

CITY OF EAST POINT

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

February 15, 2018
7:00 P.M.
Official Meeting Minutes

City Annex
3121 Norman Berry Drive
East Point, Georgia 30344

Board Members:

Commissioner Shean **ATKINS, Chair**

Commissioner Joel **TUCKER TODD, Provisional Chair**

Commissioner Gregory **FANN - Absent**

Commissioner Patricia **LOVETT**

Commissioner Jarrett **BELL**

Commissioner William **MILLER - Vice Chair**

Commissioner LaJeanna **MCKNIGHT - Absent**

Commissioner Willard **MAXWELL**

Commissioner Clyde **MITCHELL**

Also Present:

Mr. Nigel **WALKER**
Director

Ms. Angela **BLATCH**
Senior Planner

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

2018V-001-01

HFR & Compant

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I. CALL TO ORDER:

COMMISSIONER ATKINS: Good evening. I'm Shean Atkins
Chair of the East Point Planning & Zoning Commission and at this
time, I'd like to call to order our regularly scheduled February
meeting. Today is February 15th, 2018. Staff, would you please
sound Roll Call to establish a quorum.

II. ROLL CALL:

MR. LEE: Commissioner Lovett.

COMMISSIONER LOVETT: Present.

MR. LEE: Commissioner Bell

COMMISSIONER BELL: Present.

MR. LEE: Commissioner Miller.

COMMISSIONER MILLER: Here.

MR. LEE: Commissioner Fann.

COMMISSIONER FANN: (No response.)

MR. LEE: Commissioner Atkins.

COMMISSIONER ATKINS: Present.

MR. LEE: Commissioner Tucker.

COMMISSIONER TUCKER: Here.

MR. LEE: Commissioner McKnight.

COMMISSIONER MCKNIGHT: (No response.)

MR. LEE: Commissioner Maxwell.

COMMISSIONER MAXWELL: Here.

MR. LEE: Commissioner Mitchell.

COMMISSIONER MITCHELL: Present.

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MR. LEE: Mr. Chair, you have a quorum.

COMMISSIONER ATKINS: Okay, thank you. At this time, this Body observes a Moment of Silence. I'd like to ask all those present tonight and those who are in our viewing audience if you will just consider thinking of those who have loss lives and all of the victims in this latest shooting in Parkland, Florida.

III. MOMENT OF SILENCE:

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

IV. PLEDGE OF ALLEGIANCE:

COMMISSIONER ATKINS: Thank you. Commissioners, at this time, I'll entertain a motion to adopt our agenda as printed.

V. ADOPTION OF AGENDA:

COMMISSIONER TUCKER: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MILLER: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner Miller that we adopt our agenda as printed. 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 is adopted. Commissioners, at this time, I'll entertain a motion to approve our January 25th, 2018 meeting minutes.

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VI. APPROVAL OF THE JANUARY 25, 2018 MINUTES:

COMMISSIONER TUCKER: So moved.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MAXWELL: I second the motion.

COMMISSIONER ATKINS: It's been moved by Commissioner Tucker, seconded by Commissioner Maxwell that we approve our January 25th, 2018 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 meeting minutes are approved.

Our next Agenda Item is the Election of Officers. As for our Bylaws for the East Point Planning & Zoning Commission, officers shall be elected in the month of February. At this time, we will entertain and we will start to entertain a motion to accept nominations from the floor. Tonight, we will elect three officers, one being our Chair, the other being our Vice Chair and the third being our Provisional Chair.

VII. ELECTION OF OFFICERS:

Commissioners, at this time, I'll entertain a motion accept or open the nominations for the officer of Provisional Chair.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Is there a motion to open the floor for nominations?

1 COMMISSIONERS: (No response.)
2 COMMISSIONER ATKINS: We need to open the floor for
3 nominations.
4 COMMISSIONERS: (No response.)
5 COMMISSIONER ATKINS: Is there a motion to open the floor
6 for nominations?
7 COMMISSIONER BELL: Motion to open the floor.
8 COMMISSIONER ATKINS: Is there a second?
9 COMMISSIONER MAXWELL: I second the motion.
10 COMMISSIONER ATKINS: It's been moved by Commissioner
11 Bell, seconded by Commissioner Maxwell that we open the
12 nominations for the office of Provisional Chair. At this time, are
13 there -- all in favor sound aye.
14 COMMISSIONERS: Aye.
15 COMMISSIONER ATKINS: All opposed sound nay.
16 COMMISSIONERS: (No response.)
17 COMMISSIONER ATKINS: Hearing none, the ayes have it.
18 Nominations are now being accepted. Are there any nominations
19 from the floor for the office of Provisional Chair and before we take
20 any nominations, I'll read the duties of Provisional Chair.
21 (Whereupon the duties for Provisional Chair are read into the
22 record.)
23 COMMISSIONER ATKINS: In the absence of the Chairperson
24 and the Vice Chair person, the Provisional Chair shall act as
25 Chairperson and should have all powers and duties of such office.

1 Any nominations for Provisional Chair?

2 COMMISSIONER MILLER: I move to nomination Joel Tucker.

3 COMMISSIONER ATKINS: Okay. Are there any other

4 nominations for Provisional Chair?

5 COMMISSIONERS: (No response.)

6 COMMISSIONER ATKINS: Any other nominations for

7 Provisional Chair?

8 COMMISSIONERS: (No response.)

9 COMMISSIONER ATKINS: There's been a motion to

10 nominate Commissioner Tucker, is there a second?

11 COMMISSIONER MILLER: Second.

12 COMMISSIONER ATKINS: Okay. It's been moved by

13 Commissioner Bell, seconded Commissioner Miller that Joel Tucker is

14 nominated Provisional Chair. Commissioner Tucker, do you accept

15 the nomination?

16 COMMISSIONER TUCKER: I will.

17 COMMISSIONER ATKINS: Okay. The gentleman accepts the

18 nomination so Commissioners all in favor of Joel Tucker serving as

19 Provisional Chair for the 2018 term, sound aye.

20 COMMISSIONERS: Aye.

21 COMMISSIONER ATKINS: Opposed sound nay.

22 COMMISSIONERS: (No response.)

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

24 Commissioner Tucker, congratulations, you are Provisional Chair.

25 At this time, Commissioners, I'll entertain a motion to open

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the floor to accept nominations for the office of Vice Chair.

COMMISSIONER TUCKER: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Tucker.

COMMISSIONER TUCKER: I would like to nominate
Commissioner Will Miller.

COMMISSIONER ATKINS: We're gonna first open up the
floor to take nominations so is your motion to open the floor to take
nomination?

COMMISSIONER TUCKER: Yes.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MITCHELL: Second.

COMMISSIONER ATKINS: It is been moved by Commissioner
Tucker, seconded by Commissioner Mitchell; is that right, that we
open floor for nominations for the office of Vice Chair. 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 floor is now open. Before we take nominations, I shall read the
duties of the Vice Chair.

(Whereupon the duties for Vice Chair are read into the
record.)

COMMISSIONER ATKINS: In the absence of Chairperson, the
Vice Chair shall act as and have the powers and all the powers of the

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duties of the chairperson. At this time, I'll entertain nominations from the floor.

COMMISSIONER TUCKER: Motion to nominate Commissioner Will Miller.

COMMISSIONER ATKINS: Okay. I'm not really sure if you could hear Commissioner Tucker but his motion is to nominate Commissioner Will Miller as Vice Chair. Are there any other nominations for the office of Vice Chair?

COMMISSIONERS: (No response.)

COMMISSIONER MITCHELL: Second the nomination.

COMMISSIONER ATKINS: Okay, okay. There's been a motion by Commissioner Tucker, seconded by Commissioner Mitchell that we nominate Will Miller for the office of Vice Chair. Commissioner Miller, do you accept that nomination?

COMMISSIONER MILLER: I do.

COMMISSIONER ATKINS: The gentleman accepts the nomination. Are there any other nominations from the floor for the office of Vice Chair?

COMMISSIONERS: (No response.)

COMMISSIONER MITCHELL: Move that the nomination for Vice Chair be closed.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MAXWELL: Second the motion.

COMMISSIONER ATKINS: Commissioner Mitchell has moved that the nominations be closed. Commissioner Maxwell has seconded

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that motion. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: The ayes have it. The nominations have been closed for the office of Vice Chair. Commissioner Miller has been nominated. All in favor sound aye.

COMMISSIONERS: Aye.

COMMISSIONER ATKINS: All opposed sound nay.

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, the ayes have it. Commissioner Miller, you will serve as Vice Chair for the term of 2018. Congratulations. All right.

Our next position is that of the office of the Chair. A Chairperson shall be elected by the members of the Planning & Zoning Commission. The Chairperson shall be elected by the members of the Planning & Zoning Commission. The Chairperson shall preside over all meetings of the Planning & Zoning Commission, decide all points of order and procedures in accordance with these bylaws and may seek advice from Staff as needed. The Chairperson may appoint one or more committees of Planning and Zoning Commissioners to investigate and report for the Commission.

At this time, I'll entertain a motion to open the floor for nominations for the office of Chairperson.

COMMISSIONER MILLER: Mr. Chair.

1 COMMISSIONER ATKINS: Yes, Commissioner Miller.
2 COMMISSIONER MILLER: I would like to motion to open the
3 floor for nominations of Chairman.
4 COMMISSIONER ATKINS: Okay. Is there a second?
5 COMMISSIONER MITCHELL: Second.
6 COMMISSIONER ATKINS: It's been moved by Commissioner
7 Miller, seconded by Commissioner Mitchell.
8 COMMISSIONER ATKINS: Okay. Is there a second?
9 COMMISSIONER MITCHELL: Second.
10 COMMISSIONER ATKINS: It's been moved by Commissioner
11 Miller, seconded by Commissioner Mitchell that we open the floor for
12 the office of chairperson. All in favor sound aye.
13 COMMISSIONERS: Aye.
14 COMMISSIONER ATKINS: All opposed sound nay.
15 COMMISSIONERS: (No response.)
16 COMMISSIONER ATKINS: Hearing none, the ayes have it.
17 The floor is now open for the Office of Chair.
18 COMMISSIONER MILLER: Mr. Chairman.
19 COMMISSIONER ATKINS: Yes, Commissioner Miller.
20 COMMISSIONER MILLER: I would like to nominate Mr.
21 Shean Atkins for Chairperson.
22 COMMISSIONER ATKINS: Okay.
23 COMMISSIONER MITCHELL: Point of order.
24 COMMISSIONER ATKINS: Yes, Commissioner Mitchell.
25 COMMISSIONER MITCHELL: Now, that you have done it,

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would you have to step down and let the provisional --

ATTORNEY LINDA DUNLAVY: As of -- point of order would go to Commissioner Miller, Vice Chair.

COMMISSIONER ATKINS: Yes, so at this time, Commissioner Miller, you will conduct the election for the office of Chair. I've been nominated and I accept the nomination.

COMMISSIONER MITCHELL: And I seconded the nomination.

COMMISSIONER ATKINS: Okay.

ATTORNEY LINDA DUNLAVY: So at this point in time, Commissioner Miller, you either call for any other nominations for the position of Chair or if someone makes a motion to close the nominations and you proceed accordingly.

COMMISSIONER MILLER: First off, I'd like to call for other nominations or to close the floor for nomination for the position of Chair.

COMMISSIONER TUCKER: I'd like to make a motion to close nomination --

COMMISSIONER MITCHELL: Second.

COMMISSIONER MILLER: Okay. It has been motioned and seconded that we close the nominations for Chair.

ATTORNEY LINDA DUNLAVY: You may want to turn on your microphone.

COMMISSIONER MILLER: It has been motioned and seconded that we close the nominations for the Chair of the East Point City Planning & Zoning Commission. All in favor, please say,

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aye.

COMMISSIONERS: Aye.

COMMISSIONER MILLER: All opposed?

COMMISSIONERS: (No response.)

COMMISSIONER MILLER: It's been --

ATTORNEY LINDA DUNLAVY: You've closed the nominations and now you call for a vote on the nomination.

COMMISSIONER MILLER: We're closing the nominations so now we would like to have you guys vote on this. All in favor of Shean Atkins as Chairman of the City Planning & Zoning Commission please say, aye.

COMMISSIONERS: Aye.

COMMISSIONER MILLER: Any opposed?

COMMISSIONERS: (No response.)

COMMISSIONER MILLER: It has been voted. Shean Atkins is the Chairperson of Planning & Zoning Commission. Congratulations to Mr. Shean Atkins.

COMMISSIONER ATKINS: Thank you and thank you for conducting the election for that, Mr. Vice Chair Miller, okay. All right.

So we will now move to our next order of business which is New Business. This is Case Number 2018 "V" as in Victor-001-01. The applicant is HFR & Company Incorporated. This particular Agenda Item does require a public hearing. Staff, would you please sound the Agenda Item.

VIII. NEW BUSINESS:

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MR. LEE: Case Number 2018V-001-01, the applicant is HFR & Company Incorporated. The location is 2534 Woodland Circle. The applicant seeks to reduce the five foot side yard setback as required in Section 10-4050 to zero feet for the insulation of a driveway.

COMMISSIONER ATKINS: Thank you. At this time, I'll read our Rules for Public Hearing and after which I will entertain a motion to open the public hearing for this zoning matter.

(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 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.

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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 the 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. Commissioners, at this time, I'll entertain a motion to open the public hearing for Case Number 2018 "V" as in Victor-001-01.

COMMISSIONER MITCHELL: Move that the public hearing now be open.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MILLER: Second.

COMMISSIONER ATKINS: It's been move by Commissioner Mitchell, seconded by Commissioner Miller that we open the public hearing for Case Number 2018 "V" as is Victor-001-01. 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, HFR & Company Incorporated.

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AUDIENCE: Yes, sir.

COMMISSIONER ATKINS: Please step to the podium. State your first and last name and your current address, that is.

(Whereupon Applicant Henry Rodriguez approaches the podium.)

MR. RODRIGUEZ: Henry Rodriguez -- my personal address or the address in hand?

COMMISSIONER ATKINS: Please state your first and last name and your current address whatever address --

MR. RODRIGUEZ: Oh, 1072 Monroe Drive, Atlanta, Georgia, 30306.

COMMISSIONER ATKINS: Go ahead, Mr. Rodriguez.

MR. RODRIGUEZ: All right. Good evening, everybody. Do I need to state the Case Number. I'm a rookie. This is my first time.

COMMISSIONER ATKINS: You don't have a state the Case Number. We've done that already. You can just go ahead and discuss your case and what you would like for the Commissioners to know in terms for us to consider voting for your case.

MR. RODRIGUEZ: Yes, please, I hope so -- 2534 Woodland Circle we've rehab the house and when I went in to pull the permit to do the driveway, when I went back ten days later to what I thought was going to be to get my permit, they told me that I needed a variance to the 2012 code to move it 5-Feet and I wasn't aware of that so here I am and the driveway is going exactly where it was. There's no difference. It was brought up. It was crack. It was

1 literally an eye-soar. The house looks so sweet, it make the driveway
2 look even worse than it is and then when I came in to pull the
3 permit, and when I thought I was going to get my permit, I was
4 denied because of the variance so here I am asking for permission to
5 re-pour the driveway where it was initially and that's it for me and
6 I'm sorry, I've never been here. I'm a little nervous.

7 COMMISSIONER ATKINS: Okay. That's okay.
8 Congratulations for being nominated.

9 COMMISSIONER ATKINS: Thank you. Mr. Rodriguez, is that
10 all you'd like to --

11 MR. RODRIGUEZ: That's it for me. It's pretty simple. The
12 driveway was there. We put the forms exactly where it's going -- is
13 where it was for how ever many year since the house was there so
14 we're not asking for anything different. We're just asking for
15 permission for the new code to put a driveway.

16 COMMISSIONER MITCHELL: Mr. Chair, seeing that there are
17 no other speakers, I move that the public hearing now be closed.

18 COMMISSIONER ATKINS: Okay. There's been a motion to
19 close the public hearing. Is there a second?

20 COMMISSIONER TUCKER: Second.

21 COMMISSIONER ATKINS: It's been moved by Commissioner
22 Mitchell, seconded by Commissioner Tucker that we close the public
23 hearing for this case. All in favor sound aye.

24 COMMISSIONERS: Aye.

25 COMMISSIONER ATKINS: All opposed sound nay.

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COMMISSIONER ATKINS: Hearing none, the ayes have it.
The public hearing is now closed. Staff, would you please sound
your recommendation.

MR. LEE: Case Number 2018V-001-01, the applicant is HFR
& Company Incorporated. The location is 2534 Woodland Circle. Staff
recommends approval to reduce the five-foot setback as required in
Section 10-4050 for the installation of a driveway with the following
conditions: Driveway must be minimal width requirement of 12 feet
and neighboring must be Fulton County Specifications.

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

COMMISSIONER TUCKER: Mr. Chair.

COMMISSIONER ATKINS: Yes, Commissioner Tucker, I want
to make a motion to approve with conditions.

COMMISSIONER ATKINS: Because it is a variance, if uh-uh
would make that motion in the form of a -- I'm confusing you. Yes,
please, do. I want you to do that, okay. Is that with Staff's
condition?

COMMISSIONER TUCKER: Yes.

COMMISSIONER ATKINS: Okay. Is there a second?

COMMISSIONER LOVETT: Second.

COMMISSIONER ATKINS: Okay. It's been moved by
Commissioner Tucker that we approve this variance request for 2018

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"V" as in Victor-001-01 and with Staff's recommended condition and it's been seconded by Commissioner Lovett. Any questions, comments or concerns?

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. Your application is approved, sir.

MR. RODRIGUEZ: All right.

COMMISSIONER ATKINS: Commissioners, next Agenda Item are announcements. Staff, do you have any announcements for this evening?

MR. LEE: No.

COMMISSIONER ATKINS: Okay. Commissioners, are there any announcements?

COMMISSIONERS: (No response.)

COMMISSIONER MILLER: I would like to congratulate Shean Atkins and Joel Tucker on their election.

COMMISSIONER ATKINS: And we'd also like to congratulate Commissioner Miller on his election as our Vice Chair as well. Any other announcements?

IX. ANNOUNCEMENTS:

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COMMISSIONER TUCKER: I just want to make one announcement because I didn't do this last week but I did want to thank Mayor Holiday Ingraham for appointing me to the Commission.

COMMISSIONER ATKINS: Commissioner Tucker would like to thank Mayor Deana Holiday Ingraham for appointing him to the Planning & Zoning Commission. Okay, great. I want to make sure our people out there, our viewing audience also are also to hear you. Anymore announcements?

COMMISSIONERS: (No response.)

COMMISSIONER ATKINS: Hearing none, Commissioners, at this time, I'll entertain a motion to adjourn.

X. ADJOURNMENT:

COMMISSIONER MILLER: Motion to adjourn.

COMMISSIONER ATKINS: Is there a second?

COMMISSIONER MAXWELL: Second.

COMMISSIONER ATKINS: It's been moved by Commissioner Miller, seconded by Commissioner Maxwell that we adjourn our February 15th, 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 February 15th, 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 February 15, 2018 at seven o'clock P.M., were taken down by me and transcribed by me on this 1st day of March, 2018.