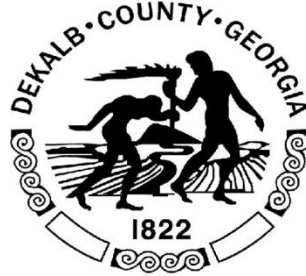


DeKalb County Government

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



Minutes

Wednesday, October 12, 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 Minutes
Wednesday, October 12, 2022 @ 1:00 PM**

This meeting was held via Zoom

ZBA MEMBERS PRESENT:

Pam Speaks, District 1
Alice Bussey, District 3
Nadine Rivers- Johnson, Chair, District 4
Jasmine Chatman, District 5
Dan Wright, Vice-Chair, District 6
John Tolbert, Jr., District 7

ZBA MEMBERS ABSENT:

Mark Goldman, District 2

STAFF PRESENT:

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

September 14, 2022 Minutes:

Pamela Speaks moved, Dan Wright seconded to approve the September 14th ZBA minutes.
The motion passed 6-0-0.

AGENDA

DEFERRED CASES:

**D1. A-22-1245785
15 125 08 012
3797 RAINOVER DRIVE, DECATUR, GA 30034**

Commission District 03 Super District 06

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. The property has approximately 116-feet of street frontage and is located on the south side of Rainover Drive, approximately 90-feet west of the intersection with Raindrop Court, at 3797 Rainover Drive, Decatur, GA 30034.

MOTION: Dan Wright moved, Jasmine Chatman seconded for a 60-day deferral to the December 2022 ZBA agenda. The motion passed 6-0-0.

D2. A-22-1245913
18 108 07 001; 18 109 03 017
1493-1501 LAVISTA DRIVE, ATLANTA, GA 30329

Commission District 02 Super District 06

Application of Amy Swick, Inhance Construction Company to request variances from Chapter 27-5.4.5 to reduce the transitional buffers to allow for the construction of a new residential development within an MR-2 (Medium Density Residential-2) zoning district. The two properties have approximately 226 feet of street frontage long the south side of LaVista Drive, approximately 120-feet west of the intersection of Shepherds Lane and LaVista Drive.

MOTION: Dan Wright moved, Alice Bussey seconded for approval with conditions, per Staff recommendation. The motion passed 6-0-0.

D3. A-22-1245973
18 148 05 053
1434 LAVISTA DRIVE, DECATUR, GA 30033

Commission District 02 Super District 06

Application of Daniel Undutch to request a variance from Section 27-4.2.2 to allow a detached accessory structure to be located in the front yard within an R-100 (Residential Medium Lot-100) zoning district. The property is located on the west side of LaVista Drive, approximately 780 feet south of the intersection LaVista Road at 1434 LaVista Drive, Decatur GA 30033.

MOTION: Dan Wright moved, Alice Bussey seconded for withdrawal without prejudice. The motion passed 6-0-0.

D4. A-22-1245976
18 068 01 004
5152 MEMORIAL DRIVE, STONE MOUNTAIN, GA 30083

Commission District 04 Super District 06

Application of Bridgette Ganter to request a variance from Section 27-4.2.23 to allow the construction of a drive through facility without a bypass lane within a C-1 (Local Commercial) zoning district. The property has approximately 790 feet of street frontage, on the west side of Memorial Drive, at the northwest corner of the intersection of Rays Road and Memorial Drive, at 5152 Memorial Drive, Stone Mountain, GA 30083.

MOTION: Dan Wright moved, Pamela Speaks seconded for approval with conditions, per Staff recommendation. The motion passed 6-0-0.

D5. A-22-1245975
15 244 03 001
2172 WEST PONCE DE LEON AVENUE, DECATUR, GA 30030

Commission District 02 Super District 06

Application of Lori Cash to request a variance from Section 27-2.2 and 5.2 to decrease the required front setback for a new single-family detached house within an R-85 (Residential Medium Lot-85) zoning district. The property has approximately 100 feet of street frontage and is located on the north side of Ponce de Leon Avenue, approximately 250 feet east of the intersection with Artwood Road, at 2712 West Ponce de Leon Avenue, Decatur, GA 30030.

MOTION: Dan Wright moved, Alice Bussey seconded for approval with the condition that the site plan be updated to include the information about the variance. The motion passed 4-0-2. Pamela Speaks and Jasmine Chatman abstained.

NEW CASES:

N1. A-22-1246046
15 151 05 006
2649 McAFEE ROAD, DECATUR, GA

Commission District 03 Super District 07

Application of Justin Woodward to request for a larger than permitted sign in the 1-20 Overlay district and within a C-1 (Local Commercial) zoning district. The property has approximately 164-feet of street frontage and is located 200-feet from the corner of Candler Road and McAfee Road, approximately 1 mile southeast of I-20 at 2649 McAfee Road.

MOTION: Dan Wright moved, Pamela Speaks seconded for a 30-day deferral to the November 2022 ZBA agenda. The motion passed 5-0-0. Nadine Rivers was not present for this vote.

N2. A-22-1246045 Commission District 03 Super District 06
15 017 02 006 & 15 017 01 002
1064 & 1025 LANCASTER ROAD, CONLEY, GA 30288

Application of SDP Lancaster LLC (Kevin Casteel) to waive the maximum 85-foot building setback from property line, the minimum 15-foot parking lot setback, 20% public access open space standards and requirements to allow a 6-foot-high fence for a Road Truck Terminal within an M (Light Industrial) zoning district. The properties are two vacant lots across from one another with approximately 64 acres collectively and is located just south of Interstate 285, west of Moreland Avenue, and approximately 1,000 feet from the intersection with Old McDonough Road, at 1064 and 1025 Lancaster Road.

MOTION: Dan Wright moved, Alice Bussey seconded to approve variances 1-6, with Staff's recommended conditions and two (2) additional conditions as follows: 1) That the development substantially comply with the submitted plan; and 2) That the variance information be included on any site plans submitted. Variance #7 to eliminate the size requirements for truck parking was denied. The motion passed 6-0-0.

N3. A-22-1246047 Commission District 03 Super District 06
15 173 07 002 & 15 173 07 048
1845 & 1851 2nd Ave and 1939 ALEXANDER AVE, ATLANTA, GA 30032

Application of East Lake Holdings, Inc to request a variance reduce the minimum required heated floor area for fifty (50) residential units from 650-square feet to no less than 500-square feet within a C-1 (Local Commercial) and M (Light Industrial) zoning district. The properties have approximately 11.62 acres collectively and is located 630-feet south of Glenwood Road, at the intersection of Dancing Fox Road and 2nd Avenue, at 1845 & 1851 2nd Avenue.

MOTION: Nadine Rivers-Johnson moved, Alice Bussey seconded for approval with Staff's recommended conditions, and an additional condition that no more than fifty (50) units be smaller than 650 square feet. The motion passed 6-0-0.

N4. A-22-1246048 Commission District 05 Super District 07
15 223 01 133
1239 AUTUMN HILLS LANE, STONE MOUNTAIN, GA 30046

Application of Steve Thomas to request a variance to extend a deck by 6-feet toward the adjacent side of the property within an R-100 (Residential Medium Lot- 100) zoning district. The property has approximately 20-feet of street frontage and is located on the west side of Autumn Hills Lane, approximately 0.5 of a mile south of Redan Road, at 1239 Autumn Hills Lane.

MOTION: Dan Wright moved, Pamela Speaks seconded for withdrawal without prejudice. The motion passed 6-0-0.

N5. A-22- 1246049 Commission District 03 Super District 07
15-095-01-398; 15-095-01-399; 15-095-01-400;
15-095-01-397; 15-095-01-396; 15-095-01-395; 15-095-01-394
4594, 4586, 4578, 4570, 4579, 4587, 4595 TREBLOC WAY, DECATUR, GA 30034

Application of GRC Development, LLC c/o Battle Law P.C. to request a variance to reduce required setbacks within a R-100 (Residential Medium Lot-100) zoning district. The properties have approximately 2.67 acres collectively and are located at the intersection of Snapfinger Road, Thompson Mill Road, and Trebloc Way, at 400 Trebloc Way.

MOTION: Dan Wright moved, John Tolbert seconded for withdrawal without prejudice. The motion passed 6-0-0.

N6. A-22-1246050

Commission District 02 Super District 06

18-100-02-040; 18-100-02-041; 18-100-02-005; 18-100-02-057

18-100-02-049; 18-100-04-014; 18-100-02-055

2144 Lawrenceville Hwy; 2054 Lawrenceville Hwy; 2050 Lawrenceville Hwy;

2038 Lawrenceville Hwy; 1086 Birch Road; 2692 Sweet Briar Road; 3777 N Druid Hills Road

Application of Dennis J. Webb, Jr. Smith, Gambrell & Russell, LLP to request variances to reduce the transitional buffer zone requirement, reduce outdoor play and recreation area requirement, and reduce minimum parking requirement for a multi-family housing pods within an MU-4 (Mixed-Use High Density) zoning district. The property is approximately 73.11 acres collectively and is in the North DeKalb Mall site approximately 415 feet south of the intersection of Lawrenceville Highway and North Druid Hills Road.

MOTION: Dan Wright moved, John Tolbert seconded for approval with conditions, per Staff recommendation, with a modification that multi-family parking spaces be a minimum number of spaces per unit mini and 1.5 spaces per unit max. The motion passed 6-0-0.