



COPY
Received

NOV 2 2021

City of Stonecrest, Georgia
Planning & Zoning Department

Application for Annexation

Applicant must review each zoning district and use regulations before submitting application.

One (5) original paper copies and a digital copy the completed application and all other required items must be submitted to the of the Planning and Zoning Department. All information to be presented to the Planning Commission and City Council should be assembled. This application will not be processed any items are missing or if the appropriate fee does not accompany it.

- ☐ Completed application forms signed by 100% of the land owners and/or electors (in the case of existing residential property owners) residing in the area to be annexed and by owners of not less than 100% of the total land area, by acreage. The application contains a "Contiguity Statement" which must be signed by an engineer or surveyor
- ☐ Current land survey by a registered surveyor that includes a legal description and lists acreage to be annexed.
- ☐ Utility Availability Letters – A letter by the service providers must be obtained, Watershed (water and sewer availability) and Dekalb County Board of Education (discussing impact the development will have on schools in the area).
- ☐ Attach names and addresses of owners of all property within 250 feet of the subject property. Once an application has been accepted for presentation the applicant must also demonstrate that all property owners within 250 feet of the subject property have been notified of the Public Hearings.
- ☐ **Application Fee of \$350.00 per parcel*** - You will be billed any additional amount spent on advertising. It is necessary for this fee to be paid prior to any meeting dates.

* Fee maybe reduced (\$275.00) if property is split by the city boundaries.

Petitioner will be notified by Mail/Email of the scheduled Public Hearing for which his/her application will be considered.



GENERAL INFORMATION*

Date: November 1, 2021

Applicant/ Owner Name: Charles M. Bettis & J. Ed Seagraves - Owners Jody Charles Campbell - Attorney for Applicants
GBG 2 Lithonia Group, LLC - Applicants jody@blumcampbell.com Email

Phone: Work # 470-365-2890 Cell# 770-712-0923

Address Blum & Campbell, LLC, 3000 Langford Road, Bldg. 100, Peachtree Corners, Georgia 30071

Location and address if available of the subject property
1724 Rogers Lake Drive, Lithonia, Georgia 30058. The property is located at the southeast corner of the intersection
of Lithonia Industrial Boulevard and Rogers Lake next to the Waste Transfer Station.

The size/acreage of the subject property 19.28 acres

The proposed land use category of the subject property upon annexation
Outdoor commercial parking with NO repair operations allowed on premises

Present Dekalb County Zoning Classification(s) M (Light Industrial) District

Desired City of Stonecrest Zoning Classification(s) M (Light Industrial) District

List the number of houses, if any, on property being submitted N/A

The territory to be annexed is unincorporated and contiguous (as described in O.C.G.A. § 36-36-20) to the existing corporate limits of Stonecrest, Georgia, and the description of such territory is as follows:

LEGAL DESCRIPTION ATTACHED

Special Note: If the application is incomplete, the applications will be rejected. *Incomplete applications will not be accepted or will be denied. Application fees are non-refundable. All applications must be 100% completed before submitting to Planning & Zoning for processing. That includes all required supporting documents and fees, if applicable. Signed Here: _____

Applicant Signature: _____ Date 11/2/21

3120 Stonecrest Blvd. | Stonecrest, GA 30328

ANNEXATION APPLICATION | 03-10-2021
Page 2 of 6



LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 157 of the 16th District of Dekalb County, Georgia and being more particularly described as follows:

Beginning at an iron pin found (½ inch rebar) located at the southeast intersection of Rogers Lake Road (variable right of way) and Lithonia Industrial Boulevard (variable right of way), said point being the POINT OF BEGINNING

Traveling thence North 55 degrees, 53 minutes, 20 seconds East a distance of 84.48 feet to a point; thence North 68 degrees, 22 minutes, 34 seconds East a distance of 32.79 feet to a point; thence North 83 degrees, 00 minutes, 13 seconds East a distance of 100.72 feet to a point; thence South 89 degrees, 59 minutes, 13 seconds East a distance of 59.64 feet to a point; thence along a curve having an arc radius of 2914.58', arc length of 496.67 feet, and chord bearing North 84 degrees, 57 minutes, 42 seconds East a distance of 496.07 feet to a point; thence North 85 degrees, 31 minutes, 57 seconds East a distance of 102.71 feet; thence North 79 degrees, 06 minutes, 41 seconds East a distance of 54.13 feet; thence South 55 degrees, 19 minutes, 09 seconds East a distance of 69.31; thence North 36 degrees, 31 minutes, 28 seconds East a distance of 26.91 feet; thence North 54 degrees, 38 minutes, 27 seconds West a distance of 43.86 feet; thence North 78 degrees, 44 minutes, 29 seconds East a distance of 119.20 feet; thence along a curve having an arc radius of 1738.00', arc length of 222.51 feet, and chord bearing North 82 degrees, 03 minutes, 27 seconds East a distance of 222.36 feet to a point; thence North 80 degrees, 21 minutes, 00 seconds East a distance of 98.18 feet; thence along a curve having an arc radius of 1750.00', arc length of 32.28 feet, and chord bearing North 89 degrees, 49 minutes, 22 seconds East a distance of 32.28 feet to a point; thence South 89 degrees, 56 minutes, 59 seconds East a distance of 318.79 to iron pin found (½ inch rebar); thence South 01 degrees, 29 minutes, 44 seconds West a distance of 232.94 feet to an iron pin found (1 inch open top pipe); thence South 01 degrees, 34 minutes, 50 seconds West a distance of 360.05 feet to an iron pin found (½ inch iron rod); thence South 89 degrees, 51 minutes, 11 seconds West 486.83 feet to an iron pin found (½ inch rebar); thence South 89 degrees, 51 minutes, 57 seconds West 990.66 feet to an iron pin found (½ inch rebar); thence along a curve having an arc radius of 775.57', arc length of 287.83 feet, and chord bearing North 29 degrees, 20 minutes, 24 seconds West a distance of 222.36 feet; thence North 39 degrees, 58 minutes, 19 seconds West a distance of 58.39 feet to a point; thence North 33 degrees, 47 minutes, 16 seconds West a distance of 109.22 feet to an iron pin found (½ inch rebar) and the POINT OF BEGINNING.

Said property being shown on the Retracement Survey for GBG 2 Lithonia Group, LLC dated October 2, 2021, prepared by Patrick & Associates, Inc., James S. Hull, Jr., GRSL No. 2856, recorded in Plat Book 297, Page 30, Dekalb County, Georgia records, said plat being specifically incorporated herein by reference.

Said property being known as 1724 Rogers Lake Road, Lithonia, Georgia 30058 according to the present system of numbering of properties in Dekalb County, Georgia and Tax Parcel ID No. 16 156 05 003.



We, the undersigned, all of the owners of all real property of the territory described herein respectfully request that the City Council annex this territory to the City of Stonecrest, Georgia, and extend the city boundaries to include the same.

LAND OWNER(S)

| Name (Print) | Address (Print) | Signature | Date (Print) |
|-------------------|----------------------------------|--------------------|-----------------|
| 1 Charles Bettis | 133 Low St. DECATUR, GA 30030 | <i>[Signature]</i> | 11-1-21 |
| 2 J. Ed Seagraves | | <i>[Signature]</i> | |
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| Name (Print) | Address (Print) | Signature | Date (Print) |
|-------------------|---|-----------------|-----------------|
| 1 Charles Bettis | | | |
| 2 J. Ed Seagraves | 1000 Commerce Dr., Decatur, GA 30030 | J. Ed Seagraves | 10/29/21 |
| 3 | | | |
| 4 | | | |
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CONTIGUITY STATEMENT

Contiguous areas mean, at the time the annexation procedures are initiated, any area that meets the following conditions:

- (1) At least one-eighth of the aggregate external boundary or 50 feet of the area to be annexed, whichever is less, either abuts directly on the municipal boundary or would directly abut on the municipal boundary or would directly about the municipal boundary if it were not otherwise separated, in whole or in part, from the municipal boundary by lands owned by the municipal corporation or some other political subdivision, by lands owned by this state or by the definite width of (A) any street or street right-of-way, (B) any creek or river, or (C) any right-of-way of a railroad or other public service corporation which divides the municipal boundary and any area proposed to be annexed;
- (2) The entire parcel or parcels of real property owned by the person seeking annexation is being annexed; provided, however, that lots shall not be subdivided in an effort to evade the requirements of this paragraph; and
- (3) The private property annexed, excluding any right of way of a railroad or other public service corporation, complies with the annexing municipality's minimum size requirements, if any, to construct a building or structure occupiable by persons or property under the policies or regulations of the municipal development, zoning, or subdivision ordinances.

I, James Hull, a registered Surveyor in the State of Georgia, hereby certify that the parcel requested to be annexed into the City of Stonecrest lying in land lot(s) 157 of the 16th district, Dekalb County, has a contiguous boundary of 453.79 feet with the existing City limits of the City of Stonecrest.

This the 1 day of NOVEMBER, 2021

James A. Hull Jr.
Signature

2056
Georgia Registered Surveyor #



Pursuant to O.C.G.A 36-36-111 The City of Stonecrest will give official notice to Dekalb County of your intent to annex. The County Commission must vote in an open meeting whether or not to object to the annexation and provide written notice of the vote by certified mail or statutory overnight delivery not later than the end of the 30th day following receipt of the notice of annexation.

The county's objection must be substantiated with evidence of financial impact forming the basis of the objection AND the objection must be based on a material increase in burden upon the county directly related to:

- (1) The proposed change in zoning or land use;
- (2) Proposed increase in density; or
- (3) Infrastructure demand related to the proposed change in zoning or land use.

Additionally, for an objection to be valid, the proposed change in zoning or land use must differ substantially from the uses of the property suggested by the county's comprehensive land use plan or permitted for the property by the county's zoning ordinance AND must result in:

- (1) A substantial change in the intensity of the allowable use of the property or a change to a significantly different allowable use; OR
- (2) A use which significantly increases the net cost of infrastructure or significantly diminishes the value or useful life of a capital outlay project furnished by the county to the area to be annexed.

This property is in zone "X" a Federal Flood Area as indicated by F.I.A. Official Hazard Maps. Flood Map No. 13089C0176X, Date: 12/08/2016.

19.28 ACRES

PARCO, 16 137 00 003
J CD MAGALHES
CHARLEY W BERRY
133 NEW STREET DECATUR, GA 30030
1714 BUCKING LANE
1714 BUCKING LANE

GRAPHIC SCALE - 1 INCH = 100 FEET

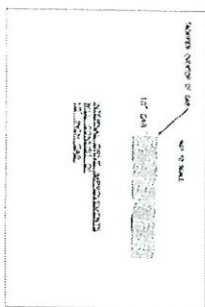
JOB NO. 21-714
DWG. NO. 34820



P. Stettin & Associates, Inc.
SURVEYING & ENGINEERING
828 BLACKLAWN ROAD
DUNYALE, GEORGIA 30084

OWNER:
PARCEL 16 154 05 003
J. ED SEAGRAVES & CHARLES M. BETTS
131 NEW STREET
DECATUR, GA 30030
DB 35995, PO 447

TEXT LEGEND



C4.01

TerraBuild USA, Inc.

[illegible][illegible]

P.O. BOX 601
LUTHER CA, 33046
Office: 772.900.7619
www.TerrificUSA.com

tb TerraBuild
USA, Inc.

110 BARDON LANE, STONEMOUNT CA, 90078

RODGERS LAKE
PARKING LOT

GBG
LITHONIA
GROUP
LLC.
822 BENT WAY RD
LATHAM CA 90047
678-778-4125

BLUM & CAMPBELL, LLC

Attorneys at Law

JODY CHARLES CAMPBELL
ATTORNEY AT LAW
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JODY@BLUMCAMPBELL.COM

November 2, 2021

VIA HAND DELIVERY

Honorable Mayor Jason Lary
Council Member Jimmy Clayton
Council Member Robert Turner
Council Member Jazzmin Cobble
Council Member George Turner
Council Member Tammy Grimes
City of Stonecrest, Georgia
3120 Stonecrest Blvd, Suite 100
Stonecrest, Georgia 30038

Re: GBG 2 Lithonia Group, LLC

Application for Annexation

Property Address: 1724 Rogers Lake Road, Lithonia, Georgia 30058

Parcel No. 16 157 05 003

Dear Mayor and City Council Members:

This law firm has the pleasure of representing GBG 2 Lithonia Group, LLC. My client is a prospective purchaser of the real property located at 1724 Rogers Lake Road, Lithonia, Georgia 30058 (the "Property"). The Property is currently located within unincorporated Dekalb County, Georgia on the southeast corner of Rogers Lake Road and Lithonia Industrial Boulevard. The property is bordered to the south by the Dekalb County East Sanitation and Transfer Station and the East by properties owned by the current owners of the Property. My client seeks to have this Property annexed into the City of Stonecrest and developed for use as an outdoor parking facility.

Enclosed herewith is a proposed site plan showing the property with the proposed use. Several features of the proposed development bear mention. First, my client and I have been informed that the City is in the process of amending its outdoor parking regulations to require enhanced fencing and landscape requirements. In preparing the proposed site plan, GBG has incorporated these enhanced revisions from the unapproved revisions to the zoning regulations including a ten foot high opaque fence and two rows of evergreen trees or bushes. The parking lot will be created using 10-inch Graded Aggregate Base of granite stone and stone dust. The development will have two gated entrances with security cameras providing coverage for all entrances and exits, one from Rogers Lake Road and one from Lithonia Industrial Boulevard. No traffic improvements will be required to the Property as existing curb cuts exist on both Lithonia

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We believe that this development and project is uniquely tailored to this location and would be a valuable addition to the City of Stonecrest. This Property is currently vacant, and its location next to a solid waste transfer station and landfill significantly limits the possible uses. Current Dekalb County regulations make the proposed use and other proposed uses of this Property cost prohibitive. By contrast, Stonecrest's regulations provide a much more business-friendly environment where development and maximization of property use exists. No rezoning, variances, or special use permits are required in order to conduct the proposed business, should the annexation be approved. The proposed use is consistent with that of other businesses and properties in the immediate area. The Property is not located near residential developments and has minimal impact on traffic patterns and flow in the area.

In terms of benefits to the City, the creation of 19 acres of income producing property in the City limits will greatly expand the City's commercial tax base on a property that is not otherwise suitable for many uses. By adding a new property to the City's commercial tax digest, the City will have additional flexibility to promote other uses and redevelopment of commercial properties located closer to residential areas without negatively impacting the City's budget and tax revenue. The business also supports individuals and residents in Stonecrest and surrounding communities by providing both a long- and short-term storage location for trucks and equipment that might otherwise be stored in residential areas.

My clients look forward to working with the City to create a quality development that both the City and GBG 2 Lithonia Group can be proud of. We believe that annexation allows the Property to achieve the highest and best use, and that denial of the application will deprive the Property and my client of substantial economic value. The subject property has been vacant for many years and cannot economically support the present value of the land as presently zoned. If you have any questions or need any additional information to process this application, please do not hesitate to contact me.

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