



BOARD OF ZONING APPEALS FEBRUARY 21, 2019

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
5:30 PM

I. CALL TO ORDER

A. Swearing In of New Members:

- Daniel McAlonan (Burnett)
- Trevor Casey (Richard)
- Jeremy Scott (Hipes)
- Scott Wharton (Alternate)

B. Election of Chairman and Vice-Chairman for 2019

II. ROLL CALL

III. APPROVAL OF MEETING MINUTES

A. August 16, 2018

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

VII. ADJOURNMENT



BOARD OF ZONING APPEALS

August 16, 2018

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
5:30 PM

I. CALL TO ORDER

II. ROLL CALL

Board Members Present:

- o Mike Webber, Chairman
- o Marc Gelber, Vice Chairman
- o Hunter Beach
- o Dick Jones
- o Eamon Keegan
- o Kyle Lewis

III. APPROVAL OF MEETING MINUTES

A. January 18, 2018 Meeting Minutes

- ❖ Board Member Keegan made a motion to approve the meeting minutes of June 21, 2018
 - The motion received a second from Board Member Gelber
 - The motion was approved by vote (6-0)

IV. PUBLIC HEARING

A. V-18-08 1190 UPPER HEMBREE ROAD/SETBACK VARIANCE

Michael Woodman, Senior Planner, presented consideration of variances to reduce the minimum lot width of two (2) single-family detached lots in the R-15 zoning district from 100' to 80' and to reduce the front setback along Upper Hembree Road from 65' to 35' and the rear setback from 25' to 12.5'. Variance approval would allow the 1.15-acre property to be subdivided into three (3) single-family detached lots. The subject property is located at 1190 Upper Hembree Road at the northwest corner of Upper Hembree Road and Harris Road.

Staff recommended approval with the following conditions:

1. Site shall be developed substantially similar to site plan prepared by One Point, LLC, dated 5/28/2018, except for modifications required to comply with the conditions below.
2. Minimum lot width shall be 80'.
3. Minimum setbacks shall be: Front Harris Rd – 50' and Upper Hembree – 35', Side – 10', Rear – 25', except that Lot 1 shall have 12.5' setback if rear along north property line.
4. Developer shall install minimum 5' sidewalk along the property frontage on Upper Hembree Road, as approved by Staff.
5. Homes shall be limited to no more than 2 stories above grade and shall have a minimum floor area of 1,800 square feet and no more than 3,500 square feet (not included basements and garages). Homes shall be primarily masonry. Side elevations shall have the same level of architectural treatment as the front façade. Home elevations shall require Staff approval.
6. Developer shall save specimen trees #198, 226, 235, 238, 240, 250, 267, 277, 281 and 299 on the arborist report prepared by One Bark, dated 5/25/2018, shall be saved. Trees of quality along Harris Road and Upper Hembree Road shall be saved, except that dead or dying trees may be removed or to accommodate a residential driveway, as approved by Staff. Developer shall make reasonable effort to save tree # 236 and 268, including tree care to off-set impacts, as approved by Staff.
7. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by administrative variance.
8. Unfinished wood fences and decks shall not be visible from the public right-of-way. Developer shall plant 40" of recompense trees, 10 – 4" caliper trees, on the subject property in conjunction with the LDP or ENG or within 8 months. Recompense trees shall not be used to meet landscape requirements.

After discussion of by the Board and Presentation from the Applicant:

- Age of current home
- Properties on Upper Hembree Rd. are for the most part formerly residential converted to commercial
- This is a family project not a developer
- Staff recommended 50' setback so as not to disturb tree canopy

Public Comment:

1. Gary Blackstad, 8561 Birch Hollow Drive, Roswell, GA
 - Wanted to make sure the property was not being rezoned.

❖ Board Member Gelber made a motion to approve the application with a 35' setback

and the other conditions by the city

- The motion received a second from Board Member Jones
- The motion was approved by vote (6-0)

V. ITEMS FROM BOARD MEMBERS

VI. ITEMS FROM STAFF

VII. ADJOURNMENT

Approval of Minutes if a Member was absent

Is it all right for you to vote to approve minutes of a meeting if you were absent? Robert's Rules of Order gives a resounding "yes" as the answer to this question.

When you vote to approve the minutes, you are expressing your confidence in the veracity of the secretary, the actions of your colleagues, and the correctness of the minutes preparation process. You are not making a personal eyewitness statement that "you were there."

The body needs an official record of its actions, and all members may approve that record. This means that you should not abstain from voting to approve minutes of a meeting if you were absent from that meeting.

Robert's Rules of Order Newly Revised, 11th edition says this:

It should be noted that a member's absence from the meeting for which minutes are being approved does not prevent the member from participating in their correction or approval. p. 355, ll. 8-11.