

## **Planning & Zoning Meeting**

#### **AGENDA**

# Tuesday, March 16, 2021 5:30 PM 215 N Broad Street Monroe Ga 30655

- I. <u>CALL TO ORDER</u>
- II. ROLL CALL
- III. MINUTES OF PREVIOUS MEETING
  - 1. Minutes of Previous Meeting February 16, 2021
- IV. REPORT FROM CODE ENFORCEMENT OFFICER
- V. **PUBLIC HEARINGS** 
  - 1. Request for Variance of Sec 520, Table 3 of Zoning Ordinance 211 Baker Street
- VI. RECOMMENDATIONS ON REQUESTS
- VII. OLD BUSINESS
- VIII. <u>NEW BUSINESS</u>
- IX. ADJOURNMENT

### MONROE PLANNING COMMISSION MINUTES FOR VIRTUAL MEETING February 16, 2021

**Present**: Randy Camp, Rosalind Parks, Mike Eckles, Chase Sisk, Nate Treadaway

**Absent:** None

**Staff:** Pat Kelley – Director of Planning and Code

Debbie Adkinson – Code Department Assistant

Brad Callender - Planning

Visitors: Joyce Chambers, Pastor Tommy Fountain, Dawn Parker

CALL TO ORDER by Chairman Eckles at 5:36 pm.

**Chairman Eckles** asked for any changes, corrections or additions to the January 19, 2021 minutes.

To approve

Motion Camp, Second Parks Passed unanimously.

Chairman Eckles ask for a Code Officer Report.

Kelley: The apartment complex at 698 S Broad Street is complete and has their CO. It turned out nice and we hope everyone enjoys it.

PH open 5:38 pm

<u>The First Item of Business</u> is for petition # PCOM-000087-2020 for a COA at 1025 East Spring St. The applicant is 1025 Church, owner. The request is to place a metal cover over the play ground for children to be able to enjoy it.

Joyce Chambers of 1025 Church spoke to the request. Wanting to put an open-air pavilion over the play ground so the children will be able to enjoy it.  $42 \times 50$  pavilion which will match as close as possible to the existing building.

Chairman Eckles asked for any questions.

Hearing none he asked for any opposition. There was none.

PH closed at 5:41

Chairman Eckles entertained a motion.

To Approve

Motion Parks. Second Camp Passed unanimously Old Business: None

New Business: There was some discussion about the upcoming P&Z 101 and 102  $\,$ 

classes and who is attending.

Chairman Eckles entertained a motion to adjourn.

Motion by Parks, Second Treadaway Meeting adjourned at 5:43 pm



To:

Planning and Zoning / City Council

From:

Patrick Kelley

**Department:** 

Planning, Zoning, Code and Development

Date:

02-23-2021

**Description:** 

Parking Variance request

**Budget Account/Project Name: NA** 

Funding Source: 2021 NA

**Budget Allocation:** 

NA

**Budget Available:** 

NA

Requested Expense:

\$NA

Company of Purchase: NA

Since 182

Recommendation: Approval without conditions

**Background:** This is a proposed wellness center development. The applicant wishes to exceed the 120% of required parking maximum due to their intended operational needs. The plan conforms to the maximum 60% impervious coverage even with the increase in parking spaces.

Attachment(s): City planner report, application and supporting documents.

# Planning City of Monroe, Georgia

#### **VARIANCE STAFF REPORT**

#### **APPLICATION SUMMARY**

VARIANCE CASE #: VAR-000090-2021

DATE: February 19, 2021

STAFF REPORT BY: Brad Callender, City Planner

APPLICANT NAME: C M H Real Estate, LLC

PROPERTY OWNER: C M H Real Estate, LLC

LOCATION: North side of Baker Street - 211 Baker Street

ACREAGE: ±1.707

**EXISTING ZONING:** B-3 (Highway Business District)

**EXISTING LAND USE:** Partially developed with a medical office building and a parking area.

**ACTION REQUESTED:** The owner is requesting a variance for this property to allow more parking spaces

than permitted by the Zoning Ordinance.

STAFF RECOMMENDATION: Staff recommends approval of this variance request as submitted without

conditions.

#### DATES OF SCHEDULED PUBLIC HEARINGS

PLANNING COMMISSION: March 16, 2021

CITY COUNCIL: April 13, 2021

#### **REQUEST SUMMARY**

#### **VARIANCE REQUEST SUMMARY:**

The applicant is requesting approval of a variance in order to construct more parking spaces than allowed under Section 520.3 of the Zoning Ordinance. Section 520.3 limits the maximum parking on a site to 120% of the minimum number of parking spaces required under Table 3, unless a variance is approved to increase the number of parking spaces beyond 120%. The applicant is requesting the variance in order to construct 69 parking spaces, which is 197% of the minimum number of required off-street parking spaces. The applicant states the need for a large amount of parking is due to the unique nature of the business which will have a high number of employees and clients.

#### PROPOSED PROJECT SUMMARY:

- Medical/Wellness Offices
  - o Total Building Floor Area 7,484 Sf
    - Proposed Wellness Building 6,000 Sf
    - Existing Medical Office 1,484 Sf
  - Required Parking (Zoning Ordinance Section 520.3)
    - 3 spaces / 1,000 Sf & 1 space per employee 35 parking spaces

- 120% max parking allowed 42 parking spaces
- Requested Parking
  - 69 parking spaces or 197% of required minimum number of parking spaces

#### **STAFF ANALYSIS**

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE "STANDARDS FOR VARIANCE APPLICATION DECISIONS" AS SET FORTH IN SECTION 1430.6 OF THE CITY OF MONROE ZONING ORDINANCE.

- (1) Whether there are extraordinary and exceptional conditions pertaining to the subject property because of size, shape, or topography: The size, shape, and topography of the site are not the basis for this variance request.
- (2) Whether the literal application of this Ordinance would create an unnecessary hardship: No undue hardship is created through a literal application of the Zoning Ordinance.
- (3) Whether the variance would not cause substantial detriment to the public good or impair the purposes or intent of this Ordinance: If approved, this variance will not cause substantial detriment to the public good or impair the purposes or intent of the zoning ordinance.
- (4) Whether a variance will no confer upon the property of the applicant any special privilege denied to other properties in the district: If approved, this variance will not confer upon the property any special privileges denied to other properties in the same zoning district. This variance request does not result in greater building area or density otherwise permitted by the Zoning Ordinance.
- (5) Whether the special circumstances surrounding the request for the variance are not the result of acts by the applicant: Section 520.3 of the Zoning Ordinance contains a provision that allows for a variance to be considered in order to exceed 120% of the minimum number of required parking spaces. This provision under Section 520.3 is the basis for this variance request.
- (6) Whether the variance is not a request to permit a use of land, buildings, or structures which is not permitted by right or by conditional use in the district: The proposed use and structures in this request are permitted by right in the underlying B-3 zoning district.
- (7) Whether the zoning proposal is consistent with the construction and design standards and design criteria adopted by the City of Monroe: The proposed development appears to be consistent with the construction and design standards and criteria adopted by the City.
- (8) Whether the variance is the minimum variance that will make possible an economically viable use of the land, building, or structure: The requested variance is likely the minimum variance required to use the property in a manner desired by the applicant.

#### STAFF RECOMMENDATION

Based upon the City Council's policies, decision making criteria and standards outlined in the Zoning Ordinance of the City of Monroe, staff recommends approval of the requested variance as submitted without conditions to increase the minimum number of parking spaces greater than 120% allowed on the site.



#### City of Monroe

215 N. Broad Street Monroe, GA 30655 (770)207-4674

# Plan Report

Plan NO.: VAR-000090-2

Plan Type: Variance

Work Classification: New Construction

Plan Status: In Review

Apply Date: 02/15/2021

**Expiration:** 

1		Λ -1	4.	
Locati	lon	Αa	aı	ess

Parcel Number

211 BAKER ST, MONROE, GA 30655

M0240021A00

Contacts

CMH REAL ESTATE LLC

Owner

2133 SETHS RIDGE, LOGANVILLE, GA 30052

(770)490-9968

jhill@ourfamilyhealthcenter.com

**Description:** REQUEST FOR VARIANCE TO VARY SECTION 520: TABLE 3 - P&Z MTG 3/16/2021 @ 5:30 PM - COUNCIL MTG 4/13/2021 @ 6:00 PM THESE WILL BE VIRTUAL-ZOOM MEETINGS.

Valuation: \$ 0.00

Total Sq Feet: 0.00

Fees	Amount
Commercial Rezone or Variance Fee	\$200.00
Total:	\$200.00

Payments	Amt Paid
Total Fees	\$200.00
Check # 2215	\$200.00
Amount Due:	\$0.00

**Condition Name** 

Description

Comments

Deblie adkins	February 15, 2021
Issued By: Debbie Adkinson	Date
Plan_Signature_1	Date
Plan_Signature_2	Date



### Variance/Conditional Use Application

# Application must be submitted to the Code Department 30 days prior to the Planning & Zoning Meeting of: MARCH 16/APRIL 13

### Your representative must be present at the meeting

Street address	211 BAKER ST. MONROE	Council District	4 /8	Map and Par	cel # M0240021A00
Zoning B-3	Acreage 1.707	Proposed Use WELLNESS CEI	A STATE OF THE STA	Road Frontage 173	
BAKER ST.	(street or streets		***************************************		,
	Applicant		Owner		
// // // // // // // // // // // // //	REAL ESTATE LLC			L ESTATE LLC	
	SETHS RIDGE, LOGANVILLE	•	***************************************	HS RIDGE, LOGAN	VILLE
Phone #_773-49	90-9968	Phone	#_773-490-9	968	
Request Type:	(check one) Variance O	onditional Use O			
Nature of prop	oosed use, including without	limitation the type of activity	proposed, n	nanner of operatic	n, number of
- and calcal Side areas and areas and areas		eration, number of vehicle trip. AS AN ADMINISTRATIO		11(N) 12(11(11) (N) 12(11)	
MEDICAL C	FFICE. PLANNED EX	PANSION TO ACCOMOD	ATE A 6,	000 SF WELLN	IESS
CENTER.					
THE PROPI	ERTY IS CURRENTLY	to existing structures and uses ZONED B3. THE PROP.	TO THE	NORTH IS ZON	
THE PROP.	TO THE EAST IS ZON	IED B3, SOUTHEAT IS B	1 AND TO	THE WEST IS	ZONE B3.
DUE TO TH	E LACK OF PARKING	ies with the Zoning Ordinance SPACES FOR THE EXIS	TING ME	DICIAL ADMINI	ISTRATION
		THE BUSINESS, WHICH			ING COUNT.
WE ARE RE	EQUESTING A VARIAN	ICE TO MEET OUR PARI	KING NEE	∃D	·
proposed park	ing, landscaped areas, heigh	proposed structure(s) or use(s), at and setbacks of any propose			
Marine Million and the control of the control	ing/loading spaces and acce EQUIRED 35 PARKING	ss ways: G SPACES. THE CITY A	LLOW FC	R A MAX. OF	120% OF THE
		S. OUR NEED IS 69 PAF			
REQUESTI	NG A VARIANCE TO A	LLOW FOR AN ADDITON	IAL 27 PA	ARKING SPACE	ES.
		esult from strict application of t SWHICH REQUIRED HIGH NUM			LIENTS. WE ARE
REQUESTING	A VARIANCE TO PROVIDE F	OR PARKING SPACES ABOVE	THE MAXIM	IUM ALLOWED BY	THE CITY.
Check all that a	apply: Public Water:	Well: Public Sewer:	Septic:	Electrical:	Gas:
For any applica	ation for an overlay district.	a Certificate of Appropriatenes	s or a letter	r of support from t	he Historic

Preservation Commission or the Corridor Design Commission for the district is required.

Documents to be submitted with request:	
Recorded deed	Application Fees:
✓ Survey plat	\$100 Single Family
Site plan to scale	\$300 Multi Family
Proof of current tax status	\$300 Multi Failing
T Proof of current tax status	<u>I▼ 1</u> \$200 Commercial
Each applicant has the duty of filing a disclosure report of fifty dollars (\$250.00) or more has been given to an office	with the City if a contribution or gift totaling two hundred and cial of the City of Monroe within the last two (2) years.
	complete and accurate. Applicant hereby authorizes Code operty for all purposes allowed and required by the zoning
ordinance and the development regulations.	
(1)	2/9/2021
DITELLO MOTICE WILL BE DI ACED A	ND REMOVED BY THE CODE DEPARTMENT
	UNTIL AFTER THE COUNCIL MEETING.
SIGN WILL NOT BE REMIOVED	ONTIL AFTER THE COUNCIL MEETING.
*Property owners signature if not the applicant	
, WHUFF	MAN
Signature	Pinco Date:
Draw Hofman 7 8 401 A	Date 02.09.2024
Notary Public PU	ario of the second
Commission Expires: APRIL 14 3 CONTROL ON CO	JAP. Const
I hereby withdraw the above application: Signature	Date
,	





Recorded 12/04/2012 04:10PM

Georgia Transfer Tax Paid: \$302.80

KATHY K. TROST CLERK SUPERIOR COURT, WALTON COUNTY Bk 03461 Ps 0380-0382

Return Recorded Document to: William E. Porter, P.C. 1835 Lockeway Drive, Suite 303 Alpharetta, Georgia 30004

#### LIMITED WARRANTY DEED

STATE OF GEORGIA COUNTY OF WALTON

File #: 12-0392

THIS INDENTURE made and delivered on November 30, 2012, between W. Joey Gross and T. Henry Wall, as party or parties of the first part, hereinafter called Grantor, and C. M. H. Real Estate, LLC, a Georgia limited liability company, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 72, 3rd District, City of Monroe, Walton County, Georgia, containing 2.458 acres, as shown on a plat of survey prepared by John F. Brewer & Associates, certified by John F. Brewer, Registered Professional Land Surveyor No. 2115, dated November 20, 1990, recorded in Plat Book 66, Page 117, Clerk's Office, Walton County Superior Court. Reference is hereby made to said plat of survey for a more complete description of the property conveyed.

According to such plat of survey, the tract herein is more particularly described as follows: BEGINNING at an iron pin located on the Southeasterly right of way of East Spring Street (shown as being 80 feet in width) situated 215.45 feet Northeasterly along such right of way from its intersection with the centerline of Frances Street a/k/a Hammond Drive; running thence along said right of way North 48 degrees 27 minutes 58 seconds East 200.02 feet to an iron pin; running thence South 41 degrees 48 minutes 41 seconds East 219.26 feet to an iron pin; running thence South 48 degrees 18 minutes 18 seconds West 51.32 feet to an iron pin; running thence South 32 degrees 53 minutes 30 seconds East 255.00 feet to an iron pin; running thence South 30 degrees 55 minutes 27 seconds East 195.07 feet to an iron pin located on the Northwesterly right of way of Baker Street (shown as being 40 feet in width); running thence along said right of way South 67 degrees 18 minutes 38 seconds West 23.00 feet to a point; continuing thence South 70 degrees 23 minutes 07 seconds West 150.31 feet to an iron pin; running thence North 26 degrees 42 minutes 22 seconds West 393.31 feet to an iron pin; running thence North 45 degrees 26 minutes 07 seconds West 220.0 feet to the POINT OF BEGINNING. This is the same property conveyed by two warranty deeds: (a) a deed from Dave Glass to Taylor A. Bragg, Jr. and Robert W. Robison, dated April 8, 1955, recorded in Deed Book 37, Page 548; and (b) a deed from Jack H. Peppers, et al. to Taylor A. Bragg, Jr. and R. W. Robison, dated June 23, 1958, recorded in Deed Book 47, Page 40, Walton County Records.

The within conveyance of the Real Property is subject to the exceptions to title and matters set forth in Exhibit "A", attached hereto and made a part hereof by reference, and all other rights of way, easements, and restrictions of record, if any.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

TOGETHER WITH all rights, members, easements, rights-of-way, strips and gores of land, streets, ways, alleys, passages, emblements, and appurtenances in any way belonging, relating, or appertaining to the Property.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through, or under Grantor, and not otherwise.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

Unofficial Witness

W. Joey Gross

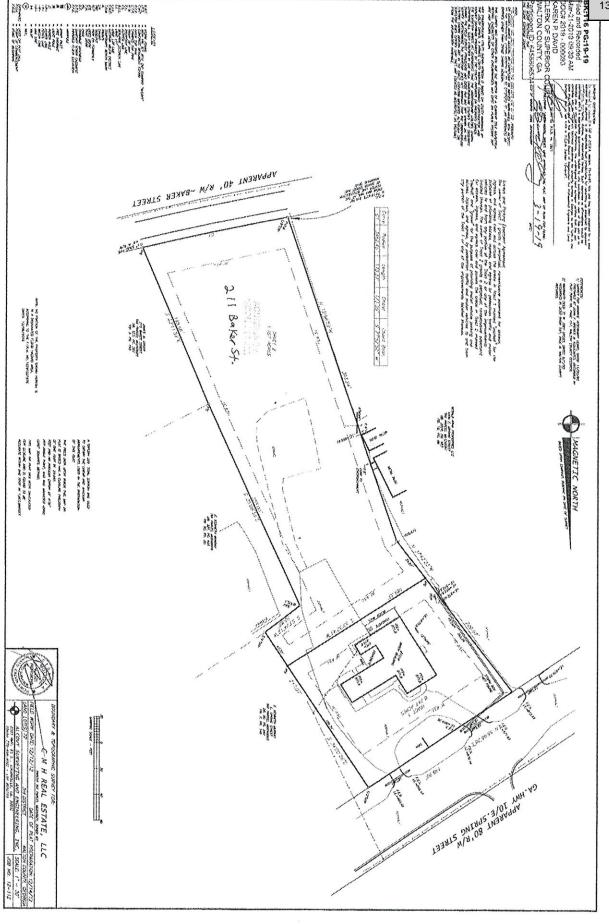
Notary Public

1. Henry war

SEAL AFFIXED

# EXHBIIT A <u>Permitted Exceptions</u>

- All taxes for the year 2013 and all subsequent years, and any additional taxes resulting from reassessment, amendment, or re-billing of taxes of the subject property subsequent to the Date of Policy.
- All matters described and depicted on that plat of Survey for Monroe Veterinary Clinic, prepared by John F. Brewer & Associates, scaled and certified by John F. Brewer, GRLS No. 2115, dated November 20, 1995, and recorded in Plat Book 66, Page 117, Walton County, Georgia records.
- Declaration of Restrictive Covenants dated 02/28/2011, by T. Henry Wall and W. Joey Gross, Declarants, recorded 03/01/2011, in Deed Book 3239, Pages 177-178, Walton County, Georgia records.



### **2020 Property Tax Statement**

Tax Commissioner 303 South Hammond Drive STE 100 Walton County Government Building Monroe, Georgia 30655

Ph: 770-266-1736, Fax: 770-267-1416

C M H REAL ESTATE LLC 2133 SETHS RIDGE LOGANVILLE, GA 30052

#### RETURN THIS PORTION WITH PAYMENT

(Interest will be added per month if not paid by due date)

Bill No.	<b>Due Date</b>	Current Due	Prior Payment	Back Taxes	*Total Due*
2020-6204	11/15/2020	\$0.00	\$4377.43	\$0.00	Paid 11/12/2020

Map: M0240-00000-021-A00 Location: 211 BAKER ST Account No: 124080 010

The Tax Commissioner is the tax collector and is not responsible for values nor for rates. If you feel the assessed fair market value of your property is incorrect, please contact the Tax Assessors office at 770-267-1352.

Payments made after the due date are subject to interest and penalties governed by Georgia Code. State law requires all tax bills to be mailed to owner of record on January 1st. If property has been sold, please contact our office.

Tax Commissioner 303 South Hammond Drive STE 100 Walton County Government Building Monroe, Georgia 30655

Ph: 770-266-1736, Fax: 770-267-1416



**Tax Payer:** C M H REAL ESTATE LLC **Map Code:** M0240-00000-021-A00 Real

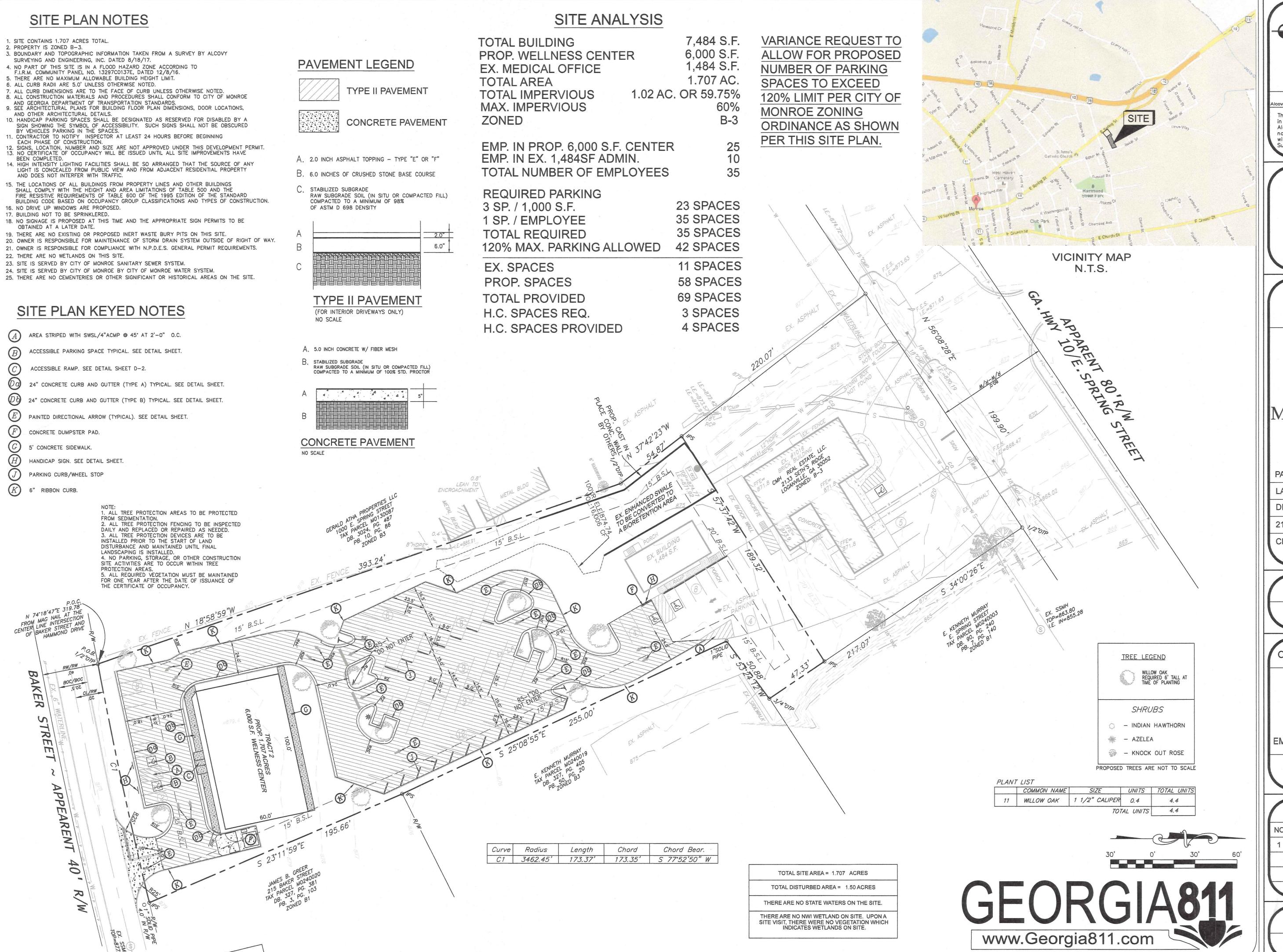
Description: LOT #2 1.71AC Location: 211 BAKER ST Bill No: 2020-6204

<b>Building Value</b>	Land Value	Acres	Fair Market	Value	Du	e Date l	Billing Date	Paymen thro		Exemptions
0.00	0.00	1.7100	\$275,900	.00	11/1	15/2020	08/18/2020			
Entity	y	Adjusted FMV	Net Assessment	Exemptio	ns	Taxable Value	Millage Rate	Gross Tax	Credit	Net Tax
CITY TAX		\$0	\$110,360		\$0	\$110,360	0.007588	\$1,357.76	-\$520.35	\$837.41
COUNTY		\$0	\$110,360		\$0	\$110,360	0.010677	\$1,491.07	-\$312.76	\$1,178.31
SCH BOND		\$0	\$110,360		\$0	\$110,360	0.002300	\$253.83	\$0.00	\$253.83
SCHOOL		\$0	\$110,360		\$0	\$110,360	0.019100	\$2,107.88	\$0.00	\$2,107.88
TOTAL	.S						0.039665	\$5,210.54	-\$833.11	\$4,377.43
State law requires January 1st. If pro This bill is not sen account, please for We encourage you www.waltoncounty Certain persons ar valorem taxation. I additional homestalst.	perty has been t to your morto rward a copy o to pay by mail ypay.com re eligible for c In addition, cei	a sold, pleas gage compa of this bill to l or on our v certain hom rtain elderly	e contact our only. If you have your mortgage website at estead exemption yersons are estead.	office.  an escrow e company.  ons from ac ntitled to			Current Discount Penalty Interest Other Fe Previous Back Tax	es Payments		\$4,377.43 \$0.00 \$0.00 \$0.00 \$0.00 \$4,377.43 \$0.00
For eligibility requ your value, contac	-	•					Paid Dat	е		11/12/2020



# **CODE DEPARTMENT**

February 16, 2021
To Whom It May Concern:
Below you will find information regarding a Legal Notice scheduled to run in The Walton Tribune on
February 28, 2021 concerning a Variance, adjacent to your property.
Being an adjoining property owner, this could be of interest to you.
BE ADVISED OF THE DATE, TIME AND PLACE OF PUBLIC HEARING:
Planning Commission: March 16, 2021
Planning Commission: Warch 16, 2021
Will be held as a Virtual-Zoom Meeting at 5:30 PM on the following application:
City Council: April 13, 2021
Will be held in the meeting room at 215 N Broad Street or as a Virtual-Zoom Meeting at 6:00 PM on the following application:
Variance for 1.707 acres at 211 Baker Street for additional parking. Petition # VAR-000090-2021.
Copies of application submittal can be viewed on line at <a href="www.monroega.com">www.monroega.com</a> Choose Government, Agendas Meetings, & Minutes, choose the meeting you plan to attend for this application.
If you are interested in speaking at the Council Meeting for or against the request, you will need to sign up before the meeting starts.
Sincerely,
Webre alberson
Debbie Adkinson Code Department Assistant



ALCOVY

SURVEYING & ENGINEERING, INC.

P.O.C. TIP HUYNH, P.E. 2205 Highway 81 South Loganville, Georgia 30052 Phone: 770-466-4002

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Fax: 770-466-4296

tip@alcovyse.com

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SITE PLAN

PROPOSED
OUR FAMILY
PRACTICE
MEDICAL OFFICE
EXPANSION
PHASE III

PARCEL: M0240021A00

LAND LOT: 72

DISTRICT: 3rd

211 BAKER STREET

CITY OF MONROE, GA

DATE: 12/17/2020

SCALE: 1"=30'

OWNER/ PRIMARY PERMITTER

CMH REAL ESTATE, LLC. 2133 SETH'S RIDGE LOGANVILLE, GA 30052 NAME: JON HILL

PHONE: (773) 7490-9968
EMAIL: jhill@ourfamilyhealthcenter.com

24 HOUR - EMERGENCY CONTACT JON HILL 773-490-9968 jhill@ourfamilyhealthcenter.com

	RI	EVISIONS
NO.	DATE	DESCRIPTION
1	1/25/20	REVISED PARKING
1		

JOB No. #12-112

VR

# NOTICE TO THE PUBLIC CITY OF MONROE

The City of Monroe has received a request for a variance of Article V, Section 520, Table 3 of the Zoning Ordinance for 211 Baker Street. A public hearing will be held on March 16, 2021 before the Planning & Zoning Commission, at 5:30 P. M.

The City of Monroe has received a request for a variance of Article V, section 520, Table 3 of the Zoning Ordinance for 211 Baker Street. A public hearing will be held on April 13, 2021 before the Mayor and Council, at 6:00 pm.

These meetings will be held via Zoom online. The link will be available to the public on our web site and on the agenda. All those having an interest should be present.

Please run on the following date:

February 28, 2021