

DeKalb County Government

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



Agenda

Tuesday, September 24, 2019

6:30 PM

Manuel J. Maloof Auditorium

Board of Commissioners - Zoning Meeting

Commissioner Jeff Rader, Presiding Officer, District 2
Commissioner Steve Bradshaw, Deputy Presiding Officer, District 4

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 Lorraine Cochran-Johnson, Super District 7

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.

New Cases

- N1** [2019-4068](#) COMMISSION DISTRICT(S): 2 & 7
Application of Elizabeth G Newsom to request a Special Land Use Permit (SLUP) to allow a home occupation (skincare studio) with customer contact in a R-75 (Residential Medium Lot) District, at 1513 Frazier Road.

Attachments: [Staff Report N1 Elizabeth G Newsom SLUP 19 1243346](#)
[Recommended Conditions SLUP 19 1243346](#)

[\(9/10/19 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N2** [2019-4069](#) COMMISSION DISTRICT(S): 2 & 6
Application of Elegant Homes, LLC to rezone property from R-85 (Residential Medium Lot-85) to RSM (Residential Small Lot Mix) to allow development of a 16-unit mixed residential development, at 1051, 1047 & 1043 Briarcliff Road.

Attachments: [Z 19 1243376 Staff Report 9-24-19 BOC](#)

[\(9/10/19 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N3 [2019-4070](#) COMMISSION DISTRICT(S): 1 & 7
Application of Mumtaz Alli c/o Hilliard Starkey Law for a Special Land Use Permit for an alcohol outlet (alcohol sales in a convenience store) in a C-1 (Local Commercial) District, at 3645 Chamblee Tucker Road.

Attachments: [SLUP-19-1243377 Staff Report 9-10-19, 9-24-19](#)

(9/10/19 Planning Commission: [denied to the Board of Commissioners - Zoning Meeting](#))

- N4 [2019-4071](#) COMMISSION DISTRICT(S): 4 & 6
Application of Woodland Asset Management for a Special Land Use Permit for a proposed restaurant with a drive through in a C-1 (Local Commercial) District, at 5100 Memorial Drive.

Attachments: [N4 Staff Report SLUP 19 1243380](#)
[Recommended Conditions SLUP 19 1243380](#)

(9/10/19 Planning Commission: [approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

- N5 [2019-4072](#) COMMISSION DISTRICT(S): 3 & 6
Application of Loren Wimpfheimer to rezone from R-75 (Residential Medium Lot) District to RSM (Small Lot Residential Mix) District for 64 single family attached townhomes, at 1639 Eastland Road.

Attachments: [N5 Staff Report Z 19 1243381](#)
[Z-19-1243381 Conditions](#)

(9/10/19 Planning Commission: [approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

- N6 [2019-4073](#) COMMISSION DISTRICT(S): 3 & 7
Application of LBM ATL, LLC c/o Barbara Odom to rezone property from R-100 (Residential Medium Lot) to RSM (Small Lot Residential Mix) District to construct up to twenty-two single-family attached or detached units, at 5065 Flat Shoals Parkway.

Attachments: [N6 LBM ATL LLC Z-19-1243383](#)

(9/10/19 Planning Commission: [denial per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

- N7 [2019-4074](#) COMMISSION DISTRICT(S): 3 & 7
Application of Georgia General Snapfinger Dev c/o Battle Law to amend the 2035 Future Land Use Plan Map from SUB (Suburban) to TC (Town Center), at 2658 Kelley Chapel Road.

Attachments: [N7 LP-19-1243384 GA General Snapfinger](#)

[\(9/10/19 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N8 [2019-4075](#) COMMISSION DISTRICT(S): 3 & 7
Application of Georgia General Snapfinger Dev c/o Battle Law to rezone property from R-100 (Residential Medium Lot-100) to MR-1 (Medium Density Residential-1) for a mixed residential development, at Kelley Chapel Road and Snapfinger Road.

Attachments: [Z 19 1243385 Staff Report](#)

[\(9/10/19 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N9 [2019-4076](#) COMMISSION DISTRICT(S): 3 & 6
Application of Otto Tract No. 10, LLC c/o Battle Law to Amend The 2035 Future Land Use Plan Map from Neighborhood Center (NC) to Light Industrial (LIND), at 3101 Clifton Springs Road.

Attachments: [N9 LP-19-1243387 Otto No. 10 LLC 3 & 6](#)

[\(9/10/19 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N10 [2019-4077](#) COMMISSION DISTRICT(S): 3 & 6
Application of Otto Tract No 10 c/o Battle Law to rezone property from MU-4 (Mixed Use High Density) District to M (Light-Industrial) District to develop a distribution warehouse within Tier 2 of the I- 20 Overlay District, at 3101 Clifton Springs Road.

Attachments: [Staff Report N10 Otto Tract No. 10 LLC Z 19 1243386](#)

[\(9/10/19 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N11** [2019-4078](#) COMMISSION DISTRICT(S): 3 & 6
Application of Otto Tract No. 10 LLC c/o Battle Law to rezone property from MU-4 (Mixed Use High Density) District to MR-1 (Medium Density Residential-1) District within Tier 2 of the 1-20 Overlay District, at 3101 Clifton Springs Road.

Attachments: [Staff Report N11 Otto Tract No 10 LLC Z 19 1243388](#)

[\(9/10/19 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N12** [2019-4079](#) COMMISSION DISTRICT(S): 3 & 6
Application of Natasha Taylor to rezone property from R-75 (Residential Medium Lot-75) District to RSM (Residential Small Lot Mix) District to construct a two-family residence (“duplex”), at 316 Wilkinson Drive.

Attachments: [N12 Natesha Tayler Z-19-1243389](#)

[\(9/10/19 Planning Commission: Full cycle deferral to the Board of Commissioners - Zoning Meeting\)](#)

- N13** [2019-4122](#) COMMISSION DISTRICT(S): ALL DISTRICTS
Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Article 5.4.7, Fences, walls and retaining walls and Article 9.1.3.

Attachments: [Sec. 5.4.7 text amendments 9-3-19](#)

[\(9/10/19 Planning Commission: Full cycle deferral to the Board of Commissioners - Zoning Meeting\)](#)

- N14** [2019-4123](#) COMMISSION DISTRICT(S): ALL DISTRICTS
Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Article 2 to correct scriveners’ errors.

Attachments: [Scriveners Errors](#)

[\(9/10/19 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

- N15** [2019-4124](#) COMMISSION DISTRICT(S): ALL DISTRICTS
Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance to add Film/Movie production to the Use Table 4.1.

Attachments: [Use Table Film Movie](#)

(9/10/19 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)