



**CITY OF DULUTH  
ZONING BOARD OF APPEALS  
Minutes  
July 13, 2017**

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**IN ATTENDANCE:**

**Board Members Present:**

Marline Santiago-Cook – Vice Chairman  
Alana Moss  
Verdi Avila  
Ken Wilson

**Board Members Absent:**

Carey Fisher – Chairman  
KC Callaway

**Staff:**

Bill Aiken, Planning and Development Director

**I. CALL TO ORDER**

Meeting Called to Order at 7:00pm.

**II. GENERAL BUSINESS**

None

**III. APPROVAL OF MINUTES**

1. Approval of April 26, 2017 Minutes

**MOTION BY BOARD MEMBER AVILA, SECONDED BY BOARD MEMBER WILSON  
TO APPROVE THE MINUTES.**

**Vote 4-0. ALL FOR. Approved**

**IV. OLD BUSINESS**

None

**V. NEW BUSINESS**

1. Case: V#2017-004

Applicant: Brian Sullivan of Sullivan Wickley Properties on behalf of the property owner,



SW Duluth, LLC

Location: 2696 Buford Highway, Duluth, Georgia 30097

Parcel: R7201 382

Request: Variance from Section 206 and Table 2-B of the Unified Development Code (UDC) to reduce the setback on the northwest side of the building overlooking Buford Highway from 70' to 59'.

Mr. Aiken presented for staff. He stated that the site was originally developed in 2007 as Old Peachtree Pointe. The project contained a total of three parcels (A, B & C). Parcel A and B were developed as Chase Bank and McDonalds fronting Old Peachtree Road. He stated that approval of V#2017-004 would allow the owner to develop Parcel C with similar area regulations that the land enjoyed prior to the rezoning of the adjacent land from HC (highway Commercial) to PRD (Planned Residential District) for the development of the phase II Cresswell single-family home project in 2014.

Mr. Aiken stated that planning staff recommends approval of V#2017-004 based on the following conditions, with condition 3 as modified by the Zoning Board of Appeals during the hearing:

1. The setback encroachment shall be limited to the extent as shown on Exhibit "A" of the staff report.
2. Building facades visible from any public street, public right-of-way or the interior private drive in the development shall be designed to incorporate a combination of any of the following decorative storefront elements: awnings, fenestration, parapet, cornices, glass, windows, entryways, exterior building lighting and pilasters. Final building elevations shall be approved by the Planning and Development Director prior to issuance of any permits associated with the project.
3. Dumpsters shall be screened on all sides by an enclosure with a minimum 6' high opaque wall constructed with materials substantially similar in appearance to the building on site, with the exception of the access opening. Pedestrian and vehicle access shall be screened by an opaque operable gate of the same height as the wall. Dumpster's enclosure shall be screened from sight of adjacent lots and streets by using a combination of non-vegetative screening and supplemental plantings as identified in 702 of the Unified Development Code. The dumpster shall be placed on a concrete pad with sufficient strength to support service vehicles.

**MOTION BY BOARD MEMBER AVILA, SECONDED BY BOARD MEMBER MOSS, TO APPROVE WITH THE MODIFIED CONDITIONS.**

**Vote 4-0. ALL FOR. Approved.**

## VI. OTHER MATTERS

a. Matters from the Board

None



b. Matters from Staff

None

c. Matters from Citizens

None

VII. ADJOURNMENT

**MOTION BY BOARD MEMBER AVILA, SECONDED BY BOARD MEMBER MOSS TO  
ADJOURN**

**ALL FOR, MEETING ADJOURNED**

Approved this day \_\_\_\_\_ of, \_\_\_\_\_ 2017.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary/Witness