



DeKalb County Government

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

Legislation Details (With Text)

File #: 2022-1478 **Version:** 1 **Name:**
Type: Ordinance **Status:** Preliminary Item
File created: 4/1/2022 **In control:** Board of Commissioners - Zoning Meeting
On agenda: 5/26/2022 **Final action:** 5/26/2022
Title: COMMISSION DISTRICT(S): Commission District 03 Super District 07
Application of FL Sims Funeral Home Decatur LLC to rezone from R-100 (Residential Medium Lot) to O-I (Office Institutional) to allow for a funeral home, at 4031 Rainbow Drive.

Indexes:

Attachments: 1. Z-22-1245597 May BOC 2022 Staff Report 4031 Rainbow Dr, 2. Z-22-1245597 Recommended Conditions May PC 2022 4031 Rainbow Dr

Date	Ver.	Action By	Action	Result
5/26/2022	1	Board of Commissioners - Zoning Meeting	withdrawn without prejudice	Pass
5/5/2022	1	Planning Commission		

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): Commission District 03 Super District 07

Application of FL Sims Funeral Home Decatur LLC to rezone from R-100 (Residential Medium Lot) to O-I (Office Institutional) to allow for a funeral home, at 4031 Rainbow Drive.

PETITION NO: N10. Z-22-1245597 (2022-1478)

PROPOSED USE: Funeral home.

LOCATION: 4031 Rainbow Drive, Decatur, Georgia 30034

PARCEL NO. : 15-125-05-015

INFO. CONTACT: Dustin Jackson, Sr. Planner

PHONE NUMBER: 404-371-2155

PURPOSE:

Application of FL Sims Funeral Home Decatur LLC to rezone from R-100 (Residential Medium Lot) to O-I (Office Institutional) to allow for a funeral home. The property is located on the south side of Rainbow Drive opposite Shadowbrook Drive at 4031 Rainbow Drive in Decatur, Georgia. The property has approximately 395 feet of frontage along Rainbow Drive. and contains 6.31 acres.

RECOMMENDATION:

COMMUNITY COUNCIL: Denial.

PLANNING COMMISSION: Denial.

PLANNING STAFF: Two-Cycle Deferral.

STAFF ANALYSIS: The rezoning proposal is consistent with the *2035 Comprehensive Plan*. The SUB (Suburban) future land use designation supports the requested zoning designation. Moreover, the rezoning from R-100 (Residential Medium Lot) to O-I (Office Institutional) would permit a zoning designation that is consistent with the uses of the surrounding properties. However, due to concerns about insufficient community engagement and the active use violation, Planning Commission recommended denial. Staff recommends “Two-Cycle Deferral to the September 2022 zoning agenda”.

PLANNING COMMISSION VOTE: Denial 6-0-0. Vivian Moore moved, Gwendolyn McCoy seconded for Denial, due to the business already operating without the proper special land use permit and community opposition.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: Denial 10-0-0. Board members thought that there was inadequate notice of the proposed funeral home and do not want a funeral home in the community.