

DeKalb County Government

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



Summary

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*

Staff Present: Barbara Sanders-Norwood, County Clerk, Viviane Ernstes, County Attorney

2019-3820 Reconvene

Approved

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.

Deferred for a full cycle, until July 23, 2019

- 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.
Deferred for a full cycle, until July 23, 2019
- 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.
Approved the substitute submitted from the floor with a revised site plan and 9 staff conditions dated May 28, 2019

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.
Deferred for 2 weeks, until June 11, 2019 for Decision Only
- 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.
Approved with 8 staff conditions
- 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.
Approved with 10 revised staff conditions submitted by Commissioners Larry Johnson and Kathie Gannon.

- 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.
Defer the substitute submitted from the floor, until June 11, 2019 for Decision Only
- 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.
Deferred the substitute submitted from the floor with revised conditions submitted by Commissioner Larry Johnson and Kathie Gannon, until June 11, 2019 for Decision Only
- 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.
Approved the substitute submitted from the floor with revised conditions dated May 22, 2019, and a friendly amendment by Commissioner Kathie Gannon to condition #9, that sponsored members have participation in the distribution of the products in the Urban Garden
- 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.
Denied
- 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.
Deferred for a full cycle, until July 23, 2019

POLICY OF NON-DISCRIMINATION ON THE BASIS OF DISABILITY IN COUNTY SERVICES.

DeKalb County Government does not discriminate against qualified individuals with disabilities or exclude them from participating in or receiving benefits of its services, programs, or activities, based on disability. Janet Essix, DeKalb County Government's Employee Relations Manager and ADA Coordinator, is designated to coordinate the County's compliance with Part 35 of the Department of Justice regulations regarding the Americans with Disabilities Act. Janet Essix may be contacted at 1300 Commerce Drive, 1st Floor, Decatur, GA 30030, 404.371.2309, to request information about access for persons with disabilities to County services, programs and activities, or to discuss a grievance regarding an impediment to such access. Ten days' notice is requested for special accommodations.