CITY OF DUNWOODY

41 Perimeter Center East

Dunwoody, GA 30346

Phone: 678.382.6800 • Fax: 770.396.4828

www.dunwoodyga.gov

AGENDA

City of Dunwoody Zoning Board of Appeals
Thursday, June 4, 2009 – 7:00 PM
New Location *Dunwoody City Hall – 1st Floor of 41 Perimeter Center East* New Location

A. **Call to Order / Roll Call**

B. **Old Business**

1. Adopt Final Rules of Procedure
2. **ZBA09-031**: ~~Maroof Ullah, owner, represented by Ayyad M. Mansur of Mansur Engineering, requests a variance to reduce the minimum required number of parking spaces at a retail infill redevelopment project from 37 spaces to 19 spaces, a reduction of just over 48%. The subject property is a Shell fuel station located at **5020 Winters Chapel Road**, on the west side of the 5000 block of Winters Chapel Road, approximately at the intersection of Peeler Road. The tax parcel number is 06 280 01 008.~~ **This item has been withdrawn without prejudice by the applicant as of May 27, 2009 and will not be decided by the Zoning Board of Appeals.**

C. **New Business**

1. **ZBA09-051:** Plantation South Atlanta, Inc., of 4594 Barclay Drive Dunwoody GA 30338, d/b/a Plantation South Assisted Living Facility, applicant; represented by Dan Capobianco, requests a variance to the City of Dunwoody Sign Ordinance, section 12(a) and 12(c), to construct a second ground sign on the property. The subject property is the DeKalb County Fire Station located at **4588 Barclay Drive**, on the southwest side of the 4500 block of Barclay Drive, northwest of its intersection with Asbury Commons Drive. The tax parcel number is 18 354 01 008.
2. **ZBA09-052:** Richard Brown of 1471 Carnaby Court, Dunwoody, Georgia 30338, owner/applicant; requests a variance to the City of Dunwoody Zoning Ordinance, §2C-6, sub-section (e), to decrease a required rear yard setback from forty (40) feet to twenty-four (24) feet, a reduction of 40%, to re-build a deck. The subject property is located at 1471 Carnaby Court, Dunwoody, Georgia 30338, at the western terminus of Carnaby Court. The tax parcel number is 18 375 01 017.
3. **ZBA09-053:** Dunwoody Village Place, LLC, owner; represented by Rich & Peggy Kernan of 210 Scotney Glen Circle John's Creek , Georgia request the following variances: (1) to the City of Dunwoody Land Development and Environmental Protection Ordinance: §11 of Article 2 to encroach into an undisturbed state waters bufferyard; (2) to §2T-11(k) of the City of Dunwoody Zoning Ordinance, to allow for 39 parking spaces, a variance of approximately 15.2%; (3) to §4-11(b) of the City of Dunwoody Zoning Ordinance to construct an 11,400 square foot Child Day Care play area, a variance of approximately 26%. The subject property is located at 1536 Dunwoody Village Parkway, Dunwoody Georgia 30338. The tax parcel number is 18 366 06 061.
4. **ZBA09-054:** Bill Grossman, of 5061 Hidden Branches Drive, Dunwoody GA 30338, owner; requests a variance to §2C-6(c)(4) of the City of Dunwoody Zoning Ordinance, to decrease the minimum front yard setback requirement from 35 feet to 27 feet, a variance of approximately 23%, for a new home addition. The subject property is a single family home site located at **5061 Hidden Branches Drive**. The tax parcel number is 18 365 01 237.

D. **Items for discussion not otherwise addressed by this agenda, including:**

1. Public Speakers countdown clock
2. ID Badges for the Board members

E. **Adjourn**

City of Dunwoody Zoning Board of Appeals
Thursday, May 7, 2009 – 7:00 PM
South Terraces Building, 115 Perimeter Center Place, Dunwoody GA

Call to Order / Roll Call:
The meeting was called to order. All were present except for Joe Tuttle.

Old Business:

Adopt Final Rules of Procedure: Susan Mitchell motioned to defer the adoption of the Final Rules of Procedure until the next meeting because the revised rules were not yet reviewed. Bill McCahan seconded. The vote carried unanimously (6-0).

Approval of Meeting Minutes: Ed Godshall motioned to approve the meeting minutes for April 2, 2009. Gerri Penn seconded. The vote carried unanimously (6-0).

ZBA09-031: Maroof Ullah, owner, represented by Ayyad M. Mansur of Mansur Engineering, requests a variance to reduce the minimum required number of parking spaces at a retail infill redevelopment project from 37 spaces to 19 spaces, a reduction of just over 48%. The subject property is a Shell fuel station located at 5020 Winters Chapel Road, on the west side of the 5000 block of Winters Chapel Road, approximately at the intersection of Peeler Road. The tax parcel number is 06 280 01 008: The Board requested to see all revised drawings showing the corrected number of parking spaces. Jerry Chambers met with the DHA and the implemented changes were; two (2) parking spaces were added to the back of the store and two (2) parking spaces were added to the north side of the building. The parking spaces were increased from 19 to 24 and additional landscaping was added. The parking spaces behind the store are designated for employee parking. Gordon Jackson, President of the DHA, stated that the agreement between both parties has been resolved and the changes include a sidewalk, more landscaping, and additional parking spaces as well as increased surveillance on the property. The property will consist of a liquor store, pharmacy, and a medical supply store.

Bill McCahan motioned to defer this item to the June 4, 2009 meeting in order to review the revisions that were made to the agreement. Ed Godshall seconded. Gerri Penn motioned to amend the original motion: to defer this item to the next meeting to review the revised agreement as well as the updated drawings. Bill McCahan seconded. The vote carried (5-1). Susan Mitchell dissent.

New Business:

ZBA09-041: Bill Grant, 1711-A Mt. Vernon Road, Dunwoody GA 30338, owner; requests a variance to section 4-54(b), to increase the maximum height allowable for a newly constructed retaining wall in a single family residential neighborhood from four (4) feet to eight (8) feet, an increase of 100%, the maximum allowable variance. The subject property is a single family home site located at 4706 Boxwood Place, on the southwest side of the 4900

block of Chamblee Dunwoody Road, approximately at its intersection with Pine Acres Court. The tax parcel number is 18 351 01 003: Bill Grant presented his case in regards to the subject property at 4706 Boxwood Place. Discussion followed. Rick Otness requested public comment. Bob Lundsten spoke in favor that this requested variance is an overall benefit to the community. Ed Godshall motioned to approve the variance request ZBA09-041. Susan Mitchell seconded. The vote carried unanimously (6-0).

ZBA09-042: Bill Grant, 1711-A Mt. Vernon Road, Dunwoody GA 30338, owner; requests a variance to section 4-54(b), to increase the maximum height allowable for a newly constructed retaining wall in a single family residential neighborhood from four (4) feet to eight (8) feet, an increase of 100%, the maximum allowable variance. The subject property is a single family home site located at 4714 Boxwood Place, on the southwest side of the 4900 block of Chamblee Dunwoody Road, approximately at its intersection with Pine Acres Court. The tax parcel number is 18 351 01 003: There was no public comment. ED Godshall motioned to approve the variance request ZBA09-042. Gerri Penn seconded. The vote carried unanimously (6-0).

ZBA09-043: Bill Grant, 1711-A Mt. Vernon Road, Dunwoody GA 30338, owner; requests a variance to section 4-54(b), to increase the maximum height allowable for a newly constructed retaining wall in a single family residential neighborhood from four (4) feet to eight (8) feet, an increase of 100%, the maximum allowable variance. The subject property is a single family home site located at 4721 Boxwood Place, on the southwest side of the 4900 block of Chamblee Dunwoody Road, approximately at its intersection with Pine Acres Court. The tax parcel number is 18 351 01 003: There was no public comment. Ardy Bastien motioned to approve the variance request ZBA09-043. Bill McCahan seconded. The vote carried unanimously (6-0).

Items for discussion not otherwise addressed by this agenda:

Gerri Penn motioned to add to the agenda that all board members should have picture ID badges for identification purposes. Howard Koontz will relay this to Jennifer Peterson. Susan Mitchell also requested that the Board places a large clock where the meetings are held.

Adjourn:

Ardy Bastien motioned to adjourn the meeting. Bill McCahan seconded. The vote carried unanimously (6-0). There being no further business the meeting was adjourned.