



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes PLANNING COMMISSION

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

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Tuesday, July 3, 2018

6:00 PM

City Hall Council Chambers

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*Present: Bob Kinney, Jay Davis, Frasure Hunter, Hicks Poor, Byron "Tee" Anderson, Brenda McCrae and Stephen Diffley*

*Staff:*

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

### CALL TO ORDER & ROLL CALL:

*Chairman Kinney called the July 3, 2018 Planning Commission Meeting to order at 6:00PM.*

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

### MINUTES:

#### **20180711 June 5, 2018 Regular Planning Commission Meeting Minutes**

#### **Review and Approval of the June 5, 2018 Regular Planning Commission Meeting Minutes.**

*Mr. Diffley made a motion, seconded by Mr. Hunter, to recommend approval of the Planning Commission Work Session and Planning Commission Meeting Minutes as submitted. The motion carried 5-0-2. Chairman Kinney and Ms. McCrae abstained.*

#### **Approved and Finalized**

**Absent: 0**  
**Vote For: 5**  
**Vote Against: 0**

**REZONINGS:**

**20180623**

**Z2018-19 [REZONING] DMJ REAL ESTATE LLC**

**Z2018-19 [REZONING] DMJ REAL ESTATE LLC is requesting the rezoning of approximately 0.28 acres located in Land Lot 1159, District 16, Parcel 0270, 2nd Section, Marietta, Cobb County, Georgia, and being known as 192 Church Street from OI (Office Institutional) to R-4 (Single Family Residential - 4 units/acre). Ward 3A.**

*File number Z2018-19 was presented by Ms. Little for a request to rezone property known as 192 Church Street from OI (Office Institutional) to R-4 (Single Family Residential - 4 units/acre)*

*A public hearing was held.*

*Mr. Andrew Hairetis is requesting to rezone property known as 192 Church Street from OI (Office Institutional) to R-4 (Single Family Residential - 4 units/acre).*

*There was no opposition to this request.*

*Mr. Diffley asked questions pertaining to the possible blind spot during egress from their driveway and if the picket fence was being removed. Mr. Hairetis said he doesn't feel there is a blind spot issue; there are only two vehicles, possibly three in the home and that there is also a sidewalk just before you exit allowing for safe view of incoming traffic. He said they plan on keeping the fence and will likely paint it.*

*Chairman Kinney asked what year the house was built and whether he was going to have to update the electrical and plumbing. Mr. Hairetis said he believes it was built in 1887 and that all of the electrical and plumbing was updated by the previous owners.*

*The public hearing was closed.*

*If Council approves the rezoning, the following variances and stipulation would be incorporated as conditions of zoning:*

- 1. Variance to reduce the minimum lot width from 75' to 74.96'. [§708.04 (H)]*
- 2. Variance to increase the allowable impervious surface from 50% to 78%. [§708.04 (H)]*
- 3. Variance to increase the allowable height for the existing structure only. Any new additions must comply with 35' height limit. [§708.04 (H)]*
- 4. Variance to reduce the major side yard setback along Ardis Street from 25' to 11'. [§708.04 (H)]*
- 5. Variance to reduce the minor side yard setback from 10' to 2'. [§708.04 (H)]*
- 6. Variance to reduce the setback for a wall and fence from 2' to 0'. [§710.04 (D.1)]*
- 7. Variance to allow the existing gazebo (accessory structure) remain closer to the road than the house. [§708.04 (F.1)]*
- 8. Variance to increase the area of the front yard allowed to be paved from 35% to 74%. [§716.08 (C.8)]*
- 9. Variance to allow a curb cut to be 37' wide and within 20' of a property line. [§716.08 (C.8)]*
- 10. Variance to reduce the 2' setback along the right of way for a fence or wall to 0' along Ardis Street. [§710.04 (D.4)]*
- 11. Variance to allow a 6' fence on top of a 2' wall on a major side. [§710.04 (D.2)]*

*Mr. Anderson made a motion, seconded by Mr. Diffley, to recommend approval as submitted. The motion carried 7-0-0.*

**Recommended for Approval**

**Absent: 0  
Vote For: 7  
Vote Against: 0**

20180601

**Z2018-20 [REZONING] CITY OF MARIETTA**

**Z2018-20 [REZONING] CITY OF MARIETTA is requesting the rezoning of 6.72 acres located in Land Lot 578, District 17, Parcel 0010, 2nd Section, Marietta, Cobb County, Georgia, and being known as 550 Franklin Gateway from CRC (Community Retail Commercial) to PCD (Planned Commercial Development). Ward 1A.**

*Ms. Little, for the City, is requesting to rezone property known as 550 Franklin Gateway from CRC (Community Retail Commercial) to PCD (Planned Commercial Development) in order to give the property a commercial zoning so that it could be marketed for potential buyers.*

*There was no opposition to this request.*

*Chairman Kinney said it was his understanding that this would be the new zoning for the property, but when somebody had an idea for something it would then return to the Planning Commission for them to review the detail plan. Ms. Little explained that when someone comes with the proposal with use and site design it would go to City Council through the committee process. The detail plan would not actually come back through Planning Commission.*

*Chairman Kinney asked if an applicant would need some sort of plan for PRD (Planned Residential Development) when presenting to the Planning Commission. Ms. Little explained that there is an option to as well as an option to rezone to PCD (Planned Commercial Development), with no plan and in that case, when the detail plan is ready City would post the property and it would go to City Council. Mr. Roth and Mr. White said that Chairman Kinney could make that request as part of their motion.*

*Ms. McCrae asked if this could be multiple establishments. Mr. White stated that it would be whenever a developer comes in that would want to buy the property and they would have to come in with a detailed plan. Normally they just go to council, so it would not be for everybody that moves in, just for the developer buying the lot.*

*The public hearing was closed.*

*Mr. Diffley made a motion, seconded by Ms. McCrae, to recommend approval as submitted with a request that any future detailed plans return to Planning Commission for review. The motion carried 7-0-0.*

*If Council approves the rezoning, Planning Commission is requesting that any future detailed plans return to them for review as condition of zoning.*

**Recommended for Approval as Stipulated**

**Absent: 0**  
**Vote For: 7**  
**Vote Against: 0**

**OTHER BUSINESS:****20180706          Planning Commission - Election of Chairman****Election of Chairman to serve for one year to July 2019.**

*Daniel White, City Attorney, opened the floor for nominations for the position of Chairman for the term of one year to July 2019.*

*Mr. Diffley nominated Mr. Kinney for election as Chairman. Hearing no other nominations, the nominations were closed.*

*Mr. Davis made a motion to elect Mr. Kinney, seconded by Mr. Poor. The motion carried 6-0-1. Mr. Kinney Abstained.*

**Approved and Finalized**

**Absent: 0**  
**Vote For: 6**  
**Vote Against: 0**

**20180707          Planning Commission - Election of Vice Chairman****Election of Vice Chairman to serve for one year to July 2019.**

*Daniel White, City Attorney, opened the floor for nominations for the position of Vice Chairman for the term of one year to July 2019.*

*Mr. Kinney nominated Mr. Diffley for election as Vice Chairman. Hearing no other nominations, the nominations were closed.*

*Mr. Kinney made a motion to elect Mr. Diffley, seconded by Mr. Poor. The motion carried 6-0-1. Mr. Diffley Abstained.*

**Approved and Finalized**

**Absent: 0**  
**Vote For: 6**  
**Vote Against: 0**

**ADJOURNMENT:**

*The July 3, 2018 Planning Commission Meeting adjourned at 6:18PM.*

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*ROBERT W. KINNEY, CHAIRMAN*

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*INES EMBLER, SECRETARY*