



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: March 11, 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

APPROVAL OF FEBRUARY 11, 2020 MEETING MINTUES

MEMBERS:

PRESENT

Pamela Speaks, District 1

EXCUSED ABSENCE

Mark Goldman, District 2

EXCUSED ABSENCE

Alice Bussey, District 3

EXCUSED ABSENCE

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
Nahomie Lagardere, Planner

NEW HEARING ITEMS

N1 **Applicant No:** **A-20-1243794** **Parcel ID:** **15-248-12-002**

Commission District 4 Super District 6

Applicant: Joseph C. Gargiulo
P.O. Box 33623
Decatur, GA 30033

Owner: Same as the applicant

Project Name: 718 Dalerose Avenue

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

Location: The property is located on the east side of Dalerose Avenue, approximately 250 feet south of East College Avenue, at 718 Dalerose Avenue, Decatur, Georgia 30030.

Request: Variances from the DeKalb County Zoning Ordinance: Section 27-2.2.1 (Table 2.2—Residential Zoning Districts Dimensional Requirements) (1) to reduce the required rear yard setback from 40 feet to 16.5 feet, (2) to increase the maximum allowed lot coverage from 35% to 45%, and (3) to reduce the northern side yard setback from 7.5 feet to 4.8 feet for a proposed rear addition, walk-way, and driveway.

BOA Action: **The motion was made by J. Chatman to approve the requested variances to (1) to reduce the required rear yard setback from 40 feet to 16.5 feet, (2) to increase the maximum allowed lot coverage from 35% to 45%, and (3) to reduce the northern side yard setback from 7.5 feet to 4.8 feet with a condition that the proposed impervious percentage is allow up to 45% and that the proposed driveway shall continue along the side of the home and not in front of the home. The motion was seconded by P. Speaks and approved unanimously.**

N2 **Applicant No:** **A-20-1243805** **Parcel ID:** **15-126-06-001**

Commission District 3 Super District 7

Applicant: Zoom Car Wash, LLC
1233 Greenridge Lane
Lithonia, GA 30035

Owner: Same as the applicant

Project Name: 2715 Wesley Chapel Road

Zoning: C-1(Local Commercial District) & I-20 Overlay District

Location: The property is located on the west side of Wesley Chapel Road, approximately 284 feet north of Rainbow Drive, at 2715 Wesley Chapel Road, Decatur, Georgia 30034.

Request: Variances from the DeKalb County Zoning Ordinance: Section 27-5.4.7 (Table 5.3— Retaining walls (exposed height)) (1) to increase the maximum allowed height from 6 feet to 7.70 feet, and (2) to reduce the building setback requirement from property lines, reserved for landscaping, from 10 feet to 5 feet for a proposed 7.70-foot high retaining wall, relating to C-1(Local Commercial District), for a proposed car wash.

BOA Action: **The motion was made by K. Saunders to approve the requested variances to (1) to increase the maximum allowed height from 6 feet to 7.70 feet, and (2) to reduce the building setback requirement from property lines, reserved for landscaping, from 10 feet to 5 feet for a proposed 7.70-foot high retaining wall as shown on the submitted site plan and landscape plan received February 6, 2020. The motion was seconded by J. Chatman and approved unanimously.**

N3 **Applicant No:** **A-20-1243807** **Parcel ID:** **18-146-03-005**

Commission District 4 Super District 6

Applicant: Bill Patterson
1370 Montreal Road, East Suite #110
Tucker, GA 30084

Owner: Alan Tybor
3315 Fern Drive
Tucker, GA 30084

Project Name: 2513 Lawrenceville Highway

Zoning: OI (Office Institutional) District.

Location: The property is located on the east side of Lawrenceville Highway, approximately 940 feet south of McIendon Drive, at 2513 Lawrenceville Highway, Decatur, Georgia 30030.

Request: Variances from the DeKalb County Zoning Ordinance: (1) Section 27-2.24.1 (Table 2.2— Non-Residential Zoning Districts Dimensional Requirements) to reduce the northern side yard setback from 20 feet to 5 feet; and (2) Section 27-5.4.3 (Table 5.2(a): Transitional Buffer Class by District & Table 5.2(b): Transitional Buffer Minimum by Buffer Class) to reduce the minimum transitional buffer width requirement from 50 feet to 5 feet for a proposed medical office building.

BOA Action: **The motion was made by P. Speak (1) to reduce the northern side yard setback from 20 feet to 5 feet; and (2) to reduce the minimum transitional buffer width requirement from 50 feet to 5 feet for a proposed medical office building as shown on the submitted site plan received February 13, 2020 with a conditions that a fire site review is conducted during the land development process and that a fence is install along the northern property line. The motion was seconded by K. Saunders and approved unanimously.**

N4 **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) 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.

BOA Action: **The motion was made by J. Chatman to defer this application to the April 7, 2020 Zoning Board of Meeting due to improper legal advisement. The motion was seconded by K. Saunders and approved unanimously.**

N5 **Applicant No:** **A-19-1243642** **Parcel ID:** **15-114-06-001**

Commission District 3 Super District 7

Applicant: Brian Clouser
817 West Peachtree Street, Suite 601
Atlanta, Georgia 30308

Owner: DeKalb County Department of Watershed Management

Project Name: 4124 Flakes Mill Road

Zoning: R-100 (Residential Small Lot) District

Location: The properties are located north of English Valley Drive, approximately 2,300 feet east of Weelaunee Road, at 4280 Newcomb Road Ellenwood, GA 30294 and 4053 English Valley Drive Ellenwood, GA 30294.

Request: Variance from the DeKalb County Land Development Ordinance: Section 14-442. to allow encroachment of approximately 350 feet into the floodway for the installation of a trash trap within the South River.

BOA Action: **The motion was made J. Chatman by to defer this application for the 60-days (May 13, 2020 Zoning Board of Meeting). The board wanted the applicant to provide a revised site plan showing the road access to the bank. The motion was seconded by P. Speaks and approved unanimously.**

N6 **Applicant No:** **A-20-1243817** **Parcel ID:** **18-106-01-018**

Commission District 2 Super District 6

Applicant: Jerry Robinson
157 Burke Street, Suite 100
Stockbridge, GA 30281

Owner: Walter & Sarch Seindentopf
1152 Franklin Circle NE
Atlanta, GA 30324

Project Name: 1152 Franklin Circle NE

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

Location: The property is located on the west side of Franklin Circle, approximately 465 feet south of LaVista Road, at 1152 Franklin Circle Northeast, Atlanta, Georgia.

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 0 feet for a proposed roof addition over an existing deck.

BOA Action: **The motion was made J. Chatman by to approve the request variance to reduce the rear yard setback from 40 feet to 0 feet for a proposed roof addition over an existing deck as shown on the submitted site plan received February 6, 2020. The motion was seconded by K. Saunders and approved unanimously.**

N7 Applicant No: A-20-1243818 Parcel ID: 18-106-01-018

Commission District 3 Super District 6

Applicant: Rod Holloway
 516 Parker Ave
 Decatur, GA 30032

Owner: Icon Acquisitions LLC
 12 Wild Oat
 Grayson, GA 30017

Project Name: 516 Parker Ave

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

Location: The property is located on the northeast corner of Parker Avenue and DeKalb Drive, at 516 Parker Drive, Decatur, Georgia 30332.

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 corner setback from 30 feet to 7.3 feet and to increase the maximum allowed lot coverage from 35% to 37% for a proposed two (2)-story detached single family home.

BOA Action: **The motion was made J. Chatman by to approve the request variances to reduce the side corner setback from 30 feet to 7.3 feet and to increase the maximum allowed lot coverage from 35% to 37% for a proposed two (2)-story detached single family home as shown on the submitted site plan received February 6, 2020. The motion was seconded by K. Saunders and approved unanimously.**