



SANDY SPRINGS™

GEORGIA

BOARD OF APPEALS

TUESDAY, JANUARY 8, 2019, 6:00 p.m.

CITY HALL IN THE STUDIO THEATRE, 1 GALAMBOS WAY

MINUTES

Call to Order (6:00 pm)

The meeting was called to order by Chairman Sandler at 6:00 p.m.

Roll Call

Staff called roll with all Board of Appeals Members being in attendance.

Present: Chairman Sandler, Vice Chair E. Johnson, Members Allen, Thackston, Mobley, Lichtenstein, and A. Johnson

General Announcements

Chairman Sandler read the rules and procedures of a public hearing.

Approval of Meeting Agenda - January 8, 2019

Member Lichtenstein moved to approve the meeting agenda with Member Thackston seconding the motion with a voice vote passing the motion unanimously. (7-0-0)

Approval of Meeting Minutes - December 11, 2018

[BOA Minutes 12.11.18](#)

Vice Chair E. Johnson made a motion to approve the Minutes from the December 11, 2018 meeting with Member Mobley making a second to the motion which passed by unanimous voice vote. (7-0-0)

Cases

1. [001570](#)

V18-0036, 37 38, 39

3023, 3013, 3008, 3003 Eamont Terrace

Variance from Sec. 6.1.2.B.3.d. to allow encroachments closer than 5' from the lot line.

[V18-0036, 37 38, 39 Final Package](#)

Louisa Tovar, Planner I, presented the case with a recommendation to deny the request.

Brent Landry, the Applicant, behalf of Pulte/John Wieland, spoke supporting this request.

Masoud Zahedi, a Sandy Springs resident, shared his views on this project seeing both advantages and disadvantages especially the decks facing Allen Road. He also requested to submit a picture to Staff and to the Board of Appeals. It was accepted. No others attending the meeting wished to speak.

The Board of Appeals Members had a few specific questions for Mr. Landry regarding side and rear setbacks and the HVAC units in the setback. After more questions and discussion, Vice Chair E. Johnson moved to accept Staff's Recommendation to deny the variance request, Member Allen seconding the motion while Member Lichtenstein wished to add a friendly amendment for an exemption for Lot 58, Member Mobley making a second with a voice vote on the amendment which was defeated 4-3-0 (Not in favor of the amendment - Vice Chair E. Johnson, Members A.



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Johnson, Thackston, and Allen). The original motion to deny the request made by Vice Chair E. Johnson, seconded by Member Allen then passed with a unanimous voice vote without the defeated friendly amendment. (7-0-0)

2. 001571

V18-0042

201 Mt. Vernon Hwy

Variance from Sec. 8.2.10.2. to install a ten-foot (10') tall privacy fence.

[V18-0042 Final Package](#)

Matthew Anspach, Planner II, presented the case with Staff's Recommendation to deny the request.

Robert MacPherson, Vice President of Prime Engineerings, presenting as the Applicant. Ronda Smith, Mountaire Springs Neighborhood Association, was allowed to present pictures already provided to Staff (Vice Chair E. Johnson moved to approve the submittal of Ms. Smith's slide presentation, seconded by Member Thackston, approved by unanimous voice vote, 7-0-0). Ms. Smith, speaking in support of the variance, specifically outlined the need for a ten (10) foot fence for safety reasons. She referenced specific unsightly views by affected residents, details of the detention pond project, loss of trees, County access easement, maintenance facility/access road and the planting of Nellie Stevens holly trees. Also speaking in support of the case, Ms. Samantha Zierler who read a letter from Fulton County Commissioner, Lee Morris, urging the Board of Appeals to approve the variance and also speaking in support, Ms. Haley Alexander, both of the Enclave neighborhood. Mr. Jeff Mitchell spoke in opposition to the variance request being that he is in favor of green space and also connectivity rather than going around the cemetery.

The BOA Members did have questions if the City Arborist had comments in the Staff Report, she did not. Chairman Sandler spoke about intervening governmental action concerning the easement, removal of the trees being grounds for a variance with the City Attorney clarifying previous flooding, survival of the easement, so the detention pond was ordered by Georgia EPD, thus, these conditions were dictated to the City of Sandy Springs.

Member Mobley moved to approve the variance request based on evidence of a hardship with Vice Chair E. Johnson seconding the motion. Member Mobley did amend the motion to require that the design conform to specifics submitted in the package (design and location of fence as shown on the application) with Vice Chair restating his second and the motion passed to approve the variance request unanimously by voice vote. (7-0-0)

On-Going Business

None at this time.

New Business



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None at this time.

Public Comments

None at this time.

Adjournment

The meeting was adjourned at 7:05 p.m.

Vice Chair E. Johnson moved to adjourn with Member Allen seconding the motion which passed by unanimous voice vote. (7-0-0)
