

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

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

Application of Regal Home Solutions, LLC c/o LaKisha Irby for a Special Land Use Permit to allow for a personal care home for more than six (6) individuals in the RSM (Small Lot Residential Mix) zoning district, at 5346 O'Malley Lane.

PETITION NO: N6-2025-0289 SLUP-25-1247425

PROPOSED USE: Personal care home, more than six (6).

LOCATION: 5346 O'Malley Lane, Stone Mountain, Georgia 30088

PARCEL NO. : 18 019 03 019

INFO. CONTACT: Lucas Carter, Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of Regal Home Solutions, LLC c/o LaKisha Irby for a Special Land Use Permit to allow for a personal care home for more than six (6) individuals in the RSM (Small Lot Residential Mix) zoning district.

RECOMMENDATION:

COMMUNITY COUNCIL: (April 2025) Denial.

PLANNING COMMISSION: (May 6, 2025) Denial.

PLANNING STAFF: Denial.

STAFF ANALYSIS: The applicant requests a Special Land Use Permit to allow a personal care home for more than six individuals in a single-family home on a 0.46-acre lot zoned currently zoned R-100. There is a companion application Z-25-1247426 to rezone the property to RSM (Small Lot Residential Mix). The subject property is located at 5346 O'Malley Lane and is surrounded by R-100-zoned properties, which are developed with single-family homes. These two zonings differ in development standards and may undermine the character of the neighborhood should anything new be built. The Comprehensive Plan designates this area as Suburban (SUB), where the intent is to support low-density development that encourages connectivity and preservation of neighborhood character. Staff finds the proposed use of the property as a Personal Care Home for more than 6 individuals to be inconsistent with the Suburban character designation due to its intensity and potential impacts on surrounding homes. The existing home does not appear to be adequately sized or equipped to support a facility of more than six residents, based on the dimensional requirements the home was designed for. Staff notes that while the site may be appropriate for a personal care home housing six or fewer adults, the proposal to exceed this number raises concerns regarding building capacity, code compliance, and neighborhood compatibility. **Additionally, DeKalb County Health Regulations prohibit the use of on-site sewage disposal systems for personal care homes with more than six clients.** Given that the site is currently on a septic system, this use would not be allowed by health regulations. The proposed use could also introduce a level of density and activity inconsistent with the surrounding single-family environment, potentially resulting in adverse impacts related to noise, excessive parking demand, and overall intensity of use. Interdepartmental comments also note that no on-street parking is permitted within 100 feet of the intersection. While the street network and emergency access appear sufficient to support the proposed use, the home was originally designed for single-family occupancy and may lack the public facilities, parking, and internal infrastructure required for a higher occupancy personal care facility.

Furthermore, staff notes that the application does not clearly identify how many residents are intended, which presents compliance issues with supplemental regulations regarding minimum parking requirements and building layout. These deficiencies hinder the ability of the site to meet zoning standards for care facilities serving more than six individuals. The application does not propose any changes to the site's ingress/egress or the structure's footprint, and there are no known historic or environmental resources that would be affected. However, the scale and density of the proposed use may not be suitable given the lot size and surrounding residential character. The inconsistency between the intensity of the proposed use and the prevailing land use pattern of the neighborhood has led to concerns about appropriateness and potential disruption to the area's character and tranquility. The proposal does meet the standard regarding the supplemental regulation for vicinity of other personal care homes, as the nearest is over 3,000 feet away. In summary, staff recommends ***"Denial"*** of the request to allow a personal care home for more than six individuals. The proposal does not align with the intent of the R-100 or RSM zoning district or the Suburban character area, and it raises significant concerns related to density, infrastructure capacity, and neighborhood compatibility.

PLANNING COMMISSION VOTE: (May 6, 2025) Denial 6-0-0. LaSonya Osler moved, Winton Cooper seconded for denial, per Staff recommendation.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (April 2025) Denial 7-1-1.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Planning Commission Hearing Date: May 6, 2024
Board of Commissioners Hearing Date: May 22, 2024

STAFF ANALYSIS

Case No.:	SLUP-25-1247425	File ID #: 2025-0289
Address:	5346 O'Malley Lane Stone Mountain, GA 30088	Commission District: 04 Super District: 07
Parcel ID(s):	18 019 03 019	
Request:	Special Land Use Permit (SLUP) to allow for a personal care home for more than six (6) individuals in the RSM (Small Lot Residential Mix) zoning district.	
Property Owner(s):	Lakisha Irby	
Applicant/Agent:	Lakisha Irby	
Acreage:	0.46 acres	
Existing Land Use:	Single-Family Residential	
Surrounding Properties:	North: R-100 (Residential Medium Lot-100) East: R-100 South: R-100 West: R-100	
Comprehensive Plan:	SUB (SUBURBAN)	Consistent Inconsistent X

Staff Recommendation: Denial.

The applicant requests a Special Land Use Permit to allow a personal care home for more than six individuals in a single-family home on a 0.46-acre lot zoned currently zoned R-100. There is a companion application Z-25-1247426 to rezone the property to RSM (Small Lot Residential Mix). The subject property is located at 5346 O'Malley Lane and is surrounded by R-100-zoned properties, which are developed with single-family homes. These two zonings differ in development standards and may undermine the character of the neighborhood should anything new be built. The Comprehensive Plan designates this area as Suburban (SUB), where the intent is to support low-density development that encourages connectivity and preservation of neighborhood character. Staff finds the proposed use of the property as a Personal Care Home for more than 6 individuals to be inconsistent with the Suburban character designation due to its intensity and potential impacts on surrounding homes.

The existing home does not appear to be adequately sized or equipped to support a facility of more than six residents, based on the dimensional requirements the home was designed for. Staff notes that while the site may be appropriate for a personal care home housing six or fewer adults, the proposal to exceed this number raises concerns regarding

building capacity, code compliance, and neighborhood compatibility. Additionally, DeKalb County Health Regulations prohibit the use of on-site sewage disposal systems for personal care homes with more than six clients. Given that the site is currently on a septic system, this use would not be allowed by health regulations. The proposed use could also introduce a level of density and activity inconsistent with the surrounding single-family environment, potentially resulting in adverse impacts related to noise, excessive parking demand, and overall intensity of use. Interdepartmental comments also note that no on-street parking is permitted within 100 feet of the intersection.

While the street network and emergency access appear sufficient to support the proposed use, the home was originally designed for single-family occupancy and may lack the public facilities, parking, and internal infrastructure required for a higher occupancy personal care facility. Furthermore, staff notes that the application does not clearly identify how many residents are intended, which presents compliance issues with supplemental regulations regarding minimum parking requirements and building layout. These deficiencies hinder the ability of the site to meet zoning standards for care facilities serving more than six individuals.

The application does not propose any changes to the site's ingress/egress or the structure's footprint, and there are no known historic or environmental resources that would be affected. However, the scale and density of the proposed use may not be suitable given the lot size and surrounding residential character. The inconsistency between the intensity of the proposed use and the prevailing land use pattern of the neighborhood has led to concerns about appropriateness and potential disruption to the area's character and tranquility. The proposal does meet the standard regarding the supplemental regulation for vicinity of other personal care homes, as the nearest is over 3,000 feet away.

In summary, Staff recommends ***“Denial”*** of the request to allow a personal care home for more than six individuals. The proposal does not align with the intent of the R-100 or RSM zoning district or the Suburban character area, and it raises significant concerns related to density, infrastructure capacity, and neighborhood compatibility.

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Lorraine Cochran-Johnson

Interim Director
Cedric G. Hudson, MCRP

ZONING COMMENTS – MAY 2025

N1-2025-0283 Z-25-1247358 (1619 Pleasant Hill Trl & 7850 Pleasant Hill Rd): 149 units. Pleasant Hill Trail appears to be an unimproved right of way (not abandoned) in the proposed project area (per GIS Map)- classified as local. Verify ownership. If determined to be an unimproved public right of way, infrastructure improvements noted in Zoning Code 5.4.3 and Land Development Code 14-190 are required. This project requires 2 access points- ensure phasing meets required access points at any given time since connecting to other developments. Ensure that there are enough access points to service the entire system when all developments are complete (i.e.- this development cannot put the other developments that it is connecting to out of compliance for number of access points). Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. All interior streets require a right of way dedication of 55 feet. Requires a 6-foot landscape strip with a 5-foot sidewalk. Requires streetlights. (hefowler@dekalbcountyga.gov). All intersections must meet AASHTO sight distance requirements.

N2-2025-0285 Z-25-1247420 (4743 Flat Shoals Pkwy): 79 Units. 4743 Flat Shoals Parkway. Flat Shoals Parkway is SR 155 and classified as a major arterial. GDOT review and approval is required prior to permitting. (JLivingston@dot.ga.gov) Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Along all frontage of SR 155: Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Interior streets to be private. General: no poles to remain in sidewalk/path. All intersections must meet AASHTO sight distance requirements.

N3-2025-0286 CZ-25-1247427 (1816 Candler Road); and N4-2025-0287 Z-25-1247428 (3221 Glenwood Road): I-20 Overlay District, Tier 2. Seek guidance from the overlay planner for required infrastructure improvements. Candler Road is SR 155 and a major arterial. GDOT review and approval is required prior to permitting. (JLivingston@dot.ga.gov) Where the overlay is silent: Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Along all frontage of SR 155: Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Glenwood Road is classified as a minor arterial. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 40 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). Glenhill Place is classified as a local road. Discussions need to be held about approval of truck entrance on this road. No approval of truck entrance without the direct approval of Planning and Development and the Transportation Division. Would prefer truck traffic from Glenwood Rd or Candler Rd (both truck routes). If permission is granted, the entire roadway section (including pavement section) will need to be brought up to current standards to accommodate truck traffic. Requires a right of way dedication of 55 feet. Requires a 6-foot landscape strip with a 5-foot sidewalk. Requires streetlights. (hefowler@dekalbcountyga.gov). Lane widths and other design factors must be designed for truck traffic. General: no poles to remain in sidewalk/path. All intersections must meet AASHTO sight distance requirements.

N5-2025-0288 Z-25-1247426; and N6-2025-0289 SLUP-25-1247425 (5346 O'Malley Lane): No parking within 100 feet of the intersection.

N7-2025-0291 SLUP-25-1247431 (2667 Candler Woods Court): No on-street parking allowed.

N8-2025-0292 SLUP-25-1247429 (3574 Boring Road): No on-street parking allowed.

N9-2025-0293 SLUP-25-1247395 (2615 Shallowford Road): No comments.

N10-2025-0295 SLUP-25-1247423; and N11-2025-0296 SLUP-25-1247424:

Memorial Drive is a state route. GDOT review and approval is required prior to permitting. (JLivingston@dot.ga.gov). If a land development permit is required: Memorial Drive is a major arterial. Please refer to the requirements in Zoning Code 5.4.3 and Land Development Code 14-190. Requires a right of way dedication of 50 feet from centerline OR such that all public infrastructure is within right of way, whichever greater. Along all frontage of SR 155: Requires a 10-foot landscape strip with a 6-foot sidewalk and 4-foot bike lane OR (PREFERRED) a 10-foot multiuse path. Requires pedestrian scale streetlights. (hefowler@dekalbcountyga.gov). No poles to remain in the sidewalk/path. All intersections must meet AASHTO sight distance requirements.



3/5/2025

To: Ms. LaSondra Hill, Planning Manager
From: Ryan Cira, Director
Cc: Alan Gaines, Duty Director
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.



N4 2025-0287

Z-25-1247428 15 170 13 088

3221 Glenwood Road, Decatur, GA 30032

Amendment

- Review general comments.
- No septic indicated on this property.
- Note: DeKalb Public Health prohibits use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N5 2025-0288

Z-25-1247426 18 019 03 019

5346 O'Malley Lane, Stone Mountain, GA 30088

Amendment

- Review general comments.
- Note: DeKalb Public Health prohibits use of on-site sewage disposal systems for personal care homes with more than six (6) clients.

N6 2025-0289

SLUP-25-1247425 18 019 03 019

5346 O'Malley Lane, Stone Mountain, GA

Amendment

- Review general comments.
- Note: DeKalb Public Health prohibits use of on-site sewage disposal systems for personal care homes with more than six (6) clients.



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

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:

- **Transportation/Access/Row**

- **Storm Water Management**

- **Flood Hazard Area/Wetlands**

- **Landscaping/Tree Preservation**

- **Tributary Buffer**

- **Fire Safety**



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**REZONE
COMMENTS FORM:**

PUBLIC WORKS ROAD AND DRAINAGE

Case No.: _____ Parcel I.D. #: _____

Address: _____

Drainage Basin: _____

Upstream Drainage Area: _____

Percent of Property in 100-Year Floodplain: _____

Impact on property (flood, erosion, sedimentation) under existing zoning: _____

Required detention facility(s): _____

COMMENTS:

Signature: Akin A. Akinsola



**DEKALB COUNTY GOVERNMENT
PLANNING DEPARTMENT
DISTRIBUTION FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**REZONE
COMMENTS FORM:**

PUBLIC WORKS ROAD AND DRAINAGE

Case No.: _____ Parcel I.D. #: _____

Address: _____

Drainage Basin: _____

Upstream Drainage Area: _____

Percent of Property in 100-Year Floodplain: _____

Impact on property (flood, erosion, sedimentation) under existing zoning: _____

Required detention facility(s): _____

COMMENTS:

Signature: Akin A. Akinsola



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: 2-25-1247426 Parcel I.D. #: 18-019-03-019
Address: 5346 O'Malley Lane, Stone Mountain, Ga 30088

Adjacent Roadway (s):

(classification) (classification)

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

Capacity (TPD) _____
Latest Count (TPD) _____
Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____
Existing right of way width _____
Proposed number of traffic lanes _____
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: Did not see any traffic engineering concerns
at this time.

Signature: Joey White



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

**COMMENTS FORM:
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: SLUP-25-1247425 Parcel I.D. #: 18-019-03-019
Address: 5346 O'malley Lane, Stone Mountain, Ga 30088

Adjacent Roadway (s):

(classification) (classification)

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

Capacity (TPD) _____
Latest Count (TPD) _____
Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____
Existing right of way width _____
Proposed number of traffic lanes _____
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: Did not see any traffic engineering concerns
at this time.

Signature: Jeroy White



**DEKALB COUNTY
GOVERNMENT PLANNING
DEPARTMENT DISTRIBUTION
FORM**

NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL TO EXPEDITE THE PROCESS TO JOHN REID jreid@dekalbcountyga.gov AND/OR LASONDRA HILL lahill@dekalbcountyga.gov

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

Case No.: _____ **Parcel I.D. #:** _____

Address: _____

WATER:

Size of existing water main: _____ (adequate/inadequate)

Distance from property to nearest main: _____ **Size of line required, if inadequate:** _____

SEWER:

Outfall Servicing Project: _____

Is sewer adjacent to property: Yes ____ No ____ **If no, distance to nearest line:** _____

Water Treatment Facility: _____ adequate ____ inadequate ____

Sewage Capacity: _____ (MGPD) **Current Flow:** _____ (MGPD)

COMMENTS:

Signature: _____



MARTA May 2025 Case Comments

D1-2024-1496 CZ-25-1246771 4015 Flat Shoals Pkwy:

This development is adjacent to existing service along Columbia Drive and also fronts planned MARTA service along Flat Shoals Parkway. We recommend that a condition for rezoning be that the developer must coordinate with MARTA to ensure proper pedestrian access between the development and existing and planned bus stops.

N2-2025-0285 Z-25-1247420 4743 Flat Shoals Pkwy:

This development is adjacent to planned MARTA service along Flat Shoals Parkway. We recommend that a condition for rezoning be that the developer must coordinate with MARTA to ensure proper pedestrian access between the development and planned bus stops.

N3-2025-0286 CZ-25-1247427 1816 Candler Road:

This property is adjacent to existing MARTA service as well as the planned Candler Road Arterial Rapid Transit project. While no ART stops are planned in front of this parcel on Candler Road, there will be an increased pedestrian demand for this location due to proximity to improved transit. Sidewalks and driveways for the development should be carefully designed with ped access and safety in mind. Developer should coordinate with MARTA during design phase.

N4-2025-0287 Z-25-1247428 3221 Glenwood Road:

This location is adjacent to existing MARTA service for Route 107. Due to this and proximity to the planned Candler Road Arterial Rapid Transit project, there will be an increased pedestrian demand for this location. Sidewalks and driveways for the development should be carefully designed with ped access and safety in mind. Developer should coordinate with MARTA during design phase.

DEPARTMENT OF PLANNING & SUSTAINABILITY

SPECIAL LAND USE PERMIT APPLICATION

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

Date Received: 2/17/25 Application No: _____

APPLICANT NAME: Lakisha Irby

Daytime Phone: 803-402-9566 E-Mail: info@regalhomesol.com

Mailing Address: P.O. Box 484 Winnsboro, SC 29180

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

Daytime Phone: 803-402-9566 E-Mail: info@regalhomesol.com

Mailing Address: P.O. Box 484 Winnsboro, SC 29180

SUBJECT PROPERTY ADDRESS OR LOCATION: 5346 Omalley Lane
Stone Mountain GA 30088 DeKalb County, GA 30088

Parcel ID: 180190319 Acreage or Square Feet: _____ Commission Districts: 487

Existing Zoning: A-100 Proposed Special Land Use (SLUP): Personal Care Home

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

Owner: ✓ Agent: _____

Signature of Applicant: Lakisha Irby

DEPARTMENT OF PLANNING & SUSTAINABILITY

Chief Executive Officer
Michael Thurmond

Interim Director
Cedric Hudson

SPECIAL LAND USE PERMIT (SLUP) APPLICATION CHECKLIST

EMAIL COMPLETED PACKET IN ONE (1) PDF to PLANNER

- ✓ 1. Schedule a mandatory **Pre-Application Conference** with Planning & Sustainability staff by appointment. Pre-Application form (to be completed in pre-application meeting). Please email lahill@dekalbcountyga.gov for appointment.
- ✓ 2. Hold a **Pre-Submittal Community Meeting** with surrounding neighborhood associations and residents. Provide documentation of the meeting (meeting notice and sign in sheets). Letter(s) from homeowners' association(s) may also be provided.
- ✓ 3. Submit: **Application** - Submit 1 complete, combined PDF version via email or flash drive. Please assemble materials in the following order:
 - ✓ A. **Application form** with name and address of applicant and owner, and address of subject property;
 - ✓ B. **Pre-submittal community meeting notice and sign-in sheet** and other documentation of meeting, if any;
 - ✓ C. **Letter of application and impact analysis**
 - ✓ 1. **Letter of application** identifying a) the proposed zoning classification, b) the reason for the rezoning or special use or modification request, c) the existing and proposed use of the property, d) detailed characteristics of the proposed use (e.g., floor area, height of building(s), number of units, mix of unit types, number of employees, manner and hours of operation), d)(optional) statement of conditions discussed with the neighborhood or community, if any.
 - ✓ 2. **Impact analysis** of the anticipated impact of the proposed use and rezoning on the surrounding properties in response to the standards and factors specified in Article 7.3 of the DeKalb County Zoning Ordinance, as attached. If a Major Modification, please include previously approved conditions and Board of Commissioner meeting minutes.
 - ✓ D. **Authorization Form**, if applicant is not the owner. Must be signed by all owners of the subject property and notarized. Authorization must contain the mailing address and phone number of any applicant or agent who is authorized to represent the owner(s) of the subject property. Please include warranty deed, if property ownership is less than 2 years.
 - ✓ E. **Campaign disclosure statement** (required by State law).
 - ✓ F. **Legal boundary survey** of the subject property, (showing boundaries, structures, and improvements), prepared and sealed within the last year by a professional engineer or land surveyor registered in the State of Georgia. *(If survey shows property on opposite sides of a public street right-of-way, file a separate application for each property.)*
 - ✓ G. **Site Plan**, printed to scale, folded, of any existing and or proposed development/redevelopment. For projects larger than 1 acre, site plan should be at least 1:50 scale. The site plan must include the following
 - ✓ a. boundaries of subject property;
 - ✓ b. dimensioned access points and vehicular circulation drives;
 - ✓ c. location of all existing and proposed buildings, structures, setbacks and parking;
 - ✓ d. location of 100-year floodplain and any streams;
 - ✓ e. notation of the total acreage or square footage of the subject property;
 - ✓ f. landscaping, tree removal and replacement, buffer(s); and
 - ✓ g. site plan notes of building square footages, heights, density calculations, lot coverage of impervious surfaces, parking ratios, open space calculations, and other applicable district standards.
 - ✓ H. **Written Legal Description** of metes and bounds of the subject property (can be printed on site plan or survey).
 - ✓ I. **Building Form Information**. Elevation (line drawing or rendering), or details of proposed materials, in compliance with Article 5 of the Zoning Ordinance.
 - ✓ J. **Completed, signed Pre-application Form** (Provided at pre-application meeting.)

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Please sign in and Out

[illegible]

ANNOUNCEMENT

Thank you for welcoming us to the neighborhood!



Dear Property Owner:

Dr. LaKisha Irby would like for you to join us at an in person meeting on Saturday February 1, 2025 from 10:00am-11:00am for fellowship and breakfast to discuss a proposed modification in Dekalb County for a special land use permit for the use as personal care home for the property located at 5346 Omalley Lane, Stone Mountain, GA 30088. Please feel free to contact us to RSVP at 833-471-0026.

We look forward to meeting you soon!

Regal Home Solutions, LLC

DEPARTMENT OF PLANNING & SUSTAINABILITY

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 4.

- 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, transitional buffer zones, and all other applicable requirements of the zoning district in which the use is proposed to be located.
- B. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district, and whether the proposed use will create adverse impacts upon any adjoining land use by reason of traffic volume/congestion, noise, smoke, odor, dust, or vibration generated by the proposed use.
- C. Adequacy of public services, public (or private) facilities, and utilities to serve the proposed use.
- 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.
- E. 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.
- F. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner and hours of operation of the proposed use.
- G. Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.
- H. Whether the proposed use is consistent with, advances, conflicts, or detracts from the policies of the comprehensive plan.
- I. Whether there is adequate provision of refuse and service areas.
- J. Whether the length of time for which the special land use permit is granted should be limited in duration.
- K. Whether 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; and whether the proposed use will create any shadow impact on any adjoining lot or building as a result of the proposed building height.
- L. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.
- M. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.
- N. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, as expressed and evidenced during the review process.

To whom it may concern:

The zoning proposal for 5346 O'Malley Lane Stone Mountain, GA 30088 is adequate in size of the site for the use contemplated land area available for the proposed use including provision of all required yards, open space, off-street parking, transitional buffer zones, and all other applicable requirements of the zoning district in which the use is proposed to be located. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district, and whether the proposed use will not create adverse impacts upon any adjoining land use by reason of traffic volume/congestion, noise, smoke, odor, dust, or vibration generated by the proposed use.

There is adequate of public services, public (or private) facilities, and utilities to serve the proposed use. There is adequate use of the public street on which the use is proposed to be located and there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area. There is adequate 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. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner and hours of operation of the proposed use. The proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located. The proposed use is consistent with advances, there are no conflicts, or detracts from the policies of the comprehensive plan. There is adequate provision of refuse and service areas. The length of time for which the special land use permit is granted should not be limited in duration. 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 proposed use will not create any shadow impact on any adjoining lot or building as a result of the proposed building height. The proposed use will not adversely affect historic buildings, sites, districts, or archaeological resources. The proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit. The proposed use would be consistent with the needs of the neighborhood or the community as a whole, as expressed and evidenced during the review process

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.

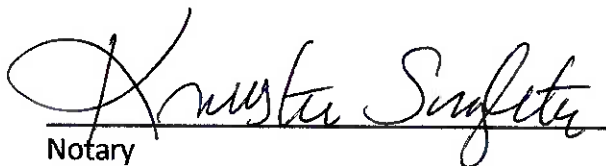
Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filing of this application?

Yes ____ No ☒ *

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

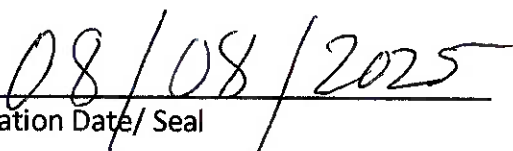
1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

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.

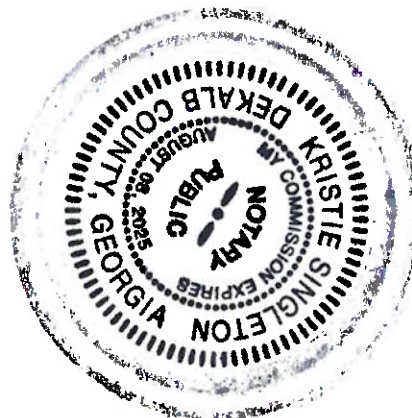

Notary

 11/15/25
Signature of Applicant /Date

X Check one: Owner ☒ Agent ____

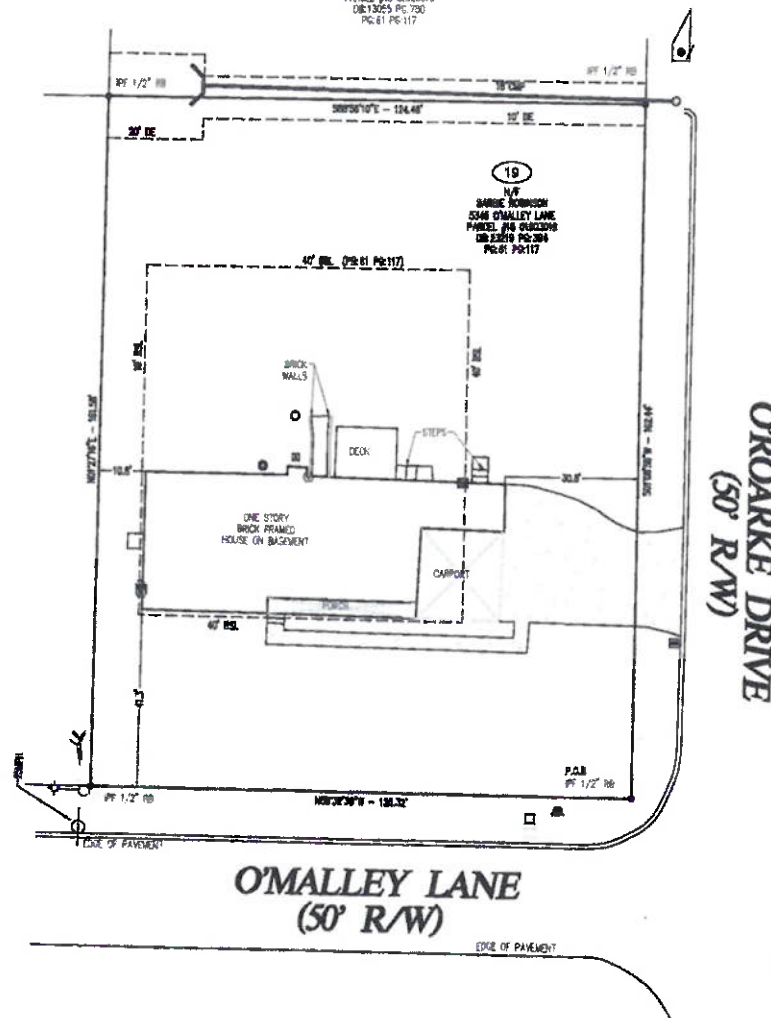

Expiration Date/ Seal

*Notary seal not needed if answer is "no".



18
K/JF
RONALD ALLEN
5347 O'CONNEL COURT
PARCEL #18 01903018
0813055 PG. 730
PG. 61 PG. 117

20
N/S
RUTH CAYRON
5336 O'VALLEY LANE
PARCEL #18 09W0020
201 5728 PG.8
PG.11 PG.117



LEGEND	
TEL	BUILDING RETRACE LINE
DR	DRAINAGE EXCAVATION (DRAIN)
SE	SAVEDRY BENEY CEMENT
OP	STATE OF FUNDAMENT (CAUSE)
N/W	RIGHT OF WAY
N/W	DEVELOP
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
FE	FROSTED FLOOR ELEVATION
FAD	FAD ELEVATION
SE	SHADE FLOOR ELEVATION
SL	SHADE WASHED UP ELEV.
WFE	WIL. FROSTED FLOOR ELEVATION
TO	POWER POLE
O	POOR SIGN SET
O	POOR SIGN FOLD
O	BOLLARD
~	CHARGE POWER
A	FIRE HYDRANT
B	BAKER METER
X	WATER VALVE
A	GAS VALVE
B	GAS METER
+	LIGHT POLE
+	CONCRETE PAD
+	TELEPHONE HANGER
+	AIR CONDITIONER UNIT
+	NAIL BOX
+	CLEAN OUT
+	SAVEDRY BENEY SANDWICH
+	LEFT WING CATCH BASIN
+	RIGHT WING CATCH BASIN
+	DOUBLE WING CATCH BASIN
+	DEEP PILE
+	RETRACT

FOR
KEYSTONE LAND SURVEYING, INC.
www.keystonelandsurveying.com

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

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: LaKisha Irby Phone: 803-402-9566 Email: info@regalhomesol.com
Property Address: 5346 Omalley Lane, Stone Mountain 30088
Tax Parcel ID: 18 019 03 019 Comm. District(s): 4 & 7 Acreage: 0.46
Existing Use: PCH Proposed Use: PCH, more than 6
Supplemental Regs: _____ Overlay District: No DRI: _____
Rezoning: Yes X No _____
Existing Zoning: R-100 Proposed Zoning: _____ Square Footage/Number of Units: _____
Rezoning Request: Personal care home, more than 6.

Land Use Plan Amendment: Yes _____ No X

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

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

Special Land Use Request(s): _____

Major Modification:

Existing Case Number(s): None

Condition(s) to be modified:

N/A

Dennis and Colleen Morgan

457 Ovara Court

Stone Mountain, GA 30088

April 14, 2025

To Whom It May Concern:

I am a resident of [insert street name and neighborhood] and am writing to express my firm opposition to the proposed rezoning and Special Land Use Permit (SLUP) request for the property located at **5346 O'Malley Lane, Stone Mountain, GA 30088**.

I have deep concerns about this project and its potential negative impact on our community. Specifically, I want to highlight the following issues:

1. **Lack of Honest Community Outreach:** I was made aware that names, including mine and others, were allegedly included on an attendance list for a community meeting regarding this proposal. I did not attend such a meeting and did not authorize the use of my name. This is deeply troubling and raises questions about the integrity of the application process.
2. **Neighborhood Impact:** Our community is a quiet, residential area not suited for the operation of a high-capacity personal care home. This proposal would bring increased traffic, strain on public services, and safety concerns, which are inconsistent with the established character of our neighborhood.
3. **[Optional: Insert personal concern here — e.g., “As a parent of young children, I am particularly concerned about increased vehicle traffic and safety.” or “I purchased my home in this area specifically for the low-density zoning and residential peace it offers.”]**

I respectfully request that the DeKalb County Department of Planning & Sustainability and the Board of Commissioners deny the request for rezoning and special land use at this address. It does not align with the character of our neighborhood and appears to be founded on misleading claims of community support.

Please include this letter in the public record in opposition to **Application No. Z-25-1247426**.

Sincerely,

Colleen W. Morgan

404-433-4122

cooleen30088@yahoo.com

CC:

plansustain@dekalbcountyga.gov,
publichearing@dekalbcountyga.gov

Shirey Caldwell

April 15, 2025

To Whom It May Concern:

I am a resident of Lake Michele and Mountain Woods subdivision and I am writing to express my firm opposition to the proposed rezoning and Special Land Use Permit (SLUP) request for the property located at **5346 O'Malley Lane, Stone Mountain, GA 30088**.

I have deep concerns about this project and its potential negative impact on our community. Specifically, I want to highlight the following issues:

1. **Lack of Honest Community Outreach:** The signs posted for this rezoning were only placed in the yard of the house where the rezoning is being sought. I'm sure this is the law, but transparency would have been much more appreciated to have honest dialogue with the owner. Unfortunately, the owner has taken to the NextDoor app and has shown us that she has no intentions of having any honest and respectable conversations. She has name-called and accused some of us of bullying, just because we posted about the upcoming meeting and her desire to rezone. I feel that name calling shows that if we had any issues with her, if this permit is granted, that there will be no urgency to communicate with us on any matter.
2. **Neighborhood Impact:** Our community is a quiet, residential area not suited for the operation of a high-capacity personal care home. This proposal would bring increased traffic, strain on public services, and safety concerns, which are inconsistent with the established character of our neighborhood.
3. This property sits on the corner of the both of the main entrances into the neighborhood and parking will definitely be on the street. With as much traffic as that particular street, there will of course be congestion and accidents waiting to happen.

I respectfully request that the DeKalb County Department of Planning & Sustainability and the Board of Commissioners deny the request for rezoning and special land use at this address. It does not align with the character of our neighborhood and appears to be founded on misleading claims of community support.

Please include this letter in the public record in opposition to **Application No. Z-25-1247426**.

Sincerely,

Shirley Caldwell

April 10, 2025

Tiffany Green-Abdullah
5347 O'Malley Lane
Stone Mountain, GA 30088

To Whom It May Concern:

I am writing as a long-time homeowner who has lived at 5347 O'Malley Lane for the past 16 years. I am submitting this letter to formally express my *strong opposition* to the proposed rezoning and Special Land Use Permit (SLUP) for the establishment of a personal care home at 5346 O'Malley Lane.

First and foremost, I must bring to your attention a serious and disturbing issue regarding the applicant's claim of community engagement. My name, along with others, was falsely listed as an attendee of a pre-submittal community meeting that I did *not* attend. I have confirmed with multiple neighbors that their names were also included without their knowledge or consent. This constitutes a blatant misrepresentation and undermines the transparency and integrity required in this process. It also raises significant concerns about the applicant's credibility and respect for due process.

Beyond the issue of dishonesty, this proposal poses a direct threat to the residential integrity and character of our neighborhood. O'Malley Lane is a quiet, family-oriented street, and the introduction of a high-capacity personal care facility brings with it the risk of increased traffic, safety concerns, and potential disruptions to our community's stability. The proposed use is not consistent with the established character or zoning of the surrounding area and would negatively impact property values, quality of life, and the long-term vision for our neighborhood.

I respectfully urge the Planning and Sustainability Department, as well as the DeKalb County Board of Commissioners, to reject this application on the grounds of both ethical concerns and its detrimental impact on our community.

Please ensure this letter is added to the public record in opposition to Application No. Z-25-1247426.

Sincerely,

Tiffany Green-Abdullah
Homeowner, 5347 O'Malley Lane
tiffanygreenabdullah@gmail.com

CC:
plansustain@dekalbcountyga.gov,
publichearing@dekalbcountyga.gov

Shirey Caldwell

April 15, 2025

To Whom It May Concern:

I am a resident of Lake Michele and Mountain Woods subdivision and I am writing to express my firm opposition to the proposed rezoning and Special Land Use Permit (SLUP) request for the property located at **5346 O'Malley Lane, Stone Mountain, GA 30088**.

I have deep concerns about this project and its potential negative impact on our community. Specifically, I want to highlight the following issues:

1. **Lack of Honest Community Outreach:** The signs posted for this rezoning were only placed in the yard of the house where the rezoning is being sought. I'm sure this is the law, but transparency would have been much more appreciated to have honest dialogue with the owner. Unfortunately, the owner has taken to the NextDoor app and has shown us that she has no intentions of having any honest and respectable conversations. She has name-called and accused some of us of bullying, just because we posted about the upcoming meeting and her desire to rezone. I feel that name calling shows that if we had any issues with her, if this permit is granted, that there will be no urgency to communicate with us on any matter.
2. **Neighborhood Impact:** Our community is a quiet, residential area not suited for the operation of a high-capacity personal care home. This proposal would bring increased traffic, strain on public services, and safety concerns, which are inconsistent with the established character of our neighborhood.
3. This property sits on the corner of the both of the main entrances into the neighborhood and parking will definitely be on the street. With as much traffic as that particular street, there will of course be congestion and accidents waiting to happen.

I respectfully request that the DeKalb County Department of Planning & Sustainability and the Board of Commissioners deny the request for rezoning and special land use at this address. It does not align with the character of our neighborhood and appears to be founded on misleading claims of community support.

Please include this letter in the public record in opposition to **Application No. Z-25-1247426**.

Sincerely,

Shirley Caldwell