

City of Norcross

65 Lawrenceville Street

Norcross, GA 30071



Meeting Agenda

Wednesday, November 5, 2025

6:30 PM

2nd Floor Conference Room

Walter Bell, Vice Chair

Marlene Janos

Antonio Henson

Tom Doherty

David Grayson

A. Roll Call**B. Presentation of previous meeting minutes for acceptance and acceptance of the agenda as presented for the scheduled meeting.****C. Ongoing Business****D. New Business****1. 2025-306: SUP2025-005 2211 Beaver Ruin Road, Suite 190**

Attachments:

1. Staff Report - SUP2025-005
2. Application - SUP2025-005 REDACTED
3. Impact Analysis - SUP2025-005

2. 2025-307: RZ2025-004 138 Holcomb Bridge Road

Attachments:

1. Staff Report - RZ2025-004
2. Application - RZ2025-004_REDACTED
3. Letter of Intent and Constitutional Objections - RZ2025-004
4. Historical Survey - RZ2025-004

3. 2025-308: RZ2025-005 5324 Old Norcross Road

Attachments:

1. Staff Report - RZ2025-005
2. Application - RZ2025-005_REDACTED

4. 2025-309: Amendment to the Unified Development Ordinance

Attachments:

1. Agenda Report - UDO Code Amendment
2. Chapter 100 & 200 Changes

5. 2025-310: Vote to fill the positions of Chair, Co-Chair, and Secretary for the Planning & Zoning Board.**E. ADDITIONAL INPUT AND/OR DISCUSSION NOT OTHERWISE ADDRESSED BY THIS AGENDA****F. Adjourn**



SPECIAL USE PERMIT

Case Number	SUP2025-005
Petitioner	Suzie Home Care, Inc., DBA Loving Hands Senior Center
Property Location	2211 Beaver Ruin Road, Suite 190
Current Zoning	M1 (Light Industry District)
Proposed Zoning	N/A
Proposed Use	Adult Day Care Center
Character Area	Character Area 12: I-85 Activity Center
Site Acreage	10.8 Acres
District	6
Land Lot	226
Parcel #	6226 396
Historic District	N/A
Taxes Paid	Yes

COMMUNITY DEVELOPMENT AND PLANNING DEPT. RECOMMENDATIONS

Based on the analysis of this case, Staff recommends **APPROVAL** of a Special Use Permit to allow an Adult Day Care Center at the subject property, subject to the following conditions:

1. Hours of operation for the adult day care center to be Monday through Friday 8:30 AM to 1:30 PM, with hours of operation for administrative offices to be Monday through Friday 8:00 AM to 4:00 PM.
2. Shall comply with all state requirements.
3. Shall comply with all health department requirements.
4. Peddlers and/or parking lot sales shall be prohibited.
5. The owner of the establishment shall repair any graffiti or vandalism within 72 hours of notice from the City.

STAFF ANALYSIS

According to Section 103-11, the criteria by which a special use permit action can be approved or denied are as follows:

1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

The request to approve a special use permit for an adult day care may be consistent and suitable in the view of the use and development of the adjacent and nearby properties. The area surrounding the subject parcel is developed with multi-family, office, warehouse, and commercial uses. The subject property houses several state departments, which include the Department of Labor, Human Services, Driver Services, and Community Health.

2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposed use for an adult daycare and associated administrative office space would not be anticipated to have any adverse effects on existing uses or usability of nearby properties. The proposed use meets the minimum parking requirements prescribed in the code for daycares, and the proposed hours of operation are standard. The applicant will be required to meet all state and health requirements as prescribed in the Supplemental Use Standards, Section 202.G, of the Unified Development Ordinance.

3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The subject property has reasonable economic use as currently zoned, and mostly all suites are occupied. The property owner could potentially rent the available space to tenants that have uses that are permitted by right in the M1-Light Industry zoning district.

4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The proposal may not result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.

5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

The subject parcel is located within the I-85 Activity Center Character Area, which suggests a vision for the area that includes a mix of uses and intensity similar to that of Lindbergh Center in Atlanta, where a MARTA station, offices, and numerous restaurants and housing options are located.

6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal

There are no known existing or changing conditions affecting the use of the property.

7) Whether the policies and objectives of the comprehensive plan, particularly in relationship to the proposed site and surrounding area align and support the proposal.

The policies and objectives of the Comprehensive Plan, in relationship to the proposed site and surrounding area, aligns and supports the applicant’s request. The Comprehensive Plan outlines the vision for this area as one that includes a mix of uses. This request supports that vision. Policy 1-2 calls for redeveloping and enhancing existing commercial and industrial areas, and the addition of an adult day care not only complements the existing uses in the complex but also enhances the property’s role as a community service hub.

8) Whether the proposal has the potential for adverse impacts on the surrounding area, regarding, but not limited to traffic, storm drainage, land values and compatibility of land use activities.

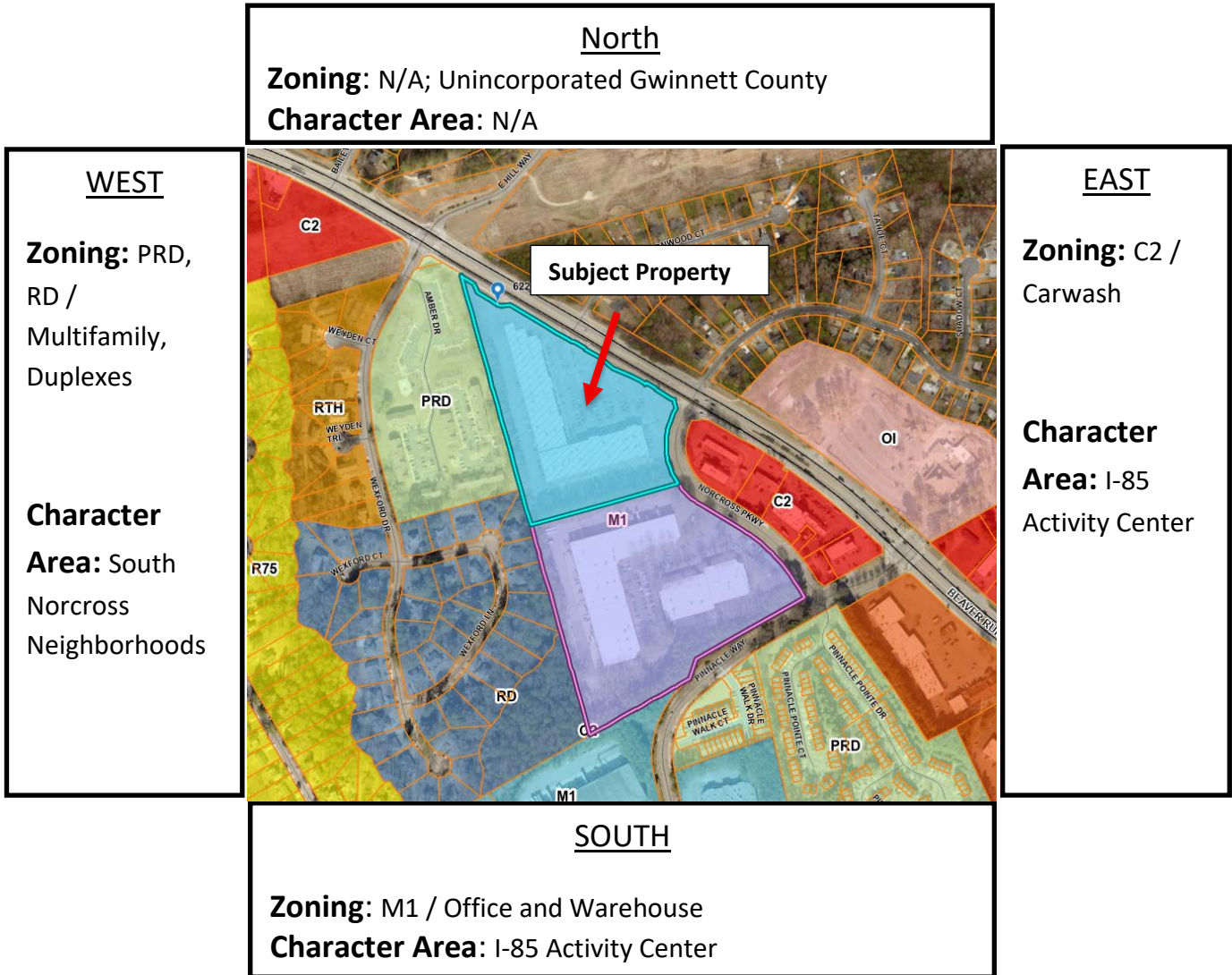
The proposed use will not have any adverse impact on the surrounding area. Storm drainage is already addressed as the site is already developed. Adjacent businesses in the complex are state departments, and a printing services company which have standard hours of operation.

9) In the case of antennae and towers, the proposal will need to meet the standards listed in subsection 202)z)(5), special use permits.

This criterion does not apply to this request and is therefore not applicable.

The applicant is reminded that a special use permit can be considered for revocation, after public notice and a public hearing by the Mayor and Council, should it be determined that there are violations of any Norcross Ordinances with respect to the operations of the business.

Board	Meeting Type	Meeting Date	Time	Location
P&Z	Hearing	11/5/2025	6:30 PM	Conference Room 2 nd Floor
MCC Policy	Meeting	11/17/2025	6:30 PM	Conference Room 2 nd Floor
MCC Regular	Hearing	12/1/2025	6:30 PM	Council Chambers 1 st Floor



Summary of the applicant's proposal

The applicant is requesting a special use permit for an adult day care center in Suite 190 at 2211 Beaver Ruin Road, which is a M1-(Light Industry) zoned property, which is 10.8 acres. Proposed hours and days of operation for the day care program will be 8:30 am to 1:30 pm, Monday through Friday and the administrative office 8:00 am to 4:00 pm, Monday through Friday. The proposed floor plan includes a main activity room, exercise room, rest area, media room, kitchen, dining room, reading room, and administrative offices. Of the 520 parking spaces available, 148 spaces are allocated to the day care center. Projected membership is approximately 200 seniors with most of the members arriving via non-emergency transportation pick-up and drop-off services.

Request for a Special Use Permit

Mayor and City Council may grant special use permits per Sec. 103-11, subsection (c). The purpose of a special use permit is to provide a process for a use that is generally compatible with the use characteristics of a zoning district, but requires individual review of its location, design, height, intensity, configuration and public facility impact to determine the appropriateness of the use for any particular site and its compatibility with adjacent uses. A special use permit allows the Mayor and City Council to approve a special use on a particular parcel without changing the general zoning district. When considering a special use permit application, and in addition to standards governing the exercise of zoning power in section 103-11(a), the Planning and Zoning Board and Mayor and City Council shall consider:

- (1) Whether the policies and objectives of the comprehensive plan, particularly in relationship to the proposed site and surrounding area align and support the proposal, and
- (2) Whether the proposal has the potential for adverse impacts on the surrounding area, regarding but not limited to traffic, storm drainage, land values and compatibility of land use activities.
- (3) In the case of a telecommunications antenna's and towers, the proposal will need to meet the standards listed in subsection 202-2(z)(5), special use permits.

Proposed Activities and Services:

The applicant offers music therapy, educational programming, health and wellness classes, games and activities that encourage mental stimulation, and entertainment. The organization includes an onsite director, secretary, registered nurse, and personal care aides.

Current zoning district for the property

The M1 (light industry) district is comprised of lands that are located on, or have ready access to, a major street or state highway and are well adapted to industrial development but whose proximity to residential or commercial districts makes it desirable to limit industrial operations and processes to those that are not objectionable by reason of the emission of noise, vibration, smoke, dust, gas, fumes, odors or radiation and that do not create fire or explosion hazards or other objectionable conditions. Daycares are not a specifically permitted use in the M1 (Light Industry) zoning district, therefore, the applicant is seeking a special use permit.

Non-residential criteria

Total square footage of suite: 34,129 (28,000 square feet allocated towards Day Care Center)

Required parking spaces: 40 (1 per 5 adults of design capacity)

Proposed parking spaces: 148 (520 total spaces available)

Days of Operation: Monday through Friday

Hours of Operation for Daycare Center: 8:30 AM to 1:30 PM

Hours of Operation for Administrative Office: 8:00 AM to 4:00 PM

Current Use(s) of the Property: Georgia Department of Labor, Human Services, Community Health, Driver Services, and a Printing Services business.



SPECIAL USE PERMIT APPLICATION

Due to ongoing phishing scams/activity in the metro Atlanta area with respect to public hearing applicant contact information, contact information is redacted for the purposes of posted agendas. To contact an applicant, reach out to Community Development at communitydevelopment@norcrossga.net.

PROPERTY OWNER'S INFORMATION

Owner's Name: Atlanta General Education Center Inc. Young Soo Min
Owner's Address: 2211 Beaver Ruin Rd Unit 190
City: Norcross State: GA Zip Code: 30071



APPLICANT'S CONTACT INFORMATION

Applicant's Name: Suzie Home Care Inc dba Loving Hands Senior Center Young Soon Cho
Applicant's Address: 2211 Beaver Ruin Rd Unit 190
City: Norcross State: GA Zip Code: 30071



PROPERTY LOCATION

Tax Parcel Number(s): R6226-501 Size in Acres: 10.7 Acres
Address(es): 2211 Beaver Ruin Rd Unit 190 Norcross, GA 30071
Number of existing structures: 1 Number of parking spaces: 2211 Beaver Ruin Total - 520
* Dedicated for Unit190: 148

PROPOSED USE

Current Zoning: M1 Requested Zoning: SUP
Date of Pre-Application Mtg: 9/16/25
Is the request in conformity with the Current Land Use Plan? Yes No
Land Use Plan Designation: M1

Proposed Use:

The proposed Senior Day Care at 2211 Beaver Ruin Road is compatible with the current land use plan and is being requested as a Special Use Permit within the M-1 light industrial zoning district. While the property is zoned for light industrial uses, it is already occupied by community-serving agencies such as DDS, DOL, and DCH.

The addition of a Senior Day Care complements these existing uses and enhances the property's role as a community service hub. The facility will provide daytime care, social activities, and supportive services for seniors. It will serve the local community while maintaining the character of the area and supporting the intent of the land use plan. The operation will comply with all applicable local, state, and federal regulations.

I have read and understand the attached application and zoning procedures. I also hereby authorize the Community Development Staff, Planning & Zoning Board and Mayor & Council to inspect the premises that are the subject of this application.



Signature of Applicant

9/23/25

Date

CITY USE ONLY. DO NOT WRITE BELOW

Date received: _____ Receipt Number: _____ Application Number: _____

Fee Paid: _____

Notes: _____

DEADLINE AND HEARING SCHEDULE

See calendar on the Community Development website for pre-application conference deadlines, application submission deadlines and scheduled meeting dates.

(THE PROPERTY OWNER OR APPLICANT'S ATTENDANCE AT ALL MEETINGS IS REQUIRED)

Criteria and Standards for Considering a Special Use Permit

The Mayor and City Council find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of zoning power. Please address these criteria to the best of your ability. You may use a separate sheet if necessary.

- 1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

The proposed Senior Day Care is compatible with surrounding properties. The site is in an M-1 light industrial district, but the property is already occupied by community-serving agencies such as DDS, DOL, and DCH. Adding a Senior Day Care complements these existing uses and enhances the property's role as a community service hub. Daytime hours, controlled traffic flow, and limited outdoor activity minimize impact on nearby industrial or office uses.

- 2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The proposed Senior Day Care will not adversely affect the existing use or usability of adjacent properties. With sufficient parking and traffic management, the Day Care integrates seamlessly into the existing property. The addition of senior care services will enhance the community-serving character of the site rather than disrupt it.

- 3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The proposed Senior Day Care has a reasonable economic use under M-1 zoning, as it is already functioning as a community service hub.

Using a portion of the building for Senior Day Care maximizes its utility and aligns with the city's intent to allow compatible special uses within M-1 districts.

- 4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

The proposed Senior Day Care will not impose burdens on transportation, utilities, or schools. With 148 on-site parking spaces and daytime operations, traffic flow is manageable. Existing utilities support the additional use, and there is no impact on local schools.

- 5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;

Revised February 2024
While M-1 is light industrial, the Comprehensive Plan supports community-serving uses within the area. The Senior Day Care aligns with the city's goal of providing services for residents, particularly seniors, and complements existing agencies on-site.

- 6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Existing conditions strongly support approval.

The property already hosts multiple community service agencies, making it a hub for local services. Adding Senior Day Care complements these uses and strengthens the property's value to the community. There are no environmental or logistical constraints that would negatively impact the proposed use.

- 7) Whether the policies and objectives of the Comprehensive Plan, particularly in relationship to the proposed site and surrounding area align and support the proposal;

The proposed Senior Day Care at 2211 Beaver Run Road supports the goals of the Norcross Comprehensive Plan. By complementing the existing community service hub, including DDS, DOL, and DCH, the facility helps define Norcross' sense of place and enhances the city as a livable, inclusive, and safe environment. It provides daytime care, social engagement, and supportive services for seniors and adults with disabilities while delivering a high level of quality services and strengthening access to essential community resources. Overall, the Day Care reinforces the property's community-serving role and contributes positively to the neighborhood.

- 8) Whether the proposal has the potential for adverse impacts on the surrounding area, regarding but not limited to traffic, storm drainage, land values and compatibility of land use activities.

Traffic: Daytime operations with limited clients/staff and existing parking (148 spaces) maintain manageable flow.

Storm Drainage: Existing infrastructure is sufficient; no major modifications planned.

Land Values: The Day Care complements existing uses, likely enhancing property values.

Land Use Compatibility: The use is compatible as a permitted special use within M-1 zoning, complementing office and service-oriented activities.

Conclusion:

The Senior Day Care is compatible with M-1 zoning as a Special Use Permit, provides significant community benefits, and does not negatively impact surrounding properties or infrastructure.



REZONING

Case Number	RZ2025-004
Petitioner	Reside Partners, LLC
Property Location	138 Holcomb Bridge Road
Current Zoning	HX (Historic Mixed-Use District)
Proposed Zoning	BH (Buford Highway District)
Proposed Use(s)	Professional Office, Retail
Character Area	Character Area 7: Town Center
Site Acreage	0.34 Acres
District	6
Land Lot	243
Parcel #	6243 044
Taxes Paid	Yes
Historic District	National
National Register	Recognition Year: 1980

COMMUNITY DEVELOPMENT AND PLANNING DEPT. RECOMMENDATIONS

Based on the analysis of this case, Staff recommends **APPROVAL** of rezoning to BH (Buford Highway District), subject to the following conditions:

1. The property shall be developed in general conformance with the site plan dated receipt 10/26/2021.
2. Limited to office and retail uses only.
3. No auto-oriented commercial use allowed.
4. Peddlers and/or any parking lot sales unrelated to the rezoning shall be prohibited.
5. Dumpsters/trash bins shall be screened per the review and approval of the Community Development & Planning Department.
6. Staff identified variance to allow the placement of an existing approximately 640-square-foot accessory garage on a lot that does not have a rear yard.

Standards Governing the Exercise of Zoning Power

According to Section 103-11, the criteria by which a zoning action can be approved or denied are as follows:

1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

The zoning proposal may permit a use that is suitable in view of the use and development of adjacent and nearby properties. The proposed use(s) of professional office or retail is supported in the BH (Buford Highway) zoning district and would be compatible to the uses in the vicinity, which is a mixture of neighborhood level, retail, and commercial uses.

2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. The adjoining properties consist of neighborhood level and commercial related uses which are zoned BH, Buford Highway.

3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned?

The subject property has a reasonable economic use as currently zoned. The proposed uses of office and/ or retail are both supported in the HX, historic mixed use, zoning district.

4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools?

The applicant's zoning proposal may not result in a use which could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools. The site as presented is fully developed and there are no proposed modifications.

5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

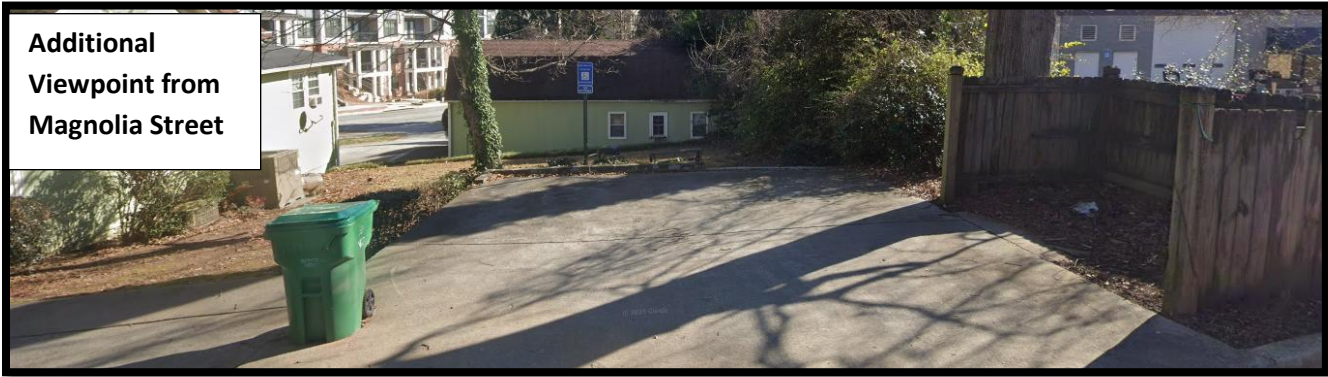
The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The subject parcel is located within the Town Center Character Area. The Town Center Character Area supports neighborhood level commercial, studio, or office uses, within structures less than 5,000 square feet. Uses within the Neighborhood level commercial, studio, or office are intended to be local serving, which the proposed uses would be consistent with.

6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

There are no known existing or changing conditions affecting the use of the property.

Board	Meeting Type	Meeting Date	Time	Location
P&Z	Hearing	11/5/2025	6:30 PM	Conference Room 2 nd Floor
MCC Policy	Meeting	11/17/2025	6:30 PM	Conference Room 2 nd Floor
MCC Regular	Hearing	12/1/2025	6:30 PM	Council Chambers 1 st Floor





North

Zoning: HX / Residential
Character Area: Town Center

WEST

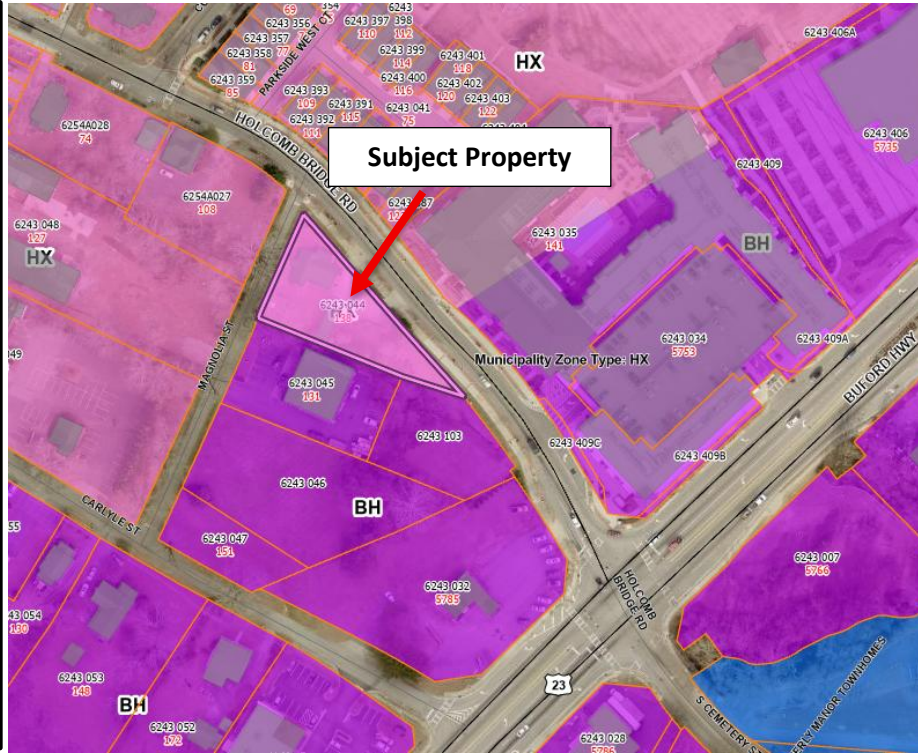
Zoning: HX / Commercial

Character Area: Town Center

EAST

Zoning: BH and HX / Multi-Family

Character Area: Town Center



SOUTH

Zoning: BH / Multi-Tenant Commercial and Undeveloped
Character Area: Town Center

Current zoning district for the property

The HX (Historic Mixed-Use) district is established to provide for a variety of retail, service, office, public and semi-public uses, with the inclusion of limited residential uses, in a pedestrian-friendly environment to promote live-work and mixed-use opportunities.

Requested zoning district for the property

The BH (Buford Highway) district is intended to encourage the redevelopment of Buford Highway in conformance with the vision for the corridor in the city's comprehensive plan and the Buford Highway Master Plan as a mixed-use and multimodal corridor. The district utilizes design standards and land use controls that will provide the necessary transition from the industrial and commercial character into the historic areas of the city, while maintaining opportunity for growth and economic vibrancy. To this end, in order to promote the vision of the city.

Summary of the applicant's proposal

The applicant is requesting to rezone to BH (Buford Highway) zoning district on a 0.34-acre lot. The applicant is requesting to have the same zoning classification as the five parcels located at the intersection of Magnolia Street and Holcomb Bridge Road, north of Carlyle Street, and east of Buford Highway. The existing, approximately 1,983 square-foot, one (1) story structure will be utilized for a professional office or retail use for one (1) tenant. Hours and days of operation will be standard. The existing approximately 640 square foot accessory garage will be utilized for parking and/or storage. The site has 8 parking spaces according to the applicant. There will be no modifications made to the two (2) existing structures or the site itself. The property has two (2) driveway access points off Holcomb Bridge Road which leads to surface level parking spaces. On the Magnolia Street side of the property is a second entry point to the principal building, which includes off-street parking for two (2) vehicles, one of which is a designated handicap stall.

Non-residential criteria

Proposed number of buildings: Two (2) (Existing)

Required parking spaces: Depends on Proposed Use; Three (3) (1 per 400 sf GFA if office)

Proposed parking spaces: Eight (8) (According to the Applicant)

Impervious surface shown: Maximum impervious allowed is 90 percent

- F. **Proof of Taxes Paid** – Proof that all ad valorem taxes due on the property have been paid must accompany each application.
- G. **Certificate Concerning Campaign Contributions** – The applicant must complete the certificate concerning campaign contributions and submit with each application.
- H. **Fees** – See attached fee schedule. Fees are non-refundable.
- I. **Development of Regional Impact** – If your application meets the Atlanta Regional Commission’s (ARC) alternative rules for a Development of Regional Impact, additional review will be required by ARC and the State. More information can be found here, <https://atlantaregional.org/community-development/comprehensive-planning/developments-of-regional-impact/>
- J. **Conditional Rezoning** – An applicant may apply for conditional zoning and so state on the application. The conditional zoning applications may be based on written conditions contained within the relevant section of the application only or it may be based on the narrative AND a site plan.
- K. Any other information required by the Community Development Department or any other City department which is deemed necessary or desirable in processing the application which is related to the present or proposed use of the property.

I have read and understand the attached application and zoning procedures. I also hereby authorize the Community Development Staff, Planning & Zoning Board and Mayor & Council to inspect the premises that are the subject of this application.



Signature of Applicant

10-3-25

Date

CITY USE ONLY. DO NOT WRITE BELOW

Date received: _____ Application Number: _____ Fee Paid: _____

Notes: _____

DEADLINE AND HEARING SCHEDULE

See calendar on the Community Development website for pre-application conference deadlines, application submission deadlines and scheduled meeting dates.

(THE APPLICANT OR APPLICANT’S AGENT MUST ATTEND ALL HEARINGS REGARDING THE APPLICATION)

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et seq. Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.


10/3/25
John Mansour

 SIGNATURE OF APPLICANT DATE TYPE OR PRINT NAME AND TITLE


10/3/25
John Mansour

 SIGNATURE OF APPLICANT'S ATTORNEY OR REPRESENTATIVE DATE TYPE OR PRINT NAME AND TITLE

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a City of Norcross Mayor/Council Member or a Member of the Planning and Zoning Board

NO _____ (YES or NO)



 YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250.00 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN THE LAST TWO YEARS)

Attach additional sheets if necessary to disclose or describe all contributions.



Ownership Affidavit & Designation of Agent

I. Ownership.

I, John Mansour, hereby attest to ownership of the property described below:

Parcel I.D. Number(s) R6243 044

Location address: 138 Holcomb Bridge Rd

for which this Application is submitted.

The ownership, as recorded on the deed, is in the name of: Carlisle Street Investments, LLC

Please complete the appropriate section below:

NOTE: The person signing under section IV Acknowledgement, must be listed below as an officer or partner.

Individual

Corporation/Limited Liability Company (LLC)

Partnership

Government Entity

Provide Names of Officers/Members:

Provide Names of General Partners:

Secretary of State Registration Number: 21229145

Name/Address of Registered Agent: Ayoub, Mansour & Bryant, LLC

II. Designation of Owner's Agent. (Leave blank if not applicable)

As the owner of the above designated property and the applicant for which this affidavit is submitted, I wish to designate the below named party as my agent in all matters pertaining to the location address. In authorizing the agent named below to represent me, or my company, I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief. (Note: Prior to the issuance of a building permit, the owner's agent must be the contractor listed on the permit application.)

Owner's Agent: John Mansour / Reside Partners, LLC

Address: 7130 Buford Hwy N.E. Suite A-200

Contact Person: John Mansour

III. Notice to Owner.

- A. All changes in Ownership & Applicant's Agent prior to issuance shall require new affidavit. If ownership changes the new owner assumes the obligations and the original applicant is released from responsibility for actions taken by others after the change in ownership.
- B. If the Owner intends the Designation of Applicant's Agent to be limited in any manner, please indicate the limitation below. (i.e., Limited to obtaining a certificate of concurrency for the parcel; limited to obtaining a land use compliance certificate; etc.)

City of Norcross, 65 Lawrenceville Street, Norcross, GA 30071 Community Development Department, 678-421-2027

IV. Acknowledgement.

• **Individual**

Signature

Print Name: _____
Address: _____
Phone #: _____

• **Government Entity**

Print Government Name

By: _____
Signature

Print Name: _____
Title: _____
Department: _____

• **Corporation/LLC**

Carlyle Street Investments
Print Corporation/LLC Name

By: _____
Signature

Print Name: John Mansour
Its: Manager
Address: 7130 Buford Hwy NE St. A-200

• **Partnership**

Print Partnership Name

By: _____
Signature

Print Name: _____
Its: _____
Address: _____
Phone #: _____

NOTARY INFORMATION (Please use appropriate block.)

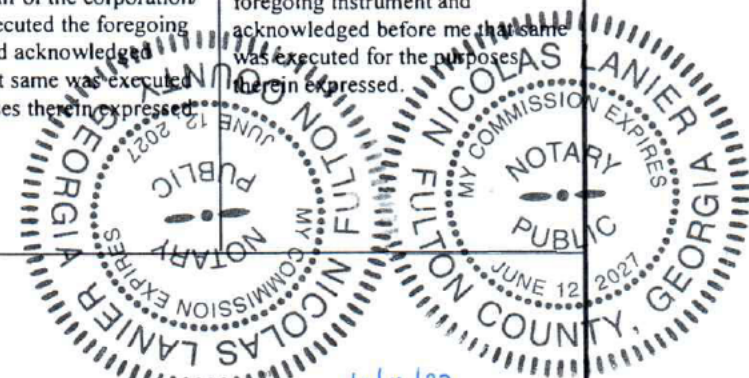
STATE OF GEORGIA
COUNTY OF Fulton

<p>• Individual</p> <p>Before me, this _____ day of _____, 20____, personally appeared _____ who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.</p>	<p>• Corporation/LLC</p> <p>Before me, this <u>3rd</u> day of <u>February</u>, 20<u>25</u>, personally appeared <u>John Mansour</u> of a <u>GA</u> corporation/ (State) LLC, on behalf of the corporation/ LLC, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.</p>	<p>• Partnership</p> <p>Before me, this _____ day Of _____, 20____, personally appeared _____ partner/agent on behalf of _____, a partnership, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.</p>
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Signature of Notary _____
Print Notary Name Nicolas Lanier

NOTARY STAMP: _____
My commission expires: 6/12/27

Identification Method: Personally known.
_____ Produced I.D. – Type: _____



City of Norcross
Community Development Department
65 Lawrenceville Street
Norcross, GA 30071

Letter of Intent
Rezoning

October 3, 2025

Subject Property

138 Holcomb Bridge Road
Norcross, GA

I. Letter of Intent

The Applicant, Reside Partners, LLC, requests a rezoning of 138 Holcomb Bridge Road, a .34 acre tract at the intersection of Holcomb Bridge and Magnolia Street (the “Property”), from its current HX zoning to a BH zoning classification.

As shown on the City of Norcross official zoning map, all the surrounding properties to the east of Magnolia Street are zoned BH except the Property. The Property’s current HX zoning is therefore inconsistent with the properties surrounding it. As a result, the Applicant has submitted this zoning proposal to remove the zoning inconsistency so that the Property and adjoining parcels have uniform setbacks, uniform permitted heights, uniform impervious surface coverage and uniform uses.

The Property and all adjoining and immediately surrounding tracts are within the Town Center Character Area, which supports the BH zoning classification.

The Applicant has not submitted any development plan for the Property as part of this zoning proposal, and is merely seeking the update of the Property’s zoning to the BH zoning classification so that the Property matches the adjoining properties.

Below are the responses to the required criteria and standards for considering a rezoning from the City of Norcross zoning ordinance:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties;

The zoning proposal updates the Property’s zoning to match the immediately adjoining and surrounding properties that are all already zoned BH. The zoning proposal will only permit uses that are acceptable on the surrounding properties; therefore, the rezoning of the Property to

the BH classification will be suitable in view of the use and development of adjacent and nearby properties.

2. Whether the zoning proposal will adversely affect the existing use or useability of adjacent or nearby property;

The zoning proposal is to update the Property’s zoning to match the immediately adjoining and surrounding properties that are all already zoned BH. The zoning proposal will only permit uses that are acceptable or already exist on the surrounding properties; therefore, the rezoning of the Property to the BH classification will not adversely affect the existing use or useability of any adjacent or nearby properties.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

The Property is zoned HX, but is now surrounded by adjoining properties that were rezoned to the BH zoning classification. No redevelopment has occurred on the Property, or on the immediately adjoining properties to the south and west. Dissimilar zoning classifications on adjoining properties is not conducive to economic redevelopment.

4. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

The Property is only .34 acres, and the proposed zoning will not result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. All necessary streets and utilities are already available to the Property.

5. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan;

The zoning proposal is a request to update the zoning of the Property to match the immediately adjoining and surrounding tracts. The BH zoning classification is in conformity with the policy and intent of the Town Center Character Area as identified in the City of Norcross Comprehensive Plan.

6. Whether there are other exiting or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

As stated previously, the intent of the zoning proposal is to update the zoning of the Property to match the adjacent and surrounding properties. Having non-uniform zoning policies across adjoining parcels affects the use and development of all such properties negatively. Rezoning the Property to BH will enhance the existing uses and useability of adjacent or nearby properties by allowing a matching uniform zoning classification to govern all such properties.

CONSTITUTIONAL OBJECTIONS
APPLICATION FOR REZONING
CITY OF NORCROSS, GEORGIA

Georgia Law and the procedures of the City of Norcross require us to raise Federal and State Constitutional objections during the Rezoning application process. While the Owner/Applicant anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the Owner/Applicant will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time.

The portions of the Zoning Ordinance and the Comprehensive Land Use Plan of the City of Norcross, Georgia, as applied to the Property, that would result in a denial of the Rezoning as requested by the Owner/Applicant, are, or would be, unconstitutional in that they would destroy the Owner/Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any application of the Code of the City of Norcross or the Norcross Zoning Ordinance to the property which restricts its use to any use in a manner other than that requested by the Owner/Applicant is unconstitutional, illegal and null and void because such an application constitutes a taking of the Owner/Applicant's property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States because such an application denies the Owner/Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of the Rezoning Applications by the Owner/Applicant would also constitute an arbitrary and capricious act by the Mayor and City Council of the City of Norcross without any rational basis therefore, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal to approve the Rezoning as requested by the Owner/Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Owner/ Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of

the Rezoning subject to conditions that are different from the conditions requested by the Owner/Applicant, to the extent such different conditions would have the effect of further restricting the Owner/Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth herein above.

In addition, this constitutes formal written notice to the City of Norcross, pursuant to O.C.G.A. § 36-33-5, that the Owner/Applicant plans to seek to recover all damages that it sustains or suffers as a result of the denial of this Application and/or the unconstitutional zoning of the Property by the City of Norcross. Such damages may include, but are not necessarily limited to, damages related to the diminution in the value of the Property, attorneys' fees and expenses of litigation.

Accordingly, the Owner/ Applicant respectfully asks that the Rezoning be approved as requested by the Owner/Applicant.

Ayoub Mansour & Bryant, LLC

By /s/ John Mansour
John Mansour, Esq.
Attorney for the Owner/Applicant

675 Seminole Ave Suite 301
Atlanta, GA 30307
(404) 892-2599 telephone
(404) 806-7414 facsimile

Georgia Historic Resources
Historic Preservation Division,
Georgia Department of Natural Resources.

Resource ID	207002
County	Gwinnett
Item 1. Resource Name	Burper Construction & Design Company
Item 3. Resource Address/Location	138 North Magnolia Street Norcross 30071
Item 4. Owner's Name and Address	
Item 5. Classification	Building
Item 7. Current Use	Commercial-Business/office
Item 7. Original Use	Domestic/residential-Single dwelling
Item 8. Date of Construction (or estimate)	c1940
Item 9. Major Changes	Altered: <u>Description</u> <u>Date</u>
	Additions: <u>Description</u> <u>Date</u> rear
	Moved: <u>Description</u> <u>Date</u>
	Destroyed: <u>Description:</u> <u>Date:</u>
Item 10. Architect/engineer/designer	Unknown
Item 11. Contractor/builder/craftsman	Unknown
Item 12. Style	No academic style
Item 13. Building Type	House types-Side-gabled cottage
Item 14. Original Floor Plan	Three or more rooms [Two rooms]
Item 15. Plan Shape	L-shaped
Item 16. Number Of Stories	One
Item 17. Facade Symmetry	Symmetric
Item 17. Front Door(s)	One door
Item 18. Roof Type	Gable-Multi-gable
Item 18. Roof Material	Composition shingle/asphalt shingle
Item 19. Chimney placement	

and Material	No chimney observed
Item 20. Type Of Construction	Balloon frame/platform frame
Item 21. Exterior material(s)	Synthetics-Asbestos siding
Item 22. Foundation material(s)	
Item 23. Porches	Stoop [Front] [1 story] [Partial] [Concrete] [Gable]
Item 24. Windows	Double-hung sash [Flat-headed] [Rectangular] Fixed [Flat-headed] [Rectangular]
Item 25. Additional physical description	8/8 double hung replacement windows, 12 light and 1 light fixed windows; replacement front door; original rear ell; shed roof addition to rear; ornate window surrounds; replacement columns
Item 26. Pictures	Resource 178-a.jpg (78k) Resource 178-c.jpg (99k) Resource 178-e.jpg (99k) Resource 178-g.jpg (94k) Resource 178-i.jpg (101k) Resource 178-b.jpg (92k) Resource 178-d.jpg (98k) Resource 178-f.jpg (92k) Resource 178-h.jpg (95k)
Item 27. Description of outbuildings (if any)	Implement shed [modern]
Item 29. Description of Landscape Features	Yard setting-Designed fencing/walls Yard setting-Designed plantings/planting beds
Item 30. Count	Number of Buildings: 1 Number of Structures: 0 Number of Outbuildings: 1 Number of Sites: 0 Number of Landscape features: 0
Item 31. Description of the environment	Town-Residential [Mixed old and new]
Item 32. Archeological Potential	
Item 33. History	
Item 34. Historical theme(s)	Architecture
Item 34. Distinctive aspects of GA's history	
Item 35. Significance	Architecture-Architectural type-Common Architecture-Architectural technique-Common

Item 36. Sources of Information			
Item 37. Prepared By	Nancy E-K McReynolds Terracon 2855 Premiere Parkway Suite C Duluth GA 30097		
Item 38. Date Of Survey	<u>Survey Resurvey</u> 2007		
Item 39. Government preservation activity			
Item 40. National Register Eligibility	Appears to meet Nat. Reg. criteria		
Item 41. USGS quadrangle name	Norcross		
Item 41. UTM Reference and XY Coordinates	<u>Zone</u>	<u>Easting</u>	<u>Northing</u>
	16	757649	3758804
	<u>X Coordinate</u>	<u>Y Coordinate</u>	
	-84.212456322955	33.939945457541	
Item 42. Tax map number	6243 044		
Item 43. Recognition and Date	<u>Recognition</u>	<u>Date</u>	
	National Register [District]	1980	
Item 43. State Agency			
Item 43. Condition	<u>Condition</u>	<u>Due To</u>	<u>Threatened By</u>
	<u>Good</u>	<u>Structure</u>	

- **TIP:** To print this report select Print from the browser 'File' menu.
- These results are based on survey data in the database at the time of the search. Not all areas of the state have been surveyed, and not all surveyed areas have been surveyed to current standards. Unsurveyed resources meeting the parameters of your search/query may exist in surveyed and unsurveyed areas.
- This is a product of Georgia's Natural, Archaeological, and Historic Resources GIS developed by The Carl Vinson Institute of Government, ITOS Division at The University of Georgia. The University of Georgia expressly disclaims responsibility for damages or liability that may arise from the use of this report.



Photo 1: 207002 Burper Construction & Design Center



Photo 2: 207002 Burper Construction & Design Center



Photo 3: 207002 Burper Construction & Design Center



Photo 4: 207002 Burper Construction & Design Center

Norcross Survey - Terracon Project No. 49075602

Date Photos Taken: March 2007



Photo 5: 207002 Burper Construction & Design Center



Photo 6: 207002 Burper Construction & Design Center



Photo 7: 207002 Burper Construction & Design Center



Photo 8: 207002 Burper Construction & Design Center

Norcross Survey - Terracon Project No. 49075602

Date Photos Taken: March 2007



Photo 9: 207002 Burper Construction & Design Center



REZONING

Case Number	RZ2025-005
Petitioner	William H. Waddell
Property Location	5324 Old Norcross Road
Current Zoning	C2 (General Business District)
Proposed Zoning	M1 (Light Industry District)
Proposed Use(s)	Landscaping Services, Auto Sales, Fleet Vehicle Parking, Storage
Character Area	Character Area 8: Langford Drive
Site Acreage	5.24 Acres
District	6
Land Lot	241
Parcel #	6241 010
Taxes Paid	Yes
Historic District	N/A

COMMUNITY DEVELOPMENT AND PLANNING DEPT. RECOMMENDATIONS

Based on the analysis of this case, Staff recommends **APPROVAL** of rezoning to M1 (Light Industry District), subject to the following:

1. The property shall be developed in general conformance with the site plan dated receipt 08/19/2025; and in conformity with the City of Norcross Unified Development Ordinance.
2. Provide a ten (10) foot landscape strip adjacent to all public rights-of-way.
3. Provide a 40-foot buffer adjacent to residentially zoned properties. This buffer depth may be reduced by 50 percent if they include an eight-foot-high screening wall. If the buffer cannot be met, applicant must submit an application for a variance.
4. Provide a 20-foot buffer adjacent to the OI, Office-Institutional, zoned properties. This buffer depth may be reduced by 50 percent if they include an eight-foot-high screening wall. If the buffer cannot be met, applicant must submit an application for a variance.
5. No auto-oriented commercial use allowed.

Standards Governing the Exercise of Zoning Power

According to Section 103-11, the criteria by which a zoning action can be approved or denied are as follows:

1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

The proposed use may permit a use that is suitable in view of the use and development of adjacent and nearby properties. The C2, General Business, zoned properties south of Old Norcross Road are mostly industrial in nature, and a rezoning of the subject property to the M1, Light Industry, will create a transition between the unincorporated residentially zoned properties to the south of the subject property and the C1, Neighborhood Business, and OI, Office Institutional, zoned properties to the north. To minimize the impact on the adjacent residentially zoned properties, staff is recommending the installation of a code required 40-foot landscape buffer along the southern and eastern property lines as a condition of approval. To minimize the impact on the adjacent OI, Office Institutional, zoned properties, staff is recommending the installation of a code required 20-foot landscape buffer along the north and northeast property lines as a condition of approval. These buffer depths may be reduced by 50 percent if they include an eight-foot-high screening wall.

2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

The proposed use may not adversely affect the existing use or usability of adjacent or nearby property if a 40-foot landscape buffer is installed to protect the residentially zoned properties along the southern and eastern property lines, and a 20-foot landscape buffer along the north and northeast property lines. These buffer depths may be reduced by 50 percent if they include an eight-foot-high screening wall.

3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The property may have a reasonable economic use as currently zoned. The current zoning is C2, General Business, which does not support light industrial uses without an approval of a special use permit.

4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

The proposal may not result in a use which could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools. The site as presented is fully developed.

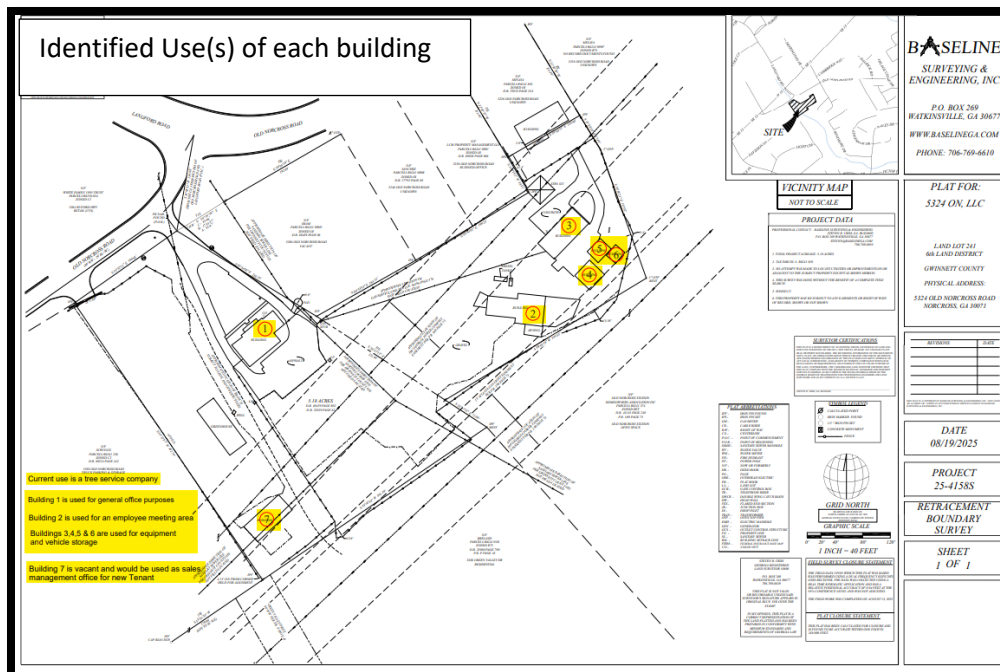
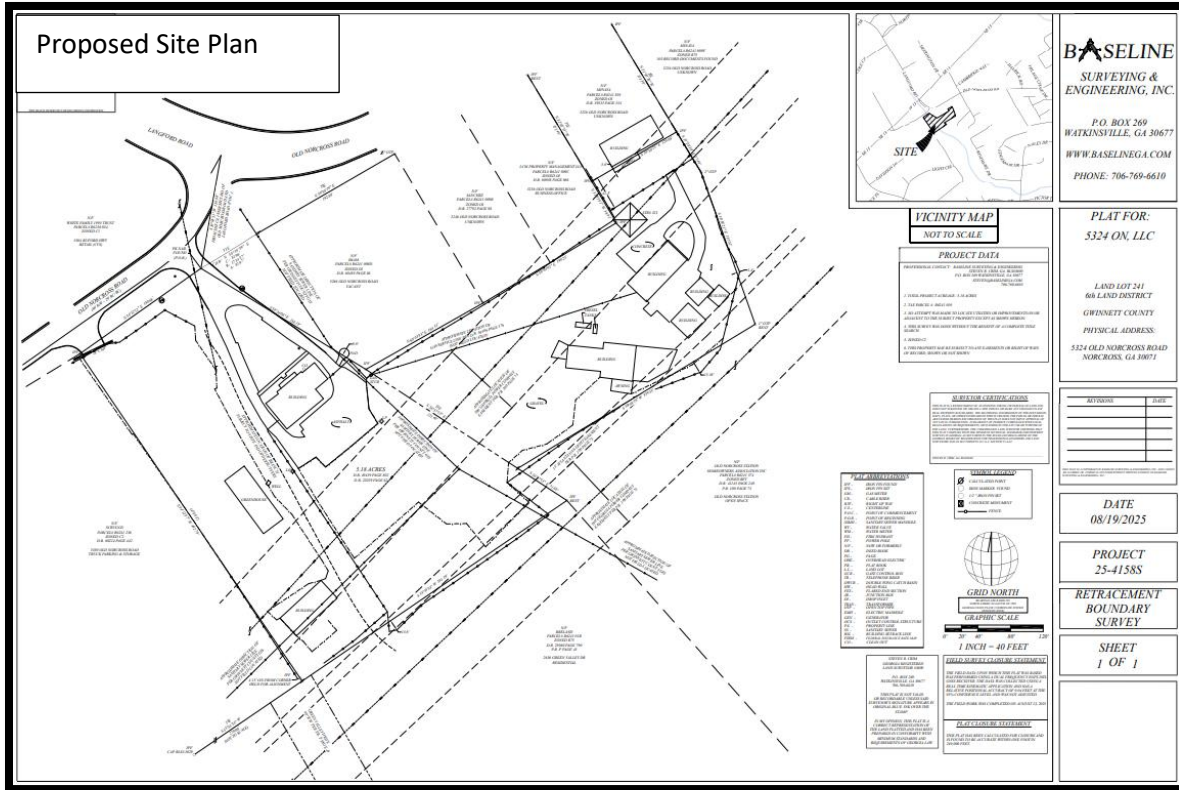
5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

The proposal is in conformity with the policy and intent of the Comprehensive Plan. The subject parcel is located within Langford Road Industrial Center Character Area. The Langford Road Industrial Center Character Area is a preferred location for general commercial and industrial uses. Specifically, clean, light industrial uses that have a minimal impact on nearby residential use are encouraged. Policy 1-2 calls for redeveloping and enhancing existing commercial and industrial uses.

6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

There are no known existing or changing conditions affecting the use of the property.

Board	Meeting Type	Meeting Date	Time	Location
P&Z	Hearing	11/5/2025	6:30 PM	Conference Room 2 nd Floor
MCC Policy	Meeting	11/17/2025	6:30 PM	Conference Room 2 nd Floor
MCC Regular	Hearing	12/1/2025	6:30 PM	Council Chambers 1 st Floor

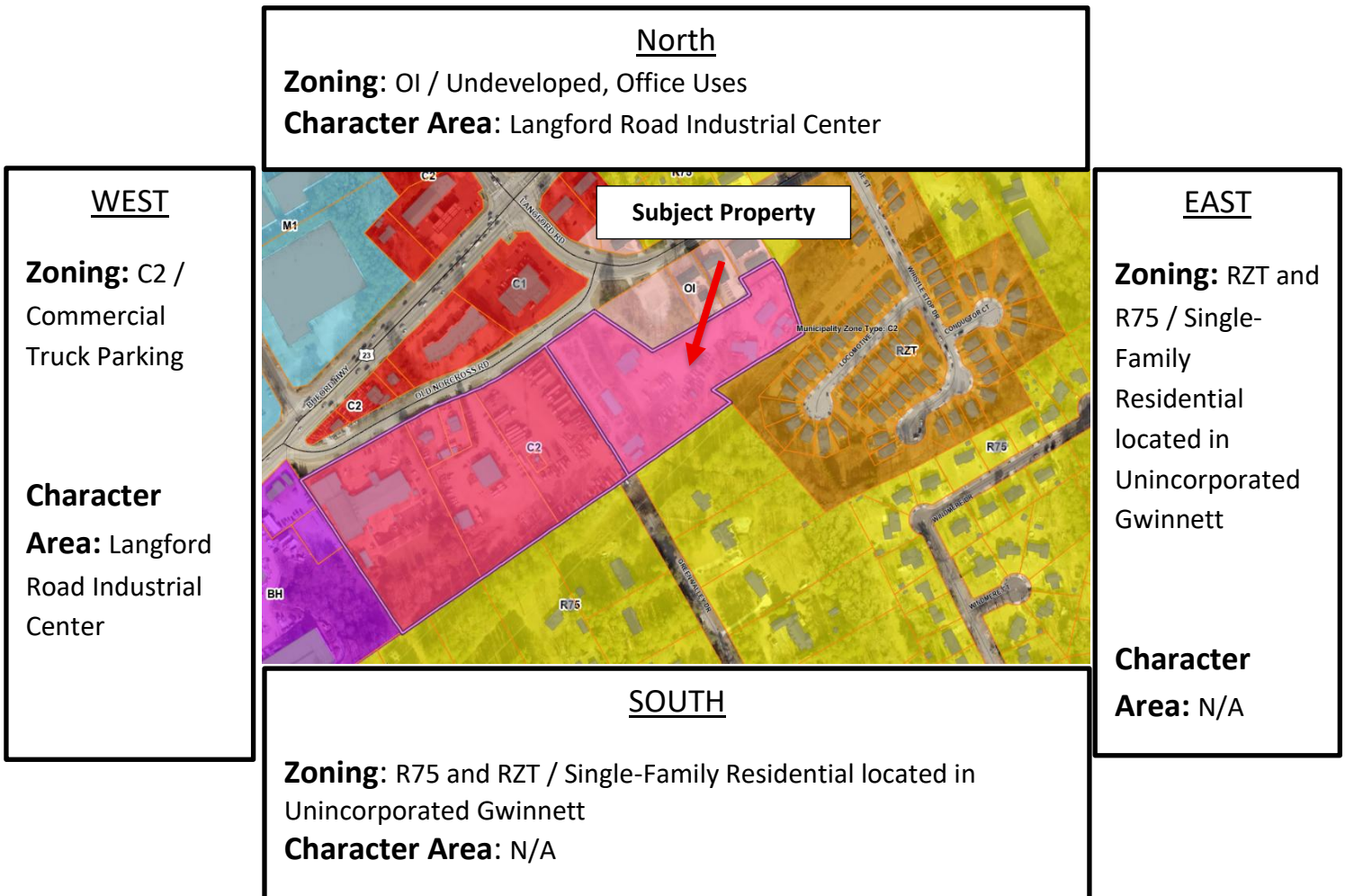


**Viewpoint from
Old Norcross Road,
which shows
Building #1 (Office)**



**Viewpoint from Old
Norcross Road,
which shows Building
#7 (Currently Vacant)**





Current zoning district for the property

The C2 (General Business) district is established to provide adequate space in appropriate locations along major streets, thoroughfares and at intersections for various types of business and service uses. These uses should include the retailing of major goods and services, general office facilities, and public functions that would serve a community area of several neighborhoods. Development of uses in the district characteristically occupies a larger area than in the C1 (Neighborhood Business) district because it is intended to serve a greater population and to offer a wider range of goods and services. Orientation and expansion of this district should occur as an increase in depth at major intersections rather than as a strip-like extension along the street or thoroughfare.

Requested zoning district for the property

The M1 (Light Industry) district is comprised of lands that are located on, or have ready access to, a major street or state highway and are well adapted to industrial development but whose proximity to residential or commercial districts makes it desirable to limit industrial operations and processes to those that are not objectionable by reason of the emission of noise, vibration, smoke, dust, gas, fumes, odors or radiation and that do not create fire or explosion hazards or other objectionable conditions.

Summary of the applicant's proposal

The applicant is requesting to rezone to the M1 (Light Industry) zoning district on a 5.24-acre lot to allow for light industrial related uses, and outdoor storage. The property is currently used for a landscaping service business. The property owner is actively searching for a new tenant, so there is no proposed use currently. The property owner is considering equipment rental, auto-sales, fleet vehicle rental and parking, landscaping services and a building material use. All seven existing buildings will remain.

Non-residential criteria

Proposed number of buildings: Seven (7) existing

Impervious surface shown: Maximum impervious allowed is 90 percent

Days of Operation: Monday through Saturday

Hours of Operation: 7:00 AM to 7:00 PM

Proposed Use(s): TBD

Due to ongoing phishing scams/activity in the metro Atlanta area with respect to public hearing applicant contact information, contact information is redacted for the purposes of posted agendas. To contact an applicant, reach out to Community Development at communitydevelopment@norcrossga.net.

SURVEY \$4,800
JASON \$6,400



REZONING APPLICATION

PROPERTY OWNER'S INFORMATION

Owner's Name: 5324 ON, LLC / WILLIAM H. WADDELL
Owner's Address: 1529 MONROE DR.
City: MONROE State: GA Zip Code: 30655



APPLICANT'S CONTACT INFORMATION

Applicant's Name: WILLIAM H WADDELL
Applicant's Address: 155 ANNIE CHANDLER TRAIL
Suite: _____ City: LAWRENCEVILLE State: GA Zip Code: 30045



PROPERTY LOCATION

Tax Parcel Number(s): R6241 010 Size in acres: 5.24
Address(es): 5324 OLD NORCROSS RD.
Number of existing structures: 37 Number of parking spaces: _____

PROPOSED USE

Current Zoning: C-2 Requested Zoning: M-1
Date of Pre-Application Mtg: 6/20/25
Is the request in conformity with the Current Land Use Plan? Yes No
Comp Plan Designation: _____ If No, Comp Plan Amendment is required
Is this site located in the National/Local Historic District? Yes No
If yes, what are the plans for the historic resources, if any, onsite _____

Proposed Use Details: / *SUMMARY OF INTENT*

THE PROPOSED USES WILL BE CONSISTENT WITH THE PERMITTED USES ESTABLISHED IN THE "M1" ZONING DESIGNATION FOUND IN THE CITY'S UDD. THE CURRENT STRUCTURE ON THE SITE IS SETUP AS A SALES/MANAGEMENT OFFICE + THE BALANCE OF THE PROPERTY IS GRAVELED YARD. BEST GUESS ON PROPOSED USES.

EQUIPMENT RENTAL / LANDSCAPE SERVICES + STORAGE OF MATERIALS + VEHICLES / BUILDING MATERIALS / AUTO SALES - RENTAL / FLEET VEHICLE PARKING.

HOURS OF OPERATION - 7AM TO 7PM

DAYS OF OPERATION - MONDAY - SATURDAY

ITEMS THAT MUST ACCOMPANY APPLICATION

- A. **Owner's Signature or Affidavit** - If the owner and applicant are not the same, the owner must sign the application or complete the attached affidavit.
- B. **Plat/Survey** - Submit one (1) full size, one (1) 11 x 17 and one (1) digital copy of a plat in JPG or PDF format, drawn by an engineer or land surveyor, describing in detail the tract, parcel or lot of land proposed to be rezoned. The plat must include the following information:
 - ✓ 1. A current boundary survey and plot plan, dimensioned and to scale, prepared by a registered surveyor, architect or engineer showing the seal of such surveyor, architect, or engineer.
 - ✓ 2. This survey shall be a plat of the land in question, or a description by metes and bounds, bearings and distances of the land, or if the boundaries conform to the lot boundaries within a subdivision for which a plat is recorded in the land records of the City of Norcross, then, the lot, block, and subdivision designations with appropriate plat reference.
 - ✓ 3. A description of existing land uses on adjacent and surrounding property. *ON SURVEY*
- C. **Concept Plan** - Submit one (1) full size copy, one (1) 11x17 copy and one (1) digital copy in JPG or PDF format of a concept plan, including but not limited to all items listed on the attached checklist for such plan. *NOT CHANGING ANYTHING ON EXISTING SITE*
- D. **Impact Analysis** -
 - 1. If the zoning change has been initiated by an owner or their representative, the application must be accompanied by a written, documented analysis of the proposed zoning change with regard to each of the standards governing consideration attached to this application.
 - 2. A traffic study, a hydrology study, market study and other studies of the impact of the proposed development prepared by a duly licensed engineer or qualified professional may be required by the Community Development Department, Planning & Zoning Board or the Mayor & City Council as deemed necessary for adequate consideration and a fully-informed decision on the proposed request. The studies shall be prepared under the direction of the City at the applicant's expense.
- E. **Warranty Deed** - A copy of the recorded warranty deed to the property must accompany each application. The owner on the deed must be the same as the owner listed on the application.

DO I NEED THIS →

DO I NEED EITHER OF THESE

- ✓ F. **Proof of Taxes Paid** – Proof that all ad valorem taxes due on the property have been paid must accompany each application.
- ✓ G. **Certificate Concerning Campaign Contributions** – The applicant must complete the certificate concerning campaign contributions and submit with each application.
- H. **Fees** – See attached fee schedule. Fees are non-refundable.
- I. **Development of Regional Impact** – If your application meets the Atlanta Regional Commission’s (ARC) alternative rules for a Development of Regional Impact, additional review will be required by ARC and the State. More information can be found here, <https://atlantaregional.org/community-development/comprehensive-planning/developments-of-regional-impact/>
- J. **Conditional Rezoning** – An applicant may apply for conditional zoning and so state on the application. The conditional zoning applications may be based on written conditions contained within the relevant section of the application only or it may be based on the narrative AND a site plan.
- K. Any other information required by the Community Development Department or any other City department which is deemed necessary or desirable in processing the application which is related to the present or proposed use of the property.

I have read and understand the attached application and zoning procedures. I also hereby authorize the Community Development Staff, Planning & Zoning Board and Mayor & Council to inspect the premises that are the subject of this application.




 Signature of Applicant Date

CITY USE ONLY. DO NOT WRITE BELOW

Date received: _____ Application Number: _____ Fee Paid: _____

Notes: _____

DEADLINE AND HEARING SCHEDULE

See calendar on the Community Development website for pre-application conference deadlines, application submission deadlines and scheduled meeting dates.

(THE APPLICANT OR APPLICANT’S AGENT MUST ATTEND ALL HEARINGS REGARDING THE APPLICATION)

Concept Plan Checklist

1. An application shall be accompanied by a concept plan if any new construction or alteration of the site is proposed.
2. A concept plan may be prepared by a professional engineer, a registered land surveyor, a landscape architect, a land planner or any other person familiar with land development.
3. The concept plan shall be drawn on a boundary survey of the property. The boundary survey shall have been prepared by a Georgia registered land surveyor and meet the requirements of the State of Georgia for such a map or plat under O.C.G.A. 15-6-67(b).

The concept plan shall show the following:

1. Zoning district classification of the subject property and all adjacent properties, and zoning district boundaries if they cross the property.
2. Man-made features within and adjacent to the property, including existing and future right-of-way of streets, pavement width and street names; political boundary lines; and other significant information such as location of bridges, utility lines, existing buildings to remain, and other features as appropriate to the nature of the request.
3. Natural features, such as the 100-year flood plain, and protected wetlands and stream buffers required under the Buffers, Landscaping and Tree Conservation Article of this Ordinance.
4. Proposed use of the property.

The proposed project layout including:

1. For residential subdivisions, and office or industrial parks, approximate lot lines and street right-of-way lines, along with the front building setback line on each lot.
2. For multi-family and nonresidential development projects, the approximate outline and location of all buildings, and the location of all minimum building setback lines, outdoor storage areas, dumpsters, zoning buffers, parking areas, loading stations, zoning buffers, stormwater detention facilities, and driveways, entrances and exits.
3. Name and address of the property owner.
4. Name, address, and telephone number of the applicant (if different than the owner).
5. Date of concept plan drawing, and revision dates, as appropriate.
6. Location (Land District and Land Lot) and size of the property in acres (or in square feet if less than an acre).
7. Location sketch of the property in relation to the surrounding area with regard to well-known landmarks such as arterial streets or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than 1 inch equal to 2,000 feet. US. Geological Survey maps may be used as a reference guide for the location concept.
8. A statement as to the source of domestic water supply.
9. A statement as to the provision for sanitary sewage disposal.
10. The approximate location of proposed storm water detention facilities.
11. Such additional information as may be useful to permit an understanding of the proposed use and development of the property.

Criteria and Standards for Considering a Rezoning

The Mayor and City Council find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of zoning power. Please address these criteria to the best of your ability. You may use a separate sheet if necessary.

- 1) Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;

M-1 ZONING WOULD ALLOW FOR USES THAT ARE CONSISTENT WITH THE CURRENT USES ON ADJACENT PARCELS.

- 2) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

NO. IT WOULD ALLOW FOR USES CURRENTLY IN PLACE ON ADJACENT PROPERTIES.

- 3) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;

AS CURRENTLY ZONED (C-2) THERE ARE MINIMAL ECONOMIC USES FOR THE PROPERTY AS C-2 ZONING DOES NOT ALLOW FOR OUTSIDE STORAGE USES.

- 4) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;

ALLOWING M-1 USES WILL NOT IMPACT SCHOOLS OR UTILITIES AS THE USES WILL MOST LIKELY BE STORAGE OF VEHICLES, EQUIPMENT OR MATERIALS. THE STORAGE USES WILL BE MUCH LESS BURDENSOME ON STREETS THAN TYPICAL DISTRIBUTION USES.

- 5) Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;

and
YES CURRENT COMP PLAN CALLS FOR LANGFORD INDUSTRIAL CENTER WAKH

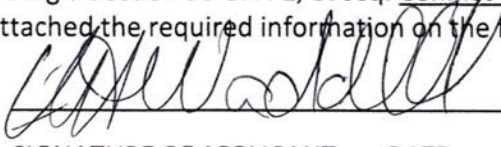
- 6) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

THE EXISTING OVERHEAD POWER LINES LIMIT ANY POTENTIAL REDEVELOPMENT OF THE SITE.

DATE RECEIVED: _____ CASE#: _____ ACCEPTED BY: _____

CONFLICT OF INTEREST CERTIFICATION FOR REZONINGS

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et seq. Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.



WILLIAM H. WADDELL

SIGNATURE OF APPLICANT DATE

TYPE OR PRINT NAME AND TITLE PARTNER

SIGNATURE OF APPLICANT'S DATE
ATTORNEY OR REPRESENTATIVE

TYPE OR PRINT NAME AND TITLE

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a City of Norcross Mayor/Council Member or a Member of the Planning and Zoning Board

_____ (YES or NO)

WILLIAM H. WADDELL

YOUR NAME

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (LIST ALL WHICH AGGREGATE TO \$250.00 OR MORE)	DATE CONTRIBUTION WAS MADE (WITHIN THE LAST TWO YEARS)

Attach additional sheets if necessary to disclose or describe all contributions.



Ownership Affidavit & Designation of Agent

I. Ownership.

I, 5324 OIU, LLC, hereby attest to ownership of the property described below:

Parcel I.D. Number(s) 210241 010

Location address: _____

for which this Application is submitted.

The ownership, as recorded on the deed, is in the name of: _____

Please complete the appropriate section below:

NOTE: The person signing under section IV Acknowledgement, must be listed below as an officer or partner.

Individual

Corporation/Limited Liability Company (LLC)

Partnership

Government Entity

Provide Names of Officers/Members:

Provide Names of General Partners:

WILLIAM H. WADDELL

DAVE BOWEN

PATTI BROWN

Secretary of State Registration Number: 09015939

Name/Address of Registered Agent: PAMELA BOWEN 1529 MONROE DR.
MONROE, GA 30055

II. Designation of Owner's Agent. (Leave blank if not applicable)

As the owner of the above designated property and the applicant for which this affidavit is submitted, I wish to designate the below named party as my agent in all matters pertaining to the location address. In authorizing the agent named below to represent me, or my company, I attest that the application is made in good faith and that any information contained in the application is accurate and complete to the best of my knowledge and belief. (Note: Prior to the issuance of a building permit, the owner's agent must be the contractor listed on the permit application.)

Owner's Agent: DEREK GRIFFIN

Address: 80 W. WIEUCA RD N.E. SUITE 170, ATL GA 30342

Contact Person: DEREK GRIFFIN

III. Notice to Owner.

- All changes in Ownership & Applicant's Agent prior to issuance shall require new affidavit. If ownership changes the new owner assumes the obligations and the original applicant is released from responsibility for actions taken by others after the change in ownership.
- If the Owner intends the Designation of Applicant's Agent to be limited in any manner, please indicate the limitation below. (i.e., Limited to obtaining a certificate of concurrency for the parcel; limited to obtaining a land use compliance certificate; etc.)

City of Norcross, 65 Lawrenceville Street, Norcross, GA 30071 Community Development Department, 678-421-2027

IV. Acknowledgement.

• Individual

Signature _____
 Print Name: _____
 Address: _____
 Phone #: _____

• Government Entity

Print Government Name _____
 By: _____
 Signature _____
 Print Name: _____
 Title: _____
 Department: _____

• Corporation/LLC

Print Corporation/LLC Name _____
 By: [Signature]
 Signature _____
 Print Name: WILLIAM H. WADDELL
 Its: WADDELL
 Address: 1529 MONROE DR MONROE GA 3055
 Phone #: _____

• Partnership

Print Partnership Name _____
 By: _____
 Signature _____
 Print Name: _____
 Its: _____
 Address: _____
 Phone #: _____

NOTARY INFORMATION (Please use appropriate block.)

STATE OF GEORGIA
 COUNTY OF _____

• Individual

Before me, this _____ day of _____, 20____, personally appeared _____ who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

• Government Entity

Before me, this _____ day of _____, 20____, personally appeared _____ as _____ and on behalf of _____ who executed the foregoing instrument, and acknowledged before me that same was executed for the purposes therein expressed.

• Corporation/LLC

Before me, this 3 day of September, 2025, personally appeared William Waddell of _____ a Georgia corporation/LLC, on behalf of the corporation/LLC, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

• Partnership

Before me, this _____ day of _____, 20____, personally appeared _____ partner/agent on behalf of _____ a partnership, who executed the foregoing instrument and acknowledged before me that same was executed for the purposes therein expressed.

[Signature]
 Signature of Notary

Jill Haney
 Print Notary Name

NOTARY STAMP:

My commission expires: February 9, 2029

Identification Method: Personally known.
 Produced I.D. - Type: _____





Official Tax Receipt
Norcross, GA
65 Lawrenceville St.
Norcross, 30071
--Online Receipt--

Trans No	Map Code	Property ID & District Description	Original Due	Interest & Penalty	Amount Due	Amount Paid	Transaction Balance
2024-032268	R6241010		\$0.00	\$0.00 Fees: \$0.00	\$0.00	\$0.00	\$0.00
Totals:			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Charge Amount: \$0.00

5324 ON LLC
1529 MONROE DR
MONROE, GA 30655



Scan this code with your mobile phone to view this bill



Mayor: Craig Newton • **Mayor Pro Tem:** Marshall Cheek • **Councilmember:** Andrew Hixson • **Councilmember:** Josh Bare
Councilmember: Matt Myers • **Councilmember:** Bruce Gaynor • **City Manager:** Eric Johnson • **City Clerk:** Monique Phillip

AGENDA REPORT

To: Planning & Zoning Board

From: Helen Balch, AICP
Community Development & Planning Director

Meeting Date: November 5, 2025 – Planning & Zoning Board

Item No.: **2025-309**

Title: Amendment to the Unified Development Ordinance

CC: Eric Johnson, City Manager
Tracy Rye, AICP, Assistant City Manager

Recommendation

Staff recommends that the Planning and Zoning Board provide a recommendation for approval for several proposed changes to the Unified Development Ordinance (UDO). Items to be removed are in red strike through, items to be added are in bold, underlined italics and highlighted in yellow on the attached documents.

Background

The Community Development and Planning Department continues its ongoing effort to improve the clarity and usability of the Unified Development Ordinance (UDO). The proposed amendments focus on refining definitions, updating procedural standards, and clarifying existing regulations.

Amendments are proposed to the following sections of the UDO:

Chapter 100 General and Administrative Provisions, Article II. Definitions

Sec. 102-2 Defined terms

Add definition for Service Bay (within an automobile repair facility)

Chapter 100 General and Administrative Provisions, Article III. Review Authority

Sec. 103-9(c) ZBA rules and standards

Clarify time the Community Development & Planning Department must publish and post notifications regarding a variance application, from 15 days to 30 days.

Chapter 100 General and Administrative Provisions, Article IV. Procedures

Sec. 104-3(d) Administrative Action Process

Clarify note #3 that the Zoning Administrator is responsible for reviewing demolition only when the property is within the historic district.

Sec. 104-6(l)(2) Quasi Judicial Review

Edit the days the department must provide an appellate board decision to the applicant from three (3) days to five (5) days.

Sec. 104-7(a) Administrative Variances

Include additional circumstances that call for an administrative variance under (a)(2) such as compact spaces, excess parking, new construction of a new porch or modifications to an existing porch, and roof mounted solar panels outside the historic district.

Chapter 200 Land Use and Zoning, Article I, Division 2

Sec. 201-6(b) R-100 single family residence lot development standards

Adding "Accessory Dwelling Unit" to Lot Development Standards; Minimum setbacks to refer to Section 202-3(b) for applicable development.

Sec. 201-7(b) R-75 single family residence lot development standards

Adding "Accessory Dwelling Unit" to Lot Development Standards; Minimum setbacks to refer to Section 202-3(b) for applicable development.

Sec. 201-8(b) R-65 single family residence lot development standards

Adding "Accessory Dwelling Unit" to Lot Development Standards; Minimum setbacks to refer to Section 202-3(b) for applicable development.

Chapter 200 Land Use and Zoning, Article II Supplemental and Accessory Use Standards

Sec. 202-2 Supplemental use standards

Adding language to include CX Community Mixed Use and BH Buford Highway zoning districts to subsection (aa)(3).

Sec. 202-3 Accessory uses or structures

Adding language to the accessory dwelling unit (ADU) subsection to clarify and expand existing requirements. These updates are intended to improve the clarity, enforceability, and design consistency of ADUs within residential districts.

Chapter 200 Land Use and Zoning, Article III Parking and Loading

Sec. 203-9 Parking. Minimum Number of spaces required

Revise the minimum number of parking spaces for auto repair to 2 per repair station for uses including: motor vehicle repair shop; motor vehicle (auto) sales and rental; motor vehicle sales and service; trucks and heavy equipment; motor vehicle service and fuel station.

Chapter 200 Land Use and Zoning, Article IV Sign Regulations

Sec. 204-5 Signs exempt from having a permit

The addition to item #7 is to clarify that signs which comply with the specific standards outlined in Section 204-18 are automatically exempt from permitting requirements under this section. The amendment provides consistency across the sign regulations, eliminates potential conflicts between sections, and ensures that sign types explicitly regulated in Section 204-18 are treated uniformly.

Sec. 204-12 Temporary signs

Revise this section to clarify that the banner size allowance for temporary signs (up to 32 square feet) applies to institutional uses located within residential zoning districts, such as places of worship and schools.

Chapter 200 Land Use and Zoning, Article VI Nonconforming situations

Sec. 206-8(b) Exceptions

Modify language to include “and uncovered” in Permitted encroachments upon required setbacks. The amendment clarifies the intent of the existing provision by distinguishing between covered and uncovered structures.

Financial Impact

N/A

Consistent with Comprehensive Plan? (If applicable, please select which goal applies)

1. Continues to Strengthen Norcross as a Livable, Inclusive, and Safe Environment

Attachments

Update

Ordinance TEXT2025-002

An Amendment to the City Code of Ordinance

Chapter and Purpose: Subpart B Unified Development Ordinance, Section as noted.

Enacting Clause; The Mayor and City Council of the City of Norcross, Georgia hereby ordains that the adopted Code of Ordinances is hereby amended as more particularly set forth below. It is the intention of the Mayor and City Council, and it is hereby ordained that all following provisions shall become and be made part of the Code of the City of Norcross.

1. Amendment to edit the language as noted on the attached, to add those items shown as underlined and highlighted, and delete those items shown as red strikethrough, any items completely deleted are reserved. For purposes of defined items, new definitions are added where they fit alphabetically within the existing defined terms section.

Sec. 102-2. Defined terms.

The following words, terms and phrases, when used in this UDO, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Note that for flood-plain management, specific definitions exist in chapter 400 article IV which only relate to items applicable to that section.

R

Recovered materials means those materials which have known use, reuse, or recycling potential; can be feasibly used, reused or recycled; and have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not requiring subsequent separation and processing.

Recovered materials processing means any lot, land, structure, or facility, or part thereof, utilized for the purpose of collecting, sorting, processing for resale, and transport of materials to be recycled or reused, including: plastics, glass, paper, aluminum and scrap metals. Recovered materials processing does not include any operation which changes the nature of a material, its chemical composition or its physical qualities.

Recreational vehicle means a vehicle which is:

- (1) Built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Recycling means the process by which recovered materials and waste products are reduced to raw materials and transformed into new and often different products.

Redevelopment means structural land development (construction, installation, or expansion of a building or other structure), creation or addition of impervious surfaces, replacement of impervious surfaces not as part of routine maintenance, and land disturbing activities associated with structural or impervious development on a previously developed site. Redevelopment does not include such activities as exterior remodeling.

Regional stormwater management facility refers to stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Repair Station shall mean the section of an automobile repair facility intended or designed to be used for temporary storage of motor vehicles, during repair or service of such vehicles. The number of repair stations shall be the maximum number of passenger-type vehicles that could be serviced and stored within a service bay door opening per repair station at any one time, allowing for accommodation of the vehicle being serviced and parking for the technician.

Repetitive loss means flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals, or exceeds 25 percent of the market value of the structure before the damage occurred.

Sec. 103-9. Zoning Board of Appeals (ZBA).

(c) *ZBA rules and standards.*

- (1) Before the ZBA acts upon an application for a variance, it shall hold a public hearing under the rules governing the calling and conducting of meeting are described in section 103-3, general rules of procedure; meetings; minutes, and records.
- (2) The notice of the time and place of such hearing shall be published at least **30** ~~15~~ days prior to the hearing in a newspaper of general circulation within the territorial boundaries of the city. At the hearing any party may appear in person or by agent or attorney.
- (3) In addition, the Community Development Department shall at least **30** ~~15~~ days prior to the hearing erect in a conspicuous place on the property involved a sign which shall contain information as to the variance applied for and the time and place of hearing.
- (4) In reviewing request for variance applications, the ZBA will make decisions based on the standards and factors governing review of proposed variance applications, section 103-11(d).
- (5) In reviewing appeals from decisions made by the Community Development Director or Building Official, the ZBA will be interpreting the provisions of the UDO and the International Building Code (IBC) to determine:
 - a. Whether the decisions made by the Director was based on the true intent of the UDO or IBC; and
 - b. Whether proper procedures for application review were followed.
- (6) All ZBA decisions shall be in writing. Decisions shall be mailed to the applicant and any interested parties who make a written request for a copy of the written decision without unreasonable delay after the close of the hearing.

Sec. 104-3. Decision making responsibilities.

- (a) There are three basic categories of development reviews and actions associated with such reviews pursuant to this UDO:
 - (1) Legislative actions involve a change in land use policy or any final legislative action detailed in O.C.G.A. § 36-66-3(4). A public hearing is required, and final approval must be made by the Mayor and City

Council. Examples include, but are not limited to, rezoning decisions, special use permits and comprehensive plan amendments.

- (2) Quasi-judicial actions involve the application of discretionary standards required by this UDO to an application other than a zoning decision as defined in O.C.G.A. § 36-66-3(4). It requires a public hearing, and procedural due process. Examples include variances, special use permits and appeals of administrative decisions, as well as design reviews that require interpretation of a set of design guidelines.
 - (3) Administrative actions involve the application of the standards of the UDO to an application by a UDO Administrator (section 103-4, UDO Administrators). A public hearing is not required. An administrative approval typically occurs late in the development process. Examples include building permits, sign permits, and certificates of occupancy.
- (b) The following table summarizes the review and approval authority of various review bodies involved in Legislative reviews, for each associated approval processes.

Figure 104-3(b) Legislative Action Approval Processes

Approval Process KEY: R = Review & Recommendation D = Final Decision A = Appeal PH = Public Hearing PM = Public Meeting	Cross-reference	Review and Approval Authority				
		UDO Administrator	Architectural Review Board	Historic Preservation Commission	Planning and Zoning Board	Mayor and City Council
Annexations	Sec. 104-5K	R			R-PH	D-PH
Concept plan approval submitted with a rezoning application ¹	Sec. 403-4	R/D			R-PH	D-PH
Concurrent variance request	Sec. 104-5	R			R-PH	D-PH
Planned development approval submitted with a rezoning to a PRD district ²	Sec. 104-5	R	R		R-PH	D-PH
Special exceptions	Sec. 104-5	R				D-PH
Special use permit	Sec. 104-6G	R			R-PH	D-PH
Telecommunications permit	Sec. 104-5	R			R-PH	D-PH
Text amendment (comprehensive plan or UDO)	Sec. 104-5	R			R-PH	D-PH
Zoning map amendment (rezoning)	Sec. 104-5	R			R-PH	D-PH

Note:

- 1 Sketch plans not requiring rezoning or special use permit approval can be approved by the Community Development Director as part of the preliminary plat review process. Whereas sketch plans submitted as part of a required rezoning will be reviewed as part of that rezoning.
- 2 Rezoning to or within the PRD district require an approved concept plan and architectural renderings of proposed buildings reviewed first by the Architectural Review Board, before the application is submitted to the Planning and Zoning Board.

- (c) The following table summarizes the review and approval authority of various review bodies involved in Quasi-Judicial reviews, for each associated approval processes.

Figure 104-3(c) Quasi-Judicial Action Approval Processes

Approval Process KEY: R = Review & Recommendation D = Final Decision A = Appeal PH = Public Hearing PM = Public Meeting	Cross-reference	Review and Approval Authority						
		UDO Administrator	Architectural Review Board	Historic Preservation	Tree Preservation Board	Zoning Board of Appeals	Planning and Zoning Board	Mayor and City Council
<i>Design Review</i>								
Minor Design Plan*	Sec. 104-6D	D						
Major Design Plan*	Sec. 104-6D	R	D					
Final major subdivision plat approval	Sec. 403-8	R						D-PH
Major Design Plan in Local Historic District	Sec. 104-6E	R		D				
Historic Review—Cert. of Appropriateness in National Historic District and Regular Cert. of Appropriateness outside of the National Historic District	Sec. 104-6F	R	D					
Historic Review—Cert. of Appropriateness in Local Historic District	Sec. 104-6E	R		D				
Demolition permit in national historic district	Sec. 104-5	R	R					D-PH
Demolition permit in local historic district	Sec. 104-5	R		R				D-PH
<i>Variances, Exceptions, and Appeals</i>								
Variance	Sec. 104-6K	R				D-PH		
Appeals of Administrative Decision other than Tree Removal	Sec. 104-6C	R				A		
Appeal of Administrative Decision regarding Tree Removal	Sec. 104-6C	R			A			
Appeals of decisions by the ARB, HPC, or TPB	Sec. 104-6C	R						A
Stream buffer variance	Sec. 104-5	R						D-PH

- (d) Permits that may be approved by a UDO Administrator through the administrative review process fall under three different review sub-categories: building review by the city Building Official, engineering review by the City Engineer, and zoning review by the Zoning Administrator. The following table summarizes the different administrative permits that may be granted under this UDO and which UDO Administrator review them.

Figure 104-3(d) Administrative Action Processes

Approval Process	Cross-reference	Review and Approval Authority		
		Building Official	City Engineer	Zoning Administrator
Administrative Variance	Sec. 104-7A		■	■
Building Permit ¹	Sec. 104-7B	■	■	

Certificate of Appropriateness	Sec. 104-7C			■
Certificate of Completion	Sec. 104-7D	■		
Certificate of Occupancy	Sec. 104-7E	■		
Change of Occupancy certificate	Sec. 104-7F	■		
Commercial Filming Permit	Sec. 104-7G		■	
Demolition Permit ²	Sec. 104-7H	■		■ ³
Development Permit	Sec. 104-7I	■	■	■
Exemption Plat	Sec. 403-10	■	■	■
Land Disturbance Permit	Sec. 104-7J	■	■	
Plat Amendments		■	■	■
Preliminary Plat	Sec. 403-5		■	■
Parking Waiver	Sec. 104-7K			■
Sign Permits ⁴	Sec. 104-7L	■		■
Temporary Outdoor Activities Permit	Sec. 104-7M	■	■	■
Temporary Outdoor Retail Display Permit	Sec. 104-7N	■	■	■
Trade Permits, both commercial and residential ⁵	Sec. 104.7P	■		
Tree Removal, both commercial and residential	Sec. 104-7O		■	■
Utility Permits	Sec. 104-7Q		■	
Zoning verification letter	Sec. 104-7R			■

Notes:

- 1 Building Permits fall under the following categories: Single- family townhome; Single-family Detached Home; Duplex; Residential 4-plex; Condominium; New commercial construction; Residential remodel; and Residential Storage
 - 2 Demolition Permits fall under the following categories: Residential demolition outside of the historic district; Residential demolition inside the historic district; Residential interior or limited demolition; Commercial interior or limited demolition; and Commercial demolition removal of entire building or section
 - 3 ~~Zoning Administrator reviews demolition permits inside the historic district only~~ **The Zoning Administrator is responsible for reviewing demolition only when the property is located within the historic district.**
 - 4 Sign Permits fall under the following categories: Temporary sign; New monument sign; Building sign
 - 5 Trade permits are first classified as being either residential or commercial, and then may be for electrical repairs and upgrades, gas line repairs and upgrades, HVAC repairs and upgrades, low voltage repairs and upgrades, plumbing repairs and upgrades, or re-roof
- (Ord. No. 08-2019, § I, 6-3-2019; Ord. No. 08-2022, § I, 8-1-2022; Ord. No. 04-2024, § I, 11-4-2024)

Sec. 104-6. Quasi-judicial review.

- (a) *Applicability.* The following requirements apply to all applications that are subject to a quasi-judicial review, including appeals of decisions made by the Community Development Director, decisions on special use permits, or the seeking of variances from the provisions of the UDO. These include appeals and variance requests made to the Zoning Board of Appeals, and the Tree Preservation Board, referred to in this section as Appellate Boards, requests for special use permits made to the City Council, and certificates of appropriateness made to the HPC and ARB.

(b) *Burden of proof in appeals and variances.*

- (1) *Requirements.* It shall be the responsibility of an applicant seeking an appeal or a variance to present facts and evidence to explain how the proposed appeal or variance is consistent with the general spirit and intent of the applicable code, and how the request conforms to the standards of review in the UDO.
- (2) *Review.* It is the duty of the appellate board to review such facts and evidence in light of the general spirit and intent of pertinent code to balance the public health, safety, morality, aesthetics, and general welfare against the injury to a specific applicant that would result from the strict application of the provisions of the code on the applicant's property, and to determine whether the request conforms to the standards of the review in the UDO.

(c) *Appeals to an Appellate Board.*

- (1) Appeals to an appellate board may be taken by any person aggrieved or adversely affected, or by any official of the city affected by any decision of the Community Development Director.
 - a. Such appeal shall be taken within 30 days after the decision appealed from by filing with the Community Development Director and with the City Clerk a notice of appeal specifying the grounds thereof.
 - b. The Director shall forthwith transmit to the appropriate appellate board all the papers constituting the record upon which the action appealed from was taken.
- (2) An appeal shall stay all proceedings in furtherance of the action appealed from unless the Community Development Director certifies to the appellate board that, by reason of facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property. In such a case, proceedings shall not be stayed other than by the appellate board or by a restraining order granted by a court of record on application and notice to the Community Development Director for good cause shown.
- (3) The appellate board shall meet upon notice from the chairperson, within ten business days of the filing of an appeal. Failure to hold a hearing related to any appeal within ten days of filing of the appeal shall result in a de facto approval of the applicant's appeal request at the next regularly scheduled appellate board meeting.

(d) *Standards for design review and certificates of appropriateness.*

- (1) The City of Norcross Architectural and Site Design Standards, or as amended, incorporates the standards used by the Community Development Department, the ARB and the HPC in reviewing site or construction plans for issuance of a certificate of appropriateness.

(e) *Process for obtaining a certificate of appropriateness in the local historic district.*

- (1) *Approval of material change in appearance in historic districts or involving historic properties.* After the designation by ordinance of a historic property of a historic district, no material change in the appearance of such historic property, or of a contributing or non-contributing building, structure, site or object within such historic district, shall be made or be permitted to be made by the owner or occupant thereof, unless or until the application for a certificate of appropriateness has been submitted to and approved by the HPC. A building permit shall not be issued without a certificate of appropriateness. The HPC shall not approve applications for demolition without reviewing at the same time post-demolition plans. The HPC shall have exclusive jurisdiction to issue or to deny an application for a certificate of appropriateness within the historic district and over any designated historic property. The ARB shall not have any jurisdiction within the local historic district.
- (2) *Submission of plans to HPC.* An application for a certificate of appropriateness shall be accompanied by such drawings, photographs, plans and documentation as may be required by the HPC. The Historic

Preservation HPC shall not require that the plans and specifications be prepared by professionals, but only that such documentation be prepared in such a way as to be easily understood by the HPC members.

- (3) *Interior alterations.* In its review of applications for certificates of appropriateness, the HPC shall not consider interior arrangement or use having no effect on exterior architectural features.
- (4) *Technical advice.* The HPC shall have the power to seek technical advice from outside its members on any application.
- (5) *Public hearings on applications for certificates of appropriateness, notices, and right to be heard.* The HPC shall hold a public hearing at which each proposed certificate of appropriateness is discussed. Notice of the hearing shall be published in the principal newspaper of local circulation in the city and written notice of the hearing shall be mailed by the HPC to all owners and occupants of the subject property. The written and published notice shall be provided in the same manner and time frame as notices are provided before a public hearing for quasi-judicial review.

The HPC shall give the property owner and/or applicant an opportunity to be heard at the certificate of appropriateness hearing.

- (6) *Acceptable HPC reaction to applications for certificate of appropriateness. HPC action.* The HPC may approve the certificate of appropriateness as proposed, approve the certificate of appropriateness with any modifications it deems necessary, or reject it.
 - a. The HPC shall approve the application and issue a certificate of appropriateness if it finds that the proposed material change(s) in the appearance would not have a substantial adverse effect on the aesthetic, historic, or architectural significance and value of the historic property or the historic district. In making this determination, the HPC shall consider, in addition to any other pertinent factors, the following criteria for each of the following acts:
 1. *Reconstruction, alteration, new construction or renovation.* The HPC shall issue certificates of appropriateness for the above proposed actions if those actions conform in design, scale, building materials, setback and site features, and to the Secretary of Interior's standards for rehabilitation and guidelines for rehabilitating historic buildings.
 2. *Relocation.* A decision by the HPC approving or denying a certificate of appropriateness for the relocation of a building, structure, or object shall be guided by:
 - i. The historic character and aesthetic interest the building, structure or object contributes to its present setting.
 - ii. Whether there are definite plans for the area to be vacated and what the effect of those plans on the character of the surrounding area will be.
 - iii. Whether the building, structure or object can be moved without significant damage to its physical integrity.
 - iv. Whether the proposed relocation area is compatible with the historical and architectural character of the building, structure, site or object.
 3. *Demolition.* A decision by the HPC approving or denying a certificate of appropriateness for the demolition of buildings, structures, sites, judged to be 50 years old or older, or objects shall be guided by:
 - i. The historic, scenic or architectural significance of the building, structure, site, or object.

-
- ii. The importance of the building, structure, site, or object to the ambiance of a district.
 - iii. The difficulty or the impossibility of reproducing such a building, structure, site, object because of its design, texture, material, detail, or unique location.
 - iv. Whether the building, structure, site, object is one of the last remaining examples of its kind in the neighborhood or the city.
 - v. Whether there are definite plans for use of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be.
 - vi. Whether reasonable measures can be taken to save the building, structure, site, or object from collapse.
 - vii. Whether the building, structure, site, or object is capable of earning reasonable economic return on its value.
- (7) *Undue hardship.* When, by reason of unusual circumstances, the strict application of any provision of this chapter would result in the exceptional practical difficulty or undue economic hardship upon any owner of a specific property, the HPC, in passing upon applications, shall have the power to vary or modify strict provisions, so as to relieve such difficulty or hardship; provided such variances, modifications interpretations shall remain in harmony with the general purpose and intent of said provisions, so that the architectural or historical integrity, or character of the property, shall be conserved and substantial justice done. In granting variances, the HPC may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this chapter. An undue hardship shall not be a situation of the person's own making.
- (8) *Deadline for approval or rejection of application for certificate of appropriateness.*
- a. The HPC shall approve or reject an application for a certificate of appropriateness within 45 days after the filing thereof by the owner or occupant of a historic property, or of a building structure, site, or object located within a historic district. Evidence of approval shall be by a certificate of appropriateness issued by the HPC. Notice of the issuance or denial of a certificate of appropriateness shall be sent by United States mail to the applicant and all other persons who have requested such notice in writing filed with the HPC.
 - b. Failure of the HPC to act within said 45 days shall constitute approval, and no other evidence of approval shall be needed.
- (9) *Necessary action to be taken by HPC upon rejection of application for certificate of appropriateness.*
- a. In the event the HPC rejects an application, it shall state its reasons for doing so, and shall transmit a record of such actions and reasons, in writing, to the applicant. The HPC may suggest alternative courses of action it thinks proper if it disapproves of the application submitted. The applicant, if he or she so desires, may make modifications to the plans and may resubmit the application at any time after doing so.
 - b. In cases where the application covers a material change in the appearance of a structure which would require the issuance of a building permit, the rejection of the application for a certificate of appropriateness by the HPC shall be binding upon the building inspector or other administrative officer charged with issuing building permits and, in such a case, no building permit shall be issued.
- (10) *Requirement of conformance with certificate of appropriateness.*

-
- a. All work performed pursuant to an issued certificate of appropriateness shall conform to the requirements of such certificate. In the event work is performed not in accordance with such certificate, the HPC shall issue a cease and desist order and all work shall cease.
 - b. The HPC and the Norcross City Council shall be authorized to institute any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in appearance of a designated historic property or historic district, except those changes made in compliance with the provisions of this chapter or to prevent any illegal act or conduct with respect to such historic property or historic district.
- (11) *Certificate of appropriateness void if construction not commenced.* A certificate of appropriateness shall become void unless construction is commenced, or progress is made toward construction, within six months of date of issuance. A certificate of appropriateness shall be issued for a period of 12 months and is renewable.
- (12) *Recording an application for certificate of appropriateness.* The HPC shall keep a public record of all applications for certificates of appropriateness, and or all the HPC's proceedings in connection with said application.
- (13) *Acquisition of property.* The HPC may, where such action is authorized by the City Council and is reasonably necessary or appropriate for the preservation of a unique historic property, enter into negotiations with the owner for the acquisition by gift, purchase, exchange, or otherwise, to the property or any interest therein.
- (f) *Process for obtaining a certificate of appropriateness outside the local historic district.* The process for obtaining a certificate of appropriateness from the ARB is provided in the City of Norcross Architectural and Site Design Standards, or as amended and also follows the process for quasi judicial actions.
- (g) *Rules of procedure; meetings; minutes, records for a special use permit.* The Planning and Zoning Board and the Mayor and City Council will utilize the policies and rules of procedure to govern the calling and conducting their hearings as described in article III, section 103-3.
- (h) *Development of an approved special use permit.*
- (1) The issuance of a special use permit shall only constitute approval of the proposed use, and development of the use shall not be carried out until the applicant has secured all other permits and approvals required. The Community Development Department shall not issue a certificate of occupancy for the specific use unless all requirements and conditions of the special use permit have been fulfilled by the owner of the property.
 - (2) If an application is approved and a special use permit is granted, all conditions which may have been attached to the approval are binding on the property. All subsequent development and use of the property shall be in accordance with the approved plan and conditions. Once established, the special use shall be in continuous operation. Upon discovery that the operation of the special use has or had ceased for a period of 90 days or more and the owner of the property has not requested voluntary termination of the special use permit, the Community Development Director may forward a report to the Mayor and City Council through the Planning and Zoning Board which may recommend that action be taken to terminate the special use permit from the property.
- (i) *Compliance with special use permit requirements.*
- (1) The Community Development Director shall have the right to periodically examine the operation of the specific use to determine compliance with the requirements and any conditions of a special use permit.
 - (2) If the Community Development Director determines that the requirements and conditions are being violated, a written notice shall be issued by hand-delivery, by electronic mail with delivery and read receipts requested to the owner's e-mail address of record, or by certified mail return receipt

requested to the owner of the property outlining the nature of the violation and giving the owner of the property a maximum of ten days to come into compliance. If such notice is e-mailed or mailed to the owner, the notice shall be deemed to have been given upon the date of sending. The notice shall also state that the owner has the right to appeal the determination of the Community Development Director to the Zoning Board of Appeals.

- (3) If after ten days the violations continue to exist, the Community Development Director shall forward a report to the Mayor and City Council through the Planning and Zoning Board, which report may recommend that action be taken to remove or terminate the special use permit from the property, or to exercise all other rights of enforcement permitted by law. The Mayor and City Council may stay their proceedings on such a report from the Director pending resolution of any timely appeal to the Zoning Board of Appeals.
- (j) *Special use permits in residential districts.* An approved special use permit in a residential zoning district where the proposed special use is proposed to operate in a dwelling or as an accessory use to a dwelling is subject to the following additional requirements:
- (1) The special use permit shall be valid for no more than an initial two-year period. Upon or before the expiration of the special use permit, the owner shall make application to renew the special use permit if continuance is desired. As part of a special use permit renewal, the Mayor and City Council may waive any subsequent time limitation.
 - (2) The special use shall operate within the dwelling on the property or, if approved by the Mayor and City Council, in an accessory structure.
 - (3) The exterior character of the dwelling shall be preserved in its residential state and there shall be no outside evidence of the operation of the special use to the neighborhood, except for any accessory structure approved by the Mayor and City Council.
 - (4) The owner of the property or business shall occupy the property and shall operate any business associated with the special use.
- (k) *Variances to the Zoning Board of Appeals.*
- (1) *Authority.* Unless otherwise provided for in the UDO, the ZBA shall have authority to grant variances from the requirements of the UDO, in accordance with the standards and procedures as set forth in this section.
 - (2) *Purpose.* The purpose of a variance is to provide a mechanism when, owing to special conditions, the strict application of the UDO would impose on a landowner exceptional and undue hardship that can be mitigated without conferring on the applicant special privilege.
 - (3) *Initiation.* A written petition for a variance is to be initiated by the owner(s) of the subject property or the authorized agent(s) of the owner(s) of the property for which relief is sought. Applications shall be filed on forms provided by the Community Development Department and shall not be considered accepted unless complete in every respect. Application fees shall be as established by the Mayor and City Council.
 - (4) *Application procedures.* An application for a variance shall be filed with the Community Development Department, accompanied by a non-refundable fee, as established from time to time by the Mayor and City Council, to defray the actual cost of processing the application. The application shall be in such form and shall contain at a minimum the following information and documentation:
 - a. Name, address, telephone number, fax number and email address of owner(s) and applicant, if not owner.

- b. Legal description, street address, lot number and subdivision name, if any, of the property that is the subject of the application.
 - c. A survey, as completed by a surveyor registered in the state, accurately depicting the boundaries of the site.
 - d. The size of the subject property.
 - e. The purpose for the requested variance, and a statement of the intended development of the property if the variance is granted.
 - f. The specific provision of the UDO from which a variance is requested.
 - g. A statement explaining how the proposed variance is consistent with the general spirit and intent of the zoning ordinance and comprehensive plan.
 - h. A statement addressing the applicable standards for a variance from subsection 103-11(d)
- (5) *Staff report.* The staff of the Community Development Department shall conduct a site inspection and shall prepare an analysis of each application for variance. The staff report shall be presented in written form to the Zoning Board prior to the scheduled hearing date.
- (6) *Public hearing procedures and standards.*
- a. Before the Zoning Board of Appeals acts upon an application for a Variance, it shall hold a public hearing under the procedures and standards of chapter 100, article III, review authority.
 - b. The notice of the time and place of such hearing shall be published at least 30 days, but not more than 45 calendar days, prior to the hearing in a newspaper of general circulation within the territorial boundaries of the city. At the hearing any party may appear in person or by agent or attorney.
 - c. In addition, the Community Development Department shall at least 30 days prior to the hearing erect in a conspicuous place on the property involved a sign which shall contain information as to the variance applied for and the time and place of hearing and all other information required by this UDO in addition to mailing a letter to the property owner of record for the property that is subject to the action under consideration.
- (l) *Decisions of an appellate board.*
- (1) All appeal hearings and decisions shall be made in a public meeting, as mandated under state law, and following the procedures, standards and provisions of chapter 100, article III, review authorities.
 - (2) All decisions of an appellate board shall be furnished in writing to the applicant and to the Community Development Director within ~~three~~ **five (5)** days of a final action.
 - (3) The Community Development Director shall take immediate action in accordance with the decision of the appellate board.

(Ord. No. 08-2019, § I, 6-3-2019; Ord. No. 08-2022, § I, 8-1-2022; Ord. No. 07-2023, § I, 8-7-2023; Ord. No. 04-2024, § I, 11-4-2024)

Sec. 104-7. Administrative review.

The following requirements apply to all applications that can be approved by a UDO administrator. Unless specified elsewhere in this section, the procedures for initiation, application, and review of an administrative review are included in the provisions of subsection 104-4(b), common application requirements.

- (a) *Administrative variances.*

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- (1) *Power to grant administrative variances.* The Director shall have the power to grant administrative variances (except for density and use variances) from the development standards as established in the UDO where, in his/her opinion, the intent of the UDO can be achieved, and equal performance obtained by granting an administrative variance.
 - (2) *Limitations on administrative variances.* The authority to grant administrative variances shall be limited to variances from the following requirements:
 - a. Front yard or yard adjacent to public street—variance not to exceed ten feet.
 - b. Side yard—variance not to exceed five feet.
 - c. Rear yard—variance not to exceed ten feet.
 - d. Accessory structure placement for lots without a rear yard.
 - e. Height—variance up to but not exceeding ten feet, provided that no increase in the height for a sign or fence may be granted nor may the variance result in an increase in the number of stories than would otherwise be allowed under the applicable zoning district.
 - f. Buffers—the dimensions or screening treatment of a buffer as required by the UDO may be reduced by no more than 50 percent where the comprehensive plan recommends a more compatible land use on the neighboring property than that for which said property is actually zoned, or in other situations where the intent of the required buffer can be equally or otherwise achieved; provided, however, that no buffer required as a condition of a rezoning or of a grant of a special use permit shall be modified.
 - g. Reduction in parking spaces—as per the provisions of section 203-10, off-street automobile parking and loading.
 - h. Demarcation of parking spaces—parking spaces may be left unmarked, provided all of the following conditions are present:
 1. The parking lot must be designated to serve only a multi-family residential project which is designed and intended for rental occupancy.
 2. The parking lots must be designed in relation to the internal circulation system such that the areas reserved for parking are easily identified and clearly distinct from the interior driveways because of their location, design, orientation, or configuration, such as in parking areas with a single interior driveway having parking spaces located perpendicular to and along the sides of the access driveway, allowing the curbing to delineate the exterior dimension of the single parking bay.
 3. Approval for the elimination of the striping has been obtained by the applicant in writing from the City Engineer.
 - i. **Compact parking spaces**
 - j. **Excess parking spaces; in case parking exceeds 25 percent of minimum off-street parking requirement**
 - k. **New construction of a new porch or modifications to an existing porch.**
 - l. **Roof mounted solar panels located outside the historic district and in compliance with code section 202-3 (f)**

Sec. 201-6. R100 single-family residence.

- (a) *R100 purpose.* The R100 single-family residence zoning district is intended primarily for single family residences and related uses on large sized lots in the city.
- (b) *R100 lot development standards.*

Lot dimensions	
Minimum lot area	18,000 square feet 15,000 square feet if sewerred
Minimum lot width	100'
Minimum lot frontage	50'
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	50'
Side	10' one side / 25' total
Rear	40'
<i>Accessory building</i>	
From principal structure	5'
Front	Not allowed
Side	5'
Rear	5'
Accessory Dwelling Unit	See Section 202-3(b) for applicable development standards
Maximum height	
Principal	35'
Accessory	12'
Impervious surface coverage	35%

- (c) *R100 supplemental regulations.*
 - (1) Accessory use standards—see chapter 200, article II, supplemental and accessory use standards.
 - (2) Landscape and buffering—see chapter 200, article V, tree conservation, buffers, and landscaping.
 - (3) Parking and loading—see chapter 200, article III, parking and loading requirements.
 - (4) Signs—see chapter 200, article IV, sign regulations.
- (d) *R100 permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in chapter 200, article II, supplemental use standards, as applicable.
 - (1) *Residential.*
 - a. Single family detached dwelling.
 - (2) *Services.*
 - a. Existing cemetery.
 - (3) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Places of public assembly.

- (4) *Miscellaneous semi-public facilities and uses.*
 - a. Utility transmission and monitoring facilities.
 - (e) *R100 special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in chapter 200, article II, supplemental use standards, as applicable.
 - (1) *Miscellaneous lodging, rooms for rent situations.*
 - a. Bed and breakfast, but only when in a historic district overlay.
 - (2) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Elementary and secondary private education.
 - b. Nursery schools and kindergartens.
 - (f) *R100 accessory uses.* The following uses shall be considered accessory uses in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
 - (1) Customary residential accessory buildings.
 - (2) Accessory dwelling units.
 - (3) Home occupations.
- (Ord. No. 08-2019, § I, 6-3-2019)

Sec. 201-7. R75 single-family residence.

- (a) *R75 purpose.* The R75 single-family residence zoning district is intended primarily for single-family residences and related uses on medium sized lots in the city.
- (b) *R75 lot development standards.*

Lot dimensions	
Minimum lot area	15,000 square feet 12,000 square feet if sewerred
Minimum lot width	75'
Minimum lot frontage	40'
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	25' if on minor road 50' if on county or state road
Side	10' one side / 25' total
Rear	40'
<i>Accessory building</i>	
From principal structure	5' min
Front	Not allowed
Side	5' min
Rear	5' min
<u>Accessory Dwelling Unit</u>	<u>See Sec 202-3(b) for applicable development standards</u>
Maximum height	

Principal	35'
Accessory	12'
Impervious surface coverage	35%

- (c) *R75 supplemental regulations.*
- (1) Accessory use standards—see chapter 200, article II, supplemental and accessory use standards.
 - (2) Landscape and buffering—see chapter 200, article V, tree conservation, buffers, and landscaping.
 - (3) Parking and loading—see chapter 200, article III, parking and loading requirements.
 - (4) Signs—see chapter 200, article IV, sign regulations.
- (d) *R75 permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
- (1) *Residential.*
 - a. Single family detached dwelling.
 - (2) *Services.*
 - a. Existing cemetery.
 - (3) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Places of public assembly.
 - (4) *Miscellaneous semi-public facilities and uses.*
 - a. Utility transmission and monitoring facilities.
- (e) *R75 special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in chapter 200, article II, supplemental use standards, as applicable.
- (1) Educational, cultural, religious, philanthropic, social or fraternal.
 - a. Elementary and secondary private education.
- (f) *R75 accessory uses.* The following uses shall be considered accessory uses in this district. Supplemental regulations for uses are in chapter 200, article II, supplemental use standards, as applicable.
- (1) Customary residential accessory buildings.
 - (2) Accessory dwelling units.
 - (3) Home occupations.
- (Ord. No. 08-2019, § I, 6-3-2019)

Sec. 201-8. R60 single-family residence.

- (a) *R60 purpose.* The R60 single-family residence zoning district is intended primarily for single family residences and related uses on small sized lots in the city.
- (b) *R60 lot development standards.*

Lot dimensions

Minimum lot area	7,500 square feet
Minimum lot width	60'
Minimum lot frontage	30'
Minimum setbacks	
<i>Principal building</i>	
Front (from right-of-way)	25'
Side	7½ each side
Rear	25'
<i>Accessory building</i>	
From principal structure	5'
Front	Not allowed
Side	5'
Rear	5'
Accessory Dwelling Unit	See Sec 202-3(b) for applicable development standards
Maximum height	
Principal	35'
Accessory	12'
Impervious surface coverage	45%

- (c) *R60 supplemental regulations.*
- (1) Accessory use standards—see chapter 200, article II, supplemental and accessory use standards.
 - (2) Landscape and buffering—see chapter 200, article V, tree conservation, buffers, and landscaping.
 - (3) Parking and loading—see chapter 200, article III, parking and loading requirements.
 - (4) Signs—see chapter 200, article IV, sign regulations.
- (d) *R60 permitted uses.* The following uses shall be permitted as of right in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
- (1) *Residential.*
 - a. Single family detached dwelling.
 - b. Single family detached dwelling; manufactured or modular home.
 - (2) *Services.*
 - a. Existing cemetery.
 - (3) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Places of public assembly.
 - (4) *Miscellaneous semi-public facilities and uses.*
 - a. Utility transmission and monitoring facilities.
- (e) *R60 special permit uses.* The following uses shall be considered special permit uses in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.
- (1) *Educational, cultural, religious, philanthropic, social or fraternal.*
 - a. Elementary and secondary private education.

(f) *R60 accessory uses.* The following uses shall be considered accessory uses in this district. Supplemental regulations for uses are in article II, supplemental use standards, as applicable.

- (1) Customary residential accessory buildings.
- (2) Accessory dwelling units.
- (3) Home occupations.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 202-2. Supplemental use standards.

(aa) Telecommunications antenna and towers

- (3) *Permitted uses.* New towers shall be allowed only in M1, light industry district, and C2, general business district, **CX community mixed use and BH Buford Highway zoning districts** by special use permit under this section including the procedures set forth in subsection (5), special use permit, and as governed by this UDO.
- (4) *Administrative approvals.* The Community Development Department head may administratively approve the installation of an antenna on any existing tower or structure (such as a building, sign, light pole, water tower, or other freestanding nonresidential structure) whether or not the structure or tower is grandfathered so long as the additional structure adds no more than 20 feet to the height of the existing tower or structure. This administrative approval process may include any related equipment structures.
- (5) *Special use permits.*
 - a. *General.* The following provisions shall govern the issuance of special use permits:
 1. Towers are permitted as of right in the M1 district. A special use permit is required for the installation and construction of a tower or antenna in the C2, CX and BH zoning districts.
 2. In granting a special use permit, the Mayor and Council may impose zoning conditions to the extent the Mayor and Council concludes such conditions are necessary to buffer or otherwise minimize any adverse effect of the proposed tower on adjoining properties.
 3. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical shall be certified by a licensed professional engineer.

Sec. 202-3. Accessory uses or structures.

(b) *Accessory dwelling unit (ADU).*

- (1) An ADU may be developed in or behind an existing or new main dwelling.
- (2) To keep true to its accessory size, an ADU may not exceed 40 percent of the floor area of the main dwelling.
- (3) An ADU may have up to two bedrooms.
- (4) The owner of the property is required to reside in either the main dwelling or the ADU **and is required to be currently receiving a homestead on the property or demonstrate that an application has been submitted for the following taxable year** ~~for at least eight months of the year.~~
- (5) If detached from the main dwelling, an ADU must be located in the rear yard and have a footprint no greater than 30 percent of the rear yard.

(Supp. No. 42)

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- (6) If the ADU is combined with a garage, the total floor area may be in addition to the square footage of the garage.
- (7) The ADU shall meet all rear and side yard setback requirements **of the principal structure and when detached, be at least 5' away from the principal structure.**
- (8) The ADU shall not be higher than the main dwelling.
- (9) No additional parking spaces are required, **however all vehicles must fit in the driveway or garage on site.**
- (10) Only one ADU per lot.**
- (11) No short term rentals allowed in either of the buildings as defined in the Norcross Code of Ordinances.**

Sec. 203-9. Minimum number of spaces required.

The following are the minimum number of off-street parking spaces required. For uses not specifically listed, the off-street parking requirements shall be those of the most similar use as determined by the Community Development Director.

Use	Number of parking spaces
Residential	
<i>Household residences</i>	
Single-family detached dwelling	3 per dwelling unit
Duplex dwelling	2 per dwelling unit
Townhouse dwelling	2 per dwelling unit; plus 1 additional space for every 4 dwelling units
Multi-family dwelling	2 per dwelling unit; plus 1 additional space for every 4 dwelling units
Mixed-use dwelling	2 per dwelling unit; plus 1 additional space for every 4 dwelling units
<i>Group, institutional and social service living</i>	
Child care institution, congregate personal care, convalescent, group day care, personal care, nursing homes	1 per 2 residents of design capacity
Membership dwelling (fraternity, etc.)	1 per 2 residents of design capacity
Retirement community	2 per dwelling unit
Rooming and boarding house	1 per guest room
<i>Miscellaneous, lodging, rooms for rent</i>	
Accessory dwelling unit	No additional spaces are required
Bed and breakfast inn	1 per guest room
Hotel or motel (except bed & breakfast inn)	1 per guest room; or 1.5 per guest room if hotel has a restaurant, lounge and/or meeting facilities
Rooming house (e.g. Air BnB, VRBO, HomeAway)	2 per dwelling unit
Commercial and services	
ALL COMMERCIAL/SERVICES EXCEPT AS LISTED BELOW	1 per 400 sf GFA
Adult entertainment	1 per 200 sf GFA

Amusement or recreational attraction	See places of public assembly
Amusement park	1 per 2,000 sf
Amusement/gaming parlor	1 per 400 sf GFA
Animal hospital or veterinarian clinic	1 per 300 sf of GFA
Antique shop	1 per 400 sf GFA
Art gallery	1 per 400 sf GFA
Artist's studio	1 per 200 sf GFA
Automobile rental establishment	1 per 200 sf GFA
Automobile rental establishment trucks or trailers	1 per 400 sf GFA
Banks and financial institutions	1 per 400 sf GFA
Beauty parlor, barber shop, hair salon, or nail salon	1 per 300 sf GFA; or 2 per barber chair, whichever is greater
Bowling alley	4 per bowling alley lane
Building material sales with outdoor storage yards	1 per 2,000 sf GFA of storage area
Business service establishment, miscellaneous	1 per 400 sf GFA
Car wash	1 per 200 sf GFA office space, plus sufficient stacking space for 5 vehicles per bay or per conveyer system
Community garden	None required
Community recreation facility	1 per 400 sf GFA
Convenience food stores with fuel pumps	1 per 300 sf GFA
Convenience food stores without fuel pumps	1 per 250 sf GFA
Crematorium	1 per 400 sf GFA of office space
Dance studios or schools	1 per 50 sf GFA
Day care center	1 per 5 children of design capacity
Department store	1 per 800 sf GFA
Doctor, dentist or chiropractor office	1 per 200 sf GFA
Dry cleaning, pick-up and delivery stations	1 per 400 sf GFA
Emission inspection station	1 per 100 sf GFA
Equipment rental	1 per 400 sf GFA
Places of public assembly (churches, event facility)	1 per 150 sf GFA in largest assembly room
Farm (heavy) equipment, mobile home, recreational vehicles and equipment sales and service	2 per 1,000 sf of indoor sales area plus 1 for each 2,500 sf outdoor sales area plus 2 each service bay
Food catering service	1 per 400 sf of GFA
Funeral home	1 per 75 sf GFA used for assembly
Furniture rental or sales	1 per 500 sf GFA
Health club or spa	1 per 150 sf GFA
Indoor flea market	1 per 300 sf GFA
Instruction of fine arts	1 per 200 sf GFA
Instructional dance studio	1 per 100 sf GFA
Junk and salvage yards	1 per 200 sf GFA of office space
Landscaping services	Minimum of 5 spaces
Laundries and dry cleaning establishments, including self-service	1 per 400 sf GFA
Lockbox retailer	1 per 20 lockboxes
Medical or dental clinic, massage therapist	1 per 300 sf of GFA
Microbrewery	1 per 150 sf GFA of customer gathering space
Mixed uses	Total of all uses, less 25%

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(Supp. No. 42)

Motion picture theater	See places of public assembly
Motor vehicle repair shop	2 per bay (repair station) ; plus 1 per 200 sf GFA of customer waiting space
Motor vehicle (auto) sales and rental	2 per 1,000 sf of indoor sales area; plus 1 for each 2,500 sf outdoor sales area; plus 2 each service bay (repair station)
Motor vehicle sales and service: trucks & heavy equip.	2 per 1,000 sf of indoor sales area; plus 1 for each 2,500 sf outdoor sales area; plus 2 each service bay (repair station)
Motor vehicle service and fuel station	2 per service bay (repair station) plus 1 for every 200 sf GFA retail space
Offices, professional or business	1 per 400 sf of GFA
Office/showroom facility	1 per 800 sf GFA
Open air market and outdoor flea market	1 per 2,500 sf of outdoor sales area
Outdoor theater	1 per 3 seats in a fixed seating facility; or 1 per 250 sf of lawn area
Personal services	1 per 300 sf of GFA
Photocopying and reproduction services	1 per 400 sf GFA
Photography shops and studio	1 per 50 sf GFA
Plant nursery sales/garden supply center	1 per 500 sf GFA
Plumbing, electrical, pool and home building supply showrooms and sales centers	1 per 2,000 sf indoor GFA
Pool hall or billiard hall	1 per 300 sf GFA
Professional and business offices	1 per 400 sf GFA
Professional services	1 per 400 sf GFA
Radio, recording or television broadcast station-studio	1 per 400 sf GFA
Recreation, amusement, entertainment facility	See places of public assembly
Restaurant (not fast food)	1 per 100 sf GFA
Restaurant, fast food, drive-in and drive-thru	1 per 75 sf GFA
Social services, other (not listed)	1 per 200 sf GFA; plus 1 per 4 beds of design capacity
Sporting goods	1 per 500 sf GFA
Tattoo and/or body piercing establishments	1 per 300 sf of GFA
Telephone marketing (telemarketing) enterprises	1 per 300 sf GFA
Toy store, children's hobby shop	1 per 400 sf GFA
Temporary structures used in connection with the construction of permanent buildings or for a non- reoccurring purpose	4 per office
Window tinting or stereo installation not associated with auto repair	1 per 400 sf GFA
Manufacturing, wholesale and warehousing	
ALL MANUFACTURING, WHOLESALE AND WAREHOUSING EXCEPT AS LISTED BELOW	1 per 1,000 sf GFA
Baking plant	1 per 1,000 sf GFA
Building materials or other outdoor storage yards	1 per 2,000 sf GFA of storage area
Cold storage plant	1 per 2,000 sf GFA
Machine or welding shop	1 per 500 sf GFA
Mini-warehouse	Minimum of 5 spaces

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(Supp. No. 42)

Newspaper and printing plant	1 per 1,000 sf GFA
Office distribution warehouse facilities	1 per 1,000 sf GFA
Soft drink bottling and distribution plant	1 per 1,000 sf GFA
Telecommunications antenna or tower	1 per station
Truck terminal	1 per 1,000 sf GFA
Waste treatment and disposal	1 per 250 sf GFA of office space
Wholesale trade/distribution office with showroom	1 per 200 sf GFA area devoted to sale or display plus 1 space per 300 sf GFA area devoted to office plus one space per 2,000 sf GFA for storage
Wholesale warehouse	1 per 2,000 sf GFA
Public or semi-public	
ALL PUBLIC OR SEMI-PUBLIC USES EXCEPT AS LISTED BELOW	1 per 400 sf GFA
Government offices and emergency services	1 per 400 sf GFA
Hospital	1 per bed of design capacity
Library	1 per 400 sf GFA
Museum	1 per 500 sf GFA
Places of public assembly (places of worship, event centers, church schools recreational facilities, movie theaters, and training centers)	1 per 150 sf GFA
School (technical, vocational, college, university, or community college)	20 per classroom
School (kindergarten, elementary and secondary)	2 per classroom for kindergarten, elementary and junior high school
School (high school)	6 per classroom for high school
Utility transmission, generation and monitoring facility	1 per 400 sf GFA; or 1 per location where no office is present
Wastewater treatment facility including sewage lagoon	1 per 250 sf GFA of office space
Transportation	
Automobile parking lot or garage	None required
Bus station or terminal	1 per 200 sf GFA of terminal building
Taxi cab or limousine services	1 per 400 sf GFA of office space

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 204-5. Signs exempt from having a permit.

The following signs and sign-related activities shall be exempt from the provisions of this article and shall not require a sign permit. All signs in this section, unless otherwise stated below, shall be setback a minimum of ten feet from the right-of-way, easement of access, or edge of pavement, whichever is the greater setback, and five feet from all other property lines.

- (1) *Routine maintenance.* Routine sign maintenance includes cleaning, re-painting, replacing lighting elements, ballasts, and electrical components, and changing of lettering or parts of signs designed to be regularly changed.

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- (2) *Face changes.* Signs shall be allowed sign face changes that are non-structural only. Further modifications may be subject to the provisions of section 204-11, nonconforming or noncomplying signs.
 - (3) *Copy changes.* The change of a message on any changeable copy sign or any variable message sign may occur without a permit.
 - (4) Small non-illuminated temporary freestanding signs (excluding banners, which are regulated under section 204-12). For each residential or nonresidential lot, the quantity of these signs shall be limited to either one sign that is 16 square feet in area or any number of signs whose total combined area totals 16 square feet, such as four signs of four-square feet in area each. These signs shall not be located within the public street right-of-way and shall be no closer than ten feet to the back of the curb of a public roadway.
 - (5) *Traffic or government signs.* Any signs installed by the city, county, state, federal government or an authorized transit agency.
 - (6) *ADA required signs.* Any signs installed to meet the requirements of the Americans with Disabilities (ADA) Act.

(7) Signs meeting the requirements of section 204.18

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 204-12. Temporary signs.

- (a) The following types of signs or devices shall be allowed by issue of a temporary sign permit:
 - (1) Flags or banners beyond the limits allowed in section 204-13 (flag section).
 - a. Banners are limited to 32 square feet in size area and may be double sided. **This includes institutional uses in residentially zoned properties such as places of worship and schools.**
 - b. The location and means of mounting must be clearly depicted on the temporary sign permit application.
 - (2) Signs associated with a temporary outdoor activity or temporary outdoor retail sales and display events, as regulated in chapter 8, article IX, of this Code.
- (b) Temporary signage is limited to a period not exceeding 15 consecutive days.
- (c) The **15-day time** limitation on temporary signage associated with a permitted temporary outdoor activity shall be waived to allow temporary signage to run concurrently only with the permitted term and duration of the specific temporary outdoor activity as stipulated in subsection 8-318(g)(1) of this Code, subject to Community Development Director approval.
- (d) A fee as established by the City Council and posted by the Community Development Department shall be charged for each temporary sign.
- (e) The city shall be exempted from temporary sign regulation and fees including, but not limited to: size, placement and duration of display when displaying signs.

(Ord. No. 08-2019, § I, 6-3-2019)

Sec. 206-8. Exceptions.

- (a) *Front yard requirements.*

(Supp. No. 42)

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- (1) The front yard requirements of this chapter shall not apply on any lot where the average depth of the front yards of existing buildings on adjoining lots located wholly or in part within 100 feet on each side of such lot within the same block and zoning district and fronting on the same side of the street is either greater or less than the minimum required front yard depth.
 - (2) If the average depth of the front yards is greater than the required minimum front yard depth, the depth of the front yard of such lot shall be the average of the front yards of such buildings but need not be greater than 150 percent of the required front yard depth.
 - (3) If the average depth of the front yards is less than the required minimum front yard depth, the depth of the front yard of such lot may be less than the required front yard depth but shall not be less than the average of the front yards of such buildings.
- (b) *Permitted encroachments upon required setbacks.* Cornices, eaves, chimneys, landings, porches, bay windows or other similar architectural features may extend into the required front, side or rear yard setbacks, provided such extensions do not exceed three feet into the setback. Unenclosed **and uncovered** decks and patios may extend into the side or rear yard setbacks but no closer than five feet from any property line. Steps and landings may extend into the required setbacks, provided such extensions do not exceed ten feet into the front yard setback. Steps and landings may extend into the rear yard setback, but no closer than five feet from the property line.

(Ord. No. 08-2019, § I, 6-3-2019; Ord. No. 08-2022, § I, 8-1-2022)