



# LAWRENCEVILLE

## *Planning & Development*

### **SPECIAL USE PERMIT**

**CASE NUMBER:** SUP2025-00104

**APPLICANT:** ANGELIQUE LUNDY & MARK LUNDY

**PROPERTY OWNER(S):** ANGELIQUE LUNDY & MARK LUNDY

**LOCATION(S):** 187 OLD TIMBER ROAD

**PARCEL IDENTIFICATION NUMBER(S):** R5116 031

**APPROXIMATE ACREAGE:** 1.20

**CURRENT ZONING:** RS-180 (SINGLE-FAMILY RESIDENTIAL DISTRICT)

**PROPOSED DEVELOPMENT:** PERSONAL CARE HOME, FAMILY

**DEPARTMENT RECOMMENDATION:** DENIAL

#### **VICINITY MAP**







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### **DEPARTMENT OF COMMUNITY HEALTH**

Per Rule 111-8-62-.03 (Definitions) of the Georgia Department of Community Health:

- (aa) "Personal Care Home", "home" or "facility" means any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage.

Additionally, Rule 111-8-62-.05 Application for Permit states:

- (7) Local zoning and other local requirements regarding the proper location and establishment of homes must be addressed by the applicant with the responsible local officials.

### **BUILDING CODE**

According to the International Building Code (IBC), Chapter 3 – Occupancy Classification and Use, Section 310.4 (Residential Group R-3), Subsection 310.4.1 (Care Facilities within a Dwelling):

Care facilities for five or fewer persons receiving care that are located within a one-family dwelling may comply with the International Residential Code, provided that an automatic sprinkler system is installed per Section 903.3.1.3 or Section P2904 of the IRC.

### **LIFE SAFETY CODE**

The Life Safety Code (NFPA 101) defines occupancy classifications based on a building's use and purpose, which in turn determine fire and life safety requirements. The Authority Having Jurisdiction (AHJ) in this case, Gwinnett County is responsible for determining the appropriate occupancy classification. The City of Lawrenceville's Building Section acts in a secondary or supporting capacity.



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### **ZONING AND DEVELOPMENT STANDARDS**

The home includes five (5) bedrooms, five (5) bathrooms, with 3,111 square feet on the main level and a 1,904 square foot basement. The applicant proposes to operate a Personal Care Home in full compliance with applicable state and local requirements, providing services such as meal preparation, medication assistance, daily living support, exercise classes, therapy, weekly outings, and social engagement.

While the driveway and entrance are paved, the site plan does not clearly indicate the required parking. Pursuant to Article 5 – Parking Requirements, the property must provide:

- One (1) space per two beds
- One (1) space per 250 square feet of common space

A revised site plan showing compliance with parking and loading requirements is recommended prior to permitting.

### **Article 1 Districts, Section 103.2 Use Table**

<i>Standard</i>	<i>Requirement</i>	<i>Proposal</i>	<i>Recommendation</i>
<b>Personal Care Home, Family</b>	RS-180-Special Use Permit	RS-180-Special Use Permit	Denial

### **Article 2 Supplemental and Accessory Use Standards, Section 200.3, Subsection 200.3.58 Personal Care Home, Family**

*The Personal Care Home shall:*

- 1. Requires the approval of a Special Use Permit.*
- 2. Family Personal Care Homes shall be located on a lot of at least one acre in size, and shall be limited to no more than six residents.*
- 3. Contain a residential facade which is architecturally similar to adjacent buildings.*
- 4. Have at least one employee on-site at all times.*





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- 5. Not exceed one percent (1%) of the total number of homes in the subdivision, provided that any subdivision with less than 100 homes shall be allowed one Personal Care Home.*
- 6. Not be located within 1,000 feet of another Personal Care Home.*
- 7. Be licensed by and operate in accordance with the rules of the State of Georgia and the Georgia Department of Community Health at all times; and*
- 8. Meet all requirements of the International Building Code, as well as all City zoning requirements and building codes, including minimum dwelling space requirements.*

While the subject property satisfies the minimum lot size and proximity restrictions, ideal locations for such facilities are along arterial or collector roads, not interior local streets. The location within a quiet residential subdivision raises concerns about long-term compatibility.

Additional considerations include:

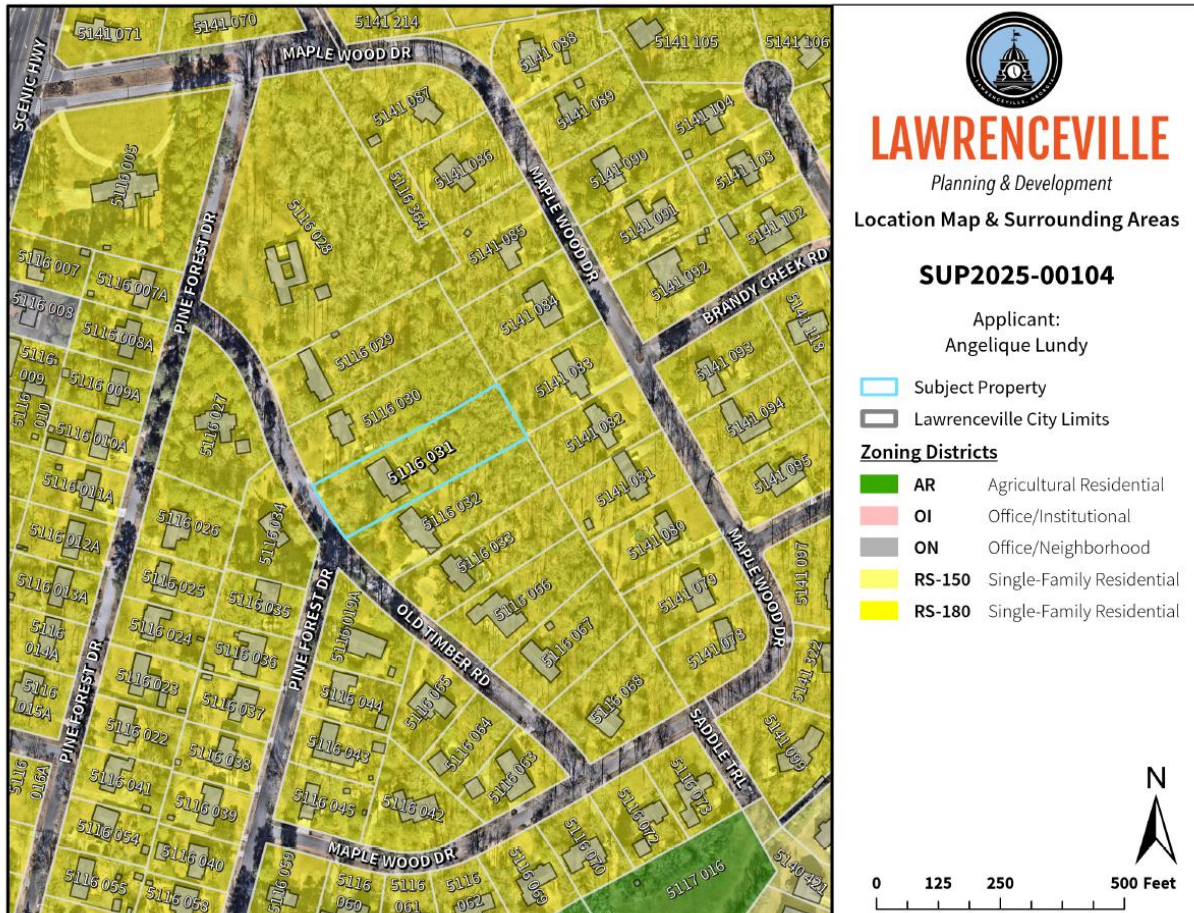
- **Space and Layout:** Whether the existing space allows for the necessary amenities.
- **Safety and Accessibility:** Adapting the structure to meet current ADA compliance standards, building safety requirement, life safety requirements.
- **Traffic and Parking:** Adverse impacts of a personal care home on the surrounding area in terms of traffic, parking and pedestrian flow.



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### CITY OF LAWRENCEVILLE OFFICIAL ZONING MAP



### SURROUNDING ZONING AND USE

The Forest Hill subdivision is solely characterized by one-family homes zoned RS-180.

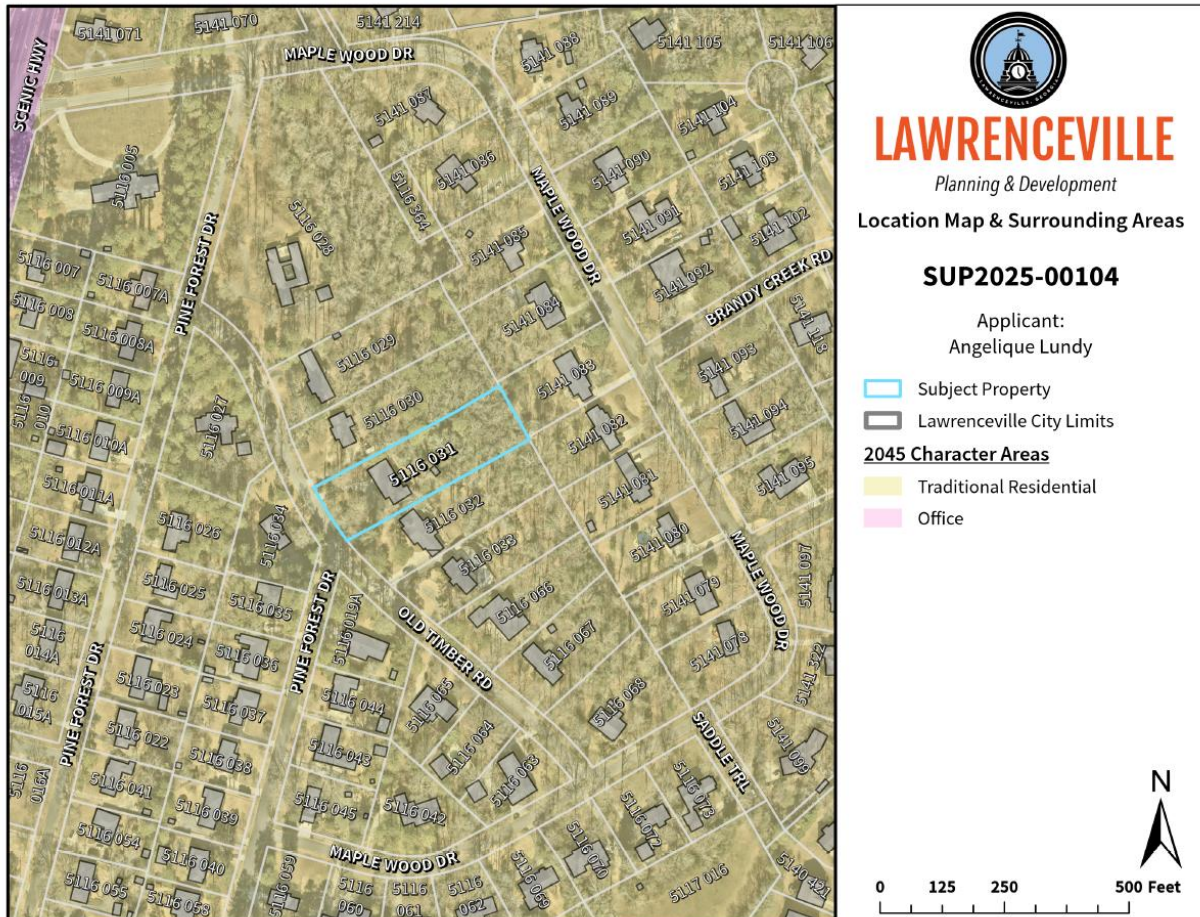




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### LAWRENCEVILLE 2045 COMPREHENSIVE PLAN – FUTURE LAND USE PLAN MAP



### 2045 COMPREHENSIVE PLAN

The City of Lawrenceville 2045 Comprehensive Plan designates the subject property within the Traditional Residential Character Area, which emphasizes:

- Preserving suburban character and architectural charm
- Maintaining neighborhood identity and quality of life
- Supporting community cohesion

Although the plan promotes quality housing options and meeting diverse community needs, it also stresses the importance of preserving the integrity of



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established residential areas. The proposed use introduces regulatory and operational characteristics not typical of one-family residential districts, including structural modifications, licensing requirements, and increased activity levels.

Therefore, a Personal Care Home requiring licensure, operational oversight, and physical modifications may ultimately not align with the intent of the Traditional Residential Character Area and may not be appropriate for this location.

### **STAFF RECOMMENDATION**

While the proposed Personal Care Home complies with many regulatory thresholds, including zoning, lot size, and spacing, presents significant concerns regarding neighborhood compatibility, long-term appropriateness, and alignment with the vision set forth in the City's Comprehensive Plan.

The following considerations support denial:

- Conflict with the Traditional Residential Character Area
- Increased intensity of use within an interior subdivision
- Potential traffic and parking impacts
- More suitable land use alternatives in a more intensely developed zoning classification

A location within a more appropriate zoning classification would better support the operational demands and service intensity of this use, while avoiding disruption to one-family residential environments.

While the applicant has demonstrated intent to comply with applicable state and local regulations, and the proposed use satisfies several technical requirements, such as minimum lot size, occupancy limits, and separation distances, the introduction of a Personal Care Home within an established, interior one-family subdivision presents challenges that extend beyond regulatory compliance.

The proposed use represents a higher-intensity residential care operation that may alter the character and functionality of the surrounding neighborhood. It requires licensure, specialized services, building modifications, and ongoing





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oversight not typically associated with traditional one-family residential uses. These characteristics raise legitimate concerns related to neighborhood compatibility, traffic circulation, parking adequacy, and long-term land use harmony.

Furthermore, the City of Lawrenceville's 2045 Comprehensive Plan places strong emphasis on preserving the identity and integrity of existing neighborhoods, particularly those within the Traditional Residential Character Area. The Plan encourages thoughtful growth that respects community values and ensures that development enhances, rather than disrupts, the quality of life for existing residents.

Given the context, location, and nature of the proposed use, staff find that the application does not sufficiently align with the intent of the Comprehensive Plan or with the broader goals of maintaining neighborhood character and cohesion. Therefore, staff recommend **DENIAL** of the requested Special Use Permit.



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### **CITY OF LAWRENCEVILLE DEPARTMENT COMMENTS:**

#### **ENGINEERING DEPARTMENT**

No comment

#### **PUBLIC WORKS**

No comment

#### **ELECTRIC DEPARTMENT**

No comment

#### **GAS DEPARTMENT**

No comment

#### **DAMAGE PREVENTION DEPARTMENT**

No comment

#### **CODE ENFORCEMENT**

Code Enforcement three cases dating back to 2021 for property maintenance:

- **CEU2021-03691**- Open storage.
- **CEU2021-03915**- Parking on unpaved surface.
- **CEU2021-04162**- Trash and Debris not picked up.

#### **STREET AND SANITATION DEPARTMENT**

No comment



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### STATE CODE 36-67-3 (FMR.) REVIEW STANDARDS:

**1. Whether a zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;**

*The proposed zoning change may not be suitable in view of the use and development of adjacent and nearby properties. The subject property is located within a predominantly single-family residential area, where the proposed use could disrupt the established character and function of the neighborhood. The increased activity and operational characteristics of a Personal Care Home, such as higher traffic and specialized infrastructure needs, may not be compatible with the residential scale and density of surrounding properties. Therefore, this proposal may not align with the surrounding land uses and could negatively impact the area's cohesion and quality of life.*

**2. Whether a zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;**

*The proposed use could adversely affect the existing use and usability of adjacent or nearby properties. Introducing a Personal Care Home in a predominantly single-family residential area may lead to increased traffic, parking demand, and operational activities that are inconsistent with the quiet, low-density nature of the neighborhood. This could disrupt the peaceful enjoyment and overall usability of surrounding properties, potentially diminishing their value and livability.*

**3. Whether the property to be affected by a zoning proposal has a reasonable economic use as currently zoned;**

*The property has reasonable economic use as currently zoned.*





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**4. Whether the zoning proposal will result in a use that will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;**

*The zoning proposal could result in excessive or burdensome use of existing streets, transportation facilities, and utilities. The operation of a Personal Care Home may increase traffic volumes, especially from visitors and service providers, which could strain local roads not designed for higher traffic. Additionally, the demand for utilities such as water and sewer services may exceed current capacity. These factors could place an undue burden on the infrastructure, which may not be equipped to handle the additional load.*

**5. Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;**

*The proposal does not fully conform with the policy and intent of the Comprehensive Plan. While the plan emphasizes promoting quality housing and meeting diverse community needs, it also prioritizes preserving the character and integrity of established residential neighborhoods. Introducing a Personal Care Home in a primarily one-family area may conflict with the plan's goal of maintaining neighborhood charm and suburban character, potentially undermining the desired balance between growth and preservation.*

**6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal;**

*Existing conditions, such as the property's location within a predominantly single-family residential area and the emphasis on preserving neighborhood character in the Comprehensive Plan, provide supporting grounds for disapproval of the zoning proposal. Additionally, the changing conditions, including increased demand for elder care services, do not outweigh the potential negative impact on the neighborhood's character, traffic flow, and infrastructure. These factors suggest that the proposed use may not be suitable for this location.*