



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

File #: 2018-2412

9/25/2018

File Status: Preliminary Item

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): 5 & 7

N18 Yolanda A. Walker Godwin SLUP-18-1235052

PETITION NO: SLUP 18 1235052

PROPOSED USE: In Home Day Care

LOCATION: 5460 Biffle Road

PARCEL NO.: 16 036 01 023

INFORMATION CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application of Yolanda A. Walker Godwin for a Special Land Use Permit (SLUP) for an in-home child day care facility for up to six (6) children in the Residential Tier of the Hidden Hills Overlay District and the R-100 (Residential Medium Lot) District, in accordance with Section 3.37.5.B.6 and Section 27-4.1 (4.2.19) of the DeKalb County Code. The property is located on the north side of Biffle Road, approximately 123 feet west of Panola Road at 5460 Biffle Road in Stone Mountain, Georgia. The property has approximately 120 feet of frontage along Biffle Road and contains 0.46 acre.

RECOMMENDATION:

COMMUNITY COUNCIL: APPROVAL

PLANNING COMMISSION: APPROVAL WITH CONDITIONS

PLANNING STAFF: APPROVAL WITH CONDITIONS

PLANNING STAFF ANALYSIS: Based on the submitted information, it appears that the application meets the criteria of the zoning ordinance for a Special Land Use Permit for a child day care facility for up to six children in an existing single family residential structure. The proposed child day care facility is not expected to have a negative impact on the surrounding neighborhood, due to the proposed hours of operation (6:30 AM to 6:00 PM, Monday through Friday), and the relatively small number of children. There would be no changes to the

exterior of the house in which the day care facility would be operating, so that the existing residential character of the property would remain unchanged. The existing drive can accommodate parking for four (4) vehicles. Adequate indoor and outdoor play areas with fencing will be provided in accordance with County and State Codes. Located within a Suburban Character area designated by the 2005-2035 Comprehensive Land Use Plan Map, the proposed use is consistent with the following plan strategy: Create neighborhood focal points by locating schools, community centers, or well-designed small commercial centers at suitable locations within walking distance of residences (SUB Policy #16). The applicable requirements of the R-100 (Residential Medium Lot) District have been met. To promote the successful operation of the facility, the Department of Planning and Sustainability recommends that the facility be operated in a manner that would minimize off-site impacts. The Department of Planning and Sustainability recommends **“Approval with Staff’s recommended conditions”**.

PLANNING COMMISSION VOTE: APPROVAL WITH CONDITIONS 8-0-0 M. Butts moved, P. Womack, Jr. seconded for approval with Staff’s conditions.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: APPROVAL 6-1-2

N18 SLUP 18 1235052 RECOMMENDED CONDITIONS

1. The child care facility shall be limited to a maximum number of six children between the hours of 6:30 A.M. to 6:00 P.M., Monday through Friday, in the existing single-family residence.
2. Refuse containers shall not be visible from the street except during pick-up.
3. No evidence of a child day care facility shall be located in the front of the property. No identification sign for the child day care facility shall be posted on the property.
4. Maintain a minimum four foot high fenced designated back yard play area for as long as the child day care facility is operated on the subject property.
5. The applicant shall secure the necessary certification by the State of Georgia Bright From The Start program and the necessary building permit and certificate of occupancy from DeKalb County before obtaining a business license.
6. The Special Land Use Permit shall be issued to Yolanda Godwin for operation of a child day care facility and shall not be transferrable.



DeKalb County Department of Planning & Sustainability

330 Ponce De Leon Avenue, Suite 300

Decatur, GA 30030

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

Michael Thurmond
Chief Executive Officer

Planning Commission Hearing Date: Thursday, September 6, 2018, 6:30 P.M.

Board of Commissioners Hearing Date: Tuesday, September 25, 2018, 6:30 P.M.

STAFF ANALYSIS

Case No.: SLUP-18-1235052 **Agenda #:** N.18

Location/Address: 5460 Biffle Road, Stone Mountain, Georgia **Commission District:** 5 **Super District:** 7

Parcel ID: 16 036 01 023

Request: For a Special Land Use Permit (SLUP) for an-in home child day care facility for up to six (6) children in the Residential Tier of the Hidden Hills Overlay District and the R-100 (Residential Medium Lot) District, in accordance with Section 3.37.5.B.6 and Section 27-4.1 (4.2.19) of the DeKalb County Code.

Property Owner: Yolanda Godwin

Applicant/Agent: Yolanda Godwin

Acreage: .46 Acres

Existing Land Use: Single-Family Residence

Surrounding Properties: Single-family detached residences

Adjacent & Surrounding Zoning: North, West, South and East: R-100 (Residential Medium Lot)

Comprehensive Plan: Suburban (SUB) **Consistent X:**

Proposed Building Square Feet: None	Existing Building Square Feet: 1,959 Square Feet
Proposed Lot Coverage: N/A	Existing Lot Coverage: NA

SUBJECT SITE & SURROUNDING LAND USES:

The subject site, zoned R-100 (Residential Medium Lot) District, is located on the north side of Biffle Road (a local road), approximately 123 feet west of Panola Road in Stone Mountain, Georgia in unincorporated DeKalb County. Located at 5460 Biffle Road on .46 acres, the property is developed with a one-story single-family brick and frame detached residence consisting of approximately 1,959 square feet. Access to the site is via a single curb cut from Biffle Road. The topography of the property is relatively flat with a well-manicured lawn. Based on submitted site plan a six (6) foot high wood fence is located along the east property line, and a six (6) foot high chain link fence is located along the rear and west property line in the rear of the house. The property frontage is improved with curb and gutter. Surrounding and adjacent properties include detached single-family residences in the R-100 zoning district.

PROJECT ANALYSIS:

The applicant is requesting a Special Land Use Permit to operate a child day care facility in the existing single family residence within an R-100 (Residential Medium Lot) zoning district. The in-home child day care facility may serve a total of six (6) children. The proposed hours of operation are 6:30 a.m. – 6:00p.m., Monday through Friday. The applicant does not intend to make any changes to the exterior of the house nor install any signs on the property. If this petition is approved, the applicant must complete all required steps for obtaining a certificate of occupancy and business license from DeKalb County.

SUPPLEMENTAL REGULATIONS:

Pursuant to Chapter 27-Article 4.2.19 of the DeKalb County Code, each child day care facility up to 6 six children shall be subject to the following requirements.

- A. Each child day care facility shall comply with all applicable state day care requirements for standards, licensing and inspection. A DeKalb County business license is required.**

The applicant must submit a building permit application to DeKalb County for review and inspection in order to obtain a Certificate of Occupancy (CO) to use the residence as a child day care facility. An approved CO and documentation from the state is required when requesting a business license from DeKalb County.

- B. Prior to the issuance of a business license for a child day care facility the necessary licensing from the State of Georgia shall be obtained, including compliance with all requirements related to minimum area for classrooms, play areas, and fencing. Each child day care facility shall provide off-street parking spaces as required by the applicable zoning district.**

The submitted site-survey depicts off-street parking availability via the applicant's driveway for the existing single-family residence.

- C. The exterior appearance of any child day care facility located in a residential district shall be maintained as a residential structure, and no signs other than those otherwise authorized within the applicable zoning district shall be erected (no cut-outs, animal characters, or other graphics shall be affixed to the exterior of the structure or displayed upon the premises).**

There will be no changes in the exterior appearance of the single-family residence for the child day care facility.

- D. No child day care facility shall be located within one thousand (1,000) feet of another child day care facility.**

There are no known licensed child day care facilities within 1,000 feet of the single-family residence based on the Georgia Department of Early Care and Learning website.

SPECIAL LAND USE CRITERIA

Pursuant to Chapter 27-Article 7.4.6 of the DeKalb County Code, the following criteria shall be applied in evaluating and deciding any application for a Special Land Use Permit.

- 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 1,959 square foot residence on .46 acres is adequate for operation of a child care facility for up to six children. Off-street parking can be accommodated within the existing driveway.

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

The proposed child care facility for not more than six children in the existing single family residence is compatible with the surrounding neighborhood. The exterior of the existing single-family residence is not proposed for alterations, therefore remaining compatible with surrounding single-family residences.

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

Given that the site is within an established residential neighborhood, it appears that there are adequate public services, public facilities and utilities to serve the proposed child care facility in the existing residential structure.

- 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:**

Biffle Road is an existing local street. Planning Staff anticipates little or no impact on public streets or traffic in the area for the limited enrollment of six children.

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

The character of vehicles accessing the site may be the same vehicles accessing adjacent and surrounding residences in the area. There should be no significant increase in the daily volume of traffic given that the proposed child care will be limited to six (6) children.

- 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:**

Ingress and egress to the subject property via the existing driveway appears to be adequate. Pedestrian access to the home can be safely provided by the walkway that leads from the driveway to the front door. Emergency vehicles can access the site from the existing driveway.

- 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:**

It appears that the proposed use should not create adverse impacts upon adjoining land uses due to smoke, odor, dust or vibration. The site must comply with the DeKalb County Noise Ordinance.

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:

Per the information submitted with the application, the hours of operation are Monday - Friday (6:30a.m.- 6:00p.m). The operating hours should not create adverse impacts upon any adjoining land uses.

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:

The manner of operation should not impact adjoining single-family land uses. Except for periods of outdoor play, all activities will occur within the structure on the property.

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 proposed child care facility within the existing residential structure is consistent with the requirements of the R-100 (Residential Medium Lot) District and the Residential Tier of the Hidden Hills Overlay District. In-home child care facilities are allowed in the R-100 District and the Residential Tier of the Hidden Hills Overlay District with an approved Special Land Use Permit.

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

Located within a Suburban Character Area land use designation, the proposed child day care facility is consistent with the following 2005-2035 Comprehensive Plan Strategy: Create neighborhood focal points by locating schools, community centers, or well-designed small commercial centers at suitable locations within walking distance of residences (SUB Policy #16).

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:

No transitional buffers are required.

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

Adequate refuse and service areas will be provided.

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

There does not appear to be any compelling reasons for limiting the duration of the requested Special Land Use Permit. The proposed in-home child day care facility is an on-going business and should not be limited in 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 size, scale, and massing of adjacent and nearby lots and buildings:

The existing single-family residence on the subject site is appropriate in relation to size and scale of adjacent and nearby residences in the area. The applicant has no plans for building expansion.

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

Based on the submitted site plan and information, it does not appear that the proposed plan would adversely affect historic buildings, sites, districts, or archaeological resources.

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

Supplemental regulations require State approval documentation, compliance to zoning district regulations, distance requirements from other child care facilities and no changes in exterior appearance of residence. Based

on information from the submitted application (site survey & impact analysis), the proposed use should satisfy supplemental regulations.

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

The existing one-story residence is compatible with other residences in the area. It does not appear that the proposed child care facility would create a negative shadow impact on any adjoining lot or building.

S. Whether the proposed use would result in a disproportional proliferation of that or similar uses in the subject character area:

There are no known similar uses or services in the subject character area.

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:

The proposed use does not conflict with overall objectives of the comprehensive plan which is to offer a variety of services for residents in unincorporated DeKalb County.

COMPLIANCE WITH R-100 (RESIDENTIAL MEDIUM LOT) DISTRICT STANDARDS PER ARTICLE 27-TABLE 2.2

STANDARD		REQUIREMENT	EXISTING	COMPLIANCE
LOT WIDTH		100 Feet	120 Feet	Yes
LOT AREA		Min. 15,000 Square Feet	20,116 Square Feet	Yes
YARD SETBACKS	FRONT	35 Feet	48 Feet	Yes
	INTERIOR SIDE YARD	10 Feet	16 Feet	Yes
	REAR	40 Feet	71 Feet	Yes
HEIGHT		35 Feet	Not Available	Unknown
PARKING Article 6 (Detached Single-Family)		Min. 2 spaces Max. 4 spaces activity	Existing driveway can accommodate 4 parking spaces	Yes

STAFF RECOMMENDATION: APPROVAL WITH CONDITIONS

Based on the submitted information, it appears that the application meets the criteria of the zoning ordinance for a Special Land Use Permit for a child day care facility for up to six children in an existing single family residential structure. The proposed child day care facility is not expected to have a negative impact on the surrounding neighborhood, due to the proposed hours of operation (6:30 AM to 6:00 PM, Monday through Friday), and the relatively small number of children. There would be no changes to the exterior of the house in which the day care facility would be operating, so that the existing residential character of the property would remain unchanged. The existing drive can accommodate parking for four (4) vehicles. Adequate indoor and outdoor play areas with fencing will be provided in accordance with County and State Codes. Located within a Suburban Character area designated by the 2005-2035 Comprehensive Land Use Plan Map, the proposed use is consistent with the following plan strategy: Create neighborhood focal points by locating schools, community centers, or well-designed small commercial centers at suitable locations within walking distance of residences (SUB Policy #16). The applicable requirements of the R-100 (Residential Medium Lot) District have been met. To promote the successful operation of the facility, the Department of Planning and Sustainability recommends that the facility be operated in a manner that would minimize off-site impacts. The Department of Planning and Sustainability recommends **"APPROVAL CONDITIONAL"** with the following recommended conditions.

1. The child care facility shall be limited to a maximum number of six children between the hours of 6:30 A.M. to 6:00 P.M., Monday through Friday, in the existing single-family residence.
2. Refuse containers shall not be visible from the street except during pick-up.
3. No evidence of a child day care facility shall be located in the front of the property. No identification sign for the child day care facility shall be posted on the property.
4. Maintain a minimum four foot high fenced designated back yard play area for as long as the child day care facility is operated on the subject property.
5. The applicant shall secure the necessary certification by the State of Georgia Bright From The Start program and the necessary building permit and certificate of occupancy from DeKalb County before obtaining a business license.
6. The Special Land Use Permit shall be issued to Yolanda Godwin for operation of a child day care facility and shall not be transferrable.

Attachments:

1. Department and Division Comments
2. Application
3. Site Plan
4. Zoning Map
5. Aerial Photograph
6. Site Photographs

NEXT STEPS

Following an approval of this application, 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 space and for use of property for any business type. The issuance follows the review of submitted plans if required based on the type occupancy.)*
- **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 or Special Exception** *(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.

COMMENTS FORM:

PUBLIC WORKS TRAFFIC ENGINEERING

Case No.: SLUP-18-1235052 Parcel I.D. #: 16-036 . 01-023

Address: 5460 Biffle Road
Stone Mtn, Ga.

Adjacent Roadway (s):

_____	_____
(classification)	(classification)

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

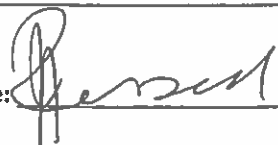
Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6/7TH Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the _____ square foot place of worship building would generate _____ vehicle trip ends, with approximately _____ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the _____ (Single Family Residential) District designation which allows a maximum of _____ units per acres, and the given fact that the project site is approximately _____ acres in land area, _____ daily vehicle trip end, and _____ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

Did not see any traffic engineering concerns at this time

Signature: 

DeKalb County Board of Health

404.508.7900 • www.dekalbhealth.net

8/24/2018

N.17

Cz-18-1235087/18-084-01-002

6754 Bermuda Road

☐ Amendment

- Please review general comments.

N.18

2018-2450/Z-18-12345046/16-228-01-006,008,013;16-229-01-002;16-252-02-001,003,005;16-253-02-007,009,011,026;and portions of 16-228-01-003 &007;16-253-02-004,004,005,008,&027

1679,17351729,1695,1709,1719 Norris Lake Way; 8277&8455 Norris Lake Way; 8682 Pleasant Hill Road;

☐ Amendment

- Please review general comments.
- Indictions file in system that an septic system is currently installed on this property as of 6/17/1969 on property Norris Drive and 02/22/1985 for property 1729 Norris Lake Drive and 04/19/1971 for property 8565 Pleasant Hill Way and 01/30/1991 ...
- for property 855- Pleasant Hill Way and on 08/10/1977 for property 8612 Pleasant Hill Way.

N.19

SLUP-18-1235052/16 036 01 023

5460 Biffle Road, Stone Mountain, Ga

☐ Amendment

- Please review general comments.
- Indictions filed in DCBOH system that an septic system is currently installed on this property as of 12/15/1972.

N.20

LP-18-1235068/16 166 01 004

2018 Rock Chapel Road

☒ Amendment

- Please review general comments.
- Indictions filed in DCBOH system that an septic system is currently installed on this property as of 08/12/2003.

DEKALB COUNTY



Board of Health

8/24/2018

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

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.

DeKalb County Board of Health

Reid, John

From: Hill, LaSondra
Sent: Monday, August 20, 2018 7:26 AM
To: Hill, Karen F.; Reid, John; Furman, Melora L.; Brewer, Brian N.; Washington, Larry
Cc: Alexander, Michelle M.; Eisenberg, Marian
Subject: FW: Request for Inter-Departmental Comments

From: Keeter, Patrece
Sent: Friday, August 17, 2018 4:41 PM
To: Hill, LaSondra <lahill@dekalbcountyga.gov>
Cc: Alexander, Michelle M. <mmalexander@dekalbcountyga.gov>
Subject: RE: Request for Inter-Departmental Comments

On Case N.10- The access point on Candler Road should be limited to right in-right out.

From: Keeter, Patrece
Sent: Monday, August 13, 2018 12:01 PM
To: Hill, LaSondra <lahill@dekalbcountyga.gov>
Cc: Alexander, Michelle M. <mmalexander@dekalbcountyga.gov>
Subject: RE: Request for Inter-Departmental Comments

- N1. Lawrenceville Hwy is a major arterial on a state route. Dedicate right of way at least 50 from centerline. Install sidewalks along property frontage (ensure sidewalks are within right of way). GDOT review and permits required. Street lights required 1 foot behind sidewalks on right of way.
- N2. Clairmont Road is a major arterial on a state route. Dedicate right of way at least 50 from centerline. GDOT review and permits required.
- N3. Braircliff Road is a minor arterial and state route. GDOT review and permits required. No access allowed onto Braircliff Road.
- N4. No Comments.
- N5. No Comments.
- N6. No Comments.
- N7. No Comments.
- N8 & N9. Columbia Drive is a minor arterial. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. . (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) 40 foot right of way dedication from centerline. 6 foot sidewalks, 4 foot bike lanes. Street lights behind the sidewalk within right of way. As shown in the application, interior roads must be private.
- N10. Candler Road is a major arterial and a state route. GDOT review and permits required. Kelly Lake Road is a local road. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.) Right of way dedication of 50 from centerline on Candler Road, 6 foot sidewalks. Right of way dedication on Kelly Lake Road 27.5 feet from centerline, 5 foot sidewalks. Extend sidewalks along Kelly Lake Road within existing right of way to Candler Road. Street Lights required on back of sidewalk within right of way along both frontages. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of

permit. (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect.)

N11. Treadway Road is classified local. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. . (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect.

Overlay Districts trump both of the above.) Public local roads require a 27.5 foot right of way from the centerline (for a total of 55 feet), 5 foot sidewalks, 5 foot landscape strip and street lights within the right of way. The right of way width show on the application does not seem to meet the 55 feet for the interior streets. Cul-de-sac appears to be substandard also. These will need to be corrected prior to permitting and will impact storm detention, setbacks, etc.

N12. McClendon is a collector street. Allow only one standard size commercial curb cut on McClendon Dr. Install sidewalks along property frontage. Street lights required behind sidewalk within right of way at permitting.

N13. Memorial Drive is a major arterial and a state route. GDOT review and permits required.

N14. Memorial Drive is a major arterial and a state route. GDOT review and permits required. Eliminate a curb cut on 6158 and restore streetscape.

N15. Snapfinger Road is a major arterial. Site limited to right in/right out access point.

N16. Rockbridge Road is a minor arterial. . See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. . (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect.

Overlay Districts trump both of the above.) 40 foot right of way dedication from centerline. 6 foot sidewalks, 4 foot bike lanes. Street lights behind the sidewalk within right of way. Construct sidewalks along Rockbridge Road to Allgood Circle within right of way. Limited to one access point onto Rockbridge Road.

N17. Bermuda Road is a collector road. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. . (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect.

Overlay Districts trump both of the above.) 35 foot right of way dedication from centerline. 6 foot sidewalks, 4 foot bike lanes. Street lights behind the sidewalk within right of way. Add roundabout at the intersection of Stewart Mill Road and Bermuda Road. Gordon Burkett at Keep DeKalb Beautiful is working on the concept for this project. Add sidewalks and street lights along Bermuda Road (within right of way) to the intersection of Stewart Mill Road. Complete all requirements of GRTA's notice of decision that are within DeKalb County. Design to restrict truck movements from using Stewart Mill Road to get to Rockbridge Road.

N18. Norris Lake is a collector road. Pleasant Hill is a minor arterial. Pleasant Hill Way is a local road. Pleasant Hill Way appears to be public in some areas where the development is proposed. I assume they are planning an right of way abandonment. Provide ped/bike access from the neighborhood into the park, as approved by the Parks and Recreation Department. Frontage on Pleasant Hill Way must be improved to Code also. 339 lots requires a traffic study be completed prior to zoning. Traffic study should include the access points and the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Left turn lane required on Pleasant Hill Road. Add sidewalks along frontage of Norris Lake Road and extend to the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Add sidewalks along frontage of Pleasant Hill Road and extend to the intersection of Norris Lake Road/Humphries at Pleasant Hill Road. Consider moving the roundabout to Pleasant Hill Road. **Request deferral until the study is received.** Norris Lake requires right of way dedication of 35' from centerline, 6 foot sidewalks, 4 foot bike lanes and street lights on back of curb within the proposed right of way. Pleasant Hill Road requires right of way dedication of 40' from centerline, 6 foot sidewalks, 4 foot bike lanes and street lights on back of curb within the proposed right of way. Pleasant Hill Way right of way dedication of 27.5' from centerline, 12 foot travel lane on the development side from centerline, 5 foot sidewalks and street light on back of curb within the proposed right of way.

~~N19~~ No Comments.

N20 & N21.. Rock Chapel Road is a major arterial and state route. GDOT review and permits required at permitting. See Section 5.4.3 of the Zoning Code for required improvements and Section 14-190 of the Land Development Code for required infrastructure improvements at time of permit. . (The Zoning Code trumps the Land Development Code- but when the Zoning Code is silent, the Land Development Code takes effect. Overlay Districts trump both of the above.)

N22. S. Stone Mountain Lithonia Road is a minor arterial. Add sidewalks and street lights behind sidewalks and within right of way along property frontage and dedicate 40 feet of right of way from centerline.

Letter of Application

Yolanda Godwin
Dekarra's In-home Academy
5460 Biffle Road
Stone Mountain, Ga. 30088

I am hereby applying for a Special Permit to rezone my residential property for a In-home child care center. The property is located at 5460 Biffle Road Stone Mountain, Ga. It will be in a one (1) story, single-family home with less than fifty (50) percent of the floor area of the residence purposed for child care. The residence is located on a lot which is 20,116 SQ.FT. The child care center will be in operation year-round, with operational hours of 6:30a.m. – 6:00p.m., Monday – Friday.

Very truly yours,
Yolanda Godwin

Section 27-873 Detailed Analysis

1. Adequacy of the size of the site for use contemplated and whether 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:
 - a. Yes, there is adequate space available for proposed use and all applicable provisions needed.
2. Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district:
 - a. Yes, the in-home child care center proposed will allow for the continuance of normal traffic and flow of all properties in the area.
3. Adequacy of the of public services, public facilities, and utilities to serve the use contemplated:
 - a. Yes, the water and sewage services are provided by the Dekalb County Department of Watershed Management. The electrical services are provided by Georgia Power. Gas services are provided by Scana Energy and Natural Gas.
4. Adequacy of the public street on which the use is proposed to be located and whether or not there is sufficient traffic-carrying for the use proposed so as not to unduly increased traffic and create congestion in the area:
 - a. The In-home child care center has provided adequate parking and waiting space on the property that will prevent increased traffic or congestion. There will only be a maximum of six (6) children in the program at any given time.
5. 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:
 - a. The In-home childcare will create no difference in the number of commercial vehicles on Biffle Road; and will not generate increased traffic during pick-up and drop-off times.
6. Ingress and egress to the subject property to all proposed buildings, structures, and use thereon, with references to pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire or other emergency:
 - a. Yes, the subject property allows for pedestrian and automotive safety and convenience, traffic flow and control, and access in the event of fire and other emergencies.
7. 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 proposed uses:
 - a. The immediate properties will not be impacted adversely by any of the reasons listed, with exception to reasonable noise when the children are out for recess during the mornings and evenings for sixty (60) minutes each.
8. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use:

- a. The proposed operational hours are from 6:30 a.m. – 6:00 p.m. Monday through Friday, in accordance with the flow of traffic of residents during the school/business week. This will ensure no adverse impacts.
9. Whether or not the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use:
 - a. The In-home child care will not create any adverse impacts upon any adjoining land use or property. There will be some outdoor activities that may create some noise, but that noise shall be mitigated by the enclosed play area in the backyard.
10. Whether or not the proposed plan is consistent with all the requirements of the zoning district classification in which the use is proposed to be located:
 - a. The proposed In-home child care plan is consistent with the requirements of the zoning district classifications.
11. Whether or not the proposed use is consistent with all the requirements of the zoning district classification in which the use is proposed to be located:
 - a. The proposed use is consistent with the requirements of the policies of the Comprehensive Plan.
12. Whether or not the proposed plan provides for all required buffer zones and transitional buffer zones where required by the regulations off the district in which the use is proposed to be located:
 - a. The proposed plan does provide for all regulation requirements.
13. Whether or not there is adequate provisions for refuse and service areas:
 - a. There are adequate provisions for refuse and service areas.
14. Whether the length of time for which the special land use permit is granted should be limited in duration:
 - a. There are no limitations on the special land permit because it will be a continuous child care center.
15. Whether or not the size, scale and massing of proposed building are appropriate in relation to the size of the subject property and in relation to the size of the subject property and in relation to size, scale and massing of the adjacent and nearby lots and buildings:
 - a. N/A I will not be making any changes or editions to the property.
16. Whether the proposed plan will adversely affect historic buildings, sites, districts, or archaeological resources:
 - a. The proposed facility is not a historic building site, located in a historic district, or archaeological resource. Therefore, the facility will not adversely affect or alter historic buildings, sites, or archaeological resources.
17. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit:
 - a. The proposed use satisfies the requirement contained within the supplemental regulations for such Special Land Use Permits. The backyard is completely enclosed by a wooden fence that is at least six feet in height. My driveway for the house will accommodate the three or four extra cars during drop-off and pick-up times because everyone arrives at different times between approximately 6:30

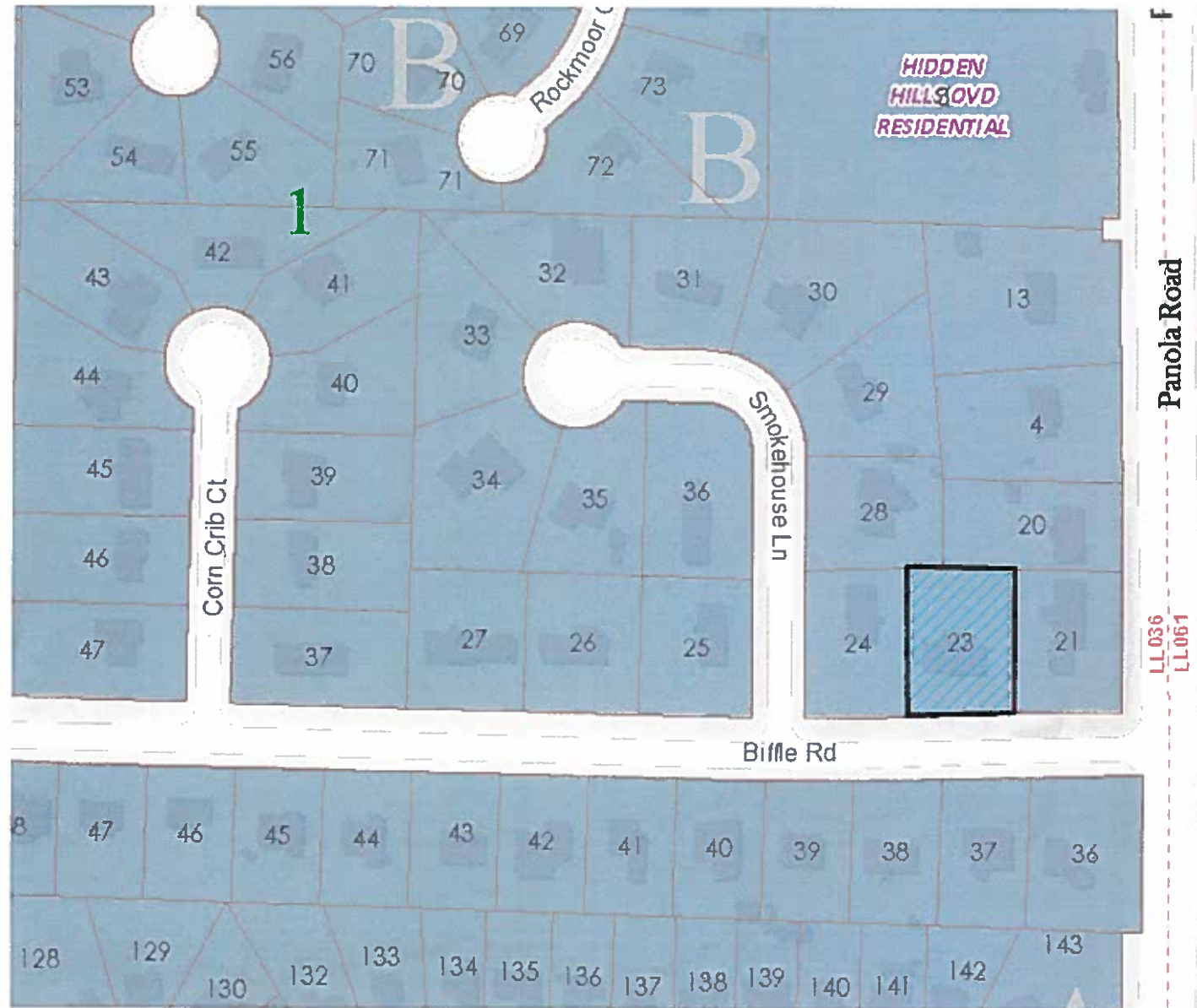
a.m. – 6:00 p.m. Also, less than fifty (50) percent of the floor area of the residence will be used for the child care center. No signage and/or decals of any kind will be displayed on the exterior of my property. Lastly, I am certified by the State of Georgia to operate an In-home child care center.

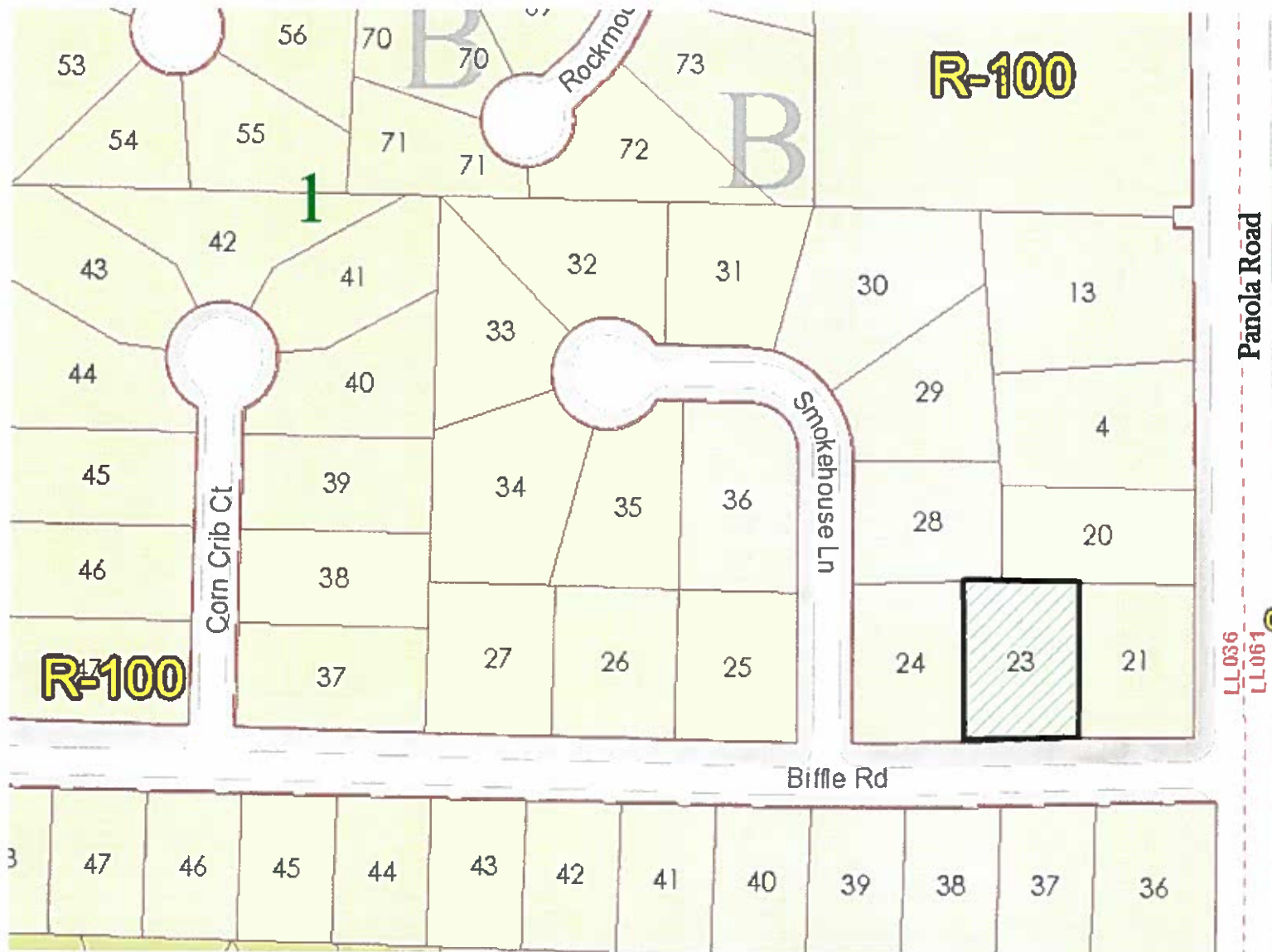
18. Filling Fee:

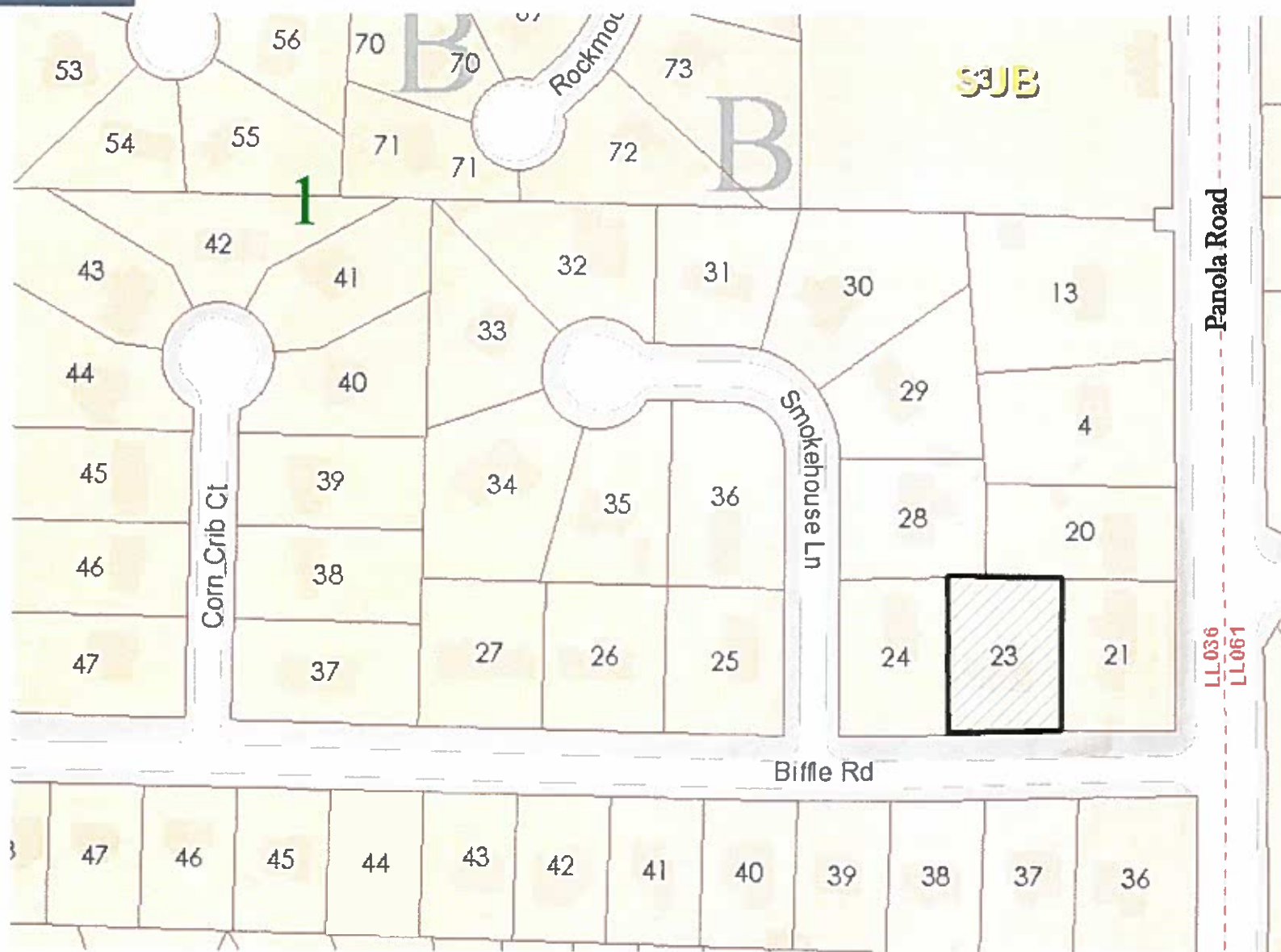
- a. \$400 (Attached)

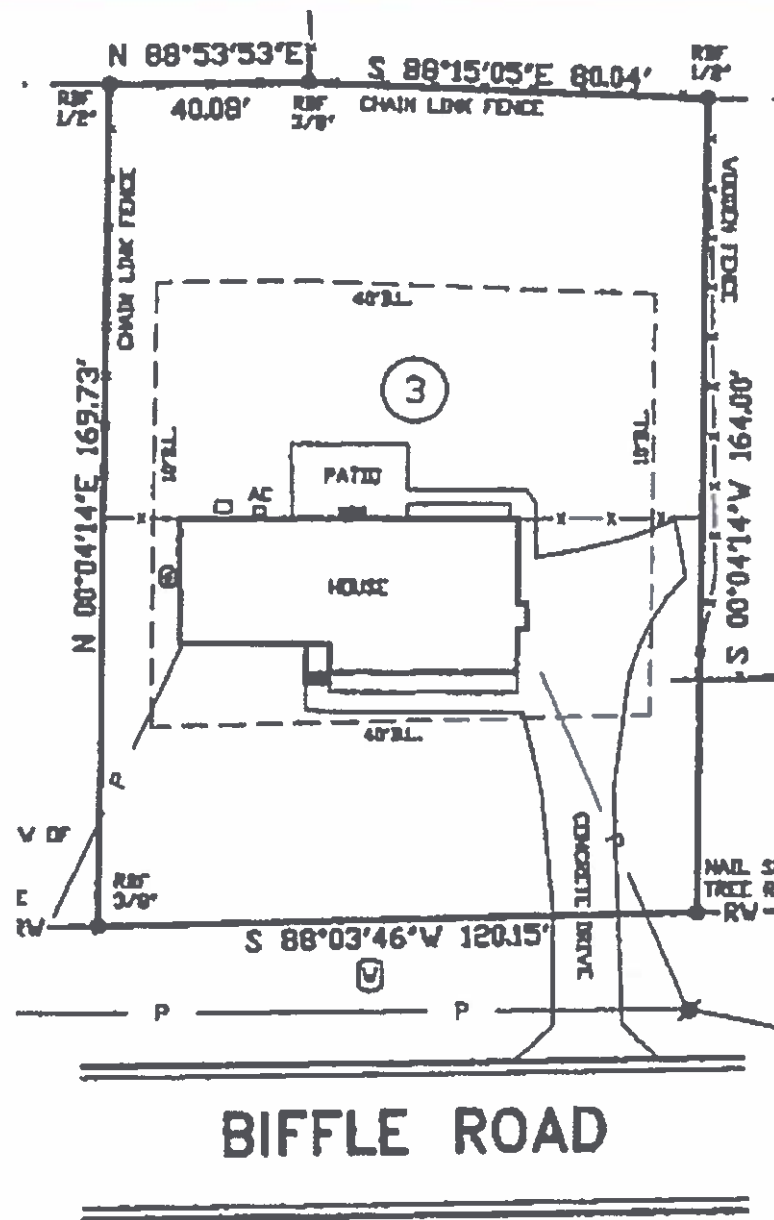
19. Additional criteria:

- a. I have met both criteria contained in **Sec. 27-873 and Sec. 27-874**









N.18

SLUP 18 1235052

Aerial



N.18 SLUP 18 1235052

Site Photo





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.

Date Received: _____ Application No.: SLUP-18-1235052

APPLICANT NAME: Yolanda Ann Walker Godwin

Daytime Phone #: (404) 944-5398 Fax #: (678) 691-5876

Mailing Address: 5460 Biffle Rd Stone Mountain Ga
30088 E-mail: godwin-yolanda@yahoo.com

OWNER NAME: Yolanda Ann Walker Godwin (If
more than one owner, attach contact information for each owner)

Daytime Phone #: _____ Fax #: _____

Mailing Address: _____

E-mail: _____

SUBJECT PROPERTY ADDRESS OR LOCATION: 5460 Biffle Road
Stone Mountain, DeKalb County, GA, 30088

District(s): 16th Land Lot(s): 34 Block(s): _____ Parcel(s): _____

Acreage or Square Feet: _____ Commission District(s): _____ Existing Zoning: _____

Proposed Special Land Use (SLUP): In home childcare

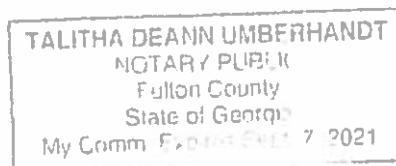
I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Owner: ☒ Agent: _____ Signature of Applicant: Yolanda Godwin
(Check One)

Printed Name of Applicant: Yolanda Godwin

Notary Signature and Seal:

[Signature] 06/14/2018



Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director
Andrew A. Baker, AICP

PRE-APPLICATION FORM
REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE
(Pre-application conference is required prior to filing application: copy must be submitted at filing)

Applicant Name: J. Landa G. Gorman Phone: 404-537-5378 Email: G. Gorman, Yolanda G. Gorman
Property Address: 5460 B. H. Rd
Tax Parcel ID: 16-076-01-023 Comm. District: 5, 7 Acreage: _____
Existing Use: _____ Proposed Use: _____
Rezoning: Yes _____ No _____
Existing Zoning: R-100 Proposed Zoning: _____ Square Footage Number of Units: _____
Rezoning Request: _____

Land Use Plan Amendment: Yes _____ No _____

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

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

Special Land Use Request(s) _____

Major Modification: _____

Existing Case Number(s): _____

Condition(s) to be modified and request: _____



PUBLIC NOTICE

To

request for a specail land use permit

Filed by: Yolanda Godwin \ DeKarra's Tutorial Service

(In Home Childcare Center)

Located: 5460 Biffle Road

Stone Mountain Ga.30088

The proposed use- In Home childcare for up to six children.

PRE-SUBMITTAL COMMUNITY MEETING

DATE: APRIL 30,2018

TIME: 4:00 P.M. -5:00P.M

**LOCATION: 4911 REDAN ROAD STONE
MOUNTAIN GA.30088**

FOR MORE INFORMATION CONTACT: YOLANDA GODWIN 404-944-5398

Email: godwin-yolanda@yahoo.com

dekarra's tutorial service for general. com ; Hialeah (godwin)

1st attendance

MEETING SIGN-IN SHEET

Project: Enhance Child Care Center

Meeting Date: 4/30/18

Facilitator: Y. Imanah Permana

Location: ~~Home~~ Thirsk Crossing Public Library

[illegible]

EXHIBIT "A"

File No.: BH104-17-1302-R

All that tract or parcel of land lying and being in Land Lot 36 of the 16th District, of DeKalb County, Georgia, being Lot 3 of Country Place Subdivision, Unit Two, as per Plat thereof recorded in Plat Book 60, Page 78, DeKalb County, Georgia, records, which Plat is incorporated herein and made a part hereof by reference for a more detailed description. Said property being known as 5460 Biffle Road, according to the present system of numbering property in DeKalb County, Georgia.

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

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

Yes _____ No X *

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

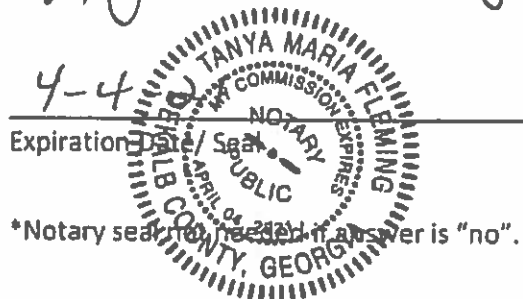
1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

Tanya Maria Fleming
Notary

Ydondre Good
Signature of Applicant /Date

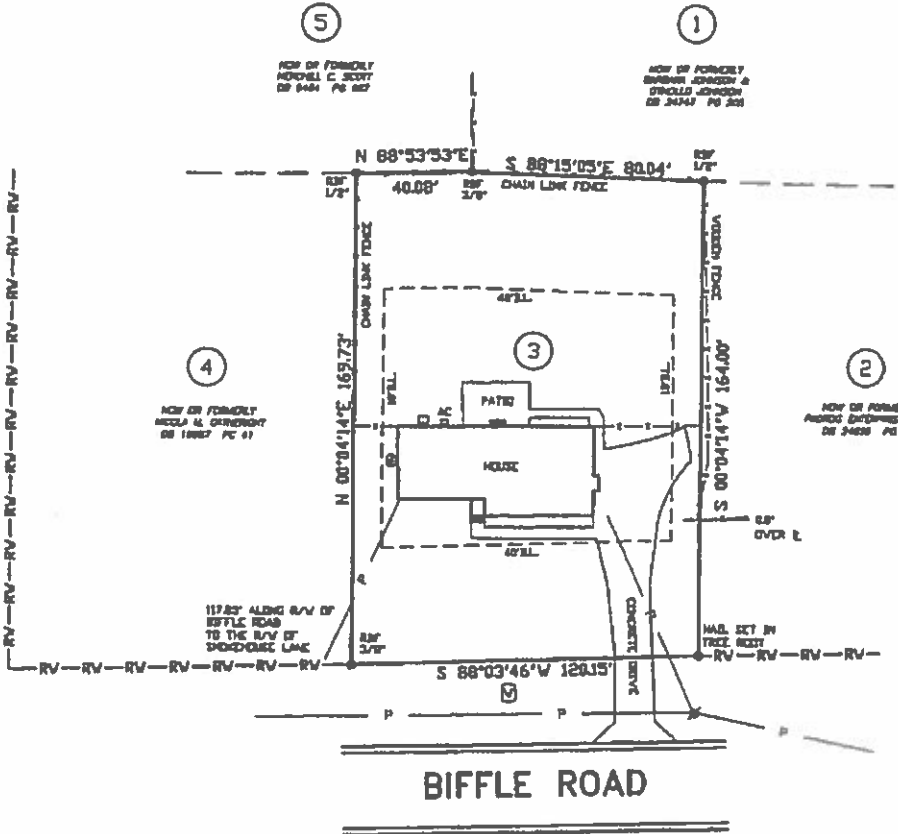
Check one: Owner ☒ Agent _____



THIS BLOCK RESERVED FOR THE CLERK OF THE SUPERIOR COURT

TAX PARCEL: 18 038 01 023
5460 BIFFLE ROAD
STONE MOUNTAIN, GEORGIA 30086
ZONED: R100

SMOKEHOUSE LANE



This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUSTAINABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 13-6-17.

THE REGISTERED LAND SURVEYOR FURTHER CERTIFIES THAT THIS MAP, PLAT OR PLAN COMPLIED WITH THE MINIMUM STANDARDS AND SPECIFICATIONS OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE GEORGIA SUPERIOR COURT CLERK'S COOPERATIVE AUTHORITY.

David L. Garrison

NOTES:

1. ALL IRON PINS SET ARE 1/2" REBAR.
2. THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS AN OPEN TRAVERSE AND HAD NO ADJUSTMENT.
3. BEARING BASIS TAKEN FROM A GPS OBSERVATION USING THE EPPS NETWORK.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 171,516 FEET.
5. EQUIPMENT USED IN THIS SURVEY WAS A SOKKIA 6X AUTO TRACKING ROBOTIC TOTAL STATION, CARLSON GPS AND A CARLSON DATA COLLECTOR.
6. FIELD WORK COMPLETED ON MAY 23, 2018.
7. SETBACK SHOWN ARE FROM COUNTY RECORDS. DAVID GARRISON LAND SURVEYING IS NOT LIABLE FOR DISCREPANCIES.
8. REFERENCED PROPERTY IS THE SAME AS THAT CERTAIN TRACT OF LAND SHOWN ON A PLAT FOR COUNTRY PLACE SUBDIVISION, RECORDED IN PLAT BOOK 80, PAGE 78, DEKALB COUNTY, GEORGIA RECORDS.

AREA = 0.46 ACRE
(20,116 SQ.FT.)



BOUNDARY SURVEY FOR:
YOLANDA GODWIN
COUNTRY PLACE SUBDIVISION
LOT 3
DISTRICT 16, LAND LOT 36
DEKALB COUNTY, GEORGIA
DATE: MAY 21, 2018
JOB NO.: 5460 BIFFLE RD
FILE NO.: 5460 BIFFLE RD

- LEGEND
- CTF CRIMP TOP FOUND
 - CTP OPEN TOP PIPE
 - CMF CONCRETE MONUMENT FOUND
 - IPS IRON PIN SET
 - RSF REBAR FOUND
 - ⊕ FIRE HYDRANT
 - ⊕ UTILITY POLE
 - ⊕ WATER METER
 - ⊕ UTILITY POLE
 - ⊕ GAS METER
 - RV— RIGHT OF WAY
 - ⊕ STORM WATER JUNCTION BOX
 - ⊕ SANITARY SEWER MANHOLE



DAVID L. GARRISON
LAND SURVEYING

989 HALE ROAD
MAYSVILLE, GEORGIA 30558
PH. (770) 560-8031 EMAIL: DGARRISON1@AOL.COM