



City of Marietta
Meeting Minutes
PLANNING COMMISSION

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Bob Kinney - Chairman
Stephen Diffley - Vice Chairman
Craig Smith, Ward 1
Frasure Hunter, Ward 2
Boozer McClure, Ward 3
Byron "Tee" Anderson, Ward 4
Brenda McCrae, Ward 5

Tuesday, May 2, 2023

6:00 PM

City Hall Council Chambers

*Present: Robert Kinney, Stephen Diffley, Frasure Hunter, Boozer McClure,
Byron 'Tee' Anderson*

Absent: Brenda McCrae, Craig Smith

*Staff: Rusty Roth, Director of Development Services;
Shelby Little, Planning & Zoning Manager;
Douglas Haynie, City Attorney;
Lisa Rajabnik, Planning & Zoning Coordinator.*

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the Tuesday, May 2, 2023, Planning Commission Meeting to order at 6:00PM.

Mr. Haynie, City Attorney, explained the rules and procedures used in conducting public hearings.

MINUTES:

20230349

March 1, 2023 Planning Commission Meeting Minutes

Approval of the Wednesday, March 1, 2023, Planning Commission Work Session, and Regular Meeting Minutes.

Mr. Diffley made a motion, seconded by Mr. McClure, to approve the March 1, 2023, Planning Commission Work Session, and Regular Meeting Minutes. The motion carried 5-0-0.

Approved and Finalized

Absent: 2

Vote For: 5

REZONINGS:

20230289 Z2023-07 [REZONING] REBECCA BERTHOLD (JUDD BARE)

Z2023-07 [REZONING] REBECCA BERTHOLD (JUDD BARE) are requesting the rezoning of 0.46 acres located in Land Lot 287, District 17, Parcel 0590 of the 2nd Section, Cobb County, Georgia, and being known as 524 West Atlanta Street from NRC (Neighborhood Retail Commercial) to LI (Light Industrial). Ward 1A.

Ms. Little introduced case Z2023-07.

A public hearing was held in consideration.

Ms. Berthold (applicant) represented the request.

Ms. Liz Helenek (property owner, Welch Street) and Ms. Stacie Vaughn (resident) were present to oppose the request. Individually they expressed concerns over the property's disrepair. They cited damage caused by fallen trees and how the appearance of the property has had a negative effect on their property values.

Mr. Kinney advised the opposition that their concerns would be best addressed to the owner and to code enforcement and unrelated to the zoning of the property.

Mr. Kinney asked Ms. Berthold if the appearance of the property would change. Ms. Berthold explained she intended to add a business sign to the front of the building only.

Mr. Duffley asked Ms. Berthold about her customer base. She described her business as custom printing with established accounts, little to no foot traffic and minimal parcel service vehicles. There are 2 employees and occasionally a third seasonal employee.

With no further discussion Mr. Kinney closed the public hearing.

Mr. Kinney made a motion, seconded by Mr. Hunter, to recommend approval of NRC zoning with the additional use of T-Shirt printing. The motion carried 5-0-0.

Recommended for Approval as Stipulated

Absent: 2

Vote For: 5

20230269

Z2023-09 [REZONING] RAJANIKANTH PANDIRI

Z2023-09 [REZONING] RAJANIKANTH PANDIRI is requesting the rezoning of 0.123 acres located in Land Lot 290, District 17, Parcel 0580, 2nd Section, Marietta, Cobb County, Georgia, and being known as 374 Kings Court from RA-6 (Single Family Residential Attached - 6 units/acre) to RA-6 (Single Family Residential Attached - 6 units/acre) with a variance to increase the density to 16.3 units/acre. Ward 1A.

Ms. Little introduced case Z2023-09.

A public hearing was held in consideration.

Mr. Rajanikanth Pandiri (owner) and Ms. Sonya Beredimas, represented the request and stated the main objective in planning was to bring the property into compliance and make one unit of the duplex a primary residence and the secondary unit for relatives.

There was no opposition or support for the request.

Mr. Kinney, in light of the Council's position on duplex development, suggested Mr. Pandiri consider zoning the property R-4 and remodeling as a single-family residence.

Mr. Pandiri stated, he wished to proceed with his request as submitted.

Mr. Diffley reiterated, moving forward with the request as submitted would require a significant number of variances to be approved and would not be considered favorably by Council.

Mr. Hunter made a motion, seconded by Mr. Diffley, to make no recommendation to Council. The motion carried 5-0-0.

Approval of the request as submitted would require incorporation of the following variances:

- 1. Variance to reduce the minimum lot size for a duplex from 11,000 sq.ft. to 5,377 sq.ft. [§708.06 (H)]*
- 2. Variance to increase the density to 16.3 units/acre. [§708.06 (H)]*
- 3. Variance to reduce the minimum floor area per unit from 1,150 sq.ft. to 1,000 sq.ft. [§708.06 (H)]*
- 4. Variance to increase the maximum lot coverage from 35% to 38%. [§708.06 (H)] (based on Staff calculation of new total heated square feet/lot size - 2,033 sq.ft./5,377 sq.ft.)*

5. *Variance to reduce the front setback from 25 ft. to 22 ft. [§708.06 (H)] (based on Staff measurement)*
6. *Variance to reduce the rear setback from 30 ft. to 15 ft. [§708.06 (H)]*
7. *Variance to eliminate the requirement for the provision of a guest parking space [§716.07 (Table J)]*

No Recommendation

Absent: 2

Vote For: 5

20230305

Z2023-10 [REZONING] SKY PROP, LLC.

Z2023-10 [REZONING] SKY PROP, LLC. is requesting the rezoning of 0.66 acres located in Land Lot 1215, District 16, Parcels 1500 & 0440 of the 2nd Section, Cobb County, Georgia, and being known as 523 & 533 Washington Avenue from R-4 (Single Family Residential - 4 units/acre) and CRC (Community Retail Commercial) to CRC (Community Retail Commercial). Ward 5A.

Ms. Little introduced case Z2023-10.

A public hearing was held in consideration.

Mr. Heath Meadows (General Contractor) and Dr. Richard Schuyler (Owner) represented the request and explained the details of the proposed project.

There was no opposition or support for the request.

The Board asked questions regarding the requested variances and the options for consideration. Ms. Little and the applicants offered explanation and clarification to the satisfaction of the Board.

The public hearing was closed.

Mr. Diffley made a motion, seconded by Mr. Hunter, to recommend approval to rezone both properties to CRC with 4 variances. The motion carried 3-2-0. Mr. Anderson and Mr. McClure opposed.

Should Council approve, the following variances would be incorporated as conditions of zoning:

1. *Variance to allow the existing sidewalk to remain along the entire frontage in lieu of constructing a 6-foot sidewalk with 2-foot grass strip. [§712.09 (F.4.a.i)]*
2. *Variance to increase the maximum front setback from 16 ft. to 18 ft. [§712.09 (F.2.b.i)]*
3. *Variance to reduce the setback for an accessory structure adjacent to residential from 25 ft. to 24 ft. [§708.16 (F.1)]*
4. *Variance to allow two garages (accessory structures) not to reflect the architectural style and building material of the dwelling (principal) structure. [§712.09 (F.3.b.ix)]*

Recommended for Approval

Absent: 2
Vote For: 3
Vote Against: 2

OTHER BUSINESS:

ADJOURNMENT:

The May 2, 2023, Planning Commission Meeting adjourned at 6:42PM.


ROBERT W. KINNEY, CHAIRMAN


LISA H. RAJABNIK, SECRETARY

