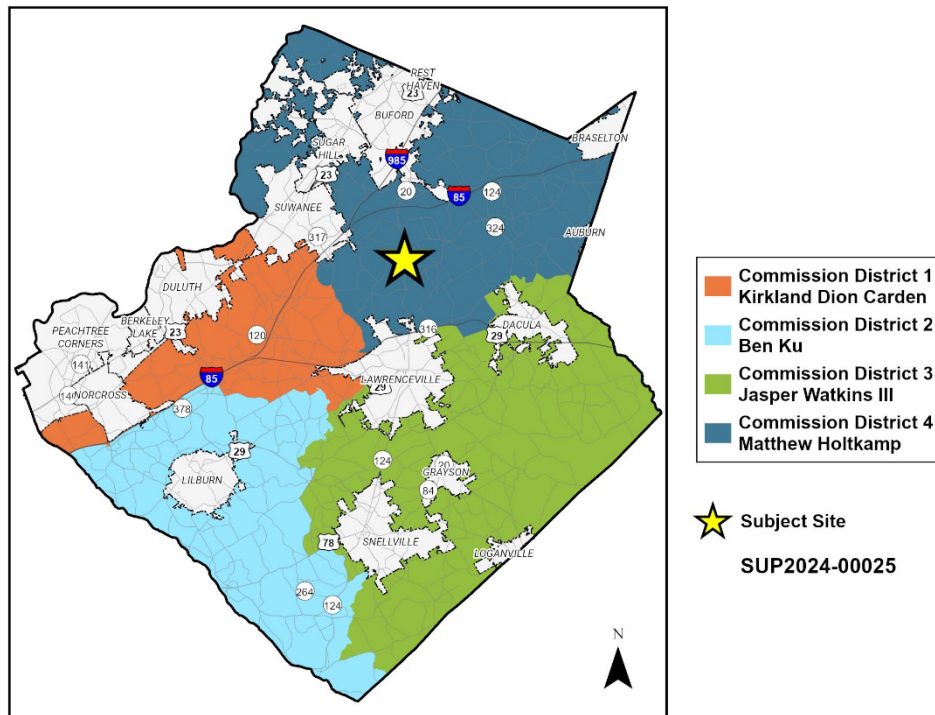


PLANNING AND DEVELOPMENT DEPARTMENT CASE REPORT

Case Number: SUP2024-00025
Current Zoning: R-100 (Single-Family Residential District)
Request: Special Use Permit (Renewal)
Additional Request: Variance
Address: 2130 Azalea Drive
Map Number: R7106 415
Site Area: 1.37 acres
Square Feet: 8,129
Proposed Development: Personal Care Home
Commission District: District 4 – Commissioner Holtkamp
Future Development Type: Neighborhood Traditional

Staff Recommendation: APPROVAL WITH CONDITIONS

Planning Commission Recommendation: APPROVAL WITH CONDITIONS



Planning Commission Advertised Public Hearing Date: 8/6/2024
Board of Commissioners Advertised Public Hearing Date: 8/27/2024

Applicant: Eunice and Valeriu Pamfile
2130 Azalea Drive
Lawrenceville, GA 30043

Owners: Eunice and Valeriu Pamfile
2130 Azalea Drive
Lawrenceville, GA 30043

Contact: Eunice Pamfile

Contact Phone: 770.401.9252

Zoning History

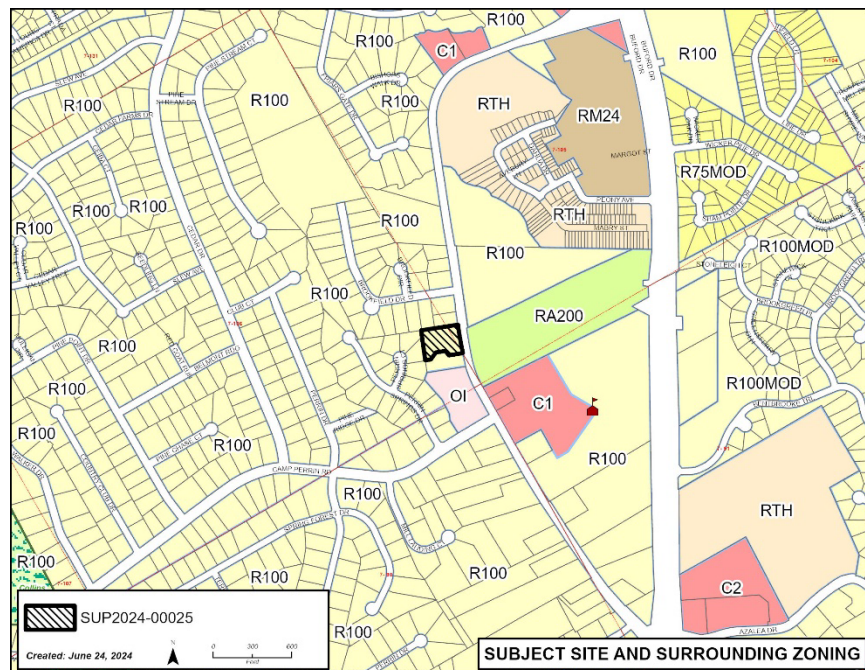
The subject property is zoned R-100 (Single-Family Residence District). In 2008, the property was rezoned from R-100 to O-I (Office-Institutional District), pursuant to RZC-08-065. A rezoning approval in 2020, RZR2020-00041 reverted the property's zoning back to R-100 for single-family residences. In 2022, a special use permit was granted for a personal care home, pursuant to SUP2022-00030.

Existing Site Condition

The subject site is a 1.37-acre property located along Azalea Drive, north of its intersection with Camp Perrin Road. An 8,129 square foot single-family home is on the site, accessed by a single driveway off Azalea Drive. The property slopes upwards approximately 20 feet from Azalea Drive to the rear. The property is sodded with no significant tree cover. There is no sidewalk along the Azalea Drive frontage. The nearest Gwinnett County Transit stop is 5.5 miles from the site.

Surrounding Use and Zoning

The surrounding area is primarily residential with large single-family detached subdivisions. Across Azalea Drive to the southeast is Woodward Mill Elementary School and an associated school bus parking lot. There is a place of worship to the east, also across Azalea Drive. The following is a summary of the surrounding uses and zoning:



Location	Land Use	Zoning	Density
Proposed	Personal Care Home, Group	R-100	0.73 units per acre
North	Single-Family Residential	R-100	2.44 units per acre
East	Gwinnett County Public Schools Bus Yard	RA-200	N/A
South	Single-Family Residential	R-100	1.28 units per acre
West	Single-Family Residential	R-100	1.74 units per acre

Project Summary

The applicant requests renewal of a special use permit for a 1.37-acre property zoned R-100 for a personal care home, including:

- Reuse of an existing single-family residence, containing eight bedrooms and a three-car garage.
- Eight residents to be cared for by two employees.
- A proposed 5' x 8' sign, 10 feet away from the front property line.
- The property is served by a septic system.

Zoning and Development Standards

The applicant is requesting renewal of a special use permit for a personal care home in R-100 (Single-Family Residence District). The following is a summary of applicable development standards from the Unified Development Ordinance (UDO):

Standard	Required	Proposed	Meets Standard?
Lot Size	Minimum 15,000 square feet	1.37 acres	YES
Lot Width	Minimum 100'	>100'	YES
Lot Coverage	Maximum 45%	20%	YES
Front Yard Setback	Minimum 25'	>25'	YES
Rear Yard Setback	Minimum 30'	>30'	YES
Side Yard Setback	Minimum 10'	>10'	YES
Personal Care Home Lot Size	Minimum 1 Acre	1.37 Acres	YES
Personal Care Home Residents	Between 7 and 15 Residents	8 Residents	YES
Personal Care Home Parking	Minimum 1 per 4 beds Maximum 1 per 2 beds	4 Spaces	YES

Variance Request

In addition to the rezoning request, the applicant is seeking a variance from the following provision of Chapter 78 of the UDO:

1. Section 78-13A – Dimensional standards table

The minimum acreage for a primary ground sign on an individual residential lot shall be three acres.

The applicant is requesting to allow a ground sign on a property that is 1.37 acres.

Internal and External Agency Review

In addition to these Development Standards, the applicant must meet all other UDO requirements related to infrastructure improvements. Internal and External agency review comments are attached (Exhibit F). Standard site and infrastructure improvements will also be required related to stormwater, transportation, water, and sewer utilities. Recommended improvements not already required by the UDO have been added as staff recommended conditions.

Staff Analysis

Special Use Permit Analysis: According to the UDO, the staff analysis and recommendation on each application for a Special Use Permit shall follow the same procedures as those contained in Section 270-20. Emphasis shall be given to the evaluation of characteristics of the proposed use in relationship to neighboring properties and the compatibility of the proposed use with its surroundings. For Special Use Permits, the Department shall evaluate the request and make a recommendation with respect to the standards governing exercise of zoning power as defined in Section 270-20.6. After the evaluation, staff makes the following findings based on the standards of the UDO:

A. Whether a proposed special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The applicant requests renewal of a special use permit to continue operating a group personal care home that has been in business since 2022. There are no complaints or violations on record for this personal care home. The site is primarily surrounded by single-family residences. The proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

B. Whether a proposed special use permit will adversely affect the existing use or usability of adjacent or nearby property.

The group personal care home is compatible with the area's single-family residential character. Renewal of the special use permit will not adversely affect the existing use or usability of adjacent or nearby property.

C. Whether the property to be affected by a proposed special use permit has a reasonable economic use as currently zoned.

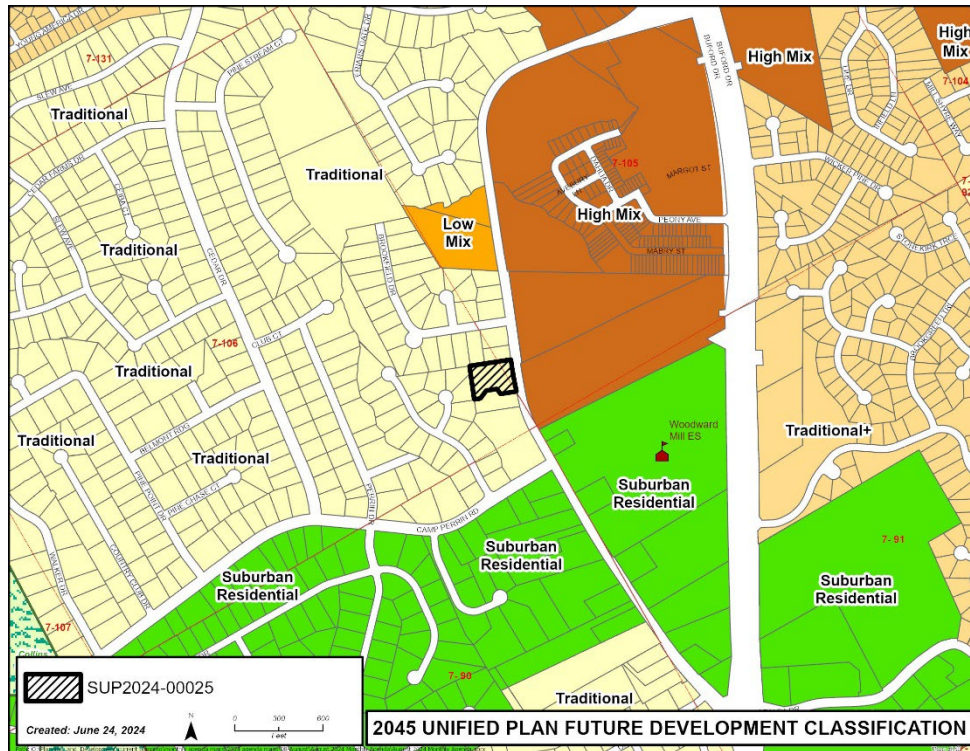
The property has a reasonable economic use as currently zoned.

D. Whether the proposed special use permit will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

A slight increase in impacts on public facilities would be anticipated in the form of traffic, utility demand, and stormwater runoff; however, these impacts would be mitigated with appropriate conditions, site development requirements, and planning. No impact is anticipated on school enrollment. Agency review comments related to any potential improvements concerning this special use permit request are attached (Exhibit F).

E. Whether the proposed special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map; and

The Unified Plan's Future Development Map identifies "Neighborhood Traditional" for the subject property, which envisions single-family residential development. The personal care home is located within an existing single-family residence, and the use would complement surrounding residential uses. This special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map.



F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed special use permit.

There are no other conditions giving support for approval or disapproval of the proposal.

Variance Request Analysis: The standards for granting variances are outlined in Section 270-90.7 of the UDO. Staff makes the following findings related to the variance request:

The applicant is requesting to allow a 5' x 8' ground sign on a property less than 3 acres. The subject property abuts a Gwinnett County schools bus parking lot, and the surrounding area is low-density residential. Granting this variance would not circumvent the intent of the sign ordinance.

Staff Recommendation

Based on the staff's evaluation of the request and the standards governing the exercise of zoning power, the Department of Planning and Development recommends **APPROVAL WITH CONDITIONS** of the special use permit request.

In addition, staff recommends **APPROVAL** of the following variance:

1. To allow a ground sign on the property.

Planning Commission Recommendation

Based on staff's evaluation of the request, information presented at the public hearing, and the Planning Commission's consideration of the standards governing the exercise of zoning power related to this application, the Planning Commission recommends **APPROVAL WITH CONDITIONS** of the special use permit request.

In addition, the Planning Commission recommends **APPROVAL** of the following variance request:

1. To allow a ground sign on the property.

Planning Commission Recommended Conditions (includes Staff Recommended Conditions, as Amended)

Approval of a special use permit for a personal care home in R-100 (Single Family Residence District), subject to the following conditions:

1. Special uses on the property shall be limited to a state-licensed group personal care home, providing residence and care for a maximum of eight clients residing in the home.
2. The proposed signage shall be constructed in general conformance with Exhibit B: Site Plan and Exhibit C: Sign Elevations, dated received June 17, 2024, subject to the review and approval of the Department of Planning and Development.
3. **No lighting shall be allowed on the sign.**

Exhibits:

- A. Site Visit Photos
- B. Site Plan
- C. Sign Elevations
- D. Letter of Intent and Applicant's Response to Standards
- E. Application and Disclosure of Campaign Contributions
- F. Internal and External Agency Review Comments
- G. Maps

Exhibit A: Site Visit Photos



View of property



View of Gwinnett County bus parking lot across Azalea Drive



View of Azalea Drive



View of Azalea Drive

Exhibit B: Site Plan

[attached]

Exhibit C: Sign Elevations

[attached]

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6/17/2024

PROPOSED SIGNAGE

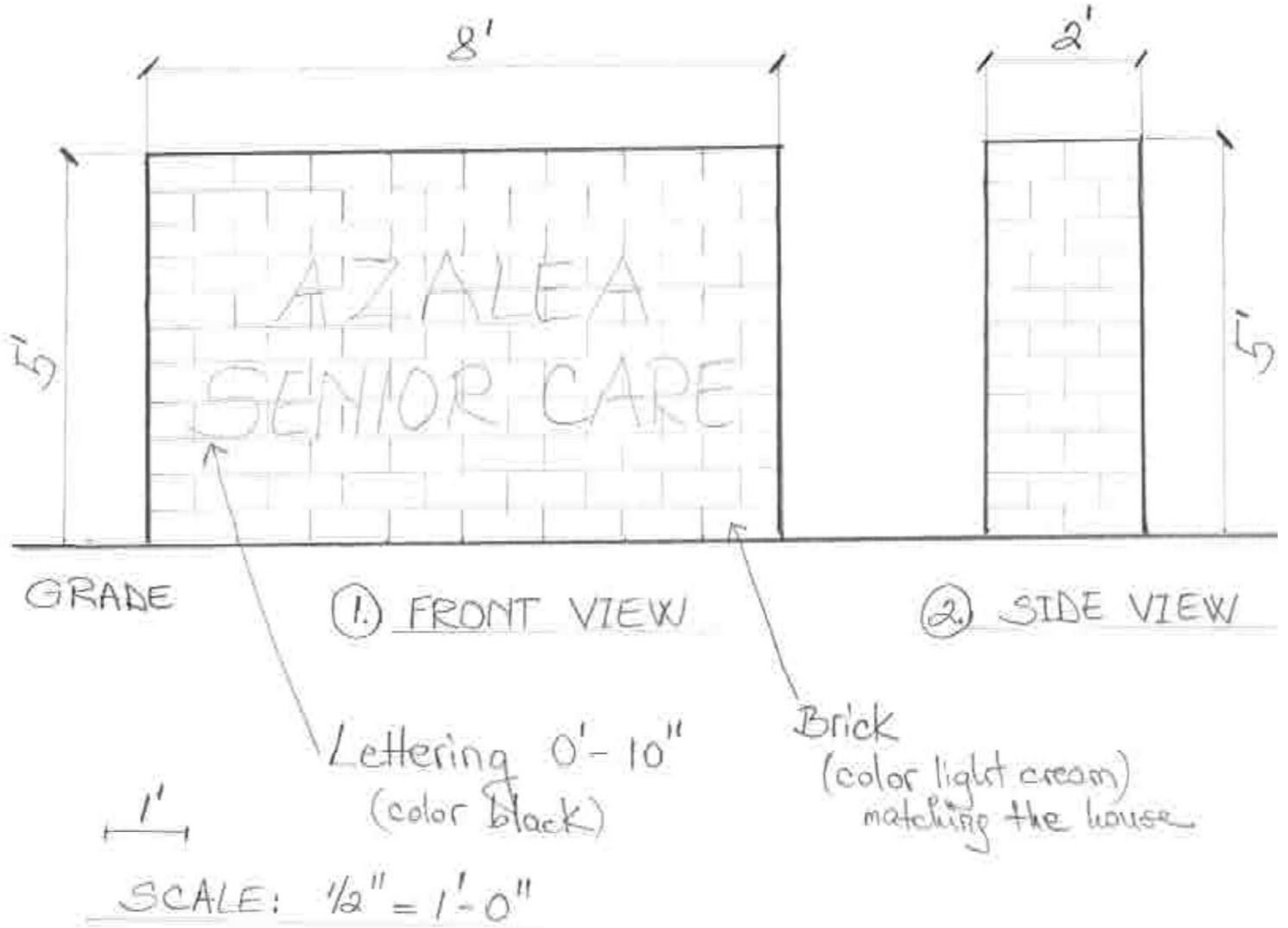


Exhibit D: Letter of Intent and Applicant's Response to Standards

[attached]

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7/13/2024

July 12th, 2024

Letter of Intent for Special Use Permit to Continue the Use

Dear Gwinnett County Planning and Development Department,

Eunice Pamfile and Valeriu Pamfile are writing to express our intent to continue to operate as a Personal Care Home located at 2130 Azalea Dr. Lawrenceville, GA 30043. Our care community is licensed as a Personal Care Home by the State of Georgia permit number PCH0122136. We provide care for eight residents, with two caregivers on duty during the first shift and one caregiver available throughout the night. We have greatly appreciated the opportunity to contribute positively to the community over the past two years serving our elderly in need of loving tender care. Additionally, we kindly request the consideration of waiving the condition related to signage outlined in the permit. We kindly request a variance from Section 78-113A to install a sign on our residential property (property previously zoned commercial) While we understand the importance of adhering to regulations, we believe that flexibility in this matter will allow us to better meet the evolving needs of our business without compromising the aesthetic harmony of the surrounding area. We are committed to continuing our responsible and beneficial presence in Gwinnett County and appreciate your time and consideration in this matter.

Sincerely,

Eunice Pamfile-Azalea Senior Care Administrator

Valeriu Pamfile

The image shows two handwritten signatures in black ink. The top signature is for Eunice Pamfile, and the bottom signature is for Valeriu Pamfile. Both signatures are fluid and cursive.

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6/17/2024

STANDARDS GOVERNING THE EXERCISE OF THE ZONING POWER

Pursuant to requirements of the Unified Development Ordinance, the Board of Commissioners finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use attachment as necessary:

- (A) Whether a proposed special use permit will permit a use that is suitable in view of the use and development of adjacent and nearby property:

Yes.

- (B) Whether a proposed special use permit will adversely affect the existing use or usability of adjacent or nearby property:

No.

- (C) Whether the property to be affected by a proposed special use permit has reasonable economic use as currently zoned:

The requested use under the modified conditions will permit a more suitable and appropriate development.

- (D) Whether the proposed special use permit will result in a use which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools:

No.

- (E) Whether the proposed special use permit is in conformity with the policy and intent of the Unified Plan and Future Development Map:

Yes.

- (F) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposed special use permit:

The property is currently zoned for proposed usage w/SEP.

Exhibit E: Application and Disclosure of Campaign Contributions

[attached]

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6/17/2024

SPECIAL USE PERMIT APPLICATION

AN APPLICATION TO AMEND THE OFFICIAL ZONING MAP OF GWINNETT COUNTY, GA.

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Eunice and Valeriu Pamfile</u>	Name: <u>Eunice and Valeriu Pamfile</u>
Address: <u>2130 Atalea Dr. Pamfile</u>	Address: <u>2130 Atalea Dr.</u>
City: <u>Lawrenceville</u>	City: <u>Lawrenceville</u>
State: <u>GA</u> ZIP: <u>30043</u>	State: <u>GA</u> ZIP: <u>30043</u>
Phone: <u>770-401-9252</u>	Phone: <u>770-401-9252</u>
Email: <u>epamfile05@gmail.com</u>	Email: <u>epamfile05@gmail.com</u>
Contact Person: <u>Eunice Pamfile</u> Phone: <u>770-401-9252</u>	
Contact's Email: <u>epamfile05@gmail.com</u>	
APPLICANT IS THE:	
<input type="checkbox"/> OWNER'S AGENT <input checked="" type="checkbox"/> PROPERTY OWNER <input type="checkbox"/> CONTRACT PURCHASER	
Existing/Proposed Zoning District(s): <u>R-100</u>	
Parcel Number(s): <u>R 7106415</u> Acreage: <u>1.36 acres</u>	
Property Address(es): <u>2130 Atalea Dr. Lawrenceville, GA 30043</u>	
Proposed Development: <u>SUP (renewal)</u>	
Variance(s): _____ Waiver(s): _____	
Building/Leased Sq. Ft.: <u>6,200 sq. ft.</u> Floor Area Ratio: <u>0.10</u>	

RECEIVED

6/17/2024

SPECIAL USE PERMIT APPLICANT'S CERTIFICATION

The undersigned below is authorized to make this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of last action by the Board of Commissioners.



Signature of Applicant



2/15/24

Date

EUNICE PAMFILE & VALERIU PAMFILE

Type or Print Name and Title



Signature of Notary Public

2/15/24

Date

Notary Seal



RECEIVED

6/17/2024

SPECIAL USE PERMIT PROPERTY OWNER'S CERTIFICATION

The undersigned below, or as attached, is the owner of the property considered in this application. The undersigned is aware that no application or reapplication affecting the same land shall be acted upon within six (6) months from the date of last action by the Board of Commissioners.



Signature of Property Owner



2/15/24

Date

EUNICE PAMFILE & VALE RUI PAMFILE

Type or Print Name and Title



Signature of Notary Public

2/15/24

Date



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6/17/2024

CONFLICT OF INTEREST CERTIFICATION FOR SPECIAL USE PERMIT

The undersigned below, making application for a Special Use Permit, has complied with the Official Code of Georgia Section 36-67A-1, et. seq, Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

[Signature] 2/15/24 EUNICE PAMFILE & VALERIU PAMFILE
Signature of Applicant Date Type of Print Name and Title

N/A
Signature of Applicant's Attorney or Representative Date Type or Print Name and Title

[Signature] 2/15/24
Signature of Notary Public Date



DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to a member of the Board of Commissioners?

Yes No EUNICE PAMFILE & VALERIU PAMFILE (Your Name)

If the answer is yes, please complete the following section:

NAME AND OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all which aggregate to \$250 or More)	DATE CONTRIBUTION WAS MADE (Within last two years)

Attach additional sheets if necessary to disclose or describe all contributions.

RECEIVED

6/17/2024

VERIFICATION OF CURRENT PAID PROPERTY TAXES FOR SPECIAL USE PERMIT

The undersigned below is authorized to make this application. The undersigned certifies that all Gwinnett County property taxes billed to date for the parcel listed below have been paid in full to the Gwinnett County Tax Commissioner. In no case shall an application or reapplication for special use permits be processed without such property verification.

A SEPARATE VERIFICATION FORM MUST BE COMPLETED FOR EACH TAX PARCEL INCLUDED IN THE SPECIAL USE PERMIT REQUEST.

Parcel I.D. Number: R 7106415
(Map Reference Number)



Signature of Applicant

2/15/24

Date

EUNICE PAMFILE & VALERIU PAMFILE
Type or Print Name and Title

PLEASE TAKE THIS FORM TO THE TAX COMMISSIONERS OFFICE AT THE GWINNETT JUSTICE AND ADMINISTRATION CENTER, 75 LANGLEY DRIVE. THIS FORM MUST BE SIGNED BY A REPRESENTATIVE OF THE TAX COMMISSIONER'S OFFICE.

TAX COMMISSIONERS USE ONLY

Payment of all property taxes billed to date for the above referenced parcel has been verified as paid current and confirmed by the signature below.

Kathy Lyles
Name

TSA
Title

2/15/2024
Date

Exhibit F: Internal and External Agency Review Comments

[attached]



Department of Planning and Development
TECHNICAL REVIEW COMMITTEE

TRC Meeting Date:		07.08.2024	
Department/Agency Name:		Transportation	
Reviewer Name:		Brent Hodges	
Reviewer Title:		Construction Manager 2	
Reviewer Email Address:		Brent.Hodges@gwinnettcounty.com	
Case Number:		SUP2024-00025	
Case Address:		2130 Azalea Drive, Lawrenceville, 30043	
Comments:		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			
Recommended Zoning Conditions:		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
1			
2			
3			
4			
5			
6			
7			

Note: Attach additional pages, if needed

Revised 7/26/2021

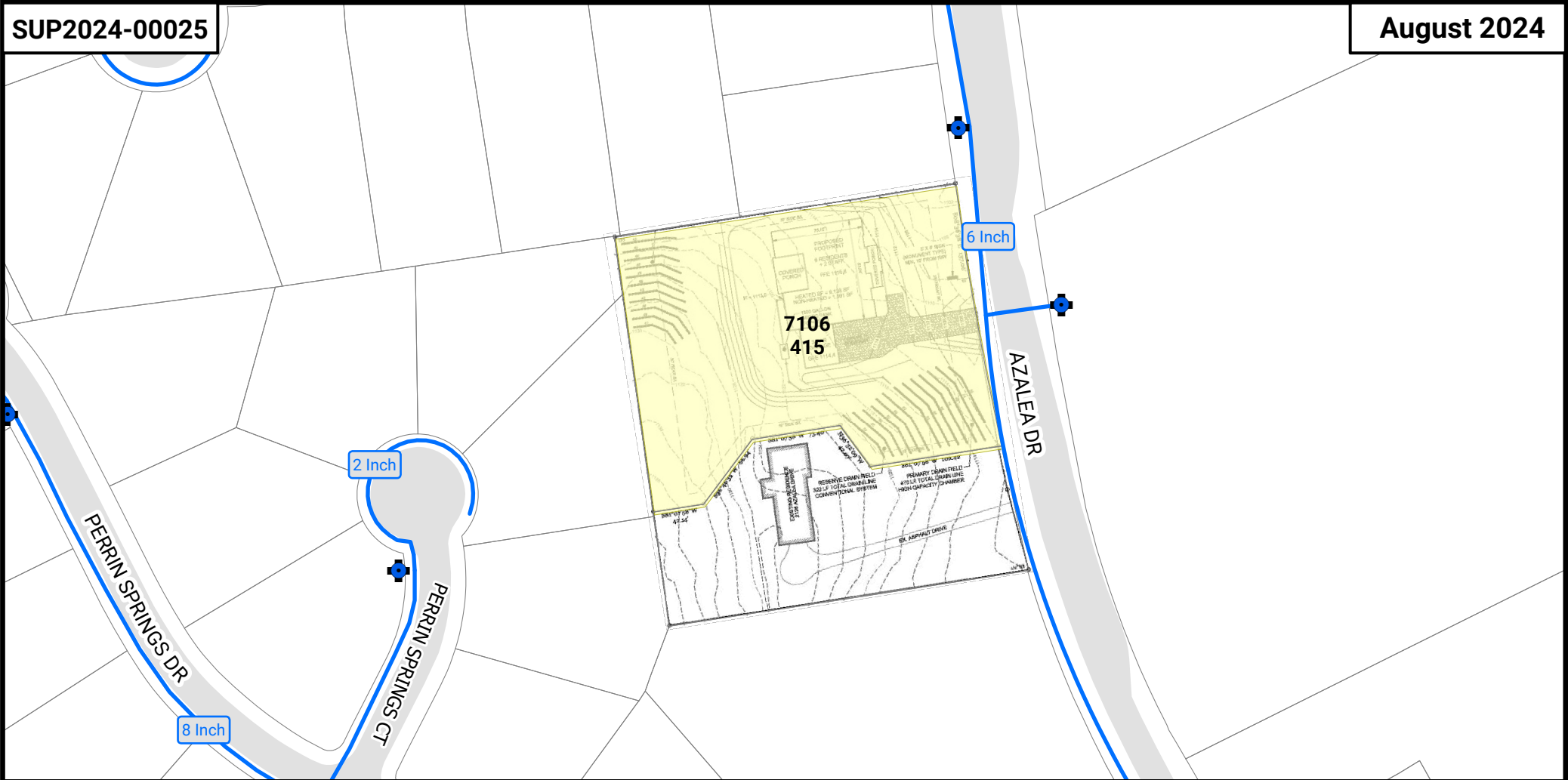


**Department of Planning and Development
TECHNICAL REVIEW COMMITTEE**

TRC Meeting Date:					
Department/Agency Name:		DWR			
Reviewer Name:		Mike Pappas			
Reviewer Title:		GIS Planning Manager			
Reviewer Email Address:		Michael.pappas@gwinnettcountry.com			
Case Number:		SUP2024-00025			
Case Address:		2130 Azalea Dr			
Comments:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
1	Water: GCDWR does not have comments for this Special Use Permit. The existing facility is connected to public water.				
2	Sewer: GCDWR does not have comments for this Special Use Permit. The existing facility is on septic and will remain on septic.				
3					
4					
5					
6					
7					
Recommended Zoning Conditions:		<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
1					
2					
3					
4					
5					
6					
7					

Note: Attach additional pages, if needed

Revised 7/26/2021

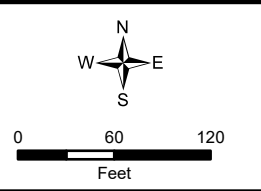


LEGEND

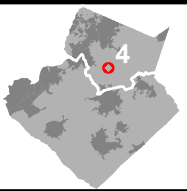
- Water Main
- Hydrant

2130 Azalea Dr
R-100

Water & Sewer Utility Map



LOCATION



Water Comments: GCDWR does not have comments for this Special Use Permit. The existing facility is connected to public water.

Sewer Comments: GCDWR does not have comments for this Special Use Permit. The existing facility is on septic and will remain on septic.

Water Availability: Water demands imposed by the proposed development may require upsizing or extensions of existing water mains in order to meet Gwinnett County Standards and fire flow demands. Any cost associated with such required improvements will be the responsibility of the development. Current Gwinnett County Standards require a minimum of 12" pipe size for commercial developments and a minimum of 8" pipe size for residential developments. Additionally, connection to a minimum of 12" and 8" mains are required for commercial and residential developments, respectively. It is the responsibility of the developer's engineer to confirm pressure and volumes are available for the development.

Sewer Availability: A Sewer Capacity Certification must be obtained from Gwinnett County to confirm the existing system can serve the development. Sewer demands imposed by the proposed development may require upsizing and/or extensions of existing sewer mains, and/or upsizing of an existing pump station, and/or installation of a new pump station. Any cost associated with such required improvements will be the responsibility of the development. The developer shall provide easements for future sewer connection to all locations designated by Gwinnett County during plan review.

Water and Sewer Design and Construction Requirements: Extensions of the water and/or sanitary sewer systems within the subject development must conform to this department's policies, Gwinnett County's ordinances, and the Water Main and Sanitary Sewer Design and Construction Standards and Specifications, dated April 5th, 2016. Subsequent to design, construction, inspection, and final acceptance of the required utilities, service would then become available under the applicable utility permit rate schedules.

Private Road Developments: Any development with private roads must comply with the Standard Policy Requirement for the Installation of Water and Sanitary Sewer Mains within Private Developments. This policy stipulates minimum easement requirements and location of public mains and appurtenances, among other requirements.

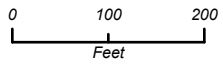
Exhibit G: Maps

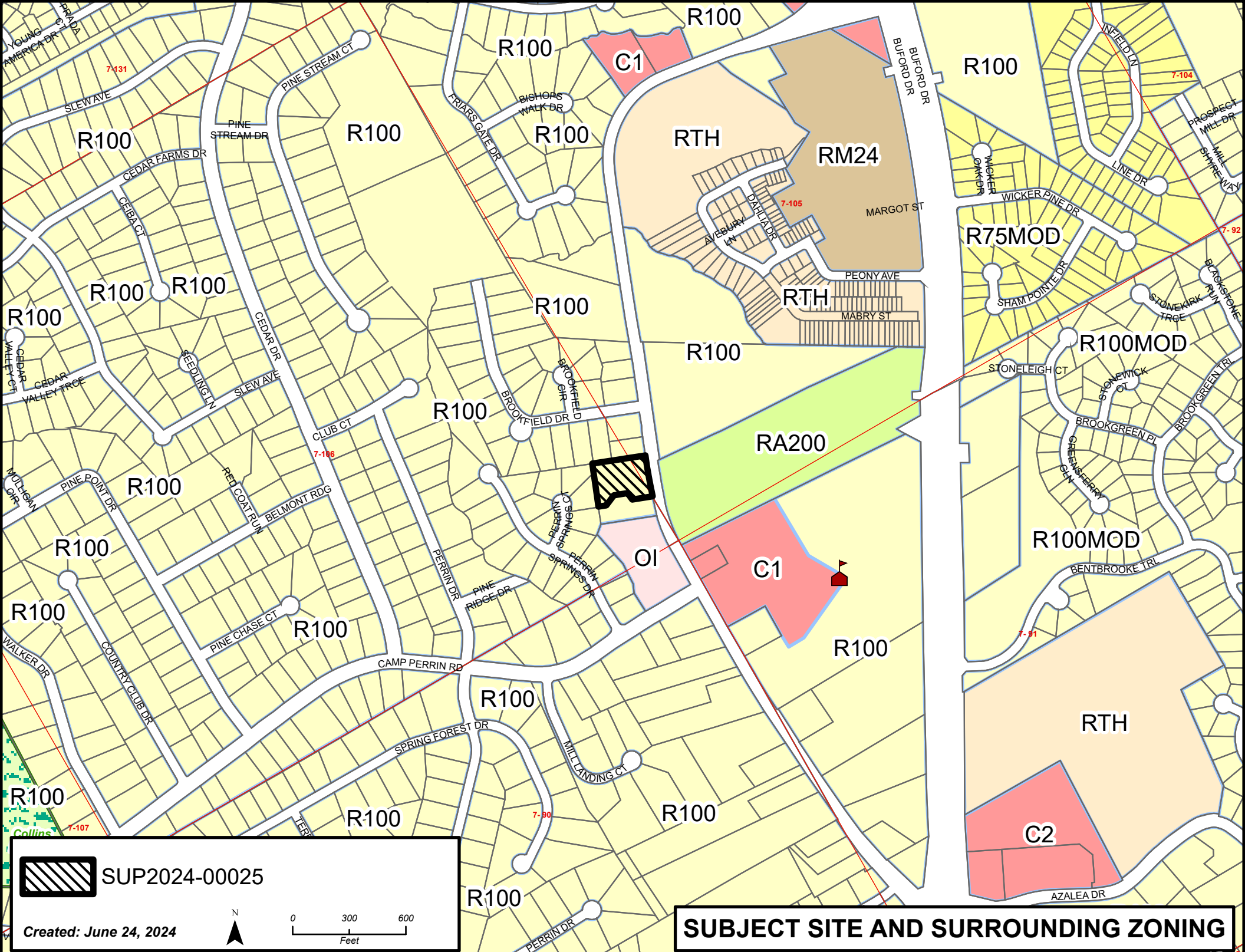
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 SUP2024-00025

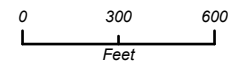
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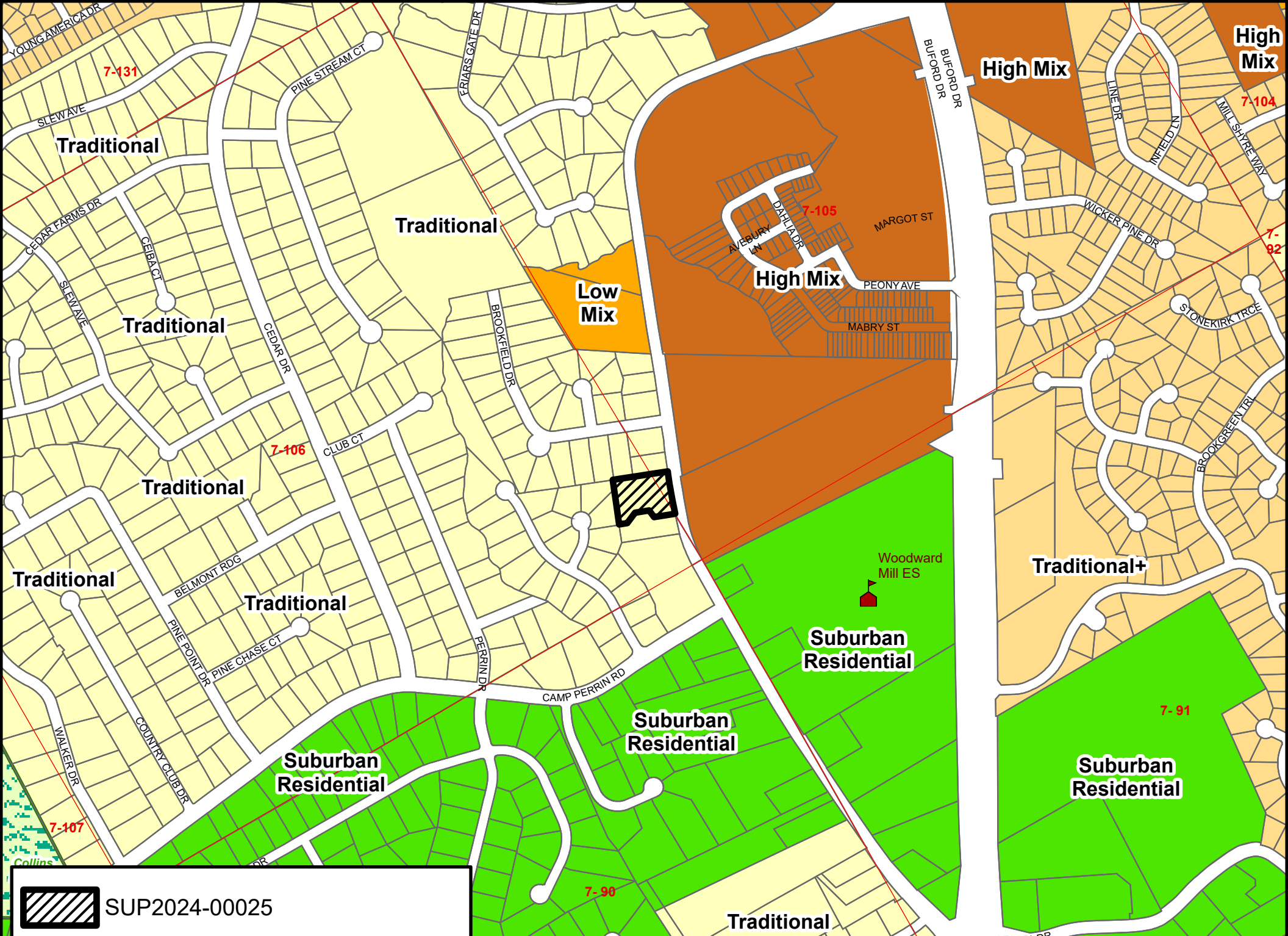



 SUP2024-00025

Created: June 24, 2024

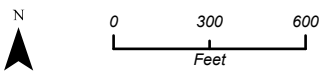


SUBJECT SITE AND SURROUNDING ZONING



 SUP2024-00025

Created: June 24, 2024



2045 UNIFIED PLAN FUTURE DEVELOPMENT CLASSIFICATION