

Planning Commission Hearing Date: January 9, 2024
Board of Commissioners Hearing Date: January 25, 2024

STAFF ANALYSIS

Case No.:	SLUP-24-1246742	Agenda #: 2023-1426
Address:	3684 Seton Hall Way Decatur, GA 30034	Commission District: 03 Super District: 07
Parcel ID(s):	15-037-02-001	
Request:	A Special Land Use Permit (SLUP) to allow a home occupation with customer contact (dog daycare with up to three senior/special needs dogs) in the R-100 (Residential Medium Lot-100) Zoning District.	
Property Owner(s):	Dianne Courtney Belle	
Applicant/Agent:	Dianne Courtney Belle	
Acreage:	0.37	
Existing Land Use:	Single-family, detached home	
Surrounding Properties:	North: R-100 East: R-100 South: R-100 West: R-100	
Comprehensive Plan:	Suburban (SUB)	
	Consistent X	Inconsistent

Staff Recommendation: Approval with Conditions.

While the *Zoning Ordinance* allows individual owners of single-family residential properties to care for up to three dogs as household pets, a SLUP is required to allow the pick-up, drop-off, and care of up to three dogs as a home occupation in residential neighborhoods. The proposed dog daycare home occupation is not expected to have a negative impact on the surrounding neighborhood due to the proposed hours of operation (7:00 AM to 7:00 PM, Monday through Sunday) and the relatively small number of dogs (maximum of three senior/special needs dogs). There would be no changes to the exterior of the house in which the home occupation would be operating, so that the existing residential character of the property would remain unchanged. The existing drive can accommodate parking for four (4) vehicles. The property's fenced-in backyard should contain adequate outdoor play areas for dog care. Dog waste will be collected in plastic bags immediately after each dog produces waste and then will be placed in a trash can, which should ensure that water quality is not impaired in the area. No substantive comments were received from the DeKalb County Health Department.

The applicable requirements of the R-100 (Residential Medium Lot-100) Zoning District have been met. It appears that the application meets the criteria of the Zoning Ordinance for a Special Land Use Permit (SLUP)

for a home occupation with customer contact in an existing single-family residential structure. The Department of Planning and Sustainability recommends approval with the following conditions.

1. The dog day care facility shall be limited to a maximum of three dogs between the hours of 7:00 A.M. to 7:00 P.M. Monday through Sunday.
2. Refuse containers shall not be visible from the street except during pick-up.
3. No identification sign for the dog day care shall be posted on the property.
4. Maintain a minimum 6-foot-high fence in the side and rear yard for as long as the dog day care facility is operated on the subject property.
5. A DeKalb County Business License must be obtained.
6. The Special Land Use Permit shall be issued to Dianne Courtney Belle for operation of a dog daycare facility and shall not be transferrable.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX 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.: SLUP-24-1246742

Parcel I.D. #: 15-037-02-001

Address: 3684 Seton Hall Way, Decatur, GA 30034

Drainage Basin: South River

Upstream Drainage Area: N/A

Percent of Property in 100-Year Floodplain: 0%

Impact on property (flood, erosion, sedimentation) under existing zoning: There is no known or reported flood impact on the subject property. Erosion and sedimentation activities are not known to affect the property in its present condition.

Required detention facility(s): Not required for this SLUP application

COMMENTS:

This SLUP application has no impact on existing road and drainage infrastructure. However, there appears to be a state water within 200 ft of the property hence, adequately required BMP may be necessary for the purpose of the SLUP in order to insure that water quality is not impaired in this area.

Signature: _____

12/15/2023

To: LaSonda Hill, Planning and Sustainability

From: Ryan Cira, Environmental Health Director

Cc: Alan Gaines, Environmental Health Deputy

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 networks. 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

	Case #	Location (Address)	Comment 1	Comment 2
N1	SLUP-24-1246742	3684 Seton Hall Way, Decatur, GA 30034	Please review general comments.	
N2	SLUP-24-1246743	2445 Wesley Chapel Road, Decatur, GA 30045	Please review general comments.	No septic indicated.
N3	CZ-24-1246744	5449 Covington Highway, Decatur, Ga 30035	Please review general comments.	No septic indicated.
N4	SLUP-24-1246745	1369 Clairmont Road, Decatur, GA 30033	Please review general comments.	No septic indicated.
N5	SLUP-24-1246746	4077 Flat Shoals Parkway, Decatur, GA 30034	Please review general comments.	No septic indicated.
N6	Z-24-1246747	6826 Covington Highway, Lithonia, GA 30058	Please review general comments.	No septic indicated.
N7	Z-24-1246748	1075 Zonolite Road, Atlanta, GA 30306	Please review general comments.	No septic indicated.
N8	SLUP-24-1246750	2056 Tudor Castle Circle, Decatur, GA 30035	Please review general comments.	No septic indicated.
N9	TA-24-1246761	County-Wide	Please review general comments.	
N10	TA-24-1246762	County-Wide	Please review general comments.	

ZONING COMMENTS DECEMBER 2023

N1. SLUP-24-1246742 - 3684 Seton Hall Way: No comment.

N2. SLUP-24-1246743 - 2445 Westley Chapel Road: No comment.

N3. CZ-24-1246744 - 449 Covington Hwy: Hidden Hills OVD Tier 1. Must meet the requirement of the overlay district. Covington Hwy is SR 12 and required state review and approval prior to permitting. Contact: Cowan, Ashley S ACowan@dot.ga.gov. At a minimum, Covington Hwy is classified as a major arterial. A right of way dedication of 50 feet from centerline OR such that all public infrastructure is within ROW (including streetlighting), whichever greater. The land development code requires a bike facility. Our preference is a 10-foot multiuse path instead of a 4-foot bike lane. The zoning code requires pedestrian scale street lighting.

N4. SLUP-24-1246745 - 1369 Clairmont Rd: No comment.

N5. SLUP-24-1246746 - 4077 Flat Shoals Rd: No Comment.

N6. Z-24-1246747 - 6826 Covington Hwy: Covington Hwy is SR 12 and required state review and approval prior to permitting. Contact: Cowan, Ashley S ACowan@dot.ga.gov. Covington Hwy is classified as a major arterial. A right of way dedication of 50 feet from centerline OR such that all public infrastructure is within ROW (including streetlighting), whichever greater. The land development code requires a bike facility. Our preference is a 10-foot multiuse path instead of a 4-foot bike lane. The zoning code requires pedestrian scale street lighting.

N7. Z-24-1246748 - 1075 Zonolite Rd: Verify property lines. It appears their plans are not on their property. No other comment.

N8. SLUP-24-1246750 - 2056 Tudor Castle Cir: No comment.

N9. TA-24-1246761 - No Comment.

N10. TA-24-1246762 - No Comment.



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.

DEVELOPMENT ANALYSIS:

- **Storm Water Management**

(1) No concerns with proposal.

- **Flood Hazard Area/Wetlands**

(1) The presence of FEMA Flood Hazard Area was not in the County G.I.S. mapping records for the site.

- **Landscaping/Tree Preservation**

(1) No landscaping is being proposed.

- **Tributary Buffer**

(1) Site is part of the South River basin.



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

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**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: _____

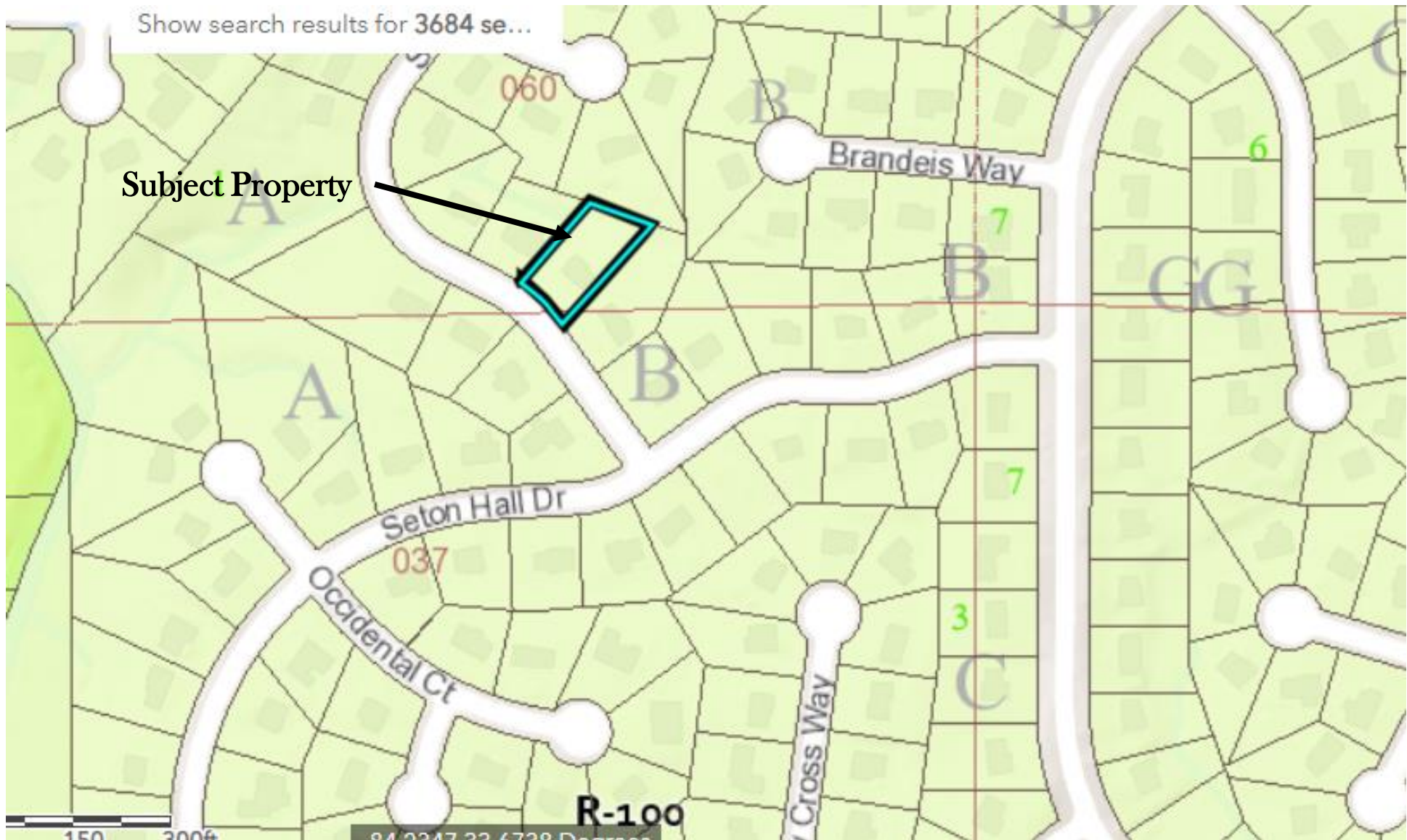
Is sewer adjacent to property: Yes ____ No ____ If no, distance to nearest line: _____

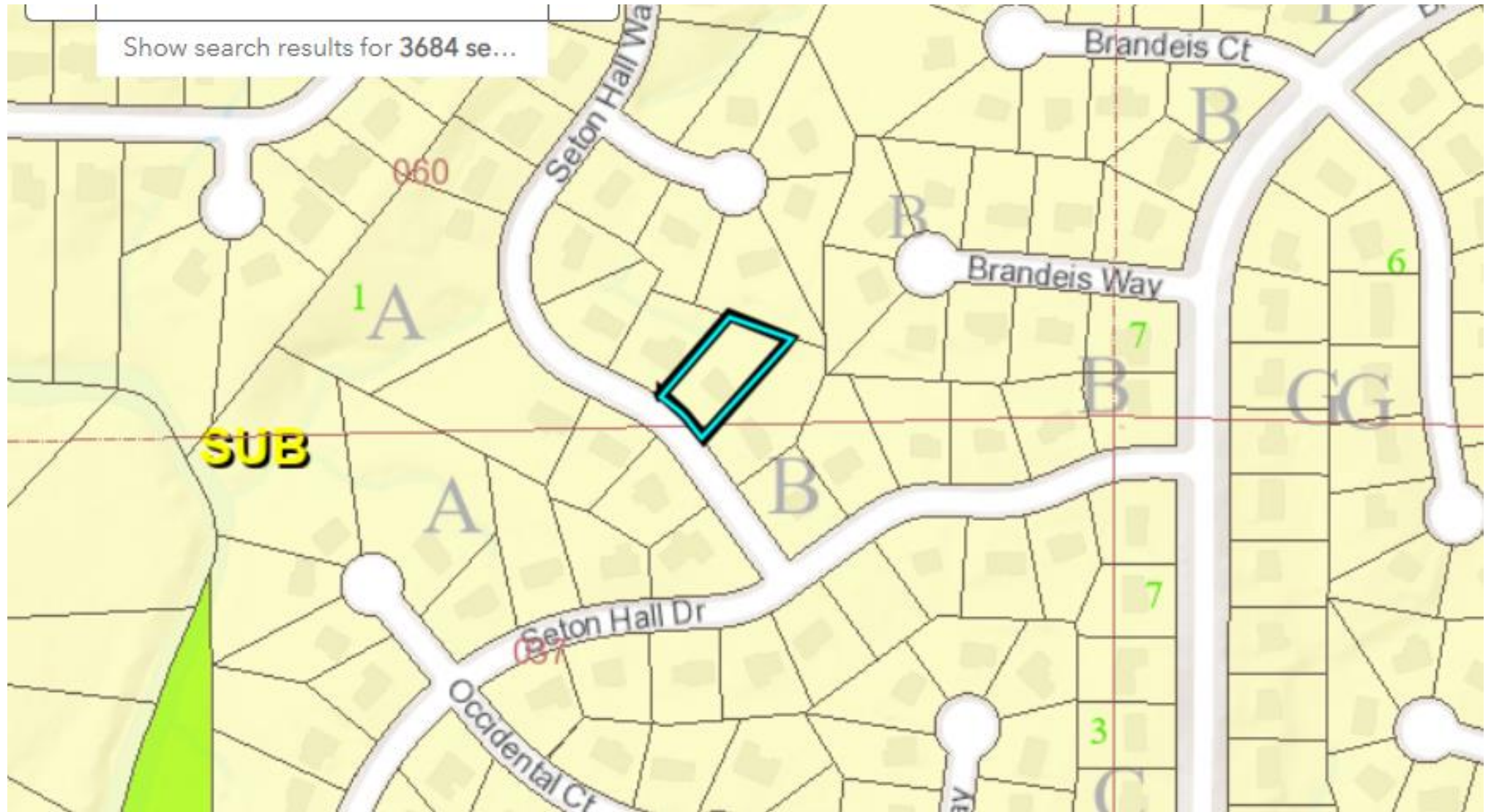
Water Treatment Facility: _____ adequate ____ inadequate ____

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

COMMENTS:

Signature: _____











DeKalb County
GEORGIA

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: 1246742

APPLICANT NAME: Dianne Courtney Belle

Daytime Phone: 678-218-5205 E-Mail: dc_belle@bellsouth.net

Mailing Address: 3684 Seton Hall Way Decatur, GA 30034

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

Daytime Phone: _____ E-Mail: _____

Mailing Address: _____

SUBJECT PROPERTY ADDRESS OR LOCATION: 3684 Seton Hall Way
Decatur DeKalb County, GA 30034

Parcel ID: 15 037 02 001 Acreage or Square Feet: 0.37 Commission Districts: 3 & 7

Existing Zoning: R-100 Proposed Special Land Use (SLUP): Senior Small Dog Day Care maximum of 2-3 dogs

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: [Signature]

Notice of Special Land Use Permit Application Community Meeting

To: Brook Glen Neighbor

My husband, Gerald Selby and I are planning to apply for a Dekalb County Special Land Use Permit to provide a dog day care for 2 – 3 small senior dogs (*30 pounds or less, 8 years or more old*). Find out more about the project, ask questions, and voice your opinion at the following community meeting:

Date: Wednesday, October 25, 2023

Time: 6:00p.m.

Location: Join Zoom Meeting

<https://us04web.zoom.us/j/77898335773?pwd=CxLTts3nhH28NGdMmzBGgK2t8hBj34.1>

Meeting ID: 778 9833 5773

Passcode: ve5Se6

If you have any questions about the meeting, please call 678-218-5205 or e-mail: dc_belle@bellsouth.net. We look forward to seeing you there!

Sincerely,

Dianne Courtney Belle

3684 Seton Hall Way

Special Land Use Permit Application Community Meeting Attendees

Cheryl Burnett
3646 Seton Hall Way

Val Patterson
3676 Seton Hall Way

Jennifer Dacruz
3679 Seton Hall Way

Norman Hicks
3804 Seton Hall Drive

Shirley Hill
Brook Glen Neighborhood Association President

Andrea Folgherait
DeKalb County Planner
Department of Planning and Sustainability
178 Sams Street
Decatur, GA 30030

Ref: Letter of Application for a Supplemental Land Use Permit for a Doggie Day Care for 2-3 Small Senior Dogs

Dear Andrea

I'm applying for a Special Land Use Permit (SLUP) for a doggie day care in my home for 2-3 small senior dogs. The existing zoning classification is R-100.

The dogs will be senior dogs under 30 pounds. I have a large, fenced back yard. The dogs will be inside my home or supervised in my back yard which is wood fenced 7 feet tall.

I believe there is a need for special care for senior/elderly dogs. They may have problems with mobility, medication, sight, and hearing.

Please let me know if you need additional information. I can be reached at 678-218-5305 or email at dc_belle@bellsouth.net.

Thanks



Dianne

Dianne Courtney Belle

Special Land Use Permit Impact Analysis

A Doggie Day Care for 2-3 small senior dogs under 30 pounds will be an asset to the community. Today there are no facilities that provide this type of service in our area.

My home is an ideal location with a fenced back yard with active cameras. The dogs will be in my home or supervised in my back yard.

Any waste will be collected and disposed in the trash can.

A Doggie Day Care for small senior dogs is much needed in my community.



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.

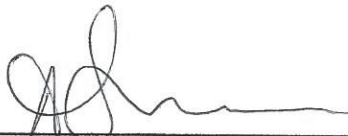
Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

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



 DAB 10/24/2023

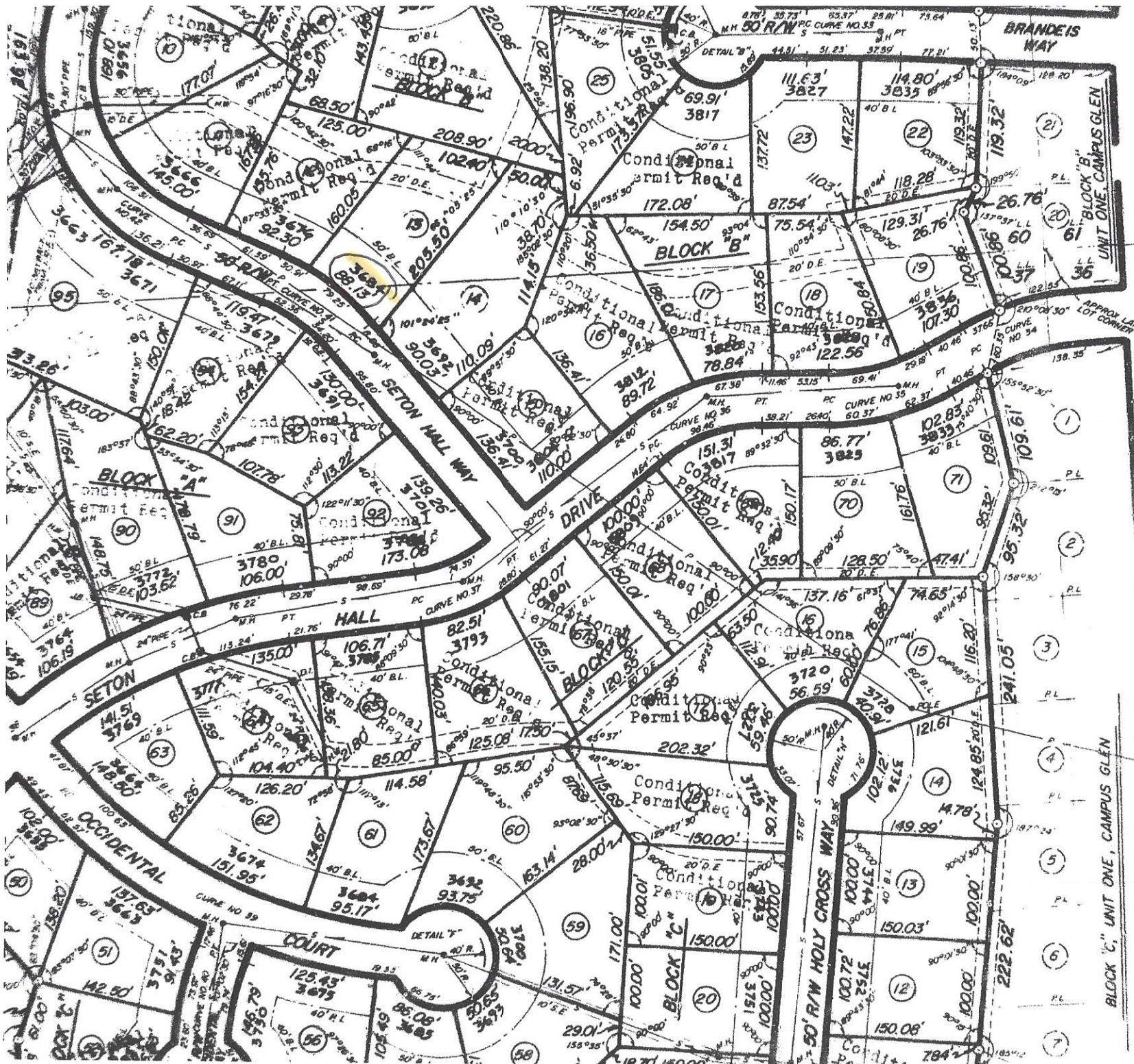
Signature of Applicant /Date

Check one: Owner _____ Agent _____

5-21-2027

Expiration Date/ Seal

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

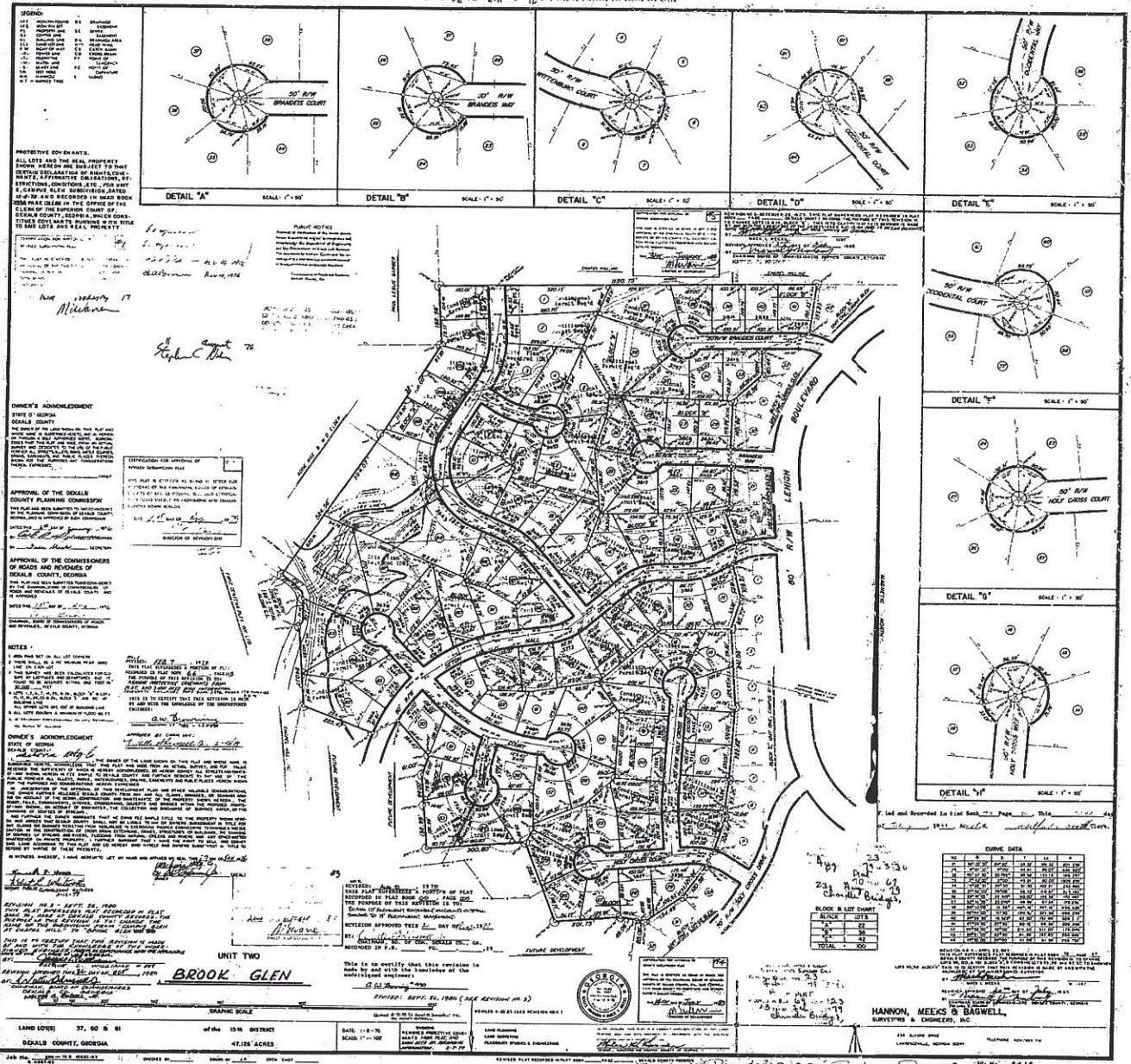


LEHIGH
80' R/W

SNAPPING SHALLS E MC
OVERHEAD POWER LINE
TO BE RELOCATED

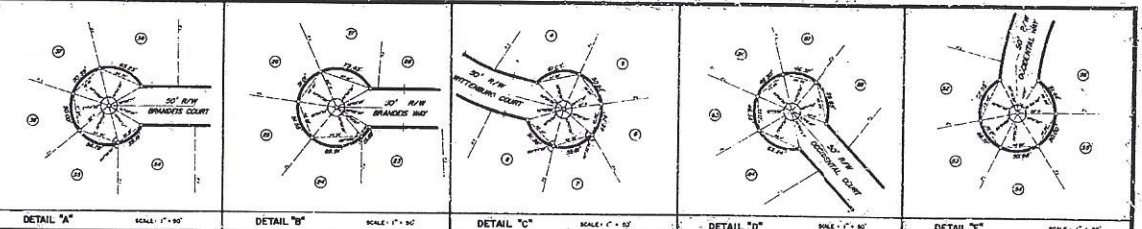
BLOCK "C", UNIT ONE, CAMPUS GLEN

Filed and Recorded in Plat Book 77, Page 3, This 8 day of July, 1934, at 5:14 P.M. Walter C. Bagwell Clerk.



LEGEND

1. 1/4" = 1' = 30'	1. 1/4" = 1' = 30'
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PROTECTIVE COVENANTS
 ALL LOTS AND THE REAL PROPERTY SHOWN HEREON ARE SUBJECT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, ETC., OF THE PLAT OF THE SUBDIVISION OF THE TRACT OF LAND KNOWN AS 'BROOK GLEN' RECORDED IN DEED BOOK 77, PAGE 1, OF THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA, WHICH COVENANTS, CONDITIONS, RESTRICTIONS, ETC., ARE HEREBY INCORPORATED BY REFERENCE INTO THIS PLAT.

PUBLIC NOTICE
 NOTICE IS HEREBY GIVEN THAT THE DEED BOOK 77, PAGE 3, OF THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA, CONTAINS A PLAT OF THE TRACT OF LAND KNOWN AS 'BROOK GLEN' RECORDED IN DEED BOOK 77, PAGE 1, OF THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA, WHICH PLAT IS HEREBY INCORPORATED BY REFERENCE INTO THIS PLAT.

OWNER'S ACKNOWLEDGMENT
 STATE OF GEORGIA
 DEKALB COUNTY
 I, the undersigned, Clerk of the Superior Court of DeKalb County, Georgia, do hereby certify that the within and foregoing plat of the tract of land known as 'BROOK GLEN' is a true and correct copy of the original plat as the same appears in the office of the Clerk of the Superior Court of DeKalb County, Georgia, and that the same has been duly recorded in Deed Book 77, Page 3, of the Public Records of DeKalb County, Georgia.

APPROVAL OF THE DEKALB COUNTY PLANNING COMMISSION
 APPROVED AND RECOMMENDED FOR RECORDATION:
 [Signature]
 CLERK OF THE SUPERIOR COURT OF DEKALB COUNTY, GEORGIA

APPROVAL OF THE COMMISSIONERS OF DEKALB COUNTY, GEORGIA
 APPROVED AND RECOMMENDED FOR RECORDATION:
 [Signature]
 CLERK OF THE SUPERIOR COURT OF DEKALB COUNTY, GEORGIA

NOTES
 1. THIS PLAT IS SET ON JULY 26, 1934.
 2. THE TRACT OF LAND SHOWN ON THIS PLAT IS THE SAME AS THAT SHOWN ON PLAT BOOK 77, PAGE 1, OF THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA, AND IS HEREBY INCORPORATED BY REFERENCE INTO THIS PLAT.
 3. THE TRACT OF LAND SHOWN ON THIS PLAT IS THE SAME AS THAT SHOWN ON PLAT BOOK 77, PAGE 1, OF THE PUBLIC RECORDS OF DEKALB COUNTY, GEORGIA, AND IS HEREBY INCORPORATED BY REFERENCE INTO THIS PLAT.
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APPROVAL OF THE COMMISSIONERS OF DEKALB COUNTY, GEORGIA
 APPROVED AND RECOMMENDED FOR RECORDATION:
 [Signature]
 CLERK OF THE SUPERIOR COURT OF DEKALB COUNTY, GEORGIA

OWNER'S ACKNOWLEDGMENT
 STATE OF GEORGIA
 DEKALB COUNTY
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UNIT TWO
BROOK GLEN
 DEKALB COUNTY, GEORGIA

GRAPHIC SCALE

LAND LOTS: 37, 60 & 61 of the 13.00 ACRES SUBTRACT
 DEKALB COUNTY, GEORGIA 47.126 ACRES

DATE: 1-8-34
 SCALE: 1" = 100'

PREPARED BY: HANNON, MEES & BAGWELL, SURVEYING & ENGINEERS, INC.



CURVE DATA

NO.	R	Δ	L	T	P
1	100.00	45.00	100.00	100.00	100.00
2	100.00	45.00	100.00	100.00	100.00
3	100.00	45.00	100.00	100.00	100.00
4	100.00	45.00	100.00	100.00	100.00
5	100.00	45.00	100.00	100.00	100.00
6	100.00	45.00	100.00	100.00	100.00
7	100.00	45.00	100.00	100.00	100.00
8	100.00	45.00	100.00	100.00	100.00
9	100.00	45.00	100.00	100.00	100.00
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11	100.00	45.00	100.00	100.00	100.00
12	100.00	45.00	100.00	100.00	100.00
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15	100.00	45.00	100.00	100.00	100.00
16	100.00	45.00	100.00	100.00	100.00
17	100.00	45.00	100.00	100.00	100.00
18	100.00	45.00	100.00	100.00	100.00
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27	100.00	45.00	100.00	100.00	100.00
28	100.00	45.00	100.00	100.00	100.00
29	100.00	45.00	100.00	100.00	100.00
30	100.00	45.00	100.00	100.00	100.00

HANNON, MEES & BAGWELL, SURVEYING & ENGINEERS, INC.
 110 MARKET STREET
 ATLANTA, GEORGIA 30303
 TELEPHONE 527-7373



DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Review Calendar Dates: _____ PC: _____ BOC: _____
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: _____

Variances from Supplemental regulations may be sought. Specifically, pet day care use shall have a minimum setback of at least one hundred (100) feet from all property lines and at least two hundred (200) feet from property zoned or used for residential use.

Comments: _____

Planner: Andrea Folgherait, Planner Date: 8/10/2023

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