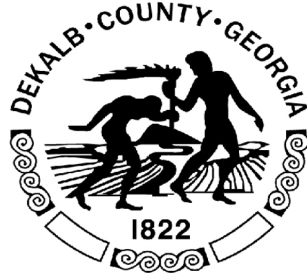


DeKalb County Government

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



Meeting Minutes

Tuesday, September 25, 2018

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 Gregory Adams, Super District 7*

Present: 7 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Kathie Gannon, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson and Commissioner Gregory Adams

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

2018-2750 Reconvene

MOTION was made by Larry Johnson, seconded by Steve Bradshaw, that this agenda item be approved to reconvene the September 25, 2018 Board of Commissioners Zoning Meeting. Commissioners Nancy Jester and Mereda Davis Johnson were out of the room and not voting. The motion carried by the following vote:

Yes: 5 - Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, and Commissioner Adams

Absent: 2 - Commissioner Jester, and Commissioner Davis Johnson

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.

New Cases

N1 [2018-2436](#) COMMISSION DISTRICT(S): 2 & 6
N1 J.R. Crickets North Decatur SLUP-18-1235085
MOTION was made by Kathie Gannon, seconded by Gregory Adams, that this agenda item be withdrawn without prejudice. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

N2 [2018-2432](#) COMMISSION DISTRICT(S): 2 & 6
N2 George Butler Z-18-1235086
George Butler, 132 Hawkins St. Dahlonega, GA 30533, spoke in favor

Edwin Rhinehart, 1407 Council Bluff Dr. Atlanta, GA 30345, Rene Kane, 2153 Dr. Atlanta, GA 30345, Mary Firth, 1810 Council Bluff Dr. NE Atlanta, GA 30345, Shelley Coleman, 1675 Alderbrook Rd. NE Atlanta, GA 30345, Marcy Haight, 2519 Clairmont Rd. NE Atlanta, GA 30329, spoke in opposition

MOTION was made by Jeff Rader, seconded by Kathie Gannon, that this agenda item be denied. Commissioners Mereda Davis Johnson and Gregory Adams were out of the room and not voting. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon, and
Commissioner Bradshaw

Absent: 2 - Commissioner Davis Johnson, and Commissioner Adams

N3 [2018-2443](#) COMMISSION DISTRICT(S): 2 & 6
N3 Dave Howe - Rezone Z-18-1235086
Dave Howe, 1325 Emory Rd. NE Atlanta, GA 30306, spoke in favor

MOTION was made by Jeff Rader, seconded by Kathie Gannon, that this agenda item be withdrawn without prejudice. Commissioner Gregory Adams was out of the room and not voting. The motion carried by the following vote:

Yes: 6 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, and Commissioner Davis Johnson

Absent: 1 - Commissioner Adams

N4 [2018-2441](#) COMMISSION DISTRICT(S): 3 & 7
N4 Siasim Columbia, LLC SLUP-18-1235010
Hakim Hilliard, 260 Peachtree St. Suite 401 Atlanta, GA 30303, spoke in favor
MOTION was made by Larry Johnson, seconded by Gregory Adams, that this agenda item be deferred for 30 days, until October 23, 2018 for Decision Only. Commissioner Nancy Jester was out of the room and not voting. The motion carried by the following vote:

Yes: 6 - Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

Absent: 1 - Commissioner Jester

N5 [2018-2442](#) COMMISSION DISTRICT(S): 3 & 6
N5 JT Asphalt CZ 18 1235045
Eric Brunson, 1139 Fleetwood Drive Atlanta, GA 30316, spoke in favor
Dena Mercy, 3528 Kenton Pl. SE Atlanta, GA 30316, Johnny Smith, 3421 Sunnyhill Dr. Atlanta, GA 30316, spoke in opposition
MOTION was made by Kathie Gannon, seconded by Larry Johnson, that this agenda item be to approve the substitute submitted from the floor with 24 revised staff conditions. Commissioner Jeff Rader abstained. The motion carried by the following vote:

Yes: 6 - Commissioner Jester, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

Abstain: 1 - Commissioner Rader

N6 [2018-2444](#) COMMISSION DISTRICT(S): 3 & 7

N6 Sarah M Toth Z-18-1235083

Joe Leonhardt, 1586 Delano Dr. Decatur, GA 30032, Andy Huff, 2628 White Oak Dr. Decatur, GA 30032, spoke in opposition

MOTION was made by Larry Johnson, seconded by Gregory Adams, that this agenda item be denied. Commissioner Steve Bradshaw was out of the room and not voting. The motion carried by the following vote:

Yes: 6 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Davis Johnson, and Commissioner Adams

Absent: 1 - Commissioner Bradshaw

N7 [2018-2403](#) COMMISSION DISTRICT(S): 3 & 7

N7 Grandview Residential, LLC c/o Battle Law, LLC LP-18-1235089

Michele Battle, One West Court Square Suite 750, Decatur, GA 30030, Gene Kelly, 5255 Linnadire Way Norcross, GA 30092, Samuel Aguire, 1485 Sindium Creek Dr. Stone Mountain, GA 30083, spoke in favor

Taylor Brown, 3092 Lauren Parc Rd. Decatur, GA 30032, Stephen Binney, 1083 Seville Dr. Clarkston, GA 30021, Brian Dinafeli, 3008 Lauren Parc Rd. Decatur, GA 30032, Jon Kohler, 3070 Lauren Parc Rd. Decatur, GA 30032, spoke in opposition

MOTION was made by Larry Johnson, seconded by Gregory Adams, that this agenda item be deferred for 2 weeks, until October 9, 2018, for Decision Only. Items 2018-2403 and 2018-2105 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

- N8** [2018-2105](#) COMMISSION DISTRICT(S): 3 & 7
 Rezone - Grandview Residential, LLC Z-18-22313
Michele Battle, One West Court Square Suite 750, Decatur, GA 30030, Gene Kelly, 5255 Linnadire Way Norcross, GA 30092, Samuel Aguire, 1485 Sindiun Creek Dr. Stone Mountain, GA 30083, spoke in favor
- Taylor Brown, 3092 Lauren Parc Rd. Decatur, GA 30032, Stephen Binney, 1083 Seville Dr. Clarkston, GA 30021, Brian Dinafeli, 3008 Lauren Parc Rd. Decatur, GA 30032, Jon Kohler, 3070 Lauren Parc Rd. Decatur, GA 30032, spoke in opposition*
- MOTION was made by Larry Johnson, seconded by Gregory Adams, that this agenda item be deferred for 2 weeks, until October 9, 2018, for Decision Only. Items 2018-2403 and 2018-2105 were heard together. The motion carried by the following vote:**
- Yes:** 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

- N9** [2018-2445](#) COMMISSION DISTRICT(S): 3 & 6
 N9 Flatiron Partners Z-18-1235092
Alex Brook, 1230 Peachtree St. Atlanta, GA 30303, spoke in favor
- MOTION was made by Larry Johnson, seconded by Kathie Gannon, that this agenda item be withdrawn without prejudice. The motion carried by the following vote:**
- Yes:** 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

N10 [2018-2434](#) COMMISSION DISTRICT(S): 3 & 7

N10 Lloyd Nurse - Z-18-1235094

*Lloyd Nurse, 2766 Pleasantwood Dr. Decatur, GA 30034, Hazel Marshall, 2999
Patty Hollow Decatur, GA 30034, Neil Wray, 5316 Cayuga Court Lithonia, GA
30038, spoke in favor*

*Willie Pringle, 2722 Pleasantwood Dr. Decatur, GA 30034, Peggy Hobdy, 2791
Treadway Dr. Decatur, GA 30034, Elfreda Berry, 2759 Hutch Dr. Decatur, GA
30034, Alma Yates, 2706 Pleasantwood Dr. Decatur, GA 30034, spoke in
opposition*

**MOTION was made by Larry Johnson, seconded by Gregory
Adams, that this agenda item be denied. The motion carried by
the following vote:**

Yes: 7 - Commissioner Jester, Commissioner Rader,
 Commissioner Johnson, Commissioner Gannon,
 Commissioner Bradshaw, Commissioner Davis
 Johnson, and Commissioner Adams

N11 [2018-2413](#) COMMISSION DISTRICT(S): 4 & 6

N11 Asrat L. Mamo Z 18 1235056

*Elizabeth Washburn, 2500 Caladium Drive NE Atlanta, GA 30345, Steve
LaCross, 914 & 908 McLendon Dr. Scottdale, GA 30079, Carey Muse, 914 &
908 McLendon Dr. Scottdale, GA 30079, Elizabeth Hall, 900 Tanner Dr.
Scottdale, GA 30079, Kathleen Hall, 900 Tanner Dr. Scottdale, GA 30079, spoke
in opposition*

**MOTION was made by Steve Bradshaw, seconded by Kathie
Gannon, that this agenda item be denied. The motion carried by
the following vote:**

Yes: 7 - Commissioner Jester, Commissioner Rader,
 Commissioner Johnson, Commissioner Gannon,
 Commissioner Bradshaw, Commissioner Davis
 Johnson, and Commissioner Adams

N12 [2018-2449](#) COMMISSION DISTRICT(S): 4 & 7

N12 Aria Todd Properties, LLC LP-18-1235115

Kathleen D. Todd, 6154 Memorial Dr. Stone Mountain, GA 30083, spoke in favor

Joe Arrington, 466 S. Rays Rd. Stone Mountain, GA 30083, spoke in opposition

MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be approved. Items 2018-2449, 2018-2411, and 2018-2576 were heard together. Commissioners Larry Johnson and Kathie Gannon abstained. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

Abstain: 2 - Commissioner Johnson, and Commissioner Gannon

N13 [2018-2411](#) COMMISSION DISTRICT(S): 4 & 7

N13 Aria & Todd Properties, LLC Z 18 1235061

Kathleen D. Todd, 6154 Memorial Dr. Stone Mountain, GA 30083, spoke in favor

Joe Arrington, 466 S. Rays Rd. Stone Mountain, GA 30083, spoke in opposition

MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be approved. Items 2018-2449, 2018-2411, and 2018-2576 were heard together. Commissioners Larry Johnson and Kathie Gannon abstained. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

Abstain: 2 - Commissioner Johnson, and Commissioner Gannon

N14 [2018-2410](#) COMMISSION DISTRICT(S): 3 & 7

N14 Lloyd Nurse LP-18-1235096

Lloyd Nurse, 2766 Pleasantwood Dr. Decatur, GA 30034, spoke in favor

Peggy Hobdy, 2791 Treadway Drive Decatur, GA 30034, Phyllis Wallace &

Irene Moses, 2713 Eastwind Dr. Decatur, GA 30034, Willie Pringle, 2722

Pleasantwood Dr. Decatur, GA 30034, spoke in opposition

MOTION was made by Larry Johnson, seconded by Gregory Adams, that this agenda item be denied. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
 Commissioner Johnson, Commissioner Gannon,
 Commissioner Bradshaw, Commissioner Davis
 Johnson, and Commissioner Adams

N15 [2018-2446](#) COMMISSION DISTRICT(S): 4 & 7

N15 Harold L McGlothin Z-18-1235084

Harold McGlothin, 5620 Windwood Rd. College Park, GA 30349, spoke in favor

MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be approved with 6 staff conditions. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
 Commissioner Johnson, Commissioner Gannon,
 Commissioner Bradshaw, Commissioner Davis
 Johnson, and Commissioner Adams

N16 [2018-2435](#) COMMISSION DISTRICT(S): 4 & 7

N16 Eberly & Associates - CZ-18-1235087

Ray Gilley, 303 Ladson Court Decatur, GA 30033, spoke in favor

Laurel David, 3500 Lenox Rd. Ste 760 Atlanta, GA 30326, Ben Kight, 1285

Bermuda Rd. Stone Mountain, GA 30087, Lance Hammonds, 6933 Waters Edge

Dr. Stone Mountain, GA 30087, Kimberly Smith, 838 Deerfield Ct. Stone

Mountain, GA 30087, Jacqui Steele, 6765 Blantyre Blvd. Stone Mountain, GA

30007, Katherine Holmes, 1390 English Manor Circle Stone Mountain, GA

30087, spoke in opposition

MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be denied. Commissioners Nancy Jester and Kathie Gannon opposed. The motion carried by the following vote:

Yes: 5 - Commissioner Rader, Commissioner Johnson,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

No: 2 - Commissioner Jester, and Commissioner Gannon

N17 [2018-2450](#) COMMISSION DISTRICT(S): 5 & 7
N17 D R Horton-Crown, LLC Z-18-1235046

Michelle Battle, One West Court Sq. Ste 750 Decatur, GA 30030, spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams, that this agenda item be approved with 14 staff conditions, with an amendment to condition number 2 to provide three access points per the site plan. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

N18 [2018-2412](#) COMMISSION DISTRICT(S): 5 & 7
N18 Yolanda A. Walker Godwin SLUP-18-1235052

*Yolanda Godwin, 5460 Biffle Rd. Stone Mountain, GA 30088, Hendrick Godwin,
5460 Biffle Rd. Stone Mountain, GA 30088, spoke in favor*

MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams, that this agenda item be approved with 6 staff conditions. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

N19 [2018-2404](#) COMMISSION DISTRICT(S): 5 & 7

N19. Paul Hue Land Use Amendment, LP-18-1235068

Marvel Cardoza-Hue, 2018 Rock Chapel Rd. Lithonia, GA 30058, Paul Hue, 2018 Rock Chapel Rd. Lithonia, GA 30058, spoke in favor

Edward Ray Wright, 2015 Rock Chapel Rd. Lithonia, GA 30058, spoke in opposition

MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams, that this agenda item be deferred for 30 days, until October 23, 2018 for Public Hearing. Items 2018-2404 and 2018-2437 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

N20 [2018-2437](#) COMMISSION DISTRICT(S): 5 & 7

N20 Paul Hue - Z-18-1235067

Marvel Cardoza-Hue, 2018 Rock Chapel Rd. Lithonia, GA 30058, Paul Hue, 2018 Rock Chapel Rd. Lithonia, GA 30058, spoke in favor

Edward Ray Wright, 2015 Rock Chapel Rd. Lithonia, GA 30058, spoke in opposition

MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams, that this agenda item be deferred for 30 days, until October 23, 2018 for Public Hearing. Items 2018-2404 and 2018-2437 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

Yes: 6 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, and Commissioner Adams

Absent: 1 - Commissioner Davis Johnson

N24 [2018-2576](#) COMMISSION DISTRICT(S): 4 & 7
N24 Aria & Todd Properties, LLC SLUP 18 1235179
*Kathleen D. Todd, 6154 Memorial Dr. Stone Mountain, GA 30083, spoke in
favor*

Joe Arrington, 466 S. Rays Rd. Stone Mountain, GA 30083, spoke in opposition

MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be approved. Items 2018-2449, 2018-2411, and 2018-2576 were heard together. Commissioners Larry Johnson and Kathie Gannon abstained. The motion carried by the following vote:

Yes: 5 - Commissioner Jester, Commissioner Rader,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

Abstain: 2 - Commissioner Johnson, and Commissioner Gannon

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.

ADJOURNMENT:

There being no further official business, MOTION was made by Commissioner Kathie Gannon and seconded by Commissioner Nancy Jester to adjourn the September 25, 2018 Board of Commissioners Zoning Meeting at 10:02 p.m. Commissioner Mereda Davis Johnson was out of the room and not voting. The motion carried by the following vote:

Yes: 6 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, and Commissioner Adams

Absent: 1 - Commissioner Davis Johnson



Jeff Rader
Presiding Officer



Barbara Sanders-Norwood
County Clerk