

CITY OF EAST POINT

PLANNING & ZONING COMMISSION

February 17th, 2011 - 7:00 P.M.

Official Minutes

Regular Meeting

East Point, Georgia

Jefferson Station

1526 East Forrest Avenue

4th Floor

Board Members Present:

Commissioner Dr. Herbert J. **BRIDGEWATER, Jr.**, Chair

Commissioner Shean **ATKINS**, Co-Chair

Commissioner Francine **JONES**, Provisional Chair

Commissioner Linda **SHELDON**

Commissioner Eddie **BRYANT**

Commissioner Eric **FRIEDLY**

Commissioner Dr. Lydia **WARES**

Commissioner Joel **TUCKER**

Board Members Absent:

Commissioner Dr. William **BRYANT**

also Present:

Ms. Susan **GARRETT**
City Attorney

Ms. Keyetta **HOLMES**
Senior Planner

ABSENT: Ms. Regina **CARTER**
Senior Planner

James **HAMMOND**
Videographer

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APPEARANCES

<u>APPLICANT(S):</u>	<u>Page</u>
Rex Evans	
Debra Killings	(Nonappearance)
Michael Marshall	(Nonappearance)

SPEAKERS

Pats John	19
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I. CALLED TO ORDER:

COMMISSIONER BRIDGEWATER, JR.: Ladies and gentlemen, we call to order the February 17th meeting of the City of East Point Planning & Zoning. At this time, we will have the roll call from the Clerk, please.

II. ROLL CALL:

MS. HOLMES: Commissioner Friedly.
COMMISSIONER FRIEDLY: Present.
MS. HOLMES: Commissioner Wares.
COMMISSIONER WARES: Present.
MS. HOLMES: Commissioner Tucker.
COMMISSIONER TUCKER: Here.
MS. HOLMES: Commissioner Jones.
COMMISSIONER JONES: Present.
MS. HOLMES: Commissioner Bridgewater.
COMMISSIONER BRIDGEWATER, JR.: Present.
MS. HOLMES: Commissioner Atkins.
COMMISSIONER ATKINS: (No response.)
MS. HOLMES: Commissioner E. Bryant.
COMMISSIONER E. BRYANT: Present.
MS. HOLMES: Commissioner Sheldon.
COMMISSIONER SHELDON: Present.
MS. HOLMES: Commissioner William Bryant.
COMMISSIONER E. BRYANT: (No response.)
MS. HOLMES: Mr. Chair, you have a quorum.

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COMMISSIONER BRIDGEWATER, JR.: Thank you. Ladies and gentlemen, at -- it is custom that we do a moment of silence. At this time, if you will reverent a moment of silence, please.

III. MOMENT OF SILENCE:

COMMISSIONER BRIDGEWATER, JR.: Thank you. Would you now stand and do Pledge to the Allegiance for the flag.

IV. PLEDGE OF ALLEGIANCE:

COMMISSIONER BRIDGEWATER, JR.: Thank you, Commissioners. At this time, Commissioners, I'll entertain a motion for the adoption of tonight's agenda.

V. ADOPTION OF AGENDA:

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Sheldon.

COMMISSIONER SHELDON: I move we adopt we adopt the agenda as written.

COMMISSIONER WARES: I second.

COMMISSIONER BRIDGEWATER, JR.: It's been motioned by Commissioner Sheldon and seconded my Commissioner Wares that tonight's agenda be adopted as written. All in favor let it be known by the word aye.

COMMISSIONERS: Aye.

COMMISSIONER BRIDGEWATER, JR.: Opposes by the sign no.

COMMISSIONERS: (No response.)

1 COMMISSIONER BRIDGEWATER, JR.: Hearing none, tonight's
2 agenda will be -- is adopted. Now, we need a motion for approval of
3 the January 20th, 2010 minutes.

4 **VI. APPROVAL OF MEETING MINUTES:**

5 COMMISSIONER JONES: Mr. Chair, 'um, I believe our
6 understanding was that the January 2010 meeting -- huh, two 2011
7 meeting minutes were not produced because of illnesses.

8 MS. HOLMES: You should have received them by mail this
9 week.

10 COMMISSIONERS: (No response.)

11 COMMISSIONER BRIDGEWATER, JR.: Commissioners, I did
12 not get mine.

13 COMMISSIONER SHELDON: Mr. Chair, I move that we, huh,
14 postpone the approval of those minutes to our next meeting.

15 COMMISSIONER WARES: I second.

16 COMMISSIONER BRIDGEWATER, JR.: Thank you. It has
17 been motioned and seconded that the minutes for the January 20th,
18 2011 be postponed until all Commissioners are in receive of those
19 minutes. All in favor, let it be none by the word aye.

20 COMMISSIONERS: Aye.

21 COMMISSIONER BRIDGEWATER, JR.: Opposes by the sign
22 no.

23 COMMISSIONERS: (No response.)

24 COMMISSIONER BRIDGEWATER, JR.: Hearing none, then
25 those minutes, we look forward to getting those minutes for our next

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meeting. At this time, we'll ask the Clerk if you'll sound the first case, please.

COMMISSIONER SHELDON: Mr. Chair, I believe we have, huh, the Election of Officers on our agenda, is the next item.

COMMISSIONER BRIDGEWATER, JR.: I have a different -- okay. That's fine. That's not on my --

COMMISSIONER ATKINS: I don't know if we've got new agendas but I brought it up in the work session because the Code says that we are, by law, are to elect new officers, 'um, at the February meeting and I don't think that a new agenda was produced.

COMMISSIONER SHELDON: It is.

MS. HOLMES: The agenda and the minutes were in the same packet that is somewhere in the postal -- in the U.S. Mail.

COMMISSIONER BRIDGEWATER, JR.: I don't like seeming so, huh, out of order and, huh -- thank you. So at this time, we'll, 'um -- in keeping with our rules and ordinances, we'll have Election of Officers at this time. With that being -- trying to make sure all Commissioners got a copy of tonight's agenda.

VII. ELECTION OF OFFICERS:

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER BRIDGEWATER, JR.: Yes, sir.

COMMISSIONER SHELDON: 'Um, I'd like to ask the Clerk if we could, huh, identify the three officers that we are to elect. Is it -- it's Chair and --

MS. HOLMES: It's Chair, Vice Chair and Provisional Chair.

1 COMMISSIONER SHELDON: Thank you.

2 COMMISSIONER BRIDGEWATER, JR.: Commissioners, the
3 floor is now open for election nominations for Chair.

4 COMMISSIONER TUCKER: Mr. Chair.

5 COMMISSIONER BRIDGEWATER, JR.: Huh, Commissioner,
6 huh, Tucker.

7 COMMISSIONER TUCKER: I would nominate Herbert
8 Bridgewater as the Chair.

9 COMMISSIONER BRIDGEWATER, JR.: Other nominations.

10 COMMISSIONERS: (No response.)

11 COMMISSIONER BRIDGEWATER, JR.: Are there other
12 nominations?

13 COMMISSIONER JONES: Mr. Chair.

14 COMMISSIONER BRIDGEWATER, JR.: 'Um, huh,
15 Commissioner Jones.

16 COMMISSIONER JONES: I would like to nominate Sean
17 Atkins as the Chair.

18 COMMISSIONER BRIDGEWATER, JR.: Thank you. Are there
19 other nominations?

20 COMMISSIONERS: (No response.)

21 COMMISSIONER BRIDGEWATER, JR.: Are there other
22 nominations?

23 COMMISSIONERS: (No response.)

24 COMMISSIONER BRIDGEWATER, JR.: Hearing none, I'll
25 entertain a motion to close the nomination.

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COMMISSIONER SHELDON: Mr. Chair, I move we close the nomination.

COMMISSIONER BRIDGEWATER, JR.: Is there a second?

COMMISSIONER WARES: Second.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Sheldon has made a motion to close the nomination on the said two names and Commissioner Wares has seconded the motion. All in favor let it be none by the word aye.

COMMISSIONERS: Aye.

COMMISSIONER BRIDGEWATER, JR.: Opposes by the sign no.

COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Hearing none, then the motion is now closed. Huh, so then, we need to vote on those two names and then --

COMMISSIONER SHELDON: Huh, do both of you accept the nominations?

COMMISSIONER BRIDGEWATER, JR.: I'm -- yes, accept it. I have no problem with that.

COMMISSIONER ATKINS: I'll accept the nomination also.

COMMISSIONER SHELDON: Okay.

ATTORNEY SUSAN GARRETT: Mr. Chair, since the, 'um, the Chair and the Vice Chair are nominated, it might be appropriate to pass the gavel to the Provisional Chair.

COMMISSIONER BRIDGEWATER, JR.: I was -- that was my --

1 (Whereupon the gavel is passed to the Provisional Chair.)
2 COMMISSIONER ATKINS: That will be Francine.
3 COMMISSIONER JONES: That would be me.
4 COMMISSIONER BRIDGEWATER, JR.: Okay.
5 COMMISSIONER JONES: 'Um, okay, Commissioners, 'um --
6 VIDEOGRAPHER: Microphone, please.
7 COMMISSIONER JONES: Commissioners, we have, 'um, two
8 nominations on the floor, 'um, and we'll go into order. Those in favor
9 of Dr. Bridgewater being elected to the Officer of Chairman for the
10 Planning & Zoning Commission, please signify by saying aye.
11 COMMISSIONERS: Aye.
12 COMMISSIONER JONES: Those opposed.
13 COMMISSIONERS: (No response.)
14 COMMISSIONER JONES: Hearing none, 'um, it is approved
15 that Dr. Bridgewater will -- has been nominated for the Chair of the
16 Planning & Zoning Commission.
17 COMMISSIONER ATKINS: Shall we say nominated or shall we
18 say has been elected?
19 COMMISSIONER JONES: Elected. I'm sorry. You're correct.
20 I stand correct. 'Um, he has been elected to Chair for the Planning &
21 Zoning Commission for the calendar year 2011.
22 COMMISSIONER BRIDGEWATER, JR.: Thank you
23 Commissioners for your vote of confidence and my leadership and I'll
24 do the best I can with your help. We all work together as a Body and
25 I really, huh, appreciate that along with our capable Staff so we look

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forward to a very fruitful and prosperous 2011 year. At this time, we will now open the floor for the nominations for a Provisional, 'um --

COMMISSIONERS: Vice --

COMMISSIONER BRIDGEWATER, JR.: -- Vice Chair.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Sheldon. I nominate Shean Atkins.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Atkins has been nominated. Are there other nominations?

COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Are there other nominations.

COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Hearing none, I'll entertain a motion to close the nomination for the said one name.

COMMISSIONER JONES: Mr. Chair, I move that we close the election -- huh, nomination.

COMMISSIONER WARES: I second.

COMMISSIONER BRIDGEWATER, JR.: It's been motioned by Commissioner Jones and seconded by Commissioner Wares that we close the nomination for the Vice Chair on the name of Commissioner Shean Atkins. All in favor let it be none by the word aye.

COMMISSIONERS: Aye.

COMMISSIONER BRIDGEWATER, JR.: Opposes by the sign no.

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COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Hearing none, then it is automatically, huh -- Commissioner Atkins is our Vice Chair and serve as a capable one in one times and so we certainly thank you again for your service. At this time, we'll open the floor for a nomination for Provisional Chair.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Sheldon.

COMMISSIONER SHELDON: I nominate Francine Jones.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Jones has been nominated. Are there other nominations?

COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Commissioner Jones has been nominated. Are there other nominations? Commissioner Jones has been nominated --

COMMISSIONER ATKINS: Mr. Chair, I move that we close the nominations for Provisional Chair.

COMMISSIONER SHELDON: Second.

COMMISSIONER BRIDGEWATER, JR.: It has been motioned by Commissioner Atkins and seconded by Commissioner Sheldon that the nominations for Provisional Chair be closed on the one said name, Commissioner Jones. All in favor let it be none by the word aye.

COMMISSIONERS: Aye.

1 COMMISSIONER BRIDGEWATER, JR.: Opposes by the sign
2 no.

3 COMMISSIONERS: (No response.)

4 COMMISSIONER BRIDGEWATER, JR.: Hearing none, then
5 Commissioner, huh, Jones, you are our Provisional Chair and again
6 we thank you for your excellent service this past year and we look
7 forward to your continued excellent service. Does that complete,
8 huh, the election -- what we need to do?

9 COMMISSIONERS: (No response.)

10 COMMISSIONER BRIDGEWATER, JR.: Thank you,
11 Commissioners. 'Um, and now at this time, and we now on the
12 agenda calling for the first -- Clerk, you'll sound the first one.

13 **VIII. NEW BUSINESS:**

14 MS. HOLMES: Case Number 2011Z-001-01. Applicant is Rex
15 Evans, Debra Killings, 1951 Washington Road. The request is to
16 rezone from R1 Single Family Residential to C1 Neighborhood
17 Commercial. Staff recommendation is Deferral.

18 COMMISSIONER BRIDGEWATER, JR.: Commissioners,
19 Attorney Garrett, were you about to say -- you trying to get my --
20 Mr. Chair, we still need to open the public hearing.

21 COMMISSIONER BRIDGEWATER, JR.: I know I saw -- I was
22 about to say it when she that. Commissioners, at this time, we'll
23 need to, huh -- 'um, before we entertain a motion to open the floor
24 for public hearing, why don't I go ahead and read the rules and
25 procedures so that at least we'll know that. The applicant -- huh, the

1 rule for the public hearing procedures for the City of East Point
2 Planning and Zoning are as follows: The applicant for the proposed
3 amendment or applicants designated or representative, if any, will be
4 entitled to speak first followed by other speakers in favor of the
5 proposal for a total of fifteen minutes. Those who oppose the
6 proposed zoning amendment will then be permitted to speak for a
7 total of fifteen minutes. By majority of the vote, the Commission
8 may increase the total time for a speaker provided that each side is
9 given the same amount of time. If there's more than one speaker for
10 a side, the presiding officer may limit the time allotted to each
11 individual speaker other than the zoning applicant. The zoning
12 applicant may reserve a portion of his or her allotted time for
13 rebuttal. Speakers must adhere to rules of the decorum. Prior to
14 speaking, each speaker shall identify himself or herself and state his
15 or her current address. Each speaker shall speak only to the merits
16 of the proposed zoning decision under consideration and shall
17 address remarks only to the Commission and shall refrain from
18 making personal attacks on other speaker. The presiding officer may
19 refuse a speaker the right to continue if after first being cautioned
20 the speaker continues to violate the rules of decorum. At this time,
21 'um, ladies and gentlemen, I will entertain a motion to open the floor
22 for public hearing on the said matter.

23 COMMISSIONER ATKINS: Mr. Chair, I move that we open up
24 a public hearing for Agenda Item 2011 "Z" as in zebra-001-01.

25 COMMISSIONER WARES: I second.

1 COMMISSIONER BRIDGEWATER, JR.: It's been motioned by
2 Commissioner Atkins and seconded by Commissioner Wares that we
3 open the public hearing on the said stated matter. All in favor, bet it
4 be known by the word aye.
5 COMMISSIONERS: Aye.
6 COMMISSIONER BRIDGEWATER, JR.: Opposes by the same
7 sign.
8 COMMISSIONERS: (No response.)
9 COMMISSIONER BRIDGEWATER, JR.: Hearing none, the floor
10 is now open to first hear from the applicant.
11 AUDIENCE: (No response.)
12 COMMISSIONER BRIDGEWATER, JR.: Is the applicant not
13 present?
14 AUDIENCE: (No response.)
15 COMMISSIONER BRIDGEWATER, JR.: All right. Are there
16 any other -- without the applicant -- okay. Is there any other
17 proponents that would like to speak on this matter in favor of the
18 matter?
19 AUDIENCE: (No response.)
20 COMMISSIONER BRIDGEWATER, JR.: Are there anyone
21 present want to speak in favor?
22 AUDIENCE: (No response.)
23 COMMISSIONER BRIDGEWATER, JR.: Are there those
24 present would like to speak in opposition to the matter?
25 AUDIENCE: (No response.)

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COMMISSIONER BRIDGEWATER, JR.: Any wants to speak in opposition?

AUDIENCE: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Hearing none, seeing none, Commissioners, I'll entertain a motion to close the public hearing.

COMMISSIONER ATKINS: Mr. Chair, I move that we close the public hearing for Agenda Item 2011 "Z" as in zebra-001-01.

COMMISSIONER SHELDON: Second. Bring it's been motioned by Commissioner Atkins and seconded by Commissioner Sheldon that we close the public hearing on said matter. All in favor let it be known by the word aye.

COMMISSIONERS: Aye.

COMMISSIONER BRIDGEWATER, JR.: Opposes by the same sign.

COMMISSIONERS: (No response.) Bring hearing none, the public hearing is now closed. Staff, would you be kind to --

MS. HOLMES: With respect to Case Number 2011Z-001-01, 1951 Washington Road which is requesting a rezoning from R1, Single Family Residential to C1 Neighborhood Commercial. Staff has recommended a deferral because it was found that the property located -- the property at 1951 Washington Road has a land use designation of medium density residential. In order to support a rezoning from single family to commercial, a land use designation change is required.

1 COMMISSIONER BRIDGEWATER, JR.: Thank you, Staff.
2 COMMISSIONER SHELDON: Mr. Chair.
3 COMMISSIONER BRIDGEWATER, JR.: Madam --
4 Commissioner Sheldon.
5 COMMISSIONER SHELDON: I move we, huh, defer Item
6 Number 2011Z-001-01. Huh, is this deferral to the next meeting
7 or --
8 MS. HOLMES: Yes, ma'am.
9 COMMISSIONER SHELDON: -- for the, 'um, March meeting?
10 COMMISSIONER BRIDGEWATER, JR.: March meeting.
11 COMMISSIONER WARES: I second.
12 COMMISSIONER BRIDGEWATER, JR.: It has been motioned
13 by Commissioner Sheldon and seconded by Commissioner Wares that
14 the said matter be deferral to the March meeting of the City of East
15 Point Planning & Zoning Commission. All in favor, let it be known by
16 the word aye.
17 COMMISSIONERS: Aye.
18 COMMISSIONER BRIDGEWATER, JR.: Opposes by the sign
19 no.
20 COMMISSIONERS: (No response.)
21 COMMISSIONER BRIDGEWATER, JR.: Hearing none, this
22 matter will be deferred to our March 2011 meeting. At this time,
23 'um, Staff would you sound --
24 MS. HOLMES: Case Number 2011Z-002-01. Applicant is
25 Michael Marshall. 2312-2314 Dauphine Street. It's a request for a

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rezoning from R1A, Urban Residential to R2, Two Family Residential.

COMMISSIONER ATKINS: Mr. Chair.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Atkins.

COMMISSIONER ATKINS: I move that we open up the public hearing for 2011 "Z" as in zebra-002-01.

COMMISSIONER SHELDON: Second.

COMMISSIONER BRIDGEWATER, JR.: It's been motioned by Commissioner Atkins and seconded by Commissioner Sheldon that we open the public hearing on the said stated case. All in favor let it be known by the word aye.

COMMISSIONERS: Aye.

COMMISSIONER BRIDGEWATER, JR.: Opposes by the sign no.

COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Hearing none, the public hearing will -- is now open and the rules of decorum for the public hearing are still applicable. At this time, we will hear from the applicant, Michael Marshall.

AUDIENCE: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Is the applicant not here? Are there proponents -- other proponents that would like to speak in favor of this matter?

AUDIENCE: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Are there persons like to speak in favor?

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AUDIENCE: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Are there persons who would like to speak in opposition? All right. Ma'am, would you come up and state your name, please and address.

(Whereupon Pats John approach the podium.)

PATS JOHNS: Pats John, 2283 Dauphine, and, 'um, I really have more of a question than a -- than a, 'um -- because it -- the location of the property is 2312 Dauphine Street, which is fine but that is part -- already part of a duplex and the other side of that house is 2314 Dauphine Street. I just want to make sure that I'm not -- that we're not gonna end up with a triplex or if somebody comes back later to split the other half -- a quadraplex. Does my question make sense? That's my question.

COMMISSIONER ATKINS: Your certain is -- okay. So your concern -- just so that --

PATS JOHN: I guess I'm concern -- I had actually called and asked what the rezoning from the R1A to R2 was and I understand that it is just a more of a change in language because -- that if something has been vacant for a while, then it's gonna be called something different now than it use to be called. Well, this duplex has been vacant for a while. But this is only asking about one side of the duplex so I just want to make sure that this won't get called a duplex and then later on the other side will get called a duplex to break it down into four duplexes as opposed to the two that already is.

1 COMMISSIONER ATKINS: Okay. I think I see what your
2 question is. Your question is from the posting. 'Um, in the posting, it
3 only says 2312 Dauphine Street.
4 PATS JOHN: Yes.
5 COMMISSIONER ATKINS: However, the application is for
6 2312 and 2314.
7 PATS JOHN: Okay.
8 COMMISSIONER ATKINS: It's for both of the sides, huh, to
9 revert back to the R2, which is Two Family Residential zoning.
10 PATS JOHN: Well then, I'm good then. Thank you very
11 much.
12 COMMISSIONERS: (Laughs)
13 COMMISSIONER SHELDON: Mr. Chair.
14 COMMISSIONER BRIDGEWATER, JR.: Huh, Commissioner
15 Sheldon.
16 COMMISSIONER SHELDON: I move that we close the public
17 hearing.
18 COMMISSIONER FRIEDLY: Second.
19 COMMISSIONER BRIDGEWATER, JR.: Motioned by
20 Commissioner Sheldon and I think that was Commissioner Friedly,
21 huh, second the motion. All in favor let it be known by the word aye.
22 COMMISSIONERS: Aye.
23 COMMISSIONER BRIDGEWATER, JR.: Opposes by the sign
24 no.
25 COMMISSIONERS: (No response.)

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COMMISSIONER BRIDGEWATER, JR.: Hearing none, the hearing -- the public hearing is closed. Staff.

MS. HOLMES: Case Number 2011Z-002-01, applicant is Michael Marshall. The request is for 2312-2314 Dauphine Street, a rezoning from R1A Urban Residential to R2 Two Family. Staff recommendation is approval and Mr. Marshall could not be here tonight. He is out of the country because of the passing of his (UNINTELLIGIBLE).

COMMISSIONER ATKINS: Mr. Chair.

COMMISSIONER BRIDGEWATER, JR.: Commissioner, huh, Atkins.

COMMISSIONER ATKINS: I move approval of -- to recommend approval of Agenda Item 2011 "Z" as in zebra-002-01, the rezoning of 2312-2314 Dauphine Street from R1A Urban Residential to R2 Two Family Residential.

COMMISSIONER SHELDON: Second.

COMMISSIONER BRIDGEWATER, JR.: It's been motioned --

COMMISSIONER WARES: 'Um, I'm sorry.

COMMISSIONER BRIDGEWATER, JR.: It's been motioned by Commissioner Atkins and seconded by Commissioner Sheldon that said matter be approved. Are there --

COMMISSIONER WARES: Mr. Chair, I have a question.

COMMISSIONER BRIDGEWATER, JR.: Discussion.

COMMISSIONER WARES: Discussion.

COMMISSIONER BRIDGEWATER, JR.: All right.

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Commissioner Wares.

COMMISSIONER WARES: Huh, that was gonna be the same question I asked that the resident asked. I wanted to know if we have any legal ramifications regarding this property since we did not list it in the public hearing as 2312 dash 2314?

COMMISSIONER BRIDGEWATER, JR.: Attorney Susan Garrett, you want to respond.

ATTORNEY SUSAN GARRETT: That's something that we'll need to take a look at prior to it coming before the Council. 'Um, I don't think it prevents this Body from voting on a recommendation tonight.

COMMISSIONER WARES: Give us some information on that. Possibly you'll send it to us so we'd know.

ATTORNEY SUSAN GARRETT: I can do that. It would -- the -- in terms of legality, it would mainly affect -- if there is any problem with the notice that was published --

COMMISSIONER WARES: Uh-uh.

ATTORNEY SUSAN GARRETT: -- it would affect -- it could potentially affect the, 'um, validity of the Council action. 'Um, since this is a recommending Body, it's not as problematic for you to make your recommendation but if something -- and I'll need to look at exactly what the notice said to see if, in fact, there is a problem.

COMMISSIONER WARES: Thank you.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Friedly, did I --

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COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Sheldon.

COMMISSIONER SHELDON: Huh, would it be wise for us to condition our recommendation in order to, 'um, clarify the point for Council or is that just not necessary?

COMMISSIONER TUCKER: I would prefer to do that as well.

ATTORNEY SUSAN GARRETT: I think the Council is -- I mean, the Commission is free to state it's motion and whatever it's recommendation is however it chooses. 'Um, so if, you know if you want to make a statement, like to include that to make a record of your wishes, I think that would be fine.

MS. HOLMES: The parcel address for the property is 2312. However, the practice in East Point at some time was to provide two addresses on a duplex. So the parcel address is 2312. The duplex addresses are 2312 and 2314.

COMMISSIONER ATKINS: So, in fact, 'um, Ms. Holmes, 'um, it could -- and I'm just going with what you're saying so it really could have been 2312 A and B and, in fact, it would just remain 2312, which is the parcel address, correct?

MS. HOLMES: Correct. But before the current addressing ordinance, it is quite common to find two addresses on one parcel but the parcel actually only has one address.

COMMISSIONER BRIDGEWATER, JR.: Commissioner Tucker, you want to -- go ahead.

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COMMISSIONER TUCKER: No, I just --

VIDEOGRAPHER: Microphone, please.

COMMISSIONER TUCKER: I'm just trying to get a better understanding as well. I think that that's, 'um, probably answered my question and Susan did a good job as well.

ATTORNEY SUSAN GARRETT: Hence my statement that I would have to look at exactly what was advertised and what the circumstances were before giving an opinion about the validity of the notice but it -- giving the address of the property is to identify what property you're talking about and, 'um, in all likelihood, it looks like that was adequately done.

COMMISSIONER BRIDGEWATER, JR.: Okay. 'Um, Commissioner are you satisfied?

COMMISSIONERS: (Nods heads for yes.)

COMMISSIONER BRIDGEWATER, JR.: Okay. Then all in favor let it be known by the word aye.

COMMISSIONERS: Aye.

COMMISSIONER BRIDGEWATER, JR.: Opposes by the sign no.

COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Hearing none, the matter is approved. Commissioner, I think, as far as I know, unless you have, again, a different agenda, that includes all of the business on the agenda -- on tonight's agenda. Are there announcements from Staff at this time?

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IX. ANNOUNCEMENTS:

MS. HOLMES: (Nods head for no.)

COMMISSIONER BRIDGEWATER, JR.: None. Commissioner, are there announcements from each of you?

COMMISSIONERS: (No response.)

COMMISSIONER BRIDGEWATER, JR.: Hearing none, I'll entertain a motion to adjourn.

X. ADJOURNMENT:

COMMISSIONER ATKINS: Mr. Chair, I move that we adjourn our meeting of, huh, February 17th, 2011.

COMMISSIONER WARES: Second.

COMMISSIONER BRIDGEWATER, JR.: It's has been motioned by Commissioner Atkins and seconded by Commissioner Wares that the February 17th, 2011 meeting of the City of East Point Planning & Zoning be now adjourned.

(Whereupon this concludes the meeting for the City of East Point Planning & Zoning Commission for February 17th, 2011.)

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Attest:

I hereby attest that the foregoing transcript was reported, as stated in the caption, and the questions and answers thereto were reduced to the written page under my direction; that the foregoing pages 1 through 26 represent a true and correct transcript that I am not in any way financially interested in the result of said case.

I am here as an independent contractor for East Point Planning & Zoning Commission.

I was contacted by the offices of East Point Planning & Zoning Commission to provide stenography services to take down the meeting minutes.

The foregoing meeting for the City of East Point Planning & Zoning Commission on February 17th, 2011, at 7 o'clock P.M. were taken down by me and transcribed by me this 2nd day of March, 2011.

Jeanene Harper
Court Reporter