



ZONING BOARD OF APPEALS STAFF REPORT

Zoning Board of Appeals Public Hearing January 21, 2025

Petition Number:	V24-006
Applicant:	Todd Hayley, PEC+ for
Owner:	Salem Baptist Church INC. (Pastor Jasper W. Williams, Jr.)
Project Location:	5526 Hillandale Drive 16 056 01 001
Current Zoning:	C-1 (Local Commercial) & I-20 Overlay District Tier 1
Acreage:	+/-77.80
Staff Recommendation:	Approval w/ conditions
Variance Request:	This applicant seeks a variance to Article 3, Division 33, Section 3.33.12.A, "Architectural Regulations" for the approximately 77-acre tract known as 5526 Hillandale Drive, Parcel ID 16 056 001. The variance would waive the requirement for 100% of roadway-facing facades to be comprised of Brick or Stone and would permit a mix of materials including cementitious siding, and board and batten, in addition to brick or stone.

Current Use

The property is developed as a place of worship housing two (2) structures on the land at 5526 Hillandale Drive, Stonecrest, Georgia 30058. The main building is a two-story sanctuary with a basement level structure that host worship services at 11am each Sunday for parishioners. The church has weekly administrative office hours on Tuesday and Friday from 9 a.m. – 1 p.m. Construction of the primary sanctuary started in 1999 and was completed in 2003. The square footage is 84,400 sq. ft. The secondary building located on the campus is a 15,000 sq. ft. food pantry for charitable contributions to low-income families, working families, and individuals in need experiencing food insecurity within their household. The food pantry is open for distribution on Tuesdays and Thursdays from 10 a.m. – 1 p.m. Further resource assistance for social services is through the outreach ministry networking with local community centers.

Zoning and Case History

The site is zoned C-1 Local Commercial. The subject property has a prior zoning case file # Z-74040 request to rezone the property to C-1 that was approved on December 16, 2024.

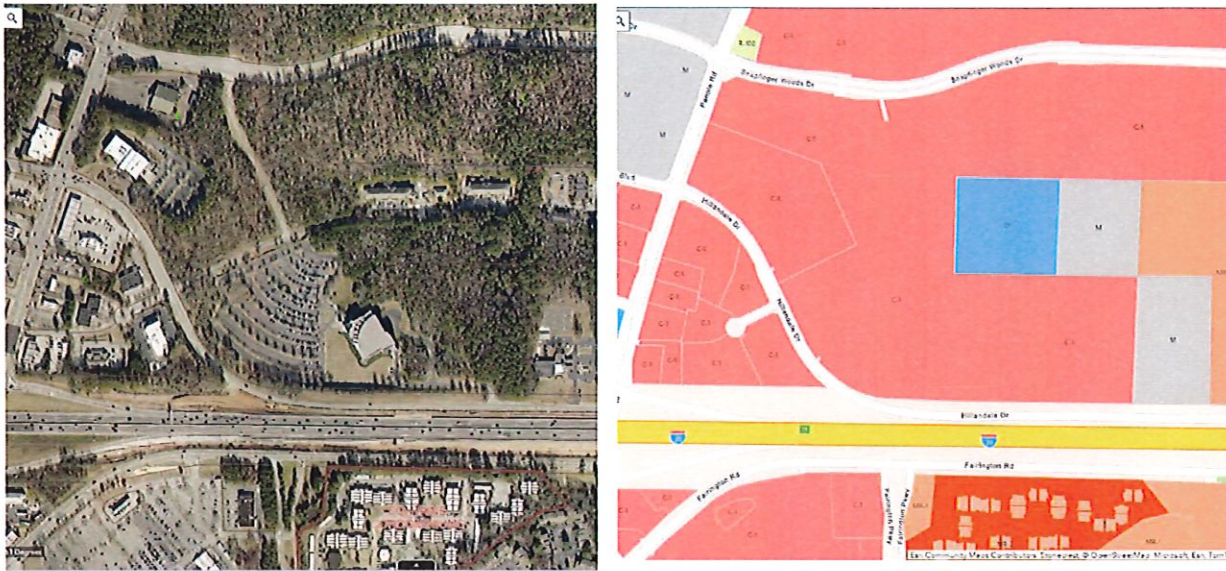


ZONING BOARD OF APPEALS STAFF REPORT

IMAGES

5526 Hillandale Drive Lithonia, GA 30058

City Map of Stonecrest, GA GIS & Dekalb County GIS Map Viewer Systems



Existing Conditions

The parcel is +/-77.80 acres of land. It's located at the intersection of Panola Road, Snapfinger Woods Drive, and extends to Hillandale Drive with exclusion of an out-parcel at the intersection of Panola Road and Hillandale Drive. The site has several addresses 2750 Panola Road, 5460 Hillandale Drive, and 5526 Hillandale Drive. The official address for the overall boundary of the land is 5526 Hillandale Drive under parcel identification number [16 056 01 001](#). The land houses two buildings on the site. The primary building development started in 1999 and was completed in 2003 as a place of religious worship (church). It has an associated address of 5460 Hillandale Drive. The church is an 84,400 square foot building with 261,500 square feet of impervious surface area for stripped off-street parking with landscape islands and strips. It has direct ingress/egress access from Hillandale Drive. It has two additional access management points provided through a private roadway J. W. Williams Sr Lane and Hillandale Drive intersection, and J.W. Williams Sr Lane and Snapfinger Woods Drive intersection. In addition to the church, a secondary building on the site is a 15,000 square foot structure used as a food pantry with a paved parking lot, and a detached accessory structure. The food pantry associated address is 2750 Panola Road and its access is direct from Panola Road public right-of-way. A greater portion of the land +/-42.38 acres is heavily wooded. The site consists of wetlands with three individual river stream tributaries



ZONING BOARD OF APPEALS STAFF REPORT

running through its boundary. Currently, the site carries a sanitary sewer easement and is within proximity to additional utility easement access.

Variance Request

The applicant seeks a variance from the City of Stonecrest, Zoning Ordinance, Article 3, Division 33, Section 3.33.12. A. "Architectural Regulations" to eliminate the requirement for all building facades visible from the public street "shall" consist of concrete, stone, brick or stucco, to allow for all building unit facades facing Snapfinger Woods Drive to consist of a "mix" of materials to include cementitious siding, board and batten in addition to the concrete, stucco, stone and brick.



ZONING BOARD OF APPEALS STAFF REPORT

APPLICABLE CODE REQUIREMENTS

City of Stonecrest Zoning Ordinance (Chapter 27):

Sec. 3.33.12. - Architectural regulations.

The following architectural regulations shall apply to all uses and structures within the I-20 Corridor Overlay District. The architectural style within the I-20 Corridor Overlay Districts shall be governed by the I-20 Corridor Design Standards.

- A. All building facades visible from the public street shall consist of concrete, stone, brick or stucco.
- B. Architectural accents, where utilized, shall consist of non-reflective glass, glass block, natural stone, pre-cast concrete, brick, terra cotta, stucco or wood.
- C. Seventy-five percent of the width of the front facade of the building at the ground level shall consist of fenestration.
- D. Roof materials shall not consist of any reflective surface.
- E. All exterior painted surfaces, where visible from the public street, shall be painted in earth tones. Colors shall be non-primary colors, including darker and cooler shades of green, red such as brick, yellow including beige, and lighter shades of brown including tan.
- F. Burglar bars and steel roll-down doors or curtains shall not be visible from the public street.
- G. Service bays for automobile service and repair uses shall be designed so that the openings of service bays are not visible from a public street.
- H. Chain link fences shall not be visible from the public right-of-way and metal or temporary awnings are not permitted within the district.
- I. Dumpsters shall not be visible from the public street and shall be fenced or screened so as not to be visible from any adjoining residential district.
- J. Fabric and canvas awnings and all other building materials must be of durable quality and shall be compatible with materials used in adjoining buildings.

The applicant is seeking to waive the requirement for 100% of roadway-facing facades to be comprised of Brick or Stone and would permit a mix of materials including cementitious siding, and board and batten, in addition to brick or stone.

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 to grant a variance. These considerations include:



ZONING BOARD OF APPEALS STAFF REPORT

- (1) 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.**

The installation of Snapfinger Woods Drive through the original land mass by DeKalb County created an exceptional characteristic for the lot. The lot is exceptionally long extending 2,400 linear feet parallel to Snapfinger Woods Drive public right-of-way. It has natural features of three individual river stream tributaries running sporadically through its boundary. The topographic elevation intervals change throughout the lot and within a portion of the land that reaches a depth with a steep slope. The land also has a deeply wooded masked landscape. The lot is currently a legal lot of record within DeKalb County GIS database with the noted attributes. The historic characteristics of the lot render portions of the land unusable for building footprints and impervious surfaces. Due to the extenuating circumstances of the lot street frontage and other conditions, the layout of the site has faced challenges with its design. To develop the site with a sustainable community, construct economically feasible units, promote engagement of street facing aesthetics and beautification along the main thoroughfare for a blended mixed develop with the northern parcel and existing senior tower adjacent to the subject lot, strict application of **Sec. 3.33.12. A.** – Architectural Regulations would unduly impact the applicant to no cause of the applicant’s actions.

- (2) 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.**

The request does not go beyond the minimum necessary to afford relief nor grant special privilege to the applicant. Development of surrounding properties are afforded the same and/or similar opportunity to seek relief of extenuating and/or exceptional hardships unduly to no cause of their own. The applicant has presented a reasonable request to seek relief as just cause for the lot conditions that impacts the development layout of the subject site due to the extremeness of the lot length abutting the right-of-way (Snapfinger Woods Drive), and unusable land area because of the floodplain located on-site.

- (3) 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.**



ZONING BOARD OF APPEALS STAFF REPORT

The granting of the variance assists to create a new housing community scaled proportionately for its acreage with adequate infrastructure to support the housing units and accessory uses for amenities. The traffic calming patterns will aid to reduce speed travel along the main thoroughfare and addresses public safety concerns. Installation of pedestrian sidewalks and walkways internal and external to the development further assists with creation of pedestrian friendly neighborhood. No use is proposed that creates unmanageable noise levels, fumes, odors, and/or combustion that's impacts the standard quality of life for daily living. The proposed development aligns with the current zoning classification of C-1 and future land use designation of Urban Neighborhood.

(4) The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship.

The strict application of the architectural requirements causes undue hardship as the linear footage for the span of the lot along the right-of-way, and reduction of useable land for building footprints and impervious surfaces presents challenges. The 100% of brick, stone, concrete, and or stucco for the street duration of the street would further limit potential home buyers and that conflict with the comprehensive plan of promoting comparable housing types for urban neighborhoods to effectively create a housing market with affordability for all incomes.

(5) The requested variance would be consistent with the spirit and purpose of this chapter and the Comprehensive Plan text.

The request is within reason of modification to the street-facing facades to allow a mixture of materials (cementitious siding, board, and batten) in addition to concrete, stone, brick, and stucco which aligns with promotion of the Comprehensive Plan text regarding making adequate provisions for the current and projected housing needs of all economic segments of the community, and to foster housing that is affordable to those at all income levels. The request to modify materials encourage this vision and bring about a compatible style that still maintains architectural character of existing regional and neighborhoods within the City of Stonecrest.



ZONING BOARD OF APPEALS STAFF REPORT

RECOMMENDED CONDITIONS

Based on the findings and conclusions the applicant meets all the criteria for approval. Staff recommends **Approval of V-24-000006** with the following conditions.

1. As per site plan dated, (October 1, 2024), prepared by designer Kenneth J. Woods, Engineer, Georgia, the applicant shall show the specific number of homes that will be affected by the variance requests on the preliminary plat.
2. Exterior materials for street-facing facades shall include a various mixture of cementitious siding, board and batten, concrete, stone, brick, and or stucco only.
3. Primary facade materials shall wrap around at outside building corners for at least four feet.
4. Street-facing façade renderings must be provided with listed material mixture for varying frontage concepts with land disturbance application and preliminary plat.



ZONING BOARD OF APPEALS STAFF REPORT

Zoning Board of Appeals Public Hearing January 21, 2025

PETITION NUMBER:	V24-000007
APPLICANT:	ARCO/Murray Design Build (Jason Brown)
OWNER:	David Lauren Coffey
PROJECT LOCATION:	2395 South Stone Mountain Lithonia Road 16 133 02 001
CURRENT ZONING:	M-Light Industrial
ACREAGE:	+/-3.907
STAFF RECOMMENDATION:	Approval w/conditions
VARIANCE REQUEST:	Reduce required front yard setback from 60ft to 15ft to allow for a portion of the detention pond for development of a climate controlled self-storage facility.

Current Use

The subject property currently houses an abandoned residential structure built in 1957 in unincorporated DeKalb County. The one-story brick ranch-style house consists of 2,166 sq. ft. with an attached carport and patio. It was later remodeled in 1999 and used as a single-family residential dwelling. The subject property located at 2395 South Stone Mountain Lithonia Road is owned by David Lauren Coffey. This property has a parcel number 16 133 02 001 and is zoned M-Light Industrial. The request is to redevelop the property for a climate-controlled self-storage facility which is a permitted use in the M-Light Industrial zoning district.

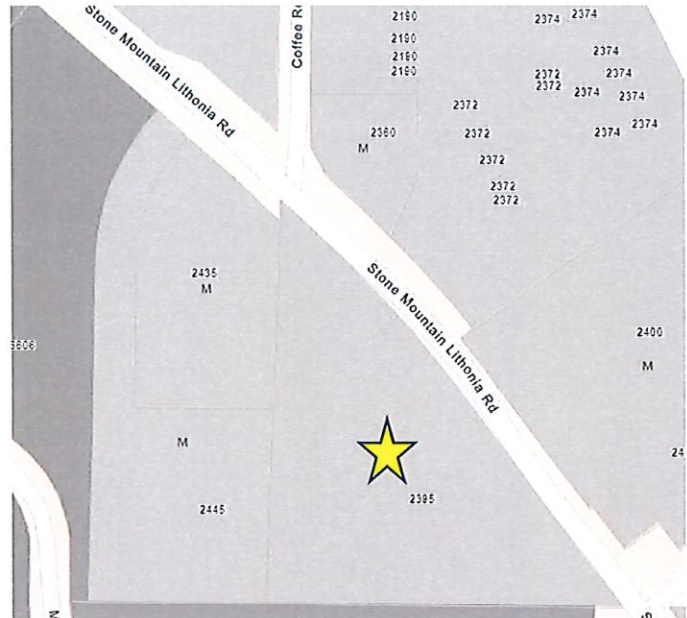
Zoning and Case History

The subject property has no prior zoning conditions found. It's zoned M-Light Industrial and the surrounding properties are zoned M-Light Industrial and M-2 Heavy Industrial.



**ZONING BOARD OF APPEALS STAFF REPORT
IMAGES**

2395 South Stone Mountain Lithonia Road
City Map of Stonecrest, GA GIS & DeKalb County GIS Map Viewer Systems



Existing Conditions

The parcel consists of +/-3.907 acres of land. It's located at the intersection of South Stone Mountain Lithonia Road and a portion of Lithonia Industrial Boulevard. The site has tree and shrubbery landscape along the public right-of-way to buffer the commercial activity of the intersection. The residential structure sits on the site embedded within a wooded area. No state waters were found or associated with the property located on the lot per registered land survey and GIS map data.

Variance Request

The applicant seeks a variance to reduce the front yard setback from the required 60 ft to 15 ft to allow for a portion of the detention pond into the front yard setback for development of a climate-controlled self-storage facility.



ZONING BOARD OF APPEALS STAFF REPORT

APPLICABLE CODE REQUIREMENTS

City of Stonecrest Zoning Ordinance (Chapter 27):

Article 4 – Use Regulations

a. Division 2 Supplement Use and Regulations

Section 4.2.2 -Accessory buildings, structures and uses; location, yard and building restrictions.

The following provisions apply to accessory buildings, structures, and uses of land that are incidental to authorized and permitted uses:

(c.) Yards and setbacks.

2. Accessory structures must not encroach in the minimum yard setbacks for the district in which they are located.



ZONING BOARD OF APPEALS STAFF REPORT

STAFF ANALYSIS

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 to grant a variance. These considerations include:

- (1) 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.**

The subject lot of record is a pie-shape lot that has a 90 degree angle at its rear yard that is parallel to its street frontage. The configuration of the lot has presented challenges for setbacks with adequately positioning the stormwater system for the proposed development has created challenges for the property owner. The reduction in size of the building may allow for the reduction in the size of the detention pond.

- (2) 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 afford the applicant any significant privileges which are denied to others demonstrating similarly situated circumstances or conditions.

- (3) 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.**

Approval of the variance request would not create a public safety issue or an issue that negatively impacts the community. The approval allows for the developer to implement a stormwater system that's best for proper management of water run-off. The proposed area of the stormwater system is the lowest point on the property and would be the most suitable. This practice ensures proper drainage of water on the site as required by the city's ordinance.

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



ZONING BOARD OF APPEALS STAFF REPORT

Application of the zoning code requirements for accessory uses and structures (as per Section 4.2.2) places undue hardship to no cause of the owner as the detention location or position must be in an area of the lot at its lowest point. This requirement has limited the efforts for development through the general regulations. The variance does not violate any standards of this chapter. However, a reduction in the size of the building may reduce the size of the detention facility and the impact on the parcel.

(5) The requested variance would be consistent with the spirit and purpose of this chapter and the Comprehensive Plan text.

The variance is consistent with the spirit and purpose of the city's zoning ordinance and comprehensive plan to allow for sustainable and orderly development and growth within the city's boundary. Therefore the reduction in the size of the building would lessen the degree of the setback reduction with a more moderate setback for the district to allow the site's development.

RECOMMENDED CONDITIONS

Based on the findings and conclusions the applicant meets all the criteria for approval. Staff recommends **Approval of V-24-000007** with the following conditions.

1. Submit a revised site plan to illustrate conditional setback reduction from 60ft to 30ft measured from the front yard property line minimizing encroachment of the detention facility into the required front yard.
2. Must meet all applicable development requirements for *Chapter 14 – Land Development, Section. 14-553. - Stormwater management plans*
3. Must comply with *Chapter 14, Section. 14-554 – Design* for the square footage of proposed building.
4. Applicant shall provide site plan showing reduced building footprint and reduction of front yard setback at 30ft with a preliminary architectural drawing with tabulation of building floor area reduction, and all other site plan requirements.



ZONING BOARD OF APPEALS STAFF REPORT



ZONING BOARD OF APPEALS STAFF REPORT

Zoning Board of Appeals Public Hearing January 21, 2025

Petition Number:	V24-008
Applicant:	Todd Hayley, PEC+
Owner:	Salem Baptist Church INC. (Pastor Jasper W. Williams, Jr.)
Project Location:	2680 Panola Road 16 056 01 004
Current Zoning:	C-1 (Local Commercial) & I-20 Overlay District Tier 1
Proposed Zoning:	MR-2 Medium Density
Acreage:	+/- 67.94
Staff Recommendation:	Approval w/ Conditions
Variance Request:	Applicant seeks a variance to Article 3, Division 33, Section 3.33.12.A, "Architectural Regulations" to waive the requirement for 100% of street-facing facades to be comprised of Brick or Stone to allow for a "mix" of materials including cementitious siding, and board and batten, in addition to brick or stone. Applicant also seeks a variance to Article 2, Division 11, Section 2.11.2. "Dimensional requirements, Table 2.4. Medium and High-Density Residential Zoning Districts Dimensional Requirements" to reduce the minimum lot size from 5,000 sq. ft. required to 4,000 sq. to develop a mixed residential community that includes 132 single-family detached and 205 "lifestyle living" attached homes.

Current Use

The property of 2680 Panola Road is vacant. The land currently consists of +/-67.94 acres of heavily wooded land cover with a dense growth of trees with a pending application MP24-000006, to create an additional lot with frontage along Panola Road proposed as Tract 2. The +/- 10.45 acres tract is to remain commercially zoned as C-1 Local Commercial District. The subject portion of the land for application V24-000008 is noted as Tract 1 at +/- 57.49 acres.

Zoning and Case History

The site is zoned C-1 Local Commercial. The subject property has a prior zoning case file # Z-74040 request to rezone the property to C-1.

Page 1

Variance Petition : V-24-000008

January 21, 2025

Ramona Eversley, Senior Planner & Felleshia Blair, Planner

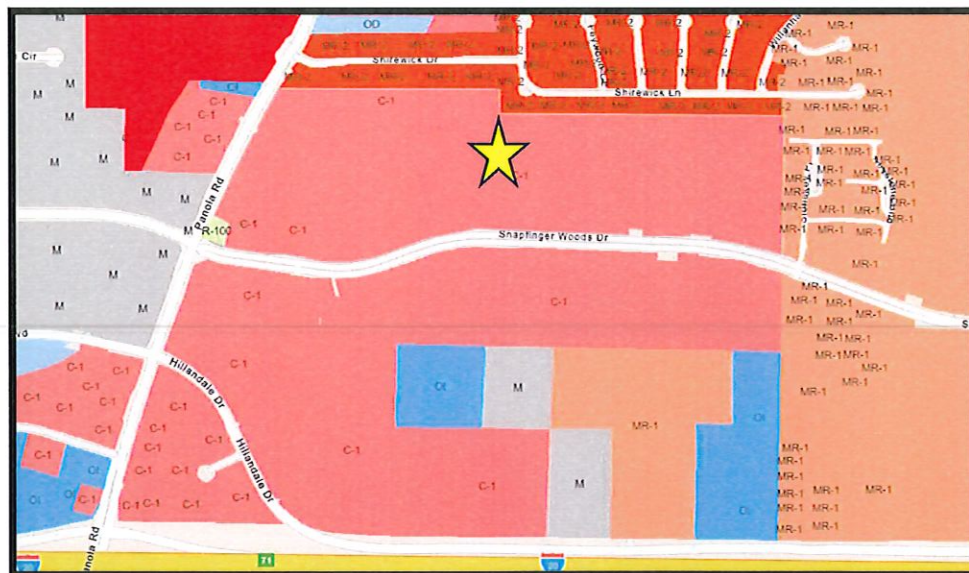


ZONING BOARD OF APPEALS STAFF REPORT

IMAGES

2680 Panola Road Lithonia, GA 30058

City Map of Stonecrest, GA GIS & DeKalb County GIS Map Viewer Systems





ZONING BOARD OF APPEALS STAFF REPORT

Existing Conditions

The land consists of +/-67.94 acres that's populated with dense forestry. It includes a stream river tributary that runs both parallel and perpendicular to the lot. The lot also has wetlands and stream buffer that runs vertical across the width of the lot.

Variance Request

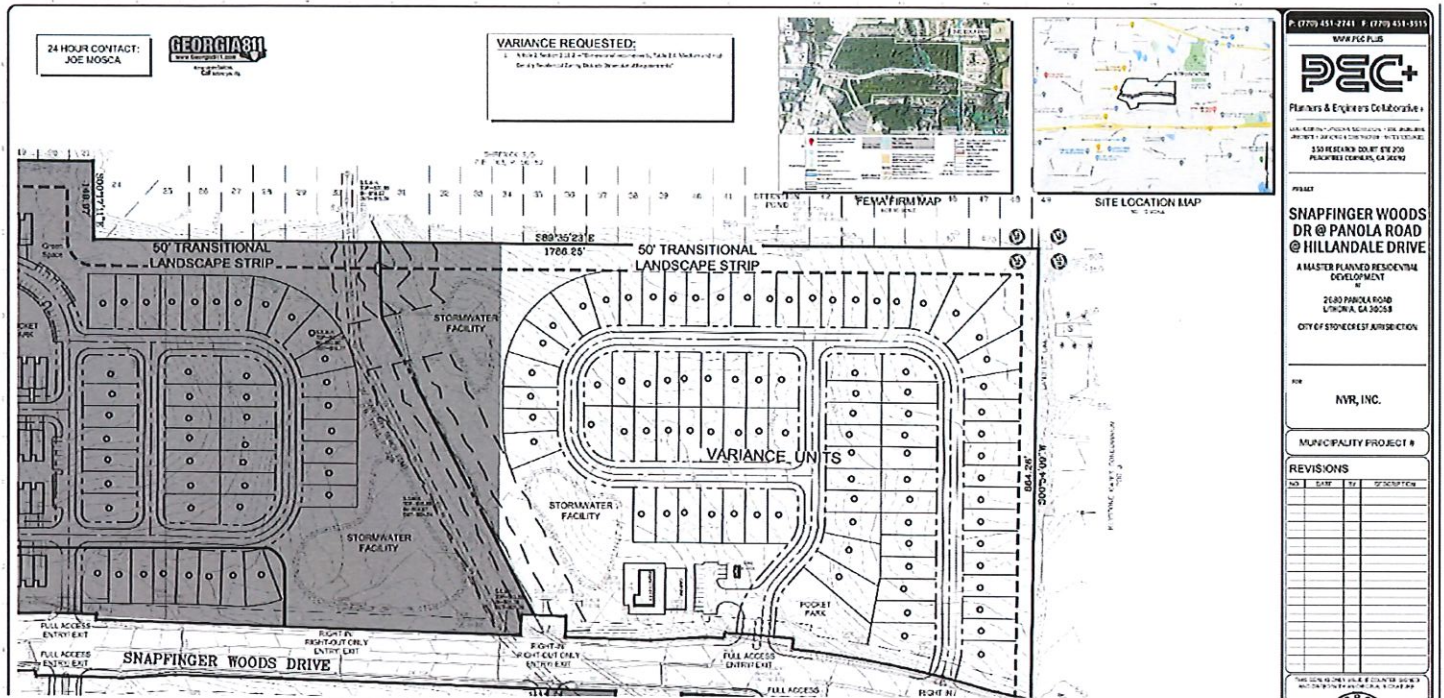
This applicant seeks a variance to Article 3, Division 33, Section 3.33.12.A, "Architectural Regulations" for the property known as 2680 Panola Road, Parcel ID 16 056 01 004. The variance would waive the requirement for 100% of roadway-facing facades to be comprised of Brick or Stone and would permit a mix of materials including cementitious siding, and board and batten (plank), in addition to brick or stone.

The applicant also seeks a variance to Article 2, Division 11, Section 2.11.2. "Dimensional requirements, Table 2.4. Medium and High-Density Residential Zoning Districts Dimensional Requirements" for +/-57.49-acres of the +/-67.94 acres known as Snapfinger Woods Drive at Panola Road (the "Subject Property," 2680 Panola Road, Parcel ID 16 056 01 004). The variance would reduce the Minimum Lot Area for Single-Family Development units from 5,000 square feet to 4,200 square feet. The variance is accompanying a rezoning application (RZ24-000004) that would allow for the development of a new, mixed residential community that includes 132 single-family detached and 205 "lifestyle living" attached homes.



ZONING BOARD OF APPEALS STAFF REPORT

Figure 1: Site Plan for V-24-000008- 2680 Panola Road, Lithonia, GA





ZONING BOARD OF APPEALS STAFF REPORT

APPLICABLE CODE REQUIREMENTS

City of Stonecrest Zoning Ordinance (Chapter 27):

Sec. 3.33.12. - Architectural regulations.

The following architectural regulations shall apply to all uses and structures within the I-20 Corridor Overlay District. The architectural style within the I-20 Corridor Overlay Districts shall be governed by the I-20 Corridor Design Standards.

- A. All building facades visible from the public street shall consist of concrete, stone, brick or stucco.
- B. Architectural accents, where utilized, shall consist of non-reflective glass, glass block, natural stone, pre-cast concrete, brick, terra cotta, stucco or wood.
- C. Seventy-five percent of the width of the front facade of the building at the ground level shall consist of fenestration.
- D. Roof materials shall not consist of any reflective surface.
- E. All exterior painted surfaces, where visible from the public street, shall be painted in earth tones. Colors shall be non-primary colors, including darker and cooler shades of green, red such as brick, yellow including beige, and lighter shades of brown including tan.
- F. Burglar bars and steel roll-down doors or curtains shall not be visible from the public street.
- G. Service bays for automobile service and repair uses shall be designed so that the openings of service bays are not visible from a public street.
- H. Chain link fences shall not be visible from the public right-of-way and metal or temporary awnings are not permitted within the district.
- I. Dumpsters shall not be visible from the public street and shall be fenced or screened so as not to be visible from any adjoining residential district.
- J. Fabric and canvas awnings and all other building materials must be of durable quality and shall be compatible with materials used in adjoining buildings.

The applicant is seeking to waive the requirement for 100% of roadway-facing facades to be comprised of Brick or Stone and would permit a mix of materials including cementitious siding, and board and batten, in addition to brick or stone.



ZONING BOARD OF APPEALS STAFF REPORT

Sec. 2.11.2. - Dimensional requirements.

Dimensional requirements, including overall site requirements, individual lot dimensions, setbacks, and heights for Medium and High-Density Residential Zoning Districts, are provided in Table 2.4, Medium and High-Density Residential Zoning Districts Dimensional Requirements

Table 2.4. Medium and High-Density Residential Zoning Districts Dimensional Requirements

Medium and High Density Residential

KEY: Housing Types: SFD: Single-Family Detached, SFA: Single-Family Attached, TTF: Two- or Three-Family, MF: Multifamily, MU: Mixed-Use, U-SF: Urban Single-Family
CA: Character Area as Identified in the Comprehensive Plan

Elements	RSM	MR-1	MR-2	HR-1	HR-2 and HR-3
<i>Overall Site Requirements (minimum, unless otherwise specified)</i>					
Dwelling units per acre (maximum base density and maximum possible with bonuses)	4—8	8—12	12—24	24—40	HR-2: 40—60 HR-3: 60—120
Open space required (minimum percent) *	20 percent	20 percent	15 percent	15 percent	15 percent
Transitional buffers (feet)	See article 5 of this chapter				
<i>Lot Requirements (minimum, unless otherwise specified)</i>					
<i>Single-Family Detached Conventional (SFD)**</i>					
Lot area (square feet)	5,000/2,000 cottage	5,000/2,000 cottage	5,000/2,000 cottage	Not permitted	Not permitted
Lot width, street frontage (feet)	50/20 cottage and detached townhome	45/20 cottage and detached townhome	40/20 cottage and detached townhome	Not permitted	Not permitted
Lot coverage (maximum percent per lot or total parcel acreage)	50	60	65	Not permitted	Not permitted
<i>Single-Family Attached (SFA)</i>					
Lot area (square feet)	1,000	1,000	1,000	1,000	1,000
Lot width (feet)	25	25	20	20	20
Lot coverage (maximum percent per lot or total parcel acreage)	70	80	85	85	85



ZONING BOARD OF APPEALS STAFF REPORT

Urban Single-Family (detached)

Lot area (square feet)	1,350	1,350	1,000	1,000	1,000
Lot width (feet)	25	25	20	20	20
Lot coverage (maximum percent per lot or total parcel acreage)	70	80	85	85	85

Two- or Three-Family (TTF)

Lot area (square feet)	4,000	4,000	4,000	Not permitted	Not permitted
Lot width (feet)	60	55	50	Not permitted	Not permitted
Lot coverage (maximum percent per lot or total parcel acreage)	50 percent	55 percent	55 percent	Not permitted	Not permitted

Multifamily (MF) and Mixed-Use (MU)

Lot width, street frontage (feet)	Not permitted	100	100	100	100
Lot coverage (maximum percent of total parcel acreage)	Not permitted	65 percent	75 percent	85 percent	85 percent

*Building Setbacks: SF and SFA for Individual Internal Lots; MF, SFA, MU for Overall Site*****

From thoroughfares and arterials (min. and max. feet)	All: min. 20, max. 30	SFD: min. 15, max. 25 Other: 10—20	All: min. 10, max. 20	All: min. 10, max. 20	All: min. 10, max. 20
Front - all other streets by character area (min. feet)	RC/NC/TC: 15 SUB: 20	0 - Determined only by utility placement, ROW, and streetscape (article 5 of this chapter)			
Front with alley access (min. feet)	10	SFD and TTF: 10 SFA and MF: 5	SFD and TTF: 10 SFA and MF: 5	5	5
Side - interior lot (feet) ****	SFD and TTF: 3 ft. with minimum 10 ft. separation between buildings; SFA: N/A; MF and MU: N/A; U-SF: 0 ft. side setback with minimum 3 ft. separation between building				
Side - corner lot on public street (feet)	Same as front setback (see also article 5 of this chapter, corner lot)				
Rear without alley (feet)	SFD: 20; SFA: 15; TTF: 15; All others: 20	SFD: 20; SFA: 15; MF and MU: 20; MF: 20; CM/OF/MU: 15 (see also transitional buffers, article 5 of this chapter)			
Rear with alley (feet)	10	10	10	10	10

Unit Size, heated living area (square feet, minimum)



ZONING BOARD OF APPEALS STAFF REPORT

Single-Family Detached (SFD)-Conventional	1,200	1,200	1,000	Not permitted	Not permitted
Single-Family Detached (SFD)-Cottage	800	800	800	Not permitted	Not permitted
Single-Family Attached (SFA) ***	1,200	1,200	1,000	1,000	Not permitted
Urban Single-Family (U-SF) Detached	1,100	1,100	1,100	1,100	Not permitted
Two- or Three-Family (TTF)	1,000	1,000	1,000	1,000	Not permitted
Multifamily (MF) ***	Not permitted for new developments	650	650	650	650

Height (maximum and whichever is less when indicated as stories or feet)

Single-Family Detached (SFD)	35 feet	35 feet	35 feet	Not permitted	Not permitted
Except Res Infill Overlays = 28 feet					
Single-Family Attached (SFA) and Urban Single-Family (U-SF)	3 stories or 45 feet	3 stories or 45 feet	3 stories or 45 feet	Not permitted	Tables 2.13 and 2.15
Two- or Three-Family (TTF)	35 feet	35 feet	3 stories or 45 feet	Not permitted	Not permitted
Multifamily (MF) ***	N/A	4 stories or 60 feet	Table 2.9	Tables 2.13 and 2.15	Tables 2.13 and 2.15
Mixed-Use (MU)	N/A	4 stories or 60 feet	Table 2.9	Table 2.11	Tables 2.13 and 2.15

The applicant is seeking a variance to Article 2, Division 11, Section 2.11.2. “Dimensional requirements, Table 2.4. Medium and High-Density Residential Zoning Districts Dimensional Requirements” to reduce the single-family lot size requirement from 5,000 sq. ft. to 4,200 sq. ft. within the MR-2 Medium Density Residential District pending rezoning application RZ24-000004.



ZONING BOARD OF 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 to grant a variance. These considerations include:

- (1) 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.**

The installation of Snapfinger Woods Drive through the original land mass by DeKalb County created an exceptional characteristic for the lot. The lot is exceptionally long in width and parallel to Snapfinger Woods Drive public right-of-way. The layout of the site could be re-designed to mitigate some of the challenges along the public right-of-way. However, the lot has floodplains, streams and stream buffers, that does not pose any unusual challenges for development. The property has some gentle sloping in association with two streams that crosses the property.

- (2) 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.**

The request does not go beyond the minimum necessary to afford relief nor grant special privilege to the applicant. The surrounding property owners are afforded the same and/or similar opportunity to seek relief of extenuating and/or exceptional hardships.

- (3) 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 would not be detrimental to the public welfare or injurious to the property or improvements in the zoning district. The proposed development aligns with the proposed zoning classification per pending rezoning application RZ24-000004 for the MR-2 (Medium Density Residential) zoning district and future land use designation of Urban Neighborhood. The development seeks to create a new housing community that will allow residents to age in place. The installation of pedestrian sidewalks and walkways both internally and externally further assists with the creation of a pedestrian friendly neighborhood. The proposed use should not create unmanageable noise levels, dust, fumes, odors, and/or combustion that's impacts the standard quality of life for daily living.



ZONING BOARD OF APPEALS STAFF REPORT

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

The strict application of the architectural requirements causes undue hardship as the linear footage for the span of the lot along the right-of-way creates challenges with layout for the site engagement of the right-of-way.

Though the request for reduction of the minimum lot size could be met if the developer were to reduce the number lots, it's within reason for smaller lot sizes within the proposed zoning district (as per application RZ24-0004 to rezone to MR-2 Medium Density, whereas variation for lot sizes is allowed within the zoning district. The Stonecrest Comprehensive Plan future land use "Urban Neighborhood" additionally allows for smaller lot sizes to promote housing transition. The comprehensive plan promotes comparable housing types for urban neighborhoods to effectively create a housing market with affordability for all incomes.

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

The developer could reduce the number of lots to meet the minimum lot size of 5,000 square feet. Thus, the request for lot reduction of the single-family dwelling lot size is a moderate delineation from the requirements when considering lot requirements for MR Medium Density District regulations and promotion of the Urban Neighborhood Principle to encourage residential development with a higher mix in uses, smaller lot sizes for moderate density increase with pedestrian access to retail, other activities, pocket parks, alternative transportation, and walkability. All are policies of the comprehensive plan making adequate provisions for the current and projected housing needs of all economic segments of the community. This request will also foster housing that is affordable to those at all income levels. This contrast will bridge this vision to bring about a compatible style that still maintains architectural character and adequate density for development of the community within the City of Stonecrest.

RECOMMENDED CONDITIONS

Based on the findings and conclusions the applicant meets all the criteria for approval. Staff recommends **Approval** of *V-24-000008* with the following conditions.

1. Exterior materials for street-facing facades shall include a various mixture of cementitious siding, board and batten (plank), concrete, stone, brick, and or stucco only.
2. Primary facade materials shall wrap around at outside building corners for at least four feet.
3. Exterior architectural materials shall comply with I-20 Corridor Overlay District, as per Section 3.33.12 (E).



ZONING BOARD OF APPEALS STAFF REPORT

4. Street-facing façade renderings must be provided with listed material mixture for varying frontage concepts and I-20 Corridor OVD color scheme with the land disturbance application and preliminary plat.
5. Development must comply with the required number of access management points as means of adequate ingress and egress accessibility for the site as per Chapter 14, Sec. 14-200. - Access management, (5) Table.
6. Reduce the required lot area from 5,000 sq. ft. to 4,200 sq. ft. minimum for 132 single-family lots.
7. Applicant must satisfy any conditions and review required for subject approval of a DRI (Development Regional Impact) prior to issuance of the preliminary plat and land disturbance permit.



ZONING BOARD OF APPEALS STAFF REPORT

Zoning Board of Appeals – Appeal of Staff Interpretation January 21, 2025

Petition Number:	V24-011
Applicant:	Battle Law, representing William Cordell Lyons
Owner:	William Cordell Lyons
Project Location:	2955 Klondike Road 16 138 01 001
Current Zoning:	R-100 (Residential Medium Lot)
Overlay District:	Stonecrest Overlay District Tier 3
Acreage:	+/-11.65
Staff Recommendation:	Affirm Staff’s Interpretation
Appeal Request:	The applicant seeks to appeal Staff’s interpretation of Section 7.5.2 of the Stonecrest Zoning Ordinance. This section of the zoning ordinance lists: A. General Power; B. Appeals of decisions of administrative officials; C. Appeals stays all legal proceedings; D. Appeal stay land disturbance or construction activity in certain situations; E. Oder granted by court; F. Time of hearing; G. Decision of the zoning board of appeals.

Case History

The site is zoned R-100 Residential Medium Lot. The Future Land Use Map has the property shown as UN-Urban Neighborhood and it is in the Stonecrest Overlay District Tier 3. The subject property is proposing 79 townhomes to be constructed on the property. A Preliminary Plat was submit on February 2, 2023, January 17, 2024, March 1, 2024 & September 4, 2024.

Staff Decision

Staff has no issues with the interpretation Section 7.5.2 of the Stonecrest Zoning Ordinance and fully understand that the applicant has the right to appeal to the Zoning Board of Appeals. Staff fully understand the language as it is written regarding the seven (7) sections A-G of Section 7.5.2.

Staff’s decision regarding the need for the property at 2955 Klondike Road to be rezoned is based on the language in Section 3.5.15 (A) of the zoning ordinance which explains the “Permitted uses and structures” of properties within the Stonecrest Overlay District Tier III, Low-rise mixed-use zone. The ordinance states



ZONING BOARD OF APPEALS STAFF REPORT

“All uses authorized in the C-1 and C-2 (General Commercial) District, O-I (Office Institutional) District, O-D (Office Distribution) District, M (Light Industrial) District, and MR-2 (Medium Density Residential) District except those listed in B. (Prohibited uses), below.”

The subject property is zoned R-100 Residential Medium Lot. R-100 is not one of the six (6) listed zoning districts and is not “authorized” as the ordinance states. The R-100 zoning district is a residential medium lot district and the purpose and intent of this district is:

- A. To provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet;*
- B. To provide for compatible infill development in neighborhoods;*
- C. To provide "For Sale", Single family detached residential subdivisions and For Sale Communities;*
- 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-100 (Residential Medium Lot-100) 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; and*
- G. To implement the future development map of the city's comprehensive plan.*

The intent of this zoning district did not include mix uses or townhomes. The ordinance is clear on what uses and zoning districts are authorized by the overlay district.

Additionally, allowing townhomes to be build in a R-100 zoning district would be creating a non-conforming development as per **Section 2.5.2, (2) Residential., a. Dwelling, single-family detached only**, and does not permit single-family attach or multifamily townhome unit development. The zoning districts listed as “authorized zoning classifications” within the Tier 3 overlay, are categories that allow townhome development to be developed by-right as the use is in conformity with those zoning districts.

A Letter of Intent was submitted to the Stonecrest Planning and Zoning Department dated 11/28/2023 regarding Klondike Station stating that “The owner wants to rezone 2979 and 2955 Klondike Road underlying zonings to combine both lots for the overall development. The goal is to rezone both properties' underlying zoning to accommodate the proposed development”.

The letter clearly identifies the fact that the subject property’s underlying zoning must be change as the Planning and Zoning Staff have interpreted per the zoning ordinance.

The proposed development must adhere to design standards regarding lot dimensions, setbacks, lot coverage, etc. These requirements are listed in the underlying zoning districts within the ordinance. There are six (6)



ZONING BOARD OF APPEALS STAFF REPORT

zoning districts listed in the Tier 3 overlay permitted uses and structures. If developed under the applicant's scenario, the property would have a R-100 zoning designation with a potentially commercial design standards regulation creating, again, a nonconforming development.

Also, there is the potential to create areas of conflicting uses as the overlay district, if used as the applicant is requesting, would allow uses in the R-100 zoning district whereas a neighboring R-100 property would not be afforded the same rights. The Overlay R-100 property could allow a Check Cashing establishment next door to a traditional R-100 property that restricts the property to a single-family home.

Each of the scenarios will result in creating a nonconforming development if the underlying zoning district is not rezoned, as it was intended by the overly district.

IMAGES

2955 Klondike Road, Lithonia, GA 30038

City Map of Stonecrest, GA GIS & Dekalb County GIS Map Viewer Systems

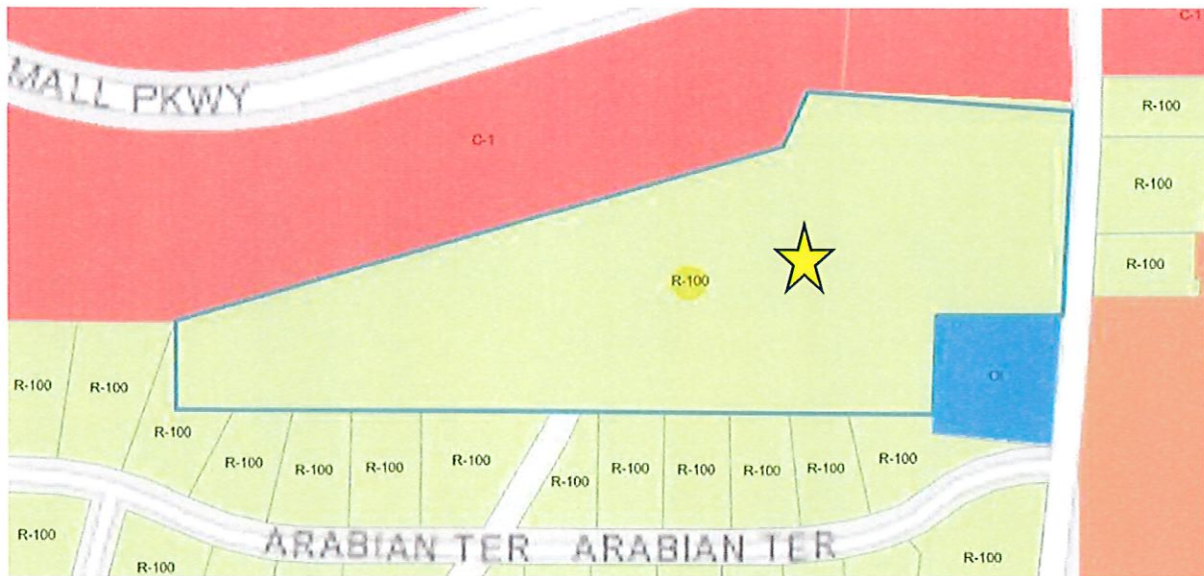
Aerial Map





ZONING BOARD OF APPEALS STAFF REPORT

Zoning Map

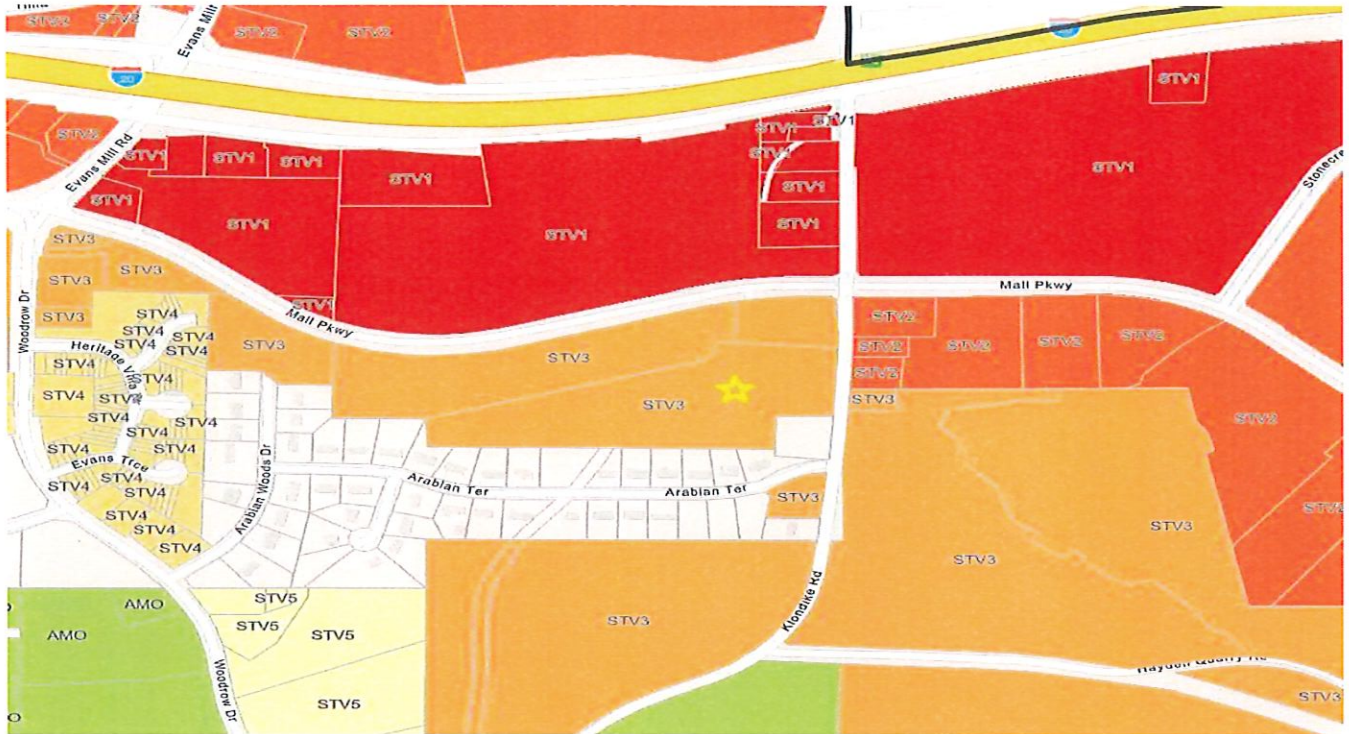






-  NS - Neighborhood Shopping
-  C-1 - Local Commercial
-  C-2 - General Commercial
-  OIT - Office Institutional Transitional
-  OI - Office Institutional
-  OD - Office Distribution
-  M - Light Industrial
-  M-2 - Heavy Industrial
-  MU-4 - Mixed Use High Density
-  RE - Residential Estate
-  R-100 - Residential Med Lot
-  R-85 - Residential Med Lot
-  R-75 - Residential Med Lot
-  R-60 - Residential Small Lot
-  RSM - Small Lot Residential Mix
-  MR-1 - Med Density Residential
-  MR-2 - Med Density Residential



ZONING BOARD OF APPEALS STAFF REPORT

Stonecrest Overlay District

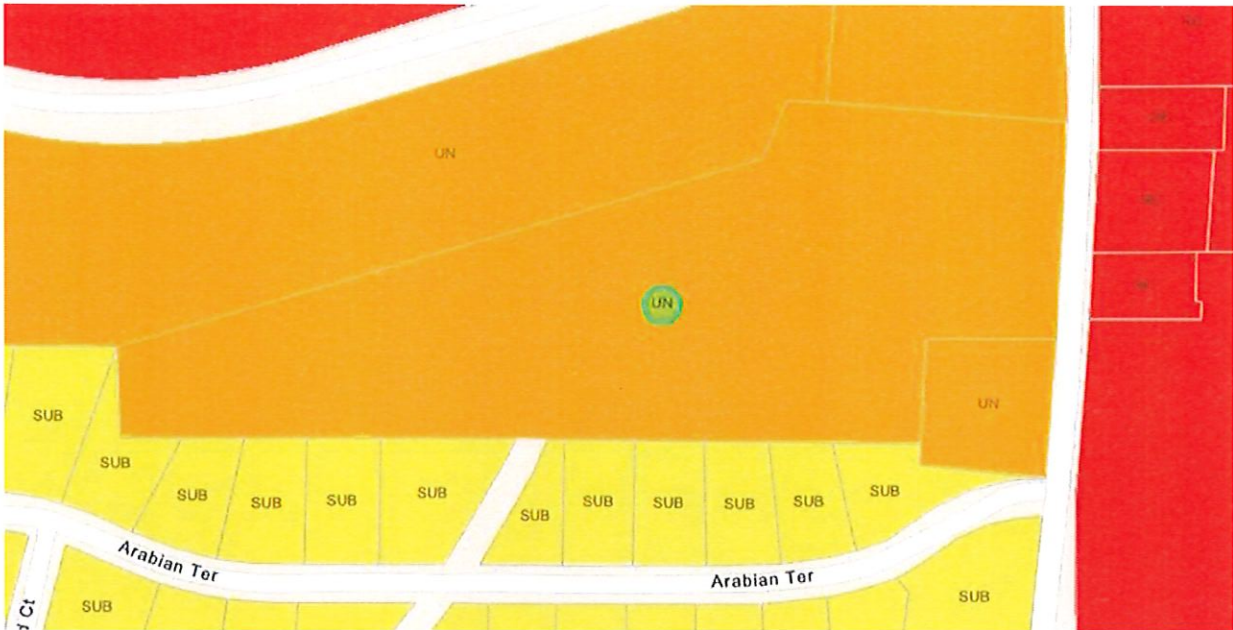


-  ARABIA MOUNTAIN OVERLAY DISTRICT
-  I-20 OVERLAY DISTRICT TIER 1
-  I-20 OVERLAY DISTRICT TIER 2
-  STONECREST OVD TIER 1
-  STONECREST OVD TIER 2
-  STONECREST OVD TIER 3
-  STONECREST OVD TIER 4
-  STONECREST OVD TIER 5
-  STONECREST OVD TIER 6 - VIEWSHED



ZONING BOARD OF APPEALS STAFF REPORT

Future Land Use Map



-  City Center
-  Conservation/Openspace
-  Heavy Industrial
-  Institutional
-  Light Industrial
-  Neighborhood Center
-  Office Professional
-  Regional Center
-  Rural Residential
-  Suburban
-  Urban Neighborhood



ZONING BOARD OF APPEALS STAFF REPORT

LETTER OF INTENT KLONDIKE STATION

City of Stonecrest Planning & Development
3120 Stonecrest Boulevard, Stonecrest, GA 30038

The purpose of this letter of intent is to define the scope of a proposed development. The project is located at 2955 Klondike Road in Stonecrest, GA, and is zoned Tier 3 in the Stonecrest overlay district. The city of Stonecrest has requested that the Owner, Cordel Lyons, submit a letter of intent for the property's development. The combined property is approximately 12.5 acres. Lot 1 is 11.61 acres, located at 2955 Klondike Road, and Lot 2 is 0.9 acre, located at 2979 Stonecrest Road.

The second property is at 2979 Klondike Road, Stonecrest, GA. This lot is currently zoned Office/Institutional outside the overlay district. The owner wants to rezone 2979 and 2955 Klondike Road underlying zonings to combine both lots for the overall development. The goal is to rezone both properties' underlying zoning to accommodate the proposed development. We are looking for the City of Stonecrest recommendation for rezoning. In summary, the proposed land uses are as follows.

1. 2955 Parcel: Construct 59 townhomes.
2. 2955 Parcel mixed-use building with approximately 30 thousand square feet of commercial space and 2 Floors of multifamily housing. (See attached layout)
3. 2979 rezoning the OI zoning to a zoning that allows a portion of the townhome development to occur on this parcel.
4. The owner will use the overlay zoning Tier 3 for this project for 2955.
5. Combine both parcels to one parcel to accommodate the proposed development

In conclusion, the project consisting of 59 townhomes and the proposed mix use midrise building is a project that we feel will bring added value to Stonecrest. Lot one with a future commercial and multifamily development increases the economic value of the property. The smaller lot supports the townhome development. Please see the proposed layout. We want to ensure the townhome layout and proposed commercial development meet both the overlay requirements and an underlying zoning that will accommodate the proposed development and the City can support.

We look forward to working with you in the future. Should you have further questions, please feel free to contact us anytime.

I have attached a layout of the property for your reference. Should you have any further questions, please feel free to contact me.

Best Regards

H Delaney
Hugh Delaney
704.340.7623
hugh@D2constructionservices.com
11/28/2023



ZONING BOARD OF APPEALS STAFF REPORT

RECOMMENDATION

Staff recommends APPROVAL of amending the conditions for *RZ-19-005* to keep the current text of 1 (d) of the strictly prohibited use to allow for a Brazilian Wax establishment-with facials, massage and eyebrow threading services *ONLY*.