



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes BOARD OF ZONING APPEALS

Bobby Van Buren, Chairman
Larry Zenoni, Vice Chairman, Ward 3
Craig Smith, Ward 1
J. K. Lowman, Ward 2
David Hunter, Ward 4
Juanita Carmichael, Ward 5
Vacant, Ward 7

Monday, April 25, 2022

6:00 PM

City Hall Council Chambers

Present: Larry Zenoni, Craig Smith, Juanita Carmichael, J. K. Lowman, David Hunter

Absent: Bobby Van Buren

Staff: Shelby Little, Planning and Zoning Manager; Rusty Roth, Director of Development Services; Robin Osindele, Urban Planner; Gregg Litchfield, City Attorney; Lisa Rajabnik, Planning & Zoning Coordinator.

CALL TO ORDER:

Vice Chairman Zenoni called the Monday, April 25, 2022, Board of Zoning Appeals Regular Meeting to order at 6:00PM.

MINUTES:

20220383 **Monday, March 28, 2022, Board of Zoning Appeals Work Session, and Meeting Minutes**

Approval of the March 28, 2022, Board of Zoning Appeals Work Session, and Meeting Minutes.

Mr. Lowman made a motion, seconded by Mr. Smith, to approve the March 28, 2022, Work Session and Regular Meeting Minutes.

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

Absent: 1
Vote For: 5

VARIANCES:

20220287 V2022-11 [VARIANCE] MONICA FAMBROUGH & TRAVIS NICHOLS

V2022-11 [VARIANCE] MONICA FAMBROUGH & TRAVIS NICHOLS are requesting variances for property zoned R-2 (Single Family Residential - 2 units/acre), located in Land Lot 1229, District 16, Parcel 0130, 2nd Section, Marietta, Cobb County, Georgia, and being known as 96 Northcutt Street. Variance to reduce the required lot size for a property containing an accessory dwelling unit from 20,000 sq. ft. to 14,250 sq. ft.; variance to reduce the side yard setback for an accessory dwelling unit from 10' to 4.' Ward 3A.

Ms. Little presented case V2022-11 and a public hearing was held.

Mr. Zachary Rogers (C2 Construction) presented the request.

Vice Chairman Zenoni asked for any opposition comments and with none the public hearing was closed.

Mr. Zenoni asked Mr. Rogers if he is aware of the City's requirement that a fire sprinkler system be included in the proposed plans. Mr. Rogers acknowledged.

A motion was made by Mr. Zenoni, seconded by Ms. Carmichael, to approve the requested variances on the basis that approval would 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. The Motion carried 5-0-0.

A motion was made by Board member Zenoni, seconded by Board member Carmichael, that this matter be Approved and Finalized. The motion carried by the following vote:

Absent: 1
Vote For: 5

20220324 V2022-12 [VARIANCE] JOHN & JENNIFER FITZGERALD

V2022-12 [VARIANCE] JOHN & JENNIFER FITZGERALD request variances for property zoned R-4 (Single Family Residential - 4 units/acre), located in Land Lot 1157, District 16, Parcel 0840, 2nd Section, Marietta, Cobb County, Georgia, and being known as 283 Camp Street. Variance to allow a recreational vehicle to be parked in front of the principal structure; variance to allow gravel as an acceptable parking and driving surface. Ward 4A.

Ms. Little presented case V2022-12 and a public hearing was held.

Mr. Richard Hamilton (representative) presented the request.

Mr. Hamilton explained that since filing the variance request, the owners of the property were no longer seeking a variance to store the recreational vehicle permanently on site. Instead, the applicant wished for an allowance of 48 hours, on occurrence, at which time the vehicle would be parked at the location for the purpose of loading and unloading only.

Mr. Zenoni asked for opposition and with none the public hearing was closed.

The Board asked questions regarding the gravel. Suggestions were exchanged between the board and Mr. Hamilton as to possible alternatives to the gravel presently in place. Ms. Fitzgerald asked if the Board would consider allowing Slate as was originally in place instead of the gravel. The Board agreed that they would accept that solution.

Mr. Hunter suggested the board consider a vote replacing the original variance requests with two alternatives as follows:

- 1. Variance to allow Slate as an acceptable parking and driving surface;*
- 2. Variance to allow a recreational vehicle to be parked at the front of the principal structure for the purpose of loading and unloading for periods no longer than 48 hours at a time.*

Ms. Fitzgerald agreed with Mr. Hunter's suggestion.

A motion was made by Mr. Hunter, seconded by Ms. Carmichael, to approve two (2) variances as stipulated on the basis that approval would 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. The motion carried 5-0-0.

Approved as Stipulated

Absent: 1

Vote For: 5

OTHER BUSINESS:

20220318 Board of Zoning Appeals - Election of Chairman

Election of Chairman to serve for one year to April 2023.

Vice Chairman Zenoni opened the floor for nominations for the position of Chairman for the term of one year to April 2023.

Mr. Lowman nominated Chairman Van Buren for re-election as Chairman. There were no further nominations.

Mr. Lowman made a motion to re-elect Chairman Van Buren. The motion was seconded by Mr. Hunter. The motion carried 5-0-0.

Approved and Finalized

Absent: 1

Vote For: 5

20220319 Board of Zoning Appeals - Election of Vice Chairman

Election of Vice Chairman to serve for one year to April 2023.

Vice Chairman Zenoni opened the floor for nominations for the position of Vice Chairman for the term of one year to April 2023.

Vice Chairman Zenoni nominated Mr. Craig Smith for election as Vice Chairman. There were no further nominations.

Vice Chairman Zenoni made a motion to elect Mr. Smith. The motion was seconded by Mr. Lowman. The motion carried 5-0-0.

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

Absent: 1

Vote For: 5

ADJOURNMENT:

The April 28, 2022, meeting of the Board of Zoning Appeals was adjourned at 6:34PM.

LARRY ZENONI, VICE CHAIRMAN

LISA RAJABNIK, SECRETARY