

# Agenda Item

File ID: 2021-3158

Substitute

12/14/2021

Public Hearing: YES  NO

Department: Planning and Sustainability

COMMISSION DISTRICT(S): Commission District 03; Super District 07

## SUBJECT:

Application of James Cantrell for a Major Modification of the conditional site plan and other conditions of RSM (Residential Small Lot Mix) zoning approved pursuant to CZ-18-22025, for six single-family homes, at 3446 Midway Road.

PETITION NO: CZ-21-1245234 (2021-3158)

PROPOSED USE: Six single-family homes.

LOCATION: 3446 Midway Road, Decatur, Georgia 30032

PARCEL NO. : 15-218-13-061

INFO. CONTACT: John Reid, Sr. Planner

PHONE NUMBER: 404-371-2155

## PURPOSE:

Application of James Cantrell for a major modification of the conditional site plan and other conditions of RSM (Residential Small Lot Mix) zoning approved pursuant to CZ-18-22025, for six single-family homes. The property is located on the southwest corner of Midway Road and Beech Drive, at 3446 Midway Road, Decatur, Georgia. The property has approximately 211 feet of frontage on Midway Road and 210 feet of frontage on Beech Drive and contains 1.12 acres.

## RECOMMENDATION:

COMMUNITY COUNCIL: Approval.

PLANNING COMMISSION: Full Cycle Deferral.

PLANNING STAFF: Approval with conditions (Revised 11/23/21).

STAFF ANALYSIS: (Revised 11/23/21). The request is to modify the existing zoning conditions within the RSM zoning district that the Board of Commissioners approved in 2018 per CZ 18 2125 (see attached) to maintain the previously approved number of single-family, detached homes (six units), but to re-orient those units so that their front facades face Midway Road and Beech Road instead of constructing the units on a new internal private street.

Since the November 18<sup>th</sup> Board of Commissioners hearing, the applicant has addressed the previous concerns of Staff as follows:

1. *The plan has been revised to move the driveway locations along Midway Road further away from the Midway Road/Beech Drive intersection to provide for safer access and traffic flow along Midway Road (see revised plan dated 11/18/21);*

2. *The plan has been revised to show more enhanced open space features including a pedestrian trail with benches and attractive landscaping;*
3. *The applicant has addressed the impact criteria of Section 7.3.5 of the zoning ordinance relating to compatibility with surrounding uses and transportation impacts (see attached titled “Impact Analysis” by Contineo Group); and*
4. *The applicant has submitted written justification for the reason the modification request needs to be provided on the revised plan (see attached revised plan dated 11/18/21).*

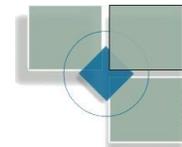
Based on the submitted information and zoning conditions proposed by the Planning and Sustainability Department, it appears that the proposed modification request to maintain the previously approved number of residential units (6 homes) and re-orient the front facades of the homes to face Midway Road and Beech Road is a more neighborhood friendly design and is consistent and more compatible with the surrounding single-family subdivisions on adjacent and nearby properties (Sec 7.3.5.B). The modification request appears to be consistent with the policies and strategies of the 2021 Comprehensive Plan 5 year update to protect established neighborhoods (Suburban Character Area Residential Protection Policy No. 1) (Sec 7.3.5 A). Therefore, the Planning and Sustainability Department recommends “Approval” of the request with recommended conditions. These recommended conditions shall replace and supersede all previous zoning conditions approved under case CZ-18-22025.

**PLANNING COMMISSION VOTE: Full Cycle Deferral 8-0-0.** Vivian Moore moved, Gwendolyn McCoy seconded for full cycle deferral, per staff recommendation to the Jan. 2022 zoning agenda.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 8-0-0.**



**DeKalb County Department of Planning & Sustainability**  
**330 W Ponce de Leon Avenue, Ste 300**  
**Decatur, GA 30030**  
**(404) 371-2155 / [plandev@dekalbcountyga.gov](mailto:plandev@dekalbcountyga.gov)**



**Planning Commission Hearing Date: November 4, 2021**  
**Board of Commissioners Hearing Date: December 14, 2021**

**SUBSTITUTE**

**STAFF ANALYSIS**

<b>Case No.:</b>	CZ-21-1245234	<b>Agenda #:</b> N4
<b>Location / Address:</b>	The southwest corner of Midway Road and Beech Drive, at 3446 Midway Road, Decatur, Georgia.	Commission Super District: District: 3 & 7
<b>Parcel ID:</b>	15-218-13-061	
<b>Request:</b>	For a Major Modification of the conditional site plan and other conditions of RSM (Residential Small Lot Mix) zoning approved pursuant to CZ-18-22025, for six single-family homes.	
<b>Property Owner:</b>	Flyaway Homes LLC	
<b>Applicant/Agent:</b>	James Cantrell	
<b>Acreage:</b>	1.12	
<b>Existing Land Use:</b>	Single-family home and vacant land	
<b>Surrounding Properties:</b>	Single-family homes	
<b>Adjacent Zoning:</b>	<b>North:</b> RSM <b>South:</b> R - 7 5 <b>East:</b> R-75 <b>West:</b> R-75	
<b>Comprehensive Plan:</b>	Suburban	Consistent <input checked="" type="checkbox"/> <input type="checkbox"/>
<b>Proposed Density:</b>	5.35 units per acre	<b>Existing Density:</b> NA
<b>Proposed Lot Coverage:</b>	NA	<b>Existing Units/Square Feet:</b> Single-family home and vacant land.
		<b>Existing Lot Coverage:</b> NA

**Staff Recommendation: APPROVE WITH CONDITIONS (REVISED 11 23 21)**

The request is to modify the existing zoning conditions within the RSM zoning district that the Board of Commissioners approved in 2018 per CZ 18 2125 (see attached) to maintain the previously approved number of single-family, detached homes (six units), but to re-orient those units so that their front facades face Midway Road and Beech Road instead of constructing the units on a new internal private street.

Since the November 18<sup>th</sup> Board of Commissioners hearing, the applicant has addressed the previous concerns of Staff as follows:

1. *The plan has been revised to move the driveway locations along Midway Road further away from the Midway Road/Been Drive intersection to provide for safer access and traffic flow along Midway Road (see revised plan dated 11/18/21);*
2. *The plan has been revised to show more enhanced open space features including a pedestrian trail with benches and attractive landscaping;*
3. *The applicant has addressed the impact criteria of Section 7.3.5 of the zoning ordinance relating to compatibility with surrounding uses and transportation impacts (see attached titled "Impact Analysis" by Contineo Group); and*
4. *The applicant has submitted written justification for the reason the modification request needs to be provided on the revised plan (see attached revised plan dated 11/18/21).*

Based on the submitted information and zoning conditions proposed by the Planning and Sustainability Department, it appears that the proposed modification request to maintain the previously approved number of residential units (6 homes) and re-orient the front facades of the homes to face Midway Road and Beech Road is a more neighborhood friendly design and is consistent and more compatible with the surrounding single-family subdivisions on adjacent and nearby properties (Sec 7.3.5.B). The modification request appears to be consistent with the policies and strategies of the 2021 Comprehensive Plan 5 year update to protect established neighborhoods (Suburban Character Area Residential Protection Policy No. 1) (Sec 7.3.5 A). Therefore, it is the recommendation of the Planning and Sustainability Department to recommend "Approval" of the request with the following conditions (see next page). These recommended conditions shall replace and supersede all previous zoning conditions approved under case CZ-18-22025.

1. The subject property shall be developed for a maximum of six single-family detached homes in substantial conformity to the site plan titled "Midway Meadows" and dated 11/18/21. The location of driveways shall be subject to approval by the DeKalb County Transportation Department. To the extent that there is any conflict between the site plan and the other approved conditions, set forth below, the written condition shall control.
2. A screen shall be planted along the southwest perimeter of the enhanced open space, which shall consist of sufficient numbers of the following trees to provide a solid screen at maturity: arbor vitae, cryptomeria, or giant arbor vitae, subject to approval by the County Arborist.
3. There shall be a minimum of 35% enhanced open space on the project site which shall include a pedestrian loop trail and other permitted elements such as gazebos, picnic areas, and/or benches and attractive landscaping as approved by the Planning & Sustainability Department. Enhanced open space features must be provided prior to the issuance of any building permits.
4. Along Midway Road, a minimum-ROW dedication of 35 feet from centerline (or all public infrastructure on right of way- including streetlights, which ever greater), 6- foot sidewalk, 10 foot landscape strip, pedestrian scale, 4- foot bike lane, street trees, streetlights shall be required subject to the approval of the DeKalb County Transportation Department. On Beech Drive, a minimum-ROW dedication of 27.5 feet from centerline (or all public infrastructure on right of way- including streetlights, which ever greater), 6-foot sidewalk, 6-foot landscape strip, pedestrian scale, street trees, streetlights shall be required subject to approval of the DeKalb County Transportation Department. A professional engineer must verify sight distance at all access points per AASHTO guidelines. The proposed driveway locations shall be subject to approval of the DeKalb County Transportation Department prior to the issuance of any building permits.
5. Maximum height of homes shall be no more than two stories or 28 feet, whichever is less.
6. Building materials and form shall comply with Article 5.7 of the Zoning Ordinance.
7. Stormwater detention shall be located so that it is not visible from either Midway Road or Beech Drive.
8. The development shall have a mandatory property owners association, in accordance with Article 5.7.6.c.11 of the Zoning Ordinance. The applicant must provide evidence of a legal mechanism under which all land to be held in common and used for greenspace purposes within the development and all landscaping and street trees along

Midway Road and Beech Drive (outside of the right-of-way) shall be protected in perpetuity. Existing trees located within designated open space areas that are not proposed for trails, buildings, structures, or parking lots or those likely to be impacted by necessary grading shall be preserved.

9. A hydrology study shall be presented to the Board of Commissioners.
10. Prior to the last two residential units being approved for a building permit, the first four residential units must be certified as an Earthcraft home after their building permits have been issued.

### **ZONING HISTORY**

The subject property has been zoned R-SM (Small Lot Residential Mix) with zoning conditions since the Board of Commissioners approved this zoning on August 28, 2018.

### **PROJECT ANALYSIS**

The property is moderately flat off of Midway and Beech Road, with a moderate number of mature trees and foliage. The property is surrounded by single-family detached homes to the north, south, east, and west.

The subject property comprises 1.12 acres and contains a single-family structure and vacant land. There were 10 conditions approved in 2018, and the applicant is wanting to amend Condition #1 (site plan), #4 (required right of way dedication), and #6 (required brick wall around site perimeter). The previous 2018 approval was for six single-family detached homes which faced a private internal street with the rear of the homes facing Midway and Beech Road. The proposed modification is to integrate the design to be more compatible with the surrounding neighborhood by orienting the fronts of the six homes to face Midway and Beech roads and eliminate the new private street and convert that area into open space. The number of homes and density are not changing from the previous 2018 zoning approval. The RSM district allows a base density of four (4) units per acre, with density up to eight (8) units per acre if certain community enhancements or provisions are provided. To achieve the desired density of 5.35 units per acre, the applicant is requesting a 50% density bonus based on the inclusion of enhanced open space (i.e.,  $4 \text{ DU/AC} \times 50\% = 2 \text{ DU/AC}$ ;  $4+2=6 \text{ DU/AC}$  (maximum)). To get this type of density bonus, at least 20% open space must be enhanced open space such as dog parks, pocket parks, pool amenities, etc. The site plan indicates that the applicant is providing 20% open space with enhanced open space features including a pedestrian loop trail, benches, and landscaping. The applicant is also providing Earthcraft certified homes as an additional density bonus (50% density bonus).

The applicant will comply with Article 5 regarding required sidewalks and landscape strips to further provide an appropriate integration with the surrounding neighborhood. Since the applicant is wanting to integrate the proposed residential subdivision into the surrounding neighborhood and avoid having a gated community, the proposed modification also eliminates Condition #6 which requires the installation of a brick wall around the perimeter of the site. The proposed homes comply with the minimum building setback requirements, maximum lot coverage (max 50%), and building height (28 feet) requirements. No transitional buffer is required since single-family detached units are proposed.

The property has frontage along Midway Road and Beech Road. Beech Road is a two-lane lane local road with curb, gutter, and sidewalk. Midway Road is a two-lane collector road with curb, gutter, and sidewalks. The Plan proposes access from each home to Midway and Beech Road.

**COMPATIBILITY WITH MR-2 ZONING REQUIREMENTS**

<b>STANDARD</b>	<b>RSM REQUIREMENT</b>	<b>EXISTING/PROPOSED</b>	<b>COMPLIANCE</b>
<b>MAX DENSITY</b>	4-8 units per acre maximum	5.35 units per acre with two 50% density bonuses: A enhanced open space bonus and a certified Earthcraft home for all proposed residential units.	Yes
<b>LOT WIDTH</b>	50 feet	50 to 60 feet	Yes
<b>LOT AREA</b>	5000 s.f. (Min.)	5,000 s.f.	Yes
<b>MAX. LOT COVERAGE</b>	50%	54.7%	Yes
<b>FRONT SETBACK</b>	Min 20 ft from Midway Rd Min. 20 ft from Beech Rd	20 ft	Yes
<b>REAR SETBACK</b>	20 ft.	20 ft	Yes
<b>SIDE SETBACK</b>	3 ft. with min. 10 feet separation between buildings	10 ft with 20 ft separation between buildings	Yes
<b>MAX. BLDG. HEIGHT</b>	35 feet	2 stories/28 feet	Yes
<b>MIN OPEN SPACE</b>	20%	35%	Yes.
<b>MIN UNIT SIZE</b>	1,200 s.f.	2,100 s.f.	Yes
<b>MIN ENHANCED OPEN SPACE</b>	35%	35%	Yes

<b>TRANSITIONAL BUFFER</b>	No transitional buffer required since single-family detached homes are proposed.	No buffer provided.	Yes
<b>PARKING</b>	Min of 12 spaces Max of 24 spaces	Applicant indicates at least two parking spaces will be provided for each residential unit.	Yes
<b>SIDEWALKS AND STREETScape</b>	5 ft wide sidewalk and 6-ft wide landscape strip with street trees every 30 ft on center along Beech Road  10-foot wide landscape strip and 6-foot wide sidewalk along Midway Road with street trees every 50 feet on center.	Plan shows compliance  Plan shows compliance with 10 ft landscape strip and street trees 50 ft on center. Plan does not provide 6 ft wide sidewalk (5 ft provided)	Yes  Yes for LS and Street trees. No for 6 ft sidewalk. Non-compliance will necessitate variances from BZA.

**LAND USE AND ZONING ANALYSIS:**

Section 27-7.3.5 of the Zoning Ordinance, “Standards and factors governing review of proposed amendments to the official zoning map” states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

**A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan:**

Based on the submitted information, the modification request appears to be consistent with the policies and strategies of the 2021 Comprehensive Plan 5 year update to protect established neighborhoods (Suburban Character Area Residential Protection Policy No. 1).

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

Based on the submitted information and zoning conditions proposed by the Planning and Sustainability Department, it appears that the proposed modification request to maintain the previously approved number of residential units (6 homes) and re-orient the front facades of the homes to face Midway Road and Beech Road is a more neighborhood friendly design and is consistent and more compatible with the surrounding single-family subdivisions on adjacent and nearby properties.

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

It appears that the property may have a reasonable economic use as currently zoned RSM and approved for six single-family detached homes.

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

See response to Criteria B above.

**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:**

See response to Criteria “B” above.

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

Based on the submitted information, no historic buildings, sites, districts, or archaeological resources are located on the subject property or in the surrounding.

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

Based on the submitted revised site plan and information, the proposed driveway locations along Midway Road have been moved further away from the Midway Road/Been Drive intersection to provide safer access and traffic flow. With the transportation conditions recommended by Staff which include right-of-way dedication, a bike lane, sidewalks, and street trees, it appears that the zoning proposal will not result in a use which will cause a burdensome use of existing streets and transportation facilities. There has been no indication from reviewing departments and agencies that the proposal could cause excessive use of utilities or schools. The applicant will need to obtain a sewer capacity letter from the Department of Watershed Management to verify if sewer capacity is available.

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

Since there is no proposed increase in the number of residential units previously approved by the Board of Commissioners in 2018, the proposed development is not expected to have unusual impacts on the natural environment.

**PLANNING AND SUSTAINABILITY DEPARTMENT RECOMMENDATION: APPROVE WITH CONDITIONS (REVISED 11 23 21)**

**Attachments:**

1. Public Works Department Comments
  - a. Land Development Division
  - b. Traffic Engineering Division
2. Watershed Management Department Comments
3. Board of Health Comments
4. Board of Education Comments
5. Application
6. Site Plan
7. Zoning Map
8. Aerial Photograph
9. Photographs

**APPROVED CONDITIONS**

Resizing from R-75 (Residential Medium Lot-75) to RSM (Residential Small Lot Mix)

- The subject property shall be developed for six urban single-family detached homes in substantial conformity to the site plan titled, "Site Plan 3446 Midway Road", stamped as received by the Department of Planning and Sustainability on 8-10-18, which depicts the homes next to Midway Road and Beech Drive facing the adjoining street with walkways leading from the front doors to the adjoining street.
- A screen shall be planted along the rear (west) property line, which shall consist of sufficient numbers of the following trees to provide a solid screen at maturity: arbor vitae, cryptomeria, or giant arbor vitae, subject to approval by the County Arboretist.
- A minimum of two benches shall be located in the enhanced open space.
- Right-of-way shall be dedicated as required by the Transportation Division of Public Works. A bike lane shall be provided unless waived by the Board of Commissioners.
- The houses shall be no more than two stories high.
- The fence that surrounds the development shall be made of brick, stone, wrought iron, or aluminum that looks like wrought iron, and shall not be solid (i.e., it shall have openings that allow clear views and air flow through the fence along its entire length). Said fence shall have gates to allow passage between homes that face Midway Road and Beech Drive to the adjoining street. The fence shall otherwise comply with Article 5 of the Zoning Ordinance, Table 5.3 Fence and Wall Standards.
- Building materials and form shall comply with Article 5.7 of the Zoning Ordinance.
- Storm water detention shall be located so that it is not visible from either Midway Road or Beech Drive.
- The development shall have a mandatory property owners association, in accordance with Article 5.7.6(c)(11) of the Zoning Ordinance.
- A hydrology study shall be presented to the Board of Commissioners.



Zoning Conditions for CZ-1721706, 2018-2456 August 23, 2018 Page 1 of 1

**PREVIOUS ZONING APPROVAL**

**CODE SECTION 7.3.5 - IMPACT ANALYSIS REVIEW**

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

YES. THE PROPERTY IS CURRENTLY ZONED FOR 6 RESIDENTIAL LOTS AND WILL CONTINUE TO BE ZONED FOR 6 RESIDENTIAL LOTS. THE MAJOR MODIFICATION WILL ADJUST THE LAYOUT OF THOSE LOTS TO BE MORE IN CONFORMITY WITH THE INTENT OF THE LAND USE PLAN FOR THE NEIGHBORHOOD.

**B. WHETHER THE ZONING PROPOSAL WILL PERMIT A USE THAT IS SUITABLE IN VIEW OF THE USE AND DEVELOPMENT OF ADJACENT AND NEARBY PROPERTY OR PROPERTIES.**

YES. THE PROPOSAL CREATES BETTER CONFORMITY WITH THE ADJACENT PROPERTIES BY FACING THE SINGLE-FAMILY RESIDENTIAL HOMES TOWARD THE STREET FRONTAGE, MATCHING THEIR EXISTING NEIGHBORING HOMES.

**C. WHETHER THE PROPERTY TO BE AFFECTED BY THE ZONING PROPOSAL HAS A REASONABLE ECONOMIC USE AS CURRENTLY ZONED.**

YES. HOWEVER, THE ZONING WILL STAY THE SAME, THEREFORE THE ECONOMIC USE WILL STAY THE SAME. THE PROPOSED MAJOR MODIFICATION WILL ONLY ADJUST THE SITE PLAN SPECIFIC CONDITIONS PLACED ON THE PROPERTY FROM THE PRIOR REZONING.

**D. WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT THE EXISTING USE OR USABILITY OF ADJACENT OR NEARBY PROPERTY OR PROPERTIES.**

NO. THE PROPOSAL WILL CREATE SINGLE FAMILY RESIDENTIAL HOMES SIMILAR WITH THE NEIGHBORING LOTS.

**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.**

YES. THE ADJUSTED CONDITIONS FROM THE MAJOR MODIFICATION SUPPORT APPROVAL, AS THEY BRING THE LAYOUT OF THE PREVIOUSLY APPROVED 6 LOTS FURTHER INTO CONFORMANCE WITH THE DEVELOPMENT OF THE NEIGHBORHOOD.

**F. WHETHER THE ZONING PROPOSAL WILL ADVERSELY AFFECT HISTORIC BUILDINGS, SITES, DISTRICTS, OR ARCHAEOLOGICAL RESOURCES.**

NO. THE PROPERTY IS CURRENTLY ZONED FOR THE DEMOLITION OF THE EXISTING ABANDONED STRUCTURE ON THE PROPERTY FOR THE CONSTRUCTION OF 6 NEW SINGLE FAMILY RESIDENTIAL HOMES. THE PROPOSED ZONING WILL NOT ALTER THIS; ONLY ADJUST THE LAYOUT OF THOSE SAME APPROVED 6 NEW SINGLE FAMILY RESIDENTIAL HOME LOTS. THERE ARE NO HISTORIC BUILDINGS, SITES, DISTRICTS, OR ARCHAEOLOGICAL RESOURCES IDENTIFIED ANYWHERE AROUND THE PROPERTY BEING PROPOSED FOR THIS ZONING MAJOR MODIFICATION.

**G. WHETHER THE ZONING PROPOSAL WILL RESULT IN A USE WHICH WILL OR COULD CAUSE AN EXCESSIVE OR BURDENSOME USE OF EXISTING STREETS, TRANSPORTATION FACILITIES, UTILITIES, OR SCHOOLS.**

NO. THE PROPERTY IS CURRENTLY ZONED FOR 6 RESIDENTIAL LOTS IN A RESIDENTIAL NEIGHBORHOOD AND THE MAJOR MODIFICATION WILL KEEP THE SAME 6 RESIDENTIAL LOTS IN AN ALTERNATE CONFIGURATION WITHIN THE RESIDENTIAL SUBDIVISION.

**H. WHETHER THE ZONING PROPOSAL ADVERSELY IMPACTS THE ENVIRONMENT OR SURROUNDING NATURAL RESOURCES.**

NO. THE MODIFICATION ADJUSTS THE WAY THE 6 LOTS ARE LAID OUT ON THE PROPERTY AND CREATE NO NEW IMPACTS. THE SAME NUMBER OF SINGLE-FAMILY RESIDENTIAL HOMES REMAIN ON THE PROPERTY.

**MAJOR MODIFICATION REQUEST TO CONDITIONS**

**#1 - ADJUST TO NEW SITE LAYOUT PLAN**

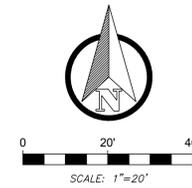
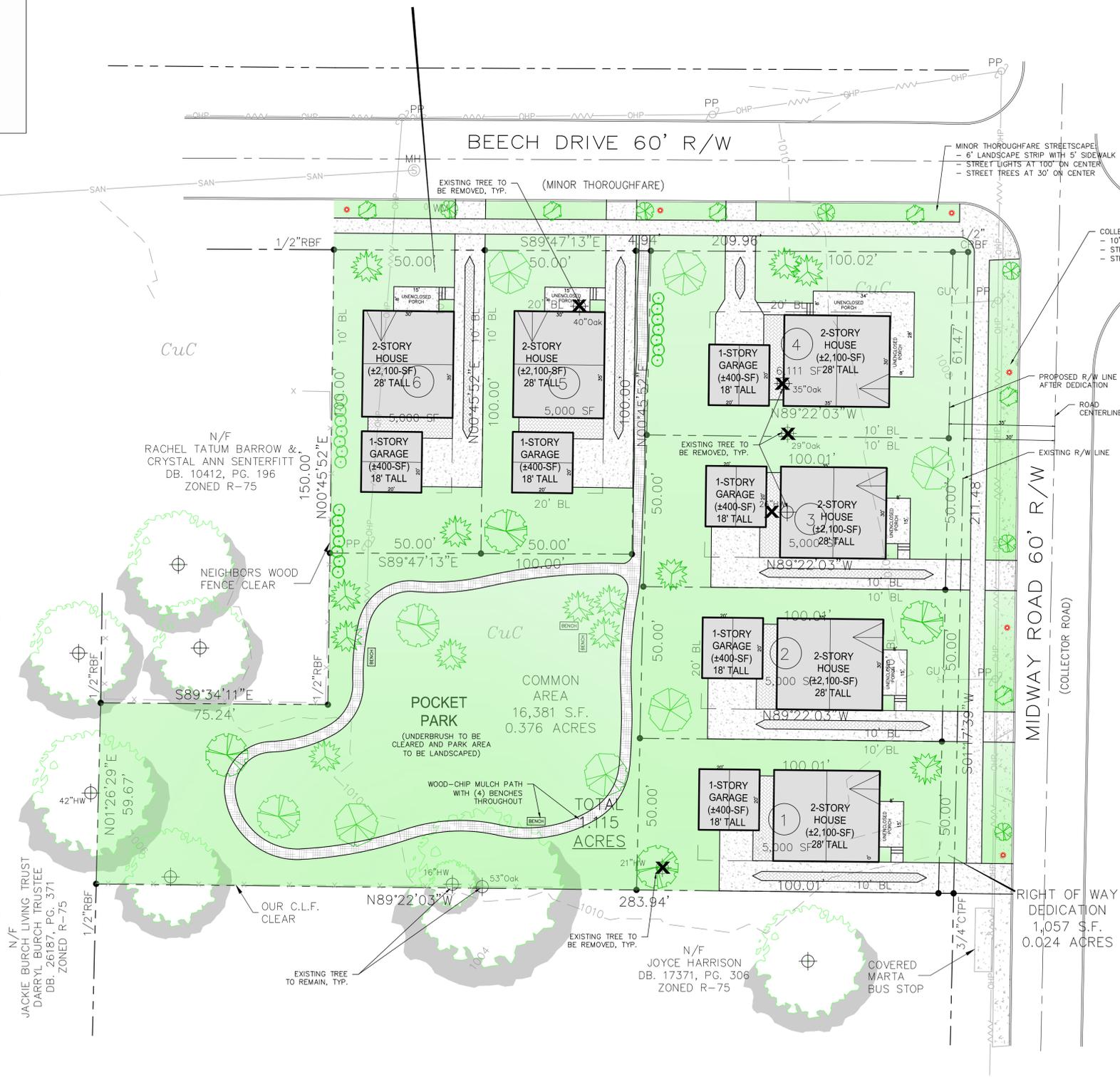
**#4 - REMOVE CONDITION SINCE THERE IS NO INTERNAL ROAD**

**#6 - REMOVE CONDITION SO DEVELOPMENT FEELS LIKE PART OF COMMUNITY INSTEAD OF A SEPARATE GATED CLUSTER OF HOMES**

**STANDARD LOT**  
TOTAL LAND: ±5,000-SF  
(±0.115 ACRES)

BLDG. FT. PRINT: ±1,450-SF  
CONCRETE: ±970-SF  
TOTAL IMPERVIOUS: ±2,420-SF  
(±48.4% IMPERVIOUS)  
PERVIOUS PAVERS: ±315-SF

GREEN SPACE: ±2,265-SF  
BUILDING SPACE: ±2,100-SF  
(±42% FLOOR AREA RATIO)



	RSM / SFD	
Dwelling units per acre (maximum base density and maximum possible with bonuses)	4-8	6
Open space required (minimum %)	20%	20%
Transitional buffers (feet)	none	none
<b>Single-Family Detached Conventional (SFD)*</b>		
Lot area (square feet)	5,000	5,000
Lot width, street frontage (feet)	50	50
Lot coverage (maximum % per lot or total parcel acreage)	50	50
<b>From thoroughfares and arterials (min. and max. feet)</b>		
	All min. 20, max. 30	20
Side - interior lot (feet)****	3 ft. with minimum 10 ft. separation between buildings	10
Side - corner lot on public street (feet)	Same as front setback (see also article 5, corner lot)	20
Rear without alley (feet)	20	20
<b>Single-Family Detached (SFD) - Conventional</b>		
	1,200	2,100
<b>Single-Family Detached (SFD)</b>		
	35 feet	28 feet
<b>Secondary Structure (Detached Garage)</b>		
		18 feet

**ENTIRE PROPERTY**  
TOTAL LAND: ±48,549-SF  
(±1.115 ACRES)

ROW DEDICATION: ±1,057-SF  
(±0.024 ACRES)

BLDG. FT. PRINT: ±8,700-SF  
CONCRETE: ±5,820-SF  
TOTAL IMPERVIOUS: ±14,520-SF  
(±30.0% IMPERVIOUS)  
PERVIOUS PAVERS: ±1,890-SF

GREEN SPACE: ±32,139-SF  
BUILDING SPACE: ±12,600-SF  
(±26% FLOOR AREA RATIO)

COLLECTOR ROAD STREETSCAPE:  
- 10' LANDSCAPE STRIP WITH 5' SIDEWALK  
- STREET LIGHTS AT 80' ON CENTER  
- STREET TREES AT 50' ON CENTER

APPLICATION PURPOSE:  
THE PURPOSE OF THIS MAJOR MODIFICATION REQUEST IS TO IMPROVE THE DESIGN OF THE SITE WITHOUT DISTURBING THE SPIRIT OF THE PLAN THAT WAS APPROVED IN 2018. WITH ITS PERIMETER FENCING AND INWARD ORIENTED HOUSING, WE FELT THE PREVIOUS PLAN CREATED AN ISLAND IN THE MIDDLE OF THE ESTABLISHED SUBDIVISION. OUR PROPOSED PLAN TURNS THE ORIENTATION OF THE HOUSING OUTWARD FACING THE EXISTING STREETS AND PUTS THE NEW HOMES IN LINE WITH THE EXISTING. WE THINK THIS PLAN NOT ONLY BLENDS SEAMLESSLY IN WITH THE EXISTING NEIGHBORHOOD BUT ALSO CREATES AN ENJOYABLE ENHANCED OPEN SPACE BY TRADING THE PREVIOUSLY APPROVED NEW ROAD FOR GREENSPACE.

STORMWATER NOTE:  
EACH PROPERTY WILL UTILIZE ITS OWN METHOD OF STORM WATER QUALITY CONTROLS WITHIN ITS OWN PROPERTY LIMITS, TO BE DESIGNED AND PERMITTED BY DEKALB COUNTY SEPARATELY AND INDIVIDUALLY.

STREAMS/FLOODPLAIN NOTE:  
THERE ARE NO 100-YEAR FLOOD PLAINS, STREAMS, OR STREAM BUFFERS ON OR WITHIN 100-FT OF THE PROPERTY

SEWER CAPACITY NOTE:  
EACH RESIDENTIAL PROPERTY WILL FILE FOR SEWER CAPACITY WITH DEKALB COUNTY AT THE TIME OF CONSTRUCTION OF THE INDIVIDUAL SINGLE FAMILY RESIDENTIAL HOME. IF DEKALB IS UNABLE TO PROVIDE CAPACITY FOR THE NEW HOME, THE INDIVIDUAL PROPERTY SHALL UTILIZE AN UNDERGROUND HOLDING TANK TO CONTROL ITS DISCHARGE TIME TO THE MUNICIPAL SYSTEM.



**CONTINIO GROUP**  
755 COMMERCE DRIVE  
SUITE 800  
DECATUR, GA. 30030  
404.556.7721  
www.fcjengineer.com



**FLYAWAY HOMES LLC**  
629 SOUTH CANDLER STREET  
DECATUR, GA 30030  
(770) 330-9404  
JCAN@BELLSOUTH.NET

**MIDWAY MEADOWS**  
ISSUED FOR: SKETCH PLAT  
JURISDICTION: DEKALB COUNTY  
LOCATION: 3446 MIDWAY ROAD  
DECATUR, GA 30032

#	DATE	REVISIONS

DRAWN: AK	CHECK: RTC
JOB NO: 21-216	DATE: 11/18/21

**SITE PLAN**  
SHEET **SK-07**

D:\DROPEBOX (CONTINUED-MASTERY)\CONTINUED-MASTERY\PROJECTS\2021\21-216 - AHPC - 3446 MIDWAY ROAD.DWG

November 18, 2021

## **IMPACT ANALYSIS**

Major Modification Application  
DeKalb County Department of Planning & Sustainability  
330 W. Ponce de Leon Avenue  
Decatur, GA 30030

Project: Single Family Residential  
3466 Midway Road  
Decatur, GA

The property was previously zoned with the conditions for 6 single-family residential lots, however the lots were turned inward with smaller homes. The proposed modification takes the same number of lots and turns them outward to face toward the primary residential streets as was previously requested by the neighborhood and zoning board. Code Section 7.3.5 standards and factors were considered below as relevant information for Dekalb County to exercise the county's zoning powers and govern in the review of the proposed amendment to the official zoning map.

### **A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan.**

Yes. The property is currently zoned for 6 residential lots and will continue to be zoned for 6 residential lots. The major modification will adjust the layout of those lots to be more in conformity with the intent of the land use plan for the neighborhood.

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

Yes. The proposal creates better conformity with the adjacent properties by facing the single-family residential homes toward the street frontage, matching their existing neighboring homes.

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

Yes. However, the zoning will stay the same, therefore the economic use will stay the same. The proposed major modification will only adjust the site plan specific conditions placed on the property from the prior rezoning.

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

No. The proposal will create single family residential homes similar with the neighboring lots.

**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.**

Yes. The adjusted conditions from the major modification support approval, as they bring the layout of the previously approved 6 lots further into conformance with the development of the neighborhood.

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

No. The property is currently zoned for the demolition of the existing abandoned structure on the property for the construction of 6 new single family residential homes. The proposed zoning will not alter this; only adjust the layout of those same approved 6 new single family residential home lots. There are no historic buildings, sites, districts, or archaeological resources identified anywhere around the property being proposed for this zoning major modification.

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

No. The property is currently zoned for 6 residential lots in a residential neighborhood and the major modification will keep the same 6 residential lots in an alternate configuration within the residential subdivision.

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

No. The modification adjusts the way the 6 lots are laid out on the property and create no new impacts. The same number of single-family residential homes remain on the property.

No additional requirements or conditions are anticipated as part of this modification.

Please feel free to contact us if you should have any questions.  
Thank you,



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# **SUBSTITUTE**

## **RECOMMENDED ZONING CONDITIONS**

**2021-3158**

**12-6-2021**

1. The subject property shall be developed for a maximum of six, single-family detached homes in substantial conformity to the site plan titled "Midway Meadows" and dated 11/18/21. The location of driveways shall be subject to approval by the DeKalb County Transportation Department. To the extent that there is any conflict between the site plan and the other approved conditions, set forth below, the written condition shall control.
2. A screen shall be planted along the southwest perimeter of the enhanced open space, which shall consist of sufficient numbers of the following trees to provide a solid screen at maturity: arbor vitae, cryptomeria, or giant arbor vitae, subject to approval by the County Arborist.
3. There shall be a minimum of 35% enhanced open space on the project site which shall include a pedestrian loop trail and other permitted elements such as gazebos, picnic areas, and/or benches and attractive landscaping as approved by the Planning & Sustainability Department. Enhanced open space features must be provided prior to the issuance of any building permits.
4. Along Midway Road, a minimum-ROW dedication of 35 feet from centerline (or all public infrastructure on right of way- including streetlights, which ever greater), 6- foot sidewalk, 10 foot landscape strip, pedestrian scale, 4- foot bike lane, street trees, streetlights shall be required subject to the approval of the DeKalb County Transportation Department. On Beech Drive, a minimum-ROW dedication of 27.5 feet from centerline (or all public infrastructure on right of way- including streetlights, which ever greater), 6-foot sidewalk, 6-foot landscape strip, pedestrian scale, street trees, streetlights shall be required subject to approval of the DeKalb County Transportation Department. A professional engineer must verify sight distance at all access points per AASHTO guidelines. The proposed driveway locations shall be subject to approval of the DeKalb County Transportation Department prior to the issuance of any building permits.
5. Maximum height of homes shall be no more than two stories or 28 feet, whichever is less.
6. Building materials and form shall comply with Article 5.7 of the Zoning Ordinance.
7. Stormwater detention shall be located so that it is not visible from either Midway Road or Beech Drive.
8. The development shall have a mandatory property owners association, in accordance with Article 5.7.6.c.11 of the Zoning Ordinance. The applicant must provide evidence of a legal mechanism under which all land to be held in common and used for greenspace purposes within the development and all landscaping and street trees along Midway Road and Beech Drive (outside of the right-of-way) shall be protected in perpetuity.

Existing trees located within designated open space areas that are not proposed for trails, buildings, structures, or parking lots or those likely to be impacted by necessary grading shall be preserved.

9. A hydrology study shall be presented to the Board of Commissioners.
10. Prior to the last two residential units being approved for a building permit, the first four residential units must be certified as an Earthcraft home after their building permits have been issued.

# SUBSTITUTE

## RECOMMENDED ZONING CONDITIONS

2021-3158

12-4-2021

1. The subject property shall be developed for **a maximum of six urban** single-family detached homes in substantial conformity to the site plan titled ~~“Site Plan 3446 Midway Road” stamped as received by the Department of Planning and Sustainability on 8-10-18, which depicts the homes next to Midway Road and Beech Drive facing the adjoining street with walkways leading from the front doors to the adjoining street.~~ **“Midway Meadows” and dated 11/18/21. The location of driveways shall be subject to approval by the DeKalb County Transportation Department. To the extent that there is any conflict between the site plan and the other approved conditions, set forth below, the written condition shall control.**
2. A screen shall be planted along the ~~rear (west) property line,~~ southwest perimeter of the enhanced open space, which shall consist of sufficient numbers of the following trees to provide a solid screen at maturity: arbor vitae, cryptomeria, or giant arbor vitae, subject to approval by the County Arborist.
3. ~~A minimum of two benches shall be located in the enhanced open space.~~ **There shall be a minimum of 35% enhanced open space on the project site which shall include a pedestrian loop trail and other permitted elements such as gazebos, picnic areas, and/or benches and attractive landscaping as approved by the Planning & Sustainability Department. Enhanced open space features must be provided prior to the issuance of any building permits.**
4. ~~Right of way shall be dedicated as required by the Transportation Division of Public Works. A bike lane shall be provided unless waived by the Board of Commissioners.~~ **Along Midway Road, a minimum-ROW dedication of 35 feet from centerline (or all public infrastructure on right of way- including streetlights, which ever greater), 6- foot sidewalk, 10 foot landscape strip, pedestrian scale, 4- foot bike lane, street trees, streetlights shall be required subject to the approval of the DeKalb County Transportation Department. On Beech Drive, a minimum-ROW dedication of 27.5 feet from centerline (or all public infrastructure on right of way- including streetlights, which ever greater), 6- foot sidewalk, 6 foot landscape strip, pedestrian scale, street trees, streetlights shall be required subject to approval of the DeKalb County Transportation Department. A professional engineer must verify sight distance at all access points per AASHTO guidelines. The proposed driveway locations shall be subject to approval of the DeKalb County Transportation Department prior to the issuance of any building permits.**
5. ~~The houses shall be no more than two stories high.~~ **Maximum height of homes shall be no more than two stories or 28 feet, whichever is less.**
6. ~~The fence that surrounds the development shall be made of brick, stone, wrought iron, or aluminum that looks like wrought iron, and shall not be solid (i.e. it shall have openings that allow clear views and air flow through the fence along its entire length). Said fence shall have gates to~~

~~allow passage between homes that face Midway Road and Beech Drive to the adjoining street. The fence shall otherwise comply with Article 5 of the Zoning Ordinance, Table 5.3 Fence and Wall Standards.~~

7. Building materials and form shall comply with Article 5.7 of the Zoning Ordinance.
8. Stormwater detention shall be located so that it is not visible from either Midway Road or Beech Drive.
9. The development shall have a mandatory property owners association, in accordance with Article 5.7.6.c.11 of the Zoning Ordinance. **The applicant must provide evidence of a legal mechanism under which all land to be held in common and used for greenspace purposes within the development and all landscaping and street trees along Midway Road and Beech Drive (outside of the right-of-way) shall be protected in perpetuity. Existing trees located within designated open space areas that are not proposed for trails, buildings, structures, or parking lots or those likely to be impacted by necessary grading shall be preserved.**
10. A hydrology study shall be presented to the Board of Commissioners.
11. **Prior to the last two residential units being approved for a building permit, the first four residential units must be certified as an Earthcraft home after their building permits have been issued.**