



City of Marietta

Meeting Minutes

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

PLANNING COMMISSION

- Bob Kinney - Chairman*
- Jay Davis, Ward 1*
- Frasure Hunter, Ward 2*
- Boozer McClure, Ward 3*
- Byron "Tee" Anderson, Ward 4*
- Brenda McCrae, Ward 5*
- Stephen Diffley, Ward 7*

Tuesday, January 7, 2020

6:00 PM

City Hall Council Chambers

Present: Bob Kinney, Jay Davis, Frasure Hunter, Boozer McClure, Byron "Tee" Anderson, Brenda McCrae and Stephen Diffley

Staff:

- Rusty Roth, Director, Development Services*
- Shelby Little, Planning & Zoning Manager*
- Jasmine Thornton, Planning & Zoning Administrator*
- Daniel White, City Attorney*
- Ines Embler, Secretary to the Board*

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the January 7, 2020 Planning Commission Meeting to order at 6:00PM.

Daniel White, City Attorney, explained the rules and procedures used in conducting the public hearings.

MINUTES:

20191167 December 3, 2019 Regular Planning Commission Meeting Minutes

Review and Approval of the December 3, 2019 Regular Planning Commission Meeting Minutes.

Mr. Diffley made a motion, seconded by Mr. McClure, to recommend approval of the Planning Commission Work Session and Planning Commission Meeting Minutes as submitted. The motion carried 7-0-0.

Approved and Finalized

Absent: 0
Vote For: 7
Vote Against: 0

REZONINGS:**20191100****Z2020-02 [REZONING] THAD HIGGINS (JEAN E. JOHNSON JR & JOHN S. THOMBLEY)**

Z2020-02 [REZONING] THAD HIGGINS (JEAN E. JOHNSON JR & JOHN S. THOMBLEY) are requesting the rezoning of 0.52 acres located in Land Lot 1216, District 16, Parcels 0180, 0190, & 0200 of the 2nd Section, Cobb County, Georgia, and being known as 104 Cole Street and 314 & 320 Fort Street from OI (Office Institutional) to R-4 (Single Family Residential - 4 units/acre). Ward 5A.

File number Z2020-02 was presented by Ms. Little for a request to rezone property known as 104 Cole Street and 314 & 320 Fort Street from OI (Office Institutional) to R-4 (Single Family Residential - 4 units/acre).

A public hearing was held.

Mr. Thad Higgins is requesting to rezone property known as 104 Cole Street and 314 & 320 Fort Street from OI (Office Institutional) to R-4 (Single Family Residential - 4 units/acre).

There were two (2) in opposition to this request. Mr. Steve Woodman and Mr. Robert Ashburn opposed.

Mr. Woodman opposed siting concern over the setback between the two properties. He feels a 10-foot setback is too close and would like the setback to remain 35 feet as is required in OI. He expressed concern over possible noise from people and garbage pickup.

Mr. Ashburn opposed saying his house looks right at the lots that are planned. He passed out a handout showing his recommendation, which was to move the garages to the back by creating an alleyway entrance to the back for all three houses. He feels the driveways in the front would pose a hazard to pedestrians on such a narrow street.

In his rebuttal, Mr. Higgins stated that his intent is to build a wall at the 10-foot line, not on the property line and that the proposed structure is at least 50 feet from Mr. Woodman's structure. He said that this development would allow play space in the back yard and that putting garages in the rear would negate that. He also said he would not have enough space to do an alleyway on the property.

The board members asked questions pertaining to the setback, the property line between he and Mr. Woodman and the area that is being demolished. Mr. Higgins explained satisfactorily and said that Mr. Woodman's parking lot does not connect with the area being demolished.

Mr. McClure asked for clarification regarding the requested setbacks and Mr. Roth explained. Chairman Kinney said that a 10-foot setback is within the code requirements of an R4 zoning.

The public hearing was closed.

Mr. Diffley made a motion, seconded by Mr. Davis to recommend approval as stipulated. The motion carried 6-1-0. Mr. McClure opposed.

If Council approves the rezoning, the following stipulations would be incorporated as conditions of zoning:

Stipulations:

- 1. The garages shall be used for parking and storage of vehicles and may not be enclosed to provide for additional residential space. This shall be included as a deed restriction on all sales information.*
- 2. The applicant will donate the right of way shown on the rezoning plan to the City.*
- 3. Increase edge of pavement radius at the intersection of Cole and Fort Streets to 30'.*
- 4. Construct ADA ramp for the pedestrian crossing over Fort Street at Cole Street.*
- 5. Remove existing retaining wall along Fort Street.*

Recommended for Approval

Absent: 0
Vote For: 6
Vote Against: 1

ADJOURNMENT:

The January 7, 2020 Planning Commission Meeting adjourned at 6:43PM.

ROBERT W. KINNEY, CHAIRMAN

INES EMBLER, SECRETARY