



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: May 8, 2019 1:00 PM

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 AT 1:05 P.M.

- DETERMINATION OF A QUORUM
- PREAMBLE AS TO PURPOSE AND PROCEDURES OF THE BOARD OF APPEALS
- INTRODUCTION OF NEW BOARD MEMBER
- INTRODUCTION OF MEMBERS, STAFF AND COUNTY REPRESENTATIVES
- APPROVAL OF APRIL 10, 2019 ZONING BOARD OF APPEALS MEETING MINUTES

MEMBERS:

Present

Pamela Speaks, District 1

Present

Mark Goldman, District 2

Excused Absence

Alice Bussey, District 3

Present

Nadine Rivers-Johnson (Chairperson), District 4

Excused Absence

Jasmine Chatman, District 5

Present

Dan Wright (Vice-Chairperson), District 6

Present

Kenneth Saunders, III, District 7

QUORUM DETERMINATION: YES

COUNTY REPRESENTATIVE:

- Jahnee Prince, Deputy Director of Planning and Sustainability
- Michelle Alexander, Current Planning Division Manager
- Jeremy McNeil, Senior Planner
- Nicolette Washington, Planner
- Greg Hubbard, Environmental Inspector

DEFERRED FROM May, 8, 2019 PUBLIC HEARING

D.1 **Applicant No:** **A-19-1243174** **Parcel ID:** **15-171-04-006**

Commission District 3 Super District 6

Applicant: Jennifer Vandeventer/Metro Atlanta Permits
3094 Brook Drive
Decatur, GA 30033

Owner: Yosoye Adesoye/YSB Properties LLC
3340 Peachtree Street, Suite 1800
Atlanta, GA 30326

Project Name: 660 Parker Avenue

Zoning: R-75 Zoning District

Location: The property is located on the east side of Parker Avenue, approximately 100 feet west of Daniel Drive, at 660 Parker Avenue, Decatur, Georgia 30032.

Request: To waive the requirement for front facing garages to be 2 feet behind the front façade of single family detached residences for construction of proposed 3-story home with a drive under garage.

BOA Action: **Approval, based on the submitted revised plans dated April 26, 2019. The motion was made by D. Wright to approve the revised plans and seconded by K. Saunders, III. The vote was approved unanimously 5-0.**

NEW HEARING ITEMS

N.1 **Applicant No:** **A-19-1243204** **Parcel ID:** **18-231-01-038**

Commission District 1 Super District 7

Applicant: James W. White
2493 Willow Wood Court Northeast
Atlanta, GA 30345

Owner: Same as Above

Project Name: 2493 Willow Wood Ct.

Zoning: R-100 Zoning District

Location: The property is located on the southeast corner of Willow Wood Court and Hazelwood Drive, at 2493 Willow Wood Court, Atlanta, Georgia 30345.

Request: A variance from Section 6.1.15 of the DeKalb County Zoning Ordinance to allow a recreational vehicle to be parked in front of an existing house.

BOA Action: **Temporary/Conditionally Approval for 1 year. The applicant is required to plant shrubbery and other screening material and must reapply after one year with no fees. The motion was made by D. Wright for a Temporary/Conditionally Approval for 1 year. K. Saunders, III seconded. The vote was approved unanimously 5-0.**

N.2 **Applicant No:** **A-19-1243205** **Parcel ID:** **18-105-02-120**

Commission District 2 Super District 6

Applicant: Timothy D. Lytton
1096 Rogeretta Drive Northeast
Atlanta, GA 30329

Owner: Gretchen Patsios
2381 Drew Valley Road
Brookhaven, GA 30319

Project Name: 1169 Biltmore Drive NE

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: Appeal to an Administrative Decision to reduce the DeKalb County's stream buffer pursuant to Section 14-44 of the DeKalb County Land Development Ordinance.

BOA Action: **Denial, the appeal was not filed within the 15 day time period provided by ordinance. The motion was made by D. Wright to deny the appeal and seconded by K. Saunders, III. The vote was approved unanimously 5-0.**

N.3 **Applicant No:** **A-19-1243220** **Parcel ID:** **18-105-02-120**

Commission District 2 Super District 6

Applicant: Jason Patsios C/O Julie Sellers
Pursley Friese Torgrimson, LLP
1230 Peachtree Street Northeast, Suite 1200
Atlanta, GA 30309

Owner: Gretchen Patsios
2381 Drew Valley Road
Brookhaven, GA 30319

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: Variances 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 15 feet; and reduce the minimum unit size from 1,800 square feet to 1,258 square feet, all relating to the R-85 zoning district.

BOA Action: **Deferred, 4 votes were required in accordance with by laws. The motion was made by D. Wright to deny the application and seconded by M. Goldman. D. Wright, M, Goldman, and K. Saunders, III voted to approve the motion, P. Speak abstained, and N. Rivers-Johnson voted against. The application was deferred 3-1-1.**

N.6 **Applicant No:** **A-19-1243224** **Parcel ID:** **15-162-02-015**

Commission District 3 Super District 7

Applicant: Johnny Garcia, DC
4982 Covington Highway
Decatur, GA 30035

Owner: Same as Above

Project Name: 4982 Covington Highway

Zoning: OI Zoning District

Location: The property is located on the northwest corner of Covington Highway and Glenhaven Circle, at 4982 Covington Highway, Decatur, Georgia 30035.

Request: Variance from Section 21-22(a) of the DeKalb County Sign Ordinance to allow an electronic sign in an OI zoning district.

BOA Action: **Withdrawn, without prejudice by request of the applicant. The motion was made by D. Wright to approve the application with condition of no animation or movement, seconded by M. Goldman. D. Wright, M. Goldman, P. Speak voted to approve the motion. N. River-Johnson and K. Saunders, III voted against the motion. Motion failed 3-2. A motion was made by D. Wright to approve "withdrawal of the application without prejudice and seconded by K. Saunders, III. The motion was approved unanimously 5-0.**

N.7 **Applicant No:** **A-19-1243247** **Parcel ID:** **15-244-01-029**

Commission District 2 Super District 6

Applicant: William N. Robinson
957 Artwood Road Northwest
Atlanta, GA 30307

Owner: Same as Above

Project Name: 957 Artwood Rd NE

Zoning: R-85 zoning district and the Druid Hills Historic District

Location: The property is located on the north side of Artwood Road, approximately 235 feet west of Heaton Park Drive, 957 Artwood Road Northeast, Atlanta, Georgia 30307.

Request: Variance from Section 5.4.7 of the DeKalb County Zoning Ordinance to increase height of a retaining wall from 4 feet to 8 feet.

BOA Action: **Approval, based on the submitted site plan received April 5, 2019. The motion was made by D. Wright to approve the application and seconded by P. Speaks. The vote was approved unanimously 5-0.**

Meeting was adjourned at 3:32 p.m.