



## ***Agenda Item***

**Meeting Date: November 18, 2025**

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**SUBJECT: 798 Third Street Main Street (Parcel ID: 18 074 12 012)  
Special Use Permit to allow shed**

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**Item:** Case Summary

**Department:** Planning and Development

**Fiscal Impact:** None.

**Presented By:** Tamaya Huff, Planning Manager

### **SUMMARY:**

The applicant seeks a special use permit to install a 12-foot by 8-foot gable-roof storage shed, totaling 96 square feet, in the rear yard of the property at 798 3rd Street (Parcel ID 18-074-12-012). This permit is required for accessory buildings in the Shermantown Residential (R-4) District, as outlined in Section 5-4.3 of the City of Stone Mountain Code of Ordinances. These buildings cannot create nuisances, must not exceed 400 square feet, and if larger than 200 square feet, must match the main building's exterior.

### **ZONING HISTORY**

The property is zoned Shermantown Residential (R-4) and is about 0.25 acres. It has 576 square feet of heated living space, an 80-square-foot front porch, and was built in 1950, prior to the 1976 Stone Mountain Code of Ordinances.

The 1950-built structure is 576 square feet with two bedrooms and one bathroom. It predates the Stone Mountain Code of Ordinances from 1976, and there have been no rezoning cases or special use permits for this property according to City of Stone Mountain records.

### **SITE CONDITIONS**

The subject property faces east on 3rd Street, with its northern boundary next to Deye Alley, a one-way street from 2nd Street. Under Article III, front yards must face public roadways, with setbacks of 15 feet for front yards, 10 feet for side yards, and 20 feet for rear yards. The side yard is adjacent to the property line facing 796 3rd Street, while the rear yard is at the western property line. The property has two front yards (frontages along Deye Alley and 3rd Street), one side yard, and one rear yard (see Figure 2).

Accessory uses must be set back at least twenty (20) feet from the main building and located in the rear or side yard, with a minimum distance of ten (10) feet from any lot line. The Shermantown Zoning District (R-4) aims to preserve the historic character of the neighborhood. The nearby property at 796 3rd Street is closer to the southern lot line, so the proposed shed's proximity to property lines and structures should be carefully considered. Staff suggest using vegetation to screen new accessory buildings from the road.

**Attachments/Exhibits:**

Case Report for 798 Third Street – Special Use Permit

9.15.2025 Planning Commission (PC) Minutes

**STAFF RECCOMENDATION**

1. The accessory building is set back at least twenty (20) feet from each lot line.
2. A vegetative buffer strip at least 15 feet wide but no more than 75 feet wide; the final recommendations in terms of size will be subject to review by the Planning Commission and final approval by the Mayor and City Council. The vegetative buffer should extend along the existing side yard to screen views of the accessory structure from 796 3rd Street. This buffer strip should include a variety of shrubs approved for use, per Section 8-2.2(2) of the Stone Mountain Code of Ordinances.

**PLANNING COMMISSION RECCOMENDATION**

1. The accessory building is set back at least twenty (20) feet from each lot line.
2. A vegetative buffer strip at least 15 feet wide but no more than 75 feet wide; the final recommendations in terms of size will be subject to review by the Planning Commission and final approval by the Mayor and City Council. The vegetative buffer should extend along the existing side yard to screen views of the accessory structure from 796 3rd Street. This buffer strip should include a variety of shrubs approved for use, per Section 8-2.2(2) of the Stone Mountain Code of Ordinances.

**PLANNING COMMISSION VOTING RECORD**

Matt McConnell moved to approve the agenda as presented; seconded by Meron Tadesse. Vote: Approved Unanimously 4-0;.

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**Requested Action:**

Mayor and Council vote to **APPROVE** Special Use Permit 798 Third Street (Parcel ID: 18 074 12 012) to allow a shed in rear yard in accordance with Section 6-8(A), (C) (D) (1,3-6) and Section 5-4.3(4) of the Stone Mountain Code of Ordinances with the following conditions:

1. The accessory building is set back at least twenty (20) feet from each lot line.
2. A vegetative buffer strip at least 15 feet wide but no more than 75 feet wide; the final recommendations in terms of size will be subject to review by the Planning Commission and final approval by the Mayor and City Council. The vegetative buffer should extend along the existing side yard to screen views of the accessory structure from 796 3rd Street. This buffer strip should include a variety of shrubs approved for use, per Section 8-2.2(2) of the Stone Mountain Code of Ordinances.



**PLANNING COMMISSION MINUTES**  
**Monday, September 15, 2025 @ 6:30 pm**  
**Regular Meeting**  
**Welcome Center, 922 Main Street, Stone Mountain, Georgia 30083**

**CALL TO ORDER**

Meeting called to order at 6:34pm.

**DETERMINATION OF QUORUM**

Present: Meron Tadesse, Grace Kelly, Matt McConnell, and Chountelle Hudson  
Absent: Andrew Zonneveld. Alex Brennan

**APPROVAL OF THE AGENDA**

Matt McConnell moved to approve the agenda as presented; seconded by Meron Tadesse.  
Vote: Approved Unanimously 4-0;.

**APPROVAL OF MEETING MINUTES**

1. **April 21, 2025**
2. **June 16, 2025**

Matt McConnell moved to approve the agenda as presented; seconded by Meron Tadesse.  
Vote: Approved Unanimously 4-0;.

**COMMISSION ANNOUNCEMENTS**

1. **City Council Approvals with Conditions. July 15, 2025**  
6804 James B Rivers Memorial Drive (Parcel ID: 18 089 02 016)  
Special Use Permit to allow for short-term lodging, vacation home facility
2. **City Council Approvals with Conditions. August 5, 2025**  
1008B Main Street (Parcel ID: 18 090 02 010)  
Special Use Permit to allow for a tatoo studio

**OLD BUSINESS**

1. Withdrawn Applications.  
6552 JBR Memorial Drive (18 074 12 012)  
Variance to expand front deck  
Reason: Requested variance would increase non-conformity

**NEWBUSINESS**

1. 798 3<sup>rd</sup> Street (Parcel ID: 18 074 12 012)  
**Request** – Special Use Permit to allow for a shed

Matt McConnell moved to approve the agenda as presented; seconded by Meron Tadesse.  
Vote: Approved Unanimously 4-0;.

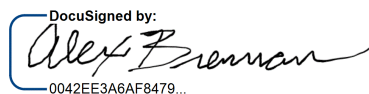
2. 5329 Mimosa Drive (Parcel ID: 18 089 05 011) - **Application Withdrawn**  
**Request** – Special Use Permit to allow a religious institution at 5329 Mimosa Drive

## PUBLIC COMMENTS

Eileen Smith: Special Use Permit (SUP) for the CSX Rail Property to allow parking was only approved on the western portion of the property. If the applicant occupies the south side of the property, the SUP should be corrected.

## ADJOURNMENT

Matt McConnell moved to approve the agenda as presented; seconded by Meron Tadesse.  
Vote: Approved Unanimously 4-0;.

DocuSigned by:  
  
0042EE3A6AF8479...

Alex Brennan, Chair

Signed by:  
  
6177EA426CBC4C4...

Tamaya Huff, Secretary





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

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## **STAFF ANALYSIS AND REPORT**

**OWNER:** Derin Pekin

**APPLICANT:** Derin Pekin

**LOCATION:** 798 3<sup>rd</sup> Street

**CURRENT ZONING:** Shermantown Residential (R-4)

**REQUEST:** Special use to permit an accessory building in rear yard

### **ZONING/ADJACENT LAND USE:**

North	Shermantown Residential (R-4)
South	Shermantown Residential (R-4)
West	General Commercial (GC)
East	Shermantown Residential (R-4)

### **COMPREHENSIVE PLAN:**

Future Land Use Designation: Shermantown Residential

### **MEETING INFORMATION:**

Planning & Zoning Commission:	8/18/2025 – 6:30 P.M.
1 <sup>st</sup> Read – City Council	9/5/2025 – 6:30 PM
Public Hearing – City Council	10/7/2025 – 6:30 P.M

**RECOMMENDATION:** Staff recommend Approval of the Special Use Permit to allow a shed with Conditions.

CITY OF STONE MOUNTAIN  
PLANNING AND ZONING DEPARTMENT

## **I. SUMMARY**

The applicant has requested a special use permit to install a gable roof storage building (shed) measuring 12 feet by 8 feet, totaling 96 square feet, in the rear yard of the property located at 798 3rd Street (Parcel ID 18 074 12 012). This proposal seeks to allow the incidental use of the accessory building at the back of the property. According to Section 5-4.3 of the City of Stone Mountain Code of Ordinances, accessory uses that are not garages within the Shermantown Residential (R-4) District require a special use permit. The regulations state that such uses must not create any nuisance or hazards, must not exceed 400 square feet in size, and if they exceed 200 square feet, the exterior finish must match that of the primary building.

## **II. ZONING HISTORY**

The subject property is currently zoned Shermantown Residential (R-4) and encompasses approximately 0.25 acres. The primary building or residence has 576 square feet of heated living space, along with an 80-square-foot front porch. According to the DeKalb County, Georgia Property Appraiser database, the building was constructed in 1950, which predates the codification of the Stone Mountain Code of Ordinances in 1976. Zoning records from the City of Stone Mountain show that there have been no rezoning cases associated with this property since the 1976 Code of Ordinances was enacted.

## **III. EXISTING SITE CONDITIONS**

The USGS Topo Map, provided as Figure 1 for the property, features a gentle slope from the east (principal structure) to the west (rear yard), with an average elevation increase of 0.91 feet from the primary building to the rear yard. The subject property faces east and fronts 3rd Street, while its northern boundary is adjacent to Deye Alley, a one-way residential street that provides vehicle access from 2nd Street to 3rd Street. According to the City of Stone Mountain Code of Ordinances, Article III defines alleys as streets—whether public or private—that serve only as secondary access to adjacent properties and are not intended for general traffic circulation. At the time this report was prepared, there were no records available to indicate whether Deye Alley is designated as private. This distinction is important because the subject parcel borders two streets, which affects the classification of front yards. Per Article III, front yards only face public roadways. The setback requirements for front yards, as stated in Section 5-4.3, are set at 15 feet, while side and rear yard setbacks are 10 feet and 20 feet, respectively. No records were discovered establishing Deye Alley as a private street. As a result, 798 Third Street is classified as a multi-frontage lot per Article III of the Stone Mountain Code of Ordinances.

According to Article III, the side yard is located between the main building and the side lot line, which is at 796 Third Street. The rear yard is defined as the end of the lot opposite the front yard, which corresponds to the western lot line. Therefore, the subject property has (2) two front yards, (1) one side yard and (1) one rear yard (**Figure 2**).

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**IV. ZONING AND DEVELOPMENT STANDARDS**

The applicant provided a site plan that presented the dimensions of the parcel located at 798 3<sup>rd</sup> Street. The following is a summary of applicable District Development Regulations in accordance with 5-4.5 Shermantown Residential (R-4) and Section 6-8 Accessory Uses of the City of Stone Mountain Code of Ordinances as it applies to accessory structures.

STANDARD	REQUIRED	PROPOSED	EXISTING	STANDARDS MET?
Accessory Building Max Size ((Sec 5-4.3(4)) and Sec 6-8(D)(2))	No more than 400 SF/576 SF	96 SF	None	YES
Max Lot Coverage ((Sec 5-4.5(13))	50 percent/10 percent parking 5,445 SF	696 SF	576 SF	YES
Minimum Yard (Abutting a Public Street) ((Sec.5-4.4a))	15 feet detached residential	20 feet – Deye Alley	20 feet – Deye Alley	YES
Minimum Side Yard ((Sec.5-4.5a))	10 feet	10 feet	10 feet	YES
Minimum Rear Yard ((Sec.5-4.6a))	20 feet	20 feet	20 feet	YES
Accessory In Rear or Side Yard ((Sec.6-8A))	Side of Rear	Rear	None	YES
Max 2 Accessory Buildings ((Sec.6-8C))	No more than 2 Accessory Buildings	1 Accessory Building	None	YES
Height Accessory Building ((Sec6-8(D)(5))	Not to Exceed 15 Feet	Not Provided	None	YES

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PLANNING AND ZONING DEPARTMENT

STANDARD	REQUIRED	PROPOSED	EXISTING	STANDARDS MET?
Accessory Setback ((Sec6-8(D)(1))	Not to less than 10 Feet from Lot Line(s)	Front: 39 feet Side: 55 feet Rear: 20 feet	None	YES
Distance from Principal Structure	Not to less than 10 Feet	29 feet	None	YES

#### IV. ANALYSIS PURSUANT TO ZONING ORDINANCE

Pursuant to **Article II of the City of Stone Mountain Zoning Ordinance**, staff have reviewed the special use permit application in accordance with the following review criteria.

**1. Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.**

Accessory uses, as delineated in Section 6-8(A) and (D), must have a minimum setback of twenty (20) feet from the primary building and be designated within either the rear yard or the side yard. Additionally, these structures should be at least ten (10) feet from any lot line. Per Section 5-4.1, the intent of the Shermantown Zoning District (R-4) is to protect the "historic Shermantown Neighborhood.". After reviewing the DeKalb County Property Appraiser records, the parcel directly to the south, located at 796 3rd Street, appears to be positioned slightly closer to the southern lot line of the subject property, which would emphasize the need to consider the proposed shed's proximity to adjoining property lines and structures. Chapter 4.8 Historic District Design Guidelines for New Accessory Structures recommend screening the new accessory building from the road's view with vegetation, by policy 4.8.2, to preserve the historic character of the site.

The applicant shares property lines with 801 2nd Street to the west and 796 3rd Street to the south. It is encouraged to preserve the character of the neighborhood; the accessory building be at least twenty (20) feet away from the rear and side lot lines and be screened with vegetation. This distance and screening of the structure not only considers that all primary structures on the subject and adjoining lots are skewed in proximity to the existing lot lines but also preserves separation along lot lines that are shared by adjacent landowners, whether the shed is positioned in the rear yard or the side yard. These specified recommendations will also provide a deliberate separation from the traffic along Deye's Alley, the second front yard, by creating a spatial buffer between the applicant's shed and the adjoining property line of 796 3rd Street.

**2. Whether or not the use is compatible with the neighborhood.**

The proposed use is compatible with the surrounding activities in the neighborhood. Accessory uses are permitted following receipt of recommendations from the planning commission on the proposed special use where neighborhood impacts are addressed, a public hearing is held, and a special use

CITY OF STONE MOUNTAIN  
PLANNING AND ZONING DEPARTMENT

permit is granted by the mayor and council.

**3. Whether or not the proposed use will constitute a nuisance as defined by state law.**

Upon placing the proposed accessory building at least twenty (20) feet away from all lot lines and limiting the shed to the rear or single yard only, any adverse impacts to surrounding property owners are potentially reduced.

**4. Whether or not property values of surrounding property will be adversely affected.**

Adjacent property values are not anticipated to be adversely affected through the establishment of the requested use.

**5. Whether or not adequate provisions are made for parking and traffic considerations.**

No additional traffic or parking is expected to be generated by the installation of an accessory building intended for storage.

**6. Whether or not the site or intensity of the use is appropriate.**

The request for one accessory building is appropriate, given the size of the lot and the size of the proposed accessory building.

**7. The location or proximity of other similar uses (whether conforming or non-conforming).**

There were no similar documented permitted uses identified in proximity to this proposed accessory building, at the time this report was created.

**8. Whether or not adequate controls and limits are placed upon commercial deliveries.**

Not applicable

**9. Whether or not adequate landscaping plans are incorporated to ensure an appropriate transition.**

Not applicable.

**10. Whether or not the public health, safety and welfare of the surrounding neighborhoods will be adversely affected.**

It is not anticipated that this use will have any adverse effects on the public health, safety, nor welfare of the surrounding neighborhoods.

**11. Whether it is consistent with the Comprehensive Plan.**

The proposed special use for an accessory building is consistent with the comprehensive plan.

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**V. ANALYSIS GEORGIA ZONING PROCEDURES LAW**

Pursuant to **36-67-3 of the Georgia Zoning Procedures Law**, Staff has reviewed the rezoning request in accordance with the required review criteria.

**1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

The proposed use is compatible with the surrounding activities in the neighborhood. The subject property is zoned Shermantown Residential (R-4) which is reflective of the properties in the surrounding area. Accessory uses are permitted in the Shermantown Residential (R-4) zoning district following receipt of recommendations from the planning commission on the proposed special use where neighborhood impacts are addressed, the accessory building's location complies with Zoning District Regulations, a public hearing is held, and a special use permit is granted by the mayor and council.

**2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**

The special use permit for the accessory building will not negatively affect the existing uses of adjacent or nearby properties.

**3. Whether the property to be affected by the zoning proposal has reasonable economic use as currently zoned.**

The property is currently zoned Shermantown Residential (R-4) and allows for the use of a single-family house as reasonable economic use.

**4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

The intensity of use, such an increase in residential or commercial structures intended to increase trip generation is not planned for this property as part of this application. Therefore, the zoning proposal is not anticipated to cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

**5. If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan; and**

The proposed zoning proposal is in conformity with the adopted land use plan, and its intent.

**6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**

Approval of the proposed special use permit application may restrict the placement of future accessory buildings, driveways, or other additional parking spaces, due to the available space

CITY OF STONE MOUNTAIN  
PLANNING AND ZONING DEPARTMENT

on the lot. As the current restrictions within the Stone Mountain Code of Ordinances limit the locations of accessory structures, the applicant may be limited to additional accessory structures in the future, though a maximum of two accessory structures are permitted per Section 6-8 of the Stone Mountain Code of Ordinances.

**VI. STAFF RECOMMENDATION:**

Staff recommends APPROVAL of the special use permit in accordance with Section 6-8(A), (C) (D) (1,3-6) and Section 5-4.3(4) of the Stone Mountain Code of Ordinances with the following conditions:

1. The accessory building is set back at least twenty (20) feet from each lot line.
2. A vegetative buffer strip at least 15 feet wide but no more than 75 feet wide; the final recommendations in terms of size will be subject to review by the Planning Commission and final approval by the Mayor and City Council. The vegetative buffer should extend along the existing side yard to screen views of the accessory structure from 796 3rd Street. This buffer strip should include a variety of shrubs approved for use, per Section 8-2.2(2) of the Stone Mountain Code of Ordinances.

**VII. SITE PHOTOS**

**FROM DEYE ALLEY (FRONT YARD)**





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PLANNING AND ZONING DEPARTMENT  
**FROM 3<sup>RD</sup> STREET (FRONT YARD)**



**FROM DEYE ALLEY (FRONT YARD)**





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PLANNING AND ZONING DEPARTMENT  
**FROM 3<sup>RD</sup> STREET FRONT YARD**



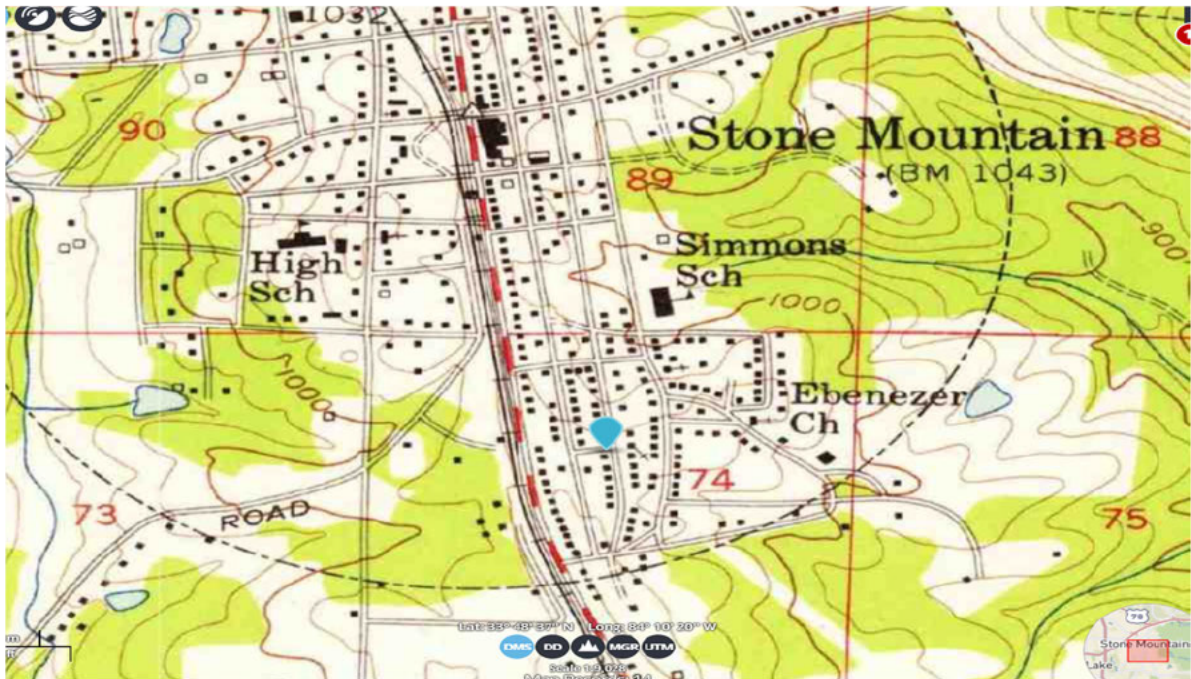
**SIDE YARD FROM 3<sup>RD</sup> STREET**



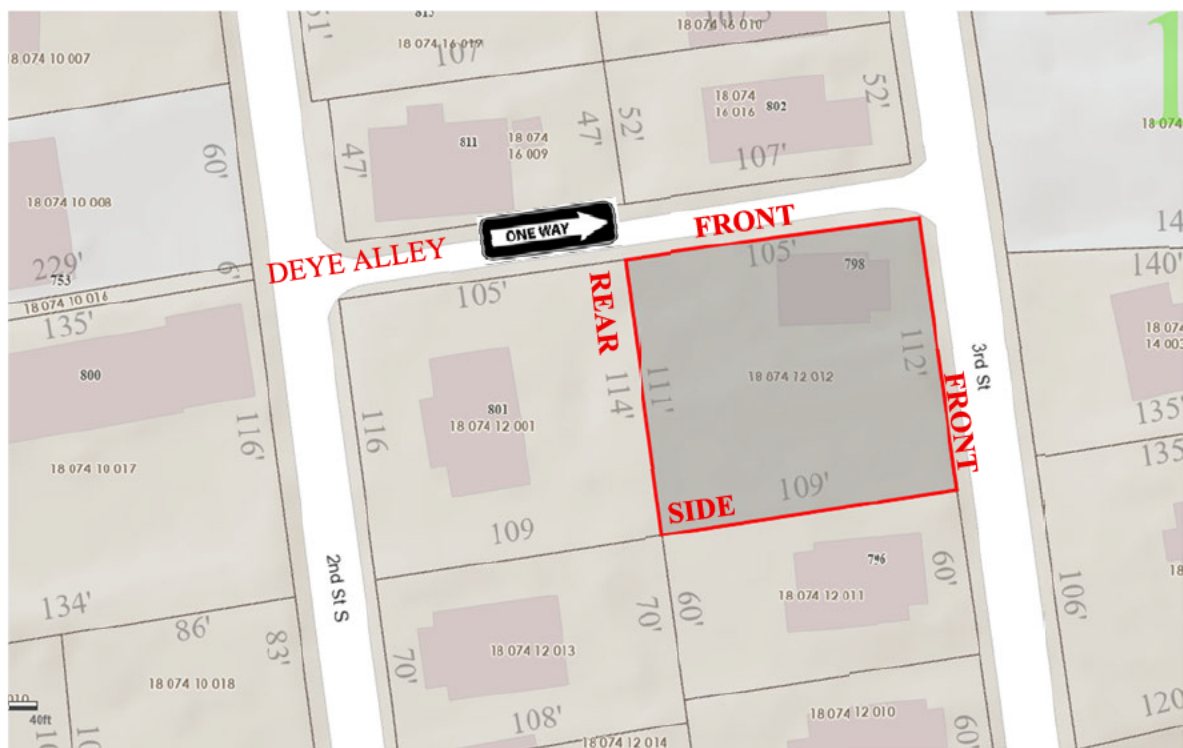


CITY OF STONE MOUNTAIN  
PLANNING AND ZONING DEPARTMENT

**FIGURE 1. USGS TOPO MAP**



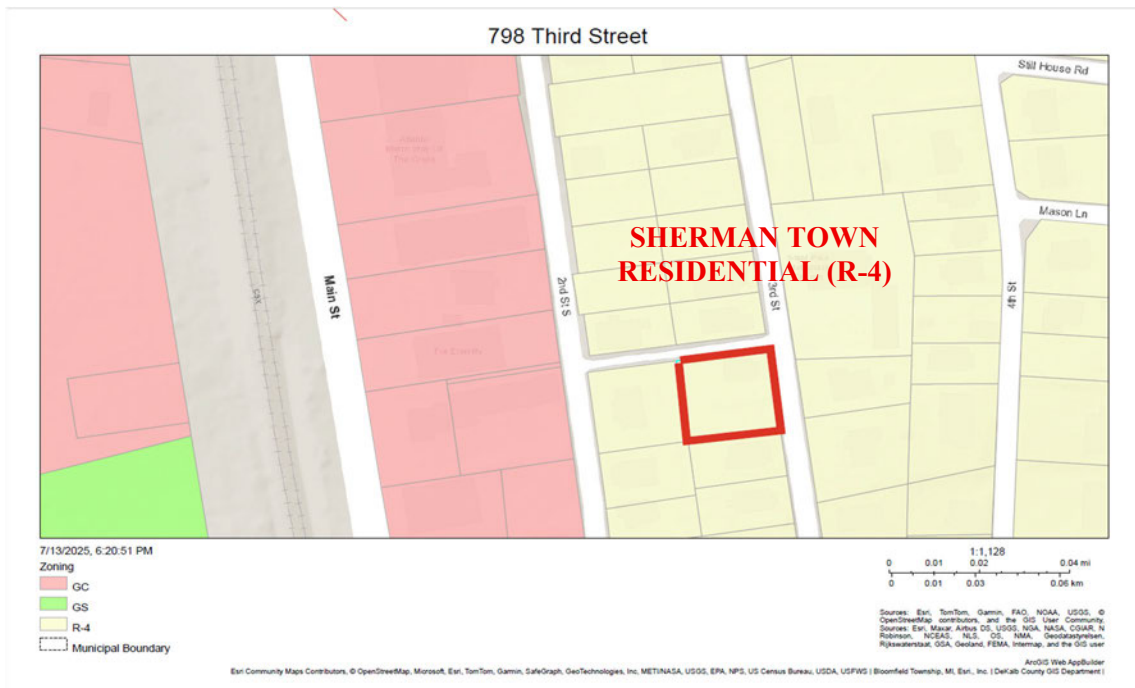
**FIGURE 2. DEKALB COUNTY PROPERTY APPRAISER MAP**



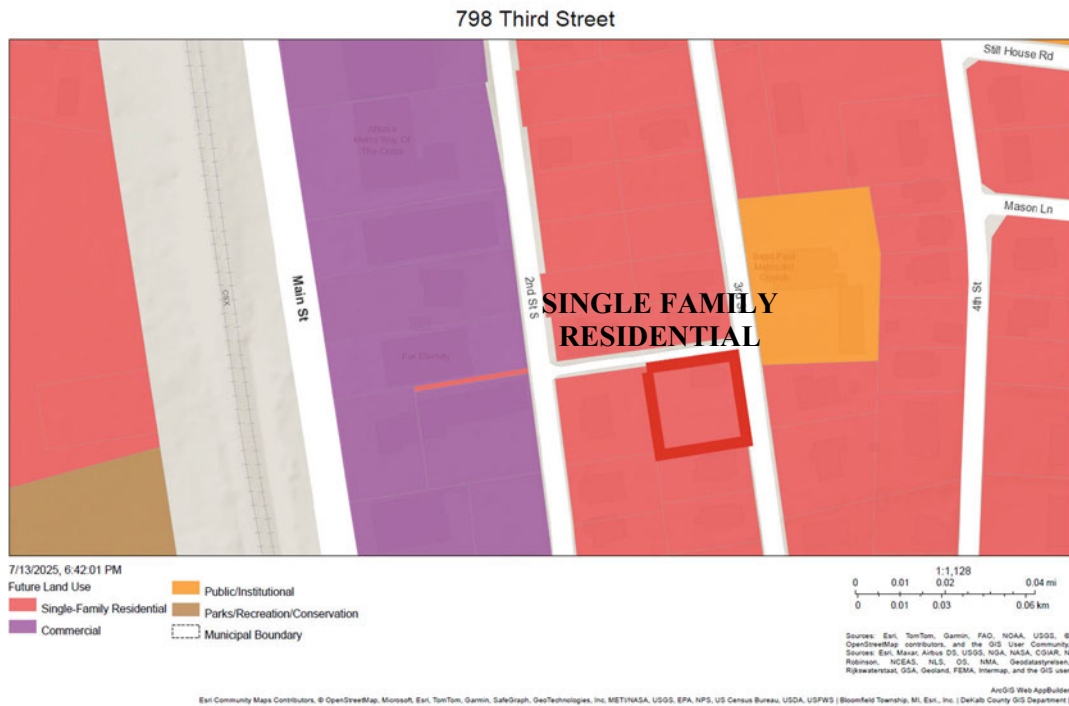
SITE ADDRESS: 798 3<sup>RD</sup> STREET  
REQUEST: SPECIAL USE PERMIT  
PARCEL ID: 18 074 12 012

CITY OF STONE MOUNTAIN  
PLANNING AND ZONING DEPARTMENT

**FIGURE 3. CITY OF STONE MOUNTAIN ZONING MAP**



**FIGURE 4. FUTURE LAND USE MAP**





[Property Appraisal Home](#) [Real Estate Search](#) [Personal Property Search](#) [Advanced/Sales Search](#) [Map Search](#)

**Real Property Profile**

**Personal Property Profile**

**Value History**

**Appeals History**

**Appeal by Year**

**Current Values**

**Commercial**

**Detached Improvements**

**Land**

**Map**

**Pictometry**

**Permits**

**Photos**

**Residential Structure**

**Sales**

**Sketch**

**Exemptions**

PARID: 18 074 12 012  
Tax Dist: 84-STONE MTN  
PEKIN DERIN

798 3RD ST

1 of 1

**Land**

Land Type	G - SITE
Land Code	2 - SITE VALUE
Square Feet	10,890
Calculated Acres	.25
Deeded Acres	.25
Parcel ID	18 074 12 012
Address	798 3RD ST
Unit	
City	STONE MOUNTAIN
Zip Code	30083-3730
Neighborhood	0720
Class	R3 - RESIDENTIAL LOT
Land Use Code	101-Residential 1 family
Super NBHD	
Zoning	R100 - SF RES DIST

**Actions**

Printable Summary

Printable Version



1300 Commerce Drive Decatur, GA 30030



404-371-2000



311CCC@dcalbcountyga.gov

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Real Property Profile

Personal Property Profile

Value History

Appeals History

Appeal by Year

Current Values

Commercial

Detached Improvements

Land

Map

Pictometry

Permits

Photos

Residential Structure

Sales

Sketch

Exemptions

PARID: 18 074 12 012  
Tax Dist: 84-STONE MTN  
PEKIN DERIN

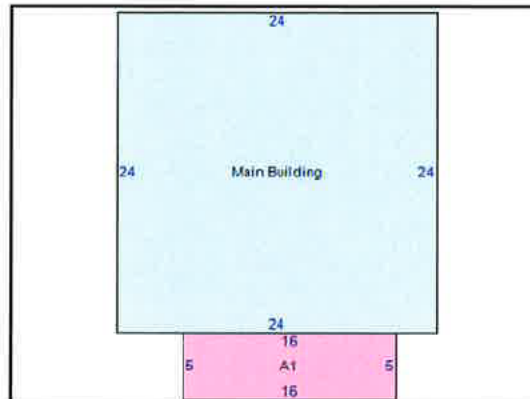
798 3RD ST

1 of 1

Actions

Printable Summary

Printable Version



Options

Type	Line #	Item	Area
Dwelling	0	Main Building	576
Dwelling	1	A1 - B6-SCREEN PORCH	80

Click on an item to display it independently.



1300 Commerce Drive Decatur, GA 30030



404-371-2000



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Real Property Profile

Personal Property Profile

Value History

Appeals History

Appeal by Year

Current Values

Commercial

Detached Improvements

Land

Map

Pictometry

Permits

Photos

Residential Structure

Sales

Sketch

Exemptions

PARID: 18 074 12 012  
Tax Dist: 84-STONE MTN  
PEKIN DERIN

798 3RD ST

1 of 1

Residential Structure

Building #	1
Land Class	R3 - RESIDENTIAL LOT
Stories	1
Construction	1 - FRAME
Style	02 - RANCH
Living Area	576
Quality Grade	003
Condition	PR
Year Built	1950
Remodeled Year	
Effective Year	
Bedrooms	2
Full Baths	1
Half Baths	0
Total Fixtures	5
Fireplaces	0
AC	3 - CENTRAL
Basement	1 - SEE ADDITIONS
Unfinished Area	
Finished Basement Living Area	
Functional Obsolescence	
Economic Obsolescence	
% Complete	100

Additions

Addition Number	Description	Area
0	---	576
1	-SCREEN PORCH-	80

Actions

- Printable Summary
- Printable Version



1300 Commerce Drive Decatur, GA 30030



404-371-2000



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## **XII. SPECIAL USE APPLICATION**



## APPLICATION FOR USE PERMIT

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

Date Received: \_\_\_\_\_

USE PERMIT #: \_\_\_\_\_  
(Office Use Only)

### APPLICANT INFORMATION

Applicant Name:	Derin Pekin		
Address:	1090 Forrest Ave. Stone Mountain, GA 30083		
Phone:	[REDACTED]	Cell:	[REDACTED]
Email Address:	[REDACTED]		

### OWNER INFORMATION (If different from Applicant)

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

### PROPERTY INFORMATION

Address:	798 Third st. Stone Mountain, GA 30083		
Parcel ID#:	18 074 12 012	Land Lot:	_____
		District:	84 - Stone Mtn

CURRENT ZONING: R100- Residential 1 Family Tax District: 84 Stone MTN

USE PERMIT REQUEST: \_\_\_\_\_

Name (print) Derin Pekin

Signature: [Signature] Date: 07/07/2025



# PRE-APPLICATION INFORMATION FORM

*This page must be completed by the Applicant.*

## APPLICANT

DERIN PEKIN

Name

Company

1090 FOREST AVE STONE MOUNTAIN GA

Mailing Address

Suite/Apt. #

City, State

Zip Code

30083

404-820-7826

D.PEKEN@PROTONMAIL.COM

Primary Phone #

Alternate Phone #

E-mail

## PROJECT SUMMARY

798 THIRD STREET

Address of Project

SHED

Name of Project

SPECIAL USE PERMIT (ACCESSORY Bldg)

Application Type (Rezoning, Special Use Permit, Conditional Use Permit, Variance, Subdivide Land, Other)

0.25 acres

Total Project Acreage

**Detailed Description (Include Proposed Use(s) and Square Footage of Floor Area for each use):**

576 HEATED SQ. FOOT PRIMARY  
STRUCTURE ON EXISTING LOT  
SEEK 96-98' SF SHED AT REAR  
OF PROPERTY IN SHERMANTOWN  
RESIDENTIAL (R-4) ZONING DISTRICT

*[Signature]*

Date: 07, 14, 2025

Applicant Signature

**NOTE:** This form must be signed by staff and submitted with your application.

*For Internal Use Only:*

7/14/2025

Pre-Application Meeting Date: \_\_\_\_\_

Staff Printed Name: Tamaya Huff

Signed: Tamaya Huff

Signed by:

*[Signature]*

**City of Stone Mountain**

875 Main Street • Stone Mountain, GA 30083 • 770-498-8984



## DISCLOSURE REPORT

**Office use only:**

USE PERMIT PETITION #: \_\_\_\_\_ CITY COUNCIL MEETING DATE: \_\_\_\_\_

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the use permit petition, or an attorney or agent of the applicant or opponent for the use permit petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of City Council.

CHECK ONE: ☐ YES ☒ NO

If the answer is YES, proceed to sections 1 through 4.

If the answer is NO, complete only section 4.

1. CHECK ONE: ☒ Party to Petition ☐ In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.

If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this use permit petition: Just me Derin Pekin

## 3. CAMPAIGN CONTRIBUTIONS:

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Derin PekinSignature: De Pekin Date: 07/07/2025



## APPLICANT'S CHECKLIST

### DOCUMENTS REQUIRED

**ALL PERTINENT ITEMS ARE DUE AT THE TIME OF FILING.  
NO INCOMPLETE APPLICATION WILL BE ACCEPTED.**

ITEM #	REQUIRED ITEM	CHECK ✓
1.	Pre-Application Meeting Form	<input type="checkbox"/>
2.	Application Form	<input type="checkbox"/>
3.	Site Plan Checklist	<input type="checkbox"/>
4.	Site Plan/Survey	<input type="checkbox"/>
5.	Legal Description	<input type="checkbox"/>
6.	Letter of Intent	<input type="checkbox"/>
7.	Impact Analysis	<input type="checkbox"/>
8.	Disclosure Form(s)	<input type="checkbox"/>
9.	Application Fee (\$400)	<input type="checkbox"/>
<b>THE FOLLOWING ITEMS MAY BE REQUIRED. SEE THE FOLLOWING INFORMATION FOR DETAILS.</b>		
10.	Development of Regional Impact Review Form (DRI)	<input type="checkbox"/>

**PREAPPLICATION REVIEW MEETING:** Prior to submitting an application, all are required to meet with the City Planner who will review the applicant's proposal and site plan. No pre-application review meeting will be held on the day of the filing deadline. Applicants are required to bring the site plan and tax parcel identification number(s) to the meeting.

#### REQUIRED ITEMS FOR USE PERMIT APPLICATIONS:

- ITEM 1. **PRE-APPLICATION MEETING FORM:** A signed pre-application form must be submitted that applicants will receive from the planner following their pre-application meeting.
- ITEM 2. **APPLICATION FORM:** Original and notarized signatures of the property owner(s) and applicant(s) or a notarized statement by the applicant as to ownership are required. If a contract is used in lieu of the owner's signature, the signature on the contract must be an original and the contract must be valid for the duration of the rezoning process. See the application form for additional details.
- ITEM 3. **SITE PLAN CHECKLIST:** The site plan checklist details the minimum requirements for site plans.
- ITEM 4. **SITE PLAN/SURVEY:** Site plans/surveys must meet the minimum requirements specified within the Site Plan Checklist.
- ITEM 5. **LEGAL DESCRIPTION:** The legal description must be a *metes and bounds* description of the property that establishes a point of beginning and gives directions (bounds) and distances (metes) of property lines. If the property consists of more than one parcel, all parcels must be combined into one legal description.



8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?  
No it will not
9. Does the property affected by the zoning proposal have a reasonable economic use as currently zoned?  
There's no economic use intended, the shed is only going to be used for storage.
10. Does the zoning proposal result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools? No it will not
11. Is the zoning proposal is in conformity with the policy and intent of the comprehensive plan and future development map? Yes
12. Are there any other existing or changing conditions affecting the use and development of the property which gives supporting grounds for either approval or disapproval of the zoning proposal? It should be approved.
13. What is the impact upon the appearance of the city? It will make it look better and does not adversely affect appearance.
14. What is the anticipated impact upon the provision of water, sewage, transportation and other urban services? None
15. What is the anticipated impact upon population density and the potential for overcrowding and urban sprawl? None
16. What is the anticipated impact upon thoroughfare congestion and traffic safety? None
17. What measures are being taken to protect the property against blight and depreciation? Anti-mold Measures



## USE PERMIT CONSIDERATIONS

Applicant: Desim Pekin

Analyze the impact of the proposed use permit with the following questions:

1. Compatibility with land uses and zoning districts in the vicinity of the property for which the use permit is proposed? Yes compatible
2. What is the extent to which property values are diminished by their particular zoning restrictions? There are values are not diminished
3. What is the extent to which the possible reduction of property values of the subject property promotes health, safety, morals or general welfare of the public? No possible reduction of property values
4. What is the relative harm to the public as compared to the hardship imposed upon the individual property owner? No harm
5. What is the suitability of the subject property for the zoning proposed? suitable
6. What is the length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property? \_\_\_\_\_
7. Will the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property? Yes



**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.**

Derin Pekin  
TYPE OR PRINT OWNER'S NAME  
1090 Forrest Ave.  
ADDRESS  
Stone Mountain, GA 30083  
CITY & STATE ZIP CODE  
Derin Pekin  
OWNER'S SIGNATURE  
d.pekin@protonmail.com  
EMAIL ADDRESS

Sworn to and subscribed before me this the

Day of July 2025

NOTARY PUBLIC

PHONE NUMBER



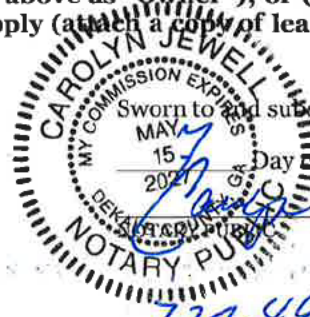
**PART 2. Petitioner states under oath that: (1) he/she is the executor or Attorney-in-fact under a Power-of-Attorney for the owner (attach a copy of the Power-of-Attorney letter and type name above as "Owner"); (2) he/she has an option to purchase said property (attach a copy of the contract and type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

Derin Pekin  
TYPE OR PRINT PETITIONER'S NAME  
1090 Forrest Ave.  
ADDRESS  
Stone Mountain 30083  
CITY & STATE ZIP CODE  
Derin Pekin  
PETITIONER'S SIGNATURE  
d.pekin@protonmail.com  
EMAIL ADDRESS

Sworn to and subscribed before me this the

Day of July 2025

PHONE NUMBER

**SECTION V****ATTORNEY / AGENT**

Check One: ☐ Attorney ☐ Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

EMAIL ADDRESS

SIGNATURE OF ATTORNEY / AGENT

PHONE NUMBER

ADDRESS

PETITIONER'S SIGNATURE

CITY & STATE

ZIP CODE



## APPLICATION FOR USE PERMIT

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

Date Received: \_\_\_\_\_

USE PERMIT #: \_\_\_\_\_  
(Office Use Only)

### APPLICANT INFORMATION

Applicant Name: Derin Pekin  
Address: 1090 Forrest Ave. Stone Mountain, GA 30083  
Phone: 404-820-7856 Cell: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: d.pekin@protonmail.com

### OWNER INFORMATION (If different from Applicant)

Owner Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email Address: \_\_\_\_\_

### PROPERTY INFORMATION

Address: 798 Third st. Stone Mountain, GA 30083  
Parcel ID#: 18 074 12 012 Land Lot: \_\_\_\_\_ District: 84 - Stone Mtn

CURRENT ZONING: \_\_\_\_\_

USE PERMIT REQUEST: \_\_\_\_\_

Name (print) \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## DISCLOSURE REPORT

**Office use only:**

USE PERMIT PETITION #: \_\_\_\_\_ CITY COUNCIL MEETING DATE: \_\_\_\_\_

Within the (2) years immediately preceding the filing of this zoning petition have you, as the applicant, owner and/or opponent for the use permit petition, or an attorney or agent of the applicant or opponent for the use permit petition, made any campaign contributions aggregating \$250.00 or more or made gifts having an aggregate value of \$250.00 to a member of City Council.

**CHECK ONE:**☐

YES

☒

NO

If the answer is YES, proceed to sections 1 through 4.

If the answer is NO, complete only section 4.

**1. CHECK ONE:**☒

Party to Petition

☐

In Opposition to Petition

If party to petition, complete sections 2, 3, and 4 below.

If in opposition, proceed to sections 3 and 4 below.

2. List all individuals or business entities which have an ownership interest in the property which is the subject of this use permit petition: Just me Derin Pekin

**3. CAMPAIGN CONTRIBUTIONS:**

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Derin PekinSignature: De Pekin Date: \_\_\_\_\_

## SITE PLAN CHECKLIST

Site plans for use permit petitions must be drawn to scale and shall, at a minimum, include the following information:

ITEM #	DESCRIPTION	CHECK ✓
1	A correct scale and north arrow.	<input checked="" type="checkbox"/>
2	The proposed land use classification.	<input type="checkbox"/>
3	The present zoning classification of the tract(s) and all adjacent parcels.	<input type="checkbox"/>
4	The proposed location of any existing and proposed buildings and improvements with dimensions, to scale and the square footage of all existing and proposed buildings.	<input type="checkbox"/>
5	The location of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement.	<input type="checkbox"/>
6	The location of required off-street parking and loading spaces to include number of spaces and dimensions - must also include handicapped parking.	<input type="checkbox"/>
7	Setbacks for all existing and proposed buildings to include driveways, walkways, fences, etc.	<input type="checkbox"/>
8	The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation if required.	<input type="checkbox"/>

Office use only:

Application reviewed by:

Staff signature: \_\_\_\_\_ Date: \_\_\_\_\_

Staff printed name: \_\_\_\_\_

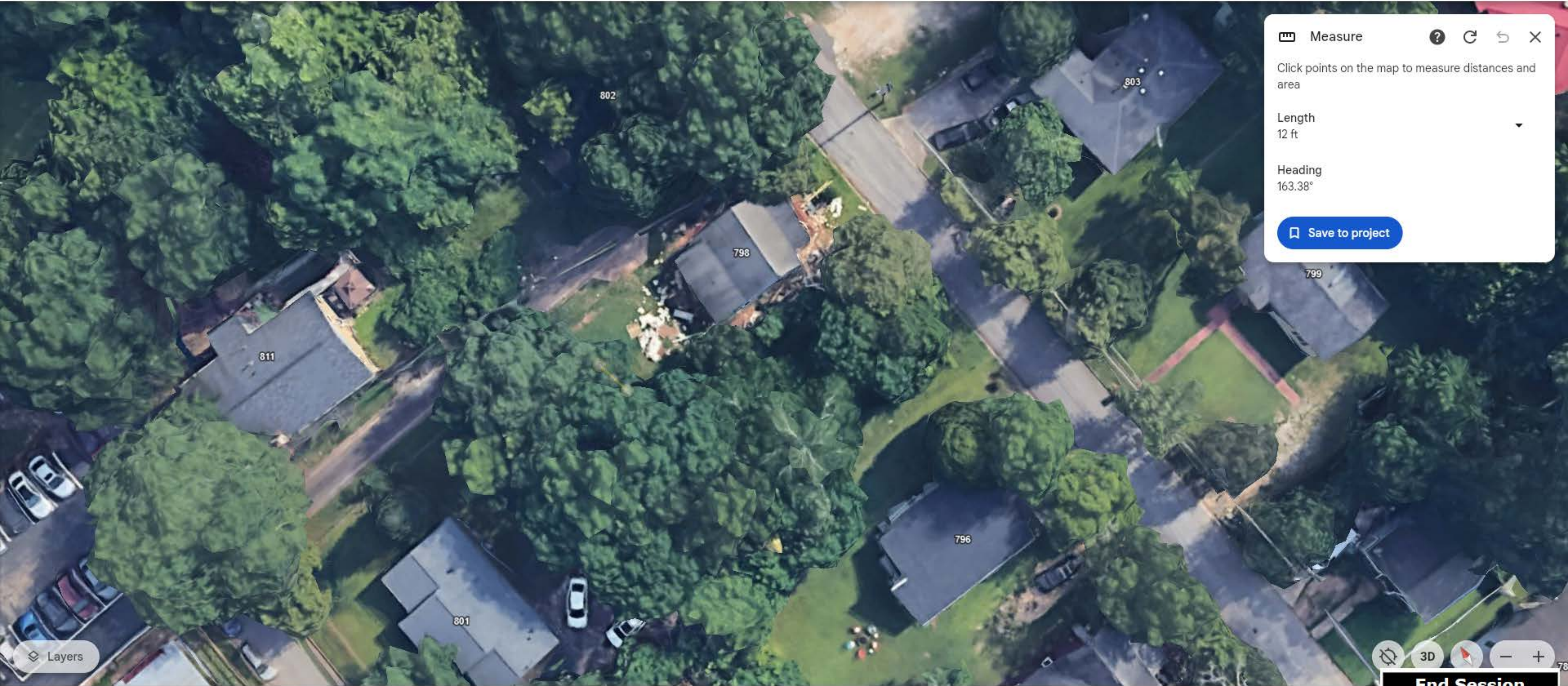
### FEE SCHEDULE

<b>SPECIAL USE PERMIT</b>	\$400 each
<b>CONDITIONAL USE PERMIT</b>	\$400 each

Methods of payment: Cash, Money Order and Credit Cards can be taken at City Hall or via a credit card authorization form.

**(MAKE CHECKS PAYABLE TO THE CITY OF STONE MOUNTAIN)**





Measure

Click points on the map to measure distances and area

Length  
12 ft

Heading  
163.38°

Save to project



## COUNTY OF DEKALB

This Indenture, made this 4 day of June, 2013, between N. BAHAR PEKIN, party of the first part, and DERIN PEKIN, party of the second part,

WITNESSETH:

N. BAHAR PEKIN, for and in consideration for LOVE and AFFECTION and other valuable consideration, receipt whereof is hereby acknowledged, does hereby grant, bargain, convey, release and forever quitclaim unto DERIN PEKIN, his heirs, successors and assigns, the following described property to wit:

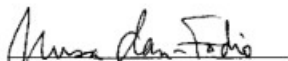
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 90, 18<sup>TH</sup> DISTRICT OF DEKALB COUNTY, GEORGIA, BEING IN THE CITY OF STONE MOUNTAIN, THE SAME BEING ONE LOT AND PART OF ANOTHER IN BLOCK NO. 1 OF JAMES R. PEDGETT SUBDIVISION, SAID LOT BEING NO. 15 AND PART OF 14 IN SAID BLOCK; SAID LOTS FRONTING ON FORREST AVE. ON THE EAST SEVENTY-ONE FEET; TURNING THENCE WEST OF FORREST AVE., ALONG AN ALLEY BEING BOUNDED BY SAID ALLEY ON THE NORTH, ONE HUNDRED NINETY-FIVE FEET (195) FEET TO A CORNER WHICH WAS FORMERLY AN ALLEY TO LINE OF W.M. LANFORD, THENCE RUNNING SOUTH SEVENTY-FIVE (75) FEET ALONG SAID LINE TO W.M. LANFORD TO ESTABLISH CORNER TO W.M. LANFORD; THENCE RUNNING TWO HUNDRED FEET (200) EAST TO FORREST AVE., THE BEGINNING, AS WILL BE SHOWN BY PLAT OF SUBDIVISION ON RECORD; EXCEPT A TEN FOOT ALLEY ON THE WEST SIDE WHICH HAS BEEN DISCONTINUED AND FIVE FEET ADDED TO THE WEST SIDE OF THIS PROPERTY KNOWN AS 1090 FORREST AVENUE, (FORMERLY KNOWN AS NO. 20 FORREST AVENUE) STONE MOUNTAIN, GEORGIA, PROPERTY ADDRESS: 1090 FOREST AVENUE, STONE MOUNTAIN, GEORGIA 30083.


SUBJECT TO ANY RIGHT OF WAY DEEDS OR OTHER ESEMENTS OF RECORD.


TO HAVE AND TO HOLD said property, together with all and singular the rights, members, hereditaments, improvements, easements, and appurtenances thereunto belonging or in any wise appertaining unto the party of the second part, her heirs, successors and assigns, FOREVER IN FEE SIMPLE.

IN WITNESS WHEREOF, the party of the first part has hereunto set her hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

  
Witness

 (LS)  
N. BAHAR PEKIN

  
Notary Public  
State of Georgia  
MY COMMISSION EXPIRES August 14, 2015







