



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: July 10, 2019 1:00 PM

## MEETING MINTUES

**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 JUNE 12, 2019 ZONING BOARD OF APPEALS MEETING MINUITES

#### MEMBERS:

**PRESENT**

Pamela Speaks, District 1

**PRESENT**

Mark Goldman, District 2

**PRESENT**

Alice Bussey, District 3

**PRESENT**

Nadine Rivers-Johnson (Chairperson), District 4

**PRESENT**

Jasmine Chatman, District 5

**EXCUSED ABSENCE**

Dan Wright (Vice-Chairperson), District 6

**PRESENT**

Kenneth Saunders, III, District 7

**(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

Marian Eisenberg, Zoning Administrator

Jeremy McNeil, Senior Planner

Nicolette Washington, Planner

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**DEFERRED FROM June 12, 2019 PUBLIC HEARING**

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**D1**                      **Applicant No:**                      **A-19-1243223**                      **Parcel ID:**                      **18-099-03-091**

**Commission District 4 Super District 6**

**Applicant:**                      Eric Larsen for Benson Integrated Marketing Solutions, Inc.  
6195 Shiloh Road, Suite A  
Alpharetta, GA 30005

**Owner:**                      KRC Vista, LLC.  
111 Broadway Street, Suite 1703  
New York, NY 1006

**Project Name:**                      3324 Valley Brook Place

**Zoning:**                      MR-1 Zoning District Pursuant to Zoning Conditions CZ-80092

**Location:**                      The property is located on the southeast corner of Valley Brook Place and Cedar Creek Drive, at 3324 Valley Brook Place Decatur, Georgia, 30033.

**Request:**                      Variance from Section 21-2 of the DeKalb County Sign Ordinance to allow an off-premise entrance sign.

**BOA Action:**                      **Approval based on the submitted site plan and graphics received April 5, 2019. The motion was made by K. Saunders and seconded by P. Speaks. The vote was approved unanimously 6-0 by P. Speaks, M. Goldman, A. Bussey, N. Rivers-Johnson, J. Chatman, and K. Saunders, III.**

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**D2**                      **Applicant No:**                      **A-19-1243277**                      **Parcel ID:**                      **18-046-01-145**

**Commission District 4 Super District 6**

**Applicant:**                      Michael Bell  
4151 Memorim Drive, Suite 204B  
Decatur, GA

**Owner:**                      Kazi Ahmed  
4223 Covington Highway  
Decatur, GA 30035

**Project Name:**                      612 Warren Ave

**Zoning:**                      R-75 and the Scottdale Overlay District

**Location:**                      The property is located on the northwest corner of Hill Boulevard and Warren Avenue, at 612 Warren Avenue, Scottdale, Georgia 30079.

**Request:**                      Variance from Section 27-30.3.12 of the DeKalb County Zoning Ordinance to waive the landscape and sidewalk requirements specific to the Scottdale Overlay District.

**BOA Action:**                      **Approval based on the submitted revised site plan received on June 17, 2019 and dated June 14, 2019. The motion was made by J. Chatman and seconded by K. Saunders. The vote was approved unanimously 6-0 by P. Speaks, M. Goldman, A. Bussey, N. Rivers-Johnson, J. Chatman, and K. Saunders, III.**

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**NEW HEARING ITEMS**

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**N1**                      **Applicant No:**                      **A-19-1243314**                      **Parcel ID:**                      **15-152-05-019**

**Commission District 3 Super District 7**

**Applicant:**                      Charles Williams  
PO Box 1337  
Snellville, GA 30378

**Owner:**                      Charles Williams as Trustee of the Miriam Lane Trust  
PO Box 1337  
Snellville, GA 30378

**Project Name:**                      2096 Miriam Lane

**Zoning:**                      R-75 Zoning District

**Location:**                      The property is located on the east side of Miriam Lane, approximately 249 feet north of Oakland Terrace, at 2096 Miriam Lane, Decatur, Georgia 30034.

**Request:**                      Variance from Section 27-2.2 of the DeKalb County Zoning Ordinance to reduce the southern side yard building setback from 7.5 feet to 5.1 feet to enclose an existing carport.

**BOA Action:**                      **Approval based on the submitted site plan received May 20, 2019. The motion was made by K. Saunders, III and seconded by J. Chatman. The vote was approved unanimously 6-0 by P. Speaks, M. Goldman, A. Bussey, N. Rivers-Johnson, J. Chatman, and K. Saunders, III.**

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**N2**                      **Applicant No:**                      **A-19-1243333**                      **Parcel ID:**                      **18-109-03-009**

**Commission District 2 Super District 6**

**Applicant:**                      Erik W Lewitt  
914 Howell Mill Road NW  
Atlanta, GA 30318

**Owner:**                      Ocean Sloan Square, LLC  
1349 West Peachtree Street-Suite 1430  
Atlanta, GA 30309

**Project Name:**                      1555 LaVista Road

**Zoning:**                      Multiple Zoning District

**Location:**                      The property is located south of Lavista Road, approximately 348 feet east of Shepherds Lane, at 1555 Lavista Road, Atlanta, Georgia, 30329.

**Request:**                      Appeal to a denial of a stream buffer variance (Section 14-44.4 of the DeKalb County Land Development Ordinance) to relocate an existing pool pump building located within the DeKalb County's Stream Buffer.

**BOA Action:**                      **Approval to allow the stream buffer variance to be issued. The motion was made by J. Chatman and seconded K. Saunders, III. The vote was approved unanimously 6-0 by P. Speaks, M. Goldman, A. Bussey, N. Rivers-Johnson, J. Chatman, and K. Saunders, III.**

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**N3**                      **Applicant No:**            **A-19-1243334**      **Parcel ID:**            **15-169-01-186**

**Commission District 3 Super District 7**

**Applicant:**            Godofredo Perdomo  
145 Saint Ignaius Close  
Alpharetta, GA 30022

**Owner:**                Sand J Club, LLC

**Project Name:**        2808 Mitchell Place

**Zoning:**                R-75 Zoning District

**Location:**            The property is located north of Mitchell Place, approximately 775 feet west of Long Drive, at 2808 Mitchell Place, Decatur, Georgia 30032.

**Request:**              Variance from Section 27-2.2 of the DeKalb County Zoning Ordinance to reduce the side yard setback to enclose an existing carport and add a rear addition.

**BOA Action:**           **Approval with condition that the variance is only granted to enclose the existing carport and not for the proposed rear addition. The motion was made by J. Chatman and seconded K. Saunders, III . The vote was approved unanimously 6-0 by P. Speaks, M. Goldman, A. Bussey, N. Rivers-Johnson, J. Chatman, and K. Saunders, III.**

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**N4**                      **Applicant No:**            **A-19-1243336**      **Parcel ID:**            **15-186-11-012**

**Commission District 3 Super District 7**

**Applicant:**            James Buckland  
4918 Vireo Drive  
Flowery Branch, GA 30542

**Owner:**                Kristen Aceto Netemeyer  
1666 N. Columbia Place  
Decatur, GA 30032

**Project Name:**        1666 N. Columbia Place

**Zoning:**                R-75 Zoning District

**Location:**            The property is located on the eastside of North Columbia Place, approximately 445 feet north of Columbia Drive, at 1666 North Columbia Place, Decatur, 30032.

**Request:**              Variance from Section 4.2.2(C) (1) of the DeKalb County Zoning Ordinance to construct a detached garage on the side of an existing single-family structure.

**BOA Action:**           **Defer for 30-days. The applicant was not present. The motion was made by J. Chatman and seconded K. Saunders, III. The vote was approved unanimously 6-0 by P. Speaks, M. Goldman, A. Bussey, N. Rivers-Johnson, J. Chatman, and K. Saunders, III.**

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**N5**                      **Applicant No:**            **A-19-1243337**      **Parcel ID:**            **18-049-10-003**

**Commission District 4 Super District 6**

**Applicant:**            Gail Mooney  
2156 W Park Court, Suite D  
Stone Mountain, GA 30087

**Owner:**                Christie Robson  
2586 Pineview Drive  
Decatur, GA 30030

**Project Name:**        2568 Pineview Drive

**Zoning:**                R-75 Zoning District

**Location:**            The property is located on the northeast corner of Sycamore Drive and Pineview Drive, at 2568 Pineview Drive, Decatur, Georgia 30030.

**Request:**              Variance from Section 27-2.2 of the DeKalb County Zoning Ordinance to reduce rear yard building setback from 40 feet to 23 feet for a proposed expansion to an existing single-family residential structure.

**BOA Action:**            **Approval with condition that the proposed expansion does not encroach into the interior side yard setback. The motion was made by J. Chatman and seconded K. Saunders, III. The vote was approved unanimously 6-0 by P. Speaks, M. Goldman, A. Bussey, N. Rivers-Johnson, J. Chatman, and K. Saunders, III.**

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**N6**                      **Applicant No:**            **A-19-1243338**      **Parcel ID:**            **18-195-09-002**

**Commission District 2 Super District 6**

**Applicant:**            Greg Ramsey  
137 Ponce De Leon Ct  
Decatur, GA 30030

**Owner:**                Jeff Pendergrast  
2505 Flair Knoll Court NE  
Atlanta, GA 30045

**Project Name:**        3398 Briarcliff Road

**Zoning:**                RSM Zoning District

**Location:**            The property is located on Briarcliff Road, approximately 202 feet east of North Ridgeway Road, at 3398 Briarcliff Road Northeast, Atlanta, Georgia 30345

**Request:**              Variances from Section 5.7.6. of the DeKalb County Zoning Ordinance to remove sidewalk at private drive for 5 dwelling units, remove landscape strip at private drive, remove tree requirements from private drive; variance from Section 2.2 of the DeKalb County Zoning Ordinance to reduce the front building line setback at private drive from 20 feet to 12 feet; variance from Section 5.4.5.(c)(4) of the DeKalb County Zoning Ordinance to remove fence at transitional buffer all for a proposed site-specific single family conservation development.

**BOA Action:**            **Approval based on the submitted site plan received on June 6, 2019 and dated April 8, 2019 with conditions that the variance to remove sidewalks at private drives cover "all" dwelling units and that all zoning conditions are satisfied. The motion was made by K. Saunders, III and seconded M. Goldman. The vote was approved unanimously 6-0 by P. Speaks, M. Goldman, A. Bussey, N. Rivers-Johnson, J. Chatman, and K. Saunders, III.**

