



CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Vacant – District 5

CITY COUNCIL MEETING AGENDA

September 23, 2019

7:00 p.m.

3120 Stonecrest Blvd. Suite 190

Stonecrest, Georgia

- I. CALL TO ORDER:** Mayor Jason Lary
- II. ROLL CALL:** Megan Reid, City Clerk
- III. INVOCATION**
- IV. PLEDGE OF ALLEGIANCE**
- V. AWARDS AND HONORS**
- VI. APPROVAL OF THE COUNCIL AGENDA**
- VII. MINUTES:**
 - a. Approval of the August 26, 2019 City Council Meeting Minutes
- VIII. PRESENTATIONS:**
- IX. PUBLIC COMMENTS**
- X. APPOINTMENTS:**
- XI. PUBLIC HEARINGS:**
 - a. SLUP-19-003 (6764 Hill Creek Cove)

XII. NEW BUSINESS:

XIII. OLD BUSINESS:

- a. Resolution of the City Council of the City of Stonecrest, Georgia to Support the 2020 Census

XIV. EXECUTIVE SESSION:

WHEN AN EXECUTIVE SESSION IS REQUIRED, ONE WILL BE CALLED FOR THE FOLLOWING ISSUES: 1) PERSONNEL, 2) LITIGATION, 3) REAL ESTATE

XV. CITY MANAGER COMMENTS

XVI. CITY ATTORNEY COMMENTS

XVII. MAYOR AND COUNCIL COMMENTS

XVIII. ADJOURNMENT

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Megan Reid, as soon as possible, preferably 2 days before the activity or event.



COUNCIL MEETING AGENDA ITEM

SUBJECT: Minutes from 09/09/2019

- | | | |
|--|-------------------------------------|---|
| <input type="checkbox"/> ORDINANCE | <input type="checkbox"/> POLICY | <input type="checkbox"/> STATUS REPORT |
| <input type="checkbox"/> DISCUSSION ONLY | <input type="checkbox"/> RESOLUTION | <input checked="" type="checkbox"/> OTHER |

Council Meeting: 09-23-2019

SUBMITTED BY: Megan Reid

PURPOSE:

HISTORY:

FACTS AND ISSUES:

OPTIONS:

RECOMMENDED ACTION: Approval by Mayor and Council



CITY OF STONECREST, GEORGIA

Honorable Mayor Jason Lary, Sr.

Council Member Jimmy Clanton, Jr. – District 1

Council Member Rob Turner- District 2

Council Member Jazzmin Cobble – District 3

Council Member George Turner- District 4

Vacant – District 5

CITY COUNCIL MEETING MINUTES

September 9, 2019

7:00 p.m.

3120 Stonecrest Blvd. Suite 190

Stonecrest, Georgia

I. CALL TO ORDER: Mayor Jason Lary

II. ROLL CALL: All members were present.

III. INVOCATION: Invocation was led by Council Member Robert Turner.

IV. PLEDGE OF ALLEGIANCE

V. AWARDS AND HONORS

VI. APPROVAL OF THE COUNCIL AGENDA:

Motion 1- was made by Council Member Rob Turner to approve the agenda and a second was provided by Council Member George Turner.

Motion passed unanimously.

VII. MINUTES:

Motion 2- was made by Council Member Rob Turner to approve the Council Meeting Minutes from August 26, 2019 and a second from Council Member Jimmy Clanton.

Motion passed unanimously.

VIII. PRESENTATIONS:

None.

IX. PUBLIC COMMENTS:

- Brenda Ausberry- 3311 Dogwood Pass- Complaint about Short Term Vacation Rental Home at 3324 Dogwood Pass
- Warren Miller- Represented WM Enterprises a Technology Company and would like for the city to consider them for their service
- Denise Powell- Invited the Mayor and Council to the 1st Unity Day hosted by the American Institute for Resource and Human Development on 11/16/2019 from 9:00am to 4:00pm at the AEI Start Up factory
- Dave Marcus- Complemented the customer service at Men's Warehouse. Is looking forward to seeing the Party House Ordinance and Discount Store Ordinance on the City Council Agenda
- Geraldine Champion- Complained about a recent encounter with Code Enforcement

X. APPOINTMENTS:

None

XI. PUBLIC HEARINGS:

None

XII. NEW BUSINESS:

a. Affirmed Policy Consulting, LLC- Contract

Motion 3- was made Council Member Jimmy Clanton approve the contract for Affirmed Policy LLC and a second was provided by Mayor Jason Lary.

Council Members Jazzmin Cobble and Council Member George Turner clarified the payment terms and terms of the contract.

Motion passed unanimously.

b. Resolution for Census 2020

Motion 4- was made by Council Member George Turner to authorize the City Attorney to draft a resolution to form a "Complete Count Committee for the 2020 Census" with the Mayor appointing the Committee Members and a second was made by Council Member Rob Turner.

Motion passed unanimously.

XIII. OLD BUSINESS:

XIV. EXECUTIVE SESSION:

WHEN AND EXECUTIVE SESSION IS REQUIRED, ONE WILL BE CALLED FOR THE FOLLOWING ISSUES: 1) PERSONNEL, 2) LITIGATION, 3) REAL ESTATE

None.

XV. CITY MANAGER COMMENTS:

No comments.

XVI. CITY ATTORNEY COMMENTS:

No comments

XVII. MAYOR AND COUNCIL COMMENTS:

Council Member Jazzmin Cobble- Invited everyone out to the Pre Stonecrest-Fest on Saturday, September 21 at Fairington Park for family fun and a “Screen on the Green” at dark. Festivities begin at 5pm.

Council Member George Turner- Invited the Public to join him for the District 4 Meeting on September 17 at 7pm at Big Miller Grove Fellowship Hall

Council Member Rob Turner- Invited the Public to join him and the DeKalb Cultural Exchange for a breakfast and the District 5 Candidates forum at the House of Hope on September 14 beginning at 9am.

Mayor Jason Lary- Invited the Public for “Breakfast with the Mayor” Saturday, September 14 at 9am for a Q&A with the Public and a chance to educate the public about upcoming projects

XVIII. ADJOURNMENT:

Motion 5- was made by Mayor Jason Lary to adjourn the Council meeting at 7:30pm and a second was provided by Council Member George Turner.

Motion passed unanimously.

Read and adopted in the regular meeting of the City Council held on this _____ day of _____, 2019.

Mayor Jason Lary

ATTEST:

Megan P. Reid, City Clerk



CITY COUNCIL AGENDA ITEM

**SUBJECT: Ordinance for Special Land Use Permit
SLUP-19-003 (6764 Hill Creek Cove)**

- ORDINANCE** **POLICY** **STATUS REPORT**
 DISCUSSION ONLY **RESOLUTION** **OTHER**

Date Submitted: 09/18/2019 Work Section: Council Meeting: 09/23/2019

SUBMITTED BY: Christopher Wheeler, Planning and Zoning Director. 

PURPOSE: Special Land Use Permit to operate a personal care home for three (3) individuals or less.

HISTORY: This item was originally heard at the September 4th Planning Commission meeting. The applicant requested a Special Land Use Permit to operate a personal care home. The Planning Commission recommends approval with conditions.

OPTIONS: Approve, Deny or Make alterations.

RECOMMENDATED ACTION:

Planning Commission recommended approval with conditions of SLUP-19-003 at the September 4th public hearing.

ATTACHMENTS:

- # 1 09/18/2019 Staff Report
- # 2 09/18/2019 Application
- # 3 09/18/2019 Power Point Presentation



PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

MEETING DATE: September 4th, 2019

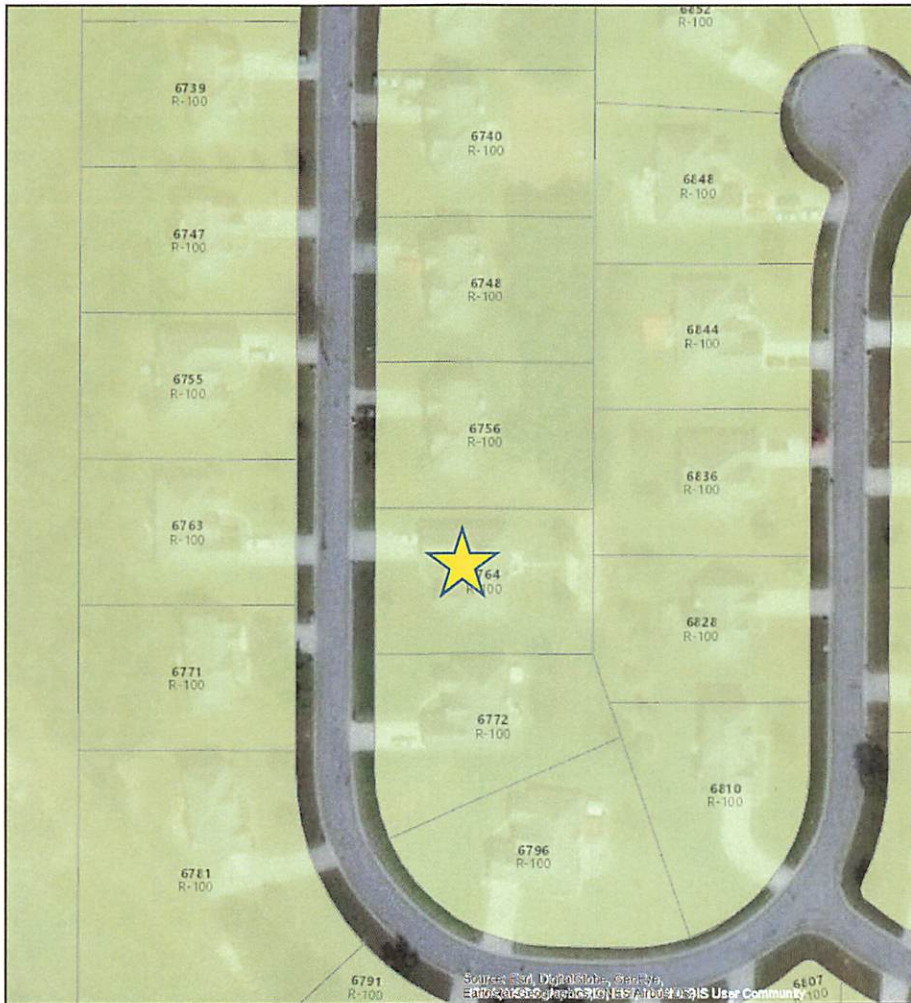
GENERAL INFORMATION

Petition Number:	SLUP 19-003
Applicant:	Lisa Foster and Belinda Brunson
Owner:	Sonya Taylor
Project Location:	6764 Hill Creek Cove Stonecrest Ga 30038
District:	District 1
Acreage:	0.3 Acres
Existing Zoning:	Residential Med Lot (R-100)
Proposed Zoning:	Residential Med Lot (R-100)
Proposed Development/Request:	The applicant is requesting a Special Land Use Permit (SLUP) to operate a Personal Care Home up to six (6) residents within in an R-100 (Medium Lot Residential) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41. B of Stonecrest Zoning Code.
Staff Recommendations:	Approval with Conditions
Planning Commission:	Approval with Conditions



PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

Zoning Map



ZONING CASE: **SLUP-19-003**

ADDRESS: **6764 Hill Creek Cove**

CURRENT ZONING: **R-100 (Residential Med Lot)**

FUTURE LAND USE: **Suburban**



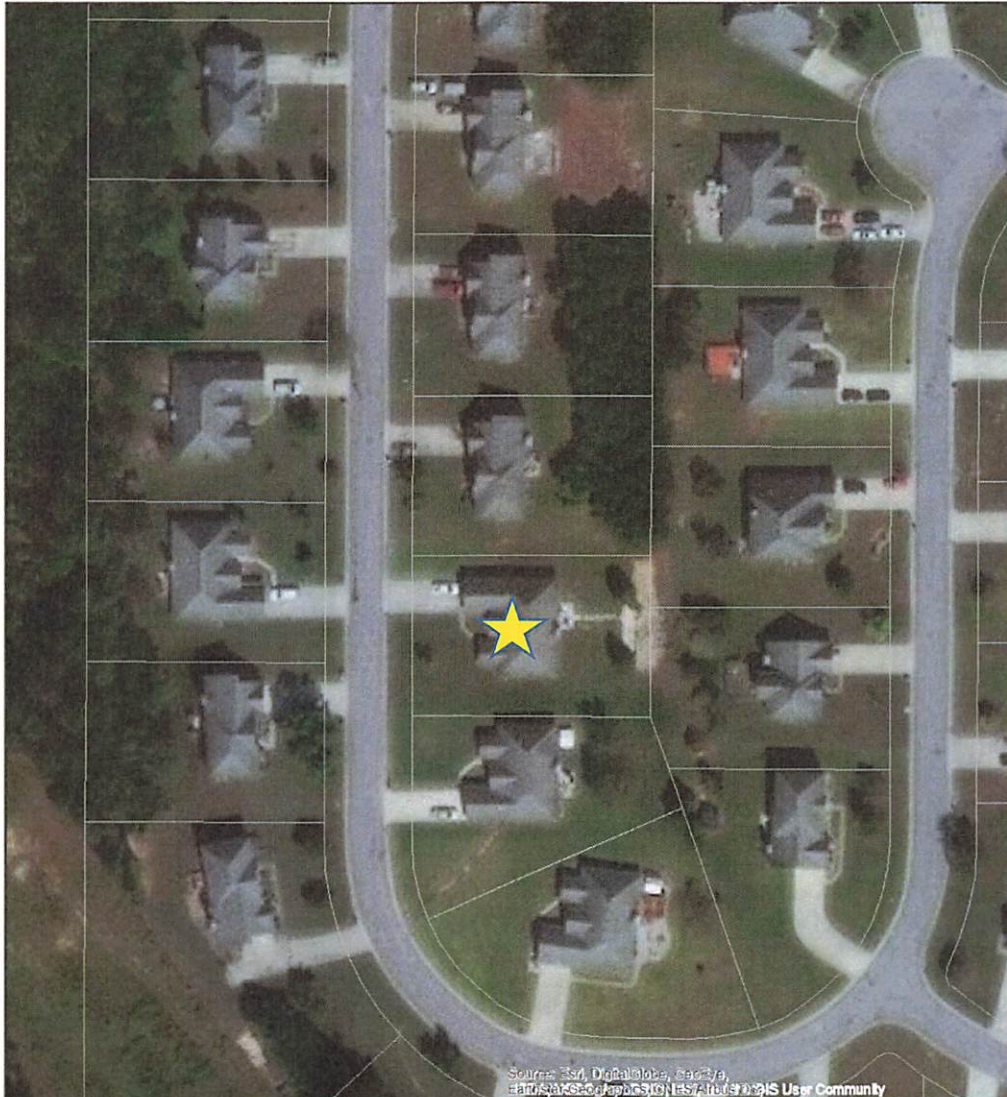
Subject Site





PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

Aerial Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, AeroGRID, IGN, the GIS User Community

ZONING CASE: **SLUP-19-003**

ADDRESS: **6764 Hill Creek Cove**
CURRENT ZONING: **R-100 (Residential Med Lot)**
FUTURE LAND USE: **Suburban**



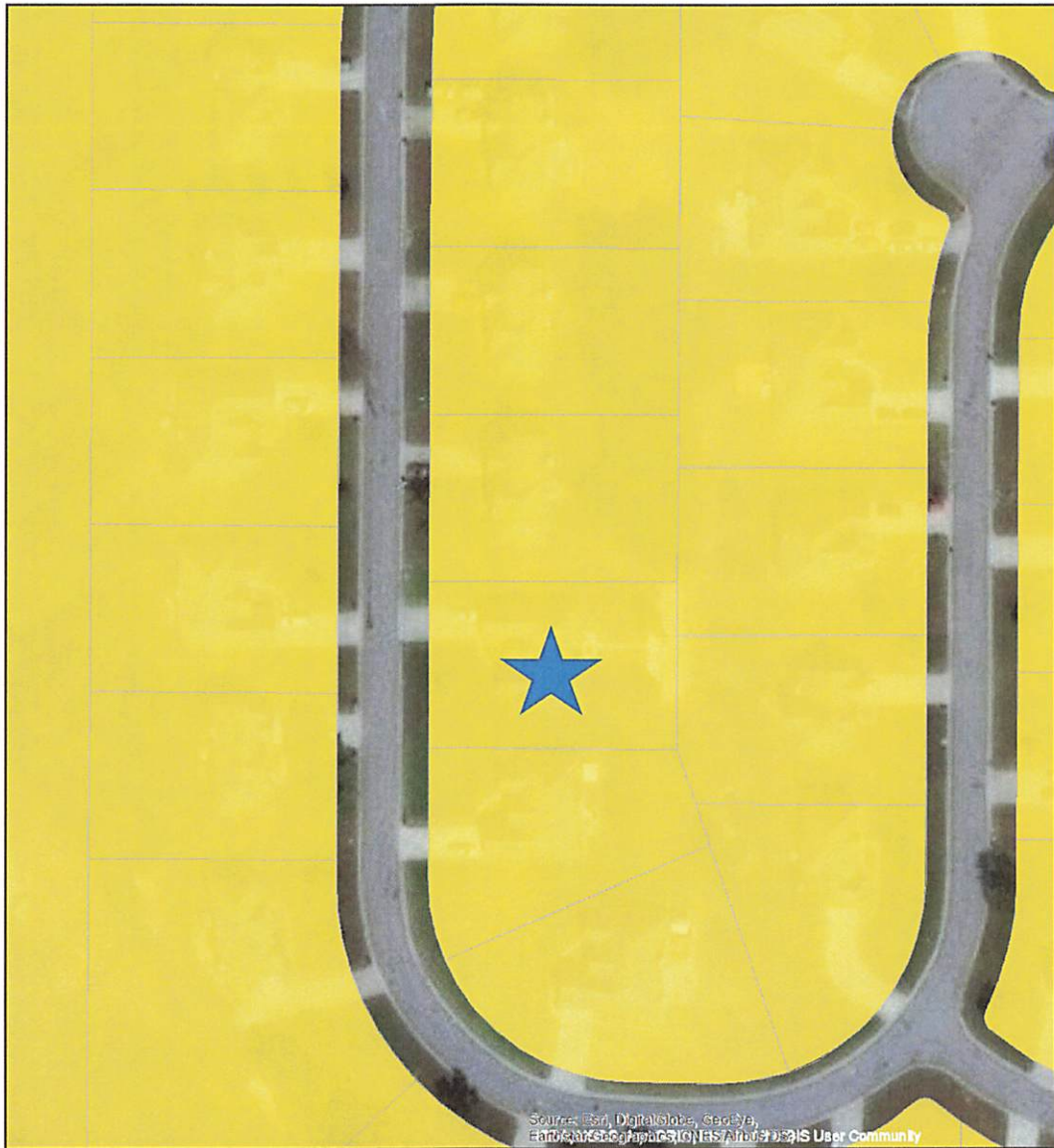
Subject Site

0 0.0125 0.025 mi



PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

Future Land Use Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar/Earthstar, IGN, Mapbox, Landsat, USDA, AeroGRID, IGN, Esri, User Community

ZONING CASE: **SLUP-19-003**

ADDRESS: **6764 Hill Creek Cove**

CURRENT ZONING: **R-100 (Residential Med Lot)**

FUTURE LAND USE: **Suburban**



Subject Site

0 0.0125 0.025 mi

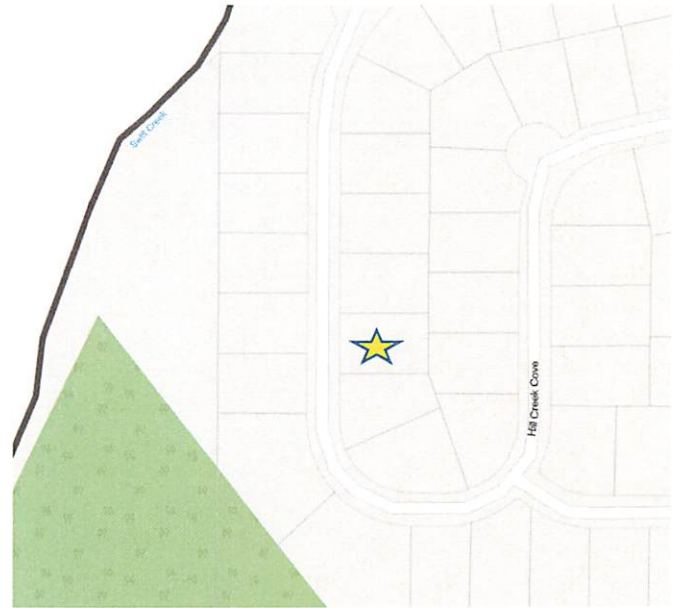


PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

PROJECT OVERVIEW

Location

The subject property, 6764 Hill Creek Cove, is in the Rogers Crossing Subdivision. The subject site sits existing single-family residence. The subject property is approximately 0.7 mile south of Rogers Lake and S. Deshon intersection. Access is available via the existing driveway on Hill Creek Cove Road. The subject property is surround by single-family homes.



Background

Currently, the property maintains its original zoning R-100 (Med Lot) classification and the property has 2,831 square foot single story frame house. The property and the surrounding area were developed in 2009 as part of a planned community. The property can be characterized as even across the property.





PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

Existing Elevations



Special Land Use Permit Request

The applicant is requesting a Special Land Use Permit to a personal care home. The subject location will house three individuals with an applicant living in the home. The applicant will provide active daily living and recreational activities for the residents.

Neighborhood Meeting

Property owners within 500 feet of the subject property were mailed notices of the propose special land use permit application. The community meeting was held July 1ST at 6:30 pm at the subject property. The main concerns of the residents were the amount of traffic the use will generate and what type of residents would live at the property.



PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

STANDARDS OF REVIEW

- A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the 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.**

The approximately 2,831 square foot residence on 0.5 acres is adequate for the operation of the personal care home.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The proposed personal care home for three (3) person is compatible with another single-family residence Panola Road. There will be no outside physical changes to the existing single-family structure or signage indicating the use is personal care home.

- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

The subject property is located in an established single-family residential neighborhood, it appears that there are adequate public services, public facilities, and utilities to serve the proposed personal care home.

- D. 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.**

Hill Creek Cove is a collector road, the Planning Staff believes little or no impact on the public streets or traffic in the area.

- E. Whether 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.**

The traffic of the vehicles generated by the proposed use will not adversely impact existing land uses along access routes to the sites.

- F. 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 a fire or another emergency.**

The existing residential structure on the site is accessed by vehicles via existing curb cut with a driveway on Panola Road. Emergency vehicles can access the site from the existing driveway.

- G. Whether 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.**



PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

The proposed use may not create an adverse impact upon any adjoining single-family land uses by reason of noise, smoke, odor, dust or vibration,

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

Per the information submitted with the application, the applicant intends to run an adult care facility with three residents.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The operation of the personal care home of three (3) residents will not affect the adjoining single-family residence on Panola Road. The site will operate basically as a single-family residence with the owner/operator is required to reside at the property.

J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The proposed use is otherwise consistent with the requirement of the zoning district classification in which the use is proposed to be located

K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The subject property is in the Suburban Neighborhood Character area designated by the 2035 Comprehensive Land Use Plan. The proposed use is listed as primary land use and is consistent with the policies of the character area. However, there is an existing personal care home located to the south of the subject property

L. Whether 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.

Transitional buffers are not required.

M. Whether there is adequate provision of refuse and service areas.

An adequate refuse area will be provided.

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

Staff believes there isn't a compelling reason to limit the special land use duration as the applicant appears to be the only personal care home within the vicinity,



PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

- O. Whether 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.**

The personal care home would be in an existing residential structure which is consistent in size, scale and massing with adjacent surrounding single-family residence in the area.

- P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.**

This use will not adversely affect any historic buildings, sites, districts, or archaeological resources.

- Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.**

Personal Care homes must provide at least four (4) parking spaces within a driveway, garage or carport and must comply with any appliance requirement in Article 6 - Parking. The subject site meets this requirement.

- R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.**

Adjacent and surrounding residential properties are one-story frame structures which are the same as the existing residence on the site. There will be no negative shadow impact on any adjoining lot.

- S. 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 with the overall objective of the comprehensive plan.**

The proposed use would be consistent with the needs of the community as a whole, as it appears there are no immediate personal care homes within the immediate area.



PLANNING COMMISSION AND CITY COUNCIL STAFF REPORT

RECOMMENDATION

Base on the findings and conclusions, it appears the applicant does meet all the criteria for approval. Therefore, staff recommends **APPROVAL** of **SLUP-19-003** with the following conditions;

1. Limit the use of personal care home only to three (3) persons.
2. Access shall be limited to the existing curb cut off Hill Creek Cove Drive.
3. All refuse containers shall be screened from public view except during pick up.
4. No identification sign for personal care home shall be posted on the property.
5. Owner/Operator must live on the property according to the supplemental regulations cited in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
6. The applicants shall secure the necessary certification by the State of Georgia and the necessary business license, building permits and certification of occupancy for three people from the city of Stonecrest.
7. The Special Land Use Permit shall be issued to Lisa Foster and Belinda Brunson (operator) for the operation of a personal care home and shall not be transferable.

PLANNING COMMISSION RECOMMENDATION

At the September 4th, 2019 public hearing, the Planning Commission recommend **APPROVAL** of the Special Land Use Permit SLUP-19-003 with the following enumerated conditions.

1. Limit the use of personal care home only to three (3) persons.
2. Access shall be limited to the existing curb cut off Hill Creek Cove Drive.
3. All refuse containers shall be screened from public view except during pick up.
4. No identification sign for personal care home shall be posted on the property.
5. Owner/Operator must live on the property according to the supplemental regulations cited in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
6. The applicants shall secure the necessary certification by the State of Georgia and the necessary business license, building permits and certification of occupancy for three people from the city of Stonecrest.
7. The Special Land Use Permit shall be issued to Lisa Foster and Belinda Brunson (operator) for the operation of a personal care home and shall not be transferable.



ENTERED
6-21-19/2
SLU19-000006 (5)

Received 6-14-19

Special Land Use Permit Application

SLUP-19-003

Applicant Information
Owner Information
Property Information
Affidavit
Notary

Name: Lisa H. Foster

Address: 987 Brigade St Stone Mountain GA 30087

Phone: _____ Fax: _____ Email: SHAWPCH@gmail.com

Owner's Name: _____

Owner's Address: _____

Phone: 404-426-9813 Fax: _____ Email: SHAWPCH@gmail.com

Property Address: 6764 Hill Creek Cove, Lithonia Acreage: _____

Parcel ID: _____

Current Zoning Classification: Residential - Single Family Home

Proposed Use of Property: Personal Care Home

Is this development and/or request seeking any incentives or tax abatement through the City of Stonecrest or any entity that can grant such waivers, incentives, and/or abatements? Yes No

Property Information: I would like to have a Personal Care Home for not more than three seniors

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 Stonecrest Zoning Ordinance.

Applicant's Name: Lisa H. Foster

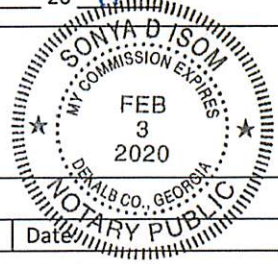
Applicant's Signature: Lisa H. Foster Date: 6/14/19

Sworn to and subscribed before me this 14th Day of June 20 19

Notary Public: Sonya D. Isom

Signature: Sonya D. Isom

My Commission Expires: Feb. 3, 2020



Application Fee Sign Fee Legal Fee

Fee: \$ _____ Payment: Cash Check CC Date: _____

Approved Approved with Conditions Denied Date: _____

08-03-2017



Applicant/Petitioner Notarized Certification

Petitioner states under oath that: (1) he/she is the executor or Attorney-In-Fact under a Power-of- Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

Applicant / Petitioner	Signature: <i>Steve H. Oster</i>		Date: <i>6/17/19</i>
	Address: <i>987 Brigade st</i>	City, State: <i>Stone Mountain</i>	Zip: <i>30087</i>
	Phone: <i>(404) 426-0813</i>		
Sworn to and subscribed before me this _____ day of _____, 20_____			
Notary Public:			
Attorney / Agent	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
Sworn to and subscribed before me this _____ day of _____, 20_____			
Notary Public:			



Campaign Disclosure Statement

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the City of Stonecrest City Council or a member of the City of Stonecrest Planning Commission?

Yes No

Applicant / Owner	Signature: <i>Lisa H. Pate</i>
	Address: <i>6704 Hill Creek Cwe, Lithonia GA 30058</i>
	Date: <i>June 1 2019</i>

If you answered yes above, please complete the following section:

Date	Government Official	Official Position	Description	Amount
		<i>N/A</i>		



Property Owner(s) *See attached document*
Notarized Certification

The owner and petitioner acknowledge that this Land Use Petition application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner (if Applicable)	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____		
Notary Public:			
Property Owner (if Applicable)	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____		
Notary Public:			
Property Owner (if Applicable)	Signature:		Date:
	Address:	City, State:	Zip:
	Phone:		
	Sworn to and subscribed before me this _____ day of _____, 20_____		
Notary Public:			

See attached document

I, Sonya Taylor, the owner of the house/property located at 6764 Hill Creek Cove, Lithonia, GA 30058 rented to Lisa Foster. The house is available for use as a Personal Care Home business.

Sonya Taylor
(Signature)

Sonya Taylor
(Printed Name)

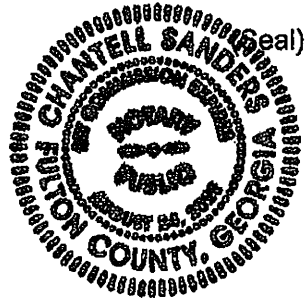
State of Georgia
County of DeKalb

This instrument was acknowledged before me this 14 day of March, 2019, by Sonya Taylor (Name of Signer).

Personally Known
 Produced Identification
Type and # of ID _____

Chantell Sanders
(Signature of Notary)

Chantell Sanders
(Name of Notary Typed, Stamped, or Printed)
Notary Public, State of Georgia



This rental agreement is made by and between **Sonya Taylor** (hereinafter referred to as Lessor) and **Lisa Foster** (hereinafter referred to as Lessee).

1. PREMISES:

(a) The common description is **6764 Hill Creek Cove, Lithonia GA 30058**, in the county of **DeKalb**.

(b) Lessee has inspected the leased premises and accepts same for occupancy in its "AS IS" condition. Neither Lessor nor any agent or representative of Lessor has made any warranty or mis-representation with respect to the lease premises and Lessor knows of no defects of a magnitude significant enough to necessitate disclosure herein.

2. TERM:

(a) The term of this lease/rental agreement shall commence on **March 1, 2019** and ends on **March 1, 2020** unless terminated earlier in accordance with the provisions of this agreement.

(b) Lessee agrees to make monthly payments of \$1,400.00 during the first six months and thereafter \$1,500.00 per month through the duration of this agreement. Payments are to be received on or before the 5th day of each month, for the leased premises at the address of the Lessor set forth in this agreement for the term of this agreement.

(c) If rent is not received by midnight on the 5th of the month there will be a \$75.00 late fee.

3. PERMITTED USES:

Lessee may use the leased premises as a multi- family residence.

4. PROHIBITED USES:

Lessee shall not do or permit anything to be done in or about the leased premises that in any way increases the existing rate of or affects any fire or other insurance on the leased premises or any of its contents, or that causes a cancellation of any insurance policy covering the leased premises or any of its contents. Lessee shall not use the leased premises in any way that will conflict with any law, statute, or ordinance, government rule or regulation now in force or which may later be enacted or promulgated.

5. ALTERATIONS.

Lessee shall not make or cause to be made any type of alteration or improvement without consent of Lessor/Seller.

6. LIENS:

Lessee shall keep the leased premises and the property on which the leased premises are situated free from any liens arising out of any work performed, materials furnished or obligations incurred by Lessee.

7. ASSIGNMENT AND SUBLETTING:

Lessee shall not assign, transfer, mortgage pledge, hypothecate or otherwise encumber this lease agreement or any part of it. Lessee shall not sublet the leased premises or any part of them. Any assignment or subletting shall terminate this agreement and lease.

8. WAIVER OF CLAIMS:

Lessor shall not be liable to Lessee and Lessee waives all claims against Lessor for any injury or damage to any person or property in or about the leased premises by or from any cause whatsoever.

9. HOLD HARMLESS:

Lessee shall hold Lessor harmless from and defend Lessor against any and all claims or liability for any injury or damage to any person or property when such injury or damage shall be caused or alleged, to be caused, in part or in whole by the act or negligence or fault of the Lessee, their agents, servants, employees or invitees.

10. INSURANCE:

Lessor has prepaid homeowners insurance policy for the initial 12 months of this agreement and agrees to maintain the same insurance policy throughout the duration of this agreement.

11. UTILITIES:

Lessee shall pay for all water, gas, heat, light, power, phone, service and all other services and utility services supplied to the leased premises.

12. MAINTENANCE:

Lessee, at their sole cost, shall maintain the leased premises and every part of them in good and sanitary condition, and shall repair all damages resulting from use by the Lessee or any person caused to be on the leased premises by the Lessee.

13. **TAXES.**

Lessor shall pay before delinquency, all property taxes assessed during this agreement.

14. **ENTRY BY LESSOR:**

Lessor reserves and shall at all times have the right to enter the leased premises to inspect them. Lessor shall give Lessee reasonable notice before making any such entry.

15. **HOLDING OVER:**

If, with Lessor's consent, Lessee holds possession of the leased premises after the term of this agreement, Lessee shall become a tenant from month to month.

16. **DEFAULT BY LESSEE:**

The occurrence of any of the following shall constitute material default and breach of this agreement:

(a) The abandonment or vacated of the leased premises by Lessee.

(b) Any failure by Lessee to make scheduled monthly payments or to make any other payment required to be made by the Lessee under this agreement.

(c) A failure by Lessee to observe and perform any other provisions of this agreement that is to be observed or performed by Lessee.

(d) In case of any such default by Lessee, then in addition to any other remedies available to Lessor at law or in equity, Lessor shall have the immediate option to terminate this agreement and all rights of Lessee.

17. **NOTICES :**

All communications, notices of any kind that either party may be required or may desire to give to the other party shall be made in writing and sent to the following addresses:

LESSOR: Sonya Taylor
926 Emerson Ave, SE
Atlanta, Ga. 30316

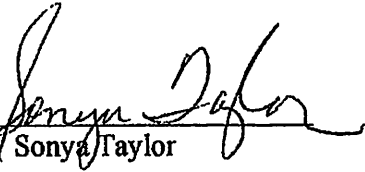
LESSEE: Lisa Foster
6764 Hill Creek Cove
Lithonia, Ga. 30316

10. MISCELLANEOUS.

This agreement is governed by the laws of the state of Georgia and any question arising under it shall be construed or determined according to such law.

Lessor and Lessee have executed this agreement the day and year written above.

LESSOR:

By: 
Sonya Taylor

LESSEE:

By: 
Lisa Foster

Lisa Foster

987 Brigade st
Stone Mountain , GA 30087
Shawpch@gmail.com

June 12, 2019

City of Stonecrest
3120 Stonecrest Blvd
Stonecrest, GA30087

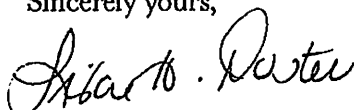
City of Stonecrest,

My name is Lisa Foster. I have being living in the Stone Mountain community since 1999 with my twin daughters Chanell Wilson and Chantell Sanders. They both attended and graduated from Stephenson HS top of their class. Shortly thereafter, my brother Federico moved to Lithonia, and met his wife Nicky and now are raising their young children Rian and Nolan. My mother Cheryl, sister Monica, and her son Francisco also moved from New York City and made Lithonia their home for the past ten years. We have made Stonecrest our community and build our life here. I am a registered Nurse working in this community for the past 20 years. What I have learned and seen is lack of Personal Care Home for our seniors.

I am proposing to put a personal care home at 6764 Hill Creek Cove, Lithonia for three or less seniors. A home that can provide seniors with warmth, comfortable , modern, safe environment with 24 hours assistance to each one. A home where they can maintained their dignity, where they have a voice and choices in their lives. Most important, live in the comfort of a home.

Belinda Brunson will be living in the home and I will be directly involve in all aspect of up keep of the property, insuring resident safety, and following every law in running a personal care home by The State of Georgia.

Sincerely yours,


Lisa Foster

City of Stonecrest: SLUP Criteria

- A, There is adequate space for all area listed**
- B, Yes it is compatible with adjacent property and use**
- C, The home will not interfere with public services or utility**
- D, The property drive way is equipped for 4 car but only one car will be at the property. And will not cause any street congestion.**
- E, There will be no increase or additional interference with public traffic**
- F, Will not cause any interference or obstruction with emergency vehicle, pedestrian entrance or it's safety and convenience.**
- G, Will not cause any nuisance to adjacent property because it will operate as a personal care home for the elderly**
- H, Will not cause increase in noise level, the home will be and peaceful**
- I, Will not impact adjacent home. Property will be used for daily family use.**
- J, Yes it will be used for residential use**
- K, Yes it will be used for policy intended**
- L, Yes it will be**
- M, Yes it is**
- N, There should not be a limit because it will be the permanent home of the elderly**
- O, Yes size is appropriate for use**
- P, No it will not and has not**
- Q, Yes, it is residential land and was created for single family use. And we are asking for a permit to change the single family home use into a PCH**
- R, No, We will not alter the height of the home, As it is the standard of a single family home equal to homes within the area. Therefore not creating as negative shadow.**
- S, No, because PCH are currently being guided by the city of Stonecrest as to the numbered of PCH allowed within the distant of each other. Therefore, my single personal care home will not have the ability to generate a rapid increase in PCH within my area.**
- T, Yes it will be**

Lisa Foster & Belinda Brunson

Shaw Personal Care Home
6764 Hill Creek Cove
Lithonia, GA. 30058

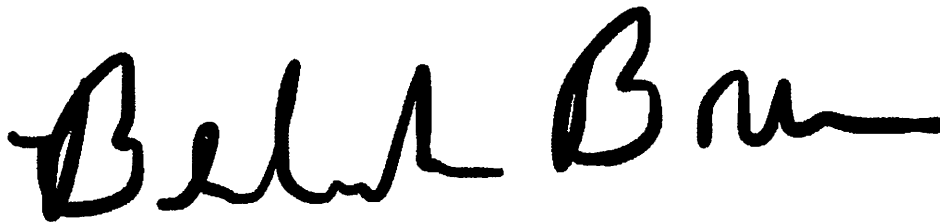
June 20, 2019

Lisa Foster Owner
Belinda Brunson Co-Owner

Greeting Neighbor,

On Sunday June 30th '19 3:00PM We will be hosting a neighbor meeting at the location stated above for discussion of opening a personal care home in our neighborhood. Please feel free to attend to voice your approval or disapproval.

Thank you in advance!
Lisa Foster & Belinda Brunson

A handwritten signature in black ink that reads "Belinda Brunson". The signature is written in a cursive style with a long horizontal flourish at the end.

6764 Hill Creek Cove

Show search results for 6764 Hill Creek Cove



Measurement

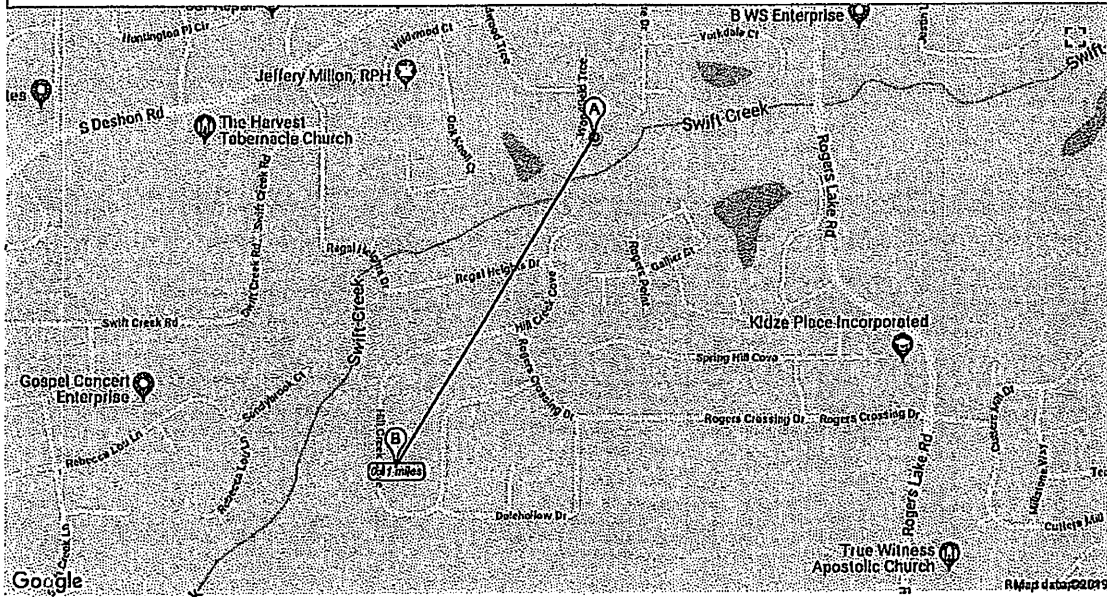
1 Feet (US)

Measurement Result

2,150.4 Feet (US)

Clear

34 Search Results for: Private Home Care Providers Within 5 Miles Of 8764 Hill Creek Cove



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

• L E G E N D •

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AKA ALSO KNOWN AS	N NEIGHBOR'S
APD AS PER DEED	N/F NOW OR FORMERLY
APP AS PER PLAT	NAIL NAIL FOUND
BSL BUILDING (SETBACK) LINE	P PLAT (BOOK/PAGE)
CP COMPUTED POINT	POB POINT OF BEGINNING
CIP CRIMP TOP PIPE FOUND	PCC 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



PROPERTY ADDRESS:
6764 Hill Creek Cove
Lithonia, GA 30058

LAND AREA:
15018 SF
0.345 AC

IMPERVIOUS AREA:
DW/SHT:818 SF
HOUSE:2531 SF
STONE SW:256 SF
PATIO:523 SF
EXIST= 4428 SF=29.5%

ZONING: R-100



PLAT PREPARED FOR:
6764 HILL CREEK COVE

LOT 154 BLOCK C PHASE 2 SUBDIVISION ROGERS CROSSING

LAND LOT 131 18th DISTRICT BY:

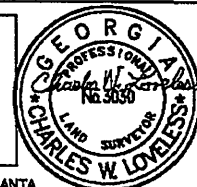
DeKALB COUNTY, GEORGIA FIELD DATE: 6-04-2019 NS

LOCATED IN STONECREST DRAWN DATE: 6-06-2019 SS

REFERENCE: PLAT BOOK PAGE ALL MATTERS OF TITLE ARE EXCEPTED -- NOT FOR RECORDING
REFERENCE: DEED BOOK 14806, PAGE 425

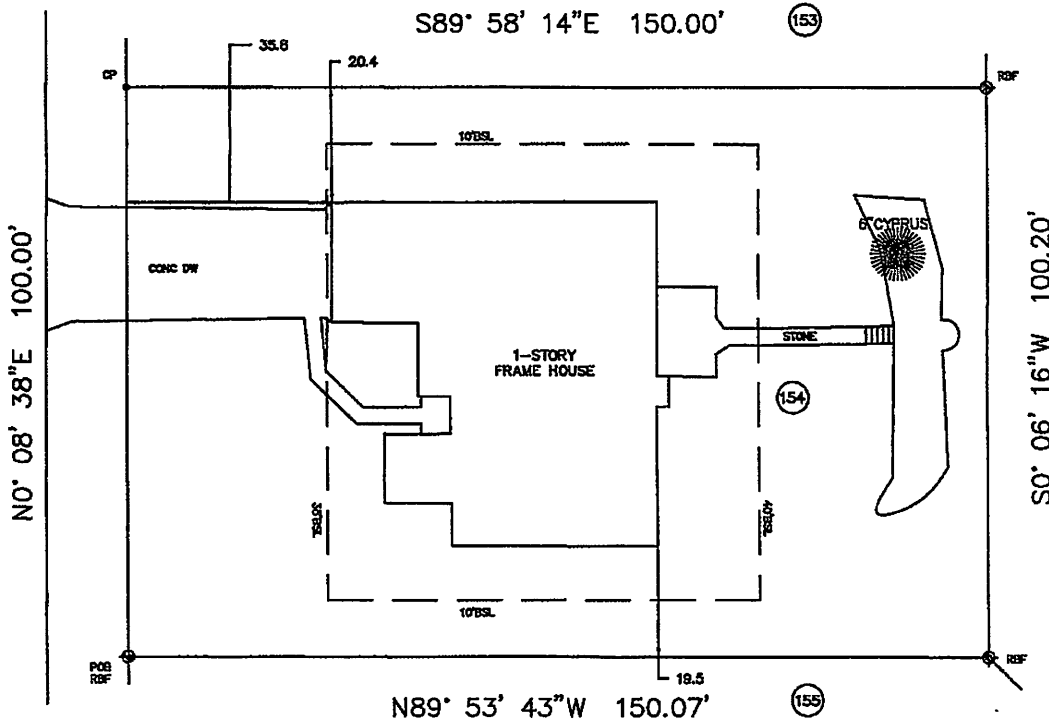
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THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



SURVEY SYSTEMS ATLANTA
2158 W Park Ct, Ste D, Stone Mtn, GA 30087
COA #LSP000867, info@SurveySystemsAtlanta.com
Call 678-591-6084 ~ Office 404-780-0010

HILL CREEK COVE ~ 50' R/W
27'± BC/BC

















September 4th 2019

**Planning Commission
Public Hearing**



SLUP-19-003

**6764 Hill Creek Cove, Stonecrest
GA 30038**

Petition Information

- APPLICANT: Lisa Foster and Belinda Brunson
- LOCATION: 6764 Hill Creek Cove
- ACREAGE: 0.3 acres
- REQUEST: The applicant is requesting a Special Land Use Permit (SLUP) to operate a personal care home up three (3) residents.

Background Information

Location

The subject property, 6764 Hill Creek Cove, is in the Rogers Crossing Subdivision. The subject site sits existing single-family residence. The subject property is approximately 0.7 mile south of Rogers Lake and S. Deshon intersection. Access is available via the existing driveway on Hill Creek Cove Road. The subject property is surround by single-family homes.



Background

Currently, the property maintains its original zoning R-100 (Med Lot) classification and the property has 2,831 square foot single story frame house. The property and the surrounding area were developed in 2009 as part of a planned community. The property can be characterized as even across the property.



Land Survey

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PROPERTY ADDRESS:
6764 Hill Creek Cove
Lithonia, GA 30056

LAND AREA:
15018 SF
0.345 AC

IMPERVIOUS AREA:
DW/SW: 818 SF
HOUSE: 2831 SF
SONE-SW: 256 SF
PATIO: 523 SF
EXIST = 4428 SF = 29.5%

ZONING: R-100

0 20
SCALE 1" = 20'

PLAT PREPARED FOR:
6764 HILL CREEK COVE

LOT 154 BLOCK C PHASE 2 SUBDIVISION ROGERS CROSSING

LAND LOT 131 16th DISTRICT BY:

DeKALB COUNTY, GEORGIA FIELD DATE: 6-04-2019 NS

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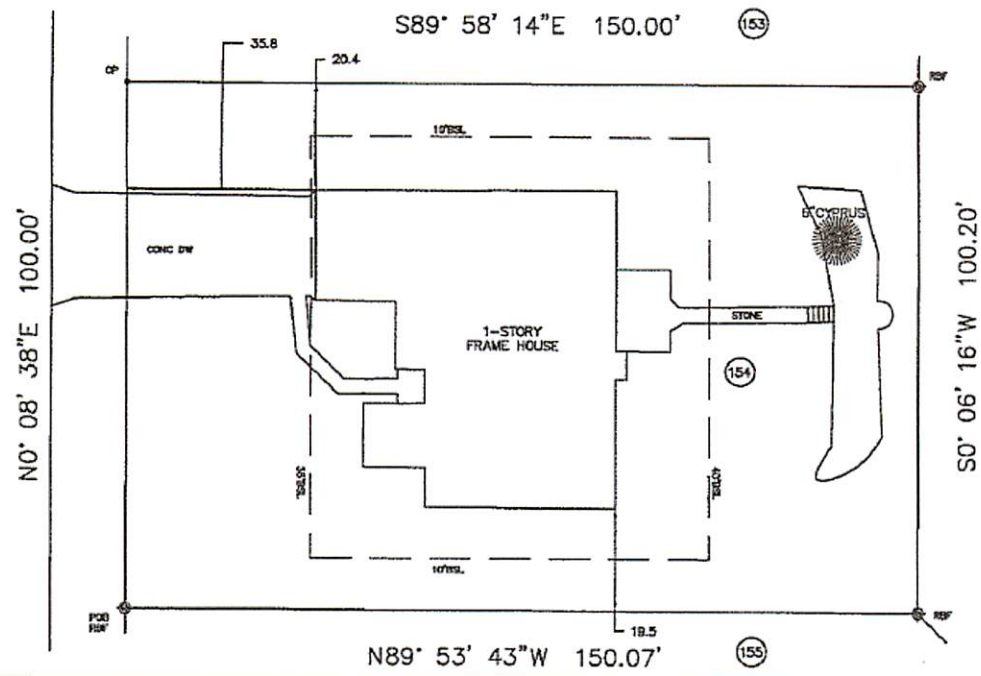
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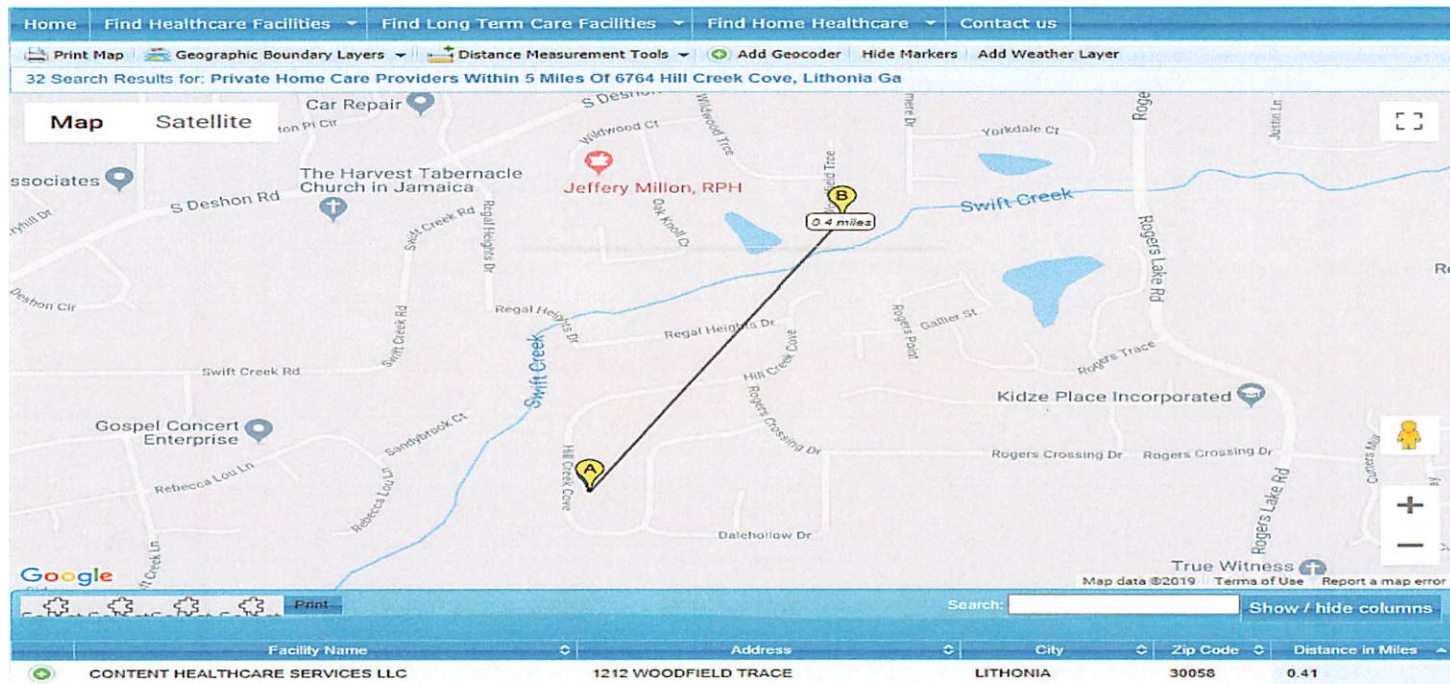
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HILL CREEK COVE ~ 50' R/W
27'± BC/EC



Additional Information



Front Elevation of Subject Property



Side Elevation of Subject Property



Side Elevation of Subject Property



Rear Elevation of Subject Property



STANDARDS OF REVIEW

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.

Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.

Adequacy of public services, public facilities, and utilities to serve the proposed use.

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.

Whether 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.

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.

STANDARDS OF REVIEW

Whether 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.

Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

Whether the proposed use is consistent with the policies of the comprehensive plan.

Whether 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.



STANDARDS OF REVIEW

Whether there is adequate provision of refuse and service areas.

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

Whether 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.

Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources

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

Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

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 with the overall objective of the comprehensive plan.



Staff Analysis

The proposed SLUP is consistent in use with the surrounding uses. Staff believes the proposed use is suitable in view of the use and development of adjacent and nearby properties. The proposed use would be in keeping with the policies and intent of the Comprehensive Plan; therefore, the Department of Community Development recommends **APPROVAL of SLUP-19-003**

Staff Recommendation

Base on the findings and conclusions, it appears the applicant does meet all the criteria for approval. Therefore, staff recommends **APPROVAL** of **SLUP-19-003** with the following conditions;

1. Limit the use of personal care home only to three (3) persons.
2. Access shall be limited to the existing curb cut off Hill Creek Cove Drive.
3. All refuse containers shall be screened from public view except during pick up.
4. No identification sign for personal care home shall be posted on the property.
5. Owner/Operator must live on the property according to the supplemental regulations cited in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
6. The applicants shall secure the necessary certification by the State of Georgia and the necessary business license, building permits and certification of occupancy for three people from the city of Stonecrest.
7. The Special Land Use Permit shall be issued to Lisa Foster and Belinda Brunson (operator) for the operation of a personal care home and shall not be transferable.

Planning Commission Recommendation

At the September 4th Planning Commission hearing the commission recommends **APPROVAL** of **SLUP-19-003** with the following conditions;

1. Limit the use of personal care home only to three (3) persons.
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September 4th, 2019

**Planning Commission
Public Hearing**



COUNCIL MEETING AGENDA ITEM

SUBJECT: Resolution for 2020 Census

- | | | |
|--|--|--|
| <input type="checkbox"/> ORDINANCE | <input type="checkbox"/> POLICY | <input type="checkbox"/> STATUS REPORT |
| <input type="checkbox"/> DISCUSSION ONLY | <input checked="" type="checkbox"/> RESOLUTION | <input type="checkbox"/> OTHER |

Council Meeting: 09-23-2019

SUBMITTED BY: Council Member George Turner

PURPOSE: To form a committee to help with the 2020 Census

HISTORY: On 09/09/2019- Council approved the City Attorney to draft this resolution

FACTS AND ISSUES: Committee will reach out to churches and other organizations to educate the public on the importance of the Census

OPTIONS:

RECOMMENDED ACTION: Approval by Mayor and Council

1 **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STONECREST,**
2 **GEORGIA TO SUPPORT THE 2020 CENSUS**
3

4 **WHEREAS,** the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of
5 the population and provide a historic opportunity to help shape the foundation of
6 our society and play an active role in American democracy;

7 **WHEREAS,** the governing authority of the City of Stonecrest is committed to ensuring every
8 resident is counted;

9 **WHEREAS,** census data helps determine how many seats each state will have in the U.S. House
10 of Representatives and is necessary for an accurate and fair redistricting of state
11 legislative seats, county and city councils and voting districts;

12 **WHEREAS,** information from the 2020 Census and American Community Survey are vital tools
13 for economic development and increased employment;

14 **WHEREAS,** the information collected by the Census is confidential and protected by law;

15 **WHEREAS,** the Mayor will appoint the representatives to participate on the Complete City
16 Committee;

17 **WHEREAS,** a united voice from business, government, community-based and faith-based
18 organizations, educators, media and others will enable the 2020 Census message to
19 reach more of our citizens; and

20 **WHEREAS,** after careful study and investigation, the City Council has determined that it is in
21 the best interest of the inhabitants of the City to partner with the U.S. Census Bureau
22 to support the 2020 Census.

23 **NOW, THEREFORE, BE IT RESOLVED** by the MAYOR AND COUNCIL OF THE CITY
24 OF STONECREST, GEORGIA, and IT IS HEREBY RESOLVED by authority of the same, as
25 follows:
26

27 **Section 1. Authority for Resolution.** This Resolution is adopted pursuant to the
28 provisions of the Constitution and the laws of the State of Georgia.

29 **Section 2. Findings.** City Council is committed to partnering with the U.S. Census
30 Bureau and the State of Georgia and will: 1. Support the goals and ideals for the 2020 Census and
31 will disseminate 2020 Census information; 2. Encourage all City residents to participate in events
32 and initiatives that will raise the overall awareness of the 2020 Census and increase participation;
33 3. Provide Census advocates to speak to City and Community Organizations; 4. Support census
34 takers as they help our City complete an accurate count; and 5. Strive to achieve a complete and
35 accurate count of all persons within our borders.

36

37 **Section 3. Severability of Invalid Provision.** If any one or more of the agreements
38 or provisions herein contained shall for any reason whatsoever be held invalid, then such
39 covenants, agreements or provisions shall be null and void and shall be deemed separable from the
40 remaining agreements and provisions and shall in no way affect the validity of any of the other
41 agreements and provisions hereof.

42 **Section 4. Repealing Clause.** All resolutions or parts thereof of City Council in
43 conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded
44 and repealed.

45 **Section 5. Effective Date.** This Resolution shall take effect immediately upon its
46 adoption.

47

48 **SO RESOLVED AND EFFECTIVE**, this ____ day of _____, 2019.

49

Approved:

Jason Lary, Sr., Mayor

Attest:

Megan Reid, City Clerk

50