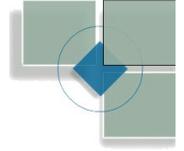




# DeKalb County Department of Planning & Sustainability

Development Services Facility  
178 Sams Street, Building 1 – A3600  
Decatur, GA 30030  
(404) 371-2155 / plandev@dekalbcountyga.gov



The Honorable Michael L. Thurmond  
Chief Executive Officer

**Planning Commission Hearing Date: January 5, 2023 6:00 P.M.**  
**Board of Commissioners Hearing Date: January 26, 2023 5:30 P.M.**

## STAFF ANALYSIS

<b>Case No.:</b> LP-23-1246168		<b>Agenda #:</b> N.1
<b>Location/Address:</b>	4819 Glenwood RD., Decatur, GA 30035	Commission District:03 Super District: 07
<b>Parcel ID:</b>	15-163-04-163	
<b>Request:</b>	<b>Amend the future land use map from Suburban (SUB) to Commercial Redevelopment Corridor (CRC).</b>	
<b>Property Owner:</b>	Pentagon Partners, LLC	
<b>Applicant/Agent:</b>	Mustaq Moosa	
<b>Acreage:</b>	1.56	
<b>Existing Land Use:</b>	Suburban (SUB)	
<b>Surrounding Properties:</b>		
<b>Adjacent Zoning:</b>	North: R-75(SUB) South: R-75(SUB) East: R-75(SUB) West: R-75(INS) Northeast: R-75(SUB) Northwest: R-75(SUB) Southeast: R-75(SUB) Southwest: R-75(SUB)	
<b>Comprehensive Plan:</b>	Consistent: Inconsistent: X	

<b>Proposed Density:</b> N/A	<b>Existing Density:</b> 1 Unit
<b>Proposed Units/Square Ft.:</b>	<b>Existing Units/Square Feet:</b>
<b>Proposed Lot Coverage</b>	<b>Existing Lot Coverage:</b>

**Staff Recommendation: Withdrawal without prejudice.**

**Staff Analysis: 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-23-1246168

Parcel I.D. #: 15-163-04-163

Address: 4819 Glenwood Road

DECATUR, GA 30035

**WATER:**

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

Distance from property to nearest main: adjacent

Size of line required, if inadequate: unknown

**SEWER:**

Outfall Servicing Project: Cobb Fowler Creek

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

Water Treatment Facility: SnapFinger Treatment Plant ( ) adequate ( ) inadequate

Sewage Capacity: 36 (MGPD) Current Flow: 28.25 (MGPD)

**COMMENTS:**

Sewer capacity is 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.

DeKalb County Board of Health

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

12/8/2022

N1-2022-2532

LP-23-1246168 15-163-04-163

4819 Glenwood Road, Decatur, GA 30045

Amendment

- Please review general comments.
- No records indicating septic on this property. Our record indicates septic on property located on 4859 Glenwood Road. Please note that septic may be installed 4819 Glenwood.

N2-2022-2533

Z-23-1246097 15-163-04-163

4819 Glenwood Road, Decatur, GA 30035

Amendment

- Please review general comments

N3-2022-2533

Z-23-1246097 15-163-04-163

4819 Glenwood Road, Decatur, GA 30035

Amendment

- Please review general comments.

N4-2022-2635

SLUP-23-1246169 15-009-05-032

2931 Ward Lake Way, Ellenwood, GA 30294

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.

## 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.

**Discharge from the detention pond shall be directed/connected to the existing stormwater structure in the right-of-way, and not discharged towards adjacent properties.**

- **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.



**DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM**

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**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.: LP-23-1246168 Parcel I.D. #: 15-163-04-163

Address: 4819

Glenwood Rd,

Decatur, GA. 30035

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: Joey White

## LAND USE AMENDMENT APPLICATION CHECKLIST

(Submit 4 printed, collated sets of the complete application 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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**APPLICATION TO AMEND COMPREHENSIVE LAND USE (FUTURE DEVELOPMENT) MAP  
PLAN OF DEKALB CNTY, GEORGIA**

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

Applicant's Name Mustaq Moosa E-Mail mustaq@cityviewdb.com

Applicant's Mailing Address 1400 Indian Trail Lilburn Road, Norcross, GA 30093

Applicant's Daytime Phone# 404 704 6356 Fax# \_\_\_\_\_

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If more than one owner, attach information for each owner as Exhibit "A"

Owner's Name: Pentagon Partners LLC (Nazim Huda) E-Mail nazim.huda@gmail.com

Owner's Mailing Address 4064 Hooch River Trail, Suwanee, GA 30024

Owner's Daytime Phone # 404 375 0220 Fax # \_\_\_\_\_

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Address/Location of Subject Property 4819 Glenwood Road, Decatur, GA 30035

Parcel ID# 1516304163 Acreage 1.56 AC

Commission District 3

Present Zoning District R-75 Proposed Zoning District C-2

Present Land Use Designation Residential

Proposed Land Use Designation Commercial

Current Zoning Classification(s) R-75 - Proposing C-2

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## DEPARTMENT OF PLANNING & SUSTAINABILITY

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### IMPACT ANALYSIS

As per Article 7.3.4 of the Zoning Ordinance of the Dekalb County, each applicant seeking an amendment to the official Comprehensive Plan land use maps shall provide a complete written response to each of the following standards and factors:

1. Whether the proposed land use change will permit uses that are suitable in view of the use and development of adjacent and nearby properties.
2. Whether the proposed land use change will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the proposed land use change will result in uses which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
4. Whether the amendment is consistent with the written policies in Comprehensive Plan text.
5. Whether there are environmental impacts or consequences resulting from the proposed change.
6. Whether there are impacts on properties in an adjoining governmental jurisdiction in cases of proposed changes near county boundary lines.
7. Whether there are other existing or changing conditions affecting the use and development of the affected land areas which support either approval or denial of the proposed land use change.
8. Whether there are impacts on historic buildings, sites, districts or archaeological resources resulting from the proposed change.

### FILING FEES

At the time of submittal, a filing fee of \$500 shall accompany each application for an amendment to the Comprehensive Plan land use map.

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 will require a new fee.

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

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**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 \_\_\_\_\_ 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 to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

\_\_\_\_\_  
Notary

*Mustag Woosa* August 31, 2022  
\_\_\_\_\_  
Signature of Applicant /Date

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

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

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

**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: August 31, 2022

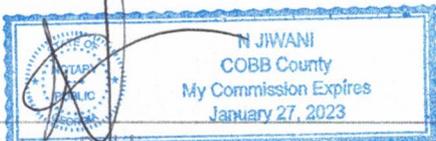
TO WHOM IT MAY CONCERN:

(I) (WE) Pentagon Partners LLC (Nazim Huda)  
Name of owner(s)

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

Mustaq Moosa  
Name of Agent or Representative

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



Notary Public

08/31/22

Pentagon Partners LLC (Nazim Huda)  
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

## NOTICE OF COMMUNITY MEETING

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CityView Design Build shall be hosting a pre-submittal neighborhood community meeting regarding the rezoning of a property located at:

4819 Glenwood Road, Decatur, GA

The request is to rezone the existing property from the current R-75 zoning to C 1 zoning to construct a Climate controlled Public Storage facility.

The meeting shall be held virtually via Zoom on:

Tuesday, August 30, 2022, from 6:30 PM to 7:30 PM

Zoom Meeting Link:

<https://us06web.zoom.us/j/85439737765?pwd=cGJtOHZRcmJhUVRaMUI0OHN6Y2RkZz09>

Meeting ID: 854 3973 7765

Passcode: 619204

Thank you

CityView Design Build Team

Minutes of the Community Meeting for the rezoning of the property located at:  
4819 Glenwood Road, Decatur, GA 30035

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Notices sent for Community Meeting on: August 15, 2022

Meeting held virtually via Zoom n: August 30, 2022, at 6:30PM

Community Members who attend the meeting are as follows:

1. Ms. Betty Yoland Norris residing at: 1876 Janet Lane, Decatur, GA
2. Ms. Timberly Adams residing at: 3940 Lindsey Road, Decatur, GA
3. Ms. LD – unidentified person who did not share name or address and indicated that she was there to just listen in.

Following are the minutes of the meeting:

- The applicant started the meeting as scheduled at 6:30PM and at that time none of the community members joined except for LD who refused to identify herself nor provide her address.
- Betsy Yolanda Norris joined around 6:40PM and Timberly Adams joined around 7:10PM
- The applicant (Mustaq Moosa) provided an overview of the zoning proposal and the project
- Ms. Norris expressed a traffic concern indicating that it was challenging to leave Janet Lane and merge on to Glenwood Road. The applicant responded that the proposed rezoning would not add to the traffic on Glenwood as the storage facility has minimal cars accessing the site and no traffic will be coming to Janet Lane as there is no access to the property on that road.
- Ms Timberly also expressed traffic concerns
- Ms LD (unidentified person) expressed that in the past homeless people have been seen at the property and along the sidewalk. The applicant responded that once the site is developed, it will be monitored via cameras continuously and all access to the storage units will be from within the building and not directly from the outside.
- Certain concerns were raised about a commercial building being developed adjacent to residences. The applicant responded that the site plan shows a heavily landscaped and a non-disturb buffer between the building and the property line adjacent to the residences on the south and east which should not provide any disturbance to the residents. Additionally, the nature of the building type brings minimal traffic and people to the property.

The meeting ended just after 7:30PM.

## LETTER OF APPLICATION

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From: Mustaq Moosa (applicant)  
To: Department of Planning & Sustainability, DeKalb County  
Intent Title: Request for Rezoning from R-75 to C-2  
Location: **4819 GLENWOOD ROAD, DECATUR, GA 30035**

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This letter is a request to the Board of Commissioners and Department of Planning & Sustainability, DeKalb County to kindly approve the **Request for Rezoning** from the current R 75 to C 2 zoning.

The existing site is approximately 1.56 acres undeveloped site and is located at the intersection of Glenwood Road and Janet Lane. A large section of the property fronts Glenwood Road which is now a major arterial road in the County.

The property owner proposes to build a three story Climate Controlled Public Storage Facility. The proposed building is situated within the established setbacks from Glenwood Road and Janet Lane, as well as the residential properties on the south and east. The required 60 feet non-disturb buffer is maintained on the south and east sides of the property. Since the intended development will bring minimal vehicles to the developed property, solitary access and egress is provided from Glenwood Road and parking is provided along the front. The property will not have access from Janet Lane thus not bringing any traffic to that road.

The proposed climate-controlled storage facility shall consist of rentable storage units that shall be accessed from within the building only. The site engineering and new building shall meet all DeKalb County recommended standards for site and building engineering.

The maximum height of the building is 35 feet, and the exterior finishes shall consist of brick, painted stucco and storefront. The building sits on a heavily landscaped site with minimal parking and lush landscaping along Glenwood Road and Janet Lane.

The proposed development will not be adding any negative or adverse effects to the site or the surrounding areas nor will it impose any transportation or other challenges to the existing infrastructure.

Granting the **Rezoning** will not cause any negative or adverse effects to the site or the surrounding areas or the property and will overall aid in the beautification and further development of Glenwood Road as a commercial corridor in Dekalb County.

Thank you

**IMPACT ANALYSIS**  
**FOR THE LAND AMENDMENT OF THE COMPREHENSIVE PLAN FOR THE PROPERTY LOCATED AT:**  
**4819 GLENWOOD ROAD, DECATUR, GA 30035**

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This letter is in response to the Impact Analysis queries listed in the application. The letter is a request to the Board of Commissioners of Dekalb County for an amendment to the official Comprehensive Plan of the land use maps.

1. The requested land use amendment for this site is in conformity with overall policy and intent of the comprehensive plan which includes the increase of commercial development on Glenwood Road. The site location is better suited for this proposed use than the current residential zoning as the site fronts a major arterial road in Dekalb County.
2. The requested amendment to the Land Use Plan will have no adverse impact on adjacent or nearby properties.
3. The Owners of the property intend to build a climate-controlled storage facility at the property once the necessary approvals are received. The proposed facility will not cause any burden to the existing infrastructure, including the existing transportation, utilities, or schools. Given the nature of the proposed building, the impact to the existing traffic will be minimal to none.
4. The requested amendment is consistent with the overall intent of the Comprehensive Plan of commercial facilities on Glenwood Road.
5. The proposed facility can be considered as a “passive” building which will have no environmental impact on the property or adjacent areas. Given the maximum buffers and setbacks that have been proposed for the site, the development will retain large green areas and ensure a minimal building footprint and provide only the required parking.
6. There will be no impact to adjoining or nearby governmental properties by the proposed development.
7. There are no existing or changing conditions on the subject property that affect the use and development of the subject property. No impact to the site or the adjacent areas and properties is envisaged from the proposed land use amendment and the development of the property.
8. The requested land use amendment will not affect any historic buildings, sites, districts, or archaeological resources.

## SURVEY LEGAL DESCRIPTION

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ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 163 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MAG NAIL SET, LOCATED AT THE INTERSECTION OF THE SOUTHERNLY RIGHT OF WAY OF GLENWOOD ROAD (R/W VARIES) AND THE EASTERNLY RIGHT OF WAY OF JANET LANE (60' R/W). THENCE, ALONG SAID RIGHT OF WAY OF GLENWOOD ROAD S 88° 17' 21" E FOR A DISTANCE OF 282.21 FEET TO AN IRON PIN SET. THENCE, LEAVING SAID RIGHT OF WAY S 00° 21' 04" W FOR A DISTANCE OF 169.15 FEET TO A 1" CRIMP TOP PIPE. THENCE, S 00° 54' 05" W A DISTANCE OF 68.45 FEET TO A 1" PIPE. THENCE, N 89° 34' 05" W FOR A DISTANCE OF 282.38 FEET TO A 1 1/2" PIPE LOCATED ON THE EASTERNLY RIGHT OF WAY OF JANET LANE. THENCE, ALONG SAID RIGHT OF WAY N 00° 33' 55" E FOR A DISTANCE OF 243.90 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 1.56 ACRES MORE OR LESS.



# Battle Law

**12/6/2022**

**VIA: EMAIL**

**Glenwood Road Proposed Rezoning**

**ATTN: Brandon White (blwhite@dekalbcountyga.gov)**

Planning and Zoning Manager White:

On behalf of the Applicant for the proposed Rezoning for property located at 4819 Glenwood Road pertaining to case numbers N1-2-22-2532, N2-2022-2533, and N3-2022-2534 and being tax parcel number 15 163 04 163, I respectfully request to amend the application to with the attached constitutional allegations.

Prepared By:

**Joshua Mahoney**

For Battle Law, P.C.

**NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF  
CONSTITUTIONAL RIGHTS**

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or Rezoning in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or Rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A. Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

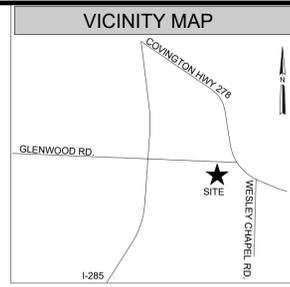


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Michele L. Battle, Esq.  
Attorney for the Applicant

**MISCELLANEOUS NOTES**

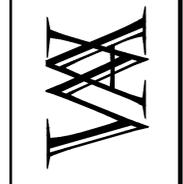
1. THIS DOCUMENT WAS CREATED ELECTRONICALLY. THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED AND ORIGINALLY SIGNED BY A REGISTERED LAND SURVEYOR AT THE OFFICE OF WELLSTON ASSOCIATES LAND SURVEYORS, LLC. AUTHORITY O.C.G.A. 43-15-22.
2. THE UNDERGROUND UTILITIES SHOWN ON THIS DRAWING WERE COMPILED FROM FIELD OBSERVATIONS, UTILITY COMPANY RECORDS AND UNDERGROUND UTILITIES MARKED BY OTHERS WITHOUT BENEFIT OF EXCAVATION. WELLSTON ASSOCIATES LAND SURVEYORS, LLC DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN. VERIFICATION OF UTILITIES SHOULD BE MADE BY THE INDIVIDUAL UTILITY COMPANY PRIOR TO ANY CONSTRUCTION.
3. THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS AN AVERAGE RELATIVE ACCURACY OF 0.03 FEET AT THE 95% CONFIDENCE LEVEL. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 174,419 FEET. THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAT WERE OBTAINED BY UTILIZING A SOKKIA GPS RTK DUAL FREQUENCY RECEIVER. FIELD WORK COMPLETED ON 2/25/22.
4. TOTAL AREA OF PROPERTY = 1.56 ACRES.
5. SUBJECT PROPERTY IS DESIGNATED AS PARCEL 15 163 04 163.
6. WELLSTON ASSOCIATES LAND SURVEYORS, LLC DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN.
7. BY GRAPHICAL PLOTTING ONLY, THE SUBJECT AREA LIES WITHIN ZONE "X" OF THE NATIONAL FLOOD INSURANCE PROGRAM. FLOOD INSURANCE RATE MAP NO. 13098C01514, DATED MAY 16, 2013.
8. ONE FOOT CONTOUR INTERVAL SHOWN. ELEVATIONS SHOWN ARE REFERENCED TO NAVD 88 DATUM.



No.	Date	Description

Revisions

**WELLSTON ASSOCIATES  
LAND SURVEYORS, LLC**  
506 OSGIAN BOULEVARD, SUITE 2  
WARNER ROBINS, GEORGIA 31088  
OFFICE (478) 971-3382  
WWW.WELLSTONASSOC.COM



ALTAINSPS LAND TITLE SURVEY  
FOR  
**PENTAGON PARTNERS, LLC &  
CHICAGO TITLE INSURANCE COMPANY**  
LAND LOT 163  
DEKALB COUNTY  
15TH LAND DISTRICT  
GEORGIA  
DECATUR

Project No.: 1314-029  
Drawing No.: ALTA  
Drawn By: B.J.H.  
Checked By: S.H.J.

R.L.S. No.: 3171

Date: 3/9/22  
Scale: 1"=20'  
Sheet No.:

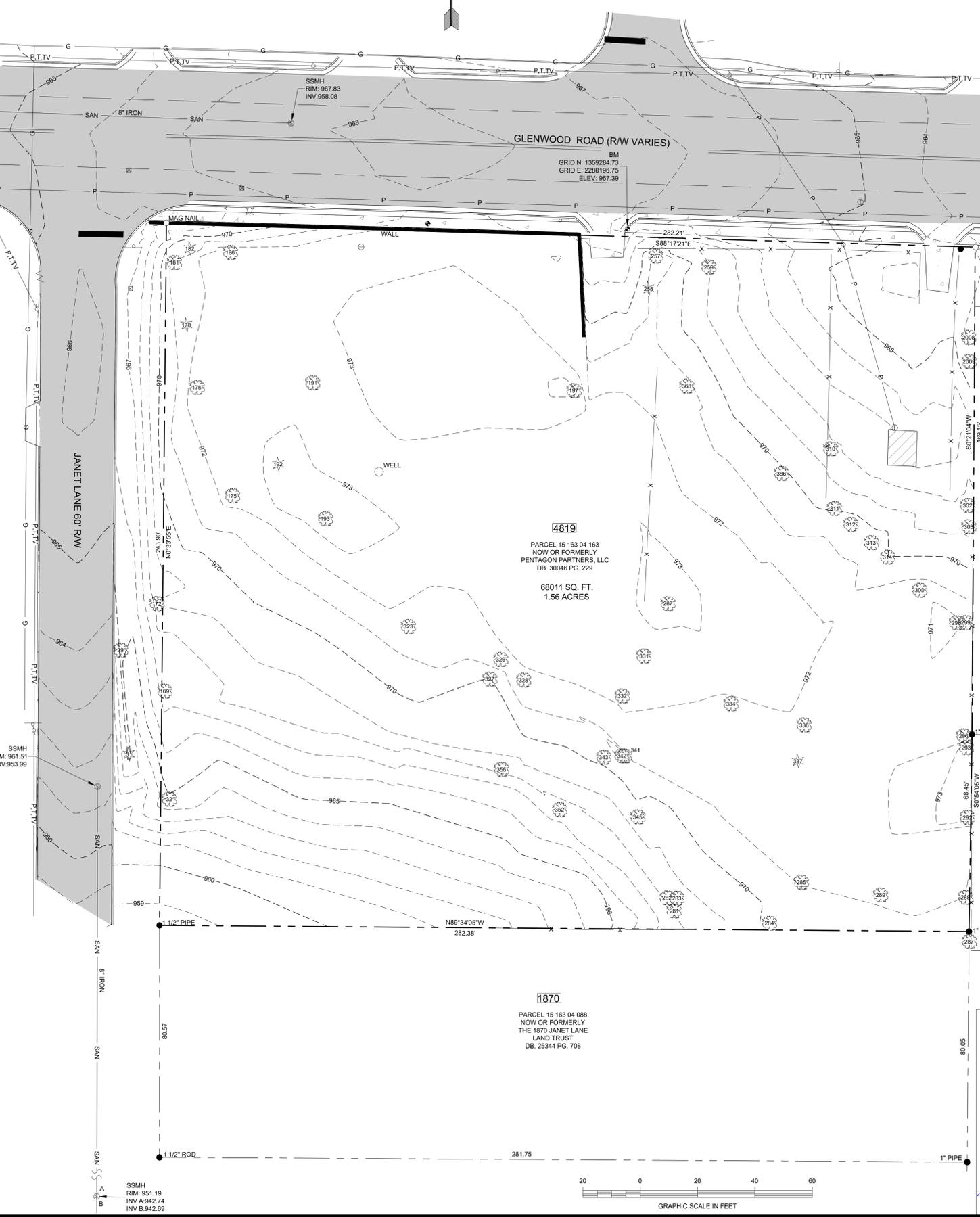
THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

POINT #	DESCRIPTION
29	TR 24" OAK
31	TR 16" PINE
32	TR 12" OAK
169	TR 15" OAK
172	TR 26" OAK
175	TR 36" OAK
176	TR 24" OAK
178	TR 10" CEDAR
181	TR 15" OAK
182	TR 10" CEDAR
186	TR 30" OAK
191	TR 38" OAK
192	TR 13" PINE
193	TR 36" OAK
197	TR 42" OAK
257	TR 26" OAK
258	TR 14" CEDAR
259	TR 18" OAK
267	TR 40" OAK
281	TR 8" OAK
282	TR 8" CHERRY
283	TR 10" OAK
284	TR 12" OAK
285	TR 9" OAK
287	TR 38" OAK
288	TR 10" OAK
289	TR 12" OAK
292	TR 18" OAK
293	TR 18" OAK
296	TR 16" OAK

POINT #	DESCRIPTION
298	TR 8" OAK
299	TR 26" OAK
300	TR 20" OAK
302	TR 38" OAK
303	TR 13" OAK
310	TR 26" OAK
311	TR 12" OAK
312	TR 22" OAK
313	TR 8" OAK
314	TR 12" OAK
323	TR 23" OAK
326	TR 6" OAK
327	TR 8" OAK
328	TR 40" OAK
331	TR 8" OAK
332	TR 8" OAK
334	TR 26" OAK
336	TR 18" OAK
337	TR 28" PINE
341	TR 10" OAK
342	TR 8" OAK
343	TR 8" OAK
345	TR 30" OAK
352	TR 9" OAK
356	TR 10" OAK
368	TR 12" OAK
386	TR 12" OAK
2008	TR 16" OAK
2009	TR 20" OAK

**LEGEND OF SYMBOLS**

- IRON PIN FOUND (1/2" REBAR UNLESS NOTED) ●
- IRON PIN SET (1/2" REBAR W/CAP UNLESS NOTED) ○
- BENCHMARK ○
- PROPERTY LINE ———
- CONTOUR LINE - - - - -
- SANITARY SEWER MANHOLE (S)
- TELEPHONE MANHOLE (T)
- UTILITY POLE (U)
- GUY WIRE (G)
- WATER METER (W)
- WATER VALVE (V)
- FIRE HYDRANT (F)
- ELECTRIC METER (E)
- MAIL BOX (M)
- SIGN (S)
- FENCE (X)
- GAS LINE (G)
- SANITARY SEWER LINE (SAN)
- OVERHEAD POWER, TELEPHONE AND CATV (P.T.T.V)
- RETAINING WALL (W)
- STREET ADDRESS (A)
- ASPHALT (A)
- CONCRETE (C)
- TREE (T)



**TITLE LEGAL DESCRIPTION**  
All that tract or parcel of land lying and being in Land Lot 163 of the 15th District of DeKalb County, Georgia, being more particularly described as follows:  
Beginning at an iron pin found at the East Right of Way of Janet Lane (having a 60 Foot Right of Way) running thence Easterly along the South Right-Of-Way of Glenwood Road a distance of 282.3 feet to an iron pin placed at the corner, thence running South a distance of 241 feet to an iron pin, thence due West a distance of 282.5 feet to an iron pin, thence Northwesterly a distance of 243.9 feet to a Point of Beginning, according to deed recorded in Book 5663, Page 739, in DeKalb County Court House between Mary and Martha Pace and Ralph and Laura Parrish dated November 3, 1986.

**SURVEY LEGAL DESCRIPTION**  
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 163 OF THE 15<sup>TH</sup> DISTRICT OF DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A MAG NAIL SET, LOCATED AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY OF GLENWOOD ROAD (R/W VARIES) AND THE EASTERLY RIGHT OF WAY OF JANET LANE (60' R/W). THENCE, ALONG SAID RIGHT OF WAY OF GLENWOOD ROAD S 88° 17' 21" E FOR A DISTANCE OF 382.21 FEET TO AN IRON PIN SET. THENCE, LEAVING SAID RIGHT OF WAY S 00° 21' 04" W FOR A DISTANCE OF 169.15 FEET TO A 1" CRIMP TOP PIPE. THENCE, S 00° 54' 05" W A DISTANCE OF 68.45 FEET TO A 1" PIPE. THENCE, N 89° 34' 05" W FOR A DISTANCE OF 282.38 FEET TO A 1/2" PIPE LOCATED ON THE EASTERLY RIGHT OF WAY OF JANET LANE. THENCE, ALONG SAID RIGHT OF WAY N 00° 33' 55" E FOR A DISTANCE OF 243.90 FEET TO THE POINT OF BEGINNING.  
SAID TRACT OR PARCEL OF LAND CONTAINS 1.56 ACRES MORE OR LESS.

**4819**  
PARCEL 15 163 04 051  
NOW OR FORMERLY  
BARBARA FRANCIS  
DB. 26519 PG. 593  
PB. 21 PG. 119

**1865**  
PARCEL 15 163 04 049  
NOW OR FORMERLY  
DUNNELL & VIRGINIA ANN  
WILLIAMS  
DB. 17299 PG. 34  
PB. 21 PG. 119

**1870**  
PARCEL 15 163 04 088  
NOW OR FORMERLY  
THE 1870 JANET LANE  
LAND TRUST  
DB. 25344 PG. 708

**CERTIFICATION**

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. **RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND.** FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Spencer H. Johnson, GARLS#3171  
COA #LSF000949



**CERTIFICATION**

TO: CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA AND NSPS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, AND 13 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 2/25/2022

DATE: 3-9-22 REGISTRATION NO. 3171









1 FRONT ELEVATION  
1/8" = 1'-0"



2 REAR ELEVATION  
1/8" = 1'-0"

DATE	REMARKS

GLENWOOD ROAD PUBLIC STORAGE  
CLIMATE CONTROLLED  
4819 GLENWOOD ROAD  
DECATUR, GEORGIA

TITLE FRONT ELEVATION
DRAWN CHA
CHECKED NAG
DATE 08.30.2022
SCALE 1/8" = 1'-0"
JOB NO. 04
FILE NAME 4819 GLENWOOD ROAD
SHEET A101

DATE	REMARKS



**3 LEFT ELEVATION**  
1/8" = 1'-0"



**4 RIGHT ELEVATION**  
1/8" = 1'-0"

**GLENWOOD ROAD PUBLIC STORAGE**  
**CLIMATE CONTROLLED**  
**4819 GLENWOOD ROAD**  
**DECATUR, GEORGIA**

TITLE LEFT ELEVATION
DRAWN CHA
CHECKED NAG
DATE 08.30.2022
SCALE 1/8" = 1'-0"
JOB NO. 04
FILE NAME 4819 GLENWOOD ROAD
SHEET A102



DATE	REMARKS

**GLENWOOD ROAD PUBLIC STORAGE**  
**CLIMATE CONTROLLED**  
**4819 GLENWOOD ROAD**  
**DECATUR, GEORGIA**

TITLE  
VIEW 1

DRAWN  
CHA  
CHECKED  
NAG  
DATE  
08.30.2022  
SCALE

JOB NO.  
04

FILE NAME  
4819 GLENWOOD ROAD  
SHEET  
A103



DATE	REMARKS

GLENWOOD ROAD PUBLIC STORAGE  
 CLIMATE CONTROLLED  
 4819 GLENWOOD ROAD  
 DECATUR, GEORGIA

TITLE  
 VIEW 2

DRAWN  
 CHA  
 CHECKED  
 NAG  
 DATE  
 08.30.2022  
 SCALE

JOB NO.  
 04

FILE NAME  
 4819 GLENWOOD ROAD  
 SHEET  
 A104



DATE	REMARKS

GLENWOOD ROAD PUBLIC STORAGE  
 CLIMATE CONTROLLED  
 4819 GLENWOOD ROAD  
 DECATUR, GEORGIA

TITLE  
VIEW 3

DRAWN  
CHA  
 CHECKED  
NAG  
 DATE  
08.30.2022  
 SCALE

JOB NO.  
04

FILE NAME  
4819 GLENWOOD ROAD  
 SHEET  
A105

Chief Executive Officer  
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director  
Andrew A. Baker, AICP

**PRE-APPLICATION FORM**  
**REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE**  
**(Required prior to filing application: signed copy of this form must be submitted at filing)**

Applicant Name: Mustaq Moosa Phone: : (404) 704 6356 Email: mustaq@cityviewdb.com

Property Address: 4819 Glenwood Rd

Tax Parcel ID: 15 163 04 163 Comm. District(s): 3 & 7 Acreage: 1.56

Existing Use: Vacant Proposed Use Self Storage Multi (two to three stories)

Supplemental Regs: NA Overlay District: NA DRI: NA

**Rezoning:** Yes  No

Existing Zoning: R-75 (Residential Medium Lot)

Proposed Zoning: C-1 (Local Commercial)

Square Footage/Number of Units: \_\_\_\_\_

Rezoning Request: R-75 to C-1 to allow "self storage multi" –two stories or greater (above two stories will require additional SLUP)

**Land Use Plan Amendment:** Yes  No

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

**Special Land Use Permit:** Yes  No  Article Number(s) 27- only "*Self Storage, Multi*" (multi-story with interior access only to units) is allowed in C-1 zoning district with approval of a *Special Land Use Permit* with several supplemental regulations including a min. distance of 1500 feet between new and existing self-storage facilities. "*Self-Storage, Mini*" (single-story with exterior access to units) is NOT permitted in C-1 zoning.

A second SLUP will be required for building height if above 2 stories or 35 feet.

**Major Modification:**

Existing Case Number(s): NA

Condition(s) to be modified:

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Pre-submittal Community Meeting:  Review Calendar Dates:  PC: 11/01/22\* \_\_\_\_\_  
BOC:  11/17/22\*\* \_\_\_\_\_ Letter of Intent:  Impact Analysis:  Owner Authorization(s):   
Campaign Disclosure:  Zoning Conditions:  Community Council Meeting:  10/12/22 \_\_\_\_\_  
Public Notice, Signs:  **(Applicant must pick up and post and/or will be done by Staff)** \_\_\_\_\_ Tree  
Survey, Conservation: \_\_\_\_\_ Land Disturbance Permit (LDP):  Sketch Plat:   
Bldg. Permits:  Fire Inspection:  Business License:  State License:  
\_\_\_\_\_ Lighting Plan: \_\_\_\_\_ Tent Permit: \_\_\_\_\_ Submittal Format: NO STAPLES, NO BINDERS  
PLEASE

**\*Deadline for hosting pre-community meeting with 15 days notice for November 2022 agenda cycle would be 08/31/22**

**\*\*Filing Deadline for application is 09/01/22. If there are more than 20 cases on November agenda cycle then case would be heard in January 2023.**

**Review of Site Plan**

Density:  Density Bonuses:  Mix of Uses: \_\_\_\_\_ Open Space:   
Enhanced Open Space:  Setbacks: front  sides  side corner \_\_\_\_\_ rear   
Lot Size:  Frontage:  Street Widths:  Landscape Strips:   
Buffers:  Parking Lot Landscaping:  Parking - Auto:  Parking - Bicycle:  
\_\_\_\_\_ Screening:  Streetscapes:  Sidewalks:  Fencing/Walls:   
Bldg. Height:  Bldg. Orientation: \_\_\_\_\_ Bldg. Separation: \_\_\_\_\_ Bldg. Materials:  Roofs:  
 Fenestration:  Façade Design:  Garages:  Pedestrian Plan:   
Perimeter Landscape Strip:

Possible Variances: \_\_\_\_\_ Applicant will need to provide justification as to why proposed C-1 district and proposed SLUPs for self-storage and building height is appropriate and compatible with surrounding residential uses and how it complies with intent of SUBURBAN character area to provide convenience goods/services to qualifying intersections designated as collector and above.

Show compliance with C-1 requirements and supplemental regulations for "Self Storage Multi", including but

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

not limited to minimum lot area and lot width, required parking, parking lot landscaping, minimum open space, maximum building height, transitional buffers, transitional height plane, streetscape improvements (sidewalks/street trees/street lighting), building materials, outdoor lighting, etc. The applicant is encouraged to discuss possible transportation improvements that may be required (if the rezoning is approved by the Board of Commissioners) with the county Transportation Department. The applicant is encouraged to contact Land Development Division of Public Works regarding required storm water management, floodplain, and stream buffer issues.

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

Planner: John Reid Date 08/10/22

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

Record and Return to:  
Lueder, Larkin & Hunter, LLC  
192 Anderson Street, Suite 200  
Marietta, GA 30060  
File No.: GA-MR-21-0708-CAS

### LIMITED WARRANTY DEED

STATE OF GEORGIA  
COUNTY OF DEKALB  
APN/Parcel ID: 15 163 04 163

THIS INDENTURE, made this 20th day of December, 2021, between

Michael Oden

as party or parties of the first part, hereinafter called Grantor, and

Pentagon Partners, LLC

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

W I T N E S S E T H: That Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property, to wit:

All that tract or parcel of land lying and being in Land Lot 163 of the 15th District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at an iron pin found at the East Right of Way of Janet Lane (having a 60 Foot Right of Way) running thence Easterly along the South Right-Of-Way of Glenwood Road a distance of 282.3 feet to an iron pin placed at the corner, thence running South a distance of 241 feet to an iron pin, thence due West a distance of 282.5 feet to an iron pin, thence Northerly a distance of 243.9 feet to a Point of Beginning. according to deed recorded in Book 5663, Page 739, in DeKalb County Court House between Mary and Martha Pace and Ralph and Laura Parrish dated November 3, 1986.

Subject to all easements and restrictions of record.

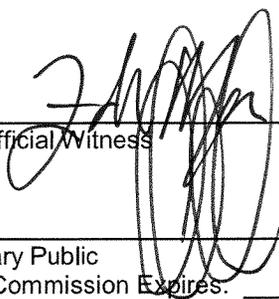
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

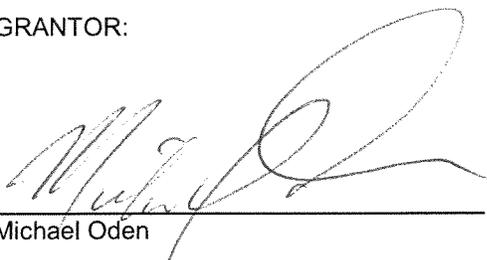
AND THE SAID GRANTOR will warrant and forever defend the right and title to the above described property against the claims of all persons owning, holding, or claiming by, through and under the said Grantor.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

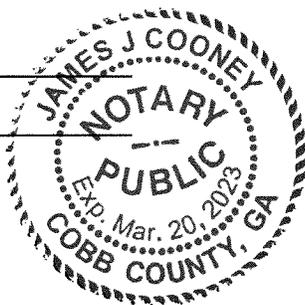
Signed, sealed and delivered  
in the presence of:

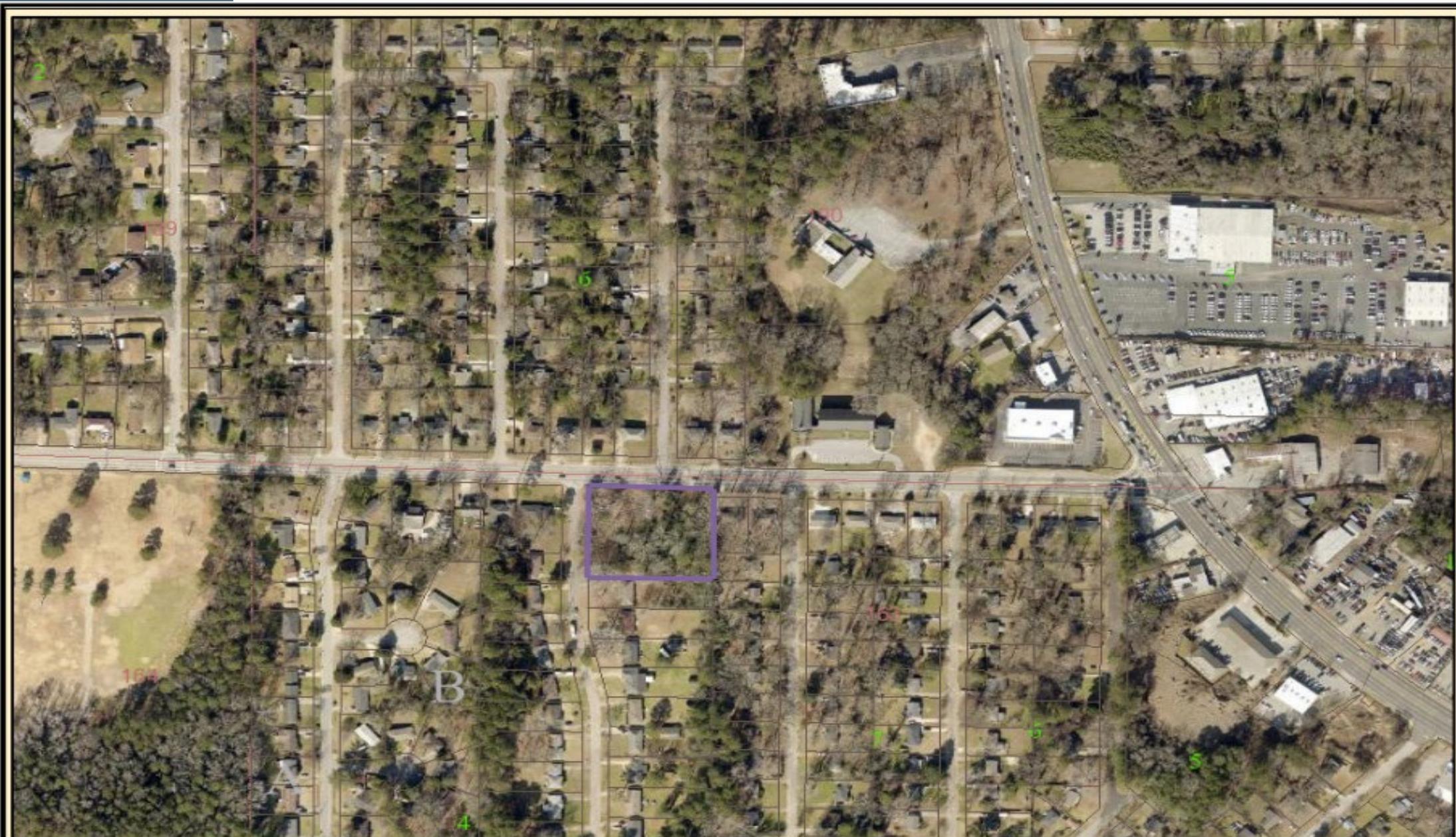
GRANTOR:

  
\_\_\_\_\_  
Unofficial Witness

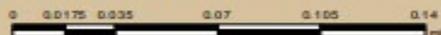
  
\_\_\_\_\_  
Michael Oden (SEAL)

\_\_\_\_\_  
Notary Public  
My Commission Expires. \_\_\_\_\_  
[Notary Seal]





**LP-23-1246168 Aerial**

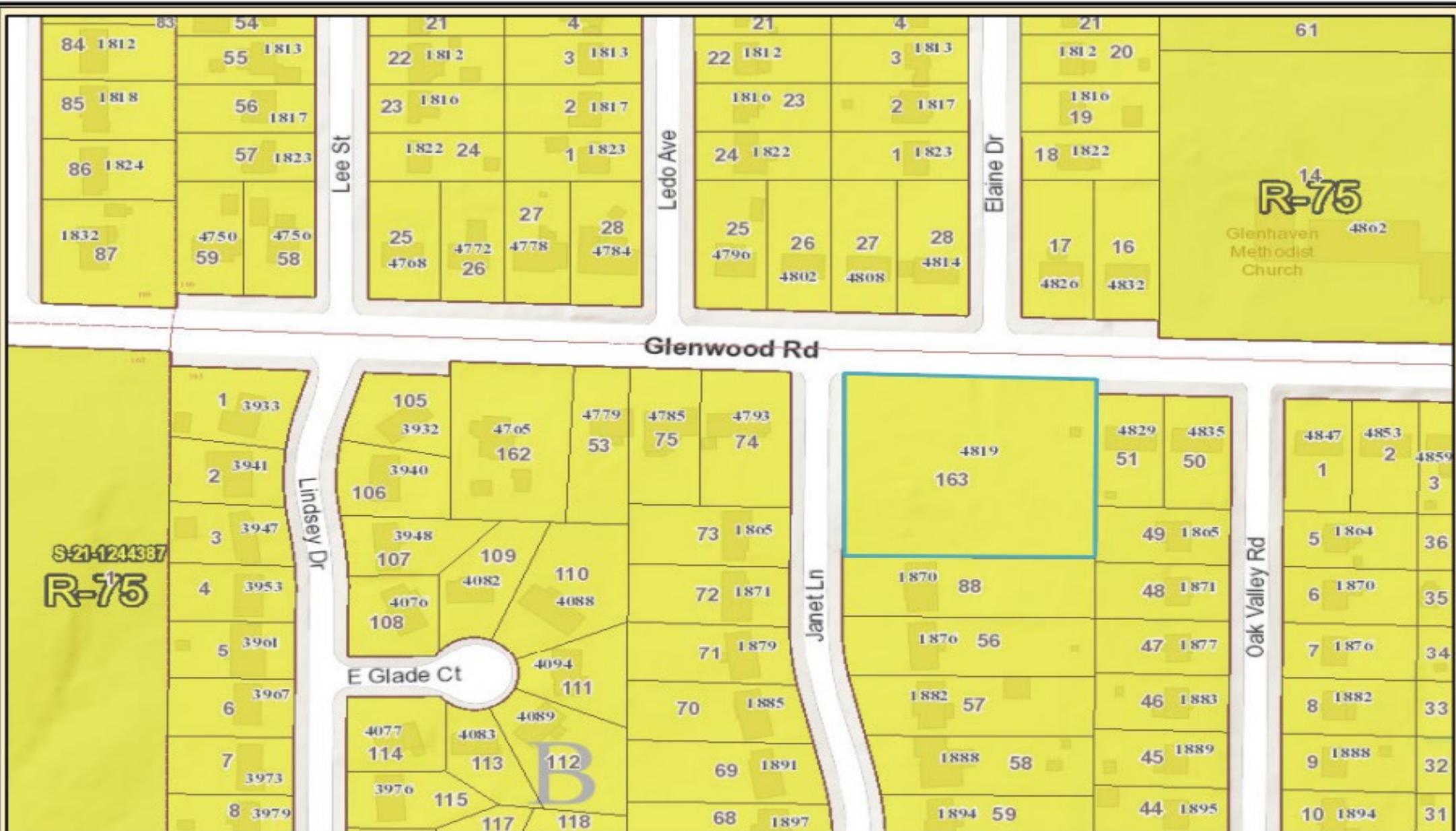


Date Printed: 12/15/2022



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**LP-23-1246168 Zoning**



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