



City of Stone Mountain
875 Main Street
Stone Mountain, GA 30083

STAFF ANALYSIS AND REPORT

OWNER/APPLICANT: Habitat for Humanity DeKalb

LOCATION: 672 Pepperwood Trail
(Parcel ID: 18 074 03 136)

CURRENT ZONING/USE: R-1: Single-Family Residential

PROPOSED ZONING/USE: R-1: Single-Family Residential

REQUEST: Variance from Section 5-1.5(A)(6) to reduce the minimum rear yard setback from 40-feet to 34.5-feet.

ZONING/ADJACENT LAND USE:

North	R-1: Single-Family Residential
South	Single-Family Residential in DeKalb County
West	R-1: Single-Family Residential
East	R-1: Single-Family Residential

MEETING INFORMATION:

Planning & Zoning Commission:	11/18/2024 – 6:30 P.M.
Mayor & City Council 1 st Read:	12/17/2024 – 6:30 P.M.
Mayor & City Council Public Hearing:	01/07/2025 – 6:30 P.M.

RECOMMENDATION:
Staff recommends approval with conditions.

BACKGROUND:

December 17, 2024

To: City of Stone Mountain Mayor & City Council

From: Richard Edwards, AICP

Subject: The applicant is requesting variance from Section 5-1.5(A)(6) to reduce the minimum rear yard setback from 40-feet to 34.5-feet.

Background:

The applicant received final plat approval from the City of Stone Mountain on August 21, 1986. The final plat shows the front yard setback as 5-feet, the side yard setback as 5-feet, and the rear yard setback is not listed.

The property was rezoned to Single-Family Residential (R-1) in the early 2000s. This rezoning changed the setback requirements for neighbor. The minimum front yard setback is now 50-feet; the minimum rear yard setback is now 40-feet; and the minimum side yard setback is now 10-feet.

This lot is approximately 86-feetwide through the middle of the lot and the front yard setback and the rear yard setback overlaps in the middle of the lot. The surrounding homes in the cul-de-sac have a front yard setback ranging approximately from 5-feet to 35-feet and rear yard setback ranging approximately from 10-feet to 35-feet.

Analysis: Pursuant to Article II of the City of Stone Mountain Zoning Ordinance, Staff has reviewed the variance request in accordance with the required review criteria.

A. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography.

There are exceptional conditions pertaining to the particular property in question because of its size. The lot was platted under zoning regulations that would allow smaller front and rear yard setback and the lot is now practically unbuildable.

B. The application of the zoning ordinance to the particular piece of property would create an unnecessary hardship.

The strict application of the zoning ordinance could be considered an unnecessary hardship. The proposed development is similar in nature to the surrounding, nonconforming residential homes.

C. Such conditions are peculiar to the particular property involved.

These conditions would apply to all of the lots in this subdivision. However, this is a cul-de-sac lot with one of the shortest lot widths in the subdivision.

D. Such conditions are not the result of any actions of the property owner.

These conditions are not the result of any direct actions of the property owner.

E. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this zoning ordinance.

It is not anticipated that the proposed use would cause detriment to the public good. However, this request does not fall within the intent of the zoning ordinance but could be considered an unnecessary hardship.

Recommendation:

Pursuant to Article II of the City of Stone Mountain Zoning Ordinance, Staff has reviewed the request in accordance with the required review criteria and recommends **APPROVAL** of the variance from Section 5-1.5(A)(6) to reduce the minimum rear yard setback from 40-feet to 34.5-feet with the following conditions:

1. The development shall be substantially in compliance with the site plan dated September 24, 2024.

The Planning Commission voted (5-0) to recommend approval of this request with staff's conditions.



APPLICATION FOR VARIANCE

City of Stone Mountain
875 Main Street
Stone Mountain, GA 30083

Date Received: _____

PERMIT#: _____
(Office Use Only)

APPLICANT INFORMATION

Applicant Name:	Habitat for Humanity DeKalb		
Address:	2380 4th Street, Tucker, GA 30084		
Phone:	770-270-6813	Cell:	Fax:
Email Address:	ssteele@dekalbhabitat.org		

OWNER INFORMATION (If different from Applicant)

Owner Name:	_____		
Address:	_____		
Phone:	_____	Cell:	Fax: _____
Email Address:	_____		

PROPERTY INFORMATION

Address:	672 Pepperwood Trail, Stone Mountain, GA 3087		
Parcel ID#:	18-074-03-136	Land Lot:	District: 11th

Office use only: CASE # _____

Applicant signature: Stan Seese

Date: 10/9/24



VARIANCE REQUEST CONSIDERATIONS

Applicant: Habitat for Humanity DeKalb

Analyze the impact of the variance request with the following questions:

1. There are extraordinary and exceptional conditions pertaining to the particular property in questions because of size, shape, and/or topography. _____
Existing lot was originally developed in size and shape based on different zoning.
2. The application of the zoning ordinance would create an unnecessary hardship. Current zoning would require building a smaller home than current zoning allows, reducing the value of the home that we can build.
3. Such conditions are peculiar to the particular piece of property involved. The old home was built within 25 feet of the front property line, and well over the front and rear building lines of the current zoning. Neighboring homes on Pepperwood Trail are closer to the property lines than we are requesting for this home.
4. Such conditions are not the result of any actions of the property owner. _____
We have made no alterations to the lot
5. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this zoning ordinance? _____
This variance would allow us to build an affordable home that enhances the community, fits with the existing homes, and removes an eyesore that is holding property values down.

SECTION II

OWNER/PETITIONER

NOTICE: Part 1 and/or Part 2 below must be signed and notarized when the petition is submitted. Please complete Section IV as follows:

- a) If you are the sole owner of the property and not the petitioner complete Part 1.
- b) If you are the petitioner and not the sole owner of the property complete Part 2.
- c) If you are the sole owner and petitioner complete Part 1.
- d) If there are multiple owners each must complete a separate Part 1 and include it in the application.

Part 1. Owner states under oath that he/she is the owner of the property described in the attached legal description, which is made part of this application.

Habitat for Humanity DeKalb

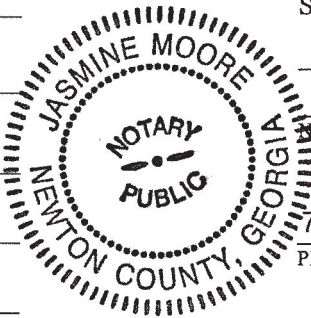
 TYPE OR PRINT OWNER'S NAME
 2380 4th Street

 ADDRESS
 Tucker, GA 30084

 CITY & STATE ZIP CODE

 OWNER'S SIGNATURE
 ssteale@dekalbhabitat.org

 EMAIL ADDRESS



Sworn to and subscribed before me this the
 9 Day of October 20 24

 JASMINE MOORE
 NOTARY PUBLIC

 770-270-6813 ext 104

 PHONE NUMBER

PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type name of owner above as "Owner"); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease and type name of owner above as "Owner").

 TYPE OR PRINT PETITIONER'S NAME

 ADDRESS

 CITY & STATE ZIP CODE

 PETITIONER'S SIGNATURE

 EMAIL ADDRESS

Sworn to and subscribed before me this the
 _____ Day of _____ 20_____

 NOTARY PUBLIC

 PHONE NUMBER

SECTION V

ATTORNEY / AGENT

Check One: [] Attorney [X] Agent
 Complete Permitting Services/Elliott Fried

 TYPE OR PRINT ATTORNEY / AGENT NAME

 SIGNATURE OF ATTORNEY / AGENT
 11660 Alpharetta Hwy Suite 145

 ADDRESS
 Roswell, GA 30076

 CITY & STATE ZIP CODE

elliott@completepermitting.com

 EMAIL ADDRESS
 404-394-2811

 PHONE NUMBER

 PETITIONER'S SIGNATURE



SITE INFORMATION:
 672 PEPPERWOOD TRAIL
 TOTAL AREA: 0.23 ACRES
 R-1 (STONE MOUNTAIN) REQUIREMENTS
 LOT WIDTH: 100 FEET MIN.
 MINIMUM LOT AREA: 10,000 S.F.
 MINIMUM YARD ADJACENT TO PUBLIC STREET:
 FRONT: 30 FEET
 INTERIOR SIDE YARD SETBACKS:
 REAR YARD: 1,250 S.F.
 MINIMUM FLOOR AREA: 40 PERCENT
 MINIMUM LOT COVERAGE: 2
 MINIMUM BUILDING HEIGHT: 30 FEET
 LAND USE CLASSIFICATION: RESIDENTIAL

UTILITIES:
 GAS - ATLANTA GAS LIGHT CO.
 WATER - ATLANTA GAS LIGHT CO.
 POWER - GEORGIA POWER

THIS PROPERTY IS NOT LOCATED INSIDE A DESIGNATED
 F.L.A. SPECIAL FLOOD HAZARD AREA AS PER DEKALB
 COUNTY FLOOD INSURANCE RATE MAP #13089C0091K
 EFFECTIVE DATE: 12-8-2016

VARIANCE REQUEST

- 1.) REDUCE FRONT SETBACK FROM 50 FEET TO 17.5 FEET.
- 2.) REDUCE REAR SETBACK FROM 40 FEET TO 34.5 FEET.

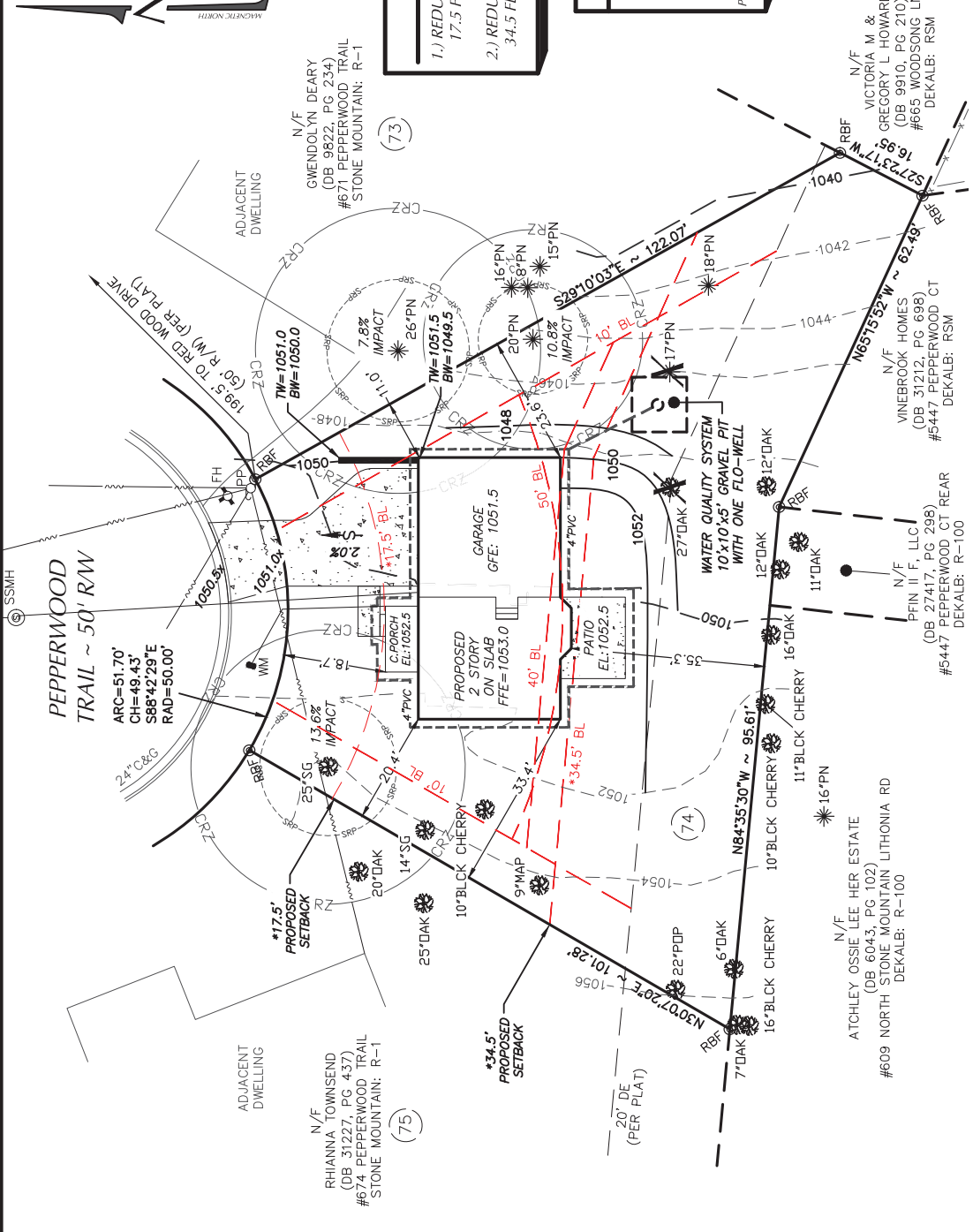
LOT COVERAGE

HOUSE/GARAGE = 1253 I.S.F.
 C/PORCH = 72.0 S.F.
 DRIVEWAY = 445.4 S.F.
 WALKWAY/STEPS = 40.5 S.F.
 PATIO = 156.8 S.F.
 R-WALLS = 14.5 S.F.
 TOTAL IMPERVIOUS AREA = 1984.6 S.F.
 TOTAL LOT AREA = 10,181.9 S.F.
 PROPOSED LOT COVERAGE = 1,984.6 / 10,181.9 = 19.5%

OWNER / CONTRACTOR:
 HABITAT FOR HUMANITY - DEKALB
 P.O. BOX 403
 TUCKER, GA 30085

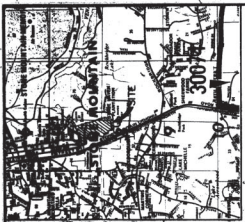
24 HOUR CONTACT:
 SHARON STEELE
 (770) 270-6813

ENGINEER/SURVEYOR:
 CADDY SURVEYING & DESIGN, INC.
 1215 PLEASANT HILL ROAD
 LAWRENCEVILLE, GA 30044
 (770) 931-5920



VARIANCE EXHIBIT
 SCALE : 1" = 20'





LOCATION MAP

THESE PLATS ARE MADE FROM THE ORIGINAL RECORDS OF THE CITY OF ATLANTA, GEORGIA, AND ARE SUBJECT TO THE CITY OF ATLANTA, GEORGIA, RECORDS DEPARTMENT, FILE NO. 2297.

PERPEWOOD S/D PHASE 2

Table with columns: LOT NO., AREA, DISTANCE, BEARING, etc. Lists lot numbers 1 through 98 and their corresponding dimensions and areas.

NOTES: 1) All curve distances shown are chord distances. 2) All lots within the city limits of Stone Mountain. 3) All property lines have a 1' drainage easement (5' each side) unless shown otherwise. 4) All homes shall have 400 SF min. with a one-car garage. ...

FINAL RECORDING PLAT
PERPEWOOD SUBDIVISION
PHASE 3
SOUTH EAST CONSULTANTS, INC.



Filed and Recorded in Plat Book 82, Page 159, This 21 day of May, 1936, A.C. 1936.

Filed and Recorded in Plat Book 82, Page 159, This 21 day of May, 1936, At 4:00 P.M. Wilford C. Clerk.

Robert D. ...

MAP CHECK, FINAL CHECK, DATE 4-2-36, BY ...