



Legislation Details (With Text)

**File #:** 2018-2412    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 7/13/2018    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 9/25/2018    **Final action:**  
**Title:** COMMISSION DISTRICT(S): 5 & 7  
N18 Yolanda A. Walker Godwin SLUP-18-1235052

**Indexes:**

**Attachments:** 1. SLUP 18 1235052 RECOMMENDED CONDITIONS, 2. SLUP 18 1235052 staff report

Date	Ver.	Action By	Action	Result
9/25/2018	1	Board of Commissioners - Zoning Meeting		
9/6/2018	1	Planning Commission	approved with conditions per staff recommendation	Pass

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

**SUBJECT:**

**COMMISSION DISTRICT(S):** 5 & 7  
N18 Yolanda A. Walker Godwin SLUP-18-1235052  
**PETITION NO:** SLUP 18 1235052

**PROPOSED USE:** In Home Day Care

**LOCATION:** 5460 Biffle Road

**PARCEL NO.:** 16 036 01 023

**INFORMATION CONTACT:** Marian Eisenberg

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

**PURPOSE:**

Application of Yolanda A. Walker Godwin for a Special Land Use Permit (SLUP) for an-in home child day care facility for up to six (6) children in the Residential Tier of the Hidden Hills Overlay District and the R-100 (Residential Medium Lot) District, in accordance with Section 3.37.5.B.6 and Section 27-4.1 (4.2.19) of the DeKalb County Code. The property is located on the north side of Biffle Road, approximately 123 feet west of Panola Road at 5460 Biffle Road in Stone Mountain, Georgia. The property has approximately 120 feet of frontage along Biffle Road and contains 0.46 acre.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** APPROVAL

**PLANNING COMMISSION: APPROVAL WITH CONDITIONS**

**PLANNING STAFF: APPROVAL WITH CONDITIONS**

**PLANNING STAFF ANALYSIS:** Based on the submitted information, it appears that the application meets the criteria of the zoning ordinance for a Special Land Use Permit for a child day care facility for up to six children in an existing single family residential structure. The proposed child day care facility is not expected to have a negative impact on the surrounding neighborhood, due to the proposed hours of operation (6:30 AM to 6:00 PM, Monday through Friday), and the relatively small number of children. There would be no changes to the exterior of the house in which the day care facility 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. Adequate indoor and outdoor play areas with fencing will be provided in accordance with County and State Codes. Located within a Suburban Character area designated by the 2005-2035 Comprehensive Land Use Plan Map, the proposed use is consistent with the following plan strategy: Create neighborhood focal points by locating schools, community centers, or well-designed small commercial centers at suitable locations within walking distance of residences (SUB Policy #16). The applicable requirements of the R-100 (Residential Medium Lot) District have been met. To promote the successful operation of the facility, the Department of Planning and Sustainability recommends that the facility be operated in a manner that would minimize off-site impacts. The Department of Planning and Sustainability recommends **“Approval with Staff’s recommended conditions”**.

**PLANNING COMMISSION VOTE:** APPROVAL WITH CONDITIONS 8-0-0 M. Butts moved, P. Womack, Jr. seconded for approval with Staff’s conditions.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** APPROVAL 6-1-2