

**ACTION REPORT**  
**Board of Zoning Appeals**  
**December 21, 2010**  
**7:00pm**

**I. Call to order and pledge**

**II. Introduction of Board members**

Members present: Jim Hilley, Scott Kilgore, John McRae, Gary Willis, Walter Rekuc, Todd Chernik

**III. Approval of November meeting minutes**

Motion to approve: Walter Rekuc

2<sup>nd</sup>: John McRae

Vote: 6-0, Motion Approved

**IV. Public Hearing**

- **V10-011**, 125 Roxbury Row, Lou Badr

Request(s):

- To allow a house to encroach into the 25' minimum side yard (Article 64-416.c.1)

- Motion to **approve with conditions**: Todd Chernik

Conditions:

- To allow a maximum 11 foot encroachment, per the submitted Grant Shepard site plan dated 7/26/2010
- Restore the functionality of the drainage easement
- 2<sup>nd</sup>: Walter Rekuc
- Vote: 5-1, Motion **Approved**

- **V10-013**, 13610 Hopewell Road, Steve Laboda

Request(s):

- To allow encroachment in to the 50' stream buffer (Article 20-568.16)

- Motion to **defer until the next meeting**: Walter Rekuc

2<sup>nd</sup>: Jim Hilley

- Vote: 6-0, Motion **Approved**

- **V10-015**, 14150 Hopewell Road, Brent Boyd

Request(s):

- To allow an attached garage to encroach into the minimum side yard (Article 64-416.c.1)

- Motion to **approve with conditions**: Walter Rekuc

Conditions:

- To allow encroachment of 20' into the minimum front yard (40' from the row),
- To allow encroachment of 10' into the minimum side yard,
- The colors of the roof/siding shall be natural stains and colors,
- The applicant shall plant shrubs in front of the garage,

- The garage shall be placed no more than 20' from the black walnut tree,
- The Arborist shall approve the planting plan prior to instillation of any trees.
- 2<sup>nd</sup>: Gary Willis
- Vote: 3-3, Motion **Failed**
  
- Motion to **deny**: Scott Kilgore
- 2<sup>nd</sup>: Todd Chernik
- Vote: 0-6, Motion **Failed**
  
- Motion to **defer until the next meeting**: John McCrae
- 2<sup>nd</sup>: Todd Chernik
- Vote: 0-6, Motion **Failed**
  
- Motion to **approve with conditions**: Walter Rekuc  
Conditions:
  - To allow encroachment of 10' into the minimum side yard,
  - The colors of the roof/siding shall be natural stains and colors,
  - No encroachment into the front yard.
- 2<sup>nd</sup>: Scott Kilgore
- Vote: 5-1, Motion **Approved**
  
- **V10-016**, 340 Ranchette Road, James and Ester Gowin  
Request(s):
  - To allow a guest house to exceed the 1,500 maximum square footage
  - To allow a guest house in the front yard (Article 64-1598. 3,5)
- Motion to **approve with conditions**: Walter Rekuc  
Conditions:
  - The addition shall match the main house in material, color and style
- 2<sup>nd</sup>: John McRae
- Vote: 6-0, Motion **Approved**
  
- **V10-017**, 2145 Clay Drive, Hidden Forest, Javad Oskoei  
Request(s):
  - To reduce the minimum rear perimeter setback from 35 feet to 26 feet (common area, lot 108, lot 107) (Article 64-669.3)
- Motion to **approve with conditions**: Walter Rekuc  
Conditions:
  - Per submitted site plan dated October 29, 2010,
  - The applicant shall revise the final plat, prior to the issuance of building permits on the subject lots.
- 2<sup>nd</sup>: Todd Chernik
- Vote: 6-0, Motion **Approved**
  
- **V10-018**, 1960 Redd Road, William Clements  
Request(s):
  - To allow a pool and pool deck to encroach into the 75 foot impervious setback (Article 20-426.2 )

- Motion to **approve with conditions**: Walter Rekuć  
Conditions:
  - Per submitted site plan dated October 18, 2010
  - To allow an encroachment of maximum 706 square feet into the impervious setback,
  - The City Arborist shall approve the tree planting plan,
  - The City Engineer shall approve the storm water compensation plan.
- 2<sup>nd</sup>: Todd Chernik
- Vote: 6-0, Motion **Approved**

- **V10-019**, 12700 Deerfield Pkwy, Global Payments, Harold Buckley, Jr.  
Request(s):
  - To allow the equipment area screen wall to be constructed of 100% CMU block.
  - To reduce the requirement for 75% brick/stone and 25% other accent material to 0% brick and 100% other accent material (tilt up concrete) on the west elevation.
  - To reduce the requirement for 75% brick/stone and 25% other accent material to 23% brick and 77% (EFIS & tilt up concrete), on the south elevation.
  - To reduce the requirement for 75% brick/stone and 25% other accent material to 48% brick and 52% other accent material (glass, tilt up concrete, and EFIS) on the east elevation.
  - To reduce the requirement for 75% brick/stone and 25% other accent material to 74% brick and 26% other accent material (EFIS), on the north elevation.  
(Article 64-1095, p,q,r)

- Motion to **approve with conditions**: Scott Kilgore  
Conditions:
  - To reduce the requirement for 75% brick/stone and 25% other accent material to 0% brick and 100% other accent material (smooth, painted tilt up concrete) on the west elevation.
  - To reduce the requirement for 75% brick/stone and 25% other accent material to 68% brick and 32% other accent material on the east elevation.
- 2<sup>nd</sup>: Todd Chernik
- Vote: 5-1, Motion **Approved**

**V. Other business—**

Request from Jason Wright, City of Milton Communications Manager for list of BZA accomplishments and group photo

**VI. Adjournment**