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**DeKalb County Zoning Board of Appeals Minutes
June 12, 2024 @ 1:00 PM**

This meeting was held via Zoom

ZBA MEMBERS PRESENT
Pamela Speaks, **District 1**
Mark Goldman, **District 2**
Muhammad Jihad, **District 3**
Yolanda Spears, **District 5**
Dan Wright, Vice-Chair, **District 6**
John Tolbert, **District 7**
Michael Lober, ZBA Attorney

ZBA MEMBERS ABSENT
Nadine Rivers-Johnson, Chair, **District 4**

STAFF PRESENT
Brandon White, Current Planning Manager
Rachel Bragg, Zoning Administrator
Lucas Carter, Planner
Andrea Folgherait, Planner
Adam Chappell, Senior Planner
Kyle McLean, Planner
Howard Johnson, Planner
Deborra Wells, Admin Specialist

Approval of Minutes: Mark Goldman moved, Pamela Speaks seconded to approve the May 8, 2024 minutes. Motion carried 6-0-0.

MINUTES

DEFERRED CASES:

D1. A-24-1246808 (deferred from April 10th) Commission District 02 Super District 07
18 146 05 025
2604 LAWRENCEVILLE HIGHWAY, DECATUR, GA 30033

Application by Ray Walker to request variances from Sections 27-2.2.1 and 27-5.1.10 of the DeKalb County Zoning Ordinance to reduce rear yard and side yard setbacks and increase lot coverage to construct new building within the C-1 (Local Commercial) zoning district.

Mark Goldman moved, Pamela Speaks second to move this application to the end of the agenda, due to the applicant experiencing technical difficulties. Motion carried 6-0-0.

Mark Goldman moved, John Tolbert second to deny the appeal. Motion carried 6-0-0.

D2. A-24-1246810 (deferred from April 10th) Commission District 05 Super District 07
15 163 01 008
4822 COVINGTON HIGHWAY, DECATUR, GA 30035

Application by Quiktrip Corporation c/o Battle Law P.C. to request variances from Sections 21-20 of the DeKalb County Zoning Ordinance to increase maximum canopy sign size for proposed gas station within the C-2 (General Commercial) zoning district.

Mark Goldman moved, Muhammad Jihad seconded for a 60-day deferral to the August 14th meeting. The motion passed 5-1-0. John Tolbert opposed.

D3. A-24-1246904 (deferred from March 13th) Commission District 04 Super District 06
15 216 17 023
2695 MIDWAY ROAD, DECATUR, GA 30030

Application by Mary Turnipseed to request variances from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce side yard setbacks and increase lot coverage for an ADU addition to an existing garage within the R-75 (Residential Medium Lot) zoning district.

Muhammad Jihad moved, John Tolbert seconded for the withdrawal of the application without prejudice. Motion carried 6-0-0.

D4. A-24-1246907 (deferred from March 13th) Commission District 02 Super District 06
18 105 06 030
1141 EMPIRE ROAD, ATLANTA, GA 30329

Application by Bill Caldwell to request variances from Sections 27-2.2.1 and 27-5.1.10 of the DeKalb County Zoning Ordinance to reduce side yard setback and increase lot coverage to construct elevator addition to a single-family residence within the R-85 (Residential Medium Lot) zoning district.

Mark Goldman moved, Yolanda Spears second for approval with the following conditions: (1) case number, approval date, type of variance and condition(s) of approval. Motion carried 6-0-0.

D5. A-24-1246909 (deferred from March 13th) Commission District 04 Super District 06
18 046 01 148
584 GLENDALE ROAD, SCOTTDALE, GA 30079

Application by Monica Woods to request variances from Sections 27-3.36 and 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce rear yard setback, eliminate landscape strip, reduce side yard setbacks, and increase lot coverage to construct single-family residence within the R-75 (Residential Medium Lot-75) and Scottdale Tier II Overlay zoning district.

Mark Goldman moved, Yolanda Spears seconded to hear case D5 and D6 together. Motion carried 6-0-0.

John Tolbert moved, Muhammad Jihad seconded for a 60-day deferral to the August 14th meeting. Motion carried 6-0-0.

D6. A-24-1246910 (deferred from March 13th) Commission District 04 Super District 06
18 046 01 149
580 GLENDALE ROAD, SCOTTDALE, GA 30079

Application by Monica Woods to request variances from Sections 27-3.36.10 and 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce rear yard setback and eliminate 5' landscape strip to construct single-family residence within the R-75 (Residential Medium Lot-75) and Scottdale Tier II Overlay zoning district.

Mark Goldman moved, Yolanda Spears seconded to hear case D5 and D6 together.

John Tolbert moved, Muhammad Jihad seconded for a 60-day deferral to the August 14th meeting. Motion carried 6-0-0.

NEW CASES:

N1. A-24-1246975 Commission District 02 Super District 06
15 238 01 015
1751 SOUTH PONCE DE LEON AVENUE, ATLANTA, GA 30307

Application by Allison Hoffman Suazo to request variances from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce side yard and rear yard setbacks convert upper level of garage into an accessory dwelling unit within the R-85 (Residential Medium Lot-85) zoning district and Druid Hills Historic District.

Mark Goldman moved, Pamela Speaks second for approval with the following conditions: (1) case number, approval date, type of variance and condition(s) of approval. Motion carried 6-0-0.

N2. A-24-1246997 Commission District 02 Super District 06
18 105 13 006
965 HOUSTON MILL ROAD, ATLANTA, GA 30329

Application by Elna Saah DBA Pavel Rei, LLC to request variances from Sections 27-8.1.16 and 27-2.2.1 of the DeKalb County Zoning Ordinance to allow expansion of non-conforming building and reduce side yard setbacks to renovate existing house and convert garage into an accessory dwelling unit within the R-85 (Residential Medium Lot-85) zoning district.

Yolanda Spears moved, Mark Goldman seconded for a 60-day deferral to August 14th meeting. Motion carried 6-0-0.

N3. A-24-1246998 Commission District 02 Super District 06
18 148 01 019
3120 LAVISTA ROAD, DECATUR, GA 30033

Application by Nicole Lashley to request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce rear yard setback to enclose carport and construct addition to a single-family residence within the R-100 (Residential Medium Lot-100) zoning district.

Mark Goldman moved, John Tolbert second for a 60-day deferral to August 14th meeting. Motion carried 6-0-0.

N4. A-24-1247002 Commission District 02 Super District 06
18 106 09 014
1150 BRIAR VISTA TERRACE, NE ATLANTA, GA 30324

Application by Jordan Alley and Tray Alley to request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce rear yard and side yard setbacks to enclose carport within the R-75 (Residential Medium Lot-75) zoning district.

Mark Goldman moved; Yolanda Spears second for approval with the following conditions: (1) case number, approval date, type of variance and condition(s) of approval and (2) implement a landscaping buffer on the sides where the setback is reduced to mitigate any potential visual impact on neighbors. Motion carried 6-0-0.

N5. A-24-1247000 Commission District 01 Super District 07
18 233 07 002
2345 SHALLOWFORD ROAD, ATLANTA, GA 30345

Application by The Church in Atlanta Inc. c/o J. Alexander Brock, Smith Gambrell & Russell, LLP to request a variance from Section 27-6.1.4 of the DeKalb County Zoning Ordinance to reduce off-street parking requirements to restore church within the R-100 (Residential Medium Lot-100) zoning district.

Yolanda Spears moved, Pamela Speaks second for approval with the following conditions (1) case number, approval date, type of variance and condition(s) of approval. Motion carried 6-0-0.

Commented [CJ1]: Be prepared to justify this at the meeting. Not a bad idea.

N6. A-24-1247013
15 173 07 048
1881 2ND AVENUE, DECATUR, GA 30032

Commission District 03 Super District 06

Application by Craig Wasilewsky to request a variance from Section 27-5.4.2.5 (D) to reduce the transitional buffer to construct residential development in the MR-2 (Medium Density Residential) zoning district.

Mark Goldman moved, Pamela Speaks second for approval. Motion carried 6-0-0.

Dan Wright moved and Pamela Speaks seconded to adjourn the meeting. Motion carried 6-0-0.

The Zoning Board of Appeals (ZBA) hears variances, special exceptions, and appeals of administrative decisions. They are an independent body, appointed by the Board of Commissioners (BOC). The BOC hears Rezoning, Special Land Use Permits (SLUPs), Major modifications, Land Use Plan amendments, and Zoning Ordinance text amendment applications.