



ZONING BOARD OF ADJUSTMENT MEETING

September 13, 2022

Meeting called to order by Chairman Joe O'Brien at 7:30 A.M.

Members present: Joe O'Brien, Mike Harris, Mike Kelley and Joe Schifano.

Staff present: Sherri Proctor, Planning & Zoning Administrator; Owen Watkins, Zoning Inspector

The following requests were presented:

Applicant: Nick Zdolshek

Location: 524 Creekview Circle

Request: Variance to Article VIII, Sec. 5: To allow an addition to the dwelling resulting in a 6-foot side setback, a variance from the minimum 12 foot/25-foot total side setbacks.

The applicant was not in attendance at the time of the hearing. The Board moved to place the request to the last item on the agenda.

Applicant: C. Michael Mead, MD

Location: 201 Racquet Club Lane

Request: Variance to Article XXIII Sec. 2.2: To allow an expansion to the existing medical imaging center without the minimum parking spaces.

Dr. Mead presented a request to reduce the number of minimum required parking spaces for the proposed addition of an MRI area. The variance would allow the expansion of 783 sq.ft. without requiring the addition 3 parking spaces.

Having established a legitimate hardship, Chairman O'Brien called for the motion:

Joe Schifano made the motion to approve the request, seconded by Mike Harris. Vote recorded all ayes. Motion passed to grant the variance in relief of three additional parking spaces.

Applicant: Ryan Fagerstrom (Eddie Lumpkin)

Location: 2789 Pelham Parkway

Request: Variance to Article XXII, Sec. 18: To allow an additional free-standing sign on the property.

Mr. Fagerstrom stated his request to allow a free-standing sign at his business location. The issue is that the sign ordinance allows one free-standing sign on a parcel of property, however, this property has multiple buildings/businesses and there is an existing sign.

Having established a legitimate hardship, Chairman O'Brien called for the motion:

Mike Kelley made the motion to approve the request, subject to conditions: 1) the sign shall not exceed 8 ft in height, or 32 sq.ft. in area.; 2) installation of landscaping along the base of the sign. Second offered by Mike Harris. Vote recorded all ayes. Motion passed to grant a variance in allowing a second free-standing sign on the property.

Applicant: Ed Monroe

Location: 1970 Huntley Parkway

**Requests: (1) Variance to Article XXI, Sec. 6.6: Relief from exterior materials requirement to allow metal/brick building (to match existing building)
(2) Article XXIV, Sec. 12: Relief from sidewalk requirement
(3) Article XXIII, Sec. 4.2: Relief from the requirement of paved/concrete surface for parking/loading areas**

Mr. Monroe was present to request the variances to his proposed building/site. The Board discussed each request individually.

Regarding the exterior materials, Mr. Monroe is requesting the proposed building match the existing building which is brick and metal exterior on the front. The Corridor Overlay requirement that prohibits the use of metal changed shortly after Mr. Monroe received approval for the existing building.

Having established a legitimate hardship, Chairman O'Brien called for the motion:

Mike Kelley made the motion to approve the request, seconded by Mike Harris. Voice vote recorded: Ayes: Kelley, Harris, O'Brien. Oppose: Schifano. Motion passed 3 to 1 to grant the variance for the exterior materials.

Regarding deletion of the sidewalk requirement, Mr. Monroe states that a sidewalk would not connect to any adjacent property and that it could be a safety hazard.

Having established a legitimate hardship, Chairman O'Brien called for the motion:

Mike Kelley made the motion to approve the request, seconded by Mike Harris. Voice vote recorded: Ayes: Kelley, Harris, O'Brien. Schifano; Opposed: None. Motion passed unanimously to grant the variance allowing the deletion of the sidewalk requirement for the site.

Regarding the request to allow an aggregate surface for the loading area, Mr. Monroe stated that the intent was to have gravel for both buildings and that the gravel would be less impervious surface and allow better stormwater management.

Having established a legitimate hardship, Chairman O'Brien called for the motion:

Mike Harris made the motion to approve the request, seconded by Mike Kelley. Voice vote recorded: Ayes: Kelley, Harris, O'Brien; Opposed: Schifano. Motion passed 3 to 1 to grant the variance to allow a gravel surface for the loading area.

With no other business to come before the board Ch. O'Brien asked for a motion to adjourn. Mr. Harris made the motion to adjourn. Mr. Kelley seconded the motion.

The meeting was adjourned at 8:36 AM.

Respectfully submitted,



Sherri Proctor,
Secretary to the Zoning Board of Adjustment