

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): Commission District 04 Super District 07

Application of Liagiba, Inc. dba Abigail Manor PCH for a Special Land Use Permit (SLUP) application for a personal care home for up to 4 individuals in the R-100 (Residential Medium Lot) District, at 518 Lake Michele Court.

PETITION NO: N6. SLUP-22-1245546 (2022-1474)

PROPOSED USE: Personal care home – up to 4

LOCATION: 518 Lake Michele Court, Stone Mountain, Georgia 30088

PARCEL NO. : 18-018-01-093

INFO. CONTACT: Howard Johnson, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Liagiba, Inc. dba Abigail Manor PCH for a Special Land Use Permit (SLUP) application for a personal care home for up to 4 individuals in the R-100 (Residential Medium Lot) District. The property is located on the south side of Lake Michele Court, approximately 200 feet south of O'Malley Lane, at 518 Lake Michele Court in Stone Mountain, Georgia. The property has approximately 100 feet of frontage along Lake Michelle Court and contains 0.6 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: Approval.

PLANNING COMMISSION: Full Cycle Deferral.

PLANNING STAFF: Approval with a Condition.

STAFF ANALYSIS: The 2035 Comprehensive Plan recognizes the need for to provide specialized housing for adults in DeKalb County who require 24-hour watchful oversight, as stated in Housing Policy No. 7: "Increase the availability of special needs housing to meet the growing population." By increasing the capacity of the existing personal care home, albeit by one resident, the proposal implements this policy. Addition of one additional resident client is not expected to change the manner of operation such that it would create adverse impacts upon any adjoining land use. Nor is the proposal expected to increase traffic to levels that would cause congestion in the area. The hours of operation will continue to be the same as those of a typical residence and are not expected to adversely impact adjoining properties. Therefore, the Department of Planning and Sustainability recommends "Approval with one condition".

PLANNING COMMISSION VOTE: Final Motion: Full Cycle Deferral 6-0-1. Lauren Blaszyk moved, Jana Johnson seconded for a Full Cycle Deferral to the July 2022 zoning agenda, due to the applicant not being present. Gwendolyn McCoy abstained. (1st Motion for Denial, made by Commissioner Gwendolyn McCoy due to the applicant not being present, failed due to lack of a second.)

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Approval 10-0-0.

SLUP-22-1245546 (2022-1474)
Recommended Conditions – May 2022
518 Lake Michele Ct.

1. The Special Land Use Permit shall be issued to Lynette Williams for operation of a group personal care home no more than four (4) residents and shall not be transferrable.



DeKalb County Department of Planning & Sustainability

175 Sams Street, 3rd Floor

Decatur, GA 30030

(404) 371-2155 / plansubstain@dekalbcountyga.gov

Planning Commission Hearing Date: Tuesday May 3, 2022, 5:30 P.M.
Board of Commissioners Hearing Date: Thursday May 26, 2022, 5:30 P.M.

STAFF ANALYSIS

Case No.: SLUP-22-1245546 **Agenda #:** N6.

Location/Address: 518 Lake Michele Court, Stone Mountain **Commission District:** 4 **Super District:** 7

Parcel ID(s): 18-018-01-093

Request: A Special Land Use Permit to allow a group personal care home of four residents on a property zoned R-100 (Residential Medium Lot - 100) in accordance with Chapter 27, Article 4 of the DeKalb County Code, Table 4.1.

Property Owner(s): Evan Williams

Applicant/Agent: Evan Williams

Acreage: 0.56 acres

Existing Land Use: Single-family residential

Surrounding Properties: Single-family residential

Adjacent Zoning: **North:** R-100 **South:** R-100 **East:** R-100 **West:** R-100 **Northeast:** R-100
Northwest: R-100 **Southeast:** R-100 **Southwest:** R-100

Comprehensive Plan: Suburban ☒ Consistent ☐ Inconsistent

Proposed Density: Not applicable – no new units proposed	Existing Density: 2.85 units/acre
Proposed Units: Not applicable – no new units proposed	Existing Units: 1
Proposed Lot Coverage: Not applicable – no change in lot coverage proposed	Existing Lot Coverage: (Estimated) 35%

SITE AND PROJECT ANALYSIS

The subject property is a 0.56-acre lot on Lake Michele Court, a local street. The one-story house currently on the property was constructed in 1975. Applicant Evan Williams is licensed to operate a family personal care home of up to three persons, the Abigail Manor Personal Care Home. A floor plan submitted by Evan Williams indicates that the

house has four (4) bedrooms and two (2) bathrooms. Parking for up to six passenger vehicles is provided in the driveway.

The subject property is located approximately 213 feet south of the intersection of Omalley Lane and Lake Michele Court, on Lot 42 within Phase Two (2) of the Lake Michele Subdivision on local residential cul-de-sac street that extends from Martin Road. The property is located within the center of an R-100 single-family residential neighborhood; other properties to the north, south, east and west are located zoned R-100 (Residential Medium Lot – 100).

The subject property is more than the minimum required 1,000-foot distance from the nearest group personal care home.

LAND USE AND ZONING ANALYSIS

Section 27-7.4 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 property has adequate area to provide privacy and open space for a group personal care home. It meets the requirements for yard setbacks, open space, and off-street parking.
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:**
The group personal care home will function as a residence, and as such, will be compatible with adjoining and nearby residences.
- C. Adequacy of public services, public facilities, and utilities to serve the contemplated use:**
An increase of one resident client is not expected to increase demands on services and utilities to a level that would render them inadequate.
- 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:**
Addition of one resident client is not expected to increase traffic to levels that would cause congestion in the area. The property is approximately 213 feet south of the intersection of Omalley Lane and Lake Michelle, a local residential cul-de-sac street with a low level of carrying capacity.
- 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:**
Trips to and from the subject property are not expected to noticeably increase, and access routes to the site are adequate to accommodate the low level of traffic that would be generated by the personal care home, even after increasing the number of resident clients up to four persons.

- 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 driveway provides satisfactory access for emergency vehicles. The front and back doors provide satisfactory ingress and egress in the event of fire or other emergency. Lake Michele Court and most of the streets in the surrounding neighborhood were built without sidewalks; however, the streets appear to carry such low levels of traffic that pedestrians can safely enter or exit the subject property and resident clients can walk safely through the neighborhood.

- 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:**

One additional client resident is not expected to cause the personal care home to have adverse impacts upon any adjoining land use by reason 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:**

The hours of operation will continue to be the same as those of a typical residence and are not expected to adversely impact adjoining properties.

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

Addition of one additional resident client is not expected to change the manner of operation such that it would create adverse impacts upon any adjoining land use.

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

The existing personal care home complies with the applicable requirements of the R-100 District and would continue to do so after addition of an additional resident client.

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

The proposed group personal care home 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 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:**

Because no buffers or transitional buffers are required, this consideration is not applicable.

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

There is adequate provision of refuse and service areas, and expansion of the home by one person will not necessitate any changes.

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

There appears to be no reason to limit the duration of the requested special land use permit.

- 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:**

There are no proposed changes to the size, scale, or massing of the home, this consideration is not applicable.

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

No historic buildings, sites, districts, or archaeological resources are located on the property or in the surrounding area.

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

The home currently satisfies the supplemental regulations, and Ms. Denson is aware of all requirements regarding conversion of the existing family personal care home to a group personal care home.

- 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:**

Because no changes are proposed to the height of the home, this consideration is not applicable.

- 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:**

Addition of one resident client to the existing personal care home would be consistent with the needs of the neighborhood and of the community as a whole, would be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan.

Supplemental Regulations Section 4.2.41 Personal Care Homes and Childcaring Institutions

A. *Personal care homes, general requirements.*

- 1. Each personal care home 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.**

The existing personal care home for three persons is licensed by the State of Georgia, and applicant Evan Williams is aware that re-licensing is necessary to increase the number of residents in the home.

- 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 related to the operation of the existing personal care home is currently displayed, and Evan Williams is aware of this regulation.

3. **Personal care homes may apply for an FHA Accommodation Variance as provided for in Section 7.5.9 of this chapter.**

Staff has informed Evan Williams of this option.

B. Personal care home, group (four (4) to six (6) persons).

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.**

Evan Williams submitted an existing and proposed floor plan with the SLUP application. Staff has informed him of the necessity of submitting a professionally-prepared floor plan for the application for a Certificate of Occupancy and business license.

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.**

The driveway on the property provides six parking spaces.

3. **In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the RE, R-LG, R-100, R-85, R-75, R-50, R-SM, or MR-1 zoning district may be operated within one thousand (1,000) feet of any other group personal care home. The one-thousand-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two (2) tracts of land on which the group personal care homes are located.**

Based on the Georgia Department of Community Health GAMap2Care facilities locator, no other group personal care home is located within 1,000 feet of the subject property.

STAFF RECOMMENDATION: APPROVAL WITH CONDITION

The 2035 Comprehensive Plan recognizes the need for to provide specialized housing for adults in DeKalb County who require 24-hour watchful oversight, as stated in Housing Policy No. 7: "Increase the availability of special needs housing to meet the growing population." By increasing the capacity of the existing personal care home, albeit by one resident, the proposal implements this policy. Addition of one additional resident client is not expected to change the manner of operation such that it would create adverse impacts upon any adjoining land use. Nor is the proposal expected to increase traffic to levels that would cause congestion in the area. The hours of operation will continue to be the same as those of a typical residence and are not expected to adversely impact adjoining properties. Therefore, the Department of Planning and Sustainability recommends "Approval" with the following condition:

1. The Special Land Use Permit shall be issued to Evan Williams for operation of a group personal care home no more than four (4) residents and shall not be transferrable.

Attachments:

1. Public Works / Water & Sewer Comments
2. Board of Health Comments
3. Zoning Comments
4. Development Division Comments
5. Public Works / Traffic Engineering Comments
6. Zoning Map
7. Future Land Use Plan Map
8. Aerial Photograph
9. Site Photograph
10. Floor Plan
11. Application

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.



**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 AND/OR LASONDRA HILL
lahill@dekalbcountyga.gov**

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

Case No.: SLUP-22-1245546

Parcel I.D. #: 18-018-01-093

Address: 518 Lake Michele Court

Stone Mountain

WATER:

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

Distance from property to nearest main:

Size of line required, if inadequate: unknown

SEWER:

Outfall Servicing Project: appears on septic. Barbashela Creek

Is sewer adjacent to property: Yes () No (X) If no, distance to nearest line: ~200 ft.

Water Treatment Facility: Snapfinger () adequate () inadequate

Sewage Capacity: 36 (MGPD) Current Flow: 28.3 (MGPD)

COMMENTS:

Will not need sewer capacity if remaining on septic.

Signature:

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

4/13/2022

N.5

SLUP-22-1245550 2022-1473 18-103-03-017, 18-103-03-018

1799 Clairmont Road, Decatur, GA 30033

☐ Amendment

- Please review general comments.
- Note: Several properties in the area operate on septic system.

N.6

SLUP-22-1245546 2022-1474 18-018-01-093

518 Lake Michele Court, Stone Mountain, GA 30088

☐ Amendment

- Please review general comments.
- Septic system installed on October 27, 1975.

N.7

Z-22-1245577 2022-1475 15-173-07-002, 15-173-07-018, 15-173-07-048

1847 2nd Ave, Decatur, GA 30032

☐ Amendment

- Please review general comments.
- Note: Several properties in the surrounding area operate on septic.

N.8

Z-22-1245595 2022-1476 18-100-02-005, 18-100-02-040, 18-100-02-041, 18-100-02-057, 18-100-04-014

2050 Lawrenceville Highway Kiosk 1101, Decatur, GA 30033

☐ Amendment

- Please review general comments.
- Note: Several properties in the surrounding area operate on septic.

ZONING COMMENTS – APRIL 2022

- N1.** LaVista Road is SR 236. GDOT review and approval required prior to land development permit. (GDOT District 7 Contact: Mwilson@dot.ga.gov). LaVista Road is classified as a minor arterial. Please see Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure improvements. Required right of way dedication of 40 feet from centerline or such that all public infrastructure is within right of way, whichever greater. Required: 6-foot sidewalk and 4-foot bike lane OR a 10-foot multiuse path (preferred), curb and gutter raised to current standards, 10 foot landscape strip (see Zoning 5.4.3 for options), pedestrian scale street lighting (contact: hefowler@dekalbcountyga.gov). Only one access point allowed on LaVista Road. I cannot read the site plan, but I would have the Fire Marshall take a look at your interior street widths. All interior streets must be private. No poles can remain within the limits of the sidewalk or multiuse path. Intersection and stopping sight distance must be met for all access points based on AASHTO.
- N2.** No Comment
- N3.** Bouldercrest overlay District Tier Corr 1. Infrastructure requirements of the overlay district trump the zoning and land development code. Overlay trumps Zoning trumps Land Development. When silent, the next code on the list applies. Overlay code requirements should be verified with the appropriate planning staff assigned to that overlay district. Bouldercrest Road is classified as a major arterial. Please see Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure improvements. Required right of way dedication of 50 feet from centerline or such that all public infrastructure is within right of way, whichever greater. Required: 6-foot sidewalk and 4-foot bike lane OR a 10-foot multiuse path (preferred), curb and gutter raised to current standards, 10-foot landscape strip (see Zoning 5.4.3 for options), pedestrian scale street lighting (contact: hefowler@dekalbcountyga.gov). No poles can remain within the limits of the sidewalk or multiuse path. Intersection and stopping sight distance must be met for all access points based on AASHTO.
- N4-5.** Clairmont Road is SR 155. GDOT review and approval required prior to land development permit. (GDOT District 7 Contact: Mwilson@dot.ga.gov). Clairmont Road is classified as a major arterial. Required right of way dedication of 50 feet from centerline or such that all public infrastructure is within right of way, whichever greater. Required: 6-foot sidewalk and 4-foot bike lane OR a 10-foot multiuse path (preferred), curb and gutter raised to current standards, 10-foot landscape strip (see Zoning 5.4.3 for options), pedestrian scale street lighting (contact: hefowler@dekalbcountyga.gov). Only one access point allowed at the traffic signal. Northern driveway ties to the existing traffic signal. Signal will need to be fully upgraded to accommodate the new vehicular phase and pedestrian phases. Developer responsible for all GDOT required traffic studies, plans and permits. No poles can remain within the limits of the sidewalk or multiuse path. Intersection and stopping sight distance must be met for all access points based on AASHTO.
- N6.** No comment.
- N7.** Second Avenue is classified as a collector road. Please see Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure improvements. Required right of way dedication of 35 feet from centerline or such that all public infrastructure is within right of way, whichever greater. Required: 6-foot sidewalk and 4-foot bike lane OR a 10-foot multiuse path (preferred), curb and gutter raised to current standards, 10-foot landscape strip (see Zoning 5.4.3 for options), pedestrian scale street lighting (contact: hefowler@dekalbcountyga.gov). Traffic study required. Developer needs to watch access management requirements in Land Development Code Section 14-200 (6). No poles can remain within the limits of the sidewalk or multiuse path. Intersection and stopping sight distance must be met for all access points based on AASHTO. Make functional pedestrian and bicycle connections between the property destinations and the public right of way.
- N8.** North DeKalb Mall DRI. Lawrenceville Hwy is SR 8. GDOT review and approval required prior to land development permits. Both Lawrenceville Hwy and North Druid Hills are classified as major arterials. Please see Zoning Code 5.4.3 and Land Development Code 14-190 for infrastructure improvements. Required right of way dedication of 40 feet from centerline or such that all public infrastructure is within right of way, whichever greater. Required: 6-foot sidewalk and 4-foot bike lane OR a 10-foot multiuse path (preferred), curb and gutter raised to current standards, 10-foot landscape strip (see Zoning 5.4.3 for options), pedestrian scale street lighting (contact: hefowler@dekalbcountyga.gov). Contribute \$500,000 towards a future project to add a left turn lane at the



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 **(sections have been amended recently; please request the amended chapter)**, 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.



DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM

N-6

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO
MADOLYN SPANN MSPANN@DEKALBCOUNTYGA.GOV OR JOHN REID JREID@DEKALBCOUNTYGA.GOV

COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-22-1245546 Parcel I.D. #: 18-018-01, 093

Address: 518

Lake Michele ct

Stone Mountain

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:

<u>Plans and field reviewed, no problem that would</u>
<u>interfere with Traffic flow.</u>

Signature: Jerry White

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing date.

Date Received: _____ Application No.: _____

APPLICANT NAME: Liagiba, Inc dba Abigail Manor PCH

Daytime Phone #: 770 413 7387 Fax #: 770 680 2245

Mailing Address: 518 Lake Michele Court, Stone Mountain
GA 30088 E-mail: abigailmanor@comcast.net

OWNER NAME: Lynette Williams (If
more than one owner, attach contact information for each owner)

Daytime Phone #: 770 490 7133 Fax #: 770 680 2245

Mailing Address: 1639 Briar bend court, Stone Mountain
GA 30088 E-mail: lynwilliams75@comcast.net

SUBJECT PROPERTY ADDRESS OR LOCATION: 518 Lake Michele Court
Stone Mountain, DeKalb County, GA, 30088

District(s): 18 Land Lot(s): 18 Block(s): B Parcel(s): 1801801093

Acreage or Square Feet: 0.6 Commission District(s): 4 Existing Zoning: R-100/SLUP

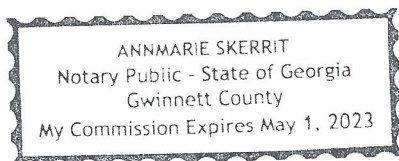
Proposed Special Land Use (SLUP): Existing PCH increasing from 3 to 4

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

Owner: ☒ Agent: _____ Signature of Applicant: [Signature]
(Check One)

Printed Name of Applicant: Lynette Williams

Notary Signature and Seal:



DeKalb County

404.371.2155 (o)
404.371.4556 (f)

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

Chief Executive Officer
Michael Thurmond

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: Evan F. Williams Phone: 770-365-6820 Email: abigailmanor@comcast.net

Property Address: 518 Lake Michele Ct, Stn. Mtn., GA 30088

Tax Parcel ID: 18 018 01 093 Comm. District(s): _____ Acreage: 0.60 acres

Existing Use: Personal Care Home Proposed Use Personal Care Home

Supplemental Regs: _____ Overlay District: _____ DRI: _____

Rezoning: Yes _____ No _____

Existing Zoning: ✓ Proposed Zoning: _____ Square Footage/Number of Units: 1801 sq ft

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- _____

Special Land Use Request(s) _____

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified:

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing date.

Date Received: _____ Application No.: _____

APPLICANT NAME: Liagiba, Inc dba Abigail Manor PCH

Daytime Phone #: 770 413 7387 Fax #: 770 680 2245

Mailing Address: 518 Lake Michele Court, Stone Mountain,
GA 30088 E-mail: abigailmanor@comcast.net

OWNER NAME: Evan F. Williams (If
more than one owner, attach contact information for each owner)

Daytime Phone #: 770 365 6820 Fax #: 770 680 2245

Mailing Address: 1639 Briar bend Court, Stone Mountain
GA 30088 E-mail: evanwilliams267@yahoo.com

SUBJECT PROPERTY ADDRESS OR LOCATION: 518 Lake Michele Court
Stone Mountain, DeKalb County, GA, 30088

District(s): 18 Land Lot(s): 18 Block(s): B Parcel(s): 1801801093

Acreage or Square Feet: 0.6 Commission District(s): 4 Existing Zoning: R-100/SLUP

Proposed Special Land Use (SLUP): Existing PCH increasing from 3 to 4

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

Owner: ☒ Agent: _____ Signature of Applicant: Evan Williams
(Check One)

Printed Name of Applicant: EVAN F. WILLIAMS

Notary Signature and Seal:

[Signature]



Notice of Special Land Use Permit Application Community Meeting

To: Neighbors

From: Abigail Manor Personal Care Home
518 Lake Michele Court, Stone Mountain, Georgia 30088

RE: REVISED MEETING DATE

We are planning to apply for a Dekalb County Special Land Use Permit for our facility, which was established in 2003. The permit is to increase our current 3 Resident occupancy to 4. According to Dekalb County Ordinance, we are holding a Community Meeting, where you can find out more about the proposal, ask questions, and voice your opinion at the following Community Meeting:

Date: February 23, 2022

Time: 7:30PM

Location: Join Zoom Meeting
<https://us05web.zoom.us/j/85385929047?pwd=Q2phZnM1dTJDSU1Wb0lzOEcwSnJEQT09>

Meeting ID: 853 8592 9047

Passcode: nD9Tv0

If you have any questions about the meeting, please call (770) 365-6820, (770) 490-7133 or **abigailmanor@comcast.net**. We look forward to seeing you there!

Sincerely,

Evan F. Williams

Lynette A. Williams

Attendees of the Pre-Submittal Community Meeting

- 1) Glenda Harrison
- 2) Janet Curtis
- 3) Mike Cooper
- 4) Matt Leatherman
- 5) Venesa Wingo- 510 Lake Michele Court
- 6) Sharon Devaul- 5299 Omalley Lane

Letter of Application

- A) The proposed zoning classification is zoned as a R-100. No new zoning is proposed.
- B) The reason for the rezoning or special land use permit request is to increase the residential occupancy from 3 to 4 in a Personal Care Home.
- C) The existing and proposed use of the property is for a personal care home which was established in 2003. The proposed use is still the same.
- D) Detailed characteristics of the proposed use is for a personal care home used for developmentally disabled adults who need daily help with things like meal preparation, hygiene assistance, and housing and transportation.

2,283 Sq ft, Not sure of the building height, 1 unit, 6 employees, 24 hours of operation.

IMPACT ANALYSIS 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 7.

- A. Adequacy of the size of the site for 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 home is approximately 2283 square feet, on a developed 0.6 acres of property. With 4 bedrooms and 2 bathrooms and 4 parking spacing in driveway.

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

This is a residential living facility like all the other properties that are zoned R-100.

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

All public services are available and ongoing.

- 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.

The home is located in a cul-de-sac where there is adequate room to turn around. Traffic is normal for residents in the cul-de-sac. Access is not a problem.

- 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.

The residents are transported in one vehicle by staff. That will not impact traffic along the street.

- 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.

No newly proposed building.

- 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.

No. No new building proposed. This is a facility with existing operations that has not and will not create any adverse impact.

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

Hours of operation are 24 hours but only activity inside of the home with no impact on the environment.

- I. Whether or not the proposed use will create adverse impact upon any adjoin land use by reason of the manner of operation of the proposed use.

No expected impact on exterior land use.

- 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, this is a R-100 zoning district. This facility will be run as a residence.

- K. Whether or not the proposed use is consistent with the policies of the Comprehensive Plan.

The proposed use is consistent with the policies of the Comprehensive Plan.

- L. Whether or 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.

No required buffer zones.

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

This is an existing facility with adequate public services.

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

No. This permit should be for an unlimited duration.

- 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 massing of the adjacent and nearby lots and buildings.

Not proposing any new construction. This property is like the neighboring properties.

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

No.

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

Yes. It satisfies Section 4.2.4.1 Personal Care Home.

Sec. 4.2.4.1. Personal Care Homes and Child Caring Institutions.

1. Personal Care Home, general requirements.

- a. Each Personal Care Home 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.

Currently have permit to serve 3 residents. In the process of getting all needed permits to increase capacity to 4.

- b. 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 signs are outside

- c. Personal Care Homes may apply for an FHA Accommodation Variance as provided for in Section 7.5.9 of this Chapter.

Not applicable.

2. Personal Care Home, group (three (3) to four (4) persons).

- a. 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.

As is site plan turned in with the SLUP.

- b. 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.

4 parking spots are in the driveway.

- c. In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the RE, R-LG, R-100, R-85, R-75, R-50, R-SM, or MR-1 zoning district may be operated within one thousand (1000) feet of any other group personal care home. The one-thousand-foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two (2) tracts of land on which the group personal care homes are located.

No personal care homes are within 1000 feet.

- 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.

No new height is proposed.

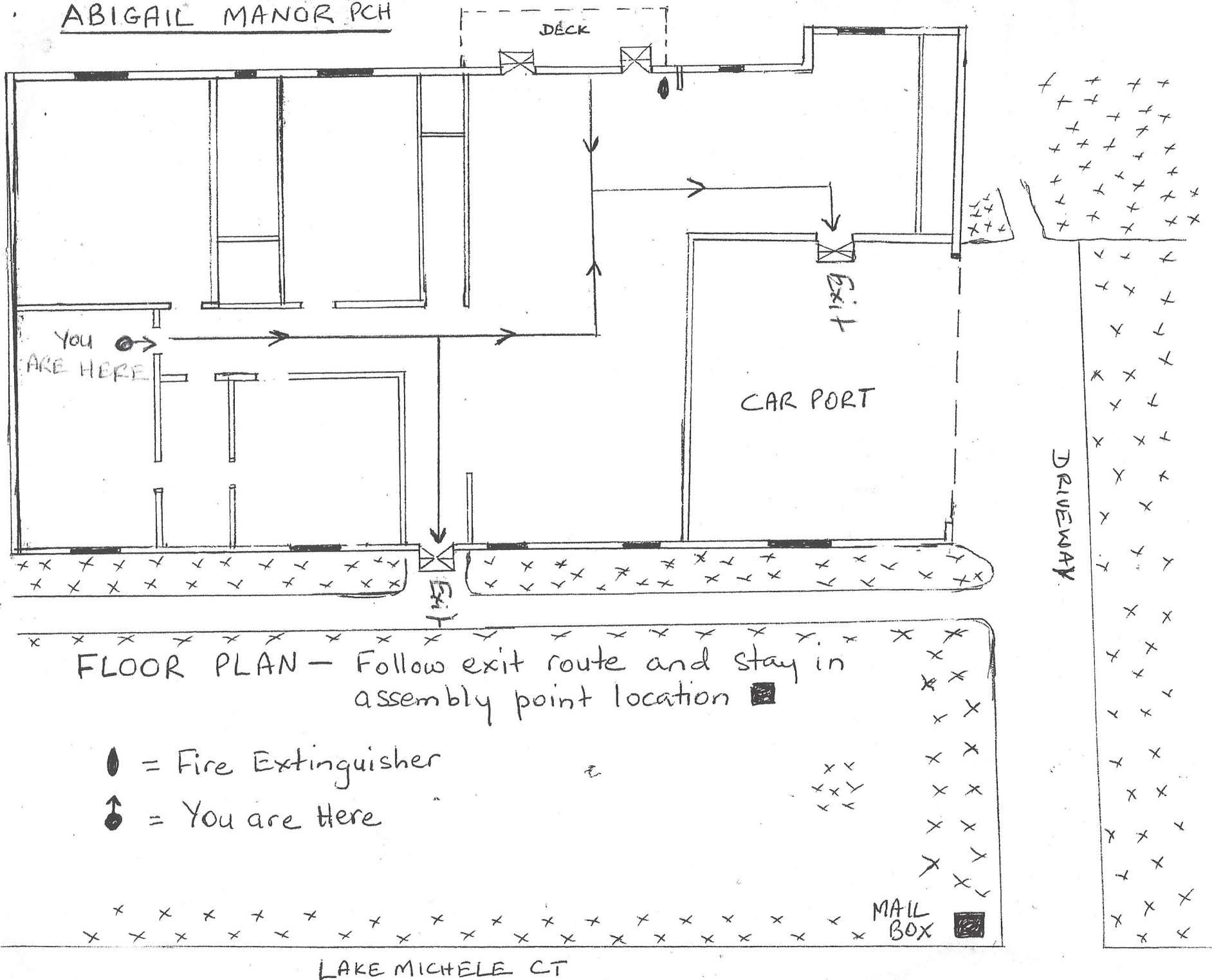
- S. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole be compatible with the neighborhood and would not be in conflict with the overall objectives of the comprehensive plan.

Yes. The use is for citizens who need daily help with things like meal preparation, hygiene assistance, transportation and housing.

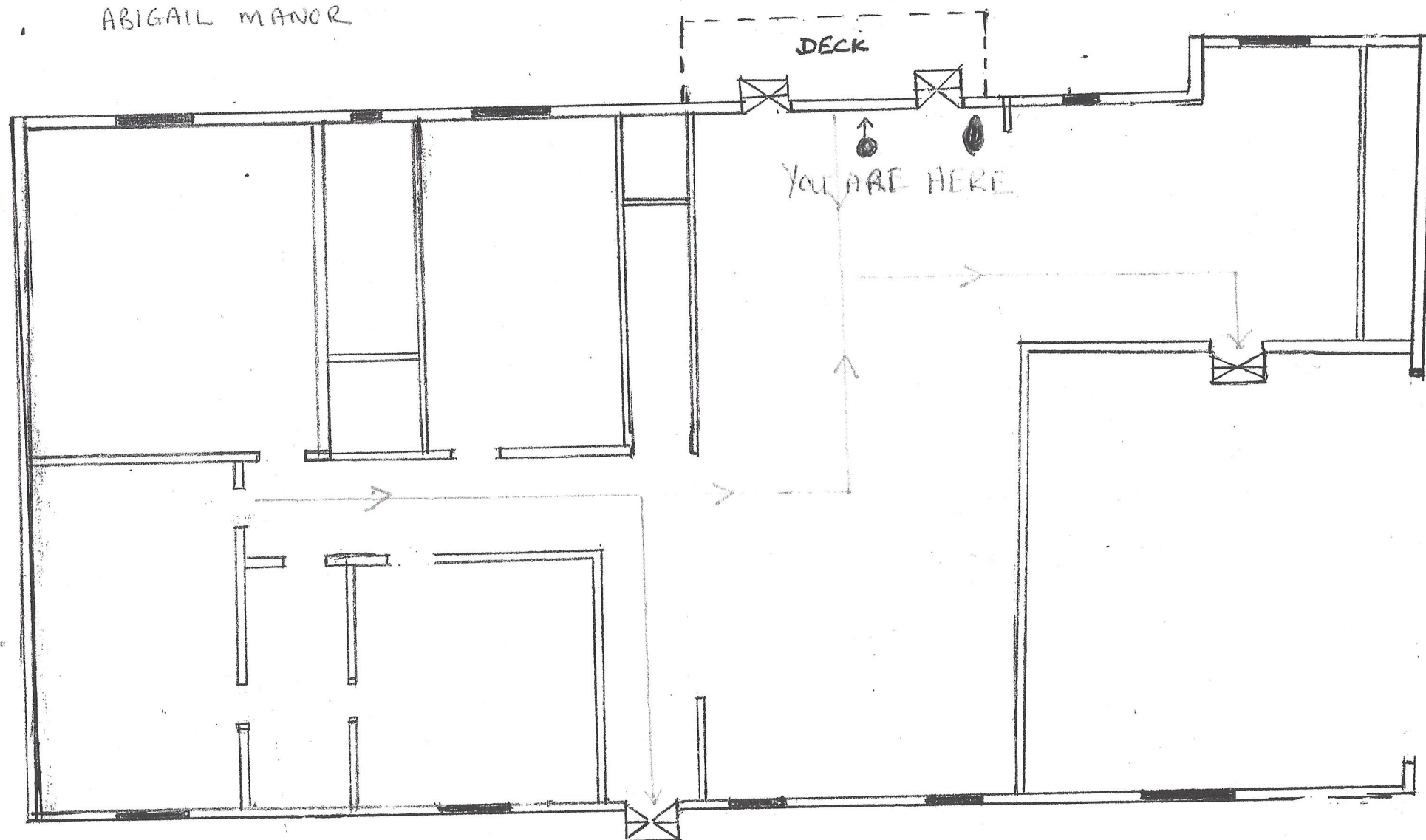
- T. Whether the proposed use would be consistent with the needs of the neighborhood or of the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objectives of the comprehensive plan.

This is an existing personal care home, which was established in 2003, and has been operating as a 3 resident occupancy and now we want to increase it to 4.

ABIGAIL MANOR PCH



ABIGAIL MANOR



Floor Plan — Follow exit route and stay in assembly point location. ■

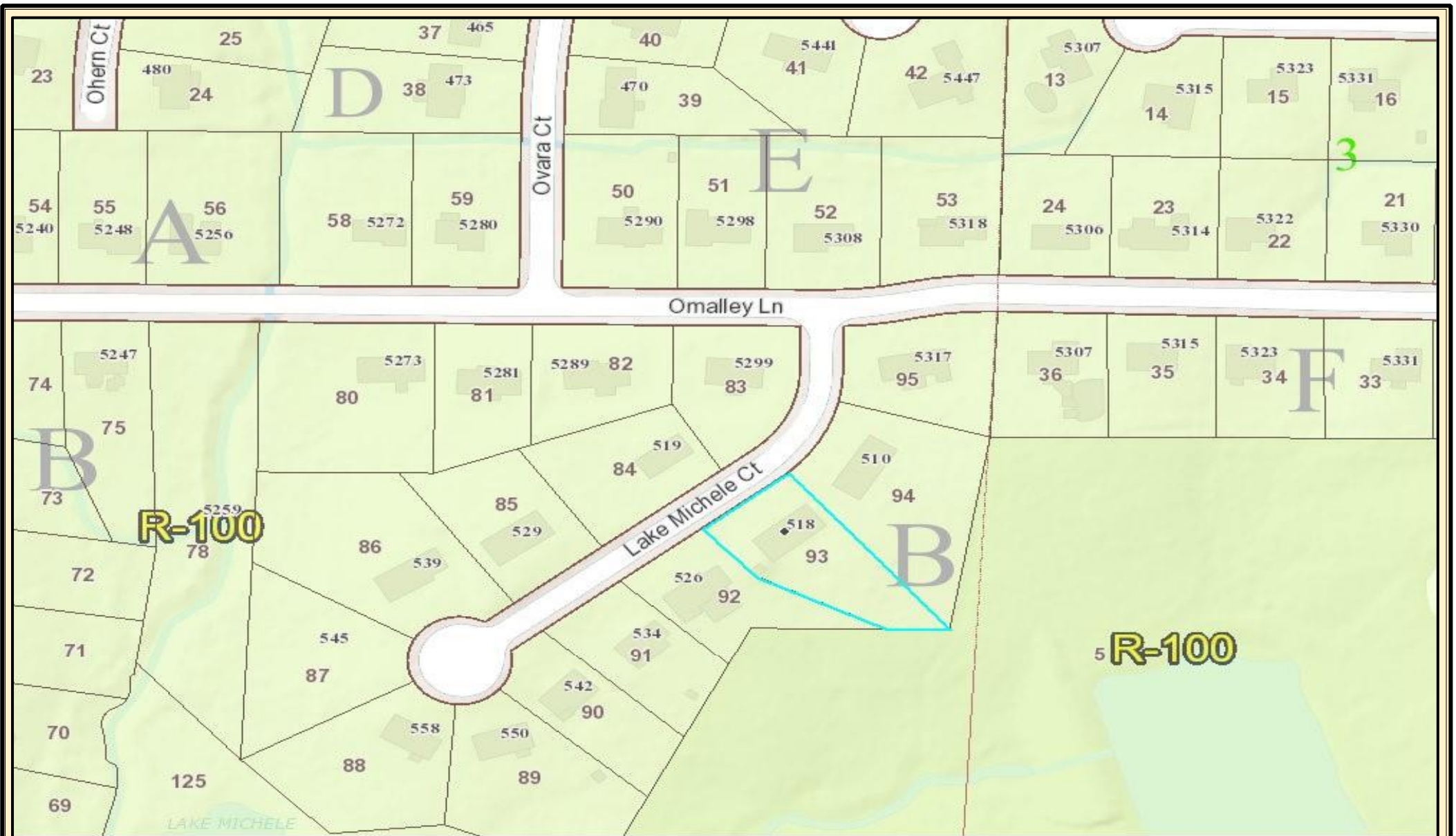
● = Fire Extinguisher

↑ = You are Here

■ = Assembly Point

MAIL BOX





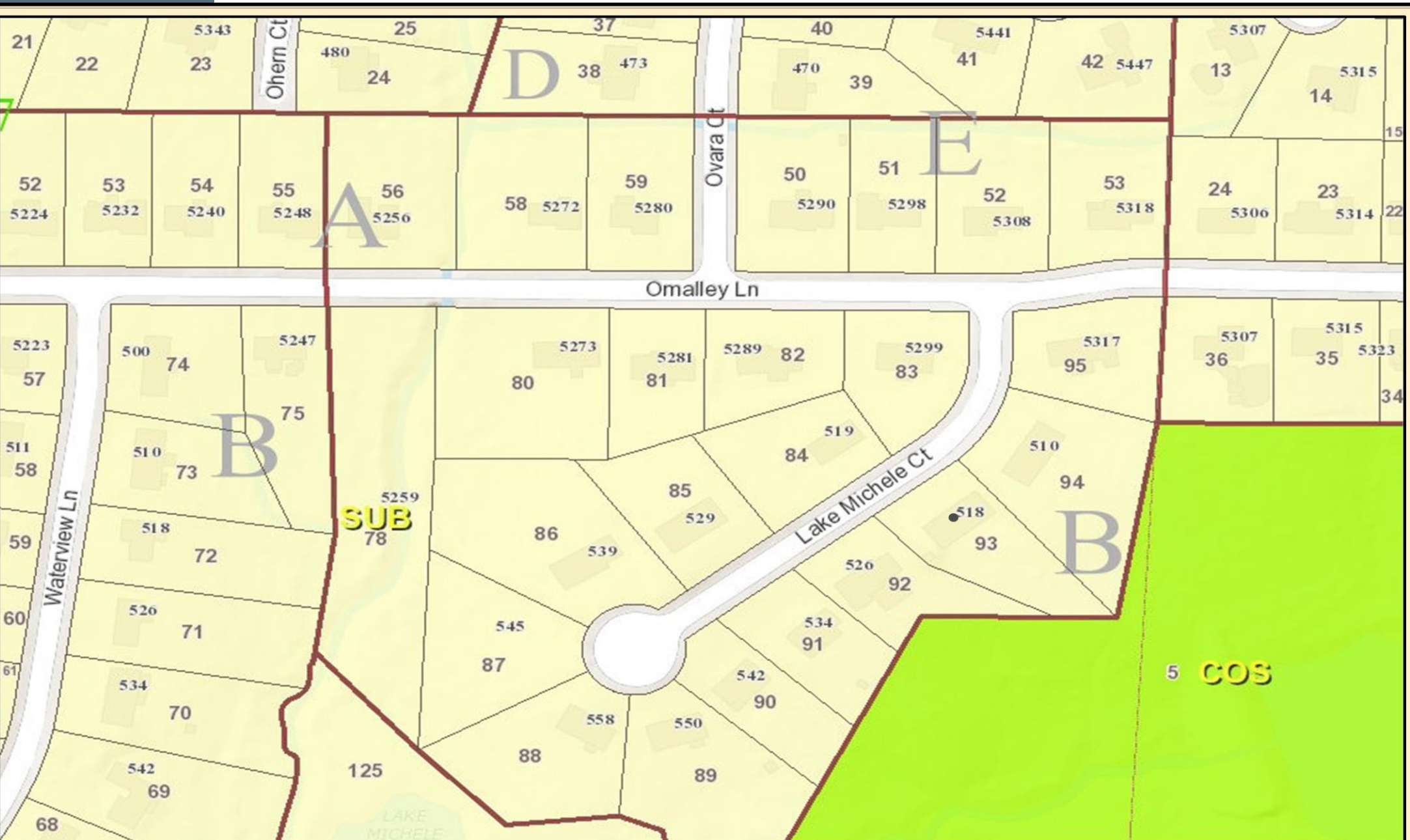
518 Lake Michele Ct - Zoning Map



DeKalb County GIS Disclaimer

N6.

Future Land Use Map



518 Lake Michele Ct - LU Map



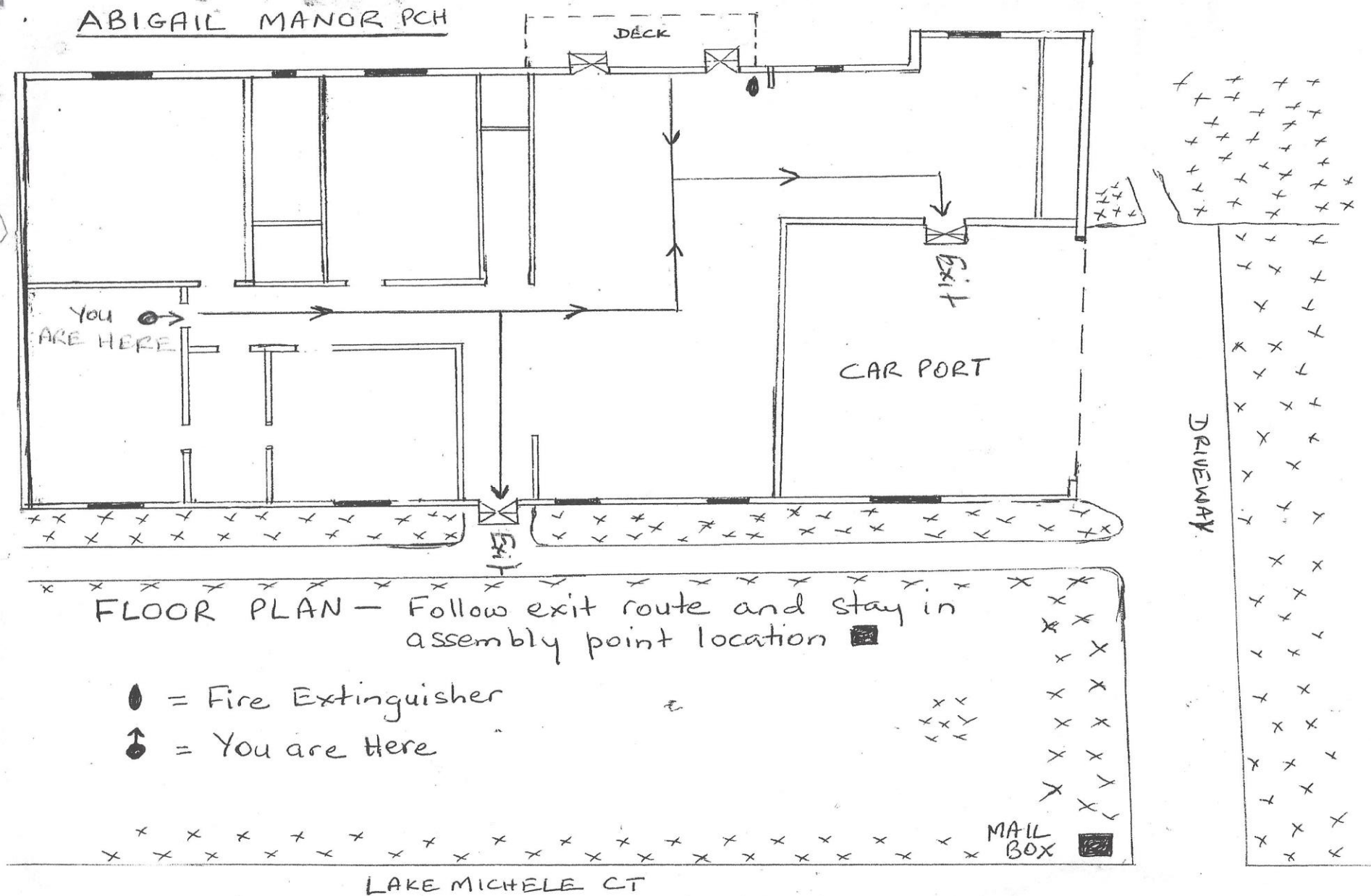
DeKalb County GIS Disclaimer

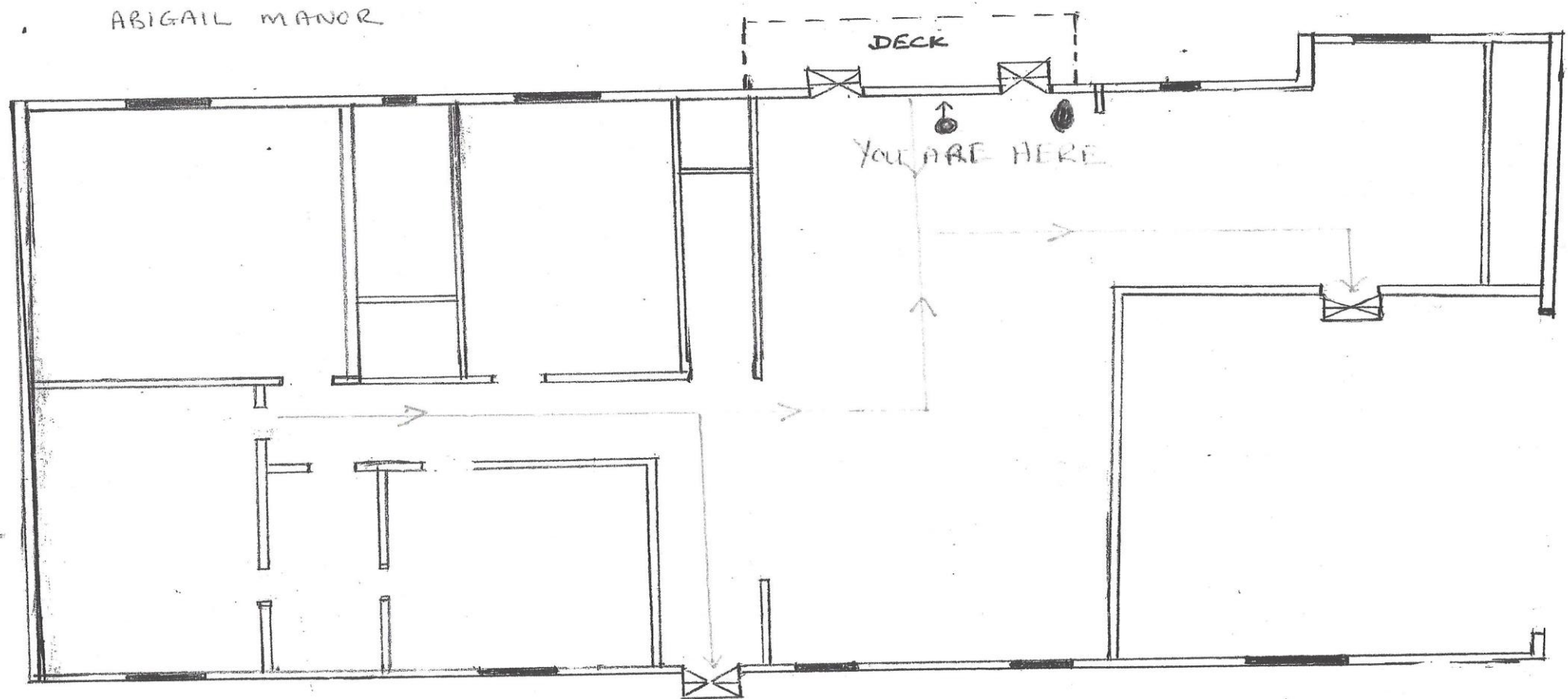


518 Lake Michelle Ct Aerial Map

DeKalb County GIS Disclaimer







Floor Plan — Follow exit route and stay in assembly point location. ■

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■ = Assembly Point

MAIL BOX





404.371.2155 (o)
404.371.4556 (f)
DeKalbCountyGa.gov

Clark Harrison Building
330 W. Ponce de Leon Ave
Decatur, GA 30030

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

Amendments will not be accepted after 5 working days after the filing date.

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Daytime Phone #: 770 413 7387 Fax #: 770 680 2245
Mailing Address: 518 Lake Michele Court, Stone Mountain
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OWNER NAME: Lynette Williams (If
more than one owner, attach contact information for each owner)
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Acreage or Square Feet: 0.6 Commission District(s): 4 Existing Zoning: R-100/SLUP
Proposed Special Land Use (SLUP): Existing PCH increasing from 3 to 4
I hereby authorize the staff of the Planning and Development Department to inspect the property that is the
subject of this application.
Owner: ☒ Agent: _____ Signature of Applicant: [Signature]
(Check One)
Printed Name of Applicant: Lynette Williams
Notary Signature and Seal:

