



BOARD OF APPEALS

Ron Carpinella, Post 2 – Chair
Ruth Coan, Post 7 – Vice Chair
Lane Frostbaum, Post 1
Jim Squire, Post 3
Ted Sandler, Post 4
Paul Reale, Post 5
Ken Moller, Post 6

Thursday, December 9, 2010

Regular Meeting Minutes

7:00 PM

Board Members Present	Ron Carpinella (Chairman), Ruth Coan (Vice Chair), Paul Reale, Ken Moller, Lane Frostbaum, Jim Squire and Ted Sandler
Board Members Absent	None
Staff Present	Blake Dettwiler, Patrice Ruffin, Cecil McLendon, Cristina Nelson, Linda Abaray, Gloria Goins, Michael Barnett, Alex Hofelich, Nathan Ippolito and Syreeta Whitfield
Call to Order	Ron Carpinella called the meeting to order at 7:00 p.m.

ADOPTION OF AGENDA

Motion and Vote: Frostbaum moved to approve the Agenda for October 14, 2010. Coan seconded the motion. The motion was approved (7-0, Carpinella, Coan, Moller, Frostbaum, Reale, Squire, and Sandler for).

APPROVAL OF PREVIOUS MEETING'S MINUTES

Motion and Vote: Squire moved to approve the Minutes for November 10, 2010. Coan seconded the motion. The motion was approved (7-0, Carpinella, Coan, Moller, Frostbaum, Reale, Squire, and Sandler for).

NEW CASES

V10-032

1600 Dunwoody Club Drive

Applicant: Dunwoody County Club

SUMMARY/STAFF PRESENTATION:

Primary variance from Section 5.1.3.A of the Zoning Ordinance to allow the existing one hundred (100) foot tall driving range net to remain and exceed the maximum district height of forty (40) feet.

APPLICANT PRESENTATION:

Laurel David, 3500 Lenox Rd, Ste 760, Atlanta, GA. 30326

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

SUPPORT FOR THE PETITION:

None

AGAINST THE PETITION:

Bill Grant, 2050 Old Dominion

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

Motion and Vote: Frostbaum moved to approve the withdrawal of the application, Moller seconded. Approved for Withdrawal (5-0-1, Carpinella, Coan, Moller, Frostbaum, and Sandler for; Squire abstain; Reale recused).

V10-033

4969 Roswell Road (SR9)

Applicant: Belle Isle Square Associates, LLC

SUMMARY/STAFF PRESENTATION:

Primary variance from Section 33.26.F.13 of the Zoning Ordinance to allow 1) a Sign during Vacancy for a period of one (1) year; and, 2) Standard Informational signs and/or banners throughout the Signs during Vacancy permit period.

APPLICANT PRESENTATION:

Douglas G. Dewberry, 1545 Peachtree St. Ste 250, Atlanta, GA. 30309

(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)

Motion and Vote: Sandler moved for denial of Variance #1 a Sign during Vacancy for a period of one (1) year and Approval of variance #2 Standard Informational signs and/or banners throughout the Signs during Vacancy permit period not to exceed 1 banner for 14 days. Coan seconded. (5-2 Carpinella, Coan, Reale, Squire, and Sandler for; Moller and Frostbaum against).

V10-035

1141 Edgewater Drive

Applicant: Barbara E. Johnston

SUMMARY/STAFF PRESENTATION:

Primary variance from Section 6.3.3.I of the Zoning Ordinance to allow an accessory structure within the front yard

APPLICANT PRESENTATION:

Ward Seymoor, 67 Avery Drive NE, Atlanta, GA. 30309

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

SUPPORT FOR THE PETITION:

None

AGAINST THE PETITION:

Patty Berkoviz, On File

Barbara Johnson, 1141 Edgewater Dr, Sandy Springs, GA.

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

Motion and Vote: Sandler moved to approve, Coan seconded. Approved (4-3, Coan, Reale, Squire, and Sandler for; Carpinella, Moller and Frostbaum against). Subject to the following conditions:

- 1) The proposed lot shall be in accordance with the proposed site plan, provided by the applicant dated received September 24, 2010 by the Department of Community Development, for the variance(s) herein, showing an accessory structure (detached garage) to be located in the front yard, where necessary, to accommodate the portion of the encroachment (s) only.
- 2) The area along the south property line shall be screened by a continuous row of Leyland Cypress trees to screen the garage from the neighboring property, subject to the approval of the Sandy Springs Arborist.
- 3) The garage roof shall be designed to not include gutters, however if gutters are necessary they are required to drain to a pervious area.
- 4) The garage shall be limited to one (1) story and shall not include a livable area.

V10-036**4755 Northside Drive**

Applicant: Carl Bolch, Jr.

SUMMARY/STAFF PRESENTATION:

Primary variance 1) 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 25 feet to allow for a fence and, 2) from Section 4.11.F of the Zoning Ordinance to reduce the required three (3) foot setback to zero (0) feet for a fence.

APPLICANT PRESENTATION:

Alec G. Michaelides, 2427 Sagamore Dr, Atlanta, GA.

Matt Tollison, 1565 Mount McKinley Dr., Grayson, GA. 30017

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

SUPPORT FOR THE PETITION:

None

AGAINST THE PETITION:

Patty Berkoviz, On File

Patricia Day, 950 Davis Dr, Sandy Springs, GA. 30327

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

Motion and Vote:

Sandler moved for denial of variance (2) from Section 4.11.F of the Zoning Ordinance, Frostbaum seconded. (7-0, Carpinella, Coan, Moller, Frostbaum, Reale, Squire and Sandler for).

Motion and Vote:

Frostbaum moved for approval of Variance (1) from Section 109-225.a 1 and 2 of the Stream Buffer Protection Ordinance, Sandler seconded. Motion passed (7-0, Carpinella, Coan, Moller, Frostbaum, Reale, Squire, and Sandler for) subject to the following conditions:

Conditions:

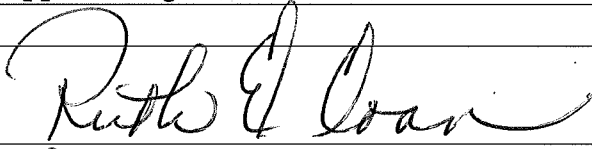
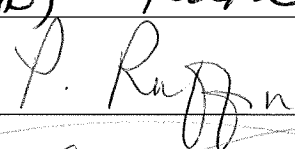
1. To allow only the retaining wall and driveway to encroach into the stream buffer and staff conditions.

DISCUSSION ITEMS

None

ADJOURNMENT

Meeting adjourned at 9:23 p.m.

Approval Signatures	
Date Approved	2/10/11
Ron Carpinella (Chairman)	
Patrice Ruffin, Assistant Director, Planning & Zoning	
Gloria Goins, Administrative Coordinator/Transcriber	