

DeKalb County Government

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



Summary

Tuesday, January 22, 2019

6:30 PM

Manual Maloof Building

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 Lorraine Cochran-Johnson, Super District 7*

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

2019-3259

Commission District(s): All

Motion to Reconvene meeting

Approved

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 [2018-2163](#)

COMMISSION DISTRICT(S): 2 & 6

Application of LCI-SVAP NDM JV, LP c/o Kathryn Zickert to rezone property from C-1 (Local Commercial) to MU-4 (Mixed Use-4) for redevelopment of the North DeKalb Mall into a mixed retail, multifamily residential, hotel, and office development at Lawrenceville Highway/Birch Road/Sweet Briar Road.

Withdrawn without prejudice

D2 [2018-2164](#)

COMMISSION DISTRICTS: 2 & 6

Application of LCI-SVAP NDM JV, LP c/o Kathryn M. Zickert for a Special Land Use Permit for Costco fuel pumps as part of redevelopment of North DeKalb Mall into a mixed retail, multifamily residential, hotel, and office development, in accordance with Chapter 27, Article 4, Table 4.1 - Use Table of the DeKalb County Code, at Lawrenceville Hwy/Birch Rd/Sweet Briar Rd.

Withdraw without prejudice

New Cases

N1 [2018-3060](#)

COMMISSION DISTRICT(S): 1 & 7

application of John T. Rosser to rezone property from R-100 (Residential Medium Lot) District to R-60 (Residential Small Lot) District to develop a single-family detached residence on a non-conforming lot, at 2405 Henderson Mill Road.

Approved with 1 staff condition

N2 [2018-3061](#)

COMMISSION DISTRICT(S): 3 & 6

Application of Langford and Company Strategic Investments, LLC for a Major Modification of zoning conditions, approved pursuant to CZ-04068, to allow the property to be subdivided into two single-family lots in the R-60 (Residential Small Lot) District, at 2184 Cavanaugh Avenue.

Deferred to the next meeting until February 12, 2019 for Decision Only

N3 [2018-3062](#)

COMMISSION DISTRICT(S): 3 & 6

Application of William Walters for a Special Land Use Permit to allow a home occupation (vintage audio electronics repair) with customer contact in an R-75 (Residential Medium Lot) District, at 2088 Brannen Road.

Deferred to the next meeting until February 12, 2019 for Decision Only

N4 [2018-3063](#)

COMMISSION DISTRICT(S): 5 & 7

Application of Fitzroy & Marsha A Smith to rezone properties from C-1 (Local Commercial) District to C-2 (General Commercial) District to allow major auto repair within a new three-bay building with accessory storage, at 2478 Rock Chapel Road.

Denied

N5 [2018-3064](#)

COMMISSION DISTRICT(S): 5 & 7

Application of Fitzroy & Marsha A. Smith for a Special Land Use Permit to allow major auto repair within a new three-bay (or four bay) building with accessory storage, at 2478 Rock Chapel Road.

Denied

N6 [2018-3065](#)

COMMISSION DISTRICT(S): 5 & 7

Application of Marjorie Ledgister for a Special Land Use Permit to allow a group personal care home of four residents on a property zoned R-100 (Residential Medium Lot - 100) in the Hidden Hills Overlay District, in accordance with Chapter 27, Article 4 of the DeKalb County Code, Table 4.1, at 5393 Rockmoor Dr.

Approved with 1 staff condition

N7 [2018-3066](#)

COMMISSION DISTRICT(S): 3 & 6

Application of VC Development, LLC to rezone property from R-75 (Residential Medium Lot) District to RSM (Residential Small Lot) District to allow the development of a 20-lot single-family subdivision with two open space lots, at 2080 Tilson Road.

Approved with 8 staff conditions dated January 22, 2019

N8 [2018-3067](#)

COMMISSION DISTRICT(S): 3 & 6

Application of 3012 RIVER ROAD, LLC c/o Shea Roberts to rezone property from R-100 (Residential-Medium Lot - 100) District to RSM (Residential Small Lot Mix) District for development of ten single-family detached homes, at 3012 River Road.

Approved with 9 staff conditions and a site plan dated January 22, 2019

N9 [2018-3068](#)

COMMISSION DISTRICT(S): 3 & 6

Application of Scott Bennett for a major modification to remove all conditions on property zoned MR-2 (Medium Density Residential -2) District, pursuant to CZ-05033 for 149 single-family attached townhomes in order to develop 291 apartment units at a density of 24 units per acre within Tier 2 of the I-20 Overlay District, at 2128 & 2170 Cook Road.

Deferred until March 12, 2019 for Decision Only

N10 [2018-3069](#)

COMMISSION DISTRICT(S): 2 & 6

Application of Scott Bennett to rezone commercially developed property from RSM (Small Lot Residential Mix) District to the C-1 (Local Commercial) District to allow for future commercial uses, at 7189 Rockbridge Road.

Approved with 4 staff conditions

N11 [2018-3070](#)

COMMISSION DISTRICT(S): 2 & 6

Application of Carl Trevathon for a Special Land Use Permit to allow a one-story, 2,100 square-foot classroom addition to an existing place of worship in the R-85 (Single-Family Residential) District, at 1438 Sheridan Road.

Approved with 3 staff conditions

N12 [2018-3071](#)

COMMISSION DISTRICT(S): 5 & 7

Application of Sam and Kimberly A. Underdue for a Special Land Use Permit for a Child Caring Institution (CCI) for up to six children in an R-100 (Residential Medium Lot - 100) district, at 3903 Snapfinger Road.

Deferred full cycle, until March 26, 2019 Zoning meeting

N13 [2018-3072](#)

COMMISSION DISTRICT(S): 3 & 6

Application of Michelle Williams for a Special Land Use Permit (SLUP) to allow a child day care facility for up to 6 children in an RSM (Residential Small Lot Mix) district, at 3004 Kenville Lane.

Approved with 5 staff conditions, plus 1 condition regarding the hours of operation

N14 [2018-3073](#)

COMMISSION DISTRICT(S): 3 & 7

Application of Barry Hayden for a Special Land Use Permit to allow a Late-Night Establishment within 1,500 feet of a residential district, on property zoned C-1 (Local Commercial)/I-20 Overlay District, Tier 2, at 2075 Candler Road.

Denied

N15 [2018-3074](#)

COMMISSION DISTRICT(S): 4 & 6

Application of Ralston George to rezone property from R-75 (Residential Medium Lot) District to MU-1 (Mixed-Use Low Density) District to develop 64 attached townhome units and approximately 22,520 square feet of retail development, at 3780, 3770, 3764, 3762 & 3756 Covington Highway.

Deferred full cycle, until March 26, 2019 Zoning meeting

N16 [2018-3075](#)

COMMISSION DISTRICT(S): 5 & 7

Application of Leslie Bortier to rezone property from R-85 (Residential Medium Lot) District to the R-60 (Residential Small Lot) District to develop 25 single-family detached residences, at 1746 Pleasant Hill Road.

Deferred full cycle, until March 26, 2019 Zoning meeting