



# DeKalb County Government

Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030

## Legislation Details (With Text)

**File #:** 2020-0608      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Preliminary Item  
**File created:** 6/2/2020      **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 9/24/2020      **Final action:**  
**Title:** COMMISSION DISTRICT(S): 4 & 7  
Application of Future Capital Investment c/o Mr. Kirk Harvey to rezone property from R-100 (Single-Family Residential) District to RSM (Small Lot Residential Mix) District to develop up to 19 single-family detached homes at a density of 2.85 units per acre on the southwest side of Bermuda Road, at 1347 Bermuda Road.

### Indexes:

**Attachments:** 1. Z-20-1243972 Staff Report 9-24-2020 BOC, 2. Z 20 1243972 Recommended Conditions

Date	Ver.	Action By	Action	Result
9/24/2020	1	Board of Commissioners - Zoning Meeting	approved with conditions	Pass
9/1/2020	1	Planning Commission	denial per staff recommendation	Pass
7/30/2020	1	Board of Commissioners - Zoning Meeting	deferred for a full cycle	Pass
7/7/2020	1	Planning Commission		

**Public Hearing:** YES ☒ NO ☐

**Department:** Planning & Sustainability

### SUBJECT:

**COMMISSION DISTRICT(S): 4 & 7**

**Application of Future Capital Investment c/o Mr. Kirk Harvey to rezone property from R-100 (Single-Family Residential) District to RSM (Small Lot Residential Mix) District to develop up to 19 single-family detached homes at a density of 2.85 units per acre on the southwest side of Bermuda Road, at 1347 Bermuda Road.**

**PETITION NO: D4. Z-20-1243972 2020-0608**

**PROPOSED USE: 19 Single-family Detached Units**

**LOCATION:** 1347 Bermuda Road

**PARCEL NO. :** 18-083-01-010

**INFO. CONTACT:** John Reid

**PHONE NUMBER:** 404-371-2155

### PURPOSE:

Application of Future Capital Investment c/o Mr. Kirk Harvey to rezone property from R-100 (Single-Family Residential) District to RSM (Small Lot Residential Mix) District to develop up to 19 single-family detached homes at a density of 2.85 units per acre. The property is located on the southwest side of Bermuda Road, approximately 658 feet northwest of Malvern Boulevard, at 1347 Bermuda Road, Stone Mountain, Georgia.

The property has approximately 455 feet of frontage along Bermuda Road and contains 6.66 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** (8/18/2020) Denial. (6/16/2020) Deferral.

**PLANNING COMMISSION:** (9/1/2020) Denial. (7/7/2020) Full Cycle Deferral.

**PLANNING STAFF:** (9/9/2020) Approval with Conditions (Revised). (9/1/2020) Denial.

**STAFF ANALYSIS:** Since the September 1<sup>st</sup> Planning Commission meeting, the applicant has submitted revised site plans and new renderings to decrease the number of units from 20 to 19 single-family detached homes, decrease the building height from three to two stories, and increase the minimum lot sizes from 4,000 to 8,000 square feet. The revised plan's minimum lot sizes and building heights are more consistent with those of the RSM-zoned Deer Creek Subdivision to the south (10,890 square feet) and the R-100 zoned English Manor Estates subdivision to the north (17,859 square feet), and also comply with the minimum lot size requirements of the RSM district (5,000 square feet). Additionally, the revised plan is providing more open space than is required by the zoning ordinance (25% provided, 20% required), and the 20-foot wide buffers along the north, west, and south property lines have been revised to comply with the zoning ordinance requirements to be located outside of proposed lots. The proposed larger lot sizes and two-story building heights appear to be consistent with the predominant single-family detached development pattern in the area. The rezoning request appears to be consistent with the policies and strategies of the Suburban Character Area to protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns (Suburban Policy #1). Therefore, it is the recommendation of the Planning and Sustainability Department that the rezoning application be, respectfully, "Approved, with Staff's recommended conditions".

**PLANNING COMMISSION VOTE:** (9/1/2020) Denial 8-0-0. G. McCoy moved, P. Womack, Jr. seconded for Denial, per Staff recommendation. (7/2/2020) Full Cycle Deferral 7-1-0. J. Johnson moved, G. McCoy seconded for a Full Cycle Deferral, per Staff recommendation.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** (8/18/2020) Denial 11-0-0. The Council recommended denial until a site plan is completed showing distance between structures and landscaping. Discussion included traffic concerns along Bermuda Road and compatibility with the surrounding area. . Some neighbors discussed that they would support a rezoning if the product was complimentary with the established single-family detached lot pattern, the proposed homes were more "suburban" instead of "urban" and were in line with the looks of homes in the surrounding area, maximum density was 3.6 units per acre, buildings were a minimum of 10 feet apart, the location of open space was maintained, and that sidewalks were constructed along the road frontage. Other neighbors present opposed the rezoning citing traffic congestion concerns with the additional units and that the proposed style of homes was not comparable to the surrounding area. (6/16/2020) Deferral 11-0-0. To allow the applicant time to properly notify and engage fully with the surrounding community. Potential concerns discussed by surrounding property owners included price point, aesthetics, developer background, if there was going to be a mandatory HOA, transitional buffers, traffic impacts, projected project timeline, and land use compatibility with surrounding single-family detached homes.