



**Meeting Minutes - Final**  
**License and Variance Board**

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Wednesday, April 9, 2014

10:00 AM

Council Chambers

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1. **Call To Order**

The meeting was called to order by the Board Chair Tammi Saddler Jones at 10 AM.

**Rollcall**

**Present** 3 - Chair Person Tammi Saddler Jones, Board Member David Lee, and Scott Stokes

**Also Present** 2 - Executive Assistant to City Administrator Rosemary Rivera, and City Planner Russell Martin

2. **Business:**

[V14-005](#)

**Public Hearing** - Variance Request - V14-005 - Reduction of side setback from 10 feet to 3.5 feet - 0.68 acres - Land Lot 412 - 3326 South Cobb Drive - John Dickson

A motion was made by Board Member Scott Stokes to table Variance Request - V14-005 - Reduction of side setback from 10 feet to 3 feet - 0.68 acres - Land Lot 412 - 3326 South Cobb Drive - John Dickson to the License and Variance Board meeting of May 14, 2014. The motion was seconded by Board Member David Lee. The motion carried 3-0.

**Aye:** 3 - Chair Person Saddler Jones, Board Member Lee and Stokes

[V14-006](#)

**Public Hearing** - Variance Request - V14-006 - Reduction of parking requirement from 70 spaces to 40 spaces - 0.68 acres - Land Lot 412 - 3326 South Cobb Drive - John Dickson

A motion was made by Board Member Scott Stoke to table Variance Request - V14-006 - Reduction of parking requirement from 76 spaces to 62 spaces - 0.68 acres - Land Lot 412 - 3326 South Cobb Drive - John Dickson to the License and Variance Board of May 14, 2014. The motion was seconded by Board Member David Lee. The motion carried 3-0.

**Aye:** 3 - Chair Person Saddler Jones, Board Member Lee and Stokes

[V14-007](#)

**Public Hearing** - Variance Request - V14-007 - Allow reduction of side setback from 10 feet to 0 feet for the construction of a carport - 0.42 acres - Land Lot 778 - 2535 Rolling View Drive - Nina Medina

A motion was made by Board Member Scott Stoke to approve Variance Request - V14-007 - Allow reduction of side setback from 10 feet to 0 feet for the construction of a carport - 0.42 acres - Land Lot 778 - 2535 Rolling View Drive - Nina Medina with the following three (3) conditions:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan submitted with the variance application.
2. Appropriate gutters and downspouts will be installed to divert stormwater away from adjacent property, prior to final inspection.
3. Roof overhang shall not encroach into the adjacent property.

The motion was seconded by Board Member David Lee. The motion carried 3-0.

**Aye:** 3 - Chair Person Saddler Jones, Board Member Lee and Stokes

[V14-008](#)

**Public Hearing** - Variance Request - V14-008 - Allow reduction of parking from 49 spaces to 40 spaces - 1.1 acres - Land Lot 558 - 1420 Spring Road - Chicken Coup III RE LLC

A motion was made by Board Member Scott Stoke to approve Variance Request - V14-008 - Allow reduction of parking from 49 spaces to 40 spaces - 1.1 acres - Land Lot 558 - 1420 Spring Road - Chicken Coup III RE LLC. The motion was seconded by Board Member David Lee. The motion carried 3-0.

**Aye:** 3 - Chair Person Saddler Jones, Board Member Lee and Stokes

[V14-009](#)

**Public Hearing** - Variance Request - V14-009 - Allow reduction of Spring Road landscape strip from 15 feet to 3 feet - 1.1 acres - Land Lot 558 - 1420 Spring Road - Chicken Coup III RE LLC

A motion was made by Board Member Scott Stoke to approve Variance Request - V14-009 - Allow reduction of Spring Road landscape strip from 15 feet to 3 feet - 1.1 acres - Land Lot 558 - 1420 Spring Road - Chicken Coup III RE LLC. The motion was seconded by Board Member David Lee. The motion carried 3-0.

**Aye:** 3 - Chair Person Saddler Jones, Board Member Lee and Stokes

[V14-010](#)

**Public Hearing** - Variance Request - V14-010 - Allow reduction of rear setback from 100 feet to 76 feet - 1.1 acres - Land Lot 558 - 1420 Spring Road - Chicken Coup III RE LLC

A motion was made by Board Member Scott Stoke to approve Variance Request - V14-010 - Allow reduction of rear setback from 100 feet to 76 feet - 1.1 acres - Land Lot 558 - 1420 Spring Road - Chicken Coup III RE LLC. The motion was seconded by Board Member David Lee. The motion carried 3-0.

**Aye:** 3 - Chair Person Saddler Jones, Board Member Lee and Stokes

[V14-011](#)

**Public Hearing** - Variance Request - V14-011 - Allow reduction of Spring Road front setback from 50 feet to 44 feet - 1.1 acres - Land Lot 558 - 1420 Spring Road - Chicken Coup III RE LLC

A motion was made by Board Member Scott Stoke to approve Variance Request - V14-011 - Allow reduction of Spring Road front setback from 50 feet to 44 feet - 1.1 acres - Land Lot 558 - 1420 Spring Road - Chicken Coup III RE LLC with the following thirteen (13) conditions:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.
2. A gateway feature shall be installed in the right of way at the intersection of Atlanta Road and Spring Road, subject to the approval of Community Development and City Engineer. Benches placed in the right of way, shall be of the style known as CDB 300 manufactured by Canterbury International in six-foot and eight-foot lengths to match those in Market Village.
3. Brick pavers used shall match existing pavers in the sidewalk along Atlanta road, subject to approval prior to construction.
4. Both parcels that comprise the subject property shall be combined through the final plat process prior to construction.
5. Any additional potable or other water needs shall be supplied on the Spring Road side of the property.
6. A row of evergreen trees shall be planted along the rear property line 10 feet on center approximately 180 feet in length, and a mixture of evergreen shrubs and trees planted within the median in the area of the drive thru menu board.
7. A yield sign shall be posted in the median next to the drive thru lane before the exit on Spring Road.
8. The entrance and exits on Spring and Atlanta Road shall be right in/right out only.
9. The applicant shall have the option to move the location of the menu board to an area that reduces impact on the adjacent neighborhood, subject to the approval of Community Development.
10. A connection from the ADA crosswalk on the Atlanta Road side shall have a connection to the Atlanta Road sidewalk.
11. Hours of operation shall be limited to 6:00am to 10:00pm.

Public Works Director Scott Stokes added 2 additional conditions to the existing 11:

12. To add roof system to the dumpster.
13. To install the speaker system 100 ft at the setback line (Montclair) or install a 4 ft wood opaque fence in the island where the drive-thru is or move it along the angled parking where the evergreens are.

The motion was seconded by Board Member David Lee. The motion carried 3-0.

**Aye:** 3 - Chair Person Saddler Jones, Board Member Lee and Stokes

### [V14-012](#)

**Public Hearing** - Variance Request - V14-012 - Allow reduction of parking from 11 spaces to 8 spaces - 0.28 acres - Land Lot 452 - 1020 Concord Road - Blue Frog Construction

A motion was made by Board Member Scott Stoke to approve Variance Request - V14-012 - Allow reduction of parking from 11 spaces to 8 spaces - 0.28 acres - Land Lot 452 - 1020 Concord Road - Blue Frog Construction. The motion was seconded by Board Member David Lee. The motion carried 3-0.

**Aye:** 3 - Chair Person Saddler Jones, Board Member Lee and Stokes

[V14-013](#)

**Public Hearing** - Variance Request - V14-013 - Allow reduction of side setback from 10 feet to 3 feet - 0.28 acres - Land Lot 452 - 1020 Concord Road - Blue Frog Construction.

A motion was made by Board Member David Lee to approve Variance Request - V14-013 - Allow reduction of side setback from 10 feet to 3 feet - 0.28 acres - Land Lot 452 - 1020 Concord Road - Blue Frog Construction with the following two (2) conditions:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan submitted with the variance application.
2. All applicable requirements of the Tree Ordinance shall be complied with.

The motion was seconded by Board Member Scott Stokes. The motion carried 3-0.

**Aye:** 3 - Chair Person Saddler Jones, Board Member Lee and Stokes

3. **Approval of Minutes:**

[2014-092](#)

Approval of the License and Variance Board meeting minutes of March 26, 2014

A motion was made by Board Member David Lee to approve the License and Variance Board meeting minutes of March 26, 2014 as presented. The motion was second by Board Member Scott Stokes. The motion carried 3-0.

**Aye:** 3 - Chair Person Saddler Jones, Board Member Lee and Stokes

4. **Adjournment**

The meeting adjourned at 11:14 AM.