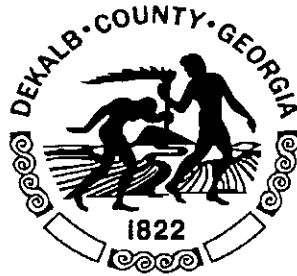


# DeKalb County Government

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



## Zoning Minutes

**Tuesday, May 23, 2017**

**Reconvened at 6:30 PM**

**Manuel J. Maloof Auditorium**

### Board of Commissioners

*Commissioner Kathie Gannon, Presiding Officer, Super District 6*

*Commissioner Jeff Rader, Deputy Presiding Officer, District 2*

*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 Steve R Bradshaw, Commissioner Mereda Davis Johnson, Commissioner Kathie Gannon, and Commissioner Gregory Adams

**Staff Present:** Barbara Sanders-Norwood, County Clerk, O.V. Brantley, County Attorney, Viviane Ernstes, Deputy County Attorney

## **PUBLIC HEARING**

**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:**

**D.1 Z-17-21271**  
**Commission District: 3 Super District: 6**  
**15-083-01-003**

**Application of Antrell Gales to rezone property from MU-5 (Mixed Use - 5) (conditional) to MU-5 (Mixed Use-5) (conditional) to allow a movie studio and accessory uses.** The property is located on the northwest side of Bouldercrest Road, approximately 2,650 feet north of Constitution Road at 2055 Bouldercrest Road in Atlanta, Georgia. The property has approximately 1,430 feet of frontage along Bouldercrest Road and contains 23.7 acres.

*Antrell Gales, 1415 Constitution Atlanta, GA 30016, spoke in favor*

**MOTION was made by Larry Johnson, seconded by Kathie Gannon, that this agenda item be deferred for a full cycle, until July 27, 2017. The motion carried by the following vote:**

**Yes: 7**

**Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Gannon, and Commissioner Adams**

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**D.2 LP-17-21281**  
**Commission District: 2 Super District: 7**  
**18-145-05-009**

**Application of In Line Communities c/o Kathryn Zickert to amend the Future Land Use Map from SUB (Suburban) to CRC (Commercial Redevelopment Corridor) to allow for the development of 33 fee simple townhomes.** The property is located on the south side of Lawrenceville Highway, approximately 660 feet west of Montreal Road at 2729 Lawrenceville Highway in Decatur, Georgia. The property has approximately 381 feet of frontage on Lawrenceville Highway and contains 3.01 acres.

*Kimberly Parker, 3188 Lindmoor Dr. Decatur, GA 30033, Kathy Zickert, 1230 Peachtree St. NE, Ste. 3100 Atlanta, GA 30309, Frank Y. Smith, 1650 Delia Dr. Decatur, GA 30033, spoke in favor*

*Pastor Gwendolyn Maultsby, 4103 Pine Valley Rd. Tucker, GA 30084, spoke in opposition*

**MOTION was made by Jeff Radar, seconded by Gregory Adams, that this agenda item be deferred to next meeting for Decision Only, until June 13, 2017. Items D2 and N1 were heard together. The motion carried by the following vote:**

**Yes: 7**

**Commissioner Jester, Commissioner Rader,  
Commissioner Johnson, Commissioner  
Bradshaw, Commissioner Davis Johnson,  
Commissioner Gannon, and Commissioner  
Adams**

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**NEW CASES:**

**N.1 Z-17-21428**  
**Commission District: 2 Super District: 7**  
**18-145-05-009**

**Application of Inline Communities to rezone property from R-75 (Single-Family Residential) to MR-2 (Medium-Density Residential - 2) for a 33-unit, fee-simple, attached townhome development at a density of 11 units per acre.** The property is located on the south side of Lawrenceville Highway, approximately 660 feet west of Montreal Road at 2729 Lawrenceville Highway in Decatur, Georgia. The property has approximately 381 feet of frontage on Lawrenceville Highway and contains 3.01 acres.

*Kimberly Parker, 3188 Lindmoor Dr. Decatur, GA 30033, Kathy Zickert, 1230 Peachtree St. NE, Ste. 3100 Atlanta, GA 30309, Frank Y. Smith, 1650 Delia Dr. Decatur, GA 30033, spoke in favor*

*Pastor Gwendolyn Maultsby, 4103 Pine Valley Rd. Tucker, GA 30084, spoke in opposition*

**MOTION was made by Jeff Radar, seconded by Gregory Adams, that this agenda item be deferred to next meeting for Decision Only, until June 13, 2017. Items D2 and N1 were heard together. The motion carried by the following vote:**

**Yes: 7**

**Commissioner Jester, Commissioner Rader,  
Commissioner Johnson, Commissioner  
Bradshaw, Commissioner Davis Johnson,  
Commissioner Gannon, and Commissioner  
Adams**

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N.2 SLUP-17-21417  
Commission District: 2 Super District: 6  
18-051-12-011

Application of Mark Ferguson for a Special Land Use Permit (SLUP) to allow a new 5,092 square foot (Nola Tap & Cajun Kitchen) restaurant within an existing 21,949 square foot multi-tenant commercial building (Clairmont Emory Village Shopping Center) to operate beyond 12:30 a.m. as a Late Night Establishment in the C-1 district. The property is located on the east side Clairmont Road and the west side of Webster Drive, approximately 163 feet north of Powell Lane at 1369 and 1371 (Basement) Clairmont Road in Decatur, Georgia. The property has approximately 296 feet of frontage along Clairmont Road, 248 feet of frontage along Webster Drive and contains 2 acres.

*Mark Ferguson, 2870 Pharr Ct. South Atlanta, GA, 30305, spoke in favor*

*Bernard Lassegue, 564 Emory Oaks Way Decatur, GA 30033, John Turner, 2859 Galahad Dr. NE Atlanta, GA 30345, Edward Morgan, 571 Emory Oaks Way Decatur, GA 30033, spoke in opposition*

**MOTION was made by Jeff Radar, seconded by Kathie Gannon, that this agenda item be deferred two full cycles, until September 26, 2017. The motion carried by the following vote:**

Yes: 7

**Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Gannon, and Commissioner Adams**

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N.3 CZ-17-21421  
Commission District: 2 Super District: 6  
18-104-05-060

Application of Brock Built Homes, LLC to rezone from R-100 (Single-Family Residential) to R-100 (Single-Family Residential) - Conditional, to remove conditions of a 1993 Board of Commissioners decision and allow a seventh lot within the Waldorf's Gale subdivision. The property is located on the northeast corner of Waldorf's Court and McConnell Drive at 1158 McConnell Drive, Decatur. The property has approximately 114 feet of frontage along McConnell Drive, 187 feet of frontage along Waldorf Court and contains 0.46 acre.

*Bob Zoeckler, 4013 Harvest Run Clarkston, GA 30021, spoke in favor*

*Kurt Knapp/ Tom Wisniewski, 1125 Waldorf's Ct. Decatur, GA 30033, David Jones, 1155 McConnell Dr. Decatur, GA 30033, spoke in opposition*

**MOTION was made by Jeff Radar, seconded by Kathie Gannon, that this agenda item be deferred one month, until June 27, 2017 for Public Hearing. Commissioner Larry Johnson was out of the room and not voting. The motion carried by the following vote:**

Yes: 6

**Commissioner Jester, Commissioner Rader, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Gannon, and Commissioner Adams**

Not Present: 1

**Commissioner Johnson**

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N.4 Z-17-21418  
Commission District: 3 Super District: 7  
15-201-05-005

**Application of Daniel Adams to rezone property from O-I (Office-Institutional) District to RSM (Small Lot Residential Mix) District to allow the renovation and continued residential use of the existing single-family residential dwelling.** The property is located on the northeast corner of Line Street and Fairlee Drive, approximately 300 feet south of Memorial Drive at 1562 Line Street, Decatur. The property has approximately 100 feet of frontage on Line Street, 145 feet on Fairlee Drive and contains 0.3 acre.

*Daniel Adams, 1562 Line St. Decatur, GA 30032, spoke in favor*

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

Yes: 7

**Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Gannon, and Commissioner Adams**

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N.5 Z-17-21389  
Commission District: 3 Super District: 6  
15-107-07-003

**Application of Amy Hillman, Attorney for Prime Tower Development SE to rezone property from R-75 (Single-Family Residential) to O-I (Office-Institutional) to allow construction of a new 150-foot "stealth" design wireless telecommunications tower.** The property is located on the south side of Flat Shoals Road, approximately 245 feet east of Clifton Church Road, at 2843 Flat Shoals Road, Decatur. The property has approximately 280 feet of frontage on Flat Shoals Road and contains 1.9 acres.

**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 Bradshaw, Commissioner Davis Johnson, Commissioner Gannon, and Commissioner Adams**

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N.6 SLUP-17-21422  
Commission District: 4 Super District: 6  
18-044-02-010

**Application of Same Ahmed for a Special Land Use Permit (SLUP) to allow an existing 3,354 square foot restaurant (Future Lounge) within a 13,902 square foot multi-tenant commercial building to allow operating hours beyond 12:30 a.m. as a Late Night Establishment in the C-1 district.** The property is located on the east side of North Indian Creek Drive, approximately 448 feet northwest of Memorial Drive at 447 N. Indian Creek Drive in Clarkston, Georgia. The property has approximately 153 feet of frontage along North Indian Creek Drive and contains 2.1 acres.

*Samy Muhammed, 2038 High Rock Ave. Lawrenceville, GA 30044, Same Ahmed, 4339 Village Sq. Ln. Stone Mountain, GA 30083, spoke in favor*

*Stephen M. Binney, 1083 Seville Dr. Clarkston, GA 30021, Janet Curtis, 1887 Robin Hill Ct. Tucker, GA 30084, spoke in opposition*

**MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be deferred one month, until June 27, 2017 for Public Hearing. The motion carried by the following vote:**

**Yes: 7**

**Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Gannon, and Commissioner Adams**

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**N.7 Z-17-21425**  
**Commission District: 4 Super District: 7**  
**15-225-01-010**

**Application of Rea Ventures Group, LLC to rezone property from R-100 (Single-Family Residential) to RSM(Residential Small Lot Mix) to allow development of 42 single-family attached townhomes and 8 single-family detached homes at a density of 4.4 units per acre.** The property is located on the north side of Redan Road, approximately 415 feet east of Ellis Road, at 4640 Redan Road, Stone Mountain. The property has approximately 424 feet of frontage on Redan Road and contains 11.35 acres.

*Emily Macheski-Preston, 3475 Lenox Road NE, Suite 400 Atlanta, GA 30326, spoke in favor*

**MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be deferred full cycle, until July 27, 2017. The motion carried by the following vote:**

**Yes: 7**

**Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Gannon, and Commissioner Adams**

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**N.8 SLUP-17-21423**  
**Commission District: 5 Super District: 7**  
**16-127-01-021**

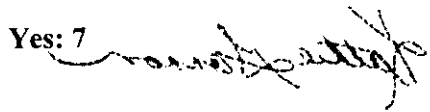
**Application of Liberty Hall House of God, Inc. to request a Special Land Use Permit (SLUP) for a place of worship in a former club house facility within the RSM (Small Lot Residential Mix) District, in accordance with Chapter 27-Article 4.1 Use Table and Article 4.4.42 of the DeKalb County Code.** The property is located on the west side of Alford Road, northwest of the intersection of Alford Road and Princeton Park Court at 1009 Alford Road, Lithonia, Georgia. The property has approximately 729 feet of frontage along the west side of Alford Road and contains 6.54 acres.

*Linda Horton/Pauline Brown, 1009 Alford Road Lithonia, GA 30058, spoke in favor*

*May Turlington-Powell, 982 Alford Road Lithonia, GA 30058, Gloria/Robert Walker, 6524 Alford Way Lithonia, GA 30058, spoke in opposition*

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

**Yes: 7**

A handwritten signature in black ink, appearing to be "Mereda Davis Johnson", written over a horizontal line.

**Commissioner Jester, Commissioner Rader,  
Commissioner Johnson, Commissioner  
Bradshaw, Commissioner Davis Johnson,  
Commissioner Gannon, and Commissioner  
Adams**

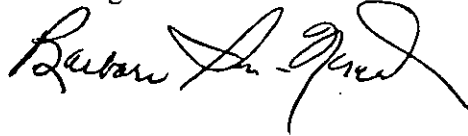
ADJOURNMENT:

There being no further official business, MOTION was made by Commissioner Jeff Radar and seconded by Commissioner Nancy Jester to adjourn the May 23, 2017 Zoning meeting at 7:50p.m.



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Kathie Gannon  
Presiding Officer



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Barbara Sanders-Norwood  
County Clerk