



Community Development
 4119 Adrian Street
 Tucker, GA 30084
 Phone: 678-597-9040
 Email: permits@tuckerga.gov
 Website: www.tuckerga.gov

Land Use Petition Application

Type of Application: Rezoning Comprehensive Plan Amendment Special Land Use Permit Concurrent Variance

APPLICANT INFORMATION

Applicant is the: Property Owner Owner's Agent Contract Purchaser

Name: Fielding Aldermen / Sonia Moretti

Address: 2750 Premiere Park Way Suite 200

City: Duluth State: GA Zip: 30097

Contact Name: Fielding Aldermen

Phone: 770-862-4123 Email: fldaldermen@BellSouth.net

OWNER INFORMATION

Name: Joan McCook / Ann Marie Thyme

Address: 5002 Chamblee Tucker Rd

City: Tucker State: GA Zip: 30084

Contact Name: Joan McCook

Phone: 770-354-5033 Email: miccookjoan@aol.com

PROPERTY INFORMATION

Property Address: 5002 Chamblee Tucker Rd

Present Zoning District(s): R-85 Requested Zoning District(s): R-85

Present Land Use Category: Suburban Requested Land Use Category: Suburban

Land District: 18 Land Lot(s): 226 Acreage: 0.60

Proposed Development:

Concurrent Variance(s):

RESIDENTIAL DEVELOPMENT

No. of Lots/Dwelling Units: Dwelling Unit Size (Sq. Ft.): Density:

NON-RESIDENTIAL DEVELOPMENT

No. of Buildings/Lots: Total Building Sq. Ft.:

SLUP-19-0011
 CV-19-0007

RECEIVED
 City of Tucker
 AUG 28 2019

Community Development
 Department

PROPERTY OWNER'S CERTIFICATION

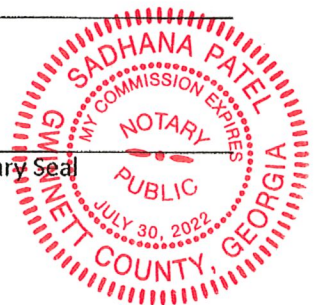
I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of DeKalb County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Tucker, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning (RZ), Comprehensive Plan Amendment (CA), Special Land Use Permit (SLUP), & Concurrent Variance (CV) in request of the items indicated below.

JOAN MCCOOK
I, ANN-MARIE THYME, authorize, SONIA MORETTI
FIELDING A. ALDERMAN
(Property Owner) (Applicant)
to file for SLUP, at 5002 Chamblee Tucker Rd
(RZ, CA, SLUP, CV) Tucker Georgia 30087
(Address)
on this date AUGUST 20th, 20, 2019.
(Month) (Day)

- I understand that if a rezoning is denied or assigned a zoning classification other than the classification requested in the application, then no portion of the same property may again be considered for rezoning for a period of twenty-four (24) months from the date of the mayor and city councils' final decision.
- I understand that if an application for a special land use permit affecting all or a portion of the same property for which an application for the same special land use was denied shall not be submitted before twenty-four (24) months have passed from the date of final decision by the mayor and city council on the previous special land use permit.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Tucker Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request. I agree to arrange additional permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

Joan McCook
Ann Marie Thyme
Signature of Property Owner Date 8/20/19.
JOAN MCCOOK. OWNER.
ANN MARIE THYME OWNER.
Type or Print Name and Title

Sadhana Patel 8/20/19.
Signature of Notary Public Date Notary Seal



APPLICANT'S CERTIFICATION

To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Tucker Zoning Ordinance and/or City Code.



Signature of Applicant

Fielding Alderman

Date

8/15/19

SONIA MORETTI / FIELDING D. ALDERMAN

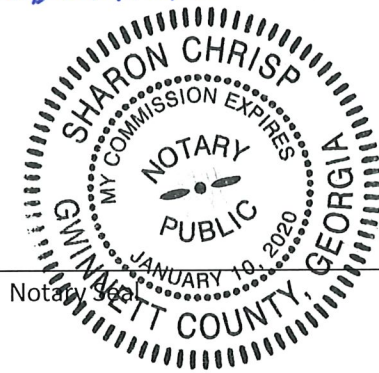
Type or Print Name and Title



Signature of Notary Public

8/15/19

Date



Notary Seal

DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); NO (if NO, complete only point 4)

1. CIRCLE ONE: **Party to Petition** (If party to petition, complete sections 2, 3 and 4 below)
- In Opposition to Petition** (If in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

1.	5.
2.	6.
3.	7.
4.	8.

3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) FIELDING D. ALDERMAN

Signature: *Fielding D. Alderman* Date: _____

DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE ONE: YES (if YES, complete points 1 through 4); **NO** (if NO, complete only point 4)

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In Opposition to Petition (If in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:


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4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) *Sonia Moretti*

Signature:  Date: _____

Return to:
O'Kelley & Sorohan, Attorneys at Law, LLC
2170 Satellite Blvd, Ste. 375
Duluth, GA 30097
File No.: 01-118085-REG

Parcel No.: 18 226 08 019

STATE OF GEORGIA
COUNTY OF GWINNETT

LIMITED WARRANTY DEED

THIS INDENTURE, made on 18th day of July, 2019, between

Sharon Smith

(hereinafter referred to as "Grantor") and

Joan A. McCook and Ann Marie Thyme, as joint tenants with rights of survivorship

(hereinafter referred to as "Grantee"), the words "Grantor" and "Grantee" to include the heirs, executors, legal representatives, successors and assigns of said parties where the context requires or permits; WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee,

All that tract or parcel of land lying and being in Land Lot 226 of the 18th District, DeKalb County, Georgia and being more particularly described on plat of survey for Stephen Smith and Sharon Smith, dated January 22, 2002, by Tru-Line Surveying, Inc., W. E. Clonts, G.R.L.S. No. 2166, said plat of survey being recorded in Plat Book 126, Page 78, DeKalb County, Georgia Records.

TOGETHER WITH all and singular the rights, members and appurtenances thereto (hereinafter collectively referred to as the "Premises"), the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee.

Subject to all easements, rights of way, and restrictive covenants of record (hereinafter referred to as the "Exceptions").

TO HAVE AND TO HOLD the Premises, subject to the Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all person claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has executed this instrument under seal, as of the date first above written.

Signed, sealed and delivered
in the presence of:

Cheryl A. Volk
Unofficial Witness

Sharon Smith
Sharon Smith

Bobby D. Armes
Notary Public
Commission expires: 8/11/22



LETTER OF INTENT

RECEIVED
City of Tucker

AUG 28 2019

Community Development
Department

To: City of Tucker
Planning & Development - SLUP
Rosie Mafe, Tim Lampkin and Courtney Smith
City Council

From: Fielding D. Alderman & Sonia Moretti – Consultants/Realtors

Subject: SLUP Application: 5002 Chamblee Tucker Road, Tucker, GA
30084

This Application is for a Special Land Use Permit (SLUP) for the subject property 5002 Chamblee Tucker Road (“Property”). The Property is identified by Parcel I.D. 18 226 08 019 and is a .6 acre tract currently zoned R85. The home is located on a major local artery and not within a subdivision.

SLUP Application is requesting approval to operate a Personal Care Home (PCH) limited to a maximum of six residents. This Application is not requesting any newly “proposed” structures or changes to any of the existing structures or buffers. Current structures, as shown on Survey/Site Plan include:

- **One Single-story Frame House w/attached shed and screened patio**
- **One Single-story detached shed**

SUMMARY

In summary, the SLUP Application is to allow the owners to operate a PCH that provides room, board, personal assistance, medical care and transportation for medical visits and community outings. The intention is to provide and maintain a quiet peaceful “residence” for the elderly who are no longer able to care for themselves in their own homes. The owners intend to provide a safe and caring home-like environment at an affordable cost in the Tucker area.

The owners have a collective 60+ years' experience in the medical field including over 40 years of working specifically with the elderly. The owners currently work in the area providing care for seniors in nationally recognized assisted living facilities as well as within the elderly's own personal homes.

The owners currently operate a successful home care service of 3+ years in the local area and provide assistance in: bathing, dressing, incontinent care, meal preparation, laundry, housekeeping, travel assistance, medication supervision and transportation for medical appointments, shopping, hair salons and community outings.

For more specific details, please see the following business plan.

Application Fee check of \$480 is submitted with this SLUP Application Package. Please direct any questions to Owner's Consultants:

Fielding D. Alderman	770.862.4133	fdalderman@bellsouth.net
Sonia Moretti	404.617.3279	moretti_legal@yahoo.com

Respectfully submitted this day of August 22, 2019.



Fielding D. Alderman



Sonia Moretti

Sec. 46-1594. – Special land use permit; criteria to be considered.

The following criteria shall be considered by the community development department, the planning commission, and the mayor and city council in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the mayor and city council unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and the application is in compliance with all applicable regulations in article IV of this chapter:

- (1) Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located.

RESPONSE: No changes to existing structure which provides more than adequate and required space for maximum of 6 Personal Care Home (PCH) residents. Driveway parking pad is large enough for required minimum 4 parking spots and is being expanded to accommodate extra turnaround space. See Site Plan for detail.

- (2) Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

RESPONSE: Proposed use as PCH on major local artery street and not in subdivision and no changes to structure or property to be continued use as a residence for maximum of 6 residents is compatible with surrounding properties and uses within the R85 zoned district.

- (3) Adequacy of public services, public facilities, and utilities to serve the proposed use.

RESPONSE: Public services, facilities and utilities are adequate for proposed use.

- (4) Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

RESPONSE: Chamblee Tucker Road, a major local artery street, offers sufficient traffic-carrying capacity and is adequate for proposed use. Residents of the PCH are not drivers and therefore there will be no undue increase in traffic or congestion in the area.

- (5) Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

RESPONSE: Residents of the PCH are not drivers. The character and volume of staff vehicles will have no adverse impact on Chamblee Tucker Road, a major local artery street or the properties along the route.

- (6) Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency.

RESPONSE: Ingress and egress to the property and existing structures is adequate. There are no proposed additional structures, entrances or exits. There is a sidewalk across the front of the property for pedestrian traffic and a sidewalk from the driveway to the front door. There is adequate access for emergency services vehicles.

- (7) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use.

RESPONSE: None. No adverse impact from noise, smoke, odor, dust or vibration is expected to be generated by elderly residents or staff of the PCH.

- (8) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

RESPONSE: None. This is an existing residential property and no adverse impact by reason of the hours of operation is expected to be created by elderly residents or staff of the PCH.

- (9) Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

RESPONSE: None. The manner of operation is consistent with that of a typical family residence with elderly occupants.

- (10) Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

RESPONSE: Yes. The proposed use is residential in nature and consistent with requirements of the zoning district classification.

- (11) Whether or not the proposed use is consistent with the policies of the comprehensive plan.

RESPONSE: Yes. The proposed use is consistent with the policies of the comprehensive plan.

- (12) Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

RESPONSE: Yes. There are no plans to modify existing property, structures or buffers.

(13) Whether or not there is adequate provision of refuse and service areas.

RESPONSE: Yes. There is adequate provision of refuse

(14) Whether the length of time for which the special land use permit is granted should be limited in duration.

RESPONSE: No.

(15) Whether or not the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings.

RESPONSE: Yes, the size, scale and massing of EXISTING structure is appropriate in relation to the same for adjacent and nearby properties and buildings. There are no proposed additional structures. The home is consistent in appearance and size with those in the area.

(16) Whether the proposed use will adversely affect historic building, sites, districts, or archaeological resources.

RESPONSE: Not applicable.

(17) Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

RESPONSE: A Variance Application is being submitted concurrently to address the issue of another PCH located nearby.

(18) Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

RESPONSE: Not applicable. The property and structure currently exist and there are no additional proposed buildings in question.

(19) Whether the proposed use would result in a disproportionate proliferation of that or similar uses in the subject character area.

RESPONSE: A Variance Application is being submitted concurrently to address the issue of another PCH located nearby. However, that PCH is different in nature and definition compared to the subject property and PCH. The subject PCH is located in a very different setting on a major local artery and not within a subdivision. It is not believed to create a disproportionate proliferation in the area.

(20) Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict the overall objective of the comprehensive plan.

RESPONSE: Yes. The proposed use of the existing property and structure is residential in nature and believed to be compatible with the neighborhood. It is further believed to be consistent with the needs of the community as the number of senior citizens in need of assisted care in the community continues to increase.

(Ord. No. 2016-06-07, att. (7.4.6), 7-11-2016)2q

Sec. 46-1185. – Personal care homes and child caring institutions.

(a) Personal care homes, general requirements.

(1) Each personal care home must obtain all licenses and/or permits required by the state in order to operate. Each personal care home licensed and/or permitted by the state must display its state-issued licenses and/or permits in plain view, visible from the front doorway of the facility.

RESPONSE: Will comply.

(2) No personal care home may display and exterior signage that violates the sign ordinance in chapter 34 or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.

RESPONSE: Will comply.

(3) Personal care homes may apply for an FHA Accommodation Variance as provided for in section 46-1639.

RESPONSE: N/A

(b) Personal care home, group (four to six persons).

(1) Two copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the community development director prior to issuance of a building permit or business license.

RESPONSE: Existing property and structure. No modifications or additions to existing structure.

(2) Each group personal care home must provide at least four parking spaces within a driveway, garage or carport and must comply with any applicable requirements in article VI of this chapter.

RESPONSE: Existing driveway and parking pad to accommodate a minimum of 4 parking spaces. Additional square footage to be added to existing parking pad to provide more room to turn vehicles around. See Site Plan for more details.

(3) In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the RE, R-LG, R-100, R-85, R-75, R-50, R-SM, or MR-1 zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000 foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located.

RESPONSE: This Variance Application addresses the distance requirement between Group Personal Care Homes. There is an existing Personal Care Home within 1,000 feet of subject property, however, per City of Tucker's definition, it is not known to be a "Group" Personal Care Home because it has less than 4 (currently 2) residents and is licensed for 3 or less per City of Tucker representatives in Planning & Development. Furthermore, it is a different type of Personal Care Home being that it specializes in Memory Care, Alzheimer, Dementia residents under secure lock and key situation. Subject property is to be a "Group" Personal Care Home (4-6 residents) that is not licensed to accommodate Memory Care, Alzheimer, or Dementia care residents. See Letter of Appeal for more detail. Also, see Sec. 46-1185 – Item (a) and (b) for definition of "Group" Personal Care Homes.

ENVIRONMENTAL SITE ANALYSIS (ESA) FORM

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

1. **CONFORMANCE WITH THE COMPRESHENSIVE PLAN.** Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project.

RESPONSE: N/A. Existing property and structure. No modifications or additions proposed.

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

RESPONSE: N/A. Existing property and structure. No modifications or additions proposed.

2. **ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT.** For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).

a. **Wetlands**

- U.S. Fish and Wildlife Service, national Wetlands Inventory (<http://wetlands.fws.gov/downloads.htm>)
- Georgia Geologic Survey (404-656-3214)
- Field observation and subsequent wetlands delineation/survey if applicable

RESPONSE: N/A. No Wetlands present. No environmental site feature.

b. **Floodplain**

- Federal Emergency Management Agency (<http://www.fema.org>)
- Field observation and verification

RESPONSE: N/A. No Floodplain present. No environmental site feature.

- c. Streams/stream buffers
- Field observation and verification

RESPONSE: N/A. No Streams/stream buffers present. No environmental site feature.

- d. Slopes exceeding 25 percent over a 10-foot rise in elevation
- United States Geologic Survey Topographic Quadrangle Map
- Field observation and verification

RESPONSE: N/A. No slopes exceeding 25 percent over a 10-foot rise in elevation present. No environmental site feature.

- e. Vegetation
- United States Department of Agriculture, nature Resource Conservation Service
- Field observation

RESPONSE: N/A. No environmental site feature.

- f. Wildlife Species (including fish)
- United States Fish and Wildlife Service
- Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
- Field observation

RESPONSE: N/A. No environmental site feature.

ENVIRONMENTAL SITE ANALYSIS (ESA) FORM (CONTINUED)

- g. Archeological/Historic Sites
- Historic Resources Survey
- Georgia Department of Natural Resources, Historic Preservation Division
- Field observation and verification

RESPONSE: N/A. No archeological/historic sites present.

3. **PROJECT IMPLEMENTATION MEASURES.** Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site features(s) that may be impacted.

a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors.

RESPONSE: N/A

b. Protection of water quality

RESPONSE: N/A

c. Minimization of negative impacts on existing infrastructure

RESPONSE: N/A. Existing residential structure. No modifications or additions proposed. Residents of the property are elderly non-drivers. Staff and their vehicles pose no additional or undue impact on existing infrastructure serving the residential community.

d. Minimization on archeological/historically significant areas

RESPONSE: N/A

e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses.

RESPONSE: N/A

f. Creation and preservation of green space and open space

RESPONSE: Existing property with trees, green space and open space. No modifications or changes proposed.

g. Protection of citizens from the negative impacts of noise and lighting

RESPONSE: Existing property and structure. No modifications or additions are proposed. Proposed residents are elderly and desire a quite peaceful residential setting. No negative impacts of noise and lighting are foreseen.

h. Protection of parks and recreational green space

RESPONSE: N/A. Property does not border any parks or recreational green space.

i. Minimization of impacts to wildlife habitats

RESPONSE: Existing property and structure. No modifications or additions proposed. No elimination of trees or disruption to green space or buffers is proposed.

DISCLOSURE REPORT FORM

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CIRCLE ONE: YES (if YES, complete points 1 through 4); NO (if NO, complete only point 4)

1. CIRCLE ONE: Party to Petition (If party to petition, complete sections 2, 3 and 4 below)
In Opposition to Petition (If in opposition, proceed to sections 3 and 4 below)

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

1. N/A 5. _____
2. _____ 6. _____
3. _____ 7. _____
4. _____ 8. _____

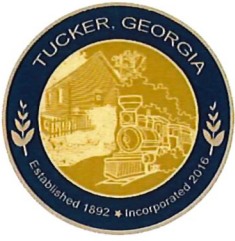
3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more
		<u>N/A</u>	

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) JOAN MCCOOK THUN-MARIE THYME

Signature: [Handwritten Signature] Date: 8/20/19



Community Development
 4119 Adrian Street
 Tucker, GA 30084
 Phone: 678-597-9040
 Email: permits@tuckerga.gov
 Website: www.tuckerga.gov

RECEIVED SLO-19-011
 City of Tucker CV-19-0007

AUG 28 2019

REVISION

Community Development
 Department

Variance Application

APPLICANT INFORMATION

Name: FIELDING ALDERMAN / SONIA MORETTI

Applicant is the: Property Owner Owner's Agent Contract Purchaser

Address: 2750 PREMIERE PARKWAY, SUITE 200

City: DULUTH State: GEORGIA Zip: 30097

Contact Name: FIELDING ALDERMAN

Phone: 770 862 4133 Email: fdalderman@bellsouth.net

OWNER INFORMATION

Name: JOAN MCCOOK / ANN MARIE THYME

Address: 5002 CHAMBERG TUCKER ROAD

City: TUCKER State: GEORGIA Zip: 30084

Contact Name: JOAN MCCOOK

Phone: 770 354 5033 Email: mccookjoan@gmail.com

PROPERTY INFORMATION

Property Address: 5002 CHAMBERG TUCKER ROAD

Present Zoning District(s): R-95 Zoning Case Number(s):

Zoning of Surrounding Properties: (N) R-95 (S) R-95 (E) R-95 (W) R-95

Present Land Use Category: SUBURBAN Requested Land Use Category: SUBURBAN

Land District: 19th Land Lot(s): 226 Acreage: .60

Description of requested variance:
 VARIANCE FROM SEC 46-1185(B)3 "In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the ... R95... zoning district may be operated within 1,000 feet of any other group personal care home. Requesting variance to allow ^{group} PCH within 1,000 feet of another PCH."

LETTER OF APPEAL

To: City of Tucker
Planning & Development - Variance
Rosie Mafe, Tim Lampkin and Courtney Smith
City Council

From: Fielding D. Alderman & Sonia Moretti – Consultants/Realtors

Subject: Variance Application: 5002 Chamblee Tucker Road, Tucker, GA
30084

This Application is for a Variance which is being filed concurrently with the Special Land Use Permit (SLUP) Application for the subject property 5002 Chamblee Tucker Road ("Property"). The Property is identified by Parcel I.D. 18 226 08 019 and is a .6 acre tract currently zoned R85. The home is located on a major local artery and not within a subdivision.

This Variance is being requesting due to the 1,000 foot distance requirement outlined in Sec. 46-1185 (b) 3. "In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the RE,R-LG, R-100, R-85, R-75, R-50, R-SM, or MR-1 zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000 foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located."

Hardship and background issues include:

- 1) Owners purchased the residence with the single intent to operate a Group Personal Care Home at the location. Prior to purchasing, the owners visited City of Tucker to verify that there are no other PCH's located within 1,000 feet of this property. They were told there were none within that distance so they moved forward with the purchase. The owners have recently been told by the City of Tucker that a PCH does indeed exist within close proximity in the subdivision behind the subject property. However, it is located within a subdivision and not on the local major artery like that of

the subject property. In reality, to drive to the nearby PCH, it is a distance of greater than 1,300 feet into the subdivision from one way around the block and over 2,000 feet from the other direction.

2) After further research, it is determined that the PCH nearby is not a "Group Personal Care Home" as defined by the city because it operates a home for three or less residents, currently housing two. It is also a different type of PCH because its license is for residents needing Memory Care, Alzheimer and Dementia and is a locked door scenario.

3) The subject property is on Chamblee Tucker Road, a major local artery and not located deep within a residential subdivision. There are no proposals to make changes to the existing property and structure on the property. The property shall continue to be a "residential" property with no changes in appearance that would make it appear to be institutional.

4) There are no additional Group Personal Care Homes near the subject property within the city limits of Tucker. The service to be offered is in great demand in the surrounding areas especially with the increasing number of elderly needing assistance in their lives as they grow older.

SUMMARY

In summary, the SLUP and Variance Applications are to allow the owners to operate a PCH that provides room, board, personal assistance, medical care and transportation for medical visits and community outings. The intention is to provide and maintain a quiet peaceful "residence" for the elderly who are no longer able to care for themselves in their own homes. The owners intend to provide a safe and caring home-like environment at an affordable cost in the Tucker area.

The owners have a collective 60+ years' experience in the medical field including over 40 years of working specifically with the elderly. The owners currently work in the area providing care for seniors in nationally recognized assisted living facilities as well as within the elderly's own personal homes.

The owners currently operate a successful home care service of 3+ years in the local area and provide assistance in: bathing, dressing, incontinent care, meal preparation, laundry, housekeeping, travel assistance, medication supervision and transportation for medical appointments, shopping, hair salons and community outings.

For more specific details, please see the following business plan.

Application Fee check of \$380 is submitted with this Variance Application Package. Please direct any questions to Owner's Consultants:

Fielding D. Alderman	770.862.4133	fdalderman@bellsouth.net
Sonia Moretti	404.617.3279	moretti_legal@yahoo.com

Respectfully submitted this day of August 22, 2019.



Fielding D. Alderman



Sonia Moretti

Sec. 46-1633. - Applications for variances; criteria to be used

(1) Variances from the provisions or requirements of this division other than variances described in section 46-1634 shall be authorized only upon making all of the following findings in writing:

- a. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this division would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.

RESPONSE: N/A. No issues with this property in regard to size, shape, shallowness, topographic, floodplain, major stand of trees, steep slope or any other such items.

- b. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.

RESPONSE: N/A. Property is consistent with other properties in the zoning district.

- c. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

RESPONSE: N/A. The grant of variance will not be materially detrimental to the public welfare no injuraious to the property or improvements in the same zoning district. No changes or modifications are proposed to the existing property or structure.

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SLUP-19-0011
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- d. The literal interpretation and strict application of the applicable provisions or requirements of this division would cause undue and unnecessary hardship.

RESPONSE: Yes. The literal interpretation of the applicable provisions or requirements of this division would cause undue and unnecessary hardship. The owners of the subject property bought the property with the specific intent to operate a Group Personal Care Home. Initial discussions with representatives of City of Tucker Planning and Development Department told the Owners there were no other Personal Care Home within 1,000 feet of subject property. This was told them during the Due Diligence Period before going into binding agreement to purchase the property. Solely because of this information told to the Owners, they moved forward in the purchase. Denying the operation would create severe inancial hardship for the Owners at this point.

- e. The requested variance would be consistent with the spirit and purpose of this division and the comprehensive plan text.

RESPONSE: Yes. The approval of the variance request would be consistent with the spirit and purpose of this division and the comprehensive plan text. The subject property is located on a major local artery and not within a subdivision. There are no changes or modifications proposed to the existing property or residential structure. The property will continue to look like a typical "residential" property within the zoning district.

(Ord. No. 2016-06-07, att. (7.5.3), 7-11-2016)

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August 7, 2019

City of Tucker
4119 Adrian Street
Tucker, Georgia 30045

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OCT 17 2019

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Dear Sir or Madam,

Listed below is the list of services that are going to be available for the Personal Care Home at 5002 Chamblee Tucker Road location:

Assistance with ADLs

Bathing, grooming, and getting dressed

Safety Checks

All Meals

Toileting Assistance

Incontinence Care

Medication Assistance

Supervision and Assistance with medications, including nebulizer treatments, eye drops, ear drops, nasal spray, and patches

New medications orders filled within 24 hours

Diabetes management

Care Services

Caregivers on site 24/7

Colostomy Care

Foley Catheter Care

Assistance with administration of oxygen

Weight and vitals monitoring

Licensed nurse on call 24/7

One person transfer in and out of bed

Coordination of home health, podiatry, and dental service

Dietary and Nutritional Consideration

Three nutritious, freshly prepared meals daily, including an always available menu for lunch and dinner

Consultation with registered dietitians

Support adaptive dining equipment

Home Services and Amenities

Housekeeping

Laundry

Ironing

Transportation to medical appointments, shopping, events, and outings

Engage Life Program

A full daily calendar of educational, social and cultural opportunities, and entertainment events both in the home and out in the community

Interactive activities that address the physical, creative, and spiritual needs of each resident

Unique programs such as art therapy, communing with nature, and trips to the theater, etc

Communication Devices

Wi-Fi

Cable TV

Telephone - Landline for local calls

All services listed above are inclusive, making the cost affordable for residents.

Resident Rights Policy

The rights of the residents of a home shall include the following, which may not be waived:

1. Each resident shall receive care, and services which shall be adequate, appropriate, and in compliance with applicable federal and state law and regulations, without discrimination in the quality of service based on age, gender, race, physical or mental disability, religion, sexual orientation, national origin, marital status or the source of payment for the service.
2. No resident shall be punished or harassed by the facility, its agents or its employees because of the resident's efforts to enforce his or her rights.
3. Exercise the constitutional rights guaranteed to citizens of this state and this country including, but not limited to, the right to vote.
4. Choose activities and schedules consistent with the resident's interests, and assessments.
5. Interact with members of the community both inside and outside the home and to participate fully in the life of the community.
6. Make choices about aspects of his or her life in the home that is significant to the resident.
7. Each resident shall have the right to enjoy privacy in his or her room; facility personnel and others shall respect this right by knocking on the door before entering the resident's room.
8. Each resident may associate and communicate privately with persons and groups of his or her choice. Residents shall have the right of freedom from eavesdropping and the right to private and uncensored communication with anyone of the resident's choice;
9. If a resident is married and the spouse is also a resident in the facility, they shall be permitted to share a room unless they request otherwise;
10. Each resident shall be treated with respect and be given privacy in the provision of personal care.
11. Each resident shall be accorded privacy and freedom for the use of bathrooms at all hours.
12. No religious beliefs or practice shall be imposed upon any resident. Residents must be free to practice their religious beliefs as they choose.
13. Each resident shall have the right to participate in social, religious, and community activities that do not interfere with the rights of other residents;
14. Each resident shall have the right to be free from mental, verbal, sexual and physical abuse, neglect and exploitation.
15. Each resident has the right to be free from actual or threatened physical or chemical restraints.

16. Each resident has the right to be free from isolation.
17. Each resident has the right to be free from corporal, or unusual punishment including interference with the daily functions of living such as eating or sleeping.
18. Each resident shall have the right to use, keep and control his or her own personal property and possessions in the immediate living quarters, except to the extent a resident's use of his or her property would interfere with the safety or health of other residents.
19. Each resident shall have the right to reasonable safeguards for the protection and security of his personal property and possession brought into the facility.
20. Each resident's mail shall be delivered unopened to the resident on the day it is delivered to the facility. Each resident's outgoing correspondence shall remain unopened.
21. Each resident shall have access to a telephone and the right to have a private telephone, at the resident's own expense. Telephones shall be placed in areas to insure privacy without denying accessibility.
22. Each resident has the right to access any visitor, with consent. Resident has the right to have visitors at mutually agreed upon hours. No prior notice necessary.
23. Each resident has the complete right to terminate any visit by any person who has access to the facility.
24. Each resident shall have the right to manage his or her own financial affairs, including the right to keep and spend own money unless that resident has been adjudicated incompetent by a court of competent jurisdiction.
25. Each resident has the right to be free from coercion to assign or transfer to the home money, valuables, benefits, property or anything of value other than payment for services rendered by the facility.
26. Each resident shall have the right to a personal needs allowance for the free use of the resident in the amount of five dollars per week to be distributed by the administrator, on-site manager, or a responsible staff person in the home. The following conditions shall be met regarding the personal needs allowance:
 - a. Personal needs allowance shall be included as a charge for services to each resident's account which a resident or a resident's representative or legal surrogate, if any, may waive by signing a written waiver upon admission or anytime thereafter. No allowance charge may be assessed where a resident or their representative, or legal surrogate, if
 - b. any, has signed a written waiver of the personal needs allowance.
 - c. Where no waiver has been signed, the personal needs allowance shall be tendered to each resident, in cash, on the same day each week.

- d. The personal needs allowance shall not be intended or needed for purchasing necessary goods such as toilet paper and light bulbs which the home ordinarily supplies, and shall in no way relieve the home of the obligation to ensure that such necessary goods are available to the resident.
27. Each resident shall also have the right to receive or reject medical care, dental care, or other services except as required by law or regulations.
28. Each resident shall have the right to choose and retain services of a personal physician and any other healthcare professional or service. No facility shall interfere with the resident's right to receive from the resident's attending physician complete and current information concerning the resident's diagnosis, treatment and prognosis.
29. Each resident and their representative or legal surrogate, if any, shall have the right to be fully informed about care and any changes in that care-
30. Each resident shall have right to be fully informed about care and of any changes in that care.
31. Each resident shall the right of access to all information in medical records.
32. Each resident shall have the right to fully participate in the planning of his or her care. Case discussion, consultation and examination shall be confidential and conducted discreetly. A person who is not directly involved in the resident's care may be present when care us being rendered only if he or she has the resident's permission.
33. Each resident shall have the right to inspect his or her records on request and make a copy of all records pertaining to resident.
34. Each resident has the right to confidential treatment of personal information in the resident file.
35. Each resident who has not been committed to the facility by court order or who does not have a representative or legal surrogate with specific written authority to admit, transfer or discharge, may discharge or transfer himself or herself upon notification to the home in conformance with the home's policies and procedures.
36. Each resident shall have the right to access to the State Long-Term Care Ombudsman Program O.C.G.A.31-8-50 et seq. and the name, address, and telephone number of the ombudsman and county inspector assigned to the home shall be posted in a common area of the home.
37. Residents shall have the right to form a Resident Council and have meetings in the home outside the presence of owners, management or staff members of the home.
38. Each resident shall be provided, at the time of admission to the home, with a copy of the Resident's Bill of Rights, as provided in 290-5-35-.18 which shall include provisions for protecting the personal and civil rights of each resident. In the event that a resident is unable to read the Resident's Bill of Rights the manager shall take special steps to assure communication of its contents to the resident.

39. Each resident has the right to file a complaint with the department concerning care being provided in the home that violates these rules.

Department of Community Health [DCH]

2 Peachtree Street NW

Suite 31-447

Atlanta, GA 30303

Complaint intake phone number: 404-657-5726

Resident Rights Implementation Procedure

To implement the resident's rights:

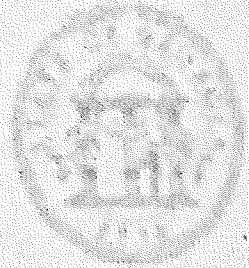
1. The home shall provide each resident and the responsible party a copy of the resident's rights upon admission and review those rights with the residents and the responsible party.
2. Employees will be trained on the resident's right policy upon hire and duration of employment
3. The home shall provide residents and the responsible party contact information [including a listing of addresses and telephone number] of the state and local ***Office of the Department of Aging and any Ombudsman Program.***

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OCT 17 2019

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Georgia Nurse Aide Registry



Certification Number – CN0015354896

Original Date: 01/14/2004

Expiration Date: 01/14/2020

ANN M THYME
683 SHADOW LAKE DR
LITHONIA, GA 30058



STATE OF GEORGIA
BRAD RAFFENSPERGER, Secretary of State
Georgia Board of Nursing
License No. LPN055954

Joan A. McCook
392 Madison Park Drive
Grayson GA 30017

Licensed Practical Nurse - Single State

LPN Expiration Date: 03/31/2021 Status: Active
Issue Date: 07/10/1997

Above is your wall certificate license. A pocket-sized license card is below.

Please make note of the expiration date on your license. It is your responsibility to renew your license before it expires. Please notify the Board if you have a change of address.

Wall certificates suitable for framing are available at cost, see board fee schedule. To order a wall certificate, please order from the web site – www.sos.state.ga.us/plb.

Please refer to Board Rules for any continuing education requirements your profession may require.

Georgia State Board of Professional Licensing
237 Coliseum Drive
Macon GA 31217
Phone: (478) 207-2440
Toll Free: (844) 753-7825
www.sos.state.ga.us/plb

Joan A. McCook
392 Madison Park Dr
Grayson GA 30017



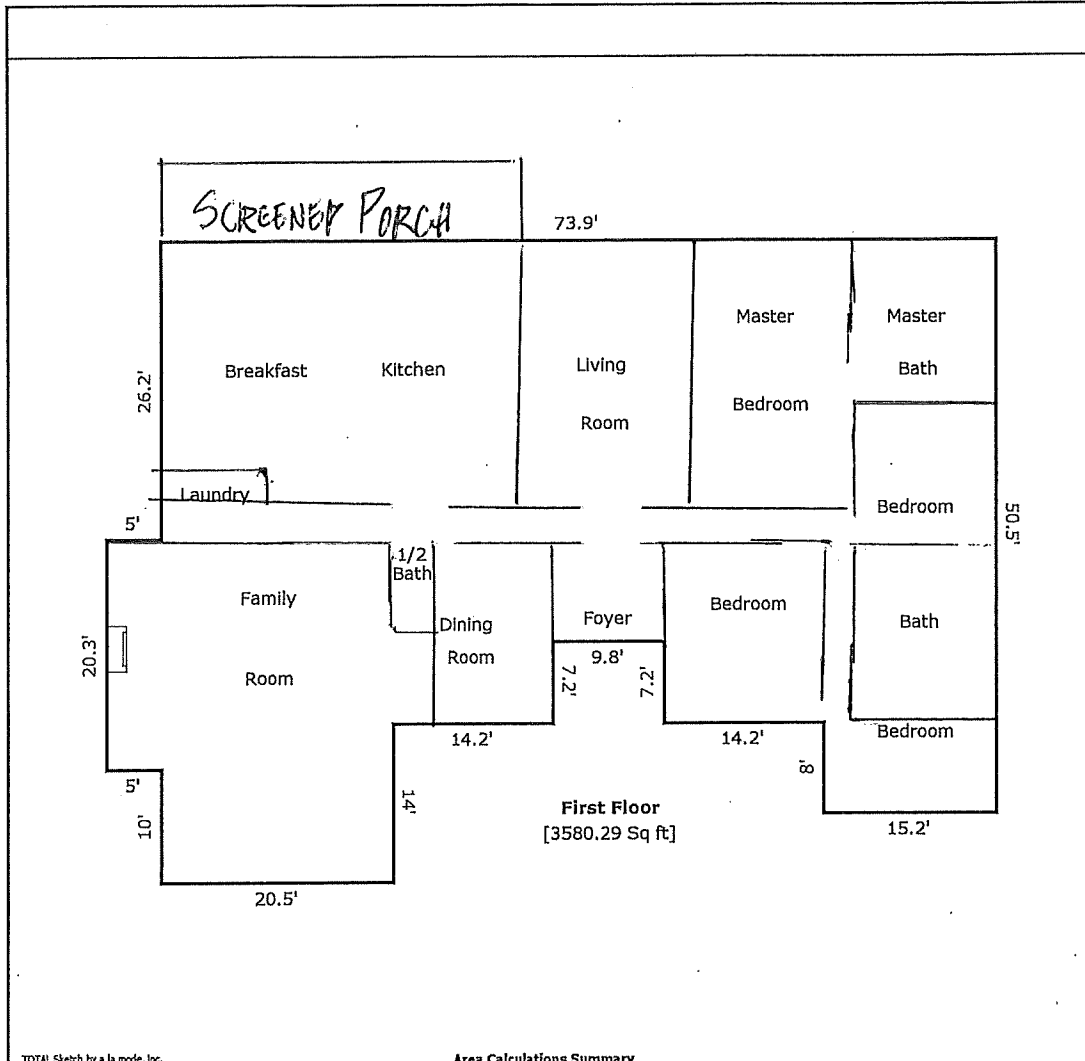
STATE OF GEORGIA
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Joan A. McCook
392 Madison Park Drive
Grayson GA 30017

Licensed Practical Nurse - Single State

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Building Sketch



TOTAL Sketch by a la mode, Inc.

Area Calculations Summary

Living Area	Area	Calculation Details
First Floor	3580.29 Sq ft	$20.3 \times 5 = 101.5$ $20.5 \times 14 = 287$ $42.5 \times 34.7 = 1474.75$ $39.2 \times 35.3 = 1383.76$ $15.2 \times 15.2 = 231.04$ $14.2 \times 7.2 = 102.24$
Total Living Area (Rounded):	3580 Sq ft	



- SANITARY SEWER AVAILABLE FROM DEKALB COUNTY
- WATER SERVICE PROVIDED BY DEKALB COUNTY
- POSTED SPEED 40 MPH
- TRASH COLLECTION BY DEKALB COUNTY STANDARD CURB SIDE COLLECTION
- ALL AREAS LANDSCAPED WITH GRASS AND SHRUBS EXCEPT AS NOTED AS PAVING, SIDEWALK, OR DRIVEWAY.
- LINE OF SITE NW 400 FEET
- LINE OF SITE SE 410 FEET



NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

- LEGEND •
 NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
 AKA ALSO KNOWN AS N NEIGHBOR'S
 APD AS PER DEED N/F NOW OR FORMERLY
 APP AS PER PLAT P PLAT (BOOK/PAGE)
 BSL BUILDING (SETBACK) LINE
 CP COMPUTED POINT POB POINT OF BEGINNING
 CTP CRIMP TOP PIPE FOUND POC POINT OF COMMENCEMENT
 D DEED (BOOK/PAGE) R RADIUS LENGTH
 DW DRIVEWAY R/W RIGHT-OF-WAY
 EP EDGE OF PAVEMENT RBF REINFORCING BAR FOUND
 FFE FINISH FLOOR ELEVATION (1/2" UNO)
 FKA FORMERLY KNOWN AS RBS 1/2" REINFORCING BAR SET
 IPF IRON PIN FOUND SW SIDEWALK
 L ARC LENGTH SSE SANITARY SEWER EASEMENT
 LL LAND LOT SSCO SANITARY SEWER CLEANOUT
 LLL LAND LOT LINE -X- FENCE LINE

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 266 OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS:

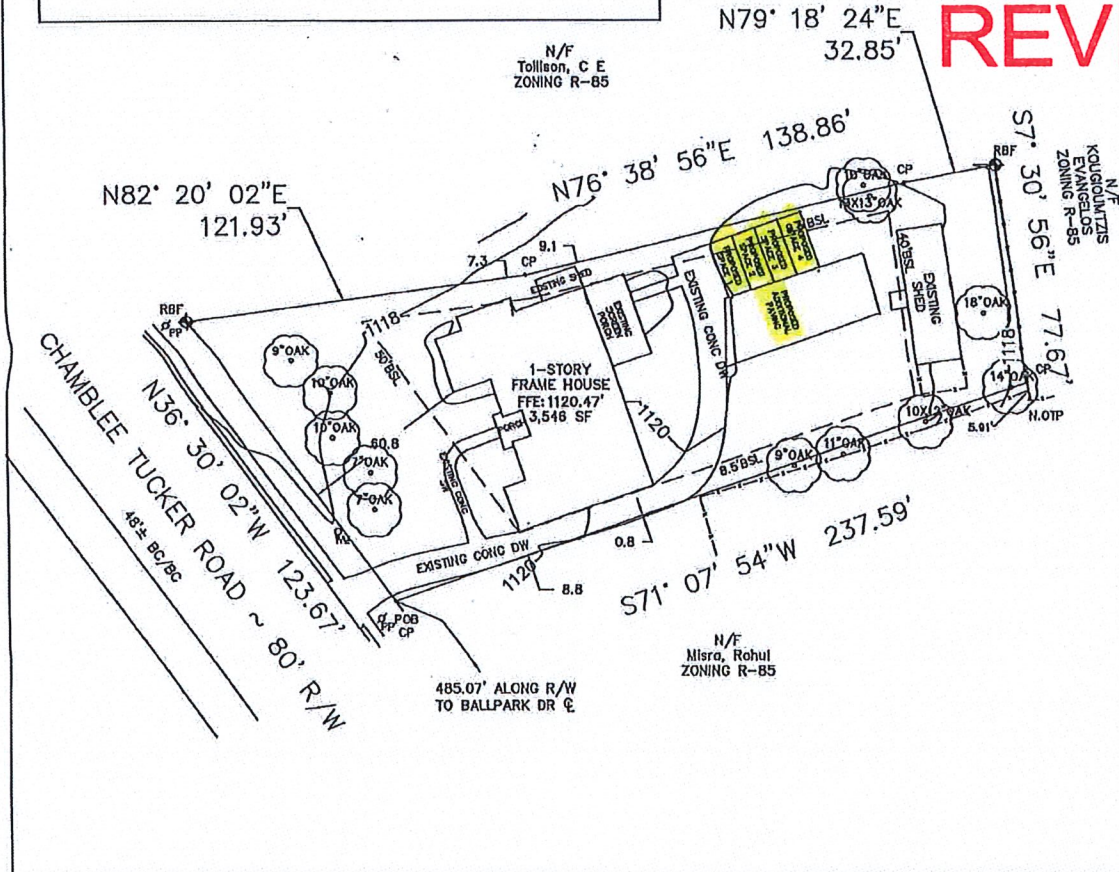
TO FIND THE TRUE POINT OF BEGINNING, BEGIN AT THE INTERSECTION OF THE NORTHWEST CORNER OF BALLPARK DR AND THE NORTHEAST INTERSECTION OF CHAMBLEE TUCKER RD; THENCE TRAVEL IN A NORTHWESTERLY DIRECTION ALONG THE RIGHT OF WAY OF CHAMBLEE TUCKER RD (60' RIGHT OF WAY) A DISTANCE OF 485.07' TO A CALCULATED POINT AND THE TRUE POINT OF BEGINNING; THENCE N36°30'02" W A DISTANCE OF 123.67' TO A REBAR FOUND; THENCE N 82°20'02" E A DISTANCE OF 121.93' TO A CALCULATED POINT; THENCE N76°38'56" E A DISTANCE OF 138.86' TO A CALCULATED POINT; THENCE N79°18'24" E A DISTANCE OF 32.85' TO A REBAR FOUND; THENCE S71°07'54" W A DISTANCE OF 237.59' TO A CALCULATED POINT AND THE TRUE POINT OF BEGINNING.

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PROPERTY ADDRESS:
5002 Chamblee Tucker Rd
Tucker, GA 30084

LAND AREA:
24536 SF
0.563 AC

IMPERVIOUS AREA:
DW/SW: 2957 SF
FR PORCH: 109 SF
HOUSE: 3821 SF
S. SHED: 121 SF
S. PORCH: 448 SF
R. SHED: 818 SF
EXIST= 8074 SF=32.97%

ZONING: R-85

0 40
SCALE 1" = 40'

SITE PLAN PREPARED FOR:
5002 Chamblee Tucker Rd

Parcel ID: 18 228 08 019	BY:
LAND LOT 266 18th DISTRICT	
DeKALB COUNTY, GEORGIA	FIELD DATE: 8-01-2019 NS
LOCATED IN TUCKER	DRAWN DATE: 8-07-2019 SS
REFERENCE: PLAT BOOK 126, PAGE 78	ALL MATTERS OF TITLE ARE EXCEPTED OR NOT FOR RECORDING
REFERENCE: DEED BOOK , PAGE	

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET, AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 40,000 FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

SURVEY SYSTEMS ATLANTA ASSUMES NO LIABILITY FOR ERRORS OR OMISSIONS ON THIS SITEPLAN; IT IS THE CLIENTS RESPONSIBILITY TO REVIEW FOR COMPLETENESS AND ACCURACY OF SCOPE OF WORK. REVISIONS REQUESTED BY PERMITTING AGENCIES MAY RESULT IN ADDITIONAL CHARGES.



SURVEY SYSTEMS ATLANTA
2156 W Park Ct, Ste D, Stone Mtn, GA 30087
COA #LSF000867, info@SurveySystemsAtlanta.com
Cell 678-591-6064 ~ Office 404-780-0010

PROPERTY OWNER'S CERTIFICATION

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of DeKalb County, Georgia, of the property identified below, which is the subject of the attached Variance Application before the City of Tucker, Georgia. As the legal owner of record of the subject property, I hereby authorize this application and/or authorize the individual named below to act as the applicant in the pursuit of the Variance Application, as indicated below.

I, Joan McCook
ANN Marie Thyme, authorize, Sonia Moretti
(Property Owner) (Applicant)
Fielding D. Alderman

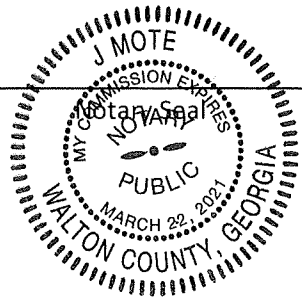
to file for 4,000 Foot distance,
Sec 46 - 1185, at 5002 Chamblee Tucker Rd Georgia
(type of variance) (Address) 30084

on this date August 15, 2019
(Month) (Day)

- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Tucker Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my plans or signage request. I agree to arrange additional permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

Joan McCook 8/15/2019
Signature of Property Owner Date
JOAN MCCOOK. OWNER.
ANN-MARIE THYME OWNER.
Type or Print Name and Title

Jacob Mote 8/15/2019
Signature of Notary Public Date



APPLICANT'S CERTIFICATION

To the best of my knowledge, this variance application form is correct and complete. If additional materials are determined to be necessary, I understand that I am responsible for filing additional materials as specified by the City of Tucker Zoning Ordinance and/or City Code.

Fielding D. Alderman
Signature of Applicant

[Signature]
Date

8/21/19

FIELDING D. ALDERMAN
Type or Print Name and Title

SONIA MORETTI

Sharon Crisp *8/21/19*
Signature of Notary Public Date

Notary Seal



Return to:
O'Kelley & Sorohan, Attorneys at Law, LLC
2170 Satellite Blvd, Ste. 375
Duluth, GA 30097
File No.: 01-118085-REG

Parcel No.: 18 226 08 019

STATE OF GEORGIA
COUNTY OF GWINNETT

LIMITED WARRANTY DEED

THIS INDENTURE, made on **18th day of July, 2019**, between

Sharon Smith

(hereinafter referred to as "Grantor") and

Joan A. McCook and Ann Marie Thyme, as joint tenants with rights of survivorship

(hereinafter referred to as "Grantee"), the words "Grantor" and "Grantee" to include the heirs, executors, legal representatives, successors and assigns of said parties where the context requires or permits; WITNESSETH:

THAT Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged by Grantor, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto Grantee,

All that tract or parcel of land lying and being in Land Lot 226 of the 18th District, DeKalb County, Georgia and being more particularly described on plat of survey for Stephen Smith and Sharon Smith, dated January 22, 2002, by Tru-Line Surveying, Inc., W. E. Clonts, G.R.L.S. No. 2166, said plat of survey being recorded in Plat Book 126, Page 78, DeKalb County, Georgia Records.

TOGETHER WITH all and singular the rights, members and appurtenances thereto (hereinafter collectively referred to as the "Premises"), the same being, belonging, or in anywise appertaining to the only proper use, benefit and behoof of Grantee.

Subject to all easements, rights of way, and restrictive covenants of record (hereinafter referred to as the "Exceptions").

TO HAVE AND TO HOLD the Premises, subject to the Exceptions, to the only proper use, benefit and behoof of Grantee, forever, in FEE SIMPLE, and Grantor will, subject to the Exceptions, warrant and forever defend the right and title to the Premises unto Grantee against the claims of all person claiming by, through or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has executed this instrument under seal, as of the date first above written.

Signed, sealed and delivered
in the presence of:

William A. Volk
Unofficial Witness

Sharon Smith
Sharon Smith

Bob Q. Amy
Notary Public
Commission expires: 8/11/22



SLUP-19-0011
CV-19-0007











Subject Photos



FRONT



SIDE



SIDE



SIDE



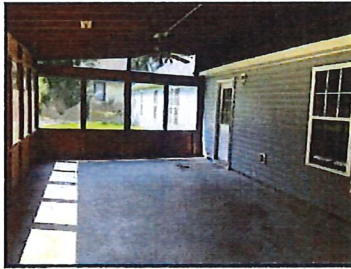
SIDE



REAR



STREET



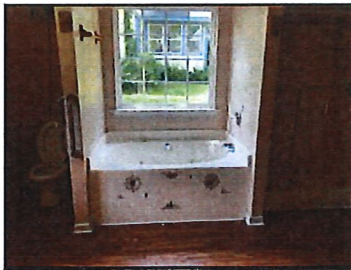
SCREENED PORCH



LIVING ROOM



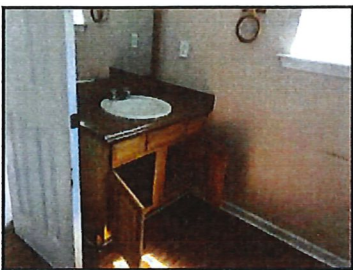
MASTER BEDROOM



MASTER BATH



MASTER BATH



MASTER BATH



BEDROOM



BATHROOM

Interior Photos



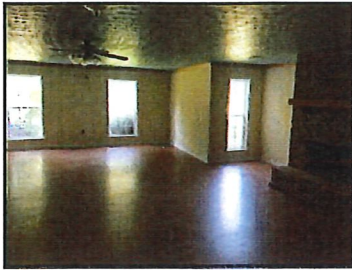
BEDROOM



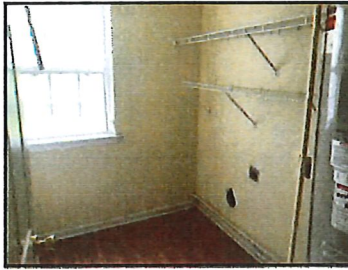
DINING



HALF BATH



FAMILY ROOM



LAUNDRY



BEDROOM



BREAKFAST



KITCHEN



FOYER