



CITY OF LITHONIA
MINUTES—ZONING PUBLIC HEARING
Wednesday, February 3, 2021 @ 3:00 PM

Agenda Item #1 Application concerns a variance that would allow a reduction in front yard setback to accommodate construction of 6880, 6884, and 6860 Robinson Street.

Agenda Item #2 City-Initiated Amendment to the text of the zoning ordinance that will allow establishment of family daycare homes in Lithonia's five (5) single-family residential zoning districts.

AGENDA ITEM #1

I. Call to Order and Roll Call

The Zoning Public Hearing was called to order at 3:04 PM by Mayor Shameka S. Reynolds. A roll call was taken, and the following City Council Members were present: Diane Howard, Amelia Inman, Vanerriah Wynn, and Ric Dodd. Zoning Administrator Bill Johnston was present on the call.

II. Application concerns a variance that would allow a reduction in front yard setback to accommodate construction of 6880, 6884, and 6860 Robinson Street.

a. Report from Bill Johnston, Zoning Administrator

Bill Johnston reported there is an 8-inch sewer main through the property and such variance may be granted in an individual case however an unnecessary hardship to the strict condition of the 35-foot setback. The recommendation is a 25-foot setback rather than a 35-foot setback that would not cause substantial detriment to the public good. Mr. Sheppard is seeking a variance that would allow for a reduction of 10 feet in the 35-foot setback to render development of the three lots feasible. Based on findings and conclusions, approval of the variance application is appropriate.

Council has the authority to assign conditions of approval on the building materials, and site-plan rendering, and the HOA Covenant.

b. Presentation by Applicant (10-minutes allotted, including rebuttal)

Mr. Kelvin Sheppard is proposing a 3 Brownstone Townhome community, zero lot line that would be individually owned homes.

c. Presentation by Persons Opposed to the Application (10 minutes allotted)

There were no persons present that were opposed to the application.

d. Presentation by Persons In-Favor of the Application (10 minutes allotted)

There were no persons present that were in-favor of the application.

e. Closing of Public Hearing

Councilman Dodd motioned to close the public hearing, the motion was seconded by Councilwoman Howard and approved by a vote of 4-0.

f. Deliberation by Council on Zoning Administrator's Recommendations and Presentations

Council had no further discussion.

g. Decision

Councilman Dodd motioned to approve the application with the condition that the HOA covenant, building materials, and site—plan rendering is submitted, the motion was seconded by Councilwoman Howard and approved by a vote of 4-0.

h. Adjournment of Zoning Hearing

Councilman Dodd motioned to adjourn the Zoning Public Hearing; the motion was seconded by Councilwoman Howard; and approved by a vote of 5-0. The meeting was adjourned at 3:18 PM.

AGENDA ITEM #2

I. City-initiated amendment to the text of the zoning ordinance that will allow establishment of adult day care facilities and family daycare homes in Lithonia's five (5) single-family residential zoning districts. The amendment will not apply to a particular property but would enable owners of property in the R-85, R-60, RA-5, R-50 and RA-8 zoning districts to apply for adult day care facilities and family daycare homes as each is defined in the Zoning Ordinance. These uses would be subject to approval of a Special Land Use Permit by Mayor and Council.

a. Report from Bill Johnston, Zoning Administrator

Bill Johnston reported that an amendment to the text of the zoning ordinance was adopted in 2013 that removed child day care facility from the five residential zoning districts that allow single family detached dwellings. As concerns the appropriateness of family daycare homes, the text amendment would allow only family daycare homes. Approval of the text amendment that would re-instate child daycare facilities as a use subject to approval of a Special Land Use Permit is appropriate with recommended conditions as outlined in his report: 1. All outdoor play areas shall be located in the rear yard, defined as the area beginning at the rear elevation of the dwelling. 2. The fenced outdoor play area and all related facilities shall be set back a minimum of ten (10) feet from any property boundary. 3. The maximum number of children receiving day care, including the related children of the operator, shall be six (6) children.

b. Presentation by Applicant (10-minutes allotted, including rebuttal)

N/A

c. Presentation by Persons Opposed to the Application (10 minutes allotted)

There were no persons present that were opposed to the application.

d. Presentation by Persons In-Favor of the Application (10 minutes allotted)

There were no persons present that were in-favor of the application.

e. Closing of Public Hearing

Councilwoman Inman motioned to close the public hearing, the motion was seconded by Councilwoman Howard and approved by a vote of 4-0.

f. Deliberation by Council on Zoning Administrator's Recommendations and Presentations

Council had no further discussion.

g. Decision

Councilwoman Inman motioned to approve the modification to the ordinance text amendment that would re-instate child daycare facilities, limited to family daycare homes to include three recommended conditions outlined in Bill Johnston's report; the motion was seconded by Councilman Dodd and approved by a vote of 4-0.

II. Adjournment of Zoning Hearing

Councilman Dodd motioned to adjourn the zoning hearing, the motion was seconded by Councilwoman Inman; the motion was approved by a vote of 4-0, and the meeting was adjourned at 3:41 pm.