



City of Marietta
Meeting Minutes
BOARD OF ZONING APPEALS

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

James A. Mills, Ward 3, Chairman
Roy L. Shults, Ward 1
J. K. Lowman, Ward 2
G. Marshall Dye, Ward 4
Steven A. Carson, Ward 5
Millard W. Slayton, Ward 6
Neil Bishop, Ward 7

Monday, February 23, 2009

6:00 PM

City Hall Council Chambers

Present: J. K. Lowman, James Mills, Millard Slayton, Neil Bishop and Steven A. Carson
Absent: Roy L. Shults and G. Marshall Dye

Staff:

Brian Binzer, Development Services Director
Rusty Roth, Development Services Manager
Patsy Bryan, Secretary to the Board
Shelby Little, Urban Planner
Michael Cullen, Urban Planner
Kyethea Kirk, Urban Planner
Daniel White, City Attorney

CALL TO ORDER:

Chairman Mills called the February 23, 2009 Board of Zoning Appeals Meeting to order at 6:00 p.m.

MINUTES:

20090127 January 26, 2009 Regular Board of Zoning Appeals Meeting Minutes

Review and Approval of January 26, 2009 Board of Zoning Appeals Meeting Minutes

Mr. Lowman moved to approve the January 26, 2009 Board of Zoning Appeals Meeting Minutes, as submitted, seconded by Mr. Carson. Motion carried 5 - 0.

A motion was made by Board member Lowman, seconded by Board member Carson, that this matter be Approved. The motion carried by the following vote:

Vote: 5 - 0 - 0

Approved

VARIANCE:

20090103 V2009-03 R. C. Patel 2265 Kingston Court

V2009-03 R. C. PATEL requests a variance for property located in Land Lot 07260, 17th District, Parcel 0010, 2nd Section of Cobb County, Marietta, Georgia and being a portion of 2265 Kingston Court. Variance to reduce the minimum lot size from 2 acres to 1 acre. Ward 7.

File #20090103 (V2009-03) was presented by Mr. Cullen for property located in Land Lot 07260, 17th District, Parcel 0010 and being known as a portion of 2265 Kingston Court.

Wayne Proctor, on behalf of the applicant, R. C. Patel, is requesting a variance to reduce the minimum lot size from 2 acres to 1 acre.

Wayne Proctor described this 4.258 acre site as being the Holiday Inn site at Delk Road and I-75. According to Mr. Proctor, Mr. Patel wishes to subdivide the property to create two tracts - each building on its own tract - for financing reasons. However, the total acreage of the subject property is not sufficient to allow both tracts to have 2 acres, plus the area to be dedicated as a public street.

Mr. Bishop made a motion, seconded by Mr. Slayton, to approve this variance request in order to allow the applicant to subdivide his property into 2 tracts. The rationale is that granting this application will not be detrimental, or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare. Motion carried 5 - 0 - 0.

A motion was made by Board member Bishop, seconded by Board member Slayton, that this matter be Approved. The motion carried by the following vote:

Vote: 5 - 0 - 0

Approved

ADJOURNMENT:

The January 26, 2009 Board of Zoning Appeals Meeting adjourned at 6:08 p.m.

JAMES A. MILLS, CHAIRMAN

PATSY BRYAN, SECRETARY