

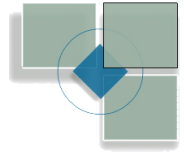


DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 500

Decatur, GA 30030

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



Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: January 4, 2022

Board of Commissioners Hearing Date: January 27, 2022

STAFF ANALYSIS

Case No.:	Z-22-1245310	Agenda #: N2
Location/ Address:	The north side of Linecrest Road and the north and south sides of Whitfield Road, approximately 225 feet east of Bouldercrest Road at 2717, 2698, 2688, and 2670 Whitfield Road in Ellenwood, Georgia.	Commission District: 3 District: 6 Super
Parcel ID:	15-009-01-001,15-009-01-002,15-009-01-006,15-009-01-008	
Request:	To rezone from R-100 (Residential Medium Lot-100) District to RSM (Small Lot Residential Mix) District to allow the construction of single-family, detached homes.	
Property Owner:	SIL SF LLC & Ashbrooke Home Builders, Inc.	
Applicant/Agent:	Rockhaven Homes LLC c/o Battle Law	
Acreage:	22.5	
Existing Land Use:	Single-family home and vacant land	
Surrounding Properties:	Single-family, detached subdivisions and vacant land	
Adjacent Zoning:	North: RSM & R-100 South: NA Clayton County East: RSM West: R-100	
Comprehensive Plan:	SUB (Suburban)	Consistent <input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/>
Proposed Density:	3.5 units per acre	Existing Density: NA
Proposed Units/Square Ft.:	79 single-family detached homes	Existing Units/Square Feet: Vacant Land and Single-Family Home
Proposed Lot Coverage:	NA	Existing Lot Coverage: NA

Staff Recommendation: FULL CYCLE DEFERRAL

ZONING HISTORY

Based on DeKalb County records, it appears that the R-100 zoning of the property has not changed since adoption of the first *Zoning Ordinance* and map in 1956.

PROJECT ANALYSIS

The subject property comprises approximately 22.5 acres on the north side of Linecrest Road and the north and south sides of Whitfield Road, approximately 225 feet east of Bouldercrest Road at 2717, 2698, 2688, and 2670 Whitfield Road in Ellenwood, Georgia. The site contains vacant land and a single-family structure. The site slopes moderately upward from the southwest to the northeast. The site currently has an abundance of mature trees and vegetation. The site plan indicates 79 single-family detached lots at a density of 3.5 units per acre. 22% of the site is proposed for open space that is located throughout the site. There are two detention ponds proposed on the northwest and northeast portion of the project site. No transitional buffers are required since the plan shows single-family detached lots along the external boundaries which abut existing single-family lots.

The RSM Zoning District allows a base maximum density of four (4) units per acre, with a maximum density up to eight (8) units per acre if certain community enhancements or provisions are provided. Since the proposed density is 3.5 units per acre, no density bonuses are required.

The proposed RSM zoning and density of 3.5 units per acre is consistent with the existing RSM zoning to the north and east with densities of 3.2 units per acre. The proposed 5,000 square foot lots and 50-foot wide lot widths are generally consistent with the 6,000 square foot lots of the RSM zoned subdivision to the north and east (Ward Lake Subdivision). The applicant has not demonstrated compliance with the perimeter lot compatibility requirement of the *Zoning Ordinance* which requires that proposed lots on the external boundaries of a project must be at least 80% as big and 80% as wide as the abutting lots within established subdivisions. Additionally the plan does not show tree preservation areas within the proposed open space common areas.

The site has one proposed access off of Linecrest Road, a two-lane collector road with sidewalks, curb, and gutter. The *Zoning Ordinance* requires new streets to be designed to create an interconnected system of grid patterned roads (Section 5.2.3) with road lengths no greater than 600 feet to allow for adequate and convenient access for pedestrians and emergency vehicles (Section 5.1.1.B.2). Additionally, the *Land Development Code* requires two access points for subdivisions with more than 75 lots (this request proposes 79 lots). A variance from this regulation would be required during the preliminary "sketch" plat process and is subject to the discretion of the Planning Commission. The proposed plan's excessive road length of approximately 860 feet with only one access to a collector road is not consistent with these objectives. Since the road layout does not comply with the *Zoning Ordinance*, the plan does not appear to be compatible with adjacent and surrounding properties

At the time of this writing the DeKalb County Transportation Department was still in review of the plan. The applicant will need to obtain a sewer capacity letter from the Department of Watershed Management to verify if sewer capacity is available.

Supplemental Requirements: There are no supplemental regulations in the *Zoning Ordinance* for single-family, detached homes.

Compliance with District Standards:

STANDARD	RSM REQUIREMENT	PROPOSED	COMPLIANCE
MAX DENSITY	4-8 units per acre	3.5 units per acre	Yes.
LOT AREA (MIN)	5,000 s.f.	5,000 s.f.	Yes
LOT WIDTH (MIN)	50 ft	50 ft	Yes
MAX. LOT COVERAGE	50%	Unknown. Information not on site plan	Undetermined. Information not on site plan. Non-compliance will necessitate variances.
FRONT SETBACK	20 ft	15 ft	No. Non-compliance will necessitate variances.
REAR SETBACK	20 ft	20 ft	Yes
SIDE SETBACK	3 ft from p/l with min. 10 feet between buildings	3 feet from p/l with min. 10 feet between buildings	Yes
MAX. BLDG. HEIGHT	35 feet	Unknown. Information not on site plan.	Undetermined. Information not on site plan. Non-compliance will necessitate variances.
MIN UNIT SIZE	1,200 s.f.	2,280 s.f.	Yes
MIN OPEN SPACE	20%	22%	Yes

TRANSITIONAL BUFFER	None required since single-family detached units are proposed along perimeter of site abutting single-family detached subdivisions	None	Yes
PERIMETER LOT COMPATIBILITY	Lots on the external boundary of the site must be at least 80% as large and 80% as wide as abutting lots of established subdivisions.	Unknown. Information not on site plan.	Undetermined—non-compliance will necessitate variances
STREETSCAPE IMPROVEMENTS	6 ft wide Landscape strip 5 ft wide sidewalk Street trees every 30 feet Street lights every 100 feet	Information not provided.	Undetermined—non-compliance will necessitate variances
PARKING	Min of 158 spaces (2 spaces per dwelling unit). Max of 316 spaces (4 spaces per dwelling unit)	Unknown. Information not on site plan.	Undetermined—non-compliance will necessitate variances

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, it appears that the proposed rezoning request is consistent with the policies and strategies of the Suburban Character Area and the *2035 Comprehensive Plan* to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density (Suburban Residential Protection Strategy, pg. 115).

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

The proposed RSM zoning for single-family, detached residential uses at a density of 3.5 units per acre is consistent with the RSM zoning and development pattern to the north and east containing single-family, detached residential uses (Ward Lake Subdivision) at a density of 3.2 units per acre. However, the conceptual layout of the request needs to be refined and improved to address vehicular circulation and pedestrian

compliance with *Zoning Ordinance* requirements. There are also some details that need to be provided and/or clarified to ensure that the plan is conforming to RSM zoning standards which include perimeter lot compatibility, maximum lot coverage, maximum building height, front yard building setbacks, and streetscape improvements.

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 with current R-100 zoning, which allows single-family, detached residential development.

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

The proposed RSM zoning for single-family detached residential at a density of 3.5 units per acre is consistent with the RSM zoning and development pattern to the north and east containing single-family detached residential uses (Ward Lake Subdivision) at a density of 3.2 units per acre. However, the conceptual layout of the request needs to be refined and improved to address vehicular circulation and pedestrian compliance with *Zoning Ordinance* requirements. There are also some details that need to be provided and/or clarified to ensure that the plan is conforming to RSM zoning standards which include perimeter lot compatibility, maximum lot coverage, maximum building height, front yard building setbacks, and streetscape improvements.

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:

There do not appear to be other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

F. Whether the zoning proposal will adversely affect historic 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 area.

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

There has been no indication from reviewing departments and agencies that the proposal would cause excessive use of utilities. At the time of this writing the DeKalb County Transportation Department was still in review of the plan. 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:

The proposed development is not expected to have unusual impacts on the natural environment.

Planning and Sustainability Department Recommendation: FULL CYCLE DEFERRAL

The proposed RSM zoning for single-family detached residential at a density of 3.5 units per acre is consistent with the RSM zoning and development pattern to the north and east containing single-family detached residential uses (Ward Lake Subdivision) at a density of 3.2 units per acre. However, the conceptual layout of the request needs to be refined and improved to reduce the block length of the primary road providing access to Lots 6 through 31 (see attached plan) and add an additional access to Linecrest Road to allow for appropriate traffic flow and circulation (See *Project Analysis* section of staff report). Since the road layout does not comply with the *Zoning Ordinance*, the plan does not appear to be compatible with adjacent and surrounding properties (Sec. 7.3.5.B).

There are also some details that need to be provided and/or clarified to ensure that the plan is conforming to RSM zoning standards and is compatible with adjacent and surrounding properties as follows:

1. **Perimeter Lot Compatibility.** Section 5.2.3 of the zoning ordinance requires that new single-family detached lots along the perimeter boundary must be at least 80% as large and 80% as wide as abutting single-family lots to ensure compatibility with surrounding properties. This calculation needs to be verified and shown on the site plan that there is compliance.
2. **Tabular Data.** Additional tabular data needs to be provided relating to the following: Maximum lot coverage, maximum building height, streetscape improvements, minimum number of parking spaces, and front building setback (tabular data indicates 15 feet but Zoning Ordinance requires a 20-foot front building setback).

Therefore, the Planning & Sustainability Department recommends that the rezoning request be “*Deferred, Full Cycle*” to allow sufficient time to for the applicant to redesign the plan to incorporate a more appropriate traffic flow pattern for vehicles and pedestrians, and also provide additional tabular information to ensure the plan is in compliance with the *Zoning Ordinance*.

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



**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 AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

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

Case No.: Z-22-1245310

Parcel I.D. #: 15-009-01-001, 15-009-01-002, 15-009-01-006, 15-009-01-008

Address: 2717, 2698, 2688, and 2670

Whitfield Road

Ellenwood, Georgia 30294

WATER:

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

Distance from property to nearest main: ~325 ft. on Bouldercrest

Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: Conley Creek

Is sewer adjacent to property: Yes () No (x) If no, distance to nearest line: ~1200 ft. to the northeast

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

Sewage Capacity: 36 (MGPD) Current Flow: 28.3 (MGPD)

COMMENTS:

No adjacent sewer. It would require a sizable extension to service this location.

Signature: _____

12/20/2021

To: Ms. Madolyn Spann, Planning Manager
Mr. John Reid, Senior Planner
From: Ryan Cira, Environmental Health Manager
Cc: Alan Gaines, Technical Services Manager
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

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

12/20/2021

N.1

SLUP-22-1245307 2021-3515 16-059-01-227

2038 Mallard Way, Lithonia , GA 30058

Amendment

- Please review general comments

N.2

Z-22-1245310 2021-3516 15-009-01-001, 15-009-01-006, 15-009-01-008

2712 Whitfield Road, Ellenwood, GA 30294

Amendment

- Please review general comments.
- Onsite Septic installed on surrounding property at 2241 Whitfield Drive on 06/29/1972 and 2281 Whitfield Drive on 09/06/1973 on 09/06/1073.

N.3

SLUP-22-1245311 2021-3517 18-091-01-063

971 North Road, Stone Mountain, GA 30083

Amendment

- Please review general comments
- Onsite septic system installed on property 754 North Hairston , Stone Mountain on 12/30/2003 (surrounding location).

N.4

CZ-22-1245311 2021-3518 15-217-04-024

3644 Memorial Drive, Decatur, GA 30032

Amendment

- Please review general comments.
- Onsite septic system installed on property 3232 Memorial Drive on 4/21/1970 indication of possible system within surrounding property.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

12/20/2021

N.4

SLUP-22-1245321 2021-3519 15-217-04-024

3622 Memorial Drive, Decatur, GA 30032

Amendment

- Please review general comments.
- Onsite septic system installed on property 3232 Memorial Drive on 4/21/1970 indication of possible system within surrounding property.

N.6

SLUP-22-1245322 2021-3520 15-023-01-142

3956 Ambrose Ridge Ct. , Ellenwood, GA 30294

Amendment

- Please review general comments.

N.7

SLUP-22-1245323 2021-3521 15-183-05-015

1691 Candle Road, Decatur, Ga 30032

Amendment

- Please review general comments.
- Onsite septic system installed on property 1888 Candler Road in 01/13/1959 indication of possible system within surrounding property.

N.8

Z-22-1245331 2021-3522 / 18-039-03-027, 18-039-03-029, 18-039-03-038,
18-039-03-039, 18-039-03-040, 18-039-03-041, 18-039-03-044, 18-039-03-
110, 18-039-03-112,

499 Rockbridge Road, Stone Mountain, GA 30083

Amendment

- Please review general comments.
- Onsite septic system installed on property 4995 Rockbridge Road in 05/04/1964 indication of possible system within surrounding property.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

12/20/2021

N.9

SLUP-22-1245330 2021-3525 /15-061-02-062

3640 Platina Park Court, Decatur, GA 30034

Amendment

- Please review general comments.

**DeKalb County School District
Development Review Comments**

Analysis Date: 12/20/2021

Submitted to: DeKalb County

Case #: Z-22-1245310

Parcel #: 15-009-01-001/-002/-006/-008

Name of Development: Linecrest Road Tract
Location: 2717 Whitfield Rd, Ellenwood

Description: Single-family detached development with 79 units

Impact of Development: When fully constructed, this development would be expected to generate 42 students: 9 at Cedar Grove Elementary School, 7 at Cedar Grove Middle School, 10 at Cedar Grove High School, 15 at other DCSD schools, and 1 at private school. All three neighborhood schools have capacity for additional students.

Current Condition of Schools	Cedar Grove			Other DCSD Schools	Private Schools	Total
	Elementary School	Cedar Grove Middle School	Cedar Grove High School			
Capacity	672	1,290	1,271			
Portables	0	0	0			
Enrollment (Oct. 2021)	529	776	1,169			
Seats Available	143	514	102			
Utilization (%)	78.7%	60.2%	92.0%			
New students from development	9	7	10	15	1	42
New Enrollment	538	783	1,179			
New Seats Available	134	507	92			
New Utilization	80.1%	60.7%	92.8%			

Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
	Elementary	0.1152	0.1066	0.0080
Middle	0.0919	0.0315	0.0057	0.1291
High	0.1266	0.0424	0.0051	0.1742
Total	0.3338	0.1805	0.0188	0.5331
Student Calculations				
Proposed Units	79			
Unit Type	SF			
Cluster	Cedar Grove High School			
Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	9.10	8.42	0.63	18.15
Middle	7.26	2.49	0.45	10.20
High	10.01	3.35	0.40	13.76
Total	26.37	14.26	1.48	42.11
Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Cedar Grove Elementary School	9	9	1	19
Cedar Grove Middle School	7	3	0	10
Cedar Grove High School	10	3	0	13
Total	26	15	1	42



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

Additionally, looking at the conceptual plan provided, the two proposed detention ponds discharge points are towards existing adjacent properties (based on the drainage easements shown). Concentrated flow cannot be directed towards adjacent properties or leaving the site. An easement will be required through those adjacent properties to convey the discharge to an existing storm sewer structure or to prevent adverse effect on adjacent properties.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development

permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

- **Landscaping/Tree Preservation**

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

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.



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 AND/OR LASONDRA HILL
lahill@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-22-1245310 Parcel I.D. #: 15-009-91-001

Address: 2717
Whitfield Rd
Ellenwood, GA

002
006
008

Adjacent Roadway (s): LINECAST Rd MAJOR
(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

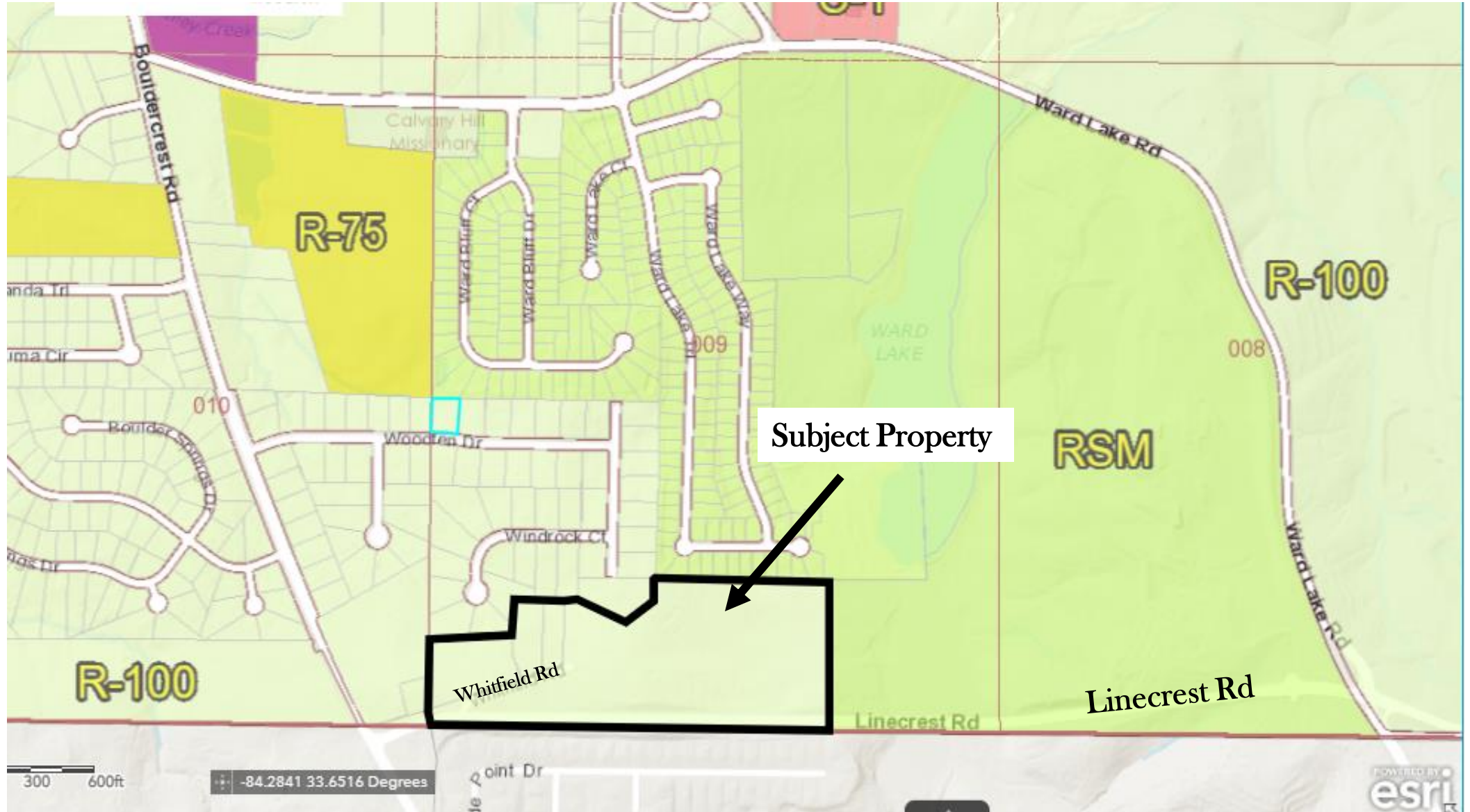
According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1, 000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

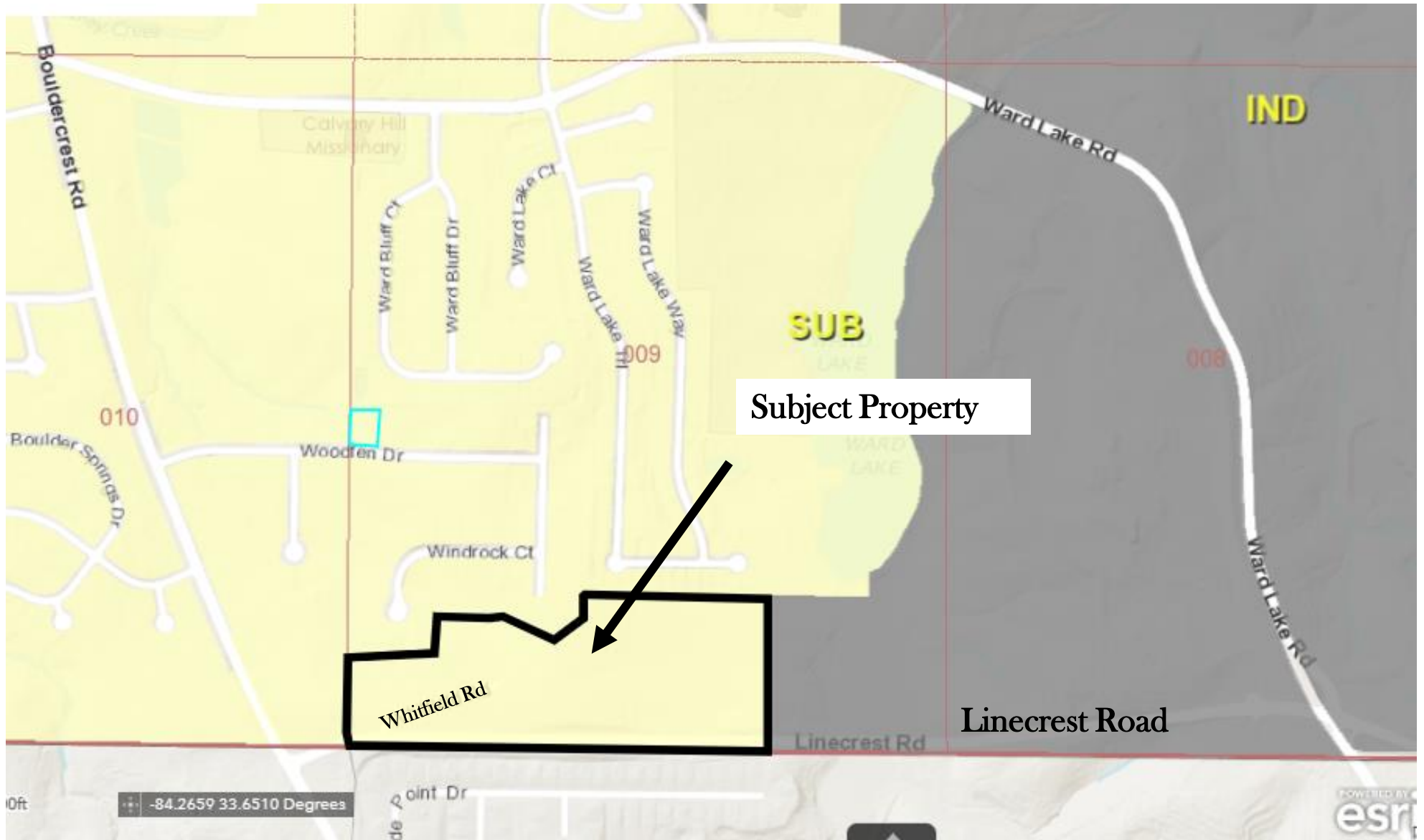
Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

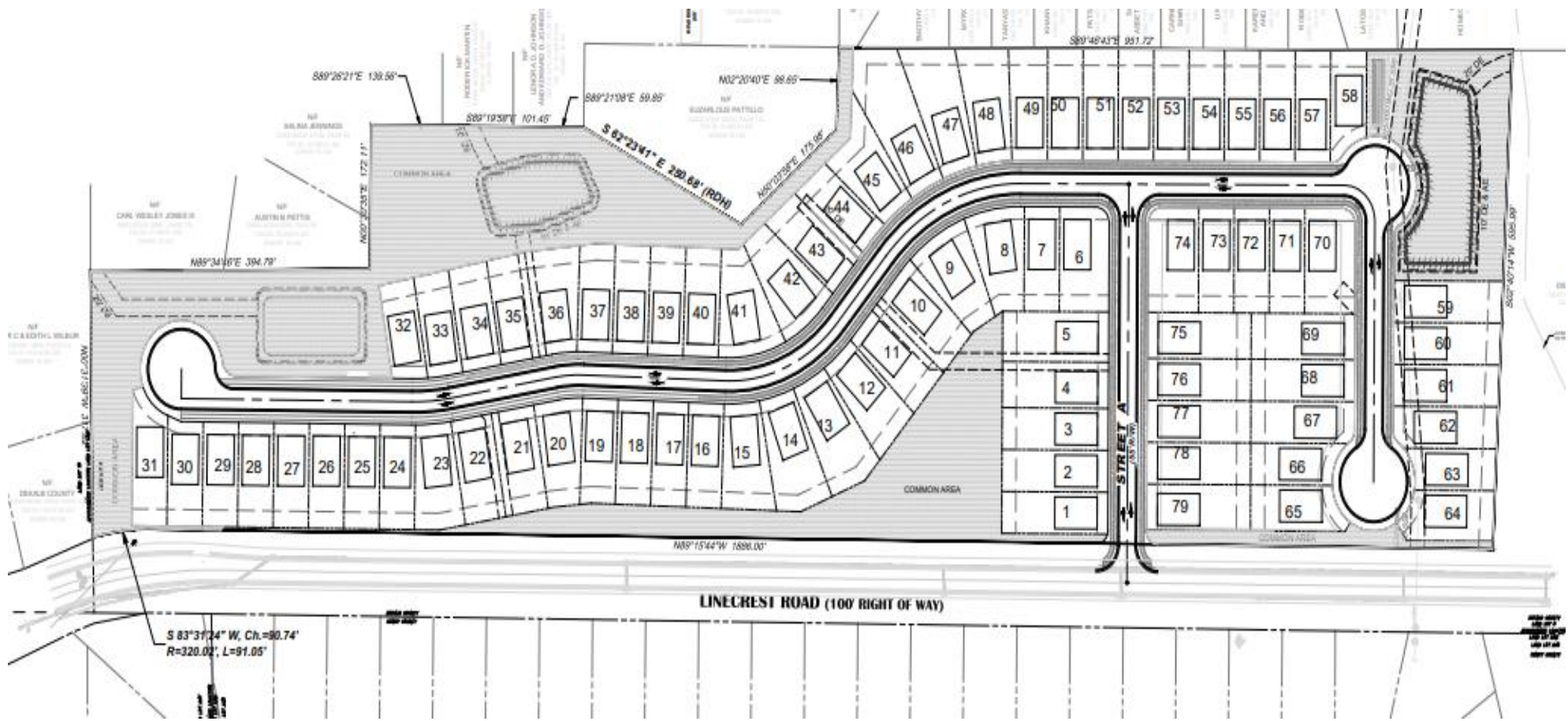
Plans and field reviewed. Nothing found that would disrupt traffic pattern flow.

Signature: [Signature]











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

Date Received: _____ Application No: _____

Applicant Name: Rockhaven Homes, LLC c/o Battle Law, P.C.

Applicant E-Mail Address: mlb@battlelawpc.com

Applicant Mailing Address: 3562 Habersham at Northlake Building J, Suite 100, Tucker, Georgia 30084

Applicant Daytime Phone: 404-601-7616 Fax: _____

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

Owner Mailing Address: _____

Owner Daytime Phone: _____

Address of Subject Property: 2717, 2698, 2688, 2670 Whitfield Road, Ellenwood, Georgia 30294

Parcel ID#: 15 009 01 001, 15 009 01 008, 15 009 01 006, 15 009 01 002

Acreage: 22.5 Commission District: District 3, Super District 6

Present Zoning District(s): R-100

Proposed Zoning District: RSM

Present Land Use Designation: SUB

Proposed Land Use Designation (if applicable): _____



Battle Law

DISTRIBUTION COVER SHEET

October 28, 2021

VIA: Hand Delivery

Rockhaven Homes, LLC / Linecrest Road Rezoning Application

ATTN:

Andrew Baker

DeKalb County Planning and Sustainability Department

330 W. Ponce de Leon Avenue

Decatur, GA 30030

Enclosed please find the following:

A copy of the submitted Application for Rezoning along with a check in the amount of \$500.

Prepared By:

Joshua Mahoney

For Battle Law, P.C.

REZONING APPLICATION CHECKLIST

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

_____ 1. Schedule a mandatory **Pre-Application Conference** with Planning & Sustainability staff by appointment. Obtain **Pre-Application form** (to be completed in pre-application meeting). Please call 404-371-2155 for appointment.

_____ 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets**). Letter(s) from homeowners association(s) may also be provided.

_____ 3. Submit **Application** (Submit 4 printed, collated sets and a PDF version on a flash drive. Please assemble materials in the following order.)

_____ **A. Application form** with name and address of applicant and owner, and address of subject property;

_____ **B. Pre-submittal community meeting notice and sign-in sheet** and other documentation of meeting, if any;

_____ **C. Letter of application and impact analysis**

1. **Letter of application** identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.

2. **Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.

_____ **D. Authorization Form**, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.

_____ **E. Campaign disclosure statement** (required by State law).

_____ **F. Legal boundary survey** of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. *(If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)*

_____ **G. Site Plan**, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:

_____ a. complete boundaries of subject property;

_____ b. dimensioned access points and vehicular circulation drives;

_____ c. location of all existing and proposed buildings, structures, setbacks and parking;

_____ d. location of 100 year floodplain and any streams;

_____ e. notation of the total acreage or square footage of the subject property;

_____ f. landscaping, tree removal and replacement, buffer(s); and

_____ g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.

_____ **H. Reduced Site Plan**, reduced to 8.5" x 11".

_____ **I. Written Legal Description** of metes and bounds of the subject property (can be printed on site plan or survey).

_____ **J. Building Form Information**. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.

_____ **K. Completed, signed Pre-application Form** (Provided at pre-application meeting.)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Date Received: _____ Application No: _____

Applicant Name: Rockhaven Homes, LLC c/o Battle Law, P.C.

Applicant E-Mail Address: mlb@battlelawpc.com

Applicant Mailing Address: 3562 Habersham at Northlake Building J, Suite 100, Tucker, Georgia 30084

Applicant Daytime Phone: 404-601-7616 Fax: _____

Owner Name: See Attached List of Owners

If more than one owner, attach list of owners.

Owner Mailing Address: _____

Owner Daytime Phone: _____

Address of Subject Property: 2717, 2698, 2688, 2670 Whitfield Road, Ellenwood, Georgia 30294

Parcel ID#: 15 009 01 001, 15 009 01 008, 15 009 01 006, 15 009 01 002

Acreage: 22.5 Commission District: District 3, Super District 6

Present Zoning District(s): R-100

Proposed Zoning District: RSM

Present Land Use Designation: SUB

Proposed Land Use Designation (if applicable): _____

List of Owners

Owner 1

Owner Name: SIL SF LLC

Parcel Number: 15 009 01 001

Owner Mailing Address: 4062 Peachtree Road NE, Suite A 277, Atlanta, Georgia 30319

Owner 2

Owner Name: Ashbrooke Home Builders, Inc.

Parcel Number: 15 009 01 008, 15 009 01 006, 15 009 01 002

Owner Mailing Address: 4062 Peachtree Road, Ste. A277, Atlanta, GA. 30319

DEPARTMENT OF PLANNING & SUSTAINABILITY

IMPACT ANALYSIS

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

Section 27-7.3.5. The following standards and factors are found to be relevant to the exercise of the county's zoning powers and shall govern the review of all proposed amendments to the Official Zoning Map:

- A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- D. Whether the zoning proposal will adversely affect the existing use of usability of adjacent or nearby properties.
- E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
- F. Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.



Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100
Tucker, Georgia 30084

Zoom Instructions:

Go to <https://otago.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click “Join”. To join by phone, please dial (646) 558-8656. If you are unable to attend or would like to learn more about the proposed project, please scan the QR code to be directed to our website. On the Home page, please click on “DeKalb” county under the “Projects” tab.

We encourage you to come out and participate!

For More Information Contact
Brittney Butler at:
Phone: 404-601-7616 ext. 7
Fax: 404-745-0045
Email: btb@battlelawpc.com

REZONING FROM R-100 TO RSM TO ALLOW FOR THE DEVELOPMENT OF SINGLE- FAMILY DETACHED HOMES

When: Monday, October 18, 2021
Time: 6:00 PM Eastern (US and Canada)

Register in advance for this meeting:

<https://otago.zoom.us/join>

Meeting ID: 890 3740 8122

Passcode: 231917

PROPOSED LOCATION(S):

2717, 2698, 2688, 2670 Whitfield Road,
Ellenwood, Georgia 30294





Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100
Tucker, Georgia 30084

PLEASE
PLACE
STAMP
HERE

«Name»

«Address»

«City», «State» «Zip»

From: [Brittney Butler](#)
To: [edsan@bellsouth.net](#); [k1776usa@yahoo.com](#); [barnesve@yahoo.com](#); [rbarrow@comcast.net](#); [berrylfreda227@gmail.com](#); [bethbond@bellsouth.net](#); [dbonino1@aol.com](#); [jacquelynbuiebrown@gmail.com](#); [rigel.cable@gmail.com](#); [info@greshamhills.org](#); [parkviewcivicclub@gmail.com](#); [norfley@yahoo.com](#); [Pat Craig](#); [ppculp@att.net](#); [christinedennis@bellsouth.net](#); [naacpdek@comcast.net](#); [mfunk64@att.net](#); [frank@golleyrealty.com](#); [jgross@stickybusiness.net](#); [president@naacpdokalb.org](#); [tharris@galleryatsouthdekalb.com](#); [phtompson3@msn.com](#); [sbhouston@bellsouth.net](#); [NettieJackson@me.com](#); [bjavnt@gmail.com](#); [carolyn.jones818@yahoo.com](#); [albertajordan@bellsouth.net](#); [mkirkwood73@outlook.com](#); [linn.jeff@gmail.com](#); [dlocks1019@aol.com](#); [elitedesignsati@yahoo.com](#); [bcpace2@gmail.com](#); [hjpreston23@gmail.com](#); [tolip209@gmail.com](#); [robroark@allsouthwarehouse.com](#); [regeniartobertsone@gmail.com](#); [csanders@eastmetrocid.com](#); [ericwschwartz@gmail.com](#); [samandbettysmith@bellsouth.net](#); [sls1289@gmail.com](#); [wazulamor@aol.com](#); [ericastewart2009@gmail.com](#); [tommyt4dekalb@gmail.com](#); [nahwash4ms@aol.com](#); [Pdk-powell@comcast.net](#); [adrianez.realty@gmail.com](#); [district3@dekalbcountyga.gov](#); [larryjohnson@dekalbcountyga.gov](#)
Cc: [Josh Mahoney](#); [Michele Battle](#)
Subject: Matter 574: Rockhaven Homes - Linecrest
Date: Monday, September 20, 2021 1:08:00 PM
Attachments: [image001.png](#)
[Rockhaven Homes Linecrest Community Meeting Notice.pdf](#)
Importance: High

Good afternoon District 3,

I am emailing to inform you that our firm will be hosting a community meeting to discuss a proposed rezoning on Whitfield Road on Monday, October 18, 2021 at 6:00pm. Please see the attached notice and Zoom meeting details below. We hope you can make it!

Hi there,

You are invited to a Zoom meeting.

When: Oct 18, 2021 06:00 PM Eastern Time (US and Canada)

Register in advance for this meeting:

https://us02web.zoom.us/meeting/register/tZ0tdO6srjMrGNbJ8k14lEHAXV_K0hu7koNl

After registering, you will receive a confirmation email containing information about joining the meeting.

Best,



BRITNEY BUTLER
Zoning Paralegal
3562 Habersham at Northlake
Building J, Suite 100
Tucker, Georgia 30084
Ph: 404.601.7616 Ext. 7
btb@battlelawpc.com
battlelawpc.com

IRS Circular 230 Disclosure:

To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

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Mailing List

Owner 1	Owner 2	Owner Address	Owner City	Owner State	Owner Zip
Henry Co Board Of Commissioner		140 Henry Pkwy	McDonough	GA	30253-6696
Dekalb County		1300 Commerce Dr Fl 5	Decatur	GA	30030-3222
Streeter Management Group Inc		Po Box 956063	Duluth	GA	30095-9502
Kenny Grimes		4424 Boulder Springs Cv	Ellenwood	GA	30294-1769
Robert Desmond Hood		113 James Ridge Dr	Stockbridge	GA	30281-1478
Amanda H Foster		4432 Boulder Springs Ct	Ellenwood	GA	30294-1700
Gloria P Johnson		4433 Boulder Springs Ct	Ellenwood	GA	30294-1700
Fredrick Ellison		4440 Boulder Springs Ct	Ellenwood	GA	30294-1700
Willie G Prince		4441 Boulder Springs Ct	Ellenwood	GA	30294-1700
Michael W Stephens	Synella Jean Stephens	4410 Boulder Springs Cv	Ellenwood	GA	30294-1769
Louise V Austin		4418 Boulder Springs Cv	Ellenwood	GA	30294-1769
Gloria M Jordan		4424 Boulder Springs Cv	Ellenwood	GA	30294-1769
Kimberlee Woods		4425 Boulder Springs Cv	Ellenwood	GA	30294-1770
Jeffrie Marie Brown	Willie J Brown	4432 Boulder Springs Cv	Ellenwood	GA	30294-1769
Karren Denegall		4437 Boulder Springs Cv	Ellenwood	GA	30294-1770
Darryl Brian Baldwin		4438 Boulder Springs Cv	Ellenwood	GA	30294-1769
Bernard Wesley Satchell Jr		4443 Boulder Springs Cv	Ellenwood	GA	30294-1770
Linda Loper		4444 Boulder Springs Cv	Ellenwood	GA	30294-1769
Sunstar Property Holdings LLC		2133 Lawrenceville Suwanee Rd	Suwanee	GA	30024-2648
Artis Daniel Jr	Beverly F Daniel	2184 Boulder Springs Dr	Ellenwood	GA	30294-1756
Clevis E McCormick		2187 Boulder Springs Dr	Ellenwood	GA	30294-1757
Olympus Borrower LLC		Po Box 4090	Scottsdale	AZ	85261-4090
Ralph Weaver	Carrie Weaver	16701 Eagle Harbor Rd	Aquasco	MD	20608-9559
Divvy Homes Warehouse II LLC		530 Howard St Ste 100	San Francisco	CA	94105-3016
Wanda J Turner		2199 Boulder Springs Dr	Ellenwood	GA	30294-1757
Nellie Ponder		2206 Boulder Springs Dr	Ellenwood	GA	30294-1758
Barron Corron	Diane Barron	2207 Boulder Springs Dr	Ellenwood	GA	30294-1759
James M McKnight	James E McKnight	2212 Boulder Springs Dr	Ellenwood	GA	30294-1758
Christopher A Miller		2213 Boulder Springs Dr	Ellenwood	GA	30294-1759
Samuel Arnold Jr	Charlotte Arnold	2220 Boulder Springs Dr	Ellenwood	GA	30294-1758
Stephanie M Lipscomb		2223 Boulder Springs Dr	Ellenwood	GA	30294-1759
Toya S Kemp		2226 Boulder Springs Dr	Ellenwood	GA	30294-1758
Michael Baldwin		2232 Boulder Springs Dr	Ellenwood	GA	30294-1758
Ruby N Lane		2233 Boulder Springs Dr	Ellenwood	GA	30294-1759
Yusador Gaye		6617 Speight Cir	Raleigh	NC	27616-8943
Herschel W Shepherd	Donna L Frasier-Shepherd	2245 Boulder Springs Dr	Ellenwood	GA	30294-1759
Natashia Willis		2248 Boulder Springs Dr	Ellenwood	GA	30294-1758
Michelle D Price		2253 Boulder Springs Dr	Ellenwood	GA	30294-1759
Jerry Caldwell	Julia Caldwell	2254 Boulder Springs Dr	Ellenwood	GA	30294-1758
Anita L Davis		2260 Boulder Springs Dr	Ellenwood	GA	30294-1758
Charles Lee White	Patricia D White	2268 Boulder Springs Dr	Ellenwood	GA	30294-1758
Theodore R Stovall	Geraldine B Stovall	2271 Boulder Springs Dr	Ellenwood	GA	30294-1759
2018 3 Ih Borrower Lp		1717 Main St	Dallas	TX	75201-4612
Marchia L Mickens		2299 Boulder Springs Dr	Ellenwood	GA	30294-1761
Cedric U Daniel	Yvette Y Daniel	2300 Boulder Springs Dr	Ellenwood	GA	30294-1773
Home Sfr Borrower LLC		3505 Koger Blvd	Duluth	GA	30096-8977
Tanya Latoya Thomas		2311 Boulder Springs Dr	Ellenwood	GA	30294-1774
Roderick Fitzhugh		2316 Boulder Springs Dr	Ellenwood	GA	30294-1773
Vanira Peek Millines		2317 Boulder Springs Dr	Ellenwood	GA	30294-1774
Kevin D Jackson		2323 Boulder Springs Dr	Ellenwood	GA	30294-1774
Cornelius S Huff		2324 Boulder Springs Dr	Ellenwood	GA	30294-1773
Donovan P Holtzclaw	Shawn M Holtzclaw	2331 Boulder Springs Dr	Ellenwood	GA	30294-1774
Jesse L Harris		2332 Boulder Springs Dr	Ellenwood	GA	30294-1773
Ethel Jean Tenney		2339 Boulder Springs Dr	Ellenwood	GA	30294-1774
Derwin Gay		2340 Boulder Springs Dr	Ellenwood	GA	30294-1773
Edward Foxworth		2346 Boulder Springs Dr	Ellenwood	GA	30294-1773
Deborah Y Anderson		2347 Boulder Springs Dr	Ellenwood	GA	30294-1774
Correll Johnson		2352 Boulder Springs Dr	Ellenwood	GA	30294-1773
Sylvester Boyd	Carolyn Boyd	2355 Boulder Springs Dr	Ellenwood	GA	30294-1774
Ronald Morgan		2365 Boulder Springs Dr	Ellenwood	GA	30294-1774
Rodney Morgan		2372 Boulder Springs Dr	Ellenwood	GA	30294-1773
Mary Ethel Ragland		2373 Boulder Springs Dr	Ellenwood	GA	30294-1774
Johnson Minnitee III	Julia Inez M Minnitee	2378 Boulder Springs Dr	Ellenwood	GA	30294-1773
Georgenette Lofton		2379 Boulder Springs Dr	Ellenwood	GA	30294-1774
Tiger Paw Properties LLC		3455 Peachtree Industrial Blvd	Duluth	GA	30096-6501
Barry C Stephens	Cynthia A Stephens	2387 Boulder Springs Dr	Ellenwood	GA	30294-1774
Robert Lee Wilson Jr	Johnnie Mae Wilson	2392 Boulder Springs Dr	Ellenwood	GA	30294-1773
Eloise M Abernathy		2397 Boulder Springs Dr	Ellenwood	GA	30294-1774
Dewanna T Cobbs		2398 Boulder Springs Dr	Ellenwood	GA	30294-1773

Mailing List

Tina Anglin		2407 Boulder Springs Dr	Ellenwood	GA	30294-1776
Alto Asset Co 2 LLC		5001 Plaza On The Lk Ste 200	Austin	TX	78746-1053
Selvyn G Corniffe	Olga M Corniffe	2416 Boulder Springs Dr	Ellenwood	GA	30294-1775
Cyril D Gresham	Elizabeth V Nealey Gresham	2423 Boulder Springs Dr	Ellenwood	GA	30294-1776
Ellis Retail Acquisitions LLC		1165 Kingston Dr	Atlanta	GA	30342-2121
Derrick O Todd	Lari A Todd	2435 Boulder Springs Dr	Ellenwood	GA	30294-1776
Robin Mackie		2436 Boulder Springs Dr	Ellenwood	GA	30294-1775
Julius Armstrong II	Shenelle Smith	2460 Boulder Springs Pt	Ellenwood	GA	30294-1762
Beverly L Sewell		2465 Boulder Springs Pt	Ellenwood	GA	30294-1763
Pamela R Walker	Willard J Walker	4481 Buckingham Cir	Decatur	GA	30035-2109
Cpi Amherst Sfr Program Owner LLC		5001 Plaza On The Lk Ste 200	Austin	TX	78746-1053
Dale L Froman		2472 Boulder Springs Pt	Ellenwood	GA	30294-1762
Scotia L Taylor		2475 Boulder Springs Pt	Ellenwood	GA	30294-1763
Moyce Choates	Deborah Cason	2481 Boulder Springs Pt	Ellenwood	GA	30294-1763
Bernard Rolax	Tina D Head	2482 Boulder Springs Pt	Ellenwood	GA	30294-1762
Turner Virginia Grizzle	Michael L Turner	2489 Boulder Springs Pt	Ellenwood	GA	30294-1763
Sivan LLC		9455 Collins Ave	Surfside	FL	33154-2670
Lin Sun	Jenny Hsu	5720 Buford Hwy	Norcross	GA	30071-2577
Patlyn O Gamble		2500 Boulder Springs Pt	Ellenwood	GA	30294-1764
Kibwe Haley		2507 Boulder Springs Pt	Ellenwood	GA	30294-1765
Vertis Lee Turnipseed Jr	Rinda C Turnipseed	2510 Boulder Springs Pt	Ellenwood	GA	30294-1764
Ih4 Property Georgia Lp		1717 Main St	Dallas	TX	75201-4612
Mirian Cuffie		2518 Boulder Springs Pt	Ellenwood	GA	30294-1764
Louise Estrada	Sherwyn Moochoon	2523 Boulder Springs Pt	Ellenwood	GA	30294-1765
Alexis Hull		2524 Boulder Springs Pt	Ellenwood	GA	30294-1764
Shandra Jones		2530 Boulder Springs Pt	Ellenwood	GA	30294-1764
Irene Exom		1559 Ashford Ct	Conley	GA	30288-1958
Marvin L Head	Hattie P Head	2536 Boulder Springs Pt	Ellenwood	GA	30294-1764
Doretha R Davis		2543 Boulder Springs Pt	Ellenwood	GA	30294-1765
Justin C McBean		2544 Boulder Springs Pt	Ellenwood	GA	30294-1764
Leonard Chapple Sr	Shelia A Chapple	2567 Boulder Springs Pt	Ellenwood	GA	30294-1767
Waymon A Shannon	Nellie C Shannon	2575 Boulder Springs Pt	Ellenwood	GA	30294-1767
Ella Owens		2580 Boulder Springs Pt	Ellenwood	GA	30294-1766
Mazie Tinsley	Maurice D Tinsley	2594 Boulder Springs Pt	Ellenwood	GA	30294-1766
Dawu Smith		4430 Boulder Springs Run	Ellenwood	GA	30294-1771
Stephanie Ladson Lewis	Curtis L Lewis	4434 Boulder Springs Run	Ellenwood	GA	30294-1771
Ace Homes LLC		5945 Peachtree Cors E	Norcross	GA	30071-1337
Janice Henry-Glanville		4440 Boulder Springs Run	Ellenwood	GA	30294-1771
Clayton County Land Bank		118 S Main St	Jonesboro	GA	30236-3530
Josephine Paulina Mares		4203 Thurmond Rd	Forest Park	GA	30297-3672
Colby Marshall		4000 Bouldercrest Rd	Ellenwood	GA	30294-1751
Rita D Benike		4001 Bouldercrest Rd	Ellenwood	GA	30294-1701
Betty Jean Walker		764 Park Villa Way	Jonesboro	GA	30238-4353
Breanda J White		4030 Bouldercrest Rd	Ellenwood	GA	30294-1750
June Pernica Reynolds		4679 Browns Mill Ferry Rd	Lithonia	GA	30038-4532
Anna S Watkins		223 2nd Ave	Decatur	GA	30030-3551
Clifford A Hamilton	Carla M Grant-Hamilton	4054 Bouldercrest Rd	Ellenwood	GA	30294-1750
Equity Trust Co Custodian Fbo		4062 Bouldercrest Rd	Ellenwood	GA	30294-1750
Jeroline Whitehead	Willie Whitehead	4068 Bouldercrest Rd	Ellenwood	GA	30294-1750
Hands Of Faith Deliverance Center Inc		8512 N Pond Dr	Riverdale	GA	30274-4137
Cerberus Sfr Holdings L P		1850 Parkway Pl SE	Marietta	GA	30067-4439
Zebedee Bell		4100 Bouldercrest Rd	Ellenwood	GA	30294-2504
Jpg Trans Co Inc		Po Box 767308	Roswell	GA	30076-7308
Roger C Wilbur	Edith L Wilbur	Po Box 728	Ellenwood	GA	30294-0728
David Morgan	Gail Morgan	301 California Ct	Ellenwood	GA	30294-4525
Lacrece Lane Sweatmon		304 California Ct	Ellenwood	GA	30294-4525
Jasmine R Doe		305 California Ct	Ellenwood	GA	30294-4525
Antwain R Burks		308 California Ct	Ellenwood	GA	30294-4525
Annette Lorriane Pearsall		309 California Ct	Ellenwood	GA	30294-4525
Glenise Harris		312 California Ct	Ellenwood	GA	30294-4525
Eric Thornton	Natasha Thornton	313 California Ct	Ellenwood	GA	30294-4525
Progress Residential Borrower 7 LLC		Po Box 4090	Scottsdale	AZ	85261-4090
Wayne Holder	Alma Holder	892 Haydens Rdg	Ellenwood	GA	30294-4515
Shenequa McFarland		898 Haydens Rdg	Ellenwood	GA	30294-4515
Clayton County Land Bank Authority		118 S Main St	Jonesboro	GA	30236-3530
Audrey A Toh	Emmanuel Achoh	3958 Ivy Trace Ln	Ellenwood	GA	30294-2464
Charles L Horry		3972 Ivy Trace Ln	Ellenwood	GA	30294-2464
Cerberus Sfr Holdings II Lp		1850 Parkway Pl SE Ste 900	Marietta	GA	30067-8261
Hazel A Smith		3994 Ivy Trace Ln	Ellenwood	GA	30294-2464
Diane A Giles	Mark E Giles	4002 Ivy Trace Ln	Ellenwood	GA	30294-2464

Mailing List

Elizabeth Walton		4007 Ivy Trace Ln	Ellenwood	GA	30294-2467
William C Vaughn	Sandra M Vaughn	4014 Ivy Trace Ln	Ellenwood	GA	30294-2464
Darrell Dixon	Barbara L Dixon	4019 Ivy Trace Ln	Ellenwood	GA	30294-2467
Terry Brantley		404 Pacific Trce	Ellenwood	GA	30294-4526
Cubell J Bain		405 Pacific Trce	Ellenwood	GA	30294-4526
Eric L Motes	Latoya Motes	408 Pacific Trce	Ellenwood	GA	30294-4526
Deborah Grandison		409 Pacific Trce	Ellenwood	GA	30294-4526
Jaimelle Harden		415 Pacific Trce	Ellenwood	GA	30294-4526
Laurian G Cuffy		Po Box 805	Ellenwood	GA	30294-0805
Dennis B Culver	Sabrina M Culver	101 Palisade Point Dr	Ellenwood	GA	30294-4528
Darryl L Colbert	Cynthia E Colbert	104 Palisade Point Dr	Ellenwood	GA	30294-4529
Lesa Vaughn		108 Palisade Point Dr	Ellenwood	GA	30294-4529
Verla Cook		109 Palisade Point Dr	Ellenwood	GA	30294-4528
Keolia Bridges		113 Palisade Point Dr	Ellenwood	GA	30294-4528
Laneva Cobb	Hill Karl	117 Palisade Point Dr	Ellenwood	GA	30294-4528
Jesse J Jewel	Brenda T Jewel	120 Palisade Point Dr	Ellenwood	GA	30294-4529
Ira Blount		121 Palisade Point Dr	Ellenwood	GA	30294-4528
Wilbur Forts Jr	Marsha M Forts	125 Palisade Point Dr	Ellenwood	GA	30294-4528
Rodrick A Ward		129 Palisade Point Dr	Ellenwood	GA	30294-4528
Joseph Witherspoon		133 Palisade Point Dr	Ellenwood	GA	30294-4528
Jessica Harris		Po Box 668	Bay	AR	72411-0668
Felicia A Hedgebeth		140 Palisade Point Dr	Ellenwood	GA	30294-4529
Wilbur Little	Tameka Little	141 Palisade Point Dr	Ellenwood	GA	30294-4528
Artavia Hodges Murray	Michael Ferguson	145 Palisade Point Dr	Ellenwood	GA	30294-4528
Theodorus Properties LLC		69 Avenue			33700
Cleveland L Davidson		153 Palisade Point Dr	Ellenwood	GA	30294-4528
Tommy L Hightower	Ruth Hightower	157 Palisade Point Dr	Ellenwood	GA	30294-4528
Maurice D Owens		160 Palisade Point Dr	Ellenwood	GA	30294-4530
2018-3 Ih Borrower Lp		1717 Main St Ste 2000	Dallas	TX	75201-4657
Shenna Perry	Douglas L Perry Sr	165 Palisade Point Dr	Ellenwood	GA	30294-4528
Bryan B Edwards		169 Palisade Point Dr	Ellenwood	GA	30294-4528
Marvin D Johnson	Anita S Johnson	170 Palisade Point Dr	Ellenwood	GA	30294-4531
Lisa Hubbard		173 Palisade Point Dr	Ellenwood	GA	30294-4528
Stephanie M Smith		176 Palisade Point Dr	Ellenwood	GA	30294-4531
Jimmy C Taylor	Mary R Taylor	177 Palisade Point Dr	Ellenwood	GA	30294-4528
P Fin II F LLC		6300 Powers Ferry Rd Ste 600-142	Atlanta	GA	30339-2919
Essie Walker Nelson		181 Palisade Point Dr	Ellenwood	GA	30294-4528
Mark McKissick	Alicia McKissick	184 Palisade Point Dr	Ellenwood	GA	30294-4531
Evelyn Y Price		185 Palisade Point Dr	Ellenwood	GA	30294-4528
Quynh-Chau Ha		188 Palisade Point Dr	Ellenwood	GA	30294-4531
Shunda Dean		189 Palisade Point Dr	Ellenwood	GA	30294-4528
Robert L Walker		192 Palisade Point Dr	Ellenwood	GA	30294-4531
Devlin Manning	Courtney D Manning	193 Palisade Point Dr	Ellenwood	GA	30294-4528
Errol Thame	Jacqueline Thame	196 Palisade Point Dr	Ellenwood	GA	30294-4531
La'Toyia N Turnetine		197 Palisade Point Dr	Ellenwood	GA	30294-4528
Brenda A Small		200 Palisade Point Dr	Ellenwood	GA	30294-4527
Rodney Hubbard		201 Palisade Point Dr	Ellenwood	GA	30294-4527
Chuong V Nguyen		204 Palisade Point Dr	Ellenwood	GA	30294-4527
Wayne Shantz	Hilary Shantz	125 Herald Ave Oakville Ontario L6k1s3	Canada		
Terry Fowler	Robin Delaughter	208 Palisade Point Dr	Ellenwood	GA	30294-4527
Lillian Duggan		209 Palisade Point Dr	Ellenwood	GA	30294-4527
Bridgette M McDonald		212 Palisade Point Dr	Ellenwood	GA	30294-4527
Anthony D Thurman	Gloria J Thurman	213 Palisade Point Dr	Ellenwood	GA	30294-4527
Jinnella Brown		216 Palisade Point Dr	Ellenwood	GA	30294-4527
Danelle X Williams		217 Palisade Point Dr	Ellenwood	GA	30294-4527
Dan Rawls	Ann Mary	1140 Palisades Dr	Ellenwood	GA	30294-2550
Mervin Persons		1142 Palisades Dr	Ellenwood	GA	30294-2550
Vision Real Estate Investments Inc		3245 Peachtree Pkwy Ste D322	Suwanee	GA	30024-6054
Kesha Richardson		1224 Palisades Ln	Ellenwood	GA	30294-2547
Sfr Jv 1 2020 1 Borrower LLC		1508 Brookhollow Dr	Santa Ana	CA	92705-5426
Leon Terry	Deborah Terry	1229 Palisades Ln	Ellenwood	GA	30294
Brenda Currence		1263 Palisades Way	Ellenwood	GA	30294-2552
Yolanda Turner		1300 Palisades Way	Ellenwood	GA	30294-2506
Donald Guider	Willena Guider	1303 Palisades Way	Ellenwood	GA	30294-2507
Dekalb County		1300 Commerce Dr	Decatur	GA	30030-3222
Cerberus Sfr Holdings Lp		1850 Parkway Pl SE	Marietta	GA	30067-4439
Azv Investments LLC		3851 Holcomb Bridge Rd	Norcross	GA	30092-5202
Michael Sanders Jr		4104 Ward Lake Trl	Ellenwood	GA	30294-4806
Katrina Rudolph	Rodney Rudolph	4105 Ward Lake Trl	Ellenwood	GA	30294-4807
Shemika Pealer		4110 Ward Lake Trl	Ellenwood	GA	30294-4806

Mailing List

Cassandra Fredrick		4111 Ward Lake Trl	Ellenwood	GA	30294-4807
Resicap Georgia Owner LLC		4116 Ward Lake Trl	Ellenwood	GA	30294-4806
Jerome A Lomax		4117 Ward Lake Trl	Ellenwood	GA	30294-4807
Joseph A Lee		4122 Ward Lake Trl	Ellenwood	GA	30294-4806
P Fin I LLC		3525 Piedmont Rd NE	Atlanta	GA	30305-1578
Angela C Pinson		4128 Ward Lake Trl	Ellenwood	GA	30294-4806
Residential Home Owner Atlanta LLC		7500 N Dobson Rd Ste 300	Scottsdale	AZ	85256-2727
Linda Jackson		4134 Ward Lake Trl	Ellenwood	GA	30294-4806
Killisa Yvette Shepherd		4135 Ward Lake Trl	Ellenwood	GA	30294-4807
Jean M Datus		4051 Ward Lake Trl	Ellenwood	GA	30294-4800
Phalba Rowe		4141 Ward Lake Trl	Ellenwood	GA	30294-4807
Greg Miller		4147 Ward Lake Trl	Ellenwood	GA	30294-4807
Soupcan Capital II LLC		709 Eagles Chase Dr	Lawrenceville	NJ	08648-2533
Barbara Brittian		4157 Ward Lake Trl	Ellenwood	GA	30294-4807
Soupcan Capital I LLC		709 Eagles Chase Dr	Lawrenceville	NJ	08648-2533
Sfr Assets Owner LLC		9300 N Mopac Expy	Austin	TX	78759
Myron A Allen		4165 Ward Lake Trl	Ellenwood	GA	30294-4807
Tanyasha Y Mayers		4171 Ward Lake Trl	Ellenwood	GA	30294-4807
Ume Shayraye Kasib		4172 Ward Lake Trl	Ellenwood	GA	30294-4806
Khanya C Jackson		4177 Ward Lake Trl	Ellenwood	GA	30294-4807
Candace Hardy		4178 Ward Lake Trl	Ellenwood	GA	30294-4806
Patsy J Johnson		4183 Ward Lake Trl	Ellenwood	GA	30294-4807
Bobby Clark		4184 Ward Lake Trl	Ellenwood	GA	30294-4806
Safari Two Asset Co LLC		5001 Plaza On The Lk	Austin	TX	78746-1070
Carnell Moore	Shirley A Moore	4195 Ward Lake Trl	Ellenwood	GA	30294-4807
Linda Williams		4201 Ward Lake Trl	Ellenwood	GA	30294-4809
Karen Melissa James	Dianne S James	4207 Ward Lake Trl	Ellenwood	GA	30294-4809
Beverly Foster		4212 Ward Lake Trl	Ellenwood	GA	30294-4808
Robert Franks		4213 Ward Lake Trl	Ellenwood	GA	30294-4809
Latoshia M Adams		7000 Central Pkwy	Atlanta	GA	30328-4579
Ward Lake Estates Homeowners		Po Box 157	Ellenwood	GA	30294-0157
Carla McDowell		2906 Ward Lake Way	Ellenwood	GA	30294-4811
Erica M Chaney		2909 Weatherly Lake Way	Ellenwood	GA	30294
Pansy L Forrester		2915 Ward Lake Way	Ellenwood	GA	30294-4810
Baf Assets LLC		5001 Plaza On The Lk Ste 200	Austin	TX	78746-1053
Brina Investments Inc		150 Vintage Club Ct	Duluth	GA	30097-2075
Shelia Sanders		2922 Ward Lake Way	Ellenwood	GA	30294-4811
Thyagaraju Poola		1000 Escalon Ave	Sunnyvale	CA	94085-4125
Progress Residential Borrower 15 LLC		Po Box 4090	Scottsdale	AZ	85261-4090
Walter Artis		2391 Ward Lake Way	Ellenwood	GA	30294
Leonard Williams	Steve Thomas	2936 Ward Lake Way	Ellenwood	GA	30294-4811
James Sonjile M		2937 Ward Lake Way	Ellenwood	GA	30294-4810
Maurice A Odom		2943 Ward Lake Way	Ellenwood	GA	30294-4810
Rose G Karnley		2948 Ward Lake Way	Ellenwood	GA	30294-4811
Johnny E Jones		2953 Ward Lake Way	Ellenwood	GA	30294-4810
Abdulmuqaddim Waajid Luqman		2954 Ward Lake Way	Ellenwood	GA	30294-4811
Dekalb County Georgia		1300 Commerce Dr	Decatur	GA	30030-3222
Sil Sf LLC		4062 Peachtree Rd NE	Brookhaven	GA	30319-3021
Ashbrooke Home Builders Inc		4062 Peachtree Rd NE Ste A277	Brookhaven	GA	30319-3021
Carl Wesley Jones III		2666 Windrock Ct	Ellenwood	GA	30294-1720
Austin B Pettis		2677 Windrock Ct	Ellenwood	GA	30294-1720
Anastasia Investments LLC		114 New St	Decatur	GA	30030-4132
Alma C Ford		2688 Windrock Ct	Ellenwood	GA	30294-1720
Salina Jennings		2689 Windrock Ct	Ellenwood	GA	30294-1720
Leon D Mack Jr	Mistye G Momon	2696 Windrock Ct	Ellenwood	GA	30294-1720
Barbara Crew		3397 Baymount Way	Lawrenceville	GA	30043-1301
Resicap Georgia Owner LLC		3953 Maple Ave Ste 300	Dallas	TX	75219-3228
Rodney Green	Cheryl R Green	2710 Windrock Ct	Ellenwood	GA	30294-1720
Mallory B Myers	Megan L Myers	2711 Windrock Ct	Ellenwood	GA	30294-1720
Roderick Martin		2719 Windrock Ct	Ellenwood	GA	30294-1720
Lakendra S Fulbright		5132 Panola Mill Dr	Lithonia	GA	30038-2351
Lenora D Johnson	Edward D Johnson	2727 Windrock Ct	Ellenwood	GA	30294-1720
Manuel Holston	Carrie L Holston	2737 Windrock Ct	Ellenwood	GA	30294-1720
Randolph Jackson		4100 Windrock Dr	Ellenwood	GA	30294-1719
Osei K Hawkins		4105 Windrock Dr	Ellenwood	GA	30294-1721
Randolph Jackson		4110 Windrock Dr	Ellenwood	GA	30294-1719
Eddie Lue Williams	Wilbur B Lane	4129 Windrock Dr	Ellenwood	GA	30294-1741
Chris Varveris		7722 5th Ave	Brooklyn	NY	11209-3349
Leroy McClammy	Mae F McClammy	4139 Windrock Dr	Ellenwood	GA	30294-1741
James D Jones	Sonya S Jones	4140 Windrock Dr	Ellenwood	GA	30294-1719

Mailing List

Crystal R Bell		4150 Windrock Dr	Ellenwood	GA	30294-1719
Cecil O Jackson Jr		996 Strawberry Dr	Ellenwood	GA	30294-2922
Willie Oglesby	Charlene Hardeman	4170 Windrock Dr	Ellenwood	GA	30294-1719
Euzarlous Pattillo		4180 Windrock Dr	Ellenwood	GA	30294-1719
Kalisha M George		4043 Woodfen Ct	Ellenwood	GA	30294-1755
Jennifer Pate	Anthony Pate	4044 Woodfen Ct	Ellenwood	GA	30294-1723
Felicia S Reese	Kendrick Reese	4052 Woodfen Ct	Ellenwood	GA	30294-1723
Terry D Gibbons	William K Gibbons	3065 Highway 212	Covington	GA	30016-5527
Albert L Irvin		4060 Woodfen Ct	Ellenwood	GA	30294-1723
Bernice M Thomas-Brown		4063 Woodfen Ct	Ellenwood	GA	30294-1755
Timothy L Teagle	Angelia D Johnson	213 High Lea Rd	Brentwood	TN	37027-4944
Diversified Residential Homes 1 LLC		3495 Piedmont Rd NE Ste 300	Atlanta	GA	30305-1717
Anthony C McQuerry		925 Evergreen Way	Stockbridge	GA	30281-6234
Britney N Tukes		2608 Woodfen Dr	Ellenwood	GA	30294-1718
Willie F Mitchell		2609 Woodfen Dr	Ellenwood	GA	30294-1724
Christopher A Wright	Brenda L Wright	2616 Woodfen Dr	Ellenwood	GA	30294-1718
Sabrina Douglas		2617 Woodfen Dr	Ellenwood	GA	30294-1724
Johnnie F Jackson		2624 Woodfen Dr	Ellenwood	GA	30294-1718
Lf Essex House A LLC		7147 Jonesboro Rd	Morrow	GA	30260-2954
Gregory L Miller	Chelsea F Miller	2632 Woodfen Dr	Ellenwood	GA	30294-1718
Sharon D Collier		2640 Woodfen Dr	Ellenwood	GA	30294-1718
William H Brown Jr	Vivian W Brown	2641 Woodfen Dr	Ellenwood	GA	30294-1722
Matthew N Udoh	Alicia B Udoh	2648 Woodfen Dr	Ellenwood	GA	30294-1718
Lydia J Locke		2649 Woodfen Dr	Ellenwood	GA	30294-1722
Stacey Armstrong	Omelia Humphries Ponder	2658 Woodfen Dr	Ellenwood	GA	30294-1718
Kevin O Brantley		2659 Woodfen Dr	Ellenwood	GA	30294-1722
Sfr Atl Owner 9 Lp		4645 Hawthorne Ln NW	Washington	DC	20016-3437
Morningside Atlanta Properties		2370 Rice Blvd	Houston	TX	77005-2652
Billy Ray Weary		2678 Woodfen Dr	Ellenwood	GA	30294-1718
Cheryl Annette Chambers Escandon		2679 Woodfen Dr	Ellenwood	GA	30294-1722
Lawrence E Coleman Sr	Carolyn Coleman	2688 Woodfen Dr	Ellenwood	GA	30294-1718
Lillie B Peek		2689 Woodfen Dr	Ellenwood	GA	30294-1722
Georgia Blackmon	David Blackmon	2698 Woodfen Dr	Ellenwood	GA	30294-1718
Robert Stephens	Betty Stephens	2699 Woodfen Dr	Ellenwood	GA	30294-1722
Owen Shakespeare		2708 Woodfen Dr	Ellenwood	GA	30294-1743
James R Collins	Phlonia R Collins	2709 Woodfen Dr	Ellenwood	GA	30294-1742

Community Meeting Sign In Sheet

First Name	Last Name	Email	Registration	Approval Status
Mary	Irvin	lacylady53@	#####	approved
Cheryl R	Green	cdrg5@yaho	#####	approved
G Pad 7.0 LTE		lacylady53@	#####	approved
Victoria Anglin (Belvedere		vanglin@ang	#####	approved
Brad	Hughes	bhughes@ro	#####	approved
Sharon	collier	collierchat@	#####	approved
Kenyatta	Willis	kenyattawilli	#####	approved
Peggy	Hobdy	phthompson.	#####	approved
Kandia Jackson		Kandiajackso	#####	approved
Josh	Mahoney	jsm@battlel	#####	approved
Pattillo		Pattillo88@y	#####	approved
Eddie	Williams	elw56@bells	#####	approved
LaShun	Atwaters	latwaters@c	#####	approved
Kenyatta	Willis	kcw1906@gr	#####	approved
Wayne	Powell	pdk-powell@	#####	approved
Pat	Culp	ppculp@att.	#####	approved
Wanda	Graham	wgwiz@bell	#####	approved
Geraldine	Stovall	gerrystovall@	#####	approved
B	Prather	bjcp49@yah	#####	approved

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: 8-10-21

TO WHOM IT MAY CONCERN:

(I) (WE) SIL SF LLC
Name of owner(s)

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

Rockhaven Homes, LLC c/o Battle Law, P.C.
Name of Agent or Representative

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

M Homewood
NOTARY PUBLIC

GWINNETT COUNTY, GEORGIA

My Commission Expires
Notary Public 04/04/2023

[Signature]
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

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: 8-10-21

TO WHOM IT MAY CONCERN:

(I) (WE) _____ Ashbrook Home Builders Inc.
Name of owner(s)

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

Rockhaven Homes, LLC c/o Battle Law, P.C.
Name of Agent or Representative

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

M Homewood
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
Notary Public My Commission Expires
04/04/2023

[Signature]
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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

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

Yes _____ 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



Signature of Applicant /Date

Check one: Owner Agent _____

M Homewood
NOTARY PUBLIC
GWINNETT COUNTY, GEORGIA
My Commission Expires
04/04/2023
04/04/2023

Expiration Date/ Seal

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

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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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

MLB

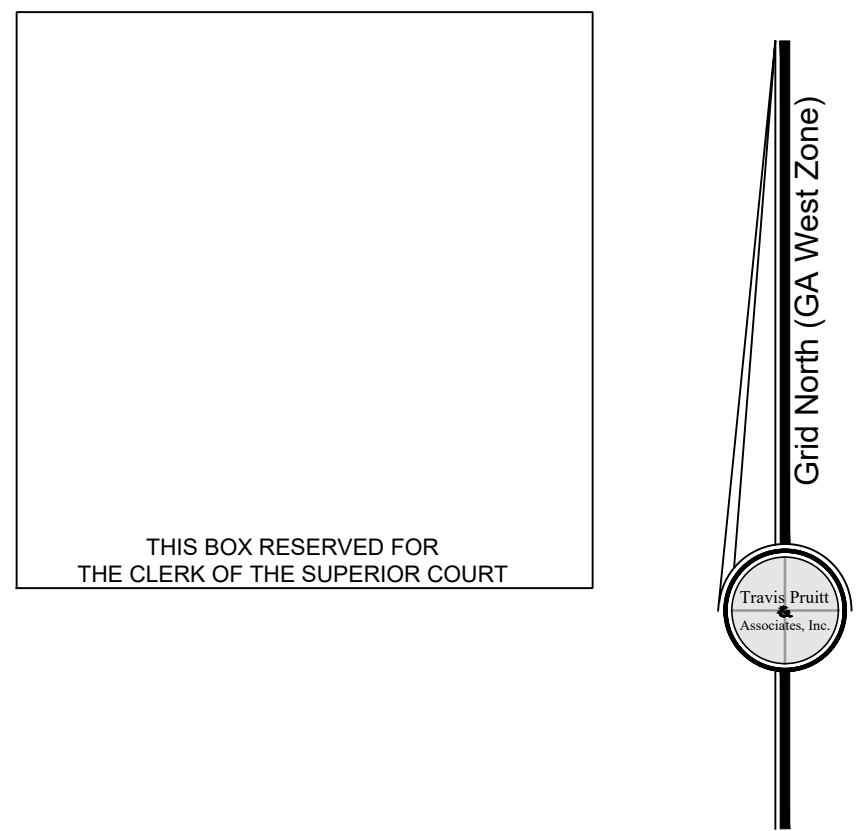
Signature of Applicant /Date

Check one: Owner _____ Agent

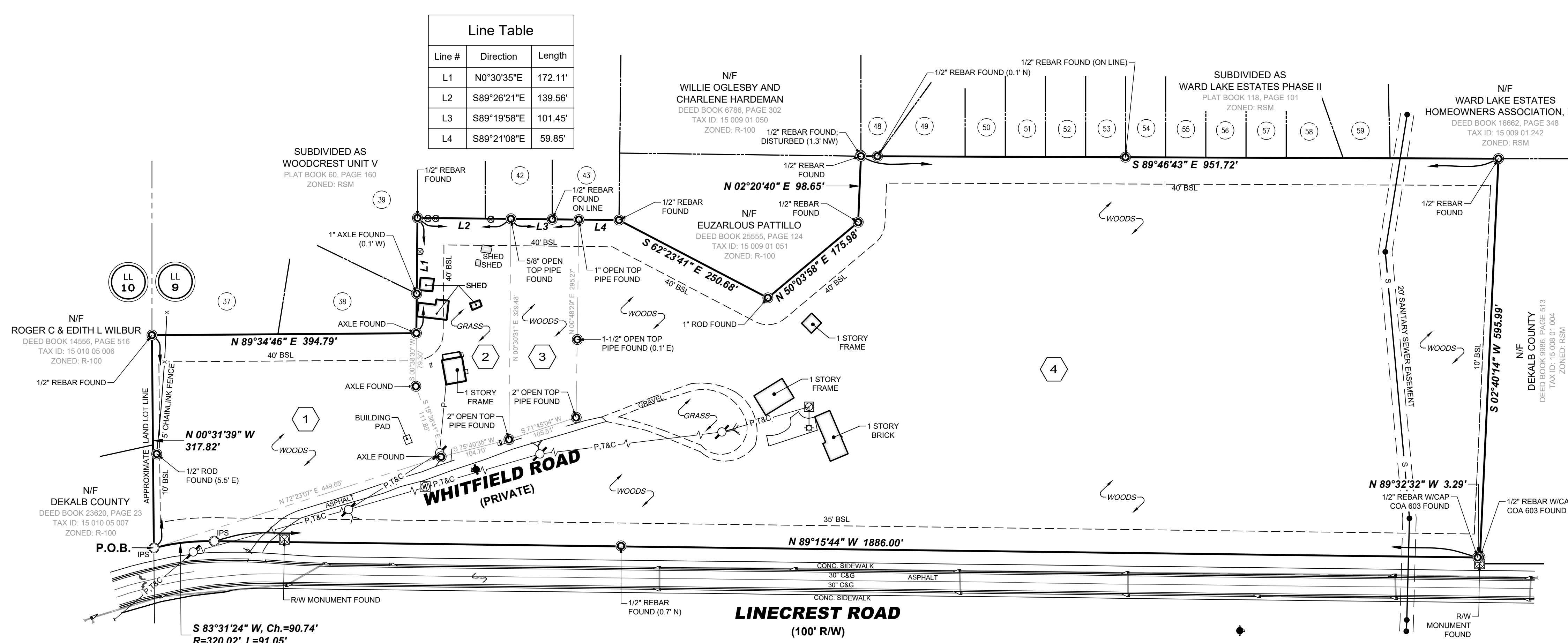
Expiration Date/ Seal

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

PRELIMINARY
PLOTTED: MAY 18, 2021



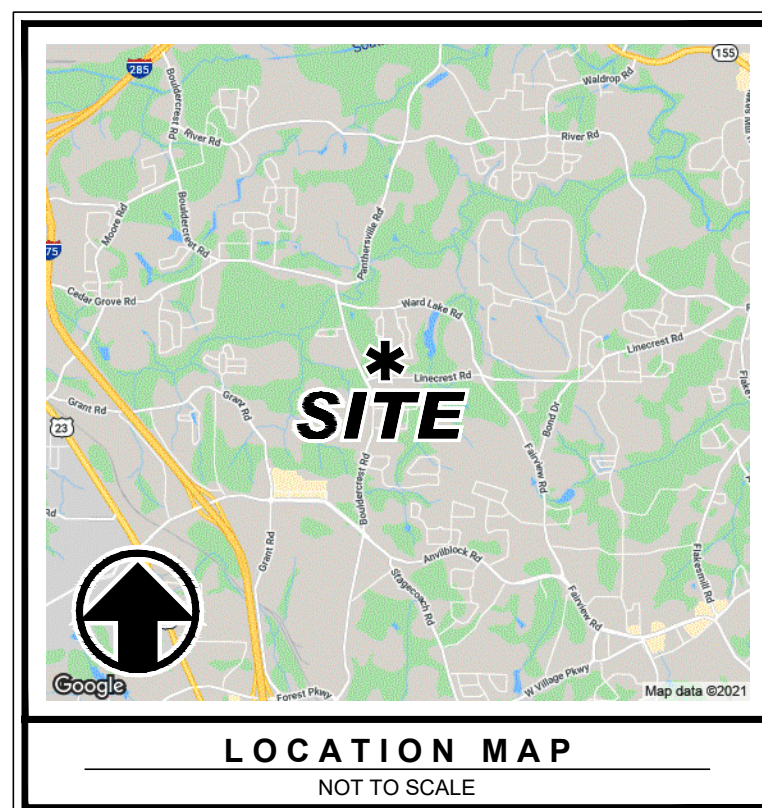
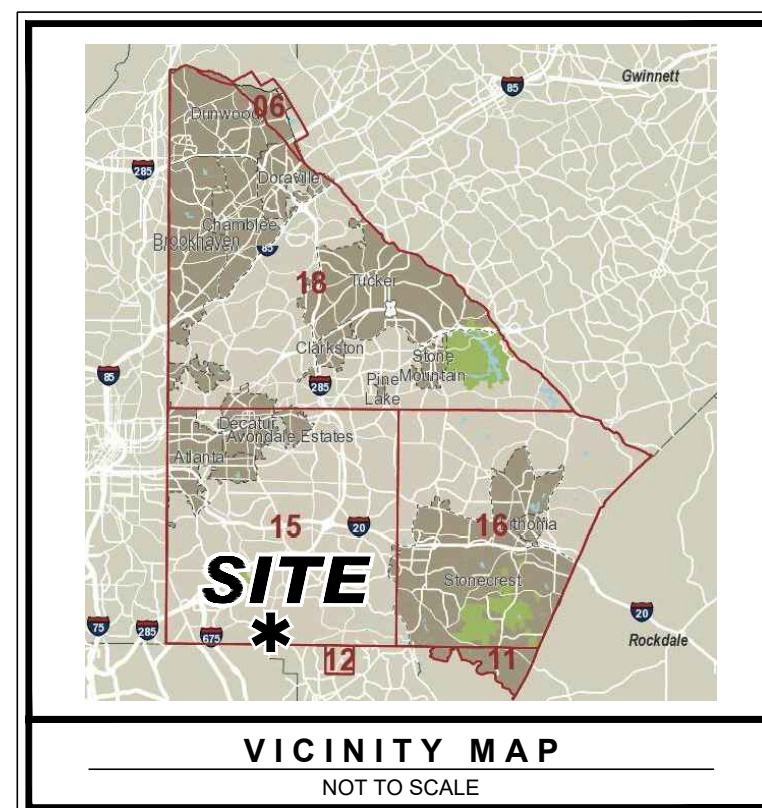
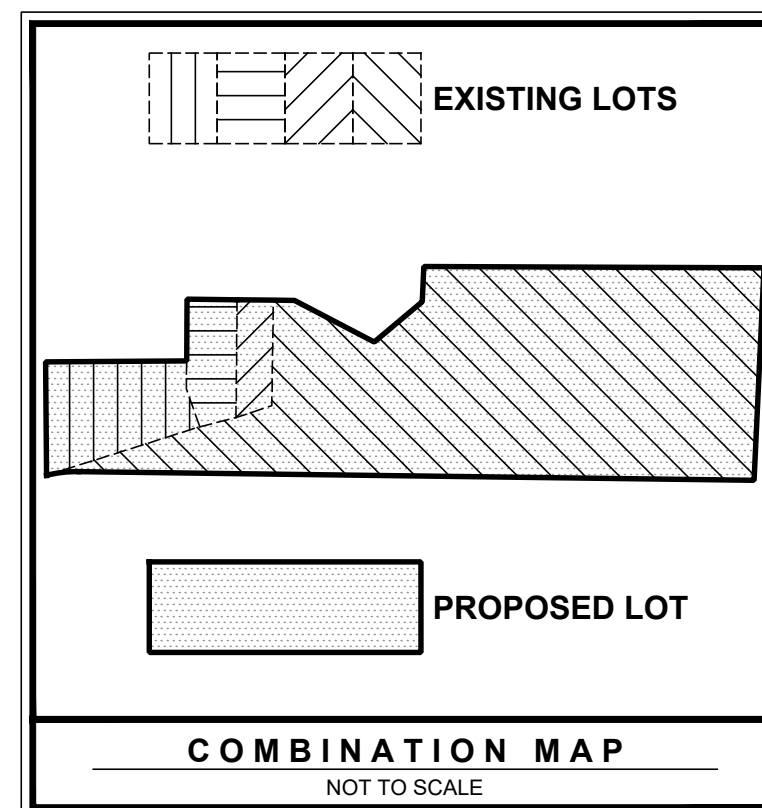
THIS BOX RESERVED FOR
THE CLERK OF THE SUPERIOR COURT



Line #	Direction	Length
L1	N0°30'35"E	172.11'
L2	S89°26'21"E	139.56'
L3	S89°19'58"E	101.45'
L4	S89°21'08"E	59.85'

PROPOSED COMBINED LOT DESCRIPTION:
All that tract or parcel of land lying and being in Land Lot 9 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:
BEGINNING at an iron pin set at the intersection of the common line to Land Lot 9 and Land Lot 10 with the northerly right-of-way of Line Crest Road (100' right-of-way); THENCE leaving said right-of-way proceeding along the common line of Land Lot 9 and Land Lot 10 North 00 degrees 31 minutes 39 seconds West a distance of 317.82 feet to a point; THENCE leaving said Land Lot Line North 89 degrees 34 minutes 46 seconds East a distance of 394.79 feet to a point; THENCE North 00 degrees 30 minutes 35 seconds East a distance of 172.11 feet to a point; THENCE South 89 degrees 26 minutes 21 seconds East a distance of 139.56 feet to a point; THENCE South 89 degrees 19 minutes 58 seconds East a distance of 101.45 feet to a point; THENCE South 89 degrees 21 minutes 08 seconds East a distance of 59.85 feet to a point; THENCE South 62 degrees 23 minutes 41 seconds East a distance of 250.68 feet to a point; THENCE North 50 degrees 03 minutes 58 seconds East a distance of 175.98 feet to a point; THENCE North 02 degrees 20 minutes 40 seconds East a distance of 98.65 feet to a point; THENCE South 89 degrees 46 minutes 43 seconds East a distance of 951.72 feet to a point; THENCE South 02 degrees 40 minutes 14 seconds West a distance of 595.99 feet to a point at the northerly right-of-way of Line Crest Road (100' right-of-way); THENCE proceeding along said right-of-way the following courses and distances: North 89 degrees 32 minutes 32 seconds West a distance of 3.29 feet to a point; THENCE North 89 degrees 15 minutes 44 seconds West a distance of 1886.00 feet to a point; THENCE along a curve to the left with a radius of 320.02 feet and an arc length of 91.05 feet, said curve having a chord bearing of South 83 degrees 31 minutes 24 seconds West and a chord distance of 90.74 feet to a point, said point being the **POINT OF BEGINNING**.

LEGEND	
LL 9	LAND LOT IDENTIFICATION
50	SUBDIVISION LOT IDENTIFICATION
4	COMBINED LOT IDENTIFICATION
⊙	IRON PIN FOUND (AS NOTED)
⊗	RIGHT OF WAY MONUMENT FOUND
○	PROPERTY CORNER
⊕	SIGN
⊙	LIGHT STAND
⊕	AC UNIT
⊕	GUY WIRE
⊕	POWER POLE
⊕	SANITARY SEWER MANHOLE
⊕	CATCH BASINS
⊕	WATER METER
⊕	FIRE HYDRANT
⊕	WATER VALVE
P.O.B.	POINT OF BEGINNING
N/F	NOW OR FORMERLY
R/W	RIGHT OF WAY
IPS	1/2" REBAR SET W/ CAP
CONC.	CONCRETE
C&G	CURB AND GUTTER
X	FENCE LINE
S	SANITARY SEWER LINE
—	STORM SEWER LINE
P	OVERHEAD POWER LINE
T	OVERHEAD TELEPHONE LINE
C	OVERHEAD CABLE TELEVISION LINE



SITE ADDRESS:
Lot 1: 2670 Whitfield Road, Ellenwood, GA 30294
Lot 2: 2688 Whitfield Road, Ellenwood, GA 30294
Lot 3: 2698 Whitfield Road, Ellenwood, GA 30294
Lot 4: 2717 Whitfield Road, Ellenwood, GA 30294
Proposed Combined Lot: Ellenwood, GA 30294

TAX PARCEL AREA SUMMARY:
Tax Parcel 1500901002 (Lot 1) = 2.37 acres or 103,260 square feet
Tax Parcel 1500901006 (Lot 2) = 1.07 acres or 46,380 square feet
Tax Parcel 1500901008 (Lot 3) = 0.72 acres or 31,436 square feet
Tax Parcel 1500901001 (Lot 4) = 16.34 acres or 798,986 square feet
Proposed Tax Parcel = 22.50 acres or 980,062 square feet

ZONING: R-100
Front Yard: 35 Feet (Collector Road)
Side Yard: 10 Feet
Rear Yard: 40 Feet
This information is reported from public information obtained from DeKalb County records on September 17, 2020. It is not the intent of the surveyor to interpret or make conclusions regarding the zoning designation shown hereon.

REFERENCE PLATS:
1. Boundary, Topographic and Tree Survey for Linecrest Road Tracts prepared by Travis Pruitt & Associates, Inc., dated April 8, 2021. (FN:215-E-072)

NOTES:
1. This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
2. The survey shown hereon was prepared without benefit of any abstract of title; therefore, Travis N. Pruitt, Jr. and Travis Pruitt & Associates, Inc. make no guarantee of representations regarding information shown hereon pertaining to easements, rights of way, setback lines, agreements, reservations, and other similar matters.
3. Unless otherwise specified, all distances as shown are horizontal ground distances in U.S. survey feet (39.37 inches = 1 meter).
4. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, West Zone.
5. By graphic plotting only this property Does Not lie within a 100 year flood hazard zone and is depicted as Zone X as defined by the F.E.M.A Flood Insurance Rate Map of DeKalb County, Georgia and incorporated areas map number 13089C0144J effective date 5/16/2013.

SPECIAL NOTES:
1. The purpose of this plat is to combine Tax Parcels 15 009 01 001, 15 009 01 002, 15 009 01 006 and 15 009 01 008 into a single tax parcel.
2. The receiving waters are 338 east of site to an Unnamed Tributary to Ward Lake.
3. There are no bury pits on the property.
4. Electric service to be provided below ground.
5. Water and sewer service will be provided by DeKalb County.
6. A 75' tributary buffer will be maintained on all state waters that are not approved for a buffer encroachment variance by DeKalb County or Georgia E.P.D.
7. The owner of the property is responsible for compliance with the Corps of Engineers requirements regarding wetlands.

CERTIFICATION:
As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. 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.

This is to certify that this survey was made under my supervision and is a true representation of the land surveyed. The field data upon which this survey is based, was performed using Leica GS 15 GPS receivers with network adjusted real time kinematic measurements referenced to the eGPS network. The GPS survey included redundant measurements with positional accuracy better than 0.07'.
This map or plat has been calculated for closure and is found to be accurate within one foot in 164,929 feet.

PRELIMINARY 05/18/21
Date
Travis N. Pruitt, Jr.
Georgia Reg. Land Surveyor No. 2809 For the Firm Travis Pruitt & Associates, Inc.

UTILITY STATEMENT:
1. There may be underground utilities not shown on this survey.

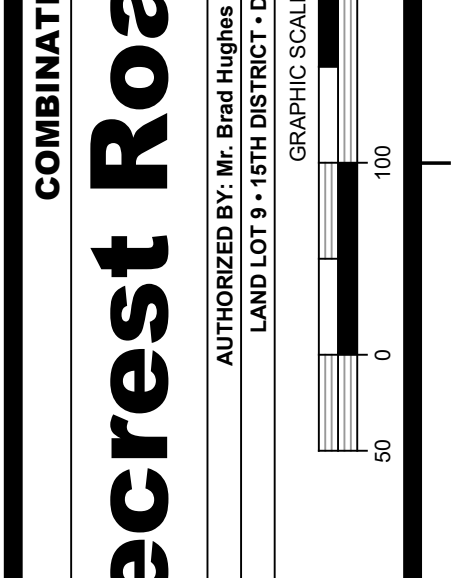
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Travis Pruitt & Associates, Inc.
These drawings and their reproductions are the property of the Surveyor and may not be reproduced, published, or used in any way without the written permission of this Surveyor.

NO	DATE	DESCRIPTION
1		
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4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-6759
www.travispruitt.com



COMBINATION PLAT
Linecrest Road Properties
AUTHORIZED BY: Mr. Brad Hughes representing Rockhaven Homes
LAND LOT 9 - 15TH DISTRICT - DEKALB COUNTY - GEORGIA



PRELIMINARY

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

PLAT DATE: 5/xx/2021
FIELD DATE: 1/12/2021
SCALE: 1" = 100'
JN: 1-20-0188.652
FN: 167-D-164
SHEET NO: 1 of 1

A B C D E F G

B C D E F G

W.E.
793.9

LAND LOT 10
APPROXIMATE LOCATION
LAND LOT 247

BULLCREEK ROAD
(60' RIGHT OF WAY)

S 83°31'24" W, Ch.=90.74'
R=320.02', L=91.05'

LINECREST ROAD (100' RIGHT OF WAY)

DEKALB COUNTY
LAND LOT 9
APPROXIMATE LOCATION
LAND LOT 246
LAND LOT 245
LAND LOT 244
LAND LOT 243
LAND LOT 242
LAND LOT 241
LAND LOT 240
LAND LOT 239
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LAND LOT 236
LAND LOT 235
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LAND LOT 4
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LAND LOT 2
LAND LOT 1

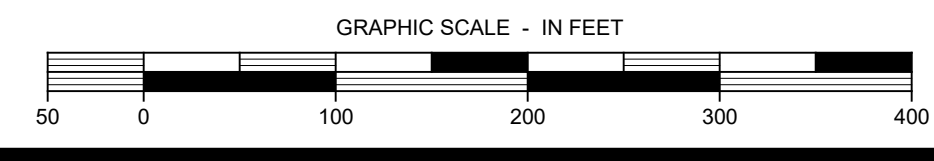
Grid North (GA West Zone)



SITE NOTES

- TOTAL SITE AREA: 22.5 AC
- ZONING: RSM
- SETBACKS:
 - FRONT - 15' MIN.
 - SIDE - 3' WITH MIN. 10' SEPARATION BETWEEN BUILDINGS
 - REAR - 20' MIN.
- MINIMUM LOT AREA: 5,000 SF
- MINIMUM LOT WIDTH: 50'
- COMMON AREA REQ.: 4.5 AC
- COMMON AREA: 4.9 AC
- BUILDING PAD: 38' X 60'

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NO	DATE	DESCRIPTION
7		DESCRIPTION 7
6		DESCRIPTION 6
5		DESCRIPTION 5
4		DESCRIPTION 4
3		DESCRIPTION 3
2		DESCRIPTION 2
1		DESCRIPTION 1
0		DESCRIPTION

REVISIONS

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770) 416-7511
Fax: (770) 416-6799
www.travispruitt.com
CONTACT PERSON: JOHN WEIDER



SITE PLAN

LINECREST ROAD TRACT

LAND LOTS 9 AND 10 - 15TH DISTRICT - DEKALB - GEORGIA

For The Firm
Travis Pruitt & Associates, Inc.

DATE: _____
SCALE: 1" = 100'
CN: 200188CP03
JN: 200188
FN: _____
SHEET NO: C2.1

Legal Description: Linecrest Rd

All that tract or parcel of land lying and being in Land Lot 9 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin set at the intersection of the common line to Land Lot 9 and Land Lot 10 with the northerly right-of-way of Line Crest Road (100' right-of-way), THENCE leaving said right-of-way proceeding along the common line of Land Lot 9 and Land Lot 10 North 00 degrees 31 minutes 39 seconds West a distance of 317.82 feet to a point; THENCE leaving said Land Lot Line North 89 degrees 34 minutes 46 seconds East a distance of 394.79 feet to a point; THENCE North 00 degrees 30 minutes 35 seconds East a distance of 172.11 feet to a point; THENCE South 89 degrees 26 minutes 21 seconds East a distance of 139.56 feet to a point; THENCE South 89 degrees 19 minutes 58 seconds East a distance of 101.45 feet to a point; THENCE South 89 degrees 21 minutes 08 seconds East a distance of 59.85 feet to a point; THENCE South 62 degrees 23 minutes 41 seconds East a distance of 250.68 feet to a point; THENCE North 50 degrees 03 minutes 58 seconds East a distance of 175.98 feet to a point; THENCE North 02 degrees 20 minutes 40 seconds East a distance of 98.65 feet to a point; THENCE South 89 degrees 46 minutes 43 seconds East a distance of 951.72 feet to a point; THENCE South 02 degrees 40 minutes 14 seconds West a distance of 595.99 feet to a point at the northerly right-of-way of Line Crest Road (100' right-of-way); THENCE proceeding along said right-of-way the following courses and distances: North 89 degrees 32 minutes 32 seconds West a distance of 3.29 feet to a point; THENCE North 89 degrees 15 minutes 44 seconds West a distance of 1886.00 feet to a point; THENCE along a curve to the left with a radius of 320.02 feet and an arc length of 91.05 feet, said curve having a chord bearing of South 83 degrees 31 minutes 24 seconds West and a chord distance of 90.74 feet to a point, said point being the **POINT OF BEGINNING**.

SECTION A – SELLER'S INFORMATION (Do not use agent's information)			SECTION C – TAX COMPUTATION	
SELLER'S LAST NAME JONES	FIRST NAME BETTY	MIDDLE FAYE	Exempt Code If no exempt code enter NONE	NONE
MAILING ADDRESS (STREET & NUMBER) 3491 Maplehurst Drive			1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	\$50,000.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Decatur, GA 30032 USA		DATE OF SALE 6/4/2021	1A. Estimated fair market value of Real and Personal property	\$0.00
SECTION B – BUYER'S INFORMATION (Do not use agent's information)			2. Fair market value of Personal Property only	\$0.00
BUYERS'S BUSINESS / ORGANIZATION / OTHER NAME ASHBROOKE HOME BUILDERS, INC.			3. Amount of liens and encumbrances not removed by transfer	\$0.00
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) 4062 Peachtree Rd NE Ste A #277			4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	\$50,000.00
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Atlanta, GA 30319 USA		Check Buyers Intended Use () Residential () Commercial () Agricultural () Industrial	5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	\$50.00
SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))				
HOUSE NUMBER & EXTENSION (ex 265A)		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION		SUITE NUMBER
COUNTY DEKALB		CITY (IF APPLICABLE)	MAP & PARCEL NUMBER 15 009 01 006; 15 009 01 008	ACCOUNT NUMBER
TAX DISTRICT	GMD	LAND DISTRICT	ACRES	LAND LOT
SECTION E – RECORDING INFORMATION (Official Use Only)				
DATE	DEED BOOK	DEED PAGE	PLAT BOOK	PLAT PAGE

ADDITIONAL BUYERS

None

Tax Parcel Nos. 15 009 01 006; 15 009 01 008

STATE OF GEORGIA
DEKALB COUNTY

After recording, please return to:
Mahaffey Pickens Tucker, LLP
1550 North Brown Road, Suite 125
Lawrenceville, Georgia 30043
File No. 2492-1313 (CDH/ng)

LIMITED WARRANTY DEED

THIS INDENTURE, Made this 4th day of June, 2021, by and between

BETTY FAYE JONES,
an individual resident of the State of Georgia

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

ASHBROOKE HOME BUILDERS, INC.,
a Georgia corporation

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).

WITNESSETH THAT:

Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable considerations, 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,

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot of the 15th District, DeKalb County, Georgia, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference.

Said property is conveyed subject to those permitted title exceptions set forth on Exhibit "B" attached hereto and made a part hereof by this reference.

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

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

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

GRANTOR:

Betty Faye Jones (SEAL)
BETTY FAYE JONES

Signed, sealed and delivered
in the presence of:

Charles
Unofficial Witness

Kathryn White
Notary Public

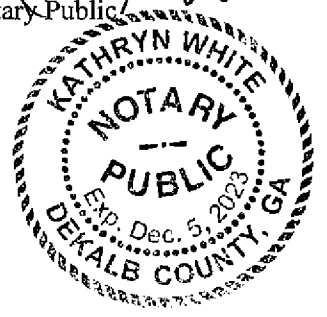


EXHIBIT "A"
Legal Description

TRACT 1 – 2688 WHITFIELD ROAD:

ALL THAT TRACT AND PARCEL OF LAND lying and being in Land Lot 9 of the 15th District of DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at a point located on the northwesterly side of Whitfield Road, four hundred fifty five (455) feet northeasterly from a point where the northwesterly side of Whitfield Road intersects the west line of land lot 9; extending thence north 75 degrees 23 minutes east along the northwesterly side of Whitfield Road, one hundred five (105) feet to an iron pin set on the west line of property now or formerly owned by Whitfield; extending thence north 0 degrees 30 minutes west along Whitfield's line, six hundred twenty two (622) feet to an iron pin set; extending thence south 89 degrees 30 minutes west, one hundred forty (140) feet to an iron pin set; extending thence south 0 degrees 30 minutes east, five hundred forty four (544) feet to an iron pin set; extending thence south 20 degrees 23 minutes east, one hundred twelve (112) feet to an iron pin set at the point of beginning and being improved property with a house located thereon and being described according to survey prepared for R.W. Corley by W.L. Bishop, Surveyor, dated July 28, 1962.

LESS AND EXCEPT THEREFROM:

ALL THAT TRACT AND PARCEL OF LAND lying and being in Land Lot 9 of the 15th District of DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the eastern line of property now or formerly owned by Mrs. Julia Evans, said point of beginning being located South 89 degrees 56 minutes East 396 feet from the west line of said Land Lot 9, point on said Land Lot line being located 575.35 feet North from the southwest corner of said Land Lot 9; running thence South 89 degrees 56 minutes East 139.59 feet to a point on the western line of property now of formerly owned by J.B. Whitfield; running thence North 0 degrees 85 minutes West 292.45 feet to a point at the corner of Evans property; running thence North 89 degrees 56 minutes West 139.59 feet to a point; running thence South 0 degrees 05 minutes East 292.45 feet to the point of beginning. Property herein described being a vacant tract of land containing .94 acres.

TRACT 2 – 2698 WHITFIELD ROAD:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 9 of the 15th District of DeKalb County, Georgia and being more particularly described as follows:

BEGINNING at a point on the western line of property now or formerly owned by J.B. Whitfield, said point of beginning being located South 89 degrees 56 Minutes East 535.59 feet from a point on the west line of said Land Lot 9, point on Land Lot Line being located 575.35 feet North from the southwest corner of said Land Lot 9; running thence South 0 degrees 05 minutes East 329.55 feet to a point on the northern side of Whitfield Road; running thence North 78 degrees 0 minutes East along the northern side of Whitfield Road 102.23 feet to a point; running thence North 0 degrees 05 minutes West 310 feet to a point; and thence running North 89 degrees 56 minutes West 100 feet to the point of beginning. Property herein described being a vacant tract of land containing .74 acres, with all the rights, members and appurtenances to the said described premises in anywise appertaining or belonging.

EXHIBIT "B"
PERMITTED TITLE EXCEPTIONS

1. All taxes for the year 2021 and subsequent years, not yet due and payable.

SECTION A – SELLER'S INFORMATION (Do not use agent's information)				SECTION C – TAX COMPUTATION	
SELLER'S BUSINESS / ORGANIZATION / OTHER NAME CINDY HALE, AS EXECUTRIX OF THE ESTATE OF JULIA BELLE JOR ...*				Exempt Code If no exempt code enter NONE NONE	
MAILING ADDRESS (STREET & NUMBER) 163 Graves Road Spur				1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown \$50,000.00	
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Acworth, GA 30101 USA		DATE OF SALE 6/4/2021		1A. Estimated fair market value of Real and Personal property \$0.00	
SECTION B – BUYER'S INFORMATION (Do not use agent's information)				2. Fair market value of Personal Property only \$0.00	
BUYERS'S BUSINESS / ORGANIZATION / OTHER NAME ASHBROOKE HOME BUILDERS, INC.				3. Amount of liens and encumbrances not removed by transfer \$0.00	
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) 4062 Peachtree Road NE Ste A #277				4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3) \$50,000.00	
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY Atlanta, GA 30319 USA		Check Buyers Intended Use () Residential () Commercial () Agricultural () Industrial		5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00) \$50.00	
SECTION D – PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (ex 265A)		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION			SUITE NUMBER
COUNTY DEKALB		CITY (IF APPLICABLE)		MAP & PARCEL NUMBER 15 009 01 002	ACCOUNT NUMBER
TAX DISTRICT	GMD	LAND DISTRICT	ACRES	LAND LOT	SUB LOT & BLOCK
SECTION E – RECORDING INFORMATION (Official Use Only)					
DATE		DEED BOOK	DEED PAGE	PLAT BOOK	PLAT PAGE

ADDITIONAL BUYERS

None

...* This symbol signifies that the data was too big for the field. The original values are shown below.

SELLER'S BUSINESS NAME: CINDY HALE, AS EXECUTRIX OF THE ESTATE OF JULIA BELLE JORDAN EVANS, DECEASED

Tax Parcel No. 15 009 01 002

STATE OF GEORGIA

DEKALB COUNTY

After recording, please return to:
Mahaffey Pickens Tucker, LLP
1550 North Brown Road, Suite 125
Lawrenceville, Georgia 30043
File No. 2492-1312 (CDH/ng)

EXECUTOR'S DEED

THIS INDENTURE is made as of this 4th day of June, 2021, by and between

**CINDY HALE, AS EXECUTRIX OF
THE ESTATE OF JULIA BELLE JORDAN EVANS, DECEASED**

as party or parties of the first part, hereinafter referred to as the Deceased and/or Grantor, and

**ASHBROOKE HOME BUILDERS, INC.,
a Georgia corporation**

as 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).

WITNESSETH

GRANTOR (acting under and by virtue of the power and authority contained in the Last Will and Testament of Julia Belle Jordan Evans) deceased, it having been duly probated and recorded in the Court of Probate of Jackson County, Georgia as Estate No. 5211), for and in consideration of the sum of TEN DOLLARS (\$10.00) in hand paid at and before the sealing and delivery of these presents (the receipt of which is hereby acknowledged), has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Grantee, all of the said Grantor's right, title and interest in and to:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 9 of the 15th District, DeKalb County, Georgia, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference.

TO HAVE AND TO HOLD the Land with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever, IN FEE SIMPLE in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the Deceased.

[Remainder of page left intentionally blank]

[Signatures on following page]

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered
this 4th day of June 2021,
in the presence of:

GRANTOR:

Joanne L Posey
Unofficial Witness

Cindy Hale (SEAL)

**Cindy Hale, as Executrix of the
Estate of Julia Belle Jordan Evans**

JLP
Notary Public

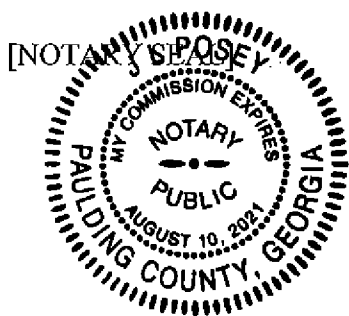


EXHIBIT "A"
Legal Description

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 9 of the 15th District, DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the West line of said Land Lot, 74 feet North from the Southwest corner of said Land Lot; extending thence North 1 degree West along said land lot line, 1426 feet to property of Ward; thence North 89 Degrees East along Ward property, 536 feet to the property of Whitfield; thence South 1 degree East along the said Whitfield property, 1256 feet to a corner; thence South 70 degrees West 560 feet to the point of beginning; less the following described 2 acres: BEGINNING at a point on the Northerly side of Whitfield Road, 495 feet East Northeasterly from the intersection of the northerly side of said road, and the West line of said land lot; running thence North 20 degrees 23 minutes West, 112 feet to an iron pin; running thence North 0 degrees 30 minutes West, 540 feet to an iron pin; running thence North 89 degrees 30 minutes east 140 feet to an iron pin; running thence South 0 degrees 30 minutes East 622 feet to an iron pin; running thence South 75 degrees 23 minutes West 105 feet to an iron pin and the point of beginning.

LESS AND EXCEPT THEREFROM:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 9 of the 15th District, DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the west line of said Land Lot 403.70 feet north from the southwest corner said Land Lot; running thence north along the west line of said Land Lot 1,100 feet to an axle; thence south 89 degrees 27 minutes east 532 to a point; thence south 0 degrees 4 minutes west 622.12 feet to a point; thence west 139.59 feet to a point; thence south 464.10 feet to a point; thence west 396 feet to the point of beginning; containing 11.82 acres.

Said parcel containing 11.82 acres. The above described property is shown by a survey of same made by Otis G. Pauley dated September 20, 1969.

2010117424 DEED BOOK 22046 Pg 28

Real Estate Transfer Tax \$52.00

Filed and Recorded:
7/14/2010 5:00:04 PM
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia

After Recording Return To:

Jeffrey R. Mahaffey, Esquire
MAHAFFEY PICKENS TUCKER, LLP
1550 North Brown Road, Suite 125
Lawrenceville, Georgia 30043
Phone 770-232-0000
File # 1984-004

LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE, Made the 28th day of June, in the year two thousand ten,
between

**SENTINEL PROPERTIES, INC.,
a Georgia corporation**

of the County of Gwinnett, and State of Georgia, as party or parties of the first part,
hereinafter called Grantor, and

**SIL SF, LLC,
a Georgia limited liability company**

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).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN
DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS (\$10.00) 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,

All that tract or parcel of land lying and being in Land Lot 9 of the 15th Land District of DeKalb County, Georgia, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by this reference.

Said property is conveyed subject to those permitted title exceptions set forth on Exhibit "B" attached hereto and made a part hereof by this reference.

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

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

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

GRANTOR:

Signed, sealed and delivered
in the presence of:

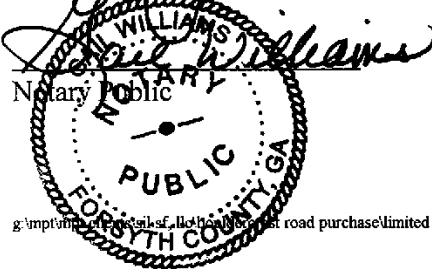
SENTINEL PROPERTIES, INC.,
a Georgia corporation



By: 

Unofficial Witness

Christopher Harris, President



[CORPORATE SEAL]



g:\mp\firm\deeds\deed\2006\deed\road purchase\limited warranty deed.doc

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 9 of the 15th District of DeKalb County, Georgia and being more particularly described as follows:

To find the True Point of Beginning, commence at the point formed by the intersection of the line common to Land Lot 10 and Land Lot 9 of the 15th District of DeKalb County, Georgia and the line common to Land Lot 247 of the 12th District of Clayton County, Georgia and Land Lot 248 of the 12th District of Henry County, Georgia; running thence South 88 degrees 19 minutes 00 seconds West a distance of 225.17 feet along the line common to Land Lot 10 of the 15th District of DeKalb County, Georgia Land Lot 247 of the 12th District of Clayton County, Georgia to a point; running thence North 77 degrees 29 minutes 11 seconds East a distance of 85.98 feet to a point; running thence North 69 degrees 48 minutes, 09 seconds East a distance of 146.43 feet to a point on the line common to Land Lot 10 and Land Lot 9 of the 15th District of DeKalb County, Georgia; running thence along said line, North 03 degrees 25 minutes 23 seconds West a distance of 25.77 feet and crossing Whitfield Road (a private road) to a point which is the True Point of Beginning;

From the True Point of Beginning thus established, running thence North 69 degrees 50 minutes 32 seconds East a distance of 449.65 feet to a 6 inch axle found; running thence North 73 degrees 09 minutes 59 seconds East a distance of a 104.93 feet to a 2 inch open top pipe found; running thence North 69 degrees 33 minutes 08 seconds East a distance of 105.38 feet to a 2 inch open top pipe found; running thence North 01 degree 34 minutes 12 seconds West a distance of 295.42 feet to a 1.25 inch open top pipe found; running thence North 88 degrees 14 minutes 43 seconds East a distance of 59.88 feet to a 1/2 inch rebar found; running thence South 64 degrees 47 minutes 24 seconds East a distance of 250.75 feet to a 1/2 inch rebar found; running thence North 47 degrees 41 minutes 38 seconds East a distance of 175.88 feet to a 1 inch rebar found; running thence North 00 degrees 00 minutes 06 seconds West a distance of 98.81 feet to a 1/2 inch rebar found; running thence North 87 degrees 51 minutes 10 seconds East a distance of 951.79 feet to a 1/2 inch rebar found; running thence South 00 degrees 17 minutes 24 seconds West a distance of 595.64 feet to a point; running thence South 88 degrees 31 minutes 11 seconds West a distance of 3.28 feet to a point; running thence South 88 degrees 19 minutes 00 seconds West a distance of 1,886.00 feet to a point; running thence along the arc of a curve having a radius of 320.02 feet a distance of 91.05 feet, said arc being subtended by a chord bearing South 80 degrees 58 minutes 48 seconds West a distance of 90.74 feet to a point, which is the true point of beginning; said parcel containing 18.357 acres and is depicted as Parcel "G" on that certain Plat of Survey prepared by Clark Design Group, P.C., dated November 3, 2000 and last revised on November 10, 2000.

Together with all and singular the rights, members and appurtenances thereto appertaining; also, all the estate, right, title, interest, claim or demand of the said, heirs, successors or assigns, legal, equitable or otherwise whatsoever, in and to the same.

EXHIBIT "B"

1. Taxes for the year 2010 and all subsequent years not yet due and payable and any and all taxes and assessments which may become due and payable for the current or previous years, due to, but not limited to, reassessments, rebillings, or errors by tax officials or their agents.
2. Easement from J.B. Whitfield to Georgia Power Company, dated March 18, 1948, recorded in Deed Book 717, Page 390, DeKalb County, Georgia Records.
3. Easement from Mrs. Jean S. Baxter to Georgia Power Company, dated February 4, 1949, recorded in Deed Book 758, Page 595, aforesaid records.
4. Right of Way from Jean S. Baxter to Georgia Power Company, dated November 9, 1955, recorded in Deed Book 1156, Page 508, aforesaid records.
5. Ingress and Egress Easement from J.B. Whitfield to J.R. Whitfield dated September 30, 1971, recorded in Deed Book 2724, Page 8, aforesaid records.
6. Ingress and Egress Easement from J.B. Whitfield to J.R. Whitfield dated January, 1972, recorded in Deed Book 2763, Page 239, aforesaid records.
7. Temporary Construction Easement from I-20 East, Inc. to DeKalb County dated October 18, 2000, recorded in Deed Book 11742, Page 88, aforesaid records.
8. Construction Easement from United Community Bank to Georgia Department of Transportation, dated November 12, 2009, recorded in Deed Book 21749, Page 787, aforesaid records.
9. Easement from United Community Bank to Georgia Department of Transportation, dated November 12, 2009, recorded in Deed Book 21749, Page 790, aforesaid records.



STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance
For
A Rezoning Application Pursuant to
DeKalb County Zoning Ordinance

of

**Rockhaven Homes, LLC.
c/o Battle Law, P.C.**

for

22.5± Acres of Land on Whitfield Road and Linecrest Road
Being Tax Parcel Nos. 15 009 01 001, 15 009 01 008, 15 009 01 006, and 15 009 01 002 in
Unincorporated DeKalb County, Georgia

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
3562 Habersham at Northlake Building J, Suite 100
Tucker, Georgia 30084
(404) 601-7616 Phone
(404) 745-0045 Facsimile
mlb@battlelawpc.com

I. STATEMENT OF INTENT

Rockhaven Homes, LLC. (the “Applicant”), is seeking to develop 79 single-family detached homes on 22.5 acres of land, being Tax Parcel Nos. 15 009 01 001, 15 009 01 008, 15 009 01 006, and 15 009 01 002 located on Linecrest Road and Whitfield Road (the “Subject Property”). The Subject Property is currently zoned R-100, with a land use designation of suburban (SUB). The Applicant is seeking to rezone the Subject Property to RSM for the development of the community at a density of 3.5 dwelling units per acre.

This document is submitted both as a Statement of Intent and Impact Analysis with regard to this Application, a preservation of the Applicant’s constitutional rights. A surveyed plat and conceptual site plan of the Subject Property controlled by the Applicant has been filed contemporaneously with the Application, along with other required materials.

II. IMPACT ANALYSIS

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

The proposed zoning designation of RSM is in conformity with the policies and intent of the DeKalb County 2035 Comprehensive Plan Future Land Use Map, as the land use designation will remain suburban (SUB).

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.

The Subject Property is located on Linecrest Road and is currently zoned R-100, with a land use designation of SUB. Parcels surrounding the Subject Property are zoned R-100, RSM, and R-75. Additionally, parcels located South of the Subject Property are in Clayton County, and

Henry County. Parcels surrounding the Subject Property have land use designations of SUB and IND.

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

The Subject Property has marginal use as currently zoned due to the development costs associated with the Subject Property.

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

The proposed single-family detached home community is suitable for the area and will not have a negative effect on adjacent properties. North and East of the Subject Property are several large parcels that are already zoned RSM, some of which have already been developed. The RSM-zoned properties to the North are adjacent to some of the R-100-zoned properties in the area. Rezoning the Subject Property would, therefore, not change that condition for the neighboring R-100 property owners.

Furthermore, community members have indicated an issue with water management in the area. According to community members, water flows downhill from a nearby hill and finds its way into their properties. Granting this rezoning would allow the developer an opportunity to address any stormwater detention issues that the Subject Property is contributing to any of the current flooding, by redirecting the water into the proposed stormwater detention pond for the proposed project.

The proposed project will have a positive impact on the area as it will support the growth and development of the surrounding area. The new product will help to stabilize, if not raise values within the surrounding residential communities. New development is needed in communities to bring new residents, as current homeowners tend to age in place within the

community, leaving little opportunity for new homeowners to relocate to the area. Some community members indicated they had been in their homes for several decades and have seen little improvement in the area. Many community members stated complaints about the state of the streets, lack of sidewalks, and other infrastructure failures in the area. Granting this rezoning for new development may breathe life into the area by incentivizing infrastructure improvements for the area.

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

The Applicant is not aware of any changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

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

The zoning proposal will not adversely affect any historic buildings, sites, districts, or archaeological resources.

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.

The proposed use will not cause any excessive or burdensome use on the existing streets, transportation facilities, utilities or schools in the area.

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

The zoning proposal does not adversely impact the environment or surrounding natural resources. In fact, the proposal may positively impact the environment or surrounding natural resources. According to community members, water flows downhill from a nearby hill and finds its way into their properties. Granting this rezoning would allow the developer an opportunity to address this issue by allowing for engineering to take place that could redirect the water flowing from atop the nearby hill.

III. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the Rezoning Application at issue be approved. The Applicant also invites and welcomes any comments from Staff or other officials of DeKalb County so that such recommendations or input might be incorporated as conditions of approval of this Application. Please note that the Applicant's Notice of Constitutional Allegations and Preservation of Constitutional Rights has been submitted with this Application and are attached hereto and by this reference incorporated herein.

This 27th day of October, 2021.

Respectfully submitted,



Michèle L. Battle, Esq.

Attorney For Applicant

**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 grant the Special Land Use Permit 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 granting of the Special Land Use Permit 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 grant the Rezoning Request in question 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 approve the Rezoning Request 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 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 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 DeKalb 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.

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: Battle Law
Phone: 404.601.7616 Email: btb@battlelawpc.com

Property Address: 2670 2688 2698 2717 Whitfield Road

Tax Parcel ID: [15 009 01 001](#), [15 009 01 008](#), [15 009 01 006](#), [15 009 01 002](#)
Comm. District(s): 3 & 6 Acreage: ~25

Existing Use: NA Proposed Use: Single family development

Supplemental Regs: NA Overlay District: NA DRI:

Rezoning: Yes No

Existing Zoning: R-100 Proposed Zoning: RSM Square Footage/Number of Units:

Rezoning Request: Rezone from R-100 to RSM to build 79 single-family, detached homes at a density of 3.51 units per acre.

Land Use Plan Amendment: Yes No

Existing Land Use: Suburban Proposed Land Use: Suburban Consistent Inconsistent

Special Land Use Permit: Yes No

Special Land Use Request(s)

Major Modification: No

Existing Case Number(s): _____

Condition(s) to be modified:

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: before 10/27__Review Calendar Dates: X PC: 01/04 BOC: 01/27
Letter of Intent: _____ Impact Analysis: _____ Owner Authorization(s): _____ Campaign Disclosure: _____
Zoning Conditions: _____ Community Council Meeting: _____ Public Notice, Signs: _____
Tree Survey, Conservation: _____ Land Disturbance Permit (LDP): _____ Sketch Plat: _____
Bldg. Permits: _____ Fire Inspection: _____ Business License: _____ State License: _____
Lighting Plan: _____ Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS PLEASE

Review of Site Plan

Density: 3.5DU/AC Density Bonuses: none Mix of Uses: none Open Space:
20% Enhanced Open Space: none Setbacks: front 20' sides 3' side corner
20' rear 20' Lot Size: 5000sf Frontage: _____ Street Widths: 55'
Landscape Strips: 6' Buffers: _____ Parking Lot Landscaping: _____ Parking - Auto:
_____ Parking - Bicycle: _____ Screening: _____ Streetscapes: _____ Sidewalks:
5' Fencing/Walls: needed Bldg. Height: 35' Bldg. Orientation: _____ Bldg. Separation:
10' Bldg. Materials: cementious Roofs: _____ Fenestration: _____ Façade Design: _____
Garages: 2-car Pedestrian Plan: yes Perimeter Landscape Strip: _____
Possible Variances: none
expected _____

Comments: Encouraged applicant to discuss the following transportation issues w/ Patrece Keeter:
Linecrest Rd runs through subject parcel; Whitfield Rd. Spur; and access. 1 ingress/egress purposed; 2 required
based on 79 units. Trip generation study is underway. No traffic impact analysis required. Encouraged
applicant to include: solar energy features, sustainable features such as bioswales, rain gardens, etc.; more
brick/stone on bldg facades; community amenities: trails, recreation, etc. Proposed bldg footprints: 2,280sf.
Not in Soapstone or Bouldercrest Overlay Districts. No major issues. RSM is adjacent and SFD south in Henry
County. Applicant to reach out to Henry and Clayton Cos for comment.

Planner: Rachel Bragg Date 10-05-21

DEPARTMENT OF PLANNING & SUSTAINABILITY

Filing Fees

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00