



Zoning Board of Appeals

Meeting Summary

Commission Meeting Room
Decatur City Hall
509 North McDonough Street

Monday, August 12, 2019
7:30 P.M.

I. Call to Order by Board Chair.

Members in Attendance

Members in Attendance were Erik Pawloski, Chair, Seegar Swanson Vice Chair, Lindsay Reese, Phillip Wiedower, and KC Boyce.

Staff in Attendance

Staff in attendance were Mark Ethun, Building Official, Design Environment & Construction Division Building Official, and John Maximuk, Director, Design Environment & Construction Division and Jennings Bell, Project Civil Engineer, Design Environment & Construction Division. Angela Threadgill, Planning Director, Community & Economic Development Division.

The meeting was called to order at 7:30PM by Erik Pawloski. Mr. Pawloski initiated introductions of members and staff. Noted that Andy Rutledge will be late.

Mr. Pawloski explained that the meeting would be streamed online and for this reason he asked all speakers to stand at the podium and to provide a name/address when speaking to the board.

Mr. Pawloski announced that the agenda is available and the board will follow in order. He also noted that staff reports for each application have been issued and members make a point to visit each location.

Mr. Swanson announced that an agenda change has been requested for G and H. Mr. Pawloski explained that items G and H would proceed first and then the board would move through the agenda as posted. In order to accommodate staff at the meeting, a motion was made to move items G and H as the first agenda items. The motion was seconded by Mr. Wiedower. The vote was 4-0 in favor. Mr. Rutledge was not in attendance for this vote.

II. Approval of the Minutes.

Approval of the Minutes of the Regular Meeting of May 13, 2019. Mr. Pawloski initiated discussion about the minutes.

On a motion by Mr. Boyce, seconded by Mr. Wiedower, the Zoning Board of Appeals voted to approve the draft minutes of May 13, 2019 as edited on google drive. The vote was 4-0 in favor. Mr. Rutledge was not in attendance for the vote.

On a motion by Mr. Swanson, seconded by Mr. Wiedower, the Zoning Board of Appeals voted to table the approval of the draft minutes of 6.25.19. The vote was 4-0 in favor. Mr. Rutledge was not in attendance for the vote.

III. Applications.

G. East Lake Drive, LLC (Lawton Jordan), applicant and East Lake Drive, LLC, owner, have applied for a determination of the existence of an illegal non-conforming use under UDO Section 11.3.1 for the property located at 246 and 248 East Lake Drive, Decatur, GA 30030.

On a motion by Mr. Swanson, seconded by Boyce, the ZBA agreed that an illegal non-conforming use exists for the property at 246 and 248 E. Lake Drive. The vote was 5-0 in favor.

H. East Lake Drive, LLC (Lawton Jordan), applicant and East Lake Drive, LLC, owner, have applied for variances from use restrictions and requirements under the UDO Sections 3.2.2 6.2 to for continued use as a quadruplex housing unit for the property located at 246 and 248 East Lake Drive, Decatur, GA 30030.

On a motion by Mr. Boyce, seconded by Mr. Wiedower, the Zoning Board of Appeals voted to maintain the multi-family dwelling (four units use) on the condition that the use shall be maintained only and not as to the application of other buildings and fire codes contained within Article 10 of the Unified Development Ordinance. The vote was 4-1 in favor. Mr. Pawloski voted no.

A. WSE Development, applicant, has applied for variances from stream buffer requirements and flood plain requirements for several properties as listed here with associated owners in Decatur, GA 30033:

- 1) 304 Commerce Drive, East Decatur Station LLC
- 2) 255 Freeman Street, FRA Management LLC
- 3) 218 S. Columbia Drive, Commerce and Columbia LLC
- 4) 222 S. Columbia Drive, Commerce and Columbia LLC
- 5) 203 Weekes Street, Seven Smiths Investments, LP
- 6) 206 Weekes Street, Michele Ritan
- 7) 207 Weekes Street, Seaboard Properties, LP

- 8) 210 Weekes Street, Kuhl Heddy
- 9) 211 Weekes Street, Seaboard Properties, LP
- 10) 216 Weekes Street, FRA Management, LLC
- 11) 220 Weekes Street, Seaboard Weekes, LLC
- 12) 223 Weekes Street, FRA Management, LLC
- 13) 224 Weekes Street, Seaboard Weekes, LLC
- 14) 227 Weekes Street, Commerce and Columbia, LLC
- 15) 228 Weekes Street, FRA Management, LLC
- 16) 231 Weekes Street, Commerce and Columbia, LLC

On a motion by Mr. Wiedower, seconded by Mr. Swanson, the Zoning Board of Appeals voted to table the application until such time as the applicant chooses to return. The vote was 5-0 in favor.

- B. Chris Chattin and Danielle Chattin, applicants and owners, have applied for a variance from the 75 foot stream buffer requirement for the property located at 172 Mead Road, Decatur, GA 30030.

On a motion by Mr. Boyce, seconded by Mr. Wiedower, the Zoning Board of Appeals voted to approve the variance condition on the 8.7.19 memo of Jennings Bell and conditioned on plans limited to and conditioned by plans substantially similar to those submitted with the application.

The vote was 5-0 in favor.

- C. Michelle Krahe, applicant and Jim White, owner, have applied for a variance from rear yard setback requirements for the property located at 193 Feld Avenue, Decatur, GA 30030.

On a motion by Mr. Wiedower, seconded by Mr. Rutledge, the Zoning Board of Appeals voted to approve the variance conditioned on plans limited to and conditioned by plans substantially similar to those submitted with the application. The vote was 4-1 in favor. Mr. Boyce voted no.

- D. Michelle Krahe, applicant and Amy Wall, owner, have applied for a variance from side yard setback requirements for the property located at 1018 South Candler Road, Decatur, GA 30030.

On a motion by Mr. Wiedower, seconded by Mr. Boyce, the Zoning Board of Appeals voted to approve the variance conditioned on plans limited to and conditioned by plans substantially similar to those submitted with the application. The vote was 5-0 in favor.

- E. Gretchen and James Cobb, applicants and owners, have applied for variances from side yard setback requirements for the property located at 202 Upland Road, Decatur, GA 30030.

On a motion by Mr. Boyce, seconded by Mr. Wiedower, the Zoning Board of Appeals voted to approve the variance conditioned on plans limited to and conditioned by plans substantially similar to those submitted with the application. The vote was 5-0 in favor.

- F. Amy Judd, applicant and Sycamore Ridge HOA, owner, have applied for variances from the requirement for double frontage lots (UDO Section 2.1.5.) and requirements for walls, fencing, and planting (UDO Section 7.2.1) for the properties located at 506 and 517 Sycamore Ridge Drive, Decatur, GA 30030.

On a motion by Mr. Wiedower, seconded by Mr. Boyce, the Zoning Board of Appeals voted to approve the variance conditioned on requirements for double frontage lots, requirements for walls within the Sycamore Ridge Planned Unit Development, and an eight foot height. The vote was 5-0 in favor.

- I. Eric and Haley Stevens, applicants and owners, have applied for a variance from average front yard setback requirements for the property located at 245 Mount Vernon Drive, Decatur, GA 30030.

On a motion by Mr. Wiedower, seconded by Mr. Swanson, the Zoning Board of Appeals voted to approve the variance conditioned on plans limited to and conditioned by plans substantially similar to those submitted with the application. The vote was 4-1 in favor. Mr. Boyce voted no.

- J. Calvin King, owner and applicant, has applied for a variance from front yard setback requirements for the property.

On a motion by Mr. Boyce, seconded by Mr. Wiedower, the Zoning Board of Appeals voted to approve the variance conditioned on plans limited to and conditioned by plans substantially similar to those submitted with the application and on the condition that construction remains within the existing foundation. The vote was 5-0 in favor.

IV. Other

The meeting was adjourned at 12:58AM

Consistent with the requirements of O.C.G. A. 50-14-1. (e) (1)a a summary was posted on Tuesday, August 13, 2019.