

DeKalb County Government

*Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030*



Meeting Minutes

Thursday, July 28, 2022

5:30 PM

via Zoom

Board of Commissioners - Zoning Meeting

*Comm. Robert Patrick, Presiding Officer, District 1
Comm. Mereda Davis Johnson, Deputy Presiding Officer, District 5*

*Commissioner Robert Patrick, District 1
Commissioner Jeff Rader, District 2
Commissioner Larry Johnson, District 3
Commissioner Steve Bradshaw, District 4
Commissioner Mereda Davis Johnson, District 5
Commissioner Edward "Ted" Terry, Super District 6
Commissioner Lorraine Cochran-Johnson, Super District 7*

Present: 7 - Commissioner Robert Patrick, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, Commissioner Ted Terry and Commissioner Lorraine Cochran-Johnson

Administration: Barbara Sanders-Norwood, County Clerk, Terry G. Phillips, Deputy County Attorney

The DeKalb County Board of Commissioners will hold its online zoning meeting on Thursday, July 28 2022 at 5:30 p.m. This meeting will be conducted via teleconference (Zoom). Simultaneous public access to the meeting will be available (1) via live stream on DCTV's webpage, and (2) DCTVChannel23.TV.

The public is invited to watch the broadcast on DCTV's UStream link DCTV's webpage, and on DCTVChannel23.TV. <https://video.ibm.com/channel/dctv-channel-23>

TO participate and Join from PC, Mac, Linux, iOS or Android: or <https://dekalbcountyga.zoom.us/j/94883110323> Or Telephone: Dial: USA 602 333 0032 USA 8882709936 (US Toll Free) Conference code: 217687

For those joining the meeting by telephone, please be aware that your phone number may be displayed to the public viewing or participating in the online meeting.

The Board will provide 15 minutes of time for citizens to speak in favor of an agenda item, and 15 minutes for citizens to speak in opposition. Citizens who attend the meeting via the Zoom link above may join the public comment queue by raising their hand in the Zoom application, while citizens who attend the meeting via telephone may join the comment queue by pressing # and the number 2. There will be no comment cards, so when you are called upon, please state your name and address for the record. Also, please be conscious of speaking time so that everyone has an opportunity to provide input in the allotted time. Citizens may also email documents for inclusion into the official record by submitting such materials by 5:30 p.m. on the date of the public hearing to PublicHearing@dekalbcountyga.gov

Call To Order

Citizens may speak for or against an item that is considered by law to be a zoning ordinance and each side will have ten minutes to present its case. Citizens may also speak for or against an item that is placed on the public hearing agenda but is not a zoning ordinance. In that case, each side will have five minutes to present its case. In the event there is more than one speaker per side, speakers must divide their time in order to complete their full presentation within the ten-minute time allotment, or the five minute time allotment. When the buzzer sounds to indicate that time has run out, the speaker will be expected to immediately cease speaking and to leave the podium area. Prior to speaking, a speaker shall complete a speaker card and present it when approaching the podium. If a speaker has any documents for the commissioners, the speaker shall provide 10 copies when approaching the podium. Seven copies are for the commissioners and the remaining copies are for the planning director, the county attorney and the clerk. Applicants or citizens speaking in favor of an item shall speak first and applicants in zoning ordinance cases shall have the right to reserve time for rebuttal. Opponents of a zoning ordinance item shall have no right of rebuttal. Once the citizens have finished speaking, staff shall make a recommendation for action to the Commission. At this point, citizens are no longer allowed to speak unless called to the podium by an individual commissioner to answer questions or provide information. Speakers should always talk directly into the microphone and begin by stating their name, address and the name of any organization they represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping, yelling, standing or laying in the aisles to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing in place will be permitted to show support for or opposition to a speaker's position.

Roll Call

Deferred Cases

D1 [2020-1543](#)

COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning and Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 4.2.60 (Supplemental Regulations) to address Small Box Discount Retailers, to amend Section 9.1.3 (Defined Terms) to create definition for Small Box Discount Retailers, and for other purposes; and to amend Section 4.1.3 Use Table pertaining to Small Box Discount Retailers. This text amendment is County-wide.

Support: Stanley Jones (No Address), Alexander Brock -1105 West Peachtree Street, Jan Costello 1813 South Hidden Hills Drive

Opposition: None

Motion was made by Commissioner Lorraine Cochran-Johnson, seconded by Commissioner Jeff Rader, that this agenda item be deferred for 60 days, until September 27, 2022.

Substitute Motion was made by Commissioner Lorraine Cochran-Johnson that this agenda item be approved. The motion failed due to lack of a second.

Substitute Motion was made by Commissioner Mereda Davis Johnson, seconded by Commissioner Ted Terry, that is agenda item be deferred for 60 days, until September 29, 2022. Commissioner Mereda Davis Johnson withdrew this motion.

Commissioner Jeff Rader second was withdrawn from the original motion that his agenda item by deferred for 60 days until September 27, 2022.

Commissioner Lorraine Cochran-Johnson motion that this agenda item be deferred for 60 days, until September 27, 2022 was withdrawn.

MOTION was made by Mereda Davis Johnson, seconded by Steve Bradshaw, that this agenda item be deferred for 60 days to the Planning, Economic Development & Community Services Committee (PECS), returning to the Board on September 29, 2022. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D2 [2020-1546](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, including, but not limited to Section 9.1.3 (Definitions), Section 4.1.3 (Land Use Table), and Section 4.2 (Supplemental Regulations) of the DeKalb County Zoning Ordinance relating to automobile land uses, and for other purposes. This text amendment is County-wide.

MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson, that this agenda item be approved. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D3 [2022-1172](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 07
Application of P.E.W. LLC c/o Jon Jordan to rezone property from R-100 (Residential Medium Lot-100) District to RSM (Small Lot Residential Mix) District to construct detached townhomes, at 5488 Rockbridge Road.

Support: None

Opposition: Victoria Webb 1337 Rockbridge Road

MOTION was made by Steve Bradshaw, seconded by Lorraine Cochran-Johnson, that this agenda item be withdrawn without prejudice. Commissioner Ted Terry was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Terry

D4 [2022-1471](#)

**COMMISSION DISTRICT(S): Commission District 03 Super District 06
Application of PMZ Developers LLC c/o Battle Law PC to rezone property
from Bouldercrest Cedar Grove Moreland Overlay District Tier
5-Corridor1/R-100 (Residential Medium Lot) to RSM (Small Lot Residential
Mix) district to allow for single-family detached homes and single-family
attached townhomes, at 4101 Bouldercrest Road.**

Support: None

*Opposition: Kandia Jackso-2624 Woodland Drive, Mary Capers- Irvin 4060
Woodfen Court Ellenwood Georgia 30294*

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for two full cycles, until November 17, 2022. Commissioner Ted Terry was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader,
Commissioner Johnson, Commissioner Bradshaw,
Commissioner Davis Johnson, and Commissioner
Cochran-Johnson

Absent: 1 - Commissioner Terry

D5 [2022-1179](#)

**Commission District(s): Commission District 03 Super District 06
Application of Clark Property and Porch & Square for a Land Use Plan
amendment for properties at 1058 and 1078 Moreland Avenue from TN
(Traditional Neighborhood) to CRC (Commercial Redevelopment Corridor),
at 1078 Moreland Avenue.**

*Support: Rigel Campbell- 1270 Sky Haven Road, Karla Lightfoot Causey- 762
Pasley Ave NE Decatur GA,*

Opposition: None

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred to the next meeting to the Board of Commissioners, until August 9, 2022. Item 2022-1179, 2022-1731 were heard together. Commissioner Ted Terry was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Terry

New Cases

N1 [2022-1731](#)

Commission District(s): Commission District 03 Super District 06
Application of Clark Property and Porch & Square to rezone from RSM (Small Lot Residential Mix) (conditional) to MR-2 (Medium Density Residential-2) at 1058 and 1078 Moreland Avenue.

Support: Rigel Campbell- 1270 Sky Haven Road, Karla Lightfoot Causey- 762 Pasley Ave NE Decatur GA,

Opposition: None

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred to the next meeting to the Board of Commissioners, until August 9, 2022. Item 2022-1179, 2022-1731 were heard together. Commissioner Ted Terry was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Terry

N2 [2022-1732](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 07
Application of DR Horton Inc c/o Battle Law PC to rezone from R-75 (Residential Medium Lot) District to RSM (Small Lot Res. Mix) to allow for single-family attached townhomes, at 3401 Rainbow Drive. (Applicant has requested withdrawal of this application).

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be withdrawn without prejudice. Commissioner Ted Terry was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Terry

N3 [2022-1733](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 07
Application of Martha Liliana Rodriguez for a Special Land Use Permit (SLUP) for a child day care facility to allow up to six (6) children in an existing single-family home in the R-75 (Residential Medium Lot-75) District, at 2167 Newgate Drive.

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with conditions. Commissioner Ted Terry was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Terry

N4 [2022-1734](#)

COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Ainsley Elliot to rezone property from R-85 (Residential Medium Lot-85) District to M (Light Industrial) District for a tow yard with temporary vehicle storage, at 7276 Union Grove Road.

Support: None

Opposition: Ricky Dixson- 8344 Falling Rocks Way Lithonia, Sandy Mabry- 7320 Union Grove Road, Anthony Henry-7334 Union Grove Road

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be withdrawn without prejudice. Commissioner Ted Terry was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Terry

N5 [2022-1735](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning & Sustainability for a text amendment for an update to the zoning cycle calendar to change the Planning Commission meeting start time from 5:30 p.m. to 6:00 p.m. This text amendment is County-wide..

MOTION was made by Jeff Rader, seconded by Lorraine Cochran-Johnson, that this agenda item be approved.

Commissioner Ted Terry was absent during this vote. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Terry

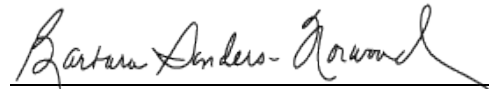
ADJOURNMENT:

There being no further official business, MOTION was made by Robert Patrick, seconded by Larry Johnson, that this agenda item be approved to adjourn the May 11, 2021 Board of Commissioners Zoning Meeting at 10:22 p.m. The motion carried by the following vote:

- Yes:** 6 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Cochran-Johnson
- Absent:** 1 - Commissioner Terry



Robert Patrick
Presiding Officer



Barbara Sanders-Norwood
County Clerk