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CITY OF EAST POINT  
**PLANNING & ZONING COMMISSION**

February 19, 2015 - 7:00 P.M.  
Official Meeting Minutes

Jefferson Station  
1526 East Forrest Avenue  
4th Floor Council Chambers  
East Point, Georgia 30344

Board Members:

Commissioner Shean **ATKINS, Chair**

Commissioner Linda **SHELDON**

Commissioner Joel **TUCKER, Vice Chair**

Commissioner Laura **BORDERS - Absent**

Commissioner Gregory **FANN, Provisional Chair - Absent**

Commissioner Patricia **LOVETT - Absent**

Commissioner Thomas **CALLOWAY**

Commissioner Stephanie **GORDAN**

Commissioner Willard **MAXWELL**

Also Present:

Ms. Linda **DUNLAVY**  
City Attorney

Ms. Keyetta **HOLMES**  
Senior Planner

Richard **RANDOLPH**  
City Engineer - Absent

**Videographer**  
James **Hammond**

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**Appearances**

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**I. CALL TO ORDER:**

COMMISSIONER ATKINS: Good evening. I'm Shean Atkins, Chair of the East Point Planning and Zoning Commission and at this time, I'd like to called to order our February 19th, 2015 Planning and Zoning Commission meeting. Staff, would you please call Roll Call to establish a quorum.

**II. ROLL CALL:**

MS. HOLMES: Commissioner Lovett.

COMMISSIONER LOVETT: (No response.)

MS. HOLMES: Commissioner Borders.

COMMISSIONER BORDERS: None response.

MS. HOLMES: Commissioner Calloway.

COMMISSIONER CALLOWAY: Present.

MS. HOLMES: Commissioner Fann.

COMMISSIONER FANN: (No response.)

MS. HOLMES: Commissioner Atkins.

COMMISSIONER ATKINS: Present.

MS. HOLMES: Commissioner Tucker.

COMMISSIONER TUCKER: Here.

MS. HOLMES: Commissioner Sheldon.

COMMISSIONER SHELDON: Here.

MS. HOLMES: Commissioner Gordan.

COMMISSIONER GORDAN: Here.

MS. HOLMES: Commissioner Maxwell.

COMMISSIONER MAXWELL: Here.

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MS. HOLMES: Mr. Chair, you have a quorum.

COMMISSIONER ATKINS: All right. Thank you.

Commissioners, at this time and those in the audience, we normally observe a Moment of Silence, so we will take our Moment of Silence.

**III. MOMENT OF SILENCE:**

COMMISSIONER ATKINS: Okay. Thank you. If you would stand and join me in the Pledge of Allegiance.

**IV. PLEDGE OF ALLEGIANCE:**

COMMISSIONER ATKINS: Commissioners, at this time, I will entertain a motion to adopt tonight's agenda.

**V. ADOPTION OF AGENDA:**

COMMISSIONER TUCKER: So moved.

COMMISSIONER ATKINS: There has been a motion. Is there a second?

COMMISSIONER GORDAN: Second.

COMMISSIONER ATKINS: Any discussion?

COMMISSIONER CALLOWAY: I would actually like to -- if Commissioner Tucker would entertain a friendly amendment that we add to our agenda this evening election of officers.

COMMISSIONER ATKINS: Okay. Commissioner Tucker, would you accept that friendly amendment.

COMMISSIONER TUCKER: Sure. I accept that.

COMMISSIONER ATKINS: Okay. Is so there is a friendly amendment to add election of officers and does your second still stand, Commissioner Gordan?

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COMMISSIONER GORDAN: Yes.

COMMISSIONER ATKINS: Okay. I would like to add that on our agenda as Item Nine (9) under New Business, so Commissioners, if you would please write that in. Okay. So with the amended agenda, there has been a motion and a second. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. The agenda has been adopted as amended. Commissioners, at this time, I will entertain a motion to approve our January 15, 2015 meeting minutes.

**VI. APPROVAL OF THE JANUARY 15, 2015 MINUTES:**

COMMISSIONER SHELDON: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MAXWELL: Second the motion.

COMMISSIONER ATKINS: It's been moved by Commissioner Sheldon, seconded by Commissioner Maxwell that we approve our January 15, 2015 meeting minutes. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. Our January 15, 2015 meeting minutes have been approved.

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Commissioners, at this time, we will go into Old Business. Staff, would you please sound the first Agenda Item under Old Business.

**VII. OLD BUSINESS:**

MS. HOLMES: Case Number 2014U-016-12, Concurrent Variance 2015VC-001-01, applicant is Reverend Ronald Freeman, Center of Faith. Location is 1290 Knotts Avenue, 1307 Knotts Avenue, 1312 Knotts Avenue, 1351 Hawthorne Way, 0 Hawthorne Way, # Rear, 2110 Newnan Avenue, 2115 Newnan Avenue, 2125 Newnan Avenue, 2130 Newnan Avenue and 2134 Newnan Avenue. Applicant seeks a Special Use Permit to operate a church, temple or place or worship.

COMMISSIONER ATKINS: Okay. Thank you.

Commissioners, if you will recall, we have he would a public hearing for Agenda Item 2014 "U" as umbrella-016-12; however, we have not he would a public hearing 2015 "V" as in Victor, "C" as in Charles-001-01. Commissioners, at this time, I will entertain a motion to open the public hearing.

COMMISSIONER SHELDON: Motion to open the public hearing.

COMMISSIONER ATKINS: Is is there a second?

COMMISSIONER TUCKER: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Sheldon and seconded by Commissioner Tucker that we open the public hearing for 2015 "V" as in Victor, "C" as in Charles-001-01. Before we call our applicant up, I will read the rules for public

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hearings. They will apply to all of the items on the agenda that require public hearing.

(Whereupon the City of East Point Rules for Public Hearing are read into the record.)

COMMISSIONER ATKINS: Public hearings before the Planning and 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 case will be provided an opportunity to address the Commission.

The applicant for the zoning case or the 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 case will then be permitted to speak for a total of fifteen (15) minutes.

By majority vote, the Commission may increase the total time for speakers provided that each side is given the same amount of the time. If there is more than one speaker for a side, the Chair or the presiding office 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 a rules of decorum. Prior the speaking, each speaker shall identify him or herself and state his or her current address. Each speaker shall speak only to the merits of the proposed zoning decision under consideration, shall address

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remarks only the to the Commission and shall refrain from making personal attacks on any other speaker. The presiding office may refuse the speaker the right to continue if, after first being cautioned, the speaker continues to violate the rules of decorum.

You have heard our rules for public hearing. At this time, I will ask if the Applicant, Reverend Ronald Freeman, is present.

REVEREND RONALD FREEMAN: I am.

COMMISSIONER ATKINS: If you would, Reverend Freeman approach the podium. State your first and last name and your current address.

(Whereupon Reverend Ronald Freeman approaches the podium.)

REVEREND RONALD FREEMAN: Good evening, City of East Point. I am Pastor Ronald Freeman and my current address is 205 Otter Circle, Fayetteville, Georgia, 30214.

COMMISSIONER ATKINS: You can go ahead and present your case, Reverend Freeman.

REVEREND RONALD FREEMAN: Yes, I am here seeking a Special Use Permit to operate, like she said, a church, temple or a place of worship at these addresses what she has read off, but I'm going to read them off, too, 1290 Knotts Avenue, 2130 Newnan Avenue, 2115 Newnan Avenue, 2134 Newnan Avenue, 2125 Newnan Avenue Newnan Avenue, 1351 Hawthorne and also 1359 Hawthorne. We are seeking a Special Use Permit to turn it back into a church again. I have already been in the area. I have been there for

1 several months. I have talked to a lot of the residents and people  
2 there and they are looking forward to somebody coming in  
3 revitalizing the area. I don't know if any of you all have been area in  
4 that area, but you have these massive buildings that are being  
5 unused and the longer they are being unused, the more they are get  
6 run down, such as the outside properties. The color of the paint is  
7 deteriorating, the roof, the insides and different things like that. So  
8 we are here today to seek and to operate a church, to be able to  
9 operate a church under the guidelines that the City permits us to and  
10 to even also give various activities to the community there.

11 COMMISSIONER ATKINS: Okay. All right. Are there any  
12 other proponents here to speak to the zoning case?

13 AUDIENCE: (No response.)

14 COMMISSIONER ATKINS: Are there any other proponents?

15 AUDIENCE: (No response.)

16 COMMISSIONER ATKINS: Are there any opponents here to  
17 speak to the zoning case?

18 AUDIENCE: (No response.)

19 COMMISSIONER ATKINS: Any opponents?

20 COMMISSIONER ATKINS: Hearing none, Commissioners, at  
21 this time, I will entertain a motion to close the public hearing.

22 COMMISSIONER TUCKER: So moved

23 COMMISSIONER ATKINS: Is there a second?

24 COMMISSIONER MAXWELL: I second.

25 COMMISSIONER ATKINS: It's been moved by Commissioner

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Tucker, seconded by Commissioner Maxwell that we close the public hearing. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it.

The public hearing is now closed. Staff, would you please sound your recommendation.

MS. HOLMES: Case Number 2014U-016-12, Concurrent Case Number 2015VC-001-01. Applicant is Reverend Ronald Freeman, Center of Faith. Applicant seeks a Special Use Permit to operate a church, temple or place of worship. Staff recommends approval of the Special Use Permit.

COMMISSIONER ATKINS: Okay. Commissioners, you have heard from the applicant. You have also heard Staff's recommendation. At this time, I will entertain a motion. Please remember that because of the Concurrent Variance, please state your motion in the form of a recommendation.

COMMISSIONER SHELDON: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

COMMISSIONER SHELDON: I move that we recommend approval with the Staff recommendations and their conditions.

COMMISSIONER ATKINS: Okay. Is there a second?

COMMISSIONER TUCKER: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner

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Sheldon, seconded by Commissioner Tucker that we recommend approval. Any discussion?

COMMISSIONER ATKINS: Hearing none, 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. Thank you, Reverend Freeman.

REVEREND RONALD FREEMAN: Thank you so much.

COMMISSIONER ATKINS: Okay. Our next Agenda Item under Old Business is Case Number 2015 "Z" as in zebra-006-01. This item also requires a public hearing and we have held a public hearing already for this particular Agenda Item, so we won't do another one this evening. But at this time, I would like to ask Staff to please sound the Agenda Item and also provide us the recommendation.

MS. HOLMES: Case Number 2015Z-006-01. This is a Text Amendment to Section 10-2028, the provision adding dishes. Staff recommendation is approval.

COMMISSIONER ATKINS: Okay. Commissioners, you have heard Staff's recommendation on this Agenda Item. Because this is a zoning Text Amendment, your motion should also be made in the form of a recommendation. At this time, I will entertain a motion.

COMMISSIONER SHELDON: Mr. Chair.

1 COMMISSIONER ATKINS: Yes, Commissioner Sheldon.  
2 COMMISSIONER SHELDON: I move that we recommend  
3 denial.  
4 COMMISSIONER ATKINS: Okay. Is there a second?  
5 COMMISSIONER TUCKER: Second.  
6 COMMISSIONER ATKINS: Okay. It's been moved that we  
7 recommend denial and seconded. Any discussion?  
8 COMMISSIONER SHELDON: Yes, sir.  
9 COMMISSIONER ATKINS: Commissioner Sheldon.  
10 COMMISSIONER SHELDON: I just wanted to summarize the  
11 Commission's concerns that we have talked about for a couple of  
12 months now. If we were a smaller community, if we had covenants,  
13 if we had another means for enforcing something like this, we might  
14 be in a better position to recommend approval, but our concern is  
15 that there is absolutely no way that we could have an inventory of  
16 the existing dishes that are already there in order to distinguish  
17 between something that comes better and something that comes  
18 after this ordinance and that beyond that, we do not have the Staff  
19 or the means for enforcing something like this. It could be that there  
20 is another way to work on this in the ordinance, but I think that it  
21 was my impression that we were unanimous in our unwillingness to  
22 recommend approval for this.  
23 COMMISSIONER ATKINS: Okay. Thank you, Commissioner  
24 Sheldon. Any other comments, any other discussion.  
25 COMMISSIONER CALLOWAY: Yes, Mr. Chair.

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COMMISSIONER ATKINS: Yes, Commissioner Calloway.

COMMISSIONER CALLOWAY: Well, I'd like to say I definitely agree with the sentiment of this order and the esthetic concerns of many citizens who were concerned about the placement of satellite dishes within the front yards within our residential communities. We also must be aware that the placement of these satellite dishes is often dictated as a following function, meaning they have to have a clear sight up to the actual satellite. Keeping that in mind, although there is a form of relief that citizens can seek from this ordinance by going through the variance process, it could oftentimes be more time consuming and cost-prohibited for many residents. So if we are to set forth guidelines limiting the placement of these satellites dishes, we, in fact, could be limiting many of our citizens' ability to acquire satellite service.

I think that in the new millennium of 2015 now, that telecommunication is almost as important a vital utility as electricity and water and we, in fact, need to be trying to broaden access for our citizens of this vital utility and not limit it. In doing so, I think that if we were to pass limitations, we would also need to put in here is form of appeal process other than the variance process and I also agree with what Commissioner Sheldon said in that enforcing this ordinance would be particular difficult so thank you.

COMMISSIONER ATKINS: Any other discussion, Commissioners?

COMMISSIONERS: (No response.)

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COMMISSIONER ATKINS: Seeing none, I would like to also add to the sentiments of my colleagues on the Commission, Commissioner Sheldon as well as Commissioner Calloway, I think that really to enforce this ordinance without a comprehensive inventory of the dishes that are currently there, I think it would be very difficult for us to do as the City currently is staffed and the resources that we currently have available to us and I think that in addition to what Commissioner Sheldon said, the enforcement piece, also it makes me wonder if we would be creating an unfair advantage to other providers for cable if the homeowner or the residence would not have to go through the same process. So I think that the variance process that would be required for this, should a homeowner or a resident of the City would like to have a satellite dish and require them to go through a variance process creates a barrier and perhaps an unfair advantage to the competitors in the industry and so that's a concern that I have.

I am fully in support of the intent, but I cannot support the ordinance as it is written and so at this time, Commissioners, if there is no other discussion, I will call the question. There's a motion on the floor to deny. It's been made by Commissioner Sheldon and seconded by Commissioner Tucker. If there is no more discussion, all in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

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COMMISSIONER ATKINS: Hearing none, the ayes have it. We will recommend denial. Thank you. The next item on the agenda is New Business. It's Case Number 2015 "M" as in Mary-003-02. This item is also a zoning Text Amendment and requires a public hearing. Commissioners, at this time, I will entertain a motion to open the public hearing.

COMMISSIONER GORDAN: So moved.

COMMISSIONER ATKINS: Is there a second.

COMMISSIONER SHELDON: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Gordan and seconded by Commissioner Sheldon that we open the public hearing. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. The public hearing is now open. Staff, it is a zoning Text Amendment, so I will offer you the opportunity to present your case.

**VIII. NEW BUSINESS:**

MS. HOLMES: This is a Text Amendment to the Development Code, Case Number 2015 "M" as in Mary-003-02. This is a Text Amendment to Chapter 7, Signs - LED allowance in commercials districts and an amendment to the definition of billboards. Staff recommendation is approval.

COMMISSIONER ATKINS: Okay. Thank you.

1 Commissioners, you have heard from the applicant, which is Staff.  
2 You have heard their recommendation is approval. At this time, I will  
3 entertain a motion to close the public hearing.  
4 COMMISSIONER SHELDON: So moved.  
5 COMMISSIONER ATKINS: Is there a second?  
6 COMMISSIONER CALLOWAY: Second.  
7 COMMISSIONER ATKINS: It's been moved by Commissioner  
8 Sheldon, seconded by Commissioner Calloway that we close the  
9 public hearing. All in favor sound aye.  
10 COMMISSIONERS: Aye.  
11 COMMISSIONER ATKINS: All opposed sound nay.  
12 COMMISSIONERS: (No response.)  
13 COMMISSIONER ATKINS: Hearing none, the ayes have it.  
14 The public hearing is now closed. Staff, you gave your  
15 recommendation during the public hearing, but the recommendation  
16 is approval, so Commissioners, at this time, I will entertain a motion.  
17 COMMISSIONER SHELDON: Mr. Chair.  
18 COMMISSIONER ATKINS: Yes, Commissioner Sheldon.  
19 COMMISSIONER SHELDON: I move that we recommend  
20 approval of this Text Amendment as original written and presented to  
21 us at Work Session last week.  
22 COMMISSIONER ATKINS: Is there a second?  
23 COMMISSIONER MAXWELL: Second the motion.  
24 COMMISSIONER ATKINS: It's been moved by Commissioner  
25 Sheldon and seconded by Commissioner Maxwell that we recommend

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approval of this Text Amendment as presented to us in our Work Session last week. Any discussion?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, 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 this Text Amendment. The next Agenda Item is added to the agenda through the amendment process. It is the Election of Officers as we must do during our February meeting. Commissioners, at this time, I will open up the floor for nominations for the Provisional Chair.

**IX. ELECTION OF CITY OF EAST POINT PLANNING & ZONING COMMISSION OFFICERS 2015:**

COMMISSIONER TUCKER: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Tucker.

COMMISSIONER TUCKER: I would like to nominate Linda Sheldon for that position.

COMMISSIONER ATKINS: Okay. Commissioner Sheldon, do you accept the nomination?

COMMISSIONER SHELDON: Yes.

COMMISSIONER ATKINS: Okay. Are there any other nominations?

1 COMMISSIONERS: (No response.)

2 COMMISSIONER ATKINS: Okay. There has been a  
3 nomination of Commissioner Sheldon for Provisional Chair and there  
4 are no other nominations, so all in favor sound aye.

5 COMMISSIONERS: Aye.

6 COMMISSIONER ATKINS: All opposed sound nay.

7 COMMISSIONERS: (No response.)

8 COMMISSIONER ATKINS: Hearing none, the ayes have it.  
9 Congratulations, Commissioner Sheldon. Our next position is Vice  
10 Chair. Commissioners, at this time, I will entertain a motion to  
11 accept nominations for the Vice Chair of the Commission.

12 COMMISSIONER SHELDON: Mr. Chair.

13 COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

14 COMMISSIONER SHELDON: I nominate Joel Tucker as Vice  
15 Chair.

16 COMMISSIONER ATKINS: Okay. Are there any other  
17 nominations?

18 COMMISSIONERS: (No response.)

19 COMMISSIONER ATKINS: Commissioner Tucker, do you  
20 accept the nomination?

21 COMMISSIONER TUCKER: Yes, sir, I do.

22 COMMISSIONER ATKINS: Okay. As you have heard,  
23 Commissioner Tucker has been nominated by Commissioner Sheldon.  
24 He accepts the nomination and there are no other nominations. At  
25 this time, all in favor sound aye.

1 COMMISSIONERS: Aye.

2 COMMISSIONER ATKINS: All opposed sound nay.

3 COMMISSIONERS: (No response.)

4 COMMISSIONER ATKINS: Hearing none, the ayes have it.

5 Commissioner Tucker, congratulations as Vice Chair of the

6 Commission. Commissioners, at this time, I will entertain

7 nominations for Chair of the Commission.

8 COMMISSIONER SHELDON: Mr. Chair.

9 COMMISSIONER ATKINS: Yes, Commissioner Sheldon.

10 COMMISSIONER SHELDON: I nominate Shean Atkins to

11 continue as Chair.

12 COMMISSIONER ATKINS: I accept. Thank you. Are there

13 any other nominations for Chair of the Commission?

14 COMMISSIONERS: (No response.)

15 COMMISSIONER ATKINS: Hearing none, Commissioners,

16 Shean Atkins, myself, has been nominated to serve as Chair of the

17 Commission by Commissioner Sheldon and there are no nominations.

18 At this time, all in favor sound.

19 COMMISSIONERS: Aye.

20 COMMISSIONER ATKINS: All opposed sound nay.

21 COMMISSIONERS: (No response.)

22 COMMISSIONER ATKINS: Hearing none, the ayes have it.

23 Commissioners we will move on to Agenda Item Ten (10), which is

24 now announcements and so I will ask Staff if they have any

25 announcements this evening.

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**X. ANNOUNCEMENTS:**

STAFF: No

COMMISSIONER ATKINS: Okay. Commissioners, no announcements from Staff, so are there any announcements from the Commission?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Okay. Hearing none, at this time, I will entertain a motion to adjourn the meeting.

**XI. ADJOURNMENT:**

COMMISSIONER SHELDON: So moved.

COMMISSIONER ATKINS: It's been moved by Commissioner Sheldon, seconded by Commissioner Maxwell that we adjourn our February 19, 2015 meeting. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

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

(Whereupon this concludes the City of East Point Planning and Zoning Commission meeting for February 19, 2015.)

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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 22 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 15, 2015 at seven o'clock P.M. were taken down by me and transcribed by me on this 5th day of February, 2015.

Jeanene Harper  
Stenographic Stenographer