

DOUGLAS COUNTY ZONING VARIANCE HEARING AGENDA

June 15, 2026

Call to Order - Planning & Zoning Board

APPROVAL of MINUTES

Approve the minutes from the May 18, 2026 Variance Meeting.

AGENDA

V2026-06

SAKKS Douglasville, LLC – a request for a special exception variance to allow pavement encroachment into the required landscape strip and to allow the required landscaping to be planted outside the pavement and into the street right-of-way located at 1801 Burnt Hickory Road, Douglasville, 30135. Land lot(s) 836, District 18, Section 2 & Parcel 16. Lot size: .88 acre(s). Application signed by Junaid Virani. Commission District #1.

ADJOURN

May 18, 2026

The Douglas County Variance Board met on the above date.

The following members were present.

Variance Board

Brig Simmons, Chairman

Brandon Pennamon

Melissa Polk was absent

Orrick Curry

Chris Small

Frank Payne

Larry Toney

Staff

Allison Duncan

Austin Cronan

Johannah Womack

Bruce Mercer – Traffic Operations

Minutes

Mr. Simmons called for a motion for the March 16, 2026 minutes.

Mr. Toney made a motion to approve the minutes from the March 16, 2026 variance meeting. Mr. Payne seconded the motion.

Motion carries 6-0.

The minutes from the March 16, 2026 variance meeting are approved.

Application V2026-05

Alejandro Moreno – a request for a hardship variance for the placement of a second driveway located at 8048 Tyree Road, Whitesburg, 30185. Land lot(s) 120, District 3, Section 5 & Parcel(s) 23. Lot size: 5 acre(s). Application signed by Alejandro Moreno. Commission District #4.

Mr. Cronan presented this application.

Hardship Variance Criteria Discussion:

The property includes a single-family home and a canopy. There are a total of two driveways leading to both structures. The lot size and shape are adequate for one driveway to serve both structures concurrently. The circumstances of this request are not unique to the property since the paved driveway is adequate for serving the principle residential use.

Recommendation:

The Planning & Zoning Department recommends denial of the request to allow a second driveway to access the property surrounding the principle single-family residence.

Findings:

1. The proposed variance will modify the intent, purpose, or spirit of the Unified Development Code.

Mr. Alejandro Moreno represented this application. He stated that he purchased the property in 2024. When I purchased the property it already had the second driveway and pole barn. Whenever I was made aware with the citations for the fence being three feet to close to the road, the pole barn and the second driveway I went ahead and took corrective action. I pulled a permit for the pole barn and passed the permit. The fence, I'm still waiting on that. As for the driveway, I took Google Earth pictures showing that it was there prior to me purchasing and I wasn't aware that it was an issue. When I was made aware of the issue I went to the permit office and did everything I was supposed to.

The house is vacant. I use it for family whenever they are around. We rarely use the second driveway. It was already there. Based on the police and fire departments reports they said it's actually a good thing to have so that they can access the rear of the home in case of a fire.

I'm not looking to avoid any responsibility. I'm trying to take corrective action. It would be a lot more money to spend to get rid of a driveway that we only use two or three times a month.

May 18, 2026

Ms. Celeste Lopez of 7505 Hollis Road spoke in favor to this application.

Mr. Christian Churchill of Whitesburg spoke in favor of this application.

No one else spoke in favor of this application.

Ms. Suzanne Jones of 8105 Tristan Way spoke in opposition to this application. She stated that I don't have a concern with the driveway. There is usually a lot of commercial equipment parked there. It seems it's being used for a business. You can hear the vehicles and it gets noisy.

Ms. Marcy Masselink of 8095 Tristan Way spoke in opposition to this application. I have issues with the equipment being pulled as well. They start work before 6 a.m. When they were building the pole barn they would start that before 6 a.m. and wake up the entire house. Sometimes it would slow down the traffic on Tyree Road. It's a residential area. I'm also concerned it will affect the resale having a business directly behind our house with all that equipment sitting right there.

No one else spoke in opposition to this application.

Mr. Pennamon asked Mr. Moreno you heard the concerns of your neighbors in regard to commercial use of residential property. Could you speak to that

Mr. Moreno explained that Code Enforcement Officer James McDonald made me aware of the equipment there, the equipment was from the prior owner as well and when I purchased it he was leasing out the house. As of two and half months ago all of the equipment was removed. I have pictures showing and James McDonald, the Code Enforcement officer will testify to that as well. As soon as he made me aware that all of the equipment was gone. Ever since then there has been no traffic going through there at all.

Mr. Simmons asked as of today there are two trailers there and one piece of equipment.

Mr. Moreno replied yes, my two personal trailers and my personal stump grinder. There's no business equipment there. I moved it to a commercial facility.

Mr. Simmons asked if those pieces of equipment will be moved also, right.

Mr. Moreno replied it's just a stump grinder. It's the only piece of equipment I have there.

Mr. Pennamon asked about the early morning work. When you became aware of the violations the early morning activity ceased as well.

Mr. Moreno replied, absolutely. There's no reason they should say that within the past two months there's been no noise.

Mr. Pennamon asked Mr. Moreno why the hardship variance. Also, could you give us a price to get the driveway removed.

May 18, 2026

Mr. Moreno explained that to get the driveway removed I would have to remove the entire part in the front, the culvert and where the pipe is, the rift raft and the gate and redoing the gate. The quotes I got were anywhere from \$25,000 to \$35,000.

Mr. Payne asked about anyone living at the home.

Mr. Moreno stated no, I use it for family and friends on very rare occasions, Christmas, Thanksgiving and Mother's Day. No one stays at the house. It's clean, the grass is cut. The house is very beautiful and well maintained.

Mr. Payne asked how long have you had the home.

Mr. Moreno stated I purchased it in August of 2024.

Mr. Payne asked have you had a chance to talk to your neighbors to let them know what's going on.

Mr. Moreno replied just the ones that are here that spoke on my behalf. I have not met any of the other neighbors. Any time I see any of the neighbors outside I try to introduce myself and talk to them.

Mr. Curry asked I know you said it would cost \$20k-\$30k to remove everything. Have you thought about using the posts that you put in the ground that would keep a barrier. I don't know if that's something Code Enforcement would look at.

Mr. Moreno stated that Code Enforcement said I couldn't do that. He said I would have to rip it entirely and put grass there and remove the gate.

There were no more questions from the Variance Board.

Mr. Simmons called for a motion for Application V2026-05.

Mr. Pennamon made a motion to approve Application V2026-05. Mr. Payne seconded the motion.

Motion carries 6-0.

Application V2026-05 is approved.

Meeting adjourned.

Brig Simmons, Chairman of the Planning & Zoning Board.

Johannah Womack, Clerk of the Planning & Zoning Board.

**DOUGLAS COUNTY PLANNING AND ZONING
SPECIAL EXCEPTION VARIANCE STAFF RECOMMENDATION**

Application Number	V2026-06
Applicant Name	SAKSS Douglasville, LLC
Property Owner Name	SAKSS Douglasville, LLC
Property Address	1801 S Burnt Hickory Rd, Douglasville, GA 30134
Land Lot, District, Section, Parcel	Land Lot: 0836; District: 18; Section: 2; Parcel: 0016; Parcel ID: 0836-182-0016
Current Zoning	C-H, Heavy Commercial
Future Land Use Classification	Urban Residential
Character Area Classification	Traditional Neighborhood
Request	Request for a Reduction in the Landscape Strip from 10' to 0' for Increased Driveway/Parking Area
Associated Rezoning	N/A
Associated Special Use	N/A
Associated Future Land Use Map Amendment	N/A
Size (in acres)	0.886 acres
Commissioner District	1
Subject to an HOA, POA, or similar?	N/A
Proposed Use	Increased Driveway/Parking Area
Recommendation	Denial
Meeting Date	June 15 th , 2026

Relevant Code Sections:

Article	Section	Description
8	804(c)(2)	Regulations controlling for a 10'-wide landscape strip for all C-H properties outside of the O-QGD, Quality Growth Overlay, that are not new developments

Prior Zoning Actions:

Year	Case #	Summary of Action
1987	Z1987-225	Rezoning from R-3 to C-1 for a convenience store (with fuel pumps)

Variance Criteria Analysis:

Number	Variance Criteria	Supports Requested Use
1.	Will the proposed Variance cause substantial detriment to the public good?	No
	The driveway improvements that are the subject of the variance were completed without permits. There is no guarantee in its current iteration that it meets all typical site-specific considerations for access or that the additional driveway &	

	parking area did not impact the existing and reserve septic field area.	
2.	Would the proposed Variance be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity?	No
	The required landscape strip would provide visual and physical separation of parking and drive-access and circulation area from the right-of-way. The removal of landscape area would remove this intuitive and physical distinction or make considerably difficult the demarcation of its boundary. This may also have unforeseen consequences for safety of access since a defined circulation route is less clear than previously permitted. It is also necessary to note that the Douglasville-Douglas County Water & Sewer Authority has careful thresholds for new, impervious surface added to a property that does not have stormwater detention infrastructure installed. It is unclear if the additional impervious surface exceeds 5,000 sq. ft. (the typical threshold), and it is unclear the question of stormwater mitigation measures present on the property.	
3.	Would the proposed Variance not diminish and impair property values within the surrounding neighborhood?	No
	The question of value is outside of the scope of review; however, the prior criteria analyses of the impacts are both aesthetic and practical. The impacts to the approved vehicular circulation routes and access may have unreviewed impacts. Staff's main contention was that this proposal seeks to entitle already constructed work completed without permits that have been heretofore unreviewed in their potential impacts.	
4.	Would the proposed Variance not impair the purpose and intent of the Unified Development Code?	No
	The variance would impair the purpose and intent of the Unified Development Code.	

Planning Concerns:

- Existing Conditions:
 - A 1,872 sq. ft. convenience store with an accessory fuel pump canopy—both built in 1988—are sited.
 - Work has been ongoing for the previously unpermitted tree removal, grading, and slope adjustment to the northeast on the property. A retaining wall is being constructed at the time of this report.
 - The driveway and parking area expansion has been completed, and the applicant is requesting entitlement for the heretofore unpermitted work. Some asphalt installed may be located inside of the right-of-way.
- Summary of Proposal:
 - The applicant is requesting a landscape strip reduction from 10' to 0' for additional driveway, vehicle circulation, and parking area.
- Discussion:
 - The installation of infrastructure or structures does not absolve property owners from complying with the Unified Development Code, and a hardship is not present.

- The increased impervious surface improvements have not been reviewed by the Douglasville-Douglas County Water & Sewer Authority.
- The purpose of the landscape strip outside of aesthetic considerations is to visually and physically separate the right-of-way from the vehicle circulation route and parking area. Without this separation, additional impacts may result.
- The asphalt installed inside of the right-of-way would be required to be removed. No structures or infrastructure for a site are permitted inside of the right-of-way.
- The property is served by septic. The use of additional area may impact the viability of the site in the future since there is not an identified replacement area for the existing septic system.

Recommendation and Findings: Special Exception Variance to Reduce the Landscape Strip from 10' to 0' for Additional Driveway and Parking Area

Staff is recommending **denial** of the proposed Variance based upon the following findings:

1. The variance would modify the intent, purpose, and spirit of the Unified Development Code.
2. The variance would adversely affect the public health, safety, and welfare.

Technical Impact Statements (Attachments)

- DC DOT
- Environmental Health
- Water and Sewer Authority
- Fire Department
- Sheriff's Department
- Tax Assessor's Office
- Engineering/ Arborist/ Development Control
- Code Enforcement
- Board of Education
- Cemetery Commission

Attachments

- Zoning Map
- Aerial Image
- Photo Log
- Site Plan
- Future Land Use Category and Description
- Character Area and Description
- Draft Ordinance

Midway Rd

3080 Midway Rd

DOUGLASVILLE

3080 MIDWAY RD, DOUGLASVILLE, GA 30118



PARKING
IMPROVED PARKING SPACE 1.5
TOTAL AREA 1.4
VERTICAL DATUM
MEANS SEA LEVEL

SCALE 1" = 30'

AREA
0.886 ACRES
38,595 SQ. FEET

PURPOSE AND INTENT
FOR RECORD



CURRENT ZONING

1. The property is currently zoned R-1 (Single-Family Residential) according to the Loganville City Code.

2. The property is not subject to any other zoning restrictions.

FLOOD HAZARD STATEMENT

1. The property is not located in a designated flood hazard area.

2. The property is not subject to any flood hazard restrictions.

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2. The property is not subject to any other restrictions.

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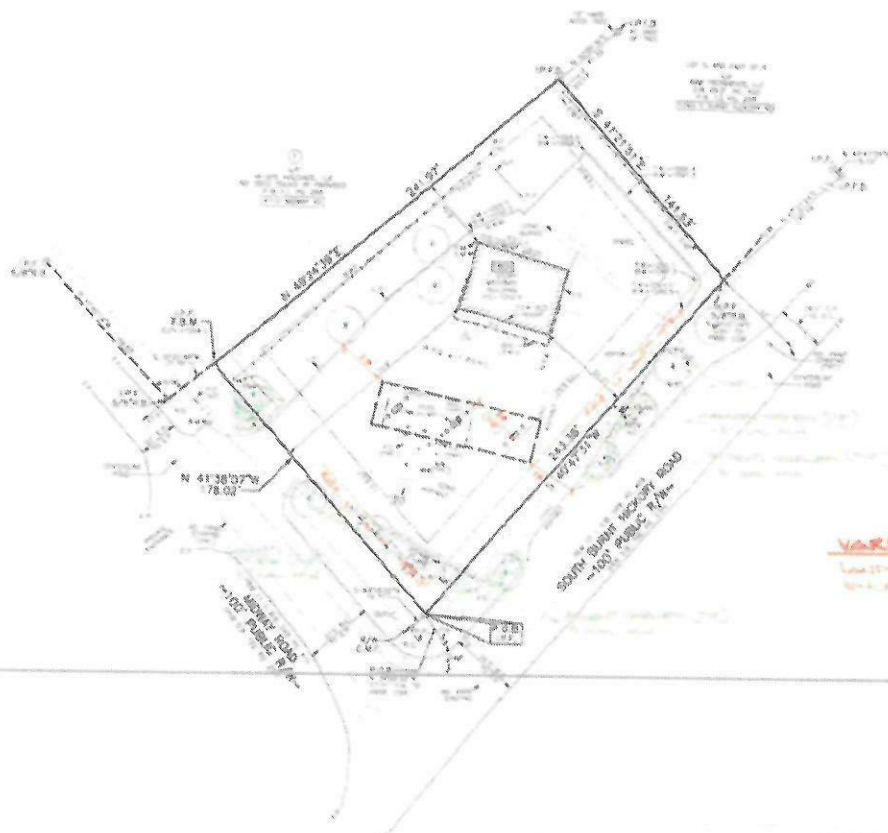
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LEGEND

- 1. Surveyed boundary
- 2. Easement
- 3. Right of way
- 4. Utility easement
- 5. Flood hazard
- 6. Other

SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly licensed surveyor in the State of Georgia, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my field notes and as the same appears on the original map and plan filed in my office.

WITNESSED my hand and seal of office this 25th day of May, 2014.

25284



UNITED PROTECTION SERVICE
811
878-776-1438

SAKSS DOUGLASVILLE LLC

ADAM & LEE LAND SURVEYING

5840 GA. HWY. 20 S.
LOGANVILLE, GA. 30052 (770)554-8995

www.adamandlee.com

00A-LRP000717



ONSITE SEWAGE MANAGEMENT SYSTEM INSPECTION REPORT

Permit #: _____
 Address: 1801 S. Burnt Hickory Rd. Douglasville
Street # and Name City Zip
 Subdivision: Commercial Lot: _____ LL / District: _____
 Owner: Jay Virani Installer: Lanco contracting

NO FOOD PREP ALLOWED

NOT DRAWN TO SCALE



GENERAL

1. ☐ Residential ☒ Commercial
2. ☐ New ☒ Repair ☐ Minor
3. ☒ Public water ☐ Well
4. Bedrooms or gal / day vacant
5. Lot size ELI
6. Field layout pump
7. Field type / mfg. Stanford
8. Septic tank capacity 1000 gal
9. Tank mfg. Fuller
10. Filter Phonibus
11. Alarm mfg. Phonibus

12. Dosing tank capacity 1500 gal
13. Pump / siphon mfg. Liberty
14. Pump / siphon model 1/2 hp
15. ATU tank capacity 1100 gal
16. ATU mfg. Time

MEASUREMENTS

1. Building sewer length 100
2. Distance tank to building 5 ft
3. Absorption trench lengths (ft)
 1 5 2 5 3 panels
 4 _____ 5 _____ 6 _____

4. Total linear ft 25 modules
5. Trench width 12" sand in
6. Trench depth 12" sand in
7. Aggr. depth/ chamber height _____ in
8. Distance field to building _____ ft
9. Nearest property line left ft
10. Distance to #9 6 ft
11. Distance field to body of water _____ ft
12. Distance tank to body of water _____ ft
13. Distance field to well _____ ft
14. Distance tank to well _____ ft

Violations / Comments: any user x2

Partial inspection: _____
Initials / Date Initials / Date Initials / Date

This system is approved for a maximum of _____ bedrooms. Any increase of bedrooms will render this approval void.

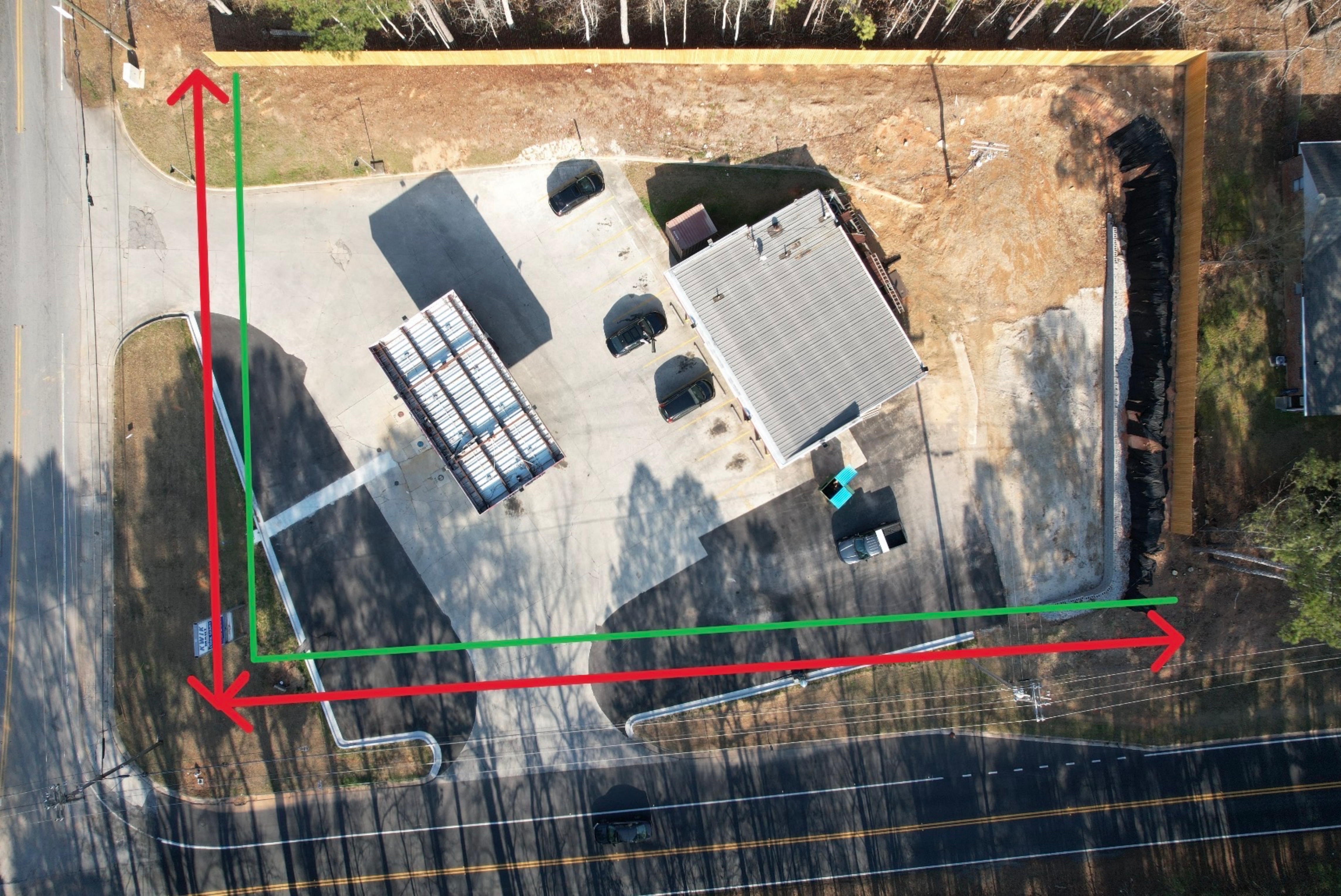
Keep water usage under _____ gallons per month.

SYSTEM APPROVED? ☒ Yes ☐ No

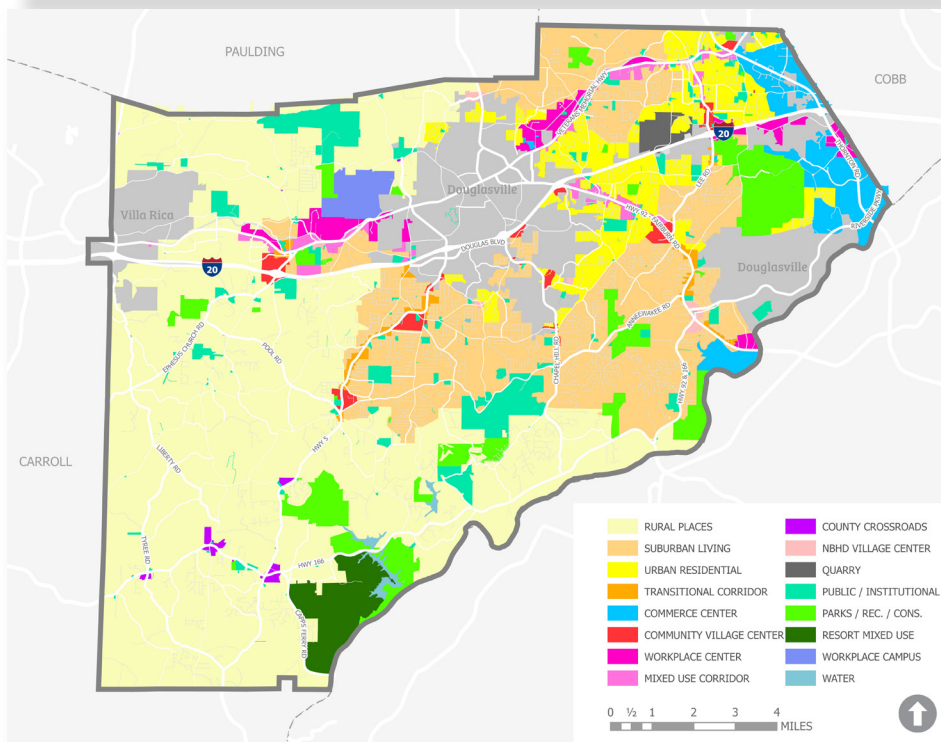
Final Approval Date: 3/30/2020

Inspected by: Jennifer M. Weir

Contractor: Redman



Urban Residential



Areas designated as Urban Residential are located primarily within areas that are currently experiencing growth pressures, such as outside of Douglasville. These areas are predominantly characterized by older, established single-family residential development but currently include a mix of single-family homes, duplexes, and townhomes. Given this existing mix, future residential development in Urban Residential can include these as well as additional housing type diversity. Appropriate attached types include triplexes, quadplexes, and townhomes. Detached cottage courts and ADUs are also appropriate.

Commercial activity designed to serve the adjacent population—like neighborhood and community villages—is appropriate in identified nodes and corridors. Industrial activities are discouraged and should be buffered from adjacent residential uses. Master Planned developments of mixed housing and integrated development are highly encouraged within this area to further the transition from the City of Douglasville. Public Services and Facilities are provided to serve a denser population.

Compatibility with the surrounding area, and specifically established neighborhoods should be a primary policy determination of the type of new development that is approved. Minimum lot size varies by type of unit and whether public water and sewer serves the lot.

Typically, Urban Residential exists in areas with access to both public water and sewer and good access to major transportation networks including Interstate 20 and one or more state routes. Despite this existing access to transportation networks, improving connections among parks, greenspaces and community amenities through bike/ pedestrian networks and transit opportunities remains a priority.

Primary Land Uses:

- All housing types
- Commercial
- Neighborhood Village Centers
- Community Village Centers
- Transitional Corridors
- Commercial Districts

Community Facilities:

- Public water & sewer
- Regional public facilities

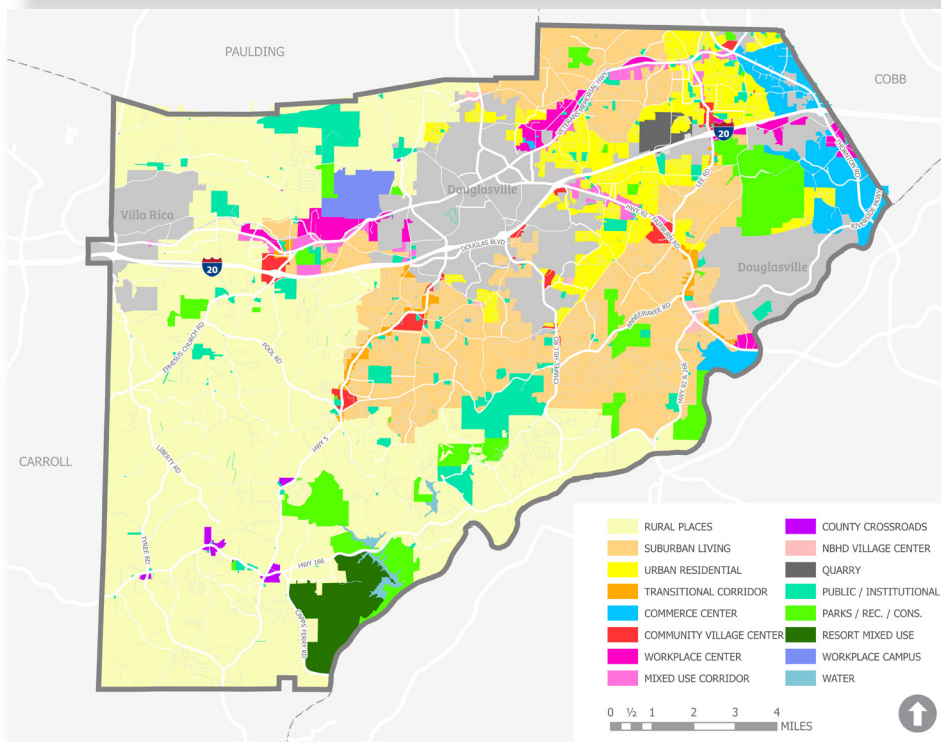
Master Planned Developments:

- PUD featuring mixed housing uses
- Neighborhood Commercial
- Office, professional, or institutional uses

Appropriate Zoning Districts:

- R-LD
- R-MD
- R-HD
- R-MH
- PUD

Urban Residential



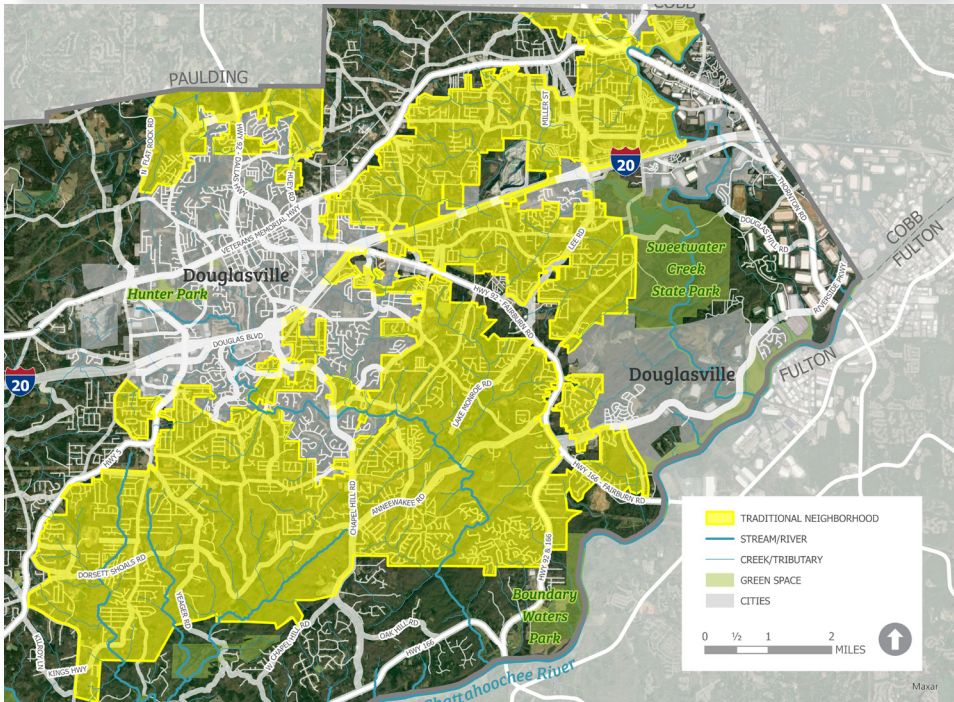
Character Areas:

- Traditional Neighborhood
- Data District
- Campbellton West
- Historic Lithia Springs
- Fairburn-Lee Corridor
- VMH Professional Corridor

Policies and Implementation Strategies:

- Accommodate a variety of housing types that suit the variety of Douglas County lifestyles and income levels.
- Allow for the conversion of sites to more intensive residential use when appropriate.
- Ensure compatibility between established single family and newer medium density development.
- Provide and maintain a supply of developable land throughout the urban area for residential and other supportive urban uses, as demand warrants and service capabilities permit.
- Encourage locating residential development where full urban services, public facilities, and routes of public transportation are available.
- Permit, in certain sections of the County, multi-family housing developments which are consistent with growth policies of the County and which blend into the overall fabric of the County.
- Develop residential areas that utilize innovative urban design principles that encourage community, pedestrian linkages and mixed-use environments.
- Create bike and pedestrian connections to parks, greenspaces, and community amenities via continuous sidewalks and trails. Encourage locating residential development where full urban services, public facilities, and routes of public transportation are available.

Traditional Neighborhood



Traditional Neighborhood

Description

The Traditional Neighborhoods are communities that support high quality suburban lifestyles. These areas predominantly have single family neighborhoods and neighborhood-serving shopping centers. There is widespread access to water and sewer infrastructure and relatively good access to automobile transportation opportunities. Some areas are limited for development due to environmentally sensitive conditions, including granite deposits, topography, and watershed protection restrictions.

Neighborhood development patterns reflect a diversity of ages, styles, and materials. The predominant development pattern is single-family residential, with limited nodes of non-residential development that serve neighborhood needs. Non-residential development most appropriate to these areas include schools, religious institutions, small-to medium-sized commercial centers, parks, and cultural opportunities. Large commercial centers, office or industrial development are not appropriate for this character area. Higher density residential uses are appropriate in transitional areas along major corridors.

New development should incorporate high quality materials and reflect design and landscape considerations appropriate to the context of the neighborhood it serves. An emphasis on context appropriate development that considers the historic time period and appropriate materials of adjacent development is preferred. Landscape and vegetation to preserve the county's green canopy and rural character is required for all new development. Appropriate connections to the county's bicycle/pedestrian, automotive and transit networks will be evaluated for all new developments or changes to existing developments.

Vision: Well-connected and high-quality suburban residential communities

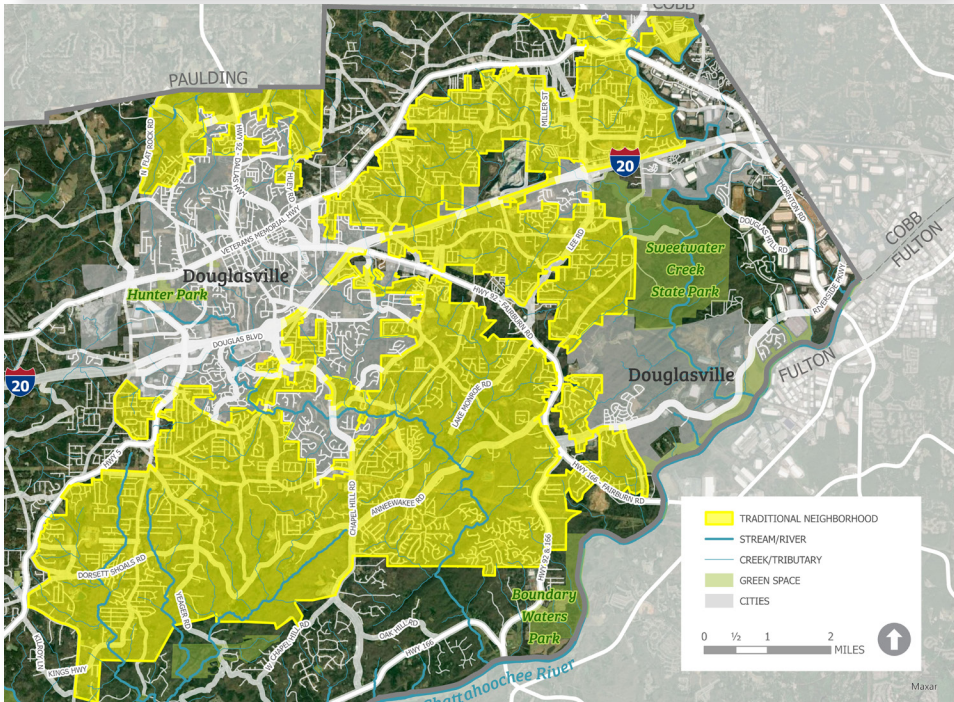
Parks, Open Space + Trails Guidance

The Traditional Neighborhood character area is well-served by community parks (see Map on page 133 in the Parks, Open Space, and Trails chapter); however, the creation of additional parks and recreation spaces is encouraged.

Housing Guidance

- Single Family Low Density
- Single Family Medium Density
- Single Family High Density (limited)
- Cottage Court (limited)
- Du/Tri/Quadplex (limited)
- Townhomes (limited)
- Multi-Family Garden Style (limited)
- Residential Mixed Use (limited)
- Accessory Dwelling Unit (ADU)

Traditional Neighborhood



Current Character

- A mix of historic and newer suburban-style residential neighborhoods
- Some smaller shopping centers and strip commercial along corridors
- Multiple creek systems present, such as the Anneewakee, Gothards, Little Bear, and Sweetwater Creeks
- Barriers to Future Development
- Granite/Gneiss and some bands of quartzite
- Flood zones from various creek systems
- Some protected watershed regulations around Baldwin Bear Creek Watershed

Other Considerations:

While single-family residential is the predominant housing type, increasing housing diversity is encouraged because of the level of infrastructure available. Higher density housing will be limited to corridors.

Compatible Zoning Districts for Future Rezoning

- R-LD
- R-MD (limited)
- R-HD (limited)
- OI
- C-G
- PRD
- PUD

Future Land Use Changes Can Be:

- Suburban Living*
- Urban Residential*
- Rural Places
- Neighborhood Village Center
- Community Village Center
- Transitional Corridor
- Mixed Use Corridor
- Public/Institutional
- Transportation/Communication/ Utilities
- Parks/Recreation Conservation

* Predominant Land Use(s)