

Public Hearing: YES  NO

Department: Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S): Commission District 03; Super District 07**

**Application of Elease Sims for a Special Land Use Permit (SLUP) for a child day care up to six (6) in an R-100 (Residential Medium Lot-100) District, at 3815 Boring Road.**

**PETITION NO: N1. SLUP-21-1245190 (2021-3155)**

**PROPOSED USE: Child daycare for up to six.**

**LOCATION: 3815 Boring Road, Decatur, Georgia 30034**

**PARCEL NO. : 15-093-01-240**

**INFO. CONTACT: Nahomie Lagardere, Planner**

**PHONE NUMBER: 404-371-2155**

**PURPOSE:**

Application of Elease Sims for a Special Land Use Permit (SLUP) for a child day care up to six in an R-100 (Residential Medium Lot-100) District, in accordance with Section 27 4.2.19. of the DeKalb County zoning ordinance. The property is located south of Boring Road, approximately 151 feet east of Wakefield Drive, at 3815 Boring Road Decatur, Georgia. The property has approximately 110 feet along Boring Road and contains .93 acre.

**RECOMMENDATION:**

**COMMUNITY COUNCIL: Approval.**

**PLANNING COMMISSION: Approval with Conditions.**

**PLANNING STAFF: Approval with Conditions.**

**STAFF ANALYSIS:** Based on the impact analysis and land use analysis above, the Special Land Use Permit request is consistent with the intent of the *2035 Comprehensive Plan*. The proposal does not include expansion of the existing single-family home. The request provides a service to the surrounding community. The request may generate limited negative impacts on the current neighborhood and on the natural environment. Based on the information provided, the Department of Planning and Sustainability recommends “Approval with conditions”.

**PLANNING COMMISSION VOTE: Approval with modified conditions 8-0-0.** Vivian Moore moved, LaSonya Osler seconded for Approval w/Staff's conditions, with a modification to the hours of operation. They shall be 7:00 a.m. - 7:00 p.m., per the applicant's request.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 7-0-1.**

**SLUP-21-1245190 (2021-3155)**  
**Recommended Conditions (rev. 11/5/2021)**  
**3815 Boring Road**

1. The Special Land Use Permit shall be issued to Eugene Sims, for operation of a child day care facility for no more than six children, which shall not be transferrable.
2. This Special Land Use Permit shall be subject to renewal by the Board of Commissioners eighteen (18) months from the date of approval by the Board of Commissioners. Failure to renew may result in revocation of the SLUP.
3. Employee, facility, and/or visitor parking shall be contained within the existing driveway. On-street parking is prohibited.
4. Access shall be limited to the existing curb cut on Boring Court.
5. The applicant shall secure the necessary certification by the State of Georgia and the necessary business license and building permit or certificate of occupancy from DeKalb County.
6. The approval of this Special Land Use Permit application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.
7. Hours of operation shall be Monday – Friday, 7:00 a.m. – 7:00 p.m.



**DeKalb County Department of Planning & Sustainability**

**330 Ponce De Leon Avenue, Suite 300**

**Decatur, GA 30030**

**(404) 371-2155 / [www.dekalbcountyga.gov/planning](http://www.dekalbcountyga.gov/planning)**

**Planning Commission Hearing Date: November 4, 2021**

**Board of Commissioners Hearing Date: November 18, 2021**

**STAFF ANALYSIS**

<b>Case No.:</b>	SLUP-21-1245190	<b>Agenda #:</b> N1
<b>Location/Address:</b>	3815 Boring Road	<b>Commission District:</b> 3 <b>Super District:</b> 7
<b>Parcel ID(s):</b>	18 051 09 003	
<b>Request:</b>	Special Land Use Permit (SLUP) to allow a group, child day care facility for up to six children.	
<b>Property Owner(s):</b>	Eugene Sims	
<b>Applicant/Agent:</b>	Eugene Sims	
<b>Acreage:</b>	0.93 acres	
<b>Existing Land Use:</b>	R-100 (Residential Medium Lot)	
<b>Adjacent Zoning:</b>	R-100 (Residential Medium Lot)	
<b>Comprehensive Plan:</b>	SUB (Suburban) <input checked="" type="checkbox"/> <b>Consistent</b>	<input type="checkbox"/> <b>Inconsistent</b>

**Proposed Density:** No Change  
**Proposed Units/Square Ft.:** No Change  
**Proposed Lot Coverage:** No Change

**Existing Density:** NA  
**Existing Units/Square Feet:** NA  
**Existing Lot Coverage:** NA

### **Subject Property**

The subject property is a 0.93-acre site located on the east side of Boring Road at the intersection of Wakefield Drive and Boring Road. This property contains a single-family, detached home zoned R-100 (Residential Medium Lot-100). The subject property is surrounded by existing single-family, residential homes also zoned R-100 (Residential Medium Lot-100). The *DeKalb County 2035 Comprehensive Plan* designates the subject property's future land use as Suburban (SUB).

### **Zoning History**

Based on DeKalb County records, it appears that the R-100 (Residential Medium Lot-100) zoning of the property has not changed since adoption of the first *Zoning Ordinance* and map in 1956. Additionally, the existing single-family home was built in 1971.

### **Project Analysis**

Per the submitted Special Land Use Permit application, the applicant is requesting to establish a child day care facility with no more than six children at 3815 Boring Road. Per the applicant, the basement has been designated for the use of the in-home child day care facility. The basement contains three to four additional rooms for accommodation. The hours of operation will be 7am to 6pm Monday through Friday.

### **Impact Analysis**

- 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 proposed child day care facility has adequate land available for the use and meets all required yard, open space, and parking provisions from the DeKalb County code. As mentioned above, the applicant plans to allocate three to four rooms for the use of the child day care facility. In addition to the indoor facility, the applicant will have an outdoor space for the children.

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

The proposed child day care facility has a zoning designation that is consistent and compatible with adjacent properties. The in-home day-care with no more than six children should not impose a noticeable detriment to the surrounding homes. The adjacent properties are developed with single-family, detached residential homes. The day care is proposed to operate only during daytime hours with the majority of operation occurring indoors.

- C. Adequacy of public services, public facilities, and utilities to serve the proposed use:**

The proposed child day care facility may not generate any more demand on public services than other residences in the neighborhood. Yet, per Public Works and Sewer, the property will need a sewer capacity approval. The current capacity may be restricted.

- 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:**

Ingress/egress to/from the facility is via a residential driveway located on Boring Road. Boring Road is classified as a collector road and appears to have adequate carrying capacity. Per Public Works, there was nothing found that would disrupt traffic flow.

**E. Whether 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:**

The applicant's proposal does not specifically address the character or number of vehicles associated with the proposed facility or the volume of traffic expected for the proposed facility.

**F. Adequacy of 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 subject property has ingress and egress off of Boring Road. The property is near a curve, which may increase the potential for vehicular accidents. The existing home sits at a lower grade than the roadway with a downward driveway which may present a challenge for reverse egress onto Boring Road. The neighborhood does not appear to be a high traffic pedestrian area but, sidewalks and pedestrian markings are installed throughout.

**G. Whether 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:**

The proposed use may create minimal adverse environmental effects on the adjoining land uses. The proposed child day care facility should not create or emit smoke, odor, dust or abnormal vibrations beyond the normal expected amount that's emitted by a single-family home or a child day care facility.

**H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:**

The adjoining residential uses may not be impacted by the proposed hours of operation. *Per section 4.2.19*, as a residential in-home child day care facility, the applicant plans to operate 7am to 6pm Monday through Friday.

**I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:**

The submitted application does not provide substantive details regarding the manner of operation.

**J. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located:**

*Per the Zoning Ordinance 4.1.3 Use Table*, child day care facility up to 6 children are permitted only with the approval of a Special Land Use Permit in the R-100 Zoning District.

**K. Whether the proposed use is consistent with the policies of the Comprehensive Plan:**

*Per the Comprehensive Plan*, the future land use designation is SUB (Suburban). The intent of the Suburban Character area is to increase connectivity and accessibility with low pedestrian orientation. The proposed use is consistent with the *Dekalb County Comprehensive Plan* future land use objectives for districts designated as Suburban.

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

The proposal does not include a change in use that would require a new buffer.

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

Current refuse and service areas will not be affected by the new use and will continue to be adequate to support business operations.

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

In consideration of unanticipated issues that may negatively impact adjacent properties, Staff recommends that, if conditionally approved, the Special Land Use Permit be subject to renewal at 18 months after commencement to assess any adverse community impacts.

**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:**

New construction is not associated with this request.

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

There are no known historic buildings, sites, districts or archaeological resources in the immediate area that will be adversely affected by the proposed use.

**Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit:**

The existing driveway should be able to accommodate four normal or compact size passenger vehicles. However, the applicant has not indicated how the transportation needs of the children will be met and how many vehicles will be on-site. Although not required at this time, interior architectural plans are required prior to the issuance of a building permit or business license for the proposed use (Sec. 4.2.1). Plans have not been provided thus far.

**Sec. 4.2.19. - Child day care facility (up to six children), or child day care center (seven or more children).**

Each child day care facility and child day care center shall be subject to the following requirements. A child day care facility or center may also be a kindergarten or preschool.

<u>Standards</u>	<u>Compliance</u>
A. Each child day care facility and child day care center shall comply with all applicable state day care requirements for standards, licensing and inspection. A DeKalb County business license is required.	Yes. The applicant intends on complying with all applicable state requirements, which includes inspections and licensing.
B. Prior to the issuance of a business license for a child day care facility or child day care center, the necessary licensing from the State of Georgia shall be obtained, including compliance with all requirements related to minimum area for classrooms, play areas, and fencing. Each child day care facility and child day care center shall provide off-street parking spaces as required by the applicable zoning district. Each child day care center shall provide an adequate turnaround on the site.	Yes. The applicant will obtain licensing from the state of Georgia. The applicant will provide all the requirements for child day care facility including parking, play areas, and fencing.
C. The exterior appearance of any child day care facility located in a residential district shall be maintained as a residential structure, and no signs other than those otherwise authorized within the applicable zoning district shall be erected (no cut-outs, animal characters, or other graphics shall be affixed to the	Yes. The applicant will not make exterior changes to the residential structure and no signs will be permitted.

exterior of the structure or displayed upon the premises).	
D. No child day care facility shall be located within one thousand (1,000) feet of another child day care facility.	Yes. The applicant will provide proof of meeting the distance requirement of 1,000 feet from another child day care facility.

**R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height**

There is no proposed height change. The current single-family residential home is an existing two-story structure.

**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:**

The proposed use shows consistency with the needs of the community. The use is a community-based initiative that seeks to assist with childcare.

Sec. 7.4.7. - Additional criteria for specified uses.

**STAFF RECOMMENDATION:**

Based on the impact analysis and land use analysis above, the Special Land Use Permit request is consistent with the intent of the *2035 Comprehensive Plan*. The proposal does not include expansion of the existing single-family home. The request provides a service to the surrounding community. The request may generate limited negative impacts on the current neighborhood and on the natural environment. Based on the information provided, the Department of Planning and Sustainability recommends “Approval with conditions”.

1. The Special Land Use Permit shall be issued to Eugene Sims, for operation of a child day care facility for no more than six children, which shall not be transferrable.
2. This Special Land Use Permit shall be subject to renewal by the Board of Commissioners eighteen (18) months from the date of approval by the Board of Commissioners. Failure to renew may result in revocation of the SLUP.
3. Employee, facility, and/or visitor parking shall be contained within the existing driveway. On- street parking is prohibited.
4. Access shall be limited to the existing curb cut on Boring Court.
5. The applicant shall secure the necessary certification by the State of Georgia and the necessary business license and building permit or certificate of occupancy from DeKalb County.
6. The approval of this Special Land Use Permit application by the Board of Commissioners has no bearing on the requirements for other regulatory approvals under the authority of the Zoning Board of Appeals, or other entity whose decision should be based on the merits of the application under review by such entity.
7. Hours of operation shall be Monday – Friday, 7:00 a.m. – 7:00 p.m.

**Attachments:**

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





DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

**NOTE:** PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE M ALEXANDER [mmalexander@dekalbcountyga.gov](mailto:mmalexander@dekalbcountyga.gov) OR JOHN REID [jreid@DEKALBCOUNTYGA.GOV](mailto:jreid@DEKALBCOUNTYGA.GOV)

COMMENTS FORM:  
PUBLIC WORKS WATER AND SEWER

Case No.: SLUP-21-1245190

Parcel I.D. #: 15-093-01-240

Address: 3815 Boring Road

Decatur, Georgia

WATER:

Size of existing water main: 6" AC Water Main (adequate/inadequate)

Distance from property to nearest main: Adjacent to Property

Size of line required, if inadequate: N/A

SEWER:

Outfall Servicing Project: Cobbs Creek Basin

Is sewer adjacent to property: Yes ( ) No (X) If no, distance to nearest line: Approximately 221 feet West of property

Water Treatment Facility: Snapfinger WTF ( ) adequate ( ) inadequate

Sewage Capacity; \* (MGPD)

Current Flow: 21.77 (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.

Will need sewer capacity approval,  
capacity may be restricted. -DT

Signature: 

Public Works Comments – October 2021

N1. No comment.

N2. 5277 Rockbridge Road. Would be nice if the neighborhood connected to Wexford Lane for roadway network connectivity. Rockbridge Road is classified as a minor arterial. At a minimum-ROW dedication 40 feet from centerline (or all public infrastructure on right of way- including streetlights, which ever greater), 6-foot sidewalk, 10 foot landscape strip, pedestrian scale, 4- foot bike lane (or a 10 foot multiuse path in lieu of 4 foot bike lanes and 6 foot sidewalk), street trees, streetlights required. Professional engineer to verify sight distance at all access points per AASHTO guidelines- to be submitted with permitting.

N3. Tilson Road and Second Ave are both classified as collectors. At a minimum-ROW dedication 35 feet from centerline (or all public infrastructure on right of way- including streetlights, which ever greater), 6-foot sidewalk, 10 foot landscape strip, pedestrian scale, 4- foot bike lane, street trees, streetlights required. Professional engineer to verify sight distance at all access points per AASHTO guidelines- to be submitted with permitting. Watch the requirements for number of access points required based on the number of units. Section 14-200 (5) of the Land Development Code.

N4. Midway at Beech. Midway is classified as a collector road. At a minimum-ROW dedication 35 feet from centerline (or all public infrastructure on right of way- including streetlights, which ever greater), 6-foot sidewalk, 10 foot landscape strip, pedestrian scale, 4- foot bike lane, street trees, streetlights required. Professional engineer to verify sight distance at all access points per AASHTO guidelines- to be submitted with permitting. Beech is classified as a local road. At a minimum-ROW dedication 27.5 feet from centerline (or all public infrastructure on right of way- including streetlights, which ever greater), 6-foot sidewalk, 6 foot landscape strip, pedestrian scale, street trees, streetlights required. Professional engineer to verify sight distance at all access points per AASHTO guidelines- to be submitted with permitting.



## 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**

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 not** 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 not** 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.



10/13/2021

To: Ms. Madolyn Spann, Planning Manager  
Mr. John Reid, Senior Planner  
From: Ryan Cira, Environmental Health Manager  
Cc: Alan Gaines, Technical Services Manager  
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 network. 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

404.508.7900 • www.dekalbhealth.net

10/13/2021

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N.1

SLUP-21-1245190

3815 Boring Road, Decatur, GA 30034

Amendment

- Please review opening letter for details.
- Research indicates septic system installed on property in 9/30/1971.

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N.2

Z-21-1245221 2021-3156 John/Laurel 18-038-04-003

5277 Rockbridge Road, Stone Mountain, GA 30088

Amendment

- Please review letter for additional details.
- Research indicates septic system installed on surrounding property 5237 Rockbridge Road; Stone Mountain, GA.

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N.3

SLUP-21-1245227 2021-3157 Jeremy 15-140-04-007,15-140-04-055

2318 2nd Avenue, Decatur, GA 30032

Amendment

- Please review letter for additional details.
- Research indicates surrounding property with septic system install on 2038 Tilson Road, Decatur, GA.

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N.4

CZ-21-124534 2021-3158 John 15-218-13-061

3446 Midway Road, Decatur, GA 30032

Amendment

- Please review general comments.
- Research indicates septic system installed on property 3401 Midway Road, Decatur, Ga 30032 on 06/27/08.

# DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

10/13/2021

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N.5

TA-21-1244986 2021-3159 John/Brandon

Special Land Use Permit (SLUP)

Amendment

- Please review general comments.

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N.6

TA-21-1245114 2021-3160 Jeremy/Brandon

County-Wide

Amendment

- Please review general comments.

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N.7

TA-21-1245238 2021-3161 Lasondra/Brandon

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County-Wide

Amendment

- Please review general comments.

N-1



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

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

**COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: SLUP-21-1245790 Parcel I.D. #: 15-093-01-240

Address: 3815  
Boring Rd  
Decatur 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) 6/7<sup>TH</sup> 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:

Plans and field reviewed. Nothing found that would disrupt traffic flow.

Signature: [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: Elease L. Sims

Daytime Phone: 404312-1436 E-Mail: eleasesims@gmail.com

Mailing Address: 3815 Boring Rd Decatur, GA 30034

Owner Name: Eugene Sims  
(If more than one owner, attach contact information for each owner)

Daytime Phone: 404964-6745 E-Mail: EugeneSims74@gmail.com

Mailing Address: 3815 Boring Rd Decatur, GA 30034

SUBJECT PROPERTY ADDRESS OR LOCATION: 3815 Boring Rd  
DeKalb County, GA, 30034

Parcel ID: 15-093-01-240 Acreage or Square Feet: 0.93 Commission Districts 337

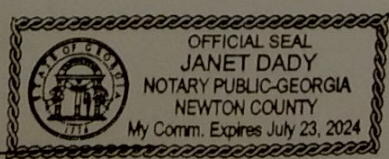
Existing Zoning: Residential Proposed Special Land Use (SLUP) Child day care<sup>UP</sup> to six

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

Owner: \_\_\_\_\_ Agent: 1 Signature of Applicant [Signature]

Printed Name of Applicant:  
Elease L Sims

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: Elease Sims Phone: 404-312-1436 Email: eleasesims@gmail.com

Property Address: 3815 Boring Road

Tax Parcel ID: 15-093-01-240 Comm. District(s): 3 & 7 Acreage: 0.93

Existing Use: Residential Proposed Use: Child Day Care up to Six

Supplemental 4.2.19 Overlay District: No DRI: No

Regs: **Rezoning:** No

Yes Existing \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_ Square Footage/Number of Units: \_\_\_\_\_

Zoning: Rezoning

Request: \_\_\_\_\_

Land Use Plan Amendment: Yes \_\_\_\_\_ No \_\_\_\_\_

Existing Land Use: \_\_\_\_\_ Proposed Land Use: \_\_\_\_\_ Consistent \_\_\_\_\_ Inconsistent \_\_\_\_\_

Special Land Use Permit: Yes \_\_\_\_\_ No \_\_\_\_\_ Article Number(s) 27- 4.2.19

Special Land Use Request(s) Child Day Care up to six

**Major Modification:**

Existing Case Number(s): \_\_\_\_\_

Condition(s) to be modified:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2 people entered the waiting room

View

x

Community zoom meeting 8/25

Elease Sims

Please Sims

3815 Boring Rd

Decatur, ga 30034

GA RENTAL 1 LLC  
214 N SPURGEON ST  
SANTA ANA CA 92701

Please Sims

3815 Boring Rd

LEE  
WATSON JOSEPH GE DR  
3008 HARVEST RLE  
DECATUR GA 3003

Please Sims

3815 Boring Rd

Decatur, ga 30034

ALEXANDER WILLIAM  
2971 HAMPTON PL # 0  
DECATUR GA 30034

THOMAS SMITH  
3815 Boring Rd

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Decatur, GA 30034



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Decatur, GA 30034



THOMAS SMITH  
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Dear Sirs  
1011 Irving St

POSTAGE WILL  
BE PAID BY ADDRESSEE



Dear Sirs  
1011 Irving St  
Berkeley CA 94704

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## Letter of Application

- A. The proposed zoning classification is for a Family Home Daycare
- B. The reason for a special land permit is for a Family Home Daycare
- C. The proposed use of property will be for a Family Home Daycare.
- D. The proposed area that will be used will be in the basement which has 3-4 rooms, number of employees will be 1, hours of operation will be 7am-6pm Monday-Friday.

## IMPACT ANALYSIS

- A. Adequate Land is available for parking in the Back of the Residents.
- B. Adequate Property is compatible with adjacent properties.
- C. There is Adequate service that is available for the public.
- D. There is adequate space, no parking on street.
- E. Land use will not be affected by character of the vehicles or volume.
- F. There is a safety plan in any event of an emergency.
- G. There will be no adverse impacts by adjoining land by any reason noise, smoke, odor dust.
- H. The hours of operation will not create any impact upon adjoin land the hours will be 7am- 6pm M-F and 2 Saturdays out a month.
- I. The Childcare will not create adverse impact upon adjoin land by any reason of the manner of operation.
- J The Childcare is consistent with all requirements of the zoning district classification in Dekalb county.
- K. The Childcare use is consistent with policies of the comprehensive plan.
- L The Childcare meets all zoning requirements.
- M. There are no provision of refuse on service area
- N. There's no duration of time set
- O. The size, scale and massing is appropriate in relation to size of Property.
- P The Childcare will not affect historic buildings, sites, districts or archaeological resources.
- Q. The Childcare satisfies the requirements contained within the supplemental regulations.
- R. The Childcare will not create a negative shadow impact on any adjoining lot or building.
- S. The Childcare will be consistent with the needs of the neighborhood as a whole and there will be no conflicts with the overall objectives of the comprehensive plan.

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: 8-9-2021

TO WHOM IT MAY CONCERN:

(I), (WE) Eugene Sims  
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

Elease Sims  
Name of Agent or Representative

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

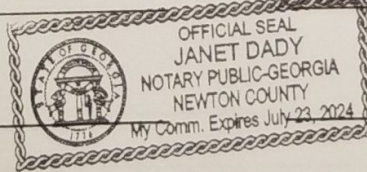
Janet Dady  
Notary Public

Notary Public

Notary Public

Notary Public

Notary Public



Eugene Sims  
Owner

Owner

Owner

Owner

Owner



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: Jeremy McNeil, Senior Planner

Date 7/9/2021

Filing Fees

<b>REZONING:</b>	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
<b>LAND USE MAP AMENDMENT</b>		\$500.00
<b>SPECIAL LAND USE PERMIT</b>		\$400.00

DEPARTMENT OF PLANNING & SUSTAINABILITY

LATE NIGHT ESTABLISHMENT OR NIGHTCLUB CHECK LIST

1. Is the requested SLUP for a new business or an existing business? (Please check only one) New Business  Existing Business . If the SLUP is for an existing business please answer question Nos. 2 - 5.
2. Does this Business have a current Business License? Yes  No   
If yes, provide a copy of current business license.
3. Has this business ever been operated without a Business License? Yes  No   
If yes, how long did the business operate without a business license? \_\_\_\_\_
4. Has this business received a citation for any of the following:
  - a. Life safety violations such as pyrotechnics, overcrowding, inadequate ingress/egress operating beyond the permitted hours of operation.
  - b. Construction (major/minor renovation, alteration and addition) without a valid DeKalb County permit.
  - c. Business closure and renovation without surrendering license to State and County as required by State law.
  - d. Change of business name, ownership, or use without DeKalb County approval.
  - e. No valid Certificate of Occupancy issued by DeKalb County
  - f. Violation of operating hours of the Zoning ordinance or Alcohol Ordinance.
  - g. Lack of proof of residency under DeKalb County. Any person who holds a liquor license in DeKalb County is required under DeKalb County law to be a resident of DeKalb County.
5. If one or more of the citations mentioned in No. 4 have been issued, please provide copies of summons and citations and summary of court decision or resolution.

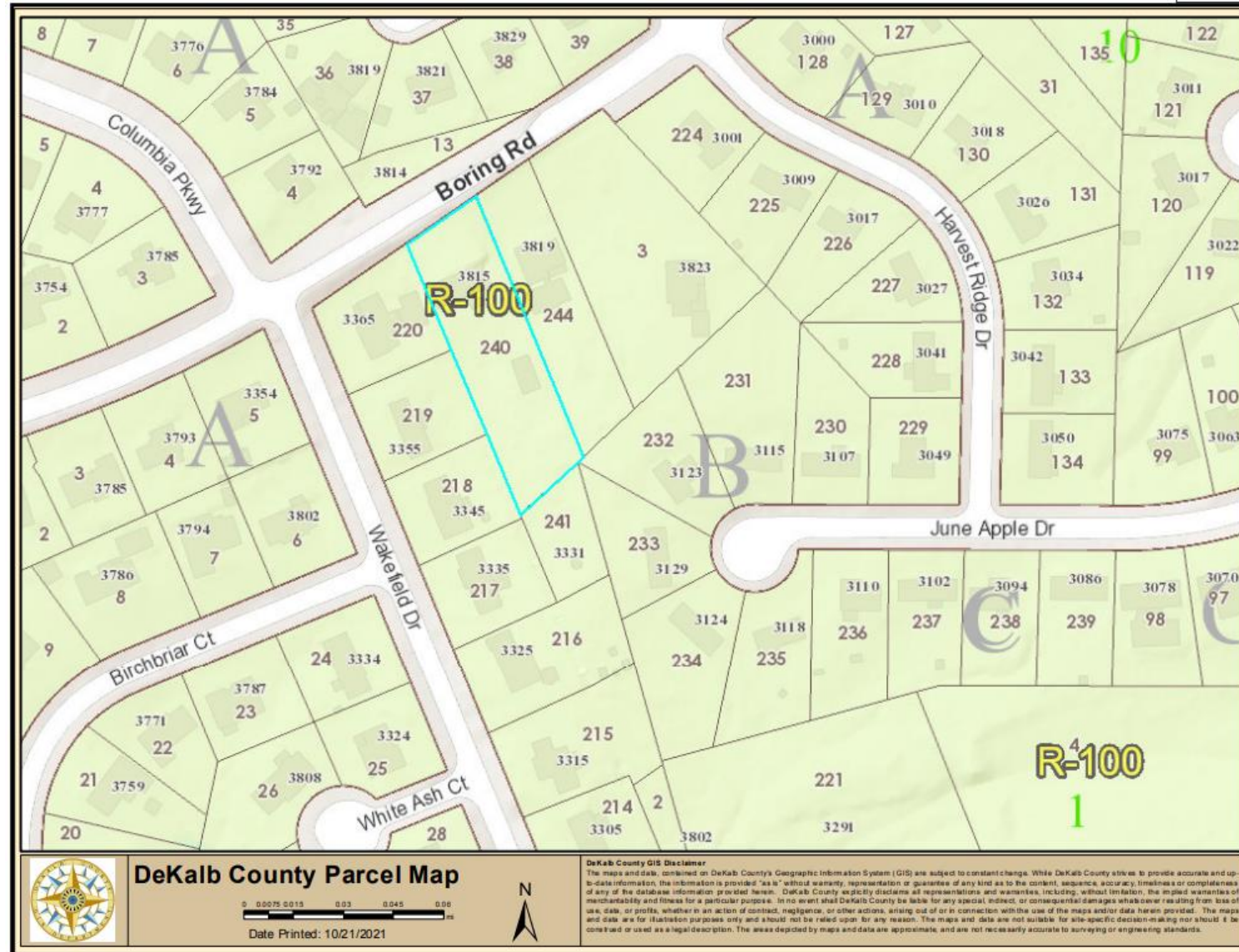
**Submittal of a fraudulent application is a violation of DeKalb County and State law.**



# N1.

# 3815 Boring Road

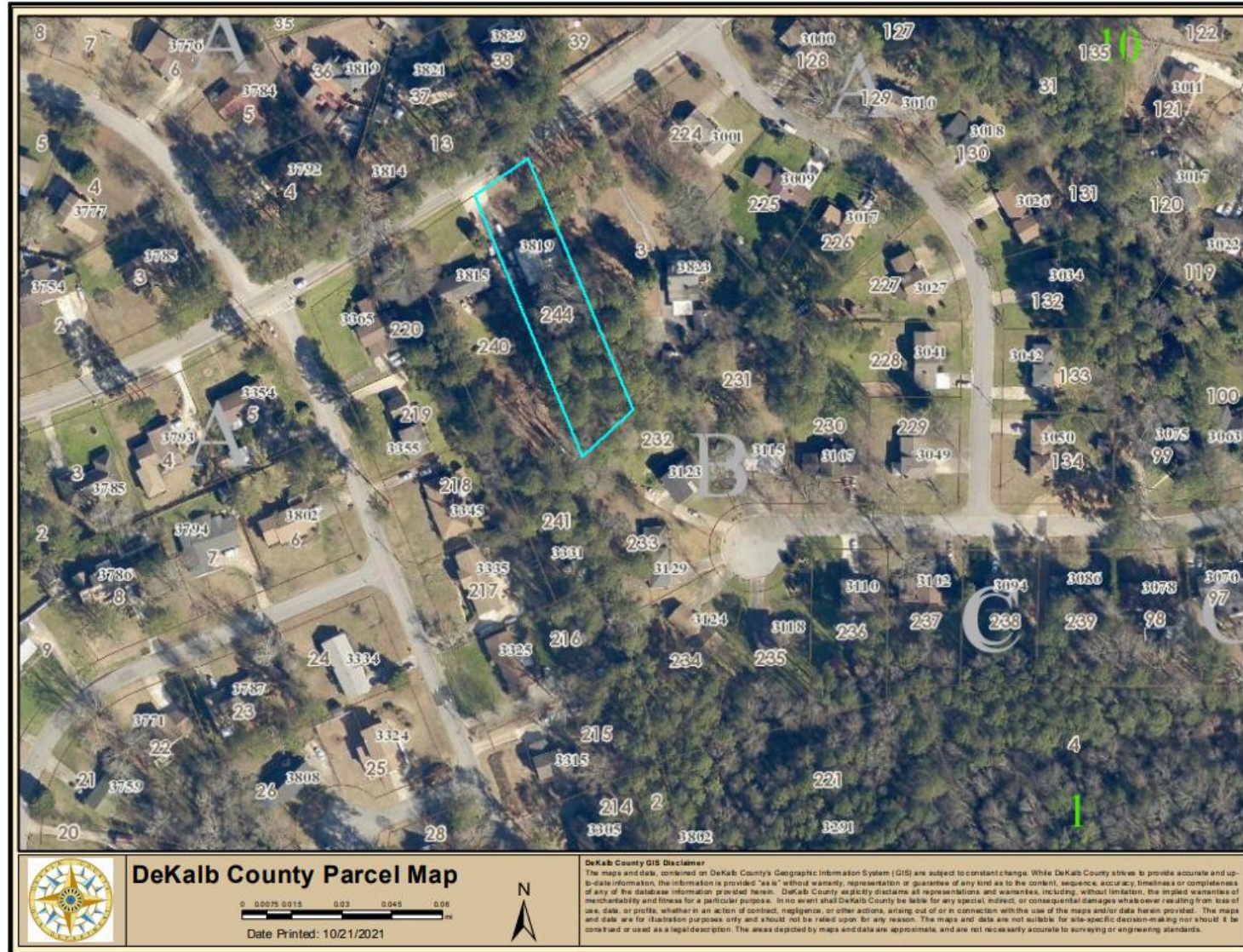
# Zoning



# N1.

# 3815 Boring Road

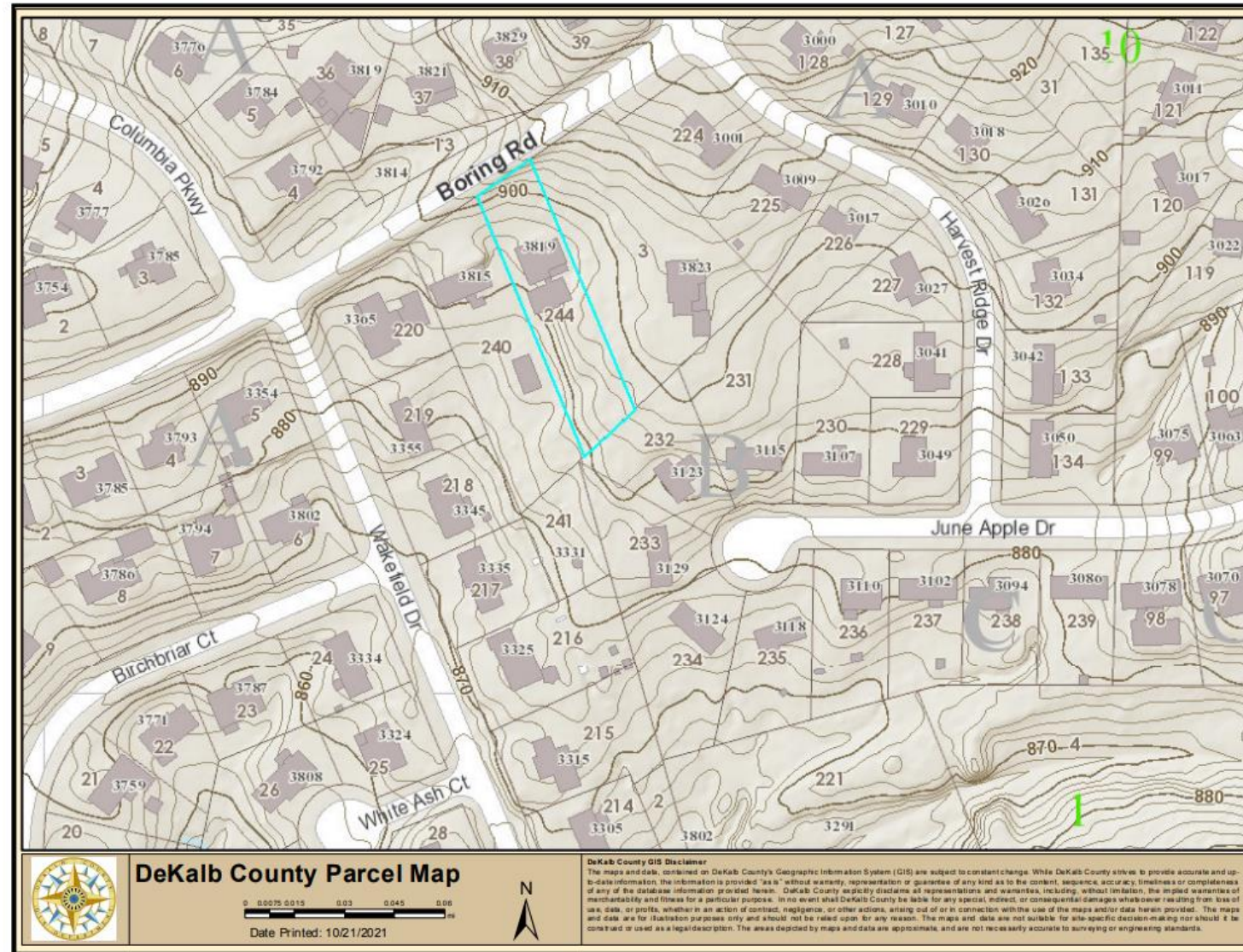
# Aerial



# N1.

# 3815 Boring Road

# Topo



# N1. 3815 Boring Road Site Photo

