

1. Agenda

Documents:

[BOMC-3-10-21-PH-RM-AGENDA.PDF](#)

2. Meeting Called To Order/Adoption Of Agenda

3. Public Comment On A Conditional Use Permit Application

Documents:

[COND USE -- SCREEN REPAIR.PDF](#)

4. Commissioner Comments

5. Approval Of Minutes

6. Conditional Use Permit Application

Documents:

[COND USE -- SCREEN REPAIR.PDF](#)

7. Resolution To Set Residential Sanitation Fees For 2021

Documents:

[SANITATION FEE RES 2021.PDF](#)

8. Purchase And Sale Agreement For 2950 Franklin Street

Documents:

[RESOLUTION AUTHORIZING PURCHASE OF 2950 FRANKLIN ST 3.1021.PDF](#)

9. Public Comment

10. Adjournment



**BOARD OF MAYOR AND COMMISSIONERS  
PUBLIC HEARING & REGULAR MEETING  
MARCH 10<sup>TH</sup>, 2021  
5:30 P.M.  
VIA ZOOM**

**AGENDA**

- Item #1 Meeting Called to Order
- Item #2 Adoption of Agenda
- Item #3 **Public Comment on a Conditional Use Permit Application**  
The applicant seeks to open a repair shop for computer and device screens at 8 N. Clarendon Avenue, Suite 200.
- Item #4 **Commissioner Comments**
- Item #5 **Approval of Minutes:**  
January 13<sup>th</sup> regular meeting  
January 13<sup>th</sup> work session  
January 27<sup>th</sup> regular meeting  
January 27<sup>th</sup> work session
- Item #6 **Conditional Use Permit Application**  
The BOMC will vote on the application mentioned above.
- Item #7 **Resolution to Set Residential Sanitation Fees for 2021**  
Prior meetings have included discussions of appropriate fees for different service level options. The BOMC will need to set residential sanitation fees by resolution so that DeKalb County can include the proper amount on property tax bills.
- Item #8 **Purchase and Sale Agreement for 2950 Franklin Street**
- Item #9 Public Comment
- Item #10 Adjournment



**CONDITIONAL USE PERMIT APPLICATION**

**Cost: \$50**

**THIS SECTION COMPLETED BY CITY STAFF**

Date Received: 1/27/21 Application #: 1-0221

Payment: Check# CC Cash ✓ Received by: Shan Halmon

Type of Conditional Use Requested (List Code Section based on Article 9 of the Official Zoning Ordinance):

Repair Services (Sec. 821)

**APPLICANT COMPLETE SECTIONS BELOW**

Applicant: Beth Wheeler E-Mail: bwee97@gmail.com

Applicant Mailing Address:  
567 Flat Shoals Ave

Applicant Phone: 404-358-5843 Fax: \_\_\_\_\_

Business Owner(s): \_\_\_\_\_ E-Mail: \_\_\_\_\_  
(If different than Applicant, attach Affidavit of Authorization as an Exhibit)

Business Owner's Mailing Address:  
\_\_\_\_\_

Business Owner(s) Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Property Owner(s): OCP Clarendon, LLC E-Mail: fpaty@oakrep.com  
(If different than Applicant, attach Affidavit of Authorization as an Exhibit)

Property Owner's Mailing Address:  
P.O. Box 881, Scottdale, GA 30079

Property Owner(s) Phone: 404-964-7202 Fax: \_\_\_\_\_

Address/Location of Subject Property: 8 N. Clarendon Ave, Suite 200

District(s): 15 Land Lot(s): 249 Block: 11 Parcel(s): 011

Please provide the following description of the proposed use and property, as listed below.

1. General description of the proposed use.

**Screen and device repair for cell phones, ipads,  
and computers**

2. Hours of Operation.

**Mon-Sat 10:30-6**

3. Size of building or tenant space.

**The building is approximately 2,355 square feet and  
has three tenant spaces. The subject space  
is 562 square feet.**

4. Number of parking spaces dedicated to the building or tenant space.

**The business is part of a property that shares 17 parking spaces  
that are located in the front of and behind the building**

5. Explain how clients will enter and exit the property. Provide a site plan if needed.

**Customers will park in the spaces adjacent to the building and space  
and can walk into and out of the space. There is also good  
vehicular access to the property.**

- 6. Explain why the proposed use is beneficial and compatible to the surrounding area.

**The proposed use will serve the residents**

**of the City of Avondale Estates and surrounding areas and it will complement**

**well businesses in the city and local area.**

- 7. List the uses of all abutting properties.

**Adjacent buildings house Arepa Mia, Avondale Pharmacy**

**and Garage Door Studios. Stratford Pub and Second Life are across the street**

**Justification for Conditional Use Permit**

- 1. Would the proposed conditional use be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity of the Subject Property? Provide evidence based on the proposed business.

**No. The business will positively contribute to the business environment**

**and downtown area in the city of Avondale Estates.**

- 2. Would the proposed conditional use diminish or impair property values within the surrounding neighborhood? Explain why the business will be beneficial or detrimental to the surrounding neighborhood.

**No. It will be beneficial because it will positively contribute to the downtown**

**area and will serve city residents and other residents in the area.**

3. Would the proposed conditional use increase local or state expenditures in relation to cost of servicing or maintaining neighboring properties? Explain.

**No, there is no cost impact based on the use**

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4. Would the proposed conditional use impede the normal and orderly development of surrounding property for uses predominant in the area? Explain. The Comprehensive Plan and the Downtown Master Plan can assist with the future land use proposed for the area.

**No, the use will complement other businesses in**  
the area and provide a positive experience for city residents and nearby residents  
**that may be customers of the business.**

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5. Would the proposed conditional use be consistent with a desirable pattern of development for the locality in general? Explain. The Comprehensive Plan and the Downtown Master Plan can assist with the future land use proposed for the area.

**Yes, the business will add to the live, work and play environment that**  
**the city of Avondale Estates offers by allowing residents**  
**to have a high quality of life in the city of Avondale Estates and**  
**the business will positively contribute to downtown Avondale Estates.**

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Brittney Rankins  
Notary Public

Beth A Wheeler 1/27/2021  
Signature of Applicant Date

6/23/24  
Expiration Date/Seal

Check One: Owner  Agent

**Brittney Rankins**  
**NOTARY PUBLIC**  
**Gwinnett County, GEORGIA**  
**My Commission Expires 06/23/2024**

Conditional Use Permit Application Approved By:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Revised: 12/30/2016



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Check One: Owner  Agent

**Brittney Rankins**  
**NOTARY PUBLIC**  
**Gwinnett County, GEORGIA**  
**My Commission Expires 06/23/2024**

Conditional Use Permit Application Approved By:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Revised: 12/30/2016

**A RESOLUTION  
TO SET SANITATION FEES**

**WHEREAS**, Section 6.15 of the City of Avondale Estates Charter authorizes the assessment and collection of a fee for sanitation services; and

**WHEREAS**, City Code Section 9-82(c) provides that the sanitation fee rate shall be set by resolution.

**NOW THEREFORE, BE IT RESOLVED BY** the City of Avondale Estates, that for the year 2021 and each succeeding year until changed by subsequent resolution, the City sanitation fee rates shall be as follows:

Residential -- Per house, apartment, condominium, or other housing unit -- \$567

**SO RESOLVED THIS 10<sup>th</sup> DAY OF MARCH, 2021.**

**BOARD OF MAYOR AND COMMISSIONERS  
AVONDALE ESTATES, GEORGIA**

\_\_\_\_\_  
Jonathan Elmore, Mayor

**ATTEST:**

\_\_\_\_\_  
Gina Hill, City Clerk

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION BY THE CITY OF AVONDALE ESTATES  
AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY  
KNOWN AS 2950 FRANKLEIN STREET.**

**WHEREAS**, the Board of Mayor and Commissioners has previously determined that the parcel within the City known as 2950 Franklin Street, tax parcel number 15-249-14-005, is needed for public purposes; and

**WHEREAS**, the owner of said property, Mr. David Harrell, has offered to sell the property to the City for One Million Dollars (\$1,000,000).

**NOW THEREFORE, BE IT RESOLVED** that the Board of Mayor and Commissioners hereby authorizes and directs the purchase of the real property known as 2950 Franklin Street, tax parcel number 15-249-14-005, for the purchase price of One Million Dollars (\$1,000,000).

**BE IT FURTHER RESOLVED** that the Board of Mayor and Commissioners hereby authorizes the payment of reasonable closing costs in connection with said purchase.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute a contract on behalf of the City committing the City to purchase said property upon the terms set forth in this Resolution, upon the approval of such contract as to form by the City Attorney.

**SO RESOLVED** by the Avondale Estates Board of Mayor and Commissioners, this 10<sup>th</sup> day of March, 2021.

ATTEST:

**BOARD OF MAYOR AND  
COMMISSIONERS  
CITY OF  
AVONDALE ESTATES, GEORGIA**

By \_\_\_\_\_  
Gina Hill, City Clerk

\_\_\_\_\_  
Jonathan Elmore, Mayor

Approved as to Form:

Stephen G. Quinn  
Stephen G. Quinn  
City Attorney