

DeKalb County Government

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



Agenda

Thursday, July 28, 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

The DeKalb County Board of Commissioners will hold its online zoning meeting on Thursday, July 28 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** [2020-1543](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning and Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 4.2.60 (Supplemental Regulations) to address Small Box Discount Retailers, to amend Section 9.1.3 (Defined Terms) to create definition for Small Box Discount Retailers, and for other purposes; and to amend Section 4.1.3 Use Table pertaining to Small Box Discount Retailers. This text amendment is County-wide.

Attachments: [Small Box Discount Retailers TA-21-1244279 BOC Staff Report July 2022](#)

[Small Box Discount Retail Store Staff Report PC July 2022](#)

[TA-21-1244279](#)

[TA-21-1244279 2020-1543 May BOC 2022 Small Box Discount Retailers Staff Report](#)

[D3. TA-21-1244279 March 2022 Small Box Discount Retailers Staff Report](#)

[D5. TA-21-1244279 Nov 2021 Small Box Discount Retailers Staff Report](#)

[D1 TA-21-1244279 Sept 2021 Small Box Discount Retailers Staff Report](#)

[D1 TA-21-1244279 July 2021 Small Box Discount Retailers Staff Report](#)

[TA-21-1244279 Staff Report March 2021 BOC](#)

[\(1/7/21 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting\)](#)

[\(1/28/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting\)](#)

[\(3/2/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(3/25/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

[\(7/8/21 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting\)](#)

[\(7/29/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting\)](#)

[\(9/9/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting\)](#)

(9/30/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/4/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(11/18/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/1/22 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(3/24/22 Board of Commissioners - Zoning Meeting: Full cycle deferral to the Board of Commissioners - Zoning Meeting)

(5/3/22 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(5/26/22 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(7/12/22 Planning Commission: Full cycle deferral to the Board of Commissioners - Zoning Meeting)

D2 [2020-1546](#)

COMMISSION DISTRICT(S): All Districts

Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, including, but not limited to Section 9.1.3 (Definitions), Section 4.1.3 (Land Use Table), and Section 4.2 (Supplemental Regulations) of the DeKalb County Zoning Ordinance relating to automobile land uses, and for other purposes. This text amendment is County-wide.

Attachments: [Auto Brokers Text Amendment TA-21-1244414 BOC July 2022 Staff Report](#)

[Auto Brokers Text Amendment TA-21-1244414 PC July 2022](#)

[D2. TA-21-1244414 Staff Report March 2022](#)

[D2. TA-21-1244414 Auto Brokers Staff Report Sept. 2021](#)

[TA-21-1244414 Auto Brokers Staff Report July BOC 2021](#)

[TA-21-1244414 2020-1546 Auto Brokers Text amendment 3.0](#)

[TA-21-1244414 2020-1546 Auto Brokers May 2021 BOC](#)

[TA 21 1244414 Jan 2021 Staff Report](#)

(1/7/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(1/28/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(5/6/21 Planning Commission: denied to the Board of Commissioners - Zoning Meeting)

(5/27/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the PECS-Planning, Economic Development & Community Services Committee)

(7/8/21 Planning Commission: Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting)

(7/29/21 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(9/9/21 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(9/30/21 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/1/22 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/24/22 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(7/12/22 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

D3 [2022-1172](#) COMMISSION DISTRICT(S): Commission District 04 Super District 07 Application of P.E.W. LLC c/o Jon Jordan to rezone property from R-100 (Residential Medium Lot-100) District to RSM (Small Lot Residential Mix) District to construct detached townhomes, at 5488 Rockbridge Road.

Attachments: [Z-22-1245422 Staff Report July 2022 5488 Rbridge Rd.](#)
[Z-21-1245422 5488 Rbridge Rd Staff Report March BOC 2022](#)

(3/3/22 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(3/24/22 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(7/12/22 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

D4 [2022-1471](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of PMZ Developers LLC c/o Battle Law PC to rezone property from Bouldercrest Cedar Grove Moreland Overlay District Tier 5-Corridor1/R-100 (Residential Medium Lot) to RSM (Small Lot Residential Mix) district to allow for single-family detached homes and single-family attached townhomes, at 4101 Bouldercrest Road.

Attachments: [Z-22-1245544 Staff Report July 2022 4101 Bouldercrest Rd](#)
[Z-22-1245544 Staff Report May 2022 4101 Bouldercrest Rd](#)

(5/3/22 Planning Commission: [Full cycle deferral per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

(5/26/22 Board of Commissioners - Zoning Meeting: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

(7/12/22 Planning Commission: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

D5 [2022-1179](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of Clark Property and Porch & Square for a Land Use Plan amendment for properties at 1058 and 1078 Moreland Avenue from TN (Traditional Neighborhood) to CRC (Commercial Redevelopment Corridor), at 1078 Moreland Avenue.

Attachments: [LP-22-1245473 Staff Report July 2022 1058.1078 Moreland Ave.](#)
[LP-22-1245473 Staff Report March 2022 BOC](#)
[LP-22-1245473 Staff Report March 2022 PC](#)

(3/3/22 Planning Commission: [deferred for a full cycle to the Board of Commissioners - Zoning Meeting](#))

(3/24/22 Board of Commissioners - Zoning Meeting: [deferred for two full cycles to the Board of Commissioners - Zoning Meeting](#))

(7/12/22 Planning Commission: [approval per staff recommendation to the Board of Commissioners - Zoning Meeting](#))

New Cases

N1 [2022-1731](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of Clark Property and Porch & Square to rezone from RSM (Small Lot Residential Mix) (conditional) to MR-2 (Medium Density Residential-2) at 1058 and 1078 Moreland Avenue.

Attachments: [Z-22-1245472 Recommended Conditions July 2022](#)
[Z-22-1245472 Staff Report July 2022 1058 and 1078 Moreland Ave](#)

(7/12/22 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N2 [2022-1732](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07 Application of DR Horton Inc c/o Battle Law PC to rezone from R-75 (Residential Medium Lot) District to RSM (Small Lot Res. Mix) to allow for single-family attached townhomes, at 3401 Rainbow Drive. (Applicant has requested withdrawal of this application).

Attachments: [Z-22-1245770 Staff Report July 2022 3401 Rainbow Dr.](#)

(7/12/22 Planning Commission: withdrawn without prejudice per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N3 [2022-1733](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07 Application of Martha Liliana Rodriguez for a Special Land Use Permit (SLUP) for a child day care facility to allow up to six (6) children in an existing single-family home in the R-75 (Residential Medium Lot-75) District, at 2167 Newgate Drive.

Attachments: [Recommended Conditions July 2022 BOC 2022-1733](#)

[SLUP-22-1245771 July 2022 BOC Staff Report 2167 Newgate Dr](#)

(7/12/22 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N4 [2022-1734](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07 Application of Catrina Crowe (firmly represented by L. Ainsley Elliot) to rezone property from R-85 (Residential Medium Lot-85) District to M (Light Industrial) District for a tow yard with temporary vehicle storage, at 7276 Union Grove Road.

Attachments: [Z-22-1245772 BOC Staff Report July 2022 7276 Union Grove Rd](#)

[Z-22-1245772 Staff Report July PC 2022 7276 Union Grove Rd](#)

(7/12/22 Planning Commission: denied to the Board of Commissioners - Zoning Meeting)

- N5 [2022-1735](#) COMMISSION DISTRICT(S): All Districts Application of the Director of Planning & Sustainability for a text amendment for an update to the zoning cycle calendar to change the Planning Commission meeting start time from 5:30 p.m. to 6:00 p.m. This text amendment is County-wide..

Attachments: [Zoning, Land Use and Special Land Use Calendar 2022-2023_rev](#)

(7/12/22 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

