



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, August 26, 2019

6:00 PM

City Hall Council Chambers

Present: Karen Kirkpatrick, Larry Zenoni, Ronald Clark and Tom Samples

Absent: Bobby Van Buren, J. K. Lowman and David Hunter

Staff:

Rusty Roth, Director, Development Services

Shelby Little, Planning & Zoning Manager

Jasmine Thornton, Planning & Zoning Administrator

Gregg Litchfield, City Attorney

Ines Embler, Secretary to the Board

CALL TO ORDER:

Vice Chairwoman Kirkpatrick called the August 26, 2019 meeting of the Board of Zoning Appeals to order at 6:00 PM.

Vice Chairwoman Kirkpatrick explained the rules and procedures used in conducting the public hearings.

MINUTES:

20190726

July 29, 2019 Board of Zoning Appeals Meeting Minutes

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

Mr. Clark made a motion, seconded by Mr. Samples that the July 29, 2019 Board of Zoning Appeals meeting minutes be approved. The Motion carried 4-0-0. Mr. Van Buren, Mr. Lowman and Mr. Hunter were absent.

Approved and Finalized**Absent:** 3**Vote For:** 4**VARIANCES:****20190669 V2019-24 [VARIANCE] ELIZABETH JEAN BANISTER**

V2019-24 [VARIANCE] ELIZABETH JEAN BANISTER is requesting a variance for property zoned CRC (Community Retail Commercial), located in Land Lot 1231, District 16, Parcel 0220, 2nd Section, Marietta, Cobb County, Georgia, and being known as 863 Roswell Street. Variance to reduce the minimum lot size to allow the operation of one automobile dealer. Ward 5A.

A public meeting was held.

Ms. Elizabeth Jean Banister presented a request for a variance to reduce the minimum lot size to allow the operation of one automobile dealer.

There was no opposition to this request.

Vice Chairwoman Kirkpatrick asked if all the suites were currently leased, what type of businesses are they and if she is asking for a variance for the entire lot. Ms. Banister said Building A is the used car dealer plus her office; B is a detail shop; and C is a mechanic shop. All are currently leased. She said she is only looking for the variance for the used car operation. She would like it brought back to being grandfathered.

Vice Chairwoman Kirkpatrick asked if the tenants are staying and if here intent is to start selling cars right away. Ms. Banister said the tenants are staying and if the variance is granted, she would be able to use it as a car lot with offices in the back.

Mr. Clark asked how car deliveries would be offloaded without causing hinderance to Roswell Street. Ms. Banister said there is a drop off driveway where they would be able to drive into to offload cars.

Mr. Samples asked if 864 and 894 were also car lots. Ms. Banister said 894 is a dirt parcel and 864 is a used car lot in a fenced corral and that they come off of Washington Ave.

Vice Chairwoman Kirkpatrick asked if she also owns 865 and if it also is a used car dealer. Ms. Banister affirmed.

The public hearing was closed.

A motion was made by Mr. Clark to deny this application. It was seconded by Mr. Samples. The Motion carried 4-0-0.

A motion was made by Board member Clark, seconded by Board member Samples, that this matter be Denied. The motion carried by the following vote:

Absent: 3

Vote For: 4

ADJOURNMENT:

The August 26, 2019 meeting of the Board of Zoning Appeals was adjourned at 6:32PM

KAREN KIRKPATRICK, VICE CHAIRWOMAN

INES EMBLER, SECRETARY