

Town of Tyrone
Planning Commission Meeting Minutes
October 13, 2016
7:00 p.m.

Present:

Chairman Wil James

Vice-Chairman Jeff Duncan

Commission Member Marlon Davis

Commission Member David Nebergall

Commission Member Carl Schouw

Planning and Zoning Coordinator Phillip Trocquet

Town Clerk Dee Baker

Attorney Patrick Stough

Chairman James called the meeting to order.

Approval of agenda

Commissioner Nebergall made a motion to approve the agenda.

Commissioner Schouw seconded the motion. Motion was approved 4-0.

Approval of Minutes for September 22, 2016

Commission Member Davis made a motion to approve the minutes.

Commission Member Duncan seconded the motion. Motion was approved 4-0.

Public Hearing

Consideration for a Setback Variance for owner Clyde Cooper at property location 360 Senoia Road. The property is 2.9 Acres, zoned M-1 Light Industrial with parcel number 0736002. Mr. Cooper is requesting specific relief from section 5-17.C.b of the Tyrone Zoning Ordinance. This Public Hearing is to consider a variance to build over the current setbacks. The proposed amounts include a front yard encroachment in an easterly direction towards Senoia Road of fifty (50) feet, a side yard encroachment in an anotherly direction towards Rockwood Road often (10) feet, and a back yard encroachment in an easterly direction of ten (10) feet. *Phillip Trocquet, Planning and Zoning Coordinator*

Mr. Trocquet reported his findings and gave his opinion regarding the setback variance request. He stated that it was staff's opinion that specific conditions pertaining to the property do exist due to the combination of the property's shape and location. He added that the "L" shape of the property coupled with its situation between two road frontages creates additional setback requirements. Size and topography does not pose any extraordinary or exceptional conditions to the property.

He added that regulations pertaining to the piece of property could create practical difficulty in the expansion of the particular business but not the creation of a business. He added that there was no unnecessary hardship placed on the property as a result of the Zoning Ordinance.

Mr. Trocquet reported that the combination of the lot's location, on the corner of an industrial collector and a main town thoroughfare, and its "L" shape are specific to the piece of property. The setback requirements in the Zoning Ordinance are not peculiar to the property. Mr. Trocquet stated that the variance request would encroach towards Rockwood Road, Senoia Road and the adjacent property. He added that the encroachment on Rockwood Road could affect traffic flow given the nature of the business which is slated for RV storage. The encroachment on Senoia Road would result in the parking of RV's closer to Senoia Road, which would impair visibility for traffic at the intersection of Rockwood, Senoia and Crabapple Lane. He added that if relief is granted, it would impair the purposes and intent of the regulations and possibly cause substantial detriment to the public good.

Mr. Trocquet stated that the literal interpretation of the Ordinance would not deprive the applicant of any rights as others in the M1 zoning district. He recommended denial of the variance as submitted.

Chairman James opened the public hearing for anyone that wished to speak in favor of the item. A representative of the applicant, Jeremy Brown, spoke. He stated that there are two power easements on the property making the layout difficult. He added that the structure would be towards the back of the "L" shape giving plenty of room to see around in regards to visibility. He asked "if the variance is denied, what would be allowed?" Mr. Trocquet stated that the Planning Commission could settle on a percentage of the requested variance to be granted or they could ask for a new plan which would call for the applicant to restart the variance process. Mr. Brown stated that the process was delayed due to the item not being placed on the last agenda and added that he does not wish to start the process over.

Chairman James opened the public hearing for anyone that wished to speak in opposition of the item. No one spoke. He then closed the public hearing.

Commissioner Nebergall shared his concern with the potential of widening Senoia and Rockwood Roads in the future; the variance could hinder that possibility.

Commission Member Nebergall made a motion to deny the variance.

Commission Member Davis seconded the motion. Motion was approved 4-0.

New Business

1. Approval of a Site Plan from applicant Steve Bennett at 130 St. Stephens Court for Goodwill of North Georgia. *Phillip Trocquet, Planning & Zoning Coordinator*

Mr. Trocquet informed Commission that applicant Steve Bennett submitted site plans for the new construction of a Goodwill of North Georgia soon to be located at 130 St. Stephens Court. He added that the property is 3.1 acres, zoned C-2; consistent with future commercial land. Mr. Trocquet stated that the property is compatible with the existing land use plan and is not within the flood zone. The Technical Review Committee has reviewed and approved the plan. The building square footage would be 25,780. He added that staff recommended approval.

Commissioner Davis inquired about the usage: retail and warehousing. Mr. Trocquet explained that most of the space would be utilized as retail; the back space would be for drop-off donations and sorting. Commissioner Davis asked if the pictures of the structure is an actual reflection of what would be built. Mr. Trocquet stated, “Yes, it is a rendering of the new building that would be built.” Commissioner Davis inquired about the store hours. Mr. Trocquet stated that Goodwill would keep normal business hours.

Commissioner Nebergall asked for clarification regarding Barons Court. Mr. Trocquet stated that the property owner would repave the road **and more than likely deed the road back to the Town.** Commissioner Nebergall wanted reassurance that the property owner had no issue giving access to the facility and property. Mr. Trocquet assured him that there was no issue with access to the property.

Commission Member Duncan made a motion to approve the site plan.
Commission Member Davis seconded the motion. Motion was approved 4-0.

2. Approval of a Landscape Plan from applicant Steve Bennett at 130 St. Stephens Court for Goodwill of North Georgia. *Phillip Trocquet, Planning & Zoning Coordinator*

Mr. Trocquet stated that the same information from the site plan applied to the landscape plan and that staff recommended approval. He added that Mr. Konwick from Tyrone’s Environmental Department gave his approval contingent on the developer contributing trees to the Town’s tree bank due to their shortage of trees on the property.

Commission Member Davis made a motion to approve the landscape plan.
Commission Member Schouw seconded the motion. Motion was approved 4-0.

Planning Commission Comments
Staff Comments

Adjournment

Commission Member Schouw made a motion to adjourn. Motion was approved 4-0. The meeting adjourned at 7:15 pm.

Chairman, Wil James

Town Clerk, Dee Baker