



BOARD OF APPEALS

Ruth Coan, Post 7 –Chair
Ted Sandler, Post 4 - Vice Chair
Alvin Johnson, Post 1
Eric Johnson, Post 3
Melissa Nodvin, Post 5
Ron Carpinella, Post 2
Ken Moller, Post 6

Thursday, March 13, 2014	Regular Meeting Minutes	7:00 PM
Board Members Present	Ruth Coan (Chair), Ted Sandler (Vice Chair), Alvin Johnson, and Ken Moller	
Board Members Absent	Ron Carpinella, Eric Johnson, and Melissa Nodvin	
Staff Present	Angela Parker, Patrice Dickerson, Colleen Allen, Sonya Fambro, Gloria Goins, and Cristina Nelson,	
Call to Order	Ruth Coan (Chair) called the meeting to order at 7:00 p.m.	

ADOPTION OF AGENDA

Motion and Vote: A. Johnson moved to approve the March 13, 2014 Agenda. Moller seconded. Approved (4-0, Coan, Sandler, A. Johnson, and Moller; Carpinella, E. Johnson, and Nodvin absent).

APPROVAL OF PREVIOUS MEETING'S MINUTES

Motion and Vote: Sandler moved to approve the Minutes for January 9, 2014. A. Johnson seconded. Approved (4-0, Coan, Sandler, A. Johnson, and Moller; Carpinella, E. Johnson, and Nodvin absent).

NEW CASES

201303879
1100 Hammond Drive
Applicant: Extended Stay America

SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.26.F.B of the Zoning Ordinance to allow a second monument sign along Hammond Drive.

APPLICANT PRESENTATION:

Harold Buckley Jr., 2849 Paces Ferry Road, Suite 700, Atlanta, GA. 30339

(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 defer, A. Johnson seconded. Approval (4-0, Coan, Sandler, A. Johnson, and Moller; Carpinella, E. Johnson, and Nodvin absent) subject to the following conditions:

- 1) To allow an additional Identification monument sign along Hammond Drive property frontage pursuant to the sign detail, submitted by the applicant, and dated received October 23, 2013 by the Department of Community Development.
- 2) That the sign shall be located at the proposed location (10' from the right of way) pursuant to the site plan provided by the applicant dated received October 23, 2013, by the Department of Community Development.
- 3) That the sign area shall not exceed twenty nine (29) square feet and six (6) feet in height, pursuant to the sign design detail, submitted by the applicant, dated received October 23, 2013 by the Department of Community Development.

201303931

101 Mount Paran Road

Applicant: Joe H. Card

SUMMARY/STAFF PRESENTATION: Two primary variance: 1) from Section 6.4.3.B of the Zoning Ordinance to reduce the required fifty (50) foot front yard setback to thirty (30) feet to allow construction of a detached garage, and 2) from Section 6.4.3.I of the Zoning Ordinance to allow an accessory structure to be located in a front yard.

APPLICANT PRESENTATION:

Joe Card, 4875 Powers Ferry Rd, Atlanta, GA. 30327

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

SUPPORT FOR THE PETITION:

None

AGAINST THE PETITION:

Emily Volpe, 530 Park Gate Court, Atlanta, GA. 30342

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

Motion and Vote: Sandler moved to defer, Moller seconded. Motion to Defer 30 days to the April 10, 2014 hearing to go give the applicant time to meet with the neighbors to discuss their concerns regarding tree removal, design of the proposed garage, and impacts to existing runoff. (2-2, Sandler

and Moller for; Coan and A. Johnson opposed; Carpinella, E. Johnson, and Nodvin absent) The motion did not carry.

Motion and Vote: Sandler moved to approve, A. Johnson seconded. Approval (4-0, Coan, Sandler, A. Johnson, and Moller; Carpinella, E. Johnson, and Nodvin absent) subject to the following conditions:

- 1) To reduce the required fifty (50) foot front yard setback to thirty (30) feet to allow construction of a detached garage, as shown on the site plan dated received November 25, 2013 by the Department of Community Development.
- 2) Relief from the requirement that accessory structures be located in a rear yard.
- 3) The height of the proposed accessory structure shall be limited to twenty-four (24) feet.
- 4) Runoff from the proposed accessory structure shall be directed towards the rear of the property and not towards the property's eastern lot line.
- 5) Construction materials used for the proposed accessory structure shall be similar to those used for the existing residence.

201303978

5217 Long Island Drive

Applicant: Keith Sirockman

SUMMARY/STAFF PRESENTATION: Primary variance from Section 4.2.10 of the Zoning Ordinance to allow the required building width to be met at a distance greater than the sum of the front and rear yard setbacks to allow for creation of a new lot.

APPLICANT PRESENTATION:

None

(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: Moller moved to approve, A. Johnson seconded. Withdrawal (4-0, Coan, Sandler, A. Johnson, and Moller; Carpinella, E. Johnson, and Nodvin absent).

201304216**6269 Roswell Road****Applicant: Regency Centers**

SUMMARY/STAFF PRESENTATION: Primary variance from Section 12B.4 of the Zoning Ordinance to allow for a modified streetscape.

APPLICANT PRESENTATION:

Carl Baker, 3715 Northside Dr, Atlanta, GA. 30327

(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: Moller moved to approve, A. Johnson seconded. Approval (3-0-1, Coan, A. Johnson, and Moller for; Sandler abstaining; Carpinella, E. Johnson, and Nodvin absent) subject to the following conditions:

1) To allow relief from Section 12B.4 of the required streetscape standards to allow for a modified streetscape plan, as shown on the site plan dated received January 13, 2014 by the Department of Community Development.

201304282**345 Riverhill Drive****Applicant: Harry Mehre**

SUMMARY/STAFF PRESENTATION: Primary variance from Section 6.4.3.C of the Zoning Ordinance to reduce the required ten (10) foot side yard setback to five (5) feet six (6) inches to allow for a generator.

APPLICANT PRESENTATION:

Harry Mehre, 345 Riverhill Dr

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

SUPPORT FOR THE PETITION:

Catherine Bisol

AGAINST THE PETITION:

None

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

Motion and Vote: Sandler moved to approve, A. Johnson seconded. Approval (4-0, Coan, Sandler, A. Johnson, and Moller; Carpinella, E. Johnson, and Nodvin absent) subject to the following conditions:

- 1) To reduce the required ten (10) feet to five (5) feet six (6) inches to allow for the installation of a generator, as shown on the site plan dated received December 30, 2013 by the Department of Community Development.
- 2) The homeowner shall be responsible for moving the generator if the City ever needs to repair, inspect or upgrade the underground storm pipe. Additionally, the City shall not be liable for any damages to the generator should the City need to access the easement for repairs, inspections or upgrades.
- 3) Should the Board of Appeals permit construction, the applicant shall enter into a City encroachment and indemnification agreement at the time of building permitting.

201400061

7901 Roberts Drive

Applicant: Davis Academy

SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.23.C of the Zoning Ordinance to allow LED lighting as part of a changeable copy sign.

APPLICANT PRESENTATION:

Bob Gerber, 2375 Benson Oaks Ct., Cumming, GA. 30041

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

SUPPORT FOR THE PETITION:

None

AGAINST THE PETITION:

Jimmy Packer, 1505 Bakers Glen Dr., Atlanta, GA. 30350

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

Motion and Vote: Moller moved to approve, A. Johnson seconded. Approval (4-0, Coan, Sandler, A. Johnson, and Moller; Carpinella, E. Johnson, and Nodvin absent) subject to the following conditions:

- 1) To allow an internal sign to use LED technology as part of a changeable copy display pursuant to the sign detail, submitted by the applicant, and dated received January 8, 2014 by the Department of Community Development.
- 2) That the sign area shall not exceed 16 square feet of sign area and five (5) feet in height, pursuant to the sign design detail, submitted by the applicant, dated received January 8, 2014 by the Department of Community Development.

3) Changeable copy displays shall remain constant in lighting, color, and all other changeable variables allowed by technology, pursuant to the sign design provided by the applicant dated received January 8, 2014, by the Department of Community Development.

4) The applicant shall install screening between the sign and neighboring residential properites, subject to approval by the City Arborist.

5) The operating hours of the sign shall be limited to 7:00 AM to 6:00 PM Monday through Friday, and shall not operate Saturday and Sunday; these hours may be expanded during special events.

201400062

8105 Roberts Drive

Applicant: Davis Academy

SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.23.C of the Zoning Ordinance to allow LED lighting as part of a changeable copy sign.

APPLICANT PRESENTATION:

Bob Gerber, 2375 Benson Oaks Ct., Cumming, GA. 30041

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

SUPPORT FOR THE PETITION:

Sharon Hobby, 8070 Innsbruck Dr., Sandy Springs, GA. 30350

AGAINST THE PETITION:

None

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

Motion and Vote: Moller moved to approve, A. Johnson seconded. Approval (4-0, Coan, Sandler, A. Johnson, and Moller; Carpinella, E. Johnson, and Nodvin absent) subject to the following conditions:

1) To allow an internal sign to use LED technology as part of a changeable copy display pursuant to the sign detail, submitted by the applicant, and dated received January 8, 2014 by the Department of Community Development.

2) That the sign area shall not exceed 16 square feet of sign area and five (5) feet in height, pursuant to the sign design detail, submitted by the applicant, dated received January 8, 2014 by the Department of Community Development.

3) Changeable copy displays shall remain constant in lighting, color, and all other changeable variables allowed by technology, pursuant to the sign design provided by the applicant dated received January 8, 2014, by the Department of Community Development.

4) The applicant shall install screening between the sign and neighboring residential properites, subject to approval by the City Arborist.

5) The operating hours of the sign shall be limited to 7:00 AM to 6:00 PM Monday through Friday, and shall not operate Saturday and Sunday; these hours may be expanded during special events.

201303893

5920 Roswell Road, Suite 115

Applicant: Alphonso Smith

SUMMARY/STAFF PRESENTATION: Secondary variance to appeal the Department's August 6, 2013 determination regarding revocation of the sign permit.

APPLICANT PRESENTATION:

None

(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: Moller moved to approve, A. Johnson seconded. Approval (4-0, Coan, Sandler, A. Johnson, and Moller; Carpinella, E. Johnson, and Nodvin absent) subject to the following conditions:

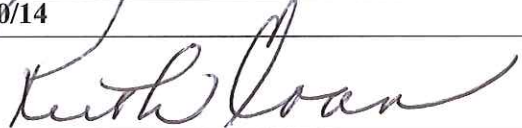
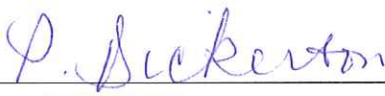
DISCUSSION ITEMS

Election of Chair and Vice Chair

Action on this item will be taken at the April 10, 2014 Hearing when all Board Members are present.

ADJOURNMENT

Meeting adjourned at 8:33 P.M.

Approval Signatures	
Date Approved	4/10/14
Ruth Coan (Chairman)	
Patrice Dickerson, Manager of Planning & Zoning	
Gloria Goins, Transcriber	