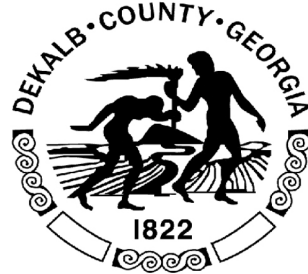


DeKalb County Government

*178 Sams Street
Decatur, GA 30030*



Meeting Minutes

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

Administration: Barbara Sanders-Norwood, County Clerk, Matthew C. Welch, Deputy County Attorney

Call To Order

Roll Call

Present: 5 - Commissioner Robert Patrick, Commissioner Michelle Long Spears, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson and Commissioner Ted Terry

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.

Favor: None

Against: Pamela J. Lockhart- 3641 River Edge Loop Decatur Georgia 30034,

Mary Bendeck- 2280 Melinda Drive Northeast Atlanta Georgia 30345,

MOTION was made by Robert Patrick, seconded by Michelle Long Spears, that this agenda item be deferred for two full cycles, March 27, 2025. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

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.

Favor: Joshua Mahoney-3562 Habersham at Northlake Tucker Georgia 30034

Against: Regemia Roberts- 1896 Ceder Walk Lane Conley Georgia, Tommy T.

Travis- (No Address), Robert Hicks (No Address), Mary Irvin- 4060 Woodfen

Court Ellenwood Georgia 30294, Thomas Ellis- 2152 Silva Court Conley

Georgia 30288, Juaney Lynn-Rigsby- 1984 Shelter Rook Drive Conly Georgia

30288, Pat Clup- 3577 Bouldercrest Road Ellenwood Georgia 30294, Betty

Prather- 2339 Rolling Rock Drive Conley Georgia 30288, Elizabeth Healey-

4113 Tecumseh Trace Conley Georgia 30288, Natalie McCants-1755 Conley

Trace Conly Georgia 30288,

MOTION was made by Ted Terry, seconded by Robert Patrick, that this agenda item be deferred until December 17, 2024 for Public Hearing. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

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.

Favor: Joshua Mahoney-3562 Habersham at Northlake Tucker Georgia 30034

Against: None

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

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

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.**

Favor: Joshua Mahoney-3562 Habersham at Northlake Tucker Georgia 30034

Against: None

**MOTION was made by Mereda Davis Johnson, seconded by Steve
Bradshaw, that this agenda item be approved with conditions. The
motion carried by the following vote:**

**Yes: 5 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Terry**

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.**

*Favor: Michael Minter- 1400 Chapel Road Lithonia Georgia 30058, Tommy T
Travis (No Address), Devonis H Lynch- 2200 Stephenson Road Lithonia Georgia
30058, Junior Levy- 1971 Stephenson Road Lithonia 30058, Samuel Mcintosh-
2391 Ambage Lane Decatur Georgia 30034, Valrie Kong-Quee- 4205 East Side
Drive Decatur Georgia 30034*

Against: None

**MOTION was made by Mereda Davis Johnson, seconded by Ted
Terry, that this agenda item be approved with conditions. The
motion carried by the following vote:**

**Yes: 5 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Terry**

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.

MOTION was made by Ted Terry, seconded by Michelle Long Spears, that this agenda item be approved. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

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.

Favor: Matthew Keller- 1102 Stewart Mill Road Stone Mountain Georgia 30087, Claudette Spencer- 1632 Manison Lane Southeast Conyers Georgia 30013, Against: Jan Dunaway- 4672 Fellswood Drive Stone Mountain Georgia 30083, Marcia Jones- 4318 Dogwood Trail Decatur Georgia 30034, Plamela J Lockhart- 3641 River Edge Decatur Georgia 30034, Regemia Roberts- 1896 Ceder Walk Lane Canley Georgia 30288, Tommy T Travis (No Address)

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be approved. Commissioner Michelle Long Spears was absent during this vote. The motion carried by the following vote:

Yes: 4 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

Absent: 1 - Commissioner Long Spears

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.

Favor: Joshua Mahoney-3562 Habersham at Northlake Tucker Georgia 30034

Against: Leroy Jenkins- 4307 Wyndham Park Drive Decatur Georgia 30034, Ron Maline- 3334 Luxembourg Circle Decatur Georgia 30034, Galt Porter- 3276 Idle Creek Court Decatur Georgia 30034, Al Chatman- 3331 Lexembourg Circle Decatur Georgia 30034, Pamela J Lockhart- 3641 River Edge Loop Decatur Georgia 30034, Regenia Roberts- 1896 Ceder Groove Road Conley Georgia 30288

MOTION was made by Ted Terry, seconded by Steve Bradshaw, that this agenda item be deferred for two full cycles, March 27, 2025. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

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.**

Favor: Hakim Hallhaed- 1834 Independance Square Atlanta Georgia 30338

Against: Jessica Andrews Wilson- 823 Whelchel Drive Decatur Georgia 30033,

Greg Mason- 4356 Luxemburg Drive Decatur Georgia 30034, Theresa Same-

2572 McCurdy Way Decatur Georgia 30033, Lawron Leyrer- 1670 Woodridge

Drive Decatur Georgia 30033, Ali Owens- 817 Whelchel Drive Decatur Georgia

30033, Sterlin Henley- 817 Whelchel Drive Decatur Georgia 30033, Elizabeth

Grimbergew- 806 Whelchel Drive Decatur Georgia 30033, L Hoskins- 2576

Woodridge Drive Decatur Georgia 30033

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be denied on the grounds that it does not satisfy the special land use permit criteria contained in subsections (A), (B), (E) and (F) of Section 27-7.4.6 of the Code of DeKalb County, Georgia. Specifically, as referenced in the Planning Department's staff analysis, the existing property appears to be inadequate in size for what would be considered an increase in the intensity of the existing use via late night operating hours, does not appear to have adequate screening to mitigate potential adverse impacts on adjoining residential uses, and does not appear to have adequate ingress and egress to allow for proper traffic flow/control and to address fire/emergency concerns. Thus, granting this application may likely create additional, or increase existing adverse impacts upon, adjoining residential uses by reason of the manner and extended hours of operation. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

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.**

*Favor: Alau M Sheuberg- 2480 Briarcliff Road Northeast 6-322 Atlanta Georgia
30329,*

Against: Jan Dunaway- 4672 Fellswood Drive Stone Mountain Georgia 30083,

**MOTION was made by Steve Bradshaw, seconded by Ted Terry,
that this agenda item be denied on the grounds that it does not
satisfy the special land use permit criteria contained in subsections
B and N of Section 27-7.4.6 of the Code of DeKalb County,
Georgia. Specifically, noise resulting from the proposed use likely
to disturb the quiet enjoyment of residents of the several nearby
residential communities. The proposed use is therefore
incompatible with nearby properties and is inconsistent with the
community's needs. Additionally, I move to deny the application
on the grounds that the establishment is not in compliance with
Section 4-146 of the Code of DeKalb County, Georgia related to
alcoholic beverages as referenced in the Planning Department's
staffs' analysis, which violates the SLUP Supplemental regulations
contained in subsection A of section 27-4.2.32 which requires the
"protection of public health, safety, and welfare. Commissioner
Michelle Long Spears was absent during this vote. The motion
carried by the following vote:**

Yes: 4 - Commissioner Patrick, Commissioner Bradshaw,
Commissioner Davis Johnson, and Commissioner
Terry

Absent: 1 - Commissioner Long Spears

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.**

*Favor: Den Webb- 1105 West Peachtree Street Atlanta Georgia 30309, Herbert
Ames- 56 East Andrews Drive Atlanta Georgia 30327, Ashley Var Der Lande-
1776 Peachtree Street Atlanta Georgia*

Against: None

**MOTION was made by Steve Bradshaw, seconded by Ted Terry,
that this agenda item be approved with conditions. The motion
carried by the following vote:**

**Yes: 5 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Terry**

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.**

**MOTION was made by Michelle Long Spears, seconded by Ted
Terry, that this agenda item be approved. Items 2024-0899,
2024-0900 were heard together. The motion carried by the
following vote:**

**Yes: 5 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Terry**

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.

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be approved. Items 2024-0899, 2024-0900 were heard together. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Terry

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.

MOTION was made by Ted Terry, seconded by Robert Patrick, that this agenda item be approved. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Terry

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.

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be approved. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Terry

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.**

Favor: Claudette Pile- 4293 Hambrick Way Stone Mountain Georgia 30083

Against: None

**MOTION was made by Steve Bradshaw, seconded by Ted Terry,
that this agenda item be approved with conditions. The motion
carried by the following vote:**

**Yes: 5 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Terry**

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.**

Favor: Hakeem Helhead- 1834 Independence Square Atlanta Georgia 30338

Against: LaQuenda White- 3947 Fire Oak Drive Decatur Georgia 30032,

Chiquita Cheek-Sledge- 3935 Fire Oak Drive Decatur Georgia 30032, Mira

Herndon- 1531 Austin Drive Decatur Georgia 30032

**MOTION was made by Robert Patrick, seconded by Ted Terry,
that this agenda item be deferred for two full cycles, March 27,
2025. The motion carried by the following vote:**

**Yes: 5 - Commissioner Patrick, Commissioner Long Spears,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Terry**

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.

Favor: David Cesar-3960 Rockbridge Road Stone Mountain Georgia 30083

Against: None

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be approved with conditions. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

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.

Favor: Doctor Anterro Graham- 3089 Snapfinger Road Decatur Georgia

Against: Marcia Jones- 4318 Dogwood Trail Decatur Georgia 30034

MOTION was made by Robert Patrick, seconded by Steve Bradshaw, that this agenda item be deferred for two full cycle, March 27, 2025. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

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.

Favor: Linda Doulavy- 245 North Highland Avenue Atlanta Georgia 30307

Against: Tommy T Travis (No Address), Ana Reu- 2729 Kelly Lake Road Decatur Georgia 30032

MOTION was made by Ted Terry, seconded by Robert Patrick, that this agenda item be deferred for two full cycles, March 27, 2025. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

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.

Favor: Marcia Jones-4318 Dogwood Trail Decatur Georgia 30034, Ricky Cunningham- 3707 Tulip Tree Road Marietta Georgia 30066, Waqueta G Brown- 3227 Wyndham Parkway Decatur Georgia 30034, Thomas Billups 556 Trailside Way Stone Mountain Georgia 30087, CJ Morris- 3283 Hawthorn Farm Boulevard Loganville Georgia 30032, Beth Stephens- 50 Hurt Plaza Suite 649 Atlanta Georgia 30303, Carrie Sjogren- 217 Mount Vernon Drive Decatur Georgia 30030, Sharon Steele- 4554 Briercliff Drive 30047, Maviel Risner Sivley (No Address), Eric Stanfield-3599 Klondike Road Stonecrest Georgia 30038

Against: Jan Dunaway- 4672 Fellswood Drive Stone Mountain Georgia 30083

MOTION was made by Michelle Long Spears, seconded by Ted Terry, that this agenda item be deferred until January 23, 2025 for Decision Only. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

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.

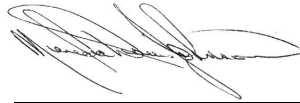
MOTION was made by Michelle Long Spears, seconded by Robert Patrick, that this agenda item be approved. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry

ADJOURNMENT:

There being no further official business, MOTION was made by Michelle Long Spears, seconded by Steve Bradshaw, that this agenda item be approved to adjourn the November 21, 2024 Board of Commissioners Zoning Meeting at 10:37 p.m. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Long Spears, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Terry



Mereda Davis Johnson
Presiding Officer



Barbara Sanders (Dec 16, 2024 20:04 EST)

Barbara Sanders-Norwood
County Clerk