

Planning Commission November 8th, 2022 / Mayor and City Council Meeting January 23rd, 2022

GENERAL INFORMATION

Petition Number:	SLUP 22-009
Applicant:	Beris and Mevetta Henry
Owner:	Beris and Mevetta Henry
Project Location:	1805 Springhill Cove, Stonecrest Ga 30058
District:	Council District 1
Acreage:	0.4 Acres
Existing Zoning:	Residential Small Lot (RSM)
Proposed Zoning:	Residential Small Lot (RSM)
Proposed Development/Request:	The applicant is requesting a Special Land Use Permit (SLUP) to operate a Personal Care Home for (4) residents within in an RSM (Residential Small Lot) District, in accordance with Chapter 27-Article 4.1 Use Table and Sections 4.2.41. B of Stonecrest Zoning Code.
Staff Recommendations:	Approval/Conditional
Planning Commission:	Approved with conditions on November 8, 2022
City Council:	n/a



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Zoning Map

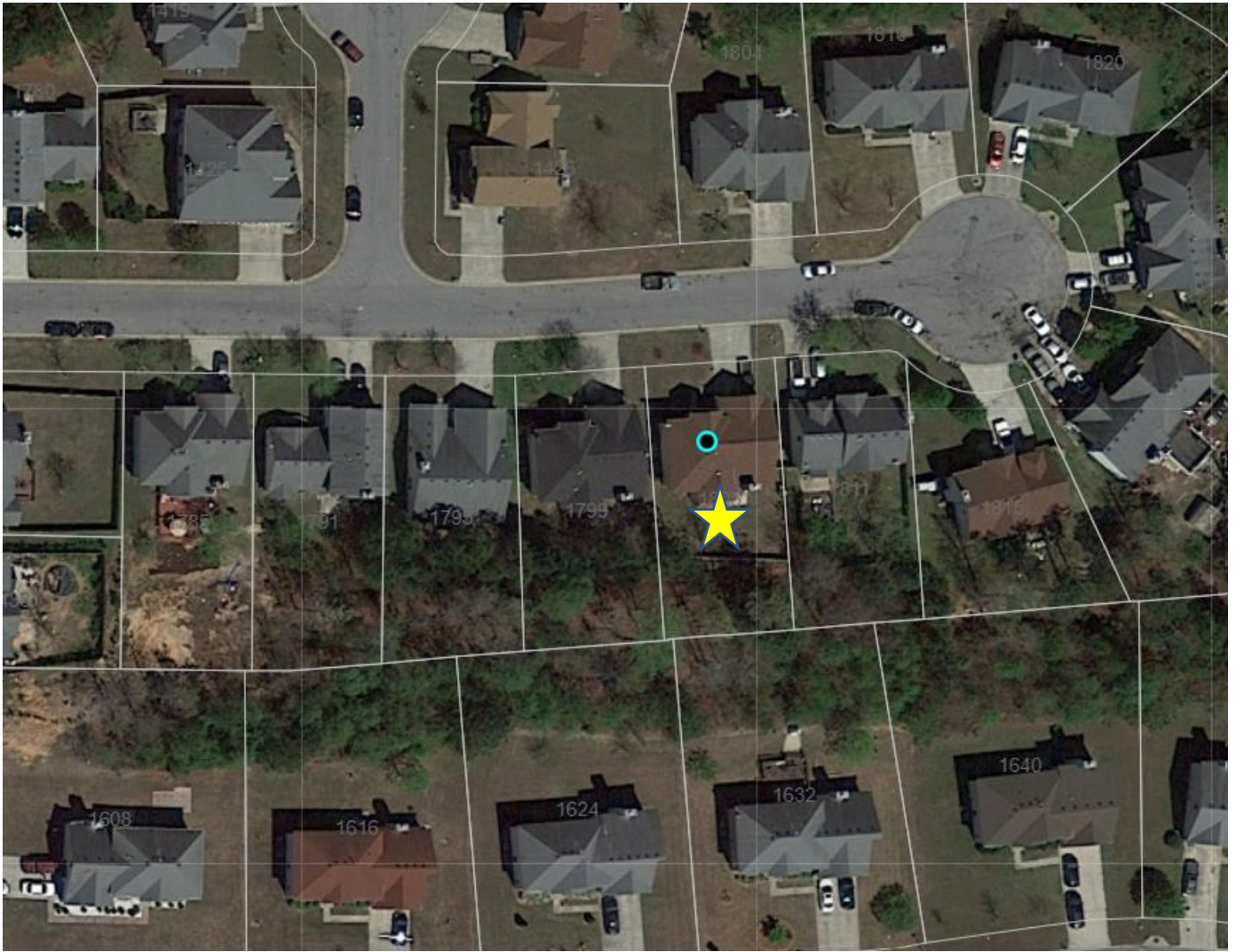


Subject Site

Aerial Map



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Subject Site



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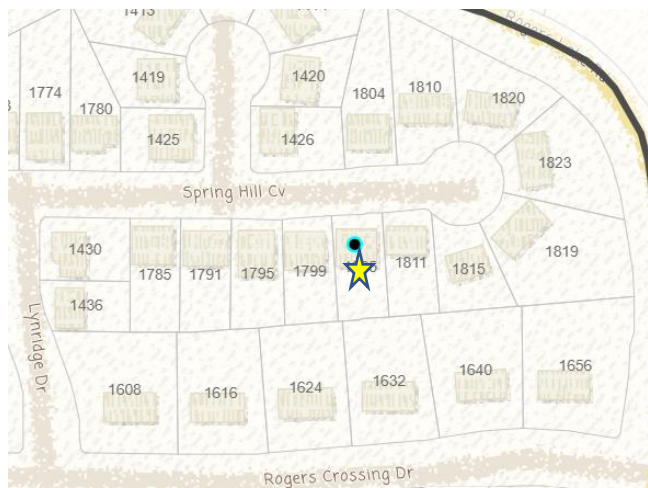
PROJECT OVERVIEW

Location

The subject property, 1805 Springhill Cove. Access is available via the existing driveway on Springhill Cove. The subject property is surround by single-family homes.

Background

Currently, the property maintains its original zoning RSM (Small Lot) classification and the property has 2,200 square foot single story frame house that was built in 2003. The property can be characterized as even across the property.





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Existing Elevations



Special Land Use Permit Request

The applicant is requesting a Special Land Use Permit to operate a personal care home for four residents.

Neighborhood Meeting

Property owners within 500 feet of the subject property were mailed notices of the proposed special land use permit application. The community meeting was held on September 13, 2022 via the www.zoom.com website. There were a few residents in attendance for the meeting. There was no one that spoke in opposition to the zoning petition.

STANDARDS OF REVIEW

- A. Adequacy of the size of the site for the use contemplated and whether or not the adequate land area is available for the proposed use including the 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.



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The 2,584 square foot residence meet the minimum standard square footage required to operate a personal care home. Per the Stonecrest Zoning Ordinance section 4.2.31 B. Personal Care Home D. The home must be 1800 sqft.

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

The proposed personal care home for four or six persons are compatible with other single-family residences in Burlington. There will be no outside physical changes to the existing single-family structure or signage indicating the use is personal care home.

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

The subject property is in an established single-family residential area; it appears that there are adequate public services, public facilities, and utilities to serve the proposed personal care home.

D. Adequacy of the public street on which the use is proposed to be located and whether there is sufficient traffic-carrying capacity for the use proposed so as not to unduly increase traffic and create congestion in the area.

Springhill Cove is classified as a local street; the Planning Staff believes there is little or no impact on the public streets or traffic in the area.

E. Whether existing land uses located along access routes to the site will be adversely affected by the character of the vehicles or the volume of traffic generated by the proposed use.

The traffic of the vehicles generated by the proposed use will not adversely impact existing land uses along access routes to the sites.

F. 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 a fire or another emergency.

The existing residential structure on the site is accessed by vehicles via an existing curb cut with a driveway on Springhill Cove and emergency vehicles can access the site from the existing driveway.

G. 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.

The proposed use may not create an adverse impact upon any adjoining single-family land uses by reason of noise, smoke, odor, dust or vibration,

H. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.



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Per the information submitted with the application, the applicant intends to run a personal care home for four residents and states that it will not create adverse impacts upon any adjoining land use by reason of the hours of operation of the proposed use.

I. Whether the proposed use will create adverse impacts upon any adjoining land use by reason of the manner of operation of the proposed use.

The operation of the personal care home of four residents do not affect the adjoining single-family residences. The site will operate basically as a single-family residence with the owner/operator is required to reside at the property.

J. Whether 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 otherwise consistent with the requirement of the zoning district.

K. Whether the proposed use is consistent with the policies of the comprehensive plan.

The proposed use is consistent with the comprehensive plan housing policy H-5, which states the city supports fair and equal access to housing for all persons, regardless of race, religion, ethnicity origin, age, household compositions or size, disability, marital status, sexual orientation, or economic circumstance.

L. 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.

Transitional buffers are not required.

M. Whether there is adequate provision of refuse and service areas.

An adequate refuse area will be provided.

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

Staff believes there is not a compelling reason to limit the special land use duration as the applicant appears to be the only personal care home within the vicinity.

O. 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.

The personal care home would be in an existing residential structure which is consistent in size, scale, and massing with adjacent surrounding single-family residence in the area.



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

This use will not adversely affect any 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 permits.

The proposed appears to satisfy the requirement contained within the supplemental regulations Sec.4.2.41 for the special land use permits for personal car homes.

R. Whether the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

Adjacent and surrounding residential properties are one-story frame structures which are the same as the existing residence on the site. There will be no negative shadow impact on any adjoining lot.

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

The proposed use will not result in an excessive proliferation of similar use in the subject character area.

T. Whether the proposed use would be consistent with the needs of the neighborhood or the community, be compatible with the neighborhood, and would not conflict with the overall objective of the comprehensive plan.

The proposed use would not conflict with the overall objective of the comprehensive plan, as the Stonecrest Comprehensive plan states the city will encourage the need for adequate housing.



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RECOMMENDATION

Base on the findings and conclusions, it appears the applicant does meet all the criteria for approval and the supplemental regulations. Therefore, staff recommends **Approval/Conditions** of **SLUP-22-009**; However, if the Planning Commission choose to approve the application staff recommend the following conditions;

1. Limit the use of personal care home only to (4) persons.
2. Access shall be limited to the existing curb cut off Springhill Cove.
3. All refuse containers shall be screened from public view except during pick up.
4. No identification sign for personal care home shall be posted on the property.
5. Owner/Operator must live on the property according to the supplemental regulations cited in the Stonecrest Zoning Ordinance Sec. 4.2.31 and 4.2.41.
6. The applicants shall secure the necessary certification by the State of Georgia and the necessary business license, building permits and certification of occupancy for three people from the city of Stonecrest.
7. The Special Land Use Permit shall be issued to (operator) for the operation of a personal care home and shall not be transferable.