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## **STAFF REPORT**

From the Department of Community Development

October 6, 2020

**CASE NUMBER:** SUSE-158-2020  
**APPLICANT:** Thomas C. Carter  
**REQUEST:** A Special Exception for Community Service Use  
**LOCATION:** 10 Martin Luther King, Jr. Drive; Tax Map No. 0P0270 099000

### **ADJACENT ZONING/LANDUSES:**

Subject Parcel: R-2, Two-family Residential District; single-family residence  
North: R-2; single-family residential  
South: R-2 and M-2, Industrial District; single-family residential  
East: R-2; undeveloped  
West: R-2; single-family residential and religious institution

**REQUEST ANALYSIS:** The applicant anticipates purchasing the subject property once it has been probated. Until then this request will not be considered by City Council.

The applicant proposed to convert the existing 900 square foot house to a space to conduct Alcoholics Anonymous and related meetings. Such meetings are held seven days per week typically in the evenings. Meetings average about an hour in length, but may run for two hours for special events. The number of attendees range from 5 to 20 persons, with an average night being attended by 8 persons. Parking will be provided on the site with overflow on an adjacent undeveloped site.

### **STANDARDS FOR SPECIAL EXCEPTIONS:**

1. *Does the Special Exception follow the existing land use pattern?* Properties along Martin Luther King, Jr. Drive are primarily single-family residences, with a church, daycare centers, and commercial uses intermixed.
2. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The property is located in a "Traditional Neighborhood" character area in the 2017 Joint Comprehensive Plan Update. Suggested land use designations include "Public/Institutional".
3. *Will adequate fire and police protection be available?* Adequate fire and police protection are available.
4. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* The intensity of the proposed use will likely be similar to or less intensive than other existing non-residential uses in the vicinity.
5. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* As a major collector street, Martin Luther King, Jr. Drive should have adequate capacity to handle the additional traffic generated by the proposed development. A pedestrian sidewalk is located along the western side of MLK, Jr. Drive from Gordon Street to General Courtney Hodges Boulevard.

6. *Will the use result in an increase in population density overtaxing public facilities?* As described in the application, the proposed use should not have a major impact on community facilities.
7. *Will the use create a health hazard or public nuisance?* The proposed use should not create a health hazard or public nuisance.
8. *Will property values in adjacent areas be adversely affected?* There is no evidence that the proposed use will adversely affect the value of surrounding properties.
9. *Are there substantial reasons a permitted use cannot be used at this property?* The property is developed as a single-family residential structure. It appears that it can be used in such a manner, although improvements may be required.

**STAFF RECOMMENDATION:** Based on evaluation of this application relative to the standard for the consideration of a special exception, Staff recommends approval of the special exception, with the following conditions:

1. The use and operation of the facility shall comply with the details included in the application;
2. Use of the property shall cease by 9:00 pm nightly; and
3. The building and site (parking) must meet current code requirements for the specific non-residential use prior to issuance of a Certificate of Occupancy.





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Application # SUSE-158-2020

### Application for Special Exception

Contact Community Development (478) 988-2720

#### Applicant/Owner Information

\*Indicates Required Field

	Applicant	Property Owner
*Name	THOMAS C CARTER	THOMAS C CARTER
*Title	137 GROWAN Rd. FIVE GA. 31025	
*Address	PO BOX 510 MLK DR. PERRY GA	
*Phone	478-987-5663	
*Email	TCARTER1000@gmail.com	

#### Property Information

*Street Address	510 MLK DR. PERRY GA. 31069	
*Tax Map #(s)	0P0270 099000	*Zoning Designation R-1

#### Request

\*Please describe the proposed use:

Alcoholics Anonymous (A.A.)  
Anonymous meetings - and. Al Anon (A.F.G.) meetings

#### Instructions

1. The application and \$91.00 fee (made payable to the City of Perry) must be received by the Community Development Office or filed on the online portal no later than 4:30 pm on the date reflected on the attached schedule.
2. The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the application meets the tests for granting the special exception). See Sections 2-2 and 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
3. For applications in which a new building, building addition and/or site modifications are required, you must submit a scaled drawing of the proposed site development plan.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Special Exception applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
6. Please verify all required information is reflected on the plan(s). Submit one (1) paper copy and one (1) electronic version of the plan(s).
7. An application for special exception affecting the same parcel shall not be submitted more often than once every six months.
8. The applicant must be present at the hearings to present the application and answer questions that may arise.
9. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No \_\_\_  
If yes, please complete and submit the attached Disclosure Form.

10. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

11. Signatures:

*Applicant <i>Thomas C. Cato</i>	*Date 9-24-2020
*Property Owner/Authorized Agent <i>Thomas C. Cato</i>	*Date 9-24-2020

**Standards for Granting a Special Exception**

1. Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property? *NO*
2. Describe the existing land use pattern surrounding the subject property.  
*Residential. light commercial*
3. Describe how the proposed use will not have an adverse effect on the Comprehensive Plan.  
*NO change to Residential homes,*
4. Describe how any proposed structures, equipment or materials will be readily accessible for fire and police protection. *City Fire protection. NO blockage to property*
5. Describe how the proposed use will be of such size, location, and character that it will generally be in harmony with appropriate and orderly development of the surrounding area and adjacent properties, and will not be a detriment to uses permitted on adjacent properties. (Consider the location and height of buildings and other structures, and the extent of landscaping, screening and buffering.)  
*NO. Change to property. - ~~improvement~~ Property Improvement & clean up lot*
6. For uses to be located in or adjacent to a residential district, describe how the nature and intensity of the operations of the proposed use will not negatively impact pedestrian and vehicular traffic in the district. *Most use at evening or night meeting.*
7. Describe how the proposed use will not place an undue burden upon public facilities and services.  
*Normal water & trash, electricity;*
8. Describe how the proposed use will not create health and safety problems, and will not create a nuisance with regard to traffic congestion, drainage, noise, smoke, odor, electrical interference, or pollution. *Normal property use & parking. (no outside burning)  
NO loud music or high power fans.*
9. Describe how the proposed use will not adversely impact the value of surrounding properties.  
*NO properties should be affected.*
10. State the reasons why the subject property cannot be used for a use permitted in the zoning district in which it is located. *Zoning - change - ~~SR~~ Special-Exception*

Revised 7/17/20

For Office Use (receipt code 204.2)

Date received	Fee paid	Date deemed complete	Public Notice Sign	Legal Ad	
Notice to Applicant	Routed to PC	Date of PC	Date of Public Hearing	Date of Council action	Notice of action

Bryan Wood

Perry Group (Alcoholics  
Anonymous)

meetings held. 7 days a week

Meeting Average 1 hour -

on some nights. meeting may be 2 hours if  
special event. (eating and speaker event)

Number of people vary 5 to 20 some nights  
mostly - around 8 people.

Parking at 510 MLK DR. with overflow  
parking at 508 MLK DR.

Thomas C. Carter

T.C.Carter1000@gmail.com