

DeKalb County Government

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



Summary

Thursday, January 27, 2022

5:30 PM

via ZOOM

Board of Commissioners - Zoning Meeting

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

*Commissioner Robert Patrick, District 1
Commissioner Jeff Rader, 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, Viviane Ernstes, County Attorney

The DeKalb County Board of Commissioners will hold its online zoning meeting on Thursday, January 27, 2022 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 DCTV's webpage, and on DCTVChannel23.TV. <https://video.ibm.com/channel/dctv-channel-23>

TO participate and Join from PC, Mac, Linux, iOS or Android: or
<https://dekalbcountyga.zoom.us/j/94883110323> Or Telephone: Dial: USA 602 333 0032 USA 8882709936
(US Toll Free) 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

Call To Order

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.

Roll Call

Deferred Cases

D1 [2021-2910](#)

COMMISSION DISTRICT(S): Commission District 03; Super District 07
Application of Griffin & Davis Consulting, Inc. Rezone property from R-75 (Residential Medium Lot - 75) to RSM (Residential Small Lot Mix) Zoning District to allow for development of single-family attached townhomes, at 1484 Columbia Drive.

Withdrawn without prejudice

D2 [2021-2638](#)

COMMISSION DISTRICT(S): Commission District: 02; Super District: 06
Application of David Kirk to rezone property from NS (Neighborhood Shopping) District to C-1 (Local Commercial) District to allow for development of a new drive-through restaurant, at 3795 North Druid Hills Road.

Deferred for two full cycles, until May 26, 2022 for Public Hearing

D3 [2021-2639](#)

COMMISSION DISTRICT(S): Commission District: 02; Super District: 06
Application of David Kirk to request a Special Land Use Permit (SLUP) to allow a drive through facility in Town Center Character Area, at 3795 North Druid Hills Road.

Deferred for two full cycles, until May 26, 2022 for Public Hearing

D4 [2021-2641](#)

COMMISSION DISTRICT(S): Commission District 04; Super District 06
Application of Mosaic Communities c/o Battle Law to rezone properties from R-85 (Residential Medium Lot-85) District to RSM (Small Lot Residential Mix) District to allow single-family cottages, conventional single-family detached homes, urban single-family attached and detached units, and duplexes, at 3943 Norman Road.

Deferred to the next meeting, until February 8, 2022 for Decision Only

D5 [2021-3156](#)

COMMISSION DISTRICT(S): Commission District 04; Super District 07
Application of Builders Professional Group, LLC c/o Battle Law, PC to rezone property from R-100 (Residential Medium Lot- 100) to R-75 (Residential Medium Lot - 75) to allow for the construction of a single-family detached residential subdivision, at 5277 Rockbridge Road.

Deferred for 30 days, until February 22, 2022 for Public Hearing

D6 [2021-3159](#)

COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability to amend Section 7.4.6 of the DeKalb County Zoning Ordinance to modify criteria to be considered in evaluating and deciding an application for a Special Land Use Permit (SLUP). This text amendment is County-wide.

Deferred for 45 days, until March 8, 2022 for Decision Only

D7 [2021-3160](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning and Sustainability to amend Section 27-7.5.3 (A)(1) of the DeKalb County Zoning Ordinance to refine variance criteria for the Zoning Board of Appeals. This text amendment is County-wide.

Deferred for 45 days, until March 8, 2022 for Decision Only

New Cases

N1 [2021-3515](#)

COMMISSION DISTRICT(S): District 05 Super District 07

Application of Luxury Living Experience PCH for a Special Land Use Permit (SLUP) for a personal care home for four to six persons in the RSM (Small Lot Residential Mix) Zoning District, at 2038 Mallard Way.

Approved with conditions

N2 [2021-3516](#)

COMMISSION DISTRICT(S): District 03 Super District 06

Application of Rockhaven Homes LLC c/o Battle Law, P.C. to rezone from R-100 (Residential Medium Lot-100) to RSM (Small Lot Residential Mix) Zoning District to allow the construction of single-family detached homes, at 2717 Whitfield Road.

Deferred for a full cycle, until March 24, 2022

N3 [2021-3517](#)

COMMISSION DISTRICT(S): District 04 Super District 07

Application of Salahadin Kazili for a Special Land Use Permit (SLUP) for an alcohol outlet within an existing shopping center in the C-2 (General Commercial) Zoning District, at 971 N. Hairston Road.

Denied

N4 [2021-3518](#)

COMMISSION DISTRICT(S): Commission District 03 Super District 06 & 07

Application of Harold Buckley, Jr. for Caliber Car Wash for a Major Modification of Conditions approved, pursuant to CZ-14-19143, to allow a drive-through car wash in a C-1 (Local Commercial) District, at 3644 Memorial Drive.

Deferred for a full cycle, until March 24, 2022

- N5** [2021-3519](#) **COMMISSION DISTRICT(S): Commission District 03 Super District 06 & 07**
Application of Harold Buckley, Jr. for Caliber Car Wash for a Special Land Use Permit (SLUP) to allow a drive-through car wash in a C-1 (Local Commercial) District, at 3644 Memorial Drive.
Deferred for a full cycle, until March 24, 2022
- N6** [2021-3520](#) **COMMISSION DISTRICT(S): Commission District 03 Super District 06**
Application of Magnolia Gardens PCH, dba Magnolia Cove, for a Special Land Use Permit (SLUP) for a personal care home of up to four persons in the R-100 (Residential Medium Lot-100) Zoning District, at 3956 Ambrose Ridge Court.
Deferred for 2 weeks, February 8, 2022 for Decision Only
- N7** [2021-3521](#) **COMMISSION DISTRICT(S): Commission District 03 Super Districts 06 and 07**
Application of DeAndre Mathis for a Special Land Use Permit (SLUP) for a proposed boutique wine shop within the C-1 (Local Commercial) Zoning District and the I-20 Overlay District, at 1691 Candler Road.
Deferred for 30 days, until February 22, 2022 for Decision Only
- N8** [2021-3522](#) **COMMISSION DISTRICT(S): Commission District 04 Super District 07**
Application of Kyle Williams to rezone properties from R-100 (Residential Medium Lot-100) to RSM (Small Lot Residential Mix) Zoning District to allow for the construction of single family detached residences, at 4994 Rockbridge Road.
Deferred for two full cycles, until May 26, 2022
- N9** [2021-3523](#) **COMMISSION DISTRICT(S): Commission District 03 Super District 07**
Application of Dorlette Franklin for a Special Land Use Permit (SLUP) for a proposed child daycare (up to six) in a R-100 (Residential Medium Lot-100) Zoning District, at 3640 Platina Park Court.
Approved with conditions