



PLANNING & ZONING BOARD MEETING

**May 19, 2020 7:00 PM
TELECONFERENCE**

Call in Number:

404. 902. 5066

Call in Code:

326629

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF FEBRUARY 2020 MEETING MINUTES

PUBLIC HEARING:

Any member of the public may address the Planning and Zoning Board, during the time allotted for public hearing. Each attendee will be allowed 3 minutes. If your public comment contains a series of questions, please provide those questions to staff in writing on the Public Comment Card prior to the meeting. This will facilitate follow-up by the Board or Staff. The Planning and Zoning Board desires to allow an opportunity for public comment; however, the business of the Board must proceed in an orderly and timely manner.

D. OLD BUSINESS

1. **PUBLIC HEARING:** Abdulkadir Mohamed Dine D/B/A Brava Auto Brokers, has submitted a conditional use permit request for the property located at 1352 Brockett Road, Clarkston, Georgia 30021, zoned NC-2 Neighborhood Residential-Community Development for used car sales, repairs and emissions.

E. NEW BUSINESS

1. **PUBLIC HEARING:** A rezoning request from Tara Armstrong D/B/A Early Learning Scholars and Family Services, Incorporated to rezone the property located at 3542 Clarkston Industrial Boulevard parcel 18 118 03 011 from I- Light Industrial to NR-CD Neighborhood Residential Community Development District, Clarkston, GA 30021. If granted the applicant will combine the lot to an adjacent lot for additional parking.

F. OTHER BUSINESS

G. ADJOURNMENT



CITY OF CLARKSTON
CONDITIONAL USE PERMIT APPLICATION

Date Received: 11/11/2019

APPLICANT INFORMATION

APPLICANT NAME: ABDULKADIR MCHAMMED DINE
ADDRESS: 355320044 3596 Sandy Woods Ln Stone Mountain Gnt 30083
PHONE: 4049449176 CELL: 4049449176 FAX: 770-270-5995
EMAIL ADDRESS: BRAVAAUTOBROKERS@gmail.com

OWNER INFORMATION (If different from Applicant)

OWNER NAME: _____
ADDRESS: _____
PHONE: _____ CELL: _____ FAX: _____
EMAIL ADDRESS: _____

PROPERTY INFORMATION (attach legal description)

ADDRESS: 1352 Bocket RD Clarkston GA 30024
PARCEL ID#: 1814308011 LAND LOT: 26190 DISTRICT: Clarkston A11X

CONDITIONAL USE PERMIT REQUEST

CURRENT ZONING: NC-2 CURRENT LAND USE: Repair & emission
PROPOSED LAND USE: Used car sales

DESCRIPTION OF USE (ex.: number of employees, details of operation, etc.): 4 employees
Used car sales max 15 vehicles and
repair and emission

To: City of Clarkston

Sub: Conditional use permit application

11/25/2019

My application in regards conational use permit of 1352 Brockett Rd as use car dealership is currently operated as a mechanic, emission, and tire shop. The used car dealership is an addition, no construction is needed. The conditional use would not be injurious to the use and enjoyment of the environment or the property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood

The proposed conational use will not increase State and Local expenditure in relation to the cost of servicing or maintaining neighborhood properties

In addition the conational use will not impede the normal and orderly development of surrounding properties for those predominant in the area, and the location and the character of the proposed conditional use will be consistent with the desirable pattern of the development of the locality

Sincerely

Abdukadir Dine

Banadir auto dealer llc

CERTIFICATION OF OWNERSHIP

I hereby certify that I am the owner of the property shown on the attached plat, described in the attached legal description, and identified as follows: Please See attached Deed

AbdulKadir M DINE
Type or Print Owner's Name (on behalf of Barclay Auto Brokers LLC.)

Owner's Signature

11/12/2019
Date

Sworn and subscribed before me this 12th day of November, 2019

Notary Public

04/26/22
Commission Expires



Sadia A. Ali
NOTARY PUBLIC
DeKalb County, Georgia
My Commission Expires
April 26, 2022

(Seal)

POWER OF ATTORNEY (if owner is not the applicant)

Applicant states under oath that: (1) he/she is the executor or Attorney-in-fact under Power-of-Attorney for the owner (attach a copy of Power-of-Attorney letter); (2) he/she has an option to purchase said property (attach a copy of the contract); or (3) he/she has an estate for years which permits the petitioner to apply (attach a copy of lease).

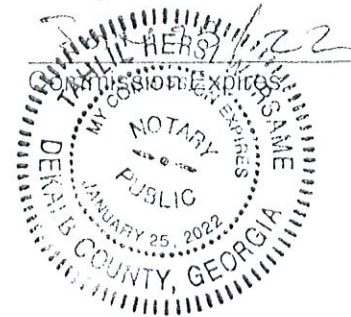
AbdulKadir M DINE
Type or Print Owner's Name

Owner's Signature

11/25/2019
Date

Sworn and subscribed before me this 25 day of November, 2019

Notary Public



(Seal)

AbdulKadir M DINE
Type or Print Applicant's Name

Applicant's Signature

11/25/2019
Date

ATTORNEY / AGENT

CIRCLE ONE: Attorney Agent

Type or Print Attorney / Agent's Name

Attorney / Agent's Signature

Address

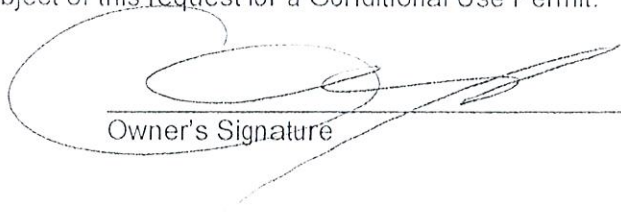
Phone Number

Email Address

AUTHORIZATION TO INSPECT PREMISES

I/we Banadir Auto Brokers, LLC am/are the owner(s) of the subject property, which is the subject matter of this application. I/we authorize the City of Clarkston to inspect the premises, which is the subject of this request for a Conditional Use Permit.

Abdulqadir M DINE
Type or Print Owner's Name (on behalf of Banadir Auto Brokers, LLC.)



Owner's Signature

11/12/2019
Date

Record and Return to:
Weissman PC
One Alliance Center, 4th Floor
3500 Lenox Road
Atlanta, GA 30326

File No.: CM104-19-0093

Parcel ID: 18 143 08 011

----- SPACE ABOVE THIS LINE FOR RECORDING DATA -----

RECORDING COVER SHEET

GRANTOR: Carl Myers
GRANTEE: Banadir Auto Brokers LLC, a Georgia Limited Liability Company
DATE OF INSTRUMENT: June 21, 2019
TYPE OF INSTRUMENT: Limited Warranty Deed

To the Clerk of Dekalb County, Georgia:

NOTE: This cover page is incorporated herein and made a part of this document.

Record and Return to:
Weissman PC
5909 Peachtree Dunwoody Road, Suite 100
Atlanta, GA 30328

File No.: CM104-19-0093

LIMITED
WARRANTY DEED

STATE OF GEORGIA
COUNTY OF FULTON

THIS INDENTURE, made this 21 day of June, 2019, between Carl Myers, as party or parties of the first part, hereinunder called Grantor, and **Banadir Auto Brokers LLC**, a Georgia Limited Liability Company as party or parties of the second part, hereinunder called Grantee, (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN DOLLARS AND NO/100 (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee.

See Exhibit "A" attached hereto.

This Deed is given subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, only to the proper use, benefit and behoof of the said Grantee, forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through and the above named grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed, on the date and year above written.

Signed, sealed and delivered
in the presence of:

[Handwritten Signature]

Unofficial Witness

[Handwritten Signature]

Notary Public

My Commission Expires:

11-15-23

[Handwritten Signature]

Carl Myers

(Seal)



EXHIBIT "A"

Legal Description

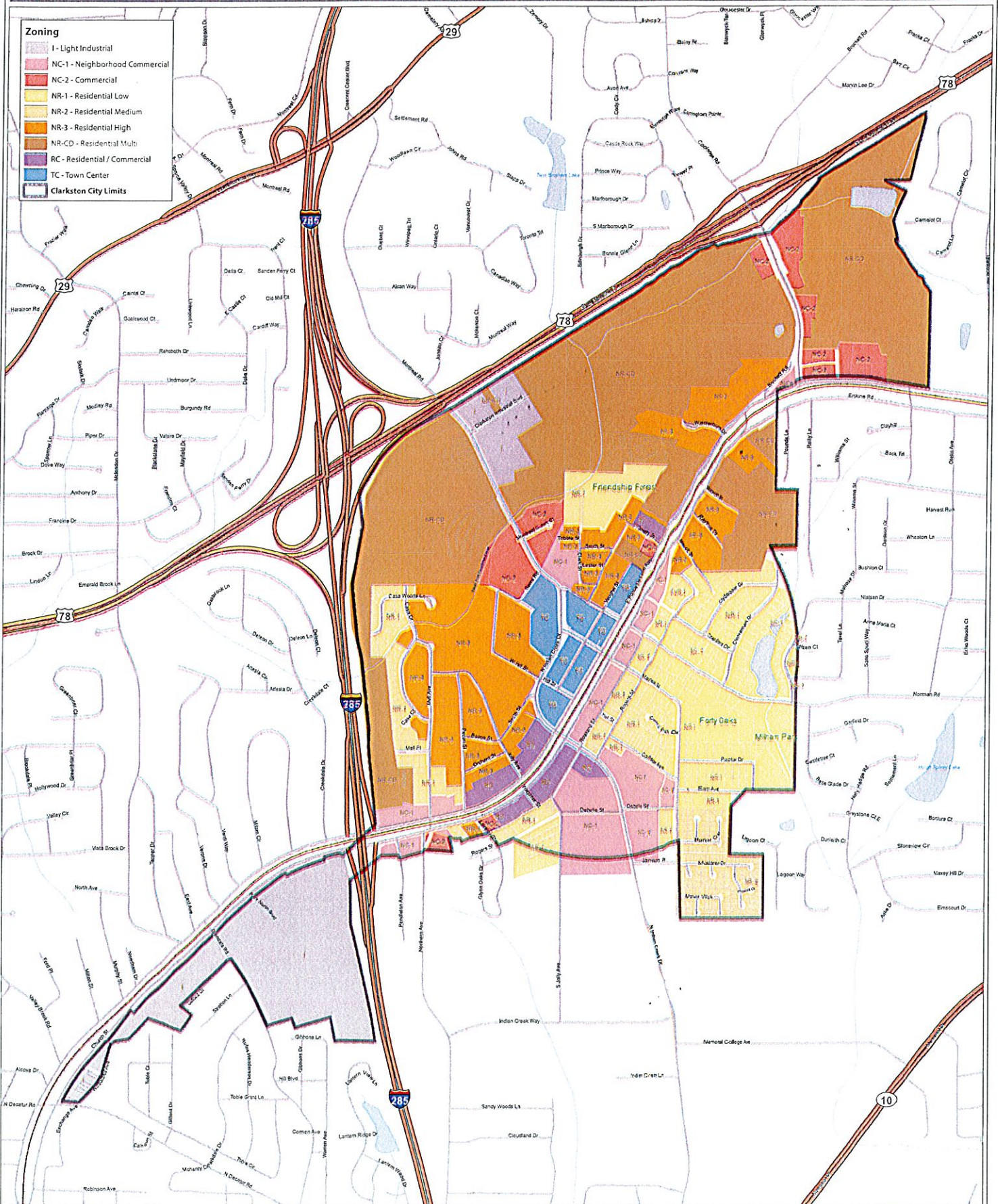
File No.: CM104-19-0093

All that tract or parcel of land lying and being in Land Lot 143 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows: BEGINNING at the southwesterly right-of-way of Brockett Road and the southeasterly right-of-way of U.S. Highway 78 (also known as Stone Mountain Freeway); thence proceeding in a southeasterly direction a distance of 341.67 feet to a point, said point being THE TRUE POINT OF BEGINNING. Thence South 25 degrees 27 minutes 05 seconds East for a distance of 141.09 feet to a point; thence South 64 degrees 37 minutes 31 seconds West a distance of 190.54 feet to a point; thence North 25 degrees 54 minutes 03 seconds West for a distance of 141.04 feet to a point; thence North 64 degrees 36 minutes 26 seconds East for a distance of 191.65 feet to a point, said point being THE TRUE POINT OF BEGINNING. Said property contains 0.62 acre. Parcel ID Number: 18 143 08 011. Subject to any Easements or Restrictions of Record.

The above described property is the same property as shown on that certain Limited Warranty Deed dated August 3, 2001, recorded August 13, 2001 in Deed Book 12372, Page 94, and in the Warranty Deed dated April 14, 1998, recorded April 24, 1998, in Deed Book 9960, Page 261, Gwinnett County, Georgia Records.

ZONING - CITY OF CLARKSTON, GA

- Zoning**
- I - Light Industrial
 - NC-1 - Neighborhood Commercial
 - NC-2 - Commercial
 - NR-1 - Residential Low
 - NR-2 - Residential Medium
 - NR-3 - Residential High
 - NR-CD - Residential Multi
 - RC - Residential / Commercial
 - TC - Town Center
 - Clarkston City Limits



LAND USE //

Through our findings the Project Team simplified the land use categories and minimized them to five for ease of use and clarity. The previous Comprehensive Plan applied Character Areas to the Future Land Use Plan. The most common theme of the engagement was the desire for Mixed Use in the core. Through the color exercise at Planning Forum #1 the Project Team developed the Future Land Use map on the opposite page.

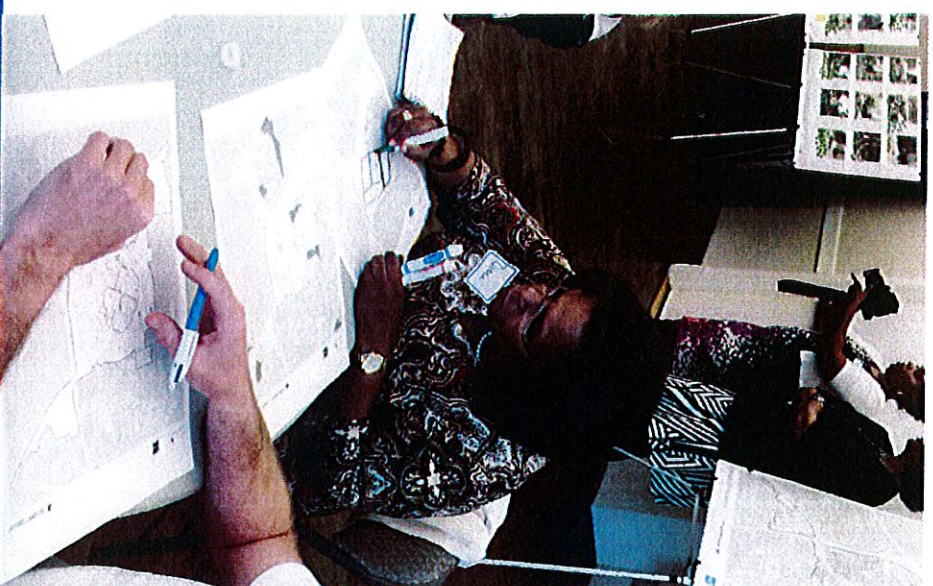
Proposed Policies //

- Encourage mixed-use developments in the downtown core and annexed outer nodes
- Develop a civic space that includes a Town Green, amphitheater and water feature within the downtown core
- Beautify the rail corridor

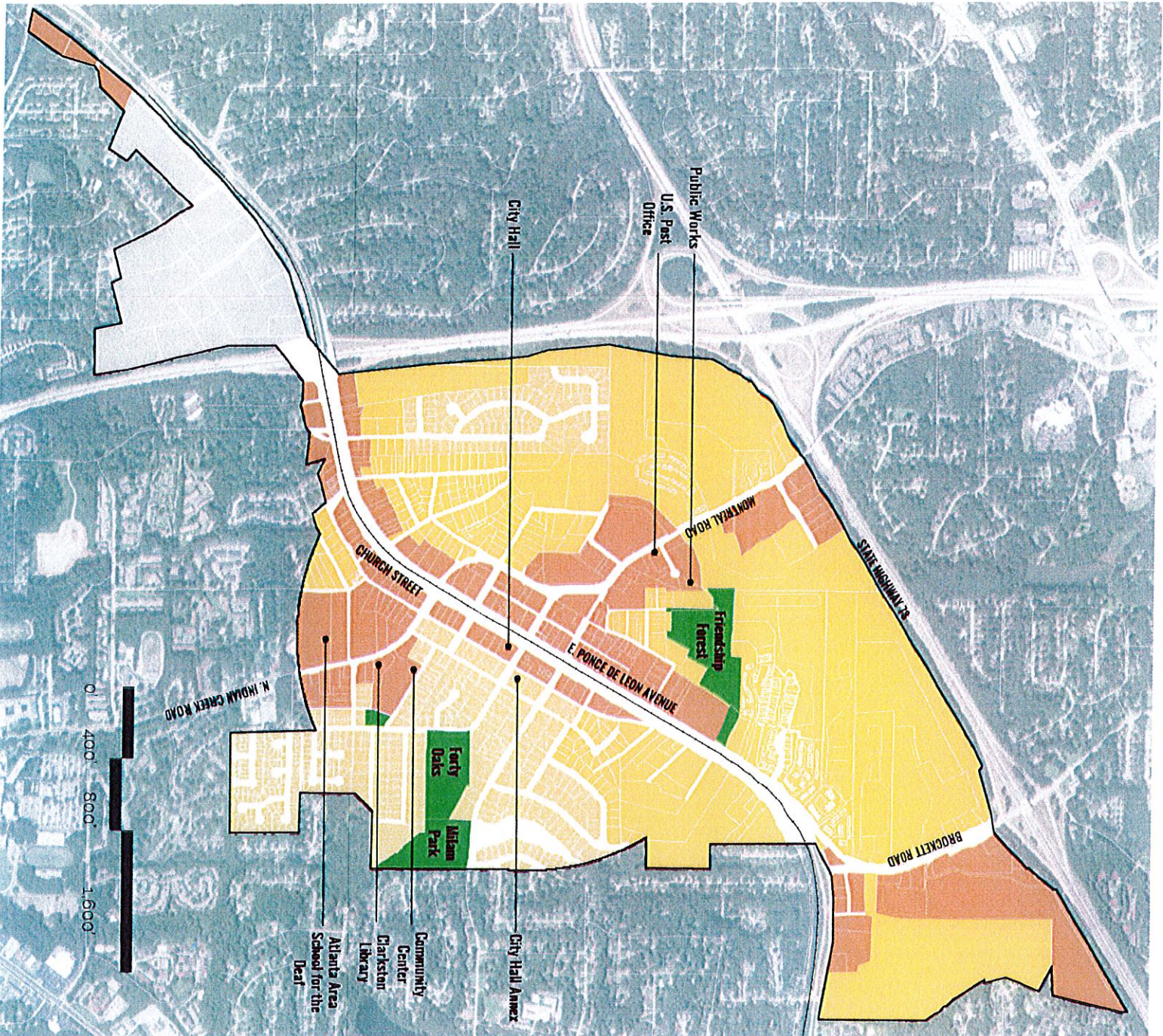
Proposed Future Land Use Designations //

- Mixed Use: A mix of diverse uses including multi-family housing, commercial, office, and urban compatible industrial uses (maker spaces, manual crafts and breweries). The community desires both vertical

- and horizontal mixes of uses to match the historic development character of the City.
- Single Family Areas: This designates areas for preservation of single family homes, both historic as well as new development. Townhomes and single family homes are allowed in this area.
- Traditional Neighborhood Development: These areas are designated to nurture traditional neighborhood development patterns and housing types. This includes walkable areas of single family homes, duplexes and triplexes, cottage courtyard housing, 4-6 unit walk-up apartment buildings, and townhouses.
- Industrial: Non-nuisance light industrial uses.
- Parks/Open Spaces: This includes all passive and active public spaces.



Top Right: Community members at Planning Forum #1 coloring their Future Land Use and Parks maps. (TSW)

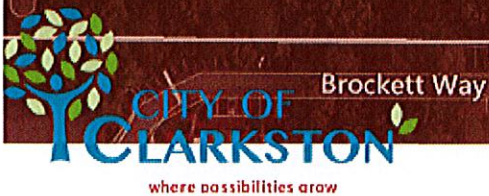
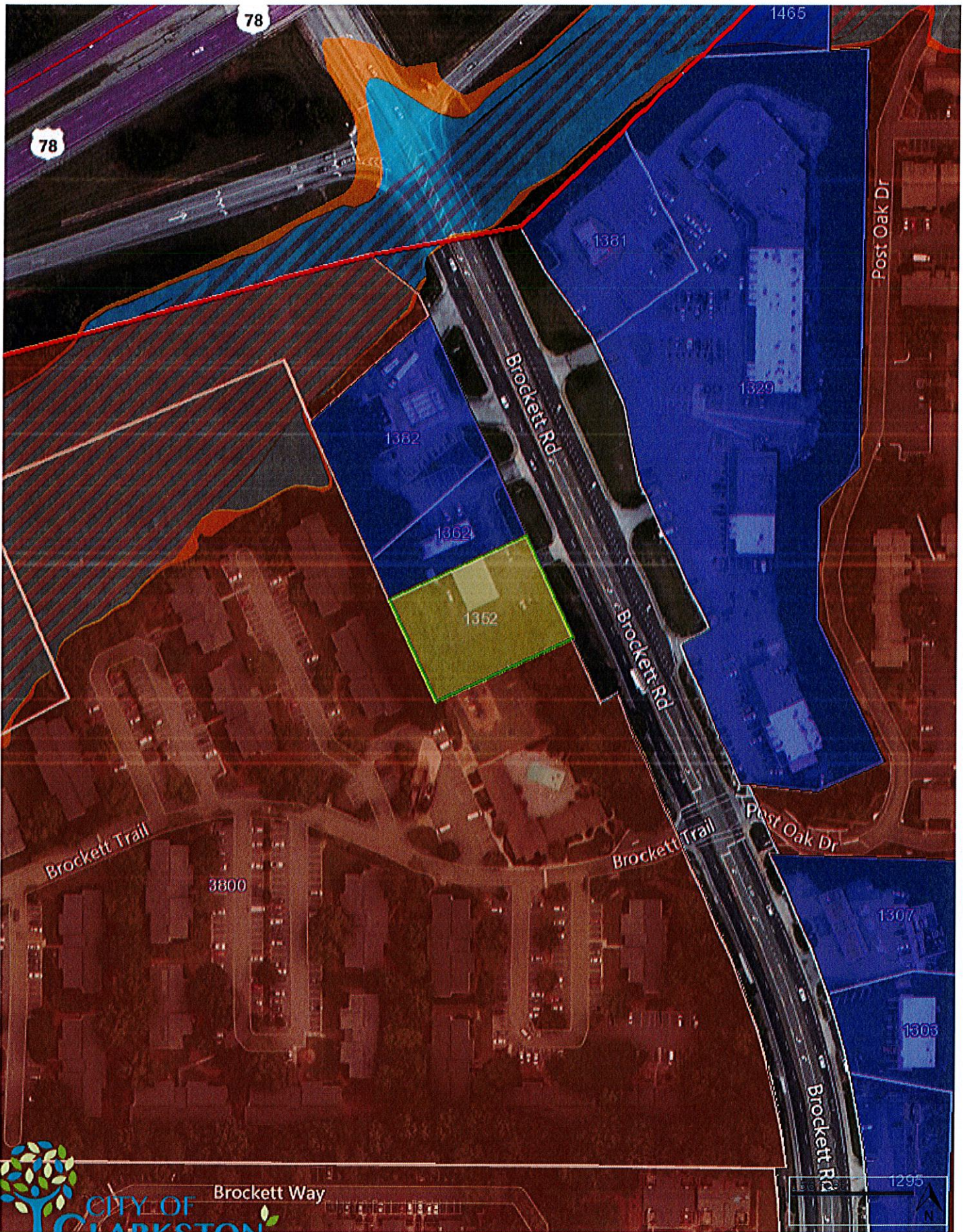


FUTURE LAND USE //

Legend

- Medium-Density Residential
- Traditional Single-Family Residential
- Parks/Open Space
- City Center/Urban Core







REZONING APPLICATION

Form # 200-RZ

RECEIVED 2-14-2020

PROPERTY INFORMATION/OWNER AUTHORIZATION

If more than one parcel is the subject of review, owner-applicant shall complete information for each parcel on additional page attachments, authorized agent-applicants must complete this page for EACH parcel.

PROPERTY # ____ OF ____ TOTAL

PARCEL (PROPERTY) INFORMATION

3542 Clarkston Industrial Blvd. Clarkston, GA 30021

19 118 03 011

Industrial Lot

Parking

to NRCD

PROPERTY OWNER

Tara Armstrong - Act Unlimited
3534 Clarkston Industrial Blvd. Clarkston, GA 30021
404-298-1085 770-527-3480 404-298-1232
tara2uim@gmail.com

PROPERTY OWNER'S AGENT (If applicable; must match applicant contact information on page #1)

Tara Armstrong
3534 Clarkston Ind. Blvd. Clarkston GA 30021
404-298-1085 770-527-3480 404-298-1232
tara2uim@gmail.com

AUTHORIZATION FOR AGENT (If applicable)

Tara Armstrong
Tara Armstrong
1/9/2020

Subscribed and sworn before me this 9 day of January, 2020

Sheila Griffin
Signature of Notary Public in the State of Georgia





REZONING APPLICATION

Form # 200-RZ

This page must be completed by the Applicant. Please see Applicant Instructions for full requirements.

SUBMITTAL CHECKLIST

- ✓ Your application must include the following items, or it will not be considered complete:
- Conceptual Site Plans to scale (see checklist for requirements) (survey boundary required component of conceptual plans)
 - Written Legal Description of Property
 - Property Deed
 - Recorded Plat of Property (seven (7) copies)
 - Campaign Contribution Disclosure Form
 - Filing Fee (payable to The City of Clarkston)
 - Check here if applicant seeks to annex the listed property into the City limits

FOR OFFICE USE/DETERMINATION

Review determination and fee: Review fee (payable to *The City of Clarkston*) depends on type of review(s). (See Fee Schedule):

____ Rezoning (type(s)) _____ (Fee) _____

APPLICANT INFORMATION

Tara Armstrong Early Learning Scholars & Family Services, Inc
Applicant Name Company
3534 Clarkston Industrial Blvd. Clarkston GA 30021
Mailing Address Suite/Apt. # City, State Zip Code
404-298-1085 770-527-3480 404-298-1232
Primary Phone # Alternate Phone # Fax #
tara2uim@gmail.com
Email Address

PROJECT SUMMARY

Parking Expansion
Name of Project
 Detailed Project Description (Include proposed use(s) and square footage of floor area for each use):
Purchase of adjacent property for parking expansion.
3542 Clarkston Industrial Blvd.

Total Number of Parcels Involved: 1 Total Project Acreage: _____
 Total Number of Buildings: 1 Total Estimated Cost of Planned Improvements: _____

- Development of Regional Impact (see table for thresholds that trigger DRI review)
- Project Submittal Checklist and all documents, plans, written analysis, and fees required therein accompany this application form.

I hereby certify that all information provided herein and in the accompanying documents is true and correct.

Pre-Application Date: _____ City Plnr/Engr Project # _____ Rev. 05/01/12
 Case # _____ Page 1 of 3



**REZONING
APPLICATION**

Form # 200-RZ

Mrs. Armstrong

Applicant Signature

Property Owner

Owner's Agent

1/9/2020

Date



CLARKSTON
where possibilities grow

PARID: 18 118 03 011
Tax Dist: 34-CLARKSTON
ACT UNLIMITED INC

3542 CLARKSTON INDUSTRIAL BLVD

Land

Land Type	S - SQUARE FOOT
Land Code	944 - SECONDARY ARTERY AV UNDEVEL
Square Feet	34,412
Calculated Acres	.79
Deeded Acres	.8
Market Land Value	61,670
Parcel ID	18 118 03 011
Address	3542 CLARKSTON INDUSTRIAL BLVD
Unit	
City	CLARKSTON
Zip Code	30021-1307
Super NBHD	
Class	C3 - COMMERCIAL LOT
Land Use Code	300-Vacant Commercial Land **
Neighborhood	9170
Zoning	C1 - LOCAL COMM DIST

Property Tax Information Results

Pay Now

Back

***Would you like to have future tax bills emailed to you?

<p>Parcel ID 18 118 03 011 Pin Number 1071984 Property Address 3542 CLARKSTON INDUSTRIAL BLVD Property Type Real Estate Tax District 34 - CLARKSTON</p>		<p>Taxable Year 2019 Millage Rate 0.052667 DeKalb County Taxes Billed \$2,815.67 DeKalb County Taxes Paid \$2,815.67 DeKalb County Taxes Due \$0.00</p>																																																							
<p>Jan. 1st Owner SINGLETON JOSEPH R Co-Owner Current Owner ACT UNLIMITED INC Co-Owner</p>		<p>Total Taxes Billed \$2,815.67 Total Taxes Paid \$2,815.67 Total Taxes Due \$0.00</p>																																																							
<p>Current Owner Address 3534 CLARKSTON INDUSTRIAL BLVD CLARKSTON GA 30021</p>		<p>DeKalb County Taxes</p> <p>First Payment Date 9/27/2019 First Payment Amount \$2,815.67 Last Payment Date 9/27/2019 Last Payment Amount \$2,815.67</p>																																																							
<p>Care of Information</p> <p>** CHANGE MAILING ADDRESS? **</p>		<p>Tax Paid Receipt Tax Bill Details</p> <p>-- Choose a Tax Year -- ▾ Get Tax Payoff Info.</p>																																																							
<p>Exemption Type Homestead Exemption - NO EXEMPTION Tax Exempt Amount \$0.00</p> <p>APPLY FOR BASIC HOMESTEAD EXEMPTION AND PROPERTY ASSESSMENT FREEZE</p>		<p>Property Tax Mailing Address</p> <p>DeKalb County Tax Commissioner Collections Division PO Box 100004 Decatur, GA 30031-7004</p>																																																							
<p>Exemption Type Other Exemption Information Value Exemption Amount \$0.00</p>		<p>Prior Years Tax</p> <p>*** Please note that payment posting information may be delayed due to batch processing***</p>																																																							
<p>Deed Type LIMITED WARRANTY DEED Deed Book/Page 28065 / 00244 Plat Book/Page / 01 0</p>		<table border="1"> <thead> <tr> <th>DeKalb County Tax</th> <th>TaxYear</th> <th>Total Owed</th> <th>Total Paid</th> <th>Total Due</th> <th>Adjusted Bill Due Date</th> </tr> </thead> <tbody> <tr><td>2019</td><td>\$2,815.67</td><td>\$2,815.67</td><td>\$0.00</td><td></td><td></td></tr> <tr><td>2018</td><td>\$2,837.97</td><td>\$2,837.97</td><td>\$0.00</td><td></td><td></td></tr> <tr><td>2017</td><td>\$2,755.08</td><td>\$2,755.08</td><td>\$0.00</td><td></td><td></td></tr> <tr><td>2016</td><td>\$2,887.27</td><td>\$2,887.27</td><td>\$0.00</td><td></td><td></td></tr> <tr><td>2015</td><td>\$2,972.48</td><td>\$2,972.48</td><td>\$0.00</td><td></td><td></td></tr> <tr><td>2014</td><td>\$3,092.12</td><td>\$3,092.12</td><td>\$0.00</td><td></td><td></td></tr> <tr><td>2013</td><td>\$3,063.20</td><td>\$3,063.20</td><td>\$0.00</td><td></td><td></td></tr> <tr><td>2012</td><td>\$3,194.46</td><td>\$3,194.46</td><td>\$0.00</td><td></td><td></td></tr> </tbody> </table>		DeKalb County Tax	TaxYear	Total Owed	Total Paid	Total Due	Adjusted Bill Due Date	2019	\$2,815.67	\$2,815.67	\$0.00			2018	\$2,837.97	\$2,837.97	\$0.00			2017	\$2,755.08	\$2,755.08	\$0.00			2016	\$2,887.27	\$2,887.27	\$0.00			2015	\$2,972.48	\$2,972.48	\$0.00			2014	\$3,092.12	\$3,092.12	\$0.00			2013	\$3,063.20	\$3,063.20	\$0.00			2012	\$3,194.46	\$3,194.46	\$0.00		
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2012	\$3,194.46	\$3,194.46	\$0.00																																																						
<p>Property Characteristics/ Sales Information</p> <p>NBHD Code 9170 Zoning Type C1 - LOCAL COMM DIST Improvement Type Last Deed Date 1/16/2020 Last Deed Amount \$120,000.00</p>		<p>Delinquent Taxes/ Tax Sale Information</p> <p>Tax Sale File Number FIFa-GED Book/Page Levy Date Sale Date Delinquent Amount Due</p>																																																							
<p>Additional Property Information</p> <p>Click here to view property map</p>		<p>Property Value/Billing Assessment</p> <p>Taxable Year 2019 Land Value \$120,600 Building Value \$0 Misc. Improvement Value \$0 Total Value \$120,600 40% Taxable Assessment \$48,240</p>																																																							
<p>Information as of 2/13/2020 For additional information on the data above, contact the Property Appraisal Department at 404-371-2471</p>																																																									

**CITY OF CLARKSTON:
Disclosure of Campaign Contributions**

Disclosure of Campaign Contributions
City of Clarkston

Pursuant to OCGA, Section 36-67A-3(a), the following disclosure is mandatory when an applicant or any representative has made campaign contributions aggregating \$250.00 or more to a local government within two (2) years immediately preceding the filing of this application.

It shall be the duty of the applicant and the attorney representing the applicant to file a disclosure with the governing authority of the respective local government. The following questions **must** be answered:

Have you, the applicant, made \$250.00 or more in campaign contributions to a **local** government official 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 governing authority of City of Clarkston showing:

1. The name and official position of the local governing authority in City of Clarkston to whom the campaign contribution was made.

N/A
Name and official position of the applicant/representative (Please Print)

2. The dollar amount and description of each campaign contribution made during the two (2) years immediately preceding the filing of this application and the date of each such contribution was made.

N/A \$ 0
Description of Campaign Contribution Dollar Amount
(Please Print)

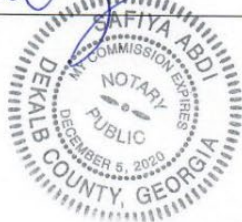
This disclosure must be filed within ten (10) days after the application is first filed and must be submitted to the City of Clarkston, 3921 Church Street, Clarkston, GA 30021.

Cara Omstros
Signature (choose one) Applicant Owner

2/24/2020
Date

Safiya Abdi
Notary Signature

2/24/2020
Date and Seal



2020020619 DEED BOOK 28065 Pg.244
Filed and Recorded: 1/23/2020 10:55:00 AM
Recording Fee: \$25.00
Real Estate Transfer Tax: \$120.00
Prepared By:
7028595806

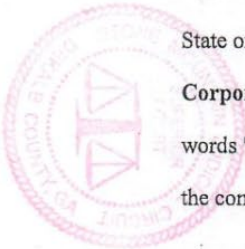
Tax Map No.: 18-118-03-011

Prepared by and Return to:
J. David Felt, P.C.
1551 Jennings Mill Road
2700B
Watkinsville, GA 30677
(706) 546-4121
File No. A19-11-28

STATE OF GEORGIA
COUNTY OF OCONEE

LIMITED WARRANTY DEED

THIS INDENTURE, made between **Joseph R. Singleton**, of the County of DeKalb and State of Georgia, hereinafter collectively called Grantor, and **ACT Unlimited, Inc.**, a Georgia Corporation, of the County of DeKalb and State of Georgia, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).



WITNESSETH:

Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid at and before the sealing and delivery of these presents and other good and valuable consideration, the receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, align, convey and consign unto the Grantee, the following described real estate:

All that parcel of land lying and being in Land Lot 118 of the 18th District of DeKalb County, Georgia, and being more particularly described as follows:

Beginning at a point on the northerly right-of-way of Clarkston Industrial Boulevard (having a right-of-way of 60 feet) 475 feet, as measured along the northerly right-of-way of Clarkston Industrial Boulevard from the intersection of the northerly side of Clarkston Industrial Boulevard and the easterly side of Montreal Road (having a right-of-way of 80 feet), thence running northwesterly a distance of 346.82 feet along the east boundary of lands now or formerly owned by Kindercare, Inc. to a point on the southerly right-of-way of Stone Mountain Freeway (U.S. Highway 78, having a right-of-way of 300 feet); thence running North 59°13'06" East a distance of 100.4

Deed BOOK 28065 PAGE 244-245
244
Feb. 20

feet along the southerly right-of-way of Stone Mountain Freeway to a point; thence running South at an interior angle of 81°59'06" from the last described course 345.85 feet to a point on the northerly right-of-way of Clarkston Industrial Boulevard; thence running West along the right-of-way of Clarkston Industrial Boulevard 101.3 feet to the point of beginning; said property being shown on site plan dated November 17, 1981, for Joseph Singleton by Richard T. Welch.

Property Address: 3542 Clarkston Industrial Boulevard, Clarkston, GA 30021
Tax Map No.: 18-118-03-011



TOGETHER WITH any and all the rights, privileges, easements, improvements and appurtenances to the same belonging.

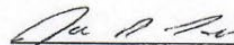
TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit and behoof of the Grantee forever in fee simple.

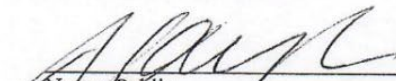
AND THE GRANTOR will warrant and forever defend the right and title to the above-described property unto the Grantee against the claims of all persons owning, holding or claiming by, through or under the said Grantor.

IN WITNESS WHEREOF, Grantor has signed and sealed this deed, the 16th day of January, 2020.

Signed, sealed and delivered in the presence of:


UNOFFICIAL WITNESS


Joseph R. Singleton (SEAL)

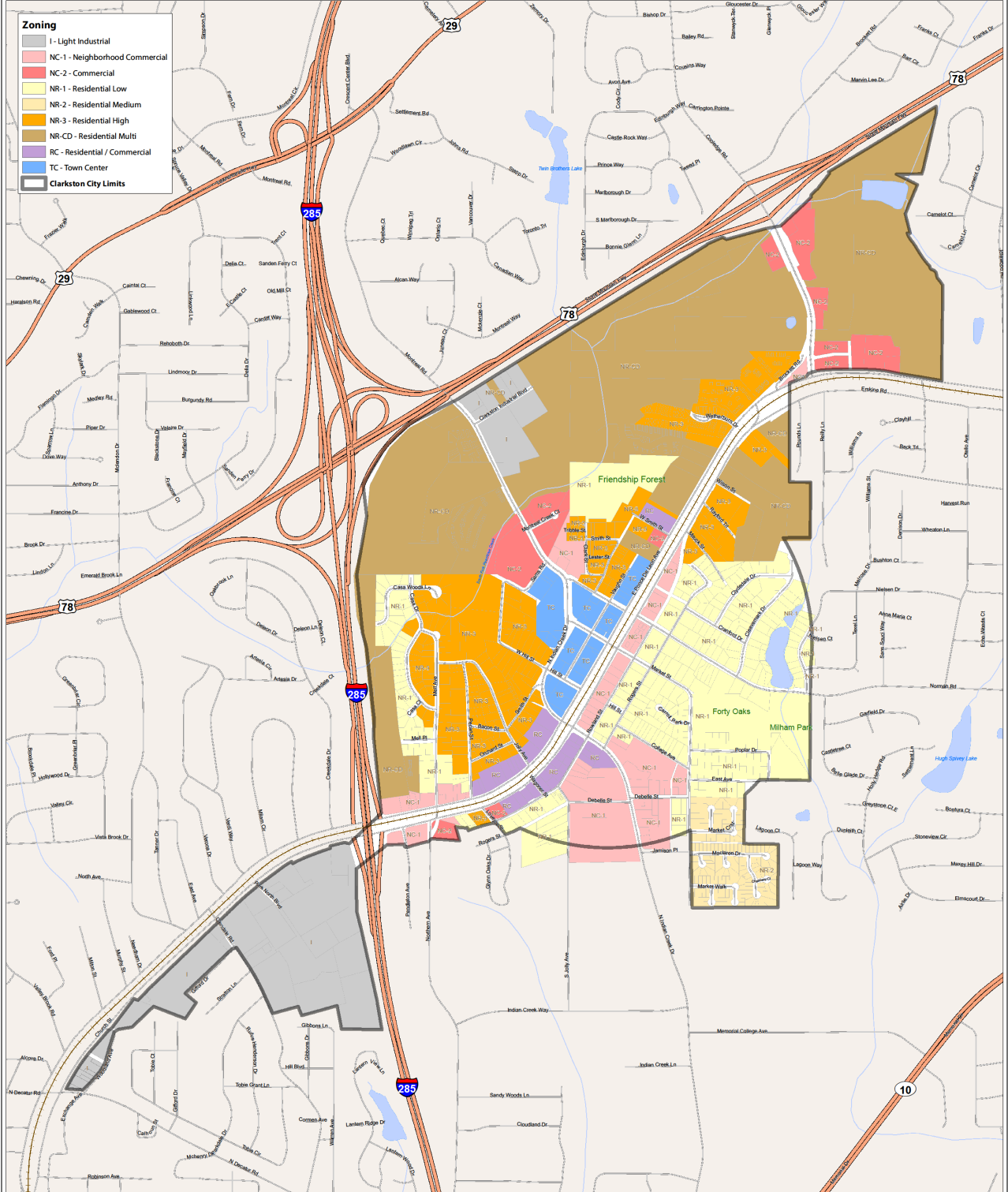

Notary Public
My Commission Expires: _____
SEAL: _____



ZONING - CITY OF CLARKSTON, GA

Zoning

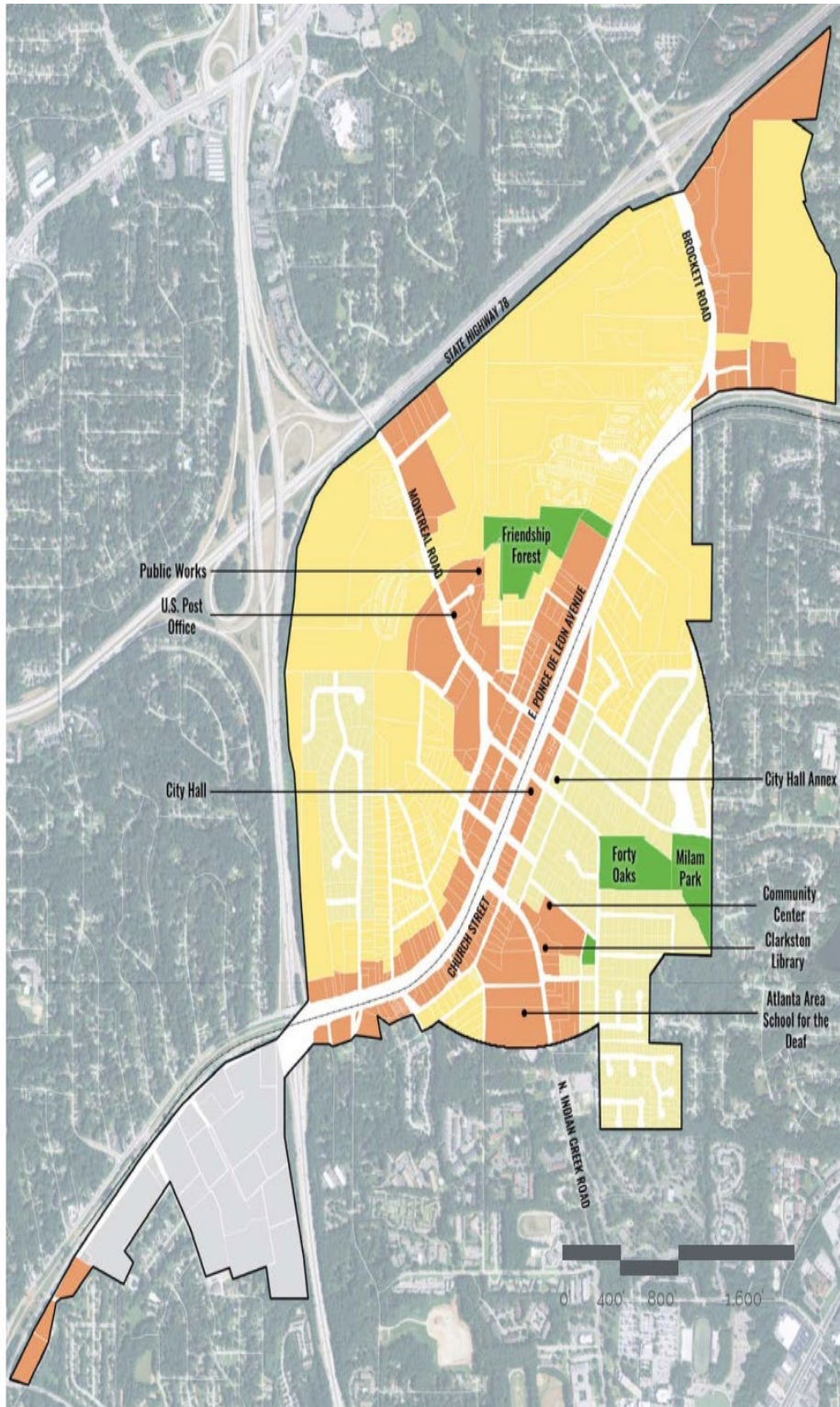
- I - Light Industrial
- NC-1 - Neighborhood Commercial
- NC-2 - Commercial
- NR-1 - Residential Low
- NR-2 - Residential Medium
- NR-3 - Residential High
- NR-CD - Residential Multi
- RC - Residential / Commercial
- TC - Town Center
- Clarkston City Limits



ADOPTED: January 1, 2016

0 0.125 0.25 0.5 Miles





FUTURE LAND USE //

Legend

- Mixed-Use
- Traditional Neighborhood Development
- Single Family Home Areas
- Industrial
- Parks/Open Space
- Clarkston City Limits



LAND USE //

Through our findings the Project Team simplified the land use categories and minimized them to five for ease of use and clarity. The previous Comprehensive Plan applied Character Areas to the Future Land Use Plan. The most common theme of the engagement was the desire for Mixed Use in the core. Through the color exercise at Planning Forum #1 the Project Team developed the Future Land Use map on the opposite page.

Proposed Policies //

- Encourage mixed-use developments in the downtown core and annexed outer nodes
- Develop a civic space that includes a Town Green, amphitheater and water feature within the downtown core
- Beautify the rail corridor

Proposed Future Land Use Designations //

- Mixed Use: A mix of diverse uses including multi-family housing, commercial, office, and urban compatible industrial uses (maker spaces, manual crafts and breweries). The community desires both vertical

and horizontal mixes of uses to match the historic development character of the City.

- Single Family Areas: This designates areas for preservation of single family homes, both historic as well as new development. Townhomes and single family homes are allowed in this area.
- Traditional Neighborhood Development: These areas are designated to nurture traditional neighborhood development patterns and housing types. This includes walkable areas of single family homes, duplexes and triplexes, cottage courtyard housing, 4-6 unit walk-up apartment buildings, and townhouses.
- Industrial: Non-nuisance light industrial uses.
- Parks/Open Spaces: This includes all passive and active public spaces.



Top Right: Community members at Planning Forum #1 coloring their Future Land Use and Parks maps. (TSW)



Sec. 709. - I, light industrial district.

- (a) *Purpose and intent:* The I zoning district is intended to provide suitable areas for business distribution/service facilities, transportation terminals and manufacturing/assembly processes which do not emit noise, vibration, smoke, gas, fumes, or odors from an enclosed building. These districts should have access to arterial roadways and utilities and discourage uses which are incompatible with light manufacturing. When located on the perimeter of an industrial node, I-zoned properties should provide for uses that are low in intensity and scale to ensure compatibility with adjacent properties.
- (b) *Permitted uses:*
- (1) Places of assembly, including religious institutions.
 - (2) Automobile, truck, motorcycle and heavy equipment sales/service/rental/parts/repair establishments.
 - (3) Automobile service stations and automotive service centers, including paint and body repair.
 - (4) Pet boarding/breeding kennels.
 - (5) Communications towers (cellular).
 - (6) Commercial dry cleaning plants.
 - (7) Entertainment venues, including bowling alleys, movie theaters (non-adult oriented) and other similar and customary uses.
 - (8) Fortune tellers, psychics and similar forms of personal entertainment.
 - (9) Funeral homes (no on-site crematory services).
 - (10) Greenhouses and horticultural nurseries.
 - (11) Hospitals.
 - (12) Manufacturing and assembly, provided no gas, fumes or odors are emitted as a result of the activity.
 - (13) Car washes.
 - (14) Mini-warehouses and self-storage facilities.
 - (15) Professional offices, including medical doctors, dentists, attorneys, chiropractic, veterinary, accountants/tax professionals and other similar occupations.
 - (16) Bottle shops/package stores.
 - (17) Research and experimental testing laboratories.
 - (18) Eating and drinking establishments, including drive-thru/drive-in fast food establishments.
 - (19) Non-automotive repair services such as cameras, jewelry, shoes and the like.
 - (20) Tattoo parlors and piercing studios.
 - (21) Taxi stands and dispatching agencies.
 - (22) Trade shops, building and equipment supply/repair services, including:
 - a. Locksmiths
 - b. Gunsmiths
 - c. Sheet metal
 - d. Upholstering
 - e. Furniture
 - f. Appliance

- g. Electrical
 - h. Carpentry
 - i. Sign manufacturing/assembly/repair
 - j. Other similar and customary uses
 - k. Wholesaling and warehousing with associated office and storage facilities
- (23) Accessory uses and structures incidental to any legal permitted use, provided:
- a. Retail sales and services must be conducted and accessed wholly within the building(s) housing the use to which the activities are accessory and comprise no more than ten (10) percent of the gross floor area.
 - b. No show window or other advertising shall be visible from the exterior of the primary use structure.
- (c) *Conditional uses:*
- (1) Adult entertainment, including massage parlors, adult video/book stores, gentleman's clubs and other similar uses.
 - (2) Crematories.
 - (3) Title loan businesses, pawn shops and similar establishments.
- (d) *Accessory uses:*
- (1) All such structures shall be located upon the same lot and to the side or rear of the principal use at least fifteen (15) feet from side or rear lot lines or within the side-or-rear-yard setback, whichever is greater. In cases of corner lots, the accessory structure may not be closer to any right-of-way than the principal building.
 - (2) When an accessory structure is attached to the principal building in any manner, it shall be deemed part of the principal structure and subject to all bulk and area requirements of same.
 - (3) Any accessory building in excess of two thousand (2,000) square feet of gross space must be at least ten (10) feet from any property line and shall be architecturally compatible with the principal structure.
 - (4) No accessory structure shall be constructed upon a lot before the principal building.
 - (5) No accessory structure may exceed the more restrictive of either twenty (20) feet or the height of the principal building.
 - (6) The area of the accessory building's footprint may not exceed fifty (50) percent that of the principal structure.
 - (7) Swimming pools must be enclosed by a fence not less than six (6) feet in height with a self-closing, self-latching gate and must comply with all applicable safety and health ordinances.
- (e) *Use limitations:*
- (1) All outdoor storage must be screened by an opaque fence no less than eight (8) feet in height. Maximum of fifty (50) percent of lot may be utilized for such use.
 - (2) Building design and materials may be of the developer's choosing; however, structures which utilize metal siding shall be constructed with brick, stone, rock or wood covering any facade of the building facing a roadway.
 - (3) Cellular telecommunications towers shall be located at a minimum distance of two hundred fifty (250) feet from all residential dwellings.
- (f) *Bulk and area regulations:*

Floor Area Ratio (FAR) (Residential, Max.)	N/A
Floor Area Ratio (FAR) (Non-Residential, Max.)	2
Floor Area Ratio (FAR) (Total, Max.)	2
Min. Residential Unit Size (finished, heated floor are)	N/A
Building Coverage (Max, a % of lot area)	70%
Min. Open Space	N/A
Max. Building Height	50'
Min. Lot Size	N/A
Min. Lot Width	N/A
Minimum Front Yard Setback	35'
Minimum Side Yard Setback	15'
Minimum Rear Yard Setback***	20' or 50'***

***Rear yard setback must be of greatest distance when abutting a single-family residential district

(g) *Buffer requirements:*

- (1) When a use within the I district abuts any residential district or use, a fifty-foot landscaped buffer shall be required.
- (2) All loading docks shall be screened by either landscaping or a stabilized berm.

(h) *Temporary uses:* Temporary uses if approved pursuant to section 313.

(Ord. No. 375, § 8(Attach.), 10-1-13)

Sec. 704. - NR-CD, neighborhood residential-community development district.

- (a) *Purpose and intent:* The NR-CD zoning district is primarily intended for multi-family housing developments. However, the district allows for a mix of housing types, including single-family attached and detached structures, as well as some limited institutional and personal service uses that would be convenient to nearby residents.
- (b) *Permitted uses:*
 - (1) Multi-family residential dwellings.
 - a. Apartments.
 - b. Condominiums.
 - (2) Multi-family residential dwellings.
 - a. Duplexes.
 - b. Triplexes.
 - (3) Townhomes, provided:
 - a. For all developments containing eight (8) units or more, a mandatory homeowners association shall be created that will be responsible for the upkeep and maintenance of all front yards and common areas including all fencing, landscaping, amenities and buffers, and shall include architectural control oversights for the development.
 - b. The development shall be constructed and governed in conformity with the requirements of the Georgia Condominium Act (O.C.G.A. § 44-3-70 et seq.). A declaration of condominium shall be submitted and recorded in compliance of this act.
 - c. All townhouses shall have two-car garages, and the parking pads/driveway in front of the garage shall be a minimum of twenty (20) feet in length in order to accommodate two (2) additional cars. The garages shall be used for the parking and storage of vehicles and may not be enclosed to provide for additional residential space. A recital of this requirement shall be contained within the covenants to ensure enforcement.
 - d. A guest parking area shall be provided at a ratio of two-tenths (0.2) spaces per dwelling unit.
 - e. A recreation area shall be provided at a ratio of one (1) acre per fifty (50) units (or a proportional percentage thereof) with a minimum of ten thousand (10,000) square feet provided. Such area shall be developed with at least one (1) passive recreational feature, such as a walking trail, pavilion, gazebo or picnic area, and at least one (1) active recreational feature, such as a swimming pool, playground or tennis courts. Active recreational areas must be outside of any floodplain area and located in such a manner that at least seventy-five (75) percent of the townhouses are within three hundred (300) feet, as measured from the building footprints. All recreation areas must meet ADA requirements for accessibility.
 - (4) Single-family detached residential dwellings.
 - (5) Boarding and rooming houses, except halfway houses.
 - (6) Child care/daycare centers, pre-schools and similar establishments.
 - (7) Assisted living, personal care, nursing and convalescent homes, and similar uses.
 - (8) Accessory structures and uses incidental to any legal permitted use, including home occupations.
 - (9) Accessory dwellings in compliance with section 603(n).
- (c) *Conditional uses:*
 - (1) Places of assembly, including religious institutions, provided:

- a. Lighting shall be established in such a way that no direct light shall cast over any property line nor adversely affect neighboring properties.
- b. Any building or structure established in connection with such use must be set back no less than fifty (50) feet from any property line.

(d) *Accessory structures/uses:*

- (1) All such structures shall be located upon the same lot and to the side or rear of the principal use at least ten (10) feet from side or rear lot lines or within the side-or-rear-yard setback, whichever is greater. In cases of corner lots, the accessory structure may not be closer to any right-of-way than the principal building.
- (2) When an accessory structure is attached to the principal building in any manner, it shall be deemed part of the principal structure and subject to all bulk and area requirements of same.
- (3) No accessory structure shall be constructed upon a lot before the principal building.
- (4) Accessory structures greater than fifteen (15) feet in height, but less than thirty-five (35) feet in height, must be set back at least ten (10) feet from the side property line, and must be set back from the rear property line a distance of thirty (30) feet, or a distance equal to the height of the structure, whichever is less.
- (5) The area of the accessory building's footprint may not exceed fifty (50) percent that of the principal structure.

(e) *Use limitations:*

- (1) All outdoor storage must be stored in a side or rear yard and screened from all streets and adjacent properties by a wood fence at least six (6) feet in height. The city planner may approve the substitution of plantings for the required fence.
- (2) Unenclosed carports and front porches may not be used for storing any materials other than firewood or recyclable materials within a city approved container.
- (3) Minimum parking provided shall be two (2) spaces per dwelling unit.

(f) *Bulk and area regulations:*

Floor Area Ratio (FAR) (Residential, Max.)	0.5
Floor Area Ratio (FAR) (Non-Residential, Max.)	1.5
Floor Area Ratio (FAR) (Total, Max.)	2
Min. Residential Unit Size (finished, heated floor are)	700 sq. ft.
Building Coverage (Max, a % of lot area)	80%
Min. Open Space	20%
Max. Building Height	50'
Min. Lot Size	Single-Family Use: 5,000 sq. ft. Multi-Family Use: N/A Non-Residential Use: N/A

Min. Lot Width	Single-Family Use: 60' Multi-Family Use: 75' Non-Residential Use: 75'
Minimum Front Yard Setback	Single-Family Use: 10' Multi-Family Use: 10' Non-Residential Use: 30'
Minimum Side Yard Setback	Single-Family Use: 15' between units Multi-Family Use: 10' Non-Residential Use: 15'
Minimum Rear Yard Setback	25'

(g) *Buffer requirements:*

- (1) When a single-family attached or multi-family residential use in the NR-CD district directly abuts the NR-1 or NR-2 districts, a twenty-foot landscaped buffer shall be required. When a non-residential use in the NR-CD district abuts a residential use in the NR-1, NR-2 or NR-3 districts, a thirty-foot landscaped buffer shall be required.
- (2) There shall be no buffer required between residential and non-residential uses contained wholly within the NR-CD district.

(Ord. No. 375, § 8(Attach.), 10-1-13; [Ord. No. 417](#), § 6, 12-5-17)