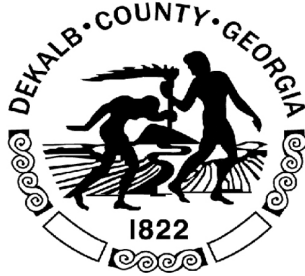


# DeKalb County Government

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



## Summary

Thursday, January 25, 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 Robert Patrick, District 1*

*Commissioner Michelle Long Spears, 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*

**Administration:** Barbara Sanders-Norwood, County Clerk, Matthew C. Welch, Deputy County Attorney

## 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 [2023-0592](#)

**COMMISSION DISTRICT(S): Commission District 05 Super District 07  
Application of Smith, Gambrell, and Russell, LLP requesting to rezone from  
RSM (Residential Small Mix) zoning district to C-1 (Local Commercial)  
zoning district to allow for a retail commercial development, at 5646 and 5650  
Covington Highway.**

**Withdrawn without prejudice**

D2 [2023-0593](#)

**COMMISSION DISTRICT(S): Commission District 05 Super District 07**  
**Application of Smith, Gambrell, and Russell, LLP requesting a Special Land Use Permit (SLUP) to allow alcohol sales within a retail commercial development in a C-1 (Local Commercial) zoning district and the Greater Hidden Hills Tier I Overlay District, at 5646 and 5650 Covington Highway.**

**Withdrawn without prejudice**

### New Cases

N1 [2023-1426](#)

**COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 07**

**Application of Dianne C. Belle for a Special Land Use Permit (SLUP) to allow a home occupation with customer contacts in the R-100 (Residential Medium Lot) zoning district, at 3684 Seton Hall Way.**

**Approved with conditions**

N2 [2023-1427](#)

**COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 07**

**Application of Samantha Maffey for a Special Land Use Permit (SLUP) to allow a bank with a drive through in the C-1 (Local Commercial) zoning district and Tier 1 of the I-20 Overlay District, at 2445 Wesley Chapel Road.**

**Approved with conditions**

N3 [2023-1428](#)

**COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07**

**Application of Michael Reynolds for a Major Modification of zoning conditions pursuant to CZ-87086 to construct a hardware store in the C-1 (Local Commercial) zoning district and Tier 1 of the Hidden Hills Overlay District. 5440 Covington Highway.**

**Deferred to the next meeting on February 14, 2024 for Decision Only**

- N4      [2023-1429](#)      COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06  
Application of Mark Ferguson for a Special Land Use Permit (SLUP) to allow the existing Po' Boy Shop restaurant to operate as a late-night establishment (beyond 12:30 am) in the C-1 (Local Commercial) zoning district, at 1369 Clairmont Road.  
**Approved with 7 conditions with a modification to condition number 7 which states: This SLUP must be renewed by the applicant within 36 months of the date of approval by the Board of Commissioners, unless the Director of Planning & Sustainability finds no evidence of any conviction(s) related to the approved late night establishment activity within 30 months following the date of approval. Notice of findings regarding conviction(s), or lack thereof, shall be provided by the Director of Planning & Sustainability to the applicant, district commissioner, and super district commissioner**
- N5      [2023-1430](#)      COMMISSION DISTRICT(S): COMMISSION DISTRICT 03 SUPER DISTRICT 06  
Application of Theresa Walcot-Ceesay for a Special Land Use Permit (SLUP) to allow for a Community Living Arrangement (CLA) in the NS (Neighborhood Shopping) zoning district and Tier 2 of the I-20 Overlay District, at 4077 Flat Shoals Parkway.  
**Approved with conditions**
- N6      [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.  
**Deferred for two full cycles, until May 23, 2024**
- N7      [2023-1432](#)      COMMISSION DISTRICT(S): COMMISSION DISTRICT 02 SUPER DISTRICT 06  
Application of AP Zonolite, LLC c/o Troutman, Pepper, Hamilton & Sanders, LLP to rezone property from M (Light Industrial) zoning district to C-1 (Local Commercial) zoning district to expand the office and commercial uses on the property, at 1075 Zonolite Road.  
**Deferred until February 27, 2024 for Decision Only**

N8 [2023-1433](#)

**COMMISSION DISTRICT(S): COMMISSION DISTRICT 05 SUPER DISTRICT 07**

**Application of Ashley Denis for a Special Land Use Permit (SLUP) to allow a Personal Care Home (PCH) for up to six (6) persons in the R-85 (Residential Medium Lot) zoning district, at 2056 Tudor Castle Circle.**

**Withdrawn without prejudice**

N9 [2023-1466](#)

**COMMISSION DISTRICT(S): ALL DISTRICTS**

**Application of the Director of Planning & Sustainability for a text amendment relating to film studio requirements and for other purposes. This text amendment is County-wide.**

**Deferred 60 days, until March 26, 2024 for Public Hearing**

N10 [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.**

**Deferred for two full cycles, until May 23, 3024**

2024-0199

Add Item

**Approved**

[2023-1200](#)

**Commission District(s): All Districts**

A Request for the Director of Planning & Sustainability to amend the text of the DeKalb County Zoning Ordinance to expand commercial filming opportunities.

**Withdrawn**

N11 [2024-0142](#)

**Commission District(s): COMMISSION DISTRICT 03 SUPER DISTRICT 07**

**Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 3488 Mosley Road, Ellenwood, Georgia 30294.**

**Deferred until March 28, 2024**

N12 [2024-0143](#)

**Commission District(s): COMMISSION DISTRICT 03 SUPER DISTRICT 07**

**Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 4071 Old River Road, Ellenwood, Georgia 30294.**

**Deferred until March 28, 2024**

N13 [2024-0144](#)

**Commission District(s): COMMISSION DISTRICT 03 SUPER DISTRICT 07**

**Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 4083 Old River Road, Ellenwood, Georgia 30294.**

**Deferred until March 28, 2024**

N14 [2024-0145](#)

Commission District(s): COMMISSION DISTRICT 04 SUPER DISTRICT 06

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 319 3rd Avenue, Scottdale, Georgia 30002.

**Deferred until March 28, 2024**

N15 [2024-0146](#)

Commission District(s): COMMISSION DISTRICT 04 SUPER DISTRICT 06

Application of DeKalb County Recreation, Parks, and Cultural Affairs to approve the resolution and authorize the chief executive officer to sign and execute all necessary documents to exercise the power of eminent domain to acquire the property located at 304 Creighton Avenue, Scottdale, Georgia 30079.

**Deferred until March 28, 2024**