

AN ORDINANCE TO GRANT A SPECIAL LAND USE PERMIT FOR A CHILD CARE INSTITUTION (CCI) FOR UP TO SIX CHILDREN IN AN R-100 (RESIDENTIAL MEDIUM LOT - 100) DISTRICT, IN ACCORDANCE WITH CHAPTER 27, ARTICLE 4 OF THE DEKALB COUNTY CODE, TABLE 4.1. THE PROPERTY IS LOCATED ON THE WEST SIDE OF SNAPPINGER ROAD, APPROXIMATELY 185 FEET NORTH OF CONLEY DOWNS DRIVE, AT 3903 SNAPPINGER ROAD, DECATUR. THE PROPERTY HAS APPROXIMATELY 97 FEET OF FRONTAGE ON SNAPPINGER ROAD AND CONTAINS 0.44 ACRE.

APPLICANT: Sam & Kimberly A. Underdue
OWNER:

COMMISSION DISTRICTS: 5 & 7

WHEREAS, Sam & Kimberly A. Underdue has filed an application for a Special Land Use Permit for property located at 3903 Snapfinger Road, and more particularly described as follows:

All that tract or parcel of land and being in **District 15, Land Lot 033, Block 01, Parcel 071** of DeKalb County, Georgia, containing 0.44 acres, and

WHEREAS, it appears to the Board of Commissioners that the application meets all of the criteria set forth in the DeKalb County Code, Chapter 27, Article VII, Division 4, Section 7.4, relating to R-100 District.

THE BOARD OF COMMISSIONERS OF DEKALB COUNTY, GEORGIA, HEREBY ORDAINS:

Part 1: Pursuant to the authority of the DeKalb County Board of Commissioners to exercise powers of zoning, set forth in Section 27-1.1 & Section 27-7.4 of the DeKalb County Zoning Ordinance to grant a Special Land Use Permit for a Child Care Institution (CCI) for up to six children in an R-100 (Residential Medium Lot - 100) district, in accordance with Chapter 27, Article 4 of the DeKalb County Code, Table 4.1. The property is located on the west side of Snapfinger Road, approximately 185 feet north of Conley Downs Drive, at 3903 Snapfinger Road, Decatur. The property has approximately 97 feet of frontage on Snapfinger Road, contains 0.44 acre and is hereby approved, (with conditions).

Part 2: That if this amendment is approved conditionally, and under the provisions of Section 27-7.3.9 of the DeKalb County Zoning Ordinance, the Director of Development shall issue a permit for the development of the above-described Special Land Use, only in compliance with the conditions and/or site plan as herein attached to this ordinance.

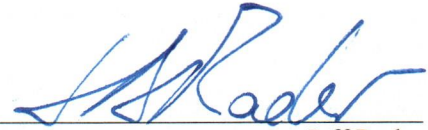
Part 3: That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

MARCH 26, 2019

SLUP-19-1235312

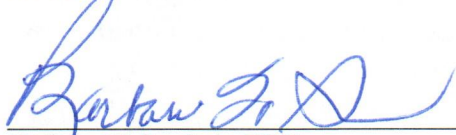
2018-3071

ADOPTED by the DeKalb County Board of Commissioners this 26th day of March 2019.



Jeff Rader
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

ATTEST:



Barbara H. Sanders, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

REQUESTED BY APPLICANT:

Application SLUP-19-1235312 of Sam and Kimberly A. Underdue for a Special Land Use Permit for a Child Caring Institution (CCI) for up to six children in an R-100 (Residential Medium Lot - 100) district, in accordance with Chapter 27, Article 4 of the DeKalb County Code, Table 4.1.

PLANNING AND SUSTAINABILITY DEPARTMENT RECOMMENDATION:

Approval with a Condition. The proposed child caring institution is consistent with the following policy of the 2035 Comprehensive Plan: "Increase the availability of special needs housing to meet the growing population." (Housing Policy No. 7) In addition, because the size, scale, and appearance of the existing single-family home will be maintained, the proposed use is compatible with Suburban Character Area Policy No. 1 of the Comprehensive Plan: "Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density." The child caring institution would provide a residential living environment on a 24-hour, seven-day-per-week basis. There is no reason to suppose that the operation of the facility, which would be similar to that of a typical residential household, would create adverse impacts on adjoining land uses. The proposed use would be consistent with the needs of the DeKalb County community as a whole to provide supportive homes for teenagers who are need an alternative to their family environment. The proposed CCI does not appear to be in conflict with the overall objectives of the comprehensive plan, as it is consistent with Comprehensive Plan policies to increase the availability of special needs housing and to protect the character of stable single-family neighborhoods. Therefore, the Department of Planning & Sustainability recommends, "Approval with the following condition":

1. This Special Land Use Permit shall be issued to Sam and Kimberly Underdue for operation of a child care institution and shall not be transferrable.

PLANNING COMMISSION RECOMMENDATION:

Approval with one condition 8-0-0. E. Patton moved and V. Moore seconded for approval with Staff's condition.

MARCH 26, 2019

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**BOARD of COMMISSIONERS FINAL ACTION
MARCH 26, 2019**

March 26, 2019, Approved with one condition by Staff.

FINAL CONDITION

1. This Special Land Use Permit shall be issued to Sam and Kimberly Underdue for operation of a child care institution and shall not be transferrable.

Approved Conditions
Unofficial until ratified by the Board
Date: 3/27/19 Initials: MUF

Approved Condition
SLUP-19-1235312
Special Land Use Permit (SLUP) for a child Caring Institution (CCI)

1. This Special Land Use Permit shall be issued to Sam and Kimberly Underdue for operation of a child caring institution, and shall not be transferrable.