

DeKalb County Government

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



Meeting Minutes

Thursday, July 30, 2020

5:30 PM

Via Zoom

Board of Commissioners - Zoning Meeting

*Commissioner Steve Bradshaw, Presiding Officer, District 4
Commissioner Lorraine Cochran-Johnson, Deputy, District 7*

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

Present: 6 - Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Kathie Gannon, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Lorraine Cochran-Johnson

Absent: 1 - Commissioner Nancy Jester

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

The DeKalb County Board of Commissioners will hold its online zoning meeting on Thursday, July 30, 2020 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 (<https://video.ibm.com/channel/dctv-channel-23>), or join the meeting using the Zoom link (<https://dekalbcountyga.zoom.us/j/94883110323>), or by telephone (602-333-0032 or 888-270-9936, 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.

Deferred Cases

D1 [2020-0083](#)

COMMISSION DISTRICT(S): 5 & 7

Application of Sudhir Tejpaul to rezone property in the Kensington-Memorial Overlay District from MU-4 (Mixed Use-4) to HR-1 (High-Density Residential-1) for a multifamily residential building, at 1221 & 4220 S. Indian Creek Place.

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

Jan Costello, 1813 South Hidden Hills Pkwy Stone Mountain, GA, Patricia Oliver, 4087 Emerald North Dr. Decatur, GA 30035, Zoe Williams, Starter Cir. Decatur, GA, spoke in opposition

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with staff's conditions. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

New Cases

N1 [2020-0598](#)

COMMISSION DISTRICT(S): 3 & 6

Application of Kelli Wilson c/o Julie Sellers to rezone properties from Tier 5 Bouldercrest Overlay District to Tier 4 Bouldercrest Overlay District and maintain the underlying R-100 (Residential Medium Lot) zoning to allow a contractor and construction business.

Juaney Lynn-Rigsby, 1984 Shelter Rock Dr. Conley, GA, Gary Sparrow 1711 Cedar Grove R. Conley, GA, spoke in opposition

MOTION was made by Larry Johnson, seconded by Kathie Gannon, that this agenda item be denied. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

N2 [2020-0599](#)

COMMISSION DISTRICT(S): 3 & 6

Application of DL Properties c/o G Douglas Dillard to rezone property from Tier 5 Bouldercrest Overlay District to Tier 4 Bouldercrest Overlay District and maintain the underlying R-75 (Residential Medium Lot) zoning to allow for a contractor office, at 4388 E. Conley Road.

Juaney Lynn-Rigsby, 1984 Shelter Rock Dr. Conley, GA, spoke in opposition

MOTION was made by Larry Johnson, seconded by Kathie Gannon, that this agenda item be denied. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

N3 [2020-0600](#)

COMMISSION DISTRICT(S): 1 & 7

Application of BE3 Holdings LLC c/o Battle Law P.C. to request a modification of zoning conditions of CZ-15-20076 within the RSM (Residential Small Lot Mix) District to allow the construction of four single-family lots by amending conditions #1, #3-7, and by adding three conditions (#9 - 11), at 4575 Chamblee Tucker Road.

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

MOTION was made by Lorraine Cochran-Johnson, seconded by Larry Johnson, that this agenda item be deferred to the next Board of Commissioners meeting, until August 11, 2020 for Decision Only. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

N4 [2020-0601](#)

COMMISSION DISTRICT(S): 5 & 7

Application of Parkland Communities, Inc c/o Battle Law, PC to rezone properties from R-100 (Residential Medium Lot) District to RSM (Residential Small Lot Mix) District to develop a 160-lot single family detached subdivision at a density of 3.50 units per acre, at 1467, 1503 & 1513 Stephenson Road.

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

S. Robinson, 7595 Kirkview Dr. Lithonia, GA 30058, Lance Hammonds, 6933 Waters Edge Dr. Stone Mountain, GA, Robert Walker, 6524 Alford Way, Stacy Witherspoon, 736 Deshon Creek Dr. Lithonia, GA, Jessica McGruder 1609 Rice Sq. Lithonia, Victoria Webb (no address), spoke in opposition

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for a full cycle, until September 22, 2020. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

N5 [2020-0602](#)

COMMISSION DISTRICT(S): 4 & 7

Application of Parkland Communities Inc. c/o Battle Law P.C. to rezone properties from R-100 (Single-Family Residential) District to RSM (Small Lot Residential Mix) District to allow the development of 107 single-family detached residences and 64 single-family attached residences at a density of 4.18 units per acre, at Alford Road & Stephenson Road.

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

Tina McCrea, (no address), 6662 Etterlee Dr. Stone Mountain, GA, Lance Hammonds, 6933 Waters Edge Dr. Stone Mountain, GA, Shannon Robinson 7595 Kirkview Dr. Lithonia, GA, Judith Smith, 1028 Alford Rd. Lithonia, GA, Lynetta Mitchell, 1154 Alford Rd. Lithonia, GA, Yvonne Dee, Alford Crossing, Stacey Witherspoon, 736 Deshon Creek Dr. Lithonia, GA, Thaddeus Herndon, Southland Trace, spoke in opposition

MOTION was made by Lorraine Cochran-Johnson, seconded by Larry Johnson, that this agenda item be deferred for a full cycle, until September 22, 2020. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

N6 [2020-0603](#)

COMMISSION DISTRICT(S): 5 &7

Application of CSC Properties LLC to rezone from C-1 (Local Commercial Conditional) District to C-1 (Local Commercial) District to delete all existing conditions pursuant to CZ-13-18509, SLUP-13-18511, and SLUP-13-18512 to develop a multi-tenant commercial development within Tier 1 of the I-20 Overlay District.

Alonzo Ford, 2066 Talhatten Rd., Court Wolbe, 5211 South Crescent Dr. Tampa, FL, James Winfrey, 4929 Galleon Crossing Decatur, GA, spoke in favor

Linda Martin, 4074 Emerald Lake Dr. Decatur, GA 30035, Donuell Riggins, 3053 June Apple Dr. Decatur, GA 30034, spoke in opposition

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for 30 days, until August 25, 2020 for Decision Only. Items 2020-0603 and 2020-0604 were heard together. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

N7 [2020-0604](#)

COMMISSION DISTRICT(S): 5 & 7

Application of CSC Properties, LLC to request a Special Land Use Permit (SLUP) within Tier 1 of the I-20 Overlay District to allow up to three drive-throughs for a multi-tenant site on property zoned C-1 (Local Commercial) District, in accordance with Chapter 27, Article 4, Table 4.1 Use Table and Section 27-4.2.23 Supplemental Regulations of the DeKalb County Code at 2450, 2452, 2470 Wesley Chapel Road & 4292 New Snapfinger Woods Drive.

Alonzo Ford, 2066 Talhatten Rd., Court Wolbe, 5211 South Crescent Dr. Tampa, FL, James Winfrey, 4929 Galleon Crossing Decatur, GA, spoke in favor

Linda Martin, 4074 Emerald Lake Dr. Decatur, GA 30035, Donuell Riggins, 3053 June Apple Dr. Decatur, GA 30034, spoke in opposition

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for 30 days, until August 25, 2020 for Decision Only. Items 2020-0603 and 2020-0604 were heard together. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

N8 [2020-0605](#)

COMMISSION DISTRICT(S): 3 & 6

Application of Harold McGlothin for a Special Land Use Permit (SLUP) to allow a Minor Truck Repair establishment within Tier 2 of the Bouldercrest Overlay District and the underlying Light Industrial (M) District in accordance with Section 27-4.2.14.C (Minor Auto Repair Supplemental Regulations) and Section 27-3.39.3 (Permitted Uses) of the Bouldercrest Overlay District, at 3468 Moreland Avenue.

Harold McGlothin/ Paula Smith (no address), spoke in favor

MOTION was made by Larry Johnson, seconded by Kathie Gannon, that this agenda item be approved per staff's 8 conditions. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

N9 [2020-0606](#)

COMMISSION DISTRICT(S): 5 & 7

Application of Venture Communities LLC c/o Dunlavy Law Group, LLC to request a major modification of zoning conditions pursuant to Z-07-13334 and CZ-04-111 to allow 38 townhomes within the MU-4 (Mixed Use High Density) District and Tier 2 of the I-20 Overlay District at 2620 Shell Bark Road and 2641 Acuity Way.

Linda Dunlavy, 1026 B Atlanta Ave. Decatur, GA, spoke in favor

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be to approve the substitute with staff's conditions. Commissioner Larry Johnson was out of the room and not voting. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 2 - Commissioner Jester, and Commissioner Johnson

N10 [2020-0607](#)

COMMISSION DISTRICT(S): 3 & 6

Application of Stark Haus to rezone property from R-75 (Single-Family Residential-75) to MR-2 (Medium Density Residential-2) to allow four single-family attached townhomes, at 2017 Memorial Drive.

Toke Tayo, 461 Glenwood Place Atlanta, GA, spoke in favor

John McCaulley, 2015 Memorial Dr., spoke in opposition

MOTION was made by Kathie Gannon, seconded by Jeff Rader, that this agenda item be deferred for 30 days, until August 25, 2020 for Public Hearing. Commissioner Larry Johnson was out of the room and not voting. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 2 - Commissioner Jester, and Commissioner Johnson

N11 [2020-0608](#)

COMMISSION DISTRICT(S): 4 & 7

Application of Future Capital Investment c/o Mr. Kirk Harvey to rezone property from R-100 (Single-Family Residential) District to RSM (Small Lot Residential Mix) District to develop 26 townhome units at a density of 4 units per acre, at 1347 Bermuda Road.

Darrell Johnson, Lithia Springs, GA, spoke in favor

Dr. Austin, 854 Deerfield Ct. Stone Mountain, GA, Lance Hammonds 6933 Waters Edge Dr. Stone Mountain, GA, Deirdra Leclair, 6803 Deer Trail Lane, Teresa Williams, 1545 English Manor Estates, Katherine Hayward, 1390 English Manor Cir. Stone Mountain, GA 30087, Michael Arrington, English Manor Estates, Prescilla Brown, 6921 Spring Bank Way Stone Mountain, GA, Eric Tisdale, 768 Deer Lake Trail Stone Mountain, GA, Stephanie Malone, 2440 Bermuda Rd., Lawrence Jennings, 6831 Deer Trail Lane, spoke in opposition

MOTION was made by Lorraine Cochran-Johnson, seconded by Jeff Rader, that this agenda item be deferred for a full cycle, until September 22, 2020. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jester

N12 [2020-0609](#)

COMMISSION DISTRICT(S): 3 & 7

Application of Stark Haus to rezone property from R-75 (Single-Family Residential) District to RSM (Small Lot Residential Mix) District to allow six urban single-family detached homes at 2043 Columbia Drive.

Toke Tayo, 461 Glenwood Place Atlanta, GA, spoke in favor

Adrienne Miles, 2088 Oak Park Lane Decatur, GA, spoke in opposition

MOTION was made by Larry Johnson, seconded by Jeff Rader, that this agenda item be deferred for 30 days, until August 25, 2020 for Decision Only. Commissioners Mereda Davis Johnson and Lorraine Cochran-Johnson were out of the room and not voting. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 3 - Commissioner Jester, Commissioner Davis Johnson, and Commissioner Cochran-Johnson

N13 [2020-0610](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning and Sustainability for a text amendment to revise Section 4.1.3 (Table 4.1 Use Table) to allow veterinary clinics in the MU-4 (Mixed Use- 4) and MU-5 (Mixed Use-5) Districts and Section 4.2 (Supplemental Regulations) of Chapter 27 of the Code of DeKalb County, to reduce impacts of veterinary clinics on surrounding land uses in the MU-1, MU-2, MU-3, MU-4, and MU-5 Districts, and for other purposes.

MOTION was made by Kathie Gannon, seconded by Larry Johnson, that this agenda item be to approve the substitute. Commissioner Mereda Davis Johnson was out of the room and not voting. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 2 - Commissioner Jester, and Commissioner Davis 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 Commissioner Lorraine Cochran-Johnson and seconded by Commissioner Larry Johnson to adjourn the July 30, 2020 Board of Commissioners Zoning meeting at 10:10 p.m. Commissioner Mereda Davis Johnson was out of the room and not voting. Commissioner Nancy Jester was absent from the meeting. The motion carried by the following vote:

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

Absent: 2 - Commissioner Jester, and Commissioner Davis Johnson

Steve Bradshaw

Stephen R. Bradshaw
Presiding Officer

Barbara Sanders-Norwood

Barbara Sanders-Norwood
County Clerk









07.30.2020 Zoning Minutes for signature

Final Audit Report

2020-08-05

Created:	2020-08-04
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"07.30.2020 Zoning Minutes for signature" History

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