



Mayor
Richard E. Roquemore

City Council
Robert L. Vogel III
Taylor Sisk
Jamie Bradley
Joshua Rowan

City Administrator
Michael E. Parks

Board of Zoning Appeals Meeting Minutes

May 8, 2024

Chairman welcomed everyone to the meeting.
Meeting Called to order by Chairman Sewell
Sarah McQuade, City Planner stated that meeting follows Roberts Rules of Order

Chairman asked for approval of items on the agenda, motion made, vote- all approved.
Chair asked for a motion to change the order of the cases specifically #2 ZBA 24-002 Buffer Variance 55 County Line-Auburn Rd to make it the 1st item, and Case ZBA 24-001 was moved to 2nd item, motion was made, vote, all approved.

Chair presented the 1st case ZBA 24-002

Chairman Read Case: 24-002, application made by Johl Kohl to request a variance from Section 17.110.060, to reduce the minimum buffer width from 75ft. to 15 ft. to permit a parking lot in the required buffer on a property located at 55 County Line-Auburn Rd., (Tax Parcel AU10 052). Zoned C-2.

Staff Sarah McQuade provided summary of the case to Board Members: The variance request for a reduction in the required buffer is the result of the proposed site layout for the church campus. The reduction in the buffer will allow for the parking area and building to be located on the northern two-thirds of the site, with the remaining third being utilized for the septic area and a sport field. The strict application of the zoning ordinance would not create an unnecessary hardship. However, the applicant would not be able to develop the site as proposed. Strict adherence to the buffer standards would likely result in the elimination of the playing field to accommodate the required parking spaces.

Applicant speaker was John Kohl, Kevin Goins and Pastor Joseph Cartey, 7th Day Adventist Church, Auburn GA, he had John Kohl applicant present with him & on the phone his architect. Pastor Cartey went over the details of Building the Church and why they are requesting the variance as stated above in staff report. The primary most important thing is that they have the soccer field so in the future that can have a school.

Board Member Gallagher asked if the current location had a septic. Board Member Jackson inquired on the Pecan Trees that are currently on the property, Pastor Cartey advised the trees would have to be removed because that is where the building will be going. Board member Riley inquired about tree buffering on property adjacent to the residential neighborhood. Members inquired about right turn in/right turn out, tree planting. Board Member Kelley inquired about the Education Building Pastor Cartey is speaking about the church would be open more than the Saturday morning & Wednesday evening, Pastor Carter stated this is not going to be a massive educational institution. Chairman spoke about the 2 driveway entrances; more discussion was heard. Chairman recommended that the northern driveway be closed.

Staff also advised Board Members that if approved there could be additional recommendations, Condition #1 is to install and maintain additional screening in the area of encroachment and provide either a berm or tire

Condition #2 provides supplemental planting along the entirety of the required buffer equal to that of the encroachment.

Condition #3 is right in right out.

Motion was made to approve with the additional contingencies, 2nd, vote all in favor.

Chairman overlooked the minute approval from last meeting to amend the minutes of the last meeting to include the requirement set forth by the Environmental Health and Code enforcement. Motion to make said adjustments, vote, 2nd, approved.

Chairman called next case 1-ZBA 24-001, application made by Sullins Engineering, LLC to request a variance from Section 17.91.050(2)(b)(i), to reduce the percentage of windows required on the street-facing building facade between three feet and eight feet in height for the purpose of constructing six (6) townhomes, on a portion of 0 6th Street (Tax Parcel AU11 121 pt.).

Chairman recused himself from the hearing due to statements he has made publicly in the past. The meeting was turned over to Co-Chair Jackson.

Jackson asked Staff Sarah McQuade to provide a summary.

Staff presented request relief from standard found within the Ordinance in the Auburn Downtown Overlay District that requires a minimum of 75% percent of the street facing building façade between 3 and 8 feet in height to be comprised of clear windows, the applicant had submitted an application for review per the requirements of the ADOD and went before the Planning and Zoning Commission to seek that site plan approval. As part of that process, it was determined that the applicant did not meet that code requirement of the downtown overlay district specifically related to this requirement. As a result, it was tabled during the Planning Commission hearings so that the applicant could come before the Zoning Board of Appeals to seek the variance before coming back to the Planning Commission.

Applicant representative Attorney Stanton Porter 73 Church St., Winder spoke on behalf of the applicant Sullins Engineering. The representative gave out a few code sections that he wanted the board to look at. Tract 1 (back part of the property). The applicant is seeking to develop 6 townhomes and wants a variance from the glass requirement.

Public opposition comment made by Robert Yoe about the trees on the property, neighbor property owner Alyssa Knaut 1 main concern is about the small set back does not make sense to the set back & does not fit in with the character of street. Also, wouldn't allow for future sidewalk or trees that are shown on the concept plan. Sylvia Barber also spoke on opposition of the townhomes, specifically in regards of this type of development since there is a Commercial Property facing Atlanta Hwy tract 2.

Stanton Porter addressed the opposition comments of the citizens regarding their concern that the 2nd tract would not be developed into Commercial property they would include that if they could get the variance approved. The trees have been surveyed and only 1 is identified as a specimen tree and it would have to be removed.

Representative went back to the case at hand which is only for the variance approval from the glass requirement.

Board members asked their questions of the applicant and his representative. Stanton Porter answered their questions.

Staff Sarah McQuade said that the board could entertain a motion to table that the board understands that a variance would still be needed before they make a final vote.

Staff also wanted to note that the Applicant will have to go back to the Planning Commission for site layout, architectural renderings and landscaping design approval.

Co-chair stated there are 3 options: to table, make a motion to approve the variance or deny the request. Motion was made by Member Riley to table for now to get some percentages for street facing, also to get a mockup of a rear loaded garage would look like and to also do research to find out would this benefit the situation.

Motion was made to table as the plan is proposed as is by Member Riley, 2nd was made all in favor, vote passed.

Motion was made to adjourn, 2nd, all in favor.