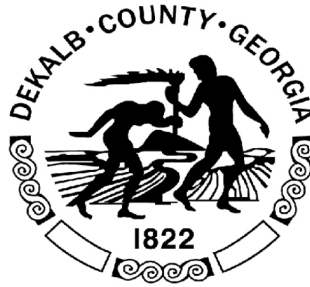


DeKalb County Government

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



Agenda

Tuesday, May 28, 2019

6:30 PM

Manuel J. Maloof Auditorium

Board of Commissioners - Zoning Meeting

Commissioner Jeff Rader, Presiding Officer, District 2
Commissioner Steve Bradshaw, Deputy Presiding Officer, District 4

Commissioner Nancy Jester, District 1
Commissioner Jeff Rader, District 2
Commissioner Larry Johnson, District 3
Commissioner Steve Bradshaw, District 4
Commissioner Mereda Davis Johnson, District 5
Commissioner Kathie Gannon, Super District 6
Commissioner Lorraine Cochran-Johnson, Super District 7

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, please complete a speaker card and present it when approaching the podium. If you have any documents for the Commissioners, please 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. When speaking, always talk directly into the microphone and begin by stating your name, address and the name of any organization you represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping and yelling to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing will be permitted to show support for or opposition to a speaker's position.

Deferred Cases

- D1 [2019-3209](#) COMMISSION DISTRICT(S): 5 & 7
Application of Rose C. Evans to amend the Future Land Use Plan Map from Suburban (SUB) to Light Industrial (LIND) to develop a parking lot for a trucking company and utilize the existing residential structure on the site as office space, at 1422 & 1450 Rock Chapel Road.

Attachments: [D.1 LP-19-1235181 Rose C. Evans Dist 5 and 7](#)

[\(3/5/19 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting\)](#)

[\(3/26/19 Board of Commissioners - Zoning Meeting: Full cycle deferral to the Board of Commissioners - Zoning Meeting\)](#)

[\(5/7/19 Planning Commission: Full cycle deferral per staff recommendation\)](#)

- D2** [2019-3210](#) COMMISSION DISTRICT(S): 5 & 7
Application of Rose C. Evans to rezone property from R-100
(Single-Family) District to C-1 (Local Commercial) District to develop a
contractor's office with truck parking, at 1422 & 1450 Rock Chapel Road.

Attachments: [Staff Report D2 Z 19 1235180](#)

(3/5/19 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

(3/26/19 Board of Commissioners - Zoning Meeting: [Full cycle deferral to the Board of Commissioners - Zoning Meeting](#))

(5/7/19 Planning Commission: [Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

- D3** [2019-3216](#) COMMISSION DISTRICT(S): 5 & 7
Application of Rocklyn Homes, Inc. c/o Battle Law, P.C. to rezone property
from C-1 (Local Commercial) to MR-1 (Medium Density Residential - 1)
for 124 single-family attached townhome units at a density of 8.4 units per
acre, at 2387 Wellborn Rd.

Attachments: [Staff Report & Attachments March 2019](#)
[Recommended Conditions March 2019](#)
[Staff Report & Attachments May 2019](#)
[Recommended Conditions May 2019](#)

(3/5/19 Planning Commission: [deferred 30 days to the Board of Commissioners - Zoning Meeting](#))

(3/26/19 Board of Commissioners - Zoning Meeting: [Full cycle deferral to the Board of Commissioners - Zoning Meeting](#))

(5/7/19 Planning Commission: [denied to the Board of Commissioners - Zoning Meeting](#))

New Cases

- N1** [2019-3526](#) COMMISSION DISTRICT(S): 2 & 6
Application of Toll Bros., Inc. c/o Morris, Manning and Martin, LLP to
rezone property from R-85 (Residential Medium Lot) District to HR-2 (High
Density Residential-2) District to develop a student housing development
consisting of 202 apartment units on 3.38 acres at a density of 60 units per
acre, at 957, 961, 953, 949, 946, 948, 9552, 956 and 960 Milledge Place.

Attachments: [Staff Report Z 18 1235071](#)

(5/7/19 Planning Commission: deferred to the Board of Commissioners - Zoning Meeting)

- N2 [2019-3527](#) COMMISSION DISTRICT(S): 2 & 6
Application of Dellanney Maxwell Snyder to request a Special Land Use Permit (SLUP) to allow a home occupation with customer contact (Personal Training) in an R-85 (Residential Medium Lot District, at 1384 Brook Forest Drive.

Attachments: [N2 SLUP 19 1242997 Recommended Cond Staff Report N2 SLUP 19 1242997](#)

(5/7/19 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N3 [2019-3528](#) COMMISSION DISTRICTS: 3 & 6
Application of Duke Land Group, LLC for a modification of zoning conditions in an RSM (Small Lot Residential Mix) District related to the mix of uses approved pursuant to CZ-02081, at 2200 Flat Shoals Road.

Attachments: [Staff Report CZ 19 1243154](#)
[Recommended Conditons - PC - CZ 19 1243154](#)
[Recommended Conditions - BOC CZ 19 1243154](#)

(5/7/19 Planning Commission: approval with modified conditions to read as follows: to the Board of Commissioners - Zoning Meeting)

- N4 [2019-3529](#) COMMISSION DISTRICT(S): 3 & 6
Application of Erica Stewart for a Special Land Use Permit to operate a 24-hour in-home day care facility for up to six children in an RSM (Small Lot Residential Mix) District, at 2902 Cedar Trace Drive.

Attachments: [SLUP 19 1243155 staff report](#)
[Recommended Conditions - PC - SLUP 19 1243155](#)
[Recommended Conditions - BOC - SLUP 19 1243155](#)

(5/7/19 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N5 [2019-3531](#) COMMISSION DISTRICT(S): 3 & 6
Application of J Alexander Brock to rezone property from R-75 (Residential Medium Lot) District to MR-1 (Medium Density Residential-1) District to allow the construction of 13 thirteen single-family attached townhomes, at 1936 Glenwood Avenue.

Attachments: [N5 Z-19-1243161 Recommended Cond Staff Report N5 Z 19 1243161](#)

[\(5/7/19 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N6 [2019-3532](#) COMMISSION DISTRICT(S): 2 & 6
Application of Greg Ramsey to rezone property from R-100 (Residential-Medium Lot-100) to RSM (Small Lot Residential Mix) to develop 21 urban single-family detached dwelling units, at 3398 Briarcliff Road.

Attachments: [Z 19 1243163 Staff Report - Planning Commission Recommended Conditions - PC - Z 19 1243163](#)
[Z 19 1243163 Staff Report - BOC Recommended Conditions - BOC - Z 19 1243163](#)

[\(5/7/19 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N7 [2019-3556](#) COMMISSION DISTRICT(S): 4 & 7
Application of Phillip Witherington to rezone property from R-100 (Residential Medium Lot) to NS (Neighborhood Shopping) District to develop general commercial uses within a 5,000 square foot retail shopping plaza at 425, 433, and 441 North Deshon Road.

Attachments: [N7 Phillip Witherington Z 19 1243173](#)

[\(5/7/19 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N8 [2019-3557](#) COMMISSION DISTRICT(S): ALL
Application by the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Table 4.1 and Article 4.2.23 Drive-through facilities to allow a drive through facility, for a use other than a restaurant, to be allowed in the C-1 (Local Commercial) and C-2 (Commercial) districts.

Attachments: [TA drive through Use Table_FINAL \(002\)](#)

[5.3.19 Ordinance to Amend Ch. 27 Art. 4 Drive throughs_Redline \(LM edits..\)](#)

[\(5/7/19 Planning Commission: Adopted per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

[\(5/16/19 PECS-Planning, Economic Development & Community Services Committee: recommended holding in committee\)](#)