NOTE: Applicant or appointed representative should be present. If unable to attend, please contact the Planning Department at 404-371-2155 no later than 11:00 a.m. the day of the meeting.

CALL MEETING TO ORDER

DETERMINATION OF A QUORUM
PREAMBLE AS TO PURPOSE AND PROCEDURES OF THE BOARD OF APPEALS
INTRODUCTION OF MEMBERS, STAFF AND COUNTY REPRESENTATIVES
APPROVAL OF AUGUST 14, 2019 ZONING BOARD OF APPEALS MEETING MINUTES

MEMBERS:

Pamela Speaks, District 1

Mark Goldman, District 2

Alice Bussey, District 3

Nadine Rivers-Johnson (Chairperson), District 4

Jasmine Chatman, District 5

Dan Wright (Vice-Chairperson), District 6

Kenneth Saunders, III, District 7

EXCUSED

EXCUSED

PRESENT

PRESENT

PRESENT

PRESENT

(A-Absent; EXA-Excused Absence; U-Unexecused Absence; P-Present; R-Resigned; TE-Term Expired)

QUORUM DETERMINATION: YES
COUNTY REPRESENTATIVE: YES

Jahnee Prince, Deputy Director of Planning and Sustainability
Donovan Cushnie, Floodplain Coordinator, Land Development Division
## D1

### Applicant

<table>
<thead>
<tr>
<th>Number</th>
<th>Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-19-1243220</td>
<td>Jason Patsios C/O Julie Sellers</td>
<td>Pursley Friese Torgrimson, LLP 1230 Peachtree Street Northeast, Suite 1200</td>
<td>Atlanta, GA</td>
<td>30309</td>
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</tbody>
</table>

### Owner

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gretchen Patsios</td>
<td>2381 Drew Valley Road</td>
<td>Brookhaven, GA</td>
<td>30319</td>
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</table>

### Project Name

1169 Biltmore Drive

### Zoning

R-85 Zoning District

### Location

The property is located on the eastside of Biltmore Drive, approximately 199 feet west of Rogeretta Drive, at 1169 Biltmore Drive Northeast, Atlanta, Georgia.

## Request

Variance from Section 27-5.2.1.(c) and Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce the average front yard setback from 35.79 feet to 20 feet, relating to the R-85 zoning district.

### BOA Action

Deferred for 30 days, 4 votes were required. The motion was made by D. Wright to deny the application and seconded by K. Saunders. D. Wright, A. Bussey, and K. Saunders, III voted to deny the application, and N. Rivers-Johnson voted against. The application was deferred 3-1.

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## D2

### Applicant

<table>
<thead>
<tr>
<th>Number</th>
<th>Name</th>
<th>Address</th>
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<th>Zip</th>
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<tbody>
<tr>
<td>A-19-1243360</td>
<td>Land Holding Group SE LLC</td>
<td>6621 Bay Circle</td>
<td>Norcross, GA</td>
<td>30071</td>
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### Owner

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<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Land Holding Group SE LLC</td>
<td>6621 Bay Circle</td>
<td>Peachtree Corners, GA</td>
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### Project Name

3595 LaVista Road

### Zoning

R-85 Zoning District

### Location

The property is located on the southeast corner of LaVista Road and Briarlake Circle, at 3595 LaVista Road, Decatur, Georgia 30033.

### Request

Variance from Section 27-2.2 of the DeKalb County Zoning Ordinance to reduce the rear yard setback from 40 feet to 24 feet for the construction of a new single family home, relating to the R-85 zoning district.

### BOA Action

Deferred for 30 days, The motion was made by D. Wright to defer the application and seconded by K. Saunders. D. Wright, K. Saunders, III, N. Rivers-Johnson, A. Bussey, and J. Chatman voted to defer. The voted was approved 5-0.
### NEW HEARING ITEMS

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>N1</td>
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<td>18-050-08-033</td>
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#### Commission District 2  Super District 6

**Applicant:** Dave Jones/ Intown Ace Hardware  
1404 Scott Boulevard  
Decatur, GA 30030

**Owner:** Same as Applicant

**Project Name:** 1404 Scott Blvd

**Zoning:** C-1 Zoning District

**Location:** The property is located on the north side of Scott Boulevard, approximately 133 feet south of Ferndale Drive, at 1404 Scott Boulevard, Decatur, Georgia 30030.

**Request:** A variance from Section 2.24.1 of the DeKalb County Zoning Ordinance to reduce side yard setback from 15 feet to 10 feet for a proposed rear addition.

**BOA Action:** Approved based on the site plan received August 5, 2019 with condition that the applicant provides the proposed lot coverage to current planning staff. The motion was made by D. Wright to approve the application with condition and seconded by K. Saunders. D. Wright, K. Saunders, Ill, N. Rivers-Johnson, A. Bussey, and J. Chatman voted to approve the application with condition. The voted was approved 5-0.

<table>
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<tbody>
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<td>A-19-1243438</td>
<td>16-224-03-005</td>
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#### Commission District 4  Super District 7

**Applicant:** Erma Brown  
4200 Riverlake Way  
Snellville, GA 30039

**Owner:** Kelvin B. Henderson  
4328 Riverlake Way  
Snellville, GA 30039

**Project Name:** 4328 Riverlake Way

**Zoning:** R-85 Zoning District

**Location:** The property is located on the east side of Riverlake Way, approximately 30 feet west of Dennis Spring Road, at 4328 Riverlake Way, Snellville, Georgia 30039.

**Request:** Variances from Section 4.2.2 of the DeKalb County Zoning Ordinance to reduce the side and rear yard setback for an existing accessory dwelling unit.

**BOA Action:** Deferred for 30 days, the applicant is required to resubmit a new site plan showing the correct building setbacks of the existing accessory dwelling unit from the rear and side property lines. Also, the applicant must come to some sort of an agreement with the adjacent neighbors. The motion was made by D. Wright to defer the application for 30-days and seconded by K. Saunders. D. Wright, K. Saunders, Ill, N. Rivers-Johnson, A. Bussey, and J. Chatman voted to defer this application. The voted was approved 5-0.
<table>
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<tr>
<th>Commission District</th>
<th>Super District</th>
<th>Applicant No:</th>
<th>Parcel ID:</th>
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<th>Project Name:</th>
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<td>2</td>
<td>6</td>
<td>A-19-1243439</td>
<td>18-205-09-009</td>
<td>Honor Vess, Berry Real Estate &amp; Design Build Company 1513 Oak Grove Road Decatur, GA 30033</td>
<td>Holly Cosentino, BRC Unlimited LLC. 1513 Oak Grove Road Decatur, GA 30033</td>
<td>2143 Marann Drive</td>
<td>R-100 Zoning District</td>
<td>The property is located on the eastside of Marann Drive, approximately 665 feet south of Sundown Drive, at 2143 Marann Drive, Atlanta, Georgia 30345</td>
<td>A variance from Section 27-2.2.1 of the DeKalb Zoning Ordinance to increase the existing lot coverage from 35% to 47.54% to construct a new single-family detached structure as well as an inground pool.</td>
<td>Approved based on the submitted site plan received August 8, 2019 with condition that all storm water requirements are satisfied per the Land Development Division. The motion was made by K. Saunders, III and seconded by D. Wright to approve the application with condition. D. Wright, K. Saunders, III, N. Rivers-Johnson, A. Bussey, and J. Chatman voted to approve the application with condition. The voted was approved 5-0.</td>
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<tr>
<th>Commission District</th>
<th>Super District</th>
<th>Applicant No:</th>
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<th>Project Name:</th>
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<tr>
<td>3</td>
<td>6</td>
<td>A-19-1243440</td>
<td>15-215-05-009</td>
<td>Darien Arikoski-Johnson 1342 Deerwood Drive Decatur, GA 30030</td>
<td>Same as the Applicant</td>
<td>1342 Deerwood Drive</td>
<td>R-75 Zoning District</td>
<td>The property is located on the east side of Deerwood Drive, approximately 648 feet south of Creekwood Terrace, at 1342 Deerwood Drive, Decatur, Georgia 30030.</td>
<td>Variances from Section 27-4.2.2 of the DeKalb County Zoning Ordinance (1) to increase the maximum square footage of a proposed accessory building from 900 square feet to 1,218.292 square feet, and (2) to increase the height of a proposed accessory building from 22.3 feet to 24 feet; and from Section 27-2.2 of the DeKalb County Zoning Ordinance (3) to increase the existing lot coverage from 35% to 37%.</td>
<td>Approved based on the submitted site plan received August 8, 2019 with condition that a water quality treatment plan is in place per the Land Development Division. The motion was made by K. Saunders, III and seconded by D. Wright to approve the application with condition. D. Wright, K. Saunders, III, N. Rivers-Johnson, A. Bussey, and J. Chatman voted to approve the application with condition. The voted was approved 5-0.</td>
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Commission District 2  Super District 6

Applicant: Beth Cooper
2750 Shady Valley Drive
Atlanta, GA 30324

Owner: Big Door Properties
2750 Shady Valley Drive
Atlanta, Georgia 30324

Project Name: 2322 Sanford Road
Zoning: R-75 zoning district
Location: The property is located on the northeast corner of Suzanne Drive and Sanford Road, 2322 Sanford Road, Decatur, Georgia 30033.

Request: Variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce the side corner setback from 30 feet to 11.29 feet for a proposed second story addition.

BOA Action: Approved based on the submitted site plan received August 8, 2019. The motion was made by D. Wright and seconded by K. Saunders to approve the application. D. Wright, K. Saunders, Ill, N. Rivers-Johnson, A. Bussey, and J. Chatman voted to approve the application. The voted was approved 5-0.

Commission District 2  Super District 6

Applicant: John & Lindsey Petrini
1385 Brook Forest Drive, NE
Atlanta, GA 30324

Owner: Same as the Applicant

Project Name: 1385 Brook Forest Drive, NE
Zoning: R-85 zoning district
Location: The property is located on the southeast corner of Brook Forest Drive and Citadel Drive at 1385 Brook Forest Drive, Atlanta, Georgia 30324.

Request: Variances from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce the interior side yard setback from 8.5 feet to 4.2 feet, reduce the side corner setback from the 35 feet to 20.9 feet, and to reduce the rear yard setback from the required 40 feet to 19.5 feet all to build an addition of an enclosed breezeway and second story garage.

BOA Action: Approved based on the submitted site plan received August 8, 2019. The motion was made by D. Wright and seconded by J. Chatman to approve the application. D. Wright, K. Saunders, Ill, N. Rivers-Johnson, A. Bussey, and J. Chatman voted to approve the application. The voted was approved 5-0.
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<tr>
<td>Applicant:</td>
<td>Christopher Hollmann 6565 Cherry Tree Lane Sandy Springs, GA 30328</td>
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<tr>
<td>Owner:</td>
<td>Tal &amp; Jane Senior 1597 Adelia Place Atlanta, Georgia 30329</td>
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<td></td>
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<tr>
<td>Project Name:</td>
<td>1597 Adelia Place</td>
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<tr>
<td>Zoning:</td>
<td>R-85 zoning district</td>
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<tr>
<td>Location:</td>
<td>The property is located on the south side of Adelia Place, approximately 150 feet east of Rogeretta Drive, 1597 Adelia Place, Atlanta, Georgia 30329.</td>
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<td>Request:</td>
<td>Variance from Section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce the side yard setback from 8.5 feet to 7 feet for a proposed second story addition.</td>
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<td>BOA Action:</td>
<td>Approved based on the submitted site plan received August 8, 2019. The motion was made by D. Wright and seconded by K. Saunders to approve the application. D. Wright, K. Saunders, Ill, N. Rivers-Johnson, A. Bussey, and J. Chatman voted to approve the application. The voted was approved 5-0.</td>
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<tr>
<td>Commission District 2</td>
<td>Super District 6</td>
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<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Dana Farooa 1052 Traymore Drive Norcross, Georgia 30093</td>
<td></td>
<td></td>
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<tr>
<td>Owner:</td>
<td>Hawleri Homes, LLC 1052 Traymore Drive Norcross, Georgia 30093</td>
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<tr>
<td>Project Name:</td>
<td>1112 Shepherds Lane</td>
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<tr>
<td>Zoning:</td>
<td>R-75 zoning district</td>
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<tr>
<td>Location:</td>
<td>The property is located on the west side of Shepherds Lane, approximately 1,311 feet south of LaVista Road, at 1112 Shepherds Lane, Atlanta, Georgia 30324.</td>
<td></td>
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<tr>
<td>Request:</td>
<td>Variance from Section 5.2.1 of the DeKalb County Zoning Ordinance to reduce the average front yard setback for a proposed 2 story single family detached structure.</td>
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<tr>
<td>BOA Action:</td>
<td>Denied based on the submitted site plan received August 5, 2019. This request was not consistent with the character of the neighborhood. The motion was made by D. Wright and seconded by J. Chatman to deny the application. D. Wright, K. Saunders, Ill, N. Rivers-Johnson, A. Bussey, and J. Chatman voted to deny the application. The voted was denied 5-0.</td>
<td></td>
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</tbody>
</table>
Applicant: Darrell Johnson/ Atwell, LLC
1800 Parkway Place, Suite 700
Marietta, Georgia 30067

Owner: Decatur Christian Towers, LLC
1438 Church Street
Decatur, Georgia 30030

Project Name: 1438 Church Street

Zoning: OI zoning district

Location: The property is located on the west side of Church Street, approximately 900 feet south of North Decatur Road, at 1438 Church Street, Decatur, Georgia 30030.

Request: Variance from Section 27-5.4.5 of the DeKalb County Zoning Ordinance to reduce the required transitional buffer for a proposed parking addition.

BOA Action: Approved based on the submitted site plan received August 8, 2019 with condition that a privacy fence is added along the buffer with this proposed trees. The motion was made by J. Chatman and seconded by A. Bussey to approve the application with condition. K. Saunders, Ill, N. Rivers-Johnson, A. Bussey, and J. Chatman voted to approve the application with condition. D. Wright voted against. The voted was approve 4-1.