



Planning and Zoning
 1975 Lakeside Parkway, Suite 350
 Tucker, GA 30084
 Phone: 678-597-9040
 Website: www.tuckerga.gov

Land Use Petition Application

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

APPLICANT INFORMATION		
Applicant is the: <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser		
Name: Shahidul Hai C/O Battle Law P.C.		
Address: 3562 Habersham at Northlake Building J, Suite 100		
City: Tucker	State: GA	Zip: 30084
Contact Name: Josh Mahoney		
Phone: 404-601-7616 Ex.6		Email: jsm@battlelawpc.com
OWNER INFORMATION		
Name: Shahidul Hai		
Address: 2351 Briarcliff Commons NE		
City: Atlanta	State: GA	Zip: 30345
Contact Name: Shahidul Hai		
Phone: 404-401-8200		Email: haishahidul@yahoo.com
PROPERTY INFORMATION		
Property Address: 4166 & 4168 Chamblee Tucker Road and 3152 Westwood Drive		
Present Zoning District(s): R100		Requested Zoning District(s): R-75
Present Land Use Category: Residential		Requested Land Use Category: Residential
Land District: 18	Land Lot(s): 287	Acreage: 1.61
Proposed Development: Single family detached homes		
Concurrent Variance(s):		
RESIDENTIAL DEVELOPMENT		
No. of Lots/Dwelling Units: 4 lots	Dwelling Unit Size (Sq. Ft.): 2100	Density: 2.03 du/a
NON-RESIDENTIAL DEVELOPMENT		
No. of Buildings/Lots:	Total Building Sq. Ft.:	Density:

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Dear Neighbors of 4166 & 4168 Chamblee Tucker Road,

Shahidul Hai is interested in developing 4166 & 4168 Chamblee Tucker Road for residential use. The request requires rezoning because we would like to subdivide the property to be able to build four single-family detached homes.

The first step in the process is to hold a Public Participation (neighborhood) meeting with the community to discuss our proposal with you and receive feedback. This meeting is required before we can submit our application for a rezoning application to the city. You are receiving this letter as you own property that is within 500' of our project. We hope you will be able to meet with us at the following time:

Meeting Date/Time: August 21st at 6:00pm Meeting

Location: Northlake-Barbara Loar Public Library:
3772 Lavista Road, Tucker, GA 30084

We've included a site plan of our current proposal which we look forward to discussing with you and getting feedback on August 21, 2024. If you are unable to attend or wish to reach out beforehand, we can be reached at djb@battlelawpc.com or 404-601-7616 ext.8.

A flyer outlining the land use petition process in the city of Tucker is also included. Questions relating to city matters can be addressed to info@tuckerga.gov.

Additionally, you received a notice for a community meeting scheduled for July 31, 2024, at 6:00pm. That notice was sent in error. However, we recognize that your time is valuable and that in sending out a notice with an incorrect meeting date we have wasted your time. We sincerely apologize for this mistake.

Sincerely,

Shahidul Hai c/o Battle Law P.C.

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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), Modification (M) & Concurrent Variance (CV) in request of the items indicated below.

I, Shahidul Hai, authorize, Battle Law, P.C.
(Property Owner) (Applicant)

to file for RZ, at 4166 and 4168 Chamblee Tucker Road and a portion of 3152 Westwood Drive
(RZ, CA, SLUP, M, CV) (Address)

on this date October 17, 2024
(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.

Shahidul Hai

10/17/24

Signature of Property Owner

Date

Shahidul Hai

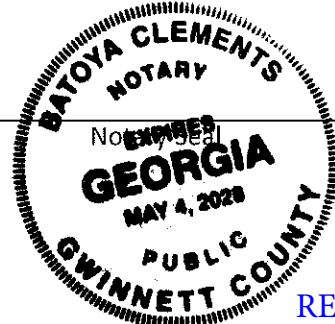
Type or Print Name and Title

[Signature]

Signature of Notary Public

10/17/24

Date



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APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 24 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND CITY COUNCIL.

Shahidul Hai

10/17/24

Signature of Applicant

Date

Shahidul Hai, Property Owner

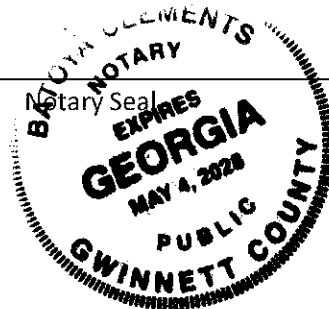
Type or Print Name and Title

[Handwritten Signature]

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Signature of Notary Public

Date



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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) Shahidul Hai

Signature: Shahidul Hai

Date: 10/17/24

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SITE PLAN CHECKLIST

All items must be included on the Site Plan; separate Site Plans may be necessary to address all items

1. Key and/or legend and site location map with North arrow
2. Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning
3. Acreage of subject property
4. Location of land lot lines and identification of land lots
5. Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property
6. Proposed streets on the subject site
7. Posted speed limits on all adjoining roads
8. Current zoning of the subject site and adjoining property
9. Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property
10. Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvement or adjacent properties within 400 feet of the subject site based on the City's aerial photography or an acceptable substitute as approved by the Director
11. Location of proposed buildings (except single family residential lots) with total square footage
12. Layout and minimum lot size of proposed single family residential lots
13. Topography (surveyed or City) on subject site and adjacent property within 200 feet as required to assess runoff effects
14. Location of overhead and underground electrical and pipeline transmission/conveyance lines
15. Required and/or proposed setbacks
16. 100 year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps
17. Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed
18. Required and proposed parking spaces; Loading and unloading facilities
19. Lakes, streams, and waters on the state and associated buffers
20. Proposed stormwater management facilities
21. Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access
22. Availability of water system and sanitary sewer system
23. Tree lines, woodlands and open fields on subject site
24. Entrance site distance profile assuming the driver's eye at a height of 3.5 feet
25. Wetlands shown on the County's GIS maps or survey.
26. Mail kiosk location.

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LAND USE PETITION CALENDAR

*Application Deadline	Planning Commission	M&CC 1st Read	M&CC 2nd Read
8/28/2023	10/19/2023	11/13/2023	12/11/2023
9/25/2023	11/16/2023	12/11/2023	TBD
10/23/2023	12/14/2023	TBD	TBD
11/27/2023	TBD	TBD	TBD

The application deadlines have been adjusted to accommodate HB 1405.

*Incomplete applications will not be accepted.

PUBLIC PARTICIPATION PLAN AND REPORT

See separate document.

PUBLIC NOTICE REQUIREMENTS

Sec. 46-1526 details the public notice requirements for land use petitions, which include public notice sign(s), advertisement in The Champion newspaper, and written notice to everyone within 500’.

- The applicant is responsible for posting the public notice sign(s). City of Tucker Staff will order the signs(s) and provide the required timeframe for posting.
- The City of Tucker is responsible for placing the legal ad in The Champion newspaper
- The City of Tucker is responsible for mailing the written notification to surrounding property owners.

PROPERTY COMPLIANCE

All Occupational Tax payments must be paid in-full and any and all outstanding code violations on the property must be rectified prior to the public hearing.

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Proposed Legal Description

(Combined Parcels; 18-287-09-020, 18-287-09-012, and a rear portion of Parcel 18-287-09-007)

All that Tract or Parcel of land, lying and being in Land Lot 287 of the 18h District of Dekalb County , Georgia, and can be particularly described as follows:

BEGINNING at a POINT , being a Concrete Monument located nearest the Northwestern Corner of Chamblee Tucker Road (Right-of-Way Varies) and Westwood Drive (60' R/W); thence heading West along the Northern Right-of-Way of Chamblee Tucker Road at a Bearing of North 87 Degrees 09 Minutes 35 Seconds West to a Point; Said Point Being the True Point of Beginning:

Commencing from the True Point of Beginning, heading South 87 Degrees 17 Minutes 11 Seconds West at a Distance of 199.79 Feet to a Point; Thence leaving Said Right-of-Way at a bearing of North 01 Degrees 27 Minutes 54 Seconds East at a Distance of 329.38 Feet to Point; Thence, heading North 59 Degrees 36 Minutes 02 Seconds East at a Distance of 41.64 Feet to a Point: Thence heading North 59 Degrees 36 Minutes 02 Seconds East at a Distance of 71.95 Feet to a Point; Thence heading South 65 Degrees 17 Minutes 55 Seconds East at a Distance of 101.06 Feet to a Point; Thence heading South 02 Degrees 13 Minutes 44 Seconds West at a Distance of 75.36 Feet to a Point: Thence heading South 01 Degrees 06 Minutes 45 Seconds West at a Distance of 255.57 Feet to a Point; Said Point Being located at the Right-of-Way of Chamblee Tucker Road, Said Point being the True Point of Beginning.

PARCEL AREA: 70,692 SQUARE FEET (1.62 Acres)

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STATEMENT OF INTENT

and

Other Material Required by
the City of Tucker Zoning Ordinance
For
A Rezoning from R-100 to R-75 to allow for
Four Single-Family Detached Homes

of

Shahidul Hai
c/o **Battle Law, P.C.**

for

+/-1.97 Acres of Land
Being 4166 and 4168 Chamblee Tucker Road and a Portion of 3152 Westwood Drive
the City of Tucker, Georgia and
Parcel Nos. 18 287 09 020, 18 287 09 012, and a portion of 18 287 09 007

Submitted for Applicant by:

Joshua S. Mahoney, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
(404) 601-7616 ext. 6 Phone
(404) 745-0045 Facsimile
jsm@battlelawpc.com

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I. LETTER OF INTENT

Shahidul Hai (the “Applicant”) is seeking to develop on +/- 1.97 acres of land being Tax Parcel No(s). 18 287 09 020, 18 287 09 012, and a portion of 18 287 09 007 being 4166 and 4168 Chamblee Tucker Road and a Portion of 3152 Westwood Drive (the “Subject Property”) with four single-family detached homes. The Applicant is seeking a Rezoning of the Subject Property to allow four single-family detached homes.

This document serves as a statement of intent, analysis of the criteria under the Tucker Zoning Ordinance and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

II. THE CITY OF TUCKER REZONING CRITERIA

The following standards and factors are found to be relevant to the exercise of the city’s zoning powers and shall govern the review of all proposed amendments to the official zoning map:

A. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan;

The future land use designation of the Subject Property is Suburban. The City of Tucker Comprehensive Plan – Tucker Tomorrow – describes the Suburban land use designation as “inclusive of the city’s many cherished single-family neighborhoods. Preservation of the character of these neighborhoods is desired – mainly single-family and low-density housing surrounded by trees and interwoven with greenspace.” The proposed rezoning from R-100 to R-75 does not propose to change the Suburban land use designation. Furthermore, the proposed development is for four single-family detached homes, which is explicitly mentioned as the type of use for the Suburban land use designation.

Additionally, Tucker Tomorrow contemplates several “Visions and Goals.” Page 73 of Tucker Tomorrow provides that one goal is to “Preserve and Enhance Suburban Neighborhoods.” This section states that “The intent of this policy is to preserve and enhance the suburban character of Tucker’s neighborhoods. The community feels a sense of pride in the unique housing stock (diversity of housing look and style), the nature, trees, and wildlife ingrained in neighborhoods, the quiet, peaceful streets, and the community feel.” The proposed development will contribute to this goal by providing new housing with a unique style while also making sure to remain sensitive to the trees on the Subject Property to help preserve as many as practicable.

Therefore, the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties;

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The zoning proposal will allow for single-family detached homes. The properties immediately surrounding the Subject Property are also used for single-family detached homes. The Subject Property is currently used for one single-family detached home. So, the zoning proposal will introduce three new single-family homes to the area. This change is compatible with the properties immediately surrounding since the uses are the same.

The Subject Property is near the intersection of Chamblee Tucker Road and Pleasantdale Road where several commercial uses exist. The new homes proposed would help to further support those uses. Additionally, just north of the commercial node are townhomes. The townhomes are another residential use that are much more intense than what is outlined in this zoning proposal. However, this zoning proposal will not have any significant impact on the townhomes.

Therefore, the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The property to be affected by the zoning proposal does not have a reasonable economic use as currently zoned.

D. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties;

The community members expressed concern surrounding storm water runoff coming from the Subject Property after development. Currently, the Subject Property is mostly vacant with just one home on the Subject Property. The rest of the Subject Property is wooded. While the vegetation does a fair job of mitigating storm water runoff, it does not hold water on site to prevent runoff from the Subject Property to neighboring properties.

This zoning proposal includes stormwater detention on site that will connect into the sewer via a utility easement crossing 3152 Westwood Drive. The stormwater detention facility will collect any stormwater runoff from the site and direct it into the sewer system. This development will address the concerns of the community members by making stormwater runoff better than it is today. The stormwater facility will be screened from view and maintained by the City of Tucker.

The zoning proposal contemplates four new single-family detached homes. This use is compatible with the surrounding properties. With proper development oversight from the City of Tucker throughout the land disturbance and building process this zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties.

E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;

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The Applicant is not aware of other existing or changing conditions affecting the use and development of the Subject Property which give supporting grounds for either approval or disapproval of the zoning proposal.

F. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources;

The Subject Property is not within a historic district. The Applicant is not aware of any historic buildings, sites, or archaeological resources on the Subject Property.

G. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

The zoning proposal contemplates four single-family detached homes off Chamblee Tucker Road. According to the City of Tucker's GIS map – CityMap – Chamblee Tucker Road is a minor arterial road. While Chamblee Tucker is a widely used roadway today, an additional four homes will not contribute greatly to that use. Nor will four homes put a burden on the City's utilities or schools.

H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

The zoning proposal does not adversely impact the environment or surrounding natural resources. Like any development, trees will have to be removed to make way for infrastructure. However, the Applicant will work closely with the City Arborist to ensure that as many trees as practicable are saved. There are no streams or other sensitive environmental assets on the Subject Property.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a Rezoning from R-100 to R-75 to allow for four single-family detached homes be approved. The Applicant welcomes any questions and feedback from the planning staff.

IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The portions of the City of Tucker Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

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The application of the City of Tucker Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the City of Tucker Mayor and Council to rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any Rezoning of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the Rezoning in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the Rezoning in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of DeKalb County demanding just and adequate compensation under Georgia law for the

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taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

Joshua S. Mahoney, Esq.
Attorney for the Applicant

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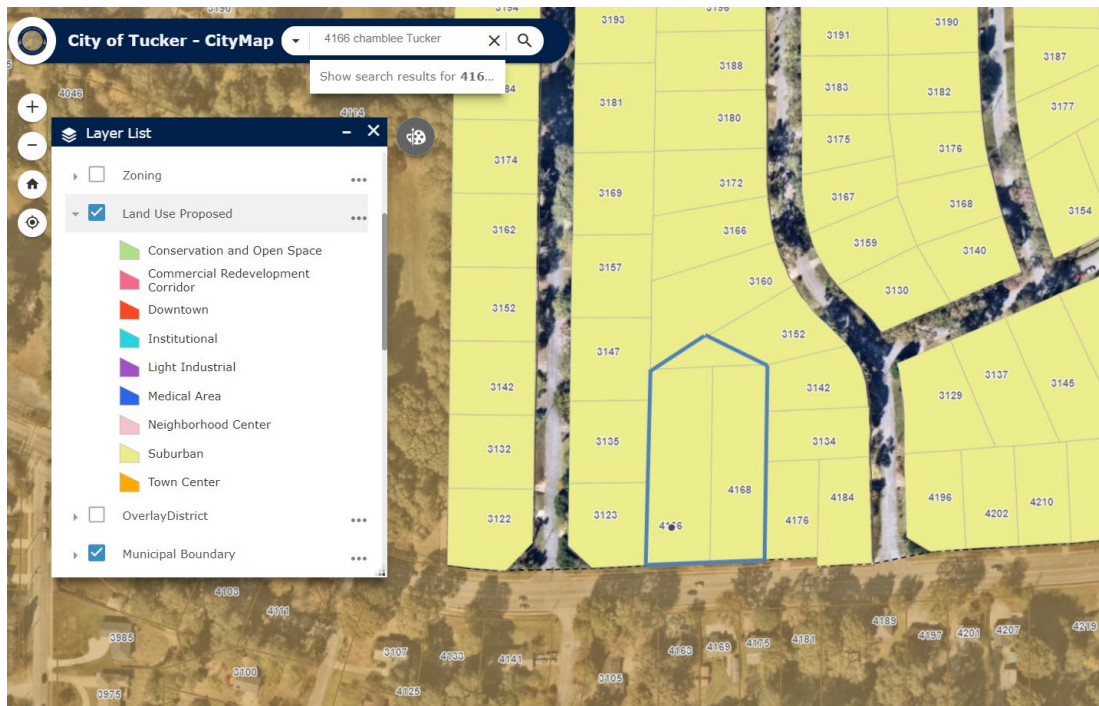
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Environmental Site Analysis (ESA)

4166 and 4168 Chamblee Tucker Road and a portion of 3152 Westwood Drive (Tax Parcel Nos. 18 287 09 020, 18 287 09 012, and a portion of 18 287 09 007) Tucker, GA

Conformance with Comprehensive Plan.

The proposed development is a small subdivision for five lots to allow for four single-family detached homes and one lot for stormwater runoff management. The Subject Property is currently wooded with one single-family detached home. The surrounding properties are developed with single-family detached homes. To the south, the Subject Property abuts Chamblee Tucker Road.



The future land use designation of the Subject Property is Suburban. The City of Tucker Comprehensive Plan – Tucker Tomorrow – describes the Suburban land use designation as “inclusive of the city’s many cherished single-family neighborhoods. Preservation of the character of these neighborhoods is desired – mainly single-family and low-density housing surrounded by trees and interwoven with greenspace.” The proposed rezoning from R-100 to R-75 does not propose to change the Suburban land use designation. Furthermore, the proposed development is for four single-family detached homes, which is explicitly mentioned as the type of use for the Suburban land use designation.

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Environmental Impacts of the Proposed Project.

- (a) **Wetlands.** According to the National Wetlands Inventory Wetlands Mapper, there are no wetlands located on the Subject Property.
- (b) **Floodplain.** According to the FEMA National Flood Hazard interactive mapping system, the Subject Property is not within a floodplain.
- (c) **Streams/stream buffers.** Based on fields observation, there are no streams and/or stream buffers within the Subject Property.
- (d) **Slopes exceeding 33 percent over a 10-foot rise in elevation.** There are no slopes exceeding 33 percent over a 10-foot rise in elevation on the Subject Property according to the Geologic Survey Topographic Quadrangle Map and none shown on the survey submitted with this application.
- (e) **Vegetation (including endangered species).** The Subject Property is mostly wooded.
- (f) **Wildlife Species (including fish and endangered species).** To the Applicant's knowledge there are no endangered species located on the Subject Property.
- (g) **Archeological/Historical Sites.** to the Applicant's knowledge there are no archeological or historical sites located on the Subject Property.

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Project Implementation Measures.

- (a) **Protection of environmentally sensitive areas.** There are no environmentally sensitive areas, i.e. floodplains, slopes exceeding 33% over a ten foot grade, or stream/river corridors.
- (b) **Protection of water quality.** Water quality features will be integrated into the storm water facilities located on the Subject Property.
- (c) **Minimization of negative impacts on existing infrastructure.** The existing infrastructure surrounding the Subject Property will not be negatively impacted by the development of the proposed project. It is the Applicant's intent to comply with all City of Tucker development regulations, and to connect into the existing utilities in the area to minimize disturbance.
- (d) **Minimization of negative impacts on archeological/historically significant area.** To the Applicant's knowledge, there are no archeological/historically significant areas located on or near the Subject Property.
- (e) **Minimization of negative impacts on environmentally stressed communities.** The Subject Property is not within an environmentally stressed community according to the definition provided.
- (f) **Creation and preservation of green space and open space.** The proposal will include green space on lot five.
- (g) **Protection of citizens from the negative impacts of noise and lighting.** All lighting on the Subject Property will comply with the City's rules and regulations, and there will be no negative impact from the noise generated by a typical residential subdivision. Any lighting required for the development will be directed inward, not outward toward surrounding developments.
- (h) **Protection of parks and recreational green space.** To the Applicant's knowledge, there are no parks or recreational green spaces in the area, or on the Subject Property. The proposal includes some recreational green space in the development.
- (i) **Minimization of impacts to wildlife habitats.** To the Applicant's knowledge, there are no wildlife habitats on the Subject Property.

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Trip Generation Analysis (11th Ed. ITE Manual)										
CT Westwood										
Land Use (ITE Code)	Density	Daily Traffic			AM Peak			PM Peak Hour		
		In	Out	Total	In	Out	Total	In	Out	Total
Single-Family Detached Housing (210)	4 dwelling units	26	26	52	1	3	4	3	2	5
Total Net Trips		26	26	52	1	3	4	3	2	5

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