

DeKalb County Department of Planning & Sustainability

178 Sams Street,

Decatur, GA 30030

(404) 371-2155 / www.dekalbcountyga.gov/planning

Planning Commission Hearing Date: September 12, 2023 Board of Commissioners Hearing Date: September 28, 2023

STAFF ANALYSIS

Case No.:	Z-23-1246542	Agenda #: 2023-0872	
Location/Address:	7566 Union Grove Rd. Lithonia GA 30058	Commission District: 05 Super	District: 07
Parcel ID(s):	16-186-01-007		
Request:		Medium Lot) zoning district to RSM (to operate a personal care home for up	·
Property Owner(s):	Tawanda & Vincent Vauss		
Applicant/Agent:	Tawanda Vauss		
Acreage:	2.91		
Existing Land Use:	Single family residential		
Surrounding Properties:	North: R-85 East: R-85 South:	R-85 West: R-85	
Comprehensive Plan:	Suburban (SUB)	Consistent Inc	onsistent

Staff Recommendation: Denial

The application to rezone the property at 7566 Union Grove Road, in order to change the zoning district from R-85 (Residential Medium Lot-85) to RSM (Small Lot Residential Mix) to enable the operation of a personal care home for seven (7) or more individuals. A companion application for a Special Land Use Permit (SLUP-23-1246543) has also been submitted for the subject property. While the previously approved 2017 SLUP (SLUP-17-21824) demonstrated alignment with the *Zoning Ordinance* and corresponded with *Comprehensive Plan* objectives, the current application fails to support the goals of the zoning district and the 2050 DeKalb County Unified Plan.

The submitted site plan for the personal care home shows five (5) bedrooms may be insufficient to accommodate seven or more individuals. This discrepancy between the intended capacity and the available bedrooms as well as sewer capacity potentially reaching its limit with additional residents within the facility raises questions about the adequacy of the existing construction to support the intended use.

The proposal fails to integrate with the existing residential development pattern of the neighborhood. The subject property is surrounded by R-85 zoning with limited RSM zoning across the southern intersection

of Union Grove Road and Pittston Farms Road. Typically, personal care homes for seven (7) or more individuals tend to be permitted in higher-density and institutional zonings per the ordinance, these being Mixed-Use, Light Commercial, and Office-Institutional districts for example.

Therefore, staff recommends denial of the rezoning application to expand the existing personal care home for elderly adults on the account that the land use is not compatible with the surrounding single-family residential uses and the insufficiency of onsite accommodations for seven or more individuals.

The companion Special Land Use Permit (SLUP-23-1246543) application for the same property should be considered in tandem with this rezoning request.



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID <u>jreid@dekalbcountyga.gov</u> AND/OR LASONDRA HILL <u>lahill@dekalbcountyga.gov</u>

COMMENTS FORM: PUBLIC WORKS WATER AND SEWER

Case No.:	_ Parcel	I.D. #:			
Address:					
WATER:					
Size of existing water main:				(adequate/ina	dequate)
Distance from property to nearest main:			_ Size of line r	equired, if inad	equate:
SEWER:					
Outfall Servicing Project:					
Is sewer adjacent to property: Yes No	If no,	distance to	nearest line:		
Water Treatment Facility:	a	dequate	inadequate	e	
Sewage Capacity:	(MGPD)	Current I	Flow:		(MGPD)
COMMENTS:					

DEKALB COUNTY

Board of Health

- **P**

8/15/2023

To: Ms. Madolyn Spann, Planning Manager Mr. John Reid, Senior Planner
From: Ryan Cira, Environmental Health Manager
Cc: Alan Gaines, Technical Sevices 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

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

8/15/2023

N1-2023-0871

SLUP-22-1246540 / 15-086-05-078

3137 Weslock Circle, Decatur, GA 30034

Amendment

- Please review general comments.
- No septic indicated for this property.
- Several surrounding property are noted to have septic installed.
- DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N2-2023-0872

Z-23-1246542 16-186-01-007

7566 Union Grove Road, Lithonia , GA 30058

Amendment

- Please review general comments.
- Septic indiecated and installed on 07//8/1981
- DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N3--2023-0873

SLUP-23-1246543 16-186-01-007

7566 Union Grove, Lithonia, GA

Amendment

- Please review general comments.
- DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for personal care homes with more than six (6) clients.
- Septic installed on 07/08/1981.



Government Services Center 178 Sams Street Decatur, GA 30030 <u>www.dekalbcountyga.gov/planning</u> 404-371-2155 (o); 404-371-4556 (f)

Interim Director

Cedric Hudson

Chief Executive Officer	DEPARTMENT OF PLANNING & SUSTAINABILITY
Michael Thurmond	

Zoning Comments September 2023

N1: 3137 Weslock Circle -No Comments.

N2 & N3: 7566 Union Grove Road – No Comments.

N4: 4127, 4139, 4147, 4149, 4163 & 4173 Maplewood Drive – Maplewood Drive is classified as a collector.

N5: 3401 Rainbow Drive –

Mercer University Drive is classified as minor arterials and a collector. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5 foot landscape strip with 6 foot sidewalk with 4 foot bike (preferred) lanes OR 10 foot multiuse path. Street Lighting required. (hefowler@dekalbcountyga.gov) No poles may remain within the limits of the path/sidewalk. (See Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure requirements.) Ensure there is pedestrian connectivity between the proposed development and the public sidewalk infrastructure. Ensure that the access points meet the minimum sight distance standards per AASHTO. Note required confirming sight distance on plans at Land Disturbance Permit phase.

N6: 1480 South Deshon Road –

No Comments.

N7: 6290 Sayler Park – No Comments.



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

DEVELOPMENT ANALYSIS:

Transportation/Access/Row

Storm Water Management

• Flood Hazard Area/Wetlands

Landscaping/Tree Preservation

Tributary Buffer



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MADOLYN SPANN <u>BISPANN@DEKALBCOUNTYGA.GOU</u> OR JOHN REID <u>JREID@DEKALBCOUNTYGA.GOU</u>

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: Z-23-1246542 Parcel I.D. #: 16-186-,01-007 Address: 7566 <u>UNION Grove RL</u> <u>Lithonia, G1.30058</u>

Adjacent Roadway (s):

(classification)

(classification)

Capacity (TPD)	Capacity (TPD)
Latest Count (TPD)	Latest Count (TPD)
Iourly 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
roposed 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.

3

According to studies conducted by the Institute of Traffic Engineers (ITE) <u>6/7TH</u> 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 that	
would	Interfere with Traffic Flow	
		_

Signature: Jerry White



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MADOLYN SPANN MSPANN@DEKALBCOUNTYG4.GOV OR JOHN REID JREID@DEKALBCOUNTYG4.GOV

COMMENTS FORM: PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-23-1246543 Parcel I.D. #: 16-186-01-007

Address: 7566 UNION Grove Rd.

LIthonia, GA. 30058

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) <u>6/7TH</u> 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.

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COMMENTS:

lans and fi	ild Reviewed. No prob	lem that
ould InterFe	Re with Traffic Flow.	
		0

Signature: Joyut



RECEIVED By Rachel Bragg at 10:03 am, Jul 06, 2023

DEPARTMENT OF PLANNING & SUSTAINABILITY

Rezoning Application to Amend the Official Zoning Map of DeKalb County, Georgia

Date Received:	Application No:
Applicant E-Mail A Applicant Mailing	Tawanda Vauss dress: <u>tVauss cednacares, cm</u> Idress: <u>7526 Union Equve Rd</u> Lithonia GA 30058 Phone: <u>404-969-9079</u> Fax:
Owner Mailing Ad	Wanda's Vincent Vauss If more than one owner, attach list of owners. ess: <u>7566 Unim Grove Rd Lithovie 64300</u> one: <u>404-9669-8079</u> - <u>770-896-1676</u>
	Property: 7564 Union GROVERd Lithmin GA 30058 8601007
Acreage: Present Zoning Di Proposed Zoning	Eth i oth
Present Land Use	Designation: Designation (if applicable):N/A



178 Sams Street Decatur, GA 30030

Chief Executive Officer

Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director Andrew A. Baker, AICP

REZONING APPLICATION CHECKLIST

Submit 4 printed, collated sets of the complete application (no staples, no binders) and a PDF version on a flash drive

1. Schedule a mandatory <u>Pre-Application Conference</u> with Planning & Sustainability staff by appointment. Obtain **Pre-Application form** (to be completed in pre-application meeting). Please call 404-371-2155 for appointment.

2. Hold a **<u>Pre-Submittal Community Meeting</u>** with surrounding neighborhood associations and residents. Provide documentation of the meeting (**meeting notice and sign in sheets**). Letter(s) from homeowners association(s) may also be provided.

3. Submit Application (Submit 4 printed, collated sets and a PDF version on a flash drive. Please assemble materials in the following order.)

A. Application form with name and address of applicant and owner, and address of subject property;

B. Pre-submittal community meeting notice and sign-in sheet and other documentation of meeting, if any;

__C. Letter of application and impact analysis

- Letter of application identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g. floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.
- Impact analysis of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.

D. Authorization Form, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.
 E. Campaign disclosure statement (required by State law).

F. Legal boundary survey of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. (*If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.*)

G. Site Plan, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following:

- a. complete boundaries of subject property;
- b. dimensioned access points and vehicular circulation drives;
- _____ c. location of all existing and proposed buildings, structures, setbacks and parking;
- _____ d. location of 100 year floodplain and any streams;
- e. notation of the total acreage or square footage of the subject property;
- _____ f. landscaping, tree removal and replacement, buffer(s); and
- g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.
- H. Reduced Site Plan, reduced to 8.5" x 11".

I. Written Legal Description of metes and bounds of the subject property (can be printed on site plan or survey).

J. Building Form Information. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.

K. Completed, signed Pre-application Form (Provided at pre-application meeting.)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Notice Date: May 16, 2023

PUBLIC NOTICE

То

Request for a Special Land Use Permit

Filed by: Tawanda Vauss/Edna Mae Lockett Personal Care Home

Located at: 7566 Union Grove Rd

Lithonia, Georgia 30058

Current Use - Personal Care Home - Group Model

Proposed Use – Personal Care Home – Community Model

PRE-SUBMITTAL COMMUNITY MEETING TO TAKE PLACE AT: Via Zoom

Location: Zoom

Invite Link

https://us05web.zoom.us/j/84114300608?pwd=Z1B3RE1xWFFoKzJYREIMeWN0YzdoQT09

Passcode H3wKVhHide

Date & Time: June 7, 2023 @ 7:30pm

Contact Info:

Tawanda Vauss, Administrator 404-969-8079

MEEETING SIGN-IN SHEET

Project: Personal Care Home Zoning	Meeting Date: June 7, 2023 @ 7:30pm
Facilitator: Tawanda Vauss	Via Zoom Platform

Name	Address	Phone	E-Mail
Tawanda Vauss	7566 Union Grove Rd Lithonia, GA	404-969-8079	tvauss@ednacares.com
Vincent Vauss	7566 Union Grove Rd Lithonia, GA 30058	770-896-1676	vincentvauss@gmail.com
Brittany Horton	4647 Branch Ct Lithonia, GA 30038	470-244-3890	Bhorton5788@gmail.com

Pre-Community Zoom Mtg for SLUP-Rezoning

From Bcc Tawanda Vauss <tvauss@ednacares.com> <dennisallen05@comcast.net>, <kbarksdal22@gmail.com>, <samsonburrell@yahoo.com>, <dstbc@bellsouth.net>, <janrcostello@gmail.com>, <marshallenglishsr@yahoo.com>, <e7hubbard@gmail.com>, <mstonya@earthlink.net>, <hlove1223@aol.com>, <oneiloooo4@comcast.net>, <u>4 more...</u>

Reply-To	<tvauss@ednacares.com></tvauss@ednacares.com>
Reply-To	<tvauss@ednacares.com></tvauss@ednacares.com>
Date	2023-05-17 15:20

Public Notice for SPLU.docx (~14 KB)

Good Morning Council 5 District Members,

It is with great pleasure I introduce myself, Tawanda Horton Vauss of Edna Mae Lockett Personal Care Home LLC. I have been granted approval by the State of Ga and Dekalb County to operate with 6 elderly patients within the Personal Care Home. I am preparing to submit a rezoning/SLUP application. In doing so, I was instructed to put a public meeting together and make sure The Council Members of District 5 are informed of the meeting. The meeting notice is attached with the zoom link and passcode for June 7th, 2023; for your knowledge.

See attached notice and should you have any questions please feel free to contact me at 404-969-8079 or via email. Thank you for your continued support

Thanking you in advance

Sincerely yours,

Tawanda Vauss, Administrator Edna Mae Lockett Personal Care Home 7566 Union Grove Rd Lithonia, Georgia 30058 770-559-3598 404-969-8079 mobile www.ednacares.com https://www.facebook.com/EdnaCaresPersonalCareHome.LLC Mrs. Tawanda Vauss Edna Mae Lockett Personal Care Home 7566 Union Grove Rd Lithonia, Georgia 30058

May 16, 2023

Dekalb County Planning & Sustainability Department 330 W Ponce De Leon Avenue Decatur, Georgia 30030

Dear Planning and Sustainability,

Please accept this as my letter of application regarding 7566 Union Grove Rd Lithonia, Georgia 30058. My home is currently approved via The State of Georgia to operate as Edna Mae Lockett Personal Care Home; which is a six bed facility. Also, currently hold a Dekalb County Business License to operate as a 6 bed. I am proposing that the home in question be approved and granted a special land use permit by changing my zoning to a RSM which would allow me to operate as a 7 bed without any modifications. I would like to increase my intake size to a community model as there is a desperate need for our elderly population to receive quality care in a quality home that's affordable.

The home is in great condition and sits on 2.91 acres and a large frontage in which the home is extremely far back from the traffic/road. The home is quiet and no one really knows we are there on the street. Our direct neighbors are extremely supportive. This home is considered a family model personal care home dedicated to care and services for the Elderly, Disable and Mentally fragile that will operate 24 hrs.

We have been in business since 2017 and we haven't received any state citations. In fact, I receive several calls from people who have been referred to us from doctors, nurses and others alike. It is our motto and pledge that our home will provide compassionate quality care and services in a client-centered family environment.

Being approved to operate as a special land use will not impact or impede my neighbors within the community. I sincerely express that there will be no modifications nor renovations or signs placed. During our fire inspection the inspector indicated that our home occupancy size could be 16, report attached.

Please contact me should you have any questions.

Thanking you in advance

Sincerely yours, Tawanda Vauss

Edna Mae Lockett Personal Care Home <u>tvauss@ednacares.com</u> <u>https://www.facebook.com/EdnaCaresPersonalCareHome.LLC</u> 770-559-3598 office

404-969-8079 mobile



DeKalb County Department of Planning & Sustainability

Non-Residential Certificate of Occupancy

Installation or modification to signs at this location requires a separate Sign permit.

Type: Non-Resi	dential Permit Numb	er:1034952910 P	roject: EDNA MAE LOC	CKETT (PCH)	
Work Type: PE	RSONAL CARE HOM	fE Const	ruction Type: N/A		
Occupancy Typ	e: APARTMENT				
Maximum Occu	pancy Load (16)				
Property					
Address: 7566	UNION GROVE RD	LITHONIA, GA 30058-		Parcel ID: 16	186 01 007 Lot #:
Zoning: R-85	Rezoning: N/A	Land Use: SUB	Census: 233.03	District: 05	07
Applicant					
				TANK CROBOL	20058
Owner: TAWA	NDA & VINCENT	AUSS Address: 7566 UN	ION GROVE ROAD LIT	HONIA, GEORGIA	30058
Owner: TAWA Tenant: N/A	NDA & VINCENT N	AUSS Address: 7566 UN Address: N/A	IION GROVE ROAD LIT	HONIA, GEORGIA	30058
Tenant: N/A The structure and the use fo knowledge an Occupancy sh In accordance	has been inspected for or which the proposed of d belief, in compliance nall be limited to the are with chapter 7, article	Address: N/A compliance with the requirem ccupancy is classified and the with all applicable county co ea defined by the building per ii, division 3, section 7-33(f)	tents of all codes for the or structure has been erected des at the time of issuance mit indicated above for wh of the DeKalb county code	ccupancy and division d, to the best of the c e of this certificate of hich this certificate in e, this certificate ma	on of occupancy county's f occupancy. s issued.
Tenant: N/A The structure and the use fo knowledge an Occupancy sh In accordance director of de	has been inspected for or which the proposed of d belief, in compliance hall be limited to the arc with chapter 7, article velopment or his/her du	Address: N/A compliance with the requirem ccupancy is classified and the with all applicable county co ea defined by the building per ii, division 3, section 7-33(f) ally authorized representative t	tents of all codes for the or e structure has been erected des at the time of issuance mit indicated above for wh of the DeKalb county code for either one or more of th	ccupancy and division d, to the best of the c of this certificate of hich this certificate in e, this certificate main he following:	on of occupancy county's f occupancy. s issued.
Tenant: N/A The structure and the use fo knowledge an Occupancy sh In accordance director of de	has been inspected for or which the proposed of d belief, in compliance hall be limited to the arc with chapter 7, article velopment or his/her du	Address: N/A compliance with the requirem ccupancy is classified and the with all applicable county co ea defined by the building per ii, division 3, section 7-33(f)	tents of all codes for the or e structure has been erected des at the time of issuance mit indicated above for wh of the DeKalb county code for either one or more of th	ccupancy and division d, to the best of the c of this certificate of hich this certificate in e, this certificate main he following:	on of occupancy county's f occupancy. s issued.
Tenant: N/A The structure and the use fo knowledge an Occupancy sh In accordance director of de	has been inspected for or which the proposed of d belief, in compliance hall be limited to the are with chapter 7, article velopment or his/her du changes or alterations	Address: N/A compliance with the requirem ccupancy is classified and the with all applicable county co ea defined by the building per ii, division 3, section 7-33(f) ally authorized representative t	tents of all codes for the or e structure has been erected des at the time of issuance mit indicated above for wh of the DeKalb county code for either one or more of th pr occupancy without appr	ccupancy and division d, to the best of the c of this certificate of hich this certificate in e, this certificate main he following:	on of occupancy county's f occupancy. s issued.

Date: 12/13/2017

Issued By:

Permits, Zoning & Plans Review Supervisor



DEPARTMENT OF PLANNING & SUSTAINABILITY

IMPACT ANALYSIS

(Please respond to the following standards and factors on a separate sheet.)

Section 27-7.3.5. The following standards and factors are found to be relevant to the exercise of the county's zoning powers and shall govern the review of all proposed amendments to the Official Zoning Map:

- A. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.
- B. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.
- C. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.
- D. Whether the zoning proposal will adversely affect the existing use of usability of adjacent or nearby properties.
- E. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.
- F. Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources.
- G. Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
- H. Whether the zoning proposal adversely impacts the environment or surrounding natural resources.

IMPACT ANALYSIS

- A. Given that Union Grove Rd is a minor arterial zoning the proposal is in conformity with the policy and intent of the comprehensive plan.
- B. Yes, the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Because our property sit back comfortably from the street view people don't know the home is a personal care home. Therefore, the business doesn't cause a problem for nearby homeowners and those that know we exist as a personal care home are in support.
- C. Yes, no disruption in zoning of others.
- D. There will be no adverse effect use of usability for other properties.
- E. There will be no modifications to the current property and no additions that will cause an issue for other properties.
- F. No
- G. No
- H. No impact that will cause issues with environmental or natural resources.



178 Sams Street Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

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

Date: Junar 5, 2023

TO WHOM IT MAY CONCERN:

Vincent: Tawanda Vauss Name of owner(s) (I) (WE)

being (owner) (owners) of the subject property described below or attached hereby delegate

authority to 7566 Unin GROVE Rd Lithing 64 30058 Tawanda Vauss

Name of Agent or Representative

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

EVERES 111111 Notary Public minnen

Notary Public

L Van Owner

Owner

Notary Public

Owner

Notary Public

Owner



Record and Return to: Lueder, Larkin & Hunter, LLC 4500 Hugh Howell Road, Suite 350 Tucker, GA 30084 File No.: GA-TK-17-0196-PUR

QUIT CLAIM DEED

STATE OF GEORGIA COUNTY OF DEKALB

THIS INDENTURE, made this the 17th day of March, 2017, between

Vincent E. Vauss

as party or parties of the first part, hereinafter called Grantor, and

Vincent E. Vauss and Tawanda Horton As Joint Tenants with Rights of Survivorship and Not as Tenants in Common

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor, for and in consideration of the sum of TEN AND 00/100's DOLLARS (\$10.00) and other good and valuable consideration, cash in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey, release and forever QUITCLAIM unto the said Grantee, the following described property, to wit:

All that tract or parcel of land lying and being in Land Lot 186 of the 16th District, DeKalb County, Georgia, being a 2.852 acre tract of land, more particularly described as follows: To locate the True Point of Beginning, commence at the intersection of the Right-Of-Way of Poplar Falls Road and Union Grove Road, run thence 1002.90 feet Easterly along the Northerly Right-Of-Way of said Union Grove Road to a point, which is The True Point of Beginning; run thence North 01 degrees, 22 minutes, 56 seconds, East a distance of 433.70 feet to a point; run thence North 88 degrees, 20 minutes, 47 seconds, East a distance of 272.38 feet to a point; run thence South 01 degree, 44 minutes, 55 seconds, West a distance of 487.62 feet to a point on the Northerly Right-Of-Way of Union Grove Road (70-Foot Right-Of-Way); run thence Westerly along said Northerly Right-Of-Way a distance of 271.80 feet to a point, which is the True Point of Beginning.

Parcel 16 186 01 007

Subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said described property to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of: Unofficial Witness Notary, Ublic 0

My Commission Expires:

[Notary Seal]

GRANTOR:

E. Var (SEAL)

Vincent E. Vauss





DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions <u>must</u> be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

Yes

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

- 1. The name and official position of the local government official to whom the campaign contribution was made.
- 2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. <u>and</u> to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Notary

Signature of Applicant / Date

Check one: Owner

W-COLACAT

Expiration Date/Sea









OWNER: 8943 STAFFORD COURT INDIANAPOLIS, IN 46260

DEVELOPER EDNA CARES PERSONAL CARE HOME, INC. 7566 UNION CHURCH ROAD LITHONIA, GEORGIA 30058 (770)559-3598

ENGINEER: LAWRENCE A. MARTIN, P.E. 3872 POINTE BLEUE DRIVE DECATUR, GEORGIA 30034 (770)572-5400

24 HOUR CONTACT PERSON: TAWANDA HORTON (404) 969-8079

HVAC NOTES

- NO BROGREATION TO THE REATING VENTING AND AIR CONDITIONING (INVAC) 373758 IL ANTERDATED YOR THE REOXECT. IF, I CONVERS DURING THE COMPRESS OF CONTRACTOR LOCKERS TO PREVIOUS BUCK ALTIMUT VITUATE THE AURGENETION OF THE DERALG CONTEX. A SEPARATE BETRALTON PREMIT WOOLD BE REOVERID. CONTEXTOR LA PUBLICALE CONTEXT AND THE AURGENETION OF
- DESIGN OF ANY REQUIRED NOOPICATION TO THE HVAC SYSTEM WOULD BE THE RESPONSIBILITY OF THE HVAC CONTRACTOR.
- HVAC CONTRACTOR SHALL INSPECT THE EXISTING SYSTEM TO VERIFY THAT THE EXISTING HVAC UNITS ARE INSPECTING EXISTERACTORIZING AND NOTIFY THE OWNER OF THE AREITY OF THE UNITS TO ACCOMMODATE THE ANTICIPATED HVAC LOAD

ELECTRICAL NOTES

- NO ELECTRICAL WORK IS NONCATED FOR THIS PROJECT. IF, HOMEVER, DURING COURSE OF INDECTION RELICTRICAL WORK IS DENTFUED THE WORK SHALL BE PERIORMED BY A CONTRACTOR LICENSEE TO PERFORE SUCH ACTIVIT INTEM-ASSIBLICTION OF THE DESLAR SCONTY, A SEPARATE PRIMET WOULD BE RECEN-COMPLY WITH ALL APPLICABLE COODES AND DESKAB COUNTY RELICTIVICAL N THE 141.1
- DESKIN OF ANY REQUIRED MODIFICATION TO THE ELECTRICAL SYSTEM (POWER AND LIGHTING REQUIREMENTS) WOULD BE THE REDPONSIBILITY OF THE ELECTRICAL

PLUMBING GENERAL NOTES

- NO PLUMENG WORK IS ANTICEPATED FOR THE FROME(T.F., HOWEVER, DURING THE COURSE OF MERCTICH LEADTRCAL WORK IN INCITIVED IT HALL, BE FROM ONED AMERICTION FORMAS COMMY. A DEPARATE METAL ATOM FROM WORLD RE AREQUERS, COMPLY WITH ALL, APPLICABLE CODES INDEATED ON PRAVMIG A-1, AND DERALS COMPLY FULGHING REPORTING AND APPROVALS.
- COORDMATE WORK WITH ALL OTHER TRADES PRICE TO INSTALLATION. REFER TO AVAILABLE FACILITY FORWERIGE TO VERIEV EXACT DEPTHE, BOZE AND LOCATION OF ALL EXISTING OR REQUIRED UTLITY CONNECTIONS PRIOR TO THE START OF ANY WORK FOR THIS PROJECT.
- NEALATE DOMESTIC NOT AND COLD WATER PIPING WITH 1" THICK ASJ FIDEROLASS

REWLY INSTALLED PERHATIONALL BR TESED IN AGGORDANCE WITH CODE LUB REQUIREMENTS OR AY ONE & ONE-HALF (1) THESE THE BRHNRIN SYNTHM SURFE WITH NO LEAKS ON BORD' IN PRESSURE FOR A RESNOD OF NOT LESS

SCOPE OF WORK USING EXISTING PERSONAL CARE HOME FOR THE BOARD AND CARE OF 6 RESIDENTS AS PERMITTED BY DEKALB COUNTY UNDER NEW OWNERSHIP. NO STRUCTURAL WORK IS REQUIRED FOR THIS PERMIT APPLICATION. AN APPLICATION FOR A SPECIAL LAND USE PERMIT IS REQUIRED FOR INCREASING THE NUMBER OF RESIDENTS FROM 3 TO 6 AS ALLOWED. THE DETAILS ARE INCLUDED HERE-IN FOR YOUR REVIEW AND APPROVAL

EXISTING FLOOR PLANS

FOR

"EDNA CARES" - PCH

PERSONAL CARE HOME CARING FOR 6 RESIDENTS

7566 UNION GROVE ROAD LITHONIA, GEORGIA 30058

LOCATED IN LAND LOT 186, 16th DISTRICT DEKALB COUNTY

DATE: APRIL 8, 2017



1. FIRE NOTES:

THE BUILDING IS FULLY SPRINKLED, CONFORM TO DEKALB COUNTY F.N.O. REQUIREMENTS, SUBMITTALS, INSPECTION AND APPROVAL.

KITCHEN SUPPRESSION SYSTEM PROTECTION, PER APPLICABLE PROVISIONS 1998 NFPA 898, AS NODIFIED BY GSFC.

NO KEY LOCKS ON EGRESS SIDE OF DOOR, PER NEPA # 101: CHAPTER 7.

LEVER HARDWARE ON NEW IRE-HUNG DOORS PER NEPA/GAC (120-3-20-24(9).

PROVIDE SIZE 2 A 10 BC 1 AS INDICATED INSTALLED AT MAXIMUM OF 48" ABOVE THE FINISHED FLOOR TO THE TOP OF THE NANDLE.

PROVIDE MANUAL FIRE ALARM SYSTEM FORTHE FACILITY INCLUDING SDIGLE-STATION SMOKE DETECTORS AS INDICATED ON THE DRAWINGS PER 2012 N.F.P.A.FIO13.2.2.7 AND SECTION 8.4. AND 2020 HFPA 72 FIRE ALARM REVIEW

SEPARATE FIRE ALARM PLANS AND PERMIT ARE REQUIRED. CONFORM TO DEKALB COUNTY F.M.O. SUBMITTALS, INSPECTION AND APPROVAL.

TEST INSTALLED FIRE PROTECTION SYSTEM UPON COMPLETION OF INSTALLATION PER 2012 S.F.P.C 901.6

OFSIGNED LAN BEAL CONSTRUCTION - ENGINEERING - SUPPORT	EXISTING FLOOR PLANS	SCALE
CHECKED LAM	"ENDA CARES" PERSONAL CARE HOME 7866 UNION CHURCH ROAD LITHONIA, GEORGIA 30058	PHOJECT NO.
DATE A/8/17	DEKALB COUNTY	DRAWING NO.

GENERAL NOTES

THE INFORMATION BLOWN IN THESE GRAMMED IS BRASED ON ACTUAL FIELD MIRAURCENTRY AND OTHER INFORMATION FOR ECOND. ALL WORK DESCRIBED IN THESE PLANS SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE FOLLOWING CONSTRUCTION GOODS:

INTERNATIONAL BUILDING CODE - 2012 FORDON WITH GEORGIA AMEMOMENTS (2014, 2016 INTERNATIONAL GAS CODE - 2012 LOTION WITH GEORGIA AMENOMENTS (2014, 2015)

INTERNATIONAL MECHANICAL CODE - 2012 EDITION WITH GEORGIA AMENDMENTS (2014,

INTERNATIONAL PLUMSING CODE - 2012 EDITION WITH GEORGIA AMENDMENTS (2014, 2016)

INATIONAL ELECTRICAL CODE, 2014 EDITION WITH NO GEORGIA AMENDMENTS

INTERNATIONAL ENERGY CONSERVATION CODE - 2009 EDITION WITH GEORGIA AMENDMENTS AND SUPPLEMENTS

INTERNATIONAL FIRE CODE - 2012 EDITION WITH GEORGIA AMENDMENTS

NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 101 LIFE SAFETY CODE, 2012 EDITION OCGA TITLE 26 AND 30 AND CHAPTER 120 OF THE FIRE COMMESSIONER'S RULES AND REGULATIONS.

2016 STANDARDS MINIMUM FOR ACCESSIBLE DESIGN BY U.S. DEPARTMENT OF JUSTICE

DEKALB COUNTY FIRE DEPARTMENT APPROVAL IS REQUIRED.

DEKALB COUNTY BUILDING INSPECTIONS AND APPROVALS ARE REQUIRED

CODE ANALYSIS:

REF: INTERNATIONAL BUILDING CODE - 2012 EDITION WITH GA. AMENDMENTS (2014, 2015)

SIZE OF BUILDING 3731.71 S.F.

HEIGHT OF BUILDING: 1 STORY

TYPE VB (UNPROTECTED) TYPE CONSTRUCTION

FIRE SPRINKLER

SECTION 303

YES OCCUPANCY TYPE GROUP R-3 (RESIDENTIAL)

TABLE SOS IIB: TYPE VB - ALLOWS FOR JSTORY AND UNLINETED S.F.

TABLE SOL STRUCTURAL FLEMENT: TYPE VS CONSTRUCTION (PROTECTED) (CHAPTER 6) EXTERIOR BEARING WALL PHR RATING VE BATING O HR RATING O HR RATING O HR RATING D HR RATING INTERIOR BEARING WA

OCCUPANT LOAD: (NFPA 101 TABLE 7.1.2)

RESIDENTIAL (R4): 200 S.F. GROSS / PERSON = 3731.71/200 = 18 PERSONS

HOWEVER BUILDING SHALL, CONFORM TO STANDARDS SET BY DHR REGULERING MIN, IB S.F. PER REIRDENT IN EACH BEDROOM, DEKALB COUNTY ALLOWS 6 MAX IN A 15R ZORE UPON SUCCESSFUL APPLICATION OF A SLUP.

OCCUPANT LOAD REQUESTED AS FOLLOWS (NEPA 101 TABLE 7.3.1.2)

THREE DOUBLE OCCUPANCY ROOMS - 6 RESIDENTS	- & PERSONS
3 IHIFTS (24 HOURS) @ 2 CARE GIVERS PER SHIFT	* 2 PERSONS
2 MANAGERS VISITING CONCURRENTLY	- 2 PERSONS
1 VISITOR PER RESIDENT VISITING CONCURRENTLY	- SPERSONS
IOTAL	

HOWEVER BUILDING SHALL CONFORM TO STANDARDS BET BY DHR REQUIRING MIN, NG B.F. PER RESIDENT IN EACH BEDROOM. DERALB COUNTY ALLOWS 6 MAX IN A SFR ZONE LIPON SUCCESSFUL APPLICATION OF A SLUP.

MEANS OF EGREEN. 5% 12"FT = 72 (NSJ.2 = 340> 16 O.K.

FIRE NOTES (SEE NOTES THIS DRAWING)

REVIDATE BY LAP

- BUILDING ACCESS SHALL CONFORM TO APPLICABLE SECTIONS OF 2012 N.F.P.A #101 AHD 1997 GEORGIA ACCESSIBILITY CODE GAC 120-3-20-68 (8) AND OCGA 11 20-3-2 (6) (8).
- EVACUATION CAPABILITY NOTE, THE DESIGN OF THIS FACILITY IS BARED ON 2012 LSC 101
- PROVIDE LEVER HARDWARE FOR ALL NEW AND REHUNG DOORS. LEVER HARDWARE ONLY TO BE OPERABLE WHEN BUILDING IS OCCUPIED.

DESCRIPTION

5

CLASS & OR B INTERIOR FINISH PER 2012 N.F.P.A. # 101 SECTION 10.2 PROVIDE PORTABLE FIRE EXTINGUISHER PROTECTION PER N.F.P.A. #10. SEC 5.7, 2006 EDITION







CHEDULE REMARKS

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QUANTIT

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UBMITTED

DESIGNED LAM SEAL

DRAWN. JR.

CHECKED LAM

DATE 4/ 8/17

IN WOOD FRAME

IN ALUMINUM FRAME

IN WOOD FRAME

MUMPON FRAME

IN WOOD FRAME

IN WOOD FRAME

AUTOMATIC CLOSING

IN WOOD FRAME

REMARKS

T-B'AFF

34" AF.F.

2.5 AFF.

1-10 AFF



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 Andrew A. Baker, AICP

PRE-APPLICATION FORM

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

Applicant Name: Tawanda Vauss Phone: 404-969-8079 Email: tvauss@ednacares.com Property Address: 7566 Union Grove Rd
 Tax Parcel ID:
 16 186 01 007
 Comm. District(s):
 5 & 7
 Acreage:
 2.91 acres
 Existing Use: Personal Care Home for up to 6 individuals Supplemental Regs: Yes-_____ Overlay District: NA_____ DRI: NA_____ Rezoning: Yes X No Existing Zoning: R-85 (Residential Medium Lot) Proposed Zoning: RSM to allow care for 7 individuals "Personal Care Home, Community" land use category. Applicant indicates no proposed expansion of existing structure. Density NA Square Footage/Number of Units: --Land Use Plan Amendment: Yes No X Existing Land Use: Suburban (SUB) Proposed Land Use: NA Consistent Inconsistent Special Land Use Permit: Yes_X_ No ____ Article Number(s) 27-____ applicant desires to operate a "Personal Care Home, Community" for 7 or more individuals and desires to rezone to RSM; a Special Land Use Permit (SLUP) application is also required Major Modification: Existing Case Number(s): NA Condition(s) to be modified:



DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

 Pre-submittal Community Meeting:
 X
 Review Calendar Dates:
 X
 PC: 07/11/23*_____

 BOC:
 07/27/23**
 Letter of Intent:
 X
 Impact Analysis:
 X
 Owner Authorization(s):
 X

 Campaign Disclosure:
 X
 Zoning Conditions:
 X
 Community Council Meeting:
 06/12/23

 Public Notice, Signs:
 X
 (Applicant must pick up and post and/or will be done by Staff)
 Tree

 Survey, Conservation:
 Land Disturbance Permit (LDP):
 X
 Sketch Plat:
 X

 Bldg. Permits:
 X
 Fire Inspection:
 X
 Business License:
 X
 State License:

 Lighting Plan:
 Tent Permit:
 Submittal Format:
 NO STAPLES, NO BINDERS

PLEASE

*Filing Deadline for application to be considered for July 2023 zoning cycle is May 4, 2023. Last day to hold community meeting with 15 days notice to be considered for July 2023 cycle is April 26, 2023. If there are more than 20 cases on July 2023 agenda cycle then case would be heard in September 2023.

Review of Site Plan

Density: <u>X</u>	Density Bonuse	es:X	_Mix of	Uses:	Open S	pace:	_X	
Enhanced Open Sp	ace: _X	Setbacks: front	X	sides	X side co	orner	rear	_X
Lot Size:X	Frontage:X	Street	Widths:	X	Landscape	Strips:	X	
Buffers: X	Parking Lot Land	scaping:X_	Par	king - A	uto:X	Park	ing - Bicy	cle:
X Screen	ning:X	Streetscape	s:X	Sidev	walks: _X	Fencing/	Walls:	۲ <u> </u>
Bldg. Height:X Bldg. Orientation: Bldg. Separation: Bldg. Materials: _X Roofs:								
_X Fenestratio	on:X Faça	de Design:	XGa	rages:	_X Pedest	rian Plan	:X	_
Perimeter Landscap	pe Strip:X							

Comments: _Will need to demonstrate compliance with impact criteria A through H on rezoning application and criteria A through N on Special Land Use Permit (SLUP) application relating to how proposed RSM zoning and land use are compatible with single-family R-85 zoning in surrounding area and goals of the Suburban (SUB) future character area. Will need to also show compliance with the supplemental regulations relating to "*Personal Care Home, Community*" for 7 or more individuals per Article 4. of the Zoning Ordinance. Must show compliance with zoning ordinance requirements including but not limited to max 11/01/2018 MMA



DEPARTMENT OF PLANNING & SUSTAINABILITY

building height, minimum/maximum building setbacks from property lines, minimum and maximum number of parking spaces, sidewalks along Union Grove Road and public road frontages, landscape strips with street trees, minimum amount of open space, minimum amount of non-residential uses, etc. Please see relevant sections of Article 5 including but not limited to building materials, open space, sidewalks and streetscape, and building form.

This only a <u>preliminary review</u> and is not a complete list of zoning requirements, a final and complete review will be done upon official submission of a rezoning application and concept plan.

Planner:Jol	nn Reid	Date03/27/23	
		Filing Fees	
REZONING:	RE, RLG, R-100, R-85, R-75, R-60, MHP,	RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, M	U-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2		\$750.00
LAND USE M	AP AMENDMENT		\$500.00
SPECIAL LAN	ID USE PERMIT		\$400.00





