

**THOMASVILLE BOARD OF ARCHITECTURAL REVIEW AND ZONING APPEALS
OFFICIAL MINUTES
Wednesday January 14, 2009**

The Thomasville Board of Architectural Review and Zoning Appeals met in a regular session on Wednesday, January 14, 2009, at 10:00 a.m. in the Municipal Building Council Chambers. Members present were Scott Forsyth, Allison Knox, Marvin Dawson and Janet Liles. Also present were Lee Chastain City Planner and Duane Treadon Zoning Administrator. Citizens who were present are listed on the meeting sign in sheet.

Call to Order

Janet Liles called the meeting to order.

Approval of Minutes

A motion was made by Allison Knox and seconded by Scott Forsyth to approve the minutes of the December 10, 2008 meeting. The motion passed unanimously.

Election of 2009 Officers

Mrs. Liles asked Mr. Treadon to conduct the election of 2009 officers. Janet Liles was the only nomination for Chairperson and Marvin Dawson was the only nomination for vice chairperson. As there were no other nominations a vote in the affirmative to elect Janet Liles as Chairperson and Marvin Dawson as Vice Chairperson for 2009 was made.

Old Business - None

New Business-

ARZA-09-01-01

Applicant: **Jeremiah Horne**

Location: **216, 218, 220 Young St.**

Request: **Request for variance to**

- **Sec. 22-181 Development density standards**
 - **Increase from 3 to 6 units**

- **Sec 22-283 Vehicle use area construction material**
 - **allow use of pervious paving materials for vehicle use area**

Mrs. Liles asked Mr. Treadon to present the staff report on the application. Mr. Treadon presented the report, see attached.

During his presentation Mr. Treadon pointed out that the original proposed plan for a three unit three bedroom structure with paved parking in front met the City's zoning code and that no variance was

needed if the applicant chooses to continue with that plan. Through discussions with City staff the applicant had altered his project in an effort to make it more aesthetically harmonious with the surrounding neighborhood through the addition of architectural elements, pervious paving, and increased landscape plan. The additional architectural elements included columns for entranceways, two cupolas, shutters for front elevation windows, hardie board siding for front elevation, and matched brick entry steps to shape of sidewalk. The parking and landscape plan would include pea gravel drive and parking area for six vehicles, aggregate cement for walkways, landscaped front green space, enhanced planting beds. Mr. Treadon also explained that the applicant wishes to increase the number of dwelling units from three to six in an effort to reduce the number of occupants on property. As explained under applicant's original plan there would be three units with three bedrooms each resulting in a total of nine occupants. Under the revised plan while the number of units would increase, from three to six, the number of bedrooms would decrease, from nine to six. This would result in a less dense development than originally proposed. By submitting a floor plan to the Board for consideration if approved the applicant could not vary the floor plan without coming back before the Board.

Mr. Chastain addressed the Board highlighting the points that Mr. Treadon brought up. In reviewing the history of the project Mr. Chastain explained that originally plans were submitted for three units each with two bedrooms for total of six bedrooms. During construction it was noticed that alterations had been made from the originally approved plans and that a stop work order had been placed on the project. During this time the applicant proposed new building plans showing alteration to the floor plan that would allow for three bedrooms in each unit for a total of nine bedrooms. These plans have not been approved but a preliminary zoning review found that the revised plans would meet zoning codes.

Mr. Chastain explained that the physical form of the three unit nine bedroom revised plans would not be in harmony with the surrounding neighborhood nor would it support the intent of the Comprehensive Plan or that of the zoning code. Lacking architectural details like the cupolas, shutters, entrance columns, having vinyl siding and a paved front yard for parking would be inappropriate. The comprehensive plan recommends that infill development should be compatible and keeping in character with the surrounding neighborhood. The proposed architectural improvements, landscape plan and pervious vehicle areas would increase the project's compatibility with the surrounding neighborhood and help it to stay keeping with its character. The area is identified as traditional neighborhood on the future development map. The Comprehensive Plan identifies limited development of multi family as appropriate for this designation given certain project enhancements that improve the compatibility of the development with the surrounding neighborhood.

In conclusion Mr. Chastain did advise the Board that the applicant did not have to file a request for variance as his originally revised plans (three, three bedroom units) did meet zoning code. He said that the applicant would like to construct a better project in the neighborhood but would need the variances to make the described changes to his plans.

Mrs. Liles then asked the applicant, Jeremiah Horne, to address the Board. Mr. Horne presented a short history of the project concurring with Mr. Chastain's presentation. He stated that the Planning staff had been working with him in identifying areas where the project could be improved and thus making it more compatible with the surrounding neighborhood. He advised that it was not his intent to build a bad development but that the variances were necessary in order to allow him to make the recommended property upgrades resulting in a better looking project that would allow him to increase his rent and thus attract a different segment of the tenant market. He stated that with the revision the

rent could be increased to \$150-\$175 per week. Based on his other properties he advised at this rent level you are working with people who hold a 40 hour a week job at minimum wage. They tend to reside at his properties for 7-8 months and sometimes longer. They also tend to cause fewer problems than tenants at a lower rent. In summary Mr. Horne advised that he is willing to make the improvements but that if he was not granted the variance he would most likely have to use the previous plans with no added architectural elements, paved parking in the front and three bedrooms in each unit.

Mr. Liles then opened the floor for public comment.

John Bennett was first to address the Board. Mr. Bennett advised that he had several questions about the application and a few comments. First he talked about the zoning for the area and zoning in general pointing out to the board that while the zoning may allow multi family is this appropriate for the neighborhood. He asked what is multi family and how is it allowed to effect the neighborhood. On parking Mr. Bennett asked what the requirements were for multi family. Mrs. Liles addressed Mr. Treadon for the answer. Mr. Treadon advised that for multi family, three dwelling units or more, requires two parking spaces for each dwelling unit. Mr. Bennett, who noted that he was a former member of the Historic Preservation Commission, talked about the historic character of the neighborhood and his concern that if allowed the development may erode at this character. At his conclusion Mr. Bennett did note that the revised plan is more aesthetically appealing then the originally proposed vinyl sided plan.

Next to speak was John Moon. Mr. Moon advised that he lives at 402 E Clay St. and that the project abuts his rear property line. Mr. Moon had concerns with the potential number of trash receptacles or a dumpster being placed on the property. Mr. Chastain explained that no dumpster is planned and that trash pick up would be by trash containers, one for each unit. The most likely placement would be at the rear of the structure. Mr. Chastain reminded the Board and audience that the City of Thomasville Solid Waste Dept. rolls containers out to the street for trash pick up and rolls the containers back after pick up. Mr. Moon also had concerns over the maintenance of the proposed pea gravel saying that if not properly maintained it can get compacted into the ground resulting in just dirt or scattered outside of the vehicle area. To that he had concerns of vehicle head lights shining in his back yard as they drove around the structure. Finally Mr. Moon advised that he was unsure by the landscape plan presented but that it looked like part of the landscaping plan was on his property.

Mrs. Elaine Shank was next to speak. Mrs. Shank who lives at 412 E Clay St. advised that she had privacy concerns over the placement of the rear second story windows. They looked right down into her back deck. She also asked about the cupolas and if they added height to the structure. Mr. Chastain advised that the cupolas are an add on and would increase the over all height by approximately four feet. They are decorative only and that there was no access to them from the living areas.

Carl Wood who lives at 317 E Clay St. spoke next. Mr. Wood had questions as to the classification of the property and its use; was it residential or commercial. Mr. Chastain explained that this can be a confusing point as there are two sets of codes that apply to the project, zoning and building. Under the zoning code the project is classified as multi family residential and is allowed by right under the R-2 zoning district. Under the building code the project is classified as commercial for building construction purpose only. The variances requested are to the zoning code which classifies the project as residential. Even as rental units the zoning classification is multi family residential.

Brent Taylor was next to speak. Mr. Taylor presented a letter addressing his concerns (see attached) and summarized his letter.

Brent Runyon spoke next. Mr. Runyon advised that from an architectural perspective the composition of the front elevation windows was not well laid out and needed to be brought into harmony. He further spoke on the appropriateness of this type of development in this neighborhood and asked if by making these modifications “are we just putting lipstick on a pig?”

With no further comments from the public Mrs. Liles closed the floor to public comment.

Board members then began a discussion on the proposed application. The following questions of concern were brought up:

- Parking, if allowed six units could there be a potential of having 12 vehicles on site,
- Was a landscape buffer needed based on the property status or parking areas,
- What could be the potential total occupancy with three three bedroom units and total occupancy with six one bedroom units,
- If granted what enforcement measures could be taken to insure compliance with any mitigation conditions imposed by the Board,
- If not granted would the applicant be able to proceed with a less desirable development i.e. vinyl siding, paved parking in the front, nine bedrooms...

After discussion a motion to table the application was made by Mrs. Knox with a second by Mr. Dawson. After a short discussion the motion failed with a vote of two in favor, Mrs. Knox and Mr. Dawson and three opposed, Mr. Forsyth, Mr. Parker and Mrs. Liles (voting to break tie).

A subsequent motion to deny the request for variance was made by Mr. Parker with a second by Mr. Forsyth. Discussion on the matter pertained to possible results if denied. Members discussed what options did they have and determined that their options were to approve the variance as requested with mitigation conditions, or to deny the request. Several members advised they were not ready to outright deny the request but did not feel comfortable with approving it at this time either.

After discussion the motion to deny the request was approved with three votes for the motion, Mr. Parker, Mr. Forsyth, and Mr. Dawson and one abstaining Mrs. Knox.

Mr. Parker the original former of the motion to deny asked if the matter could be brought before the Board again if the applicant revised his plans. It was explained that he would have to wait one year before making an application for the same variance on the same parcel. Mr. Parker advised that in denying the application it was not his intent to have the applicant have to wait a year before reapplying for the same variance. It was asked would the applicant be able to construct the project as originally proposed i.e. paved front parking, no added architectural enhancements, nine total bedrooms on site. The board was advised that the applicant could proceed with his originally proposed three unit nine bedroom project with no architectural enhancements and six paved parking spaces in the front yard. Again Mr. Parker advised that his intent with his previous motion was to allow for more time to study the application and to possibly have another meeting to discuss the application before making a final decision.

Mr. Parker felt that his previous motion was in error and made a motion to rescind the action of his previous motion with a second by Mr. Forsyth. With discussion open all members agreed that the previous motion was in error and would not allow for the desired action of the Board. The motion passed by unanimous vote.

A motion to table the application to be taken up at such time that the Board felt informed enough to take action on the matter and that this could include a special called meeting was made by Mr. Parker with a second by Mr. Dawson. The motion passed by unanimous vote.

The Board established Monday January 19, 2009 at 2:00 P.M. as a time to meet in workshop to further review this application. The workshop will be held in Council Chambers and will be open to the public.

With no further business the meeting was adjourned.