



Planning Commission Meeting

AGENDA

Tuesday, June 18, 2024

6:00 PM

215 N. Broad St. - City Hall

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. MINUTES OF PREVIOUS MEETING

1. Previous Minutes 5-21-24

V. REPORT FROM CODE ENFORCEMENT OFFICER

VI. OLD BUSINESS

VII. NEW BUSINESS

1. Request for Conditional Use Permit - 700 Breedlove Dr - Music Studio

VIII. ADJOURNMENT

MONROE PLANNING COMMISSION
MEETING MINUTES—May 21, 2024—DRAFT

Present: Rosalind Parks, Randy Camp, Mike Eckles, Shauna Mathias,

Absent: Nate Treadaway

Staff: Brad Callender—City Planner
Laura Wilson—Code Assistant
Brian Wilson—Economic Development Manager

Visitors: D. Patel

Call to Order by Chairman Eckles at 6:00 pm.

Motion to Approve the Agenda

Motion Mathias. Second Camp.
Motion carried

Chairman Eckles asked for any changes, corrections or additions to the March 19, 2024 minutes.

Motion to approve

Motion Camp. Second Parks.
Motion carried

Code Report: None

Old Business: None

New Business:

The First Item of Business is De-annexation Case #3111, a request for de-annexation of ±8.919 acres of undeveloped land on the south side of US Hwy 78; Parcel #C0750160A00. The property was annexed into the city in 2006 as part of a Planned Commercial District but there was no proposed use for the property. The remainder of the land that was annexed in 2006 across Hwy 78, is in a permanent conservation easement and will not be developed. On April 2, 2024 the Walton County BOC consented to the annexation. Staff recommends approval.

Chairman Eckles: Anyone here to speak for or against the application? None

Chairman Camp: Does the property owner intend to leave it greenspace?

Callender: I believe he does intend to develop the property as part of undeveloped Walton County; no intentions to run utilities to the property

Motion to approve

Motion Mathias. Second Camp.
Motion approved

The Second Item of Business is Variance Case #3112, a request for a variance at 802 N. Broad St. to allow a subdivision with the resulting lots not meeting the minimum required lot frontage on a public street. The current buildings were constructed in 1988. In 1993 a plat was recorded without city approval that illegally subdivided the property without any dedication of public roads. The applicant is requesting the property be subdivided into two tracts. Each tract will have over 100 feet of road frontage to the private drive that has been established to access the lots. The lots have legal access to N. Broad St.; it is just not on a public road. If a public road were to be created in the future it would likely be where the currently private access drive is located. Staff recommends approval without conditions.

The property owner and applicant D. Patel spoke in favor of the project. The owner would like to develop the other lot into an event center or restaurant. If the lot was sold there would be a condition placed on the sale that the structure could not be a nightclub or bar. The building is currently just storage due to damage from a sprinkler flood last year.

Chairman Eckles: Anyone here to speak in opposition of the application? None

Motion to approve

Motion Mathias. Second Camp.
Motion approved

Chairman Eckles entertained a motion to adjourn.

Motion to adjourn

Motion Camp. Second Parks
Meeting adjourned; 6:12 pm



Planning
City of Monroe, Georgia
CONDITIONAL USE STAFF REPORT

APPLICATION SUMMARY

CONDITIONAL USE CASE #: 3224

DATE: June 12, 2024

STAFF REPORT BY: Brad Callender, Planning & Zoning Director

APPLICANT NAME: Tracy Stuever

PROPERTY OWNER: Saghar Navid

LOCATION: South side of Breedlove Drive – 700 Breedlove Drive, Suite A

COUNCIL DISTRICTS: 1 & 7

ACREAGE: ±1.42

EXISTING ZONING: P (Professional/Office/Institutional District)

EXISTING LAND USE: Office building with parking and accessory structures

REQUEST SUMMARY: The owner is petitioning for Conditional Use approval on this property in order to allow for a music studio in the existing office building.

STAFF RECOMMENDATION: Staff recommends approval of this Conditional Use request as submitted without conditions.

DATES OF SCHEDULED PUBLIC HEARINGS

PLANNING COMMISSION: June 18, 2024

CITY COUNCIL: July 9, 2024

REQUEST SUMMARY

CONDITIONAL USE PERMIT REQUEST SUMMARY:

The applicant is requesting approval of a Conditional Use in order allow a Music Studio in the existing office building located at 700 Breedlove Drive. The subject property is currently zoned P (Professional/Office/Institutional District). The site contains an office building constructed in 1984 with 4 office units. Music Studios, including other studios for teaching fine arts, drama, dance, etc., are allowed in the P zoning district as Conditional Uses. The applicant's narrative states the intent is to have a total of 4 classrooms with the ability to conduct 4 private lessons at the same time. The applicant proposes the classrooms will have increased insulation to reduce noise levels.

PROPOSED PROJECT SUMMARY:

- Music Studio – Private music lessons in an existing office building
 - Site Area – ±1.42 Acres
 - Existing Building Floor Area – ±6,080 Sf
 - Music Studio
 - 4 Classrooms
 - Hours of Operation – Monday 12pm-8pm, Tuesday through Friday 3pm-8pm, Saturday 10am-6pm, Sunday 12pm-6pm (Drum Lessons – weeknights 5pm-7pm, weekends 12pm-6pm)
 - Studio will have extra insulation to reduce noise levels

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR CONDITIONAL USE APPLICATION DECISIONS” AS SET FORTH IN SECTION 1425.5 OF THE *CITY OF MONROE ZONING ORDINANCE*.

- (1) **The proposed use will not be detrimental to adjacent properties or the general neighborhood, the proposed use will not significantly adversely affect public health, safety, morality and welfare, and the proposed use as designed will minimize adverse effects on the surrounding neighborhood:** If the music studio is operated in the manner proposed in the application, adjoining properties and the general neighborhood should not be adversely affected.
- (2) **The applicable standards in Article X have been met:** There are no standards applicable to Music Studios in Article X of the Zoning Ordinance.
- (3) **The proposed use is consistent with the Comprehensive Plan, and the conditional use is compatible with the community development pattern:** The subject property is located in the South Sub-Area as identified in the Monroe Comprehensive Plan. The existing character of this vicinity of the South Sub-Area is predominantly single-family residential with non-residential uses along Breedlove Drive near this site. The requested Conditional Use will be located inside an existing office building does not conflict with the land use goals for the sub-area.
- (4) **A rezoning to allow the requested use as a permitted use would not be appropriate:** Rezoning the property to a zoning district where the use would be allowed by right requires rezoning to the B-1, B-2 or B-3 zoning districts. With this proposed studio being located inside an existing office building, rezoning to a B zoning district would be unnecessary and inappropriate.
- (5) **The proposed use will not be injurious to the natural environment or the other property in the immediate vicinity, or unconstitutionally diminish property values within the surrounding neighborhood:** The proposed music studio includes increased insulation to minimize noise levels generated during music lessons. The music studio should generally not be injurious to the natural environment or diminish adjoining property values if operated in the manner described in the applicant’s narrative.
- (6) **Off-street parking and loading, and access thereto, will be adequate:** The site currently has a one-way entrance and one-way exit off Breedlove Drive. The site has sufficient parking for the existing office building.

- (7) **Public facilities and utilities are capable of adequately serving the proposed use, and the use would not lead to a major negative change in existing levels of public service, or fiscal stability:** Public services and utilities are currently serving the existing office building. The proposed music studio should not have any impact on the City's abilities to continue to provide public services and utilities.
- (8) **The use will not be an extension of a use which will cause a damaging volume of (a) agricultural, (b) commercial, (c) industrial, or (d) higher density residential use into a stable neighborhood of well-maintained single-family homes, nor likely lead to decreasing surrounding property values, neighborhood deterioration, spreading of blight, or additional requests of a similar nature which would expand the problem:** The music studio is proposed inside an existing office building. If operated in the manner described in the applicant's narrative, the music studio should not negatively impact adjoining properties.
- (9) **The use would not significantly increase congestion, noise, or traffic hazards:** The music studio located inside one of the existing units of the office building should not significantly increase congestion or traffic into the property. The applicant proposes to have extra insulation installed inside the office unit to reduce noise generated during music lessons.
- (10) **Granting this request would not have a "domino effect," in that it becomes the opening wedge for further rapid growth, urbanization or other land-use change beyond what is indicated in the Comprehensive Plan:** Music Studios are allowed as Conditional Uses in the P zoning district. The music studio is proposed inside an existing office building. Granting this Conditional Use request should not have a "domino effect" that inspires further rapid growth, urbanization or land use changes that would negatively affect the adjoining residences.

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 Conditional Use for a music studio as submitted without conditions.



City of Monroe

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

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CONDITIONAL USE PERMIT

| | | | |
|----------------------|--------------------------------------|--------------|------------------------------|
| PERMIT #: | 3224 | DESCRIPTION: | CONDITIONAL USE MUSIC STUDIO |
| JOB ADDRESS: | 700 BREEDLOVE DR STE B | LOT #: | |
| PARCEL ID: | M0070209A00 | BLK #: | |
| SUBDIVISION: | | ZONING: | P |
| ISSUED TO: | TRACY STUEVER | CONTRACTOR: | TRACY STUEVER |
| ADDRESS: | 34 WRIGLEY CT | PHONE: | |
| CITY, STATE ZIP: | HULL GA 30646 | OWNER: | |
| PHONE: | | PHONE: | |
| PROP. USE: | COMMERCIAL | DATE ISSUED: | 6/03/2024 |
| VALUATION: | \$ 0.00 | EXPIRATION: | 11/30/2024 |
| SQ FT: | 0.00 | | |
| OCCP TYPE: | | | |
| CNST TYPE: | | | |
| INSPECTION REQUESTS: | 770-207-4674 lwilson@monroega.gov | | |

| FEE CODE | DESCRIPTION | AMOUNT |
|-----------|------------------------|------------|
| PZ-09 | CONDITIONAL USE PERMIT | \$ 300.00 |
| FEE TOTAL | | \$ 300.00 |
| PAYMENTS | | \$- 300.00 |
| BALANCE | | \$ 0.00 |


NOTES:

The Planning Commission will hear and make recommendation on this request for a Conditional Use for a Music Studio at 700 Breedlove Dr. on June 18, 2024 at 6:00pm. The Monroe City Council will hear and make a decision on this request on July 9, 2024 at 6:00pm. Both meetings will be held in the Council Chambers at City Hall; 215 N. Broad St. Monroe, GA 30655

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS STARTED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS DOCUMENT AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISION OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.


(APPROVED BY)

6/4/24
DATE



CITY OF MONROE

CONDITIONAL USE APPLICATION

CONDITIONAL USE LOCATION & DESCRIPTION

Address: 700 Breedlove Drive Suite A, Monroe, Georgia 30655

Parcel #: M0070-209A0-0 Council Districts: 1, 7

Zoning: P Professional Acreage/Square Feet: 1.42

Type of Conditional Use Requested: Music Teaching Studio

PROPERTY OWNER & APPLICANT INFORMATION

Property Owner: Saghar Navid Phone #: 470-783-0276

Address: 601 Belle Meade City: Monroe State: GA Zip: 30655

Applicant (If different than owner): Tracy Stuever Phone #: 706-201-1777

Address: 34 Wrigley Ct City: Hull State: GA Zip: 30646

CONDITIONAL USE INFORMATION

Describe the nature of the proposed use, including without limitation the type of activity proposed, number of occupants and/or employees, hours of operation, number of vehicle trips, water and sewer use, and similar matters (1425.1(1)(b)): This space will be used to teach Music Lessons. Hours of operation

are (Mon 12pm-8pm) (Tue, Wed, Thurs, Fri 3pm-8pm) (Sat 10am-6pm) (Sun 12pm-6pm). There could be 4 teachers, 4 students and any family members waiting on a student occupying the business at a given moment. Students, teachers and families may need to use the toilet and wash their hands.

Describe the location of the proposed structure(s) or use(s) and its relationship to existing adjacent uses or structures, and use of adjacent properties (1412.1(1)(c)): 700 Breedlove A is at the left end of the building

The other units in the building are Commercial Offices

RECEIVED

CONDITIONAL USE INFORMATION CONT.

Describe the area, dimensions and details of the proposed structure(s) or uses(s), including without limitation, existing and proposed parking, landscaped areas, height and setbacks of any proposed buildings, and location and number of proposed parking/loading spaces and access ways (1425.1(1)(d)): _____

1500+/- Sqft. There is existing parking behind the building.

Select all existing utilities available and/or describe proposed utilities (1425.1(1)(e)):

☒ City Water ☐ Private Well ☒ City Sewer ☐ Septic Tank ☒ Electrical ☐ Gas ☐ Telecom

REQUIRED SUBMITTAL ITEMS

- | | |
|---|--|
| <input checked="" type="checkbox"/> Completed Application | <input checked="" type="checkbox"/> Site Plan; Drawn to scale |
| <input checked="" type="checkbox"/> Fee (see Fee Schedule) | <input checked="" type="checkbox"/> Deed |
| <input checked="" type="checkbox"/> Survey Plat | <input checked="" type="checkbox"/> Proof of all property taxes paid in full |
| <input checked="" type="checkbox"/> Typed Detailed Description of the Request | <input type="checkbox"/> Other information as required by Code Enforcement |

I HEREBY CERTIFY THAT I HAVE EXAMINED AND UNDERSTAND ALL INFORMATION ON THIS APPLICATION AND THAT THE ABOVE STATEMENTS AND INFORMATION SUPPLIED BY ME ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING WORK TO BE PERFORMED SHALL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. APPLICANT HERBY AUTHORIZES THE CODE DEPARTMENT PERSONNEL TO ENTER UPON AND INSPECT THE PROPERTY FOR ALL PURPOSES ALLOWED AND REQUIRED BY THE ZONING ORDINANCE AND THE DEVELOPMENT REGULATIONS.

SIGNATURE: *[Signature]* DATE: 4/24/24

A PUBLIC NOTICE SIGN WILL BE PLACED ON THE SUBJECT PROPERTY PRIOR TO THE PUBLIC HEARING AND REMOVED BY THE CODE DEPARTMENT. THE PUBLIC NOTICE SIGN MUST REMAIN ON THE SUBJECT PROPERTY UNTIL AFTER THE CITY COUNCIL MEETING DECIDES THE MATTER.

PROPERTY OWNER'S AUTHORIZATION SIGNATURE IF NOT THE APPLICANT

SIGNATURE: *[Signature]* DATE: 4/24/24

NOTARY PUBLIC:

SWORN TO AND SUBSCRIBED BEFORE THIS 24th DAY OF April, 20 24

NOTARY SIGNATURE: _____

DATE: *[Signature]*

SEAL:



It is the responsibility of the applicant and not the staff to ensure that a complete application with all required materials are submitted. Applications and submittals found to be incomplete and incorrect will be rejected. Each applicant is responsible for compliance with the Disclosure of Campaign Contributions and/or Gifts outlined in Section 1450 of the Zoning Ordinance.



City of Monroe
RE: Conditional Use Permit

April 24, 2024

To Whom It May Concern:

Stuever Studios is requesting a conditional use permit for 700 Breedlove Drive, Unit A. Stuever Studios is a private music lesson school. We offer one on one private music lessons for music instruments such as piano, violin, guitar, ukulele, voice and percussion. We have operated out of Old City Hall in Downtown Monroe for the past 10 years. We will have 4 classrooms at the Breedlove Drive location and at maximum capacity there will be 4 private lessons happening at the same time (one in each insulated classroom). Our general hours of operation are Mondays 12pm-8pm, Tuesdays 3pm-8:00pm, Wednesdays 3pm-8pm, Thursdays 3pm-8:00pm Fridays 3pm-8pm, Saturdays 10am-6pm and Sundays 12pm-6pm. Sometimes in the summer children prefer lessons in the morning and we occasionally have morning lessons from 9am-12pm but this varies by the season and by family request. We have paid the building owner an extra fee to have extra insulation installed in the walls to keep noise to a minimum. Drum lessons will be taught on weekends only between the hours of 12pm-6pm and on weeknights between the hours of 5pm-7:00pm. The extra insulation will keep noise to a minimum.

Sincerely,

A handwritten signature in black ink that reads "Tracy Stuever". The signature is fluid and cursive, with the first name "Tracy" and last name "Stuever" clearly distinguishable.

Tracy Stuever
Owner, Stuever Studios LLC

PREPARED BY AND RETURN TO:
MCMICHAEL & GRAY, PC
2055 North Brown Rd, Suite 250
Lawrenceville, GA 30043
GWT-213350-COM

Parcel ID No. M0070-209A0-0

STATE OF GEORGIA

COUNTY OF GWINNETT

LIMITED WARRANTY DEED

THIS INDENTURE (this "Deed") is made this 22 day of April, 2021, by **PINEHURST HOMES, LLC**, a Georgia limited liability company, as "Grantor," to **SAGHAR NAVID**, an individual resident of the State of Georgia, as "Grantee" ("Grantor" and "Grantee" to include their respective successors, legal representatives and assigns where the context requires or permits).

WITNESSETH

GRANTOR, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and confirm unto Grantee the following described property:

See Exhibit A attached hereto and made a part hereof by this reference

TOGETHER WITH Grantor's right, title and interest in and to all strips, gores, streets, alleys and ways, public or private, adjoining or crossing the Lots, all of which are appurtenant to, and shall benefit, the Lots, and all structures, fixtures, systems, improvements, topsoil, trees, timber, landscaping, other crops and plants and minerals located thereunder or thereon and any entitlements, development rights and permits; and all privileges, rights, easements, and appurtenances thereto (the "Property").

TO HAVE AND TO HOLD the Property, together with all and singular rights, the members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of Grantee forever in FEE SIMPLE; subject only to those matters set forth on Exhibit B attached to this Deed and incorporated by this reference (the "Permitted Title Exceptions").

AND GRANTOR WILL WARRANT and forever defend the right and title to the Property unto Grantee against the claims of any persons owning, holding or claiming by, through or under Grantor, except for claims arising under or by virtue of the Permitted Title Exceptions.

IN WITNESS WHEREOF, Grantor has executed and delivered this Deed as of the date first above written.

Signed, sealed and delivered in the presence of:

GRANTOR:

PINEHURST HOMES, LLC, a Georgia limited liability company

Unofficial Witness

By: Duane Wilson (SEAL)
Duane Wilson, Member

Notary Public

My commission expires: 11-17-2024

[NOTARY SEAL]

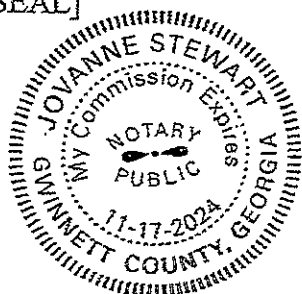
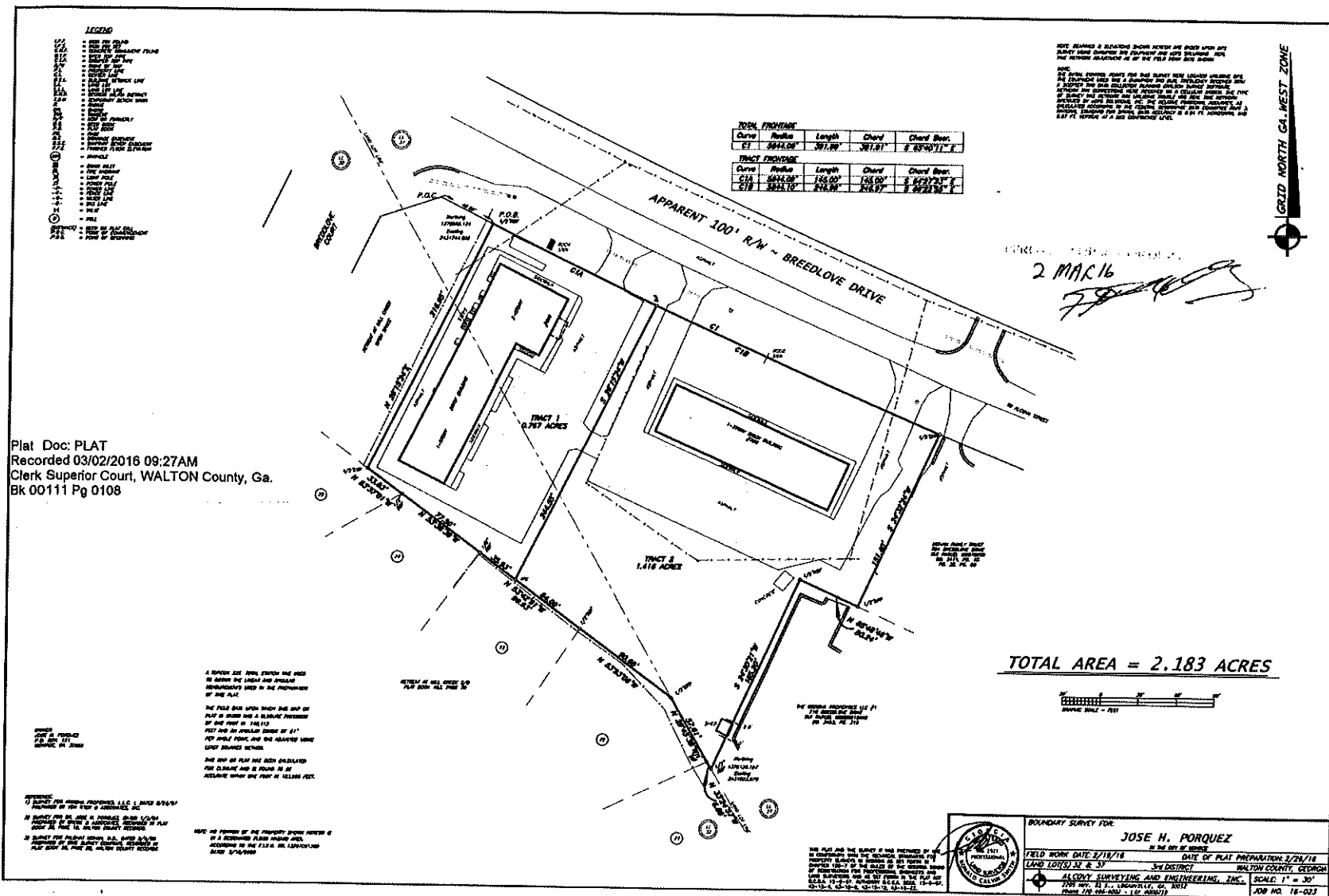


EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 37, of the 3rd District, and being in the State of Georgia, County of Walton, designated on survey of said property as Tract 2, containing 1.416 acres, and being more particularly described and delineated according to said plat and survey prepared by Ronald Calvin Smith, Georgia Registered Surveyor Number 2921, dated 02/19/2016, entitled, "Boundary Survey for: Jose H. Porquez", said plat being of record in the Office of the Clerk of Superior Court of Walton County, Georgia, in Plat Book 111, Page 108; which said plat and the recording thereof are by reference hereto incorporated herein for a more complete and detailed description.

EXHIBIT B**Permitted Title Exceptions**

1. All taxes for the year 2021 and subsequent years.
2. All matters shown on that plat recorded in Plat Book 111, Page 108, Walton County, Georgia records.
3. That certain perpetual easement for utilities described in a Warranty Deed from Jose H. Porquez to Kikasha Investments, FLP dated 11/8/1997, filed for record on November 26, 1997, in Deed Book 788, Page 283, aforesaid records.



Official Tax Matter - 2023 Tax Year

This correspondence constitutes an official notice of ad valorem assessment for the tax year shown above.

Annual Assessment Notice Date: 5/09/2023

Last date to file a written appeal: 6/23/2023

This is not a tax bill -- Do not send payment

County property records are available online at:
<https://qpublic.net/ga/walton/>

WALTON COUNTY
BOARD OF TAX ASSESSORS
303 S HAMMOND DR
SUITE 109
MONROE GEORGIA 30655
RETURN SERVICE REQUESTED



NAVID SAGHAR
601 BELLE MEADE RD
MONROE GA 30655-2029

21740
45

A

The amount of your ad valorem tax bill for the year shown above will be based on the **Appraised** (100%) and **Assessed** (40%) values specified in **BOX 'B'** of this notice. **You have the right to submit an appeal regarding this assessment notice to the County Board of Tax Assessors.** If you wish to file an appeal, you must do so in writing no later than 45 days after the date of this notice. If you do not file an appeal by this date, your right to file an appeal will be lost. Appeal forms which may be used are available at <http://dor.georgia.gov/documents/property-tax-appeal-assessment-form>.

At the time of filing your appeal you must select one of the following appeal methods:

- (1) County Board of Equalization (value, uniformity, denial of exemption, or taxability)
- (2) Arbitration (value)
- (3) County Hearing Officer (value or uniformity, on non-homestead real property or wireless personal property valued in excess of \$500,000)

All documents and records used to determine the current value are available upon request. For further information regarding this assessment and filing an appeal, you may contact the WALTON County Board of Tax Assessors which is located at 303 S Hammond Dr Suite 109 Monroe Ga 30655 and which may be contacted by telephone at: (770) 267-1352

Your staff contact is **GARY**

Additional information on the appeal process may be obtained at <https://dor.georgia.gov/property-tax-real-and-personal-property>

B

| Account Number | Property ID Number | Acreage | Tax Dist | Covenant Year | Homestead |
|--|-------------------------|---------------------------------|--------------------------------|--------------------------|-----------|
| 15727 | M0070209A00 | 1.42 | 01 | | NONE |
| Property Description | TR#2 1.42AC | | | | |
| Property Address | 700 BREEDLOVE DR | | | | |
| | Taxpayer Returned Value | Previous Year Fair Market Value | Current Year Fair Market Value | Current Year Other Value | |
| 100% Appraised Value | 380,200 | 380,200 | 380,200 | | |
| 40% Assessed Value | 152,080 | 152,080 | 152,080 | | |
| Reasons for Assessment Notice | | | | | |
| 030 ADJUSTED STRUCTURE VALUE TO REFLECT CURRENT MARKET | | | | | |

C

The estimate of your ad valorem tax bill for the current year is based on the previous or most applicable year's net millage rate and the fair market value contained in this notice. The actual tax bill you receive may be more or less than this estimate. This estimate may not include all eligible exemptions.

| Taxing Authority | Other Exempt | Homestead Exempt | Net Taxable | Millage | Estimated Tax |
|------------------|--------------|------------------|-------------|----------|---------------|
| COUNTY | | | 152,080 | .0104130 | 1,583.61 |
| SCHOOL | | | 152,080 | .0177370 | 2,697.44 |
| SCH BOND | | | 152,080 | .0021340 | 324.54 |
| CITY TAX | | | 152,080 | .0070600 | 1,073.68 |

Total Estimated Tax 5,679.27

"NOT A BILL - DO NOT PAY"