



BOARD OF APPEALS

THURSDAY, FEBRUARY 11, 2016

Work Session - 6:00 p.m.

Meeting - 7:00 p.m.

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

Roll Call

Members Present: Sandler, Lichtenstein, A. Johnson, Nodvin, and Moller

Members Absent: E. Johnson was absent for Agenda item: 001291. After arriving at 7:20 p.m. he was in attendance for the remainder of the meeting.

1. 001287

Adoption of Agenda

Motion 1: A motion was made by Moller, seconded by Nodvin, to amend the agenda by moving items 001291 and 001292 to the first and second cases being heard and then to approve. The motion carried by the following vote.

Yes: Sandler, Lichtenstein, A. Johnson, Nodvin, and Moller

Absent: E. Johnson

Motion 2: A motion was made by Nodvin, seconded by Moller, to approve. The motion carried by the following vote.

Yes: Sandler, Lichtenstein, A. Johnson, Nodvin, and Moller

Absent: E. Johnson

2. 001288

Approval of Previous Meeting's Minutes

Motion: A motion was made by Nodvin, seconded by Moller, to approve.

Yes: Sandler, Lichtenstein, A. Johnson, Nodvin, and Moller

Absent: E. Johnson

Documents:

[BOA 1.14.16 Minutes.pdf](#)

Variance

3. 001289

V15-0039

5200 Riverview Rd

Variances from Section 6.1.3.D to allow an existing structure to remain in the rear yard setback, from Section 6.1.3.C to allow an existing structure to remain in the side yard setback and to construct a garage in the current location of the existing structure, from Sections 6.1.3.B and 19.3.15 to allow an existing pool to remain in the front yard, and 4.3.4.B to allow existing steps, handrails, and walkway to remain and to allow the construction of handrails

In Support: Amy Hillman and Michele Gibson

In Opposition: Soheil Hanna, John Kouri, James F. Zakem, Marcia Decker, and Mary Roos

Motion: A motion was made by Lichtenstein, seconded by Moller, to approve subject to staff conditions. The motion carried by the following vote.

Yes: Sandler, Lichtenstein, A. Johnson, Nodvin, and Moller

No: E. Johnson

Documents:

[V15-0039 Full Package.pdf](#)

4. 001290

V15-0053

49 W. Belle Isle Rd

Request to encroach 15ft into required minimum rear yard to construct detached garage



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In Support: None

In Opposition: None

Motion: A motion was made by E. Johnson, seconded by Moller, to defer until the March 10, 2016 Board of Appeals meeting. The motion carried by the following vote.

Yes: Lichtenstein, A. Johnson, Nodvin, E. Johnson and Moller

No: None

Abstain: Sandler

Documents:

[V15-0053 Staff Report Full Package 020416.pdf](#)

5. 001291

V15-0054

1095 Vernon Spring Ct

Primary Variances to allow additional impervious surface into 25' additional impervious surface setback and 50' stream buffer and to bring existing dwelling which encroaches into 25' stream buffer, 50' stream buffer, and 75' impervious surface setback into legal conformity; to add 397sf of additional impervious surface within the 50' stream buffer and 695.3sf of additional impervious surface within the additional 25' impervious surface setback.

In Support: Kyle Williams and Patty Berkovitz

In Opposition: None

Motion: A motion was made by Lichtenstein, seconded by Nodvin, to approve subject to staff conditions. The motion carried by the following vote.

Yes: Sandler, Lichtenstein, A. Johnson, Nodvin, and Moller

Absent: E. Johnson

Documents:

[V15-0054 Full Package.pdf](#)

6. 001292

V15-0057

665 Hightower Trail

Variances to reduce the undisturbed natural vegetative buffer from 50' to 0' for the purpose of installing sea walls on Holes 11 and 15 and pipe the stream channel on Hole 11, and to reduce impervious surface setback from 75' to 0' for grading, filling, and earthmoving within the area.

In Support: Ethan Underwood, Zachary Truelove, Susan Culpepper, and Kathleen Zamer

In Opposition: Patty Berkovitz

Motion 1: A motion was made by A. Johnson, seconded by Nodvin, to approve subject to staff conditions. The motion failed due to lack of majority.

Yes: Sandler, A. Johnson, and Nodvin

No: Lichtenstein, E. Johnson, and Moller

Motion 2: A motion was made by Moller, seconded by E. Johnson, to defer until the March 10, 2016 Board of Appeals meeting to allow the applicant to perform a quantitative analysis for alternatives of piping the creek and impacts on erosion. The motion carried by the following vote.

Yes: Sandler, Lichtenstein, E. Johnson, Nodvin, and Moller

No: A. Johnson



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Documents: [V15-0057 Package Part I.pdf](#), [V15-0057 Package Part II.pdf](#), [V15-0057 Package Part III.pdf](#), [V15-0057 Hole 11 site plan received 1.25.16.pdf](#)

7. 001293

V15-0066

5920 Hilderbrand Drive

Request to encroach 5' 5" into minimum side yard for existing carport and patio

In Support: Joel Eisenberg

In Opposition: None

Motion: A motion was made by Moller, seconded by A. Johnson, to approve subject to staff conditions. The motion carried by the following vote.

Yes: Sandler, Lichtenstein, A. Johnson, Nodvin, E. Johnson, and Moller

No: None

Documents: [V15-0066 Full Package.pdf](#)

8. 001294

V16-0001

730 Glenferry Trail

Variance from Section 4.3.4.B of the Zoning Ordinance to encroach 2.5 feet into the additional 10' allowable encroachment for decks in the rear yard, to allow the construction of new deck and steps.

In Support: Nancy Clark and Charles Cape

In Opposition: Tom Kantsios

Motion: A motion was made by E. Johnson, seconded by Lichtenstein, to approve subject to staff conditions in addition to a condition specifying that outfall from the revised gutter system shall not increase runoff velocity, subject to evaluation and approval by the City Arborist. The motion carried by the following vote.

Yes: Sandler, Lichtenstein, A. Johnson, Nodvin, E. Johnson, and Moller

No: None

Documents: [V16-0001 Staff Report Full Package 020416_opt.pdf](#)

9. 001295

New Business

Approval Signatures

Date Approved

Ted Sandler, Chairman

Michelle Alexander, Community Development Director
Linnea Vance, Planning Coordinator/Transcriber