



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

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

Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: Tuesday, January 9, 2018, 6:30 P.M.
Board of Commissioners Hearing Date: Tuesday, January 23, 2018, 6:30 P.M.

STAFF ANALYSIS

Case No.: SLUP-18-21901 **Agenda #:** N.8

Location/Address: 685 Rowland Road, Stone Mountain, Georgia **Commission District:** 4 **Super District:** 7

Parcel ID: 15-255-08-004

Request: For a Special Land Use Permit for an-in home child day care facility for up to six (6) children in an R-100 (Residential Medium Lot) District, in accordance with Section 27-4.1 (4.2.19) of the DeKalb County Code.

Property Owner: Seynab Afrax

Applicant/Agent: Seynab Afrax

Acreage: .4 Acres

Existing Land Use: Single-Family Residence

Surrounding Properties: Single-family detached residences

Adjacent & Surrounding Zoning: North, West, South and East: R-100 (Residential Medium Lot)

Comprehensive Plan: Suburban (SUB) **Consistent X:**

Proposed Building Square Feet: None	Existing Building Square Feet: 2,172 Square Feet
Proposed Lot Coverage: N/A	Existing Lot Coverage: NA

SUBJECT SITE & SURROUNDING LAND USES:

The subject site, zoned R-100 (Residential Medium Lot) District, is located on the west side of Rowland Road (a collector road), approximately 331 feet south of Delanie Court at 685 Rowland Road in Stone Mountain, Georgia in unincorporated DeKalb County. Located at 685 Rowland Road on .4 acres, the property is developed with a two-story single-family brick and frame detached residence consisting of approximately 2,172 square feet. Access to the site is via a single curb cut from Rowland Road. While not shown on the submitted site plan, field investigation of the subject site indicated that a second driveway access to Rowland Road had been provided to enhance vehicular circulation to the site. The applicant must obtain a Land Disturbance Permit to allow the second driveway access. The topography of the property is relatively flat with a well-manicured lawn. Based on submitted site plan a six (6) foot high wood fence is located in the rear of the house along the property lines. The property frontage is improved with curb and gutter. Surrounding and adjacent properties include detached single-family residences in the R-100 zoning district.

PROJECT ANALYSIS:

The applicant is requesting a Special Land Use Permit to operate a child day care facility in the existing single family residence within an R-100 (Residential Medium Lot) zoning district. The in-home child day care facility would have a total of six (6) children. The proposed hours of operation are 6:00 a.m. – 6:00p.m., Monday through Friday. The applicant does not intend to make any changes to the exterior of the house nor install any signs on the property. If this petition is approved, the applicant must complete all required steps for obtaining a certificate of occupancy and business license from DeKalb County.

SUPPLEMENTAL REGULATIONS:

Pursuant to Chapter 27-Article 4.2.19 of the DeKalb County Code, each child day care facility up to 6 six children shall be subject to the following requirements.

- A. Each child day care facility shall comply with all applicable state day care requirements for standards, licensing and inspection. A DeKalb County business license is required.**

The applicant must submit a building permit application to DeKalb County for review and inspection in order to obtain a Certificate of Occupancy (CO) to use the residence as a child day care facility. An approved CO and documentation from the state is required when requesting a business license from DeKalb County.

- B. Prior to the issuance of a business license for a child day care facility the necessary licensing from the State of Georgia shall be obtained, including compliance with all requirements related to minimum area for classrooms, play areas, and fencing. Each child day care facility shall provide off-street parking spaces as required by the applicable zoning district.**

The submitted site-survey depicts off-street parking availability via the applicant’s driveway for the existing single-family residence.

- C. The exterior appearance of any child day care facility located in a residential district shall be maintained as a residential structure, and no signs other than those otherwise authorized within the applicable zoning district shall be erected (no cut-outs, animal characters, or other graphics shall be affixed to the exterior of the structure or displayed upon the premises).**

There will be no changes in the exterior appearance of the single-family residence for the child day care facility.

- D. No child day care facility shall be located within one thousand (1,000) feet of another child day care facility.**

There are no known licensed child day care facilities within 1,000 feet of the single-family residence based on the Georgia Department of Early Care and Learning website.

SPECIAL LAND USE CRITERIA

Pursuant to Chapter 27-Article 7.4.6 of the DeKalb County Code, 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 2,172 square foot residence on .4 acres is adequate for operation of a child care facility for up to six children. Off-street parking can be accommodated within the existing driveway.

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

The proposed child care facility for not more than six children in the existing single family residence is compatible with the surrounding neighborhood. The exterior of the existing single-family residence is not proposed for alterations, therefore remaining compatible with surrounding single-family residences.

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

Given that the site is within an established residential neighborhood, it appears that there are adequate public services, public facilities and utilities to serve the proposed child care facility in the existing residential structure.

- 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:**

Rowland Road is an existing collector street. Planning Staff anticipates little or no impact on public streets or traffic in the area for the limited enrollment of six children.

- 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 character of vehicles accessing the site may be the same vehicles accessing adjacent and surrounding residences in the area. There should be no significant increase in the daily volume of traffic given that the proposed child care will be limited to six (6) children.

- 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 to the subject property via the existing driveway appears to be adequate. Pedestrian access to the home can be safely provided by the walkway that leads from the driveway to the front door. Emergency vehicles can access the site from the existing driveway.

- 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:**

It appears that the proposed use should not create adverse impacts upon adjoining land uses due to smoke, odor, dust or vibration. The site must comply with the DeKalb County Noise Ordinance.

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:

Per the information submitted with the application, the hours of operation are Monday - Friday (6:00a.m.- 6:00p.m). The operating hours should not create adverse impacts upon any 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:

The manner of operation should not impact adjoining single-family land uses. Except for periods of outdoor play, all activities will occur within the structure on the property.

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 child care facility within the existing residential structure is consistent with the requirements of the R-100 (Residential Medium Lot) District. In-home child care facilities are allowed in the R-100 District with an approved Special Land Use Permit.

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

Located within a Suburban Character Area land use designation, the proposed child day care facility is consistent with the following 2005-2025 Comprehensive Plan Strategy: Create neighborhood focal points by locating schools, community centers, or well-designed small commercial centers at suitable locations within walking distance of residences (SCAS18); and Focus educational programs to meet the needs of all students (PS8); Encourage the development of social programs that will serve all ages (PS11).

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:

No transitional buffers are required.

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

Adequate refuse and service areas will be provided.

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

There does not appear to be any compelling reasons for limiting the duration of the requested Special Land Use Permit. The proposed in-home child day care facility is an on-going business and should not be limited in 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:

The existing single-family residence on the subject site is appropriate in relation to size and scale of adjacent and nearby residences in the area. The applicant has no plans for building expansion.

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

Based on the submitted site plan and information, it does not appear that the proposed plan would 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:

Supplemental regulations require State approval documentation, compliance to zoning district regulations, distance requirements from other child care facilities and no changes in exterior appearance of residence. Based

on information from the submitted application (site survey & impact analysis), the proposed use should satisfy supplemental 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:

The existing two-story residence is compatible with other residences in the area. It does not appear that the proposed child care facility would create a negative shadow impact on any adjoining lot or building.

S. Whether the proposed use would result in a disproportional proliferation of that or similar uses in the subject character area:

There are no known similar uses or services in the subject character area.

T. 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 use does not conflict with overall objectives of the comprehensive plan which is to offer a variety of services for residents in unincorporated DeKalb County.

COMPLIANCE WITH R-100 (RESIDENTIAL MEDIUM LOT) DISTRICT STANDARDS PER ARTICLE 27-TABLE 2.2

STANDARD		REQUIREMENT	EXISTING	COMPLIANCE
LOT WIDTH		100 Feet	100 Feet	Yes
LOT AREA		Min. 15,000 Square Feet	18,257 Square Feet	Yes.
YARD SETBACKS	FRONT	35 Feet	69 Feet	Yes
	INTERIOR SIDE YARD	10 Feet	10 Feet	Yes
	REAR	40 Feet	76 Feet	Yes
HEIGHT		35 Feet	Not Available	Unknown
PARKING Article 6 (Detached Single-Family)		Min. 2 spaces Max. 4 spaces activity	Existing driveway can accommodate 4 parking spaces	Yes

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

Based on the submitted information, it appears that the application meets the criteria of the zoning ordinance for a Special Land Use Permit for a child day care facility for up to six children in an existing single family residential structure. The proposed child day care facility is not expected to have a negative impact on the surrounding neighborhood, due to the proposed hours of operation (6:00 AM to 6:00 PM, Monday through Friday), and the relatively small number of children. There would be no changes to the exterior of the house in which the day care facility would be operating, so that the existing residential character of the property would remain unchanged. The existing drive can accommodate parking for four (4) vehicles. Adequate indoor and outdoor play areas with fencing will be provided in accordance with County and State Codes. Located within a Suburban Character area designated by the 2005-2025 Comprehensive Land Use Plan Map, the proposed use is consistent with the following plan strategies: Create neighborhood focal points by locating schools, community centers, or well-designed small commercial centers at suitable locations within walking distance of residences (SCAS18); and Focus educational programs to meet the needs of all students (PS8); Encourage the development of social programs that will serve all ages (PS11). The applicable requirements of the R-100 (Residential Medium Lot) District have been met. To promote the successful operation of the facility, the Department of Planning and Sustainability recommends that the facility be operated in a manner that would minimize off-site impacts. The Department of Planning and Sustainability recommends **“APPROVAL CONDITIONAL”** with the following recommended conditions.

1. The child care facility shall be limited to a maximum number of six children between the hours of 6:00 A.M. to 6:00 P.M., Monday through Friday, in the existing single-family residence.
2. Refuse containers shall not be visible from the street except during pick-up.
3. No evidence of a child day care facility shall be located in the front of the property. No identification sign for the child day care facility shall be posted on the property.
4. Provide and maintain a minimum 6-foot high fenced designated back yard play area for as long as the child day care facility is operated on the subject property.
5. The applicant shall secure the necessary certification by the State of Georgia Bright From The Start program and the necessary building permit and certificate of occupancy from DeKalb County before obtaining a business license.
6. The Special Land Use Permit shall be issued to Seynab Afrax for operation of a child day care facility and shall not be transferrable.

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 application, one or several of the following may be required:

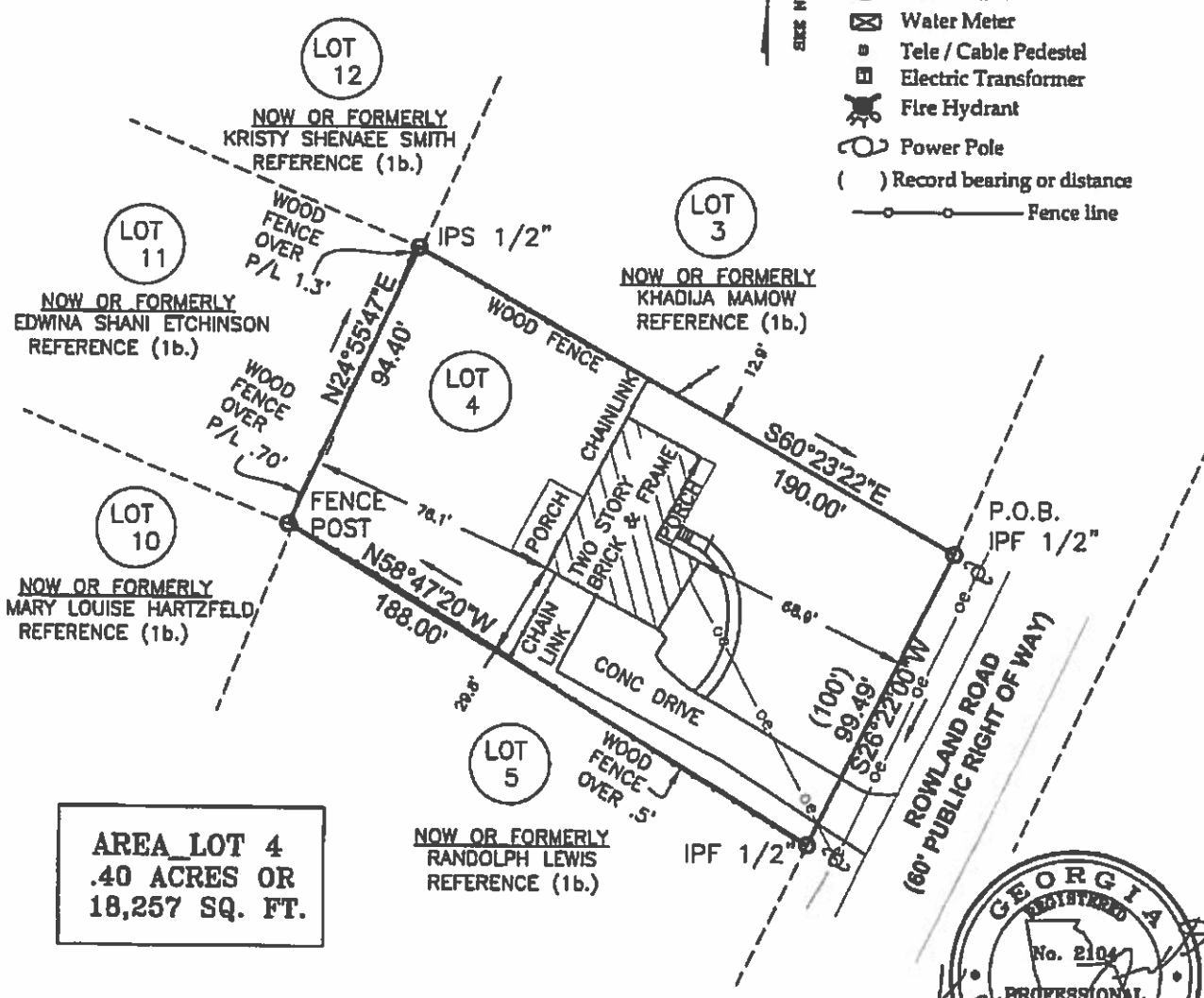
- **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- **Building Permit** *(New construction or renovation of a building (interior or exterior) may require 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** *(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 or Special Exception** *(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.

OCT 24 2017

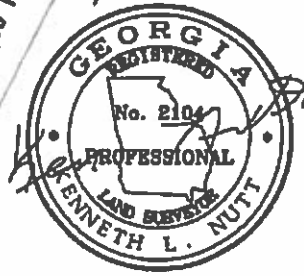
LEGEND:

- Property Corner
- IPF = Iron Pin Found
- IPS = Iron Pin Set 1/2" RB
- CMF Conc. Mon. Found
- ☆ Light Pole
- Water Valve
- ⊠ Water Meter
- Tele / Cable Pedestal
- ⊠ Electric Transformer
- ⊠ Fire Hydrant
- Power Pole
- () Record bearing or distance
- Fence line



AREA LOT 4
.40 ACRES OR
18,257 SQ. FT.

NOTE: PROPOSED USE IS A DAYCARE



DATE OF PLAT 7/26/17



Scale: 1" = 50'

Job #: 07117 685 ROWLAND ROAD

Retracement Survey for:
Nuh Iman & Seynab Afrax

685 Rowland Rd
 Land Lot 255 15th District
ROWLAND ESTATES
 Unit 2, Block A, Lot 4
 Stone Mountain, Dekalb County, Georgia 30083



Perimeter Surveying Co., Inc.
 All Your Surveying Needs!
 1065 Sandtown Road, SW Marietta, GA 30008
 Phone: (770) 425-6824 | Fax: (770) 425-6788 | kencoper@aol.com
 Kenneth L. Nutt, G.S., R.L.S. #2104, COM# LSF001223

Party Chief: RN
 Date Surveyed: 7/24/17
 Date Drawn: 7/26/17

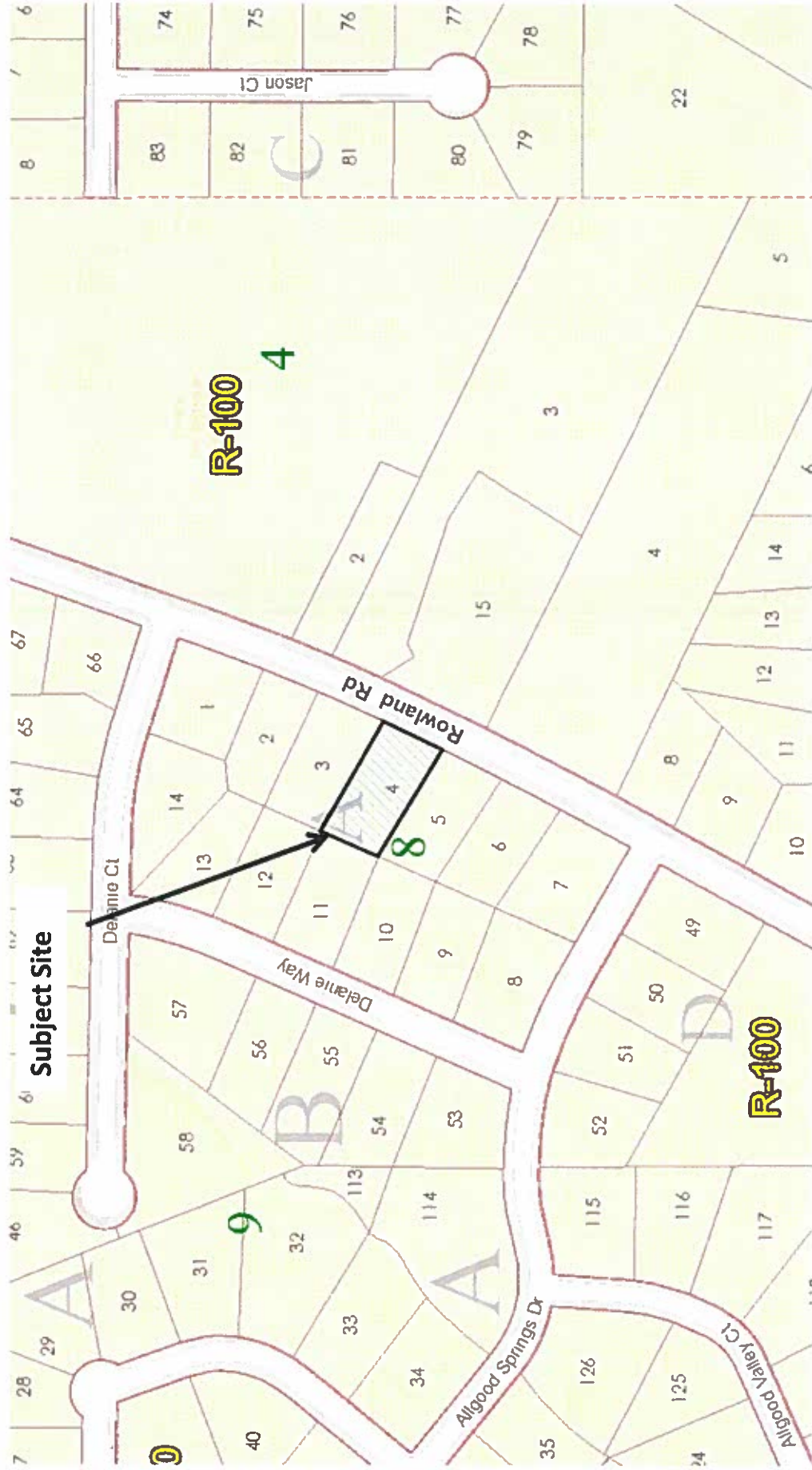
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 Checked by: KN

SHEET 2 OF 2

N8

SLUP 18 21901

ZONING MAP



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SLUP 18 21901

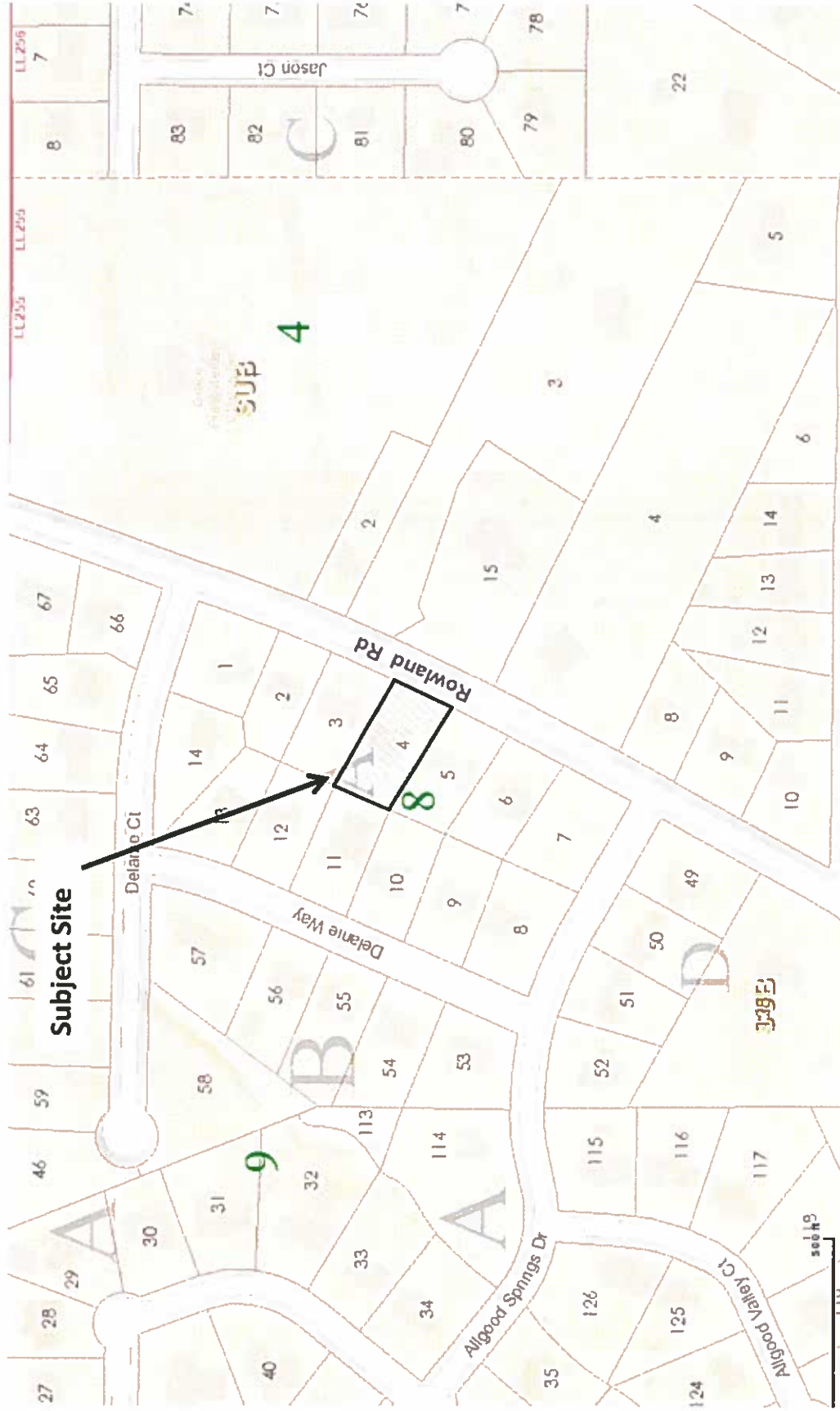
AERIAL



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SLUP 18 21901

LAND USE MAP



Site Photo

SLUP 18 21901



OCT 24 2017

Seynab Afrax
685 Rowland Road
Stone Mountain
Ga 30083

TO WHOM IT MAY CONCERN

I am applying for a special land use permit with Dekalb County in the state of Georgia so that I will be allowed to operate a family day care in my home locate at 685 Rowland Road, stone mountain, Ga 30083. I own this home out right since May 2016 and I have no current mortgage on the house. This is a single family home no changes are planned to the structure of the home.

The family day care would allow me to offer reliable and secure child care services to the community which in return will enhance the sense of community in the area. Day care hours will be from 6:00 a.m to 6:00 p.m Monday to Friday. I have a home day care license since 2008 and I have always followed the guidelines set forth by the State of Georgia.

I would like to thank you in advance for giving me this opportunity to service the community, a community which I am planning to stay in for a long time. Attached please view my application.

Please feel free to contact me with any comments, questions or suggestions.

Regards,

Seynab Afrax
404 492 3312
Safrah2010@hotmail.com

Analysis of the Impact

- A. The property is an adequate size for a family day care (which has a maximum of six children).
The property meets Bright from the Start outdoor and indoor space per child (100 sq. ft. of outdoor play space and 35 sq. ft. of indoor floor space per child). Ample parking is available in our driveway.
- B. The proposed plan use will be compatible with the adjacent properties and other properties land use.
- C. The facilities, utilities, and other public services are sufficient for a maximum of six children.
- D. The family day care will not cause a noticeable increase in traffic nor will it create congestion in our neighborhood.
- E. The family day care will not impact existing access routes and existing land uses.
- F. Vehicles will be able to park in our driveway which can accommodate eight cars.
- G. The family day care will not create any adverse impact on any adjoining land use due to smoke, odor, noise, or vibration. Noise during outdoor play will be minimal and no louder than the noise generated by other surrounding households with children who play outside.
- H. The family day care's hours of operation will fall within daylight and any evening/overnight care, will be on a case by case basis, therefore not impacting the neighbors.
- I. The family day care's proposed use will not adversely impact any adjoining land use due to hours of operation.
- J. The proposed plan follows all of the zoning district requirement in the area in which the day care will be located.
- K. By providing a nurturing environment for the children in the area, it will allow our day care to support families and the community while being consistent with the policies of the comprehensive plan.
- L. The proposed plan provides for all the required buffer zones and traditional buffer zones.
- M. There is adequate provision to refuse service area. Refuse will be disposed of in a plastic trash can and a recycling can.
- N. The length of time for the special land use permit does not need to be limited.
- P. There are no historical sites, archaeological resources, or districts on the property.
- Q. The proposed plan use satisfies the requirements contained within the Supplemental Regulations for such special land use permit.
- R. The height of the current house will not be altered.

OCT 24 2017



DeKalb County Department of Planning & Sustainability

Lee May
Interim Chief Executive Officer

Andrew A. Baker, AICP
Director



SPECIAL LAND USE PERMIT APPLICATION

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

Date Received: OCT 24 2017

Application No.: SLUP-18-21901

APPLICANT NAME: SEYNAB CUMAR AFRAX

Daytime Phone #: 404 492 3312 Fax #: _____

Mailing Address: 685 Rowland Road, Stone Mountain, GA-30083

E-mail: Safrah2010@hotmail.com

OWNER NAME: SEYNAB CUMAR AFRAX

(If more than one owner, attach contact information for each owner)

Daytime Phone #: 404 492 3312 Fax #: _____

Mailing Address: 685 Rowland Road, Stone Mountain, GA 30083

E-mail: Safrah2010@hotmail.com

SUBJECT PROPERTY ADDRESS OR LOCATION: 685 Rowland Road

Stone Mountain, DeKalb County, GA, 30083

District(s): 15th Land Lot(s): 255 Block(s): 08 Parcel(s): 004

Acreage or Square Feet: _____ Commission District(s): 4, 7 Existing Zoning: R-100

Proposed Special Land Use (SLUP): day care for 6 children

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

Owner: Agent: _____
(Check One)

Signature of Applicant: Seynab Afrax

Printed Name of Applicant: SEYNAB AFRAX

Notary Signature and Seal:



Please join us for a neighborhood informational meeting. Thank You!

When: Wednesday, January 04, 2017^{SA}



Time: 6:30pm - 7:30 pm

Where: 685 Rowland Road, Stone Mountain, Ga 30083



Sign-In Sheet

Neighborhood Informational Meeting

	Name - Print	Date & Time	Signature
1	Dhiren Patel	11/4/17 5:10	
2	Fatuma Elmi	11/4/17 5:25	Fatuma.
	4595 Delanie Ld, 30083		
3	AMINO MUSA	01/4/2017-5:24	Amino
	11602 Delanie ct, STM, 30083		
4	NASIR WARSAMA	01/04/2017	NASIR Warsama
	555 Rowland Rd Stone Mtn, GA 30083		
5	BETTY LEWIS	11-4-2017	
	693 Rowland Rd STONE MOUNT GA 30083		
6	DHOL ALI	11/04/2017	
	872 Rowland Rd Stone Mount GA, 30083		

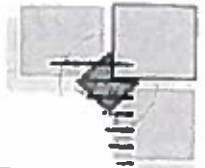


DeKalb County Planning & Development Department

Lee May
Chief Executive Officer



OCT 24 2017



PRE-APPLICATION FORM
REZONES, LAND USE, AND SPECIAL LAND USE PERMIT
(Pre-application appointment required prior to filing application; copy must be submitted at filing)

Property Frontage/Address: 685 Rowland Rd

Parcel I.D.: 15-255-08-004 District: 4

Proposed Development Name: Towbah Home Day Care DRI? Yes No

Existing Development/Use: _____

Proposed Use: Home Day Care Facility Proposed Density/#Units: Not more than C

Existing Zoning: R-100 Proposed Zoning: SLUP

SLUP Request: Day Care Facility Art. 27: _____

Land Use Amendment: Yes No

Current Land Use: _____ Proposed Land Use: _____

Existing Plan Designation: _____ Consistent Inconsistent

Proposed Access: Rowland Rd

Contact Person: Seynab Afrax Phone: 404 492 3312
Address: 685 Rowland Road Email: Safrah2010@hotmail.com
SA-M, GA-30083

- Reviewed Required Submittals/ Schedule/DRI
- Reviewed Zoning Standards/Reference Chapter 14
- Reviewed Site Plan/Checklist
- Discussed Consistency with Plan and Surrounding Zoning/Uses
- SLUP Requirements/Supplemental Regs
- Process explained to applicant:

Staff Comments: _____
[Signature]
Planner

Date 1/5/17