



BOARD OF APPEALS

Ruth Coan, Post 7 –Chair
Paul Reale, Post 5- Vice Chair
Lane Frostbaum, Post 1
Jim Squire, Post 3
Ted Sandler, Post 4
Ron Carpinella, Post 2
Ken Moller, Post 6

Thursday, February 9, 2012	Regular Meeting Minutes	7:00 PM
Board Members Present	Ruth Coan (Chair), Paul Reale (Vice Chair), Ken Moller, Ted Sandler, Alvin Johnson, and Eric Johnson	
Board Members Absent	Al Pond	
Staff Present	Angela Parker, Patrice Dickerson, Cristina Nelson, Linda Abaray, Michael Barnett, Gloria Goins, Nathan Ippolito and Melissa Rixey	
Call to Order	Ruth Coan called the meeting to order at 7:00 p.m.	

ADOPTION OF AGENDA

Motion and Vote: Sandler moved to approve the Agenda for February 9, 2012. Moller seconded the motion. Approved (6-0, Coan, Reale, Squire, Moller, A. Johnson, E. Johnson and Sandler for; Pond absent) with the modification to add the election of officers and to recognize past members.

APPROVAL OF PREVIOUS MEETING'S MINUTES

Motion and Vote: Moller moved to approve the Minutes for January 11, 2012. Reale seconded the motion. Approved (6-0, Coan, Reale, Squire, Moller, A. Johnson, E. Johnson and Sandler for; Pond absent)

ELECTION FOR CHAIR

Motion and Vote: Reale motioned to nominate Ruth Coan for Chair, A. Johnson seconded. Approved (6-0, Coan, Reale, Squire, Moller, A. Johnson, E. Johnson and Sandler for; Pond absent)

ELECTION FOR VICE CHAIR

Motion and Vote: Moller motioned to nominate Paul Reale for Vice Chair, E. Johnson seconded. Approved (6-0, Coan, Reale, Squire, Moller, A. Johnson, E. Johnson and Sandler for; Pond absent)

NEW CASES

V11-050
6110 Peachtree-Dunwoody Road
Applicant: Comfort Suites

SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.26.D.2 to allow a wall sign on a non-street facing wall.

APPLICANT PRESENTATION:

Nilesh Patel 6110 Peachtree Dunwoody Rd, Sandy Springs, GA. 30328
Randy Money, 2678 Lake Forest Trail, Lawrenceville, GA. 30043

(Invitation for public comment in support of and in opposition to the petition)

SUPPORT FOR THE PETITION:

None

AGAINST THE PETITION:

None

(Close of public hearing. Board of Appeals questions and discussion)

Motion and Vote: Sandler moved to approve, E. Johnson seconded. Approved (6-0, Coan, Reale, Squire, Moller, A. Johnson, E. Johnson and Sandler for; Pond absent) subject to the following conditions:

1. To allow a wall sign on a non-street facing wall pursuant to the sign design detail submitted by the applicant, dated received November 29, 2011 by the Department of Community Development.
2. The wall sign shall be located on the south elevation of the building pursuant to the site plan submitted by the applicant, dated received November 29, 2011 by the Department of Community Development.
3. That the wall sign shall not exceed 5% of the applicable wall.

V11-051
1140 Hammond Drive
Applicant: Perimeter Dental

SUMMARY/STAFF PRESENTATION: Two (2) primary variances from Section 33.26.E.9 to allow a suspended sign not at the entrance of the tenant space and to allow a suspended sign to exceed the maximum size permitted.

APPLICANT PRESENTATION:

Nelson Yang, 1140 Hammond Dr K-225, Sandy Springs, GA. 30328
Jodi Edner, 1140 Hammond Dr K-225, Sandy Springs, GA. 30328

(Invitation for public comment in support of and in opposition to the petition)

SUPPORT FOR THE PETITION:

None

AGAINST THE PETITION:

None

(Close of public hearing. Board of Appeals questions and discussion)

Motion and Vote: E. Johnson moved to defer, A. Johnson seconded. Deferred (6-0, Coan, Reale, Squire, Moller, A. Johnson, E. Johnson and Sandler for; Pond absent) the application to the April 12, 2012 Board of Appeals meeting.

V11-052**5925-C Roswell Road (SR 9)****Applicant: Chick-fil-a**

SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.26.F.4 of the Zoning Ordinance to allow for a second menu sign where only one is allowed.

APPLICANT PRESENTATION:

Steve Smith, 40 South Shore Drive, Newnan, GA 30263

(Invitation for public comment in support of and in opposition to the petition)

SUPPORT FOR THE PETITION:

None

AGAINST THE PETITION:

None

(Close of public hearing. Board of Appeals questions and discussion)

Motion and Vote: Sandler moved to approve, Reale seconded. Approved (6-0, Coan, Reale, Squire, Moller, A. Johnson, E. Johnson and Sandler for; Pond absent) subject to the following conditions:

1. To allow a second menu sign on the existing outparcel (Chick-Fil-A), pursuant to the sign design detail submitted by the applicant, dated received December 6, 2011 by the Department of Community Development.

2. The menu sign shall be located pursuant to the site plan submitted by the applicant, dated received December 6, 2011 by the Department of Community Development.

V11-053**1340 West Garmon Road****Applicant: K. Morgan Varner III**

SUMMARY/STAFF PRESENTATION: Two (2) primary variances: 1) from Section 109.225(a)(b) 1 and 2 of the Stream Buffer Protection Ordinance to allow construction of a new single family residence; and 2) from Section 6.1.3.C of the Zoning Ordinance to reduce the twenty-five (25) foot side setback to twenty (20) feet to allow construction of a new single family residence.

APPLICANT PRESENTATION:

Larry Stauffer, 4370 Paran Pl, Atlanta, GA. 30327

Jonathan Hicks, 259 14th St. #104, Atlanta, GA 30309Dietrich Logan, 259 14th St. #104, Atlanta, GA 30309

(Invitation for public comment in support of and in opposition to the petition)

SUPPORT FOR THE PETITION:

Charles Moore

AGAINST THE PETITION:

AK Bahl, 4549 Harris Trail, Atlanta, GA. 30327

Debora Bahl, 4549 Harris Trail, Atlanta, GA. 30327

Al Goodgame, 1325 Swims Valley Drive, Atlanta, GA. 30327

Patty Berkovitz, On File

Edward Mauefee, 4547 Harris Trail, Atlanta, GA. 30327

(Close of public hearing. Board of Appeals questions and discussion)

Motion and Vote: Sandler moved to defer, Moller seconded. Deferred (5-0, Coan, Reale, Squire, Moller, A. Johnson, and Sandler for; Pond and E. Johnson absent) the application to the March 8, 2012 Board of Appeals meeting.

V11-054**1130 Hightower Trail****Applicant: Community Action Center**

SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.22.C of the Zoning Ordinance to reduce the required sign setback from ten (10) feet to zero feet.

APPLICANT PRESENTATION:

Community Action Center, 1130 Hightower Trail, Sandy Springs, GA. 30350

(Invitation for public comment in support of and in opposition to the petition)

SUPPORT FOR THE PETITION:

Kenneth Basille, 183 Sentinel Pl., Marietta, GA. 30067
Charles Crosby, 6294 Ferry Dr, Sandy Springs, GA. 30328

AGAINST THE PETITION:

None

(Close of public hearing. Board of Appeals questions and discussion)

Motion and Vote: Reale moved to approve, Moller seconded. Approved (5-0, Coan, Reale, Squire, Moller, A. Johnson, and Sandler for; Pond and E. Johnson absent) subject to the following condition:

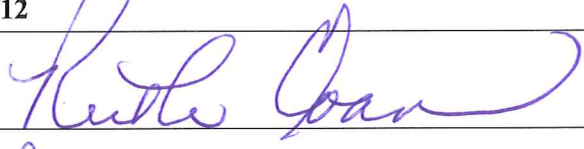
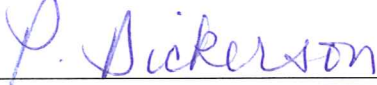
1. To reduce the required sign setback from ten (10) feet to zero (0) feet.

DISCUSSION ITEMS

Update on variance sampling project.

ADJOURNMENT

Meeting adjourned at 9:32 P.M.

Approval Signatures	
Date Approved	3/9/12
Ruth Coan (Chairman)	
Patrice Dickerson, Manager of Planning & Zoning	
Gloria Goins, Transcriber	