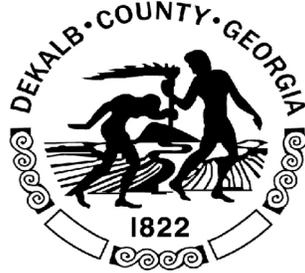


DeKalb County Government

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



Meeting Minutes

Tuesday, March 27, 2018

6:30 PM

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 Gregory Adams, Super District 7*

Present: 7 - Commissioner Nancy Jester, Commissioner Jeff Rader, Commissioner Larry Johnson, Commissioner Kathie Gannon, Commissioner Steve Bradshaw, Commissioner Mereda Davis Johnson, and Commissioner Gregory Adams

Staff Present: Barbara Sanders-Norwood, County Clerk, Viviane Ernstes, Deputy County Attorney

2018-1899 Reconvene

MOTION was made by Kathie Gannon, seconded by Gregory Adams, that this agenda item be approved to reconvene the March 27, 2018 Board of Commissioners Zoning Meeting. Commissioner Nancy Jester was out of the room and not voting. The motion carried by the following vote:

Yes: 6 - Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

Absent: 1 - Commissioner Jester

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, please complete a speaker card and present it when approaching the podium. If you have any documents for the Commissioners, please 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. When speaking, always talk directly into the microphone and begin by stating your name, address and the name of any organization you represent. Abusive, profane or derogatory language will not be permitted. Holding up signs, clapping and yelling to show support for or opposition to a speaker will not be permitted, but a show of hands or quietly standing will be permitted to show support for or opposition to a speaker's position.

Deferred Cases

- D1.** [2017-1204](#) COMMISSION DISTRICT(S): 2 & 6
D1. CZ 17 21855 Board of Commissioners - The Madison.
MOTION was made by Jeff Rader, seconded by Kathie Gannon, that this agenda item be withdrawn without prejudice. The motion carried by the following vote:
- Yes:** 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams
- D2.** [2018-1508](#) COMMISSION DISTRICT(S): 3 & 6
D2. Z 18 21945 Benjamin Leininger
Ben Leininger, 211 S. Howard St. Atlanta, GA 30317, spoke in favor
- Sharon L. Williams, 213 S. Howard St. SE Atlanta, GA 30317, Christine Thall, 232 S. Howard St. Atlanta, GA 30317, spoke in opposition*
- MOTION was made by Larry Johnson, seconded by Kathie Gannon, that this agenda item be deferred, until April 24, 2018 for Decision Only. The motion carried by the following vote:**
- Yes:** 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams
- D3.** [2017-1486](#) COMMISSION DISTRICT(S): 4 & 7
D3 Z-18-21931 Gail Mooney
Gail Mooney, 657 Lake Dr. Snellville, GA 30087, spoke in favor
- Paulette Strain, 1164 Leslie Place Lithonia, GA 30058, Doug Bess, 6875 Timberclair Ct. Lithonia, GA 30058, GR Breathette, 1079 Princeton Park Dr. Lithonia, GA 30058, Tarik Omari Kenyatta, 1119 Michael Court Lithonia, GA 30058, spoke in opposition*
- MOTION was made by Steve Bradshaw, seconded by Gregory Adams, that this agenda item be withdrawn without prejudice. The motion carried by the following vote:**

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

New Cases

N1. [2018-1566](#) COMMISSION DISTRICT(S): 2 & 6
N1 Z-18-22037 Jay Gipson.

Nick Dodys, 3060 Peachtree Rd. NW Ste. 310 Atlanta, GA 30305, Jay Gipson, 4588 East Brookhaven Dr. Atlanta, GA 30319, Michael Mullen, 200 Galleria Parkway Ste. 900 Atlanta, GA 30339, Abdul Amer, 2160 Kingston Court Ste. O Marietta, GA 30067, Martha Gross, 2885 Briarcliff Road Atlanta, Ga 30329 spoke in favor

Gunter Sharp, 2209 Street Deville Atlanta, GA 30345, Barbara Vargas, 1856 Chrysler Dr. NE Atlanta, GA 30345, D.J. Broussard, 1786 Alderbrook Rd. Atlanta, GA 30345, John Peteet, 3046 Briarcliff Road NE Atlanta, GA 30329, spoke in opposition

MOTION was made by Kathie Gannon, seconded by Jeff Rader, that this agenda item be deferred for a full cycle, until May 22, 2018. Items 2018-1566, 2018-1590, 2018-1591, 2018-1592 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader,
Commissioner Johnson, Commissioner Gannon,
Commissioner Bradshaw, Commissioner Davis
Johnson, and Commissioner Adams

N2. [2018-1590](#) COMMISSION DISTRICT(S): 2 & 6

N2 SLUP-18-22035 Jay Gipson

Nick Dodys, 3060 Peachtree Rd. NW Ste. 310 Atlanta, GA 30305, Jay Gipson, 4588 East Brookhaven Dr. Atlanta, GA 30319, Michael Mullen, 200 Galleria Parkway Ste. 900 Atlanta, GA 30339, Abdul Amer, 2160 Kingston Court Ste. O Marietta, GA 30067, Martha Gross, 2885 Briarcliff Road Atlanta, Ga 30329 spoke in favor

Gunter Sharp, 2209 Street Deville Atlanta, GA 30345, Barbara Vargas, 1856 Chrysler Dr. NE Atlanta, GA 30345, D.J. Broussard, 1786 Alderbrook Rd. Atlanta, GA 30345, John Peteet, 3046 Briarcliff Road NE Atlanta, GA 30329, spoke in opposition

MOTION was made by Kathie Gannon, seconded by Jeff Rader, that this agenda item be deferred for a full cycle, until May 22, 2018. Items 2018-1566, 2018-1590, 2018-1591, 2018-1592 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

N3. [2018-1591](#) COMMISSION DISTRICT(S): 2 & 6

N3 SLUP-18-22038 Jay Gipson

Nick Dodys, 3060 Peachtree Rd. NW Ste. 310 Atlanta, GA 30305, Jay Gipson, 4588 East Brookhaven Dr. Atlanta, GA 30319, Michael Mullen, 200 Galleria Parkway Ste. 900 Atlanta, GA 30339, Abdul Amer, 2160 Kingston Court Ste. O Marietta, GA 30067, Martha Gross, 2885 Briarcliff Road Atlanta, Ga 30329 spoke in favor

Gunter Sharp, 2209 Street Deville Atlanta, GA 30345, Barbara Vargas, 1856 Chrysler Dr. NE Atlanta, GA 30345, D.J. Broussard, 1786 Alderbrook Rd. Atlanta, GA 30345, John Peteet, 3046 Briarcliff Road NE Atlanta, GA 30329, spoke in opposition

MOTION was made by Kathie Gannon, seconded by Jeff Rader, that this agenda item be deferred for a full cycle, until May 22, 2018. Items 2018-1566, 2018-1590, 2018-1591, 2018-1592 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

N4. [2018-1592](#) COMMISSION DISTRICT(S): 2 & 6
N4 SLUP-18-22039 Jay Gipson

Nick Dodys, 3060 Peachtree Rd. NW Ste. 310 Atlanta, GA 30305, Jay Gipson, 4588 East Brookhaven Dr. Atlanta, GA 30319, Michael Mullen, 200 Galleria Parkway Ste. 900 Atlanta, GA 30339, Abdul Amer, 2160 Kingston Court Ste. O Marietta, GA 30067, Martha Gross, 2885 Briarcliff Road Atlanta, Ga 30329 spoke in favor

Gunter Sharp, 2209 Street Deville Atlanta, GA 30345, Barbara Vargas, 1856 Chrysler Dr. NE Atlanta, GA 30345, D.J. Broussard, 1786 Alderbrook Rd. Atlanta, GA 30345, John Peteet, 3046 Briarcliff Road NE Atlanta, GA 30329, spoke in opposition

MOTION was made by Kathie Gannon, seconded by Jeff Rader, that this agenda item be deferred for a full cycle, until May 22, 2018. Items 2018-1566, 2018-1590, 2018-1591, 2018-1592 were heard together. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

N5. [2018-1637](#) COMMISSION DISTRICT(S): 3 & 6
N5 SLUP 18 21929 Korey Meadows .

Betty Prather, 2339 Rolling Rock Dr. Conley, GA 30288, Sheleph Harper, 3140 Moreland Ave. Conley, GA, 30288, Pat Culp, 3577 Bouldercrest Rd. Ellenwood, GA 30294, Annette White, 4211 Moore Road Conley, GA 30288, spoke in opposition

MOTION was made by Larry Johnson, seconded by Nancy Jester, that this agenda item be denied. The motion carried by the following vote:

Yes: 7 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

N6. [2018-1565](#) COMMISSION DISTRICT(S): 3 & 6

N.6 Sexton Enterprises, Inc.

Pat Sexton, 846 Griffin St. Sumter, SC 29154, spoke in favor

*James V. Zito, Atty, 150 E. Ponce deLeon Ave. Ste. 200 Decatur, GA 30030,
Erika Brown, Assoc. Broker Real Estate, 7 Berkeley Rd. Avondale Estates, GA
30002, Steven C. Funk, P.O. Box 8721 Atlanta, GA 31106-0721, Pebbie Joudeh,
1086 Key Rd. SE Atlanta, GA 30316, Glenda West, 1106 Key Rd. Atlanta, GA
30316, William Perry, 1146 Dobbs Dr. SE Atlanta, GA 30316, Nicole Morado,
1118 Dobbs Drive SE Atlanta, GA 30316, Sarah Richards, 1142 Pluma Dr.
Atlanta, GA 30316, Janice Raider, 1121 Pluma Dr. SE Atlanta, GA 30316,
Kenneth Richards, 1142 Pluma Dr. Atlanta, GA 30316, Katherine Dillard, 3048
Harold Ave. Atlanta, GA 30316, Erika Smith, 1078 Key Rd. Atlanta, GA 30316,
Gustavo Bundello, 1126 Key Rd. SE Atlanta, GA 30316, Michael Callahan, 1150
Dobbs Dr. Atlanta, GA 30316, Vickie Emily, 1079 Key Rd. & 1122 Dobbs Dr.
Atlanta, GA 30316, spoke in opposition*

**MOTION was made by Larry Johnson, seconded by Nancy Jester,
that this agenda item be denied. Items 2018-1565 and 2018-1562
were heard together. Commissioner Kathie Gannon opposed. The
motion carried by the following vote:**

Yes: 6 - Commissioner Jester, Commissioner Rader,
 Commissioner Johnson, Commissioner Bradshaw,
 Commissioner Davis Johnson, and Commissioner
 Adams

No: 1 - Commissioner Gannon

- N7. [2018-1562](#) COMMISSION DISTRICT(S): 3 & 6
N7 Z-18-21941 Sexton Enterprises Inc.
Pat Sexton, 846 Griffin St. Sumter, SC 29154, spoke in favor

*James V. Zito, Atty, 150 E. Ponce deLeon Ave. Ste. 200 Decatur, GA 30030,
Erika Brown, Assoc. Broker Real Estate, 7 Berkeley Rd. Avondale Estates, GA
30002, Steven C. Funk, P.O. Box 8721 Atlanta, GA 31106-0721, Pebbie Joudeh,
1086 Key Rd. SE Atlanta, GA 30316, Glenda West, 1106 Key Rd. Atlanta, GA
30316, William Perry, 1146 Dobbs Dr. SE Atlanta, GA 30316, Nicole Morado,
1118 Dobbs Drive SE Atlanta, GA 30316, Sarah Richards, 1142 Pluma Dr.
Atlanta, GA 30316, Janice Raider, 1121 Pluma Dr. SE Atlanta, GA 30316,
Kenneth Richards, 1142 Pluma Dr. Atlanta, GA 30316, Katherine Dillard, 3048
Harold Ave. Atlanta, GA 30316, Erika Smith, 1078 Key Rd. Atlanta, GA 30316,
Gustavo Bundello, 1126 Key Rd. SE Atlanta, GA 30316, Michael Callahan, 1150
Dobbs Dr. Atlanta, GA 30316, Vickie Emily, 1079 Key Rd. & 1122 Dobbs Dr.
Atlanta, GA 30316, spoke in opposition*

MOTION was made by Larry Johnson, seconded by Nancy Jester, that this agenda item be denied. Items 2018-1565 and 2018-1562 were heard together. Commissioner Kathie Gannon opposed. The motion carried by the following vote:

Yes: 6 - Commissioner Jester, Commissioner Rader, Commissioner Johnson, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

No: 1 - Commissioner Gannon

- N8. [2018-1639](#) COMMISSION DISTRICT(S): 3 & 7
N8. SLUP 18 22029 Sunny Gangwal.
*Sunny Gangwal, 3364 Arbor Path Dr. Atlanta, GA 30340, Lisa Marchauer, 3475
Piedmont Road Ste. 1100 Atlanta, GA 30305, spoke in favor*

Marty Collier, 1702 Dancing Fox Rd. Decatur, GA 30032, spoke in opposition

MOTION was made by Larry Johnson, seconded by Gregory Adams, that this agenda item be denied. Commissioner Steve Bradshaw was out of the room and not voting. Commissioner Nancy Jester left the meeting at approximately 8:39 p.m. The motion carried by the following vote:

Yes: 5 - Commissioner Rader, Commissioner Johnson,
Commissioner Gannon, Commissioner Davis
Johnson, and Commissioner Adams

Absent: 2 - Commissioner Jester, and Commissioner Bradshaw

N9. [2018-1537](#) COMMISSION DISTRICT(S): 4 & 6

N9. Z 18 22040 LDG Development, LLC

*Michelle Battle, One West Court Sq. Ste 750 Decatur, GA 30030, Marty Collier,
1702 Dancing Fox Rd. Decatur, GA 30032, spoke in favor*

*Dee Merriam, 8 Lakeview Place Avondale Estates, GA 30002, Booker Warren,
15 Reese Way Avondale Estates, GA 30002, Sheri Locke, 3247 Wynn Drive
Avondale Estates, GA 30002, spoke in opposition*

**MOTION was made by Steve Bradshaw, seconded by Kathie
Gannon, that this agenda item be deferred for two full cycles, until
July 24, 2018. Commissioner Nancy Jester left the meeting at
approximately 8:39 p.m. The motion carried by the following vote:**

Yes: 6 - Commissioner Rader, Commissioner Johnson,
Commissioner Gannon, Commissioner Bradshaw,
Commissioner Davis Johnson, and Commissioner
Adams

Absent: 1 - Commissioner Jester

N10. [2018-1638](#) COMMISSION DISTRICT(S): 5 & 7

N10. SLUP 18 22032 Marlyn Wallace.

*Marilyn Wallace, 2053 South Stone Mountain-Lithonia Rd. Lithonia, GA 30058,
spoke in favor*

**MOTION was made by Mereda Davis Johnson, seconded by
Gregory Adams, that this agenda item be approved per staff's 2
conditions. Commissioner Nancy Jester left the meeting at
approximately 8:39 p.m. The motion carried by the following vote:**

Yes: 6 - Commissioner Rader, Commissioner Johnson,
Commissioner Gannon, Commissioner Bradshaw,
Commissioner Davis Johnson, and Commissioner
Adams

Absent: 1 - Commissioner Jester

ADJOURNMENT:

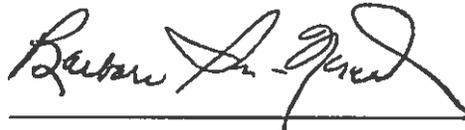
There being no further official business, MOTION was made by Commissioner Mereda Davis Johnson and seconded by Commissioner Kathie Gannon to adjourn the March 27, 2018 Board of Commissioners Zoning meeting at 9:30 p.m. Commissioner Nancy Jester left the meeting at approximately 8:39 p.m. The motion carried by the following vote:

Yes: 6 - Commissioner Rader, Commissioner Johnson, Commissioner Gannon, Commissioner Bradshaw, Commissioner Davis Johnson, and Commissioner Adams

Absent: 1 - Commissioner Jester



Jeff Rader
Presiding Officer



Barbara Sanders-Norwood
County Clerk