



BOARD OF APPEALS

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

Thursday, April 11, 2013	Regular Meeting Minutes	7:00 PM
Board Members Present	Ruth Coan (Chair), Ted Sandler (Vice Chair), Ron Carpinella, Alvin Johnson, Eric Johnson [in at 7:33 P.M.], Ken Moller, and Melissa Nodvin	
Board Members Absent	None	
Staff Present	Angela Parker, Colleen Allen, and David Wells	
Call to Order	Ruth Coan (Chair) called the meeting to order at 7:00 p.m.	

ADOPTION OF AGENDA

Motion and Vote: Sandler moved to approve, Carpinella seconded. Approved (6-0, Coan, Sandler, Carpinella, A. Johnson, Moller, and Nodvin; E. Johnson not in attendance yet).

APPROVAL OF PREVIOUS MEETING'S MINUTES

Motion and Vote: Carpinella moved to approve the Minutes for April 11, 2013. Moller seconded. Approved (6-0, Coan, Sandler, Carpinella, A. Johnson, Moller, and Nodvin; E. Johnson not in attendance yet).

DEFERRED CASES

201203415
400 Ferry Landing
Applicant: James Dorian

SUMMARY/STAFF PRESENTATION: Two primary variances: 1) from Section 6.3.3.B of the Zoning Ordinance to reduce the required sixty (60) foot front yard setback to forty (40) feet to allow for the construction of a garage expansion; and 2) from Section 6.3.3.C of the Zoning Ordinance to reduce the required fifteen (15) foot side yard setback to eight (8) feet to allow for the construction of a detached garage.

APPLICANT PRESENTATION:

Jennifer Dorian, 400 Ferry Landings, Sandy Springs, GA. 20328

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

SUPPORT FOR THE PETITION:

Wright Marshall, 1991 Rockledge Rd, Atlanta, GA. 30324

Patrick Craig, 3679 Maple Forge Lane, Gainesville, GA

Ken Campbell, 420 Ferry Landing, Sandy Springs, GA. 30328

AGAINST THE PETITION:

None

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

Motion and Vote: Sandler moved to approve, Moller seconded. To Approve (6-0, Coan, Sandler, Carpinella, A. Johnson, Moller, and Nodvin in support; E. Johnson not yet in attendance) subject to the following conditions:

1) To reduce the required sixty (60) foot front yard setback to forty (40) feet to allow for the construction of a garage expansion, as shown on the site plan dated received January 14, 2013 by the Department of Community Development.

Motion and Vote: Sandler moved to approve, A. Johnson seconded. Deferred 30 days, to May 9, 2013 (6-0, Coan, Sandler, Carpinella, A. Johnson, Moller, and Nodvin in support; E. Johnson not yet in attendance) the second variance request to allow the applicant to create a revised site plan that reduces the encroachment into the side yard setback.

201300002

4555 Northside Drive

Applicant: Kevin Cotter

SUMMARY/STAFF PRESENTATION: Three primary variances: 1) from Section 6.1.3.B of the Zoning Ordinance to reduce the required sixty (60) foot front yard setback to fifty-four (54) feet to allow for the construction of a single family residence; 2) from Section 6.1.3.C of the Zoning Ordinance to reduce the required twenty-five (25) and forty (40) foot side yard setbacks to twelve and three-tenths (12.3) and thirty-five and nine-tenths (35.9) feet, respectively, to allow for the construction of a single family residence; 3) from Section 6.1.3.D of the Zoning Ordinance to reduce the required fifty (50) foot front yard setback to twenty-nine and nine-tenths (29.9) feet to allow for the construction of a single family residence.

APPLICANT PRESENTATION:

Andrew Perkel, 710 Old Post Road, 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:

Phillip Clark & Ann Solo, 4559 Northside Drive,

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

Motion and Vote: Sandler moved to approve, E. Johnson seconded. To Approve the portion of the second varaince request, to reduce the side yard setback from forty feet to thirty feet along Highcourt Road. Motion amended.

Motion and Vote: Sandler moved to defer, E. Johnson seconded. Deferred 30 days, to May 9, 2013 (7-0, Coan, Sandler, Carpinella, A. Johnson, E. Johnson, Moller, and Nodvin) to allow the applicant to establish elevations and design criteria to ensure that the proposed development is in harmony with the existing neighborhood.

NEW CASES

201300216

6895 Heathfield Drive

Applicant: Alan & Elaine Dinerman

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 seven (7) feet to allow for the expansion of a carport.

APPLICANT PRESENTATION:

Alan Dinerman, 6895 Heathfield Drive, 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 Appeals questions and discussion)

Motion and Vote: Carpinella moved to approve, E. Johnson seconded. Approved (7-0, Coan, Sandler, Carpinella, A. Johnson, E. Johnson, Moller, and Nodvin) subject to the following conditions:

1) To reduce the required ten (10) foot side yard setback to seven (7) feet to allow for the expansion of a carport, as shown on the site plan dated received January 24, 2013 by the Department of Community Development.

201300226**499 Johnson Ferry Road****Applicant: Alan McRae**

SUMMARY/STAFF PRESENTATION: Primary variance from Section 19.3.15.B.1 of the Zoning Ordinance to allow for a pool and pool equipment to be located in a front yard.

APPLICANT PRESENTATION:

W. Woddson Galloway, 3500 Lenox Road, Suite 760, Atlanta, GA. 30326

(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. Approved 7-0, Coan, Sandler, Carpinella, A. Johnson, E. Johnson, Moller, and Nodvin) subject to the following conditions:

1) To allow for a pool and pool equipment to be located in a front yard, as shown on the site plan dated received February 19, 2013 by the Department of Community Development.

201300276**110 Franklin Place****Applicant: Ed Alshut**

SUMMARY/STAFF PRESENTATION: Primary variance from Section 6.4.3.D of the Zoning Ordinance to reduce the required thirty-five (35) foot rear yard setback to twenty (20) feet to allow for the construction of an accessory structure.

APPLICANT PRESENTATION:

Edward Alshut, 246 E. Parkwood Road, Decatur, GA. 30030

(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 approve, A. Johnson seconded. To Approve (2-5, Sandler and Nodvin in support; Coan, Carpinella, A. Johnson, E. Johnson and Moller in opposition) subject to the following conditions:

1) To reduce the required ten (10) foot side yard setback to six (6) feet to allow for the placement of a generator, as shown on the site plan dated received January 4, 2013 by the Department of Community Development.

Motion and Vote: Moller moved to deny, E. Johnson seconded. Denied (5-2 Coan, Carpinella, A. Johnson, E. Johnson, and Moller in support; Sandler and Nodvin in opposition)

201300363

5750 Roswell Road

Applicant: Squire Inn, Inc.

SUMMARY/STAFF PRESENTATION: Three primary variance: 1) from Section 12B.8.A.7 of the Zoning Ordinance to allow parking between the sidewalk and the building; 2) from Section 12B.8.C of Zoning Ordinance to allow a for an increased setback along Roswell Road; and 3) from Section 12B.8.F to allow for the proposed design, seeking relief from the design standards provided in the Zoning Ordinance.

APPLICANT PRESENTATION:

Nick Sawka, 2004 N. Commerce Drive, Suite 100, Peachtree City, GA. 30269

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

SUPPORT FOR THE PETITION:

David Schrorder, 3118 East Shadowlawn Ave, Atlanta, GA. 30318

Mike Aldredge, 6085 Lake Forrest Dr, Suite 300, Sandy Springs, GA.

AGAINST THE PETITION:

None

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

Motion and Vote: Carpinella moved to defer, E. Johnson seconded. Deferred 30 days, to May 9, 2013 (6-0, Coan, Sandler, A. Johnson, E. Johnson, Moller, and Nodvin in support; Carpinella left between motion and vote) to allow for a more developed and evolved building design, and discussion of design standards with the Design Review Board.

201300508

35 Mount Paran Road

Applicant: Mrunalini Patel

SUMMARY/STAFF PRESENTATION: Primary variance from Section 6.2.3.C of the Zoning Ordinance to reduce the required fifteen (15) foot side yard setback to five (5) feet to allow the existing house to remain.

APPLICANT PRESENTATION:

Nathan V. Hendricks, 6085 Lake Forrest Drive, Suite 200, Sandy Springs, GA. 30328

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

SUPPORT FOR THE PETITION:

Andrew B Flake, 171 17th Street, Suite 2100, Atlanta, GA. 30363

AGAINST THE PETITION:

Thomas Epps, 45 Mt. Paran Road, Atlanta, GA. 30327

Walter Fischer, 55 Mount Paran Road, Sandy Springs, GA. 30327

Ned Flynn, 4914 Powers Ferry Road, Atlanta, GA. 30327

Bill Thompson, 25 Mt. Paran Rd, Sandy Springs, GA.

Stephany Sherman, 4790 Paran Oak Court, & 74 Mt. Paran Road, Atlanta, GA. 30327

Cathy Hogan, 4805 Paran Oak Court, Atlanta, GA. 30327

George Steinhimer, 1688 Kings Down Circle, Dunwoody, GA. 30338

Graham Dorian, 400 Ferry Landing, Atlanta, GA. 30328

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

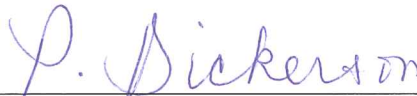
Motion and Vote: Moller moved to defer, Sandler seconded. Deferred 30 days, to May 9, 2013 (5-0, Coan, Sandler, A. Johnson, Moller, and Nodvin in support; Carpinella and E. Johnson no longer in attendance) to allow for additional legal guidance from the City's legal staff.

DISCUSSION ITEMS

None

ADJOURNMENT

Meeting adjourned at 10:13P.M.

Approval Signatures	
Date Approved	5/09/13
Ruth Coan (Chairman)	
Patrice Dickerson, Manager of Planning & Zoning	
Gloria Goins, Transcriber	