



Michael L. Thurmond  
Chief Executive Officer

# Department of Planning & Sustainability

Zoning Board of Appeals  
Manuel J. Maloof Center  
1300 Commerce Drive, Suite 400  
Decatur, GA 30030



BOA Meeting Date: January 8, 2020 1:00 PM

## MEETING MINTUES (DRAFT)

**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 DECEMEBER 11, 2019 MEETING MINTUES

#### MEMBERS:

**Present**

Pamela Speaks, District 1

**Present**

Mark Goldman, District 2

**Unexcused Absence**

Alice Bussey, District 3

**Present**

Nadine Rivers-Johnson (Chairperson), District 4

**Present**

Jasmine Chatman, District 5

**Present**

Dan Wright (Vice-Chairperson), District 6

**Present**

Kenneth Saunders, III, District 7

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

**QUORUM DETERMINATION: YES**

**COUNTY REPRESENTATIVE: YES**

Jahnaee Prince, Deputy Director of Planning and Sustainability  
Jeremy McNeil, Senior Planner

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**DEFERRED FROM January, 8, 2020 PUBLIC HEARING**

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**D1                                      Applicant No:                                      A-20-1243591                                      Parcel ID:                                      15-171-08-004**

**Commission District 3 Super District 7**

**Applicant:**                                      Suceli Baptist  
572 Daniel Avenue  
Stone Mountain, GA 30087

**Owner:**                                      Same as Applicant

**Project Name:**                                      572 Daniel Ave

**Zoning:**                                      R-75 zoning district

**Location:**                                      The property is located on the east side of Daniel Avenue, approximately 100 feet north of Brunswick Avenue at 572 Daniel Avenue, Decatur, Georgia 30032.

**Request:**                                      Variances from section 27-2.2.1 of the DeKalb County Zoning Ordinance to reduce the side yard setbacks and increase the maximum allowed lot coverage for a proposed rear addition.

**BOA Decision:**                                      **Motion by J. Chatman to defer the application for 30-days, seconded by D. Wright. The motion was approved unanimously.**

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**D2                                      Applicant No:                                      A-20-1243657                                      Parcel ID:                                      18-111-03-040**

**Commission District 2 Super District 6**

**Applicant:**                                      Kathryn M. Zickert  
1230 Peachtree Street NE  
Atlanta, GA 30309

**Owner:**                                      Sagy Peretz  
2897 North Druid Hills Road  
Atlanta, GA 30328

**Project Name:**                                      1185 Houston Mill Road

**Zoning:**                                      R-85 Zoning District

**Location:**                                      The property is located on the east side of Houston Mill Road, approximately 467 feet south of Lavista Road, at 1185 Houston Mill Road, Atlanta, Georgia 30329.

**Request:**                                      Variances from the DeKalb County Zoning Ordinance: Section 27-4.2.42(E) to allow a place of worship to be located on a collector road; and Section 27-4.2.42(A) to reduce the building separation distance from residentially zoned property, for a proposed place of worship.

**BOA Decision:**                                      **Motion by D. Wright to withdraw the application without prejudice, seconded by P. Speaks. The motion was approved unanimously.**

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**NEW HEARING ITEMS**

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**N1**                      **Applicant No:**                      **A-20-1243706**                      **Parcel ID:**                      **15-149-09-025**

**Commission District 3 Super District 6**

**Applicant:**                      Armistead Holdings, LLC  
2221 D Peachtree Road, Suite 220  
Atlanta, GA 30309

**Owner:**                      Same as Applicant

**Project Name:**                      2065 Delphine Way

**Zoning:**                      R-75 Zoning District

**Location:**                      The property is located on the west side of Delphine Way, approximately 150 feet north of Garden Circle, at 2065 Delphine Way Decatur, GA 30032.

**Request:**                      Variances from the DeKalb County Zoning Ordinance: Section 27-2.7.3 to reduce the front yard setback from 35 feet to 14 feet and rear yard setback from 40 feet to 7 feet; Section 27-4.2.1(C) to allow for an accessory structure (detached garage) to be place of the side of the proposed principle structure; and Section 27-8.1.4 to restored a legal lot of record, all for a proposed single family detached home.

**BOA Decision:**                      **Motion by J. Chatman to approve this application with conditions that required side yard setbacks be increase from 7.5 feet to 25 feet, and that the proposed detached garage be use as a garage only and not a living space. The motion was seconded by D. Wright and approved 4-2. J. Chatman, D. Wright, N. Rivers-Johnson, and P. Speaks voted to approve the motion. K. Saunders, III, and M. Goldman voted against the motion.**

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**N2**                      **Applicant No:**                      **A-20-1243708**                      **Parcel ID:**                      **15-183-08-007**

**Commission District 3 Super District 7**

**Applicant:**                      Chuck Moore-Breedlove Land Planning, Inc.  
15 Simpson Street Northwest  
Atlanta, GA 30309

**Owner:**                      Oakhurst Medical Center, Inc.-Jeff Taylor  
5582 Memorial Drive  
Stone Mountain, Georgia 30083

**Project Name:**                      1706 Candler Road

**Zoning:**                      I-20 Overlay District

**Location:**                      The property is located on the east side of Candler Road, bounded between Amelia Avenue and Eastwood Drive, at 1706 Candler Road Decatur, GA 30032.

**Request:**                      Variance from Section 27-3.33.14 of the DeKalb County zoning ordinance to reduce the sidewalk width requirements per the I-20 Overlay District for a proposed medical office.

**BOA Decision:** Motion by D. Wright to approve the variance from Section 27-3.33.14 of the DeKalb County zoning ordinance to reduce the sidewalk width requirements per the I-20 Overlay District for a proposed medical office as shown on the submitted site plan received on December 3, 2019 with conditions that the disposal line shown on the northwest corner of property along Amelia Avenue remain on the plan, and that an egress easement or disposal 15 feet from back of curb be added to the plan, seconded by J. Chatman. Motion was approved unanimously.

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**N3**                      **Applicant No:**                      **A-20-1243710**                      **Parcel ID:**                      **15-159-09-007**

**Commission District 5 Super District 7**

**Applicant:**                      Betty W. Christian  
2030 Wesley Chapel Road  
Decatur, Georgia 30035

**Owner:**                      Shy Temple CME Church  
2030 Wesley Chapel Road  
Decatur, Georgia 30035

**Project Name:**                      2030 Wesley Chapel Road

**Zoning:**                      R-85 Zoning District

**Location:**                      The property is located on the east side of Wesley Chapel Road, approximately 150 feet north of John Wesley Drive, at 2030 Wesley Chapel Road Decatur, GA 30035.

**Request:**                      Variances from the DeKalb County zoning ordinance: Section 27-4.2.42(C) to reduce the driveway and parking separation distance from boundary line requirement from 20 feet to 10 feet; and Section 27-2.2 to increase the maximum allowed lot coverage percentage from 35% to 36%, for a proposed place of worship.

**BOA Decision:** Motion by J. Chatman to approve the following variances from the DeKalb County zoning ordinance: Section 27-4.2.42(C) to reduce the driveway and parking separation distance from boundary line requirement from 20 feet to 10 feet; and Section 27-2.2 to increase the maximum allowed lot coverage percentage from 35% to 36%, for a proposed place of worship, seconded by K. Saunders, III. Motion approved 5-1. P. Speaks, M. Goldman, N. Rivers-Johnson, J. Chatman, K. Saunders, III voted to approve the request. D. Wright voted against the motion.

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**N4**                      **Applicant No:**                      **A-20-1243716**                      **Parcel ID:**                      **15-171-02-011**

**Commission District 3 Super District 6**

**Applicant:**                      Manuel Escuela/ Mint Leaf Homes LLC  
100 Cabots Cove Ct  
Alpharetta, GA 30022

**Owner:**                      Same as Applicant

**Project Name:**                      570 Parker Ave

**Zoning:**                      R-75 zoning district

**Location:**                      The property is located on the east side of Parker Avenue, approximately 543 feet south of DeKalb Drive, 570 Parker Avenue Decatur, GA 30032.

**Request:**                      Variance from Section 27-8.1.4 of the DeKalb County zoning ordinance to restore two lots of record per the original East Lake Terrace subdivision plat for a proposed single family detached structure on each lot.

**BOA Decision:** Motion by K. Saunders, III to approve the variance from Section 27-8.1.4 of the DeKalb County zoning ordinance to restore two lots of record per the original East Lake Terrace subdivision plat for a proposed single family detached structure on each lot , relating to the R-75 zoning district , seconded by D. Wright . Motion approved unanimously.

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<b>N5</b>	<b>Applicant No:</b>	<b>A-20-1243723</b>	<b>Parcel ID:</b>	<b>15-226-03-008</b>
<b>Commission District 4</b>	<b>Super District 7</b>			
<b>Applicant:</b>	Frances Smith 1173 Allgood Road Stone Mountain, GA 30083			
<b>Owner:</b>	Same as the Applicant			
<b>Project Name:</b>	1173 Allgood Road			
<b>Zoning:</b>	R-100 zoning			
<b>Location:</b>	The property is located on the west side of Allgood Road, approximately 295 feet north of Redan Road, 1173 Allgood Road Stone Mountain, GA 30083.			
<b>Request:</b>	Variances from the DeKalb County zoning ordinance: Section 27-5.4.7(A)(6) and Table 5.3 to allow for an existing six-foot chain link fence to remain in front of a residential property.			

**BOA Decision:** Motion by K. Saunders, III to approve the variances from the DeKalb County zoning ordinance: Section 27-5.4.7(A)(6) and Table 5.3 to allow for an existing six-foot chain link fence to remain in front of a residential property, seconded by D. Wright . Motion approved unanimously.