



**ZONING BOARD OF APPEALS MEETING**  
**Stonecrest City Hall's ZOOM-Virtual, 6:00 PM**  
**May 18, 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 March 16, 2021.

**IV. Old Business:** None

**V. New Business:**

A. Introduction of New Staff:

1. City Manager Janice A. Jackson
2. Deputy City Manager Jim Nichols
3. Planning & Zoning Director Jim Summerbell
4. Finance Director Gia Scruggs
5. City Clerk Patricia Wheeler

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.

**VI. Adjournment**



## ZONING BOARD OF APPEALS MEETING MINUTES SUMMARY

Stonecrest City Hall *Zoom- Virtual*, 6:00 PM

**March 16, 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 6:20 PM.

### **II. Oath of Office**

The Honorable Mayor Jason Lary administered the Oath of Office to the Zoning Board members whose term expired on December 31, 2020. The following three members will continue to serve the City of Stonecrest:

- 1). Ms. Erica Williams – District 1 (**REAPPOINTED**)
- 2). Ms. Sonja Hicks – District 3 (**REAPPOINTED**)
- 3). Mr. Michael Armstrong – District 4 (**REAPPOINTED**)

### **III. Roll Call**

The Chairman called the roll. Mrs. Dee Tyner, Ms. Sonja Hicks, and Mr. Michael Armstrong were present. Ms. Louise Alexander was absent. There was a quorum.

City Planner Tuyanna Daniels and Attorney Shirmelle Council from Fincher Denmark, LLC were present.

### **IV. Minutes**

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

### **V. Old Business: None**

### **VI. New Business: None**

### **VII. Adjournment**

The vote was carried **unanimously** to adjourn the meeting at 6:28 PM. Mr. Armstrong motioned to **adjourn the meeting**. Ms. Hicks seconded the motion.

### **APPROVED:**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

### **ATTEST:**

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date



February 26, 2021  
Board of Appeals  
City of Stonecrest  
3120 Stonecrest Blvd

RE: Letter of Intent for Sign Variance Application  
HONDA STONECREST  
7970 MALL PKWY

RE: **LETTER OF INTENT- WALL SIGN INCREASE**

HONDA and Altair Sign and Light (representative for HONDA) are seeking relief from Chapter 21 City of Stonecrest Code of Ordinances / Article I.

1. Exceptional conditions pertaining to the property where the sign is to be located -This is a dealership which typically has more than two (2) signs on their building frontages. The signage also serves to direct the customer to the appropriate location of the building.
2. This would not confer on the applicant any significant privileges which are denied to others similarly situated.
3. The exceptional circumstances are not the result of action by the applicant
4. The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated.
5. Granting the variance would not violate more than one (1) standard of this article
6. Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic as it will be within the recommended setback according to city code.

By approving this variance, HONDA will be able to keep with the necessary number of branded signs that are seen at all of their other locations.

We appreciate your review and consideration of this sign request.

Respectfully,

*Felicia Johnson*

Altair Sign & Light,  
Contractor/Representative



3120 Stonecrest Blvd. • Stonecrest, Georgia 30038 • (770) 224-0200 • [www.stonecrestga.gov](http://www.stonecrestga.gov)

## Variance(s) and Administrative Variances Application

This application applies to:

- Variances
- Administrative Variances

If an applicant needs to further relax the dimensional standards of the Zoning Ordinance for a specific property for the purpose of construction, they can request a variance to the text of the Zoning Ordinance. Such a request might seek to modify the strict terms of lot coverage, placement, setback, yard, buffer, landscape strip, parking and loading or other regulations, but such an application may not occur concurrently with a land use map amendment or modification of conditions, and the approval of one does not indemnify the approval of the other. The Zoning Board of Appeals shall determine whether the requested variance or special exception meets the applicable requirements. The Community Development Director shall determine whether the requested administrative variance meets the applicable requirements.

The variance process for the City of Stonecrest involves one public hearing before the Zoning Board of Appeals, where the item will be heard and a decision will be made based on the applicant's submittal information and the report generated by city staff. The Zoning Board of Appeals meets the third Wednesday of each month at 6:00 PM. in the **Stonecrest City Hall, located at 3120 Stonecrest Blvd. Stonecrest, GA 30038.**

The Community Development Director will issue a decision within 30 days for general administrative variance requests. The decision date begins after the date of application acceptance by city staff. Notices will be sent to neighboring property owners for comment. To city staff during the required 15-day public comment period and 45 days for administrative variances related to Stream Buffers.

Some aspects of development are **not** allowed to be varied, including requests that would:

- Allow a structure or use not authorized in the applicable zoning district or a density of development that is not authorized within such district;
- Allow an increase in maximum height of building;
- Allow any variance which conflicts with or changes any requirement enacted as a condition of zoning or of a special land use permit by the city council;
- Vary the requirements of Chapter 21 for an off premises sign which decreases the applicable development standard by thirty (30) percent or more, or to grant more than two (2) variances for a specific parcel of property for an off-premises sign during a five-year period of time;
- Reduce, waive or modify in any manner the minimum lot width and minimum lot area where the lot has been conditionally zoned to a specific site plan or the minimum lot area of any zoning district;





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

## Variance(s), Administrative Variances, and Exceptions Application Checklist

(Incomplete applications will not be accepted)

☒ Pre-application meeting (A staff-signed pre-application form must be submitted with application)

☒ Completed Application (with all relevant information to your case)

☐ Survey Plat of the subject property in accordance with the attached site plan checklist.

☐ Signed and notarized affidavits of all property owners. Use separate sheet.

☐ Signed Campaign Disclosure Statement.

☐ Written legal description which includes a narrative of the metes and bounds of the property.

☐ Relevant Site Photos.

☒ ~~Letter of Intent for Zoning Variances/Special Exceptions (Chapter 27):~~ Please describe your situation and how your variance request is a result of all of the following conditions:

- 1) By reason of exceptional narrowness, shallowness, or shape of a specific lot, or by reason of exceptional topographic conditions, 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;
- 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;
- 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;
- 4) The literal interpretation and strict application of the applicable provisions or requirements of this Chapter would cause undue and unnecessary hardship; not merely impose a casual/discretionary inconvenience upon the applicant or his assigns; and
- 5) The requested variance would be consistent with the spirit and purpose of this Chapter and the City of Stonecrest Comprehensive Plan text.

☐ **Letter of Intent for Sign Variances (Chapter 21):** Please describe your situation and how your variance request is a result of all of the following conditions:

- 1) Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape, or topography, which are not applicable to other lands or structures in the area;
- 2) Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated;
- 3) The exceptional circumstances are not the result of action by the applicant;
- 4) The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated;



3120 Stonecrest Blvd. • Stonecrest, Georgia 30038 • (770) 224-0200 • [www.stonecrestga.gov](http://www.stonecrestga.gov)

## Site Plan Requirements

All applicable items must be included on the Site Plan; separate sheets may be used.

- ☐ Key and/or legend and site location map with North arrow.
- ☐ Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning.
- ☐ Acreage of subject property.
- ☐ Location of land lot lines and identification of land lots.
- ☐ Existing, proposed new dedicated and future reserved rights-of-way of all streets, roads, and railroads adjacent to and on the subject property.
- ☐ Proposed streets on the subject site.
- ☐ Current zoning of the subject site and adjoining properties.
- ☐ Existing buildings with square footages and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property.
- ☐ Existing buildings' locations and heights (stories), wells, driveways, fences, cell towers, and any other structures or improvement on adjacent properties within 200 feet of the subject property.
- ☐ Location of proposed buildings with total square footage.
- ☐ Layout and minimum lot size of proposed single family residential lots. Topography on the subject site and adjacent property up to 200 feet as required to assess runoff effects.
- ☐ Location of overhead and underground electrical and pipeline transmission/conveyance lines.
- ☐ Required and/or proposed setbacks.
- ☐ 100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps.
- ☐ Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed.
- ☐ Required and proposed parking spaces; Loading and unloading facilities.
- ☐ Lakes, streams, wetlands, and Waters of the State and associated buffers.
- ☐ Proposed stormwater management facilities.
- ☐ Community wastewater facilities including preliminary areas reserved for septic drain fields and points of access.
- ☐ Availability of water system and sanitary sewer system.





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 type="checkbox"/> Stream Buffer <input checked="" type="checkbox"/> Sign <input type="checkbox"/> Other			
	Applicable Zoning/Sign Code Section:				
Project	Nature of Request:	Required:	Proposed:	Minimum Setback Requirements	Proposed Setback Requirements
	<input type="checkbox"/> Setback	(See Chart to the Right)		Front	Front
	<input checked="" type="checkbox"/> Sign	2 SIGNS	6 wall signs	Side	Side
	<input type="checkbox"/> # Parking Spaces			Rear	Rear
	<input type="checkbox"/> Other			Other	Other
Owner Information	Name of Project/Subdivision:	HONDA		Present Zoning: C-1	
	Property Address/Location:	7970 MALL PKWY, STONECREST GA 30038			
	District: 16	Land Lot:	Block:	Property ID: 16 151 03 010	
	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				
Affidavit	Name:	Cfn I-20 Inc			
	Address:	1833 Tree Top Ct. MARIETTA, GA 30062			
	Phone:			Fax:	
	Cell:			Email:	
	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				
Notary	Applicant's Name:	CLINTON MOSELEY - ALTERRA HOMES AND LIGHT			
	Applicant's Signature:				Date: 2.25.21
	Sworn to and subscribed before me this	25th			
	Notary Public:	Felicia Johnson			
	Signature:				
Office Use	Date:	2.25.2021			
	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:			



3120 Stonecrest Blvd. • Stonecrest, Georgia 30038 • (770) 224-0200 • [www.stonecrestga.gov](http://www.stonecrestga.gov)

## Campaign Disclosure Ordinance

### Campaign Disclosure Ordinance

Please read the law and complete the Campaign Disclosure Statement on the following page if you are requesting a Rezoning, Concurrent Variance, or Conditional Use.

#### GA Citation/Title

GA Code 36-67A-3, Disclosure of campaign contributions

\*38069 Code, 36-67A-3

### CODE OF GEORGIA TITLE 36. LOCAL GOVERNMENT PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS CHAPTER 67A. CONFLICT OF INTEREST IN ZONING ACTIONS (Current through 2000 General Assembly)

#### 36-67A-3 Disclosure of campaign contributions.

- a) When any applicant for rezoning action has made, within two years immediately preceding the filing of that applicant's application for the rezoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:
  - 1) The name and official position of the local government official to whom the campaign contribution was made; and
  - 2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- b) The disclosures required by subsection (a) of this Code section shall be filed within ten days after the application for the rezoning action is first filed.
- c) When any opponent of a rezoning action has made, within two years immediately preceding the filing of the rezoning action being opposed, campaign contributions aggregating \$250.00 or more to a local government official of the local government which will consider the application, it shall be the duty of the opponent to file a disclosure with the governing authority respective local government showing:
  - 1) The name and official position of the local government official to whom the campaign contribution was made; and
  - 2) The dollar amount and description of each campaign contribution made by the opponent to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.
- d) The disclosure required by subsection (c) of this Code section shall be filed at least five calendar days prior to the first hearing by the local government of any of its agencies on the rezoning application.

(Code 1981, 36-67A-3, enacted by Ga. L. 1986, p. 1269, 1; Ga. L. 1991, p. 1365, 1; Ga. L. 1993, p. 91, 36.)

*Official Code of Georgia Annotated Copyright 1982 – 2000 State of Georgia*



Elevation

Project ID CF1-35849	
Date: 11-18-2020	Scale: N.T.S.
Sales: C. Farmer	Designer: R. Ferrara
Rev. #:	Date:
Revision Note:	
<input checked="" type="checkbox"/> Conceptual Information Required:	
<input type="checkbox"/> Master <input checked="" type="checkbox"/> Electrical	
<input type="checkbox"/> 120V <input type="checkbox"/> 347V <input type="checkbox"/> Other	
Customer Approval Signature: _____ MM/DD/YYYY	
It is the Customer's responsibility to ensure that the structure of the building is designed and constructed to support the weight of the signs being ordered. Please ask PSC to provide further details if required.	
All rights reserved. The artwork and design are the property of Pattison Sign Group and as such cannot be reproduced in whole or in part without written permission by Pattison Sign Group.	





