

**DeKalb County Zoning Board of Appeals Meeting
July 10, 2024 @ 1:00 PM**

This meeting was held via Zoom

ZBA MEMBERS PRESENT
Pamela Speaks, **District 1**
Mark Goldman, **District 2**
Nadine Rivers-Johnson, Chair, **District 4**
Dan Wright, Vice-Chair, **District 6**
John Tolbert, **District 7**
Michael Lober, **ZBA Attorney**

ZBA MEMBERS ABSENT
Muhammad Jihad, **District 3**
Yolanda Spears, **District 5**

STAFF PRESENT
Rachel Bragg, Zoning Administrator
Lucas Carter, Planner
Andrea Folgherait, Planner
Kyle McLean, Planner

Approval of Minutes: Mark Goldman moved, John Tolbert seconded to approve June minutes. Motion carried 5-0.

Mark Goldman moved, Pamela Speaks seconded to move case N8. 1282 Bramble to the beginning of the meeting.

MINUTES

DEFERRED CASES:

D1. **A-24-1246863** **Commission District 04 Super District 06**
18 047 22 005
449 BOOKER AVENUE, SCOTDDALE, GA 30079

Application by Tracy Swearingen to request a variance from Section 27-3.36.10 of the DeKalb County Zoning Ordinance to reduce rear yard and side yard setbacks to construct single-family residence within the R-75 (Residential Medium Lot-75) and Scottdale Tier II Overlay district.

Dan Wright moved, Mark Goldman seconded for a 60-day deferral to the September 11th meeting. Motion carried 5-0-0.

NEW CASES:

N1. **A-24-1246317** **Commission District 04 Super District 06**
18 047 04 010
3040 NORTH DECATUR ROAD, SCOTDDALE, GA 30079

Application by Zelalem Assfaw to request variances from Section 27 of the DeKalb County Zoning Ordinance to reduce open space

requirement to 15%, reduce side yard setback, reduce off-street loading space requirement within the C-1 (Local Commercial) zoning district and Scottsdale Tier I Overlay District.

Dan Wright moved, Mark Goldman seconded for 30-day deferral to the August 14th meeting. Motion carried 5-0-0.

N2. A-24-1247054 Commission District 04 Super District 07
16 129 02 004
1053 STEPHENSON ROAD, STONE MOUNTAIN, GA 30084

Application by Jonathan Hicks to request variances from Sections 27-5.4.7 (8) the DeKalb County Zoning Ordinance to reduce security entrance gate location from property line to install gate within the R-100 (Residential Medium Lot-100) zoning district.

Dan Wright moved, Mark Goldman seconded for approval with conditions. Vote carried 5-0-0.

1. The distance from the gate to edge of roadway is at least 20 feet.
 2. The following information about this variance shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance and condition(s) of approval.
 3. The automatic sliding gate must include security features such as video surveillance integration and tamper-resistant mechanisms.
 4. Adequate signage must be installed to notify users of the automated gate operation and security monitoring.
 5. The property owner must ensure regular maintenance of the gate and associated security systems to prevent malfunction and ensure continuous operation.
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N3. A-24-1247053 Commission District 03 Super District 06
15 081 03 023
1058 KEY ROAD, ATLANTA, GA 30316

Application by Stacy Inés Rodriguez to request a variance from Section 27-6.1.3 (8) of the DeKalb County Zoning Ordinance to allow parking of commercial vehicle on a residential parcel to operate on school bus within the R-75 (Residential Medium Lot-75) zoning district.

Dan Wright moved, John Tolbert seconded for approval with conditions. Motion carried 5-0-0.

1. The variance shall be limited to the end of the year 2026 with the option to apply for an extension beyond 2026 by applying for a variance. The applicant may be heard at or prior to the December 2026 meeting to apply for an extension.
 2. The variance shall only apply to the subject bus and shall only be parked in the rear yard.
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N4. A-24-1247051 Commission District 03 Super District 06
15 140 03 013
2424 FLAT SHOALS ROAD, DECATUR, GA 30032

Application by LaTanga Thomas 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 facilitate construction of single-family residence within the R-75 (Residential Medium Lot-75) zoning district.

John Tolbert moved, Nadine Rivers-Johnson seconded for withdrawal without prejudice. Motion carried 5-0-0.

N5. A-24-1247045 Commission District 03 Super District 07
15 121 02 001
2942 EMBER DRIVE, DECATUR, GA 30034

Application by Aljandro Delgado to request variances from Sections 27-3.33.13 (A), 27-3.33.17, and 27-6.1.3 of the DeKalb County Zoning Ordinance to reduce landscaping requirements, street and inter-parcel access requirements, and off-street parking requirements to convert hotel building into apartments within the C-1 (Local Commercial) zoning district and I-20 Tier I Overlay District.

Dan Wright moved, John Tolbert seconded for deferral to August 14 agenda with condition that applicant is able to provide sufficient public notice. Motion carried 5-0-0.

N6. A-24-1247044 Commission District 03 Super District 06
15 172 12 003
2107 BARBERRIE LANE, DECATUR, GA 30032

Application by Amanda Johnson, Small Carpenters At Large, Inc to request a variance from Section 27-2.2.1 to reduce side yard setback to construct addition to a single-family residence in the R-75 (Residential Medium Lot-75) zoning district.

No vote taken as the application was incorrectly included on the agenda.

N7. A-24-1247042 Commission District 02 Super District 06
15 238 02 006
472 RIDGECREST ROAD, ATLANTA, GA 30307

Application by Todd C. Wilkes / TCW Homes to request a variance from Section 27-2.2.1 to reduce side yard setback to construct addition to construct two-car garage in the R-85 (Residential Medium Lot-85) zoning district and Druid Hills Historic District.

Dan Wright moved, Mark Goldman seconded for 60-day deferral to the September 11th meeting. Motion carried 5-0-0.

N8. A-24-1247040 Commission District 02 Super District 06
18 110 09 073
1282 BRAMBLE ROAD, ATLANTA, GA 30329

Application by Joshua Gottlieb to request a variance from Section 27-2.2.1 to reduce side yard setback to construct addition to legal non-conforming structure in the R-85 (Residential Medium Lot-85) zoning district.

Dan Wright moved, Mark Goldman seconded for withdrawal without prejudice. Motion carried 5-0-0.

N9. A-24-1247038 Commission District 04 Super District 06
15 233 02 025
973 FORREST BOULEVARD, DECATUR, GA 30030

Application by Benjamin Calhoun to request a variance from Section 27-2.2.1 to reduce rear yard setback to facilitate construction of a rear deck and screened-in porch in the R-75 (Residential Medium Lot-75) zoning district.

Mark Goldman moved, Pamela Speaks seconded for approval of the application with the following condition: (1) case number, approval date, type of variance to be noted on site plan. Motion carried 5-0-0.

N10. A-24-1247037 Commission District 03 Super District 06
15 021 04 062
4215 CEDAR COMMONS WAY, CONLEY, GA 30288

Application by Elliott Fried to request a variance from Section 27-2.2.1 to reduce side yard setback to construct single-family residential in the R-100 (Residential Medium Lot-100) zoning district.

Mark Goldman moved, Dan Wright seconded to approve with the following condition: (1) case number, approval date, type of variance to be noted on site plan. Motion carried 5-0-0.

Dan Wright moved, Mark Goldman seconded to adjourn the meeting. Motion carried 5-0-0.

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.