

MINUTES

Planning Commission

Regular Business Meeting

Thursday, June 27, 2013

Municipal Council Chambers

MEETING CALLED TO ORDER: Planning Commission Chairman Ed Warren called the meeting to order at 7:32 p.m. Invocation was given by Sonny Medlin followed by the pledge of allegiance.

ATTENDANCE: Planning & Development Director, Tim Prater; Planning Commission Chairman, Ed Warren; Planning Commissioners: Bruce Granoff, Sonny Medlin, Barbara Forrester, Arno Angulo and R.C. Shanks. Steven Landers was absent. Council Members, Michelle Lynch and Skip Baliles were present. Administrative Assistant, Nina Ramsey recorded the minutes.

APPROVE MINUTES: A motion was made by Bruce Granoff and seconded by Arno Angulo to approve the April 25, 2013 Minutes. Motion carried 5 – 0 therefore the April 25, 2013 minutes were approved.

THE FOLLOWING CASES WERE PRESENTED:

CASE #A13-005 ANNEXATION – Town & Country Pet Salon filed an application requesting to annex approximately 1.083+/- acres located at 4826 Highway 81 North, Map/Parcel #N016A007, Walton County, Georgia. The property owner is Paige Wilbanks. Paige Wilbanks was present. The City Council returned this application to the Planning Commission for further consideration in regard to the Land Use Map. Police Chief, Mike McHugh, had concerns regarding the neighbor who opposed the annexation. He stated that the department was already short staffed especially at night. If this neighbor should call constantly complaining of barking dogs it would tax our already strained resources.

Paige Wilbanks told the Commissioners she provides a cage free kennel, recently extended the privacy fence between her property and Celina Ford's, pets were always supervised when outside, has the capacity to board 8 dogs, had a Occupational Tax Certificate to board for 1 ½ years before revoked by the county when discovered property was not in compliance with zoning regulations, stated she has not boarded dogs since, had letters of approval from neighbors on both sides of her property but Ms. Ford intimidated her husband to say he thought he was giving approval to install a building, and submitted 23 letters recommending approval of her facility. Celina Ford spoke in opposition and said she did not want a kennel beside her because of the smell and sound of barking dogs all night. This was her home.

Pamela Dehetre who owns a kennel spoke in opposition stating the property never had a business license as a kennel, they continue to advertise as a kennel, unsafe to leave animals in a house alone, animals should have runs, floor drains and more property if kenneling.

Neal Byrd wrote a letter opposing spot zoning and permitting commercial businesses in residential areas.

A motion was made by Arno Angulo to deny the annexation. Motion died for lack of a second.

A motion was made by Barbara Forrester and seconded by Arno Angulo to go into executive session. Motion carried 5 – 0. The Planning Commissioners left the Council Chambers for

executive session at 7:16 p.m. A motion was made by Barbara Forrester and seconded by Arno Angulo to re-open the meeting at 7:28 p.m. Motion carried 5 – 0

A motion was made by R.C. Shanks and seconded by Sonny Medlin to recommend approval of the annexation. Motion carried 4 – 1 with Arno Angulo opposing; therefore, the recommendation is to approve the annexation.

CASE #R13-005 REZONE – Town & Country Pet Salon filed an application to rezone approximately 1.083+/- acres located at 4826 Highway 81 North, Map/Parcel #N016A007, Walton County, Georgia. The current zoning is B2. The requested zoning is CH for an existing pet grooming, boarding, daycare facility. Paige Wilbanks was present.

A motion was made by R.C. Shanks and seconded by Sonny Medlin to approve the rezone with the original conditions. Motion carried 4 – 1 with Arno Angulo opposing therefore the recommendation is to approve the rezone with the following conditions:

- 1) Alteration or additions to the building façade shall retain the residential character of the structure.
- 2) Limit signage on the property to one freestanding sign of no more than 24 square feet in face area and not more than 6 feet in height. One wall sign of not more than 24 square feet in face area. The freestanding sign shall not be internally illuminated.

CASE #V13-006 VARIANCE – Town & Country Pet Salon filed an application requesting a variance for property located at 4826 Highway 81 North, Map/Parcel #N016A007, Walton County, Georgia. The variance would allow the existing pet grooming, day care facility with boarding. The property owner is Paige Wilbanks. Relief is sought from the City of Loganville Zoning Ordinance Sec. 119-217 (b) (1) yy. Kennels. Paige Wilbanks was present.

A motion was made by R.C. Shanks and seconded by Bruce Granoff to approve the Variance with the original conditions. Motion carried 4 – 1 with Arno Angulo opposing therefore the recommendation is to approve the variance with the following conditions:

- 1) The applicant would be subject to all other City fees, services and charges.
- 2) The applicant would be required to obtain an Occupational Tax Permit
- 3) The applicant may not install any outside pens and or dog runs on the property without meeting the requirements under sec. 119-217 (b) (1) yy

Case #13-008 Amend Zoning Ordinance

A motion was made by Barbara Forrester and seconded by Arno Angulo to approve the amendments to the Zoning Ordinance sections listed below. Motion carried 5 – 0 therefore the recommendation is to amend the Zoning Ordinance by:

1. Inactivating Sec. 119-213. RM-8 multifamily residential moderate density apartment district
2. Deleting section 119-84(c)(5) in its entirety and inserting a new subsection to read as follows: *(5) If a vote results in a tie among the council members, the mayor, or vice-mayor, shall cast his vote to break the tie.*
3. Deleting subsection 119-84(c)(6) in its entirety and inserting a new subsection to read as follows: *(6) If no action is taken on an application due to lack of a quorum, the application shall be considered tabled and action deferred to the next regular business meeting of the city council.*

Adjourn

A motion was made by Sonny Medlin and seconded by Arno Angulo to adjourn. Motion carried 5 – 0 therefore meeting adjourned.

Tim Prater
Planning & Development

Ed Warren
Commission Chairman