19:02	10/26/2022 19:45	43	Yes	United States
Yes	Miranda Bodfish		10/26/2022 19:19	10/26/2022 19:45	26	Yes	United States
Yes	k		10/26/2022 18:53	10/26/2022 19:45	53	Yes	United States
Yes	Barbara Emmanuel (she/her)		10/26/2022 19:06	10/26/2022 19:45	39	Yes	United States
Yes	Jason Guzman		10/26/2022 18:52	10/26/2022 19:45	53	Yes	United States
Yes	Lupe		10/26/2022 19:04	10/26/2022 19:45	42	Yes	United States

# Site Plan



# Legal Description & Survey

## LEGAL DESCRIPTIONS

### Tract 1

All that tract or parcel of land lying and being in Land Lots 247 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

To reach the True Point of Beginning, commence at a point being the southernmost mitered intersection of the westerly Right of Way of Arcadia Avenue (Variable R/W, said point being 73.0' from the centerline) and the northerly Right of Way of Craigie Avenue (Variable R/W), said point being 15.0' from the centerline), from point thus established and running along the Right of Way of Craigie Avenue North 89° 16' 25" West a distance of 71.63 feet to a 1/2" rebar found; thence North 01° 26' 08" West a distance of 23.06 feet to a 3/4" crimp top pipe found; thence North 87° 37' 37" West a distance of 139.16 feet to a point on the easterly Right of Way of Derrydown Way (50' R/W); thence running across said Right of Way along a tie line North 87° 37' 37" West a distance of 49.80 feet to a point on the westerly Right of Way of Derrydown Way and being the TRUE POINT OF BEGINNING, from point thus established thence North 87° 37' 37" West a distance of 139.24 feet to a point; thence North 00° 48' 58" East a distance of 492.40 feet to a 1/2" rebar found; thence North 00° 46' 25" East a distance of 28.00 feet to a found; thence South 89° 15' 03" East a distance of 138.40 feet to a 3/8" rebar found on the aforementioned westerly Right of Way of Derrydown Way; thence running along said Right of Way South 00° 43' 39" West a distance of 524.35 feet to the TRUE POINT OF BEGINNING. Said tract contains 1.664 Acres (72,496 Square Feet).

## Tract 2

All that tract or parcel of land lying and being in Land Lots 247 & 248 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

BEGINNING at a point being the southernmost mitered intersection of the westerly Right of Way of Arcadia Avenue (Variable R/W, said point being 73.0' from the centerline) and the northerly Right of Way of Craigie Avenue (Variable R/W), said point being 15.0' from the centerline), from point thus established and running along the Right of Way of Craigie Avenue North 89° 16' 25" West a distance of 71.63 feet to a 1/2" rebar found; thence North 01° 26' 08" West a distance of 23.06 feet to a 3/4" crimp top pipe found; thence North 87° 37' 37" West a distance of 139.16 feet to a point on the easterly Right of Way of Derrydown Way (50' R/W); thence running along the Right of Way of Derrydown Way North 00° 43' 39" East a distance of 521.78 feet to a 1/2" rebar found; thence leaving said Right of Way and running South 89° 32' 02" East a distance of 139.45 feet to a point on the Land Lot Line common to Land Lots 247 and 248; thence South 89° 32' 02" East a distance of 101.46 feet to a point on the westerly Right of Way of Arcadia Avenue; thence running along said Right of Way of Arcadia Avenue South 00° 58' 34" West a distance of 245.18 feet to a 3/4" open top pipe found; thence South 00° 46' 28" West a distance of 279.24 feet to a point; thence running along a miter South 48° 25' 25" West a distance of 37.89 feet to the TRUE POINT OF BEGINNING. Said tract contains 2.939 Acres (128,007 Square Feet).

Tract 3 (Derrydown Way R/W Abandonment)

All that tract or parcel of land lying and being in Land Lots 247 & 248 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

To reach the True Point of beginning, commence at a point being the southernmost mitered intersection of the westerly Right of Way of Arcadia Avenue (Variable R/W, said point being 73.0' from the centerline) and the northerly Right of Way of Craigie Avenue (Variable R/W), said point being 15.0' from the centerline), thence running along the Right of Way of Craigie Avenue North 89° 16' 25" West a distance of 71.63 feet to a 1/2" rebar found; thence North 01° 26' 08" West a distance of 23.06 feet to a 3/4" crimp top pipe found; thence North 87° 37' 37" West a distance of 139.16 feet to a point on the easterly Right of Way of Derrydown Way (50' R/W) and the TRUE POINT OF BEGINNING, from point thus established and running across said Right of Way of Derrydown Way North 87° 37' 37" West a distance of 49.80 feet to a point on the westerly Right of Way of Derrydown Way ; thence running along the westerly Right of Way North 00° 43' 39" East a distance of 524.35 feet to a point; thence running across the Right of Way of Derrydown Way South 84° 40' 39" East a distance of 49.93 feet to a point on the easterly Right of Way of Derrydown Way; thence running along the easterly Right of Way South 00° 43' 39" West a distance of 521.78 feet to a the TRUE POINT OF BEGINNING. Said tract contains 0.598 Acres (26,035 Square Feet).

## Overall Tract

All that tract or parcel of land lying and being in Land Lots 247 & 248 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

BEGINNING at a point being the southernmost mitered intersection of the westerly Right of Way of Arcadia Avenue (Variable R/W, said point being 73.0' from the centerline) and the northerly Right of Way of Craigie Avenue (Variable R/W), said point being 15.0' from the centerline), from point thus established and running along the Right of Way of Craigie Avenue North 89° 16' 25" West a distance of 71.63 feet to a 1/2" rebar found; thence North 01° 26' 08" West a distance of 23.06 feet to a 3/4" crimp top pipe found; thence North 87° 37' 37" West a distance of 139.16 feet to a point on the easterly Right of Way of Derrydown Way (50' R/W); thence running across said Right of Way of Derrydown Way North 87° 37' 37" West a distance of 49.80 feet to a point on the westerly Right of Way of Derrydown Way; thence leaving said Right of Way and running North 87° 37' 37" West a distance of 139.24 feet to a point; thence North 00° 48' 58" East a distance of 492.40 feet to a 1/2" rebar found; thence North 00° 46' 25" East a distance of 28.00 feet to a found; thence South 89° 15' 03" East a distance of 138.40 feet to a 3/8" rebar found on the aforementioned westerly Right of Way of Derrydown Way; thence running across the Right of Way of Derrydown Way South 84° 40' 39" East a distance of 49.93 feet to a 1/2" rebar found on the easterly Right of Way of Derrydown Way; thence leaving said Right of Way and running South 89° 32' 02" East a distance of 139.45 feet to a point on the Land Lot Line common to Land Lots 247 and 248; thence South 89° 32' 02" East a distance of 101.46 feet to a point on the westerly Right of Way of Arcadia Avenue; thence running along said Right of Way of Arcadia Avenue South 00° 58' 34" West a distance of 245.18 feet to a 3/4" open top pipe found; thence South 00° 46' 28" West a distance of 279.24 feet to a point; thence running along a miter South 48° 25' 25" West a distance of 37.89 feet to the TRUE POINT OF BEGINNING. Said tract contains 5.201 Acres (226,538 Square Feet).



**LEGEND**

IPF	IRON PIN FOUND
IPS	IRON PIN SET
PID	PARCEL I.D.
RB	REBAR
OTF	OPEN TOP PIPE
R/W	RIGHT OF WAY
DB	DEED BOOK
PB	PLAT BOOK
PKS	PAKAGE
PID	TAX PARCEL ID
TBM	TEMPORARY BENCHMARK
MH	MANHOLE
CB	CATCH BASIN
DI	DROP INLET
RTDI	JUNCTION BOX
HW	RAISED TOP DROP INLET
CMP	HEADWALL
RCP	CORRUGATED METAL PIPE
DIP	REINFORCED CONCRETE PIPE
FH	DUCTILE IRON PIPE
WM	FIRE HYDRANT
WV	WATER METER
GV	WATER VALVE
C&G	GAS VALVE
C&G	24" CURB & GUTTER
GUY	GUY WIRE
PP	POWER POLE
LP	LIGHT POLE
SL	SEWER LINE
FM	FORCE MAIN
FENCE	FENCE
TEL	TELEPHONE LINE
UT	UNDERGROUND TELEPHONE LINE
PL	POWER LINE
UPL	UNDERGROUND POWER LINE
WL	WATER LINE
GL	GAS LINE
900.0	SPOT ELEVATION
1	REGULAR PARKING SPACE
1	HANDICAP PARKING SPACE
1	TRANSFORMER
1	CONCRETE PAVING

**LEGAL DESCRIPTION**

**Overall Tract**  
All that tract or parcel of land lying and being in Land Lots 247 & 248 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

BEGINNING at a point being the southernmost mitered intersection of the westerly Right of Way of Arcadia Avenue (Variable R/W, said point being 73.0' from the centerline) and the northerly Right of Way of Craigie Avenue (Variable R/W), said point being 15.0' from the centerline), from point thus established and running along the Right of Way of Craigie Avenue North 89° 16' 25" West a distance of 71.63 feet to a 1/2" rebar found; thence North 01° 26' 08" West a distance of 23.06 feet to a 3/4" crimp top pipe found; thence North 87° 37' 37" West a distance of 139.16 feet to a point on the easterly Right of Way of Derrydown Way (50' R/W); thence running across said Right of Way of Derrydown Way North 87° 37' 37" West a distance of 49.80 feet to a point on the westerly Right of Way of Derrydown Way; thence leaving said Right of Way and running North 87° 37' 37" West a distance of 139.24 feet to a point; thence North 00° 48' 58" East a distance of 492.40 feet to a 1/2" rebar found; thence North 00° 46' 25" East a distance of 28.00 feet to a found; thence South 89° 15' 03" East a distance of 138.40 feet to a 3/8" rebar found on the aforementioned westerly Right of Way of Derrydown Way; thence running across the Right of Way of Derrydown Way South 84° 40' 39" East a distance of 49.93 feet to a 1/2" rebar found on the easterly Right of Way of Derrydown Way; thence leaving said Right of Way and running South 89° 32' 02" East a distance of 139.45 feet to a point on the Land Lot Line common to Land Lots 247 and 248; thence South 89° 32' 02" East a distance of 101.46 feet to a point on the westerly Right of Way of Arcadia Avenue; thence running along said Right of Way of Arcadia Avenue South 00° 58' 34" West a distance of 245.18 feet to a 3/4" open top pipe found; thence South 00° 46' 28" West a distance of 279.24 feet to a point; thence running along a miter South 48° 25' 25" West a distance of 37.89 feet to the TRUE POINT OF BEGINNING. Said tract contains 5.201 Acres (226,538 Square Feet).

**REFERENCES**

1. SURVEY FOR DERRYDOWN ASSOCIATES, INC BY ESTON FENOLLEY DATED MARCH 31, 1982 AND RECORDED IN PLAT BOOK 74, PAGE 3 DEKALB COUNTY RECORDS.
2. PLAT OF SUBDIVISION OF D. T. BONNER BY M. FREER DATED AUGUST 16, 1950 AND RECORDED IN PLAT BOOK 17, PAGE 122 AFORESAID RECORDS.

**FLOOD NOTE**

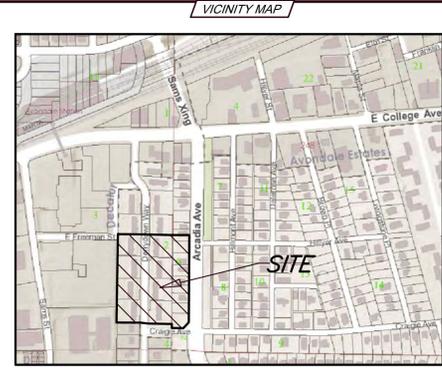
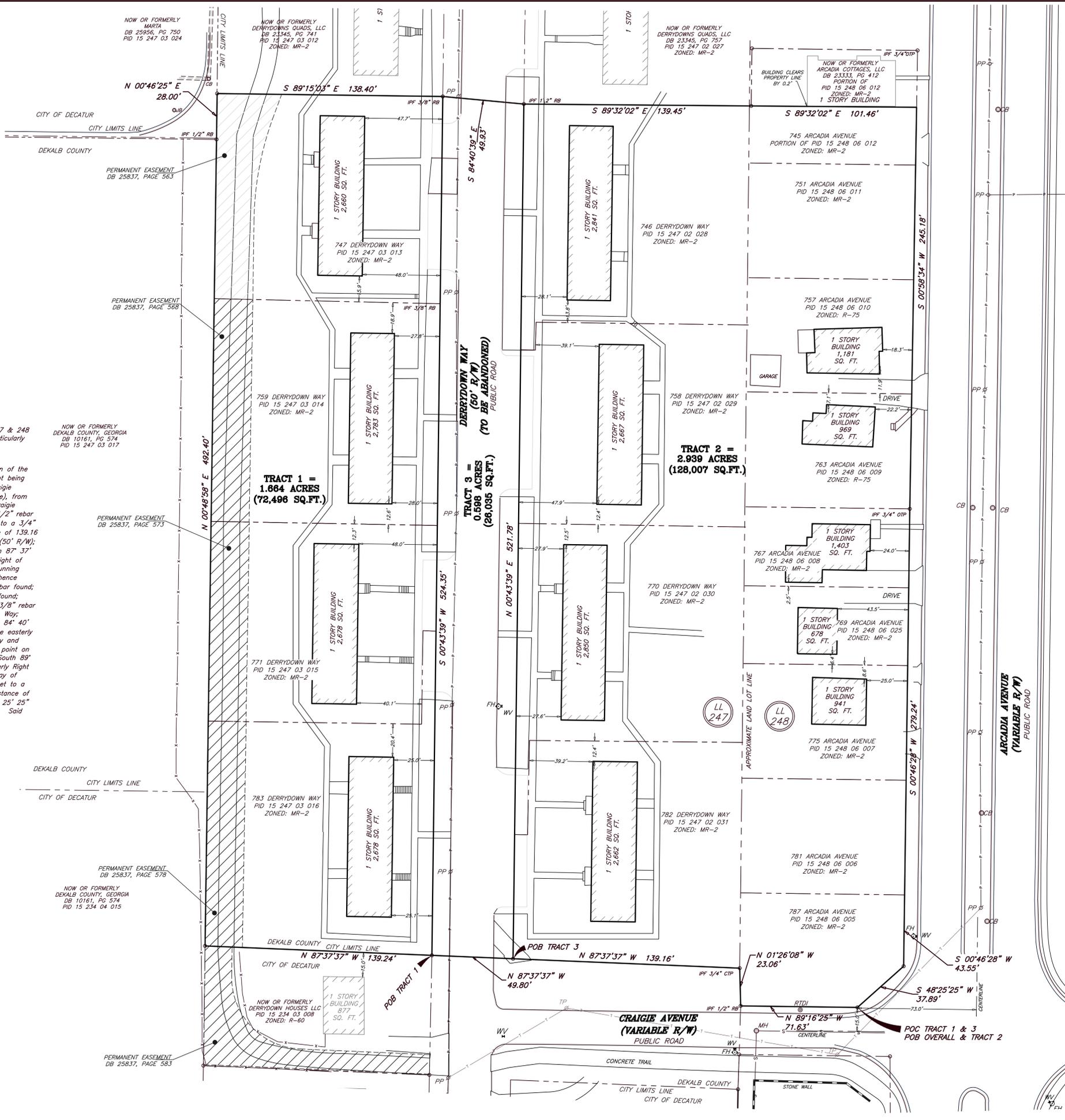
THE SUBJECT PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARD AREA PER FIRM MAP NUMBER 13089C0069A, DATED MAY 16, 2013. THE SUBJECT PROPERTY LIES WITHIN A ZONE X, WHICH IS DEFINED AS AREAS OUTSIDE THE 500 YEAR FLOODPLAIN.

**CONFORMITY STATEMENT**

This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act O.C.G.A. 15-6-67.

**CLOSURE STATEMENT**

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 138,652 FEET AND AN ANGULAR ERROR OF 1" PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.  
A LEICA TS12 TOTAL STATION AND AN CARLSON DATA COLLECTOR WERE USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.  
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 148,350 FEET.



**LEGAL DESCRIPTION**

**Tract 1**  
All that tract or parcel of land lying and being in Land Lots 247 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

To reach the True Point of Beginning, commence at a point being the southernmost mitered intersection of the westerly Right of Way of Arcadia Avenue (Variable R/W, said point being 73.0' from the centerline) and the northerly Right of Way of Craigie Avenue (Variable R/W), said point being 15.0' from the centerline), from point thus established and running along the Right of Way of Craigie Avenue North 89° 16' 25" West a distance of 71.63 feet to a 1/2" rebar found; thence North 01° 26' 08" West a distance of 23.06 feet to a 3/4" crimp top pipe found; thence North 87° 37' 37" West a distance of 139.16 feet to a point on the easterly Right of Way of Derrydown Way (50' R/W); thence running across said Right of Way along a tie line North 87° 37' 37" West a distance of 49.80 feet to a point on the westerly Right of Way of Derrydown Way and being the TRUE POINT OF BEGINNING, from point thus established thence North 87° 37' 37" West a distance of 139.24 feet to a point; thence North 00° 48' 58" East a distance of 492.40 feet to a 1/2" rebar found; thence North 00° 46' 25" East a distance of 28.00 feet to a found; thence South 89° 15' 03" East a distance of 138.40 feet to a 3/8" rebar found on the aforementioned westerly Right of Way of Derrydown Way; thence running along said Right of Way South 00° 43' 39" West a distance of 524.35 feet to the TRUE POINT OF BEGINNING. Said tract contains 1.664 Acres (72,496 Square Feet).

**Tract 2**  
All that tract or parcel of land lying and being in Land Lots 247 & 248 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

BEGINNING at a point being the southernmost mitered intersection of the westerly Right of Way of Arcadia Avenue (Variable R/W, said point being 73.0' from the centerline) and the northerly Right of Way of Craigie Avenue (Variable R/W), said point being 15.0' from the centerline), from point thus established and running along the Right of Way of Craigie Avenue North 89° 16' 25" West a distance of 71.63 feet to a 1/2" rebar found; thence North 01° 26' 08" West a distance of 23.06 feet to a 3/4" crimp top pipe found; thence North 87° 37' 37" West a distance of 139.16 feet to a point on the easterly Right of Way of Derrydown Way (50' R/W); thence running along the Right of Way of Derrydown Way North 00° 43' 39" East a distance of 521.78 feet to a 1/2" rebar found; thence leaving said Right of Way and running South 89° 32' 02" East a distance of 139.45 feet to a point on the Land Lot Line common to Land Lots 247 and 248; thence South 89° 32' 02" East a distance of 101.46 feet to a point on the westerly Right of Way of Arcadia Avenue; thence running along said Right of Way of Arcadia Avenue South 00° 58' 34" West a distance of 245.18 feet to a 3/4" open top pipe found; thence South 00° 46' 28" West a distance of 279.24 feet to a point; thence running along a miter South 48° 25' 25" West a distance of 37.89 feet to the TRUE POINT OF BEGINNING. Said tract contains 2.939 Acres (128,007 Square Feet).

**Tract 3 (Derrydown Way R/W Abandonment)**  
All that tract or parcel of land lying and being in Land Lots 247 & 248 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

To reach the True Point of beginning, commence at a point being the southernmost mitered intersection of the westerly Right of Way of Arcadia Avenue (Variable R/W, said point being 73.0' from the centerline) and the northerly Right of Way of Craigie Avenue (Variable R/W), said point being 15.0' from the centerline), thence running along the Right of Way of Craigie Avenue North 89° 16' 25" West a distance of 71.63 feet to a 1/2" rebar found; thence North 01° 26' 08" West a distance of 23.06 feet to a 3/4" crimp top pipe found; thence North 87° 37' 37" West a distance of 139.16 feet to a point on the easterly Right of Way of Derrydown Way (50' R/W) and the TRUE POINT OF BEGINNING, from point thus established and running across said Right of Way of Derrydown Way North 87° 37' 37" West a distance of 49.80 feet to a point on the westerly Right of Way of Derrydown Way; thence running along the westerly Right of Way of Derrydown Way; thence running along the westerly Right of Way of Derrydown Way North 00° 43' 39" East a distance of 524.35 feet to a point; thence running across the Right of Way of Derrydown Way South 84° 40' 39" East a distance of 49.93 feet to a point on the easterly Right of Way of Derrydown Way; thence running along the easterly Right of Way of Derrydown Way; thence running along the easterly Right of Way South 00° 43' 39" East a distance of 521.78 feet to a the TRUE POINT OF BEGINNING. Said tract contains 0.598 Acres (26,035 Square Feet).

**OVERALL TRACT = 5.201 ACRES (226,538 SQ.FT.)**

**TSS TECHNICAL SURVEY SERVICES**  
Land Surveyors  
1641 Autumn Blvd, SW  
Conyers, Georgia 30012  
(770) 922-6391 Office  
info@tss-atl.com  
www.tss-atl.com

Date	Revision
7/27/2022	
9/9/2022	

No. 1 ADD TREES  
2 ADD PARCELS 3, 4, AND 5

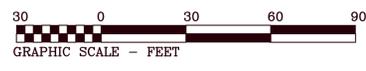
Field Date: 06/07/2022  
Plat Date: 06/10/2022  
Scale: 1" = 30'

**ZONING PLAT FOR WSE DEVELOPMENT, LLC OF DERRYDOWN WAY LAND LOTS 247 & 248 15th DISTRICT DEKALB COUNTY, GEORGIA**

**1**  
SHEET 1 OF 1

JOB #: 2022-909  
CRD: DERRYDOWN  
DWG: WORTHING DERRYD  
LSV: KAYSOCAL

Derrydown Way Right-of-Way  
Abandonment Plat and Legal Description



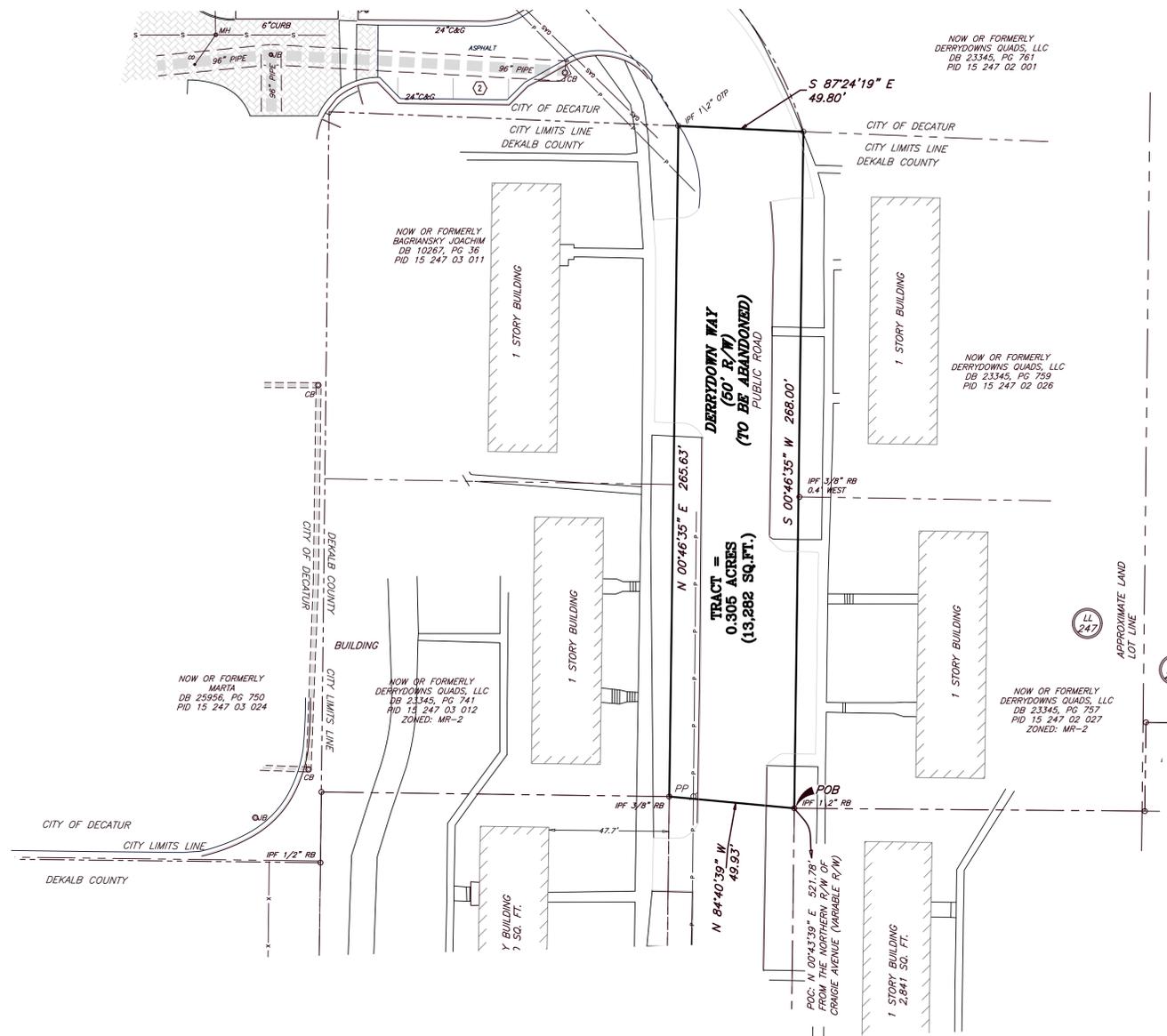
- LEGEND**
- IPF IRON PIN FOUND
  - IPS IRON PIN SET
  - PID PARCEL I.D.
  - RB REBAR
  - OTF OPEN TOP PIPE
  - R/W RIGHT OF WAY
  - DB DEED BOOK
  - PLAT BOOK
  - PG PAGE
  - PID TAX PARCEL ID
  - TBM TEMPORARY BENCHMARK
  - MH MANHOLE
  - CB CATCH BASIN
  - DI DROP INLET
  - JB JUNCTION BOX
  - RTDI RAISED TOP DROP INLET
  - HW HEADWALL
  - CMP CORRUGATED METAL PIPE
  - RCP REINFORCED CONCRETE PIPE
  - DIP DUCTILE IRON PIPE
  - FH FIRE HYDRANT
  - WM WATER METER
  - WV WATER VALVE
  - GV GAS VALVE
  - 24" C&G 24" CURB & GUTTER
  - GUY GUY WIRE
  - PP POWER POLE
  - LP LIGHT POLE
  - S- SEWER LINE
  - FM- FORCE MAIN
  - F- FENCE
  - T- TELEPHONE LINE
  - UT- UNDERGROUND TELEPHONE LINE
  - P- POWER LINE
  - UP- UNDERGROUND POWER LINE
  - W- WATER LINE
  - G- GAS LINE
  - 900.0 SPOT ELEVATION
  - 11 REGULAR PARKING SPACES
  - 1 HANDICAP PARKING SPACE
  - TRANSFORMER
  - CONCRETE PAVING

- REFERENCES**
1. SURVEY FOR DERRYDOWN ASSOCIATES, INC BY ESTON FENDLEY DATED MARCH 31, 1982 AND RECORDED IN PLAT BOOK 74, PAGE 3 DEKALB COUNTY RECORDS.
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**CONFORMITY STATEMENT**  
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**CLOSURE STATEMENT**  
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A LEICA TS12 TOTAL STATION AND CARLSON DATA COLLECTOR WERE USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.  
THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE TO WITHIN ONE FOOT IN 148,350 FEET.



**LEGAL DESCRIPTION**  
All that tract or parcel of land lying and being in Land Lots 247 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:  
To reach the True Point of Beginning, commence at a point being the intersection of the easterly Right of Way of Derrydown Way (50' R/W) and the northerly Right of Way of Craigie Avenue (Variable R/W), thence running along the easterly Right of Way of Derrydown Way North 00° 43' 39" East a distance of 521.78 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING, from point thus established and running across the Right of Way of Derrydown Way thence North 84° 40' 44" West a distance of 49.93 feet to a 3/8" rebar found on the westerly Right of Way of Derrydown Way; thence running along the westerly Right of Way North 00° 46' 35" East a distance of 265.63 feet to a 1/2" open top pipe found; thence leaving said westerly Right of Way and running across the Right of Way of Derrydown Way South 87° 24' 19" East a distance of 49.80 feet to a point on the easterly Right of Way of Derrydown Way; thence running along the easterly Right of Way South 00° 46' 35" West a distance of 268.00 feet to the TRUE POINT OF BEGINNING. Said tract contains 0.305 Acres (13,282 Square Feet).

**RIGHT OF WAY ABANDONMENT PLAT**  
FOR  
**WSE DEVELOPMENT, LLC**  
OF  
**DERRYDOWN WAY**  
LAND LOTS 247 & 248 15th DISTRICT  
DEKALB COUNTY, GEORGIA



Date	Revision
7/27/2022	1 ADD TREES
9/9/2022	2 ADD PARCEL 3, 4, AND 5

Field Date: 06/07/2022  
Plat Date: 06/10/2022  
Scale: 1" = 30'

**Derrydown Way Right-of-Way Abandonment**

**Legal Description**

All that tract or parcel of land lying and being in Land Lots 247 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

To reach the True Point of Beginning, commence at a point being the intersection of the easterly Right of Way of Derrydown Way (50' R/W) and the northerly Right of Way of Craigie Avenue (Variable R/W), thence running along the easterly Right of Way of Derrydown Way North 00° 43' 39" East a distance of 521.78 feet to a 1/2" rebar found and the TRUE POINT OF BEGINNING, from point thus established and running across the Right of Way of Derrydown Way thence North 84° 40' 44" West a distance of 49.93 feet to a 3/8" rebar found on the westerly Right of Way of Derrydown Way; thence running along the westerly Right of Way North 00° 46' 35" East a distance of 265.63 feet to a 1/2" open top pipe found; thence leaving said westerly Right of Way and running across the Right of Way of Derrydown Way South 87° 24' 19" East a distance of 49.80 feet to a point on the easterly Right of Way of Derrydown Way; thence running along the easterly Right of Way South 00° 46' 35" West a distance of 268.00 feet to the TRUE POINT OF BEGINNING. Said tract contains 0.305 Acres (13,282 Square Feet).

# Statement of Intent

**STATEMENT OF INTENT**

and

Other Material Required by  
DeKalb County Zoning Ordinance  
for the  
Rezoning Application

of

**WSE Development, LLC**

for

± 5.201 Acres of Land  
located in  
Land Lots 247 and 248, 15<sup>th</sup> District

MR-2 and R-75 to HR-2

Submitted for Applicant by:

Dennis J. Webb, Jr.  
Kathryn M. Zickert  
J. Alexander Brock  
Smith, Gambrell & Russell, LLP  
1105 West Peachtree Street, N.E., Suite 1000  
Atlanta, Georgia 30309  
404-815-3500

## I. INTRODUCTION

This Application seeks to rezone  $\pm$  5.201 acres of land located on Derrydown Way, north of its intersection with Craigie Avenue (the “Subject Property”), from MR-2 (Medium Density Residential – 2) and R-75 (Residential Medium Lot – 75) to HR-2 (High Density Residential – 2). At present the Subject Property consists of 17 lots, comprised of quad-plexes, vacant lots and single-family detached units. All residential units are rentals.

The Subject Property is adjacent to and surrounded on three sides by property located in the City of Decatur. The MARTA-Avondale Train Station—also in the City—is within easy walking distance. Decatur recognizes that mass transit needs “mass.” *See, e.g., Destination: 2030, 2020 Strategic Plan, p. 76.* It committed to raising both population and employment densities in the area to address a number of issues, like reducing traffic and vehicle emissions, expanding affordable housing and addressing the racial inequities that are embedded in the layout of many metro areas. *See Strategic Plan at p. XV.* To accomplish these goals, the City rezoned the properties near the MARTA station to the MU (Mixed-Use) district and designated parcels in the area as “Commercial and High-Density Residential” on the City’s Future Land Use Map. These entitlements allow for residential densities of up to 70 units per acre and building heights of up to 80 feet. Decatur’s initiative has worked, resulting in new developments like Courtland Decatur East, a mixed-use project containing  $\pm$  20,000 square feet of commercial space and 378 multifamily units in an eight-story building, and Columbia Senior Residences, senior independent living apartments in a five-story building.

The Subject Property has the same potential as the parcels next-door, but it does not have the appropriate entitlements to realize that potential. Located exclusively in unincorporated DeKalb County, the Subject Property is zoned MR-2 and R-75. It also is designated at TN

(“Traditional Neighborhood”) on the County’s Future Land Use Map. Hence, development on the Subject Property is limited to lower-density residential uses at 12 units per acre, an irrational restriction given the proximity to mass transit.

The Applicant files this Application to unlock the Subject Property’s potential. The Applicant is headquartered in Atlanta and specializes in the development, construction and management of Class A institutional quality multifamily properties. It hopes to rezone the Subject Property to allow for a 312-unit multi-family development (60 units per acre). The building proposed will be five-stories and wrap a structured parking deck. Sidewalk and streetscape will be provided on Arcadia and Cragie Avenues, to the east and south respectively, and along a new driveway constructed at the northern property line. The development will also be heavily landscaped and provide an appropriate greenway along the PATH trail that exists to the west. Concurrently, the Applicant has filed an application to amend the Future Land Use Map designation for the Subject Property from TN to TC (“Town Center”), a category that mirrors the entitlements allowed by the City of Decatur. It also will be filing an application to abandon a portion of Derrydown Way.

The Applicant submits this document as a Statement of Intent with regard to this Application, a preservation of the Applicant’s constitutional rights, and a Written Justification for the Application as outlined in the DeKalb County Zoning Ordinance, § 27-7.3.5. A Site Plan has been filed with the original Application, along with the other required materials.

## **II. HISTORY**

15 of the 18 parcels were rezoned from R-75 to MR-2 in 1988 (CZ-88040). Upon information and belief, the balance of the parcels were zoned R-75 at the time that DeKalb County first adopted a zoning ordinance.

### **III. IMPACT ANALYSIS**

#### **A.**

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

Concurrent with this request, the Applicant has filed an application to modify the Land Use Map designation for the Subject Property from the “Traditional Neighborhood (TN)” character area to the “Town Center (TC)” character area. As alluded to above, and in an attempt to capitalize on the proximity to mass transit, the City of Decatur has entitled properties in the area for high-density (i.e. 70-units per acre) and high-intensity (i.e. 80’ tall buildings) uses, which has resulted in new multi-family, Senior Living, commercial and office uses. Hence, the area in which the Subject Property is located is already functioning as a town center. The Applicant seeks to align DeKalb County’s character area designation for the Subject Property with development currently on the ground and anticipated in the future, which would promote a number of policies and goals of the County’s Comprehensive Plan, including:

- Creating compact mixed-use districts and reducing automobile dependency and travel to obtain basic services.
- Creating pedestrian scale communities that focus on the relationship between the street, buildings, streetscaping and people.
- Improving street character with consistent signage, lighting, landscaping and other design features.
- Including a very high-density mix of retail, office, services, and employment opportunities to serve several neighborhoods.

- Adding traffic calming improvements, sidewalks, and increased street interconnections to increase safety and improve walkability.
- Identifying and encouraging new and innovative approaches to quality residential development which expand housing opportunities and minimize public and private costs.
- Enhancing existing and developing new gateways throughout the County.

In summary, the proposed development serves to implement specific goals, objectives and policies of the County's Land Use Plan.

**B.**

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

As alluded to above, the Subject Property is surrounded by comparable uses, heights and densities. For example, to the north is Courtland Decatur East, a mixed-use development containing  $\pm$  20,000 square feet of commercial space and 378 multi-family units in an eight-story building, and Columbia Senior Residences, senior apartments in a five-story building. To the south is right-of-way and to the southwest two, three-story office building that serve DeKalb County. Similarly, to the west is a larger parking field and further west a commercial shopping center called East Decatur Station. Finally, to the east is single-family detached, but it is detached from the proposed development by the right-of-way of Arcadia Avenue and a greenway along the eastern side of Arcadia Avenue. The homes in that area also do not generally front on Arcadia Avenue but orient towards the internal side streets.

The proposed development will blend harmoniously with the surrounding multifamily residential, office, commercial and single-family uses. The requested zoning district is entirely consistent with and suitable in light of the current and future development plans and patterns.

Finally, the intended final appearance of this development will include appropriate attention to scale, buffering, setbacks, pedestrian orientation and landscaping so that this development will blend harmoniously with its surroundings.

**C.**

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

The Subject Property does not have a reasonable economic use as currently zoned. The development trends in the area support high-intensity and density development, both now and in the future. The Subject Property's entitlements, however, require the opposite, limiting development on the site to low density residential. This restriction is not inconsistent with the area and would result in the gross underutilization of land within walking distance of a MARTA transit line.

For these reasons, the underlying zoning on the Subject Property (and any intervening zoning district except for that requested) is unconstitutional, is contrary to the best interest of the health and welfare of the citizens of DeKalb County, Georgia, and constitutes an arbitrary and capricious act. As a result, the Zoning Ordinance is in violation of Article I, Section I, Paragraphs 1 and 2 of the Constitution of the State of Georgia 1983; Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983. Furthermore, the Zoning Ordinance violates the due process clause and equal protection clauses of the Fifth and Fourteenth Amendments to the Constitution of the United States of America.

The Zoning Ordinance of DeKalb County Georgia lacks adequate standards for the Board of County Commissioners to exercise its power to zone and rezone. In essence, the standards are not sufficient to contain the discretion of the Board of County Commissioners and to provide the

Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance to the Board of County Commissioners, the Zoning Ordinance violates the Fifth and Fourteenth Amendments of the Constitution of the United States in matters of zoning. The Zoning Resolution also violates Article I, Section III, Paragraph 1; and Article I, Paragraphs 1 and 2 of the Constitution of State of Georgia, 1983.

The Board of County Commissioners is granted the power to zone pursuant to Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983. It is a power which must be fairly exercised. Based on this element of fairness, the Zoning Ordinance of DeKalb County, Georgia violates Article IX, Section II, Paragraph 4 of the Constitution of the State of Georgia, 1983.

In addition, the Zoning Ordinance presently in effect is unconstitutional in that it renders this property unusable and destroys its marketability. Therefore, the Zoning Ordinance constitutes a taking of applicant's property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the United States Constitutional and in violation of Article I, Section I, Paragraph 1 and Article I, Section III, Paragraph 1(a) of the Constitution of Georgia.

The failure to rezone the subject property as requested, would constitute the taking of property without due process and without the payment of adequate compensation in violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia, 1983; and the Fifth and Fourteenth Amendments of the Constitution of the United States.

Failure to grant the application for rezoning or to zone the property to any other classification including other intervening classifications, would be contrary to the best interest of

the health and welfare of the citizens of DeKalb County Georgia, and would further constitute an arbitrary and capricious act. As such, failure to grant the application would constitute a Violation of Article I, Section I, Paragraph 1 of the Constitution of the State of Georgia, 1983; and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia; and Article I, Section II, Paragraph 3 of the Constitution of the State of Georgia, 1983, together with the due process clause and equal protection clauses of Fifth and Fourteenth Amendments to the Constitution of the United States of America.

Any limitation on the time for presentation of the issues before the Board of County Commissioners who have the power to zone and rezone is a violation of the guarantees of free speech under Article I, Section I, Paragraph 5 of the Constitution of the State of Georgia, 1983 and the First Amendment of the Constitution of the United States of America. Further, said limitations are in violation of the right to petition and assemble, in violation of Article I, Section I, Paragraph IX of the Constitution of Georgia, 1983 and the First Amendment of the Constitution of the United States of America as well as the due process clauses of the Constitution of Georgia, 1983 and the Constitution of the United States of America.

The Zoning Ordinance of DeKalb County is unlawful, null and void in that its adoption and map adoption/maintenance did not comply with the requirements of its predecessor ordinance and/or the Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*

**D.**

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

Please see III.B. above. In further response, the Applicant notes that conditions for development of the property will be discussed and negotiated with the larger community. Hopefully the development plan will be endorsed by neighborhood groups. The Applicant also

notes that it has designed the project to complement rather than conflict with existing development in the area. The primary goal of land use planning is to eliminate or minimize the potential adverse effect of the dissimilar uses of adjacent tracts of land by establishing a harmonious transition between them. The traditional method of achieving this goal is through both “off-site” and “on-site” transition. Off-site transition consists of avoiding the placement of dissimilar uses next to each other by placing uses of intermediate density between them. On-site transition, which might either supplement or replace off-site transition, consists of measures imposed on or adjacent to the more intensive use to protect neighborhoods from adverse effects. Thus, this method of land use planning includes measures such as maintenance of buffers; walls, fences or berms; lighting control; noise control; aesthetic control; limitations on building location and orientation; location of or restrictions upon accessory uses; and prohibition of certain uses or hours of use normally permitted for that district. Many of these devices have been or will be utilized in this application.

**E.**

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

See Section III.C above.

**F.**

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

The Avondale MARTA station opened in the summer of 1979 and for years remained under-utilized. To rectify this, both MARTA and DeKalb County began to encourage higher density development like that proposed around transit hubs. The first such development came to the area in 2017 and was named the DeKalb County Chamber of Commerce Project of the Year

for 2017. ([MARTA development at Avondale station recognized by DeKalb Chamber \(ajc.com\)](http://www.ajc.com)). There has been little such development in the area since, though. The project proposed seeks to reinvigorate the trend toward smart growth.

**G.**

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

There are no known historic buildings, sites, districts, or archaeological resources either on the subject property or located in the immediate vicinity that would suffer adverse impacts from the rezoning requested.

**H.**

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

This Application, if approved, will not affect existing transportation facilities. As a preliminary matter, the Applicant reiterates that the proposed development is within walking distance of a MARTA station and restaurant and retail uses. It also is directly adjacent to a PATH trail. Hence, there are various non-vehicular modes of transport available to future residents, which should lessen the impact on existing streets. The Applicant also notes that it will be submitting a traffic study with this application. Should roadway improvements be justified, they will be made.

As for school impacts, this site is served by Avondale Elementary School (382 students, capacity 648), Druid Hills Middle School (938 students, capacity 1,170) and Druid Hills High School (1,352 students, capacity 1,395). Based on operational characteristics of similar properties, it is anticipated that few school age children will live at the development.

Nonetheless, and as indicated, each school is under-capacity and capable of accommodating new students.

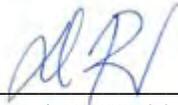
Finally, the Applicant is actively working with the County on capacity to service waste generated by this project. Sufficient water capacity also is available for fire protection.

#### **IV. CONCLUSION**

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

This 27th day of October, 2022.

Respectfully submitted,



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# Elevations



**DERRYDOWN HEIGHTS**  
 DEKALB COUNTY, GA  
 ELEVATION • 10-26-2022

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