



License and Variance Board Meeting - Final

August 23, 2023
10:00 AM

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- A. **MIN2023-084** Approval of the August 9, 2023 License and Variance Board Meeting
Minutes
Citywide

LICENSE AND VARIANCE BOARD

Minutes - Final



A Max Bacon City Hall
HR Training Room
2800 King Street SE
Smyrna, GA 30080

Penny Moceris, Chairperson
Richard Garland, Board Member
Bo Jones, Board Member
Brian Marcos, Board Member
Eric Mohrmann, Board Member
Mary Moore, Board Member
Andrea Worthy, Board Member
Jill G. Head, Secretary

City Attorney Scott Cochran
City Administrator Joseph Bennett
City Clerk Heather K. Peacon-Corn

August 09, 2023 / 10:00 AM

1. Roll Call

Present: 3 – Chairperson Penny Moceris, Boardmember Richard Garland, Boardmember Mary Moore

Staff: 5 – Caitlin Crowe, Jill G. Head, Russell Martin, Starla Whiddon, and Mark Wolff

2. Call to Order

Chairperson Penny Moceris called to order the August 9, 2023 License and Variance Board meeting held at A. Max Bacon City Hall in the HR Training Room at 10:01 AM.

3. Chairperson Instruction and Comment

Chairperson Penny Moceris explained that the decisions made by this body are final unless appealed to the Cobb County Clerk of Superior Court. Staff will provide that information to anyone that requests it.

4. Formal Business

- A. V23-049** Public Hearing - Variance Request - V23-049 - Allow additional accessory structure - Land Lot 453 - 3405 South Cobb Drive - Damian Maher
Ward 3 Councilmember - Travis Lindley

Caitlin Crowe, Planner I, provided the following background:

The subject parcel is a 1.75-acre lot zoned GC (General Commercial) and is located on the east side of South Cobb Drive; the property is currently occupied by the Sharon Baptist Church. The adjoining properties to the north and east are zoned R-15 and GC and are occupied by single-family detached homes, a landscape business, and O'Reilly Auto Parts, respectively. The adjacent properties to the west and southwest are zoned GC and are occupied by a daycare, gas station, and tire store.

The subject property is currently occupied by a roughly 11,500 square foot building that serves as the Sharon Baptist Church. The applicant is proposing a complete redevelopment of the property to replace the building with a new 5,315 square foot car wash tunnel and accompanying vacuum stations. Due to these vacuum stations, the

applicant is requesting two variances: allow an additional accessory structure and allow the accessory structure to be above 25% of the primary structure's total square footage.

Each vacuum station has a fabric canopy, designed to cover the customer and vehicle while vacuuming and detailing their freshly washed vehicle. Each parking space is 252 square feet (14 feet x 18 feet) for a total of 5,544 square feet covered by the 22 proposed vacuum canopies. Since each vacuum canopy is connected via the vacuum hose holders, the canopies are counted as one overall accessory structure. Since the total square footage of the vacuum stations exceeds that of the car wash tunnel building, the second variance for an accessory structure above 25% of the primary building is merited.

The canopies over each vacuum station and the dumpster enclosure are both separated from the main car wash structure. This means that there are two accessory structures on the parcel, which is not permissible under Section 501.11 of the Zoning Ordinance. However, both the canopies and dumpster are essential for the business operation and have little to no effect on the surrounding parcels.

Community Development believes the variances requested are the minimum variances needed to build a new car wash facility on the subject property. Strict application of the ordinance would require all vacuum canopies be removed, which would limit the business operations. Community Development does not foresee any negative impacts to adjacent properties should the variances be approved since the majority of the surrounding businesses are also vehicle related. At the time of this report, Community Development has not received any calls in opposition to these requests.

The applicant has requested variances to allow an additional accessory structure and allow the accessory structure to be above 25% of the primary structure's total square footage for the construction of a new car wash facility. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the relevant provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance needed. After a review of the standards above, Community Development believes that the variances will not adversely affect surrounding properties; therefore, staff recommends approval of the requested variances with the following condition:

1. Approval of the requested variances shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.
2. The developer shall be required to provide a minimum 6-foot-tall privacy fence in addition to the required landscape buffer along the shared property line with the adjacent single-family residential properties.

Sean Hayes, the civil engineer for the project and representative for the applicant, came forward. He stated that he agrees with the two stipulations read into record.

Boardmember Mary Moore asked if there is a fence on two sides. Mr. Hayes answered that the fence would be on the left side and across the back.

A public hearing was called, and no one came forward in favor of or in opposition to this item.

Boardmember Mary Moore made a motion to approve item V23-049, a public hearing and variance request (V23-049) to allow additional accessory structure on land lot 453 located at 3405 South Cobb Drive by applicant Damian Maher; seconded by Boardmember Richard Garland.

The motion to approve carried with the following vote:

Aye: 3 – Chairperson Mocerri, Boardmember Garland, Boardmember Moore
Nay: 0 – None
Recuse: 0 – None

- B. V23-050 Public Hearing - Variance Request - V23-050 - Allow accessory structure size above 25% of the primary structure - Land Lot 453 - 3405 South Cobb Drive - Damian Maher**
Ward 3 Councilmember - Travis Lindley

A public hearing was called, and no one came forward in favor of or in opposition to this item.

Boardmember Richard Garland made a motion to approve item V23-050, a public hearing and variance request (V23-050) to allow accessory structure size above 25% of the primary structure on land lot 453 located at 3405 South Cobb Drive by applicant Damian Maher; seconded by Boardmember Mary Moore.

The motion to approve carried with the following vote:

Aye: 3 – Chairperson Mocerri, Boardmember Garland, Boardmember Moore
Nay: 0 – None
Recuse: 0 – None

- C. V23-051 Public Hearing - Variance Request - V23-051 - Allow second kitchen in existing single-family dwelling unit - Land Lot 537 - 5116 Parkwood Oaks Lane - Stan Garnet**
Ward 6 Mayor Pro Tem / Councilmember - Tim Gould

Caitlin Crowe, Planner I, provided the following background:

The subject parcel is a 0.77-acre lot located on the west side of Parkwood Oaks Lane within the Vinings Estates subdivision. The subject property and all adjacent properties are zoned RDA and are occupied by detached single-family homes.

The subject property consists of an existing two-story home with a full walk-in basement. The applicant is requesting the allowance of a full kitchen within the basement to include a refrigerator and over. The homeowner intends to finish the basement to include a full bedroom, bathroom, storage area, and kitchen when completed. The basement is to be used as a living space for aging family members and is not to be rented or occupied for gain. Section 402.24 of the zoning ordinance defines a dwelling unit as, “a building or portion thereof, designed, arranged and used for living quarters for one family only, but not including units in hotels or other such structures designed for transient residence. An individual bathroom and complete kitchen facilities, permanently installed, shall be contained within each dwelling unit.” City’s Zoning Code restricts one complete kitchen

per single-family dwelling; therefore, a variance is needed to allow a second kitchen in the basement of the home.

The finished basement will appear as part of the main structure and will not be divided by any fire wall. Additionally, there is limited access to the basement door from the outside, which is only accessed from the rear via a steep slope and behind an iron fence. Thus, the addition could not easily be converted to a separate rental unit by future owners.

Were it not for the kitchen, no other variances would be needed to finish the basement. Community Development has been supportive of similar variances where the second kitchen has been proposed for family only and where the second kitchen could not easily be converted into a rental unit or duplex. Furthermore, similar variances have been approved in the Heritage at Vinings, Enclave at Cooper Lake and Stonegate subdivisions. These previous variances have been for homes of similar size and type with no known detriment to the surrounding areas.

The applicant has requested a variance to permit a second kitchen in a single-family home. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the relevant provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance needed. After a review of the standards above, Community Development believes that the second kitchen will not adversely affect surrounding residents, nor set a negative precedent for future homebuilding in the area. Community Development recommends approval of the requested variance with the following stipulations:

1. The addition is to be utilized by family members only.
2. The applicant shall not lease, rent, or sublet any space in their home.
3. These conditions shall run in perpetuity with the property and as such are also applicable to any future owner.

Stan Garnet, applicant, came forward and nothing further to add. He stated that he agrees with the three conditions read into record.

A public hearing was called, and no one came forward in favor of or in opposition to this item.

Boardmember Mary Moore made a motion to approve item V23-051, a public hearing and variance request (V23-051) to allow a second kitchen in the existing single-family dwelling unit on land lot 537 located at 5116 Parkwood Oaks Lane by appliance Stan Garnet; seconded by Boardmember Richard Garland.

The motion to approve carried with the following vote:

Aye: 3 – Chairperson Mocerri, Boardmember Garland, Boardmember Moore
Nay: 0 – None
Recuse: 0 – None

- D. V23-052 Public Hearing - Variance Request - V23-052 - Reduce the side setback from 10 feet to 6.6 feet - Land Lot 594 - 2879 Anderson Circle - Edward Heck**

Ward 2 Councilmember - Latonia P. Hines

Caitlin Crowe, Planner I, provided the following background:

The subject parcel is a 0.30-acre lot located on the east side of Anderson Circle (see Figure 1). The subject parcel and adjoining parcel to the south are zoned R-15. The adjacent properties to the north and west are zoned RDA and the adjacent properties to the east are zoned RTD. All properties are occupied by detached single-family homes with the exception of the properties to the east, which are occupied by townhomes.

The subject property currently consists of a 996 square foot home and three accessory structures in the rear yard. The home, originally built in 1952, has an existing nonconforming front setback of roughly 20 feet. To avoid a second variance with a front setback encroachment, the applicant is proposing to construct the 216 square foot addition on only the back half of the home, which will encroach into the side setback on the north side of the home by 4.4 feet. The addition will expand the existing master bedroom while adding a new master bathroom to make the home a two bedroom and two bath configuration. The new addition will be painted to match the existing home. Due to the existing layout and foundation of the existing home, the most logical area to construct the addition is within the side setback to decrease disturbance to the subject property.

The existing one-story home is 996 square feet, while the minimum house size of R-15 is 2,000 square feet. With the renovations, the home will be roughly 1,212 square feet, bringing the home closer to compliance with the R-15 floor area requirement. Furthermore, the closest building, in this case across Anderson Circle, will be nearly 96 feet from the addition, thus no fire suppression system is required.

Due to the location of the existing home and the existing accessory structures on the property, the location of the proposed addition will minimize disturbance to the subject property and surrounding neighbors. Strict application of the ordinance would deny the applicant the ability to add any building square footage to the subject property without removing existing structures. The variance proposed is the minimum variance needed to increase the home's footprint and bring it closer to compliance with R-15 standards. Community Development has not received any calls in opposition to the request.

The applicant is requesting to deviate from the development standards established by the City for the R-15 zoning district which requires a minimum side setback of 10 feet. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the relevant provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance needed. After a review of the standards above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variance with the following condition:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.

Boardmember Mary Moore asked if the driveway is on the side of the lot with the variance request. Ms. Crowe stated that is correct.

Edward Heck, applicant, stated that in addition to the driveway, at the edge of the setback line, there is another buffer. He also explained that they are in need of a second bathroom. Mr. Heck stated he is in agreement with the standard condition read into record.

A public hearing was called, and no one came forward in favor of or in opposition to this item.

Boardmember Richard Garland made a motion to approve item V23-052, a public hearing and variance request (V23-052) to reduce the side setback from 10 feet to 6.6 feet on land lot 594 located at 2879 Anderson Circle by applicant Edward Heck; seconded by Boardmember Mary Moore.

The motion to approve carried with the following vote:

Aye: 3 – Chairperson Mocerri, Boardmember Garland, Boardmember Moore
Nay: 0 – None
Recuse: 0 – None

**E. V23-053 Public Hearing - Variance Request - V23-053 - Allow encroachment into the 50-foot undisturbed stream buffer and 75-foot impervious surface area setback - Land Lot 266 - 220 Early Parkway - Jordan Deeney
*Ward 3 Councilmember - Travis Lindley***

Caitlin Crowe, Planner I, provided the following background:

The subject parcel is a 0.76-acre lot located on the south side of Early Parkway and is currently vacant. The subject parcel and adjacent parcels to the east and west are zoned R-20 whereas the adjacent parcels to the north and south are residential lots in Unincorporated Cobb County. All adjacent parcels are occupied by single-family detached homes. The subject parcel is located within the Bennett Woods North Subdivision, which was platted in 1977, prior to the Smyrna Stream Buffer Ordinance, which was implemented in 2005.

The applicant is proposing to build a roughly 4,266 square foot two-story single-family home on the subject property, accessed by a pervious driveway over the existing creek and drainage easement. The subject property is greatly impacted by the State's 25-foot stream buffer, City's 50-foot undisturbed buffer as well as the City's 75-foot impervious surface setback due to the creek that runs along the middle of the property. The applicant has designed the building footprint to stay out of the 50-foot undisturbed stream buffer but encroaches into the 75-foot impervious surface area setback by 600 square feet due to the setback and topography constraints. No other variances are needed for the construction of the new home.

In order to construct the new home and accompanying driveway, the applicant will impact the State's buffer by 500 square feet, the City's 50-foot undisturbed stream buffer by 100 square feet, and the City's 75-foot impervious surface area setback by 600 feet, for a total stream buffer impact of 1,200 square feet. Prior to permitting, the applicant will need to provide approval from the State for the 25-foot stream buffer encroachment. The applicant will mitigate the 50-foot and 75-foot stream buffer encroachments by providing a 2,000 square foot streambank restoration within the 25-foot state buffer (see Figure 2).

Additionally, the applicant will utilize pervious pavers for the driveway to lessen impact to the stream buffers. The City Engineer has reviewed the application and supports the methods used for buffer mitigation.

Community Development believes the hardship is not self-created, as the lot of record has existed before the stream buffer ordinance was adopted. Community Development believes this is the minimum variance needed to allow for any building construction, and that there should be no negative impacts to adjacent properties if approved. Community Development has not received any calls in opposition to the request.

The applicant is requesting relief from the City's 50-foot undisturbed stream buffer and the City's 75-foot impervious surface area setback to build a new single-family home on the vacant property. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the relevant provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance needed. After a review of the standards above, Community Development believes that the encroachments will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variance with the following conditions:

1. Approval of the requested variance is conditioned upon substantial compliance with the site plan and elevations submitted with the variance application.
2. An approval of a State variance application for the 25-foot stream buffer impacts shall be provided prior to permitting.

Jordan Deeney, applicant, and Michael Grobaitis, Civil Engineer, came forward. Mr. Grobaitis stated that the location of the driveway will not require grating into the streambed. The applicant stated that they agree with the two conditions read into record.

A public hearing was called.

Nicola Pariseau, 242 Early Pkwy, came forward in opposition to this item. She provided the Board with documentation reflecting the average home size in Bennett Woods is around 2,300 sq. ft. and questioned why it would be necessary to build a 4,200 sq. ft. house. She mentioned that among her biggest concerns are lack of privacy, changes in the value of surrounding properties, and changes to the flow of groundwater. Ms. Pariseau further stated that removing so many trees to build the home is a detriment to the environment and the animals that live within. And according to Ms. Pariseau, the current owner of that property will not take any trees down at his own expense but would allow neighbors to remove dangerous trees.

Randall Westbay, 154 Early Pkwy, asked if it is 400 sq. ft. of impervious impact or 600 sq. ft. He mentioned that at another property, he believes trees were not removed legally and the City is to collect fines; he wonders if the City has the power to prevent certain trees from being removed. He also questioned if the License and Variance Board could vote on a proposed home that does not have the exact square footage represented.

Greg Ferguson, 179 Early Pkwy, diagonally across the street from the property in question. He asked if the spring and stream will be covered or remain open.

Michael Felices, 264 Early Pkwy, expressed that his concern is drainage. Both his backyard and Ms. Pariseau's backyards have been flooded, and the City had to come out and retrench which fixed the issue. He asked what will be done to keep the drainage from flooding their backyards. Ms. Felices also questioned the size of the house.

Taylor Caraway, 198 Early Pkwy, came forward in favor of this item. In reference to a previous speaker who mentioned her tree removal was illegal, she stated nothing was done illegally on her property. Ms. Caraway stated that the current owner of the lot in question is out of state and does not maintain the lot. There are several hazardous trees, some of which have fallen onto her property. If nothing is done with this property, falling trees will continue to be an issue.

Chairperson Penny Mocerri closed the public hearing and explained that the scope of the License and Variance Board is very limited. The decision to be made with this item is very specific to the variance into the buffer. Some of the topics and concerns that have been brought up are not supposed to be considered by the Board. Ms. Mocerri listed the concerns brought up during the public hearing to be addressed by Ms. Crowe:

1. **The minimum/maximum in relation to home size and how it fits specific criteria laid out in ordinances:** Ms. Crowe explained that the property has an R-20 zoning which has several stipulations. One such stipulation is the house size must be a minimum of 2,100 sq. ft., but it does not dictate a maximum. Russell Martin, Community Development Director, added that spatial requirements are met - the house is limited by building height, it does not encroach on side or rear setbacks, the house is allowed to be placed where they have submitted it to be placed. No other variances were necessary. Because the stream bisects the property, where they have proposed placing the driveway is appropriate. Mr. Grobaitis stated that because of the stream, no matter what size the house, it would encroach on the 50' stream buffer. He also mentioned that a pipe was installed to pipe the stream flow to maintain access for a driveway to be built when it was subdivided back in the 1970s. He further added that as part of their mitigation plan, they will pull out all of the invasive plants like English Ivy, pull out the dead trees, and consult with the City Arborist to inventory the trees.
2. **Storm water drainage and questions about a spring:** Mark Wolff, City Engineer, explained that there is a spring on the property that will remain open. Once the City receives building plans, the City will be able to see how groundwater flow will be directed. They will not be able to have a concentrated flow in any one direction. Grass or vegetative areas would need to be planted to assist with drainage issues.
3. **Steps that must be taken before any building can take place:** Ms. Crowe stated that the next step, should this item be approved today, would be permitting. Currently, the plans are conceptual except for the mitigation plan which has to be in place before any permitting can take place. At the time of permitting, the square footage will be submitted. For now, it is just a placeholder. Mr. Martin added that at the time of permitting, they will have to submit a site plan, an erosion control plan, a drainage plan, and a tree plan.

Boardmember Richard Garland asked if there were no stream running through this piece of property, would there be any variances required. Mr. Martin stated that no variances would be required if no stream were present.

Boardmember Mary Moore asked for more information about the restoration plan. Mr. Wolff stated that they submitted a preliminary plan for the 25' state stream buffer. The plan involves planting native, low-growing grasses and shrubs to help filter the water. Currently, it does not have a healthy buffer. They will take out what should not be there and add native species to make it more robust.

Boardmember Mary Moore made a motion to approve item V23-053, a public hearing and variance request (V23-053) to allow encroachments into the 50-foot undisturbed stream buffer and 75-foot impervious surface area setback on land lot 266 located at 220 Early Parkway by applicant Jordan Deeney; seconded by Boardmember Richard Garland.

The motion to approve carried with the following vote:

Aye: 3 – Chairperson Mocerri, Boardmember Garland, Boardmember Moore
Nay: 0 – None
Recuse: 0 – None

**F. V23-054 Public Hearing - Variance Request - V23-054 - Allow encroachment into the 50-foot undisturbed stream buffer and 75-foot impervious surface area setback - Land Lot 335 - 1558 Sophia Lane - Jennifer Jones
*Ward 4 Councilmember - Charles***

Caitlin Crowe, Planner I, provided the following background:

The subject parcel is a 0.24-acre lot located on the north side of Sophia Lane in the North Cooper Lake Place subdivision. A stream runs through the northern end of the property and continues through the adjacent properties to the west. The subject parcel and adjoining parcels to the east, west, and south are zoned RDA whereas the adjoining parcels to the north are zoned R-15. All properties are occupied by single-family detached residences.

There is currently a stream that runs through the northern end of the North Cooper Lake Place subdivision, impacting the northern four lots (1554, 1558, 1562, and 1566 Sophia Lane). In order to construct the home on 1558 Sophia Lane, the encroachment of approximately 2,631 square feet into the 75-foot impervious surface area setback was mitigated through buffer averaging on 1562 and 1566 Sophia Lane at a 1:1 ratio.

The rear yard of 1558 Sophia Lane remains greatly encumbered by the City's 50-foot undisturbed stream buffer and the City's 75-foot impervious surface area setback with a steep 6-foot slope behind the existing deck. The applicant is proposing to renovate the rear yard for more usability, including a new 324 square foot deck, 438 square feet of artificial turf and in-ground trampoline, and a 370 square foot putting green in the rear yard. Although the new proposed impervious area is within the previously mitigated area as much as possible, there is additional encroachment into both the 75-foot impervious surface area setback and 50-foot undisturbed stream buffer. No other variances are needed as the in-ground trampoline and putting green are not considered accessory structures and the property is below their impervious coverage maximum of 45%.

The applicant will require relief from the City's stream buffer ordinance in order to make the improvements in the rear yard. The applicant will mitigate the rear yard disturbance by installing two flo-wells under the proposed putting green. The City Engineer has reviewed

the application and accompanying mitigation plan and supports the method used for buffer mitigation.

Due to the existing stream buffers in the rear yard, Community Development believes this is the minimum variance needed to allow for any outdoor amenity. Strict application of the ordinance would deny the applicant the ability to build any outdoor amenity in the rear yard due to the existing stream buffers. Similar variances have been approved throughout the city when an appropriate mitigation method has been included. Community Development has not received any calls in opposition to the request.

The applicant is requesting relief from the City's 75-foot impervious surface area setback and City's 50-foot undisturbed stream buffer to install a deck, artificial turf, and trampoline in the rear yard. According to Section 1403 of the Zoning Ordinance, variances must be reviewed under the following standards: (1) Whether there are unique and special or extraordinary circumstances applying to the property; (2) Whether any alleged hardship is self-created by any person having an interest in the property; (3) Whether strict application of the relevant provisions of the code would deprive the applicant of reasonable use of the property; and (4) Whether the variance proposed is the minimum variance needed. After a review of the standards above, Community Development believes that the encroachment will not adversely affect surrounding residents; therefore, staff recommends approval of the requested variance 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 elevations submitted with the variance application.
2. A Stormwater Inspection and Maintenance Agreement must be completed and recorded with the Cobb County Superior Court and an as-built certification statement submitted to Community Development prior to completion of the building permit.

Jennifer Jones, applicant, added that they will improve storm water management because they are going to capture storm water earlier and slow it down before it enters the stream. They will also be removing exotic vegetation that is currently growing there. Ms. Jones agreed with the two stipulations read into record.

A public hear was called.

Dawn Cook, homeowner, stated they are just trying to stop their backyard from eroding away.

The public hearing was closed.

Boardmember Richard Garland made a motion to approve item V23-054, a public hearing and variance request (V23-054) to allow encroachment into the 50-foot undisturbed stream buffer and 75-foot impervious surface setback on land lot 335 located at 1558 Sophia Lane by applicant Jennifer Jones; seconded by Boardmember Mary Moore.

The motion to approve carried with the following vote:

Aye: 3 – Chairperson Mocerri, Boardmember Garland, Boardmember Moore
Nay: 0 – None
Recuse: 0 – None

5. Approval of Minutes

**A. MIN2023-073 Approval of the July 26, 2023 License and Variance Board Meeting Minutes
*Citywide***

Boardmember Mary Moore made a motion to approve item MIN2023-073, the July 26, 2023 License and Variance Board meeting minutes; seconded by Boardmember Richard Garland.

The motion to approve carried with the following vote:

Aye: 3 – Chairperson Mocerri, Boardmember Garland, Boardmember Moore
Nay: 0 – None
Recuse: 0 – None

6. Other Business / Staff Comment

7. Adjournment

Chairperson Penny Mocerri adjourned the August 9, 2023 License and Variance Board meeting at 10:57 AM.