



Special Exception Application

Group Home

Community Development Department 700 Watson Blvd * 202 N Davis Drive PMB 718
Warner Robins, Georgia 31093

APPLICABLE STANDARDS of Section 97 of the City of Warner Robins Zoning Ordinance

Sec. 97 Group Residences

97.1. If located in a residential zoning district, the design and or maintenance of the structure used for the group residence must be residential in appearance and in keeping with neighboring homes.

97.2. The group residence shall be operated in a manner compatible with the neighborhood and shall not be detrimental to adjacent properties as a result of traffic, noise, light, refuse, parking or other activities.

97.3. A group residence with six (6) or fewer persons is allowed by special exception in R1, R2, R3, and R4 residential zoning districts and in commercial zoning districts. In residential districts, the resident manager is counted toward the limit.

97.4. The operator of the group residence shall comply with all applicable local, state and federal laws and regulations. Copies of all applicable licenses and permits, including but not limited to a City of Warner Robins business license, and State of Georgia Department of Human Resources license, shall be provided to the Planning and Zoning staff. Evidence shall be made available to the Planning and Zoning staff on an annual basis that the group residence maintains and is in compliance with all licensing requirements.

97.5. The group residence shall comply with all applicable building, housing, and fire codes. A fire inspection shall be required prior to issuance of a business license and shall be required annually prior to the renewal of said business license.

97.6. To prevent the institutional atmosphere created by a concentration or clustering of several group residences thereby defeating the group residence goal of integrating individuals into the community, each group residence shall be a minimum of five hundred (500) feet from any other group residence or similar use if located in a single-family residential zoning district. (Said distance shall be measured from the property lines).

97.7. The applicant shall submit a 24-hour crisis intervention plan. It shall be within the City's discretion to require the group residence to enter into a memorandum of understanding with the appropriate local agencies such as schools, hospitals or other crisis intervention agencies for provision of emergency services, including, where applicable, 24-hour crisis intervention.

97.8. The operator of a group residence housing juveniles shall provide the Warner Robins Police Department with a current list of residents. If any of the juveniles were placed in the group residence by the Department of Family and Children's Services, a list shall also be provided to the Houston County Office of the Department of Family and Children's Services. Said list shall be updated within ten (10) days of a change in residents. The operator of the group residence shall also provide a 24-hour contact number for the person or organization owning the group residence.

APPLICABLE STANDARDS of Section 114.2 of the City of Warner Robins Zoning Ordinance

Sec. 114.2 Special Exceptions (including Home Occupation) or Variances.

The zoning enforcement officer shall submit to the Planning & Zoning commission each application for special exception. Following each submission, the Planning & Zoning commission may authorize the zoning enforcement officer to issue such special exception. However, at request of the zoning enforcement officer or when required by the Planning & Zoning commission, the following procedures for issuance of a special exception shall be followed: After examination, review, and a public hearing thereon, the Planning & Zoning commission may grant special exceptions to the terms of these regulations upon which said commission is required to pass under these regulations; and in addition, grant minor variances and variances from the terms of these regulations where it will not be contrary to the public interest.

114.2.1. An application must be submitted in writing to the zoning enforcement officer and must be accompanied with site plans, sketches, or any other such information which may be required for review as set forth in Section 114.2.3.

114.2.2. The public hearing requirements set forth in Section 114.1.11 apply.

114.2.3. Each application for a Special Exception must be submitted to the zoning enforcement officer at least **forty-five (45)** days before any hearing by the Planning and Zoning Commission. Unless waived by the zoning enforcement officer, each application shall include all the following information about the subject property:

- (1) Name and address of the applicant, and name and address of the owner or operator of the proposed structure or use, if different from the applicant;
- (2) Nature of proposed use, including without limitation, type of activity proposed, manner of operation, number of occupants and/or employees, hours of operation, number of vehicle trips, water and sewer use and similar matters;
- (3) Vicinity map, location of the proposed use or structure, and its relationship to existing adjacent uses or structures, and use of adjacent property;
- (4) Area, dimensions and details of the proposed structure(s) or use(s), including without limitation, existing and proposed parking, landscaped areas, height and setbacks of any proposed buildings, and location and number of proposed parking/loading spaces and access ways;
- (5) Identification and location of all existing and proposed utilities; and
- (6) Any other pertinent information that the zoning enforcement officer, planning and zoning commission or Council may require, including without limitation, the application contents required by a Pre-Application conference.

114.2.4. A Special Exception shall be approved only when it is determined based on the evidence presented at the public hearing that all of the following conditions have been met:

- (1) The proposed use will not be detrimental to adjacent properties or the general neighborhood, the proposed use will not significantly adversely affect public health, safety, morality and welfare, and the proposed use as designed will minimize adverse effect to the surrounding neighborhood.
- (2) Applicable standards in Article VIII have been met.
- (3) The proposed use is consistent with the Comprehensive Plan, and the conditional use is compatible with the community development pattern.
- (4) A rezoning to allow the requested use as permitted use would not be appropriate.
- (5) The proposed use will not be injurious to the natural environment or the other property in the immediate vicinity, or unconstitutionally diminish property values within the surrounding neighborhood.
- (6) Off-street parking and loading, and access thereto will be adequate.
- (7) Public facilities and utilities are capable of adequately serving the proposed use, and the use would not lead to a

major negative change in existing levels of public service, or fiscal stability.

(8) The use will not be an extension of a use which will cause a damaging volume of (a) agricultural, (b) commercial, (c) industrial, or (d) higher density residential use into a stable neighborhood of well-maintained single-family homes, nor likely lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight or additional requests of similar nature which would expand the problem.

(9) The use would not significantly increase congestion, noise or traffic hazards.

(10) Granting this request would not have a “domino effect,” in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Plan.

114.2.5. The application shall be sent to the Planning & Zoning commission for review, public hearing and an approval/denial thereof. The Planning & Zoning commission shall have 30 days in which to make a decision.

114.2.5.1. Whenever a proposed special exception involves an application for home occupation, a day care center, group home or a personal care home, the Planning & Zoning commission will make a recommendation to Mayor and Council. The Mayor and Council shall take action on the said proposed amendment within forty-five (45) days after the date of the public hearing held by the Planning and Zoning commission. The Mayor and Council shall review the reports prepared by the Planning and Zoning staff and the Planning and Zoning Commission. Mayor and Council may approve or deny the application, approve with modifications or conditions, approve an alternate district or land use category to address the request or defer the decision to a specified meeting date. An action by Mayor and Council to defer the application shall include a statement of the date and time of the next meeting at which the application will be considered. Such statement shall constitute public notice and no further notice, as outlined in Sections 114.1.8-9, is required. The Mayor and Council shall have the authority to resubmit the proposed amendment for reconsideration by the commission. In the event of a resubmission, the commission shall issue its final recommendation to the Mayor and Council within thirty (30) days.

114.2.6. Whenever a proposed special exception involves an application for home occupation, a day care center, group home, or a personal care home, then the applicant shall provide the zoning enforcement officer with the signature and addresses of all residents and/or property owners contiguous to the applicant's property, including the owners of property lying directly across the adjacent rights-of-way. The signatures are to show that these potentially affected property owners have received notice of the special exception application and the upcoming public hearing. When, in the opinion of the zoning enforcement officer, the proposed use would directly affect the integrity of the existing neighborhood by reason of increased traffic or the possible overloading of other public facilities, then the zoning enforcement officer is authorized to require the signatures and addresses of additional area property owners as deemed necessary to adequately inform the neighborhood of the application.

114.2.7. Whenever a proposed special exception involves an application for home occupation, a day care center, group home, or a personal care home, or when, in the opinion of the zoning enforcement officer, the proposed use would directly affect the integrity of the neighborhood, a sign containing information as to the proposed request, and the date and time of the public hearing before the planning and zoning commission shall be posted in a conspicuous location on the property not less than fifteen (15) nor more than forty-five (45) days prior to the date of the public hearing. The cost of each such sign shall be paid by the applicant in accordance with the schedule of fees set forth by Mayor and Council.

114.2.8. Whenever a proposed special exception involves an application for a home occupation and the applicant is not the owner of the property then said application shall be accompanied by the written permission of the owner.

CITY OF WARNER ROBINS ZONING REGULATIONS

DEFINITIONS

Group Homes:

A residential care facility in which six or fewer people who do not meet the definition of “family” including any resident staff who share a single housekeeping unit. Requires licensing by the State of Georgia. The term “group home” shall not include a residence of post incarcerated individuals or those who are a danger to themselves or others.

Halfway House:

A group facility occupied and used for the business purpose of providing transitional offender rehabilitation or similar purposes, whether for profit or nonprofit, and whether or not required to have a state or federal permit, provided that the majority of the residents shall meet one of the following criteria:

- 1) On parole or probation, or has been ordered to reside in such type of facility as a condition of parole or probation; or
- 2) Has been convicted of a felony and has completed his or her sentence; or
- 3) Has been convicted of a criminal offense and has been ordered to reside in such type of facility as part of the criminal sentencing.

Transitional Living Center:

A community-based residential facility that provides short-term (120 days or less) room and board in a supervised living environment and is generally integrated with other social services, counseling and rehabilitation programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing for homeless persons and/or those with a history of juvenile delinquency, behavioral disorders, alcoholism, or drug abuse.

Personal Services:

Provision of services, on a daily basis, that include, but not limited to, ambulation and transfer, and essential activities of daily living such as eating, bathing, grooming, dressing, and toileting.

Resident Manager:

A person who lives in a group residence and is responsible for daily operation of the residence and care given to residents on a 24-hour per day basis.

Family:

One (1) or more individuals related by blood, marriage, adoption, legal guardianship, or not more than five (5) unrelated individuals, who live together in a single dwelling unit and who function as a single housekeeping unit, have established ties and familiarity with each other, jointly use common areas, interact with each other, and share meals, household activities, expenses, and responsibilities. This definition shall include five (5) or fewer mentally handicapped, developmentally disabled persons, and other handicapped persons, as defined in the Fair Housing Act, 42 U.S.C. Sec. 3601, et seq., living as a housekeeping unit and otherwise meeting the definition of “family” herein.

Disability:

A physical or mental impairment that substantially limits one or more of a person’s major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. A “disability” does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802 or successor law. “Major life activities” means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. “Has a record of such an impairment” means has a history of, or had been classified as having, a mental or physical impairment that substantially limits one or more major life activities.



City of Warner Robins

www.wrga.gov

(478) 302-5517 phone / (478) 929-6944 fax
700 Watson Boulevard / 202 N. Davis Drive / PMB 718
Warner Robins, GA 31093

ESTABLISHING A GROUP RESIDENCE HOME

CHECKLIST

STEP ONE: Zoning Compliance

Depending on how many residents there will be and what zoning district the property is located in, either a zoning compliance form (approved by Staff) or a Conditional Use Permit (approved by the Board of Commissioners) will be required. Please contact Sherri Windham at the Community Development Office to determine which applies to your proposal. If a Conditional Use Permit is required, a pre-application meeting must be scheduled (at this meeting you will need a survey of your property).

*If you are a GRH that will provide services for individuals under the age of 18 years old, prior to issuance of zoning compliance, a 24-Hour Crisis Intervention Plan must be approved by law enforcement (or its designee). If you are a GRH that will provide services for individuals over the age of 18, prior to the issuance of a zoning compliance, a 24-Hour Crisis Intervention Plan must be approved by the Community Development Department. Please see the attached sheets for details on what should be contained in the Plan for your requested use. The Plan should be submitted to the Community Development Department and a review should be completed in approximately 5 days. Once the Plan is approved, a copy should be posted at all times at the property.

STEP TWO: Pass a Fire Marshall Inspection

A Fire Marshall inspection will need to be scheduled. Please contact the Warner Robins Fire Department at (478) 293-1026. Submit completed Fire Inspection Form with zoning application.

STEP THREE: Obtain a State License

Group residences (community living arrangements), and Personal care homes are licensed by the Georgia Department of Human Resources, office of Regulatory Services, Personal Care Home Program. You must provide a copy of your approved license before advancing to the next step.

After receiving approval from the Planning and Zoning Commission and Mayor and Council, the City Clerk's Office will contact you when you may obtain your Business License. For information on required fees please contact Clerk's Office.

STEP FOUR: Application submittal meeting

Contact office of Community Development to schedule a meeting to submit completed application and required information.

FEES (Subject to change)

Application Fee	\$50.00
Business License Fees	Call City Clerk's Office for more information

CONTACTS

Darin Curtis, Office of Community Development	(478) 302-5517
City Clerk's Office	(478) 302-5353
Sherri Windham, Community Development Director	(478) 302-5518

SPECIAL EXCEPTION APPLICATION CHECK SHEET

- () Completed Application
- () Zoning Verification Letter
Contact Public Works Dept. - Connie Shugart @ Cshugart@wrga.gov
or 478-302-5501
- () Copy of State License
- () Fire Inspection Report (Annually)
- () 24 Hour Crisis Intervention Plan
- () 24 Hour Contact Numbers
Owner
Manager
- () Survey Plat and or Tax Parcel Map
- () House Layout Drawing
- () Surrounding Property Owners' Form
- () Application Fee \$50.00
- () Owner OR Agent Certification Form
- () Letter of Intent
- () List of names of Juvenile Residents (If applicable) 10 days to update
resident changes

GROUP RESIDENCE HOME
ZONING COMPLIANCE APPLICATION
FOR SPECIAL EXCEPTION ONLY

Adults_____

Juveniles_____

LOCATION OF PROPERTY/BUSINESS ADDRESS (LEGAL ADDRESS)		CITY	STATE	ZIP CODE
IS THE APPLICANT THE OWNER OF THE PROPERTY? YES OR NO	PROPERTY OWNER'S NAME:		HOW LONG HAS PROPERTY BEEN OWNED BY THIS PERSON? _____ YEARS _____ MONTHS	
DOES THE APPLICANT RESIDE AT THE PROPERTY FULL TIME? YES OR NO If NO, where does the applicant reside either Full time or Part time?				
ADDRESS		CITY	STATE	ZIP CODE
BUSINESS NAME (if any):		MAP & PARCEL #	ZONING:	
APPLICANT NAME:		2 ND APPLICANT NAME (IF APPLICABLE)		
APPLICANT'S ADDRESS		CITY	STATE	ZIP CODE
CONTACT NUMBER	2 ND NUMBER/CELL NUMBER	EMAIL		
WILL ANY MEDICAL/NURSING/PERSONAL SERVICES BE PROVIDED? YES OR NO	WHAT LICENSES ARE REQUIRED TO OPERATE THE GROUP RESIDENCE?			
TOTAL NUMBER OF PEOPLE BEING CARED FOR:	IS THIS A NEW OR EXISTING HOME? NEW OR EXISTING			
WILL THIS BUSINESS LOCATION REQUIRE ANY CHANGES, ALTERATIONS AND/OR ADDITIONS TO THE BUILDING? (IF YES, PLEASE PROVIDE INFORMATION) YES OR NO	WILL YOU NEED ANY ADDITIONAL ELECTRICAL OR PLUMBING WORK? (IF YES, PLEASE PROVIDE INFORMATION) YES OR NO			

I have provided the required information as listed above. I understand that unless otherwise noted the zoning approval is valid for 90 days to which I must obtain my business license before expiration. I understand that after the zoning review has been completed, additional permits may be required. In addition, I understand that if another group residence home within 500-feet obtains final approval before this application receives final approval, this GRH may not continue.

Applicant's Signature_____ **Date:** ___/___/_____

Applicant's Signature_____ **Date:** ___/___/_____

PROPERTY OWNER'S CERTIFICATION

THE UNDERSIGNED BELOW IS THE OWNER OF SAID PROPERTY AND IS AUTHORIZED TO MAKE THIS APPLICATION. THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE PLANNING AND ZONING COMMISSION AND/OR MAYOR AND COUNCIL UNLESS WAIVED BY THE PLANNING AND ZONING COMMISSION AND/OR MAYOR AND COUNCIL. (§114.2.17)

Signature

Date

Type or Print Name

Business and/or Cellphone number

Signature of Notary Public

Date

PROPERTY OWNER'S AGENT AUTHORIZATION

THE UNDERSIGNED BELOW, OR AS ATTACHED, IS THE OWNER OF THE PROPERTY CONSIDERED IN THIS APPLICATION. THE UNDERSIGNED DOES DULY AUTHORIZE THE APPLICANT NAMED BELOW TO **ACT AS AGENT** IN THE PURSUIT OF THIS PETITION.

AGENT INFORMATION:

Signature Date

Type or Print Name Date

Mailing Address

Business and/or Cellphone number

THE UNDERSIGNED IS AWARE THAT NO APPLICATION OR REAPPLICATION AFFECTING THE SAME LAND SHALL BE ACTED UPON WITHIN 12 MONTHS FROM THE DATE OF LAST ACTION BY THE PLANNING AND ZONING COMMISSION AND/OR MAYOR AND COUNCIL UNLESS WAIVED BY THE PLANNING AND ZONING COMMISSION AND/OR MAYOR AND COUNCIL. (§114.2.17)

Signature of **Property Owner** Date

Signature of **Property Owner** Date

Personally appeared before me

who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Notary Public Date

STATEMENTS FROM ADJACENT AFFECTED PROPERTY OWNERS:

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

STATEMENTS FROM ADJACENT AFFECTED PROPERTY OWNERS:

I, _____, owner of property located at _____, am aware of the attached petition.

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Signed : _____ Phone # _____

I, _____, owner of property located at _____, am aware of the attached petition.

Signed : _____ Phone # _____

24-Hour Crisis Intervention Plan (Adult)

*FOR GRH SERVING INDIVIDUALS **OVER** THE AGE OF 18 YEARS OLD

- Plans will have sections addressing the following as applicable:
 - (1) How the individuals will be placed? What agencies will provide clients?
 - (2) Hospital Emergencies
 - (3) Psychological Emergencies
 - (4) Leaving Premises without permission or adequate supervision
 - (5) Physical Fights
 - (6) Emergency Evacuation Method

- Plans will include contact information (name, address, phone numbers) for the following:
 - (1) Group Home
 - (2) Supervisors/administrators of the group residence; if a home occupation, the resident manager must reside in the home.
 - (3) On-Call Staff

- Plans will include the following information:
 - (1) Hours of operation
 - (2) Number of vehicle trips