

ZONING BOARD OF APPEALS HEARING
Wednesday, May 12, 2021 1:00 PM

MEMBERS PRESENT:

Pamela Speaks
Mark Goldman
Alice Bussey
Jasmine Chapman

STAFF PRESENT:

Jeremy McNeil, Sr. Planner
Rachel Bragg, Sr. Planner
Melora Furman, Sr. Planner
Brandon White, Planning Manager

1. Call to Order/Determination of Quorum:
Mark Goldman nominates Jasmine Chatman as chairperson, Pamela Speaks seconds, all present agree. Jasmine Chatman calls the meeting to order at 1:12.
2. Reading of Opening Statement & Board Introductions
3. Approval of Minutes:
 - a. March 18, 2021 – Pamela Speaks, seconded by Ms. Bussey- motion passes 4-0-0
 - b. April 7, 2021- Ms. Bussey, Doctor Speaks seconds motion passes 4-0-0

DEFERRED ITEMS:

D1 A-21- 1244566 (Deferred from 3/10/2021 meeting) Commission District 02 Super District 06
18-159-02-005
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.

Board agrees to hear D1 and D2 concurrently.

Mark Goldman moved to approve a variance to increase the require floor finished elevation threshold for a proposed single-family detached structure, but denial to reverse the administrative decision regarding denial of variances from Chapter 14 of the DeKalb County Land Development Ordinance

Pamela Speaks seconds the motion. Motion passed 4-0-0.

D2 A-21- 1244626 (Deferred from 3/10/2021 meeting)
18-159-02-005
1991 WOODBINE TERRANCE, ATLANTA, GA 30329

Commission District 02 Super District 06

Application of April Ingraham to appeal an administrative decision regarding denial of variances from Chapter 14 of the DeKalb County Land Development Ordinance. The property is located south Woodbine Terrace, at 1991 Woodbine Terrace Atlanta, GA 30329.

Board agrees to hear D1 and D2 concurrently.

Mark Goldman moved to approve a variance to increase the require floor finished elevation threshold for a proposed single-family detached structure, but denial to reverse the administrative decision regarding denial of variances from Chapter 14 of the DeKalb County Land Development Ordinance

Pamela Speaks seconds the motion. Motion passed 4-0-0.

**D3 A-21- 1244706 (Deferred from 4/7/2021 meeting)
18-046-04-063
3366 LAWRENCE STREET, SCOTSDALE, GA 30079**

Commission District 04 Super District 06

Application of Ken Figueroa to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to reduce the rear yard setback for a proposed detached single-family structure, relating to the Scottdale Overlay District. The property is located north of Lawrence Street, at 3366 Lawrence Street Scottdale, GA 30079.

Mark Goldman moved to approve a variance to reduce the rear yard setback from 35 feet to 22 feet for proposed detached single-family structure.

Pamela Speaks seconds the motion. Motion passed 4-0-0.

**D4 A-21- 1244708 (Deferred from 4/7/2021 meeting)
15-216-15-008
1184 NORTH CARTER ROAD, DECATUR, GA 30030**

Commission District 04 Super District 06

Application of Aisling Bell to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to increase the maximum lot coverage to remove and replace existing driveway, relating to the R-75 zoning district. The property is located east of North Carter Road, approximately 515 feet south of Chester Way, at 1184 North Carter Road Decatur, GA 30030.

Mark Goldman moved to approve the requested variance to increase the lot coverage to 45.8% with the following conditions: 1) driveway includes a center strip of grass, measuring approximately 2 feet wide 2) applicant removes a section of the concrete driveway measuring approximately 12feet by 26 feet 3) site plan be updated to include the variance information

Pamela Speaks seconds the motion. Motion passed 4-0-0.

**D5 A-21- 1244709 (Deferred from 4/7/2021 meeting)
15-140-03-018 & 15-140-03-020
2128 & 2170 COOK ROAD, DECATUR, GA 30032**

Commission District 03 Super District 06

Application of Kimley-Horn to request the following variances from Chapter 27 of the DeKalb County Zoning Ordinance to (1) allow encroachment and tree removal in the required transitional buffer; (2) Modify the open space requirement, (3) Modify the streetscape requirement and allow retaining wall in landscape strip; (4) Allow a non-tiered retaining walls adjacent to residential zoning district, relating to the MR-2 zoning district and the I-20 Overlay District. The properties are located north of Cook Road, at 2128 & 2170 Cook Road Decatur, GA 30032.

Motion to defer to June meeting.

**D6 A-21- 1244710 (Deferred from 4/7/2021 meeting)
18-110-05-003
1523 BEECHCLIFF DRIVE, ATLANTA, GA 30329**

Commission District 02 Super District 06

Application of Gail Mooney to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to reduce the rear and side yard setback for a proposed rear addition, relating to the R-85 zoning district. The property is located south of Beechcliff Drive, at 1523 Beechcliff Drive Atlanta, GA 30329.

Mark Goldman moves to allow applicant to withdraw their application without prejudice. Alice Speaks seconds. Motion passes 4-0-0.

NEW ITEMS:

**N1 A-21- 1244807
 18-065-11-061
 890 TANNER DRIVE, SCOTSDALE, GA 30079**

Commission District 04 Super District 06

Application of Elizabeth Hall to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to reverse a lot merger and restore two platted lots, relating to the R-75 zoning district. The property is located west of Tanner Drive, at 890 Tanner Drive Scottdale, GA 30079.

Alice Bussey moves to approve the application. Mark Goldman seconds. Motion passes 4-0-0.

**N2 A-21- 1244824
 18-046-03-140
 3152 CHAPEL STREET, SCOTSDALE, GA 30079**

Commission District 04 Super District 06

Application of Scott Ball to request variances from Chapter 27 of the DeKalb County Zoning Ordinance to reduce the front, side, side corner, and rear yard building setback for proposed detached single-family structure, relating to Tier II of the Scottdale Overlay district. The property is located at the northeast corner of Chapel Street, at 3152 Chapel Street Scottdale, GA 30079.

Alice Bussey moved to defer the application for 60 days to allow the applicant time to revise it. Dr. Pamela Speaks seconded the motion. Motion passed 4-0-0.

**N3 A-21- 1244826
18-195-09-017
2021 N RIDGEWAY ROAD, ATLANTA, GA 30345**

Commission District 02 Super District 06

Application of Kathleen Curry to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to reduce the side yard building setback for a proposed garage, relating to the R-100 district. The property is located northeast of North Ridgeway, at 2021 North Ridgeway Road Atlanta, GA 30345.

Mark Goldman moves to approve the application to decrease the side-yard setback from 10 feet to 4.5 feet to enclose a carport. Pamela Speaks seconds the motion. The motion passed 4-0-0.

**N4 A-21- 1244827
18-249-01-124
3134 SMOKESTONE COURT, ATLANTA, GA 30345**

Commission District 01 Super District 07

Application of April Ingraham to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to increase the maximum height of a proposed retaining wall, relating to the R-100 district. The property is located north of Smokestone Court, at 3134 Smokestone Court Atlanta, GA 30345.

Mark Goldman moved to defer the application for 30 days, Pamela Speaks seconds the motion. Motion passes 4-0-0.

**N5 A-21- 1244828
16-160-06-181
1310 STEPHENSON ROAD, LITHONIA, GA 30058**

Commission District 04 Super District 07

Application of James Riddick to request variances from Chapter 27 of the DeKalb County Zoning Ordinance to (1) reduce the side yard building setback and (2) to allow a detached accessory structure on the side of the principle structure, relating to the R-100 zoning district. The property is located east of Stephenson Road, at 1310 Stephenson Road Lithonia, GA 30058.

Alice Bussey moved to approve the variance to decrease the side yard setback from 10 feet to 2 feet in order to allow for the construction of a shed with the condition that 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. Pamela Speaks seconded the motion. The motion passed 4-0-0.

**N6 A-21- 1244829
18-152-01-006
2490 NORTH DRUID HILLS ROAD, ATLANTA, GA 30329**

Commission District 02 Super District 06

Application of The Allen Morris Company to request variances from Chapter 27 of the DeKalb County Zoning Ordinance to (1) reduce the required transitional buffer and (2) to allow encroachment into the required transitional buffer, relating to the HR-2 district. The property is located at the northeast corner of North Druid Hills Road and Mount Mariah Road, at 2490 North Druid Hills Road Atlanta, GA 30329.

Mark Goldman moved to approve the application with staff conditions. Alice Bussey seconded the motion. The motion passed 4-0-0.

N7 A-21- 1244830

Commission District 02 Super District 06

18-062-06-032; 18-062-06-036; 18-062-06-027; 18-062-06-037

1702, 1708, 1712, and 1724 SCOTT BOULEVARD DECATUR, GA 30033

Application of Matthew E. Kaczinski, Planners and Engineers Collaborative, Inc. to appeal an administrative decision regarding denial of a stream buffer variance for a proposed multifamily development. The properties are located west of Scott Boulevard at 1702, 1708, 1712, and 1724 Scott Boulevard Decatur, GA 30033.

Mark Goldman moved to approve a reversal of staff decision to deny the stream buffer variance with the condition that the encroachment be no more than 15 feet, be of pervious materials and vegetation. Alice Bussey seconds the motion and it passed 4-0-0.

N8 A-21- 1244831

Commission District 01 Super District 07

18-283-02-012; 18-284-04-007; & 18-284-04-008

3214, 3220, and 3250 CHAMBLEE-TUCKER ROAD, ATLANTA, GA 30341

Application of Embry Hills Church of Christ c/o Battle Law P.C. to request a variance from Chapter 27 of the DeKalb County Zoning Ordinance to increase the maximum allowed lot coverage for the expansion of an existing place of worship, relating to the R-100 district . The properties are located north of Chamblee Tucker Road, at 3214, 3220, and 3250 Chamblee-Tucker Road, Atlanta GA 30341.

Mark Goldman moved to approve a variance to increase the maximum allowed lot coverage from 35% to 54% for the expansion of an existing place of worship. Alice Bussey seconds the motion and it passed 4-0-0.
