

DeKalb County Department of Planning & Sustainability

**178 Sams Street,
Decatur, GA 30030**

(404) 371-2155 / www.dekalbcountyga.gov/planning

Board of Commissioners Hearing Date: October 4, 2022

STAFF ANALYSIS

Case No.:	Z-22-1245876	Agenda #: N14
Location/Address:	1866, 1874 , 1893, 1901, 1909 Eastfield St.	Commission District: 03 Super District: 07
Parcel ID(s):	15-170-10-011, 15-170-10-013, 15-170-10-015, 15-170-13-040 , 15-170-13-042	
Request:	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.	
Property Owner(s):	Breakthru House, Inc.	
Applicant/Agent:	Breakthru House, Inc. c/o Battle Law, P.C.	
Acreage:	0.91 acres	
Existing Land Use:	Office, Institutional, Residential	
Surrounding Properties:	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	
Comprehensive Plan:	CRC <input checked="" type="checkbox"/> Consistent <input type="checkbox"/> Inconsistent	

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 6th 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: _____

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

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

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: _____

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

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}

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

Attn: BrandonWhite
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



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



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 existing 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 CONTITUTIONAL 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

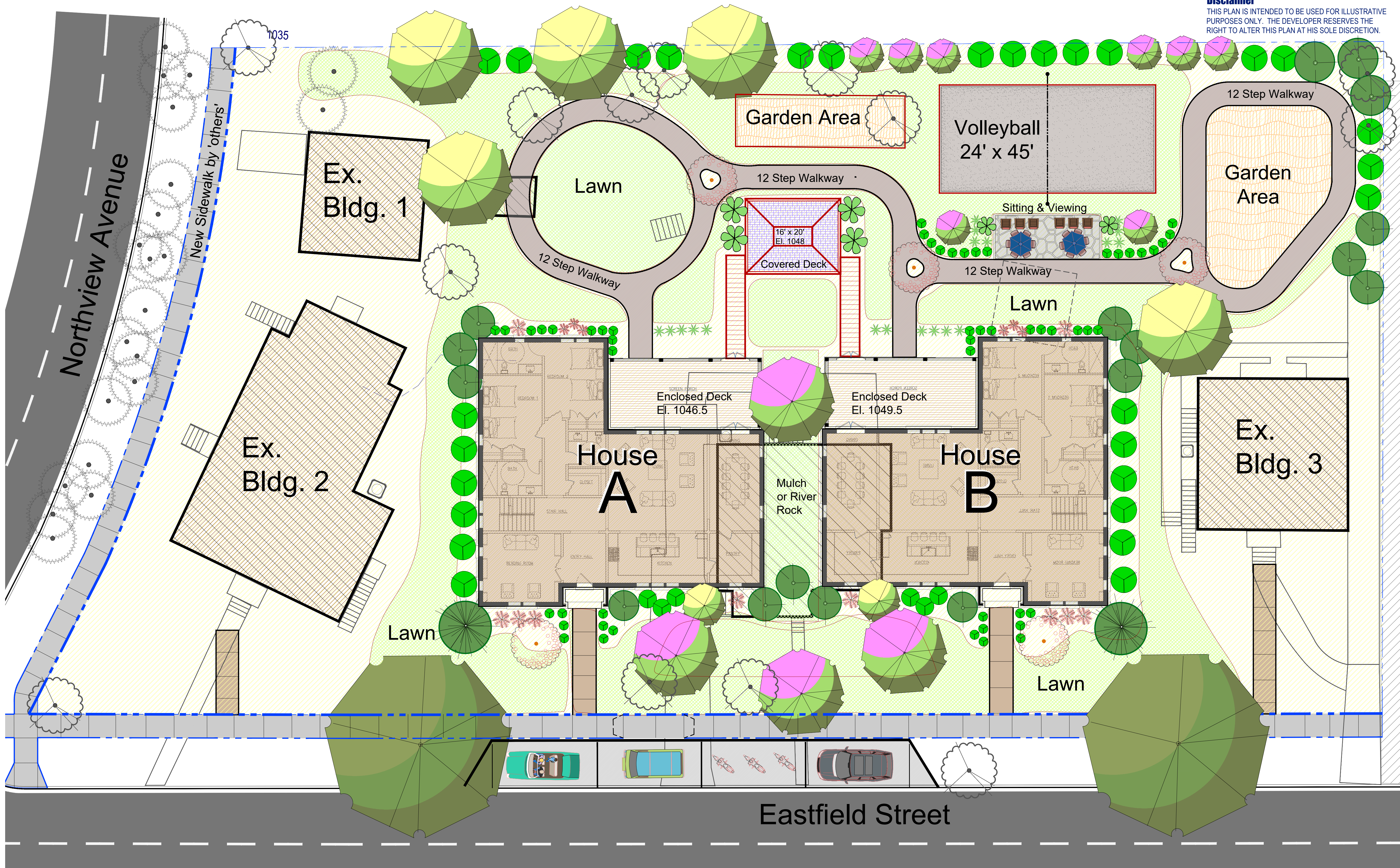
Amendment to the Constitution of the United States. Any REZONING of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would 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.

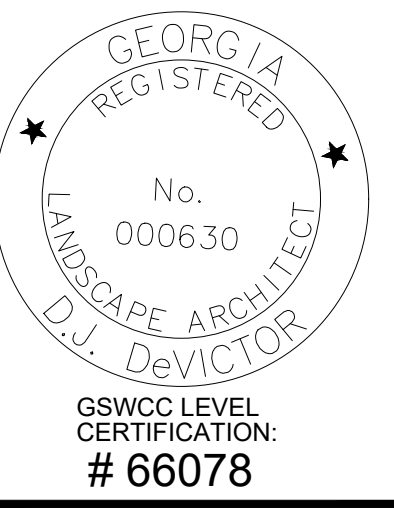
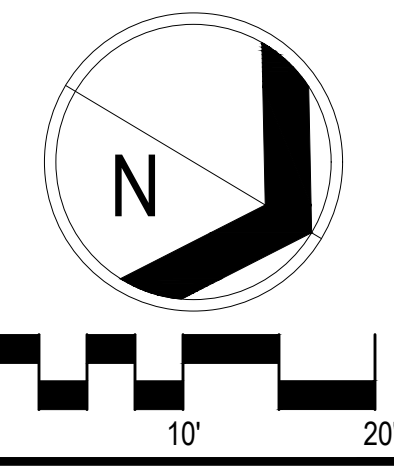
A refusal to allow the land use amendment and/or Rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s)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

Michele L. Battle, Esq.
Attorney for the Applicant



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.



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
 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:
**Prelim
 Master Plan**

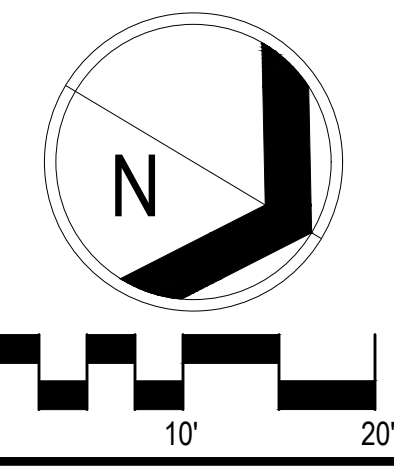
L-4

Master Plan for 1901
Breakthru House Campus

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.



DVS
DESIGN GROUP
404-409-8029



GEORGIA REGISTERED
J. DeVictor
LANDSCAPE ARCHITECT
U.S. DEVICTION
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
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

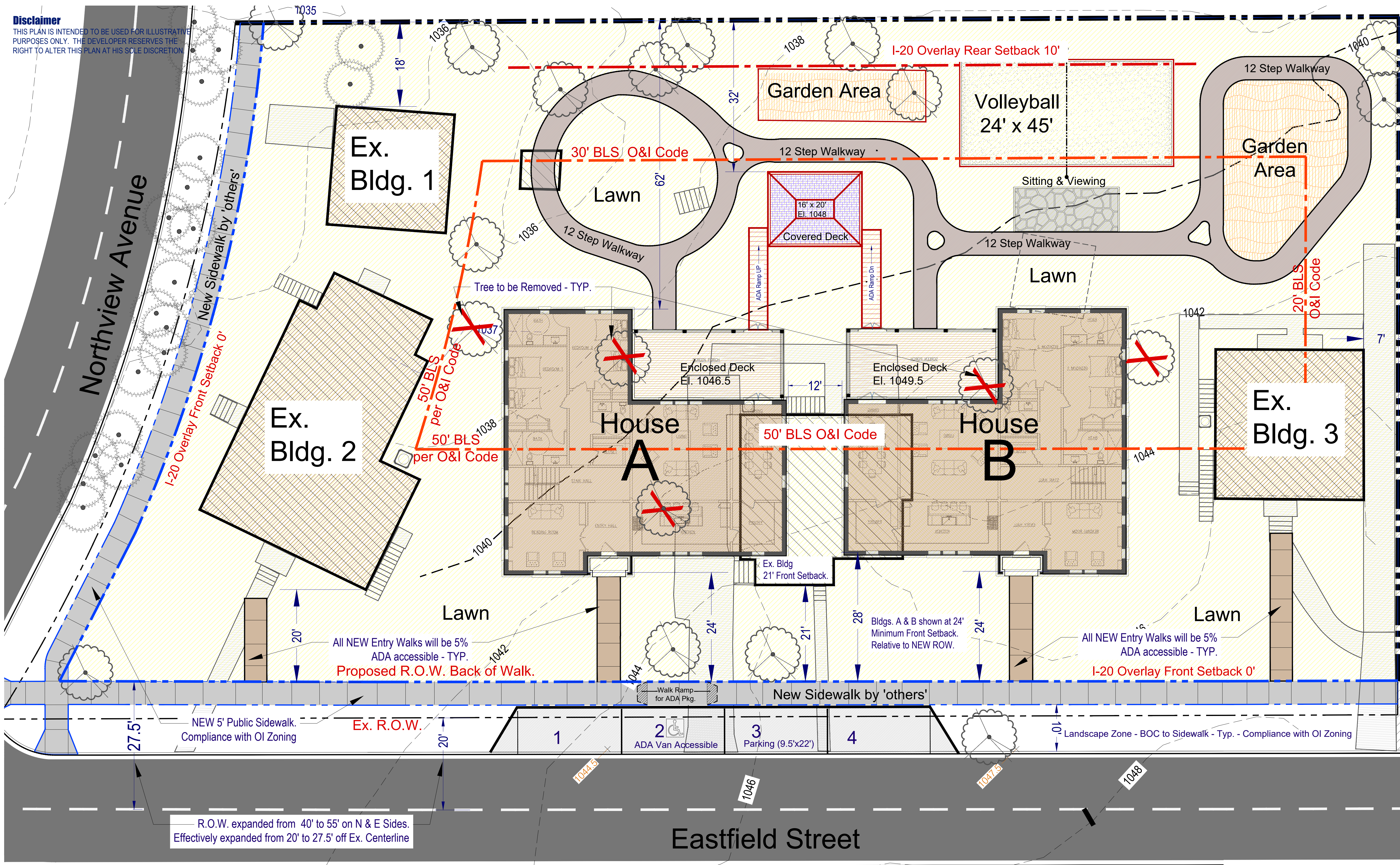
Rev.	Date	Description
#1	9/1/22	Relevance to the OI & Overlay Codes.

Issued:
June 29, 2022

Project No:
22-039

Sheet Title:
Site Plan

L-3



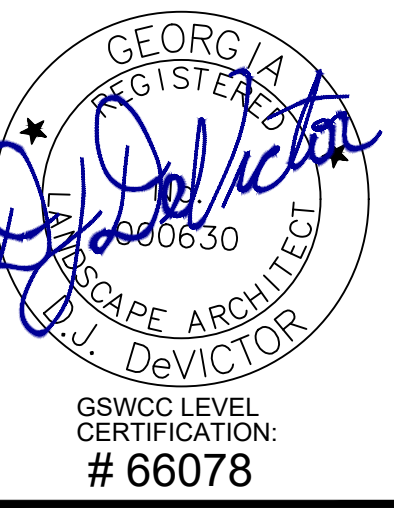
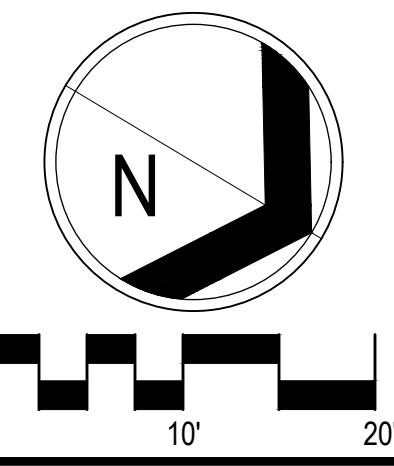
NOTE: Refer to Sheet L1 for Existing Impervious Surface Area.

Parcel Address	Impervious Surface Area
15 170 10 011 1893 - Eastfield Street	2,640 SF
15 170 10 013 1901 - Eastfield Street	9,197 SF
15 170 10 015 1909 - Eastfield Street	3,141 SF
Ex. Imperious 2640 SF Unchanged	14,978 SF TOTAL Combined
Ex. Imperious 2640 SF Unchanged	(This does not account for impervious area to be removed)
Ex. Imperious 3141 SF Unchanged	
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 be removed)	

- SITE PLAN NOTES:**
- Bldg. Footprint for each is 2,678 SF. 2-Story. 5,330 SF (NIC unfinished basement)
 - Proposed homes' design in process - all new structures will be to applicable codes. See Architectural Docs.
 - Density after Compiled Parcels: 4 Units on .85 Acres = 4.7 Units/Ac.
 - Lot Coverage impervious surface is 14,978 SF or 40%
 - Parking Required for O&I Zoning: .5 P.S. per each Staff, Staff of 8 - **Requires 4 Parking Spaces - shown.**
 - Parking Required for Residents - Addressed by Variance review. (Residents are not allowed to have cars).
 - Open Space Calculations: 73% (this does include walkways, sitting Patio, Gardens, and Volleyball)

- Landscape (See Sheet L3a) - Buffers are Not Applicable. Estimated 5 Trees to be removed. 20+ Trees proposed.
- Site is free of the 100 year floodplain, streams and buffers.
- Bldg. Line Setback - 'BLS' are shown as required by O&I.
- Bldg. Line Setback for I-20 Corridor Overlay District are noted as well. (Side Setbacks unclear - Ex. Distance scaled & shown)
- Adjacent properties on Back property line are C-1 & C-2. The Right Side (North) property is C-1.

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.



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
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

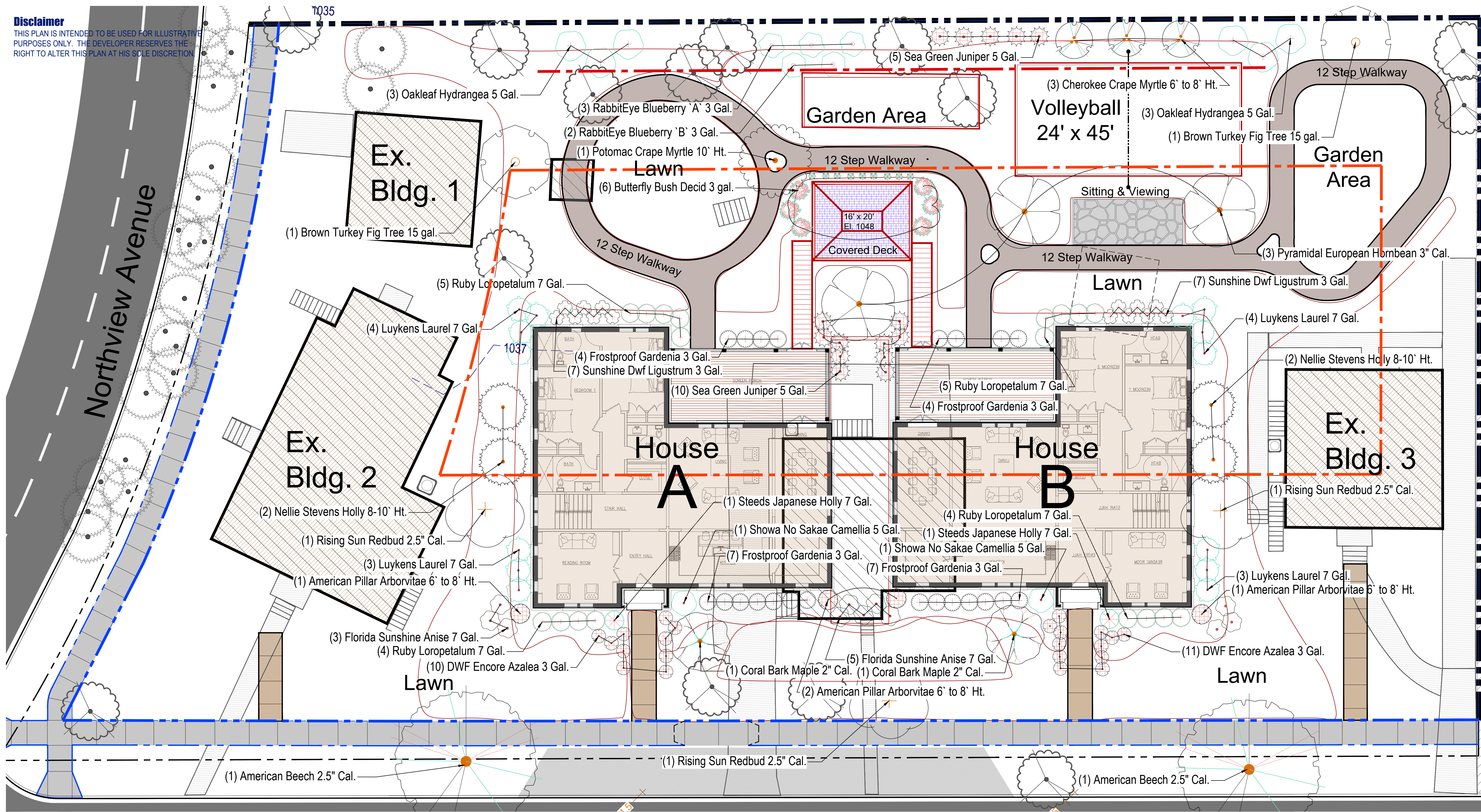
Rev. | Date | Description
#1 | 9/1/22 | Relevance to
the OI & Overlay Codes.

Issued:
June 29, 2022

Project No.
22-039

Sheet Title:
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

Eastfield Street

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

**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



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 existing 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 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.

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:

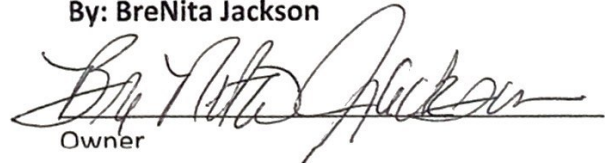
(I) (WE) Breakthru House, Inc.
Name of owner(s)


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


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 filing of this application?

Yes _____ No X *

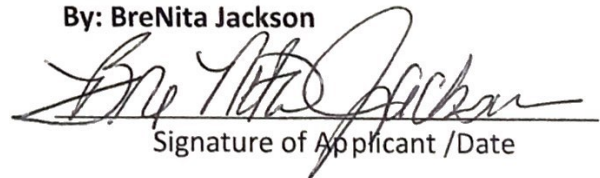
If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

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 *

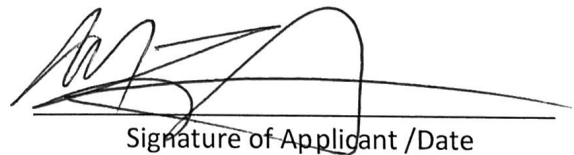
If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

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

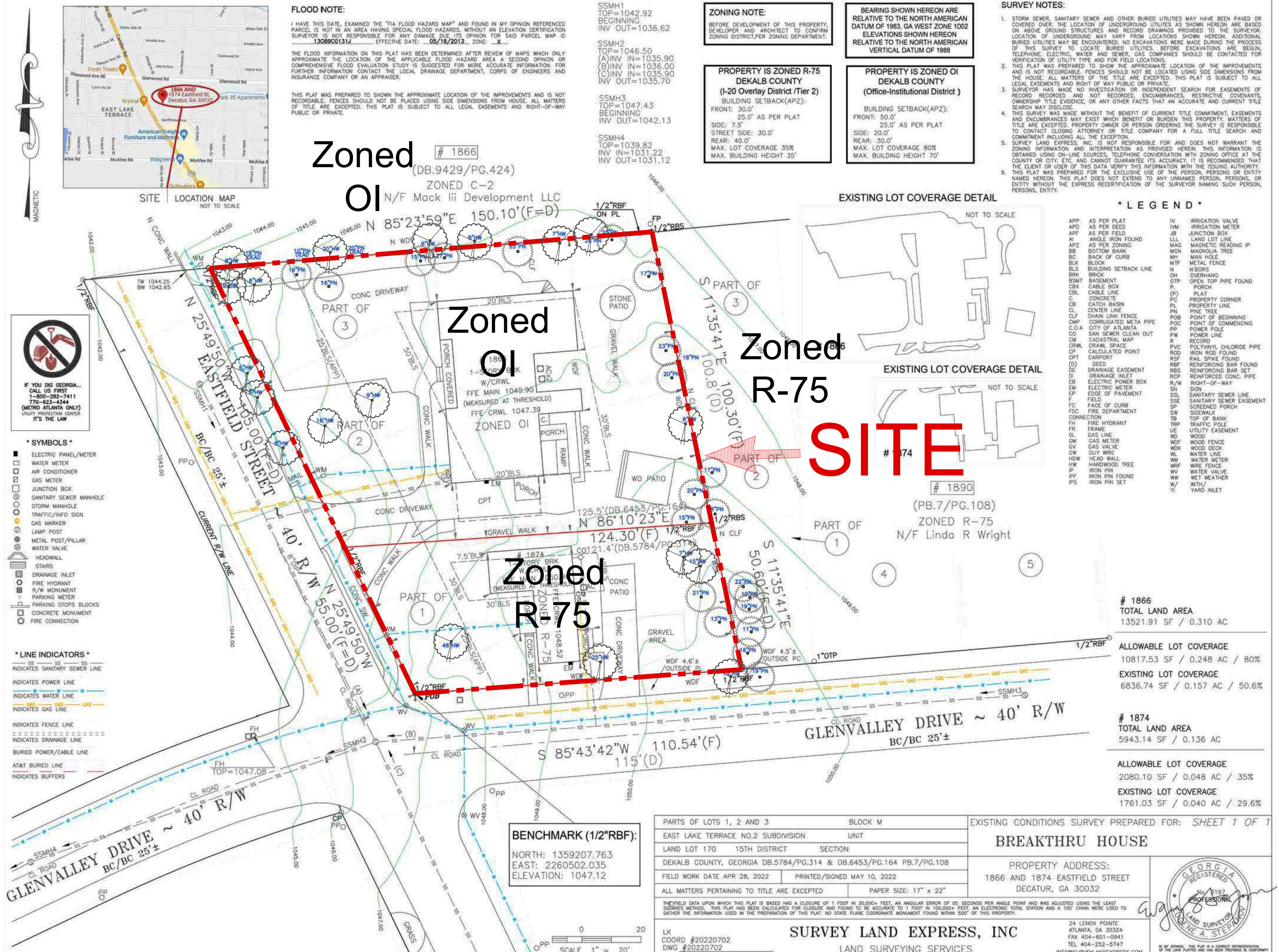
CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT

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

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.





DVS
DESIGN GROUP
404-409-8029



0 20' 40'



GEORGIA REGISTERED
 LAND SURVEYOR
 D. DeVictor
 # 66078
 GSWCC LEVEL CERTIFICATION

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) 284-4656
 1866 Eastfield Street
 Decatur, GA 30032

Rev.	Description

Issued:
June 25, 2022

Project No.
22-039a

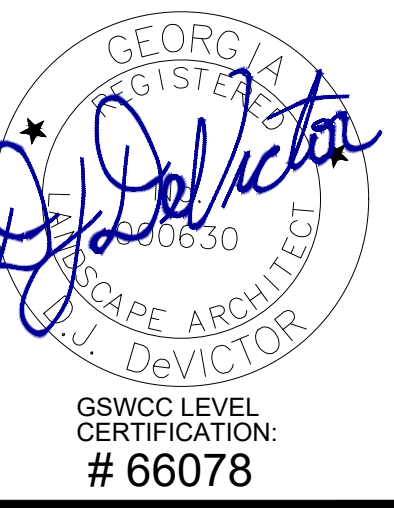
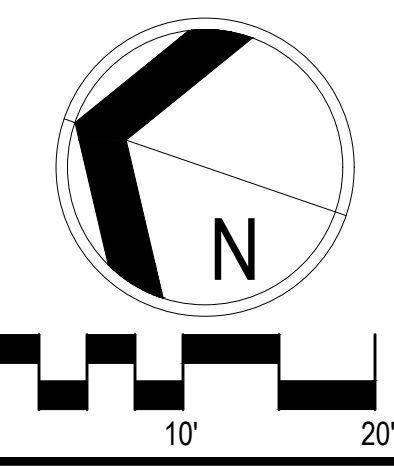
Sheet Title:
Full Survey

L-1

- 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.

- Checklist Items this Sheet**
- 6. Sheet L2 supplements this Sheet at larger scale.
 - f.. Sheet L3a - Conceptual Landscape - Final Landscape to be developed after Structures are substantially Completed.
 - g. Sheet L3 - Site Plan Notes
- FYI - Full size Plan Sheets are 22"x34".
 11"x17" printed at 50% are also to scale as shown on graphic scale.

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.



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

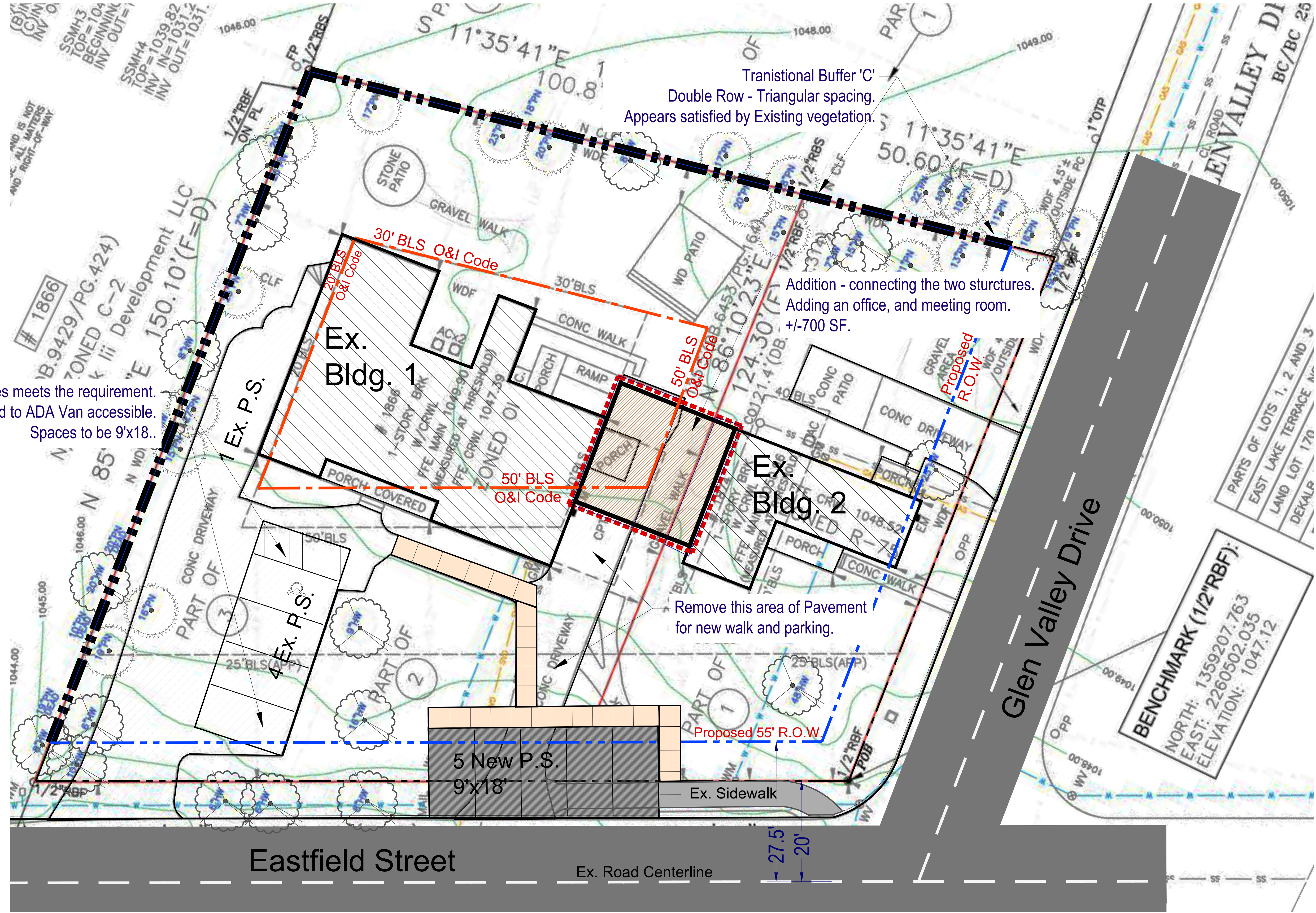
Rev.	Date	Description

Issued:
June 29, 2022

Project No.
22-039a

Sheet Title:
Site Plan

L-3



4 Existing Parking Spaces meets the requirement.
1 space will be converted to ADA Van accessible.
Spaces to be 9'x18'.

Transitional Buffer 'C'
Double Row - Triangular spacing.
Appears satisfied by Existing vegetation.

Addition - connecting the two structures.
Adding an office, and meeting room.
+700 SF.

Remove this area of Pavement /
for new walk and parking.

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

Parcel Address	15 170 13 040 1866 - Eastfield Street	15 170 13 042 1874 - Eastfield Street
Ex. Impervious	6837 SF	1761 SF
Changed: ADD Follows:	550 SF Hse Addition (Partial) 7387 SF Total this Parcel	150 SF Hse Addition (Partial) 1911 SF Total this Parcel

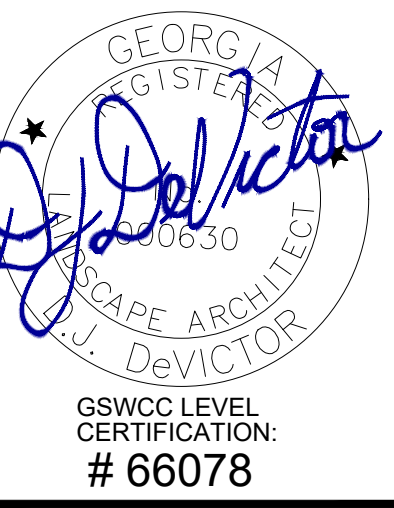
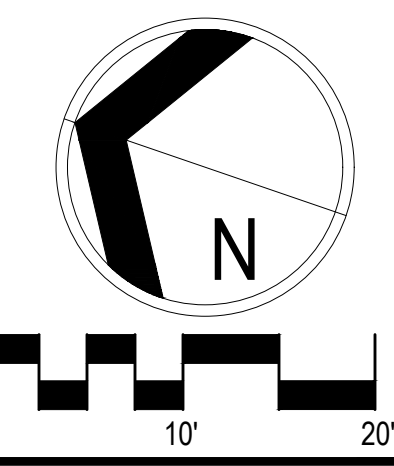
Impervious Surface Area:	7,387 SF 1866 - Eastfield Street 1,911 SF 1874 - Eastfield Street 9,298 SF Combined
542 SF New Walks & Parking	
9,840 SF Total Impervious Area (This does not account for impervious area to be removed)	

SITE PLAN NOTES:

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

- Site is free of the 100 year floodplain, streams and buffers.
- Bldg. Addition complies with Rear BLS. Front of Addition is sits further from Road than existing Bldg.
- Adjacent properties on Back property line is R-75. The adjacent property to the south is OI.
- Transitional Buffer Zone C is largely addressed by the Existing Pines on that section of back line along Parcel 1866.

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.



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

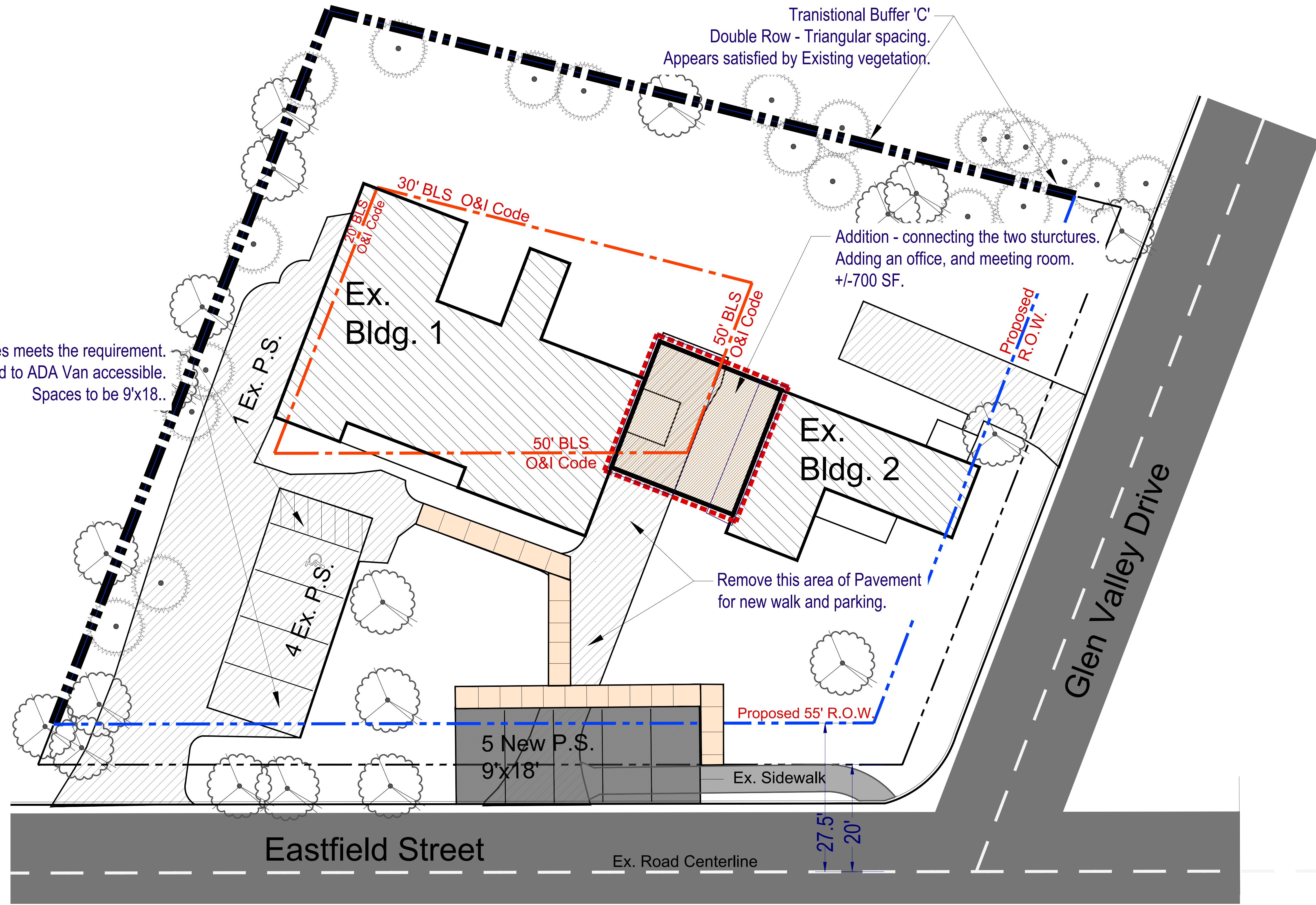
Rev.	Date	Description

Issued:
June 29, 2022

Project No.
22-039a

Sheet Title:
Site Plan

L-3



4 Existing Parking Spaces meets the requirement.
1 space will be converted to ADA Van accessible.
Spaces to be 9'x18'..

Transitional Buffer 'C'
Double Row - Triangular spacing.
Appears satisfied by Existing vegetation.

Addition - connecting the two structures.
Adding an office, and meeting room.
+/-700 SF.

Remove this area of Pavement
for new walk and parking.

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

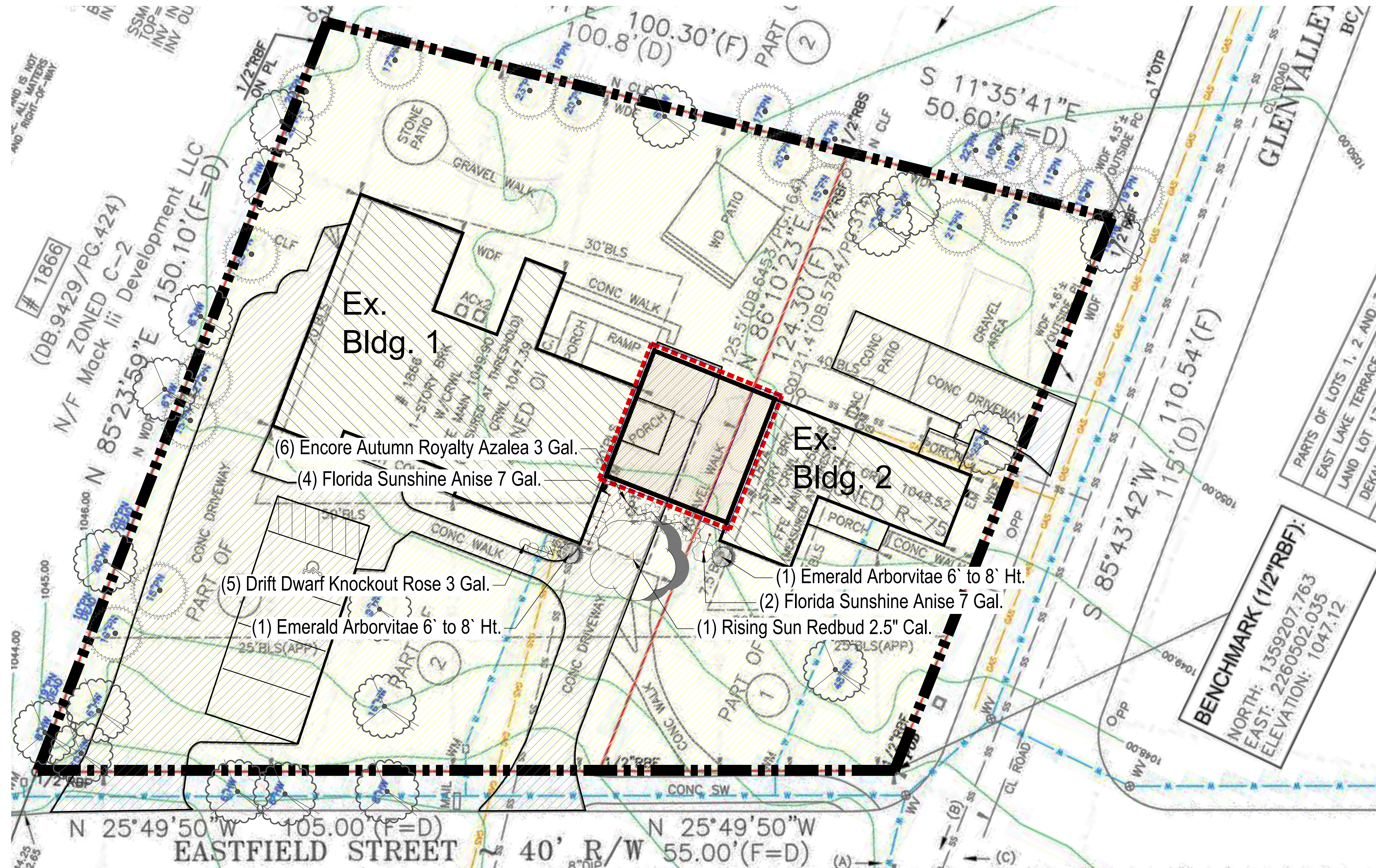
Parcel Address	Impervious Surface Area	500 SF Hse Addition (Partial)	150 SF Hse Addition (Partial)	7387 SF Total this Parcel
15 170 13 040 1866 - Eastfield Street	7,387 SF	550 SF	150 SF	7,387 SF
15 170 13 042 1874 - Eastfield Street	1,911 SF	550 SF	150 SF	1,911 SF
Ex. Imperious 6837 SF	9,298 SF Combined			
Ex. Imperious 1761 SF	542 SF New Walks & Parking			
Changed: ADD Follows:	9,840 SF Total Impervious Area			
550 SF Hse Addition (Partial)	(This does not account for impervious area to be removed)			
7387 SF Total this Parcel				
1911 SF Total this Parcel				

SITE PLAN NOTES:

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

- Site is free of the 100 year floodplain, streams and buffers.
- Bldg. Addition complies with Rear BLS. Front of Addition is sits further from Road than existing Bldg.
- Adjacent properties on Back property line is R-75. The adjacent property to the south is OI.
- Transitional Buffer Zone C is largely addressed by the Existing Pines on that section of back line along Parcel 1866.

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.



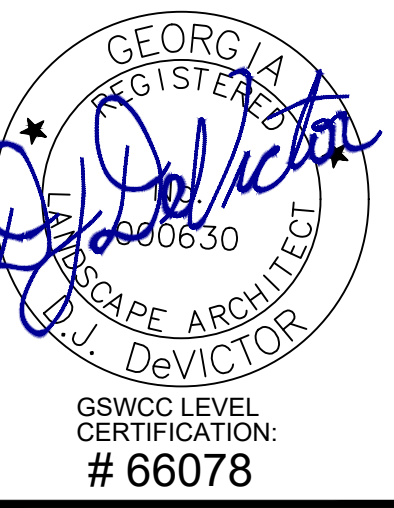
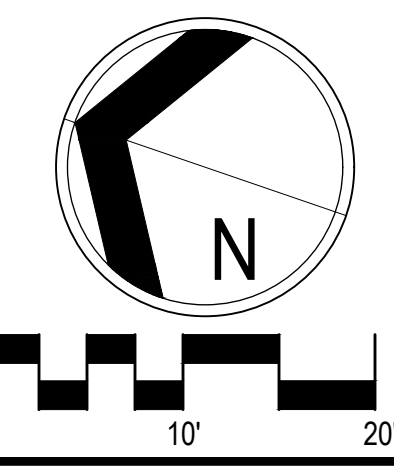
(6) Encore Autumn Royalty Azalea 3 Gal.
 (4) Florida Sunshine Anise 7 Gal.

(5) Drift Dwarf Knockout Rose 3 Gal.
 (1) Emerald Arborvitae 6' to 8' Ht.

(1) Emerald Arborvitae 6' to 8' Ht.
 (2) Florida Sunshine Anise 7 Gal.
 (1) Rising Sun Redbud 2.5" Cal.

PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME	SIZE	SPECIFICATION	REMARKS
1	<i>Cercis canadensis</i> 'Rising Sun'	Rising Sun Redbud	2.5" Cal.	Full, Well Branched	Full, Well Branched
2	<i>Thuja occidentalis</i> 'Emerald'	Emerald Arborvitae	6' to 8' Ht.	Branched to Ground	Branched to Ground
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	REMARKS
6	<i>Illicium parviflorum</i> 'Florida Sunshine'	Florida Sunshine Anise	7 Gal.	Full in Pot, Dense Rootball	Full in Pot, Dense Rootball
6	<i>Rhododendron</i> x 'Autumn Royalty'	Encore Autumn Royalty Azalea	3 Gal.	Full in Pot, Dense Rootball	Full in Pot, Dense Rootball
5	<i>Rosa</i> x 'Drift' Dwarf	Drift Dwarf Knockout Rose	3 Gal.	Full in Pot, Dense Rootball	Full in Pot, Dense Rootball



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

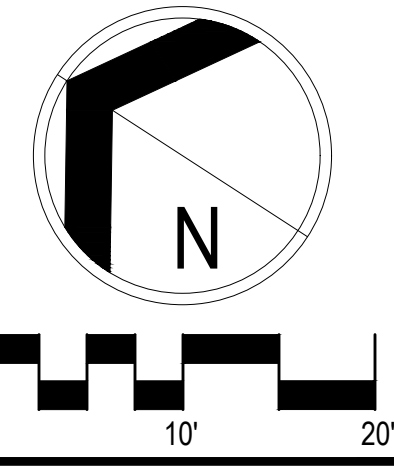
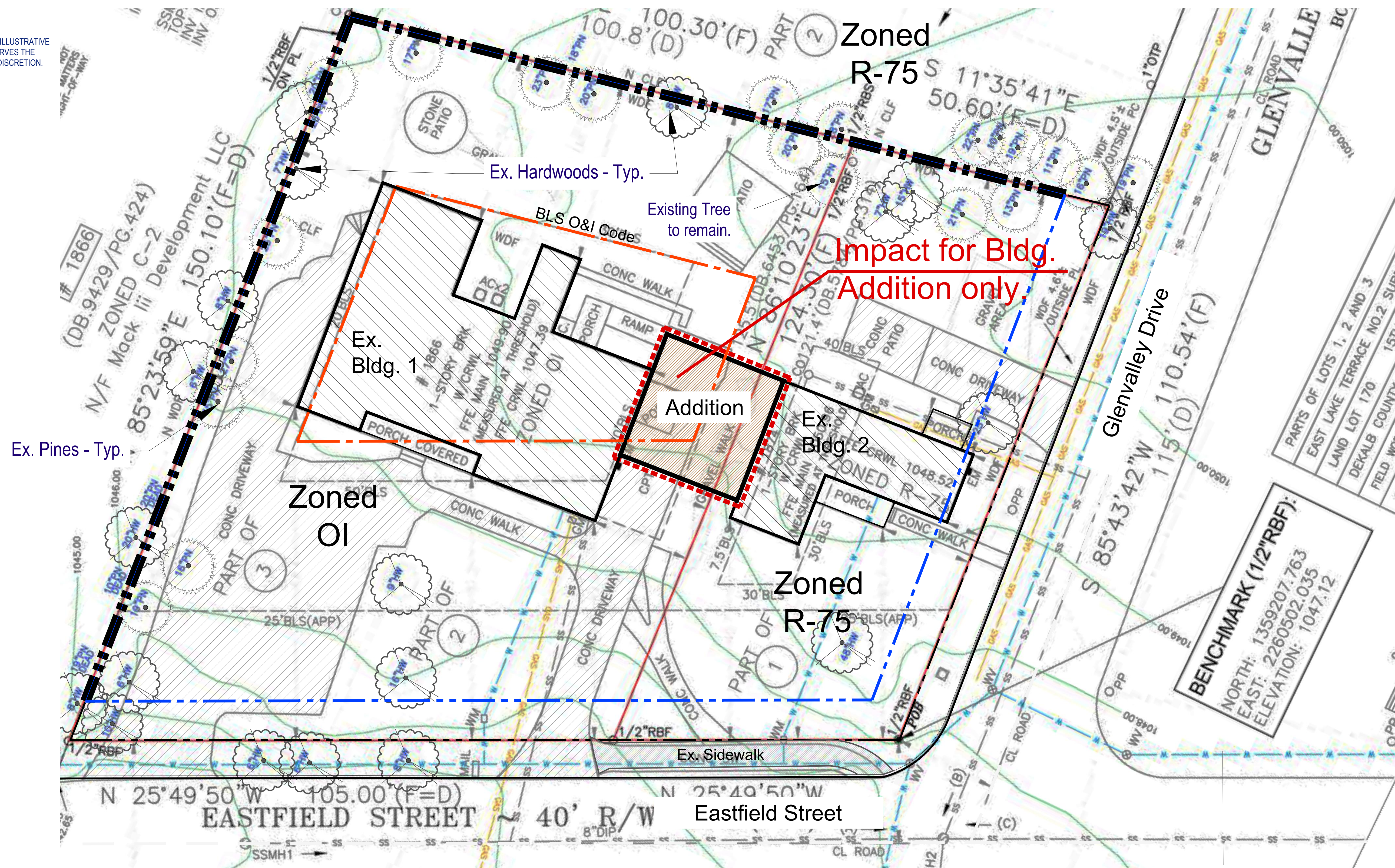
Rev. | Date | Description

Issued:
June 25, 2022

Project No.
22-039a

Sheet Title:
Landscape Plan

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.



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 29, 2022

Project No.
22-039a

Sheet Title:
Existing Conditions & Demolition

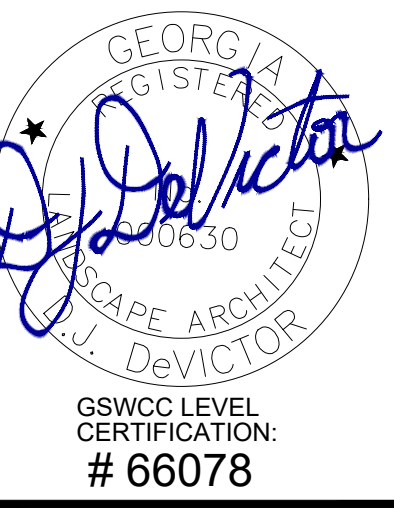
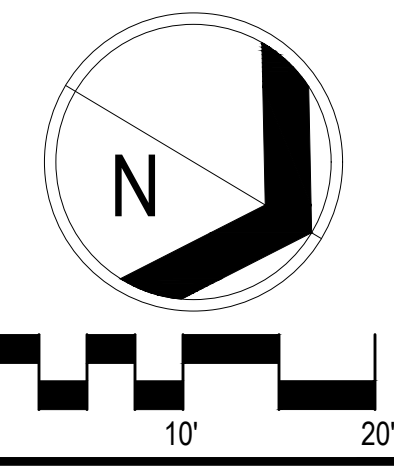
L-2

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 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			PROPERTY ADDRESS: 1866 AND 1874 EASTFIELD STREET DECATUR, GA 30032
FIELD WORK DATE APR 28, 2022	PRINTED/SIGNED MAY 10, 2022		
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED		PAPER SIZE: 17" x 22"	
<small>THE FIELD DATA UPON WHICH THIS PLAN 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 PLAN 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 PLAN. NO STATE PLANE COORDINATE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.</small>			
LK COORD #20220702 DWG #20220702	SURVEY LAND EXPRESS, INC LAND SURVEYING SERVICES		24 LENOX POINT ATLANTA, GA 30324 FAX 404-601-0941 TEL 404-252-5747 INFO@SURVEYLANDEXPRESS.COM

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



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

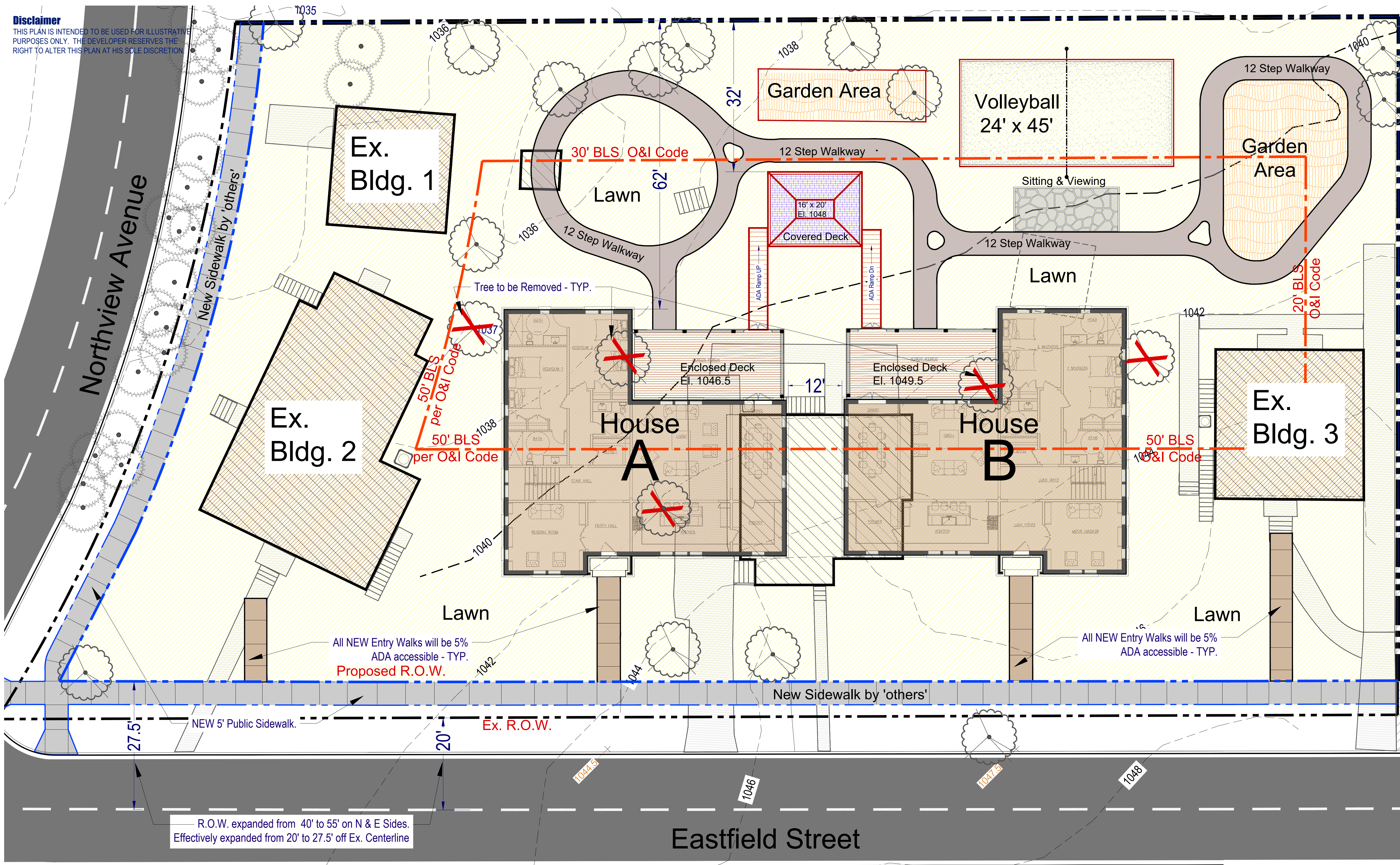
Rev.	Date	Description

Issued:
June 29, 2022

Project No.
22-039

Sheet Title:
Site Plan

L-3



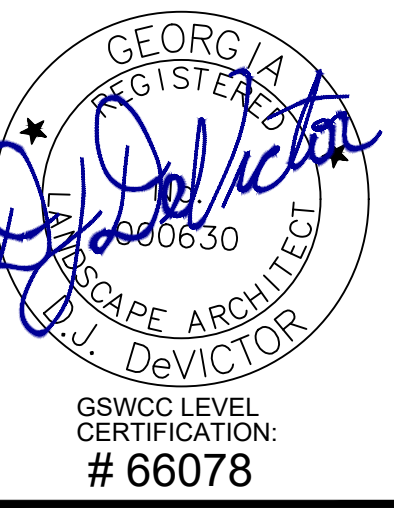
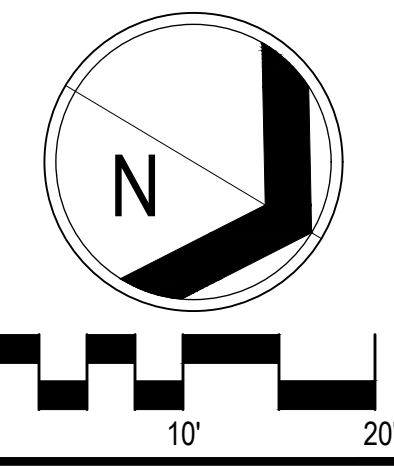
NOTE: Refer to Sheet L1 for Existing Impervious Surface Area.

Parcel Address	Impervious Surface Area
15 170 10 011 1893 - Eastfield Street Ex. Imperious 2640 SF Unchanged	2,640 SF 1893 - Eastfield Street
15 170 10 013 1901 - Eastfield Street Ex. Imperious 2640 SF 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 be removed)	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 be removed)
15 170 10 015 1909 - Eastfield Street Ex. Imperious 3141 SF Unchanged	3,141 SF 1909 - Eastfield Street

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

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

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.



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) 284-4658
1901 Eastfield Street
Decatur, GA 30032

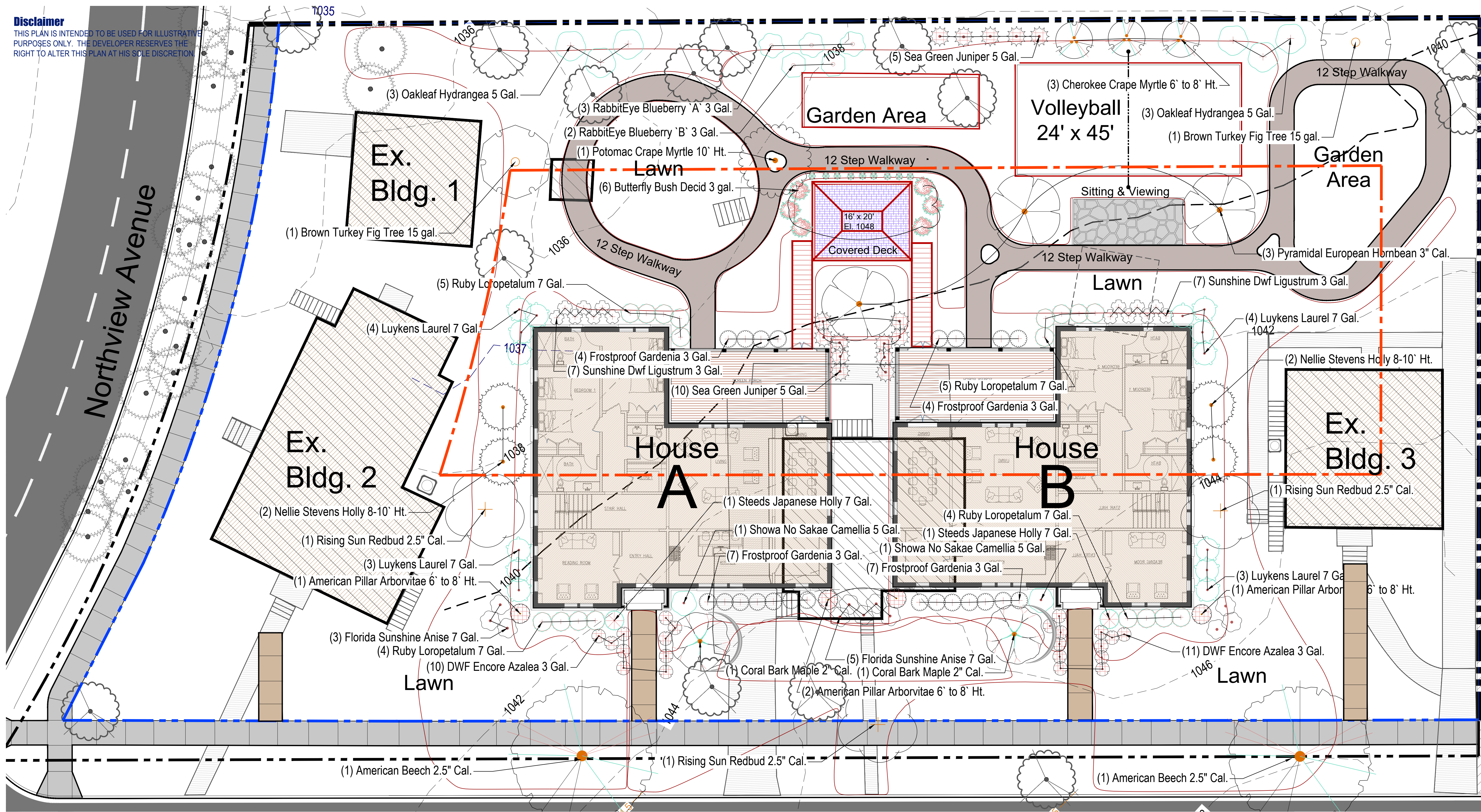
Rev.	Date	Description

Issued:
June 29, 2022

Project No:
22-039

Sheet Title:
Landscape Plan

L-3a

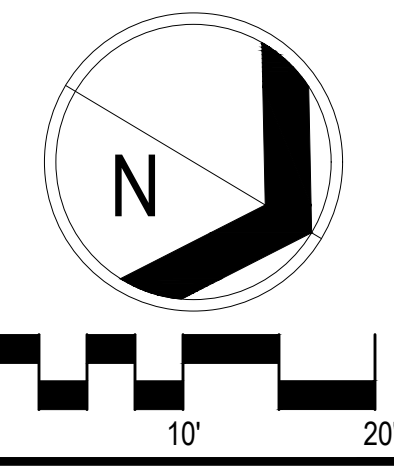


PLANT SCHEDULE

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

Eastfield Street

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.



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) 284-4658
 1901 Eastfield Street
 Decatur, GA 30032

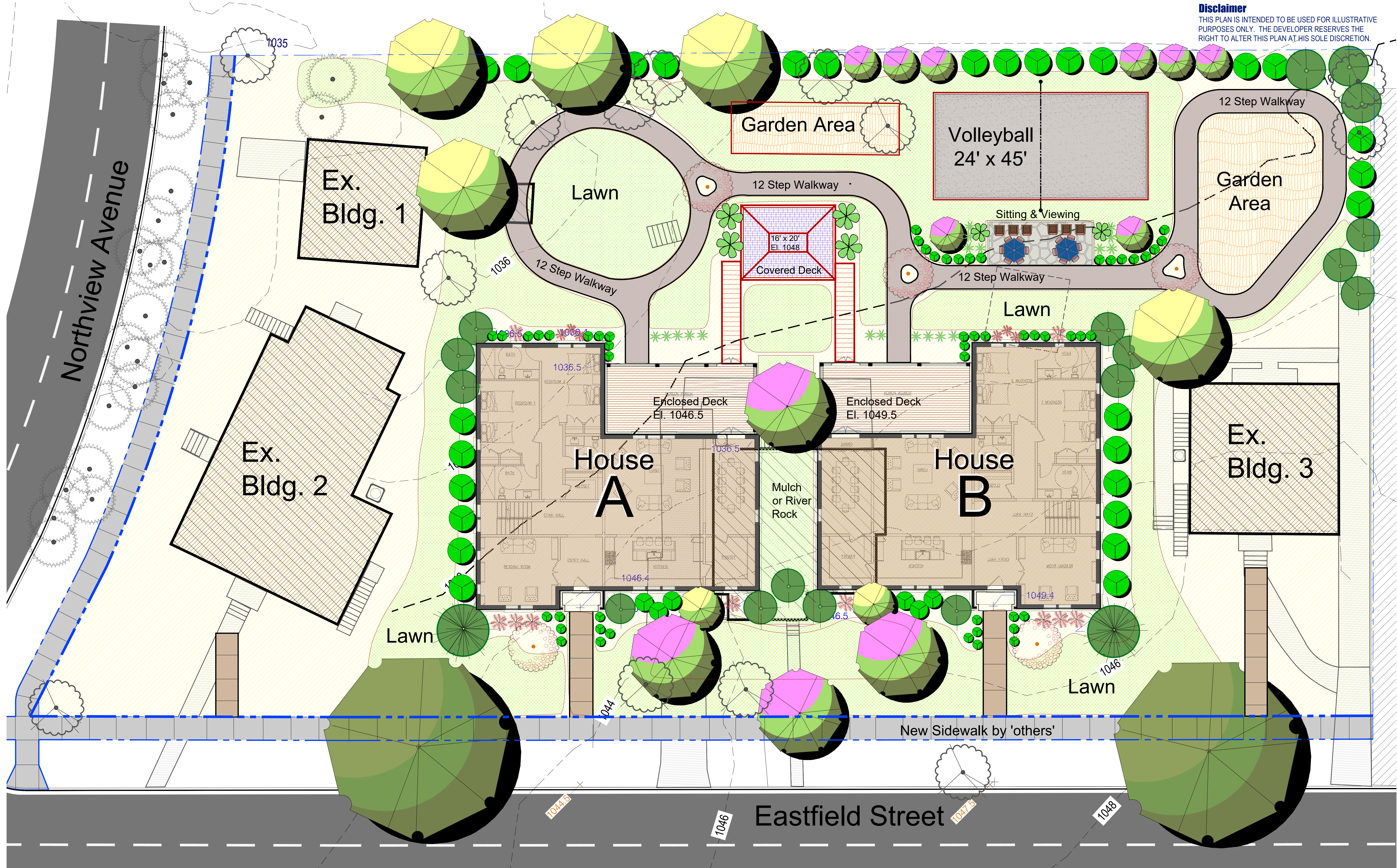
Rev.	Date	Description

Issued:
June 29, 2022


Project No.
22-039

Sheet Title:
Prelim Master Plan

L-4



Master Plan for 1901
Breakthru House Campus

2014099916 DEED BOOK 24471 Pg 734

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.
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 15th 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:

[Signature]

Witness

[Signature]

Notary Public

My commission expires: 5/7/2016

Action Ministries, Inc.

By: [Signature]

John R. Moeller, President

Attest: [Signature]

Carol Adams, Secretary

[SEAL]

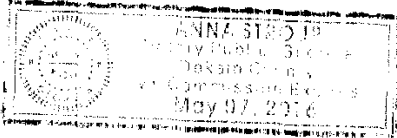


EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 170 of the 15th 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 15th 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:

[Signature]

Witness

[Signature]

Notary Public

My commission expires: 5/7/2016

Action Ministries, Inc.

By: [Signature]

John R. Moeller, President

Attest: [Signature]

Carol Adams, Secretary

[SEAL]

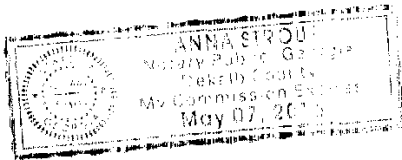


EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 170 of the 15th 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



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.
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 15th 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:

tion Ministries, Inc.

[Handwritten Signature]

By: *[Handwritten Signature]*

Witness

John R. Moeller, President

[Handwritten Signature]

Attest: *[Handwritten Signature]*

Notary Public

Carol Adams, Secretary

My commission expires: 5/7/2016

[SEAL]

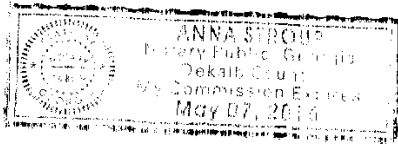


EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 170 of the 15th 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



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, ESC.
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 15th 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: <u>[Signature]</u> Witness <u>[Signature]</u> Notary Public My commission expires: <u>5/7/2016</u>	Action Ministries, Inc. By: <u>[Signature]</u> John R. Moeller, President Attest: <u>[Signature]</u> Carol Adams, Secretary [SEAL]
--	---



Debra DeBerry

Clerk of Superior Court
DeKalb County, Georgia

EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 170 of the 15th 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.
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 15th 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:

Action Ministries, Inc.

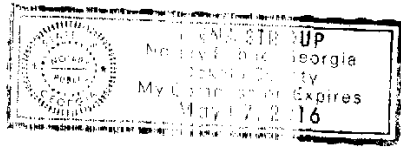
[Signature]
Witness

By: [Signature]
John R. Moeller, President

[Signature]
Notary Public
My commission expires: 5/7/2016

Attest: [Signature]
Carol Adams, Secretary

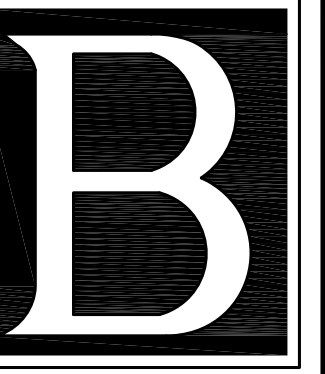
[SEAL]



1909

EXHIBIT A

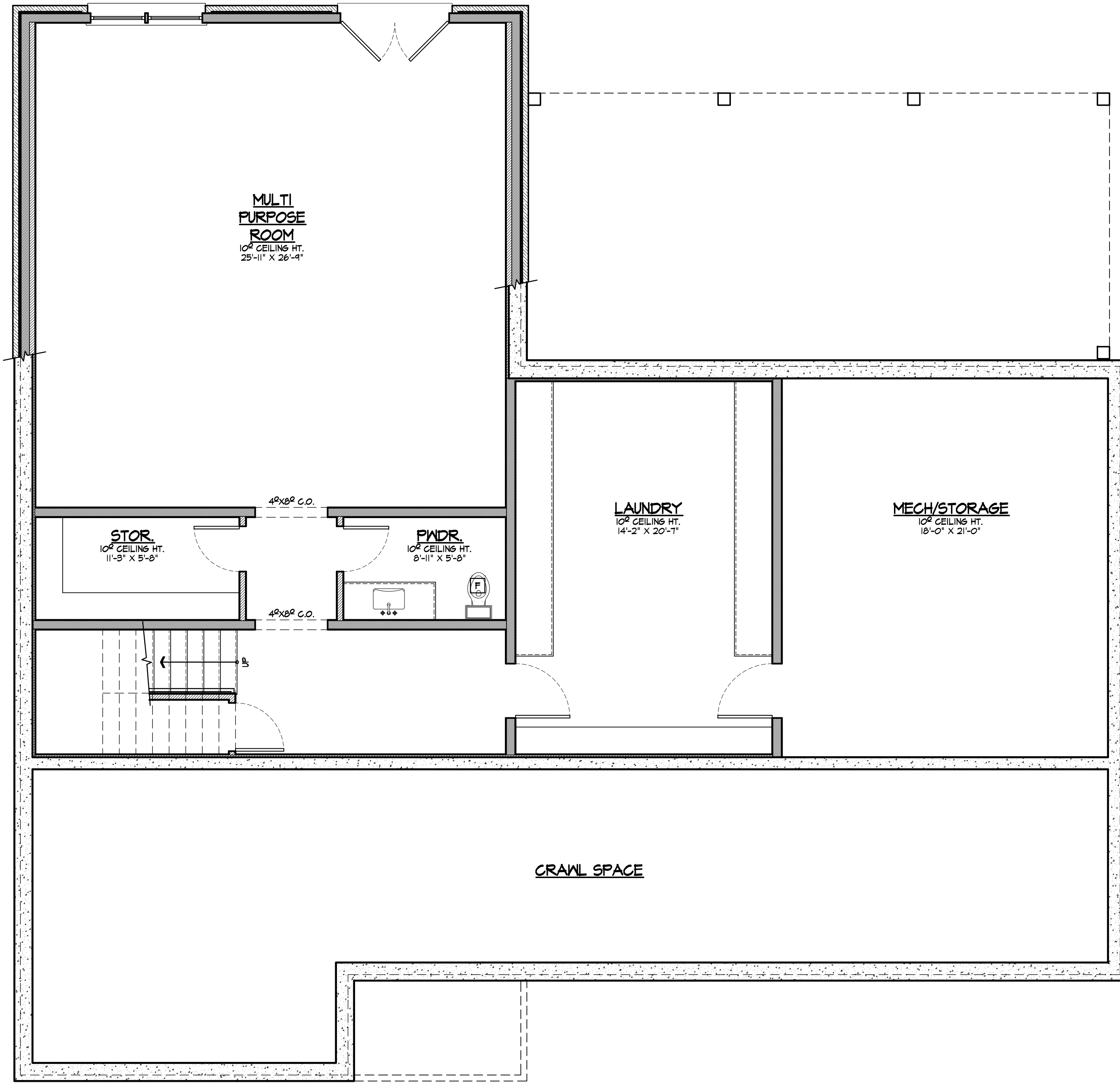
All that tract or parcel of land lying and being in Land Lot 170 of the 15th District of DeKalb County, Georgia, being Lot 16, Block "0" of East Lake Terrace, No. 2, as per plat recorded at Plat Book 7, page 108, DeKalb County Records, which plat is incorporated herein for a more complete description,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



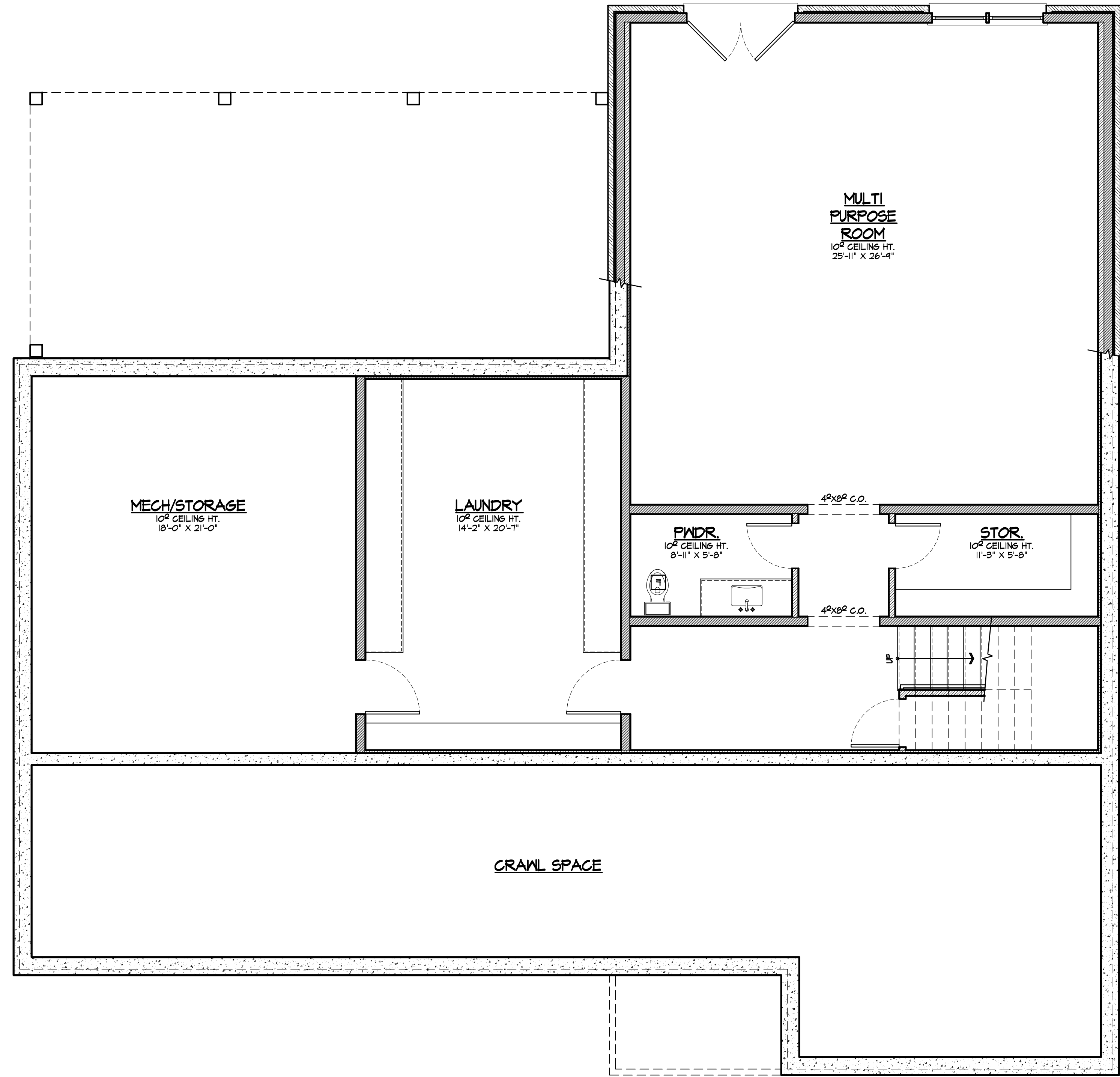
Greg Busch,
Architects A.I.A.
91 West Winona Road
Building A, Suite 3000
Atlanta, Georgia 30342
Phone: (404) 252-8073
Email: gbusch@gregbusch.com

All drawings are instruments of service, and the property of Greg Busch Architects. They shall not be used for any other project, in whole or in part, without the written consent of Greg Busch Architects. The contractor shall check and verify all dimensions, materials, sizes, and existing conditions and report any discrepancies to Greg Busch Architects before proceeding with the work.

BREAKTHRU HOUSE A&B
1893, 1901 AND 1909 EASTFIELD STREET
DECATUR, GEORGIA 30032



1
HOUSE A - LOWER LEVEL FLOOR PLAN
A-2.00 SCALE: 1/4" = 1'-0"

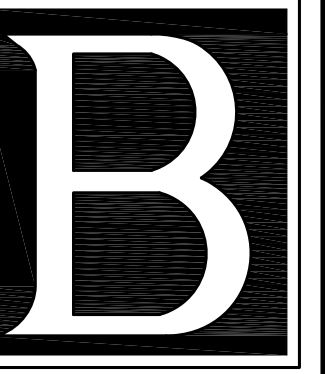


2
HOUSE B - LOWER LEVEL FLOOR PLAN
A-2.00 SCALE: 1/4" = 1'-0"

stamps	
issue	
date	2022.06.14
scale	1/4"=1'-0"
drawn	HB checked GB
title	LOWER LEVEL FLOOR PLAN
sheet number	A-2.00

NOT RELEASED FOR CONSTRUCTION

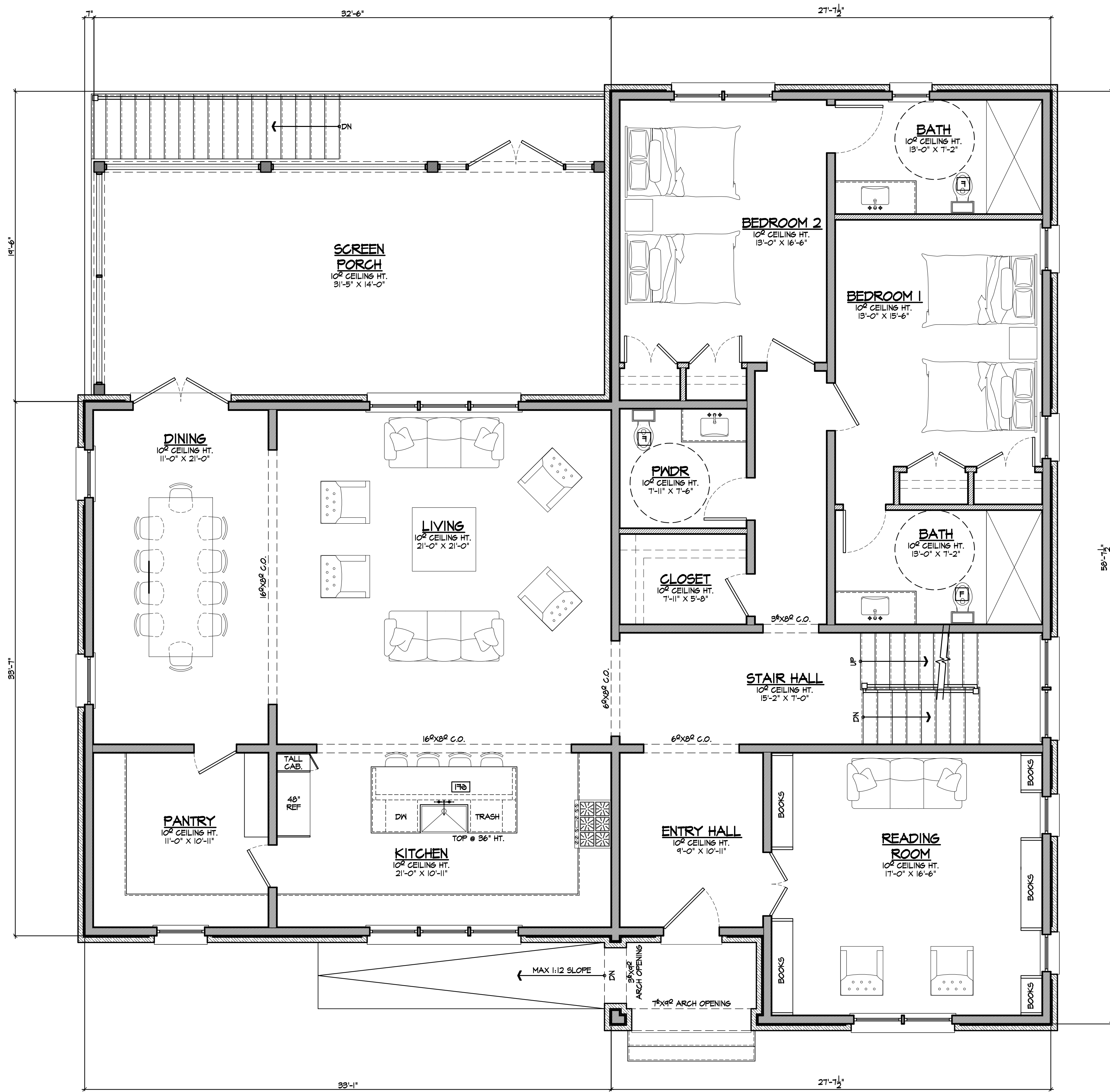
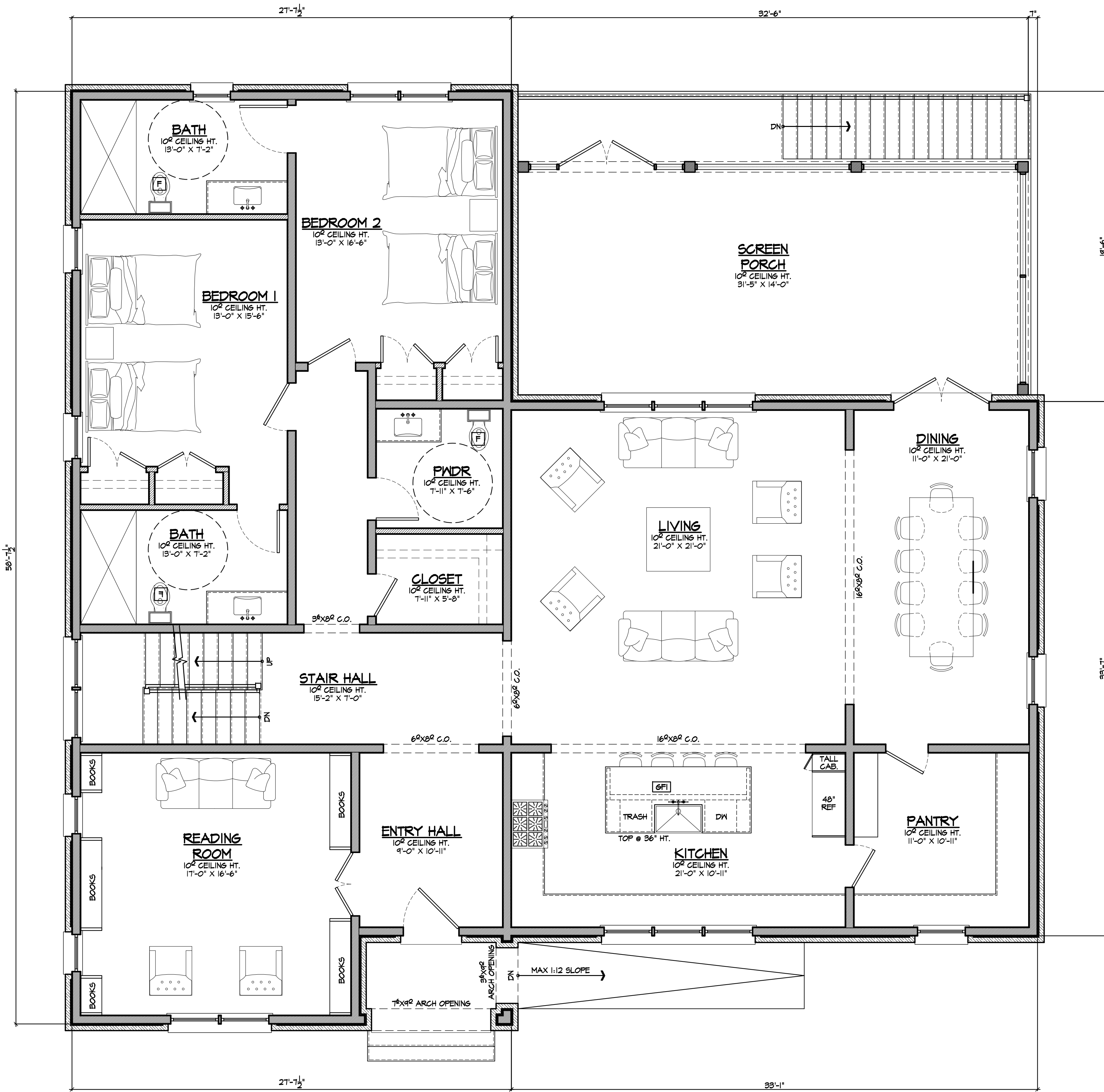
NOT RELEASED FOR CONSTRUCTION



Greg Busch,
Architects A.I.A.
91 West Winona Road
Building A, Suite 3000
Atlanta, Georgia 30342
Phone: (404) 252-8073
Email: gbusch@gregbusch.com

All drawings are instruments of service, and the property of Greg Busch Architects. They shall not be used for any other project without the written consent of Greg Busch Architects. The contractor shall check and verify all dimensions, materials, work, and existing conditions and report any discrepancies to Greg Busch Architects before proceeding with the work.

NOT RELEASED FOR CONSTRUCTION



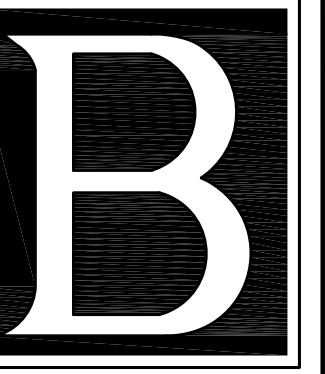
1 HOUSE A - MAIN LEVEL FLOOR PLAN
A-2.01 SCALE: 1/4" = 1'-0"

2 HOUSE B - MAIN LEVEL FLOOR PLAN
A-2.01 SCALE: 1/4" = 1'-0"

BREAKTHRU HOUSE A&B
1893, 1901 AND 1909 EASTFIELD STREET
DECATUR, GEORGIA 30032

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

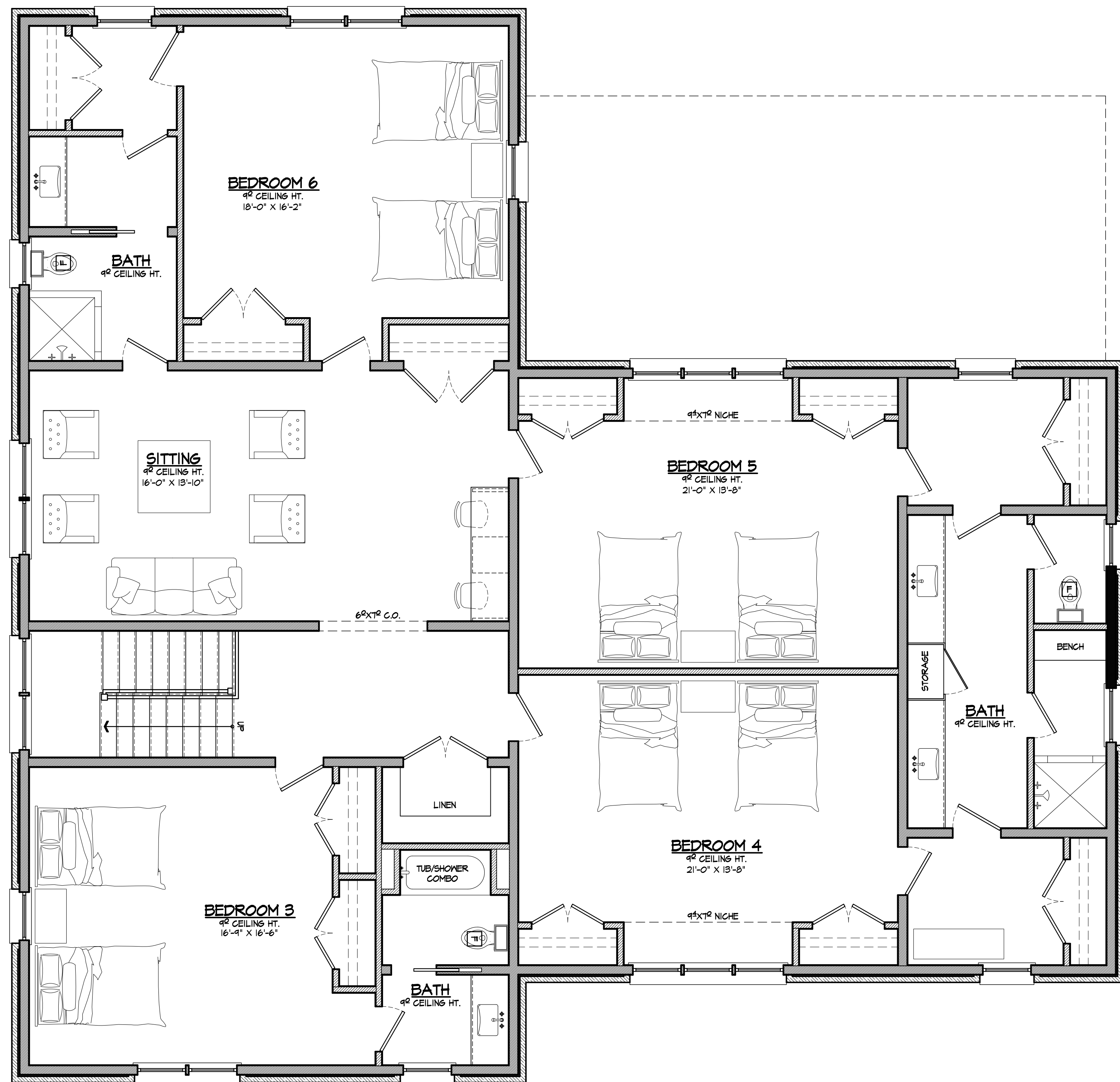
NOT RELEASED FOR CONSTRUCTION



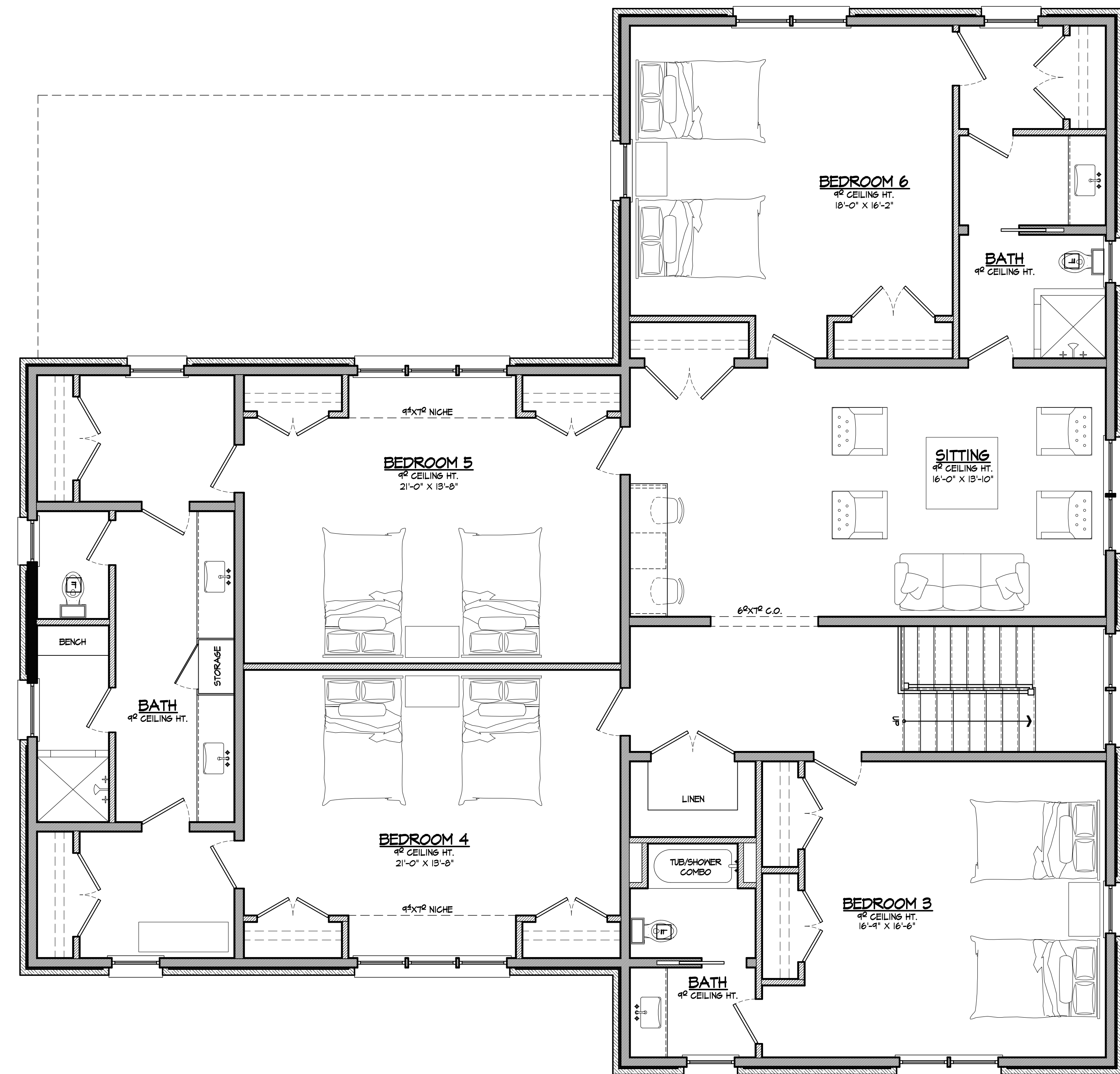
Greg Busch,
Architects A.I.A.
91 West Winona Road
Building A, Suite 3000
Atlanta, Georgia 30342
Phone: (404) 252-8073
Email: gbi@gregbusch.com

All drawings are instruments of service, and the property of Greg Busch Architects. They shall not be used for any other project without the written consent of Greg Busch Architects. The contractor shall check and verify all dimensions, materials, sizes, and existing conditions and report any discrepancies to Greg Busch Architects before proceeding with the work.

NOT RELEASED FOR CONSTRUCTION



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



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

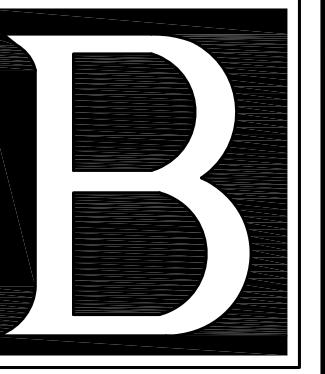
BREAKTHRU HOUSE A&B
1893, 1901 AND 1909 EASTFIELD STREET
DECATUR, GEORGIA 30032

stamps

issue

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



Greg Busch,
Architects A.I.A.
91 West Winona Road
Building A, Suite 3000
Atlanta, Georgia 30342
Phone: (404) 252-8073
Email: gb@gregbusch.com

All drawings are instruments of service, and the property of Greg Busch Architects. They shall not be used for any other project without the written consent of Greg Busch Architects.

The contractor shall check and verify all dimensions, materials, work and existing conditions and report any discrepancies to Greg Busch Architects before proceeding with the work.

BREAKTHRU HOUSE A&B
1893, 1901 AND 1909 EASTFIELD STREET
DECATUR, GEORGIA 30032

stamps

issue

date 2022.06.14

scale 1/4"=1'-0"

drawn HB checked GB

title

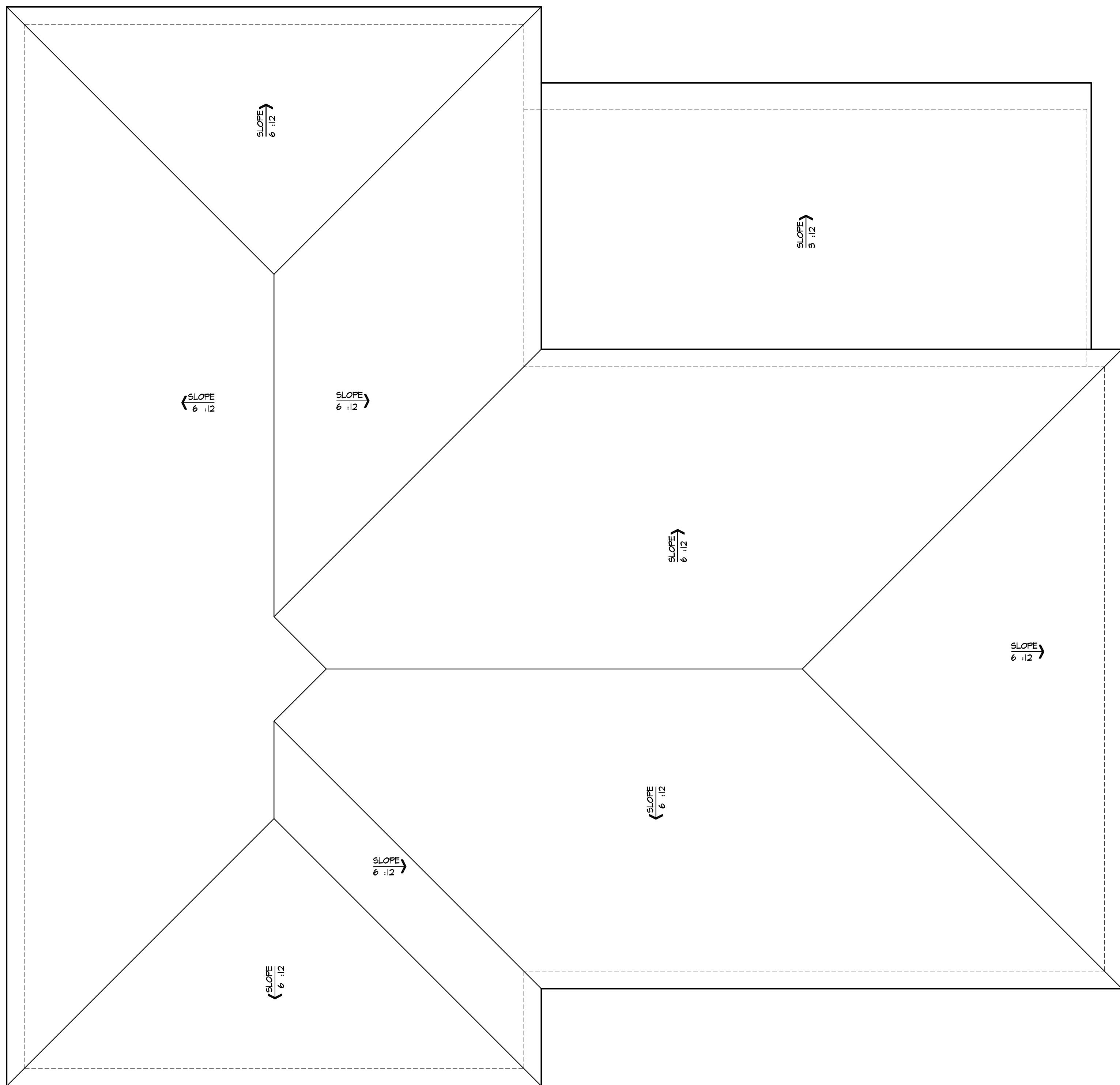
ROOF PLAN

sheet number

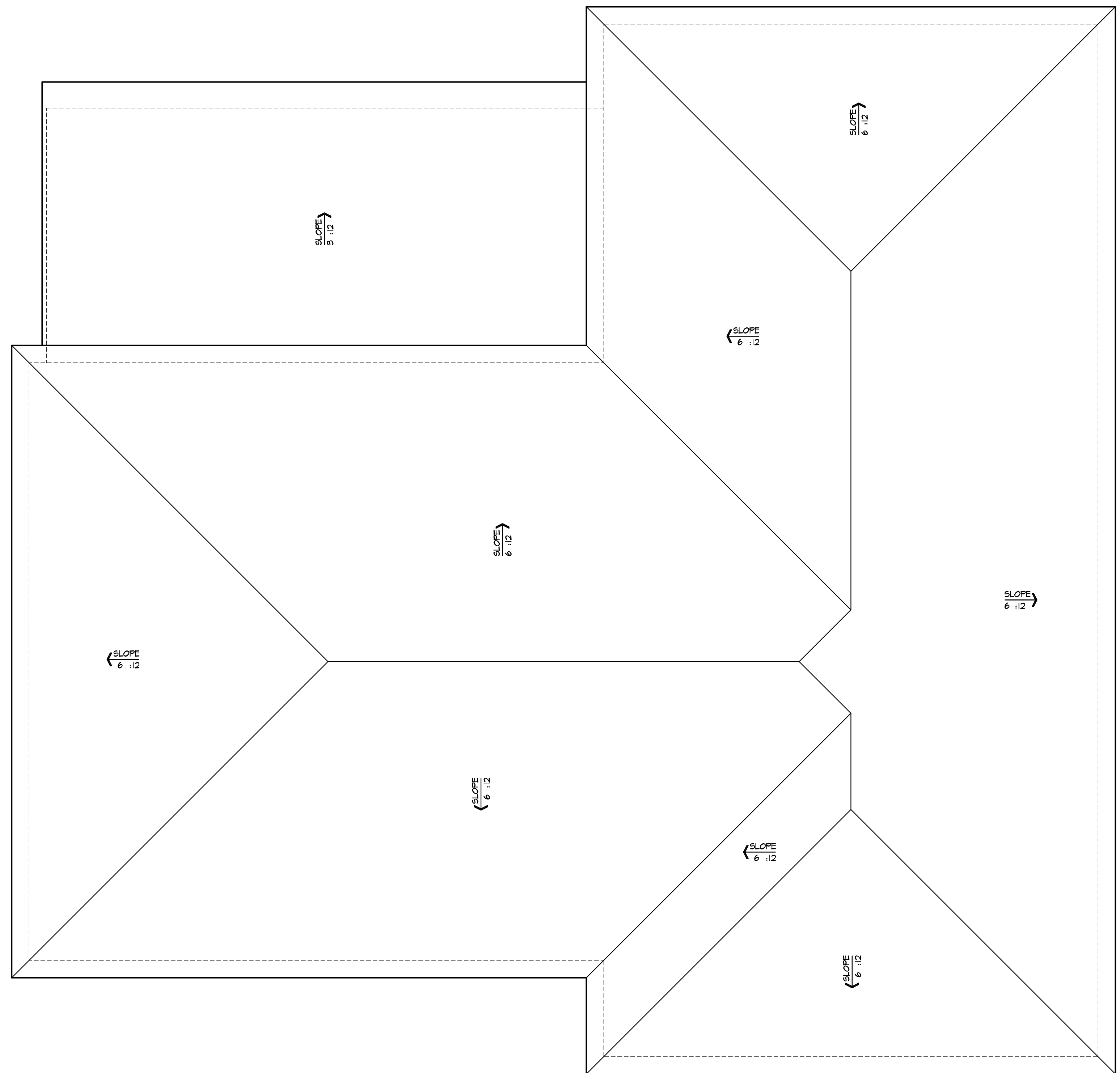
A-2.03

NOT RELEASED FOR CONSTRUCTION

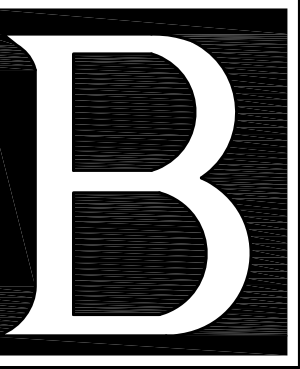
NOT RELEASED FOR CONSTRUCTION



1 HOUSE A - ROOF PLAN
A-2.03 SCALE: 1/4" = 1'-0"



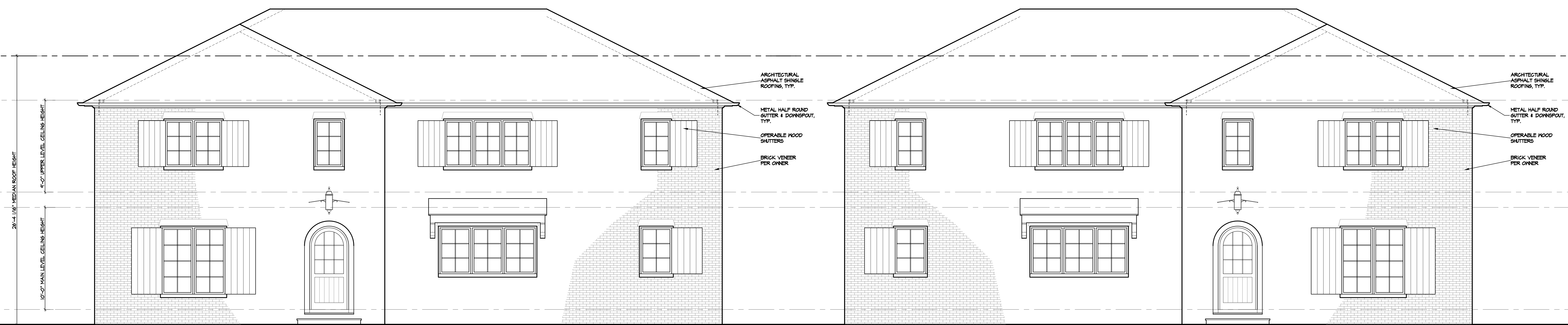
2 HOUSE B - ROOF PLAN
A-2.03 SCALE: 1/4" = 1'-0"



Greg Busch,
Architects A.I.A.
91 West Wisnea Road
Building A, Suite 3000
Atlanta, Georgia 30342
Phone: (404) 252-8073
Email: gbb@gregbusch.com

All drawings are instruments of service, and the property of Greg Busch Architects. They shall not be used for any other project, in whole or in part, without the written consent of Greg Busch Architects. The contractor shall check and verify all dimensions, materials, sizes and existing conditions and report any discrepancies to Greg Busch Architects before proceeding with the work.

BREAKTHRU HOUSE A&B
1893, 1901 AND 1909 EASTFIELD STREET
DECATUR, GEORGIA 30032



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

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

stamps	
issue	
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@battlelaw.com

Property Address: 1893, 1901, 1909 Eastfield St. and 1866 E. 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: 53-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: 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: NA Density Bonuses: NA Mix of Uses: NA 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⁺
 Provided - 9

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

Planner: Milora Furman Date: 8/22/22

Filing Fees

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

DEKALB COUNTY

ITEM NO.

BOARD OF COMMISSIONERS

HEARING TYPE
PUBLIC HEARING

ZONING AGENDA / MINUTES

ACTION TYPE
ORDINANCE

MEETING DATE: November 19, 2007

SUBJECT: **Rezone** – Breakthru House, Inc c/o Faye Stullken

COMMISSION DISTRICTS: 3 & 7

DEPARTMENT: Planning

PUBLIC HEARING: YES NO

ATTACHMENT: YES No

PAGES:

INFORMATION CONTACT: Patrick Ejike/Kevin Hunter

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 as the recommendation of the Planning and Development Department that the modifications be respectfully "Denied".

PLANNING COMMISSION:

Approval, based on the submitted plat.

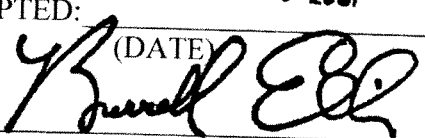
COMMUNITY COUNCIL:

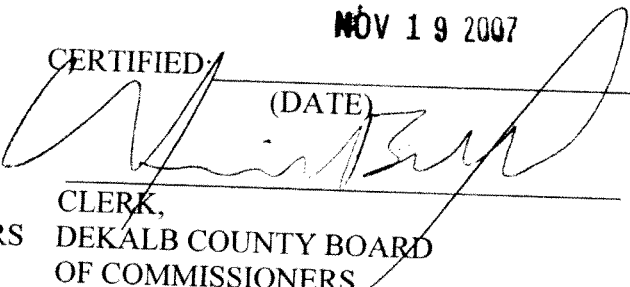
Approval: 5-0-0 (The project was approved based on the submitted site plan).

FOR USE BY COMMISSION OFFICE/CLERK ONLY

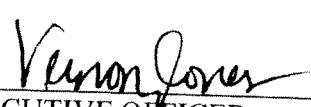
ACTION: 13-CZ-07-13844

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

CERTIFIED: NOV 19 2007
(DATE)

CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: DEC 10 2007

CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETOED: _____
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	<u>X</u>	_____	_____	_____
DISTRICT 2 - JEFF RADER	<u>X</u>	_____	_____	_____
DISTRICT 3 - LARRY JOHNSON	<u>X</u>	_____	_____	_____
DISTRICT 4 - BURRELL ELLIS	_____	_____	_____	_____
DISTRICT 5 - LEE MAY	<u>X</u>	_____	_____	<u>X</u>
DISTRICT 6 - KATHIE GANNON	<u>X</u>	_____	_____	_____
DISTRICT 7 - CONNIE STOKES	<u>X</u>	_____	_____	_____

CZ-07-13844

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.

REL.	___
ACTION	___
PUB.HRG.	<u>X</u>

MEETING DATE February 11, 1986

RESOLUTION	___
ORDINANCE	<u>X</u>
PROCLAMATION	___

CZ-07-13844

SUBJECT: Rezoning Application - John H. Snipes

DEPARTMENT: Planning

PUBLIC HEARING: X Yes ___ No

ATTACHMENT: 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

a) Zoning John H. Snipes
b) Eastfield Dr., Glenvalley Dr.

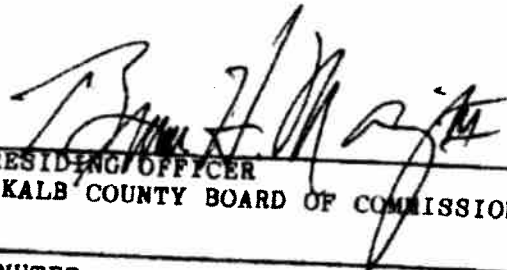
FOR USE BY COMMISSION OFFICE/CLERK ONLY

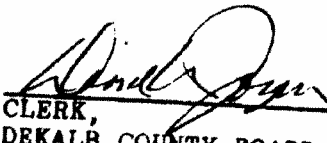
ACTION:

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)


PRESIDING OFFICER
DEKALB COUNTY BOARD OF COMMISSIONERS


CLERK,
DEKALB COUNTY BOARD OF COMMISSIONERS

MINUTES:

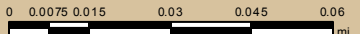
The applicant stated that the property is no longer suitable for residential use and requested OI zoning.

Opposition: None.

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



DeKalb County Aerial Map



Date Printed: 8/4/2022



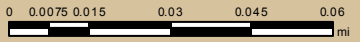
DeKalb County GIS Disclaimer
 The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.



Multiple Zoning - refer to zoning case



DeKalb County Zoning Map



Date Printed: 8/4/2022



DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.