

The Planning & Zoning Commission met for a meeting at City Hall on Tuesday, January 2, 2007 at 7:00 p.m. with Chairman Bobby Culpepper presiding.

Present: COMMISSION: Chairman Bobby Culpepper, Commissioner Dale Arnold and Commissioner Tim Farr; STAFF: City Manager Jean R. Dove, City Clerk Debra E. Moore, City Attorney Barry Fleming and Dee Tapley, Department Manager; ABSENT: Commissioner Donnie Head and Commissioner Franklin Jennings; VISITORS: Kenneth Sweatman and John Lonergan, Jr.

The meeting was called to order by Chairman Culpepper at 7:01 p.m.

The Invocation was given by Commissioner Arnold.

The Pledge of Allegiance was led by Chairman Culpepper.

**Approval of September 7, 2006 Minutes:** Chairman Culpepper called for a motion to approve the Minutes of the September 7, 2006 Commission meeting; that motion was made by Commissioner Farr; 2<sup>nd</sup> by Commissioner Arnold. Motion carried; all in favor.

NEW BUSINESS:

**Ansley Place Preliminary Plat Approval:** Ms. Tapley reported that Ansley Place is located off Highway 221/ South Louisville on the right; the developer is Larry Prather. The plans were received from the engineer in the last two to three weeks. After review by Ms. Tapley and City Manager Dove, it was discovered that some of the lots did not meet the requirements of a R1-B zoning classification. The lots are required to be at a minimum 10,000 square feet; there were some that did not meet this requirement. Mr. Prather could do one of two things, he could ask for a variance on each of the lots that do not meet the square footage requirement or he could apply to the City Council for a PUD. The PUD would be the easier of the two. His current plans include the sidewalks and Mr. Prather is aware of the other requirements of a PUD due to being the developer for Cornerstone. Mr. Prather would need to write a narrative and present it to Council for approval. Ms. Tapley's recommendation to the Commission would be to have Mr. Prather apply to Council for the PUD. City Attorney Fleming stated due to some Planning and Zoning regulations, the recommendation to the Commission would be to deny the approval of the preliminary plat because of the too small lots with the recommendation to go to Council for a PUD application. Chairman Culpepper called for a motion to deny the request for approval of the preliminary plat for Ansley Place with the recommendation to go to Council for a PUD application; that motion was made by Commissioner Farr; 2<sup>nd</sup> by Commissioner Arnold. Discussion: Mr. Sweatman and Mr. Lonergan were interested in knowing how it got this far without approval and there was

NEW BUSINESS (cont'd):

**Ansley Place (cont'd):**

some general discussion with Mr. Sweatman and Mr. Lonergan about the engineering procedures and plat approvals. Ms. Tapley and City Attorney Fleming addressed their issues and concerns. Chairman Culpepper made some final comments as well. Mr. Lonergan made some comments concerning the procedures that we should set up pertaining to engineering and what would be expected. Motion carried; all in favor.

**Hardy Station Plat Changes:**

- 1. Street Change:** The entrance from Harlem-Grovetown Road was to end in a cul-de-sac; the revised plat is eliminating the cul-de-sac and extending the road further in. This will eliminate the access to the area from N. Louisville Street (Hwy. 221).
- 2. Change in lot size (5 lots):** In reviewing the new plat, there are five lots that do not meet the 9,000 square feet requirement that they requested. This development is a PUD. If the five lots were reduced to four then the lots would be within the limits that are required. City Manager Dove reported that the lots just off of Harlem-Grovetown Road are the 20,000 square foot lots. The five lots in question are beyond those and within the area that was requested for the 9,000 square foot lots.

The revised narrative reads as follows:

“In the summer of 2006, construction began on Section 1 of Hardy Station. During construction the developer decided he would like to access the 44 lots to the north from Harlem-Grovetown road instead of from N. Louisville Road (Hwy. 221). By accessing the 44 lots in this manner there will be no impact of wetlands. The lots will be located between the two wet areas located on the property. Since water and power need to be extended to the sanitary sewer lift station my client wishes to proceed with developing the 44 lots in Section 2 along with the 24 lots in Section 1.”

They are requesting for the PUD to be amended to access the 44 lots from Harlem-Grovetown Road. The density will not change from the approved PUD.

This request is coming before the Commission to review and make a recommendation to Council. There were some concerns from the Commission in regards to the size of the lots reducing in size from the entrance (20,000 square foot lots) to the 9,000 square foot lots. Chairman Culpepper brought up the issue of the changes being made without approval and that the City had not been made aware of the changes prior; the City found out from the City Engineer. Mr. Lonergan made comments to that effect as well. He had noticed that the road had been extended and that all the sewer taps had already possibly been installed. There were concerns from the Commission about the elimination or non-

NEW BUSINESS (cont'd):

**Hardy Station (cont'd):**

existent deceleration lane on Harlem-Grovetown Road and drainage onto the two properties that would be at the corners of the entrance (Sweatman and Starrett). Chairman Culpepper expressed his concerns with the plan not being in compliance with the original intent of the PUD. After further discussion, Chairman Culpepper called for a motion; Commissioner Farr made the motion to recommend to the City to disapprove the requests until further information is received (no representation from the developer or his engineer) as well as their concerns with the lot sizes, the deceleration lane for Harlem-Grovetown Road, and it not being in conformance with the original PUD. The motion was 2<sup>nd</sup> by Commissioner Arnold. Motion carried; all in favor. Chairman Culpepper asked City Manager Dove to place this on the January Council meeting agenda and recommended to Mr. Sweatman and Mr. Lonergan to be in attendance. He also requested that the engineer and/or the developer of the property be in attendance for any questions.

Chairman Culpepper stated there being no further business the meeting would stand adjourned. The meeting closed at 7:50 p.m.

Respectfully submitted,

Debra E. Moore  
City Clerk

The Planning & Zoning commission met for a meeting at City Hall on Monday, February 5, 2007 at 7:00 p.m. with Chairman Bobby Culpepper presiding.

Present: COMMISSION: Chairman Bobby Culpepper, Commissioner Dale Arnold, Commissioner Tim Farr, and Commissioner Franklin Jennings; STAFF: City Manager Jean R. Dove, City Clerk Debra E. Moore, City Attorney Barry Fleming and Planning & Zoning Department Head Dee Tapley; ABSENT: Commissioner Donnie Head; VISITORS: Phil Turner, Edee & Ken Sweatman, Bo Slaughter, Don & Lonnie Foley, James Thomas, Jr., Jonathan Starrett and Duane Starrenburg.

The meeting was called to order by Chairman Culpepper at 7:00 p.m.

The Invocation was given by Commissioner Arnold.

The Pledge of Allegiance was led by Chairman Culpepper.

**Approval of January 2, 2007 Minutes:** Chairman Culpepper called for a motion to approve the Minutes of the January 2, 2007 meeting; that motion was made by Commissioner Jennings; 2<sup>nd</sup> by Commissioner Farr. Discussion: Chairman Culpepper asked that they receive the information for the meeting prior to the meeting in order for everyone to have time to look it over. Motion carried; all in favor.

**Review of January 25, 2007 Administrative Committee Meeting Notes:** Ms. Tapley gave an overview of the notes taken at the January 25, 2007 Administrative Committee Meeting. There were changes brought before the City that amended the original approved plat (Phase I). The changes pertained to there being 22 lots that were accessible from Harlem-Grovetown Road; these were the larger lots (20,000 sq. ft.). The change would extend the road and the 45 smaller lots (12,000 sq. ft.) would be accessible from Harlem-Grovetown Road as well. They were originally accessible from a different area. There were five lots that did not meet the requirements in this area and they were asked to reconfigure them; they were changed to four lots and met the requirements. The road off of Harlem-Grovetown Road was extended from the entrance all the way through to the smaller lots. Due to there being no representation from the developer/builder at the January 2 Planning & Zoning meeting to answer any questions or concerns of the Commission they chose at that time to deny the request for the changes. There were concerns with the increased traffic flow, as well as the lay out of the plan going from larger lots to smaller lots, and that they felt the plan was not in conformance with what the City was trying to do. The recommendation was taken to the January 18, 2007 Council meeting; Council approved the recommendation from the Planning & Zoning Commission. The issues were turned over to the Administrative Committee for the City to see what information could be found out and what the City could live with. The Committee met on January 25 with the builder/developer and the engineer for the project

**Administrative Meeting Notes Review (cont'd):**

in attendance. There was discussion concerning issues (public comments) that were brought up at the January 2 Planning & Zoning meeting by residents that live in the area. This included the input of a deceleration lane at the Harlem-Grovetown Road entrance. There was a recommendation to update their plans showing this. There was discussion on putting in a driveway entrance from the new road side to Mr. Sweatman's property so that he would have access from there; this would be shown on the plans. There was discussion and agreement on taking out the entrance that was shown from the Douglas Road/McArthur Drive area. It was explained to the Committee that the extension of the road was due to the lift station and getting utilities to it.

Chairman Culpepper turned the meeting over to City Attorney Fleming to address the issues and if he had any legal concerns. City Attorney Fleming asked if the right of ways had been acquired for the deceleration lane; there will be no need, there is enough area already. A construction easement would be needed from Mr. Sweatman; would swap out the driveway; this has not been negotiated as yet. The contractor had a conversation with them about the driveway and told Mr. Slaughter. A construction easement would also be needed from the Foleys. Mr. Fleming asked if approved and they are unable to get the construction easements, what would be their next step; it would become a legal matter. He would rather try to work things out. Mr. Fleming asked if the deceleration lane would go into town; it would not. It would be in front of the Sweatman's and cross the entrance and there would be a small excel lane on the other side. There were some questions on the wetlands in the development. The Town homes are located on some wetlands, but they have already been mitigated. The other wetlands are located behind the properties and will have no impact; they will be greenspace and no building will be done on them. Mr. Fleming asked if the wetlands issue was the catalyst for the changes; Mr. Slaughter responded it was, as well as the separation of the multi-family homes from the detached homes.

There was a question on the retention ponds; there will be four total; one for each area or phase. Per EPD regulations, you can no longer put the ponds in the bottom they have to be in the side.

Commissioner Arnold asked about the flow through from the larger lots to the smaller lots. The general consensus from the Administrative meeting was that it would flow well. The houses would generally be the same; the lots will be different (width). There will be no separation of the two areas.

Ken Sweatman expressed his concerns with the processes the City goes through in reference to the developments (P&Z and Administrative). He had concerns that there were no notices about the subdivision. He remarked that he did not want any favors done for him (driveway?).

He did express his concerns with the traffic (amount, etc.) and drainage. He recommends going back to the original plan.

Don Foley expressed his concerns with the drainage and the flow of the water run off and how it will affect his property.

Mr. Slaughter addressed their issues with the drainage as well as Chairman Culpepper's. Mr. Slaughter stated that the issue of the driveway was misconstrued; the contractor told him he had had a conversation concerning the driveway and not him. He was willing to work something out if this is what was wanted.

Chairman Culpepper felt that additional issues have arisen since the last discussions. The original key issues concerned the additional traffic on the road and the shift in the size of the lots. He felt that nothing had been done to address the additional traffic.

The question of the extension of the road came up. The road is only as far as section number one; the sanitary sewer and sewer taps have been extended to the lift station. Yes, the sewer taps were done all the way down, but they would be used whether the plan is changed or stays as the original. The main reason for the change had to do with the separation of the areas. It was a natural separation. Commissioner Arnold asked if the change had been done solely to save money; Mr. Slaughter reiterated that it was not, that it was for the separation of the areas.

Chairman Culpepper asked Mr. Sweatman if he had any other items he would like to address at this time. Mr. Sweatman expressed that he did not want the deceleration lane. He did not understand several aspects of the plan and also asked for reconsiderations on the drainage issue. Chairman Culpepper asked Mr. Slaughter if the deceleration lane was not put in would the turn lane still help with the drainage. Mr. Slaughter did respond that it would. There would be some gutters (not across the driveways) and the tapers would help. The water would flow into their traps. There will be some piping.

Chairman Culpepper asked if there were any further questions. City Attorney Fleming questioned Mr. Slaughter as to who he worked for; Frank Askins is the developer. He asked how long he has been doing this; eighteen years; he has worked for Mr. Askins for three. City Attorney Fleming asked if Mr. Askins normal operating procedure is to contact the people in the area that will be affected by the new development. The original PUD hearing is where the communication started. He was questioned as the developer or engineer, do they normally contact those who might be affected; no they do not, only if there is some severity of the impact. As an engineer, they do the design and meet with planning and zoning. City Attorney Fleming stated that he had been on the County Commission for a couple of years. He formed an opinion on what was the right way and the wrong way for this to be done.

The right way had the developer/engineer contacting the people that the development would impact prior to going to the Council for approval of the development plan. This way you would be able to answer all questions up front and if the residents had problems they would be able to address them with the Council prior to approval of the plan. This would alleviate some of the problems they are having now. Because they did not, the Council has to deal with the citizens questions and concerns now.

There was an additional question concerning the utilities (Georgia Power) from Mr. Starrett. Mr. Slaughter responded that the lines are to be run underground; Mr. Starrett was told that the lines would be above ground. He has been approached for an easement.

Chairman Culpepper asked City Attorney Fleming if it would be out of order to table this matter until further information can be gotten. City Attorney Fleming responded that it would not. His advice to the Commission is that they could do one of three things: they could approve the request, disapprove the request or they could table the matter. Chairman Culpepper called for a motion from the Commission. Commissioner Jennings made the motion to table the matter until further information can be received. Commissioner Farr seconded that motion. Motion carried; all in favor.

Chairman Culpepper asked Ms. Tapley to set the next meeting and to make sure to inform the residents of said meeting.

The meeting adjourned at 8:12 p.m.

Respectfully submitted,

Debra E. Moore  
City Clerk

The Planning & Zoning Commission met for a meeting at City Hall on Friday, March 2, 2007 at 5:00 p.m. with Chairman Bobby Culpepper presiding.

Present: COMMISSION: Chairman Bobby Culpepper, Commissioner Dale Arnold, Commissioner B.J. Cunningham, and Commissioner Tim Farr; STAFF: City Manager Jean R. Dove, City Clerk Debra E. Moore, City Attorney Barry Fleming and P&Z Department Head Dee Tapley; ABSENT: Commissioner Franklin Jennings; VISITORS: Sid Beckum, Bo Slaughter, Jonathon Starrett, and Ken Sweatman.

The meeting was called to order by Chairman Culpepper at 5:00 p.m.

The Invocation was given by Commissioner Cunningham.

The Pledge of Allegiance was led by Chairman Culpepper.

**Introduction of B.J. Cunningham:** Chairman Culpepper introduced Commissioner B. J. Cunningham to those present. Commissioner Cunningham was nominated and appointed to the position by Council at their Regular meeting in February.

**Approval of February 5, 2007 Minutes:** Chairman Culpepper called for a motion to approve the Minutes of the February 5, 2007 Commission meeting as written; that motion was made by Chairman Farr; 2<sup>nd</sup> by Commissioner Cunningham. Motion carried; all in favor.

**Hardy Station Change Request:** Chairman Culpepper recognized Bo Slaughter and Sid Beckum, Engineer and Developer respectively; the purpose of the meeting is to try to bring closure to the Hardy Station question. Mr. Slaughter presented to the Commission an updated plan that he had done in color; this was done for better clarity on what they were trying to do. Mr. Slaughter included the items that would address issues that were brought up at prior meetings.

- Regarding the transition from the larger lots (20,000 sq ft) to the smaller lots (12,000 sq ft), they have input speed humps instead of stop signs and gradual humps to help with the slow down of traffic. There will be sign easements to include signs, bushes, etc. and will be named differently.
- Regarding the deceleration lane on the Harlem-Grovetown Road side, it was taken out because it was not wanted or warranted because of the 35 mph speed limit; the plan was put back to the original design with piping in the ditch and radius off the tapers. Also, back in the original PUD was the separation of the town homes from the single family homes. Commissioner Cunningham questioned if there were any roads at all that connect the two; Mr. Slaughter responded that there was not. The town homes will be their own entity.

Chairman Culpepper questioned about how the road will join the highway at Harlem-Grovetown Road. Mr. Slaughter responded that curb and gutter will come out to the “er” of the radius and a little asphalt taper will tie into the road. The storm water will go down the ditch through a pipe and when the water hits the elevated slope, it will flow into their traps.

Chairman Culpepper questioned on the utilities as to whether they would be underground or not. Mr. Slaughter responded that yes they would be. He also stated that he thought the City was in contact or getting in contact with Georgia Power about getting the utilities at the entrance underground as well. He understands that they have been in contact with the neighbors about easements. Commissioner Farr stated that he understood with a PUD that the utilities are required to be underground. Mr. Slaughter responded that the only place not underground was the entrance. There were some further discussions on easements, placement of lines, etc. concerning all the utilities.

There was a question from Commissioner Cunningham about the deceleration lane on Highway 221; the response was that this item had no bearing on the question before the Commission at this time.

Chairman Culpepper asked City Attorney Fleming if he had any advice at this time. City Attorney Fleming responded that the Commission should ask the two citizens present what had changed since the previous meetings and what their thoughts were. Mr. Starrett responded that for him nothing had changed. He still has concerns with the traffic; with the increase in lots from 22 lots to 68 lots would increase the traffic going by his home onto Harlem-Grovetown Road. Nothing has changed with this. Chairman Culpepper asked Ms. Tapley to address this issue. She responded with information on Shady Grove Subdivision and Campbell’s Crossing. They are similar in size to Hardy Station; Campbell’s Crossing has 80+ homes and Shady Grove has around 110 homes. Both empty out onto a main road with only one way in and out. Mr. Starrett responded that neither of these subdivisions have homes at the entrance. His concern is the number of cars that will be going right by his house at all times of the day.

City Attorney Fleming asked for Mr. Sweatman’s thoughts. He responded that maybe nothing has changed. He has landscaping and drainage issues. He also has the same issue as Mr. Starrett and the traffic. Depending on the outcome of the request, he is willing to work with the driveway access at the back of his property. He still has some concerns with the storm water. He wanted something to be done with his front driveway (do away with). He hoped that they would’ve been crossing his driveway so he could do away with the driveway. Due to them not doing the deceleration lane, they have no need to do this. Chairman Culpepper readdressed the issue of the back driveway. He asked Mr. Slaughter if they were willing to do the driveway; yes, if that is what is wanted. Mr. Sweatman asked if that is what he wanted. Mr. Beckum responded that he was willing to work with Mr. Sweatman. Mr. Sweatman made a comment on the residents not being

able to see the plans each time they have been changed. Chairman Culpepper stated that he was sure that after the meeting, he would be allowed to see it and have a discussion with Mr. Slaughter. City Attorney Fleming questioned if anyone had been in contact with him since the last meeting; Mr. Sweatman stated that one of the Commission members (Franklin Jennings) had. City Attorney Fleming directed his questioning on this to Mr. Beckum and Mr. Slaughter. Mr. Slaughter stated that he had spoke with Mr. Sweatman after the last meeting, but not since. Mr. Sweatman stated that whenever a change is made to the plans he would have liked to have been able to see them. City Attorney Fleming addressed the issue of what he felt was proper procedures for the developer/engineer in getting in touch with the residents in the area. This issue was brought up at the last meeting. City Attorney Fleming questioned Mr. Slaughter, for the record, if they will do the driveway in the back for Mr. Sweatman; Mr. Slaughter stated that yes they would if that is what Mr. Sweatman wanted. Mr. Sweatman went on to make further comments concerning the gutters and other items he feels he has not been able to get exact answers to. City Attorney Fleming stated he had no further questions.

Chairman Culpepper gave a summary of what was before the Commission. He stated that they had before them a set of amended plans that they could approve, disapprove or table and then allow Mr. Slaughter, Mr. Beckum and Mr. Sweatman to work out the best option they have. Chairman Culpepper asked if there were any other comments from the Commission. Commissioner Cunningham commented that he did not see that Mr. Sweatman is still not satisfied with the design. Mr. Sweatman stated that the question of why make the change had never been answered; he thought it was because it was cheaper. Mr. Beckum asked Mr. Sweatman what was his main concern; he responded the traffic and additional homes (22 to 68). City Attorney Fleming addressed the change with Mr. Beckum. He stated that it was an economic issue; because of the lift station. The cost of the lift station was higher than what they expected. There were issues with having to do mitigation of the wetlands if they came from the Knox Road side.

Note: Commissioner Arnold arrived for the meeting at this time. Chairman Culpepper brought Commissioner Arnold up to date on what had transpired.

Mr. Sweatman summarized what he was looking for; the maximum things done to keep water off his property. He stated he does not want anyone to come to him for an easement (utilities) as he will not give it. This brought up some further discussion on the utility easement.

Chairman Culpepper asked if they were ready to make a decision. Commissioner Cunningham asked for clarification as to what they would actually be voting on. Chairman Culpepper responded they would be voting on the extension of the road from the original cul de sac down to the lift station. Commissioner Arnold felt that there were other changes that were being made and not just this one. Chairman Culpepper asked for clarification from Mr. Slaughter. Mr. Slaughter responded that it included taking out the

access from Highway 221 so that there would not be access from Highway 221 to Harlem-Grovetown Road. This would help with keeping all sections as separate areas; town homes would be separated from the single family homes. Commissioner Arnold asked if the changes would keep the area within the bounds of a PUD; yes they would. City Manager Dove spoke on the issue of the lift station being moved and the changes required by EPD (wetlands, drainage, etc.) Commissioner Arnold had further questions on the PUD requirements on changes and other items. City Manager Dove responded.

Commissioner Cunningham felt that Mr. Sweatman's issues had been addressed; he was not sure that Mr. Starrett's concern with the traffic had been. Mr. Starrett wanted to know why they did not have all the smaller lots have their access from Knox Road. Mr. Slaughter addressed this issue. Chairman Culpepper made the comment that this would only do the same thing to Knox Road; only they would not have gutters, etc. The question about easements and utilities came up again; they would still come from the Harlem-Grovetown side.

Chairman Culpepper called for a motion to approve, disapprove or table the requested change. Commissioner Farr made the motion to recommend the disapproval of the extension of the road; 2<sup>nd</sup> by Commissioner Arnold. Motion carried with Commissioners Arnold, Farr and Cunningham voting in favor; Chairman Culpepper did not vote.

Chairman Culpepper urged Mr. Slaughter and Mr. Beckum to follow the recommendations of City Attorney Fleming and try to work something out with the residents.

Being there was no further business; Chairman Culpepper closed the meeting at 6:00 p.m.

Respectfully submitted,

Debra E. Moore  
City Clerk

The Planning & Zoning Commission met for a meeting at City Hall on Thursday, April 19, 2007 at 7:00 p.m. with Vice-Chairman Dale Arnold presiding.

Present: COMMISSIONERS: Vice-Chairman Dale Arnold, Commissioner B. J. Cunningham, Commissioner Tim Farr, and Commissioner Franklin Jennings; STAFF: City Manager Jean R. Dove, City Clerk Debra E. Moore, City Attorney Lee Bennett and Planning & Zoning Clerk Dee Tapley; ABSENT: Chairman Bobby Culpepper; VISITORS: William P. "Sport" Dozier, Jr., Daryll Garrison, Perry L. Duncan, and Barbara Driggers.

The meeting was called to order by Vice-Chairman Arnold at 7:00 p.m.

The Invocation was given by Vice-Chairman Arnold.

The Pledge of Allegiance was led by Vice-Chairman Arnold.

**Approval of March 2, 2007 Minutes:** Vice-Chairman Arnold called for a motion to approve the minutes of the March 2, 2007; that motion was made by Commissioner Cunningham; 2<sup>nd</sup> by Commissioner Jennings. Motion carried; all in favor.

**Rezoning/Variance request-Larry Prather-Sawdust Road and Fairview Drive:** Planning & Zoning Clerk Dee Tapley presented to the Commission the information regarding Mr. Prather's property. Mr. Prather is requesting a rezoning of the property from R1-A (20,000 square foot lots) to R1-B (10,000 square foot lots). In the proposed development there will be several cul de sacs and is requesting a variance on the frontage on the roads. There are no formal plans in place at this time on the development. Mr. Prather will come back before the Commission when the preliminary plat is ready for approval. Vice-Chairman opened the floor up for public comment limiting comments to two minutes each.

Public Comment: Barbara Driggers of Hillcrest Street addressed the Commission with some concerns she had with the cul de sacs. Her property abuts Mr. Prather's. She had read about entrances being off of Fairview Drive and Sawdust Road, but had been unable to locate them. The response was that they had not been established as there were no formal plans yet. She had concerns with the increase of traffic on the streets and the possibility of the increase in crime. It was recommended to her that when the plans are brought to the Commission for approval, that she be in attendance at that meeting to express her concerns at that time.

Commissioner Cunningham asked what the normal frontage is on a lot; City Manager Dove responded that it was normally 80 Feet. Mr. Prather is requesting for them to be 50 feet in the cul de sac areas due to the shape of the lots. Commissioner Cunningham felt

**Rezoning/Variance Request-Larry Prather-(cont'd):**

that the Commission needed to see something concrete before they could make any decisions on the variance request. At this time Vice-Chairman Arnold asked if there were any motions to be made. Commissioner Cunningham made the motion to deny the variance request until they receive further information on the cul de sacs for the new development on Sawdust Road and Fairview Drive; that motion was seconded by Commissioner Jennings. Motion carried; all in favor.

Public Comment (add'l): Mr. Perry Duncan of Sawdust Road addressed the Commission. He wanted to know if an environmental impact study would be done to find out what the impact would be on their property. He and Mr. Daryll Garrison both have ponds on their property and have concerns about run off. They were told that Mr. Prather would be required to do one. Mr. Garrison expressed his concerns as to the type of development it would be; whether low-income or not. It was explained to Mr. Garrison that Mr. Prather was only the developer and that he had other properties in the City that had houses in the \$200,000.00 range. The residents present received the recommendation to come to any other meetings in the future. There were questions about notification of the meeting; it would be advertised in the legal section of the Columbia News. The only time this is printed is in the Wednesday edition. The residents also left their phone numbers for contact.

As there was no further public comment, Vice-Chairman Arnold called for a motion on the rezoning request of Mr. Prather's. Commissioner Farr made the motion to approve the request of Larry Prather to rezone his property on Sawdust Road and Fairview Drive to R1-B; 2<sup>nd</sup> by Commissioner Jennings. Motion carried; all in favor.

**Variance Request-William P. Dozier-320 W. Milledgeville Road (Old Thomson Company Building):**

Ms. Tapley reported that Mr. Dozier is the property owner. The property is the old Thomson Company building across from Watts Service Station. The variance that is requested is to change from a 25 foot variance to a 5 foot variance. Mr. Dozier addressed the Commission on the reasons for the request. Mr. Dozier stated that the main reasons for the request included the requirement by DOT for the deceleration lane on Highway 78 (W. Milledgeville Road), the minimum square footage requirements for the store by the developer, and the parking requirements by both the State and the project developer. The first row of parking would not be far enough away from the front of the store to promote a safe environment; safety is the primary reason. The approval of the request would allow them to build the store further back. The actual front of the store would be back at least half way of the existing building. There is a 10 foot easement at the back of the store that belongs to the City. Including this easement, the building would be a total of 15 feet off the property line. City Manager Dove explained to the Commission that the easement had never been developed and that there were no utilities within the easement. Vice-Chairman Arnold asked if there would be any type of fencing

**Variance Request-William P. Dozier-(cont'd):**

installed at the back of the property; the response was that it was felt that there probably would be.

As there was no further discussion, Vice-Chairman Arnold called for a motion. Commissioner Cunningham made the motion to approve the variance request of Mr. Dozier to change the rear setback requirement of 25 feet to 5 feet with the inclusion of the 10 foot easement making it a total of 15 feet; 2<sup>nd</sup> by Commissioner Farr. Motion carried; all in favor.

**Next Public Hearing:** Vice-Chairman Arnold announced that the next Public Hearing had been scheduled for May 15, 2007 at 7:00 p.m. at City Hall. There will be a rezoning request for 410 N. Louisville Street on the Agenda.

As there was no further business before the Commission, Vice-Chairman Arnold adjourned the meeting at 7:26 p.m.

Respectively submitted,

Debra E. Moore  
City Clerk

The Planning & Zoning Commission met for a meeting at City Hall on Tuesday, May 15, 2007 at 7:00 p.m. with Chairman Bobby Culpepper presiding.

Present: COMMISSIONERS: Chairman Bobby Culpepper, Vice-Chairman Dale Arnold, Commissioner B. J. Cunningham, Commissioner Tim Farr, and Commissioner Franklin Jennings; STAFF: City Manager Jean R. Dove, City Clerk Debra E. Moore, City Attorney Barry Fleming and Planning & Zoning Department Head Dee Tapley; VISITORS: Renee Dean, Ken and Murl Meyer, Linda Caldwell, Pat McGhee, Ally Hippenstahl, Larry Prather, Gary Youngblood, and Diane Hawkins.

The meeting was called to order by Chairman Culpepper at 7:00 p.m.

The Invocation was given by Commissioner Cunningham.

The Pledge of Allegiance was led by Chairman Culpepper.

**Approval of April 19, 2007 Minutes:** Chairman Culpepper called for a motion to approve the Minutes of the April 19, 2007 meeting as written; that motion was made by Vice-chairman Arnold; 2<sup>nd</sup> by Commissioner Farr. Motion carried; all in favor.

**Rezoning Request 410 N. Louisville Street-R-1A Residential Single Family to B-1 Downtown Business District:** Chairman Culpepper recognized Renee Dean. Mrs. Dean came before the Commissioner as the potential buyer of the property located at 410 N. Louisville Street. They are proposing to change the property into a restaurant, Bed & Breakfast and a small event center. They are requesting for the property to be rezoned from R1-A Residential Single Family to B-1 Downtown Business District. The Bed and Breakfast is in line with the City's new 10-year Comprehensive Plan and they intend to follow the historic guidelines of the City as well. She has enclosed a picture of what they would like the property to look like. The only real change would be to enclose an area to have a sun room, but it would be in keeping with the overall look of the original house. They would also follow the fire guidelines of Columbia County. They will be selling some specialty items (bar-b-que sauce, cookbooks, etc.). They will be installing a privacy fence around the property in order to not disturb the surrounding home owners. This is a venture that she will undertake with her husband and her family.

Chairman Culpepper opened the floor for comments from the public:

Pat McGhee-she lives across from 410 N. Louisville Street. She has concerns with an increase in traffic; she already has problems with getting in out of her front driveway. She would like to know how traffic will be handled.

**Rezoning Request (cont'd):**

Dianne Hawkins-she lives on W. Forrest Street which runs along side the proposed piece of property. Ms. Hawkins also expressed a concern with traffic; also, a concern with business extending into the neighborhood as well as what businesses could come in if the proposed business did not prosper.

Ms. Dean addressed the issue by explaining that the parking lots will be in compliance with regulations. One will be exiting on W. Forrest Street and the other on N. Louisville Street. She estimated that any event with any number of people would be well under 100. Ms. Hawkins felt that this was still a high number of people. She commented that comments were made about keeping in with the integrity and preservation of the City, yet they want to extend the downtown district into the neighborhood. Mr. Meyer commented on the traffic issue stating that the traffic would be no more than when the Church down the road has services and the congregation would be coming and going.

Linda Caldwell-representative from the Laurel and Hardy Museum-she is in support of the Bed and Breakfast. She reported that the visitors at the Museum are always looking for a place to stay.

Gary Youngblood commented that the Commission should be listening to the citizens and take their concerns into consideration.

Commissioner Cunningham questioned how many rooms would there be; Ms. Dean responded that there would be four with one being used as a dressing room in the event of a wedding. Commissioner Arnold asked about the restaurant and it's time of operation; Ms. Dean responded that initially it would be used for breakfast only with brunch on Sundays. Commissioner Cunningham stated that it appeared to him that the only time there should be any real increase in traffic is when a reception or small event occurs. Commissioner Arnold asked about the surrounding zoning; City Manager Dove responded to this. Commissioner Jennings felt that this fell within the Comprehensive Plan that the City had approved.

Ally Hippenstahl expressed her concerns with the after school kids being able to cross the street. She is in support of the proposed Bed and Breakfast. City Manager Dove will address the crossing issue with Public Safety.

A question came up about a conditional use in zoning. City Attorney Fleming addressed this issue. There is no actual zoning for a bed and breakfast, but there is a conditional use under the R-2 zoning; this is a residential zoning. There is no exact description for a bed and breakfast. City Attorney Fleming recommends to the Commission to rezone the property to R-2 with a conditional use as a Bed and Breakfast; the Commission has the power to modify the requested zoning change (from B-1 to R-2).

**Rezoning Request (cont'd):**

Commissioner Arnold made the motion to recommend for approval the zoning change from R-1A to R-2 with a conditional use for a bed and breakfast with a restaurant to provide meals to clients and outside patrons, counter sales and special events; 2<sup>nd</sup> by Commissioner Farr. Discussion: Renee to do an application with the complete description of the Bed and Breakfast and what will be provided. Mr. Weber will not have to resign the application. Motion carried by a vote of 4-0; Commissioner Cunningham had to leave before the vote was taken.

**Final Plat-Ansley Place Subdivision:** City Manager Dove reported that all infrastructures are in place; the subdivision has received all inspection approvals and they are ready to proceed with construction. Chairman Culpepper called for a motion to approve the Final Plat for Ansley Place Subdivision; that motion was made by Commissioner Jennings; 2<sup>nd</sup> by Commissioner Farr. Motion carried; all in favor (4-0) with Commissioner Cunningham not in attendance during this item.

Chairman Culpepper adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Debra E. Moore  
City Clerk

The Planning & Zoning Commission met for a meeting at City Hall on Tuesday, June 26, 2007 at 6 p.m. with Chairman Bobby Culpepper presiding.

Present: COMMISSIONERS: Chairman Bobby Culpepper, Vice-Chairman Dale Arnold, Commissioner Tim Farr, Commissioner B.J. Cunningham and Commissioner Franklin Jennings (late arrival); STAFF: City Manager Jean R. Dove, City Clerk Debra E. Moore, Department Head Dee Tapley, and City Attorney Barry Fleming.

The meeting was called to order by Chairman Culpepper at 6:00 p.m.

The Invocation was given by Commissioner Cunningham.

The Pledge was led by Chairman Culpepper.

**Approval of May 15, 2007 Minutes:** Chairman Culpepper called for a motion to approve the May 15, 2007 Minutes as written; that motion was made by Commissioner Cunningham; 2<sup>nd</sup> by Commissioner Farr. Motion carried; all in favor.

**Preliminary Plat-Village at Sandy Run Creek Townhome Development:** Chairman Culpepper asked Mr. Greene to address the Commission on his plans for the development. Mr. Greene's engineer Scott Johnson addressed the Commission on this. Mr. Johnson stated that the development would include a private road that Mr. Greene does not expect the City to take over or maintain, the development will be on city sewerage and water and the storm system will be private. The development will have 83 units on 11.73 acres; or 7.1 units per acre. Each unit will be just less than 1200 square feet. The DOT access permit has been applied for and approved; EPD permits have been applied for and approved; the City Engineer has approved the project. Commissioner Cunningham verified with City Manager Dove that this was correct; she responded that yes it was, but that the only concern that Mr. McClellan had pertained to the private road and making sure that the City would get easements for the water and sewer and that the homeowners would be made aware that they are to maintain the storm drain and the street. This information will be provided in the covenants. The covenants are turned in at the time of the final plat approval. Chairman Culpepper asked about fencing; there will be fencing at the back of the units giving each their own private backyard. They are considering putting in a bridge and/or a walking track at the back. Chairman Culpepper questioned whether Mr. Greene had been involved in this type of project before that included covenants; he had not done one himself but has been involved with one before. Chairman Culpepper had concerns with the enforcement of the covenants. City Manager Dove addressed this stating that in most covenants the builder enforces the covenants until 90% to 99% of the properties are sold and then the residents or homeowners association will take over. Until the time that the homeowner's association is formed, the resident's could actually enforce the covenants. Commission Farr had a question on who

**Discussions (cont'd):**

would be maintaining the greenspace areas; the homeowner's association will maintain these areas as well as the commons areas. There were some further comments on different aspects about the development; sidewalks, they would be on both sides; lighting, it would be the decorative lighting. City Attorney Fleming questioned whether the covenants could be required before the preliminary plat is approved; after checking with the approved ordinance, the covenants are not required until the final plat is presented for approval. Mr. Greene stated that he could have the covenants for the Commission's review within a week or so; Mr. Johnson asked if during that time they would allow them to proceed with clearing operations at their own risk. Commissioner Cunningham was in concurrence with this. Commissioner Arnold expressed his opinion that he felt that they have met the requirements to meet the approval for the preliminary plat as the covenants are not due at this point. Mr. Greene stated that he would get the covenants to City Manager Dove within a week so that the Commission can review them prior to the final plat approval. The final plat will be submitted in about three to four months.

At this time Chairman Culpepper called for a motion to approve or disapprove the preliminary plat of the Sandy Run Creek Townhome Development. Commissioner Cunningham made to the motion to approve the preliminary plat for said project with an annotation that the Commission receive a copy of the covenants prior to submission of the final plat for their review and any changes they would require; 2<sup>nd</sup> by Commissioner Farr. Motion carried; all in favor.

Being no further business before the Commission, Chairman Culpepper closed the meeting at 6:32 p.m.

Respectfully submitted,

Debra E. Moore  
City Clerk

The Planning & Zoning commission met for a meeting at City Hall on Thursday, August 9, 2007 at 7:00 p.m. with Chairman Bobby Culpepper presiding.

Present: COMMISSION: Chairman Bobby Culpepper, Commissioner B.J. Cunningham, Commissioner Tim Farr, and Commissioner Franklin Jennings; STAFF: City Manager Jean R. Dove, City Clerk Debra E. Moore, City Attorney Barry Fleming and Department Head Dee Tapley; ABSENT: Vice Chairman Dale Arnold; VISITORS: James Thomas, Charles Cunningham, Wright McLeod, Don Greene and Phil Turner.

The meeting was called to order by Chairman Culpepper at 7:00 p.m.

The Invocation was given by DH Tapley.

The Pledge of Allegiance was led by Chairman Culpepper.

**Approval of June 26, 2007 Minutes:** Chairman Culpepper called for a motion to approve the Minutes of the June 26, 2007 meeting as written; that motion was made by Commissioner Farr; 2<sup>nd</sup> by Commissioner Jennings. Motion carried; all in favor.

Chairman Culpepper at this time chose to proceed with the New Business portion of the agenda.

#### NEW BUSINESS:

**Variance Request-James & Sara Thomas-210 Stone Street:** Mr. Thomas is asking for an 8 foot side yard variance due to him not having the 15 feet that is required as well as asking to be able to install a portable steel building on a concrete floor to be used for the storage of two vehicles. The size of the building will be 22' x 24' for a total of 528 square feet.

Chairman Culpepper asked Ms. Tapley to give a brief explanation of the request.

Ms. Tapley started by explaining that his request is actually two requests in one. Mr. Thomas is proposing to install a pre-constructed metal storage building/garage. This variance request is for the materials being proposed for usage. According to our ordinance you must distinguish whether the auxiliary structure is a permanent or temporary. With the addition of a concrete floor this will make it a permanent structure. The ordinance also further states that with a permanent auxiliary building, it must be of like material of the main structure; Mr. Thomas' home is made of brick and vinyl. Due to the difference in costs, Mr. Thomas is proposing to erect a metal building with the concrete slab floor; the front portion will be the garage and the storage would be in the back.

NEW BUSINESS (cont'd):

**Thomas Variance Request (cont'd):** The floor was opened for questions or comments. Commissioner Cunningham asked if any comments had been received from the surrounding households; there had not. City Attorney Fleming questioned if with the addition of the structure and the side yard variance request would Emergency Vehicles still have access to the area; Mr. Thomas responded that they would as there are no trees and such to block the area. Commissioner Cunningham asked Mr. Thomas if he personally had any conversations with his neighbors; Mr. Thomas responded that he had and that he had not received any complaints from anyone. City Attorney Fleming questioned about the difference in costs; the response was that there was a difference of about \$3,000.00 between installing the metal building with the slab floor and erecting a brick building. City Attorney Fleming reiterated the requirements for likeness in the materials used in constructing a permanent auxiliary building with the main structure and that extraordinary circumstances must be proven to change that requirement. City Attorney Fleming did not feel that there should be a problem with approving the side yard variance. Chairman Culpepper had concerns that we would be opening a door to setting precedence if the material variance was approved and asked for any recommendations that City Attorney Fleming might have. City Attorney Fleming stated that the Commission would need to be able to site reasons for allowing. It was explained to Mr. Thomas that he would have to prove the hardship in the difference in costs and bring that to the Commission. There was some discussion about erecting the building using siding as the main structure included siding. Charles Cunningham, who was present, is Mr. Thomas' contractor and he responded that a price was given for that type of construction as well. He had a side conversation with Mr. Thomas and Mr. Thomas agreed that he would have the building constructed out of "2x4"s, vinyl siding and with a shingle roof. With this agreement there was no need for the material variance request. At this time Chairman Culpepper asked if there was a motion to be made. Commissioner Cunningham made the motion to approve the variance request on the side yard from a 15' variance to a 8' variance and to disapprove the request to erect a metal building for the use of housing two cars and storage due to the requirements of the ordinance and that no sufficient hardship had been shown; that motion was 2<sup>nd</sup> by Commissioner Farr. Motion carried; all in favor.

**Variance Request-William P. Dozier-325 W. Milledgeville Road:** Due to a change in the plan previously brought before the Commission, Mr. Dozier is requesting a 10' rear setback variance (back of store facing side of Post Office). The normal rear setback requirement is 25'.

Chairman Culpepper asked Ms. Tapley to give a brief explanation of the request.

NEW BUSINESS (cont'd):

**Variance Request-William P. Dozier (cont'd):**

Ms. Tapley explained that this is the proposed site of the new IGA grocery store that the Commission had previously seen. Due to complications with DOT on the entrance and exit needing to be relocated as it comes off Highway 78, they have had to relocate the building. The building will now back up to the side of the Post Office. They need a rear setback variance due to the change. Mr. Dozier also owns the property that the Post Office is located on and has no problems with the request.

Chairman Culpepper stated that he had questions and concerns about the proposed change; mostly with aesthetics. His concerns had to do with the back of the building facing the Post Office and having to see the compressors and dumpsters as you do at the existing building and why with the property being virtually flat that the retention pond is at the front of the property (located at the corner of Highway 78 and S. Hatcher Street). There was no one in attendance to answer any questions the Commission might have. There was some discussion concerning whether there was a decel lane or not; there was not one shown on the plan. There were concerns as to how their delivery trucks would gain access to the property. It was shown that there would be a lack of curbing on the S. Hatcher side that it would be a pavement to pavement type entrance. S. Hatcher is not meant to handle heavy duty (18-wheelers) vehicles. Chairman Culpepper stated that he was in favor of tabling until they were able to meet with the owner to address the issues of the Commission. City Manager Dove responded that there was a time limit on the deal with Mr. Dozier and the IGA people. They need to know by the 15<sup>th</sup> of this month and that Council would be making a decision at the Called Meeting set for the 13<sup>th</sup>. Commissioner Farr suggested trying to meet with them prior to the Called Meeting. City Attorney Fleming recommended that the Commission deny the request and that Council would have the final decision. It was recommended to Ms. Tapley that she get in touch with the engineer for IGA and inform them of the decision of the Commission and why and to recommend that someone be in attendance at the Called Meeting to answer questions. Chairman Culpepper called for a motion at this time. Commissioner Cunningham made the motion to disapprove the variance request at this time due to the Commission having questions pertaining to the aesthetics of the property, the retention pond, the decel lane and lack of curbing as no one was in attendance at this meeting; that motion was seconded by Commissioner Farr. Motion carried; all in favor.

OLD BUSINESS:

**Village at Sandy Run Creek Townhome Covenants:** Don Greene, developer and Wright McLeod, Attorney, were in attendance for questions and explanations as needed.

OLD BUSINESS (cont'd):

**Village at Sandy Run Creek Townhome Covenants (cont'd):** City Manger Dove reminded the Commission that the Covenants are not required until the final plat is presented for approval. That at this time the Commission may ask questions and make suggestions. The only questions pertained to a date that was in Article III on page 4; this date would read "December 31, 2008" and it was a typographical error only. Chairman Culpepper questioned about the fee that the residence would have to pay for the Annual Assessment; this is an Annual fee of \$150.00. City Attorney Fleming made the suggestion to add a sentence to Section 7 (Parking) under Article VI concerning non-operational vehicles. It was suggested to add "That non-operational vehicles should not be on the lot for more that five consecutive days". After some discussion, it was agreed by Mr. McLeod that the sentence would be included.

As there was no further business before the Commission, Chairman Culpepper adjourned the meeting at 8:03 p.m.

Respectfully submitted,

Debra E. Moore  
City Clerk