

DeKalb County Government

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



Agenda

**Thursday, January 25, 2024
5:30 P.M.**

1300 Commerce Drive, Decatur, GA 30030

Board of Commissioners - Zoning Meeting

**Comm. Mereda Davis Johnson, Presiding Officer, District 5
Comm. Robert Patrick, Deputy Presiding Officer, District 1**

**Commissioner Robert Patrick, District 1
Commissioner Michelle Long Spears, District 2
Commissioner Larry Johnson, District 3
Commissioner Steve Bradshaw, District 4
Commissioner Mereda Davis Johnson, District 5
Commissioner Edward "Ted" Terry, Super District 6
Commissioner Lorraine Cochran-Johnson, Super District 7**

Call To Order

Roll Call

Citizens may speak for or against an item that is considered by law to be a zoning ordinance and each side will have ten minutes to present its case. Citizens may also speak for or against an item that is placed on the public hearing agenda but is not a zoning ordinance. In that case, each side will have five minutes to present its case. In the event there is more than one speaker per side, speakers must divide their time in order to complete their full presentation within the ten-minute time allotment, or the five-minute time allotment. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to leave the podium area. Prior to speaking, a speaker shall complete a speaker card and present it when approaching the podium. If a speaker has any documents for the commissioners, the speaker shall provide 10 copies when approaching the podium. Seven copies are for the commissioners and the remaining copies are for the planning director, the county attorney and the clerk. Applicants or citizens speaking in favor of an item shall speak first and applicants in zoning ordinance cases shall have the right to reserve time for rebuttal. Opponents of a zoning ordinance item shall have no right of rebuttal. Once the citizens have finished speaking, staff shall make a recommendation for action to the Commission. At this point, citizens are no longer allowed to speak unless called to the podium by an individual commissioner to answer questions or provide information. Speakers should always talk directly into the microphone and begin by stating their name, address and the name of any organization they represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping, yelling, standing or laying in the aisles to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing in place will be permitted to show support for or opposition to a speaker's position.

DeKalb County Board of Commissioners Zoning Meeting

Thursday, January 25, 2024 5:30 PM

(This is an in-person meeting & will be broadcast via live stream on DCTV's webpage, and on DCTVChannel23.TV.)

**AUDITORIUM OF THE MALOOF CENTER
1300 COMMERCE DRIVE, SUITE 400
DECATUR, GA 30030**

Citizens may also email documents for inclusion into the official record by submitting such materials by
5:30 pm three (3) business days prior to the public hearing.

Email the DeKalb County Board of Commissioners at publichearing@dekalbcountyga.gov

AGENDA

DEFERRED CASE:

D1-2023-0592 Z-23-1246464 Commission District 05 Super District 07
16-006-03-001, 16-007-02-002, 16-007-02-013
5646,5656 & 5650 COVINGTON HIGHWAY, STONE MOUNTAIN, GA 30088

Application of Smith, Gambrell, and Russell, LLP requesting to rezone property from RSM (Residential Small Mix) zoning district to C-1 (Local Commercial) zoning district to allow for a retail commercial development.

D2-2023-0593 SLUP-23-1246465 Commission District 05 Super District 07
16-006-03-001, 16-007-02-002, 16-007-02-013
5646, 5656 & 5650 COVINGTON HIGHWAY, STONE MOUNTAIN, GA 30088

Application of Smith, Gambrell, and Russell, LLP requesting a Special Land Use Permit (SLUP) to allow alcohol sales in a retail commercial development in the C-1 (Local Commercial) zoning district and Tier 1 of the Greater Hidden Hills Overlay District.

NEW CASES:

N1-2023-1426 SLUP-24-1246742 Commission District 03 Super District 07
15-037-02-001
3684 SETON HALL WAY, DECATUR, GA 30034

Application of Dianne C. Belle for a Special Land Use Permit (SLUP) to allow a home occupation with customer contacts in the R-100 (Residential Medium Lot) zoning district.

N2-2023-1427 SLUP-24-1246743 Commission District 03 Super District 07
15-131-01-143
2445 WESLEY CHAPEL ROAD, DECATUR, GA 30035

Application of Samantha Maffey for a Special Land Use Permit (SLUP) to allow a bank with a drive through in the C-1 (Local Commercial) zoning district and Tier 1 of the I-20 Overlay District.

N3-2023-1428 CZ-24-1246744

16-006-02-007

5449 COVINGTON HIGHWAY, DECATUR, GA 30035

Commission District 05 Super District 07

Application of Michael Reynolds for a Major Modification of zoning conditions pursuant to CZ-87086 to construct a hardware store in the C-1 (Local Commercial) zoning district and Tier 1 of the Hidden Hills Overlay District.

N4-2023-1429 SLUP-24-1246745

18-051-12-011

1369 CLAIRMONT ROAD, DECATUR, GA 30033

Commission District 02 Super District 06

Application of Mark Ferguson for a Special Land Use Permit (SLUP) to allow the existing Po' Boy Shop restaurant to operate as a late-night establishment (beyond 12:30 am) in the C-1 (Local Commercial) zoning district.

N5-2023-1430 SLUP-24-1246746

15-090-01-011

4077 FLAT SHOALS PARKWAY, DECATUR, GA 30034

Commission District 03 Super District 06

Application of Theresa Walcot-Ceesay for a Special Land Use Permit (SLUP) to allow for a Community Living Arrangement (CLA) in the NS (Neighborhood Shopping) zoning district and Tier 2 of the I-20 Overlay District.

N6-2023-1431 Z-24-1246747

16-089-03-012

6826 COVINGTON HIGHWAY, LITHONIA, GA 30058

Commission District 05 Super District 07

Application of The Varner Group c/o Bejune Industries to rezone property from C-1 (Local Commercial) zoning district to RSM (Residential Medium Lot) zoning district to construct a townhome community.

N7-2023-1432 Z-24-1246748

18-107-04-049

1075 ZONOLITE ROAD, ATLANTA, GA 30306

Commission District 02 Super District 06

Application of AP Zonolite, LLC c/o Troutman, Pepper, Hamilton & Sanders, LLP to rezone property from M (Light Manufacturing) zoning district to C-1 (Local Commercial) zoning district to expand the office and commercial uses on the property.

N8-2023-1433 SLUP-24-1246750

15-159-09-064

2056 TUDOR CASTLE CIRCLE, DECATUR, GA 30035

Commission District 05 Super District 07

Application of Ashley Denis for a Special Land Use Permit (SLUP) to allow a Personal Care Home (PCH) for up to six (6) persons in the R-85 (Residential Medium Lot) zoning district.

N9-2023-1466

TA-24-1246761

All Districts

Application of the Director of Planning & Sustainability for a text amendment relating to film studio requirements and for other purposes. This text amendment is County-wide.

N10-2023-1467

TA-24-1246762

All Districts

Application of the Director of Planning & Sustainability for a text amendment relating to short-term rentals and for other purposes. This text amendment is County-wide.

RESOLUTIONS:

**N11. 2024-0142
 15-027-02-007
 3488 MOSELY RD, ELLENWOOD, GA, 30294**

Commission District 03 Super District 07

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 3488 Mosley Road, Ellenwood, GA: 15 027 02 007 in accordance with O.C.G.A. § 22-1-1, et seq. and any method allowed thereunder including the Special Master method; to authorize the Chief Executive Officer and any presiding officer to execute all necessary documents to further the filing of the condemnation proceedings; and to authorize the County Attorney's Office, or its outside counsel or assignees or designees, to file condemnation proceedings in the DeKalb County Superior Court to acquire the title, estate or interest in the said lands in accordance with that Code.

**N12. 2024-0143
 15 028 05 010
 4071 Old River Road, Ellenwood, GA**

Commission District 03 Super District 07

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 4071 Old River Road, Ellenwood, GA: 15 028 02 010 in accordance with O.C.G.A. § 22-1-1, et seq. and any method allowed thereunder including the Special Master method; to authorize the Chief Executive Officer and any presiding officer to execute all necessary documents to further the filing of the condemnation proceedings; and to authorize the County Attorney's Office, or its outside counsel or assignees or designees, to file condemnation proceedings in the DeKalb County Superior Court to acquire the title, estate or interest in the said lands in accordance with that Code.

**N13. 2024-0144
 15 028 05 004
 4083 Old River Road, Ellenwood, GA**

Commission District 03 Super District 07

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 4083 Old River Road, Ellenwood, GA: 15 028 05 004 in accordance with O.C.G.A. § 22-1-1, et seq. and any method allowed thereunder including the Special Master method; to authorize the Chief Executive Officer and any presiding officer to execute all necessary documents to further the filing of the condemnation proceedings; and to authorize the County Attorney's Office, or its outside counsel or assignees or designees, to file condemnation proceedings in the DeKalb County Superior Court to acquire the title, estate or interest in the said lands in accordance with that Code.

**N14. 2024-0145
 18 010 03 001
 319 3rd Avenue, Scottdale, GA**

Commission District 04 Super District 06

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 319 3rd Avenue, Scottdale, GA: 18 010 03 001 in accordance with O.C.G.A. § 22-1-1, et seq. and any method allowed thereunder including the Special Master method; to authorize the Chief Executive Officer and any presiding officer to execute all necessary documents to further the filing of the condemnation proceedings; and to authorize the County Attorney's Office, or its outside counsel or assignees or designees, to file condemnation proceedings in the DeKalb County Superior Court to acquire the title, estate or interest in the said lands in accordance with that Code.

N15. 2024-0146
18 010 03 012
304 Creighton Avenue, Scottdale, GA

Commission District 04 Super District 06

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 304 Creighton Avenue, Scottdale, GA: 18 010 03 012 in accordance with O.C.G.A. § 22-1-1, et seq. and any method allowed thereunder including the Special Master method; to authorize the Chief Executive Officer and any presiding officer to execute all necessary documents to further the filing of the condemnation proceedings; and to authorize the County Attorney's Office, or its outside counsel or assignees or designees, to file condemnation proceedings in the DeKalb County Superior Court to acquire the title, estate or interest in the said lands in accordance with that Code.