



**TO:** Planning Commission

**FROM:** Planning and Zoning Department

**SUBJECT:** RZ-23-006

**ADDRESS:** 7467 Covington Highway

**MEETING DATE:** November 8, 2023

**Summary:** Applicant is seeking to rezone subject property from R-75 (Residential Medium Lot -75) to C-1 (Local Commercial).

**STAFF RECOMMENDATION:** Approval with two (2) conditions

**PLANNING COMMISSION RECOMMENDATION:** TBD



RZ-23-006

Planning and Zoning Department

**Commissioner District #1: Councilwoman Tara Graves**

<b>PROPERTY INFORMATION</b>	
<b>Location of Subject Property:</b> 7467 Covington Highway	
<b>Parcel Number:</b> 16 137 03 015	
<b>Road Frontage:</b> Covington Highway	<b>Total Acreage:</b> 0.85 +/-
<b>Current Zoning:</b> R-75 (Residential Medium Lot)	<b>Overlay District:</b> N/A
<b>Future Land Use Map/ Comprehensive Plan:</b> CC (City Center)	
<b>Zoning Request:</b> Applicant is seeking to rezone subject property from R-75 (Residential Medium Lot -75) to C-1 (Local Commercial).	
<b>Zoning History:</b> N/A	

<b>APPLICANT / PROPERTY OWNER INFORMATION</b>
<b>Applicant Name:</b> Floyd Sullivan
<b>Applicant Address:</b> 3351 Inns Brook Way Snellville, GA 30039
<b>Property Owner Name:</b> Floyd Sullivan
<b>Property Owner Address:</b> 7467 Covington Highway Stonecrest, GA 30058



**DETAILS OF ZONING REQUEST**

The site is currently zoned R-75 (Residential Medium Lot-75). The City’s land use policy documents support the rezoning request. The City of Stonecrest 2038 Comprehensive Plan has designated the parcel to be CC (City Center). The City Center character area intends to promote concentration of residential and commercial uses, which serve surrounding communities in order to reduce automobile travel, promote walkability and increase transit usage.

The Applicant is proposing to rezone the site to C-1 (Local Commercial) zoning district. The C-1 (Limited Commercial) zoning district is intended to provide convenient local retail shopping and service areas within the city for all residents, provide for quality control development through materials and building places, to ensure that uses authorized within the C-1 zoning district are those uses which are designed to serve the convenience shopping and service needs of groups of neighborhoods, and to implement the future development map of the city’s comprehensive plan.

The Applicant doesn’t intend to do any renovation to the subject property. If the Applicant makes any changes to the site, he/she must comply with the current zoning ordinance (Chapter 27) of the City of Stonecrest ordinances.

**ADJACENT ZONING & LAND USE**

<b>NORTH</b>	<b>Zoning:</b> C-1 (Local Commercial)	<b>Land Use:</b> O’Reilly Auto Parts
<b>SOUTH</b>	<b>Zoning:</b> R-75 (Residential Medium Lot-75)	<b>Land Use:</b> Single-Family Dwelling
<b>EAST</b>	<b>Zoning:</b> C-1 (Local Commercial)	<b>Land Use:</b> Place of Worship
<b>WEST</b>	<b>Zoning:</b> C-1 (Local Commercial)	<b>Land Use:</b> Tires Shop



**PHYSICAL CHARACTERISTICS & INFRASTRUCTURE**

The site is currently developed with one (1) road frontage (Covington Highway). There aren't floodplain and/or statewaters on the subject property.

**PROPOSED ADMENDMENTS TO THE OFFICIAL ZONING MAP CRITERIA**

1. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan;
2. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property or properties;
3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
4. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property or properties;
5. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;
6. Whether the zoning proposal will adversely affect historic buildings, sites, districts, or archaeological resources;
7. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; and
8. Whether the zoning proposal adversely impacts the environment or surrounding natural resources

**RECOMMENDATION(S)**

Staff recommends the following:

- **APPROVAL with conditions**
  1. The project shall conform substantially to the attached site plan; and
  2. Prior to the issuance of a Certificate of Occupancy, the Applicant shall apply for and receive a Business License.



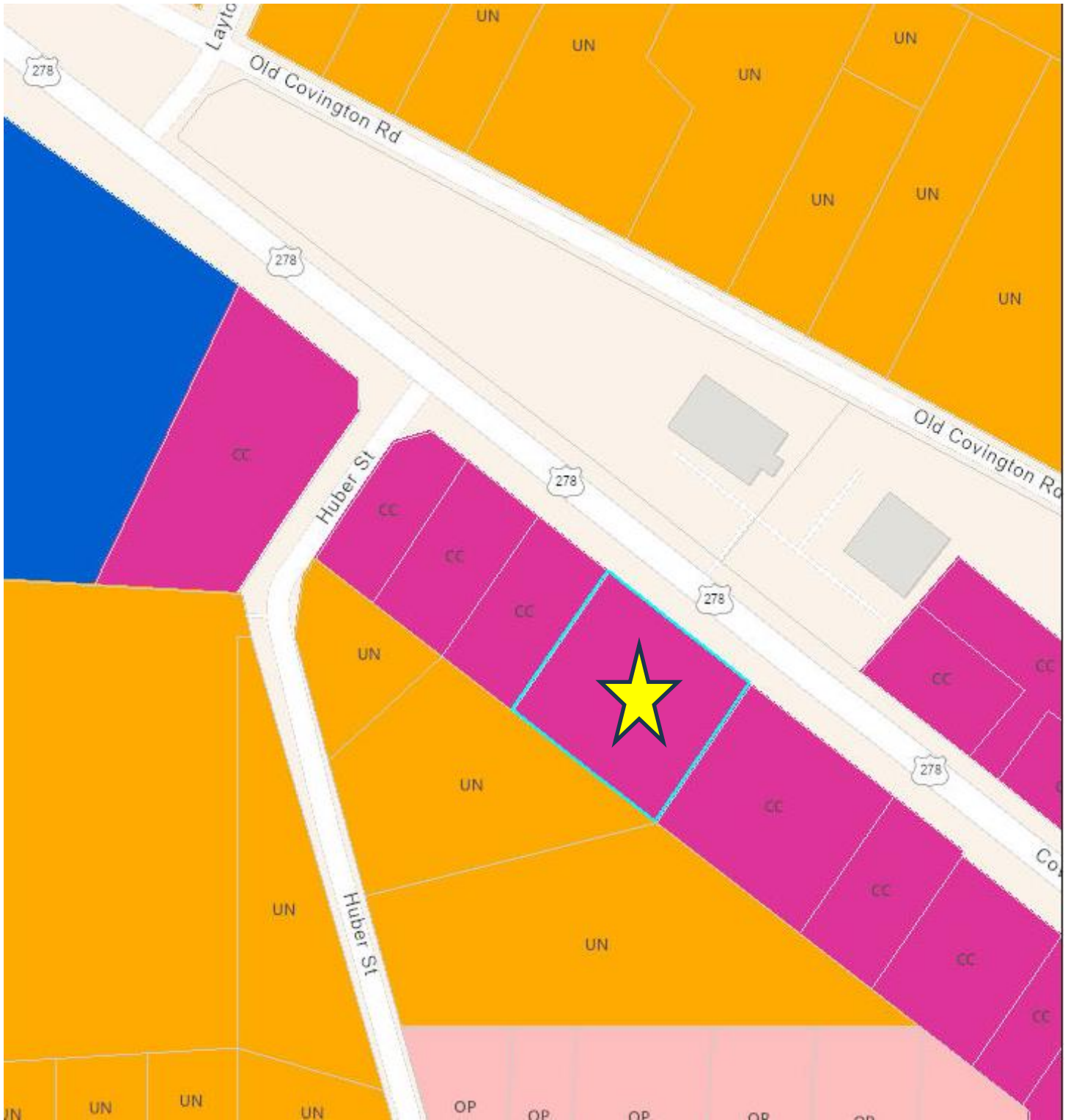
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**Attachments Included:**

- **Future Land Use Map**
- **Zoning Map**
- **Aerial Map**
- **Site Photo**
- **Site Plan/Survey**
- **Environmental Site Analysis**
- **Letter of Intent**

## Future Land Use Map





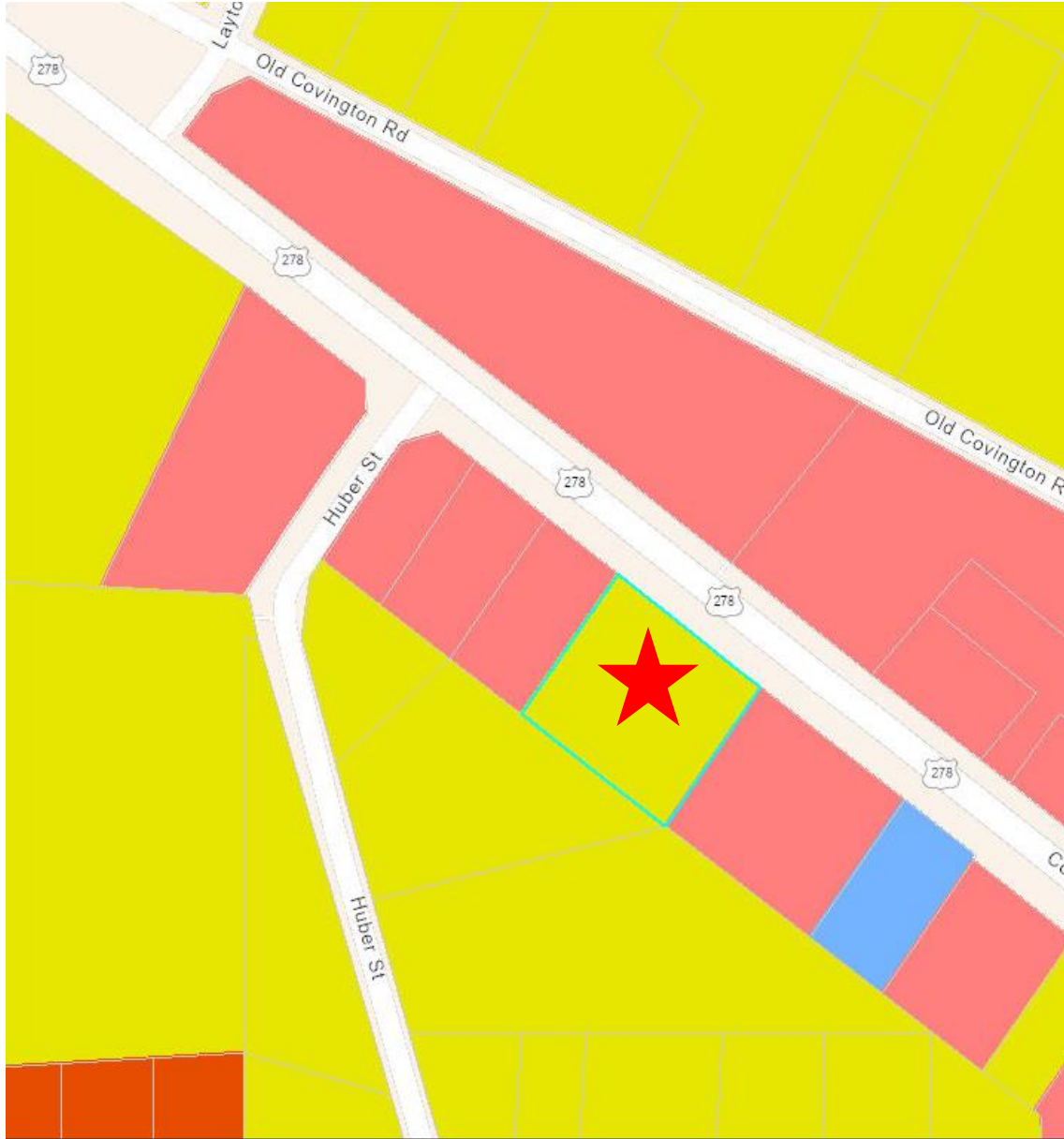
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## City Center (CC)

The intent of the City Center Character Area is to promote the concentration of residential and commercial uses, which serve surrounding communities in order to reduce automobile travel, promote walkability and increase transit usage.

The areas should be a focal point for several neighborhoods with a variety of activities such as general retail, commercial, professional office, high-density housing, entertainment and recreational uses and appropriate public open spaces that are easily accessible by pedestrians. This character area is similar to neighborhood center, but at a larger scale. The preferred density for areas of this type is up to 40 dwelling units per acre.

## Zoning Map



10/9/2023, 11:12:39 AM

Stonecrest Parcels

City Limits

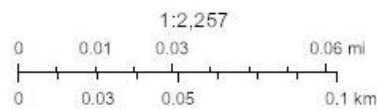
Zoning

C-1 - Local Commercial

OI - Office-Institutional

R-75 - Residential Med Lot

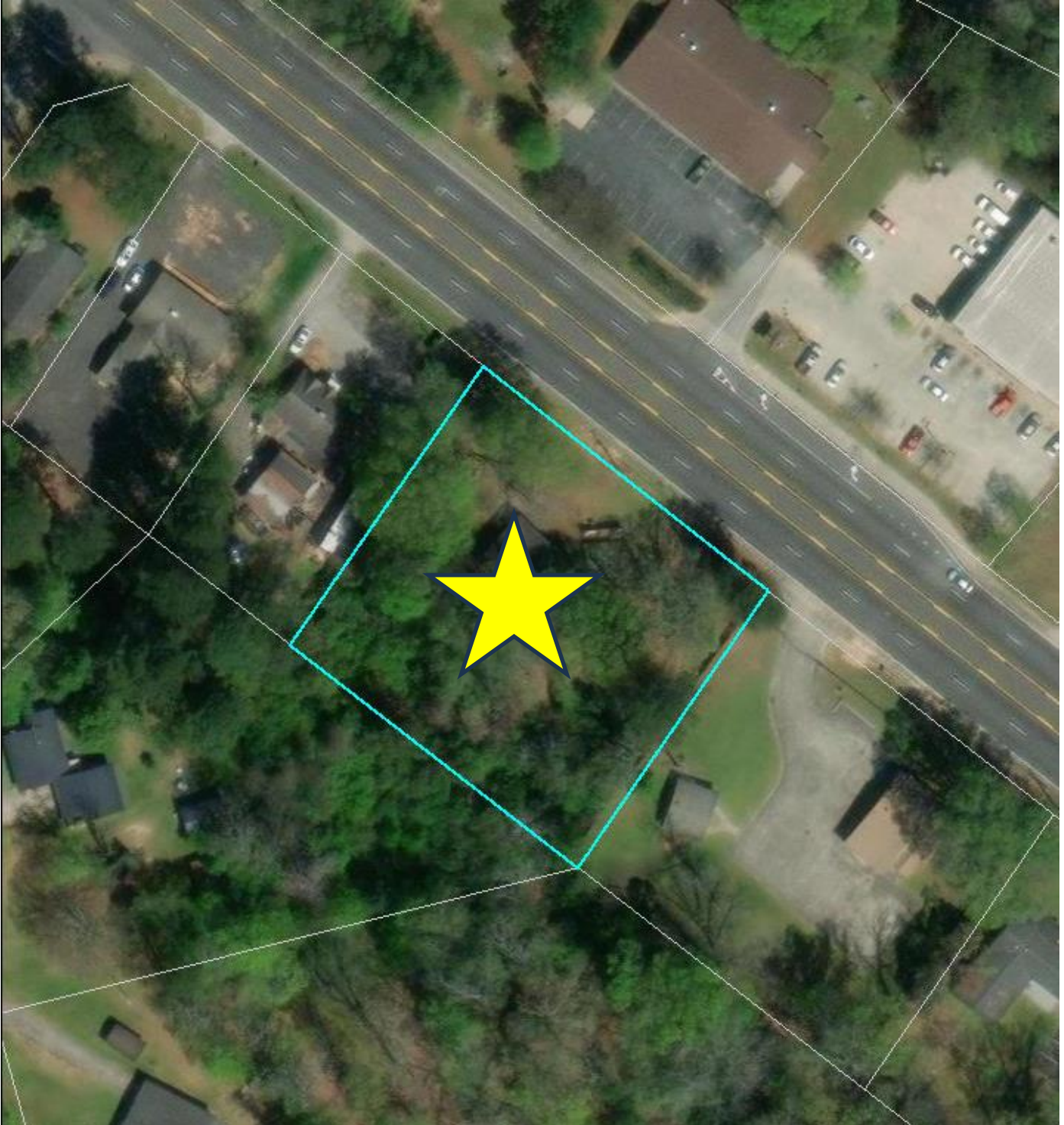
MR-2 - Med Density Residential



Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS.



**Aerial Map**



**Site Photo**



**Submitted Site Plan**

**GENERAL NOTES:**

- This Plat has been prepared without the benefit of a current site report. Easements or encumbrances may exist that are not shown on this plat.
- This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
- Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for clearance or presence of any such utilities.
- No Geodetic monuments were found within 500 feet of this site.
- This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

Line #	Length	Bearing
L1	13.39	S57°27'27"E
L2	12.00	N43°25'29"E

Scale: 1" = 30'

**CITY OF STONECREST**  
ZONING: R-75  
FRONT SETBACK - 45'  
THROUGHTWAYS, 30' MATERIALS  
30' COLLECTOR AND ALL OTHER  
STREETS AND 25' WALLEY ACCESS  
SIDE SETBACK - 7.5'  
REAR SETBACK - 45'

**FIELD DATA:**  
DATE OF FIELD SURVEY: 10-31-22  
THE CALCULATED POSITIONAL  
TOLERANCE BASED ON REQUIRING  
LINEAR MEASUREMENTS OF  
OBSERVED POSITIONS WAS FOUND  
TO BE 0.01 FEET.

**EQUIPMENT:**  
ELECTRONIC TOTAL STATION AND NETWORK GPS  
GPS RECEIVER: SP 10  
98423800077  
NETWORK: TRIMBLE V55 NEO RTK GNSS  
TOTAL AREA: 37,647 SQ FT, 0.864 AC  
CALCULATED PLAT CLOSURE: 1 FOOT IN 357,476 FEET

**SURVEY DATA:**  
TYPE OF SURVEY: RETRACEMENT  
SOURCE OF TITLE DESCRIPTION FOR SUBJECT  
PROPERTY OR ZONING PG 27-29  
PROPERTY OWNER AT TIME OF SURVEY:  
FLOED SULLIVAN  
PARCEL NUMBER: 137 03 015

**REFERENCE:** PLAT BOOK 15 PAGE 165  
PLAT BOOK 36 PG 10  
DEED BOOK 3086 PG 27-29  
DEED BOOK 2741 PG 577  
DEED BOOK 3830 PG 133-132

**FLOOD HAZARD NOTE:** THIS PROPERTY IS  
NOT LOCATED IN A FLOOD HAZARD AREA  
AS DEFINED BY FIRM MAP OF DEKALB  
COUNTY, GEORGIA 130000070N EFFECTIVE  
DATE DECEMBER 8, 2016

This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plat, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67

REVISIONS	By
8-21-23 ADD SHED TO SURVEY	LSM

BOUNDARY SURVEY FOR  
TRISHA DENAMON  
7467 COVINGTON HIGHWAY, STONECREST, GEORGIA 30058

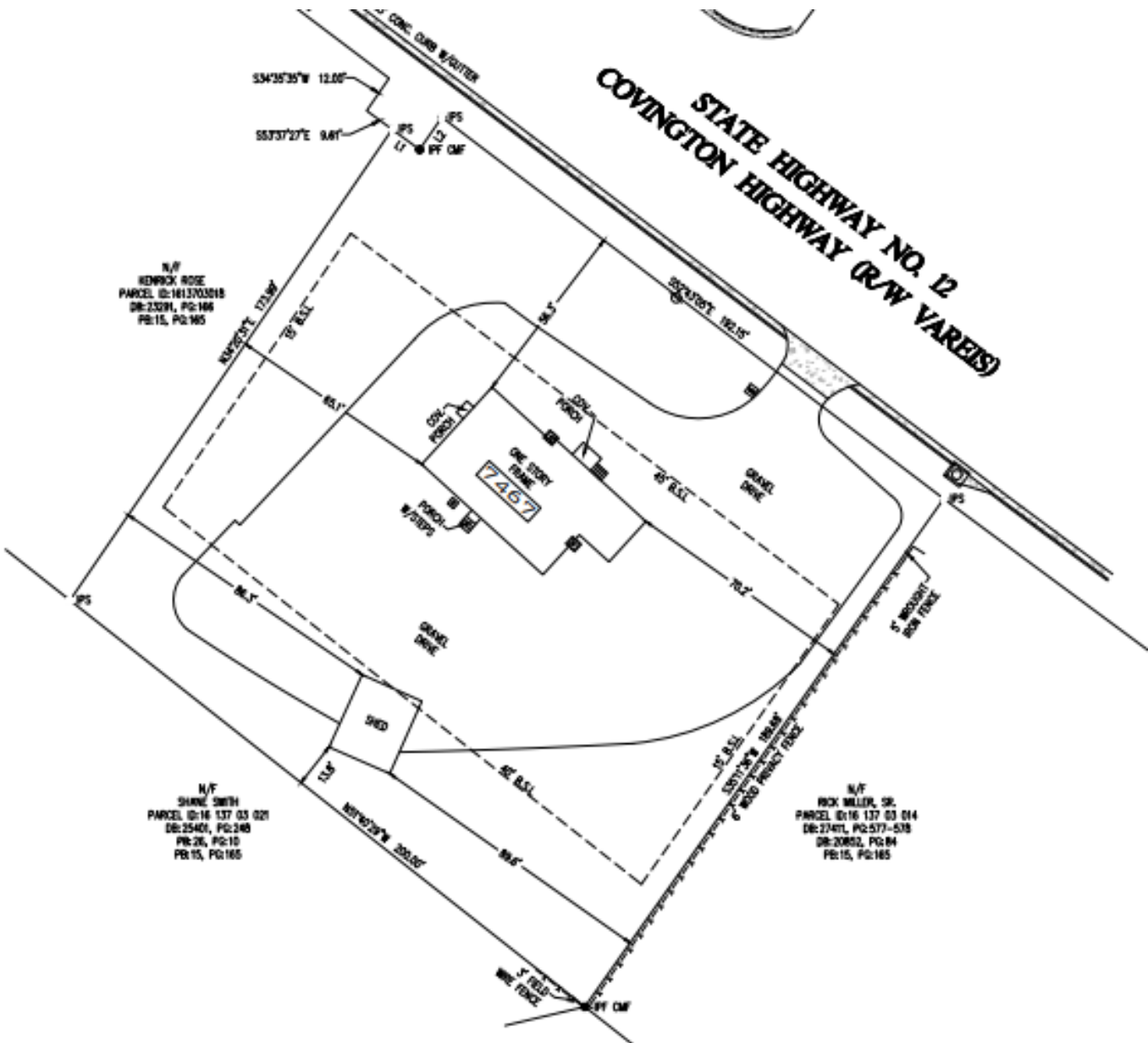
LAND LOT 137 - 16TH DISTRICT, DEKALB COUNTY, GEORGIA

Date:	08-21-2023
Scale:	
Client:	
Drawn By:	LSM/00K
Sheet 1 of 1	



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## Environmental Site Analysis

Conformance to the Comprehensive Plan.

- a. Describe the proposed project and the existing environmental conditions on the site. The subject property is already developed with a single family home, 2 car garage (shed). The front and sides of the property has gravel and some landscape in the rear.
- b. Describe adjacent properties. Describe how the project conforms to the Comprehensive Land Use Plan. The adjacent properties have similar designs and are zones

**Adjacent Property Zones.**

- i. **North.** Covington Highway
- ii. **East.** C-1, Local Commercial
- iii. **South.** R-75, Residential Medium Lot
- iv. **West.** C-1, Local Commercial
- c. Include the portion of the Comprehensive Plan Land Use Map which supports the projects conformity to the Plan. (See Attached)
- d. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

The intent of this submittal is to rezone the property to a zone district in which permits the use of "general business office or building or construction office" by right. The purpose of this rezoning submission is to legally occupy and use the structure and space as the mentioned use of office.

In addition, we propose to rezone the property to the C-1 zone district; which permits the proposed use. With respect to Table 4.1 of the City of Stonecrest zoning code the C-1 zone district permits the requested uses of "general business office, building or construction office"

The current use of "accessory uses or structures (accessory two car garage)" is considered a permitted use as an accessory use within the C-1 zone district, per Table 4.1 of the City of Stonecrest Zoning Code.

**Developmental Breakdown**

Category	R-75 Zone District	C-1 Zone District
Lot Area	10,000 SF	20,000 SF
Lot Width, Frontage	75 feet	100 feet
Lot Coverage	35%	90%
Front Arterials No accessory building	35 feet	60 feet



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<b>setbacks noted in zoning code.</b>		
<b>Side-interior building No accessory building setbacks noted in zoning code.</b>	<b>7.5 feet</b>	<b>20 feet</b>
<b>Rear No accessory building setbacks noted in zoning code.</b>	<b>40 feet</b>	<b>30 feet</b>
<b>Unit Size</b>	<b>1,600 SF</b>	<b>650 SF</b>
<b>Building Height</b>	<b>35 feet</b>	<b>2 stories and 35 feet</b>
<b>Accessory Building Height</b>	<b>24 feet</b>	<b>No Accessory Building Height Requirement</b>
<b>Open Space</b>	<b>20% Open space requirement shall apply to new subdivisions if project is &gt;five acres or &gt;36 units</b>	<b>10%</b>
<b>Parking</b>	<b>Detached single-fami</b>	<b>Office, Profession</b>



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	<p>ly dwelling. Two spaces per dwelling unit.</p> <p>Maximum. Four spaces per dwelling unit.</p> <p>3 bedroom single family identified as one unit = 2 minimum required parking spaces</p> <p>4 maximum allowance</p>	<p>a. One space for each 500 square feet of floor area.</p> <p>Maximum. One space for each 250 square feet of floor area.</p> <p>1,660 SF / 500 SF = 3 minimum required</p> <p>1,660 SF / 250 SF = 7 maximum allowance</p>
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# Letter of Intent

## REZONING LETTER OF INTENT

August 2023

**City of Stonecrest**

**Department of Planning and Zoning**

**3120 Stonecrest Blvd Suite 190**

**Stonecrest, GA 30038**

RE: Letter of Intent - Rezoning Application by Sullivan Electric Services Co, LLC. (the "Applicant") for the property located at 7467 Covington Highway, Stonecrest Georgia (the "Property")

Dear Mr. Singletary:

This rezoning application is being submitted on behalf of the owner for the proposed rezoning on land lot 37, district 16, Dekalb County. Located at 7467 Covington Highway. The proposal is to is to rezone the residential building into a commercial building. The proposed site entrance is located off the public right of way that currently serves as an entrance to property. The site is an appropriate transition zoning from the R75 (Medium Residential Housing) to commercial uses.

The surrounding uses are as follows:

- Sword of the Spirit Ministries church
- New and Used Tire Shop
- Oreily's Auto Parts

Our proposal for rezoning, as it relates to these surrounding uses, is the most viable option for the property. The approval of this application would be consistent with the City's previous zoning decisions along nearby sites. The proposal would not burden existing infrastructure and the mixture of uses will provide offsetting trip times as compared to office.

The Applicant and owner respectfully request the City of Stonecrest Planning Development and Planning Staff approval and support the Applicant's rezoning request to allow for the R75 property to be changed to the category to support the commercial to match neighboring properties, the only economically viable use of the Subject Property. The Applicant, owner, and their representatives welcome the opportunity to meet with all interested parties and representatives.

Respectfully,

Floyd Sullivan

Owner, Sullivan Electrical Service Co, LLC