



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes

BOARD OF ZONING APPEALS

Bobby Van Buren, Chairman
Karen Kirkpatrick, Vice Chairwoman, Ward 1
J. K. Lowman, Ward 2
Larry Zenoni, Ward 3
David Hunter, Ward 4
Ronald Clark, Ward 5
Tom Samples, Ward 7

Monday, May 20, 2019

6:00 PM

City Hall Council Chambers

Present: Bobby Van Buren, Karen Kirkpatrick, Larry Zenoni, David Hunter, Ronald Clark and Tom Samples

Absent: J. K. Lowman

Staff:

Shelby Little, Planning & Zoning Manager

Robin Osindele, Urban Planner

Gregg Litchfield, City Attorney

Ines Embler, Secretary to the Board

CALL TO ORDER:

Chairman Van Buren called the May 20, 2019 meeting of the Board of Zoning Appeals to order at 6:00 PM.

Chairman Van Buren explained the rules and procedures used in conducting the public hearings.

MINUTES:

20190461

April 29, 2019 Board of Zoning Appeals Meeting Minutes

Review and Approval of the April 29, 2019 Board of Zoning Appeals Meeting Minutes.

Mr. Samples made a motion, seconded by Ms. Kirkpatrick that the April 29, 2019 Board of Zoning Appeals meeting minutes be approved. The Motion carried 6-0-0. Mr. Lowman was absent.

Approved and Finalized

VARIANCES:**20190379 V2019-16 [VARIANCE] ROSWELL STREET PROPERTIES, LLC**

V2019-16 [VARIANCE] ROSWELL STREET PROPERTIES, LLC is requesting variances for property zoned CRC (Community Retail Commercial), located in Land Lots 1010 & 1071, District 16, Parcel 0050, 2nd Section, Marietta, Cobb County, Georgia, and being known as 630 Cobb Parkway North. Variance to modify stipulations from V2019-04 to allow the fence at the top of the wall be constructed of chain link with barrier strips or cloth instead of wood. Ward 5B.

No Action was taken. Applicant was not in attendance.

No Action

20190424 V2019-17 [VARIANCE] ELLIOTT HOMES LTD. (BLAISE BOWMAN)

V2019-17 [VARIANCE] ELLIOTT HOMES LTD. (BLAISE BOWMAN) are requesting variances for property zoned R-4 (Single Family Residential - 4 units/acre), located in Land Lot 1158, District 16, Parcel 0110, 2nd Section, Marietta, Cobb County, Georgia, and being known as 120 Holland Street. Variance to reduce the western side setback from 10' to 2' for the existing house; variance to allow metal shed remain 4' from side and rear property lines. Ward 4A.

A public meeting was held.

Mr. John Elliott, contractor for the Applicant, presented a request for a variance to reduce the western side setback from 10' to 2' for the existing house; variance to allow metal shed remain 4' from side and rear property lines.

There were two (2) in opposition to this request. Mrs. Clara Ostein and Mr. Frank Ostein opposed.

Ms. Ostein stated that she owns the home next door. She said these homes are 120 years old and sits on the property line. She asked if a variance is given to the existing structure, does that mean that they can add two story to the structure or in the future add to that structure and if this variance requested was just for the addition that is being done now that is one story on the east side. Chairman Van Buren said the variance is for the existing structure. Ms. Little stated that any new addition to the property would have to apply by current setbacks even if this variance is granted. She reiterated that this variance only applies to the existing structure as it is.

Mr. Frank Ostein asked if this variance would allow in six months or any time down the road the ability to put a two-story garage in the back yard that hovers over the property line being only two feet back? Ms. Little explained that anything new would have to abide by the current regulations.

The public hearing was closed.

A motion was made by Mr. Hunter to approve this application on the basis that it would 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. It was seconded by Mr. Clark. The Motion carried 6-0-0.

Variance approved:

- 1. Variance to reduce the western side setback from 10' to 2' for the existing house.*
- 2. Variance to allow metal shed remain 4' from side and rear property lines.*

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

Absent: 1

Vote For: 6

ADJOURNMENT:

The May 20, 2019 meeting of the Board of Zoning Appeals was adjourned at 6:14PM

BOBBY VAN BUREN, CHAIRMAN

INES EMBLER, SECRETARY