



City of Marietta
Meeting Minutes
BOARD OF ZONING APPEALS

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

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

Monday, July 27, 2009

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
Shelby Little, Urban Planner
Kyethea Kirk, Urban Planner
Daniel White, City Attorney

CALL TO ORDER:

Chairman Lowman called the July 27, 2009 Board of Zoning Appeals Meeting to order at 6:01 p.m.

MINUTES:

20090728 May 18, 2009 Regular Board of Zoning Appeals Meeting Minutes

Review and Approval of May 18, 2009 Board of Zoning Appeals Meeting Minutes

Mr. Bishop made a recommendation to approve the May 18, 2009 Board of Zoning Appeals Meeting Minutes as submitted, seconded by Mr. Shults. Motion carried 6 - 0 - 1 (Mr. Shults abstained.)

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

Vote: 7 - 0 - 0

Approved and Finalized

VARIANCES:

20090664 V2009-16 James C. Taylor 327 Camp Street

V2009-16 JAMES C. TAYLOR request a variance for property located in Land Lot 11480, 16th District, Parcel 0120, 2nd Section of Cobb County, Marietta, Georgia and being known as 327 Camp Street. Variance to reduce the minimum lot size from 10,000 square feet to 9,551 square feet. Ward 4.

File #20090664 (V2009-16) was introduced by Shelby Little for property located

in Land Lot 11480, District 16, Parcel 0120 and being known as 327 Camp Street (lot size).

The applicant, James C. Taylor, presented his request for a variance. When the garage at the rear of 347 Camp Street was built last year, there was not enough room along the left hand corner (between the corner and property line) to get vehicle around the drive from the garage. As a result, he swapped some land between 327 and 347 Camp Street since he owns both parcels. However, the swap left 327 Camp Street below the minimum lot size for the zoning district.

Mr. Dye made a motion to approve with the rationale 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, seconded by Mr. Carson. Motion carried 7 - 0 - 0.

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

Vote: 7 - 0 - 0

Approved and Finalized

20090665

V2009-17 James C. Taylor 347 Camp Street

V2009-17 JAMES C. TAYLOR request a variance for property located in Land Lot 11480, 16th District, Parcel 0140, 2nd Section of Cobb County, Marietta, Georgia and being known as 347 Camp Street. Variance to reduce the rear yard setback from 12.9 feet to 10 feet. Ward 4.

File #20090665 (V2009-17) was introduced by Shelby Little for property located in Land Lot 11480, District 16, Parcel 0140, and being known as 347 Camp Street (setback).

The applicant, James C. Taylor, presented his request for a variance. The setback encroachment occurred because of a layout error during construction of the garage in the rear, causing the garage to be located 10 feet (instead of the approved 12.9 feet) from the rear property line.

Mr. Dye made a motion to approve with the rationale 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, seconded by Mr. Mills. Motion carried 7 - 0 - 0.

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

Vote: 7 - 0 - 0

Approved and Finalized

ADJOURNMENT:

The July 27, 2009 Board of Zoning Appeals meeting adjourned at 6:07 p.m.

J. K. LOWMAN, CHAIRMAN

PATSY BRYAN, SECRETARY