



The Honorable Burrell Ellis  
Chief Executive Officer

**DeKalb County Planning / Development  
Department  
Zoning Board of Appeals**



**Manuel J. Maloof Administration Center Auditorium  
1300 Commerce Drive, Decatur, GA 30030**

**BOA Meeting Date: Wednesday, August 11, 2010 at  
1:00 P.M.**

**AGENDA**

**CALL MEETING TO ORDER**

**NOTE: Applicant or appointed representative should be present. If unable to attend,**

**CALL MEETING TO ORDER**

**DETERMINATION OF A QUORUM  
PREAMBLE AS TO PURPOSE AND PROCEDURES OF THE BOARD OF APPEALS  
INTRODUCTION OF MEMBERS, STAFF AND COUNTY REPRESENTATIVES**

**MEMBERS:**

**BONNIE JACKSON (CHAIRPERSON)**

**LIZ BEYER**

**DARRYL K. JENNINGS,SR**

**DERRICK HOLLAND**

**JEREMY CLARK**

**WENDY BUTLER**

**PATRICK DESAMOURS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**(A-Absent; EXA-Excused Absence; U-Unexcused Absence; P-Present; R-Resigned; TE-Term Expired)**

**QUORUM DETERMINATION:    yes    no**  
**COUNTY REPRESENTATIVE:    yes    no**

**DEFERRED FROM JUNE 9, 2010 PUBLIC HEARING**

**D-1 Application No: A-10-16452 Parcel ID: 18-053-02-012**

---

**Commission District: 2 Super District: 6**

**Applicant:** Arthur Goodelman  
5382 Seaton Drive  
Dunwoody, GEORGIA 30038

**Owner:** Arthur Goodelman; Ilene Goodelman

**Project Name:** 1351 Oxford Road

**Zoning:** O-I (Office Institutional District);

**Location** The property is located on the east side of Oxford Road, about 93.5 feet east of Emory Road.

**Request:** **Variance request from Section 27-766(b)(6) of the DeKalb County Zoning Ordinance to expand parking in the front yard, relating to the O-I zoning district.**

---

**DEFERRED FROM JULY 14, 2010 PUBLIC HEARING**

**D-2 Application No: A-10-16466 Parcel ID: 18-108-11-008**

---

**Commission District: 2 Super District: 6**

**Applicant:** Guillermo Wasserman And Tatiana Goldstein  
1132 Beech Haven Road  
Atlanta, GEORGIA 30324-3804

**Owner:** Guillermo Wasserman; Tatiana Goldstein

**Project Name:** 1132 Beech Haven Road

**Zoning:** R-85 (S-Fam Res. Min Lot 12000 Sq.Ft);

**Location** The property is located on the north side of Beech Haven Road, about 561.7 feet south of Citadel Drive.

**Request:** **Variance request from Section 27-166(d) of the DeKalb County Zoning Ordinance to reduce the side yard setback from eight point five (8.5) feet to three point eight (3.8) feet from the west property line, to construct an addition, relating to the R-85 zoning district.**

---

**DEFERRED FROM JULY 14, 2010 PUBLIC HEARING**

**D-3 Application No: A-10-16470 Parcel ID: 18-242-12-024**

---

**Commission District: 2 Super District: 6**

**Applicant:** David Westcott  
417 Clairemont Ave 310  
Decatur, GA 30030

**Owner:** David Westcott; David P. Westcott; Leigh Westcott

**Project Name:** 2706 Winding Lane

**Zoning:** R-100 (S-Fam Res. Min Lot 15000 Sq.Ft);

**Location** The property is located on the south side of Winding Lane, about 825 north of Redding Way

**Request:** **Variance requests from the Dekalb County Zoning Ordinance, to:**  
**(1) Reduce the average front yard setback from sixty-five (65.5) feet to forty (40.3) feet (Section 27-788a); and**  
**(2) Increase lot coverage from thirty-five (35%) (Section 27-189), to construct a new house, relating to the R-100 zoning district.**

---

**DEFERRED FROM JULY 14, 2010 PUBLIC HEARING**

**D-4 Application No: A-10-16480 Parcel ID: 18-239-01-001**

---

**Commission District: 1 Super District: 6**

**Applicant:** Mark Widener  
1200 Bellaire Dr Ne  
Atlanta, GA 30319

**Owner:** Mark Widener

**Project Name:** 1200 Bellaire Drive

**Zoning:** R-100 (S-Fam Res. Min Lot 15000 Sq.Ft);

**Location** The property is located on the north side of Bellaire Drive, at the Fulton County-DeKalb County boundary.

**Request:** **Variance request from Section 27-878(a) of the DeKalb County Zoning Ordinance to increase the height of retaining walls in the front yard from four (4) feet and other retaining walls on the property from eight (8) feet to twelve (12) feet at their highest point, relating to the R-100 zoning district.**

---

**NEW HEARING ITEMS**

**N-1 Application No: A-10-16514 Parcel ID: 18-200-07-025**

---

**Commission District: 2 Super District: 6**

**Applicant:** Carol Anne Wien  
2265 Colonial Drive  
Atlanta, GEORGIA 30319

**Owner:** Carol Wien

**Project Name:** 2265 Colonial Drive

**Zoning:** R-50 (S-Fam Res. Min Lot 1600 Sq.Ft);

**Location** The property is located on the west side of Colonial Drive, about 132 feet north of Colonial Drive

**Request:** **Variance request from Section 27-246(e) of the DeKalb County Zoning Ordinance, to reduce the rear yard setback from twenty-eight (28) feet (approved pursuant to A10-16151) to twenty-four (24) feet to complete an addition, relating to the R-50 zoning district.**

---

**NEW HEARING ITEMS**

**N-2 Application No: A-10-16538 Parcel ID: 18-052-05-034**

---

**Commission District: 2 Super District: 6**

**Applicant:** Alice Rose  
520 Emory Circle  
Atlanta, GEORGIA 30307

**Owner:** Alice Rose

**Project Name:** 520 Emory Circle

**Zoning:** R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

**Location** The property is located on the west side of Emory Circle about 146 feet south of North Decatur Road

**Request:** **Variance request from Section 27-186(e) of the DeKalb County Zoning Ordinance to reduce the rear yard setback from thirty-eight (38) feet to twenty-one (21) feet to enclose an existing deck, relating to the R-75 zoning district.**

---

## **NEW HEARING ITEMS**

**N-3 Application No: A-10-16545 Parcel ID: 18-100-08-011**

---

### **Commission District: 4 Super District: 6**

**Applicant:** Christopher Crocker  
2894 Concord Dr  
Decatur, GA 30033

**Owner:** Paula Burke; Christopher Crocker

**Project Name:** 2894 Concord Drive

**Zoning:** R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

**Location** The property is located on the north side of Concord Drive, about 790 feet west of North Druid Hills Road.

**Request:** **Variance request from Section 26-731(c) of the DeKalb County Zoning Ordinance to reduce the side yard setback from ten (10) feet to seven (7.73) feet to allow a detached storage shed to remain, relating to the R-75 zoning district.**

---

## **NEW HEARING ITEMS**

**N-4 Application No: A-10-16559 Parcel ID: 18-149-02-037**

---

### **Commission District: 2 Super District: 6**

**Applicant:** Kevin Bender  
1376 Knollwood Terrace  
Decatur, GEORGIA 30033

**Owner:** Kevin Bender; Jill Bender

**Project Name:** 1376 Knollwood Terrace

**Zoning:** R-100 (S-Fam Res. Min Lot 15000 Sq.Ft);

**Location** The property is located on the west side of Knollwood Terrace, about 287.7 feet north of Tanglewood Road.

**Request:** **Variance requests from the DeKalb County Zoning Ordinance to:**  
**(1) Reduce the average front yard setback from forty-seven (47) feet to thirty-seven (37) feet (Section 27-731c); and**  
**(2) Reduce the side yard setback toward the south property line from ten (10) feet to eight (8) feet (Section 27-146.d), to build an attached carport, relating to the R-100 zoning district.**

---

## **NEW HEARING ITEMS**

**N-5 Application No: A-10-16565 Parcel ID: 18-010-07-023**

---

### **Commission District: 4 Super District: 6**

**Applicant:** Devon And Angela Smith  
2386 Shadowood Drive  
Conyers, GEORGIA 30094

**Owner:** Devon Smith; Angela Smith

**Project Name:** 3087 Bay Street

**Zoning:** R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

**Location** The property is located at the southeast corner of Bay Street and Creighton Avenue

**Request:** **Variance request from Section 27-186 (c.4) of the DeKalb County Zoning Ordinance, to reduce the front yard setback from thirty (30) feet to fifteen (15.8) feet to allow a newly constructed house to remain, relating to the R-75 zoning district.**

---

## **NEW HEARING ITEMS**

**N-6 Application No: A-10-16566 Parcel ID: 18-302-02-002**

---

### **Commission District: 1 Super District: 6**

**Applicant:** Joseph Schnieder  
2651 McCormick Drive  
Clearwater, FLORIDA 33579

**Owner:** Payne Convenience Centers; Inc; Payne Convenience Centers Inc

**Project Name:** 3500 Ashford Dunwoody Rd

**Zoning:** C-1 (Local Commercial District);

**Location** The property is located at the northwest corner of Ashford Dunwoody Road and Johnson Ferry Road.

**Request:** **Variance requests from the DeKalb County Zoning Ordinance, to:**  
**(1) Reduce the front yard setback along Ashford Dunwoody Road from seventy-five (75) feet to forty-nine (49) feet (Section 27-581.c.1.a);**  
**(2) Reduce the side yard setback along the west property line from twenty (20) feet to ten (10) feet (Section 27-581.c.2); and**  
**(3) Reduce the landscape strip along Ashford Dunwoody Road from ten (10) feet to five (5) feet (Section 27-766.b.4), to allow re-development, relating to the C-1 zoning district.**

---

## **NEW HEARING ITEMS**

**N-7 Application No: A-10-16567 Parcel ID: 18-197-01-041**

---

### **Commission District: 2 Super District: 6**

**Applicant:** Northeast Plaza  
420 Lexington Ave 7th Floor  
New York, NEW YORK 10170

**Owner:** Hk New Plan Exchange Property; Buffets, Inc.; Centro Np Northeast Plaza Llc

**Project Name:** 3299 Buford Highway (Northeast Plaza)

**Zoning:** C-1 (Local Commercial District);

**Location** The property is located at the southeast corner of Buford Highway and Briarwood Road

**Request:** **Variance request from Section 21-20(a) of the DeKalb County Sign Ordinance to exceed the maximum 150 square feet allowed for a wall sign for several tenants in the Northeast Plaza Shopping Center, relating to the C-1 zoning district.**

---

## **NEW HEARING ITEMS**

**N-8 Application No: A-10-16569 Parcel ID: 18-214-10-026**

---

### **Commission District: 1 Super District: 7**

**Applicant:** Debra Harden  
P.O.Box 2593  
Decatur, GEORGIA 30031

**Owner:** Frances Lanford

**Project Name:** 4260 Lawrenceville Highway

**Zoning:** R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

**Location** The property is located on the west side of Lawrenceville Highway, about 128 feet south of Lynburn Drive.

**Request:** **Variance request from Section 27-730.15(A)(3) of the DeKalb County Zoning Ordinance, to exceed the maximum parking requirement in the Village district of the Tucker zoning overlay district and increase parking from six (6) spaces to nineteen (19) spaces, relating to the R-75 zoning district.**

---

## **NEW HEARING ITEMS**

**N-9 Application No: A-10-16572 Parcel ID: 18-201-14-005**

---

### **Commission District: 2 Super District: 6**

**Applicant:** Jay And Kerri Levitt  
2238 Drew Valley Road  
Atlanta, GEORGIA 30319

**Owner:** Jay Levitt

**Project Name:** 1393 Noel Drive

**Zoning:** R-75 (S-Fam Res. Min Lot 10000 Sq.Ft);

**Location** The property is located on the south side of Noel Drive, about 285 feet east of Coosawattee Drive.

**Request:** **Variance requests from the DeKalb County Zoning Ordinance, to:**  
**(1) Reduce the side yard setback from seven point five (7.5) to six point eight (6.8) feet (Section 27-186.d); and**  
**(2) Increase lot coverage from a maximum of thirty-five (35%) percent to fifty-four percent (53.98%) (Section 27-189), to allow a new house to be completed and obtain a certificate of occupancy, relating to the R-75 zoning district.**

---