



# SANDY SPRINGS™

## GEORGIA

BOARD OF APPEALS THURSDAY,

JANUARY 12, 2017

Work Session - 5:00 p.m. Meeting - 6:00 p.m.

CITY COUNCIL CHAMBERS, CITY HALL, 7840 ROSWELL ROAD, BUILDING 500

MINUTES

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### Call to Order (6:01 p.m.)

*The January Board of Appeals Meeting was called to order by Chair Ted Sandler. Upon calling the meeting to order, he detailed the general rules and procedures of the public meeting.*

### Roll Call

**Members Present:** Johnson, A, Johnson, E, Lichtenstein, Mobley, Moller, Nodvin and Sandler

*Staff called roll. All members were in attendance.*

### General Announcements

#### Approval of Agenda

*Vice Chair E. Johnson moved to adopt the meeting agenda which was seconded by Member A. Johnson. The motion carried by a voice vote, 7-0-0.*

#### Approval of Minutes - December 8, 2016

##### [BOA 12.8.16 MINUTES](#)

*Member Nodvin moved to approve the Minutes from the December Board of Appeals meeting. This motion was seconded by Member Lichtenstein and passed by a voice vote of 7-0-0.*

### Variances

1. [001480](#) **AP16-00006**  
**1165 Perimeter Center West**  
**WITHDRAWN**  
  
Request to appeal the denial of administrative permit AD16-00073 for a temporary structure.  
*AP16-00006 has been formally **withdrawn** by the Applicant's request.*  
*No vote required due to Applicant's request to withdraw.*
  
  2. [001481](#) **AP16-00005**  
**4579 Roswell Road**  
**WITHDRAWN**  
  
Appeal of a revocation of administrative permit AD16-00068 for a Christmas-tree stand.  
*AP16-00005 has been formally **withdrawn** by the Applicant's request.*  
*No vote required due to Applicant's request to withdraw.*
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3. 001484

**DR16-0008 & V16-0132**

**6240 Roswell Road**

**(deferred from 12/08/16 BOA mtg)**

Variance request to allow a drive-through structure adjacent to a public street and three variance requests to allow two existing nonconforming driveways on Johnson Ferry Road and Roswell Road to remain.

[DR16-0008 & V16-0132 Staff Report Full Package 1.5.17](#)

*Mr. Den Webb on behalf of the Applicant, SunTrust, spoke in support of the request, as well as, John Walker, a Traffic Engineer from Kimley-Horn. A motion was made to extend time by two minutes to allow Mr. Duane Hoover, the property owner, to speak in support of the project. The motion for extended time was made by Member Lichtenstein and seconded by Vice Chair E. Johnson.*

*Member Moller made a motion to accept Staff's Recommendation relative to the variance requests and the associated conditions. Chairman Sandler suggested separating the request into the four parts on the 4 requested variances by withdrawing #1, conditional approval of #2 and denying #3 and #4, while incorporating any and all staff conditions associated with #2. This motion died due to lack of a second.*

*Taking the requests individually, per variance #1, request to withdraw, Member Mobley moved to approve with Member Moller seconding which passed by a voice vote, 7-0-0.*

*Vice Chair E. Johnson moved to allow approved right in/right out on Roswell Road and Johnson Ferry with the stipulation that inter-parcel connectivity is provided based on Staff's Recommendations and when either of the adjoining properties are redeveloped, the city will move on those easements to provide interconnectivity to Johnson Ferry Road right in, right out will be removed. Member Mobley seconded the motion. This motion was not put to a vote due to being withdrawn by Vice Chair E. Johnson and Member Mobley withdrawing his second. A substitute motion was made by Vice Chair E. Johnson to defer for 30 days to the February meeting and seconded by Member Mobley and carried by a voice vote, 7-0-0.*

4. 001483

**V16-0146**

**185 Northglenn Ct.**

**(deferred from 12/08/16 BOA mtg)**

Variance from Section 109-225 of the Development Regulations to construct a deck that is partially within the 25-foot City stream setback (25-foot additional impervious surface setback associated with a stream buffer).

[V16-0146 Staff Report Full Package 1.12.2017](#)

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*The Applicant, Mr. Charles Grad, requested a deferral.*

*Member Moller moved to defer with Member Nodvin seconding the motion. The motion passed by voice vote, 7-0-0.*

*This is the second deferral for V16-0146 which will be added to the Board of Appeals February 2017 meeting agenda.*

5. 001482

#### V16-0152

##### 190 Colewood Way

Variance from Section 109-225 of the Development Regulations to allow a recently constructed carport to remain in the 75-foot impervious surface setback associated with a stream buffer.

Variance from Section 6.4.3C of the Zoning Ordinance to allow a recently constructed carport to remain with an encroachment of approximately 6 feet into the minimum sideyard setback.

##### [V16-0152 Staff Report Full Package](#)

*Vice Chair Eric Johnson moved to accept additional photos, seconded by Member Alvin Johnson and passing by a voice vote, 7-0-0.*

*The Applicants, Mr. and Mrs. Tolosa, along with their attorney, Nathan Hendricks, III, spoke in detail to support their request. Extended speaking time was granted to Mr. and Mrs.*

*Tolosa without a motion.*

*Vice Chair Eric Johnson moved to accept additional photos, seconded by Member Alvin Johnson and passing by a voice vote, 7-0-0.*

*Member Moller made a motion to allow a carport within the 75 foot buffer, denying in the current location and allowing the carport to be placed within the building area with required addition of impervious surface and mitigation to be commensurate with the additional impervious surface coverage. This motion was seconded by Vice Chair Eric Johnson, passing by a voice vote, 4-2-1. Member Nodvin and Chair Sandler voting opposed with Member Lichtenstein abstaining.*

#### On-Going Business

#### New Business

6. 001486

#### Adoption of 2017 Variance Schedule

##### [Variance Schedule - 2017](#)

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Member Moller moved to adopt the 2017 Variance Schedule, seconded by Member Lichtenstein. The motion passed by a voice vote, 7-0-0.

7. 001487

**New Zoning Code**

8. 001488

**BOA Retreat 2017**

Board of Appeals Retreat, Friday, March 24, 2017, Lost Corner Preserve

Staff provided information on a proposed date for the upcoming Board of Appeals Retreat for 2017.

### Public Comment

*No public comment was offered at this meeting.*

### Adjournment

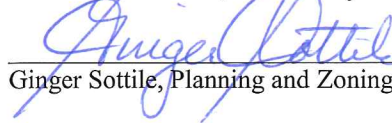
At 8:28 p.m., Vice Chair E. Johnson made a motion to adjourn the meeting which was seconded by Member Lichtenstein. The motion carried by a voice vote, 7-0-0.

Adjournment, 8:28 p.m.

Date Approved 2-9-16

  
Ted Sandler, Chairman

  
Michelle Alexander, Community Development Director

  
Ginger Sottile, Planning and Zoning Manager

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