



Board of Appeals

March 11, 2010

Meeting Minutes

Board Members Present	Ron Carpinella Chairman, Ruth Coan Vice Chair, Paul Reale, Ken Moller, Ted Sandler, Lane Frostbaum, and Jim Squire
Board Members Absent	None
Staff Present	Nancy Leather, Cristina Nelson, Linda Abaray, Gloria Goins, Michael Barnett, and Cecelia McCoy

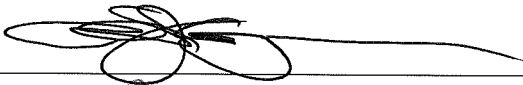
CALL to Order	Ron Carpinella called the meeting to order at 7:00 p.m.
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	ADOPTION OF AGENDA
	ACTION: Moller moved to approve the adoption of the agenda , with the amendment to add the recognition of Oz Hill as the first item. Reale seconded. Approved (7-0, Carpinella, Coan, Squire, Frostbaum, Sandler, Moller and Reale for).
	PRESENTATION
	Recognition of Oz Hill for his service to the City of Sandy Springs Board of Appeals from February 1, 2006 through March 11, 2010
	PREVIOUS MEETING'S MINUTES
	ACTION: Sandler moved to approve the previous meeting's minutes , Reale seconded. Approved (7-0, Carpinella, Coan, Squire, Frostbaum, Sandler, Moller and Reale for).
	Deferred Case
1.	V09-040 760 Londonberry Road <i>Applicant: Darnell Sutton.</i> SUMMARY/STAFF PRESENTATION: Two primary variances from the Zoning Ordinance: 1) variance from Section 6.2.3.B to reduce the required front yard setback from 60 feet to 20 feet and 2) variance from Section 6.2.3.I to allow for an existing accessory structure within the front yard. Applicant Presentation: Darnell Sutton, 760 Londonberry Rd, Atlanta, GA. 30327 (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: Glenn Messner, 661 Loridans Dr, Atlanta, GA. 30342 • Against the Petition: Patty Berkovitz, On File (Close of public hearing. Board of Zoning Appeals questions and discussion)

	ACTION: Motion #1 Moller moved to deny the application Reale seconded. Motion Failed (2-5, Reale and Moller for; Carpinella, Squire, Frostbaum, Coan and Sandler against) Motion #2 Squire moved to approve with conditions Frostbaum seconded. Approved (5-2, Carpinella, Coan, Squire, Frostbaum, Sandler for; Moller and Reale against). Subject to the following conditions: Condition(s): 1) The proposed lot shall be in accordance with the proposed site plan, provided by the applicant dated received February 25, 2010 by the Department of Community Development, for the variance(s) herein, showing the accessory structure (gazebo). 2) To allow an accessory structure (gazebo) to be located in the front yard as shown on the site plan, provided by the applicant dated received August 4, 2009 by the Department of Community Development. To reduce the required sixty (60) foot minimum front yard setback to twenty (20) feet, where necessary, to accommodate the portion of the encroachment (s) only.
New Cases	
2.	V10-001 8600 Roswell Road (SR9) <i>Applicant: Virgil Beddingfield.</i> SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.22.C of the Zoning Ordinance to reduce the required ten (10) foot minimum sign setback from the right-of-way to 1 foot. Applicant Presentation: Danny Lankford, 2285 Park Central Blvd, Decatur, GA. 30035 (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 Zoning Appeals questions and discussion) ACTION: Frostbaum moved to approve with conditions, Sandler seconded. Approved (7-0, Carpinella, Coan, Squire, Frostbaum, Sandler, Moller and Reale for). Subject to the following conditions: Condition(s): 1) Allow the monument sign to be located at the proposed location, one (1) foot from the right-of-way, pursuant to the site plan submitted by the applicant, and dated received January 5, 2010 by the Department of Community Development. 2) The monument sign shall comply with all the standards of the Sandy Springs Overlay as provided for in Article 33.26.H.
3.	V10-002 6355 Peachtree Dunwoody Road <i>Applicant: Finger-FSC Perimeter, Ltd.</i> ▪ SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.26.F.6 of the Zoning Ordinance to allow for a second additional sign during construction and for 2 temporary signs allowed during construction to remain for a year after the issuance of a Certificate of Occupancy. Applicant Presentation: Wayne Edy, 6355 Peachtree Dunwoody Rd., 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 Zoning Appeals questions and discussion)
	ACTION: Motion #1 Coan moved to Deny two (2) temporary signs Moller seconded. Approved (6-0, Carpinella, Coan, Reale, Squire, Frostbaum, and Moller for; Sandler abstaining) Motion #2 Coan moved to approve to allow the construction sign to remain on the lot for a period of one (1) year from the date of the issuance of the first Certificate of Occupancy. Moller seconded. Approved (6-0, Carpinella, Coan, Reale, Squire, Frostbaum, and Moller for; Sandler abstaining)
	Condition(s): None
4.	V10-003 420 North Errol Court <i>Applicant: Robert Levin.</i> SUMMARY/STAFF PRESENTATION: Primary variance from Section 109-225.a 1 and 2 of the Stream Buffer Protection Ordinance to reduce the 75 foot buffer and setback requirements (50 foot undisturbed natural buffer and 25 foot impervious surface setback) to 42 feet to allow for new additions to a single-family house. Applicant Presentation: Lovick Evans Lee Engineers, 603 Macy Drive, Roswell, GA. 30076 Robert Levin, 420 N. Errol Ct, (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: None • Against the Petition: Patty Berkovitz, On File (Close of public hearing. Board of Zoning Appeals questions and discussion)
	ACTION: Sandler moved to approve with conditions Coan seconded. Approved (5-1-1, Coan, Reale, Sandler, Frostbaum, and Moller for; Carpinella against; Squire abstaining) Subject to the following conditions:
	Condition(s): 1) The subject addition shall be constructed in accordance with the proposed site plan, provided by the applicant dated received February 8, 2010 by the Department of Community Development, for the variance herein, showing a reduction in the 75 foot buffer and setback requirements (50 foot undisturbed natural buffer and 25 foot impervious surface setback) to forty-two (42) feet (proposed structure encroachment of twenty-five (25) feet and limits of disturbance of eight (8) feet for a total encroachment of thirty-three (33) feet) to allow for new additions, where necessary to accommodate the portion of the encroachment only. 2) The lowest floor elevation of the new house, including basement shall be elevated to at least the higher of the following two elevations: a. three feet above the 100 year water surface elevation at the inlet of the pipe (new pipe if installed, or existing pipe if new pipe not installed); b. two feet higher than the elevation of the ground surface at the threshold over which water would flow to continue downstream if the water level upstream of the pipe were to rise such that overland flow downstream were to occur. 3) When garages or parking pads are located in areas where the fifty (50) foot undisturbed natural buffer and the twenty-five (25) foot impervious setback have been reduced, grates used for drainage of these areas (where oil, grease or

	antifreeze might flow) shall have either vegetation for filtration before entering the stream or artificial filtration with proof of maintenance required at time of Land Disturbance Permit, subject to the approval of the Sandy Springs City Engineer. 4) The area of the fifty (50) foot undisturbed natural buffer outside the area of this approved variance shall be maintained and any modification to the buffer (e.g. replanting or restoration) shall be subject to the approval of the Sandy Springs Arborist. 5) The area of the first twenty-five (25) foot undisturbed natural buffer outside the sanitary sewer easement shall be replanted subject to the approval of the Sandy Springs Arborist.
5.	V10-004 275 Danbury Lane Applicant: David Herrigel. SUMMARY/STAFF PRESENTATION: Primary variance from Section 6.4.3.D of the Zoning Ordinance to reduce the required rear yard setback from 35 feet to 10 feet to allow for the construction of a detached garage. Applicant Presentation: David Horrigel, 275 Danbury Lane, Atlanta, GA. 30327 Mike Hopkins, Architect, 2653 Sharondale Circle, Atlanta, GA. 30305 (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 Zoning Appeals questions and discussion)
	ACTION: Moller moved to approve with conditions Coan seconded. Approved (5-2, Carpinella, Coan, Squire, Sandler, Moller for; Frostbaum and Reale against). Subject to the following conditions:
	Condition(s): The proposed lot shall be in accordance with the proposed site plan, provided by the applicant dated received January 5, 2010 by the Department of Community Development, for the variance(s) herein, showing a reduction of the required thirty-five (35) foot minimum rear yard setback to ten (10) feet to allow a detached garage, where necessary, to accommodate the portion of the encroachment (s) only.

Meeting Adjourned: 8:35 p.m.	
Approval Signatures	
Date Approved	4/8/10
Ron Carpinella, Chairman	
Patrice Ruffin, Assistant Director of Planning and Zoning	
Gloria Goins, Transcriber/ Administrative Coordinator	