



Board of Zoning Appeals November 13, 2008

Meeting Minutes

Board Members Present	Mark King (C), Ron Carpinella (VC), Ruth Coan, Ken Moller, Al Pond, Paul Reale
Board Members Absent	Oz Hill
Staff Present	Nancy Leathers, Cecil McLendon, Patrice Ruffin, Michael Barnett, Cesar Geraldo, Mark Moore, Terry Robinson, Jocelyn Stephens, Doug Trettin, John Wesserling
CALL to Order	Mark King called the meeting to order at 7:00 p.m.

	ADOPTION OF AGENDA
	ACTION: Ruth Coan moved to recommend adoption of the Agenda with the modification of shifting item #7 (V08-060) to item #1. Paul Reale seconded. The motion was APPROVED (6-0, Carpinella, Coan, King, Moller, Pond, Reale, for; Hill absent).
	PREVIOUS MEETING'S MINUTES
	ACTION: Paul Reale moved to recommend approval of the Minutes from the October 15, 2008 meeting. Ruth Coan seconded. The motion was APPROVED (6-0, Carpinella, Coan, King, Moller, Pond, Reale, for; Hill absent).
	NEW CASES
1.	V08-060 7855 Roswell Road (SR 9) <i>Applicant: Michael Morrison. Representative: Wade Anderson</i> SUMMARY/STAFF PRESENTATION: Cesar Geraldo/Secondary variance: Appeal to the Department of Community Development's determination that the work completed upon the sign extended the non-conformity; therefore, the sign must be brought into conformance with the City's ordinances. Applicant Presentation: Wade Anderson (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 recommend denial of the application and to uphold the Director's determination. Ruth Coan seconded. The motion was APPROVED (6-0, King, Carpinella, Coan, Moller, Pond, Reale, for; Hill absent). Condition(s): N/A

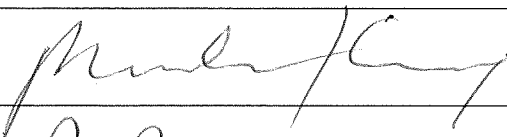
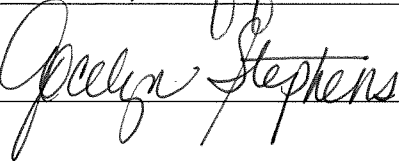
	DEFERRED CASES
2.	V08-052 5995 Riverside Drive <i>Applicant: Amir A. Tahamtan.</i> <i>Representative: Amir A. Tahamtan</i> SUMMARY/STAFF PRESENTATION: Doug Trettin/ Two primary variances from the Zoning Ordinance: 1) variance from Section 4.11.D.4 to reduce the required 3 foot landscape strip between a fence and a right-of-way to 0 feet and 2) variance from Section 4.11.F to reduce the required 3 foot setback of a fence from a public right-of-way to 0 feet. Applicant Presentation: Amir A. Tahamtan (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: None • Against the Petition: Roger Rupnow, 490 Tanacrest Drive, Atlanta, GA 30328 (Close of public hearing. Board of Zoning Appeals questions and discussion) ACTION: Al Pond moved to recommend approval of the application subject to conditions. Paul Reale seconded. The motion was APPROVED (4-2, King, Carpinella, Pond, Reale for; Coan and Moller against; Hill absent). Condition(s): 1) The proposed 150 foot section of fence/wall shall be constructed and located so as to reduce the required three (3) foot landscape strip between a fence/wall and the right-of-way to no less than two (2) feet for the entire proposed 150 foot section and shall be constructed and located so as to reduce the required three (3) foot setback of a fence/wall from the public right-of-way to no less than two (2) feet for the entire proposed 150 foot section. 2) The exterior construction material, color, and design of the proposed fence/wall shall be similar to the maximum possible extent to the existing fence/wall adjacent to Riverside Drive and Heards Ferry Road.
	NEW CASES
3.	V08-059 310 Ledgeмонт Court <i>Applicant: Peter J. Rivers.</i> <i>Representative: Peter J. Rivers</i> SUMMARY/STAFF PRESENTATION: Doug Trettin/ Two primary variances from the Zoning Ordinance: 1) primary variance from Section 6.8.3.D to reduce the required 20 foot minimum rear yard setback to 10.58 feet and 2) variance from Section 6.8.3.I to allow for an accessory structure to be located within a required minimum yard setback. Both variances to allow for a gazebo. Applicant Presentation: Peter J. Rivers (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: Merri Rivers, 310 Ledgeмонт Court, NE Atlanta, GA 30342 • Against the Petition: Richard Holland, 285 Ledgeмонт Court, Atlanta, GA 30342 Caroline Kresky, 320 Ledgeмонт Court, Sandy Springs, GA 30342 (Close of public hearing. Board of Zoning Appeals questions and discussion) ACTION: Ken Moller moved to recommend denial of the application. Al Pond seconded. Ken Moller amended the motion to recommend denial of the application with the stipulation that the subject gazebo shall be removed within one (1) week from November 13, 2008. Carpinella seconded. The motion was APPROVED (5-1, King, Carpinella, Coan, Moller, Pond for; Reale against; Hill absent). Condition(s): N/A

4.	V08-055 1385 Indian Trail <i>Applicant: Richard L. Jackson.</i> <i>Representative: Jessica Hill</i> SUMMARY/STAFF PRESENTATION: Doug Trettin/ Two primary variances from the Zoning Ordinance: 1) variance from Section 6.1.3.D to reduce the required 50 foot minimum rear yard setback to 0 feet, and 2) variance from Section 6.1.3.I to allow for an accessory structure to be located within a required minimum yard setback. Both variances to allow for an underground detached garage. Applicant Presentation: Jessica Hill (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: Cheri Harrington, 40 Cates Ridge Road, Atlanta, GA 30327 • Against the Petition: Morgan Chesnutt, 1400 Indian Trail NW (Close of public hearing. Board of Zoning Appeals questions and discussion)
	ACTION: Paul Reale moved to recommend approval of the application with conditions. Ruth Coan seconded. The motion was APPROVED (4-1-1, Carpinella, Coan, Pond, Reale for; Moller not present for vote; King against; Hill absent).
	Condition(s): 1) The proposed garage shall be subterranean and constructed in accordance with the proposed site plan, provided by the applicant dated received September 2, 2008 by the Department of Community Development, for the variance herein, showing an accessory structure located within a required minimum yard setback and showing a reduction in the required fifty (50) foot minimum rear yard setback to zero (0) feet where necessary to accommodate the portion(s) of the encroachment(s) only. 2) The proposed accessory structure shall only be used as a garage/workshop. 3) Any staging involved with the construction of the proposed garage/workshop shall occur on the property of the subject owner and shall be inside any perimeter fencing of the property of the subject owner.
5.	V08-056 7395 Wildercliff Drive <i>Applicant: Nancy Comerford.</i> <i>Representative: Charles Comerford</i> SUMMARY/STAFF PRESENTATION: Doug Trettin/ Two primary variances from Section 6.2.3.D of the Zoning Ordinance to reduce the required 40 foot minimum rear yard setback to 4.5 feet and 2) variance from Section 6.2.3.I to allow for an accessory structure to be located within a required minimum yard setback. Both variances to allow for a detached garage. Applicant Presentation: Charles Comerford (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: None • Against the Petition: M. Pat Anglin, 136 Valley Road, Lawrenceville, GA 30044 (Close of public hearing. Board of Zoning Appeals questions and discussion)
	ACTION: Ruth Coan moved to recommend approval of the application subject to conditions. Paul Reale seconded. The motion FAILED by tie vote (3-3, Coan, King, Pond for; Carpinella, Moller, Reale against; Hill absent). ACTION: Ruth Coan moved to recommend approval of the application subject to conditions. Al Pond seconded. The motion was APPROVED (4-2, Carpinella, Coan, King, Pond for; Moller and Reale against; Hill absent).
	Condition(s):

	1) The proposed garage shall be constructed in accordance with the proposed site plan, provided by the applicant dated received September 2, 2008 by the Department of Community Development, for the variance herein, showing a detached garage located within a required minimum yard setback and showing a reduction in the required forty (40) foot minimum rear yard setback to 4.5 feet where necessary to accommodate the portion(s) of the encroachment(s) only. 2) The exterior construction material, color, and design of the proposed garage shall be similar to the maximum possible extent to the existing structure. 3) For the subject property, a City fence permit shall be obtained by the owner/developer to repair existing and/or install new fencing along 400 feet of the property lines adjoining properties having Tax Parcel Identification Numbers: 17-0085-LL-010, 17-0085-LL-009, 17-0085-LL-008 (shown as lots 12, 11, and 10 on a copy of the Plat dated received September 2, 2008 by the Department of Community Development). After installed, the aforementioned fence shall be field inspected by City Staff for approval.
6.	V08-057 5530 Claire Rose Lane <i>Applicant: Raymond Schoenbaum. Representative: Mark Hutcheson</i> SUMMARY/STAFF PRESENTATION: Doug Trettin/ Primary variance from Section 109-225.a 2 of the Stream Buffer Protection Ordinance to reduce the required 25 foot impervious surface setback to 18 feet to allow for a porch addition to a single-family house. Applicant Presentation: Mark Hutcheson (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: Al Pond moved to recommend approval of the application subject to conditions. Ken Moller seconded. The motion was APPROVED (5-0, Carpinella, King, Miller, Pond, Reale; Coan recused; Hill absent).
	Condition(s): 1) The proposed pavilion/porch shall be constructed in accordance with the proposed site plan, provided by the applicant dated received September 2, 2008 by the Department of Community Development, for the variance herein, showing a reduction in the required twenty-five (25) foot impervious surface setback to eighteen (18) feet where necessary to accommodate the portion(s) of the encroachment(s) only. 2) The exterior construction material, color, and design of the proposed pavilion/porch shall be similar to the maximum possible extent to the existing structure.
7.	V08-058 5375 Long Island Drive <i>Applicant: Rod Windley. Representative: Carl Westmoreland</i> SUMMARY/STAFF PRESENTATION: Cesar Geraldo/ Primary variance from Section 109-225.a 1 and 2 of the Stream Buffer Protection Ordinance to reduce the 75 foot buffer and setback requirements (50 foot undisturbed natural buffer and 25 foot impervious surface setback) to a 0 foot undisturbed natural buffer to allow for driveway, vehicular gate, and retaining walls. Applicant Presentation: Carl Westmoreland (Invitation for public comment in support of and in opposition to the petition) • Support for the Petition: None

	● Against the Petition: Trisha Thompson, 145 River North Drive, Sandy Springs, GA 30328 (Close of public hearing. Board of Zoning Appeals questions and discussion)
	ACTION: Ron Carpinella moved to recommend approval of the application subject to conditions. Ken Moller seconded. The motion was APPROVED (6-0, Carpinella, Coan, King, Miller, Pond, Reale; Hill absent).
	Condition(s): 1) The subject wall(s), driveway, and vehicular gate shall be constructed in accordance with the proposed site plan, provided by the applicant dated received November 12, 2008 by the Department of Community Development, for the variance herein, showing a reduction in the seventy-five (75) foot buffer and setback requirements (50 foot undisturbed natural buffer and 25 foot impervious surface setback) to a zero (0) foot undisturbed natural buffer to allow for a driveway, vehicular gate, and retaining wall(s) where necessary to accommodate the portion(s) of the encroachment(s) only. 2) In areas where the fifty (50) foot undisturbed natural buffer and the twenty-five (25) foot impervious setback have been reduced, all paths, or patios shall be constructed of pervious material. 3) All proposed driveway(s) shall be constructed of pervious material. 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 have 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 future bridges crossing streams and all future pipes located under such bridges shall not be located in the streambed(s). All future bridge spans shall be sufficiently wide to prevent any obstruction to the flow of water. 9) 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. 10) Stream bank restoration shall be installed as required by the Director of the Community Development Department. 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 a pre-construction meeting before issuance of the applicable permit(s) for the site. 12) The twenty-five (25) foot State Buffer of the stream banks on the subject property, parallel to Long Island Drive, shall be re-vegetated as approved by the City Arborist.

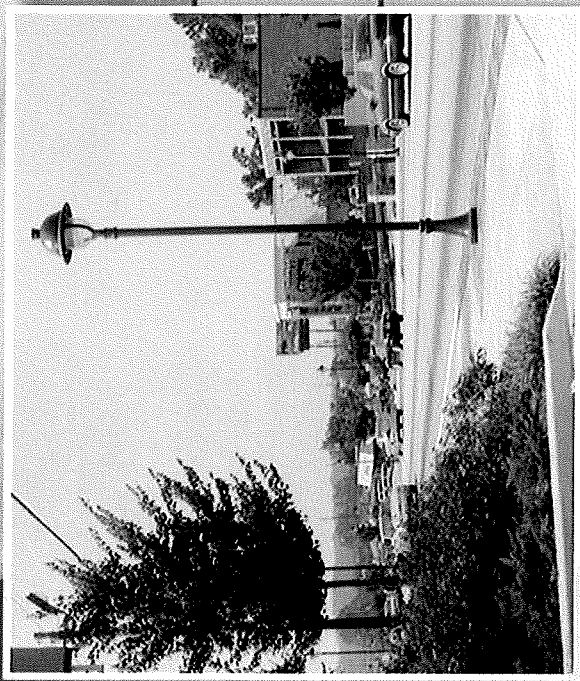
Meeting Adjournment	The meeting was adjourned at 10:27 p.m.
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Approval Signatures	
Date Approved	12-11-08
Mark King, Chairman	
Patrice Ruffin, Assistant Director of Planning and Zoning	
Jocelyn Stephens, Transcriber/ Administrative Assistant	

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NOV 13 2008

City of Sandy Springs
Community Development



Inserection V08-060

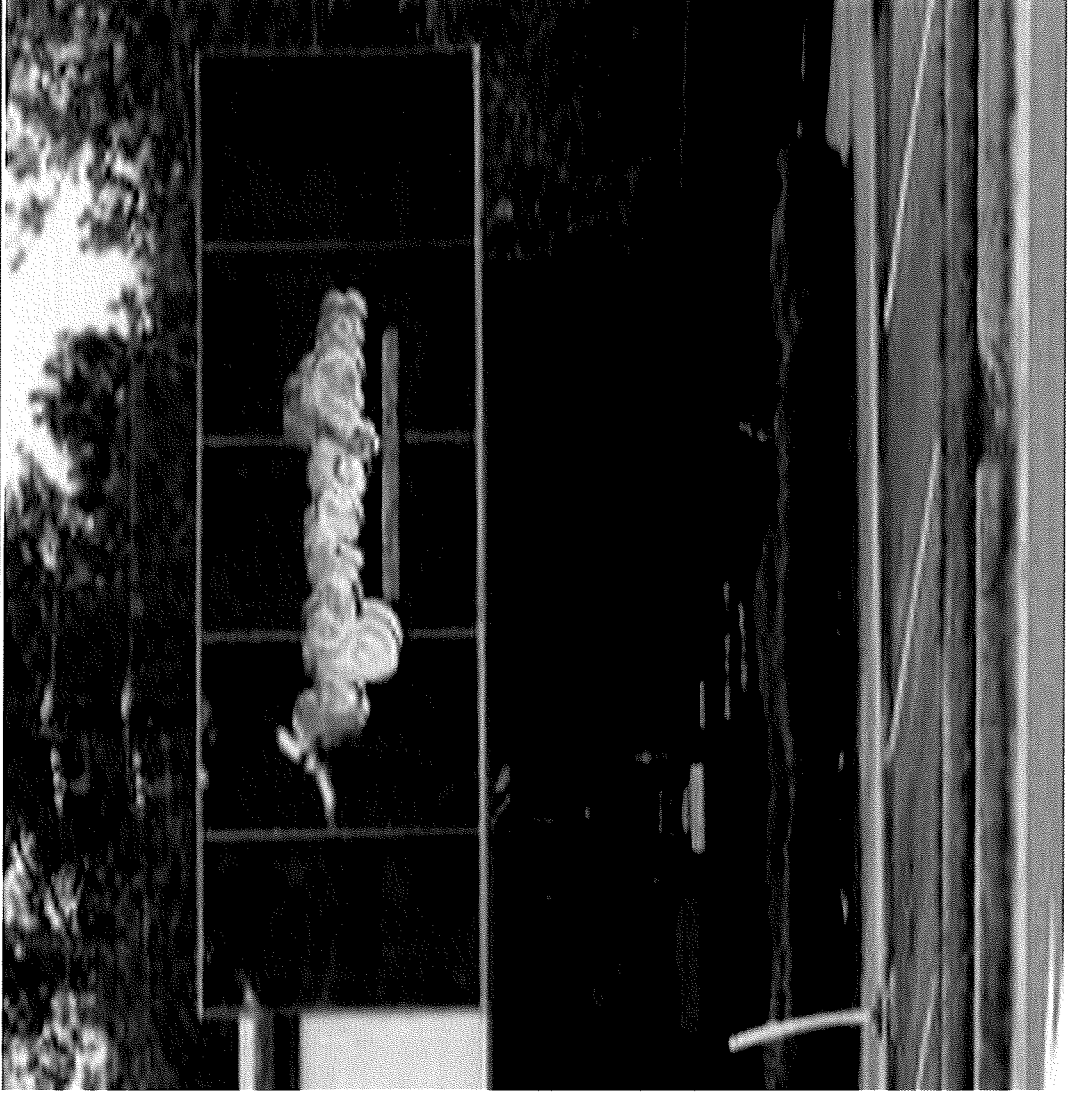
November 13, 2008

INCORPORATED 2005

Determination

- The work done on the sign at the Intersection store located on Roswell Road is new and as such, the sign is no longer legal non-conforming.
- Two changes were made
 - There is a new background panel
 - There is new electrical work (neon)





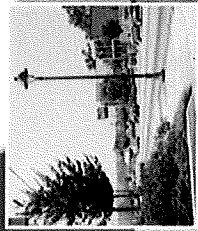
SANDY SPRINGS
GEORGIA



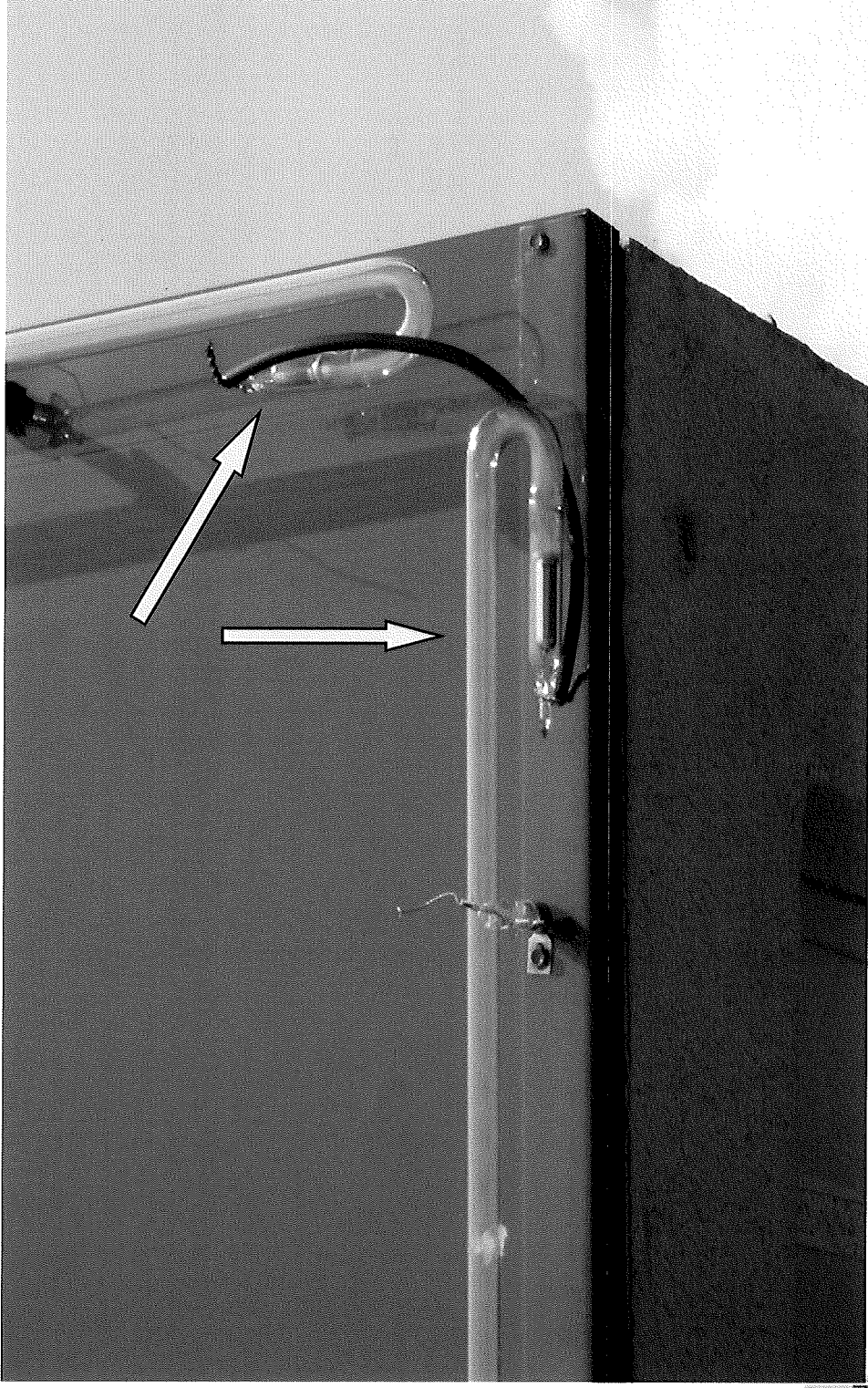


SANDY SPRINGS
GEORGIA

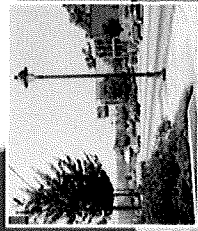
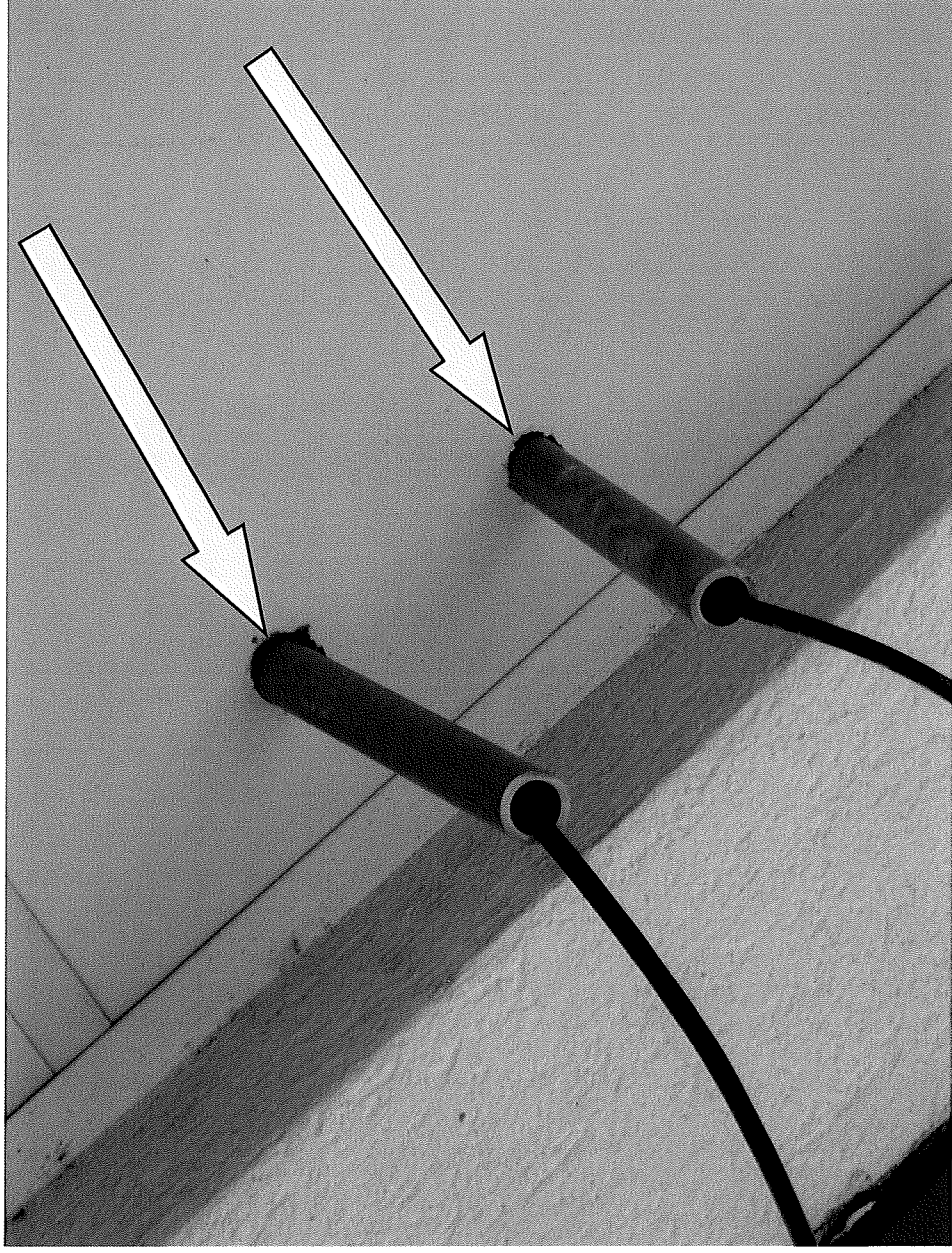
Note the Insulators on the wire connections



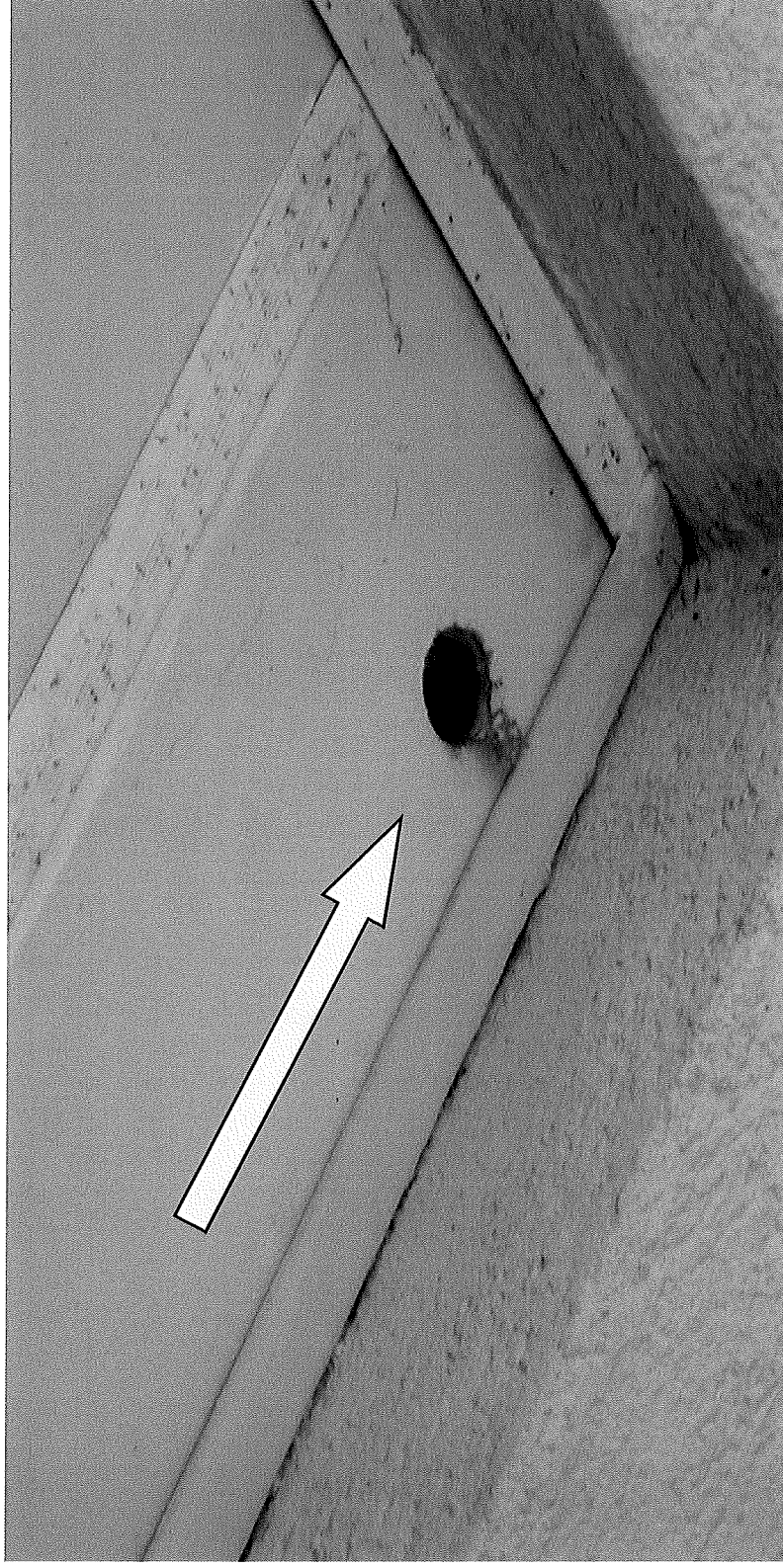
Note: the lack of Insulator



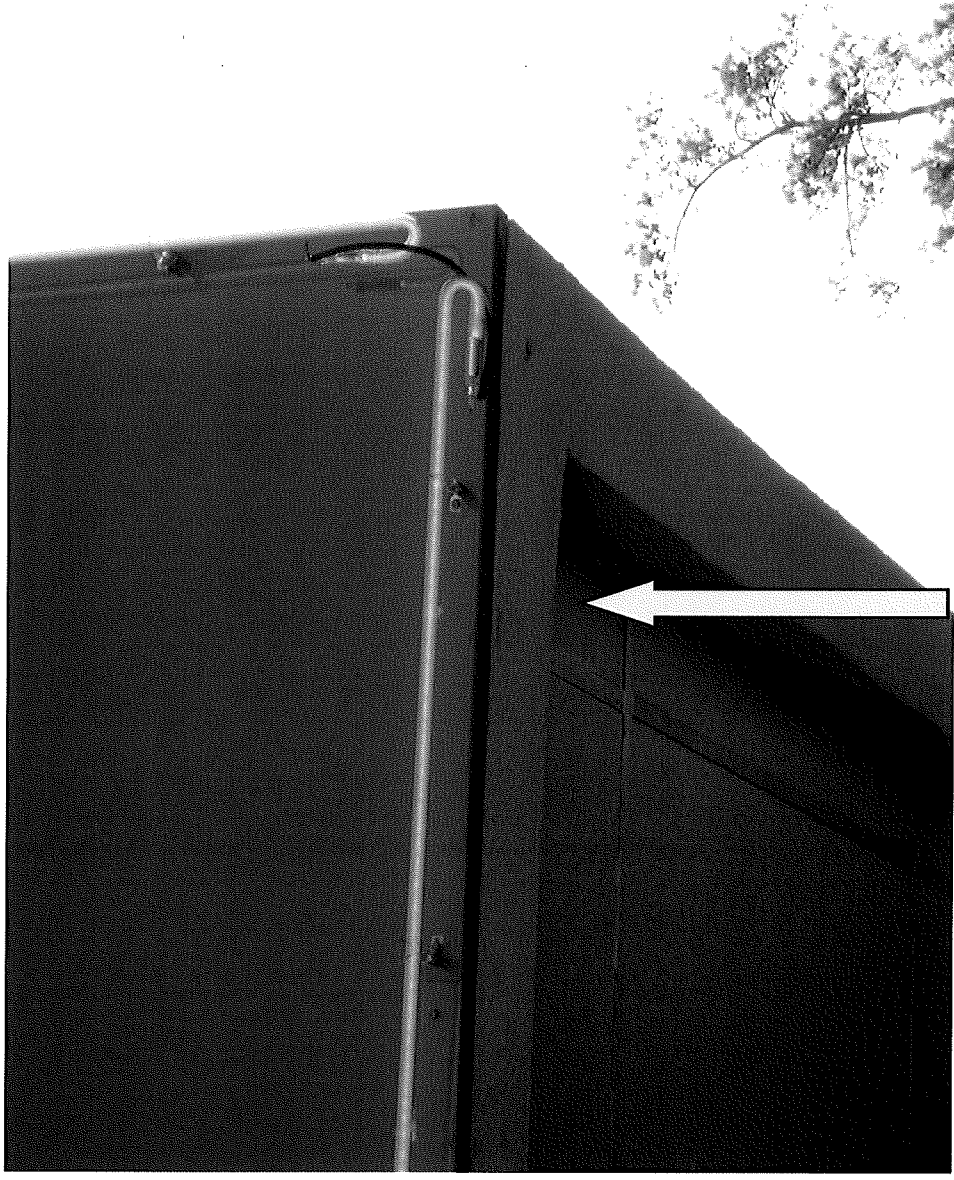
Each end of the sign needs a wire connection



Old connection from one horizontal run



Each end of the sign needs a wire connection



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NOV 13 2008

City of Sandy Springs
Community Development



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11/13/08

NOV 13 2008

City of Sandy Springs Community Development

Heinz Heinisch

Ford Courier

Rick
Dave

Dr Richard Betts
Gary Ward

Racey Daniels
Edward Udoff
Roberta Sheffield

Sara Strikeow

Angela Berry

Stevenson Rosslow

Bri L Gunter

Ron Carr

Tracey Hawthorne

Gail Matney

Carlos
Carol Wolff DDS
Randy

Cliff Padget
Joe Freeman
Matt Zvolerin

Mike Kap

Customer

Bill to

14th Street Antiques Market	14th Street Antiques Market 530 14th St. NW Atlant...
20/20 Eye Care	20/20 Eye Care 10945 State Bridge Rd Suite 306 Al...
3Panda Kitchen and Bath of Atlanta	3Panda Kitchen and Bath of Atlanta
79th street rug shop	79th street rug shop
7Mississippi	7 Mississippi Designer Outlet 702 Cleburne Terrace ...
A Costume Ball	A Costume Ball 3101 Roswell Rd NE MARIETTA, G...
Acceptance Insurance1	Acceptance Insurance mary davis 770-842-2748
Agatha's	Agatha's
Agnes and Murials	Agnes and Murials 1514 Monroe Drive Atlanta, GA 3...
Alfrado's	Alfrado's
All About Chiropractic	All About Chiropractic 4390 Pleasant Hill Rd Suite G...
All About Lighting	All About Lighting 598 Veteran Memorial Blvd Cum...
ALPHA LIGHTING & BULBS	ALPHA LIGHTING & BULBS Jones Bridge Rd. Alph...
ALTEZZA	ALTEZZA 2140 PEACHTREE RD. ATLANTA, GA
AMC	AMC Theaters 825 Lawrenceville Suwanee Rd Lawr...
American Road House	American Road House 842 N. Highland Avenue Atla...
AmericasMart	AmericasMart Suite 2200 240 Peachtree St., NW Atl...
anchor signs	Anchor Signs 2200 Discher Ave. Charleston, Sc. 29...
Apec	Apex Electric P.O. Box 965681 Marietta GA 30066
ARTLITE Office Supply Co.	ARTLITE Office Supply Co. 1851 Piedmont Rd. NE ...
atlanta bread co	atlanta bread co medlock bridge rd 706-254-3152 sc...
ATLANTA LEATHER COMPANY	ATLANTA LEATHER COMPANY 2111 FAULKNER ...
Atlantic Sign	Atlantic Sign 5235 Poplar St. Buford, GA 30518
Aurora	Aurora
B-52's	B-52's 3420 Norman Berry Dr. Atlanta, GA 30354
Barron's London	Barron's London Salon
Barrons London Salon	Barrons London Salon
Beads By Design	Beads By Design
Ben Brodhead	Ben Brodhead law offices of ben brodhead 235 peac...
Benedetti's	Benedetti's 2064 N Decatur Rd Atlanta GA 30033
Benefield Realty	Benefield Realty 544 Medlock Rd. Decatur, GA
Benihana	Benihana 2143 Peachtree Rd, NE Atlanta, GA 30309
Bennies Shoes	Bennies Shoes Atlanta, GA
Bernini	Bernini 3393 Peachtree Rd. #3085 Atlanta, GA 30326
Berry's Kre.8.tive Marketing	Berry's Kre.8.tive Marketing Angela Berry
Big Fish Seafood Grill	Big Fish Seafood Grill Meryl Caliendo 404.274.7288
Blue Point	Blue Point 3455 Peachtree Rd Atlanta, GA 30326
Bobby Ezor	Bobby Ezor 404.231.3888 Home 404.234.9889 Cell ...
Bosch	Bosch 116 West Chestnut Way Dallas, GA 30132
Bosch.	Bosch. Louis Grace 770-809-4410 fax 678-963-0633
Boutique Guitar Exchange	Boutique Guitar Exchange Michelle Speert 1530 De...
Brandon	Bare N
Brandon.	Bare Ness
Bri L. Gunter	Pearl Bistro Bri L Gunter
BRIDGETOWN GRILL	BRIDGETOWN GRILL ROSWELL RD. SANDY SP...
Brusters	brusters
BuckBlue	BuckBlue 3525 Piedmont Rd 7 Piedmont Center Atl...
Buford Highway Title Lones	Buford Highway Title Lones
Burlington Coat Factory	Burlington Coat Factory Attn: Tracey Hawthorne 183...
Bytes N' More	Bytes N' More
Cafe Dupri	Cafe Dupri 3135 Piedmont Road Atlanta Ga 30305
Cajun Construction	Cajun Construction 317 Hickory Hollow Ct. Dallas, G...
Canine House of Style	Canine House of Style Cheshire Bridge Rd. Atlanta, ...
Carlos	Carlos
Carol Wolff DDS	Carol Wolff DDS 3131 Maple Dr suite 200 Atlanta G...
Carolines Coffee	Carolines Coffee 1151 West Peachtree Atlanta, GA ...
Carquest Auto Parts	Carquest Auto Parts 993 D Mansell Rd. Roswell, GA
Cathy Marshall	Cathy Marshall AmericasMart - 8th Floor
central	central
central parking systems	central parking systems Jared Pomerance 404-888-...
Channellock, INC.	Channellock, INC. Mark Lewis
Cheshire Place	Cheshire Place
Chiro Plus	Chiro Plus Matt Zvolerin
CHOW BABY	CHOW BABY 800 PEACHTREE ST. #1524 ATLAN...
City Cafe	City Cafe Old National Highway College Park, GA
Clothing Warehouse	Clothing Warehouse 420 Moreland Ave NE Atlanta, ...
Club 112	Club 112 1055 Peachtree St. NE Atlanta, GA 30309 ...
Club Onxy	Club Onxy

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11/13/08

Customer	Bill to	Contact
Club Onyx	Club Onyx	
Club Phyre	Club Phyre 3837 Covington Hwy. Decatur, GA 30030	
Cobb Galleria	Cobb Galleria Gene Musco 404-392-0500	
Collonnade	Collonnade	
Colonial Square	Colonial Square 2637 Old Hapeville Rd. Atlanta, GA...	Pete
Color Ad	Color Ad Exhibits and Signage PO Box 1788 Manas...	Sultan S Gillani
Comfort Suites	Comfort Suites Sultan S Gillani	
Community Financial	Community Financial 585 Memorial Dr. Atlanta, GA ...	
coner bakery	coner bakery	
Core Body Repair	Core Body Repair 533 West Howard Avenue Decatu...	
corner cafe	corner cafe	
Crazy Horse Saloon	Crazy Horse Saloon 3950 Jonesboro Rd. Forest Par...	Mike Kap
Creative Noise Design	Creative Noise Design 1258 Sweet Pine Dr Norcross...	Nara Samaras
Creme	Creme Peachtree Rd. Atlanta, GA	
Crunk	Club Crunk	Kim Holstead
Curbside Auto Repair	Curbside Auto Repair Denar Muhammed	
CW Duncan Designs	CW Duncan Designs Craig Duncan	Craig Duncan
Dairy Queen - Smyrna	Dairy Queen - Smyrna	
DAKOTA CONTRACTORS	DAKOTA CONTRACTORS DARREN SMITH P: 404...	
Dancers Elite	Dancers Elite 806 Marietta St Atlanta GA 30318	
Dental World of Marietta	Dental World of Marietta 2468 Windy Hill Rd S.E. M...	
DeWalt tools	DeWalt tools Glen Wade 615-456-8786 fax678-503-...	
Diamond Club	Diamond Club	
Diane Carner	Synchronicity	
Dixie Construction	Dixie Construction 970 Huff Rd. Atlanta, GA 30318	Jeff
El Azteca	El Azteca 5925 Roswell Rd. Atlanta, GA John Bark...	
El Ranchero	El Ranchero 4325 Atlanta HWY Loganville, GA	
El Toro	El Toro 1775 Lawrenceville Hwy. Decatur GA fax: 40...	
Element Diet Fitness	Element Fitness Jones Bridge Rd. Alpharetta, GA 3...	
ENDENU	ENDENU Atlanta, GA	
Express Oil Change	Express Oil Change Michael Smith 2960 Headland ...	Michael Smith
Express Tax	Express Tax 1195 Woodstock Rd Roswell GA 30075	Mike Brown
Express Tax Service	Express Tax Service Amanuel Mehretab 1833 Delo...	Amanuel Mehretab
Family First Vision Center	Family First Vision Center	
Fashion Cents	Fashion Cents Metro Atlanta	
Fastrackids	Fastrackids	
FatBurger	FatBurger Derick Odom - Senior VP 5588 Chamble...	Derick Odom
FIESTA FOOD MARKET	FIESTA FOOD MARKET CHESHIRE BR. RD. ATL...	
Fire of Brazil	Fire of Brazil	Terry Gilbertson
Fireplace Grill	Fireplace Grill 11605 Jones Bridge rd	
Flora Dora	Flora Dora 503 Amsterdam Ave. Atlanta, Ga 30306	Tony Pernice
Florence McDonnell Center	Florence McDonnell Center Cheshire Bridge Rd. Atl...	
Focus Entertainment International	Focus Entertainment International 1739 Cheshire Br...	
Fontaines	Fontaines 1026 1/2 N Highland Atlanta GA 30306	Kevin
Fox Bros.	Fox Bros.	Bow
Garrison's Broiler & Tap	Garrison's Broiler & Tap Perimeter Mall Atlanta, GA	
Georgia School of Construction	GA School of Construction Darrell Woodrum 581 Si...	Darrell Woodrum
Georgia World Congress	Georgia World Congress	Charles Denny
Gladys Knight's Chicken and Waffles	Gladys Knight's Chicken and Waffles 529 Peachtree...	
Gold Rush Showbar	Gold Rush Showbar 2608 Metropolitan Pkwy Atlanta...	Mike Capp
Golf X Change	Golf X Change Roswell Rd. Atlanta, GA 404.256.2235	
Gordon Karns - Realacorp	Gordon Karns - Realacorp 385 Gaithers Rd. Mansfie...	
Greenberg Traurig	Greenberg Traurig 3290 Northside Parkway Suite 40...	
grove lounge	grove lounge	
Halo Financial	Halo Financial 206 Bankhead Ave Carrollton, GA 30...	
Happy Hocker	Happy Hocker	
Health Unlimited	Health Unlimited 2968 N. Druid Hills Rd. Atlanta, GA...	
Heaven		
Henri's Bakery	Henri's Bakery Irby Ave Atlanta, GA	Madeline
Herman Hague	Primerica Herman Hague 6395 Spalding Drive Suite...	Herman Hague
Hi-Tops	Hi-Tops Buford Hwy.	
HILCO - VICKIE MCKENZIE	HILCO - VICKIE MCKENZIE	
Hoedowns	Hoedowns 931 Monroe Drive Atlanta, GA 30308	
Holiday Inn Select	Holiday Inn Select 450 Capitol Avenue SW Atlanta, ...	
Hollywood Tan	Hollywood Tan	
Hoover	Hoover Brian Gouge 10779 Alpharetta Hwy Suite 17...	Brian Gouge
House Rocker		
Hueys	Hueys 1816 Peachtree Road Atlanta GA 30309	

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11/13/08

Customer	Bill to	Contact
Huff Furniture	Huff Furniture 3178 Peachtree Rd. NE Atlanta, GA 3...	
IDC - Tim Brown	IDC - Tim Brown Skyhill Beverage 3342 Clairemont ...	
IGA foods	Food Universe IGA 2746 Clairmont Rd Atlanta GA 3...	
Inserction - 6400 Roswell rd	Inserction - 6400 Roswell rd	
Inserction - Michael's House	Inserction - Michael's House	
Inserction - Peidmont	Inserction - Peidmont	
Inserction - Roswell rd (Ex6)	Inserction - Roswell rd	
Inserction - West P-tree	Inserction - West P-tree	
Insurrection	Insurrection Cheshire Bridge Rd Atlanta GA	Joe
Insurrection-Clarkston	Insurrection-Clarkston	
Insurrection-Northside	Insurrection-Northside	
Integrated Sign Systems	Integrated Sign Systems 145 Enterprise Dr., Suite D...	
International Bakery	International Bakery Cheshire Bridge Rd. Atlanta, GA	
Internet Fone Cafe	Internet Fone Cafe	Sherri
Intown Bicycles	Intown Bicycles 1035 Monroe Dr. Atlanta, GA 30306...	
Ippolitos	Ippolitos	
Jack's Cameras	Jack's Cameras 2090 N. Decatur Rd. Decatur, GA 3...	
JACKIE HEMRY	JACKIE HEMRY	
Jason's Deli		
jason's pawn shop	Jerry's pawn shop	
Jennifer Steen	New Vision Television	Jennifer Steen
Jewelry Box Outlet	Jewelry Box Outlet 5900 sugarloaf pkwy lawrencevill...	Ali
JJ Dal Supply Co	JJ Dal Supply PO Box 393 Tucker, GA 30085	
John Hunslinger	John Hunslinger	Sherri Greeson
John Philips	John Philips	
Johnny Carino's Country Italian	Johnny Carino's Country Italian 1551 Jennings Mill ...	
Justin's Hallmark	Justin's Hallmark 3605 Sandy Plains Rd Marietta G...	Tom Loveland
K - Nine showcase	K - Nine showcase	
KEBERICHO CAFE	KEBERICHO CAFE 3267 BUFORD HWY. SUITE 7...	
Keller Williams Intown Atlanta	Keller Williams Intown Atlanta	
Kelly's Clutch Service	Kelly's Clutch Service 210 Memorial Dr. Atlanta, GA	
Kings Inn	Kings Inn	Raj
Klein tools	Klein tools Joel Swarout 770-654-2159 fax 770-614-...	
Kobe Steaks	Kobe Steaks 5600 ROSWELL ROAD NE ATLANTA...	
Larry Anderson		Larry Anderson
Laundry Concepts	Laundry Concepts 295 Pendleton Tr Tyrone GA 302...	John Sugg
Lavista Ace Hardware	Lavista Ace Hardware	
Leo's Car Wash	Leo's Car Wash	
Les Fleur de Lis Cafe	Les Fleur de Lis Cafe Atlanta, GA	
LEVELS ACCESSORIES	LEVELS ACCESSORIES DERON LEVELS 1985 C...	
Lighting Unlimited	Lighting Unlimited 3171 Peachtree Rd. Atlanta, GA ...	
linde gas	linde gas	
Lisa Dawson	Lisa Dawson - Quizno's	
Loco's Deli Pub	Loco's Deli Pub	
Lollipop Adult Treats	Lollipop Adult Treats 3165 Roswell Rd. Atlanta, GA ...	
Lombardi's	Lombardi's Underground Atlanta	
Madam Bell	1752 Cheshire Bridge rd Atlanta , Ga. 30324	
Mall at 82 Peachtree	Mall at 82 Peachtree 82 Peachtree St. SW Atlanta, ...	Beverly
Mambo	Mambo North Highland Ave. Atlanta, GA	
Marble Slab Creamery	Marble Slab Creamery 170 Pavilion Pkwy Fayettevill...	
Marian Northcutt	Marian Northcutt	
Marietta Diner	Marietta Diner Cobb Pkwy. Marietta, GA	
Mariquesria	Mariquesria 3009 Buford Hwy Atlanta Ga Fernando ...	
Mary Mac's Tea Room	Mary Mac's Tea Room Joe McCarthy 224 Ponce de ...	Joe McCarthy
Masters	Club Onyx Cheshire Bridge Rd. Atlanta, GA 30324	Mike Kap
Maxim Cabaret	Main Stage 5275 Roswell Rd Atlanta GA 30342	
McKinney's Apothecary	McKinney's Apothecary 225 E. Ponce de Leon Ave. ...	
Meineke Car Care Center	Meineke Car Care Center 6560-B Roswell RD. Sand...	
Meineke Muffler	Meineke Muffler 1145 Hemphill Avenue Atlanta, GA ...	
Metro Diner	Metro Diner	
Metro Diner cafe	Metro Diner cafe	
Metro Uniform	Metro Uniform 2000 Cheshire Bridge Rd. Atlanta, G...	
Metrotainment Cafes Inc.	Metrotainment Cafes Inc. 691 14th St. NW Atlanta, ...	
Mike & Angelos	Mike & Angelos East Paces Ferry Atlanta, GA	
Milwaukee	Milwaukee tool Kerry Gowland 425-652-5220 fax 67...	
Minds Eye	Minds Eye 1024 Avon Ave. Atlanta, GA	
Monteith Commons	Monteith Commons	
Moondogs	Moondogs Peachtree Rd. Atlanta, GA	

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Customer	Bill to	Contact
Mosic Resturant	Mosic Resturant	
Mykonos Taverna	Mykonos Taverna	
nakato	nakato 1776 cheshire bridge rd atlanta ga 30324 40...	
National Maintenance Inc.	National Maintenance Inc. 183 Sweet Hollow Rd. Ol...	
Nationwide	Nationwide P.O. # 19262	
Nest International	Nest International 550 Crescent Boulevard Gloucest...	
New York Video/ Jonesboro	New York Video/ Jonesboro	
New York Village	New York Village Atlanta, GA	
Next Level Fitness	Next Level Fitness 6590 Sugarloaf Parkway Suite 1...	
nikolay	Ans commers llc	
NORTHSIDE CUSTOMS	NORTHSIDE CUSTOMS 1184 SPRING ST. ATLAN...	
nuevo amanecer	nuevo amanecer susanna 917-442-5898	
NY Video	NY Video 4143 Fulton Industrial Blvd. Atlanta, GA	
Off The Grill	Off The Grill Wes Parker 3780 Old Norcross Rd. Dul...	Wes Parker
Onyx	Onyx	
Opus One	Opus 1	Phil Hays
Original Pancake House	Original Pancake House	
P.N.M. AUTOMOTIVE	P.N.M. AUTOMOTIVE 1101 GOLDSMITH RD. STO...	
Pampered Smiles	Pampered Smiles	
Panda Kitchen and Bath of Atlanta	Panda Kitchen and Bath of Atlanta Sandra Cardosa ...	Sandra Cardosa
parc salon	parc salon 1529 piedmont rd 404-876-6623 mark	
Pastor Tibbs	Pastor Tibbs	
PATRICK GRECO	PATRICK GRECO 650 PONCE DE LEON AVE ATL...	
PCheen	PCheen 701-5 Highland Ave. Atlanta, GA 30312	
Peachtree Bicycle	Peachtree Bicycle 11770 Haynes Br Rd suite 900 Al...	Jervy
peachtree dekalb airport	peachtree dekalb airport	
Peachtree Lofts	Habitat Real Estate - Peachtree Lofts Paul Diana P...	Paul Diana
Peachtree Road Liquor Store	Peachtree Road Liquor Store 1895 Peachtree Rd. A...	
Pearl Bistro	Blue Room Bri L Gunter	Bri L Gunter
Philly connection - Hwy 29/Indian Trail	Philly connection - Hwy 29/Indian Trail	
Philly Connection - Norcross-Tucker	Philly Connection - Norcross-Tucker	
Piedmont Hospital	Piedmont Hospital 1968 Peachtree Rd. NW Atlanta, ...	
Pink Pony	Pink Pony 1837 Corporate Blvd. NE Atlanta, GA 303...	Mike Kap
Pink Pony South	Pink Pony South 4730 Frontage Rd Atlanta GA 30297	
Pinup Girl	Pin Up Girls Atlanta, GA 30307	Lorie Mullins
Pinups	PinUps 2788 E Ponce De Leon Ave Decatur, GA 3030	
Platinum 21 Club	Platinum 21 Club 1905 Piedmont Rd. Atlanta, GA 3...	
Poster Hut	Poster Hut Cheshire Bridge Rd. Atlanta, GA 30324	
Precision Tune	Precision Tune Cheshire Bridge Road Atlanta, GA ...	
Prime	Prime 3393 Peachtree Rd Atlanta, GA 30326	Louie Spetrini
Prime Time	Prime Time Showroom 7E337 250 Spring St., NW A...	
ProCare RX	ProCare RX 2470 Satellite Blvd. Duluth, GA 30096	
Proof of the Pudding	Proof of the Pudding 2033 Monroe Dr Atlanta, GA 3...	E.J. Hawley
Proposal	Proposal Caris	
Quality Hotel	Quality Hotel Alex Alter 89 Lucky Street Atlanta, GA ...	Alex Alter
Quiznos	Quiznos Sub 2441 Cheshire Br Rd Atlanta, GA 30324	Roberto Rodriguez
R&R hair salon	R&R hair salon ray griffen 404-685-9611	
R. Thomas	R. Thomas Peachtree Rd. Atlanta, GA 30309	
Ray's Pizza	Ray's New York Style Pizza Peachtree St. Atlanta, ...	Issam Abdullah
Red's Barber Shop	Red's Barber Shop	
Ribs Etc.	Ribs Etc. 4233 Roswell Rd. Atlanta, GA 30342	Eric Kann
River1 LLC	River 1, LLC & River 2, LLC 7180 NW 21st St Ocala...	Brian Morosco
Roberts Properties	Roberts Properties	
Roper Hanks	Roper Hanks	
ROXX	ROXX CHESHIRE BRIDGE RD. ATLANTA, GA 303...	
Ruby Tues Griffin	Ruby Tuesday's Griffin Attn: Melissa	Matt
s	s	
Savannah College of Art and Design	Savannah College of Art and Design Kate Firebaugh...	Kate Firebaugh
Save Rite	Save Rite 4489 GA HWY 20 Conyers, GA	
Savory	Savory 1711 Highway 78 Suite 100 Snellville, GA 30...	
Scents and Suds	Scents and Suds 1544 Piedmont Ave Atlanta, GA 3...	Michael Weed
Seven over Escape	Seven over Escape 2140 Peachtree Rd., NW Atlant...	
Shipfeifer on Peachtree	Shipfeifer on Peachtree 1814 Peachtree Rd. Atlanta...	
Showcase Camera	Showcase Camera 2323 Cheshire Bridge Rd Atlant...	Bob Khoury
SignArt	SignArt 6225 Old Concord Rd. Charlotte, NC	
Signs By Tomorrow	Signs By Tomorrow 2221 Peachtree Rd. NE Suite G...	
Six Flags	Six Flags 275 riverside pkwy. sw austell, ga 30168	
SMITH'S OLDE BAR	SMITH'S OLDE BAR PIEDMOND RD. ATLANTA, ...	

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Customer	Bill to	Contact
SMOKEY Q	SMOKEY Q 1000 NORTHLAKE MALL ATLANTA, G...	
Smoothie King	Smoothie King 255 Otley Dr Atlanta GA 30324	Chris Lund
smugg mugg	smugg mugg	
Southern Classic Jewelry	Southern Classic Jewelry Atlanta Apparel Mart Suite...	
Southern Landmark	Southern Landmark	
Southern Nights	Southern Nights Cheshire Bridge Rd. Atlanta, GA 30...	
Spalding Centre	Spalding Centre Lisa Dawson 1240 Powers Ferry C...	Lisa Dawson
Star 94 FM	Star 94 FM 3350 Peachtree Rd. Penthouse Atlanta, ...	Scott Trask
Steamhouse Lounge	Steamhouse Lounge 3041 Boiling Way Atlanta, GA ...	
Steve Roberts Agency	Steve Roberts Agency Pat Brown 933 Memorial Dr. ...	Pat Brown
STI FIRESTOP	STI FIRESTOP 704.236.7047 f: 678.546.5008	
Studio63	Studio 63 700 Marietta Street Atlanta, GA 30318	Roxanne
Styles of Zuri	Styles of Zuri Anicia Anglin 4819 Rockbridge Rd. Su...	Anicia Anglin
SUN STATE ELECTRIC	SUN STATE ELECTRIC 3700 KENNESAW S. IND. ...	Mike Sims
Susan Smith	Susan Smith	
Swinging Richards	Swinging Richards Northside Drive Atlanta, GA	
Taco Cabana	Taco Cabana Cheshire Bridge Rd. Atlanta, GA 30324	
Talent Zoo	Talent Zoo 812 Lambert Drive Atlanta GA 30318	Trish
TALL ETC.	TALL ETC. LOEHMANN'S PLAZA ATLANTA, GA	
TANTRA	TANTRA COBB DR. MARIETTA, GA	
Tattletale	Tattletale 2075 Piedmont Rd. Atlanta, GA 30324	
Taverna Plaka	Taverna Plaka 2196 Cheshire Bridge Rd Atlanta GA...	
Taxi's Hamburger	Taxi's Hamburger 5530 Winward Pkwy Alpharetta ga	Bill Saleh
Tee Okonkwo Law Firm	Tee Okonkwo Law Firm 960 MLK Dr. Suite B Atlant...	
The Butchers Market	The Butchers Market Tom McDaniel	Tom McDaniel
The Cleaners	The Cleaners Tim Wilson 2310 Lawrenceville Highw...	Tim Wilson
The Depot Tavern	The Depot Tavern 3837 Covington Hwy. Decatur, G...	Terry Stephenson
The Diner	The Diner Indian Trail Lilburn, GA	Ed Haney
the Pampered Smile	the Pampered Smile	
The Patio Inman Park	The Patio Inman Park Atlanta, GA	
The Roxy	The Roxy 3110 Roswell Rd. Atlanta, GA 30305	
The Shopping Center Group, LLC	The Shopping Center Group, LLC 3101 Towercreek ...	Michael Alterman
The Tabernacle	The Tabernacle 152 Luckie St. Atlanta, GA 404.358....	Dave Scruggs
Theo	Doll House	Theo
Theo Enterprises 2	Theo Enterprises 5275 B Roswell Rd. Atlanta, GA 3...	
Tiffany's Adult Entertainment	Tiffany's Adult Entertainment 1715 Northside Drive ...	
Tin Roof	Tin Roof 2591 Briarcliff Rd, NE Atlanta, GA 30329	
Title Loans-Carrollton	Title Loans-Carrollton	
Title Loans-Lawrenceville	Title Loans-Lawrenceville	
TITLE LOANS - LAWRENCEVILLE HIGH...	TITLE LOANS - LAWRENCEVILLE HIGHWAY 319...	
Title Loans - Piedmont Road	Title Loans - Piedmont Road	
Title Loans - Tacoma	Title Loans - Tacoma	
Title Loans -SC	Title Loans -SC	
Title Loans Douglasville	Title Loans 9415-A Highway Five Douglasville, ga 3...	Byron Alexander
Title Loans Duluth	Title Loans Duluth 3026 Buford Hwy Duluth GA 30024	
Titlemax	Titlemax	
TR Digital Production	TRDigital 394 North Clayton St Lawrenceville, GA 3...	David Mitchell
Tropical Breeze	Tropical Breeze	
Uniform World	Uniform World Decatur, GA	
Uptown Comedy Club	Uptown Comedy Club	
uptown novelty	uptown novelty Z 1891 cheshire bridge atlanta GA 3...	
Urban Styles	Urban Styles 5042 Old National Hwy. Suite C Colleg...	
Vegas nights	Vegas nights Patrick Olmstead tel-770-612-9112 fax...	kim Olmstead
Vickerys	Vickerys 1106 Cresent Ave Atlanta GA 30309	Kathy
Village Tavern	Village Tavern 11555 Rainwater Drive Alpharetta, G...	Drew Grant
VINO'S PIZZA	VINO'S PIZZA N. HIGHLAND ATLANTA, GA	Kate
Web Airport Services	Web Airport Services Pat	
Wellness	Wellness Center 1728 hwy 138 suite 120 Conyers, ...	Roxanne DeGannes
Wesley Townsend Apartments	Wesley Townsend Apartments 200 Colonial Homes ...	
West Star Electrial Contractors	West Star Electrial Contractors	
wet bar	wet bar chip	
Williams & Associates	Williams & Associates Macon, GA 478.744.0386	
Wing Auto	Wing Auto Sales 403 Buford Hwy Atlanta GA 30345	Marshall
Wolf - 1209 Alpharetta Hwy.	Wolf - 1209 Alpharetta Hwy.	

Board of Zoning Appeals V08-059

- We would like to thank you for reviewing our variance request and make a few comments and then leave time for response and closing to any objections
- As outlined in our petition when we purchased our home approximately 3 years ago there was a huge children's combination jungle jim/swing set/slide in the current location where our gazebo now resides and was never raised as an issue at any time.
- We removed this unit and replaced it with the gazebo that my wife purchased as a birthday gift
- The footprint for the gazebo is smaller in width, depth and height from the previous structure that was in this same location
- We were not aware at the time when we made these changes we violated any covenants/bylaws or Sandy Springs ordinances/codes or we have pursued different choices up front for obtaining approval
- As we outlined in our request we believe that due to the unusual shape and slope of our lot that this portion of our property will be rendered useless and thus a hardship if we can't place another structure there.
- The gazebo was chosen as it provides us with protection and covering from the elements.
- In the complaint filed by Ms Kresky she notes that *this should not be considered a hardship but rather an inconvenience.*
- *We want to state that we are citing this as a hardship based on the inability to use this portion of the property as how it was sold to us and how we have been allowed to use it for the past 3 years.*
- *The slope of our yard and retaining wall are vastly different from 4 of the other 6 interior lots and this is contrary to her documentation that all the interior lots are substantially similar.*
- *They may be similar in size and layout but not in slope/tiering.*
- The lot at 300 Ledgemont Court next door to us has even a greater slope than our property and the retaining wall there is 10' 4", to allow for a reasonable use of that back yard an elevated porch/patio was erected.
- When we began this process we were told by Sandy Springs that the process for us was to file for a determination regarding our gazebo and if we were not successful with this the next step would be to apply for a variance.
- In our determination request letter we stated the gazebo was similar to other portable structures. I would like to point out I was able to move it myself with assistance from no one to comply with the side variance requirement.

- Prior to filing for our variance we also researched to verify that if we went ahead with the request we would not punch a hole in the zoning code and affect the value of the homes in Ledgemont as Ms Kresky has conveyed to our neighbors. We were told that each request is unique and stands on it's own merits and would not affect another request.
- We feel that if we are not able to use the property as we have in the past 3 years then we have been harmed because our property will not have the same value. This may negatively affect other properties in our community as others may find themselves facing a similar situation.
- We wish to point out, as we did in the application, that we are more than willing to put up shrubs to block any remaining view that Ms Kresky may have.



10' 4"

