



DeKalb County Government Planning & Sustainability Department

**Government Services Center
178 Sams Street
Decatur, Georgia 30030**



Minutes

**Wednesday, September 9, 2026
1:00 pm, via Zoom**

Zoning Board of Appeals

**Seth BurrowDistrict 1
Mark Goldman, Vice-Chair District 2
Muhammad Jihad District 3
Nadine Rivers-Johnson, Chair District 4
Eric Hubbard..... District 5
Dr. Juaney Lynn-Rigsby District 6
John Tolbert District 7**



Current Planning Zoning Division

DeKalb County Zoning Board of Appeals Meeting

Juliana A. Njoku
Director

September 9, 2026 @ 1:00 PM

ZBA BOARD MEMBERS PRESENT	DEKALB STAFF MEMBERS PRESENT
Seth Burrow, District 1	Rachel Bragg, Deputy Director
Mark Goldman, Vice-Chair, District 2	Christopher Wheeler, Planning Manager
Eric Hubbard, District 5	Whitney Fuller, Zoning Administrator
Dr. Juaney Lynn-Rigsby, District 6	Lucas Carter, Planner
John Tolbert, Super District 7	Howard Johnson, Senior Planner
Valerie Ross, ZBA Staff Counsel	Debora Wells, Administrative Specialist
	Adam Chappell, Senior Planner
	Andrea Folgherait, Senior Planner
ZBA BOARD MEMBERS ABSENT	
Nadine Rivers-Johnson, Chair, District 4	
Muhammad Jihad, District 3	

Approval of Minutes: John Tolbert moved, Eric Hubbard seconded to approve August 12, 2026 Minutes. Motion carried 5-0-0.

Minutes

DEFERRED CASES:

D1. A-26-1248134 (deferred from July's Agenda)
18 055 04 011
1371 AND 1373 MARKAN DRIVE NE, ATLANTA, GA 30306

Commission District 02 | Super District 06

Application by Katarzyna “Kasia” Zycinska/ATL-MCM, LLC to request variances from Sections 27-5.4.5, 27-6.1.3, and 27-6.1.4 of the DeKalb County Zoning Ordinance to reduce the required transitional buffer, allow front yard parking, and reduce the minimum off-street parking requirement to facilitate renovation and expansion of an existing duplex into a multi-family residential in the MR-2 (Medium Density Residential) zoning district.

MOTION: Dr. Juaney Lynn-Rigsby moved, Eric Hubbard seconded for withdrawal without prejudice. Motion carried 5-0-0.

NEW CASES:

N1. A-26-1248202
15 051 01 001
3600 & 3455 INTERNATIONAL PARK DRIVE, ATLANTA, GA 30316

Commission District 03 | Super District 06

Application by Shadowbox Studios and Henrico 183, LLC, c/o Bloom Parham, LLP, to appeal an administrative decision.

MOTION FOR ADDITIONAL TIME: John Tolbert moved, Dr. Juaney Lynn-Rigsby seconded to add three minutes each for support and opposition. Motion carried 5-0-0.

MOTION: Seth Burrow moved, John Tolbert seconded to affirm the administrative decision. Motion carried 5-0-0.

N2. A-26-1248217
18 149 02 011
2761 / 2747 LAVISTA ROAD, DECATUR, GA 30033

Commission District 02 | Super District 06

Application by Sunspaces South Atlanta to request a variance from Section 27-2.2.1 to reduce the front-yard setback to facilitate construction of a pergola in the C-1 (Local Commercial) zoning district.

MOTION: Seth Burrow moved to approve with staff conditions, including revised language in Condition 4. Eric Hubbard seconded. The motion carried 5-0-0.

- 1. 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.**
 - 2. Permit drawings shall be substantially consistent with the submitted survey and pergola plans. The approved front setback shall be no less than 35 feet, measured in accordance with the Zoning Ordinance.**
 - 3. The variance applies only to the pergola shown in the submitted materials and does not authorize expansion of the principal building, outdoor dining area, parking area, or any other structure into a required yard.**
 - 4. No portion of the pergola, roof drainage, lighting, landscaping, or related improvement shall encroach into the public right-of-way, a required sight-distance triangle, or an easement or extend closer to the street than the existing patio**
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N3. A-26-1248218
18 052 10 041
1849 WESTMINSTER WAY, ATLANTA, GA 30307

Commission District 02 | Super District 06

Application by Robert M. Lurie to request a variance from Section 27-4.2.3 of the DeKalb County Zoning Ordinance to increase the maximum heated floor area of an accessory dwelling unit within an existing residence in the R-75 (Residential Medium Lot) zoning district and the Druid Hills Historic District.

MOTION: John Tolbert moved, Eric Hubbard seconded for approval with conditions. Motion carried 5-0-0.

N4. A-26-1248221
18 047 23 009
445 PROCTOR AVENUE, SCOTSDALE, GA 30079

Commission District 04 | Super District 06

Application by Caren Ann Nunnally and Neal Hightower on behalf of H&O Properties, LLC to request variances from Section 27-3.36.10 of the DeKalb County Zoning Ordinance to reduce setbacks to construct a single-family residence in the R-75 (Residential Medium Lot-75) zoning district and the Scottdale Tier Two Overlay District.

MOTION: Seth Burrow moved, John Tolbert seconded for approval with conditions. Motion carried 4-1-0. Mark Goldman opposed.

N5. A-26-1248222
18 047 23 008
449 PROCTOR AVENUE, SCOTSDALE, GA 30079

Commission District 04 | Super District 06

Application by Caren Ann Nunnally and Neal Hightower on behalf of H&O Properties, LLC to request variances from Section 27-3.36.10 of the DeKalb County Zoning Ordinance to reduce setbacks to construct a single-family residence in the R-75 (Residential Medium Lot-75) zoning district and the Scottdale Tier Two Overlay District.

MOTION: Seth Burrow moved, Eric Hubbard seconded for approval with conditions. Motion carried 4-1-0. Mark Goldman opposed.

N6. A-26-1248223
18 047 23 015
467 PROCTOR AVENUE, SCOTSDALE, GA 30079

Commission District 04 | Super District 06

Application by Caren Ann Nunnally and Neal Hightower on behalf of H&O Properties, LLC to request variances from Section 27-3.36.10 of the DeKalb County Zoning Ordinance to reduce setbacks to construct a single-family residence in the R-75 (Residential Medium Lot-75) zoning district and the Scottdale Tier Two Overlay District.

MOTION: Seth Burrow moved, Dr. Juaney Lynn-Rigsby seconded for approval with conditions. Motion carried 4-1-0. Mark Goldman opposed.

N7. A-26-1248233
18 065 11 005
862 TANNER DRIVE, SCOTSDALE, GA 30079

Commission District 04 | Super District 06

Application by Gail R. Tassell to request variances from Section 27-3.36 to reduce the front yard setbacks to renovate and expand the existing residence and retain an existing accessory structure in the R-75 (Residential Medium Lot-75) zoning district and the Scottdale Overlay District.

MOTION: John Tolbert moved, Eric Hubbard seconded for a 60-day deferral to November 12, 2026 Hearing. Motion carried 5-0-0.

N8. A-26-1248252
16 062 05 033
5667 REDAN ROAD, STONE MOUNTAIN, GA 30088

Commission District 05 | Super District 07

Application by Marizu Ogbuehi to **appeal an administrative decision.**

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.

MOTION: John Tolbert moved, Dr. Juaney Lynn-Rig seconded to affirm administrative decision. Motion carried 5-0-0.

N9. New Business

N10. Adjournment

Seth Burrow moved, Eric Hubbard seconded to adjourn Hearing. Motion carried 5-0-0.

Meeting Link:

https://dekalbcountyga.zoom.us/rec/share/N0K1chsO6YMyZCI-66OKT8FpTi0YtbhBYE_krJoMXKciKAuhJ8ciRjuForsYVJdx.ygN3oXZ8Vw-nvheA?startTime=1788972785000

Passcode: w?UAAKy5