



DeKalb County Department of Planning & Sustainability

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Decatur, GA 30030

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Planning Commission Hearing Date: May 07, 2019, 6:30 P.M.

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

STAFF ANALYSIS

Case No.: SLUP-19-1242997 **Agenda #:** N.2

Location/Address: The southwest corner of Citadel Drive and Brook Forest Drive at 1384 Brook Forest Drive, Atlanta, Georgia. **Commission District:** 2 **Super District:** 6

Parcel ID: 18-108-13-011

Request: To request a Special Land Use Permit (SLUP) to allow a home occupation with customer contact (Personal Training) in an R-85 (Residential Medium Lot) District.

Property Owners: Dellanney M. Snyder

Applicant/Agent: Dellanney M. Snyder

Acreage: .41 Acres

Existing Land Use: One (1) Single-Family Detached Residence

Surrounding Properties: Single-Family Detaches Residences

Adjacent & Surrounding Zoning: North, West, South & East: R-85 (Residential Medium Lot) District

Comprehensive Plan: Suburban (SUB) Consistent X

Proposed Building Square Feet: N/A	Existing Units: one (1) Single-Family Detached Residence
Proposed Lot Coverage: N/A	Existing Lot Coverage: 43.1%

ZONING HISTORY & SITE CHARACTERISTICS:

The subject site is an existing single-family residence located at the southwest intersection of Citadel Drive and Brook Forrest Drive (local streets) in unincorporated DeKalb County. The site has been zoned R-85 (Residential Medium Lot) District since the adoption the DeKalb County code in 1956.

Located at 1384 Brook Forest Drive, the approximate 3,000 plus square foot residence is a 2-story brick structure with a basement. Vehicle access is via an existing concrete driveway from Citadel Drive that can accommodate up to six (6) vehicles. There is a walkway to the front door from Brook Forest Drive. The front lawn appears flat and well-manicured with a large tree and shrubbery.

PROJECT ANALYSIS:

The applicant is requesting a Special Land Use Permit (SLUP) for an in-home occupation with customer contact to operate a personal training service within dedicated gym space (290 square feet) of the single-family residence. Customers would be able to access the site from the front door on Brook Forest Drive or the driveway along Citadel Drive. The home occupation will serve approximately 1-3 clients per day. The proposed hours of operation are 5:00am to 7:30p.m. Monday through Friday and Saturday from 9:00am to noon.

IMPACT ANALYSIS:

Section 27-7.4.6 of the DeKalb County Code states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit.

- 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 applicant is proposing an in-home occupation with limited customer contact within the R-85 (Residential Medium Lot) District. The residence on .41 acres is adequate for the proposed use and complies with required yards, parking and other standards of the zoning district.

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

The exterior of the existing single-family residence is not proposed for alterations, therefore remaining compatible with surrounding dwellings in the area.

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

Based on the location of the site within an established residential subdivision on two (2) local streets, adequate public facilities and services are available for the proposed use.

- D. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic carrying capacity for the proposed use, so as not to unduly increase traffic or create congestion in the area:**

Brook Forest Drive and Citadel Drive are both local streets. The existing driveway on Citadel Drive can accommodate customer parking. Planning Staff anticipates little or no impact on traffic in the area caused by the proposed use.

- E. Whether or not 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.**

The low volume of traffic from individual clients or character of the vehicles generated by the proposed use should not adversely affect existing residential land uses along access routes to the 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 fire or other emergency:

Ingress and egress are adequate for the requested home occupation. Clients for the personal training can access the home via the walkway to the front door from Brook Forest Drive or from the side garage entrance on Citadel Drive. Emergency vehicles can access the site from either access point.

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:

The proposed use should not create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust or vibration.

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 applicant proposes to operate 6 days a week (Monday-Friday) during the hours of 5:00 am to 7:30p.m. The applicant estimates 1-3 clients per day. The proposed hours of operation should not create adverse impacts upon any adjoining residential land uses.

I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The manner of operation should not create adverse impacts upon adjoining land uses.

J. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The single-family residence meets all required building setbacks for the R-85 (Residential Medium Lot) District and the proposed use is consistent with an approved Special Land Use Permit by the Board of Commissioners. However, the site exceeds the 35% maximum building coverage allowed for the district. The submitted site survey depicts 43% lot coverage. The applicant needs to apply for a variance with the Zoning Board of Appeals (ZBOA).

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

Located within a Suburban Character area designated by the DeKalb County 2035 Comprehensive Plan, the proposed home occupation with customer contact is consistent with the following area policy: Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density.

L. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.

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

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

Adequate refuse areas will be provided.

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

The proposed use is a permanent use and should not be limited to any length of time on the subject site.

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.

The requested SLUP for a home occupation with customer contact is in the existing single-family residence on the site. There will be no building additions to the single-family residence.

P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.

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

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

The proposed home occupation complies with the following supplemental regulations per Sec.27-4.2.31.C of the DeKalb County Zoning Code:

1. There shall 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.
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.
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.
5. No more than one (1) business vehicle per home occupation is allowed.
6. No home occupation shall be operated so as to create or cause a nuisance.

R. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The existing single-family residence does not create a negative shadow impact on any adjoining lot or building.

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

The proposed use would provide a needed service for patrons that exercise regularly for health and fitness. The proposed use does not conflict with overall objectives of the comprehensive plan which is to offer a variety of retail and commercial services for residents in unincorporated DeKalb County.

COMPLIANCE WITH DISTRICT STANDARDS

Per the chart below, the single-family residence adheres to R-85 development standards.

STANDARD		REQUIREMENT	EXISTING	COMPLIANCE
LOT WIDTH		85 Feet	100 feet along Brook Forest Drive and 180 feet along Citadel Drive	Yes
LOT AREA		12,000 Square Feet	18,000 Square Feet	Yes
YARD SETBACKS	FRONT (Brook Forest Drive)	35 Feet	50 Feet	Yes
	Side Corner Citadel Drive	35 Feet	28.5 Feet	No. Existing non-conforming residential structure
	INTERIOR LOT - SIDE	8.5 Feet	8.5 Feet	Yes
	REAR	40 Feet	40 Feet	Yes
HEIGHT		Max. 35 Feet	<35 Feet	Yes
LOT COVERAGE		Max. 35%	43.1%	No. May need variance from Zoning Board of Appeals if not found to be legally non-conforming
PARKING		Min. 4 parking spaces for a single-family residence	Can accommodate at least 4 parked cars	Yes
OPEN SPACE		N/A	N/A	N/A
LINEAR FEET OF NEW SIDEWALK		N/A	No sidewalks along Brook Forest Drive or Citadel Drive	N/A

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

The proposed in- home occupation with customer contact should not have any adverse impact on adjacent and surrounding properties. The exterior of the existing single-family residence is not proposed for alterations, therefore remaining compatible with surrounding dwellings in the area. Given that the existing driveway can accommodate off-street parking for clients, there should be no impact on adjacent properties. The proposed use would not create adverse impacts on adjoining properties by way of noise, smoke, odor, dust or vibration. Therefore, it is the recommendation of the Planning and Sustainability Department that the application be **APPROVED**, subject to Staff's Recommended Conditions:

1. A home occupation (Personal Trainer) with customer contact, within the existing single-family residence.
2. The hours of operation shall be Mondays through Fridays (5:00am-7:30pm) and Saturdays (9:00am-12 noon). The business will be closed on Sundays.
3. No more than two (2) customers and/or cars at any given time.
4. Comply with the DeKalb County Noise Ordinance.
5. Parking shall be limited to the existing driveway.

6. The owner/operator shall not lease the business space for use by another person and the SLUP is not transferable to any future owners of the subject property.
7. No identification sign for the business shall be posted on the property.
8. The approval of this SLUP application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the Zoning Board of Appeals, or other entity.

Attachments:

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

NEXT STEPS

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

- Land Disturbance Permit** (Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)
- Building Permit** (New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. zoning, site development, watershed and health department standards will be checked for compliance.)
- ✓ **Certificate of Occupancy** (Required prior to occupation of a commercial space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)
- 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** (Certificate of Appropriateness 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 or Special Exception** (Required seeking 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 changes to zoning conditions approved by the Board of Commissioner on 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 require submittal of application, fees and supporting documents. Please consult with the appropriate department/division.



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 OR JOHN REID
JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-19-1242997 Parcel I.D. #: 18-108-19-011

Address: 1384
Brook Forest Drive
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 nothing/problem
they would generate traffic

Signature: [Handwritten 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: 11/28/18

Application No: SLUP-19-1242997

APPLICANT NAME: Dellanney Maxwell Snyder

Daytime Phone: 678-429-1986

E-Mail: dellanneyjm@yahoo.com

Mailing Address: 1384 Brook Forest Dr. Atlanta, Ga 30324

Owner Name: Dellanney M. Snyder ; Eric Alan Snyder
(If more than one owner, attach contact information for each owner)

Daytime Phone: Dellanney - 678-429-1986
Eric - 404-663-4453

E-Mail: dellanneym@yahoo.com

Mailing Address: 1384 Brook Forest Dr Atlanta 30324

SUBJECT PROPERTY ADDRESS OR LOCATION: 1384 Brook Forest Dr.

Atlanta DeKalb County, GA, 30324

Parcel ID: 18-108-13-011 Acreage or Square Feet: _____ Commission District 2

Existing Zoning: R85 Proposed Special Land Use (SLUP) _____

Personal training in Residence

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 Dellanney M. Snyder

Printed Name of Applicant: Dellanney M. Snyder

Notary Signature and Seal:

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
(Pre-application conference is required prior to filing application: copy must be submitted at filing)

Applicant Name: Delaney Snyder Phone: 678-29-1986 Email: dellannecym@yahoo

Property Address: 1384 Brookforest Dr.

Tax Parcel ID: 18-108-13-011 Comm. District: 2 Acreage: _____

Existing Use: SF house Proposed Use: home occupation w/ customer contact

Rezoning: Yes _____ No _____

Existing Zoning: R85 Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes _____ No _____

Existing Land Use: _____ Proposed Land Use: _____ Consistent _____ Inconsistent _____

Special Land Use Permit: Yes No _____ Article Number(s) 27 4.2.31

Special Land Use Request(s) Personal Training in Residence

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified and request:

Impact Analysis
1384 Brook Forest Dr.
Atlanta, GA 30324
One-on-one personal training

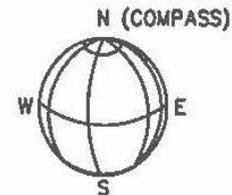
- A. The size of the site is adequate for the use contemplated. There is adequate space for off-street parking without any change to current location.
- B. The proposed use of current site is compatible with adjacent properties and land use and other properties and land uses in the district.
- C. There is already adequacy of public services, public facilities and utilities to serve the use contemplated.
- D. There is adequacy of use of public street in which the proposed use will be located. The proposed use of this site will not unduly increase traffic or congestion in this area.
- E. Existing land uses located along access routes to the site will not be adversely affected by the character of vehicle or the volume of traffic generated.
- F. There is proper ingress and egress to the subject property and to all proposed buildings, structures and uses thereon with particular references to pedestrian and automotive safety and convenience, traffic flow and control and access in the event of fire or other emergency.
- G. The proposed use will not create adverse impacts upon any adjoining land by reason of noise, smoke, odor, dust or vibration.
- H. The proposed use will not create adverse impacts upon any adjoin land use by reason of the manner of hours of operation.
- I. The proposed use will not create adverse impacts upon any adjoin land use by reason of the manner of manner of operation.
- J. The proposed plan is consistent with all of the requirements of the zoning district classification in which the use of proposed to be located.
- K. The proposed use is consistent with the policies of the comprehensive plan.
- L. Proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulation of the district in which the use us 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 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 size, scale and mass of the adjacent and nearby lots and buildings. There will be no necessary changes made to current proposed building.
- P. The proposed plan will not adversely affect historic buildings sites districts or archaeological resources.
- Q. The proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.
- R. The proposed building as a result of its proposed hight will not create a negative shadow impact on any adding lot or building. There will be no changes to current structure.
- S. The proposed use is constant with the needs of the neighborhood and the community as a while and is comparable with the neighborhood, it will not be in conflict with the overall objectives of the comprehensive plan.

GENERAL NOTES:

- 1: This Plot has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plot.
- 2: This plot is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.
- 3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.
- 4: No Geodetic monuments were found within 500 feet of this site
- 5: This Plot has been prepared for the exclusive use of the person(s) or entities named hereon.

This plot is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon.
 RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.



LEGEND

- EOP EDGE OF PAVEMENT (CURB)
- PP POWER POLE
- R/W RIGHT OF WAY
- IPF IRON PIN FOUND
- IPS 1/2" REBAR SET
- SW SIDE WALK
- BOLLARD
- OHP OVERHEAD POWER
- FH FIRE HYDRANT
- CB CATCH BASIN
- MH MANHOLE
- WM WATER METER
- WV WATER VALVE
- GV GAS VALVE
- GM GAS METER
- LP LIGHT POLE
- CONCRETE PAD



FOR
 DEKALB SURVEYS, INC.
 407 WEST PONCE DE LEON AVENUE
 SUITE B
 DECATUR, GEORGIA 30030
 404.373.9003

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REFERENCE: PB 19 PG 38
 DB 26763 PG 334

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY FIRM MAP OF DEKALB COUNTY, GEORGIA 13089C0054J EFFECTIVE DATE MAY 16, 2013

SURVEY DATA:

TYPE OF SURVEY: RETRACEMENT
 SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY: DB 26763 PG 334
 PROPERTY OWNER AT TIME OF SURVEY: QUINN FAMILY LIVING TRUST & PAMELA A. SCHARBAUM
 PARCEL NUMBER: 16-108-13-011

TOTAL AREA: 18,015 SQ FT, 0.414 AC

CALCULATED PLAT CLOSURE: 1:1,365,526

FIELD DATA:

DATE OF FIELD SURVEY 8-28-2018

THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.015 FEET.

EQUIPMENT:

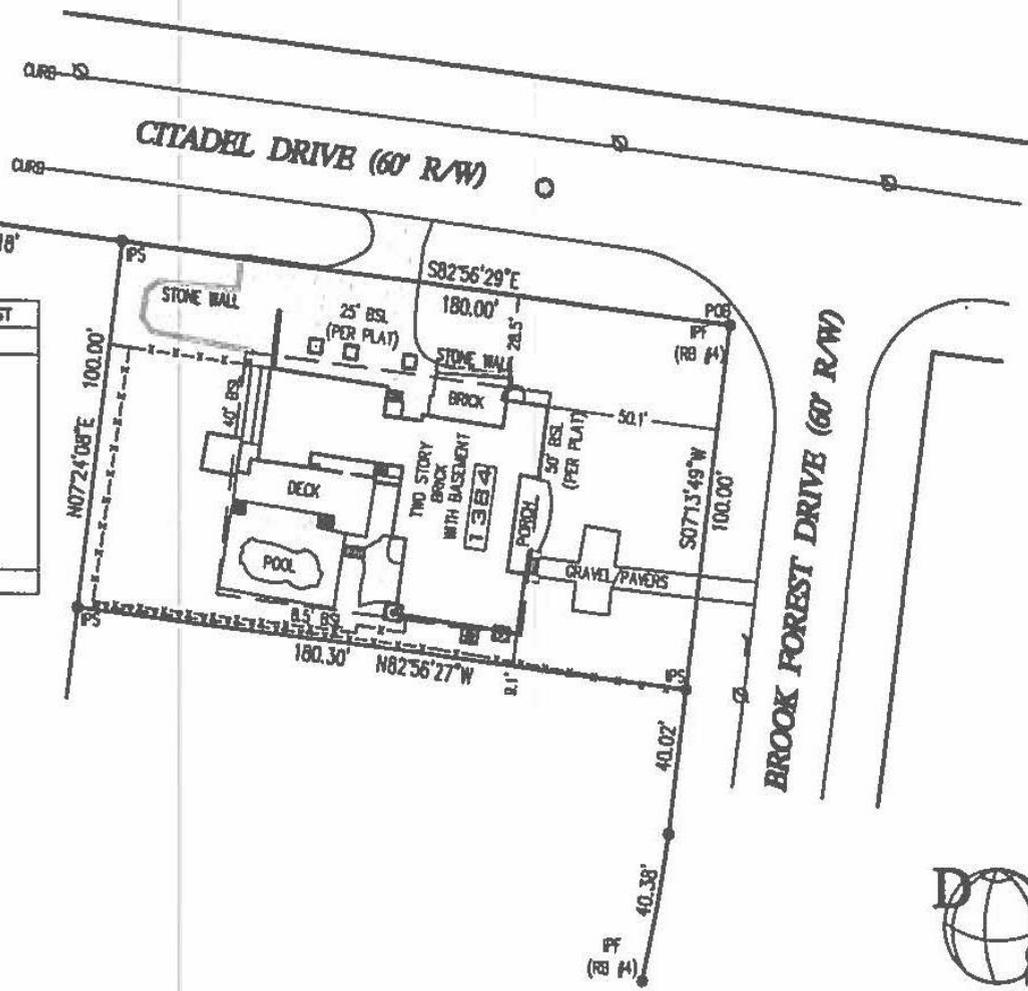
ELECTRONIC TOTAL STATION

SURVEY FOR
 ERIC SNYDER
 LOT 11, BLOCK D, UNIT 2, LA VISTA SUBDIVISION

1384 BROOK FOREST

DEKALB COUNTY, GEORGIA
 LAND LOT 108, DIST 18
 DATE: AUGUST 30, 2018

IMPERVIOUS CALCULATIONS 1384 BROOK FOREST	
ZONING: R-85	
HOUSE = 3,073 S.F.	
FRONT WALK = 455 S.F.	
POURCH = 251 S.F.	
BRICK = 304 S.F.	
WALLS = 99 S.F.	
DRIVE = 2,075 S.F.	
DECK = 536 S.F.	
CONC. PAD = 753 S.F.	
POOL = 219 S.F.	
IMPERVIOUS TOTAL = 7,765 S.F.	
LOT COVERAGE	
7,765 S.F. / 18,015 S.F. = 43.1%	











SITE

Citadel Drive

Brook Forest Drive



View from Brook Forest Drive Street Frontage



View from Citadel Drive Street Frontage