



# DeKalb County Government

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

## Legislation Details (With Text)

**File #:** 2021-3158    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Public Hearing  
**File created:** 9/24/2021    **In control:** Board of Commissioners  
**On agenda:** 12/14/2021    **Final action:**  
**Title:** COMMISSION DISTRICT(S): Commission District 03; Super District 07

Application of James Cantrell for a Major Modification of the conditional site plan and other conditions of RSM (Residential Small Lot Mix) zoning approved pursuant to CZ-18-22025, for six single-family homes, at 3446 Midway Road.

### Indexes:

**Attachments:** 1. Substitute 2021 12.14 Item 2021-3158, 2. CZ-21-1245234 2021-3158 Midway Road Staff Report BOC Nov. 2021

Date	Ver.	Action By	Action	Result
12/14/2021	1	Board of Commissioners	approved substitute	Pass
11/18/2021	1	Board of Commissioners - Zoning Meeting		
11/18/2021	1	Board of Commissioners - Zoning Meeting		
11/18/2021	1	Board of Commissioners - Zoning Meeting		
11/4/2021	1	Planning Commission	deferred for a full cycle	Pass

Substitute

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

### SUBJECT:

**COMMISSION DISTRICT(S):** Commission District 03; Super District 07

**Application of James Cantrell for a Major Modification of the conditional site plan and other conditions of RSM (Residential Small Lot Mix) zoning approved pursuant to CZ-18-22025, for six single-family homes, at 3446 Midway Road.**

**PETITION NO:** CZ-21-1245234 (2021-3158)

**PROPOSED USE:** Six single-family homes.

**LOCATION:** 3446 Midway Road, Decatur, Georgia 30032

**PARCEL NO. :** 15-218-13-061

**INFO. CONTACT:** John Reid, Sr. Planner

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

### PURPOSE:

Application of James Cantrell for a major modification of the conditional site plan and other conditions of RSM (Residential Small Lot Mix) zoning approved pursuant to CZ-18-22025, for six single-family homes. The

property is located on the southwest corner of Midway Road and Beech Drive, at 3446 Midway Road, Decatur, Georgia. The property has approximately 211 feet of frontage on Midway Road and 210 feet of frontage on Beech Drive and contains 1.12 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Approval.

**PLANNING COMMISSION:** Full Cycle Deferral.

**PLANNING STAFF:** Approval with conditions (Revised 11/23/21).

**STAFF ANALYSIS:** : (Revised 11/23/21). The request is to modify the existing zoning conditions within the RSM zoning district that the Board of Commissioners approved in 2018 per CZ 18 2125 (see attached) to maintain the previously approved number of single-family, detached homes (six units), but to re-orient those units so that their front facades face Midway Road and Beech Road instead of constructing the units on a new internal private street. Since the November 18<sup>th</sup> Board of Commissioners hearing, the applicant has addressed the previous concerns of Staff as follows: *The plan has been revised to move the driveway locations along Midway Road further away from the Midway Road/Beech Drive intersection to provide for safer access and traffic flow along Midway Road (see revised plan dated 11/18/21); The plan has been revised to show more enhanced open space features including a pedestrian trail with benches and attractive landscaping; The applicant has addressed the impact criteria of Section 7.3.5 of the zoning ordinance relating to compatibility with surrounding uses and transportation impacts (see attached titled "Impact Analysis" by Contineo Group); and 4. The applicant has submitted written justification for the reason the modification request needs to be provided on the revised plan (see attached revised plan dated 11/18/21).* Based on the submitted information and zoning conditions proposed by the Planning and Sustainability Department, it appears that the proposed modification request to maintain the previously approved number of residential units (6 homes) and re-orient the front facades of the homes to face Midway Road and Beech Road is a more neighborhood friendly design and is consistent and more compatible with the surrounding single-family subdivisions on adjacent and nearby properties (Sec 7.3.5.B). The modification request appears to be consistent with the policies and strategies of the 2021 Comprehensive Plan 5 year update to protect established neighborhoods (Suburban Character Area Residential Protection Policy No. 1) (Sec 7.3.5 A). Therefore, the Planning and Sustainability Department recommends "Approval" of the request with recommended conditions. These recommended conditions shall replace and supersede all previous zoning conditions approved under case CZ-18-22025 .

**PLANNING COMMISSION VOTE:** Full Cycle Deferral 8-0-0. Vivian Moore moved, Gwendolyn McCoy seconded for full cycle deferral, per staff recommendation to the Jan. 2022 zoning agenda.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Approval 8-0-0.