Board of Zoning Appeals/Planning Commission

September 10, 2024 - 6:00PM

Opening: Chair Bruner welcomed everyone and called the meeting to order.

Roll Call: Vice-Chair Jenecia Perry; Chair Michael Bruner; Parliamentarian Jeff Ashley, Yurida Maldonado, Charlie Orrel, Misty Selph, Wayne Joyner, and Chad Flowers. All Present.

Staff: Denise Grabowski (Planning Manager -Consultant) and Jonathan Trego (Planning and Zoning Supervisor.)

Chair Bruner called for a motion to approve the agenda. Commissioner Perry made a motion to approve the agenda, with a second by Commissioner Selph; the vote passes with no opposition.

Chair Bruner asked for a motion to approve the August 13, 2024 minutes. Commissioner Perry made a motion to approve with second by Commissioner Ashley; the vote passes with no opposition.

**Board of Zoning Appeals**

**PC-9-24-1095: TLC Properties LLC (Lamar Advertising) requests an appeal/variance of 90-174(14)i to reduce the spacing requirements between billboards for 4926 Ogeechee Rd; PIN 60957 01005.**

Chair Bruner read the item. Denise Grabowski gave an overview and staff recommendations, denial.

Alex Voss, Lamar advertising (applicant) comes forward, and gives a history of his item. He spoke about the GDOT and local permit history. He spoke about the purchases he made since local approval.

Chair Bruner asked for any other speakers.

Chair Bruner asked the application to come back to the stand.

Commissioner Perry asked the applicant if the structure has been inspected.

The applicant said yes when it was built and spoke about the inspections history.

Chair Bruner asked Denise Grabowski about the GDP and if there was a GDP for the prior structure.

Denise Grabowski was not sure of the status of the original structure or when it was built and if it had a GDP.

Chair Bruner asked Denise Grabowski if there is a new structure erected.

Denise Grabowski said yes and no new GDP was applied for.

Chair Bruner asked the applicant if a GDP plan was submitted.

The applicant claims they submitted all relevant documents.

Chair Bruner asked for other questions.

Commissioner Perry asked if it was in the same location.

The applicant said yes.

Chair Bruner said he has photos from before/after and it appears different.

The applicant said they moved it closer to the road.

Commissioner Perry asked the applicant if there is anything else to consider.

The applicant said that it should all be in there.

Commissioner Ashley asked Denise Grabowski about voting on the variance if they deny it would they have to tear it down.

Denise Grabowski said yes because it would not be in compliance.

Chair Bruner asked if they could take the MMS off, and keep the structure.

Denise Grabowski said that they would still need GDP approval.

Commissioner Ashley asked if they deny the variance can they do anything with the GDP?

Chair Burner said they would need to resubmit with static boards.

Commissioner Selph asked if they can table the GDP until the next meeting.

Denise Grabowski said the GDP could not be approved if the variance is denied.

Marcia Daniel asked where the billboard is.

Chair Bruner explained the location of the billboard.

Commissioner Ashley asked if the variance is tabled if they can discuss the development plan?

Denise Grabowski advised that they render a decision on the variance.

Commissioner Ashley asked if denied would they have to tear it down?

Denise Grabowski said they would have to stop have it as a MMS.

Commissioner Ashley said he did not want to jeopardize their investment.

Commissioner Perry said they can approve or deny, there is not a happy medium.

Commissioner Ashley said more along the lines of tabling it.

Commissioner Selph made a motion to deny. There was no second.

Commissioner Perry made a motion to approve, Commissioner Ashley seconded. Vote passes 6-2.

Commissioner Selph made a motion to adjourn the Board of Appeals meeting, Commissioner Perry seconded, vote passes with no opposition.

**PC-9-24-1092: Konter Development Co. requests a general development plan for proposed development of a multifamily residential development on HWY 80; PINS 60926 05019 and 60926 05020.**

Chair Bruner read the item. Denise Grabowski gave the overview and staff recommendations (approval.)

Developer Jerry Konter came forward to speak on the application, he said he is happy to answer any questions.

Commissioner Selph said she is excited to see new families coming to the area, but was concerned about ingress/egress into the site.

The applicant spoke about the decel land and access point. He talked about the history of the RFP, and other projects that he has done.

Chair Bruner asked if there were any other speakers?

Andrew Rosen approached to speak against. He said the buildings look nice and the setup looks nice, but fears that the complex on HWY 80 will complicate the area for traffic issues. He wishes that the setup would be improved upon.

Chair Bruner asked for any other speakers or other comments by members?

Commissioner Selph made a motion to approve contingent on City Council rezoning the parcels to a proper zoning, Commissioner Ashley seconded. Vote passes without opposition.

**PC-9-24-1097: TLC Properties LLC (Lamar Advertising) requests a general development plan for a billboard on 4926 Ogeechee Rd; PIN 60957 01005.**

Chair Bruner read the item. Denise Grabowski gave overview and staff recommendation (denial.)

Chair Bruner asked the applicant to come forward.

Alex Voss (Lamar) approved and said he does not have much to add but is happy to answer any questions.

Chair Bruner asked if there are any speakers?

Commissioner Selph said she is not in favor of billboards in general and the ordinance needs to be revised. She commented on installation and maintenance.

Chair Bruner says he has issues with the prior variance because Lamar does not abide by the codes and ordinances. And why grant something to somebody not abiding by the rules.

Commissioner Selph says she hopes the city fines them.

Commissioner Perry says they need checks and balances to ensure that things are done properly.

Commissioner Joyner asked if they have plans in place to remedy this.

Alex Voss said they are working on that.

Commissioner Ashley asked Denise Grabowski if they can deny the GDP.

Denise Grabowski said there is another static billboard about 200’ away.

Commissioner Ashley asked if they can table it?

Denise Grabowski said yes.

Denise Grabowski said the prior sign was legal nonconforming.

Chair Bruner asked the space requirements.

Denise Grabowski said 1000’

Commissioner Perry asked how long the applicant has worked in the industry?

The applicant said 11 years.

Commissioner Perry asked if he needed a permit?

Alex Voss said that he did get a permit.

Alex Voss asked about the static on the other side of the road.

Denise Grabowski read the ordinance.

Alex Voss said there are signs approved by the Planning Commission on the other side of the road.

Chair Bruner asked Denise Grabowski about the permit they obtained.

Denise Grabowski cited the application in the packet and said it was the billboard revision not reconstruction.

Commissioner Ashley asked Mr. Voss about denial if they could use the face somewhere else.

Commissioner Ashley said that he feels that the City has a little but of liability in this, but so does the applicant.

Ales Voss said if it meets the requirements why would you deny it?

Commissioner Ashley said the City is in a bad spot here.

Chair Bruner asked Denise Grabowski about the spacing of the billboards given that they installed a billboard.

Alex Voss asked the permit number of that board?

Denise Grabowski read the permit number.

Commissioner Selph gave a summary of what has happened and asked if there could be a motion.

Chair Bruner asked what other issues are there?

Commissioner Perry asked if the tabling would be contingent on anything.

Alex Voss stated that he requests tabling.

Commissioner Selph made a motion to table until the November meeting, Commissioner Ashley seconded. Vote passes with no opposition.

Commissioner Selph made a motion to adjourn, Commissioner Orrel seconded. Vote passes with no opposition.

Respectfully submitted,

JRT