



Legislation Details (With Text)

**File #:** 2017-1219    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 10/24/2017    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 11/14/2017    **Final action:** 11/14/2017  
**Title:** SLUP-17-21813 Devon Fiddis

**Indexes:**

**Attachments:** 1. SLUP 17 21813 Recommended Conditions, 2. N3 Devon Fiddis SLUP 17 21813

Date	Ver.	Action By	Action	Result
11/14/2017	1	Board of Commissioners - Zoning Meeting		
11/2/2017	1	Planning Commission	denied	Pass

**Public Hearing:** YES  NO     **Department:** Planning & Sustainability

**SUBJECT:**

SLUP-17-21813 Devon Fiddis

**COMMISSION DISTRICT(S):** 3 & 7

**PETITION NO:** SLUP-17-21813

**PROPOSED USE:** Personal Care Home up to six (6) residents

**LOCATION:** 3363 Luxembourg Circle

**PARCEL NO.:** 15-066-01-049

**INFORMATION CONTACT:** Marian Eisenberg

**PHONE NUMBER:** 404-371-4922

**PURPOSE:**

Request a Special Land Use Permit (SLUP) to increase the number of residents in an existing personal care home from 3 to 6 residents within the R-100 (Residential Medium Lot) District, in accordance with Chapter 27-Article 4.1 Use Table and Articles 4.2.41.A & B of the DeKalb County Code. The property is located on the southeast side of Luxembourg Circle, approximately 375 feet east of Luxembourg Court in unincorporated DeKalb County at 3363 Luxembourg Circle, Decatur, Georgia. The property has approximately 80 feet of frontage along the southeast side of Luxembourg Circle and contains 0.66 acre.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** No recommendation. Tie vote.

**PLANNING COMMISSION:** Denial

**PLANNING STAFF:** Approval with Conditions

**PLANNING STAFF ANALYSIS:** The proposed SLUP (Special Land Use Permit) request seeks to expand the existing personal care home from 3 to 6 residents. The application meets the criteria of the zoning ordinance for a personal care home for up to six (6) persons. Located on Luxembourg Circle, there should be little or no impact on traffic with the increase in residents. There will be no physical changes to the exterior of the existing single-family residence. Therefore the residence will be compatible in character with existing and surrounding single-family residences in the area. The proposed use is consistent with the following DeKalb County 2035 Comprehensive Plan Housing Policy: **Special Needs** - Increase the availability of special needs housing to meet the growing population. Given that it appears that there are no other personal care homes for six (6) residents in the immediate surrounding area, the Department of Planning and Sustainability recommends, "Approval with the attached conditions".

**PLANNING COMMISSION VOTE:** Denial. 7-0-0. V. Moore moved, P. Womack, Jr. seconded for denial.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Tie 5-5-0. Motion for full cycle deferral was tied 5-5-0. A second motion for denial was also tied 5-5-0. Members discussed the size of the house and the bedrooms, traffic impact, and negative inspection reports from past years. CC3 acknowledged letters of support from next-door and nearby neighbors. Acting President of Kings Row Community Assn. stated that the Assn. does not support the requested increase in residents.