



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes BOARD OF ZONING APPEALS

James A. Mills, Ward 3, Chairman
J. K. Lowman, Ward 2, Vice Chairman
Susan Grant, Ward 1
David Hunter, Ward 4
Ronald Clark, Ward 5
William "Bill" J. Martin, Ward 6
Justice Barber, Ward 7

Monday, January 27, 2014

6:00 PM

City Hall Council Chambers

Present: Susan Grant, William "Bill" J. Martin, J. K. Lowman, Justice Barber, David Hunter, James Mills

Absent: Ronald Clark

Staff:

Brian Binzer, Development Services Director
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 January 27, 2014 Board of Zoning Appeals Meeting to order at 6:00 p.m.

MINUTES:

20140045

December 16, 2013 Board of Zoning Appeals Meeting Minutes

Review and Approval of the December 16, 2013 Board of Zoning Appeals Meeting Minutes

Mr. Lowman made a motion, seconded by Mr. Hunter, to accept the December 16, 2013 Board of Zoning Appeals Meeting Minutes as submitted. The motion carried 6 – 0 – 0.

Approved and Finalized

Absent: 1 - Board member Clark

VARIANCES:

- 20131534** **V2013-46 [VARIANCE] DAVID BEN-MOSHE (RLSR FIVE, LLC)** requests variances for properties located in Land Lot 04340, District 17, Parcels 0150 & 1420, 2nd Section, Marietta, Cobb County, Georgia and being known as 927 & 929 South Marietta Parkway. Variance to reduce the required minimum lot size for automobile sales from 1 acre to 0.7678 acres. Ward 1.

File #20131534 (V2013-46) was presented by Mr. Roth for property located in Land Lot 04340, District 17, Parcels 0150 & 1420 and being known as 927 & 929 South Marietta Parkway.

The public hearing was held.

The applicant, David Ben-Moshe (RLSR FIVE, LLC) is requesting a variance to reduce the required minimum lot size for automobile sales from 1 acre to 0.7678 acres.

Mr. David Ben-Moshe explained that his occupation is not a car dealer but a jeweler. Prior to Mr. Ben-Moshe purchasing the property, the previous owner had a car dealership there for 26 years. After that, the property was leased as a car dealership but failed in 2008 due to the economy. Mr. Ben-Moshe stated he has struggled to get a different type tenant for the past 2 years. Last year Mr. Ben-Moshe's son requested the same type of variance and was denied.

Mr. Ben-Moshe compared this location to his car lot at 2986 Johnson Ferry Road and feels like he could make the same positive changes should this variance be granted.

Ms. Grant was told by Mr. Ben-Moshe that he hired a company to clean up and cut grass. Mr. Moshe showed the property to a bookkeeping service but the visibility of the vagrants quashed the deal.

After being questioned by Mrs. Barber and Mr. Hunter regarding on-site security and boarding up the property, Mr. Ben-Moshe stated that without income being generated from the property, it is nearly impossible to improve the property.

The public hearing was closed.

Ms. Grant made a motion to deny the variance, seconded by Mr. Martin. The motion carried 5 – 1 – 0 with Mr. Lowman opposed.

A motion was made by Board member Grant, seconded by Board member Martin that this Variance be Denied. The motion CARRIED by the following vote: 5 – 1 – 0

Absent: 1 - Board member Clark

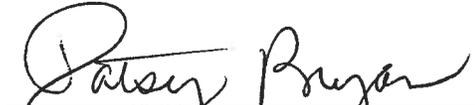
Vote Against: 1 - Board member Lowman

ADJOURNMENT

Ms. Grant made a motion, seconded by Mr. Hunter, to adjourn the January 27, 2014 Board of Zoning Appeals Meeting at 6:12 p.m.



JAMES A. MILLS, CHAIRMAN



PATSY BRYAN, SECRETARY