

# DeKalb County Department of Planning & Sustainability

178 Sams Street,  
Decatur, GA 30030

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

**Board of Commissioners Hearing Date: October 4, 2022**

## STAFF ANALYSIS

<b>Case No.:</b>	Z-22-1245876	<b>Agenda #:</b> N14
<b>Location/Address:</b>	1866, 1874, 1893, 1901, 1909 Eastfield St.	<b>Commission District:</b> 03 <b>Super District:</b> 07
<b>Parcel ID(s):</b>	15-170-10-011, 15-170-10-013, 15-170-10-015, 15-170-13-040, 15-170-13-042	
<b>Request:</b>	Rezone properties from the OI (Office Institutional) Zoning District (conditional) and the R-75 (Residential Medium Lot-75) Zoning District to the OI (Office Institutional) Zoning District (and I-20 Overlay District-Tier 2) to allow personal care homes and offices.	
<b>Property Owner(s):</b>	Breakthru House, Inc.	
<b>Applicant/Agent:</b>	Breakthru House, Inc. c/o Battle Law, P.C.	
<b>Acreage:</b>	0.91 acres	
<b>Existing Land Use:</b>	Office, Institutional, Residential	
<b>Surrounding Properties:</b>	North: C-1, OI, C-2 East: R-75 South: R-75, C-1 West: C-1, C-2, I-20 Overlay District-Tier 2	
<b>Comprehensive Plan:</b>	CRC <input checked="" type="checkbox"/> <b>Consistent</b> <input type="checkbox"/> <b>Inconsistent</b>	

### Staff Recommendation: 30-day deferral.

The applicant, Breakthru House, Inc., owns and operates four (4) substance abuse recovery/treatment facilities for women at 1874, 1893, 1901, and 1909 Eastfield Street. It offers housing and clinical treatment for up to eighteen (18) months for women and their children. Additionally, the organization's administrative office is located at 1866 Eastfield Street. This parcel was rezoned to OI (Office Institutional-conditional) in 1986 for business/professional office uses in the existing structure. The conditional zoning was modified in 2007 to permit Breakthru House, Inc. to expand and modify the existing structure of its office use (see enclosure). Due to service demands, the applicant is seeking a rezoning of its properties in order to redevelop and/or redesign them to increase capacity of its personal care homes:

- ~~Rezone 1874 Eastfield Street to facilitate a lot combination with 1866 and combine the existing buildings; and~~
- Rezone 1893, 1901, and 1909 Eastfield Street to facilitate the combination of those lots and construct two, new 2-story residential facilities while retaining the existing residential facilities.

*Please note that on September 6, 2022, the applicant submitted a revised application removing 1866 (PID# 15-170-13-040) and 1874 (PID# 15-170-13-042) Eastfield Street from the rezoning request.*

A personal care home of seven (7) or more residents is classified as a “community, personal care home.” Given the greater capacity for residents, community, personal care homes are limited to moderate to high density residential districts, mixed-use districts, and commercial zoning districts. Hence, the applicant has requested a rezoning to the OI (Office Institutional) Zoning District.

The requested rezoning to OI is consistent with the *Comprehensive Plan* and *Zoning Ordinance*. 1893, 1901, and 1909 Eastfield Street are located in the Commercial Redevelopment Corridor (CRC) future land use character area, which similarly to SUB, includes OI as a permissible zoning district (pg. 116) and lists institutional uses as a primary land use (pg. 115). Additionally, the proposed use is permissible in the I-20 Corridor Compatible Use Overlay District.

The proposed site plan for the combination of 1893, 1901, and 1909 Eastfield Street needs to illustrate compliance with the I-20 Corridor Compatible Use Overlay District, where applicable (e.g., setbacks, off-street parking, on-street parking, sidewalks, multimodal access plans, etc.). Also, stormwater management needs to be addressed. Moreover, a number of neighboring property owners voiced concerns regarding existing operations, expansion plans for increased capacity, and general community welfare at the September 6<sup>th</sup> Planning Commission meeting.

Therefore, upon review of Section 7.3.5. of the *Zoning Ordinance*, staff recommends a 30-day deferral to allow the applicant time to revise plans and engage further with the community.

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**Amended and Restated**

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

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

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Applicant Name: Breakthru House, Inc. 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

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Applicant Daytime Phone: 404-601-7616 Fax: 404-745-0045

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Owner Name: Breakthru House Inc  
If more than one owner, attach list of owners.

Owner Mailing Address: 1866 Eastfield Street Decatur, Georgia 30032

Owner Daytime Phone: \_\_\_\_\_

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Address of Subject Property: 1866, 1874, 1893, 1901, 1909 Eastfield Street Decatur, Georgia 30032

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Parcel ID#: 15 170 13 040, 15 170 13 042, 15 170 10 011, 15 170 10 013, 15 170 10 015

Acreage: 1.371 0.91 Commission District: 3, 7

Present Zoning District(s): OI, R-75

Proposed Zoning District: OI

Present Land Use Designation: SUB, CRC

Proposed Land Use Designation (if applicable): \_\_\_\_\_



## Battle Law

September 6, 2021

VIA: Email to Brandon White {[blwhite@dekalbcountyga.gov](mailto:blwhite@dekalbcountyga.gov)}

**CLIENT/MATTER REF: Breakthru House, Inc., 1893, 1901, 1909, 1874, 1866 Eastfield Street, DeKalb County, GA**

Attn: Brandon White  
Current Planning Zoning  
Manager  
DeKalb County Planning and Sustainability  
330 W. Ponce de Leon Avenue  
Decatur, GA 30030

Mr. White,

We hereby submit this amended Site Plan and amended Statement of Intent in reference to the above-mentioned property and the pending rezoning application to remove two parcels from the application. The parcels to be removed are 15 170 10 015 and 15 170 13 040. Please find the latest documents attached.

Thank you.

Best,

Joshua Mahoney  
Associate Attorney  
Email: [jsm@battlelawpc.com](mailto:jsm@battlelawpc.com)



# Battle Law

## **STATEMENT OF INTENT**

and

Other Material Required by  
DeKalb County Zoning Ordinance  
For  
A Rezoning from OI and R-75 to  
OI

of

**Breakthru House, Inc.  
c/o Battle Law, P.C.**

for

**+/-0.91 Acres of Land**  
Being 1839, 1901, and 1909 Eastfield Street  
DeKalb County, Georgia and  
Parcel Nos. 15 170 01 011, 15 170 10 013, and 15 170 10 015

Submitted for Applicant by:

Michèle L. Battle, Esq.  
Battle Law, P.C.  
Habersham at Northlake, Building J, Suite 100  
Tucker, Georgia 300384  
(404) 601-7616 Phone  
(404) 745-0045 Facsimile  
[mlb@battlelawpc.com](mailto:mlb@battlelawpc.com)



# Battle Law

## **I. LETTER OF INTENT**

Breakthru House, Inc. (the “Applicant”) is seeking to develop on +/- 0.91 acres of land being Tax Parcel No. 15 170 01 011, 15 170 10 013, and 15 170 10 015 having frontage on 1839, 1901, and 1909 Eastfield Street (the “Subject Property”) with a Personal Care Facility for greater than seven (7) people. The Applicant is seeking a rezoning of the Subject Property to OI.

This document serves as a statement of intent, analysis of the criteria under the DeKalb County Zoning Ordinance and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

## **II. REZONING CRITERIA**

*Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;*

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The land use designation on the parcels to be rezoned is CRC. The CRC land use designation permits the OI zoning designation and all of its uses. Therefore, the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

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

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The Applicant currently operates a personal care home in the area. That property has been operating for a few years and this zoning proposal will simply expand that use by allowing two new buildings to be built to house more families in need to help. Therefore, the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

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

The property to be affected by the zoning proposal does have a reasonable economic use as currently zoned, but the zoning proposal provides for a better use. Part of the Subject Property is on a block that is almost entirely zoned for commercial uses. While the R-75 zoning on these parcels does permit single-family detached homes, a better use would be to rezone the parcels to OI according to the zoning proposal to allow for the personal care home. This will serve as a transition from the commercial uses into the R-75 districts to the East. The parcel at the corner of Eastfield and Glenvalley Drive is zoned R-75 and immediately abuts the existing OI parcels where the Applicant currently operates a personal care home. The two buildings on these parcels will be connected in accordance with the zoning proposal. Thus, the OI zoning district makes



## Battle Law

much more sense for that parcel than the currently existing R-75 district. Therefore, while the Subject Property does have a reasonable economic use as currently zoned, the zoning proposal provides for a better use.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The zoning proposal will allow for a use that already exists in the area, just on an expanded scale. Therefore the zoning proposal will not adversely affect the exiting use or usability of adjacent or nearby properties.

*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 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.

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

The zoning proposal will not adversely affect historic buildings, sites, districts, or archaeological resources. The Subject Property is not in any historic overlay district and not known historic buildings or archaeological resources are anywhere near the Subject Property.

*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; and*

The zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The zoning proposal requests a use that will draw little to no traffic to the site. The guests do not own cars and visitation is not permitted. Only the staff members will be traveling to the site via car. Thus, the traffic impact will be minimal. Additionally, the number of guests to stay at the house is small. Only up to twenty (20) people will be staying in the homes at any given time. Thus, the impact on utilities and schools will be minimal. Therefore, the zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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

The zoning proposal will not adversely impact the environment or surrounding natural resources.



## Battle Law

### **III. CONCLUSION**

For the foregoing reasons, the Applicant hereby requests that the application for a Rezoning from R-75 and OI to OI be approved. The Applicant welcomes any questions and feedback from the planning staff.

### **IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS**

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

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

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

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth



## Battle Law

Amendment to the Constitution of the United States. Any REZONING of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

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

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

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

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Michele L. Battle, Esq.  
Attorney for the Applicant



The logo for DVS Design Group. It features the letters "DVS" in a large, bold, black, sans-serif font. Below "DVS", the words "DESIGN GROUP" are written in a smaller, black, sans-serif font. To the right of the text is a small, dark gray, semi-circular graphic element.

posed:  
Parcels to be combined  
5 170 10 011  
893 - Eastfield Street  
5 170 10 013  
901 - Eastfield Street  
5 170 10 015  
909 - EastField Street

al Combined Area: .92 Ac.  
th District  
nd Lot: 170  
East Lake Terrace  
No.2 Subdivision  
Dekalb County

Existing Properties:  
Property Zoned: R-75  
Proposed Zoning: OI  
located within: The I-20  
corridor Overlay District

pared For:  
**1901**  
**Breakthru House**

ued:

Project No.  
**22-039**

Sheet Title:  
**Prelim  
Master Plan**

-4

## Disclaimer

THIS PLAN IS INTENDED TO BE USED FOR ILLUSTRATIVE PURPOSES ONLY. THE DEVELOPER RESERVES THE RIGHT TO ALTER THIS PLAN AT HIS SOLE DISCRETION.

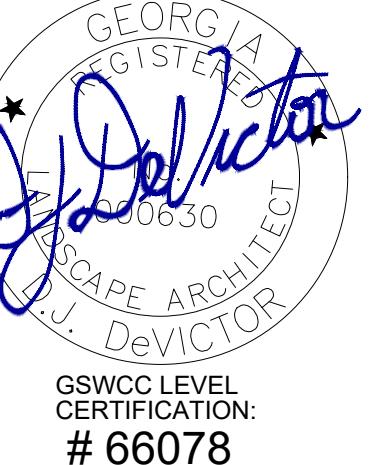
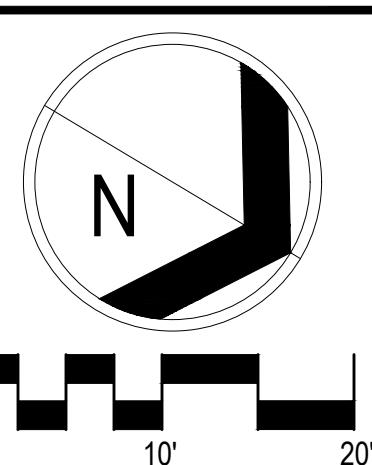
# Master Plan for 1901 Breakthru House Campus

**Disclaimer**

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**DVS**  
DESIGN GROUP  
404-409-8029



Proposed:  
3 Parcels to be combined  
15 170 10 011  
1893 - Eastfield Street  
15 170 10 013  
1901 - Eastfield Street  
15 170 10 015  
1909 - Eastfield Street

Ex. Combined Area: .92 Ac.  
After new R.O.W. expansion: .85 Ac.

15th District  
Land Lot: 170  
East Lake Terrace  
No.2 Subdivision  
DeKalb County

**Existing Properties:**

Property Zoned: R-75

Proposed Zoning: OI

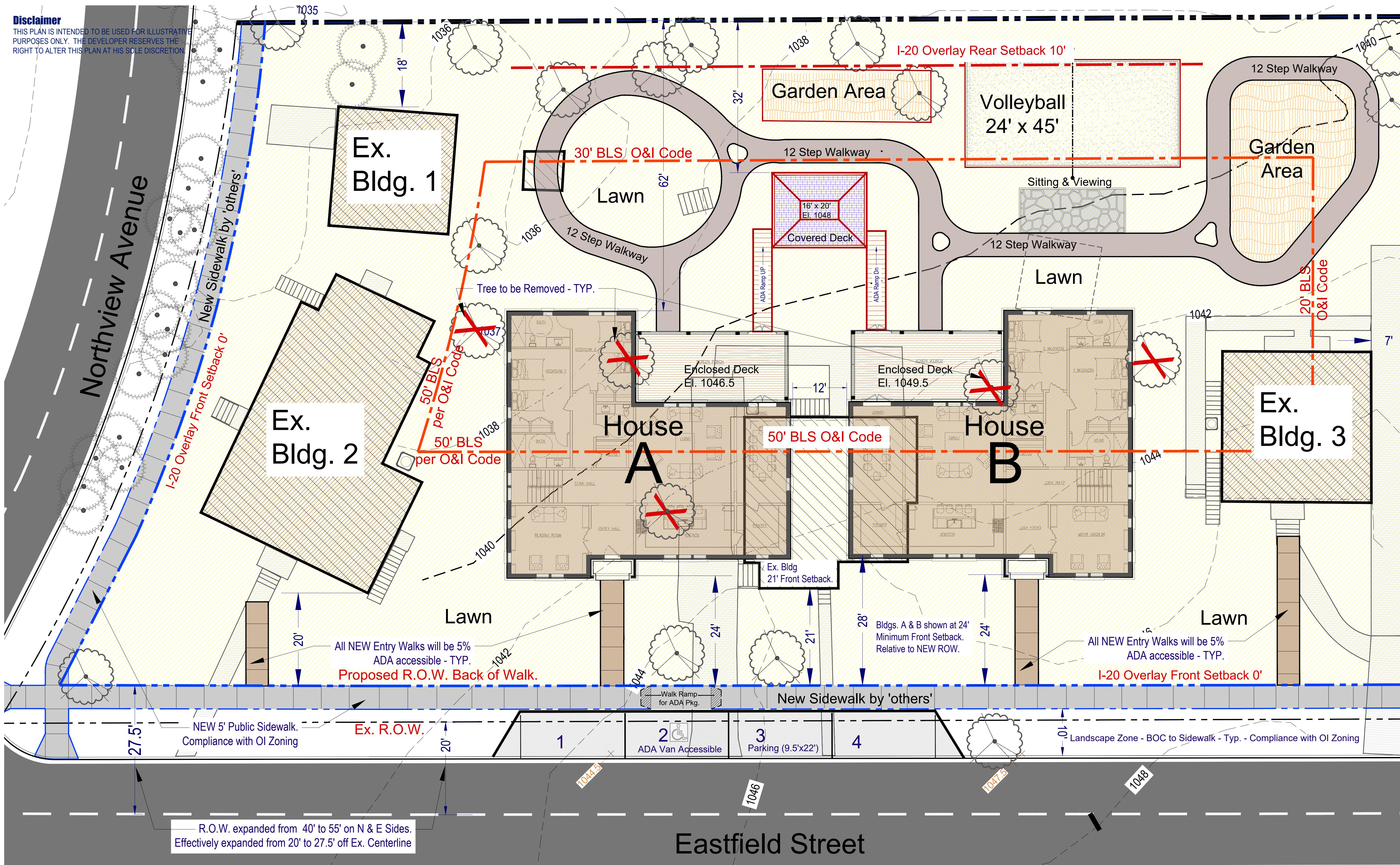
Located within: The I-20 Corridor Overlay District

Prepared For:  
1901  
Breakthru House  
Contact: BreNita Jackson  
(404) 284-4658  
1901 Eastfield Street  
Decatur, GA 30032

Rev. Date | Description  
#1 9/1/22 Relevance to the OI & Overlay Codes.

Issued:  
June 29, 2022

Project No.  
**22-039**  
Sheet Title:  
**Site Plan**

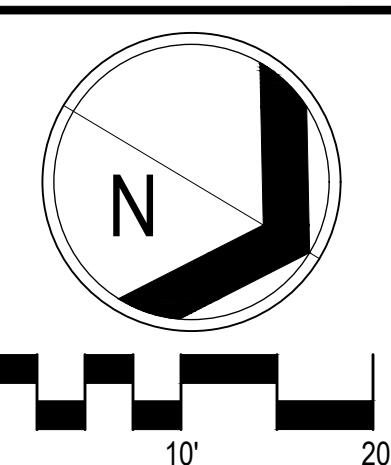


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The logo for DVS Design Group. It features the letters "DVS" in a large, bold, black sans-serif font. Below "DVS", the words "DESIGN GROUP" are written in a smaller, black, all-caps sans-serif font.



A circular Georgia Landscape Architect registration stamp. The outer ring contains the text "GEORGIA", "REGISTERED", "LANDSCAPE ARCHITECT", and "D.J. DeVICTOR". The inner circle contains "10", "000630", and "D.J. DeVICTOR". Handwritten blue ink signature "D.J. DeVictor" is written across the center of the stamp.

proposed:  
Parcels to be combined  
15 170 10 011  
1893 - Eastfield Street  
15 170 10 013  
1901 - Eastfield Street  
15 170 10 015  
1909 - EastField Street

tal Combined Area: .92 Ac.  
th District  
and Lot: 170  
East Lake Terrace  
No.2 Subdivision  
Dekalb County

Existing Properties:  
Property Zoned: R-75  
Proposed Zoning: OI  
located within: The I-20 Corridor Overlay District

Prepared For:  
**1901**  
**Breakthru House**  
Contact: BreNita Jackson  
(404) 284-4658  
1901 Eastfield Street  
Decatur, GA 30033

Rev.	Date	Description
1	9/1/22	Relevance to

e OI & Overlay Codes.

June 29, 2022

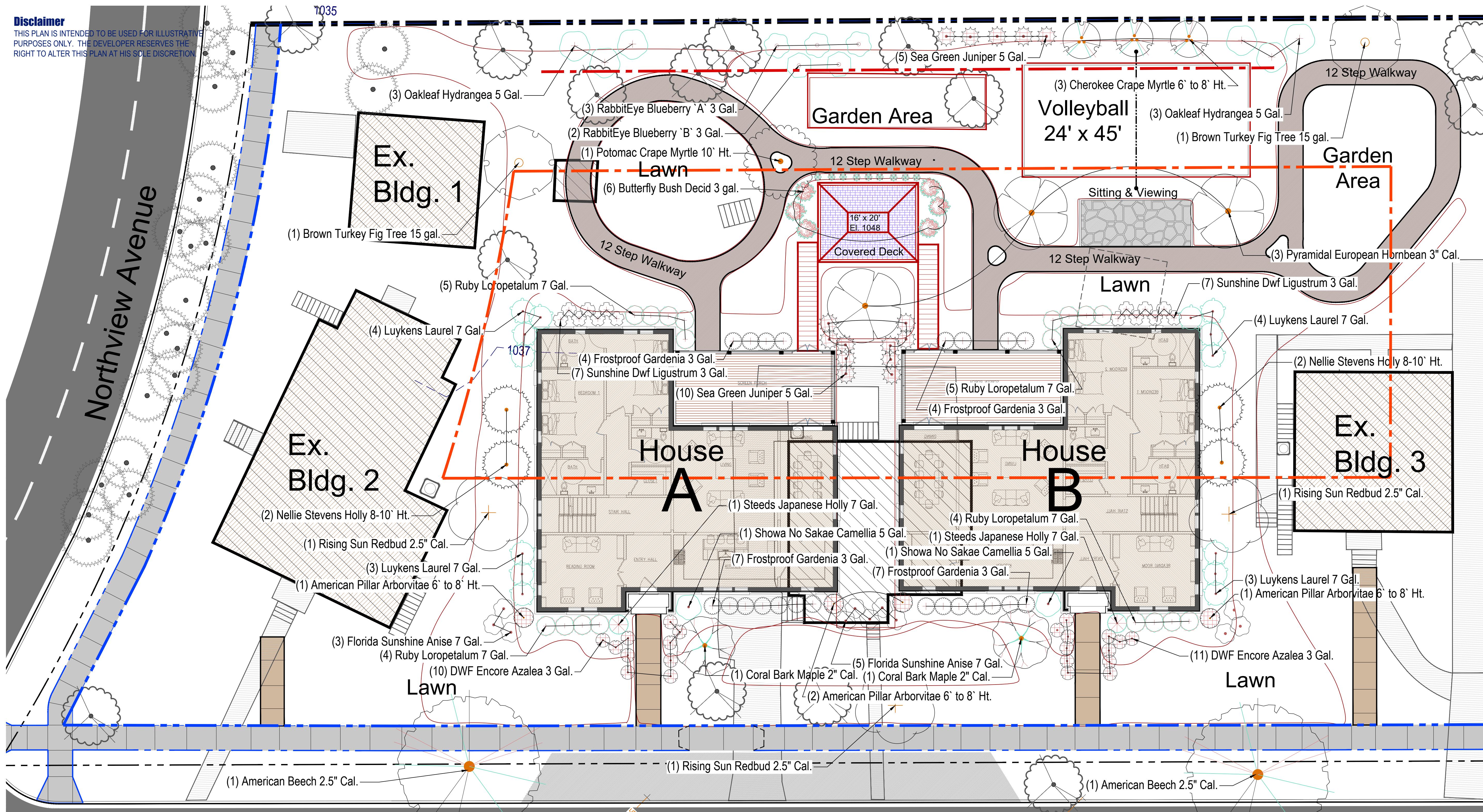
Project No.  
**22-039**

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Sheet Title:

**Landscape Plan**

3e



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**PLANT SCHEDULE**

Plant Schedule				
Trees	Botanical Name	Common Name	Size	Specification
2	<i>Acer palmatum</i> 'Sango Kaku'	Coral Bark Maple	2" Cal.	Specimen
3	<i>Carpinus betulus</i> 'Fastigiata'	Pyramidal European Hornbeam	3" Cal.	Full, Well Branched
3	<i>Cercis canadensis</i> 'Rising Sun'	Rising Sun Redbud	2.5" Cal.	Full, Well Branched
2	<i>Fagus grandifolia</i>	American Beech	2.5" Cal.	Full, Well Branched
2	<i>Ficus carica</i> 'Brown Turkey'	Brown Turkey Fig Tree	15 gal.	Full in Pot, Dense Rootball
4	<i>Ilex x</i> 'Nellie R Stevens'	Nellie Stevens Holly	8-10` Ht.	Branched to Ground
3	<i>Lagerstroemia indica</i> 'Cherokee'	Cherokee Crape Myrtle	6` to 8` Ht.	Full, 3 Cane Min., 1 1/2" Cane Min.
1	<i>Lagerstroemia indica</i> 'Potomac'	Potomac Crape Myrtle	10` Ht.	Full, 3 Cane Min., 1 1/2" Cane Min.
4	<i>Thuja occidentalis</i> 'American Pillar'	American Pillar Arborvitae	6` to 8` Ht.	Matched

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
6	<i>Buddleja davidii</i>	Butterfly Bush Decid	3 gal.	Full in Pot, Dense Rootball
2	<i>Camellia sasanqua</i> 'Showa-No-Sakae'	Showa No Sakae Camellia	5 Gal.	Full in Pot, Dense Rootball
22	<i>Gardenia jasminoides</i> 'Frostproof'	Frostproof Gardenia	3 Gal.	Full in Pot, Dense Rootball
9	<i>Hosta</i> x	Hosta 'varieties'	1 Gal.	
6	<i>Hydrangea quercifolia</i>	Oakleaf Hydrangea	5 Gal.	Full in Pot, Dense Rootball
2	<i>Ilex crenata</i> 'Steeds'	Steeds Japanese Holly	7 Gal.	Full in Pot, Dense Rootball
11	<i>Illicium parviflorum</i> 'Florida Sunshine'	Florida Sunshine Anise	7 Gal.	Full in Pot, Dense Rootball
15	<i>Juniperus chinensis</i> 'Sea Green'	Sea Green Juniper	5 Gal.	Full in Pot, Dense Rootball
14	<i>Ligustrum sinense</i> 'Sunshine'	Sunshine Dwf Ligustrum	3 Gal.	Full in Pot, Dense Rootball
18	<i>Loropetalum chinense</i> 'Ruby'	Ruby Loropetalum	7 Gal.	Full in Pot, Dense Rootball
14	<i>Prunus laurocerasus</i> 'Otto Luyken'	Luykens Laurel	7 Gal.	Full in Pot, Dense Rootball
22	<i>Rhododendron</i> x 'Robled' TM Autumn Chiffon	DWF Encore Azalea	3 Gal.	Full in Pot, Dense Rootball
3	<i>Vaccinium ashei</i> 'Alapaha'	RabbitEye Blueberry 'A'	3 Gal.	Full in Pot, Dense Rootball
2	<i>Vaccinium ashei</i> 'Verner'	RabbitEye Blueberry 'B'	3 Gal.	Full in Pot, Dense Rootball

## 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**

Community Meeting Mailing List

GOMEZ JACQUELINE	2587 NORTHVIEW AVE	DECATUR GA 30032
SHOPPES AT EASTLAKE LLC	4981 GALLATREE LN	NORCROSS GA 30092
WILLIAMS CARLOS RENO	2597 GLENVALLEY DR	DECATUR GA 30032
BURTS DOROTHY LOUISE	2612 NORTHVIEW AVE	DECATUR GA 30032
HOUSTON RACHEL	2588 NORTHVIEW AVE	DECATUR GA 30032
GUTTMAN JOSHUA ISSAC	1890 EASTFIELD ST	DECATUR GA 30032
BREAKTHRUHOUSE INC	1866 EASTFIELD ST	DECATUR GA 30032
JACKSON LASHANDA A	1916 CANNON ST	DECATUR GA 30032
BREAKTHRU HOUSE INC	1866 EASTFIELD ST	DECATUR GA 30032
ATKINSON FRANK C	2596 NORTHVIEW AVE	DECATUR GA 30032
FINEY ROBIN	2596 NORTHVIEW AVE	DECATUR GA 30032
FRANKLIN RALPH	2580 NORTHVIEW AVE	DECATUR GA 30032
DODSWORTH ALISON M	1880 EASTFIELD ST	DECATUR GA 30032
GEORGE WALTER III	6150 COVINGTON HWY # B	LITHONIA GA 30058
SCF RC FUNDING I LLC	2424 RIDGE RD	ROCKWALL TX 75087
LAWRENCE SHEPPARD	PO BOX 971	ROSWELL GA 30077
JAMES JACQUELINE	2578 GLENVALLEY DR	DECATUR GA 30032
WALTON CODY A	2569 NORTHVIEW AVE	DECATUR GA 30032
JAI MAA100 INC	1912 CANDLER RD	DECATUR GA 30032
ROZIER CLAYTON L	1882 STOCKTON ST	DECATUR GA 30032
LANE RANDY	522 ANSLEY ST	DECATUR GA 30030
STOCKTON APTS LLC	725 FAIR OAKS MNR NW	ATLANTA GA 30327
GERTS PERSONAL CARE HOME LLC	1397 SMITH ST SE	ATLANTA GA 30316
YGGDRASIL LLC	501 IVEY TRC	MABLETON GA 30126
EL ATAMPOKAH	1926 CANNON ST	DECATUR GA 30032
MACK III DEVELOPMENT LLC	3421 DOGWOOD DR	HAPEVILLE GA 30354
ATLANTA LETTER CARRIERS INC	1842 CANDLER RD	DECATUR GA 30032
NELSON HELEN M	2573 NORTHVIEW AVE	DECATUR GA 30032
RMCD INVESTOR LLC	P O BOX 49192	ATLANTA GA 30359
FLETCHER FREDDIE	1894 STOCKTON ST	DECATUR GA 30032
DEKALB COUNTY	1300 COMMERCE DR	DECATUR GA 30030
SENAFE 1900 PROPERTY LLC	1900 CANDLER RD	DECATUR GA 30032
GEORGIA RENTAL PROPERTIES III LLC	P O BOX 420792	ATLANTA GA 30342
FERGUSON ADAM D	1932 CANNON ST	DECATUR GA 30032
ADAMS SAMUEL JAMES	2603 NORTHVIEW AVE	DECATUR GA 30032
ATKINSON FRANK C	2576 NORTHVIEW AVE	DECATUR GA 30032
ATKINSON LULA B	2576 NORTHVIEW AVE	DECATUR GA 30032
VAN BUSKIRK RACHEL LEIGH	1902 EASTFIELD ST	DECATUR GA 30032
PATRONIS JOHN	137 CLUB CIR	STOCKBRIDGE GA 30281
ARC KLATLGA002 LLC	1455 E LINCOLN PKWY	DUNWOODY GA 30346
PERKINS BERRY	2588 GLENVALLEY DR	DECATUR GA 30032
ROLLE DARIAN F	2600 GLENVALLEY DR	DECATUR GA 30032
HARDEMAN CAMELLIA	2591 NORTHVIEW AVE	DECATUR GA 30032
MITCHELL META	2577 NORTHVIEW AVE	DECATUR GA 30032
STAR 2021 SFR1 BORROWER LP	591 W PUTNUM AVE	GREENWICH CT 6830
PATRONIS JOHN	137 CLUB CIRCLE CIR	STOCKBRIDGE GA 30281
ANGEL ZONE ACADEMY INCORPORATED	2541 GLENVALLEY DR	DECATUR GA 30032

Community Meeting Mailing List

CANDLER SENIOR VILLAGE LP	6780 ROSWELL RD NE STE 200	ATLANTA GA 30328
TYREE JAMES W	1858 GLENHILL PL	DECATUR GA 30032
SANDERS ELIZABETH CLAIRE	2592 NORTHVIEW AVE	DECATUR GA 30032
BROWNING CLIFFORD J	2584 NORTHVIEW AVE	DECATUR GA 30032
JOHNSON KAREN A	1886 EASTFIELD ST	DECATUR GA 30032
GREEN BETTY	1887 STOCKTON ST	DECATUR GA 30032
SINDRE LLC	2204 SAWGRASS VILLAGE DR	PONTE VEDRA BEACH FL 32082
TVE CANDLER ROAD LLC	4107 OXFORD CROSSING DR	DECATUR GA 30034
OSULLIVAN MARIE ELENA	2611 NORTHVIEW AVE	DECATUR GA 30032
PROPHET GREGORY	1898 EASTFIELD ST	DECATUR GA 30032
WILLIAMS RYAN A	1894 EASTFIELD ST	DECATUR GA 30032
REESE INVESTMENTS INC	PO BOX 70	DOUGLASVILLE GA 30133
EHAN II LLC	1001 NASH LEE DR	LILBURN GA 30047
KOLB MICHAEL A	PO BOX 47274	DORAVILLE GA 30362
WRIGHT LINDA R	2572 GLENVALLEY DR	DECATUR GA 30032
SPEARS GEORGE D	4882 PLEASANTRY WAY NW	ACWORTH GA 30101
BUFORD DAM VENTURES LLC	1550 N BROWN RD STE 130	LAWRENCEVILLE GA 30043
PARVEEN KHALIDA	1061 NASH LEE DR SW	LILBURN GA 30047
SOLID EQUITIES	PO BOX 70	DOUGLASVILLE GA 30133
OLIVER LUE HELLEN	1826 GLENHILL PL	DECATUR GA 30032
DEKALB HOUSING AUTHORITY	750 COMMERCE DR # 201	DECATUR GA 30030
OPENDOOR PROPERTY TRUST I	410 N SCOTTSDALE RD STE 160C	TEMPE AZ 85281
BUILDING SUPPLY PROPERTIES LLC	PO BOX 1598	FAIRBURN GA 30213
AFTER DARK EXHAUST AND BRAKE	1835 CANDLER RD	DECATUR GA 30032
ZAFAR NADEEM	2215 CREEKVIEW TRL	DECATUR GA 30035
CRAWFORD JAMES MICHAEL	1828 GLENHILL PL	DECATUR GA 30032
GEORGIA RENTAL PROPERTIES LLC	P.O. BOX 420792 DR	ATLANTA GA 30342
CERBERUS SFR HOLDINGS II LP	1850 PARKWAY PL STE 900	MARIETTA GA 30067
WILLIAMS LESLIE MICHAEL	1832 GLENHILL PL	DECATUR GA 30032
HUFF JEROME T	1834 GLENHILL PL	DECATUR GA 30032
AVILA AARON	2608 GLENVALLEY DR	DECATUR GA 30032
BROOKER ROBERT WILLIAM	4017 WASHINGTON RD	MCMURRAY PA 15317
PRIMROSE GEORGIA HER ESTATE PERS REP	2798 GLENVALLEY DR	DECATUR GA 30032
ZACHERY JOHNNIE MAE B	2806 GLENVALLEY DR	DECATUR GA 30032



**Battle Law**

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



#### **Zoom Instructions:**

Go to <https://www.battlelawpc.com> . On the Home page, please click on “Projects”, then choose “Dekalb County”. Scroll down to the correct “Project Title” and click on “Join Meeting” under the correct meeting date. To join by phone, please dial (646) 558-8656 and enter the Meeting ID and Passcode provided on the website.

We encourage you to come out and participate!  
*\*\*Please Note: This meeting is hosted solely by Battle Law, P.C.\*\**

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

## **REZONING TO ALLOW FOR THE DEVELOPMENT OF A PERSONAL CARE HOME AND OFFICE SPACE**

You are invited to a Zoom meeting. You are welcome to attend either or both of the meetings below!

### **Project Title: Eastfield Street**

When: Wednesday, June 29, 2022

Time: 7:00 PM Eastern (US and Canada)

When: Thursday, July 7, 2022

Time: 6:00 PM Eastern (US and Canada)

Register in advance for this meeting:

<https://www.battlelawpc.com>

### **PROPOSED LOCATION(S):**

**1866,1874, 1893, 1901, 1909 Eastfield Street  
Decatur, Georgia 30032  
Parcel Numbers 15 170 13 040,  
15 170 13 042, 15 170 10 011, 15 170 10 013,  
15 170 10 015**



# Battle Law

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

PLEASE  
PLACE  
STAMP  
HERE

«Name»  
«Address»  
«City», «State» «Zip»

## Community Meeting Sign-In Sheet 6/29/22

First Name	Last Name	Email	Registration Time	Approval Status
DJ	DeVictor	DJ@DVSDesignGroup.com	6/21/2022 12:57	approved
Clayton	Rozier	clr3394@gmail.com	6/21/2022 18:12	approved
BRENDA	PACE	bcpace2@gmail.com	6/21/2022 18:24	approved
Jackie	James	Hazelrabbit@hotmail.com	6/22/2022 6:53	approved
Rosetta	Cox	rosettacox72@gmail.com	6/28/2022 18:01	approved
Karen	Johnson	kaj_Thinker@yahoo.com	6/29/2022 18:57	approved
BreNita	Jackson	bjackson@breakthruhouseatl.org	6/29/2022 18:58	approved
Samuel	Armstrong	armstrong424@gmail.com	6/29/2022 19:02	approved
Phebee	Sims	psims@breakthruhouseatl.org	6/29/2022 19:02	approved
Brittney	Butler	btbbattlelawpc@gmail.com	6/29/2022 19:08	approved
Nancy	Young	nancyjyh@gmail.com	6/29/2022 19:18	approved

## 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

## **STATEMENT OF INTENT**

and

Other Material Required by  
DeKalb County Zoning Ordinance  
For  
A Rezoning from OI and R-75 to  
OI

of

**Breakthru House, Inc.  
c/o Battle Law, P.C.**

for

**+/-1.39 Acres of Land**

Being 1839, 1901, 1909, 1874, and 1866 Eastfield Street  
DeKalb County, Georgia and  
Parcel Nos. 15 170 01 011, 15 170 10 013, 15 170 10 015, 15 170 13 042, and 15 170 13 040

Submitted for Applicant by:

Michèle L. Battle, Esq.  
Battle Law, P.C.  
Habersham at Northlake, Building J, Suite 100  
Tucker, Georgia 300384  
(404) 601-7616 Phone  
(404) 745-0045 Facsimile  
[mlb@battlelawpc.com](mailto:mlb@battlelawpc.com)



# Battle Law

## **I. LETTER OF INTENT**

Breakthru House, Inc. (the “Applicant”) is seeking to develop on +/- 1.39 acres of land being Tax Parcel No. 15 170 01 011, 15 170 10 013, 15 170 10 015, 15 170 13 042, and 15 170 13 040 having frontage on 1839, 1901, 1909, 1874, and 1866 Eastfield Street (the “Subject Property”) with a Personal Care Facility for greater than seven (7) people. The Applicant is seeking a rezoning of the Subject Property to OI.

This document serves as a statement of intent, analysis of the criteria under the DeKalb County Zoning Ordinance, and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

## **II. REZONING CRITERIA**

*Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;*

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The land use designation on the parcels to be rezoned is CRC. The CRC land use designation permits the OI zoning designation and all of its uses. Therefore, the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

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

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The Applicant currently operates a personal care home in the area. That property has been operating for a few years and this zoning proposal will simply expand that use by allowing two new buildings to be built to house more families in need to help. Therefore, the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

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

The property to be affected by the zoning proposal does have a reasonable economic use as currently zoned, but the zoning proposal provides for a better use. Part of the Subject Property is on a block that is almost entirely zoned for commercial uses. While the R-75 zoning on these parcels does permit single-family detached homes, a better use would be to rezone the parcels to OI according to the zoning proposal to allow for the personal care home. This will serve as a transition from the commercial uses into the R-75 districts to the East. The parcel at the corner of Eastfield and Glenvalley Drive is zoned R-75 and immediately abuts the existing OI parcels where the Applicant currently operates a personal care home. The two buildings on these parcels



## Battle Law

will be connected in accordance with the zoning proposal. Thus, the OI zoning district makes much more sense for that parcel than the currently existing R-75 district. Therefore, while the Subject Property does have a reasonable economic use as currently zoned, the zoning proposal provides for a better use.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The zoning proposal will allow for a use that already exists in the area, just on an expanded scale. Therefore the zoning proposal will not adversely affect the exiting use or usability of adjacent or nearby properties.

*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 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.

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

The zoning proposal will not adversely affect historic buildings, sites, districts, or archaeological resources. The Subject Property is not in any historic overlay district and not known historic buildings or archaeological resources are anywhere near the Subject Property.

*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; and*

The zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. The zoning proposal requests a use that will draw little to no traffic to the site. The guests do not own cars and visitation is not permitted. Only the staff members will be traveling to the site via car. Thus, the traffic impact will be minimal. Additionally, the number of guests to stay at the house is small. Only up to twenty (20) people will be staying in the homes at any given time. Thus, the impact on utilities and schools will be minimal. Therefore, the zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

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



## Battle Law

The zoning proposal will not adversely impact the environment or surrounding natural resources.

### **III. CONCLUSION**

For the foregoing reasons, the Applicant hereby requests that the application for a Rezoning from R-75 and OI to OI be approved. The Applicant welcomes any questions and feedback from the planning staff.

### **IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS**

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

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

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

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the



## Battle Law

Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any REZONING of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

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

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

---

Michele L. Battle, Esq.  
Attorney for the Applicant

**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: 06

TO WHOM IT MAY CONCERN:

(I) (WE) Breakthru House, Inc.  
Name of owner(s)

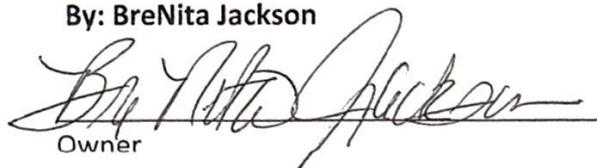
being (owner) (owners) of the subject property described below or attached hereby delegate authority to

Battle Law, P.C.

Name of Agent or Representative

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

**Breakthru House, Inc.**  
By: BreNita Jackson

  
Owner

Horastine C Boykin  
Notary Public

**Horastine C Boykin**  
**NOTARY PUBLIC**  
**Gwinnett County, GEORGIA**  
**My Commission Expires 03/30/2026**

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 X \*

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.

**Breakthru House, Inc.**

**By: BreNita Jackson**



Signature of Applicant /Date



Notary

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

March 30, 2026

Expiration Date/ Seal

**Horastine C Boykin  
NOTARY PUBLIC  
Gwinnett County, GEORGIA  
My Commission Expires 03/30/2026**

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

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**DISCLOSURE OF CAMPAIGN CONTRIBUTION**

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

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

Yes  No  \*

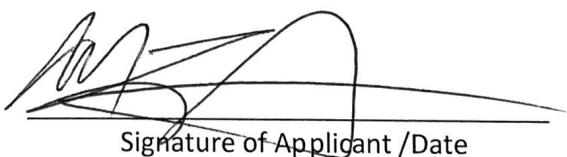
If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

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

08/18/25  
Expiration Date/ Seal

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

Campaign Contribution Disclosure Statements  
Last Updated 6/17/2022

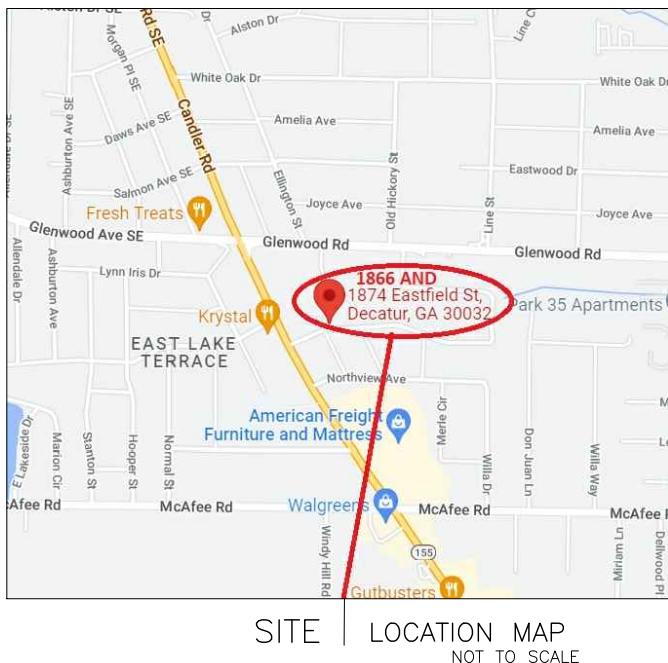
**CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT**

Pursuant to the provisions of 36 O.C.G.A. 67(A), please find below a list of those contributions made by Michèle L Battle or Battle Law, P.C. in the past two years, aggregating \$250.00 or more, to local government officials who will consider this application.

NAME OF GOV'T OFFICIAL	OFFICIAL POSITION	AMOUNT OF CONTRIBUTION
Ted Terry	Commissioner	\$500
Mereda Davis Johnson	Commissioner	\$250
Lorraine Cochran-Johnson	Commissioner	\$750

By:   
Printed Name: Michele L. Battle

MANICURE



#### FLOOD NOTE:

I HAVE THIS DATE, EXAMINED THE "FIA FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL IS NOT IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL MAP ID 1306901311. EFFECTIVE DATE: 05/16/2013 ZONE: X.

THE FLOOD INFORMATION ON THIS PLAT HAS BEEN DETERMINED AFTER REVIEW OF MAPS WHICH ONLY APPROXIMATE THE LOCATION OF THE APPLICABLE FLOOD HAZARD AREA. A SECOND OPINION OR COMPREHENSIVE FLOOD EVALUATION STUDY IS SUGGESTED FOR MORE ACCURATE INFORMATION. FOR FURTHER INFORMATION, CONTACT THE LOCAL DRAINAGE DEPARTMENT, CORPS OF ENGINEERS AND INSURANCE COMPANY OR AN APPRAISER.

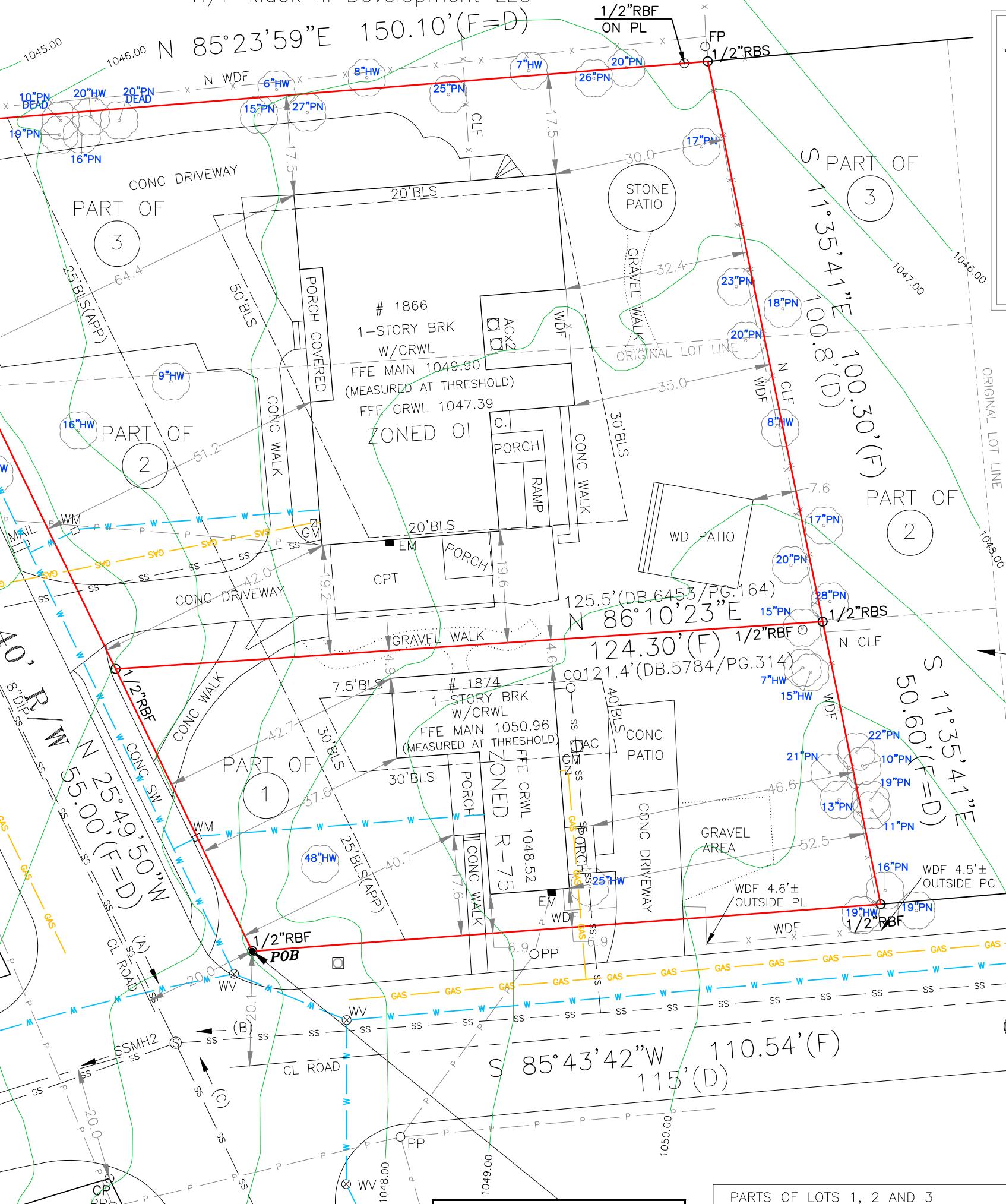
THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE PLACED USING SIDE DIMENSIONS FROM HOUSE. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT-OF-WAY PUBLIC OR PRIVATE.

# 1866

(DB.9429/PG.424)

ZONED C-2

N/F Mack III Development LLC



SSMH1  
TOP=1042.92  
BEGINNING  
INV OUT=1036.62

SSMH2  
TOP=1046.50  
(A) INV IN=1035.90  
(B) INV IN=1036.00  
(C) INV IN=1035.90  
INV OUT=1035.70

SSMH3  
TOP=1047.43  
BEGINNING  
INV OUT=1042.13

SSMH4  
TOP=1039.82  
INV IN=1031.22  
INV OUT=1031.12

**ZONING NOTE:**  
BEFORE DEVELOPMENT OF THIS PROPERTY, DEVELOPER AND ARCHITECT TO CONFIRM ZONING DISTRICT, PER ZONING DEPARTMENT.

**PROPERTY IS ZONED R-75**  
DEKALB COUNTY  
(I-20 Overlay District /Tier 2)

BUILDING SETBACK(APZ):  
FRONT: 30.0'  
25.0' AS PER PLAT  
SIDE: 7.5'  
STREET SIDE: 30.0'  
REAR: 40.0'  
MAX. LOT COVERAGE 35%  
MAX. BUILDING HEIGHT 35'

**BEARING SHOWN HEREON ARE**  
RELATIVE TO THE NORTH AMERICAN  
DATUM OF 1983, GA WEST ZONE 1002  
ELEVATIONS SHOWN HEREON  
RELATIVE TO THE NORTH AMERICAN  
VERTICAL DATUM OF 1988

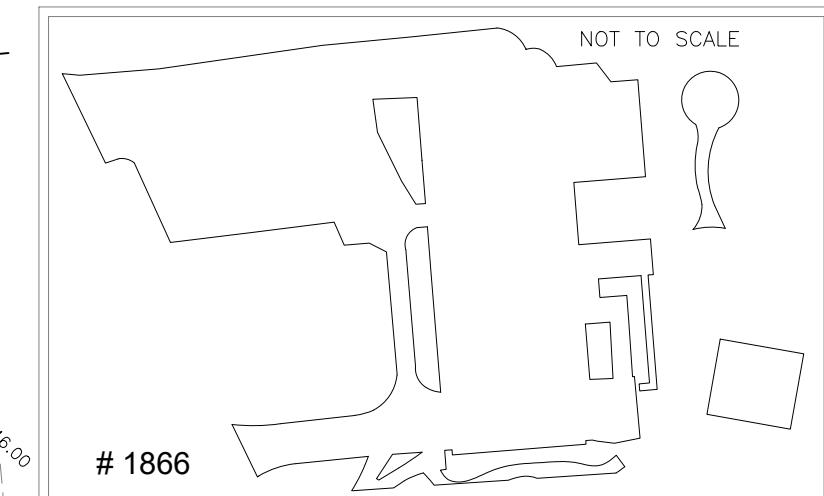
**PROPERTY IS ZONED OI**  
DEKALB COUNTY  
(Office-Institutional District)

BUILDING SETBACK(APZ):  
FRONT: 50.0'  
25.0' AS PER PLAT  
SIDE: 20.0'  
REAR: 30.0'  
MAX. LOT COVERAGE 80%  
MAX. BUILDING HEIGHT 70'

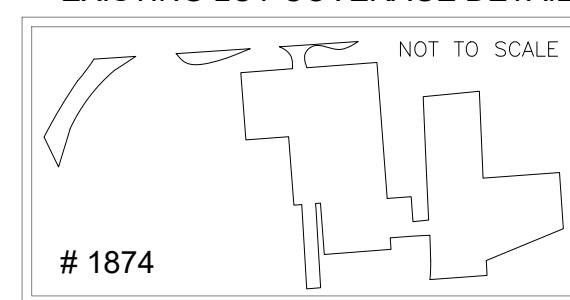
#### SURVEY NOTES:

1. STORM SEWER, SANITARY SEWER AND OTHER BURIED UTILITIES MAY HAVE BEEN PAVED OR COVERED OVER. THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE NOT ON ABOVE-GROUND STRUCTURES AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. LOCATION OF UNDERGROUND UTILITIES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROCESS OF THIS SURVEY TO LOCATE BURIED UTILITIES. BEFORE EXCAVATIONS ARE BEGUN, TELEPHONE, ELECTRIC, WATER AND SEWER GAS COMPANIES SHOULD BE CONTACTED FOR VERIFICATION OF UTILITY TYPE AND FOR FIELD LOCATIONS.
2. THIS PLAT WAS PREPARED TO SHOW THE APPROXIMATE LOCATION OF THE IMPROVEMENTS AND IS NOT RECORDABLE. FENCES SHOULD NOT BE LOCATED USING SIDE DIMENSIONS FROM THE HOUSE. ALL MATTERS OF THE TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHT OF WAY PUBLIC OR PRIVATE.
3. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD RECORDED AND NOT RECORDED, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. THE SURVEY IS MADE WITHOUT THE BENEFIT OF CURRENT TITLE COMMITMENT, EASEMENTS AND ENCUMBRANCES WHICH MAY EXIST WHICH BENEFIT OR BURDEN THIS PROPERTY. MATTERS OF TITLE ARE EXCEPTED. PROPERTY OWNER OR PERSON ORDERING THE SURVEY IS RESPONSIBLE TO CONTACT CLOSING ATTORNEY OR TITLE COMPANY FOR A FULL TITLE SEARCH AND COMMITMENT INCLUDING ALL THE EXCEPTIONS.
5. SURVEY LAND EXPRESS, INC. IS NOT RESPONSIBLE FOR AND DOES NOT WARRANT THE ZONING INFORMATION AND INTERPRETATION AS PROVIDED HEREIN. THIS INFORMATION IS OBTAINED USING ON-LINE SOURCES, TELEPHONE CONVERSATION WITH ZONING OFFICE AT THE COUNTY OR CITY, ETC. AND CANNOT GUARANTEE ITS ACCURACY. IT IS RECOMMENDED THAT THE CLIENT OR USER OF THIS DATA VERIFY THIS INFORMATION WITH THE ISSUING AUTHORITY.
6. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ENTITY NAMED HEREON. THIS PLAT DOES NOT EXTEND TO ANY UNNAMED PERSON, PERSONS, OR ENTITY WITHOUT THE EXPRESS RECERTIFICATION OF THE SURVEYOR NAMING SUCH PERSON, PERSONS, ENTITY.

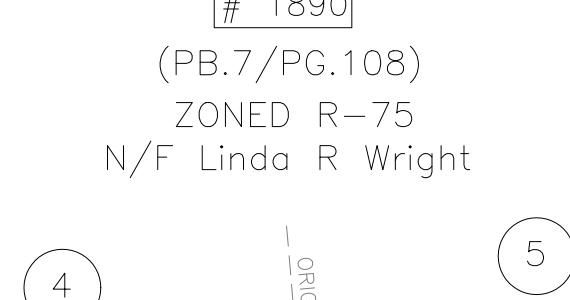
#### EXISTING LOT COVERAGE DETAIL



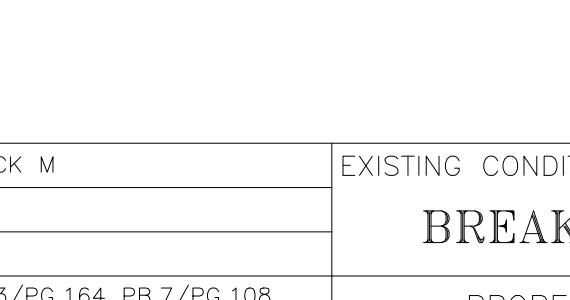
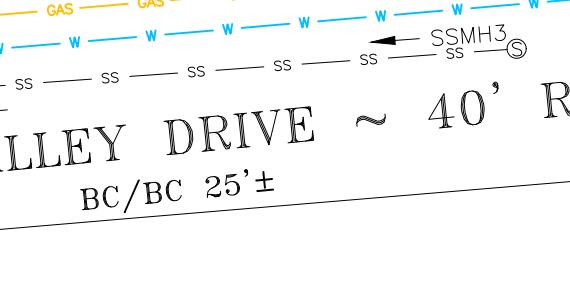
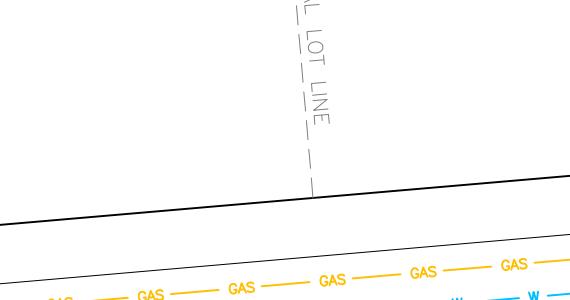
#### EXISTING LOT COVERAGE DETAIL



#### EXISTING LOT COVERAGE DETAIL



#### EXISTING LOT COVERAGE DETAIL



#### \* LEGEND \*

APP	AS PER PLAT
APD	AS PER DEED
APF	AS PER FIELD
AI	ANGLE IRON FOUND
APZ	AS PER ZONING
BB	BOTTOM BANK
BC	BACK OF CURB
BLK	BLOCK
BLS	BUILDING SETBACK LINE
BRK	BRICK
BSMT	BASEMENT
CBX	CABLE BOX
CBL	CABLE LINE
CB	CONCRETE
CB	CATCH BASIN
CL	CENTER LINE
CLF	CHAIN LINK FENCE
CMP	CORRUGATED METAL PIPE
C.O.A	CITY OF ATLANTA
CO	SAN SEWER CLEAN OUT
CM	CADASTRAL MAP
CRWL	CRAZ SPACE
CP	CALCULATED POINT
CPT	COMPARTMENT
(D)	DEED
DE	DRAINAGE EASEMENT
DI	DRAINAGE INLET
EB	ELECTRIC POWER BOX
EM	EDUCIAL METER
EP	EDGE OF PAVEMENT
F	FIELD
FC	FACE OF CURB
FDC	FIRE DEPARTMENT CONNECTION
FR	FIRE HYDRANT
FR	FLAME
GM	GAS LINE
GM	GAS METER
GV	GAS VALVE
GW	GUY WIRE
HW	HEAD WALL
HDW	HARDWOOD TREE
IP	IRON PIN
IPF	IRON PIN FOUND
IPS	IRON PIN SET
IV	IRRIGATION VALVE
IVM	IRRIGATION METER
JB	JUNCTION BOX
LLL	LAND LOT LINE
MAG	MAGNETIC READING IP
MGN	MAGNOLIA TREE
MH	MANHOLE
MTF	METAL FENCE
N	N'BOBS
OH	OVERHANG
OIP	OPEN TOP PIPE FOUND
(P)	PIPE
PC	PROPERTY CORNER
PL	PROPERTY
PT	PINE TREE
PB	POINT OF BEGINNING
POC	POINT OF COMMENCING
PP	POWER POLE
PW	POWER LINE
R	RECORD
PVC	POLYVINYL CHLORIDE PIPE
ROD	IRON ROD FOUND
RSF	IRON SPIKE FOUND
RBS	REINFORCED BAR SET
RCP	REINFORCED CONC. PIPE
R/W	RIGHT-OF-WAY
SN	SIGN
SSL	SANITARY SEWER LINE
SSE	SANITARY SEWER EASEMENT
SP	SCREENED PORCH
SW	SIDEWALK
TB	TOP OF BANK
TRP	TRAFFIC POLE
UE	UTILITY EASEMENT
WD	WOOD FENCE
WD	WOOD DECK
WL	WATER LINE
WM	WATER METER
WRF	WIRE FENCE
WW	WATER VALVE
WW	WET WEATHER
W/Y	YARD INLET

# 1866  
TOTAL LAND AREA  
13521.91 SF / 0.310 AC

ALLOWABLE LOT COVERAGE  
10817.53 SF / 0.248 AC / 80%

EXISTING LOT COVERAGE  
6836.74 SF / 0.157 AC / 50.6%

# 1874  
TOTAL LAND AREA  
5943.14 SF / 0.136 AC

ALLOWABLE LOT COVERAGE  
2080.10 SF / 0.048 AC / 35%

EXISTING LOT COVERAGE  
1761.03 SF / 0.040 AC / 29.6%

PARTS OF LOTS 1, 2 AND 3		BLOCK M		EXISTING CONDITIONS SURVEY PREPARED FOR: SHEET 1 OF 1	
EAST LAKE TERRACE NO.2 SUBDIVISION		UNIT		BREAKTHRU HOUSE	
LAND LOT 170 15TH DISTRICT		SECTION			
DEKALB COUNTY, GEORGIA DB.5784/PG.314 & DB.6453/PG.164 PB.7/PG.108					
FIELD WORK DATE APR 28, 2022		PRINTED/SIGNED MAY 10, 2022			
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		PAPER SIZE: 17" x 22"			
THE DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.					
LK COORD #20220702		SCALE 1" = 20'		SURVEY LAND EXPRESS, INC	
DWG #20220702				LAND SURVEYING SERVICES	
24 LENOX POINTE ATLANTA, GA 30324 FAX 404-601-0941 TEL 404-252-5747 INFO@SURVEYLANDEXPRESS.COM					
 <p>No. B197 PROFESSIONAL LAND SURVEYOR GENE A. STEPHENSON</p>					

IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION  
OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY  
WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW





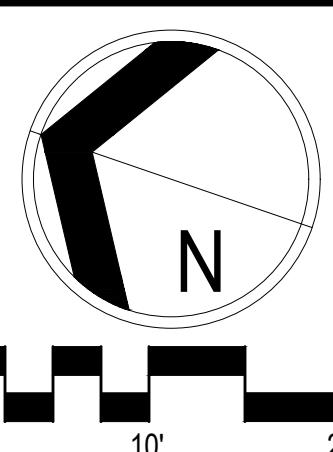


**Disclaimer**

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**DVS**  
DESIGN GROUP  
404-409-8029



GSWCC LEVEL CERTIFICATION: # 66078

Proposed:  
2 Parcels to be combined

15 170 13 040  
1866 - Eastfield Street  
15 170 13 042  
1874 - Eastfield Street

Total Combined Area: .45 Ac.  
After new R.O.W. expansion .40 Ac.

15th District  
Land Lot: 170  
East Lake Terrace  
No.2 Subdivision  
DeKalb County

Existing Property:  
1874 Zoned: R-75  
1866 Zoned: OI

Proposed Zoning:  
1874 Zoned: OI  
1866 Zoned: OI  
Combine to 1 Lot  
Zoned OI with new conditions.

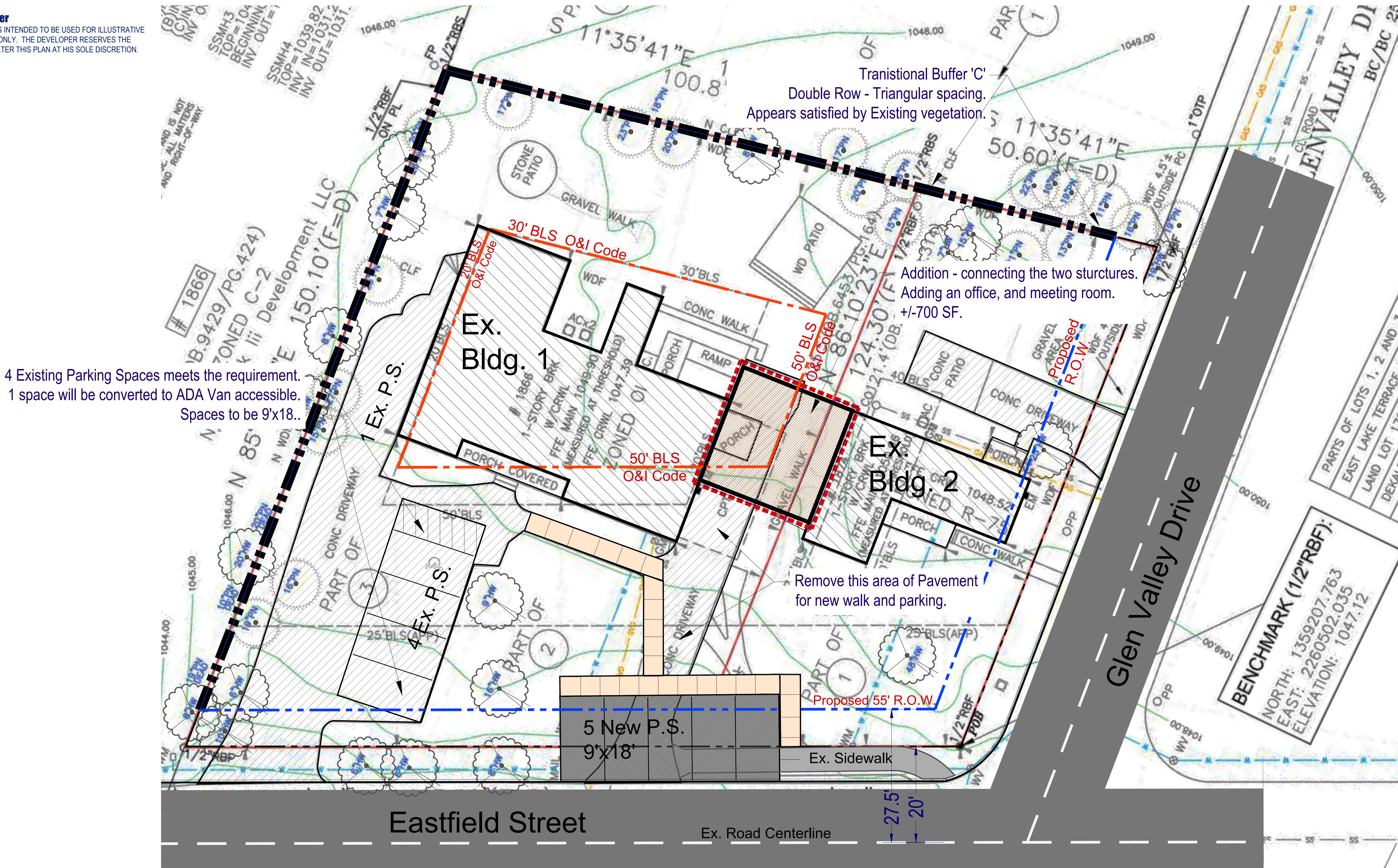
Prepared For:  
1866  
Breakthru House  
Contact: BreNita Jackson  
(404) 284-4658  
1866 Eastfield Street  
Decatur, GA 30032

Rev. Date | Description

Issued:  
**June 29, 2022**

Project No.  
**22-039a**

Sheet Title:  
**Site Plan**



NOTE: Refer to Sheet L1 for Existing Impervious Surface Area.

Parcel Address 15 170 13 040  
1866 - Eastfield Street

Ex. Imperious 6837 SF

Changed: ADD Follows:  
550 SF Hse Addition (Partial)  
7387 SF Total this Parcel

15 170 13 042  
1874 - EastField Street

Ex. Imperious 1761 SF

Changed: ADD Follows:  
150 SF Hse Addition (Partial)  
1911 SF Total this Parcel

Impervious Surface Area:  
7,387 SF 1866 - Eastfield Street  
1,911 SF 1874 - Eastfield Street

9,298 SF Combined

542 SF New Walks & Parking  
9,840 SF Total Impervious Area  
(This does not account for  
impervious area to removed)

**SITE PLAN NOTES:**

1. Bldg. Footprint for Additon: 700 SF. 1-Story. Refer to Architectural Plans for elevations & materials.
2. Proposed homes' design in process - all new structures will be to applicable codes. See Architectural Docs.
3. Density after Compiled Parcels: 1 Units on .45 Acres = 2.2 Units/Ac. (2 Ex. Bldgs. joined into 1)
4. Lot Coverage impervious surface is 9,840 SF or .57%
5. Parking Required for O&I Zoning. 1 P.S. per adult. 9 Staff on Site. Requires 9 P.S.
6. Parking on Plan: 4 Ex. P.S. 1 space converted to ADA accessible. ADD 5 P.S. at Street.
7. Open Space Calculations: 58 % (this does include, walkways, sitting Patio, Gardens, etc.)
8. Landscape (See Sheet L3a) - No trees to be removed.

9. Site is free of the 100 year floodplain, streams and buffers.  
10. Bldg. Addition complies with Rear BLS . Front of Addition is

sits further from Road than existing Bldg.

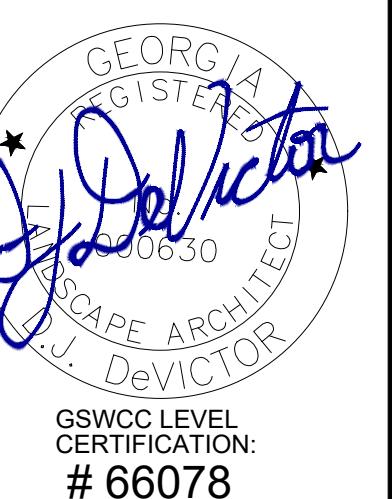
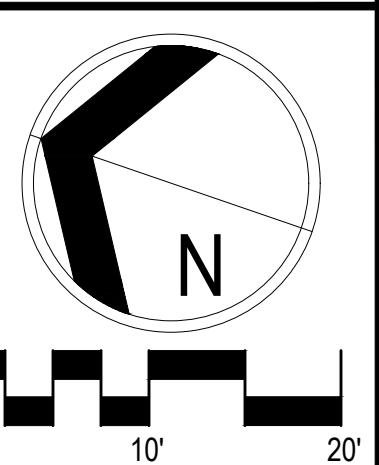
11. Adjacent properties on Back property line is R-75. The adjacent property to the south is OI.  
12. Transitional Buffer Zone C is largely addressed by the Existing Pines on that section of back line along Parcel 1866.

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**DVS**  
DESIGN GROUP  
404-409-8029



GSWCC LEVEL CERTIFICATION: # 66078

Proposed:  
2 Parcels to be combined  
15 170 13 040  
1866 - Eastfield Street  
15 170 13 042  
1874 - Eastfield Street  
Total Combined Area: .45 Ac.  
After new R.O.W. expansion .40 Ac.

15th District  
Land Lot: 170  
East Lake Terrace  
No.2 Subdivision  
DeKalb County

Existing Property:  
1874 Zoned: R-75  
1866 Zoned: OI

Proposed Zoning:  
1874 Zoned: OI  
1866 Zoned: OI  
Combine to 1 Lot  
Zoned OI with new conditions.

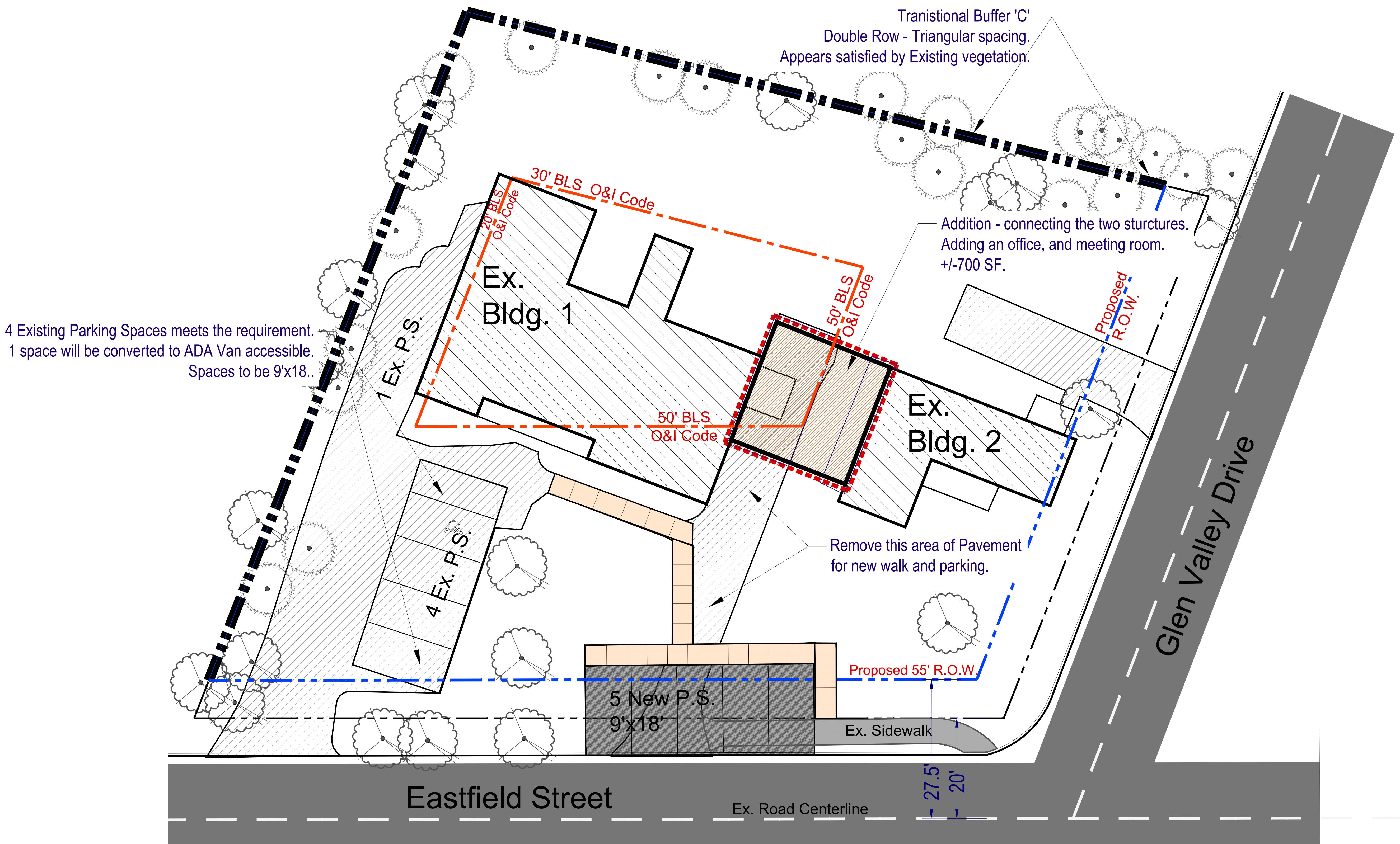
Prepared For:  
1866  
Breakthru House  
Contact: BreNita Jackson  
(404) 284-4658  
1866 Eastfield Street  
Decatur, GA 30032

Rev. Date | Description

Issued:  
**June 29, 2022**

Project No.  
**22-039a**

Sheet Title:  
**Site Plan**



NOTE: Refer to Sheet L1 for Existing Impervious Surface Area.

Parcel Address 15 170 13 040  
1866 - Eastfield Street

Ex. Imperious 6837 SF

Changed: ADD Follows:  
550 SF Hse Addition (Partial)  
7387 SF Total this Parcel

15 170 13 042  
1874 - Eastfield Street

Ex. Imperious 1761 SF

Changed: ADD Follows:  
150 SF Hse Addition (Partial)  
1911 SF Total this Parcel

Impervious Surface Area:  
7,387 SF 1866 - Eastfield Street  
1,911 SF 1874 - Eastfield Street

9,298 SF Combined

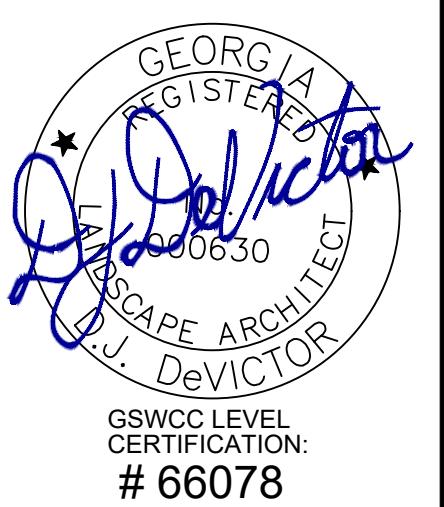
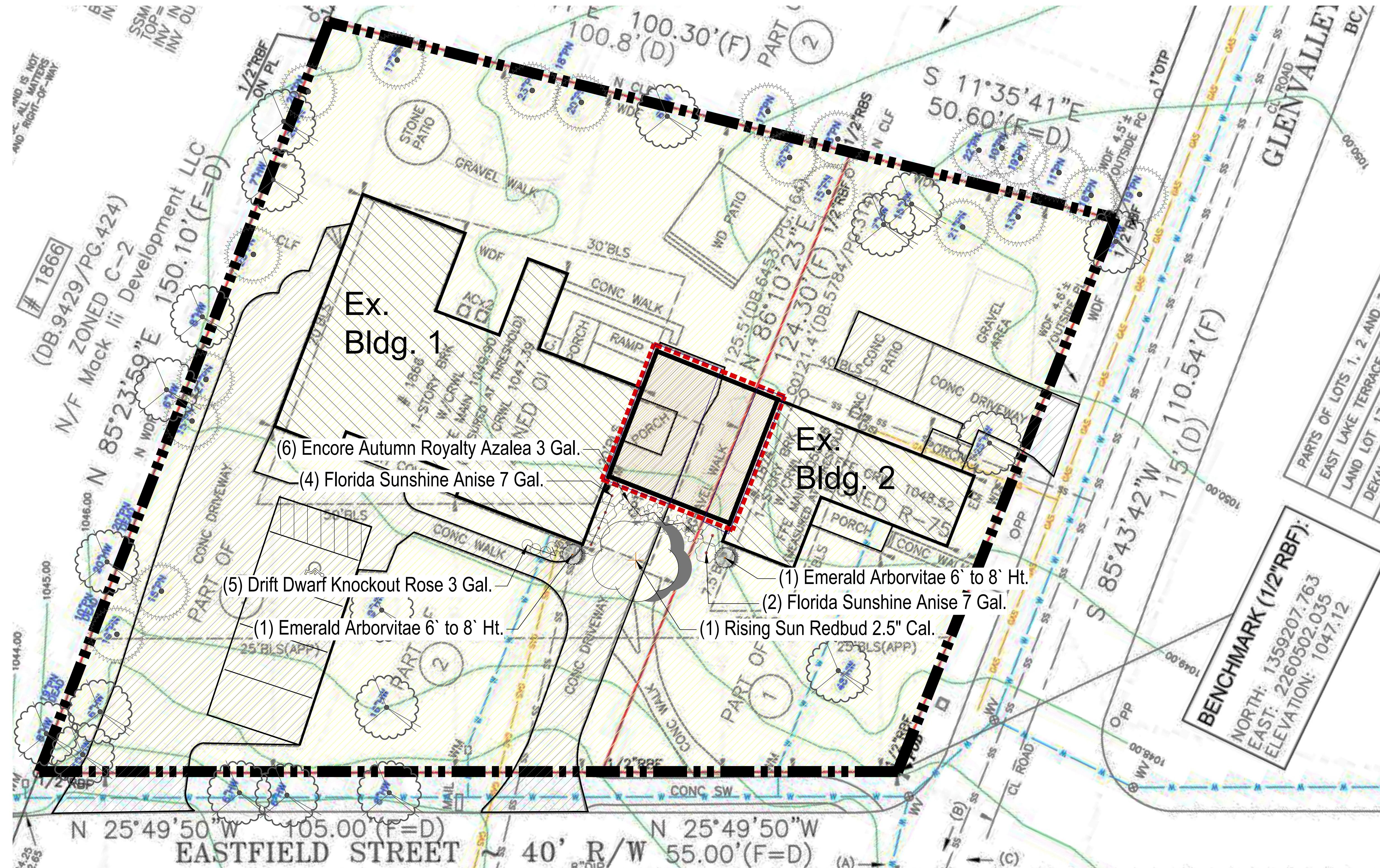
542 SF New Walks & Parking  
9,840 SF Total Impervious Area  
(This does not account for  
impervious area to be removed)

**SITE PLAN NOTES:**

1. Bldg. Footprint for Addition: 700 SF. 1-Story. Refer to Architectural Plans for elevations & materials.
2. Proposed homes' design in process - all new structures will be to applicable codes. See Architectural Docs.
3. Density after Compiled Parcels: 1 Units on .45 Acres = 2.2 Units/Ac. (2 Ex. Bldgs. joined into 1)
4. Lot Coverage impervious surface is 9,840 SF or .57%
5. Parking Required for O&I Zoning. 1 P.S. per adult. 9 Staff on Site. Requires 9 P.S.
6. Parking on Plan: 4 Ex. P.S. 1 space converted to ADA accessible. ADD 5 P.S. at Street.
7. Open Space Calculations: 58 % (this does include, walkways, sitting Patio, Gardens, etc.)
8. Landscape (See Sheet L3a) - No trees to be removed.
9. Site is free of the 100 year floodplain, streams and buffers.
10. Bldg. Addition complies with Rear BLS . Front of Addition is sits further from Road than existing Bldg.
11. Adjacent properties on Back property line is R-75. The adjacent property to the south is OI.
12. Transitional Buffer Zone C is largely addressed by the Existing Pines on that section of back line along Parcel 1866.

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Proposed:  
2 Parcels to be combined

15 170 13 040  
1866 - Eastfield Street  
15 170 13 042  
1874 - Eastfield Street

Total Combined Area: .45 Ac.

15th District  
Land Lot: 170  
East Lake Terrace  
No.2 Subdivision  
Dekalb County

Existing Property:  
1874 Zoned: R-75  
1866 Zoned: OI

Proposed Zoning:  
1874 Zoned: OI  
1866 Zoned: OI  
Combine to 1 Lot  
Zoned OI with new  
conditions.

Prepared For:  
1866  
Breakthru House  
Contact: BreNita Jackson  
(404) 284-4658  
1866 Eastfield Street  
Decatur, GA 30032

Rev. Date | Description

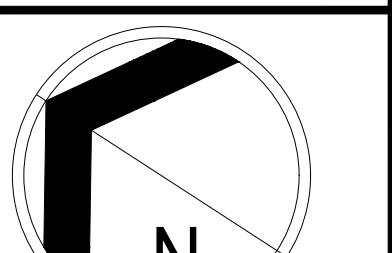
Issued:  
**June 25, 2022**

Project No.  
**22-039a**

Sheet Title:  
**Landscape Plan**



**DVS**  
DESIGN GROUP  
404-409-8029



The image shows a circular Georgia Registered Escape Architect stamp. The outer ring contains the text "GEORGIA REGISTERED ESCAPE ARCHITECT" with "R.E.A." in the center. The inner circle contains "D.J. DeVictor" and the number "000630". A large, handwritten signature "D.J. DeVictor" is written across the center of the stamp. Below the stamp, the text "GSWCC LEVEL CERTIFICATION: # 66078" is printed.

Proposed:  
2 Parcels to be combined

15 170 13 040  
1866 - Eastfield Street

15 170 13 042  
1874 - Eastfield Street

5th District  
Land Lot: 170  
East Lake Terrace  
No.2 Subdivision  
Dekalb County

Existing Property:  
1874 Zoned: R-75  
1866 Zoned: OI

Proposed Zoning:  
1874 Zoned: OI  
1866 Zoned: OI  
Combine to 1 Lot  
Zoned OI with new

Prepared For:  
**1866**  
**Breakthru House**  
Contact: BreNita Jackson  
(404) 284-4658  
1866 Eastfield Street

**Decatur, GA 30032**

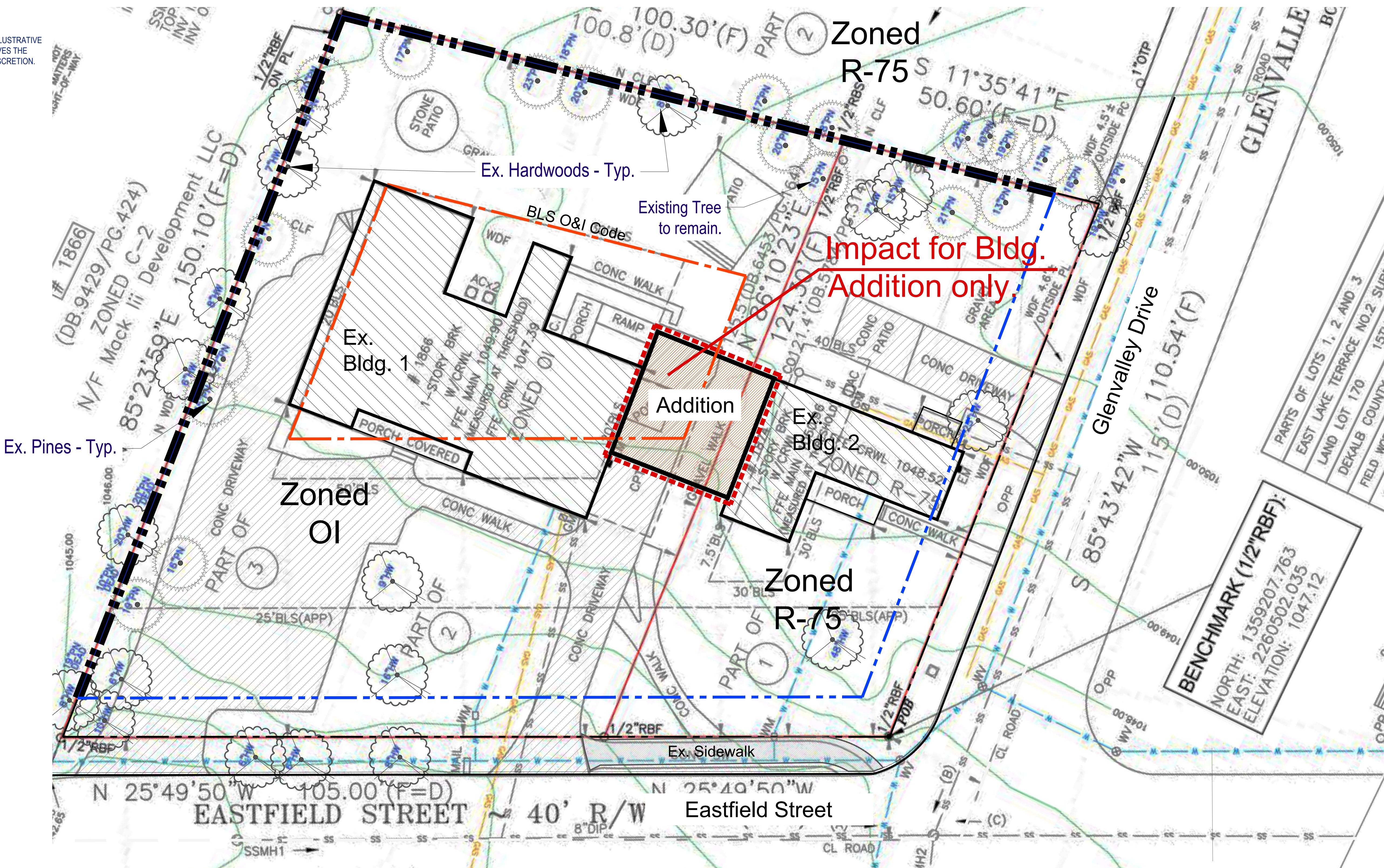
ev. | Date | Description

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Issued: **June 29, 2022**

Project No. 22-039a

1-2



Refer to Full Survey provided by Land Surveying Services - Sheet L-1

PARTS OF LOTS 1, 2 AND 3		BLOCK M	EXISTING CONDITIONS SURVEY PREPARED FOR: SHEET 1 OF	
EAST LAKE TERRACE NO.2 SUBDIVISION		UNIT	<b>BREAKTHRU HOUSE</b>	
LAND LOT 170	15TH DISTRICT	SECTION		
DEKALB COUNTY, GEORGIA DB.5784/PG.314 & DB.6453/PG.164 PB.7/PG.108			PROPERTY ADDRESS:	
FIELD WORK DATE APR 28, 2022	PRINTED/SIGNED MAY 10, 2022		1866 AND 1874 EASTFIELD STREET DECATUR, GA 30032	
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		PAPER SIZE: 17" x 22"		
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 100,000+ FEET. AN ELECTRONIC TOTAL STATION AND A 100' CHAIN WERE USED TO GATHER THE INFORMATION USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.				

### Initial Demolition - Impact Area:

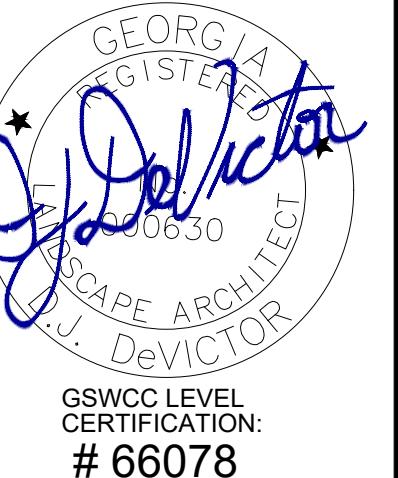
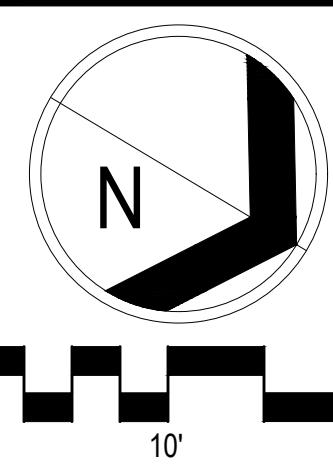
- Remove of portion of driveway and possibly walkway.  
No Trees to be removed.
- Site to be protected by Standard Erosion Control  
BMP's as required. (as delineated in subsequent LDP  
Submittal)

**Disclaimer**

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**DVS**  
DESIGN GROUP  
404-409-8029



GSWCC LEVEL CERTIFICATION: # 66078

Proposed:  
3 Parcels to be combined  
15 170 10 011  
1893 - Eastfield Street  
15 170 10 013  
1901 - Eastfield Street  
15 170 10 015  
1909 - Eastfield Street

Ex. Combined Area: .92 Ac.  
After new R.O.W. expansion: .85 Ac.

15th District  
Land Lot: 170  
East Lake Terrace  
No.2 Subdivision  
DeKalb County

**Existing Properties:**

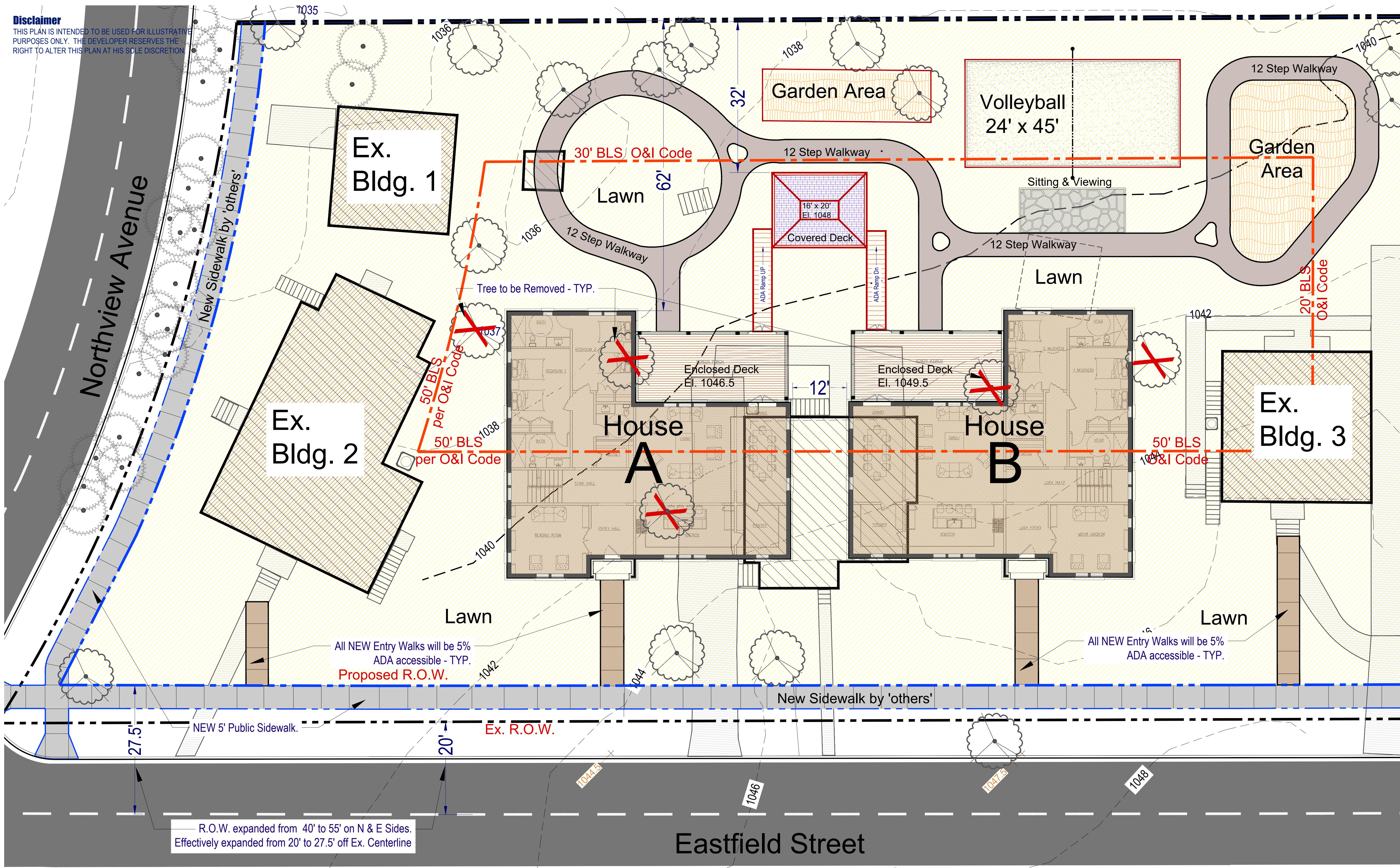
Property Zoned: R-75  
Proposed Zoning: OI

Prepared For:  
1901  
Breakthru House  
Contact: BreNita Jackson  
(404) 284-4658  
1901 Eastfield Street  
Decatur, GA 30032

Rev. Date | Description

Issued:  
**June 29, 2022**

Project No.  
**22-039**  
Sheet Title:  
**Site Plan**



NOTE: Refer to Sheet L1 for Existing Impervious Surface Area.

Parcel 15 170 10 011  
Address 1893 - Eastfield Street  
Ex. Impervious 2640 SF  
Unchanged

15 170 10 013  
1901 - Eastfield Street  
Ex. Impervious 2640 SF  
Changed NEW Follows:  
6298 SF Houses (Both Hse. & Porch 471 SF ea.)  
3029 SF Walkways  
490 SF Pavilion  
9197 SF Total this Parcel  
(This does not account for impervious area to removed)

15 170 10 015  
1909 - EastField Street  
Ex. Impervious 3141 SF  
Unchanged

Impervious Surface Area:  
2,640 SF 1893 - Eastfield Street  
9,197 SF 1901 - Eastfield Street  
3,141 SF 1909 - EastField Street  
14,978 SF TOTAL Combined  
(This does not account for impervious area to removed)

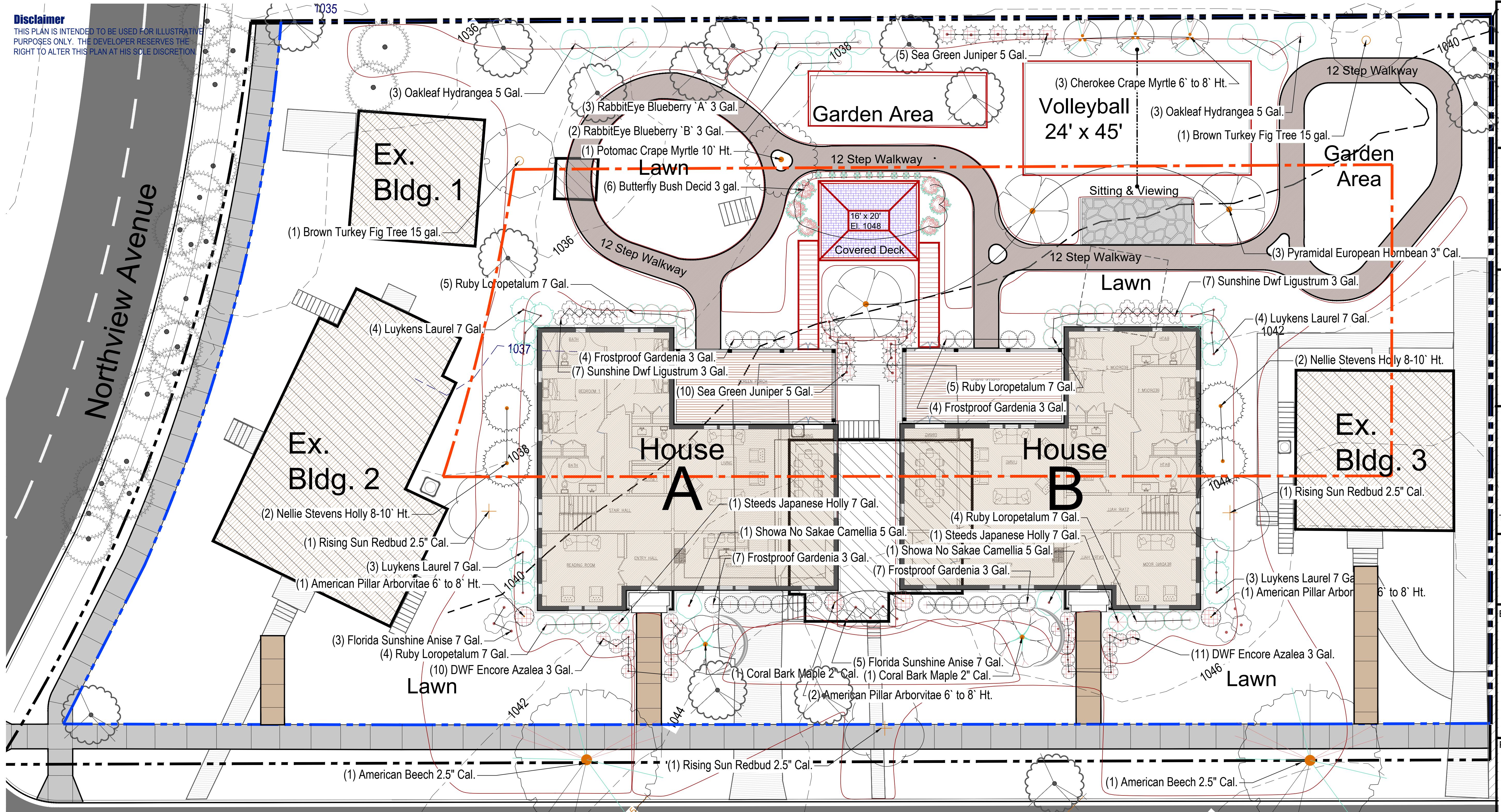
**SITE PLAN NOTES:**

1. Bldg. Footprint for each is 2,678 SF. 2-Story. 5,330 SF (NIC unfinished basement)
2. Proposed homes' design in process - all new structures will be to applicable codes. See Architectural Docs.
3. Density after Compiled Parcels: 4 Units on .85 Acres = 4.7 Units/Ac.
4. Lot Coverage impervious surface is 14,978 SF or 40%
5. Parking Required for O&I Zoning: 1 P.S. per each Staff and Adult Client. Plus 1 P.S. per every 3 beds.
6. No Added parking shown on the plan.
7. Open Space Calculations: 73% (This does include walkways, sitting Patio, Gardens, and Volleyball)

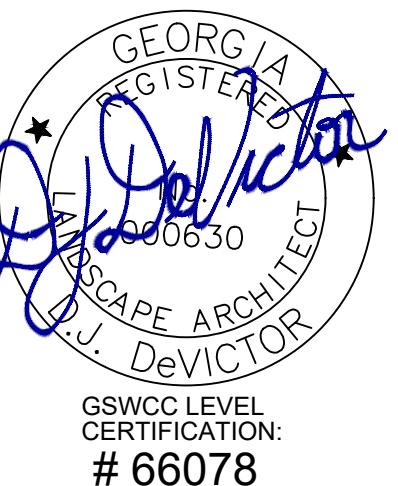
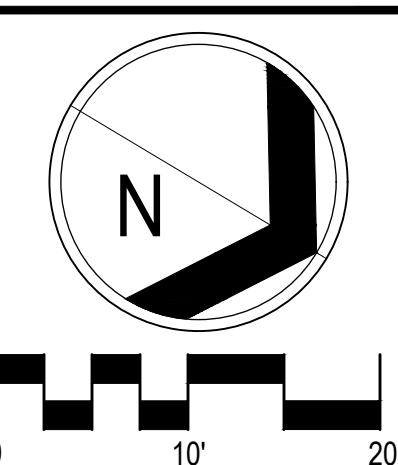
8. Landscape (See Sheet L3a) - Buffers are Not Applicable. Estimated 5 Trees to be removed. 20+ Trees proposed.
9. Site is free of the 100 year floodplain, streams and buffers.
10. Bldg. Line Setback - 'BLS' are shown as required by O&I.
11. Adjacent properties on Back property line are C-1 & C-2. The Right Side (North) property is C-1.

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**DVS**  
DESIGN GROUP  
404-409-8029



Proposed:  
3 Parcels to be combined  
15 170 10 011  
1893 - Eastfield Street  
15 170 10 013  
1901 - Eastfield Street  
15 170 10 015  
1909 - Eastfield Street

Total Combined Area: .92 Ac.  
15th District  
Land Lot: 170  
East Lake Terrace  
No.2 Subdivision  
DeKalb County

Existing Properties:  
Property Zoned: R-75  
Proposed Zoning: OI

Prepared For:  
1901  
Breakthru House  
Contact: BreNita Jackson  
(404) 284-6558  
1901 Eastfield Street  
Decatur, GA 30032

Rev. Date | Description

Issued:  
**June 29, 2022**

Project No.  
**22-039**

Sheet Title:  
**Landscape Plan**

**L-3a**

**PLANT SCHEDULE**

TREES	BOTANICAL NAME	COMMON NAME	SIZE	SPECIFICATION	SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER
2	Acer palmatum 'Sango Kaku'	Coral Bark Maple	2" Cal.	Specimen	6	Buddleja davidii	Butterfly Bush Decid	3 gal.	Full in Pot, Dense Rootball
3	Carpinus betulus 'Fastigiata'	Pyramidal European Hornbeam	3" Cal.	Full, Well Branched	2	Camellia sasanqua 'Showa-No-Sakae'	Showa No Sakae Camellia	5 Gal.	Full in Pot, Dense Rootball
3	Cercis canadensis 'Rising Sun'	Rising Sun Redbud	2.5" Cal.	Full, Well Branched	22	Gardenia jasminoides 'Frostproof'	Frostproof Gardenia	3 Gal.	Full in Pot, Dense Rootball
2	Fagus grandifolia	American Beech	2.5" Cal.	Full, Well Branched	9	Hosta x	Hosta 'varieties'	1 Gal.	
2	Ficus carica 'Brown Turkey'	Brown Turkey Fig Tree	15 gal.	Full in Pot, Dense Rootball	6	Hydrangea quercifolia	Oakleaf Hydrangea	5 Gal.	Full in Pot, Dense Rootball
4	Ilex x 'Nellie R Stevens'	Nellie Stevens Holly	8-10' Ht.	Branched to Ground	2	Ilex crenata 'Steeds'	Steeds Japanese Holly	7 Gal.	Full in Pot, Dense Rootball
3	Lagerstroemia indica 'Cherokee'	Cherokee Crape Myrtle	6' to 8' Ht.	Full, 3 Cane Min., 1 1/2" Cane Min.	11	Illicium parviflorum 'Florida Sunshine'	Florida Sunshine Anise	7 Gal.	Full in Pot, Dense Rootball
1	Lagerstroemia indica 'Potomac'	Potomac Crape Myrtle	10' Ht.	Full, 3 Cane Min., 1 1/2" Cane Min.	15	Juniperus chinensis 'Sea Green'	Sea Green Juniper	5 Gal.	Full in Pot, Dense Rootball
4	Thuja occidentalis 'American Pillar'	American Pillar Arborvitae	6' to 8' Ht.	Matched	14	Ligustrum sinense 'Sunshine'	Sunshine Dwf Ligustrum	3 Gal.	Full in Pot, Dense Rootball
					18	Loropetalum chinense 'Ruby'	Ruby Loropetalum	7 Gal.	Full in Pot, Dense Rootball
					14	Prunus laurocerasus 'Otto Luyken'	Luykens Laurel	7 Gal.	Full in Pot, Dense Rootball
					22	Rhododendron x 'Robled' TM Autumn Chiffon	DWF Encore Azalea	3 Gal.	Full in Pot, Dense Rootball
					3	Vaccinium ashei 'Alapaha'	RabbitEye Blueberry 'A'	3 Gal.	Full in Pot, Dense Rootball
					2	Vaccinium ashei 'Vernon'	RabbitEye Blueberry 'B'	3 Gal.	Full in Pot, Dense Rootball





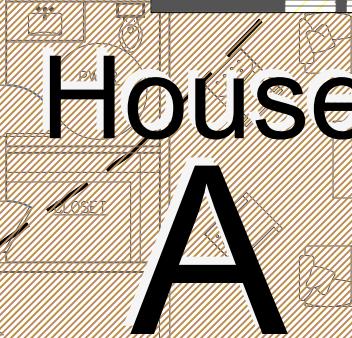
**DVS**  
DESIGN GROUP  
404-409-8029

## **Disclaimer**

THIS PLAN IS INTENDED TO BE USED FOR ILLUSTRATIVE PURPOSES ONLY. THE DEVELOPER RESERVES THE RIGHT TO ALTER THIS PLAN AT HIS SOLE DISCRETION.

# Northview Avenue

**Ex.  
Bldg. 2**



# House A

# Ex. Bldg. 3

**Disclaimer**  
THIS PLAN IS INTENDED TO BE USED FOR ILLUSTRATIVE PURPOSES ONLY. THE DEVELOPER RESERVES THE RIGHT TO ALTER THIS PLAN AT HIS SOLE DISCRETION.

**Northview Avenue**

**Eastfield Street**

**Ex. Bldg. 1**

**Ex. Bldg. 2**

**Ex. Bldg. 3**

**House A**

**House B**

**Garden Area**

**Volleyball**  
24' x 45'

**12 Step Walkway**

**Lawn**

**16' x 20'**  
EL. 1048

**Covered Deck**

**12 Step Walkway**

**Sitting & Viewing**

**12 Step Walkway**

**Lawn**

**Enclosed Deck**  
EL. 1046.5

**Enclosed Deck**  
EL. 1049.5

**Mulch or River Rock**

**1035**

**1036**

**1036.5**

**1044**

**1044.5**

**1046**

**1046.4**

**1046.5**

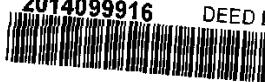
**1047.5**

**1048**

**New Sidewalk by 'others'**

# Master Plan for 1901 Breakthru House Campus

L-4

2014099916 DEED BOOK  


24471 Pg 734

Real Estate Transfer Tax \$0.00

Filed and Recorded:  
7/14/2014 2:44:10 PM  
Debra DeBerry  
Clerk of Superior Court  
DeKalb County, Georgia

PREPARED BY AND RETURN TO:  
JULIE CHILDS, ESQ.  
MCCLAIN & MERRITT, P.C.  
3445 PEACHTREE ROAD NE, #500  
Atlanta, Georgia 30326-1276

### LIMITED WARRANTY DEED

THIS INDENTURE made as of June 20, 2014, between ACTION MINISTRIES, INC. (fka Urban Action, Inc.), a Georgia non-profit corporation, of DeKalb County, Georgia, as Grantor, and BREAKTHRU HOUSE, INC., a Georgia non-profit corporation, of DeKalb County, Georgia, Grantee, the words "Grantor" and "Grantee" to include their respective successors and assigns where the context requires or permits.

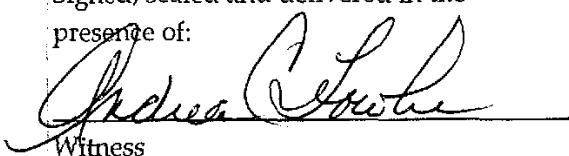
For and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby grant, transfer and convey to Grantee all that tract or parcel of land lying and being in Land Lot 170 of the 15<sup>th</sup> District of DeKalb County, Georgia, being more particularly described on Exhibit A attached hereto and incorporated by reference herein.

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

The Grantor will warrant and forever defend the right and title to the said premises unto Grantee against the claims of all persons owning, holding or claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has caused this Limited Warranty Deed to be executed and delivered under seal as of the day and year first above written.

Signed, sealed and delivered in the presence of:



Witness

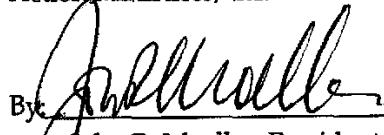


Notary Public

My commission expires: 5/7/2016

Action Ministries, Inc.

By



John R. Moeller, President

Attest:



Carol Adams, Secretary

[SEAL]

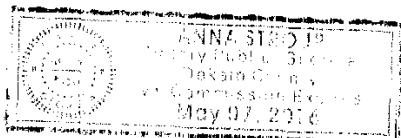


EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 170 of the 15<sup>th</sup> Distribute of DeKalb County, Georgia, being more particularly described as follows:

BEGINNING at an iron pin on the northeasterly side of Eastfield Street, 55 feet northwesterly, as measured along the northeasterly side of Eastfield Street, from its intersection with the northerly side of Glenvalley Drive (formerly Hillside Avenue); running thence northeasterly 121.4 feet to an iron pin; running thence northwesterly 100.8 feet to a fence corner; running thence southwesterly 150.1 feet to an iron pin on the northeasterly side of Eastfield Street; running southeasterly along the northeasterly side of Eastfield Street 105 feet to the iron pin at the point of beginning, and at said point forming an interior angle of 112 degrees 29 minutes with the first described course; being a portion of Lots 2 and 3, Block M, East lake Terrace Subdivision, No. 2, according to the plat of record at Plat Book 7, Page 108, DeKalb County Records; and being improved property known as 1866 Eastfield Street, according to the present system of numbering houses in DeKalb County, Georgia.

2014099914 DEED BOOK

24471 Pg 731



Filed and Recorded:

7/14/2014 2:44:10 PM

Debra DeBerry

Clerk of Superior Court  
DeKalb County, Georgia

Real Estate Transfer Tax \$0.00

PREPARED BY AND RETURN TO:

Julie Childs, Esq.  
McLain & Merritt, P.C.  
3445 Peachtree Road NE, #500  
Atlanta, Georgia 30326-1276

**LIMITED WARRANTY DEED**

THIS INDENTURE made as of June 20, 2014, between ACTION MINISTRIES, INC. (fka Urban Action, Inc.), a Georgia non-profit corporation, of DeKalb County, Georgia, as Grantor, and BREAKTHRU HOUSE, INC., a Georgia non-profit corporation, of DeKalb County, Georgia, Grantee, the words "Grantor" and "Grantee" to include their respective successors and assigns where the context requires or permits.

For and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby grant, transfer and convey to Grantee all that tract or parcel of land lying and being in Land Lot 170 of the 15<sup>th</sup> District of DeKalb County, Georgia, being more particularly described on Exhibit A attached hereto and incorporated by reference herein.

This deed is accepted in trust, that the above-described premises shall be kept, maintained and disposed of for the benefit of The United Methodist Church and subject to the usage and The Discipline of The United Methodist Church. this provision is solely for the benefit of Grantee, and Grantor reserves no right or interest in said premises.

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

The Grantor will warrant and forever defend the right and title to the said premises unto Grantee against the claims of all persons owning, holding or claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has caused this Limited Warranty Deed to be executed and delivered under seal as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Anna Strou  
Witness

Q  
Notary Public

My commission expires: 5/7/2016

Action Ministries, Inc.

By: John R. Moeller  
John R. Moeller, President

Attest: Carol Adams  
Carol Adams, Secretary

[SEAL]

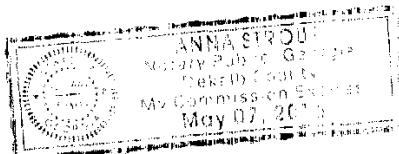


EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 170 of the 15<sup>th</sup> District of DeKalb County, Georgia, being part of Lot 1, East Lake Terrace No. 2 Subdivision, as per plat recorded in Plat Book 7, page 108, DeKalb County, Georgia records, and being more particularly described as follows: Beginning at a point at the intersection formed by the north side of Glen Valley Drive, also known as Glenvalley Drive, with the northeasterly side of Eastfield Street; running thence northwesterly along the northeasterly side of Eastfield Street, 55.0 feet to a point; running thence easterly 125.5 feet to a point; running thence southeasterly 50.6 feet to a point on the north side of Glen Valley Drive; running thence west along the north side of Glen Valley Drive 115.0 feet to the point of beginning; being improved property having situated thereon a one story brick dwelling house known as no. 1874 Eastfield Street, according to the present system of numbering houses in DeKalb County, Georgia; and being the same property shown on individual survey by A. E. Vaughn, Surveyor, dated April 30, 1971.

2014099912

DEED BOOK

**24471 Pg 728**



Filed and Recorded:

7/14/2014 2:44:10 PM

Real Estate Transfer Tax \$0.00

Debra DeBerry  
Clerk of Superior Court  
DeKalb County, Georgia

PREPARED BY AND RETURN TO:  
JULIE CHILDS, Esq.  
MCCLAIN & MERRITT, P.C.  
3445 PEACHTREE ROAD NE, #500  
Atlanta, Georgia 30326-1276

**LIMITED WARRANTY DEED**

THIS INDENTURE made as of June 20, 2014, between ACTION MINISTRIES, INC. (fka Urban Action, Inc.), a Georgia non-profit corporation, of DeKalb County, Georgia, as Grantor, and BREAKTHRU HOUSE, INC., a Georgia non-profit corporation, of DeKalb County, Georgia, Grantee, the words "Grantor" and "Grantee" to include their respective successors and assigns where the context requires or permits.

For and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby grant, transfer and convey to Grantee all that tract or parcel of land lying and being in Land Lot 170 of the 15<sup>th</sup> District of DeKalb County, Georgia, being more particularly described on Exhibit A attached hereto and incorporated by reference herein.

This deed is accepted in trust, that the above-described premises shall be kept, maintained and disposed of for the benefit of The United Methodist Church and subject to the usage and The Discipline of The United Methodist Church. this provision is solely for the benefit of Grantee, and Grantor reserves no right or interest in said premises.

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

The Grantor will warrant and forever defend the right and title to the said premises unto Grantee against the claims of all persons owning, holding or claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has caused this Limited Warranty Deed to be executed and delivered under seal as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Andrea Stroupe  
Witness

40  
Notary Public

My commission expires: 5/7/2016

ction Ministries, Inc.

By:

John R. Moeller  
John R. Moeller, President

Attest:

Carol Adams  
Carol Adams, Secretary

[SEAL]

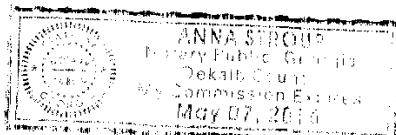


EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 170 of the 15<sup>th</sup> District, DeKalb County, Georgia, being lot 12 of Block "0" of East Lake Terrace, No. 2, according to a plat thereof recorded in Plat Book 7, page 108, of the DeKalb County Records, and being more particularly described as follows:

BEGINNING at a point on the southwest side of Eastfield Street two hundred fifty and six-tenths (250.6) feet north, as measured along the southwest side of said street, from its intersection with the northern line of Northview Avenue, and which point is at the northeastern corner of Lot 13, of said block and subdivision; thence northwesterly along the southwest side of Eastfield Street fifty (50) feet to the southeast corner of Lot 11, of said block and subdivision; thence southwesterly along the southeast line of said Lot 11 a distance of one hundred and fifty (150) feet to the southwest corner of said Lot 11; thence southeasterly fifty (50) feet to the northwest corner of said Lot 13; thence northeasterly along the northwest line of said Lot 13 a distance of one hundred and fifty (150) feet to the point of beginning; being improved property known as No. 1893 Eastfield Street (previously known as 1895 Eastfield Street), according to the present system of numbering houses on said street.

2014099918 DEED BOOK  


24471 Pg 737

Filed and Recorded:

7/14/2014 2:44:10 PM

Debra DeBerry

Clerk of Superior Court  
DeKalb County, Georgia

Real Estate Transfer Tax \$0.00

PREPARED BY AND RETURN TO:  
JULIE CHILDS, ESQ.  
MCALPIN & MERRITT, P.C.  
3445 PEACHTREE ROAD NE, #500  
Atlanta, Georgia 30326-1276

**LIMITED WARRANTY DEED**

THIS INDENTURE made as of June 20, 2014, between ACTION MINISTRIES, INC. (fka Urban Action, Inc.), a Georgia non-profit corporation, of DeKalb County, Georgia, as Grantor, and BREAKTHRU HOUSE, INC., a Georgia non-profit corporation, of DeKalb County, Georgia, Grantee, the words "Grantor" and "Grantee" to include their respective successors and assigns where the context requires or permits.

For and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby grant, transfer and convey to Grantee all that tract or parcel of land lying and being in Land Lot 170 of the 15<sup>th</sup> District of DeKalb County, Georgia, being more particularly described on Exhibit A attached hereto and incorporated by reference herein.

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

The Grantor will warrant and forever defend the right and title to the said premises unto Grantee against the claims of all persons owning, holding or claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has caused this Limited Warranty Deed to be executed and delivered under seal as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness

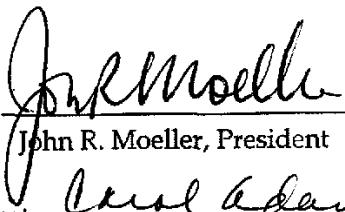
  
Anna Bowe

Notary Public

My commission expires: 5/7/2011

Action Ministries, Inc.

By:

  
John R. Moeller

President

Attest:

  
Carol Adams

Secretary

[SEAL]



EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 170 of the 15<sup>th</sup> District, DeKalb County, Georgia, being lots 13, 14 and 15, Block 0, of East Lake Terrace, No. 2, as per plat recorded in Plat Book 7, Pages 108 and 109, DeKalb County Records, which plat is incorporated herein by this reference and made a part of this description; being known as 1901 Eastfield Street, Decatur, Georgia, according to the present system of numbering houses in DeKalb County, Georgia.

2014099920

DEED BOOK **24471 Pg 740**



Real Estate Transfer Tax \$0.00

Filed and Recorded:

7/14/2014 2:44:10 PM

Debra DeBerry

Clerk of Superior Court  
DeKalb County, Georgia

PREPARED BY AND RETURN TO:

JULIE CHILDS, ESQ.  
MCCLAIN & MERRITT, P.C.  
3445 PEACHTREE ROAD NE, #500  
Atlanta, Georgia 30326-1276

**LIMITED WARRANTY DEED**

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For and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby grant, transfer and convey to Grantee all that tract or parcel of land lying and being in Land Lot 170 of the 15<sup>th</sup> District of DeKalb County, Georgia, being more particularly described on Exhibit A attached hereto and incorporated by reference herein.

This deed is accepted in trust, that the above-described premises shall be kept, maintained and disposed of for the benefit of The United Methodist Church and subject to the usage and The Discipline of The United Methodist Church. this provision is solely for the benefit of Grantee, and Grantor reserves no right or interest in said premises.

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

The Grantor will warrant and forever defend the right and title to the said premises unto Grantee against the claims of all persons owning, holding or claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has caused this Limited Warranty Deed to be executed and delivered under seal as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Sadie C. Moeller  
Witness

O. O.  
Notary Public

My commission expires: 5/7/2016

Action Ministries, Inc.

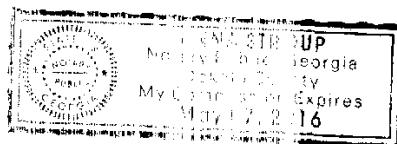
By:

John R. Moeller  
John R. Moeller, President

Attest:

Carol Adams  
Carol Adams, Secretary

[SEAL]



170<sup>Q</sup>

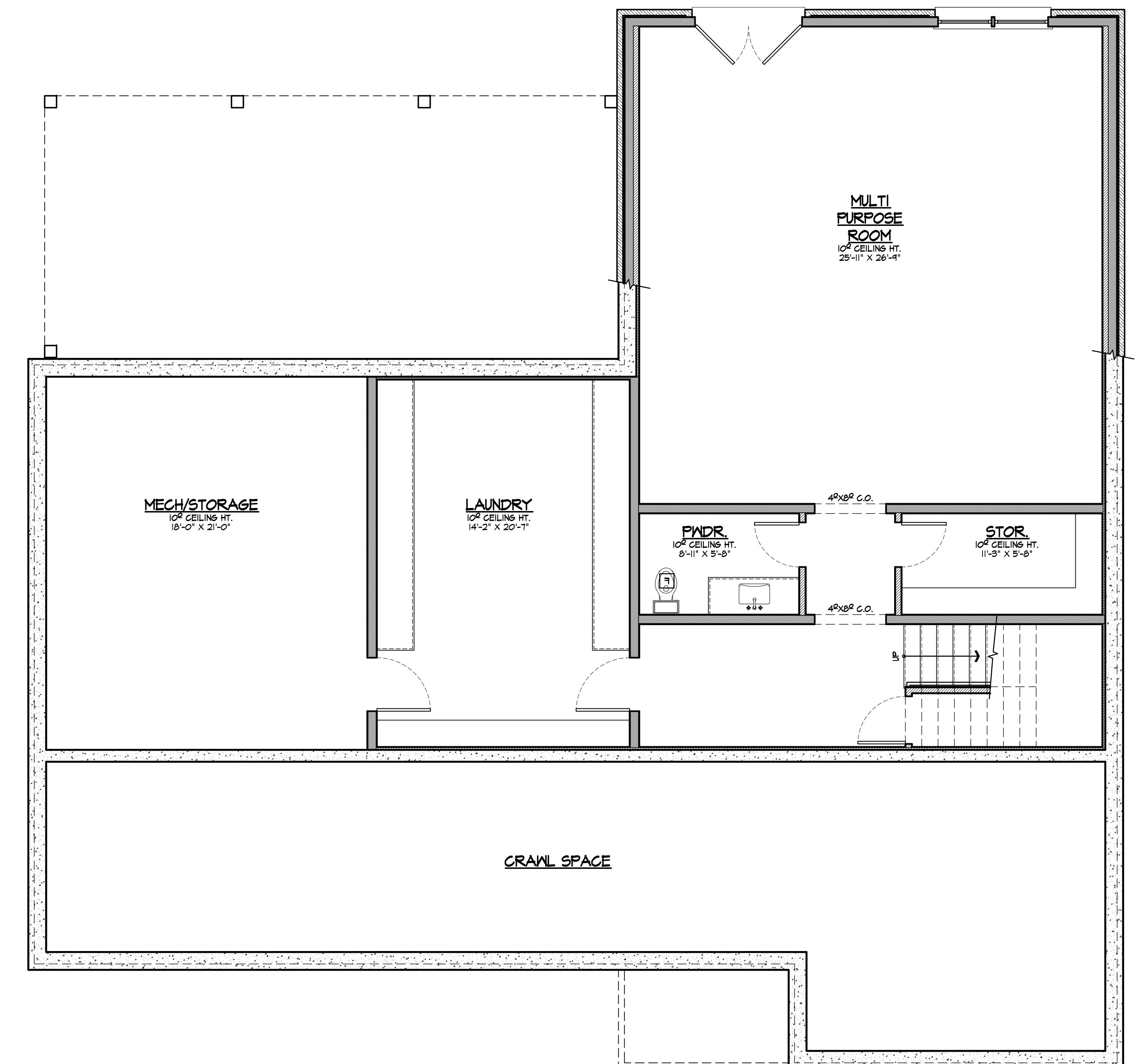
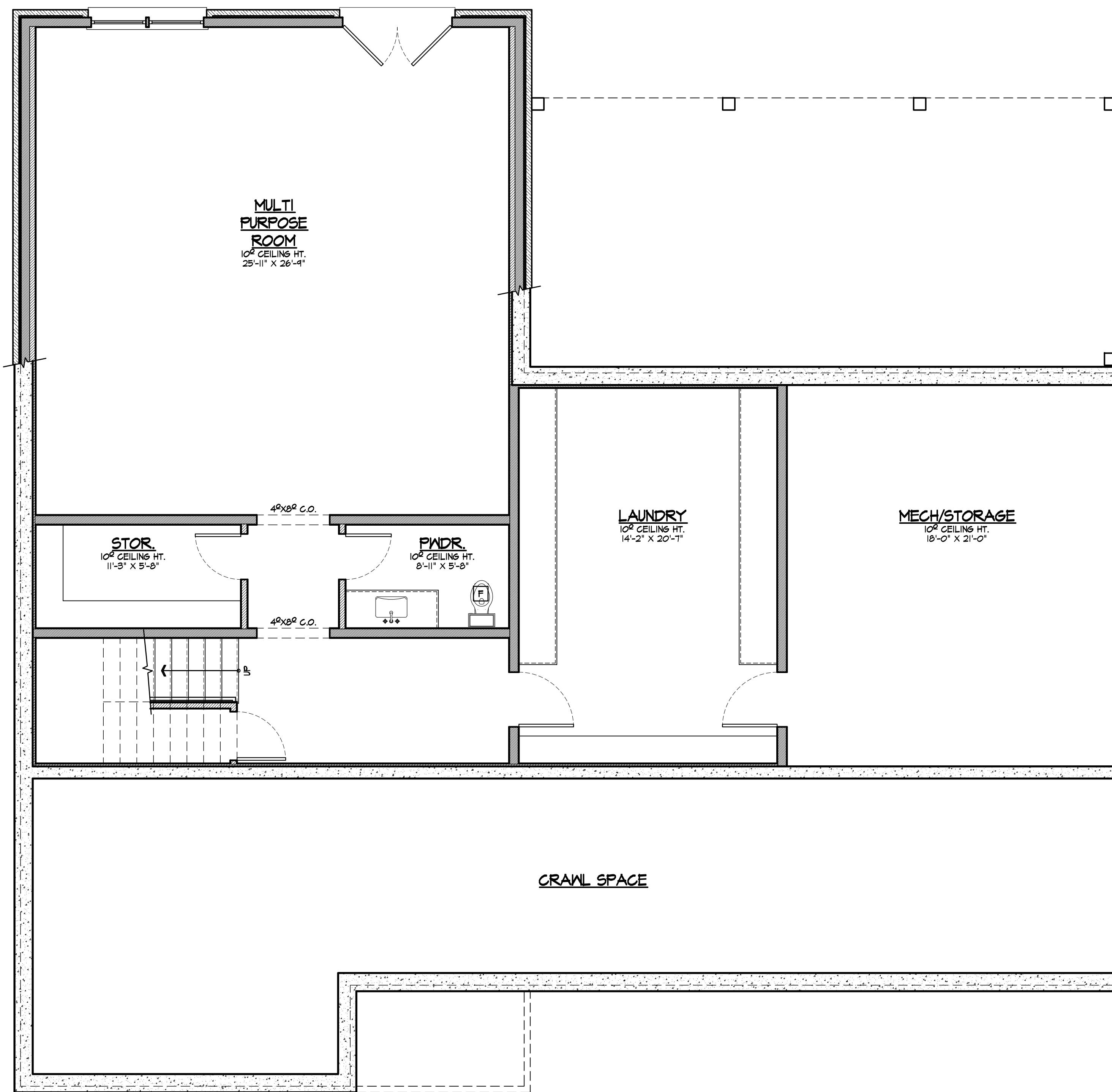
EXHIBIT A

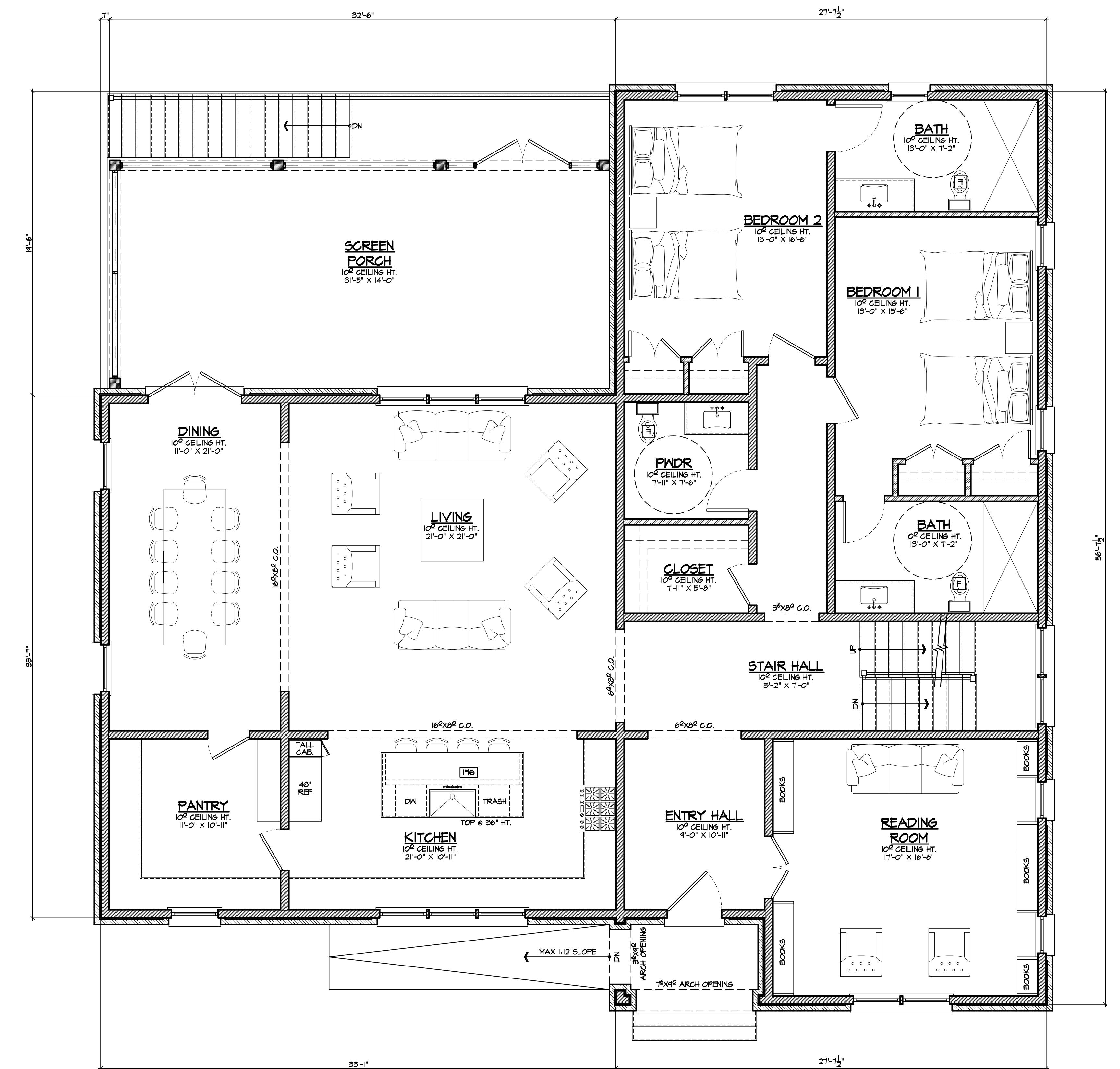
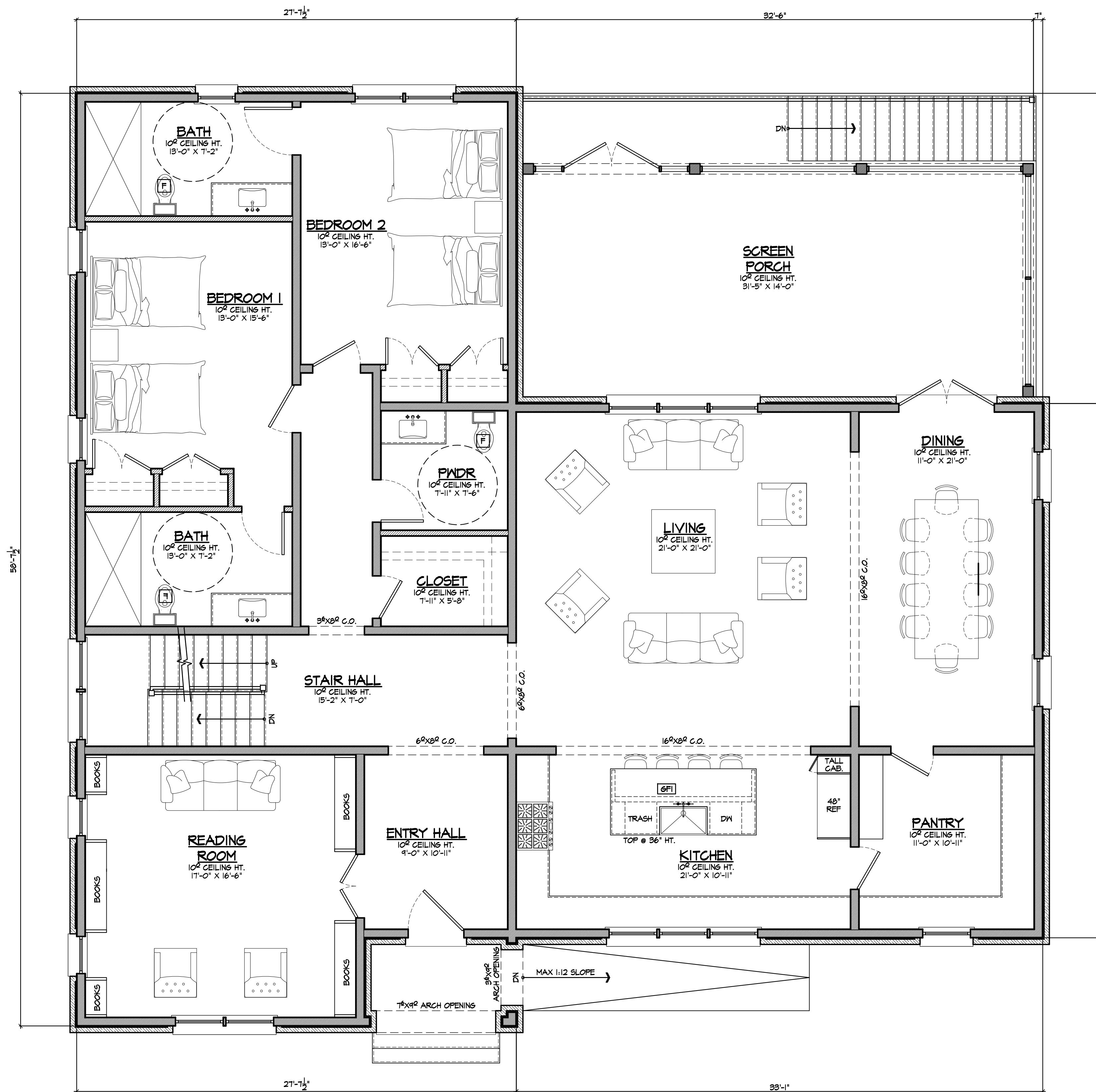
All that tract or parcel of land lying and being in Land Lot 170 of the 15<sup>th</sup> District of DeKalb County, Georgia, being Lot 16, Block "0" of East Lake Terrace, No. 2, as per plat recorded at Plat Book 7, page 108, DeKalb County Records, which plat is incorporated herein for a more complete description, being improved property known as No. 1909 Eastfield Street, according to the present system of numbering houses in DeKalb County, Georgia.

# BREAKTHRU HOUSE A&B

1893, 1901 AND 1909 EASTFIELD STREET  
DECATUR, GEORGIA 30032

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BREAKTHRU HOUSE A&B

1893, 1901 AND 1909 EASTFIELD STREET

DECATUR, GEORGIA 30032

1893, 1901 AND 1909 EASTFIELD STREET

DECATUR, GEORGIA 30032

NOT RELEASED FOR CONSTRUCTION

date 2022.06.14  
scale 1/4" = 1'-0"  
drawn HB checked GB  
title MAIN LEVEL FLOOR PLAN  
sheet number A-2.01

NOT RELEASED FOR CONSTRUCTION

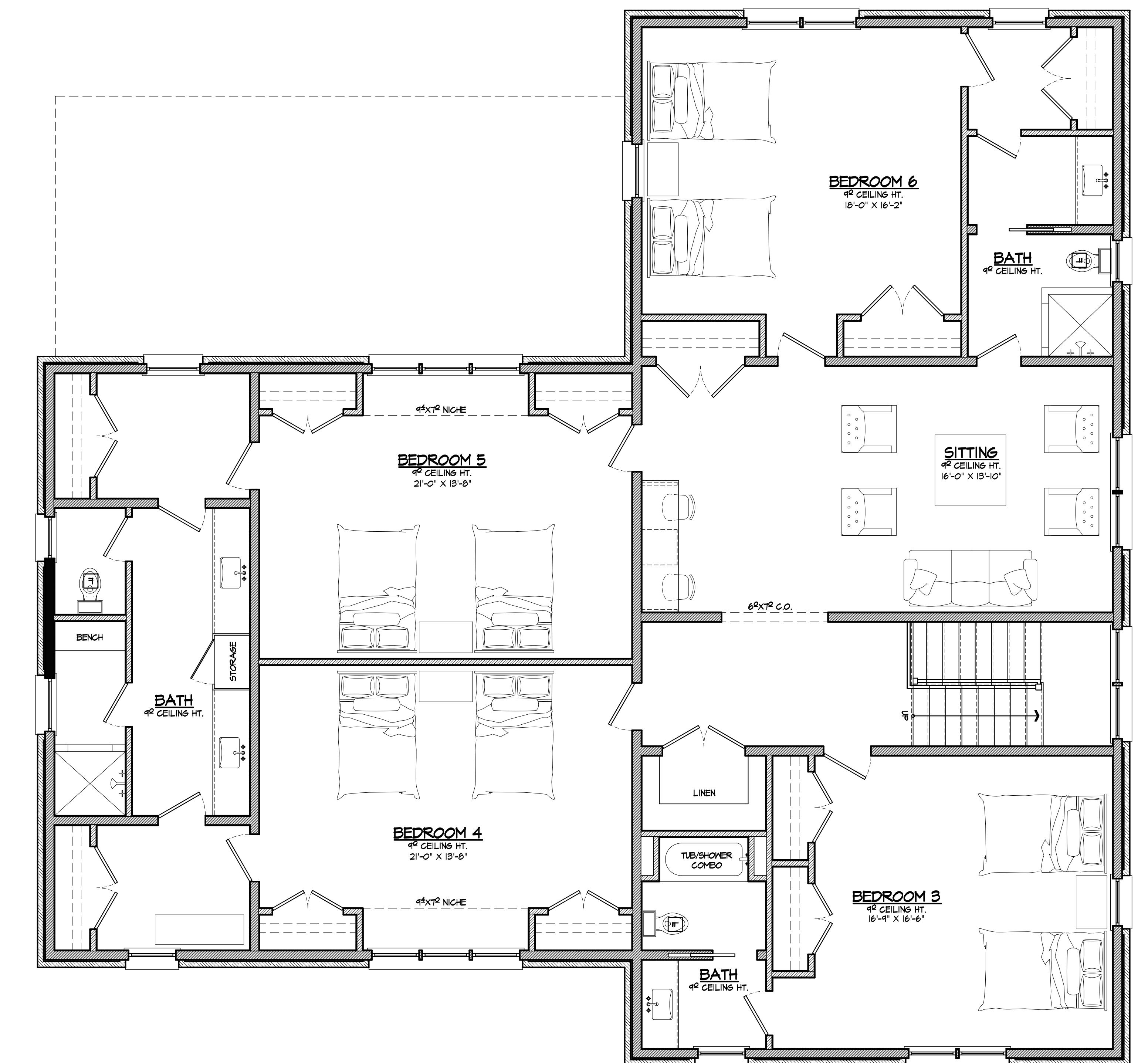
## BREAKTHRU HOUSE A&amp;B

1893, 1901 AND 1909 EASTFIELD STREET

DECATUR, GEORGIA 30022



1  
A-2.02 HOUSE A - UPPER LEVEL FLOOR PLAN  
SCALE: 1/4" = 1'-0"



2  
A-2.02 HOUSE B - UPPER LEVEL FLOOR PLAN  
SCALE: 1/4" = 1'-0"

date 2022.06.14  
scale 1/4" = 1'-0"  
drawn HB checked GB  
title UPPER LEVEL FLOOR PLAN  
sheet number A-2.02

NOT RELEASED FOR CONSTRUCTION

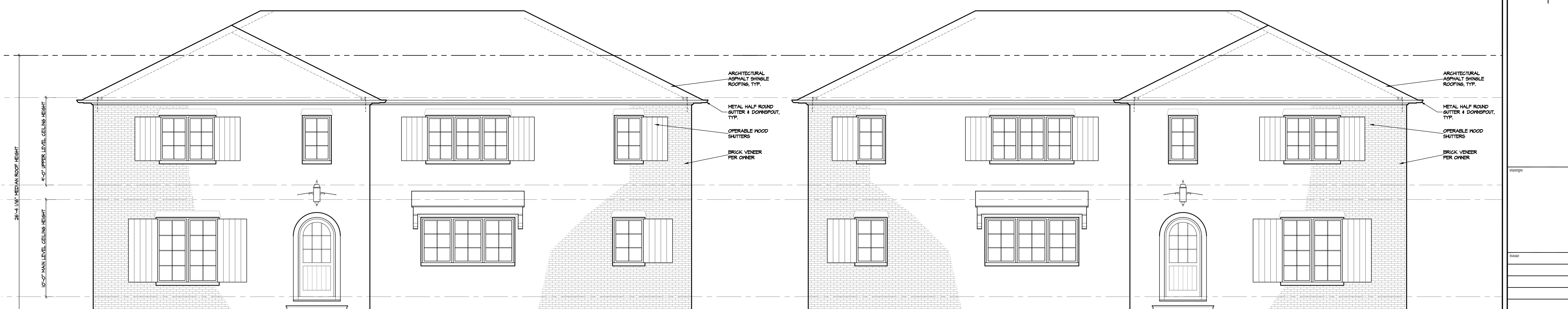


## BREAKTHRU HOUSE A&amp;B

1893, 1901 AND 1909 EASTFIELD STREET

DECATUR, GEORGIA 30022

NOT RELEASED FOR CONSTRUCTION



1  
A-3.00  
HOUSE A - FRONT ELEVATION  
SCALE: 1/4" = 1'-0"

2  
A-3.00  
HOUSE B - FRONT ELEVATION  
SCALE: 1/4" = 1'-0"

date 2022.06.14  
scale 1/4" = 1'-0"  
drawn HB checked GB  
title FRONT ELEVATION  
sheet number A-3.00

NOT RELEASED FOR CONSTRUCTION

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)

*Benita Jackson,  
Exec. Dir.*

Applicant Name(s): Battle Law for Breakthrough House *(John Mahoney)*

Phone: \_\_\_\_\_ Email: jsm @ battleglaw . com

Property Address: 1893, 1901, 1909 Eastfield St. and  
1866 & 1874 Eastfield St.

Tax Parcel ID: 15-170-10-111-013&015 and  
15-170-13-040 & 042 Comm. District(s): 3 & 7 Acreage: .4 acres, .9 acres

Existing Use: 55-F homes, 4 in use by Breakthrough House Proposed Use Personal Care Home, Community

Supplemental Regs: Yes Overlay District: I-20, Tier 2 DRI: No

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

Existing Zoning: R-75 Proposed Zoning: O-I Square Footage/Number of Units: 20 beds  
I-20 OVD and O-I w/ cond.

Rezoning Request: I-20 OVD,  
Rezone from R-75, and O-I w/ conditions property within the  
I-20 OVD district for a community PCH of 20 persons  
and to bring an existing PCH into compliance w/ its zoning.

Land Use Plan Amendment: Yes  No  Existing Land Use: SUB Proposed Land Use: \_\_\_\_\_ Consistent \_\_\_\_\_ Inconsistent \_\_\_\_\_

Special Land Use Permit: Yes  No

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

Major Modification: Yes  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:  Review Calendar Dates:  PC:  BOC:   
 Letter of Intent:  Impact Analysis:  Owner Authorization(s):  Campaign Disclosure:   
 Zoning Conditions:  Community Council Meeting:  Public Notice, Signs:   
 Tree Survey, Conservation:  Land Disturbance Permit (LDP):  Sketch Plat:   
 Bldg. Permits:  Fire Inspection:  Business License:  State License:   
 Lighting Plan:  Tent Permit:  Submittal Format: NO STAPLES, NO BINDERS PLEASE

### Review of Site Plan

Density:  Density Bonuses:  Mix of Uses:  Open Space:  Enhanced Open Space:  Setbacks: front  sides  side corner  rear  Lot Size:   
 Frontage:  Street Widths:  Bicycle Lanes:  Landscape Strips:  Buffers:   
 Parking Lot Landscaping:  Parking - Auto:  Parking - Bicycle:  Screening:   
 Streetscapes:  Sidewalks:  Fencing/Walls:  Bldg. Height:  Bldg. Orientation:  Bldg. Separation:  Bldg. Materials:  Roofs:  Fenestration:   
 Façade Design:  Garages:  Pedestrian Plan:  Perimeter Landscape Strip:   
 Possible Variances: *Parking - required .5 / resident and employee = 10<sup>b</sup>  
Provided - 9*

Comments: *B. write approved submittal as one application  
although sites are not contiguous.*

Planner: Mulora Furman Date 7/22/22

### Filing Fees

REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1 RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5 OI, OD, OIT, NS, CI, C2, M, M2	\$500.00 \$750.00 \$750.00
-----------	---	----------------------------------

LAND USE MAP AMENDMENT \$500.00

SPECIAL LAND USE PERMIT \$400.00

## DEKALB COUNTY

ITEM NO.

## BOARD OF COMMISSIONERS

HEARING TYPE  
PUBLIC HEARINGZONING AGENDA / MINUTES  
MEETING DATE: November 19, 2007ACTION TYPE  
ORDINANCESUBJECT: **Rezone** – Breakthru House, Inc c/o Faye Stullken

COMMISSION DISTRICTS: 3 &amp; 7

DEPARTMENT: Planning	PUBLIC HEARING: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
ATTACHMENT: <input checked="" type="checkbox"/> YES <input type="checkbox"/> No	INFORMATION CONTACT: Patrick Ejike/Kevin Hunter
PAGES: 14	PHONE NUMBER: (404) 371-2155

**PURPOSE:****CZ-07-13844**

Application of Breakthru House, Inc c/o Faye Stullken requesting to modify the conditions of zoning (CZ-86012) from OI (cond.) to OI (cond.). The property is located on the east side of Eastfield Street, 55 feet north of Glenvalley Drive. The property has 105 feet of frontage and contains .64 acre.

Subject Property: 15-170-13-040

**RECOMMENDATION(S):****PLANNING DEPARTMENT:**

**DENIAL:** Based on the submitted plan and information, it appears that the project applicant's request to modify condition number one (1) of the previously approved conditions of zoning to allow expansion of the existing structure would be inconsistent with required OI (Office-Institutional) development standards and proposes additional encroachments that may adversely impact adjacent and nearby residential uses. The existing residence used for office currently does not adhere to the required 50-foot building setback from a public street, and does not comply with the requirements for a fifty (50) foot transitional buffers along the east and south property lines. The submitted site plan also does not show additional parking required for the expansion. The request is also inconsistent with the following Land Use Policies of the 2005-2025 Comprehensive Land Use Plan: LUP11- Limit the construction of non-residential development to discourage sprawl; and LUP15- Provide standards of development for retail, office, and neighborhoods serving commercial uses to protect the appeal and character of neighborhoods; SCAP1 - Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density. Therefore, it is the recommendation of the Planning and Development Department that the modifications be respectfully "Denied".

**PLANNING COMMISSION:**

Approval, based on the submitted plat.

**COMMUNITY COUNCIL:**

Approval: 5-0-0 (The project was approved based on the submitted site plan).

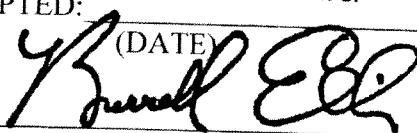
**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

**ACTION: 13-CZ-07-13844**

MOTION was made by Commissioner Johnson, seconded by Commissioner Stokes, and passed 6-0-0-1, to approve the rezoning application of Breakthru House, Inc c/o Faye Stullken. Commissioner Ellis was absent and not voting.

ADOPTED:

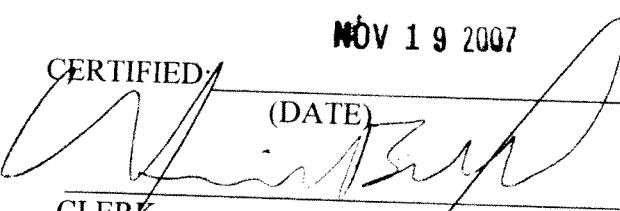
NOV 19 2007



(DATE)

PRESIDING OFFICER  
DEKALB COUNTY BOARD OF COMMISSIONERS

NOV 19 2007

  
CERTIFIED

(DATE)

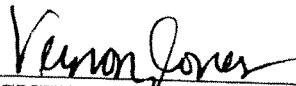
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

**FOR USE BY CHIEF EXECUTIVE OFFICER ONLY**

APPROVED:

DEC 10 2007

VETOED:



CHIEF EXECUTIVE OFFICER  
DEKALB COUNTY

CHIEF EXECUTIVE OFFICER  
DEKALB COUNTY

VETO STATEMENT ATTACHED:

MINUTES:

Scot MaCrae, 2731 Breakenridge Way, Atlanta, Ga. 30345, spoke in support of the application.

No one spoke in opposition of the application.

	FOR	AGAINST	ABSTAIN	ABSENT
DISTRICT 1 - ELAINE BOYER	X			
DISTRICT 2 - JEFF RADER	X			
DISTRICT 3 - LARRY JOHNSON	X			
DISTRICT 4 - BURRELL ELLIS				X
DISTRICT 5 - LEE MAY	X			
DISTRICT 6 - KATHIE GANNON	X			
DISTRICT 7 - CONNIE STOKES	X			

Letter for Application to revise existing rezoning restrictions for:

Breakthru House, Inc.  
1866 Eastfield Street, Decatur Ga 30032

**Background:**

**Breakthru House, Inc.** is a transitional program for women recovering from alcoholism and drug addiction. It provides a structured, drug-free environment to help each woman experience physical, mental, emotional and spiritual recovery.

Clients stay for an average of six to eighteen months while they work towards becoming self supporting.

Clients live family-style, sharing chores and household responsibilities. Recovery values such as honesty, openness and willingness structure the therapeutic Community of clients and staff.

**Request for removal of rezoning conditions**

The property at 1866 Eastfield Street is currently zoned O&I (CZ-86012) and the building located at this address is used for offices and meeting space for the program. No one resides at this property.

The Applicant wishes to revise the first line item of the conditions for rezoning so that reads as follows:

1. Use is limited to business or professional offices in the existing *or renovated / amended* structure.

The purpose for this revision is to allow for the expansion of the existing structure.

505

REV. 12/84

DEKALB COUNTY  
BOARD OF COMMISSIONERS

## ZONING AGENDA/MINUTES

ITEM NO. 27

EL.	—
ACTION	—
PUB.HRG.	<input checked="" type="checkbox"/>

MEETING DATE February 11, 1986RESOLUTION —

CZ-07-13844

ORDINANCE XPROCLAMATION —SUBJECT: Rezoning Application - John H. Snipes

DEPARTMENT: Planning

PUBLIC HEARING: X Yes — NoATTACHMENT: X Yes — No 6 pp

INFORMATION CONTACT: Mac Baggett or  
Charles Coleman  
PHONE NUMBER: 371-2155

cc

PURPOSE: Z-86012 - To consider the application of John H. Snipes to rezone property located on the east side of Eastfield Drive, 55' north of Glenvalley Drive, from R-75 to OI.

DISTRICT: — 1. — 2. — X 3. — 4. — 5. — N/A

SUBJECT PROPERTY: 15-170-13-40 (1866 Eastfield Drive). The property has frontage of 105' and contains .64 acre.

RECOMMENDATION(s): PLANNING DEPARTMENT: Approval with conditions. This house is currently approved for the operation of a home occupation real estate business. Eastfield Drive provides access for heavy commercial vehicles to property located to the north. If maintained with a residential facade, this rezoning would not adversely affect adjoining properties. Staff supports the application subject to the following conditions:

1. Use is limited to business or professional offices in the existing structure.
2. Facade of structure to remain residential in appearance.
3. Parking to be in front of the existing drive and the parking area shall be paved.

PLANNING COMMISSION: Approval per staff.

COMMUNITY COUNCIL: No recommendation.

506

John H.  
SnipesDr.,  
Glenvalley  
Dr.

PAGE 2

## FOR USE BY COMMISSION OFFICE/CLERK ONLY

ACTION:

MOTION was made by Commissioner Evans, seconded by Commissioner Lanier, and passed 7-0, to approve the application as recommended by the Planning Department.

ADOPTED: FEB 11 '86  
(DATE)

CERTIFIED: FEB 11 '86  
(DATE)

B. H. M. Jr.  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF COMMISSIONERS

Wanda Jones  
CLERK,  
DEKALB COUNTY BOARD OF COMMISSIONERS

MINUTES:

The applicant stated that the property is no longer suitable for residential use and requested OI zoning.

Opposition: None.

	FOR	AGAINST	ABSTENTION	ABSENT
DISTRICT 1 - Jean Williams	/			
DISTRICT 2 - Sherry Schulman	/			
DISTRICT 3 - John Evans	/			
DISTRICT 4 - Robert J. (Bob) Morris	/			
DISTRICT 5 - John S. Fletcher, Jr.	/			
AT-LARGE - Brince H. Manning, III	/			
AT-LARGE - Robert Lanier	/			



## DeKalb County Aerial Map

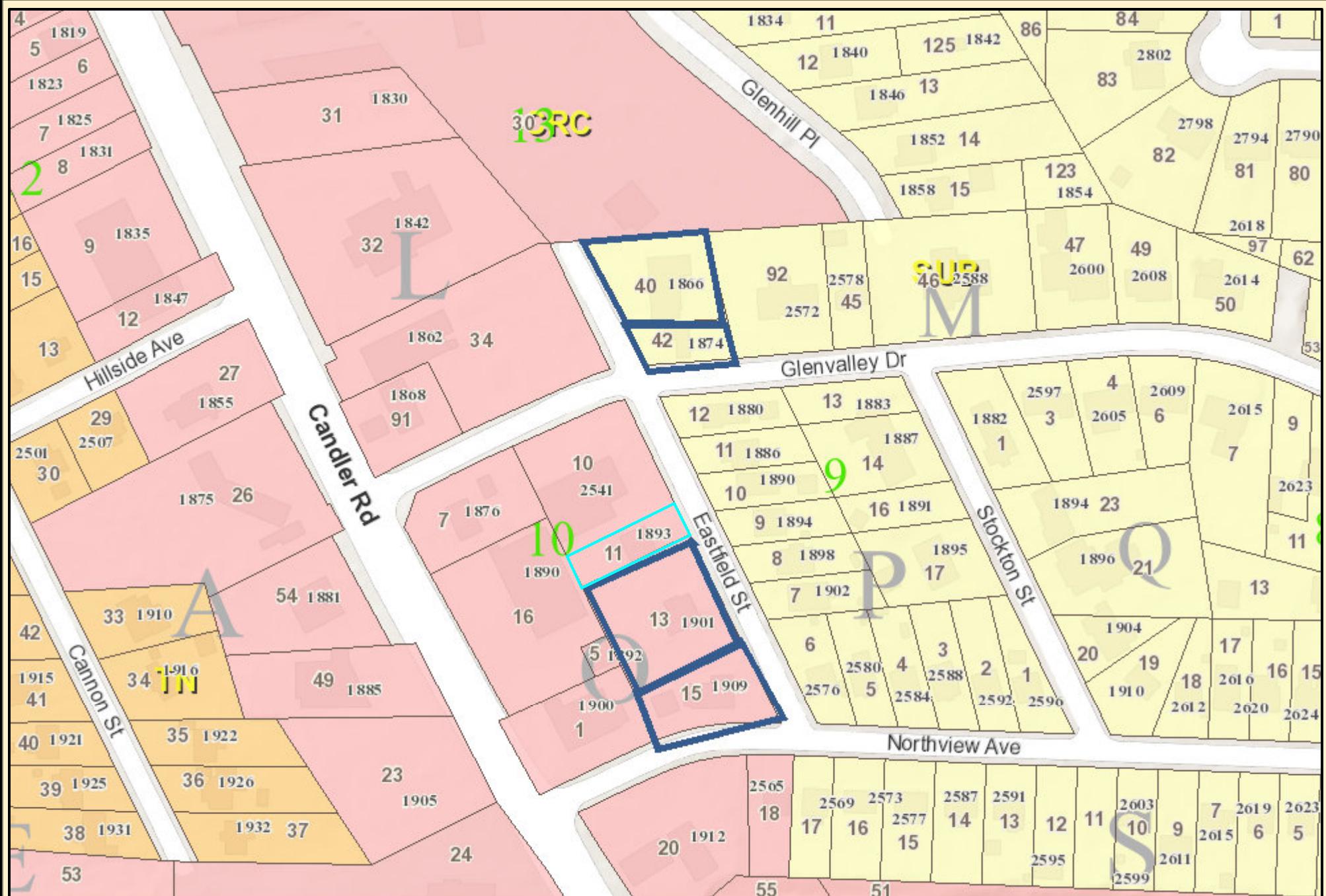
0 0.0075 0.015 0.03 0.045 0.06 mi

Date Printed: 8/4/2022

N

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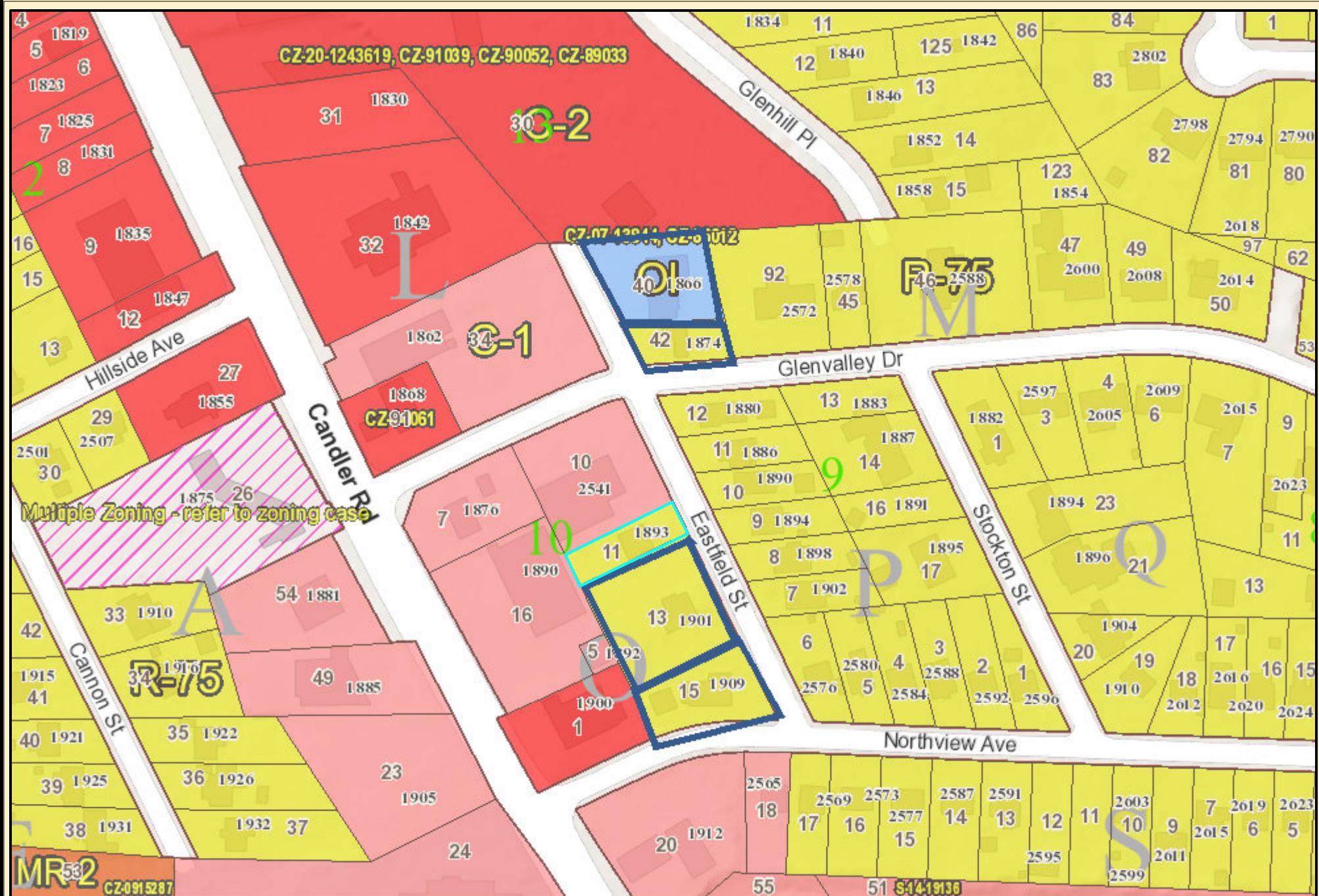
## DeKalb County Land Use Map

Date Printed: 8/4/2022



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## DeKalb County Zoning Map

Date Printed: 8/4/2022



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