

# DeKalb County Government

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



## Summary

**Thursday, January 26, 2023**

**5:30 PM**

**Manuel J. Maloof Auditorium**

## **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*

**Administration:** Matthew Welch, Deputy County Attorney

## **Call To Order**

The DeKalb County Board of Commissioners will hold its zoning meeting on Thursday, January 26, 2023 at 5:30 p.m. at the Maloof Auditorium, 1300 Commerce Drive, Decatur, Georgia 30030.

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>

The Board will provide 10 minutes of time for interested parties to speak in favor of an agenda item, and 10 minutes for interested parties to speak in opposition. 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.

## **Roll Call**

Interested parties 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. Interested parties 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 interested parties 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 interested parties have finished speaking, staff shall make a recommendation for action to the Commission. At this point, interested parties 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 [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 R-60 (Residential Small Lot-60) Zoning District to allow for the construction of single family detached residences, at 4994 Rockbridge Road.**

**Denied**

### D2 [2022-1996](#)

**COMMISSION DISTRICT(S): Commission District 05 Super District 07**  
**Application of TR 34 Redan Road LLC c/o Battle Law, P.C. to amend the future land use plan from Suburban (SUB) to Commercial Redevelopment Corridor (CRC) to allow for the construction of single-family attached townhomes, at 1172 Longshore Drive.**

**Approved**

**D3**      [2022-1997](#)

**COMMISSION DISTRICT(S):** Commission District 05 Super District 07  
**Application of TR 34 Redan Road LLC c/o Battle Law, P.C. to rezone property from MU-4 (Mixed-Use High Density) zoning district to MR-1 (Medium Density Residential-1) zoning district to allow for the construction of single-family attached townhomes, at 1172 Longshore Drive.**

**Approved the substitute with conditions**

**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.**

**deferred for Two Full cycles, until May 25, 2023**

**D5**      [2022-1976](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of Shalom Restorations, LLC to rezone property from R-75 (Residential Medium Lot-75) zoning district to RSM (Small Lot Residential Mix) zoning district to allow single-family detached homes, at 695 Jordan Lane.**

**Withdraw without prejudice**

**D6**      [2022-1998](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of ModWash, LLC c/o Battle Law P.C. for a request to modify zoning conditions to remove condition #1 pursuant to CZ-06-1241, restricting the use of the property to office and retail uses to allow a car wash in the C-1 (Local Commercial) zoning district, at 1849 Lawrenceville Highway.**

**Deferred for 30 days, until February 28, 2023 for Public Hearing**

**D7**      [2022-2252](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of ModWash, LLC c/o Battle Law P.C. to request a Special Land Use Permit (SLUP) to allow a drive-through car wash facility in the C-1 (Local Commercial) zoning district, at 1849 Lawrenceville Highway.**

**Deferred for 30 days, until February 28, 2023 for Public Hearing**

D8      [2022-2260](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 07  
**Application of Future Capital Investment for a Major Modification to zoning conditions pursuant to CZ-20-1243972 to reduce the number of single-family detached lots from 19 to 6 lots in the RSM (Small Lot Residential Mix) zoning district, at 1347 Bermuda Road.**

**Denied**

D9      [2022-2263](#)

**COMMISSION DISTRICT(S):** Commission District 01 Super District 07  
**Application of Paul Cables, Alpha Residential and Parker Poe to rezone properties from O-I (Office Institutional) zoning district to HR-3 (High Density Residential-3) zoning district to allow apartments, at 3375 Northeast Expressway.**

**Deferred for 30 days, until February 28, 2022 for Decision Only**

D10     [2022-2264](#)

**COMMISSION DISTRICT(S):** Commission District 02 Super District 06  
**Application of Andrew Rutledge to rezone properties from R-75 (Residential Medium Lot) zoning district to MR-2 (Medium Density Residential-2) zoning district to allow the construction of single-family attached townhomes, at 1602 Scott Boulevard.**

**Deferred to the next meeting, until February 16, 2023 for Decision Only**

D11     [2022-2268](#)

**COMMISSION DISTRICT(S):** Commission District 05 Super District 07  
**Application of Monique Hardnett for a Special Land Use Permit (SLUP) to allow a Child Caring Institution (CCI) for up to six children within the existing single-family detached home in the R-100 (Residential Medium Lot) zoning district, at 1193 Sherrington Drive.**

**Withdrawn without prejudice**

D12     [2022-2269](#)

**COMMISSION DISTRICT(S):** Commission District 02 Super District 06  
**Application of the Director of Planning & Sustainability for text amendments to the *Zoning Ordinance*, Chapter 27-3.22-Emory Village Overlay District-to update permitted and prohibited uses; revise minimum parking requirements; and to address building design and other overlay district enhancements.**

**Full cycle deferral, until March 30, 2023**

## New Cases

N1 [2022-2532](#)

**COMMISSION DISTRICT(S):** Commission District 03 Super District 07  
**Application of Mustaq Moosa to amend the Future Land Use Plan from Suburban (SUB) character area to Commercial Redevelopment Corridor (CRC) character area to allow the construction of a three-story "Self-Storage Multi" (multi-story with only interior access) climate controlled public storage building, at 4819 Glenwood Road.**

**Withdrawn without prejudice**

N2 [2022-2533](#)

**COMMISSION DISTRICT(S):** Commission District 03 Super District 07  
**Application of Mustaq Moosa to rezone property from R-75 (Residential Medium Lot) zoning district to C-2 (General Commercial) zoning district to allow the construction of a three-story "Self-Storage Multi" (multi-story with only interior access) climate controlled public storage building, at 4819 Glenwood Road.**

**Withdrawn without prejudice**

N3 [2022-2534](#)

**COMMISSION DISTRICT(S):** Commission District 03 Super District 07  
**Application of Mustaq Moosa for a Special Land Use Permit (SLUP) to allow the construction of a three-story "Self-Storage Multi" (multi-story with only interior access) climate controlled public storage building within the C-2 (General Commercial) zoning district, at 4819 Glenwood Road.**

**Withdrawn without prejudice**

N4 [2022-2535](#)

**COMMISSION DISTRICT(S):** Commission District 03 Super District 06  
**Application of Walter Artis & Felicia Williams for a Special Land Use Permit (SLUP) to allow a Child Caring Institution (CCI) for up to six children within the existing single-family detached home in the RSM (Small Lot Residential Mix) zoning district, at 2931 Ward Lake Way.**

**Approved with conditions**

N5 [2022-2536](#)

**COMMISSION DISTRICT(S):** Commission District 01 Super District 07  
**Application of Atlanta Sanaton Associates c/o Battle Law, P.C. to rezone property from R-100 (Residential Medium Lot) zoning district to OIT (Office-Institutional Transitional) zoning district to allow for a place of worship, at 3964 Chamblee-Tucker Road.**

**Withdrawn with prejudice**

N6 [2022-2537](#)

**COMMISSION DISTRICT(S):** Commission District 05 Super District 07  
**Application of Anandi JRK, LLC c/o Battle Law, P.C. for a Special Land Use Permit (SLUP) request to allow accessory fuel pumps for a proposed convenience store within Tier 1 of the Interstate 20 Overlay District and the C-1 (Local Commercial) zoning district, at 2571 E. Wesley Chapel Way.**

**Full cycle deferral, until March 30, 2023**

N7 [2022-2538](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of WSE Development, LLC c/o Dennis Webb, Jr. to amend the Future Land Use Plan from Traditional Neighborhood (TN) character area to Town Center (TC) character area to construct multi-family apartments, at 745 Arcadia Avenue.**

**Withdrawn without prejudice**

N8 [2022-2539](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of WSE Development, LLC c/o Dennis Webb, Jr. to rezone properties from MR-2 (Medium Density Residential-2) zoning district and R-75 (Residential Medium Lot) zoning district to HR-2 (High Density Residential-2) zoning district to allow for the construction of multi-family apartments, at 745 Arcadia Avenue.**

**Withdrawn without prejudice**

N9 [2022-2540](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 06  
**Application of MARTA c/o Debbie Frank to rezone properties from R-75 (Residential Medium Lot-75), MR-2 (Medium Density Residential-2), and C-1 (Local Commercial) zoning districts to MU-5 (Mixed Use Very High Density) zoning district to allow a future mix of land uses to implement the LCI Plan and transit-oriented development goals, at 3350 Kensington Road.**

**Deferred for 30 days, until February 28, 2023 for Public Hearing**

N10 [2022-2541](#)

**COMMISSION DISTRICT(S):** Commission District 04 Super District 07  
**Application of Natalie Brannon to request a Special Land Use Permit (SLUP) to operate an in-home childcare facility for up to six children in an existing single-family, detached home in the R-100 (Residential Medium Lot-100) Zoning District, at 6651 Princeton Park Court.**

**Denied**

N11 [2022-2542](#)

**COMMISSION DISTRICT(S):** All Districts  
**Application of the Director of Planning & Sustainability for a text amendment to the Zoning Ordinance, Chapter 27, Section 2.24.1, Table 2.2 (Non-Residential Zoning Districts Dimensional Requirements) to reduce or eliminate the minimum multi-family unit size in the O-I (Office Institutional) Zoning District. This text amendment is County-wide..**

**Approved**

N12 [2022-2549](#)

**COMMISSION DISTRICT(S):** All Districts  
**Application of the Director of Planning & Sustainability to amend Article 6 (Parking) of the DeKalb County Zoning Ordinance to add minimum and maximum studio apartment parking ratio standards. This text amendment is County-wide.**

**Approved**



**N13**     [2022-2543](#)

**COMMISSION DISTRICT(S): All Districts**

**Application of the Director of Planning & Sustainability for text amendments to the DeKalb County Zoning Ordinance to align with updates to the state zoning procedure statutes. Amendments include but are not limited to Section 9.1.3 (Defined Terms), Section 7.1.2 (Governing Bodies), Section 7.2.4 (Public Hearings), Section 4.1.3 (Use Table), and Section 7.5.8 (Appeals of Decisions of the Zoning Board of Appeals). This text amendment is County-wide.**

**Deferred for Two Full cycles, until May 25, 2023**

**N14**     [2022-2550](#)

**COMMISSION DISTRICT(S): All Districts**

**Application of the Director of Planning & Sustainability for a text amendment to the DeKalb County Zoning Ordinance, Section 5.4.4 (Site and Parking Area Landscaping), to address parking lot landscaping requirements. This text amendment is County-wide.**

**Approved**