

DeKalb County Government

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



Meeting Minutes

Thursday, January 27, 2022

5:30 PM

via ZOOM

Board of Commissioners - Zoning Meeting

Comm. Robert Patrick, Presiding Officer, District 1

Comm. Mereda Davis Johnson, Deputy Presiding Officer, District 5

Commissioner Robert Patrick, District 1

Commissioner Jeff Rader, District 2

Commissioner Larry Johnson, District 3

Commissioner Steve Bradshaw, District 4

Commissioner Mereda Davis Johnson, District 5

Commissioner Edward "Ted" Terry, Super District 6

Commissioner Lorraine Cochran-Johnson, Super District 7

Present: 7 - Commissioner Robert Patrick, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, Commissioner Ted Terry and Commissioner Lorraine Cochran-Johnson

Administration: Barbara Sanders-Norwood, County Clerk, Viviane Ernstes, County Attorney

The DeKalb County Board of Commissioners will hold its online zoning meeting on Thursday, January 27, 2022 at 5:30 p.m. This meeting will be conducted via teleconference (Zoom). Simultaneous public access to the meeting will be available (1) via live stream on DCTV's webpage, and (2) DCTVChannel23.TV.

The public is invited to watch the broadcast on DCTV's UStream link DCTV's webpage, and on DCTVChannel23.TV. <https://video.ibm.com/channel/dctv-channel-23>

TO participate and Join from PC, Mac, Linux, iOS or Android: or
<https://dekalbcountyga.zoom.us/j/94883110323> Or Telephone: Dial: USA 602 333 0032 USA 8882709936
(US Toll Free) Conference code: 217687

For those joining the meeting by telephone, please be aware that your phone number may be displayed to the public viewing or participating in the online meeting.

The Board will provide 15 minutes of time for citizens to speak in favor of an agenda item, and 15 minutes for citizens to speak in opposition. Citizens who attend the meeting via the Zoom link above may join the public comment queue by raising their hand in the Zoom application, while citizens who attend the meeting via telephone may join the comment queue by pressing # and the number 2. There will be no comment cards, so when you are called upon, please state your name and address for the record. Also, please be conscious of speaking time so that everyone has an opportunity to provide input in the allotted time. Citizens may also email documents for inclusion into the official record by submitting such materials by 5:30 p.m. on the date of the public hearing to PublicHearing@dekalbcountyga.gov

Call To Order

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.

Roll Call

Deferred Cases

D1 [2021-2910](#)

COMMISSION DISTRICT(S): Commission District 03; Super District 07
Application of Griffin Davis Consulting, Inc. Re one property from R-75 Residential Medium Lot - 75 to RSM Residential Small Lot Mix zoning District to allow for development of single-family attached townhomes, at 14 4 Columbia Drive.

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be withdraw without prejudice. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D2 [2021-2638](#)

COMMISSION DISTRICT(S): Commission District: 02; Super District: 06
Application of David Kir to re one property from NS Neighborhood Shopping District to C-1 Local Commercial District to allow for development of a new drive-through restaurant, at 3795 North Druid Hills Road.

Support: Kelly Ramo (No Address)

Opposition: Carol Hayes- 2665 Spice Lane, Marylee Putnam- 2848 Hillbrook Way, Michael Pisani-

2756 Mount Olive Drive, Ruth 1160 North Druid Hills Court, Joanne Breaugh- 1165 North Druid Woods Court, Whitney McGinniss- 2883 Mount Olive Drive, David Rhodes- 2710 Mount Olive Drive, Janeah Saadeh- 3802 North Druid Hills Drive

MOTION was made by Jeff Rader, seconded by Ted Terry, that this agenda item be deferred for two full cycles, until May 26, 2022 for Public Hearing. Items 2021-2638, 2021-2639 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D3 [2021-2639](#)

COMMISSION DISTRICT(S): Commission District: 02; Super District: 06
Application of David Kir to request a Special Land Use Permit SLUP to allow a drive through facility in Town Center Character Area, at 3795 North Druid Hills Road.

Support: Kelly Ramo (No Address)

Opposition: Carol Hayes- 2665 Spice Lane, Marylee Putnam- 2848 Hillbrook Way, Michael Pisani-

2756 Mount Olive Drive, Ruth 1160 North Druid Hills Court, Joanne Breaugh- 1165 North Druid Woods Court, Whitney McGinniss- 2883 Mount Olive Drive, David Rhodes- 2710 Mount Olive Drive, Janeah Saadeh- 3802 North Druid Hills Drive

MOTION was made by Jeff Rader, seconded by Ted Terry, that this agenda item be deferred for two full cycles, until May 26, 2022 for Public Hearing. Items 2021-2638, 2021-2639 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D4 [2021-2641](#)

COMMISSION DISTRICT(S): Commission District 04; Super District 06
Application of Mosaic Communities c o Battle Law to re one properties from R- 5 Residential Medium Lot- 5 District to RSM Small Lot Residential Mix District to allow single-family cottages, conventional single-family detached homes, urban single-family attached and detached units, and duplexes, at 3943 Norman Road.

Support: Gina Sgro- 3964 Anna Maria Court, Victoria Web- 3173 Rockbridge Road, Brian Lucy- 1138 Otello Avenue Clarkston Ga, Dr. Lisa Kramer- 4042 Seven Hills Court, Oona Powell- 996 Holly Hedge Stone Mountain, Jan Dunaway- 4672 Phellowood Drive, Joan Gorenstein 4078 Norman Rd,
Opposition: Steve Riz- 989 Holly Hedge Road

MOTION was made by Steve Bradshaw, seconded by Ted Terry, that this agenda item be deferred to the next meeting, until February 8, 2022 for Decision Only. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D5 [2021-3156](#)

COMMISSION DISTRICT(S): Commission District 04; Super District 07
Application of Builders Professional Group, LLC c o Battle Law, PC to re one property from R-100 Residential Medium Lot- 100 to R-75 Residential Medium Lot - 75 to allow for the construction of a single-family detached residential subdivision, at 5277 Roc bridge Road.

Support: None

Opposition: Ms. Lewis-Jones- Cole Chester Drive

MOTION was made by Steve Bradshaw, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for 30 days, until February 22, 2022 for Public Hearing. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D6 [2021-3159](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning Sustainability to amend Section 7.4. of the DeKalb County Zoning Ordinance to modify criteria to be considered in evaluating and deciding an application for a Special Land Use Permit SLUP . This text amendment is County-wide.

MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson, that this agenda item be deferred for 30 days, until February 22, 2022. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson, that this agenda item be reconsidered. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson, that this agenda item be deferred for 45 days, until March 8, 2022 for Decision Only. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

D7 [2021-3160](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning and Sustainability to amend Section 27-7.5.3 A 1 of the DeKalb County Zoning Ordinance to refine variance criteria for the Zoning Board of Appeals. This text amendment is County-wide.

MOTION was made by Jeff Rader, seconded by Mereda Davis Johnson, that this agenda item be deferred for 45 days to the Board of Commissioners, until March 8, 2022 for Decision Only. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

New Cases

N1 [2021-3515](#)

COMMISSION DISTRICT(S): District 05 Super District 07

Application of Luxury Living Experience PCH for a Special Land Use Permit SLUP for a personal care home for four to six persons in the RSM Small Lot Residential Mix Zoning District, at 203 Mallard Way.

Support: Alexis Clark- 567 Lone Oak Drive, Lithonia, GA

Opposition: None

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

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N2 [2021-3516](#)

COMMISSION DISTRICT(S): District 03 Super District 06

Application of Roc haven Homes LLC c o Battle Law, P.C. to re one from R-100 Residential Medium Lot-100 to RSM Small Lot Residential Mixing District to allow the construction of single-family detached homes, at 2717 hitfield Road.

Support: None

Opposition: Kandia Jackson- 2624 Woodfen Drive, Mary Capers-Irvin (No Address)

MOTION was made by Larry Johnson, seconded by Ted Terry, that this agenda item be deferred for a full cycle, until March 24, 2022. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N3 [2021-3517](#)

COMMISSION DISTRICT(S): District 04 Super District 07

Application of Salahadin Ka ili for a Special Land Use Permit SLUP for an alcohol outlet within an existing shopping center in the C-2 General Commercial oning District, at 971 N. Hairston Road.

Support: Salahadin Kazali- 971 North Harrison Road

Opposition: Jan Dunaway- 4672 Phellowood Drive, Cherri Slomiany- 4857 kenilworth Drive, Lance Hammonds- 693 Waters Edge Drive, Angela Simon- 4763 Phelps Ridge Drive,

MOTION was made by Steve Bradshaw, seconded by Lorraine Cochran-Johnson, that this agenda item be denied. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N4 [2021-3518](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 06 & 07

Application of Harold Buckley, Jr. for Caliber Car Wash for a Major Modification of Conditions approved, pursuant to C-14-19143, to allow a drive-through car wash in a C-1 Local Commercial District, at 344 Memorial Drive.

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for a full cycle, until March 24, 2022. Items 2021-3518 and 2021-3519 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N5 [2021-3519](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 06 & 07

Application of Harold Buckley, Jr. for Caliber Car Wash for a Special Land Use Permit SLUP to allow a drive-through car wash in a C-1 Local Commercial District, at 344 Memorial Drive.

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for a full cycle, until March 24, 2022. Items 2021-3518 and 2021-3519 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N6 [2021-3520](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 06

Application of Magnolia Gardens PCH, dba Magnolia Cove, for a Special Land Use Permit SLUP for a personal care home of up to four persons in the R-100 Residential Medium Lot-100 zoning District, at 395 Ambrose Ridge Court.

Support: None

Opposition: Kevin Alexander (No Address), Gerald Owens 3965 Ambrose Ridge Court Ellenwood Ga, Mr. Frank- 3949 Ambrose Ridge Court

MOTION was made by Larry Johnson, seconded by Ted Terry, that this agenda item be deferred for 2 weeks, until February 8, 2022 for Decision Only. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N7 [2021-3521](#)

COMMISSION DISTRICT(S): Commission District 03 Super Districts 06 and 07

Application of DeAndre Mathis for a Special Land Use Permit SLUP for a proposed boutique wine shop within the C-1 Local Commercial zoning District and the I-20 Overlay District, at 191 Candler Road.

Support: DeAndre Mathis- 1693 Chandler Road, Patrice Stewart 3050 Leland Drive Decatur Ga, Alona Jones- 51 Oakridge Avenue Atlanta Ga, Brian Hill- 271 Panola Road Ellenwood Ga, Dwayne Carter- 350 Clifford Avenue, Ms. Rockmore- 5752 Billstone Drive Ellenwood Ga, Sonia Harper- 3157 Robin Road

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for 30 days, until February 22, 2022 for Decision Only. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N8 [2021-3522](#)

COMMISSION DISTRICT(S): Commission District 04 Super District 07

Application of Kyle Williams to rezone one properties from R-100 Residential Medium Lot-100 to RSM Small Lot Residential Mixing District to allow for the construction of single family detached residences, at 4994 Rockbridge Road.

Support: None

Opposition: Julia Wallace- 385 Kenilworth Circle, Linnard Wallmermart- 508 Barbashela Circle, Steve Gross- 327 Kenilworth Circle, Jan Dunaway- 4672 Phellowood Drive, Amber Gibson 561 Hickory Hills Court, Jake Evans – 5070 Rockbridge Road, Victoria Webb- 3137 Rockbridge Road, George Cole- 437 Hickory Hill Trail Stone Mountain Ga

MOTION was made by Steve Bradshaw, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for two full cycles, until May 26, 2022. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

N9 [2021-3523](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 07

Application of Dorlette Franklin for a Special Land Use Permit SLUP for a proposed child daycare up to six in a R-100 Residential Medium Lot-100 Mixing District, at 340 Platina Park Court.

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with conditions. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

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 Larry Johnson, seconded by Mereda Davis Johnson, that this agenda item be approved to adjourn the January 27, 2022 Board of Commissioners Zoning Meeting at 10:20 p.m. The motion carried by the following vote:

Yes: 7 - Commissioner Patrick, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Robert Patric
Presiding Officer

Barbara Sanders-Norwood
County Clerk