

BOARD OF ZONING APPEALS MEETING MINUTES

Thursday, March 8, 2007

Board Members Present: Paul Reale, Ken Moller, Mark King, Ruth Coan, Oswald Hill, and Al Pond.

Staff Present: Nancy Leathers, Michael Zehner, Cesar Geraldo, Dennis Payne, Michael Barnett, Mark Moore, Shaun Suggs, Nathan Ippolito, Cristina Nelson, and Doug Trettin

Call to Order: Al Pond called the meeting of the City of Sandy Springs Board of Zoning Appeals to order at 7:00 p.m.

I. APPROVAL OF ACTION REPORTS AND MINUTES

ACTION: Paul Reale motioned that the Minutes from the meeting of February 8, 2007 be approved. Oswald Hill seconded. The minutes were APPROVED (6-0) AS SUBMITTED.

ACTION: Paul Reale motioned that the Action Report from the meeting of February 8, 2007 be approved. Oswald Hill seconded. The Action Report was APPROVED (6-0) AS SUBMITTED.

II. APPROVAL OF CHANGE IN AGENDA ORDER

ACTION: Ruth Coan motioned that the Agenda order be changed. Ken Moller seconded. The change of Agenda order was APPROVED (6-0).

III. VARIANCES

A. V07-008

Ison Road (170025 LL 042)

Applicant: Donnie Chapman

SUMMARY: Primary variance from Section 12B.4 of the Zoning Ordinance to allow relief of the Suburban Street Overlay District streetscape standards requirement along the Ison Road frontage of the subject property.

(Invitation for public comment in support of an in opposition of the application)

(Public Hearing closed. Board of Zoning Appeals questions and discussion)

ACTION: The Applicant requested a deferral for until April 12, 2007. Paul Reale motioned to approve the deferral. Oswald Hill seconded. The deferral was APPROVED (6-0). The Board would like the Applicant to give the public proper notification.

B. V07-001

8290 Roswell Road

Applicant: Lamar Advertising

SUMMARY: Secondary variance: Appeal to the Department of Community Development Director's interpretation of the Zoning Ordinance regarding structural changes to a nonconforming sign.

(Invitation for public comment in support of an in opposition of the application)

(Public Hearing closed. Board of Zoning Appeals questions and discussion)

ACTION: The Applicant requested a deferral for April 12, 2007. Ken Moller motioned to approve the deferral. Ruth Coan seconded. The motion was **APPROVED (6-0)**. The Applicant would like to consult with the City Attorney.

C. V07-010

Glen Lake Parkway

Applicant: Investments, LLC

SUMMARY: Primary variance from Section 33.22 of the Zoning Ordinance to reduce a sign minimum setback from the right-of-way from 10 feet to 0 feet to allow for a face change on an existing nonconforming identification monument sign.

(Invitation for public comment in support of an in opposition of the application)

(Public Hearing closed. Board of Zoning Appeals questions and discussion)

ACTION: Paul Reale motioned to approve. Ruth Coan seconded. The motion was **APPROVED (6-0)**, with the conditions that are listed in the staff report and the Board recommendations that if there were any improvement to the right away that additional cost which might be incurred, will become the responsibility of property owner.

D. V06-133

821 Tanglewood Trail

Applicant: Jim Winer

SUMMARY: Primary variance from Section 14.6.5.a.i and ii of the Sandy Springs Land Development Regulations to reduce the 50 foot undisturbed natural buffer and the 25 foot impervious surface setback to a 25 foot undisturbed buffer for the construction of a single-family house.

(Invitation for public comment in support of an in opposition of the application)

Jim Winer, 1075 Brady Avenue, in support of the application.

Eric Pilchon, 4317 Park Drive, in support of the application.

Patty Berkowitz, 800 Crest Valley Drive, in opposition of the application.

Nathan Hendricks, 6085 Lake Forrest Drive, in support of the application.

(Public Hearing closed. Board of Zoning Appeals questions and discussion)

ACTION: Al Pond motioned to approve. Oz Hill seconded. The motion was APPROVED (4-2). Ken Moller and Mark King in opposition of the application.

E. V06-137

545 Windsor Parkway

Applicant: Roberts Kimclif Development Group, Inc.

SUMMARY: Primary variance from Section 14.6.5.a.i and ii of the Sandy Springs Land Development Regulations to reduce the 50 foot undisturbed natural buffer and the 25 foot impervious surface setback to a 25 foot undisturbed buffer for the construction of a single-family house.

Three primary variances from the Zoning Ordinance: 1) variance from Section 12B.4.A to eliminate the requirement for street trees, 2) variance from Section 12B.4.B to reduce the minimum required sidewalk width from 9 feet to 3 feet 6 inches plus a 2 foot brick pavers strip along Roswell Road and 3 feet 6 inches along Forest Hills Drive, and 3) variance from Section 12B.4.C to reduce the requirement for pedestrian lighting. All variances to allow for the renovation of the existing apartment building and single-family home on the subject property.

(Invitation for public comment in support of an in opposition of the application)

David A. Roberts, 4466 Outpost Court, in support of the application.

(Public Hearing closed. Board of Zoning Appeals questions and discussion)

ACTION: Ken Moller motioned to approve. Paul Reale seconded. The motion was APPROVED (6-0) with the conditions that are listed in the staff report.

F. V07-002

5095 Roswell road & 220 Forest Hills Drive

Applicant: Fountainbleau 2006, LLC.

SUMMARY: Three primary variances from the Zoning Ordinance that are listed in on the agenda.

Three primary variances from the Zoning Ordinance: 1) variance from Section 12B.4.A to eliminate the requirement for street trees, 2) variance from Section 12B.4.B to reduce the minimum required sidewalk width from 9 feet to 3 feet 6 inches plus a 2 foot brick pavers strip along Roswell Road and 3 feet 6 inches along Forest Hills Drive, and 3) variance from Section 12B.4.C to reduce the requirement for pedestrian lighting. All variances to allow for the renovation of the existing apartment building and single-family home on the subject property.

(Invitation for public comment in support of an in opposition of the application)

Ray Smith III, 5 Concourse Parkway, in support of the application.

(Public Hearing closed. Board of Zoning Appeals questions and discussion)

ACTION: Mark King motioned to approve. Paul Reale seconded. The motion was APPROVED (6-0) based on the March 2007 site with the staff recommendations as amended and added to.

G. V07-003

100 Cat Cay Court

Applicant: Patrick H. Ryan, Jr.

SUMMARY: Primary variance from Section 6.2.3.B of the Zoning Ordinance to reduce the minimum front yard setback from 60 feet to 18 feet to allow for construction of an underground garage.

(Invitation for public comment in support of an in opposition of the application)

Patty Berkowitz, 800 Crest Valley Drive, in support of the application)

(Public Hearing closed. Board of Zoning Appeals questions and discussion)

ACTION: Paul Reale motioned to approve. Oz Hill seconded. The motion was APPROVED (6-0) with the special conditions listed in the staff report.

H. V07-004

970 Riverside Trace

Applicant: Stephen and Joan King

SUMMARY: Primary variance from Section 6.3.3.C of the Zoning Ordinance to reduce the minimum side yard setback from 15 feet to 9 feet to allow for construction of additions to a single-family house.

(Invitation for public comment in support of an in opposition of the application)

William L. Weidman, 110 Georgia Manor Court, in support of the application

(Public Hearing closed. Board of Zoning Appeals questions and discussion)

ACTION: Ken Moller motioned to approve. Paul Reale seconded. The motion was APPROVED (6-0) with the condition that is listed in the staff report.

I. V07-007

4933 Carol Lane

Applicant: Neil Johnson

SUMMARY: Primary variance from Section 14.6.5.a ii of the Sandy Springs Land Development Regulations to reduce the 25 foot impervious surface setback (of the 75 foot stream buffer) to 0 feet for the construction of a single-family house.

(Invitation for public comment in support of an in opposition of the application)

Charles Patterson, in support of the application

Patty Berkowitz, 800 Crest Valley Drive, NW in opposition of the application

Shana DeLuca, Alpharetta, in support of the application

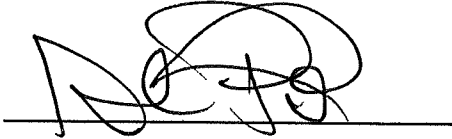
(Public Hearing closed. Board of Zoning Appeals questions and discussion)

ACTION: Paul Reale motioned to approve. Ruth Coan seconded. The motion was **APPROVED (6-0)** with the conditions listed in the staff report.

The meeting was adjourned at 10:30 p.m.

SIGNATURE APPROVAL PAGE

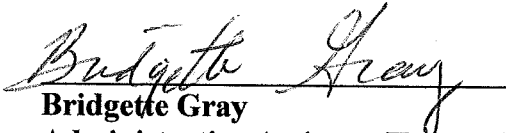
Date Approved: April 12, 2007

A handwritten signature in black ink, appearing to be 'Al Pond', written over a horizontal line.

Al Pond, Chairperson

A handwritten signature in black ink, appearing to be 'Michael Zehner', written over a horizontal line.

Michael Zehner
Assistant Director – Planning and Zoning

A handwritten signature in black ink, appearing to be 'Bridgette Gray', written over a horizontal line.

Bridgette Gray
Administrative Assistant/Transcriber