



ZONING BOARD OF APPEALS MINUTES

**CITY OF DULUTH
3167 MAIN ST
DULUTH, GA 30096**

MARCH 26, 2025

BOARD MEMBERS:

Ken Wilson, Chair
Vacant, Vice Chair
Verdi Avila, Secretary

Niti Gajjar
Robert Pennington
William Latta
Catherine Stringer (Alt)

MEMBERS PRESENT: Secretary Avila, Members Gajjar, Latta, and Pennington

MEMBERS ABSENT: Chair Wilson and Member Stringer

STAFF PRESENT: Deputy Director of Community Development and Engineering Aron Hall, and Planning Technician Wendy Bethancourt

I. CALL TO ORDER

Meeting called to order at 6:03pm.

II. APPROVAL OF THE MEETING AGENDA

A motion was made by member Gajjar, seconded by member Latta to approve the March 26, 2025 Zoning Board meeting agenda as presented.

Voted for: Avila, Gajjar, Latta, and Pennington

Voted against: None

Motion Carried.

III. GENERAL BUSINESS - None

IV. APPROVAL OF MINUTES

1. Approval of the January 22, 2025 minutes.

A motion was made by member Latta, seconded by member Pennington to approve the January 22, 2025 minutes as presented.

Voted for: Avila, Gajjar, Latta, and Pennington

Voted against: None

Motion Carried.

V. OLD BUSINESS - None

VI. PUBLIC HEARING

1. Case: V2024-006 Duluth Community Center Tabled from January 22, 2025
3769 Rogers Bridge Road Duluth, GA. 30096
Request: The Variance request is for a fitness center/health club and variance from section 702 for a reduction in minimum buffer requirements between a commercial and residential district.

Secretary Avila opened the public hearing.

Deputy Director of Community Development and Engineering Aron Hall came forward and presented the variance request (V2024-006) to seek relief from two different sections of the Unified Development Code (UDC). The first to allow for a reduction in the off-street parking requirement of 269 parking spaces to the proposed 135 parking spaces. The second is to allow for a reduction of the 50-foot minimum buffer requirement between commercial use property and single-family residential property. The applicant is seeking a reduction of the buffer to 10-feet along the northern property line, to 30-feet along the western property line, and to 25-feet along the southern property line. The site is located at 3769 Rogers Bridge Road and is zoned C-2 (General Business District). To the north are properties zoned C-2 (General Business District) and R-100 (Single-Family Residential District), to the west is property zoned R-100 (Single-Family Residential District, and to the south is property zoned R-100 (Single-Family Residential District and M-1 (Light Industrial District). The parcel zoned C-2 to the north is currently vacant and was previously an Atlanta Gas Light Company building. The parcel zoned M-1 is currently used for professional offices. Per the UDC Article 2 Table 2-C, a fitness center/health club is allowed by right in the C-2 zoning district.

Secretary Avila called for the applicant to come forward.

Melody Glouton, 1960 Satellite Boulevard Duluth, Ga. came forward and provided a summary of the compatibility of this use case with the property. Board members discussed stormwater issues and proposed waterflow with the engineer.

Secretary Avila called for questions/comments from the public.

Natalie Betts, of 3905 Carriage Gate Drive Duluth, Ga. Came forward in oppositions of the request and gave her time for a better prepared speaker to come up.

Greg Lahatte, 3830 Lamplighter Circle Duluth, Ga. Came forward in opposition of the request. Stating that it is against the requirements of the Unified Development code article 7 section 702 which specifically states that a 50-foot minimum buffer is required between commercial and residential districts. More than 180 homes would be impacted with the potential risk of decreased property value and overall neighborhood tranquility.

Peter Ward, 2796 Summercrest Lane Duluth, Ga. came forward in opposition of the request and expressed concern with the reduction of the buffer.

Barbara L Beratore of 3796 Carriage Gate Duluth, Ga. came forward in opposition of the request stating that she would like to keep the area how it is.

Ashok Ganapathy of 3835 Stonebriar Court Duluth, Ga. Came forward in opposition of the request and stated he was against reduction of buffer requirements.

Michael Bett of 3905 Carriage Gate Drive Duluth, Ga. Came forward in opposition of the request. Stating that it's important for buffers to stay in place.

Mark Kellar of 3778 Rogers Cove Duluth, Ga. Came forward in opposition of the request. stated that all commercial uses generate traffic flow and decrease home value. Kellar also stated that the use is not compatible with the property and to enforce City of Duluth ordinances.

Scott Morrison of 3839 Lamplighter Circle Duluth, Ga. Came forward in opposition of the request stating his concern with future uses if the business was to move.

Dave Christof of 3850 Lamplighter Circler Duluth, Ga. Came forward in opposition of the request stating concerns with stormwater runoff and the capacity of the property for the use.

The applicant Mr. Lee came forward in favor of the request and stated that the courts will be for badminton and scheduling will be required to minimize traffic flow.

Attorney Melody Glouton came forward and requested that the minutes reflect the outburst from public while the applicant was speaking.

Shanan Brandi of 3921 Gate house Lane Duluth, GA. came forward and asked if the board members would consider a vote for the neighbors before making a final decision on the request.

Chair Verdi called for a discussion from the board.
Board members discussed buffer concerns, future uses and impact to neighboring properties.

Secretary Avila called for a motion.

A motion was made by member Pennigton, seconded by member Gajjar to Deny Case V2024-006.

Voted for: Avila, Gajjar, and Pennington

Voted against: Latta

Motion Carried.

2. Case: V2025-001 Steven T. Ellis; Pro Building System
2493 Pleasant Hill Road Duluth, GA. 30096
Request: The Variance request is from the Unified Development Code (UDC) section 403.03 and 404.01 to allow for off-street parking of overflow car inventory on an unpaved surfaced.

Secretary Avila opened the public hearing.

Deputy Director of Community Development and Engineering Aron Hall came forward and presented the variance request (V2025-001). The purpose is to seek relief from section 403.03 and 404.01 of the Unified Development Code (UDC) to allow for off-street parking of overflow car inventory on an unpaved surface. The site is located at 2493 Pleasant Hill Road and is zoned HC-A (Highway Commercial – Auto District). To the north, the property is zoned PUD (Planned Unit Development) and is a Nissan dealership. The properties to the west are for residential use, east is an auto use, and south is an auto use, they are not within the Duluth City Limits, they are a part of unincorporated Gwinnett County.

Secretary Verdi called for the applicant to come forward.

Steve Ellis of 3678 North Peachtree Road Atlanta, Ga. Came forward and requested that the use of the Gravel driveway be approved due to a gas line easement that prevents further development of the area.

Chief of Rick Case Mazda of Savannah Ga. Came forward and discussed asphalt issues.

Secretary Avila called for questions/comments from the public.

Being none, Secretary Avila called for a discussion from the board members.

Being none, Secretary Avila called for a motion.

A motion was made by member Pennington, seconded by member Gajjar to approve Case V2025-001, with conditions as presented.

Voted for: Avila, Gajjar, and Pennington

Voted against: Latta

Motion Carried.

VII. OTHER BUISNESS

1. Matters from Staff – Robs Pennington's and Ken Wilson's last day.
2. Matters from Board – None
3. Matters from the Public – None

VIII. ADJOURNMENT

A motion was made by member Pennington, seconded by member Latta to adjourn at 7:20pm.

Voted for: Avila, Gajjar, Latta, and Pennington

Voted against: None

Motion Carried.

Approved this 25 day of June, 2025

Chairman



Secretary/Witness

