



City of Marietta
Meeting Minutes
PLANNING COMMISSION

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

(Col. Ret.) Kenneth Dollar, Ward 2 - CHAIRMAN
William Florence, Ward 1 *Carol Ann Sonnenfeld, Ward 3*
Donald Gillis, Ward 4 *Kenneth Carter, Ward 5*
Bob Kinney, Ward 6 *Benjamin Parker, Ward 7*

Tuesday, April 3, 2007

6:00 PM

City Hall Council Chambers

Present: William Florence, (Col. Ret.) Kenneth Dollar, R. W. "Bob" Kinney, Benjamin Parker and Carol Sonnenfeld
Absent: Kenneth Carter

Staff:

Brian Binzer, Development Services Director
Patsy Bryan, Secretary to the Board
Julie McQueen, Urban Planner
Nathan Lawrence, Urban Planner
Daniel White, City Attorney

CALL TO ORDER & ROLL CALL:

Chairman Dollar called the April 3, 2007 Planning Commission Meeting to order at 6:13 p.m.

MINUTES:

20070325 February 6, 2007 Regular Planning Commission Meeting Minutes

Review and Approval of the February 6, 2007 Regular Planning Commission Meeting Minutes

Mr. Kinney made a motion to approve the February 6, 2007 Regular Planning Commission Meeting Minutes, seconded by Mr. Florence. Motion carried 6 - 0 - 0.

A motion was made by Commissioner Kinney, seconded by Commissioner Florence, that this matter be Approved. The motion carried by the following vote:

Vote: 5 - 0 - 0

Approved

CODE AMENDMENTS:

20061283 CA2007-13 Proposed amendment to Division 724, Definitions (Four-sided architecture)

Ord 7030 CA2007-13 Review and approval of Division 724, Definitions, Section 724.02 of the Comprehensive Development Code regarding definition of four-sided architecture.

File #20061283 (CA2007-13) was presented by Ms. McQueen for proposed amendment to Division 724, Definitions (Four-sided architecture).

CA2007-13 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT CODE. The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the request to amend the Comprehensive Development Code of the City of Marietta relating to Division 724 of the Zoning Ordinance regarding Definition of Terms (724.02).

Mr. Wilson made a motion to approve as presented, seconded by Mr. Florence. Motion 5 - 1 - 0 with Chairman Dollar opposed.

A motion was made, seconded by Commissioner Florence, that this matter be Approved. The motion carried by the following vote:

Vote: 4 - 1 - 0

Approved

Vote Against: 1 - (Col. Ret.) Kenneth Dollar

20061286 CA2007-03 Proposed amendment to Section 716.08 Surface Parking Standards

Ord 7033

CA2007-03 Review and approval of Section 716.08 of the Comprehensive Development Code regarding Surface Parking Standards.

File #20061286 (CA2007-03) was presented by Ms. McQueen for proposed amendment to Section 716.08 (Surface Parking Standards)

CA2007-03 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT CODE. The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the request to amend the Comprehensive Development Code of the City of Marietta relating to Section 716.08 of the Zoning Ordinance, regarding Surface Parking Standards.

Mr. Kinney - Staff was directed to revise amendment to remove stone as an acceptable parking surface. Mr. Kinney recommends to City Council that we accept that piece of revision as submitted and add to that recommendation that they think about revising how they describe vehicles in this ordinance and is it consistent with other descriptions of vehicles elsewhere in the city code, seconded by Mr. Parker.

Mr. Parker discussed number of homes with gravel driveways, grass driveways or no driveways. Mr. Parker feels like this should be reviewed because it is strictly hurting elderly and poor.

Mr. Wilson agreed with Mr. Parker and feels like it should be turned down.

Mr. Wilson made a substitute motion to turn it down.

Mr. Kinney identified Draft 2 as the draft item that he supports, which gives Planning and Zoning Director discretion on houses that have more than 3 spaces as described in Item 3, Section C.

Mr. Kinney amended his motion to select Draft 2, seconded by Mrs. Sonnenfeld.

Mr. Wilson made a substitute motion to not approve as submitted, seconded by Mr. Parker. 3 in favor, 3 opposed, substitute motion did not carry.

Since above motion did not carry, amended motion was brought back up.

Mr. Kinney restated his original motion that staff was directed to review removing stone from the surface parking standard ordinance and recommend to City Council acceptance of language and add a further recommendation to review definition of a vehicle in this ordinance for consistency and understandability and does it apply to any other ordinances so that the definition of vehicle becomes straight forward and not confusing and that Draft 2 be selected.

Mr. Parker commented about a fine be imposed if not in compliance within a certain period of time.

3 in favor, 3 opposed, therefore, the original motion as amended did not carry.

Daniel White explained that these are requirements that will be grandfathered unless you need a variance, new zoning application or have new construction.

Mr. Kinney redid his original motion now that commissioners understand that the existing houses are grandfathered and that this applies to new work. Original motion selecting Draft 2 with the supplement of looking at definition of vehicles is not clear.

Mr. Kinney restated his original motion as staff being directed to review this ordinance to be able to delete stone and gravel driveways applicable to new work and that existing houses with gravel driveways will be grandfathered in. Mr. Kinney moved to accept deletion of stone as submitted and added recommendation that the City Council direct staff to review definition of vehicles because definition of vehicles is confusing.

Daniel White stated that Mr. Kinney is moving to approve the language as submitted by staff with Draft 2 with further recommendation that City Council ask staff to review standards for vehicle weight or the definition of vehicles, seconded Mr. Florence.

Extensive discussion continued regarding the issue of gravel driveways.

Mr. Florence seconded Mr. Kinney's motion to approve. Motion to approve did not carry. Opposed Mr. Wilson, Mr. Parker, Chairman Dollar, Mrs. Sonnenfeld.

Mr. Wilson made a motion to deny, seconded by Mr. Parker with Mr. Kinney and Mr. Florence opposed. In favor of denying: Mr. Wilson, Mr. Parker, Mrs. Sonnenfeld and Chairman Dollar.

Motion carried 4 - 2 - 0 to deny.

A motion was made, seconded by Commissioner Parker, that this matter be Recommended for Denial. The motion carried by the following vote:

Vote: 3 - 2 - 0 Recommended for Denial

Vote Against: 2 - William Florence and R. W. "Bob" Kinney

20070090 CA2007-12 Proposed amendment to Division 712.08, Paragraph G, regarding parking lot landscaping

Ord 7031 CA2007-12 Review and approval of Division 712.08, Paragraph G, of the Comprehensive Development Code regarding parking lot landscaping

A motion was made by Commissioner Kinney that this matter be Recommended for Approval. The motion carried by the following vote:

Vote: 4 - 1 - 0 Recommended for Approval

Vote Against: 1 - (Col. Ret.) Kenneth Dollar

20070204 CA2007-11 Proposed amendment to Division 712, Section 712.01, Table B and Division 712, Section 712.04 for language regarding Type B Home Occupation

Ord 7032 CA2007-11 Review and approval of Division 712, Section 712.01, Table B and Division 712, Section 712.04 of the Comprehensive Development Code regarding language for Type B Home Occupation

File #20070204 (CA2007-11) was presented by Ms. McQueen for proposed amendment to Division 712, Section 712.01, Table B and Division 712, Section 712.04 regarding language for Type B Home Occupation.

CA2007-11 AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT CODE. The City of Marietta hereby gives notice that a public hearing will be held to give consideration to the request to amend the Comprehensive Development Code of the City of Marietta relating to Division 712 of the Zoning Ordinance, regarding Special Land Use Permits (Section 712.01, Table B) and Home Occupations (Section 712.04).

Mr. Wilson made a motion to approve as submitted, seconded by Mr. Florence. Motion carried 6 - 0 - 0 to approve.

A motion was made, seconded by Commissioner Florence, that this matter be Recommended for Approval. The motion carried by the following vote:

Vote: 5 - 0 - 0 Recommended for Approval

ADJOURNMENT:

KEN DOLLAR, CHAIRMAN

PATSY BRYAN, SECRETARY