



## Legislation Details (With Text)

**File #:** 2018-3064    **Version:** 2    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 11/30/2018    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 1/22/2019    **Final action:**  
**Title:** COMMISSION DISTRICT(S): 5 & 7  
Application of Fitzroy & Marsha A. Smith for a Special Land Use Permit to allow major auto repair within a new three-bay (or four bay) building with accessory storage, at 2478 Rock Chapel Road.

**Indexes:**

**Attachments:** 1. N5 SLUP 19 1242980 staff conditions, 2. N5 Fitzroy Marsha Smith SLUP 19 1242980 staff report

Date	Ver.	Action By	Action	Result
1/22/2019	2	Board of Commissioners - Zoning Meeting	denied	Pass
1/8/2019	2	Planning Commission	denied	Pass

**Public Hearing:** YES  NO

**Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S): 5 & 7**

Application of Fitzroy & Marsha A. Smith for a Special Land Use Permit to allow major auto repair within a new three-bay (or four bay) building with accessory storage, at 2478 Rock Chapel Road.

**PETITION NO: N5. SLUP-19-1242980**

**PROPOSED USE:** Major Auto Repair

**LOCATION:** 2478 Rock Chapel Road

**PARCEL NO.:** 16-154-04-008

**INFO. CONTACT:** Marian Eisenberg

**PHONE NUMBER:** 404-371-4922

**PURPOSE:**

Application of Fitzroy & Marsha A. Smith for a Special Land Use Permit (SLUP) to allow major auto repair within a new three-bay building with accessory storage within the C-2 District. The property is located on the southeast side of Rock Chapel Road, approximately 700 feet southwest of Turner Hill Road at 2478 Rock Chapel Road. The property has approximately 311 feet of frontage along Rock Chapel Road and contains 0.99 acre.

**RECOMMENDATION:**

**COMMUNITY COUNCIL: DENIAL.**

**PLANNING COMMISSION: DENIAL**

**PLANNING STAFF: APPROVAL W/CONDITIONS.**

**STAFF ANALYSIS:** The proposed SLUP is required to allow Major Auto Repair within the proposed C-2 zoning district. There is also a companion rezoning request (See Z 19 1235308) to rezone the property from C-1 (Local Commercial) to C-2 (General Commercial). It appears that the proposed C-2 (General Commercial) zoning and Major Auto Repair land use is consistent with the following policies and strategies of the LIND (Light Industrial) character area: "Protect existing and zoned undeveloped industrial land from unnecessary intrusion by conflicting land uses" (LIND Policy #5). The properties are surrounded by commercial (C-1) and light industrial (M) zoning, with auto-related businesses as established land uses along this stretch of Rock Chapel Road including Georgia's Finest Towing Services and Rock Chapel Complete Auto Car Care to the east. Therefore, it appears that the zoning proposal would be compatible with adjacent properties and would not be in conflict with the overall objectives of the comprehensive plan. It is the recommendation of the Planning Department that the application be "Approved, subject to the attached conditions".

**PLANNING COMMISSION VOTE: Denial 8-0-0.** V. Moore moved, A. Atkins seconded for denial of this application

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 7-0-0.** Community opposition to major car repair. Prefer other businesses in area.