



## Legislation Details (With Text)

**File #:** 2019-4715    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 11/25/2019    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 1/28/2020    **Final action:**  
**Title:** COMMISSION DISTRICT(S): 2 & 6  
Application of Chevra Ahavas Yisrael of Atlanta, Inc. to request a Special Land Use Permit (SLUP) to allow a Place of Worship (Synagogue) within the R-85 (Residential Medium Lot) District, , in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 27-4.2.31 Supplemental Regulations of the DeKalb County Code, at 1171 Houston Mill Road.

### Indexes:

**Attachments:** 1. N8 Chevra Ahavas Yisrael Synagogue SLUP 20 1243621, 2. Letter of Withdrawal from Property Owner-1185 Houston Mills Road

Date	Ver.	Action By	Action	Result
1/28/2020	1	Board of Commissioners - Zoning Meeting	withdrawn	Pass
1/7/2020	1	Planning Commission	withdraw without prejudice	Pass

**Public Hearing:** YES ☒ NO ☐

**Department:** Planning & Sustainability

### SUBJECT:

#### **COMMISSION DISTRICT(S): 2 & 6**

Application of Chevra Ahavas Yisrael of Atlanta, Inc. to request a Special Land Use Permit (SLUP) to allow a Place of Worship (Synagogue) within the R-85 (Residential Medium Lot) District, , in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 27-4.2.31 Supplemental Regulations of the DeKalb County Code, at 1171 Houston Mill Road.

**PETITION NO: N8. SLUP-20-1243621 (2019-4715)**

**PROPOSED USE:** Place of Worship.

**LOCATION:** 1171 Houston Mill Road.

**PARCEL NO. :** 18-111-03-040

**INFO. CONTACT:** Marian Eisenberg

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

### PURPOSE:

Application of Chevra Ahavas Yisrael of Atlanta, Inc. to request a Special Land Use Permit (SLUP) to allow a Place of Worship (Synagogue) within the R-85 (Residential Medium Lot) District, , in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 27-4.2.31 Supplemental Regulations of the DeKalb County Code. The property is located on the east side of Houston Mill Road, approximately 467 feet south of LaVista Road, at 1185 Houston Mill Road, Atlanta, Georgia. The property has approximately 283 feet of frontage along Houston Mill Road and contains 3.24 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Denial.

**PLANNING COMMISSION:** Withdrawal without Prejudice.

**PLANNING STAFF:** Withdrawal without Prejudice.

**STAFF ANALYSIS:** The proposal under consideration is to convert the existing single-family detached home into a place of worship (synagogue). Based on the submitted materials, the applicant is proposing to modify and renovate the existing single-family detached home and add a 120-seat sanctuary building to the rear of the structure. Vehicular access would be provided from Houston Mill Road and approximately 32 parking space are proposed at the front of the structure. Refuse would be disposed in a dumpster, which would be located south at the edge of the proposed structure. The application states that the proposed hours of operation are Fridays 6 PM -8 PM, Saturdays 6 PM-8 PM, and Sundays 6 PM-8 PM. Renderings and elevations submitted by the applicant show that the synagogue would be one story and with new siding to match with the existing structure. The proposal does not comply with the supplemental regulations per section 27- 4.2.42. of the DeKalb County Zoning Ordinance for places of worships. The proposal is not consistent with the policies of the 2035 Comprehensive Plan nor the 2014 Transportation Plan. The subject property is not adequate for a proposed place of worship. The site does not comply with applicable requirements of the zoning supplemental regulations for places of worship. The proposed use may not be consistent with the needs of the neighborhood or the community as a whole. Most of the congregants will travel to the place of worship on foot due to a religious prohibition against driving on the Sabbath. However, there is no guarantee the place of worship will be used in perpetuity by congregants of this religious practice. If granted, the property use as a place of worship by congregants who might want to use Houston Mill Road as a means of travel from distant neighborhoods located to the south, thereby bringing traffic through the immediately surrounding neighborhood. The site would be adversely affected by the volume of traffic to be generated by the proposed place of worship. Therefore, the Department of Planning and Sustainability does not support the request. However, the property owner withdrew authorization for the applicant to apply for the SLUP, so staff recommends “Withdrawal without Prejudice.”.

**PLANNING COMMISSION VOTE: Withdrawal without Prejudice 9-0-0.** A. Atkins moved, P. Womack, Jr. seconded for Withdrawal without Prejudice. The motion passed unanimously.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 5-0-0.**