

**CITY OF CHAMBLEE, GA.  
MINUTES  
PUBLIC HEARINGS AND WORK SESSION  
APRIL 10, 2008  
6:00 P.M.**

**PRESENT: Mayor Clarkson, Council Members Wedge, Robson, Hogan, Zanger, and Taylor**

**PUBLIC HEARINGS**

**Mayor Clarkson read the Rules of Order for a Public Hearing.**

**3533 Hildon Circle – variance request to reduce side yard setback (to build a living space over existing carport which is already within the side yard setback)**

**The applicant is requesting a variance from Section 1004 of the City Zoning Ordinance in order to construct a bedroom over an existing carport located within the side yard setback. The existing carport encroaches into the side yard setback by 5.4 feet. The required setback is 10 feet. The proposed addition over the carport will not exceed the current carport footprint. The lot is located in the NR-1 zoning district. The applicant has obtained letters of approval from neighboring properties.**

**Michelle Alexander, with Pond & Company, read the City Planner's recommendation. Acting by request, as City Planner, they recommend *approval of this variance request*. The property owners, Cody & Sara Partin, were present to address any questions. The proposed plans were presented to the Mayor and Council. The hearing was open for public comments and several neighbors spoke in favor of the proposed addition. There was no one opposed to the requested variance. (A copy of City Planner's recommendation included in Minutes).**

**3619 Teal Road – variance to reduce rear yard from 20 feet to 15 feet and allow new home to project more that 3 feet in front of the new threshold but not more than 10 feet**

**The applicant is requesting a variance from Section 1004 of the City Zoning Ordinance in order to reduce the rear yard setback from 40 feet to 18 feet to construct a new house. As per the Zoning Ordinance, the rear yard is established by the rear lot line and the rear wall of the principal building. In addition, the applicant is requesting a variance to Section 512 of the Zoning Ordinance to allow a portion of the front of the new house to project up to 11 feet beyond (this includes the 3 feet allowed by Section 512). The existing house encroaches into the rear yard. The rear wall of the proposed house is 4 feet closer to the rear of the property at the western corner. The proposed threshold will remain at the same location as the existing threshold. The side yards will not be impacted by the construction. The lot is located in the NR-1 zoning district. The owner has obtained signatures of approval from three neighboring properties including the property directly behind the applicant's lot and due east of the lot. The existing street pattern is not uniform or consistent.**

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Michelle Alexander, with Pond & Company, read the City Planner's recommendation. Acting by request, as City Planner, they recommend *approval* of the requested variances. The property owners, David & Carrie Cox, were present to address any questions. The hearing was open for public comments and several adjoining neighbors expressed concerns about the new house. The Council also addressed several concerns about the proposed new house. (A copy of the City Planner's recommendation is included in the Minutes).

**3960 Clairmont Road – reduce the required residential buffer from 30 feet to 10 feet**

The subject property is 12,998.88 S.F. According to the dimensions on the submitted plan, the applicant has proposed a 1,720 S.F. building. The applicant is requesting a variance from Article XI, Section 1102 of the City's Zoning Ordinance in order to reduce the required buffer from 30 feet to 10 feet. The reduction is requested in order to provide adequate parking for employees and customers. Article XII, Section 1203, requires one (1) space per one hundred square feet of gross floor area. In this case 17.2 spaces are required. The entire site is currently paved including the buffer zone and there is no existing vegetation. Access into the site is through the 30 foot buffer. It appears that the applicant is proposing to utilize the curb cut. The site is non-conforming to the current zoning codes for NC-1 zoning district.

Michelle Alexander, with Pond & Company, read the City Planner's recommendation. Acting by request, as City Planner, they recommend *approval with the following conditions:*

- *Variance approval applies only to the portion of the buffer required for access along 8<sup>th</sup> Street to the site that is no greater than 35 feet and not to the entire length of the rear boundary of adjacent residential parcel.*
- *Development shall include a continuous 12 foot height, at installation, evergreen landscape screen along the length of the encroached buffer allowed. The exception will be allowed within the sight triangle limits at the drive aisle on 8<sup>th</sup> Street*
- *No structures are allowed in the buffer, including but not limited to retaining walls, if required.*
- *The landscape plan provided in the application does not meet the landscape requirements for NC-1 zoning. The site must adhere to all landscape requirements set forth in the zoning code.*

The applicant, Dr. Morrie Serwitz (Java Enterprises, Inc.), was present to address any questions about the proposed coffee shop. The hearing was open for public comments. The adjacent property owner addressed concerns about parking. Dr. Serwitz was asked if the coffee shop would have a drive-thru and he stated not at this time. The Council addressed several concerns about the proposed coffee shop and the requested buffer.

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Councilmember Wedge made a motion to adjourn the Public Hearings at 7:20 p.m., seconded by Councilmember Taylor and carried unanimously.

**City Planner/Development Director**

**Amend Schedule "A" of new contract (fee schedule) – City Planner**

No action taken, this item will be postponed until the May Council Meeting.

**Design and Funding for the Broad Street sidewalks – Development Director**

A proposed design will be presented at the Regular Council Meeting.

**City Manager's Report and Staff Recommendations**

**Centennial update: Melissa Roberts (budget for Taste of Chamblee and July 4<sup>th</sup>) and proposed ordinance amending Chapter 58, Article I for consumption of alcoholic beverages in public places at City sponsored events.**

A revised budget was presented by Melissa Roberts and Joel Holmes (copy included in Minutes). The total of the two is \$68,357 and additional appropriation is not needed at this time but may be needed for the August final event.

**Discuss update of sidewalk survey scope**

Councilmember Hogan is requesting a way to design a ped/bike access from his District 3 to Keswick Park amenities. The recommendation is to be assigned to the City Planner as part of the sidewalk survey update. A cost estimate from the City Planner will be requested.

**Update on Fire Station Park Project – Joel Holmes**

There was no response prior to the Work Session from any of the landscape companies that perform design/build work.

**Update on Plant Nursery (Keswick Park) – Councilmember Robson**

No action take at this time.

**Requests for budget amendments:**

**Administrative Department – Becky Craven, City Clerk**

A request for a 4% salary increase for Libby Galvin was presented for approval.

**Public Works – Tillman Hannon**

A request for additional funding for fireworks show in the amount of \$1,500 and for sidewalks and curbs the amount of \$10,000 was presented for approval.

**Parks & Recreation – Joe Holmes**

A request for funds to purchase RecPro Package (recreation software and technical support) in the amount of \$14,250 was presented for approval.

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**Update on Clairmont Road Bridge improvements**

The City is requesting information with reference to repairing the bridge. A letter will be prepared for the Mayor and Council to approve and sign at the Regular Council Meeting with reference to the repairs requested.

**Called meeting for April 16, 2008 with ARC regarding Community Choices Implementation Assistance Program**

Approval of the called meeting with ARC for 04/16/2008 will be at the Regular Council Meeting.

**Set dates for the three Public Hearings in May to set 2008 Millage Rate; 1<sup>st</sup> hearing May 13<sup>th</sup> @ 11:00 a.m., 2<sup>nd</sup> hearing May 13<sup>th</sup> @ 6:00 p.m., and final hearing May 20<sup>th</sup> @ 7:30 p.m. (two hearing maybe on the same date with seven days between the two public hearing dates)**

**These dates will meet the requirements set by the State of Georgia and the June 3<sup>rd</sup> deadline to send the Millage Rate to DeKalb County for the 2008 tax billing**  
Public Hearing dates and times will be approved at the Regular Council Meeting.

**Citizen Comment**

Ray Chalfant addressed concerns with crosswalks around the new developments. There being no further comments or business the meeting was adjourned at 8:15 p.m.

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***R. ERIC CLARKSON – MAYOR***

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***BECKY CRAVEN, CMC – CITY CLERK***