



SANDY SPRINGS™

GEORGIA

BOARD OF APPEALS

THURSDAY, MARCH 9, 2017

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

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

MINUTES

Call to Order (6:02 p.m.)

Chairman Sandler called the meeting to order.

Roll Call

Present - Board Members Moller, Mobley, Berman, A. Johnson, Lichtenstein, E. Johnson and Chairman Sandler

General Announcements

Chairman Sandler offered congratulations to Member Melissa Nodvin upon her recent marriage, noting her name change to Melissa Berman.

An announcement was made by Chairman Sandler regarding recent reappointments of several Board of Appeals Members by Mayor Paul. Reappointed to second terms included Chairman Sandler, Members (Nodvin) Berman, A. Johnson and E. Johnson.

Chairman Sandler announced to the audience that agenda item #001500, case #AP17-00002 regarding address 420 Riverhill Drive would not be heard at this time.

Approval of Meeting Agenda

[BOA Agenda 3.9.17](#)

Member Berman moved to approve the meeting agenda. Member A. Johnson seconded the motion, passing by a voice vote of 7-0-0.

Approval of Minutes - February 9, 2017

[BOA Minutes 2.9.17](#)

Approved pending correction to February Minutes regarding agenda item #001492, case #V17-0006 which states in error that Member Mobley recused himself before the item was called when it was Member Moller that recused himself prior to the item being heard.

Motion made to approve with correction made by Member E. Johnson with a second by Member Moller. This passed by voice vote, 7-0-0.

New Business

Election of Officers - Chair & Vice Chair

Member Moller made a motion for Chairman Sandler to retain the Chair position. This was seconded by Member Mobley and passed by a voice vote of 6-0-0.

Member Mobley made a motion for Vice Chair Eric Johnson to retain the Vice Chair position. This was seconded by Member Moller and passed by a voice vote of 6-0-0.

Variances



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1. 001494

V16-0146

185 Northglenn Court

Variance request 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). **deferred from previous BOA meetings*

[V16-0146 Final Package](#)

Den Webb, attorney representing the applicant, spoke regarding the request.

Vice Chairman E. Johnson moved to approve with stipulations to resize the trench, mitigate for the impervious surfaces with Member Lichtenstein seconding with discussion causing Vice Chairman Johnson to restate his original motion for approval with trench sized and designed by an engineer to accommodate all impervious surfaces. (approving 1,2,4,5 with revisions to 3) Seconded by Member Lichtenstein. Passed with a voice vote, 5-0-2 with Members A. Johnson and Mobley voting opposed with remaining members voting in favor.

2. 001495

V17-0007

4980 Spruce Bluff Drive

Variance from Section 19.3.15 of the City of Sandy Springs Zoning Ordinance, to allow a swimming pool in the front yard.

[V17-0007 Final Package](#)

Member Moller moved to approve per Staff Recommendations, seconded by Member Berman with the motion passing by a voice vote, 7-0-0.

3. 001496

V17-0011

240 River North Drive

Variance request (1) to allow a reduction in the minimum side yard setback from 15 feet to 11 feet (Section 6.3.3.C). Variance request (2) to allow a reduction in the minimum rear yard setback from 40 feet to 22 feet (Section 6.3.3.D).

[V17-0011 Final Package](#)

Wade and Flynn Chappell, the Applicants and property owners, spoke in support of their request. Neighbor Joe Hiatt also spoke in support while neighbors Joe Green and Jean Gamble spoke to oppose the request.

Vice Chair made a motion to defer for 30 days then revised to 60 days for the item to be deferred until the May 11, 2017 Board of Appeals meeting. This was seconded by Member Mobley initially for the 30 day deferral and for the extended 60 day deferral. All members voted in favor, 7-0-0, the motion passed.



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4. 001497

V17-0016

5901 Hilderbrand Drive

Variance from Section 6.4.3(b) of the Zoning Ordinance, to allow construction of a garage addition and a covered patio addition to an existing residence 26 feet into the 50-foot front yard setback.

[V17-0016 Final Package](#)

The Applicant and property owner, Mr. Brian Farris, spoke supporting his request for a garage addition while neighbor Ronald Holl spoke in opposition. Doug Falciglia offered neutral comments regarding the request.

Member Mobley moved to approve with Staff Conditions, seconded by Vice Chair Johnson with a voice vote passing the motion, 6-0-1. Member Moller was the opposing vote.

5. 001498

V17-0017

5190 Vernon Springs Trail

Variance request from 6.3.3. D. Minimum Rear Yard: 40 feet. The Variance would allow a reduction in the minimum rear yard setback from 40 feet to 30 feet.

[V17-0017 Final Package](#)

Member Lichtenstein made a motion to approve with Staff Conditions. This motion was seconded by Member A. Johnson, passing by a voice vote, 7-0-0.

Appeals

6. 001499

AP17-00001

6870 Roswell Road

Request to appeal two (2) administrative determinations regarding the location of a stormwater management system.

[AP17-00001 Full Package](#)

Attorney representing the Applicant, Jill Arnold and Civil Engineer Thad Higgins spoke in support of the request to appeal the two administrative determinations.

Ronda Smith, Council of Neighborhoods, spoke in opposition.

Ms. Arnold requested the Board accept materials included in notebooks to support the applicant's position. Vice Chair Johnson made a motion to accept with Member Mobley seconding, the motion passing by a voice vote. The notebooks were accepted. The issue was discussed at length including clarification on some points by City Attorney Wendell Willard. The discussion centered on stormwater design and the scope of the Public Works Director's decision.



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After much discussion, Vice Chair Johnson made a motion for deferral of 30 days to the April meeting in relation to #2, issue of Public Works Director, which was seconded by Member Moller. A unanimous voice vote passed the deferral, 7-0-0.

7. 001500

AP17-00002

420 Riverhill Drive

Appeal of an administrative decision regarding a use determination as a personal care home.

[AP17-00002 Final Package](#)

[Opposition Letters to 420 Riverhill](#)

This case was not heard. All parties have agreed to a 60 day deferral. The case will be re-scheduled for the Board of Appeals Meeting on Thursday, May 11, 2017.

On-Going Business

None at this time.

Public Comment

Sandy Springs resident Tochie Blad spoke during the call for Public Comment. Ms. Blad and Ms. Patty Berkovitz spoke regarding a case heard in 2013 by the Board of Appeals, the property located at 6890 Peachtree Dunwoody Road.

Adjournment

Vice Chair Johnson moved to adjourn the meeting with Member Berman seconding the motion. A unanimous voice vote passed with adjournment called at 10:01 pm.

Approval Signatures

Date Approved _____

Ted Sandler, Chairman

Michelle Alexander, Community Development Director

Ginger Sottile, Planning and Zoning Manager
