

**DeKalb County Zoning Board of Appeals
November 13, 2024
Meeting Minutes**

(This meeting was held via Zoom)

ZBA MEMBERS PRESENT:

Pamela Speaks, District 1
Mark Goldman, District 2
Muhammad Jihad, District 3
Nadine Rivers-Johnson, Chair, District 4
VACANT, District 5
Dan Wright, Vice-Chair, District 6
John Tolbert, Jr., District 7
Michael Lober, Attorney

STAFF PRESENT:

Rachel Bragg, Zoning Administrator
Lucas Carter, Planner
Andrea Folgherait, Sr. Planner
Adam Chappell, Sr. Planner
Kyle McLean, Planner
Debora Wells, Administrative Specialist
Yvonne Trammell, Special Projects Coordinator

Approval of Minutes: Mark Goldman moved, Pamela Speaks seconded to approve the October 9, 2024 draft minutes. The motion carried 6-0-0.

AGENDA

DEFERRED CASES:

D1. A-24-1247109 (Deferred from 9/11/2024 ZBA Meeting) Commission District 04 Super District 06
18 047 04 010
3040 NORTH DECATUR ROAD, SCOTSDALE, GA 30079

Application by Zelalem Assfaw to request variances from Section 27 -6.1.14 of the DeKalb County Zoning Ordinance to reduce landscape buffer within the C-1 (Local Commercial) zoning district and Scottdale Tier I Overlay District.

MOTION: Mark Goldman moved, Dan Wright and Pamela Speaks seconded for withdrawal without prejudice. Motion carried 6-0-0.

D2. A-24-1246863 (Deferred from 9/11/2024 ZBA Meeting) Commission District 04 Super District 06
18 047 22 005
449 BOOKER AVENUE, SCOTSDALE, GA 30079

Application by Tracy Swearingen to request a variance from Section 27-3.36.10 of the DeKalb County Zoning Ordinance to reduce rear yard and side yard setbacks to construct single-family residence within the R-75 (Residential Medium Lot-75) and Scottdale Tier II Overlay district.

MOTION: Mark Goldman moved, Pamela Speaks seconded for approval with the following conditions: case number, approval date, type of variance and conditions of approval. Motion carried 6-0-0.

D3. A-24-1247142 (Deferred from 9/11/2024 ZBA Meeting) Commission District 01 Super District 07
18 233 06 033
2424 NANCY LANE ATLANTA, GA 30345

Application by Nick Pesola to request a variance from Section 27-2.1.1 and Chapter 14 of the DeKalb County Zoning Ordinance to reduce front setback to facilitate construction of single-family residence within the R-100 (Residential Medium Lot-100) zoning district.

MOTION: Pamela Speaks moved, Dan Wright seconded for withdrawal without prejudice. Motion carried 6-0-0.

D4. A-24-1247168 (Deferred from 10/09/2024 ZBA Meeting) Commission District 05 Super District 07
16 062 02 029
1230 PANOLA ROAD, STONE MOUNTAIN, GA 30088

Application by Linda Dunlavy to appeal administrative decision to allow expiration of land disturbance and building permits to construct convenience store and gas station within the C-1 (Local Commercial) zoning district.

MOTION: Dan Wright moved, Muhammad Jihad seconded for withdrawal without prejudice. Motion carried 6-0-0.

NEW CASES:

N1. A-24-1247222 Commission District 03 Super District 06
15 081 08 007
1220 CONSTITUTION ROAD, ATLANTA, GA 30316

Application by S&M Services LLC to request a variance from Section 27-5.4.5 of the DeKalb County Zoning Ordinance to reduce a transitional buffer to facilitate construction of semi-truck parking and maintenance facility within the M (Light Industrial) zoning district.

MOTION: Dan Wright moved, Pamela Speaks seconded for approval with the following conditions: (1) case number, approval date, type of variance and conditions of approval. Motion carried 6-0-0.

N2. A-24-1247243 Commission District 03 Super District 07
15 152 08 010
2131 HOLLY HILL DRIVE, DECATUR, GA 30032

Application by Benjamin Middlebrooks/BYNCORP, LLC to request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce side yard setback to facilitate enclosure of the carport within the R-75 (Residential Medium Lot-75) zoning district.

MOTION: Mark Goldman moved, Pamela Speaks seconded for approval with the following conditions: (1) case number, approval date, type of variance. Motion carried 6-0-0.

N3. A-24-1247242 Commission District 03 Super District 07
15 035 05 018
4206 LEHIGH BOULEVARD, DECATUR, GA 30034

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

MOTION: John Tolbert moved, Muhammad Jihad seconded for approval with the following conditions: (1) case number, approval date, type of variance. Motion carried 6-0-0.

N4. A-24-1247240
18 052 04 025
1930 RIDGEWOOD DRIVE, ATLANTA, GA 30307

Commission District 02 Super District 06

Application by David Price to request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce side yard to enclose existing porch within the R-75 (Residential Medium Lot-75) zoning district and Druid Hills Historic District.

Mark Goldman moved, Dan Wright seconded to move N4 to the top of the new cases. Motion carried 6-0-0.

MOTION: Mark Goldman moved, Dan Wright seconded for approval with the following conditions: (1) case number, approval date, type of variance. Motion carried 6-0-0.

N5. A-24-1247237
18 004 17 028
309 WOODVIEW DRIVE, DECATUR, GA 30030

Commission District 02 Super District 06

Application by Juan Ramirez to request a variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce side yard setback to enclose existing carport into screened porch within the R-75 (Residential Medium Lot-75) zoning district and Druid Hills Historic District.

MOTION: Mark Goldman moved, Pamela Speaks seconded for approval with the following conditions: (1) case number, approval date, type of variance. Motion carried 6-0-0.

N6. A-24-1247232
15 117 01 008
2363 BRANNEN ROAD, ATLANTA, GA 30316

Commission District 03 Super District 06

Application by Winston & Debora Bowers to request a variance from section 27-3.33.9 (E) of the DeKalb County Zoning Ordinance to reduce minimum parking to facilitate construction of a cancer resource center within the C-1 (Local Commercial) zoning district and I-20 Tier 1 overlay district.

MOTION: Dan Wright moved, Pamela Speaks seconded for withdrawal without prejudice. Motion carried 6-0-0.

N7. ZBA MEETING CALENDAR 2025

Adoption of 2025 Zoning Board of Appeals Calendar.

MOTION: Mark Goldman moved, Dan Wright seconded for the adoption of the 2025 Zoning Board of Appeals calendar. Motion carried 6-0-0.

MOTION: Mark Goldman moved, Pamela Speaks seconded to adjourn meeting.

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.