

1 CITY OF EAST POINT

2 **DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**

3 January 18, 2018
4 7:00 P.M.
5 Official Meeting Minutes

6 City Annex
7 3121 Norman Berry Drive
8 East Point, Georgia 30344

9 Board Members:

10 Commissioner Shean **ATKINS, Chair**

11 Commissioner Linda **SHELDON - Absent**

12 Commissioner Joel **TUCKER TODD, Provisional Chair**

13 Commissioner Laura **BORDERS**

14 Commissioner Gregory **FANN**

15 Commissioner Patricia **LOVETT**

16 Commissioner William **MILLER - Vice Chair - Absent**

17 Commissioner LaJeanna **MCKNIGHT**

18 Commissioner Willard **MAXWELL**

19 Commissioner Clyde **MITCHELL**

20 Also Present:

21 Mr. Nigel **WALKER**
22 Director

23 Ms. Angela **BLATCH**
24 Senior Planner

25 Mr. Frank **LEE**
Associate Planner

Willis **HATCHER**
City Engineer - Absent

Linda **DUNLAVY**
City Attorney

Videographer
James **Hammond**

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Appearances

Page

Case No.

Applicant

2017Z-020-12

Paul Lane

7

2017U-003-12
2017VC-013-12

Leotha Eaglin
Leotha Eaglin

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I. CALL TO ORDER:

COMMISSIONER ATKINS: Good evening ladies and gentlemen. I'm Shean Atkins, Chair of the East Point Planning & Zoning Commission and at this time, I'd like to call our January meeting to order. Before I do so and get down to our official business on the agenda, I would like to thank you all for coming out to our special call meeting tonight. Of course, we do not have our regularly scheduled meeting last week due to inclement weather.

I'd also like to say congratulations to all of the Commissions who have been reappointed. I'd like to thank Councilmember Karen Rene for her continued confidence in me in reappointing me to this Commission. I'd also like to welcome can a new Commissioner, Clyde Mitchell, who's been appointed by Councilmember Josh Butler. I'd also like to congratulate Joel Tucker Todd who's been reappointed by our Mayor, who is now our Mayor, Deana Holiday Ingram and also congratulations to Pat Lovett who's been reappointed by Councilmember Shropshire.

So at this time, Commissioners, if you would look at your agenda and Item Number 7 on the agenda, if you would strike that item, I would entertain a motion to adopt the agenda with that item the omitted from the agenda and before I do that, because it's official business, I need for Staff to sound Roll Call to establish a quorum.

So Staff, if you would, please sound our Roll Call to establish a quorum.

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II. ROLL CALL:

STAFF: Commissioner Lovett.

COMMISSIONER LOVETT: Here.

STAFF: Commissioner Borders.

COMMISSIONER BORDERS: Here. Staff Commissioner
Miller.

COMMISSIONER MILLER: (No response.) Staff

Commissioner Fann.

COMMISSIONER FANN: Here.

STAFF: Commissioner Atkins.

COMMISSIONER ATKINS: Present.

STAFF: Commissioner Tucker.

COMMISSIONER TUCKER TODD: Here.

STAFF: Commissioner Sheldon.

COMMISSIONER SHELDON: (No response.)

STAFF: Commissioner McKnight.

COMMISSIONER MCKNIGHT: Here.

STAFF: Commissioner Maxwell.

COMMISSIONER MAXWELL: Here.

STAFF: Commissioner Mitchell.

COMMISSIONER MITCHELL: Present.

STAFF: Mr. Chair, we have a quorum.

COMMISSIONER ATKINS: All right, thank you.

Commissioners, at this time, I'll entertain a motion to adopt the
agenda the Item Number 7 deleted from the agenda.

1 **III. ADOPTION FOR DELETION OF ITEM VII. FROM**

2 **AGENDA:**

3 COMMISSIONER TUCKER TODD: So moved.

4 COMMISSIONER ATKINS: Is there a second?

5 COMMISSIONER FANN: Second.

6 COMMISSIONER ATKINS: It's been moved by Commissioner
7 Tucker Todd, seconded by Commissioner Fann that we adopt the
8 agenda with the one correction. All in favor sound 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 The agenda is adopted. At this time, I'd like to ask all present to join
14 me in a Moment of Silence.

15 **IV. MOMENT OF SILENCE:**

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

18 **V. PLEDGE OF ALLEGIANCE:**

19 COMMISSIONER ATKINS: Thank you. Commissioners, at
20 this time, I'll entertain a motion to approve our December 21st, 2017
21 meeting minutes.

22 **VI. APPROVAL OF DECEMBER 21, 2017 MINUTES:**

23 COMMISSIONER MAXWELL: I so move.

24 COMMISSIONER ATKINS: Is there a second?

25 COMMISSIONER BORDERS: Second.

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COMMISSIONER ATKINS: It's been moved by Commissioner Maxwell, seconded by Commissioner Borders that we approve our December 21st, 2017 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 December 21st, 2017 meeting minutes are approved.

Commissioners, at this time, we go on to New Business, Case Number 2017 "Z" as in zebra-020-12. Staff, would you please sound this Agenda Item.

VII. NEW BUSINESS:

MR. LEE: Case Number 2017Z-020-12, the applicant is Paul Lane. The location is 1070 Cleveland Avenue and 0 Cleveland Avenue. Applicant is seeking to rezone from R1A (Urban Residential) to C-1 (Neighborhood Commercial).

COMMISSIONER ATKINS: Thank you. Commissioners, this Agenda Item as well as our other agenda items requires a public hearing. At this time, I will read our Rules for Public Hearings and then I'll entertain a motion to open the public hearing for Case Number 2017 "Z" as in zebra-020-12.

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

COMMISSIONER ATKINS: Public hearings before the Planning & Zoning Commission shall be conducted in accordance with

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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 cases 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 speaker is given the same amount of 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 time for rebuttal.

Speakers must adhere to the rules of decorum. Prior to speaking, each speaker shall identify him 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 any other speaker. The presiding office may refuse a speaker the right to continue if, after first being cautioned, the speaker continues to violate the rules of decorum.

You've heard our Rules for Public Hearings. At this time, Commissioners, I'll entertain a motion the to open the public hearing

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for our first case.

COMMISSIONER FANN: Motion to open the public hearing for our first case.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER BORDERS: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Fann, seconded by Commissioner Borders that we open the public hearing for Case Number 2017 "Z" as in zebra-020-12. 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. Is Mr. Paul Lane present this evening?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Is Mr. Paul Lane present?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Okay. The applicant is not present. Are there any other proponents here to speak in favor of this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other proponents here to speak in favor of this zoning case?

AUDIENCE: (No response.)

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COMMISSIONER ATKINS: Any other proponents here to speak in favor of this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Are there any opponents here to speak against this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any opponents to speak against this zoning case?

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Seeing none, Commissioners, at this time, I'll entertain a motion to close the public hearing.

COMMISSIONER TUCKER TODD-TODD: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MITCHELL: Second.

COMMISSIONER ATKINS: It's been moved by COMMISSIONER TUCKER TODD-TODD, seconded by Commissioner Mitchell 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 yore recommendation for this Agenda Item.

MR. LEE: Case Number 2017Z-020-12, the applicant is Paul Lane. The location is 1070 Cleveland and 0 Cleveland Avenue. Staff

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recommends approval of rezoning the properties from R1A (Urban Residential) to C-1 (Neighborhood Commercial).

COMMISSIONER ATKINS: Okay, thank you. Commissioners, we did not have the benefit of hearing from the applicant or any proponents or opponents for this zoning matter but we have heard Staff's recommendation. At this time, I'll entertain a motion.

COMMISSIONER TUCKER TODD-TODD: Mr. Chair.

COMMISSIONER ATKINS: Yes, COMMISSIONER TUCKER TODD TODD Todd.

COMMISSIONER TUCKER TODD-TODD: I would make a motion for recommendation of approval.

COMMISSIONER ATKINS: Okay.

COMMISSIONER FANN: Second.

COMMISSIONER ATKINS: It's been moved by COMMISSIONER TUCKER TODD-TODD, seconded by Commissioner Fann that this Body recommends approval for Case Number 2017 "Z" as in zebra-020-12. Are there any questions, comments or concerns?

COMMISSIONERS: (No response.)

AUDIENCE: You (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.

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This Body will make a recommendation for approval for Case Number 2017 "Z" as in zebra-020-012, rezoning from R1A to C-1 at 1070 Cleveland Avenue and 0 Cleveland Avenue.

Our next Agenda Item is 2017 "U" as in umbrella-003-12 and 2017 "V" as in Victor, "C" as in Charlie-013-12. This item also requires a public hearing. Commissioners, at this time, I will entertain a motion to open the public hearing for this zoning matter.

COMMISSIONER MITCHELL: Move that the public hearing is open.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER BORDERS: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Mitchell, seconded by Commissioner Borders that we open the public hearing for 2017U-003-12 and 2017 Victor, Charles-013-12 /-FPLTS 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. Is the applicant present this evening, Leatha Eaglin?

AUDIENCE: Yes.

COMMISSIONER ATKINS: Okay. If you would please step to the podium, state your first and last name and your current address. You can give your card to the Staff, your speak's card to the Staff.

1 (Whereupon Applicant Leotha Eaglin approaches the podium.)

2 MS. EAGLIN: My name is Leotha Eaglin. I reside at 1256
3 Winburn Drive.

4 COMMISSIONER ATKINS: Okay. Ms. Eaglin, it's your
5 opportunity to present your case to the Commission.

6 MS. EAGLIN: I am requesting rezoning a used permit to
7 change a double car garage into a single story small efficiency space
8 of approximately 800 square feet. I don't have plans drawn so I'm
9 giving an estimate. It might be considerably less. The unit shall
10 include storage, a kitchenette, bath and an open plan for dining and
11 a bedroom. The HVAC and plumbing shall be installed to accompany
12 existing water and electrical power. The exterior will remain in
13 accordance with the kind of esthetics which is congruent with the
14 main structure.

15 I am also requesting a Concurrent Variance, change of use
16 from a garage to a habitable accessory-use space as well as an
17 structural distance variance in as much as an existing permanent
18 structure is less than 15 feet away.

19 COMMISSIONER ATKINS: Okay. Anything else you would
20 like to share.

21 MS. EAGLIN: No.

22 COMMISSIONER ATKINS: Are there any other proponents
23 here to speak to this zoning case?

24 AUDIENCE: (No response.)

25 COMMISSIONER ATKINS: Any other proponents?

1 AUDIENCE: (No response.)
2 COMMISSIONER ATKINS: Anyone else in favor?
3 AUDIENCE: (No response.)
4 COMMISSIONER ATKINS: Okay. Are there any opponents
5 here to speak against this zoning case?
6 AUDIENCE: (No response.)
7 COMMISSIONER ATKINS: Any opponents?
8 AUDIENCE: (No response.)
9 COMMISSIONER ATKINS: Any opponents?
10 AUDIENCE: (No response.)
11 COMMISSIONER ATKINS: Seeing none, Commissioners, at
12 this time, I'll entertain a motion to close the public hearing.
13 COMMISSIONER MITCHELL: Move that we close the public
14 hearing.
15 COMMISSIONER ATKINS: Is there a second?
16 COMMISSIONER FANN: Second.
17 COMMISSIONER ATKINS: It's been moved by Commissioner
18 Mitchell, seconded by Commissioner Fann that we close the public
19 hearing, all in favor sound aye.
20 COMMISSIONERS: Aye.
21 COMMISSIONER ATKINS: All opposed sound nay.
22 COMMISSIONERS: (No response.)
23 COMMISSIONER ATKINS: Hearing none, the ayes have it.
24 The public hearing is now closed. Staff, would you please sound yore
25 recommendation.

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MR. LEE: In Case Number 2017U-003-12 and 2017VC-013-12, the applicant is Leotha Eaglin. The location is 1256 Winburn Drive. Staff recommends approval of the Special Use Permit for habitable accessory structure in the R1A (Urban Residential) zoning district with the following conditions: Structure must meet minimum requirements of a habitable accessory structure per 2012 IRC with current state amendments.

Staff also recommends approval of Concurrent Variance to 10-2130 (11), reducing the 15 foot setback requirement from structures on adjoining properties.

COMMISSIONER ATKINS: Okay. Commissioners, you've heard from the applicant and you've also heard Staff's recommendation. At this time, I'll entertain a motion.

COMMISSIONER MITCHELL: Move that we accept Staff recommendation with conditions.

COMMISSIONER MAXWELL: Second the motion.

COMMISSIONER ATKINS: Okay. So one clarification to that, Commissioner Mitchell, because it is a Special Use Permit, the motion should be in the form of a recommendation because it will then go on to the City Council for final vote. If you could restate your motion in the form of a recommendation.

COMMISSIONER MITCHELL: So moved.

COMMISSIONER ATKINS: Okay. And Commissioner Maxwell, your second still stands?

COMMISSIONER MAXWELL: Yes, it still stand.

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COMMISSIONER ATKINS: Okay. Commissioners,
Commissioner Mitchell has moved to recommend approval of Case
Number 2017 "U" as in umbrella-003-12 with a Concurrent Variance
which is 2017 "V" as in Victor, "C" as in Charles-013-12. He's motion
to recommend approval for those agenda items and Commissioner
Maxwell has seconded that motion. Any questions, comments or
concerns?

COMMISSIONER LOVETT: I just have one question.

COMMISSIONER ATKINS: Sure, Commissioner Lovett.

COMMISSIONER LOVETT: Will the requirements include a
separate meter for the new structure?

MR. LEE: That's not a condition for the Special Use Permit.
That usually comes with the building permit when the applicant will
submit for Plan Review for permits.

COMMISSIONER LOVETT: Thank you.

MS. BLATCH: I will tell you that the ordinance requires it to be
tied into the main dwelling so they will not be allowed to have a
separate meter.

COMMISSIONER ATKINS: All right. Any other questions?

COMMISSIONERS: (No response.)

AUDIENCE: (No response.)

COMMISSIONER ATKINS: Any other questions?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Okay. The motion on the floor is
to recommend approval of Case Number 2017 "U" as in

1 umbrella-003-12 with a Concurrent Variance 2017 "V" as in Victor,
2 "C" as in Charles-013-12. That motion to recommend approval was
3 made by Commissioner Mitchell, seconded by Commissioner Maxwell.
4 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 This Body will recommend approval. Thank you, Ms. Eaglin.

10 Okay. At this time, we'll go to our next Agenda Item which is
11 Number 9, announcements. Staff, do you have any announcements
12 this evening?

13 **VIII. ANNOUNCEMENTS:**

14 MR. LEE: No.

15 COMMISSIONER ATKINS: No, okay. All right. So then we'll
16 take announcements from the Commission and I believe that
17 Commissioner Borders has an announcement and so at this time,
18 Commissioner Borders, the floor is yours.

19 COMMISSIONER BORDERS: Thank you. I thank you for
20 allowing me to speak, wouldn't ordinarily do this but I feel -- and my
21 situation goes beyond the simple rules of business and it shows a lot
22 of humanity that I wish to acknowledge. This is to Ms. Nanette
23 Saucier, Councilmember, Mr. Shean Atkins, Chair of East Point, Ms.
24 Angela Blatch, East Point Department of Planning and Community
25 Development: I am submitting my resignation from the East Point

1 Planning & Zoning Commission effective today. I do so with regret
2 that health (inaudible) mandate that I pass on Ms. Saucier's offer to
3 continue to serve for another term, to give the seat to someone with
4 more energy for the position. It's been my pleasure and I'm honored
5 to served, to learn and be an important of the East Point Community.
6 My thanks to all members of the Commission, especially our leaders
7 for their patience with my absences and to the staff of Planning and
8 Zoning for their patience in helping keep me connected to materials
9 we use. Our meeting Counsel, Ms. Dunlavy, has be generous with
10 her time in answering my questions. To all, thank you for your
11 generous spirit, and to Linda Sheldon best wishes to all in continuing
12 your. Best regards, Laura Borders. Thank you.

13 COMMISSIONER ATKINS: Commissioners Borders, I would
14 just like to personally thank you on behalf of this Commission for not
15 only your years of service on this Commission but as I shared with
16 you before the meeting start today, and for those of you are not
17 familiar, Commissioner Borders is very familiar -- we are very familiar
18 with Commissioner Borders because she's been an active citizen in
19 the City of East Point for many many years and would constantly be
20 at our Planning & Zoning Commission meetings and so we had the
21 opportunity to engage with her from a citizen's prospective versus a
22 Commissioner's prospective and in both instances and in both roles,
23 should represented herself well.

24 She was always an advocate for her community and has be a
25 strong advocate as a Commissioner for the entire City of East Point

1 so we want to thank you for your years of service and we wish you
2 all the very best particularly since you have had some health
3 challenges over the years, you always made every single effort to be
4 present and to contribute your time and your talent when it was
5 possible so we want to thank you you for that. Thank you. Thank
6 you. And I would also like to thank you Commissioner Linda
7 Sheldon. I have served on this Commission for probably 18 years or
8 so. I can't remember. It's been a very very very long time and
9 Commissioner Sheldon has served also not continuously but during
10 some of the spurts along that period of time that I have been here as
11 well and Commissioner Sheldon is also rolling off of the Commission
12 and on behalf of this Body, I'd like to thank you her for her many
13 years of service as a Commissioner and an active citizen as well and
14 we wish her all the best and she also fights her health challenges and
15 we know that she's a fighter and that she will overcome those things
16 as she has done so many times throughout her life so thank you so
17 much Linda for all your wonderful service and for the talent that we
18 brought to this Commission. We greatly appreciate it.

19 At this time, I think Commissioner Fann would like to say
20 something as well.

21 COMMISSIONER FANN: The only thing I want to say is
22 Sean, you would have left something for me to say.

23 COMMISSIONER ATKINS: You have a floor. I did. (Laughs)
24 and also Commissioner Tucker Todd would like to saying something
25 as well.

1 COMMISSIONER TUCKER TODD: Thank you, Mr. Chair. I also
2 want to as a friend and a fellow Commissioner say, thank you to
3 Commissioner Borders and Sheldon for what they have done greatly
4 over the years here and also on behalf of all the Commissioners,
5 Staff, and James, we got you a little something that I think is long
6 overdue and we wanted to share that with you, Mr. Chair. We
7 appreciate all that you have done for us.

8 COMMISSIONER ATKINS: Thank you, thank you. As a
9 matter of fact, we will use it tonight. We will go ahead and break
10 this in. Are there any other announcements from the Commission?

11 COMMISSIONER LOVETT: I would like to say something.

12 COMMISSIONER ATKINS: Sure, Commissioner Lovett.

13 COMMISSIONER LOVETT: Thanks to Commissioners Borders
14 and Sheldon for their years of service to the City of East Point and I
15 have certainly enjoyed working with both of these ladies. They have
16 a wealth of knowledge and I will certainly mess the volume of
17 information that they have brought to this Body and certainly they
18 have expanded my knowledge-base as well and, you know, helped a
19 lot in the decisions that we have come to in so many situations. Both
20 are very knowledgeable. Thank you.

21 COMMISSIONER ATKINS: Thank you. Any other
22 announcements?

23 COMMISSIONERS: (No response.)

24 COMMISSIONER ATKINS: Okay. If there are no other
25 announcements for the good of the Body, Commissioners, at this

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time, I'll entertain to motion to adjourn.

IX. ADJOURNMENT:

COMMISSIONER FANN: Motion to adjourn.

COMMISSIONER LOVETT: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Fann, seconded by Commissioner Lovett that we adjourn this January 25th, 2018 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.

This meeting is now adjourned.

(Whereupon this concludes the City of East Point Planning and Zoning meeting for January 18th, 2018.)

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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 the City of East Point, Department of Planning and Community Development.

I was contacted by the offices of East Point, Department of Planning & Community Development to provide stenography services to take down the meeting minutes.

The foregoing Special Call Meeting for the City of East Point, Department of Planning and Community Development , on January 18, 2018 at seven o'clock P.M., were taken down by me and transcribed by me on this 4th day of February 1st, 2018.