

DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300 Decatur, GA 30030

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

Planning Commission Hearing Date: September 6, 2018, 6:30 P.M. Board of Commissioners Hearing Date: September 25, 2018, 6:30 P.M.

STAFF ANALYSIS

Case No.: 2018-2444/ Z-18-1235083 Agenda #: N.6

Location/Address: The southeast corner of White Commission District: 3 Super District: 7

Oak Way and Alston Drive at 3087 Alston Drive, Decatur,

Georgia.

Parcel ID: 15-183-19-011

Request: To rezone property from R-75 (Residential Medium Lot) District to R-60

(Residential Small Lot) District to develop two (2) single-family detached

residences on the site.

Property Owners: George & Margaret Toth

Applicant/Agent: Sarah Toth

Acreage: 0.382 Acres

Existing Land Use: Single-Family Residence

Surrounding Properties: Single-Family detached residences

Adjacent & Surrounding

Zoning:

North, South, East & West: R-75 (Residential Medium Lot) District

Comprehensive Plan: Traditional Neighborhood Consistent X

Proposed Units : 2 Single-Family Detached Residences	Existing: 1 Single Family Detached Residence
Proposed Lot Coverage: < 35% Per Lot	Existing Lot Coverage: N/A

Zoning History: Based on DeKalb County records, it appears that the property has been zoned R-75 (Residential Medium Lot) District since adoption of the first zoning ordinance and map in 1955.

Prepared 9/12/2018 by: KFHILL Page 1 Z-18-1235083

SUBJECT SITE

The subject property at 3087 Alston Drive consists of 0.4 acres at the southeast intersection of White Oak Way and Alston Drive (both local streets). The lot has approximately 110 feet of frontage on White Oak Way and 150 feet of frontage on Alston Drive. The site is developed with a one (1) story brick and frame single-family residence with an open deck and shed. The minimum heated floor area is approximately 1,082 square feet. Access to the site is via one existing driveway on Alston Drive. The site is surrounded by single-family detached residences along White Oak Way and Alston Drive with long deep lots.

ZONING ANALYSIS

The applicant is requesting to rezone the subject site from the R-75 (Residential Medium Lot) District to the R-60 (Residential Small Lot District) to develop two (2) single-family detached residences on the subject site. The existing R-75 zoning district has a minimum lot size of minimum 10,000 square feet. However, the size of the site does not allow for two 10,000 square foot lots. Per the submitted survey, the existing lot size is 16,649 square feet.

The proposed R-60 zoning district has a minimum lot size of 6,000 square feet with a minimum lot width of 60 feet. Although there are no other surrounding properties zoned R-60 in the area, the proposed lots are compatible with existing developed single-family lots along Alston Drive. There are several existing non-conforming R-75 lots with a minimum lot width of 50 feet. The proposed R-60 zoned lots have a minimum lot width of 70 feet along Alston Drive.

PROJECT ANALYSIS

Per the submitted Letter-of-Application, the applicant intends to subdivide the property into two separate lots to build a new home on one of the lots and holding the other for future development. Although the propose rezoning would allow R-60 development standards, the submitted site plan depicts development standards exceeding or equal to the district standards.

COMPLIANCE WITH DISTRICT STANDARDS

Per the chart below, the proposed single-family detached residences submitted by the applicant can comply with minimum development standards of the R-60 (Residential Small Lot) District per Table 2.2 of the DeKalb County Zoning Ordinance.

R-60 STANDARD	REQUIREMENT	MINIMUM PROPOSED	COMPLIANCE
MIN. LOT WIDTH	60 feet	70 feet	Yes.
MIN. LOT AREA	6,000 sq. ft.	7,000 sq. ft.	Yes.
FRONT SETBACK	<30 feet	38 feet	Yes.
INTERIOR SIDE SETBACK	7.5 feet	25 feet	Yes.
REAR SETBACK	30 feet	40 feet	Yes.

Prepared 9/12/2018 by: KFHILL

MAX. HEIGHT	35 feet.	35 feet	Yes
MAX. LOT COVERAGE	35%	35%	Yes.
MIN. PARKING	Minimum 2	Minimum 2	Yes.
Article 6	parking spaces	parking spaces	

Section 27-832 of the Zoning Ordinance, "Standards and factors governing review of proposed amendments to the official zoning map" states that the following standards and factors shall govern the review of all proposed amendments to the zoning maps.

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

Located within a Traditional Neighborhood Character Area, the proposed rezoning is consistent with the following policy of the 2035 Comprehensive Plan: "Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density."

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

The rezoning request to R-60 would allow a use suitable in view of existing single-family residences zoned R-75 in the area.

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

The property currently zoned R-75 has a reasonable economic use as currently zoned for one lot. However, rezoning to R-60 to allow another lot on the site would allow a greater economic use of the property.

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

The proposed R-60 zoning of the property may adversely affect adjacent or nearby properties by increasing the density in the area.

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

Approval of this rezoning per the submitted site plan would allow the development of two (2) single-family detached residences on lots exceeding the minimum lot width for the R-60 zoning district and the existing lot widths along Alston Drive.

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

Planning Staff has no information that states historic buildings, sites, districts, or archaeological resources would be adversely affected by the zoning proposal.

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

The zoning request as proposed for 2 lots may not cause a burden on the existing streets, utilities, or schools.

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

The zoning proposal is not expected to impact the environment or surrounding natural resources.

STAFF RECOMMENDATION:

The proposed R-60 (Residential Small Lot) District on the subject site is consistent with adjacent and nearby properties if the site is developed as proposed by the applicant for 2 single-family residences. The proposed rezoning is consistent with Comprehensive plan policy to "Protect stable neighborhoods from incompatible development that could alter established residential development patterns and density ". The Department of Planning and Sustainability recommends "APPROVAL" of the rezoning request subject to the following recommended conditions:

- 1. Site shall be rezoned to R-60 (Residential Small Lot) District to develop two (2) single-family lots as shown on the conceptual site plan submitted to the Planning & Sustainability Department on July 18, 2018.
- 2. Complete plat approval process for the subdivision of property into two (2) lots.

Attachments:

- 1. Department and Division Comments
- 2. Application
- 3. Zoning Map
- 4. Land Use Plan Map
- 5. Aerial Photograph
- 6. Site Photograph

NEXT STEPS

Following an approval of this request, one or several of the following may be required:



• Land Disturbance Permit Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)



• **Building Permit** (New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)



• **Certificate of Occupancy** (Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)



- Plat Approval (Required if any parcel is being subdivided, re-parceled, or combined. Issued "administratively"; no public hearing required.)
- **Sketch Plat & Final Plat Approval** (Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)
- **Overlay Review** (Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)
- **Historic Preservation** (A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)



- **Variance** (Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)
- Minor Modification (Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)
- **Major Modification** (Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)
- **Business License** (Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).
- **Alcohol License** (Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)

Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.

SEPTEMBER 2018 REZONING AGENDA - TRANSPORTATION COMMENTS

- N1. Lawrenceville Hwy is a major arterial on a state route. Dedicate right of way at least 50 from centerline. Install sidewalks along property frontage (ensure sidewalks are within right of way). GDOT review and permits required. Street lights required 1 foot behind sidewalks on right of way.
- N2. Clairmont Road is a major arterial on a state route. Dedicate right of way at least 50 from centerline. GDOT review and permits required.
- N3. Briarcliff Road is a minor arterial and state route. GDOT review and permits required. No access allowed onto Briarcliff Road.
- N4. No Comments.
- N5. No Comments.
- N6. No Comments.
- N7. No Comments.
- N8 & N9. Columbia Drive is a minor arterial. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) 40 feet right of way dedication from centerline. 6-foot sidewalks, 4-foot bike lanes. Street lights behind the sidewalk within right of way. As shown in the application, interior roads must be private.
- N10. Candler Road is a major arterial and a state route. GDOT review and permits required. Kelly Lake Road is a local road. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) Right of way dedication of 50 from centerline on Candler Road, 6-foot sidewalks. Right of way dedication on Kelly Lake Road 27.5 feet from centerline, 5-foot sidewalks. Extend sidewalks along Kelly Lake Road within existing right of way to Candler Road. Street Lights required on back of sidewalk within right of way along both frontages. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect.)
- N11. Treadway Road is classified local. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) Public local roads require a 27.5 foot right of way from the centerline (for a total of 55 feet), 5-foot sidewalks, 5-foot landscape strip and street lights within the right of way. The right of way width show on the application does not seem to meet the 55 feet for the interior streets. Cul-de-sac appears to be substandard also. These will need to be corrected prior to permitting and will impact storm detention, setbacks, etc.

- N12. McClendon is a collector street. Allow only one standard size commercial curb cut on McClendon Dr. Install sidewalks along property frontage. Street lights required behind sidewalk within right of way at permitting.
- N13. Memorial Drive is a major arterial and a state route. GDOT review and permits required.
- N14. Memorial Drive is a major arterial and a state route. GDOT review and permits required. Eliminate a curb cut on 6158 and restore streetscape.
- N15. Snapfinger Road is a major arterial. Site limited to right in/right out access point.
- N16. Rockbridge Road is a minor arterial. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) 40 feet right of way dedication from centerline. 6-foot sidewalks, 4-foot bike lanes. Street lights behind the sidewalk within right of way. Construct sidewalks along Rockbridge Road to Allgood Circle within right of way. Limited to one access point onto Rockbridge Road.
- N17. Bermuda Road is a collector road. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) 35 feet right of way dedication from centerline. 6-foot sidewalks, 4-foot bike lanes. Street lights behind the sidewalk within right of way. Add roundabout at the intersection of Stewart Mill Road and Bermuda Road. Gordon Burkett at Keep DeKalb Beautiful is working on the concept for this project. Add sidewalks and street lights along Bermuda Road (within right of way) to the intersection of Stewart Mill Road. Complete all requirements of GRTA's notice of decision that are within DeKalb County. Design to restrict truck movements from using Stewart Mill Road to get to Rockbridge Road.
- N18. Norris Lake is a collector road. Pleasant Hill is a minor arterial. Pleasant Hill Way is a local road. Pleasant Hill Way appears to be public in some areas where the development is proposed. I assume they are planning a right of way abandonment. Provide ped/bike access from the neighborhood into the park, as approved by the Parks and Recreation Department. Frontage on Pleasant Hill Way must be improved to Code also. 339 lots requires a traffic study be completed prior to zoning. Traffic study should include the access points and the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Left turn lane required on Pleasant Hill Road. Add sidewalks along frontage of Norris Lake Road and extend to the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Add sidewalks along frontage of Pleasant Hill Road and extend to the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Consider moving the roundabout to Pleasant Hill Road. Request deferral until the study is received. Norris Lake requires right of way dedication of 35' from centerline, 6-foot sidewalks, 4-foot bike lanes and street lights on back of curb within the proposed right of way. Pleasant Hill Road requires right of way dedication of 40' from centerline, 6-foot sidewalks, 4-foot bike lanes and street lights on back of curb within the proposed right of way. Pleasant Hill Way right of way dedication of 27.5' from centerline, 12-foot travel lane on the development side from centerline, 5 foot sidewalks and street light on back of curb within the proposed right of way.

- N20 & N21. Rock Chapel Road is a major arterial and state route. GDOT review and permits required at permitting. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.)
- N22. S. Stone Mountain Lithonia Road is a minor arterial. Add sidewalks and street lights behind sidewalks and within right of way along property frontage and dedicate 40 feet of right of way from centerline.
- N23. Stephenson Road is a collector road. Dedicate 35 feet of right of way from centerline, add sidewalks and street lights behind sidewalks and within right of way.
- N24. Briarcliff Road is a minor arterial and a state route. GDOT has already permitted the right in only driveway. The right-out driveway was probably not allowed due to restricted sight distance when exiting due to the curve (trying to verify with GDOT). No other comments.



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond

accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

Transportation/Access/Row

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

Storm Water Management

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. The site is a stormwater hotspot.

• Flood Hazard Area/Wetlands

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

• Landscaping/Tree Preservation

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

• Tributary Buffer

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

Fire Safety

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





DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MADOLYN SPANN MSPANN@DEKALBCOUNTYG4.GOV OR JOHN REID JREID@DEKALBCOUNTYG4.GOV

COMMENTS FORM:

PUBLIC WORK	S TRAFFIC EN	VGINEERING
2018-2444		
Case No.: Z-18-1235083	Parcel I.D. #: <u>15</u> ~	183-19-011
Address: 3087		
Alston Dr		
DECATUR, GA		
	Adjacent Ro	adway (s):
(classi	fication)	(classification)
Capacity (TPD)		Capacity (TPD)
Latest Count (TP)	D)	Latest Count (TPD)
Hourly Capacity (VPH)	nourly Capacity (VPH)
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Existing number of section of section and section of se	or traffic lanes	Existing number of traffic lanes
Proposed number	ay width of traffic lanes	Existing right of way width Proposed number of traffic lanes
Proposed right of	way width	Proposed number of traffic lanesProposed right of way width
Please provide additional information relat	ing to the following state	ement.
generate an average of fifteen (15) vehicle to	rip end (VTE) per 1, 000 square foot place s	s (ITE) <u>6/7TH</u> Edition (whichever is applicable), churches) square feet of floor area, with an eight (8%) percent peak hou of worship building would generate vehicle trip ends,
a maximum ofunits per acres, and the	given fact that the proje	VTE's per day per dwelling unit, with a ten (10%) percent (Single Family Residential) District designation which allows ect site is approximately acres in land area, daily ated with residential development of the parcel.
COMMENTS:		•
Did Field Reviewed, A	lo problem t	hat would Interfere
with traffic Flow.		2004.0
,		

Signature: Jerry White



404.371.2155 (o) 404.371.4556 (f) DeKalbCountyGa.gov Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

Rezoning Application Amend the Official Zoning Map of DeKalb
Date Received: By Rezoning Application and the Official Zoning Wap of Dertails County, Georgia Application No:
Applicant Name: CEARGE HARCHEET TOTH Applicant E-Mail Address: Lottngama a general continuities Applicant Mailing Address: LA Le House Retweat 3087 Alston DR DAVANNAM COA 3NUTT Decatur, C1A 30+3
Applicant Daytime Phone:
Owner Name: GEORGE TOTH a MARGHRET ICTL If more than one owner, attach list of owners. Owner Mailing Address: 11 ALE HOUSE RETREAT, SAUAWWAH, GAZIYII Owner Daytime Phone: 912-598-4260
Address of Subject Property: 3087 ALSTON DRIVE DECHTUR, COA 30032
Parcel ID#: 15-183-19-011 Acreage: ▶ 4 Commission District: #3:7
Present Zoning District(s): R75-SFREBDIST
Proposed Zoning District: R-60 - SFRESDIST Present Land Use Designation: SFResidental
Proposed Land Use Designation (if applicable): 2-5 F Residental



Notice Date 06/15/2018

PUBLIC NOTICE

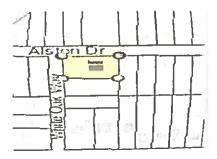
TO

Request for rezoning

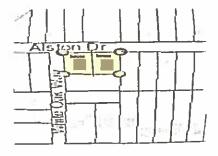
Filed by: Margaret Toth Located at 3087 Alston Drive Decatur, GA 30032



Current zoning-R75



Proposed zoning R60



PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT:

Delano-Line Park (at the intersection of Dusty Ln./Alston Drive)
Decatur, GA 30032
Monday July 2, 2018 at 7:00 PM

Project:			0.00-00-0	- D-t-2/0 /-	- 157
Facilitator: Surah 167		769	Meeting Date 7/2/2018 Location: Delano-Line Dunk Gage		
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Letter of Application

Dear Zoning Board:

As owners of the property at 3087 Alston Drive in Decatur, GA 30032, we request a change in zoning from R-75 to R-60. We would like to divide this property into two separate lots in order to build a new home on one of the lots, holding the other for future development. The current existing structure is an old one-story house. We propose to build a two-story home on the corner lot. The new home will be between 2,200 and 2,400 square feet, and will be more comparable in size and style to the majority of houses in our neighborhood.



Impact Analysis 3087 Alston Drive, Decatur, GA 30032

The proposed zoning change from R-75 to R-60 is in conformity with the policy and intent of the Comprehensive Plan of the neighborhood. Though the homes in the development are generally zoned R-75, the average lot frontage on Alston Drive is 50 ft. After the division, the frontage on our lots would be at least 70 ft. Therefore, the size of the two lots after being divided would be approximately 7,500 square feet, which is larger than a standard R-60 lot.

This zoning proposal is suitable in view of the use and development of adjacent and nearby properties.

The property to be affected by the zoning proposal does have a reasonable economic use as currently zoned. However, rezoning the property as R-60 would allow us to better utilize the property, increasing tax revenue, and increasing the property values of the neighborhood and surrounding homes.

The zoning proposal would not adversely affect the existing use of usability of adjacent or nearby properties. Rather, the neighborhood would benefit from the addition of two houses that better conform to the other homes in the area.

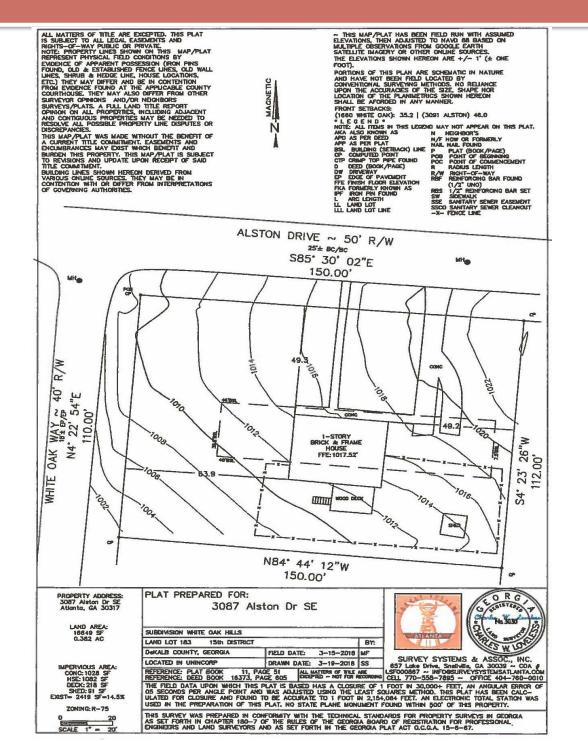
The neighborhood surrounding the property consists of recently constructed, modern homes. These houses are much larger that the one currently at 3087 Alston Drive. The current house is much older, weathered, and seems out of place next to the surrounding houses.

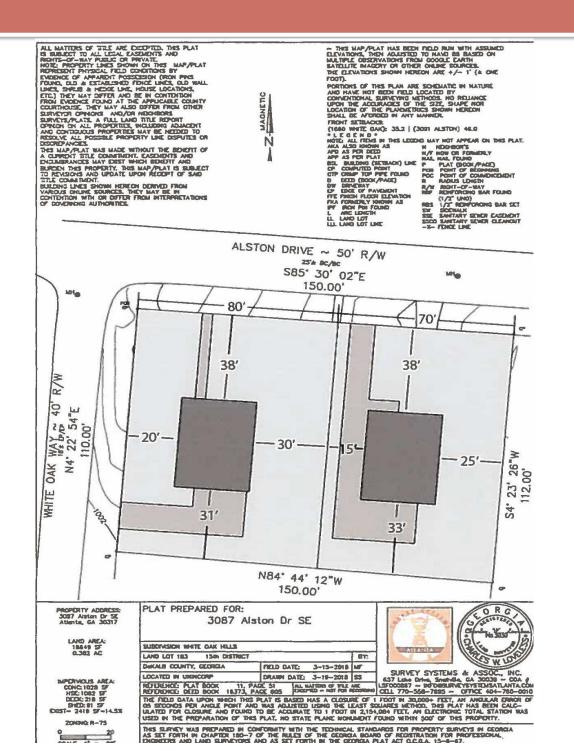
The zoning proposal would not adversely affect any historic buildings, sites, districts, or archaeological resources.

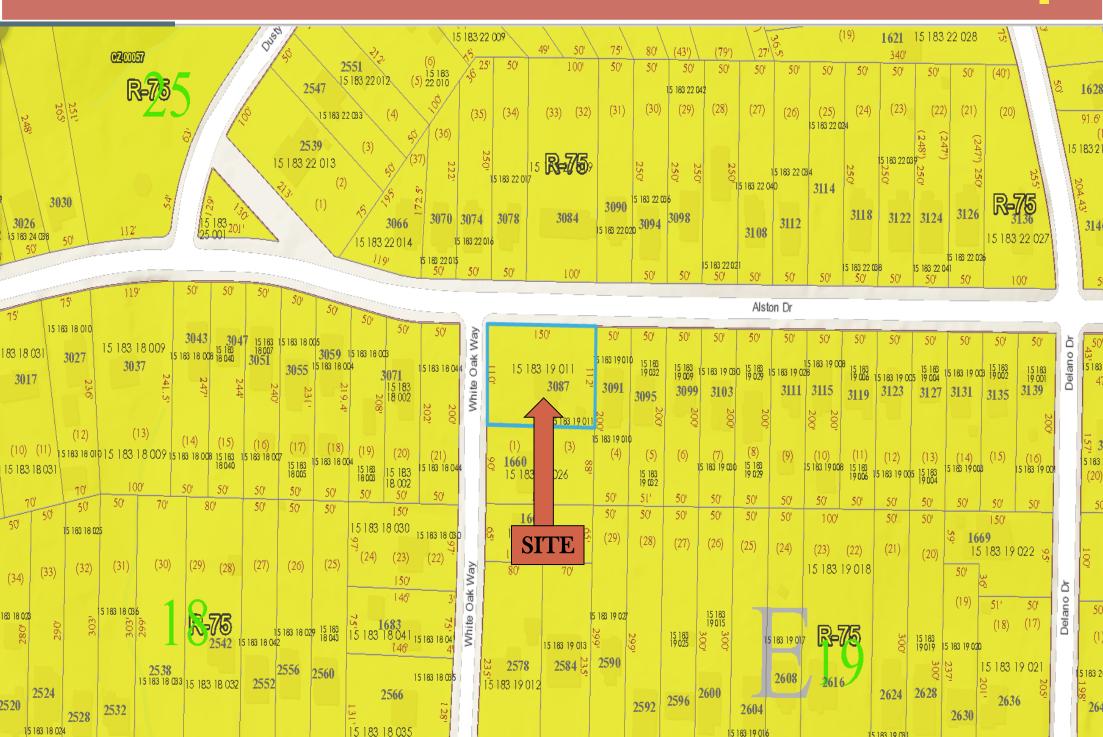
The zoning proposal would not cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

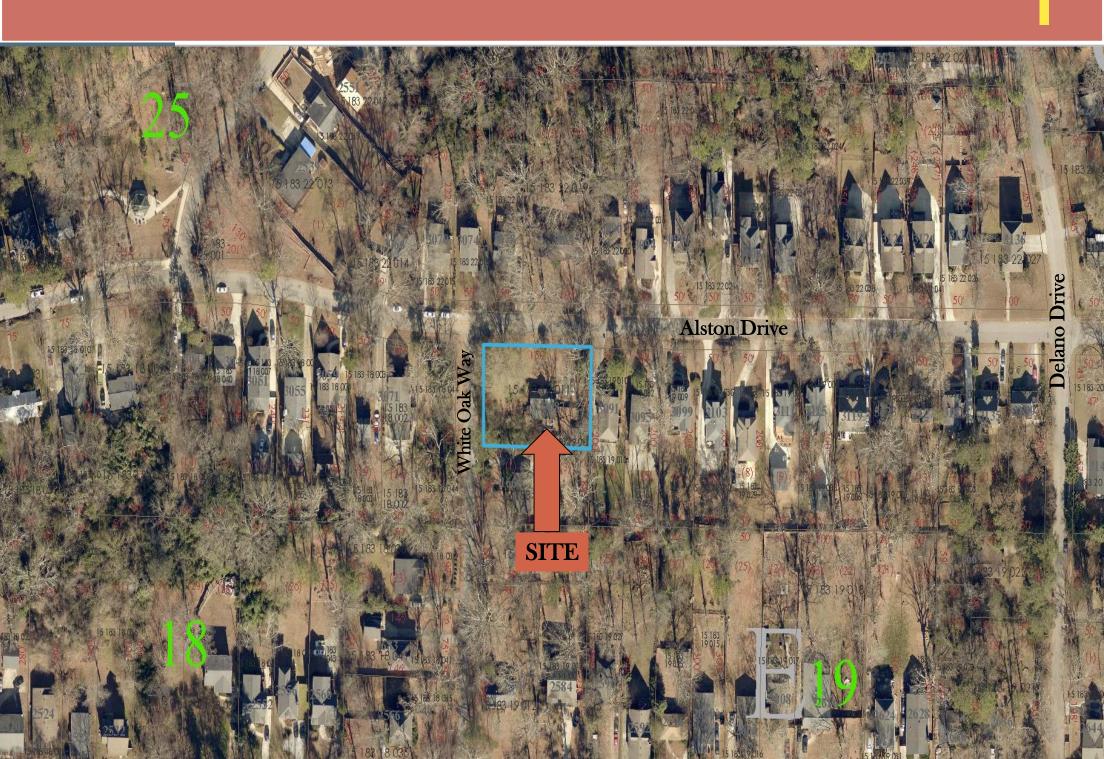


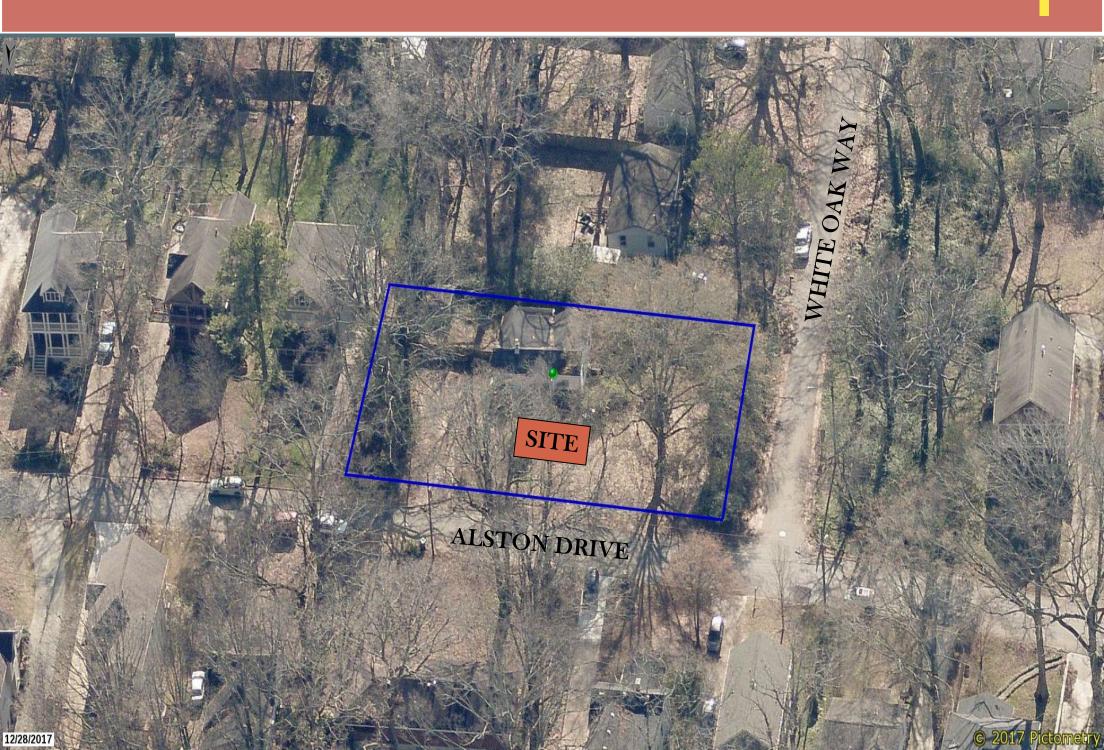
N.6 Z 18 1235083 Site Survey

















Alston Drive Street Frontage





White Oak Way Street Frontage



Adjacent & nearby properties on Alston Drive







