

**GAINESVILLE PLANNING AND APPEALS BOARD  
MINUTES OF MEETING  
JULY 12, 2016**

**CALL TO ORDER** Chairman Carter at 5:30 p.m.

**Members Present:** Chairman Doug Carter, Vice-Chair Jane Fleming, and Board Members Connie Rucker, George Hokayem, and Eddie Martin, Sr.

**Members Absent:** Board Members Carmen Delgado and Lemuel Betancourt

**Staff Present:** Community Development Director Rusty Ligon, Planning Manager Matt Tate and Recording Secretary Judy Foster

**Others Present:** Council Members Ruth Bruner and George Wangemann

**MINUTES OF JUNE 14, 2016**

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

Motion made by Board Member Rucker

Motion seconded by Board Member Martin

**Vote – 5 favor, 2 absent (Delgado, Betancourt)**

**NEW BUSINESS**

**A. Variance Request**

- 1) Request from **Lucio Hernandez** to vary the side yard setback requirement on a 0.90± acre property located on the northwest side of the intersection of Atlanta Highway and Memorial Park Drive, having road frontage on 2<sup>nd</sup> Street (a/k/a **1830 Atlanta Highway**), and having a zoning classification of General Business (G-B).

Ward Number: Five

Tax Parcel Number(s): 08-009-003-010

Request: Supermarket expansion

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

The applicant is proposing to vary the side yard setback from 35-feet to 2.7-feet for the expansion of an existing supermarket. The subject property is 0.90± acre in size with road frontage along Atlanta Highway, Memorial Park Drive and 2<sup>nd</sup> Street. The property contains the Yuriria supermarket and El Ranchito restaurant and is located within the Gateway Corridor Overlay Zone. The request proposes to demolish the rear 39-foot x 75-foot portion of the existing building and replace it with a new building that will extend an additional 36-feet feet in length beyond the original building footprint toward Memorial Park Drive. On January 13, 2015, a similar variance request for the subject property was approved with conditions to replace the same building within its existing footprint. The applicant is basing the hardship on the fact that the property has three front yard setbacks and that logistically there is no other place to construct the building addition.

The Planning Division staff is recommending **conditional approval** of this variance request with two conditions based on the existing building location and the three road frontages.

**Applicant Presentation:** **Dick Bachman**, 337 Boulevard, stated he was the architect and potential builder of this project. He stated the current building was unsightly and the proposal would be an improvement for the area.

**FAVOR:** None

**OPPOSE:** None

**Planning and Appeals Board Comments:** None

There was a motion to approve the request to vary the side yard setback requirement from 35-feet to 2.7-feet with the following conditions:

**Conditions**

1. The proposed building shall be similar in architecture and materials as depicted within the applicant's photograph submitted with the application. The exterior facade of the proposed building wall facing the adjacent residential property to the northwest shall be an earth tone color.
2. The owner/developer of the subject property shall provide an evergreen vegetated buffer between the proposed building and the neighboring single-family properties located to the northwest. The owner/developer shall coordinate with the adjacent residential property owners in regards to the location of the added buffer vegetation. The intent of the buffer is to supplement the existing vegetation with buffer trees to provide for an effective buffer. The spacing, size and type of trees planted shall be subject to Community Development Department Director approval.

Motion made by Board Member Hokayem  
Motion seconded by Vice-Chair Fleming  
**Vote – 5 favor, 2 absent (Delgado, Betancourt)**

**B. Annexation Request**

- 1) Request from **Marcos L. Ramirez Vela** to annex a 0.323± acre tract located on the southwest side of Hospital Drive, east of Atlanta Highway (a/k/a **780 Hospital Drive**), and to establish zoning as Light Industrial (L-I).  
Ward Number: Four  
Tax Parcel Number(s): 00-132-005-016B  
Request: Auto repair shop

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

The applicant is proposing to annex the subject property with a zoning of Light Industrial (L-I) for sewer services in order to construct an auto repair shop. The

property is undeveloped and is currently zoned Light Industrial (I-1) within unincorporated Hall County. The adjacent city limits are located to the north and east. The proposed development is to include a 1,800 square foot (30' x 60') metal building that will contain 3 to 4 service bays and an office space. Access is proposed from a single driveway off Hospital Drive. There will be 3 employees and business hours will be 8:00 a.m. to 5:00 p.m. Monday through Friday and on Saturday's from 8:00 a.m. to 12:00 p.m.

The Gainesville 2030 Future Development Map for the City of Gainesville places the subject property within the *Mixed Use General* land use category. This category includes areas containing or planned for a mixture of land uses including office, neighborhood retail, and residential. As well, the Character Area map for the City of Gainesville places the property within the *West Side* character area which supports commercial uses.

The Planning Division staff is recommending **conditional approval** of this request with two conditions based on the Comprehensive Plan and the adjacent commercial and industrial uses.

**Applicant Presentation: Marcos Ramirez**, 3416 Mooney Drive, stated he wanted to annex into the City for sewer.

**FAVOR:** None

**OPPOSE:** None

**Planning and Appeals Board Comments:** None

**There was a motion to recommend approval of the request with the following conditions:**

**Conditions**

- 1. There shall be no yard parking and no parking of motor vehicles on Hospital Drive.**
- 2. Any junk vehicles, vehicles used for parts, spare parts or tires shall be stored in a manner so as not to be visible from the adjacent properties or Hospital Drive.**

Motion made by Vice-Chair Fleming  
Motion seconded by Board Member Rucker  
**Vote – 5 favor, 2 absent (Delgado, Betancourt)**

**ADJOURNMENT**

**There was a motion to adjourn the meeting at 5:44 p.m.**

Motion made by Board Member Martin  
Motion seconded by Board Member Rucker  
**Vote – 5 favor, 2 absent (Delgado, Betancourt)**

Respectfully submitted,

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Doug Carter, Chairman

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Judy Foster, Recording Secretary