

DeKalb County Government

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



Meeting Minutes

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

Present: 6 - Commissioner Robert Patrick, Commissioner Larry Johnson, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, Commissioner Ted Terry and Commissioner Lorraine Cochran-Johnson

Absent: 1 - Commissioner Michelle Long Spears

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.

**MOTION was made by Mereda Davis Johnson, seconded by
Lorraine Cochran-Johnson, that this agenda item be withdrawn
without prejudice. Items 2023-0592, 2023-0593 were heard
together. Commissioner Michelle Long Spears was absent from
the meeting. The motion carried by the following vote:**

Yes: 6 - Commissioner Patrick, Commissioner Johnson,
Commissioner Bradshaw, Commissioner Davis
Johnson, Commissioner Terry, and Commissioner
Cochran-Johnson

Absent: 1 - Commissioner Long Spears

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.

**MOTION was made by Mereda Davis Johnson, seconded by
Lorraine Cochran-Johnson, that this agenda item be withdraw
without prejudice. The motion carried by the following vote:**

Yes: 6 - Commissioner Patrick, Commissioner Johnson,
Commissioner Bradshaw, Commissioner Davis
Johnson, Commissioner Terry, and Commissioner
Cochran-Johnson

Absent: 1 - Commissioner Long Spears

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.

Support: Dianne Courtney Belle 03684 Seton Hall Way Decatur GA 30034

Opposition: None

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with conditions. Commissioner Michelle Long Spears was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Long Spears

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.

Support: Dianne Courtney Belle 03684 Seton Hall Way Decatur GA 30034

Opposition: None

MOTION was made by Larry Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be approved with conditions. Commissioner Michelle Long Spears was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Long Spears

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.

*Support: Alessandra (Ali) Palmer- 1200 Peachtree Street Northeast Ste. 800
Atlanta GA 30309*

Opposition: None

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred to the next meeting on February 14, 2024 for Decision Only. Commissioner Michelle Long Spears was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Long Spears

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.

Support: Jim Smith- 716 Densley Drive Decatur GA 30033, Mark Ferguson- 4340 Ashwoody Trail Northeast Brookhaven GA 30342

Opposition: None

MOTION was made by Ted Terry, seconded by Lorraine Cochran-Johnson, that this agenda item be 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. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Long Spears

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.

Support: Theresa H Walcot- Leesay- 4077 Flat Shoals Parkway Decatur GA 30038

Opposition: None

MOTION was made by Larry Johnson, seconded by Ted Terry, that this agenda item be approved with conditions. Commissioner Michelle Long Spears was absent from the meeting. The motion carried by the following vote:

Yes: 6 - Commissioner Patrick, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 1 - Commissioner Long Spears

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.

Support: Adise Besune-461 Trousseau Lane McDonough GA 30252

Opposition: None

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred for two full cycles, until May 23, 2024. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

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.

Support: Henry Bailey- 600 Peachtree Street Atlanta GA 30308

Opposition: None

MOTION was made by Ted Terry, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred until February 27, 2024 for Decision Only. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

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.

Support: None

Opposition: Charles F. Peagler- 4534 Dover Castle Drive Decatur GA 30035

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be withdraw without prejudice. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

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.

Support: Shelbia Jackson- 1 West Court Square Decatur GA 30030

Opposition: Mary Hinkel-1718 Mason Mill Road Northeast Atlanta GA 30329

MOTION was made by Robert Patrick, seconded by Ted Terry, that this agenda item be deferred 60 days, until March 26, 2024 for Public Hearing. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

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.

MOTION was made by Robert Patrick, seconded by Ted Terry, that this agenda item be deferred for two full cycles, until May 23, 2024. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

2024-0199 Add Item

MOTION was made by Robert Patrick, seconded by Ted Terry, that this agenda item be approved. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

[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.

MOTION was made by Robert Patrick, seconded by Ted Terry, that this agenda item be withdrawn. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

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.

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred, until March 28, 2024. Items 2024-0142, 2024-0143, 2024-0144, 2023-0145, 2024-0146 were heard together. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

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.

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred, until March 28, 2024. Items 2024-0142, 2024-0143, 2024-0144, 2023-0145, 2024-0146 were heard together. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

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.

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred, until March 28, 2024. Items 2024-0142, 2024-0143, 2024-0144, 2023-0145, 2024-0146 were heard together. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

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.

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred, until March 28, 2024. Items 2024-0142, 2024-0143, 2024-0144, 2023-0145, 2024-0146 were heard together. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson

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.

MOTION was made by Mereda Davis Johnson, seconded by Lorraine Cochran-Johnson, that this agenda item be deferred, until March 28, 2024. Items 2024-0142, 2024-0143, 2024-0144, 2023-0145, 2024-0146 were heard together. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner 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:

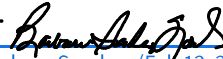
There being no further official business, MOTION was made by Robert Patrick, seconded by Steve Bradshaw, that this agenda item be approved to adjourn the January 25, 2024 Board of Commissioners Zoning meeting at 7:57 p.m. Commissioner Michelle Long Spears was absent from the meeting and Commissioner Larry Johnson was absent during this vote. The motion carried by the following vote:

Yes: 5 - Commissioner Patrick, Commissioner Bradshaw, Commissioner Davis Johnson, Commissioner Terry, and Commissioner Cochran-Johnson

Absent: 2 - Commissioner Long Spears, and Commissioner Johnson



Mereda Davis Johnson
Presiding Officer



Barbara Sanders (Feb 12, 2024 16:37 EST)

Barbara Sanders-Norwood
County Clerk