



DeKalb County Government

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

Agenda

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 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

Thursday, September 28, 2023

5:30 PM

Manuel J. Maloof Auditorium

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** [2022-2270](#) COMMISSION DISTRICT(S): All Districts
Application of the Director of Planning & Sustainability for text amendments to the Zoning Ordinance, Chapter 27, to create Section 5.7.9 to consolidate regulations specific to cottage housing development; to amend Article 2 (Residential Zoning Districts: Dimensional Requirements) for the facilitation of cottage housing development in various zoning districts; to amend Section 5.7.5 (Detached Houses) related to cottage housing development, and to revise other applicable sections of the Zoning Ordinance to accommodate cottage housing development.
- (11/1/22 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)
- (11/17/22 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)
- (3/7/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)
- (3/30/23 Board of Commissioners - Zoning Meeting: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)
- (5/2/23 Planning Commission: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)
- (5/25/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)
- (9/12/23 Planning Commission: defer to the Board of Commissioners with no recommendation)
- D2** [2023-0338](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06
Application of Emily M. Johnson to rezone properties from the Bouldercrest Overlay District Tier 5, with underlying zoning of C-1 (Local Commercial) and R-100 (Residential Medium Lot-100) zoning districts to the Bouldercrest Overlay District Tier 3, with underlying zoning of C-1 (Local Commercial) zoning district for the expansion of the existing Safe Haven office building, at 2001 River Road and 2938 Bouldercrest Road.
- (5/2/23 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)
- (5/25/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(9/12/23 Planning Commission: denial per staff recommendation to the Board of Commissioners - Zoning Meeting)

- D3** [2023-0340](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of KBD Development c/o Battle Law, P.C. to rezone from Bouldercrest Overlay Tier 3 & Soapstone Historic District with underlying zoning of R-100 & C-1 to Bouldercrest Overlay District Tier 3 & Soapstone Historic District with underlying zoning of RSM district to allow for construction of single-family attached townhomes, at 2098 & 2021 Cedar Grove Road and 3345 Bouldercrest Road.

(5/2/23 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(5/25/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles to the Board of Commissioners - Zoning Meeting)

(9/12/23 Planning Commission: withdrawal per the applicant's request to the Board of Commissioners - Zoning Meeting)

- D4** [2023-0341](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of KBD Development c/o Battle Law, P.C. for a Special Land Use Permit (SLUP) to allow the construction of single-family attached townhomes in the Bouldercrest Overlay Tier 3 & Soapstone Historic District with underlying zoning of RSM District, at 2098 & 2124 Cedar Grove Road and 3345 Bouldercrest Road.

(5/2/23 Planning Commission: deferred for a full cycle to the Board of Commissioners - Zoning Meeting)

(5/25/23 Board of Commissioners - Zoning Meeting: deferred for two full cycles)

(9/12/23 Planning Commission: withdrawal per the applicant's request to the Board of Commissioners - Zoning Meeting)

New Cases

- N1** [2023-0871](#) COMMISSION DISTRICT(S): Commission District 03 Super District 06 Application of First Family Home Care, LLC to request a Special Land Use Permit (SLUP) for a personal care home for up to six (6) individuals within the R-75 (Residential Medium Lot-75) zoning district. The property is located at 3137 Weslock Circle in Decatur, Georgia.

(9/12/23 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

- N2 [2023-0872](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Tawanda Vauss to rezone property from R-85 (Residential
Medium Lot-85) zoning district to RSM (Small Lot Residential Mix) zoning
district to allow a Personal Care Home for seven (7) individuals. The
property is located at 7566 Union Grove Road in Lithonia, Georgia.

[\(9/12/23 Planning Commission: approved with conditions per staff
recommendation to the Board of Commissioners - Zoning Meeting\)](#)
- N3 [2023-0873](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Tawanda Vauss for a Special Land Use Permit (SLUP) to
allow a Personal Care Home for seven (7) individuals within the RSM
(Small Lot Residential Mix) zoning district. The property is located at 7566
Union Grove Road in Lithonia, Georgia.

[\(9/12/23 Planning Commission: approved with conditions per staff
recommendation to the Board of Commissioners - Zoning Meeting\)](#)
- N4 [2023-0874](#) COMMISSION DISTRICT(S): Commission District 03 Super District 07
Application of Alex Ciuca c/o Battle Law, P.C. to rezone properties from
R-75 (Residential Medium Lot-75) zoning district to RSM (Small Lot
Residential Mix) zoning district to allow for the construction of single-family,
detached homes. The properties are located at 4127-4173 Maplewood Drive
in Decatur, Georgia.

[\(9/12/23 Planning Commission: deferred for two full cycles\)](#)
- N5 [2023-0875](#) COMMISSION DISTRICT(S): Commission District 01 Super District 07
Application of Sid Tejpaul c/o Battle Law, P.C. for a Special Land Use
Permit (SLUP) to allow the existing office building to be used as a residential
apartment and to allow for thirteen (13) townhomes to be constructed in the
existing parking area within an O-I (Office-Institutional) zoning district. The
property is located at 3003 Chamblee-Tucker Road and 2936 Mercer
University Drive.

[\(9/12/23 Planning Commission: deferred for two full cycles to the Board of
Commissioners - Zoning Meeting\)](#)
- N6 [2023-0876](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07
Application of Jonathon L. Yates for Diamond Communications and Verizon
Wireless for a Special Land Use Permit (SLUP) to allow a stealth
monopine-style wireless telecommunications facility within an R-100
(Residential Medium Lot-100) zoning district in Lithonia, Georgia.

(9/12/23 Planning Commission: approved with conditions per staff recommendation to the Board of Commissioners - Zoning Meeting)

N7 [2023-0877](#) COMMISSION DISTRICT(S): Commission District 05 Super District 07

Application of DeKalb County Parks Department c/o Caleb Wittenmyer to request a Major Modification of zoning conditions pursuant to CZ-96056 to remove Condition #16, pertaining to required donation of land to the DeKalb County Parks Department in the RSM (Residential Small Lot Mix) zoning district in Lithonia, Georgia.

(9/12/23 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)

N8 [2023-0906](#) COMMISSION DISTRICT(S): Commission District 02 Super District 06

Application of the Director of Planning & Sustainability to request text amendments to Chapter 27-3.22, Division 22 - Emory Village Overlay District. This text amendment is County-wide.

(9/12/23 Planning Commission: approval per staff recommendation to the Board of Commissioners - Zoning Meeting)