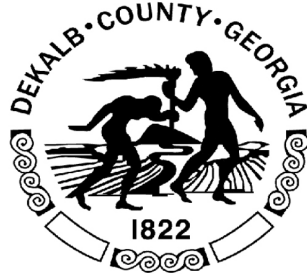


DeKalb County Government

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



Meeting Minutes

Tuesday, September 26, 2017

Reconvened at 6:30 PM

Manuel J. Maloof Auditorium

Board of Commissioners - Zoning Meeting

*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** 6 - Nancy Jester, Larry Johnson, Kathie Gannon, Steve R Bradshaw, Mereda Davis Johnson, and Gregory Adams
- Absent** 1 - Jeff Rader

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

2017-1076 Reconvene

MOTION was made by Mereda Davis Johnson, seconded by Nancy Jester, that this agenda item be approved to reconvene the September 26, 2017 Board of Commissioners Zoning Meeting. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

Absent: 1 - Rader

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 [2017-0593](#) Text Amendment - DeKalb BOC - Kensington-Memorial Drive Overlay - TA-17-21605

Attachments: [AgendaItem_package](#)
 [2017 9.26 Item D1 Zoning.pdf](#)

Jan Costello, 1813 S. Hidden Hills Pkwy Stone Mountain, GA 30088, Phyllis Frierson, 1528 Hidden Hills Pkwy Stone Mountain, GA 30088, Shanta Hereford, 1055 Lancashire Circle B14 Stone Mountain, GA 30083, Ray Gilley, 3103 Ladson Court Decatur, GA 30033, Dwight Phillips, 1458 Indian Forest Ct. Stone Mountain, GA 30083, Kristi Castlin 1458 Indian Forest Ct. Stone Mountain, GA 30083, Angelo Taylor, 3745 Brookside Pkwy Decatur, GA 30034, spoke in favor

Mike Cooper, 663 Ridge Ave. Stone Mountain, GA 30083, Larry Rucker, 1051 Crown Blvd. Stone Mountain, GA 30083, Tony Nastri, 3886 Bretton Woods Rd. Decatur, GA 30032, Rosa Waymon, 970 Allgood Rd. Stone Mountain, GA 30083, Beth Thompson, 780 Rowland Road Stone Mountain, GA 30083, Michele Henson, 4140 Creek Stone Ct., Stone Mountain, GA 30083, spoke in opposition

MOTION was made by Steve R Bradshaw, seconded by Mereda Davis Johnson, that this agenda item be approved with the substitute submitted from the floor and attached maps, solely consisting of tiers 1 and 3 of the Kensington-Memorial Drive Overlay District, a copy of which has been provided to the Clerk. The substitute Overlay Ordinance does not include tiers 2, 4, 5, and 6 of the originally proposed ordinance that was presented to the Planning Commission and appeared tonight on the Board of Commissioners' agenda for Public Hearing and consideration after proper notice and advertising were made, but is otherwise materially unchanged from the ordinance properly published and placed on tonight's agenda that consisted of 6 tiers. Commissioner Nancy Jester opposed. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 5 - Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

No: 1 - Jester

Absent: 1 - Rader

D.2 [2017-0598](#) Major Modification - DeKalb Co. Board of Commissioners - CZ-17-21564

Attachments: [D2 DeKalb BOC CZ 17 21564](#)

MOTION was made by Larry Johnson, seconded by Gregory Adams, that this agenda item be approved with 8 staff conditions, and to add condition #7 back to the list, from the original conditions from 2012. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

Absent: 1 - Rader

D.3 [2017-0898](#) SLUP-17-21417 Mark Ferguson
Deferred from May 23, 2017.

Attachments: [D3 Nola Kitchen SLUP 17 21417](#)

Mary Jo Duncanson, 563 Emory Oaks Way Decatur, GA 30033, spoke in opposition

MOTION was made by Kathie Gannon, seconded by Nancy Jester, that this agenda item be withdrawn without prejudice. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

Absent: 1 - Rader

New Cases

N.1 [2017-0905](#) Rezone - Z-17-21711- Silver Hill Homes.

Attachments: [Attachment 2 -- Recommended Conditions](#)
[Recommended Conditions](#)

Jillian Arnold, 1230 Peachtree St. Atlanta, GA 30309, spoke in favor

MOTION was made by Kathie Gannon, seconded by Gregory Adams, that this agenda item be approved with 6 conditions as noted by the applicant and Planning Department. Commissioner Jeff Radar was absent from the meeting. Items 2017-0905 and 2017-0907 were heard together. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Gannon, Bradshaw, Davis Johnson, and Adams

Absent: 1 - Rader

N.2 [2017-0907](#) Rezone - Z-17-21712 - Silver Hill Homes.

Attachments: [Attachment 1 -- Staff Report, Application, Maps & Graphics](#)
[Attachment 2 -- Recommended Conditions](#)

Jillian Arnold, 1230 Peachtree St. Atlanta, GA 30309, spoke in favor

MOTION was made by Kathie Gannon, seconded by Gregory Adams, that this agenda item be approved with 3 conditions as noted by the applicant and Planning Department. Commissioner Jeff Radar was absent from the meeting. Items 2017-0905 and 2017-0907 were heard together. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

Absent: 1 - Rader

N.3 [2017-0897](#) Special Land Use Permit - SLUP-17-21706 - Carla McKenzie and Shamee Vickers.

Attachments: [Attachment 1 -- Recommended Conditions](#)
[Attachment 2 -- Staff Report, Application, Maps, & Graphics](#)

Ann Thomas, 2086 Powhatan Ellenwood, GA 30294, Stephen Binney, 1083 Seville Dr. Clarkston, GA 30021, Carla McKenzie & Shuhnee Vickers, 3651 Telstar Dr. Ellenwood, GA 30294, spoke in favor

MOTION was made by Kathie Gannon, seconded by Larry Johnson, that this agenda item be withdrawn without prejudice. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

Absent: 1 - Rader

N.4 [2017-0885](#) Special Land Use Permit - SLUP-17-21609 - Carol Tavares.

Attachments: [Attachment 1 - Recommended Conditions](#)
[Attachment 2 - Staff Report and Application](#)

Shawn Martin, 3146 Greenvale Way Decatur, GA 30034, spoke in favor

MOTION was made by Larry Johnson, seconded by Gregory Adams, that this agenda item be deferred 2 weeks, until October 10, 2017 for Decision Only. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

Not Present: 1 - Rader

N.5 [2017-0892](#) SLUP-17-21701 Charmelle Scott.

Attachments: [N5 Charmelle Scott SLUP 17 21701](#)
[2017 9.26 Item N5 Zoning- Charmell Scott.pdf](#)

Mike Cooper, 663 Ridge Ave. Stone Mountain, GA 30083, Joe Arrington, 466 S. Rays Rd. Stone Mountain, GA 30083, John Sandifer, 5384 Old Rockbridge Rd. Stone Mountain, GA 30083, Charmell Scott, Stone Mountain, GA (no zipcode), spoke in favor

MOTION was made by Steve R Bradshaw, seconded by Gregory Adams, that this agenda item be approved with 11 staff conditions. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

Absent: 1 - Rader

N.6 [2017-0903](#) Special Land Use Permit, SLUP-17-21707 Vanessa Charles.

Attachments: [N6 Vanessa Charles SLUP 17 21707](#)

Rushell Williams, 6856 Cavalier Ct. Stone Mountain, GA 30087, spoke in favor

Mike Cooper, 663 Ridge Ave. Stone Mountain, GA 30083, spoke in opposition

MOTION was made by Steve R Bradshaw, seconded by Gregory Adams, that this agenda item be deferred for a full cycle, until November 14, 2017. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Gannon, Bradshaw, Davis Johnson, and Adams

Absent: 1 - Rader

N.7 [2017-0906](#) Rezoning, Z-17-21582 Indore Investment Inc.

Attachments: [N7 Indore Investment Inc Z 17 21582](#)

Eugene Tolliver, 4113 Kimlie Ct. Decatur, GA 30035, Samson Burrell, 4228 Carrollwood Dr. Stone Mountain, GA 30083, Gwen Williams, DeKalb (no address), spoke in opposition

MOTION was made by Mereda Davis Johnson, seconded by Gregory Adams, that this agenda item be withdrawn without prejudice. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

Absent: 1 - Rader

N.8 [2017-0908](#) Special Land Use Permit - Ramana R. Bathini.

Attachments: [N8 Frank Redding SLUP 17 21696](#)

Curt Thompson, 6320 Glenbrook Drive Tucker, GA 30084, spoke in favor

Jan Costello, 1813 S. Hidden Hills Pkwy Stone Mountain, GA 30088, Stephen M. Binney, 1083 Seville Dr. Clarkston, GA 30021, Samson Burrell, 4228 Carrollwood Dr. Stone Mountain, GA 30083, Eugene Toliver, 413 Kimlie Ct. Decatur, GA 30035, spoke in opposition

MOTION was made by Mereda Davis Johnson, seconded by Nancy Jester, that this agenda item be deferred 30 days, until October 24, 2017 for Decision Only. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

Absent: 1 - Rader

ADJOURNMENT:

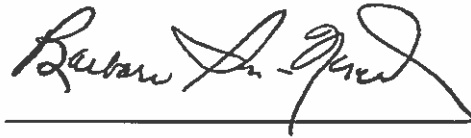
There being no further official business, MOTION was made by Nancy Jester, seconded by Kathie Gannon, to adjourn the September 26, 2017 Board of Commissioners Zoning meeting at 8:32 p.m. Commissioner Jeff Radar was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Jester, Johnson, Bradshaw, Davis Johnson, Gannon, and Adams

Absent: 1 - Rader



Kathie Gannon
Presiding Officer



Barbara Sanders-Norwood
County Clerk