



City of Smyrna

2800 King Street
Smyrna, Georgia 30080

Meeting Minutes - Preliminary License and Variance Board

Wednesday, March 11, 2020

10:00 AM

Council Chambers

1. Roll Call

Present: 3 - Roy Acree, Mary Moore and Frank Martin

Also Present: 0

Staff: 4 - Heather Peacon-Corn, Russell Martin, Caitlin Crowe and Richard Garland

2. Call to Order

Chairman Roy Acree called the March 11, 2020 License and Variance Board Meeting to Order at 10:00am.

3. Business

A. [LIC2020-06](#)

Public Hearing - Application for change of agent for AVAMC Company LLC dba On the Range for privilege license for beer, wine and liquor (retail pouring) at 2500 South Cobb Drive.

Ph called : - No one

A motion was made by Boardmember Frank Martin to table indefinitely item LIC2020-06, a Public Hearing and Application for change of agent for AVAMC Company LLC dba On the Range for privilege license for beer, wine and liquor (retail pouring) located at 2500 South Cobb Drive; seconded by Boardmember Mary Moore.

The motion passed by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Frank Martin

B. [LIC2020-07](#)

Public Hearing - Privilege License Request LIC 2020-07 - Beer, Wine, and Liquor Pouring - 2590 Spring Road SE - B&G Trade LLC dba Biryani-N-Grill with Mikail Honore as agent.

PH called - No One 25th

A motion was made by Boardmember Mary Moore to table until the March 25, 2020 License and Variance Board Meeting item LIC2020-07, a Public Hearing and Privilege License Request LIC 2020-07 for Beer, Wine, and Liquor Pouring located at 2590 Spring Road SE by the applicant B&G Trade LLC dba Biryani-N-Grill with Mikail Honore as agent; seconded by Boardmember Frank Martin.

The motion passed by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Frank Martin

C. [2020-128](#)

Public Hearing - Variance Request V20-019 - Allow five-foot fence in front yard on a corner lot- Land Lot 451 - 930 Eleanor Way - Brian & Cindy Thompson

Applicant Present - Came to podium

Brian Thompson - Fence need 5' ft instead of 4' - for security. been there 35 years

Caitlin Crowe with 2 conditions as read aloud.

RA fence at an angle on the corner to conform with the site line.

Do you agree to the conditions? Yes both responded.

PH called.

A motion was made by Boardmember Frank Martin to approve item 2020-128, a Public Hearing and Variance Request V20-019 to allow a five-foot fence in front yard on a corner lot, Land Lot 451 located at 930 Eleanor Way by the applicants Brian & Cindy Thompson; seconded by Boardmember Mary Moore with the following conditions:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and pictures of the fence style submitted with the variance application.
2. The fence shall be placed 25 feet from the centerlines of both Eleanor Way and Medlin Street.

The motion passed by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Frank Martin

D. [2020-96](#)

Public Hearing - Variance Request V20-008 - Allow encroachment into the 50 foot Undisturbed Stream Buffer - Land Lot 594 - 1554 Spring Street - City of Smyrna

Richard Garland, parks and Rec director.

Jeff Smith Foley Design, proposing, new entrance, trailhead type of entrance with stop area and new path. Additionally a real stream buffer will be created. Create a more convenient safer entrance for neighborhood to park.

This project in discussion for 2 years, approved as CIP budget item

No questions.

CC - Combining two variances and will speak about as one however will vote separately.

Three frontages, Durham Park, City Park, Erosion issues from informal path to park.

New entrance will tie to existing trail system in the park.

Citizen email, entrance necessary? No further questions following. City recommends. With conditions, as read aloud.

First condition per City Engineer, Fire Department.

PH - Fred Q. 5078 Spring Street. Questions about stream buffer and landscaping needs access with lawnmowers.

Ada compliance would be at ADA parking on Anderson will be converted to ADA>

RG - Area proposing to put hardscape entrance. We are aware of issues in the park, current parking space converted to give ramps access for ADA.

Phil King, Anderson Circle resident, impact of trees. No trying to stay out of drip line for large tree

Joe Thomas 1518 Spring Street. In front of stairs that will be built. Great park will

make it better

A motion was made by Boardmember Mary Moore to approve item 2020-96, a Public Hearing for a Variance Request, V20-008 to allow encroachment into the 50 foot Undisturbed Stream Buffer on Land Lot 594, located at 1554 Spring Street for the applicant, the City of Smyrna; seconded by Boardmember Frank Martin with the following conditions:

1. Prior to building permit issuance, a buffer mitigation plan will be submitted and approved by the City Engineer.
2. The applicant shall meet all ADA access requirements deemed necessary by the Fire Marshal during construction plan review.

The motion passed by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Frank Martin

E. [2020-114](#)

Public Hearing - Variance Request V20-009 - Allow encroachment into the 75 foot impervious surface setback - Land Lot 594 - 1554 Spring Street - City of Smyrna

Same conditions,

PH - No one

A motion was made by Boardmember Frank Martin to approve item 2020-114, a Public Hearing for a Variance Request, V20-009 to allow encroachment into the 75 foot impervious surface setback on Land Lot 594, located at 1554 Spring Street for the applicant, the City of Smyrna; seconded by Boardmember Mary Moore with the following conditions:

1. Prior to building permit issuance, a buffer mitigation plan will be submitted and approved by the City Engineer.
2. The applicant shall meet all ADA access requirements deemed necessary by the Fire Marshal during construction plan review.

The motion passed by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Frank Martin

4. Approval of Minutes:

A. [2020-122](#)

Approval of the February 26, 2020 License and Variance Board Meeting Minutes

A. 2020-122 Approval of the February 26, 2020 License and Variance Board Meeting Minutes

Aye: 3 - Roy Acree, Mary Moore and Frank Martin

5. Adjournment

10:22AM

Chairman Roy Acree adjourned the March 11, 2020 meeting of the License and Variance Board at 10:22 AM.