Planning Commission

Meeting Date: October 19, 2026

SUBJECT: Application for a Use Permit Application (Special & Conditional Uses)

PC2026 – 18 037 18 037 **G. Shan**

Project Information

Owner / Applicant	Tesfalem Tesfamariam
Location	5388 Cherrywood Drive
Acreage	0.0800
Parcel ID	18 037 18 037
Zoning District	Single-family residential (R-1)

SUMMARY:

The applicant requests Mayor & City Council to grant the special use of Short-term lodging—Vacation home facility at 5388 Cherrywood Drive Stone Mountain, GA 30083 (18 037 18 037). This application is required for properties in the Single-family residential (R-1) District, as outlined in Section 5-1.3 of the City of Stone Mountain Code of Ordinances.

The subject property contains a one-story duplex residential structure constructed in 1986. The dwelling is approximately 1,097 square feet and contains two bedrooms and two full bathrooms. The applicant proposes a maximum occupancy of four guests and two parking spaces available on-site, with an additional two off-street parking spaces.

ANALYSIS:

This application was reviewed for compliance in pursuant with Article XVI – Short-Term Lodging—Vacation Home Facilities. The applicant has identified two lodging rooms, with the smallest bedroom reported at approximately 120 square feet. There will be two bathrooms in the dwelling.

The applicant will need to revise the square footage, as it does not appear to match the size shown on the floor plan. The applicant will also need to revise the door opening for bathroom 2 as it appears to open where the toilet is located.

The applicant also proposed a maximum occupancy of four guests with two parking spaces available on-site.

The applicant has partially addressed the life-safety requirements of Section 16-2.1, including smoke detectors, carbon monoxide alarms, and fire extinguishers within the dwelling unit. However, it is unclear if each lodging room (guest room) will have a smoke alarm and if an accessible fire extinguisher is located within the house. The facility shall remain subject to the City's annual inspection and licensing requirements.

CONCLUSION:

Based on the submitted application materials and the analysis of the applicable provisions of the Stone Mountain Unified Development Ordinance, the Short-term lodging—Vacation home facility request partially meets the applicable review criteria. Staff's assessment is based on Article XVI.

STAFF RECOMENDATION:

Based on the analysis of this application, using the standards and criteria found in Article XVI of the UDO, staff recommends **APPROVAL with conditions** of the Use Permit application PC2026 – 18 037 18 307 – 5388 Cherrywood Drive.

Approved Condition(s)

- Provide a floor plan that shows smoke alarms in each lodging room and a fire extinguisher that is accessible to guests, pursuant to 16-2.1(6) of Article XVI.
- Revise the square footages of bathrooms 1 and 2.
- Revise the entrance for bathroom 2.

Attachments/Exhibits:

- Attachment 1 – Use Permit Application (Special & Conditional Uses)

The Planning Commission's recommendation applies only to the specific application under consideration and does not constitute final approval where approval by the Mayor and City Council is required. Any subsequent approval does not eliminate the applicant's obligation to obtain all applicable zoning approvals, permits, business licenses, and other required authorizations before commencing the proposed use or development.

USE PERMIT APPLICATION (Special & Conditional Uses)

Rev. 03.13.24

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	—
2.	Application Form	✓
3.	Site Plan Checklist	✓
4.	Site Plan/Survey	✓
5.	Legal Description	✗
6.	Letter of Intent	✓
7.	Impact Analysis	✓
8.	Disclosure Form(s)	✓
9.	Application Fee ($400)	✓
	THE FOLLOWING ITEMS MAY BE REQUIRED. SEE THE FOLLOWING INFORMATION FOR DETAILS.	
10.	Development of Regional Impact Review Form (DRI)	—

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.

ITEM 6. **LETTER OF INTENT:** The Letter of Intent should state the requested use permit(s) and should include factual details about the proposed use(s), such as number and square footages of buildings, number of residential units, minimum heated floor area of residential units, number of fixed seats in places of worship, number of employees and beds in assisted living facilities, personal care homes and nursing homes, number of employees and students in day care facilities, number of classrooms and number of students in schools, hours of operation, and number and use of playing fields.

ITEM 7. **IMPACT Analysis:** A written analysis of the impact of the proposal with respect to the criteria listed in Appendix A - Zoning; Article II - Administration ; Section 2-1.5 Review Standards for Zoning Proposals.

ITEM 8. **DISCLOSURE FORM:** If the owner, applicant and/or applicant's representative has made a campaign contribution to any member of City Council for $250.00 or more within the past 2 years, Sections 1 through 4 of the Disclosure Form must be completed. If no contributions have been made, *No* should be circled and Section 4 of the form completed.

ITEM 9. **APPLICATION FEE:** A $400 application fee shall be paid and can be processed via a check made out to the City of Stone Mountain or a credit card. Credit card payments can be processed at City Hall or via the Credit Card Authorization Form that is attached to this application.

OTHER DOCUMENTS THAT MAY BE REQUIRED:

ITEM 10. **DEVELOPMENT OF REGIONAL IMPACT (DRI):** The Department of Community Affairs (DCA) has formulated development thresholds as listed below. When a development meets or exceeds the thresholds, the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA) shall review the project concurrently. Applicants shall first file the rezoning/use permit request

with City of Stone Mountain. After the ARC/GRTA findings are complete, the rezoning/use permit will be placed on the next available agenda. It is the applicant's responsibility to contact and follow all ARC and GRTA review procedures. For details visit the ARC at www.atlantaregional.com and GRTA at www.grta.org/dri/home.htm or call ARC or GRTA at 404-463-3100.

Effective March 1, 2014 DEVELOPMENTS OF REGIONAL IMPACT Tiers and Development Thresholds	
Type of Development	**Metropolitan Region**
Office	Greater than 400,000 gross square feet
Commercial	Greater than 300,000 gross square feet
Wholesale & Distribution	Greater than gross 500,000 square feet
Hospitals and Health Care Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day
Housing	Greater than 400 new lots or units
Industrial	Greater than 500,000 gross square feet; or employing more than 1,600 workers; or covering more than 400 acres
Hotels	Greater than 400 rooms
Mixed Use	Gross square feet greater than 400,000 (with residential units calculated at either 1,800 square feet per unit or, if applicable, the minimum square footage allowed by local development regulations); or covering more than 120 acres; or if any of the individual uses meets or exceeds a threshold as identified herein
Airports	All new airports, runways and runway extensions
Attractions and Recreational Facilities	Greater then 1,500 parking spaces or a seating capacity of more than 6,000

Post Secondary Schools	New school with a capacity of more than 2,400 students; or expansion by at least 25 percent of capacity
Waste Handling Facilities	New facility or expansion of use of an existing facility by 50 percent or more
Quarries, Asphalt and Cement Plants	New facility or expansion of existing facility by more than 50 percent
Wastewater Treatment Facilities	New major conventional treatment facility or expansion of existing facility by more than 50 percent; or community septic treatment facilities exceeding 150,000 gallons per day or serving a development project that meets or exceeds an applicable threshold as identified herein
Petroleum Storage Facilities	Storage greater than 50,000 barrels if within 1,000 feet of any water supply; otherwise, storage capacity greater than 200,000 barrels
Water Supply Intakes/Public Wells/Reservoirs/Treatment Facilities	New facilities
Intermodal Terminals	New facilities
Truck Stops	A new facility with more than three (3) diesel fuel pumps, or containing a half acre of truck parking or 10 truck parking spaces
Correctional/Detention Facilities	Greater than 300 new beds; or generating more than 375 peak hour vehicle trips per day
Any other development types not identified above (includes parking facilities)	1,000 parking spaces or, if available, more than 5,000 daily trips generated

MEETINGS AND PUBLIC HEARINGS:

A) The Planning Commission (PC) holds a meeting on the third Monday of each month at 6:30 PM at Stone Mountain City Hall, 875 Main Street, Stone Mountain, GA 30083. The Planning Commission makes recommendations that are forwarded to the Mayor and City Council.

B) City Council holds a public meeting on the third Tuesday of each month at 6:30 p.m. at Stone Mountain City Hall located at 875 Main Street, Stone Mountain, GA 30083.

C) City Council holds a public hearing on the first Tuesday of each month at 6:30 p.m. at Stone Mountain City Hall located at 875 Main Street, Stone Mountain, GA 30083.

PUBLIC NOTICE:

A) Mayor and City Council (MCC) Public Hearing Notice: Signs posted along the frontages of properties subject to rezonings and/or use permits notify area residents of the City Council public hearing. Applicants are required to post signs in conspicuous places along the property's public street frontage(s) no later than 30 days before the City Council public hearing. Failure to post the signs properly, in accordance with instructions given to applicants at the time of filing, will result in delaying action on the petition until the next available appropriate hearing date. **THERE ARE NO EXCEPTIONS TO PROPERLY POSTING THESE SIGNS**.

If an applicant, prior to advertising, defers a petition, it is the responsibility of the applicant to contact the City at 770-498-8984 to pick up new signs and re-post the property.

When a petition is continued by City Council, posting an updated sign is not required. However, the date on the sign must be changed to reflect the continued hearing date.

Within 7 days of City Council final action the applicant shall remove and return the public notice sign to City Hall, 875 Main Street, Stone Mountain, GA 30083. If the sign is not returned, the applicant may be subject to a fee to cover the cost of replacing the public notice sign.

INSTRUCTIONS FOR REQUESTING A PRE-APPLICATION MEETING

Application Submittal and Review Process:

A. **Complete a Pre-Application Information Form** that contains a detailed description of the request. Attach a separate sheet if necessary.

B. **Prepare Concept Plans and a Submit a PDF digital version** that conveys the proposed project. These plans may be conceptual in nature and do not need to be developed by a design professional. (Note: Individual PDF files may not exceed 25 MB. Large files should be separated into individual PDF files not exceeding 25 MB.)

C. **Submit the Pre-Application Instruction Form and Concept Plans** at City Hall, 875 Main Street, Stone Mountain, GA 30083, or via email to redwards@stonemountaincity.org. The application and forms will be reviewed within (2) two business days. Staff will contact the applicant to schedule the Pre-Application Meeting.

D. **Attend the Pre-Application Meeting** with the planning staff. Feedback about the proposal, along with an overview of the application and review processes will be provided during this meeting.

E. **Submit a Signed Co f the Pre-Appl tion Inform ion Form** w e formal application. When the applicant is prepared mit the full, co plete applic on for the d elo ent activity or zoning process, a copy of the Pre-Appli on rm is requir to be inclu d in the sub tal.

N/A

PRE-APPLICATION INFORMATION FORM

This page must be completed by the Applicant.

APPLICANT

Name

Company

Mailing Address | Suite/Apt. # | City, State | Zip Code

Primary Phone # | Alternate Phone # | E-mail

PROJECT SUMMARY

Address of Project

Name of Project

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

Total Project Acreage

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

N/A

Applicant Signature | Date: _____ / _____ / _____

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

For Internal Use Only:

Pre-Application Meeting Date: _____

Staff Printed Name: _____ Signed: _____

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

AUG 19 2026 PM 3:58

APPLICATION FOR USE PERMIT

PAID 400. 8-19-26

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

Date Received: _____

USE PERMIT#: _____
(Office Use Only)

APPLICANT INFORMATION

Applicant Name: TESFALEM TESFAMARIAM

[redacted]

OWNER INFORMATION (If different from Applicant)

Owner Name: _____

Address: _____

Phone: _____ Cell: _____ Fax: _____

Email Address: _____

PROPERTY INFORMATION

Address: 5388 Dogwood Drive stone mountain GA 30083

Parcel ID#: 18 037 18 037 Land Lot: _____ District: 84-Stone mountain

CURRENT ZONING: _____

USE PERMIT REQUEST: short term rental

Name (print) TESFALEM TESFAMARIAM

Signature: _____ Date: 8/19/26

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.**

TESFALEM TESFAMARIAM
TYPE OR PRINT OWNER'S NAME

741 ROSA DRIVE
ADDRESS

LAWRENCEVILLE GA 30044
CITY & STATE ZIP CODE

OWNER'S SIGNATURE

TESFAT25@YAHOO.COM
EMAIL ADDRESS

Sworn to and subscribed before me this the

19 Day of August 20 24

NOTARY PUBLIC

CAROLYN JEWELL NOTARY PUBLIC DEKALB COUNTY, GA MY COMMISSION EXPIRES MAY 15 2027

770-448-8280
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 ☐ Agent

TYPE OR PRINT ATTORNEY / AGENT NAME

SIGNATURE OF ATTORNEY / AGENT

ADDRESS

CITY & STATE ZIP CODE

EMAIL ADDRESS

PHONE NUMBER

PETITIONER'S SIGNATURE

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.	☐
2	The proposed land use classification.	☐
3	The present zoning classification of the tract(s) and all adjacent parcels.	☐
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.	☐
5	The location of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement.	☐
6	The location of required off-street parking and loading spaces to include number of spaces and dimensions - must also include handicapped parking.	☐
7	Setbacks for all existing and proposed buildings to include driveways, walkways, fences, etc.	☐
8	The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation if required.	☐

Office use only:

Application reviewed by:

Staff signature: _____ Date: _____

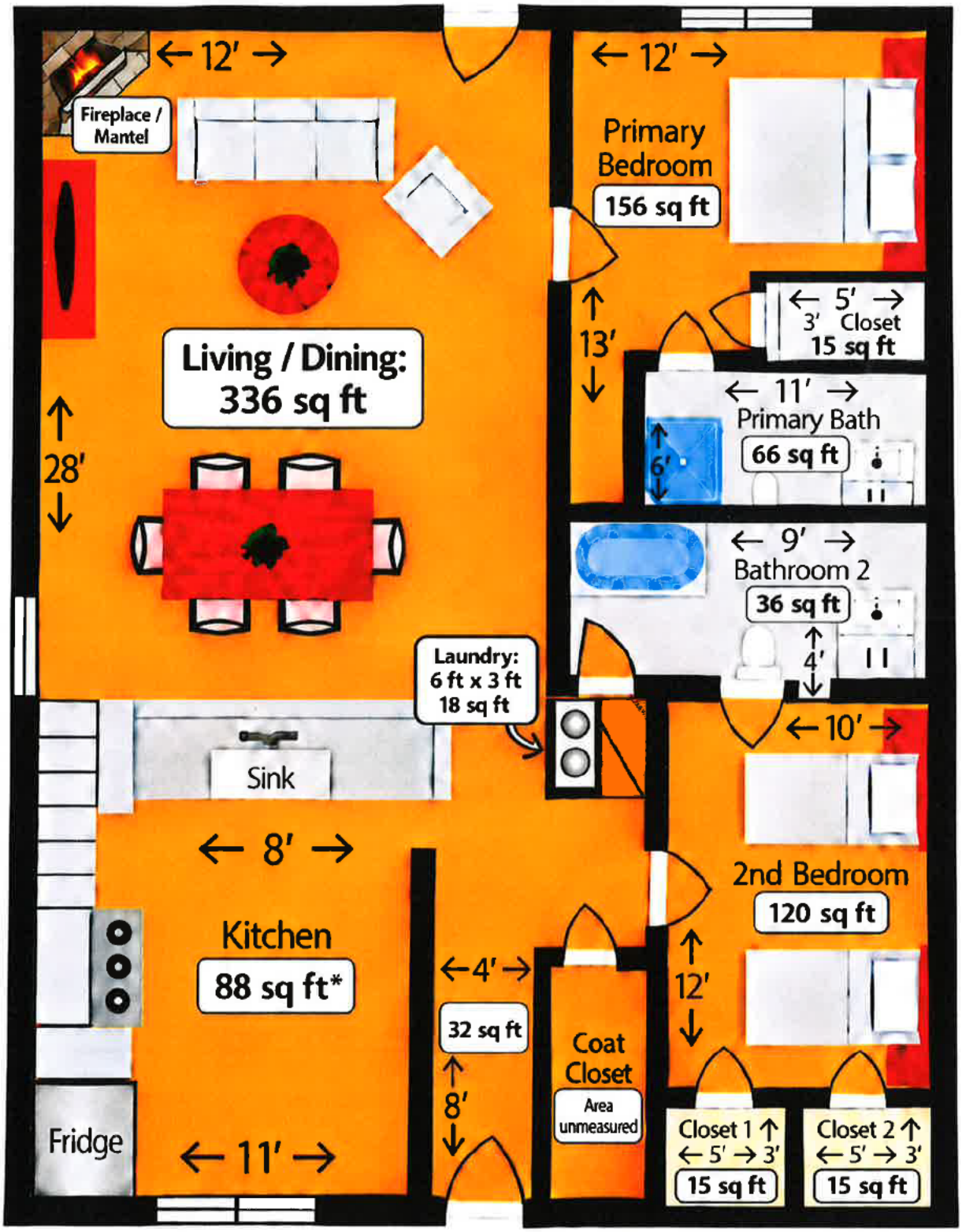
Staff printed name: _____

FEE SCHEDULE	
SPECIAL USE PERMIT	$400 each
CONDITIONAL USE PERMIT	$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)

5388 Cherrywood Drive
Stone Mountain, GA 30083



Total square footage: 1,097 sq ft

5388 Cherrywood Drive

Stone Mountain, GA 30083 | Exterior sketches

FRONT YARD & DRIVEWAY - ATTACHED DUPLEX



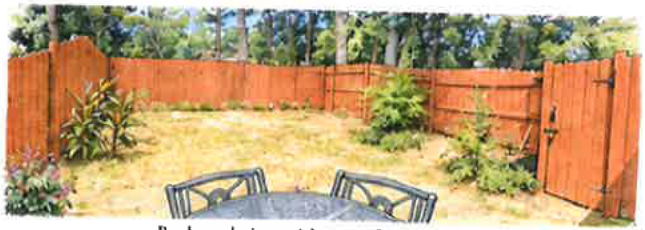
Each driveway: 26 ft wide x 22 ft deep

REAR PATIO & UTILITY ACCESS

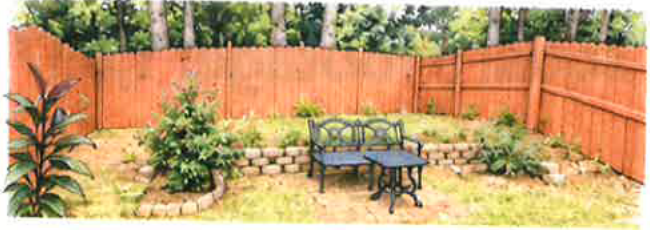




FENCED BACKYARD



Backyard view with gate (from patio)



PARID: 18 037 18 037

TESFAMARIAM TESFALEM



LETTER OF INTENT

Special Use Permit | 5388 Cherrywood Drive

October 14, 2026
City of Stone Mountain
Planning and Zoning
875 Main Street
Stone Mountain, GA 30083

Dear Planning Commission and City Council:

I respectfully request approval of a Special Use Permit to operate the existing residence at 5388 Cherrywood Drive, Stone Mountain, GA 30083, as a short-term rental vacation home facility.

The property will provide furnished accommodations for visitors while maintaining its residential appearance and respecting neighboring residents. The submitted site and floor plans describe the residence and its parking arrangements.

I propose a maximum occupancy of four people and a maximum of two guest vehicles, parked in the property's designated driveway. Parties, events, excessive noise, and parking that blocks neighboring driveways or emergency access will be prohibited.

Guests will receive written rules covering parking, noise, trash disposal, and respectful conduct. I will provide a local contact available to respond promptly to complaints or emergencies. The property will receive regular cleaning, maintenance, landscaping, and safety checks.

I will comply with applicable city requirements, inspections, licensing, taxes, and any conditions imposed with approval. Thank you for considering my application.

Sincerely,
Tesfalem Tesfamariam, Applicant

USE PERMIT CONSIDERATIONS

Applicant: TESFALEM TESFAMARIAM

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? The property will remain residential and be managed by my wife and I. We will not allow party and events.

2. What is the extent to which property values are diminished by their particular zoning restrictions? The use should not diminish property values. The property will be well-maintained as it is now you see Image provided before & After.

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? The use will not negatively affect public health, safety or welfare. Safety occupancy, noise, and property-maintenance requirements will be followed.

4. What is the relative harm to the public as compared to the hardship imposed upon the individual property owner? Zero no harm to public.

5. What is the suitability of the subject property for the zoning proposed? The property is suitable for short-term rental use and can accommodate guests while maintaining its residential character.

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? The property has been used as short term rental & mid term rental always occupied till we received notice.

7. Will the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property? Compatible with nearby residential properties and will maintain the neighborhood's character.

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

No, The use will not adversely affect nearby properties. I cut my neighbores lawn for free to make the neighborhood look good, 5380, 5378, 5390 Every two weeks.

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

Yes, in a positive way. It provides a reasonable economic use while maintaining the residential character of the neighborhood. As many guest like to come to our area for stone mountain park, & also visit cherkoy restaurants.

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, the use will not create excessive use of streets, utilities or other services.

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

Yes, the proposal is consistent with the city's Comprehensive plan and Zoning goals.

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?

The property has been greatly maintain, please see image provided The property was abandoned bought it from bank spent over #60K

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

No Negative impact. The property will be maintained in clean and attractive condition.

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

Zero, e Impact as we do not allow events, gathering and party.

15. What is the anticipated impact upon population density and the potential for overcrowding and urban sprawl?

ZERO, Impact as we do not allow events, gathering & parties.

16. What is the anticipated impact upon thoroughfare congestion and traffic safety

Zero, we only allow ~~to~~ two vehicles max to park.

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

The property will be regularly maintained, monitored & kept clean to prevent blight and protect prop. values.

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) TESFALEM TESFAMARIAM

Signature: _____ Date: 8/19/26