

**DeKalb County Zoning Board of Appeals
Meeting Minutes
December 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
VACANT, District 5
Dan Wright, Vice-Chair, District 6
John Tolbert, Jr., District 7
Michael Lober, Attorney

STAFF PRESENT:

Rachel Bragg, Zoning Administrator
Lucas Carter, Planner
Debora Wells, Administrative Specialist

Approval of Minutes: John Tolbert moved, Pamela Speaks seconded to approve the November 13, 2024 ZBA minutes. Motion carried 4-0-0. Dan Wright and Muhammad Jihad were not present for this vote.

AGENDA

DEFERRED CASES:

D1. A-24-1247193 Commission District 01 Super District 07
18 286 04 045
3992 EVANS ROAD, DORAVILLE, GA 30340

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: Mark Goldman moved, Pamela Speaks seconded for approval with the following conditions: (1) case number, approval date, type of variance and conditions of approval and that the addition be consistent with the floor plan submitted to staff. Motion carried 4-0-0. Dan Wright and Muhammad Jihad were not present for this vote.

D2. A-24-1247100 Commission District 04 Super District 06
18 047 21 017
3140 KELLY STREET SCOTTTDALE, GA 30079

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: John Tolbert moved, Mark Goldman seconded for withdrawal without prejudice. Motion carried 5-0-0. Dan Wright was not present for this vote.

D3. 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: John Tolbert moved, Muhammad Jihad seconded for withdrawal without prejudice. Motion carried 5-0-0. Dan Wright was not present for this vote.

D4. 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, Pamela Speaks seconded for a 60-day deferral to the February 12, 2025 ZBA meeting. Motion carried 5-0-0. Dan Wright was not present for this vote.

NEW CASES:

N1. A-24-1247035
16 092 04 081
5980 GILES ROAD, LITHONIA, GA 30058

Commission District 05 Super District 07

Application by Andrea Chait to request variance from Section 27-5.4.7 of the DeKalb County Zoning Ordinance to increase fence height within the R-100 (Residential Medium Lot-100) zoning district.

MOTION: John Tolbert moved, Pamela Speaks seconded for a 30-day deferral to the January 8, 2025 ZBA meeting. Motion carried 5-0-0. Dan Wright was not present for this vote.

N2. A-24-1247285
18 145 16 003
2825 LAWRENCEVILLE HIGHWAY, TUCKER, GA 30084

Commission District 04 Super District 07

Application by Atlantic Development Group LLC c/o Battle Law, P.C. to request a variance from Section 27-2.24.1 of the DeKalb County Zoning Ordinance to reduce front yard setback from 50 feet to 10 feet to facilitate development of a convenience store with fuel pumps within the C-1 (Local Commercial) zoning district.

MOTION: John Tolbert, Muhammad Jihad seconded for approval with the following conditions: (1) case number, approval date, type of variance and conditions of approval 2) The applicant shall provide two pedestrian pathways: one connecting to Lawrenceville Highway and another along the western portion connecting to Montreal Road, both leading to the convenience store entryway. Motion carried 4-2-0. Mark Goldman and Dan Wright opposed.

N3. A-24-1247286
15 251 03 001
4200 MEMORIAL DRIVE, DECATUR, GA 30032

Commission District 05 Super District 07

Application by Housing Authority of DeKalb County to request variances from Section 27-5.4.7 of the DeKalb County Zoning Ordinance to increase retaining wall height within the HR-2 (High-Density Residential-2) zoning district.

MOTION: Mark Goldman moved, Pamela Speaks seconded for a 60-day deferral to the February 12, 2025 ZBA meeting. Motion carried 5-1-0. Nadine Rivers-Johns opposed.

ADJOURNMENT: Dan Wright moved, Pamela Speaks seconded to adjourn meeting.

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.