

**GAINESVILLE PLANNING AND APPEALS BOARD  
MINUTES OF MEETING  
SEPTEMBER 10, 2013**

**CALL TO ORDER**     Chairman @ 5:30 p.m.

**Members Present:**   Chairman Dean Dadisman, Vice Chairman Doyle Johnson and Board Members Dexter Stanley, Connie Rucker, George Hokayem and John Snyder

**Members Absent:**   Board Member Jane Fleming

**Staff Present:**       Planning Manager Matt Tate and Recording Secretary Judy Foster

**Others Present:**     Council Members George Wangemann and Myrtle Figueras

**MINUTES OF AUGUST 13, 2013**

**There was a motion to approve the Minutes as presented.**

Motion made by Board Member Snyder  
Motion seconded by Board Member Rucker  
**Vote – 6 favor, 1 absent (Fleming)**

**NEW BUSINESS**

**A. Variance Request**

- 1) Request from **Charles Rex Scott, Jr.** to vary the left side yard building setback requirement on a 0.463± acre tract located at the south side of the intersection of Tommy Aaron Drive and Rienzi Court (a/k/a **505 Rienzi Court NW**), having a zoning classification of Residential-I-A (R-I-A).  
Ward Number:             One  
Tax Parcel Number(s): 01-107-001-121  
Request:                    Closet addition

**Staff Presentation:** Planning Manager Matt Tate gave the following staff presentation:

The applicant is proposing to vary the required left side yard building setback to reduce it from 15-feet to 6-feet in order to construct a master bedroom closet addition. The subject property is 0.463± acre in size and is located on the south side of the intersection of Tommy Aaron Drive and Rienzi Court, and is within the Chattahoochee Country Club. The property contains an existing 6,500+ square foot, two-story over a basement single-family home originally constructed in 2006. The surrounding uses consist of single-family homes and the Chattahoochee golf course. According to the applicant's documentation, the proposed addition is architecturally consistent with the existing home and will be located no closer to the property line than the existing retaining wall that extends out from the left side of the house. The applicant is basing the hardship on the location of the house in relation to the required setbacks as the existing floor plan does not permit a closet addition at any other location.

The Planning Division staff is recommending **conditional approval** of this variance request based on the subject property's two front yard setbacks and location of the existing home.

**Condition**

**The proposed closet addition shall be consistent both in architecture and size with the elevation drawings submitted with the application.**

**Applicant Presentation:** None

**FAVOR:** None

**OPPOSED:** None

**Planning and Appeals Board Comments:** None

**There was a motion to conditionally approve the request to vary the left side yard building setback requirement from 15-feet to 6-feet at 505 Rienzi Court NW for a closet addition with the following condition:**

**Condition**

**The proposed closet addition shall be consistent both in architecture and size with the elevation drawings submitted with the application.**

Motion made by Board Member Stanley  
Motion seconded by Board Member Snyder  
**Vote – 6 favor, 1 absent (Fleming)**

**B. Annexation Request**

- 1) Request from **Foote & Miller Properties, LLC** to annex a 2.72± acres tract located on the north side of Browns Bridge Road, southwest of Corporate Drive (a/k/a **2420 Browns Bridge Road**) and to establish zoning as General Business (G-B).  
Ward Number: Five  
Tax Parcel Number(s): 08-007-001-032 (part)  
Request: Existing car dealership

**Staff Presentation:** Planning Manager Matt Tate gave the following staff presentation:

The applicant is proposing to annex the 2.72 acres subject property in order to tie on to sanitary sewer for an existing bathroom facility. No building or driveway access changes are proposed at this time. The subject property is currently zoned Highway Business (H-B) within unincorporated Hall County and is adjacent to the city limits of Gainesville along its northerly and easterly boundary lines and is located within the Gateway Corridor Overlay Zone. The subject property is located toward the western side of the city limits of Gainesville and the surrounding properties include various office, retail, restaurant and auto sales/service uses located within the City and County. The subject property contains the existing Milton Martin Honda car dealership consisting of three buildings for new and used car sales, vehicle parts and service.

According to the Gainesville Public Utilities Department, the City presently serves this property with domestic water; also the City is currently in the process of constructing a sanitary sewer extension to serve this property which will be completed prior to the property being annexed.

The property is located within the *Commercial* land use category of the Gainesville Future Development Map and the *Browns Bridge Corridor* Character Area which are consistent with the request.

Therefore, the Planning Division staff is recommending **approval** of this annexation request with **General Business (G-B)** zoning, based on the Comprehensive Land Use Plan and the adjacent nonresidential uses.

**NOTE: Board Member Hokayem recused himself from the meeting at 5:38 p.m.**

**Applicant Presentation:** **Butch Miller**, 4618 Windsor Drive, Flowery Branch, stated that they were very excited about being a part of the City and asked the Board to look favorably upon the request.

**FAVOR:** None

**OPPOSED:** None

**Planning and Appeals Board Comments:** None

**There was a motion to recommend approval of the request to annex 2.72± acres as presented, located at 2420 Browns Bridge Road, and to establish zoning as General Business (G-B) for sewer for the existing car dealership.**

Motion made by Board Member Johnson

Motion seconded by Board Member Snyder

**Vote – 5 favor, 1 recusal (Hokayem), 1 absent (Fleming)**

**NOTE: Board Member Hokayem returned to the meeting at 5:40 p.m.**

### **C. Rezoning Request**

- 1) Request from **Donald E. Hammond** to rezone a 2.59± acres tract located on the west side of McEver Road, south of Gould Road (a/k/a **3030 McEver Road**) from Office and Institutional (O-I) to Neighborhood Business (N-B).  
Ward Number: Four  
Tax Parcel Number(s): 08-022-000-042 and 046  
Request: Existing and proposed office and retail uses

**Staff Presentation:** Planning Manager Matt Tate gave the following staff presentation:

The applicant is proposing to rezone the subject property from Office and Institutional (O-I) to Neighborhood Business (N-B) for the purpose of allowing a wider range of uses which may include restaurant, retail, personal service and health spa uses. However, there are no specific plans to construct a new building on the subject property at this time. The property is located on the west side of McEver Road, just south of Gould Road and is within the Gateway Corridor Overlay Zone. The property is situated

between a commercial node along McEver Road and an established, single-family residential neighborhood located within unincorporated Hall County. Specifically, the subject property consists of lots 2 and 3 of a three lot commercial office development known as the Ember Business Center at McEver and contains two, 8,000 square foot office buildings, associated parking areas and a grassed area padded for a future 8,000 square foot building.

The Future Land Use Map for the Comprehensive Plan places the subject tract within the *Mixed Use General* land use category which includes areas containing or planned for a mixture of land uses including office, neighborhood retail, and residential. As well, the subject property is located within the *Suburban Residential* character area which allows for commercial and mixture of uses. It is staff's opinion the proposed use is consistent with the Comprehensive Plan and is similar to the existing use and zonings of nearby nonresidential uses.

Therefore, the Planning Division staff is recommending **conditional approval** of this rezoning request based on the adjacent and nearby non-residential land uses.

#### **Conditions**

- 1. Any new proposed building shall be consistent in both architecture and scale with the existing buildings located within the subject property.**
- 2. A minimum 30-foot wide undisturbed buffer shall be maintained along the westerly property line against the residentially zoned properties.**

**Applicant Presentation:** Donald Hammond, 1616 Blueridge Drive, stated that he recently bought the two buildings and had a new tenant moved in yesterday which was an appropriate Office and Institutional (O-I) use but would like to rezone the property to allow more uses.

**FAVOR:** None

**OPPOSED:** None

**Planning and Appeals Board Comments:** None

**There was a motion to recommend conditional approval of the request to rezone 3030 McEver Road as presented from Office and Institutional (O-I) to Neighborhood Business (N-B) for existing and proposed office and retail uses with conditions as follows:**

#### **Conditions**

- 1. Any new proposed building shall be consistent in both architecture and scale with the existing buildings located within the subject property.**
- 2. A minimum 30-foot wide undisturbed buffer shall be maintained along the westerly property line against the residentially zoned properties.**

Motion made by Board Member Snyder  
Motion seconded by Board Member Hokayem  
**Vote – 6 favor, 1 absent (Fleming)**

## **ADJOURNMENT**

**There was a motion to adjourn the meeting at 5:46 PM.**

Motion made by Board Member Stanley  
Motion seconded by Board Member Snyder  
**Vote – 6 favor, 1 absent (Fleming)**

Respectfully submitted,

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Dean Dadisman, Chairman

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Judy Foster, Recording Secretary