

MINUTES

City of Milton Design Review Board Regular Meeting February 5, 2008, 6:00 PM

This summary is provided as a convenience and service to the public, media, and staff. It is not the intent to transcribe proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted and heard by the Design Review Board, but not quoted. This document includes limited presentation by the Design Review Board and invited speakers in summary form. This is an official record of the Milton City Design Review Board proceedings. Official Meetings are audio recorded.

Board Members Present: Kathi Cook, Eddie Moore, Michael Stevens
Terry Herr

New Members: Vince Pisano
Darryl Jan Porter

City Staff: Michael Tuller, Community Development

Prior to calling the meeting to order, Board Members discussed items 2 and 3 on the agenda and determined that since there were 2 new members joining the Board that the election of a Chair and Vice Chair should be delayed for new members to be providing time to acclimate to the Board. Agreement was reached to delay the vote and the Board appointed Kathi Cook as Acting-Chairman for the meeting.

CALL TO ORDER

Called meeting to order.

INTRODUCTION OF NEW MEMBERS

New members were introduced and they gave short background information on themselves.

APPROVAL OF MEETING MINUTES:

Approval of January 8, 2008 meeting minutes were deferred to the next meeting as there were only 3 members present at this time.

PLEDGE OF ALLEGIANCE

MEETING AGENDA:

1. Call to order
2. Election of Chairman
3. Election of Vice-Chairman
4. Approval of January minutes
5. Demo permit, Taylor Road, Ark Development
6. Deerfield Place, Construction trailer, Sembler
7. Braeburn, Sales trailer, John Wieland
8. Retail shops at Windward (Fire of Brazil), Pieper O'Brien Herr
9. Deerfield Place, Building 200, Pieper O'Brien Herr
10. Web Road and Highway 9 LDP, Web Road Assoc. II, LLC

11. Braeburn, Office Condos, , John Wieland (Courtesy review)
12. Braeburn, Office Condos, Phase 2, John Wieland (Courtesy review)
13. Braeburn, Sign variances, John Wieland (Courtesy review)
14. U08-001/VC08-001, Land Road, Celestino Martinez (Courtesy Review)
15. Adjournment

Chair Kathi Cook

Called first case, Demo permit, Taylor Road.

Mr. K. Roodehchi, 13525 Providence Lake Drive, Milton, GA

Presented his case for demolition of an old house and piece of property they own. Believe danger to community and children in present condition. Advised would take about a week to take it down.

Board Discussion

Instructed applicant to follow all procedures, including erosion control and tree save provision.

There was no public comment.

Motion

Eddie Moore moved to approve the demo permit as submitted. Vince Pisano seconded the motion.
Vote: 6-0. Motion unanimously carried.

Chair Kathi Cook

Stated there was now a quorum so they could vote on approval of the January 8, 2008 meeting minutes.

Motion:

Eddie Moore made a motion to approve the minutes. Terry Herr seconded the motion. **Vote: for members that were in attendance at the January meeting only.** Vote: 4-0 (Kathi Cook, Terry Herr, Michael Stevens and Eddie Moore). Motion carried and January meeting minutes were approved.

Chair Kathi Cook

Called next item, Deerfield Place, construction trailer, Sembler Atlanta

Terry Herr recused himself (6:15 p.m.)

Nate Reese, 702 Rosefield Court, Milton, GA

Presented the case and stated he was with the general contractors building the shops portion of the Deerfield Shopping Center. This application is for a permit for the construction office trailer.

There was no public comment.

Motion:

Eddie Moore made a motion to approve the location and application for the construction trailer as submitted. Michael Stevens seconded the motion. Vote: 5-0, with Terry Herr being recused. Motion carried.

Chair Kathi Cook

Called next item, Braeburn sales trailer, John Wieland Homes.

Terry Herr returned to Board.

David Frahardy, 421 Gold Rush Trail, Milton, GA

Presented application on behalf of Braeburn - John Wieland Homes. Stated was basically same as previously submitted. Just added a little more architecture and width to porch, but everything else stays the same.

Brief Board Discussion

There was no public comment.

Motion:

Terry Herr made a motion to approve the front elevation, adding the dormers and continuous porch across the front of the previous sales trailer that was approved by this Board. Seconded by Michael Stevens. Vote 6-0. Motion unanimously carried.

Chair Kathi Cook

Called next item, retail shops at Windward (previously Fire of Brazil).

Terry Herr recused himself for this case and the next case.

Jeff Loman, 3000 Royal Boulevard South, Alpharetta, GA

Presented case stating he was representing Real Development, Rob Forest, the developer for project. Stated this was same case you saw last month as a courtesy review. Stated they have submitted renderings for a permit and here for a final review. No changes were made since previous rendering.

Reviewed site plan with the Design Review Board referenced site plan drawing.

Board stated they wanted to make sure no mechanical units would be seen, that lighting would be in accordance with requirements and they would like type in addition to seeing the final landscaping plan.

Vince Pisano discussion with applicant about trees.

There was no public comment.

Motion:

Eddie Moore made a motion to approve the application as submitted with conditions that if lighting on property, if changed, needs to be brought back before the Board for approval, final landscape plan needs to be brought back to Board for review showing trees and other landscaping, and that plans will be reviewed to make certain that no mechanical units will be visible from either side of the building. Seconded by Vince Pisano. Vote: 5-0, with Terry Herr being recused. Motion carried.

Chair Kathi Cook stated this is not approval of the site plan with regard to curb cut, as that is a traffic engineering function.

Chair Kathi Cook

Called next item, Deerfield Place, Building 200

Chair Kathi Cook stated that this Board did not approve site plan for this layout, as that part was already approved. We will be looking at the individual buildings which most have already been approved. We tonight will be looking at Building 200.

Brian Snelling, 1450 South Johnson Ferry Road, Atlanta, GA

Stated he represents Sembler who is the developer of this property. He told Board that as they continue to develop other buildings on the site, they will come before the Board. Building 200 has been submitted for permitting. Stated he was here tonight for the formal review.

Board Discussion with applicant about height, materials, colors and mechanical units. Board reviewed applicant's site plan. Board concern was primarily with visibility of rooftop mechanical units and requested that be addressed. Also discussion about CMU3 and the long wall. Wanted that broken up and to look more like the right side with brick.

There was no public comment.

Lengthy Board Discussion with applicant about number of parking spaces in rear of building, reason for the parking in the rear and their concerns about security issues for employees, including lighting.

Chair Kathi Cook stated site plan had already been approved, but perhaps they could add something to it.

Michael Stevens stated the plans they have did not show any parking behind the building. He inquired if they had made changes to the site plan that had been approved.

Brian Snelling stated he would have to pull the actual permit plans. As tenants change, plans change.

Chair Kathi Cook stated if anything had been changed from what was originally approved, it needed to come back to the Board.

Staff Michael Tuller stated this design was originally approved by Fulton County.

Eddie Moore stated that could be part of the approval. He said if this has been approved, this Board does not have any authority to change that, but we could put forth a motion to ask applicant to prove that the site plan before them was indeed approved.

Board Discussion about concerns that the site plan may have been changed, especially as relates to the parking area. At this time would be difficult to make a decision.

Brian Snelling agreed to bring in approved plan.

There was no public comment.

Motion:

Eddie Moore made a motion to approve the application as submitted with the following conditions:

Add red brick design to the left elevation of Building 200, request that the mechanical units are not visible from any side of the building with special consideration given to the development that sits to the rear of the building as well, the front elevation to the left, add more red brick to that similar to the Staples Building (Building 4), add columns, and the special condition as it relates to the site plan, applicant must bring before Staff an approved site plan if it has been altered from the original LDP issued by Fulton County so it can be approved. Staff will make a recommendation if it comes before the Board for approval.

Staff Michael Tuller asked Board if they wanted it to come back before them after Staff has reviewed it.

Board Discussion about their feelings on seeing the plan again.

Chair Kathi Cook as if Mr. Moore would accept a friendly amendment that states plan would come back before the Board.

Eddie Moore stated no point in that, as they had no purview to make any change to the site plan. If the plan had not been altered, Board could look at it but it is not an item that will be brought before the Board for a vote. We have no authority to change what has been approved.

Chair Kathi Cook called for a second on the original motion for discussion. Kathi Cook seconded the motion for discussion.

Discussion: About Board's authority to make changes or suggestions to site plan.

Staff Michael Tuller stated they cannot do anything about site plan other than look at it.

Michael Stevens stated he was not going to vote until he saw approved site plan.

Staff Michael Tuller stated they would look at it and believed applicant would do what was requested.

Eddie Moore: Friendly amendment is that Board wants site plan to come directly to them instead of Staff as they want to review it.

Brian Snelling explained to Board about his upcoming deadlines. Stated he would get to them in next couple of days. Stated there was some parking behind building, but maybe not as much as shown now. Asked Board what they wanted to see behind the building.

Board Discussion with applicant about the parking concerns and safety concerns, in addition to lights shining in back of the abutting condos.

Eddie Moore: With a friendly amendment that brings the site plan back to the Board or a special meeting if need be to address this issue. Application should not be deferred for 30 days over something that could take just 15 minutes to address. Asked for a friendly amendment to the motion and the Board will support your desires.

Chair Kathi Cook believe we should make a friendly amendment that we are looking at moving forward subject to having a meeting to review the approved site plan that the LDP was issued on from Fulton County and that no building permits would be issued for this building until that issue is resolved. Possibly removing at least 17 parking spaces.

Chair Kathi Cook stated that the motion on the floor with the second was to approve the building subject to adding the brick columns on the back like the Staples building, add the red brick at both ends, to make sure there is no mechanical equipment visible from the residents from the rear and, of course, 360 all around and adding the friendly amendment to come back when there is at least a quorum to have the site plan reviewed and no building permit would be issued until site plan issue was resolved.

Eddie Moore questioned reason for holding up building permit.

Chair Kathi Cook stated if building permit is issued, the footprint remains the same.

Brian Snelling reiterated time constraints. Also voiced his concerns about way the buildings have been reviewed in the past. Asked for clarification about what the Design Review Board's purview was. If site plans were approved and LDP revisions prior to the DRB existing, Tom Wilson and others in Community Development advised that the DRB would only be reviewing building, not pulling site plans back into review. It seems to change every time I bring things back. It appears that the DRB is reviewing other things than he was told. Stated he needs to be clear on what is being reviewed by the Board.

Eddie Moore asked Brian Snelling if the site plan they had before them had been approved.

Brian Snelling stated he did not feel anything to do with the site plan or LDP was under their scope. He said he was told that the Design Review Board only reviews buildings as everything was already pre-developed and pre-approved before the DRB's existence.

Chair Kathi Cook asked Staff if they could make changes to the site plan that was already approved.

Staff Michael Tuller stated he would have to agree with applicant. Typically you are looking at the building. You can look at the site, but it is a little atypical to bring the site plan back or even holding up building plans. This is not usually done by Design Review Boards. If the use changes, but he is only moving the building footprints around, but the density has not changed. We are trying to expedite this. Applicant is willing to lose half of the parking spaces in the back, but parking is a commodity to the retailers and there are employee parking needs.

Brian Snelling stated he would bring the site plan back and did not have a problem with that. I need direction on what the city is requiring as to the different boards and what they want to see and do not want to see and being told different things at different meetings. It is hard to design and develop if I do not know where the board is going to come from the next time I come in front of the board.

Chair Kathi Cook stated there was a motion on the floor and a second to approve this building with the recommended changes and with the condition that the applicant comes back with a site plan to review. We have removed the condition of tying it to the building permit.

Eddie Moore stated he was struggling in that he did not see reason to have the applicant come back and the board has to meet if we do not have the authority to make a change or ask him to do that. We do not have that right. I do not want the board to get into trouble for doing something we have no authority to do and to waste everyone's time.

Staff Michael Tuller stated the board is a recommending body. Staff really has the final voice in this, but we certainly tend to agree in 99% to recommend what the DRB wants done. If the applicant objects to the recommendation, the Community Development Director can make the final decision and override your recommendation.

Chair Kathi Cook called for a vote. 5-0, with Terry Herr being recused.

Chair Kathi Cook talking about going to City Council and setting up like all the other Design Review Boards, except Fulton County does, that the DRB is the final deciding factor. Our reviews should be a final decision.

Chair Kathi Cook called the next item, Webb Road/Hwy 9 LDP - Webb Road Associates

Terry Herr returned to the Board.

Brad Riffel, 490 Spring Ridge Drive, Roswell, GA

Stated this matter went through the Milton the rezoning process. Made accommodations and asking for an LDP on the middle 1.3 acres multi-story climate controlled storage building. Discussed site plan with Board including landscaping plan and discussion of trees and what can be saved.

Board asked to see building elevations for their review.

Terry Herr asked about the storm management system and recompense for the trees.

Staff Michael Tuller stated the city adopted the tree preservation plan and believes this year there will be amendments to that plan, but currently, it is the Fulton County plan. They will have to submit a landscape plan to be approved by the city's arborist.

Ken Morton, 14732 Taylor Valley Way, Milton, GA

Stated he was the owner and developer of the property. Advised board they met with City Council and had lengthy discussion with them about the specimen trees. Transportation addressed this with the road improvements and grade changes and how low those specimen trees sit on property. In discussion with City Council, we stated we would make every effort to save as many trees as possible.

Discussion with Board and applicant about saving the specimen trees and additional landscaping.

Staff Michael Tuller explained to board that GDOT and our DOT that because of the road improvements, the turn lane requirements and alignment of the roadway would require that many of the trees be removed that are close or in the right-of-way. Stated they do not have the plans for the new road improvement yet, as it was still in concept stage.

Chair Kathi Cook stated she preferred to do whatever they could to save a 36 inch water oak at the corner of Highway 9 and Webb Road. Applicant should work with the arborist to see how much of an encroachment would be acceptable depending on the health of the tree.

Terry Herr asked about the fence designs, sidewalks and landscaping and windows.

Brad Riffel stated it was a 3-rail design and will be in front of the self-storage. Sidewalks currently just in front of the self-storage. Can add a row or two of shrubs in the 10 ft. landscape strip at the base of the building.

Michael Tuller stated their landscaping can be done at a later date as long as they have provided for erosion control. A landscape plan can be provided later.

Ken Morton stated there would be windows along Highway 9 that are visible, but no backing up to the Remax building.

Chair Kathi Cook stated they were only looking at the site plan, but the elevations will have to return. Believed motion should be on the entire site which includes the trees and tree save areas until there is an approved plan. Stated that the 36 inch oak is actually shown in the parking lot and not within the row of the road improvements.

There was no public comment.

Terry Herr stated one of his concerns was the location for the installation of the underground stormwater facility and its impact upon the trying to save the trees in that location.

Additional Board Discussion with applicant about tree saving.

Michael Tuller stated applicant wants to save whatever trees he possibly can. Will have the city arborist get with applicant to see what can be done with the impact from the road improvements and putting in sidewalks and putting stress on the root system. If they cannot save the trees, they can still recompense. Stated the Board does have the opportunity to inquire about what their current purview is and perhaps to strengthen those powers.

Motion

Terry Herr made motion that the 10 foot landscape strip on the western most portion of the Phase 1 property, the southern most portion of the property or rear of the climate self-storage building and the 10 foot landscape strip along the eastern portion of that same building be planted with trees that would reach a mature height of 25-30 feet, and those shall be evergreens that would screen the building from public view and public view from all sides, that the type 1 board fence across the frontal of the property be compatible with the fence that is being required at the Deerfield project, that the site lighting will be submitted to the board for review at the time that the building gets submitted, that the underground detention storage system be redesigned to allow for the potential of maintaining the 36 inch water oak that

sits behind the 40 foot building setback line. Eddie Moore seconded the motion. Vote: 6-0. Motion carried.

Chair Kathi Cook called for a 5-10 minute recess at 8:05 p.m.

Chair Kathi Cook reconvened the meeting at 8:15 p.m.

Chair Kathi Cook asked if okay with Board and applicants for John Wieland Homes who had the next three items on the agenda if they could hear the last item (#14), U08-001/VC08-001, Land Road, Celestino Martinez (Courtesy Review) first, as this was just a courtesy review and would be short and the applicant would not have to wait until the next three items were heard.

There was no objection.

Chair Kathi Cook stated that the applicant was asking for a use permit for a landscape business and this board does not decide whether that is an appropriate use. We would only be looking at the garage. We would want to see the garage and any landscaping around it. Other than that, the use is a Council decision.

Celestino Martinez stated that Staff said this would just be a courtesy review.

Chair Kathi Cook stated to make sure the garage is not located on any specimen trees and garage style should fit in with the community and the design, materials, colors and where it will be positioned would have to come back to this board. Also bring in your landscape plan.

Celestino Martinez stated there were no specimen tree issues and would bring everything else back to the Board.

Chair Kathi Cook called the next item, Braeburn Office Condos, , John Wieland.

Chair Kathi Cook stated the Board did not approve the site plan. It was already developed and the board would be only looking at the buildings and the landscaping. Kathi Cook gave an update of what was previously presented.

Michael Stevens left the meeting at 8:30 p.m.

Michael Hernandez, 1973 Alfont Court, Atlanta, GA

Explained to Board they changed slightly what was previously presented in that there were 4 buildings and they have added a 5th building to Phase 1 because one had sold. Market will predict when they do the next 5 buildings anywhere from 6 months to a year. Added the embellishments Board requested from last meeting. Stated their landscape architect is developing a landscape plan in accordance with the Board's suggestions. Do have an approved recompense plan in the initial LDP. Stated they will do landscaping above and beyond what is required.

Shane Roach, 5198 Baldwin Terrace, Marietta, GA

We are asking for final approval and not courtesy reviews as it states on the agenda.

Board reviewed previous renderings of buildings 30, 40, 50 and 60.

Michael Hernandez advised Board that buildings 30 and 60 are two buildings of the 10 that have a second story component.

Board Discussion with applicants about current buildings design and materials.

Jeff Kingsfield, 3129 Bob Cox Road, Marietta, GA

Stated they would bring back material samples for the Board's review. They are using the city's guidelines for the colors. Buildings would be mostly white with some accent colors.

Board Discussion regarding building 40.

Michael Hernandez

Stated there was a CAD error on drawing. Porch is 6-7 feet. There is about 17 feet to the property line to face of building. Indicated on drawing for Board where porch would be located. Will also be siding and use a board and batten and address the brick issue on this building.

Chair Kathi Cook discussion about types of vents to use and also about a door with the porch side facing Birmingham Highway.

Chair Kathi Cook moved on to building 50.

Board reviewed rendering and had discussion about porch, windows, canopy and perhaps changing location of the door.

Jeff Kingsfield wanted to have the look of what you would have seen in a different time period.

Chair Kathi Cook moved on to building 60

Board Discussion regarding building 60

Chair Kathi Cook stated they had previously talked about arched brackets on the porch.

Shane Roach stated they looked at the brackets and though the curve did not appear anywhere else. He said he did not feel that it was in character with the rest of the architecture. Board reviewed rendering and stated did not like the PVC siding material and preferred board and batten siding in the eaves.

Michael Hernandez agreed they would change to board and batten material.

Chair Kathi Cook moved on to the final building, building 90 which also faced Birmingham Highway.

Board reviewed rendering and discussed the brackets and the positioning of the building.

Jeff Kingsfield stated they had gravitated to the farm look in their design.

Chair Kathi Cook stated concern about the porch and awning over the door.

Terry Herr discussed with applicant from rendering roofing materials and metal roof colors.

Chair Kathi Cook stated they preferred neutral colors and not greens and reds, even unpainted metals.

Jeff Kingsfield stated they were thinking of a light color building with a dark roof.

Michael Hernandez not planning to use bright colors and also will be using gutters and downspouts.

Jeff Kingsfield stated they want to have consistent roofing colors and would also be okay with round downspout and OG gutters.

Motion on Buildings:

Terry Herr made a motion regarding **Building 30**, to approve building 30 subject to the addition of a brick water course and a band board at the base of the building, that the horizontal siding be either 5 inch exposure lap siding or beaded sided as approved by the DRB, that the porch roof on the south elevation be standing seam metal roof, and the gutters be OG gutters and downspouts be round downspouts.

Approval regarding **Building 40**, add a gable on the east elevation.

Approval regarding **Building 50**, expand the width of the porch on the east elevation. The width of the porch should separate the pair of windows with the column on either side and move the windows inboard and depict the canopies that are on the west elevation and east elevation and depict them on the south elevation and the north elevation.

Approval regarding **Building 60**, the eaves will all be board and batten.

Addition of the brick water table, OG gutters and round downspouts will be required for all of the buildings.

Subject to submission of selected materials and colors for each building.

Eddie Moore seconded the motion. Vote: 5-0, with Michael Stevens not being present for vote.

Chair Kathi Cook stated they would move on to Phase 2, Braeburn Office Condos.

Terry Herr asked if they had submitted for permits on Phase 2, otherwise they could only do a courtesy review.

Eddie Moore stated that is what they did for previous applicants. He stated for example for the Fire of Brazil, we could not do a final because the plans had not been submitted.

Michael Hernandez stated that in previous meetings, they were told the process was they had to go to the Design Review Board before they could submit drawings.

Chair Kathi Cook stated they had already submitted for the first Phase so they were able give final approval.

Eddie Moore stated they had not received a copy of their Phase 2 drawing in their packet. What they had were two copies of Phase 1 and that is why it is confusing.

Chair Kathi Cook stated if they did not have it in their packet, they could not review it.

Staff Michael Tuller looked at his packet and he also had two copies of Phase 1.

Eddie Moore asked Staff if it should be heard without the site plan.

Staff Michael Tuller stated if the Board had not had the chance to review the appropriate plan, it should be deferred until next month unless they want to hear it tonight as a courtesy review and bring it back for a final next month.

Chair Kathi Cook stated she would prefer it be in their packet to review.

Jeff Kingsfield stated they were okay with not getting final approval on Phase 2 as they obviously would be doing Phase 1 first, but would like if they could get a courtesy review on Phase 2 so things would go smoothly next month.

Chair Kathi Cook reiterated her concerns for doing that not being able to have the plans to look at. She stated even for courtesy reviews they need to have the plans to look at. Advised that if they are following what they discussed previously, did not feel they would have any problems. Asked for a motion to defer Phase 2 until they get the appropriate information to review.

Motion

Eddie Moore made a motion to defer Phase 2 of the Braeburn Condos based on the fact they do not have the appropriate plans to review this evening. Darryl Jan Porter seconded the motion. Vote 5-0, with Michael Stevens not being present for vote.

Chair Kathi Cook called the next item, Braeburn, Sign Variance, John Wieland

David Frahardy, 421 Gold Rush Trail, Ballground, GA

Presented case and stated he was representing John Wieland Homes. Reviewed sign with Board from rendering. Stated the variance is for square footage and they were proposing 64 square feet total which is 32 square feet per side and the height was another variance as it is 10 feet tall. Stated their hardship was the far side going north on 372 you are over 50 feet away from the island so people going northbound would have difficulty seeing the sign.

Board Discussion with applicant about the height measurements.

Eddie Moore asked staff if the sign ordinance varied based upon whether sign is commercial, residential, etc.

Staff Michael Tuller stated it was based on the zoning district and that the rules were a little different for Crabapple or the Crossroads area. He stated to his knowledge the height restriction would be the same for residential or commercial and that was 6 feet.

Terry Herr discussed the size of the Braeburn lettering. Believed the lettering size was fairly huge on the sign.

Chair Kathi Cook stated they did not need a motion because it was a variance request.

Board did not support the variance height request and advised they did not determine whether a hardship exists.

David Frahardy asked who makes the hardship determination and whether they could go from 10 to 8 instead of 10-6 so they would still have some nominal height.

Staff Michael Tuller stated the Board of Zoning Appeals makes those decisions and that this would be going before them on the 19th.

Chair Kathi Cook stated the code states a certain height and you would have to prove your hardship as to why yours should be different.

Eddie Moore stated that they really should only be looking at the materials of the sign and colors, but not the height, as that should be determined by the Board of Zoning Appeals.

David Frahardy stated there had another part of their variance, which was a secondary sign in the development. He stated there were the same materials as Williams Craft and John Wieland Homes.

Chair Kathi Cook stated it was an approved material and was okay with the design. Asked if there were any other comments and there were none.

ADJOURNMENT

Chair Kathi Cook adjourned the Design Review Board at 9:15 p.m.

Dated Approved: _____

Approved By:

Francesca Ivie
City Clerk's office

Kathi Cook, Chair
Design Review Board

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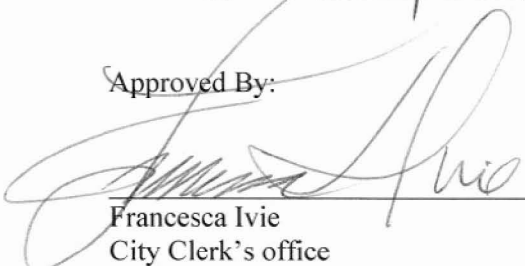
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ADJOURNMENT

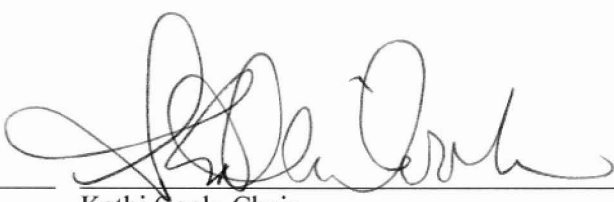
Chair Kathi Cook adjourned the Design Review Board at 9:15 p.m.

Dated Approved: 3-4-08

Approved By:



Francesca Ivie
City Clerk's office



Kathi Cook, Chair
Design Review Board