



Board of Zoning Appeals August 9, 2007

Meeting Minutes

Board Members Present	Mark King (Vice Chair), Oz Hill, Ruth Coan, Paul Reale, Ron Carpinella and Ken Moller.
Board Members Absent	Al Pond
Staff Present	Michael Zehner, Cesar Geraldo, Dennis Payne, Michael Barnett, Doug Trettin and Shaun Suggs

CALL to Order	Mark King called the meeting to order at 7:00 p.m.
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I.	PREVIOUS ACTION REPORT
	ACTION: Ken Moller moved to approve the Action Report from the July 12, 2007 meeting. Oz Hill seconded. The motion was APPROVED (6-0, Hill, King, Coan, Reale, Carpinella and Moller) for.
II.	PREVIOUS MINUTES
	ACTION: Ken Moller moved to approve the Minutes from the July 12, 2007 meeting. Oz Hill seconded. The motion was APPROVED (6-0, Hill, King, Coan, Reale, Carpinella, and Moller) for.
III.	NEW CASES
A.	V07-044 420 Errol Court <i>Applicant: Robert Leven</i> <i>Representative: Bill Weidmann</i> SUMMARY/STAFF PRESENTATION: Cesar Geraldo/ Requesting primary variance from Section 14.6.5.a.i and ii of the Sandy Springs Land Development Regulations to reduce the 50 foot undisturbed natural buffer and the 25 foot impervious surface setback to a 32 foot undisturbed buffer for the construction of home additions to a single-family house. Applicant Presentation: Bill Weidmann (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: None • Against the Petition: Patty Berkowitz, 800 Crest Valley Drive, in opposition of the petition. (Close of public hearing. Board of Zoning Appeals questions and discussion)
	ACTION: Ken Moller moved to deny the application. Ron Carpinella seconded. The motion was APPROVED for denial of the application (5-1, Hill, King, Coan, Carpinella and Moller for; Reale against).
	Condition(s): N/A

B.

V07-045

225 Hunters Glen Court
Applicant: Andrew Smith

Representative: Andrew & Yvonne Smith

SUMMARY/STAFF PRESENTATION: Cesar Geraldo/Requesting two primary variances:

1. Variance from Section 6.3.3.B of the Zoning Ordinance to reduce the minimum front yard setback from 60 feet to 54 feet.
2. Variance from Section 14.6.5.a.i and ii of the Sandy Springs Land Development Regulations to reduce the 50 foot undisturbed natural buffer and the 25 foot impervious surface setback to a 27 foot undisturbed buffer. Both variances for the construction of home additions and rain gardens on the subject property.

Applicant Presentation: Yvonne Smith

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

• **Support for the Petition:**

None

• **Against the Petition:**

Patty Berkowitz, 800 Crest Valley Drive, in opposition of the petition.

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

ACTION: Paul Reale moved to approve. Oz Hill seconded. The motion was APPROVED(5-1, Hill, King, Coan, Moller and Reale for; Carpinella against), subject to the following staff's conditions:

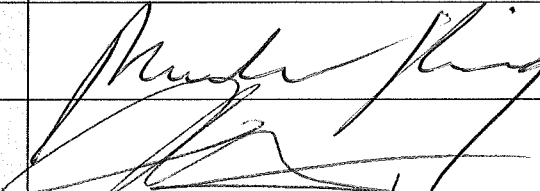
Condition(s):

1. That the proposed addition shall be constructed in accordance with the Proposed Site Plan, provided by the applicant dated received July 17, 2007 by the Department of Community Development, showing the twenty-five (25) foot impervious surface setback and the fifty (50) foot undisturbed natural buffer reduced to no less than a thirty-six (36) foot undisturbed buffer for proposed additions and to a twenty-seven (27) foot undisturbed buffer for proposed rain gardens to accommodate the portion of the encroachment only.
2. In areas where the fifty (50) foot undisturbed natural buffer and the twenty-five (25) foot impervious setback has been reduced, all driveways, paths, or patios shall be constructed of pervious pavers.
3. In areas where the fifty (50) foot undisturbed natural buffer and the twenty-five (25) foot impervious setback has been reduced, downspouts shall be directed away from the structure in such a way that sheet flow can occur or directed into a rain garden or other such infiltration promoting device.
4. 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 has been reduced, grates used for drainage of these areas (where oil, grease or antifreeze might flow) shall have either soil for filtration before entering the stream or artificial filtration with proof of maintenance required.
5. Stream crossings shall be as narrow as possible and shall be pervious.
6. Streams shall not be channelized or straightened. Small-unnamed tributaries shall not have concrete poured along the banks. The applicant shall provide proper stream bank restoration if disturbance to the stream bank occurs.
7. The remaining fifty (50) foot undisturbed natural buffer shall remain untouched in its current state; grass shall not be planted in the fifty (50) foot undisturbed natural buffer.
8. All footings for bridges crossing streams and all pipes located under such bridges shall not be located in the streambed(s). All bridge spans shall be sufficiently wide to prevent any obstruction to the flow of water.
9. Stream bank restoration shall be installed as required by the Director of the Community Development Department.
10. The owner/developer shall provide for swimming pool water overflow to discharge in a manner that is compliant with the Department of Community Development Pool Discharge Policy.
11. All approved encroachments into the fifty (50) foot undisturbed stream buffer shall be clearly delineated both on the approved site plan and on site by use of tree save fence and two (2) rows of type-C silt fence. Additionally, the limits of

	encroachment into the buffer must be field-verified by staff during pre-construction a meeting before issuance of applicable permit for the site. 12. That the owner/developer re-vegetate the area designated as the twenty-five (25) foot State Buffer as approved by the City Arborist.
C.	V07-046 4774 Northside Drive <i>Applicant: James B. Meathe</i> <i>Representative: Shaba Derazi</i> SUMMARY/STAFF PRESENTATION: Doug Trettin/Requesting two primary variances from the Zoning Ordinance: 1. Variance from Section 6.1.3.C to reduce the minimum side yard setback from 25 feet to 0.8 feet. 2. Variance from Section 6.1.3.1. to allow an accessory structure to be located in the front yard of a single-family house. Both variances to allow for an existing garage. Applicant Presentation: (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: Patty Berkowitz, 800 Crest Valley Drive, in support of the application. • Against the Petition: None (Close of public hearing. Board of Zoning Appeals questions and discussion)
	ACTION: Ken Moller moved to deny the application. Oz Hill seconded. The motion was APPROVED for denial of the application; (6-0, Hill, King, Coan, Reale, Carpinella, and Moller for).
	Condition(s): N/A
D.	V07-047 6700 Powers Ferry Road <i>Applicant: Ray's Powers Ferry LLC</i> <i>Representative: Danny Lankford</i> SUMMARY/STAFF PRESENTATION: Doug Trettin/Primary variance from Section 333.18.H of the Zoning Ordinance to allow for a sign to extend vertically above the roof line of a building. Applicant Presentation: Danny Lankford (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: Ron Carpinella moved to approve. Oz Hill seconded. The motion was APPROVED (3-2, Coan, Carpinella and Hill for; Moller and Reale against) subject to the following staff's conditions:
	Condition(s): 1. That the roof sign shall be installed pursuant to the sign detail and building elevation depicting the sign location, submitted by the applicant, dated received June 5, 2007 by the Department of Community Development. 2. That the roof sign shall not exceed 78.4 square feet, as shown on the sign design detail submitted by the applicant,

	dated received June 5, 2007 by the Department of Community Development.
E.	V07-048 3255 Jett Ferry Court Applicant(s): <i>Tyler & Robin Patterson</i> Representative: <i>Tyler Robinson</i> SUMMARY/STAFF PRESENTATION: Doug Trettin/Primary variance from Section 6.2.3.B to reduce the minimum front yard setback from 60 feet to 49 feet to allow for additions to an existing garage. Applicant Presentation: Tyler Robinson (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: Ken Moller moved to approve. Paul Reale seconded. The motion was approved (6-0, Hill, King, Coan, Reale, Carpinella, and Moller for) subject to the following staff's conditions: Condition: That the gable addition to the existing garage be in accordance with the Proposed Site Plan, provided by the applicant dated received June 21, 2007 by the Department of Community Development, showing the sixty (60) foot minimum front yard setback reduced to a forty-nine (49) foot minimum front yard setback to accommodate the portion of the encroachment only.

Meeting Adjournment	The meeting was adjourned at 8:15 p.m.
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Approval Signatures	
Date Approved	
Mark King, Chairman	
Michael Zehner, Assistant Director Planning & Zoning	
Bridgette Gray, Administrative Assistant/Transcriber	