

**ACTION REPORT**  
**Board of Zoning Appeals**  
**February 16, 2010**  
**7:00pm**

**I. Call to order and pledge**

**II. Introduction of Board members**

- Members in attendance: Walter Rekuc, Nancy Plesnarski, Marcia Parsons, Gary Willis, Todd Chernik, John McRae, Scott Kilgore

**III. Approval of January meeting minutes**

- Motion to approve: Todd Chernik
- 2<sup>nd</sup>: Gary Willis
- Motion passed, 7-0

**IV. Public Hearing**

**A. V09-019, 2845 Bethany Bend Road, Fulton County Board of Education, Stacy Stewart**

- Request(s):
  - To allow encroachment into the 50 foot stream buffer,
  - To allow encroachment into the 75 foot impervious setback (Chapter 14, Article 6, Section 5.a.i,ii)
- Motion to defer: Todd Chernik
- 2<sup>nd</sup>: John McRae
- Motion failed, 4-3
- Motion to approve: Walter Rekuc
- 2<sup>nd</sup>: Marcia Parsons
- Motion passed, 5-2

Conditions:

- Per the Chapman, Griffin, Lanier, Sussenbach site plan dated 2/3/2010, Project no. 08002. Limited to a total of 0.13 acres of total encroachment into the 50' stream buffer and 75' impervious setback.
- Applicant shall provide stub for future drive leading to Highway 9.
- Applicant shall provide 4 board horse fence, painted black, along the frontages of Cogburn Road and Bethany Bend.
- All retaining walls shall be faced with or constructed of stone, brick or decorative concrete modular block, except on the upstream sides of walls, detention ponds and water quality ponds. If any retaining wall equals or exceeds three feet in height, a continuous evergreen planting shall be required adjacent to it.



- Survey all ponds, streams, lakes 1500 feet downstream from the site, to determine exact bottoms of these items; preconstruction and post construction.

B. **V10-001**, 13695 Highway 9, Legacy Crossing Pavilion/Christian City Church, Stephen Bullen

- Request(s):
  - To allow a reduction in the required number of parking spaces for a church (Article 8, Section 64-1410)
- Motion to approve: Scott Kilgore
- 2<sup>nd</sup>: Nancy Plesnarski
- Motion approved, 6-1

V. **Other business**

VI. **Adjournment**

GARY WILLIS  
BZA CHAIR

ANGELA RAMBEAU  
PLANNER