

STATE OF GEROGIA

CITY OF STONECREST

ORDINANCE NO. ____ - _____

1 **AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,**
2 **GEORGIA TO APPROVE WITH CONDITIONS SPECIAL LAND USE PERMIT SLUP**
3 **25-001 TO OPERATE A TYPE 2 HOME OCCUPATION FOR A PERSONAL CARE**
4 **HOME LOCATED AT 4989 THOMPSON MILL ROAD PARCEL ID NUMBER 16 011 05**
5 **069; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING**
6 **ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO**
7 **PROVIDE FOR OTHER LAWFUL PUPOSES.**

8 **WHEREAS**, the governing body of the City of Stonecrest (“City”) is the Mayor and City
9 Council (“City Council”) thereof; and

10 **WHEREAS**, Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of
11 Georgia authorizes the City to adopt plans and exercise the power of zoning; and

12 **WHEREAS**, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances
13 relating to its property, affairs, and local government; and

14 **WHEREAS**, the City of Stonecrest has been vested with substantial powers, rights, and
15 functions to generally regulate the use of real property to maintain health, morals, safety, security,
16 peace, and the general welfare of the City; and

17 **WHEREAS**, the City received an application to operate a type 2 home occupation for a
18 personal care home located at 4989 Thompson Mill Road; and

19 **WHEREAS**, pursuant to the City’s Zoning Ordinance applicants must obtain a special
20 land use permit; and

21 **WHEREAS**, the matter was heard in the City’s Community Planning Information Meeting
22 pursuant to the provisions of the City’s Zoning Procedures Law; and

23 **WHEREAS**, the City has properly advertised and held a public hearing before the
24 Planning Commission regarding SLUP 25-001, to operate a type 2 home occupation for a personal
25 care home located at 4989 Thompson Mill Road; and

26 **WHEREAS**, the City has properly advertised and held a public hearing pursuant to the
27 provisions of Georgia’s Zoning Procedures Law before the City Council prior to the adoption of
28 this Ordinance; and

29 **WHEREAS**, the Director of Community Development recommends approval with
30 conditions of special land use permit 25-001 on property located at 4989 Thompson Mill Road;
31 and

32 **WHEREAS**, the health, safety, and welfare of the citizens of the City will be positively
33 impacted by the adoption of this Ordinance.

34 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF**
35 **THE CITY OF STONECREST, GEORGIA, as follows:**

36
37 **Section 1.** SLUP 25-001, application to operate a type 2 home occupation for a personal
38 care home located at 4989 Thompson Mill Road, is **APPROVED WITH CONDITIONS.**

39 **Section 2.** That the conditions on SLUP 25-001 are as followed:

40 1. If owned by a corporation, partnership, Limited Liability Company or any entity other
41 than a natural person, the administrator identified in the state license application must reside in the
42 personal care home.

43 2. If owned by an individual, the individual owner must reside in the group personal care
44 home.

45 3. Each personal care home must obtain a city license as well as all license(s) and/or
46 permit(s) required by the State of Georgia before beginning to operate.

47 4. Each personal care home licensed and/or permitted by the State of Georgia must display
48 its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front
49 doorway of the facility.

50 5. The personal care home must meet all building code requirements as outlined for the
51 occupancy type for a personal care home.

52 6. No personal care home may display any exterior signage that violates the sign ordinance
53 in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning
54 district where the personal care home is located.

55 7. No city licenses and/or permits for the operation of the personal care home shall be
56 transferable.

57 8. The owner/site manager/administrator shall adhere to all Rules and regulations and
58 permitting applicable as outlined by the Georgia Department of Health Chapter 111-8 Subject 111-
59 8-62 Personal Care Homes.

60 9. No personal care home shall be operated and no residents admitted without valid
61 permits/licenses from the Georgia Department of Health and City of Stonecrest.

62 **Section 3.** (a) It is hereby declared to be the intention of the Mayor and Council that all
63 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their
64 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

65 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent

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67 allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is
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69 severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is
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71 hereby further declared to be the intention of the Mayor and Council that, to the greatest extent
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73 allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually
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75 dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

76 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for
77
78 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the
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80 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the
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82 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the
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84 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any
85
86 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to
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88 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and
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90 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and
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92 effect.

93 **Section 4.** The City Clerk, with the concurrence of the City Attorney, is authorized to
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95 correct any scrivener’s errors found in this Ordinance, including its exhibits, as enacted.

96 **Section 5.** All ordinances and parts of ordinances in conflict herewith are hereby
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98 expressly repealed.

99 **Section 6.** The Ordinance shall be codified in a manner consistent with the laws of the
100
101 State of Georgia and the City of Stonecrest.

102 **Section 7.** It is the intention of the governing body, and it is hereby ordained that the
103
104 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of
105
106 Stonecrest, Georgia.

SO ORDAINED AND EFFECTIVE this _____ day of _____, 2025.

[SIGNATURES TO FOLLOW]

CITY OF STONECREST, GEORGIA

Jazzmin Cobble, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

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EXHIBIT A

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SPECIAL LAND USE PERMIT (SLUP) ANALYSIS

Petition Number: SLUP25-000001

Applicant: Rufaro Moyo of Moyo Capital, Inc.
4989 Thompson Mill Road
Stonecrest, GA 30038
rmkardia@gmail.com

Owner: Rufaro Edwin Moyo
4989 Thompson Mill Road
Lithonia, GA 30038

Project Location: 4989 Thompson Mill Road

District: 2 – Councilman Terry Fye

Acreage: 0.46 acres

Existing Zoning: R-100 (Residential Medium Lot) District

Future Land Use: Suburban (SUB)

Overlay District: N/A

Proposed Development/Request: The applicant is requesting a Special Land Use Permit (SLUP) to operate a Type 2 Home Occupation for a personal care home.

CPIM: February 13, 2025

Planning Commission (PC): March 4, 2025

Mayor & City Council: March 24, 2025

Sign Posted/ Legal Ad(s) submitted: January 27, 2025

Staff Recommendations: **APPROVAL**

PC Recommendations: **APPROVAL** with the conditions outlined by Staff.



PROJECT OVERVIEW

Location

The subject property is located at 4989 Thompson Mill Road with a parcel identification 16 011 05 069. The dwelling is located within the Miller’s Cove Subdivision.

The property abuts RSM (Small Lot Residential Mix) District on the north, south, east, and west.



Adjacent & Surrounding Properties	Zoning (Petition Number)	Land Use
Applicant	R-100 (Residential Med Lot) District	Residential
Adjacent: North	R-100 (Residential Med Lot) District	Residential (Detached Single Family Home)
Adjacent: West	R-100 (Residential Med Lot) District	Residential (Detached Single-Family Home)
Adjacent: East	R-100 (Residential Med Lot) District	Residential (Detached Single Family Home)
Adjacent: South	R-100 (Residential Med Lot) District	Residential (Detached Single Family Home)



The property is a single-family detached dwelling. The dwelling was built in 1972 with four (4) bedrooms and three (3) bathrooms. The entire floor area is approximately 2,258 square feet. The nearest Personal Care Home is located at 4921 Hamlet Court, which is approximately 1250ft. from the subject property.

According to the Georgia Department of Community Health

<https://dch.georgia.gov/divisionsoffices/hfrd/facilities-provider-information/personal-care-homes> , Personal Care Homes rules and regulations Chapter 111-8-62 - means any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage.



DIVISION 5. R-100 (RESIDENTIAL MEDIUM LOT-100) DISTRICT

Sec. 2.5.1. Statement of purpose and intent.

The purpose and intent of the City Council in establishing the R-100 (Residential Medium Lot-100) District is as follows:

- 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.

(Ord. of 8-2-2017, § 1(2.5.1); Ord. No. 2022-10-03, § 2(Exh. A), 10-24-2022)

Sec. 2.5.2. Permitted and special land uses.

Permitted uses and uses requiring special land use permits shall be as provided below. In cases where a use is permitted but there are supplemental use regulations for that use specified in article 4 of this chapter, such regulations shall also apply.

- A. Permitted Uses. The following uses are permitted as of right under this Code:
 1. Agricultural Activities.
 - a. Keeping of livestock; see section 4.2.
 - b. Keeping of poultry/pigeons; see section 4.2.
 - c. Riding academies or stables; see section 4.2.
 - d. Urban Community Garden, up to 5 acres; see section 4.2.
 2. Residential.
 - a. Dwelling, single-family (detached).
 3. Institutional/Public.
 - a. Golf course or clubhouse, public or private; see section 4.2.
 - b. Government facilities.

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- c. Neighborhood or subdivision clubhouse or amenities; see section 4.2.
 - d. School, public kindergarten, elementary, middle or high schools.
 - 4. Communications—Utility.
 - a. Essential services.
 - b. Satellite television antenna; see section 4.2.
 - 5. Wireless Telecommunications.
 - a. Carrier on Wheels (declared emergency); see section 4.2.
 - B. Special Administrative Uses. The following uses are permitted only with administrative approval:
 - 1. Agricultural.
 - a. Urban, community garden, over 5 acres.
 - 2. Residential.
 - a. Home occupation, no customer contact; see section 4.2.
 - 3. Commercial.
 - a. Farmer's market, temporary/seasonal; see section 4.2.
 - b. Food Trucks, Mobile Vending/Food Carts; see section 4.2.
 - c. Temporary outdoor retail sales; see section 4.2.
 - d. Temporary outdoor sales or events, seasonal; see section 4.2.
 - e. Temporary produce stand; see section 4.2.
 - f. Temporary trailer, as home sales office or construction trailer; see section 4.2.
 - 4. Wireless Telecommunications.
 - a. Attached wireless telecommunication facility used for non-residential purposes (prohibited if used as residential).
 - b. Carrier on wheels (non-emergency or event, no more than 120 days); see section 4.2.
 - c. Small cell installations (new support structures or collocation) on private property or ROW; see section 4.2.
 - C. Special Land Use Permit. The following uses are permitted only with a special land use permit:
 - 1. Residential.
 - a. Bed and breakfast establishment; see section 4.2.
 - b. Home occupation, with customer contact; see section 4.2.
 - c. Child care home, 5 or less; see section 4.2.
 - d. Convents or monasteries; see section 4.2.
 - e. Personal care home, 6 or less; see section 4.2.
 - f. Senior housing; see section 4.2.
 - g. Short-term vacation rental.
 - 2. Institutional/Public.
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- a. Cemetery, columbarium, mausoleum; see section 4.2.
 - b. Places of worship; see section 4.2.
 - c. Recreation club; see section 4.2.
 - d. School, private kindergarten, elementary, middle or high schools; see section 4.2.
 - e. Swimming pools, commercial; see section 4.2.
- 3. Commercial.
 - a. Adult daycare facility, up to 6; see section 4.2.
 - b. Child day care facility, up to 6; see section 4.2.
 - c. Kennel, noncommercial.
 - 4. Communication—Utility.
 - a. Amateur radio service or antenna; see section 4.2.
 - 5. Wireless Telecommunication.
 - a. New support structure from 51 feet to 150 feet; see section 4.2.
- D. Permitted Accessory. The following uses are permitted as accessory only to a principal use:
- 1. Residential.
 - a. Accessory uses or structures.
 - b. Dwelling, single-family, accessory (guesthouse, in-law suite); see section 4.2.
 - 2. Institutional/Public.
 - a. Educational use, private; see section 4.2.
 - b. Tennis courts, swimming pools, play or recreation areas, community; see section 4.2.
 - 3. Commercial.
 - a. Fitness center.

(Ord. of 8-2-2017, § 1(2.5.2); Ord. No. 2022-06-01, § 2(Exh. A), 8-2-2022; Ord. No. 2024-02-04, § 1(Exh. A), 2-26-2024)

Sec. 2.5.3. Dimensional requirements.

Dimensional requirements for the R-100 (Residential Medium Lot-100) District shall be as provided in Table 2.2, Residential Zoning Districts Dimensional Requirements.

(Ord. of 8-2-2017, § 1(2.5.3))



Sec. 2.5.4. Site and building design standards.

Design standards and regulations to be applied in this zoning district shall be as provided in article 5 of this chapter, site design and building form standards.

(Ord. of 8-2-2017, § 1(2.5.4))

Public Participation

Property owners within 1,000 feet of the subject property were mailed notices of the proposed rezoning in January 2025. The Community Planning Information Meeting (CPIM) was held on February 13, 2025, at 6:00 P.M. at city hall. There were 2 neighbors that spoke in support of the petition.

SLUP25-000001

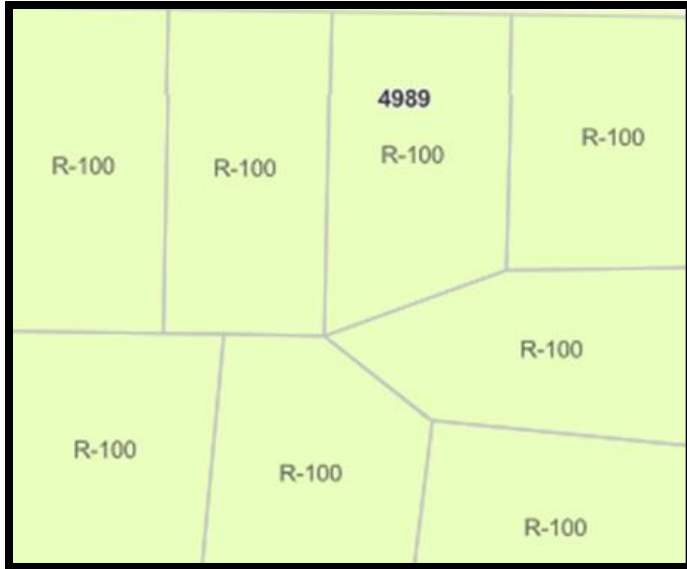
ADDRESS: 4989 Thompson Mill Road

CURRENT ZONING: R-100 (Residential Med Lot) District

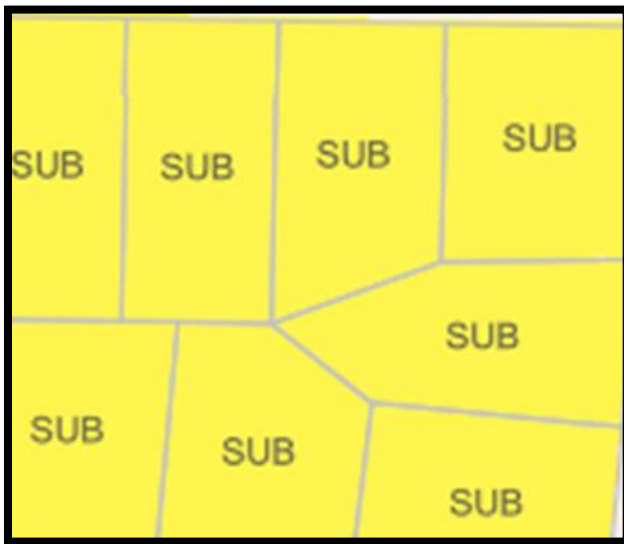
FUTURE LAND USE: Suburban Neighborhood (SUB)



CURRENT ZONING



CURRENT LAND USE

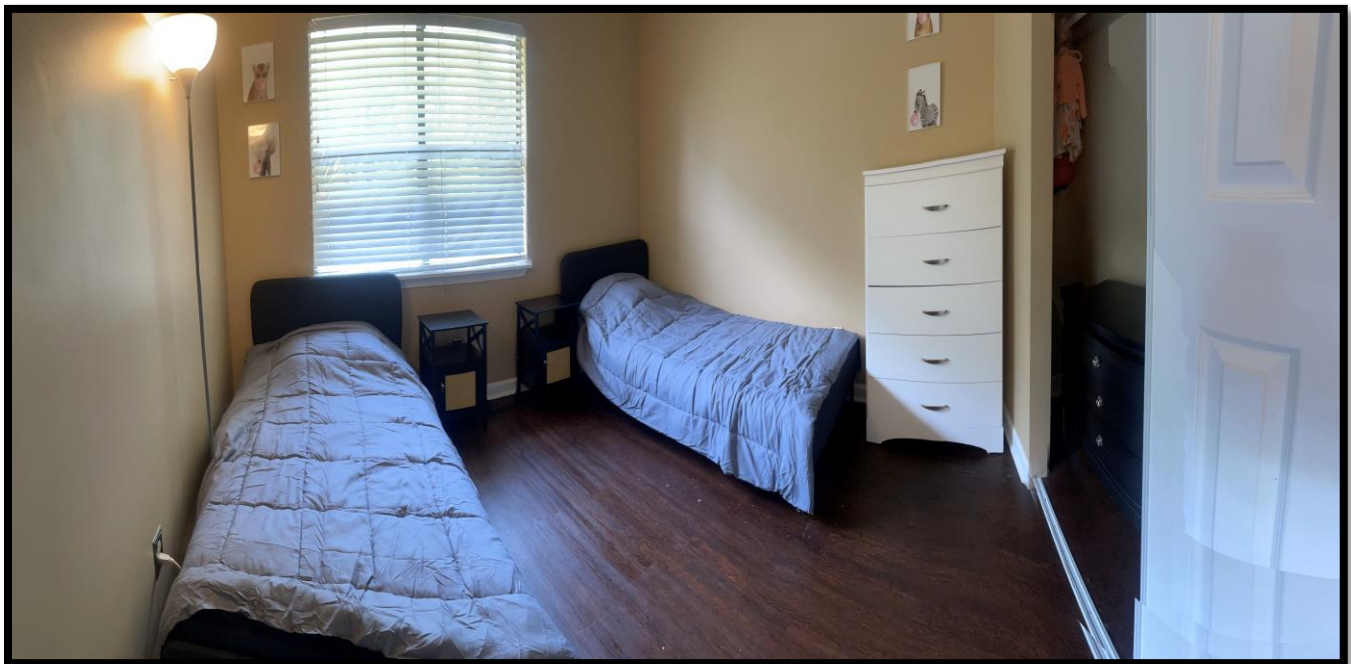


INTERIOR LOCATION PHOTOS

BEDROOM



BEDROOM



MASTER BEDROOM



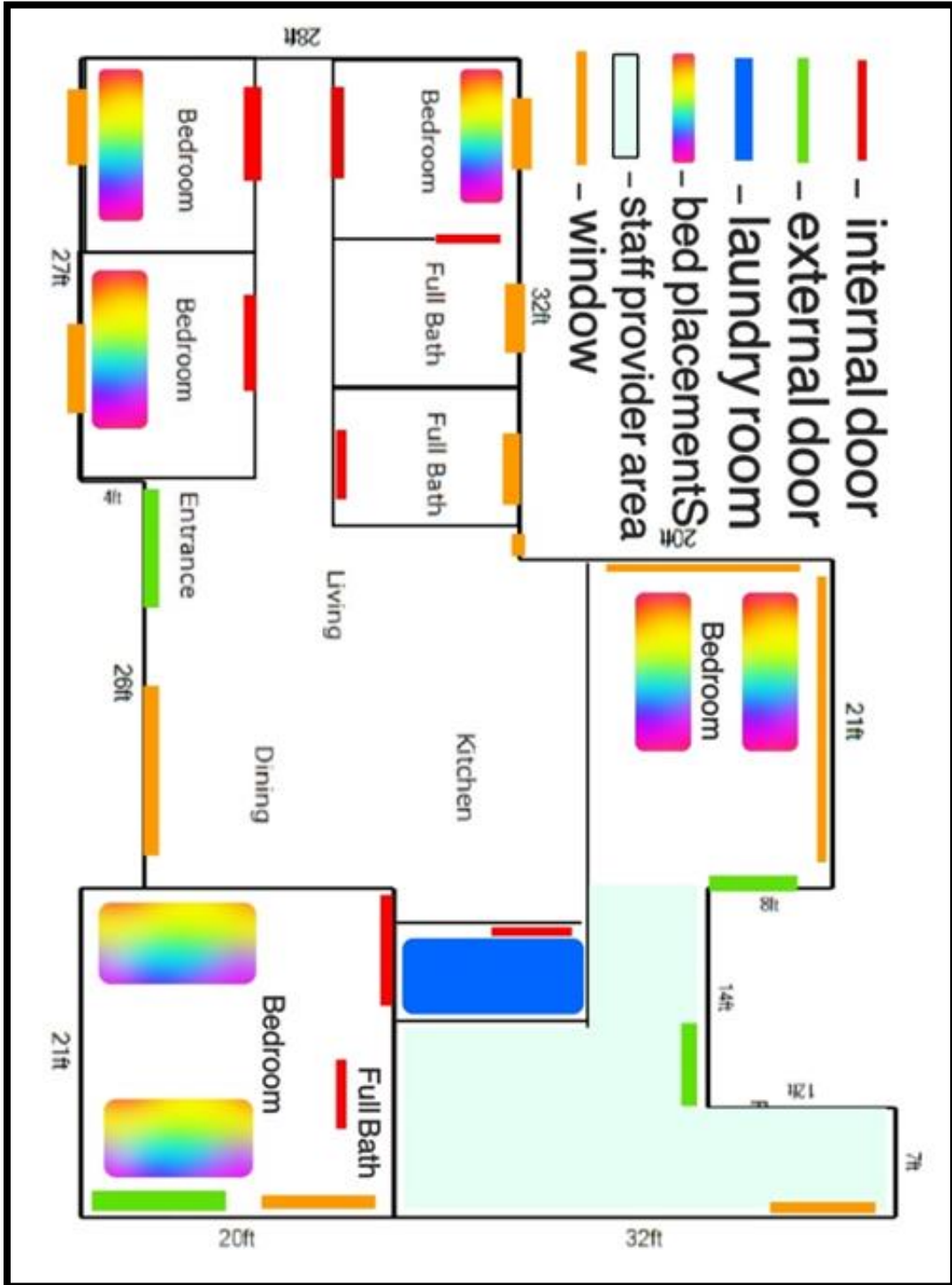
COMMON LIVING AREA



EXTERIOR PHOTO



FLOOR PLAN





STANDARDS OF SPECIAL LAND USE PERMIT REVIEW

[Section 7.4.6](#) of the Stonecrest Zoning Ordinance lists twenty factors to be considered in a technical review of a special land use permit completed by the Community Development Department and Planning Commission. Each criterion is listed with staff analysis.

- A. The adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the 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.**

The property consists of 20,038 square feet, with a lot coverage of 14.58%. It includes sufficient land to meet the required setbacks (front: 25 ft, side: 10 ft, rear: 40 ft) and open space for recreational and landscaping purposes. Off-street parking can be accommodated on the existing driveway or additional paved areas, meeting zoning district requirements [Section 4.2.41 \(Personal care homes and child caring institutions\)](#). The required parking is at least four (4) parking spaces within a driveway, garage, or carport.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district.**

The surrounding area is residential with low-density development, making a personal care home compatible. The single-story structure and quiet environment align with the character of the neighborhood, and the use complements local community needs without introducing disruptive activities.

- C. Adequacy of public services, public facilities, and utilities to serve the proposed use.**

The site is well-supported by existing infrastructure, including water, sewer, electricity, and internet services. Emergency services (fire and police) and nearby healthcare facilities provide sufficient coverage for the proposed use.

- D. 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.**

Thompson Mill Rd is a two-lane local road with light to moderate traffic volumes. The anticipated traffic generated by the facility (approximately 10-20 trips/week) will not cause undue congestion or exceed the local road's capacity.

- E. Whether 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.**

The personal care home will generate minimal traffic primarily consisting of staff and visitors, and service vehicles. These are compatible with existing residential traffic patterns and will not adversely affect neighboring properties.



F. 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 a fire or another emergency.

The property features an existing paved driveway with safe ingress and egress to Thompson Mill Rd. The flat topography ensures easy access for vehicles and emergency responders. There is no anticipated impact on pedestrian safety.

G. 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.

The nature of a personal care home minimizes disruptive elements. Noise levels will remain low, and no industrial equipment or processes will generate smoke, odor, dust, or vibration. The proposed hours of operation shall be Monday to Friday; and 9:00 A.M. – 5:00 P.M. on Saturdays and Sundays 10:00AM to 5:00PM.

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

The facility will not generate activity or noise disruptive to neighboring properties during nighttime hours, as it serves as a residential care home.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

Operations involve residential care, with no industrial or high-traffic elements, making the use compatible with neighboring properties.

J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The R-100 zoning classification permits residential care facilities with appropriate permits and aligns with zoning district's lot size, setbacks, and density requirements.

K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The development supports Stonecrest's goals of creating diverse housing and providing services for aging residents. It is consistent with policies encouraging accessibility and community-oriented care facilities.

L. 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.

Setbacks and landscaping provide natural buffer zones, ensuring a smooth transition



between the facility and adjacent properties. Additional fencing or plantings could enhance privacy if required.

M. Whether there is adequate provision of refuse and service areas.

Adequate space exists for refuse storage and service areas on-site, minimizing visual or environmental impact. Regular waste disposal can be managed without disrupting operations.

N. Whether the length of time for which the special land use permit is granted should be limited in duration.

If granted approval, the special land use permit should not be transferable and **only** applicable to the current applicant, operator(s), and homeowner(s).

O. 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.

The existing single-story structure is appropriately scaled for the property and the surrounding residential neighborhood, ensuring no visual or structural dominance over neighboring lots.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

No historic or archaeological resources are present on the property or in the immediate vicinity, eliminating the potential for adverse impacts.

Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permits.

The proposed use adheres to supplemental regulations, including land area, operational requirements, and neighborhood compatibility standards.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The single-story design prevents significant shadowing on adjacent lots, ensuring no adverse impact on neighboring properties.

S. 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.

The proposed personal care home addresses the community's need for elder care services, aligns with the low-density residential character of the area, and supports the goals of the comprehensive plan. It is both compatible with and beneficial to the neighborhood.



STAFF RECOMMENDATION (AMENDED 3/4/2025)

Staff recommends **APPROVAL** with the following conditions:

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the personal care home.
2. If owned by an individual, the individual owner must reside in the group personal care home.
3. Each personal care home 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.
4. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
5. The personal care home must meet all building code requirements as outlined for the occupancy type for a personal care home.
6. No personal care home may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
7. No city licenses and/or permits for the operation of the personal care home shall be transferable.
8. **The owner/site manager/administrator shall adhere to all Rules and regulations and permitting applicable as outlined by the Georgia Department of Health Chapter 111-8 Subject 111-8-62 Personal Care Homes.**
9. **No personal care home shall be operated and no residents admitted without valid permits/licenses from the Georgia Department of Health and City of Stonecrest.**

PLANNING COMMISSION RECOMMENDATION – March 4, 2025

The Planning Commission recommends **APPROVAL** with staff conditions.



ATTACHMENT(S): SLU25-000001 Application Materials

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)



Amendment Application

PROPERTY			
Site Address(es): 4989 THOMPSON MILL RD STONECREST GA		Parcel #: 16 011 05 069	Zip:
Project Name (If applicable): THE MOLUX OF STONECREST			
Current Zoning	R-100	Proposed Zoning	
Current Use	RES DIST	Proposed Use	PERSONAL CARE HOME

OWNER INFORMATION			
Name:	MOYO RUFARO EDWIN		
Address:	4989 THOMPSON MILL RD STONECREST GA 30038		
Email:	RMKARDIA@GMAIL.COM	Phone:	4046103841

APPLICANT			
Name:	MOYO RUFARO EDWIN		
Address:	4989 THOMPSON MILL RD STONECREST GA 30038		
Email:	RMKARDIA@GMAIL.COM	Phone:	4046103841

AFFIDAVIT

To the best of my knowledge, this 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.

Applicant's Name:	MOYO RUFARO EDWIN		
Applicant's Signature:	<i>[Handwritten Signature]</i>	Date:	1/7/25

NOTARY

Sworn to and subscribed before me this *7th* Day of *January* 20 *25*

Notary Public:	<i>[Handwritten Signature]</i>	Date:	1/7/2025
Signature:	<i>[Handwritten Signature]</i>		



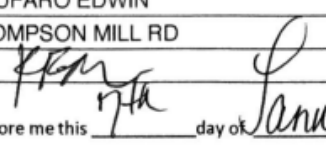

Amendment Application

All applications and plans must be submitted through the [Citizenserve Online Portal](#)

Property Owner(s) Notarized Certification

The owner and petitioner acknowledge that this amendment application form is correct and complete. By completing this form, all owners of the subject property certify authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Property Owner

Name:	MOYO RUFARO EDWIN			
Address:	4989 THOMPSON MILL RD	City, State: STONECREST, GA	Zip: 30038	
Signature:		Date:	1/7/25	
Sworn to and subscribed before me this <u>7th</u> day of <u>January</u> , 20 <u>25</u>				
Notary Public:		<table border="1"><tr><td>RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027</td></tr></table>		RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027
RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027				

Additional Property Owner (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Additional Property Owner (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	



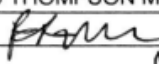

Amendment Application

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Applicant(s) Notarized Certification

The petitioner acknowledged that this amendment application form is correct and complete. By completing this form, all applicant of the subject property certifies authorization of the filing of the application for amendment(s), and authorization of an applicant or agent to act on their behalf in the filing of the application including all subsequent application amendments.

Applicant

Name:	MOYO RUFARO EDWIN			
Address:	4989 THOMPSON MILL RD	City, State: STONECREST, GA	Zip: 30038	
Signature:		Date:	1/7/25	
Sworn to and subscribed before me this <u>9th</u> day of <u>January</u> , 20 <u>25</u>				
Notary Public:				
<table border="1"><tr><td>RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027</td></tr></table>				RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027
RENEE L WOODS Notary Public - State of Georgia Henry County My Commission Expires Mar 27, 2027				

Applicant (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	
Sworn to and subscribed before me this _____ day of _____, 20____			
Notary Public:			

Applicant (if applicable)

Name:			
Address:		City, State:	Zip:
Signature:		Date:	



Development of Regional Impact (DRI) Review for 4989 Thompson Mill Rd, Stonecrest, GA 30038

Executive Summary

This Development of Regional Impact (DRI) review evaluates the suitability of 4989 Thompson Mill Rd, Stonecrest, GA 30038 for a personal care home. The property's location, surrounding infrastructure, and alignment with community needs make it an ideal site for such a development. The project is anticipated to have minimal regional impact while providing essential services to the aging population.

Property Overview

4989 Thompson Mill Rd is a strategically located property within the city of Stonecrest. Key features include:

- **Zoning:** Residential with allowances for community-oriented facilities.
- **Size:** Adequate to support a small-scale personal care home for seven or more residents.
- **Access:** Served by Thompson Mill Rd, a local road with connectivity to nearby arterials and Interstate 20, located approximately 2.5 miles away.

Proposed Development

The project involves the establishment of a personal care home, offering:

- Housing and care services for elderly or disabled individuals.
- 24-hour staff assistance and supervision.
- On-site amenities and transportation services for residents.

Regional Impact Analysis

1. Land Use Compatibility

The proposed development aligns with the regional and local land-use plans:

- **Stonecrest Comprehensive Plan:** Encourages the development of residential care facilities to address the needs of an aging population.
- **Community Fit:** The project complements the low-density residential character of the surrounding area.

2. Traffic and Transportation

The traffic impact of the proposed facility is minimal:

- **Trip Generation:** The facility is expected to generate approximately 20-30 daily vehicle trips, with 2-5 trips during peak hours (based on ITE Trip Generation Manual, 11th Edition).
- **Roadway Capacity:** Thompson Mill Rd operates below capacity, and nearby intersections maintain Level of Service (LOS) B or better.
- **Transit Access:** Proximity to MARTA bus stops enhances regional accessibility for staff and visitors.

3. Infrastructure and Services

The site is well-supported by existing infrastructure:



- **Utilities:** The property has access to water, sewer, electricity, and internet services, with no upgrades required.
- **Emergency Services:** Located within a 5-mile radius of fire and police stations.
- **Healthcare Proximity:** Nearby medical facilities, including primary care and hospitals, support the needs of residents.

4. Environmental Considerations

Environmental impacts are negligible:

- **Land Disturbance:** The project requires minimal grading or clearing.
- **Flood Risk:** The property is not located in a floodplain.
- **Stormwater Management:** Existing infrastructure is adequate to handle runoff without adverse regional effects.

5. Socioeconomic Benefits

The development provides multiple community benefits:

- **Employment:** Creates 3-8 full-time jobs for local caregivers, administrative staff, and maintenance personnel.
- **Affordable Care:** Addresses the growing demand for cost-effective, high-quality personal care services.
- **Community Value:** Enhances the quality of life for residents and their families.

Alignment with Regional Goals

The development supports the following regional goals:

1. **Housing Diversity:** Expands the availability of specialized housing for vulnerable populations.
2. **Transportation Efficiency:** Minimizes traffic impacts while leveraging existing transit options.
3. **Economic Growth:** Provides local job opportunities and stimulates ancillary businesses (e.g., medical suppliers).
4. **Sustainability:** Maintains low environmental impact while utilizing existing infrastructure.

Conclusion

The proposed personal care home at 4989 Thompson Mill Rd is an ideal project with limited regional impact and significant local benefits. Its alignment with zoning policies, minimal strain on infrastructure, and contributions to socioeconomic well-being highlight its value to the Stonecrest community. Approval of the project is recommended to meet the growing demand for residential care services in the region.



ATTACHEMENT(S) : Comprehensive Plan and Zoning Ordinance(s)



Caption: An example Suburban Neighborhood Land Use in Stonecrest, GA

Suburban Neighborhood (SN): The Suburban Neighborhood area recognizes those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those already developed and those under development pressures. Suburban Neighborhood areas are characterized by low-pedestrian orientation, limited transit access, scattered civic buildings, and curvilinear street patterns. The desired density for areas of this type is from 4 to 8 dwelling units per acre.

Use Descriptions: SF detached; Townhomes; Assisted Living facilities; Neighborhood Retail; Schools; Libraries; Parks and Related; Health Care, Civic

Maximum Density, Units/Acre: 4 to 8 du/ac

Permitted Districts: OI, OIT, NS, RSM, R100, R85, R75, R60, RNC

Sec. 4.2.41. Personal care homes and child caring institutions.

A. Personal care homes, general requirements.

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the personal care home. If owned by an individual, the individual owner must reside in the group personal care home.
2. Each personal care home 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. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
3. No personal care home may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
4. Personal care homes may apply for an FHA Accommodation Variance as provided for in section 7.5.9 of this chapter.
5. No city permit for the operation of the personal care home shall be transferable.

B. Personal care home, group (up to six persons).

1. Two copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.



2. Each group personal care home must provide at least four parking spaces within a driveway, garage or carport and must comply with any applicable requirements in article 6.
3. The home must be at least 1,800 sq. ft in size.
4. In order to prevent institutionalizing residential neighborhoods, no group personal care home located in a residential zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located.

C. *Personal care home, (seven or more persons).*

1. Two copies of complete architectural plans for the subject community personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each community personal care home must provide at least one-half parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

D. *Child Care Home, and Child Care Facility general requirements.*

1. If owned by a corporation, partnership, Limited Liability Company or any entity other than a natural person, the administrator identified in the state license application must reside in the child care home, facility. If owned by an individual, the individual owner must reside in the child care home, or child care facility.
2. No child care home, or child care facility shall be located within 1,500 feet of another child care home or child-care facility. The 1,500-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the child care homes, or child care facilities are located.
3. Each child caring home, and child care facility must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each child caring institution must display its state-issued and city-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.
4. Child Care homes and Child Care facilities are not permitted in Multi-family dwellings.
5. No child caring home, facility may display any exterior signage that violates the sign ordinance in chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.
6. Each child care home, facility shall meet the minimum state requirements for playground size, location, and fencing.

E. *Child Care Homes, (up to five children).*

1. Each group child care home must provide at least four parking spaces within a driveway, garage or carport, and must comply with any applicable requirements in article 6.

F. *Child Care Facility (six or more children).*

1. Two copies of the complete architectural plans of the subject community child caring institution, signed and sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.
2. Each community child caring institution must provide at least one-half parking spaces for each employee and resident and must comply with any applicable requirements in article 6.

(Ord. of 8-2-2017, § 1(4.2.41); Ord. No. 2021-06-04, § 1(Exh. A), 8-23-2021)



Sec. 4.2.46. Senior housing; independent and assisted living, nursing, and continuing care.

- A. Primary uses. Senior housing facilities shall include either independent living units or assisted living units, or both. The independent living units may be either single-family (detached) residences or multifamily (attached) residences.
- B. Accessory uses. Senior housing facilities shall include one or more of the following accessory uses:
 - 1. Ancillary clinics, personal service, retail (e.g., pharmacy, hair salon, medical offices).
 - 2. Central kitchen and dining facility.
 - 3. Recreation and amenities.
 - 4. Building/clubhouse for classes, meetings, concerts, storytelling, etc.
 - 5. Adult daycare.
- C. The maximum number of unrelated residents living independently (not requiring personal care) and at age 55 or older allowed in an independent living unit is one per bedroom.
- D. Height standards. A senior living facility in which all of the occupied units are occupied by at least one senior aged 55 or older is authorized up to ten stories without a height SLUP in HR, MU-3, MU-4, and MU-5 zoning districts, subject to transitional height plane regulations in article 5 of this chapter.
- E. Accessibility standards. All senior housing shall incorporate accessibility standards that meet certification requirements for easy living or universal design and/or include all of the following minimum features:
 - 1. At least one step free entrance to the main floor at either the front or side of the structure; if only one is provided, it shall not be from a patio or raised deck.
 - 2. Main floor of each unit shall include a kitchen, entertaining area, and master bedroom with full bathroom.
 - 3. Every door on the main floor shall provide a minimum width of 34 inches of clear passage.
 - 4. Blocking shall be installed in the master bath around toilet, tub, and shower for placement or future placement of grab bars.
- F. Assisted living, nursing and continuing care facilities shall provide the following:
 - 1. Primary and secondary support services: Approval for assisted living, nursing or continuing care facilities shall not be granted without documentation of provisions for the following primary and secondary services:
 - a. Primary services: on-site dining facility, 24-hour on-call medical services, on-site licensed practical nurse, on-call registered nurse, linen and housekeeping services, and transportation services.
 - b. Secondary services: physical therapy, medication administration program, care technician services (clothes changing, bathing, etc.), on-site personal care (barber, beauty salon), fitness center, library.
 - c. Access to outdoor seating and walking areas shall be provided as part of every assisted living, nursing or continuing care facility.
- G. A senior housing facility shall only be approved after consideration of the use permit criteria, found in article 7 of this chapter and after consideration of the following:
 - 1. Proximity and pedestrian access to retail services and public amenities.
 - 2. Transportation alternatives.
 - 3. Integration into existing neighborhoods through connectivity and site design.
 - 4. Diverse housing types.
 - 5. Site and building design that encourages social interaction.



6. Building design that meets easy living standards.
- H. In addition, in consideration of the special land use permit or special administrative permit for a senior housing facility, the following criteria shall be evaluated based on the degree to which these elements provide transition from the proposed project to adjacent existing development:
1. Building height.
 2. Landscaping.
 3. Maximum lot coverage.
 4. Setbacks from exterior property lines.
 5. Site size.
 6. Access to thoroughfare.
- I. Submittal requirements. The following documents and information are required for submittals for rezoning, special land use permits, land development permits and building permits associated with proposed senior living facilities:
1. Survey and site plan (per established requirements in article 7 of this chapter).
 2. Landscape and tree plan.
 3. Number and location of residential units.
 4. Types of units.
 5. Amenities.
 6. Institutional/nonresidential services.
 7. Proximity to services such as health care, shopping, recreation, and transit.
 8. Other documents addressing the approval criteria in subsections G. and H. of this section.

(Ord. of 8-2-2017, § 1(4.2.46))



Sec. 6.1.4. Off-street parking ratios.

- A. Minimum on-site parking requirements may be reduced through use of shared parking, in accordance with section 6.1.5.
- B. In residential districts in which garage space is provided, the garage space may count for no more than one required space per 200 square feet of garage space.
- C. Tandem parking is permitted in association with all single-family detached and single-family attached housing types.
- D. Minimum and maximum parking ratios. Unless otherwise regulated elsewhere in this chapter, off-street parking spaces shall be provided for all uses listed are specified in Table 6.2. Unless otherwise noted, the parking requirement shall be based on the gross square footage of the building or buildings devoted to the particular use specified. Maximum parking standards shall not apply to existing uses so long as the building or parking lot is not expanded.
- E. Phased development. Where a project is intended to be developed in phases, the director of planning may approve phased development of a parking lot intended to serve current and future development.
- F. Reduction of minimum parking requirements. The minimum number of required spaces described in Table 6.2 for a particular use may be reduced by ten percent by the director of planning pursuant to an administrative variance in compliance with article 7 of this chapter. If the use is within 1,000 feet of a designated heavy rail, streetcar/light rail or bus rapid transit station, the minimum number of required spaces may be reduced by 25 percent in accordance with article 7 of this chapter.
- G. Carpool/vanpool parking. For office, industrial, and institutional uses where there are more than 20 parking spaces on the site, the following standards shall be met:
 - 1. At least five percent of the parking spaces on-site must be reserved for carpool use.
 - 2. Except as otherwise provided by applicable law, parking lots shall be designed so as to provide the most convenient access to building entrances by persons arriving by vanpools and carpools. In the event of a conflict between the priority described in this subsection and section 6.1.16, this subsection shall prevail.
 - 3. Signs shall be posted identifying spaces reserved for carpool use.

Table 6.2. Off-street Parking Ratios

Minimum and Maximum Parking Spaces		
Use	Minimum Parking Spaces Required	Maximum Parking Spaces Allowed
<i>Residential</i>		
Detached single-family dwelling	Two spaces per dwelling unit.	Four spaces per dwelling unit.
Two-family and three-family dwellings	One space per dwelling unit.	Four spaces per dwelling unit.
Detached single-family condominium	Two spaces per dwelling unit.	Four spaces per dwelling unit.
Attached single-family dwelling	1½ spaces per dwelling unit, plus one-quarter space per dwelling	Three spaces per dwelling unit, plus one-quarter space per



	unit to accommodate guest parking.	dwelling unit to accommodate guest parking.
Attached two-family and three-family dwellings	1½ spaces per dwelling unit, not including garage, plus one-quarter space per dwelling unit to accommodate guest parking.	Three spaces per dwelling unit, not including garage, plus one-quarter space per dwelling unit to accommodate guest parking.
Multifamily dwellings	1½ spaces for every dwelling unit.	Three spaces for every dwelling unit.
Mobile Homes	Two spaces per mobile home lot.	Four spaces per mobile home lot.
Multifamily dwellings, supportive living	One-half space per dwelling unit.	One space per dwelling unit.
Fraternity house or sorority house	One space per bed.	1¼ spaces per bed.
Rooming house or boarding house, shelter	One space per four beds.	One space per 1½ beds.
Senior housing	One-half space per dwelling unit, plus one-quarter space per dwelling unit to accommodate guest parking.	Two spaces per dwelling unit, plus one-quarter space per dwelling unit to accommodate guest parking.
Assisted Living	One-half space per dwelling unit.	One space per dwelling unit.
Personal care home, group	Two spaces.	Four spaces
Personal care home, community	One space for every 3 beds.	One space for every 2 beds.
Child daycare facility	Two spaces.	Four spaces.
Child care institution, group	Two spaces.	Four spaces.
Child care institution, community	One-half space for each employee and resident.	Three-quarters space for each employee and resident.
Live Work dwelling	Two spaces per unit.	Four spaces per unit.
<i>Institutional</i>		
Ambulance service where accessory to a hospital, ambulance services, delivery services and other similar services	One parking space for each fleet vehicle plus one-half space for each administrative or service employee.	One parking space for each fleet vehicle plus three-quarter space for each administrative or service employee.
Child daycare center	One space for each 400 square feet of floor area.	One space for each 300 square feet of floor area.
Convent or monastery	One space for each 400 square feet of floor area.	One space for each 200 square feet of floor area.
Funeral home	One space for each 400 square feet of floor area	One space for each 200 square feet of floor area.
Hospital and similar institutional use	One space per three beds.	No maximum.
Nursing care facility, nursing or convalescent home, and similar institutional use	One-quarter space per bed	One-half space per bed
Kindergarten	One space per 300 square feet of floor area.	One space per 200 square feet of floor area.
Places of assembly with fixed seating, including places of worship, movie theaters, stadiums,	One space for each four seats in the largest assembly room.	One space for each two seats in the largest assembly room.



Attachment(s): Community Planning Information Meeting (CPIM) Summary Minutes



CITY OF STONECREST, GEORGIA

Community Planning Information Meeting (CPIM)

Summary Minutes

February 13, 2025, at 6:00 P.M.

Planning-zoning@stonecrestga.gov

***IN-PERSON MEETING**

[Stonecrest's YouTube Broadcast Link](#)

Citizens wishing to actively participate and comment during the public hearing portion of the meeting may comment in person. You may also submit your request including your full name, address, and position on the agenda item you are commenting on (for or against) via email to Planning-zoning@stonecrestga.gov by 2 p.m. the day before the meeting to be read into the record at the meeting.

- I. CALL TO ORDER AND INTRODUCTIONS:** Deputy Director Ellis Still, Senior Planner Ramona Eversley, Planner Felleshia Blair, Zoning Administrative Technician Abeykoon Abeykoon, and Cobi Brown, Planning Administrative Technician were in attendance.

The meeting was called to order at 6:00 p.m.

- II. REVIEW OF THE PURPOSE AND INTENT OF THE COMMUNITY PLANNING INFORMATION MEETING AND RULES OF CONDUCT – Ramona Eversley**

- III. Item(s) of Discussion:**

PETITION: RZ24-005
PETITIONER: Michele Battle of Battle Law, P.C.
LOCATION: 1810 Coffee Rd
PETITIONER'S REQUEST: The request is for a rezoning and map amendment of the parcel from M-2 (Heavy Industrial) to M (Light Industrial).

Jordan Battle of Battle Law, P.C. came up to speak. It was stated that the rezoning is for the consolidation of two adjacent parcels for the development of a paved truck storage lot. The location is behind the existing PepsiCo building.

Renee Kale a resident asked about the type and amount of trucks that will be that will be parked in the storage area. She stated her concern for the surrounding residents.

Jordan Battle stated that they did not have a set time for the trucks to be parked in one of the twenty proposed spaces that deliver products for the company. It was also stated that the parcel is over 750 feet away from the nearby residential parcels.

PETITION: SLUP24-009
PETITIONER: Leatha Spivey of Peaches and Cream Academy, Inc
LOCATION: 3356 Panola Road
PETITIONER'S REQUEST: The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a child daycare business.

Thomas Dortch came up to speak for Ms. Spivey. He stated that the business has been in operation for three decades. Countless families have trusted her to take care of their children and many of the students have excelled in higher education as well as careers later in their lives. The academy has also contributed to the community by hosting back-to-school drives and other events. She has been in good standing with the State



CITY OF STONECREST, GEORGIA

regulations.

Carol Dortch mother of Thomas Dortch stated that Ms. Spivey has done well for many years and she has many testimonials to prove it. She also stated that there was confusion due to Ms. Spivey having an up-to-date state license.

PETITION:	SLUP25-001
PETITIONER:	Rufaro Moyo of Moyo Capital, Inc
LOCATION:	4989 Thompson Mill Road
PETITIONER'S REQUEST:	The petitioner is seeking a Special Land Use Permit (SLUP) to operate as a Type 2 Home Occupation for a personal care home business.

Rufaro Moyo the applicant came up to speak. The proposal will cater to those in the elderly community who are in need of assistance with day-to-day tasks. He stated that the parcel is in a good location considering that Thomson Mill Rd has minimum traffic and the home is also near several shopping centers, pharmacies, and the hospital.

Samantha Verver a neighbor of the applicant stated that she is in support of the petition and that personal care homes are needed in the community.

Pam Alimanzi a resident also stated that she supports the petition. She has been a CNA for 20 years and from her experience in the industry knows that the proposed use is a need for the community.

IV. ADJOURNMENT The meeting was adjourned at 6:24 p.m.

Americans with Disabilities Act

The City of Stonecrest does not discriminate on the basis of disability in its programs, services, activities, and employment practices.

If you need auxiliary aids and services for effective communication (such as a sign language interpreter, an assistive listening device or print material in digital format) or reasonable modification to programs, services or activities contact the ADA Coordinator, Sonya Isom, as soon as possible, preferably 2 days before the activity or event.

APPROVED: <i>Ellis Still</i>	<u>2/17/2025</u>	DATE
DEPUTY DIRECTOR, PLANNING & ZONING		
ATTEST: <i>Cobi Brown</i>	<u>02/17/2025</u>	DATE
SECRETARY		