



**CITY OF LITHONIA
MINUTES–ZONING PUBLIC HEARING**

An appeal of a determination by the zoning administrator that the proposed landscape contractor business with outdoor storage is not permitted at 7037 Swift Street.

Wednesday, January 26, 2022 @ 3:00 PM

I. Call to Order and Roll Call

The Zoning Public Hearing was called to order at 3:06 pm by Mayor Shameka S. Reynolds. A roll call was taken, and the following City Council Members were present: Diane Howard, Darold Honore, Vanerriah Wynn, and Yolanda Sheppard. Zoning Administrator Bill Johnston was present on the call. Amelia Inman was absent.

II. This application concerns an appeal of a determination by the zoning administrator that the proposed landscape contractor business with outdoor storage is not permitted at 7037 Swift Street.

a. Report from Bill Johnston, Zoning Administrator

Bill Johnston introduced Mr Dorian Simmons as the applicant, and Mr. Marcel Lucien as the agent for the owner of the property (Bill and Brenda Kauffman) to assist Dorian in acquiring the property. Mr. Johnston stated the property is zoned DT (downtown) and the proposed landscape contractor business with vehicle storage use is prohibited in the downtown district, under Section 27-913 Mayor and Council are authorized to reverse, affirm wholly or partly, or may modify the order of the decision of the zoning administrator. The character area map of the 2020 Comprehensive Plan designates the property as an intown mixed use service area to include restaurant, service commercial and does not include contractor businesses. The intent is to have a walkable style development. A wide range of uses were included in the report for the DT District, a landscape contractor business is limited to office, m1 and m2 are designated for such uses as proposed by the applicant.

Response from Council:

Council had no questions from the report.

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

Marcel Lucien with Coldwell Banker Commercial shared a presentation to capture a before and after glimpse of the property should the applicant obtain the property. The property is currently an eye-sore with stored vehicles and the current occupant of the property is prepared to leave.

Dorian Simmons, owner of Simmons Group Landscape and Management, moved to the City of Lithonia in 1999, in the 9th grade, his wife is a graduate of Lithonia High School. Started the business in 2010, a landscape management company for commercial properties, servicing parks, studios, dialysis clinics, and performs a lot of work for Dekalb county and will start servicing the Bruce Street Park, previously serviced Dekalb Police Department on Bruce Street, United Methodist Church. Currently a resident of the city and has employees that live in the city as well. Simply wants to park their vehicles in the garages on the property for equipment security. There will be no outdoor storage on the property. The parking lot will only be for their 8 employees. Remove the cars, replace the fence, restore curb appeal aligned with planters and flowers, can improve the aesthetics of the corner lot greatly. No materials will be sold at the location.

Young growing seasoned competent business, thank you for your time.

Response from Council:

Councilwoman Howard asked how many vehicles are to be stored. Response: up to 6 vehicles, front and back. Councilwoman Wynn asked if the equipment will be in the garage, and how large would the fence be. Response: approximately the same size, comparable to the existing fence, not exactly sure on the size of the existing fence though. The applicant provided additional pictures of the property.

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

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

d. Closing of Public Hearing

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

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

Councilwoman Sheppard had no questions. Councilwoman Wynn had no questions. Councilman Honore is not in favor of more vehicle storage in the area, knows what it can turn into, for the future of the city does not like this type of industry on the street any longer. Councilwoman Howard feels the same way, trying to clear the area of stored vehicles, not in favor of a newer version, this is not what the community is asking for, at this time.

f. Decision

Councilman Honore motioned to deny the appeal, the motion was seconded by Councilwoman Howard, and approved by a vote of 3-0. Councilwoman Sheppard was opposed.

III. Adjournment of Zoning Hearing

Councilwoman Howard motioned to adjourn the meeting at 3:33 pm, the motion was seconded by Councilman Honore, and approved by a vote of 4-0.