



**CITY OF DULUTH  
ZONING BOARD OF APPEALS  
Minutes  
February 28, 2018**

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**IN ATTENDANCE:**

**Board Members Present:**

Carey Fisher – Chairman  
Marline Santiago-Cook – Vice Chairman  
KC Callaway  
Alana Moss  
Verdi Avila  
Ken Wilson

**Board Members Absent:**

None

**Staff:**

Dan Robinson, Senior Planner  
Layla Corley, Development Coordinator

**I. CALL TO ORDER**

Meeting Called to Order at 7:00pm.

**II. GENERAL BUSINESS**

None

**III. APPROVAL OF MINUTES**

1. Approval of September 27, 2017 Minutes

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

**Vote 5-0. ALL FOR. Approved**

**IV. OLD BUSINESS**

None



## V. NEW BUSINESS

1. Case: V#2018-001  
Applicant: Dr. Michael Miller  
Location: 3528 Buford Highway, Duluth, Georgia 30097  
Parcel: R7202 045  
Request: Variance from Section 329 of the UDC to allow for an outdoor run within 200 feet of a property line and fence in the front yard

Mr. Robinson presented for staff. He stated that the site contains the Duluth Animal Hospital along with another building that was most recently the Duluth Flower Shop. He stated that the applicant owns both buildings and intends to reconstruct the smaller building into a dog boarding facility. Mr. Robinson said that the parcel was at its widest only 173 feet wide which makes it impossible for the applicant to have an outdoor run that meets the 200 foot setback requirement of the UDC. The fence that will enclose the outdoor run was proposed to be a decorative fence located at least 40 feet away from Buford Highway.

Mr. Robinson stated that planning staff recommends approval of V#2018-001 based on the following conditions:

1. The outdoor run shall be enclosed with a decorative fence. Said fence shall be substantially consistent to the fence shown in the picture provided by the applicant (Exhibit B).
2. The outdoor run shall be screened with evergreen trees and shrubs to provide year round screening. A landscape plan shall be provided to the Planning and Development Department for review and approval prior to approval of any building permits. Screening shall consist of evergreen trees placed 20 feet around the exterior of the outdoor run. Trees and shrubs shall be a minimum of 4 feet tall at time of planting.
3. The fence within the front yard shall not be closer than 40 feet from front property line along Buford Highway.
4. Animals within the outdoor run shall be accompanied by at least one employee at all times. Animals shall not be left outside overnight.
5. All other regulations in Section 329 Kennels of the Unified Development Code shall be met.
6. Any grade change affecting the fence's height or visibility of the outdoor run area from the public right-of-way shall terminate this variance approval.

Dr. Miller, the applicant explained his vision and reasoning behind the variance request. He stated that the animals will always be accompanied by employee but this will allow the dogs to exercise.



**MOTION BY BOARD MEMBER SANTIAGO-COOK, SECONDED BY BOARD MEMBER AVILA, TO APPROVE WITH CONDITIONS.**

**Vote 5-0. ALL FOR. Approved.**

VI. OTHER MATTERS

a. Matters from the Board

None

b. Matters from Staff

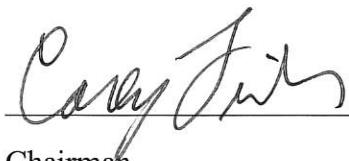
Mr. Robinson stated that staff would like to meet every other month regardless of any new business.

c. Matters from Citizens

None

VII. ADJOURNMENT

Approved this day 4<sup>th</sup> of April 2018.



Chairman



Secretary/Witness

