



DeKalb County Government Planning & Sustainability Department

**Government Services Center
178 Sams Street
Decatur, Georgia 30030**



Minutes

**Wednesday, August 13, 2025
1:00 pm
via Zoom**

Zoning Board of Appeals

**Seth BurrowDistrict 1
Mark Goldman, Vice Chair District 2
Muhammad Jihad District 3
Nadine Rivers-Johnson, Chair District 4
Eric Hubbard District 5
Dr. Juaney Lynn-Rigsby District 6
John Tolbert District 7**

August 13, 2025 @ 1:00 PM

This meeting will be held via Zoom

ZBA BOARD MEMBERS PRESENT	DEKALB STAFF MEMBERS PRESENT
Seth Burrow, District 1	Rachel Bragg, Zoning Administrator
Mark Goldman, Vice Chair, District 2	Lucas Carter, Planner
Eric Hubbard, District 5	Kyle McLean, Planner
Dr. Juaney Lynn-Rigsby, District 6	Debora Wells, Administrative Specialist
John Tolbert, Super District 7	Adam Chappell, Senior Planner
Valerie Ross, ZBA Staff Counsel	Robert Satterwhite, Senior Planner
ZBA BOARD MEMBERS ABSENT	
Nadine Rivers-Johnson, Chair, District 4	
Muhammad Jihad, District 3	

Approval of Minutes: John Tolbert moved, Eric Hubbard seconded to approve July 9, 2025 Minutes. Motion carried 5-0-0.

MINUTES

DEFERRED CASES:

D1. A-25-1247339 (Deferred from June's Agenda)
18 122 02 085
4408 BRIERS PLACE, STONE MOUNTAIN, GA 30083

Commission District 04 Super District 07

Application by Andre Johnson to request variances from Chapter 27 of the DeKalb County Zoning Ordinance to allow construction of a two-story garage within the RSM (Residential Small Mix) zoning district.

MOTION: Eric Hubbard moved, and John Tolbert seconded for approval with the following conditions: (1) case number, approval date, type of variance and condition(s) of approval listed on site plan and (2) lot coverage not exceed 50%, exterior (3) stairs be removed, and (4) the structure be used for garage and storage only. Motion carried 3-2-0, Seth Burrow and Dr. Juaney Lynn-Rigsby opposed. Nadine Rivers-Johnson and Muhammad Jihad were absent.

D2. A-25-1247505 (Deferred from June's Agenda)
18 071 02 006
5922 MEMORIAL DRIVE, STONE MOUNTAIN, GA 30083

Commission District 04 Super District 06

Application by Murphy Oil USA, c/o Ken Peters to request variance from Section 27-4.2.28 of the DeKalb County Zoning Ordinance to allow construction of a new convenience store with fuel less than three-fourths of a mile from an existing small box retail discount store in C-1 (Local Commercial) zoning district.

MOTION: Dr. Juaney Lynn-Rigsby moved, Eric Hubbard seconded for denial. Motion carried 5-0-0. Nadine Rivers-Johnson and Muhammad Jihad were absent.

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.

D3. A-25-1247507 (Deferred from June's Agenda)
18 009 17 007
328 WALNUT STREET, AVONDALE ESTATES, GA 30002

Commission District 04 Super District 06

Application by Maksim Saitgazin c/o Battle Law PC to request variance from Section 27-3.36.10 of the DeKalb County Zoning Ordinance to reduce side yard and rear yard setback in the R-75 (Residential Medium Lot-75) zoning district and Scottdale Tier 2 Overlay.

FIRST MOTION: John Tolbert moved, Seth Burrow seconded to hear case within a 24-month period. Motion carried 5-0-0.

FINAL MOTION: John Tolbert moved, Eric Hubbard seconded for denial. Motion carried 5-0-0. Nadine Rivers-Johnson and Muhammad Jihad were absent.

D4. A-25-1247541 (Deferred from June's Agenda)
18 068 04 006
4084 ELMS COURT DRIVE, STONE MOUNTAIN, GA 30083

Commission District 02 Super District 06

Application by Nebiyou Setegn to request variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce side yard setback to facilitate construction of single-family home in the R-85 (Residential Medium Lot-85) zoning district.

MOTION: Seth Burrow moved, Dr. Juaney Lynn-Rigsby seconded for denial. Motion carried 5-0-0.

SUBSTITUTE MOTION: Seth Burrow moved, Eric Hubbard second to substitute the previous motion. Motion carried 5-0-0.

FINAL MOTION: Seth Burrow moved, Eric Hubbard second for 60-day deferral to October 8, 2025 meeting. Motion carried 5-0-0. Nadine Rivers-Johnson and Muhammad Jihad were absent.

D5. A-25-1247543 (Deferred from June's Agenda)
18 294 07 001
4001 PRESIDENTIAL PARKWAY, ATLANTA, GA 30340

Commission District 01 Super District 07

Application by Peacock Partnership, Inc. to request variances from Section 27 of the DeKalb County Zoning Ordinance to facilitate renovation of Presidential Tower in the OI (Office-Institutional) zoning district.

MOTION: Eric Hubbard moved, John Tolbert seconded for approval with conditions. Motion carried 5-0-0. Nadine Rivers-Johnson and Muhammad Jihad were absent.

D6. A-25-1247545 (Deferred from June's Agenda)
15 149 14 037
2062 EAST DRIVE, DECATUR, GA 30032

Commission District 03 Super District 07

Application by Atelier 7 Architects / Anthony Pope to request variance from Section 27:4 of the DeKalb County Zoning Ordinance to allow alternate exterior building materials and alternative winding siding to facilitate construction of accessory dwelling unit in the R-75 (Residential Medium Lot-75) zoning district.

MOTION: John Tolbert moved, Eric Hubbard seconded for withdrawal without prejudice. Motion carried 5-0-0. Nadine Rivers-Johnson and Muhammad Jihad were absent.

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NEW CASES:

N1. A-25-1247610

15 146 04 067

2190 CAVANAUGH AVENUE, ATLANTA, GA 30316

Commission District 03 Super District 07

Application by Jose Hernandez to request variance from Section 27–5.6.2 of the DeKalb County Zoning Ordinance to allow construction of a single-family home on the same lot as a detention pond within the R-60 (Residential Medium Lot-60) zoning district.

MOTION: John Tolbert moved, Dr. Juaney Lynn-Rigsby seconded for 60-day deferral to October 8, 2025 meeting. Motion carried 5-0-0. Nadine Rivers-Johnson and Muhammad Jihad were absent.

N2. A-25-1247643

18 050 03 010

2318 EASTWAY ROAD, DECATUR, GA 30033

Commission District 02 Super District 06

Application by David Engbritson to request variance from Section 27–2.2.1 of the DeKalb County Zoning Ordinance to allow reduction of front yard setback to facilitate replacement of carport in the R-75 (Residential Medium Lot-75) zoning district.

MOTION: Eric Hubbard moved, Dr. Juaney Lynn-Rigsby seconded for approval. Motion carried 5-0-0. Nadine Rivers-Johnson and Muhammad Jihad were absent.

N3. A-25-1247648

16 006 02 007

5449 COVINGTON HIGHWAY, DECATUR, GA 30035

Commission District 05 Super District 07

Application by Daniel Kerr to request variances from Sections 27-3.37 and 27-5.4.4 of the DeKalb County Zoning Ordinance to reduce setbacks, loading area screen, paint color restrictions, sidewalk and landscape requirements, and off-street parking to facilitate construction of hardware store in the C-2 (General Commercial) zoning district and Hidden Hills Overlay District – Tier 1.

MOTION: Dr. Juaney Lynn-Rigsby moved, Eric Hubbard seconded for approval with the following conditions: (1) case number, approval date, type of variance and condition(s) of approval listed on site plan, (2) Sidewalk and Planting Strip: a minimum six-foot sidewalk and four-foot planting strip shall be installed along Covington Highway. Planting strip shall be landscaped with street trees and shrubs consistent with County landscape requirements to the greatest extent feasible, (3) loading area screening: the loading area shall be screened from adjacent properties to the maximum extent feasible using landscaping or decorative fencing while maintaining adequate truck turning movements in accordance with Section 27-6.1.14 (D) and (4) the selected paint colors must complement adjacent commercial properties and shall be approved by the Director of Planning & Sustainability during the permitting process in accordance with Section 27-3.37.24 (F). Motion carried 5-0-0. Nadine Rivers-Johnson and Muhammad Jihad were absent.

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**N4. A-25-1247610
18 108 02 028
1368 WOODLAND HILLS DRIVE, ATLANTA, GA 30324**

Commission District 02 Super District 06

Application by Raymond Warren to request variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to increase lot coverage to facilitate remodel of existing deck in the R-75 (Residential Medium Lot-75) zoning district.

MOTION: John Tolbert moved, Eric Hubbard seconded for approval with the following conditions: (1) case number, approval date, type of variance and condition(s) of approval listed on site plan. Motion carried 5-0-0. Nadine Rivers-Johnson and Muhammad Jihad were absent.

John Tolbert moved, Eric Hubbard approved to adjourn meeting. Motion carried 5-0-0. Nadine Rivers-Johnson and Muhammad Jihad were absent.

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