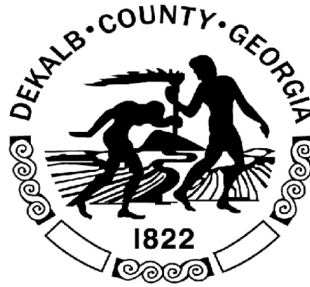


DeKalb County Government

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



Agenda

Thursday, May 23, 2024

5:30 PM

Manuel J. Maloof Auditorium

Board of Commissioners - Zoning Meeting

Comm. Mereda Davis Johnson, Presiding Officer, District 5
Comm. Robert Patrick, Deputy Presiding Officer, District 1

Commissioner Michelle Long Spears, District 2
Commissioner Steve Bradshaw, District 4
Commissioner Edward "Ted" Terry, Super District 6

Call To Order

Roll Call

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.

Deferred Cases

- D1** [2023-1431](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of The Varner Group c/o Bejune Industries to rezone property from C-1 (Local Commercial) zoning district to RSM (Residential Medium Lot) zoning district to construct a townhome community, at 6826 Covington Highway.

Attachments: [Z-24-1246747 Recommended Conditions](#)

[Z-24-1246747 May 2024 Staff Report 6826 Covington Hwy](#)

[Z-24-1246747 Jan 2024 Staff Report 6826 Covington Hwy](#)

[\(1/9/24 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(1/25/24 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(5/2/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- D2** [2023-1467](#) COMMISSION DISTRICT(S): ALL DISTRICTS
Application of the Director of Planning & Sustainability for a text amendment relating to short-term rentals and for other purposes. This text amendment is County-wide.

Attachments: [TA-24-1246762 May 2024 Staff Report Short-Term Rentals](#)
[TA-24-1246762 Jan 2024 Staff Report Short Term Rentals Text Amendment](#)
[CC District 1 Recommendations for Short Term Rentals](#)

(1/9/24 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(1/25/24 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(5/2/24 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(5/14/24 PECS-Planning, Economic Development & Community Services Committee: recommended for deferral to the Board of Commissioners - Zoning Meeting)

- D3** [2023-1142](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 07
Application of Stix & Stones Homes for a major modification of zoning conditions #1 and #2 pursuant to Z-22-1245596 to increase the number of units and construct a single-family detached cottage development at 1484 & 1520 Columbia Drive.

Attachments: [CZ-23-1246630 Recommended Conditions](#)
[CZ-23-1246630 May BOC 2024 Staff Report 1484 & 1520 Columbia Drive](#)
[CZ-23-1246630 March BOC 2024 Staff Report 1484 & 1520 Columbia Dr](#)
[CZ-23-1246630 Nov 2023 Staff Report 1484 & 1520 Columbia Drive](#)

(11/2/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/16/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/5/24 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(3/28/24 Board of Commissioners - Zoning Meeting: deferred to the Board of Commissioners - Zoning Meeting)

- D4** [2023-1146](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06
Application of Fariz Morani for a Special Land Use Permit (SLUP) to build and operate a restaurant with drive through in a C-2 (General Commercial) zoning district within a Town Center (TC) Activity Center, at 1726 Church Street.

Attachments: [SLUP-23-1246650 May 2024 BOC Staff Report 1726 Church Street](#)
[SLUP-23-1246650 March 2024 Staff Report 1726 Church Street](#)
[SLUP-23-1246650 Nov 2023 Staff Report 1726 Church Street](#)

(11/2/23 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

(11/16/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/5/24 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(3/28/24 Board of Commissioners - Zoning Meeting: deferred to the Board of Commissioners - Zoning Meeting)

- D5** [2023-1249](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06
Application of Fariz Morani to rezone from NS (Neighborhood Shopping) zoning district to C-1 (Local Commercial) district within a Town Center (TC) Activity Center to use the existing building to create a drive-through coffee shop, at 3823 North Druid Hills Road.

Attachments: [Z-23-1246698 \(2023-1249\) Recommended Conditions rev. 3.14.2024](#)
[Z-23-1246698 May BOC Staff Report 3823 N Druid Hills Rd](#)
[Z-23-1246698 March BOC Staff Report 3823 N Druid Hills Rd rev. 3.14.2024](#)
[Z-23-1246698 Nov 2023 BOC Staff Report 3823 N Druid Hills Rd](#)

(11/2/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/16/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/5/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

(3/28/24 Board of Commissioners - Zoning Meeting: deferred to the Board of Commissioners - Zoning Meeting)

D6 [2023-1154](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06

Application of Fariz Morani for a Special Land Use Permit (SLUP) to operate a drive through coffee shop within C-1 (Local Commercial) zoning district and within a Town Center (TC) Activity Center, at 3823 North Druid Hills Road.

Attachments: [SLUP-23-1246661 May BOC 2024 Staff Report 3823 N. Druid Hills Road](#)
[SLUP-23-1246661 March BOC Staff Report 3823 N Druid Hills Rd](#)
[SLUP-23-1246661 Nov 2023 BOC Staff Report 3823 N Druid Hills Rd](#)

(11/2/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/16/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/5/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

(3/28/24 Board of Commissioners - Zoning Meeting: deferred to the Board of Commissioners - Zoning Meeting)

New Cases

N1 [2024-0361](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07

Application of Eritrea Geberehiwot for a Special Land Use Permit (SLUP) to operate a child day care for up to 6 children in the R-85 (Residential Medium Lot-85) zoning district, within the Hidden Hills Overlay District, at 1584 S. Hairston Road.

Attachments: [SLUP-24-1246837 May 2024 Staff Report 1584 S. Hairston Road](#)

(5/2/24 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

N2 [2024-0362](#) COMMISSION DISTRICT(S): DISTRICT 05 SUPER DISTRICT 07
Application of Wendy Rios Ochoa for a renewal of a Special Land Use Permit (SLUP) to operate a child day care for up to 6 children in the RSM (Small Lot Residential Mix) zoning district, at 6168 Marbut Road.

Attachments: [SLUP-24-1246895 Recommended Conditions](#)

[SLUP-22-1246895 May 2024 Staff Report 6168 Marbut Road](#)

[\(5/2/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

N3 [2024-0363](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 07
Application of Rosalie Ezekiel for a Special Land Use Permit (SLUP) to operate a private school in R-75 (Residential Medium Lot-75) zoning district, at 2135 Shamrock Drive.

Attachments: [SLUP-24-1246906 Recommended Conditions](#)

[SLUP-24-1246906 May BOC 2024 Staff Report 2135 Shamrock Drive](#)

[\(5/2/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

N4 [2024-0364](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 04 SUPER DISTRICT 07
Application of Proverbs Christian School, LLC for a Special Land Use Permit (SLUP) to allow a child day care facility for up to six (6) children in the RSM (Small Lot Residential Mix) zoning district, at 598 Mountain Harbor.

Attachments: [SLUP-24-1246908 Recommended Conditions May BOC 2024](#)

[SLUP-24-1246908 May BOC 2024 Staff Report 598 Mountain Harbor](#)

[\(5/2/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N5 [2024-0365](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06
Application of Amy Wilson c/o Battle Law, P.C. to rezone property from R-75 (Residential Medium Lot-75) zoning district to C-1 (Local Commercial) zoning district to operate a specialized school for art classes and other art-related activities, at 558 Medlock Road.

Attachments: [Z-24-1246916 Recommended Conditions May BOC 2024](#)
[Z-24-1246916 May BOC 2024 Staff Report 558 Medlock Road](#)

[\(5/2/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N6 [2024-0366](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 06
Application of Erica Morgan for a Special Land Use Permit (SLUP) to allow single-family attached townhomes in Tier 3 of the Bouldercrest Overlay District, the Soapstone Historic District, and the R-100 (Residential Medium Lot-100) zoning district, at 2098 & 2124 Cedar Grove Road.

Attachments: [SLUP-24-1246917 May 2024 Staff Report Cedar Grove Road](#)

[\(5/2/24 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N7 [2024-0367](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of MBA Productions, LLC c/o Giacoma, Roberts, & Daughdrill, LLC for a Major Modification of zoning conditions pursuant to CZ-00069 to allow music recording and photography studios in the O-I (Office-Institutional) zoning district, at 6020, 6038, and 6048 Paul Road.

Attachments: [CZ-24-1246919 Recommended Conditions May BOC 2024](#)
[CZ-24-1246919 May BOC 2024 Staff Report 6020, 6038 & 6048 Paul Road](#)

[\(5/2/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N8** [2024-0110](#) COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07
Application of MARTA to rezone properties from O-I/R-75/MR-1/RSM zoning districts, within the Indian Creek Overlay District to MU-4 (Mixed Use High Density) zoning district, within the Indian Creek Overlay District to allow for a mixed-use, transit-oriented development (TOD) at the Indian Creek Marta station.

Attachments: [Z-24-1246828 MARTA Recommended Conditions 4-25-2024](#)
[Z-24-1246828 MARTA May BOC 2024 Staff Report 3901 Durham Park Road](#)

[\(5/2/24 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N9** [2024-0114](#) COMMISSION DISTRICT(S): COMMISSION DISTRICTS 03, 04 & 05; SUPER DISTRICT 06 & 07
Application of the Director of the DeKalb County Planning & Sustainability department to request text amendments to the Zoning Ordinance, 27-3.41 DIVISION 41. - COVINGTON AND INDIAN CREEK DISTRICTS. This text amendment is for properties within the boundary of the Covington and Indian Creek Districts.

Attachments: [TA-24-1246831 Ch. 27 3.41 DIVISION 41. COVINGTON & INDIAN CREEK DISTRICTS May 2024](#)

[\(5/2/24 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)