



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, June 30, 2008

6:00 PM

City Hall Council Chambers

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

Staff:

Rusty Roth, Development Services Manager
Patsy Bryan, Secretary to the Board
Shelby Little, Urban Planner
Daniel White, City Attorney

CALL TO ORDER:

Chairman Mills called the June 30, 2008 Board of Zoning Appeals Meeting to order at 6:00 p.m.

MINUTES:

20080699 May 19, 2008 Regular Board of Zoning Appeals Meeting Minutes

Review and Approval of May 19, 2008 Board of Zoning Appeals Meeting Minutes

Mr. Lowman made a motion to approve the May 19, 2008 Board of Zoning Appeals Meeting Minutes, as submitted, seconded by Mr. Slayton. Motion carried 6 - 0 - 1 with Steven Carson abstaining as he was not on the Board at the time.

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

Vote: 6 - 0 - 1

Approved

Abstain: 1 - Steven A. Carson

VARIANCES:

20080478 V2008-06 Cody Holman 251 Dickson Road

V2008-06 CODY HOLMAN request variances for property located in Land Lot 08570, 16th District, Parcel 0020, 2nd Section of Cobb County, Marietta, Georgia and being located at 251 Dickson Road. Variance to allow the parking of vehicles and equipment on an unpaved surface and variance to reduce the minimum width for interior drives from 20 feet to 8 - 10 feet in order to use the existing drive. Ward 5.

File #20080478 (V2008-06) was presented by Mr. Roth for property located in Land Lot 08570, 16th District, Parcel 0020, and being known as 251 Dickson Road.

The applicant, Cody Holman, is requesting a variance to allow parking of vehicles and equipment on unpaved surface and a variance to reduce the minimum width of interior drives from 20 feet to 8 to 10 feet in order to use the existing drive.

Mr. Holman, a resident of 2140 Ector Place and property owner of 251 Dickson Road explained that he was at the last meeting and has since cleared up some unanswered questions.

According to Mr. Holman, Fire Department Commander Scott Tucker is satisfied as long as the driveway is covered with a combination of existing paving and new gravel. Also, the access road should be 20' wide, clear, and unobstructed from street up to building, access road up to the building should be at least 150', and a 35' turning radius. Commander Tucker also agreed to a combination of asphalt paving and gravel.

Mr. Holman is agreeing to change the variance request for the minimum width for interior drives from 20 feet to 14 feet in place of the 8 feet to 10 feet, as originally requested.

Mr. Holman is also requesting a 40' wide combination of paving and gravel for trucks to pull up and unload debris.

Mr. Holman further explained about elevation change, handicap access and site distance and visibility. The entrance will be widened considerably for a better turning radius, according to Mr. Holman.

Discussion between Mr. Lowman and Mr. Holman determined that there is paving all around the current structure.

Mr. Holman stated that there will be no signs on said property.

Mr. Bishop made a motion to approve the two variances as stated in the staff recommendation, seconded by Mr. Dye with the rationale being that he is going to improve the property and granting the application is not necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.

Motion carried 7 - 0.

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

Vote: 7 - 0 - 0

Approved

20080653 V2008-09 John Bourbonnais 1306 Cobb Industrial Drive

V2008-09 JOHN BOURBONNAIS request variances for property located in Land Lot 09260, 16th District, Parcel 0470, 2nd Section of Cobb County, Marietta, Georgia and being located at 1306 Cobb Industrial Drive. Variance to locate outdoor storage in side yard. Ward 5.

File #20080653 (V2008-09) was presented by Mr. Roth for property located in Land Lot 09260, District 16, Parcel 0470 and being known as 1306 Cobb Industrial Drive.

The applicant and owner, John Bourbonnais, is requesting a variance to locate outdoor storage in a side yard area.

Mr. Bourbonnais explained that he purchased the old YKK building in July of last year. He wants to construct a parking lot/storage in the side yard in order to attract a tenant.

Discussion took place regarding existing trees and planting of trees according to code, detention pond, impact on the apartment building in area of subject property, type material to use on side of building and parking lot.

Mr. Roth clarified that Mr. Bourbonnais should check with City Engineer to verify what type material can be used once property use has been determined.

Mr. Dye made a motion to approve variance V2008-09, seconded by Mr. Bishop, with the rationale being that granting the application will not be detrimental or injurious to the property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.

Motion carried 7 - 0.

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

Vote: 7 - 0 - 0

Approved

20080732 Board of Zoning Appeals - Election of Chairman

Election of Chairman to serve for one year from June 2008 to April 2009.

File #20080732 - Election of Chairman

Mr. White pointed out that we typically elect our Chairman and Vice Chairman in April. The dates on the agenda reflect April 2008 to April 2009 and should correctly reflect June 2008 to April 2009.

Mr. Slayton made a motion to elect Mr. Mills as Chairman to serve from June

2008 to April 2009, seconded by Mr. Dye. Motion carried 6 - 0 - 1 with Mr. Mills abstaining.

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

Vote: 6 - 0 - 1

Approved

Abstain: 1 - James Mills

20080733 Board of Zoning Appeals - Election of Vice Chairman

Election of Vice Chairman to serve for one year from June 2008 to April 2009.

File #20080733 - Election of Vice Chairman

Mr. Shults moved to elect Mr. Lowman as Vice Chairman to serve from June 2008 to April 2009, seconded by Mr. Mills. Motion carried 6 - 0 - 1 with Mr. Lowman abstaining.

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

Vote: 6 - 0 - 1

Approved

Abstain: 1 - J. K. Lowman

ADJOURNMENT:

The June 30, 2008 Board of Zoning Appeals Meeting adjourned at 6:35 p.m.

JAMES A. MILLS, CHAIRMAN

PATSY BRYAN, SECRETARY