



Lorraine Cochran-Johnson

Chief Executive Officer

## DeKalb County Zoning Board of Appeals

Department of Planning & Sustainability

178 Sams Street,  
Decatur, GA 30030

Wednesday, January 14, 2026



Juliana  
Njoku

### Planning Department Staff Analysis

Interim  
Director

N3. Case No: A-26-1247879

Parcel ID(s): 18 146 01 119

#### Commission District 02 Super District 06

Applicant: David Williams



Owner: WalSan LLC

Project Name: 2125 Candler Road – New Home Construction

Location: 2125 Candler Road, Decatur, GA 30032

**Requests:** Application by Lesha Martin to request variance from Section 27-5.4.7.A(8) to reduce the required gate setback from 50 feet to approximately 10 feet to facilitate operations for a food prep and storage facility (commissary use supporting food trucks and trailers).

**Staff Recommendation:** Approval with Conditions.

**Conditions:**

See: End of staff report

## STAFF FINDINGS:

The applicant proposes a commissary/base of operations for mobile food businesses and indicates a gate is needed to prevent unauthorized access, dumping, and loitering, while supporting safe daily vehicle movements. The request is associated with permit #3174569 and was pursued following review comments.

1. There is an extraordinary or exceptional physical condition(s) pertaining to the particular piece of property (such as, but not limited to, lot size, lot shape, specimen tree(s), steep slope(s), or preservation of historic characteristics of the property), which was not created by the current owner, previous owner, or applicant; by reason of a clearly demonstrable condition(s), the strict application of the requirements of this chapter would deprive the property owner of rights and privileges enjoyed by other property owners in the same zoning district, as distinguished from a special privilege or convenience sought by the property owner.

The subject property exhibits a site-specific physical condition due to its acute-angled frontage and irregular entrance geometry along Candler Road. The location of the 1988-built structure may also limit options for drive-in placement without affecting the maneuverability of vehicles. This geometry creates a constrained driveway entry and limited depth between the property line and the functional driveway area compared to neighboring parcels with more conventional, parallel property lines and straight approaches. Because of the irregular frontage configuration, the entrance area provides limited flexibility for locating an access control gate while maintaining internal turning movements and access to loading/operational areas.

2. The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zoning district in which the subject property is located:

Moving the gate farther into the site may interfere with turning movements and create internal conflicts that could impede access and operations. The requested relief can be supported as minimum necessary provided the final gate location is verified and designed to function safely for the site's expected vehicle types.

3. The grant of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located:

The purpose of the gate setback requirement is to prevent vehicles from stopping in the driveway entry or stacking into the right-of-way, which can create congestion and safety hazards on a corridor street. A gate placed closer to the property line may increase the risk of queue spillback if gate operations are not managed effectively—particularly where large vehicles are present and on-site stacking capacity may be limited.

The requested gate may be consistent with public welfare when paired with operational and design controls that prevent spillback. The applicant proposes a rapid-entry system (keypad/remote access) intended to minimize dwell time at the gate, and the gate is framed as a security and site-management improvement. With conditions requiring verified on-site queuing/turning performance and enforceable gate-operation procedures, the variance may be granted without material detriment to public welfare.

**4. The literal interpretation and strict application of the applicable provisions or requirements of this chapter would cause undue and unnecessary hardship:**

Strict application of the 50-foot gate setback would impose hardship on this site because the entrance geometry and operational requirements for food trucks and trailers make compliant placement impractical. The applicant asserts that relocating the gate to meet the full setback would reduce usable maneuvering space, create internal congestion, and compromise secure operations.

**5. The requested variance would be consistent with the spirit and purpose of this Chapter and the DeKalb County Comprehensive Plan Text:**

The spirit and intent of the gate setback standard is to ensure safe access by maintaining adequate space for vehicles to clear the right-of-way and queue on-site without blocking traffic. While the requested setback reduction is significant, the intent of the standard may still be achieved through conditions that require verified internal queuing/circulation performance and operational safeguards that prevent vehicles from waiting in the roadway.

The site's location within the Commercial Redevelopment Corridor and the I-20 Overlay Tier 2 supports reinvestment and improved corridor function and appearance. A properly designed and managed access gate can align with these goals by improving site security, reducing unauthorized activity, and supporting orderly operations, so long as it does not create traffic conflicts.

**FINAL STAFF ANALYSIS:**

The subject property presents a credible physical constraint due to its frontage and irregular entrance geometry, and the proposed gate is tied to legitimate operational needs for a commercial facility supporting large vehicles. The requested reduction from 50 feet to 10 feet can be supported where the evidence demonstrates the location is functionally necessary for turning movements and where gate operations are structured to prevent vehicle stacking into the right-of-way.

Therefore, staff recommends **approval with conditions** of the application.

**Staff Recommendation:** Approval with Conditions.

**Conditions:**

1. 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.
2. The applicant shall submit a scaled, finalized site plan showing the property line, driveway entry, gate location, and the measured gate setback, along with turning templates for the design vehicle(s) (food truck and/or truck with trailer as applicable) and identification of on-site staging/queuing space.
3. The operator shall maintain gate operations such that no vehicles queue within the public right-of-way. If queuing creates risk of spillback, the gate shall be placed into an "open" operating mode or otherwise managed immediately to eliminate roadway queuing.
4. The gate shall utilize a rapid-entry access system (keypad/app/remote or equivalent) and be maintained in good working order to minimize dwell time at the entrance.
5. The applicant shall install and maintain signage/markings directing vehicles to queue on-site only and prohibiting waiting/queuing in the right-of-way or blocking the driveway throat.

6. The gate shall include an emergency access override consistent with applicable Fire/EMS requirements, and access shall be maintained for emergency response.
7. If recurring spillback or traffic obstruction is documented, the operator shall be required to implement corrective actions (including staffing, scheduling changes, revised gate procedures, and/or physical modifications) to eliminate spillback, subject to County review.
8. The gate shall remain in an open position during peak travel periods, defined as 8:00 a.m. to 10:00 a.m. and 4:00 p.m. to 6:00 p.m., to prevent vehicle queuing or stopping in the public right-of-way.



DeKalb County  
GEORGIA

Chief Executive Officer  
Michael Thurmond

Development Services Center  
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Decatur, GA 30030  
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404-371-2155 (o); 404-371-4556 (f)

## DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director  
Cedric Hudson

### ZONING BOARD OF APPEALS APPLICATION FOR PUBLIC HEARING (VARIANCES, SPECIAL EXCEPTIONS, APPEALS OF ADMINISTRATIVE DECISIONS)

Applicant and/or  
Authorized Representative: David Williams

Mailing Address: [REDACTED]

City/State/Zip Code: [REDACTED]

Email: [REDACTED]

Telephone Home: [REDACTED] Business: [REDACTED]

#### OWNER OF RECORD OF SUBJECT PROPERTY

Owner: WalSan LLC

Address (Mailing): [REDACTED]

Email: [REDACTED] Telephone Home: [REDACTED] Business: [REDACTED]

#### ADDRESS/LOCATION OF SUBJECT PROPERTY

Address: 2125 Candler Rd City: Decatur State: GA Zip: 30032

District(s): [REDACTED] Land Lot(s): [REDACTED] Block: [REDACTED] Parcel: 15 151 09 049

Zoning Classification: C-1 Commission District & Super District: [REDACTED]

#### CHECK TYPE OF HEARING REQUESTED:

VARIANCE (From Development Standards causing undue hardship upon owners of property.)

SPECIAL EXCEPTIONS (To reduce or waive off-street parking or loading space requirements.)

OFFICIAL APPEAL OF ADMINISTRATIVE DECISIONS.

**\*PLEASE REVIEW THE FILING GUIDELINES ON PAGE 4. FAILURE TO FOLLOW  
GUIDELINES MAY RESULT IN SCHEDULING DELAYS.\***

Email [plansustain@dekalbcountyga.gov](mailto:plansustain@dekalbcountyga.gov) with any questions.

DEPARTMENT OF PLANNING & SUSTAINABILITY

**ZONING BOARD OF APPEALS APPLICATION**

**AUTHORIZATION TO REPRESENT THE PROPERTY OWNER**

I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property.

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property and that I authorize the applicant/agent to apply for a hearing to the Zoning Board of Appeals for the requests as shown in this application.

DATE: 11/24/2025

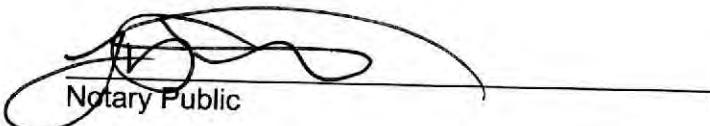
Applicant/Agent  
Signature:

David Williams

TO WHOM IT MAY CONCERN:

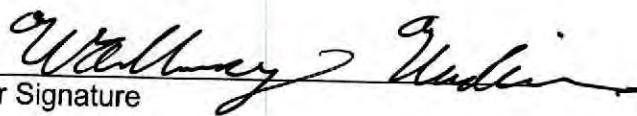
(I) / (WE): Wally Wallis (WalSan LLC)  
(Name of Owners)

being (owner/owners) of the property described below or attached hereby delegate authority to the above signed agent/applicant.

  
Notary Public

Notary Public

Notary Public

  
Owner Signature

Owner Signature

Owner Signature



**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**ZONING BOARD OF APPEALS APPLICATION**

**AUTHORIZATION OF THE PROPERTY OWNER**

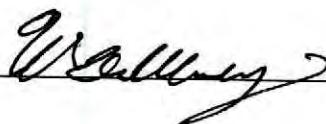
I hereby authorize the staff and members of the Zoning Board of Appeals to inspect the premises of the Subject Property.

I hereby certify that the information provided in the application is true and correct.

I hereby certify that I am the owner of the property subject to the application.

DATE: 11/20/2025

Applicant  
Signature:



DATE: \_\_\_\_\_

Applicant  
Signature:



LETTER OF INTENT

Variance Request – Gate Setback  
Section 27-5.4.7.A(8)

Dear Members of the Zoning Board of Appeals,

I am requesting a variance from Section 27-5.4.7.A(8) of the zoning ordinance to reduce the required gate setback from 50 feet to approximately 10 feet. This adjustment will enable secure and efficient vehicle access for Spice Kitchen at 2125 Candler Road.

**Physical Conditions of the Site**

The unique, acute-angled frontage of our property at 2125 Candler Road creates a narrower and irregular approach, setting it apart from neighboring lots, which have linear, parallel property lines. As a result, only approximately 12 feet separates our property line from the main driveway at its narrowest point—far less than the required 50-foot setback. This geometry severely limits usable space, making a 50-foot setback impractical. Locating the gate further back would obstruct the main driveway and loading area, directly impeding customer and delivery vehicle access, as indicated in the site diagram.

**Minimum Variance Necessary**

A 10-foot setback is the minimum required for a functional gate. Moving it further back would hinder secure and practical vehicle access.

**Public Welfare**

The gate is essential to prevent loitering, dumping, and unauthorized access, which protects high-value trucks and equipment on site. Its keypad and phone app system allows vehicles to enter quickly and avoid traffic congestion on Candler Road. The well-maintained gate improves our property's safety and appearance. I am also seeking letters of support from neighboring businesses.

**Ordinance Hardship**

Enforcing the 50-foot setback would prevent safe property operation. The gate would impede vehicle access and site security, both essential to business operations. The proposed location is the only feasible spot for the gate.

**Alignment with the Spirit of the Law**

The purpose of the setback rule is to make sure vehicles can enter a property safely without blocking traffic. Our gate system fully supports that goal. With keypad and remote access, vehicles can enter immediately, and the property has enough space inside the entrance for cars and trucks to queue safely. Our property is located in the Commercial Redevelopment Corridor, and securing and improving the site aligns with the goals of reinvestment, safety, and enhanced corridor appearance.

Thank you for your time and consideration. I appreciate the opportunity to explain our situation and am committed to working with the County to ensure we maintain a safe, well-managed property.

Sincerely,

David Williams  
Owner, Spice Kitchen  
2125 Candler Rd, Decatur, GA 30032

**General Legend**

— - - - - Property Boundary

**Notes**

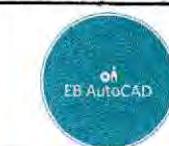
1. All regular parking spaces are 10'x20'.

2. 1 handicapped parking space is 12' x 20' & includes accessibility ramp.



Cruz + GIO ARCHITECTURE  
www.architectcruz.com  
contact@architectcruz.com

A	09/17/25	Permit Approved	BB
Rev	Date	Drawn by	By
		Cruz + GIO	Cruz + GIO

Client: Spice Kitchen			
Project: 2125 Candler Rd, Decatur, GA 30032, USA			
Title: Site Layout Plan			
Scale @ A: 3/32" = 1'-0"			
Prepared by: E. Seggi		Checked: D. Williams	Date: Sept. 2025
Country: United States			
Drawing Status: Approval			
			
Drawing No.:	1001	Revision:	A

Concrete Ramp

Spice  
Kitchen  
4,500 sq.ft.

Access  
Gate

Candler Parkway

Candler Road

Candler Road

0' 20' 40' 60' 80' 100'