



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 ZOOM Meeting Date: June 10, 2020 1:00 PM

DRAFT MEETING MINUTES

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

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

PRESENT

Dan Wright (Vice-Chairperson), District 6

Vacant, District 7

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

QUORUM DETERMINATION: YES

COUNTY REPRESENTATIVE: YES

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

DEFERRED ITEMS

D1 **Applicant No:** **A-20-1243809** **Parcel ID:** **18-036-01-009**

Commission District 4 Super District 7

Applicant: CRN Development LLC.
704 Saddlebrook Drive
Killen, AL 35645

Owner: Douglas N. McCurdy Jr. and Raymond L. Viers Trust, Trustee Michael Smith
7 Lumpkin Street
Lawrenceville, GA 30046

Project Name: 5734 Rockbridge Road

Zoning: MR-1 (Residential Medium Lot) zoning district

Location: The property is located north of Rockbridge Road, approximately 327 feet east of North Stone Mountain Lithonia, at 5734 Rockbridge Road Stone Mountain, GA 30087.

Request: Variances from Section 27-5.4.5 of the DeKalb County Zoning Ordinance to eliminate the required 30-foot transitional buffer along the south eastern portion of the property and to allow grading within the required 30-foot transitional buffer for a proposed senior living apartment complex.

BOA Action: **The motion was made by D. Wright to approve the requested Variances from Section 27-5.4.5 of the DeKalb County Zoning Ordinance to eliminate the required 30-foot transitional buffer along the south eastern portion of the property and to allow grading within the required 30-foot transitional buffer for a proposed senior living apartment complex as shown on the submitted site plan received on February 24, 2020 with condition that all existing structures and trees remain in place along the south eastern portion of the property. The motion was seconded by A. Bussey and approved unanimously.**

NEW HEARING ITEMS

N1 **Applicant No:** **A-20-1243805** **Parcel ID:** **15-126-06-001**

Commission District 3 Super District 7

Applicant: Jon Cauthen
2631 Smoketree Way
Atlanta, GA 30345

Owner: Same as the applicant

Project Name: 2650 Havermill Way

Zoning: R-100 (Residential Small Lot) zoning district

Location: The property is located on the west side of Havermill Way, approximately 161 feet south of Danbyshire Court, at 2650 Havermill Way, Atlanta, GA 30345.

Request: Variance from the DeKalb County Zoning Ordinance: Section 27-5.2.1(C) to reduce the average front yard setback from 60.9 feet to 49 feet for a proposed detached single family structure.

BOA Action: **The motion was made by P. Speaks to approve the requested variance to reduce the average front yard setback from 60.9 feet to 49 feet for a proposed detached single family structure as shown on**

the submitted site plan and received February 27, 2020. The motion was seconded by J. Chatman and approved unanimously.

N2	Applicant No:	A-20-1243862	Parcel ID:	18-150-05-005
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Commission District 2 Super District 6

Applicant: George Dunwoody & Kingsley Dunwoody
2058 Beaver Road Northeast
Atlanta, GA 30345

Owner: Same as the applicant

Project Name: 2058 Beaver Road

Zoning: R-100 (Residential Small Lot) zoning district

Location: The property is located on the north side of Beaver Road, approximately 180 feet east of Deer Park Road, at 2058 Beaver Road Atlanta, GA 30345.

Request: Variance from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements) to reduce the western side yard setback from 10 feet to 5.9 feet for a proposed addition, relating to the R-100 zoning district.

BOA Action: **The motion was made by D. Wright to reduce the western side yard setback from 10 feet to 5.9 feet for a proposed addition, relating to the R-100 zoning district as shown on the submitted site plan received February 27, 2020. The motion was seconded by M. Goldman and approved unanimously.**

N3	Applicant No:	A-20-1243865	Parcel ID:	18-101-02-008
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Commission District 2 Super District 6

Applicant: Meghan Byrne
PO Box 3599
Decatur, GA 30031

Owner: Same as the applicant

Project Name: 948 Gaylemont Circle

Zoning: R-75 (Residential Small Lot) zoning district

Location: The property is located on the east of Gaylemont Circle, approximately 400 feet south of Hunting Valley Drive, at 948 Gaylemont Circle Decatur, GA 30033.

Request: Variance from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements) to reduce the minimum unit size for a proposed detached single family home from 1,600 square feet to 1,540 square feet, relating to the R-75 zoning district.

BOA Action: **The motion was made by M. Goldman to reduce the minimum unit size for a proposed detached single family home from 1,600 square feet to 1,540 square feet, relating to the R-75 zoning district as shown on the submitted site plan received February 27, 2020. The motion was seconded by and approved unanimously.**

N4 Applicant No: A-20-1243868 Parcel ID: 18-063-07-006

Commission District 4 Super District 6

Applicant: Kyle Williams
309 Sycamore Street
Decatur, GA 30030

Owner: Stoney River Construction S.E., Inc.
P.O. Box 1351
Roswell, Georgia 30077

Project Name: 755 Reverend D. L. Edwards Drive

Zoning: R-75 (Residential Small Lot) zoning district

Location: The property is located on the west site of Reverend D L Edwards Drive , approximately 100 feet south of Arborcrest Drive, at 755 Reverend D L Edwards Drive, Decatur, GA 30033.

Request: Variances from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements) to reduce the northern side yard setback from 7.5 feet to 2 feet and the southern side yard setback from 7.5 feet to 2 feet for a proposed detached two-story single family home, relating to the R-75 zoning district.

BOA Action: **The motion was made D .Wright by to defer this application for the 30-days (July 8, 2020 Zoning Board of Meeting). The applicant is working with neighbors on a new design rendering. The motion was seconded by P. Speaks and approved unanimously.**

N5 Applicant No: A-20-1243869 Parcel ID: 18-101-02-008

Commission District 2 Super District 6

Applicant: Kyle Williams
309 Sycamore Street
Decatur, GA 30030

Owner: Victor Ing
757 Briarpark Court
Atlanta, Georgia 30306

Project Name: 757 Briarpark Court

Zoning: R-75 (Residential Medium Lot) zoning district

Location: The property is bounded between Briarpark Court and Old Briarcliff Road, at 757 Briarpark Court Atlanta, GA 30306..

Request: Variances from the DeKalb County Zoning Ordinance: Section 27-2.2.1(Table 2.2—Residential Zoning Districts Dimensional Requirements)(1) to increase the maximum lot coverage from 35% to 38%, relating to the R-75 zoning district;(2) Section 27- 4.2.2. (C) to reduce the southern side yard setback from 7.5 feet to 1.5 feet for a proposed detached garage;(3) and Section 27- 5.1.5. (C) to allow a second entrance on a double frontage lot, relating to the R-75 zoning district

BOA Action: **The motion was made D .Wright by to defer this application for the 30-days (July 8, 2020 Zoning Board of Meeting). The applicant is require to provide a new site plan. The motion was seconded by P. Speaks and approved unanimously.**

N6 **Applicant No:** **A-20-1243991** **Parcel ID:** **18-052-03-015**

Commission District 2 Super District 6

Applicant: David Kirk, on behalf of Salomon Knafo (KFG 440 Burlington LLC)
600 Peachtree Street, Suite 3000
Atlanta, GA 30306

Owner: KFG 440 Burlington LLC
1535 Mason Mill Road
Atlanta, Georgia 30329

Project Name: 440 Burlington Road

Zoning: R-75 (Residential Medium Lot) zoning district

Location: The property is located on west side of Burlington Road, approximately 323 feet east of Ridgewood Drive, at 440 Burlington Road Atlanta, GA 30307.

Request: Variance from the DeKalb County Zoning Ordinance: (Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements)) to reduce the rear yard setback from 40 feet to 7.5 feet for a proposed single family detached home, relating to the R-75 zoning district and the North Druid Hills Historic District.

BOA Action: **The motion was made D .Wright by to defer this application for the 60-days (August 12, 2020 Zoning Board of Meeting). The applicant is require to submit plans before the Historic Preservation Commission. The motion was seconded by P. Speaks and approved unanimously.**

N7 **Applicant No:** **A-20-1243993** **Parcel ID:** **18-314-02-010**

Commission District 1 Super District 7

Applicant: Jennifer VanDeventer – Metro Atlanta Permits
3094 Brook Drive
Decatur, GA 30033

Owner: Roto-Rooter Services Corporation
255 East Fifth Street, Suite 2600
Cincinnati, Ohio 45202

Project Name: 3977 Pleasantdale Road

Location: The property is located on the south side of Dawson Boulevard, approximately 443 feet east of Pleasantdale Road, at 3953 Pleasantdale Road, Doraville, GA 30340.

Request: Variance from the DeKalb County Land Development Ordinance: Section 14-44.1 to allow encroachment of 36.5 feet into the 75-foot DeKalb County stream buffer for a proposed warehouse building.

BOA Action: **The motion was made D .Wright by to approve the variance with condition that drainage and impervious surface is design in accordance the submitted site plans. The motion was seconded by P. Speaks and approved unanimously.**

N8 **Applicant No:** **A-20-1243862** **Parcel ID:** **15-047-02-001**

Commission District 3 Super District 6

Applicant: Phillip Venson
858 Carwright Pass
Fayetteville, GA 30214

Owner: KLM Transport, LLC
1389 Henrico Road
Conley, GA 30288

Project Name: 1389 Henrico Road

Zoning: M zoning district.

Location: The property is located on the south side of Henrico Road, approximately 468 feet west of the intersection of Henrico Road and Interstate 285, at 1389 Henrico Road Conley, GA 30288.

Request: Variance from the DeKalb County Zoning Ordinance: Section 27-2.24.1. (Table 2.2—Residential Zoning Districts Dimensional Requirements) to reduce the rear yard setback from 60 feet to 30 feet for a rear proposed addition, relating to the M zoning district.

BOA Action: **The motion was made D .Wright by to defer this application for the 30-days (July 8, 2020 Zoning Board of Meeting. The applicant is require to submit new plans showing the proposed front yard setback. The motion was seconded by J. Chatman and approved unanimously.**

N9 **Applicant No:** **A-20-1243862** **Parcel ID:** **18-060-10-008**

Commission District 2 Super District 6

Applicant: MPZ Architects
625 Tatum Court
Alpharetta, GA 30022

Owner: Karen Debrot
698 North Superior Avenue, SW
Decatur, GA 30022

Project Name: 698 North Superior Avenue

Zoning: R-75 (Residential Medium Lot) zoning district

Location: The property is located on the west site of North Superior Avenue, approximately 330 feet north of Superior Place, at 698 North Superior Avenue Decatur, GA 30033.

Request: Variance from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements) to reduce the side yard setback from 7.5 feet to 3.75 feet for a proposed carport, relating to the R-75 zoning district.

BOA Action: **The motion was made D .Wright by to approve request variance to reduce the side yard setback from 7.5 feet to 3.75 feet for a proposed carport as shown on the submitted site plan received on March 11, 2020 with condition that the pass-through access remain open. The motion was seconded by A.Bussey and approved unanimously.**

N10 **Applicant No:** **A-20-1244002** **Parcel ID:** **15-243-02-064**

Commission District 2 Super District 6

Applicant: West Hutchison
2046 N Ponce de Leon Avenue
Atlanta, GA 30307

Owner: Same as Applicant

Project Name: 2046 North Ponce de Leon Avenue

Zoning: R-85 (Residential Medium Lot) zoning district

Location: The property is located north of North Ponce de Leon Avenue, approximately 1,284 feet east of Barton Woods Road, at 2046 North Ponce de Leon Avenue Atlanta, GA 30307.

Request: Variance from the DeKalb County Zoning Ordinance: Section 27-4.2.2. to increase the maximum size for a detached accessory structure, relating to the R-85 zoning district and North Druid Hills Historic District.

BOA Action: **The motion was made D .Wright by to withdraw the application. The motion was seconded by P. Speak and approved unanimously.**

N11 **Applicant No:** **A-20-1243995** **Parcel ID:** **15-201-01-026**

Commission District 3 Super District 6

Applicant: April Ingram
3688 Clearview Ave, Suite 101
Atlanta, GA 30340

Owner: John Cranmer and Lisa Cranmer
1373 Conway Road
Decatur, GA 30030

Project Name: 1373 Conway Road

Zoning: R-75 (Residential Medium Lot) zoning district

Location: The property is located on the west side of Conway Road, approximately 1,204 feet south of Midway Road, at 1373 Conway Road Decatur, Georgia 30030.

Request: Variance from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements)) to increase the maximum allowed lot coverage from 35% to 39% for a proposed landscape and hardscape improvements for an existing single-family home, relating to the R-75 zoning district.

BOA Action: **The motion was made J. Chatman to approve the request to increase the maximum allowed lot coverage from 35% to 39% for a proposed landscape and hardscape improvements for an existing single-family home, relating to the R-75 zoning district. The motion was seconded by D.Wright and approved unanimously.**

N12 **Applicant No:** **A-20-1242003** **Parcel ID:** **15-216-15-001**

Commission District 4 Super District 6

Applicant: Aisling Bell (Innovative Construction Inc)
3040 Amwiler Road, Suite B
Peachtree Corners, GA 30360

Owner: Megan Sinnott & Kallayanee Techapatikul
1142 North Carter Road
Decatur, GA 30030

Project Name: 1142 North Carter Road

Zoning: R-75 (Residential Medium Lot) zoning district

Location: The property is located on the southeast corner of Chester Way and North Carter Road, at 1142 North Carter Road Decatur, Georgia 30030.

Request: Variances from the DeKalb County Zoning Ordinance: (1) Section 27- 4.2.2. to allow a detached accessory structure to be located on the side of the principle structure, and (2) Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements)) to reduce the side corner setback from 30 feet to 24 feet for a proposed detached carport.

BOA Action: **The motion was made J. Chatman to approve the request to variances from the DeKalb County Zoning Ordinance: (1) Section 27- 4.2.2. to allow a detached accessory structure to be located on the side of the principle structure, and (2) Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements)) to reduce the side corner setback from 30 feet to 24 feet for a proposed detached garage with condition that the pass-through access remain open, relating to the R-75 zoning district. The motion was seconded by J.Chatman and approved unanimously.**

N13 **Applicant No:** **A-20-1242004** **Parcel ID:** **18-012-13-004; 18-012-13-005; 18-012-13-008; 18-012-13-011; 18-012-13-012 18-012-13-013; 18-012-13-015; 18-012-13-016; 18-012-13-017; 18-012-13-018; 18-012-13-019; and 18-012-13-020**

Commission District 4 Super District 6

Applicant: Battle Law, P.C.
One West Court Square, Suite 750
Decatur, GA 30030

Owner: Powell Property Consultants, Inc.
P.O. Box 830155
Stone Mountain, Georgia 30083

Project Name: 4731, 4731, 4759, 4763, 4767, 4773, 4785, 4787, 4791, 4799, and 4801 Memorial Drive

Zoning: C-1 (Local Commercial) zoning district

Location: The properties are located along the northeast corner of Memorial Drive and Collingwood Drive, at 4731, 4731, 4759, 4763, 4767, 4773, 4785, 4787, 4791, 4799, and 4801 Memorial Drive Decatur, Georgia 30032.

Request: Variance from the DeKalb County Zoning Ordinance: Section 27- 5.4.7. to increase the maximum height from 6 feet to 16 feet of a proposed retaining wall for a proposed gas station.

BOA Action: The motion was made J. Chatman to approve the request variance to increase the maximum height from 6 feet to 16 feet of a proposed retaining wall for a proposed gas station. The motion was seconded by D. Wright and approved unanimously.

N14 **Applicant No:** **A-20-1242005** **Parcel ID:** **18-054-09-004**

Commission District 2 Super District 6

Applicant: Karen Soorikian
219 Fairfield Street
Decatur, GA 30030

Owner: Jesse Kaba and Danielle Kabo
1449 Cornell Road
Atlanta, GA 30306

Project Name: 1449 Cornell Road

Zoning: R-75 zoning district and the North Druid Hills Historic District

Location: The property is located south of Cornell Road, approximately 354 feet west of Emory Road, at 1449 Cornell Road Atlanta, GA 30306.

Request: Variances from the DeKalb County Zoning Ordinance Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements)) to increase the maximum allowed lot coverage from 35% to 38.8% and Sec. 27- 4.2.2 to reduce the side yard setback for a proposed detached accessory dwelling, relating the R-75 zoning district and the North Druid Hills Historic District.

BOA Action: **The motion was made D .Wright by to defer this application for the 30-days (July 8, 2020 Zoning Board of Meeting. The applicant requested to make changes to the site submitted plan. The motion was seconded by J. Chatman and approved unanimously.**

N15 **Applicant No:** **A-20-1244006** **Parcel ID:** **18-150-05-005**

Commission District 2 Super District 6

Applicant: Mark F Arnold
1126 N Highland Avenue, NE
Atlanta, GA 30306

Owner: Valerie & Hugh Gallagher
1602 Emory Road, NE
Atlanta, GA 30306

Project Name: 1602 Emory Road

Zoning: R-75 zoning district and the North Druid Hills Historic District

Location: The property is located east of Emory Road, approximately 276 feet south of Oxford Road, at 1602 Emory Road Atlanta, GA 30306.

Request: Variance from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements)) to reduce the side yard from 7.5 feet to 3 feet setback for a proposed second story addition, relating the R-75 zoning district and the North Druid Hills Historic District.

BOA Action:

The motion was made D .Wright by to approve the request variance to reduce the side yard from 7.5 feet to 3 feet setback for a proposed second story addition as shown on the submitted site plan received on April 2, 2020. The motion was seconded by J. Chatman and approved unanimously.