



BOARD OF APPEALS

THURSDAY, JUNE 11, 2015

Work Session - 6:00 p.m.

Meeting - 7:00 p.m.

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

Roll Call

Members Present: Johnson, Johnson, Moller, Nodvin and Sandler

Members Absent: Carpinella and Coan

1. 001107

Adoption of Agenda

A motion was made by Vice Chair Johnson, seconded by Nodvin, to approve. The motion carried by the following vote:

Yes: 5 - Johnson, Johnson, Moller, Nodvin and Sandler

Absent: 2 - Carpinella and Coan

2. 001108

Approval of Previous Meeting's Minutes

Documents: [5.14.15 BOA Minutes.pdf](#)

A motion was made by Moller, seconded by Vice Chair Johnson, to approve. The motion carried by the following vote:

Yes: 5 - Johnson, Johnson, Moller, Nodvin and Sandler

Absent: 2 - Carpinella and Coan

Action Items

3. 001100

201500032

4995 and 4998 Rebel Trail

Variance from the 75' stream buffer and setback to construct a residential driveway. Staff Recommendation: Deferral

Documents: [Agenda Item 201500032.pdf](#)

A motion was made by Vice Chair Johnson, seconded by Moller, to defer for 30 days. This will be the last deferral granted to this application. The motion carried by the following vote:

Yes: 5 - Johnson, Johnson, Moller, Nodvin and Sandler

Absent: 2 - Carpinella and Coan

4. 001101

201500717

1155 Mount Vernon Highway

Variance to allow tents and tarps; variance to allow signs advertising the vending operation. Staff Recommendation: Approval Conditional

Documents: [Agenda Item 201500717.pdf](#)

Applicant spoke in support of approval. No opposition.

A motion was made by Vice Chair Johnson, seconded by Moller, to approve with staff conditions. The motion carried by the following vote:

Yes: 5 - Johnson, Johnson, Moller, Nodvin and Sandler

Absent: 2 - Carpinella and Coan

5. 001095

201501102

282 Underwood Drive

Variance from the 50' and 75' stream buffers and setbacks to construct a residential garage. Staff Recommendation: Denial

Documents: [Agenda Item 201501102.pdf](#)



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Joseph Glaza, applicant, spoke in support of approval. Ronda Smith of Mountaire Springs HOA and Patty Berkovitz of the Watershed Alliance of Sandy Springs spoke in opposition of approval.

A motion was made by Vice Chair Johnson, seconded by Moller, to defer for 30 days to address other options. The motion carried by the following vote:

Yes: 5 - Johnson, Johnson, Moller, Nodvin and Sandler

Absent: 2 - Carpinella and Coan

6. 001096

201501112

6239 Mountain Brook Way

Encroach into setback of a single family residence to allow for a batting cage and shed. Staff Recommendation: Denial

Documents: [Agenda Item 201501112.pdf](#)

Brian and Tanya Early, applicants, spoke in support of approval. Larry Rosenbluth, counsel for the Shear family, spoke in opposition. The board debated the definition of an "accessory structure" and "play equipment" in the code. The shed was defined as an accessory structure and subject to referred setbacks, and therefore denied in this case. The variance for the batting cage was approved for this case.

A motion was made by Moller, seconded by Nodvin, to approve with staff recommendations.

The motion carried by the following vote:

Yes: 3 - Johnson, Moller and Nodvin

No: 2 - Johnson and Sandler

Absent: 2 - Carpinella and Coan

7. 001097

201501132

8975 Roswell Road

To reduce sign setback for the Associated Builders and Contractors office sign from 10' to 0'.

Staff Recommendation: Approval Conditional

Documents: [Agenda Item 201501132.pdf](#)

Bill Anderson, representative of the corporate applicant, American Builders and Contractors, spoke in support of approval. Kymberlee Tysk, Sandy Springs resident, spoke in support of denial.

A motion was made by Vice Chair Johnson, seconded by Johnson, to approve. The motion carried by the following vote:

Yes: 5 - Johnson, Johnson, Moller, Nodvin and Sandler

Absent: 2 - Carpinella and Coan

8. 001099

201501162

8550 Roswell Road

To reduce sign setback from 10' to 0' at the new Bojangles restaurant. Staff Recommendation:

Approval Conditional

Documents: [Agenda Item 201501162.pdf](#)

A representative of Atlas Sign spoke in support of approval.

A motion was made by Johnson, seconded by Moller, to approve with conditions and the added provisions to remove the temporary informational sign. The motion carried by the following vote:



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9. 001098

Yes: 5 - Johnson, Johnson, Moller, Nodvin and Sandler

Absent: 2 - Carpinella and Coan

201501169

0 Mt Vernon Highway

Reduce Front setback from 60' to 40' for lot 2 of Harden Ridge residential subdivision. Staff

Recommendation: Approval Conditional

Documents: [Agenda Item 201501169.pdf](#)

Robert Webb, applicant, spoke in support of approval.

A motion was made by Moller, seconded by Nodvin, to approve with staff conditions. The motion carried by the following vote:

Yes: 5 - Johnson, Johnson, Moller, Nodvin and Sandler

Absent: 2 - Carpinella and Coan

Approval Signatures

Date Approved

A handwritten signature in black ink, appearing to be "Ted Sandler", written over a horizontal line.

Ted Sandler, Chairman

A handwritten signature in blue ink, appearing to be "Joe Cooley", written over a horizontal line.
Joe Cooley, Manager of Planning and Zoning

A handwritten signature in black ink, appearing to be "Cecilia Leal", written over a horizontal line.
Cecilia Leal, Planner/Transcriber

