

1. Agenda

Documents:

[BOMC-8-31-20-BERKELEY-VILLAGE-AGENDA.PDF](#)

2. Meeting Called To Order/Adoption Of Agenda

3. Public Hearing – To Receive Public Comment Regarding The Proposed Annexation Of Berkeley Village

4. Public Hearing – To Receive Public Comment Regarding The Proposed Zoning Designation Of Planned Development (PD) For Berkeley Village

5. Public Hearing – To Receive Public Comment Regarding The Proposed Conditional Use Permit To Allow Single Family Attached Homes At Berkeley Village

6. Application For Annexation By Berkeley Village Townhomes

Documents:

[ORD. TO ANNEX BERKELEY VILLAGE TOWNHOMES.PDF](#)
[BERKELEY LEGAL DESCRIPTION - EXHIBIT A.PDF](#)
[BV PARCEL LIST.PDF](#)

7. Zoning Designation For Berkeley Village Townhomes

Documents:

[ORD. TO ZONE BERKELEY VILLAGE TOWNHOMES PD.PDF](#)
[BERKELEY LEGAL DESCRIPTION - EXHIBIT A.PDF](#)
[BV SITE PLAN.PDF](#)

8. Application For Conditional Use Permit To Allow Single Family Attached Homes At Berkeley Village

9. Adjournment



**BOARD OF MAYOR AND COMMISSIONERS
PUBLIC HEARINGS
SPECIAL CALLED MEETING
AUGUST 31st, 2020
5:30 p.m.
VIA ZOOM**

AGENDA

- Item #1 Meeting Called to Order
- Item #2 Adoption of Agenda
- Item #3 **Public Hearing – To receive public comment regarding the proposed annexation of Berkeley Village**
- Item #4 **Public Hearing – To receive public comment regarding the proposed zoning designation of Planned Development (PD) for Berkeley Village**
- Item #5 **Public Hearing – To receive public comment regarding the proposed conditional use permit to allow single family attached homes at Berkeley Village**
- Item #6 **Application for Annexation by Berkeley Village Townhomes**
- Item #7 **Zoning Designation for Berkeley Village Townhomes**
- Item #8 **Application for Conditional Use Permit to Allow Single Family Attached Homes at Berkeley Village**
- Item #9 Adjournment

ORDINANCE NO. 20-____

**AN ORDINANCE TO ANNEX CERTAIN PROPERTY KNOWN AS
BERKELEY VILLAGE TOWNHOMES INTO THE CITY OF AVONDALE ESTATES**

WHEREAS, the City is empowered by O.C.G.A. § 36-36-37 to annex contiguous property upon the application of the owners of 60% of such property and 60% of the resident electors of the area; and

WHEREAS, the City has received such an application from Berkeley Village Townhomes, more particularly described by Exhibits “A” and “B” hereto, is located in unincorporated DeKalb County off Covington Road; and

WHEREAS, the Board of Mayor and Commissioners has previously determined pursuant to O.C.G.A. § 36-36-34 that the Berkeley Village annexation petition complies with applicable legal requirements.

NOW THEREFORE BE IT ORDAINED by the City of Avondale Estates that annexation of the property known as Berkeley Village Townhomes is in the best interests of the current residents of the City and residents of the annexation area.

BE IF FURTHER ORDAINED that the Berkeley Village Townhomes are hereby annexed into the City of Avondale Estates.

BE IT FURTHER ORDAINED that the official City boundaries shall be amended to reflect said annexation.

SO ORDAINED this ____ day of _____, 2020

**BOARD OF MAYOR AND COMMISSIONERS
CITY OF AVONDALE ESTATES, GEORGIA**

Mayor Jonathan Elmore

ATTEST:

Gina Hill, City Clerk

(SEAL)

APPROVED AS TO FORM:

Stephen G. Quinn
Stephen G. Quinn, Assistant City Attorney

BERKELEY VILLAGE

Property Description

The territory to be annexed is unincorporated and within an area contiguous to the existing corporate limits of Avondale Estates, Georgia and the description of such territory is as follows:

All that tract or parcel of land lying and being in Land Lot 250 of the 15th District of Dekalb County Georgia being 4.81 acres as per that certain plat of survey for Straughan-Moss Development, Inc. by Solar Land Surveying Company, certified by John W. Stanzilis, JHr., GA RLS 2109. dated 7/28/2004, and last revised on 1-9-2006 ("Survey"), and being more particularly described as follows.

Commencing at a point marked by an IPP on the northeast Original R/W Line of Covington Highway, which point is 3.14 feet northwest along said Original R/W Line from its intersection with the westerly right of way of an Unnamed Road, a 50 foot right of way as per PB 10, Page 54, (Not Opened), thence from said point continue along the Original R/W of Covington Highway, north 74 49 01 west, a distance of 152.55 feet to a point, thence along a curve, to the right, having a radius of 4897.67 feet, an arc distance of 38.84 feet to a point, which arc is subtended by a chord having a bearing of north 69 15 33 west, a chord distance of 38.84 feet; thence along an arc of a curve, having a radius of 1653.83 feet, to the right a arc length of 91.18 feet, which arc is subtended by a chord having a bearing of north 63 19 13 west and a chord distance of 91.17 feet; thence leaving the aforesaid R/W and run north 13 44 16 east a distance of 322.26 to a point marked by a IPP; thence run north 04 53 18 east a distance of 361.24 feet to a point marked by an IPP; thence run south 74 53 42 east a distance of 350.00 feet to a point marked by an IPP thence run s 14 55 04 w a distance of 700.00 feet to a point being the true point of beginning.



BERKELEY VILLAGE

	parid	owner	no.	address	city	state	zip
1	15 250 12 001	WALTHALL WALTER WILLIAM	720	EMERIL DR	DECATUR	GA	30032
2	15 250 12 002	CURTIS NANCY ELIZABETH	718	EMERIL DR	DECATUR	GA	30032
3	15 250 12 003	MORFFI ADRIAN BJORN	716	EMERIL DR	DECATUR	GA	30032
4	15 250 12 004	CHALWELL JENEE D	714	EMERIL DR	DECATUR	GA	30032
5	15 250 12 005	MCMILLAN ANDREW S	712	EMERIL DR	DECATUR	GA	30032
6	15 250 12 006	DALAL DISHANT	710	EMERIL DR	DECATUR	GA	30032
7	15 250 12 007	MEEKER HARRY KAYE	708	EMERIL DR	DECATUR	GA	30032
8	15 250 12 008	ELLISON SOYIA M	706	EMERIL DR	DECATUR	GA	30032
9	15 250 12 009	KHOSRAVANIPOUR MARJAN Z	702	EMERIL DR	DECATUR	GA	30032
10	15 250 12 010	ROWLAND KENNA L	700	EMERIL DR	DECATUR	GA	30032
11	15 250 12 011	HILL DARREN	698	EMERIL DR	DECATUR	GA	30032
12	15 250 12 012	HATTANGADI SUPRIYA	696	EMERIL DR	DECATUR	GA	30032
13	15 250 12 013	FOX ERIC S	694	EMERIL DR	DECATUR	GA	30032
14	15 250 12 014	KIM JUNG Y	692	EMERIL DR	DECATUR	GA	30032
15	15 250 12 015	LACEN MAYRA S	690	EMERIL DR	DECATUR	GA	30032
16	15 250 12 016	HARMON INGA R	688	EMERIL DR	DECATUR	GA	30032
17	15 250 12 017	BAGLEY ELIZABETH L	684	EMERIL DR	DECATUR	GA	30032
18	15 250 12 018	DUNLAP ANGEL	682	EMERIL DR	DECATUR	GA	30032
19	15 250 12 019	TROTTI LAWRENCE J	680	EMERIL DR	DECATUR	GA	30032
20	15 250 12 020	DAVISON LAKESHA M	678	EMERIL DR	DECATUR	GA	30032
21	15 250 12 021	PALMER JONATHAN R	676	EMERIL DR	DECATUR	GA	30032
22	15 250 12 022	PERSON LAURA WISE	674	EMERIL DR	DECATUR	GA	30032
23	15 250 12 023	HUNTER LESLIE	672	EMERIL DR	DECATUR	GA	30032
24	15 250 12 024	HUGHES RICHARD III	670	EMERIL DR	DECATUR	GA	30032
25	15 250 12 025	WEBSTER ANDREW	3236	CHUTNEY CT	DECATUR	GA	30032
26	15 250 12 026	BELL NADIA N	3234	CHUTNEY CT	DECATUR	GA	30032
27	15 250 12 027	CRUZ ANNA REBECCA	3232	CHUTNEY CT	DECATUR	GA	30032
28	15 250 12 028	PRETE DANIEL J	3230	CHUTNEY CT	DECATUR	GA	30032
29	15 250 12 029	DELA CRUZ CHRISTOPHER	3228	CHUTNEY CT	DECATUR	GA	30032
30	15 250 12 030	GREEN HEATHER	3226	CHUTNEY CT	DECATUR	GA	30032
31	15 250 12 031	HAUN PHILIP J	3225	CHUTNEY CT	DECATUR	GA	30032
32	15 250 12 032	VINCENT FRANCIS	3227	CHUTNEY CT	DECATUR	GA	30032
33	15 250 12 033	HARRIS JOHNNY II	3229	CHUTNEY CT	DECATUR	GA	30032
34	15 250 12 034	LIGHTHILL AMY	3231	CHUTNEY CT	DECATUR	GA	30032
35	15 250 12 035	CORBETT SHANNON	3233	CHUTNEY CT	DECATUR	GA	30032
36	15 250 12 036	WALKER TERRY L	3235	CHUTNEY CT	DECATUR	GA	30032
37	15 250 12 037	CIMINILLO VERA	3222	CREOLE LN	DECATUR	GA	30032
38	15 250 12 038	DAMHORST GREGORY LAWRENCE	3220	CREOLE LN	DECATUR	GA	30032
39	15 250 12 039	PAYNES NATASHA M	3218	CREOLE LN	DECATUR	GA	30032
40	15 250 12 040	FLOYD EMILY ANN	3216	CREOLE LN	DECATUR	GA	30032
41	15 250 12 041	RAJU MADHAVI	3214	CREOLE LN	DECATUR	GA	30032
42	15 250 12 042	SOKOLOWSKI MATIAS	3212	CREOLE LN	DECATUR	GA	30032
43	15 250 12 043	KOTSIANIS GEORGE	3211	CREOLE LN	DECATUR	GA	30032
44	15 250 12 044	SMAZIK MARCUS G	3213	CREOLE LN	DECATUR	GA	30032
45	15 250 12 045	CATELLIER GREGORY	3215	CREOLE LN	DECATUR	GA	30032
46	15 250 12 046	MCGILL CATHERINE	3217	CREOLE LN	DECATUR	GA	30032
47	15 250 12 047	SEALS CHERRYLYN RENAY	3219	CREOLE LN	DECATUR	GA	30032

48	15 250 12 048	HALLMAN LAURA	3221 CREOLE LN	DECATUR GA	30032
49	15 250 12 049	WESTERHAUSEN JAMIE	3208 SAUTE WAY	DECATUR GA	30032
50	15 250 12 050	MASSEY RENELLE	3206 SAUTE WAY	DECATUR GA	30032
51	15 250 12 051	WATSON DOUGLAS B	3204 SAUTE WAY	DECATUR GA	30032
52	15 250 12 052	SHEFFIELD SHERRY S	3202 SAUTE WAY	DECATUR GA	30032
53	15 250 12 053	ANDERSON JESSICA	3200 SAUTE WAY	DECATUR GA	30032
54	15 250 12 054	RATLIFF JR ARTHUR EARL-	3198 SAUTE WAY	DECATUR GA	30032
55	15 250 12 055	PERRY BENJAMIN	3197 SAUTE WAY	DECATUR GA	30032
56	15 250 12 056	JAMES MICHAEL L	3199 SAUTE WAY	DECATUR GA	30032
57	15 250 12 057	ALLISON SARAH E	3201 SAUTE WAY	DECATUR GA	30032
58	15 250 12 058	SIMMEN FAMILY REVOCABLE TRUST	3203 SAUTE WAY	DECATUR GA	30032
59	15 250 12 059	MAIDEN SHAWN	3205 SAUTE WAY	DECATUR GA	30032
60	15 250 12 060	BROOKS TAMECA L	3207 SAUTE WAY	DECATUR GA	30032
61	15 250 12 061	BERKELEY VILLAGE PARTNERS LLC	707 EMERIL DR	DECATUR GA	30032
62	15 250 12 062	BERKELEY VILLAGE PARTNERS LLC	687 EMERIL DR	DECATUR GA	30032
63	15 250 12 063	BERKELEY VILLAGE PARTNERS LLC	3238 EMERIL DR	DECATUR GA	30032

ORDINANCE NO. 20-_____

AN ORDINANCE TO ASSIGN ZONING DESIGNATION “PLANNED DEVELOPMENT (PD)” TO CERTAIN PROPERTY KNOWN AS BERKELEY VILLAGE TOWNHOMES

WHEREAS, the City has acted to annex certain property known as Berkeley Village Townhomes, such property being more particularly described by Exhibit “A”; and

WHEREAS, the Berkeley Village Townhomes are an existing development of 60 single family attached townhomes built and maintained in accordance with the site plan attached hereto as Exhibit “B”; and

WHEREAS, the City has complied with the zoning procedures required for annexed property per O.C.G.A. § 36-66-4(d).

NOW THEREFORE BE IT ORDAINED that the property known as Berkeley Village Townhomes and described by Exhibits A is hereby assigned the zoning designation of “Planned Development” by the City of Avondale Estates.

BE IT FURTHER ORDAINED that, pursuant to the City Zoning Ordinance, the Planned Development zoning of the Berkeley Village Townhomes restricts the property to its existing use and structures as shown on the site plan attached hereto as Exhibit B.

BE IT FURTHER ORDAINED that the official Avondale Estates Zoning Map shall be amended to reflect such zoning.

BE IT FURTHER ORDAINED that the City recognizes that Berkeley Village was completely constructed at the time of its annexation into the City and therefore the existing structures and site layout, to the extent that they do not comply with the requirements of the PD Zone, are legal nonconformities that are permitted to continue so long as they are not enlarged and the degree of nonconformity is not increased.

SO ORDAINED this _____ day of _____, 2020.

**BOARD OF MAYOR AND COMMISSIONERS
CITY OF AVONDALE ESTATES, GEORGIA**

Mayor Jonathan Elmore

ATTEST:

Gina Hill, City Clerk

(SEAL)

Approved as to form: Stephen G. Quinn
Stephen G. Quinn, Assistant City Attorney

BERKELEY VILLAGE

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BERKELEY VILLAGE PETITION FOR ANNEXATION INTO AVONDALE ESTATES

B- Berkeley Village Site Plan:

- 60 Units within Blue Border
- Red line portion borders existing Avondale Estates

