



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, April 10, 2014	Regular Meeting Minutes	7:00 PM
Board Members Present	Ruth Coan (Chair), Ted Sandler (Vice Chair), Alvin Johnson, Eric Johnson, Melissa Nodvin, and Ken Moller	
Board Members Absent	Ron Carpinella	
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: Moller moved to approve the March 13, 2014 Agenda. A. Johnson seconded. Approved as Amended (6-0, Coan, Sandler, A. Johnson, E. Johnson, Nodvin, and Moller; Carpinella absent).

APPROVAL OF PREVIOUS MEETING'S MINUTES

Motion and Vote: Sandler moved to approve the Minutes for January 9, 2014. A. Johnson seconded. Approved (6-0, Coan, Sandler, A. Johnson, E. Johnson, Nodvin, and Moller; Carpinella absent).

ELECTION OF CHAIR

Motion and Vote: Sandler moved to approve Ruth Coan as Chair. Moller seconded. Motion to Appoint Ruth Coan as Chair (6-0, Coan, Sandler, A. Johnson, E. Johnson, Nodvin, and Moller; Carpinella absent).

ELECTION OF VICE CHAIR

Motion and Vote: Coan moved to approve Ted Sandler as Vice Chair. Nodvin seconded. Motion to Appoint Ted Sandler as Vice Chair (6-0, Coan, Sandler, A. Johnson, E. Johnson, Nodvin, and Moller; Carpinella absent).

SECONDARY VARIANCES**201400086****6096 Barfield Road****Applicant: 6096 Barfield Road, LLC**

SUMMARY/STAFF PRESENTATION: Secondary variance to appeal the Director's December 12, 2013 determination regarding the use of the property.

APPLICANT PRESENTATION:

William Woodson Galloway, 3500 Lenox Rd. NE Ste. 760, Atlanta, GA. 30326

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

SUPPORT FOR THE PETITION:

Nathan V. Hendricks, 6085 Lake Forrest Dr. Ste. 200, Sandy Springs, GA. 30328

AGAINST THE PETITION:

Tochie Blad, 7320 Hunter Branch Dr, Sandy Springs, GA. 30328

Sam Mickelson, 750 Hammond Dr Bldg 19, Sandy Springs, GA. 30328

Rob Stein, 3520 Piedmont Rd, Atlanta, GA. 30350

Mike Ellison, 6104 Barfield Rd, Sandy Springs, GA. 30328

Mark Skinner, 1266 West Paces Ferry Rd, 148, Atlanta, GA. 30327

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

Motion and Vote: Sandler moved to approve, E. Johnson seconded. Affirmation of Director's Determination (6-0, Coan, Sandler, A. Johnson, E. Johnson, Nodvin, and Moller; Carpinella absent).

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:

Alphonso Smith, 80 Pine Grove Circle, Newnan, GA.

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

SUPPORT FOR THE PETITION:

Robert Gayle, 5920 Roswell, Rd. Ste. A115

Jackie Merkel, 5920 Roswell Rd. Ste. B-111

AGAINST THE PETITION:

None

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

Motion and Vote: E. Johnson moved to defer, A. Johnson seconded. Deferred 30 days to the May 8, 2014 Hearing (4-1-1, Coan, A. Johnson, E. Johnson, and Nodvin for; Moller against; Sandler abstaining; Carpinella absent) to give staff the opportunity to re-measure the height of the wall and the installed sign.

PRIMARY VARIANCES

201400099

227 St. Nicholas Circle

Applicant: Kevin Medendorp

SUMMARY/STAFF PRESENTATION: A primary variance from Section 109.225 (a) (1) & (2) of the Stream Buffer Protection Ordinance for relief from the seventy-five (75) foot impervious surface setback and fifty (50) foot undisturbed buffer to allow construction of a single family residence and retaining wall.

APPLICANT PRESENTATION:

Nathan V Hendricks, 6085 Lake Forrest Dr, Suite 200, Sandy Springs, GA.

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

SUPPORT FOR THE PETITION:

Kevin Medendorp, 3165 Argonne Drive, Atlanta, GA. 30305

AGAINST THE PETITION:

None

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

Motion and Vote: Moller moved to approval, A. Johnson seconded. Approval (6-0, Coan, Sandler, A. Johnson, E. Johnson, Nodvin, and Moller; Carpinella absent) subject to staff conditions: 1) To allow for the construction of a single family residence and wall within the seventy-five (75) foot impervious surface setback and fifty (50) undisturbed buffer, as shown on the site plan dated received February 10, 2014 by the Department of Community Development.

201400322

1150 Lake Hearn Drive

Applicant: Caram, Inc.

SUMMARY/STAFF PRESENTATION: Two (2) primary variances from 1) Section 33.26.D.1.b of the Zoning Ordinance to allow a second monument sign along the Lake Hearn Drive road frontage; and 2) Section 33.26.D.1 to allow monument signs to be internally illuminated.

APPLICANT PRESENTATION:

Steve Lebovitz, 303 Peachtree Street, Atlanta, GA. 30308

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

SUPPORT FOR THE PETITION:

Dan Baskerville, 303 Peachtree Street, Atlanta, GA. 30308
Angela Archibald, Sherrer Dr NW, Acworth, GA 30102

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 (6-0, Coan, Sandler, A. Johnson, E. Johnson, Nodvin, and Moller; Carpinella absent) subject to the following conditions:

- 1) To allow an additional Identification monument sign along Lake Hearn Drive property frontage pursuant to the sign detail, submitted by the applicant, and dated received February 18, 2014 by the Department of Community Development.
- 2) To allow ID monument signs along Lake Hearn Drive property frontage to be internally illuminated pursuant to the sign details, submitted by the applicant, and dated received February 4, 2014 by the Department of Community Development.

201400331

5900 Peachtree-Dunwoody Road

Applicant: Concourse Owner III, LLC

SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.26.F.1 to allow a monument sign to be internally illuminated.

APPLICANT PRESENTATION:

Tiffany Chen, 55 Ivan Allen Blvd, Ste 100, Atlanta, GA. 30308

(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: E.Johnson moved to approve, Sandler seconded. Approval (6-0, Coan, Sandler, A. Johnson, E. Johnson, Nodvin, and Moller; Carpinella absent) subject to the following conditions:

- 1) To allow ID monument signs along Peachtree Dunwoody Road and Hammond Drive to be internally illuminated pursuant to the sign details, submitted by the applicant, and dated received February 4, 2014 by the Department of Community Development.

201400334**1001 Hammond Drive****Applicant: Concourse Owner I, LLC**

SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.26.F.1 to allow a monument sign to be internally illuminated.

APPLICANT PRESENTATION:

Tiffany Chen, 55 Ivan Allen Blvd, Ste 100, Atlanta, GA. 30308

(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: E. Johnson moved to approve, Nodvin seconded. Approval (6-0, Coan, Sandler, A. Johnson, E. Johnson, Nodvin, and Moller; Carpinella absent) subject to the following conditions:

1) To allow ID monument signs along Peachtree Dunwoody Road and Hammond Drive to be internally illuminated pursuant to the sign details, submitted by the applicant, and dated received February 4, 2014 by the Department of Community Development.

201400346**0 Montevallo Drive (17 0067001075)****Applicant: Douglas Benson**

SUMMARY/STAFF PRESENTATION: Primary variance from Section 6.4.3.B of the Zoning Ordinance to reduce the required fifty (50) foot front yard setback to thirty-five (35) feet to allow construction of a single family dwelling.

APPLICANT PRESENTATION:

Douglas Benson, 5452 Glenridge Dr, Apt 609, Atlanta, GA. 30342

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

SUPPORT FOR THE PETITION:

Faye Nowlad, 50 Mt. Calvary Rd, Marietta, GA 30064

James Nowlad, 50 Mt. Calvary Rd, Marietta, GA 30064

Greta Holland, 1165 Chantilly Ridge, Atlanta, GA. 30324

AGAINST THE PETITION:

Mark Leinmiller, 385 Montevallo Dr, Sandy Springs, GA. 30342

James Nooman, 360 Montevallo Dr, Atlanta, GA. 30342

Jean Longway, 350 Montevallo Dr, Atlanta, GA. 30342

Chris Stuart, 400 Montevallo Dr, Sandy Springs, GA. 30342

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

Motion and Vote: Sandler moved to defer, E. Johnson seconded. Motion to Defer 30 Days giving the applicant the opportunity to meet with the neighbors (3-3, Coan, Sandler, and E. Johnson for; A. Johnson, Nodvin, and Moller against; Carpinella absent). Motion did not carry.

Motion and Vote: Moller moved to approve, A. Johnson seconded. Motion to Approve subject to staff conditions (3-3, A. Johnson, Nodvin, and Moller for; Coan, Sandler, and E. Johnson against; Carpinella absent). Motion did not carry.

Motion and Vote: Sandler moved to approve, A. Johnson seconded. Deferred 30 Days to the May 8, 2014 Hearing (5-1, Coan, Sandler, A. Johnson, E. Johnson, and Nodvin for; Moller against; Carpinella absent) to give the applicant the opportunity to discuss the proposed development with the neighbors.

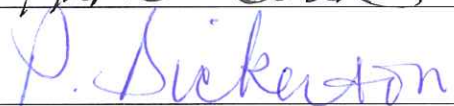
DISCUSSION ITEMS

Updates to Sign Ordinance

Based on an increase in the number of variances related to internally illuminate signs, the Board has asked that staff prepare a recommendation to Council to modify this portion of the ordinance.

ADJOURNMENT

Meeting adjourned at 10:46 P.M.

Approval Signatures	
Date Approved	5/8/14
Ruth Coan (Chairman)	
Patrice Dickerson, Manager of Planning & Zoning	
Gloria Goins, Transcriber	