

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Michael Thurmond

Interim Director
Cedric Hudson

Planning Commission Hearing Date: July 11th, 2024
Board of Commissioners Hearing Date: July 25th, 2024

Case No.:	SLUP-24-1246991	Agenda #: 2024-0628
Location/Address:	498 Crestwood Court Lithonia, GA 30058	Commission District: 04 Super District: 07
Parcel ID(s):	18 026 04 039	
Request:	Special Land Use Permit (SLUP) to allow an in-home child day care for up to six (6) in the RSM (Small Lot Residential Mix) zoning district.	
Property Owner(s):	Ekwy Love	
Applicant/Agent:	Ekwy Love	
Acreage:	.21	
Existing Land Use:	Single-Family Residential	
Surrounding Properties:	North: RSM East: RSM South: RSM West: RSM	
Comprehensive Plan:	SUB (Suburban) Consistent ☒ Inconsistent ☐	

Staff Recommendation: 30-DAY DEFERRAL

This application for a Special Land Use Permit (SLUP) is for a proposed child daycare facility at a single-family residential property located at 498 Crestwood Court. The applicant specializes in the care of special needs children aged six (6) weeks to twelve (12) years. The daycare operates from 6:30 AM to 6:30 PM, as per the submitted impact statement. Although this business has been in operation since 2002, there are several concerns that warrant a deferral of the application.

One issue is the business's operational history, as clarification is needed. The business was initially established in 2002 under the name *1-2-3 Kids Inc.* but was dissolved in 2008. It was reestablished in 2021 under the name *Our Loving Mother Child Care, Inc.*, with Ekwy Love as the owner. There are no records of the business operating between 2008 and 2021, and searches under the names Ekwy Love, Ekwutosi T. Ume, and the registered agent Mareio Fraley revealed no other childcare businesses at this address during those years. The applicant will need to address staff concerns as part of their application.

The property has an area of 8,712 square feet. While all necessary yards, open space, off-street parking, and other zoning requirements appear to be met, there may be concern regarding curb parking for pick-ups and drop-offs, however these activities tend to be brief and likely causes minimal traffic impact.

The property is located within a Residential Small Mix (RSM) subdivision, and the proposed use is deemed compatible with the surrounding properties since it complies with the supplemental regulations. It appears that Crestwood Court has adequate traffic capacity to handle the traffic generated by the daycare, and ingress and egress from the property are sufficient, with direct access to the street ensuring pedestrian and automotive safety.

Public services, facilities, and utilities are generally adequate to serve the proposed use, though additional information, such as a site plan or a count of bedrooms and bathrooms, is required for a thorough evaluation. The daycare's operating hours are unlikely to negatively impact neighboring properties, as the center has operated for two decades without major concerns from immediate neighbors. The proposed use aligns with the criteria specified by section 27-4.2.19, which are supplemental regulations for child daycares, and it promotes the policies of the comprehensive plan for Suburban (SUB) Character Areas to provide essential services to residential communities (reference the page and section of comp plan here)

Furthermore, the proposed utilization within an already established single-family residence aligns with the surrounding homes, with no plans for expansions or additions that would create inconsistencies with adjacent lots and buildings. There are no known historic buildings, sites, districts, or archaeological resources in the immediate vicinity that would be adversely affected by the proposed use. The proposed use satisfies all requirements contained within the supplemental regulations for an in-home daycare special land use permit.

This application for a Special Land Use Permit (SLUP) at 498 Crestwood Court aims to establish a child daycare facility specializing in special needs children. While the property appears to meet most of the necessary zoning requirements and the proposed use appears to be compatible with the surrounding neighborhood, further information was needed to adequately evaluate public services and the history of the business. These concerns have now been appear to have been addressed. However, staff needs additional time to review the submitted documents and the overall compliance with the SLUP criteria, including a floor plan to address sufficient sewer capacity, and that the business is properly managed. Therefore, staff recommends a **“Thirty (30) day deferral of the application”**.

ZONING COMMENTS – JUNE 2024

N1. 911 Mountain View Drive. Mountain View Drive is classified as a collector road. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Mountain View Circle and Mountain Springs Way are classified as local roads. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 5-foot landscape strip with a 5-foot sidewalk. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). No poles may remain within the limits of the path/sidewalk on any street. Only one access point allowed on Mountain View Drive. Refer to Code Section 14-200 (6) for driveway spacing. Consider the circulation loop having access off Mountain View Circle. No parking allowed on the right of way. Verify that all access points have intersection and stopping sight distance as described by AASHTO.

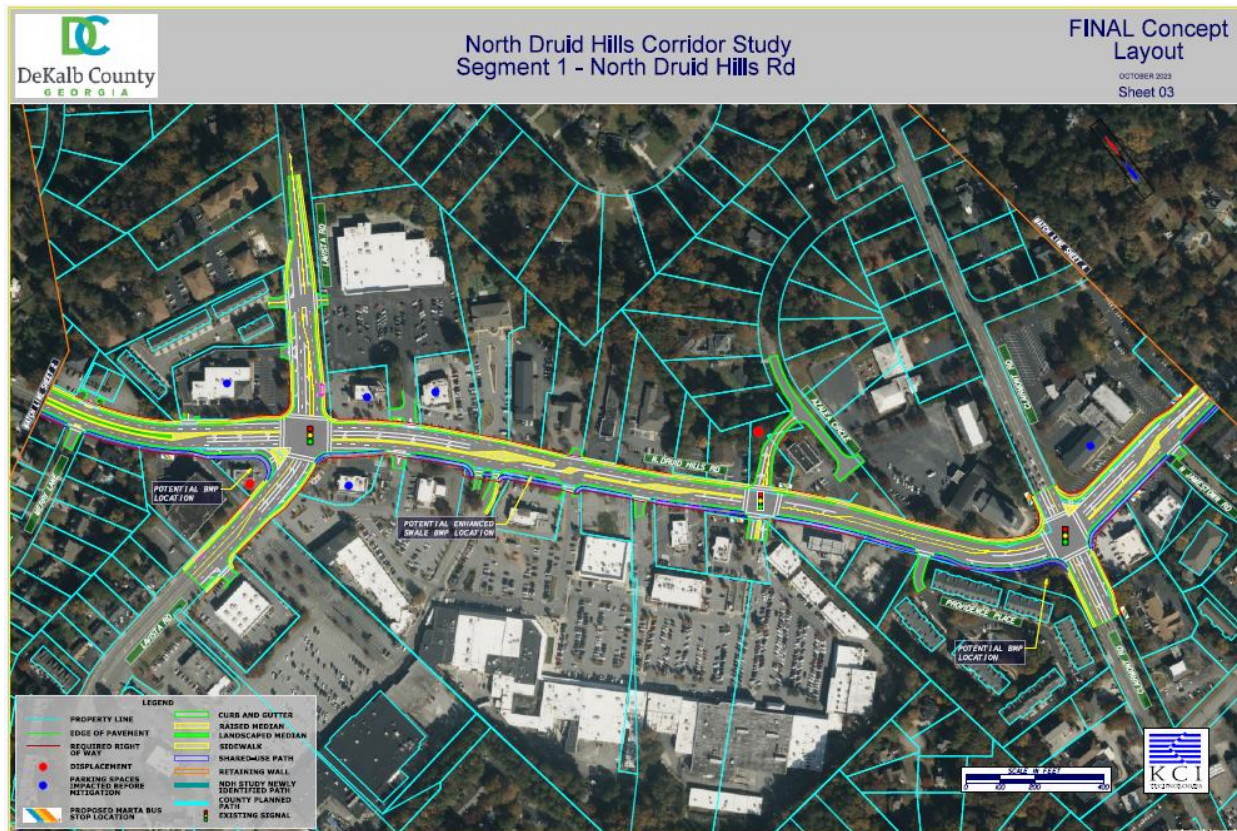
N2. 498 Crestwood Ct: No comment.

N3. 6061 Redan Road. Redan Road is classified as a minor arterial. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. 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 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Young Road is classified as a collector road. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 35 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Verify that all access points have intersection and stopping sight distance as described by AASHTO. Provide a direct pedestrian connection between the public infrastructure/right of way to the building. One right in/left in/right out access point on Redan Road. Install physical barrier to prevent left turns and include a no left turn signage. Only one access point allowed on Young Road- away from the signalized intersection as possible. Update pedestrian striping and ADA ramps at traffic signal. Bring curb and gutter up to current standards along property frontage. No poles may remain within the limits of the path/sidewalk on any street.

N4. 1422 Rock Chapel Road. Rock Chapel Road is state route 124. GDOT review and approval is required prior to permitting. (JLivingston@dot.ga.gov) Rock Chapel Road is classified as a major arterial. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). If applicant is seeking a variance from the above infrastructure requirements, it is suggested to seek during the zoning process. Verify that all access points have intersection and stopping sight distance as described by AASHTO. No poles may remain within the limits of the path/sidewalk on any street.

N5. No comment

N6. 2933 N Druid Hills Rd. Additional coordination is required with the PW- Transportation Division on related to the North Druid Hills Study Section 1B. The Transportation Division has applied for federal funds to design and construct this project. Dedicate necessary right of way for the project. Recommend variance for all other infrastructure improvements until the project is delivered during zoning process. Please note the final position of access points. Verify that all access points have intersection and stopping sight distance as described by AASHTO.



N7. 5370, 5384, 5378 Flat Shoals Parkway. Flat Shoals Parkway is SR 155. GDOT review and permits required prior to permitting. (JLivingston@dot.ga.gov) Flat Shoals Parkway is classified as a major arterial. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Verify that all access points have intersection and stopping sight distance as described by AASHTO. No poles may remain within the limits of the path/sidewalk on any street. Private roads must be built to public road standards. All interior roads are to be private and maintained by a Homeowner's Association. Verify the distance between the garage door and sidewalk is long enough to accommodate a vehicle without blocking the sidewalk. Make sure that sidewalk/pedestrian paths meet ADA requirements at driveways. If street is less than 24 feet wide, no on street parking allowed. Add no parking signs and include parking restrictions in neighborhood covenants.

N8. 1850 Lawrenceville Hwy. Lawrenceville Hwy is SR 8. GDOT review and permits required prior to permitting. (JLivingston@dot.ga.gov) Lawrenceville Hwy is classified as a major arterial. If a land development permit is required- Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse

path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Verify that all access points have intersection and stopping sight distance as described by AASHTO. No poles may remain within the limits of the path/sidewalk on any street. If seeking a variance from infrastructure improvements: At a minimum, add an 8-foot sidewalk for connection to South Fork Peachtree Creek Multiuse Trail along frontage and dedicate right of way needed.



6/14/2024

To: LaSondra H. Hill
From: Ryan Cira, Environmental Health Director
Cc: Alan Gaines, Deputy Director
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 Public Health

445 Winn Way – Box 987

Decatur, GA 30031

404.508.7900 • www.dekalbhealth.net



N.1 - 2024-0626

Z-24-1246990/ 18 091 03 035

911 Mountain View Road, Stone Mountain, GA 30083

Amendment

- Please review general comments.
- Property is indicated to operate on septic.

N.2 - 2024-0628

SLUP-24-1246990 18 026 04 039

498 Crestwood Court, Lithonia, GA 30058

Amendment

- Please review general comments.

N.3 - 2024-0629

CZ-24-1246996 16 068 02 018

6061 Redan Road, Lithonia, GA 30058

Amendment

- Please review general comments.
- This property is indicate to have a septic system installed.

N.4 - 2024-0630

Z-24-1246999 16 189 01 003

1422 Rock Chapel Road, Lithonia, GA 30058

Amendment

- Please review general comments.

DeKalb Public Health

445 Winn Way – Box 987

Decatur, GA 30031

404.508.7900 • www.dekalbhealth.net



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

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.

1246991 Review disposition comment: No objection.

Handwritten signature in blue ink: "C. S. for DeKalb Co."

DEVELOPMENT ANALYSIS:

- **Transportation/Access/Row**

Consult the Georgia DOT as well as the DeKalb County Transportation Department prior to land development permit. Verify widths from the centerline of the roadways to the property line for possible right-of-way dedication. Improvements within the right-of-way may be required as a condition for land development application review approval. Safe vehicular circulation is required. Paved off-street parking is required.

- **Storm Water Management**

Compliance with the DeKalb County Code of Ordinances 14-40 for Stormwater management and water quality control and Georgia Stormwater Management Manual is required as a condition of land development permit approval.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was not indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was not reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.

- **Fire Safety**

Plans for land development permit must comply with Chapter 12 DeKalb County Code for fire protection and prevention.



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

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

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

Case No.: _____ **Parcel I.D. #:** _____

Address: _____

WATER:

Size of existing water main: _____ (adequate/inadequate)

Distance from property to nearest main: _____ **Size of line required, if inadequate:** _____

SEWER:

Outfall Servicing Project: _____

Is sewer adjacent to property: Yes ____ No ____ **If no, distance to nearest line:** _____

Water Treatment Facility: _____ **adequate** ____ **inadequate** ____

Sewage Capacity: _____ (MGPD) **Current Flow:** _____ (MGPD)

COMMENTS:

Signature: _____



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

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**COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: SLUP-24-12466 Parcel I.D. #: 18-026-04-039
Address: 498 Crest Court, Lithonia GA 30058

Adjacent Roadway (s):
Rockbridge Rd. SW. S. Deshon Rd.

(classification) (classification)

Capacity (TPD) _____
Latest Count (TPD) _____
Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____
Existing right of way width _____
Proposed number of traffic lanes _____
Proposed right of way width _____

Capacity (TPD) _____
Latest Count (TPD) _____
Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____
Existing right of way width _____
Proposed number of traffic lanes _____
Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7th Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS: No traffic Engineering concerns at this
time

Signature: _____



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

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

**REZONE
COMMENTS FORM:**

PUBLIC WORKS ROAD AND DRAINAGE

Case No.: _____ Parcel I.D. #: _____

Address: _____

Drainage Basin: _____

Upstream Drainage Area: _____

Percent of Property in 100-Year Floodplain: _____

Impact on property (flood, erosion, sedimentation) under existing zoning: _____

Required detention facility(s): _____

COMMENTS:

Signature: Akin A. Akinsola



DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

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

Date Received: _____ Application No: _____

APPLICANT NAME: Ekwy Love

Daytime Phone: 770-374-6138 E-Mail: ccanumba@gmail.com

Mailing Address: 498 Crestwood Court Lithonia, GA 30058

Owner Name: same as above
(If more than one owner, attach contact information for each owner)

Daytime Phone: _____ E-Mail: _____

Mailing Address: _____

SUBJECT PROPERTY ADDRESS OR LOCATION: 498 Crestwood Court
Lithonia DeKalb County, GA 30058

Parcel ID: 18 026 04 039 Acreage or Square Feet: 0.21 Commission Districts: 4 & 7

Existing Zoning: RSM Proposed Special Land Use (SLUP): in home daycare

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

Owner: ☒ _____ Agent: _____

Signature of Applicant:

Dear Property Owner,

We would like for you to join our Zoom Video Meeting on Tuesday, April 16th from 6:00 pm to 7:00 pm to discuss my application for a DeKalb County special land use permit (SLUP) for my in-home daycare that I have been operating for over 20 years in my residence at 498 Crestwood Court, Lithonia, GA, 30058. I am holding a community meeting where you can find out more about my daycare, ask questions, and voice your opinions and concerns.

Below are the meeting instructions. There are multiple ways for you to join the meeting, including through your computer, tablet, or cell phone, with or without video.

You are invited to a Zoom meeting.

When: Tuesday, April 16th at 6:00 PM Eastern Time (US and Canada)

Meeting ID: 792 8922 2317

Passcode: ekwyslup

Sincerely,

A handwritten signature in black ink, appearing to read 'Ekwy Love', with a stylized, cursive script.

Ekwy Love

Zoom Step by Step Instructions

Go to <https://zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click "Join" (the meeting ID will be a 9-digit or 10-digit number)

If joining from a MOBILE DEVICE

If you are joining from a mobile device (Android smartphone/tablet, Apple iPhone/iPad) then it will simply prompt you to download the Zoom Cloud Meeting app from the App/Play Store.

If joining from a COMPUTER

When entering a Zoom meeting for the first time from a computer you may need to download a small application file. This process is easy to complete on all commonly used browsers. Google Chrome should automatically download the file.

Just before entering the meeting, you will be prompted to enter a display name. This name is simply to identify you in the meeting.

Join Audio via Computer

You will then be prompted how you wish to join your audio. If you wish to join audio via the telephone, follow the instructions further down, otherwise simply select "Join Computer by Audio".

Join Audio via Telephone

Dial in as using the number provided, however after entering the Meeting ID, you will be prompted to enter your Participant ID/Password. Simply enter this number followed by # and the video audio will then be synchronized.

Raising Your Hand

As the non-speaker/participant, if you wish to ask a question or make a point during the meeting, it's good protocol to use the "Raise Hand" tool.

If the tool bar is not showing at the bottom of the Zoom window, place your cursor over the Zoom window so it appears and select the "Participants" icon.

A window listing other participants will appear. There will also be a "Raise Hand" icon, which you can click to make it known to the Host that you would like to raise your hand.

If you wish to lower your hand, click the "Lower Hand" icon that will have replaced the "Raise Hand" icon.

Leave Meeting

To leave a meeting from Zoom on your desktop, select "End Meeting", then "Leave Meeting."



Ekwy Love <ccanumba@gmail.com>

Ekwy Love -SLUP Community Meeting**Ekwy Love** <ccanumba@gmail.com>

Mon, Apr 1, 2024 at 8:21 PM

To: allisongroup40@gmail.com, jarring55@gmail.com, wesleyabrooks@gmail.com, ledmond25@gmail.com, frehammonds@att.net, legal51996@yahoo.com, jamesalec60@gmail.com, grammymix@gmail.com, Wendell.love@gmail.com, rpassenow@gmail.com, tlpaytes@gmail.com, teresitamreid@gmail.com, evorari@bellsouth.net, richardr_im@yahoo.com, vic@furiousdreams.com

Dear Community Council Members of District 4:

We would like for you to join our Zoom Video Meeting on Tuesday, April 16th from 6:00 pm to 7:00 pm to discuss my application for a DeKalb County special land use permit (SLUP) for my in-home daycare that I have been operating for over 20 years in my residence at 498 Crestwood Court, Lithonia, GA, 30058. I am holding a community meeting where you can find out more about my daycare, ask questions, and voice your opinions and concerns.

Attached are the meeting instructions. There are multiple ways for you to join the meeting, including through your computer, tablet, or cell phone, with or without video.

You are invited to a Zoom meeting.

When: **Tuesday, April 16th at 6:00 PM** Eastern Time (US and Canada)

Meeting ID: 792 8922 2317

Passcode: ekwyslup

Thank you,

Mrs. Ekwy Love



SLUP Zoom Meeting-Ekwy Love.docx

110K

Victoria Webb <vic@furiousdreams.com>

Mon, Apr 8, 2024 at 10:16 PM

To: Ekwy Love <ccanumba@gmail.com>

Mrs. Love,

I'm unable to attend this meeting, since our DeKalb District 4 Community Council has our bimonthly meeting on the

same evening.

Thank you,
Victoria Webb

3137 Rockbridge Rd.
Avondale Estates, GA 30002

vic@furiousdreams.com
3137 Rockbridge Rd.
Avondale Estates, GA 30002

vic@furiousdreams.com
3137 Rockbridge Rd.
Avondale Estates, GA 30002

<SLUP Zoom Meeting-Ekwy Love.docx>



Ekwy Love <ccanumba@gmail.com>

Ekwy Love- SLUP Community Meeting

7:11 AM - 5/3/22

Ekwy Love <ccanumba@gmail.com>

Mon, Apr 1, 2024 at 11:53 PM

To: brockmae@bellsouth.net, christophersutton23@yahoo.com, drobson41@hotmail.com, fjtaylor02@gci.net, fredking9@aol.com, hastings.michael@gmail.com, joettapreston@bellsouth.net, l.angusramos@gmail.com, lance.hammonds@att.net, lrice27@gmail.com, lan James <4pressingissues@gmail.com>, mayor@stonemountaincity.org, met02@gci.net, minlyds66@gmail.com, mpreston@sacsd.org, nativenyc@hotmail.com, richardyounge@bellsouth.net, Ryan Brown <ryan.b.brown@gmail.com>, southave82@comcast.net, susan.nease@usa.net, tacoma.sharlene@gmail.com, terracribbs@gmail.com, thomaspringle@att.net, tshayhall1@gmail.com, weezyt@gmail.com

Dear Neighborhood Registry District Members:

We would like for you to join our Zoom Video Meeting on Tuesday, April 16th from 6:00 pm to 7:00 pm to discuss my application for a DeKalb County special land use permit (SLUP) for my in-home daycare that I have been operating for over 20 years in my residence at 498 Crestwood Court, Lithonia, GA, 30058. I am holding a community meeting where you can find out more about my daycare, ask questions, and voice your opinions and concerns.

Attached are the meeting instructions. There are multiple ways for you to join the meeting, including through your computer, tablet, or cell phone, with or without video.

You are invited to a Zoom meeting.

When: Tuesday, April 16th at 6:00 PM Eastern Time (US and Canada)

Meeting ID: 792 8922 2317

Passcode: ekwyslup

Thank you,

Mrs. Ekwy Love

April 12th, 2024

To Whom It May Concern,

My name is Ekwy Love and this is my letter of application. This document is for my special land use permit and should be used as such. The property in question is my home located on 498 Crestwood Court in Lithonia, Georgia, and is zoned RSM. I intend to use a portion of the property as an in-home daycare. This property is primarily my place of residence, and it shall also be used as my place of business; however, only certain parts of the property will be used for the daycare and those areas include the playroom, the adjoining bathroom, the living room, and the backyard. I am the only employee of my in-home daycare with my normal hours of operation being Monday through Friday from 6:30 am to 6:30 pm. The maximum number of children in my care is six (6), and I primarily work with children with special needs. The minimum age is 6 weeks old with a maximum age of 12 years.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ekwy Love', with a stylized, cursive script.

Ekwy Love

Impact of Analysis

- 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, transitional buffer zones, and all other applicable requirements of the zoning district in which the use is proposed to be located.
 - a. The property spans 8,712 square feet, providing sufficient space to establish and run an in-home daycare. All necessary yards, open space, off-street parking, and any other applicable requirements have been fulfilled.
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district, and whether the proposed use will create adverse impacts upon any adjoining land use by reason of traffic volume/congestion, noise, smoke, odor, dust, or vibration generated by the proposed use.
 - a. The facility is located within a residential area that caters to families. The proposed use of the property is compatible with adjacent properties because there are currently children present in the neighborhood.
- C. Adequacy of public services, public (or private) facilities, and utilities to serve the proposed use.
 - a. Since the area surrounding the proposed in-home daycare includes public streets, there are sufficient public services and amenities accessible. Additionally, the building offers several utilities.
- 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 use proposed so as not to unduly increase traffic and create congestion in the area.
 - a. A driveway would serve as the means to enter and exit the facility. This would reduce traffic congestion by preventing cars from parking on the side of the road. Crestwood Court has sufficient carrying capacity to handle the amount of traffic that would be generated by the facility.
- E. Adequacy of ingress and egress to the subject property and to all proposed buildings, structures and uses thereon with particular references to pedestrian and automotive safety and convenience, traffic flow and control and access in the event of fire or other emergency.
 - a. If an emergency like a fire occurs, the facility will have sufficient means of entering and exiting the existing structure. The facility currently has ingress and egress from Crestwood Court.
- F. Whether or not the proposed use will create adverse impacts upon any adjoin land use by reason of the manners and hours of operation of the proposed use.

- a. The proposed operating hours for the in-home daycare should not have any negative effects on neighboring properties and adjoining land.
- G. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.
 - a. The proposed use of the in-home daycare aligns with the criteria specified by the zoning district's 4 designations, which is where the property is currently situated.
- H. Whether the proposed use is consistent with, advances, conflicts, or detracts from the policies of the comprehensive plan.
 - a. The planned use aligns with and promotes the policies of the comprehensive plan. It does not in any way conflict or detract from it.
- I. Whether there is adequate provision of refuse and service areas.
 - a. Adequate provision of refuse and services areas will be provided in the facility.
- J. Whether the length of time for which the special land use permit is granted should be limited in duration.
 - a. There appears to be no compelling reason for limiting the duration of the requested Special Land Use Permit.
- K. Whether 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; and whether the proposed use will create any shadow impact on any adjoining lot or building as a result of the proposed building height.
 - a. The proposed utilization is within an already established family residence and aligns with the surrounding homes. There are no plans for expansions or additions that will cause inconsistency with adjacent lots and buildings.
- L. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.
 - a. There are no known historic buildings, sites, districts, or archaeological resources in the immediate vicinity that will be adversely affected by the proposed use.
- M. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.
 - a. The proposed use satisfies all requirements contained within the supplemental regulations for an in-home daycare special land use permit.

N. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, as expressed and evidenced during the review process.

- a. The proposed use is consistent with the needs of the neighborhood and community as a whole.

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 must be answered.

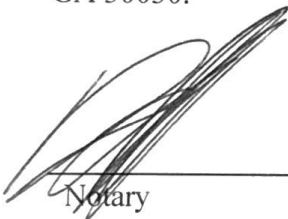
Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

Yes _____ No ☒ *

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. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.



Notary



Signature of Applicant /Date

Check one: Owner ☒ Agent _____

05/13/2025



Expiration Date/ Seal

*Notary seal not needed if answer is "no".



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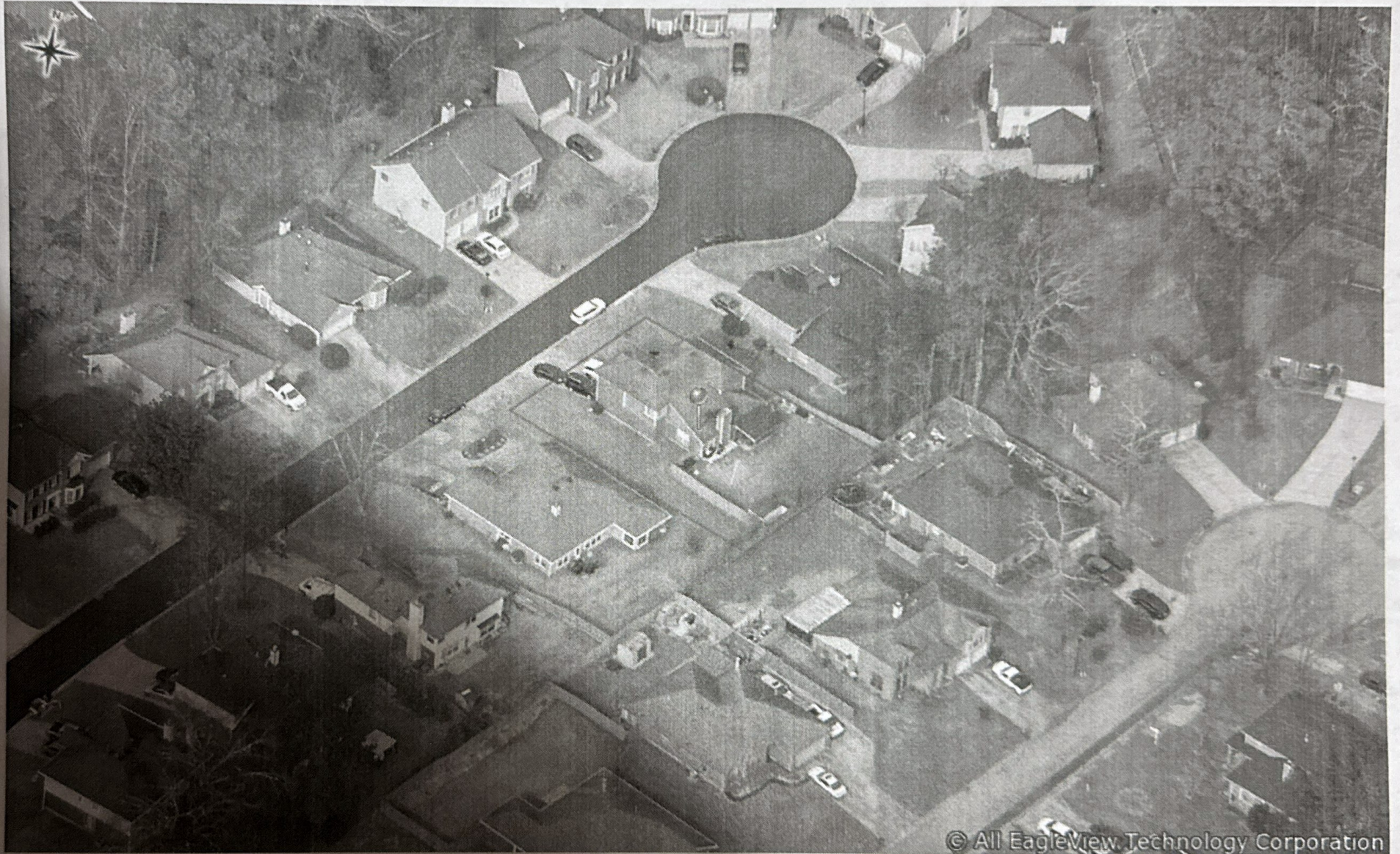
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An aerial photograph of a residential neighborhood. The image shows several houses with dark roofs, surrounded by green trees and lawns. A road or driveway runs diagonally through the center of the frame. The overall scene is a typical suburban or rural setting. In the bottom left corner, the word "Google" is visible, and in the bottom right corner, the text "Imagery ©2024 Airbus, Maxar Technologies" is present.

498 Crestwood Court Lithonia GA 30058



© All EagleView Technology Corporation

12/24/2023

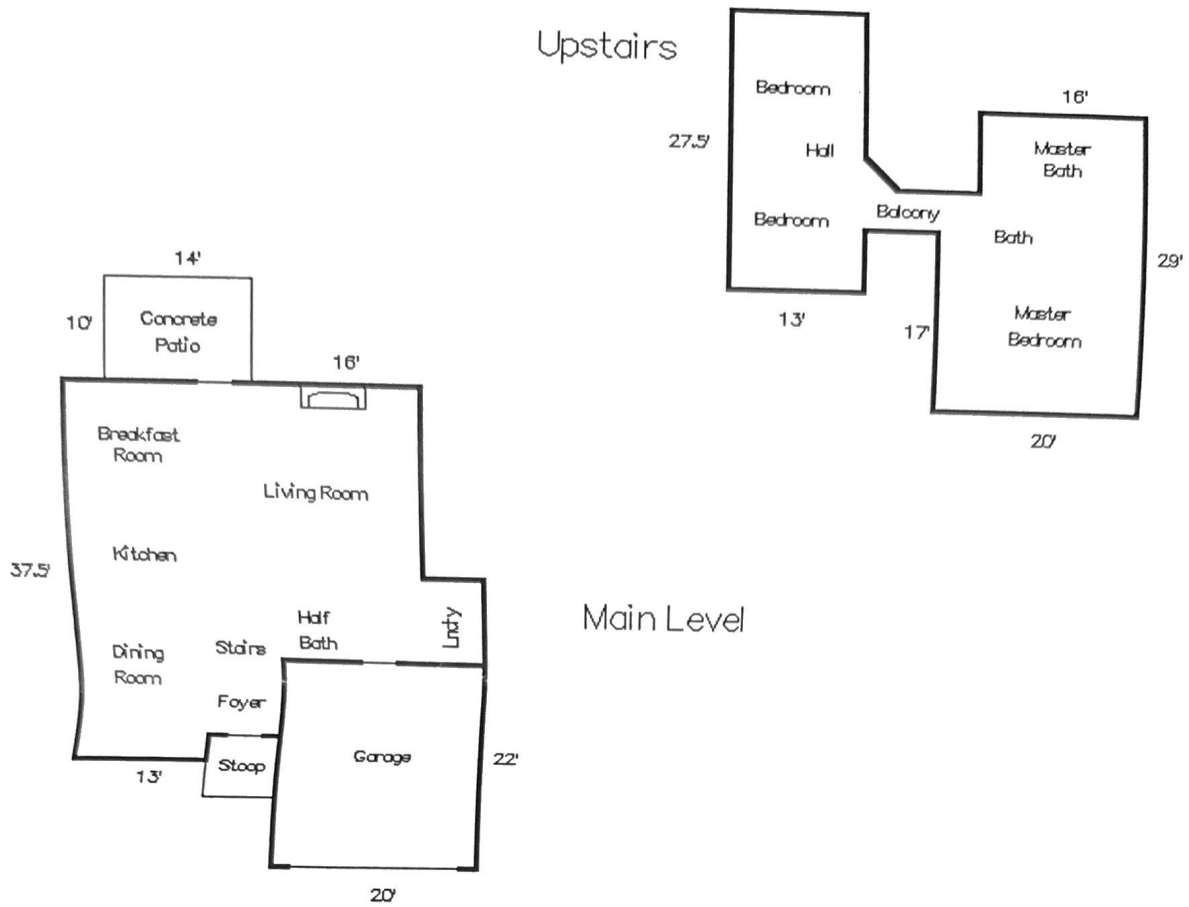
Site Photos



Tax Dist: 04-UNINCORPORATED

Item	Area
Main Building	472
A2 - 67/36:GAR BR BLT-IN/LIVING AREA BR	418
A3 - 84:OPEN PORCH	49
A4 - 88:PATIO	140
A5 - 22/22:FULL STORY BRICK & FRAME/FULL STORY BRICK & FRAME	351
A6 - 22:FULL STORY BRICK & FRAME	130
A7 - 10/10:FULL STORY FRAME/FULL STORY FRAME	152

<https://propertyappraisal.dekalbcountyga.gov/Datalets/PrintDatalet....r=000&ownseq=&card=1&roll=&State=&item=&items=&all=undefined&ranks=>



SCALE: 1 inch = 18 feet

AREA CALCULATIONS SUMMARY

Area	Name of Area	Size	Totals
GLA1	Main Level	1151.00	1151.00
GLA2	Upstairs	938.00	938.00
POR	Concrete Patio	140.00	
	Stoop	49.00	189.00
GAR	Garage	440.00	440.00
TOTAL LIVABLE (rounded)			2089

LIVING AREA CALCULATIONS

Breakdown			Subtotals
34.00	X	26.50	901.00
6.00	X	8.50	51.00
20.00	X	8.00	160.00
13.00	X	3.00	39.00
13.00	X	27.50	357.50
16.00	X	29.00	464.00
3.00	X	4.00	12.00
8.00	X	4.00	32.00
4.00	X	17.00	68.00
1.50	X	3.00	4.50
			2089

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Main Level (GLA1)				
34.00	X	26.50	=	901.00
6.00	X	8.50	=	51.00
20.00	X	8.00	=	160.00
13.00	X	3.00	=	39.00
Total for Area :				1151.00

Upstairs (GLA2)				
13.00	X	27.50	=	357.50
16.00	X	29.00	=	464.00
11.00	X	4.00	=	44.00
4.00	X	17.00	=	68.00
1.50	X	3.00	=	4.50
Total for Area :				938.00

Concrete Patlo (POR)				
14.00	X	10.00	=	140.00
Total for Area :				140.00

Stoop (POR)				
7.00	X	7.00	=	49.00
Total for Area :				49.00

Garage (GAR)				
20.00	X	22.00	=	440.00
Total for Area :				440.00

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

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: Ekwy Love Phone: 770-374-6138 Email: ccanumba@gmail.com
Property Address: 498 Crestwood Court, Lithonia 30058
Tax Parcel ID: 18 026 04 039 Comm. District(s): 4 & 7 Acreage: 0.21
Existing Use: In-home day care. Proposed Use: In-home day care.
Supplemental Regs: 27-4.2.19 Overlay District: No DRI: N/A
Rezoning: Yes No X
Existing Zoning: RSM Proposed Zoning: RSM Square Footage/Number of Units:
Rezoning Request: N/A

Land Use Plan Amendment: Yes No X
Existing Land Use: SUB Proposed Land Use: SUB Consistent Inconsistent
Special Land Use Permit: Yes X No Article Number(s) 27- 4.2.19
Special Land Use Request(s): In-home day care for up to 6.

Major Modification:

Existing Case Number(s): N/A
Condition(s) to be modified:
None

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Review Calendar Dates: _____ PC: July 11th BOC: July
Letter of Intent: _____ Impact Analysis: _____ Owner Authorization(s): _____ Campaign Disclosure: _____
Zoning Conditions: _____ Community Council Meeting: _____ Public Notice, Signs: _____
Tree Survey, Conservation: _____ Land Disturbance Permit (LDP): _____ Sketch Plat: _____
Bldg. Permits: _____ Fire Inspection: _____ Business License: _____ State License: _____
Lighting Plan: _____ Tent Permit: _____ Submittal Format: NO STAPLES, NO BINDERS PLEASE

Review of Site Plan

Density: _____ Density Bonuses: _____ Mix of Uses: _____ Open Space: _____
Enhanced Open Space: _____ Setbacks: front _____ sides _____ side corner _____ rear _____
Lot Size: _____ Frontage: _____ Street Widths: _____ Landscape Strips: _____
Buffers: _____ Parking Lot Landscaping: _____ Parking - Auto: _____ Parking - Bicycle: _____
Screening: _____ Streetscapes: _____ Sidewalks: _____ Fencing/Walls: _____
Bldg. Height: _____ Bldg. Orientation: _____ Bldg. Separation: _____ Bldg. Materials: _____
Roofs: _____ Fenestration: _____ Façade Design: _____ Garages: _____ Pedestrian Plan: _____
Perimeter Landscape Strip: _____
Possible Variances: _____

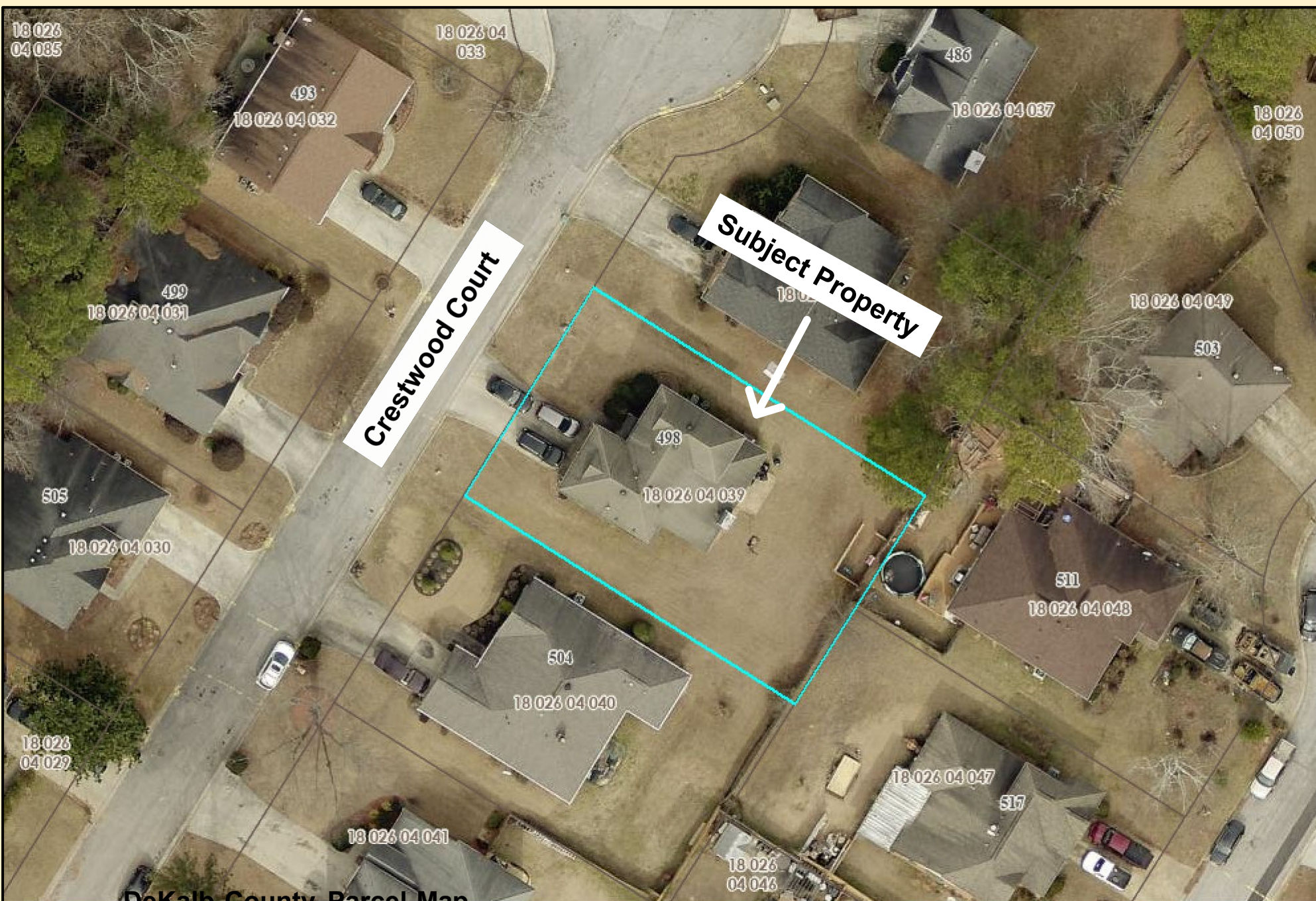
Comments: _____

Planner: LaSondra Hill, Admin Date: 3/04/2024

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, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00

LAND USE MAP AMENDMENT	\$500.00
SPECIAL LAND USE PERMIT	\$400.00



DeKalb County Parcel Map



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Date Printed: 5/22/2024



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Crestwood Court

Subject Property 18 026 04 038



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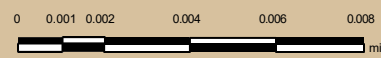
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DeKalb County Parcel Map



Date Printed: 5/22/2024



DeKalb County GIS Disclaimer

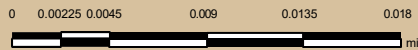
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Crestwood Court

Subject Property

RSM

DeKalb County Parcel Map



Date Printed: 5/21/2024



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