



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

STAFF ANALYSIS AND REPORT

OWNER/APPLICANT: Born Thang

LOCATION: 6204 East Ponce de Leon Avenue
(Parcel ID: 18 125 03 014)

CURRENT ZONING/USE: R-2: Traditional Residential

PROPOSED ZONING/USE: R-2: Traditional Residential

REQUEST: Variance from Section 7-1.3(C)(1) to allow for a curb cut with a width greater than 24 feet.

ZONING/ADJACENT LAND USE:

| | |
|-------|--|
| North | GS: Green Space – Stone Mountain Cemetery |
| South | GC: General Commercial – Gas Station |
| West | R-2: Traditional Residential – Single-Family |
| East | GS: Green Space – Stone Mountain Cemetery |

MEETING INFORMATION:

| | |
|--|-------------------------------|
| Planning & Zoning Commission: | 09/16/2024 – 6:30 P.M. |
| Mayor & City Council 1 st Read: | 10/15/2024 – 6:30 P.M. |
| Mayor & City Council Public Hearing/Vote: | 11/06/2024 – 6:30 P.M. |

RECOMMENDATION:
Staff recommends denial of this request.

BACKGROUND:

November 6, 2024

To: City of Stone Mountain Planning Commission

From: Richard Edwards, AICP

Subject: The applicant is requesting a variance from Section 7-1.3(C)(1) to allow for a curb cut with a width greater than 24 feet.

Background:

The applicant is requesting to extend the width of the existing curb cut from 20 feet to 36 feet. This curb cut is approximately 27 feet from the Cemetery Circle curb cut and approximately 142 feet from the Five Points intersection.

Section 7-1.3(C)(1) allows for a 24 foot wide, two way curb cut or two 12 foot wide, one way curb cuts. The property owner could repair the existing curb cut and expand it by four feet.

GDOT Traffic Analysis and Data Application (TADA) has an estimated future annual average daily traffic (AADT) of 18,300 daily trips along East Ponce de Leon Avenue, which was estimated from a previous traffic count by Tuggle Drive.

Analysis: Pursuant to Article II of the City of Stone Mountain Zoning Ordinance, Staff has reviewed the variance requests 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.

This request is not directly related to the size, shape, or topography of this particular property.

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 would not create an unnecessary hardship. The property owner would still be allowed to expand the curb cut by an additional four feet to help with the ingress and egress traffic from the church.

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

These conditions are not peculiar to this particular property, as all properties within the city would only be allowed a maximum 24 foot wide curb cut.

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

This is a direct result of the property owner's desire to have a 36 foot wide curb cut.

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

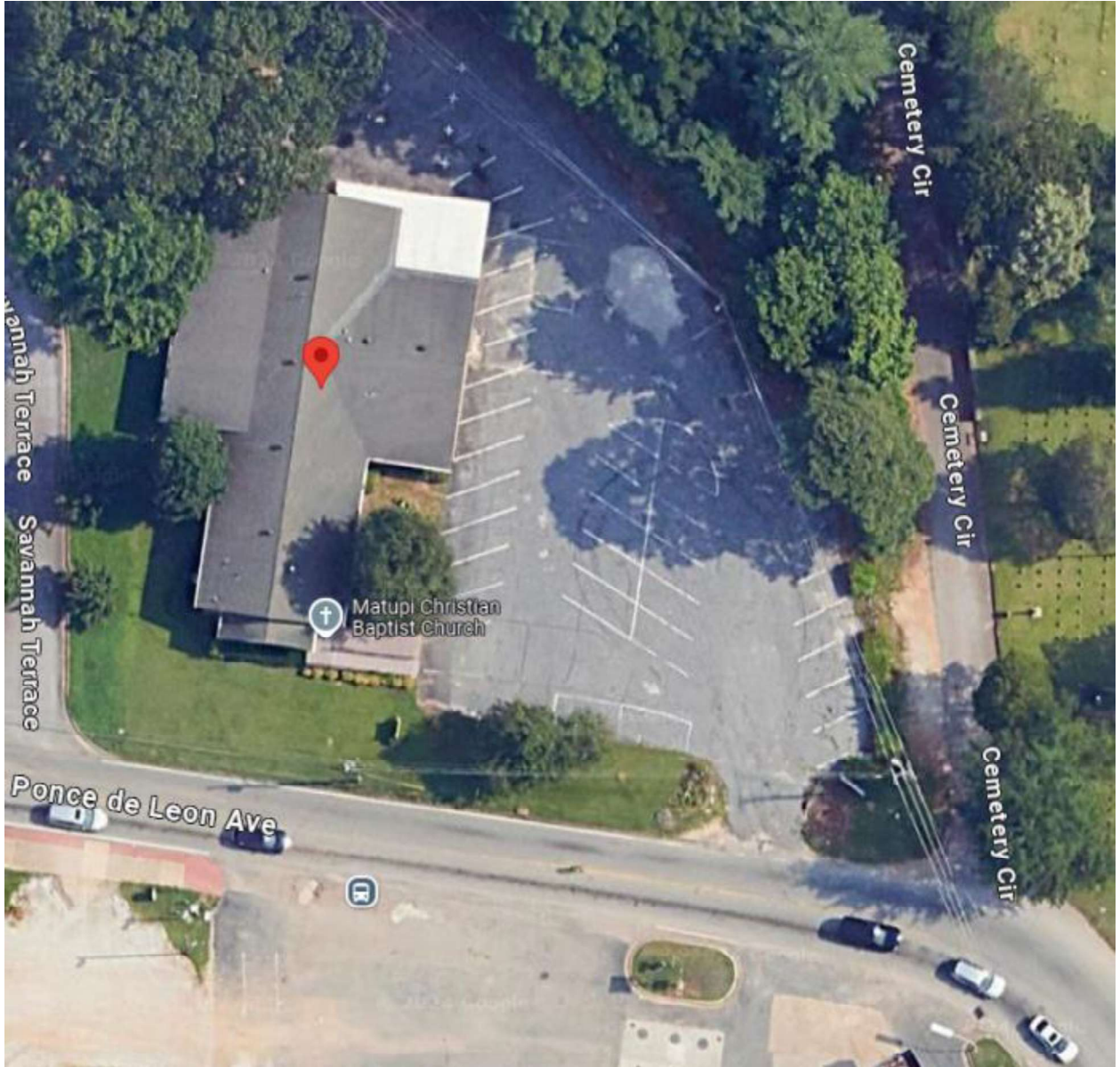
It is not anticipated that the proposed fence would cause detriment to the public good. This request does not meet the intent of the zoning ordinance.

Recommendation:

The applicant has requested to withdraw their variance application. Staff is supportive of this request to withdraw.

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 **DENIAL** of the variance from Section 7-1.3(C)(1) to allow for a curb cut with a width greater than 24 feet.

The Planning Commission recommended **DENIAL** of this request at their September 16, 2024 regularly scheduled meeting.





APPLICATION FOR VARIANCE

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

Date Received: _____

PERMIT#: _____
(Office Use Only)

APPLICANT INFORMATION

Applicant Name: Born Thang

Address: 659 Rollingwood Dr Stone Mountain, GA 30087

Phone: 678-830-7283 Cell: 678-830-7283 Fax: _____

Email Address: newbornlianhang707@gmail.com

OWNER INFORMATION (If different from Applicant)

Owner Name: Aye Win

Address: 4526 Lincoln Way SW, Lilburn, GA 30047

Phone: _____ Cell: 770 718803 Fax: _____

Email Address: _____

PROPERTY INFORMATION

Address: 6204 E Ponce De Leon Ave, Stone Mountain GA 30083

Parcel ID#: _____ Land Lot: _____ District: _____

Office use only:
CASE # _____

Applicant signature: 

Date: _____

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.

Aye Win
 TYPE OR PRINT OWNER'S NAME
4526 Lincoln Way, SW
 ADDRESS
Lilburn, GA 30047
 CITY & STATE ZIP CODE
Aye Win
 OWNER'S SIGNATURE

 EMAIL ADDRESS

Sworn to and subscribed before me this the

6 Day of August 2021
[Signature]
 NOTARY PUBLIC
770 921 7537
 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").

Born Lian Thang
 TYPE OR PRINT PETITIONER'S NAME
659 Rollingwood Dr
 ADDRESS
Stone Mountain, GA 30087
 CITY & STATE ZIP CODE
[Signature]
 PETITIONER'S SIGNATURE
newbornlianhang707@gmail.com
 EMAIL ADDRESS

Sworn to and subscribed before me this the

6 Day of August 2021
[Signature]
 NOTARY PUBLIC
770 921 7537
 PHONE NUMBER



SECTION V

ATTORNEY / AGENT

Check One: Attorney Agent

 TYPE OR PRINT ATTORNEY / AGENT NAME

 SIGNATURE OF ATTORNEY / AGENT

 ADDRESS

 CITY & STATE ZIP CODE

 EMAIL ADDRESS

 PHONE NUMBER

 PETITIONER'S SIGNATURE



MATUPI CHRISTIAN BAPTIST CHURCH

6204 E Ponce De Leon Ave, Stone Mountain, GA, 30083

newbornlianthang707@gmail.com, Cell-678 830 7283

Rev. Born L. Thang
Church Pastor
Cell-678 830 7283

Mr. Aye Win
President
Cell-770 771 8803

Mr. Van Thang
Vice-President
Cell-404 547 5390

Mr. Pai Sing
Secretary
Cell-404 618 7679

Mr. Palsuk C. Thang
Ass. Secretary
Cell-770 298 7031

Mr. Tun T. Palsuk
Treasurer
Cell-470 685 1122

Pa Sang Maw
Joint Treasurer
Cell - 404 207 5261

May 27, 2024

Dear ~~Mr.~~ Officer,

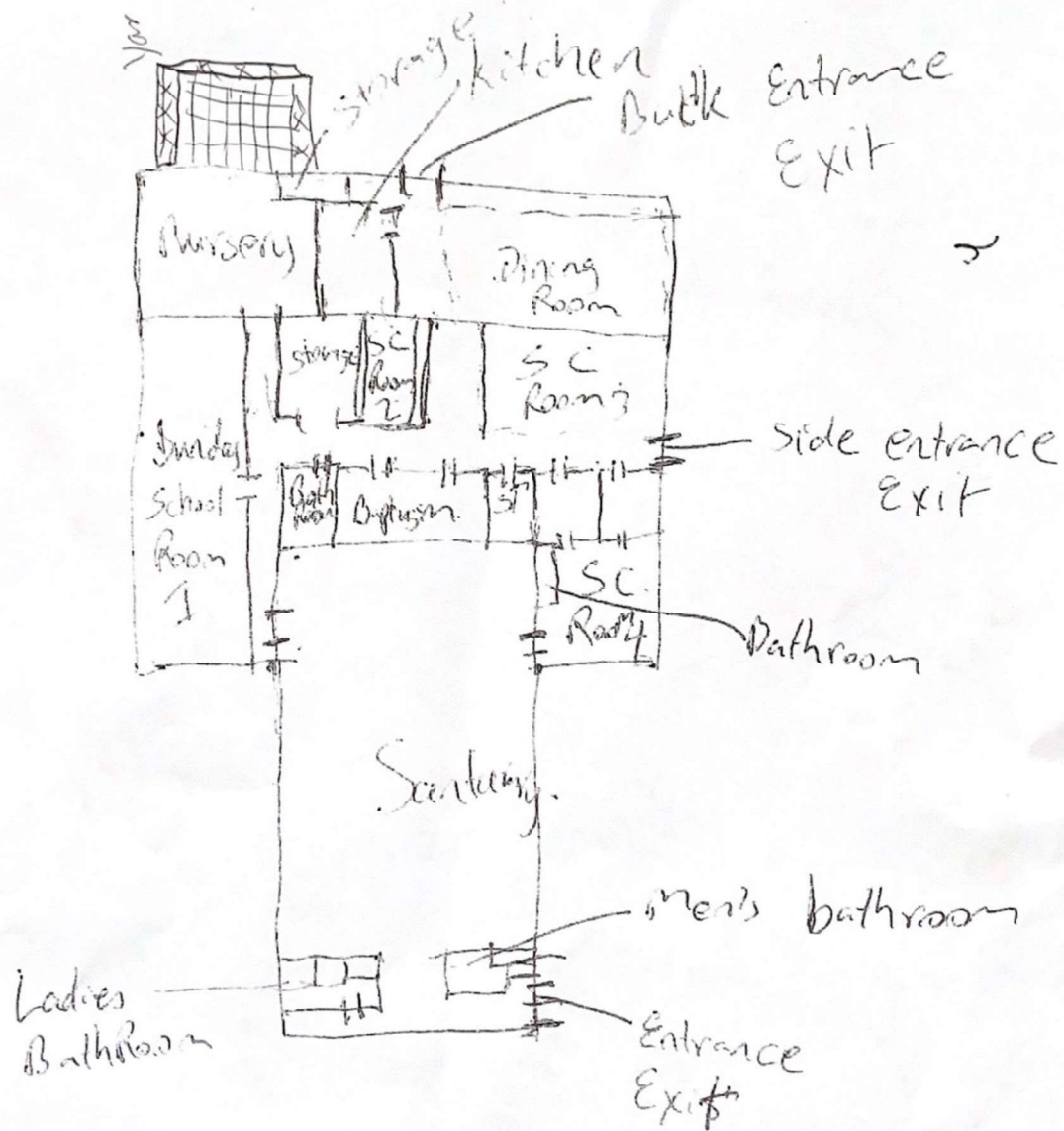
I am Aye Win, the owner of the church. I have decided to repair the damaged road at the entrance of the church's road. The road's entrance is 20 feet, and we want to add 16 feet because the entrance to the road is damaged. We want to repair it to make it better.

We have agreed to fix and add it; I respectfully request permission from the above Dekalb County.

If you have any questions, please call me at the church. My cell Phone number is 678 830 7283.

Sincerely,

Aye Win (Owner)
Chairman, MCBC
770 771 8803
678 830 7283



Driveway to Repair and Added

