



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes BOARD OF ZONING APPEALS

Monday, October 26, 2015

6:00 PM

City Hall Council Chambers

Present: James Mills, J. K. Lowman, Justice Barber, Brad N. Leskoven, David Hunter and Ronald Clark

Absent: Bobby VanBuren

Staff:

*Rusty Roth, Development Services Manager
Brian Binzer – Director Development Services
Shelby Winkles Planning Administrator
Jasmine Chatman, Planner
Daniel White, City Attorney
Ines Embler, Secretary to the Board*

CALL TO ORDER:

Chairman Mills called the October 26, 2015 meeting of the Board of Zoning Appeals to order at 6:00PM.

Chairman Mills explained the rules and procedures used in conducting the public hearings.

MINUTES:

20150939 September 28, 2015 Board of Zoning Appeals Meeting Minutes

Review and Approval of the September 28, 2015 Board of Zoning Appeals Meeting Minutes.

Mr. Lowman made a motion, seconded by Mr. Clark that the September 28, 2015 Board of Zoning Appeals meeting minutes be approved. The Motion carried 6-0-0. Mr. Van Buren was absent.

A motion was made by Board member Lowman, seconded by Board member Clark, that this Minutes be Approved and Finalized. The motion CARRIED by the following vote.

Absent: 1

Vote For: 6

VARIANCES:

20150784 V2015-44 [VARIANCE] MARC VAN EEKEREN & DEIDRE GRISCO

V2015-44 [VARIANCE] MARC VAN EEKEREN & DEIDRE GRISCO is requesting a variance for property located in Land Lot 00780, District 17, Parcel 0440, 2nd Section, Marietta, Cobb County, Georgia and being known as 1177 Powder Springs Street. Variance to allow a 12 foot wall or fence along Powder Springs Street. Ward 2B.

A public meeting was held.

Ms. Mary Lanning, landscape architect and Mr. Van Eekeren, the applicant, presented a request for a variance to allow a twelve (12) foot wall or fence along Powder Springs Street in order minimize noise off Powder Springs Street and provide security.

Ms. Lanning and Mr. Van Eekeren explained that after further research they have determined that a four (4) fence above the grade would suffice for their needs.

Mr. Grif Chalfant, representing the homeowners in the vicinity spoke in approval of the new four (4) height fence.

There were no questions from the board members.

There was no opposition to this variance.

The public hearing was closed.

A motion was made by Mr. Lowman to grant the application with the stipulation that the fence be no more than four (4) feet in height above the grade of the sidewalk on the basis that it would not be detrimental or injurious to the property or the improvements in the vicinity of the development or to the public health, safety or general welfare. It was seconded by Ms. Barber. The Motion carried 6-0-0.

A motion was made by Board member Lowman, seconded by Board member Barber, that this Variance be Approved as Stipulated. The motion CARRIED by the following vote.

Absent: 1

Vote For: 6

20150861 V2015-46 [VARIANCE] ROBERT M. GOODMAN AND ELIZABETH & JAMES LUNSFORD

V2015-46 [VARIANCE] ROBERT M. GOODMAN AND ELIZABETH & JAMES LUNSFORD are requesting variances for property located in Land Lot 1084, District 16, Parcels 0620 & 0430, 2nd Section, Marietta, Cobb County, Georgia and being known as 581 Kennesaw Ave (aka 324B Saint Mary's Ln) and 530 Saint Barbara's Ln. Variance to reduce the side setback from 10' to 0' for the existing shared garage structure. Ward 4A.

A public meeting was held.

Mr. Goodman & Mrs. Lunsford, the applicants, presented a request for a variance to reduce the side setback from 10' to 0' for the existing shared garage structure in order to keep the existing connected structures in place.

There were no questions from the board members.

There was no opposition to this variance.

The public hearing was closed.

A motion was made by Mr. Hunter to grant the application under the criteria that unique conditions are applicable to the development of this site that do not generally apply to the sites in the same zoning district, on the basis that it would not be detrimental or injurious to the property or the improvements in the vicinity of the development or to the public health, safety or general welfare. It was seconded by Mr. Lowman. The Motion carried 6-0-0.

A motion was made by Board member Hunter, seconded by Board member Lowman, that this Variance be Approved and Finalized. The motion CARRIED by the following vote.

Absent: 1

Vote For: 6

20150862

V2015-47 [VARIANCE] CAROLYN N. & DEIDRE A. JOHNSON

V2015-47 [VARIANCE] CAROLYN N. & DEIDRE A. JOHNSON are requesting variances for property located in Land Lot 1088, District 16, Parcel 0370, 2nd Section, Marietta, Cobb County, Georgia and being known as 174 Seminole Drive. Variance to reduce the required lot area dedicated to a guest house from 5,000 sq.ft to 4,400 sq.ft; variance to reduce the required setbacks for a guest house - for the side yard setback from 20 ft. to 6.8 ft. and for the rear yard setback from 20 ft. to 13.2 ft. Ward 4B.

A public meeting was held.

Ms. & Ms. Johnson, the applicants, presented a request for a variance to reduce the required lot area dedicated to a guest house from 5,000 sq.ft to 4,400 sq.ft; variance to reduce the required setbacks for a guest house for the side yard setback from 20 ft. to 6.8 ft. and for the rear yard setback from 20 ft. to 13.6 ft. in order convert an existing garage structure into a guest house.

There were no questions from the board members.

There was no opposition to this variance.

The public hearing was closed.

A motion was made by Mr. Hunter to grant the application with the stipulation that the overall structure of the guest house will not exceed 13.6 ft. in height and will meet all Fire Department life and safety codes on the basis that it would not be detrimental or injurious to the property or the improvements in the vicinity of the development or to the public health, safety or general welfare. It was seconded by Mr. Lowman. The Motion carried 6-0-0.

A motion was made by Board member Hunter, seconded by Board member Lowman, that this Variance be Approved as Stipulated. The motion CARRIED by the following vote.

Absent: 1

Vote For: 6

OTHER BUSINESS:

20150964 2016 Board of Zoning Appeals Calendar of Meeting Dates

Review and Approval of the 2016 Board of Zoning Appeals Calendar

Mr. Lowman made a motion, seconded by Ms. Barber that the 2016 Board of Zoning Appeals Calendar of Meeting Dates be approved. The Motion carried 6-0-0.

Approved and Finalized

Absent: 1

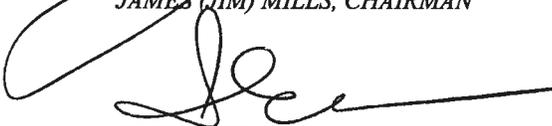
Vote For: 6

ADJOURNMENT:

The October 26, 2015 meeting of the Board of Zoning Appeals was adjourned at 6:17PM.



JAMES (JIM) MILLS, CHAIRMAN



INES EMBLER, SECRETARY