

**DeKalb County Zoning Board of Appeals
Meeting Minutes
September 11, 2024**

(This meeting was held via Zoom)

ZBA MEMBERS PRESENT:

Pamela Speaks, District 1
Mark Goldman, District 2
Muhammad Jihad, District 3
Nadine Rivers-Johnson, Chair, District 4
Dan Wright, Vice-Chair, District 6
John Tolbert, Jr., District 7

ZBA MEMBERS ABSENT:

Yolanda Spears, District 5

STAFF PRESENT:

Rachel Bragg, Zoning Administrator
Lucas Carter, Planner
Andrea Folgherait, Sr. Planner
Adam Chappell, Sr. Planner
Kyle McLean, Planner
Debora Wells, Administrative Specialist
David Cullison, Sr. Planner
Yvonne Trammell, Special Projects Coordinator
Howard Johnson, Sr. Planner

Approval of Minutes: Mark Goldman moved, Pamela Speaks seconded to approve the September 11, 2024 draft minutes. The motion carried 5-0-0. Nadine Rivers-Johnson was not present for this vote.

AGENDA

DEFERRED CASES:

D1. A-24-1247094
15 136 01 070
3113 THRASHER CIRCLE DECATUR, GA 30032

Commission District 03 Super District 07

Application by Tamara Taitt to request variances from Sections 27-2.1.1 and 27-5.4.7 of the DeKalb County Zoning Ordinance to reduce setback and allow alternate fencing material to allow perimeter fencing within the R-75 (Residential Medium Lot-75) zoning district and I-20 Tier I Overlay District.

MOTION: Mark Goldman moved, John Tolbert seconded for denial of both variance requests. Motion carried 4-1-0. Dan Wright opposed the motion. Nadine Rivers-Johnson was not present for this vote.

**D2. A-24-1247106
15 183 02 001
2961 ALSTON DRIVE ATLANTA, GA 30317**

Commission District 03 Super District 07

Application by Ihsan Saleem to request variances from Sections 27-3.33.9, 27-3.33.11, 27-3.33.13, 27-5.4.4, and 27-6.1.4 of the DeKalb County Zoning Ordinance to reduce rear yard setback, transitional buffer, landscape buffer, and parking requirements to convert warehouse storage into office and retail space within the C-2 (General Commercial) zoning district and I-20 Tier II Overlay District.

MOTION: Mark Goldman moved, Muhammad Jihad seconded for a 60-day deferral to the December 11, 2024 meeting. Motion carried 5-0-0. Nadine Rivers-Johnson was not present for this vote.

**D3. A-24-1247100
18 047 21 017
3140 KELLY STREET SCOTTTDALE, GA 30079**

Commission District 04 Super District 06

Application by Alrick McIntyre to request a variance from Section 27-2.1.1 of the DeKalb County Zoning Ordinance to rear yard and front yard setbacks to facilitate construction of single-family residence within the R-75 (Residential Medium Lot-75) zoning district and Scottdale Tier II Overlay District.

MOTION: Mark Goldman moved, Muhammad Jihad seconded for a 60-day deferral to the December 11, 2024 ZBA Meeting. Motion carried 5-0-0. Nadine Rivers-Johnson was not present for this vote.

**D4. A-24-1246909
18 046 01 148
584 GLENDALE ROAD, SCOTTTDALE, GA 30079**

Commission District 04 Super District 06

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.

MOTION: Dan Wright moved, John Tolbert seconded for approval of this application. Motion carried 6-0-0.

**D5. A-24-1246910
18 046 01 149
580 GLENDALE ROAD, SCOTTTDALE, GA 30079**

Commission District 04 Super District 06

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.

MOTION: Pam Speaks moved, Muhammad Jihad seconded for withdrawal without prejudice. Motion carried 6-0-0.

**D6. A-24-1247098
15 220 10 002
3952 COVINGTON HIGHWAY DECATUR, GA 30032**

Commission District 05 Super District 07

Application by PDC Land Holdings, LLC to request a variance from Section 27-3.41.7 (F) and 27-3.41.8 (A) of the DeKalb County Zoning Ordinance to reduce required stoop height and allow alternate exterior building materials to facilitate construction of apartment complex within the C-1 (Local Commercial) zoning district and Covington Overlay District.

MOTION: Pam Speaks moved, Muhammad Jihad seconded for a 60-day deferral to the December 11, 2024 ZBA meeting. Motion carried 6-0-0.

NEW CASES:

**N1. A-24-1247178
15 140 01 063
1987 PRESTON PARK PLACE, DECATUR, GA 30032**

Commission District 03 Super District 06

Application by Brenda Ann Hall to request variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce of the rear yard setback from 40-feet to 26-feet to facilitate the construction of a screened-in porch within the R-60 (Residential Medium Lot-60) zoning district.

MOTION: Muhammad Jihad moved, Dan Wright seconded for approval of the application. Motion carried 6-0-0.

**N2. A-24-1247176
15 248 15 010
739 LIVINGSTONE PLACE, DECATUR, GA 30030**

Commission District 04 Super District 06

Application by Kristi Hanna and Mason Bumgarner to request variance from Section 27-4.2.2 (C.3) of the DeKalb County Zoning Ordinance to reduce rear yard setback from 10 feet to 7 feet to facilitate conversion of garage into an accessory dwelling unit within the R-75 (Residential Medium Lot-75) zoning district.

MOTION: Dan Wright moved, Mark Goldman seconded for approval with conditions that case number, approval date, type of variance and conditions of approval are listed on the site plan. Motion carried 6-0-0.

**N3. A-24-1247175
15 243 02 027
1766 PONCE DE LEON AVENUE, ATLANTA, GA 30307**

Commission District 02 Super District 06

Application by Tiffany Barcik to request variances from Section 27-4.2.2 of the DeKalb County Zoning Ordinance to increase building area and height limitation to convert a garage into an accessory dwelling unit within the R-85 (Residential Medium Lot-85) zoning district and Druid Hills Historic District.

MOTION: Dan Wright moved, Mark Goldman seconded for withdrawal without prejudice of the application. Motion carried 6-0-0.

**N4. A-24-1247168
16 062 02 029
1230 PANOLA ROAD, STONE MOUNTAIN, GA 30088**

Commission District 04 Super District 06

Application by Linda Dunlavy to appeal administrative decision to allow expiration of land disturbance and building permits to construct convenience store and gas station within the C-1 (Local Commercial) zoning district.

MOITON: Mark Goldman moved, John Tolbert seconded for 30-day deferral for to the November 13, 2024 ZBA meeting. Motion carried 6-0-0.

**N5. A-24-1247181
15 126 06 011
4200 WESLEY CLUB DRIVE, DECATUR, GA 30034**

Commission District 03 Super District 07

Application by Wesley Chapel Ventures LLC, Edward Fernandez to request variances from Sections 27-3.33.16, 27-3.33.10, 27-3.33.9 (E) and 27-3.33.23 (B) of the DeKalb County Zoning Ordinance to reduce off-street parking, modify site access points, and modify right-of-way width above-ground utilities and to reduce the required open space for mixed-use apartment building within the C-1 (local commercial) zoning district and I-20 Tier 1 Overlay District.

MOTION: Dan Wright moved, Muhammad Jihad seconded for approval with conditions that case number, approval date, type of variance and conditions of approval are listed on the site plan and variances expire when the structure is redeveloped in the future. Motion carried 6-0-0.

**N6. A-24-1247186
18 002 04 001
1199 OXFORD ROAD, ATLANTA, GA 30306**

Commission District 02 Super District 06

Application by Jim Walker to request variance from Section 27-4.2.2 (3) of the DeKalb County Zoning Ordinance to reduce rear yard and side yard setbacks to replace existing garage with two-story garage and accessory dwelling unit within the R-85 (Residential Medium Lot-85) zoning district and Druid Hills Historic District.

MOTION: Mark Goldman moved, Pam Speaks seconded for withdrawal without prejudice of the application. Motion carried 6-0-0.

**N7. A-24-1247187
18 054 02 030
1381 HARVARD ROAD, ATLANTA, GA 30306**

Commission District 02 Super District 06

Application by David Price to request variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to increase maximum lot coverage from 35% to 38.2 to convert an existing open wood deck to a covered porch within the R-75 (Residential Medium Lot-75) zoning district and Druid Hills Historic District.

MOTION: Mark Goldman moved, Pam Speaks seconded for approval with conditions that case number, approval date, type of variance and conditions of approval are listed on the site plan. Motion carried 6-0-0.

**N8. A-24-1247193
18 286 04 045
3992 EVANS ROAD, DORAVILLE, GA 30340**

Commission District 01 Super District 07

Application by Jesus Arroyo and Alfredo Jose to request variances from Section 27-2.1.1 of the DeKalb County Zoning Ordinance to reduce rear yard setback to facilitate construction of home addition within the R-60 (Residential Medium Lot-60) zoning district.

MOTION: Pam Speaks moved, Dan Wright seconded for a 60-day deferral to the December 11, 2024 ZBA meeting. Motion carried 6-0-0.

**N9. A-24-1247189
15 173 08 021
1826 DONNALEE AVENUE, ATLANTA, GA 30316**

Commission District 04 Super District 06

Application by Kaley Findley to request variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce side yard setback for garage addition within the R-75 (Residential Medium Lot-75) zoning district.

MOTION: Dan Wright moved, John Tolbert seconded for a 60-day deferral to the December 11, 2024 ZBA meeting. Motion carried 4-2-0. Nadine Rivers-Johnson and Mark Goldman opposed.

**N10. A-24-1247180
18 105 13 006
965 HOUSTON MILL ROAD, ATLANTA, GA 30329**

Commission District 02 Super District 06

Application by Buddy Bhavhnani and Lynn Ricketts to appeal staff decision to remove stop work order for the reconstruction of 965 Houston Mill within the R-85 (Residential Medium Lot-85) zoning district.

MOTION: Mark Goldman moved, Dan Wright seconded to deny the administrative decision lift the stop work order. Motion carried 6-0-0.

**N11. A-24-1247091
18 159 12 008
2184 BONNAVIT COURT, ATLANTA, GA 30345**

Commission District 02 Super District 06

Application by Stephanie Loew to request variances from Section 27 of the DeKalb County Zoning Ordinance to reduce front yard setback and allow construction of accessory structure in front yard to facilitate construction of carport within the R-100 (Residential Medium Lot-100) zoning district.

MOTION: Pam speaks moved and Muhammad Jihad seconded for with conditions that case number, approval date, type of variance and conditions of approval are listed on the site plan. 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.