



**Mission: To provide visionary leadership and superior municipal services that enhance the quality of life for citizens while creating a welcoming business atmosphere focused on sustainability and expansion of tourism and cultural events.**



## **AGENDA ZONING ADVISORY BOARD MEETING**

**Thursday, April 27, 2017 6:00 PM**

### **Board Members**

**Dr. Renata Hannah – Chair**  
**Louis Goglia – Vice Chair**  
**Askia Abdullah**  
**Stanley Dumas**  
**Shirley Wallace**

### **Administration**

**Camilla Moore, Community Dev. Director**  
**Michael Williams, City Attorney**  
**Melinda Davies, Planning GIS Specialist**  
**Bill Johnston, Zoning Consultant**  
**Randi Rainey, ZAB Secretary**

- I. Call to Order**
- II. Invocation**
- III. Pledge of Allegiance**

#### **IV. Roll Call**

**Present**

**Absent**

**Askia Abdullah**

**Stanley Dumas**

**Louis Goglia**

**Dr. Renata Hannah**

**Shirley Wallace**

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#### **V. Adoption of the Agenda**

**VI. Approval of Minutes for 3/23/2017**

**Approval of Minutes for 3/23/2017**

**NEW BUSINESS**

**Item # 1 - PUBLIC HEARING**

**REZONING: RZ-17-07-S**

**Altaf Cheema of Stockbridge, GA requests a rezoning from R3 (Single Family Residence) to C1 (Neighborhood Commercial) for property located at 791 Davis Rd. in Land Lots 79 and 90 of the 12th District. The property consist of 1.27 +/- acres, and the request is for a convenience store.**

Presented by: Camilla Moore

**STAFF COMMENTS**

**BOARD COMMENTS**

**ADJOURN**



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## **SUMMARY MINUTES ZONING ADVISORY BOARD MEETING**

**THURSDAY, MARCH 23, 2017 6:00 p.m.**

### **Board Members**

**Dr. Renata Hannah - Chair  
Louis Goglia – Vice Chair  
Askia Abdullah  
Stanley Dumas  
Shirley Wallace**

### **Administration**

**Michael Harris, City Manager  
Randi Rainey, ZAB Secretary  
Michael Williams, City Attorney**

**Call to Order by Chairwoman Dr. Hannah at 6:07pm.**

**Invocation was provided by Stanley Dumas.**

**Pledge of Allegiance was recited in unison.**

| <b>Roll Call</b>                          | <b>Present</b> | <b>Absent</b>        |
|-------------------------------------------|----------------|----------------------|
| <b>Askia Abdullah (arrived at 6:25pm)</b> | <b>X</b> _____ | _____                |
| <b>Stanley Dumas</b>                      | <b>X</b> _____ | _____                |
| <b>Louis Goglia</b>                       | _____          | _____ <b>X</b> _____ |
| <b>Dr. Renata Hannah</b>                  | <b>X</b> _____ | _____                |
| <b>Shirley Wallace</b>                    | <b>X</b> _____ | _____                |

**Adoption of the Agenda: Wallace/ Dumas- Passed 3-0**

**Approval of Minutes 2/23/2017: Dr. Hannah/ Wallace- Passed 3-0**

**OLD BUSINESS**

None

**NEW BUSINESS****1. REZONING: RZ-17-01-S – PUBLIC HEARING**

**WetSet Scuba and Water Sports, Inc. of Stockbridge, Ga requests a rezoning from C-1 (Neighborhood Commercial) to C-2 (General Commercial) for the property located at 5104 N. Henry Blvd in Land Lot 59 in the 12th District. The property consists of .75 +/- acres and the request is for a swim school.**

Michael Williams, City Attorney noted the applicant is requesting rezoning from C-1 (Neighborhood Commercial) to C-2 (General Commercial) to add a swimming school to the established scuba shop. Mr. Williams also noted the only issue is, the shop cannot operate just as a swimming school per the code. Applicant Bruce Brown added the retail part of the store has diminished, and the swimming school brings in about 80 % of business.

**Public Hearing****Speakers in Favor:**

Bruce Brown

Dean Dorminey

**Speakers Opposed:**

None

Stanley Dumas motioned to approve staff recommendation to rezone RZ-17-01-S- WetSet Scuba and Water Sports Inc.; Shirley Wallace provided the second. The motion passed 4-0.

**2. VARIANCE: VR-17-02-S – PUBLIC HEARING**

**Station Two, LP of Atlanta, Ga requests a variance from development standards for signage for the property located at 4475 N. Henry Blvd. The property is located in Land Lot 61 in the 12th District. The property consists of .89 +/-acres and the request is for signage.**

Mr. Williams, City Attorney explained this has been reviewed by Henry County Planning and Zoning and is a unique case where ODOD (Old Downtown Overlay District) comes into play. Mr. Williams noted the applicant is requesting the following:

**Variance from signage regulations:**

1. Decrease distance ground sign can be from ROW
2. Exemption from sign ordinance on maximum allowable sign-able area on canopy
3. Exemption from sign ordinance on maximum height for lettering on canopy
4. Increase the allowable height of one (1) ground sign
5. Increase the max sq.ft. of ground sign

6. Remove 3' landscape buffer strip on ground sign

**Variance from Old Downtown District Overlay (ODOD) regulations:**

7. Allow the use of primary colors in "ODOD" for station
8. Allow the use of primary colors in "ODOD" for emissions building
9. Exemption for separate businesses on same lot
10. Exemption from rear setback requirement for Emissions building
11. Exemption from "ODOD" requirement for tree lined parking
12. Exemption from prohibition of painted masonry in "ODOD"
13. Exemption from requirement of maximum lot area
14. Exemption from the maximum side yard setback
15. Exemption of "ODOD" on-street and off-street parking requirements

Mr. Williams noted staff recommends denial of certain ones and approval of certain ones.

**Public Hearing**

**Speakers in favor:**

Steven Barger

**Speakers Opposed:**

None

Stanley Dumas motioned to approve items 1-8, 11 & 12; Askia Abdullah provided the second. The motion passed 4-0.

**STAFF COMMENTS**

No Comments

**BOARD COMMENTS**

No Comments

**ADJOURN**

Stanley Dumas motioned to adjourn the ZAB Meeting at 7:25pm; Askia Abdullah provided the second. The motion passed 4-0.



*Rezoning Evaluation Report*  
*Henry County Zoning Advisory Board*

**Henry County Planning & Zoning**

**RZ-17-07-S**

**City of Stockbridge**

**Report Prepared by:** Zane Grennell, Planner I

**Applicant:** Altaf Cheema  
791 Davis Rd  
Stockbridge, GA 30281  
(229) 345-0852

**Location:** 771 & 791 Davis Road  
Land Lot 71 of the 12<sup>th</sup> District

**Request:** Rezoning from R-3 (Single-Family Residential) to C-1 (Neighborhood Commercial)

**Parcel ID(s):** S02-05-010-000 & S02-05-011-000

**Proposed Use /Purpose:** Convenience Store

**Current Land Use:** Vacant & Single-Family Residence

**Future Land Use:** Commercial

**Sign Posted:** March 31, 2017

**ZAB Meeting:** April 27, 2017

**Lot Size:** 1.27+/- acres

**Road Access:** Davis Road (Minor Arterial)

**Zoning History:**

The subject property, made up of two (2) parcels, Parcel S02-05-010-000 and Parcel S02-05-011-000, is zoned R-3 (Single-Family Residential). Staff found a record of Parcel S02-05-011-000 rezoned from RM-75 (Multiple-Family Residential) to C-2 (General Commercial) by the Henry County Board of Commissioners on November 21, 1982, before the subject property was annexed. Staff also found a record of Parcel S02-05-010-000 submitted for rezoning from R-3 to C-2 as a part of a larger 5.04 acre tract which was withdrawn on October 29, 1990. Additionally, staff found a record of both parcels submitted for rezoning from R-3 to C-3 that was denied September 17, 2015 (RZ-15-16-S). The City of Stockbridge Official Zoning Map illustrates both parcels as R-3. **Table 1.0** illustrates the current zoning and land use of surrounding properties.

**Table 1.0 Current Zoning and Land Uses of Adjacent Properties**

|              | Current Zoning                                    | Current Land Use                     |
|--------------|---------------------------------------------------|--------------------------------------|
| North & West | C-1 (Neighborhood Commercial)                     | Vacant                               |
| East         | C-2 (General Commercial)                          | Shopping Center                      |
| South        | C-2 (General Commercial) & C-3 (Heavy Commercial) | Retail Superstore & Gasoline Station |

Source: City of Stockbridge Official Zoning Map

**Executive Summary:**

The applicant is requesting a rezoning of 1.27+/- acres of R-3 (Single-Family Residential) zoned property 771 & 791 Davis Road for a convenience store, for which a C-1 (Neighborhood Commercial) zoning is required. The Future Land Use Map (FLUM) of the Comprehensive Plan designates the subject property for Commercial land uses. The subject property is surrounded by properties zoned commercial. In order to be approved to use the existing single-family structure as a convenience store, a variance will be required from the Stockbridge City Council to reduce the minimum front yard setback.

**Development Regulations Relevant to Request:**

- City of Stockbridge Code of Ordinances
- Henry County/Cities Joint 2030 Comprehensive Plan.
- All other City and County Code sections regarding site development standards and requirements

**Analysis of Request (Sec. 12.02.09.C.2):****Criteria Point 1: Consistency with the Comprehensive Plan.**

The request to rezone the subject property to C-1 is consistent with the 2030 Land Use Plan adopted by the Stockbridge City Council on August 11, 2008, which designates the property for Commercial.

**Criteria point 2: The relation that the proposed amendment bears to the purpose of the overall zoning scheme with due consideration given to whether or not the proposed change will help carry out the purposes of the City of Stockbridge Zoning code.**

The proposed development meets all of the minimum development regulations of the C-1 zoning district except for the front setback requirement for the existing single-family structure. A variance will be required to convert the existing single-family structure into a convenience store. The proposed development is consistent with the overall zoning character of the area and with the Future Land Use Map (FLUM) designation of Commercial for the subject property. **Table 2.0** lists the requirements of the C-3 zoning district.

**Table 2.0 Ordinance Requirements for C-1 Zoning District**

| ORDINANCE REQUIREMENTS     |         | PROPOSED     | COMPLIANCE     |
|----------------------------|---------|--------------|----------------|
| Minimum Front Yard Setback | 50 feet | <50 feet     | No             |
| Minimum Side Yard Setback  | none    | <20+ feet    | Yes            |
| Minimum Rear Yard Setback  | 20 feet | Triangle Lot | (No Rear Line) |

Source: City of Stockbridge Zoning Code Section 2.04.02 C-1, Neighborhood Commercial District

**Criteria point 3: Potential positive effects of the change in the amendment on the character of the zoning district, a particular piece of property, neighborhood, area or community.**

The proposed change in zoning should not have a negative effect on the character of the existing neighborhood as the adjoining properties range from C-1 to C-2 to C-3.

**Criteria Point 4: The physical conditions of the site relative to its capability to be developed as requested, including; topography, drainage, access, size and shape of property.**

The subject property appears from the site plan to be adequate for the proposed use. Issues regarding buffering, topography, drainage, access, size and shape of the property will be addressed through the development plan review phase. A survey will be required to combine the two existing lots. A stormwater management plan will be required including a floodplain statement (FEMA and Henry County). Any

outside storage and parking must meet the zoning code requirements or receive a variance. No buffer will be required.

**Criteria Point 5: The impact upon adjacent property owners should the request be granted.**

Possible impacts upon adjacent property owners, should the property be developed as proposed, include an increase in traffic, and an increase in light and noise. Since adjacent properties are developed and vacant commercial properties which will also produce light and noise, the impact of the development of the subject property should be appropriate for a commercial area.

**Criteria Point 6&7: The potential impact of the proposed rezoning on city infrastructure including, water, sewer, adjacent thoroughfares, pedestrian and vehicular circulation and traffic volumes.**

Water and Wastewater Treatment – Correspondence from Clayton County Water Authority dated December 28, 2016 indicates that water service is provided to the subject property. A form provided by the Environmental Health Department dated March 7, 2017, indicates that there is no information regarding the on-site sanitary sewer system.

Streets and Sidewalks – No sidewalks currently exist at the site's frontage along Davis Road. The applicant's preliminary site plan does not depict sidewalks. Davis Road is illustrated on the Functional Road Plan as a minor arterial road. Davis Road falls under the jurisdiction of the City of Stockbridge.

The Davis Road alignment along the site's frontage will likely be affected by GDOT's proposed project for SR 42 widening (GDOT PI #322050) between SR 138 and I-675, which includes re-aligning a portion of Davis Road at its tie-in location with SR 42. Additionally, Davis Road's access to SR 42 may be restricted to right-in/right-out access depending on the proposed location of the Davis Road/SR 42 intersection in conjunction with the limits of the raised concrete median and the location of proposed median openings along SR 42. The project is currently in concept design, and GDOT will likely hold a Public Information Open House (PIOH) meeting in the winter of 2016. Right-of-way acquisition is currently scheduled for FY 2018, and Construction is scheduled to begin in FY 2019.

**Criteria Point 8: The merits of the requested change in zoning relative to any other guidelines and policies for development, which the Zoning Advisory Board, Mayor Council may use in furthering the objective of the Comprehensive Plan.**

C-1 zoning is required to allow the proposed convenience store. The applicant's request for C-1 zoning is more appropriate for the area. The request, if approved, would further the following policies of the Henry County/Cities Joint Comprehensive Development Plan:

***LU-22: Use land efficiently to avoid the costs and problems associated with urban sprawl.***

***LU-29: Support appropriate residential and non-residential in-fill development and redevelopment in ways that complement surrounding areas.***

***ED-7: Promote and sustain stable and controlled economic growth.***

**Criteria Point 9: The capacity of the site to be developed as presently zoned.**

The subject property is developed as it is currently zoned R-3, meeting all development standards and regulations outlined in Section 2.03.04 of the zoning code, except the required fifty foot (50') front yard setback. However, the Stockbridge FLUM designates the subject property for Commercial.

**Recommendation:**

Staff recommends **Approval** of C-1 (General Commercial) with the following conditions:

1. Pending variance from the minimum front yard setback for the existing single-family structure notwithstanding, any new structures shall meet the minimum front yard setback, whether by ordinance or by variance.
2. Any new structure shall be brick, stone, or stucco on all sides. The architectural design of all proposed building plans shall meet the approval of the Planning & Zoning Department prior to the issuance of a building permit.
3. Dumpster(s) shall be placed on a concrete pad and enclosed on three (3) sides. The enclosure shall be constructed of brick, stone, stucco or any combination thereof provided it is consistent with the primary structure, and shall not exceed eight feet (8') in height.

**Attachments:**

- Application
- Letter of Intent
- Site Plan
- Site Photos
- Zoning Map
- Aerial Map
- Future Land Use Map

COS

**Henry County Planning & Zoning  
Rezoning Request Application**

Name of Applicant Altaf Cheema Phone: 229 345 0852 Date: \_\_\_\_\_  
Address Applicant: 791 Davis Rd. Fax \_\_\_\_\_ Pager/Cell # \_\_\_\_\_  
City: Stockbridge State: GA Zip: 30281 E-mail: altaf-cheema@yahoo.com  
Name of Agent \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_  
Address Agent: \_\_\_\_\_ Fax \_\_\_\_\_ Pager/Cell # \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ E-mail: \_\_\_\_\_

THE APPLICANT NAMED ABOVE AFFIRMS THAT THEY ARE THE OWNER OR AGENT OF THE OWNER OF THE PROPERTY DESCRIBED BELOW AND REQUESTS

Request from Residential to Commercial  
(Present Zoning) (Requested Zoning)  
For the Purpose of Building a convenience store  
(Type of Development)  
Address of Property: 791 Davis Rd Nearest intersection to the property: N. Henry Blvd  
(Street Address)  
Size of Tract: \_\_\_\_\_ acre(s), Land Lot Number(s): 71-90, District(s): A  
Gross Density: \_\_\_\_\_ units per acre Net Density: \_\_\_\_\_ units per acre

Property Tax Parcel Number: 502 - 050 - 11 - 000 (Required)

Rawal Cheema  
Witness' Signature

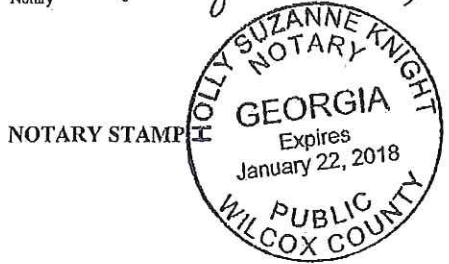
Altaf Cheema  
Signature of Applicant/s

Rawal Cheema  
Printed Name of Witness

Altaf Cheema  
Printed Name of Applicant/s

Holly Suzanne Knight  
Notary

\_\_\_\_\_  
Signature of Agent



**(For Office Use Only)**

Total Amount Paid \$ 813.50 Cash \_\_\_\_\_ Check # 1003 Received by: S. Jordan (FEES ARE NON-REFUNDABLE)  
Application checked by: S. Jordan Date: 3-7-17 Map Number(s): 500  
Pre-application meeting: 12-26-16 - S. Jordan Date: \_\_\_\_\_  
Recommendation of Zoning Advisory Board: \_\_\_\_\_  
BOC Decision: \_\_\_\_\_  
Planning Director's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I, Altaf Cheema, own the property  
on 791 Davis Rd Stockbridge. I would  
like to rezone the property from  
R3 to C1. I intent to open a  
Convenience Store on the property.

The parcel numbers for the property  
are S02-05011000 and S02-05010000

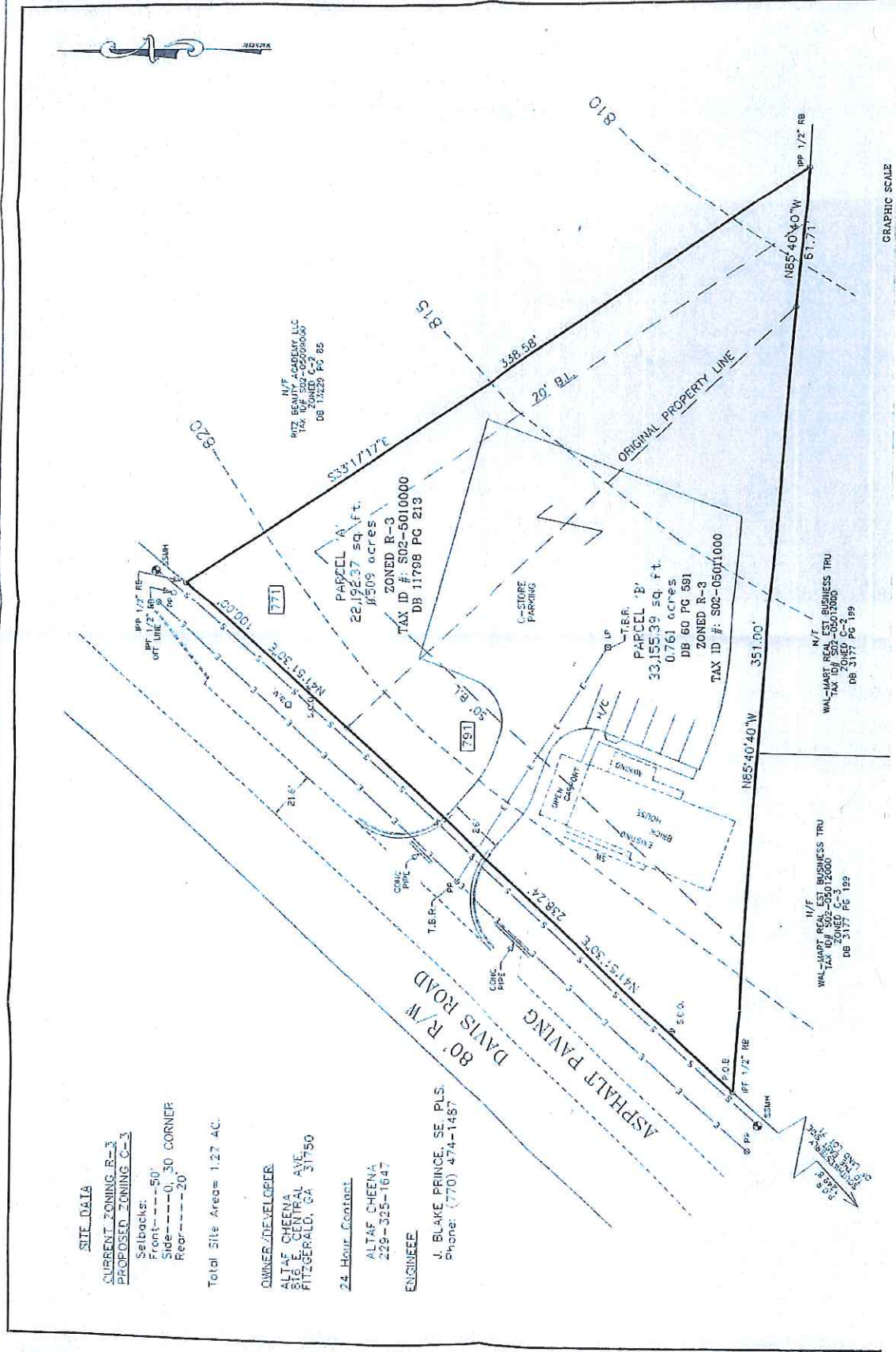
A handwritten signature in blue ink, appearing to read 'Altaf Cheema', with a horizontal line drawn underneath it.

**J.B. PRINCE & ASSOCIATES, INC.**  
 ~DESIGN CONSULTANTS~  
 PROVIDING SERVICE SINCE 1973  
 1110 HERRY STREET STOCKBRIDGE, GA 30281  
 TELEPHONE (770) 474-1487 FAX (770) 474-7487  
 e-mail: HURDPRINCE@AOL.COM

**RE-ZONING SITE PLAN**

PROJECT NAME: PROPOSED C-STORE  
 DATE: 05/02/15  
 SCALE: 1"=20'  
 SHEET: 02

COUNTY: HENRY  
 NEIGHBOR/OWNER: ALTA CHEENA  
 816 E CENTRAL AVE  
 FITZGERALD, GA 31750  
 L.L. 71 DIST 121N  
 STATE: GA  
 N.T.C.D. NO. 802

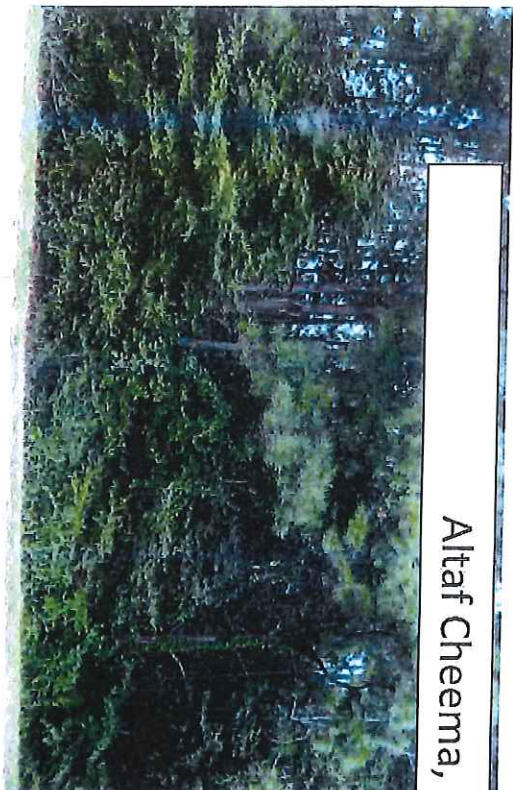


**SITE DATA**  
 CURRENT ZONING: R-3  
 PROPOSED ZONING: C-3  
 Setbacks:  
 Front: ---50'  
 Side: ---0, 30 CORNER  
 Rear: ---20'  
 Total Site Area: 1.27 AC.

**OWNER/DEVELOPER**  
 ALTA CHEENA  
 816 E. CENTRAL AVE  
 FITZGERALD, GA 31750

**24 Hour Contact**  
 ALTA CHEENA  
 228-325-1647  
**ENGINEER**  
 J. BLAKE PRINCE, SE PLS.  
 Phone: (770) 474-1487

Altaf Cheema, RZ-17-07-S, ZAB 4-27-17



06/10/2017 10:15

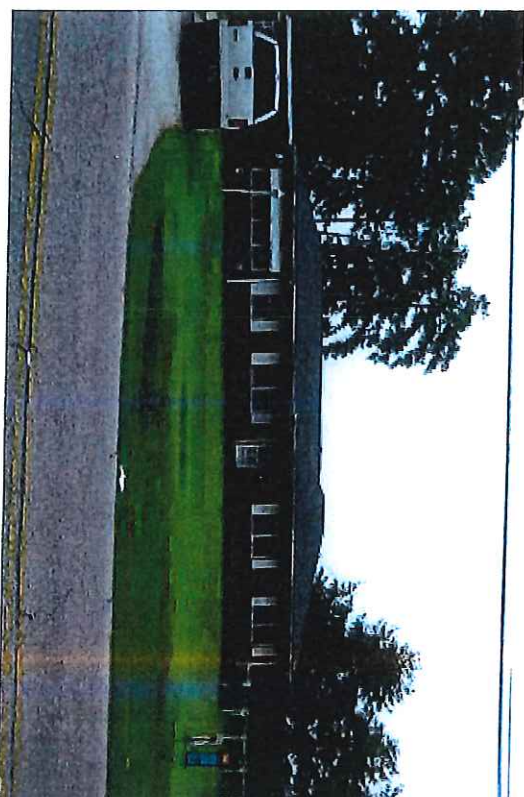
View to the North



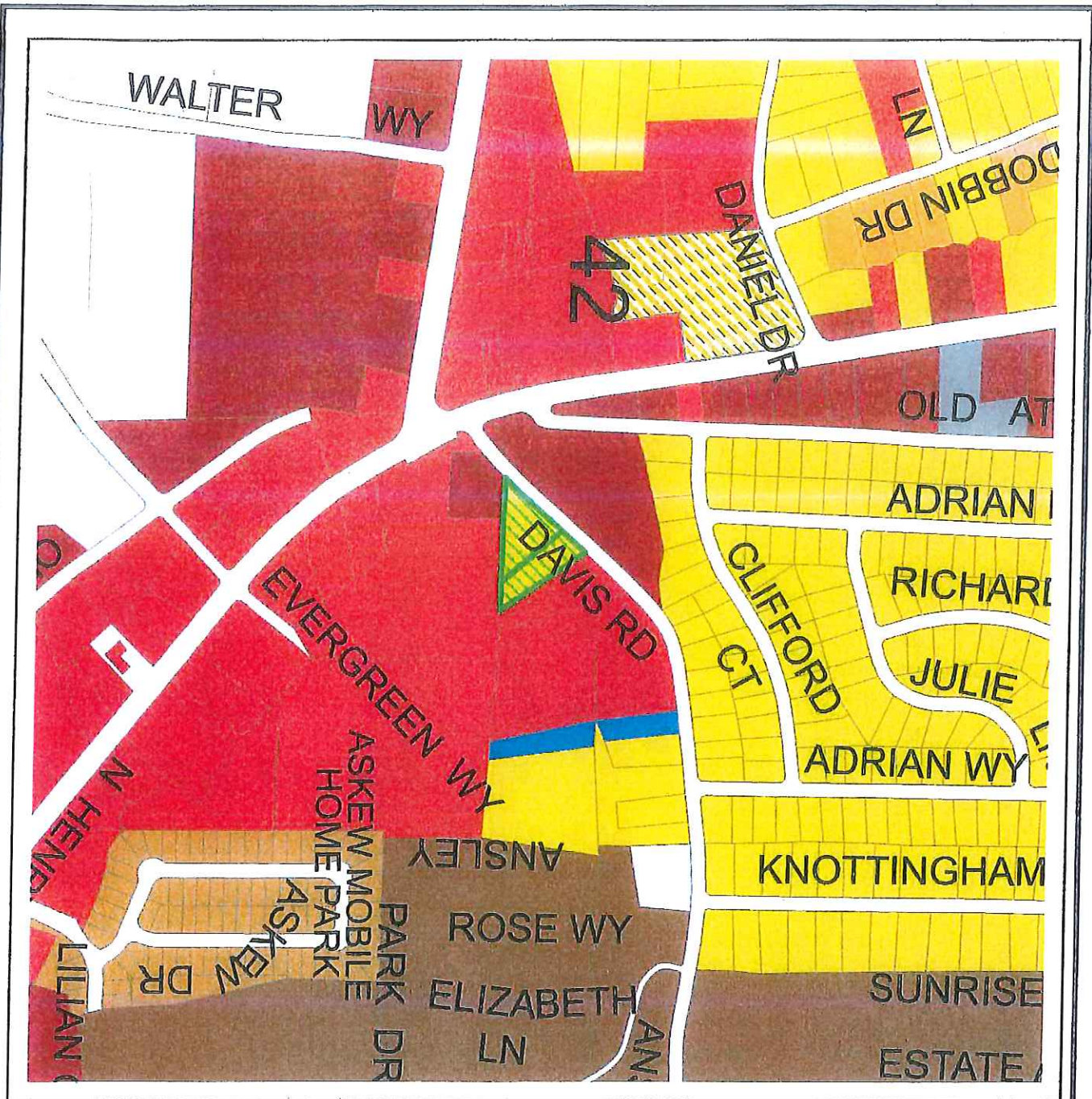
View to the East



View to the West



Subject Property



**Legend**

**Request**

RZ-17-07-S

- RA
- R-1
- R-2
- R-3
- R-4
- RD
- RM
- RMH
- OI
- C-1
- C-2
- C-3
- M-1
- M-2
- PD
- CITY

Scale: 1" = 500'

**Current Zoning Map**

This map is for graphical representation only. It is not a legal document.



# Legend

Request

R2-17-07-S

## AERIAL MAP

Scale: 1" = 500'



This map is for graphical representation only. It is not a legal document.

**Request**

- RZ-17-07-S
- Rural Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Commercial
- Office Institutional
- Industrial
- Public/Institutional
- Park/Recreation/Conservation
- Transportation/Communication/Utilities

RZ-17-07-S

Rural Residential

### Low Density Residential

Medium Density Residential

Medium-High Density Residential

## High Density Residential

Commercial

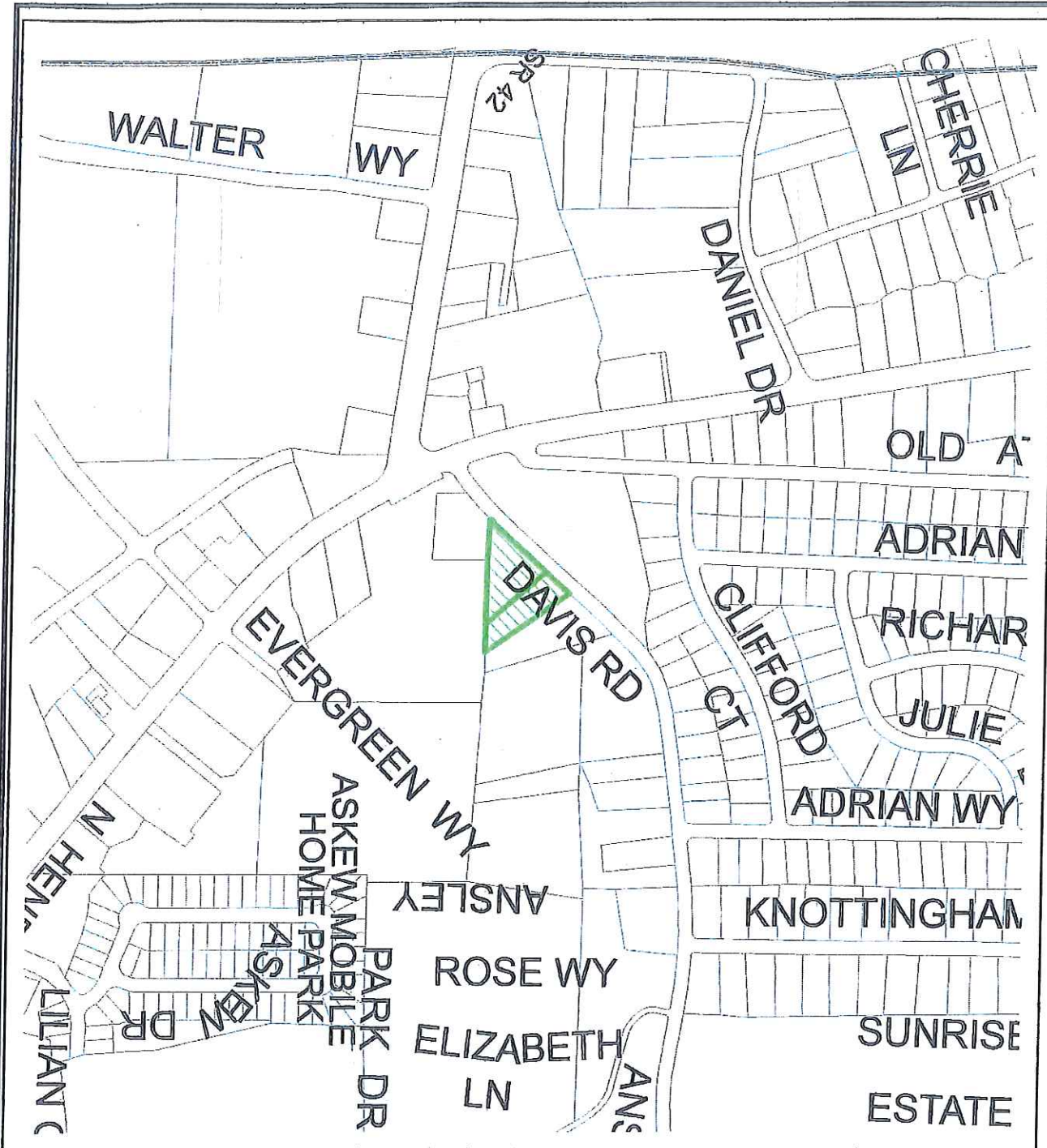
Office Institutional

industrial

**Industrial**

Park/Recreation/Conservation

1  
2  
3  
5



# Legend

Request  
RZ-17-07-S

TAX MAP

Scale: 1" = 500'



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