



ACTION REPORT
Board of Zoning Appeals
September 15, 2009
7:00pm

I. Call to order and pledge

II. Introduction of Board members

- Board members present: Walter Recuk, Scott Kilgore, Todd Chernik, Sandy Jones, Marcia Parsons, Gary Willis

III. Approval of March-August action minutes

- Motion to approve March minutes, Sandy Jones
- 2nd: Todd Chernik
- Motion passed, 7-0

- Motion to approve April minutes, Sandy Jones
- 2nd: Todd Chernik
- Motion passed, 6-0, Scott Kilgore abstained

- Motion to approve May minutes, Sandy Jones
- 2nd: Marcia Parsons
- Motion passed, 6-0, Todd Chernik abstained

- Motion to approve July minutes, Sandy Jones
- 2nd: Todd Chernik
- Motion passed, 7-0

- Motion to approve August minutes, Sandy Jones
- 2nd: Todd Chernik
- Motion passed, 7-0

IV. Public Hearing

A. V09-009, 14250 Creek Club Drive, Crooked Creek entrance wall, Jim Compton

- Request(s): To allow fence/wall/column heights to exceed maximum allowable height (Article 4.11.E)
 - Motion to **approve with conditions**: Gary Willis
 - 2nd: Marcia Parsons
 - Motion **approved**, 7-0
 - Conditions:
 - Fence/columns/wall to be constructed per site plan dated 8/6/2009,
 - Applicant shall landscape area, per the approval of the City of Milton Arborist
 - Applicant shall install uprights and foliage that shall match the existing 300' of fence/wall; Lighting shall meet Highway 9 Overlay requirements.
 - A termination column shall be constructed at the end of the fence.



- Amendment to conditions: To allow applicant two years after the completion of the fence/wall/columns to complete installation of the lighting and landscaping.
- Motion to approve: Walter Rekuc
- 2nd: Scott Kilgore
- Motion **failed**, 3-4

B. **V09-010**, 5200 Windward Parkway, Wal-Mart, Susie Reddell

- Request(s):
 - a. To increase the maximum number of wall signs from 2 to 4 (Article 33.26.1.H)
 - b. To increase the maximum allowed square footage of signage from 200 square feet total to 460.28 square feet total (Article 33.26.1.J)
- Motion to **approve with conditions**: John McRae
- 2nd: **?????????** MARCIA PARSONS
- Motion **approved**, 7-0
- Conditions:
 - a. Signage is approved as shown on submitted detail sheet dated 8/24/09
 - b. Applicant shall be allowed a total of 333.29 square feet of signage, with 4 signs at the following square footage:
 - i. 216.26
 - ii. 34.05
 - iii. 45.37
 - iv. 37.71
- Amendment to conditions: Signage shall be installed per exterior elevation shown on sheet A-2, last revision date 6/17/09
- Motion to approve: Scott Kilgore
- 2nd: Walter Rekuc
- Motion **approved**, 7-0

C. **V09-011**, 14225 Hopewell Road, Scott Reece for Robert Hargreaves

- Request(s):
 - a. To allow a riding arena to encroach into the 50' stream buffer(Chapter 14, Article 6.5.Ai)
 - b. To allow a riding arena to encroach into the 75' impervious setback (Chapter 14, Article 6.5.Aii)
- Motion to **approve with conditions**: Walter Rekuc
- 2nd: Sandy Jones
- Conditions:
 - a. Per the location shown on the submitted site plan dated August 4, 2009,
 - b. The applicant shall obtain a LDP prior to any construction work,
 - c. As part of the LDP, the applicant shall provide a mitigation plan that is acceptable to City of Milton staff,
 - d. Provide copy of the NRCS approval letter for the location of the arena,
 - e. Access to the arena and stables shall not go through the buffer,
 - f. The arena shall be painted with muted colors,



- g. No livable or office space shall be located in the arena area,
- h. Flood proofing of the arena columns shall be designed by a P.E.,
- i. Owners shall indemnify the City from any liability of approval or permitting of the site, per an agreement acceptable to the City Attorney.

V. Other business--None

VI. Adjournment

Sandy J. [Signature] BZA CHAIR
10-10-09

Angela Cuthbert-Rambeau STAFF
10-19-09