

**ZONING BOARD OF APPEALS MEETING DRAFT MINUTES
Wednesday, February 10, 2021 1:00 PM**

Members Present: Nadine Rivers-Johnson, Chairperson, District 4
Pamela Speaks, District 1
Mark Goldman, District 2
Alice Bussey, District 3
Jasmine Chatman, District 5
John Tolbert, District 7

Members Absent: Dan Wright, (Co-Chairperson), District 6

Staff Present: Brandon White, Current Planning Manager
Jeremy McNeil, Sr. Planner
Melora Furman, Sr. Planner
Rachel Bragg, Sr. Planner

A. Quorum

After a quorum had been determined, Chair Rivers-Johnson called the meeting to order at 1:05 p.m.

B. Reading of the Opening Statement

Chair Rivers-Johnson read the opening statement of procedures to the public.

C. Introductions

Chair Rivers-Johnson asked members of the Zoning Board of Appeals and the Planning Staff to introduce themselves.

D. Approval of Minutes

Motion to approve January minutes by Alice Bussey, seconded by Pam Speaks. Motion was approved unanimously.

E. Agenda

DEFERRED ITEMS:

**D1 A-20-1244443 (Deferred from 12/9/2020 meeting)
18-111-03-018
1795 CONSTITUTION ROAD, ATLANTA, GA 30316**

Commission District 04 Super District 07

Application of R. Kyle William Williams, Esq. to request the following variances from Chapter 27 of the DeKalb County Zoning Ordinance to (1) reduce the required transitional buffer on the east side of the property from 75 feet to 50 feet; and (2) eliminate the required landscape strip, sidewalk, and street trees along Constitution Road. The property is located on the south side of Constitution Road, approximately 1,171 feet west of the intersection of Bouldercrest Road and Clifton Church Road, at 1795 Constitution Road, Atlanta, GA 30316.

MOTION: Jasmine Chatman moved, Pam Speaks seconded to Approve (1), with the condition that a soundproofing wall shall be installed along the east property line. The wall shall be designed to reduce sound spillage onto the adjoining property to the east to levels that comply with the standard of the noise ordinance for a multifamily residential property; and; **Approve (2)** with the condition of a requirement to build a minimum 8-foot sidewalk within the 25-foot landscape planning buffer. **Motion was unanimously approved.**

D2 A-20- 1244329 (Deferred from 1/13/2021 meeting)
18-073-02-005
811 SHEPPARD ROAD STONE MOUNTAIN, GA 30083

Commission District 04 Super District 07

Application of Tracy T. Swearingen, Sr. to request the following variance from Chapter 27 of the DeKalb County Zoning Ordinance to reduce to front yard setback for a proposed two-story detached home. The property is located east of Sheppard Road, at 811 Sheppard Road, Stone Mountain, GA 30083.

MOTION: Deferred during January 2021 meeting for 60 days to the March 2021 ZBOA Agenda.

D3 A-20- 1244495 (Deferred from 1/13/2021 meeting)
18-047-05-005
604 KENTUCKY STREET, SCOTSDALE, GA 30079

Commission District 04 Super District 06

Application of Kristie Wilder to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to reduce the building separation distance from residential uses, residential districts, and property boundary lines for a proposed animal shelter. The property is located west of Kentucky Street, at 604 Kentucky Street, Scottdale, GA 30079.

MOTION: Mark Goldman moved, Alice Bussey seconded to Approve (1) a variance from Chapter 27 of the DeKalb County Code to reduce the required 100-foot separation distance of an animal shelter from a property line to 30 feet at the rear of the subject property; and **Approve (2)** a variance to reduce the required 100-foot separation distance of an animal shelter from a property line to 19 feet at the north side of the subject property and **Approve (3)** a variance to reduce the required 500-foot separation distance of an animal shelter from a residential zoning district. **Motion passed 4-2-0. John Tolbert and Jasmine Chatman opposed.**

NEW ITEMS:

N1 A-21- 1244564
18-009-01-023
384 3rd AVENUE, SCOTSDALE, GA 30079

Commission District 04 Super District 06

Application of Katie Mooran to request the following variance from Chapter 27 of the DeKalb County Zoning Ordinance to reduce the rear yard setback for a proposed addition, relating to the R-75 zoning district and the Scottdale Overlay District. The property is located east of 3rd Avenue, at 384 3rd Avenue, Scottdale, GA 30079. **Applicant requested withdrawal.**

MOTION: John Tolbert moved, Mark Goldman seconded for Withdrawal. Motion passed unanimously.

N2 A-21- 1244565
18-001-09-004
1339 CHALMETTE DRIVE, ATLANTA, GA 30306

Commission District 02 Super District 06

Application of Michael Streger to request the following variances from Chapter 27 of the DeKalb County Zoning Ordinance to increase the maximum allowed and to reduce the side yard, relating to the R-75 zoning district. The property is located south of Chalmette Drive, at 1339 Chalmette Drive, Atlanta, GA 30306.

MOTION: Mark Goldman moved, Pam Speaks seconded to Defer for 30 days in order for the owner to redesign to get closer to the 35% lot coverage. **Motion passed unanimously to defer to the March 2021 ZBOA Agenda.**

**N3 A-21- 1244566
18-159-02-005**

Commission District 02 Super District 06

1991 WOODBINE TERRANCE, ATLANTA, GA 30329

Application of April Ingraham to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to increase the require floor finished elevation threshold for a proposed single-family detached structure, relating to R-100 zoning district. The property is located south Woodbine Terrace, at 1991 Woodbine Terrace, Atlanta, GA 30329.

MOTION: Mark Goldman moved, Pam Speaks seconded to defer for 30 days to the March 2021 ZBOA Agenda. Motion passed unanimously.

**N4 A-21- 1244567
18-113-11-014**

Commission District 02 Super District 06

3302 NORTH DRUID HILLS ROAD, DECATUR, GA 30033

Application of First Standard Construction, LLP to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to reduce the off-street parking requirements, relating to the O-I zoning district. The property is located north of North Druid Hills Road, at 3302 North Druid Hills Road, Decatur, GA 30033.

MOTION: Mark Goldman moved, Pam Speaks seconded for Withdrawal. Motion passed unanimously.

**N5 A-21- 1244568
15-117-01-038**

Commission District 03 Super District 06

2603 FLAT SHOALS ROAD, DECATUR, GA 30034

Application of Harden Leroy Lark to request variances from Chapter 27 of the DeKalb County Zoning Ordinance, relating to R-75 zoning district. The property is located west of Flat Shoals Road, at 2603 Flat Shoals, Decatur, GA 30034.

Mark Goldman moved, John Tolbert seconded for Approval to reduce the front yard setback to approximately 45 feet from the street. Motion passed unanimously.

**N6 A-21- 1244569
18-150-05-002**

Commission District 02 Super District 06

1603 DEER PARK ROAD, ATLANTA, GA 30345

Application of Mike Parmelee to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to allow a proposed swimming pool to be located on the side of an existing single-family structure and to increase the height of a proposed retaining wall. The property is located at the southeast corner of Deer Park Road and Princess Circle, at 1603 Deer Park Road, Atlanta, GA 30345.

MOTION: Mark Goldman moved, John Tolbert seconded to Approve (1) to allow a proposed swimming pool to be located on the side of an existing single family structure; and Approve (2) to increase the maximum height from 4 feet to 6 feet for a proposed retaining wall including the conditions:

1. The applicant shall submit a revised site plan with the correct setbacks illustrated.
2. The applicant shall plant a row of evergreen trees along Princess Drive, as illustrated on the site plan dated, November 20, 2020, and as approved by the County Arborist.

Motion unanimously passed.

**N7 A-20- 1244470
15-171-06-012
623 QUILLIAN AVENUE DECATUR, GA 30032**

Commission District 03 Super District 07

Application of David & Pamela Marlowe to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to reduce the side yard setback for a proposed addition. The property is located west of Quillian Avenue, at 623 Quillian Avenue, Decatur, GA 30032.

MOTION: Alice Bussey moved, Pam Speaks seconded to Defer for 30 days to the March 2021 ZBOA Agenda. Motion unanimously passed.

Motion to adjourn by Pam Speaks, second by John Tolbert. Motion unanimously passed.