



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes BOARD OF ZONING APPEALS

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

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Monday, August 30, 2010

6:00 PM

City Hall Council Chambers

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

*Staff:*

*Brian Binzer, Development Services Director*  
*Rusty Roth, Development Services Manager*  
*Patsy Bryan, Secretary to the Board*  
*Shelby Little, Urban Planner*  
*Kyethea Clark, Urban Planner*  
*Gregg Litchfield, City Attorney*

### CALL TO ORDER:

*Chairman Lowman called the August 30, 2010 Board of Zoning Appeals Meeting to order at 6:00 p.m.*

### MINUTES:

**20100908**

**July 26, 2010 Regular Board of Zoning Appeals Meeting Minutes**

Review and Approval of the July 26, 2010 Board of Zoning Appeals Meeting Minutes

*Mr. Carson made a motion to approve the July 26, 2010 Board of Zoning Appeals Minutes, seconded by Mr. Dye. Motion carried 7 – 0 – 0.*

**A motion was made by Board member Steven A. Carson, seconded by Board member G. Marshall Dye, that this matter be Approved and Finalized. The motion carried by the following vote: 7 – 0 – 0.**

### VARIANCES:

**20100883**

**V2010-18 William K. Weatherby 560 N. Fairground Street**

**V2010-18 WILLIAM K. WEATHERBY** request variance for property located in Land Lot 10900, District 16, Parcel 0510 and being known as 560 N. Fairground Street. Variance to reduce the side yard setback from 15 feet to 7.8 feet. Ward 5.

*File #20100883 (V2010-18 ) was presented by Mr. Roth for property located in Land Lot 10900, District 16, Parcel 0510 and being known as 560 N. Fairground Street.*

*The applicant, William K. Weatherby, represented by Danny Creamer of Creamer Pearce, LLC, a board member for Feed My Lambs, is asking for a variance to reduce the side yard setback from 15 feet to 7.8 feet.*

*As Mr. Creamer indicated, the existing building is at 7.8 feet off the property line and the addition will fill in the corner of the building.*

*Mr. Carson made a motion, seconded by Mr. Mills, to approve the variance request with the stipulation that the dumpster be moved out of sight. Granting the 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 7 – 0 – 0.*

**A motion was made by Board member Steven A. Carson, seconded by Board member James A. Mills, that this matter be Approved as Stipulated. The motion carried by the following vote: 7 – 0 – 0.**

**20100894**

**V2010-19 Hal Ross 1800 Sandy Plains Industrial Park (a/k/a 1800 Sandy Plains Road)**

**V2010-19 HAL ROSS** request variances for property located in Land Lot 07810, District 16, Parcel 0090 and being known as 1800 Sandy Plains Industrial Park (a/k/a 1800 Sandy Plains Road). Variance to waive the 50 foot buffer from residential properties for automobile sales/service and a variance to waive the requirement for a solid fence or wall no less than 6 feet in height for adjacent residential properties. Ward 6.

*File #20100894 (V2010-19) was presented by Mr. Roth for property located in Land Lot 07810, District 16, Parcel 0090 and being known as 1800 Sandy Plains Industrial Park (a/k/a 1800 Sandy Plains Road).*

*The applicant, Hal Ross, is requesting variances to waive the 50 foot buffer from residential properties for automobile sales/service and a variance to waive the requirement for a solid fence or wall no less than 6 feet in height for adjacent residential properties.*

*Melissa Haisten is representing the applicant for this variance request. As described by Ms. Haisten, the use is a unique type of automobile sales where Mr. Ross keeps an inventory of cars and clients make an appointment to see a particular vehicle through the internet.*

*The property to the rear is a residentially zoned, undeveloped, landlocked parcel, with a future land use of industrial warehousing. It is highly unlikely that this lot will be developed as residential and the current vegetative screening between properties would negate the use for a buffer or a fence.*

*Mr. Slayton made a motion to grant the request, seconded by Mr. Shults. The rationale being that granting the 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 7 – 0 – 0.*

A motion was made by Board member Millard Slayton, seconded by Board member Roy L. Shults, that this matter be Approved and Finalized. The motion carried by the following vote: 7 – 0 – 0.

**20100895****V2010-20 QuikTrip 600 S. Marietta Parkway**

**V2010-20 QUIKTRIP** request variance for property located in Land Lot 03610, District 17, Parcel 0300 and being known as 600 S. Marietta Parkway. Variance to increase the allowable square footage for gas canopy signage from 10 square feet per side to 14 square feet per side. Ward 1.

*File #20100895 (V2010-20) was presented by Mr. Roth for property located in Land Lot 03610, District 17, Parcel 0300 and being known as 600 S. Marietta Parkway.*

*Nathan Richardson, on behalf of QuikTrip Corporation, is requesting a variance to place two (2) 14 square foot signs on the canopy in lieu of three (3) 10 square foot signs. These signs will be consistent with the other gas canopy signs in the Atlanta market and in the Marietta area.*

*Mr. Shults reiterated that QuikTrip agrees not to place a third sign on the canopy and Mr. Richardson concurred.*

*Mr. Shults made a motion to approve with the stipulation that there will not be a third sign placed on the canopy, seconded by Mr. Slayton. The rationale being that granting the 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 7 – 0 – 0.*

**A motion was made by Board member Roy L. Shults, seconded by Board member Millard Slayton, that this matter be Approved as Stipulated. The motion carried by the following vote: 7 – 0 – 0.**

**ADJOURNMENT:**

*The August 30, 2010 Board of Zoning Appeals Meeting adjourned at 6:13 p.m.*

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J. K. LOWMAN, CHAIRMAN

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PATSY BRYAN, SECRETARY