



Board of Appeals August 13, 2009

Meeting Minutes

Board Members Present	Mark King (Chair), Ruth Coan, Lane Frostbaum, Oz Hill, Paul Reale, Ron Carpinella
Board Members Absent	Ken Moller
Staff Present	Nancy Leathers, Patrice Ruffin, Linda Abaray, Michael Barnett, Terry Robinson, and Cristina Nelson

CALL to Order	Mark King called the meeting to order at 7:00 p.m.
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	ADOPTION OF AGENDA
	ACTION: Reale motioned to adopt the agenda , Carpinella seconded. Approved (6-0).
	PREVIOUS MEETING'S MINUTES
	ACTION: Coan motioned to approve the previous meeting's minutes , Frostbaum seconded. Approved (6-0).
	NEW CASES
1.	V09-021 1985 Old Dominion Road <i>Applicant: Nancy and Gary Fayard</i> SUMMARY/STAFF PRESENTATION: Two primary variances from the Zoning Ordinance: 1) variance from Section 6.2.3.D to reduce the rear yard setback from 40 feet to 20 feet to allow for a detached garage and 2) variance from Section 6.2.3.I. to allow an accessory structure to be located within a front yard Applicant Presentation: Gary Fayard, 1985 Old Dominion Rd, Sandy Springs, GA. 30350 (Invitation for public comment in support of and in opposition to the petition) ● Support for the Petition: Nancy Fayard, 1985 Old Dominion Rd, Sandy Springs, GA. 30350 William Meyers, 1995 Old Dominion Rd, Sandy Springs, GA. 30350 Bill Grant, 2050 Old Dominion Rd Sandy Springs, GA. 30350 ● Against the Petition: None (Close of public hearing. Board of Zoning Appeals questions and discussion)
	ACTION: Coan motioned to Approve with conditions, Reale seconded. Approved (6-0). Subject to staff condition(s): 1) Applicant is required to submit a revised site plan showing the new pool house location. (Pool house shall move two feet closer to existing house along the side setback and five feet closer to existing house along the front setback. The pool shall be reduced by four feet and the height of the pool house shall be reduced by six and half feet.)

	Condition(s): 1. Applicant is required to submit a revised site plan showing the new pool house location. (Pool house shall move two feet closer to existing house along the side setback and five feet closer to existing house along the front setback. The pool shall be reduced by four feet and the height of the pool house shall be reduced by six and half feet.)
2.	V09-025 352 Sandy Springs Circle <i>Applicant: Sandy Soque Properties, LLC.</i> ▪ SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.22.C of the Zoning Ordinance to reduce the required ten (10) foot minimum sign setback from the right-of-way to 2 feet. Applicant Presentation: Ben Bengston, 352 Sandy Springs, GA. 30328 (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: Scott Slappey, 352 Sandy Springs, GA. 30328 • Against the Petition: None (Close of public hearing. Board of Zoning Appeals questions and discussion) ACTION: Coan motioned to Approve with conditions, Reale seconded. Approved (6-0). Subject to the following condition(s): 1) The ID monument sign shall be located approximately two (2) feet from the right-of-way, or not less than fourteen (14) feet from the back of the curb, pursuant to the site plan submitted by the applicant, and dated received May 28, 2009 by the Department of Community Development. 2) The ID monument sign shall be conditioned to a signed and approved indemnification agreement with the City. Condition(s): 1. The ID monument sign shall be located approximately two (2) feet from the right-of-way, or not less than fourteen (14) feet from the back of the curb, pursuant to the site plan submitted by the applicant, and dated received May 28, 2009 by the Department of Community Development. 2. The ID monument sign shall be conditioned to a signed and approved indemnification agreement with the City.
3.	V09-027 5560 Roswell Road (SR9) <i>Applicant: Staples</i> ▪ SUMMARY/STAFF PRESENTATION: Primary variance from Section 33.26.H.2.a of the Zoning Ordinance to allow for a second wall sign for a business without street frontage. Applicant Presentation: Tom Tyson 440 Six Flags Pkwy, Mableton, GA. 30126 (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: Russell Mark Menard, 559 Hidden Creek Rd, Jasper, GA. 30143 • Against the Petition: Patty Berkovitz, on file (Close of public hearing. Board of Zoning Appeals questions and discussion) Action: Coan motioned to Approve with conditions Carpinella seconded. Approved (5-1). King, Frostbaum, Coan, Carpinella, and Oz Hill for; Reale against; and Moller absent. Subject to the following conditions: 1) Allow a wall sign on the east elevation of the building, to be installed pursuant to the sign detail and building elevation

depicting the sign location (Exhibit 1), submitted by the applicant, and dated received May 29, 2009 by the Department of Community Development.

- 2) That the wall sign located on the East elevation of the building shall not exceed sixty-four (64) square feet of sign area, be installed pursuant to the sign detail (Exhibit 1), submitted by the applicant, dated received May 29, 2009 by the Department of Community Development.
- 3) That the wall sign located on the East elevation of the building shall be non-illuminated reverse channel letters pursuant to the sign detail (Exhibit 2), submitted by the applicant, and dated received May 29, 2009 by the Department of Community Development.
- 4) The wall sign will be limited to two (2) years or less being removed by September 30, 2011 and all signage on the monument sign will be removed. If added back to the monument sign the wall sign shall be removed.

Condition(s):

1. Allow a wall sign on the east elevation of the building, to be installed pursuant to the sign detail and building elevation depicting the sign location (Exhibit 1), submitted by the applicant, and dated received May 29, 2009 by the Department of Community Development.
2. That the wall sign located on the East elevation of the building shall not exceed sixty-four (64) square feet of sign area, be installed pursuant to the sign detail (Exhibit 1), submitted by the applicant, dated received May 29, 2009 by the Department of Community Development.
3. That the wall sign located on the East elevation of the building shall be non-illuminated reverse channel letters pursuant to the sign detail (Exhibit 2), submitted by the applicant, and dated received May 29, 2009 by the Department of Community Development.
4. The wall sign will be limited to two (2) years or less being removed by September 30, 2011 and all signage on the monument sign will be removed. If added back to the monument sign the wall sign shall be removed.

Meeting Adjourned: 7:54 p.m.

Approval Signatures

Date Approved

Mark King, Chairman

Patrice Ruffin, Assistant Director of
Planning and Zoning

Gloria Goins, Transcriber/
Administrative Coordinator

P. Ruffin for M. King

P. Ruffin

[Signature]