

DeKalb County Government

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



Minutes (Draft)

Wednesday, February 14, 2024

1:00 PM

via ZOOM

Zoning Board of Appeals

Member Pamela Speaks (Dist. 1)

Member Mark Goldman (Dist. 2)

Vacant (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

February 14, 2024 @ 1:00 PM

This meeting was held via Zoom.

ZBA MEMBERS PRESENT:

Pamela Speaks, District 1
Mark Goldman, District 2
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
Adam Chappell, Senior Planner
Debora Wells, Admin Specialist
Brandon White, Current Planning Manager

Approval of Minutes: Mark Goldman moved and John Tolbert seconded to approve with no changes. Motion carried 4-0-0. Pam Speaks was present but unable to vote for this motion.

MINUTES

DEFERRED CASES:

D1. A-23-1246316 Commission District 02 Super District 06
18-054-06-001
1176 LULLWATER RD. NE, ATLANTA, GA 30307

Application of Elizabeth Finnerty Martin to request variances from Section 27-5.2.5(D)(2) and 27-2.2.1 of the DeKalb County Zoning Ordinance to allow the increase in the elevation threshold within an R-85 (Residential Medium Lot) zoning district and within the Druid Hills Historic District.

Dan Wright moved and Mark Goldman seconded to approve with three conditions. Motion passed 5-0-0:

- 1. Application be annotated with variance information according to staff's recommended condition.**
- 2. Variance approval is contingent on the proposed development obtaining all other required development reviews and any required variances being approved.**
- 3. Variance expires concurrent with the Certificate of Appropriateness approved January 16, 2024.**

**D2. A-23-1246682
 15 131 01 143
 2445 WESLEY CHAPEL ROAD, DECATUR, GA 30035**

Commission District 03 Super District 07

Application by Sevan Multisite Solutions c/o Samantha Maffey to request a variance from Section 27-6.1.4 of the DeKalb County Zoning Ordinance to increase maximum parking requirement within a C-1 (Local Commercial) zoning district.

Mark Goldman moved and Dan Wright seconded to withdraw the application. Motion carried 5-0-0.

**D3. A-23-1246688
 18 052 15 006
 1815 DURAND MILL DRIVE, ATLANTA, GA 30307**

Commission District 02 Super District 06

Application by Richard Goldstein to request from Section 5.1.10 and of the DeKalb County Zoning Ordinance to increase the lot coverage to convert existing deck into screened porch within an R-75 (Residential Medium Lot-75) zoning district.

Dan Wright moved and Mark Goldman seconded to deny the application. Motion carried 5-0-0.

**D4. 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 Pam Speaks seconded the motion to deny the application. Motion carried 5-0-0.

NEW CASES:

**N1. A-24-1246783
 15 131 10 018
 2449 CARLOW COURT, DECATUR, GA 30035**

Commission District 03 Super District 07

Application by Steven Thomas to request a variance from Section 27-2.2.1 and 27-4.2.2 (C) of the DeKalb County Zoning Ordinance to reduce side-yard setback and allow to build in the side yard to remodel garage within the R-75 (Residential Medium Lot) zoning district.

Dan Wright moved and Mark Goldman seconded to deny the request to reduce the side yard setback and approve the request to allow an accessory building in the side yard. Motion carried 5-0-0.

N2. A-24-1246808
18 146 05 025
2604 LAWRENCEVILLE HIGHWAY, DECATUR, GA 30033

Commission District 02 Super District 07

Application by Ray Walker to request a variance from Section 27-2.2.1 and 27-5.1.10 of the DeKalb County Zoning Ordinance to reduce rear yard and side yard setbacks and increase lot coverage to construct new building within the C-1 (Local Commercial) zoning district.

John Tolbert moved and Dan Wright seconded for a 60-day deferral to April 10, 2024. Motion carried 5-0-0.

N3. A-24-1246802
18 009 22 016
278 OHM AVENUE, AVONDALE ESTATES, GA 30002

Commission District 04 Super District 06

Application by Robert Gunnison to request a variance from Section 27-3.36.12 of the DeKalb County Zoning Ordinance to waive installation of sidewalk to construct new residential home within the R-75 (Residential Medium Lot-75) and Scottdale Overlay Tier 2 zoning district.

Dan Wright moved and John Tolbert seconded for approval of the application with staff condition. Motion carried 4-1-0. Mark Goldman opposed.

N4. A-24-1246795
18 191 09 003
3618 LAVISTA ROAD, ATLANTA, GA 30345

Commission District 04 Super District 07

Application by Anthony van der Hoek to request a variance from Section 27-5.6.2 to waive stormwater detention facility requirements to construct three single-family residences within the R-100 (Residential Medium Lot-100) zoning district.

Dan Wright moved and Mark Goldman seconded for approval with conditions. Motion carried 5-0-0:

- 1. Roads and Drainage must approve the underground detention.**
 - 2. Approval of this variance shall be conditioned to substantial conformance of the proposed development with the site plan submitted with the variance request, dated "9/25/23" and titled "Bramble Vista".**
 - 3. 3)The following information about this variance shall be noted on any site plan prepared for the subject property: case number, approval date, type of variance and condition(s) of approval.**
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N5. A-24-1246823
18 288 04 022
4285 CHAMBLEE TUCKER ROAD, DORAVILLE, GA 30340

Commission District 01 Super District 07

Application by Dr. Whitney Sparrow to request variances from Sections 27-2.2.1 and 27-5.4.5 of the DeKalb County Zoning Ordinance to reduce transition buffer to construct addition to legal non-conforming building within the OI (Office-Institutional) zoning district.

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.