

(vacant)
Director
Planning and Zoning
Department



Matthew
Williams
Deputy Director
Planning and
Zoning
Department

TO: City Council

FROM: Planning and Zoning Department

SUBJECT: SLUP23-005

ADDRESS: 4908 Ardsley Drive

MEETING DATE: October 23, 2023

SUMMARY: Applicant is seeking a Special Land Use Permit (SLUP) to operate a childcare service as a Type II Home Occupation.

STAFF RECOMMENDATION: Approval with conditions

PLANNING COMMISSION RECOMMENDATION: **Approval with conditions**



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District #4: George Turner, Jr.

PROPERTY INFORMATION	
Location of Subject Property: 4908 Ardsley Drive	
Parcel Number: 16 012 01 138	
Road Frontage: Ardsley Drive	Total Acreage: 0.35 +/-
Current Zoning: R-100 (Residential Medium Lot)	Overlay District: N/A
Future Land Use Map/ Comprehensive Plan: SUB (Suburban)	
Zoning Request: Applicant is seeking a Special Land Use Permit (SLUP) to operate a childcare service as a Type II Home Occupation.	
Zoning History: N/A	

APPLICANT / PROPERTY OWNER INFORMATION
Applicant Name: Teshaye Lowe
Applicant Address: 4908 Ardsley Drive Stonecrest, GA 30038
Property Owner Name: Nathaniel Lowe
Property Owner Address: 4908 Ardsley Drive Stonecrest, GA 30038



DETAILS OF ZONING REQUEST

Since the city's incorporation, the site has been zoned R-100 (Medium Lot Residential). The subject property is currently development as a single-family detached dwelling. The applicant is proposing to operate a Childcare Service which is classified as a Type II Home Occupation. The property has a frontage on Ardsley Drive.

The existing structure is a two-story dwelling. The living square footage is approximately 1972 sq. ft.

The city's land use policy document does support the proposed operation. The City of Stonecrest 2038 Comprehensive Plan has designated the parcel with the Suburban Zone land use designation. The Suburban intends to recognize those areas of the city that have developed traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility.

Within Chapter 27 of the Zoning Ordinance, [Section 4.2.31. \(Home occupations and private educational uses\)](#) elaborates on the rules and regulations that applicants must abide by when operating home occupations and private educational uses. General requirements for Type II Home Occupations are:

- B. All home occupations other than Type I home occupations shall be considered a Type II home occupation and shall require a special land use permit (SLUP). Additional conditions may be placed on the approval of a Type II home occupation in order to ensure the home occupation will not be a detriment to the character of the residential neighborhood.
 - 1. Customer contact is allowed for Type II home occupations.
 - 2. Up to two full-time residents of the premises are allowed to conduct separate home occupations in the same dwelling. In reviewing such a request, the local government



may consider the reason, potential residential impact, parking needs, hours of operation and other relevant factors.

C. All home occupations shall meet the following standards:

1. There shall be no exterior evidence of the home occupation.
2. No use shall create noise, dust, vibration, odor, smoke, glare or electrical interference that would be detectable beyond the dwelling unit.
3. The use shall be conducted entirely within the dwelling unit, and only persons living in the dwelling unit shall be employed at the location of the home occupation.
4. No more than 25 percent of the dwelling unit and/or 500 square feet, whichever is less, may be used for the operation of the home occupation.
5. No more than one business vehicle per home occupation is allowed.
6. No home occupation shall be operated so as to create or cause a nuisance.
7. Home occupation shall not include the use of a dwelling unit for the purpose of operating any automobile repair establishment, or car wash.
8. Occupations that are mobile or dispatch-only may be allowed, provided that any business vehicle used for the home occupation complies with section 6.1.3, and is limited to one business vehicle per occupation.

D. Private educational services shall comply with home occupation standards and no more than three students shall be served at a time. Family members residing in the home are not counted towards the three students allowed.

ADJACENT ZONING & LAND USE

NORTH	Zoning: R-100 (Residential Medium Lot)	Land Use: Single-Family Dwelling
SOUTH	Zoning: R-100 (Residential Medium Lot)	Land Use: Single-Family Dwelling
EAST	Zoning: R-100 (Residential Medium Lot)	Land Use: Single-Family Dwelling
WEST	Zoning: R-100 (Residential Medium Lot)	Land Use: Single-Family Dwelling

**PHYSICAL CHARACTERISTICS &
INFRASTRUCTURE**

The site is an existing single-family dwelling with one (1) road frontage (Ardsley Drive).

SPECIAL LAND USE PERMIT ZONING CRITERIA

- 1.** 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;
- 2.** Compatibility of the proposed use with adjacent properties and land uses and with other properties and land uses in the district;
- 3.** Adequacy of public services, public facilities, and utilities to serve the proposed use;
- 4.** 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;
- 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;
- 6.** 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;
- 7.** Whether the proposed use will create adverse impacts upon any adjoining land use by reason of noise, smoke, odor, dust, or vibration generated by the proposed use
- 8.** Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use;
- 9.** Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use;
- 10.** Whether the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located;



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11. Whether the proposed use is consistent with the policies of the comprehensive plan;
12. Whether the proposed use provides for all required buffer zones and transitional buffer zones where required by the regulations of the zoning district in which the use is proposed to be located;
13. Whether there is adequate provision of refuse and service areas;
14. Whether the length of time for which the special land use permit is granted should be limited in duration;
15. 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;
16. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources;
17. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit;
18. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height; and
19. Whether the proposed use would be consistent with the needs of the neighborhood or the community as a whole, be compatible with the neighborhood, and would not be in conflict with the overall objective of the comprehensive plan.

RECOMMENDATION

Staff recommends **APPROVAL** with the following condition(s):

1. Applicant must comply and remain in compliance with all International Building Code regarding care facilities within a dwelling;
2. No city permit for the operation of the childcare services shall be transferable; will only be permitted for the owner/operator Teshaye Lowe and Nathaniel Lowe;
3. A City of Stonecrest business license is required before operating the Childcare Service;
4. No parking is permitted on the street or on lawn area of subject property;
5. No child shall remain at the subject property for no more than 12 (twelve) hours per day; and
6. Play area shall be secured and not easily accessible to the public.



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Attachments Included:

- **Future Land Use Map**
- **Zoning Map**
- **Aerial Map**
- **Site Plan/Survey**
- **Letter of Intent**



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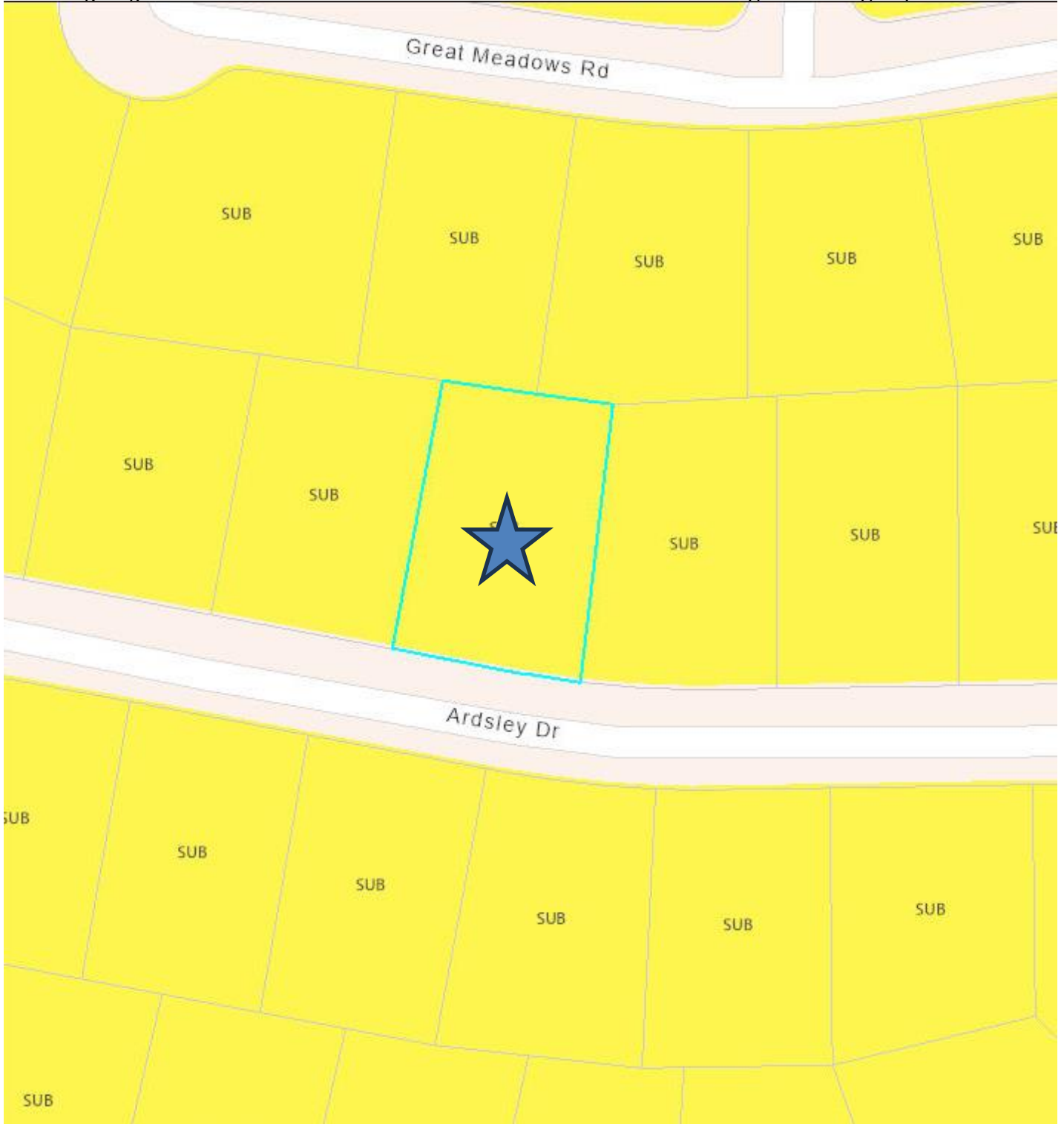
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Future Land Use Map



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Suburban Neighborhood (SN)

The intent of the Suburban Neighborhood character area is to recognize those areas of the city that have developed in traditional suburban land use patterns while encouraging new development to have increased connectivity and accessibility. These areas include those developed (built out) and those under development pressures. Those areas are characterized by low pedestrian orientation, limited transit access, scattered civic buildings and curvilinear street patterns. The proposed density for areas of this type is up to 8 dwelling units per acre.

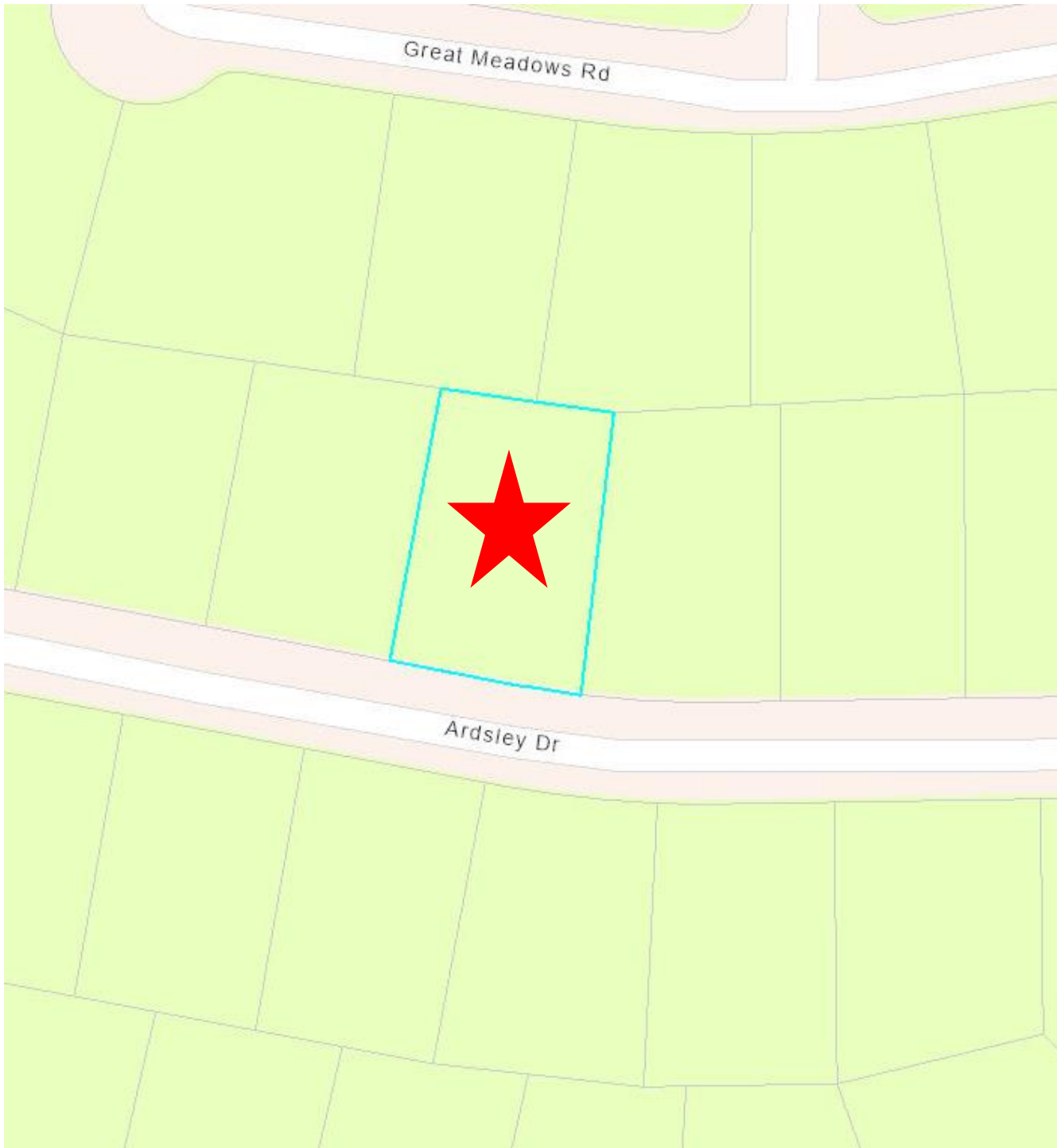


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Zoning Map

R-100

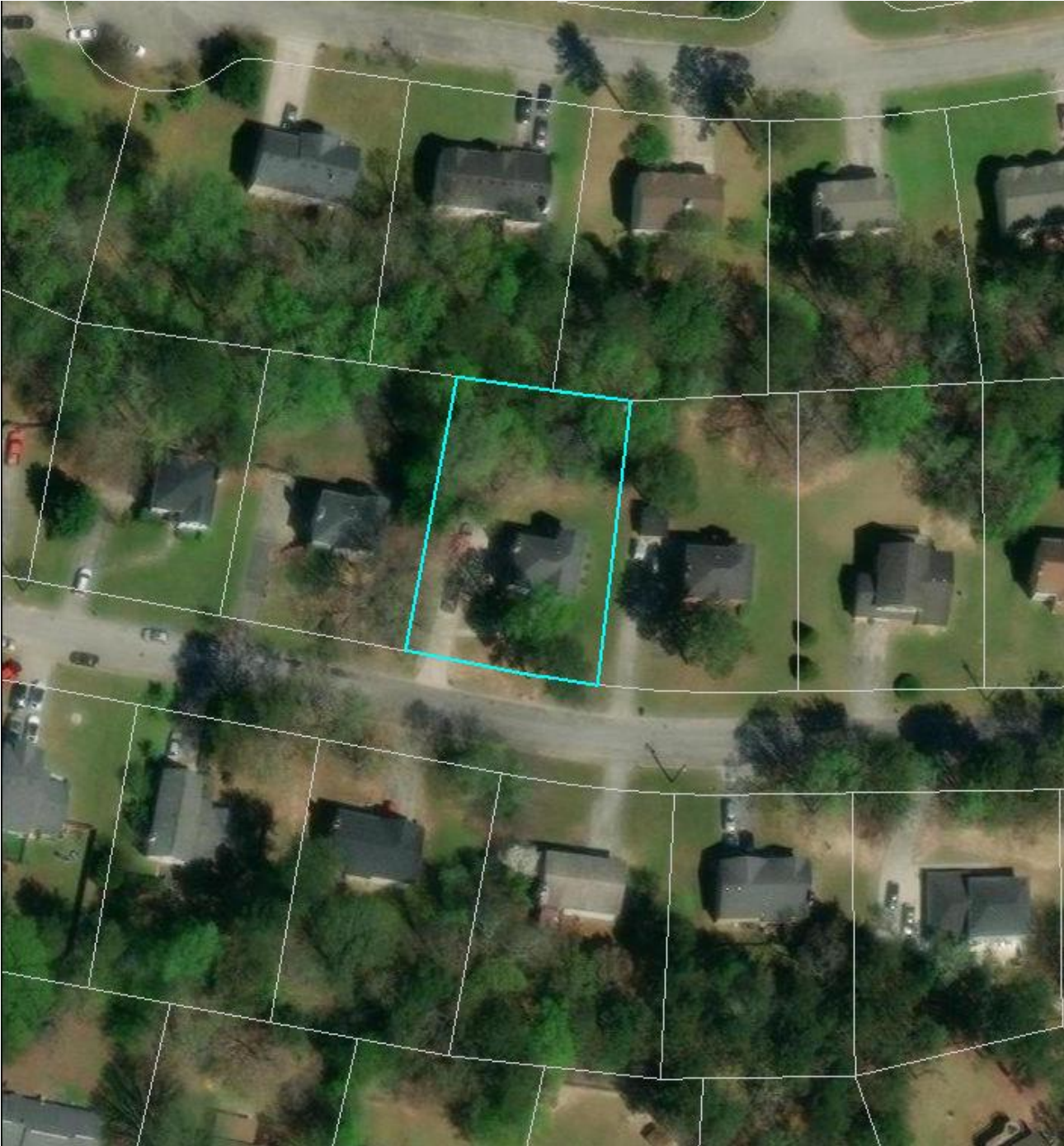




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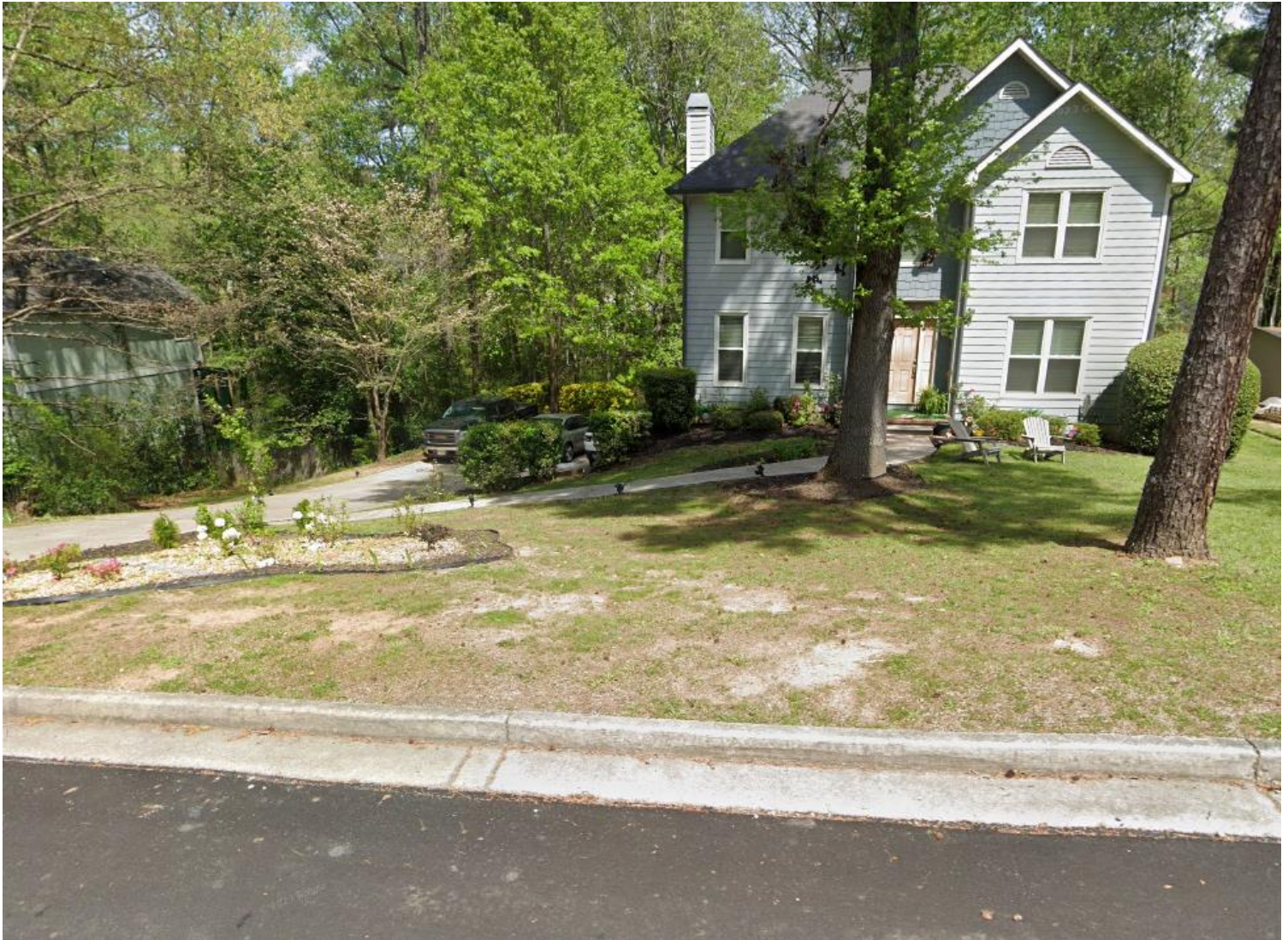
Aerial Map

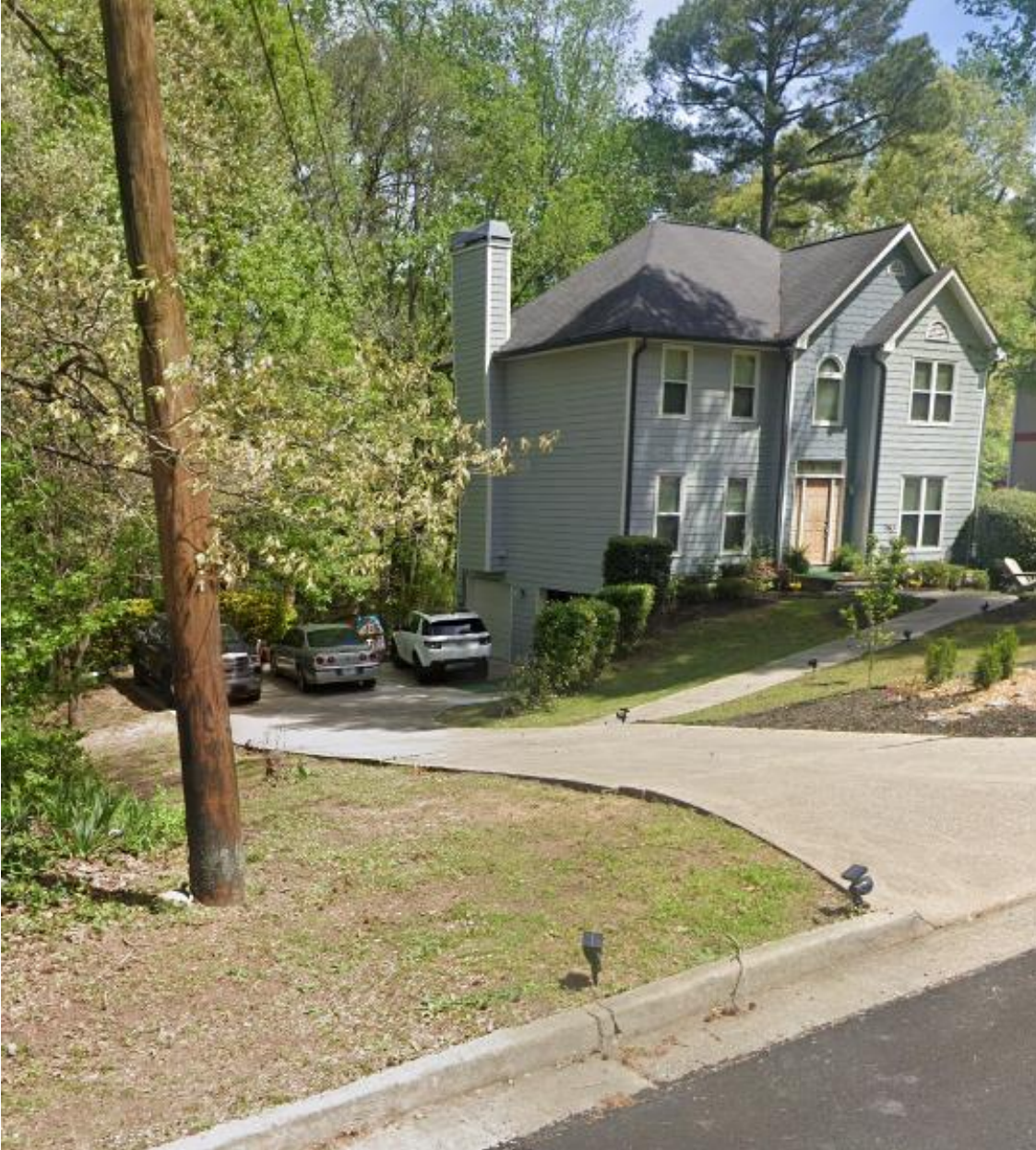




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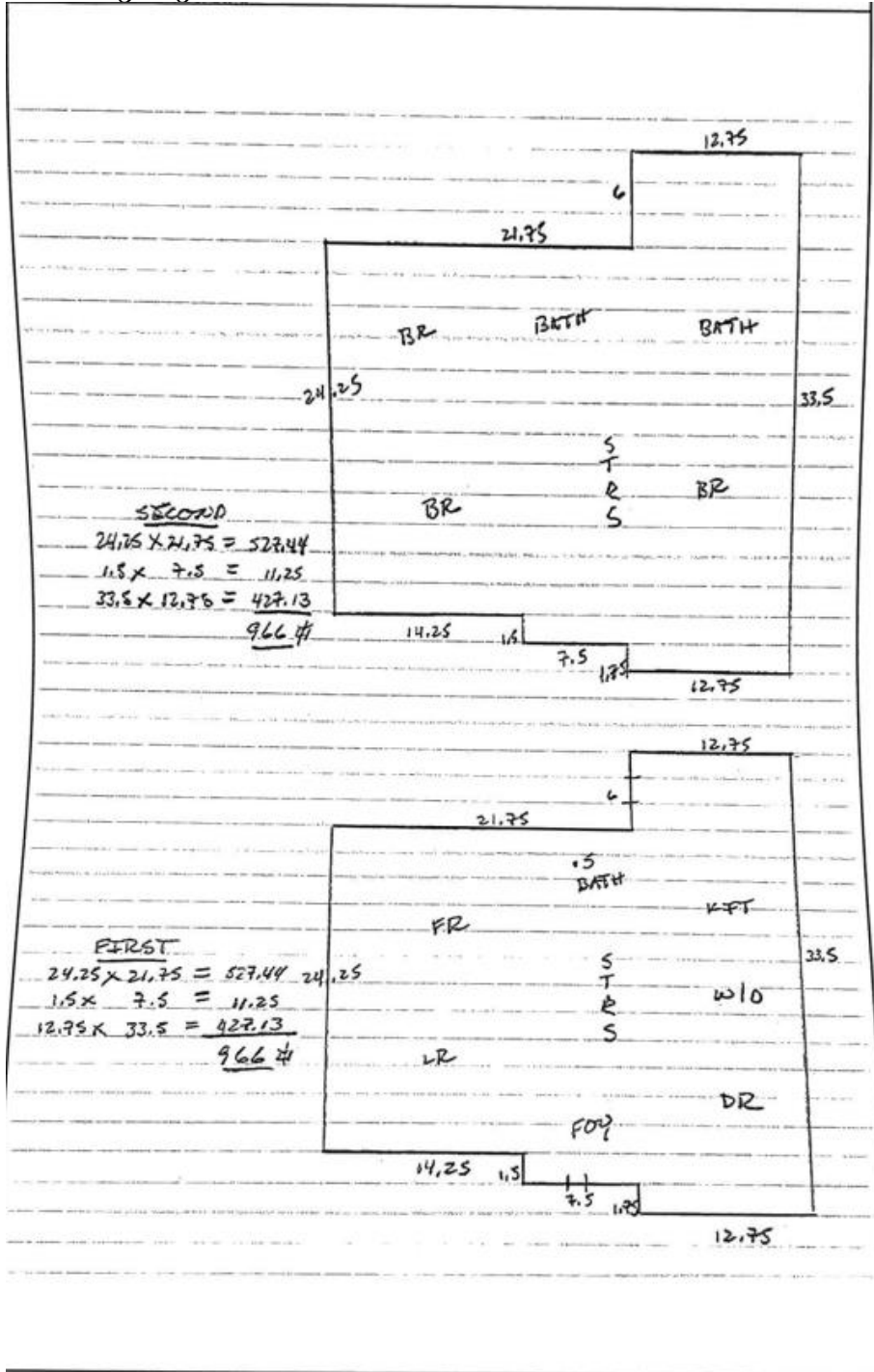


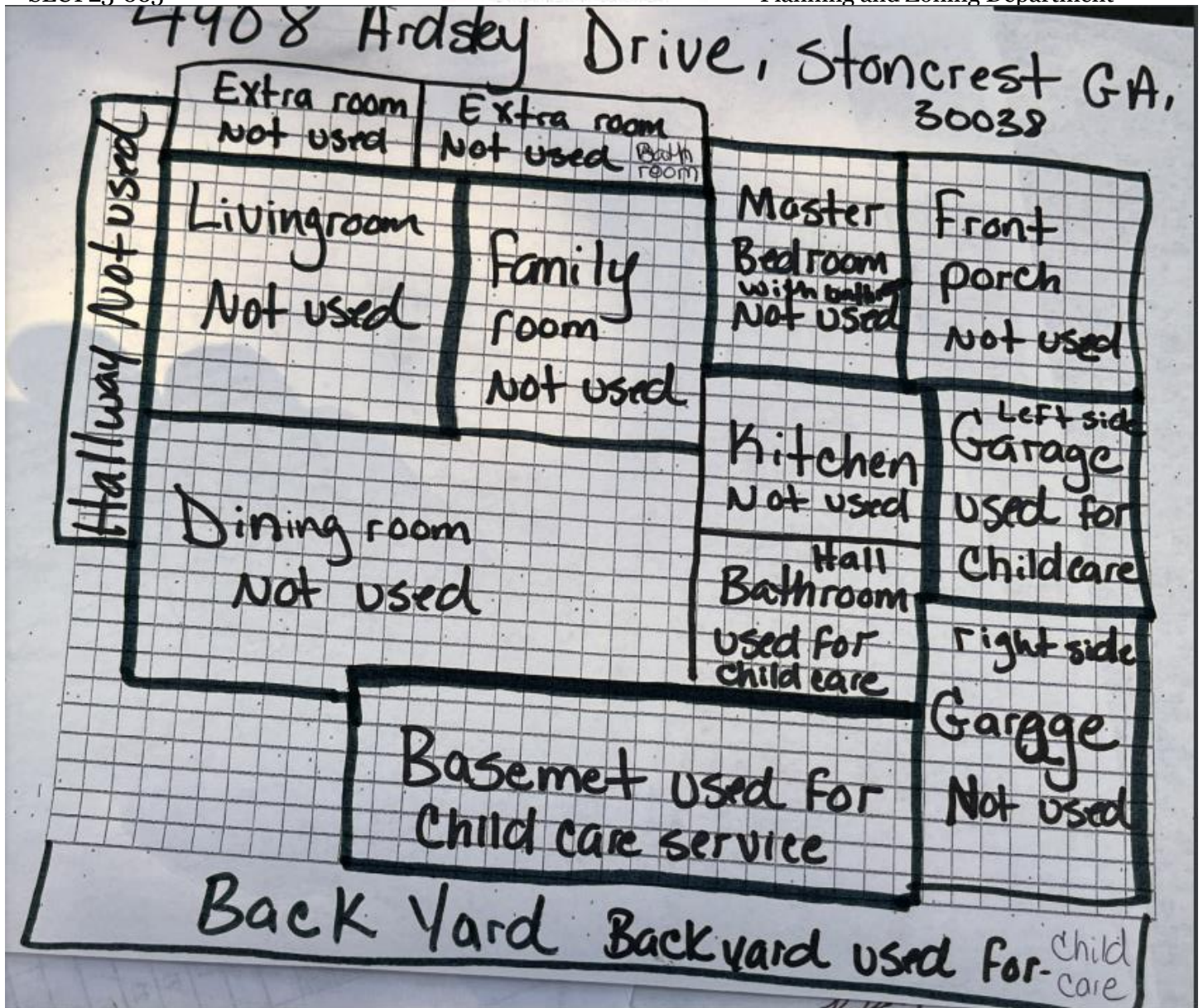


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Submitted Site Plan





Letter of Intent

Attn: Letter of Intent

To whom this letter of Intent concerns.
I, Fishaye Lowe would like to obtain a
business license with the City of Stonecrest.
The business license is for educational
purpose in a home base setting. I am
aware that the next step would be to
obtain a special use permit. Thanks

Fishaye Lowe
404-437-8040

