

Planning and Zoning
 1975 Lakeside Parkway, Suite 350
 Tucker, GA 30084
 Phone: 678-597-9040
 Email: permits@tuckerga.gov
 Website: www.tuckerga.gov

Land Use Petition Application

Slup-21-0003

Type of Application: Rezoning Comprehensive Plan Amendment Special Land Use Permit
 Concurrent Variance Modification

APPLICANT INFORMATION		
Applicant is the: <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Owner's Agent <input type="checkbox"/> Contract Purchaser		
Name: <i>Developmental Disabilities Ministries, Inc</i>		
Address: <i>3710 S. Marlborough Drive</i>		
City: <i>Tucker</i>	State: <i>GA</i>	Zip: <i>30084</i>
Contact Name: <i>Sylvia Crowe</i>		
Phone: <i>706 2078703</i>	Email: <i>scrowe@ddm.ga.org</i>	
OWNER INFORMATION		
Name: <i>Developmental Disabilities Ministries, Inc</i>		
Address: <i>6320 Amherst Court</i>		
City: <i>Prichard Corners</i>	State: <i>GA</i>	Zip: <i>30092</i>
Contact Name: <i>Ryan Whitmire</i>		
Phone: <i>770-623-4899</i>	Email: <i>rwhitmire@ddmga.org</i>	
PROPERTY INFORMATION		
Property Address: <i>3710 S. Marlborough Drive, Tucker, GA 30084</i>		
Present Zoning District(s):	Requested Zoning District(s):	
Present Land Use Category: <i>Residential</i>	Requested Land Use Category: <i>Residential</i>	
Land District: <i>18</i>	Land Lot(s): <i>143</i>	Acreage: <i>0.2 acres</i>
Proposed Development: <i>Existing</i>		
Concurrent Variance(s):		
RESIDENTIAL DEVELOPMENT		
No. of Lots/Dwelling Units: <i>1</i>	Dwelling Unit Size (Sq. Ft.): <i>2700</i>	Density:
NON-RESIDENTIAL DEVELOPMENT		
No. of Buildings/Lots: <i>NA</i>	Total Building Sq. Ft.:	Density:

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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), Modification (M) & Concurrent Variance (CV) in request of the items indicated below.

I, DDM, authorize, Sylvia Crowe
(Property Owner) (Applicant)

to file for SLUP, at 3710 S. Marlborough Dr, Tucker, GA 30084
(RZ, CA, SLUP, M, CV) (Address)

on this date NOV, 10, 20 20
(Month) (Day)

- 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.

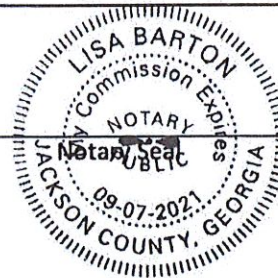
[Signature]
Signature of Property Owner

11/10/2020
Date

Ryan E Whitmire/CEO
Type or Print Name and Title

[Signature]
Signature of Notary Public

11/10/2020
Date



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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 (if YES, complete points 1 through 4);

NO (if NO, complete only point 4)

1. CIRCLE ONE: Party to Petition (if party to petition, complete sections 2, 3 and 4 below)
 In Opposition to Petition (if in opposition, proceed to sections 3 and 4 below)


2. List all individuals or business entities which have an ownership interest in the property which is the subject of this rezoning petition:

1. _____	5. _____
2. _____	6. _____
3. _____	7. _____
4. _____	8. _____

3. CAMPAIGN CONTRIBUTIONS:

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

4. The undersigned acknowledges that this disclosure is made in accordance with the Official Code of Georgia, Section 36-67A-1 et. seq. Conflict of interest in zoning actions, and that the information set forth herein is true to the undersigned's best knowledge, information and belief.

Name (print) Ryan E Whitmore
 Signature:  Date: 11/10/2020

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Environmental Site Analysis Form

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

1. Conformance with the Comprehensive Plan:

Developmental Disabilities Ministries, Inc. (DDM) owns 3710 S. Marlborough Drive, Tucker, Georgia 30084 located in the City of Tucker (Parcel ID 18 143 01 127). DDM is requesting a special land use permit from the City of Tucker, Georgia for the home at 3710 S. Marlborough Drive, Tucker Georgia 30084 (zoned residential). The home is located on a street with 27 other homes. The City of Tucker currently allows for 3 unrelated individuals to live in a home together. DDM is requesting an allowance for 4 unrelated individuals with an intellectual and developmental disability (for example, Down Syndrome, Autism) to live together in the home under a rental agreement with DDM. The Department of Behavioral Health and Developmental Disabilities (DBHDD) administers the Medicaid Wavier 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 Arrangements (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 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_1210/44/152311939CLARULES0209.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 DDM, a nonprofit, charitable corporation serving adults with developmental disabilities and their families. DDM is a licensed private home care provider by DCH and is an approved provider of care with DBHDD. Licenses attached to the application. DDM is also a CARF accredited agency. CARF is an organization that benchmarks quality of care internationally. Certificate attached to the application.

Staff will be in the home 24/7 (whenever the residents are there) to assist the individuals to live in the community with supports. Supports include assistance with activities of daily living (i.e., bathing, grooming, toileting, meal preparation, transportation, laundry, housekeeping, ambulation) and care as ordered by a physician (examples include but not limited to administration of medications, monitoring of vital signs, monitoring of respiratory and GI symptoms). 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 Acts of 1990 and Olmstead and complies with the rules and regulations under the Centers for Medicare/Medicaid Home and Community Based Services (HCBS) settings rate. The residents will not have drug or alcohol addictions.

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

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2. Environmental Impacts of the Proposed Project:

- a) Wetlands
 - There are no wetlands on the property.
- b) Floodplain
 - The property is not located in a floodplain.
- c) Streams/stream buffers
 - There are no streams or stream buffers on the property.
- d) Slopes exceeding 25 percent over a 10-foot rise in elevation.
 - The property does not have a slope exceeding 25% over a 10-foot rise in elevation.
- e) Vegetation
 - Vegetation on the property is consistent with other homes on the street.
- f) Wildlife Species (including fish)
 - There is no pond or lake on or near the property. There is no wildlife on the property.
- g) Archeological/Historical Sites
 - This property is not listed as an archeological/historical site.

3. Project Implementation Measures:

- a) NOT APPLICABLE
- b) NOT APPLICABLE
- c) The home having 4 individuals living in it will not negatively impact the existing infrastructure of the City of Tucker.
- d) NOT APPLICABLE
- e) NOT APPLICABLE
- f) The home is an existing structure. We are not changing the structure of the home.
- g) The home will not create any noise or lighting issues and is used for residential purposes for the 4 individuals.
- h) NOT APPLICABLE
- i) NOT APPLICABLE

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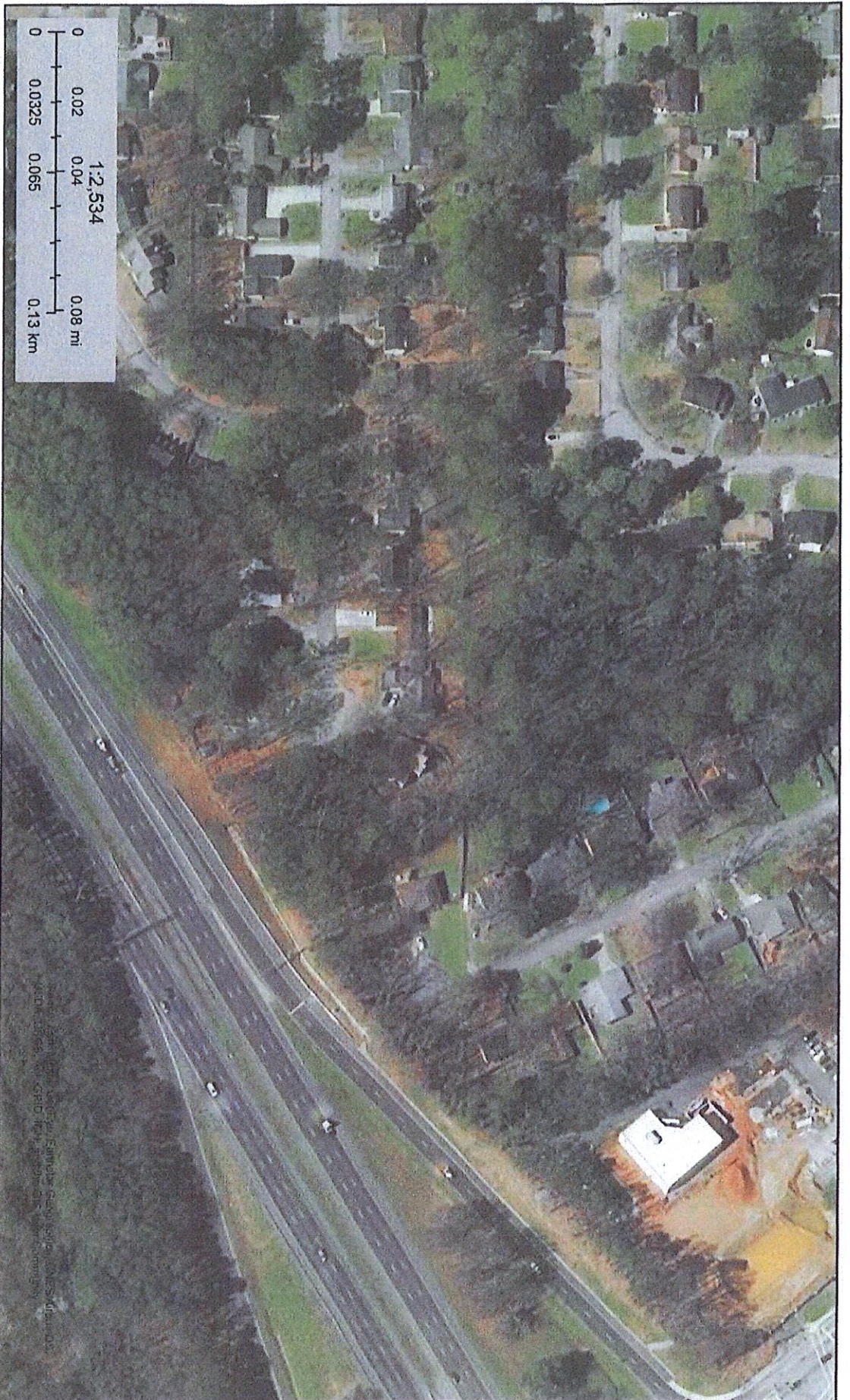


U.S. Fish and Wildlife Service

National Wetlands Inventory

Wetlands

3710 S. Marlborough Dr.
Tucker, GA 30084



Map data © 2021 Google, Esri, DeLorme, Garmin, Ascendix, etc.
Map data © 2021 Google, Esri, DeLorme, Garmin, Ascendix, etc.
Map data © 2021 Google, Esri, DeLorme, Garmin, Ascendix, etc.

April 1, 2021

Wetlands

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

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata on the National Wetlands Mapper web site.

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National Wetlands Inventory (NWI)
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3710 S. Marlborough Dr.
Tucker, GA 30084

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Google Camera: 353 m 33°49'28"N 84°14'11"W 313 m

Analysis of Standards/Criteria

Section 46-1560 Zoning Map Amendment Criteria—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.**

Section Sec. 46-1559 Comprehensive Plan Map Amendment Criteria—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 shall govern the review of all proposed amendments to the comprehensive plan map. **This is not applicable because DDM is not requesting a change to the comprehensive plan map.**

Section 46-1594 and 46-1595 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 may 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:

Developmental Disabilities Ministries, Inc. (DDM) owns 3710 S. Marlborough Drive, Tucker, Georgia 30084 located in the City of Tucker (Parcel ID 18 143 01 127). DDM is requesting a special land use permit from the City of Tucker, Georgia for the home at 3710 S. Marlborough Drive, Tucker Georgia 30084 (zoned residential). The home is located on a street with 27 other homes. The City of Tucker currently allows for 3 unrelated individuals to live in a home together. DDM is requesting an allowance for 4 unrelated individuals with an intellectual and developmental disability (for example, Down Syndrome, Autism) to live together in the home under a rental agreement with DDM. The Department of Behavioral Health and Developmental Disabilities (DBHDD) administers the Medicaid Wavier 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 Arrangements (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 DBHDD. State Rules and Regulations for Community Living Arrangements can be found in detail at this website.

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Staff will be in the home 24/7 (whenever the residents are there) to assist the individuals to live in the community with supports. Supports include assistance with activities of daily living (i.e., bathing, grooming, toileting, meal preparation, transportation, laundry, housekeeping, ambulation) and care as ordered by a

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physician (examples include but not limited to administration of medications, monitoring of vital signs, monitoring of respiratory and GI symptoms). 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 Acts of 1990 and Olmstead and complies with the rules and regulations under the Centers for Medicare/Medicaid Home and Community Based Services (HCBS) settings rate. The residents will not have drug or alcohol addictions.

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.

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Sec. 46-1594—Special Land Use Permit; criteria to be considered:

(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.

The residential home (1,859 square feet) has 4 bedrooms, and each individual would have their own room. There are 3 bathrooms for the residents. The lot size is 0.2 acres. The interior of the home meets ADA standards for any individual that needs physical accommodations.

The home has a 2-car garage and space for 3 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.

(2) 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 (DDM). 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 3710 S. Marlborough Drive that could be found.

(3) 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 are Dekalb County, Infinite Energy provides gas, and Georgia Power provides the electricity. Garbage pickup is Dekalb County. No generated medical waste is anticipated. If this changes in the future, Stericycle will be the contracted agency to handle any biohazard material via DDM.

(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.

Typically, 1 staff will be on site. There could be 3 times per day that staff will change shifts: 1) between 7am to 8am, 2) between 3pm to 4pm, and 3) between 9pm to 10pm. The street traffic in both directions can accommodate this staffing time change. Resident's families will visit also when they wish to see their loved ones.

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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.

(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 per Article 7.

One unmarked handicapped accessible van will be in the driveway or garage. This van will be used to accommodate individuals that could be 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.

(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.

The ingress and egress on S. Marlborough Drive can be accessed from Bonnie Glen Lane or Edinburgh Drive. Fire and emergency vehicles can easily enter and exit because S. Marlborough Drive is a 2-way street.

(7) 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.

None. No adverse impact from noise, smoke, odor, dust, or vibration is expected to be generated by elderly residents or staff of the PCH.

(8) 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.

(9) 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 homeowners can do for themselves.

(10) 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. DDM is not seeking a different zoning classification.

(11) Whether or not the proposed use is consistent with the policies of the comprehensive plan.

Yes. The proposed use is consistent with the policies of the comprehensive plan.

(12) 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.

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(13) Whether or not there is adequate provision of refuse and service area.

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

(14) 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.

(15) 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.

(16) 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.

(17) 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.

(18) 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 impact on any other adjoining lot or building as a result of the building height because we are not changing the building height.

(19) 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 0.5-mile radius.

(20) Whether the proposed use would be considered 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 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 sense of community for all

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individuals. This home will provide for community inclusion in a safe neighbor that supports and embraces diversity.

Additional criteria for specified uses.

In addition to the criteria contained 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 the section 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 may 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*

Applications for variances; and criteria to be used by the zoning board of appeals in deciding applications for variances. *NOT APPLICABLE*

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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 permit 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. **There will be no signs erected on the property for any reason.**
 3. Personal care homes may apply for an FHA Accommodation Variance as provided for in section 46-1639. **There is no need for an FHA Accommodation Variance and will not be requested.**
- b) Personal care home, group (four to six persons).
1. Two copies of completed architectural plans for the subject group 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. **No changes to the interior of the home are being requested.**
 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 4 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 1,000 feet of 3710 S. Marlborough Drive.**

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LEGAL DESCRIPTION 3710 SOUTH MARLBOROUGH DRIVE

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 143 OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA, BEING LOT 15, BLOCK B, EDINBURGH WOODS SUBDIVISION, UNIT TWO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION FORMED AT THE EASTERLY RIGHT-OF-WAY OF EDINBURGH DRIVE AND THE NORTHERLY RIGHT-OF-WAY OF SOUTH MARLBOROUGH DRIVE THENCE RUNNING EASTERLY ALONG THE NORTHERLY RIGHT-OF-WAY OF SOUTH MARLBOROUGH DRIVE 1,075' TO AN OPEN TOP PIPE, SAID OPEN TOP PIPE BEING THE POINT OF BEGINNING; THENCE RUNNING $N0^{\circ}19'00''E$ FOR A DISTANCE OF 150.08' TO A REBAR FOUND; THENCE RUNNING $S89^{\circ}37'34''E$ FOR A DISTANCE OF 85.09' TO A REBAR FOUND; THENCE RUNNING $S4^{\circ}33'17''W$ FOR A DISTANCE OF 115.77' TO A REBAR FOUND LOCATED ON THE NORTHERLY RIGHT-OF-WAY OF SOUTH MARLBOROUGH DRIVE; THENCE RUNNING ALONG SAID RIGHT OF WAY ALONG A CURVE HAVING A RADIUS OF 60.00', AN ARC DISTANCE OF 74.83' AND BEING SUBTENDED BY A CHORD BEARING OF $S60^{\circ}40'48''W$ FOR A DISTANCE OF 70.07' TO A REBAR FOUND; THENCE CONTINUING ALONG AFOREMENTIONED RIGHT-OF-WAY $N89^{\circ}17'43''W$ FOR A DISTANCE OF 15.63' TO AN OPEN TOP PIPE, SAID OPEN TOP PIPE BEING THE POINT OF BEGINNING

SAID TRACT OR PARCEL OF LAND CONTAINS 10,391 SQUARE FEET OR 0.239 ACRES.

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Letter of Intent

We, Developmental Disabilities Ministries, Inc., (DDM) own 3710 S. Marlborough Drive, Tucker, Georgia 30084, located in the City of Tucker (Parcel ID 18 143 01 127). We are requesting a special land use permit from the City of Tucker, Georgia for the home at 3710 S. Marlborough Drive, Tucker, Georgia 30084 (zoned residential). The home is located on a street with 27 other homes. The City of Tucker currently allows for 3 unrelated individuals to live in a home together. DDM is 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 DDM. The Department of Behavioral 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_1210/44/55/152311939CLARULES0209.pdf

DBHDD requires the home to be licensed by the Department of Community Health (DCH). DBHDD will oversee the care of 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 Developmental Disabilities Ministries, Inc. (DDM), a nonprofit, charitable corporation serving adults with developmental disabilities and their families. DDM is a licensed a private home care provider by DCH and is an approved provider of care with DBHDD. License attached to this application. DDM is also a Commission on Accreditation of Rehabilitation Facilities (CARF) accredited agency. CARF is an organization that benchmarks quality care internationally. Certification attached to application. DDM started serving individuals with developmental disabilities in 1981 under the auspices of Georgia Baptist Children's Home. For over a quarter of a century, DDM has flourished as a ministry and continues to open additional community-based group homes as needed for adults with developmental disabilities. In 1999, DDM became an independent agency. DDM currently owns and operates 18 homes throughout the state.

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, 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.

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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/Medicaid Home and Community Based Services (HCBS) settings rule. The residents will not have drug or alcohol addictions and will not have criminal records or charges.

I have researched the Department of Community Health for other licensed homes within 1000ft and have found the nearest home 1 mile from 3710 S. Marlborough Drive, Tucker, Georgia 30084.

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

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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:

- Rules and Regulations for Community Living Arrangements, 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

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ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.
 NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONTENTION FROM EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE. THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.

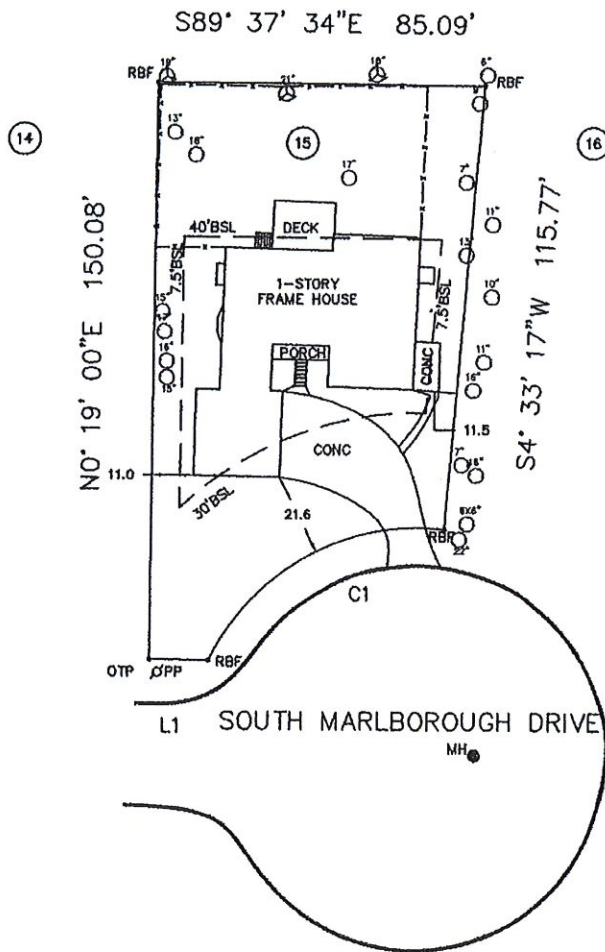
THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.

BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONTENTION WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES. IT IS THE CLIENT'S OBLIGATION TO CONFIRM WITH PERMITTING AGENCIES BASED ON THEIR SPECIFIC CONSTRUCTION PROJECTS. TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRIPLINE).

NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.

CURVE	RADIUS	LENGTH	CHORD	CH.BEARING
C1	60.00'	74.83'	70.07'	S 60°40'48"W

LINE	DIST.	BEARING
L1	15.63'	N 89°17'43"W



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*** LEGEND ***

- NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
- AKA ALSO KNOWN AS
 - APD AS PER DEED
 - APP AS PER PLAT
 - BSL BUILDING (SETBACK) LINE
 - CP COMPUTED POINT
 - CTP CRIMP TOP PIPE FOUND
 - D DEED (BOOK/PAGE)
 - DW DRIVEWAY
 - EP EDGE OF PAVEMENT
 - FFE FINISH FLOOR ELEVATION
 - FKA FORMERLY KNOWN AS
 - IPF IRON PIN FOUND
 - L ARC LENGTH
 - LL LAND LOT
 - LLL LAND LOT LINE
 - N NEIGHBORS
 - N/F NOW OR FORMERLY
 - NAIL NAIL FOUND
 - P PLAT (BOOK/PAGE)
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCEMENT
 - R RADIUS LENGTH
 - R/W RIGHT-OF-WAY
 - RBF REINFORCING BAR FOUND (1/2" UNO)
 - RBS 1/2" REINFORCING BAR SET
 - SW SIDEWALK
 - SSE SANITARY SEWER EASEMENT
 - SSCO SANITARY SEWER CLEANOUT
 - X- FENCE LINE
 - W WALL
 - HARDWOOD
 - ⊗ PINE TREE

NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.

PROPERTY ADDRESS:
3710 S Marlborough Dr
Tucker, GA 30084

LAND AREA:
10391 SF
0.239 AC

IMPERVIOUS AREA:
DW: 808 SF
SW: 31 SF
PORCH: 56 SF
PATIO: 122 SF
PAD: 17 SF
HOUSE: 2262 SF
DECK: 217 SF
EXIST= 3513 SF=33.8%

ZONING: R-75



PLAT PREPARED FOR:

3710 S Marlborough Dr

LOT 15 BLOCK B UNIT 2 EDINBURGH WOODS SUBDIVISION

LAND LOT 143 18th DISTRICT

DeKALB COUNTY, GEORGIA

FIELD DATE: 6-15-2021 NH

LOCATED IN TUCKER

DRAWN DATE: 6-21-2021 TH

REFERENCE: PLAT BOOK 69, PAGE 44
REFERENCE: DEED BOOK , PAGE

ALL MATTERS OF TITLE ARE EXCEPTED, NOT TO BE RECORDED UNLESS USED TO CONVEY PROPERTY.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1 FOOT IN 30,000+ FEET. AN ANGULAR ERROR OF 05 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE TO 1 FOOT IN 40,000+ FEET. AN ELECTRONIC TOTAL STATION WAS USED IN THE PREPARATION OF THIS PLAT. NO STATE PLANE MONUMENT FOUND WITHIN 500' OF THIS PROPERTY.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.



SURVEY SYSTEMS ATLANTA
2156 W Park Ct, Ste D, Stone Mtn, GA 30087
COA #LSF000867, info@SurveySystemsAtlanta.com
Cell 678-591-8064 ~ Office 404-760-0010

Public Participation Plan Report

Project Name: Tucker Home for Developmental Disabilities Ministries, Inc.

Contact Name: Ryan Whitmire or Sylvia Crowe

Meeting Date: 5-1-2021

Meeting Start Time: 11:00 am

Meeting End Time: 1:00 pm

Number of people in attendance: 13 Guests, 1 Neighbor, 1 Community Person, 10 Staff

Date of Filing of Land Use Petition Application: Original sent 4-21-21, updated June 2021

General Introduction: DDM sent out 55 invitations/letter to surrounding neighbors that the City of Tucker provided to us. 4 invitations were returned via the post office. The letter that was sent introduced DDM, who we serve, and what we hoped to accomplish with this home.

DDM was there to answer any concern or questions about having a Community Living Arrangement in the neighborhood. The format was laid back and welcoming. DDM had several staff available to answer questions and Board Members were available to share their thoughts. We had 1 neighbor walk by and DDM engaged her in conversation. While we were having our meet and greet the local postal person stopped by and told us that she appreciated all that we do for our residents and she had meet the guys who live there and that they were a delight.

Summary of concerns and issues raised at the meeting:

- 1. List questions/concerns/comment/request for changes to proposed plans

Applicant Response: None

- 2. List questions/concerns/comment/request for changes to proposed plans

Applicant Response: None

The following must be submitted at time of application submittal:

- o Copy of the letter that was mailed to neighbors
- o Copy of address list for mailing
- o Meeting sign-in sheet
- o Meeting Minutes
- o Copy of plan that was presented at the neighborhood meeting

I, the undersigned, as the applicant or an authorized representative of the applicant do solemnly swear and attest that the information provided is true and accurate. I have included a complete record of the neighborhood meeting, as well as an honest response regarding the intentions for development.

R. Whitmire / CEO 6/29/2021
Signature of Applicant or Authorized Representative Date

Ryan E Whitmire / CEO 6/29/2021
Type or Print Name of Applicant or Authorized Representative Date

[Signature] 6/29/2021
Signature of Notary Date



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Developmental Disabilities Ministries

6320 Amherst Court
Norcross, GA 30092
770-623-4899
www.ddmga.org

April 16, 2021

Dear Neighbor:

I would like to introduce myself on behalf of Developmental Disabilities Ministries (DDM). I am Denel James, Residential Director for DDM and we are an organization that supports individuals with disabilities. *Our mission is to empower persons with developmental disabilities to achieve their highest level of social, physical, emotional, and spiritual maturity.* The organization currently supports the individuals living in the home at 3710 South Marlborough Drive, Tucker Georgia. We are now seeking a Special Land Use Permit (SLUP) which would allow a fourth person to rejoin his friends at this location.

We want to invite you to a **Drop-In Informational Gathering at the home on May 1, 2021 from 11 am to 1 pm.** On May 1, we plan to provide information and a hotdog lunch. DDM will have written information and staff that can answer your questions regarding the SLUP and our plans to continue to support the individuals in the home. We hope we can meet with you and answer any questions you have regarding our plans. A flyer has been included. We will observe social distance requirements.

You are receiving this letter and invitation because you own property within 500 feet of 3710 South Marlborough Drive. We are working with the city of Tucker to ensure we follow guidelines and partner with the neighborhood. DDM also works with the state of Georgia to maintain a home environment that is reflective of the support any individual requires to have a quality home. Our CEO, Ryan Whitmire will be at this event. If you would like to have a snapshot of our agency our website is www.ddmga.org. We also have a video on our website featuring some of those we serve. We look forward to meeting you.

If you are unable to attend and would like more information, feel free to contact through email@ddmga.org.

Sincerely,
Denel James
Denel James
Residential Director

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DDM Drop-In Informational Gathering Sign-In Sheet

5-1-2021

11am to 1pm

1	JOEL GILBERT
2	SUSAN GILBERT
3	Beth Willetts
4	Elaine Harris
5	David Harris
6	ROD JONES
7	Cole Jones
8	Lisa Jones
9	Kay Jowers
10	Ronnie Jowers
11	Robin Palmer & Frankie Palmer
12	Mary Alice Hardin
13	Gail Lutz
14	Sheila McKie
15	
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3681 Marlborough Drive Tucker, GA 30084	SIMSON WILLIAM R
3710 South Marlborough Drive Tucker, GA 30084	DEVELOPMENTAL DISABILITIES MINISTRIES IN
3709 South Marlborough Drive Tucker, GA 30084	RAMOS AURELIO
3783 Marlborough Drive Tucker, GA 30084	JOYNER DOROTHY BEAVERS LIVING TRUST
3682 Bonnie Glenn Lane Tucker, GA 30084	BRYANT HANNAH H
3786 Marlborough Drive Tucker, GA 30084	SHEFFIELD KRISTEN
3697 Marlborough Drive Tucker, GA 30084	ALEXANDER GLENDA
3811 Marlborough Drive Tucker, GA 30084	SPRATT TERESA R.
3765 Marlborough Drive Tucker, GA 30084	MURRAY KEVIN V
3691 South Marlborough Drive Tucker, GA 30084	BRYAN MARILYN DEE
3804 Marlborough Drive Tucker, GA 30084	LORTZ LESLIE A
3727 Tweed Place Tucker, GA 30084	CAUTHEN JAMES
3792 Marlborough Drive Tucker, GA 30084	REH SU
3693 Marlborough Drive Tucker, GA 30084	CRUZ DAIVY ORTEGA
3698 South Marlborough Drive Tucker, GA 30084	KHAN NEHA
3735 Marlborough Drive Tucker, GA 30084	GELAN SISAY MECHEO
3722 South Marlborough Drive Tucker, GA 30084	MEMOLO TRUST
3797 Marlborough Drive Tucker, GA 30084	OPENDOOR PROPERTY TRUST I
3774 Marlborough Drive Tucker, GA 30084	THANG EN SAWM
3680 South Marlborough Drive Tucker, GA 30084	HAGEDORN REBEKAH
3709 Marlborough Drive Tucker, GA 30084	3709 MARLBOROUGH TRUST
3667 South Marlborough Drive Tucker, GA 30084	LEVENGOD GARY A
3673 Marlborough Drive Tucker, GA 30084	TANG HOA
3716 South Marlborough Drive Tucker, GA 30084	GOBLE BONNIE RUTH
3674 Marlborough Drive Tucker, GA 30084	TANKESLEY WILLIAM R
3703 South Marlborough Drive Tucker, GA 30084	KHAREL DAMBER
3780 Marlborough Drive Tucker, GA 30084	KYAW THAN
3703 Marlborough Drive Tucker, GA 30084	GURAGAI BIRKHA
3686 South Marlborough Drive Tucker, GA 30084	JOLLEY CAREY F
3673 South Marlborough Drive Tucker, GA 30084	WALTER THOMAS R II
3667 Marlborough Drive Tucker, GA 30084	KROC PATRICIA J
3757 Marlborough Drive Tucker, GA 30084	HARVEY HOPE ANN
3805 Marlborough Drive Tucker, GA 30084	SPRATT TERESA R
1530 Cooledge Road Tucker, GA 30084	U S POULTRY AND EGG ASSOCIATI
3666 Marlborough Drive Tucker, GA 30084	COLE STEPHANIE ANNE
3668 South Marlborough Drive Tucker, GA 30084	HUNTER JESSICA M
3687 Marlborough Drive Tucker, GA 30084	HAIZLIP ROBERT PETER
3725 Marlborough Drive Tucker, GA 30084	MISHRA BHIM N
3704 South Marlborough Drive Tucker, GA 30084	OXFORD SHANNON M
3777 Marlborough Drive Tucker, GA 30084	JONES WILLIAM RANDOLPH
3714 Marlborough Drive Tucker, GA 30084	BHANDARI TIL BAHADUR
3676 Bonnie Glenn Lane Tucker, GA 30084	PATTERSON EDWARD H
3674 South Marlborough Drive Tucker, GA 30084	JONES KATHRYN C
3671 Bonnie Glenn Lane Tucker, GA 30084	HURST STEVEN D
3717 Marlborough Drive Tucker, GA 30084	QUINTANILLA NEHEMIAS JORGE
3702 Marlborough Drive Tucker, GA 30084	TAMANG PASAND
3771 Marlborough Drive Tucker, GA 30084	BARNES JENNIFER C

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3697 South Marlborough Drive Tucker, GA 30084	TUTTLE CONNIE
3670 Bonnie Glenn Lane Tucker, GA 30084	DOTSON MICHAEL
3798 Marlborough Drive Tucker, GA 30084	BURDETT NANCY J
3692 South Marlborough Drive Tucker, GA 30084	GIOVINE PETER M
3745 Marlborough Drive Tucker, GA 30084	SHIN AH RIM SHIN CHANG SUG
3715 South Marlborough Drive Tucker, GA 30084	MEMOLO TRUST #
3791 Marlborough Drive Tucker, GA 30084	LUSTER WESLEY M
3686 Bonnie Glenn Lane Tucker, GA 30084	HARDIN MARY ALICE

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**You are Invited to a
Drop In Informational Gathering
with
Developmental Disabilities Ministries
Supporting Individuals
at
3710 South Marlborough Drive**

**May 1, 2021
11 am to 1 pm**

**Meet the Owners
Ask Questions
Gather Information
Have Lunch**

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