



SPECIAL ADMINISTRATIVE PERMIT (SAP) PUBLIC HEARING MEETING MINUTES SUMMARY

Stonecrest City Hall - 3:30 PM *Spoke-in-Person Meeting
January 16, 2024

As set forth in the Americans with Disabilities Act of 1990, the City of Stonecrest will assist citizens with special needs given notice (7 working days) to participate in any open meetings of the City of Stonecrest. Please contact the City Clerk's Office via telephone (770-224-0200)

Citizens wishing to actively participate and make a comment during the public hearing portion of the meeting please submit a request via email address planning-zoning@stonecrestga.gov by noon the day of the hearing November 8, 2023. The zoom link for the meeting will be sent to you, or you can also submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.

I. INTRODUCTIONS: The Planning & Zoning Senior Planner - Tre'Jon Singletary, Planner - Felleshia Blair and Zoning Administrative Technician – Abeykoon Abeykoon were present. Attorney Alicia Thompson was virtually present. The meeting starts at 3.41 pm.

II. PURPOSE AND INTENT: The Planning & Zoning Senior Planner - Tre'Jon Singletary state the purpose and intent of the Special Administrative Permits and Rules of conduct.

Initiated by the State of Georgia as of July 01, 2023; public hearing is required for all Special Administrative Permit requests. Special Administrative Permit public hearing occurs every third (3rd) Tuesday of each month.

III. Cases of Discussion:

- SA23-057
- SA23-047

IV. Presentations: Senior Planner - Tre'Jon Singletary presented SA23-057 and SA23-047

LAND USE PETITION: SA23-057

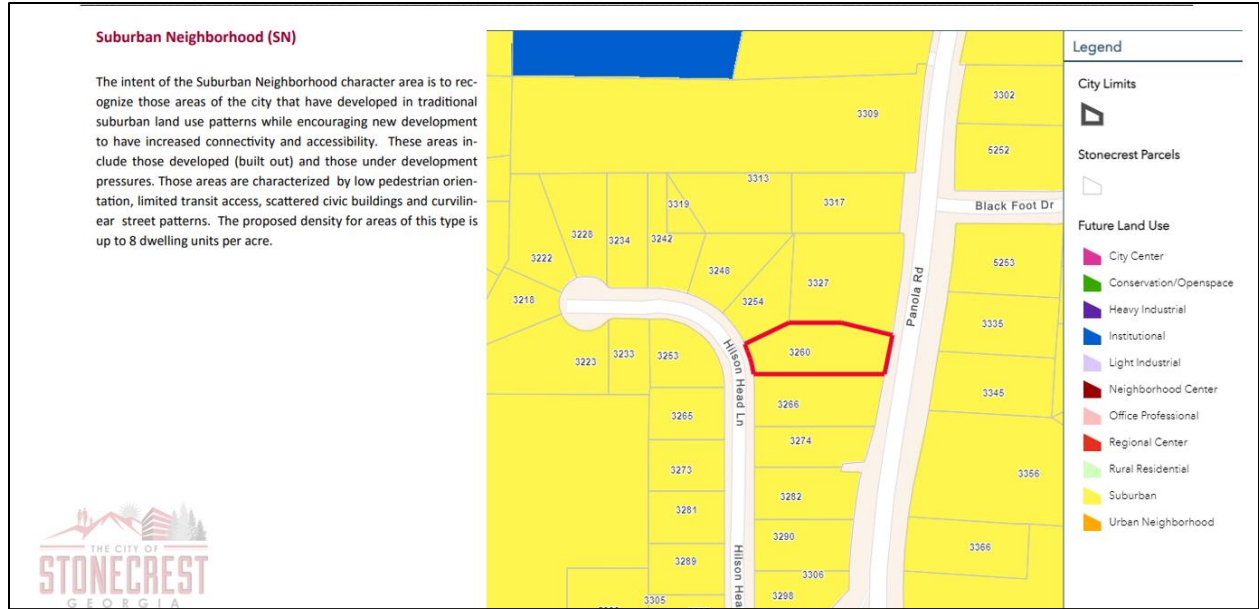
PETITIONER: Robert Childers of Southern Groove, LLC

LOCATION: 3260 Hilson Head Lane

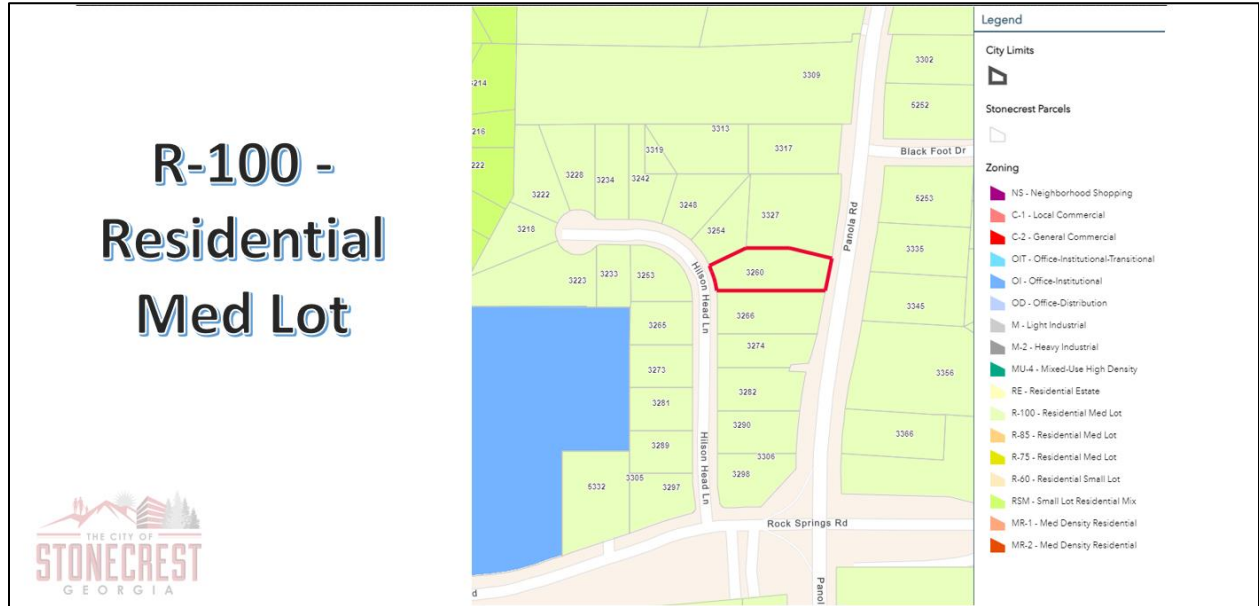
PETITIONER'S REQUEST: Applicant is seeking a Special Administrative Permit to use office space in their home to operate their catering business as a Type I Home Occupation.

The subject property belongs to Suburban Neighborhood Future Land use/ Character area and underline zoning of the property is R-100 Residential Medium Lot.

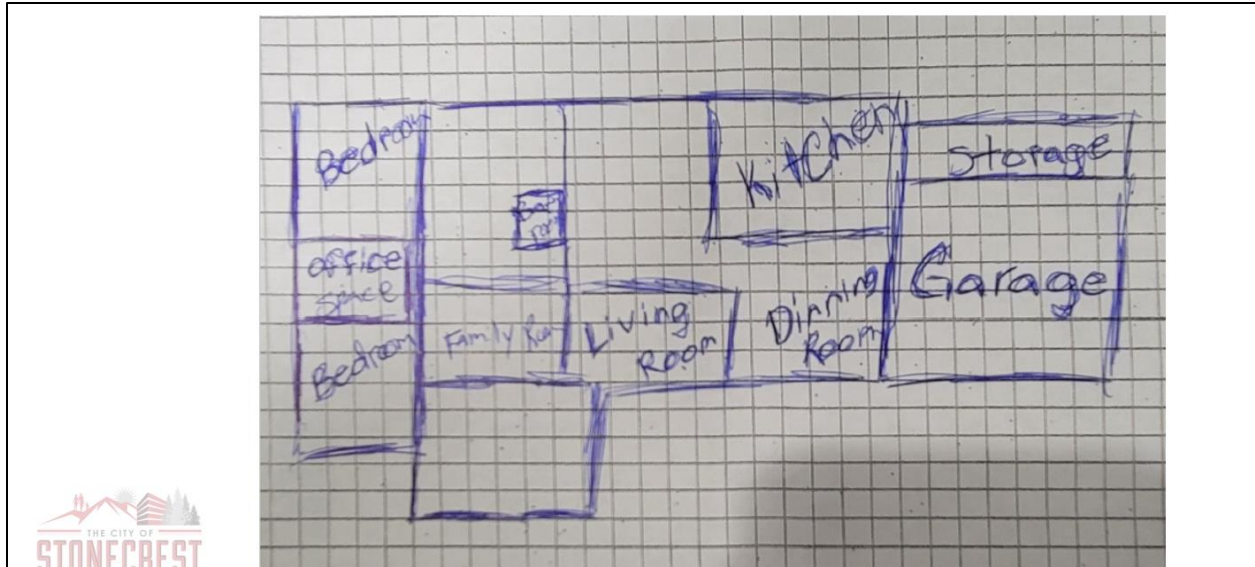
Future land use Map:



Underline Zoning Map:



Submitted site Plan:



Applicant Robert Childers was present at the public hearing.

Senior Planner - Tre'Jon Singletary opened the public hearing and asked those in support to speak. There were none. Then Senior Planner asked those in oppose to speak. There were none. The public hearing was closed.

Tre'Jon Singletary reads the requirements mentioned in Sec.4.2.41 below and asks whether applicant is aware of those requirements and applicant said he is aware of. The applicant will receive a decision letter from planning and zoning withing 24 hours.

Sec. 4.2.31. – Home Occupations and Private Educational Uses

- A. A home occupation where no customer contact occurs shall be considered a Type I home occupation and may be conducted with administrative approval by the director of planning and zoning.
 - 1. The owner/operator of the business must reside on the premise.
 - 2. Up to two (2) full-time residents of the premises are allowed to conduct separate home occupations in the same dwelling. In reviewing such a request, the local government may consider the reason, potential residential impact, parking needs, hours of operation and other relevant factors.
- B. All home occupations other than Type I home occupations shall be considered a Type II home occupation and shall require a special land use permit (SLUP). Additional conditions may be placed on the approval of a Type II home occupation in order to ensure the home occupation will not be a detriment to the character of the residential neighborhood.
 - 1. Customer contact is allowed for Type II home occupations.
 - 2. Up to two full-time residents of the premises are allowed to conduct separate home occupations in the same dwelling. In reviewing such a request, the local government may consider the reason, potential residential impact, parking needs, hours of operation and other relevant factors.
- C. All home occupations shall meet the following standards:
 - 1. There shall be no exterior evidence of the home occupation.
 - 2. No use shall create noise, dust, vibration, odor, smoke, glare or electrical interference that would be detectable beyond the dwelling unit.
 - 3. The use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed at the location of the home occupation.
 - 4. No more than 25 percent of the dwelling unit and/or 500 square feet, whichever is less, may be used for the operation of the home occupation.
 - 5. No more than one business vehicle per home occupation is allowed.
 - 6. No home occupation shall be operated so as to create or cause a nuisance.
 - 7. Home occupation shall not include the use of a dwelling unit for the purpose of operating any automobile repair establishment, or car wash.
 - 8. Occupations that are mobile or dispatch-only may be allowed, provided that any business vehicle used for the home occupation complies with [section 6.1.3](#), and is limited to one business vehicle per occupation.

LAND USE PETITION: SA23-047

PETITIONER: Omorede Ekomwenrenren of Eko's Dynamic Professional Solution, LLC

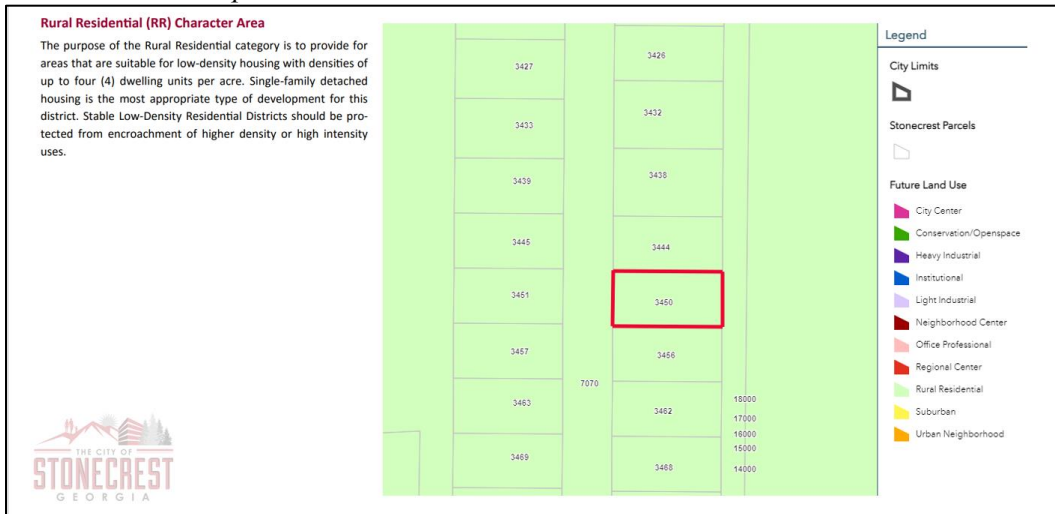
LOCATION: 3450 Stoneleigh Walk

OVERLAY DISTRICT: Stonecrest Tier 5

PETITIONER'S REQUEST: Applicant is seeking a Special Administrative Permit to use office space in their home to operate their IT Consulting business as a Type I Home Occupation.

The subject property belongs to Rural residential future land use / character area. Zoning overlay district is Stonecrest Tier 5 and Underline zoning is RSM – Small Lot Residential Mix. Property belongs to two (02) zoning conditions such as CZ-02051 and Z 74041.

Future land use Map:



Zoning Overlay Map:



Underline Zoning Map:



Zoning Condition: CZ-02051

11. CZ-02051 Commission Districts: **5 & 7**
 Parcel-ID: **16-149-1-pt. 3**

Application of Rasso Properties to rezone property located approximately 740 feet north of Rockland Road from R-CH to RM-100 (conditional). The property has no road frontage and contains 9.2 acres. The application is conditioned on development of the property for apartments.

Community Council Recommendation: Approval.

Planning Department Recommendation: Approval with conditions. The land use plan recommendation on this property is MDR (medium density residential), which is in accord with the applicant's request. Although the increase from three (3) units per acre to a category which allows up to 12 per acres is a major change, it is warranted in an area which is undergoing rapid change. The RM-100 category should be considered for expansion for this site. This tract is near the new Stonecrest Mall and will be included in an overall site plan for an apartment development, which will provide large areas of open space. The site plan as submitted is not adequate to address a recent code change. Staff recommendation is for approval based on the following conditions:

1. Access to be approved by Public Works, Planning, and Development to comply with Code Section 14-200.
2. Approval based on list of 19 conditions with the notation that conditions four(4), 19, and 13 can not be enforced.

Planning Commission Decision: Deferral Full Cycle.

Board of Commission's Decision: Approved with conditions.

Zoning Condition: RZ-74041

RZ-74041

CASE NO. 12: Three previous applications have been filed on parcels included in the current application. On December 9, 1970, the Planning Commission heard Rezoning Application No. Z-70249, requesting change from R-100 and M to R-85, R-75, RM-85, and MHP. The parcels affected were:

149-1-3	180-1-1
171-1-9	181-1-9
172-1-1	182-1-6

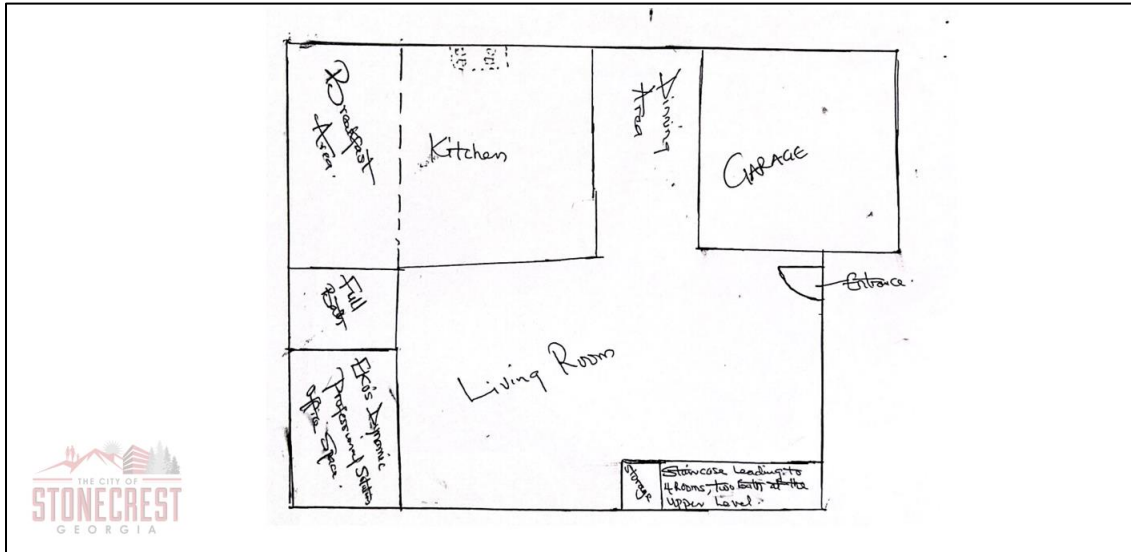
Total acreage was 800. The Planning Department recommended DENIAL on the grounds of inadequate County facilities, and the RM and MHP zoning was described as "neither warranted nor desired." The Planning Commission recommended DENIAL. At the Board of Commissioners February 23, 1971, meeting the application was deferred to May 11th to enable the applicant to submit revised plans and additional public utility data. When this did not come forth, the Board of Commissioners voted for DENIAL.

A second application was filed under No. Z-72125, for rezoning from R-100 to R-CH on 492 acres comprising parcels in Land Lots 149, 172, 173, 180, and 181. At the public hearing held September 5, 1972, the Planning Department recommended DENIAL, primarily because of inadequate sewer service, pointing out that the city of Lithonia and property already rezoned would require the full accommodation of the new plant under construction to serve the area. The Planning Commission and the Board of Commissioners voted for DENIAL.

Two additional parcels in the current application were considered for rezoning under Application No. Z-72201, heard by the Planning Commission November 13, 1972. The requested change was from R and R-100 to RM-85, and the affected properties were Lot No. 9, Block 1, Land Lot 171, and Lot No. 6, Block 1, Land Lot 182, totaling 198 acres. The Planning Department recommended DENIAL as "inappropriate and not in keeping with the character of the area," also citing depletion of industrial land in the Lithonia area, plus the lack of County services. The Planning Commission and the Board of Commissioners voted for DENIAL.

The applicant had submitted the layout/ site plan of the house by mentioning the area proposed to use as their home office. Stonecrest city ordinance chapter 27, Sec 4.2.31 Home Occupations and Private Education Uses provides necessary guidelines and requirements for the proposed use.

Submitted site plan:



Applicant Omorede Ekomwenrenren was present to the public hearing.

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V. **ADJOURNMENT:** The meeting adjourned at 3.53 PM.

APPROVED: 

SENIOR PLANNER

01/16/2024
Date

ATTEST: 

SECRETARY

01/16/2024
Date