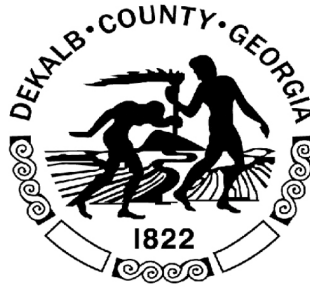


DeKalb County Government

178 Sams Street
Decatur, GA 30030



Agenda

Thursday, November 21, 2024

4:00 PM

Government Services Center

178 Sams Street, Decatur, Georgia 30030

Board of Commissioners - Zoning Meeting

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

Commissioner Michelle Long Spears, District 2
Commissioner Steve Bradshaw, District 4
Commissioner Edward "Ted" Terry, Super District 6

Call To Order

Roll Call

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.

Deferred Cases

D1 [2023-1467](#) COMMISSION DISTRICT(S): ALL DISTRICTS
Application of the Director of Planning & Sustainability for a text amendment relating to short-term rentals and for other purposes. This text amendment is County-wide.

Attachments: [TA-24-1246762 Sept. 2024 Staff Report Short-Term Rentals STR Ordinance \(revised 7.19.2024\)](#)
[TA-24-1246762 May 2024 Staff Report Short-Term Rentals](#)
[TA-24-1246762 Jan 2024 Staff Report Short Term Rentals Text Amendment](#)
[CC District 1 Recommendations for Short Term Rentals](#)

(1/9/24 Planning Commission: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(1/25/24 Board of Commissioners - Zoning Meeting: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(5/2/24 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(5/14/24 PECS-Planning, Economic Development & Community Services Committee: recommended for deferral to the Board of Commissioners - Zoning Meeting)

(5/23/24 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(9/12/24 Planning Commission: deferred for three full cycles to the Board of Commissioners - Zoning Meeting)

(9/24/24 PECS-Planning, Economic Development & Community Services Committee: recommended for deferral to the Board of Commissioners - Zoning Meeting)

- D2** [2024-0366](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 06
Application of Erica Morgan for a Special Land Use Permit (SLUP) to allow single-family attached townhomes in Tier 3 of the Bouldercrest Overlay District, the Soapstone Historic District, and the R-100 (Residential Medium Lot-100) zoning district, at 2098 & 2124 Cedar Grove Road.

Attachments: [SLUP-24-1246917 Sept. 2024 Staff Report 2098 & 2124 Cedar Grove Rd](#)
[SLUP-24-1246917 May 2024 Staff Report Cedar Grove Road](#)

(5/2/24 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

(5/23/24 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(9/12/24 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

- D3** [2024-0105](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Battle Law, P.C., LLC to amend character area from SUB (Suburban) character area to CRC (Commercial Redevelopment Corridor) character area to allow for rental townhomes in the R-75 (Residential Medium Lot-75) zoning district, at 3744 Redan Road.

Attachments: [LP-24-1246832 Sept. 2024 Staff Report 3744 Redan Road](#)
[LP-24-1246832 July 2024 Staff Report 3744 Redan Road](#)
[LP-24-1246832 March 2024 Staff Report 3744 Redan Road](#)

(3/5/24 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

(3/28/24 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(7/11/24 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

(7/25/24 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(9/12/24 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

- D4** [2024-0106](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Battle Law P.C., LLC. to rezone property from R-75 (Residential Medium Lot-75) zoning district to MR-1 (Medium Density Residential-1) zoning district to develop rental townhomes in the R-75 (Residential Medium Lot-75) zoning district, at 3744 Redan Road.

Attachments: [Z-24-1246799 \(2024-0106\) Recommended Conditions - Sept. 2024](#)
[Z-24-1246799 Sept. 2024 Staff Report 3744 Redan Road](#)
[Z-24-1246999 July BOC 2024 Staff Report 1422 Rock Chapel Road](#)
[Z-24-1246799 March 2024 Staff Report 3744 Redan Road](#)

(3/5/24 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/28/24 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(7/11/24 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(7/25/24 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners)

(9/12/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

- D5** [2024-0630](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Valrie Kong-Quee to rezone property from R-100 (Residential
Medium Lot-100) zoning district to C-1 (Local Commercial) zoning district
to allow for an administrative office associated with a landscaping business,
at 1422 Rock Chapel Road.

Attachments: [Z-24-1246999 \(2024-0630\) Recommended Conditions - Sept. 2024](#)
[Z-24-1246999 Sept. 2024 Staff Report 3744 Redan Road](#)
[Z-24-1246999 July BOC 2024 Staff Report 1422 Rock Chapel Road](#)

(7/11/24 Planning Commission: deferred for two full cycles to the Board of
Commissioners - Zoning Meeting)

(7/25/24 Board of Commissioners - Zoning Meeting: deferred for a full cycle
to the Board of Commissioners - Zoning Meeting)

(9/12/24 Planning Commission: denial per staff recommendation to the
Board of Commissioners - Zoning Meeting)

- D6** [2024-0635](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for a text
amendment relating to campgrounds within residential areas, and for other
purposes. The text amendment is county wide.

Attachments: [TA-24-1247028 \(2024-0635\) Staff Report Campgrounds in
Residential Districts Sept. 2024](#)
[Draft ordinance Sept 2024 TA-24-1247028 \(2024-0635\)](#)
[Campgrounds in Residential Districts](#)
[TA-24-1247028 July BOC 2024 Camgrounds in R districts Staff
Report & Draft Ordinance](#)

(7/11/24 Planning Commission: deferred for two full cycles to the Board of
Commissioners - Zoning Meeting)

(7/25/24 Board of Commissioners - Zoning Meeting: deferred for a full cycle
to the Board of Commissioners - Zoning Meeting)

(9/12/24 Planning Commission: Full cycle deferral to the Board of
Commissioners - Zoning Meeting)

D7 [2024-0626](#) COMMISSION DISTRICT(S): Commission District 04 Super District 07 Application of Dr. Claudette Spencer to rezone property from R-75 (Residential Medium Lot-75) zoning district To MR-1 (Medium Density Residential-1 zoning district to allow for an adult day care facility, at 911 Mountain View Drive.

Attachments: [Z-24-1246990 Nov. 2024 Staff Report 911 Mountain View Drive](#)
[Z-24-1246990 July BOC 2024 Staff Report 911 Mountain View Dr](#)
[\(7/11/24 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)
[\(7/25/24 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)
[\(11/7/24 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

D8 [2024-0633](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07 Application of Cultivate Community c/o Battle Law, P.C. to rezone property from R-100 (Residential Medium Lot-100) zoning district to RSM (Small Lot Residential Mix) zoning district to allow for the construction of up to sixty-four (64) single-family, attached dwellings, at 5370, 5384 and 5378 Flat Shoals Parkway.

Attachments: [Z-24-1247008 Nov BOC 2024 Staff Report 5370, 5384, & 5378 Flat Shoals Pkwy](#)
[Z-24-1247008 July BOC 2024 Staff Report 5370.5384.5378 Flat Shoals Pkwy](#)
[\(7/11/24 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)
[\(7/25/24 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)
[\(11/7/24 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

D9 [2024-0634](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06 Application of Sky Lounge Cafe - Decatur for a Special Land Use Permit (SLUP) to allow for a late-night establishment in the C-1 (Local Commercial) zoning district, at 1850 Lawrenceville Highway.

Attachments: [SLUP-24-1247009 Nov 2024 Staff Report 1850 Lawrenceville Hwy](#)
[SLUP-24-1247009 July BOC 2024 Staff Report 1850 Lawrenceville Hwy](#)

(7/11/24 Planning Commission: [denial per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(7/25/24 Board of Commissioners - Zoning Meeting: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(11/7/24 Planning Commission: [denial per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

New Cases

N1 [2024-0880](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of Hahu Lounge for a Special Land Use Permit (SLUP) to allow for a Late-Night Establishment the C-1 (Local Commercial) zoning district, at 832 Hambrick Road.

Attachments: [SLUP-24-1247027 \(2024-0880\) Recommended Conditions](#)
[SLUP-24-1247027 Sept 2024 Staff Report 832 Hambrick Road](#)

(9/12/24 Planning Commission: [denial per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

N2 [2024-0891](#) COMMISSION DISTRICT(S): Commission District 04 Super District 07 Application of Wen Georgia, LLC c/o Dillard Sellers for a Special Land Use Permit (SLUP) for a drive through for a restaurant in the C-1 (Local Commercial) zoning district, within the Hidden Hills Overlay District, Tier 2, at 4850 Redan Road.

Attachments: [SLUP-24-1247108 \(2024-0891\) Recommended Conditions](#)
[SLUP-24-1247108 Sept. 2024 Staff Report 4850 Redan Road](#)

(9/12/24 Planning Commission: [approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

N3 [2024-0899](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06 Application of NDM (EDENS), LLC c/o Dennis J. Webb, Jr., Smith, Gambrell & Russell, LLP for a major modification of zoning conditions pursuant to Z-22-1245595 rezoning conditions to add two (2) additional parcels, to revise certain requirements, and to amend the Master Development Plan in an MU-4 (Mixed-Use High-Density Zoning District), at 2050 Lawrenceville Highway; 2692 Sweet Briar Road; 3777 N. Druid Hills Road; 3861 N. Druid Hills Road; 2052 Lawrenceville Highway.

Attachments: [CZ-24-1247114 Sept. 2024 Staff Report Lulah Hills major modification](#)

(9/12/24 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N4 [2024-0900](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06 Application of NDM (EDENS), LLC c/o Dennis J. Webb, Jr., Smith, Gambrell & Russell, LLP to rezone two (2) properties, totaling 1.52 acres from C-1 (Local Commercial) zoning district(s) to MU-4 (Mixed Use High Density) zoning district to allow the parcels to be incorporated into the overall development of Lulah Hills, at 3861 N. Druid Hills Road and 2052 Lawrenceville Highway.

Attachments: [Z-24-1247113 Sept. 2024 Staff Report 3861 N. Druid Hills Rd & 2052 Lawrenceville Hwy](#)

(9/12/24 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N5 [2024-0901](#) COMMISSION DISTRICT(S): All Districts Application of the Director of Planning & Sustainability for a text amendment to Chapter 27 of the DeKalb County zoning ordinance for supplemental regulations for Special Events Facilities. This text amendment is County-wide.

Attachments: [TA-24-1247130 \(2024-0901\) Sept. 2024 Staff Report Dir. P&S Special Events Facility Sept. 2024 Staff Report](#)
[TA-24-1247130 Special Events Ordinance Sept BOC .9.16.2024](#)

(9/12/24 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N6 [2024-0890](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of the Director of Planning & Sustainability for a partial update to the Kensington Supplemental LCI Plan and adoption of the MARTA-Kensington Master Plan Study.

Attachments: [TA-24-1247128 \(2024-0890\) Staff Report Sept 2024 Update to Kensington LCI Plan](#)
[2024-0890 Kensington LCI Reso 20240820](#)

(9/12/24 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

N7 [2024-1108](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of Claudette Pile for a Special Land Use Permit (SLUP) for a personal care home, up to six (6) in the R-85 (Residential Medium Lot-85) zoning district, at 4293 Hambrick Way.

Attachments: [SLUP-24-1247188 Nov 2024 Staff Report 4293 Hambrick Way](#)

(11/7/24 Planning Commission: [denial per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

N8 [2024-1109](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07 Application of Cameron Grogan c/o BF Austin, LLC to rezone properties from R-75 (Residential Medium Lot-75) zoning district to RSM (Small Lot Residential Mix) zoning district to allow for the development of a new, 62-unit, single-family attached development, at 1491, 1531 and 1555 Austin Drive.

Attachments: [Z-24-1247190 Nov. 2024 Staff Report 1491.1531.1555 Austin Drive](#)

(11/7/24 Planning Commission: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

N9 [2024-1110](#) COMMISSION DISTRICT(S): Commission District 04 Super District 06 Application of David M. Cesar to rezone property from NS (Neighborhood Shopping) zoning district to O-I (Office-Institution) for a child day care center for more than six (6), at 3960 Rockbridge Road.

Attachments: [Z-24-1247191 Recommended Conditions - Nov 2024](#)
[Z-24-1247191 Nov 2024 Staff Report 3960 Rockbridge Road](#)

(11/7/24 Planning Commission: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

N10 [2024-1111](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07 Application of Dr. Anterro Graham c/o Pro Cutters Lawnsapes, Inc. to rezone property from O-I (Office-Institution) zoning district to C-1 (Local Commercial) zoning district to allow a landscape business and related uses, at 3089 Snapfinger Road.

Attachments: [Z-24-1247192 Nov. 2024 Staff Report 3089 Snapfinger Road](#)

(11/7/24 Planning Commission: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

N11 [2024-1112](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06
Application of Linda Dunlavy, Dunlavy Law Group, LLC to rezone
property from R-75 (Residential Medium Lot-75) zoning district to RSM
(Small Lot Residential Mix) zoning district to allow for the development of
twelve (12) single-family attached townhomes, at 2452 La Fortune Drive
a.k.a. 2724 Kelly Lake Road.

Attachments: [Z-24-1247194 Nov 2024 Staff Report 2452 La Fortune Drive](#)

(11/7/24 Planning Commission: deferred for three full cycles to the Board of Commissioners - Zoning Meeting)

N12 [2024-0815](#) COMMISSION DISTRICT(S): All Districts
Application of the Office of Commission District 2 to amend Chapter 27 of
the Code of DeKalb County, Georgia, as revised 1988, to reduce the
minimum unit size for single-family dwelling units in single-family R-75
(Residential Medium Lot-75) and R-85 (Residential Medium Lot -85) zoning
districts.

Attachments: [TA-24-1247197 Minimum unit size ordinance Nov 2024](#)

(6/27/24 Committee of the Whole: Accepted to the BOC agenda and assigned to the PECS-Planning, Economic Development & Community Services Committee)

(7/9/24 PECS-Planning, Economic Development & Community Services Committee: recommended for deferral to the Board of Commissioners)

(7/9/24 Board of Commissioners: deferred to the PECS-Planning, Economic Development & Community Services Committee)

(7/23/24 Board of Commissioners: deferred for 30 days to the Board of Commissioners)

(8/8/24 PECS-Planning, Economic Development & Community Services Committee: recommended for deferral to the Board of Commissioners)

(8/13/24 PECS-Planning, Economic Development & Community Services Committee: recommended for deferral to the Board of Commissioners)

(8/27/24 Board of Commissioners: deferred to the Board of Commissioners - Zoning Meeting)

(11/7/24 Planning Commission: Approval to the Board of Commissioners - Zoning Meeting)

N13 [2024-1077](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning and Sustainability to adopt the
2025-26 Zoning Calendar and Resolution. This text amendment is
County-wide.

Attachments: [2025-26 Zoning Calendar-Resolution Nov 2024 BOC
TA-24-1247215](#)

(11/7/24 Planning Commission: approval with modified conditions to read as
follows: to the Board of Commissioners - Zoning Meeting)