



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes PLANNING COMMISSION

*(Col. Ret.) Kenneth Dollar, Ward 2 - Chairman*  
*Ann Watkins, Ward 1*  
*Patrick Thompson, Ward 3*  
*Vacant, Ward 4*  
*Kenneth Carter, Ward 5*  
*Bob Kinney, Ward 6*  
*Stephen Diffley, Ward 7*

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Tuesday, March 6, 2012

6:00 PM

City Hall Council Chambers

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Kenneth Dollar, R. W. "Bob" Kinney, Kenneth Carter, Ann Watkins, Stephen Diffley, and Patrick Thompson

*Staff:*

*Brian Binzer, Development Services Director*  
*Rusty Roth, Development Services Manager*  
*Patsy Bryan, Secretary to the Board*  
*Shelby Little, Urban Planner*  
*Daniel White, City Attorney*

### CALL TO ORDER & ROLL CALL:

*Chairman Dollar called the March 6, 2012 Planning Commission Meeting to order at 6:00 p.m.*

### MINUTES:

**20111060**

**November 1, 2011 Regular Planning Commission Meeting Minutes**

**Review and Approval of the November 1, 2011 Planning Commission Meeting Minutes**

*File #20111060 – November 1, 2011 Planning Commission Meeting Minutes*

*A public hearing was held.*

*Mr. Kinney moved to accept the November 1, 2011 Planning Commission Meeting Minutes, as submitted, seconded by Mr. Carter. Motion carried 4-0 with Mrs. Watkins abstaining.*

**A motion was made by R. W. "Bob" Kinney, seconded by Kenneth Carter, that**

this matter be Approved and Finalized . The motion carried by the following vote:

**Absent:** 1 - Thompson

**Abstain:** 1 - Watkins

## REZONINGS:

**20120096**

**Z2012-01 1744 Roswell Road, LLC: Paige Slyman 1744 Roswell Road**

**Z2012-01 [REZONING] 1744 Roswell Road, LLC: Paige Slyman request rezoning for property located in Land Lot 11700, District 16, Parcel 0910, 2nd Section, Marietta, Cobb County, Georgia and being known as 1744 Roswell Road from OI (Office Institutional) to CRC (Community Retail Commercial). Ward 7.**

*File #20120096 (Z2012-01) was presented by Mr. Roth for property located in Land Lot 11700, District 16, Parcel 0910, and being known as 1744 Roswell Road.*

*A public hearing was held.*

*The applicant and property owner for 1744 Roswell Road, LLC, Paige Slyman, is requesting rezoning from OI (Office Institutional) to CRC (Community Retail Commercial) in order to allow a wider range of business activity on the property that would include a hair salon.*

*Mr. Slyman submitted an appraisal report, statistics, and pictures of signs. The appraisal report was done in January of 2011 prior to Mr. Slyman purchasing the building out of foreclosure in July 2011.*

*If the hair salon is allowed to occupy this building, Mr. Slyman will have obtained 100% occupancy. Mr. Slyman has invested a significant amount of money for upgrades.*

*Mr. Slyman made reference to the current signage on this property.*

*There was no one in support or in opposition.*

*Mr. Kinney confirmed that the salon will be in suite 300 while Mr. Diffley confirmed the suite to be approximately 890 square feet.*

*Chairman Dollar continued questioning Mr. Slyman regarding square footage and signage.*

*Questions continued between Mr. Diffley and Mr. Slyman regarding the pylon sign.*

*Mr. Diffley questioned the hair salon owner, Patricia Bennett regarding the salon, clientele, booth rentals, and prices.*

*Chairman Dollar asked several questions regarding a market analysis.*

*Mrs. Bennett stated that she will start work April 7, 2012, if the rezoning is approved.*

*Mr. Kinney asked Mr. Slyman how long pylon sign has been there and it is estimated to have been there since the 1980s.*

*Mr. Kinney recommended retaining the OI zoning with the additional use of hair salon and includes the variances listed below and subject to the qualification that they disappear upon site redevelopment. Mr. Diffley seconded the motion. Motion carried 4 – 1 – 0 with Chairman Dollar opposed. The following variances are:*

- 1. Variance to reduce the buffer along the western property line from 40 feet to 25 feet until the site is redeveloped. [Section 708.16 (I)]*
- 2. Variance to reduce the buffer along the eastern and southern property line from 40 feet to 0 feet until the site is redeveloped. [Section 708.16 (I)]*
- 3. Variance to allow the current trees and landscaping conditions satisfy the requirements of Section 712.08 until the site is redeveloped.*
- 4. Variance to allow the existing nonconforming pylon along Roswell Street remain until the site is redeveloped. [Section 714.06 (C)(1)]*

**A motion was made by R. W. "Bob" Kinney, seconded by Stephen Diffley, that this matter be Recommended for Approval as Stipulated . The motion carried by the following vote:**

**Absent:** 1 - Thompson

**Vote Against:** 1 - Dollar

**OTHER BUSINESS:**

**20110889 CA2012-01 Amendment to the Comprehensive Development Code regarding Sidewalks**

**CA2012-01 [Code Amendment] Proposal to amend the Comprehensive Development Code of the City of Marietta, Division 732, Required Improvements, Section 732.07 Sidewalks.**

*File #20110889 (CA2012-01) was presented by Mr. Roth for a proposal to amend the Comprehensive Development Code of the City of Marietta, regarding Division 732, Section 732.07 Sidewalks. This is a proposed amendment to the ordinance that would specify all new sidewalks built along streets or public improvements would be a minimum of 5 feet wide and all other sidewalks would be a minimum of 4 feet wide. This is an issue that has been a policy for the city but for our purposes, it needs to be added to the code as part of the Zoning Ordinance.*

*A public hearing was held.*

*No one in favor or in opposition to this amendment.*

*Mr. Kinney made a motion to recommend to city council that this be approved as submitted, seconded by Mr. Carter. Motion carried 5-0-0.*

**A motion was made by R. W. "Bob" Kinney, seconded by Kenneth Carter, that this matter be Recommended for Approval . The motion carried by the following vote:**

**Absent:** 1 - Thompson

**20120225 Planning Commission - Election of Vice Chairman**

**Election of Vice Chairman to fill the unexpired term of Donald Gillis. The**

**remainder of the term is from March 2012 to July 2012.**

*File #20120225 - Planning Commission - Election of Vice Chairman*

*A public hearing was held.*

*Mr. Diffley made a motion to put off the election of a permanent Vice Chair until the July meeting, seconded by Mrs. Watkins. Chairman Dollar offered a friendly amendment to elect a Vice Chairman before July should conditions warrant. Motion carried 5-0-0.*

**A motion was made by Stephen Diffley, seconded by Ann Watkins, that this matter be Tabled . The motion carried by the following vote:**

**Absent:** 1 - Thompson

## **ADJOURNMENT:**