

U-14-07- AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME PURSUANT TO SECTION 16-06.005 (1) (G) FOR PROPERTY LOCATED AT 1937 BROWNS MILL ROAD, S.E., FRONTING APPROXIMATELY 147 FEET ON THE WEST SIDE OF BROWNS MILL ROAD AT THE SOUTHWEST CORNER OF TROY STREET AND BROWNS MILL ROAD AND APPROXIMATELY 203 FEET ON THE SOUTH SIDE OF TROY STREET. DEPTH: VARIES. AREA: APPROXIMATELY 1.49 ACRES. LAND LOT 39. 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: MARY F. KNIGHT BAGWELL APPLICANT: ALEX WILLIAMS NPU Y COUNCIL DISTRICT 1

Application File Date	3-4-2014
Zoning Number	U-14-07
NPU / CD	Y/1
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

Workflow List:

Office of Research and Policy Analysis	Completed	04/16/2014 4:43 PM
Zoning Committee	Pending	
Atlanta City Council	Pending	
Zoning Review Board Staff	Pending	
Office of Research and Policy Analysis	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action	
<i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

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Municipal Clerk
Atlanta, Georgia

AN ORDINANCE

U-14-07

BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-06.005 (1) (g) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a PERSONAL CARE HOME, is hereby approved. Said use is granted to ALEX WILLIAMS and is to be located at 1937 BROWNS MILL ROAD, S.E., to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 39, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, “Special Use Permits, Procedural Requirements”, and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.



55 Trinity Avenue S.W., Suite 3350
Atlanta, Georgia 30303
(404) 330-6145

APPLICATION #: **U-14-007**

DATE ACCEPTED: **03/04/2014**

NOTICE TO APPLICANT

Address of Property:
1937 Browns Mill RD SE

City Council District: **1** Neighborhood Planning Unit (NPU): **Y**

Zoning Review Board (ZRB) Hearing Date:

Thursday, May 1 or 08, 2014 at 6:00 p.m.

Council Chambers, 2nd Floor, City Hall
55 Trinity Avenue, S.W.

The contact person for NPU Y is:

Thomas Cotton
770-885-0373
tcotton72@gmail.com

Contact info for adjacent NPUs is provided below if necessary:

Additional Contacts:

Please contact the person(s) listed above within two days to find out which meetings you will be required to attend before the next NPU meeting. If you are unable to reach the contact person, please call the city's NPU Coordinator at 404-330-6145.

Signed,


BC, for Director, Bureau of Planning


Alex Williams



APPLICATION FOR SPECIAL USE PERMIT

City of Atlanta

Date Filed _____

Application Number U-14-007

I Herby Request That The Property Described in this Application be granted a Special Use Permit

Name of Applicant Williams Alex
Last Name First Name M.I.

Address 5281 Street Name Bridgewater Trace

City Stone Mountain State GA Zip Code 30088

Phone 404-713-6936 Fax _____

E-mail address excelgrp@bellsouth.net

Name of Property Owner Knight-Bagwell Mary F.
Last Name First Name M.I.

Address 1937 Street Name Browns Mill Road

City Atlanta State GA Zip Code 30315

Daytime Phone 404-627-8625 Fax _____

E-mail address shiraw@bellsouth.net

Description of Property

Street Address of Property 1937 Browns Mill Road

City Atlanta State GA Zip Code 30315

Property is zoned: R-4 Council District: #1 Neighborhood Planning Unit: Y

The subject property fronts 147.00' + 181.76' feet on the West side of Browns Mill Road, beginning zero feet from the Southwest corner of Troy Street and Browns Mill Road

Depth: 202.58' & 243.50' Area: 64,813 Land Lot: 39 Land District: 14th

1937 Browns Mill Road; Atlanta, GA 30315
Special Use Application
Impact Analysis

A. SUMMARY OF PROPOSED PROJECT. What kind of special use would you be operating?

- Adapt existing residential structure into a personal care home for a maximum of twelve clients.

B. IMPACT ANALYSIS.

1. Ingress and Egress:

- a. Currently the site has 3 parking spaces accessed by one of two curb cuts off of Browns Mill Rd. (see Survey Sheet 1 of 1). These 3 spaces provide access only to the existing front entry and can only accommodate passenger vehicles.
- b. We are proposing a new 27 foot wide curb cut off of Troy Street. This will provide access for emergency and service vehicles. This curb cut will also service 3 regular parking spaces and 2 handicapped, van accessible spaces. These spaces will serve as overflow parking for employees, clients and visitors.
- c. The entrance and exit onto the property from Troy Street will not cause traffic congestion because it is a side street with an extremely low traffic flow.

2. Off-Street Parking and Loading:

- a. The operator of the facility will dispose of refuse and garbage by utilizing the 3 rolling containers that are provided by the City of Atlanta. There are two 96 gallon Herby Curby containers and there is one 96 gallon Recycling Cart. The 3 containers will be located in a designated area to the rear of the property (see proposed Site Plan- depicts space for 4 containers if needed). The City of Atlanta currently services 1937 Browns Mill Rd (for pickup) every Tuesdays.
- b. Products and supplies will be delivered to the facility by utilizing the proposed Troy Street entrance.
- c. Service personnel such as electric or gas maintenance personnel will utilize the Troy Street entrance to access the property.
- d. Employees will gain access to the property by utilizing one of two existing entrances onto the property from Browns Mill Rd. The employees will enter the facility by using the front door. The Clients will gain access to the property by utilizing the proposed Troy Street entrance onto the property and they will utilize the walkway and ramp on to the front porch entering the facility by using the front door.

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Special Use Application – Impact Analysis

3. Buffering and Screening:

- a. Adjoining properties will be buffered or screened from any noise or glare from lights because all of the existing trees will remain in place and the size of the lot would also reduce or eliminate noise and glare.
- b. Approximately **three** to **four** vehicles will travel to and from the facility every day. I am not planning to make any road improvements; however, we will require a curb cut from Troy Street onto property to accommodate the new entrance and parking area (see Site Plan).

4. Hours and Manner of Operation:

- a. The proposed use for this property is a Personal Care Home that will care for 12 Residents. We will serve Residents that are 55 years and older that require minimal if any assistance with their bathing, feeding and day to day activities. We will provide 3 nutritious meals per day and two snacks per day. The Personal Care Home will provide laundry service for the Residents' linen and their personal items. We will provide trained staff to ensure the Residents are safe and receive the attention that they may need to maneuver around the property. The Staff will monitor the Residents to ensure that their medications are taken in accordance with their prescription (if required). The Administrator will advise the Residents' family members of any changes that may be observed in their physical condition (if applicable) and ensure the Residents are living in a safe environment. The Personal Care Home will be able to offer transportation to and from medical appointments for the Residents if required. The Personal Care Home will also partner with community outreach programs such as nearby senior community centers to offer offsite activities for the Residents if available. The property has plenty of space to enjoy the outdoor scenery. The landscaping will provide a calm and relaxing environment. The Personal Care Facility and the landscaping will also help to beautify the neighborhood.
- b. The Personal Care Facility will be opened 7 days a week and the hours of operation will be 10:00 am to 8:00pm.
- c. There will be a total 7 employees. Each employee will be required to have their CPR (Cardiopulmonary Resuscitation) Certification as well as First Aid training. The Personal Care Home will not have a full time Nurse on the property. We will employ 2 Administrators, 2 Housekeepers and 3 Care Providers. The staff will consist of 2 full time employees and 5 part time employees. There will be a total of 3 shifts. The first shift will work from

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 Special Use Application – Impact Analysis

7:00 am to 3:30 pm with a total of 2 employees. The second shift will work from 3:00 pm to 11:30 pm with a total of 2 employees. The third shift will work from 1100 pm to 7:30 am with a total of 1 employee. There will be 3 employees that will work as floaters. The floaters are flexible employees that will fill in the gaps whenever it is required.

- d. There will be a total of 12 residents residing at the Personal Care Home (with more than 80 sqt feet living space per resident). Ages for the residents range from 55 years and older.
- e. This facility will provide three (3) meals per day consisting of breakfast, lunch and dinner and also two (2) snacks per day. Breakfast will be served from 8:00am to 9:30am. Lunch will be served from 12:00 noon to 1:30pm and dinner will be served from 5:00 to 630pm. There will be one mid morning snack and one mid afternoon snack. Also, the weekly menu will be posted in a common area for the residents, visitors and or inspectors to review. The posted menu will display each meal that will be served during that week.
- f. There will be no other special programs at the facility that will cause additional vehicles to park at or on site.

5. Duration of Special Permit:

I request that the special use permit last indefinitely.

6. Tree Preservation and Replacement:

No existing trees are slated to be removed. All new work has been placed to avoid each trees structural root plate. And no new work will impact any of the trees critical root zone by more than 20%. (see proposed site plan A-01)

7. Required Yards and Open Spaces:

Deck and ramp will be added at existing front entry. The ramp will project into front yard set back by less than ten (10) feet as allowed by section 16-28.008. Also a total 5 parking spaces will be added: three (3) regular spaces and two (2) handicapped accessible spaces. One of the accessible spaces will encroach on the side street set back as allowed by Section 16-28.008.

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Special Use Application – Impact Analysis

- C. **PROPERTY DESCRIPTION-** Please see attached written legal description and attached survey by Boundary Zone, Inc. Sheet 1 of 1, includes property lines.

- D. **SITE PLAN.** Please see attached proposed site plan prepared by William Sisk Designs. Sheet A-01.

- E. **FLOOR PLAN (PERSONAL CARE HOME).** Please see attached proposed floor plan prepared by William Sisk Designs.

- F. **FLOOR PLAN (PERSONAL CARE HOME).** Please see attached proposed floor plan prepared by William Sisk Designs.

AUTHORIZATION BY PROPERTY OWNER

(Required only if applicant is not the owner of property subject to the proposed Special Use Permit)

I, Mary F. Knight-Bagwell (OWNER'S NAME)

SWEAR AND AFFIRM THAT I AM THE OWNER OF THE PROPERTY AT 1937 Browns ML Rd. S.E. Atlanta, GA 30315 (PROPERTY ADDRESS),

AS SHOWN IN THE RECORDS OF Fulton COUNTY, GEORGIA, WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO FILE THIS APPLICATION AS MY AGENT.

NAME OF APPLICANT

LAST NAME Williams FIRST NAME Alex

ADDRESS 5281 STREET NAME Bridewater Trace SUITE —

CITY SENI, MTN. STATE GA. ZIP CODE 30088

TELEPHONE NUMBER

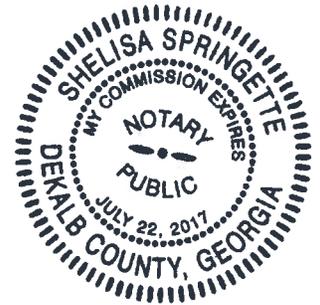
AREA CODE (404) NUMBER 713 - 6936

Mary F. Knight-Bagwell
Signature of Owner

MARY F. KNIGHT-BAGWELL
Print name of owner

Personally Appeared Before Me this 3 day of March, 2014.

Shelisa Sprigette
Notary Public



AUTHORIZATION TO INSPECT PREMISES

With the signature below, I authorize the staff of the Office of Planning of the City of Atlanta to inspect the premises, which are the subject of this special use permit application.

I swear and affirm that the information contained in this application is true and accurate to the best of my knowledge and belief.

Mary L. McQueen

Owner or Agent of Owner (Applicant)

Sworn to and subscribed before me this 3 day of March, 2014

Shelisa Springette (Notary Public)



1937 BROWNS MILL ROAD; ATLANTA, GA 30315

LEGAL DESCRIPTION:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 39 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" REBAR AND CAP MARKING THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF TROY STREET (50' R/W) AND THE WESTERLY RIGHT-OF-WAY LINE OF BROWNS MILL ROAD (40' R/W); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE S 20°58'49" E A DISTANCE OF 147.00 FEET TO A 1/2" REBAR; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE S 25°07'59" E A DISTANCE OF 181.76 FEET TO A 1/2" REBAR & CAP MARKING THE INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ADELLE STREET (50' R/W); THENCE DEPART SAID WESTERLY RIGHT-OF-WAY LINE AND RUN ALONG SAID NORTHERLY RIGHT-OF-WAY LINE S 88°36'30" W A DISTANCE OF 243.50 FEET TO A 1/2 REBAR & CAP; THENCE DEPART SAID NORTHERLY RIGHT-OF-WAY LINE AND RUN ALONG THE EASTERLY LINE OF A TRACT OR PARCEL OF LAND NOW OR FORMERLY OWNED BY ARTHUR GYDER N 00°54'15" W A DISTANCE OF 171.00 FEET TO A FENCE POST; THENCE DEPART SAID EASTERLY LINE AND RUN ALONG THE NORTHERLY LINE OF TWO TRACTS OR PARCELS OF LAND NOW OR FORMERLY OWNED BY ARTHUR GYDER AND JESSIE WARNER N 89°49'33" W A DISTANCE OF 85.76 FEET TO A POINT AT A TREE; THENCE DEPART SAID NORTHERLY LINE AND RUN ALONG THE EASTERLY LINE OF A TRACT OR PARCEL OF LAND NOW OR FORMERLY OWNED BY TANAKA APPLING N 00°13'11" W A DISTANCE OF 135.53 FEET TO A 1" OPEN TOP PIPE ON THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF TROY STREET; THENCE DEPART SAID EASTERLY LINE AND RUN ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE 203.40 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 652.02 FEET TO BEAR N 89°43'49" E WITH A CHORD OF 202.58 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 1.488 ACRES (68,813 SQUARE FEET) MORE OR LESS.

RECEIPT

CITY OF ATLANTA
ATLANTATEST
55 TRINITY AVE SW

PAID
CITY OF ATLANTA
MAR 04 2014
EX OFFICIO MUNICIPAL
REVENUE COLLECTOR

Application: U-14-007
Application Type: Planning/ZRB/Special use/NA
Address: 1937 BROWNS MILL RD SE, R ATLANTA, GA 0
Owner Name: BAGWELL MARY F KNIGHT
Owner Address:
Application Name:

Receipt No.	Ref Number	Amount Paid	Payment Date	Cashier ID	Received	Comments
360948	2186	\$400.00	03/04/2014	PLUKE		

Owner Info.: BAGWELL MARY F KNIGHT

Work Description: SUP for a personal care home.

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