

## WARNER ROBINS PLANNING AND ZONING COMMISSION

Meeting of May 8, 2018

The regular meeting of the Warner Robins Planning and Zoning Commission was held on May 8, 2018, at 5:30 PM at City Hall. Those members present were Eric Blazi, Arthur Head, Jeffrey Rowland, Steve Miner, and Ben Campbell. Sherri Windham, Forrest Walker, and Darin Curtis were also present.

Mr. Blazi opened the meeting of the Planning & Zoning Commission by explaining the procedures of the meeting. Mr. Blazi explained that due to regulations, all approved requests for home occupation licenses, rezonings, annexations, and special exceptions with the Planning and Zoning Commission would next be forwarded to Mayor and Council for final approval. Mr. Blazi asked Mrs. Windham to provide any staff remarks for petitions being heard. Mr. Curtis read aloud the procedures for public hearings, providing the following information:

When the Public Hearing is opened, members of the Board will receive public input on the proposed rezoning. No action on their part will be taken until the Chair declares the hearing complete. The Chair will allow each side equal opportunity to the floor, with a minimum of 10 minutes per side (if desired). Individual members of the public will be given up to five minutes to state their case. Those in support of the issue will be heard then; those in opposition to the issue will be heard. Prior to closing the public hearing input portion of the meeting, City staff and the public will be given the opportunity to ask questions of either or both sides of the issue. When the Chair is assured that input is complete, the public hearing shall be ended and the Board may then debate the issue and entertain a motion on their recommendation to the Mayor and Council. All speakers from the public are asked to follow these rules:

- Come to the microphone and state your name, address, and neighborhood if any, prior to making remarks.
- Keep remarks limited to five minutes and please do not repeat other's comments.
- Address all comments to the Chair.

Mr. Blazi asked for a motion to approve the minutes from the Planning and Zoning meeting held on April 10, 2018. Mr. Head made the motion for approval and Mr. Campbell seconded the motion. The motion carried unanimously.

Mr. Blazi then called the first item on the agenda.

1. Daniel P. Jones – 101 Capitol Avenue Apt 20 – requests permission to operate a handyman service as a home occupation. Daniel Jones was present. Mr. Jones stated that his home would be utilized for administrative purposes, and that all of his tools would be stored in a shed behind his house. No one was present in opposition.

The motion was made by Mr. Miner, and seconded by Mr. Head to recommend approval of the request. The motion carried unanimously.

2. Alfredo Ruiz – 101 Michele Terrace – requests permission to operate a roofing and gutter business as a home occupation. Alfredo Ruiz was present. Mr. Blazi asked where Mr. Ruiz would store his equipment. Mr. Ruiz stated that all materials would be delivered directly to the jobsites, and that no material would be stored at his home. No one was present in opposition.

The motion was made by Mr. Campbell and seconded by Mr. Head to recommend approval of the request. The motion carried unanimously.

3. Aaron S. Patrick – 268 Southland Station Drive – requests permission to operate a government contracting service as a home occupation. Aaron Patrick was present. Mr. Patrick stated that his home would be utilized for administrative, and that no clients would come to his home. No one was present in opposition.

The motion was made by Mr. Miner and seconded by Mr. Head to recommend approval of the request. The motion carried unanimously.

4. Nicole Houser – 105 Molly Court – requests permission to operate an online retail business as a home occupation. Nicole Houser was present. Mr. Blazi asked if

Ms. Houser would ship her products directly to her customers from the manufacturer. Ms. Houser confirmed that she would, and that no customers would come to her home. No one was present in opposition.

The motion was made by Mr. Rowland and seconded by Mr. Head to recommend approval of the request. The motion carried unanimously.

5. Donna Stanley – 113 Vinings Place – requests permission to operate a yard greetings business as home occupation. Donna Stanley was present. Mr. Campbell asked Ms. Stanley to explain her business. Ms. Stanley stated that she installs giant yard greetings for birthdays, holidays, etc., and that all lettering and signage would be stored in her garage. No one was present in opposition.

The motion was made by Mr. Miner and seconded by Mr. Campbell to recommend approval of the request. The motion carried unanimously.

6. Latonya Klish-Polk – 202 Sark Drive – requests permission to operate a life coaching business as a home occupation. Latonya Klish-Polk was present. Ms. Polk stated that her clients will be local youth in the community, and that no clients would come to her home. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Campbell to recommend approval of the request. The motion carried unanimously.

7. Dean Howell – 212 Adirondak Way – requests permission to operate an off-road parts installation business as home occupation. Armando Moore was present to represent Dean Howell. Mr. Rowland asked where installation of the parts would be performed, and if there would be parts stored at the home. Mr. Moore stated that Mr. Howell's clients would order the parts and have the parts shipped directly to their home, and that Mr. Howell would arrive on-location to install. No one was present in opposition.

The motion was made by Mr. Campbell and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

8. Charles Thomas – 105 Swallow Way – requests permission to operate a mobile auto wash and pressure washing service as a home occupation. Charles Thomas was present. Mrs. Windham stated that there would be two business licenses required for Mr. Thomas's request. Mr. Thomas confirmed that he understood. Mr. Blazi asked if Mr. Thomas was aware of the proper way to store and dispose of chemicals; Mr. Thomas confirmed that he did. No one was present in opposition.

The motion was made by Mr. Campbell and seconded by Mr. Head to recommend approval for the request to operate an auto wash. The motion carried unanimously.

The motion was made by Mr. Head and seconded by Mr. Miner to recommend approval for the request to operate a pressure washing business. The motion carried unanimously.

9. Judith Lalanda Harrell – 217 Utah Avenue – requests permission to operate a ministry service as a home occupation. Judith Harrell was present. Mr. Blazi asked Ms. Harrell to explain her ministry service. Ms. Harrell stated that she would prepare reading and teaching material for ministries and make them available online. No one was present in opposition.

The motion was made by Mr. Rowland and seconded by Mr. Head to recommend approval of the request. The motion carried unanimously.

10. Roy Jermaine Patterson – 105 Millstone Way – requests permission to operate a transportation business as a home occupation. Roy Patterson was present. Mr. Patterson stated that he would shuttle people to and from work on RAFB, and that the vehicle would be stored with the driver, rather than at his home. No one was present in opposition.

The motion was made by Mr. Miner and seconded by Mr. Head to recommend approval of the request. The motion carried unanimously.

11. Lucie Davison – 219 Morgan Ranch Circle – requests permission to operate a seamstress business as a home occupation. Lucie Davison was present. Mr. Blazi asked if Ms. Davison would have customers at her home. Ms. Davison stated that she would only be making children's clothing in limited quantity, and that all

sales would be conducted online, and shipped through USPS. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

12. Keyarta Finney – 106 Wellborn Road Apt 20 – requests permission to operate a cleaning service as a home occupation. Keyarta Finney was present. Ms. Finney stated that she would utilize her home only for administrative purposes with regards to her business. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Rowland to recommend approval of the request. The motion carried unanimously.

13. Cecil G. Webb – 122 Wake Forest Drive – requests permission to operate a tax preparation business as a home occupation. Cecil Webb was present. Mr. Webb stated that his clients would need to come to his home, but that he would allow them access by appointment only, with a maximum of five clients per day. No one was present in opposition.

The motion was made by Mr. Miner and seconded by Mr. Head to recommend approval of the request. The motion carried unanimously.

14. Darius D. Kersh – 319 Rose Hill Drive – requests permission to operate a coated candy sales business as a home occupation. Darius Kersh was present. Mr. Kersh stated that he would be making assorted candies and brittles to sell at events and markets. No one was present in opposition.

The motion was made by Mr. Rowland and seconded by Mr. Campbell to recommend approval of the request. The motion carried unanimously.

15. VARIANCE – 101 Jupiter Lane – Timothy Wilson requests a 13ft side setback variance to allow for the construction of a carport. Tim Wilson was present. Mr. Blazi asked Forrest Walker if the Engineering Department had any objection to the request. Mr. Walker stated that he saw no issue with the request. No one was present in opposition.

The motion was made by Mr. Head and seconded by Mr. Campbell to recommend approval of the request. The motion carried unanimously.

16. RESUBMITTAL – PRELIMINARY – Landing’s Pointe at Statham’s Landing – Keith Newton was present to represent McGlamry Development. Mr. Newton stated that the original request had been submitted and approved in 2017, but that final plats were never submitted, and that the updated preliminary request will depict a change in the side setbacks from zero and fourteen feet, to seven and seven feet, adding that no other changes have been requested. Forrest Walker stated that he would recommend approval as submitted. No one was present in opposition.

The motion was made by Mr. Miner and seconded by Mr. Rowland to approve the request. The motion carried unanimously.

17. ANNEXATION/REZONING – Alexis Investments, LLC & ASIL Group, LLC request the annexation and rezoning of property also known as tracts A, C, E, G & J totaling 75.92 acres located on the North side of East Bob White Road from the zoning of R-1[Single Family Residential][County] to R-3 [General Residential][City] Keith Newton was present to represent Alexis Investments and ASIL Group. Mr. Blazi opened the public hearing. Mr. Newton stated that the request has been made to gain additional land for an existing development that was granted approval for annexation and rezoning in 2017. Mr. Newton stated that there would be no access from E Bob White Road for this phase of the development. No one was present in opposition. Mr. Blazi closed the public hearing and entertained a motion.

The motion was made by Mr. Miner and seconded by Mr. Head to recommend approval of the annexation. The motion carried unanimously.

The motion was made by Mr. Campbell and seconded by Mr. Rowland to recommend approval of the rezoning. The motion carried unanimously.

18. PRELIMINARY – Woodlands Phase 6 – Keith Newton was present to represent Alexis Investments and ASIL Group. Mr. Newton stated that the request for preliminary approval was made in reference to property that has been

concurrently submitted for an annexation and rezoning request. Mr. Newton stated that provisions for this phase of the development were made years ago. No one was present in opposition.

The motion was made by Mr. Miner and seconded by Mr. Rowland to approve the request. The motion carried unanimously.

19. ANNEXATION/REZONING – CCS Development, Inc requests the annexation and rezoning of Tract A, located in the Northwest corner of Lake Joy Road and Duskmoores Drive from the zoning of R-1[Single Family Residential][County] to R-3[General Residential][City], AND Tract B, located at the Southwest corner of Duskmoores Drive and Lake Joy Road from the zoning of R-1[Single Family Residential][County] to the zonings of R-3[General Residential][City] and C-2[General Commercial][City]. Christy Knight was present to represent CCS Development, Inc. Ms. Knight stated that the request has been made for Parcel B, on the South side of Duskmoores Drive, to contain two commercial lots with a covenant to restrict gas stations, bars, or liquor stores, while the remaining acreage of Parcels A and B shall be designated for residential use to build single family patio homes, with 60ft wide lots. Mr. Miner asked about the specifications of the homes. Ms. Knight stated that the homes would be between 2,500sqft and 3,000sqft, 50ft wide, all brick construction, and sell for \$120.00/sqft. Mr. Campbell asked if there were plans to build a buffer between the proposed residential homes and the commercial lots. Ms. Knight stated that there would be an 8ft to 10ft stone wall buffer between the two developments. Mr. Miner asked if there would be a significant impact to traffic if the request is approved. Mr. Walker stated that he has not yet received any plans, and that the request for annexation or rezoning would not indicate the impact, or lack thereof. Mr. Blazi called on speakers from the opposition. Tom Hall, Houston County Attorney, advised that the county objects to the rezoning of the property, citing that the request does not keep with the current area's zoning, or the County's Future Land Use Plan, and has therefore initiated an arbitration. Mr. Hall stated that if annexed, Duskmoores Drive will remain a county road, and that R-3 would be too dense for the existing neighborhood. Mr. Blazi asked if annexation would affect the arbitration. Mr. Hall advised that DCA would put together a panel to determine if annexation would have an effect, but that regardless, annexation would not be complete until after the panel reached deliberation. Mr. Hall added that either side could at such time, appeal to the Superior Court. Mr. Miner asked Mr. Hall if, in his opinion, Duskmoores Drive would require modifications to support an R-3 development. Mr. Hall stated that he felt it would require modifications, but that an R-2 may possibly be a reasonable compromise. Forrest Walker added that until he reviewed plans for development that he could not determine if modifications would indeed be required. Rob Tuggle stated that he is an attorney that has been hired to represent various residents of the Weatherby Subdivision. Mr. Tuggle stated that the petitioner is also the developer for the existing subdivision, and that the request violates the covenants that he had put in place for the other two phases of the subdivision. Mr. Blazi asked if the covenants were specifically attached to this phase of the property; Mr. Tuggle stated that the subject property itself has no covenants. Mr. Tuggle added that there are brick signs and landscaping paid for and maintained by the homeowner's association at the entrance, where commercial developments are being proposed. Mr. Tuggle also cited the resale value of homes owned by military personnel that could be affected by the proposal. Mr. Blazi asked how many homes were directly adjacent to the subject property, and Mr. Tuggle stated that he believes only one would be directly adjacent to the R-3 development. Stacy Boudreaux, of 201 Winston Court, stated that the covenants only apply to Phases 1 and 3, but that the Weatherby was intended to be a three phase subdivision, which is on record in the Superior Court, and that the plat on file shows that the subject property, Phase 2, did not have soil suitable for septic tanks, and was never developed for that reason. Mr. Boudreaux stated that when he, along with other homeowners, purchased their homes, that they were assured that the houses developed in the subdivision would all be the same size, quality, etc., and that they paid substantial sums, in part, for those reasons. Mr. Boudreaux also stated that no matter the outside appearance of the home, that the size and presence of the homes were unwanted amongst the neighborhood. Mr. Blazi stated that when those homes were developed and sold, that the land had always been farmland, but that the owner has a right to seek to maximize the return on his investment. Bonnie

Spearman, 110 Duskmoore Drive, stated that she lives directly adjacent to the subject properties, and that at one point she had leased the subject property with an option to buy. Ms. Spearman stated that when she decided to purchase a portion of the property that now contains her home, she was assured by the developer that the remaining acreage would remain R-1, or would not be developed otherwise. Ms. Spearman stated that due to the amount of existing houses within the neighborhood, that traffic to and from the neighborhood is already extreme, and that it has only been intensified by the addition of Rigby's and other nearby commercial developments. Ms. Spearman stated that she did not want R-3 homes in front of her home that was over 5,000sqft. Al Thomas, of 129 Abercorn Street, stated that on behalf of the Savannah Square subdivision, his neighborhood is entirely opposed to the request. Don Feezor, of 113 Gardenia Drive, stated that he fears if the property is annexed, there would be no recourse for what is developed on the property, and that he would have never purchased his home, were he to know that the property would not remain as he was told. Mr. Feezor stated that while the applicant has stated that single-family homes would be built on the site, that potentially, duplex homes could be built on the property. Mr. Feezor stated that until there is something provided in writing, there would be no way of knowing for sure what the developer intends to build. Mr. Feezor added that he would respectfully request that the board vote to deny the annexation and rezoning. Mr. Blazi called on Christy Knight to address any of the oppositions concerns. Ms. Knight stated that she herself lives in the Weatherby subdivision, and that she views the request as a positive thing for the entire neighborhood, citing the current declining property values. Ms. Knight added that the homes would sell for \$120.00/sqft, and that the commercial properties would not have access to or from Duskmoore Drive. Mr. Blazi asked Ms. Knight if she would be willing to accept a motion to approve with the stipulation that only single family homes would be built; Ms. Knight confirmed that she would accept that stipulation. Micheal Monteau, of 112 Ivey Court, stated that he still opposes the request and has also seen the effects of nearby commercial developments, citing noise and traffic. Mr. Blazi closed the public hearing and entertained a motion.

The motion was made by Mr. Miner, and seconded by Mr. Rowland to deny the request for annexation. The motion carried with Mr. Miner, Mr. Head, and Mr. Rowland voting yes, while Mr. Blazi and Mr. Campbell voted no.

As there was no further business for discussion, the meeting was adjourned at 6:52 p.m.