



ACTION REPORT
BOARD OF ZONING APPEALS
DECEMBER 17, 2013
7:00pm
CITY COUNCIL CHAMBERS

1. Call to order and pledge
2. Introduction of Board members

Members present: Jim Hilley, Nancy Plesnarski, Gary Willis, Christopher Bloor, Walter Rekul, Todd Chernik

3. Approval of October meeting minutes
 - Motion to approve: Nancy Plesnarski
 - 2nd: Christopher Bloor
 - Vote: 4-0, 2 abstained. Motion approved.
4. **V13-011**, Owens Lake Road, New phase of Six Hills subdivision, Six Maples LLC, Douglas Dillard

Request(s):

- To appeal pursuant to Section 64-1889 the Community Development Director's October 4, 2013 denial of a concept plan for Six Hill Phase IV, dated May 15, 2012, per Director's conclusion that the site plan contains a new street closer than 50 feet from a property line adjoining residentially zoned property (Section 64-2397).
- Motion to defer until January meeting: Walter Rekul
- 2nd: Todd Chernik
- Vote: 6-0, Motion approved.

5. **V13-012**, 470 Champions View Drive, Richard and Elizabeth Guida

Request(s):

- To allow a swimming pool and deck to encroach into the 50 foot stream buffer and 75 foot impervious setback (Section 20-425,a,i-ii)
- Motion to approve with conditions: Walter Rekul

Conditions:

 1. To allow the encroachment of the pool, pool deck, retaining wall, fence and flow wells into the 50' City buffer and the 75' impervious setback
 2. Encroachment shall be no closer than 26 feet from the wretched vegetation of the steam

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3. Applicant shall plant additional buffer if landscape required, per the City Arborist.
4. No additional structures are allowed on the site.
5. Approval per the site plan by GA Premier Land Surveying dated 8/19/2013.

- 2nd: Nancy Plesnarski
- Vote: 6-0, Motion approved.

6. **V13-013**, 15615 Birmingham Highway, Luca Gianturco

Request(s):

- Eliminate required orientation of building towards street (sec 64-1145,2)
- Eliminate 30' setback from landscaping (3b)
- Eliminate 20' setback between buildings (3c)
- Eliminate requirements for scale of building (5)
- Eliminate parking requirements (6)
- Eliminate requirements for building design, materials, roofs window doors and architectural features (Sec 64-1146)
- Eliminate requirement of colors (Sec 64-1147)

- Motion to approve with conditions: Walter Rekuc

Conditions:

1. The applicant shall provide a landscape plan which provides screening of the greenhouses from Birmingham Highway. The landscape plan shall be approved by the City arborist.
2. The applicant shall obtain a building permit for the 9 greenhouses.
3. Per variance exhibit dated 10/31/2013 by Brumbelow- Reese.

- 2nd: Jim Hilley
- Vote: 5-0, Motion approved. Christopher Bloor recused himself from this case.

- Motion to approve amendment to main motion: Todd Chernik

There shall be no overflow commercial or customer parking pertaining to the adjacent C-1 property, on the subject site.

- 2nd: Gary Willis
- Vote: 4-1, Motion approved.

7. **V13-014**, 980 Mayfield Road, The Lakes at Mayfield, Planners and Engineers, Kristy Tran

Request(s):

- To eliminate the 50 stream/lake buffer
 - To eliminate the 75 foot impervious setback (Section 20-425,a,i-ii)
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- Motion to defer until January meeting: Jim Hilley
 - 2nd: Nancy Plesnarski

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- Vote: 6-0, Motion approved.

8. **V13-015**, 12725 New Providence Road, Meadowood, Highland Communities LLC, Martin Anker

Request(s):

- To reduce the front setback from 60 feet to 25 feet on lot 2
- To reduce the rear setback from 50 feet to 25 feet on lot 2

- Motion to approve with conditions: Jim Hilley

Condition(s):

1. Approval for lot two, as shown on site plan dated 7/10/2013
- 2nd: Nancy Plesnarski
 - Vote: 6-0, Motion approved.

9. Motion to approve 2014 meeting schedule: Todd Chernik

2nd: Jim Hilley

Vote: 6-0

10. Adjournment

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