



**DeKalb County Department of Planning & Sustainability**

**330 Ponce De Leon Avenue, Suite 500**

**Decatur, GA 30030**

**(404) 371-2155 / plandev@dekalbcountyga.gov**

**Planning Commission Hearing Date: May 7, 2019, 6:30 P.M.**

**Board of Commissioners Hearing Date: May 28, 2019, 6:30 P.M.**

**STAFF ANALYSIS**

**Case No.:** SLUP-19-1243155 **Agenda #:** N. 4

**Location/Address:** 2902 Cedar Trace Drive **Commission District:** 3 **Super District:** 6

**Parcel ID(s):** 15-041-01-152

**Request:** A Special Land Use Permit for a 24-hour in-home day care facility for up to six children in an RSM (Residential Small Lot Mix) District.

**Property Owner:** Willie Stewart

**Applicant/Agent:** Erica Stewart

**Acreage:** .38 acres

**Existing Land Use:** A single-family residence.

**Surrounding Properties:** To the northwest, north, southwest, and west: single-family residential ; to the northeast, east, and southeast: vacant and wooded.

**Adjacent Zoning:** **North:** RSM **South:** RSM **East:** RSM **West:** RSM **Northeast:** RSM **Northwest:** RSM **Southeast:** RSM **Southwest:** RSM

**Comprehensive Plan:** Suburban  **Consistent**  **Inconsistent**

<b>Proposed Units:</b> Not applicable.	<b>Existing Units:</b> One.
<b>Proposed Lot Coverage:</b> Not applicable.	<b>Existing Lot Coverage:</b> (Estimated) 15%

**ZONING HISTORY**

The subject property is located within the Cedar Trace subdivision, which was rezoned in 1989 from R-100 to R-A8 with conditions regarding access to surrounding streets, unit density, minimum unit size, and minimum development standards for lots that were proposed to adjoin existing single-family residential properties. These conditions are not applicable to the special land use permit request under consideration in this staff analysis.

**SITE AND PROJECT ANALYSIS**

The subject property is a .38 acre (16,553 square foot) lot that has been developed with a 1,354 square foot home. The home has a front entrance that faces Cedar Trace Drive and a rear door that provides egress to the back yard. Pedestrian access to the home is provided by the walkway that leads from the driveway to the front door. Vehicular access and parking are provided by a 20 foot wide, 36-foot long driveway and a two-car garage. Approximately half of

the back yard is lawn; the remainder is wooded. The adjoining property to the northeast (2898 Cedar Trace Drive) has a wooden privacy fence along the property line that it shares with subject property. Staff did not see any fence on the subject property or on the adjoining property to the southwest.

The property is located within a single-family residential neighborhood. Surrounding areas are single-family residential or undeveloped. According to the facilities locator operated by the Georgia Department of Early Care and Learning - Bright From the Start Program, the nearest existing child care facility is located more than one mile from the subject property.

The applicant, Erica Stewart, proposes to operate an in-home child day care facility for up to six children. The proposal is to care for children in a day shift and a night shift. The night shift would accommodate parents who work at night. The day shift is proposed to be from 6:00 A.M. to 6:00 P.M. and the night shift would be from 6:00 P.M. to 6:00 A.M. Ms. Stewart would be responsible for child care during the day shift, and her father, Willie Stewart (or an alternate adult if needed), would be responsible for child care during the night shift. During the day shift, when Ms. Stewart's own three children would be at school, Ms. Stewart would provide child care services for up to six of her clients' children. During the night shift, when Ms. Stewart's own children would be at home, she would provide child care services for up to three of her clients' children. On a school holiday that falls on a weekday, Ms. Stewart understands that she must make arrangements so that she is not providing day care services to more than six children at a time.

Ms. Stewart has explained that providing child care during a night-time shift will enable parents who work overnight to obtain child care. Such overnight workers include medical/emergency personnel, fire fighters, police/security personnel, hospitality and entertainment industry workers, resident chaplains and counselors, transportation workers, and night-shift factory workers. The children who are cared for overnight are not expected to cause any unusual impacts on neighboring properties because they would be sleeping during most of the night-time shift.

## LAND USE AND ZONING ANALYSIS

**Section 27-873 of the DeKalb County Zoning Ordinance, "Special land use permit; criteria to be applied" states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit. No application for a Special Land Use Permit shall be granted unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application.**

- A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking, and all other applicable requirements of the zoning district in which the use is proposed to be located:** The size of the site is adequate for provision of required yards. There appears to be ample area in the rear yard for children to play, including play that involves running and other physically challenging activity. The driveway is wide and long enough to accommodate up to four passenger vehicles at a time; in combination with street parking it is expected to adequately accommodate visitors and clients.
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:** The proposed day care use for not more than six children is compatible with the residential character of the surrounding neighborhood. It would be consistent with the use of a typical residential property that is occupied by a family with children. To mitigate unexpected adverse impacts, Staff has recommended conditions for hours of operation and fencing of the outdoor play area.
- C. Adequacy of public services, public facilities, and utilities to serve the contemplated use:** Based on the location of the proposed use within an established subdivision, adequate public facilities and services are available for the proposed use.
- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the proposed use, so as not to unduly increase traffic or create**

**congestion in the area:** The number of trips that are expected to be generated by a facility with a maximum of six children at a time are not expected to cause congestion on Cedar Trace Drive or on surrounding streets.

- E. Whether or not existing land uses located along access routes to the site would be adversely affected by the character of the vehicles or the volume of traffic to be generated by the proposed use:** The proposed use is expected to generate traffic only from passenger vehicles, which would not adversely impact existing land uses along access routes to the site.
- F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:** The Department of Public Works has commented to the effect that the proposed child care facility would not interfere with traffic flow. Two points of ingress and egress appear to be sufficient to provide a means of exiting the house in an emergency. A fire truck or ambulance could access the property from the driveway or from Cedar Trace Drive, since the house is approximately 24 feet from the right of way and there are no structures or other similar obstructions between the right-of-way and the house. In the event of a fire, the fire fighters could use the water supply provided by the fire hydrant located in front of the house.
- G. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:** Some noise might be generated when children are playing outside, but there is enough space between the homes to provide a reasonable buffer against noise and activity. Children typically play outdoors in single-family neighborhoods and it is not unusual to see a group of up to six children playing together in the yards of individual homes. Thus, the facility would not introduce activity into the neighborhood that would be unexpected or unreasonable.
- H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:** The proposed hours of operation are not expected to have an adverse effect on adjoining land uses. The proposed operating hours are reasonable for a day care facility with a client base of parents who work during both day and night shifts.
- I. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:** There is nothing in the application to indicate that operation of the day care facility would have an adverse impact on adjoining land uses.
- J. Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:** Since no new platting or construction is proposed, this consideration is not applicable.
- K. Whether or not the proposed use is consistent with the policies of the comprehensive plan:** The proposed child day care facility is consistent with policies of the 2035 DeKalb County Comprehensive Plan that support the provision of convenient child care for working parents. By providing day care within a residential neighborhood setting, the proposed day care facility can enable children to develop a sense of place. 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, which states: "Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density."
- L. Whether or not the proposed plan provides for all buffers and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located:** Since no new platting or construction is proposed, this consideration is not applicable.
- M. Whether or not there is adequate provision of refuse and service areas:** The application explains that refuse will be deposited in a typical garbage can that is emptied on a regular basis by the DeKalb County Sanitation Department. This arrangement is satisfactory.

- N. Whether the length of time for which the special land use permit is granted should be limited in duration:**  
Because the proposed day care facility appears to be appropriate at the proposed location, there is no reason to limit the duration of the Special Land Use Permit.
- O. Whether or not the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings:**  
Because no new buildings are proposed, this consideration is not applicable.
- P. Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:** There are no historic building sites, districts, or archaeological resources on the subject property or in the surrounding area.
- Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit:** The proposed use meets or exceeds the requirements contained in the supplemental regulations for a child day care facility.
- R. Whether or not the proposed building, as a result of its proposed height, would create a negative shadow impact on any adjoining lot or building:** Because no new buildings are proposed, this consideration is not applicable.
- S. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan:** The proposed child day care facility meets the standard to be located more than 1,000 feet from any other child day care facility. This standard was established to help distribute child day care facilities throughout DeKalb County to meet the needs of the various communities within the County. Moreover, the provision of child day care in two shifts allows the facility to meet the needs of parents who work overnight, needs that don't appear to be addressed by conventional child care facilities that provide care only during the day.

**Compliance with District Standards:**

RSM STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. LOT AREA		5,000 sq. ft.	.38 acre (16,553 square feet)	Yes
MIN. LOT WIDTH		50 ft.	65 feet	Yes
MAX. LOT COVERAGE		50%	Not applicable; no additional lot coverage proposed.	N.A.
BUILDING SETBACKS	FRONT	(Local street, Suburban character area): 20 feet	24 feet	Yes
	INTERIOR SIDE	3 ft. w/min. 10 ft. between bldgs.	Side setbacks: approx.. 6.5 feet Distance to houses on adjoining properties: approx. 13 - 15 feet.	Yes Yes
	REAR W/O ALLEY	20 ft.	Approx. 95 feet	Yes
PARKING		Min. 2 spaces; Max 4 spaces	Two spaces in garage and up to four spaces in driveway.	Parking appears to be legally nonconforming.

**Sec. 7.4.7. - Additional criteria for specified uses.**

**C. Child day care facility.** In determining whether to authorize a special land use permit for a child day care facility, the board of commissioners shall also consider each of the following criteria:

**Whether there is adequate off-street parking for all staff members and for visitors to the child day care facility:**

While visitors to the facility are unlikely and it is not expected that four parents would drop off children simultaneously, the driveway on the property could accommodate up to four cars at a time. Overflow parking could be provided on the street, in a similar manner as when a neighbor holds a special event or party. Thus, parking at the site appears to be adequate.

**Whether the proposed off-street parking areas and the proposed outdoor play areas can be adequately screened from adjoining properties so as not to adversely impact any adjoining land use:** In the unlikely event that four cars were parked in the driveway at one time, the cars are not expected to be parked long enough to necessitate screening. They would only be parked long enough for parents to pick up or drop off their children. Based on lack of objections to the proposed facility during review by the Community Council, it does not appear that screening of the outdoor play area is necessary. If screening is desired, a solid wooden fence could be erected around the outdoor play area. Alternatively, because there is enough green space in the rear yard to plant vegetative screening along the perimeter of the play area, the play area could be screened with plants such as holly or other evergreen shrubbery.

**Whether there is an adequate and safe location for the dropping off and picking up of children at the child day care facility:** The driveway or street provide satisfactory and safe locations at which parents could drop off or pick up children. Cedar Trace Drive is a quiet residential street that terminates in a cul-de-sac bulb. It is not a cut-through route to any major employment destinations. It is unlikely that there would be traffic congestion or hazards on the street during the times at which parents would be dropping off or picking up their children.

**Whether the character of the exterior of the proposed structure will be compatible with the residential character of the buildings in the zoning district in which the child day care facility is proposed to be located, if proposed for a residential zoned district:** Ms. Stewart has stated in the application that no signs or other indicators of the day care operation will be attached to the home.

**STAFF RECOMMENDATION:** APPROVAL WITH CONDITIONS.

The proposed child day care facility is consistent with policies of the 2035 DeKalb County Comprehensive Plan that support the provision of convenient child care for working parents. By providing day care within a residential neighborhood setting, the proposed day care facility can enable children to develop a sense of place. 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, which states: "Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density." The proposed use is expected to generate traffic only from passenger vehicles, which would not adversely impact existing land uses along access routes to the site. It is expected that parents will be able to safely drop off and pick up their children because Cedar Trace Drive, a local street that terminates in a cul-de-sac, carries relatively low amounts of traffic. Emergency ingress and egress appear to be sufficient. By providing child care in a day shift and a night shift, the proposal would enable parents who work overnight to obtain child care. Such overnight workers include medical/emergency personnel, fire fighters, police/security personnel, hospitality and entertainment industry workers, resident chaplains and counselors, transportation workers, and night-shift factory workers. The children who are cared for overnight are not expected to cause any unusual impacts on neighboring properties because they would be sleeping during most of the night-time shift. Some noise might be generated when children are playing outside, but there is enough space between the homes to provide a reasonable buffer against noise and activity. Children typically play outdoors in single-family neighborhoods and it is not

unusual to see a group of up to six children playing together in the yards of individual homes. Thus, the facility would not introduce activity into the neighborhood that would be unexpected or unreasonable. Therefore, the Department of Planning and Sustainability recommends "Approval" with the following conditions:


1. A Special Land Use Permit for a child day care facility shall be granted to Erica Stewart and shall not be transferrable. Ms. Stewart may designate another person ("Director") or persons ("Directors") to operate the facility, provided that she will reside in the home that is being used for the facility while such Director or Directors operate the facility.
2. The proposed child day care facility shall operate Monday through Friday, starting at 6:00 A.M. on Mondays and ending at 6:00 A.M. on Saturdays.
3. No more than six children shall be under the care of the operator(s) of the child day care facility at a time. For the purpose of computing the number of children under care, all children who are related by blood, marriage, adoption, or guardianship to the person or persons operating the facility shall be included.
4. The operator(s) of the facility may care for children in two shifts, including a daytime shift from 6:00 A.M. to 6:00 P.M. and a night-time shift from 6:00 P.M. to 6:00 A.M.
5. Prior to obtaining a certificate of occupancy for a child day care facility, Ms. Stewart shall cause an outdoor play area in the rear yard of the property to be enclosed with a fence.

**Attachments:**

1. Department and Division Comments
2. Board of Health Comments
3. Board of Education Comments
4. Application
5. Site Plan
6. Maps and Photographs

## NEXT STEPS

*Following an approval of this zoning action, one or several of the following may be required:*

- **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
-  **Certificate of Occupancy** *(Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
-  **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

**Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.**



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT

The following areas below may warrant comments from the development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

**DEVELOPMENT ANALYSIS:**

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.



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- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.

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15-4



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO  
MADOLYN SPANN [MSPANN@DEKALBCOUNTYGA.GOV](mailto:MSPANN@DEKALBCOUNTYGA.GOV) OR JOHN REID [JREID@DEKALBCOUNTYGA.GOV](mailto:JREID@DEKALBCOUNTYGA.GOV)

COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-19-1243155 Parcel I.D. #: 15-041-01-152

Address: 2902

CEAR TRACE DR  
ELLENWOOD, GA. 30294

Adjacent Roadway (s):

\_\_\_\_\_  
\_\_\_\_\_  
(classification)

\_\_\_\_\_  
\_\_\_\_\_  
(classification)

Capacity (TPD) \_\_\_\_\_  
Latest Count (TPD) \_\_\_\_\_  
Hourly Capacity (VPH) \_\_\_\_\_  
Peak Hour. Volume (VPH) \_\_\_\_\_  
Existing number of traffic lanes \_\_\_\_\_  
Existing right of way width \_\_\_\_\_  
Proposed number of traffic lanes \_\_\_\_\_  
Proposed right of way width \_\_\_\_\_

Capacity (TPD) \_\_\_\_\_  
Latest Count (TPD) \_\_\_\_\_  
Hourly Capacity (VPH) \_\_\_\_\_  
Peak Hour. Volume (VPH) \_\_\_\_\_  
Existing number of traffic lanes \_\_\_\_\_  
Existing right of way width \_\_\_\_\_  
Proposed number of traffic lanes \_\_\_\_\_  
Proposed right of way width \_\_\_\_\_

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7<sup>TH</sup> Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the \_\_\_\_\_ square foot place of worship building would generate \_\_\_\_\_ vehicle trip ends, with approximately \_\_\_\_\_ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the \_\_\_\_\_ (Single Family Residential) District designation which allows a maximum of \_\_\_\_\_ units per acres, and the given fact that the project site is approximately \_\_\_\_\_ acres in land area, \_\_\_\_\_ daily vehicle trip end, and \_\_\_\_\_ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

PLANS AND FIELD REVIEWED. NO PROBLEM THAT WOULD INTERFERE WITH TRAFFIC FLOW.

Signature: Jerry White



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

**NOTE:** PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER [mmalexander@dekalbcountyga.gov](mailto:mmalexander@dekalbcountyga.gov) OR JOHN REID [jreid@DEKALBCOUNTYGA.GOV](mailto:jreid@DEKALBCOUNTYGA.GOV)

COMMENTS FORM:  
PUBLIC WORKS WATER AND SEWER

Case No.: SLUP-19-1243155

Parcel I.D. #: 15-041-01-152

Address: 2902 Cedar Trace Drive

Ellenwood, Georgia

**WATER:**

Size of existing water main: 8" DI Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

**SEWER:**

Outfall Servicing Project: Blue Creek Basin

Is sewer adjacent to property: Yes (X) No ( ) If no, distance to nearest line: \_\_\_\_\_

Water Treatment Facility: Snapfinger WTF ( ) adequate ( ) inadequate

Sewage Capacity; \* (MGPD)

Current Flow: 21.77 (MGPD)

**COMMENTS:**

\* Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.

Signature: 



DeKalb County  
GEORGIA

404.371.2155 (o)  
404.371.4556 (f)  
DeKalbCountyGa.gov

Clark Harrison Building  
330 W. Ponce de Leon Ave  
Decatur, GA 30030



FEB 28 2019  
DEPARTMENT OF PLANNING & SUSTAINABILITY

BY: \_\_\_\_\_

**SPECIAL LAND USE PERMIT APPLICATION**

Amendments will not be accepted after 5 working days after the filing deadline.

SLUP-19-

Date Received: \_\_\_\_\_

Application No: 1243155

APPLICANT NAME: Erica Stewart

Daytime Phone: 678-600-6633 E-Mail: ericastewart2009@gmail.com

Mailing Address: 2902 Cedar Trace Drive Ellenwood Ga 30294

Owner Name: Willie Stewart  
(If more than one owner, attach contact information for each owner)

Daytime Phone: 678-876-8424 E-Mail: Wazulamor@aol.com

Mailing Address: 273 Beechwood Lane Sth Mtn, Ga 30087

SUBJECT PROPERTY ADDRESS OR LOCATION: 2902 Cedar Trace Drive  
Ellenwood Ga 30294 DeKalb County, GA, \_\_\_\_\_

Parcel ID: 15-041-01-152 Acreage or Square Feet: \_\_\_\_\_ Commission Districts 33

Existing Zoning: \_\_\_\_\_ Proposed Special Land Use (SLUP) \_\_\_\_\_

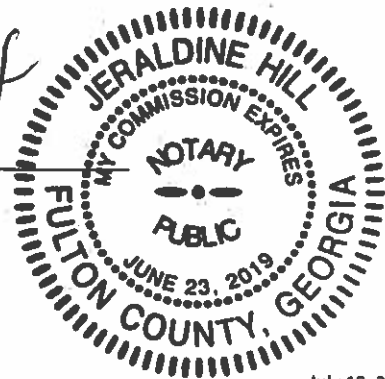
I hereby authorize the staff of the Planning and Sustainable Department to inspect the property that is the subject of this application.

Owner:  Agent: \_\_\_\_\_ Signature of Applicant

Printed Name of Applicant: Willie Stewart

Notary Signature and Seal:

Jeraldine Hill



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Public Notice

Request for a Special Land Use Permit

Filed By: Erica Stewart

Located at: 2902 Cedar Trace Drive

Ellenwood, Ga 30294

Current use- Single Family Home

Proposed Use- In-Home Daycare

Hours of Operation

Current- none

Proposed- Monday thru Friday- 24 hours

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Pre-Submittal Community Meeting To Take Place At: Proposed Location

Location-2902 Cedar Trace Drive Ellenwood, Ga 30294

Date and Time- Friday, January 25, 2019 at 7pm.

Please come out to my home and enjoy some light refreshments. At this time I can answer any questions or concerns you may have. My number is 678-600-0633 if you want to contact me before that time.

MEETING SIGN-IN SHEET

Project: In-home Childcare meeting Meeting Date: 1/25/19  
Facilitator: Erica Stewart Location: 2902 Cedar Trace Drive

Name	Address	Phone	E-Mail
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No one attended meeting

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## Letter of Application

Hello,

My name is Erica Stewart and I am applying for a special land use permit, so that I may open a 24 hour in home daycare. The existing use for the home to date is to house myself and my 3 daughters ages 7 and 1 year of age (twins). My children will be in school while I will be operating the in-home childcare, but it isn't against state regulations (Bright from the Start) for me to care for my own children along with the six children that could be permitted for operation. If they were there I would have a volunteer to assist me in any way that I needed. The home that I live in has 4 bedrooms upstairs and 2 big living rooms downstairs, that will be used for the daycare. Along with the kitchen for feeding. The dimensions of three rooms downstairs can be given if needed.

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Being aware of the state daycare requirements for standards and licensing and inspection the following actions will take place. There will be a 6 child minimum. Six additional children of my own can be in the home but that will not be necessary seeing that I have only 3 children of my own. It is also stated that 2 additional children can be cared for, but for no longer than 2 hrs. a day the ages are set at 2 or older. There is a packet that will be turned in that states the rules and regulations that Bright from the Start has put in place.

The classrooms/living room areas are in two locations across from each other. One side will be used for sleeping (3 infant

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beds and 3 toddler mats) and the other side will be used for play (centers will be in use: blocks, home living, push and pull toys, library time and most importantly manipulatives. (Math, science and reading) There will be fencing along the backyard of the home. Measuring at 4ft in height, which is within the Bright from the Start standards. It will be attached to the neighbors fencing. The backyard is big enough for 6 children to play comfortably, without running into one another. There will be riding and push and pull toys to play with outside. As well as big and small balls to help with gross motor skills and socialization. The driveway is wide and long enough for parents to come and go and will not interrupt the flow of traffic on the street where my home is located.

The exterior of my home will remain the same as when I purchased it. With the exception of a garden that I plan on starting with the children as a STEM project. Other than that no signs or cut outs will be placed in the yard.

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It has been looked up and noted that there is no daycare center or in home providers within 1,000 feet of my home.

I held a meeting for the community on January 25<sup>th</sup> 2019 and there was no one in attendance. So there has been no questions or concerns about the home being an in-home childcare facility. The proposed hours of operation are 24 hours a day and 5 days a week Monday -Friday. The hours that they will be at play will not interrupt the home living of the surrounding neighbors. Neighbors will more than likely be at



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**work during the 1<sup>st</sup> outside play break and the 2<sup>nd</sup> outside play break will be when children are getting out of school so children playing outside will not be uncommon. Even though I am proposing 24 hours, the time that other children are sleeping will be considered quiet time 9pm- 6am, children who are still up and active will be given a quiet activity to do or watching a movie until parent has picked up.**

**I am very pleased to be of service in my community, especially wanting to be 24 hrs. I want to thank you in advance for taking the time to review my case and paperwork.**

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**Erica Stewart**

**2/25/19**

**2902 Cedar Trace Drive**

**Ellenwood Ga 30294**

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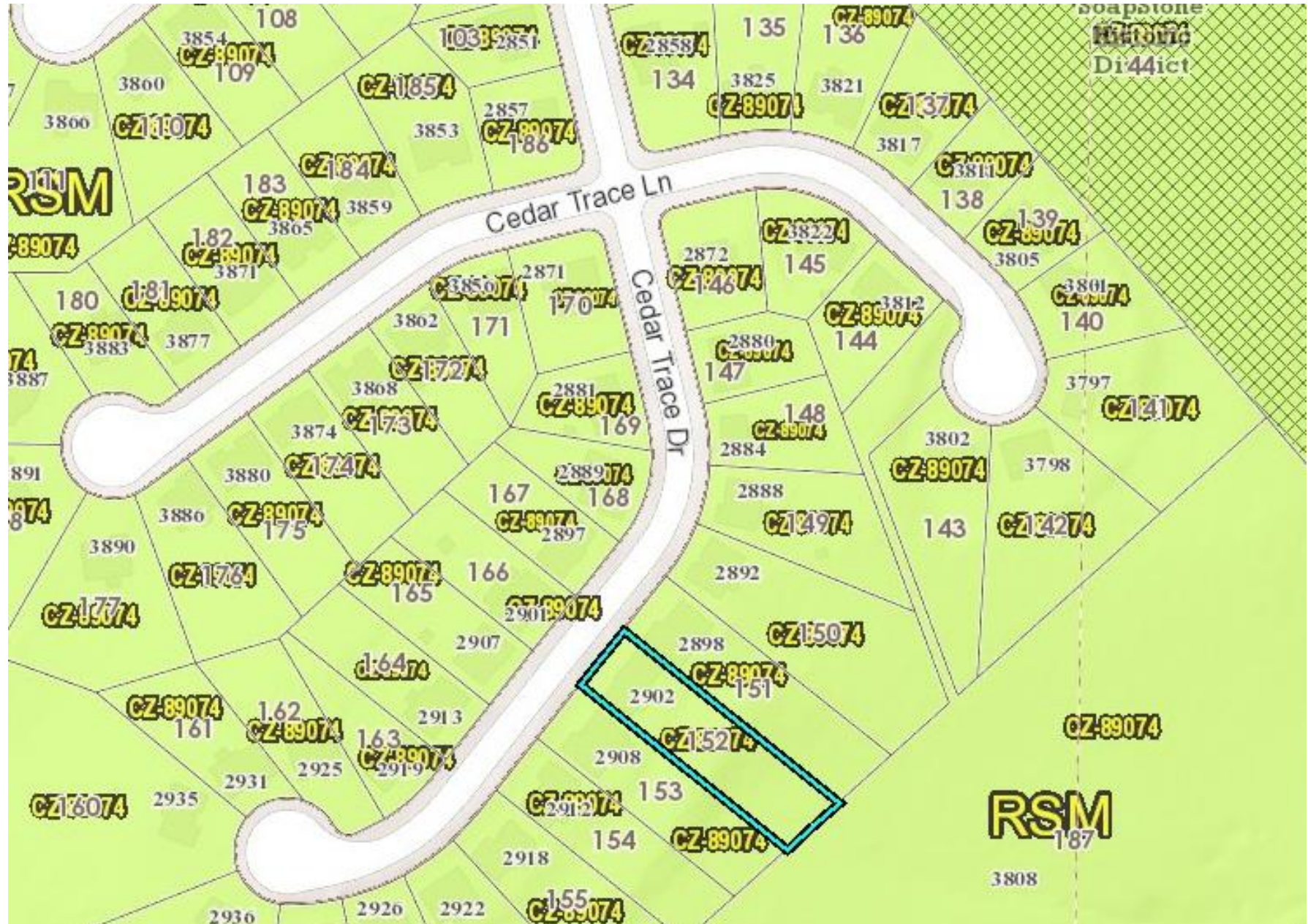
## Impact Analysis

- A. Adequacy of the size of the site for the use contemplated and whether or not adequate land area is available for the proposed use including provision of all required yards, open space, off street parking and all other applicable requirements of the zoning district in which the use is proposed to be located: **the size of the site is adequate for operation of a daycare facility for up to six children.**
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district: **The proposed daycare use for no more than six children is compatible with the surrounding neighborhood.**
- C. Adequacy of public services, public facilities and utilities to serve the contemplated use: **based on the location of the proposed use within an established subdivision, adequate public facilities and services are available for the proposed use.**
- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the proposed use, so as to not unduly increase traffic or create congestion in the area: **Traffic that would be generated by the proposed use is not expected to cause congestion on Cedar Trace Drive or surrounding streets.**
- E. Whether or not existing land uses locate across access routes to the site would be adversely affected by the character of the vehicles or the volume of traffic generated or create traffic in the area: **the proposed use is expected to generate traffic only from passenger vehicles, which will not adversely impact existing land uses along access routes.**
- F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control and access the event of fire or other emergency: **Cedar Trace Drive two way local street in good condition. As a local street, it carries low levels of traffic. It can provide safe satisfactory vehicular access to and from the subject property. Pedestrian access to the home for parents or children can be safely provided by the walkway that leads from the driveway to the front door. There is also a rear door that egress to the back yard. Two points of ingress and egress is sufficient to provide a means of exiting the house in an emergency. A fire truck or ambulance could access the property from the driveway or from Cedar Trace Drive.**
- G. Whether or not the proposed use would create adverse impacts upon adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use: **some noise may be generated when the children are playing outside, but children typically play outdoors in single-family neighborhoods and it's not unusual to see a group of up to six children playing together in the yards of individual homes. Thus, the facility would not introduce activity into the neighborhood that would be unexpected or unreasonable.**
- H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use: **the proposed hours of operation, 6am to 6pm are not expected to have adverse effect on adjoining land uses. These hours are reasonable for a daycare facility whose clients are working parents.**

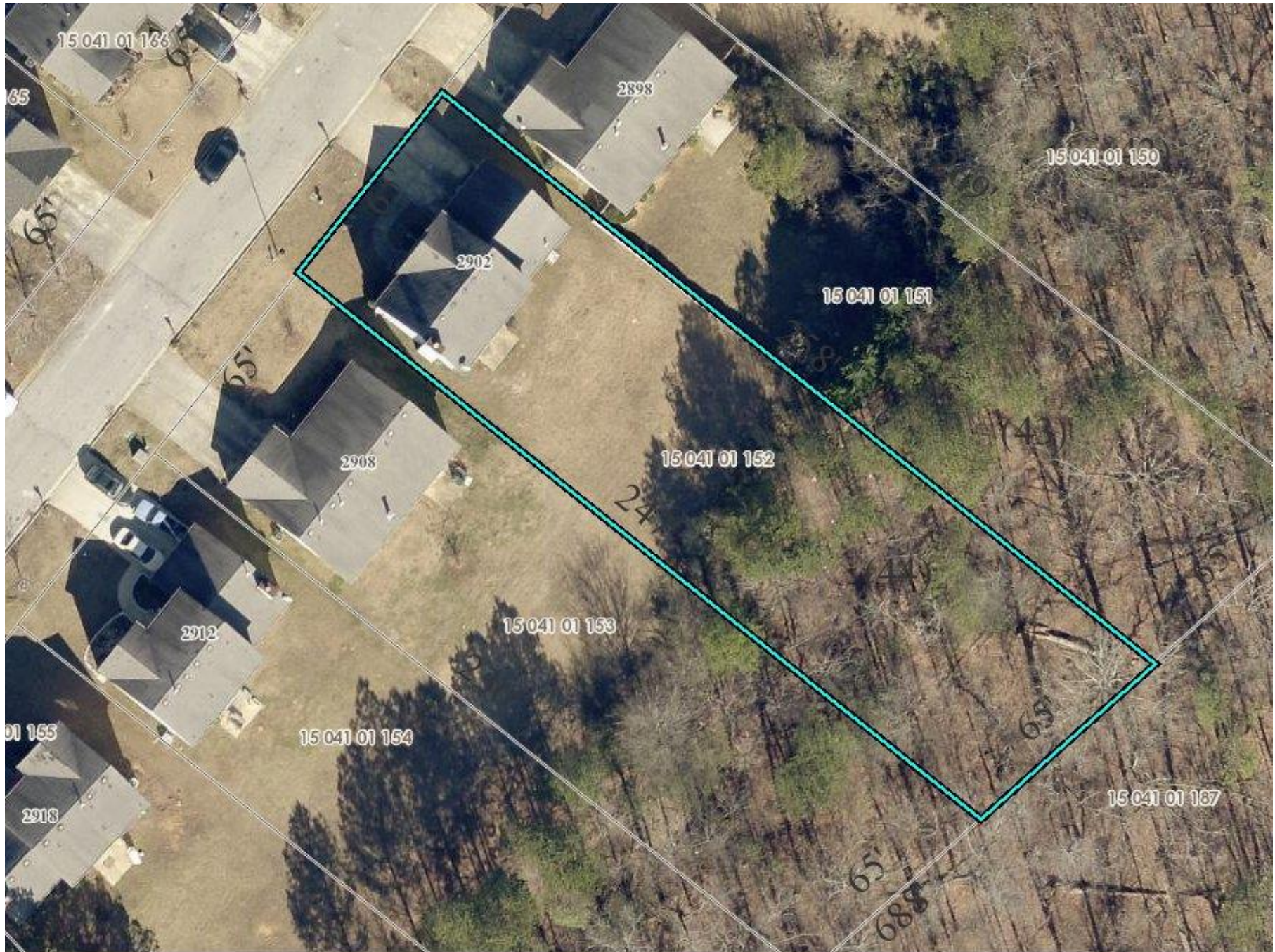
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- I. Whether or not the proposed use would create adverse impacts on any adjoining land use by reason of the manner of operation of the proposed use: **the daycare facility is expected to be operated in a manner that would not have an adverse impact on adjoining land uses.**
- J. Whether or not the proposed plan is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located: **since no new platting or construction is proposed this consideration is not applicable.**
- K. Whether or not the proposed use is consistent with the policies of the comprehensive plan: **The proposed child daycare facility is consistent with the policies of the 2035 DeKalb County comprehensive plan that support the provision of convenient childcare for working parents. By providing the day care wit in a familiar neighborhood setting, they encourage children to develop a sense of place. In-home child day care facilities promote reduction n of traffic congestion, consistent with comprehensive plan land use policies: they allow parents to drop off and pick up children by using local streets with residential neighborhoods, and may thus reduce traffic congestion on major roads during peak commuting hours. In addition, because the size, scale, and appearance of the existing single-family home will be maintained; thus, the proposed use is compatible with Suburban Character Area Policy No 1 of the Comprehensive Plan: "Protect stable neighborhoods form incompatible development that could alter established single- family residential development patterns and density.**
- L. Whether or not the plan provides for all buffers and transitional buffer zones where required by the regulations of the district in which the use is proposed to be located: **Since no new platting or construction is proposed this consideration is not applicable.**
- M. Whether or not there is adequate provision of refuse and service areas: **Refuse will be deposited is typical garbage that can be emptied on a regular basis by the DeKalb County Sanitation Department. This arrangement is satisfactory.**
- N. Whether the length of time for which the special land use permit is granted should be limited duration: **Because the proposed daycare facility appears to be appropriate at the proposed location, there is no reason to limit the duration of the Special Land Use Permit.**
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- Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit: **The propose land use meet the requirements contained in the supplemental regulations for child daycare facility.**















**(left) Subject property.**

**(right) Back yard of subject property.**

