REGULAR CITY COUNCIL MEETING AGENDA
Tuesday, February 5, 2019 @ 6:30 pm
City Hall, 875 Main Street, Stone Mountain, Georgia 30083

CALL TO ORDER

DETERMINATION OF A QUORUM

INVOCATION AND PLEDGE

CITIZEN COMMENTS – NON-AGENDA ITEMS ONLY

READING AND APPROVAL OF THE JOURNAL
- Minutes of Public Hearing Meeting 01/08/19
- Minutes of Regular City Council Meeting 01/08/19
- Minutes of Special Called Meeting 01/15/19
- Minutes of Work Session 01/15/19
- Minutes of Special Called Work Session 01/15/2019

READING OF COMMUNICATIONS


UNFINISHED BUSINESS
A. Ordinance 2019-01 – Amendment to Chapter 4 Animals
B. Rezoning Application from Current Zoning R-2 Traditional Residential to Proposed Zoning MR-1 Single Family Attached Townhomes; 6803 JBR Memorial Drive, Parcel #18 126 06 002 – Applicant Christopher Hunt

NEW BUSINESS
A. Memorandum of Agreement – Atlanta Regional Commission and City of Stone Mountain – Parking Study
B. Contract Agreement – Main Street Stone Mountain and City of Stone Mountain – Services to be Performed for Farmer’s Market
C. Development of Interactive Zoning Map
D. Variance Application for Parcel 18 089 04 003, Stone Mountain, GA; Georgia Military College location for Deviation from the Office Professional Institutional (OPI) District Development Regulations.
E. Variance Application for 6803 JBR Memorial Drive, Parcel 18 125 06 002 for Deviation from Chapter 28 Storm Water Utility, Article III. Stream Buffer Protection, Sec. 28-545. – Land Development Requirements.
F. Request for De-annexation – 546 Carillon Lane – Shawntae Rana, Owner

NEW ORDINANCES AND RESOLUTIONS
A. Resolution 2019-06 – FY2019 Budget Amendment

COMMITTEE DISCUSSION ITEMS
A. Planning and Zoning
B. Economic Development/Downtown Development Authority
C. Historic Preservation Commission

REMARKS OF PERSONAL PRIVILEGE

ANNOUNCEMENTS BY THE MAYOR

ADJOURNMENT

COMMENTS FROM THE PUBLIC
The public comments are reserved exclusively for comments from the public and not for immediate reply. The purpose of public comment is to allow the public to voice city related requests, concerns or opinions only during the public comment portion of the City Council meeting. I. The Mayor and City Council reserves the right to extend or limit the length of public comments based on: (1) the issue under discussion; (2) the number of items on the agenda; and (3) the extend to which the speaker remains constructive in their comments and questions. II. The public may not directly confront the public speaker but must direct all comments and questions to the Mayor and City Council. III. Public harassment or or confrontation with a public speaker will not be tolerated. Members of the public violating tenets two or three will be asked to sit down or leave the premises.
This review uses Version 2 of the Draft Ordinance 2019-1. Upon reviewing the information provided by Councilwoman Bryant, which is a zoning ordinance section of DeKalb County (Chapter 27, Section 4.2.7), certain language was changed to more closely align with DeKalb County’s. The City’s zoning ordinance does not cover these subjects, so adding them to Chapter 4 is prudent. Currently, very few parcels in the City could qualify to the keeping of livestock, but adding these provisions would have language in place if qualifying parcels are ever annexed.

Since DeKalb County Ordinance Chapter 27, Section 4.2.7 is a zoning ordinance, their code enforcement would handle violations as opposed to animal control. This is consistent with how the City would enforce violations.

Sec. 4.31. - Keeping of livestock.

Any person who keeps horses, mules, cattle, or other livestock within the corporate limits of the city shall carry the following restrictions:

1. Livestock shall be permitted on parcels, or adjoining assemblage of parcels, totaling at least two acres in size. Livestock are not permitted in parcels zoned as, or adjacent to parcels zoned as, “Village Center Mixed-use.”

2. All livestock shall be maintained at least one hundred (100) feet from the property line of any other property zoned or used for residential purposes.

3. There shall be a minimum of 5,000 square feet of fenced lot area not covered by the principal building or structure for each livestock animal.

4. All pastures must be kept in a sanitary condition and shall not be allowed to become a public nuisance.

5. No livestock shall be displayed or marketed for sale within the City, nor shall any location within the City be the point of purchase for livestock without specific permitted use.

6. Nothing in this section shall prohibit the temporary display of animals for a permitted agricultural exhibit or similarly permitted events.

7. Live slaughter shall be prohibited.

The proposed Section 4-32 encompasses more that the DeKalb zoning ordinance does, as ours incorporates small domestic animals. Several changes were made to more closely align with DeKalb’s language and regulations.

Sec. 4.32. - Keeping of fowl and small domesticated animals—General regulations.

Small domesticated animals, such as rabbits and guinea pigs and fowl, such as chickens, ducks, geese, guineas, turkeys and the like may be kept within the City subject to the following regulations:
(1) All such animals shall be provided with adequate and sanitary housing. Such houses, hutch", pens, stables, sheds, stalls and enclosures wherein domesticated animals, poultry or other fowl are kept shall have a solid floor as may be approved by a code compliance officer. All such houses, hutch", pens, stables, sheds, stalls and enclosures, wherever located, shall have a minimum floor space of four square feet per animal or bird over one month old. Any structure housing fowl or small domesticated animals must be located in the rear yard if a principal building exists.

(2) Such houses, hutch", pens, stables, sheds, stalls and enclosures wherein domesticated animals, poultry, or other fowl are kept must be at least twenty (20) feet from any property line, and fifty (50) feet from any residence other than the owner's.

(3) Every person owning or keeping chickens or any other domestic fowl in the city is hereby required to keep such fowl and chickens under fence and not allow such chickens or fowl to run on any property other than his own.

(4) The maximum number of chickens shall be one (1) chicken per two thousand (2,000) square feet of lot size.

(5) No such animals shall be kept in parcels zoned as “Village Center Mixed-use,” except as a permitted use.

(6) Keeping of male chickens, or roosters, is prohibited. The keeping of permitted animals shall not be allowed to become a public nuisance.

(7) No fowl or small domestic animals shall be displayed or marketed for sale within the City, nor shall any location within the City be the point of purchase for such animals without specific permitted use. The sale of eggs or other related items is not considered a violation of this section.

(8) Live slaughter shall be prohibited.

The following changes to the proposed Section 4-40 were made based on feedback from City Council. In addition, a further review of DeKalb and Gwinnett ordinances found no provisions for targeted grazing. Even if DeKalb considers goats and sheep as livestock, targeted grazing would fall in conflict with their zoning ordinances. Since targeted grazing is becoming a more popular and eco-friendly alternative for clearing overgrowth, it would be prudent for us to have language in place to address it.

Sec. 4-40 - Targeted Grazing

The temporary keeping of goats and sheep on property otherwise not zoned for livestock, for the sole purpose of targeted grazing of vegetation, is permitted in the City of Stone Mountain under the following conditions:
(a) Target grazing may only be performed by an experienced goat and/or sheep herding vendor on any parcel, except those zoned as “Village Center Mixed-use.”

(b) Property owner or herding vendor shall secure a permit from the City Clerk prior to commencement of grazing. Before a permit shall be granted, the City Clerk shall ensure the property owner or herding vendor has at least $250,000.00 of general liability insurance to cover the targeting grazing activity. The permit request shall specify the location of grazing, the number of grazing animals, the number of guard animals, the duration of the grazing activity, 24-hour contact information for the applicant, and a copy of the certificate of insurance. The fee for a permit shall not exceed ten dollars ($10.00).

(c) Grazing animals are allowed to graze a parcel or portion thereof for no more than 14 continuous days with no more than three (3) grazing animals per quarter acre of property to be treated. The City may halt grazing activity before 14 days if, in the opinion of a public officer, the grazing is negatively affecting erosion, other environmental factors, or public safety.

(d) Grazing treatments for any parcel or portion thereof shall not occur within 45 days of a previous treatment. No more than three (3) grazing treatments are allowed on a parcel or portion thereof in a calendar year.

(e) Property owners or herding vendors shall install temporary pens or electric fencing to encompass the area to be grazed in order to contain the animals. Warning signs should be placed at least every fifteen (15) feet to warn of the animals and/or shock hazard. No tethering of these animals is permitted.

(f) Property owner or herding vendor shall ensure that objects or vegetation deemed harmful to the animals is removed prior to grazing treatment.

(g) Property owner or herding vendor shall provide sufficient fresh water and any supplemental nutrition the animals may require.

(h) The treatment area must be checked at least daily and kept cleaned or treated to ensure the odor of animal waste does not create a nuisance to other nearby residents or businesses.

(i) The City Manager or designee shall have the discretion to grant a variance from subsections (c) and (d) of this section if:

1. The treatment is being performed by a professional targeted grazing vendor,
2. The variance is unlikely to create a public nuisance, and
3. The vendor provides a detailed plan for the grazing project.
Lt. Parks (Manning) reviewed Section 4-51 and asked that some specific measure of duration be added to the section. In her opinion, having a specific time would aid enforcement by giving the officer a specific measure to articulate in report and citation. She also brought up the need for an exception if dogs are barking because of construction or other type event. Those concerns are addressed in this proposed section amendment. The specificity of “dog” was removed.

Sec. 4-51. – Animal Noise Disturbance

No person shall allow any animal or fowl which howls, barks or emits audible sounds that are unreasonably loud or disturbing and which are of such character, intensity and duration as to disturb the peace and quiet of the neighborhood. For the purpose of this section, a duration of greater than ten (10) minutes, whether constant or staggered, is considered a violation of this section, regardless of whether the animal is physically situated on or upon private property. The following exceptions shall not be considered a violation of this section:

(1) The animal is reacting to a person trespassing or threatening to trespass upon private property, or

(2) The animal is reacting to an unusual event is close proximity including, but not limited to construction or a road race.
ORDINANCE 2019-01

AN ORDINANCE BY THE GOVERNING AUTHORITY FOR THE CITY OF STONE MOUNTAIN, GEORGIA TO AMEND CHAPTER 4 ANIMALS OF THE STONE MOUNTAIN CODE OF ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE, TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

PART I

The Council of the City of Stone Mountain hereby ordains that CHAPTER 4 ANIMALS of The Code of the City of Stone Mountain, Georgia be amended as follows:

1. To deleted Chapter 4 Animals in its entirety;

2. To replace Chapter 4 Animals as follows:

Sec. 4-1. - Definitions.

For the purposes of this chapter, certain terms and words are hereby defined. Where words or terms are not herein defined but, are defined in other applicable sections of this Code or state law, now and as they may be amended hereafter, those words shall have the meaning as defined therein. As used in this chapter, unless the context otherwise indicates, the following words and terms shall have the meaning ascribed to them:

Abandonment means the intentional or complete forsaking of any animal by its owner, without making reasonable arrangements for the adequate care and custody of the animal to be assumed by another person or the failure to return and resume responsibility of an animal at the designated time as arranged with the care giver. Abandonment also means the act of placing an animal on public property or within a public building, unattended or uncared for, or on or within the private property of another without the express permission of the owner, custodian or tenant of the private property. An animal shall also be considered abandoned when it has been unattended and without adequate and proper food and water for a period in excess of thirty-six (36) hours, regardless of where such animal may be found or kept.

Adequate care means exhibiting attention to the needs of an animal, including but not limited to, the provision of food, water, shelter, sanitary, safe and healthy conditions, and adequate and timely veterinary medical attention necessary to maintain good health for the specific age, size, species, and breed of animal or to prevent suffering.

Adequate food means sufficient quantity of non-contaminated and nutritionally healthy sustenance that is appropriate to the species, breed, size, age and health of the animal, or at the direction of a licensed veterinarian; which is sufficient to prevent starvation, malnutrition, or risk to the animal's health. Garbage, spoiled, rancid, or contaminated food is not adequate food.
Adequate shelter means a protective covering for a domestic animal that provides adequate space and protection to maintain the animal in a state of good health, and that prevents pain, suffering, or significant risk to the animal's health. Adequate shelter shall consist of a completely enclosed structure with four (4) sides, a constructed floor, and a roof with a door opening. It should also be clean, dry and compatible with current weather conditions, in addition to age, size, species and condition of the animal. The structure should be of sufficient size to allow the animal to stand, turn around, lie down and go in and out of the structure comfortably. To be adequate, some type of bedding that is quick drying, such as hay or pine straw, must be provided to maintain comfortable temperatures within the structure during times when the ambient, outside temperature is below thirty-two (32) degrees Fahrenheit. In addition, the structure shall include a heavy plastic or rubber flap to cover the door and/or window openings during the months of December through March or when the ambient, outside temperature is below thirty-two (32) degrees Fahrenheit. From April through November, the structure shall either be shaded or moved out of direct sunlight. If the shelter is made of wood, it shall be raised at least two (2) inches off the ground to prevent seepage or rotting. Examples of inadequate shelter include, but are not limited to, lean-tos, metal or plastic drums, boxes, abandoned vehicles, porches, decks, or material that does not provide sufficient protection from the elements.

Adequate water means clean, fresh, potable water sufficient to prevent dehydration and properly sustain health presented in a clean dish, free from contamination. Examples of inadequate water include, but are not limited to, snow, ice and rancid/contaminated water.

Animal means every living vertebrate except a human being.

Animal at large means any animal moving without physical restraint and not on its owner's property.

Animal enforcement officer means any person authorized by the governing authority or by law to enforce the provisions of this chapter.

Animal service center means the facility designated by the governing authority for the detention of animals in DeKalb County.

Apiary shall mean a place where bees and beehives are kept, especially a place where bees are raised for their honey.

Beekeeper shall mean a person who owns or has charge of one or more colonies of bees.

Classified animal means any animal that has been classified as either a dangerous or vicious animal pursuant to this chapter or comparably classified by the State of Georgia, or by any court, hearing officer, or authorized government agency of any other state, county or municipality.

Classified animal pen means a padlocked pen, as that term is defined in this chapter, made entirely of industrial gauge fencing with a door or gate equipped with a working lock. The classified animal pen must contain adequate shelter, as that term is defined in this chapter, but must also contain a minimum one hundred (100) square foot area outside the adequate shelter.
**Colony or hive** shall mean an aggregate of bees consisting principally of workers, but having, when perfect, one queen. It additionally refers to combs, honey and the receptacle inhabited by the bees.

**Community cat** means an unowned, free-roaming cat that has been marked by surgical ear-tip pursuant to the community cat program.

**Community cat program** means a comprehensive process whereby unowned free-roaming cats are captured humanely, transported to a veterinarian for evaluation, spay/neuter surgery, rabies vaccination and marking by surgical ear-tip, and returned to the area or location where the cat was captured.

**Cruelty** means causing death or unjustifiable pain or suffering to any animal by an act, omission, or neglect. Cruelty also includes transporting an unrestrained animal in an open-air vehicle or in the trunk of any vehicle or leaving an animal unattended in a closed vehicle without proper ventilation or temperature control where the outside air temperature is seventy (70) degrees Fahrenheit or above. Cruelty also means allowing or causing any animal to train for or engage in an animal fight operated for sport, entertainment or gaming purposes. Routine medical procedures by a licensed veterinarian shall not be regarded as cruelty.

**Dangerous animal** means any animal that, according to the records of an appropriate authority:

1. Causes a substantial puncture of a person's skin by teeth without causing serious injury, provided, however, that a nip, scratch, or abrasion shall not be sufficient to classify an animal as dangerous;

2. Aggressively attacks in a manner that causes a person to reasonably believe that the animal poses an imminent threat of serious injury to such person or another person although no such injury occurs; provided, however, that the acts of barking, growling, or showing of teeth by an animal shall not be sufficient to classify an animal as dangerous; or

3. While off the owner's property, kills a pet animal; provided that no animal shall be classified as dangerous when the death of such pet animal is caused by a dog that is working or training as a hunting dog, herding dog, or predator control dog.

**Dog Control Officer**, as authorized and defined by O.C.G.A. §4-8-22, is any officer of the City tasked with enforcing the animal ordinances of the City. This shall include any officer of DeKalb County tasked with enforcing animal ordinances.

**Electronic animal confinement system** shall mean a commercially produced, functioning and professionally installed electronic fence which utilizes an invisible electrically generated perimeter, in which the animal within the perimeter wears an electronic collar that produces an electric shock when the animal approaches or exceeds the perimeter.

**Euthanasia** means the legal act of putting an animal to death using humane methods, recommended by the American Veterinary Medical Association Panel on Euthanasia and approved by the Georgia Department of Agriculture, as defined by Georgia law in the Georgia Animal Protection Act, as may hereinafter be amended.
Fence means any structure of wire, wood, stone or other material, which is of sufficient height and strength to act as a barrier against passage of the animal it is intended to enclose. A fence must be sufficient to prevent the animal from being able to jump, dig, or escape from confinement.

Garbage means all refuse matter/effluent, either animal or vegetable by-product from a restaurant, kitchen, or meat/poultry processing establishment; spoiled/rancid food and refuse accumulation of animal, fruit, or vegetable matter, liquid or otherwise, that is normally discarded.

Guard dog means a dog trained to attack persons or other animals independently or upon oral command; or a dog that, while not so trained, is reasonably expected to perform as a guardian of its owner and/or the property upon which the dog is located.

Hazardous animal means an animal that may be harmful to humans or other animals by virtue of its ability to produce poison or, due to its size and feeding habits, could prey on humans as a food source. Hazardous animals include, but are not limited to, pit vipers (genus Crotalidae), coral snakes (genus Micrurus), poisonous spiders, frogs, large reptiles, Nile monitors, caiman, alligators, crocodiles, and large constricting snakes greater than ten (10) feet in length.

Hive – see Colony

Identification means any tag, tattoo, microchip, or other type of marking that can be used to locate an animal’s owner.

Kennel means any location where boarding, caring for and keeping of more than a total of three dogs or cats or other small animals or combination thereof is carried on, including, but not limited to the raising, breeding, caring for or boarding of dogs, cats or other small animals for commercial purposes.

Kennel, noncommercial means any location where the owning, boarding, caring for and keeping of more than three (3) but not more than ten (10) dogs or cats or other small animals or combination thereof is carried on, not for commercial purposes, but as a hobby such as the raising of show and hunting dogs.

Law enforcement agency means any division of the Stone Mountain Police Department or other governmental agency with law enforcement powers operating within the City limits of Stone Mountain.

Neglect means endangering an animal’s health by failing to provide or arrange to provide the animal with food or drink if the animal is dependent upon a person for the provision of food or drink, or the act of restraining an animal in a manner that endangers the animal’s life or health. Other acts considered to be neglect include, but are not limited to:

(1) Failing to provide adequate care or seek veterinary care for an injury or illness that seriously endangers the life or health of an animal; or

(2) Leaving an animal outside and exposed to excessive heat or cold without providing the animal with adequate shelter or protection from the heat or cold or exposing an animal to unsanitary conditions.

Official Certificate of Veterinarian Inspection Health Certificate ("OCVI Health Certificate") means a legible certificate issued by an accredited veterinarian either on an official
form of the State of Georgia or an equivalent official form of the United States Department of Agriculture.

_open-air vehicle_ means the cargo area of any pickup truck that is not covered by a permanent attached utility cover or any convertible vehicle with its top down.

_owner_ means any natural person or any legal entity, including but not limited to a corporation, partnership, firm, or trust, owning, possessing, harboring, keeping, or having custody or control of an animal. In the case of an animal owned by a minor, the term "owner" includes the parents or person in loco parentis with custody of the minor. A cat may be deemed "unowned" if the cat is found on the property of a natural person or legal entity disclaiming ownership of the cat and no traceable form of identification is displayed on the cat.

_pen_ means a pad locked, fenced area within a perimeter fenced area that has secure sides that are buried two (2) feet into the ground or sunken in concrete and a secure top.

_pest_ is an animal, insect, or arachnid that is invasive or troublesome to plants or animals, human or human concerns, livestock, or human structures.

_police chief_ means the police chief of the Stone Mountain Police Department or designee(s).

_primary_ means first or highest in rank; principal.

_proper enclosure_ means any structure or device used to restrict an animal to a limited amount of space such as a fenced area, electronic animal confinement system, building, house, pen, or other device or structure out of which an animal cannot climb, dig, jump, or otherwise escape.

_qualified adoption facilitator, rescue group and animal shelter_ means an organization offering animals for adoption so long as the organization is licensed as a shelter by the State of Georgia; or if not incorporated in Georgia, is a non-profit organization under section 501(c)(3) of the Internal Revenue Code; and has the express mission/business function of facilitating the sterilization and adoption of homeless and unwanted animals. A copy of the state license or the Internal Revenue Service letter of non-profit designation shall be provided to a City officer upon request.

_records of an appropriate authority_ means records of any state, county, or municipal law enforcement agency; records of any county or municipal animal control agency; records of any county board of health; or records of any federal or state court.

_secondary_ means of second rank; not primary.

_serious injury_ means any physical injury that creates a substantial risk of death; results in death, broken or dislocated bones, lacerations requiring multiple sutures, or disfiguring avulsions; requires plastic surgery or admission to a hospital; or results in protracted impairment of health, including transmission of an infection or contagious disease, or impairment of the function of any bodily organ.

_severe injury_ means a physical injury that results in broken bones, significant puncture wounds, disfiguring lacerations requiring multiple sutures or cosmetic surgery or significant medical procedures or a physical injury that results in death.
*Spay/neuter certificate* means documentation that certifies that the animal listed therein has been sterilized as of the date of surgery.

*Sterilized animal* means an animal that has been surgically or chemically altered by a licensed veterinarian in order to render the animal incapable of reproduction.

*Stray animal* means any animal at large, whether lost by its owner or otherwise, that may be in or on the common areas of apartments, condominiums, trailer parks or other multi-residential premises, any single-family residential property, or any other property or public area without being controlled by a leash, that does not have an identification tag or microchip, and otherwise has no identifiable owner. A community cat shall not be classified as a stray animal, but a cat which has not become a part of the community cat program is a stray animal.

*Targeted Grazing* is the application of a specific kind of livestock at a determined season, duration, and intensity to accomplish defined vegetation or landscape goals.

*Tethered* means an animal attached to a stationary object by a chain, cable or similar device commonly used for the size and type of animal involved. An animal is not considered tethered when the animal is attached to a stationary object, as long as the owner or custodian is physically within reach of the animal. Any tethering device used to tether an animal must be at least ten (10) feet in length.

*Unsanitary conditions* means an animal living space, shelter, or exercise area contaminated by health hazards, irritants, pollutants, items, or conditions that endanger or pose a risk to an animal’s health.

*Veterinary medical attention* means care or supervision by a properly licensed practitioner of veterinary medicine as defined by Georgia law, sufficient to maintain an animal in a state of good health and prevent pain and suffering by an animal.

*Vicious animal* means one (1) that inflicts serious injury on a person, or one (1) that causes serious injury to a person resulting from reasonable attempts to escape the animal’s attack.

**Sec. 4-2. - General responsibilities of owners.**

(a) It shall be the duty of every owner of an animal to take all necessary steps and precautions to protect other people, property, and other animals from injury or damage resulting from such animal’s behavior, including, but not limited to, chasing, biting, or otherwise jeopardizing the safety or welfare of the public, regardless of whether such behavior is motivated by mischievousness, playfulness, or ferocity.

(b) If the owner of an animal is a minor, the parent or guardian of such minor shall be responsible to ensure full compliance with the requirements of this chapter.

**Sec. 4-3. - Keeping animal under restraint while on owner’s property.**

(a) It shall be the duty of every owner of an animal to ensure that the animal is kept under restraint, and that precautions are taken to prevent the animal from leaving, while unattended, the real property limits of its owner.
(b) It shall be the duty of every owner of an animal to ensure that the animal is securely and humanely enclosed within a proper enclosure as a means of primary restraint. Such enclosure must be securely locked at any time the animal is left unattended. When outside the proper enclosure but on the owner's property, it shall be the duty of every owner of an animal to ensure that the animal is humanely secured by a leash or lead and under the control of a responsible and competent person; or off leash but under the direct control of a responsible and competent person who is physically present with the animal, provided that such animal is obedient to that person's command.

(c) Any dog that is housed outside of its owner's house shall be housed in a proper enclosure that complies with the provisions of this Code. The owner shall also ensure that the proper enclosure contains at least one hundred (100) square feet of open space.

(d) Tethering of any animal is prohibited, except as provided in this section.

(e) As a secondary means of restraint to a proper enclosure, a dog may be attached to a running cable line or trolley system providing that:

1. A running cable line or trolley system is set inside a proper enclosure;
2. Only one (1) dog may be attached to each running cable line or trolley system;
3. No dog may be attached to a running cable line or trolley system for more than twelve (12) hours in a twenty-four-hour period;
4. No dog may be attached to a running cable line or trolley system between the hours of 10:00 p.m. and 6:00 a.m.;
5. Tethers and cables attaching the animal to the running cable line or trolley system must be made of a substance which cannot be chewed by the animal and shall not weigh more than five (5) percent of the body weight of the animal tethered;
6. A running cable line or trolley system must have a swivel installed at each end and be attached to a stationary object that cannot be moved by the animal;
7. The running cable line or trolley system must be at least ten (10) feet in length and mounted at least four (4) feet and no more than seven (7) feet above ground level;
8. The length of the tether from the running cable line or trolley system to the animal's collar should allow access to the maximum available exercise area and allow the animal free access to food, water, and shelter;
9. Be attached to a properly fitted harness or collar not used for the display of a current rabies tag and other identification; and with enough room between the collar and the dog's throat through which two (2) fingers may fit. Choke collars and pinch collars are prohibited for the purpose of tethering an animal to a running cable line or trolley system; and
10. Be tethered at sufficient distance from any other objects to prohibit the tangling of the cable, from extending over an object or an edge that could result in injury of strangulation of the animal and be of sufficient distance from any fence so as to prohibit the animal access to the fence.
(f) If an electronic animal confinement system is used to confine an animal, it shall:

1. Provide a properly fitted and working signal device that will be worn by the animal to be enclosed.
2. Contain permanent and prominently displayed signs at twenty-five (25) feet intervals around the entire perimeter of the electronic animal confinement system. The signs shall be no smaller than six (6) inches square, and shall read: "Caution—Electronic Animal Confinement System" or similar verbiage.

Sec. 4-4. - Duty to restrain while off owner's property.

It shall be the duty of any person to keep an animal under restraint and control at all times while the animal is off the real property limits of the owner. Such areas shall not include city parks that are specifically designated as off leash areas.

Sec. 4-5. - Animals at large.

It shall be unlawful for the owner of an animal to allow it to run at large unattended on or about the streets, rights-of-way, and highways of Stone Mountain; in any city park, except in city parks that are specifically designated as off leash areas; unattended on or about the common property of any apartment complex or condominium community; or on the property of another person without permission of the owner of that property.

Sec. 4-6. - Abandonment.

It shall be unlawful for anyone to knowingly abandon, or to aid in the abandonment of, any domesticated animal on any property located in the City of Stone Mountain.

Sec. 4-7. - Neglect.

It shall be unlawful for any owner to neglect an animal.

Sec. 4-8. - Cruelty to animals.

(a) It shall be unlawful for any person to commit an act of cruelty towards any animal, except that a person may:

1. Defend his person or property, or the person or property of another, from injury or damage being caused by an animal; or
2. Kill any animal causing injury or damage to any livestock, poultry or pet animal.

(b) The method used for killing the animal shall be as humane as possible under the circumstances. A person who humanely kills an animal under the circumstances indicated in subsection (a) of this section shall incur no penalty for such death.

(c) This section shall not be construed to limit in any way the authority or duty of any law enforcement officer, dog or rabies control officer, humane society, or veterinarian.
Sec. 4-9. - Required permanent identification.

It shall be the duty of every animal owner who has been convicted, in a court of competent jurisdiction, of abandonment, cruelty or neglect of an animal, or who owns a classified animal, to have the animal permanently identified by insertion of a microchip by a licensed veterinarian. Said chip must be registered with the manufacturer's chip registry.

Sec. 4-10. - Dangerous and vicious animals.

(a) If a dog control officer learns of the existence of a dangerous animal or vicious animal, that officer shall then cause a summons to be issued within seventy-two (72) hours requiring the owner of the animal to appear before a judge of the Stone Mountain Municipal Court or DeKalb County Magistrate Court, as specified below, at a date and time certain no earlier than fifteen (15) days after service, to conduct a hearing as to the appropriate classification of the animal. The summons so issued shall be served on the owner personally. The officer shall also immediately cause the impoundment the animal believed to be dangerous or vicious.

(b) The court shall determine after a hearing if the animal is to be classified as a dangerous animal or vicious animal. In making its findings in this regard, the court shall enter a written order notifying the animal's owner, the dog control officer, and the police chief of its decision.

(c) The appeal of any order of the court concerning the classification of an animal as vicious or dangerous shall be by petition for writ of certiorari to the superior court of DeKalb County.

(d) If the court classifies the animal as dangerous or vicious, and no appeal is filed, the owner shall be required to obtain from the police chief an annual certificate of registration in compliance with the requirements of this chapter. No vicious or dangerous animal shall be released to its owners until such certificate is issued by the police chief.

(e) If the owner fails to obtain the certificate of registration within thirty (30) days of the issuance of the order classifying the animal as dangerous or vicious, the animal will be euthanized no earlier than thirty-five (35) days after the issuance of the order so classifying the animal. The animal shall not be euthanized if the owner appeals the court's classification order by petition for writ of certiorari to the superior court of DeKalb County within thirty (30) days after the order of classification. During the pendency of the appeal and any further appeals, the animal shall not be euthanized, provided that in the event the classification order is upheld at the conclusion of all appeals, the animal shall be euthanized no earlier than thirty-five (35) days after the final order upholding the classification if the owner does not obtain the required certificate of registration within thirty (30) days after the date of the final order of court upholding the classification order. During the pendency of any such appeal by the owner, the animal shall not be released to its owner until the appeal is concluded and the certificate of registration is issued to the owner, if applicable. In such event, the animal will be housed at a licensed veterinarian's office or a licensed kennel and the cost of such detention shall be borne by the owner of
the animal. In the event the county appeals the court's order, the animal shall not be released to its owner until the appeal is concluded and the certificate of registration is issued to the owner, if applicable.

Sec. 4-11. - Exemptions from classification as a dangerous or vicious animal.

An animal shall not be classified as a dangerous animal or vicious animal:

1. When the animal bites, attacks or menaces anyone who assaults the animal's owner;
2. When the animal bites, attacks or menaces anyone who willfully trespasses, or commits another tort, upon the property of the owner;
3. When the animal bites, attacks or menaces anyone who is currently, or has in the past, tormented or abused the animal;
4. Where the animal is acting in defense of an attack from a person or other animal upon the owner or other person;
5. Where the animal is protecting or defending its young or another animal;
6. Where the animal is being used by a law enforcement or military officer to carry out official duties; or
7. When the animal bites, attacks or menaces anyone who is committing or attempting to commit an offense in violation of Georgia codes listed in O.C.G.A. Title 16, Chapters 5 and 6.

Sec. 4-12. - Certificate of registration.

(a) The owner of a classified dangerous or vicious animal must be eighteen (18) years old or older; annually obtain a certificate of registration for the animal from DeKalb County Animal Services (DCAS); and, pay any applicable fee for that registration. At the time of renewal, DCAS shall verify that the owner is continuing to comply with all applicable provisions of this chapter. The requirements of this section apply to any classified animal living in the City of Stone Mountain.

(b) Certificates of registration are nontransferable and no more than one (1) certificate of registration shall be issued per domicile. The certificate of registration shall be issued to the owner upon receipt of all of the following:

1. Written evidence that the animal is permanently identified by insertion of a microchip by a licensed veterinarian. Said chip must be registered with the chip parent company and the police chief within thirty (30) days of an order classifying the animal as dangerous or vicious or within such later time as specified by a court of competent jurisdiction or within thirty (30) days of the conclusion of any appeal of a court's order that upholds the classification of an animal as dangerous or vicious;

2. A copy of a current policy of insurance in the minimum amount of fifty thousand dollars ($50,000.00) issued by an insurer authorized to transact business in the State of Georgia, insuring the owner of a dangerous animal, and seventy-five thousand dollars
($75,000.00) insuring the owner of a vicious animal, against liability for any personal injuries or property damage inflicted by the dangerous animal or vicious animal; or a copy of a current surety bond in the foregoing respective amounts issued by a surety company authorized to transact business in the State of Georgia, payable for property damage or personal injury caused by the dangerous or vicious animal;

(3) Written or photographic proof that the animal will be confined in a classified animal pen; and

(4) Written evidence that the animal has been sterilized by a licensed veterinarian.

(c) The owner of a classified animal shall notify the police chief within twenty-four (24) hours if the animal dies. If the animal dies, the body must be available for microchip scanning to provide positive identification of the dangerous animal or vicious animal. A vicious animal shall not be transferred, sold or donated to any other person unless it is relinquished to a governmental facility or a veterinarian to be euthanized. If a dangerous animal is sold or given to another person, the current owner listed on the most current certificate of registration must provide the police chief with the name, address, and telephone number of the new owner within thirty (30) days of the sale or transfer of such animal. New owners of dangerous animals are subject to all requirements of this Code upon transfer of such animal and such new owner must register the animal in his or her name within thirty (30) days of the sale or transfer of the animal to such new owner.

(d) The owner of a classified animal must notify the police chief in writing within fifteen (15) days after changing his/her address. Such written notice shall provide the owner's new address and telephone number. The owner shall promptly obtain a new certificate of registration reflecting the new address if such address is located within the county.

(e) The owner of a classified animal shall notify the police chief in writing within seventy-two (72) hours after moving a classified animal into the county. Such written notice shall provide the address and telephone number of the owner and the owner shall obtain a certificate of registration for the animal within seventy-two (72) hours after moving into the county.

(f) No certificate of registration shall be issued to any person who has been convicted of two (2) or more violations of this chapter. No person shall be the owner of more than one (1) vicious animal. No certificate of registration for a vicious animal shall be issued to any person who has been convicted of:

(1) A serious violent felony as defined in O.C.G.A. § 17-10-6.1;

(2) The felony of dog fighting as provided for in O.C.G.A. § 16-12-37 or the felony of aggravated cruelty to animals as provided for in O.C.G.A. § 16-12-4; or

(3) A felony involving trafficking in cocaine, illegal drugs, marijuana, methamphetamine, or ecstasy as provided for in O.C.G.A. §§ 16-13-31 and 16-13-31.1 from the time of conviction until two (2) years after completion of his or her sentence. The restrictions imposed by this subsection also apply to any person residing with such convicted person.
Sec. 4-13. - Confinement of dangerous or vicious animals.

(a) Classified animals shall be confined in a classified animal pen.

(b) The owner of a classified animal must post signs on all means of ingress and egress to the premises where the animal resides. Such signs shall read in letters at least three-quarters (¾) of an inch high: "Dangerous/Vicious Animal on Property." Such signs shall be no smaller than eight and five-tenths (8.5) by eleven (11) inches.

(c) Whenever outside its classified animal pen, but on the owner's property, a classified animal shall be attended by the owner, muzzled by any means sufficient to prevent the biting of persons or animals, and restrained by a secure collar and leash of sufficient strength to prevent escape. Such leash shall not exceed three (3) feet in length.

(d) No classified animal shall be permitted off the property of its owner unless accompanied by the owner, muzzled by any means sufficient to prevent the biting of persons or animals, and restrained by a secure collar and leash of sufficient strength to prevent escape. Such leash shall not exceed three (3) feet in length. In the alternative, the classified animal when off the owner's property may be contained in a closed and locked cage or crate.

(e) The owner of a classified animal shall make the animal and the area of confinement available for periodic, unannounced inspections by a dog control officer to ensure compliance with the confinement requirements of this chapter, provided that the owner consents to such entry and inspection. If consent is not obtained, the dog control officer shall obtain an inspection warrant prior to any inspection in accordance with the requirements of state law.

Sec. 4-14. - Transportation of animals in open air vehicles.

If transporting an animal in an open-air vehicle, the owner is responsible for securing the animal so as to prevent the animal from escaping out of the vehicle, getting tangled, or extending over the edge of the vehicle such that injury or strangulation of the animal could result while the vehicle is in motion. For classified animals the requirements of this section are in addition to the requirements outlined in section 4-13.

Sec. 4-15. - Hazardous animals.

No person shall own, keep, harbor, house, or permit to be kept, harbored or housed, a hazardous animal within the City of Stone Mountain, unless granted prior written approval from the police chief. Written approval may be granted upon presentation of photographic proof that the animal will be kept adequately restrained or confined as is common for the species, and proof that the animal is covered in the liability insurance of the owner. Issuance of written approval incurs no liability on the part of the City or any of its officials and employees.
Sec. 4-16. - Guard dogs.

It shall be the duty of the owner of a guard dog to display in a prominent place on their premises, and at each entrance or exit to the area where such dog is confined, a sign which reads, in letters at least three-quarters (3/4) of an inch high, "Guard Dog," and lists the name and contact number of the owner of the dog in same size type. Such signs shall be no smaller than eight and five-tenths (8.5) by eleven (11) inches.

Sec. 4-17. - Rabies tag; rabies vaccination and animal registration.

(a) The requirements of this section only apply to owners of dogs, cats or ferrets, provided the dog, cat or ferret is three (3) months old or older.

(b) The process for verification of rabies vaccinations and registration of dogs, cats or ferrets set forth in this section shall be set by the governing authority of DeKalb County, Georgia.

(c) It shall be the duty of any owner of any dog, cat, or ferret to obtain a current rabies vaccination from a licensed veterinarian periodically as ordered by the veterinarian.

(d) After vaccination, it shall be the duty of any owner of any dog, cat or ferret to register each inoculated animal with the DeKalb County in a manner and fee schedule set by the governing authority of DeKalb County.

(e) It shall be the duty of any owner of a dog, cat, or ferret to provide a collar or harness for such animal. The collar or harness, together with the rabies inoculation tag, shall be worn by the animal at all times.

Sec. 4-18. – Reclamation of animals from DeKalb County Animal Services

An owner reclaiming an impounded animal shall be do so by process and procedures set forth in the policy of DeKalb County Animal Services (DCAS).

Sec. 4-19. - Enforcement generally.

(a) Upon information learned by, or complaint lodged with, a dog control officer that an animal owner is in violation of this chapter, the dog control officer shall cause a summons to be issued requiring the owner of the animal to appear before a judge of the Stone Mountain Municipal Court, at a date and time certain, to stand trial for the violation. If a violation has not been personally witnessed by the dog control officer or other law enforcement officer, a subpoena shall be issued to the person making the complaint, along with any witness(es), to appear on the date and time set for trial, to testify on behalf of the county.

(b) A dog control officer may respond to anonymous complaints of violations of this chapter. If the owner or custodian of an animal is unknown or not present, and such animal is upon the public streets, alleys, sidewalks, school grounds or other public places or premises, or is upon another person's property without permission or absent proper restraint, or is a classified animal as to which the registration, confinement or insurance requirements have not been met, the police shall immediately impound the animal in a facility designated for
the detention of animals. Thereafter, if the animal is not claimed, the animal may be disposed of in a humane fashion in accordance with the provisions of O.C.G.A. § 4-11-5.1 et seq.

(c) Any stray cat without any traceable form of identification that is impounded or brought to the animal service center and deemed eligible may be transferred immediately to the community cat program. The City, its officials, and those administering the community cat program shall be free of liability arising from this program.

(d) Any community cat or unowned, free-roaming cat that is not healthy in the opinion of qualified animal service center employees or designees shall be impounded. No healthy community cat shall be impounded unless it:

(1) Damages the personal or private property of a person or legal entity that seeks its impoundment; or

(2) Creates unsanitary conditions, offensive or objectionable odors.

If a healthy community cat is impounded pursuant to this subsection (e), upon impoundment, it shall be transferred to a qualified adoption facilitator or disposed of by the county or its designee.

(e) An animal may be euthanized when it is determined that:

(1) At the scene of an accident an animal is injured beyond medical help, and no traceable form of identification is displayed on the animal;

(2) An animal presented to the animal service center without traceable form of identification is injured beyond medical help, or exhibits obvious signs of infectious disease or parasite infestation that would impose a health risk to animals housed in the animal service center; or

(3) A veterinarian has determined from all the circumstances that it would be inhumane not to euthanize a particular animal.

(f) The judge of any superior court of competent jurisdiction within the state may order the euthanasia of an animal if the court finds, after notice and opportunity for hearing, that the animal has seriously injured a human or presents a danger to humans or is not suitable for control under this chapter and:

(1) The owner or custodian of the animal has been convicted of a violation of any state criminal law and the crime was related to such animal; or

(2) Any local governmental authority has filed with the court a civil action requesting the euthanasia of the animal.

(g) A judge of the municipal or the superior court shall order the euthanasia of any animal if the court finds, after notice and the opportunity for hearing, that the animal has caused a serious injury to a human on more than one (1) occasion in the previous three years.
Sec. 4-20. - Right of entry.

A police officer or citizen may use any reasonable force necessary to remove any animal locked in a closed vehicle, domicile, building, or other enclosure if the animal exhibits distress, including but not limited to, excessive panting or drooling, seizures, state of unconsciousness, or hyperactivity. If property is damaged during such removal, neither the citizen, police officer, the police department, nor the City shall be liable for any damage caused.

(a) A police officer, having reasonable belief that an animal is in immediate danger of continued physical harm or death, may enter a property and use any reasonable force necessary to remove any animal locked in a vehicle, domicile, building, or other enclosure. If property is damaged during such removal, neither the police officer, the police department, nor the City shall be liable for any damage caused.

(b) A person who enters a motor vehicle for the purpose of removing a domestic animal shall bear no liability for damage if the person:
   (1) determines the motor vehicle is locked or there is otherwise no reasonable method to remove animal;
   (2) has a good faith and reasonable belief, based on circumstances, that entry is necessary because the domestic animal is in imminent danger of suffering harm;
   (3) notifies law enforcement or 911 before entering motor vehicle (or immediately thereafter);
   (4) uses no more force than necessary to enter the motor vehicle and remove domestic animal; and
   (5) remains with domestic animal in reasonable proximity to motor vehicle until law enforcement or other first responder arrives.

Sec. 4-21. - Notice to owner of impounded animal.

(a) Upon impounding an animal with identification, the impounding officer shall make a prompt and reasonable effort to locate the animal's owner.

(b) When an impounded animal is released to the animal service center, the procedures for release or disposition of the animal shall be done in compliance with policies of the DeKalb County Animal Services (DCAS) or the governing authority of DeKalb County.

Sec. 4-22. - Ownership.

(a) It shall be unlawful for any person to abandon, sell, trade, swap or give away animals within the real property limits of buildings or surrounding grounds belonging to the City of Stone Mountain.
(b) It shall be unlawful for any person to give away or sell any animal on any public roadway in the City of Stone Mountain.

Sec. 4-23. - Sterilization.

(a) It shall be the duty of the owner of a dog or cat declared to be a classified animal by a court of competent jurisdiction to have the animal sterilized. Such sterilization must be performed by a licensed veterinarian within thirty (30) days of a final order of a court of competent jurisdiction finding that the dog or cat is a classified animal.

(b) Unowned, free-roaming cats may be vaccinated, sterilized and ear tipped as part of the community cat program. Cats brought into the community cat program are exempt from registration, licensing, and stray animal provisions of this chapter, shall not be deemed abandoned when returned to the location where captured, and as necessary and appropriate, may be exempt from other provisions of this Code applicable to owned animals.

Sec. 4-24. - Limitation on ownership.

(a) Any person who has been convicted of cruelty, neglect or abandonment of an animal as provided in this Code or state law, and has relinquished ownership of said animal, shall not be allowed to own a pet in their household in the City for five (5) years measured from the date of conviction.

(b) Any person who has been convicted of failure to keep an animal under restraint while on owner's property as provided in this Code, or has been ordered by a court to meet additional confinement requirements and has not complied with the court's order, shall not be allowed to own a pet in their household in the City for five (5) years measured from the date of conviction or court order.

Sec. 4-25. - Violations and enhanced penalties.

(a) Any person who does anything prohibited or fails to do anything required by this chapter, upon citation by an officer authorized to enforce this chapter and conviction of the violation in a court of competent jurisdiction may be subject to fine and/or imprisonment in accordance with Section 1-11 of this Code. Where any offense or violation continues from day to day, each day's continuance thereof shall be deemed a separate offense.

(b) A classified animal shall be immediately impounded by any City police officer, code enforcement officer, or DeKalb County animal enforcement officer if such animal or its owner has violated any of the requirements of this chapter. Any animal, whether classified or not, may be impounded if such officer believes the animal poses a threat to the public.

(c) The owner of a classified animal shall notify the police chief as soon as the owner discovers that the animal is on the loose, unconfined, or has attacked a human or another animal, and failure to so notify the police chief shall be a violation of this chapter by the owner of the animal.
(d) It shall be a violation of this chapter for any person to possess within the City a classified animal without a certificate of registration issued in accordance with the provisions of this chapter.

Sec. 4-26. - OCVI health certificate required.

(a) The owner of any cat or dog, sterilized or unsterilized, that is sold, or exchanged for valuable consideration is required to give the new owner a current, valid OCVI health certificate at the time of exchange or sale. The OCVI health certificate must be available for review by potential new owners at the time any dog or cat is offered for sale or exchange, for valuable consideration. A current OCVI health certificate must be presented to any animal control officer upon request for review.

(b) Qualified adoption facilitators, rescue groups, and animal shelters are exempt from the requirements of this section.

(c) Each animal found to be without an OCVI health certificate shall be considered a separate violation of this section by the owner of the animal. Animals shall not be subject to impoundment for violations of this section.

Sec. 4-27. - Classifications of animals in previous ordinances or jurisdictions.

Any animal classified dangerous or vicious prior to the adoption of this chapter, or classified by any other jurisdiction in the State of Georgia as a dangerous animal, shall be so classified as a vicious animal under this chapter.

Sec. 4-28. - Limitation of liability and classification.

Any irregularity in classification proceedings shall not be a defense to any prosecution under this chapter so long as the owner of the animal received actual notice of the classification and did not pursue correction of the irregularity. Under no circumstances shall the City or any of its elected officials, employees, or officers be held liable for any damages to any person who suffers an injury inflicted by an animal as a result of a failure to enforce the provisions of this chapter.

Sec. 4-29. - Location of kennels, structures or property used as boarding or breeding kennels.

(a) All structures or property used as boarding or breeding kennels shall be located and activities conducted at least one hundred (100) feet from the property line of any property zoned or used for residential purposes.

(b) All noncommercial kennels shall be located on a site of not less than one (1) acre. All structures or property used as a noncommercial kennel shall be located at least one hundred (100) feet from the property line of any property zoned or used for residential purposes.
Sec. 4-30. – Prohibited Animals

(a) The keeping of hogs or pigs in the city is prohibited.

(b) It shall be unlawful to purchase, sell, own, possess, harbor or breed skunks, foxes, prairie dogs, raccoons, coyotes, wolves, hybrid wolves, any hybrid animal that is part wild animal, exotic cats or any other wildlife unless licensed by the respective federal or state department of agriculture to possess such animal.

Sec. 4-31. - Keeping of livestock.

Any person who keeps horses, mules, cattle, or other livestock within the corporate limits of the city shall carry the following restrictions:

(1) Livestock shall be permitted on parcels, or adjoining assemblage of parcels, totaling at least two acres in size. Livestock are not permitted in parcels zoned as, or adjacent to parcels zoned as, “Village Center Mixed-use.”

(2) All livestock shall be maintained at least one hundred (100) feet from the property line of any other property zoned or used for residential purposes.

(3) There shall be a minimum of 5,000 square feet of fenced lot area not covered by the principal building or structure for each livestock animal.

(4) All pastures must be kept in a sanitary condition.

(5) Live slaughter shall be prohibited.

Sec. 4.32. - Keeping of fowl and small domesticated animals—General regulations.

Small domesticated animals, such as rabbits and guinea pigs and fowl, such as chickens, ducks, geese, guineas, turkeys and the like may be kept within the City subject to the following regulations:

(1) All such animals shall be provided with adequate and sanitary housing. Such houses, hutches, pens, stables, sheds, stalls and enclosures wherein domesticated animals, poultry or other fowl are kept shall have a solid floor as may be approved by a code compliance officer. All such houses, hutches, pens, stables, sheds, stalls and enclosures, wherever located, shall have a minimum floor space of four square feet per animal or bird over one month old.

(2) All houses, hutches, pens, stables, sheds, stalls or enclosures where such livestock, poultry or other fowl are kept shall not be nearer to any houses wherein human beings reside, other than the residence of the person who is the owner of such animals, than a distance equal to the width of the lot upon which the animals are kept, or a minimum distance of 75 feet should the lot be 75 feet or more in width.
(3) Every person owning or keeping chickens or any other domestic fowl in the city is hereby required to keep such fowl and chickens under fence and not allow such chickens or fowl to run on any property other than his own.

(4) No such animals shall be kept in parcels zoned as “Village Center Mixed-use,” except as a permitted use.

(5) Keeping of male chickens, or roosters, is prohibited.

(6) Live slaughter shall be prohibited.

Sec. 4-33. - Same—Sanitary requirements.

It shall be unlawful for any person owning or having control of the use of any house, hutch, pen, stable, stall or enclosure or other place where domesticated animals, poultry or fowl are kept to allow the same to become filthy or unsanitary. Every person who owns or keeps such domesticated animals, poultry or fowl shall maintain in connection therewith a bin, pit or container in which the manure from such animals, poultry or fowl shall be placed pending removal. Such bin, pit or container shall be provided with covers or other devices, sufficient to prevent the ingress and egress of flies and other insect pests. All persons controlling such places where domesticated animals, poultry or fowl are kept shall remove all manure from such bins, pits or containers before the same shall become malodorous or unsanitary. However, any such person may use such manure upon his premises for the purpose of enriching his own ground.

Sec. 4-34. - Same—Drainage of pens and other areas.

All places wherein livestock, poultry or fowl are kept shall have adequate drainage sufficient to prevent standing water in yards or pens. Drainage from pens shall not enter storm water drains, streams, or lakes.

Sec. 4-35. - Same—Use of lime or other chemicals required.

All yards or pens wherein livestock, poultry or fowl are kept shall be regularly covered with lime or other suitable chemical agents, as may be approved by the county health officer, to prevent bad odors or nuisances to neighbors.

Sec. 4-36. - Diseased animals.

It shall be unlawful for any person to have or keep within the City any animal, poultry or fowl infected with a disease, infestation, or condition which may contaminate people, other animals, poultry, or fowl.
Sec. 4-37. – Hoarding of Animals.

It shall be unlawful for any person to collect animals and fail to provide them with humane/adequate care; fail to dispose dead animals properly; or collect, house, or harbor animals in filthy, unsanitary conditions that constitute a health hazard to the animals being kept, and/or to the animals, residents, or residents of adjacent property.

Sec. 4-38. - Breeders.

It is unlawful for any person who does not hold a license from the Georgia Department of Agriculture to breed an animal if they are required by the Georgia Department of Agriculture to be licensed.

Sec. 4-39. - Beekeeping.

The purpose of this section is to establish sound beekeeping practices, so as to avoid issues that may otherwise be associated with the keeping of bees in an urban setting.

(a) Notwithstanding compliance with any other section of this chapter, it shall be unlawful for any beekeepers to keep any colony or colonies in such a manner or of such disposition as to cause any unhealthy condition, interfere with the normal use and enjoyment of human or animal life of others, or interfere with the normal use and enjoyment of any public property or property of others.

(b) Beekeeping is permitted provided the following requirements are met:

(1) Licensing requirement for commercial beekeepers. The Georgia Bee Law, O.C.G.A. § 2-14-40, requires that all beekeepers selling bees, queens, nuclei, etc. be licensed by the Georgia Commissioner of Agriculture. All other beekeepers (e.g. hobbyists, pollinators, honey producers) are not required to be licensed, but are subject to inspection by the Department of Agriculture.

(2) Fencing of flyways. Where a colony is located within 25 feet of a property line, as measured from the nearest point on the hive to the property line, the beekeeper shall establish and maintain a suitable flyway barrier in the vicinity of the apiary. Colonies should have the hive opening facing inward or toward the center of the property on which they are located.

(3) Water. Each beekeeper shall ensure that a convenient source of water is available to the bees at all times.

(4) Non-commercial colony densities. It shall be unlawful to keep more than the following number of non-commercial colonies on any parcel within the city:
(A) Less than one-half acre: two colonies;

(B) More than one-half acres but less than one acre tract size: four colonies;

(C) One acre or larger tract size: six colonies.

(5) Bees shall not be kept in parcels zoned as “Village Center Mixed-use,” except as a permitted use.

Sec. 4-40 - Targeted Grazing

The temporary keeping of goats and sheep on property otherwise not zoned for livestock, for the sole purpose of targeted grazing of vegetation, is permitted in the City of Stone Mountain under the following conditions:

(a) Target grazing may only be performed by an experienced goat and/or sheep herding vendor on any parcel, except those zoned as “Village Center Mixed-use.”

(b) Property owner or herding vendor shall secure a permit from the City Clerk prior to commencement of grazing. Before a permit shall be granted, the City Clerk shall ensure the property owner or herding vendor has at least $250,000.00 of general liability insurance to cover the targeting grazing activity. The permit request shall specify the location of grazing, the number of grazing animals, the number of guard animals, the duration of the grazing activity, 24-hour contact information for the applicant, and a copy of the certificate of insurance. The fee for a permit shall not exceed ten dollars ($10.00).

(c) Grazing animals are allowed to graze a parcel or portion thereof for no more than 28 continuous days. The City may halt grazing activity before 28 days if, in the opinion of a public officer, the grazing is negatively affecting erosion, other environmental factors, or public safety.

(d) Grazing treatments for any parcel or portion thereof shall not occur within 45 days of a previous treatment. No more than three (3) grazing treatments are allowed on a parcel or portion thereof in a calendar year.

(e) Property owners or herding vendors shall install temporary pens or electric fencing to encompass the area to be grazed in order to contain the animals. Warning signs should be placed at least every fifteen (15) feet to warn of the animals and/or shock hazard. No tethering of animals is permitted.

(f) Property owner or herding vendor shall ensure that objects or vegetation deemed harmful to the animals is removed prior to grazing treatment.
(g) Property owner or herding vendor shall provide sufficient fresh water and any
supplemental nutrition the animals may require.

(h) The treatment area must be checked at least daily and kept cleaned or treated to ensure
the odor of animal waste does not create a nuisance to other nearby residents or businesses.

Sec. 4-41. – Fishing and the keeping of fish.

Fishing and the keeping of fish in ponds or lakes shall be regulated by the Georgia
Department of Natural Resources.

Sec. 4-42 – 4-49 – Reserved

Sec. 4-50. – Animal Nuisances

(a) The owner or person that is the custodian of animals or fowl shall be responsible
for correcting and abating any nuisance that may arise from the keeping of said
animals.

(b) It shall be unlawful for any person who possesses, harbors, or is in charge of any
animal not to immediately remove excrement deposited by any animal upon the common
thoroughfares, streets, sidewalks, trees, lawns, playground areas, parks, squares, and upon
other public premises and the failure to remove said excrement shall be deemed a public
nuisance and is prohibited.

Sec. 4-51. – Animal Noise Disturbance

No person shall allow any animal or fowl which howls, barks or emits audible sounds
that are unreasonably loud or disturbing and which are of such character, intensity and
duration as to disturb the peace and quiet of the neighborhood. For the purpose of this
article, for example, "barking dog" shall mean a dog that barks, bays, cries, howls
intermittently for sufficient time and noise level to be observed by law enforcement or
recorded by a citizen, day or night, regardless of whether the dog is physically situated on
or upon private property; provided, however, that dog shall not be deemed a "barking
dog" for purposes of this regulation, if, at the time the dog is barking or making any other
noise, a person is trespassing or threatening to trespass upon private property.

Sec. 4-52. - Liability of City and County.

Pursuant to state law, under no circumstances shall the City or any employee or official
of the City, or any person tasked with enforcement of animal ordinances in DeKalb

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County, be held liable for any damages to any person who suffers an injury inflicted by a animal as a result of a failure to enforce the provisions of this article.

PART II

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III

This ordinance shall become effective on the _____ day of _____________, 2018

This ordinance was proposed by Council Member ________________ with a motion to adopt. Thereafter, the motion was seconded by Council Member _________________. ___ Council Members voted in favor of the motion and ___ Council Members voted against the motion.

Mayor Patricia Wheeler

Alicia Daniels, Assistant City Clerk

Approved as to form: ________________
City Attorney Joe Fowler

First read: ________________ Second read: ________________
The applicant is proposing the development of single-family attached dwellings (townhomes) on the property located at 6803 James B. Rivers Memorial Drive, Stone Mountain, Ga and positioned within the Traditional Residential (R-2) zoning district.

1. The applicant is proposing an amendment to the City’s zoning map to convert the property to MR-1 Multifamily Residential (with an allowance for multiple single-family attached dwellings under Section 5-6 Multi-family residential (MR-1) district, 5-6.2(26) Permitted uses by right:
   “Other uses as approved by the city, provided:
   i. Approval must be given prior to development.”

Multi-family residential district regulations, in their entirety, can be found at https://library.municode.com/ga/stone_mountain/codes/code_of_ordinances?nodeId=PT1COOR_APXAZO_ARTVDIRE_SS-6UMURED

5-6.5 District development regulations.
A. The following contain the development regulations for the MR-1 district. Any variance to the following must be approved by the mayor and council upon recommendation from the planning and zoning committee
   1. Minimum lot size:
      a. 7,000 feet (multi-family residential);
      b. No minimum (attached two/multi-family dwellings as a part of a mixed-use building);
      c. No minimum (commercial).

The subject property, as projected on the submitted site plan/survey, is surveyed at 1.33 acres, which equates to 87,120 square feet.

2. Minimum lot width: 40 feet.
   The subject property, as projected on the submitted site plan/survey, is surveyed at a lot width of 150 ft.
3. Minimum road frontage (measured at property line): 35 feet. The subject property, as projected on the submitted site plan/survey, is surveyed at a road frontage of 150.08 ft.

4. Minimum yard abutting a public street (from property line): No minimum.

   a. No minimum (commercial);
   b. If mixed-use building is detached from neighboring parcel buildings, there must be a 12-foot alleyway from the street to behind the building.
      i. Alleyway must be maintained in order to promote the health, safety and welfare of visitors, employees and residences.

According to the proposed site plan/survey, the proposed development on the subject property renders side yards in excess of the ten feet minimum.

6. Minimum rear yard: 30 feet. According to the proposed site plan/survey, the proposed development on the subject property renders a rear yard in excess of the thirty feet minimum.

7. Maximum height: 50 feet.

8. Minimum floor area:
   a. 400 square feet (residential).
   b. 1,500 square feet (commercial).

9. Maximum floor area:
   a. 2,000 square feet (residential).
   b. 4,500 square feet (commercial).

10. Minimum buffer area between adjacent, dissimilar districts: Ten feet. Proposed development meets the requirement.

11. Minimum separation between buildings on same lot: none.

12. Maximum building height: 50 feet or three stories. Bonus: 65 feet or four stories, provided:
    a. The multi-family building contains at least ten percent affordable/workforce housing units.
    b. The principal dwelling is a part of a conservation/open space development;
    c. The principal dwelling promotes sustainable building practices as outlined by LEED or EARTH CRAFT building standards.

13. Maximum lot coverage: 60 percent, including a maximum of 20 percent for off-street parking. 31.9% of which less than 20% is for off-street parking as presented in applicant provided letter from landscape architect.
5-6.6 Additional District Development Regulations.

A. The following contain the development regulations for the MR-1 district. Any variance to the following must be approved by the mayor and council upon recommendation from the planning and zoning committee.

1. Maximum density.
   a. 20 dwelling units per acre.
   
   Proposed development is 11 units (3 buildings).

2. Minimum density.
   a. Eight dwelling units per acre.
   
   Proposed development is 11 units (3 buildings).

3. Setback requirements for mixed-use development.
   a. Setbacks may vary from 15 to 25 feet to accommodate for outdoor retail and dining.

4. Lighting.
   a. Lighting other than landscape lighting, if provided, shall be dark sky compliant and reflect away from residential areas and public streets.
   b. Lighting must be pedestrian-friendly and included in alleyways.

5. Trash disposal.
   a. Each property shall provide adequate and accessible trash disposal areas. Said disposal area shall be screened from public view.
   b. Tenants and lessees of the same building or structure may share disposal facilities, provided that the design and plan is brought before the planning and zoning committee.

6. Connectivity and site design requirements.
   a. The MR-1 district should incorporate multi-modal transportation (applicable modes consisting of pedestrian, bicycle, and vehicular) elements in the development, depending on the foreseeable needs of future residents and users of the site, and the relationship of the project site to the community at large.
   b. A grid system of streets, where feasible given the topography, is preferred over cul-de-sac designs. Block length should be conducive to pedestrian traffic.
   c. Traffic calming methods should be incorporated to promote pedestrian accessibility and safety.
   d. Interconnections to adjoining property, whether developed or undeveloped, should be included and incorporated into the design where appropriate. Proposed parcels should be arranged and designed so as to allow for the opening of future streets and provide access to those areas not presently served by streets.

5-6.7 Minimum Parking Requirements.

A. The following serves as a minimum requirement, specifically intended for this district. Please refer to article VII off-street parking and loading requirements for additional standards.

1. Minimum off-street parking spaces required.
   a. Off-street parking and loading shall be provided as stated in article VII.

2. Decorative fences or walls, plantings, berms, or other similar features should be used to screen surface parking lots from public view or soften their visual impact.
3. The location and design of parking structures should minimize their visibility from the street, adjacent properties, or other public areas and are not appropriate abutting residential properties outside the MR-1 district.

4. Surface parking lots should be oriented behind or to the side of a building when possible. Surface parking lots should not be located on street corners.

5. Underground or within the building parking is encouraged to maximize green space.

6. Shared parking should be utilized to reduce surface parking as outlined in article VII, off-street parking and loading requirements.

7. Parallel parking is permitted along all streets within the development provided the street construction specifications meet the required city code regarding parallel parking.
   a. The parking or storage of any commercial vehicle is prohibited except when any of the following provisions apply:
      i. A commercial vehicle temporarily parked or standing in a residential zoning district for less than eight hours.
      ii. An automobile, pickup truck, van or sport utility vehicle used to provide daily transportation to and from work.

8. A maximum of one piece of major recreational equipment may be parked or stored on a single-family residential lot provided that it is parked in compliance with section 5-104 of the Code of Ordinances. Additional major recreational equipment may only be parked or stored in enclosed buildings or in a carport provided that said recreational equipment fits entirely within the carport. However, such equipment may be parked on residential premises for a period of not more than 24 hours during loading or unloading. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot or in any location not approved for such use.
CITY OF STONE MOUNTAIN
APPLICATION FOR A ZONING AMENDMENT

APPLICANT'S NAME: GREEN COMMUNITY DEVELOPMENT LLC
APPLICANT'S ADDRESS: 3450 PEACH TREE BLVD NW 410
CITY: ATLANTA STATE: GA ZIP: 30341-3235

HOME #: OFFICE #: OLL #: EMAIL ADDRESS: SMH@GREENCOMMUNITYDEV.COM
ADDRESS OF PARCEL TO BE RE-ZONED: 6803 GA MEMORIAL DR
CITY: STONE MOUNTAIN STATE: GA ZIP: 30083

CURRENT ZONING CLASSIFICATION: R-2 PROPOSED ZONING CLASSIFICATION: MR-1

LAND USE CLASSIFICATION AS SHOWN ON THE FUTURE DEVELOPMENT MAP:

TOWNHOUSE COMPLIANT

SIGNATURE OF APPLICANT

THE INFORMATION BELOW MUST BE COMPLETED IF THE OWNER(S) OF THE PROPERTY IS DIFFERENT FROM THE APPLICANT. THE PROPERTY OWNER'S SIGNATURE BELOW AUTHORIZES THE APPLICANT TO APPLY FOR A ZONING AMENDMENT AS INDICATED ABOVE. IF THE PROPERTY HAS MORE THAN ONE OWNER, THE NOTARIZED SIGNATURE OF ALL PROPERTY OWNERS SHALL BE REQUIRED (USE PAGE 3 FOR ADDITIONAL SIGNATURES)

PROPERTY OWNER'S NAME: ____________________________________________

ADDRESS: _______________________________________________________

CITY: ___________________ STATE: ___________________ ZIP: ________

HOME #: _______________ BUSINESS #: ________________________

EMAIL ADDRESS: _______________________________________________

SIGNATURE OF PROPERTY OWNER ___________________________________

DATE: _______________________

SIGNATURE OF NOTARY ___________________________________________

DATE: ______________________

COMMISSION EXPIRES: ____________________________________________

(SEAL)
DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

In accordance with the Conflict of Interest in Zoning Actions O.C.G.A., Chapter 36-67A-3, the following questions must be answered:

Have you, the applicant, made $250.00 or more in campaign contributions to a local government official, who will consider the application, within two years immediately preceding the filing of this application?

Yes ________ No ________

If the answer is yes, you must file a disclosure report with the City of Stone Mountain showing:

1. The name and official position of the local government official to whom the campaign contribution was made.

2. The dollar amount and description of each campaign contribution made to the local government official during the two years immediately preceding the filing of this application and the date of each contribution.

The disclosure(s) must be filed within ten (10) days after the application is first filed.

SIGNATURE OF APPLICANT 15 March 18
DATE

CHECK ONE: OWNER: ☑ AGENT: ☑

SIGNATURE OF NOTARY 8 -16 -2018
DATE

COMMISSION EXPIRES 5 -3 -2022 
(SEAL)
GREEN COMMUNITY DEVELOPMENT, LLC

The following is a list of standards that should be used in all zoning proposal reviews:

1. The existing uses and zoning of nearby properties: Commercial, apartments, park land, high density residential.

2. The extent to which property values are diminished by their particular zoning restrictions: vacant land.

3. The extent to which the possible reduction of property values of the subject property promotes the health, safety, morals or general welfare of the public: the approval of requested townhouses increases the health, safety, morals or general welfare of the public.

4. The relative harm to the public as compared to the hardship imposed upon the individual property owner: The citizens of city of Stone Mountain only benefit in every way from proposed development.

5. The suitability of the subject property for the zoning proposed: Previously approved zoning.

6. 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: 10+ years.

7. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property: Enhances while complimenting.

8. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property: Nothing detrimental and only beneficial in every way.

9. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned: Vacant property needs to have previously approved plan reinstated.

10. 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: No noticeable traffic increase.

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

12. Whether there are other existing or changing conditions affecting the use and development of the property that gives supporting grounds for either approval or disapproval of the zoning proposal: Approval is mandated by the need for affordable quality housing walking distance to the park and easy commute to city.

13. The impact upon the appearance of the city: Enhances and beautifies.

14. The impact upon the provision of water, sewage, transportation and other urban services: Unnoticeable.

15. The impact upon population density and the potential for overcrowding and urban sprawl: Helps alleviate.

16. The impact upon thoroughfare congestion and traffic safety: Unnoticeable.
17. The protection of property against blight and depreciation: Reverses and sets new higher standard for quality.

Given the nature of the Subject property having only two less desirable older homes on over two and half acres of land, and that immediately surrounding properties have been granted zonings for "cluster type" housing which are in high demand, the Applicant on behalf of the property owners, respectfully submits that the current zoning of R-75 economically penalizes the property owners and prohibits them from realizing reasonable economic return which is "balanced" by public welfare concerns. On behalf of the Applicant, the land prices will not support low-density development so as to allow a reasonable economic return from development.

Accordingly, the Applicant, on behalf of the owners of the tract of land at issue in this rezoning application (the "Property"), respectfully submits that the Zoning Ordinance of Stone Mountain, Georgia, as amended from time to time and known as the "Stone Mountain Zoning Ordinance", to the extent that it classifies the Property in any zoning district which would preclude the development of this project (or to the extent conditions inconsistent with the requested zoning might be imposed), is unconstitutional as a taking of property, a denial of equal protection, an arbitrary and capricious act, and an unlawful delegation of authority under the specific constitutional provisions later set forth herein. Any existing inconsistent zoning of the Property pursuant to the Stone Mountain Zoning Ordinance deprives the current owner of any alternative reasonable use and development of the Property. Additionally, all other zoning classifications, including ones intervening between the existing classification and those requested herein, would deprive the current owner of any reasonable use and development of the Property. Further, an attempt by the City Council to impose greater restrictions upon the manner in which the property will be developed than presently exist would be equally unlawful.

Accordingly, Applicant submits that the current R-2 Townhouses zoning classification and any other zoning of the Property save for what has been requested by it as established in the Stone Mountain Zoning Ordinance constitute an arbitrary and unreasonable use of the zoning and police powers because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Property owners.

All inconsistent zoning classifications between the existing zoning and the zoning requested hereunder would constitute an arbitrary and unreasonable use of the zoning and police powers because they bear or would bear no substantial relationship to the public health, safety, morality or general welfare of the public and would substantially harm the Property owner. Further, the existing inconsistent zoning classifications constitute, and all zoning and plan classifications intervening between the existing inconsistent zoning classification and that required to develop this project would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section HI, Paragraph I of the Constitution of the State of Georgia and the Due Process Clause of the Fourteenth Amendment of the United States Constitution and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

Further, the Applicant respectfully submits that the City Council's failure to approve the requested zoning change would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the Property owner and owners of similarly situated property in violation of Article I, Section HI, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.
Finally, the Applicant respectfully submits that the City Council cannot lawfully impose more restrictive standards upon the development of the property than presently exist as to do so not only would constitute a taking of the property as set forth above, but also would amount to an unlawful delegation of their authority, in response to neighborhood opposition, in violation of Article M Section IV, Paragraph II of the Georgia Constitution.

This Application meets favorably the prescribed test set out by the Georgia Supreme Court to be used in establishing the constitutional balance between private property rights and zoning and planning as an expression of the government's police power, Guhl vs. Holcomb Bridge Road, 238 Ga. 322 (1977).

But the issue even more important than the economics is serving the needs of this community, and the demand for a different type of housing product, which this Application's purpose is to provide, is also the only financially viable option for both property owners and Applicant.

Respectfully Submitted this 24th day of September, 2018

Christopher M. Hunt, Sr.
Green Community Development, LLC
5456 Peachtree Blvd Ste 410
Atlanta, GA 30341-2235
770-457-3300
cmh@GreenCommunityDev.com
Property Tax Information Results

Online Payments are for 2018 Only

For additional assistance, contact (404) 298-4000.

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**CHARGE MAILING ADDRESS?**

Exemption Type: NO EXEMPTION

Other Exemption Information

Deed Information

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DeKalb County Taxes

Property Tax Mailing Address

DeKalb County Tax Commissioner
Collections Division
PO Box 100004
Decatur, GA 30031-7004

Prior Years Tax

**Please note that payment posting information may be delayed due to batch processing***

DeKalb County Tax

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Delinquent Taxes/

Tax Sale Information

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FIPS-506 Book/Page
Levy Date
Sale Date
Delinquent Amount Due

http://taxcommissioner.dekalbcountyga.gov/TaxCommissioner/TCDisplay.asp
LEGAL DESCRIPTION
For combined tracts Memorial Drive

All the tract or parcel of land lying and being in land lot 126 of the 18th District of DeKalb County, Georgia, more particularly described as follows:

To find the TRUE POINT OF BEGINNING, begin at the intersection of the center line of Memorial Drive and the center line of Park Boulevard, thence proceeding in an easterly direction along the center line of Memorial Drive a distance of 67.92 feet to a point; thence from an angle of 90 degrees proceed a distance of 25 feet to the northerly right of way line of Memorial Drive (50 foot right of way); thence proceed along said right of way line south 80 degrees 17 minutes 04 seconds east 75 feet to a point, which is the TRUE POINT OF BEGINNING; thence continuing south 80 degrees 17 minutes 04 seconds east a distance of 150 feet to an iron pin found, thence south 00 degrees 55 minutes 46 seconds west 372.75 feet to an iron pin found; thence south 87 degrees 21 minutes 39 seconds west 150.00 feet to a point; thence north 01 degrees 08 minutes 15 seconds east a distance of 405.00 feet to an iron pin on the southerly right of way of Memorial Drive, which is the TRUE POINT OF BEGINNING.
November 8, 2018

Re: Memorial Drive Townhomes [Land Lot 126 - 30th District, City of Stone Mountain, Dekalb County, Georgia]
Preliminary Plat Plan [Sheet C3]
Dated: 08-19-05 [Revision 1: 11-10-05]
Completed: Estes, Shields Engineering [6 Executive Park Drive, Suite 300, Atlanta, Georgia 30329]

City of Stone Mountain Zoning Authorities,

The attached plat [as referenced above] of proposed Memorial Drive Townhomes project shows the lot coverage ratio of Impermeable [Developed Hardscapes, such as - Buildings, Paved Roads, Drives, Parking Areas and walkways] and Permeable Ground [Landskaped or Bare ground Area] for the proposed development to be 34.19% Impermeable and 68.81% Permeable. Included in the 31.9% of Impermeable Ground, less than 20% [4.4%] is for off-street parking.

Sincerely,

Craig W. Sollenberger
Landscape Architect - License Number LA000536
BCW Landscape
MEMORANDUM
City of Stone Mountain
875 Main Street
Stone Mountain, GA 30083

DATE: January 11, 2019
TO: Mayor and City Council
FROM: ChaQuias Thornton
RE: Memorandum of Agreement – ARC and City of Stone Mountain

The Atlanta Regional Commission is working to complete draft of a Memorandum of Understanding between the City and the Atlanta Regional Commission for completion of a parking analysis/study for the City. The Administration expects to receive the agreement early this coming week and would like for the Council to consider this item as a place holder until the agreement has been received for presentation to the Council.

Thank you,

ChaQuias
Community Development Assistance Program (CDAP) project scope:  
The City of Stone Mountain  
Parking Inventory and Policy Plan

The following is a proposed outline of steps to develop a Parking Inventory and Policy Plan for the City of Stone Mountain as part of the ARC’s Community Development Assistance Program. Through this program, ARC will provide staff assistance to complete this project.

Approximate timeline
The following scope of work is designed to be completed in approximately (6) months; however, the timeline can change as the project progresses. The remainder of this document describes the schedule and timeline in more detail.

Project Management Team
ARC recommends that a project management team or similar oversight group be created to assist in guiding the development of the project. This group will include the City Manager and staff. Throughout this scope of work, this group is referred to as the “project management team” or “PMT”. The exact makeup of this group will be determined early in the planning process.

Deliverables
The final deliverable of this project will be a summary report and findings that will be presented to the City Manager or PMT for review. Interim deliverables are highlighted in each step, as needed.

Proposed tasks
Pre-kickoff work
Before the project formally kicks off, there are several steps that ARC will go through with the City of Stone Mountain. These include:

- ARC will provide the project scope of services to Stone Mountain staff and make modifications based on follow-up discussions.
- A project management team or similar oversight group will be formed. The membership of the PMT will be finalized through discussions between ARC and Stone Mountain staff before the project formally begins.
- ARC will provide a Memorandum of Agreement (MOA), to be modified as necessary, for the City’s review and to be signed by the City Manager or individual authorized to sign on behalf of the City of Stone Mountain.
- The activities above will necessitate at least one (possibly more) in-person meeting between ARC and Stone Mountain staff, as well as continual communication during the period immediately before project initiation.

These activities will occur prior to the “formal” kickoff meeting in Month 1.
Step 1 – Project initiation
The planning process will begin with meetings between ARC staff and appropriate Stone Mountain staff, commissions, committees, and other groups as needed. Likely meetings include:

- Meeting with Stone Mountain staff. This may include staff other than those that have been involved in the pre-kickoff work (e.g. directors from other departments, the full community development department, etc.). The primary purpose of this meeting is to discuss near-term timelines, public outreach strategies (if applicable), and gather data and information regarding existing plans, studies, reports, GIS and other data.
- Initial project management team meeting. The purpose of this meeting is to introduce the PMT members to the project, as well as to discuss expectations for the project.

Step 2 – Parking inventory and existing conditions
An important interim product of the project is conducting a parking inventory and understanding the City’s existing parking conditions.

- ARC staff will review Stone Mountain’s existing parking regulations; identify potential regulatory inconsistencies or opportunities to better align regulations with the City’s parking needs and projected growth
- Interview key stakeholders including business owners and residents; and
- ARC staff will conduct a field survey of the study area which includes downtown and some of the surrounding neighborhoods between downtown and Stone Mountain Park. Where feasible, data will be collected on parking utilization during peak and off-peak hours. The results of the inventory will be recorded in GIS layers for off-street and on-street parking.

Step 3 – Research on parking best practices and case studies
Research will be conducted on parking best practices, case studies and policies for small downtowns/cities. Stone Mountain’s adjacency to Stone Mountain Park will be factored into this research. This report will describe, at minimum, existing models for development and management of municipal and shared parking; general best practices for management of parking on residential streets; general best practices for managing major events; and the feasibility of fee-based parking within downtown.

Step 4 – Preparation of final report
The final step is to put together a summary report of the process and its outcomes. The draft will be sent to Stone Mountain staff and project management team members for review.

The final report will likely include, at minimum, the following chapters:

- Introduction
- Inventory and Current Conditions. This will summarize:
  - Stone Mountain’s current parking code and regulations
  - Impacts of proximity to Stone Mountain Park
  - Stone Mountain’s current parking inventory within downtown and adjacent neighborhoods near Stone Mountain Park
  - Summary of any stakeholder interviews
  - Projected needs and opportunities
- Recommendations
- Potential next steps
The above structure is only a suggested format and can/will be modified depending on project needs and client preferences.

*Deliverable:* The report will include text recommendations for action, with support from graphics and maps. It will also include language concerning implementation, including descriptions of actions that could be taken to advance its recommendations.

**Step 6 – Adoption**
The revised document described above will then be reviewed by Stone Mountain Staff and the project management team and forwarded to the Stone Mountain City Manager for final approval. A final presentation can be made before the Stone Mountain City Council and other groups upon request.
Memorandum of Agreement

Community Development Assistance Program
Between
the Atlanta Regional Commission and The City of Stone Mountain, Georgia

WHEREAS, the Atlanta Regional Commission (ARC) is the Metropolitan Area Planning and Development Commission for the ten (10) county Atlanta Region as defined by O.C.G.A 50-8-82; and

WHEREAS, in accordance with O.C.G.A. 50-8-93 (c), ARC has the power and authority to undertake such other planning functions within its area as may be assigned or delegated to the commission by other agencies or boards, public or private, and for which the commission accepts responsibility; and

WHEREAS, in February 2018, ARC announced a call for projects to offer planning assistance to local governments, community improvement districts, and non-profit organizations; and

WHEREAS, The City of Stone Mountain submitted an application for assisting with Stone Mountain Downtown Parking Analysis/Study; and

WHEREAS, the aforementioned Project was chosen for planning assistance in May of 2018 by ARC; and

WHEREAS, ARC and City of Stone Mountain mutually developed and agreed upon a scope of work and staff hours estimated to complete the project; and

WHEREAS, this funding will be provided by ARC staff time and a local match to be provided by City of Stone Mountain; and

WHEREAS, a local match is required in order to receive planning assistance; and

WHEREAS, ARC and City of Stone Mountain agreed upon a local match of $3,200; and

WHEREAS, City of Stone Mountain agrees to pay $3,200 as part of the required local match for community development planning assistance; and

NOW, THEREFORE, for and in consideration of the premises, the parties hereby agree as follows:
SECTION 1: PURPOSE

This Memorandum of Agreement (MOA) is intended to provide a framework for continuing, cooperative and comprehensive planning and development of the Stone Mountain Downtown Parking Analysis/Study. The development of the Stone Mountain Downtown Parking Analysis/Study will be managed and developed by ARC at the request of the City of Stone Mountain.

SECTION 2: ORGANIZATIONAL ROLES AND RESPONSIBILITIES

A. ARC

ARC shall be responsible for the following:

1. Provide overall coordination and management of the project.
2. Develop scope of work for staff jointly with the City of Stone Mountain.
3. Work with the City of Stone Mountain to identify individuals to serve on the Project Steering Committee, if needed.
4. Assign ARC Community Development staff to manage the project.
5. Develop project materials and deliverables as defined in the agreed upon project scope.
6. Lead public engagement activities.
7. Provide an invoice to the City of Stone Mountain for the local match amount upon execution of this MOA.
8. Changes to project scope and timelines must be jointly agreed upon by ARC and the City of Stone Mountain. In the event that the project scope changes such that the staff commitment increases to an extent that additional local match is needed to cover the additional staff time associated with the project, ARC will provide the City of Stone Mountain with updated required local match for review and consideration.
9. In the event that the parties cannot agree on project scope changes, timelines, and/or a revised project budget, ARC shall determine whether to terminate the agreement or not.

B. The City of Stone Mountain shall be responsible for the following:

1. Assist ARC with the development of the project Scope of Work.
2. Serve as a member of the Project Steering Committee, if needed.
3. Provide guidance and feedback to ARC regarding project deliverables, public engagement activities.
4. Provide data, adopted plans, reports, and other requested information and materials needed to complete the project.
5. Provide a point of contact to ARC.
6. Work with ARC to identify members of the City of Stone Mountain and community to serve on the Project Steering Committee.
7. The City of Stone Mountain’s leadership will participate in the project and allocate sufficient time at meetings to ensure a successful project, if applicable.
8. Following execution of the funding agreement between the City of Stone Mountain and ARC, ARC shall invoice the City of Stone Mountain for the local matching funds to be paid in full within 90 days.
9. In the event that an increase to the local match amount is needed, the City of Stone Mountain shall determine whether to terminate this agreement or contribute additional funding.

SECTION 4: TIME OF PERFORMANCE, AMENDMENTS AND MODIFICATIONS

This agreement shall become effective upon execution by all parties and remain in effect until the completion of the project or termination by one of the parties as provided below.

Any party may terminate this Agreement upon sixty (60) days' written notice to the other parties, provided that the party requesting termination has provided notice and sufficient opportunity for remedy.

This Agreement may only be modified by an instrument in writing executed by the City of Stone Mountain and ARC. Notwithstanding the foregoing, the City of Stone Mountain, and ARC acknowledge that this Agreement may be revised or refined from time to time during its term. The parties agree to cooperate with each other by executing such documents as may be necessary to evidence such mutually agreeable modifications and refinements. Official representatives for discussions about this agreement will be ARC Community Development Manager and the City of Stone Mountain City Manager.

The undersigned parties, by and through their respective duly authorized representatives, executed this Memorandum of Agreement on and as of the date last written above.

Atlanta Regional Commission (ARC)

Michael Alexander, Director

Date

the City of Stone Mountain

ChaQuias Miller-Thornton, City Manager

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

DATE: January 11, 2019
TO: Mayor and City Council
FROM: ChaQuias Thornton
RE: Contract Agreement – Main Street Stone Mountain and City of Stone Mountain

Attached, please find draft of the contract agreement between Main Street Stone Mountain (MSSM) and City of Stone Mountain (City) for services to be performed by MSSM for the City’s Farmers Market.

Services agreed to be performed by MSSM are:

To make payments to vendors for purchases at the City’s Farmers Market through the GEORGIA FRESH FOR LESS PROGRAM (GF4L) that is administered by WHOLESOME WAVE OF GEORGIA, LLC (WWG).

The agreement outlines compensation for the service, the contract term, method for termination of contract, and other provisions.

Please review this document for consideration during the upcoming work session.

Thank you,

ChaQuias
STATE OF GEORGIA
DEKALB COUNTY

CONTRACT AGREEMENT
BETWEEN THE CITY OF STONE MOUNTAIN, GEORGIA AND MAIN STREET STONE MOUNTAIN, INC. FOR ADMINISTRATIVE SERVICES

PARTIES

This Agreement is made this ______ day of __________, ______, between the CITY OF STONE MOUNTAIN (CITY), a municipality incorporated and chartered under the Constitution and Laws of the State of Georgia, with a principal place of business at 875 Main Street, Stone Mountain, Georgia, 30083, and MAIN STREET STONE MOUNTAIN, INC. (MSSM), with a principal place of business at 5495 East Mountain Street, Stone Mountain, Georgia, 30083.

SERVICES TO BE PERFORMED

Specific Services
MSSM agrees to make payments to vendors for purchases at the CITY’s Farmers Market through the GEORGIA FRESH FOR LESS PROGRAM (GF4L) that is administered by WHOLESOME WAVE OF GEORGIA, LLC (WWG) under a contract with the CITY.

Method of Performing Services

1. CITY will file weekly reports to WWG and MSSM of GF4L sales by vendor.
2. CITY will file with MSSM a copy of the notice from WWG confirming receipt of the weekly GF4L sales report.
3. MSSM will prepare payments to vendors by MSSM based upon the weekly GF4L sales report within two business days of the confirmation notice and file with the CITY a corresponding invoice report.
4. Upon receipt of GF4L funding from WWG and the Supplemental Nutrition Assistance Program (SNAP) from the United States Department of Agriculture, MSSM will issue checks payable to vendors for the weekly invoices. MSSM will deliver the weekly check payments to the CITY for delivery to the vendors according to the terms established by the contract between the CITY and WWG.
5. MSSM will file with the CITY a monthly bank reconciliation report of the GF4L and SNAP receipts.
6. MSSM will fund bank transaction fees for the GF4L and SNAP receipts.

COMPENSATION

As consideration for the services to be performed, MSSM is entitled to a flat rate fee of $3.20 per vendor payment, payable net on receipt of MSSM’s monthly statement to the CITY.

As additional consideration, the CITY agrees to allow MSSM to hold four quarterly Board meetings, one annual Board meeting and two called meeting in the administrative conference
room at City Hall, 875 Main Street, Stone Mountain, Georgia. Such meetings must be scheduled ten (10) days in advance and approved by the City Manager or the City Manager’s designee. A City staff member or an elected official authorized to have access to City Hall must attend any meeting held by MSSM at a time outside of normal business hours.

TERM OF CONTRACT

This Agreement shall commence on the date stated above and shall continue in effect through January 31, 2020. MSSM will stop payment on check payments to vendors that have not cleared MSSM’s bank account as of December 31, 2019, receive reimbursement from the CITY for any bank transaction fees for stop payment requests, and remit to the CITY unclaimed payments with the name and address of each vendor.

TERMINATION OF CONTRACT

This contract may be terminated by mutual consent of the parties.

OTHER GENERAL PROVISIONS

This Agreement may be modified from time to time as deemed necessary by written consent of the parties hereto. Such modifications may include, but are not limited to the rate of compensation. Any notices to be given under this Agreement by either party shall be in writing and effected either by personal delivery or certified mail with return receipt requested. Each party may change the address for receipt of notice by giving written notice in accordance with this paragraph. Mailed notices shall be addressed to the parties at the following addresses:

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

Main Street Stone Mountain, Inc.  
P. O. Box 2406  
Stone Mountain, GA 30086

Notices delivered personally will be deemed communicated at the time of delivery. Mailed notices will be deemed communicated three (3) days after mailing (postmark date).

This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Georgia.

This Agreement shall be deemed to have been made and performed in DeKalb County, Georgia. For the purpose of venue, all suits or causes of actions arising out of this Agreement shall be brought in the courts of DeKalb County, Georgia.

This Agreement supersedes any and all agreements, between the parties with respect to the rendering of services and contains all the covenants and agreements between the parties with respect to the rendering of those services in any manner whatsoever. Each party acknowledges that no representations, inducements, promises, or agreements, written or oral, have been made by either party that are not embodied in this Agreement. However, each party acknowledges that
this Agreement is in addition to any other present and future agreements for administrative services as made between the CITY and MSSM.

Executed on the date first written above.

CITY OF STONE MOUNTAIN

BY: ____________________________  ATTEST: ____________________________
   Patricia Wheeler, Mayor         Alicia Daniels, City Clerk

MAIN STREET STONE MOUNTAIN, INC.

BY: ____________________________
   Thom DeLoach, President
MEMORANDUM
City of Stone Mountain
875 Main Street
Stone Mountain, GA 30083

DATE: January 11, 2019
TO: Mayor and City Council
FROM: ChaQuias Thornton
RE: Development of Interactive Zoning Map

I am requesting Council consideration of the development of an interactive zoning map that could be used internally and that would also have public interface capabilities. The wall maps that the Administration currently use are not adequate for the level of detail that the Administration would like to maintain when the maps requires update. It is also a provision of the City’s Code that the official zoning map is to be updated upon each amendment to the map as. The software proposed for the development of this map would allow for better adherence to the statute, while also allowing the public to interface with the map for their zoning inquiries.

I look forward to discussing this matter with you during the upcoming work session.

Thank you,

ChaQuias
CITY OF STONE MOUNTAIN
APPLICATION FOR VARIANCE(S)

APPLICANT'S NAME: Downtown Development Authority for the City of Stone Mtn.
APPLICANT'S ADDRESS: 875 Main St.
CITY: Stone Mtn. STATE: GA ZIP: 30083
HOME #: N/A OFFICE #: 770-498-8984 CELL #: N/A
EMAIL ADDRESS: dda@stonemountain.city.org
ADDRESS OF PARCEL FOR VARIANCE(S): 5325 Manor Dr. Parcel ID 15 08904003
CITY: Stone Mountain STATE: GA ZIP: 30083
CURRENT ZONING CLASSIFICATION: 01 PROPOSED ZONING CLASSIFICATION: 01

LAND USE CLASSIFICATION AS SHOWN ON THE FUTURE DEVELOPMENT MAP:

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    \\               
     \\               
      \\               
       \\               

SIGNATURE OF APPLICANT

12/31/18

THE INFORMATION BELOW MUST BE COMPLETED IF THE OWNER(S) OF THE PROPERTY
IS DIFFERENT FROM THE APPLICANT. THE PROPERTY OWNER'S SIGNATURE BELOW
AUTHORIZES THE APPLICANT TO APPLY FOR A VARIANCE(S) AS INDICATED ABOVE.
IF THE PROPERTY HAS MORE THAN ONE OWNER, THE NOTARIZED SIGNATURE OF ALL
PROPERTY OWNERS SHALL BE REQUIRED
(USE PAGE 3 FOR ADDITIONAL SIGNATURES)

PROPERTY OWNER'S NAME:

ADDRESS:

CITY: ___________ STATE: ___________ ZIP: ___________

HOME #: ___________ BUSINESS #: ___________ CELL #: ___________

EMAIL ADDRESS:

SIGNATURE OF PROPERTY OWNER

DATE

SIGNATURE OF NOTARY

DATE

COMMISSION EXPIRES

(SEAL)
CITY OF STONE MOUNTAIN, GEORGIA
PLANNING AND ZONING REVIEW
ADMINISTRATION NOTES

APPLICATION: VARIANCE APPLICATION
PROPERTY: MANOR DRIVE - GMC
PARCEL: 18-089-04-003
APPLICANT: DOWNTOWN DEVELOPMENT AUTHORITY
OWNER: STONE MOUNTAIN DOWNTOWN DEVELOPMENT AUTHORITY
CURRENT ZONING: OPI – OFFICE PROFESSIONAL INSTITUTIONAL
PROPOSED USE/ZONING: OPI – OFFICE PROFESSIONAL INSTITUTIONAL

Office Professional Institutional (OPI) district regulations, in their entirety, can be found at https://library.municode.com/ga/stone_mountain/codes/code_of_ordinances?nodeid=PTILCOOR_APXAZO_ARTVDIRE_SS-8OFPRINOPDI.

PRE-APPLICATION MEETING NOTES (SUMMARY):

Pre-application meeting was held on December 19, 2018 at 2:00 p.m. Persons in attendance were:

1. Thom Deloach – Stone Mountain DDA Board Member
2. Gary Peet – Stone Mountain DDA Board Member
3. ChaQuias Miller-Thornton – Stone Mountain City Manager, Zoning Administrator

Discussion was had about current OPI zoning regulations as adopted June 5th, 2018 regarding property setback requirements as relevant to proposed structural improvements to the building located on the Manor Drive Property. It was determined that request for variance of setback regulations would be necessary. A tentative time line was established for the variance request process.

VARIANCE CONSIDERATIONS:

1. REDUCTION OF SET BACK FROM 20 ft TO 6 ft
   TOTAL VARIANCE 14 ft

The applicant is proposing structural improvements that will impose upon the regulated setback area. Site plan/survey of the proposed development depicts a setback from the northern property line of __6__ ft. The northern property line abuts Manor Drive (a public street).

Currently, district regulations for the Appendix A Zoning, Section 5-8 Office Professional Institutional (OPI) district, Subsection 5-8.5(A)(4) District development regulations provides that:

A. The following contain the development regulations for the OPI district. Any variance to the following must be approved by the mayor and council upon recommendation from the planning and zoning committee

4. Minimum yard abutting a public street: 20 feet (from property line).
COMPLETE AND DUPLICATE THIS PAGE IF ADDITIONAL OWNERS ARE REQUIRED TO SIGN AUTHORIZING THE APPLICANT TO APPLY FOR A VARIANCE(S)

PROPERTY OWNER’S NAME: ____________________________

ADDRESS: _______________________________________

CITY: ___________________  STATE: ___________  ZIP: ___________

HOME #: ___________________  BUSINESS #: ___________  CELL #: ___________

EMAIL ADDRESS: ______________________________________

__________________________________________  DATE

SIGNATURE OF PROPERTY OWNER

__________________________________________  DATE

SIGNATURE OF NOTARY

COMMISSION EXPIRES

(SEAL)
DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

In accordance with the Conflict of Interest in Zoning Actions O.C.G.A., Chapter 36-67A-3, the following questions must be answered:

Have you, the applicant, made $250.00 or more in campaign contributions to a local government official, who will consider the application, within two years immediately preceding the filing of this application?

Yes _______ No __________

If the answer is yes, you must file a disclosure report with the City of Stone Mountain showing:

1. The name and official position of the local government official to whom the campaign contribution was made.

2. The dollar amount and description of each campaign contribution made to the local government official during the two years immediately preceding the filing of this application and the date of each contribution.

The disclosure(s) must be filed within ten (10) days after the application is first filed.

_________ SIGNATURE OF APPLICANT ___________ 12/31/18 DATE

CHECK ONE: OWNER: ___________ AGENT: ___________

_________ SIGNATURE OF NOTARY ___________ 12/31/18 DATE

_________ 3/19/22 COMMISSION EXPIRES

Page 4 of 5
FOR OFFICE USE ONLY

Received By: C Miller-Howard

Parcel Number: 18 089 04 003

Total Acreage:

Current Zoning: OPI

Land Use Classification as shown on the future development map:

Occupancy Use: College

Total Square Feet:

Filing Fee: ________________ Date Paid: ________________ Pre-App Meeting Date: 12/19/18

Date of Planning & Zoning Committee Hearing: 1/28/19

Planning & Zoning Recommendation: Approve Deny Table

Public Hearing Date: 1/29/19 Date Sign Posted: 1/14/19

Date Advertised: 1/10/19 for 2 weeks Date Public Notice Posted: 1/3/19

Date of City Council Consideration: 2/5/19 Approved: ___ Denied: ___

VARIANCE FEE: (Required to cover administrative costs): $400.00
# Property Tax Information Results

Online Payments are for 2018 Only

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<thead>
<tr>
<th>Parcel ID</th>
<th>18 089 04 003</th>
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<tbody>
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<td>Fid Number</td>
<td>09831362</td>
</tr>
<tr>
<td>Property Address</td>
<td>222 MAIN ST</td>
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<tr>
<td>Property Type</td>
<td>Real Estate</td>
</tr>
<tr>
<td>Tax District</td>
<td>TSIM1 - STMTN CTYTADE</td>
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<tr>
<td>Owner Information</td>
<td></td>
</tr>
<tr>
<td>Last Name, First Name</td>
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<tr>
<td>Co-Owner</td>
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</tr>
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<td>Jan 1st Owner</td>
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<td>Current Owner</td>
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<td>Co-Owner</td>
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<td>Owner Address</td>
<td>675 MAIN ST</td>
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<td>STONE MOUNTAIN GA 30063-3010</td>
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**CHANGE MAILING ADDRESS?**

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<tr>
<th>Exemption Type</th>
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**APPLY FOR BASIC HOMESTEAD EXEMPTION AND PROPERTY ASSESSMENT FREEZE**

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Deed Information

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<td>Plat Book/Page</td>
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Property Characteristics/ Sales Information

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Click here to view property map

Property Value/Billing Assessment

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<thead>
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<th>Taxable Year</th>
<th>2018</th>
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<tbody>
<tr>
<td>Land Value</td>
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<tr>
<td>Building Value</td>
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<td>Misc. Improvement Value</td>
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<td>Total Value</td>
<td>$0</td>
</tr>
<tr>
<td>40% Taxable Assessment</td>
<td>$0</td>
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</table>

Information as of 12/12/2018

For additional information on the data above, contact the Property Appraisal Department at 404-371-2471

---

## Tax Information Summary

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<thead>
<tr>
<th>Tax Year</th>
<th>2018</th>
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<tbody>
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<td>DeKalb County Taxes</td>
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<tr>
<td>DeKalb County Taxes Due</td>
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<td>Total Taxes Due</td>
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**DeKalb County Taxes**

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<tr>
<td>Last Payment Amount</td>
<td>$302.40</td>
</tr>
</tbody>
</table>

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## Property Tax Mailing Address

DeKalb County Tax Commissioner
Collections Division
PO Box 100004
Decatur, GA 30033-7004

Prior Years Tax

*** Please note that payment posting information may be delayed due to batch processing***

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<thead>
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<td>2011</td>
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Delinquent Taxes/Tax Sale Information

**Tax Sale File Number**

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>$302.40</th>
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<td>Levy Date</td>
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</tr>
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</table>

**Delinquent Amount Due**

---

http://taxcommissioner.dekalbcountyga.gov/TaxCommissioner/TCDisplay.asp

12/12/2018
Exhibit A

Legal Description

All that tract or parcel of land lying and being in Land Lot 88, of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

To find the True Point of Beginning, commence at a point on the southerly side of Manor Drive, if it were based on being a 30 foot R/W, where it intersects with the easterly side of Ridge Avenue, if it were based on being a 40 foot R/W. Thence North 84 degrees 00 minutes 00 seconds East for a distance of approximately 236.8' to a ½" rebar set, thus being said Point of Beginning. Thence from said Point of Beginning, continue North 84 degrees 00 minutes 00 seconds East along the southerly R/W of Manor Drive a distance of 139.14 feet to masonry nail set; thence South 06 degrees 18 minutes 07 seconds East along Leon Street a distance of 152.56 feet to another masonry nail set; thence leaving said Leon Street South 85 degrees 01 minutes 14 seconds West a distance of 155.49 feet to a chain-link fence and nail found; thence running North 00 degrees 04 minutes 57 seconds West along said chain-link fence for a distance of 150.59 feet back to the True Point of Beginning.

This property contains .39 acre of land with a 2,816 square foot building located at 5325 Manor Drive in the City of Stone Mountain, according to the present numbering system of DeKalb County, and also identified as being in DeKalb County as parcel #18-089-04-003.
DATE: December 31, 2018
TO: ChaQuias Thornton
FROM: Gary Peet
RE: DDA Variance Application

The Downtown Development Authority requests a variance of fourteen (14) feet for the front setback distance from Manor Drive to the property located at 5325 Manor Drive, Parcel ID 18 089 04 003.

The following is our analysis of the impact of our variance proposal based upon the criteria found in The Code of the City of Stone Mountain, Georgia, Appendix A, Section 2.1-11.

A. No variance shall be granted to allow a building, structure or use not authorized in the applicable zoning district or a density of development not authorized with such development.
   • The variance conforms to the regulations for land use and density in District OPI.

B. Applications for variances shall adhere to the provisions as set forth in section 2.1-3 (procedure for amending the zoning ordinance). The mayor and city council shall authorize variances from the terms of this zoning ordinance only upon making all of the following findings:

   1. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography;
      • The use of the property has been established contrary to size restrictions, lot size restrictions and setback restrictions. The proposed improvements to the building do not change its use.

   2. The application of this zoning ordinance to the particular piece of property would create an unnecessary hardship;
      • Application of the Code will prohibit the growth of the Georgia Military College enrollment.

   3. Such conditions are peculiar to the particular piece of property involved;
      • Please see response to criteria #1.

   4. Such conditions are not the result of any actions of the property owner;
      • The owner has taken no action affecting the conditions of the property since the current use of the property was established.

   5. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this zoning ordinance.
      • The variance will not cause substantial detriment to the public good nor impair the purposes or intent of the zoning ordinance. It will encourage growth in the downtown area and provide continued use of the property by the Georgia Military College as an institution of higher education in the OPI District (Office Professional Institutional).
Minutes of the
Planning & Zoning Special Called Meeting
January 28, 2019

The January 28, 2019 P&Z Special Called Meeting was called to order by Chair Hidalgo at 6:31 p.m.

Determination of quorum was made: Chair Michael Hidalgo; Mike Cooper; Pam DeLoach; Jelani Linder.

Mr. Linder made a motion to approve the agenda. Seconded by Ms. DeLoach, the motion passed.

Unfinished Business – none

New Business – Review of a Variance Request for Georgia Military College; Parcel No: 18 089 04 003; consideration of reduction of set back from 20ft to 6ft; requesting a total variance of 14ft on the property line abutting Manor Drive.

A series of questions regarding variance standards was raised by Mr. Cooper, specifically what are the extraordinary and exceptional conditions pertaining to the particular property in question. Mr. Peet and Mr. DeLeach entertained discussion regarding this matter. Additionally, the question of personal gain regarding approval of the variance was raised. City Manager Thornton advised the committee that the City Attorney assured that any board member of the DDA would not receive any personal gain from the approval of this variance request.

Mr. Linder made a motion to approve the variance application. Seconded by Ms. DeLoach and being no further discussion, the motion passed 2 to 1; Mr. Linder and Ms. DeLoach, for - Mr. Cooper, apposed. The Chair would only vote in the place of a tie.

The meeting was adjourned at 6:50 p.m.
DATE: January 25, 2019  
TO: Mayor and City Council  
FROM: ChaQuias Thornton  
RE: Public Hearing – Request for Variance – 6803 JBR – Christopher Hunt

Upon initial submittal of a variance request by Christopher Hunt for variance to the City’s Chapter 28 Storm Water Utility regulations, hearing was scheduled for receipt of public comment on the matter for Tuesday, January 29th, 2019. Since then, it has been determined that, in accordance to Section 28-545(b) – Land development requirements, Variance procedures – variances from the buffer and setback requirements maybe granted:

(1) Where a parcel was platted prior to the effective date of this chapter, and its shape, topography or other existing physical condition prevents land development consistent with this chapter, and the public works director finds and determines that the requirements of this chapter prohibit the otherwise lawful use of the property by the owner, the city council may grant a variance from the buffer and setback requirements hereunder, provided such variance require mitigation measures to offset the effects of any proposed land development on the parcel.

(2) Except as provided above, the city council shall grant no variance from any provision of this chapter without first conducting a public hearing on the application for variance and authorizing the granting of the variance by an affirmative vote of the city council. The city shall give public notice of each such public hearing in a newspaper of general circulation within the city. The city shall require that the applicant post a sign giving notice of the proposed variance and the public hearing. The sign shall be of a size and posted in such a location on the property as to be clearly visible from the primary adjacent road right-of-way.

Mr. Hunt’s proposed development of the property is deemed to have been platted in August 2005 with preliminary plat being accepted in September 2005. The ordinance containing the above stated provisions was adopted in April 2005, with its effective date being April 5, 2005.

Therefore, it is determined that Mr. Hunt is not entitled to consideration of variance request pursuant to Chapter 28 Storm Water Protection, Article III. – Stream Buffer Protection, Section 28-545 Land Development Requirements.

Please see the attached regulations as adopted (see highlighted section, page 4).

Public hearing for the request will still be called as a line item on the agenda of the upcoming public hearing on January 29, 2019, being that the hearing was advertised, and advertisement could not be retracted in the time allotted to do so. Explanation will be given once the item is called.

Please let me know if you should want to offer additional considerations regarding the matter.
ARTICLE III. - STREAM BUFFER PROTECTION

Sec. 28-541. - Title.

This chapter shall be known as the "City of Stone Mountain Stream Buffer Protection Ordinance."

(Ord. No. 05-06, Pt. I, 4-5-05)

Sec. 28-542. - Findings and purposes.

(a) Findings. Whereas, the mayor and city council finds that buffers adjacent to streams provide numerous benefits including:

1. Protecting, restoring and maintaining the chemical, physical and biological integrity of streams and their water resources;
2. Removing pollutants delivered in urban stormwater;
3. Reducing erosion and controlling sedimentation;
4. Protecting and stabilizing stream banks;
5. Providing for infiltration of stormwater runoff;
6. Maintaining base flow of streams;
7. Contributing organic matter that is a source of food and energy for the aquatic ecosystem;
8. Providing tree canopy to shade streams and promote desirable aquatic habitat;
9. Providing riparian wildlife habitat;
10. Furnishing scenic value and recreational opportunity;
11. Providing opportunities for the protection and restoration of greenspace;

(b) Purposes. It is the purpose of this chapter is to protect the public health, safety, environment and general welfare; to minimize public and private losses due to erosion, siltation and water pollution; and to maintain stream water quality by provisions designed to:

1. Create buffer zones along the streams of the city for the protection of water resources; and,
2. Minimize land development within such buffers by establishing buffer zone requirements and by requiring authorization for any such activities.

(Ord. No. 05-06, Pt. I, 4-5-05)

Sec. 28-543. - Definitions.

Buffer means, with respect to a stream, a natural or enhanced vegetated area (established by subsection 28-545(a)(1) below), lying adjacent to the stream.

Floodplain means any land area susceptible to flooding, which would have at least a one (1) percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e., the regulatory flood.

Impervious cover means any manmade paved, hardened or structural surface regardless of material. Impervious cover includes but is not limited to rooftops, buildings, streets, roads, decks, swimming pools and any concrete or asphalt.

Land development means any land change, including but not limited to clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving and any other installation of impervious cover.
ARTICLE III. - STREAM BUFFER PROTECTION

Land development activity means those actions or activities which comprise, facilitate or result in land development.

Land disturbance means any land or vegetation change, including, but not limited to, clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, that do not involve construction, paving or any other installation of impervious cover.

Land disturbance activity means those actions or activities which comprise, facilitate or result in land disturbance.

Parcel means any plot, lot or acreage shown as a unit on the latest county tax assessment records.

Permit means the permit issued by the city required for undertaking any land development activity.

Person means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the state, any interstate body or any other legal entity.

Protection area or stream protection area means, with respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Riparian means belonging or related to the bank of a river, stream, lake, pond or impoundment.

Setback means, with respect to a stream, the area established by subsection 28-545(a)(2) extending beyond any buffer applicable to the stream.

Stream means any stream, beginning at:

(1) The location of a spring, seep, or groundwater outflow that sustains streamflow;

(2) A point in the stream channel with a drainage area of twenty-five (25) acres or more; or

(3) Where evidence indicates the presence of a stream in a drainage area of other than twenty-five (25) acres, the city may require field studies to verify the existence of a stream.

Stream bank means the sloping land that contains the stream channel and the normal flows of the stream.

Stream channel means the portion of a watercourse that contains the base flow of the stream.

Watershed means the land area that drains into a particular stream.

(Ord. No. 05-06, Pt. I, 4-5-05)

Sec. 28-544. - Applicability.

This chapter shall apply to all land development activity on property containing a stream protection area as defined in section 28-543 of this chapter. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under state law and approval or exemption from these requirements do not constitute approval or exemption from buffer requirements established under state law or from other applicable local, state or federal regulations.

(1) Grandfather provisions. This chapter shall not apply to the following activities:

a. Work consisting of the repair or maintenance of any lawful use of land that is zoned and approved for such use on or before the effective date of this chapter.

b. Existing development and on-going land disturbance activities including but not limited to existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that new development or land disturbance activities on such properties will be subject to all applicable buffer requirements.
c. Any land development activity that is under construction, fully approved for development, scheduled for permit approval or has been submitted for approval as of the effective date of this chapter.

d. Land development activity that has not been submitted for approval, but that is part of a larger master development plan, such as for an office park or other phased development that has been previously approved within two (2) years of the effective date of this chapter.

(2) Exemptions. The following specific activities are exempt from this chapter. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.

a. Activities for the purpose of building one (1) of the following:
   1. A stream crossing by a driveway, transportation route or utility line;
   2. Public water supply intake or public wastewater outfall structures;
   3. Intrusions necessary to provide access to a property;
   4. Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;
   5. Unpaved foot trails and paths;
   6. Activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.

b. Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least twenty-five (25) feet from the top of the bank. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless of paving material, except for access for the uses specifically cited in subsection 5-542(2)a., above.

c. Land development activities within a right-of-way existing at the time this chapter takes effect or approved under the terms of this chapter.

d. Within an easement of any utility existing at the time this chapter takes effect or approved under the terms of this chapter, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and value structures.

e. Emergency work necessary to preserve life or property. However, when emergency work is performed under this section, the person performing it shall report such work to the public works director on the next business day after commencement of the work. Within ten (10) days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the public works director to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.

f. Forestry and silviculture activities on land that is zoned for forestry, silvicultural or agricultural uses and are not incidental to other land development activity. If such activity results in land disturbance in the buffer that would otherwise be prohibited, then no other land disturbing activity other than normal forest management practices will be allowed on the entire property for three (3) years after the end of the activities that intruded on the buffer.

After the effective date of this chapter, it shall apply to new subdividing and platting activities.
ARTICLE III. - STREAM BUFFER PROTECTION

Any land development activity within a buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to subsection 28-545(b) below.

(Ord. No. 05-06, Pt. I, 4-5-05)

Sec. 28-545. - Land development requirements.

(a) Buffer and setback requirements. All land development activity subject to this chapter shall meet the following requirements:

1. An undisturbed natural vegetative buffer shall be maintained for fifty (50) feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.

2. An additional setback shall be maintained for twenty-five (25) feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.

3. No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.

(b) Variance procedures. Variances from the above buffer and setback requirements may be granted in accordance with the following provisions:

1. Where a parcel was platted prior to the effective date of this chapter, and its shape, topography or other existing physical condition prevents land development consistent with this chapter, and the public works director finds and determines that the requirements of this chapter prohibit the otherwise lawful use of the property by the owner, the city council may grant a variance from the buffer and setback requirements hereunder, provided such variance require mitigation measures to offset the effects of any proposed land development on the parcel.

2. Except as provided above, the city council shall grant no variance from any provision of this chapter without first conducting a public hearing on the application for variance and authorizing the granting of the variance by an affirmative vote of the city council. The city shall give public notice of each such public hearing in a newspaper of general circulation within the city. The city shall require that the applicant post a sign giving notice of the proposed variance and the public hearing. The sign shall be of a size and posted in such a location on the property as to be clearly visible from the primary adjacent road right-of-way.

Variances will be considered only in the following cases:

a. When a property's shape, topography or other physical conditions existing at the time of the adoption of this chapter prevents land development unless a buffer variance is granted.

b. Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.

Variances will not be considered when, following adoption of this chapter, actions of any property owner of a given property have created conditions of a hardship on that property.

3. At a minimum, a variance request shall include the following information:

a. A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;

b. A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;

c. A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside
ARTICLE III. - STREAM BUFFER PROTECTION

...and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;

d. Documentation of unusual hardship should the buffer be maintained;
e. At least one (1) alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;
f. A calculation of the total area and length of the proposed intrusion;
g. A stormwater management site plan, if applicable; and

h. Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.

(4) The following factors will be considered in determining whether to issue a variance:

a. The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
b. The locations of all streams on the property, including along property boundaries;
c. The location and extent of the proposed buffer or setback intrusion; and,
d. Whether alternative designs are possible which require less intrusion or no intrusion;
e. The long-term and construction water-quality impacts of the proposed variance;
f. Whether issuance of the variance is at least as protective of natural resources and the environment.

(Ord. No. 05-06, Pt. I, 4-5-05)

*Sections 28-547 through 58-560 of this article can be found at
https://library.municode.com/ga/stone_mountain/codes/code_of_ordinances?nodeId=PTIICOOR_CH28
STUT_ARTIIIISTBUPR_S28-541T1
MEMORANDUM
City of Stone Mountain
875 Main Street
Stone Mountain, GA 30083

DATE: February 1, 2019
TO: Mayor and City Council
FROM: ChaQuias Thornton
RE: Request for De-annexation – 546 Carillon Lane – Shawntae Rana, Owner

Shawntae Rana – owner of the property at 546 Carillon Lane, Stone Mountain (Parcel #18-037-01-045) is requesting de-annexation of the property. Ms. Rana owns two parcels that abut one another. One parcel, 546 Carillon Lane, is located within the corporate limits of Stone Mountain, the other parcel is located within the unincorporated limits of DeKalb County. Ms. Rana wishes both properties to be established within DeKalb County with the intent of having the parcels combined under the jurisdiction of DeKalb.

In accordance with Title 36 of the Official Code of Georgia Annotated:

“Authority is granted to the governing bodies of the several municipal corporations of this state to deannex an area or areas of the existing corporate limits thereof, in accordance with the procedures provided in this article and in Article 1 of this chapter, upon the written and signed applications of all of the owners of all of the land, except the owners of any public street, road, highway, or right of way, proposed to be deannexed, containing a complete description of the lands to be deannexed and the adoption of a resolution by the governing authority of the county in which such property is located consenting to such deannexation. Lands to be deannexed at any one time shall be treated as one body, regardless of the number of owners, and all parts shall be considered as adjoining the limits of the municipal corporation when any one part of the entire body abuts such limits. When such application is acted upon by the municipal authorities and the land is, by ordinance, deannexed from the municipal corporation, an identification of the property so deannexed shall be filed with the Department of Community Affairs and with the governing authority of the county in which the property is located in accordance with Code Section 36-36-3. When so deannexed, such lands shall cease to constitute a part of the lands within the corporate limits of the municipal corporation as completely and fully as if the limits had been marked and defined by local Act of the General Assembly.”

If the Council, under its Authority, chooses to grant the request, it must be done so by resolution of the Council and therefore will be styled as Ordinance 2019-02.

Please see supporting documentation attached.

Thank you,
ChaQuias

Memo: Request for De-annexation – 546 Carillon Lane (Ordinance 2019-02)
Shawntae Rana
542 Carillon Lane
Stone Mountain, GA 30083

Mayor Patricia Wheeler
875 Main Street
Stone Mountain, GA 30083

January 15, 2019

Dear Mayor Wheeler,

My name is Shawntae Rana and I reside at 542 Carillon Lane Stone Mountain, GA 30083. I would like to request that parcel 18 037 01 045 be de-annexed from the City of Stone Mountain. Parcel 18 037 01 045 is in Stone Mountain and parcel 18 037 01 046 is in Unincorporated Dekalb. Most of my home is in parcel 18 037 01 046. Please review the map as a reference.

Thank you for your consideration,

Sincerely,

Shawntae Rana
**Property Tax Information Results**

**Pay Now**

Online Payments are for 2018 Only

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<thead>
<tr>
<th>Property Identification</th>
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<tbody>
<tr>
<td>Parcel ID</td>
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<td>Pin Number</td>
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<td>Property Address</td>
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<tr>
<td>Property Type</td>
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<td>Tax District</td>
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<table>
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<tr>
<th>Owner Information</th>
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<td>Jan. 1st Owner</td>
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<td>Co-Owner</td>
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<td>Current Owner</td>
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<td>Owner Address</td>
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**CHANGE MAILING ADDRESS?**

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| Exemption Type         | $0.00   |       |
| Value Exemption Amount  |         |       |

| Deed Type              | WARRANTY DEED |
| Dead Book/Page         | 26945 / 00529|
| Plat Book/Page         | 110 DOG      |

**Property Characteristics/Sales Information**

| NBHD Code | 0740     |
| Zoning Type | X - UNKNOWN |
| Improvement Type | 05 - SPLIT-LEVEL |
| Year Built | 1982     |
| Condition Code     | AVERAGE   |
| Quality Grade       | AVERAGE   |
| Air Conditioning    | YES       |
| Fireplaces          | 1         |
| Stories              | 1         |
| Square Footage      | 1,744 Sq. Ft. |
| Basement Area        | 0 Sq. Ft.  |
| % Bsmr Finished      | 0 Sq. Ft.  |
| Bedrooms             | 3         |
| Bathrooms            | 2         |
| Last Deed Date       | 4/23/2018 |
| Last Deed Amount     | $0.00     |

**Click here to view property map**

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<td>Misc. Improvement Value</td>
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<td>40% Taxable Assessment</td>
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**DeKalb County Taxes**

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<th>Total Due</th>
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**Prior Years Tax**

***Please note that payment posting information may be delayed due to batch processing***

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For additional information on the data above, contact the Property Appraisal Department at 404-371-2471.
RESOLUTION 2019-06
A Resolution of Mayor and City Council of Stone Mountain, Georgia

WHEREAS, the local budget for the City of Stone Mountain, Georgia was adopted on December 18, 2018; and

WHEREAS, it is necessary to amend such resolution now;

THEREFORE, be it resolved by the Mayor and Council of the City of Stone Mountain, Georgia, that the following amendment to the general fund budget be made this _____ day of __________, 2019.

<table>
<thead>
<tr>
<th>REVENUE</th>
<th>LINE ITEM DESCRIPTION</th>
<th>Increase</th>
<th>Decrease</th>
<th>Balance</th>
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Patricia Wheeler, Mayor

Alicia Daniels, Assistant City Clerk
MEMORANDUM
City of Stone Mountain
875 Main Street
Stone Mountain, GA 30083

DATE : February 1, 2019
TO : Mayor and City Council
FROM: ChaQuias Thornton
RE : Resolution 2019-07 – FY2018 Amendment

Attached, please find year-end adjustments for FY2018 Budget allocations. The administration continues to make year-end adjustments in preparation of the FY2018 audit as we account for revenue and expenditures relevant to last year. Typically, we account for receipts and payables 60 days beyond year end and work to close the previous year’s book on about the last day of February of the current year.

The revenue reflected in the proposed amendment reflects excess revenue received over budgeted amounts for Municipal Fees, Motor Vehicle Sales Tax, Business Occupation Taxes, and Building Structure Permits. Miscellaneous Revenue primarily accounts for revenue received in 2018 for 2016 and 2017 revised worker’s compensation audit adjustments.

The proposed expense line item adjustments reflect substantial understated estimates of expenditures, or a necessary reduction in estimate due to actual expenditure coming in less than the budgeted estimate.

A reduction in expense for Regular Employees – Public Safety is requested due to the part- full-time vacancy not being filled during the year, and periods of vacancy during officer turnover. The reduction in Group Health Benefits is also a result of periods of turnover.

A reduction in Street Maintenance and Repairs – Public Works is requested due to the actual LMIG street project coming in under the estimated budget allocation and project planning coordination with SPLOST street paving projects.

Additional information will be provided upon presentation and discussion of the budget request.

Please feel free to contact me if you should have any questions or concerns.

Thank you,
ChaQuias
RESOLUTION 2019-07
A Resolution of Mayor and City Council of Stone Mountain, Georgia

WHEREAS, the local budget for the City of Stone Mountain, Georgia was adopted on December, 2017; and

WHEREAS, it is necessary to amend such resolution now;

THEREFORE, be it resolved by the Mayor and Council of the City of Stone Mountain, Georgia, that the following amendment to the general fund budget be made this ___ day of ______________, 2019.

<table>
<thead>
<tr>
<th>REVENUE</th>
<th>LINE ITEM DESCRIPTION</th>
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**RESOLUTION 2019-07**

A Resolution of Mayor and City Council of Stone Mountain, Georgia

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Patricia Wheeler, Mayor

Alicia Daniels, Assistant City Clerk