

Public Hearing: YES NO

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 5 & 7

Application of Halim Najib for a Special Land Use Permit (SLUP) to operate a Child Caring Institution for teenage mothers in an MR-1 (Medium Density Residential-1) District, at 5797 Marbut Road.

PETITION NO: N1. SLUP-20-1244121 2020-1163

PROPOSED USE: Child Caring Institution

LOCATION: 5797 Marbut Road, Lithonia, Ga.

PARCEL NO. : 16-070-08-039

INFO. CONTACT: Melora Furman, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Halim Najib for a Special Land Use Permit (SLUP) to operate a Child Caring Institution for teenage mothers in an MR-1 (Medium Density Residential-1) District, in accordance with Chapter 27 of the DeKalb County Code, Table 4.1 Use Table. The property is located on the south side of Marbut Road, approximately 655 feet west of Clayton Ridge, at 5797 Marbut Road, Lithonia Georgia. The property has approximately 72 feet of frontage on Marbut Road and contains 0.29 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: Denial.

PLANNING COMMISSION: Full Cycle Deferral.

PLANNING STAFF: Approval with Conditions.

STAFF ANALYSIS: The proposed group child caring institution is consistent with the following policy of the 2035 Comprehensive Plan: "Increase the availability of special needs housing to meet the growing population" (Housing Policy No. 7). The size, scale, and appearance of the existing single-family home will be maintained; thus, the proposed use is compatible with Suburban Character Area Policy No. 1 of the Comprehensive Plan: "Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density." The child caring institution is proposed to function as a residence. The outward appearance of the property will be that of a residence. The residents of the home are expected to engage in the same or similar living activities as other people, with the safeguard of guidance from a staff. There is no reason to suppose that the child caring institution will have adverse impacts on the homes on adjoining properties. The property may not have sufficient provisions for parking and egress; thus, staff recommends conditions to improve the site's parking capacity. Therefore, the Department of Planning and Sustainability recommends "Approval, with conditions".

PLANNING COMMISSION VOTE: Full Cycle Deferral 8-0-0. E. Patton moved, L. Osler seconded for a "Full Cycle Deferral" due to the applicant not being present.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 7-0-0. Recommendation for denial was due to the abundance of similar personal care facilities in the area.

RECOMMENDED CONDITIONS

SLUP-20-1244121

Child Caring Institution

1. The Special Land Use Permit shall be issued to Halim Najib, for operation of a group child caring institution for pregnant teenagers, which shall not be transferrable.
2. There shall be a maximum of five teenage residents in the group child caring institution.
3. The duration of this Special Land Use Permit shall be eighteen (18) months from the date of approval by the Board of Commissioners.
4. The existing turnaround on the property shall be enlarged to accommodate one additional car and safe egress onto Marbut Road.

DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

(404) 371-2155 / www.dekalbcountyga.gov/planning

Planning Commission Hearing Date: November 5, 2020
Board of Commissioners Hearing Date: November 19, 2020

STAFF ANALYSIS

Case No.: SLUP-20-1244121 **Agenda #:** N. 1

Location/Address: 5797 Marbut Road, Lithonia, GA **Commission District:** 5 **Super District:** 7

Parcel ID(s): 16-070-08-039

Request: Special Land Use Permit (SLUP) to operate a Child Caring Institution for teenage mothers in an MR-1 (Medium Density Residential-1) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 4.2.41 Supplemental Regulations of the DeKalb County Code.

Property Owner(s): Halim Najib

Applicant/Agent: Halim Najib

Acreage: .29 (12,643 square feet)

Existing Land Use: A single-family detached house

Surrounding Properties: To the north and northeast: wooded, undeveloped land (R-100 & RSM); to the east, southeast, south, southwest, and west: single-family residential (MR-1)

Comprehensive Plan: Suburban Consistent Inconsistent

Proposed Units: One	Existing Units: One
Proposed Lot Coverage: no increase proposed	Existing Lot Coverage: (estimate) 20%

SITE AND PROJECT ANALYSIS

The subject property is located on the south side of Marbut Road, a two-lane collector street, in a residential neighborhood located north of Covington Highway and approximately 1,500 feet west of Wellborn Road. Marbut Elementary School is located approximately 1,000 feet from the subject property. A four-foot sidewalk is located on the south side of Marbut Road, and a six feet sidewalk runs along the north side of the road. There are no pedestrian crossings on Marbut Road near the school.

The property is developed with a two-story, 2,137 square foot house, constructed in 2001 with a two-car garage and a fenced back yard. The Special Land Use Permit under consideration is for a group child caring institution for up to five pregnant teenagers, to be called "House of Gaynell". Floor plans submitted with the application show four bedrooms

and two staff offices. The second story “staff office” will be used as a bedroom. Some of the other rooms may be used flexibly, depending on changing needs of the residents. The applicant has stated that residents who have not had babies may share bedrooms. The application states that there will be two employees on duty at all times; however, the applicant later clarified that there will be one live-in caretaker. The application states that the residents will be “expected and encouraged to attend school; however, if they for any reason may not be able to physically attend classes in a school building, they [will] have the opportunity to attend home school at the residence.” A variety of life skills training programs and career preparation classes will be offered.

The house has a two-car garage and a driveway 51 feet long and approximately 17 feet wide. A turnaround pad is connected to the driveway near the garage. The house was constructed below the grade of the street, and the driveway slopes at what appears to be a 45 degree angle. Based on DeKalb County minimum parking space dimensions, the driveway, garage, and enlarged turnaround, as recommended by Staff, could accommodate up to ten compact vehicles (with six parked in the driveway), and seven full size vehicles. The enlarged turnaround will also facilitate egress from the property. Marbut Road has 12-foot travel lanes and 2-foot shoulders with no room for on-street parking without causing blockage of the travel lane.

Compliance with District Standards:

MR-1 STANDARD		REQUIRED/ALLOWED	PROVIDED/PROPOSED	COMPLIANCE
MIN. LOT AREA		5,000 s.f	12,643 square feet	Yes
MIN. LOT WIDTH		45 feet	72 feet	Yes
MAX. LOT COVERAGE		60%	(Estimate) 20%	Yes
Building Setbacks	FRONT w/ alley	Determined by utility placement, ROW, streetscape	Approximately 30 feet	Yes
	INTERIOR SIDE	3 ft. w/min. 10 ft. separation between buildings.	Approx. 10 ft. setback; more than 10 ft. separation from adjoining buildings	Yes
	REAR W/O ALLEY	20 feet	Approx. 120 feet	Yes
MINIMUM UNIT SIZE		1,200 square feet	2,137 square feet	Yes
PARKING		4 required spaces	10 spaces for compact vehicles; 7 spaces for full-size vehicles.	Yes

Sec. 27-4.2.41 Supplemental Regulations

(d) Child caring institution general requirements.

1. Each child caring institution must obtain all license(s) and/or permit(s) required by the State of Georgia in order to operate. Each personal care home licensed and/or permitted by the State of Georgia must display its state-issued license(s) and/or permit(s) in plain view, visible from the front doorway of the facility.

Owner Halim Najib is aware that the license is necessary must be posted in plain view.

2. No personal care home may display any exterior signage that violates the sign ordinance in Chapter 21 of the Code or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located.

No exterior signage is proposed.

(e) Child caring institution group four (4) to six (6) children

1. Two (2) copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the director of planning prior to issuance of a building permit or business license.

Ms. Najib submitted floor plans in the SLUP application.

2. Each group personal care home must provide at least four (4) parking spaces within a driveway, garage or carport and must comply with any applicable requirements in Article 6.

Based on DeKalb County minimum parking space dimensions, the driveway, garage, and enlarged turnaround as recommended by Staff could accommodate up to ten compact vehicles (with six parked in the driveway), and seven full size vehicles.

LAND USE AND ZONING ANALYSIS

Section 27-873 of the DeKalb County Zoning Ordinance, “Special land use permit; criteria to be applied” states that the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit. No application for a Special Land Use Permit shall be granted unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application.

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, and all other applicable requirements of the zoning district in which the use is proposed to be located:

The 12,643 square foot lot provides adequate yard space and meets the requirements of the MR-1 district. The property meets the parking requirement of four spaces; however, it may not have sufficient driveway length or other areas for parking. It is unlikely that each teenage resident would own her own car, but if three teenage residents were to own cars and were to park on the property along with the two staff persons, with full size vehicles or a combination of compact and full size vehicles, more than one visitor car or service provider car would be difficult to park safely on the property. Thus, staff recommends a condition that the turnaround be enlarged to accommodate one additional car.

B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:

The proposed child caring institution would be compatible with land uses in the surrounding residential neighborhood. Its purpose is to provide a home for its residents, and as such, it would generate the same level of activity as other residences in a typical neighborhood.

C. Adequacy of public services, public facilities, and utilities to serve the contemplated use:

The proposed child caring institution would not generate any more of a demand on public services than other residences in the neighborhood. There has been no indication that there are inadequate public services and facilities to serve the facility at the proposed location.

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 proposed use, so as not to unduly increase traffic or create congestion in the area:

The facility is not expected to generate rush-hour traffic. Trips to and from school will be shared with the use of one vehicle. The applicant has stated that transportation will be provided for outings. With this in mind, Marbut Road appears to have adequate carrying capacity for the trips that would be generated by the facility.

E. Whether or not existing land uses located along access routes to the site would be adversely affected by the character of the vehicles or the volume of traffic to be generated by the proposed use:

The facility is expected to generate traffic from passenger vehicles, and at relatively low volumes. Existing land uses along access routes to the sites are not expected to be adversely affected.

F. Ingress and egress to the subject property and to all proposed buildings, structures, and uses thereon, with particular reference to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:

The property has a curb cut on Marbut Road and a driveway, which provides satisfactory ingress and egress length for the type of passenger vehicles that are expected to typically travel to and from the site. However, the slope of the driveway may present a challenge for reverse egress onto Marbut Road. Emergency vehicles would access the site from the driveway or from the curb. The front door is approximately 57 feet from the curb, and it appears that a fire truck would be able to run a hose to the house without difficulty in the event of a fire.

G. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration that would be generated by the proposed use:

As a residential use, the proposed child caring institution is not expected to generate adverse levels of noise, smoke, odor, dust or vibration.

H. Whether or not the proposed use would create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:

As a residential facility, the child caring institution must operate 24 hours, seven days a week. Because of its residential nature, there is no reason to conclude that the hours of operation of the home will create adverse impacts on adjoining land uses.

I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The child caring institution is proposed to function as a residence. The outward appearance of the property will be that of a residence. The residents of the home are expected to engage in the same or similar living activities as other people, with the safeguard of guidance from a staff. There is no reason to suppose that the child caring institution will have adverse impacts on the homes on adjoining properties.

J. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The property satisfies the applicable requirements of the MR-1 zoning district.

K. Whether or not the proposed use is consistent with the policies of the comprehensive plan.

The proposed community child caring institution is consistent with the following policy of the 2035 Comprehensive Plan: "Increase the availability of special needs housing to meet the growing population" (Housing Policy No. 7). The size, scale, and appearance of the existing single-family home will be maintained; thus, the proposed use is compatible with Suburban Character Area Policy No. 1 of the *Comprehensive Plan*: "Protect stable neighborhoods from incompatible development that could alter established single-family

residential development patterns and density.”

- L. Whether or not the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located.**

Transitional buffer zones are not required.

- M. Whether or not there is adequate provision of refuse and service areas.**

The County will collect refuse generated by the child caring institution once a week. This collection schedule should be satisfactory. No service areas will be needed other than the driveway, which would provide parking for the vehicles of electricians, plumbers, or other typical residential service providers. Conditions recommended by staff would increase the availability of parking for service providers.

- N. Whether the length of time for which the special land use permit is granted should be limited in duration:**

In consideration that unanticipated issues might negatively impact adjacent properties, Staff recommends that the duration of the requested Special Land Use Permit be limited to eighteen months.

- O. Whether or not 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:**

The child caring institution will be using an existing residential structure, which appears to be adequate for the proposed use.

- P. Whether the proposed plan would adversely affect historic building sites, districts, or archaeological resources:**

There are no historic building sites, districts, or archaeological resources in the immediate surrounding area.

- Q. Whether the proposed use satisfies the requirements contained within the Supplemental Regulations for such special land use permit:**

The proposed use shall satisfy the requirements of the supplemental regulations.

- R. Whether or not the proposed building as a result of its proposed height, would create a negative shadow impact on any adjoining lot or building:**

The child caring institution will be using an existing residential structure, thus no adverse impacts from building height will be created.

- S. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan:**

If conditioned as recommended by staff, the group child caring institution would be: consistent with the needs of the neighborhood and of the community as a whole; compatible with the neighborhood; and consistent with the overall objectives of the *Comprehensive Plan*.

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS.

The proposed group child caring institution is consistent with the following policy of the 2035 Comprehensive Plan: “Increase the availability of special needs housing to meet the growing population” (Housing Policy No. 7). The size, scale, and appearance of the existing single-family home will be maintained; thus, the proposed use is compatible with Suburban Character Area Policy No. 1 of the Comprehensive Plan: “Protect stable neighborhoods from incompatible development that could alter established single-family residential development patterns and density.” The child caring institution is proposed to function as a residence. The outward appearance of the property will be

that of a residence. The residents of the home are expected to engage in the same or similar living activities as other people, with the safeguard of guidance from a staff. There is no reason to suppose that the child caring institution will have adverse impacts on the homes on adjoining properties. The property may not have sufficient provisions for parking and egress; thus, staff recommends conditions to improve the site's parking capacity. Therefore, the Department of Planning and Sustainability recommends "approval" with the following conditions:

1. The Special Land Use Permit shall be issued to Halim Najib, for operation of a group child caring institution for pregnant teenagers, which shall not be transferrable.
2. There shall be a maximum of five teenage residents in the group child caring institution.
3. The duration of this Special Land Use Permit shall be eighteen (18) months from the date of approval by the Board of Commissioners.
4. The existing turnaround on the property shall be enlarged to accommodate one additional car and safe egress onto Marbut Road.

Attachments:

1. Department and Division Comments
2. Board of Health Comments
3. Application
4. Site Plan
5. Zoning Map
6. Land Use Plan Map
7. Aerial Photograph
8. Site Photographs

NEXT STEPS

Following an approval of this zoning action, one or several of the following may be required:

- **Land Disturbance Permit** *(Required for of new building construction on non-residential properties, or land disturbance/improvement such as storm water detention, paving, digging, or landscaping.)*
- **Building Permit** *(New construction or renovation of a building (interior or exterior) may require full plan submittal or other documentation. Zoning, site development, watershed and health department standards will be checked for compliance.)*
- ✓ **Certificate of Occupancy** *(Required prior to occupation of a commercial or residential space and for use of property for a business. Floor plans may be required for certain types of occupants.)*
- **Plat Approval** *(Required if any parcel is being subdivided, re-parceled, or combined. Issued “administratively”; no public hearing required.)*
- **Sketch Plat Approval** *(Required for the subdivision of property into three lots or more. Requires a public hearing by the Planning Commission.)*
- **Overlay Review** *(Required review of development and building plans for all new construction or exterior modification of building(s) located within a designated overlay district.)*
- **Historic Preservation** *(A Certificate of Appropriateness is required for any proposed changes to building exteriors or improvements to land when located within the Druid Hills or the Soapstone Geological Historic Districts. Historic Preservation Committee public hearing may be required.)*
- **Variance** *(Required to seek relief from any development standards of the Zoning Ordinance. A public hearing and action by the Board of Appeals are required for most variances.)*
- **Minor Modification** *(Required if there are any proposed minor changes to zoning conditions that were approved by the Board of Commissioners. The review is administrative if the changes are determined to be minor as described by Zoning Code.)*
- **Major Modification** *(Required submittal of a complete zoning application for a public hearing if there are any proposed major changes to zoning conditions that were approved by the Board of Commissioner for a prior rezoning.)*
- ✓ **Business License** *(Required for any business or non-residential enterprise operating in Unincorporated DeKalb County, including in-home occupations).*
- **Alcohol License** *(Required permit to sell alcohol for consumption on-site or packaged for off-site consumption. Signed and sealed distance survey is required. Background checks will be performed.)*

Each of the approvals and permits listed above requires submittal of application and supporting documents, and payment of fees. Please consult with the appropriate department/division.

Public Works Transportation Division Comments 10/19/2020

N1. No Comment



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

(N-1)

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER mmalexander@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-20-12442 Parcel I.D. #: 16-070-09-039

Address: 5797
Marbut Rd
Lithonia, Ga

Adjacent Roadway (s):

_____	_____
(classification)	(classification)

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

Field and plans reviewed. Found nothing that would cause traffic interruption.

Signature: [Signature]



DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division

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 Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area was 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. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations.

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer was 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**

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

Case No.: SLUP-20-1244121

Parcel I.D. #: 16-070-08-039

Address: 5797 Marbut Road

Lithonia, Georgia

WATER:

Size of existing water main: 12" DI Water Main | (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property *MJo*

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Pole Bridge Creek Basin

Is sewer adjacent to property: Yes (X) No () If no, distance to nearest line: _____

Water Treatment Facility: Pole Bridge WTF () adequate () inadequate

Sewage Capacity: * (MGPD)

Current Flow: 6.48 (MGPD)

COMMENTS:

*** Please note that the sewer capacity has not been reviewed or approved for this project. A Sewer Capacity Request (SCR) must be completed and submitted for review. This can be a lengthy process and should be addressed early in the process.**

Signature: *[Handwritten Signature]*

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: Halim Najib

Daytime Phone: 470-231-9383 E-Mail: info@gotlanguages.com

Mailing Address: 3035 Stone Mt. St. 1851 Lithonia, Ga. 30058

Owner Name: Halim Najib

(If more than one owner, attach contact information for each owner)

Daytime Phone: 470-231-9383 E-Mail: info@gotlanguages.com

Mailing Address: 3035 Stone Mt. St. 1851 Lithonia, Ga. 30058

SUBJECT PROPERTY ADDRESS OR LOCATION: 5797 Marbut Rd.

Lithonia DeKalb County, GA, 30058

Parcel ID: 1407008039 Acreage or Square Feet: 213759ft Commission Districts 5

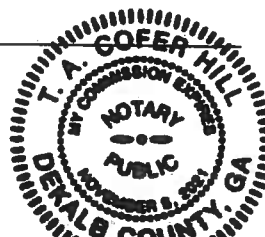
Existing Zoning: MK1 Proposed Special Land Use (SLUP)

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

Owner: [Signature] Agent: _____ Signature of Applicant

Printed Name of Applicant: _____

Notary Signature and Seal: [Signature]



Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

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: Trina Najib Phone: 7/289-3486 Email: najibhospitality@gmail.com

Property Address: 5797 Market Rd

Tax Parcel ID: 16-070-08-039 Comm. District(s): 567 Acreage: _____

Existing Use: residence Proposed Use: CCI or Mdennity - 10 person or

Supplemental Regs: _____ Overlay District: NA DRI: Mdennity Veterans - 10 person

Rezoning: Yes _____ No X

Existing Zoning: _____ Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes _____ No _____

Existing Land Use: _____ Proposed Land Use: _____ Consistent _____ Inconsistent _____

Special Land Use Permit: Yes X No _____ Article Number(s) 27- CCI Community or

Special Land Use Request(s) _____ → Transitional Housing

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified:

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: _____

Comments:

Planner: MBE

Date 1/24/2020

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

Dear Neighbors of Dekalb Community,

Hi I'm your neighbor, Trina Najib. I'm writing to invite you to our community forum. This forum will address the two non-profits (GotLanguages.org / The Preserved Innocence Project) that will be providing shelter for teenagers who are pregnant, teenagers with current children, and helping empower children with resources for longevity. Therefore all neighbors are invited.

Feel free to RSVP at info@gotlanguages.org include the names of all attending.

Then join us at:

5797 Marbut Road,

Lithonia, Ga 30058

concerning wellness and health of our community. If you are a neighborhood business with a product or service or a potential sponsor, we welcome your presence at the meeting. You may want to sponsor, donate items, or present at our meeting. If so, send a RSVP with the number of attendee, name of attendees, product or service, and a phone number for more details and structure of the event to the email stated above.

When you visit the meeting, please have a tour of the location as this location will be used to provide shelter for teenagers who are going through pregnancy, parenthood, educational and social norms with their children. Refreshments and drinks will be served. This event will began promptly on Tuesday, February 25, 2020 at 3pm to 7pm.

Sincerely,

Trina Najib

Coordinator of GotLanguages.org



MEETING SIGN-IN SHEET

Project: House of Grace for Teens @ Got Languages Meeting Date: Feb 25, 2020 7pm
 Facilitator: Irina Najib Location:

Name	Address	Phone	Email
Christina Edwards		(770) 294-0523	thepipproject@gmail.com
Aja Najib		786-328-4440	aja.najib@gmail.com
Marcus Lane		(414) 722-3649	marcuslane@gmail.com
Cleo Lane		(414) 722-3649	"
Irina Najib		(770) 289 3486	Najibhospitality@gmail.com
Patrice		(688) 740-1350	
Shan White		(404) 454-4395	

Halim Najib

3035 Stone Mt. Street 1851

Lithonia, Ga. 30058

470-231-9383

Info@gotlanguages.org

Letter of Application

Greetings,

DeKalb Dept. Of Planning & Sustainability

House of GayNell for Teens-

The proposed classification for House of GayNell is residential. The reason for the special use modification is that I desire to open a teenage pregnancy home for young mothers that desire a second chance to regain control of their present and future circumstances even in today's society. The property is currently being used as place of residence. The residence will operate as personal care home for teenage mothers and their babies. The idea is to have the mothers continue life has normal as possible but also ensuring that they are able to handle and master the responsibility of being a young teen mom. They are expected and encourage to continue attending school, however, if they for any reason may not be able to physically attend classes in a school building, they have the opportunity to attend home school at the residence. The young teen moms will have access to education (home school Christain Curriculum based), counseling, parenting and hygiene classes, a life coach and trainings, such as money management, cooking and other life skills to also include employment/career preparation and training classes that are essential and will be very effective in their everyday lives. The property is a two-story home located in a residential area located near a school and surrounding residential communities. There are six rooms, where one with it's on separate bathroom will serve as an office for the employees, a kitchen, living room, dining room, 3 bathrooms, a driveway and a yard. There will be 2 employees on duty at all times. The operation hours of the personal care home are 24 hours. Thanks for your time and attention.

Warm Regards,

House of GayNell

IMPACT ANALYSIS for G.R.I.T.
(GayNell's Resources for Interactive Teens)

Criteria: Sec 27-7.4.6 The following criteria shall be considered by the Department of Planning and Sustainability, the Planning Commission and the Board of Commissioners in evaluating and deciding any application for a special land use permit No application for a special land use permit shall be granted by the Board of Commissioners unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and unless the application is in compliance with all applicable regulations in Article 4.

No major modification is proposed. A restoration of the fence line and all weaken boards on the outside of the home will occur with farming inside the fence and with some cabinetry for storage will be added. All other finishes were present during the final inspection for certificate of occupance.

A. Adequacy of the size of the site for use contemplated and whether of not adequate land area is available for the proposed use including provision of all required yards, open space, off-street parking and all other applicable requirements of the zoning district in which the use is proposed to be located.

Yes, there is parking In the driveway and across the street from our site and has adequate land for the proposed use.

B. Compatible of the proposed use with adjacent properties and land use and other properties and land uses in the district:

Yes, the property is compatible since it has 2 acres of land on both sides of the property, and has a fenced in backyard.

C. Adequacy of public services, public facilities and utilities to serve the use contemplated:

Yes, I have gas for my home through scana energy, water and sewer services provided by the Dekalb county department of watershed management and my electrical service provided by Georgia power.

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:

Yes, I have observed that there is adequate parking for employees and our residents. My property won't cause congestion in the area for other residents.

E. Whether or not existing land uses located along access routes to the site

will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use:

There are sidewalks near our streets. There won't be any needs to have a congestation by businesses from my property because of adequate parking for employees and our residents. In addition, Teens and their families will be serviced on an as needed basis with customized care per family. For seminars that are not virtual, we will hold them with parking details and at times that traffic is least expected. My change of land use will not cause traffic for other businesses in the area.

F. 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:

The subject property allows for a safe crossing for pedestrians from the parking lot to the building, the ability to control traffic flow and access in the event of an emergency. There are 5 entries and exits to the property and a large yard for people to wait in case of an emergency.

G. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor dust or vibration generated by the proposed use:

GayNell's Resources for Interactive Teens is for teenagers that will be helped with their families and will be there all hours of the day and possibly overnight stays. The most noise experienced will be during the day hours, and won't be excessively loud. There will be seminars for farming petcare this includes the pets that will live on property, GED or curriculum classes, independent living, fostering, career training, college prep and more for teen advocacy events during the day for teens.

H. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:

No. All teen exercisabilities and services can be rendered at any time as the basic needs for teenagers would need to be met at any time we are contacted for services. The hours of the operation will not create an adverse impact on adjoining land, residents, or businesses because we are across the street from a school. All expecting teens and their families will be encouraged to help utilize the surroundings environments with respect to neighbors and nearby facilities.

I. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of the proposed use:

No, my operation will not create any adverse impacts on land, neighbors or businesses. There will be some outdoor activities in our fenced backyard and on rainy days inside. We will invite neighbouring businesses to participate with us to empower or restore teen development in holistic care and natural ways that maintain a healthy way of life for teenagers and their families.

J. Whether or not the proposed plan is consistent with all of the

requirements of the zoning district classification in which the use is proposed to be located:

Yes , the proposed plan is consistent with the requirements of the zoning district classification.

K. Whether or not the proposed use is consistent with the policies of the comprehensive Plan:

The proposed use is consistent with the requirements of the policies of the comprehensive plan.

L. Whether of not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulation of the district in which the use is proposed to be located:

Yes, the proposed plan follows all required regulations.

M. Whether or not there is adequate provision of refuse and service areas:

Yes, there is adequate provision of the refuse and service area.

N. Whether length of time for which the special land use permit is granted should be limited in duration:

No, there is no special usage for the land because the teen center does most of its processing of regular business hours, unless there is an emergency.

O. Whether or not 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 the adjacent and nearby lots and buildings.

No, at this time there will be no changes to the property.

P. Whether the proposed plan will adversely affect historic buildings, sites, districts or archaeological resources.

The proposed plan will not adversely affect historic buildings, sites, districts or archaeological resources.

Q. Whether the proposed use satisfies the requirements contained with the Supplemental Regulations for such special land use permit:

The proposed use satisfies the requirement continued within the supplemental regulations for such special land use permits.

R. Whether or not the proposed building as a result of its proposed height will create a negative shadow impact on any adjoining lot or building.

The proposed building for the in-house occupation with teen pregnancy and resource center for all teens will be in the existing residence. We will limit exterior alterations specifically to the property proposed and therefore will not create a negative shadow impact on any adjoining lot or building as a result of its proposed height.

S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole be compatible with the neighborhood and would not be in conflict with the overall objectives of the comprehensive plan:

The proposed in-home occupation as teen pregnancy and resources for teens center in an existing single-family residence provides a service to the communities. The proposed use does not conflict with the overall objectives of the comprehensive plan, which is to offer a variety of educational nonprofit, holistic lifestyles and social normalcy support, retail, commerce and commercial services for residents in unincorporated DeKalb County.

DEPARTMENT OF PLANNING & SUSTAINABILITY

AUTHORIZATION

The property owner should complete this form or a similar signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: 6/01/2020

TO WHOM IT MAY CONCERN:

(I), (WE) Halim Najib
Name of owners(s) (If more than one owner, attach a separate sheet)

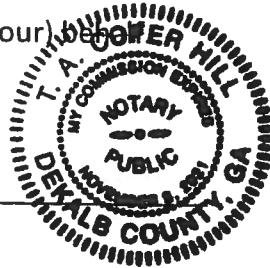
Being (owner) (owners) of the subject property described below or attached hereby delegate authority to

Name of Agent or Representative

to file an application on (my), (our) behalf

[Signature]

Notary Public



[Signature]
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner

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?

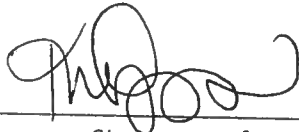
Yes _____ No X _____ *

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 _____

Expiration Date/ Seal

*Notarization is not needed if the response is "No"

Deed Book 12319 Pg 15
Filed and Recorded Aug-15-2001 07:08am
2-001-6164237
Real Estate Transfer Tax \$139.18

Linda Carter

Linda Carter
Clerk of Superior Court DeKalb Cty., Ga.
1000 ...

WARRANTY DEED (FORM 36A)
Return to:
ROBERT A. BURROUGHS, P. C.
SUITE 200, 4319 COVINGTON HWY,
DECATUR, GA 30035

Deed Book 18906 Pg 541
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF DeKalb

THIS INDENTURE, made the 2nd day of August, in the year two thousand One, between Deen Investment and Property Development, Inc.

of the County of DEKALB, and State of Georgia, as party or parties of the first part,

Halim Najib

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH: That Grantor for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION**, in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 70 of the 16th District, DeKalb County, Georgia, being Lot 5, Marbut Walk Subdivision, and being more particularly described as follows:

To arrive at the true point of beginning, begin at a point formed by the centerline of Pole Bridge Creek and the southwestern right of way of Marbut Road; thence running in a western direction along the southern right of way of Marbut Road (having an 80 foot right of way) 399.31 feet to the point of beginning. From the point of beginning, running thence South 32 degrees 27 minutes 20 seconds West a distance of 178.00 feet to a point; thence running North 54 degrees 39 minutes 58 seconds West a distance of 72.09 feet to a point; thence running North 32 degrees 27 minutes 20 seconds East a distance of 172.71 feet to a point; thence running South 57 degrees 32 minutes 40 seconds East a distance of 72.00 feet to the point of beginning as more particularly shown on that certain plat of survey prepared by John A. McCleskey, dated November 15, 2000 and being improved property known as 5797 Marbut Road according to the present system of numbering houses in DeKalb County, Georgia.

GW



Deed Book 18906 Pg 540
Filed and Recorded Jul-10-2006 04:24pm
2006-0131550
Real Estate Transfer Tax \$0.00
Linda Carter
Clerk of Superior Court
DeKalb County, Georgia

RETURN RECORDED DOCUMENT TO:
5797 Marbut Rd
Lithonia, GA 30058-5414

QUITCLAIM DEED

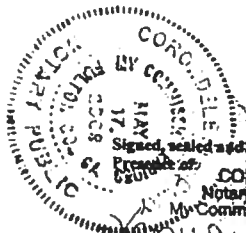
STATE OF GEORGIA COUNTY OF FILE#

THIS INDENTURE, Made the 19th day of May, 2006 between
NAJIB HALIM, of the County of DEKALB
And the State of GEORGIA, as party or parties of the first part, hereinafter called
Grantor, and NAJIB HALIM AND KATRINA V. DUNCAN of the county
of DEKALB, and the STATE OF GEORGIA, as party or parties of the second part,
hereinafter called Grantee (the words "Grantor" and Grantee" to exclude their heirs,
successors and assigns where the context require or permits).



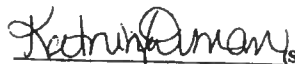
WITNESSETH that: Grantor, for and in consideration of the sum of one (\$1.00) and other
valuable considerations in hand paid at and before the sealing and delivery of these presents, the
receipt whereof is herby acknowledged by these presents does hereby remise, convey and forever
QUITCLAIM unto the said Grantee,

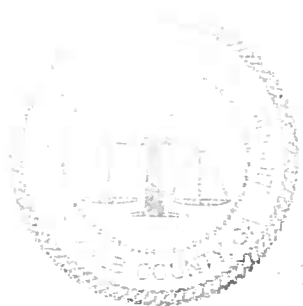
TO HAVE AND TO HOLD the said described premises to grantee, so that neither grantor nor any
person or persons claiming under grantor shall at any time, by any means or ways, have, claim or
demand any right to title to said premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first
above written.


Signed, sealed and delivered in the
presence of
CORONDELETTE CLAY
Notary Public, Fulton Co., GA
My Commission Expires May 17, 2009
Venus Moss
(Unofficial witness)


Corondelette Clay
(Notary Public)

 (Seal)
(Grantor)
 (Seal)
(Grantee)
 (Seal)
(Grantee)



Deed BOOK 18906 PAGE 540-541
30th Nov. 18
Deputy Clerk, DeKalb County Superior Court

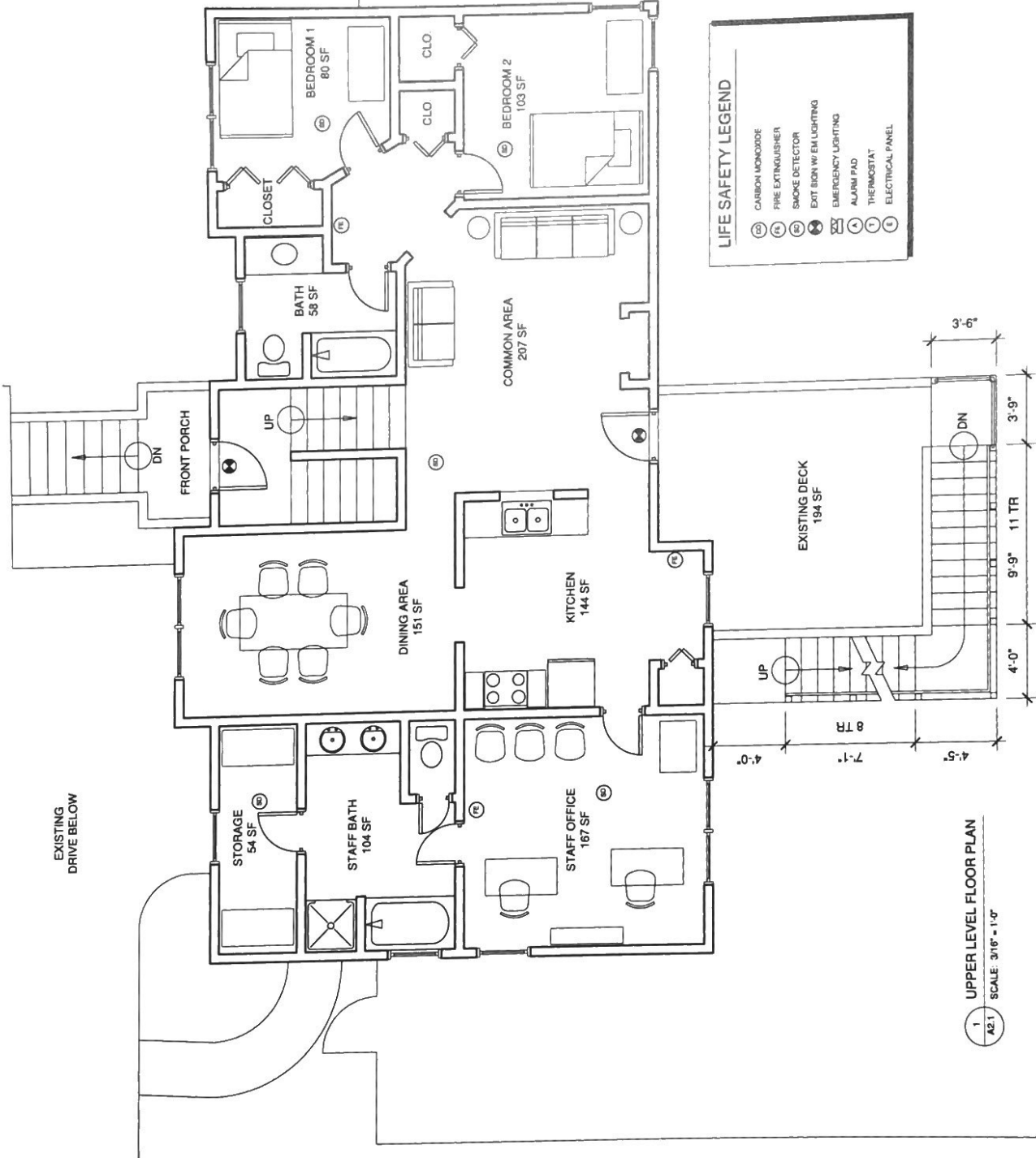


ISSUED FOR CONSTRUCTION
DATE: 6/8/2020
FILE: 019147

REVISIONS: _____
DRAWN BY: CK
CHECKED BY: CB

A2.1

UPPER FLOOR PLAN
3 OF 4

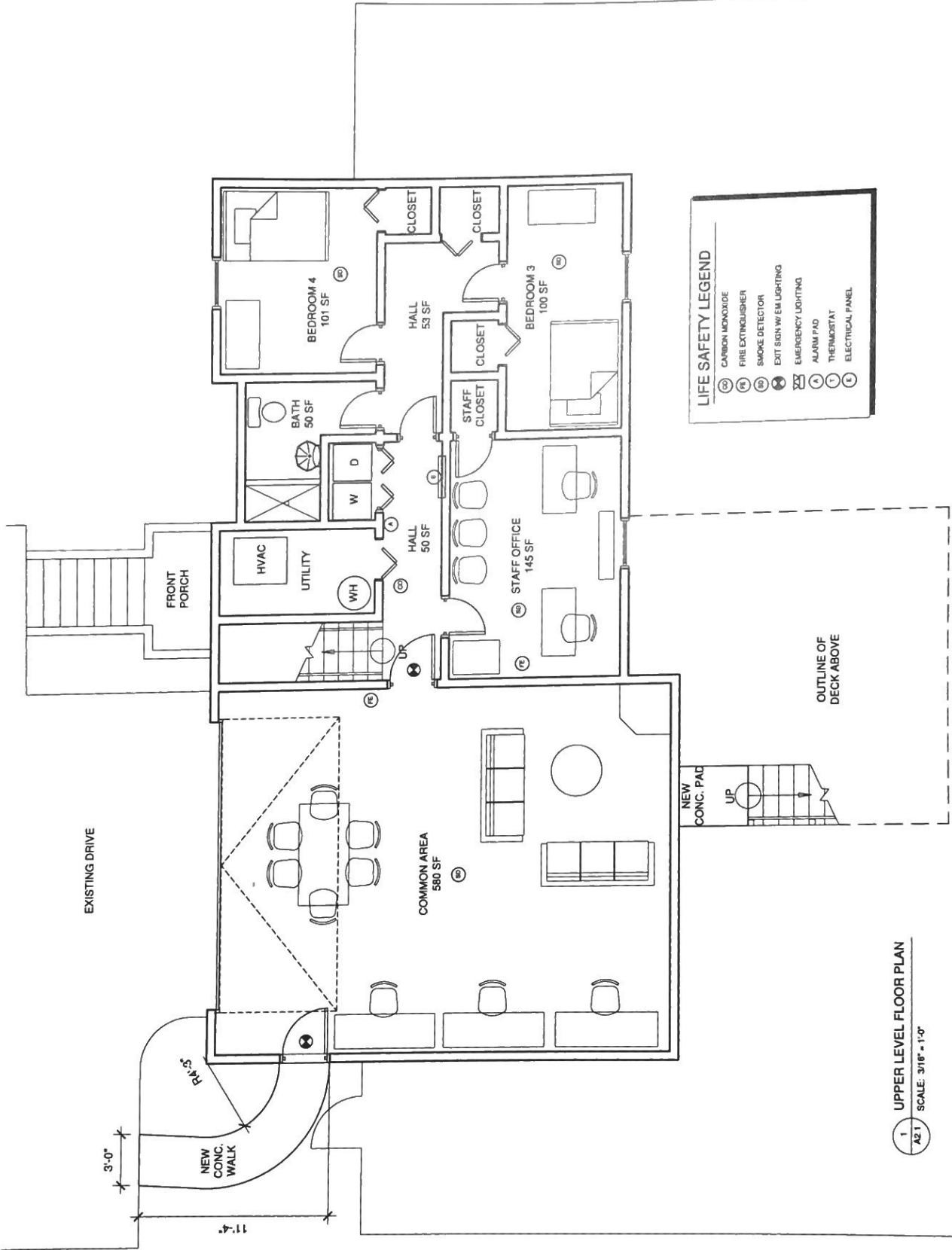




ISSUED FOR CONSTRUCTION
 DATE: 6/8/2020
 FILE: 019147

REVISIONS: _____
 DRAWN BY: CK
 CHECKED BY: CB

A2.2
 LOWER FLOOR PLAN
 4 OF 4



1 UPPER LEVEL FLOOR PLAN
 A2.1 SCALE: 3/16" = 1'-0"

Said described property is located within an area having a Zone Designation "AE" (ELEV=833) by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No. 13089C0157J with a date of identification of MAY 16, 2013 for Community Number 130065 in Dekalb County, State of Georgia, which is the current Flood Insurance Rate Map for the community in which said property is situated.

LINE A TO B
DB. 18906, PG. 540
REFERNECE NORTH



AREA
0.2898 ACRES
(12,625 SQ. FT.)

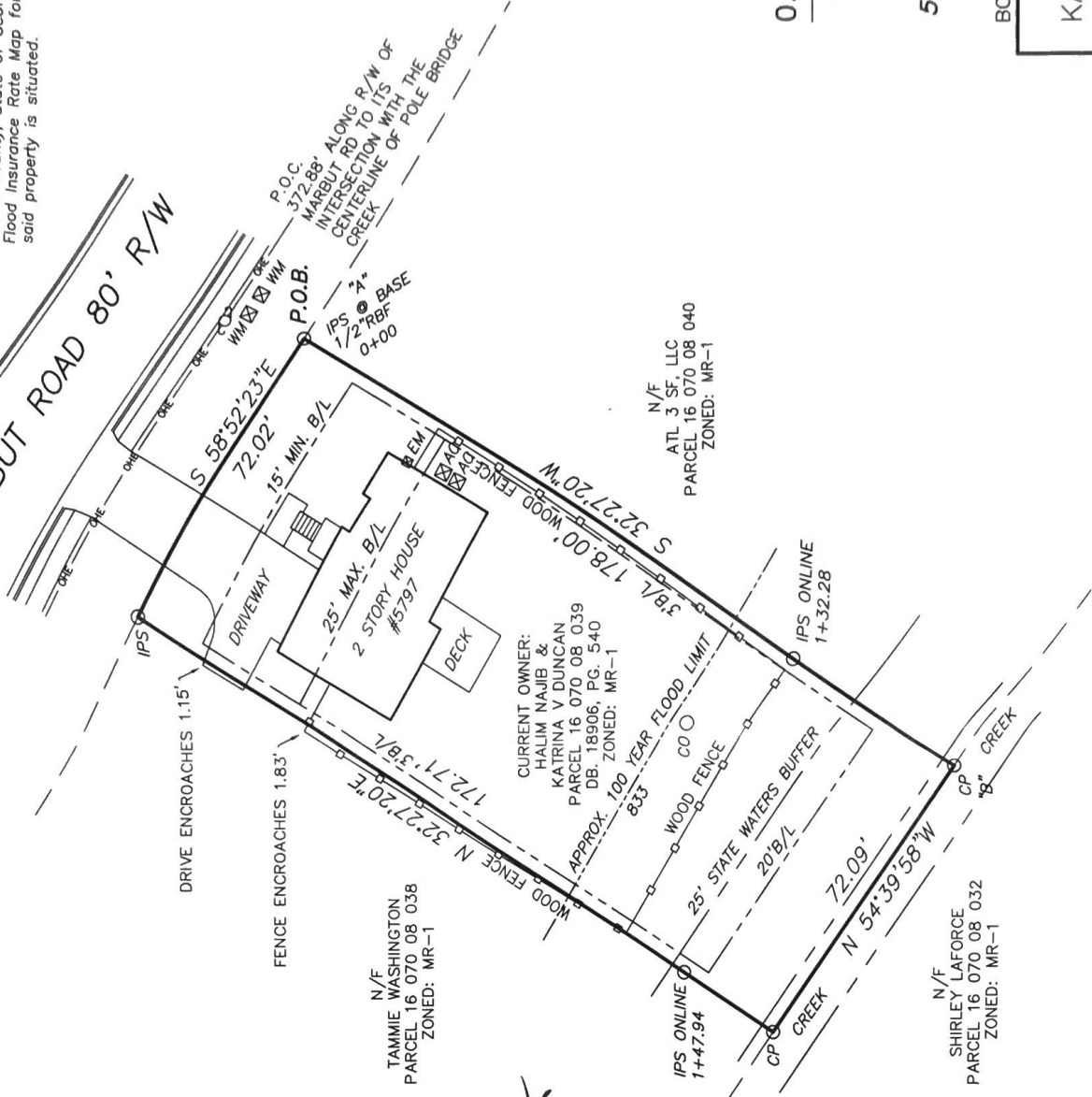
5797 MARBUT ROAD

BOUNDARY SURVEY FOR:

HALIM NAJIB & KATRINA V DUNCAN	
LAND LOT 70	16TH DISTRICT
DEKALB COUNTY	GEORGIA
SCALE-1"=30'	06/24/2020
REVISIONS:	

JOB No.: 020-0051

MARBUT ROAD 80' R/W



LEGEND

- IPS=IRON PIN SET
- RBF=RE-BAR FOUND
- N/F =NOW OR FORMERLY
- D.B. =DEED BOOK
- P.B. =PLAT BOOK
- PG. =PAGE
- AC =AIR CONDITIONER
- EM =ELECTRIC METER
- WM =WATER METER
- OHE =OVERHEAD ELECTRIC
- B/L =BUILDING LINE
- CO =SEWER CLEAN OUT

ZONING NOTES:
SETBACKS: FRONT=15' MIN./25' MAX
SIDE= 3'
REAR=20'



NOTES:

THE FIELD DATA USED TO CALCULATE THIS PLAT HAS A CLOSURE PRECISION OF ONE FOOT IN 25,000 FEET. THE TRAVERSE WAS NOT ADJUSTED. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS WAS A CARLSON CR5 ROBOTIC TOTAL STATION. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND WAS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 311,680 FEET.

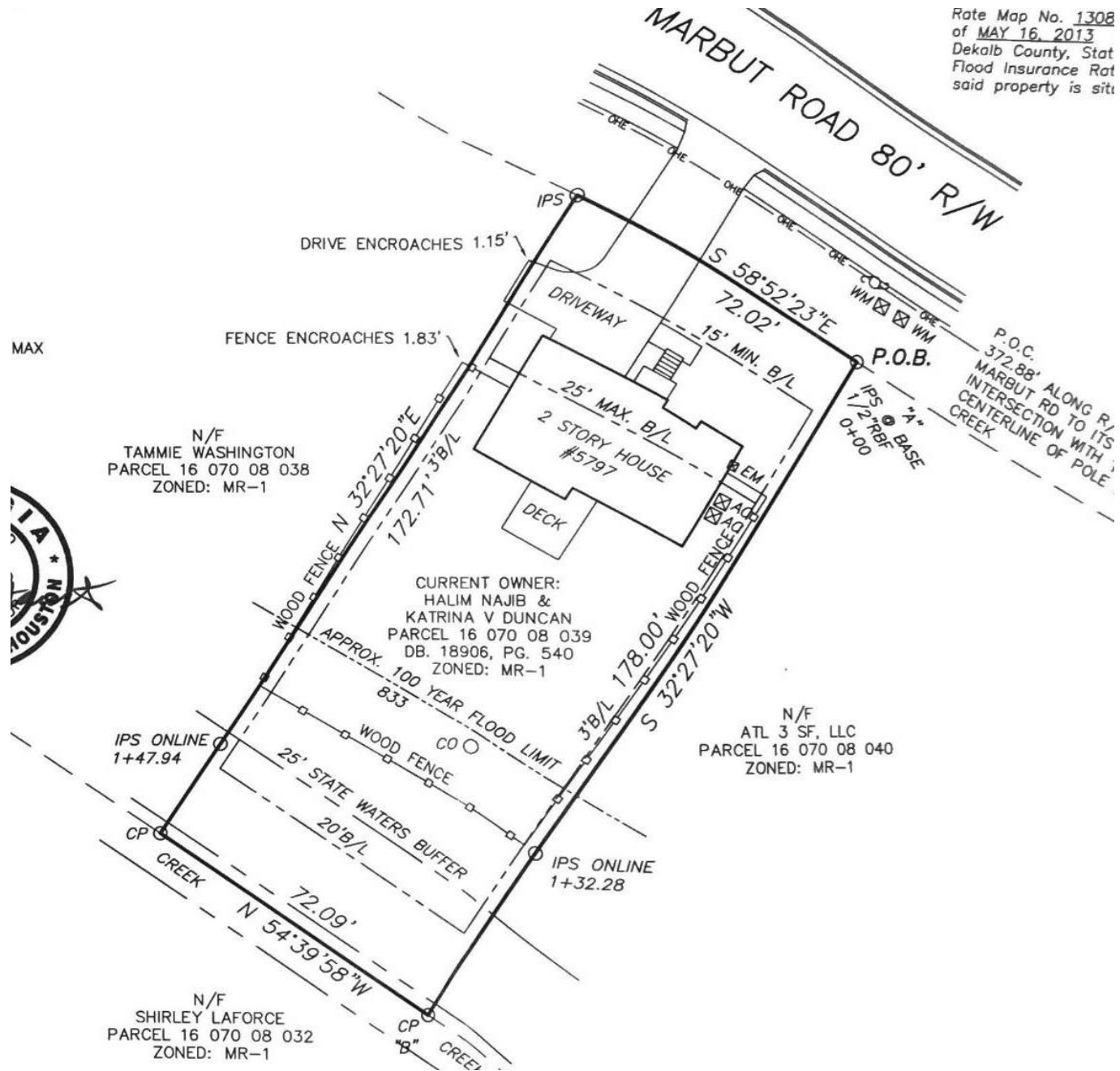
ALL IPS ARE 1/2" DIA. RE-BARS UNLESS NOTED OTHERWISE. ALL POINTS HAVE A POSITIONAL TOLERANCE OF 0.07 FEET OR BETTER.

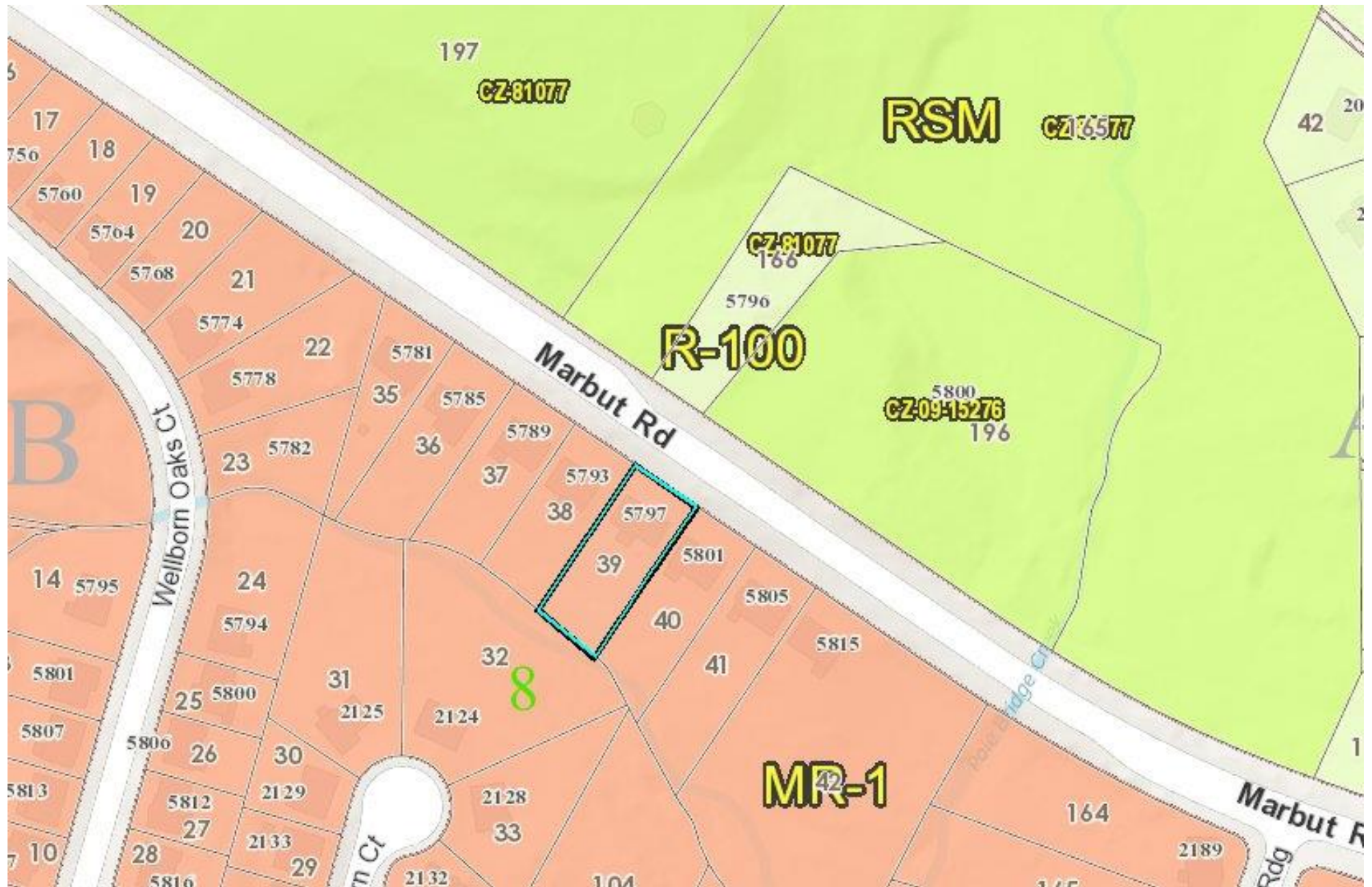
SURVEYOR CERTIFICATIONS

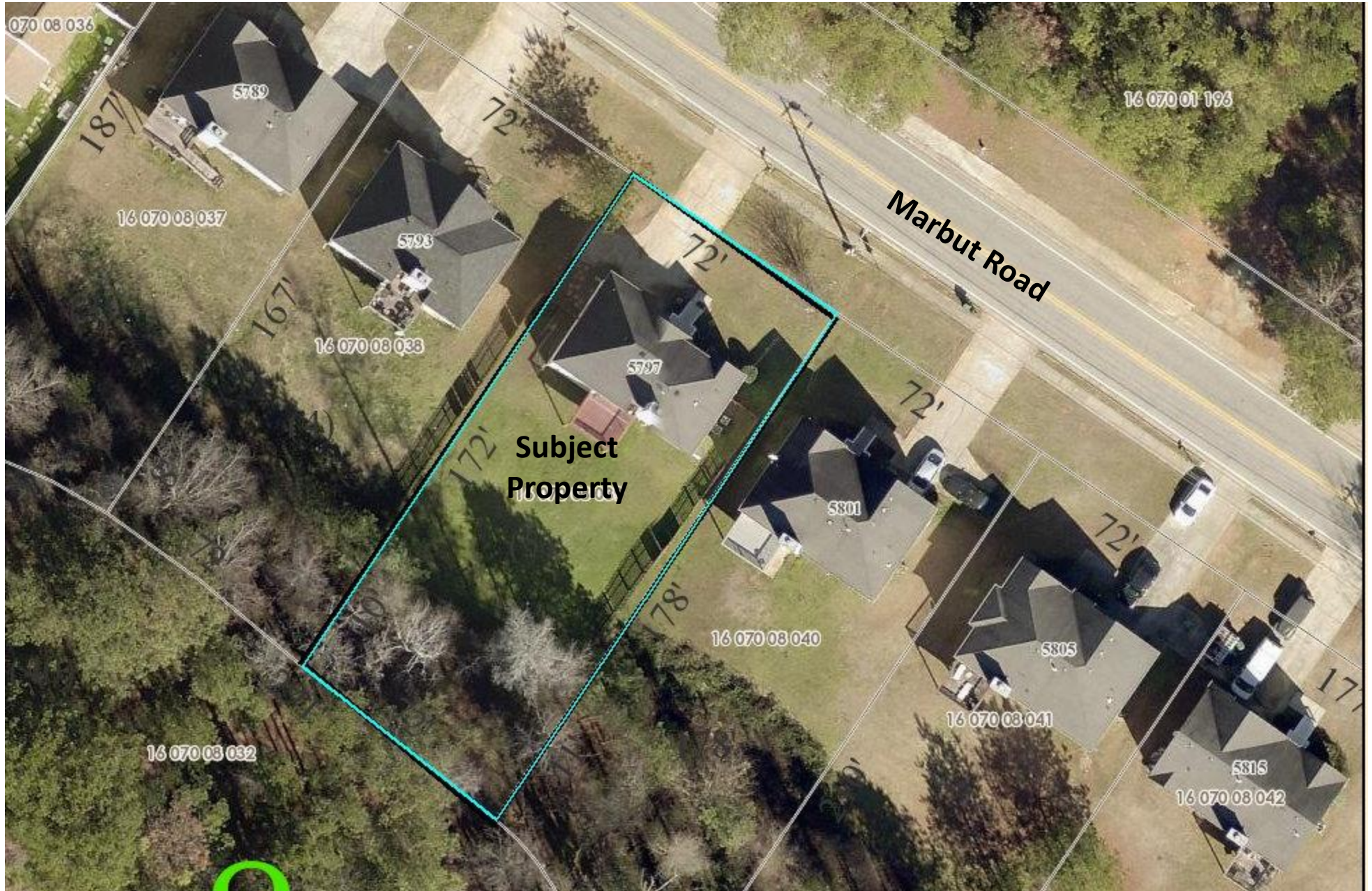
This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY OF ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67

Grant Addison Houston
GRANT A. HOUSTON GA RLS #3540
DATE 6/26/20

HOUSTON ENGINEERING, INC.
DESIGN ENGINEERS and SURVEYORS
SINCE 1964 JPARISH@HOUSTON-ENGINEERING.COM
1424 VETERANS DRIVE SUITE 3
CONYERS, GEORGIA, 30012
PH (770) 483-8471
FAX (770)761-1261
MEMBER SURVEY & MAPPING SOCIETY OF GEORGIA & N.E.S.









Subject Property



(left) Subject and adjoining properties to the north.



(right) Subject and adjoining properties to the south.