

DeKalb County Department of Planning & Sustainability

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

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

**Planning Commission Hearing Date: Tuesday, September 12, 2023
Board of Commissioners Hearing Date: Thursday, September 28, 2023**

STAFF ANALYSIS

Case No.:	Z-23-1246544	Agenda #: 2023-0874
Location/Address:	4127, 4139, 4147, 4149, 4163 & 4173 Maplewood Drive, Decatur, GA 3005	Commission District: 03 Super District: 07
Parcel ID(s):	15-158-02-005, 15-158-02-006, 15-158-02-007, 15-158-02-051, 15-158-02-008 & 15-158-02-009	
Request:	Rezone properties from the R-75 (Residential Medium Lot-75) Zoning District to the RSM (Small Lot Residential Mix) Zoning District to allow for the construction of single-family, detached homes.	
Property Owner(s):	Maplewood Mareis, Llc	
Applicant/Agent:	Alex Ciuca c/o Battle Law, P.C.	
Acreage:	8.4 acres	
Existing Land Use:	Undeveloped	
Surrounding Properties:	North: R-75 (Across Maplewood Drive) East: R-75 South: R-75 West: R-75	
Comprehensive Plan:	Suburban (SUB)	Consistent <input checked="" type="checkbox"/> Inconsistent <input type="checkbox"/>

Staff Recommendation: Two-cycle deferral.

The applicant requests to rezone the subject properties from R-75 (Residential Medium Lot-75) to RSM (Small Lot Residential Mix) to construct up to thirty-three (33) single-family, detached dwellings.

The subject parcels are located within a Suburban (SUB) Character Area, which supports the proposed rezoning and development (*Comprehensive Plan*, pg. 41). Although the properties surrounding the proposed development are all currently zoned R-75, there is precedent for denser development in the immediate vicinity; there are several extant subdivisions with RSM zoning to the south and east along Wesley Chapel Road.

The proposed site plan shows a configuration that appears to be sensitive to existing developments along Maplewood Drive. Said plan contains open space surrounding the proposed dwellings that also serves as a buffer between the proposed dwellings and existing properties. Additional information will be required to

confirm that the proposal meets the criteria of Section 5.2.3. of the *Zoning Ordinance* with respect to the properties abutting the proposed Lots 9-14; this may potentially affect lot yield.

The proposal demonstrates compliance with RSM density requirements. A base maximum density of four (4) units per acre is allowed in the RSM zoning district; at 8.4 acres, the development has a base maximum of thirty-three (33) dwelling units, which is the same number proposed. Any increase in the number of dwelling units would require the provision of bonus density qualifying standards pursuant to Section 2.12.7.

Approximately 20.4 percent of the site is dedicated to open space, meeting the minimum requirement of twenty percent (20%). A minimum of fifty percent (50%) of the required open space – ten percent (10%) of the total site – shall be dedicated to enhanced open space. While general open space has been highlighted on the site plan, said plan does not show compliance with the enhanced open space requirement.

As Maplewood Road is classified as a collector, additional landscaping and streetscaping along its frontage will be required per Section 5.4.3. Right-of-way dedication may be required to provide said improvements, which may affect lot yield. A ten-foot (10') multimodal path is required by Planning and Transportation along all non-local streets. Providing a path of this width would likely conflict with the size of existing improvements made elsewhere along this corridor. Ultimately, Staff would support a waiver to reduce the path width. The local street within the development has not been confirmed as a public or private street but appears to be designed to public-street standards.

Comments from Water/Sewer indicate that the properties are currently not connected to public sewer service. It is unclear whether or not the proposal will connect to public sewer service or use septic tanks. A sewer cap may be required. Land Development has also provided a cursory review and recommends disapproval. The proposal fails to present an adequate radius at the development's entrance and does not appear to show adequate right-of-way dedication. The review further indicates that the existing topography of the subject parcels would result in the diversion of stormwater runoff flows which could adversely impact the existing subdivision to the south; a second stormwater detention facility may be appropriate.

Although the proposed rezoning would be sensitive to neighboring developments and would be supported by the *Comprehensive Plan*, the associated site plan, while conceptual in nature, has a significant number of deficiencies that may require a substantial redesign. Therefore, after a review of Chapter 27-7.3.5, the Planning & Sustainability Department recommends a *Two-Cycle Deferral* of the rezoning request to address the aforementioned concerns.



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

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

Case No.: _____ Parcel I.D. #: _____

Address: _____

WATER:

Size of existing water main: _____ (adequate/inadequate)

Distance from property to nearest main: _____ Size of line required, if inadequate: _____

SEWER:

Outfall Servicing Project: _____

Is sewer adjacent to property: Yes ____ No ____ If no, distance to nearest line: _____

Water Treatment Facility: _____ adequate ____ inadequate ____

Sewage Capacity: _____ (MGPD) Current Flow: _____ (MGPD)

COMMENTS:

Signature: _____

8/15/2023

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

General Comments:

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

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

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

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

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

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

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

8/15/2023

N4-2023-0874

15-158-02-005, 15-158-02-006, 15-158-02-007, 15-158-02-051, 15-158-02-008
& 15-158-02-009

4127,4139,4147,4149,4163 & 4173 Maplewood Drive, Decatur, GA 30035

Amendment

- Please review general comments.
- Septic installed at 4163 Maplewood Drive on 2/20/2010
- Septic installed at 4173 Maplewood Drive on 09/16/1969 and repairs on 09/16/1969
- Septic installed at 4147 Maplewood Drive on 04/21/1989

N5-2023-0875

SLUP-23-1246545 18-283-04-001, 18-266-05-014

3003 Chamblee-Tucker Road & 2936 Mercer University Drive, Chamblee, GA 30341

Amendment

- Please review general comments.
- Surrounding area on septic 2889,2898 and 3154. Please note we have no record. Property may be on septic.

N6-2023-0876

SLUP-23-1246546 16-126-02-068

1480 South Deshon Road, Lithonia, GA 30058

Amendment

- Please review general comments.
- Surrounding area indicated to have septic installed: 1450, 1451, 1388, 1500.

N7-2023-0877

CZ-23-1246550 16-102-01-001

6290 Saylor Park, Lithonia, GA 30058

Amendment

- Please review general comments.

Zoning Comments September 2023

N1: 3137 Weslock Circle -
No Comments.

N2 & N3: 7566 Union Grove Road –
No Comments.

N4: 4127, 4139, 4147, 4149, 4163 & 4173 Maplewood Drive –
Maplewood Drive is classified as a collector.

N5: 3401 Rainbow Drive –
Mercer University Drive is classified as minor arterials and a collector. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with 6 foot sidewalk with 4 foot bike lanes OR (preferred) 10 foot multiuse path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path/sidewalk. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Ensure there is pedestrian connectivity between the proposed development and the public sidewalk infrastructure. Ensure that the access points meet the minimum sight distance standards per AASHTO. Note required confirming sight distance on plans at Land Disturbance Permit phase.

N6: 1480 South Deshon Road –
No Comments.

N7: 6290 Sayler Park –
No Comments.

**DeKalb County School District
Development Review Comments**

Analysis Date: 8/2/2023

Submitted to: DeKalb County

Case #: Z-23-1246544

Parcel #: 15-158-02-005/-006/-007/-051/-008/-009

Name of Development: Maplewood Drive, 4127-4173

Location: South side of maplewood drive, west of Wesley Chapel Rd.

Description: 33 single family house proposed for 6 mostly vacant lots

Impact of Development: When fully constructed, this development would be expected to generate 14 students: 4 at Canby Lane Elementary School, 2 at Bethune Middle School, 3 at Towers High School, 5 at other DCSD schools, and 0 at private school. All three neighborhood schools have capacity for additional students.

Current Condition of Schools	Canby Lane Elementary School	Bethune Middle School	Towers High School	Other DCSD Schools	Private Schools	Total
Capacity	648	1,290	1,302			
Portables	0	0	0			
Enrollment (Oct. 2022)	451	704	757			
Seats Available	197	586	545			
Utilization (%)	69.6%	54.6%	58.1%			
New students from development	4	2	3	5	0	14

New Enrollment	455	706	760
New Seats Available	193	584	542
New Utilization	70.2%	54.7%	58.4%

Yield Rates	Attend Home School	Attend other DCSD School	Private School	Total
Elementary	0.1075	0.0633	0.0028	0.1736
Middle	0.0606	0.0360	0.0016	0.0981
High	0.0956	0.0433	0.0062	0.1451
Total	0.2637	0.1425	0.0106	0.4168

Student Calculations		Attend Home School	Attend other DCSD School	Private School	Total
Proposed Units	33				
	Unit Type				
	Cluster				
	Towers High School				
Units x Yield	Attend Home School	Attend other DCSD School	Private School	Total	
Elementary	3.55	2.09	0.09	5.73	
Middle	2.00	1.19	0.05	3.24	
High	3.15	1.43	0.20	4.78	
Total	8.70	4.71	0.34	13.75	

Anticipated Students	Attend Home School	Attend other DCSD School	Private School	Total
Canby Lane Elementary School	4	2	0	6
Bethune Middle School	2	1	0	3
Towers High School	3	2	0	5
Total	9	5	0	14



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

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

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

- **Storm Water Management**

- **Flood Hazard Area/Wetlands**

- **Landscaping/Tree Preservation**

- **Tributary Buffer**

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: 7-23-1246544 Parcel I.D. #: 15-158, 02-005-009
Address: 4147, 4149, 4149, 4163, 4173 Maplewood Drive Decatur, Ga. 30035
Decatur, Georgia 30035

Adjacent Roadway (s):

(classification) (classification)

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

Please provide additional information relating to the following statement.

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

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

COMMENTS:

Didn't see any traffic engineering concerns at this time.

Signature: [Handwritten Signature]



DEPARTMENT OF PLANNING & SUSTAINABILITY

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

Date Received: _____ Application No: _____

Applicant Name: _____

Applicant E-Mail Address: _____

Applicant Mailing Address: _____

Applicant Daytime Phone: _____ Fax: _____

Owner Name: _____

If more than one owner, attach list of owners.

Owner Mailing Address: _____

Owner Daytime Phone: _____

Address of Subject Property: _____

Parcel ID#: _____

Acreage: _____

Commission District: _____

Present Zoning District(s): _____

Proposed Zoning District: _____

Present Land Use Designation: _____

Proposed Land Use Designation (if applicable): _____

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

REZONING APPLICATION CHECKLIST

Email one (1) copy of your application as one (1) PDF file to Planner. Submit application through our online portal www.epermits.dekalbcountyga.gov

You MUST email us that you've submitted the application online. For questions, email: plansustain@dekalbcountyga.gov

- _____ 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 email lahill@dekalbcountyga.gov 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** (Email to planner and submit online permits.dekalbcountyga.gov 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
 - _____ e. 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. Written Legal Description** of metes and bounds of the subject property (can be printed on site plan or survey).
 - _____ **I. Building Form Information.** Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.
 - _____ **J. Completed, signed Pre-application Form** (Provided at pre-application meeting.)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



Battle Law

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

Zoom Instructions:

Go to <https://battlelawpc.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click “Join” . To join by phone, please dial (646) 931-3860. If you are unable to attend or would like to learn more about the proposed project, please call our office at the number below.

We encourage you to come out and participate!

For More Information Contact
Mark Schwabacher at:
Phone: 404-601-7616 ext. 8
Email: mas@battlelawpc.com

COMMUNITY MEETING TO DISCUSS AN APPLICATION FOR A DEVELOPMENT OF SINGLE- FAMILY DETACHED HOMES

Project Title: Maplewood Drive

When: June 28, 2023

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

Register in advance for this meeting:

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

Meeting ID: 881 0713 7635

Password: 360998

PROPOSED LOCATION(S):

4173, 4163, 4149, 4147, 4139, and 4127

Maplewood Drive, Decatur, GA

4127-4173 Maplewood Dr
HERRING BENJAMIN
4126 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
NICOLE BARNETT
2040 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
RUDOLPH DOROTHY
4113 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
MAPLEWOOD MAREIS LLC
1935 SUMTER ST
ATLANTA GA 30318

4127-4173 Maplewood Dr
SMITH BASIL A M
502 WYNBROOKE PKWY
STONE MOUNTAIN GA 30087

4127-4173 Maplewood Dr
NELSON NORRIS M
2032 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
SEGERS KRISTI N
2001 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
RAY WILLIAM III
2367 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
HOLMES JAMES H
2380 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
JACKSON HELEN M
2336 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
2017 2 IH BORROWER LP
1717 MAIN ST STE 2000
DALLAS TX 75201

4127-4173 Maplewood Dr
BRYANT-HUGHES PATRICIA E
2048 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
HARRIS GINA MARIE
2053 MAPLEWOOD WAY
DECATUR GA 30035

4127-4173 Maplewood Dr
COOK JOSEPH LEE
4091 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
MILLER DAMON
2355 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
BEECHAM GLENDA
2313 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
BROWN JESTINA R
133 JOHN GLENN DR
RINCON GA 31326

4127-4173 Maplewood Dr
WHITE EUGENIA
1495 GOLF LINK DR
STONE MOUNTAIN GA 30088

4127-4173 Maplewood Dr
CAMPBELL CIDEL
2269 LESLIE BROOK DR
DECATUR GA 30035

4127-4173 Maplewood Dr
GRAHAM LEONARD
2018 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
CAMPBELL NATALIA NIKOLAEVNA
2029 MAPLEWOOD WAY
DECATUR GA 30035

4127-4173 Maplewood Dr
STEPHENS SHERYL R
2325 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
MATTISON RASHAD DESHAWN
2337 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
CHIH CHAN I LLC
1132 124TH CT NE
BELLEVUE WA 98005

4127-4173 Maplewood Dr
MITCHELL BERTHA
PO BOX 140
AVONDALE ESTATES GA 30002

4127-4173 Maplewood Dr
LITTLE BARBARA B
2354 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
RICHARDSON KHADIJA
2342 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
COMMERSE DEANNA M
1964 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
WILLIAMS JOYCE BRYANT
1971 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
DEMIDENKO EKATERINA
2046 MAPLEWOOD WAY
DECATUR GA 30035

4127-4173 Maplewood Dr
DUGGINS CIARA E
5003 DENMEADE DR NE
ATLANTA GA 30345

4127-4173 Maplewood Dr
MITCHELL WARREN JR
4109 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
MCONALD TRICIA NATALIE
2239 LESLIE BROOK DR
DECATUR GA 30035

4127-4173 Maplewood Dr
STAR 2021 SFR1 BORROWER LP
591 W PUTNAM AVE
GREENWICH CT 6830

4127-4173 Maplewood Dr
AMERICAN EQUITY FINANCIAL LLC
333 SANDY SPRINGS CIR NE STE 226
ATLANTA GA 30328

4127-4173 Maplewood Dr
ANDERSON VIRGINIA ANN
2294 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
SMITH HENRIETTA
2300 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
PARTNERS TRUST
4426 HUGH HOWELL RD STE 200
TUCKER GA 30084

4127-4173 Maplewood Dr
EDWARDS DONNY
1977 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
WRPV XIV SFR OWNER I LLC
401 E JACKSON ST
TAMPA FL 33602

4127-4173 Maplewood Dr
GROSS GREGORY
2038 MAPLEWOOD WAY
DECATUR GA 30035

4127-4173 Maplewood Dr
MORAN DANIEL ARMANDO
4105 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
HORNE J B JR
1155 E 229TH ST DR S APT 1-B
BRONX NY 10466

4127-4173 Maplewood Dr
VANN JOHN R
2830 WILKINSON MILL CT
MARIETTA GA 30068

4127-4173 Maplewood Dr
PETERSON HORACE
2379 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
HAYES BEVERLY A
2245 LESLIE BROOK DR
DECATUR GA 30035

4127-4173 Maplewood Dr
GAITHER MARY JO
2251 LESLIE BROOK DR
DECATUR GA 30035

4127-4173 Maplewood Dr
DURANT LEAVEAN B
2306 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
KINGWOOD GWENDOLYN
2312 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
HOLLOWAY FLORA
2024 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
LOUIS ERIN M
2012 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
GADSON DESHAUN JOHNIK
2037 MAPLEWOOD WAY
DECATUR GA 30035

4127-4173 Maplewood Dr
WARD COURTNEY
2021 MAPLEWOOD WAY
DECATUR GA 30035

4127-4173 Maplewood Dr
VERDREE MAXINE YVONNE
3438 STARDUST CIR
DECATUR GA 30034

4127-4173 Maplewood Dr
STERLIN FARAH
2343 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
WOLFE ASHLUN
2301 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
MCINTOSH ZACHARY
2360 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
RICHARDSON ROBIN
2348 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
BARRON DESHANNEN
2213 LESLIE BROOK DR
DECATUR GA 30035

4127-4173 Maplewood Dr
DALEY JOSHUA
4090 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
USURY STACY
2027 MAPLEWOOD TRL
DECATUR GA 30035

4127-4173 Maplewood Dr
JONES NICOLE
2045 MAPLEWOOD WAY
DECATUR GA 30035

4127-4173 Maplewood Dr
THOMAS MERRICK
2349 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
GIBSON KIM
2361 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
PARSON YULANDA
1951 W 82ND ST
LOS ANGELES CA 90047

4127-4173 Maplewood Dr
KPM HOLDINGS LLC
2517 MELLVILLE AVE
DECATUR GA 30032

4127-4173 Maplewood Dr
WILFORD THOMAS
2227 LESLIE BROOK DR
DECATUR GA 30035

4127-4173 Maplewood Dr
HAWKINS NANCY J
2275 LESLIE BROOK DR
DECATUR GA 30035

4127-4173 Maplewood Dr
LAWRENCE DARLENE
4181 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
DAY RHONDA S
4189 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
BROWN LINDA D
2385 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
LAWRENCE DARLENE
4183 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
WOOD KARL
4182 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
MIDDLEBROOKS JODIE
334 HUNTER ST
NORCROSS GA 30071

4127-4173 Maplewood Dr
WHITNEY BRIGHAM PHILLIP
2022 MAPLEWOOD WAY
DECATUR GA 30035

4127-4173 Maplewood Dr
BAF ASSETS LLC
5001 PLAZA ON THE LAKE STE 200
AUSTIN TX 78746

4127-4173 Maplewood Dr
ECKER DUSTIN
2013 MAPLEWOOD WAY
DECATUR GA 30035

4127-4173 Maplewood Dr
JOHNSON TERRELL E
4137 KINGS CSWY
ELLENWOOD GA 30294

4127-4173 Maplewood Dr
ANDERSON MARY CHAMBERS
4188 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
JONES PATRICIA A
2397 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
PITTS ANTHONY K
2392 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
HARRIS SYLVESTER G
2287 LESLIE BROOK DR
DECATUR GA 30035

4127-4173 Maplewood Dr
POWELL TAKISHA JOYCE
2014 MAPLEWOOD WAY
DECATUR GA 30035

4127-4173 Maplewood Dr
FYR SFR BORROWER LLC
3505 KOGER BLVD STE 400
DULUTH GA 30096

4127-4173 Maplewood Dr
ELITE MANAGEMENT PROFESSIONALS LLC
PO BOX 12226
ATLANTA GA 30355

4127-4173 Maplewood Dr
STORY PROPERTY INVESTMENTS LLC
PO BOX 2332
BEAUFORT SC 29901

4127-4173 Maplewood Dr
FRANDSEN BENJAMIN N
2403 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
GILO INVESTMENTS LLC
2789 AVINGTON LN SE
SMYRNA GA 30080

4127-4173 Maplewood Dr
BRITT ROBERT M
4236 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
HARRINGTON LUCI
2409 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
BAKER FLORIE S
2410 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
KILPATRICK CORA E
2404 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
AUTREY THOMASINA MARIE
2373 WOODCREEK CT
TUCKER GA 30084

4127-4173 Maplewood Dr
BURKS SHARON
2307 LESLIE BROOK DR
DECATUR GA 30035

4127-4173 Maplewood Dr
RUCKER DIANA F
2415 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
SMITH ADRIENNE R
4207 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
LAMAR REBECCA S
2421 NEWGATE DR
DECATUR GA 30035

4127-4173 Maplewood Dr
RAHMAN NISA
380 CHANDLER CT
BUFORD GA 30518

4127-4173 Maplewood Dr
PEDRO DANIEL ESCALANTE
4208 MAPLEWOOD DR
DECATUR GA 30035

4127-4173 Maplewood Dr
GRETZKY GA LLC
853 BROADWAY FLOOR 5
NEW YORK NY 10003

Notice of Community Meeting

Mark Schwabacher <MAS@battlelawpc.com>

Mon 6/12/2023 9:57 AM

Cc:Michele Battle <mlb@battlelawpc.com>;Josh Mahoney <jsm@battlelawpc.com>

Bcc:adrianez.realty@gmail.com <adrianez.realty@gmail.com>;albertajordan@bellsouth.net <albertajordan@bellsouth.net>;barnesve@yahoo.com <barnesve@yahoo.com>;bcp2@gmail.com <bcp2@gmail.com>;berryelfreda227@gmail.com <berryelfreda227@gmail.com>;bethbond@bellsouth.net <bethbond@bellsouth.net>;bjavnt@gmail.com <bjavnt@gmail.com>;carolyn.jones818@yahoo.com <carolyn.jones818@yahoo.com>;christinedennis@bellsouth.net <christinedennis@bellsouth.net>;christinedennis@bellsouth.net <christinedennis@bellsouth.net>;csanders@eastmetrocid.com <csanders@eastmetrocid.com>;dbonino1@aol.com <dbonino1@aol.com>;dlocks1019@aol.com <dlocks1019@aol.com>;edsan@bellsouth.net <edsan@bellsouth.net>;elitedesignsatl@yahoo.com <elitedesignsatl@yahoo.com>;ericastewart2009@gmail.com <ericastewart2009@gmail.com>;ericwschwartz@gmail.com <ericwschwartz@gmail.com>;frank@golleyrealty.com <frank@golleyrealty.com>;hjpreston23@gmail.com <hjpreston23@gmail.com>;info@greshamhills.org <info@greshamhills.org>;jacquelynbuiebrown@gmail.com <jacquelynbuiebrown@gmail.com>;jgross@stickybusiness.net <jgross@stickybusiness.net>;jgross@stickybusiness.net <jgross@stickybusiness.net>;k1776usa@yahoo.com <k1776usa@yahoo.com>;linn.jeff@gmail.com <linn.jeff@gmail.com>;mfunk64@att.net <mfunk64@att.net>;mkirkwood73@outlook.com <mkirkwood73@outlook.com>;naacpdek@comcast.net <naacpdek@comcast.net>;nahwash4ms@aol.com <nahwash4ms@aol.com>;NettieJackson@me.com <NettieJackson@me.com>;norfley@yahoo.com <norfley@yahoo.com>;parkviewcivicclub@gmail.com <parkviewcivicclub@gmail.com>;pat.lawrencecraig@gmail.com <pat.lawrencecraig@gmail.com>;Pdk-powell@comcast.net <Pdk-powell@comcast.net>;phthompson3@msn.com <phthompson3@msn.com>;ppculp@att.net <ppculp@att.net>;president@naacpdekalb.org <president@naacpdekalb.org>;rbarrow@comcast.net <rbarrow@comcast.net>;regeniariobertsone@gmail.com <regeniariobertsone@gmail.com>;rigel.cable@gmail.com <rigel.cable@gmail.com>;robark@allsouthwarehouse.com <robark@allsouthwarehouse.com>;robark@allsouthwarehouse.com <robark@allsouthwarehouse.com>;samandbettysmith@bellsouth.net <samandbettysmith@bellsouth.net>;sbhouston@bellsouth.net <sbhouston@bellsouth.net>;sls1289@gmail.com <sls1289@gmail.com>;tolip209@gmail.com <tolip209@gmail.com>;tommyt4dekalb@gmail.com <tommyt4dekalb@gmail.com>;wazulamor@aol.com <wazulamor@aol.com>;wmtoliver7@gmail.com <wmtoliver7@gmail.com>

Hello members of DeKalb Community Council District 3 and District 3 Neighborhood Registry,

I am writing to provide notice of a public community meeting. On Wednesday, June 28th at 6pm, we will be hosting a community meeting to discuss an application for a residential development planned for 4127-4173 Maplewood Drive. The meeting will be held via Zoom, with the details below:

Topic: Maplewood Drive - Community Meeting

Time: Jun 28, 2023 06:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

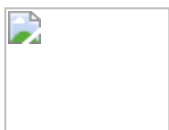
<https://battlelawpc.zoom.us/j/88107137635?pwd=Tzdmcm25mbWZQT2FuUjVIV2YydytVZz09>

Meeting ID: 881 0713 7635

Passcode: 360998

Dial In: +1 646 931 3860 US

Thank you,



Mark Schwabacher.

(he/him/his)

Legal Intern

Community Meeting 6/28/23 Sign-In Sheet

Name (Original Name)	User Email	Total Duration (Minutes)	Guest
Josh Mahoney	jsm@battlelawpc.com	67	No
Darlene Lawrence		33	Yes
Courtney Ward		59	Yes
Wayne Powell		58	Yes
Mark Schwabacher	mas@battlelawpc.com	54	No
Alex C		52	Yes
Gina Harris		47	Yes
Galaxy S20 5G1		48	Yes
Alice at 4202 (88107137635)		25	Yes
Ekaterina Demidenko		22	Yes
Maxine Verdree		16	Yes



Battle Law

STATEMENT OF INTENT

and

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

of

MAPLEWOOD MAREIS LLC
c/o Battle Law, P.C.

for

+/- 8.40 Acres of Land
Being 4127, 4139, 4147, 4149, 4163, 4173 Maplewood Drive
Decatur, Georgia

Submitted for Applicant by:

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



Battle Law

I. LETTER OF INTENT

Maplewood Mareis, LLC (the “Applicant”) is proposing a development of thirty-three (33) for-sale, single-family detached homes on +/- 8.4 acres of land being 4127, 4139, 4147, 4149, 4163, and 4173 Maplewood Drive (the “Subject Property”). The Subject Property is currently zoned R-75 with a land use designation of suburban (SUB). The Applicant is seeking a rezoning of the Subject Property to RSM to develop at 4 units per acre.

This document serves as an Impact Analysis under Section 7.3.5 of the zoning ordinance and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. IMPACT ANALYSIS

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

The Suburban future land use classification has a goal of providing market rate single-family housing to support regional housing needs. Rezoning the Subject Property to RSM is consistent with that goal because it would allow for market rate single family detached housing without introducing extraneous uses to the area. The area immediately adjacent to the Subject Property was studied in the 2011 Wesley Chapel LCI Redevelopment Plan. The LCI plan envisions areas of single-family homes along and behind Wesley Chapel Road to provide a gentle transition from commercial to residential spaces.

In addition, these parcels are less than a mile from the I-20 and Wesley Chapel Road Town Center area outlined in the Comprehensive Plan. The Town Center area has a goal of being a focal point for surrounding neighborhoods. Building homes in an RSM zone so close to a Town Center area adds to the intent of a Town Center because it can help bring additional economic activity to that area.

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

Rezoning the Subject Property will permit a site plan that is similar in character, use, and density to other developments of single-family detached homes on the same street. The proposed site plan will create a four-way intersection with the Maplewood Farms subdivision directly across Maplewood Drive. The single-family detached homes on the site plan are also similar in proposed design and density to the Maplewood Flats subdivision, also on Maplewood Drive. There is an area of RSM zoning already on Maplewood Drive, which hosts a group of single-family homes. Finally, the proposed development will include an HOA to help ensure that the new development is maintained at a level that is suitable for the broader community.

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



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The Subject Property does not have a reasonable economic use as currently zoned. The unusual depth of the six parcels results in the lots being significantly larger than other lots within the area. With current land and development costs, along with rising interest rates, building homes to meet R-75 requirements would result in a housing product that would significantly exceed current area home values resulting in gentrification.

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

The zoning proposal will not adversely affect nearby properties. All adjacent properties are also developments of detached single-family homes, including two subdivisions of similar density. Additionally, the Applicant proposes a twenty (20) foot green buffer around the entirety of the property, in addition to the required setbacks and rear yards, that will effectively screen the new development from the existing developments.

The Application will also complement nearby properties by increasing the diversity of housing options. Developing the Subject Property at RSM will introduce new housing to the area at price levels that reinforce area property values without applying undue pressure on pricing.

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

The Applicant is not aware of any additional existing or changing conditions to provide 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;

The Applicant is not aware of any historic buildings, sites, districts, or archaeological resources in the proposed project area.

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;

The zoning proposal will slightly increase traffic by adding thirty-three (33) homes to Maplewood Drive, however this increase in traffic will not be unusual, excessive or burdensome on existing streets, facilities, utilities, or schools.

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

The Applicant proposes to address the adverse environmental impacts inherent in construction by meeting all state and local open space and impervious surface requirements, as well as including an adequate stormwater management area.



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III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning to RSM be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

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

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

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

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



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A refusal to allow the 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 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

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.

Notary



Signature of Applicant /Date

Check one: Owner Agent _____

Expiration Date/ Seal

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

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 6/26/2023

TO WHOM IT MAY CONCERN:

(I), (WE) Alex Ciuca, Member of MAREIS LLC / Maplewood Mareis LLC
Name of owners(s) (If more than one owner, attach a separate sheet)

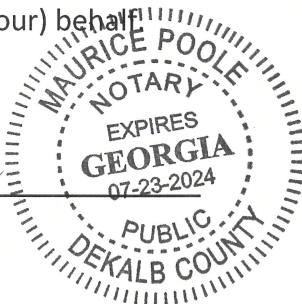
Being (owner) (owners) of the subject property described below or attached hereby delegate authority to:

Battle Law P.C.

Name of Agent or Representative

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

Maurice Pule
Notary Public



Alex Ciuca
Owner

Notary Public

Owner

Notary Public

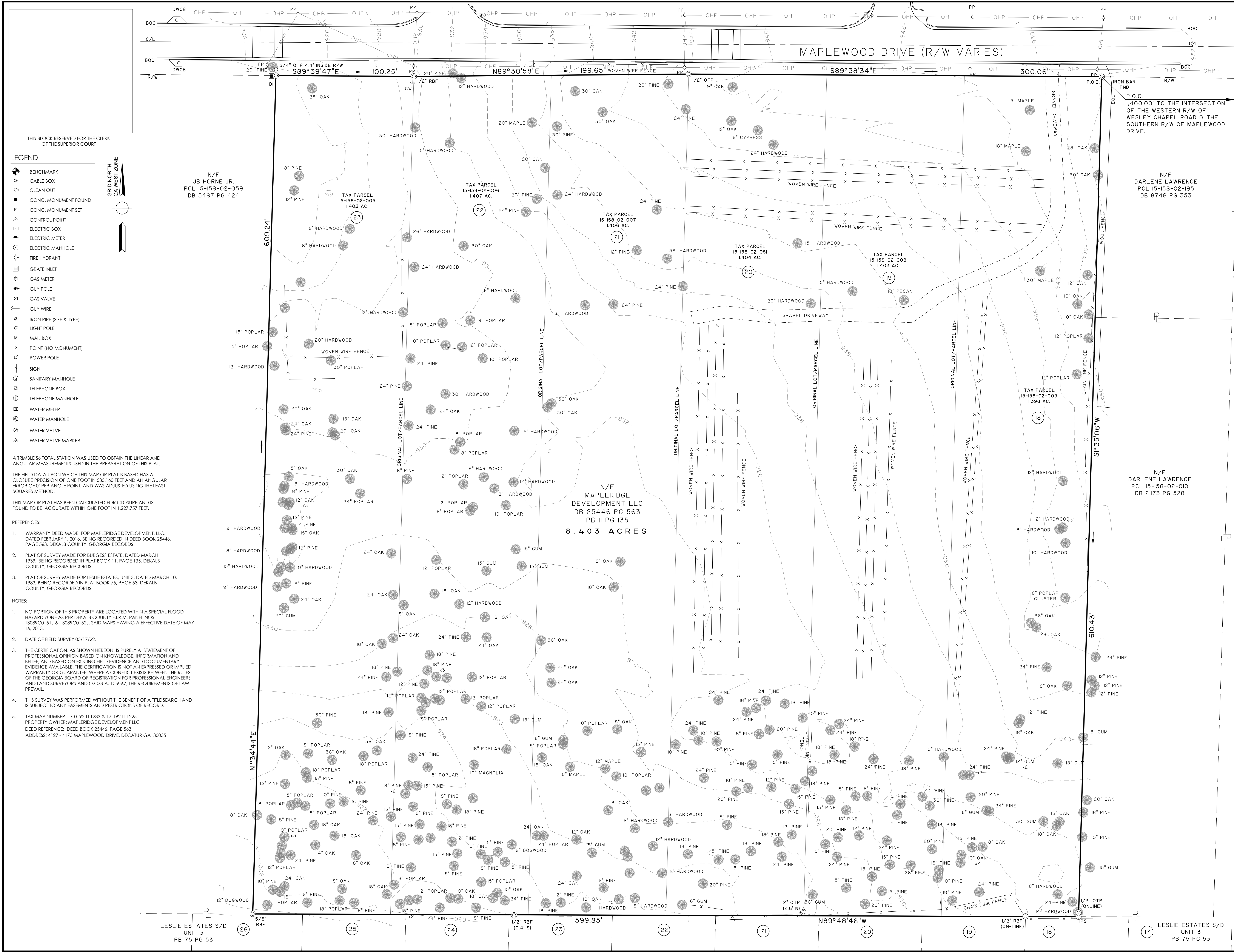
Owner

Notary Public

Owner

Notary Public

Owner



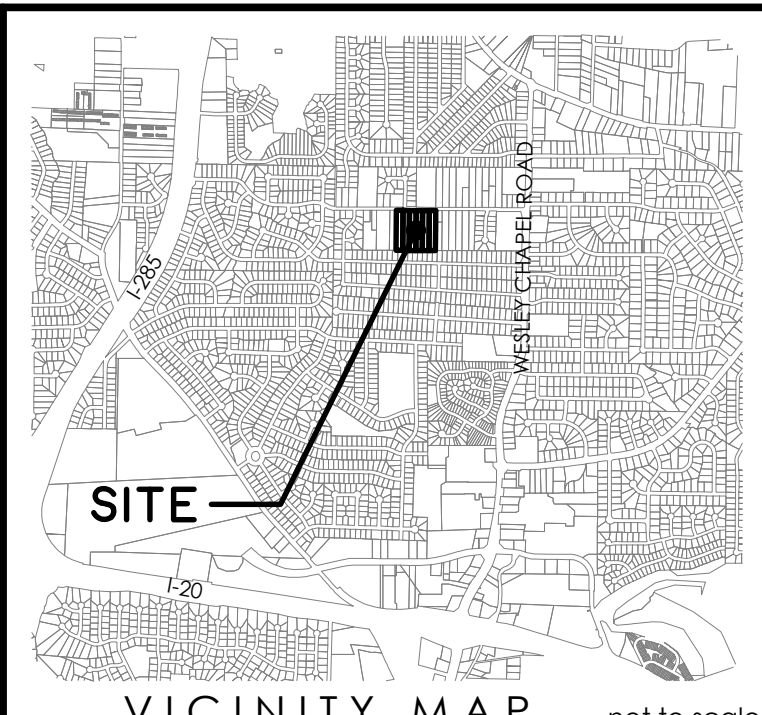
LEGEND

- ⊕ BENCHMARK
- ⊙ CABLE BOX
- CLEAN OUT
- CONC. MONUMENT FOUND
- ▣ CONC. MONUMENT SET
- △ CONTROL POINT
- ⊞ ELECTRIC BOX
- ⊞ ELECTRIC METER
- ⊞ ELECTRIC MANHOLE
- ⊞ FIRE HYDRANT
- ⊞ GRATE INLET
- ⊞ GAS METER
- ⊞ GUY POLE
- ⊞ GAS VALVE
- ⊞ GUY WIRE
- ⊞ IRON PIPE (SIZE & TYPE)
- ☆ LIGHT POLE
- ⊞ MAIL BOX
- POINT (NO MONUMENT)
- ⊞ POWER POLE
- ⊞ SIGN
- ⊞ SANITARY MANHOLE
- ⊞ TELEPHONE BOX
- ⊞ TELEPHONE MANHOLE
- ⊞ WATER METER
- ⊞ WATER MANHOLE
- ⊞ WATER VALVE
- ⊞ WATER VALVE MARKER

A TRIMBLE S6 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.
 THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 535,160 FEET AND AN ANGULAR ERROR OF 0" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.
 THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 1,227,757 FEET.

- REFERENCES:**
1. WARRANTY DEED MADE FOR MAPLERIDGE DEVELOPMENT, LLC, DATED FEBRUARY 1, 2016, BEING RECORDED IN DEED BOOK 25446, PAGE 563, DEKALB COUNTY, GEORGIA RECORDS.
 2. PLAT OF SURVEY MADE FOR BURGESS ESTATE, DATED MARCH, 1939, BEING RECORDED IN PLAT BOOK 11, PAGE 135, DEKALB COUNTY, GEORGIA RECORDS.
 3. PLAT OF SURVEY MADE FOR LESLIE ESTATES, UNIT 3, DATED MARCH 10, 1983, BEING RECORDED IN PLAT BOOK 75, PAGE 53, DEKALB COUNTY, GEORGIA RECORDS.

- NOTES:**
1. NO PORTION OF THIS PROPERTY ARE LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE AS PER DEKALB COUNTY F.I.R.M. PANEL NOS. 13089C0151J & 13089C0152J. SAID MAPS HAVING AN EFFECTIVE DATE OF MAY 16, 2013.
 2. DATE OF FIELD SURVEY 05/17/22.
 3. THE CERTIFICATION, AS SHOWN HEREON, IS PURELY A STATEMENT OF PROFESSIONAL OPINION BASED ON KNOWLEDGE, INFORMATION AND BELIEF, AND BASED ON EXISTING FIELD EVIDENCE AND DOCUMENTARY EVIDENCE AVAILABLE. THE CERTIFICATION IS NOT AN EXPRESSED OR IMPLIED WARRANTY OR GUARANTEE. WHERE A CONFLICT EXISTS BETWEEN THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND O.C.G.A. 15-6-67, THE REQUIREMENTS OF LAW PREVAIL.
 4. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE SEARCH AND IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.
 5. TAX MAP NUMBER: 17-0192-LL1233 & 17-192-LL1225
 PROPERTY OWNER: MAPLERIDGE DEVELOPMENT LLC
 DEED REFERENCE: DEED BOOK 25446, PAGE 563
 ADDRESS: 4127 - 4173 MAPLEWOOD DRIVE, DECATUR GA 30035



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



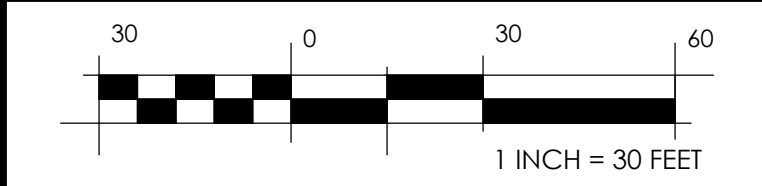
BOUNDARY / TOPOGRAPHIC SURVEY

MAPLEWOOD DRIVE TRACT
15TH DISTRICT
LAND LOT 158
DEKALB COUNTY, GEORGIA

4127 - 4173 MAPLEWOOD DRIVE
 DECATUR, GEORGIA 30035
 prepared for
MAREIS, LLC

No.	Revision	By	Date

THOMAS & HUTTON
 5074 Bristol Industrial Way • Suite A
 Buford, GA 30518 • 770-271-2868
 www.thomasandhutton.com



SITE NOTES:

1. THE SITE CONTAINS: 366,034 SQ FT = 8.403 ACRES
TOTAL DISTURBED ACREAGE: TBD ACRES
2. SITE ADDRESS: 4127-4173 MAPLEWOOD DRIVE, DEKALB COUNTY, 30035
3. EXISTING ZONING: R-75
4. SURVEY INFORMATION TAKEN FROM SURVEYS PERFORMED BY THOMAS & HUTTON, DATED 5-26-22.
5. HORIZONTAL DATUM IS NAD83 GEORGIA GRID WEST ZONE. VERTICAL DATUM IS NAVD88.
6. PART OF THIS SITE IS LOCATED WITHIN A ZONE [A, AE, SHADED ZONE X] AS DEFINED BY F.I.R.M. COMMUNITY PANEL NUMBER 1308900151 J DATED MAY 16, 2013 FOR DEKALB COUNTY, GEORGIA.
7. THERE ARE EXISTING EASEMENTS, STATE WATER BUFFERS, STREAM BUFFERS OR FLOODPLAIN BUFFER THAT APPLY TO THIS PROPERTY.
8. TO THE BEST OF OUR KNOWLEDGE, THERE NO CEMETERIES, ARCHITECTURAL OR ARCHEOLOGICAL LANDMARKS EXIST ON SITE. IN THE EVENT THAT THESE LANDMARKS ARE DISCOVERED DURING CONSTRUCTION, THE ENGINEER MUST BE CONTACTED IMMEDIATELY FOR REVIEW AND AMENDING THE CONSTRUCTION PLANS.
9. THE EXISTING UTILITIES SHOWN ON THE PLANS ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS, SIZES, MATERIALS, OR DEPTH FOR THE UTILITIES SHOWN OR THE UTILITIES WHICH MAY EXIST ON THE SITE BUT ARE NOT SHOWN. THE CONTRACTOR SHALL HAVE THE RESPONSIBILITY TO VERIFY THE LOCATION OF ALL UTILITIES SHOWN ON THE PLANS AND REPORT ANY DISCREPANCIES TO THE ENGINEER OF RECORD. THE CONTRACTOR SHALL ALSO HAVE THE RESPONSIBILITY BEFORE STARTING ANY WORK TO MAKE SUCH EXPLORATIONS AND PROBES NECESSARY TO ASCERTAIN ANY SEWER LINES, WATER SUPPLY LINES, GAS LINES, ELECTRICAL LINES, CABLE LINES, TELEPHONE LINES, OR OTHER UTILITY LINE.
10. CONTRACTOR SHALL CONTACT THE UTILITY LOCATOR AS REQUIRED BY GEORGIA LAW AND HAVE ALL UTILITIES MARKED PRIOR TO ANY CONSTRUCTION ACTIVITY. CONTRACTOR WILL HAVE PRIVATE UTILITY LOCATOR LOCATE ALL UTILITIES WITHIN THE CONSTRUCTION LIMITS NOT COVERED BY THE UTILITY PROTECTION CENTER.
11. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES OR ERRORS THAT HE MAY DISCOVER IN THESE PLANS.
12. CONTRACTOR TO PROVIDE ALL NECESSARY BARRICADES, GUARDS, LIGHTS, AND OTHER INSTALLATIONS REQUIRED TO PROTECT PERSONS AND PROPERTY DURING THE ENTIRE CONSTRUCTION PROCESS.
13. ALL CONSTRUCTION MUST CONFORM TO THE APPROPRIATE CITY, COUNTY, AND STATE STANDARDS.
14. UNDERGROUND UTILITIES SERVING OR CROSSING THE PREMISES MAY EXIST THAT ARE NOT SHOWN. CRESCENT VIEW ENGINEERING IS UNABLE TO CERTIFY TO THE ACCURACY OR COMPLETENESS OF THE UTILITY INFORMATION SHOWN. ALL UNDERGROUND UTILITY LOCATIONS MUST BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION ACTIVITY BY THE UTILITY PROTECTION CENTER AT 1-800-282-7411 FOR RIGHT OF WAY AREA AND BY A PRIVATE UTILITY LOCATOR FOR UTILITIES NOT LOCATED WITHIN THE RIGHT OF WAY.
15. THE CONTRACTOR MUST OBTAIN ADDITIONAL "RIGHT OF WAY" PERMIT FOR ALL NECESSARY WORK DONE IN THE RIGHT OF WAY.
16. THIS PLAN WAS PREPARED FOR PERMIT APPROVAL ONLY. ACTUAL CONSTRUCTION SHOULD BE BASED ON STAKING BY A REGISTERED LAND SURVEYOR. THE FOOTPRINT IS BASED ON AN ARCHITECTURAL PLAN BY OTHERS. THE ARCHITECTURAL PLAN SHOULD BE USED FOR HOUSE POSITIONING AND LOCATION.

ZONING CONFORMANCE:

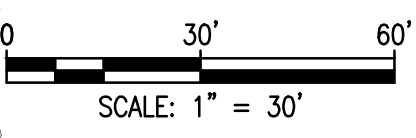
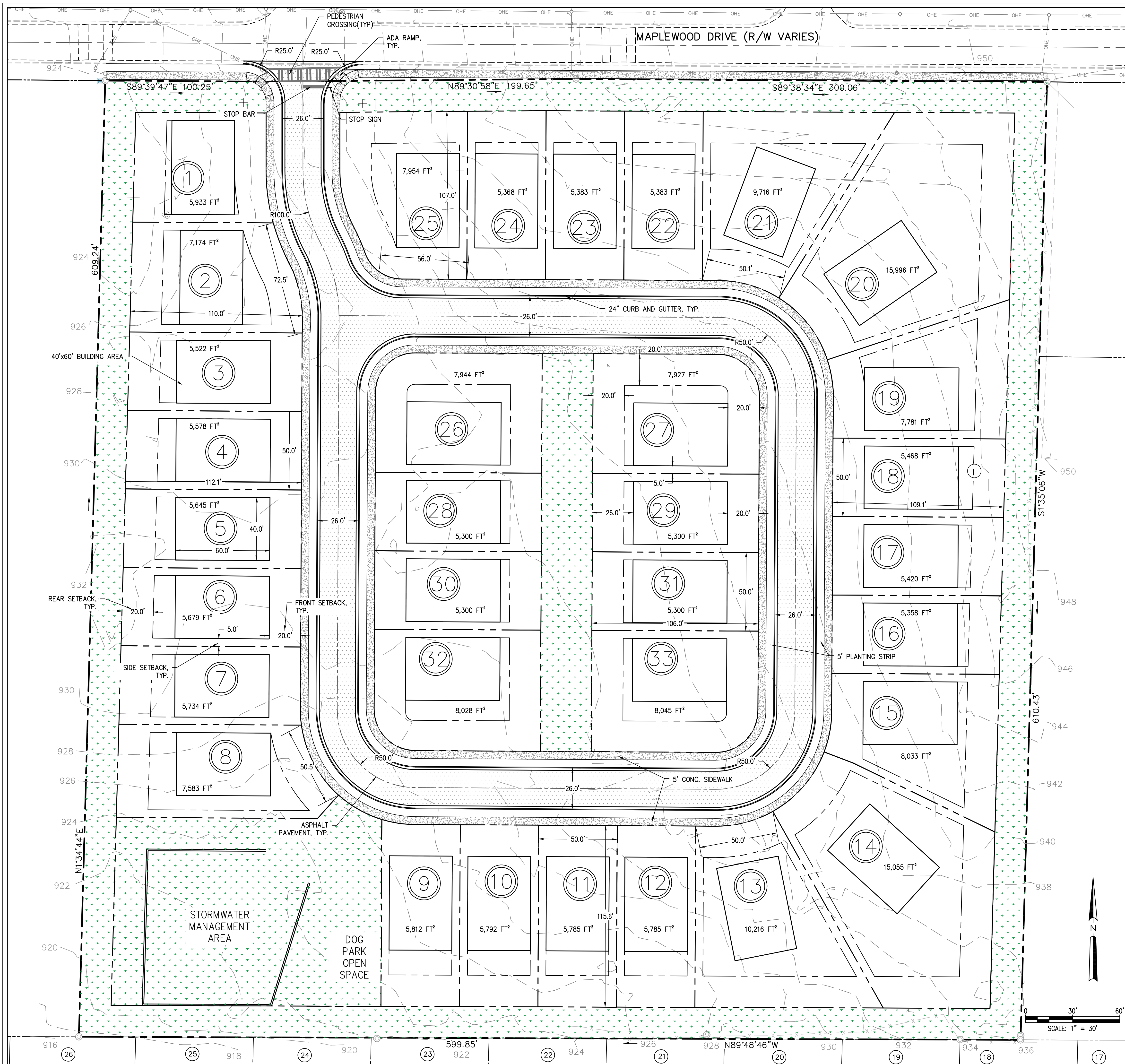
SITE ZONING:	PROPOSED R-SM ZONING
DENSITY UNITS/ACRE:	4 UNITS/ACRE
MINIMUM OPEN SPACE:	20% (MIN)
BUILDING SETBACKS	
FRONT SETBACK (THOROUGHFARES AND ARTERIALS)	20 FT (MIN) / 30FT (MAX)
FRONT SETBACK (SUB):	20 FT (MIN)
SIDE SETBACK (INTERIOR LOT):	3 FT (MIN) WITH 10 FT SEPARATION BETWEEN BUILDINGS
SIDE SETBACK (CORNER LOT):	SAME AS FRONT
REAR SETBACK (WITHOUT ALLEY):	20 FEET (10FT WITH ALLEY)
LOT REQUIREMENTS	
MINIMUM LOT WIDTH:	50 FT (OR 20 FT COTTAGE)
MINIMUM LOT AREA:	5,000 SF (OR 2,000 SF COTTAGE)
MAXIMUM LOT COVERAGE:	50%
MINIMUM FLOOR AREA:	1,200 SF (OR 800 SF COTTAGE)
MAXIMUM HEIGHT OF BUILDING:	35 FEET

 OPEN SPACE AREA

OPEN SPACE REQUIREMENTS:

- TOTAL LOT AREA = 366,034 SF
- REQUIRED OPEN SPACE = 20% (OR 73,207 SF)
- PROVIDED OPEN SPACE = 20.42% (OR 74,731 SF)
- REQUIRED OPEN SPACE MAY BE USED IN A VARIETY OF WAYS, INCLUDING NATURAL AREAS FOR WILDLIFE AND ECOLOGICAL FUNCTIONS; PARKS; GARDENS; LANDSCAPED MEDIANS, SQUARES, VILLAGE GREENS, COURTYARDS, RECREATIONAL SPACE, OR RECREATIONAL FACILITIES, PROVIDED THE USE IS CONSISTENT WITH THE REQUIREMENTS OF THIS PART (SECTION 14-275).
- NO MORE THAN TWENTY (20) PERCENT OF THE OPEN SPACE AREA MAY BE COVERED WITH AN IMPERVIOUS SURFACE. IMPERVIOUS SURFACES MAY INCLUDE PAVED TRAILS, BIKE PATHS OR MULTI-USE PATHS, BUILDINGS, PLAZAS, SWIMMING POOLS, OR ATHLETIC COURTS. IMPERVIOUS SURFACES IN OPEN SPACE MAY NOT INCLUDE SIDEWALKS ALONG PUBLIC RIGHTS OF WAY OR PARKING LOTS, STREETS, OR OTHER AREAS FOR MOTORIZED VEHICULAR USE (SECTION 14-276).
- PARKS, OPEN SPACE, MULTI-USE TRAILS, RECREATION AREAS AND CONSERVATION EASEMENTS MAY BE OFFERED FOR DEDICATION TO THE COUNTY BY THE PROPERTY OWNER (SECTION 14-278)
- A DEVELOPER MAY RESERVE AND OFFER PROPERTY WITHIN A SUBDIVISION AS A SITE FOR A CIVIC USE, INCLUDING BUT NOT LIMITED TO PUBLIC SCHOOLS, FIRE STATIONS, POLICE STATIONS, OR RECREATION CENTERS. (SECTION 14-286).

LOT I.D.	AREA (SQ.FT.)
LOT 1	5933
LOT 2	7174
LOT 3	5522
LOT 4	5578
LOT 5	5645
LOT 6	5679
LOT 7	5734
LOT 8	7583
LOT 9	5812
LOT 10	5792
LOT 11	5785
LOT 12	5785
LOT 13	10216
LOT 14	15055
LOT 15	8033
LOT 16	5358
LOT 17	5420
LOT 18	5468
LOT 19	7781
LOT 20	15996
LOT 21	9716
LOT 22	5383
LOT 23	5383
LOT 24	5368
LOT 25	7954
LOT 26	7944
LOT 27	7927
LOT 28	5300
LOT 29	5300
LOT 30	5300
LOT 31	5300
LOT 32	8028
LOT 33	8045
TOTAL LOT AREA	232297
AVG LOT AREA	7743

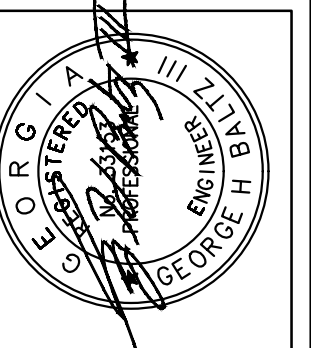


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Prepared For:
Alex Ciuca
404-775-4687
alex.ciuca23@gmail.com

SITE PLAN

DATE	SCALE	AS SHOWN	REVISIONS
6/20/2023	AS SHOWN	AS SHOWN	
DRAWN	JS	JS	
CHECKED	GH	GH	



4127- 4173 Maplewood Drive
Land Lot 158, 15th District
DeKalb County, GA 30035

CVE PI # 22-803

SHEET NO.

C-1

EXHIBIT "A"

LEGAL DESCRIPTION

ALL THAT TRACT or parcel of land lying and being in Land Lot 158 of the 15th District, DeKalb County, Georgia, and being 8.402 acres per that certain Survey for Briarcliff Residential Group, LLC, The Peachtree Bank and First American Title Insurance Company prepared by LAI Engineering, Michael G. High, Georgia RLS #2986, dated 05/08/07, and being more particularly described as follows: To find the point of Beginning commence at the intersection of the westerly right of way of Wesley Chapel Road (100 foot right of way) with the southerly right of way of Maplewood Drive (50 foot right of way); proceed thence from said intersection along the southerly right of way of Maplewood Drive in a westerly direction 1400.0 feet to a five eighths inch rebar set and the POINT OF BEGINNING; and from said POINT OF BEGINNING and leaving said right of way and proceed south 01°34'25" west 610.16 feet to a point located on the northern boundary of Leslie Estates Subdivision, Unit III, as per plat recorded in Plat Book 75, Page 53, DeKalb County Records; proceed thence along said boundary north 89°49'08" west 600.0 feet to a five eighths inch rebar set; thence leaving said northern boundary and proceed north 01°36'07" east 609.24 feet to a three-quarter inch rebar found on the southerly right of way of Maplewood Drive; proceed thence along said right of way the following courses and distances: south 89°41'36" east 99.58 feet to a one-half inch rebar found; north 89°28'33" east 199.65 feet to a one-half inch rebar found; thence south 89°34'05" east 300.51 feet to the POINT OF BEGINNING.











Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

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

Applicant Name: _____ Phone: _____ Email: _____

Property Address: _____

Tax Parcel ID: _____ Comm. District(s): _____ Acreage: _____

Existing Use: _____ Proposed Use: _____

Supplemental Regs: _____ Overlay District: _____ DRI: _____

Rezoning: Yes ____ No ____

Existing Zoning: _____ Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes ____ No ____

Existing Land Use: _____ Proposed Land Use: _____ Consistent ____ Inconsistent ____

Special Land Use Permit: Yes ____ No ____ Article Number(s) 27- _____

Special Land Use Request(s): _____

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified:

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

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

Review of Site Plan

Density: _____ Density Bonuses: _____ Mix of Uses: _____ Open Space: _____
 Enhanced Open Space: _____ Setbacks: front _____ sides _____ side corner _____ rear _____
 Lot Size: _____ Frontage: _____ Street Widths: _____ 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: _____

Comments: _____

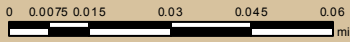
Planner: _____ Date: _____

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 Parcel Map

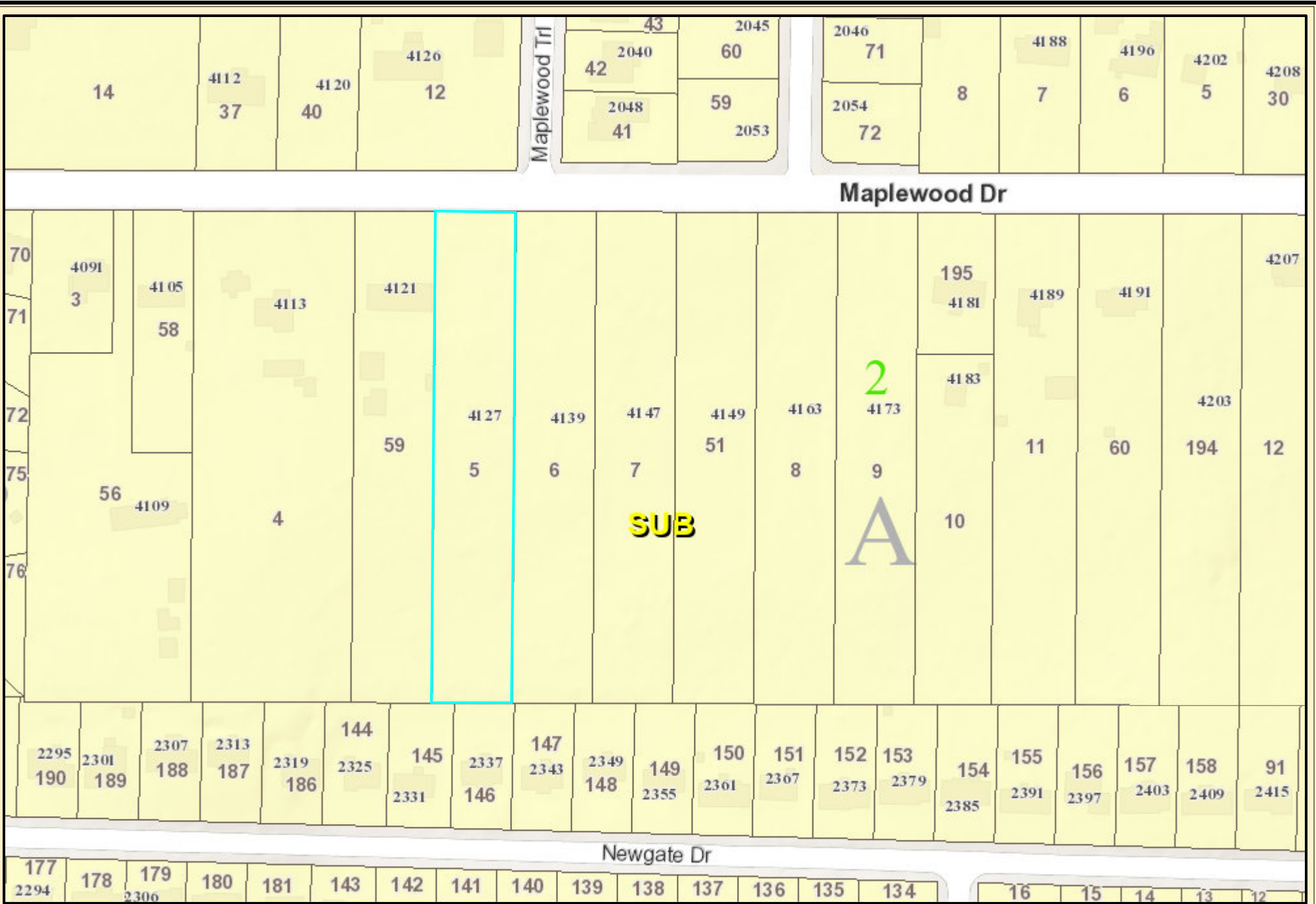


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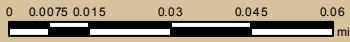


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DeKalb County Parcel Map

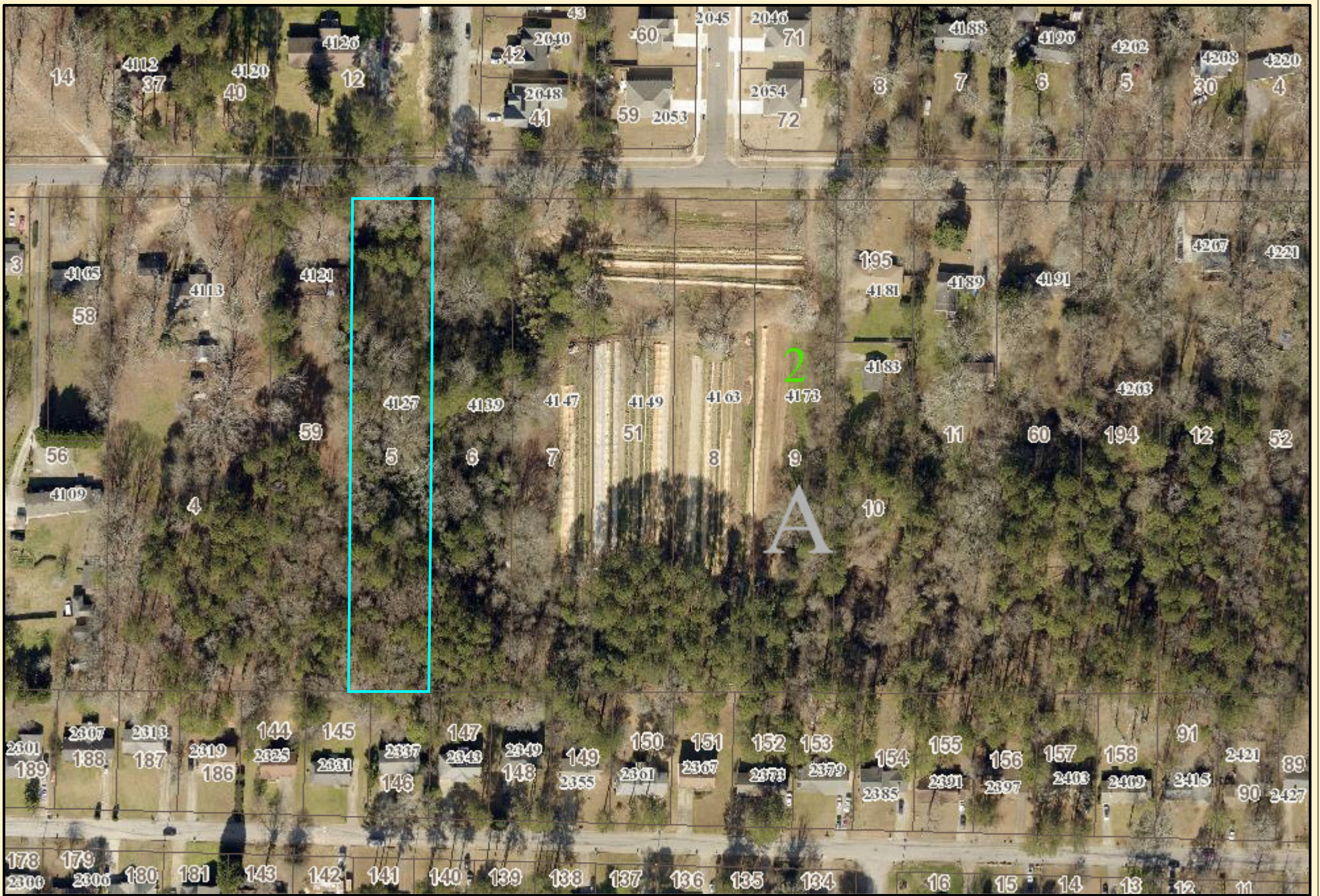


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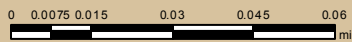


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DeKalb County Parcel Map



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