



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes BOARD OF ZONING APPEALS

*Bobby Van Buren, Chairman*  
*James A. Mills, Vice Chairman*  
*Karen Kirkpatrick, Ward 1*  
*J. K. Lowman, Ward 2*  
*David Hunter, Ward 4*  
*Ronald Clark, Ward 5*  
*Tom Samples, Ward 7*

---

**Monday, September 24, 2018**

**6:00 PM**

**City Hall Council Chambers**

---

*Present: Bobby Van Buren, James Mills, Karen Kirkpatrick, Ronald Clark and Tom Samples*

*Absent: J. K. Lowman and David Hunter*

*Staff:*

*Rusty Roth, Director, Development Services*

*Shelby Little, Planning & Zoning Manager*

*Robin Osindele, Urban Planner*

*Doug Haynie, City Attorney*

*Ines Embler, Secretary to the Board*

### **CALL TO ORDER:**

*Chairman Van Buren called the September 24, 2018 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:**

**20180991**

**August 27, 2018 Board of Zoning Appeals Meeting Minutes**

**Review and Approval of the August 27, 2018 Board of Zoning Appeals Meeting Minutes.**

*Mr. Samples made a motion, seconded by Ms. Kirkpatrick that the August 27, 2018 Board of Zoning Appeals meeting minutes be approved. The Motion carried 5-0-0. Mr. Lowman and Mr. Hunter were absent.*

**A motion was made by Board member Samples, seconded by Board member**

**Kirkpatrick, that this matter be Approved and Finalized. The motion carried by the following vote:**

**Absent: 2**

**Vote For: 5**

## **VARIANCES:**

### **20180906 V2018-45 [VARIANCE] BOGINO PROPERTIES LLC**

**V2018-45 [VARIANCE] BOGINO PROPERTIES LLC is requesting variances for property zoned R-2 (Single Family Residential - 2 units/acre), located in Land Lot 1242, District 16, Parcel 0320, 2nd Section, Marietta, Cobb County, Georgia, and being known as 180 Powers Ferry Road. Variance to reduce the minimum floor area from 1,600 sq. ft to 1,024 sq. ft.; variance to increase the allowable impervious surface coverage from 50% to 73%; variance to reduce the side yard setback from 10' to 8. Ward 7A.**

*A public meeting was held.*

*Mr. Robert Bogino presented a request for a variance to reduce the minimum floor area from 1,600 sq. ft to 1,024 sq. ft.; variance to increase the allowable impervious surface coverage from 50% to 73%; variance to reduce the side yard setback from 10' to 8.*

*There was no opposition to this variance.*

*Mr. Samples asked if he was going to tear down the building and Ms. Kirkpatrick asked if he intends to gut the house. Mr. Bogino said the building is already demolished and that they are doing a complete rehab on the house.*

*Ms. Kirkpatrick asked if his goal is to sell the property and if there is any turf on the property. Mr. Bogino said he intends on selling the property and currently the front area is the only area with grass.*

*Chairman Van Buren asked for affirmation that the area that he is asking for a reduction in setback is for the area on the left side of the property and if he plans on clearing that area. Mr. Bogino affirmed and said they are going to keep it like it is; they need that for access to the driveway, which is on the back of the house.*

*Chairman Van Buren asked if the property is on a flood zone. Mr. Bogino said it is not.*

*The public hearing was closed.*

*A motion was made by Mr. Samples 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 5-0-0.*

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

Absent: 2

Vote For: 5

**20180907 V2018-46 [VARIANCE] JEREMY KEYSER**

**V2018-46 [VARIANCE] JEREMY KEYSER is requesting a variance for property zoned R-4 (Single Family Residential - 4 units/acre), located in Land Lot 360, District 17, Parcel 0010, 2nd Section, Marietta, Cobb County, Georgia, and being known as 474 Haley Street. Variance to reduce the minimum lot width from 75' to 59'; variance to reduce the minimum side yard setback from 10' to 3.' Ward 1A.**

*A public meeting was held.*

*Mrs. Sandy Weitzel, for the Applicant, presented a request for a variance to reduce the minimum lot width from 75' to 59'; variance to reduce the minimum side yard setback from 10' to 3'.*

*There was no opposition to this variance.*

*Chairman Van Buren said that for variance #2, it is shown on the paperwork that they only needed 5' instead of 3'. Mrs. Weitzel said they had initially asked for 3' but that Jeremy said he would be fine with the suggested 5'.*

*Ms. Kirkpatrick asked if she knows whether Mr. Keyser is aware that he will need to comply with the sprinkler system requirements. Mrs. Weitzel said he is aware and will comply with all requirements.*

*The public hearing was closed.*

*A motion was made by Ms. Kirkpatrick to approve variance #1 as stated and #2 with the minimum side yard setback from 10' to 5' 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. Mills. The Motion carried 5-0-0.*

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

Absent: 2

Vote For: 5

**20180908 V2018-47 [VARIANCE] EDWARD J. BLOOMER**

**V2018-47 [VARIANCE] EDWARD J. BLOOMER is requesting a variance for property zoned LI (Light Industrial), located in Land Lot 576, District 17, Parcel 0570, 2nd Section, Marietta, Cobb County, Georgia, and being known as 330 Franklin Gateway. Variance to allow gravel as an acceptable parking surface. Ward 7A.**

*A public meeting was held.*

*Mr. Ed Bloomer presented a request for a variance to allow gravel as an acceptable parking surface.*

*There was no opposition to this variance.*

*Chairman Van Buren what he plans on doing with empty space in the back; if he only needs 8 parking spaces, why not match what's there already with concrete and what would the hardship be if they ask for cement instead of gravel. Mr. Bloomer said they currently do not have any plans for the empty lot in the back; he plans on making the gravel area attractive with landscaping and feels it is a better solution because gravel is permeable, so they don't have to worry about runoff.*

*Mr. Samples asked how many employees they currently have. Mr. Bloomer said they have a total of 90 employees; 50 in Marietta and about 25-28 in this facility.*

*Mr. Bloomer handed the Board Members new pictures of the site along with pictures of eight other properties around Marietta that also have aggregate material as an acceptable parking surface in order to help support his request.*

*The public hearing was closed.*

*A motion was made by Mr. Samples to approve the 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 Ms. Kirkpatrick. The Motion carried 4-1-0. Chairman Van Buren opposed.*

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

**Absent:** 2

**Vote For:** 4

**Vote Against:** 1

**OTHER BUSINESS:**

**20180995 2019 Board of Zoning Appeals Calendar of Meeting Dates**

**Review and Approval of the 2019 Board of Zoning Appeals Calendar.**

*Mr. Mills made a motion, seconded by Ms. Kirkpatrick that the 2019 Board of Zoning Appeals Calendar of Meeting Dates be approved. The Motion carried 5-0-0.*

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

**Absent:** 2

**Vote For:** 5

**ADJOURNMENT:**

*The September 24, 2018 meeting of the Board of Zoning Appeals was adjourned at 6:24PM*

\_\_\_\_\_  
*BOBBY VAN BUREN, CHAIRMAN*

\_\_\_\_\_  
*INES EMBLER, SECRETARY*