



**DeKalb County Department of Planning & Sustainability**  
**330 Ponce De Leon Avenue, Suite 500 Decatur, GA**  
**30030**

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

Michael  
 Thurmond  
 Chief Executive

**Planning Commission Hearing Date: January 4, 2022**  
**Board of Commissioners Hearing Date: January 27, 2022**

**Case No.:** SLUP-22-1245322 **Agenda #:** N.6

**Location/Address:** 3956 Ambrose Ridge Court **Commission District:** 03 **Super District:** 06

**Parcel ID:** 15-023-01-142

**Request:** A Special Land Use Permit (SLUP) for a proposed Personal Care Home with a capacity of four to six clients.

**Property Owner/Agent:** Diego Rhodes

**Applicant/Agent:** Magnolia Gardens PCH, dba Magnolia Cove

**Acreage:** .27 Acres

**Existing Land Use:** single-family, detached residential unit

**Surrounding Properties:** To the north: Single-family detached, south: Single-family detached, east: Single-detached, west: Single-family detached

**Adjacent Zoning:** **North:** R-100 **South:** R-100 **East:** R-100 **West:** R-100

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

<b>Proposed Density:</b> N/A	<b>Existing Density:</b> N/A
<b>Proposed Square Ft.:</b> N/A	<b>Existing Units/Square Feet:</b>
<b>Proposed Lot Coverage:</b> N/A	<b>Existing Lot Coverage:</b> N/A



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### Subject Property

The subject property is an approximately .27-acre site located approximately 211 feet south of Pendergrass Lane. The parcel contains a one-story single-family detached home. The property is currently zoned R-100 (Residential Medium Lot-100). The property is surrounded by similar uses in the same zoning district. The *DeKalb County 2035 Comprehensive Plan* designates the subject property's future land use as Suburban (SUB).

### Zoning History

Based on DeKalb County records, it appears that the single-family residential zoning of the property has not changed since the adoption of the first *Zoning Ordinance* and map in 1956. DeKalb County records indicate that in 2020, a business license for a personal care home was issued to Magnolia Gardens PCH, Inc. The property has no other business licenses issued to the property.

### Project Analysis

Per the submitted Special Land Use Permit application, the applicant is requesting to increase the number of residents within an established personal care home from three (3) to 4-6 clients.

### 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:**

Per the submitted floor plan, dated October 2021, the subject property contains approximately 3,267 square foot single-family, detached homes. The subject property appears to be of adequate size for the proposed use. The applicant does not indicate any expansion to the footprint of the home.

- B. Compatibility of the proposed use with adjacent properties and land uses and with other property and land use in the district:**

The proposed use of a personal care home for four to six clients is compatible with the adjacent properties and land uses with the R-100 Zoning District. Moreover, the use will not change the physical characteristics of the existing single-family home.

- C. Adequacy of public services, public facilities, and utilities to serve the proposed use:**

The proposed personal care home should not generate any more demand for public services than the other residences in the neighborhood.

- 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 use proposed so as not to unduly increase traffic and create congestion in the area:**



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Ingress/egress to and from the personal care home will be via Ambrose Ridge Court, west of Pendergrass Lane. Ambrose Ridge Court is identified as a local road and appears to have an adequate carrying capacity. The findings from Public Works concluded that there were no discoveries that would propose an unduly increase and create congestion.

**E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use:**

Per the applicant, the residents would be residing at the subject property twenty-four (24) hours a day without vehicles. There should not be any noticeable increase in traffic from the property as the only vehicles present will belong to the staff on-site.

**F. Adequacy of 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 a fire or other emergencies:**

The existing residential structure is accessed via an existing driveway suitable for four vehicles and garage parking as well. All emergency vehicles can access the site via the driveway.

**G. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use:**

The increase in the number of clients or residents will likely not create adverse impacts upon any adjoining single-family land uses by reason of noise, smoke, odor, dust, or vibrations.

**H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:**

As defined, the clients will be residing at the personal care home on a 24-hour basis. The impact should not create any adverse problems to the adjoining properties.

**I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:**

Operating a 24-hour personal care home for six residents will not affect the adjoining single-family residences of the Penders Ridge subdivision. The site will operate basically as a single-family residence with caregivers for no more than six occupants.

**J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:**



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Per Sec. 4.1.3 (Use Table) of the *Zoning Ordinance*, personal care homes with four to six residents are permitted only with the approval of a special land use permit in the R-100 Zoning District.

**K. Whether the proposed use is consistent with the policies of the Comprehensive Plan:**

Located within a Suburban character area, the proposed use is consistent with the following strategy of providing a variety of housing opportunities and choices to better accommodate the needs of residents. The use is proposing additional housing accommodations for persons in need while maintaining the original footprint.

**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:**

The proposal does not include a change in use that would require a buffer.

**M. Whether or not there is adequate provision of refuse and service areas:**

Current refuse and service areas will not be affected by the new use and will continue to be adequate to support business operations.

**N. Whether the length of time for which the special land use permit is granted should be limited in duration:**

In consideration of the unanticipated issues that may negatively affect or impact the adjacent properties, staff recommends that if conditionally approved, the special land use permit be subject to renewal at 18 months after commencement to assess any adverse community impacts.

**O. Whether or not the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and relation to the size, scale, and massing of adjacent and nearby lots and buildings:**

New construction is not associated with this request.

**P. Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:**

There are no known historic buildings, sites, districts, or archaeological resources near the proposed use that could be adversely affected.



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**Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit:**

The home currently satisfies the supplemental regulations, and the applicant is aware of the requirements of all permits and licenses associated with a personal care home.

**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 changes are proposed to the height of the home, 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 conflict with the overall objectives of the comprehensive plan:**

The addition of residents not exceeding beyond six clients to the proposed personal care home would be consistent with the needs of the neighborhood and the community would be compatible with the neighborhood. This should conflict with the overall objectives of the comprehensive plan.

### Supplemental Regulations (Sec. 4.2.41)

**A. Personal Care Homes, General Requirements:**

- 1. Each personal care home must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.**
  - a. Applicant notes that they are aware of the process and retrieving the proper permits and licenses to operate.
- 2. No personal care home may display any exterior signage that violates the sign ordinance in Chapter 21 of the Code or sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.**
  - a. Applicant is aware of the sign provisions and states that they will comply with the provisions.
- 3. Personal care homes may apply for an FHA Accommodation Variance as provided for in Section 7.5.9 of this chapter {of the County Code, i.e, the "zoning ordinance}. N/A**

**B. Personal Care Homes, group (four (4) to six (6) persons).**

- 1. Two (2) copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be**



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submitted to the director of planning prior to issuance of a building permit or business license.

- a. An as-is floor plan was provided with the special land use permit application.
2. **Each group personal care home must provide at least four (4) parking spaces within a driveway, garage, or carport and must comply with any applicable requirements in Article 6 (Parking).**
  - a. Four parking spaces are provided in the driveway, and the property has a garage. There are no other applicable regulations in Article 6.
3. **In order to prevent institutionalizing residential neighborhoods, no group personal care homes are located in the RE, RLG, R-100, R-85, R-75, R-50, RSM, or MR-1 zoning districts may be operated within one thousand (1,000) feet of any other group personal care home. The one-thousand-foot distance requirement is measured by a straight line which is the shortest distance (i.e., “as the crow flies”) between the property lines of the two (2) tracts of land on which the group personal care homes are located.**
  - a. Property was previously licensed as a personal care home in 2020. The applicant is aware of the distance requirements and will meet the provisions.

### **STAFF RECOMMENDATION: Deferral.**

The proposal is consistent with the Suburban character area of the *2035 Comprehensive Plan*. The proposed use of a group, personal care home with four to six persons is not expected to affect adjoining and nearby properties. The property was previously licensed as a personal care home and there are no records of resistance to the adjoining properties. hours of operation are in conjunction with residential homes and are not expected to adversely impact adjoining properties. Therefore, the Department of Planning and Sustainability recommends “Deferral, pending the applicant provide proof of meeting the distance requirements of one thousand (1,000) feet from any other personal care home”. Should this be provided prior to the BOC, Planning Staff recommends the following conditions:

1. Limit use to a group, personal care home for up to six persons within the existing residential structure.
2. This special land use permit shall be subject to renewal 18 months after commencement to assess any adverse community impacts, the proposed use must adhere to Sec. 4.2.41 (Personal Care Homes) of the *Zoning Ordinance*.
3. The Special Land Use Permit shall be issued to Magnolia Gardens and cannot be transferrable.



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4. Limit use to a group, personal care home for up to 4 clients within the existing residential structure.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Applications
4. Site Plan
5. Zoning Map
6. Aerial Photograph



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

(N-6)

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER [malexander@dekalbcountyga.gov](mailto:malexander@dekalbcountyga.gov) AND/OR LASONDRA HILL [lhhill@dekalbcountyga.gov](mailto:lhhill@dekalbcountyga.gov)

COMMENTS FORM:  
**PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: SLUP-22-041322 Parcel I.D. #: 15-003-01-142

Address: 3957  
Ambrose Ridge Cr.  
Ellenwood, GA

Adjacent Roadway (s)

(classification)	(classification)
Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour Volume (VPH) _____	Peak Hour Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	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) 67<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 piece of worship building would generate \_\_\_\_\_ vehicle trip ends, with approximately \_\_\_\_\_ peak hour vehicle trip ends.

Single Family residences, 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 acre, 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, Nothing found that would indicate traffic flow.

Signature: [Signature] David Ross



## **ZONING COMMENTS – DEC. 2021**

N1- No comment

N2. Please see chapter 5 of the zoning code and chapter 14-190 of the land development code for infrastructure requirements. Linecrest Rd is classified as a collector road. Infrastructure Requirements: 35 foot right of way dedication from centerline or such that all public infrastructure is within public right of way, whichever greater, 6 foot sidewalk, 4 foot bike lane (or 10 foot multiuse path in lieu of required bike lanes and 6 foot sidewalk), 10 foot landscape strip and street lights. Verify that the access point meets intersection and stopping sight distance based on AASHTO design guidelines when submitting for permitting. Interior roads require a 27.5 foot right of way dedication from the centerline or such that all public infrastructure is on county right of way. Requires a 6 foot landscape strip, 6 foot sidewalk and street lights. Code Section 14-200 (e): 79 lots require two access points. This will require a variance to the Land Development Code prior to land development permit approval from the Transportation Division at time of permitting.

N3. No Comment.

N4 & N5. Memorial Drive is a State Route. GDOT review and approval required prior to permitting at land development stage.

N6. No comment

N7. No comment

N8. Please see chapter 5 of the zoning code and chapter 14-190 of the land development code for infrastructure requirements. Rockbridge Rd is classified as a minor arterial. Infrastructure Requirements: 40 foot right of way dedication from centerline or such that all public infrastructure is within public right of way, whichever greater, 6 foot sidewalk, 4 foot bike lane (or 10 foot multiuse path in lieu of required bike lanes and 6 foot sidewalk), 10 foot landscape strip and street lights. Verify that the access point meets intersection and stopping sight distance based on AASHTO design guidelines when submitting for permitting. Interior roads require a 27.5 foot right of way dedication from the centerline or such that all public infrastructure is on county right of way. Requires a 6 foot landscape strip, 6 foot sidewalk and street lights. Please note that the top section appears to have more lots per access than the code allows (Code Section 14-200 (e)- more than 75 units requires 2 access points). If access is allowed on Pepperwood- then Pepperwood to Hickory Hills Trail and Hickory Hills Drive to Rockbridge should be resurfaced by the developer and sidewalks added to connect to the new sidewalks in the proposed neighborhood to offset impacts. I would prefer to see the sidewalks added all the way to Rockbridge via Hickory Hills Trail and Hickory Hills Drive to reduce impacts to the existing property owners, if the existing property owners so desire sidewalks, but, at a minimum, the one lot sidewalk gap on Pepperwood should be eliminated.

N9. No comment



**DEKALB COUNTY GOVERNMENT  
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[lahill@dekalbcountyga.gov](mailto:lahill@dekalbcountyga.gov)**

**COMMENTS FORM:  
PUBLIC WORKS WATER AND SEWER**

Case No.: SLUP-22-1245322

Parcel I.D. #: 15-203-01-142

Address: 3956 Ambrose Ridge Court

\_\_\_\_\_  
\_\_\_\_\_

**WATER:**

Size of existing water main: 8" Adequate (adequate/inadequate)

Distance from property to nearest main: adjacent

Size of line required, if inadequate: \_\_\_\_\_

**SEWER:**

Outfall Servicing Project: Conley Creek

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

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

Sewage Capacity: 36 (MGPD) Current Flow: 28.3 (MGPD)

**COMMENTS:**

Sewer capacity request required. May be capacity restricted.

Signature: \_\_\_\_\_

12/20/2021

To: Ms. Madolyn Spann, Planning Manager  
Mr. John Reid, Senior Planner  
From: Ryan Cira, Environmental Health Manager  
Cc: Alan Gaines, Technical Services Manager  
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

## DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

12/20/2021

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N.1

SLUP-22-1245307 2021-3515 16-059-01-227

2038 Mallard Way, Lithonia , GA 30058

Amendment

- Please review general comments

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N.2

Z-22-1245310 2021-3516 15-009-01-001, 15-009-01-006, 15-009-01-008

2712 Whitfield Road, Ellenwood, GA 30294

Amendment

- Please review general comments.
- Onsite Septic installed on surrounding property at 2241 Whitfield Drive on 06/29/1972 and 2281 Whitfield Drive on 09/06/1973 on 09/06/1073.

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N.3

SLUP-22-1245311 2021-3517 18-091-01-063

971 North Road, Stone Mountain, GA 30083

Amendment

- Please review general comments
- Onsite septic system installed on property 754 North Hairston , Stone Mountain on 12/30/2003 (surrounding location).

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N.4

CZ-22-1245311 2021-3518 15-217-04-024

3644 Memorial Drive, Decatur, GA 30032

Amendment

- Please review general comments.
- Onsite septic system installed on property 3232 Memorial Drive on 4/21/1970 indication of possible system within surrounding property.

## DeKalb County Board of Health

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12/20/2021

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N.4

SLUP-22-1245321 2021-3519 15-217-04-024

3622 Memorial Drive, Decatur, GA 30032

Amendment

- Please review general comments.
- Onsite septic system installed on property 3232 Memorial Drive on 4/21/1970 indication of possible system within surrounding property.

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N.6

SLUP-22-1245322 2021-3520 15-023-01-142

3956 Ambrose Ridge Ct. , Ellenwood, GA 30294

Amendment

- Please review general comments.

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N.7

SLUP-22-1245323 2021-3521 15-183-05-015

1691 Candle Road, Decatur, Ga 30032

Amendment

- Please review general comments.
- Onsite septic system installed on property 1888 Candler Road in 01/13/1959 indication of possible system within surrounding property.

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N.8

Z-22-1245331 2021-3522 / 18-039-03-027, 18-039-03-029, 18-039-03-038,  
18-039-03-039, 18-039-03-040, 18-039-03-041, 18-039-03-044, 18-039-03-  
110, 18-039-03-112,

499 Rockbridge Road, Stone Mountain, GA 30083

Amendment

- Please review general comments.
- Onsite septic system installed on property 4995 Rockbridge Road in 05/04/1964 indication of possible system within surrounding property.

## DeKalb County Board of Health

404.508.7900 • [www.dekalbhealth.net](http://www.dekalbhealth.net)

12/20/2021

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N.9

SLUP-22-1245330 2021-3525 /15-061-02-062

3640 Platina Park Court, Decatur, GA 30034

Amendment

- Please review general comments.



## DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **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.

- **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.



N-6



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[lahill@dekalbcountyga.gov](mailto:lahill@dekalbcountyga.gov)

COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-22-1245322 Parcel I.D. #: 15-023-01-142

Address: 39 ST.  
Ambrose Ridge Ct.  
Ellerwood, GA

Adjacent Roadway (s):

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

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	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, Nothing found that would indicate traffic flow.

Signature: [Signature]

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

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

Date Received: 9/22/21 Application No: \_\_\_\_\_

APPLICANT NAME: MAGNOLIA Gardens PCH, aka Magnolia Cove

Daytime Phone: 678-697-0575 E-Mail: tcargill@comcast.net

Mailing Address: 778 Rays Road Ste 108 Stone Mountain GA 30083

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

Daytime Phone: 404-964-4731 - Nikohl E-Mail: nikhalcook@hotmail.com

Mailing Address: Owner lives out of Country - Unknown

SUBJECT PROPERTY ADDRESS OR LOCATION: 3956 Ambrose Ridge Court  
Ellenwood GA DeKalb County, GA, 30294

Parcel ID: 15-0230442 Acreage or Square Feet: 3,056 Commission Districts 3

Existing Zoning: R-100 Proposed Special Land Use (SLUP) Capacity of 4  
In Personal Care Home

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 / Representative

Printed Name of Applicant:  
Teri D. Cargill

Notary Signature and Seal:



Christine Jacobs  
10-18-2021  
State of Texas  
Court of Dallas July 10, 2018



# MAGNOLIA GARDENS

Magnolia Gardens PCH, Inc., 778 Rays Road, Suite 108, Stone Mountain, GA 30083, (404) 299-2661

September 8, 2021

RE: A Special Land Use Proposal at 3956 Ambrose Ridge Ct, Ellenwood, GA 30294

Dear Property Owner:

We would like for you to join our Zoom Video Meeting Friday, October 1, 2021 from 5:00 pm – 6:00 pm to discuss a proposed Special Land Use for the property located at 3956 Ambrose Ridge Ct, Ellenwood, GA 30294. We at Magnolia Gardens PCH, Inc. are seeking to use the property as a Community Living Arrangement.

Below are the meeting instructions.

**Date: October 1, 2021 05:00 PM Eastern Standard Time (US and Canada)**

**Location: <https://zoom.us/join>**

**Meeting ID: 975 1508 1773**

**Passcode: 250776**

Please contact our office if you have any questions regarding this meeting.

Sincerely,

Tiffini Pruitt-Britton, M.Ed.



## SPECIAL LAND USE PERMIT

### LETTER OF APPLICATION

THE PURPOSE OF THIS SPECIAL LAND USE APPLICATION, SUBMITTED BY MAGNOLIA GARDENS PCH, INC dba: MAGNOLIA COVE IS TO REQUEST PERMISSION TO OPERATE A PERSONAL CARE HOME WITH CAPACITY OF FOUR CLIENTS. THE FACILITY PROVIDES THE CARE SERVICES TO THE DISABLED DISABILITY. MAGNOLIA GARDENS PCH dba: MAGNOLIA COVE HAS BEEN IN OPERATION SINCE MAY 20 2010. THE EXISTING BUILDING STRUCTURE AND FLOOR PLAN MEET STATE MANDATED DEMENSION REQUIREMENTS. THE REQUIRED USE DOES NOT REQUIRE A CHANGE IN ZONING CLASSIFICATION.



**Teri Cargill**

Magnolia Gardens PCH, Inc

DbA: Magnolia Cove

3956 Ambrose Ridge Court , Ellenwood Ga 30294

Ph: 678-697-0575

Email: [tcargill@magnoliagardens.org](mailto:tcargill@magnoliagardens.org)

Website: [Magnoliagardens.org](http://Magnoliagardens.org)

Dated: October 14, 2021

To:

Dekalb County Department of Planning and Sustainability  
330 West Ponce De Leon Avenue Suite 100-500  
Decatur Ga 30030

From:

Magnolia Gardens PCH Inc, dba: Magnolia Cove  
3956 Ambrose Ridge Court  
Ellenwood Ta 30294

Re: Impact of the proposed use and zoning

To Whom It May Concern,

We are requesting zoning for Magnolia Gardens PCH, Inc for a 4 bed resident located at 3956 Ambrose Ridge Court, Ellenwood Ga 30294.

Magnolia Gardens PCH, Inc is a pre-existing business. Magnolia Gardens PCH Inc, provide residents to Development Disabled Disability Individuals who require 24 hours supervision, ranging from age 18 to 99. We do not accept Dementia, Alzheimer, Severe physical limitations or Severe Physical Aggressive Individuals. Our cooks make delicious home cooked meals 3 times a day. We also provide snacks and every day activities. Some Residents are very active in the community even having jobs.

Magnolia Gardens PCH is a licensed Medicaid Provider, governed by DCH and DBHDD. Magnolia Gardens is a Community Living Arrangement known as a (CRA Home).

Per DCH and DBHDD state Rules and Regulations, CRA homes are required to have 1 staff per 4 awake hours and 1 staff per sleep hours. However, we provide 1 staff during awake hours and an additional staff for 8 hours during the daytime. Some residents attends a Day Center for 6 hours a day.

We currently provide outings into the community twice a month. But indoor activities are twice a week.

There is no need for expansions, remodeling or additions to the resident's interior or exterior frame. The driveway has four spots to accommodate visitors and the garage has 2 spots for staff parking. The residents to not drive so there is not a need for a parking for them.

Thanks

Teri Cargill, Director

Dated: October 14, 2021

To:

Dekalb County Department of Planning and Sustainability  
330 West Ponce De Leon Avenue Suite 100-500  
Decatur Ga 30030

From:

Magnolia Gardens PCH Inc, dba: Magnolia Cove  
3956 Ambrose Ridge Court  
Ellenwood Ta 30294

To Whom It May Concern,

An application has been filed by Magnolia Gardens PCH Inc, to operate a 4 bed Resident located at 3956 Ambrose Ridge Court, Ellenwood Ga 30294.

DBHDD approved Magnolia Gardens PCH, Inc on 05/20/2010 for 4 beds. Please see attached licensed.

Magnolia Gardens PCH, Inc is a Personal Care Home that has been a part of the Ellenwood Community since 2010. We provide 24 hours oversight to Development Disabled Disability Individuals ages from 21-99 years old.

Magnolia Gardens is an Approved Medicaid Provider. The Residents all have a Medicaid Waiver and are referred to us from DBHDD. Magnolia Gardens received funds from DBHDD to provide care and daily needs of the resident, (i.e. doctor appointment, medication assistance, transporting, toileting, grooming, showing/bath, Diet Restrictions, Eating, Food Preparation, shaving, etc.

We have identified there is a great need to help Development Disabled Disability Individuals in Dekalb County.

Thanks

Teri Cargill, Director

DEPARTMENT OF PLANNING & SUSTAINABILITY

**AUTHORIZATION**

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 25 August 2021

TO WHOM IT MAY CONCERN:

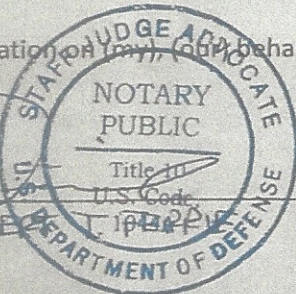
(I), (WE) Wieso Rhodes  
Name of owner(s) (If more than one owner, attach a separate sheet)

Being (owner) (owners) of the subject property described below or attached hereby delegate authority to

Leri Cassill

Name of Agent or Representative

to file an application on (my) (our) behalf.

  
[Signature]  
Notary Public

[Signature]  
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner







Chief Executive Officer  
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director  
Andrew A. Baker, AICP

**PRE-APPLICATION FORM**  
**REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE**  
(Required prior to filing application: signed copy of this form must be submitted at filing)

*jonesorleesa@yahoo.com*

Applicant Name: Teri Cargill Phone: 676-997-0575 Email: tcargill@magnolia

Property Address: 3956 Ambrose Ridge Ct. Ellenwood, 30294 gardens.org

Tax Parcel ID: 15-023-01-142 Comm. District(s): 3, 6 Acreage: .27 acre

Existing Use: Single-Family Home Proposed Use PCH, Group

Supplemental Regs: \_\_\_\_\_ Overlay District: \_\_\_\_\_ DRI: NO

Rezoning: Yes \_\_\_\_\_ No X

Existing Zoning: R-100 Proposed Zoning: \_\_\_\_\_ Square Footage/Number of Units: \_\_\_\_\_

Rezoning Request: Soapstone Ridge OVD

Land Use Plan Amendment: Yes \_\_\_\_\_ No X

Existing Land Use: SUB Proposed Land Use: \_\_\_\_\_ Consistent \_\_\_\_\_ Inconsistent \_\_\_\_\_

Special Land Use Permit: Yes X No \_\_\_\_\_ Article Number(s) 27

Special Land Use Request(s) Personal Care Home, Group, (4) to persons

Major Modification: No

Existing Case Number(s): \_\_\_\_\_

Condition(s) to be modified: \_\_\_\_\_

*Teri D Cargill*

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION**

Pre-submittal Community Meeting:  Review Calendar Dates:  PC:  BOC:   
 Letter of Intent:  Impact Analysis:  Owner Authorization(s):  Campaign Disclosure:   
 Zoning Conditions:  Community Council Meeting:  Public Notice, Signs:   
 Tree Survey, Conservation:  Land Disturbance Permit (LDP):  Sketch Plat:   
 Bldg. Permits:  Fire Inspection:  Business License:  State License:   
 Lighting Plan:  Tent Permit:  Submittal Format: NO STAPLES, NO BINDERS PLEASE

Review of Site Plan *N.A.* *— Bilco Lane*

Density: \_\_\_\_\_ Density Bonuses: \_\_\_\_\_ Mix of Uses: \_\_\_\_\_ Open Space: \_\_\_\_\_ Enhanced  
 Open Space: \_\_\_\_\_ Setbacks: front \_\_\_\_\_ sides \_\_\_\_\_ side corner \_\_\_\_\_ rear \_\_\_\_\_ Lot Size: \_\_\_\_\_  
 Frontage: \_\_\_\_\_ Street Widths: \_\_\_\_\_ Landscape Strips: \_\_\_\_\_ Buffers: \_\_\_\_\_  
 Parking Lot Landscaping: \_\_\_\_\_ Parking - Auto:  Parking - Bicycle: \_\_\_\_\_ Screening: \_\_\_\_\_  
 Streetscapes: \_\_\_\_\_ Sidewalks: \_\_\_\_\_ Fencing/Walls: \_\_\_\_\_ Bldg. Height: \_\_\_\_\_ Bldg. \_\_\_\_\_  
 Orientation: \_\_\_\_\_ Bldg. Separation: \_\_\_\_\_ Bldg. Materials: \_\_\_\_\_ Roofs: \_\_\_\_\_ Fenestration: \_\_\_\_\_  
 Façade Design: \_\_\_\_\_ Garages: \_\_\_\_\_ Pedestrian Plan: \_\_\_\_\_ Perimeter Landscape Strip: \_\_\_\_\_  
 Possible Variances *N.A.*

Comments:

- limited to 4 persons as a Medicaid service provider
- proposed conditions: driveway plane for visitors only
- Ms. Cargill currently operates group PCH "Magnolia", 5348 Kelleys Creek Dr.

Planner: *Melora Furman*

Date: *8/17/21*

Filing Fees

<b>REZONING:</b>	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OL, OD, OIT, NS, C1, C2, M, M2	\$750.00
<b>LAND USE MAP AMENDMENT</b>		\$500.00
<b>SPECIAL LAND USE PERMIT</b>		\$400.00



GEORGIA DEPARTMENT OF  
COMMUNITY HEALTH

### STATE OF GEORGIA

## COMMUNITY LIVING ARRANGEMENT PERMIT

This is to certify that a permit is hereby granted to

MAGNOLIA GARDENS PCH, INC.  
(Name of Governing Body)

to maintain and operate a

Community Living Arrangement named a

MAGNOLIA COVE  
(Name of Residence)

for 4 residents,  
(number served)

Said residence and premises are located a

3956 AMBROSE RIDGE COURT

in ELLENWOOD  
(City or Town)

30294  
(Zip Code)

County of

DEKALB

, Georgia.

Permit effective date is Thursday, May 20, 2010

and remains in effect unless revoked or suspended

"This permit is granted pursuant to the authority vested in the Department of Community Health pursuant to O.C.G.A. Secs. 31-7-1 and 37-1-22 and signifies that its facilities and operations comply with the Rules and Regulations of the Department of Community Health on the date this permit was issued."

**THIS PERMIT IS NOT TRANSFERABLE**

PERMIT NO. \_\_\_\_\_

044-01-884-2

In Witness Whereof, we have hereunto set our hand this 20TH day of

MAY

2010

GEORGIA DEPARTMENT OF COMMUNITY HEALTH

HEALTHCARE FACILITY REGULATION DIVISION

  
Doug Colburn, Division Chief

GEORGIA, DEKALB COUNTY AFFIDAVIT FOR REGISTRATION OF TRADE NAME

Personally appeared before me,

1. TERI D. CAYGILL  
who on oath deposes and says that:

2. A. Magnolia Gardens PCH, Inc.

B. \_\_\_\_\_

C. \_\_\_\_\_

D. \_\_\_\_\_

3. Whose address(es) are:

A. 5348 Kelleys Creek Drive, Stone Mountain GA 30088

B. \_\_\_\_\_

C. \_\_\_\_\_

D. \_\_\_\_\_

4. Is/Are doing business in DeKalb County, Georgia at

5. 3956 Ambrose Ridge Court, Ellenwood GA 30294

6. Under the name and style of Magnolia Cove

7. The nature of the business to be carried on is Personal Care Home

This affidavit is made pursuant to Georgia Code Annotated 10-1-490.

8. TERI D. CAYGILL

9. Sworn to and subscribed

Before me this 14 day of

September

Jeffrey Pruitt  
Notary Public/Deputy Clerk

Clayton County, Georgia



FILED  
2009 SEP 15 4 11:40  
CLERK OF SUPERIOR COURT  
DEKALB COUNTY, GA.

90055 06166



MAGNOLIA GARDEN PCH, INC  
778 RAYS RD STE 108  
STONE MOUNTAIN GA 30083

7083

64-5/610 GA  
15527

DATE 10/28/21

PAY  
TO THE  
ORDER OF

DeKalb County

\$ 400.00

Four hundred

DOLLARS



**Bank of America**

ACH R/T 061000052

*Jew D Gill*

FOR SLUP

⑈007083⑈ ⑆061000052⑆ 003260142502⑈

- ADDITIONAL NOTES:**
- 1. SEE SHEET 01-100 FOR GENERAL NOTES.
  - 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).
  - 3. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.
  - 4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
  - 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
  - 6. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
  - 7. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO CONSTRUCTION.
  - 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING UTILITIES.
  - 9. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).
  - 10. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT.
  - 11. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
  - 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
  - 13. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
  - 14. ALL UTILITIES SHALL BE PROTECTED AND MARKED PRIOR TO CONSTRUCTION.
  - 15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND REPAIR OF ALL EXISTING UTILITIES.

- FINISH CODES:**
- 01 - PAINT
  - 02 - CARPET
  - 03 - TILE
  - 04 - LAMINATE
  - 05 - GRANITE
  - 06 - STAINLESS STEEL
  - 07 - BRASS
  - 08 - ALUMINUM
  - 09 - POLYURETHANE
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**SCOPE OF WORK:**

1. DEMOLITION AND RECONSTRUCTION OF EXISTING STRUCTURE TO MEET THE REQUIREMENTS OF THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).

2. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

**QUANTITY TAKE-OFF:**

ITEM	QUANTITY	UNIT
CONCRETE	100	CU YD
STEEL	100	TON
BRICK	100	1000
CEMENT	100	TON
ROOFING	100	SQ YD
MECHANICAL	100	HR
ELECTRICAL	100	HR
PLUMBING	100	HR
PAINT	100	GA
CARPENTRY	100	HR
GLASS	100	SQ FT
INSULATION	100	CU YD
FOUNDATION	100	CU YD
ROOFING	100	SQ YD
MECHANICAL	100	HR
ELECTRICAL	100	HR
PLUMBING	100	HR
PAINT	100	GA
CARPENTRY	100	HR
GLASS	100	SQ FT
INSULATION	100	CU YD
FOUNDATION	100	CU YD



**PERSONAL CARE HOME**  
 1000 AMERICAN ROAD COURT  
 ELLENWOOD, GA 30027

**PROPERTY INFORMATION:**  
 1000 AMERICAN ROAD COURT  
 ELLENWOOD, GA 30027

**MECHANICAL INFORMATION:**  
 1000 AMERICAN ROAD COURT  
 ELLENWOOD, GA 30027

**ELECTRICAL INFORMATION:**  
 1000 AMERICAN ROAD COURT  
 ELLENWOOD, GA 30027

**PLUMBING INFORMATION:**  
 1000 AMERICAN ROAD COURT  
 ELLENWOOD, GA 30027

ALL DIMENSIONS AND EXISTING FIELD CONDITIONS MUST BE VERIFIED BY GENERAL CONTRACTOR

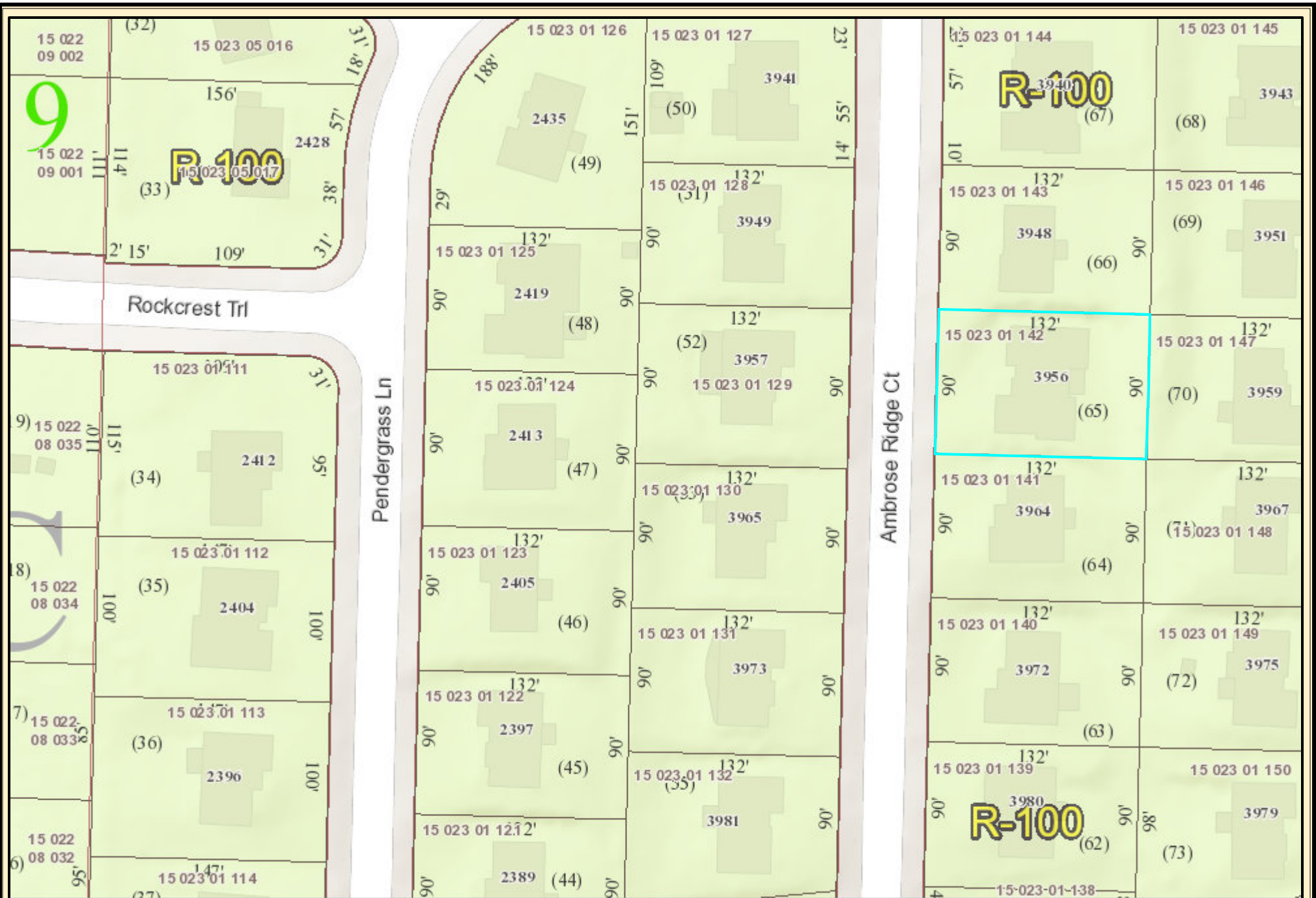
**HYPOTHEMUS**  
 PERSONAL CARE HOME  
 1000 AMERICAN ROAD COURT  
 ELLENWOOD, GA 30027

COVER SHEET AND PROJECT DATA

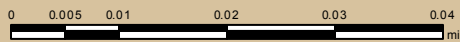
PROJECT NO. 1000  
 PERSONAL CARE HOME  
 1000 AMERICAN ROAD COURT  
 ELLENWOOD, GA 30027







# DeKalb County Parcel Map



Date Printed: 12/27/2021



### DeKalb County GIS Disclaimer

The maps and data, contained on DeKalb County's Geographic Information System (GIS) are subject to constant change. While DeKalb County strives to provide accurate and up-to-date information, the information is provided "as is" without warranty, representation or guarantee of any kind as to the content, sequence, accuracy, timeliness or completeness of any of the database information provided herein. DeKalb County explicitly disclaims all representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. In no event shall DeKalb County be liable for any special, indirect, or consequential damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other actions, arising out of or in connection with the use of the maps and/or data herein provided. The maps and data are for illustration purposes only and should not be relied upon for any reason. The maps and data are not suitable for site-specific decision-making nor should it be construed or used as a legal description. The areas depicted by maps and data are approximate, and are not necessarily accurate to surveying or engineering standards.