



CIVILITY PLEDGE

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.

Cliff Thomas, Chairman
Jeanne Rast, Vice Chairman
Carol Cobb
G. Leah Davis
Lucy Dolan
Miller Radford
Brittany Williams

Planning Commission Meeting

700 Doug Davis Drive
Hapeville, GA 30354

April 8, 2025 6:00 PM

AGENDA

1. Call to Order

2. Roll Call

Cliff Thomas, Chairman
Jeanne Rast, Vice Chairman
Carol Cobb
G. Leah Davis
Lucy Dolan
Miller Radford
Brittany Williams

3. Approval of Minutes

3.I. Minutes of February 11, 2025

Documents:

1. Minutes - 02-11-2025_draft

4. New Business

4.I. 3309 - 3345 Dogwood Drive Final Combination Plat Review

Background:

Norhaven Partners is requesting a final combination plat review for the properties located at 3309–3345 Dogwood Drive, Parcel Identification Numbers 14-0098-0016-013-9, 14-0098-0016-029-5, 14-0098-0016-012-1, 14-0098-0016-011-3, and 14-0098-0016-010-5 for the construction of a townhome development. The properties are zoned U-V, Urban Village, and are subject to the zoning regulations of the City of Hapeville.

Documents:

1. Application - 3309 - 3345 Dogwood Drive_Final Plat_Redacted
2. Plans - 3309-3345 Dogwood Drive_Consolidation Plat_V1
3. Planner's Report-3309 - 3335 Dogwood Dr._Combination Plat_V1
4. Engineer's Report - 3309-3335 Dogwood Dr._Consolidation Plat Review 1

4.II. 744 South Central Avenue Conditional Use Permit

Background:

Tony Kumming of Rollings Funeral Service, LLC d/b/a Airport Mortuary Shipping Service, is requesting a conditional use permit to operate a funeral establishment at 744 South Central Avenue, Parcel Identification Number 14-0098-0006-002-4. The property is zoned V, Village, and is subject to the zoning regulations outlined in Section 93-11.1-4 (Conditional uses) of the City of Hapeville Zoning Ordinance.

Documents:

1. Application - 744 South Central Avenue_Redacted
2. Plans - 744 South Central Avenue
3. Planner's Report - 744 South Central Conditional Use Permit Mortuary

5. Next Meeting Date - May 13, 2025 at 6:00 PM

6. Adjourn

**Planning Commission Meeting
700 Doug Davis Drive
Hapeville, Georgia 30354**

February 11, 2025 6:00 PM

MINUTES

1. Called to Order at 6:04 PM.

2. Roll Call

Cliff Thomas, Chairman
Jeanne Rast, Vice Chairman
G. Leah Davis
Lucy Dolan - Teleconference
Miller Radford

3. Election of Officers

3.I. Election of Vice Chairman

MOTION ITEM: Cliff Thomas made a motion to elect Jeanne Rast as Vice Chairman. Leah Davis seconded the motion. MOTION CARRIED: 4-0.

3.II. Election of Chairman

MOTION ITEM: Jeanne Rast made a motion to elect Cliff Thomas as Chairman. Leah Davis seconded the motion. MOTION CARRIED: 4-0.

4. Approval of Minutes

4.I. Minutes of December 10, 2024

MOTION ITEM: Lucy Dolan made a motion to approve the minutes of December 10, 2024, as submitted. Miller Radford seconded the motion. MOTION CARRIED: 3-0.

5. Old Business

5.I. 3365 Northside Drive Site Plan Review

Background:

Paula Smith requested site plan approval to construct a single-story single-family dwelling with an attached garage at 3365 Northside Drive, Parcel Identification Number 14 0095 0010 022 9. The property is zoned R-O, One-Family Residential. *This item was originally approved on June 13, 2019.*

Findings:

The site plan application from Paula Smith included construction a single-story single-family dwelling with an attached garage. A previous version of this site plan was approved in 2019 by the Planning Commission and received an extension in 2021. The lot was cleared but no construction has taken place. The dwelling will have 2,498 SF of heated floor area and will include three bedrooms and two and a half bathrooms. A turnaround has been added to the driveway.

Recommendation:

Prior to approval, the Applicant must provide, and/or the site plan must be revised to reflect the following:

- The Applicant should provide the lot coverage of the expanded driveway.

With satisfactory resolution of this item and any others the Planning Commission may deem necessary, approval of the site plan is recommended.

MOTION ITEM: Miller Radford made a motion to approve the site plan at 3365 Northside Drive provided the applicant provide the lot coverage of the expanded driveway. Jeanne Rast seconded the motion. MOTION CARRIED: 4-0.

6. New Business

6.I. 3264 Springhaven Drive

Final Plat Review (Units 15-23)

Background:

Alex Popham representing Stillwood Development LLC requested final plat review for the property located at 3264 Springhaven Drive, Units 15-23, Parcel Identification Number 14-0098-0009-048-4. The properties are zoned P-D, Planned Development.

Findings:

The Development consists of 9 homes (units 15-23). The total parcel is 4.17 acres with individual lots to be sold as fee simple. The remainder of the area will be owned and maintained by the developer until the HOA is established.

Recommendation:

Any deficiencies identified in the Engineer's Report must be addressed. Once the deficiencies are addressed, the plat is compliant for Phase III and may be approved by the Planning Commission.

MOTION ITEM: Jeanne Rast made a motion to approve the final plat for 3264 Springhaven Drive, Phase III, Units 15-23 subject to the deficiencies outlined in the Engineer's report. Miller Radford seconded the motion. MOTION CARRIED: 4-0.

6.II. 3608-3622 Georgia Avenue, 3619 – 3637 Union Avenue (Pod D) Final Plat Review

Background:

Dan Gibbs of Atwell, LLC and representative of Sharonda Rahming of D.R. Horton, LLC requested final plat review for the properties located at 3608 Georgia Avenue, 3614 Georgia Avenue, 0 Georgia Avenue, 3619 Union Avenue, 3627 Union Avenue, 3637 and Union Avenue, Parcel Identification Numbers 14 0097000 80023, 14 0097000 80031, 14 0097000 80049, 14 0097000 80098, 14 0097000 80106, 14 0097000 80114 for the purpose of constructing townhomes. The properties are zoned RMU, Residential Mixed Use.

Recommendation:

Upon completion of the deficiencies outlined in this Planner's Report and from the City Engineer's Report, the Planning Commission may approve the final plat.

MOTION ITEM: Jeanne Rast made a motion to approve the final plat for 3608-3622 Georgia Avenue and 3619-3637 Union Avenue (Pod D) subject to the deficiencies outlined in the Staff reports. MOTION CARRIED: 4-0.

6.III. 608 Chestnut Street, 3644-3662 Georgia Avenue (Pod E) Final Plat Review

Background:

Dan Gibbs of Atwell, LLC and representative for Sharonda Rahming of D.R. Horton, LLC requested final plat review for the properties located at 3644 Georgia Avenue, 3646 Georgia Avenue, 3650 Georgia Avenue, 3654 Georgia Avenue, 3658 Georgia Avenue, 3662 Georgia Avenue and 608 Chestnut Street, Parcel Identification Numbers 14-0097-0008-012-2, 14-0097-0008-023-9, 14-0097-0008-022-1, 14-0097-0008-021-3, 14-0097-0008-020-5, 14-0097-0008-019-7 and 14-0097-0008-013-0 for the purpose of constructing townhomes. The properties are zoned RMU, Residential Mixed Use.

Recommendation:

Upon completion of the deficiencies outlined in this Planner's Report and from the City Engineer's Report, the Planning Commission may approve the final plat.

MOTION ITEM: Leah Davis made a motion to approve the final plat for 608 Chestnut Street, 3644-3662 Georgia Avenue subject to the deficiencies outlined in the Staff reports. MOTION CARRIED: 4-0.

7. Next Meeting Date: April 8, 2025 at 6:00 PM.

8. Adjourn

MOTION ITEM: Jeanne Rast made a motion to adjourn the meeting at 6:22 p.m. The motion was seconded by Leah Davis. MOTION CARRIED: 4-0.

Respectfully submitted by,

Cliff Thomas, Chairman

Adrienne Senter, Secretary

DRAFT

25-PC-04-06

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION**

Name of Applicant Norhaven Partners

Mailing Address 1642 Powers Ferry Rd, Suite 250, Marietta, GA 30067

Telephone [REDACTED] Mobile [REDACTED]

Email [REDACTED]

Property Owner (s) BSFR Two Owner I LP

Mailing Address 997 Morrison Dr, Suite 402, Charleston, SC 29403

Telephone [REDACTED] Mobile [REDACTED]

Address/Location of Property:

3309-3335 Dogwood Drive, Hapeville, GA 30354

Present Zoning Classification: Urban Village (UV)

Present Land Use: Vacant residential lots. FLU Map is Medium Intensity Mixed Use

Parcel ID #: 14 009800160139; 14 009800160295; 14 009800160121; 14 009800160113; 14 009800160105

I hereby make application to the City of Hapeville, Georgia for the above referenced property. I hereby affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the City of Hapeville, Georgia, reserves the right to enforce any and all ordinances regardless of any action or approval on this application. I further understand that it is my/our responsibility to fully comply with all City of Hapeville Codes and Ordinances. I hereby acknowledge that all requirements of the City of Hapeville shall be met. I am able to read and write in English or this document has been read and explained to me and I have fully and voluntarily completed this application. I also understand that false statements or writings made to the City of Hapeville, Georgia are deemed a felony pursuant to O.C.G.A. 16-10-20 and I/we may be prosecuted for a violation thereof.

[Signature]
Applicant's signature

Date: 3/17/25

Sworn to and subscribed before me

This 17 day of March, 2025.

[Signature]
Notary Public

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION**

WRITTEN SUMMARY

Provide a detailed summary of the proposed project in the space provided below:

5 tracts of land are being consolidated into a single parcel. The land encompasses 2.982 acres along Dogwood Drive. The land is being redeveloped into a townhome community that will be entirely owned by BSFR Two Owner I LP. Adrienne Senter, the City of Hapeville Planning & Economic Development Manager advised that filing a boundary survey to record a combination plat was the appropriate course of action for this project. The address for the newly combined parcel should be 3335 Dogwood Drive.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
SUBDIVISION APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

3335 Dogwood Drive, Hapeville, GA 30354

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant:

Norhaven Partners

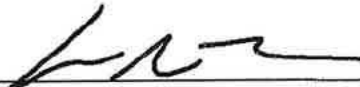
Address of Applicant:

1642 Powers Ferry Rd, Suite 250

Marietta, GA 30067

Telephone of Applicant:

[REDACTED]

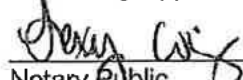


Signature of Owner

Whit Bundy - Authorized Signatory

Print Name of Owner

Personally Appeared Before Me this 17 day of March, 2025.



Notary Public



Final Plat Checklist

A Final Plat is a legal document, once approved and signed by the Hapeville Planning Commission, can be recorded with Fulton County Superior Court. Only a final plat legally subdivides a parcel. Filing with the County will establish the new deed for the property and assign tax parcel identification information. To be considered, a Final Plat must contain the following information:

N/A

The lines of all streets and roads, alley lines, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.

N/A

Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including true north point. This shall include the radius, central angle and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.

WN

All dimensions to the nearest 100th of a foot and angles to the nearest minutes.

N/A

Location and description of monuments.

N/A

The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining unsubdivided property.

WN

Date, title, name and location of subdivision, graphic scale and true north point.

Please initial each item on the list above certifying that all required information has been included on the plat. Sign and submit this form with your Final Plat application. Failure to include this form and information required herein may result in additional delays for the consideration of your application.

Supplemental Documents for Final Plat:

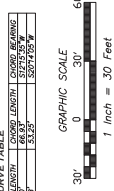
- Certification showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way and any sites for public use.
- Certification by surveyor or engineer to accuracy of survey and plat and placement of monuments.
- Certification by the City Engineer that the subdivider has complied with one of the following alternatives:
 1. All improvements have been installed in accord with the requirements of the regulations; or
 2. A security bond has been posted in sufficient amount to ensure the completion of all required improvements.
- Certification of approval to be signed by the secretary of the Planning Commission following the approval of the final plat.

Once a Final Plat has been approved and signed by the Chair of the Hapeville Planning Commission, the applicant may pick up copies of the plat for filing with Fulton County Superior Court at 136 Pryor Street, Atlanta, GA 30303. Once filed and stamped by the recorder's office, a copy should be returned to the Hapeville Department of Economic Development to be held on file.

Applicant Signature: _____

Date

4/2/25

[illegible]

TOTAL AREA
2.982 ACRES

SURVEYOR'S CERTIFICATION

SURVEYOR'S CERTIFICATION

ADAM T. STRATTON - GEORGIA PLS# 3480

DATE OF PLAT OR MAP: MARCH 18, 2025

FINAL SURVEYOR'S CERTIFICATE

OWNER'S ACKNOWLEDGEMENT AND DEDICATION:

[illegible]

BY: _____ DATE: 03/18/2025

FINALE DI AT A DEBOVA

[illegible]

[illegible]

ENGINEER DATE

N/F
TRACT 1

DOGWOOD ASSEMBLAGE, LLC
D.B.-64686, PG-411
3309 DOGWOOD DRIVE

0.355 ACRES
15,466 SQUARE FEET
ZONED: U-V

TRACT 2
DOGWOOD ASSEMBLAGE, LLC
D.B.-64691 PG-607

3319 DOGWOOD DRIVE
0.627 ACRES
27,312 SQUARE FEET

TRACT 3
ZONED: U-V

DOGWOOD ASSEMBLAGE, LLC
D.B.-64682 PG-699
3327 DOGWOOD DRIVE
C 328 ACRES

0.358 ACRES
15,583 SQUARE FEET
ZONED: U-V

TRACT 4
DOGWOOD ASSEMBLAGE, LLC
D.B.-64703 PG-251

3335 DOGWOOD DRIVE
0.659 ACRES
28,721 SQUARE FEET

TRACT 5
DOCKWOOD ASSEMBLY LLC
ZONED: U-V

D.B. 64703 PG-251
0.983 ACRES
42.816 SQUARE FEET

ZONED: U-V

SURVEYOR'S CERTIFICATION

PLAT IS A RETRACEMENT OF AN EXISTING PLAT OF LAND AND DOES NOT SUBDIVIDE OR RECONVEY OR MAKE ANY CHANGES TO ANY REAL PROPERTY.

INDIANES. THE RECORDING INFORMATION OF DEEDS, PLATS, OR OTHER INSTRUMENTS WHICH RELATE TO ANY LOT, BLOCK OR PARCELS ARE STATED HEREON. RECORDING OF THIS INSTRUMENT DOES NOT IMPLY APPROVAL OF ANY LOCAL ORDINANCE OR BY-LAW, NOR DOES IT IMPLY LIABILITY OF GRANTS. COMPLIANCE WITH LOCAL ORDINANCES IS THE RESPONSIBILITY OF THE GRANTEE.

REQUIREMENTS, OR SUITABILITY FOR ANY USE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LANDLORD CERTIFIES THAT THIS PLAT COMPLIES WITH THE MECHANICAL STANDARDS FOR PROPERTY SURVEYS

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS AND AS SET FORTH IN O.C.G.A. §-67.

710
DAM T. BRATTON - GEORGIA FLS# 3489

DATE OF PLAT OR MAP: MARCH 18, 2025



Department of Planning & Zoning
PLANNER'S REPORT

DATE: April 3, 2025
TO: Adrienne Senter
FROM: Lynn M. Patterson
RE: Combination Plat Request 3309-3335 Dogwood Drive, April 2025

BACKGROUND

The City of Hapeville has received a revised Combination Plat application from Norhaven Partners to combine five (5) parcels into one tract for the purpose of constructing a single-family attached development commonly owned by BSFR Two Owner I LP. The combined acreage is 2.982 acres. along Dogwood Drive. There will be 7 buildings housing 58 units.

The parcels are:

Address	Parcel Number	Acre
0 Dogwood Drive	14 0098 0016 0295	0.983
3335 Dogwood Drive	14 0098 0016 0139	0.659
3327 Dogwood Drive	14 0098 0016 0121	0.358
3319 Dogwood Drive	14 0098 0016 0113	0.627
3309 Dogwood Drive	14 0098 0016 0105	0.355
Total		2.982

The parcels are zoned U-V, Urban Village.

Consolidation Plat

- (1) A minimum of five days prior to the meeting at which the *preliminary* plat is to be considered, the subdivider shall submit two copies of the *preliminary* plat of the proposed subdivision drawn to a scale of not less than one inch equals 100 feet to the planning commission. *Scale is 1":40'*
- (2) The *preliminary* plat shall meet the minimum standards of design and the general requirements for the construction of public improvements as set forth in [section 90-1-3](#) and shall contain the following information insofar as possible:
 - a. The proposed subdivision name and location, name and address of the owner or owners, and name of the author of the plat who shall be a state-registered engineer or land surveyor.

Please provide the subdivision name, name and address of owners.

- b. Date, approximate north point and graphic scale.

Meets Requirements

- c. The location of existing and platted property lines, streets, buildings, watercourses, railroads, sewers, bridges, culverts, drain pipes, water mains and any public utility easements; the present zoning classification of the land to be subdivided and the adjoining land; and the names of adjoining property owners or subdivisions.

Meets Requirements

- d. Plans of proposed underground utility layouts (including sewers, water mains and electrical service) showing feasible connections to the existing or any proposed utility systems.

Consolidation plat only. Final plat must show all utility layouts.

- e. The names, locations, widths and other dimensions of proposed streets, alleys, easements, parks and other open spaces, reservations, lot lines and utilities.

Consolidation plat only. Final plat must show all streets, alleys, etc.

- f. Contours at vertical intervals of not more than five feet.

Consolidation plat only. Final plat must show contours.

- g. The acreage of the land to be subdivided and acreage of any lots to be created.

Meets Requirements

- h. Location map showing the relationship of subdivision to area.

Meets Requirements

- (3) Within 30 days after submission of the *preliminary* plat, the planning commission will review the plat and indicate its approval, denial or approval subject to modifications as a basis for preparation of the final plat. If a plat is denied, reasons for the denial will be indicated in writing. If approved subject to modifications, the nature of the required modifications will also be indicated in writing.
- (4) Approval of the *preliminary* plat by the planning commission will not constitute acceptance of the final plat and will not be indicated on the *preliminary* plat.
- (5) Failure of planning commission to act on the *preliminary* plat within 30 days of the meeting at which the *preliminary* plat was first considered will be deemed approval of this plat.
- (6) One copy of the *preliminary* plat shall be retained by the planning commission secretary. The second copy will be returned to the subdivider with any notations at the time of approval or denial and the specific modifications, if any, required.
- (7) Approval of the *preliminary* plat shall lapse and become null and void unless a final plat based thereon is submitted within one year from the date of such approval. The planning commission may grant an extension of time not to exceed 180 days upon good cause shown.

Sec. 90-1-3. - General requirements and minimum standards of design.

- (a) *Streets.*

- (1) *Conformity to the major street plan.* The location and width of all streets and roads shall conform to the official major street plan.

Meets Requirements.

- (2) *Relation to adjoining street systems.* The proposed street system shall extend existing streets or projects at the same or greater width, but in no case less than the required minimum width.

Not applicable

- (3) *Street widths.* The minimum width of right-of-way, measured from lot line to lot line, shall be as shown on the major street plan, or if not shown on that plan, shall be not less than as follows:
- a. For major streets, 70 feet as may be required. Major streets are those regional roads to be used primarily for fast or heavy traffic and will be located on the major street plan.
 - b. For arterial streets, 60 feet. Arterial streets are those which carry traffic from minor streets to the major streets and include the principal streets utilized for local circulation.
 - c. For minor and collector residential streets, 50 feet. Minor streets are those which are used primarily for access to the abutting residential properties and designed to discourage their use by through traffic. Collector residential streets are those which carry traffic from residential streets to arterial streets.
 - d. For dead-end streets (culs-de-sac), 50 feet. Cul-de-sac are permanent dead-end streets or courts designed so that they cannot be extended in the future. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.
 - e. For alleys, ten feet to 16 feet. Alleys are minor public ways used primarily for service access to the back or side of properties otherwise abutting on a street. In cases where topography or other typical physical conditions make a street of the required minimum width impracticable, the planning commission may modify the above requirements. Through proposed business areas the street widths shall be increased ten feet on each side if needed to provide parking without interference of normal passing traffic.
- (4) *Additional width on existing streets.* Subdivisions that adjoin existing streets shall dedicate additional right-of-way to meet the above minimum street width requirements.
- a. The entire right-of-way shall be provided where any part of the subdivision is on both sides of the existing street.
 - b. When the subdivision is located on only one side of an existing street, one-half of the required right-of-way, measured from the centerline of the existing roadway, shall be provided.
- (5) *Restriction of access.* When a tract fronts on an arterial street or highway, the planning commission may require those lots to be provided with frontage on an access street.
- No alternative is available.**
- (6) *Street grades.* Grades on major streets shall not exceed seven percent. Grades on other streets may exceed seven percent but not ten percent.
- Streets not changed.**
- (7) *Horizontal curves.* Where a deflection angle of more than ten degrees in the alignment of a street occurs, a curve of reasonably long radius shall be introduced. On streets 60 feet or more in width, the centerline radius of curvature shall be not less than 300 feet; on other streets not less than 100 feet.

- (8) *Vertical curves.* All changes in grade shall be connected by vertical curves of minimum length in feet equal to 15 times the algebraic difference in rates of grade for major streets and one-half this minimum length for other streets. Profiles of all streets showing natural and finished grades drawn to a scale of not less than one inch equals 100 feet horizontal, and one-inch equals 20 feet vertical, may be required by the planning commission.

Not Applicable

- (9) *Intersections.*
- a. Street intersections shall be as nearly at right angles as is possible, and no intersection shall be at an angle of less than 60 degrees.
 - b. Property line radii at street intersections shall not be less than 20 feet and where the angle of street intersection is less than 75 degrees, the planning commission may require a greater curb radius. Wherever necessary to permit the construction of a curb having a desirable radius without curtailing the sidewalk at a street corner to less than normal width, the property line at such street corner shall be rounded or otherwise set back sufficiently to permit such construction.

Not Applicable

- (10) *Tangents.* A tangent of at least 100 feet long shall be introduced between reverse curves on arterial and collector streets.

Not Applicable

- (11) *Street jogs.* Street jogs with centerline offsets of less than 125 feet shall be prohibited.

Not Applicable

- (12) *Dead-end streets.*
- a. Minor terminal streets or courts designed to have one end permanently closed shall be no more than 400 feet long unless necessitated by topography. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least 80 feet and a street right-of-way diameter of at least 100 feet. "Hammerhead" turnarounds are also permitted on dead-end streets accessing low density neighborhoods.
 - b. Where, in the opinion of the planning commission, it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of the property. These dead-end streets shall be provided with a temporary turnaround having a roadway diameter of at least 80 feet.

Not Applicable

- (13) *Private streets and reserve strips.* There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the community under conditions approved by the planning commission.

Not Applicable

- (14) *Street names.* Proposed streets in obvious alignment with others already existing and named shall bear the names of existing streets. In no case shall the name for proposed streets duplicate existing street names, irrespective of the use of the suffix street, avenue, boulevard, driveway, place or court.

Not Applicable

- (15) *Alleys.* Alleys shall be provided to the rear of lots used for business purposes, and shall not be provided in residential blocks except where the subdivider produces evidence satisfactory to the planning commission of the need for alleys.

Consolidation plat only.

(b) *Blocks.*

- (1) *Length.* Blocks shall not be less than 400 feet or more than 1,200 feet in length, except as the planning commission considers necessary to secure efficient use of land or desired features of street pattern. In blocks over 800 feet in length, the planning commission may require one or more public cross walks of not less than ten feet in width to extend entirely across the block and at locations deemed necessary.

Not Applicable

- (2) *Width.* Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets or prevented by topographical conditions or size of the property, in which case the planning commission will approve a single tier of lots of minimum depth.

Not Applicable

(c) *Lots.*

- (1) *Arrangement.* Insofar as practical, side lot lines shall be at right angles to straight street lines or radial to curved street lines. Each lot shall have frontage on a public street.

Meets requirements.

- (2) *Minimum size.* The size, shape and orientation of lots shall be such as the planning commission deems appropriate for the type of development and use contemplated. Remnant lots, that is, parcels of land that would not comply with the minimum lot area or width following subdividing shall be prohibited. Such remnant parcels shall be added to adjacent lots rather than be platted as unusable parcels.
- a. The size and widths of lots shall in no case be less than the minimum requirements of the zoning ordinance. No lot shall have a width greater than six times the lot depth at the building setback line without specific approval by the planning commission.
 - b. Size of properties reserved or laid out for commercial or industrial properties shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Platting of individual lots should be avoided in favor of an overall design of the land to be used for such purposes.

Meets Requirements

- (3) *Minimum depth.* The minimum depth of building setback lines from the right-of-way shall not be less than 30 feet and in the case of corner lots 15 feet from the side street right-of-way unless a lower standard is allowed by an existing zoning ordinance.

Consolidation plat only. Site plan meets zoning requirements.

- (4) *Corner lot dimension.* Corner lots shall be sufficiently wider and larger to permit the additional side yard requirements of the zoning ordinance or building setback lines outlined above.

Not Applicable.

- (5) *Lots on a curved street or cul-de-sac.* All such lots shall comply with the minimum lot frontage at the building setback line. No lot shall have a lot width less than 35 feet at the street right-of-way.

Not Applicable

- (6) *Lots in more than one municipality.* No new lot created subsequent to the effective date of this chapter shall be divided by a city boundary line.

Not Applicable

- (7) *Double frontage lots.* No lot, other than a corner lot, shall have frontage on more than one street unless a reserve strip that would prohibit vehicle access is created.

Not Applicable

(d) *Public use and service areas.* Due consideration shall be given to the allocation of areas suitably located and of adequate size for playgrounds and parks for local or neighborhood use as well as public service areas. Plats indicating dedication of park and playground areas to the city shall be approved conditionally subject to the written acceptance of the land by mayor and council.

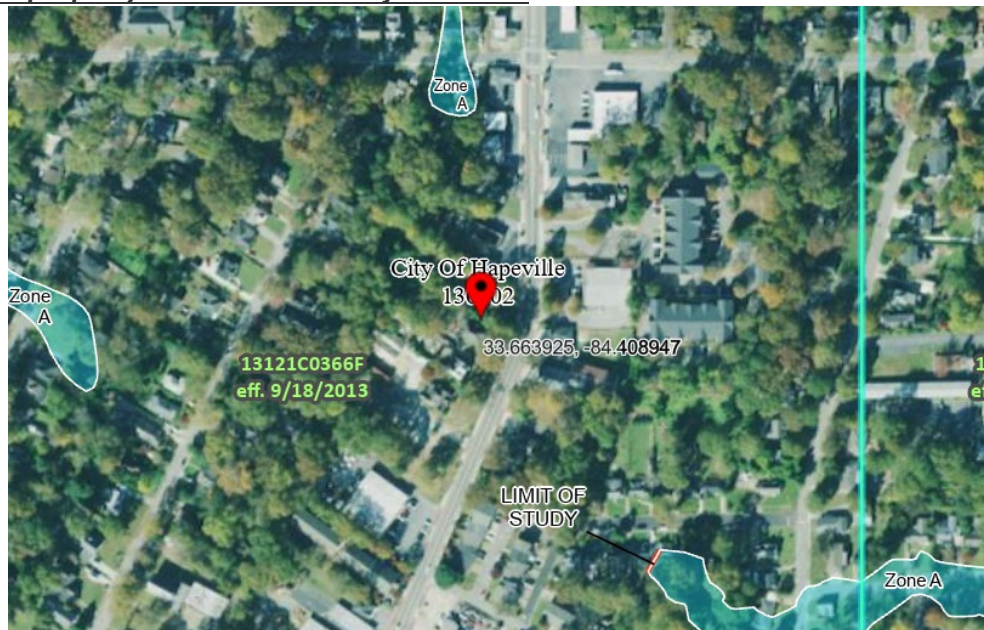
- (1) *Public open spaces.* Where a school, neighborhood park or recreation area or public access to water frontage, shown on an official map or in a plan made and adopted by the planning commission, is located in whole or in part in the applicant's subdivision, the planning commission may require the dedication or reservation of such open space within the subdivision up to a total of ten percent of the gross area or water frontage of the lot, for park, school or recreation purposes.
- (2) *Easements for utilities.* Except where alleys are permitted for the purpose, the planning commission may require easements, not less than ten feet in width, for wires, conduits, storm and sanitary sewers, gas, water and heat mains or other utility lines, along all rear lot lines, along side lot lines if necessary, or if, in the opinion of the planning commission, advisable. Easements of the same or greater width may be required along the lines of or across lots, where necessary for the extension of existing or planned utilities. Easements greater than ten feet in width may be required where additional utilities, utilities larger in size or utilities greater than five feet in depth below grade are proposed in the easement.
- (3) *Community assets.* In all subdivisions, due regard shall be shown for all natural features such as large trees, watercourses, historical resources and similar

community assets which, if preserved, will add attractiveness and value to the property.

(e) *Suitability of the land.*

- (1) The planning commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed.
- (2) Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, or for any other uses as may increase danger to health, life or property or aggravate erosion or flood hazard. Such land within the plat shall be set aside for those uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

The property is not located in a flood zone.



- (f) *Large tracts or parcels.* When land is subdivided into larger parcels than ordinary building lots, those parcels shall be arranged so as to allow for the opening of future streets and logical further resubdivision.

Not applicable

- (g) *Group housing developments.* A comprehensive group housing development, including single-family attached developments and the large-scale construction of housing units together with necessary drives and ways of access, may be approved by the planning commission although the design of the project does not include standard street, lot and subdivision arrangements, if departure from the foregoing standards can be made without destroying their intent.

Meets Requirements

(h) *Variances.* Where the subdivider can show that a provision of these standards would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the planning commission, a departure may be made without destroying the intent of these provisions, the planning commission may authorize a variance. Any variance thus authorized is to be stated in writing in the minutes of the planning commission with the reasoning on which the departure was justified set forth.

(i) *Zoning or other regulations.*

- (1) No final plat of land within the force and effect of an existing zoning ordinance will be approved unless it conforms to that ordinance.
- (2) Whenever there is a discrepancy between minimum standards or dimensions noted herein and those contained in zoning regulations, the building code or other official regulations, the highest standard shall apply.

FINDINGS

Please provide the subdivision name, name and address of owners. Once included and addressing any issues from the City Engineer, the combination plat is compliant and may be approved with the understanding the applicant shall comply with all zoning rules, regulations, covenants, and easements of record.

Location map



3309-3335 Dogwood Drive Combination Plat

Department of Planning & Zoning

Final Plat Preparation Checklist

Development Name	DOGWOOD ASSEMBLAGE CONSOLIDATION PLAT
Design Professional	ADAM BRATTON
Date	3/26/2025

It is the owner's/developer's responsibility to be in compliance with applicable National Pollution Discharge Elimination System (NPDES) Permit and Clean Water Act requirements. The petitioner should be made aware that the review does not constitute a waiver of City Ordinance requirements or assumption of responsibility for full review of City Ordinance requirements. Deviations from Ordinance requirements may be noted at any time during the review, permitting or construction processes. Re-submittals should include a narrative indicating how and where the review comments were addressed.

Abbreviations: CO: Hapeville, GA Code of Ordinances (latest ed.)

FINAL PLAT GENERAL COMMENTS CO 90-1-2-(f)		
RESPONSE (YES, NO, or N/A)	PAGE #	
✓		1. The lines of all streets, roads, and allies, lot lines, building setback lines, lots numbered in numerical order, house numbers, reservations, easements and any areas to be dedicated to public use or sites for other than residential use with notes stating their purpose and any limitations.
✓		2. Sufficient data to readily determine and reproduce on the ground the location, bearing and length of every street line, lot line, boundary line, block line and building line, whether curved or straight, and including the true north point. This shall include the radius, central angle and tangent distance for the centerline of curved streets and curved property lines that are not the boundary of curved streets.
✓		3. All dimensions to the nearest 100th of a foot and angles to the nearest minute.
✓		4. Location and description of monuments.
✓		5. The names and locations of adjoining subdivisions and streets and the location and ownership of adjoining property.
✓		6. Date, title, name and location of subdivision, graphic scale and true north point.
✓		7. Location map showing site in relation to area.
✓		8. Certification showing that the applicant is the landowner or legally authorized representative and dedicates streets, rights-of-way, improvements and any sites for public use.
x		9. Certification by the landowner acknowledging that the city assumes no responsibility for overflow or erosion of natural or artificial drains beyond the extent of the street right-of-way, or for the extension of culverts beyond the point shown on the approved and recorded subdivision plat and that the city does not assume responsibility for maintenance of pipes and drainage ditches in drainage easements beyond the city right-of-way. Structures other than storm drainage structures are not permitted in drainage easements.
✓		10. Certification by land surveyor or engineer to accuracy of survey and plat and placement of monuments.
✓		11. Certification of Final Plat Approval.



N/A		12. If final plat approval is requested before all improvements have been installed in accordance with the requirements of the regulations, the owner shall post a security bond in an amount determined by the city to be sufficient to ensure the completion of all required improvements. Security bond language and bond provider shall satisfy all requirements of the city.
ADDITIONAL COMMENTS		
x		13. Per Section 90-1-2 (e)(2) f., Contours at vertical intervals of not more than 5 feet
x		14. The front yard "Build-to-Line" of 0-15' should be shown.
x		15. All easements should be shown on the plat.

25-PC-04-07

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING COMMISSION APPLICATION**

WRITTEN SUMMARY

In detail, provide a summary of the proposed project in the space provided below. (Please type or print legibly.)

Funeral Establishment - Property has been used as a funeral home for nearly 40 years. We have changed ownership and are looking to obtain a conditional use permit.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

**CITY OF HAPEVILLE
ECONOMIC DEVELOPMENT DEPARTMENT
PLANNING COMMISSION APPLICATION**

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:

744 South Central Avenue

Hapeville, GA 30354

City of Hapeville, County of Fulton, State of Georgia

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant Rollings Funeral Service, LLC dba Airport Mortuary Shipping Service

Address of Applicant
403 Westpark Court, Suite 120, Peachtree City, GA 30269

Telephone of Applicant



Signature of Owner

Tony Kumming

Print Name of Owner

Personally Appeared Before Me this 28 day of March, 2025.


Notary Public



Site Plan Checklist – Please include with your application.

A site plan is used to determine the practical ability to develop a particular property within the City of Hapeville. Information relating to environmental condition, zoning, development impact, consistency with the Hapeville Comprehensive Plan and relevant town master plans will be considered in the decision process. To be considered, a site plan **must** contain the following information:

(Please **initial** each item on the list above certifying the all required information has been included on the site plan)

TK

A brief project report shall be provided to include an explanation of the character of the proposed development, verification of the applicant's ownership and/or contractual interest in the subject site, and the anticipated development schedule. Please complete and submit all forms contained within the application for site plan review.

TK

Site plans shall be submitted indicating project name, applicant's name, adjoining streets, scale, north arrow and date drawn.

TK

The locations, size (sf) and height (ft) of all existing and proposed structures on the site. Height should be assessed from the base of the foundation at grade to the peak of the tallest roofline.

TK

Site plans shall include the footprint/outline of existing structures on adjoining properties. For detached single-family residential infill development, the front yard setback shall be assessed based on the average setback of existing structures on adjoining lots. Where practical, new construction shall not deviate more than ten (10) feet from the average front yard setback of the primary residential structure on an adjoining lot. Exemption from this requirement due to unnecessary hardship or great practical difficulty can be approved at the discretion of the Planning Commission. To be considered for an exemption, the applicant must submit a "Request for Relief" in writing with their site plan application, including the conditions that necessitate relief (i.e. floodplain, wetland encroachment, excessive slope, unusual lot configuration, legally nonconforming lot size, unconventional siting of adjoining structures, etc).

TK

The location and general design cross-section characteristics of all driveways, curb cuts and sidewalks including connections to building entrances. A walkway from the primary entrance directly to the public sidewalk is required for all single-family residential development.

TK

The locations, area and number of proposed parking spaces. Please refer to Article 22.1 Chart of Dimensional Requirements to determine the correct number of parking spaces for your particular type of development.

TK

Existing and proposed grades at an interval of five (5) feet or less.

TK

The location and general type of all existing trees over six (6) inch caliper and, in addition, an identification of those to be retained. Requirements for the tree protection plan are available in Code Section 93-2-14(f). Please refer to Sec. 93-2-14(y) to determine the required tree density for your lot(s).

TK

A Landscape Plan: The location and approximate size of all proposed plant material to be used in landscaping, by type such as hardwood deciduous trees, evergreen trees, flowering trees and shrub masses, and types of ground cover (grass, ivies, etc.). Planting in parking areas should be included, as required in Section 93-23-18.

TK

The proposed general use and development of the site, including all recreational and open space areas, plazas and major landscape areas by function, and the general location and description of all proposed, outdoor furniture (seating, lighting, telephones, etc.). Detached single-family residential development may be exempt from this requirement.

TK

The location of all retaining walls, fences (including privacy fences around patios, etc.) and earth berms. Detached single-family residential development may be exempt from this requirement.

TK

The identification and location of all refuse collection facilities, including screening to be provided. Detached single-family residential development may be exempt from this requirement.

- TK Provisions for both on-site and offsite storm-water drainage and detention related to the proposed development.
- TK Location and size of all signs. Detached single-family residential development may be exempt from this requirement.
- TK Typical elevations of proposed building provided at a reasonable scale (1/8" = 1'0") and include the identification of proposed exterior building materials. Exterior elevations should show all sides of a proposed building.
- TK Site area (square feet and acres).
- TK Allocation of site area by building coverage, parking, loading and driveways, and open space areas, including total open space, recreation areas, landscaped areas and others. Total dwelling units and floor area distributed generally by dwelling unit type (one-bedroom, two-bedroom, etc.) where applicable.
- TK Floor area in nonresidential use by category. Detached single-family residential development may be exempt from this requirement.
- TK Total floor area ratio and/or residential density distribution.
- TK Number of parking spaces and area of paved surface for parking and circulation
- TK At the discretion of the planning commission, analyses by qualified technical personnel or consultants may be required as to the market and financial feasibility, traffic impact, environmental impact, storm water and erosion control, etc. of the proposed development.

Please **initial** each item on the list above certifying the all required information has been included on the site plan, sign and submit this form with your site plan application. Failure to include this form and information required herein may result in additional delays for the consideration of your application.

Applicant Signature: 
Date: 3/28/2025

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 98 OF THE 14TH DISTRICT, CITY OF HAPEVILLE, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT FORMED BY THE RIGHT-OF-WAY INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY OF VIRGINIA AVENUE (R/W VARIES) WITH THE SOUTHWESTERLY RIGHT-OF-WAY OF CENTRAL AVENUE (R/W VARIES); THENCE ALONG THE RIGHT-OF-WAY OF CENTRAL AVENUE A DISTANCE OF 76.00' TO A PK NAIL FOUND AND THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY S56°38'54"E A DISTANCE OF 60.00' TO AN IRON PIN SET; THENCE LEAVING SAID RIGHT-OF-WAY S40°22'06"W A DISTANCE OF 244.30' TO AN IRON PIN SET; THENCE N56°41'34"W A DISTANCE OF 62.00' TO AN IRON PIN SET; THENCE N40°49'55"E A DISTANCE OF 244.60' TO A PK NAIL FOUND ON THE RIGHT-OF-WAY OF CENTRAL AVENUE AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 0.34 ACRES.

ALL THAT TRACT OF PARCEL OF LAND LYING AND BEING IN LAND LOT NO. 14 OF THE 14TH DISTRICT OF THE COUNTY OF WARELL, TULSA COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT-OF-CROSS INTERSECTION OF THE SOUTHEASTERLY CORNER OF THE TRACT OF LAND CONTAINING 10.34 ACRES, MORE OR LESS, OF THE CENTRAL AVENUE (A NOW WASHED TRAIL) ALONG THE RIGHT-OF-WAY OF CENTRAL AVENUE, AND PROCEEDING SOUTHWEST ALONG THE RIGHT-OF-WAY OF CENTRAL AVENUE A DISTANCE OF 24.30 TO AN IRON PIN SET; THENCE LEAVING SAID RIGHT-OF-WAY S40°52'30"W A DISTANCE OF 34.20 TO AN IRON PIN SET; THENCE S40°52'30"W A DISTANCE OF 34.20 TO AN IRON PIN SET; THENCE S40°52'30"W A DISTANCE OF 24.60 TO A P.K. FOUND ON THE RIGHT-OF-WAY OF CENTRAL AVENUE AND THE POINT OF BEGINNING.

SAYING THAT THE TRACT OF LAND CONTAINS 0.34 ACRES.

[illegible]

0.34 ACRES
14,791.41 S.F.
ZONED C2



THIS PLAT IS A RETROFITMENT OF ANY EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION ON THIS PLAT, PROCEEDINGS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. LOCAL JURISDICTION, AVAILABILITY OF RESOURCES, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND, FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN O.C.G.A. SECTION 44-1-1, AND THAT THE PLAT IS ELIGIBLE FOR REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 45-6-67.

TO RFS HOLDINGS, L.L.C.; BRANCH BANKING AND TRUST
COMPANY, STEWART TITLE GUARANTY COMPANY AND WILLIAM E.
PORTER, P.C.;

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY
ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE
LAND MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSP
PLAT TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY
ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5a, 6a, 7a,
8, 9, 11, 13, 14, 16, 17 & 19 OF TABLE A THEREOF. THE
FIELDWORK WAS COMPLETED ON 3/21/2018.

DATE OF PLAT OR MAP: 4/02/2018

GEORGIA REGISTERED LAND SURVEYOR NO. 2351
CHARLES H. JACKSON, R.L.S.
200 MARILYN DRIVE EAST
FARMERSVILLE, GEORGIA 30644

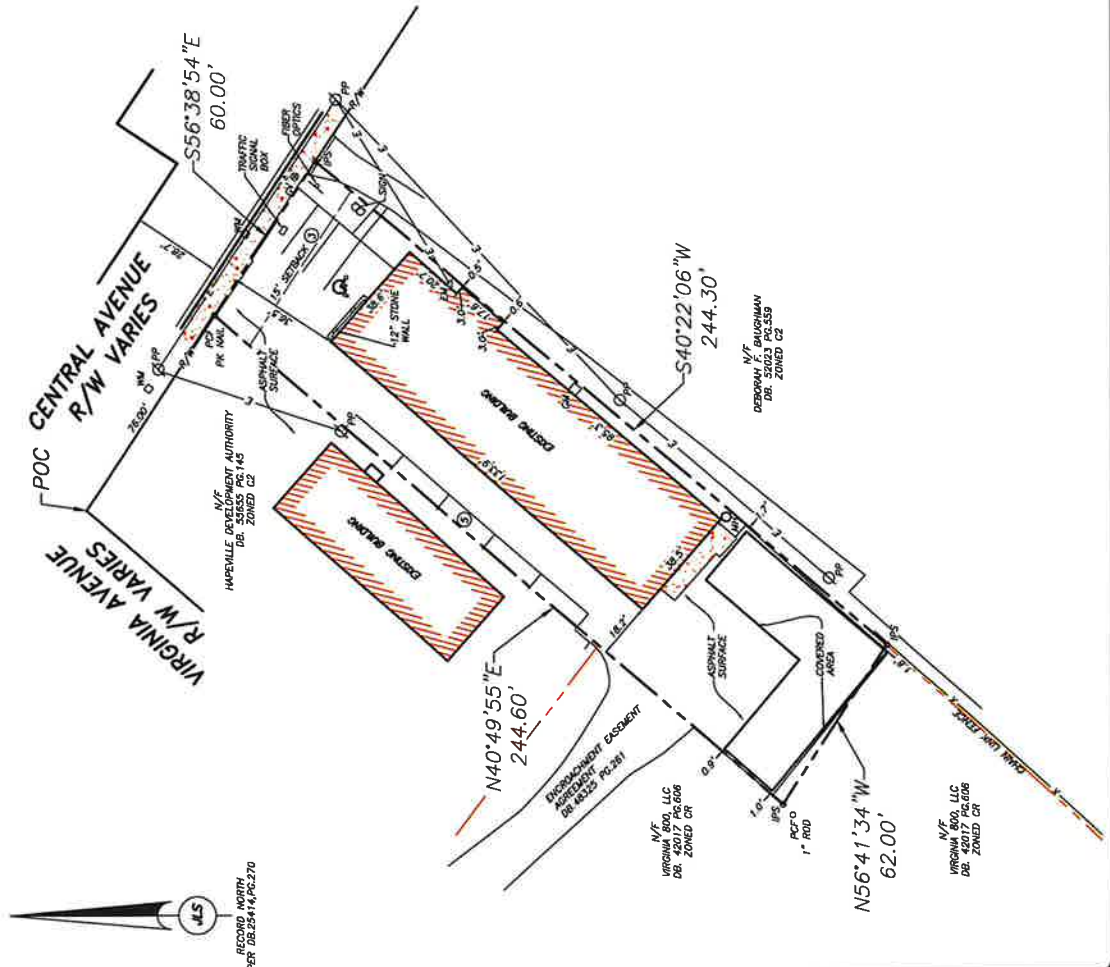
1. ZONED: C2
2. SETBACKS: FRONT 15'
REAR 0'
SIDE 0'
3. MAX. BLDG. HEIGHT: OVER 40' NEEDS CITY APPROVAL
4. FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A LEICA 1103 TOTAL STATION.

AGE 268
AGE 270

0.34 ACRES
1 IN 8,931,176
1 IN 10,000
0.03" PER ANGLE FOR
NO ADJUSTMENT
LEICA 1103 TOTAL STATION
MARCH 21, 2018

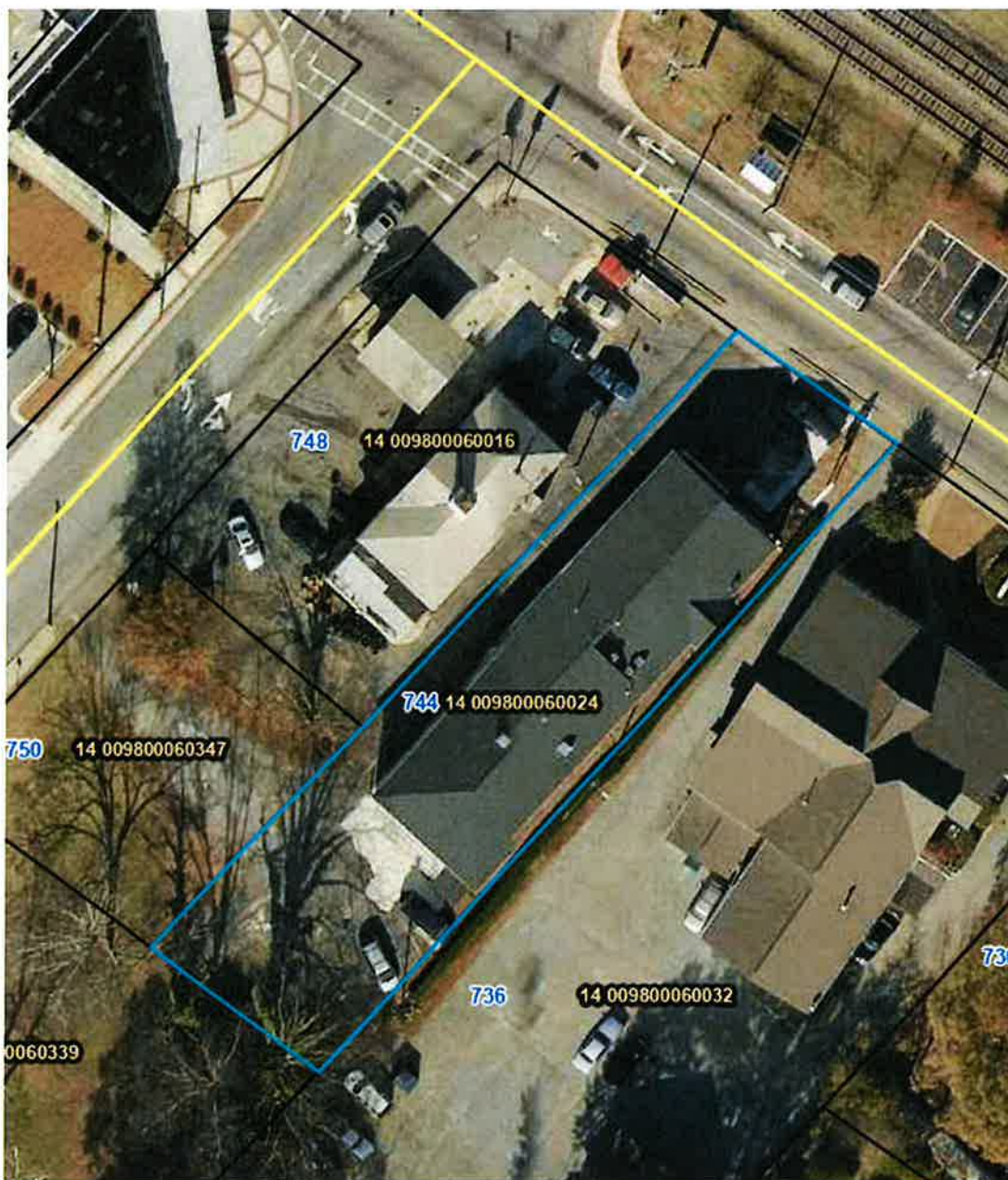
Ø	_____	_____
_____	E	_____
=====		
Pd ²		
IPS		
□MM		
□MG		
GP		
JB		
N/V		
CO		
NH		
EN		

POWER POLE
OVERHEAD ELECTRIC
STORM DRAINAGE PIPES
CURBS AND GUTTER
PROPERTY CORNER FOUND
WASH PIN SET
INTER METER
CATCH BASIN
DROPP INLET
JUNCTION BOX
NOW OR FORMERLY
CLEAN OUT
MANHOLE
ELECTRIC METER

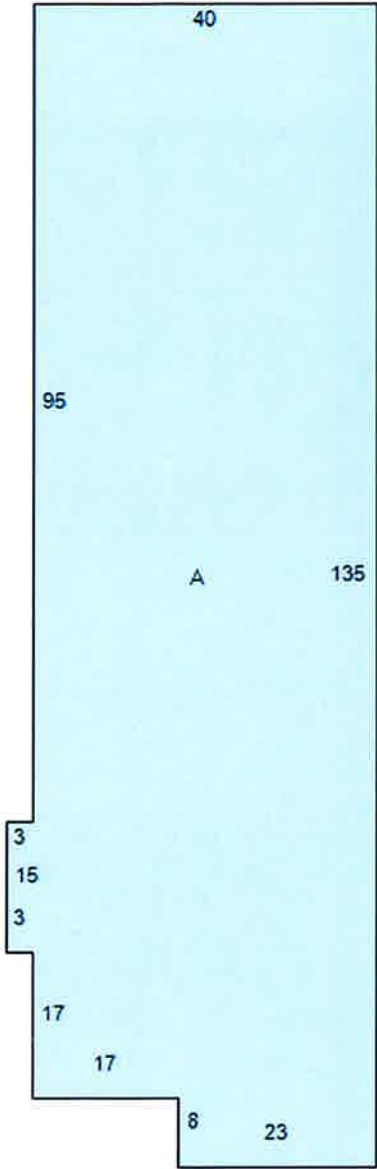


ACCORDING TO THE F.E.M.A., F.I.R.M. FLOOD INSURANCE RATE MAP
COMMUNITY PANEL NO. 13121C0366F DATED 9/18/2013 THE
SUBJECT PROPERTY IS LOCATED IN ZONE "X" - AREA OF MINIMUM
FLOOD HAZARD.

SCALE 1" = 30'



	Room Type	Area
	A 058	5309





**DEPARTMENT OF PLANNING AND ZONING
PLANNER'S REPORT**

To: Adrienne Senter
From: Lynn M. Patterson
Date: April 3, 2025
RE: Conditional Use Permit – 744 South Central Ave

BACKGROUND

The City of Hapeville received a request for a Conditional Use Permit from Rolings Funeral Service, LLC dba Airport Mortuary Shipping Service to operate a funeral establishment named Airport Mortuary Shipping Service at 744 South Central Avenue. This is a change of ownership with no modifications to the signage, parking lot, entrance and exit, or the building.

Parking has not been indicated on the site plan. There are 4 parking spaces (including 1 accessible parking space) in the supplemental area. Any parking to the rear cannot be determined by the materials submitted. The building is shown as 5,309 SF.

The property is located in the V, Village Zoning District and in the Arts Overlay Zoning District. A funeral home is permitted as a Conditional Use within the V Zoning District and is subject to the provisions of Article 3.2 below.

CODE

ARTICLE 11.1. - V ZONE (VILLAGE)

Sec. 93-11.1-1. - Intent.

The V district is established in order to:

- (1) Accommodate a mixed-use, urban fabric that preserves neighborhood scale;
- (2) Accommodate residents in the district with pedestrian access to services and employment typical of a live/work community;
- (3) Promotes neighborhoods established near shopping and employment centers;
- (4) Encourage pedestrian and neighborhood uses in the commercial area;
- (5) Discourage land uses, which are automobile or transportation related;
- (6) Exclude industrial uses such as manufacturing, processing and warehousing;
- (7) Promote retail and related commercial uses such as business offices, florists, card shops antiques, apparel and banks; and
- (8) Encourage mixed use with commercial uses on the first floor and residential living above.

Sec. 93-11.1-4. - Conditional uses.

Specific uses may be permitted as conditional uses, provided conformance to the purpose and intent of this article can be demonstrated. Such uses are:

- (1) SIC Code 5261, lawn and garden supplies:
 - a. No outdoor storage of merchandise in the front yard.
 - b. Outdoor storage in the rear yard, only, is permitted, provided storage areas are completely screened.
- (2) SIC Code 5411, grocery stores and food stores;
- (3) SIC Code 7011, Hotels and motels;
- (4) SIC Code 7641, Reupholstery and furniture repair;
- (5) Laundry and dry cleaning shops;

(6) Undertaking establishments and funeral homes.

ARTICLE 3.2 – Conditional Uses

Sec. 93-3.2-1. - Permit required.

Zoning districts established herein permit certain uses which are allowable therein provided they meet specified conditions, as set forth therein and here. No such use shall be permitted until a conditional use permit has been issued authorizing such use. The procedures for granting such permits shall be the same as for amendments to the zoning ordinance or zoning map.

Sec. 93-3.2-2. - Review of applications.

Those conditions specified in the zoning district regulations shall be considered to be the minimum standards which must be met before the conditional use application may be considered by the planning commission for review and recommendation and the mayor and council for decision. In deciding upon whether or not a conditional use meets the minimum standards and promotes the health, safety, morals, or general welfare of the city, the mayor and council shall utilize the applicable standards of review of [section 93-25-6](#).

Sec. 93-3.2-3. - Issuance of permit.

If the mayor and council, after applying the evidence to the standards of review, have been convinced that the allowance of the conditional use will promote the health, safety, morals, or general welfare of the city, a conditional use permit may be granted, subject to those provisions that may be imposed by the mayor and council.

Sec. 93-3.2-4. - Procedures regarding delays in use of condition.

If a building permit, grading permit or occupation tax permit has not been issued and construction (if any is necessary) begun within a 12-month period after such conditional use is approved, the conditional use is invalid and prior zoning district regulations are automatically reinstated. Prior to the 12 month expiration, the applicant may request an extension from the Planning Commission and City Council of the conditional use for a period of 12 months by only one such period at a time.

Sec. 93-3.2-5. - Special use permit procedures.

Mayor and Council may in considering a special use permit following a public hearing impose reasonable conditions deemed necessary to the protection or benefit of owners of adjacent and nearby properties to ensure compatibility of the proposed development or use with surrounding uses. The decision of mayor and council concerning consideration of a special use shall be given to the applicant in writing, by certified U.S. mail to the address indicated in the application. Aggrieved applicants shall have 30 calendar days from the date of receipt of the notice in which to petition the superior court of Fulton County for writ of certiorari.

Sec. 93-3.2-6. - Special use permit criteria and standards.

- (a) *Special use permit criteria.* Special uses are compatible uses of land or the improvement of structures within a zoning district that reasonably require special consideration and therefore, are not allowed "by right." The following standards shall be considered in evaluating the appropriateness of all proposed special uses of property:
- (1) Impact on the use or development of adjacent properties, or the surrounding area, as concerns public health, safety or general welfare;
The use of the property as a funeral home has no foreseeable negative impact regarding adjacent properties or the surrounding area.
 - (2) Capacity of the lot to accommodate the use and satisfy the dimensional requirements of the ordinance;
The property has been utilized as a mortuary for approximately 40 years and this is a change of ownership.
 - (3) Compatibility with adjacent properties and other land uses in the vicinity;
The area has been designated as medium intensity mixed-use in the future land use map, the zoning is Village. Adjacent properties are zoned Village (V).

- (4) Potential nuisance or hazardous characteristics, specifically as concerns the number of individuals projected to use such facility or nature of the activity;
There are no expected nuisance or hazardous characteristics associated with this use.
- (5) Impact on traffic movement, availability of off-street parking, options for buffering or protective screening, hours and manner of operation, lighting, signs and access to the property;
Based upon historical use, there are no expected negative impacts on traffic movement, off street parking, operations, access to the property, etc. Required parking for a commercial use would be 25 parking spaces, however, given this use, the parking is believed to be sufficient.
- (6) Conformance of the special use to other requirements of the ordinance.
Not applicable.

The proposed use of a funeral home is compatible with the V Zoning District and meets the intent of the district. The conditional use application is recommended for approval.



Page 34 of 35

