

(vacant)

Director
Planning and Zoning
Department



Matthew
Williams
Deputy Director
Planning and
Zoning
Department

TO: City Council

FROM: Planning and Zoning Department

SUBJECT: SLUP23-004

ADDRESS: 3575 Trinity Place

MEETING DATE: October 23, 2023

SUMMARY: Applicant is seeking a Special Land Use Permit (SLUP) to operate a Short-Term Vacation Rental (STVR).

STAFF RECOMMENDATION: Approval with conditions

PLANNING COMMISSION RECOMMENDATION: Approval with conditions



SLUP23-004

Planning and Zoning Department

District #5: Tammy Grimes

PROPERTY INFORMATION	
Location of Subject Property: 3575 Trinity Place	
Parcel Number: 16 084 03 023	
Road Frontage: Trinity Place	Total Acreage: 1.01 +/-
Current Zoning: R-100 – Residential Medium Lot	Overlay District: Arabia Mountain Conservation
Future Land Use Map/ Comprehensive Plan: RR (Rural Residential)	
Zoning Request: Applicant is seeking a Special Land Use Permit (SLUP) to operate a Short-Term Vacation Rental.	
Zoning History: N/A	

APPLICANT / PROPERTY OWNER INFORMATION
Applicant Name: Jeffrey Dickerson
Applicant Address: 3575 Trinity Place Stonecrest, GA 30038
Property Owner Name: Jeffrey Dickerson
Property Owner Address: 3575 Trinity Place Stonecrest, GA 30038



SLUP23-004

Planning and Zoning Department

DETAILS OF ZONING REQUEST



Since the city's incorporation, the site has been zoned R-100 (Residential Medium Lot). Furthermore, the subject property resides within the Arabia Mountain Conservation Overlay District. There is an existing ADU (Accessory Dwelling Unit) that has been constructed on the subject property. The ADU is where the STVR will be housed.

The subject property is surrounded by R-100 and RSM zoned parcels. The purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is to provide for the protection of neighborhoods within the city where lots have a minimum area of 15,000 square feet; to provide for compatible infill development in neighborhoods; to provide protections for existing development as new subdivisions are created; to provide flexibility in design on the interior of new development while protecting surrounding development; 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; to provide for appropriately sized accessible and useable open space in new developments for health, recreational and social opportunities for city residents; and to implement the future development map of the city's comprehensive plan. The purpose and intent of the City Council in establishing the RSM (Small Lot Residential Mix) District is to provide for the creation of For Sale residential neighborhoods that allow a mix of single-family attached and detached housing options, to provide flexibility in design and product on the interior of new development while protecting surrounding neighborhoods, and to implement the future development map of the city's comprehensive plan.

The city's land use policy document does support the proposed operation. The City of Stonecrest 2038 Comprehensive Plan has designated the parcel with the Rural Residential Zone land use designation. The purpose of the Rural Residential category is to provide areas that are suitable for low-density housing with densities of up to four (4) dwelling units per acre. Single-family detached



housing is the most appropriate type of development for this district. Stable Low-Density Residential Districts should be protected from encroachment of higher density or high intensity uses.

In Section 4.2.58 (Short Term Vacation Rental (STVR)) of Chapter 27 (Zoning Ordinance), it states eleven (11) supplemental regulations regarding petitioner's request. The supplemental regulations are as follows:

- A.** No individual renting the property shall stay for longer than 30 consecutive days.
- B.** The STVR shall not be operated in such a way as to change the residential character of the neighborhood in which it is located and shall comply with the noise ordinance.
- C.** In every dwelling of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain not less than 70 square feet of floor area, and every room occupied for sleeping purposes by two occupants shall contain at least 120 square feet of floor area. Maximum occupancy limits for any overnight guests must not exceed two guests for every bedroom located in the STVR.
- D.** Every Bedroom shall have a window facing directly and opening to the outdoors.
- E.** Every bedroom shall have access to not less than one water closet and lavatory without passing through another bedroom. Every bedroom in an STVR shall have access to not less than one water closet and lavatory located in the same story as the bedroom or an adjacent story.
- F.** There shall also be provided at least one off-street parking space for each bedroom used as a part of the STVR.
- G.** No signs or advertising are permitted to identify or advertise the existence of the STVR, beyond those otherwise allowed for the residential property.
- H.** All STVR units shall be furnished with a telephone that is connected to a landline or similar type connection, including a voice over internet protocol, in order that 911 dispatch may be able to readily identify the address and/or location from where the call is made when dialed.
- I.** A diagram depicting two eviction routes shall be posted on or immediately adjacent to every required egress door.
- J.** No individual renting a STVR shall use the STVR for a special event, party, or temporary



SLUP23-004

Planning and Zoning Department

outdoor event. No owner or operator of a STVR shall permit a STVR to be used for a special event, party, or temporary event.

- K.** It shall be unlawful to establish, operate, or cause to be operated a STVR in the city within 500 feet of another STVR, bed and breakfast, boarding house, Home stay bed and breakfast residence, hotel/motel, hotel/motel extended stay, personal care home, or child caring institution. Measurements for this subsection shall be made in a straight line without regard to intervening structures or objects, between the closest points on the property lines of the two uses.

ADJACENT ZONING & LAND USE		
NORTH	Zoning: R-100 (Residential Medium Lot)	Land Use: Single-Family Dwelling
SOUTH	Zoning: RSM (Small Lot Residential Mix)	Land Use: Vacant/Undeveloped Land
EAST	Zoning: R-100 (Residential Medium Lot)	Land Use: Single-Family Dwelling
WEST	Zoning: R-100 (Residential Medium Lot)	Land Use: Single-Family Dwelling

**PHYSICAL CHARACTERISTICS &
INFRASTRUCTURE**

The site has two (2) existing dwelling units (main dwelling and adu) with one (1) road frontage (Trinity Place).

SPECIAL LAND USE PERMIT ZONING CRITERIA

1. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located;
2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district;
3. Adequacy of public services, public facilities, and utilities to serve the proposed use;
4. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area;
5. Whether or not existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use;
6. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency;
7. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use
8. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;
9. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
10. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located;



SLUP23-004

Planning and Zoning Department

11. Whether the proposed use is consistent with the policies of the comprehensive plan;
12. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located;
13. Whether there is adequate provision of refuse and service areas;
14. Whether the length of time for which the special land use permit is granted should be limited in duration;
15. Whether the size, scale and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale and massing of adjacent and nearby lots and buildings;
16. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources;
17. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit;
18. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height; and
19. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

RECOMMENDATION

Staff recommends **APPROVAL** with the following condition(s):

- 1.** No city permit for the operation of the short-term vacation rental shall be transferable will only be permitted for the owner/operator Jeffrey Dickerson;
- 2.** Applicant must comply and remain in compliance with [ARTICLE VII. - NOISE ORDINANCE](#);
- 3.** Short-term rental units must be properly maintained and regularly inspected by the owner or agent to ensure continued compliance with applicable property maintenance, zoning, building, health, and life safety code provisions.



- 4.** All marketing and/or advertising for short-term rental units must contain information concerning the occupancy limit of the short-term rental unit, and the maximum parking available on the property. Advertising for more than the allowable occupancy or allowable parking is prima facie evidence of a violation of the city code. Further, failure to include such occupancy limits and maximum parking availability is prima facie evidence of a violation of the city code.
- 5.** Each Short Term Vacation Rental (STVR) must obtain a city license as well as all license(s) and/or permit(s) required by the State of Georgia before beginning to operate.



SLUP23-004

Planning and Zoning Department

Attachments Included:

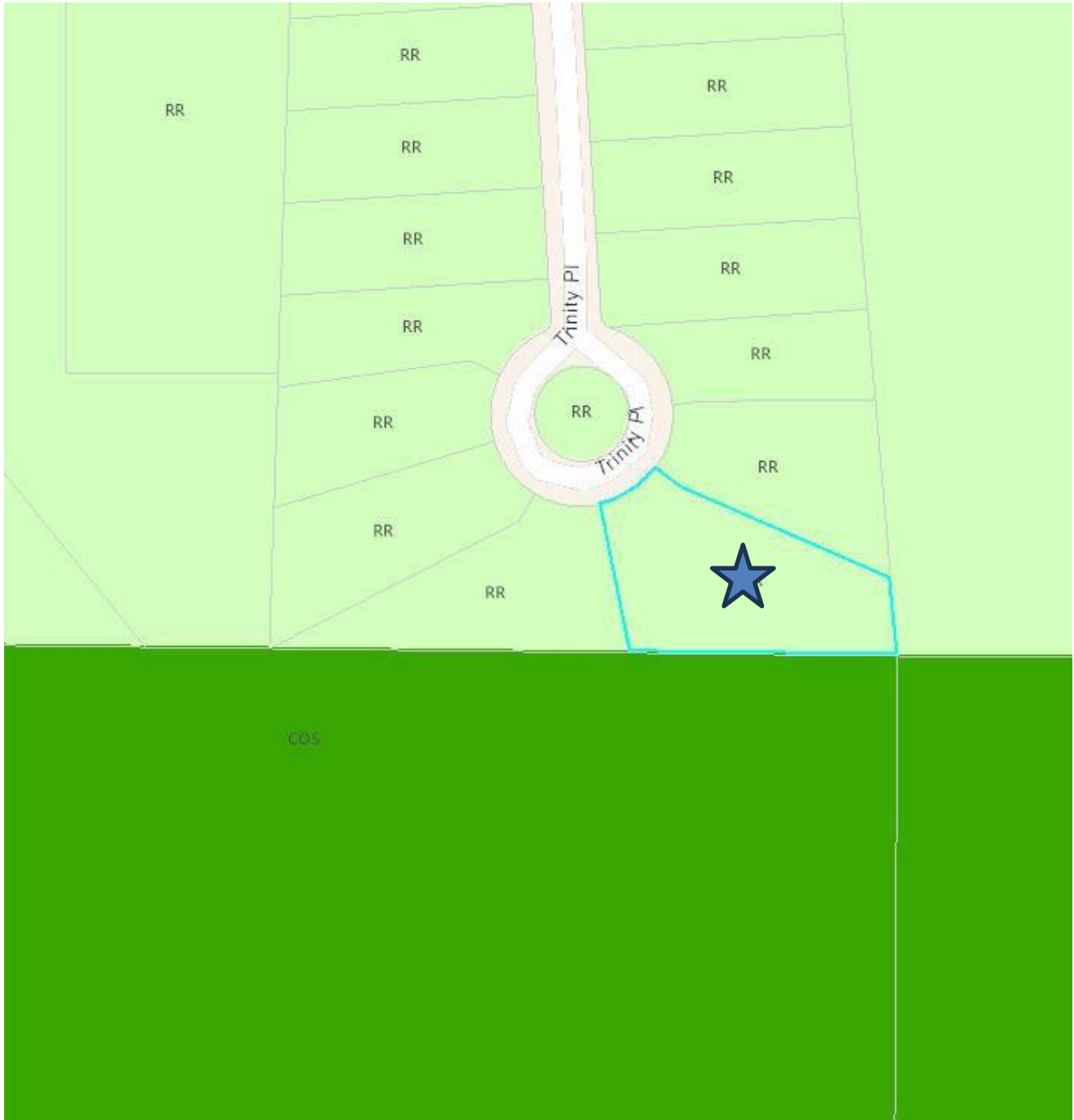
- **Future Land Use Map**
- **Zoning Map**
- **Overlay Map**
- **Aerial Map**
- **Site Plan/Survey**
- **Letter of Intent**



SLUP23-004

Planning and Zoning Department

Future Land Use Map





SLUP23-004

Planning and Zoning Department

Rural Residential (RR) Character Area

The purpose of the Rural Residential category is to provide for areas that are suitable for low-density housing with densities of up to four (4) dwelling units per acre. Single-family detached housing is the most appropriate type of development for this district. Stable Low-Density Residential Districts should be protected from encroachment of higher density or high intensity uses.

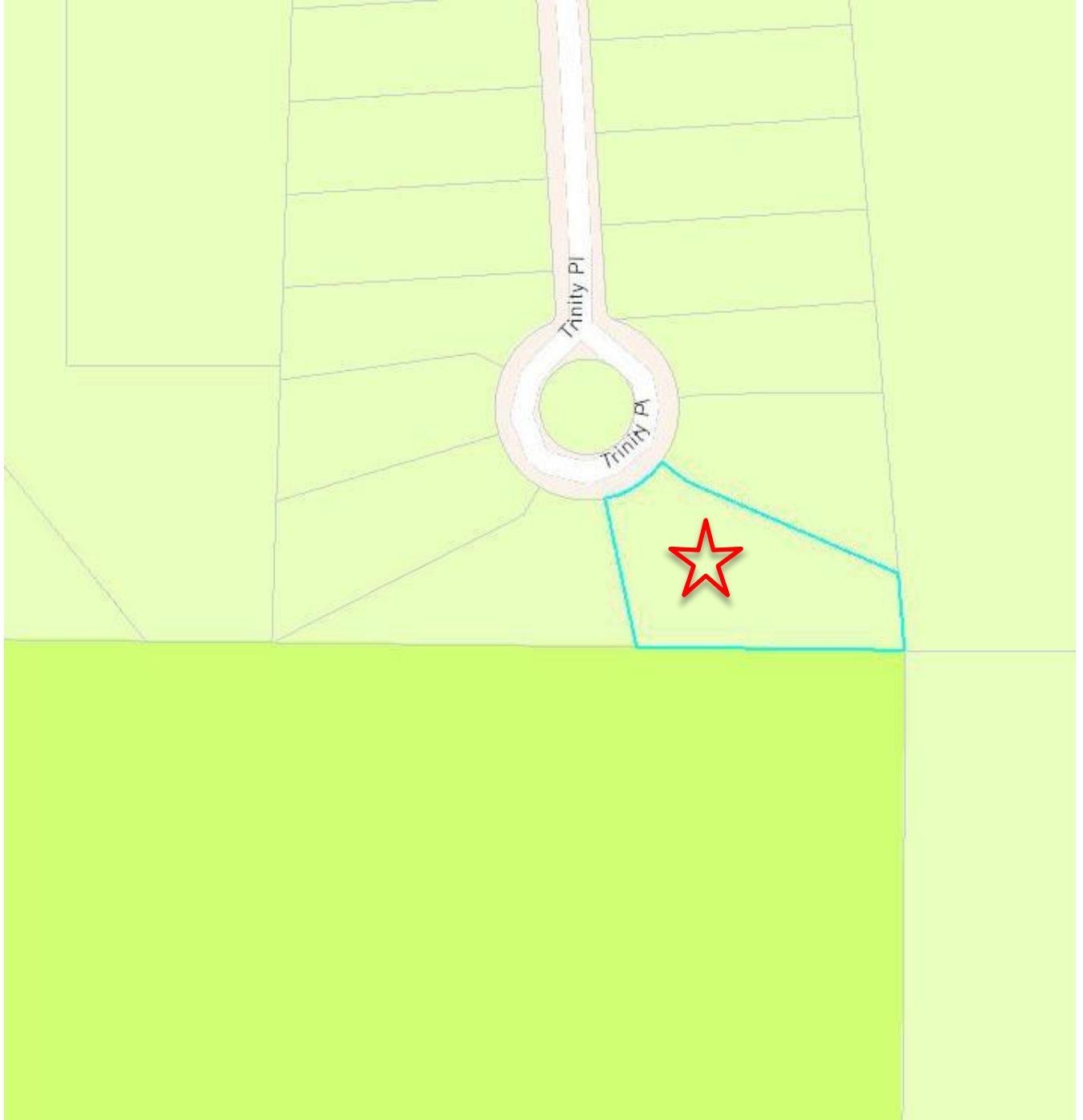


SLUP23-004

Planning and Zoning Department

Zoning Map

R-100



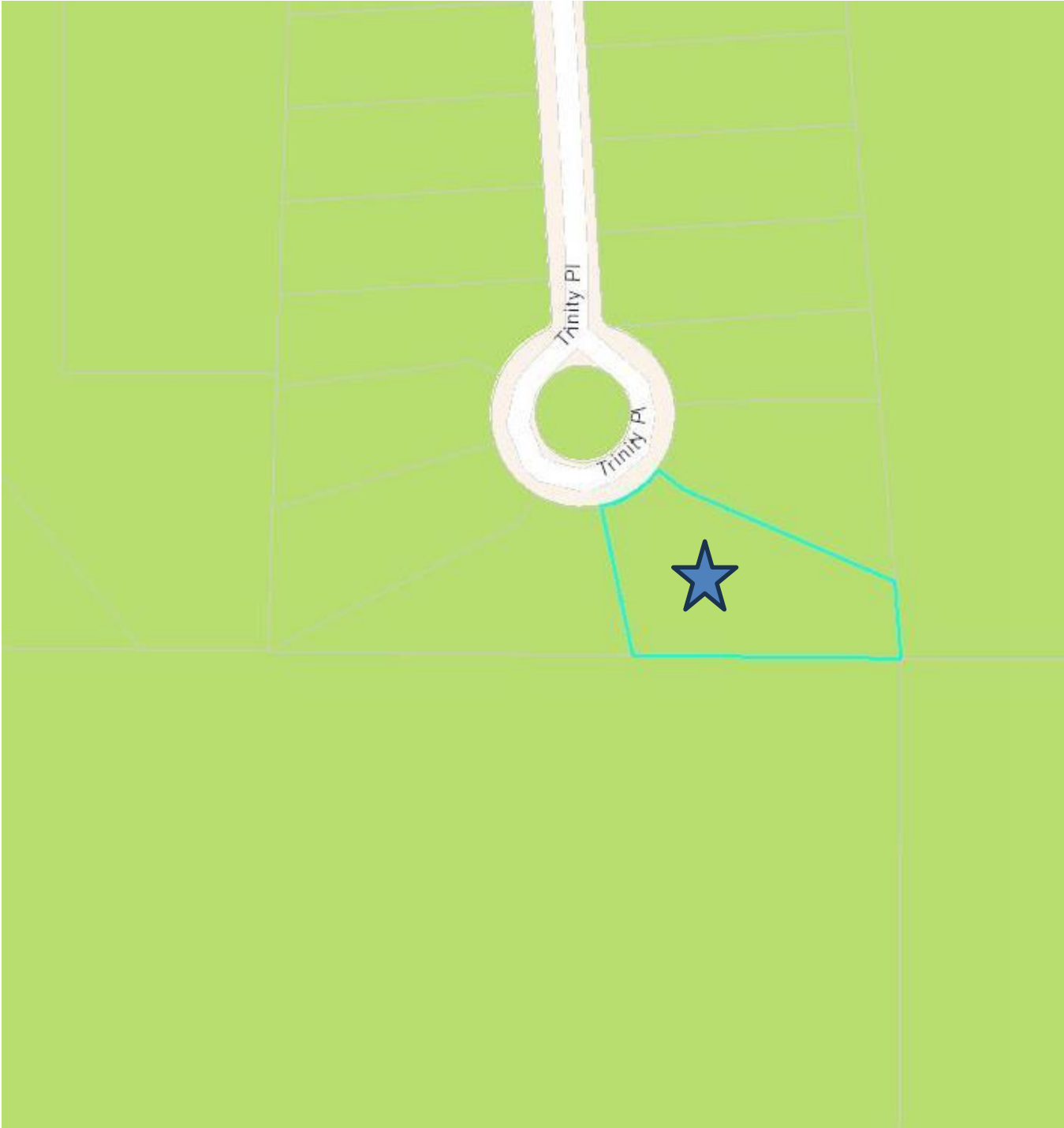


SLUP23-004

Planning and Zoning Department

Overlay District Map

Arabia Mountain Conservation Overlay District

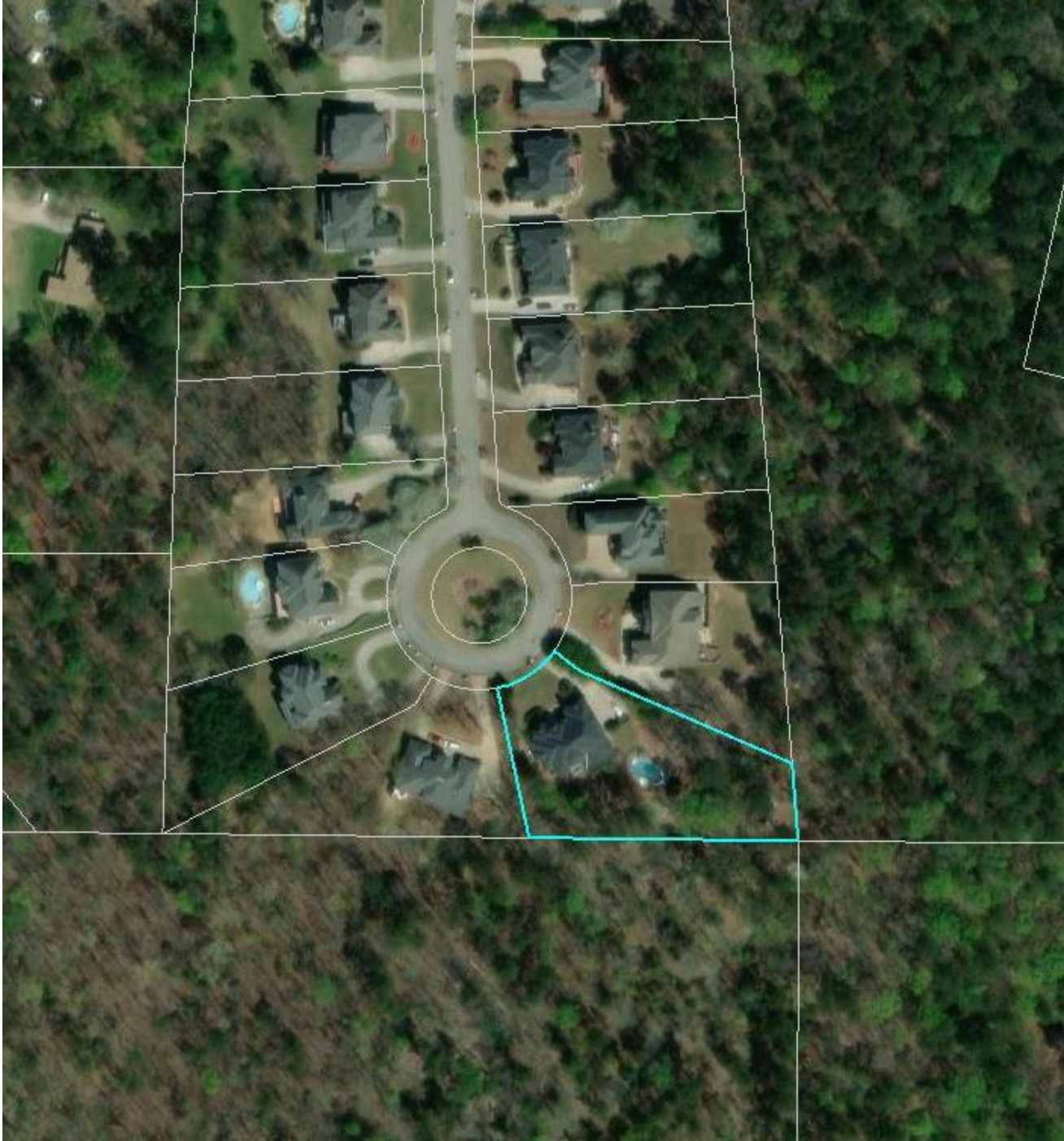




SLUP23-004

Planning and Zoning Department

Aerial Map





Submitted Site Plan





*"TRINITY TREEHOUSE"
ACCESSORY DWELLING*



SLUP23-004

Planning and Zoning Department

Letter of Intent

Letter of Intent

Dear Planning and Zoning Board Members,

I hope this letter finds you well. We are writing to formally express our intent for Trinity Treehouse, located at 3575 Trinity Place, to operate as a short-term rental and offer tourists access to the wonders of our city, particularly the Arabia Mountain Nature Preserve and the historic Black Wall Street.

Trinity Treehouse is a unique and exceptional property nestled within the beautiful natural surroundings of Stonecrest. Our vision is to provide a relaxing retreat in nature, catering to both tourists and locals alike. We believe that by offering short-term rentals, we can contribute to the growth and development of our city's tourism industry while showcasing the natural beauty and cultural heritage that Stonecrest has to offer.

Our proximity to the Arabia Mountain Nature Preserve, which directly abuts Trinity Treehouse, presents a remarkable opportunity for visitors to experience the captivating beauty of the preserve's trails, wildlife and breathtaking vistas. Additionally, being in close proximity to the historic Black Wall Street, we aim to promote awareness and encourage exploration of this significant cultural landmark.

As responsible hosts, we are committed to ensuring that Trinity Treehouse operates in full compliance with all local ordinances, regulations and guidelines. We understand the importance of being good neighbors and maintaining the peaceful ambiance of our community. We will actively manage guest behavior so as not to disrupt the tranquility of our quiet neighborhood. We will not allow parties or gatherings of any kind at Trinity Treehouse. Parking is provided in our driveway, and no more than four guests are permitted on the property at any one time.

Moreover, we are dedicated to implementing sustainable practices and minimizing our environmental impact. This includes promoting responsible tourism, encouraging guests to appreciate and respect the natural surroundings, and employing eco-friendly practices in our day-to-day operations.

We believe that by offering Trinity Treehouse as a short-term rental, we can contribute to the economic growth of Stonecrest and provide a unique and memorable experience for visitors seeking a relaxing retreat in nature.

We kindly request the Planning and Zoning Board's support and approval for our proposal. We are more than willing to comply with any requirements or regulations set forth by the city. If there are any additional documents, permits, or inspections necessary, please let us know, and we will promptly provide the requested information.

Thank you for your time and consideration. We look forward to the opportunity to contribute positively to Stonecrest's tourism industry and provide a peaceful and enjoyable experience for our guests. Please feel free to reach out to us if you require any further information.

Sincerely,

Jeff and Tracie Dickerson