

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

**I. Call to order and pledge**

**II. Introduction of Board members**

- Members present—Marcia Parsons, Todd Chernik, Sandy Jones, Walt Rekulc, Gary Willis, Scott Kilgore, John McRae

**III. Approval of November action minutes**

- Motion to approve, Sandy Jones
- 2<sup>nd</sup>, Marcia Parsons
- **Motion approved**, 6-0
- John McRae abstained, as he was not present at the November meeting.

**IV. Public Hearing**

**A. V09-012**, 13045 Highway 9 North, Deerfield Place, Sembler Atlanta, Brian Snelling

- Request(s):
  - To allow an additional primary monument sign
  - To allow a primary monument sign to be internally illuminated
  - To allow a primary monument sign to exceed the maximum allowable height
  - To allow a primary monument sign to exceed the maximum allowable square footage (Article 33.26.1.B)
- Motion to **approve with conditions**, Walter Rekulc
  - Conditions:
    - Sign shall be built according to detail labeled Option B, dated 12/15/2009
    - Illumination shall be per
    - Sign shall be located at the driveway north of the Target main entrance (3<sup>rd</sup> driveway north of Webb Road)
- 2<sup>nd</sup>, Sandy Jones
- **Amendment to motion**, Scott Kilgore
  - Request to strike allowance of internal illumination
- 2<sup>nd</sup>, Sandy Jones
- Vote: **Motion failed**, 1-6
- **Amendment to motion**, Marcia Parsons
  - Request to allow Option A, instead of Option B
- 2<sup>nd</sup>, Sandy Jones
- Vote: **Motion failed**, 1-6
- Vote on original motion: **Motion passed**, 6-1

- B. **V09-014**, 15807 Winterfield Way, The Manor, G.P.S. Construction Co., Ricky Nuckles
- Request(s):
    - To allow a house to exceed the maximum allowable height (Article 5.1.3A)
  - Motion to **approve with conditions**, Walter Rekuc
    - Conditions:
      - To allow a house at a maximum of 49.6 feet tall,
      - For home on Lot 424, per CADraft & Design plans dated 9/3/09
  - 2<sup>nd</sup>, Sandy Jones
  - Vote: Motion **approved**, 7-0
- C. **V09-015**, 13215 Birmingham Highway, John Griffith
- Request(s):
    - To allow an accessory structure to encroach into the rear setback (Article 5.1.3.1)
  - Motion to **approve with conditions**, John McRae
    - Conditions:
      - Applicant shall obtain a City of Milton building Permit, and pay all applicable fees for starting construction without a permit,
      - Applicant shall remove original storage structure adjacent to Spring Falls Drive,
      - Structure is allowed in the location shown on site plan dated 7/31/2007.
  - 2<sup>nd</sup>, Sandy Jones
  - Vote: Motion **approved**, 7-0
- D. **V09-016**, 16615 Freemanville Road, Rodney Reese
- Request(s):
    - To reduce the rear setback to 25'/To increase the side setback to 50'
    - To reduce the front setback to 40'/To increase the side corner setback to 60' (Article 3.3.25 & Article 5.1.3.B,C,D)
  - Motion to **approve with conditions**, John McRae
    - Conditions:
      - The petition is approved per the site plan dated March 25, 2009.
  - 2<sup>nd</sup>, Todd Chernick
  - Vote: Motion **approved**, 7-0
- V. **Other business**—Discussion on alternate date for January BZA meeting. (Courtroom is double booked).

VI. **Adjournment**