

COMMUNITY PLANNING INFORMATION MEETING MINUTES SUMMARY
Stonecrest City Hall- 6:00 PM **Spoke-in-Person Meeting*
September 14, 2023

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

Citizens wishing to actively participate and make a comment during the public hearing portion of the meeting please submit a request via email address planning-zoning@stonecrestga.gov by noon the day of the hearing September 14, 2023. The Zoom link for the meeting will be sent to you, or you can also submit comments and questions to the same email address by the same deadline to be read into the record at the meeting.

- I. **Introductions:** Director Ray White, Senior Planner Tre'Jon Singletary and Planner Abeykoon Abeykoon were in attendance. Attorney Alicia Thompson, Fincher Denmark, LLC, virtually attended.
- II. **Presentations:** Upcoming Cases Presented by Tre'Jon Singletary, Senior Planner
 - SLUP23-004
 - SLUP23-005

III. Presentations

Senior Planner Tre'Jon Singletary Presented SLUP23-004 and SLUP-005

Purpose and Intent

An informational meeting that allows staff and applicants to inform the public of upcoming developments/projects;

Allow the citizens, business owners, and developers of Stonecrest opportunities to review all petitions, ask questions of all applicants, and express any preliminary concerns;

Bridge the relationships between developers, residents, and staff

Occurrence

Every 2nd Thursday of each month

SLUP23-004

3575 Trinity Place

Jeffrey Dickerson of Trinity Treehouse, LLC

Petitioner is seeking a Special Land Use Permit (SLUP) to construct a Short-Term Vacation Rental (STVR).

Facts and Background-

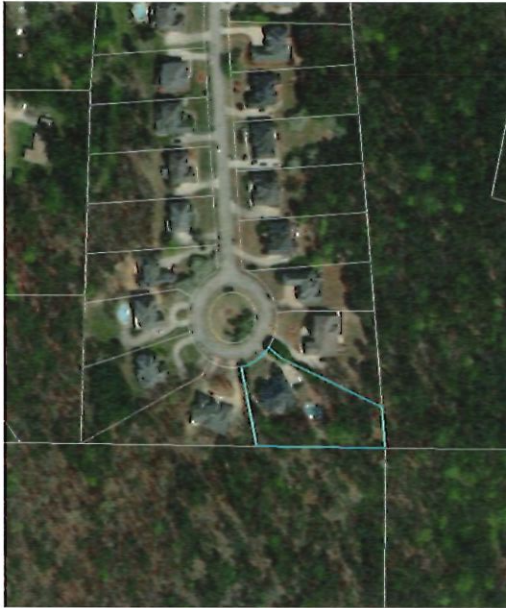
- Applicant desire to construct a ADU (Accessory Dwelling Unit)
- Applicant also desire to operate a Short-Term Vacation Rental (STVR) from the ADU

Future Land Use- Rural Residential (RR)

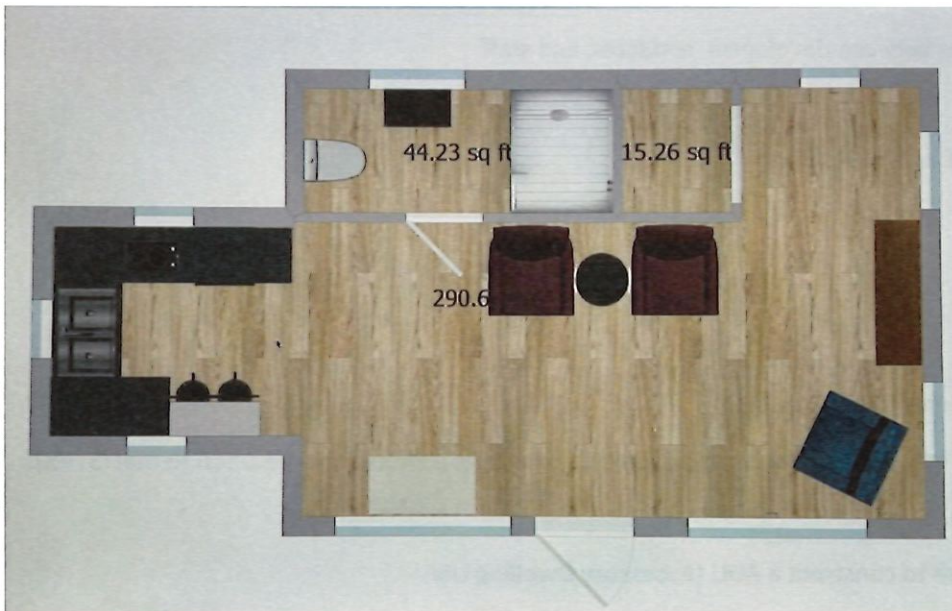
Zoning Overlay- Arabia Mountain

Zoned- R-100 Residential Medium Lot

Aerial Map and Submitted Photo-



Submitted Floor Layout-



Sec. 4.2.3. – Accessory Dwelling Unit, Guesthouse, In-Law Suite.

- A. On parcels zoned for residential single-family dwellings as a principal use, an accessory dwelling unit may be allowed as one of the following:
 - 1. Attached (addition to existing building);
 - 2. Detached; or
 - 3. Within existing house (renovations to basements, wings or attics converted into separate living unit).
- B. The heated floor area of a dwelling unit shall not include the square footage of the garage.
- C. Attached and detached accessory dwelling units are permitted by right, subject to the following:
 - 1. The minimum lot size shall be 10,000 square feet.
 - 2. The accessory dwelling unit shall conform to applicable standards of the state, city and city building codes for residential units as principal uses.
 - 3. The property owner, who shall include titleholders and contract purchasers, must occupy either the principal dwelling unit or the accessory dwelling unit as their residence, and possess a homestead exemption.
 - 4. The appearance of the accessory dwelling unit shall be similar to that of the principal residence.
 - 5. Only one accessory dwelling unit of any type shall be permitted on a lot.
 - 6. Prior to issuance of a building permit for an accessory dwelling unit, an applicant must provide evidence to the director of planning showing that existing or proposed septic tank facilities, as applicable, are adequate to serve both the principal dwelling and the accessory dwelling unit.
 - 7. Any detached accessory dwelling unit shall be located in the Rear yard:
 - 8. A second kitchen facility may be constructed and used within a single-family residence.
 - 9. Paved off-street parking shall be provided for one additional vehicle.
 - 10. Accessory dwelling units shall not exceed 900 square feet of heated floor area and shall not exceed 24 feet in height.
 - 11. The main entrance shall not face the closest property line. Windows, doors, balconies, porches and decks shall be sited to ensure the privacy of neighbors.
 - 12. For parcels located in a designated historic district and individually designated historic structures, the placement of an accessory dwelling unit and its architectural design shall require a certificate of appropriateness from the historic preservation commission.

Sec. 4.2.58. – Short Term Vacation Rental

- A. No individual renting the property shall stay for longer than 30 consecutive days.
- B. The STVR shall not be operated in such a way as to change the residential character of the neighborhood in which it is located and shall comply with the noise ordinance.
- C. In every dwelling of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain not less than 70 square feet of floor area, and every room occupied for sleeping purposes by two occupants shall contain at least 120 square feet of floor area. Maximum occupancy limits for any overnight guests must not exceed two guests for every bedroom located in the STVR.
- D. Every Bedroom shall have a window facing directly and opening to the outdoors.
- E. Every bedroom shall have access to not less than one water closet and lavatory without passing through another bedroom. Every bedroom in an STVR shall have access to not less than one water closet and lavatory located in the same story as the bedroom or an adjacent story.
- F. There shall also be provided at least one off-street parking space for each bedroom used as a part of the STVR.
- G. No signs or advertising are permitted to identify or advertise the existence of the STVR, beyond those otherwise allowed for the residential property.
- H. All STVR units shall be furnished with a telephone that is connected to a landline or similar type connection, including a voice over Internet protocol, in order that 911 dispatch may be able to readily identify the address and/or location from where the call is made when dialed.
- I. A diagram depicting two egress routes shall be posted on or immediately adjacent to every required egress door.
- J. No individual renting a STVR shall use the STVR for a special event, party, or temporary outdoor event. No owner or operator of a STVR shall permit a STVR to be used for a special event, party, or temporary event.
- K. It shall be unlawful to establish, operate, or cause to be operated a STVR in the city within 500 feet of another STVR, bed and breakfast, boarding house, Home stay bed and breakfast residence, hotel/motel, hotel/motel extended stay, personal care home, or child caring institution. Measurements for this subsection shall be made in a straight line without regard to intervening structures or objects, between the closest points on the property lines of the two uses.

Jeff Dickerson applicant, owner, and operator came to the stand. He stated that the business has been in operation for about three years, but there was a delay in retrieving the business license due to the process being started during the pandemic. He stated that they never received a response after applying, but when they were contacted by the city, was informed of the required special land use permit. Not asking to do anything additional or new, the building already exists.

May Austin a resident came to the stand. She asked if after the Short-Term Rental is approved if it is for ongoing or seasonal operations. She also asked if an applicant would have to go through the process again to retrieve another SLUP.

Tre'Jon Singletary stated that it is ongoing if they are approved, but the SLUP is not transferable.

Greg Flannigan a resident of the neighborhood who lives around 500 to 600 ft away from the property. He opposes approval because of the HOA covenants. He states that is not allowed and certain processes are required by the HOA covenant that were not followed such as asking permission from their architecture committee. He also feels like it is a risk for their community.

Billie Hilchester another resident and neighbor came to the stand. She stated that the HOA covenants stated that they could not have rentals and that the residents were not aware of the construction of the structure. There should have been a discussion to see if they wanted it in their community.

Benny Green a resident and neighbor stated that he is against this petition.

Keneth Reid who also lives in this subdivision came to the stand. He asked about the steps taken to place the structure on the property considering that the structure already exists and they are now getting a SLUP.

Tre'Jon Singletary Senior Planner answered that building an accessory dwelling does not require a public hearing, but an applicant must apply for a residential building permit. If the applicant wants to operate as a short-term vacation rental they are required to get a SLUP.

SLUP23-005

4908 Ardsley Drive

Teshaye Lowe of Helping Hands Child Service

Petitioner is seeking a Special Land Use Permit (SLUP) to operate childcare service as a Type II Home Occupation.

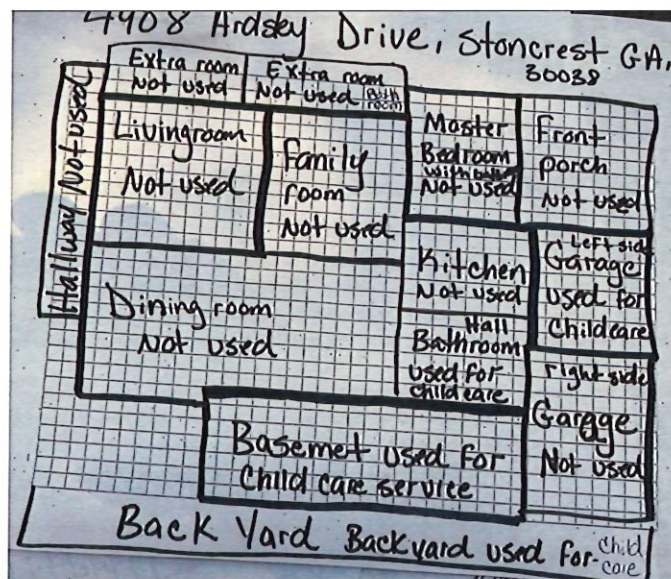
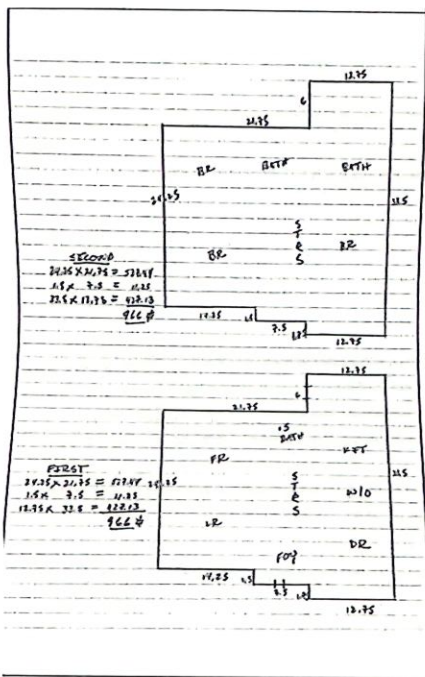
Future Land Use- Suburban Neighborhood (SN)

Zoned- R-100 Residential Medium Lot

Aerial Map and Submitted Photos-



Submitted Floor Layout-



Sec. 4.2.31. – Home Occupations and Private Educational Uses

- A. A home occupation where no customer contact occurs shall be considered a Type I home occupation and may be conducted with administrative approval by the director of planning and zoning.
 - 1. The owner/operator of the business must reside on the premise.
 - 2. Up to two (2) full-time residents of the premises are allowed to conduct separate home occupations in the same dwelling. In reviewing such a request, the local government may consider the reason, potential residential impact, parking needs, hours of operation and other relevant factors.
- B. All home occupations other than Type I home occupations shall be considered a Type II home occupation and shall require a special land use permit (SLUP). Additional conditions may be placed on the approval of a Type II home occupation in order to ensure the home occupation will not be a detriment to the character of the residential neighborhood.
 - 1. Customer contact is allowed for Type II home occupations.
 - 2. Up to two full-time residents of the premises are allowed to conduct separate home occupations in the same dwelling. In reviewing such a request, the local government may consider the reason, potential residential impact, parking needs, hours of operation and other relevant factors.
- C. All home occupations shall meet the following standards:
 - 1. There shall be no exterior evidence of the home occupation.
 - 2. No use shall create noise, dust, vibration, odor, smoke, glare or electrical interference that would be detectable beyond the dwelling unit.
 - 3. The use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed at the location of the home occupation.
 - 4. No more than 25 percent of the dwelling unit and/or 500 square feet, whichever is less, may be used for the operation of the home occupation.
 - 5. No more than one business vehicle per home occupation is allowed.
 - 6. No home occupation shall be operated so as to create or cause a nuisance.
 - 7. Home occupation shall not include the use of a dwelling unit for the purpose of operating any automobile repair establishment, or car wash.
 - 8. Occupations that are mobile or dispatch-only may be allowed, provided that any business vehicle used for the home occupation complies with [section 6.1.3](#), and is limited to one business vehicle per occupation.
- D. Private educational services shall comply with home occupation standards and no more than three students shall be served at a time. Family members residing in the home are not counted towards the three students allowed.
- E. Child care homes and personal care homes are considered home occupations and must adhere to these provisions in addition to [Section 4.2.41](#).

Sec. 4.2.41. – Personal Care Homes and Child Caring Institutions

- D. *Child Care Home, and Child Care Facility general requirements.*
 - 1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the child care home, facility. If owned by an individual, the individual owner must reside in the child care home, or child care facility.
 - 2. No child care home, or child care facility shall be located within 1,500 feet of another child care home or child-care facility. The 1,500-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the child care homes, or child care facilities are located.
 - 3. Each child caring home, and child care facility must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each child caring institution must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
 - 4. Child Care homes and Child Care facilities are not permitted in Multi-family dwellings.
 - 5. No child caring home, facility may display any exterior signage that violates the sign ordinance in [chapter 21](#) of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
 - 6. Each child care home, facility shall meet the minimum state requirements for playground size, location, and fencing.
- E. *Child Care Homes, (up to five children).*
 - 1. Each group child care home must provide at least four parking spaces within a driveway, garage or carport, and must comply with any applicable requirements in [article 6](#).
- F. *Child Care Facility (six or more children).*
 - 1. Two copies of the complete architectural plans of the subject community child caring institution, signed and sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
 - 2. Each community child caring institution must provide at least one-half parking spaces for each employee and resident and must comply with any applicable requirements in [article 6](#).

Teshaye Lowe the applicant came to the stand. She had no comments

There were no attendees who spoke for or against the petition.

Upcoming Meetings

- Public Hearing will be held for presented items during:

- **Planning Commission**
 - October 3, 2023
 - 6 PM
 - Council Chamber
- **Mayor & Council**
 - October 23, 2023
 - 6 PM
 - Council Chamber

Matt Calhoun a resident asked if the comments made during the meeting have been noted.

Tre'Jon Singletary senior planner stated that they have and also that the surrounding properties have been notified of the next meetings. He also mentioned that this meeting is for the staff to hear citizen's questions or concerns for review.

Matt Calhoun asked if they would have to come back to the other meetings.

Tre'Jon Singletary senior planner stated that the comments will be noted, but participants can also attend and speak at the other meetings.

Director Ray White wanted to ensure that participants knew that decisions were not going to be made at this meeting. This is an opportunity for citizens to be aware of and speak on petitions.

Meeting ended at 6:40 p.m.

APPROVED:

Shylon R. Shylon.

PLANNING AND ZONING DEPARTMENT ~~MANAGER~~ - Planner

Date 12/05/23

ATTEST:

Cobi Brown

12/5/23

SECRETARY

Date