



SANDY SPRINGS™

GEORGIA

BOARD OF APPEALS

THURSDAY, AUGUST 10, 2017

Work Session - 5:00 p.m. Meeting - 6:00 p.m.

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

MINUTES

Call to Order

The meeting was called to order at 6:03 p.m. by Chairman Ted Sandler.

Roll Call

Members Present: Berman, Johnson, A, Johnson, E, Lichtenstein, Mobley, Moller and Sandler

General Announcements

Chairman Sandler read the rules and procedures for public hearings into the record.

Approval of Agenda - August 10, 2017

Member Moller moved to approve the meeting agenda, seconded by Member Lichtenstein and passing via unanimous voice vote, 7-0-0.

Approval of Minutes - July 13, 2017

[BOA Minutes 7.13.17](#)

Vice Chair E. Johnson made a motion to approve the July Minutes, seconded by Member A. Johnson and followed by a passing unanimous voice vote, 7-0-0.

Appeals

1. [001525](#)

AP17-00001
6870 Roswell Road

Appeal to two (2) administrative determinations regarding the location of a stormwater management system. **previously deferred*

[AP17-00001 Final Package](#)

Jill Arnold, attorney for the Applicant, requested a withdrawal of this appeal. Staff recommended accepting the withdrawal. Member Berman moved to accept the withdrawal as requested and recommended, seconded by Member Lichtenstein. The motion passed with a voice vote, 7-0-0.

Variances

2. [001526](#)

V17-0029
380 Pine Forest Road



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Request to construct a single-family residence that would encroach into the stream buffer's additional 25-foot impervious setback.

[V17-0029 Final Package](#)

The Applicant has requested a one (1) month **deferral on this case until the September Board of Appeals Meeting.*

Den Webb, attorney for the Applicant, spoke regarding the variance request with a request to defer the case to the September BOA meeting.

Those speaking in opposition were City Councilman Tibby DeJulio, Bill Gannon, Jim Caswell, Shawn Lesser, Dan Fitzsimons and Patty Berkovitz. The opposing comments were related to flooding and major water issues.

Chairman Sandler suggested adding 5 minutes to the speaking time for both those in Support and those Opposed. A motion was made to officially extend the time by Vice Chair E. Johnson and seconded by Member Mobley, all members voting in favor. Another motion was made also by Vice Chair E. Johnson, seconded by Member Mobley, all members in favor to accept handouts by Mr. Caswell.

Member Mobley moved to defer the case in order to provide time to evaluate new information. Member Moller seconded the motion. The motion passed by a vote of 6-1-0 with Vice Chair E. Johnson not supporting the deferral. The deferral would place the case on the September agenda.

3. [001527](#)

V17-0030

5965 Riverside Drive

Variance to allow recently constructed retaining walls to remain in the 50-foot City stream buffer and the associated 25-foot additional impervious setback. **previously deferred*

[V17-0030 Final Package](#)

Staff Planner, Paul Leonhardt, presented the case to the Board stating that a request to withdraw this request had been made and the City Attorney was in support of a withdrawal as well.

The Applicant was not present.

Bill Gannon spoke opposing this variance request.

During discussion in Executive Session, no consideration on the withdrawal, this is either to approve or deny with it being before the Board presently. The motion made by Vice Chair E. Johnson was to deny the variance, not allowing the walls and seconded by Member Moller. Chairman Sandler wanted to hear more from the new City Attorney, therefore, could not support the motion by vote. The motion was approved by a voice vote, 4-2-1 with Member



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Mobley abstaining. Vice Chair E. Johnson, Members Moller, A. Johnson, and Lichtenstein voting in support and Chairman Sandler and Member Berman not supporting the motion.

Chairman Sandler called for a three minute break before continuing to the next item. Vice Chair E. Johnson, due to scheduling conflict, was not present for the remainder of the meeting.

4. 001528

V17-0035

77 Angus Trail

Variance to encroach into the 25-foot Stream impervious surface setback for a front porch. Variance to encroach into the minimum front yard for a second story addition to an existing residence. Variance to encroach into the minimum sideyard to enclose a carport.

[V17-0035 Final Package](#)

Nathaniel Estes, the Applicant, explained his request. He present materials to the Board with Member Moller approving a motion to accept the materials and Member Berman seconding, all in favor by a voice vote, 6-0-0.

Member Moller moved to approve with Staff's Conditions with a second from Member A. Johnson, passing with a voice vote, 6-0-0.

5. 001529

V17-0036

1600 Dunwoody Club Drive

Variance to allow the addition to an existing parking lot to encroach into the minimum setback and the minimum buffer.

[V17-0036 Final Package](#)

B.J. Martin speaking on behalf of the Applicant, Jon Knobbe, to present the variance request.

Speaking in opposition of the request were Gary Lutrick and Brian Katz. Mr. Lutrick asking if sidewalks could be a condition of approval.

Member Berman made a motion to approve the request with Staff's Conditions with Member Mobley seconding the motion which passed by a voice vote, 6-0-0.

6. 001530

V17-0037

391 Windsor Pkwy

Variance to encroach into the 50' undisturbed stream buffer and 25' impervious surface setback to construct a new single-family residence.



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MINUTES

[V17-0037 Final Package](#)

The Applicants, Shawn and Brenda McLeer, were present to support their variance request.

Patty Berkovitz spoke opposing the request.

Member Moller moved to approve per Staff's Conditions, seconded by Member Lichtenstein, passing with a vote of 6-0-0.

On-Going Business

No on-going business was heard.

New Business

No new business was heard.

Public Comments

No public comments at this time.

Adjournment

The meeting was adjourned at 8:27 p.m.

Member Mobley moved to adjourn with Member Berman seconding the motion, passing via unanimous voice vote.
