



Board of Zoning Appeals Meeting
December 16, 2021
Department of Community Development
ALPHARETTA CITY HALL | 2 PARK PLAZA
5:30 p.m.

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I. CALL TO ORDER

- Chairman Gelber called the meeting to order at 5:30 p.m.

II. ROLL CALL

- Board of Zoning Appeals Members present:
 - Marc Gelber, Chair
 - Michael Simmons
 - Sara Harrison
 - Michael Gordy
 - Mike Fowler
 - Scott Wharton
 - Cliff Cobb
- Board of Zoning Appeals Members absent:
 - Mike Perry
 - Anne Holcombe
- Staff present:
 - Kathi Cook, Director of Community Development
 - Michael Woodman, Senior Planner
 - Jill Bazinet, Senior Stormwater Engineer
 - Alexandra Callum, Planning + Zoning Coordinator
 - James Drinkard, Assistant City Administrator

III. PLEDGE TO THE FLAG

IV. APPROVAL OF MEETING MINUTES

- ❖ Board Member Fowler offered a motion to approve the November 18, 2021 meeting minutes.
 - Board Member Gordy seconded the motion.
 - The motion was approved unanimously (7-0).

V. ITEMS FROM BOARD MEMBERS

VI. ITEMS FROM STAFF

VII. PUBLIC HEARING

A. V-21-14 / 3730 Shiraz Lane Stream Buffer Variance

- Senior Planner Woodman came forward to present this item.
- The applicant's attorney, Ethan Underwood, came forward to speak on behalf of this application.
- The Board of Zoning Appeals asked both Michael Woodman and Ethan Underwood questions regarding the request and Mr. Woodman and Mr. Underwood each provided information in response to those questions.

Public Comment:

- There were no public comments for this item.
 - ❖ Board Member Fowler offered a motion to deny given the buffer variance.
 - There was no second on the motion.
 - ❖ Board member Cobb offered a motion to approve the petition subject to the conditions recommended by staff, which include:
 1. Stream buffer encroachment shall be limited to site plan prepared by ACR Engineering, Inc., revised 9/1/2021, except for modifications required to comply with the conditions below.
 2. To mitigate the stream buffer encroachment, applicant shall demonstrate compliance with one or a combination of the following measures, as approved by Staff:
 - a. Provide 25% additional runoff reduction or water quality volume above the volume required by the new impervious pool and pool deck; and/or,
 - b. Provide planting plan with 2x the required planting for the area of project disturbance; and/or
 - c. Provide planted buffer enhancement in compliance with buffer requirements in the Alpharetta Arborist Guidance document (this will include overstory trees, understory trees, shrubs, and groundcovers); and/or
 - d. Alternative mitigation measures, as approved by Staff.
 - Board Member Gordy seconded the motion.
 - The motion was approved 6-1, with Board Member Fowler opposed.

B. Lamar Advertising Company Notice of Appeal

- Joe Reynolds, attorney for Kilpatrick Townsend, presented the appeal of the Director's issuance of a cease-and-desist order on behalf of Lamar Advertising Company.
- Director Kathi Cook and City Attorney Jimmy Singer each came forward to present this item on the City's behalf.
- The Board of Zoning Appeals had questions that were directed to Joe Reynolds, Kathi Cook, and Jimmy Singer, and Mr. Reynolds, Ms. Cook, and Mr. Singer provided information in response to those questions.

Public Comment:

- There were no public comments for this item.
 - ❖ Board Member Wharton offered a motion to affirm the Director's issuance of the cease-and-desist order.
 - Board Member Cobb seconded the motion.
 - The motion was approved unanimously (7-0).

VIII. ADJOURNMENT

- Chairman Gelber adjourned the meeting at 7:32 p.m.

Respectfully submitted,

Alexandra Callum

Alexandra Callum, Planning + Zoning Coordinator