

## WARNER ROBINS PLANNING AND ZONING COMMISSION

Meeting of July 9, 2019

The regular meeting of the Warner Robins Planning and Zoning Commission was held on July 9, 2019, at 5:30 PM at City Hall. Those members present were Jeffrey Rowland, Arthur Head, Eric Blazi, Joyce Phillips, and Steve Miner. Sherri Windham and Darin Curtis was also present.

Mr. Rowland opened the meeting of the Planning & Zoning Commission by explaining the procedures of the meeting. Mr. Head explained that due to regulations, all approved requests for home occupation licenses, rezonings, annexations, and special exceptions with the Planning and Zoning Commission would next be forwarded to Mayor and Council for final approval. Mr. Rowland asked Ms. Windham to provide any staff remarks for petitions being heard. Mr. Curtis read aloud the procedures for public hearings, providing the following information:

When the Public Hearing is opened, members of the Board will receive public input on the proposed rezoning. No action on their part will be taken until the Chair declares the hearing complete. The Chair will allow each side equal opportunity to the floor, with a minimum of 10 minutes per side (if desired). Individual members of the public will be given up to five minutes to state their case. Those in support of the issue will be heard then; those in opposition to the issue will be heard. Prior to closing the public hearing input portion of the meeting, City staff and the public will be given the opportunity to ask questions of either or both sides of the issue. When the Chair is assured that input is complete, the public hearing shall be ended and the Board may then debate the issue and entertain a motion on their recommendation to the Mayor and Council. All speakers from the public are asked to follow these rules:

- Come to the microphone and state your name, address, and neighborhood if any, prior to making remarks.
- Keep remarks limited to five minutes and please do not repeat other's comments.
- Address all comments to the Chair.

Mr. Rowland asked for a motion to approve the minutes from the Planning and Zoning meeting held on June 11, 2019. Mr. Miner made the motion for approval and Mr. Rowland seconded the motion. The motion carried unanimously.

Mr. Head then called the first item on the agenda.

1. Tarton Chew – 404 N Houston Road, Apt. 12 – request permission to operate an online sales business as a home occupation. Tarton Chew was present. Mr. Head asked if Mr. Chew would have customers at his home. Mr. Chew explained that his customers would not visit his home, but instead they would order from his website and have their products shipped directly to them from the manufacturer, and that no products would be stored at his home. No one was present in opposition.

The motion was made by Mrs. Phillips and seconded by Mr. Miner to recommend approval of the request. The motion carried unanimously.

- 2 Glynda Norwood – 610 American Blvd. – request permission to operate a cleaning service business as a home occupation. Glynda Norwood was present. Ms. Norwood explained that her cleaning would take place at her client's locations, and that no clients would come to her home. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Miner to recommend approval of the request. The motion carried unanimously.

3. Jessica Hazouri – 214 Palomino Lane – request permission to operate a mobile bartender business as a home occupation. Jessica Hazouri was present. Ms. Hazouri explained that her services would be provided to clients at their locations, and that no clients would come to the home. Sherri Windham explained that Ms. Hazouri had been informed by the Clerk's office that the customers must supply all alcohol for each event, and that Ms. Hazouri would not be able to store or transport any alcohol to or from her home for the business. Ms. Hazouri acknowledged that failure to comply with that regulation would result in the revocation of her license, if approved. Ms. Phillips asked what type of equipment Ms. Hazouri would be storing, as mentioned in the application. Ms. Hazouri stated that the only supplies she would store would be items related to the mixing of alcohol, and that those items would not be handled by any customers. No one was present

in opposition.

4. Candace Harper – 2006 Karl Drive, Apt. 2705 – request to operate an online sales business as a home occupation. Candace Harper was present. Mrs. Windham stated that according to Ms. Harper’s application, she would have customers come to the home, and pointed out that Ms. Harper lived in a gated community. Mrs. Windham asked how Ms. Harper would address having customers coming to her home. Ms. Harper stated that she would only have customers come to pick up their order by appointment only, at the gate of her community. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Blazi to recommend approval of the request. The motion carried unanimously.

5. Lavonia Height – 208 Athens Street – request to operate cleaning service business as a home occupation. Lavonia Height was present. Ms. Height explained that no customers would come to her home. No one was present in opposition.

The motion was made by Mrs. Phillips and seconded by Mr. Head to recommend approval of the request. The motion carried unanimously.

6. Kendall Scott – 247 Somerset Drive – request to operate a speech and language therapy business as a home occupation. Kendall Scott was present. Ms. Scott stated that no clients would come to her home, and that she would only handle billing, appointments, and paperwork from her home. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Miner to recommend approval of the request. The motion carried unanimously.

7. ANNEXATION/REZONING – Terry L. Brown requests the annexation and rezoning of property totaling 12.18 acres, tax parcel [062 005 E], located at Hwy 247 connector and Gunn Road, West of Hwy 41 from the zoning of C-H[Commercial Highway][Peach County] to C-2[General Commercial][City of Warner Robins] George Williams was present to represent Terry Brown. Mr. Rowland opened the public hearing. Mr. Williams stated that an adjacent properties were currently being developed into apartments, and that his client intends to market his property to interested investors who may be seeking commercial property; Mrs. Windham added that according to the letter intent, that was correct. Mr. Williams stated that his client had also spoke to some of the surrounding property owners to obtain their consent, and that none raised any objection. No one was present in opposition. Mr. Rowland closed the public hearing and entertained a motion.

The motion was made by Mr. Blazi and seconded by Mr. Head to recommend approval of the annexation. The motion carried unanimously.

The motion was made by Mr. Head and seconded by Mr. Blazi to recommend approval of the rezoning. The motion carried unanimously.

8. REZONING – Al and Fattemeh Dehnad request the rezoning of a 1 acre portion of property, tax parcel [0W1200 010000], located at Lakeview Road, from the zoning of C-1[Neighborhood Commercial][City] to the zoning of C-2[General Commercial][City]. Al Dehnad was present. Mr. Rowland opened the public hearing. Mr. Dehnad stated that his intent was to sell a one acre portion of property to Dylan Swafford, owner of Georgia Roots Landscaping. Mr. Dehand added that an additional one-acre portion, from the same tract of land, was recently sold to a bank, and would soon be developed. Mr. Dehnad stated that in order for him to sell the property to Mr. Swafford, the property had to be rezoned to C-2. Mr. Rowland called on Dylan Swafford to comment. Mr. Swafford explained that his intent was to build a metal building with an office, with bay-doors to allow for storage of his equipment and vehicles; including tractors, mowers, and trucks. Mr. Miner asked how a metal building would conform to the adjacent properties’ appearances; adding that most developments in that area have brick facades. Mr. Swafford stated that in his opinion, the metal building and property would be aesthetically pleasing, and that he intends to maintain and landscape the property grounds. Mr. Rowland asked where his supplies for projects would be stored. Mr. Swafford explained that most of his work is custom, and that supplies, such as sod or fertilizer would be delivered directly to jobsites, and that most of his jobs were very custom. Mr. Blazi asked Sherri Windham if Mr. Swafford would be required to install a buffer on the property lines adjacent to Rose Hill and Regency Place. Mrs. Windham stated that a buffering is required for any parking area which abuts residential districts, and that according to the Staff Report, there is a 25ft easement on the Southern property line abutting Regency Place Subdivision, and a 30ft easement on the Western property line abutting Rose Hill Subdivision, but that additional buffers for property lines abutting residential districts were recommended by Staff, if approved. Mr. Swafford stated that he planned to fence his property and plant trees along property lines abutting the subdivisions to protect his equipment and respect the community. Mr. Rowland called on the opposition. Henry O’Neill of 123 Clarissa Drive stated that as the president of the Rose Hill Homeowner’s

association, consisting of 243 homeowners, he believed that the homeowners were unanimously opposed to the request. Mr. O'Neill stated that allowing this portion of land to be rezoned to C-2 would set precedent against the remaining property, and that C-2 General Commercial developments would be inevitable if the request is approved. Mr. O'Neill provided a petition signed by residents of Rose Hill. Robbin Gosline, of 437 Nandina Court, stated that Regency Place was home to 108 families, and that they bought their homes feeling assured that the subject property would always remain C-1. Ms. Gosline stated that the homeowners did not want to have their property values impacted by general commercial developments, and added that the nearby Buzzell Heating and Air business is zoned C-2, and that in her opinion, the property isn't adequately maintained, and that she's not been satisfied by the Code Enforcement Office's response to the state of that property. Charles Davidson of 111 Regency Place stated that he was president of the Regency Place subdivision Homeowner's Association, and that his residents did not want to hear tractors in the mornings or evenings, and that in a two or three story home, the fencing and trees would still not shield the sight of property's rear yard and view of equipment and lights, and that it would feel invasive to the homeowners. Mr. Davidson added that he felt there was a logical reason the property was zoned C-1, and that allowing the rezoning would "open Pandora's box." Mr. Davidson added that the property is directly adjacent to his backyard, and provided a petition from homeowner's who were opposed to the request. Mr. Swafford stated that he understands the residents' concerns, but that he is confident that his business would be aesthetically pleasing and would be respectful of the community. Mr. Swafford stated that his hours of operation were from 8am-6pm, but that during the summer season they may operate a bit later. Mr. Dehnad stated that there would be six remaining acres of land, and that he promised would remain C-1. Mr. Dehnad added that he would hold Mr. Swafford responsible for developing something respectable towards the adjacent property. Mr. Rowland closed the public hearing and entertained a motion.

The motion was made by Mr. Miner and seconded by Mrs. Phillips to recommend denial of the request. The motion carried with Mr. Miner, Mrs. Phillips, and Mr. Rowland voting no, while Mr. Head and Mr. Blazi voted yes.

9. REZONING – Gunn Road Houston 20 LLC – requests the rezoning of properties totaling 20.56 acres, tax parcels [0W0970 318000] and [0W0970 039000], located at Gunn Road, West of Hwy 41 from the zoning of C-2[General Commercial District][City] to the zoning of C-2[General Commercial District][County]. Wanda Moore was present to represent Gunn Road Houston 20, LLC. Mr. Rowland opened the public hearing. Ms. Moore stated that her client felt that the property was better served by developing for residential use, and intends to develop single family homes on the property. Mrs. Phillips asked how many homes would be developed. Ms. Moore stated that at the current time, they expect around 65 lots, but that the project was still in the conceptual stage. Mr. Miner asked where the price point would start. Ms. Moore stated that the homes would be competitive towards surrounding properties, and that prices would probably start in the low two hundred [thousand]s. Mrs. Windham added that the request to rezone would technically be considered down-zoning. No one was present in opposition. Mr. Rowland closed the public hearing and entertained a motion.

The motion was made by Mrs. Phillips and seconded by Mr. Blazi to recommend approval of the request. The motion carried unanimously.

10. VARIANCE – Orchard Investment Properties, LLC requests a 12ft rear setback variance at property located at the Southwest corner of Hwy 96 and Robert Bryson Smith Parkway. Casey Graham was present to represent Orchard Investment Properties, LLC. Sherri Windham read aloud a letter from Walter Gray, former City Engineer on contract. Mr. Gray cited issues with the request regarding drainage and stated that adjusting the design would allow for the grade to transition from Hwy 96, without needing a setback variance. Mrs. Windham also read comments from Fire Chief, Ross Moulton. Chief Moulton stated that he was concerned that the amount of space left available to the rear of the property would make fire-fighting efforts virtually impossible. Mr. Graham stated that the project was designed to allow drainage to flow into a regional detention pond, and that he felt that otherwise drainage may flow towards the residents. Mr. Blazi stated that he felt that the developer should meet with City Staff to alleviate any concerns, instead of making a vote for or against the request. Mr. Graham agreed. No one was present in opposition.

The motion was made by Mr. Blazi and seconded by Mr. Miner to table the request. The motion carried unanimously.

11. SPECIAL EXCEPTION – Thomas R. Toms – 102 Misty Leaf Path, Kathleen, GA, requests a Special Exception to allow an additional dwelling on a single lot. [Section 107] Thomas Toms was present. Mr. Toms explained that his home was built with an additional dwelling, and that he was under the impression that his developer had obtained all necessary

permits regarding the home and additional dwelling. Mr. Toms said that upon learning of the oversight, he filed for the special exception in accordance to City regulation. No one was present in opposition.

The motion was made by Mr. Miner and seconded by Mr. Blazi to approve the request. The motion carried unanimously.

As there was no further business for discussion, the meeting was adjourned at 6:54 p.m.