



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: November 7, 2019, 2019, 6:30 P.M.

Board of Commissioners Hearing Date: November 19, 2019, 6:30 P.M.

STAFF ANALYSIS

Case No.: SLUP-19-1243486 **Agenda #:** N. 3

Location/Address: 1346 Sheffield Drive, NE, Atlanta **Commission District:** 2 **Super District:** 6

Parcel ID(s): 18-109-09-008

Request: Special Land Use Permit (SLUP) to allow a home occupation with customer contact in an R-85 (Residential Medium Lot) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table.

Property Owner(s): David Goldstrom

Applicant/Agent: Brookhaven Consultations & Training, LLC

Acreage: .36 acres

Existing Land Use: A single-family house.

Surrounding Properties: To the west, northwest, north, and northeast: the Sheffield Glen townhome development (zoned RSM); to the southeast, south, and southwest: single-family residential (zoned R-85).

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

Proposed Units: One (No change proposed)	Existing Units: One
Proposed Lot Coverage: Not applicable.	Existing Lot Coverage: Not applicable.

Zoning History:

Based on DeKalb County records, it appears that the R-85 zoning of the property has not changed since adoption of the first zoning ordinance and map in 1956.

SITE AND PROJECT ANALYSIS

The subject property is a .36-acre parcel located in the Sheffield Glen neighborhood of northwest DeKalb County. It is developed with a one-story, 4,104 square foot single-family home. Vehicular access to the property is provided by a circular driveway from Sheffield Drive, a two-way local street. The driveway is approximately 137 feet long and has a parking pad of approximately 800 square feet.

The property is located at the western edge of the Sheffield Glen single-family residential neighborhood, approximately 45 feet east of Briarcliff Road, a minor arterial. The adjoining property to the north and northwest is developed with the Sheffield Glen condominium development. The other adjoining properties, as well as those located across the street from the subject property, contain single-family homes. Except for the Sheffield Glen condominiums, the predominant character of the surrounding area is single-family residential.

The applicant, David Goldstrom, owns a consulting business, Brookhaven Consultation & Training, LLC, which he proposes to operate from his home on the subject property. Consulting services, all of which would involve on-site customer contact, are described as: academic tutoring; counseling/psychotherapy; graduate and postgraduate training and consultation; and health and wellness coaching.

The application initially proposed hours of operation seven days per week, from 9:00 A.M. to 9:00 P.M. with 90% of client contact per week would be for 1-3 clients/students/trainees per hour (resulting in up to three vehicles parked on site at any time) and 10% of client contact per week for up to 12 clients/trainees (resulting in up to seven vehicles parked on site at any time).

Mr. Goldstrom has revised the proposal as follows:

- 3 days per week (Monday, Tuesday, Wednesday).
- Client contact only by appointment.
- Appointment hours: 4:30-8:30 pm (last appointment at 7:30).
- One client per hour (i.e. no group therapy).
- No longer requesting the ability to transfer the permit.

Compliance with District Standards:

R-85 STANDARD		REQUIREMENT	PROVIDED/PROPOSED	COMPLIANCE
MIN. LOT WIDTH		85 feet	190 feet	Yes
MIN. LOT AREA		12,000 square feet	15,682 square feet	Yes
MIN. BLDG. SETBACKS	FRONT	35 feet	35.6 feet	Yes
	CORNER LOT - SIDE	Not applicable	Not applicable	Not applicable
	INTERIOR LOT - SIDE	8.5 feet	Northwest side: 8.5 feet East side: 9.3 feet	Yes
	REAR	40 feet	40 feet	Yes
MIN. FLOOR AREA OF DWELLING		1,800 s.f.	4,104 square feet	Yes
PARKING		Min. 2 spaces	Garage parking: 2 spaces.	Yes

Supplemental Regulations: (Sec. 4.2.31.):

1. There shall be no exterior evidence of the home occupation.

Mr. Goldstrom has stated that there will be no exterior evidence of the home occupation.

2. No use shall create noise, dust, vibration, odor, smoke, glare or electrical interference that would be detectable beyond the dwelling unit.

The home occupation would not create dust, vibration, odor, smoke, glare or electrical interference that would be detectable beyond the dwelling unit. Some detectable noise might be generated when customers arrive at or depart from the property, but it is not expected to be objectionable or atypical of normal residential activities.

3. The use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed at the location of the home occupation.

The proposal complies with this regulation.

4. No more than twenty-five (25) percent of the dwelling unit and or five hundred (500) square feet, whichever is less, may be used for the operation of the home occupation.

Mr. Goldstrom has stated that the room in which the counseling/tutoring/coaching will occur complies with this regulation.

5. No more than one (1) business vehicle per home occupation is allowed.

No business vehicles will be used for the operation of the home occupation.

6. No home occupation shall be operated so as to create or cause a nuisance.

As modified for limited hours and customer contact, the proposed home occupation would not be a nuisance.

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 the proposed consulting business. The business is proposed to be conducted indoors and no yards or open space would be required. Off-street parking would be provided in the driveway. Based on parking stall dimensional standards of Table 6.1 (Sec. 27-6.1.3), the property's circular driveway and parking pad could accommodate up to eight passenger vehicles.

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

The proposed home occupation would be compatible with adjacent and nearby single-family residential properties. The home occupation is proposed to operate during hours and at levels of customer contact that are comparable to those of social gatherings and activities that are commonly found in residential neighborhoods.

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

Public services, facilities, and utilities appear to be adequate to serve the proposed home occupation.

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 Transportation Division has commented that off-site parking should not be allowed due to the proximity of the property to the Briarcliff Road intersection. The applicant has agreed to this condition.

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 home occupation would generate traffic by passenger vehicles, which characteristically travel to a single-family neighborhood. If potential congestion and vehicular conflicts are controlled by allowing only on-site parking, an advantage of the location near the Briarcliff Road intersection is that customer vehicles would not need to drive far into the neighborhood to reach the property. As modified, the home occupation is not expected to generate volumes of traffic that could impair use and enjoyment of properties located along access routes to the property.

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:

Ingress and egress at the property appears to be satisfactory.

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:

Provision of counseling, tutoring, and coaching services inside the existing home is not expected to generate adverse impacts.

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 modified hours of operation of the proposed home occupation are not expected to create adverse impacts on adjoining land uses.

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:

No adverse impacts on adjoining land uses are expected if customer contact is limited to only a single client per hour, consistent with the applicant's modified proposal and as recommended by Staff.

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:

The proposed home occupation complies with all applicable R-85 district requirements.

K. Whether or not the proposed use is consistent with the policies of the comprehensive plan:

Because it would not cause negative impacts on the surrounding neighborhood, the requested Special Land Use Permit is consistent with the following policy of the Suburban character area: "Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density." (Policy No. 1)

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:

Transitional buffer zones are not required for a home occupation with customer contact.

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

Because the proposed home occupation is not expected to generate refuse or service calls, existing refuse and service areas should be sufficient.

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

Because the proposed use of the site is suitable, there is no reason to limit its duration.

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:

No alterations to the existing building, or construction of new structures, are proposed.

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

No historic buildings, sites, districts, or archaeological resources are located on the 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 home occupation satisfies the requirements of the supplementary regulations.

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:

No changes to the existing height of the house on the subject property, nor construction of any new structures, is proposed.

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 home occupation would be consistent with the needs of the community as a whole. It would be compatible with the neighborhood and would not be in conflict with the overall objectives of the Comprehensive Plan.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS.

If conditioned as recommended by staff, the proposed home occupation would be compatible with adjacent and nearby single-family residential properties and is not expected to generate objectionable off-site impacts. It would operate during hours and at levels of customer contact that are comparable to those of social gatherings and activities that are commonly found in residential neighborhoods. The home occupation would generate traffic by passenger vehicles, which characteristically travel to a single-family neighborhood. If potential congestion and vehicular conflicts are controlled by allowing only on-site parking (as proposed by the applicant and recommended by staff), an advantage of the location near the Briarcliff Road intersection is that customer vehicles would not need to drive far into the neighborhood to reach the property. Because it would not cause negative impacts on the surrounding neighborhood, the requested Special Land Use Permit is consistent with the following policy of the Suburban character area: "Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density." (Policy No. 1) Therefore, the Department of Planning and Sustainability recommends "Approval" with the following conditions:

1. The Special Land Use Permit shall be issued to Dr. David Goldstrom, for operation of a home occupation to provide counseling, tutoring, training, and coaching services, and shall not be transferrable.
2. The home occupation shall operate on Mondays, Tuesdays, and Wednesdays, from 4:30 – 8:30 P.M.

3. Services shall be provided to one client per hour, by appointment. No group therapy shall be provided.
4. No customer parking shall be allowed on the public street.

Attachments:

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

NEXT STEPS

If this zoning action is approved, the following will 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.

Furman, Melora L.

From: Dr David Goldstrom, LMFT <david@davidgoldstrom.com>
Sent: Sunday, October 20, 2019 12:17 PM
To: Furman, Melora L.
Subject: Amendment / modification to SLUP-19-1243486
Attachments: amended letter application SLUP-19-1243486.pdf

Dear Ms. Furman,

Thank you for the phone call on Friday 10/18/19. Please accept and consider the attached amendment/modification letter to my SLUP request and application. I have included all the recommendations of both the community council and that you made in our two phone conversations.

Specifically, I have made these changes:

1. Reduced the days from 7 to 3 days per week (Monday, Tuesday, Wednesday).
2. Specified that client contact is only by appointment.
3. Limited the appointment hours to early evenings: 4:30-7:30 pm.
4. Limited the number of clients to one per hour (i.e. no group therapy).
5. Removed the request to be able to transfer the permit.

My hope is that, having incorporated all the recommended changes, that the planning department can recommend approval for this very limited use. As you pointed out, it makes sense to do a trial of a very limited use first, and then come back and re-apply if it makes sense to increase the available hours at a later date.

If you will be recommending approval and are in agreement with the amended request, then I am willing to move forward with the request. If the planning department cannot work with these changes and what is clearly a very limited and reasonable request, then I would appreciate additional feedback from you on what would be acceptable from a professional planner's perspective, and the opportunity to discuss this with the community council again at their next meeting so I have their full support and recommendation for approval before going before the planning commission.

Sincerely,
David Goldstrom

From: Furman, Melora L. <mlfurman@dekalbcountyga.gov>
Sent: Friday, October 18, 2019 2:15 PM
To: Dr David Goldstrom, LMFT <david@davidgoldstrom.com>
Subject: RE: Community meeting

Dr. Goldstrum:

Your application will proceed to the Planning Commission and Board of Commissioners. The community council recommendation is just that -- a recommendation.

The Planning Commission allows 10 minutes for your presentation and 10 minutes for any opposition. The BOC allows

TRANSPORTATION DIVISION COMMENTS

Zoning Comments 10/14/2019

N1. No offsite parking allowed due to curve in the road.

→ N2. No offsite parking allowed due to proximity to Briarcliff Road intersection.

N3. No comments.

N4. Welborn Road- Collector. Requires pedestrian street lights at 80 foot spacing, 5-foot landscape strip, 6-foot sidewalks, bike lanes, right of way dedication of 35 from centerline or to ensure all public infrastructure is within right of way, whichever greater. Dekalb Medical Parkway- local. Requires pedestrian scale street lights, 3-foot landscape strip and a 6 foot sidewalk. Covington Hwy- Major Arterial and State Route. GDOT review required prior to permitting. Coordinate with GDOT PI No 0008228 and dedicate any necessary right of way. Minimum of 50 form centerline. Sidewalks and pedestrian scale street lighting can be installed under the GDOT project in exchange of the right of way dedication. Ensure all access point meet minimum stopping and intersection sight distance requirements per AASHTO with permitting. Need at least 2 feet of ROW on back of sidewalk for streetlights. Interior roads to be private or must meet the requirements for a local road. (55-foot right of way dedication, five foot landscape strip, 6 foot sidewalk, street lighting.)

N5. Covington Hwy- Major. GDOT permits/review required prior to permitting. Add sidewalks and pedestrian scale lighting along property frontage. Five-foot landscape strip, 6-foot sidewalk. ROW dedication of 50 foot from centerline or to cover public infrastructure, whichever greater. Need at least 2 feet of ROW on back of sidewalk for streetlights.

N6. Wesley Chapel Road- Major. Requires five-foot landscape strip, 6-foot sidewalk, pedestrian scale lights, bike lanes and ROW dedication of 50 feet from centerline or to cover all public infrastructure, whichever greater. Need at least 2 feet of ROW on back of sidewalk for streetlights. Ensure all access point meet minimum stopping and intersection sight distance requirements per AASHTO with permitting.

N7 & N8. Panola Road- Major. Requires five-foot landscape strip, 6-foot sidewalk, pedestrian scale lights, bike lanes and ROW dedication of 50 feet from centerline or to cover all public infrastructure, whichever greater. Need at least 2 feet of ROW on back of sidewalk for streetlights. Access must meet sight distance requirements (stopping and intersection) per AASHTO guidelines.

N9. White Mill Road- Collector. Dedicate 35 feet from centerline of road or to cover all public infrastructure, whichever greater. Need at least 2 feet of ROW on back of sidewalk for streetlights. Access must meet sight distance requirements (stopping and intersection) per AASHTO guidelines. Requires 5-foot landscape strip, 6-foot sidewalk, pedestrian scale street lighting, bike lanes. Kelly Lake Road- local. Requires dedication of 27.5 feet from centerline of road or to cover all public infrastructure, whichever greater. Need at least 2 feet of ROW on back of sidewalk for streetlights. Five-foot landscape strip, 6-foot sidewalk, pedestrian scale street lighting. Access must meet sight distance requirements (stopping and intersection) per AASHTO guidelines. New roads, of public, require a ROW dedication of 55 feet, five-foot landscape strip, 6 foot sidewalk, and street lighting. Miter right of way corner at Whites Mill Road at Kelly Lake Road.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL
lahill@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-19-1243 86 Parcel I.D. #: 18-109-09-008

Address: 1346
Sheffield Dr
Atlanta, 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) 6/7TH 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 found that would disrupt traffic flow.

Signature: [Signature]



**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 OR JOHN REID JREID@DEKALBCOUNTYGA.GOV

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

Case No.: SLUP-19-1243486

Parcel I.D. #: 18-109-09-008

Address: 1346 Sheffield Drive, NE

Atlanta, Georgia

WATER:

Size of existing water main: 6" AC 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: North Fork Peachtree Creek Basin

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

Water Treatment Facility: R M Clayton 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



10/9/2019

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

10/9/2019

N.1

SLUP-19-1243468/2019-4346/15-114-08-016

1415 Foxhall Lane, Atlanta, GA 30316

Amendment

- See general comments.

N.2

SLUP-19-1243486 / 2019-4347 / 18-109-09-008

→ 1346 Sheffield Drive, Atlanta, Ga 30329

Amendment

- Please review general comments.

N.3

SLUP-19-1243490 / 2019-4348 / 15-165-01-015

4467 Glenwood Road, Decatur, GA 30032

Amendment

- Please review general comments.

N.4

Z-19-1243508 /2019-4349 / 16-071-02-105; 16-071-05-006; 16-072-01-001; 16-072-01-002

6540 & 6556 Covington Hwy, Lithonia, GA 30058; and 2314& 2338 Wellborn Road, Lithonia, GA 30058

Amendment

- Please see general comments.

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

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

RECEIVED
SEP 04 2019
BY:

Date Received: _____ Application No: SLUP-19-1243484

APPLICANT NAME: Brookhaven Consultation & Training LLC

Daytime Phone: 404-870-8075 E-Mail: info@DavidGoldstrom.com

Mailing Address: 1346 Sheffield Drive NE, Atlanta GA 30329

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

Daytime Phone: 404-870-8075 E-Mail: info@DavidGoldstrom.com

Mailing Address: 1346 Sheffield Drive NE, Atlanta GA 30329

SUBJECT PROPERTY ADDRESS OR LOCATION: 1346 Sheffield Drive NE
Atlanta DeKalb County, GA, 30329

Parcel ID: 18-109-09-008 Acreage or Square Feet: 0.36 ACRES Commission Districts 2-6

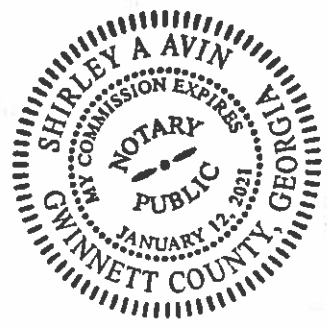
Existing Zoning: R-85 Proposed Special Land Use (SLUP) Home occupation
with customer contact

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 [Signature]

Printed Name of Applicant: DAVID GOLDSTROM

Notary Signature and Seal: [Signature]



Notice Date: 18 August 2019

PUBLIC NOTICE

To

Request for a Special Land Use Permit

Filed by: David Goldstrom / Brookhaven Consultation & Training LLC

Located at: 1346 Sheffield Drive NE

Atlanta, GA 30329

Proposed Use: Home Occupation with Customer Contact (Academic Tutoring, Counseling/Psychotherapy, and Health and Wellness Coaching).

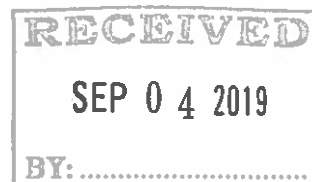
Hours of Operation

Proposed: Sunday-Saturday 9am to 9pm

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT:

Location: 1346 Sheffield Drive, Atlanta, GA 30329

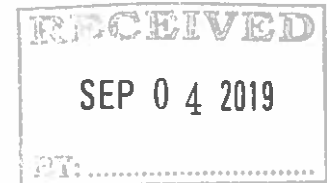
Date & Time: Tuesday, September 3rd at 7pm



Date: 29 August 2019

To: Dekalb County Department of Planning & Sustainability

Subj: Special Land Use Permit Application 1346 Sheffield Drive NE



Dear Sir or Ma'am:

I am requesting a Special Land Use Permit to see clients at my residence located at:
1346 Sheffield Drive NE, Atlanta, GA 30329.

As a former High School teacher, current Licensed Marriage and Family Therapist (GA License MFT001428) and full-time hospital chaplain, I would like to use my residence and offer the following services to benefit the local neighborhood and community.

The proposed uses are:

1. Academic Tutoring
2. Counseling / Psychotherapy
3. Graduate and Postgraduate Training and Consultation
4. Health and Wellness Coaching

This application for a special land use permit (SLUP) - home based business with customer contact is made with the intent to maintain the residential character, while bringing the benefits of needed services closer the local community.

Some examples of benefits to the neighborhood include:

- For students in the neighborhood, being able to walk to an academic tutor.
- Local individuals or families dealing with depression, anxiety or relational issues, access counseling and psychotherapy services in a private setting.
- Local individuals in college, university or post graduate wanting consultation/training.
- Local residents, especially in an aging population, desiring health and wellness coaching.

This request is also to make the permit transferrable, in the event that the residence and business is ever sold. This would benefit the community by incentivizing any effort to continue to make these services available in the future at this location. Any future transfer should be required to be in keeping with the character of the special use permit.

In order to cover any future needs, the proposed hours are Sunday-Saturday 9am to 9pm. These hours were designed to be comprehensive in order to provide maximum access to clients in the community while minimizing any impact on neighbors.

This residence is the last house on the south side of Sheffield Drive near Briarcliff road. This location, accessible from a major thoroughfare, makes the location accessible to neighborhood

and area clients while minimizing any impact on existing traffic patterns. Additionally, the residence's large circular driveway provides enough room for any and all client vehicle(s) to park on the property and off the street.

Expected frequency of requested use is:

1. Up to 45 hours of total client/student/trainee contact per week.
2. 90% of client contact use per week of a family and/or 1 to 3 individual clients/students/trainees in any one hour.
3. 10% of client contact use per week of group contact (up to seven vehicles and 12 individual clients/trainees at one time)

I look forward to working with the Dekalb County Department of Planning & Sustainability during this permit process.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Goldstrom', with a long horizontal flourish extending to the right.

David Goldstrom

Date: 29 August 2019

To: Dekalb County Department of Planning & Sustainability

Subj: Impact Analysis for Special Land Use Permit Application 1346 Sheffield Drive NE

A. The site is adequate for the use contemplated, including adequate land area for the proposed use including provision of all required yards, open space, off-street parking and all other applicable requirements of the zoning district.

B. The proposed use is compatible with adjacent properties and land use and other properties and land uses in the district.

C. Public services, public facilities and utilities are adequate to serve the use contemplated.

D. The public street on which the use is proposed is adequate and there is sufficient traffic carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

E. No adverse effect to existing land uses located along access routes to the site is expected from the character of the vehicles or the volume of traffic generated by the proposed use.

F. There is adequate ingress and egress to the subject property and to all proposed buildings, structures and uses thereon, including pedestrian and automotive safety and convenience, traffic flow and control and access in the event of fire or other emergency.

G. There will be no adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration generated by the proposed use.

H. There will be no adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

I. There will be no adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

J. The proposed plan is consistent with all of the requirements of the zoning district classification in which the use is proposed to be located.

K. The proposed use is consistent with the policies of the comprehensive Plan.

L. The proposed use does provide for all required buffer zones and transitional buffer zones where required by the regulation of the district in which the use is proposed to be

located.

M. There is adequate provision of refuse and service areas.

N. The length of time for which the special land use permit is granted should not be limited in duration.

O. 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 the adjacent and nearby lots and buildings.

P. The proposed use will not adversely affect historic buildings, sites, districts, or archeological resources.

Q. The proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.

R. The proposed use of the existing building, as a result of it's height, will not create a negative shadow impact any adjoining lot or building.

S. The proposed use is consistent with the needs of the neighborhood and the community as a whole, is compatible with the neighborhood and would not be in conflict with the overall objectives of the comprehensive plan.

Sincerely,



David Goldstrom

Furman, Melora L.

From: Dr David Goldstrom, LMFT <david@davidgoldstrom.com>
Sent: Friday, October 11, 2019 4:04 PM
To: Furman, Melora L.
Cc: Info
Subject: Re: Special Land Use Permit for a Home Occupation

1. There will be no exterior evidence of the home occupation.
2. No use will create noise, dust, vibration, odor, smoke, glare or electrical interference that would be detectable beyond the dwelling unit.
3. The use will be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed at the location of the home occupation.
4. No more than twenty-five (25) percent of the dwelling unit and or five hundred (500) square feet, whichever is less, will be used for the operation of the home occupation.
5. There will be no more than one (1) business vehicle per home occupation.
6. The home occupation will not be operated so as to create or cause a nuisance.
7. The home occupation will not include the use of a dwelling unit for the purpose of operating any automobile repair establishment, or car wash.
8. The home Occupation is not mobile or dispatch only.

Sent from my Phone; please excuse the brevity.

On Oct 11, 2019, at 3:11 PM, Furman, Melora L. <mlfurman@dekalbcountyga.gov> wrote:

Mr. Goldstrom:

Good afternoon. I continue to review your application for a home occupation and just now realized that it does not include a response to the "supplemental regulations", listed below. I apologize if you were not informed about these regulations during the pre-application conference and that I didn't notice this earlier. All I need is a brief response to items 1-6. A reply by e-mail will be fine. I know that your business will comply with many of these items, and some of them were discussed during the phone call with Marian Eisenberg, but I do need your response in writing.

"Exterior evidence" (Item 1) includes signs that might be attached to the wall of the home or erected on the property.

Candace Ward
1351 Sheffield Drive
Atlanta, GA 30329

Victoria Daniels
1341 Sheffield Drive
Atlanta, GA 30329

August 31, 2019

Dear Neighbor,

Unfortunately, both of us will be out of town on September 3, 2019. We will be available after September 8, 2019 if you wish to discuss this further.

We are both opposed to the idea of a home occupation with customer contact. We feel this is not a feasible plan and will set the wrong precedent for residential communities. Our end of Sheffield Drive can be quite congested during the day, especially in mornings and early evenings. We are assuming that there will be cars parked on the street that will make it difficult for us to back out of our driveways. Both of us have seen accidents because of cars parked temporarily in front of your house through the years. The parked cars create a narrow passageway for cars coming both ways on Sheffield. This will become a daily event from 9:00 AM to 9:00 PM from Sunday – Saturday, meaning seven (7) days a week and this will create a hazardous situation.

Combined we have lived on Sheffield Drive for 60 plus years so we know what we are talking about.

Regards,

Candace Ward (404) 321-1821

Victoria Daniels (404) 861-7554

Harold Rosenbaum

1416 Sheffield Dr. NE Atlanta, GA 30329-3422 | (770) 409-9060 | harold@sheffieldgroup.com

August 31, 2019

Neighbor

1346 Sheffield Dr NE

Atlanta, GA 30329

Dear Neighbor:

Welcome to Sheffield Drive, formerly Sheffield Forest. Some information: DeKalb County Sanitation. They pick up recycling, yard waste & garbage every Thursday unless it is a holiday. In which case, they pick up Friday.

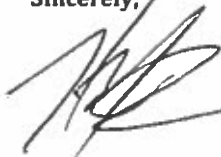
I understand there is discussion about having a home business at the corner of Sheffield & Briarcliff. Ms. Ward asked me to give you her letter of opposition to what will definitely be a traffic hazard.

My family moved here in 1959. This is a cut through street. I have personally witnessed many accidents, cars flying into carports & front yards, smashed telephone poles, dozens of dead pets and two hit children. It took 30 years for the county to install speed bumps. It has slowed the traffic to 35 MPH in the neighborhood. We are in unincorporated DeKalb county and they treat us a red-haired stepchild.

Driving north bound on Briarcliff from La Vista cars pick up speed coming around the curve towards Sheffield. There is little time to make a right turn. Left turns are almost impossible through the day. But if cars are stopped turning right into Sheffield and a car comes careening around the corner; crash. Because of the lack of traffic signals, I use the La Vista Road exit as it has a traffic light.

Personally, I would not put my client's vehicles and person in harm's way. If you can't have them park in your driveway, maybe you need to rent shared office space nearby.

Sincerely,



Harold Rosenbaum

<https://www.dekalbcountyga.gov/sanitation/garbage-roll-cart-application>

Email List: jvbenator@juno.com

<https://nextdoor.com>

David & Hadassah Goldstrom
1346 Sheffield Drive NE
Atlanta, GA 30329

9/3/19

Victoria Daniels
1341 Sheffield Drive NE
Atlanta, GA 30329

Dear Victoria,

Thank you so much for your note welcoming us to the neighborhood. I apologize for not responding to you sooner. The incredible busy-ness of moving is a poor excuse. I think you'll find that we are friendly, neighborly people and look forward to meeting you in person and getting to know you and Candace in the coming months and years.

If you're ever out of town and need someone to pick up a package from your front steps and hold it for you, or take the trash containers back up the driveway, water the plants or any other of the myriad ways good neighbors help each other, please don't hesitate to ask. We'd be glad to help.

We've been living and owning a home in this neighborhood for several years now and am glad to add new people, such as you and Candace, to our circle of friends. I have to admit that I did not realize how difficult it would be to move the 550' from our home on Wildcliff Parkway to Sheffield Drive, while leaving half our furniture across the street to stage the house as we prepare to put it on the market.

I received your and Candace's letter regarding not being available on September 3rd for the permit pre-application meeting. No problem at all, and I want to tell you up front that I share your concerns and am sensitive to the issues you raise. Having lived, driven and walked through our neighborhood over many years (and intentionally not used Sheffield as cut-through because that's unfair to the residents!) I completely agree with your concern and will make sure that my permit request includes absolutely no parking allowed on the street.

I have worked full time for most of my adult life and have no plans to change that any time soon. I spend about 40-50 hours a week at the VA Hospital on Clairmont, and considering the limited hours I actually have to work from home, I don't think my desire to see some clients and students privately will add any congestion to our street. I would estimate the maximum number of additional cars on our street to be, on average, less than 7 per day.

I would love to meet with you when you get back and are available after the 8th, and am giving you my contact information below so you can better reach me, and would appreciate your sharing your contact info with me when you get back.

Email: ~~goldstrome@johnc.com~~

cell: 404-~~425-0625~~ (best time to reach me is evenings and Sundays)

All the best,



David & Hadassah Goldstrom
1346 Sheffield Drive NE
Atlanta, GA 30329

9/3/19

Candace Ward
1351 Sheffield Drive NE
Atlanta, GA 30329

Dear Candace,

I apologize for not reaching out to you sooner. The incredible busy-ness of moving is a poor but honest excuse. I think you'll find that we are friendly, neighborly people and look forward to meeting you in person and getting to know you and Victoria in the coming months and years.

We've been living and owning a home in this neighborhood for several years now and am glad to add new people, such as you and Victoria, to our circle of friends. I have to admit that I did not realize how difficult it would be to move the 550' from our home on Wildcliff Parkway to Sheffield Drive, while leaving half our furniture across the street to stage the house as we prepare to put it on the market.

If you're ever out of town and need someone to pick up a package from your front steps and hold it for you, or take the trash containers back up the driveway, water the plants or any other of the myriad ways good neighbors help each other, please don't hesitate to ask. We'd be glad to help.

I received your and Victoria's letter regarding not being available on September 3rd for the permit pre-application meeting. No problem at all, and I want to tell you up front that I share your concerns and am sensitive to the issues you raise. Having lived, driven and walked through our neighborhood and Sheffield over many years (and intentionally not used it as cut-through because that's unfair to the residents!) I completely agree with your concern and will make sure that my permit request includes absolutely no parking allowed on the street.

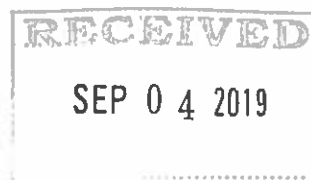
I have worked full time for most of my adult life and have no plans to change that any time soon. I spend about 40-50 hours a week working at the VA Hospital on Clairmont, and considering the limited hours I actually have to work from home, I don't think my desire to see some clients and students privately will add any congestion. I would estimate the maximum number of additional cars on our street to be, on average, less than 7 per day.

I would love to meet with you when you are available after the 8th, and am giving you my contact information below so you can better reach me, and would appreciate your sharing your contact info with me when you get back.

Email: goldstrom@phila.com
cell: ~~404-376-7923~~ (best time to reach me is evenings and Sundays)

All the best,


David Goldstrom



David & Hadassah Goldstrom
1346 Sheffield Drive NE
Atlanta, GA 30329

9/3/19

Harold Rosenbaum
1416 Sheffield Drive NE
Atlanta, GA 30329

Dear Harold,

Thanks for writing on August 31st. I'm sorry that it's taken me a few days to get back to you. The incredible busy-ness of moving is a poor but honest excuse. I think you'll find that we are friendly, neighborly people and look forward to meeting you in person and getting to know you in the coming months and years.

We've been living and owning a home in this neighborhood for several years now and am glad to add new people, such as you all, to our circle of friends. I have to admit that I did not realize how difficult it would be to move the 550' from our home on Wildcliff Parkway to Sheffield Drive, while leaving half our furniture across the street to stage the house as we prepare to put it on the market.

If you're ever out of town and need someone to pick up a package from your front steps and hold it for you, or take the trash containers back up the driveway, water the plants or any other of the myriad ways good neighbors help each other, please don't hesitate to ask. We'd be glad to help.

You mentioned that you're not able to make it on September 3rd for the permit pre-application meeting. No problem at all, and I want to tell you up front that I share your concerns and am sensitive to the issues you raise. Having lived, driven and walked through our neighborhood and Sheffield over many years (and intentionally not used it as cut-through because that's unfair to residents!) I agree with your concern and will make sure that my permit request includes absolutely no parking allowed on the street.

I have worked full time for most of my adult life and have no plans to change that any time soon. I spend about 40-50 hours a week at the VA Hospital on Clairmont, and considering the limited total but varying schedule hours I actually have available to work from home, I don't really think my desire to see some clients and students privately will add any significant traffic. I would gladly and for all our sakes remind them to drive slowly and carefully on our streets. I would estimate the maximum number of additional cars on our street to be, on average, less than 7 per day.

I'd be happy to meet with you when you are available, and am giving you my contact information below so you can better reach me, and would appreciate your sharing any additional contact info with me.

Email: ~~goldstrom@va.gov~~

cell: ~~404-732-7325~~ (best time to reach me is evenings and Sundays)

All the best,



David Goldstrom

STATE OF GEORGIA

Secretary of State
Corporations Division
313 West Tower
2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF ORGANIZATION

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

Brookhaven Consultation & Training LLC
a Domestic Limited Liability Company

has been duly organized under the laws of the State of Georgia on **08/07/2019** by the filing of articles of organization in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on **08/12/2019**.



Brad Raffensperger

Brad Raffensperger
Secretary of State

ARTICLES OF ORGANIZATION

Electronically Filed
Secretary of State
Filing Date: 8/7/2019 11:17:20 AM

BUSINESS INFORMATION

CONTROL NUMBER 19107312
BUSINESS NAME Brookhaven Consultation & Training LLC
BUSINESS TYPE Domestic Limited Liability Company
EFFECTIVE DATE 08/07/2019

PRINCIPAL OFFICE ADDRESS

ADDRESS 1346 Sheffield Drive NE, Atlanta, GA, 30329, USA

REGISTERED AGENT

NAME	ADDRESS	COUNTY
David Goldstrom	1346 Sheffield Drive NE, Atlanta, GA, 30329, USA	Dekalb

ORGANIZER(S)

NAME	TITLE	ADDRESS
David Goldstrom	ORGANIZER	1346 Sheffield Drive NE, Atlanta, GA, 30329, USA

OPTIONAL PROVISIONS

N/A

AUTHORIZER INFORMATION

AUTHORIZER SIGNATURE David Goldstrom
AUTHORIZER TITLE Member

7 October 2019

1361 Sheffield Drive
Atlanta, GA 30329

Dr. David Goldstrom
1346 Sheffield Drive
Atlanta, GA 30329

David,

As I am unable to attend in person the upcoming meeting regarding your petition to allow a home-based business, I wanted to provide a few notes of support.

My understanding is that you desire to be able to provide on-site counseling to patients in your home. While some of the concerns I have heard include traffic and parking, I can say as I live almost directly across the street from your residence, that I do not share these concerns.

Your home is at the end of the street, close to Briarcliff Road, mitigating any traffic concerns. We actually had a traffic study done years ago for the speed bumps and there are something like 1000 trips on our street daily - you will not be adding any significant traffic to that in a normal day!

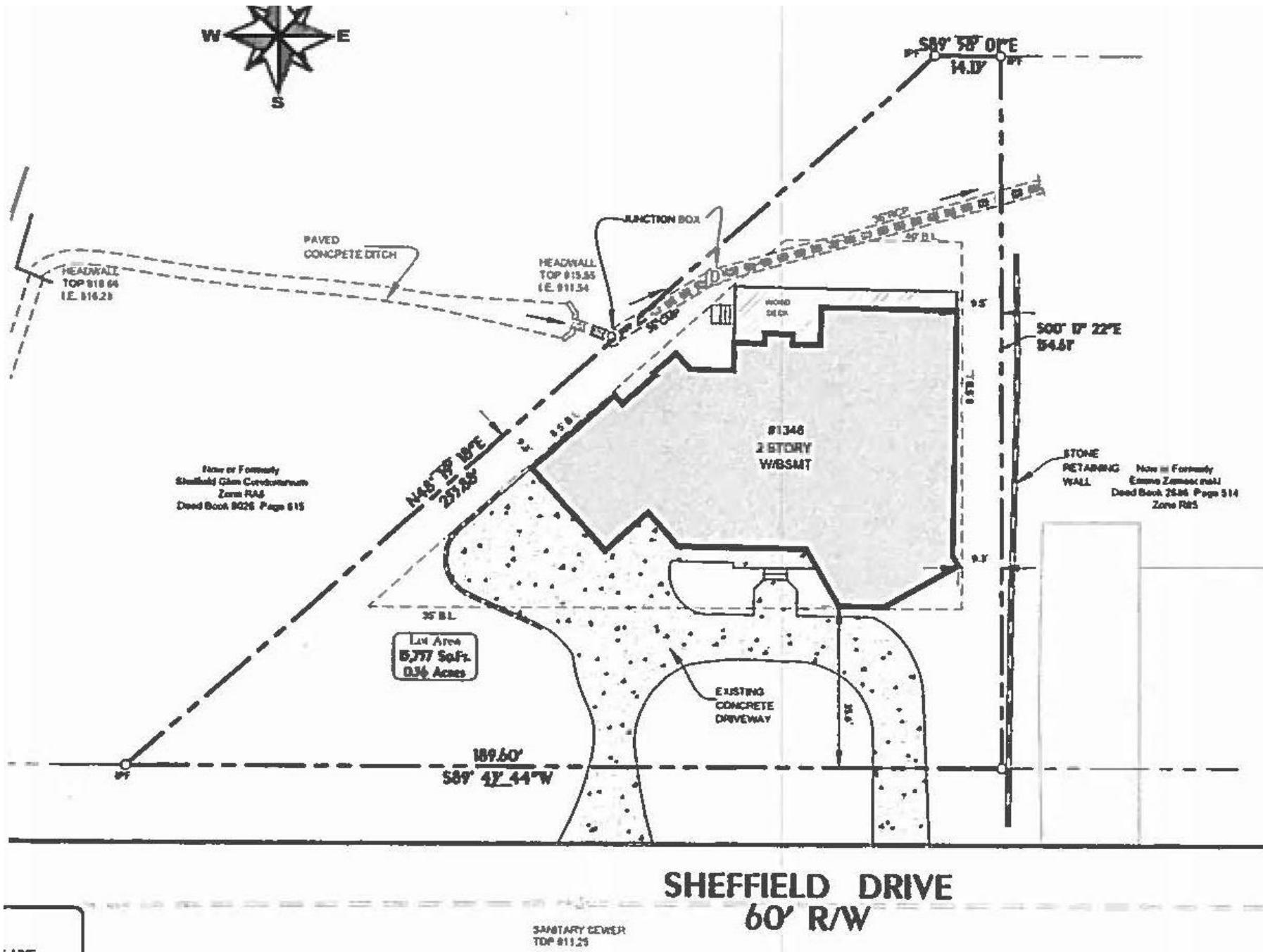
Additionally, your ample, curved driveway affords easy off street parking and easy ingress and egress from your residence with little impact on the street.

By definition, a counseling based business is quiet and I don't anticipate any noise disturbance as a result of your new activities in your home. Thank you for going about this in the proper way and seeking appropriate approvals.

In short, I have no objections to your receiving this permit and cannot imagine why anyone would object to this quiet home-based business. I wish you much success with it!

Sincerely,


Stephen Farris







(left) Subject Property

(right) Homes on opposite side of Sheffield Drive from subject property.

