



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

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## STAFF ANALYSIS AND REPORT

**OWNER/APPLICANT:** Cesar Hernandez

**LOCATION:** 973 Sheppard Road  
(Parcel ID: 18 074 02 052)

**CURRENT ZONING/USE:** GC: Vacant Commercial

**PROPOSED ZONING/USE:** GC: Granite Fabrication Shop

**REQUEST:** Special Use Permit for a granite fabrication shop.

**ZONING/ADJACENT LAND USE:**

North	GC: General Commercial – Convenience Store
South	GC: General Commercial– Residential Vacant
West	R-2: Traditional Residential – Single-Family
East	CSX Railroad Tracks

### MEETING INFORMATION:

Planning & Zoning Commission:	01/27/2025 – 6:30 P.M
Mayor & City Council 1 <sup>st</sup> Read:	02/18/2025 – 6:30 P.M.
Mayor & City Council Public Hearing:	03/04/2025 – 6:30 P.M.

### RECOMMENDATION:

Staff recommends denial of the Special Use Permit.

**BACKGROUND:**

March 4, 2025

**To: City of Stone Mountain Mayor & City Council**

**From: Richard Edwards, Planner**

**Subject: The applicant is requesting a Special Use Permit to allow for a granite fabrication shop.**

**Background:**

This property is 0.50 acres and is zoned General Commercial (GC). There is an existing metal building on the site, and it appears that this building was used for some type of storage in the past. The DeKalb County Tax Assessor's Office describes this property as an industrial lot.

The applicant is not requesting any changes to the building. Further, the applicant has stated that they will only be using pickup trucks for service vehicles and that no large trucks will be coming on to the site.

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

This property falls within the Single -Family Residential Future Land Use category and is currently a vacant storage building. According to the North American Industry Classification System, granite fabrication is a form of manufacturing business. This property is adjacent to single-family homes along the western side of Sheppard Road. It is anticipated that a manufacturing use would have an impact on the neighborhood.

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

The proposed use does not appear to be compatible with the surrounding uses in the neighborhood. The area is predominantly single-family residential uses and there is a convenience store without fuel pumps to the north.

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

It is not anticipated that the proposed use will constitute a nuisance.

**D. 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, as no new development is being proposed.

**E. Whether or not adequate provisions are made for parking and traffic considerations.**  
It is not anticipated that the proposed use will cause a burden on traffic. This is an existing building with limited parking and traffic expected.

**F. Whether or not the site or intensity of the use is appropriate.**  
This type of use appears to be most appropriate for the Industrial (I) zoning district. This site would not be appropriate for a manufacturing business.

**G. The location or proximity of other similar uses (whether conforming or non-conforming).**  
Staff is not aware of any similar uses in the area.

**H. Whether or not adequate controls and limits are placed upon commercial deliveries.**  
The applicant has stated that the only deliveries would be via pickup trucks so there is not any anticipated issues with commercial deliveries.

**I. Whether or not adequate landscaping plans are incorporated to ensure appropriate transition.**  
The proposed use is within an existing development that has existing landscaping.

**J. Whether or not the public health, safety and welfare of the surrounding neighborhoods will be adversely affected.**  
The subject property is located within a residential neighborhood and will not produce adverse impacts on the public health, safety, and welfare of surrounding neighborhoods. There will not be an undue strain on resources (i.e.: schools, transportation, water) based on the characteristics of the proposed use.

**K. Whether it is consistent with the Comprehensive Plan.**  
The existing building is within the Single-Family Residential Future Land Use Category. These categories call for a variety of residential uses including condominium residential, multi-family residential, single-family residential, and townhome/duplex residential. This use is not consistent with the Comprehensive Plan.

**Recommendation:**

Pursuant to Article II of the City of Stone Mountain Zoning Ordinance, Staff recommends that the special use permit be **DENIED**.

The Planning Commission voted to unanimously recommend **DENIAL** of the special use permit for a granite fabrication shop at 973 Sheppard Road.







## 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: <u>Cesar Hernandez</u>		
Address: <u>973 Sheppard Rd, Stone Mountain Ga 30083</u>		
Phone: _____	Cell: <u>7708669592</u>	Fax: _____
Email Address: <u>Meikinb@yahoo.com</u>		

### OWNER INFORMATION (If different from Applicant)

Owner Name: <u>2020 Stone Mountain LLC</u>		
Address: _____		
Phone: _____	Cell: _____	Fax: _____
Email Address: _____		

### PROPERTY INFORMATION

Address: <u>973 Sheppard Rd Stone Mountain Ga 30083</u>		
Parcel ID#: _____	Land Lot: _____	District: _____

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

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

Name (print) Cesar Hernandez

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.**

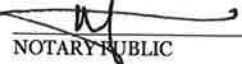
2020 Stone Mountain LLC  
TYPE OR PRINT OWNER'S NAME

3125 Touchton Ct.  
ADDRESS

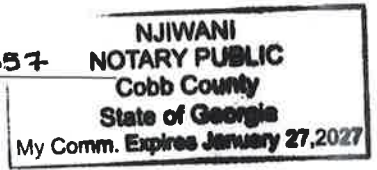
Norcross, GA 30093  
CITY & STATE ZIP CODE

Kareema  
OWNER'S SIGNATURE

rasheedvira@gmail.com  
EMAIL ADDRESS

Sworn to and subscribed before me this the  
10<sup>th</sup> Day of December 20 24  
  
NOTARY PUBLIC

770-668-4657  
PHONE NUMBER



*Owner*

**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  Agent

\_\_\_\_\_  
TYPE OR PRINT ATTORNEY / AGENT NAME

\_\_\_\_\_  
SIGNATURE OF ATTORNEY / AGENT

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY & STATE ZIP CODE

\_\_\_\_\_  
EMAIL ADDRESS

\_\_\_\_\_  
PHONE NUMBER

\_\_\_\_\_  
PETITIONER'S SIGNATURE



## USE PERMIT CONSIDERATIONS

Applicant: Cesar Hernandez

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? location is compatible, open by itself location, with no close neighbors
2. What is the extent to which property values are diminished by their particular zoning restrictions? I don't think it will diminish property value
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? None
4. What is the relative harm to the public as compared to the hardship imposed upon the individual property owner? None
5. What is the suitability of the subject property for the zoning proposed? For bus, NO new zoning is propose
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? 5 years
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 it will



8. Will the zoning proposal adversely affect the existing use or usability of adjacent or nearby property?

None it will not

9. Does the property affected by the zoning proposal have a reasonable economic use as currently zoned?

It surely has a reasonable economic use, to bring business and employment to area

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 should not

11. Is the zoning proposal is in conformity with the policy and intent of the comprehensive plan and future development map?

Yes it is

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?

No changing conditions to development

13. What is the impact upon the appearance of the city?

Same exact building, no change on building

14. What is the anticipated impact upon the provision of water, sewage, transportation and other urban services?

Remains the same / no changes

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, only using pick up truck

17. What measures are being taken to protect the property against blight and depreciation?

Keep up property in good condition, exterior / clean



## 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: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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) Cesar Hernandez  
 Signature: Cesar Hernandez      Date: 12-9-24