

CITY OF EAST POINT

**PLANNING & ZONING COMMISSION**

February 16th 2012 - 7:00 P.M.

Official Meeting Minutes

East Point, Georgia  
Jefferson Station  
1526 East Forrest Avenue  
4th Floor Conference Room

**Board Members:**

Commissioner Shean **ATKINS**, Chair

Commissioner Linda **SHELDON**, Co-Chair

Commissioner Joel **TUCKER**, Provisional Chair

Commissioner Dr. Lydia **WARES**

Commissioner Gregory **FANN**

Commissioner Matthew **MALLORY**

Commissioner William **BRYANT**

Commissioner Davita **WASHINGTON**

**(One Empty Seat Not Appointed)**

Also Present:

Ms. Susan **GARRETT**  
City Attorney

Ms. Regina **CARTER**  
Senior Planner

Ms. Keyetta **HOLMES**  
Senior Planner

James **HAMMOND**  
Videographer

Richard **RANDOLPH**  
City Engineer

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APPEARANCES

<u>APPLICANT(S):</u>	<u>Page</u>
Bo Avel Garrard Construction Services	13
Ira Palmer	22

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**I. CALL TO ORDER:**

COMMISSIONER ATKINS: Good evening. I'm Shean Atkins, Vice Chair of the East Point Planning & Zoning Commission and I am calling to order the February 16th meeting of the East Point Planning & Zoning Commission. Staff, at this time, would you please give me Roll Call.

**II. ROLL CALL:**

MS. HOLMES: Commissioner Wares.  
COMMISSIONER WARES: Present.  
MS. HOLMES: Commissioner Tucker.  
COMMISSIONER TUCKER: Here.  
MS. HOLMES: Commissioner Fann.  
COMMISSIONER FANN: (No response.)  
MS. HOLMES: Commissioner Mallory.  
COMMISSIONER MALLORY: Here.  
MS. HOLMES: Commissioner Atkins.  
COMMISSIONER ATKINS: Here.  
MS. HOLMES: Commissioner Sheldon.  
COMMISSIONER SHELDON: Here.  
MS. HOLMES: Commissioner Bryant.  
COMMISSIONER BRYANT: Here.  
MS. HOLMES: Commissioner Washington.  
COMMISSIONER WASHINGTON: Here.  
MS. HOLMES: Mr. Chair, you have a quorum.  
COMMISSIONER ATKINS: Thank you.

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COMMISSIONER ATKINS: In lieu of a prayer, this Body observes a Moment of Silence so at this time, Agenda Item Number III (3) is a Moment of Silence. We will observe a Moment of Silence.

**III. MOMENT OF SILENCE:**

COMMISSIONER ATKINS: Thank you. Okay.  
Commissioners, at this time, I will entertain a motion to adopt the agenda as printed.

**IV. ADOPTION OF THE AGENDA:**

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Commissioner Sheldon.

COMMISSIONER SHELDON: I move that we adopt the agenda as printed for the February 16th, 2012 Planning & Zoning Commission meeting.

COMMISSIONER WARES: I second.

COMMISSIONER ATKINS: It's been move and properly seconded -- moved by Commissioner Sheldon and properly seconded by Commissioner Wares that we adopt the agenda as printed. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound no.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.  
The agenda is adopted as printed.

ATTORNEY SUSAN GARRETT: Mr. Vice Chair, are we skipping the Pledge of Allegiance because we don't have a flag?

1 COMMISSIONER ATKINS: That is correct.

2 ATTORNEY SUSAN GARRETT: Then that really should have  
3 been amended in the agenda, technically, but --

4 COMMISSIONER ATKINS: Okay.

5 COMMISSIONER SHELDON: Vice Chair.

6 COMMISSIONER ATKINS: All right.

7 COMMISSIONER SHELDON: Would you like me to do that?

8 COMMISSIONER ATKINS: Yes, if you would, please. The  
9 attorney has brought it to our attention we are skipping the Pledge of  
10 Allegiance because we do not have a flag in the room tonight so if we  
11 can go back and revisit the Adoption of the Agenda.

12 COMMISSIONER SHELDON: I will amend my motion to  
13 exclude Item Number IV (4), the Pledge of Allegiance because we  
14 have no flag.

15 COMMISSIONER WARES: And I second.

16 COMMISSIONER ATKINS: Okay. It has been moved and  
17 properly seconded that we amend the agenda, striking Item Number  
18 IV (4), which is the Pledge of Allegiance due to the absence of a flag.  
19 Commissioners, all in favor sound aye.

20 COMMISSIONERS: Aye.

21 COMMISSIONER ATKINS: All opposed sound no.

22 COMMISSIONERS: (No response.)

23 COMMISSIONER ATKINS: Hearing none, the ayes have it.  
24 We will adopt the agenda as printed minus Item Number IV (4). At  
25 this time, Commissioners, I will entertain a motion to approve our

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January 19th, 2012 meeting minutes.

**V. APPROVAL OF MEETING MINUTES:**

COMMISSIONER BRYANT: Mr. Chairman.

COMMISSIONER ATKINS: Yes, Commissioner Bryant.

COMMISSIONER BRYANT: I make a motion that we approve the January 19th minutes.

COMMISSIONER SHELDON: Second.

COMMISSIONER ATKINS: It's been moved and properly seconded that we adopt and approve the January 19th, 2012 meeting minutes for the East Point Planning & Zoning Commission. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. We approve the January 19th, 2012 meeting minutes. It is required of the East Point Planning & Zoning Commission that we elect officers at our February meeting of every year and so at this time, Commissioners, I will open the floor for nominations for, 1st, the position of Chair. Tonight we will elect a Chair, a Vice Chair, a Provisional Chair and I also believe that we're to elect a Special Chair. Is that correct? Okay. The Chair, the Vice Chair and the Provisional Chair --

ATTORNEY SUSAN GARRETT: The Planning & Zoning Commission shall, at it's second meeting in each year from it's

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members, a Chairperson, Vice Chair person, Provisional Chair person and such other officers and titles as it deems necessary.

COMMISSIONER ATKINS: Okay. So we'll do those three. Commissioners, at this time, I will open the floor for nominations for the Office of Chair.

**VI. ELECTION OF COMMISSION BOARD OFFICERS:**

COMMISSIONER TUCKER: Mr. Vice Chair.

COMMISSIONER ATKINS: Yes.

COMMISSIONER TUCKER: I'd like to nominate Shean Atkins for Chair.

COMMISSIONER BRYANT: Second.

COMMISSIONER ATKINS: Are there any other nominations?

COMMISSIONERS: (No response.)

COMMISSIONER WARES: We're just doing Chair?

COMMISSIONER ATKINS: Yes, we're just doing Chair right now. Okay. We have one on the floor, one nomination on the floor. At this time, Commissioners, would you like to close -- we are being joined by another Commissioner and so I'll wait until he has a seat.

(Whereupon Commissioner Fann takes his assigned seat at Commission table.)

COMMISSIONER ATKINS: Commissioner Fann, we are at Agenda Item Election of Officers and we just had a nomination for the position of Chair and I have be nominated. All right. Commissioners, at this time, is there a motion to close the nominations?

1 COMMISSIONER WARES: So moved.  
2 COMMISSIONER BRYANT: Mr. Chairman.  
3 COMMISSIONER ATKINS: Yes. I make a motion that we  
4 close the nomination on the said matter.  
5 COMMISSIONER SHELDON: Second.  
6 COMMISSIONER ATKINS: Okay. It's been moved and  
7 properly seconded that we close the nominations. All in favor sound  
8 aye.  
9 COMMISSIONERS: Aye.  
10 COMMISSIONER ATKINS: All opposed sound nay.  
11 COMMISSIONERS: (No response.)  
12 COMMISSIONER ATKINS: Hearing none, the ayes have it.  
13 So we've closed the nominations and now we have to vote. Are all  
14 Commissioners in favor of Shean Atkins being Chair of the East Point  
15 Planning & Zoning Commission.  
16 COMMISSIONERS: Aye.  
17 COMMISSIONER ATKINS: Okay. Any opposed sound nay.  
18 COMMISSIONERS: (No response.)  
19 COMMISSIONER ATKINS: Hearing none, the ayes have it.  
20 Thank you, Commissioners. At this time, Commissioners, I'll  
21 entertain a motion to open the floor for the position of Vice Chair.  
22 COMMISSIONER WARES: So moved.  
23 COMMISSIONER ATKINS: Is there a second?  
24 COMMISSIONER WASHINGTON: Second.  
25 COMMISSIONER ATKINS: It's been moved and properly

1 seconded that we open the position of Vice Chair. All in favor sound  
2 aye.  
3 COMMISSIONERS: Aye.  
4 COMMISSIONER ATKINS: All opposed sound nay.  
5 COMMISSIONERS: (No response.)  
6 COMMISSIONER ATKINS: Hearing none, the ayes have it.  
7 At this time, I'll entertain any nominations from the floor.  
8 COMMISSIONER WARES: Mr. Chair.  
9 COMMISSIONER ATKINS: Yes, Commissioner Wares.  
10 COMMISSIONER WARES: I nominate Commissioner Sheldon,  
11 Vice Chair.  
12 COMMISSIONER ATKINS: Okay.  
13 COMMISSIONER WASHINGTON: Second.  
14 COMMISSIONER ATKINS: Are there any other nominations?  
15 COMMISSIONERS: (No response.)  
16 COMMISSIONER ATKINS: Okay. Commissioner Sheldon has  
17 been nominated as Vice Chair. Commissioners, if there are no other  
18 nominations, I will entertain a motion to close the floor.  
19 COMMISSIONER TUCKER: Motion to close.  
20 COMMISSIONER ATKINS: Is there a second?  
21 COMMISSIONER BRYANT: Second.  
22 COMMISSIONER ATKINS: It's been moved and properly  
23 seconded that we close the nominations. All in favor sound aye.  
24 COMMISSIONERS: Aye.  
25 COMMISSIONER ATKINS: All opposed sound nay.

1 COMMISSIONER WASHINGTON: Nay. Oh, I'm sorry.  
2 COMMISSIONER ATKINS: Okay. Commissioner Washington  
3 is a little quick on the draw.  
4 (Whereupon the Commissions laugh.)  
5 COMMISSIONER ATKINS: Okay. Commissioners, at this time  
6 we'll entertain -- I will entertain a -- well, it's been moved and  
7 properly seconded that we close the nomination for the position of  
8 Vice Chair. All in favor sound aye.  
9 COMMISSIONERS: Aye.  
10 COMMISSIONER ATKINS: All oppose sound nay.  
11 COMMISSIONERS: (No response.)  
12 COMMISSIONER ATKINS: The ayes have it. Nominations  
13 are closed. Commissioners, at this time, we will vote. All in favor for  
14 Commissioner Sheldon as Vice Chair of the Commission please sound  
15 aye.  
16 COMMISSIONERS: Aye.  
17 COMMISSIONER ATKINS: All oppose sound nay.  
18 COMMISSIONERS: (No response.)  
19 COMMISSIONER ATKINS: Hearing none, the ayes have it.  
20 Commissioner Sheldon, congratulations.  
21 COMMISSIONER SHELDON: Right back 'atcha.  
22 COMMISSIONER ATKINS: Okay. Commissioners, at this  
23 time, I'll entertain a motion to open the floor for nominations for the  
24 office of Provisional Chair.  
25 COMMISSIONER SHELDON: So moved.

1 COMMISSIONER ATKINS: Is there a second?  
2 COMMISSIONER WARES: Second.  
3 COMMISSIONER ATKINS: It's been moved and properly  
4 seconded that we open the nomination for Provisional Chair. All in  
5 favor sound aye.  
6 COMMISSIONERS: Aye.  
7 COMMISSIONER ATKINS: All opposed sound nay.  
8 COMMISSIONERS: (No response.)  
9 COMMISSIONER ATKINS: Hearing none, the ayes have it.  
10 Commissioners, at this time, any nominations from the floor?  
11 COMMISSIONER SHELDON: Mr. Chair.  
12 COMMISSIONER ATKINS: Yes, Commissioner Sheldon.  
13 COMMISSIONER SHELDON: I nominate Mr. Tucker for the  
14 position of Provisional Chair.  
15 COMMISSIONER WARES: Second.  
16 COMMISSIONER ATKINS: It's been moved and properly  
17 seconded that we nominate Commissioner Tucker for Provisional  
18 Chair. Are there any other nominations?  
19 COMMISSIONERS: (No response.)  
20 COMMISSIONER ATKINS: Hearing none, Commissioners, at  
21 this time, I will entertain a motion to close the nominations.  
22 COMMISSIONER SHELDON: So moved.  
23 COMMISSIONER ATKINS: It's been moved. Is there a  
24 second --  
25 COMMISSIONER ATKINS: Second.

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COMMISSIONER ATKINS: -- and properly seconded, we will close the nominations, all in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (One Nay response.)

COMMISSIONER ATKINS: Hearing one, the ayes have it.

(Whereupon the Commissioners laugh.)

COMMISSIONER WASHINGTON: I apologize. I apologize. It's been a long day.

COMMISSIONER ATKINS: So Commissioners, if we will all accept Commissioner Tucker's Provisional Chair, please so note by the sound of aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: Any opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, congratulations. Commissioner Tucker is Provisional Chair. That will conclude our Elections for the East Point Planning & Zoning Commission for 2012. Commissioners, at this time, we will move onto Old Business.

**VII. OLD BUSINESS:**

COMMISSIONER ATKINS: We have Case Number 2011V-006-12. Staff, would you please sound that particular Agenda Item.

MS. CARTER: For Old Business, Case Number 2011V-006-12. Applicant is Bo Avel, Garrard Construction Services. Property location

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is 3033 Main Street and Williams Avenue. The applicant is seeking approval of a 3-Part Concurrent Variance requesting a reduction of a 10-Foot Building exterior and roof offset to zero (0) feet, reduction of a 15-Foot wide landscape strip planted to buffer standards to 10-Feet and reduction of a rear yard landscape strip of 20 Feet when adjacent to a Residential District.

COMMISSIONER ATKINS: Thank you, Staff. And just for the viewing public, while this is a variance, we held our public hearing for this particular Agenda Item at our January meeting so there will be no public hearing this evening. And so at this time, Commissioners, I will entertain a motion on this. Staff, what is your recommendation?

MS. CARTER: Staff's recommendation for the concurrent variance Part One to reduce the 40 Foot building exterior wall and roof offset by a minimum of 10-Feet to zero feet with the following conditions: A), exterior variation through the use of pilasters two (2) feet plus or minus wide and 2.8 feet plus or minus deep as well as a mix of brick, stucco and stone materials. B), the's side, which is a Main Street side of the building elevation shall have glass fenestration, the North side, which is facing Auto Zone shall have a faux brick window and the South side, which is the William avenue side shall combine glass fenestration and faux brick windows to give the appearance of the window on all traffic-facing walls. C), no vending or any exterior wall surrounding the building. Approval of Concurrent Variance Part Two to reduce the landscape strip from 15-Feet to 10-Feet with the conditions of a planted 2-Foot berm

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containing continue Evergreens to be constructed. Approval of Concurrent Variance Part Three to reduce the 20-Foot rear yard setback where adjacent to a residential district to 5-Feet with the condition of a 6-Foot decorative fence to be constructed and Evergreen planters along the fence line.

COMMISSIONER ATKINS: Okay. Commissioners, we have heard Staff's recommendation for the Agenda Item under Old Business 2011 "V" as in Victor-006-12 and applicant is Bo Avel at 3033 Main Street. It's a 3-Part Concurrent Variance. Commissioners do you desire to take this -- because they are concurrent variance as one item?

COMMISSIONER SHELDON: Yes.

COMMISSIONER ATKINS: Okay. So we will take this as one item and at this time, I will entertain a motion on this Agenda Item.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER WARES: Mr. Chair.

COMMISSIONER ATKINS: Let me get a motion and a second and then we'll have questions.

ATTORNEY SUSAN GARRETT: If I may anticipate the question. If we got a motion that's on the floor -- if a motion has been made and seconded, then if the members of the Commission have thing they want to discuss about the application --

COMMISSIONER ATKINS: Right.

ATTORNEY SUSAN GARRETT: -- or questions they want to question or anything that they want to bring to the bring of the

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Commission or to the public, that can be done once a motion is on the floor.

COMMISSIONER ATKINS: Right. Okay. Commissioners, again, I'll entertain a motion on this Agenda Item.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

COMMISSIONER SHELDON: I make a motion for approval of the three concurrent variances for discussion.

COMMISSIONER ATKINS: Okay. Is there a second?

COMMISSIONER WARES: Second.

COMMISSIONER ATKINS: It's been moved and properly seconded. Any discussion?

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon. We have received some feedback from the -- I guess there's one City member on the Downtown Development Association and some from the Economic Development Group regarding design of this project and the reason we deferred this was to give the architect some opportunity to provide us with amended drawings to respond to a great many of those things. I just want to ask Staff am I correct that all of these particular things that are outside the realm of the variance will be taken up in great detail with -- conference with those individuals during Plan Review and I just want to confirm that that is where that will take place to ensure that everyone knows that that -- regardless of our decision regarding the variances, those design

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issues will be taken up in detail at that point.

MS. CARTER: You are correct. But I will defer to -- we will do exactly what the ordinance says in reference to actual elevations and the design review --

COMMISSIONER SHELDON: Okay.

MS. CARTER: -- conforming to the downtown architectural overlay.

COMMISSIONER SHELDON: Thank you.

ATTORNEY SUSAN GARRETT: Well, I wasn't actually planning to read from the ordinance but I was going to explain that the ordinance consists primarily of development standards and so all of the architectural standards -- and those are those are things such as landscaping, fencing, building size and so forth. And so orientation scale setback, parking, building design, building material, building components, signs and color that reading from Section 1014-011 are development standard. So those are standards that must be met in permitting -- the plan review and permitting process which comes after this variance approval. The variances are just to basically set the stage for that. So this is not a zoning classification. This is an overlay of development standards and the reel analysis of whether those standards are met by the plans comes in the plan review process but the standards apply as written unless the variance has been obtain.

COMMISSIONER SHELDON: That answers my question.  
Thank you.

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COMMISSIONER ATKINS: Commissioner Wares.

COMMISSIONER WARES: Yes, Mr. Chair. Just so I'm clear on the approval of the variance, one of the recommendations was I haven't seen no vending on any exterior walls surrounding the build. Does that mean is signage, coke machines, out side sales. Exactly what does that mean, no vending on the exterior?

MS. HOLMES: Vending would be outside sales, not signage.

COMMISSIONER WARES: Okay. So not signage. So they could, in fact, have something outside the building?

MS. CARTER: As far as signs?

COMMISSIONER WARES: Yes.

MS. CARTER: There is an ordinance that speaks specifically to signage.

COMMISSIONER WARES: Okay. And could they have -- since I've seen in the past a lot of buildings -- have Coke machines on the outside? What would they -- could you have thing --

MS. HOLMES: They could not have --

COMMISSIONER WARES: They couldn't do that because that would be vending. Okay. Thank you.

COMMISSIONER ATKINS: Yes. Yeah, I think that is exactly what Staff's intention was for things like Coke machines, other vending machines but as Staff stated, because of our sign ordinance, they would have to comply with the sign ordinance.

COMMISSIONER WARES: Okay.

COMMISSIONER ATKINS: Because I would imagine that

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there would be some other signage to advertise any specials or some of those things. As long as it's within the sign ordinance, it is allow and they would be able to do that. It's just specifically for vending.

COMMISSIONER WARES: Okay. Thank you.

COMMISSIONER ATKINS: Are there any other questions?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Okay. Hearing none, Commissioners, there's a motion on the floor. It's been moved and properly seconded that we approve the 3-Part Concurrent Variance for Agenda Item 2011 "V" as in Victor-006-12. Applicant is Bo Avel and the address is 3033 Main Street. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.

ATTORNEY SUSAN GARRETT: Mr. Chair, does the motion State that the approval was based upon the conditions?

COMMISSIONER ATKINS: Condition, yes.

ATTORNEY SUSAN GARRETT: Okay.

COMMISSIONER ATKINS: Yes, based on the conditions of Staff. Thank you. I'm sorry. I did not say that in repeating the motion. Okay. Moving onto New Business.

**VIII. NEW BUSINESS:**

COMMISSIONER ATKINS: The next Agenda Item is 2012 "Z" as in zebra-001-01. Staff would you please sound this Agenda Item.

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MS. CARTER: Applicant is Ira Palmer. Location is 1341-1343 Pine Avenue. The applicant is seeking a rezoning from R1A Urban Residential to R2, Two Family Residential. The proposed use of the property is a residential duplex. This application requires a public hearing.

COMMISSIONER ATKINS: Okay. Commissioners, as you've heard, this application requires a public hearing. At this time, I will entertain a motion to open the public hearing.

COMMISSIONER SHELDON: Mr. Chair:

COMMISSIONER ATKINS: Commissioner Sheldon.

COMMISSIONER SHELDON: I move we open the public hearing for Case Number 2012Z-001-01.

COMMISSIONER WARES: Second.

COMMISSIONER ATKINS: It's been moved and properly seconded that we open the public hearing for this Case Number. Commissioners, all in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.

COMMISSIONER ATKINS: The public hearing is now open. Before we start our public hearing, I will give over the rule for the public hearings for the East Point Planning & Zoning Commission.

(Whereupon the Rules for Public Hearing are read into the record.)

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COMMISSIONER ATKINS: Public hearings before the Planning & Zoning Commission shall be conducted in accordance to Section 10-2219 of the East Point Zoning Code and Development Regulations as follows: Persons both favoring and opposing the proposed amendment will be provided an opportunity to address the Commission. The applicant for the proposed amendment or the applicant's designated representative, if any, will be entitled to speak first followed by other speakers in favor of the proposal for a total of fifteen (15) minutes. Those who oppose the proposed zoning amendment will then be permitted to speak for a total of fifteen minutes as well. By majority vote, the Commission may increase the total time for speakers provided that each side is given the same amount of time. If there is more than one speaker for a side, the presiding area may limit the time allotted to each individual speaker other than the zoning applicant. The zoning applicant may reserve a portion of his or her allotted time for rebuttal. Speakers must adhere to rules of decorum. Prior to speaking, each speaker shall identify himself or herself and state his or her current address. Each speaker shall speak only to the merit to have proposed zoning decision under consideration, shall address remarks only to the Commission and shall refrain from making personal attacks on other speakers. The presiding officer may refuse a speaker the right to continue if, at first after being cautioned, the speaker continues to violate the rules of decorum. Are there any proponents for this Case Number?

(Whereupon one proponent stands in the audience.)

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COMMISSIONER ATKINS: Okay. Would you please --

PROPONENT: Good evening and thank you for your time. My name is Ira Palmer and I'm the owner --

COMMISSIONER ATKINS: Just a second Mr. Palmer. I think that we would want to probably capture you and we need to figure out where we would want you to stand. This isn't usually the room that we hold our meetings in and there is usually a podium. Perhaps if you will come --

ATTORNEY SUSAN GARRETT: If you can come and stand with his facing the Commission --

(Whereupon Applicant Ira Palmer approach the Commission table.)

COMMISSIONER TUCKER: Mr. Chair, maybe we should give him the microphone so he can be heard.

ATTORNEY SUSAN GARRETT: Yeah, give him the microphone also.

COMMISSIONER ATKINS: Yes.

ATTORNEY SUSAN GARRETT: He would probably want to get in the range of the camera. That's good.

COMMISSIONER ATKINS: Okay. And if you would take the microphone.

ATTORNEY SUSAN GARRETT: And speak to the Commission. You don't have to worry about Staff.

(Whereupon Applicant Ira Palmer faces the Commission and speaks into the microphone.)

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COMMISSIONER SHELDON: Yeah.

APPLICANT IRA PALMER: Again, good evening. My name is Ira Palmer. I'm the owner of 1341 Pine Avenue and I'm also a resident at Pine Avenue at 1331 Pine Avenue. I purchased the property a little more than a year ago with the intent as an investment all because I live on the block. I felt that it would be a way to actually improve the block. As you probably know there are quite a few vacant properties on that block. It's quite a few areas in East Point so I was looking at it, again, as an investment both as well as trying to improve the property. When I purchased the property, of course, in reviewing and determining whether I wanted the property, it was determined it was a duplex but after purchasing it and going through the initial process of getting it ready for rental, it was told to me that the City had changed the zoning and therefore the property -- because it had gone out of use for a year prior to me owning it, it had to be either converted to a single family resident for the -- come to the Commission to ask for a rezoning two (2) -- the R2, which what it was initially and the three properties -- one on one side and the two on the other side are already zoned R2 so they are also duplexes.

COMMISSIONER ATKINS: Okay.

APPLICANT IRA PALMER: 'Um, that's my request.

COMMISSIONER SHELDON: Thank you.

COMMISSIONER ATKINS: Thank you, Mr. Palmer. Are there any other proponents for this case?

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AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other proponents?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Okay. Seeing none, I'll move to opponents. Are there any opponents for this Case Number?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other opponents present that would like to speak to the Case Number?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Okay. Seeing none, Commissioners at this time, I will entertain a motion to close the public hearing for this Case Number.

COMMISSIONER FANN: Motion to close the public hearing.

COMMISSIONER SHELDON: Second.

COMMISSIONER ATKINS: Okay. Commissioner Fann has made a motion to close the public hearing. Commissioner Sheldon has seconded that motion. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the public hearing is now closed. Staff, if we would hear your recommendation.

MS. CARTER: For Case Number 2012Z-001-01, Staff recommends approval of the proposed rezoning from R1A, Urban Residential to R2, Two Family Residential.

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COMMISSIONER ATKINS: Okay. Commissioners we've heard from Staff and remember that this is a recommendation. We wouldn't have a final say on this. It would be a recommendation to Council. So at this time, I'll entertain a motion --

COMMISSIONER FANN: Motion for approval.

COMMISSIONER ATKINS: Okay. It's a motion to recommend approval, Commissioner Fann?

COMMISSIONER FANN: Correct.

COMMISSIONER ATKINS: Okay. Is there a second?

COMMISSIONER WARES: Second.

COMMISSIONER ATKINS: Okay. It's been moved my Commissioner Fann and seconded my Commissioner Wares that we recommend approval of Case Number 2012 "Z" as in zebra-001-01. Are there any comments or questions from the Commission?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Any discussion?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, Commissioners, at this time I will entertain a vote. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. We will recommend approval of Case Number 2012 "Z" as in zebra-001-01. Staff, at this time, are there any announcements?

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**IX. ANNOUNCEMENTS:**

MS. CARTER: None.

COMMISSIONER ATKINS: None? Okay. The only announcement that I would have is I would like to welcome our two newest Commissioners. We have Commissioner Mallory to my immediate right and Commissioner Fann to his right. So I'd like to welcome both of you gentleman to the East Point Planning & Zoning Commission. We welcome you aboard and we look forward to working with you as we deliberate and vote on Planning and Zoning items that come before this Commission. Are there any other announcement from the Commission?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Seeing none and hearing none, Commissioners, at this time, I will entertain motion for adjournment.

**X. ADJOURNMENT:**

COMMISSIONER SHELDON: Motion to adjourn.

COMMISSIONER WARES: So moved.

COMMISSIONER ATKINS: Okay. It's been move Dr. Wares, Commissioner Wares and seconded by Commissioner Sheldon that we adjourn. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it this meeting is now adjourned. Thank you.

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(Whereupon this concludes the City of East Point Planning &  
Zoning Commission meeting for February 16th, 2012.)

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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 28 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 16th, 2012, at 7 o'clock P.M. were taken down by me and transcribed by me this 20th day of February, 2012.

Jeanene Harper  
Stenographic Stenographer