



ZONING BOARD OF APPEALS MEETING
Stonecrest City Hall ZOOM-Virtual, 6:00 PM
September 21, 2021

A G E N D A

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).

I. Call to Order

II. Roll Call

III. Minutes: Approval of the Zoning Board Meetings Minutes Summary dated May 18, 2021.

IV. Old Business: None

V. New Business:

Public Hearing(s):

LAND USE PETITION:	V-21-003
PETITIONER:	ACE Homes LLC (representative Prime Engineering Inc)
LOCATION:	2261 Stone Mountain Lithonia Rd, Stonecrest, GA 30038
CURRENT ZONING:	MR-1
PROPOSED DEVELOPMENT:	Request to encroach into the 75 feet stream buffer

VI. Adjournment



ZONING BOARD OF APPEALS MEETING MINUTES SUMMARY

Stonecrest City Hall’s ZOOM-Virtual, 6:00 PM

May 18, 2021

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).

I. Call to Order

Chairman Erica Williams called the meeting to order at 6:08 PM.

II. Roll Call

Chairman Erica Williams called the roll. Ms. Sonja Hicks, Mr. Michael Armstrong, Ms. Louise Alexander, and Mrs. Dee Tyner (joined meeting at 6:35 PM) were present. There was a quorum.

Planning & Zoning Director Jim Summerbell and Attorney Shirnelle Council from Fincher Denmark LLC were present.

III. Minutes

The Zoning Board of Appeals Meeting Minutes Summary dated March 16, 2021, was **unanimously APPROVED**. Mr. Michael Armstrong motioned to **APPROVE**. Ms. Sonja Hicks seconded the motion.

IV. Old Business: None

V. New Business:

A. Introduction of New Staff:

The Chairman turned the floor over to the Planning & Zoning Director Mr. Jim Summerbell. Mr. Summerbell introduced himself, the City Clerk Ms. Patricia Wheeler, and Finance Director Ms. Gia Scruggs to the Zoning Board.

The new City Manager Ms. Janice A. Jackson and Deputy City Manager Mr. Jim Nichols were not in attendance.

B. Public Hearing(s):

Land Use Petition:	V-21-002
Petitioner:	Altair Sign and Light (representative for HONDA)
Location:	7970 Mall Parkway, Stonecrest, GA 30038
Current Zoning:	Stonecrest Overlay Tier 2, underlying zoning C-1 (Local Commercial)
Proposed Development:	Request to exceed maximum number of allowed Wall Signs from 2 to 6.

Mr. Summerbell presented **PETITION V-21-002**. The Staff recommended **APPROVAL**

of **PETITION V-21-002 with the recommended conditions that the additional signage be consistent with that submitted with the variance application**, specifically as shown on the Elevation Plan on page 3 of the staff report (**ATTACHMENT I**).

The applicant, Ms. Felicia Johnson from Altair Sign & Light, stated that this is the standard look for all HONDA'S Dealerships across the states. The setup (bump outs) of the majority of the signs is near the Service Center and you want to know where you are going.

The Chairman asked for those in support to speak. There was one (1):

1. Mr. Riyad Brothers, owner's Representative for Stonecrest HONDA, stated that the signage is channeling customers into the right areas; understand the concerns for too many signs; do not feel this is too excessive; and would like to stay consistent with the overall HONDA'S look, if the Board approves.

The secretary asked Mr. Brothers for his address, and he replied, "47 Haywood Road, Asheville, NC 28806."

The Chairman asked for those in opposition to speak (**ATTACHMENT II**). There were two (2):

1. Mr. Dave Marcus of 6501 Rockland Rd, Stonecrest, GA 30038 is opposed.
2. Ms. Felesia Edwards is opposed.

The applicant, Ms. Felicia Johnson returned to rebut. Been in the permitting business for over 16 years and would like to focus on the schematic of the building. When you see a dealership, the way it is designed and the main part of the building is where you see signs (Stonecrest, HONDA and Service Center), those are standard signs. Is the smaller ones (Service, Reception, and Express Service) signs part of the count?

Mr. Summerbell referred back to the Staff Report, Page 3.

Mr. Riyad stated that the hardship is to have what the competition has and to guide the customers to the right locations.

The Chairman closed the public hearing before the Commissioners went into discussion.

The Chairman asked for a motion.

Mr. Armstrong motioned to **APPROVE PETITION V-21-002 with Staff's recommended conditions**. Ms. Alexander seconded the motion. The vote was four (4) to one (1) and not unanimous. The Chairman, Mr. Armstrong, Ms. Alexander, and Mrs. Dee Tyner voted to **APPROVE PETITION V-21-002 with Staff's recommended conditions**. Ms. Hicks opposed the approval.

VI. Adjournment:

The vote was carried **unanimously** to adjourn the meeting at 6:46 PM. Mrs. Tyner motioned to **adjourn the meeting**. Mr. Armstrong seconded the motion.

Note: Immediately following the meeting adjournment, two (2) additional public comments were emailed to the Secretary of the Zoning Board from (**ATTACHMENT III**):

1. Ms. Zazie Lumpkin sent an email at 9:48 PM and is in opposition to placing six (6) signs instead of the two (2) allowed that are specified by the ordinance.
2. Ms. Kecia McPherson sent an email at 10:33 PM and ask that we limit the number of signs to two (2).

APPROVED:

Chairman

Date

ATTEST:

Secretary

Date

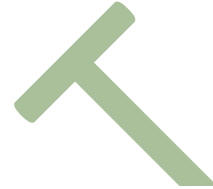
D
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BOARD OF ZONING APPEALS STAFF REPORT

May 18, 2021

ATTACHMENT I

ELEVATION PLAN



BOARD OF ZONING APPEALS STAFF REPORT

Elevation

Project ID
CFI-35849

Date: 11-04-2019
Scale: N.T.S.
SAs: C. Farmer
Designer: K. Perera

Rev. #: _____
Date: _____

Revision Note:

Conceptual
Information Provided

Master

Electrical
 120V 347V
 Other _____

Customer Approval

Signature

208721
Honda of Conyers
7970 Mall Pkwy
Stonecrest, GA

South Elevation

520 West Summit St #100 Suite 202 Knoxville TN, 37922
(615) 596-1190 / Fax: 1.865.604.1896
www.pattisongroup.com

This graphic shall not be used without the requirements of the label or the
related electrical code and/or other applicable regulations.
This volume shall be used only for the intended purpose.

It is recommended that all signs be installed in accordance with the
signage code of the local jurisdiction.

BOARD OF ZONING APPEALS STAFF REPORT
May 18, 2021

ATTACHMENT II

EMAILED COMMENTS IN OPPOSITION

Mr. Dave Marcus
6501 Rockland Rd, Stonecrest, GA 30038

and

Ms. Felesia Edwards

BOARD OF ZONING APPEALS STAFF REPORT
May 18, 2021

ATTACHMENT III

TWO EMAILED COMMENTS IN OPPOSITION
Received immediately following the meeting adjournment.

Ms. Zazie Lumpkin
(Sent an email at 9:48 PM)

and

Ms. Kecia McPherson
(Sent an email at 10:33 PM)



BOARD OF ZONING APPEALS STAFF REPORT

Board of Zoning Appeals Public Hearing: September 21, 2021

CASE NUMBER:	V-21-003
PROPERTY LOCATION:	2261 S Stone Mountain Lithonia Road (Parcel 16 124 02 011), 2241 S Stone Mountain Lithonia Road (Parcel 16-124 02 016), and 1780 Phillips Road (Parcel 16 101 03 011)
CURRENT ZONING:	Medium Density Residential (MR-1) and Local Commercial (C-1)
PARCEL SIZE:	Approximately 70.01 acres
PROPERTY OWNER(S):	Ace Homes LLC
STAFF RECOMMENDATION:	Approval with conditions
VARIANCE REQUEST:	Encroachment into the 75' stream buffer

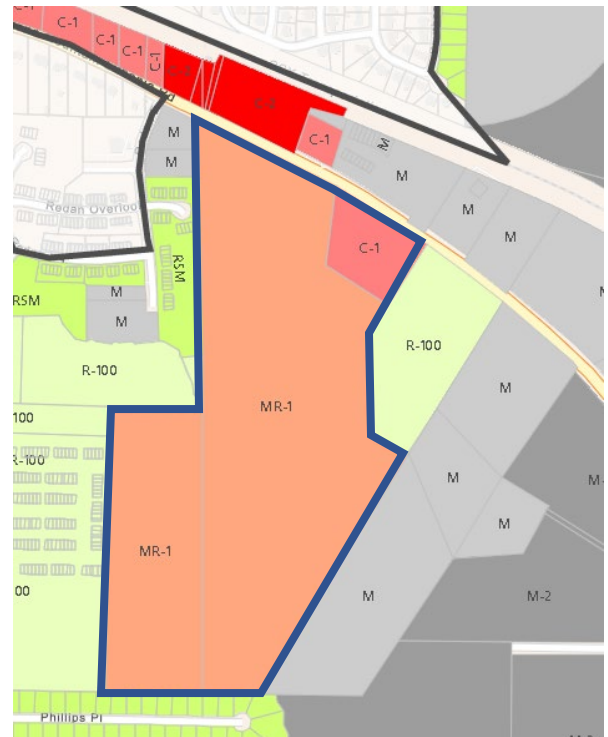
Current Use and Zoning

Currently, the subject property is undeveloped, and not being used for any specific use. The subject property is zoned Medium Density Residential (MR-1) District and Local Commercial (C-1).

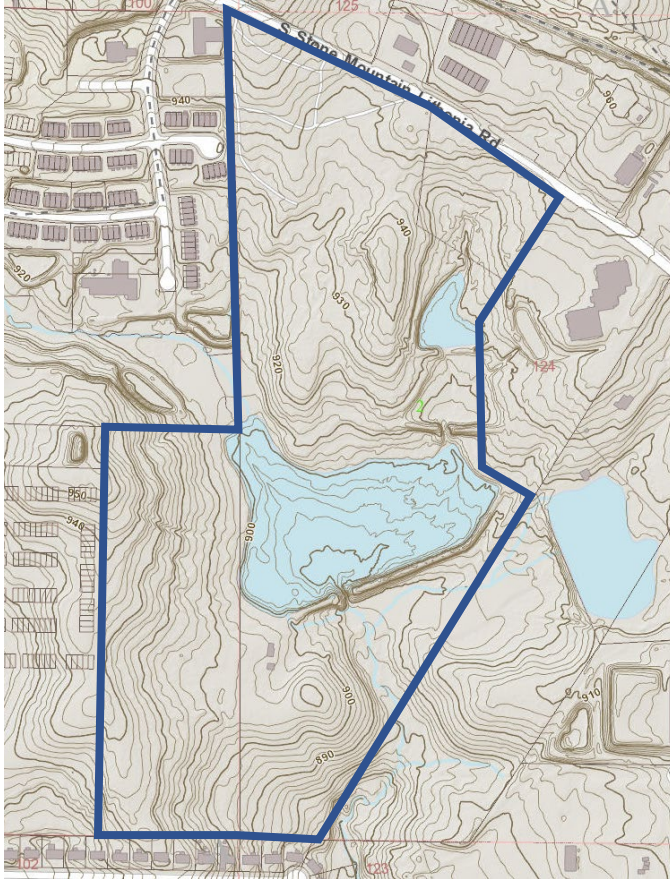
This development would need to be rezoned to be built as proposed on the site plan, as a small portion of the C-1 property is proposed for residential development. A rezoning application for the C-1 property has been submitted, and is tentatively scheduled to be heard by the Planning Commission on October 5, 2021. Approval of this Stream Buffer Variance (V-21-003), however, is critical to the project and so the applicant is requesting this first before going through the rezoning process.

Existing Conditions

The property is currently undeveloped with a mixture of mature hardwoods and evergreens located on-site. There is an existing stream/waterway located on the property shown on a topographic map.



BOARD OF ZONING APPEALS STAFF REPORT



Topographic Map



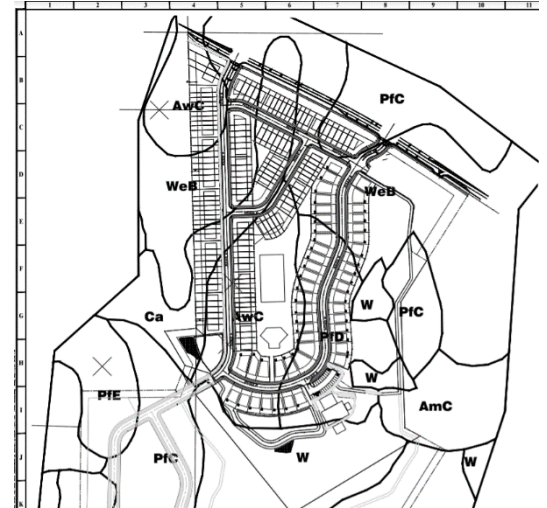
Aerial Map



BOARD OF ZONING APPEALS STAFF REPORT

Proposed Development

The applicant is proposing to develop phase 1 of the project which consists of a subdivision consisting of 131 town homes, new asphalt road, clubhouse, pool walking trail, and pavilion. Additional phases of the project include a commercial piece which will be small scale and neighborhood oriented located at one of the entrances of the development, and another residential phase in the back of the project which will be single-family detached houses. The current concept plan for the development if built would require a rezoning to modify the boundary between the commercial piece and the townhomes, at least 3 of the proposed residential lots are located within a C-1 district which does not allow residential as a permitted use. This stream buffer variance request has no direct bearing on a potential rezoning request.



APPLICABLE CODE REQUIREMENTS

City of Stonecrest Zoning Ordinance; Chapter 14 Article VII-Stream Buffer; Section 14-543. Minimum stream buffer requirements

- (a) *Stream buffers are established along all perennial and intermittent streams in the City. These required stream buffers begin at the stream bank and extend 75 feet away from the stream. The buffers must remain undisturbed excepts as otherwise provided in section 14-544.*

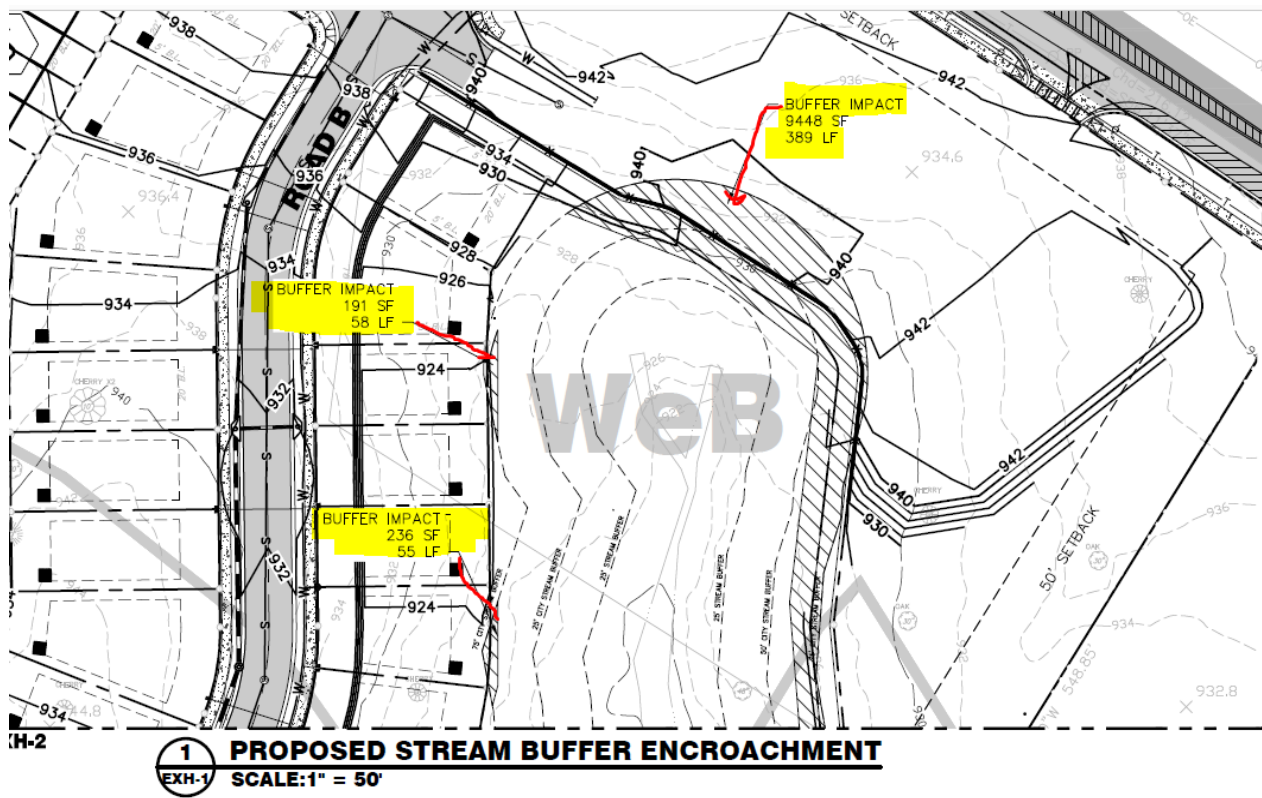


BOARD OF ZONING APPEALS STAFF REPORT

Variance Request

The applicant is requesting to encroach into the 75' and 50' no impervious buffer (s) . The applicant will encroach into the buffer in 7 locations. The first, second and third areas of encroachment is shown in exhibit 1. The applicant will encroach a total area of (9,448sf, 389 lf) into the 75' and 50' buffer this includes trails, retaining wall and some pavement. The second and third encroachments are (191 sf, 58 lf) and (236 sf , 55 lf) into the 75' buffer. The fourth, fifth, sixth and seventh areas of encroachment are shown in exhibit 2. The applicant will encroach a total of (5,495 sf, 300 lf), (146 sf, 54 lf) and (2179 Sf, 100 lf), for the trail and creek crossing serving the development.

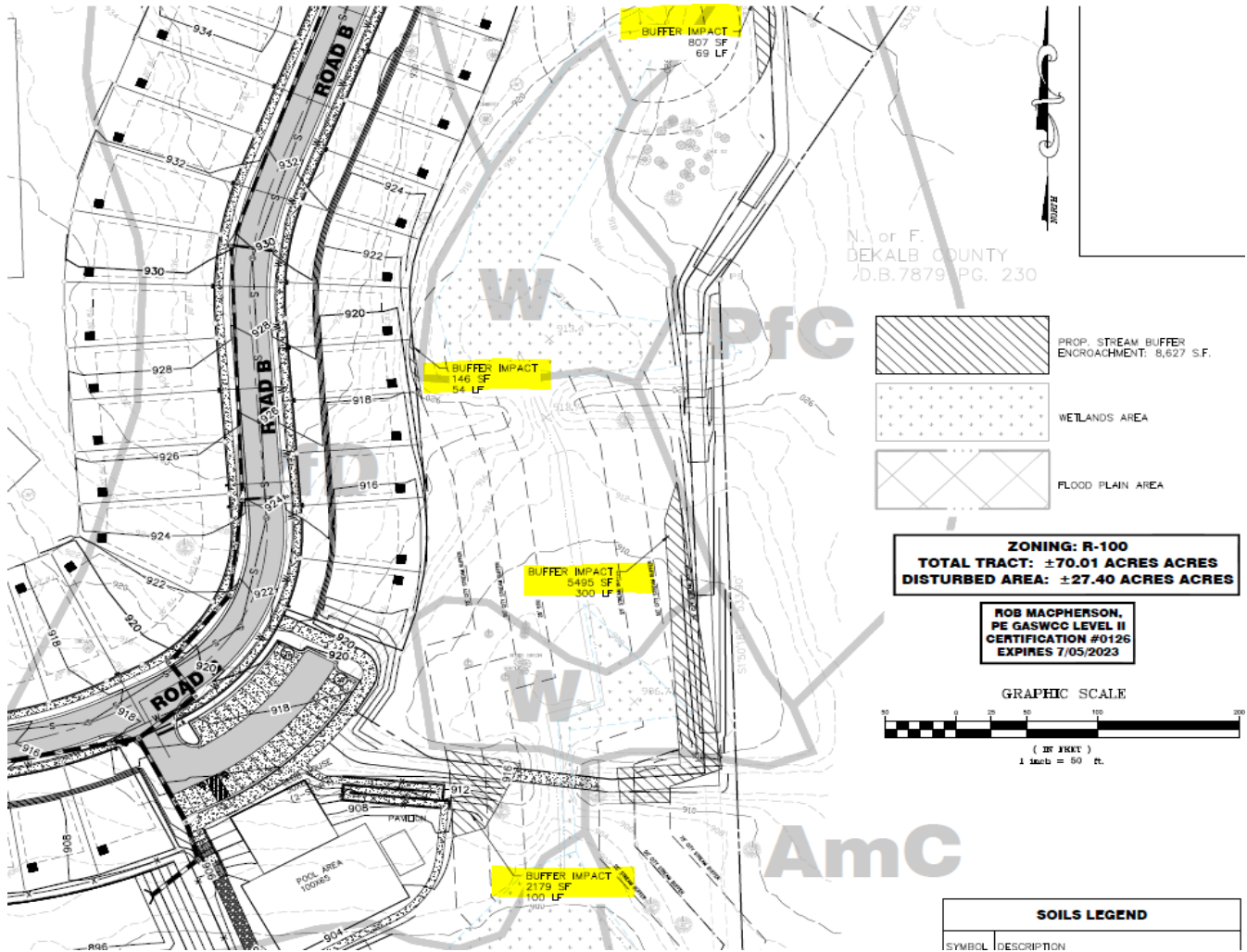
EXH 1.





BOARD OF ZONING APPEALS STAFF REPORT

EXH 2.





BOARD OF ZONING APPEALS STAFF REPORT

VARIANCE CONSIDERATIONS

Following are the specific considerations that must be considered by the Board of Zoning Appeals in order to grant a variance a per Sec. 7.5.3 of the Stonecrest Zoning Ordinance. These considerations include:

- A. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.**
- B. The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.**
- C. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.**
- D. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.**
- E. The requested variance would be consistent with the spirit and purpose of this chapter and the DeKalb County Comprehensive Plan text.**



BOARD OF ZONING APPEALS STAFF REPORT

STAFF ANALYSIS

- A. By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic and other site conditions (such as, but not limited to, floodplain, major stand of trees, steep slope), which were not created by the owner or applicant, the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district.**

There are exceptional site conditions, due to the location of the stream and the topography of the land. In order to develop the property the applicant would need encroach into the 75' and 50' stream buffers.

- B. The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located.**

Granting the variance would not go beyond the minimum necessary to afford relief and does not constitute granting special privilege which is inconsistent with the limitations upon other properties in the zoning district in which the subject property is located. Due to the shape of the subject property and the intended use, the applicant request is reasonable so the impact to the surrounding area will minimal.

- C. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.**

The granting of the variance will not be materially detrimental to the public welfare or injurious to the property. Based on staff analysis, there are adequate proposed water quality and stormwater mitigation steps to protect surrounding properties.

- D. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.**

The literal interpretation and strict application of the applicable provision or requirements of this chapter would cause undue and unnecessary hardship on the applicant. The applicant does not have enough space on the property to construct trail ways around the property.

- E. The requested variance would be consistent with the spirit and purpose of this chapter and the Stonecrest Comprehensive Plan text.**

The requested variance would be consistent with the spirit and purpose of this chapter and the Stonecrest Comprehensive Plan, which has designated this site as Suburban on the Future Development Map. The proposed residential community is consistent with that character area. By requesting the variance applicant is seeking an alternative method of developing the subject property while trying to minimize any negative effect for the surrounding area.



BOARD OF ZONING APPEALS STAFF REPORT

RECOMMENDED CONDITIONS

Based on the findings and conclusions, it appears the applicant meets all the criteria for approval. Therefore, staff recommends **Approval of V-21-003** and be subject to the following conditions:

1. Encroachment into the 75' and 50' no impervious buffer shall be limited to the square footage/linear footage shown in exhibit 1 and 2 of the site plan.
2. Shall provide a planting mitigation plan to Stonecrest City Staff to review before issuance of a Land Disturbance Permit

Attachments:
V-21-003 Application Materials

PRIME ENGINEERING INCORPORATED®

April 1, 2021

Mr. Chris Wheeler
City of Stonecrest
3120 Stonecrest Blvd.
Stonecrest, GA 30038

Re: **Stream Buffer Variance for 2261 Stone Mountain Lithonia Rd.**

Dear Mr. Wheeler:

This letter of Intent is to request a stream buffer variance for the above referenced property. Please find attached the required submittal package supporting the stream buffer request.

The following questions from the application and our responses are found below:

What is the adverse, material hardship provided by the existing buffer and how does it affect the following:

Due to the extended encroachment of the 75 foot buffer the depth of the commercial property is greatly impacted in it's ability to be used for it's intended purpose. By allowing encroachment into the buffer(s), the commercial lot can be appropriately used, the walking trail can fully encircle the property and individual properties will not require small retaining walls. See attached exhibits.

1. The shape, size, topography, slope, soils, vegetation and other physical characteristics.
2. The locations of all streams on the parcel including along parcel as well as adjacent properties.

One of the stream's spring head is located on this parcel and bisects the eastern portion of the parcel. In order to get the walking train all around the property, we need to encroach into the city buffer to construct the trail. Typically trails are allowed to be constructed within city buffers and perpendicular to state buffers.

3. The location and the extent of the proposed buffer or setback intrusions.

There are several intrusions noted in Exhibits 1 and 2. They are as follows:

- A. Intrusion 1 includes trail, retaining wall and some pavement. Total area within the initial 75' and 50' buffer is 9448 SF, 389 LF. See EXH 1.*
- B. Intrusion 2 into the 75' buffer for grading only is 191 SF, 58 LF. See EXH 1.*
- C. Intrusion 3 into the 75' buffer for grading only is 236 SF, 55 LF. See EXH 1.*
- D. Intrusion 4 into the 75' buffer for trail only is 807 SF, 69 LF. See EXH 2.*
- E. Intrusion 5 into the 75, 50' and 25' buffers for trail only, crossing creek is 5495 SF, 30 LF. See EXH 2.*
- F. Intrusion 6 into the 75' buffer for making the trail ADA compliant is 2179 SF, 100 LF. See EXH*

PRIME
ENGINEERING
INCORPORATED®

Mr. Kevin Condra
March 4, 2013
Page 2

2.

G. Intrusion 7 into the 75' and 50' buffers for grading only is 146 SF, 54 LF.

4. Alternatives which have no intrusions or less intrusions

All alternatives require retaining walls to be constructed. However these walls prevent the sheet flow into the wetlands. 2. Alternatives will make the commercial property unusable due to inadequate depth.

5. the water quality impacts of proposed variance

There should be no water quality impacts as all water will flow thru water quality treatment systems prior to being discharged into the wetlands or streams with the exception of the trail. The trail will be constructed of pervious materials.

6. whether the proposed mitigation compensates for the lost buffer or setback functions and otherwise maintains the function of the required buffer or setback at the same site where the impact will occur and provides at least the same protection of the water provided by the natural features to be disturbed or removed.

We can provide additional land area outside the buffers for mitigation purposes if required. However many of these areas will already fall under the HOA control property and is unusable land.

We appreciate the city's consideration of this request. Should you have any questions or need supplemental information, please feel free to contract me at 404-425-7124 or rmacpherson@prime-eng.com.

Sincerely,



Robert MacPherson
Vice President
Prime Engineering, Inc.

Attachments:



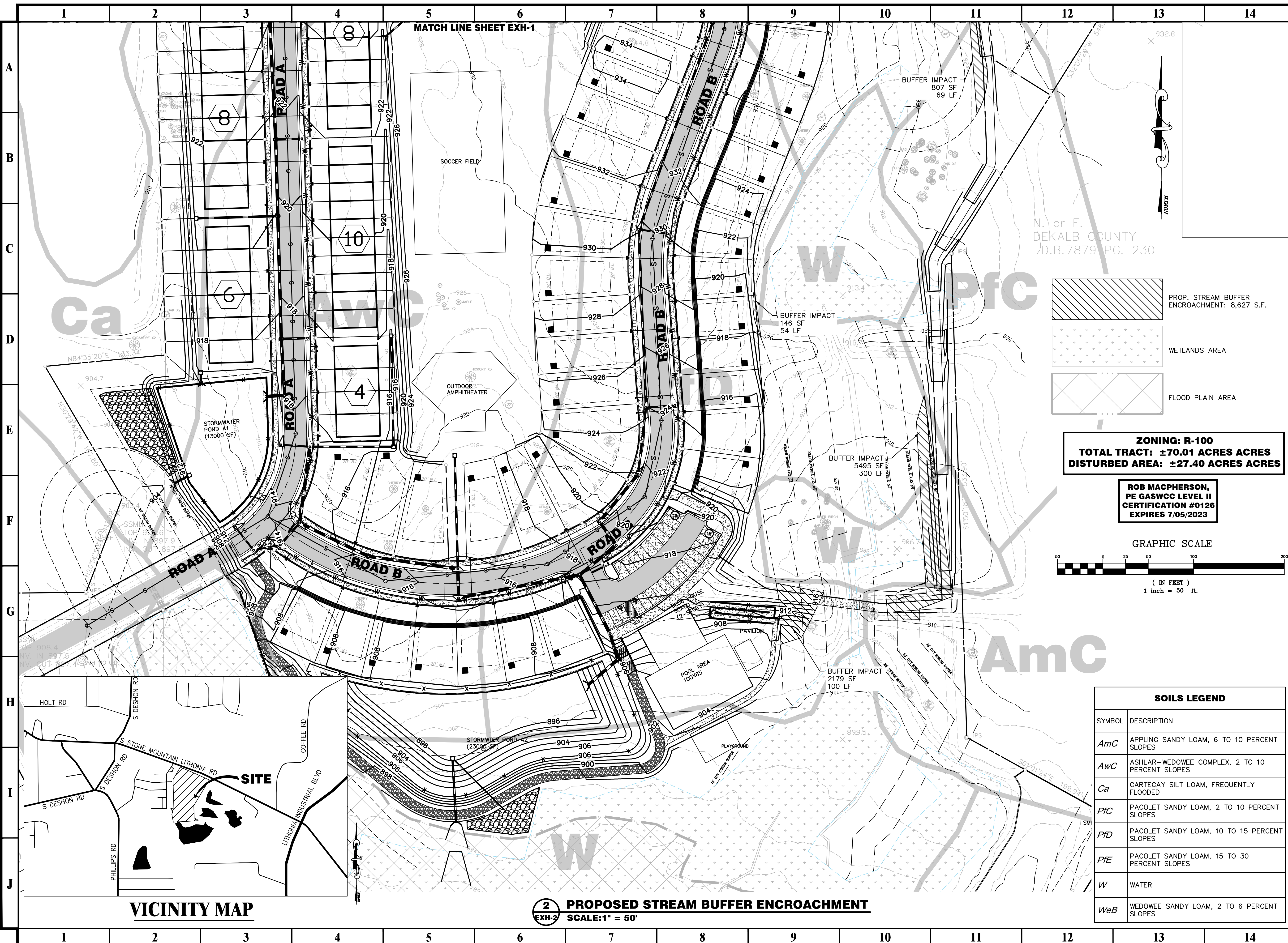
3120 Stonecrest Blvd. • Stonecrest, Georgia 30038 • (770) 224-0200 • www.stonecrestga.gov

Application

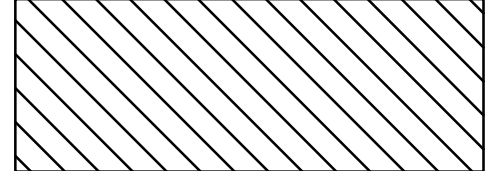


Type	Type of Request: <input type="checkbox"/> Zoning <input type="checkbox"/> Administrative Variances <input checked="" type="checkbox"/> Stream Buffer <input type="checkbox"/> Sign <input type="checkbox"/> Other			
	Applicable Zoning/Sign Code Section:			
Project	Nature of Request:		Required:	Proposed:
	<input type="checkbox"/> Setback		(See Chart to the Right)	
	<input type="checkbox"/> Sign		Minimum Setback Requirements	Proposed Setback Requirements
	<input type="checkbox"/> # Parking Spaces		Front	Front
<input checked="" type="checkbox"/> Other		Side	Side	
		Rear	Rear	
		Other	Other	
Name of Project/Subdivision: <u>Stonecrest Estates</u> Present Zoning: <u>R-100</u>				
Property Address/Location: <u>2261 Stone Mountain Lithonia Road, Lithonia, GA 30058</u>				
District: <u>16th</u>		Land Lot: <u>101, 124</u>	Block:	Property ID: <u>16-124-02-001</u>
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?				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Owner Information	Name: <u>Mehbs Omar (Ace Homes LLC.)</u>			
	Address: <u>5945 Peachtree Corners East, Norcross, GA 30071</u>			
	Phone: <u>(770) 560-5069</u>		Fax:	
	Cell: <u>(678) 249-8971</u>		Email: <u>acehomes@bellsouth.net</u>	
Affidavit	Name:			
	Address:			
	Phone:		Fax:	
	Cell:		Email:	
<p>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. I understand that failure to supply all required information (per the relevant Applicant Checklists and Requirements of the Stonecrest Zoning Ordinance) will result in the rejection of this application. I have read the provisions of the Georgia Code Section 36-67A-3 as required regarding Campaign Disclosures. My Signed Campaign Disclosure Statement is included</p>				
Applicant's Name: <u>MEHBS OMAR</u>				
Applicant's Signature: <u>[Signature]</u>			Date: <u>04/15/2021</u>	
Sworn to and subscribed before me this <u>15th</u> Day of <u>April</u> 20 <u>21</u>				
Notary Public: <u>Tabish Chaudhary</u>				
Signature: <u>[Signature]</u>				
Date: <u>4-15-2021</u>				
Application Received By:		Project Title:	Project Number:	
<input type="checkbox"/> Application Fee <input type="checkbox"/> Sign Fee <input type="checkbox"/> Legal Fee				
Fee: \$		Payment: <input type="checkbox"/> Cash <input type="checkbox"/> Check <input type="checkbox"/> CC	Date:	
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied			Date:	



R:\1445-0002 Crcft HB-300 Unit Subdivision\3 ENGINEERING\Drawings\STREAM BUFFER VARIANCE-1445-0002.dwg Tue, 03/16/21 5:58 PM

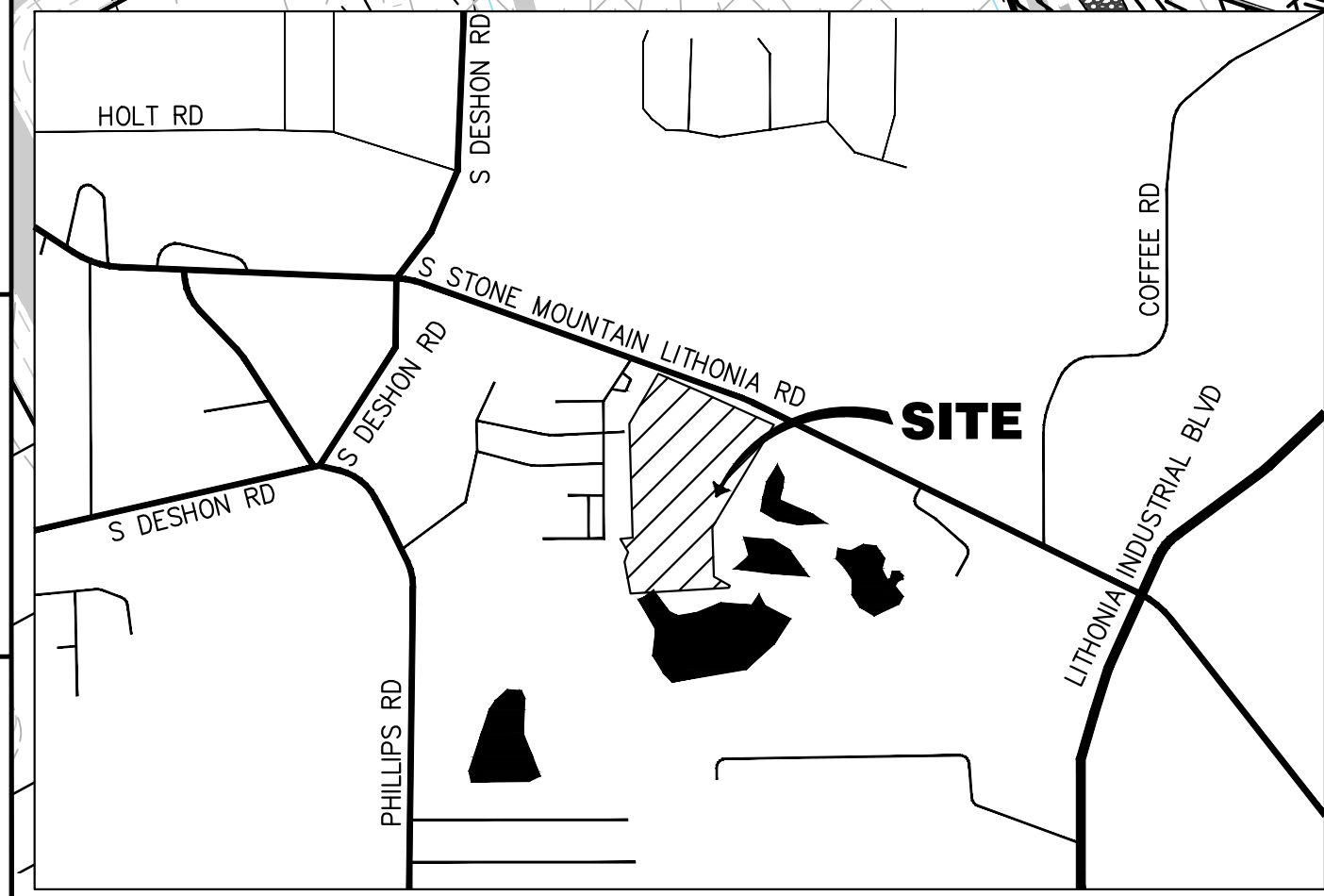
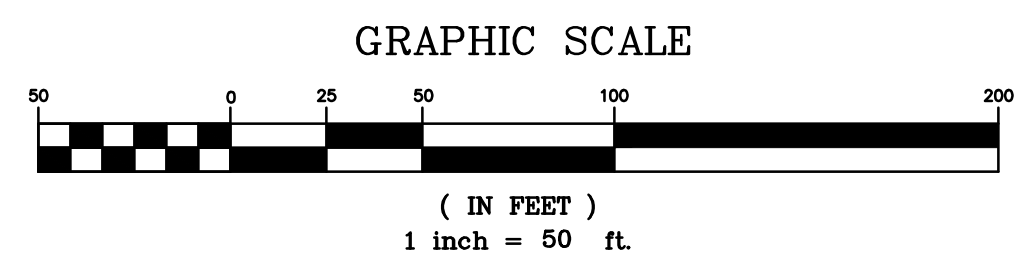


N. or F.
DEKALB COUNTY
D.B. 7879 PG. 230

-  PROP. STREAM BUFFER ENCROACHMENT: 8,627 S.F.
-  WETLANDS AREA
-  FLOOD PLAIN AREA

ZONING: R-100
TOTAL TRACT: ±70.01 ACRES ACRES
DISTURBED AREA: ±27.40 ACRES ACRES

ROB MACPHERSON,
PE GASWCC LEVEL II
CERTIFICATION #0126
EXPIRES 7/05/2023



VICINITY MAP

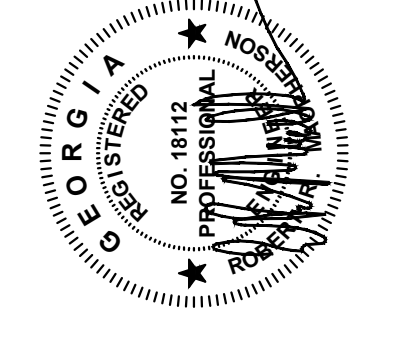
2 PROPOSED STREAM BUFFER ENCROACHMENT
EXH-2 SCALE: 1" = 50'

SOILS LEGEND	
SYMBOL	DESCRIPTION
<i>AmC</i>	APPLING SANDY LOAM, 6 TO 10 PERCENT SLOPES
<i>AwC</i>	ASHLAR-WEDOWEE COMPLEX, 2 TO 10 PERCENT SLOPES
<i>Ca</i>	CARTEGAY SILT LOAM, FREQUENTLY FLOODED
<i>PfC</i>	PACOLET SANDY LOAM, 2 TO 10 PERCENT SLOPES
<i>PfD</i>	PACOLET SANDY LOAM, 10 TO 15 PERCENT SLOPES
<i>PfE</i>	PACOLET SANDY LOAM, 15 TO 30 PERCENT SLOPES
<i>W</i>	WATER
<i>WeB</i>	WEDOWEE SANDY LOAM, 2 TO 6 PERCENT SLOPES

PRIME ENGINEERING INCORPORATED
 3715 NORTHSIDE PARKWAY NW
 300 NORTHBREEK SUITE 200
 ATLANTA, GEORGIA 30327
 404-425-7100

PROJECT: STONECREST ESTATES PHASE I
PREPARED FOR: CRAFT HOMES, LLC

NO.	DATE	DESCRIPTION

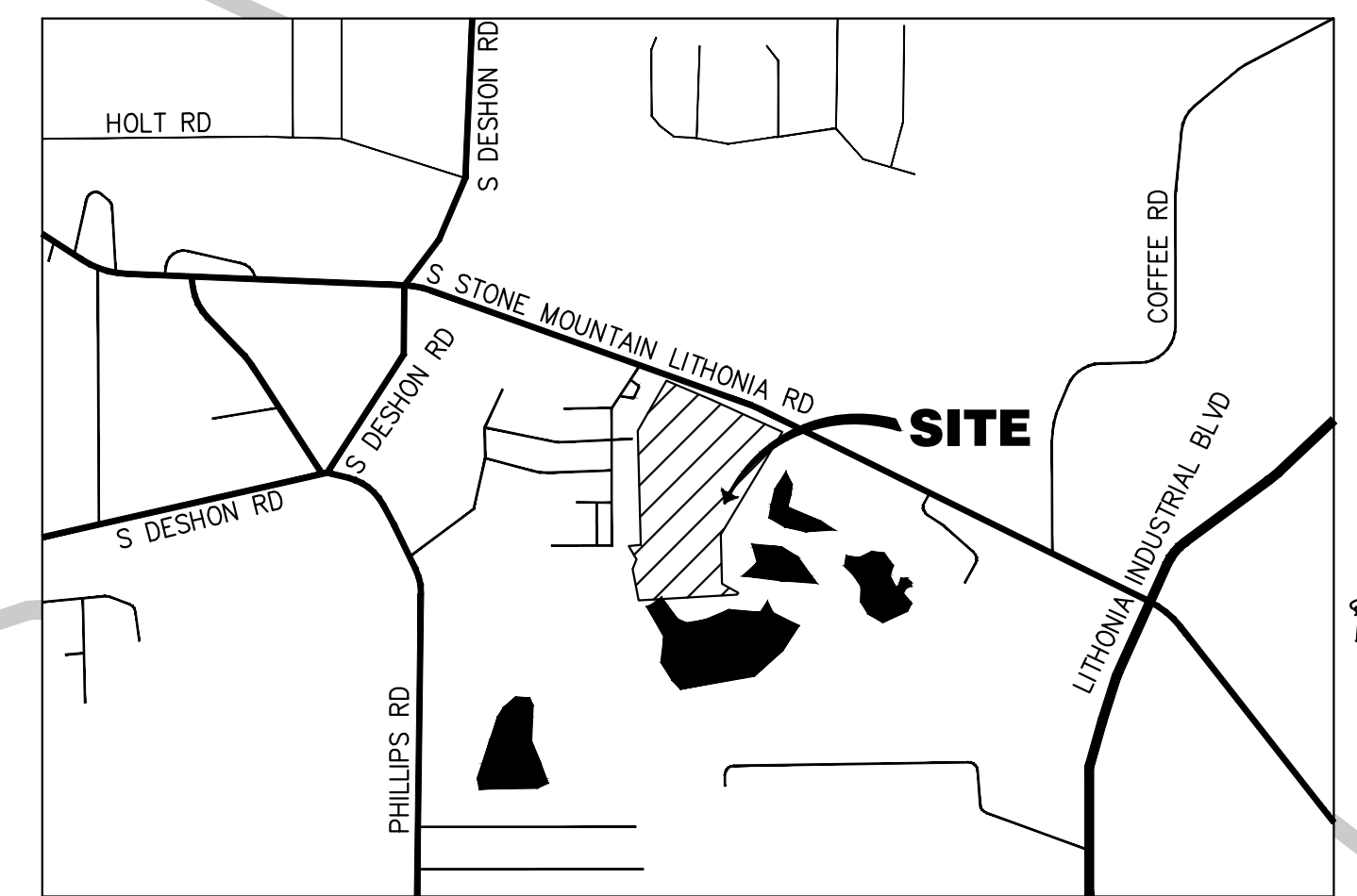
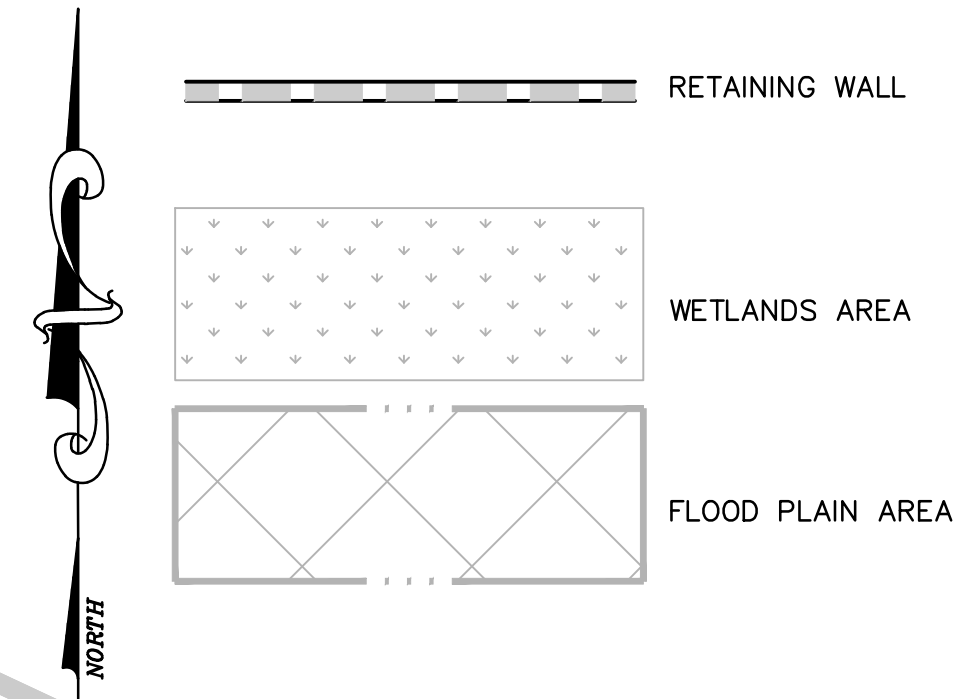
SEAL:  **DATE:** 03/16/21

DRAWING TITLE: **PROPOSED STREAM BUFFER ENCROACHMENT**

DRAWING DATE: 03/16/21	DRAWN BY: TMB
DRAWING SCALE: 1" = 50'	DESIGNED BY: RRM
PROJECT NUMBER: 1445-0002	CHECKED BY: RRM
DRAWING NUMBER: EXH-2	NOT ISSUED FOR CONSTRUCTION

ZONING: R-100
TOTAL TRACT: ±70.01 ACRES ACRES
DISTURBED AREA: ±27.40 ACRES ACRES

ROB MACPHERSON,
PE GASWCC LEVEL II
CERTIFICATION #0126
EXPIRES 7/05/2023



VICINITY MAP

PRIME ENGINEERING INCORPORATED
 3715 NORTHSIDE PARKWAY NW
 300 NORTHBREEK SUITE 200
 ATLANTA, GEORGIA 30327
 404-425-7100

PROJECT:
STONECREST ESTATES PHASE I
PREPARED FOR:
CRAFT HOMES, LLC

NO.	DATE	DESCRIPTION

SEAL

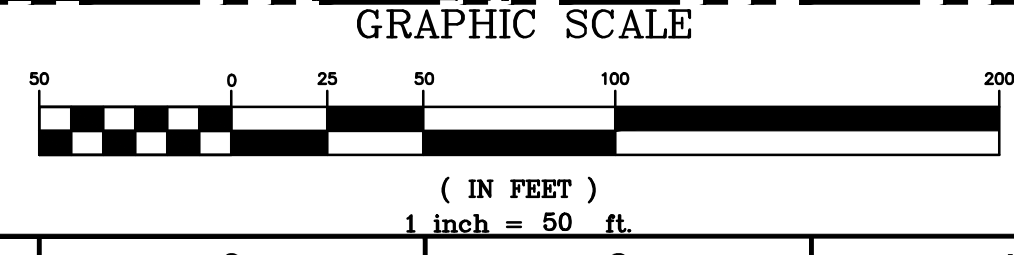
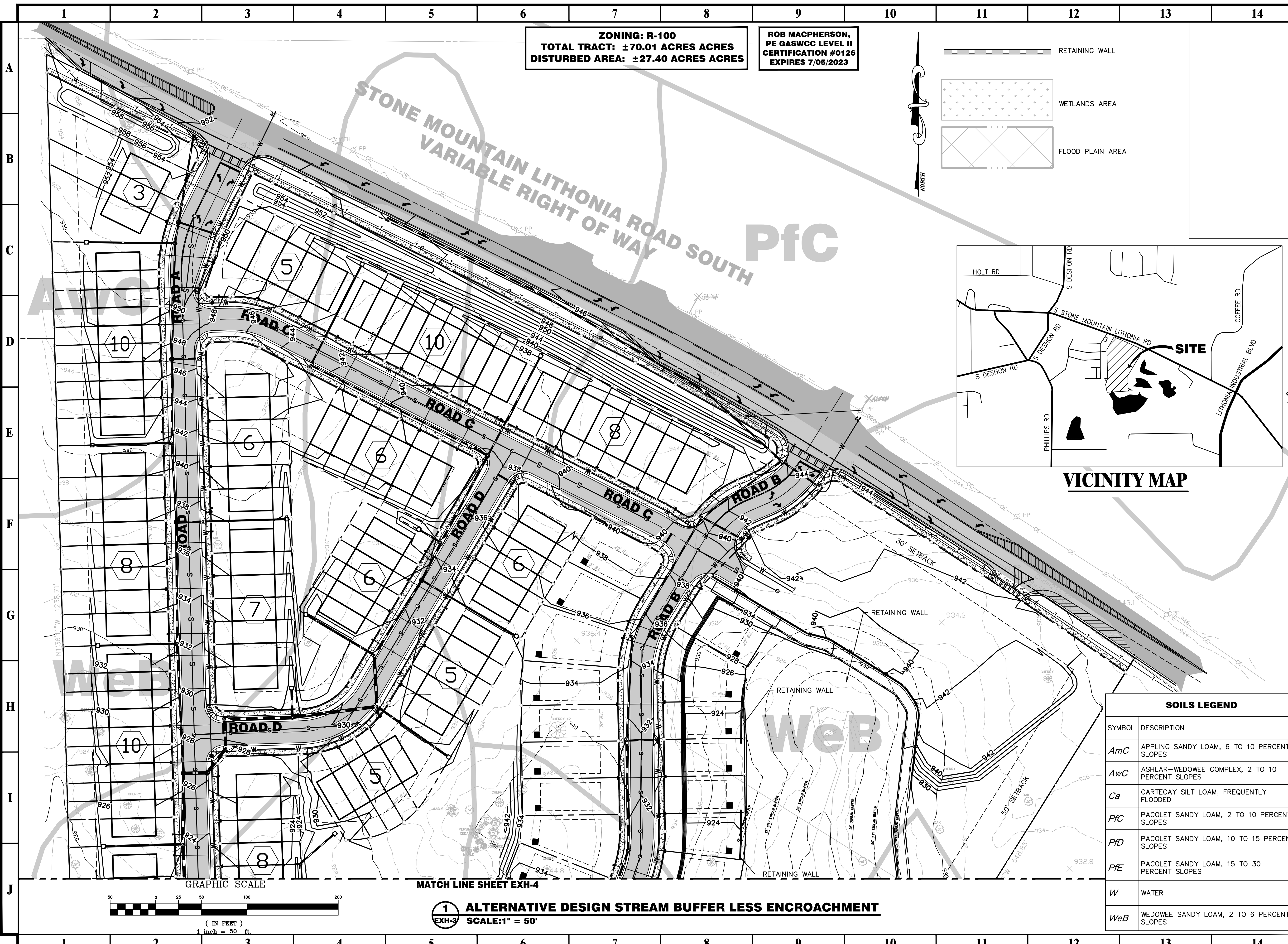
DATE: 03/16/21

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DRAWING TITLE
ALTERNATIVE DESIGN STREAM BUFFER LESS ENCROACHMENT

DRAWN BY TMB	DESIGNED BY RRM	CHECKED BY RRM
DRAWING DATE 03/16/21	DRAWING SCALE 1" = 50'	PROJECT NUMBER 1445-0002
DRAWING NUMBER EXH-3	NOT ISSUED FOR CONSTRUCTION	

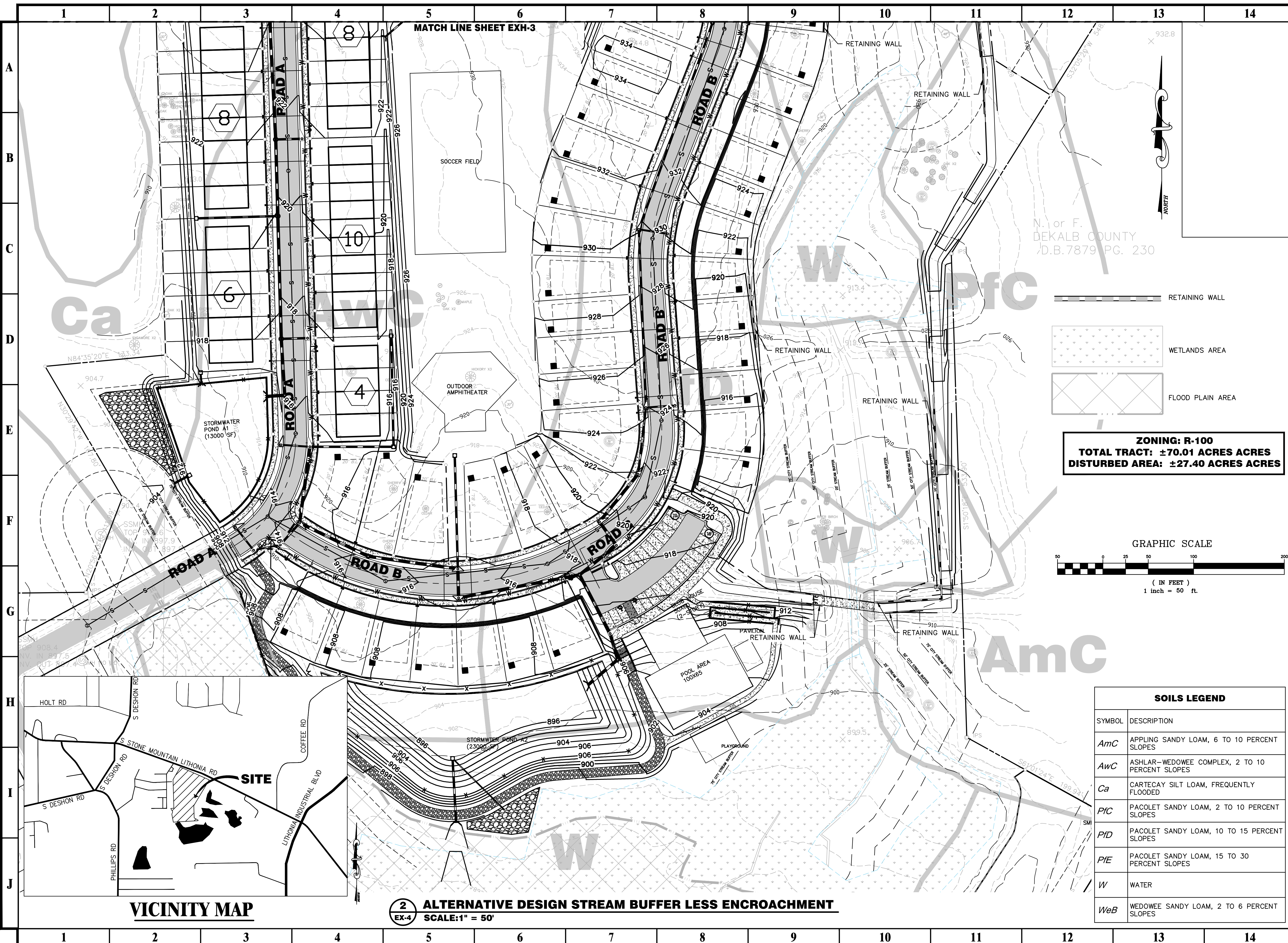
SOILS LEGEND	
SYMBOL	DESCRIPTION
<i>AmC</i>	APPLING SANDY LOAM, 6 TO 10 PERCENT SLOPES
<i>AwC</i>	ASHLAR-WEDOWEE COMPLEX, 2 TO 10 PERCENT SLOPES
<i>Ca</i>	CARTECAY SILT LOAM, FREQUENTLY FLOODED
<i>PfC</i>	PACOLET SANDY LOAM, 2 TO 10 PERCENT SLOPES
<i>PfD</i>	PACOLET SANDY LOAM, 10 TO 15 PERCENT SLOPES
<i>PfE</i>	PACOLET SANDY LOAM, 15 TO 30 PERCENT SLOPES
<i>W</i>	WATER
<i>WeB</i>	WEDOWEE SANDY LOAM, 2 TO 6 PERCENT SLOPES



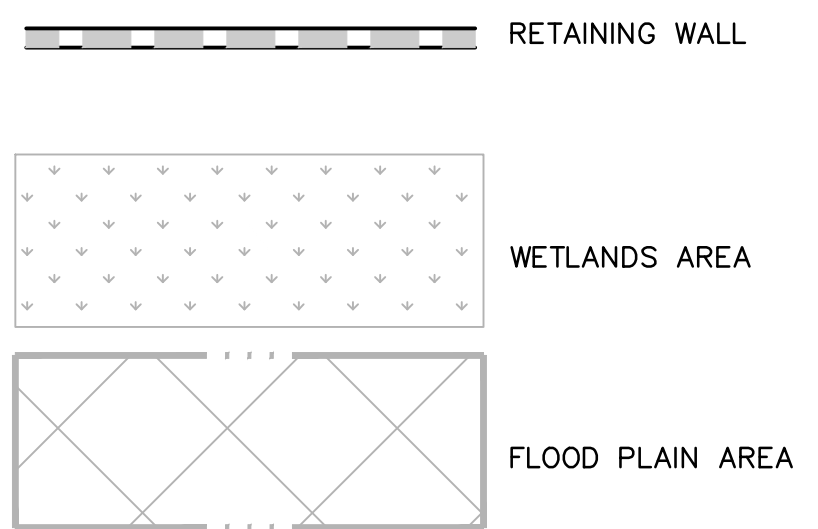
1 ALTERNATIVE DESIGN STREAM BUFFER LESS ENCROACHMENT
EXH-3 SCALE: 1" = 50'

R:\1445-0002 Craft HB-300 Unit Subdivision\3 ENGINEERING\Drawings\STREAM BUFFER VARIANCE-1445-0002.dwg Tue, 03/16/21 5:58 PM

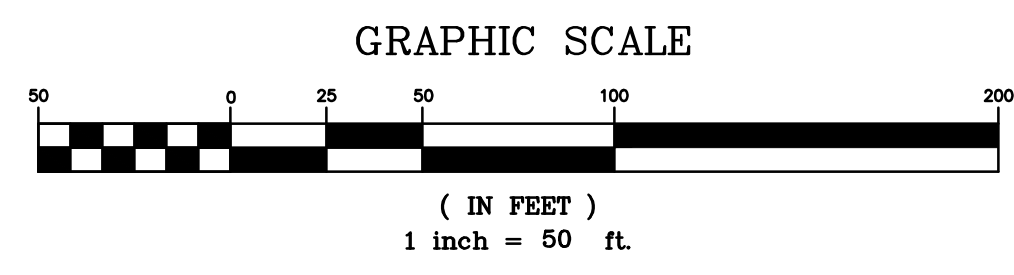
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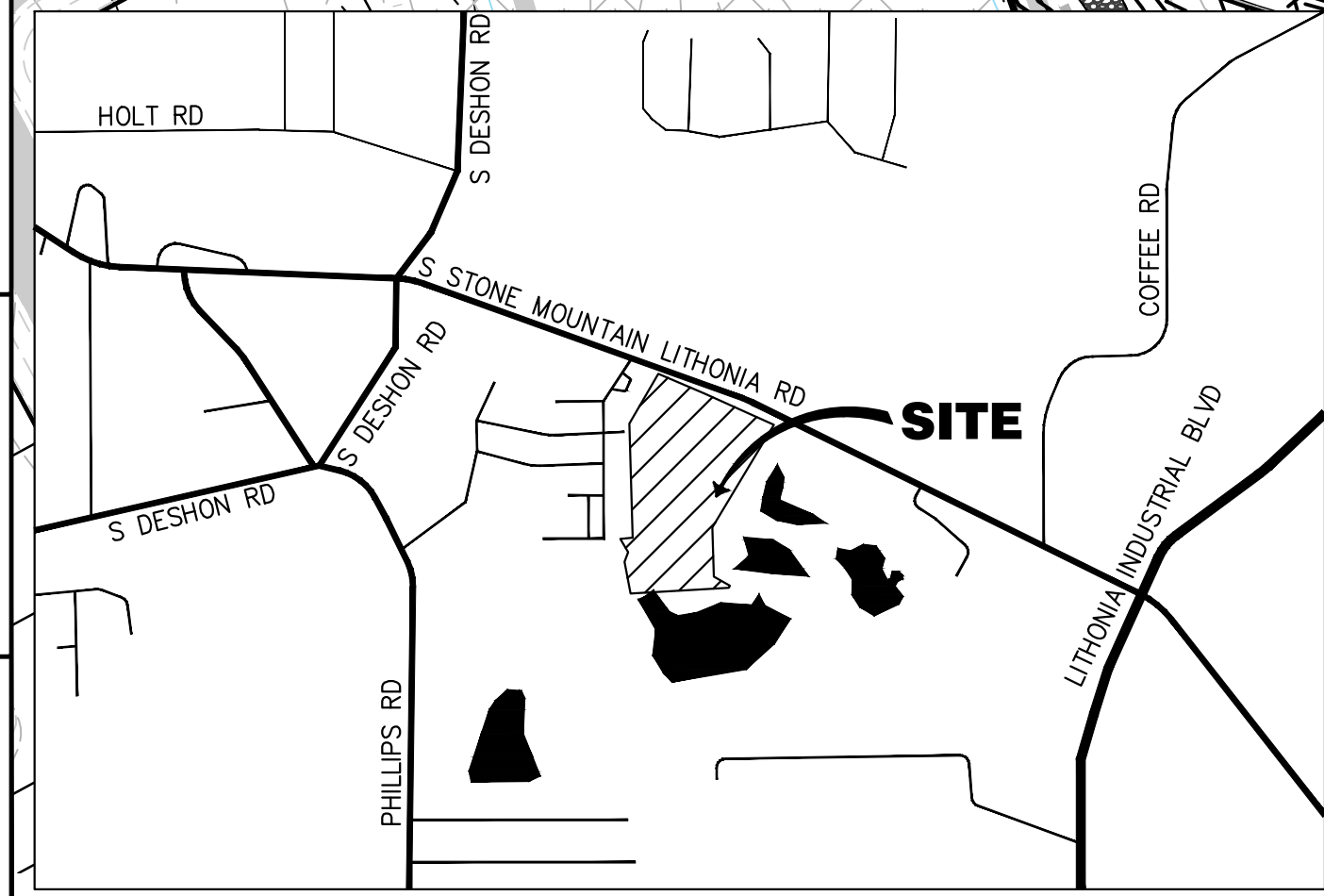
N. or F.
DEKALB COUNTY
D.B. 7879 PG. 230



ZONING: R-100
TOTAL TRACT: ±70.01 ACRES ACRES
DISTURBED AREA: ±27.40 ACRES ACRES



SOILS LEGEND	
SYMBOL	DESCRIPTION
<i>AmC</i>	APPLING SANDY LOAM, 6 TO 10 PERCENT SLOPES
<i>AwC</i>	ASHLAR-WEDOWEE COMPLEX, 2 TO 10 PERCENT SLOPES
<i>Ca</i>	CARTEGAY SILT LOAM, FREQUENTLY FLOODED
<i>PfC</i>	PACOLET SANDY LOAM, 2 TO 10 PERCENT SLOPES
<i>PfD</i>	PACOLET SANDY LOAM, 10 TO 15 PERCENT SLOPES
<i>PfE</i>	PACOLET SANDY LOAM, 15 TO 30 PERCENT SLOPES
<i>W</i>	WATER
<i>WeB</i>	WEDOWEE SANDY LOAM, 2 TO 6 PERCENT SLOPES



VICINITY MAP

2 ALTERNATIVE DESIGN STREAM BUFFER LESS ENCROACHMENT
EX-4 SCALE: 1" = 50'

PRIME ENGINEERING INCORPORATED
3715 NORTHSIDE PARKWAY NW
300 NORTHBREK SUITE 200
ATLANTA, GEORGIA 30327
404-425-7100

PROJECT: **STONECREST ESTATES PHASE I**
PREPARED FOR: **CRAFT HOMES, LLC**

NO.	DATE	DESCRIPTION

SEAL: DATE: **03/16/21**

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DRAWING TITLE: **ALTERNATIVE DESIGN STREAM BUFFER LESS ENCROACHMENT**



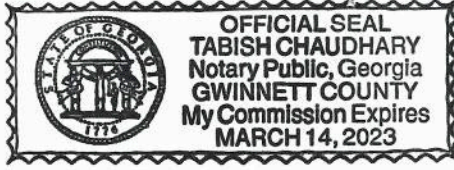
DRAWING DATE: 03/16/21	DRAWN BY: TMB	DESIGNED BY: RRM	CHECKED BY: RRM
DRAWING SCALE: 1" = 50'	PROJECT NUMBER: 1445-0002	DRAWING NUMBER: EXH-4	NOT ISSUED FOR CONSTRUCTION



3120 Stonecrest Blvd. • Stonecrest, Georgia 30038 • (770) 224-0200 • www.stonecrestga.gov

Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this variance application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for variance(s), 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	Signature: 	Date: 03/30/2021	
	Address: 5945 PEACHTREE CORNERS EAST	City, State: NORCROSS, GA	Zip: 30071
	Phone: 770-560-5069		
	Sworn to and subscribed before me this 30 th day of March, 2021		
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:			

Property Line Description: Craft Homes

All that tract or parcel of land lying and being in Land Lot 124 and Land lot 101 of the 16th District, 2nd Section, Dekalb County, Georgia, and being more particularly described as follows:

Commencing at a common corner to land lots 100, 125, 124 & 101 Thence along common land lot line to L.L. 124 and 101; Thence South 01 degrees 10 minutes 20 seconds East, 17.50 feet to a point at the south right of way line of Stone Mountain Lithonia Road (Variable R/W); Said point being the POINT OF BEGINNING.

Thence along the south right of way line of Stone Mountain Lithonia Road (Variable R/W) South 63 degrees 58 minutes 10 seconds East, 583.15 feet to a point;

Thence continuing along said the south right of way line a curve to the right, an arc distance of 447.7 feet, said curve having a radius of 3619.84 feet and being subtended by a chord of 447.41 feet, at South 60 degrees 29 minutes 25 seconds East, to a point; Thence continuing along said the south right of way line South 57 degrees 00 minutes 39 seconds East, 110.28 feet to a point; Thence continuing along said the south right of way line a curve to the right, an arc distance of 216.13 feet, said curve having a radius of 7667.09 feet and being subtended by a chord of 216.12 feet, at South 56 degrees 11 minutes 37 seconds East, to a point;

Thence continuing along said the south right of way line South 55 degrees 22 minutes 34 seconds East, 8.38 feet to a point;

Thence leaving said the right of way South 32 degrees 05 minutes 20 seconds West, 548.85 feet to a point;

Thence South 01 degrees 50 minutes 18 seconds East, 533.9 feet to a 1/2" rebar set;

Thence South 61 degrees 01 minutes 24 seconds East, 199.94 feet to a 1/2" rebar set;

Thence South 31 degrees 56 minutes 22 seconds West, 1472.10 feet to a 1/2" rebar set;

Thence North 89 degrees 04 minutes 31 seconds West, 788.73 feet to a 1/2" rebar set;

Thence North 01 degrees 05 minutes 35 seconds East, 627.79 feet to a 1/2" rebar set;

Thence North 00 degrees 46 minutes 32 seconds East, 861.56 feet to a 1" open top;

Thence North 89 degrees 23 minutes 38 seconds East, 398 feet to a 1/2" rebar set;

Thence North 20 degrees 56 minutes 50 seconds East, 111.99 feet to a point at center of stream;

Thence (a tie line-centerline stream is property line) North 30 degrees 29 minutes 42 seconds West, 167.8 feet to a point;

Thence leaving the stream North 84 degrees 35 minutes 20 seconds East, 133.34 feet to an axle found;

Thence North 01 degrees 36 minutes 11 seconds West, 1238.71 feet to a point at the south right of way line of Stone Mountain Lithonia Road (Variable R/W); said point being the POINT OF BEGINNING;

Said tract or parcel of land contains 70.01 acres.




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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: 
	Address: 5945 PEACHTREE CORNERS EAST, NORCROSS GA 30071
	Date: 04/15/2021

If the answer above is yes, please complete the following section:

Date	Government Official	Official Position	Description	Amount

Sworn to & subscribed before me this 15 Day of April 2021

Variance Application

Signature: 
Date: 4-15-2021



Page 10 of 13
08-25-2017



ZONING BOARD OF APPEALS MEETING `MOTIONS`

Stonecrest City Hall's ZOOM-Virtual, 6:00 PM

September 21, 2021

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).

I. Call to Order

Chairman Erica Williams called the meeting to order at 6:04 PM.

II. Roll Call

Chairman Erica Williams called the roll. Ms. Sonja Hicks, Mr. Michael Armstrong, and Ms. Gwen Green were present. Ms. Louise Alexander was absent. There was a quorum.

Planning & Zoning Director Jim Summerbell was present.

III. Minutes

The Zoning Board of Appeals Meeting Minutes Summary dated May 18, 2021, was **unanimously APPROVED**. Mr. Michael Armstrong motioned to **APPROVE**. Ms. Sonja Hicks seconded the motion.

IV. Old Business: None

V. New Business:

A. Public Hearing(s):

LAND USE PETITION:	V-21-003
PETITIONER:	ACE Homes LLC (Representative, Prime Engineering, Inc.)
LOCATION:	2261 Stone Mountain Lithonia Rd, Stonecrest, GA 30038
CURRENT ZONING:	MR-1
PROPOSED DEVELOPMENT:	Request to encroach into the 75 feet stream buffer

Mr. Summerbell presented **PETITION V-21-003**. The encroachment into the 75' buffer will be in 7 locations. The Staff recommends **APPROVAL** of **PETITION V-21-003** with conditions.

The applicant, Mr. Robert McPherson, VP, Prime Engineering, Inc. spoke on the stream that cuts across the property to the buffer, staying away from the creek, and wetland.

The Chairman asked for those in support to speak. There was none.

The Chairman asked for those in opposition to speak. There was one, Mr. Al Jackson of 6437 Phillips Place opposed.

The Chairman motioned to **APPROVE PETITION V-21-003 with Staff's recommended conditions**. Ms. Hicks seconded the motion. The vote was unanimous.

VI. Adjournment:

The vote was carried **unanimously** to adjourn the meeting at 6:55 PM. Mr. Armstrong motioned to **adjourn the meeting**. Ms. Hicks seconded the motion.