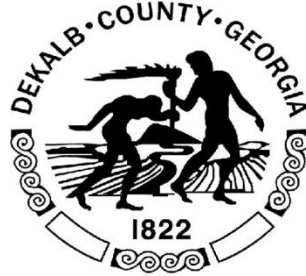


# DeKalb County Government

*Manuel J. Maloof Center  
1300 Commerce Drive  
Decatur, Georgia 30030*



## Agenda

**Wednesday, December 14, 2022**

**1:00 PM**

via ZOOM

### **Zoning Board of Appeals**

*Member Pamela Speaks (Dist. 1)*

*Member Mark Goldman (Dist. 2)*

*Member Alice Bussey (Dist. 3)*

*Chair Nadine Rivers-Johnson (Dist. 4)*

*Member Jasmine Chatman (Dist. 5)*

*Vice-Chair Dan Wright (Dist. 6)*

*Member John Tolbert (Dist. 7)*

## Board of Appeals Meeting Date – Wednesday, December 14, 2022 @ 1:00 PM

This meeting will be held via Zoom

Join from PC, Mac, Linux, iOS or Android: <https://dekalbcountyga.zoom.us/j/81924933368>

Or Telephone Dial: USA 888-270-9936 (US Toll Free)  
Conference code: 691303

Meeting participant's or caller's phone numbers may be displayed to the public viewing or participating in the online meeting.

Citizens may also email documents for inclusion into the official record by submitting such materials by 11:00 am on the date of the public hearing.

Email the DeKalb County Department of Planning and Sustainability at [plansustain@dekalbcountyga.gov](mailto:plansustain@dekalbcountyga.gov)

### AGENDA

#### DEFERRED CASES:

**D1. A-22-1245785 (Deferred from 6/8, 8/10 & 10/12 ZBA) Commission District 03 Super District 06**  
**15 125 08 012**  
**3797 RAINOVER DRIVE, DECATUR, GA 30034**

Application of Anthony Rainwright to request a variance from Section 27-2.2 to reduce the rear yard setback to allow an addition to a single-family home within an RSM (Small Lot Residential Mix) zoning district.

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**D2. A-22-1245974 (Deferred from 9/14 & 11/9 ZBA) Commission District 03 Super District 06**  
**15 145 15 099 & 15 145 15 054**  
**1058 & 1078 MORELAND AVENUE, ATLANTA, GA 30316**

Application of Jesse Clark, Clark Property R+D to request variances from Section 27-5 to 1) decrease the required buffer between single-family and multi-family development; and, 2) to increase the allowed footprint and height of single-family detached cottage houses within MR-2 (Medium Density Residential-2) zoning district.

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**D3. A-22-1246134 (Deferred from 11/9 ZBA) Commission District 03 Super District 07**  
**15 201 11 010**  
**3357 MEMORIAL DRIVE, DECATUR, GA 30032**

Application of Jay Scott to request a variance from Section 27-2.2 reduce the required setbacks to build a new live/work development within a C-1 (Local Commercial) zoning district.

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**D4. A-22-1246131 (Deferred from 11/9 ZBA) Commission District 05 Super District 07**  
**16 037 01 002**  
**1705 PANOLA ROAD, STONE MOUNTAIN, GA 30088**

Application of Paran Homes, LLC to request a variance from Section 27-5.4.7 to increase the maximum wall height within an RSM (Small Lot Residential Mix) zoning district and the Hidden Hills Overlay District.

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**D5. A-22- 1246133 (Deferred from 11/9 ZBA) Commission District 03 Super District 06**  
**15 137 02 001**  
**2537 CANDLER ROAD, DECATUR, GA 30032**

Application of Dennis Webb to request a variance from Section 27-5.4.7 to increase the height of two retaining walls and eliminate the required retaining wall landscaping within the I-20 Overlay District and in a mixed zoning district.

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**D6. A-22-1246135 (Deferred from 11/9 ZBA) Commission District 05 Super District 07**  
**16 016 05 020**  
**4327 TUMBLING LANE, ELLENWOOD, GA 30294**

Application of Brittany Reed of Tallman Pools to request a variance from Section 27-2.2 and 5.1.10 to increase the maximum lot coverage to install a pool within an R-100 (Residential Medium Lot-100) zoning district.

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**D7. A-22-1246136 (Deferred from 11/9 ZBA) Commission District 05 Super District 07**  
**15 031 11 005**  
**4663 MOSSEY DRIVE, LITHONIA, GA 30038**

Application of Brittany Reed of Tallman Pools to request a variance from Section 27-2.2 and 5.1.10 to increase the maximum lot coverage to install a pool within an R-100 (Residential Medium Lot-100) zoning district.

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**D8. A-22-1246137 (Deferred from 11/9 ZBA) Commission District 05 Super District 07**  
**16 030 01 045**  
**5021 GOLFBROOK DRIVE, STONE MOUNTAIN, GA 30088**

Application of Brittany Reed of Tallman Pools to request a variances from Sections 27-2.2, 4.2.2, and 5.4.7 to 1) allow an accessory structure (pool) to be located within the front yard, 2) to reduce the front and side yard setbacks, and 3) to increase the allowed height of a fence within an R-100 (Residential Medium Lot-100) zoning district.

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**NEW CASES:**

**N1. A-22-1246174 Commission District 03 Super District 07**  
**15 170 10 011, 15 170 10 013, 15 170 10 015**  
**1893, 1901, & 1909 EASTFIELD STREET, DECATUR, GA 30032**

Application of Breakthru House, Inc. c/o Battle Law, P.C. to request a variance from section 6.1.4 of the DeKalb County Zoning Ordinance to reduce the required number of resident parking spots for a personal care facility located within an O-I (Office Institutional) zoning district and the I-20, Tier 2 Overlay District.

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**N2. A-22-1246175 Commission District 01 Super District 07**  
**18 231 09 008**  
**2424 KING ARTHUR CIRCLE, ATLANTA GA 30345**

Application of Enrique Betancourt to request a variance from Section 5.4.7 of the Dekalb County Zoning Ordinance to increase a fence height within an R-100 (Residential Medium Lot-100) zoning district.

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**N3. A-22-1246176**  
**18 063 09 027**  
**2787 HOLLYWOOD DRIVE, DECATUR GA 30033**

**Commission District 04 Super District 06**

Application of Mildred Johnson to request from Section 8.1.4-C to reverse a lot-merge within an R-75 (Residential Medium Lot-75) zoning district.

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**N4. A-22-1246177**  
**18 196 03 010, 18 196 03 006, 18 196 03 008**  
**3082, 3084, & 3110 BRIARCLIFF ROAD, ATLANTA GA 30329**

**Commission District 02 Super District 06**

Application of Stein Investment Group c/o Dennis J. Webb, Jr. to request variances from Sections of 27-5, 27-2, and 27-6 to 1) reduce the minimum side yard setback from 10 feet to 2 feet; 2) allow the required streetlights to be placed on the street side of the streetscape; 3) to allow encroachment within the transitional buffer; 4) to increase above 6 feet the maximum retaining wall height for existing walls and to reduce setback for new retaining walls; 5) a special exception to 6.1.14 reducing the minimum number of loading spaces; and, 6) a special exception to 6.1.4 to reduce the minimum parking spaces within a C-1 (Local Commercial) zoning district.

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**N5. A-22-1246178**  
**15 041 01 016**  
**3938 PANTHERSVILLE ROAD, ELLENWOOD GA 30294**

**Commission District 03 Super District 06**

Application of Betty Williams-Kirby to request a variance from Section 5.4.7 of the DeKalb County Zoning Ordinance for a 6-foot cedar wood fence surrounding the perimeter of the property to remain installed within an R-100 (Residential Medium Lot-100) zoning district.

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**N6. A-22-1246179**  
**18 047 19 003**  
**465 NORTH CLARENDON AVENUE, SCOTSDALE GA 30079**

**Commission District 04 Super District 06**

Application of Jackie Spivey c/o Dunlavy Law Group, LLC to appeal an administrative decision within a C-2 (General Commercial) zoning district and the Scottdale Tier I Overlay District.

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**NEW BUSINESS:**

**Adoption of the 2023 Zoning Board of Appeals Calendar.**