



**CITY OF TUCKER**  
**ZONING BOARD OF APPEALS MEETING MINUTES**  
**December 20, 2016 at 7:00 PM**

The Zoning Board of Appeals of the City of Tucker held a meeting at Discover DeKalb, 1957 Lakeside Parkway, Suite 510, Tucker, GA 30084. The following were in attendance:

Zoning Board of Appeals Chair	Keith Easterling
Zoning Board of Appeals Vice Chair	Neal Stubblefield
Zoning Board of Appeals Member	Charles "Chuck" Abbott
Zoning Board of Appeals Member	Chris Hartley
Zoning Board of Appeals Member	Pat Soltys
Community & Economic Development Director	John McHenry
Deputy Director of Community Development	Courtney Lankford
Administrative Assistant	Katie Coleman – Absent

**CALL TO ORDER:** Chair Keith Easterling called the Meeting was called to order at 7:03 pm.

**MINUTES:**

**MOTION TO APPROVE AGENDA FOR DECEMBER 20, 2016 MEETING**

**By: Pat Soltys**

**Seconded: Neal Stubblefield**

**Vote: (5-0) (Soltys, Stubblefield, Easterling, Abbott, Hartley)**

**MOTION TO ADD DR. JERRY WEITZ TO THE NOVEMBER 7, 2016 ZONING BOARD OF APPEALS WORK SESSION MEETING MINUTES.**

**By: Neal Stubblefield**

**Seconded by: Keith Easterling**

**Vote: (5-0) (Stubblefield, Easterling, Abbott, Hartley, Soltys)**

**MOTION TO APPROVE OF THE NOVEMBER 7, 2016 ZONING BOARD OF APPEALS WORK SESSION MEETING MINUTES WITH THE ADDITION OF JERRY WEITZ.**

**By: Pat Soltys**

**Seconded by: Chris Hartley**

**Vote: (5-0) (Soltys, Hartley, Easterling, Abbott, Stubblefield)**

**MOTION TO APPROVE THE MINUTES FROM THE NOVEMBER 15, 2016 ZONING BOARD OF APPEALS MEETING WITH NECESSARY EDITS FOR FORMATTING AND SPELLING BY STAFF.**

**By: Neal Stubblefield**

**Seconded by: Chris Hartley**

**Vote (5-0) (Stubblefield, Hartley, Abbott, Easterling, Soltys)**

**OLD BUSINESS:** None

**NEW BUSINESS:**

**1. VARIANCE APPLICATION: V-16-001**

**PETITIONER:** Tucker Meridian, LLC

**PRESENT ZONING:** OI (Office-Institutional)

**LOCATION:** 4280, 4310, 4320, 4324 Lavista Road

**VARIANCE REQUEST:** Variance to signage requirements for two monument signs.

John McHenry, Community & Economic Development Director, gave an overview of the proposed signage and requested variance. He stated that with the changes and improvements made to the proposed signage since their previous application, that Staff recommends approval with some conditions, including internal or floodlight illumination of sign, that the actual height of the sign be no taller than 15 feet, and that the maximum height of the columns be 17 feet, among other things.

Den Webb, attorney for the applicant, Calvin Stephenson, presented the project and discussed how they had been working with Staff to address some of their concerns about their application.

Zoning Board comments included, among other things, concern about the amount of merchant placards that can fit on the sign and illumination of the sign, to which Calvin Stephenson responded that the sign illumination would be achieved with either ground floodlights or internal lights, and that the illumination could be controlled with the center hours. Chair Keith Easterling opened the floor for public comments in favor or in opposition. No one spoke in favor and no one spoke in opposition. Public comment closed. The board further discussed illumination of the sign.

**MOTION TO APPROVE V-16-001 WITH STAFF CONDITIONS WITH AMENDMENTS TO INCLUDE THE FOLLOWING: THAT SIGN ILLUMINATION CANNOT SPILL OVER MORE THAN ONE FOOT-CANDLE ON RESIDENTIAL PROPERTIES AND THAT A PHOTOMETRIC STUDY IS SUBMITTED PRIOR TO THE ISSUANCE OF A SIGN PERMIT; THAT SIGN ILLUMINATION BE LIMITED TO 1 HOUR BEFORE AND 1 HOUR AFTER THE OPERATING HOURS OF THE SHOPPING CENTER.**

**By: Keith Easterling**

**Seconded: Neal Stubblefield**

**Vote: (3-2) (Easterling, Stubblefield, Soltys) (Abbott, Hartley)**

Zoning Board of Appeals Member Pat Soltys recused herself from case V-16-002.

**2. VARIANCE APPLICATION: V-16-002**

**PETITIONER:** Sudlow Concrete c/o Giacomina Roberts & Daughdrill, LLC

**PRESENT ZONING:** OI (Office-Institutional)

**LOCATION:** 4934 Lavista Road

**VARIANCE REQUEST:** Variance to reduce the rear 50-foot transitional buffer.

Courtney Lankford, Deputy Community Development Director, gave an overview of the proposed development and variance request. She stated that Staff recommends approval with five (5) conditions: no outdoor storage, that additional landscaping is planted at the southern corners of the garage building to provide additional screening from the street, that the garage building shall encroach no more than 33-feet into the rear transitional buffer, that all four elevations are clad in the same high-quality materials that comply with the Downtown Tucker Overlay requirements, and that carriage style garage doors are used to preserve the residential neighborhood character in the Downtown Tucker Overlay Neighborhood Zone.

Shea Roberts, attorney for the applicant, Bill Sudlow, presented the project and discussed how they believe their proposed development is more attractive than what is currently at the property, and that their impact on the surrounding properties will be minimal. The seller of the property, Ginger Baxter, was also present.

Zoning Board comments included, among other things, questions about parking requirements, grade changes on the property, and concern about landscape and sound buffer, to which the applicant, Bill Sudlow, responded that there will not be any running trucks or other noise from equipment, and Ginger Baxter stated in that there is existing screening from when the Tucker marching band practiced there. Chair Keith Easterling opened the floor for public comments in favor or in opposition. Gregory Jacoby made a comment, highlighting his concern about rainwater runoff. Bill Sudlow and Shea Roberts stated that landscaping can help take care of rainwater runoff and that runoff can be routed to the back of the property. Wendy Nelson also spoke in opposition, stating her concern about water, impervious surface, the risk of flooding, and the need for additional planting. Six people, including the applicant, came in support of the project but none spoke in favor. Public comment closed.

**MOTION TO APPROVE V-16-002 WITH THE FIVE (5) STAFF CONDITIONS.**

**By: Neal Stubblefield**

**Seconded: Charles Abbott**

**Vote (4-0) (Stubblefield, Abbott, Easterling, Hartley)**

**CITY BUSINESS:** None

**COMMENTS BY STAFF:** Vice Chair Neal Stubblefield would like a workshop to go through the zoning ordinance. John McHenry asked the Zoning Board of Appeals members if they would like to see the comprehensive plan, to which the members agreed.

**ADJOURNMENT:** The Zoning Board of Appeals Meeting adjourned at approximately 8:36 pm.

Approved,

Attest:

  
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Keith Easterling, Chairman

  
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Katie Coleman, Administrative Assistant

(Seal)

