



Legislation Details (With Text)

**File #:** 2020-0310    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Preliminary Item

**File created:** 3/3/2020    **In control:** Board of Commissioners

**On agenda:** 6/25/2020    **Final action:** 6/25/2020

**Title:** COMMISSION DISTRICT(S): 3 & 6  
Application of Terrence E Brooks to rezone property from R-100 (Residential Medium Lot) District to the RE (Residential Estate) District to allow a special event facility with a requested Special Land Use Permit (SLUP-20-1243788) in accordance with Chapter 27, Article 4, Section 4.1.3 Use Table of the DeKalb County Zoning Ordinance, at 4201 Panthersville Road.

**Indexes:**

**Attachments:** 1. Recommended Conditions Z 20 1243789, 2. Staff Report N1 Z 20 1243789 Panthersville Road

Date	Ver.	Action By	Action	Result
6/25/2020	1	Board of Commissioners - Zoning Meeting	denied	Pass
6/2/2020	1	Planning Commission	denial per staff recommendation	Pass

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

**SUBJECT:**

**COMMISSION DISTRICT(S): 3 & 6**

**Application of Terrence E Brooks to rezone property from R-100 (Residential Medium Lot) District to the RE (Residential Estate) District to allow a special event facility with a requested Special Land Use Permit (SLUP-20-1243788) in accordance with Chapter 27, Article 4, Section 4.1.3 Use Table of the DeKalb County Zoning Ordinance, at 4201 Panthersville Road.**

**PETITION NO: N1. Z-20-1243789 (2020-0310)**

**PROPOSED USE:** Special Events Facility

**LOCATION:** 4201 Panthersville Road

**PARCEL NO. :** 15-023-01-008

**INFO. CONTACT:** Matthew Williams

**PHONE NUMBER:** 404-371-2155

**PURPOSE:**

Application of Terrence E Brooks to rezone property from R-100 (Residential Medium Lot) District to the RE (Residential Estate) District to allow a special event facility with a requested Special Land Use Permit (SLUP-20-1243788) in accordance with Chapter 27, Article 4, Section 4.1.3 Use Table of the DeKalb County Zoning Ordinance. The property is located on the west side of Panthersville Road, approximately 1,363 feet east of Bouldercrest Road, at 4201 Panthersville Road, Ellenwood, GA. The property has approximately 415 feet of frontage along the west side of Panthersville Road and contains 3.07 acres.

**RECOMMENDATION:**

**COMMUNITY COUNCIL:** Denial.

**PLANNING COMMISSION:** Denial.

**PLANNING STAFF:** Denial.

**STAFF ANALYSIS:** The applicant is requesting to rezone the property from the R-100 (Residential Medium Lot) District to the RE (Residential Estate) District. The proposed use is a special events facility pursuant to companion Special Land Use Permit request (SLUP-20-1243788). Located within a Suburban Character Area designated by the 2035 Comprehensive Plan, the proposed use reflects inconsistency with the following Comprehensive Plan Policy: To protect existing neighborhoods from incompatible land uses. The special events facility on the subject site is not suitable given the stable residential character of the area. The current use of the site will continue to be the primary residence for the applicant/owner. Holding occasional backyard parties and events for profit in the rear yard is not an appropriate accessory or secondary use for the site. The Department of Planning and Sustainability recommends **DENIAL** of the rezoning request to RE (Residential Estate) District. Should the Board of Commissioners choose to approve the rezoning request, Staff offers the following attached conditions for consideration:

**PLANNING COMMISSION VOTE:** 8-0-0. V. Moore moved, P. Womack, Jr. seconded for Denial, per Staff Recommendation. The motion passed unanimously.

**COMMUNITY COUNCIL VOTE/RECOMMENDATION:** 7-0-0. The Community Council Board thought that the proposed special events facility would be a bad precedent. They had concerns about parking, noise, and the operation of a private events facility in a residential area.