



TO: Planning Commission

FROM: Planning and Zoning Department

SUBJECT: RZ-23-005

ADDRESS: 1982 Phillips Road

MEETING DATE: November 8, 2023

Summary: Applicant is seeking to modify zoning condition(s) from CZ-85127 to allow attached dwellings (duplex).

STAFF RECOMMENDATION: APPROVAL of Modification of Condition 1

PLANNING COMMISSION RECOMMENDATION: TBD



RZ-23-005

Planning and Zoning Department

Commissioner District #1: Councilwoman Tara Graves

PROPERTY INFORMATION	
Location of Subject Property: 1982 Phillips Road	
Parcel Number: 16 102 05 033	
Road Frontage: Phillips Road	Total Acreage: 0.21 +/-
Current Zoning: RSM (Small Lot Residential Mix)	Overlay District: N/A
Future Land Use Map/ Comprehensive Plan: SUB (Suburban)	
Zoning Request: Applicant is seeking to modify zoning condition(s) from CZ-85127 to allow attached dwellings (duplex).	
Zoning History (CZ-85127): Subject property went through a rezoning process in September 1985 by way of Dekalb County. The applicant was Thomas A. Arnold, Jr., and Cunningham Properties, Inc. who desired to rezone the north side of Marbut Road and east of Phillips.	

APPLICANT / PROPERTY OWNER INFORMATION
Applicant Name: Lucretia Ramsey
Applicant Address: 5751 Hunters Chase Ct Stonecrest, GA 30038
Property Owner Name: Bridgemore Group Inc.
Property Owner Address: 1201 W PEACHTREE ST NW # 2350



DETAILS OF ZONING REQUEST

The rezoning case, **CZ-85127**, initially went through the entitlement process in 1985 by way of Dekalb County. The Applicant at that time, Thomas A. Arnold, Jr., and Cunningham Properties, Inc. petitioned to rezone subject property from R-100 to R-A5 and RM-100. The petition was approved on September 24, 1985, with three (3) conditions.

The Applicant, Lucretia Ramsey, is seeking to develop one (1) duplex/attached dwelling on the subject parcel. The Applicant is seeking a Major Modification of Conditions of the Subject Property to eliminate the following condition from zoning case number CZ-85127 to allow for the development: conditions 1. The original conditions are listed below with the proposed changes in red.

Condition 1: ~~Detached residential at 4.5 units per acre.~~ Proposing to eliminate

Condition 2: Houses to face Phillips Road.

Condition 3: No vinyl or aluminum siding.

ADJACENT ZONING & LAND USE

NORTH	Zoning: R-100 (Residential Medium Lot)	Land Use: Vacant/undeveloped land
SOUTH	Zoning: RSM (Small Lot Residential Mix)	Land Use: Single-Family Dwelling
EAST	Zoning: RSM (Small Lot Residential Mix)	Land Use: Single-Family Dwelling
WEST	Zoning: R-100 (Residential Medium Lot)/ Unincorporated Dekalb County	Land Use: Single-Family Dwelling



PHYSICAL CHARACTERISTICS & INFRASTRUCTURE

The site is currently undeveloped with one (1) road frontage (Phillips Road). There aren't floodplain and/or statewaters on the subject property.

MODIFICATIONS AND CHANGES TO APPROVED CONDITIONS OF ZONING CRITERIA

1. The movement of any building or structure adjacent to an exterior boundary line, closer to the boundary line of the property;
2. Any increase in the number of dwelling units or any increase in the total amount of floor space of any nonresidential building;
3. Any decrease in the size of residential units imposed in the original conditional zoning amendment;
4. Any change in any buffer requirements imposed in the original conditional zoning amendment;
5. Any increase in the height of any building or structure;
6. Any change in the proportion of floor space devoted to different authorized uses; or
7. Any change to conditions, except minor changes, as defined in subsection A. of this section, imposed by the city council when approving any change to the official zoning map, commonly referred to as a rezoning or a zoning amendment.

RECOMMENDATION(S)

Staff recommends the following with conditions:

- **APPROVAL** of Modification of Condition 1



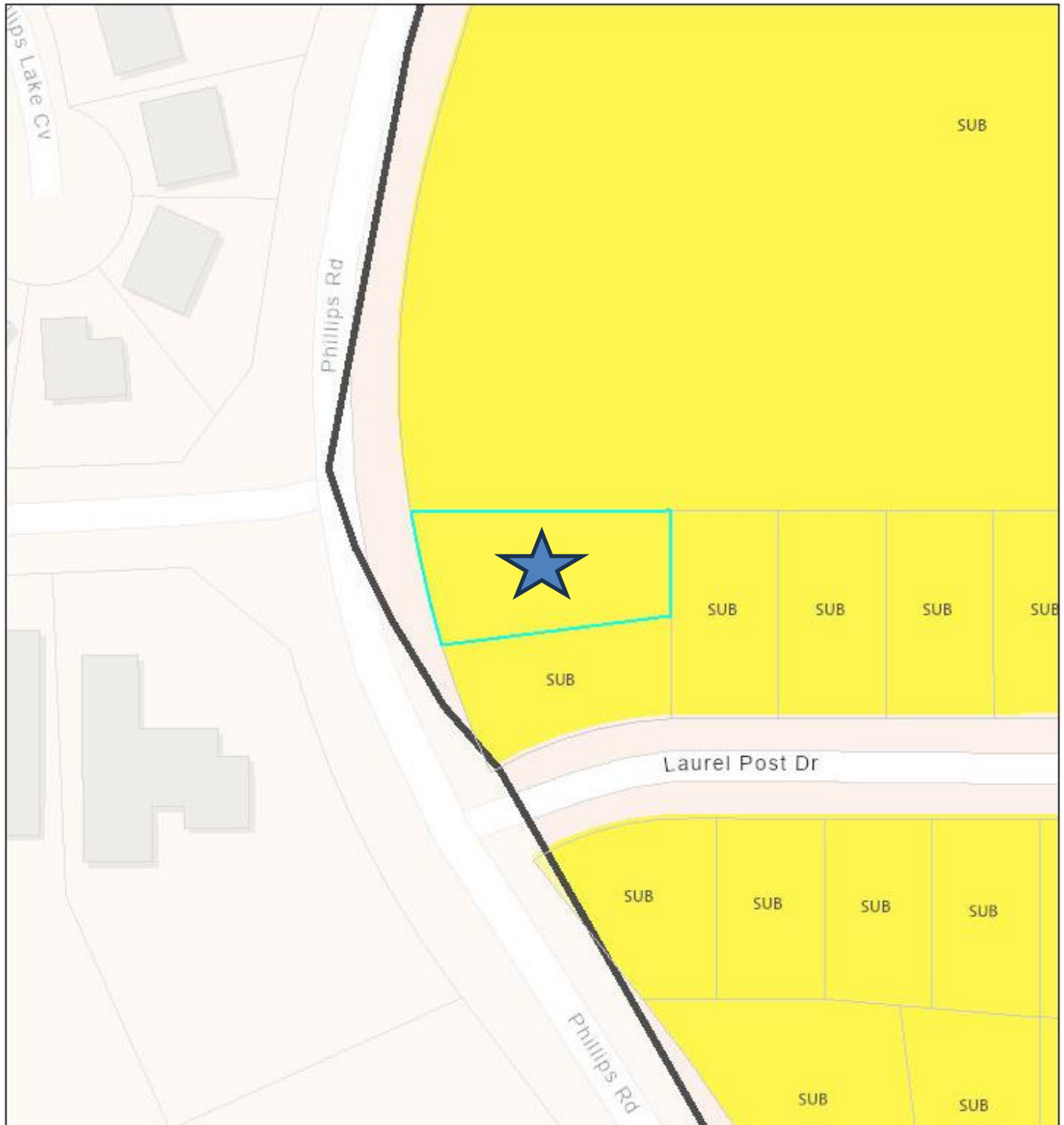
RZ-23-005

Planning and Zoning Department

Attachments Included:

- **Future Land Use Map**
- **Zoning Map**
- **Aerial Map**
- **Site Plan/Survey**
- **Zoning Conditions**
- **Building Elevations**
- **Letter of Intent**

Future Land Use Map





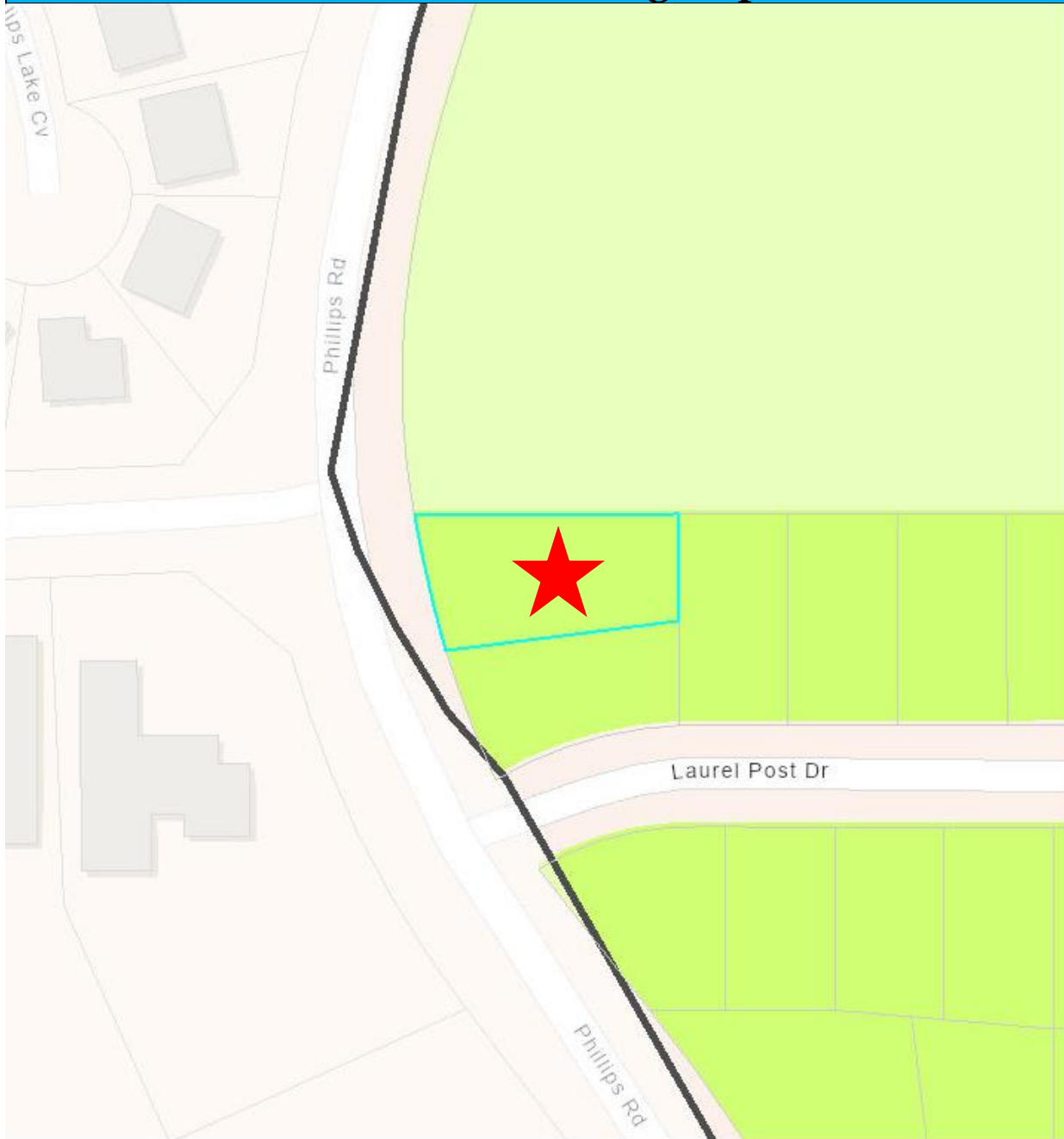
RZ-23-005

Planning and Zoning Department

Suburban Neighborhood (SN)

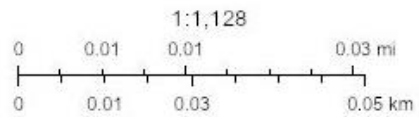
The intent of the Suburban Neighborhood character area is to recognize those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those developed (built out) and those under development pressures. Those areas are characterized by low pedestrian orientation, limited transit access, scattered civic buildings and curvilinear street patterns. The proposed density for areas of this type is up to 8 dwelling units per acre.

Zoning Map

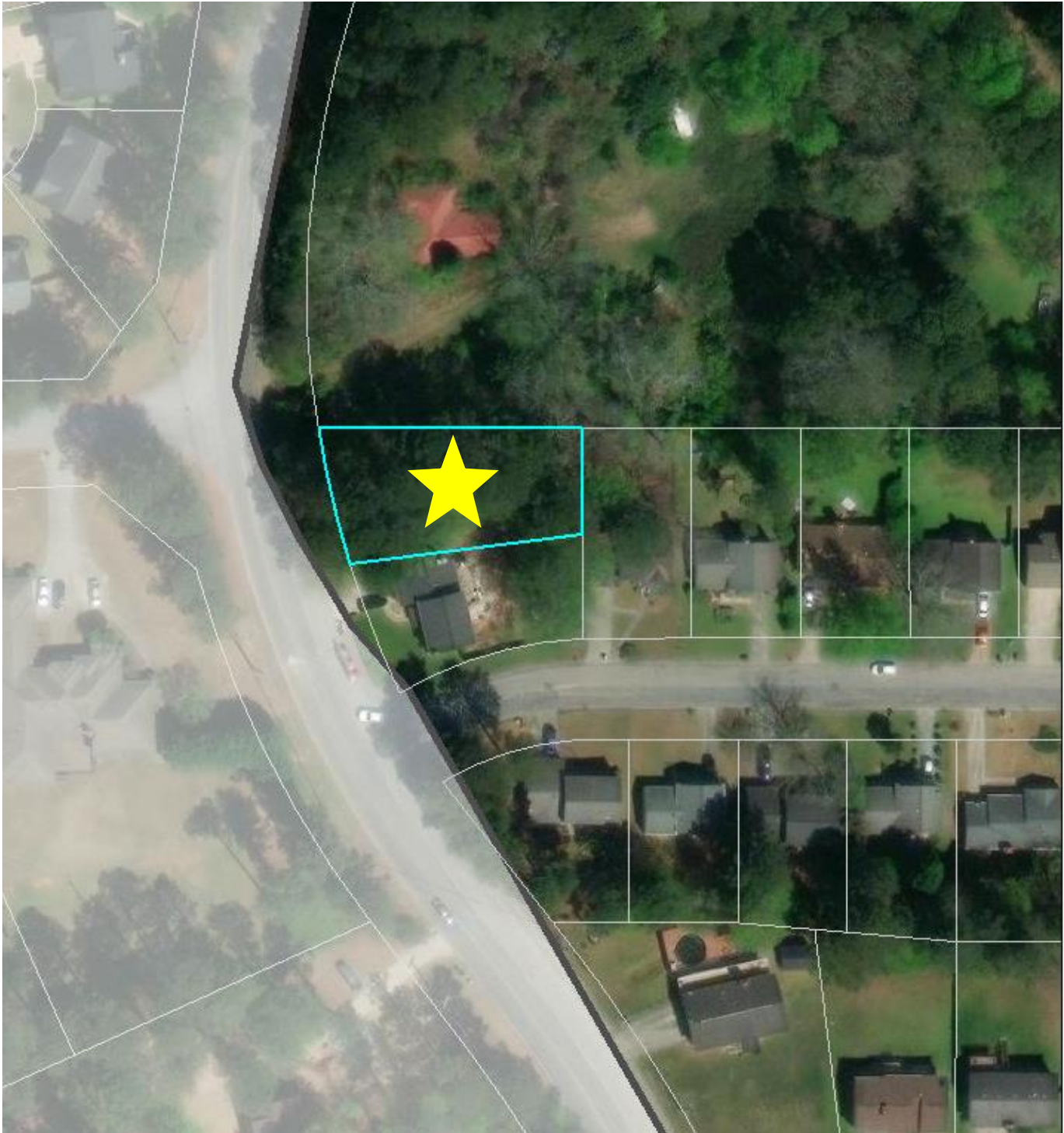


10/9/2023, 10:42:49 AM

- | | | |
|--|--------------------|---|
|  | Stonecrest Parcels | Zoning |
|  | City Limits |  R-100 - Residential Med Lot |
|  | DeKalb Parcels |  RSM - Small Lot Residential Mix |



Aerial Map

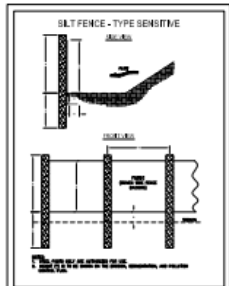


Submitted Site Plan

EROSION CONTROL NOTES:

1. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.
2. EROSION AND SEDIMENT CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
3. DISTURBED AREAS LEFT IDLE SHALL BE STABILIZED WITH TEMPORARY VEGETATION AFTER 14 DAYS; AFTER 30 DAYS, PERMANENT VEGETATION SHALL BE ESTABLISHED.
4. SILT FENCE SHALL MEET THE REQUIREMENTS OF SECTION 171-TEMPORARY SILT FENCE, OF THE GEORGIA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS, 1993 EDITION, AND BE WIRE REINFORCED.
5. EROSION CONTROL MEASURES WILL BE INSPECTED AT LEAST WEEKLY, AFTER EACH RAIN AND REPAIRED BY THE GENERAL CONTRACTOR.
6. ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED IF DEEMED NECESSARY BY ON-SITE INSPECTION.
7. SILT BARRIERS TO BE PLACED AS SHOWN AND/OR AS DIRECTED BY PROJECT ENGINEERS OR COUNTY INSPECTORS.
8. ALL SILT BARRIERS MUST BE PLACED BEFORE ANY CLEARING. NO GRADING SHALL BE DONE UNTILL SILT BARRIER INSTALLATION IS COMPLETED.
9. ALL OPEN DRAINAGE MUST BE GRASSED, AND RIP-RAP MUST BE PLACED AS REQUIRED TO CONTROL EROSION. A MINIMUM OF 10 SQUARE YARDS OF 40 POUND STONE SHALL BE PLACED AT ALL DOWN STREAM HEADWALLS.
10. NOTIFY INSPECTOR 24 HOURS PRIOR TO CONSTRUCTION.
11. CONTRACTOR WILL ENSURE CONFORMITY TO THE INTENT OF THE EROSION CONTROL MEASURES AS NOTED AS WELL AS THE COUNTY EROSION CONTROL RULES AND REGULATIONS.

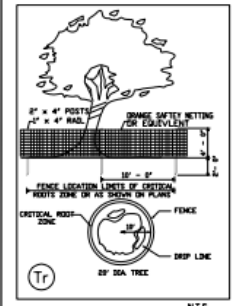
*FOR FURTHER EXPLANATION OF THE SYMBOLS AND CONSTRUCTION PRACTICES WE REFER YOU TO THE MANUAL FOR SEDIMENTATION AND EROSION CONTROL PER THE "SEDIMENTATION AND EROSION ACT OF 1975 FOR GEORGIA."



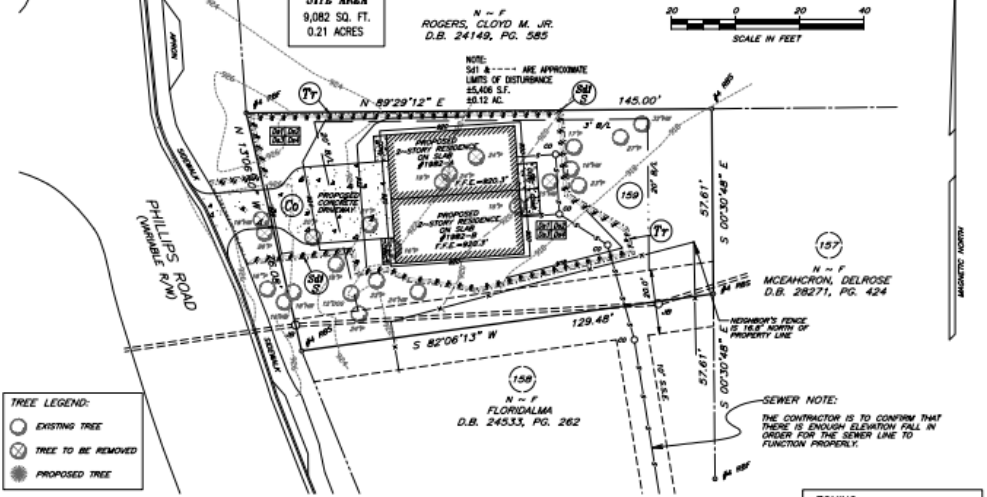
THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTIONS, SUBSURFACE CONDITIONS, OR OTHER MATTERS OF TITLE WHICH ARE NOT VISIBLE, NOT RECORDED, OR NOT DISCLOSED IN THE TITLE ABSTRACT PROVIDED BY THE OWNER, THE PURCHASER, OR ANY AGENTS THEREOF.

CO CONSTRUCTION EXIT
N.T.S.

54 SILT FENCE (TYPE "S")
N.T.S.



GSWCC
K. Addison Blakelee
Level II Certified Design Professional
Certification Number: 00000055416
Issued: 08/01/2022 Expires: 08/01/2024



GENERAL PLAT NOTES:

THE FIELD DATA DATED 1-5-2022 UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1 FOOT IN 29,427 FEET AND AN ANGULAR ERROR OF 3 SECONDS PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN 1 FOOT IN 4,281,853 FEET. A TRIMBLE S8 ROBOT WAS USED FOR ANGULAR AND LINEAR MEASUREMENTS.

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR FLOOD PLAIN, ACCORDING TO F.E.M.A. (FEMA) COMMUNITY PANEL #1308001012, DATED MAY 16, 2012.

THIS PLAT IS FOR THE EXCLUSIVE USE OF LUCRETIA RAMSEY. ANY USE BY THIRD PARTIES IS AT THEIR OWN RISK.

THIS PLAT IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE OF THE REGISTRANT ACROSS THE REGISTRANT'S SEAL.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT POLICY; THEREFORE EXCEPTION IS MADE HERETO TO ANY EASEMENTS, RESERVATIONS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, WHICH MAY EXIST. FURTHERMORE, THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RESERVATIONS, RIGHTS OF WAY, OR RESTRICTIONS, WHICH ARE NOT RECORDED OR NOT DISCLOSED BY THE TITLE COMMITMENT OR OTHERWISE UNKNOWN TO THE SURVEYOR. THEREFORE EXCEPTION IS TAKEN TO ANY SUCH ITEMS.

GRADING NOTES:

1. NO GRADED SLOPE SHALL EXCEED 3H:1V.
2. FILL MATERIALS SHALL CONSIST OF CLEAN SOIL FREE OF GRASS OR OBSTACLES MATERIALS, ROCKS, OR BROKEN PIECES OF CONCRETE LARGER THAN THREE INCHES IN SIZE, OR OF ANY OTHER FOREIGN OBJECTS THAT COULD IMPIDE THE COMPACTION RESULTS.
3. FILL MATERIALS SHALL BE SPREAD EVENLY IN HORIZONTAL LAYERS OF NOT MORE THAN 6 INCHES IN THICKNESS OVER THE FULL WIDTH OF FILL AND COMPACTED TO 95% MAXIMUM DENSITY BY STANDARD PROCTOR COMPACTION TEST ASTM D1557.
4. GRADE TO PROVIDE POSITIVE DRAINAGE WHICH IS NOT IN AN EASEMENT.

ZONING:

CURRENTLY ZONED: RSM
MINIMUM YARD REQUIREMENTS:
FRONT SETBACK (MIN.)-20'
(MAX.)-10'
SIDE SETBACK (MIN.)-3'
10' BETWEEN BUILDINGS
REAR SETBACK (MIN.)-10'
(MAX.)-15'
(TYP.)-15'
(CALL OTHERS)-15'

OWNER/DEVELOPER MUST CONFIRM ALL ZONING INFORMATION WITH THE APPLICABLE OFFICES.

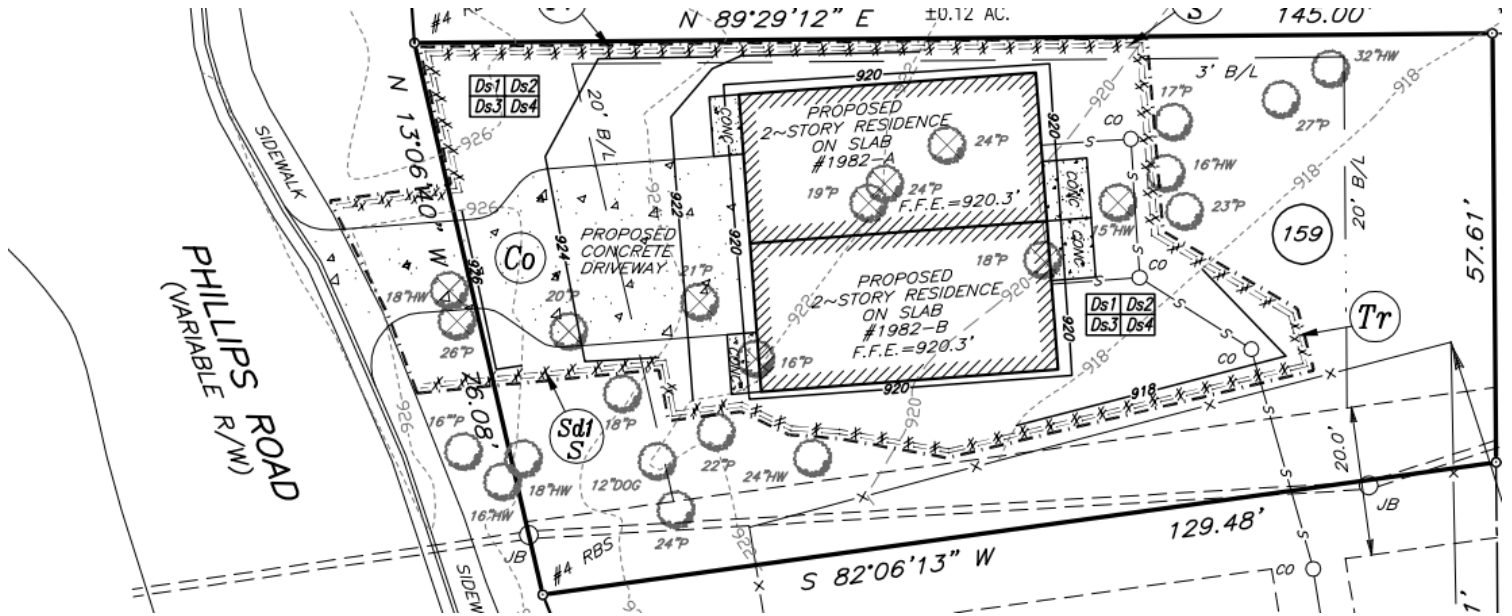
PRISTINE LAND SERVICES
Land Surveyors • Landscapers • Environmental
4125 Bluebonnet Blvd., Suite 100
Stone Mountain, GA 30087
Phone: 404.707.9100
www.pristineland.com

SITE PLAN FOR:
LUCRETIA RAMSEY
LOCATED IN LAND LOT 102, 16TH DISTRICT
LAUREL POST CLOSE SUBDIVISION
CITY OF STONECREST
DEKALB COUNTY, GEORGIA

REVISIONS

NO.	DATE	DESCRIPTION

DATE: 1-31-2023
SCALE: 1"=20'
DRAWN BY: KAB
CHECKED BY: KAB
PROJECT NO. 2302274
PHILLIPS-SITE.DWG





Zoning Conditions – CZ-85127

FILE COPY 254

REV. 12/84

DEKALB COUNTY BOARD OF COMMISSIONERS

ITEM NO. 11

ZONING AGENDA/MINUTES

MEETING DATE September 24, 1985

PREL. ACTION PUB. HRG. X

RESOLUTION ORDINANCE X PROCLAMATION

SUBJECT: Rezoning Application - Thomas A. Arnold, Jr., and Cunningham Properties, Inc.

DEPARTMENT: Planning

PUBLIC HEARING: X Yes No

ATTACHMENT: X Yes No 6 pp

INFORMATION CONTACT: Mac Baggett or Charles Coleman PHONE NUMBER: 371-2155

PURPOSE: CZ-85127 - To consider the application of Thomas A. Arnold, Jr., and Cunningham Properties, Inc., to rezone property located on the north side of Marbut Road, approximately 450' east of Phillips Road, from R-100 to R-A5 (42 acres) and RM-100 (50 acres) (conditional). The application is conditioned by a site plan.

DISTRICT: 1. 2. 3. 4. X 5. N/A

SUBJECT PROPERTY: 16-102-2-2, 4 & 5; 16-123-2-5 (6386 Marbut Road). The property has frontage of approximately 2,000' on Marbut Road, 650' on Phillips Road and contains 92 acres, more or less.

RECOMMENDATION(s): PLANNING DEPARTMENT: Approval with condition (revised 9/3/85). The application has been amended with the attached plan which identifies the location and land area of the two requested zoning districts. Staff supports the RM request as it will provide an intermediate category between the industrial park and the single family developments on Marbut Road. The request for R-A5 is supported as being consistent with zoning on Marbut and Phillips Roads. The condition applied to the R-A5 recommendation is that one-third of all units having access to Phillips Road be constructed with a 1,300 square-foot minimum floor area. Staff does not support approval of the attached plan because it does not comply with the Subdivision Ordinance relative to lengths of cul-de-sacs. The design will double the route for vehicles which provide county services to the development.

NOTE: Conditions applied to the R-A5 zoning at the northwest corner of Marbut and Phillips are as follows:

- 1. Detached residential at 4.5 units per acre.
2. Houses to face Phillips Road.
3. No vinyl or aluminum siding.

PLANNING COMMISSION: Denial.

COMMUNITY COUNCIL: Denial of RM-100; approval of R-A5 for entire tract subject to a 1,400 square-foot minimum.

houseplans.pro by
building designers 503-246-3022
1922 Phillips Rd, Lithonia, GA 30038
Copyright www.houseplans.pro

Plan license for ONE construction only at this site

DATE: 12/20/23
PROJECT: RZ-23-005
DRAWING: 01-001

1204 30 0070 010 0100 0000 0000

THIS SET OF PLANS IS THE PROPERTY OF HOUSEPLANS.PRO. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE PERMITTING AND CONSTRUCTION DOCUMENTS. ANY REUSE, REPRODUCTION, OR DISTRIBUTION OF THESE PLANS WITHOUT THE WRITTEN PERMISSION OF HOUSEPLANS.PRO IS STRICTLY PROHIBITED.

ESQ smoke/carbon monoxide detector
Provide one smoke/carbon monoxide detector (one) per floor and one in each bedroom. Detectors shall be interconnected so that when one is triggered all will sound. Provide battery backup for all units.

EXHAUST FAN NOTE

LOCATION	EXHAUST FAN	EXHAUST FAN
KITCHEN/FAN	ESQ CFI	ESQ CFI
BATHROOM FAN	ESQ CFI	ESQ CFI
BATHROOM FAN	ESQ CFI	ESQ CFI
LAUNDRY FAN	ESQ CFI	ESQ CFI

ESQ CFI (1) BATHROOMS (check one)
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MAKE SURE FAN TO HAVE 24 HOUR TIMER FOR 15 MINUTE ON/OFF CYCLE

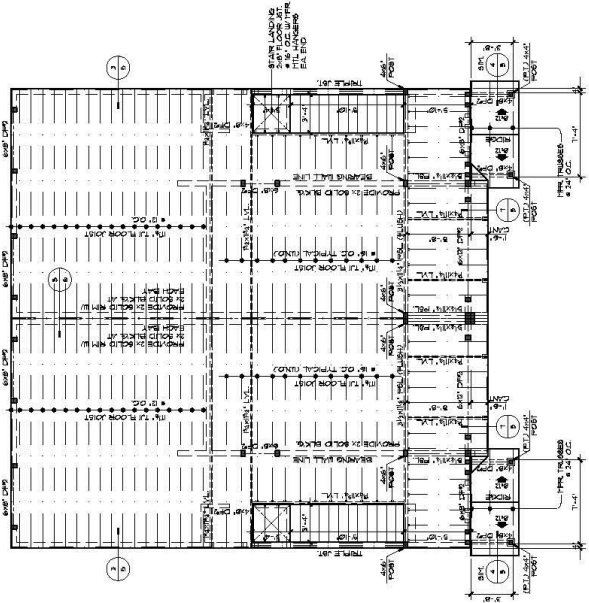
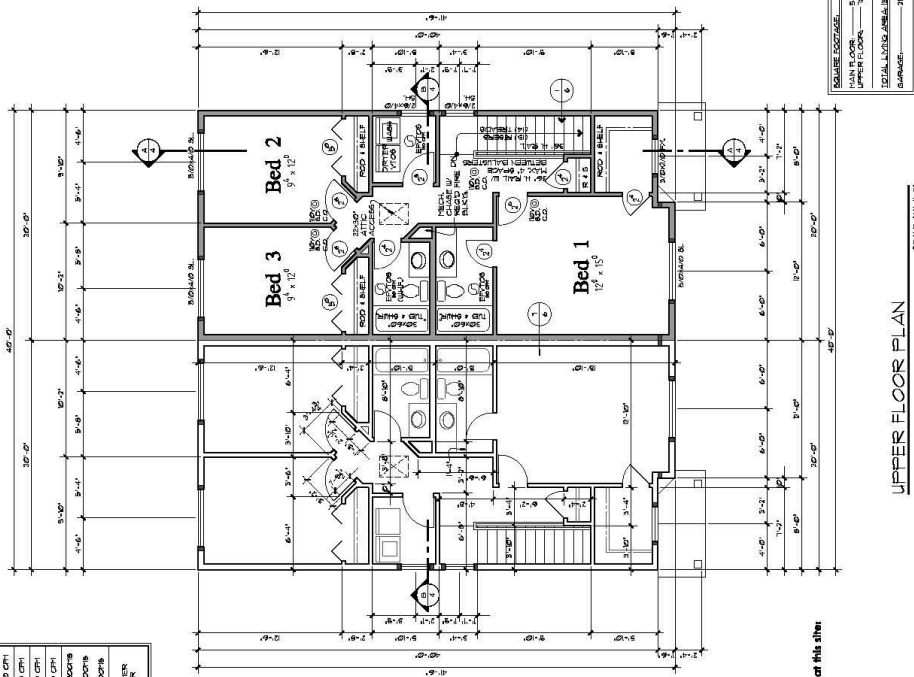
FRAMING NOTES

ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE. TYPICAL DIMENSIONS LISTED ARE TO FACE UNLESS NOTED OTHERWISE.

PROVIDE 2x6 SOLID TIMBERS AT ALL CORNERS AND ALL JOINTS. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.

PROVIDE VERTICAL MEMBERS AT ALL CORNERS AND ALL JOINTS. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.

PROVIDE POSITIVE CONNECTION AT ALL JOINTS (WEDG).

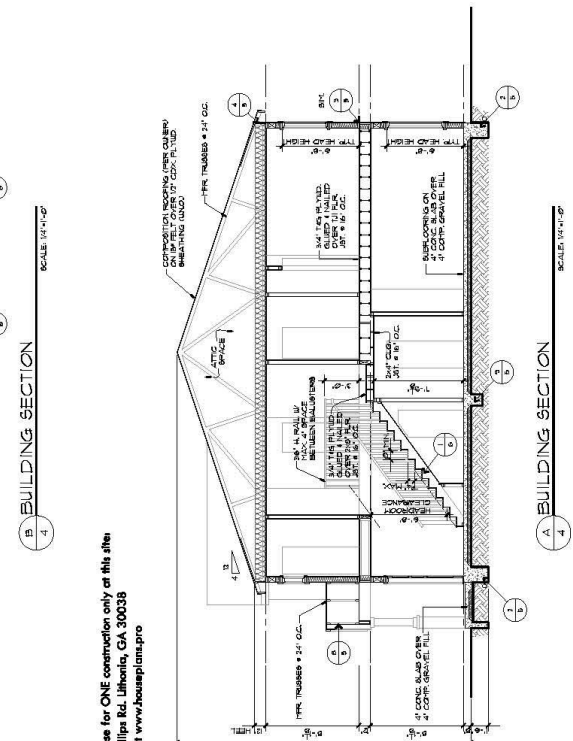
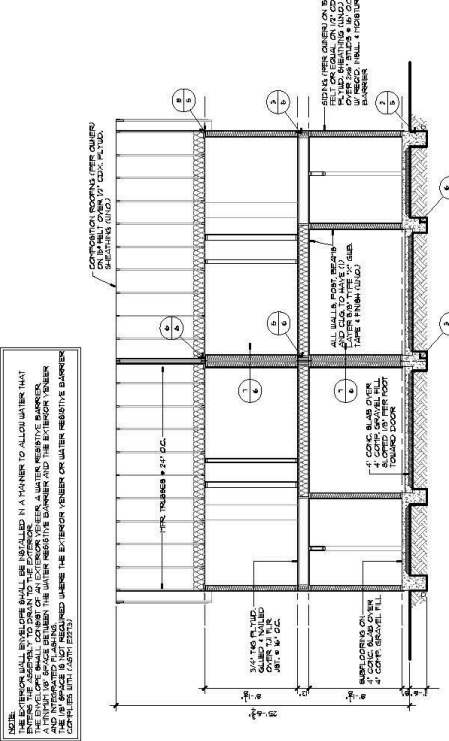


Plan license for ONE construction only at this site
1922 Phillips Rd, Lithonia, GA 30038
Copyright www.houseplans.pro

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 building designers 803-246-3022
 1982 Phillips Rd. Lithonia, GA 30038
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Plan license for ONE construction only at this site

DATE: 12/2023
 DRAWING NO: D-599D
 SHEET NO: 4



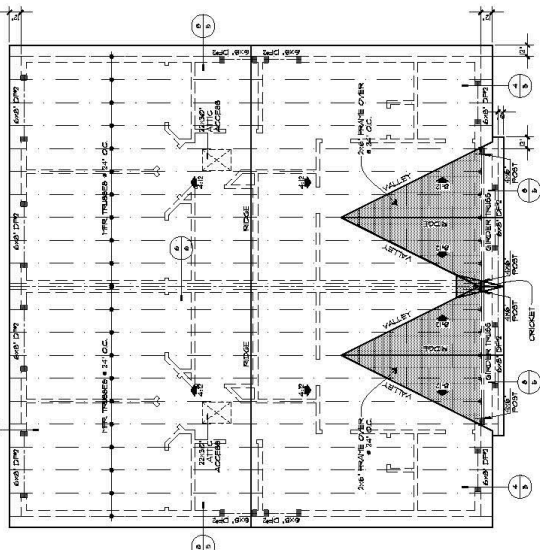
Plan license for ONE construction only at this site
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DISCOUNT VALUE:

ATTIC/CEILING FLOOR	R-19
ATTIC/CEILING WALL	R-30
EXTERIOR WALLS	R-21 Intermediate
UNINSULATED CEILING	R-30
CONCRETE FLOOR	R-5
CONCRETE WALL	R-5
CONCRETE ROOF	R-5
INSULATED ROOF	R-30

- RADON CONTROL**
- Minimum radon gas entry shall be limited to 1.5 pCi/L per cubic foot of air.
1. Membrane, vented
 2. Membrane, unvented
 3. Membrane, unvented, with radon gas entry barrier
 4. Membrane, unvented, with radon gas entry barrier, and radon gas entry barrier
 5. Membrane, unvented, with radon gas entry barrier, and radon gas entry barrier, and radon gas entry barrier
- NOTE:** RADON GAS ENTRY BARRIER SHALL BE INSTALLED AT ALL JOINTS BETWEEN WALLS AND FLOOR/CEILING AND AT ALL JOINTS BETWEEN WALLS AND EXTERIOR WALLS. RADON GAS ENTRY BARRIER SHALL BE INSTALLED AT ALL JOINTS BETWEEN WALLS AND EXTERIOR WALLS.

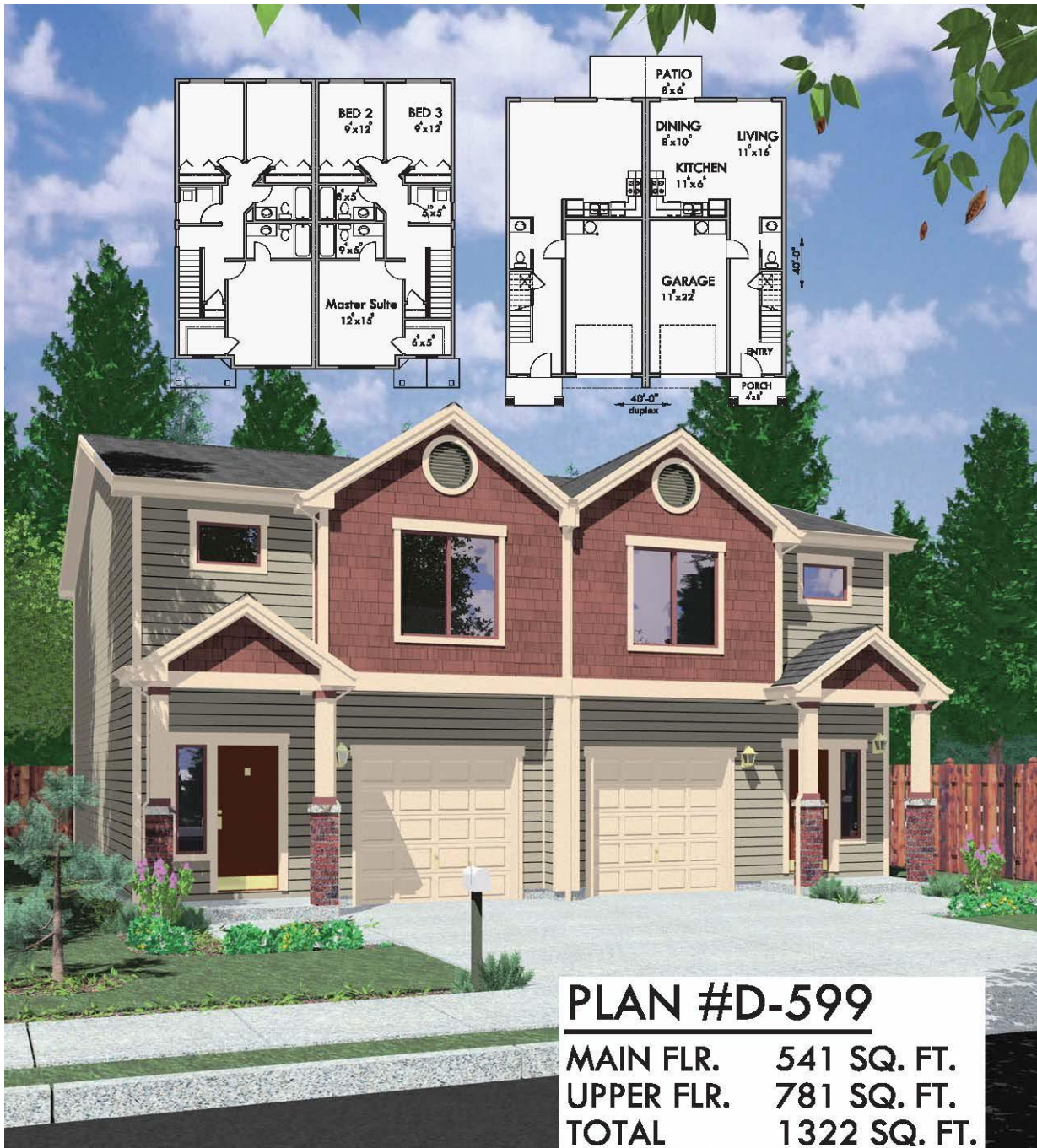
- ROOF NOTES**
1. ALL ROOFING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
 2. ALL ROOFING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
 3. ALL ROOFING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
 4. ALL ROOFING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.
 5. ALL ROOFING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTALLATION INSTRUCTIONS.



ATTIC VENTILATION CALCULATION

VENTILATION REQUIRED	VENTILATION PROVIDED	TOTAL
480 SF (12" x 12" x 12")	480 SF (12" x 12" x 12")	960 SF
480 SF (12" x 12" x 12")	480 SF (12" x 12" x 12")	960 SF
480 SF (12" x 12" x 12")	480 SF (12" x 12" x 12")	960 SF

ROOF FRAMING PLAN SCALE: 1/4" = 1'-0"



PLAN #D-599

MAIN FLR.	541 SQ. FT.
UPPER FLR.	781 SQ. FT.
TOTAL	1322 SQ. FT.
GARAGE	259 SQ. FT.

www.houseplans.pro
 Bruinier & associates, inc. building designers ©
 1304 SW Bertha Blvd. Portland, Oregon 97219 (503-246-3022)



Letter of Intent

Bridgemore Group
Lucretia Ramsey, manager
5751 Hunters Chase Ct.
Lithonia, GA 30038
lucretiaramsey@gmail.com
770-527-4011
6/21/23

Stonecrest Zoning Department
3120 Stonecrest Blvd #190,
Stonecrest, GA-30038[City, State, ZIP Code]

Subject: Rezoning Request for Property from RA5 (CZ85127) to R2 Duplex

Dear Stonecrest Zoning Department,

I hope this letter finds you well. I am writing to formally request a rezoning of a single-family property located at 1982 Phillips Rd Lithonia, GA 30058.. The purpose of this rezoning request is to convert the property from its current zoning designation of RA5 (Single-Family Residential) (CZ85127) to R2 (Duplex Residential). I believe that this rezoning is justified based on the following reasons:

1. Demand for Duplex Housing: There is a growing demand for duplex housing in our community, and rezoning this property to R2 would help address this need. Allowing the construction of a duplex would provide additional housing options without significantly altering the character of the neighborhood.
2. Compatible Surrounding Zoning: The proposed rezoning to R2 is consistent with the surrounding zoning in the area. There are existing multifamily dwellings in the surrounding areas of the property, indicating that a duplex on this property would be in harmony with the existing neighborhood.
3. Minimal Impact on Infrastructure: Rezoning this property to R2 would have minimal impact on the existing infrastructure. The property is already connected to the necessary utilities, and the increased density from a duplex would not impose a significant burden on local services and facilities.