

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: March 6, 2018, 6:30 P.M. Board of Commissioners Hearing Date: March 27, 2018, 6:30 P.M.

STAFF ANALYSIS

Case No.:	SLUP-18-22032		Agenda #: N. 10
Location/Address:	The south side of South Stone M Lithonia Road, approximately 34 South Deshon Road at 2053 Sou Mountain Lithonia Road in Litho	5 feet east of th Stone	Commission District: 5 Super District: 7
Parcel ID(s):	16-100-06-004		
Request:		Lot) District, in	ersonal care home for six residents within accordance with Chapter 27-Article 4.1 Use b County Code .
Property Owner(s):	Norma Kahn		
Applicant/Agent:	Maryln Wallace		
Acreage:	1.25		
Existing Land Use:	A personal care home for up to s	six persons	
Surrounding Properties:	: To the northwest, west, and southwest: vacant, wooded land; to the north, northeast, east, southeast, and south: single-family residential.		
Adjacent Zoning:	North: C-1 South: R-100 & RSN	/ East: R-100) West: R-100
Comprehensive Plan:	SUB (Suburban)	X	Consistent Inconsistent
Proposed Density: NA	_	Existing D	Density: NA
Proposed Units: Personal Care Home for six persons within existing structure.		Existing U	Jnits: One Single-Family Home

Proposed Lot Coverage: No increase proposed	Existing Lot Coverage: NA
---	---------------------------

Zoning History: Based on DeKalb County records, it appears that the single-family residential zoning of the property has not changed since adoption of the first zoning ordinance and map in 1956.

PROJECT ANALYSIS

The subject property is a 1.25-acre site with street frontage along South Stone Mountain Lithonia Road, a two-lane Minor Arterial street with a center turn lane. It is developed with a one-story, 2,842 square foot (including finished basement) house. It is proposed to be operated by Maryln Wallace, the applicant, as a personal care home for six adults. Based on the submitted information, the house has four bedrooms and three bathrooms.. Based on county records, it appear that the subject property was previously operated as a personal care home for three persons, between 2007 and 2010 as "Uplifting the Community".

Parking is provided by a 110-foot driveway, which can accommodate eight vehicles (includes the paved parking area adjoining the driveway). The applicant indicates that transportation is provided by the staff.

The subject property is surrounded by a chevron gas station/food mart, barber shop, and dry cleaners to the north across South Stone Mountain Lithonia Road and single-family residential to the east, west and south. Access is restricted to South Stone Mountain Lithonia Road, a Minor Arterial Road. .

The Georgia Office of Regulatory Services Facilities Location and Information Guide indicates that there are no other personal care homes within 1,000 feet of the subject property.

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:
 - It appears that the size of the site is adequate for the proposed use and complies with provision of all required yards, open space, minimum off-street parking, and other applicable requirements of the zoning district in which the use is proposed to be located.
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district: The group personal care home will function as a residence, and as such, will be compatible with the other residences on South Stone Mountain Lithonia Road and in the surrounding area.
- C. Adequacy of public services, public facilities, and utilities to serve the contemplated use: A personal care home for six persons is not expected to increase demands on services and utilities to a level that would render them inadequate.
- 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: A personal care home for six persons is not expected to increase traffic to levels that would increase traffic or create congestion in the area.

- 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: Trips to and from the subject property are not expected to noticeably increase, and access routes to the site appear to be adequate to accommodate the low level of traffic that is generated by the personal care home.
- 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: Taking into account the good condition of the driveway, the handicap ramp that connects the front door with the driveway, and the three entrance/exists to the front and side yards, the property appears to provide satisfactory ingress and egress and access for emergency vehicles.
- 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: A personal care home for six persons is not expected to 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 hours of operation will continue to be the same as those of a typical residence, and are not expected to adversely impact adjoining properties.
- 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 personal care home is not expected to operate such that it would create adverse impacts upon any adjoining land use.
- 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: It appears that the request is consistent with the requirements of the R-100 zoning classification in which the use is proposed to be located.
- K. Whether or not the proposed use is consistent with the policies of the comprehensive plan: The proposal is consistent with the following policy of the 2035 Comprehensive Plan: "Increase the availability of special needs housing to meet the growing population." (Housing Policy No. 7)
- 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: Because no buffers or transitional buffers are required, this consideration is not applicable.
- M. Whether or not there is adequate provision of refuse and service areas: It appears that there is adequate provision of refuse and service areas.
- N. Whether the length of time for which the special land use permit is granted should be limited in duration: There appears to be no reason to limit the duration of the requested special land use permit.
- O. Whether or not the size, scale, and massing of proposed buildings are appropriate in relation to the size of the subject property and in relation to the size, scale, and massing of adjacent and nearby lots and buildings:

 Because no changes are proposed to the size, scale, or massing of the home, this consideration is not applicable.
- 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: It appears that the home currently satisfies the supplemental regulations. The Georgia Office of Regulatory Services Facilities Location and Information Guide indicates that there are no other personal care homes within 1,000 feet of the subject property.

- R. Whether or not the proposed building as a result of its proposed height, would create a negative shadow impact on any adjoining lot or building: Because no changes are proposed to the height of the home, this consideration is not applicable.
- S. Whether the proposed use would result in a disproportional proliferation of that or similar uses in the subject area: The Georgia Office of Regulatory Services Facilities Location and Information Guide indicates that there are no other personal care homes within 1,000 feet of the subject property.
- 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: It appears that a personal care home would be consistent with the needs of the neighborhood and of the community as a whole, would be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan.

Compliance with District Standards:

R-10	0 STANDARD	REQUIRED/ALLOWED	EXISTING	COMPLIANCE
LOT	WIDTH	Min. 100 ft	120 ft	Yes
LOT	AREA/DENSITY	Min. 15,000 sq. ft.	54,450 sq. ft.	Yes
TBACKS	FRONT	Min. 40 feet or average front yard setback	105 feet	Yes
YARD SETBACKS	INTERIOR SIDE	Min. 10 feet	East side: 12 feet West side: 17 feet	Yes
	REAR	Min. 40 feet	305 feet	Yes
FLOC	DR AREA OF D.U.	Min. 2,000 s.f.	2,842 s.f. (includes finished basement)	Yes
LOT	COVERAGE	Max. 35%	Estimated to be below 35%	Estimated to be below 35%
PARK	KING	Min.: 4 spaces	8 spaces	Yes

STAFF RECOMMENDATION:

The proposal is consistent with the following policy of the 2035 Comprehensive Plan: "Increase the availability of special needs housing to meet the growing population." (Housing Policy No. 7) Based on the submitted information, the property has adequate area to provide privacy and open space for a group personal care home, and there is sufficient space in the house to provide beds for six client residents and one staff person. A group personal care home is not expected to increase traffic to levels that would create congestion in the area along this minor arterial road (South Stone Mountain Lithonia Road). The group personal care home will function as a residence, and as such, will be compatible with the commercial uses and other residences and along South Stone Mountain Lithonia Road and in the surrounding area. Therefore, the Department of Planning and Sustainability recommends "Approval" with the following conditions:

- 1. The Special Land Use Permit shall be issued to Maryln Wallace for operation of a group personal care home of up to six client residents, and shall not be transferrable.
- 2. Compliance with Article 4.2.41 (Supplemental Regulations for Personal Care Homes) prior to issuance of any building permits or county business licenses.

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

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

- Land Disturbance Permit (Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)
- Building Permit (New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)



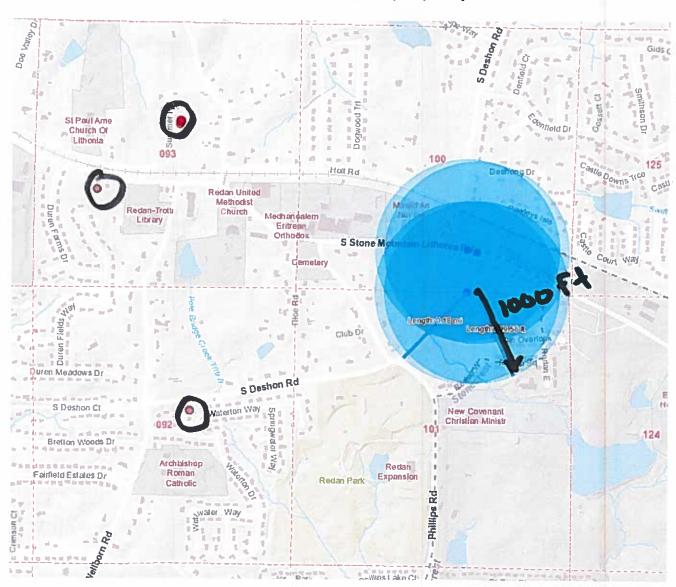
- Certificate of Occupancy (Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)
- Plat Approval (Required if any parcel is being subdivided, re-parceled, or combined. Issued "administratively"; no public hearing required.)
- Sketch Plat Approval (Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)
- Overlay Review (Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)
- **Historic Preservation** (A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)
- Variance (Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)
- Minor Modification (Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)
- Major Modification (Required submittal of a complete zoning application for a public hearing if there are any
 proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior
 rezoning.)



- Business License (Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).
- Alcohol License (Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)

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

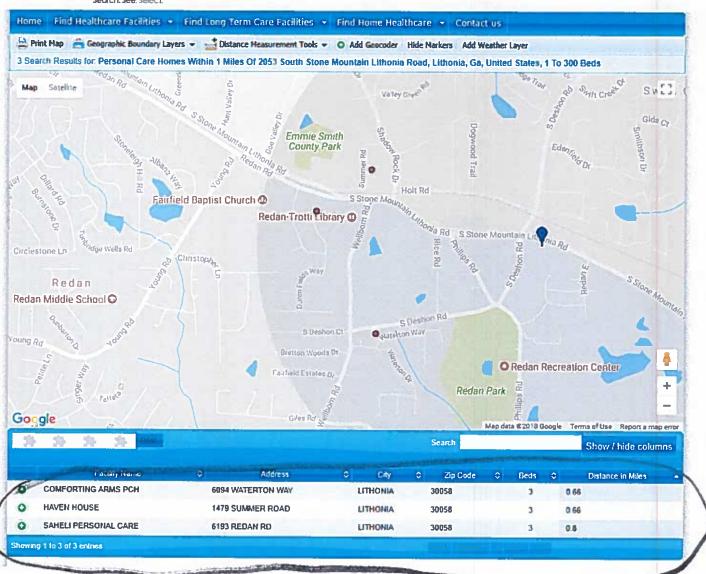
Personal Care Homes wi 1 mile of Subject property---none within 1000 ft



Search by Facility Name

Search

Last Updated: 12/18/2017



WII I mile, but > 1000 feet

RECUIVED

JAN 0 4 REC'N

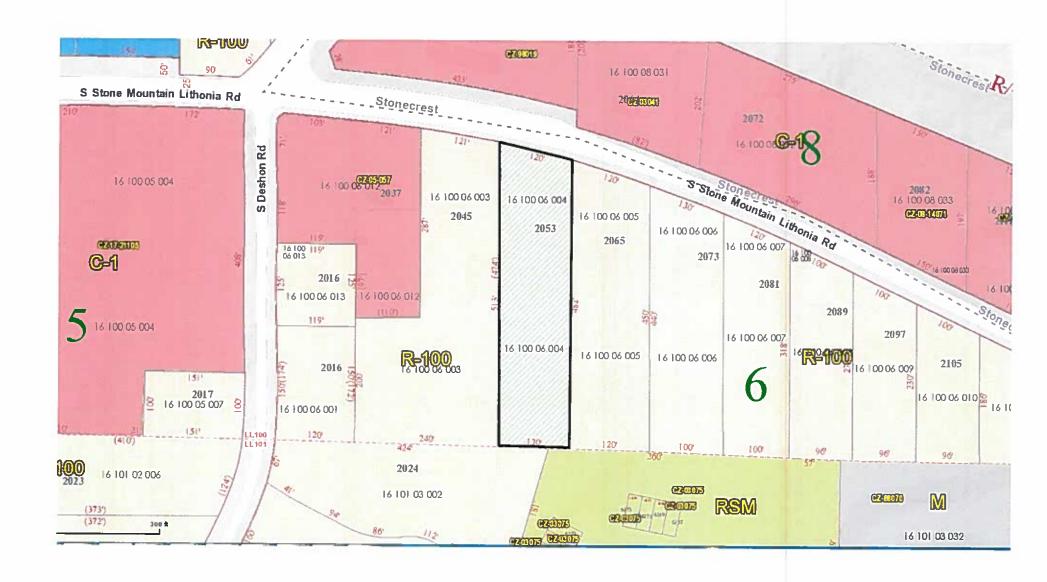
Special Land Use Permit (# 9)

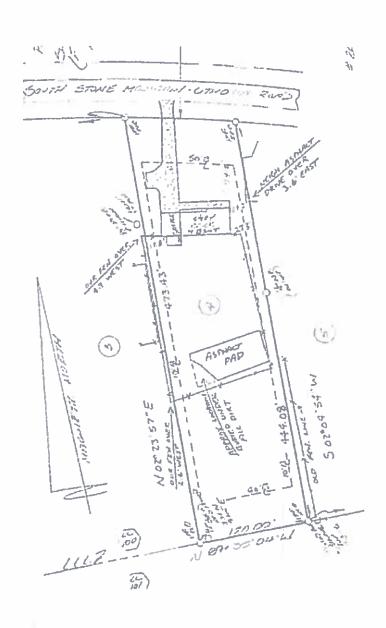
- a. 2053 South Stone Mountain Lithonia is a four bedroom, three bathroom, two fiving and one dining space to accommodate a maximum of six residents. The property is wheelchair accessible and is located on 1.1 acres of land with a total of six parking spaces.
- b. In relation to the proposed use with adjacent properties, land use with other properties and land use in the district, this property is compatible. There is at least one personal care home within two miles of this property.
- c. There are adequate public service utilities and facilities such as a public bus route, the health department, DeKalb Medical Center Hillandale, DeKalb Library Redan-Trotti, Lithonia Police Department, Lithonia fire station, and Redan Recreation Center within a five mile radius.
- d. There is adequate Public Street to accommodate a personal care home traffic. This home is located on a main street with four lanes of traffic in front of it.
- e. The volume of traffic that would be generated by the proposed use will be minimal and not adversely affect the existing land use.
- f. With regards to the Ingress, egress, traffic flow, and access in an event of an emergency, the proposed property will not hinder such flow. Upon entering the property from the west there is a decal lane, a right-away lane and a left turning lane which prevents traffic back-up. Upon entering the property from the east a simple right turn is required.
- g. The proposed use will not create any adverse impact to the adjoining land users by reason of noise, odor, dust, or smoke.
- h. The hours of operation for the proposed personal care home will not create an adverse impact upon adjoining land users.
- i. The proposed use of a personal care home will not interfere with the normal manner of adjoining land users and residential living.
- j. The proposed plan is consistent with the requirement of the zoning district classification
- k. The proposed plan use is consistent with the policies of the comprehensive plan.
- I. The proposed plan does provide for all required buffer zones where required by regulations.
- m. There is adequate provision of refuse and service area.
- n. There should be a limited duration of time for which the special land use permit is granted.
- o. The size, scale and massing of the personal care home are appropriate in relation to the size, scale and massing of the adjacent and nearby buildings.
- p. The proposed plans will not adversely affect historic buildings, sites, districts, or any

archaeological resources.

- q. The proposed use satisfies the requirements contained within the Supplemental Regulation for such special land use permit.
- r. The buildings height will not create a negative shadow impact on any adjoining buildings or lots.
- s. The proposed use of a personal care home will not result in a disproportional proliferation of that or similar uses in the subject character area.
- t. The proposed use will be consistent and compatible with the needs of the neighborhood and community as a whole, and would not be in conflict with the overall objectives of the comprehensive plan.

N.10 SLUP-18-22032 Zoning Map





N.10 SLUP-18-22032 Site Photo



N.10 SLUP-18-22032 Site Photo

To the northwest across the street of Subject Property





N.10 SLUP-18-22032 Aerial





APPRAISAL OF REAL PROPERTY

2053 Stone Mountain Lithonia Rd See attached Lithonia, GA 30058-5316

First Bank Financial Centre 155 W. Wisconsin Ave Oconomowoc, WI 53066

12/15/2017

CRANE PROPERTY SERVICES

STATE OF GEORGIA REAL ESTATE APPRAISERS BOARD

KIMBERLY D CRÂNE

5625

IS AUTHORIZED TO TRANSACT BUSINESS IN GEORGIA AS A CERTIFIED RESIDENTIAL REAL PROPERTY APPRAISER

THE PRIVILEGE AND RESPONSIBILITIES OF THIS APPRAISER CLASSIFICATION SHALL CONTINUE IN EFFECT AS LONG AS THE APPRAISER PAYS REQUIRED APPRAISER FEES AND COMPLIES WITH ALL OTHER REQUIREMENTS OF THE OFFICIAL CODE OF GEORGIA ANNOTATED CHAPTER 43-39 A. THE APPRAISER IS SOLELY RESPONSIBLE FOR THE PAYMENT OF ALL FEES ON A TIMELY BASIS.

D. SCOTT MURPHY Chairperson

JEFF A, LAWSON Vice Chairperson RONALD M. HECKMAN JEANMARIE HOLMES KEITH STONE

87 174870

KIMBERLY D CRANE

Status

5625 ACTIVE

CERTIFIED RESIDENTIAL REAL PROPERTY APPRAISER

THIS LICENSE EXPIRES IF YOU FAIL TO PAY RENEWAL FEES OR IF YOU FAIL TO COMPLETE ANY REQUIRED EDUCATION IN A TIMELY MANNER.

State of Georgia Real Estate Commission Suite 1000 - International Tower 229 Poachtres Street, N.E. Attanta, GA 30303-1605 ORIGINALLY LICENSED

04/15/1996

END OF RENEWAL



WILLIAM L. ROGERS, JR. Real Estate Commissioner

62124620

KIMBERLY D CRANE

6625

Status

ACTIVE

CERTIFIED RESIDENTIAL REAL PROPERTY APPRAISER

THIS LICENSE EXPIRES IF YOU FAIL TO PAY RENEWAL FEES OR IF YOU FAIL TO COMPLETE ANY REQUIRED EDUCATION IN A TIMELY MANNER

State of Georga Real Estate Commission Suite 1000 - International Tower 229 Peachtrae Street, N.E. Atlanta, GA 30303-1605 ORIGINALLY LICENSED 04/15/1596

> END OF RENEWAL 12/31/2017



WILLIAM L. ROGERS, JR. Real Estate Commissioner

62124620



GLA 1,434
Total Rooms 6
Total Bedrms 2.0
Location A;BsyRd;
View N;Res;
Site 1.10 ac
Quality Q3
Age 56



Subject Side



Subject Bedroom



GLA 1,434 Total Rooms 6 Bedrooms 3 Bathrooms 2.0 Location A;BsyRd; View N;Res; 1.10 ac Site Quality Q3 Age 56



Subject Bedroom

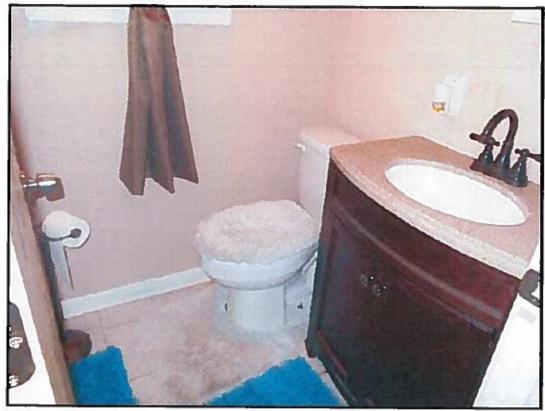


Subject Bath #1



GLA 1,434 Total Rooms Bedrooms 3 Bathrooms 2.0 Location A;BsyRd; N;Res; View Site 1.10 ac Quality Q3 Age 56

Bedroom



Subject Basement Bath

Subject Basement

additional photo





GLA 1,434
Total Rooms 6
Bedrooms 3
Bathrooms 2.0
Location A;BsyRd;
View N;Res;
Site 1.10 ac
Quality Q3
Age 56



Subject Bath #2 additional photo



Subject Dining



GLA 1, Total Rooms 6 1,434 Bedrooms 3 **Bathrooms** 2.0 Location A;BsyRd; N;Res; View Site 1.10 ac Quality Q3 Age 56



Subject Kitchen



Subject Kitchen additional photo



404.371.2155 (o) 404.371.4556 (f) DeKalbCountyGa.gov Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

CHIEF EXECUTIVE OFFICER DEPARTMENT OF PLANNING & SUSTAINABILITY DIRECTOR Michael Thurmond Andrew A. Baker, AICP SPECIAL LAND USE PERMIT APPLICATION And the rise will not be accepted after 5 working days after the filing date. Date Received: Application No.: __ APPLICANT NAME: Wallace Daytime Phone #: Mailing Address: 2053 SOUTH load (reovaia 30058 OWNER NAME: 1 (If more than one owner, attach contact information for each owner) Daytime Phone #: SUBJECT PROPERTY ADDRESS OR LOCATION:_ Mountain ____, DeKalb County, GA, Land Lot(s): ____100 Block(s): ___ ___ Parcel(s): _\(\int \)\(\lambda\) Acreage or Square Feet: 1.25 acre Commission District(s): Existing Zoning: Proposed Special Land Use (SLUP):____ Personal Care I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application. Owner: moone Signature of Applicant: Printed Name of Applicant: MA

Want amala

Notary Signature and Seal:

WILMA FORD

NOTARY PUBLIC, DEKALB COUNTY, GEORGIA

MY COMMISSION EXPIRES JUNE 10, 2020



404.371.2155 (o) 404.371.4556 (f) DeKaibCountyGa.gov Clark Harrison Building 330 W. Ponce de Leon Ave Decatur, GA 30030

Chief Executive Officer

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director

Michael Thurmond

Andrew A. Baker, AICP

PRE-APPLICATION REZONES, LAND USE AND SPECIAL LAND USE

(Pre-application required by appointment prior to filing; submit copy at filing)

Property Frontage/Address: 2053 St Mtv 1th			
Parcel I.D.: 16-100-06-004 Acreage:			
Proposed Development Name: Narly Wallace DRI? Yes No			
Existing Development/Use:			
Proposed Use: PCH, 50019 Proposed Density/#Units: MCX 6 residents			
Existing Zoning: R-100 Proposed Zoning: SLUP PCH. frup.			
Existing Plan Designation: Suburbania Consistent Inconsistent			
Current Land Use: Proposed Land Use:			
Proposed Access: St Mt Lithonia			
SLUP Request: PCHArt. 27:			
Contact Person: Marlyn Wallace Phone: 679-558-3106 Address: 7073 2053 W Stone Main Tain Email: marlyn wallace Syn Lillania 30059			
Reviewed Required Submittals/ Schedule/DRI Reviewed Zoning Standards/Reference Chapter 14 JAN 0 4 RECU			
Reviewed Site Plan Check list			
Discussed Consistency with Plan and Surrounding Zoning/Uses			
SLUP Requirements/Supplemental Regs			
Process explained to applicant:			
Planner MV Date 12-18-17			

Notice Date: Tuesday, December 19, 2017

Public Notice

To

Request for a Special Land Use Permit

Filed by: Marlyn Wallace

Located at: 2053 South Stone Mountain Lithonia Road

Lithonia, GA 30058

JAN 0 4 RECT

Current Use – Single Family Residence

Proposed Use - Personal Care Home, Group

Capacity - No more than six residents or clients

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT: Redan-Trotti Library

Location: 1569 Wellborn Rd, Lithonia, GA 30058

Date and Time: Wednesday, January 3rd, 2018 at 6:00 PM

Contact Info: Marlyn Wallace, (678)-558-3106 marlyn_wallace@yahoo.com

MEETING SIGN-IN SHEET	
Project: AMELIA'S PLACE PCH	Meeting Date: 1 - 3 - 2018 Location: REDAN TROTTI LIBRARY

Name	Address	Phone	E-BAOH
		THORE	E-Mail
12.000	Part Co		
KOY ITTE INTYRE	Le THON IN GA 300 78	770-374-0215	
oller Henry	Lithoria Rd.	404 207 5390	PONISHDEME HOTMAIL.COM
JORMA KAHN	2045 Stone Mendeni Li Titolica Ga 20038 2073 S. Hane MAN Lithonia Rd. 2053 S. STONG MIN. LITHONIA RD	706 979-0475	KAHN-NORMA QYAHOC. COM
Preston Mercer	3689 Oakwad Miner		mercernic 451egn
	RECEIVED		
	JAN 0 4 RECO		
	ВҮ:		
	•-		
·			



404.371.2155 (o) 404.371.4556 (f) DeKalbCountyGa.gov

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

CHIEF EXECUTIVE OFFICER Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

DIRECTOR A. Baker, AICP

SPECIAL LAND USE PE The property owner should complete this form will file the application with the County is not the	RMIT APPLICATION AUTHORIZATION or a similar, signed and notarized form if the individual where property owner.
Date: 1- Z- 1 8	
TO WHOM IT MAY CONCERN:	
(1) (WE), NORMA KAHN +	MICHAEL BURKE-ANDIANE ame of Owner(s)
	escribed below or attached hereby delegate authority to OF Applicant or Agent
to file an application on (my) (our) bahalford NOTARY PUBLIC, DEKALB COUNTY OF	Johns Kah
Work Prod	Mencel Prox- Ordrode
MALAKA FORD NOTARY PUBLIC, DEVALB COUNTY, GEORGIA MY COMMISSION EXPIRES JUNE 10, 2020	Owner
Notary Public	Owner
Notary Public	Owner
	JAN 0 4 RECD
	BY:

