



**BOARD OF ZONING & APPEALS MEETING**  
Stonecrest City Hall – **ZOOM-VIRTUAL\***  
July 19, 2022, 6:00 PM

**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. Oath of Office**
- III. Roll Call**
- IV. Minutes:** The Approval of the Zoning Board Meetings Minutes Summary dated January 18, 2022.
- V. Old Business:** None
- VI. New Business:**

LAND USE PETITION:	V-22-001
PETITIONER:	Andrea Carkhum, First Impression Pools, LLC
LOCATION:	7346 Moss Stone Drive
CURRENT ZONING:	R-85 (Residential Medium Lot-85)
PROPOSED DEVELOPMENT:	Request to increase the maximum lot coverage percentage from 35% to 41.2%

*\*Meeting will be held in-person and virtually via the [www.zoom.com](http://www.zoom.com). Meeting can be view on the City of Stonecrest Youtube page. Citizens wishing to make public comment can come to City Hall and make comments on a laptop running the Zoom application at the podium in Council Chambers or submit their questions via email address [kjackson@stonecrestga.gov](mailto:kjackson@stonecrestga.gov).*

**Public Hearing(s):**

1.

LAND USE PETITION:	V-22-001
PETITIONER:	Andrea Carkhum, First Impression Pools, LLC
LOCATION:	7346 Moss Stone Drive
CURRENT ZONING:	R-85 (Residential Medium Lot-85)
PROPOSED DEVELOPMENT:	Request to increase the maximum lot coverage percentage from 35% to 41.2%



## VII. Adjournment





## **BOARD OF ZONING APPEALS STAFF REPORT**

**Board of Zoning Appeals Public Hearing: July 19, 2022**

<b>CASE NUMBER:</b>	<b>V-22-001</b>
<b>PROPERTY LOCATION:</b>	<b>7346 Moss Stone (Parcel 16 180 01 003)</b>
<b>CURRENT ZONING:</b>	<b>R-85 (Residential Small Lot)</b>
<b>PARCEL SIZE:</b>	<b>0.30 acres</b>
<b>PROPERTY OWNER(S):</b>	<b>Antwan House</b>
<b>STAFF RECOMMENDATION:</b>	<b>Approval</b>
<b>VARIANCE REQUEST:</b>	<b>Increase the maximum lot coverage percentage from the 35% to 41.2%</b>

### **Current Use**

The subject property is a residential dwelling located in the Parks of Stonecrest Subdivision. The intent of R-85 is to:

- A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 12,000 square feet;
- B. To provide for compatible infill development in neighborhoods;
- C. To provide protections for existing development as new subdivisions are created;
- D. To provide flexibility in design on the interior of new development while protecting surrounding development;
- E. To ensure that the uses and structures authorized in the R-85 (Residential Medium Lot-85) District are those uses and structures designed to serve the housing, recreational, educational, religious, and social needs of the neighborhood;
- F. To provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents;
- G. To implement the future development map of the city's comprehensive plan.

### **Zoning and case history**

The subject property and all surrounding properties are zoned R-85 (Residential Small lot) and no conditions of zoning have been placed on it.



## BOARD OF ZONING APPEALS STAFF REPORT



### V-22-001 Zoning Map

#### Existing Conditions

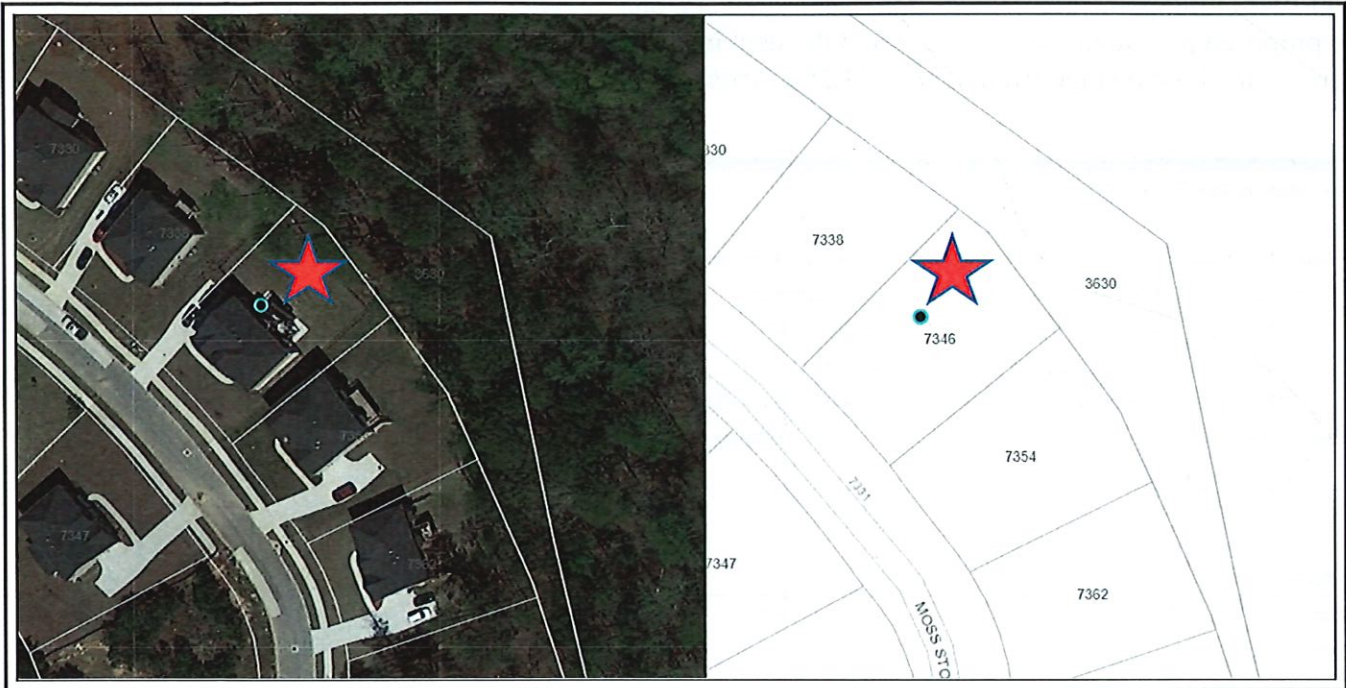
The property slopes down to the southern portion of the lot, and has been terraced to provide a relatively level, though uneven, work site. There are only a few trees along the rear periphery of the site which is relatively undisturbed. There is a sitting bench in this area and appears to be a fire pit. There are no water features. Most of the yard has vegetative surfacing.







## BOARD OF ZONING APPEALS STAFF REPORT



V-22-001 Aerial Map

V-22-001 Topography Map

The character of the entire area surrounding the site is active residential. The subject property is accessed via an asphalt apron driveway that lead to a garage parking area. The subject property is a two-story, 5 bedroom and 3 bedroom traditional residential dwelling. One of the major issues facing properties all along this portion of Moss Stone is that back yard area is heavily wooded and has a slope. The lot is relatively small to enjoy recreational entertainment.



## BOARD OF ZONING APPEALS STAFF REPORT

### Variance Request

The applicant is seeking a variance not increase the maximum lot coverage from 35% to 41.2% to allow for an inground swimming pool. According to the submitted site plan prepared by Land Engineering and Surveying, Inc. the proposed pool area will be 512 sf and the decking surrounding the pool will be 448 sf. This addition will increase the lot coverage from 35% to 41.2%, Article 2 of the Chapter 27 Zoning Ordinance.

<i>Residential Single-Family Zoning Districts</i>								
KEY:								
Housing Types: SF: Single-Family, TF: Two-Family, TRF: Three-Family, MF: Multifamily Character Areas: RC: Regional Center, TC: Town Center, NC: Neighborhood Center, SUB: Suburban								
<i>Element</i>	<i>RE</i>	<i>RLG</i>	<i>R-100</i>	<i>R-85</i>	<i>R-75</i>	<i>R-60</i>	<i>MHP</i>	<i>RNC*</i>
<i>Lot Dimensions (minimum)</i>								
Lot area (square feet)	43,560 (1 acre)	20,000	15,000	12,000	10,000	6,000/3,500 cottage	Parks: 20 acres Lots: 4,000	*
Lot width, street frontage (feet)	150	65	100	85	75	60	Parks: 400 Lots: 50	*
Lot width at building line (feet)	150	65	100	85	75	60	N/A	*
Lot width fronting cul- de-sac (feet)	35	35	35	35	35	35	N/A	*
Lot coverage (maximum percent)	25	30	35	35	35	35	N/A	*





## BOARD OF ZONING APPEALS STAFF REPORT

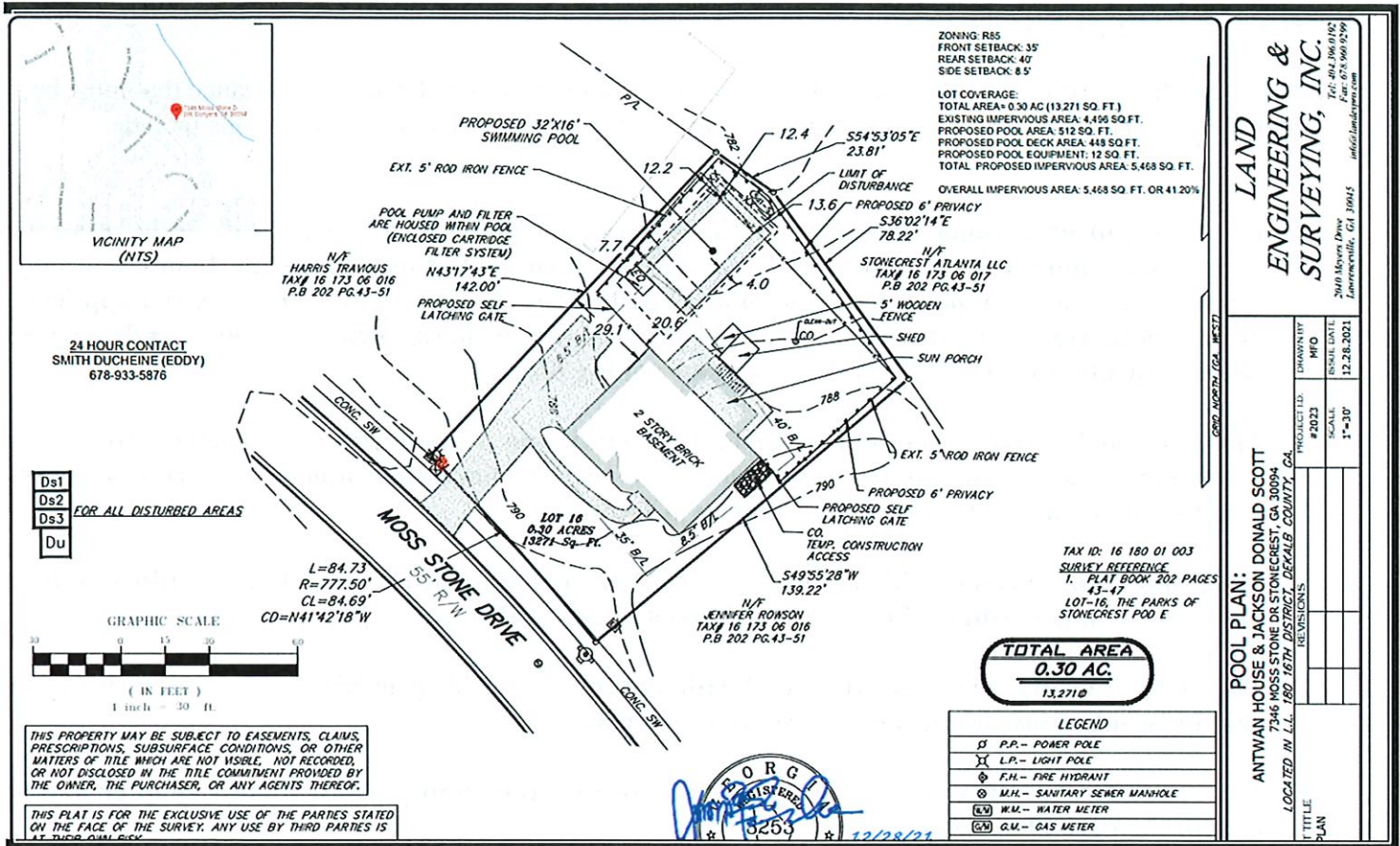


Figure 1: V-22-001 7346 Moss Stone Survey

### APPLICABLE CODE REQUIREMENTS

City of Stonecrest Zoning Ordinance; Chapter 27 Article 2 District Regulations, Division 2 – Residential Zoning Districts: Dimensional Requirements, Section 2.24.1, Table 2.2 which establishes the lot coverage requirement for R-85, at 35%.



## **BOARD OF ZONING APPEALS STAFF REPORT**

### **VARIANCE CONSIDERATIONS**

Following are the specific considerations listed in Sec 7.5.3 of the Stonecrest Zoning Ordinance that must be considered by the Board of Zoning Appeals in order to grant a variance. 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 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 size and topography of the subject property there is a challenge on where the pool can go. The survey submitted shows the location of the proposed pool at the rear of the driveway. The image is showing the pool encroaching the side and rear yard setbacks. A variance request has not been communicated with staff to bring the proposed pool into compliance. Staff recommend the pool placement does not encroach any yard setbacks.

- 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 site factors and space requirements of the site, the applicant's request is reasonable.

- 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. Staff want to ensure the property owner to the east of the subject property is aware and in agreement with the placement of the pool.

- 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's request.

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



## **BOARD OF ZONING APPEALS STAFF REPORT**

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. As such the proposed suburban use is consistent with the desired character of the area, the spirit and intent of the R-85 zoning district, and would be an asset to the overall economy of the city.

### **RECOMMENDED CONDITIONS**

Based on the findings and conclusions, it appears the applicant meets all the criteria for approval. Therefore, staff recommends **Approval of V-22-001** with the following conditions.

1. The proposed lot coverage shall not exceed 41.2%.
2. The proposed pool cannot encroach into the side or rear yard without ZBA approval

#### **Attachments:**

1 – Application Packet for V-22-001 Conceptual Site Plan/Survey



**BARRIER NOTE:**

DOORS WITH DIRECT ACCESS TO POOL SHALL BE EQUIPPED WITH AN ALARM THAT PRODUCES AN AUDIBLE WARNING WHEN THE DOOR AND/OR ITS SCREEN IS PRESENT, ARE OPENED IN ACCORDANCE WITH INTERNATIONAL BUILDING CODE, SECTION 3109.4.1.8(1)

BEFORE STARTING ANY LAND DISTURBING ACTIVITIES, THE CONTRACTOR IS REQUIRED TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH LOCAL AREA AND EROSION CONTROL DISTRICTS. FAILURE TO SCHEDULE THIS MEETING WILL RESULT IN A STOP WORK ORDER OR PERMIT RELOCATION.

"THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.

"EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. ADDITIONAL MEASURES BEYOND THE APPROVED PLAN SHALL BE IMPLEMENTED IF NECESSARY.

"DISTURBED AREAS IDLE 14 DAYS SHALL BE STABILIZED WITH TEMPORARY VEGETATION- DISTURBED AREAS LEFT IDLE 30 DAYS SHALL BE STABILIZED WITH PERMANENT VEGETATION.

"EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSPECTED AT LEAST WEEKLY, AFTER EACH RAIN, AND REPAIRED AS NECESSARY. ADDITIONAL MEASURES SHALL BE INSTALLED IF FOUND NECESSARY BY ON-SITE INSPECTION.

"SILT FENCE SHALL MEET THE REQUIREMENTS OF SECTION 171- TYPE "C" TEMPORARY SILT FENCE, OF THE DEPARTMENT OF TRANSPORTATION SPECIFICATIONS, 1992 EDITION

NOTE  
PROPOSED POOL WILL NOT REQUIRE DRAINING OR IF POOL DRAIN IS REQUIRED, SAID DRAIN WILL BE DIRECTED TO THE EXISTING PUBLIC SANITARY SEWER

A CONSTRUCTION EXIT (CE) WILL BE ERECTED AND MAINTAINED THROUGHOUT THE ENTIRE CONSTRUCTION PROCESS IF DETERMINED TO BE NECESSARY BY ON SITE INSPECTION. IT WILL PREVENT THE TRACKING AND FLOW OF MUD FROM ENTERING THE PUBLIC ROADWAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH 1.5"-3.5" STONE. ALL SEDIMENT DROPPED, WASHED, OR TRACKED ONTO THE ROADWAY WILL BE REMOVED IMMEDIATELY.

EROSION CONTROL SEEDING SCHEDULE (Dx1, Dx2, Dx3)

CONTRACTOR SHALL PROTECT ALL UNDISTURBED AREAS BY TEMPORARILY RE-SEEDING UNTIL PERMANENT GROUND COVER IS ESTABLISHED. (MAXIMUM 3 WEEKS).

SOIL PREPARATION:  
ADD 2 TONS OF LIME PER ACRE FOR PERMANENT GRASS. HAY MULCH FOR TEMPORARY COVER AT 5000 LBS. PER ACRE.

TOP DRESSES- APPLY WHEN PLANTS ARE 2-4 INCHES TALL

FERTILIZER (AMMONIUM NITRATE 33%) 300 LBS PER ACRE.

SECOND YEAR FERTILIZER: (5-10-15) OR EQUIVALENT 500 LBS. PER ACRE

SEEDING RATES:

SUMMER 471-915 BERMUDA (HULLED) 10 LBS. PER ACRE

COOL 911-111 FESCUE (KY-31) 50 LBS PER ACRE

WINTER 1117-4115 ANNUAL RYE GRASS 50 LBS. PER ACRE

**ARBORIST**

ARBORIST NOTES:  
NOTES REQUIRED:  
RECONFIRM CALCULATIONS:

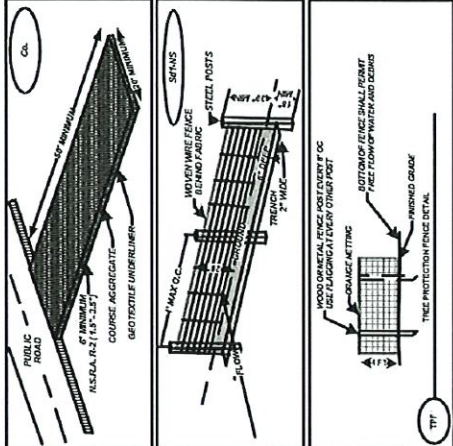
R-4100(R-EM-AREP) + EDI(TOBNREM-TD-BNREP)  
R-4100(R-41) + 250(0-9)  
R-4100

No grade changes to take place as a result of proposed pool construction.

AG-105.2 OUTDOOR SWIMMING POOL:  
AN OUTDOOR SWIMMING POOL, INCLUDING GROUND POOL, HOT TUB OR SPA, SHALL BE PROVIDED WITH A BARRIER WHICH SHALL COMPLY WITH THE FOLLOWING:

**LEGEND:**

1. TREE FENCE (TF)  
2. SILT FENCE (SF)  
3. EXISTING 5" WOOD FENCE  
4. LIMITS OF DISTURBANCE



DIRT STATEMENT  
NO GRADE SLOPE SHALL EXCEED  
2H: 1V  
151.7 CUBIC YARD OF DIRT TO BE CUT FOR  
PROPOSED POOL.  
ALL CUT TO BE HAULED FROM SITE



12/28/21

**LAND ENGINEERING & SURVEYING, INC.**  
2040 Meyers Drive  
Lawrenceville, GA 30045  
Tel: 404.396.0192  
Fax: 678.960.9299  
info@landepro.com

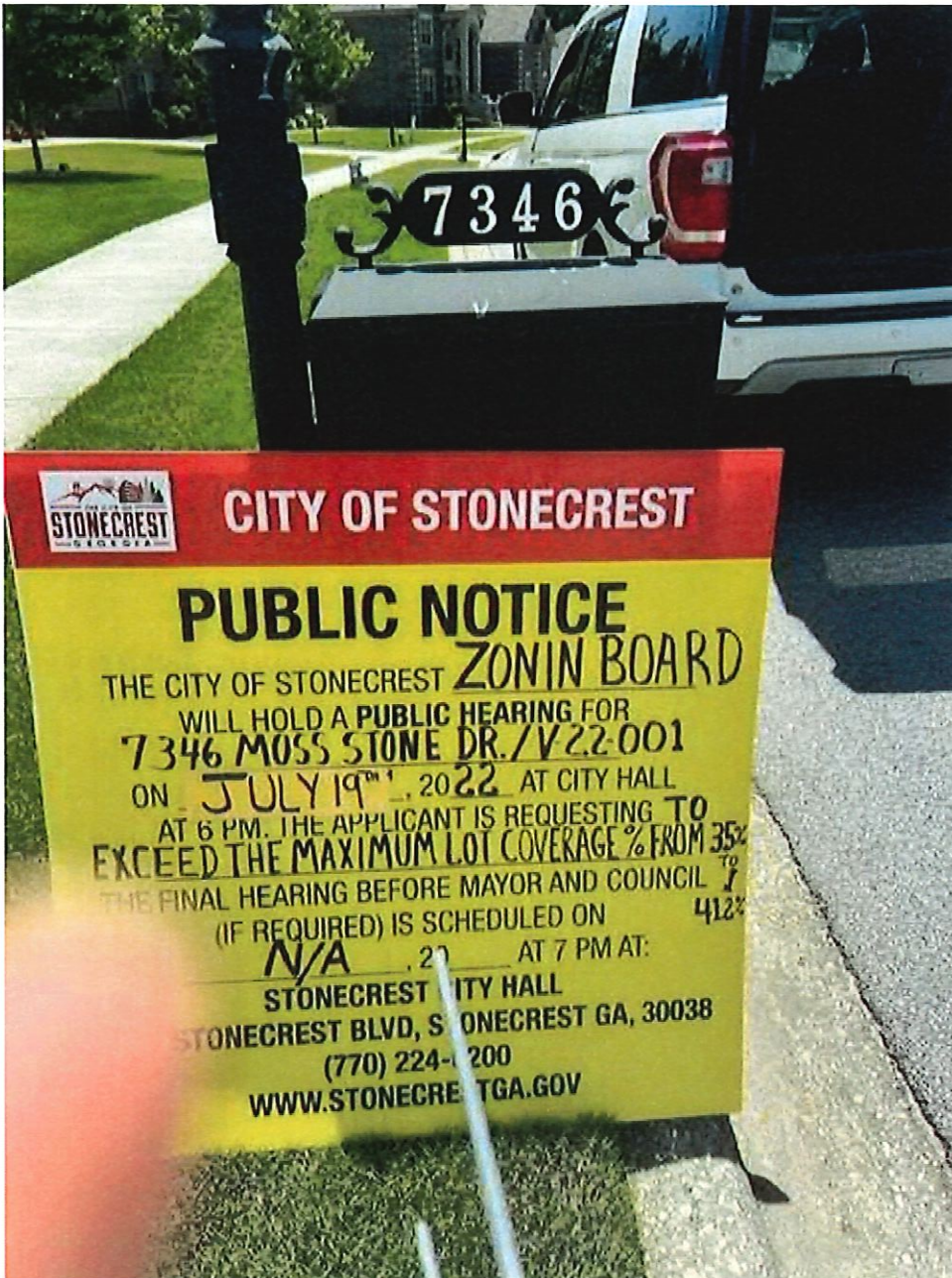
PROJECT NO. 2023		ISSUE DATE 12.28.2021
DRAWN BY MFO		SCALE 1"=30'
ADDRESSED COUNTY COMMENTS		
REVISIONS		
ANTWAN HOUSE & JACKSON DONALD SCOTT 7346 MOSS STONE DR STONECRESS, GA 30094 LOCATED IN L.L. 180 16TH DISTRICT DEKALB COUNTY, GA		
POOL SITE PLAN		
SHEET TITLE		
20F2		
SHEET NUMBER		













## Keedra Jackson

---

**From:** Dre Carkhum <drefirstimpressionspools@gmail.com>  
**Sent:** Friday, June 10, 2022 12:48 PM  
**To:** Keedra Jackson  
**Subject:** Fwd: Variance for 7346 Moss Stone Drive

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.





Sent from my iPhone - Dre'

Begin forwarded message:

**From:** Dre Carkhum <drefirstimpressionspools@gmail.com>  
**Date:** June 10, 2022 at 12:28:52 PM EDT  
**To:** Antwan House <antwan\_house@bellsouth.net>  
**Subject:** Fwd: Variance for 7346 Moss Stone Drive

FYI

Sent from my iPhone - Dre'

Begin forwarded message:

**From:** Dre Carkhum <drefirstimpressionspools@gmail.com>  
**Date:** June 10, 2022 at 12:15:15 PM EDT  
**To:** Keedra Jackson <kjackson@stonecrestga.gov>  
**Cc:** Drefirstimpressionspools@gmail.com  
**Subject:** Re: Variance for 7346 Moss Stone Drive

Keedra, I received only this 1 email from you stating I need to pick up sign yesterday by 3pm. I have NO phone messages or any other notification and I honestly am struggling with this current result and now penalizing our client for another month.

We will post this immediately however I assume now that all of the notifications sent to the client and his neighbors will now need new notifications for the hearing?

While I understand you wanting to protect the city from any lawsuit because the sign wasn't posted for 15 days, it's truly not really an exposure when this is the homeowners property and has no affect on any neighbors in any way.

I'm really frustrated by this and while I understand how busy you all are, it's just not fair to penalize the homeowner.

Sincerely,

Andrea Carkhum  
Acarkhum@gmail.com  
678-596-5628

Sent from my iPhone - Dre'

On Jun 10, 2022, at 10:47 AM, Dre Carkhum  
<drefirstimpressionspools@gmail.com> wrote:

Thanks Keedra. I just got back in town from vacation with my grandkids last night. I'll head down to the office in a few. Thanks for all of your help!  
Dre'

On Jun 8, 2022, at 4:29 PM, Keedra Jackson  
<[kjackson@stonecrestga.gov](mailto:kjackson@stonecrestga.gov)> wrote:

Greetings,

Please be advised that you may come to our office to retrieve your sign to install in the front yard of the subject property. The signed will need to be picked up no later than tomorrow by 3pm. Should you have any questions, please feel free to contact me.

Thank you

Keedra T. Jackson, MPA  
**Acting Director/Senior Planner**  
Planning & Zoning Department  
<image001.jpg>

**City of Stonecrest**

3120 Stonecrest Blvd, STE 190  
Stonecrest, GA 30038  
cell: 470.542.0057  
main: 770.224.0200