

**ACTION AGENDA
GAINESVILLE PLANNING and APPEALS BOARD
OCTOBER 13, 2020
Gainesville Justice Center
5:30 p.m.**

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

Members Present: Chairman Doug Carter, Vice-Chair Jane Fleming and Board Members Rich White, Kelvin Simmons, Eddie Martin, Ryan Thompson and Carmen Delgado

Members Absent: None

Staff Present: Community & Economic Deputy Director Matt Tate, Department of Water Resources Director Linda MacGregor and Recording Secretary Gwen Fleming

Others Present: Council Member George Wangemann

2. MINUTES OF SEPTEMBER 8, 2020

Motion	Approval
Motion By	Board Member White
Second	Board Member Delgado
Vote	7 favor

3. OLD BUSINESS

4. NEW BUSINESS

A. Variance Request

1) Request from **Rochester & Associates, Inc.** to vary the lot width and front yard setback requirements on a 231.53± acres tract located north of the intersection of Gaines Mill Road and Heritage Glen Drive, having road frontage on Eberhart Cemetery Road (a/k/a **0 and 2901 Gaines Mill Road; 3490 Eberhart Cemetery Road**), having a zoning classification of Residential-I (R-I).

Ward Number: Three

Tax Parcel Number(s): 15-022-000-001, 001A and 009

Request: Single-family subdivision

Motion	There was a motion to conditionally approve the request to vary the lot width and front yard setback requirements for a single-family subdivision having a zoning of Residential-I (R-I) with six conditions.
Motion By	Board Member Martin
Second	Board Member Thompson
Vote	7 favor

B. Annexation Request

- 1) Request from **Smith, Gambrell & Russell, LLP** to annex a 4.011± acres tract located west of the intersection of Atlanta Highway and West Park Drive, adjacent to and southeast of the Norfolk Southern Railroad right-of-way (a/k/a **2500 West Park Drive**) and to establish zoning as Light Industrial (L-I).

Ward Number: Four
 Tax Parcel Number(s): 08-011-000-009 (Part)
 Request: Existing warehouse

Motion	There was a motion to recommend approval of the annexation request and establish zoning as Light Industrial (L-I) as presented.
Motion By	Board Member Delgado
Second	Board Member White
Vote	7 favor

NOTE: Board Member Martin recused himself at 5:53 p.m. due to a conflict of interest with the following request.

C. Rezoning Request

- 1) Request from **Walker-Lanier, LLC** to rezone a 0.50± acre tract located on the northwest side of the intersection of Lanier Avenue and Walker Street (a/k/a **989 Lanier Avenue, NE and 1437 Walker Street, NE**) from Residential-I (R-I) to Residential-II (R-II).

Ward Number: Two
 Tax Parcel Number(s): 01-087-004-015
 Request: Existing duplex home and two new duplex homes

Motion	There was a motion to recommend conditional approval to rezone the subject property from Residential-I (R-I) to Residential-II (R-II) with five conditions.
Motion By	Board Member White
Second	Board Member Simmons
Vote	6 favor, 1 recusal (Martin)

D. Code Amendment Request

- 1) Request from the **City of Gainesville Department of Water Resources** to amend the Unified Land Development Code and the Code of Ordinances. The code revisions focus on specific modifications to existing Articles and Titles relating to stormwater management requirements, floodplain management and flood damage prevention, stream buffer protection, and water conservation practices related to large irrigated landscapes. Gainesville Department of Water Resources (DWR) prepared the revisions to achieve minimum regulatory compliance with the Georgia Environmental Protection Division (GAEPD) and the Metropolitan North Georgia Water Planning District (MNGWPD) model ordinance recommendations. The following Articles and Titles are to be amended as bulleted below.

Code of Ordinances

- Part 3, The Code of Ordinances
 - Title 4, Public Works and Health
 - Title 5, Municipal Utilities

Unified Land Development Code

- Article 9-1, Enactment and Legal Status Provisions
- Article 9-2, Interpretations and Definitions
- Article 9-8, Overlay Zones
- Article 9-9, Site and Architectural Design Review
- Article 9-13, Subdivisions and Land Development
- Article 9-14, Soil Erosion, Sedimentation and Pollution Control
- Article 9-15, Floodplain Management
- Article 9-16, Buffers, Landscaping and Tree Protection
- Article 9-17, Access, Parking and Loading Requirements
- Article 9-20, Building and Property Maintenance Regulations
- Article 9-22, Applications and Procedures
- Article 9-24, Administration and Enforcement

Motion	There was a motion to recommend approval of the code amendment request as presented.
Motion By	Board Member Thompson
Second	Board Member Martin
Vote	7 favor

5. MISCELLANEOUS

6. ADJOURNMENT

Motion	Adjourned at 6:08 p.m.
Motion By	Board Member Martin
Second	Board Member White
Vote	7 favor