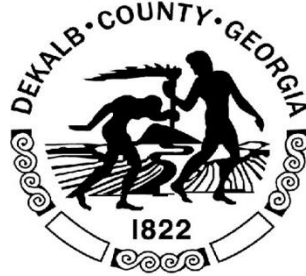


DeKalb County Government

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



Minutes

Wednesday, November 9, 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)

**DEKALB COUNTY ZONING BOARD OF APPEALS
MEETING MINUTES
Wednesday, November 9, 2022 @ 1:00 PM
(via Zoom)**

ZBA MEMBERS PRESENT:

Mark Goldman, District 2
Jasmine Chatman, District 5
Dan Wright, Vice-Chair, District 6
John Tolbert, Jr., District 7

ZBA MEMBERS ABSENT:

Pam Speaks, District 1
Alice Bussey, District 3
Nadine Rivers- Johnson, Chair, District 4

STAFF PRESENT:

Brandon White, Planning Manager
Rachel Bragg, Zoning Administrator
Howard Johnson, Sr. Planner
Andrea Folgherait, Sr. Planner
Michael Lober, Law Department

October 13, 2022 Minutes:

Jasmine Chatman moved, John Tolbert, Jr. seconded to approve the October 13th ZBA minutes. The motion passed 3-0-1. Mark Goldman abstained, as he was not present at that meeting.

AGENDA

DEFERRED CASES:

D1. A-22-1245837 (Deferred from 7/13 & 9/14 ZBA Meeting) Commission District 01 Super District 07
18 230 01 077
2493 KINGS ARMS DRIVE, ATLANTA, GA 30345

Application of John Saunders to request a variance from Section 27-2.2 and 5.1.10 to increase the maximum lot coverage within the R-60 (Residential Medium Lot-60) zoning district to allow installation of a pool.

MOTION: Mark Goldman moved, John Tolbert, Jr. seconded for withdrawal of this application. The motion passed 4-0-0.

D2. A-22-1245974 (Deferred from 9/14 ZBA Meeting) Commission District 03 Super District 06
15 145 14 099 & 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 the MR-2 (Medium Density Residential-2) zoning district.

MOTION: Mark Goldman moved, John Tolbert, Jr. seconded for a 30-day deferral to the December 14, 2022 ZBA meeting. The motion passed 4-0-0.

D3. A-22-1246046 (Deferred from 9/14 ZBA Meeting) Commission District 03 Super District 07
15 151 05 006
2649 McAFEE ROAD, DECATUR, GA

Application of Justin Woodward to request variances from Chapter 21 for a new sign in the I-20 Overlay district and within the C-1 (Local Commercial) zoning district.

MOTION: Mark Goldman moved, John Tolbert, Jr. seconded for denial, per Staff recommendation. The motion passed 4-0-0.

NEW CASES:

N1. A-22-1246128 Commission District 02 Super District 06
18 001 04 039
1278 STILLWOOD DR NE, ATLANTA, GA 30306

Application of Audley Barnicoat to request a variance from Section 27-2.2 to decrease the side yard setback to rebuild a garage within the R-75 (Residential Medium Lot-75) zoning district.

MOTION: Mark Goldman moved, John Tolbert, Jr. seconded for a 60-day deferral to the January 11, 2023 ZBA meeting to allow the applicant time to obtain a stream buffer variance. The motion passed 4-0-0.

N2. A-22-1246130 Commission District 02 Super District 06
18 054 09 042
1302 OXFORD ROAD NE, ATLANTA, GA 30306

Application of Adrienne Wells to request a variance from Section 27-2.2 and 5.1.10 to increase the maximum lot coverage to renovate their patio within an R-75 (Residential Medium Lot-75) zoning district.

MOTION: Mark Goldman moved, Jasmine Chatman seconded for approval with the condition that the applicant receive a COA by the end of the 2022. The motion passed 3-1-0. Dan Wright opposed.

N3. A-22-1246131 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 the RSM (Small Lot Residential Mix) zoning district and the Hidden Hills Overlay District.

MOTION: Mark Goldman moved, Jasmine Chatman seconded for a 30-day deferral to the December 14, 2022 ZBA meeting. The motion passed 4-0-0.

N4. A-22-1246132
15 159 09 007, 15 159 09 068
2020-2030 WESLEY CHAPEL ROAD, DECATUR, GA 30035

Commission District 05 Super District 07

Application of Doug Silvas to request a variance from Chapter 21 to install a second sign at a place of worship within the R-75 (Residential Medium Lot- 75) zoning district.

MOTION: Jasmine Chatman moved, John Tolbert, Jr. seconded for a 60-day deferral to the January 11, 2023 ZBA meeting. The motion passed 4-0-0.

N5. A-22-1246133
15 137 02 001
2537 CANDLER ROAD, DECATUR, GA 30032

Commission District 03 Super District 06

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.

MOTION: Mark Goldman moved, Jasmine Chatman seconded for a 30-day deferral to the December 14, 2022 ZBA meeting. The motion passed 4-0-0.

N6. A-22-1246134
15 201 11 010
3357 MEMORIAL DRIVE, DECATUR, GA 30032

Commission District 03 Super District 07

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 the C-1 (Local Commercial) zoning district.

MOTION: Jasmine Chatman moved, Mark Goldman seconded for a 30-day deferral to the December 14, 2022 ZBA meeting. The motion passed 4-0-0.

N7. A-22-1246135
16 016 05 020
4327 TUMBLING ROAD, ELLENWOOD, GA 30294

Commission District 05 Super District 07

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 the R-100 (Residential Medium Lot-100) zoning district.

MOTION: Jasmine Chatman moved, Mark Goldman seconded for a 30-day deferral to the December 14, 2022 ZBA meeting. The motion passed 4-0-0.

N8. A-22-1246136
15 031 11 005
4663 MOSSEY DRIVE, LITHONIA, GA 30038

Commission District 05 Super District 07

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 the R-100 (Residential Medium Lot-100) zoning district.

MOTION: Mark Goldman moved, Jasmine Chatman seconded for a 30-day deferral to the December 14, 2022 ZBA meeting. The motion passed 4-0-0.

**N9. A-22-12461367
16 030 01 045**

Commission District 05 Super District 07

5021 GOLFBROOK DRIVE, STONE MOUNTAIN, GA 30088

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

MOTION: Mark Goldman moved, Jasmine Chatman seconded for a 30-day deferral to the December 14, 2022 ZBA meeting. The motion passed 4-0-0.

**N10. A-22-1246139
16 069 02 236**

Commission District 05 Super District 07

5782 GILES RD, LITHONIA, GA 30058

Application of Grady O. Johnson to request a variance from Section 27-2.2 to reduce the required building setbacks to build a new single-family residence within the RSM (Small Lot Residential Mix) zoning district.

MOTION: Jasmine Chatman moved, Mark Goldman seconded: 1) to approve the variance to reduce the front setback, with staff's recommended conditions; 2) to update the site plan to correct the address; and, 3) to deny the variance to reduce the rear yard setback. The motion passed 4-0-0.

**N11. A-22-1246140
15 171 21 002**

Commission District 03 Super District 07

2809 GLENWOOD ROAD, DECATUR GA 30032

Application of Garrett Coley to request a variance from Section 27-2.2 to reduce the required building setbacks to build a new single-family residence within the R-75 (Residential Medium Lot-75) zoning district.

MOTION: Jasmine Chatman moved, Mark Goldman seconded: 1) to approve the variance to reduce the front setback, with staff's recommended conditions; 2) to update the site plan to verify the address to the left of the property, incorrectly labeled 5972 Giles Road; and, 3) to deny the variance to reduce the rear yard setback. The motion passed 4-0-0.

**N12. A-22-1246141
18 029 02 027**

Commission District 04 Super District 07

584 DEERWOOD LANE, STONE MOUNTAIN, GA 30087

Application of Gary R Hurst to request a variance from Section 27-2.2 to reduce the required setbacks to build a rear porch within the RSM (Small Lot Residential Mix) zoning district.

MOTION: Mark Goldman moved, John Tolbert, Jr. seconded for withdrawal of this application. The motion passed 4-0-0.

ADJOURN:

Jasmine Chatman moved, John Tolbert, Jr. seconded to adjourn the meeting. The motion passed 4-0-0.