

DeKalb County Government

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



Meeting Minutes

Tuesday, May 22, 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: 5 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Kathie Gannon, Commissioner Steve Bradshaw, and Commissioner Mereda Davis Johnson

Absent: 2 - Commissioner Larry Johnson, and Commissioner Gregory Adams

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

2018-2152 Reconvene

MOTION was made by Kathie Gannon, seconded by Nancy Jester, that this agenda item be approved to reconvene. Commissioner Steve Bradshaw was out of the room and not voting. Commissioners Larry Johnson and Gregory Adams were absent from the meeting. The motion carried by the following vote:

Yes: 4 - Commissioner Jester, Commissioner Rader, Commissioner Gannon, and Commissioner Davis Johnson

Absent: 3 - Commissioner Johnson, Commissioner Bradshaw, and Commissioner Adams

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.

Cases

- D7. [2018-1644](#) COMMISSION DISTRICT(S): 5 & 7 D7. Paul Girardeau
CZ-18-22045

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

MOTION was made by Mereda Davis Johnson, seconded by Kathie Gannon, that this agenda item be approved with 10 staff conditions. Commissioners Larry Johnson and Gregory Adams were absent from the meeting. The motion carried by the following vote:

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

Absent: 2 - Commissioner Johnson, and Commissioner Adams

- N8.** [2018-1853](#) COMMISSION DISTRICT(S): 5 & 7 N8. Highland Asset Redan Panola Z-18-22137
Edward French & Dave Waters, 126 Lakeland Dr. NW Atlanta, GA (no zipcode), spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Nancy Jester, that this agenda item be deferred for 30 days, until June 26, 2018 for Public Hearing. Commissioners Larry Johnson and Gregory Adams were absent from the meeting. The motion carried by the following vote:

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

Absent: 2 - Commissioner Johnson, and Commissioner Adams

- N9.** [2018-1857](#) COMMISSION DISTRICT(S): 5 & 7 N9. Hybrass Properties Z-18-22130

Michelle Battle, One West Court Sq. Ste. 750 Decatur, GA 30030, Gina Mangham, 8179 Pleasanthill Rd. Lithonia, GA 30058, spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Kathie Gannon, that this agenda item be approved with 17 staff conditions, dated May 9, 2018. Commissioners Larry Johnson and Gregory Adams were absent from the meeting. The motion carried by the following vote:

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

Absent: 2 - Commissioner Johnson, and Commissioner Adams

- D2.** [2018-1645](#) COMMISSION DISTRICT(S): 3 & 6 D2. BOC Bouldercrest-Cedar Grove-Moreland Overlay TA-18-22052

MOTION was made by Kathie Gannon, seconded by Steve Bradshaw, that this agenda item be withdrawn. Commissioner Mereda Davis Johnson left the meeting at approximately 7pm. Commissioners Larry Johnson and Gregory Adams were absent from the meeting. The motion carried by the following vote:

Yes: 4 - Commissioner Jester, Commissioner Rader, Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis
Johnson, and Commissioner Adams

N1. [2018-1910](#) COMMISSION DISTRICT(S): 3 & 7 N1. Ali Ihsan & Associates -
Z-18-22025

*Zaid Ansari, 3446 Midway Road Decatur, GA 30032, Jerome Habey, 3251
Convair Ln. Decatur, GA 30032, spoke in favor*

*Rachel Barrow, 3355 Beech Dr. Decatur, GA 30032, Meg Clark, 3282 Bobbie
Lane Decatur, GA 30032, Frank Galley, 3392 Midway Rd. Decatur, GA 30032,
spoke in opposition*

**MOTION was made by Kathie Gannon, seconded by Nancy
Jester, that this agenda item be deferred for a full cycle, until July
24, 2018. Commissioner Mereda Davis Johnson left the meeting at
approximately 7pm. Commissioners Larry Johnson and Gregory
Adams were absent from the meeting. The motion carried by the
following vote:**

Yes: 4 - Commissioner Jester, Commissioner Rader,
Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis
Johnson, and Commissioner Adams

N2. [2018-1854](#) COMMISSION DISTRICT(S): 3 & 6 N2. Obewy Ojebe
SLUP-18-22123

Joel Gross, 4140 Bonsal Rd. Conley, GA 30288, spoke in favor

**MOTION was made by Kathie Gannon, seconded by Steve
Bradshaw, that this agenda item be deferred for a full cycle, until
July 24, 2018. Commissioner Mereda Davis Johnson left the
meeting at approximately 7pm. Commissioners Larry Johnson
and Gregory Adams were absent from the meeting. The motion
carried by the following vote:**

Yes: 4 - Commissioner Jester, Commissioner Rader,
Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis
Johnson, and Commissioner Adams

- N3.** [2018-1911](#) COMMISSION DISTRICT(S): 3 & 7 N3. Frank Golley Z-18-22128
Leanne Frank, 3141 Bonway Dr. Decatur, GA 30032, Meg Clark, 3282 Bobbie Lane Decatur, GA 30032, Frank Galley, 3392 Midway Rd. Decatur, GA 30032, spoke in favor

MOTION was made by Kathie Gannon, seconded by Nancy Jester, that this agenda item be deferred for 2 weeks, until June 12, 2018 for Decision Only. Commissioner Mereda Davis Johnson left the meeting at approximately 7pm. Commissioners Larry Johnson and Gregory Adams were absent from the meeting. The motion carried by the following vote:

Yes: 4 - Commissioner Jester, Commissioner Rader, Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis Johnson, and Commissioner Adams

- N4.** [2018-1856](#) COMMISSION DISTRICT(S): 3 & 6 N4. CZ-18-22135 Sinocoin RE, LLC
Laurel David, Galloway Law Group, 3500 Lenox Rd. Ste. 760 Atlanta, GA 30326, spoke in favor

MOTION was made by Kathie Gannon, seconded by Steve Bradshaw, that this agenda item be approved with 12 staff conditions, with a change in condition 6 and to remove condition 7. Commissioner Mereda Davis Johnson left the meeting at approximately 7pm. Commissioners Larry Johnson and Gregory Adams were absent from the meeting. The motion carried by the following vote:

Yes: 4 - Commissioner Jester, Commissioner Rader, Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis Johnson, and Commissioner Adams

- D1.** [2017-1130](#) COMMISSION DISTRICT(S): 4 & 6 D1. DeKalb BOC Scottdale Overlay TA-18-21949
To amend Chapter 27-3.36 the DeKalb County Zoning Ordinance the text and map in the Scottdale Overlay District.

Charles Crane, 317 N. Clarendon Avenue Scottdale, GA 30079, Victoria Webb, 3137 Rockbridge Rd. Avondale Estates, GA 30002, spoke in favor

Bennie Gipson, 204, 206, 208, 212 N. Clarendon Ave. Avondale Estates, GA 30002, Michelle Battle, One West Court Sq. Ste. 750 Decatur, GA 30030, spoke in opposition

MOTION was made by Kathie Gannon, seconded by Steve Bradshaw, that this agenda item be deferred for 60 days, until July 24, 2018 Zoning Meeting, for Public Hearing. Commissioner Mereda Davis Johnson left the meeting at approximately 7pm. Commissioners Larry Johnson and Gregory Adams were absent from the meeting. The motion carried by the following vote:

Yes: 4 - Commissioner Jester, Commissioner Rader, Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis Johnson, and Commissioner Adams

- D3.** [2018-1566](#) COMMISSION DISTRICT(S): 2 & 6 D3. Jay Gipson Z-18-22037
Jay Gipson, 480 East Paces Ferry Rd. Ste. 8 Atlanta, GA 30305, Nick A. Dodys, 3060 Peachtree Rd. NW #310 Atlanta, GA 30305, spoke in favor

James Dutro, 1641 Council Bluff Dr. Atlanta, GA 30345, Steve Pittard 2078 Black Fox Dr. Atlanta, GA 30345, John Peteet, 3046 Briarcliff Road NE Unit 3 Atlanta, GA 30329, Gunter Sharp 2209 Street Deville Atlanta, GA 30345, Rima J. Vydmantas, 3297 Briarcliff Rd. NE Atlanta, GA 30345, spoke in opposition

MOTION was made by Jeff Rader, seconded by Kathie Gannon, that this agenda item be deferred for 30 days, until June 26, 2018 for Public Hearing. Items 2018-1566, 2018-1509, 2018-1591, 2018-1592 were heard together. Commissioner Mereda Davis Johnson left the meeting at approximately 7pm. Commissioners Larry Johnson and Gregory Adams were absent from the meeting. The motion carried by the following vote:

Yes: 4 - Commissioner Jester, Commissioner Rader, Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis
Johnson, and Commissioner Adams

D4. [2018-1590](#) COMMISSION DISTRICT(S): 2 & 6 D4. Jay Gipson
SLUP-18-22035

*Jay Gipson, 480 East Paces Ferry Rd. Ste. 8 Atlanta, GA 30305, Nick A. Dodys,
3060 Peachtree Rd. NW #310 Atlanta, GA 30305, spoke in favor*

*James Dutro, 1641 Council Bluff Dr. Atlanta, GA 30345, Steve Pittard 2078
Black Fox Dr. Atlanta, GA 30345, John Peteet, 3046 Briarcliff Road NE Unit 3
Atlanta, GA 30329, Gunter Sharp 2209 Street Deville Atlanta, GA 30345, Rima
J. Vydmantas, 3297 Briarcliff Rd. NE Atlanta, GA 30345, spoke in opposition*

**MOTION was made by Jeff Rader, seconded by Kathie Gannon,
that this agenda item be deferred for 30 days, until June 26, 2018
for Public Hearing. Items 2018-1566, 2018-1509, 2018-1591,
2018-1592 were heard together. Commissioner Mereda Davis
Johnson left the meeting at approximately 7pm. Commissioners
Larry Johnson and Gregory Adams were absent from the meeting.
The motion carried by the following vote:**

Yes: 4 - Commissioner Jester, Commissioner Rader,
Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis
Johnson, and Commissioner Adams

D5. [2018-1591](#) COMMISSION DISTRICT(S): 2 & 6 D5. Jay Gipson
SLUP-18-22038

*Jay Gipson, 480 East Paces Ferry Rd. Ste. 8 Atlanta, GA 30305, Nick A. Dodys,
3060 Peachtree Rd. NW #310 Atlanta, GA 30305, spoke in favor*

*James Dutro, 1641 Council Bluff Dr. Atlanta, GA 30345, Steve Pittard 2078
Black Fox Dr. Atlanta, GA 30345, John Peteet, 3046 Briarcliff Road NE Unit 3
Atlanta, GA 30329, Gunter Sharp 2209 Street Deville Atlanta, GA 30345, Rima
J. Vydmantas, 3297 Briarcliff Rd. NE Atlanta, GA 30345, spoke in opposition*

**MOTION was made by Jeff Rader, seconded by Kathie Gannon,
that this agenda item be deferred for 30 days, until June 26, 2018
for Public Hearing. Items 2018-1566, 2018-1509, 2018-1591,
2018-1592 were heard together. Commissioner Mereda Davis
Johnson left the meeting at approximately 7pm. Commissioners
Larry Johnson and Gregory Adams were absent from the meeting.
The motion carried by the following vote:**

Yes: 4 - Commissioner Jester, Commissioner Rader,
Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis
Johnson, and Commissioner Adams

D6. [2018-1592](#) COMMISSION DISTRICT(S): 2 & 6 D6. Jay Gipson
SLUP-18-22039

*Jay Gipson, 480 East Paces Ferry Rd. Ste. 8 Atlanta, GA 30305, Nick A. Dodys,
3060 Peachtree Rd. NW #310 Atlanta, GA 30305, spoke in favor*

*James Dutro, 1641 Council Bluff Dr. Atlanta, GA 30345, Steve Pittard 2078
Black Fox Dr. Atlanta, GA 30345, John Peteet, 3046 Briarcliff Road NE Unit 3
Atlanta, GA 30329, Gunter Sharp 2209 Street Deville Atlanta, GA 30345, Rima
J. Vydmantas, 3297 Briarcliff Rd. NE Atlanta, GA 30345, spoke in opposition*

**MOTION was made by Jeff Rader, seconded by Kathie Gannon,
that this agenda item be deferred for 30 days, until June 26, 2018
for Public Hearing. Items 2018-1566, 2018-1509, 2018-1591,
2018-1592 were heard together. Commissioner Mereda Davis
Johnson left the meeting at approximately 7pm. Commissioners
Larry Johnson and Gregory Adams were absent from the meeting.
The motion carried by the following vote:**

Yes: 4 - Commissioner Jester, Commissioner Rader,
Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis
Johnson, and Commissioner Adams

N5. [2018-1912](#) COMMISSION DISTRICT(S): 4 & 6 N5. Carlos Arenas -
CZ-18-22125

Carlos Arinas, 133 Johnson Ferry Rd. Marietta, GA 30068, spoke in favor

Emily Halevy, 659 Farrar Ct. Decatur, GA 30032, spoke in opposition

**MOTION was made by Steve Bradshaw, seconded by Kathie
Gannon, that this agenda item be deferred for a full cycle, until
July 24, 2018. Commissioner Mereda Davis Johnson left the
meeting at approximately 7pm. Commissioners Larry Johnson
and Gregory Adams were absent from the meeting. The motion
carried by the following vote:**

Yes: 4 - Commissioner Jester, Commissioner Rader,
Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis
Johnson, and Commissioner Adams

N6. [2018-1913](#) COMMISSION DISTRICT(S): 4 & 6 N6. Arrowhead Investors c/o
Bryan Flint Z-18-22138

*Bryan Flint, 2026 Mason Mill Road Decatur, GA 30033, Erik Spalvins, 2781
Orion Drive Decatur, GA 30033, Elizabeth Roberts, 3069 Leafwood Drive
Decatur, GA 30033, Kenna Simmons, 3115 Hollywood Dr. Decatur, GA 30033,
Misty Haxton, 3133 Hollywood Dr. Decatur, GA 30033, Sarah Page, 2981
Westbury Dr. Decatur, GA 30033, Rose Wallace, 2184 Forestglade Dr. Stone
Mountain, GA 30087, spoke in favor*

*James Illingworth, 2955 Fantasy Lane Decatur, GA 30033, Lee Ann Harvey, 882
Cinderella Ct. Decatur, GA 30033, Susan Rossi, 2971 Fantasy Lane Decatur, GA
30033, Mary Lee Millman, 834 Valley Brook Rd. Decatur, GA 30033, Melinda
Wood, 2982 Lowrance Dr. Decatur, GA 30033, spoke in opposition*

**MOTION was made by Steve Bradshaw, seconded by Kathie
Gannon, that this agenda item be deferred for 30 days, until June
26, 2018 for Public Hearing. Commissioner Mereda Davis
Johnson left the meeting at approximately 7pm. Commissioners
Larry Johnson and Gregory Adams were absent from the meeting.
The motion carried by the following vote:**

Yes: 4 - Commissioner Jester, Commissioner Rader,
Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis
Johnson, and Commissioner Adams

N7. [2018-1897](#) COMMISSION DISTRICT(S): 4 & 7 N7. Dave Vaz SLUP-18-22140
Dave Vaz, 6198 Memorial Drive Stone Mountain, GA 30083, spoke in favor

**MOTION was made by Steve Bradshaw, seconded by Nancy
Jester, that this agenda item be approved with 10 staff conditions.
Commissioner Mereda Davis Johnson left the meeting at
approximately 7pm. Commissioners Larry Johnson and Gregory
Adams were absent from the meeting. The motion carried by the
following vote:**

Yes: 4 - Commissioner Jester, Commissioner Rader,
Commissioner Gannon, and Commissioner Bradshaw

Absent: 3 - Commissioner Johnson, Commissioner Davis
Johnson, and Commissioner Adams

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 Nancy Jester and seconded by Commissioner Kathie Gannon to adjourn the May 22, 2018 Board of Commissioners Zoning meeting at 8:49 p.m. Commissioner Mereda Davis Johnson left the meeting at approximately 7pm. Commissioners Larry Johnson and Gregory Adams were absent from the meeting. The motion carried by the following vote:

- Yes:** 4 - Commissioner Jester, Commissioner Rader, Commissioner Gannon, and Commissioner Bradshaw
- Absent:** 3 - Commissioner Johnson, Commissioner Davis Johnson, and Commissioner Adams



Jeff Rader
Presiding Officer



Barbara Sanders-Norwood
County Clerk