



Legislation Details (With Text)

**File #:** 2017-1486    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Preliminary Item  
**File created:** 12/21/2017    **In control:** Board of Commissioners - Zoning Meeting  
**On agenda:** 3/27/2018    **Final action:**  
**Title:** COMMISSION DISTRICT(S): 4 & 7  
D3 Z-18-21931 Gail Mooney

**Indexes:**

**Attachments:** 1. D3 Z 18 21931 Gail Mooney Staff Report

Date	Ver.	Action By	Action	Result
3/27/2018	1	Board of Commissioners - Zoning Meeting	withdrawn without prejudice per staff recommendation	Pass
3/6/2018	1	Planning Commission	denied	Pass
1/23/2018	1	Board of Commissioners - Zoning Meeting	deferred	Pass
1/9/2018	1	Planning Commission	approved with conditions per staff recommendation	Pass

**Public Hearing:** YES  NO     **Department:** Planning & Sustainability

**SUBJECT:**

**COMMISSION DISTRICT(S):** 4 & 7  
**D3 Z-18-21931 Gail Mooney**

**PETITION NO:** Z-18-21931

**PROPOSED USE:** 44-Lot Single-Family Subdivision

**LOCATION:** 1135 South Deshon Road

**PARCEL NO.:** 16-130-01-004

**INFORMATION CONTACT:** Marian Eisenberg

**PHONE NUMBER:** 404-371-4922

**PURPOSE:**

To rezone from R-100 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to develop a 44-lot single-family detached residential subdivision. The property is located on the west side of South Deshon Road, across from Deshon Ridge Drive at 1135 South Deshon Road, Lithonia, Georgia. The property has approximately 1,100 feet of frontage along South Deshon Road and contains 13.66 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Denial

**PLANNING COMMISSION:** Denial

**PLANNING STAFF:** Withdrawal Without Prejudice

**PLANNING STAFF ANALYSIS:** The zoning proposal to the R-60 (Residential Medium Lot) District is consistent with the following policy of the 2035 Comprehensive Plan: Encourage compatible architecture styles that maintain regional and neighborhood character. The development as proposed is compatible with adjacent and nearby residential subdivisions along South Deshon Road. Transportation improvements as required by DeKalb County Public Works Department will help mitigate the impact on traffic in the area. On Tuesday, February 27, 2018, The Department of Planning and Sustainability received a request to withdraw the petition by the owner's representative. Therefore, Planning and Sustainability recommends "**WITHDRAWAL WITHOUT PREJUDICE**" of the rezoning request.

**PLANNING COMMISSION VOTE:** 6-2-0. 1st Motion: L. Osler moved, V. Moore seconded for denial. That motion failed. 2nd Motion: J. West moved, M. Butts seconded for WWP. That motion failed. 3rd Motion: L. Osler moved, J. West seconded for denial. This motion passed. M. Butts & A. Atkins opposed.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** Denial 9-0-2. Applicant was not present when case was called for discussion and vote. Therefore, the Council voted to deny the requested petition. The applicant eventually showed up at the meeting stating lateness was due to a car accident. District 4 Council members did allow her a moment to speak at the end of the meeting on behalf of the petition. However, a new vote was not taken.