

# DeKalb County Government

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



## Minutes (Draft)

**Wednesday, January 13, 2024**

**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 Yolanda Spears (Dist. 5)  
Vice-Chair Dan Wright (Dist. 6)  
Member John Tolbert (Dist. 7)*

## DeKalb County Zoning Board of Appeals Minutes

**January 10, 2024 @ 1:00 PM**

This meeting was held via Zoom

### **ZBA MEMBERS PRESENT:**

Pamela Speaks, District 1  
Mark Goldman, District 2  
Alice Bussey, District 3  
Nadine Rivers- Johnson, Chair, District 4  
Dan Wright, Vice-Chair, District 6  
John Tolbert, District 7

### **ZBA MEMBERS ABSENT:**

Yolanda Spears, District 5

### **STAFF PRESENT:**

Rachel Bragg, Zoning Administrator  
Lucas Carter, Planner  
Yvonne Trammell, Special Projects Coordinator  
Andrea Folgherait, Planner  
Donovan Cushnie, Floodplain Coordinator  
Brandon White, Current Planning Manager

**Approval of Minutes:** Mark Goldman moved and Pamela Speaks seconded to approve the December 13, 2023 minutes.  
**Motion carried 6-0-0.**

## **MINUTES**

### **DEFERRED CASES:**

**D1. A-23-1246679 (Deferred from November 8, 2023) Commission District 03 Super District 06**  
**15 140 03 061**  
**2400 TILSON FOREST DRIVE, DECATUR, GA 30032**

Application by Oluwatoyosi Shitta-Bey to request a variance from Section 27-2.2.1 and 27-5.1.10 of the DeKalb County Zoning Ordinance to increase lot coverage to bring deck extension into compliance within the RSM (Small Lot Residential Mix) zoning district.

Mark Goldman moved and Pamela Speaks seconded to defer the application to March 13<sup>th</sup> ZBA meeting. Motion carries 6-0-0.

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**D2. A-23-1246638 (Deferred from November 8, 2023)**  
**RIGHT OF WAY – NO PARCEL ID**  
**I-20 BRIDGE OVER SNAPFINGER CREEK**

**Commission District 05 Super District 07**

Application of East Interchange Builders, LLC to request a variance from Section 14-5.442 (c) of the DeKalb County Zoning Ordinance to revise the floodplain boundary to construct a new bridge.

Dan Wright moved and Mark Goldman seconded the motion for denial. Motion carries 4-0-2.

John Tolbert was not present for the vote.

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**D3.      A-23-1246626      (Deferred from October 11, 2023)      Commission District 03 Super District 06**  
**15-019-02-004**  
**1555 CEDAR GROVE ROAD CONLEY, GA 30288**

Application by Joel Warren to request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce rear yard and side yard setbacks to construct storage garage within the R-100 (Residential Medium Lot) zoning district.

Mark Goldman moved and Dan Wright seconded for denial. Motion carried 6-0-0.

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**D4.      A-23-1246621      (Deferred from October 11, 2023)      Commission District 01 Super District 07**  
**18-267-06-001**  
**2920 BRANDYWINE ROAD, CHAMBLEE, GA 30341**

Application by Logan Clark to request a variance from Section 27-6.1.4 of the DeKalb County Zoning Ordinance to increase maximum parking requirement within the O-I (Office-Industrial) zoning district.

Dan Wright moved and Alice Bussey seconded to move D4. 2920 Brandywine to the beginning of the meeting. Motion carried 6-0-0.

Mark Goldman moved and Dan Wright seconded to withdraw the application. Motion carried 6-0-0.

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**D5.      A-23-1246441      (Deferred from November 8, 2023 ZBA)      Commission District 04 Super District 07**  
**CSX Right of Way - No Parcel ID**  
**5585 ROCKBRIDGE ROAD, STONE MOUNTAIN, GA 30088**

Application of CitySwitch II-A, LLC to request a variance from Section 4.2.57(H)(3) of the DeKalb County Zoning Ordinance to increase the height of a cell tower within the railroad right of way, northwest of the intersection with Walker Road and South Stone Mountain Lithonia Road.

Dan Wright moved and John Tolbert seconded a motion for denial. Motion carried 6-0-0.

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#### **NEW CASES:**

**N1.      A-23-1246770      Commission District 02 Super District 06**  
**18 054 05 005**  
**1206 OAKDALE ROAD, NE, ATLANTA, GA 30307**

Application by Peter Densmore to request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce side-yard setback to remodel a shed within the R-85 (Residential Medium Lot-85) zoning district.

John Tolbert moved and Mark Goldman seconded a motion to deny. Motion carried 4-2-0. Dan Wright and Alice Bussey were opposed.

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**N2. A-23-1246776  
16 253 01 067  
1470 ANDERSON VALLEY DRIVE, SNELLVILLE, GA 30039**

**Commission District 05 Super District 07**

Application by Bellareed Luxury Pools to request a variance from Section 27-4.2.2 (c) of the DeKalb County Zoning Ordinance to construct a swimming pool in side-yard within the R-85 (Residential Medium Lot-85) zoning district.

Mark Goldman moved and Dr. Bussey seconded for approval with staff condition. Motion carried 6-0-0.

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**N3. A-23-1246728  
15 171 05 002  
646 DANIEL AVENUE, DECATUR, GA 30032**

**Commission District 03 Super District 07**

Application by Innocent Nwachukwu to request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce front yard setback to expand a legal non-conforming garage within the R-75 (Residential Medium Lot-75) zoning district.

Pamela Speaks moved and Dan Wright seconded the motion to approve with staff condition. Motion carried 6-0-0.

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**N4. A-23-1246725  
15 183 09 005  
1778 ALEXANDER DRIVE, DECATUR, GA 30032**

**Commission District 03 Super District 07**

Application by Lesha Martin to request a variance from Section 27-2.2.1 to reduce southern setback to construct a second-story addition to an existing single-family residence within the R-75 (Residential Medium Lot-75) zoning district.

Dan Wright moved and Pamela Speaks seconded the motion for deferral to the March 13<sup>th</sup> ZBA meeting. Motion carried 6-0-0.

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**N5. A-23-1246721  
18 041 01 080  
662 OAK HILL CIRCLE, STONE MOUNTAIN, GA 30083**

**Commission District 04 Super District 07**

Application by Jordan Tomesch to request variances from Sections 27-2.2.1 and 27-5.4.7 of the DeKalb County Zoning Ordinance to reduce side-yard setback, minimum unit size, and increase maximum retaining wall height to construct single-family residence within the R-100 (residential medium lot) zoning district.

Dan Wright moved and John Tolbert seconded for deferral to the February 14<sup>th</sup> ZBA meeting. Motion carried 6-0-0.

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Alice Bussey moved and Mark Goldman seconded the motion to nominate Dan Wright as vice chair. Motion carried 6-0-0.

Mark Goldman moved and John Tolbert seconded to nominate Nadine Rivers-Johnson as chairperson. Motion carried 6-0-0.

Mark Goldman moved and Pamela Speaks seconded to adjourn the meeting. Motion carried 6-0-0.

***The Zoning Board of Appeals (ZBA) hears variances, special exceptions, and appeals of administrative decisions. They are an independent body, appointed by the Board of Commissioners (BOC). The BOC hears Rezoning, Special Land Use Permits (SLUPs), Major modifications, Land Use Plan amendments, and Zoning Ordinance text amendment applications.***