



GLPC AGENDA ITEM # 6

MAY 20, 2024

Conditional Use Request by Roche Kempson File #: CU-2024-04

Ms. Roche Kempson is requesting a Conditional Use Permit (CUP) for an expanded Family size Personal Care Home with 5 residents, in a Single-Family Residential (R-6) zoning district. The subject property is located at 1206 West Magnolia Street, which is along the north side of the street halfway between Scott Drive and Hightower Street. The property contains an existing single-family residence (3 BR, 2 bath) (1,510 sf) which currently houses a 3-person Personal Care Home for disabled adults, that has been operated by the applicant since June 2023. The applicant is now proposing to increase the occupancy of the facility to 5 residents, which triggers the need for CUP approval. The applicant has no plans to increase the physical size of the facility, nor make any physical changes to the site or the building interior.

The subject property is located within an **Established Residential (ER)** Character Area on the Future Development Map of the Comprehensive Plan.

Family sized Personal Care Homes are licensed by the State and they are defined locally as having 6 or fewer residents, in a single-family home setting. The smaller sized facilities with up to 3 residents are a Permitted Use (or a use by right) in all of the City's single-family residential zoning districts, while those with 4-6 residents require CUP approval. The allowable maximum occupancy of a PCH is generally and initially determined by physical size (floor area) of the overall facility, its number and sizes of bedrooms and floor plan design as dictated by State licensing requirements as well as the International Fire Code and Life Safety Codes, etc... However, it is also possible for the City Council to set a more restrictive size limitation based other considerations such as site conditions, overcrowding or over-institutionalizing a given facility or surrounding neighborhood. The whole intent of a "Family" size Personal Care Home, at both the State and local level, is for the facility to generally blend in and operate in the same manner as a regular household unit within the surrounding neighborhood.

In this case, the applicant has already been operating a 3-person Personal Care Home on the property for the past 12 months, and staff is not aware of any complaints or concerns being raised regarding the facility thus far. The subject property is part of a well-established single-family neighborhood, with many of the immediately adjacent houses being owned and managed as rental units by the Valdosta Housing Authority. Therefore, continued operation of the facility while blending-in as a regular household within the neighborhood, should be deemed fully acceptable. However, in this case there have been some concerns raised about the facility itself not being able to safely accommodate more than 4 residents, or perhaps seem over-crowded with its limited floor area (1,510-sf) and limited parking in the driveway (2 cars maximum), or otherwise give an impression of it being more "institutional" rather than "residential" in character. However, given its positive track record so far, and with proper conditions of approval and the installation of a fire sprinkler system etc., staff is supportive of increasing the allowable size of this facility to 4 persons.

Staff Recommendation: Find consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommend approval to the City Council, subject to the following conditions:

- (1) Approval shall be granted for a Personal Care Home with up to 4 residents, that continues to meet all State and local licensing requirements.
- (2) All parking for the facility shall be on fully paved surfaces as approved by the City Engineer
- (3) Install a fire sprinkler system and alarm monitoring system as approved by both the Fire Marshal and the Building Official
- (4) Conditional Use approval shall expire after 2 years from the date of approval if no amended Business License for the increased size in the facility has been approved by that date.