



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes PLANNING COMMISSION

Bob Kinney - Chairman
Kent Rosenbury, Ward 1
Frasure Hunter, Ward 2
Hicks Poor, Ward 3
Roy Vanderslice, Ward 4
Brenda McCrae, Ward 5
Stephen Diffley, Ward 7

Tuesday, August 4, 2015

6:00 PM

City Hall Council Chambers

Present: Bob Kinney, Stephen Diffley, Roy Vanderslice, Hicks Poor, Brenda McCrae, Kent Rosenbury and Frasure Hunter

Staff:

Brian Binzer, Development Services Director
Rusty Roth, Planning & Zoning Manager
Ines Embler, Secretary to the Board
Shelby Winkles, Zoning Administrator
Jasmine Chatman, Planner
Daniel White, City Attorney

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the August 4, 2015 Planning Commission Meeting to order at 6:00 PM

MINUTES:

20150662

July 1, 2015 Regular Planning Commission Meeting Minutes

Review and Approval of the July 1, 2015 Regular Planning Commission Meeting Minutes.

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

Approved and Finalized

Absent: 0
Vote For: 7
Vote Against: 0

REZONINGS/ANNEXATIONS/FUTURE LAND USE:

20150616 Z2015-27 [REZONING] MICHAEL GOOD

Z2015-27 [REZONING] MICHAEL GOOD requesting rezoning for property located in Land Lot 1168, District 16, Parcel 0640, 2nd Section, Cobb, Cobb County, Georgia and being known as 296 Sourwood Drive from R-20 (Single Family Residential - County) to R-2 (Single Family Residential - 2 units/acre). Ward 5A.

File number Z2015-27 was presented by Mr. Roth for a request to rezone property located at 296 Sourwood Drive from R-20 (Single Family Residential-County) to R-2 (Single Family Residential-2 units/acre).

A public hearing was held.

Dr. Michael Good, is requesting to rezone property located at 296 Sourwood Drive from R-20 (Single Family Residential-County) to R-2 (Single Family Residential-2 units/acre) in order to annex into the City of Marietta.

There were many in opposition in the audience to this request. Five (5) opposed spoke: Richard Brumley, Jeffrey Garland, Melissa Johnson, Amy Sharp (Gergans) and Alison Brumley.

The opposition's main concerns were that Dr. Good would use the property for other than residential use or that he would rezone it to commercial use in the future; that their property values would be diminished by a house near them now belonging to the Marietta School District; that City services trucks and school buses would add to their traffic issues; and that emergency responders would be confused as to which jurisdiction to send out in an emergency.

Dr. Good responded to the oppositions concerns by stating that his intention is for his nephew to live there at present and in the future he and his mother. He also has a rescue foundation and uses the house to meet with volunteers. He has no plans to convert the house to commercial use.

Ms. McCrae asked how many dogs are presently in the house, and Dr. Good said one (1) dog.

Mr. Rosenbury asked how often are the volunteer meetings held, how many cars park in the driveway and if they are parked overnight. Dr. Good said there are about six (6) or seven (7) cars; that they meet once a month and that the cars are not left there overnight. On a daily basis there are three (3) cars parked on the property.

The public hearing was closed.

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

A motion was made by Diffley, seconded by Vanderslice, that this ordinance be recommended for approval. The motion CARRIED by the following vote.

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

20150617

A2015-05 [ANNEXATION] MICHAEL GOOD

A2015-05 [ANNEXATION] MICHAEL GOOD requesting the annexation of property located in Land Lot 1168, District 16, Parcel 0640 (also known as 296 Sourwood Drive), of the 2nd Section, Cobb County, Georgia consisting of 0.171 acres. Ward 5A.

File number A2015-05 was presented by Mr. Roth for a request to annex property located in Land Lot 1168, District 16, Parcel 0640 (also known as 296 Sourwood Drive).

A public hearing was held.

Mr. Kinney asked Dr. Good if he is incorporating his previous remarks to this request and he affirmed.

There were three (3) in opposition to this request: Amy Sharp (Gergans), Mary George and Melissa Johnson.

Ms. Sharp (Gergans), Ms. George and Ms. Johnson opposed for the same various reasons previously opposed by the opposition in the rezoning case. Ms. Sharp (Gergans) questioned the integrity of the Planning Commission Members with insinuations regarding the relationship between Dr. Good and the board members. Mr. Vanderslice objected to the improper and un-founded insinuations.

Ms. George asked if the property is annexed and zoned into the City and Dr. Good wishes to change the zoning to industrial in the future, if she as a Cobb County resident would be allowed to oppose. Mr. Kinney said "yes", and explained the process.

Dr. Good assured everyone that he is not asking anyone for favors and does not personally know any of the board members.

The public hearing was closed.

Mr. Vanderslice made a motion, seconded by Ms. McCrae to recommend approval as submitted. Mr. Poor opposed. The Motion carried 6-1-0.

A motion was made by Vanderslice, seconded by McCrae, that this ordinance be recommended for approval. The motion CARRIED by the following vote.

**Absent: 0
Vote For: 6
Vote Against: 1**

20150618

CA2015-06 [CODE AMENDMENT]

CA2015-06 [CODE AMENDMENT] In conjunction with the requested annexation of property in 1168, District 16, Parcel 0640 (also known as 296 Sourwood Drive), the City of Marietta proposes to designate the Future Land Use of said property as IM (Industrial Manufacturing). Ward 5A.

File number CA2015-06 was presented by Mr. Roth for a Code Amendment in conjunction with the requested annexation of property located in Land Lot 1168, District 16, Parcel 0640 (also known as 296 Sourwood Drive).

A public hearing was held.

Mr. Kinney asked Dr. Good if he supports this request and he affirmed.

There was no one in opposition to this request.

Mr. Rosenbury asked Staff how often is the Future Land Use map updated. Mr. Roth replied that they generally for specific areas of the City that are transitional or similar in nature are looked at annually and every ten (10) years they are required by the State to do major updates.

Mr. Rosenbury asked Mr. Roth for affirmation that Future Land Use maps are just a guideline and that rezonings are not encumbered by their designation and Mr. Roth affirmed.

The public hearing was closed.

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

A motion was made by Rosenbury, seconded by Diffley, that this ordinance be recommended for approval. The motion CARRIED by the following vote.

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

20150561

Z2015-26 [REZONING] CITY OF MARIETTA

Z2015-26 [REZONING] CITY OF MARIETTA request rezoning for property located in Land Lots 1212 & 1213, District 16, 2nd Section, Marietta, Cobb County, Georgia and being known as Adams Circle, Beavers Street and Gunter Street right-of-way from unzoned to PRD-SF [Planned Residential Development - Single Family]. Ward 5A.

File number Z2015-26 was presented by Mr. Roth for a request to rezone property located in Land Lots 1212 & 1213, District 16, 2nd Section, Marietta, Cobb County, Georgia and being known as Adams Circle, Beavers Street and Gunter Street right of way from unzoned to PRD SF [Planned Residential Development-Single Family].

A public hearing was held.

The City of Marietta is requesting to rezone property known as Adams Circle, Beavers Street and Gunter Street right of way from unzoned to PRD SF [Planned Residential Development-Single Family] in order to be consistent with the current zoning in the area.

There was no one in opposition to this request.

The public hearing was closed.

Mr. Vanderslice made a motion, seconded by Mr. Poor to recommend approval as submitted. The Motion carried 7-0-0.

A motion was made by Vanderslice, seconded by Poor, that this ordinance be recommended for approval. The motion CARRIED by the following vote.

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

ADJOURNMENT:

The August 4, 2015 Planning Commission Meeting adjourned at 7:08 PM.


ROBERT W. KINNEY, CHAIRMAN


INES EMBLER, SECRETARY