



BOARD OF APPEALS

Ruth Coan, Post 7 –Chair
Ted Sandler, Post 4 - Vice Chair
Alvin Johnson, Post 1
Eric Johnson, Post 3
Melissa Nodvin, Post 5
Ron Carpinella, Post 2
Ken Moller, Post 6

Thursday November 13, 2014	Regular Meeting Minutes	7:00 PM
Board Members Present	Ruth Coan (Chair), Ted Sandler (Vice Chair), Alvin Johnson, Ken Moller, Eric Johnson	
Board Members Absent	Ron Carpinella, Melissa Nodvin	
Staff Present	Angela Parker, Kevin Howard, Cristina Nelson and Gloria Goins	
Call to Order	Ruth Coan (Chair) called the meeting to order at 7:00 p.m.	

ADOPTION OF AGENDA

Motion and Vote: Sandler moved to approve the November 13, 2014 Agenda. E. Johnson seconded. Approved with file 201403184 moved to the first agenda item (5-0 Ruth Coan (Chair), Ted Sandler (Vice Chair), Alvin Johnson, Ken Moller, Eric Johnson; Ron Carpinella, Melissa Nodvin absent)

APPROVAL OF PREVIOUS MEETING'S MINUTES

Motion and Vote: A. Johnson moved to approve the Minutes for the October 9, 2014. Moller seconded. Approved (5-0 Ruth Coan (Chair), Ted Sandler (Vice Chair), Alvin Johnson, Ken Moller, Eric Johnson; Ron Carpinella, Melissa Nodvin absent)

PRIMARY VARIANCE

201403045

640 Weatherly Lane

Applicant: Allison R. Dubovsky

SUMMARY/STAFF PRESENTATION: Primary variance from Section 19.3.11.B.1 of the Zoning Ordinance to allow a recreational court in the minimum yard.

APPLICANT PRESENTATION:

Ross Perlop, 650 Weatherly Lane, Atlanta, GA. 30328

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

SUPPORT FOR THE PETITION:

Jonathan Dubovsky, 640 Weatherly Lane, Atlanta, GA. 30328

AGAINST THE PETITION:

None

Motion and Vote: Moller moved to deny, E. Johnson seconded. Denied (3-1 Alvin Johnson, Ken Moller, Eric Johnson; Ted Sandler (Vice Chair) Opposed; Ruth Coan (Chair) Recused; Ron Carpinella, Melissa Nodvin Absent)

201403117

4570 Windsor Gate Court

Applicant: Gustavo Cueto

SUMMARY/STAFF PRESENTATION: ☐ Primary variance from Section 109-225 (a) (1) & (2) of the Stream Buffer Protection Ordinance for relief from the seventy-five (75) foot impervious surface setback and fifty (50) foot undisturbed buffer to allow an addition to the existing single family residence.

APPLICANT PRESENTATION:

Gus Cueto, 4570 Windsor Gate Court, Atlanta, GA. 30342

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

SUPPORT FOR THE PETITION:

Rocco Sinisgalli, 1532 Dunwoody Village Pkwy

AGAINST THE PETITION:

None

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

Motion and Vote: Sandler moved to approve, A.. Johnson seconded. Approved w/staff conditions (5-0 Ruth Coan (Chair), Ted Sandler (Vice Chair), Alvin Johnson, Ken Moller, Eric Johnson; Ron Carpinella, Melissa Nodvin absent).

201403132

8212 Hewlett Road

Applicant: Mohammad Salehi

SUMMARY/STAFF PRESENTATION: ☐ Primary variance from Section 109-225 (a) (1) & (2) of the Stream Buffer Protection Ordinance for relief from the seventy-five (75) foot impervious surface setback and fifty (50) foot undisturbed buffer for construction of a single family residence.

APPLICANT PRESENTATION:

Mohammad Salehi, 305 Creekview Ter, Alpharetta, GA. 30005

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

SUPPORT FOR THE PETITION:

Jen Word, 1173 Canton Street, Roswell, GA, 30075

AGAINST THE PETITION:

Kayla Engle-Lewis, 8255 Berkley Ridge, Atlanta, GA 30350

Ty White, 8186 Hewlett Road, Sandy Springs, GA. 30350

Ken Rosenberg, 8232 Hewlett Road

Deborah Taylor

Hamescha Patel, 1174 Cameron Creek

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

Motion and Vote: Sandler moved to defer, A. Johnson seconded. 60 Day Deferral Approved (5-0 Ruth Coan (Chair), Ted Sandler (Vice Chair), Alvin Johnson, Ken Moller, Eric Johnson; Ron Carpinella, Melissa Nodvin absent)

201403139

45 Maryeanna Drive

Applicant: Randall Tolbert

SUMMARY/STAFF PRESENTATION: Primary variance from Section 6.2.3.D of the Zoning Ordinance to reduce the required forty (40) foot rear setback for construction of a roof over an existing porch.

APPLICANT PRESENTATION:

Austin Foster

(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 Appeals questions and discussion)

Motion and Vote: Johnson moved to approve, Moller seconded. Approved w/staff conditions (5-0 Ruth Coan (Chair), Ted Sandler (Vice Chair), Alvin Johnson, Ken Moller, Eric Johnson; Ron Carpinella, Melissa Nodvin absent).

201403175

8745 Roswell Road

Applicant: McDonald's USA, LLC

SUMMARY/STAFF PRESENTATION: Three (3) primary variances from 1) Section 33.22.C of the Zoning Ordinance to reduce the freestanding sign setback from ten (10) feet to zero (0); 2) Section

33.26.H.1.a of the Zoning Ordinance to allow wall signs on non-street facing walls; and 3) Section 33.26.F.4 of the Zoning Ordinance to allow an additional menu board.

APPLICANT PRESENTATION:

Teresa Curry, 260 Peachtree St Suite 900, Atlanta, GA. 30303

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

SUPPORT FOR THE PETITION:

Demetria Peterson, 1 Glenlake Pkwy, Atlanta, GA. 30328

AGAINST THE PETITION:

None

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

Motion and Vote: Sandler moved to approve, Moller seconded. Approved w/staff conditions (5-0 Ruth Coan (Chair), Ted Sandler (Vice Chair), Alvin Johnson, Ken Moller, Eric Johnson; Ron Carpinella, Melissa Nodvin absent)

201403184

8949 Carroll Manor Drive

Applicant: Carroll Manor Lake, LLC

SUMMARY/STAFF PRESENTATION: Primary variance from Section 7.3.3.D of the Zoning Ordinance to reduce the rear setback from twenty-five (25) feet to ten (10) feet to allow development of townhouses.

Applicant Presentation:

Payam Pourreza., P.O. Box 76228, Atlanta, GA 30358

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

Support for the Petition:

None

Against the Petition:

Don Baggett, 8955 Carroll Manor Drive, Sandy Springs, GA. 30350

Valeria Palmer, 404 River Run Dr.

Susan Smith, 8948 Carroll Manor Drive, Sandy Springs, GA.

William Perry, 9920 Misty Cove Lane, Gainesville, GA. 30506

Patrick Ewing, 703 River Run Drive, Sandy Springs, GA 30360

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

Motion and Vote: E. Johnson moved to withdraw, Moller seconded. Withdrawal Request Approved (5-0 Ruth Coan (Chair), Ted Sandler (Vice Chair), Alvin Johnson, Ken Moller, Eric Johnson; Ron Carpinella, Melissa Nodvin absent)

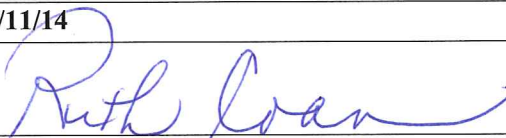
DISCUSSION

Meeting Attendance

A reminder for members to follow procedure for absences at upcoming meetings - please notify Kevin Howard, Gloria Goins and the Board Chair via email in advance of future absences.

ADJOURNMENT

Meeting adjourned at 8:41 P.M.

Approval Signatures	
Date Approved	12/11/14
Ruth Coan (Chairman)	
Angela Parker, Director of Community Development	
Gloria Goins, Transcriber	