

Community Development 4119 Adrian Street Tucker, GA 30084 Phone: 678-597-9040

Email: permits@tuckerga.gov Website: www.tuckerga.gov

Land Use Petition Application

Type of Application: ☐ Rezoning ☐ Compr	enensive Plan Amend	ment 🗀 Special Land	1 OSE FEITHE				
APPLICANT INFORMATION							
Applicant is the:	Applicant is the: Property Owner X Owner's Agent Contract Purchaser						
Name: Joshua Norris							
Address: Law Office of Joshua H. No	rris, LLC, One Wes	t Court Square, Sui	te 750				
City: Decatur State: GEORGIA Zip: 30030							
Contact Name:							
Phone: 470-377-1885		Email: josh.norris	@childrenshealthlaw.org				
	OWNER INF	ORMATION	2.11世界上海过渡10万十				
Name: ARTHUR GERALD REISMAN A	ND LISA MARLEEN	REISMAN	and the second s				
Address: 7620 WOLF BROOK DRIVE							
City: ATLANTA	State: GEORGIA		Zip: 30350				
Contact Name: LISA MARLEEN REIS	MAN						
Phone: 404-408-3693		Email: LREISMAN	I@COMPLETECAREATLANTA.COM				
The second second	PROPERTY IN	IFORMATION					
Property Address: 2722 REGAL WAY	, TUCKER, GEORG	IA 30084					
Present Zoning District(s): R -100		Requested Zonin	g District(s): R-100				
Present Land Use Category: Resider	ntial	Requested Land Use Category: Residential					
Land District: 18	Land Lot(s): 250		Acreage: 0.5 acres				
Proposed Development: Existing							
Concurrent Variance(s):	Concurrent Variance(s):						
RESIDENTIAL DEVELOPMENT							
No. of Lots/Dwelling Units: 1	Dwelling Unit Siz	e (Sq. Ft.): 2876	Density:				
NON-RESIDENTIAL DEVELOPMENT							
No. of Buildings/Lots: NA	Total Building Sq	. Ft.:	Density:				

SLUP-19-0010

RECEIVED
City of Tucker

NOV 12 2019

Community Development Department





APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 24 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND CITY COUNCIL.

Signature of Applicant

11 17 2019

Joshua Norris, Attorney at Law

Type or Print Name and Title

OFFICIAL SEAL JOHN T DARDEN Notary Public, Georgia DEKALB COUNTY My Commission Expires MAY 14, 2023

Signature of Notary Public

Date

Notary Seal

RECEIVED City of Tucker

NOV 12 2019

Community Development Department



APPLICANT'S CERTIFICATION

THE UNDERSIGNED BELOW STATES UNDER OATH THAT THEY ARE AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 24 MONTHS FROM THE DATE OF LAST ACTION BY THE MAYOR AND CITY COUNCIL.

In mReisman	8/7/19
Signature of Applicant	Date
Lisa M. Reisman, or	uner of property
Type or Print Name and Title	
MM Kglen 8/7/1	3 white AM KADING
Signature of Notary Public Date	Notary Seal NOTARY RESPIRES

PROPERTY OWNER'S CERTIFICATION

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of DeKalb County, Georgia, of the property identified below, which is the subject of the attached Land Use Petition before the City of Tucker, Georgia. As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Rezoning (RZ), Comprehensive Plan Amendment (CA), Special Land Use Permit (SLUP), & Concurrent Variance (CV) in request of the items indicated below.

Lisa 1, <u>Arth</u> u	M. Reisman ir Gerald Reisn	ኊ <u>ል ኅ</u> , authorize,	Lisa M. Re	isman
	(Property Owner)		(Applicant)	
to file for	SLUP (RZ, CA, SLUP, CV)	at <u>2722</u>	Regal Way Tuck	er, GA 30084
on this date _	august (Month)	15 (Day)	,20_19	

- I understand that if a rezoning is denied or assigned a zoning classification other than the classification requested in the application, then no portion of the same property may again be considered for rezoning for a period of twenty-four (24) months from the date of the mayor and city councils' final decision.
- I understand that if an application for a special land use permit affecting all or a portion of the same property for which an application for the same special land use was denied shall not be submitted before twenty-four (24) months have passed from the date of final decision by the mayor and city council on the previous special land use permit.
- I understand that failure to supply all required information (per the relevant Applicant Checklists and requirements of the Tucker Zoning Ordinance) will result in REJECTION OF THE APPLICATION.
- I understand that preliminary approval of my design plan does not authorize final approval of my zoning or signage request.

 I agree to arrange additional permitting separately, after approval is obtained.
- I understand that representation associated with this application on behalf of the property owner, project coordinator, potential property owner, agent or such other representative shall be binding.

Luam Raismon	,		
Anta South form of	8 15	5/19	
Signature of Property Owner	Date	<i>'</i>	
Lisa M. Reisman, owner Arthur Gerald Reisman			
Arthur Gerald Reisman	owner		
Type or Print Name and Title		and the same	
MM Keglen	8/15/19	HANDER OF THE PROPERTY OF THE PARTY OF THE P	
Signature of Notary Public	/ Date	Notwork Geal	
		December 9, 2022	
		THE COUNTRIE	
		"Mannaman	

DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

CIRCLE	ONE: YES	S (if YES, complete points 1 thro	ough 4);		NO (if NO, complete o	only point 4)
1.	CIRCLE ONE:	Party to Petition (If p	party to petition,	complet	te sections 2, 3 and 4 b	elow)
		In Opposition to Pe	tition (If in oppo	sition, p	proceed to sections 3 a	nd 4 below)
2.	List all individuals o	or business entities which	have an owne	rship i	interest in the prop	perty which is the subject of
	this rezoning petiti	ion:				
	1.			5.		
	2.			6.		
	3.			7.		
	4.	2		8.		
3.	CAMPAIGN CONTR		Date of		Enumeration an	d Description of Gift Valued
	Official	Amount	Contribut	ion	at \$250.00 or m	
		*				
4.	Section 36-67A-1 to the undersigne	et. seq. Conflict of interes ed's best knowledge, infor	st in zoning act mation and be	ions, a lief.	and that the inform	e Official Code of Georgia, nation set forth herein is true
	Name (print)	Joshua Nov	713			· lelang
	Signature:	huhll			Date: _	
	,					RECEIVED City of Tucker



LAND USE PETITION APPLICATION

Community Development Department

NOV 12 2019

DISCLOSURE REPORT FORM

WITHIN THE (2) YEARS IMMEDIATELY PRECEDING THE FILING OF THIS ZONING PETITION HAVE YOU, AS THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, OR AN ATTORNEY OR AGENT OF THE APPLICANT OR OPPONENT FOR THE REZONING PETITION, MADE ANY CAMPAIGN CONTRIBUTIONS AGGREGATING \$250.00 OR MORE OR MADE GIFTS HAVING AN AGGREGATE VALUE OF \$250.00 TO THE MAYOR OR ANY MEMBER OF THE CITY COUNCIL.

.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	0001101111					
RCLE ONE:	YES (if YES,	complete points 1 throu	gh 4);	NO (if NO, complete only point 4)		
CIRCLE ON	E: Pa	arty to Petition (If pai	ty to petition, comple	te sections 2, 3 and 4 below)		
	ſn	Opposition to Petit	ion (If in opposition, រ	proceed to sections 3 and 4 below)		
List all indi	viduals or busin	ess entities which h	ave an ownership i	nterest in the property which is the sul	bject of	
this rezoni	ng petition:					
1.			5.			
2.			6.			
3.			7.	7.		
4.	4.			8.		
CAMPAIGN	N CONTRIBUTIO	NS:				
Name of G	overnment	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift at \$250.00 or more	Valued	

Name of Government Official	Total Dollar Amount	Date of Contribution	Enumeration and Description of Gift Valued at \$250.00 or more

Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and to the undersigned's best knowledge, information and belief.	that the information set forth herein is true
Name (print) Lisa M. Reisman	
Signature: Tww Rlismon	Date: 5/7/19

The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia,

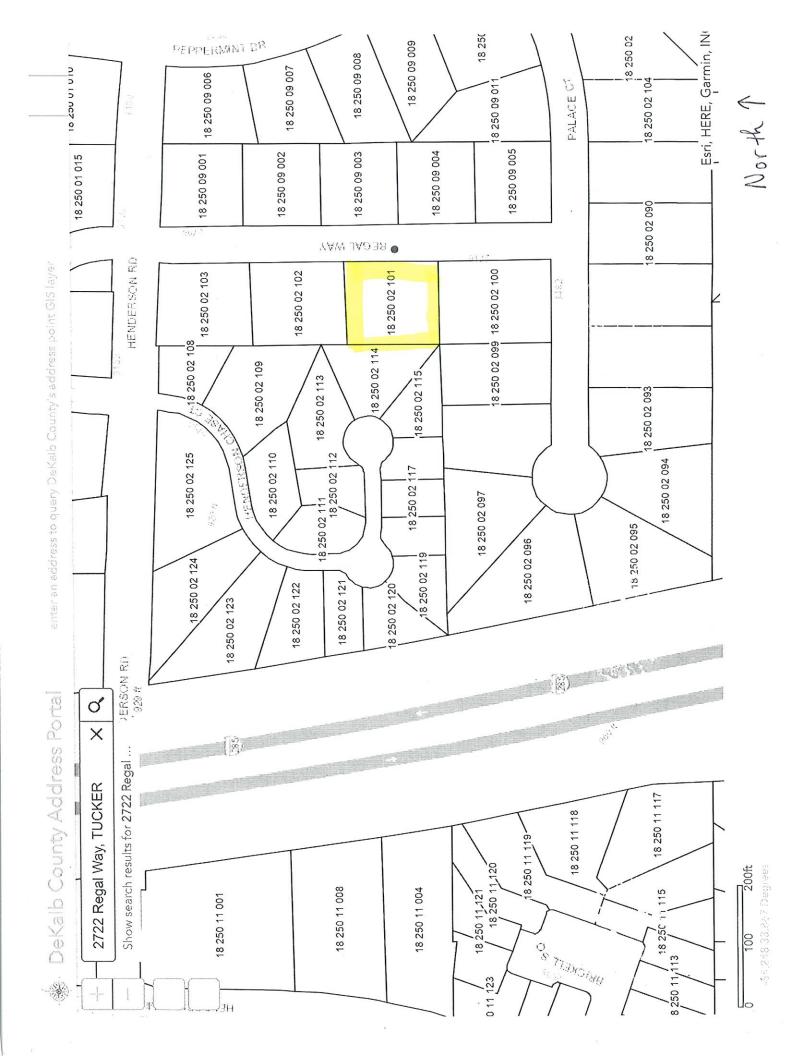
4.

WRITTEN LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 250 of the 18th District, DeKalb County, Georgia, being Lot 3, Block B, Regal Forest, as per plat recorded in Plat Book 44, Page 153, DeKalb County, Georgia Records, which plat is incorporated herein by reference for a more complete description.

Current Property Address: 2722 Regal Way, Tucker, Georgia

Current Parcel ID: 18 250 02 101



LETTER OF INTENT

We, Lisa M, Reisman and Dr. A. Gerald Reisman, own 2722 Regal Way, Tucker, GA, 30084, located in the City of Tucker (Parcel ID 18 250 02 101). We are requesting a special land use permit from the City of Tucker, Ga for the home at 2722 Regal Way, Tucker Ga 30084 (zoned residential). The home is located on a street with 8 others homes. The City of Tucker currently allows for 3 unrelated individuals to live in a home together. I am requesting an allowance for 4 unrelated people with an intellectual and developmental delay (for example, Down Syndrome or Autism) to live together in the home under a rental agreement with us. The Department of Behavior Health and Developmental Disabilities (DBHDD) administers the Medicaid waiver monies that will support the individuals to live in the community along with their social security disability monthly income. The home will be licensed by the Department of Community Health (DCH) as a Community Living Arrangement (CLA). Community Living Arrangement (CLA) means any residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, supports, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Department of Behavioral Health and Developmental Disabilities (DBHDD). Attached to this Letter of Intent is an explanation from DCH regarding what a CLA is and what it is not. State Rules and regulations for Community Living Arrangements can be found in detail at this website (It is 44 pages long). https://dch.georgia.gov/sites/dch.georgia.gov/files/imported/vgn/images/portal/cit 1210/44/55/152311939CLAR ULES0209.pdf

DBHDD requires the home to be licensed by the Department of Community Health (DCH). DBHDD will oversee the care of the resident renters in accordance with federal and state laws, and regulations. A business license will be obtained from the City of Tucker.

The provision of care will be provided through Complete Care at Home, LLC, a company owned and operated by Lisa M. Reisman, a certified nurse practitioner. Complete Care at Home, LLC is a licensed private home care provider by DCH, and is an approved provider of care with DBHDD. License attached to this application. Complete Care at Home, LLC is also a Joint Commission accredited agency. The Joint Commission is an organization that benchmarks quality care in the USA. Certificate attached to application. Lisa M. Reisman, MSN, CNP has owned Complete Care At Home for 3.5 years and before that Ozrim, LLC dba CareMinders Home Care for 10 years. She has been providing home and community based services to the IDD community and to seniors for 13.5 years throughout metro Atlanta area. She currently owns and operates another Community Living Arrangement (CLA) in Marietta, Ga.

Staff will be in the home 24/7 to assist the individuals to live in the community with supports. Supports include assistance with activities of daily living (ie, bathing, grooming, toileting, meal preparation, transportation, laundry, housekeeping, ambulation) and nursing care as ordered by a physician (examples include but not limited to administration of medications, administrating of nutritional supplements via a feeding tube, monitoring of vital signs, monitoring of respiratory and GI systems). All residents have been determined appropriate to live in the community with supports by DBHDD.

Care provided in the home will meet the federal mandate under the Americans with Disabilities Act of 1990 and Olmstead, and complies with the rules and regulations under the Centers for Medicare/Medicare Home and Community Based Services (HCBS) settings rule. The residents will not have drug or alcohol addictions, will not have criminal records or charges, nor will they have challenging behaviors.

Renovations within the home have been completed to meet ADA compliance standards so that individuals with physical handicaps will have access to all parts of the home. City of Tucker has issued a certificate of occupancy. We are not adding to, tearing down, or modifying the outside of the home.

I have researched the Department of Community Health for other licensed homes within 1000ft and have found the nearest licensed home is over 1 mile from 2722 Regal Way, Tucker, GA.

https://dch.georgia.gov/documents/provider-directory



Community Living Arrangements (CLAs) Programs and Services Georgia Department of Community Health

Community Living Arrangement are residences, whether operated for profit or not, which undertake through their ownership or management to provide or arrange for the provision of daily personal services, supports, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Department of Behavior Health and Developmental Disabilities.

Exemptions:

- Boarding homes or rooming houses that provide no personal services other than lodging and meals;
- Facilities offering temporary or emergency shelter, such as those for the homeless or victims of family violence, respite homes serving persons for 30 days or less, or homes serving one person;
- Emergency receiving, evaluation, and treatment facilities that provide medical and nursing services and that are approved by the state and regulated under other more specific authorities;
- Facilities providing residential services for federal, state, or local correctional institutions under the jurisdiction of the criminal justice system;
- Hospices that serve terminally ill persons as defined in O.C.G.A. § 31-7-172(3);
- Therapeutic substance abuse treatment facilities and residences that are not intended to be an individual's permanent residence;
- Group residences organized by or for persons who choose to live independently and manage their own care and who share the cost of services including but not limited to attendant care, transportation, rent, utilities, and food preparation;
- Charitable organizations providing shelter and other services without charging any fee to the resident and without billing other agencies for services provided;
- Residences in which a person lives with his or her family;
- Residences in which a person lives under his or her own lease or warranty deed, in which the
 agency providing services does not manage the person's residence and the resident is not
 required to move when the agency providing services is changed;
- Apartments or other clustered residential arrangements where staff is available that are
 developed as permanent housing for adults with mental illness, in which each person lives within
 his or her residential arrangement without immediate support of staff; or
- Personal care homes as defined in Chapter 111-8-62

Type Regulation:

A home must obtain a license.

Legal Authority:

O.C.G.A. § 31-2-4 Department's power, duties, functions

Rules:

- <u>Rules and Regulations for Community Living Arrangements</u>, Chapter 290-9-37, effective November 13, 2002; updated February 12, 2008.
- Enforcement of Licensing Requirements, Chapter 111-8-25, effective August 3, 2010

Fees:

License: \$350 Annually



7.3.4 and **7.3.5**-- City of Tucker Zoning Ordinance lists standards and factors that are found to be relevant for evaluating applications for amendments to the comprehensive plan map and the Official Zoning map- *This is not applicable because we are not requesting a change to the zoning of the home or changes to the comprehensive plan map.*

7.4.6. Special land use permit; criteria to be considered. The following criteria shall be considered by the community development department, the planning commission, and the mayor and city council in evaluating and deciding any application for a special land use permit. No application for a special land use permit shall be granted by the mayor and city council unless satisfactory provisions and arrangements have been made concerning each of the following factors, all of which are applicable to each application, and the application is in compliance with all applicable regulations in Article 4:

We, Lisa M. Reisman and Dr. A. Gerald Reisman, own 2722 Regal Way, Tucker, GA, 30084, located in the City of Tucker (Parcel ID 18 250 02 101). We are requesting a special land use permit from the City of Tucker, Ga for the home at 2722 Regal Way, Tucker Ga 30084 (zoned residential). The home is located on a street with 8 others homes. The City of Tucker currently allows for 3 unrelated individuals to live in a home together. I am requesting an allowance for 4 unrelated people with an intellectual and developmental delay (for example, Down Syndrome or Autism) to live together in the home under a rental agreement with us. The Department of Behavior Health and Developmental Disabilities (DBHDD) administers the Medicaid waiver monies that will support the individuals to live in the community along with their social security disability monthly income. DBHDD requires the home to be licensed by the Department of Community Health (DCH). The home will be licensed by DCH as a Community Living Arrangement (CLA). Community Living Arrangement (CLA) means any residence, whether operated for profit or not, that undertakes through its ownership or management to provide or arrange for the provision of daily personal services, supports, care, or treatment exclusively for two or more adults who are not related to the owner or administrator by blood or marriage and whose residential services are financially supported, in whole or in part, by funds designated through the Department of Behavioral Health and Developmental Disabilities (DBHDD). State Rules and regulations for Community Living Arrangements can be found in detail at this website.

https://dch.georgia.gov/sites/dch.georgia.gov/files/imported/vgn/images/portal/cit 1210/44/55/152311939CLAR ULES0209.pdf

DBHDD will oversee the care of the resident renters in accordance with federal and state laws, and regulations. A business license will be obtained from the City of Tucker.

The provision of care will be provided through Complete Care at Home, LLC, a company owned and operated by Lisa M. Reisman, a certified nurse practitioner. Complete Care at Home, LLC is a licensed private home care provider by DCH, and is an approved provider of care with DBHDD. Licenses attached to this application. Complete Care at Home, LLC is also a Joint Commission accredited agency. The Joint Commission is an organization that benchmarks quality care in the USA. Certificate attached to application.

Staff will be in the home 24/7 to assist the individuals to live in the community with supports. Supports include assistance with activities of daily living (ie, bathing, grooming, toileting, meal preparation, transportation, laundry, housekeeping, ambulation) and nursing care as ordered by a physician (examples include but not limited to administration of medications, administrating of nutritional supplements via a feeding tube, monitoring of vital signs, monitoring of respiratory and GI systems). All residents have been determined appropriate to live in the community with supports by DBHDD.

Care provided in the home will meet the federal mandate under the Americans with Disabilities Act of 1990 and Olmstead, and complies with the rules and regulations under the Centers for Medicare/Medicare Home and Community Based Services (HCBS) settings rule. The residents will not have drug or alcohol addictions, will not have criminal records or charges, nor will they have challenging behaviors.

Renovations within the home have been completed to meet ADA compliance standards so that individuals with physical handicaps will have access to all parts of the home. City of Tucker has issued a certificate of occupancy. We are not adding to, tearing down, or modifying the outside of the home.

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 residential home (2876 square feet) has 4 bedrooms and each individual would have their own room. There are 2 bathrooms for the residents plus an additional half bath for the staff to use. The lot size is 0.5 acres with a lot width of

152 ft by lot depth of 135 ft. The interior of the home has been renovated to meet ADA standards for any individual that needs physical accommodations. The home's renovations complied with the City of Tucker's permitting rules and regulations. The home was issued a Certificate of Occupancy July 2019.

The home has a 2 car garage and space for 5 additional cars in the concrete paved driveway. Off street parking, is not needed to accommodate the residents and caregivers. We are not requesting rezoning. There is a front yard, and back yard with a deck for the individuals to enjoy. The back yard is fenced in.

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

The home is a single family home zoned residential and located in a neighborhood that allows the property to be rented. The residents will be renting the home from the owner. The provision of their care requires the home to be licensed for their protection. There are currently other licensed CLA's in the city of Tucker but none within a 0.5 mile radius of 2722 Regal Way that could be found.

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

The 4 residents will enjoy use of the public parks and facilities in the same capacity as 3 residents. The water and sewer is Dekalb County, Scana Energy provides the gas, and Georgia Power provides the electricity. Garbage pickup is Dekalb County. No generated medical waste is anticipated. If this changes in the future, Stericyle is the contracted agency to handle any biohazard material via Complete Care At Home, LLC.

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 use proposed so as not to unduly increase traffic and create congestion in the area.

Typically 2 staff will be on site (1 nurse and 1 nurse assistant/home manager). There will be 2 times per day that staff will change shift: 1) between 7am and 8am, and 2) between 7pm and 8pm. The street has traffic in both directions and can accommodate this staffing time change. Resident's families will visit also when they wish to see their loved one. Monthly, an outside agency that is contracted through DBHDD will visit the home to audit for compliance with all federal, state, and local rules and regulations.

E. 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 per Article 7.

One unmarked handicapped accessible van will be in the driveway or garage. This van will be used to accommodate individuals that are wheelchair bound that need transportation to and from community outings. No labels or signage will be on the van. There will be NO sign erected that identifies this residence as a licensed home. It will continue to look like any other home in the neighborhood.

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 fire or other emergency.

The ingress and egress on Regal Way can be accessed from either Henderson Road at one end or Palace Court at the other end. Fire and emergency vehicles can easily enter and exit because Regal Way is a 2 way street.

G. 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 the proposed use.

No adverse impacts will be created to any adjoining land use by reason of noise, smoke, odor, dust, or vibration from any activity in or on the property of 2722 Regal Way. The home will used the same whether 3 people or 4 people are renting the home. Activities of daily living are conducted in and around the home.

H. 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.

Care of the individuals living in the home will have staff 24/7 available to assist them with toileting, bathing, grooming, ambulation, meal preparation, laundry and housekeeping.

I. 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.

We do not anticipate any adverse impacts on any adjoining land use since the same activities that we will be assisting the residents with is the same as the activities that other home owners can do for themselves.

J. Whether or not the proposed use is otherwise consistent with the requirements of the zoning district classification in which the use is proposed to be located.

The home is zoned residential. We are not seeking a different zoning classification.

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

 City of Tucker has a major theme in its comprehensive plan: Promoting Connectivity and Community. Quoted from the City of Tuckers Comprehensive Plan

 https://www.tuckerga.gov/document_center/Tucker%20Tomorrow/Tucker-Comprehensive-Plan.pdf

 "The purpose of this plan is to carry forward this legacy of creating community." Every family in some way is touched by a family, friend, or neighbor with an intellectual or developmental disability. Our residents want to belong to a community and seen as having a valuable role in living in the community versus an institution. I believe providing this home in the community for our IDD individuals to live and participate aligns with the City of Tucker's plan for "Today, Tomorrow, Together".
- L. Whether or not 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.

No buffer zones apply.

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

Dekalb County waste management will pick up the household garbage just like the other homes in the neighborhood.

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

 The length of time for which the Special land use permit is granted should not be limited in duration as the residents would like the right to rent the home as long as they are happy to live in it.
- 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 lot size is in line with other lot sizes in the neighborhood. We are not requesting to change the size of the home or lot. Attached to this application is a map detailing all adjacent lots and their sizes.

- P. Whether the proposed use will adversely affect historic buildings, sites, districts, or archaeological resources.
 - The proposed use will not adversely affect any historic buildings, site, districts, or archaeological resources.
- Q. Whether the proposed use satisfies the requirements contained within the supplemental regulations for such special land use permit.

The proposed use satisfies the requirements contained within the supplemental regulations for such SLUP.

R. Whether or not the proposed use will create a negative shadow impact on any adjoining lot or building as a result of the proposed building height.

The SLUP permit allowing rental of the home to 4 unrelated residents with intellectual and developmental disabilities will not create a negative shadow impact on any other adjoining lot or building as a result of the building height because we are not changing the building height.

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

I do not believe that renting to 4 unrelated individuals with intellectual and developmental disabilities will cause a disproportionate proliferation of similar rental homes in the area. Our google search for other licensed community living arrangements yielded no one within a 0.5mile radius.

T. 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.

Having a home that provides care to individuals with intellectual and developmental disabilities(IDD) is in line with the comprehensive plan for the City of Tucker. The plan seeks to provide quality residential opportunities for all of the City of Tucker's residents. Many aging parents of children with IDD are seeking quality care in their community for their loved ones. Tucker is a diverse city that seeks to create a since of community for all individuals. This home will provide for community inclusion in a safe neighbor that supports and embraces diversity.

7.4.7. Additional criteria for specified uses.

In addition to the criteria contained in section 7.4.6 above, for which each applicant for a special land use permit is required to provide information, the following additional criteria shall apply to specific uses as specified below. No application for a special land use permit for the uses specified below shall be granted by the mayor and city council unless it is determined that, in addition to meeting the requirements contained within the zoning district in which such property is located and the criteria contained in section 7.4.6 above, and complying with applicable regulations in Article 4, satisfactory provisions and arrangements have been made concerning each of the following criteria:

- A. Telecommunications towers and antennas. In determining whether to authorize a special land use permit for a telecommunication tower or antenna, the mayor and city council shall comply with and apply the requirements of section 4.2.57. NOT APPLICABLE
- B. Mine, mining operation, gravel pit, quarry, or sand pit. In determining whether to authorize a special land use permit for a mine, mining operation, gravel pit, quarry, or sand pit, the mayor and city council shall also consider each of the following criteria: NOT APPLICABLE
- C. Child day care facility. In determining whether to authorize a special land use permit for a child day care facility, the mayor and city council shall also consider each of the following criteria: NOT APPLICABLE
- D. Biomedical waste disposal facilities, disposal facilities, landfills, solid waste disposal facilities, solid waste landfills, private industry solid waste disposal facilities, solid waste handling facilities, solid waste thermal treatment technology facilities, and disposal facilities for hazardous and/or toxic materials including radioactive materials. NOT APPLICABLE
- **7.5.3** Applications for variances; and criteria to be used by the zoning board of appeals in deciding applications for variances. **NOT APPLICABLE**

Supplemental Criteria Addressed

Sec. 46-1185. - Personal care homes and child caring institutions.

- (a) Personal care homes, general requirements.
 - (1) Each personal care home must obtain all licenses and/or permits required by the state in order to operate. Each personal care home licensed and/or permitted by the state must display its state-issued licenses and/or permits in plain view, visible from the front doorway of the facility. The state-issued license and/or permits will be displayed at the front doorway once obtained.
 - (2) No personal care home may display any exterior signage that violates the sign ordinance in chapter 34 or the sign provisions in the zoning regulations for the underlying zoning district where the personal care home is located. <u>There will be no signs erected on the property for any reason.</u>
 - (3) Personal care homes may apply for an FHA Accommodation Variance as provided for in section 46-1639. <u>There is no need for an FHA Accommodation Variance and will not be</u> <u>requested.</u>
- (b) Personal care home, group (four to six persons).
 - (1) Two copies of complete architectural plans for the subject group personal care home, signed or sealed by a registered architect, shall be submitted to the community development director prior to issuance of a building permit or business license. <u>No changes to the interior of the home are being requested.</u>
 - (2) Each group personal care home must provide at least four parking spaces within a driveway, garage or carport and must comply with any applicable requirements in article VI of this chapter.

 The 2 car garage and the driveway can easily accommodate 7 cars. See attached drawing.
 - (3) In order to prevent institutionalizing residential neighborhoods, no group personal care home located in the RE, R-LG, R-100, R-85, R-75, R-50, R-SM, or MR-1 zoning district may be operated within 1,000 feet of any other group personal care home. The 1,000 foot distance requirement is measured by a straight line which is the shortest distance (i.e., "as the crow flies") between the property lines of the two tracts of land on which the group personal care homes are located. I contacted Department of Community Health and they showed me how to search on their website all licensed homes in the 30084 zip code. The nearest licensed community living arrangement or personal care home is over 1 mile away. I could not find any licensed homes within 1000 feet of 2722 Regal Way.

(Ord. No. 2016-06-07, att. (4.2.41), 7-11-2016)

RECEIVED City of Tucker

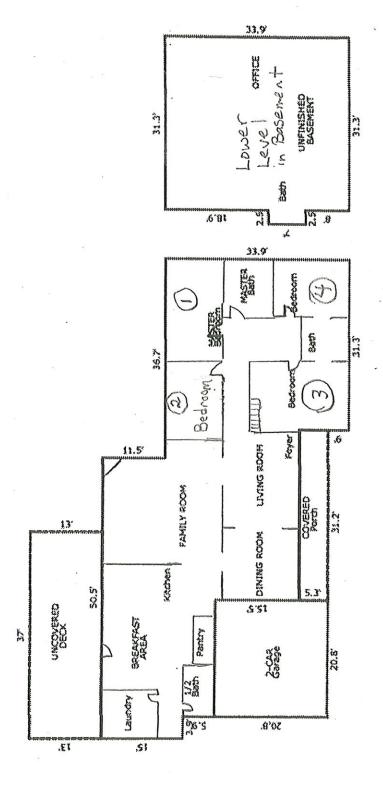
AUG 22 2018

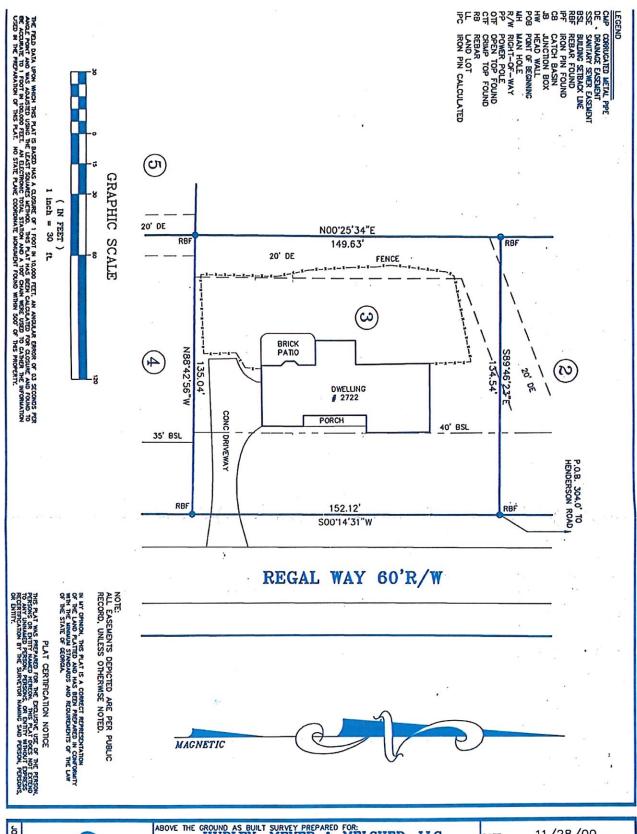
Community Development
Department

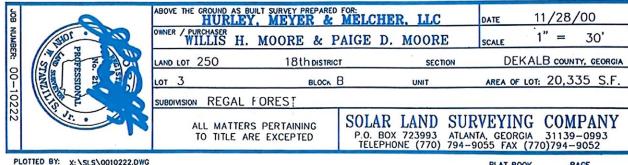
ayout of house with walls 0 RECEIVED
City of Tucker

AUG 22 2018

Community Development Department

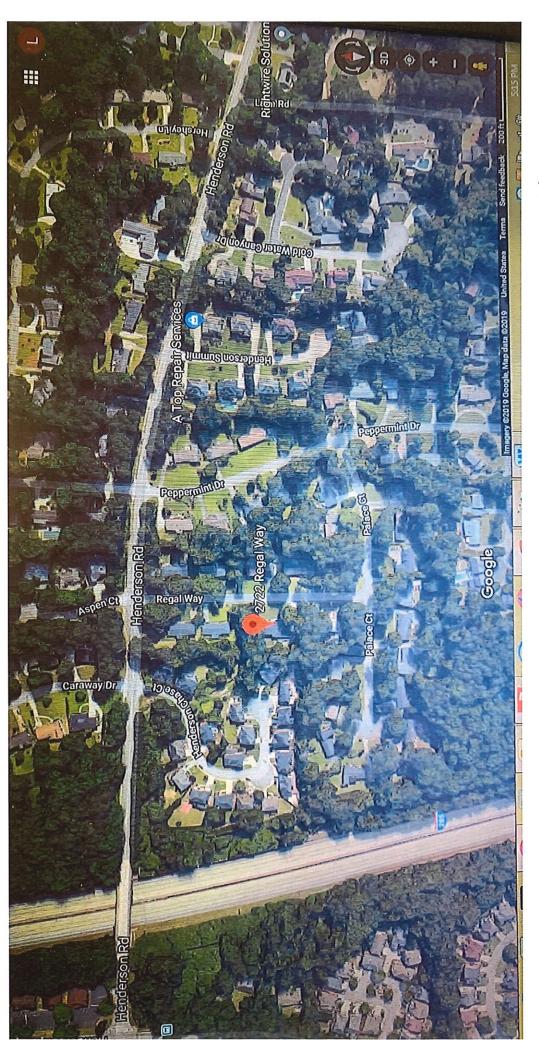






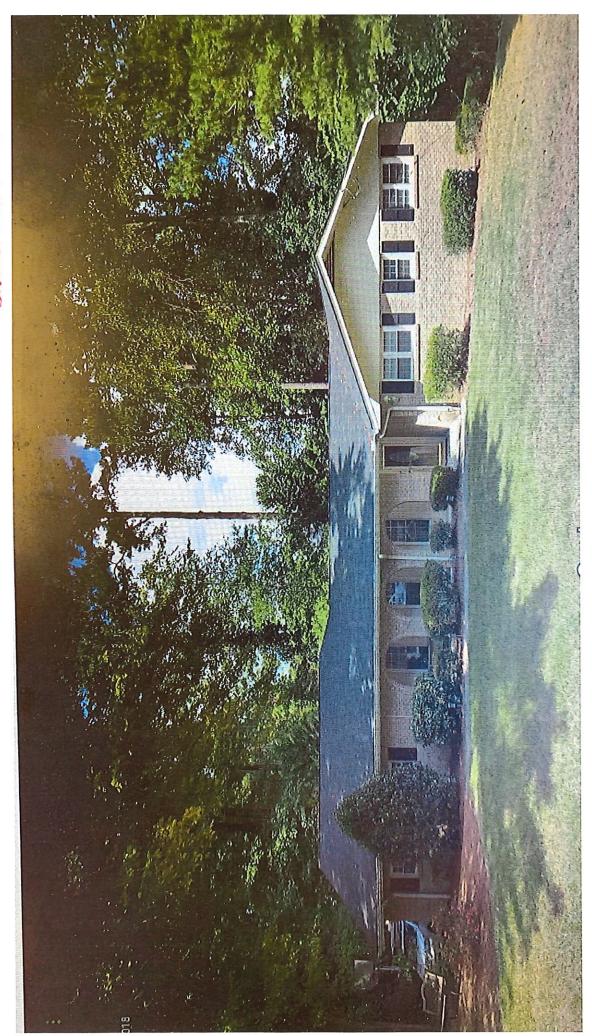
PLOTTED BY: X: \SLS\0010222.DWG

PLAT BOOK _ DEED BOOK _ PAGE

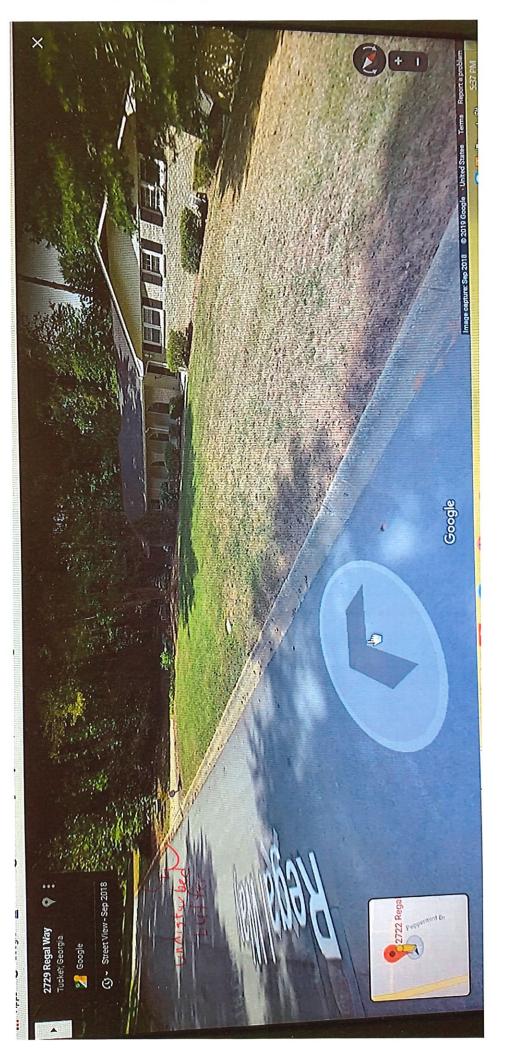


 $Z \leftarrow V$

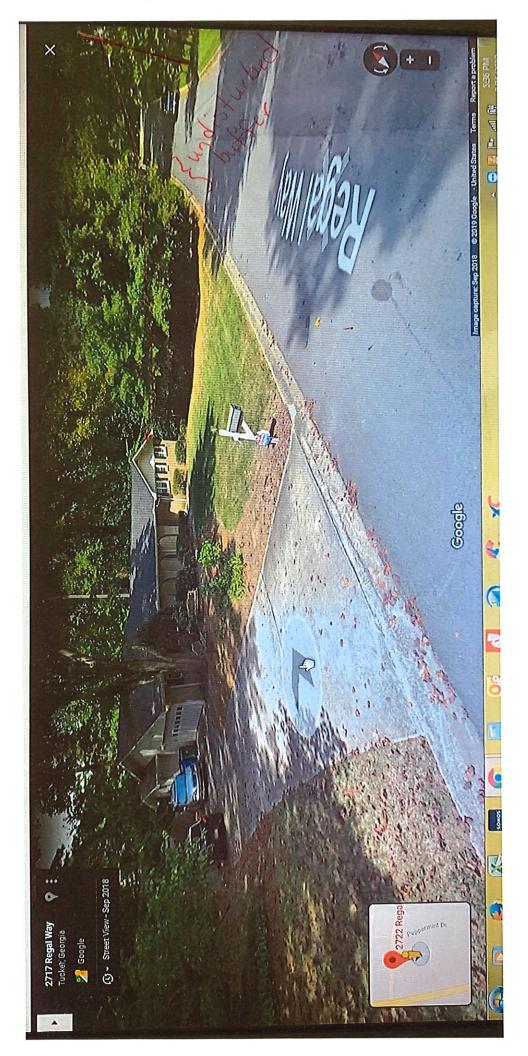
Building Elevations-Single Story



2722 Regal Way, Tucker



Speed Limit is 15 miles per hour



- Driveway showing parking spaces - Dekalb county water and semer





PROFESSIONAL LICENSING

GEORGIA SECRETARY OF STATE BRAD RAFFENSPERGER

CORPORATIONS • ELECTIONS • LICENSING • CHARITIES

Licensee Details

Licensee Information

Name: Lisa Marleen Reisman Address: 7620 Wolf Brook Dr

Atlanta GA 30350

Primary Source License Information

Lic#: RN081008

Profession: Registered Professional Nurse

Type:

Advanced Practice - NP

Secondary:

Method:

Initial Authority

Status: Active

issued:

5/22/1997

Expires:

1/31/2020

Renewal 1/23/2018

Date:

Associated Licenses

Relationship: Self Automatic

Licensee:

Reisman, Lisa Marleen

License Type:

Registered Prof Nurse - Single State

License #:

RN081008

License Status:

Active

Established: 5/22/1997

Association

Date:

Expiry:

Type:

Prerequisite User

Public Board Orders

Please see Documents section below for any Public Board Orders

Other Documents

No Other Documents

Data current as of: August 16, 2019 15:1:58

This website is to be used as a primary source verification for licenses issued by the Professional Licensing Boards. Paper verifications are available for a fee. Please contact the Professional Licensing Boards at 478-207-2440.



STATE OF GEORGIA LICENSE

COMPLETE CARE AT HOME LLC (Name of Governing Body)	COMPLETE CARE AT HOME LLC	(Name of Facility) COMPANION OR SITTER	DUNWOODY , County of DEKALB , Georgia.	April 30, 2020	l in the Department of Community Health, Official Code of Georgia, Annotated Title 31, Chapter 7, ind Regulations of the Department of Community Health on the date this license was issued."	ERABLE	License No: 060-R-0250	day of MARCH, 2019	HEALTHCARE FACILITY REGULATION DIVISION	Melani dinor	Melanie Simon, Division Chief
000		(Name of Facility) NURSING, PERSONAL CARE, AND COMPANION OR SITTER	SUITE 140 in	May 01, 2019 through	ested in the Department of Communit Jies and Regulations of the Departme	THIS LICENSE IS NOT TRANSFERABLE		t our hand this			W
This is to certify that a license is hereby granted to	o operate as a Private Home Care Provider named as	NU	ocated at 11 DUNWOODY PARK SUIT (Street)	This license is effective	"This license is granted pursuant to the authority vested and signifies that the provider complies with the Rules a			In Witness Whereof, we have hereunto set our	GEORGIA DEPARTMENT OF COMMUNITY HEALTH	Waivers/Variances Granted: Rule #:	Rule #: (The Letter Outlining These Conditions Shall be Posted)

Complete Care At Home, LLC

Dunwoody, GA

has been Accredited by



The Joint Commission

Which has surveyed this organization and found it to meet the requirements for the

Home Care Accreditation Program

October 3, 2018

Accreditation is customarily valid for up to 36 months.

Craig W. Jones, FACHE Chair, Board of Commissioners ID #489957

Print/Reprint Date: 12/18/2018

Mark R. Chassin, MD, FACP, MPP, MPH

President

The Joint Commission is an independent, not-for-profit national body that oversees the safety and quality of health care and other services provided in accredited organizations. Information about accredited organizations may be provided directly to The Joint Commission at 1-800-994-6610. Information regarding accreditation and the accreditation performance of individual organizations can be obtained through The Joint Commission's web site at www.jointcommission.org.













REZONING, COMPREHENSIVE PLAN AMENDMENT, SPECIAL LAND USE PERMIT, AND CONCURRENT VARIANCE

Purpose & Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review the application(s). Please contact Courtney Smith at csmith@tuckerga.gov to schedule an appointment. This form will be completed during the pre-application meeting. After completing the pre-application meeting, the applicant may file the Land Use Petition.

SPECIAL LAND USE PERMIT PRE-APPLICATION FORM Purpose & Process

A Pre-Application Meeting provides you the opportunity to present a conceptual plan and letter of intent to a representative of the Community Development Department. This meeting benefits you, the applicant, by receiving general comments on the feasibility of the plan, the process(es)/procedure(s) and fees required to process and review the application(s). Please contact Courtney Smith at csmith@tuckerga.gov to schedule an appointment. This form will be completed during the pre-application meeting. After completing the pre-application meeting, the applicant may file the Land Use Petition.

Applicant:

Lisa M. Reisman, MSN, CNP

Site Address: 2722 Regal Way, Tucker, GA

Parcel Size: 0.47-acre property

Proposal Description:

Applicant requests a proposal for a Personal Care Home in the R-100 (Residential Medium Lot-100) zone district.

Existing Zoning Designation and Case Number: R-100 zoning designation

Proposed Zoning Designation: R-100 CV: None

Proposed SLUP Request: To allow a Personal Care Home in the R-100 zoning designation.

CV: None proposed. GIS reviewing Business Tax Licenses to determine if any existing Personal Care Home are

within 1000 feet.

Comprehensive Land Use Map Designation: Neighborhood Center

Overlay District: N/A

Staff: Tim Lampkin, Courtney Smith, Rosie Mafe

Date: 3/18/2019

Applicant Signature / Date Lun Meiner 3/18/19

Property Appraisal Department

Property Overview

8/9/2019 9:57:39 AM

R100 - SF RES DIST

R3 - RESIDENTIAL LOT

0

0.5

0460

Parcel ID: 18 250 02 101

To view map, click on parcel ID number.

Owner Information

Tax District Jan. 1 st <u>Owner</u>

90 - TUCKER MOORE WILLIS H

MOORE PAIGE D REISMAN ARTHUR GERALD

Current Owner Co-Owner

Co-Owner

Current Owner Address

Property Address

Date Notice Mailed

7620 WOLF BROOK DR CLEVELAND GA 30528

REISMAN LISA MARLEEN

2722 REGAL WAY

5/31/2019

2019 N - C.O.A. Notice

Process Code Hearing Date Hearing Time

Appeal Code

Zoning

Land Use

101 - Residential 1 family **Land Unit** 1 LOT

Calculated Acreage Deeded Acreage

Neighborhood **Property Class**

Appeal Status

2018

N - C.O.A. Notice

Assessment Notice

You may need to download Adobe Acrobat Reader. It is available at

Tax Year - ASMT Notice or Letter

2019 - Notice 1 2018 - Notice 1 2017 - Notice 1

The online appeal application is unavailable. Your letter of appeal must be hand-delivered or POSTMARKED BY THE U.S. POSTAL SERVICE by the Appeal Deadline Date shown on the front of your 2019 Notice to ensure acceptance as a timely appeal. If you do not file an appeal by this date, your right to file an appeal will be lost. Late appeals will not be processed.

Building Characteristics

Year Built	1968	Square Footage	2,876
Condition Code	AVERAGE	Unfinished Basement	964 Sq. Ft.
Quality Grade	AVERAGE PLUS	Finished Basement	o Sq. Ft.
Air Conditioning	YES	Bedrooms	4
Fireplace	1	Bathrooms	3
Stories	1		

Current Appraised & Assessment Value

Tax Year	Total Appraised	Taxable Land	Taxable Imp.	Total Taxable	Total Taxable Assessment (40%)
2019	\$310,200	\$95,000	\$215,200	\$310,200	\$124,080

Sales History

Book/Page	Sale Date	Deed Type	Sale Condition	Sale Price
27452 - 00797	03-25-2019	LW - LIMITEDWARRANTY DEED	o - VALID SALE FMV	\$352,000.00
11743 - 00484	11-30-2000	WD - WARRANTY DEED	o - VALID SALE FMV	\$206,700.00
06122 - 00181	04-26-1988	WD - WARRANTY DEED	o - VALID SALE FMV	\$144,000.00
03220 - 00141	08-05-1974	WD - WARRANTY DEED	o - VALID SALE FMV	\$0.00

Sales which occurred prior to January 1 of this year were used to establish values for the current year. All sales which take place after January 1 will be considered for next year's valuations. These sales are provided for your convenience and may not have been verified or confirmed by our staff. We reserve the right to edit as needed.

Sales Data Search

Detailed Property Data

Property Tax Data

Property Tax Information Results

Parcel ID:18 250 02 101

Print

Back

Land Data						
Neighborhood	Commercial Land Use	Zoning	Unit Type	Unit Size		
0460 - 101	N/A	R100 - SF RES DIST	Gross	1.00		

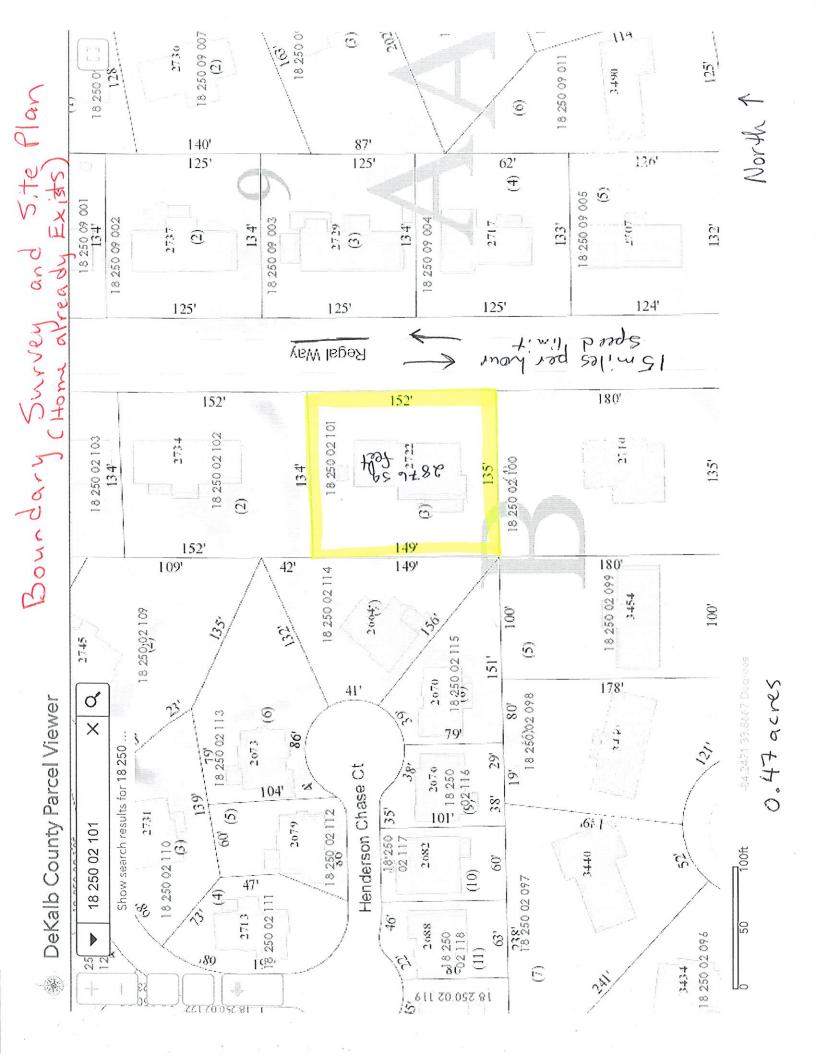
Building Information Building #1 - Residential Building Characteristics Improvement Type 09-SINGLE FAMILY RESIDENTIAL Condition AVERAGE Quality Grade | AVERAGE PLUS Economic Obsolescence 0 Actual Year Built 1968 Functional Obsolescence 0 **Building Refinements** Baths 3 Bedrooms 4 **Finished Basement** Basement Area 964 0 Fireplaces 1 Air Conditioning YES Number Story 1 **Square Footage** 2,876

Building Permit Data							
Permit Number	Permit Date	Completion Date	Permit Amount	Description			
135628	6/18/2003	11/3/2003	36,000	ADDITION			
135629	10/23/2003	12/19/2003	4,000	ADDITION			

History of Values							
Tax Year	Total Appraised	Taxable Land	Taxable Improvement	Total Taxable	Total Assessment		
2019	310,200	95,000	215,200	310,200	124,080		
2018	226,100	62,200	163,900	226,100	90,440		
2017	223,600	62,200	161,400	223,600	89,440		
2016	238,200	62,200	176,000	238,200	95,280		
2015	270,000	62,200	207,800	270,000	108,000		
· 2014	256,900	62,200	194,700	256,900	102,760		
2013	256,900	62,200	194,700	256,900	102,760		
2012	256,900	62,200	194,700	256,900	102,760		
2011	252,200	61,500	190,700	252,200	100,880		
2010	252,200	48,600	203,600	252,200	100,880		
2009	252,200	48,600	203,600	252,200	100,880		
2008	252,200	48,600	203,600	252,200	100,880		
2007	252,200	48,600	203,600	252,200	100,880		
2006	252,200	48,600	203,600	252,200	100,880		
2005	252,200	48,600	203,600	252,200	100,880		

For information on property characteristics, contact (404) 371-2:171.

Beck



ENVIRONMENTAL SITE ANALYSIS (ESA) FORM

Analyze the impact of the proposed rezoning and provide a written point-by-point response to Points 1 through 3:

1. <u>CONFORMANCE WITH THE COMPREHENSIVE PLAN</u>. Describe the proposed project and the existing environmental conditions on the site. Describe adjacent properties. Include a site plan that depicts the proposed project.

Describe how the project conforms to the Comprehensive Land Use Plan. Include the portion of the Comprehensive Plan Land Use Map which supports the project's conformity to the Plan. Evaluate the proposed project with respect to the land use suggestion of the Comprehensive Plan as well as any pertinent Plan policies.

We, Lisa M. Reisman and Dr. A. Gerald Reisman, own 2722 Regal Way, Tucker, GA, 30084, located in the City of Tucker (Parcel ID 18 250 02 101). We are requesting a special land use permit from the City of Tucker, Ga for the home at 2722 Regal Way, Tucker Ga 30084 (zoned residential). The home is located on a street with 8 others homes. The City of Tucker currently allows for 3 unrelated individuals to live in a home together. I am requesting an allowance for 4 unrelated people with an intellectual and developmental delay (for example, Down Syndrome or Autism) to live together in the home under a rental agreement with us. The Department of Behavior Health and Developmental Disabilities (DBHDD) administers the Medicaid waiver monies that will support the individuals to live in the community along with their social security disability monthly income. DBHDD requires the home to be licensed by the Department of Community Health (DCH). The home will be licensed by DCH as a Community Living Arrangement (CLA). DBHDD will oversee the care of the resident renters in accordance with federal and state laws, and regulations. A business license will be obtained from the City of Tucker.

The provision of care will be provided through Complete Care at Home, LLC, a company owned and operated by Lisa M. Reisman, a certified nurse practitioner. Complete Care at Home, LLC is a licensed private home care provider by DCH, and is an approved provider of care with DBHDD. Licenses attached to this application. Complete Care at Home, LLC is also a Joint Commission accredited agency. The Joint Commission is an organization that benchmarks quality care in the USA. Certificate attached to application.

Staff will be in the home 24/7 to assist the individuals to live in the community with supports. Supports include assistance with activities of daily living (ie, bathing, grooming, toileting, meal preparation, transportation, laundry, housekeeping, ambulation) and nursing care as ordered by a physician (examples include but not limited to administration of medications, administrating of nutritional supplements via a feeding tube, monitoring of vital signs, monitoring of respiratory and GI systems). All residents have been determined appropriate to live in the community with supports by DBHDD.

Care provided in the home will meet the federal mandate under the Americans with Disabilities Act of 1990 and Olmstead, and complies with the rules and regulations under the Centers for Medicare/Medicare Home and Community Based Services (HCBS) settings rule. The residents will not have drug or alcohol addictions, will not have criminal records or charges, nor will they have challenging behaviors.

Renovations within the home have been completed to meet ADA compliance standards so that individuals with physical handicaps will have access to all parts of the home. City of Tucker has issued a certificate of occupancy. We are not adding to, tearing down, or modifying the outside of the home.

City of Tucker has a major theme in its comprehensive plan: Promoting Connectivity and Community. Quoted from the City of Tuckers Comprehensive Plan

https://www.tuckerga.gov/document_center/Tucker%20Tomorrow/Tucker-Comprehensive-Plan.pdf

"The purpose of this plan is to carry forward this legacy of creating community." Every family in some way is touched by a family member, friend, or neighbor with an intellectual or developmental disability. Our residents want to belong to a community and seen as having a valuable role in living in the community versus an institution. I believe providing this home in the community for our IDD individuals to live and participate aligns with the City of Tucker's plan for "Today, Tomorrow, Together". The only difference between this home and another home on the street is that the residents needs staff assistance. This assistance is no different than an elderly person that needs assistance to remain in their own home.

- 2. <u>ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT</u>. For each environmental site feature listed below, indicate the presence or absence of that feature on the property. Describe how the proposed project may encroach or adversely affect an environmental site feature. Information on environmental site features may be obtained from the indicated source(s).
 - a. Wetlands
 - U. S. Fish and Wildlife Service, National Wetlands Inventory

(http://wetlands.fws.gov/downloads.htm)

- Georgia Geologic Survey (404-656-3214)
- Field observation and subsequent wetlands delineation/survey if applicable

There are no wetlands on the property.

- b. Floodplain
 - Federal Emergency Management Agency (http://www.fema.org)
 - Field observation and verification

The property is not located in a Floodplain

- c. Streams/stream buffers
 - · Field observation and verification

There are no streams or stream buffers on the property.

- d. Slopes exceeding 25 percent over a 10-foot rise in elevation
 - United States Geologic Survey Topographic Quadrangle Map
 - Field observation and verification

The property does not have a slope exceeding 25% over a 10-foot rise in elevation

- e. Vegetation
 - United States Department of Agriculture, Nature Resource Conservation Service
 - · Field observation

Vegetation on the property is consistent with other homes on the street.

- f. Wildlife Species (including fish)
 - United States Fish and Wildlife Service
 - Georgia Department of Natural Services, Wildlife Resources Division, Natural Heritage Program
 - Field observation

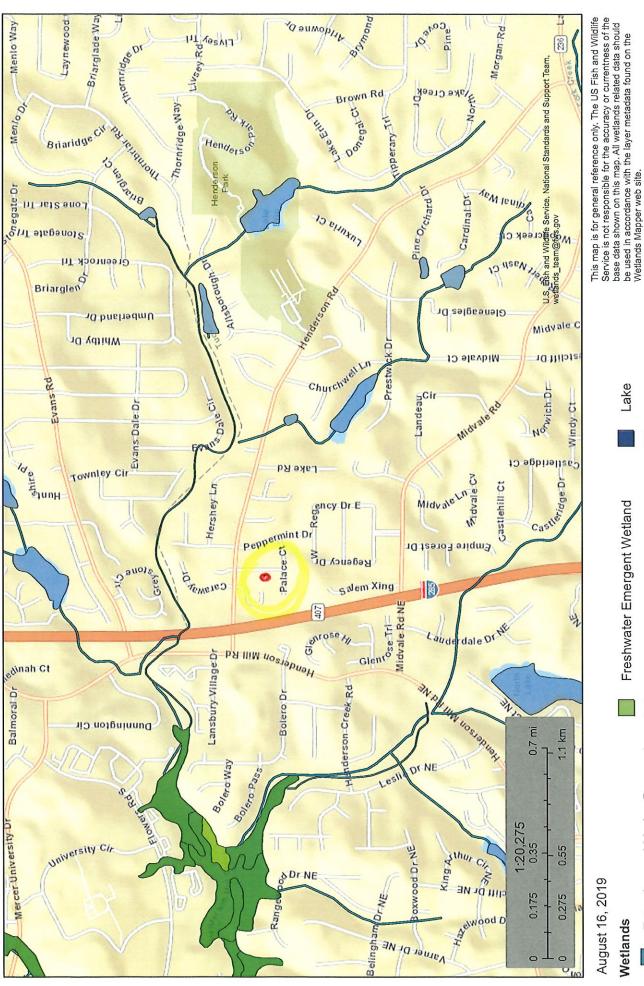
There is no pond or lake on or near the property. There is no wildlife on the property.

- g. Archeological/Historical Sites
 - Historic Resources Survey
 - Georgia Department of Natural Resources, Historic Preservation Division
 - Field observation and verification

The property is not listed as an archeological/historical site.

ENVIRONMENTAL SITE ANALYSIS (ESA) FORM (CONTINUED)

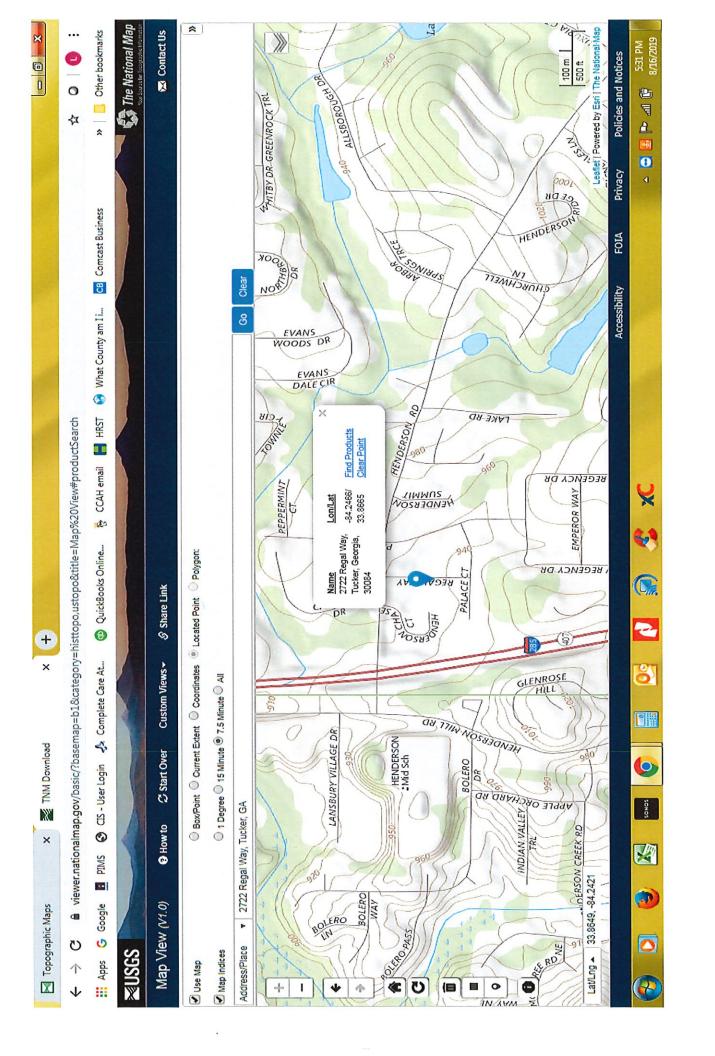
- PROJECT IMPLEMENTATION MEASURES. Describe how the project implements each of the measures listed below as applicable. Indicate specific implementation measures required to protect environmental site feature(s) that may be impacted.
 - a. Protection of environmentally sensitive areas, i.e., floodplain, slopes exceeding 25 percent, river corridors. **NOT APPLICABLE**
 - b. Protection of water quality **NOT APPLICABLE**
 - c. Minimization of negative impacts on existing infrastructure THE HOME HAVING 4 INDIVIDUALS
 LIVING IN IT WILL NOT NEGATIVELY IMPACT THE EXISTING INFRASTRUCTURE OF THE CITY OF
 TUCKER
 - d. Minimization on archeological/historically significant areas NOT APPLICABLE
 - e. Minimization of negative impacts on environmentally stressed communities where environmentally stressed communities are defined as communities exposed to a minimum of two environmentally adverse conditions resulting from public and private municipal (e.g., solid waste and wastewater treatment facilities, utilities, airports, and railroads) and industrial (e.g., landfills, quarries and manufacturing facilities) uses. **NOT APPLICABLE**
 - f. Creation and preservation of green space and open space *THE HOME IS AN EXISTING STRUCTURE. WE*ARE NOT CHANGING THE STRUCTURE OF THE HOME.
 - g. Protection of citizens from the negative impacts of noise and lighting THE HOME WILL NOT CREATE ANY NOISE OR LIGHTING ISSUES AND IS USED FOR RESIDENTIAL PURPOSES FOR THE 4 INDIVIDUALS
 - h. Protection of parks and recreational green space NOT APPLICABLE
 - i. Minimization of impacts to wildlife habitats **NOT APPLICABLE**



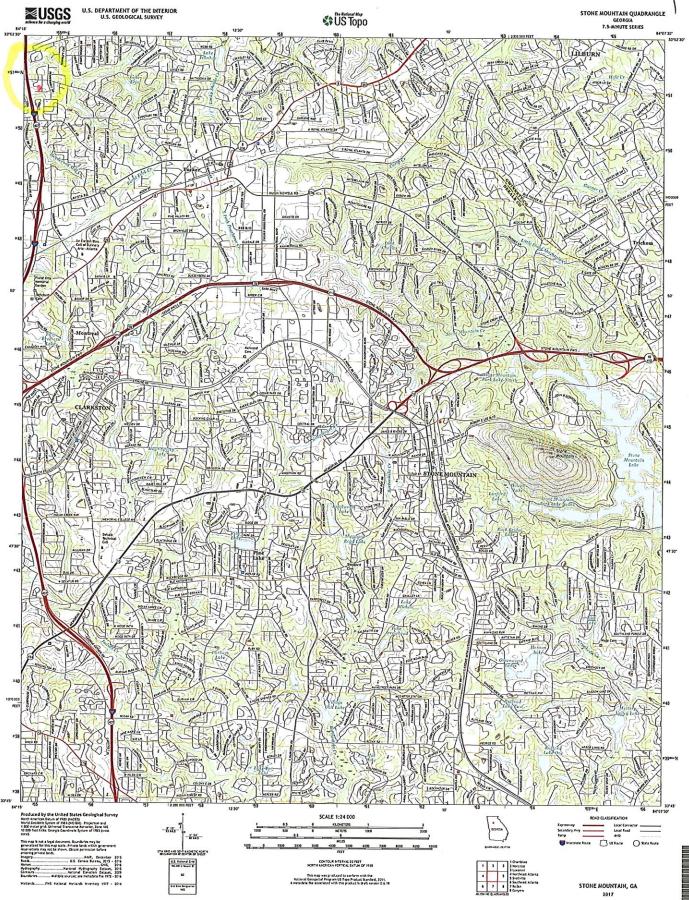
August 16, 2019

Wetlands

- Estuarine and Marine Deepwater
 - Estuarine and Marine Wetland
- Freshwater Pond
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Lake
- Other
- Riverine



0 = 2722 Regal Way





No Digital Data Available Digital Data Available **Effective FIRM Panels** River Mile Markers Unmapped Coastal Transects NFHL
LOMRs

Effective Cross-Sections

Profile Baselines

Transect Baselines

Limit of Moderate Wave Action

Political Jurisdictions

Levees

9 = Regal Way

General Structures

-84.242 33.869 Degrees