

**JUNE 18, 2007
CITY OF SENOIA
PUBLIC HEARING
APPLICATION FOR CONDITIONAL USE
89 WILLOW DELL DRIVE
7:00 PM**

VISITORS: Dick Miller, Mike & Robyn Phillips, Mark Wood, John Thompson, Bill Killmeier, Sam & Suzanne Helfman, Lee Coleman, Bill Roy, Christine & Jordan Krabel, Scott Tigchelaar, Bob Werner, Mary Provost, Murray McAfee, Kristen & Donna Black, Cassie Gross, Kim Pogue, Chad Floyd, Sarah Campbell, Sgt. Resmondo, Gail Downs and Gary Orchied

FULL COUNCIL PRESENT

1. CALL TO ORDER/WELCOME VISITORS

Mayor Belisle called the Public Hearing to order and welcomed all.

2. PURPOSE OF PUBLIC HEARING

To present and receive comments on an Application for Conditional Use received from Michael Phillips for property located at 89 Willow Dell Drive in Senoia. The application is asking that the property be granted a Conditional Use for a residential apartment in the rear.

3. COMMENTS FROM APPLICANT-MICHAEL PHILLIPS

Mr. Phillips thanked Council and proceeded to say that he served in the military all of his adult life, has lived abroad, moved 22 times and purchased the home at 89 Willow Dell when he retired last year after 28 years of service. Mr. Phillips currently rents the home and his family intends to move to 89 Willow Dell Drive once their home in Peachtree City sells. Mr. Phillips is asking for approval of a Conditional Use Permit for a 1,100 sq. ft. structure at the back of the property for use as an apartment for his 20-year old daughter who is expecting a child, to reside. The structure has its own drive which is off of Turin Street, adding that an apartment is a more logical use than the commercial uses as was approved before. Mr. Phillips asked Council to reconsider the Planning Commission decision to deny the Conditional Use as he intends to be a good neighbor and even agreed to stipulations if granted, that it only be rented to blood relatives.

4. COMMENTS FROM CITY ADMINISTRATOR

Mr. Ferry began by informing all that the original garage was once used as storage of parts and equipment for a resident who was self employed and the next owner converted the garage and used it as a photography studio. Mr. Ferry stated that a formal application was received asking an amendment to the Conditional Use originally granted by Council. Mr. Ferry asked Council to consider the existing land uses and zoning of nearby property, the possibility of diminished property values if granted, any gain to the public and other issues located in section 3.10 of the City Zoning Ordinance.

5. COMMENTS FROM PUBLIC

Kim Pogue of 71 Willow Dell Drive informed Council that she and her husband are strongly opposed to allowing the structure to be used as an apartment, voicing concerns with safety and possibly diminishing property values. Mr. Phillips stated that there is only one person here opposed and she and her family are soon moving from the subdivision. Mr. Phillips added that it looks like a house, will need very little to modify and the structure cannot go back to its former use.

Gary Orchied from Stone Bridge stated that he is a realtor and the intended use or use of the structure must be disclosed to other potential property owners.

Murray McAfee of Springdale stated that changing from single family residential to multi use is "not a good thing".

6. COMMENTS FROM COUNCIL

Mayor Belisle stated that he is aware of several conditions with this properties history; originally to park and store equipment and tools and use as a photography studio. As a studio, it was clearly stipulated that there were to be no customers and the Conditional Use would be reviewed after 1-year if any complaints were received. C. Harrison stated that after looking at number one in Section 3.10 of the Zoning Ordinance (existing land uses and zoning classifications of nearby property), he is in favor of leaving as originally approved, for a storage shop and does not want to see this Conditional Use Permit granted. C. Harrison asked if there was a particular reason the daughter won't be living in the primary residence & was told this will give her independence at raising her child and for privacy reasons. C. Owens is concerned with the precedence this action may set for future applications. C. Graham stated that the area is currently zoned single family residential and sees no basis for changing. Drew Whalen indicated that making sure the structure is up to minimum building standards will need to be addressed and asked if Mr. Phillips was willing to rent out only to relatives if granted. Mr. Phillips agreed if the use is granted. C. Grover asked if there could be stipulations put upon the Conditional Use and was told yes.

7. ADJOURN

Mayor Belisle made motion to adjourn the June 18, 2007 Public Hearing & was 2nd by C. Harrison. Motion carried unanimously.

Respectfully submitted,

Robert K. Belisle, Mayor

Debra J. Volk, City Clerk

