



## Legislation Details (With Text)

**File #:** 2017-0266      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Passed  
**File created:** 4/10/2017      **In control:** Board of Commissioners  
**On agenda:** 6/13/2017      **Final action:** 6/13/2017  
**Title:** Commission District(s): 4 & 6  
Sidewalk waiver request for the deletion of the improvement along the property frontage of 422 DeKalb Industrial Way. 18-048-02-002.

**Indexes:**

**Attachments:** 1. 422 DeKalb Industl Way Sidewalk Waiver attachments

Date	Ver.	Action By	Action	Result
6/13/2017	1	Board of Commissioners	approved	Pass
5/23/2017	1	Board of Commissioners	deferred to the next meeting	Pass
5/9/2017	1	PECS-Planning, Economic Development & Community Services Committee	recommended for deferral	Pass
5/9/2017	1	Board of Commissioners	deferred to the next meeting	Pass
5/2/2017	1	Committee of the Whole		

**Public Hearing:** YES ☒ NO ☐      **Department:** Planning and Sustainability

**SUBJECT:**

**Commission District(s): 4 & 6**

Sidewalk waiver request for the deletion of the improvement along the property frontage of 422 DeKalb Industrial Way. 18-048-02-002.

**Information Contact:** Andrew Baker/Marian Eisenberg

**Phone Number:** 404-371-2155

**PURPOSE:**

To consider approving a waiver to the required sidewalk improvement along approximately 275 feet of frontage of DeKalb Industrial Way. The subject property is proposed for a 10 unit live-work. The property has approximately 169 feet of frontage on Irvin Way and approximately 207 feet along Winn Court. Sidewalks are planned along the Irvin Way and Winn Court. The proposed 10 live-work units will front Winn Court and vehicular access will be to the rear of the units via a planned 14-foot wide alley. The portion of the property along DeKalb Industrial Way will remain undisturbed given that it is occupied with a stream buffer along Crockett Creek. The requested waiver to delete the sidewalk along this frontage is stated by the applicant to be a hardship that would jeopardize the integrity of the stream and buffer area. Additionally, the applicant states that a guard rail would have to be removed which would present a safety hazard to pedestrian movement. The applicant has referenced several other reasons in the attached letter.

**NEED/IMPACT:**

The subject property is currently a Sketch Plat (Preliminary Plan) request to create 10 fee-simple lots for the live work units. County Code requires that five foot wide sidewalks be provided along all development street frontages. The property is currently zoned M Industrial and currently undeveloped.

Per DeKalb County Code (14-191 e.2.) the following should be considered in a request to waive or modify road improvements:

- A. Existing use of property not to be substantially changed (i.e. traffic generation and ingress/egress would remain the same).
- B. Governmental construction plans for the road indicate a pavement width less than county standards (only the planned pavement width shall be required);
- C. No more than 5 percent of average daily traffic generation would occur between 7:00 A.M. and 9:00 A.M. and 4:00 P.M. and 6:00 P.M. on weekdays;
- D. The existing road meets current county standards; or
- E. Widening would create a hazard to traffic, pedestrians, or bicyclists along the thoroughfare.

**FISCAL IMPACT/COST TO THE COUNTY:**

There is no fiscal impact and no cost to the County.

**RECOMMENDATION:**

**APPROVAL. Pedestrian and vehicular access is gained from other road frontages. The road conditions along DeKalb Industrial Way will remain undisturbed.**