

**CITY OF HOSCHTON
PLANNING AND ZONING COMMISSION
MINUTES**

April 16, 2018

6: 15 P.M. Hoschton City Hall

Members Present:

Richard Shepherd
Dr. Melina Rada-Johnson
James Lawson

City Officials/Staff Present:

Jerry Weitz, Consulting Planner

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:15 p.m. by Chairman Shepherd. Commissioners Shepherd, Rada-Johnson and Lawson were present.

APPROVAL OF MINUTES

On a motion by Mr. Shepherd, seconded by Mr. Lawson, the minutes of the February 19, 2018, meeting of the Planning and Zoning Commission were unanimously approved (3-0).

NEW BUSINESS

- 1. Z-18-02 Rezoning Tracy Carswell, applicant, Betty R. Dahler, property owner, seeks to rezone 1.64 acres fronting approximately 350 feet on the west side of White Street approximately 420 feet south of West Broad Street (320 White Street; Map/Parcel H01 0138) from R-1, Low Density Residential, to OR, Office Residential District. Proposed Use: Office and/or residence.**

Chairman Shepherd called the agenda item and Mr. Weitz summarized the application and the staff recommendation which was for conditional approval. Tracy Carswell presented the application, indicated this was a home-based construction management company. Workers do not typically visit the business, and trucks are parked at people's homes most of the time. Employees do visit the site to utilize tools. Equipment consists of three trailers, one large and 2 small ones. He indicated further that the outbuildings on the site need repair and that drainage has eroded the topsoil from the property. He also indicated he would like to landscape the lot.

Mr. Carswell indicated concerns with the recommended conditions of zoning approval. He prepared and submitted written commentary (attached to these minutes). He said he did not approve of giving the right of way along White Street, and that a fence had been constructed within the right of way requested. The condition requiring inside storage of trailers is also problematic – He suggested an alternative that the trailers be out of sight instead, such as screened by a fence. Mr. Carswell also did not agree to build the new accessory building with four sides brick but agreed to have one side finished with brick. He also did not agree to face the building to the south and asked that the recommended condition be modified so that the garage

could face White Street. Mr. Carswell did not have an issue with the recommended condition pertaining to signage and indicated the business probably won't need a sign.

Melissa Broy, resident of Panther Court suggested that right of way along White Street be acquired evenly rather than one at a time. Eudene Tyndell, resident of White Street, spoke on behalf of the applicant and indicated she did not understand the suggested condition for dedicating right of way along White Street.

There was discussion regarding drainage. Mr. Carswell indicated that the water and sewer lines run along White Street outside of the right of way. Commissioner Rada-Johnson shared her opinion that some brick, with hardi-board siding should be acceptable for the accessory building. On the zoning conditions, Chairman Shepherd suggested that the right of way remain a requirement, that the enclosed storage condition be modified to allow two personal items, that brick be required for the front of the proposed accessory building (with hardi-plank siding being acceptable on other sides, and that condition 4(d) regarding orientation of the garage doors be deleted given the applicant's contention it was not feasible due to topography. A motion was made by Mr. Shepherd, seconded by Commissioner Rada-Johnson, approved unanimously (3-0) to recommend the rezoning application be approved subject to the following conditions:

1. **Right of way.** The owner shall dedicate at no cost to the city an additional 11 feet of right of way (25 feet from the centerline) along the entire property frontage of White Street prior to issuance of any building permit on the subject property and in no case later than six (6) months from the date of rezoning approval. The owner/applicant shall be responsible for the cost of surveying and legal work necessary to prepare a dedication plat and warranty deed. The dedication shall be subject to the approval of the Hoschton City Council.
2. **Storage.** No construction materials, equipment (except two items of a personal nature), or vehicles of a construction or commercial nature, shall be stored outside of a building or accessory building on the property.
3. **Drainage and stormwater management.** Additional impervious area or additional land disturbing activity shall be limited to 5,000 square feet, unless plans are prepared by the owner or applicant's civil engineer and approved by the city which demonstrate compliance with Chapter 21, "Post-Development Stormwater Management for New Development and Redevelopment," of the Hoschton City Code.
4. **Accessory building.** Any additional accessory building shall meet the following requirements:
 - A. **Setback.** It shall be setback a minimum of thirty (30) feet from any property line.
 - B. **Location.** It shall be placed north of the existing driveway.

- C. **Exterior materials and roof.** Such additional accessory building shall if constructed be of brick on the front facing White Street. Hardi-plank siding is acceptable on other sides of the building.
5. **Signage.** Permanent ground signage shall be limited to one ground sign not exceeding four (4) feet in height and an area of sixteen (16) square feet, unlighted. This condition shall not preclude the property owner from erecting another sign which may be otherwise permitted on the lot pursuant to the Hoschton Sign Ordinance.
2. **City of Hoschton, applicant, An Ordinance To Amend the Subdivision and Land Development Ordinance of the City of Hoschton, Article VI, "Access and Design Requirements for Roads," Section 613, "Road Right-of-Way Widths, Miters, and Pavement Widths," to Change the Minimum Pavement Width for a Local Residential Street from 24 feet from back of curb to back of curb to 26 feet from back of curb to back of curb.**

Mr. Weitz explained the purpose of the amendment. During public hearing, Melissa Broy asked questions. Dr. Rada-Johnson shared issues about parking on the street in her subdivision and that it was an issue with the homeowners association. Weitz clarified that any subdivision with preliminary plat approval would not have to follow the new (wider street width) requirement. A motion by Chairman Shepherd, seconded by Commissioner Rada-Johnson to approve the proposed amendment was unanimously approved (3-0).

3. **City of Hoschton, applicant, An Ordinance to Amend the Zoning Ordinance of the City of Hoschton, Article VI, "Specific Use Provisions," Section 6.30, "Collection Bin," prohibit said uses; and to consider a change of definition of "collection bin" in Article XII, "Definitions."**

Mr. Weitz explained the purpose of the amendment. After discussion, a Motion made by Chairman Shepherd, seconded by Commissioner Lawson, to recommend approval of the amendment was unanimously approved (3-0).

ADJOURN

There being no further business, the meeting was adjourned at 7:03 p.m.

Respectfully Submitted,



Jerry Weitz, Acting Secretary

Approved:

Chairman