

CALL TO ORDER

Mayor Altnauer called to order the Public Hearing on the above date. Council members Brenda Thompson, Tony Sells Brandie Owens and Tim Smith were present as were members of the public. City attorney John Nix and County planner Tara Cooner were also present.

PLEDGE OF ALLEGIANCE

Mayor Altnauer called for and led the Pledge of Allegiance.

APPROVAL OF MINUTES

Brenda Thompson made motion to approve the July 16th regular meeting minutes as submitted.

Tim Smith seconded, all voted in favor and motion carried.

Tim Smith made motion to approve the minutes of the July 22

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public hearing that began at 6:00pm as submitted.

Brenda Thompson seconded, all voted in favor and motion carried.

Tim Smith made motion to approve the minutes of the July 22

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, 6:30pm public hearing as submitted.

Brenda Thompson seconded, all voted in favor and motion carried.

PUBLIC HEARING – PROPOSED INSTALLMENT SALE AGREEMENT FOR THE FINANCING OF CITY HALL

Attorney John Nix stated that there are Georgia laws regarding installment agreements with governments and the way they are financed. They will be approving a resolution for documents relating to financing and this gives an opportunity for the citizens to comment

PUBLIC COMMENT

None

CONSIDERATION OF THE ADOPTION OF A RESOLUTION OF THE MAYOR AND CITY COUNCIL AUTHORIZING, AMONG OTHER THINGS, THE EXECUTION OF DOCUMENTS RELATING TO THE FINANCING OF CITY HALL

Tim Smith made motion to approve the adoption of the resolution of the mayor and city council authorizing, among other things, the execution of documents relating to the financing of city hall and to authorize the mayor and city clerk to sign off on the documentation. Tony Sells seconded, all voted in favor and motion carried.

PUBLIC HEARING – CONDITIONAL USE REQUEST BY TED MEDFORD FOR CONDITIONAL USE APPROVAL TO OPERATE CARPENTRY SHOP ON .27 ACRES LOCATED AT 159 NEWBORN ROAD (TAX PARCEL R04-052)

PUBLIC HEARING – REQUEST BY TED MEDFORD FOR A VARIANCE TO THE SETBACK REQUIREMENTS FOR C1 ZONING DISTRICT ON .27 ACRES LOCATED AT 159 NEWBORN ROAD (TAX PARCEL R94-052)

Council member Brandie Owens recuses herself from the meeting. County Planner Tara Cooner addresses the council stating that two applications were submitted for a conditional use and a variance. She advised that there was an error on the acreage, it is .304 instead of .27.

She said the conditional use application is for a carpentry shop and a setback variance request is contingent on the approval of the conditional use. Tara Cooner then showed a power point presentation of how the trailers were made, the lot and proposed building size. The applicant is requesting a reduction in setbacks of 5 feet or less which would leave the North setback 0. The lot line leaves 2 feet on each side.

The applicant purchased land and there is a 10 foot strip that is zoned different. The use is prohibited and pushes use 10 feet further on the adjacent property. Table 7.1 in your zoning the impervious surface maximum for C1 zoning is 40%.

The specified building would cover 56%. It would require permanent off-street parking, landscaping buffers and screening.

These variances are not requested but implied.

The planning commission asked about fire separation up to 30 feet, this only has 10.

The commission asked could the buildings be connected.

Article 13 of the ordinance says if it is a non-conforming use it can't be altered or extended.

The ordinance says the lots can not be combined.

The Planning Commission stated that the requests had too many moving parts and recommended denial of the conditional use and the variance. Tim Smith asked if he got more property could he get it rezoned?

Tara Cooner answered yes.

Ted Medford, who is the applicant addressed the council. He said I grew up in Rutledge and we have been operating Profoam since 2000.

The neighbors do not have a problem with this.

The property for sale was an eyesore.

I did not do due diligence and did not know that the setbacks had been changed.

I have been here for 50 years and just want to extend out.

It is up to us as to what we want to do in Rutledge.

I can work on the size of the building. I believe this is in the best interest for Rutledge and there is no reason that with some common sense and reason that we can't do this.

Mayor Altnauer asked Attorney John Nix if he had anything to add. Attorney Nix stated that the City does not have their own zoning department.

The Morgan County planning staff is basing all their facts on the City ordinance that was adopted.

He said it had to be published and advertised in the paper.

This might be good for business.

You don't have to agree with the Planning Commission but you do have to follow your ordinance.

This is more complicated zoning and has many moving parts.

Administrating your ordinance in a consistent way is important.

Allen Smith an employee of Profoam said there is room to work on the existing space to make it better for everyone. Drew Owens also an employee said there are ten employees that live here and work here. Money is being spent here from employees. Tony Sells

asked Mr. Medford if the building could be made smaller.

He said yes, we can. Mr. Medford said it is a going to be a carpenter shop.

I understand Laura King changed things but there is no reason that this should be denied. This should be a very easy decision to approve.

We plan to build it smaller; it was going to be 10,000 sq. ft. and now it will be 5000.

Brenda Thompson asked Tara Cooner if he needed 30 ft. for fire protection.

Mr. Medford said I plan on connecting the building.

Tony Sells asked if he owned the building.

He said it is family owned.

Tara Cooner said the smaller building must meet the setbacks or variance setbacks, buffers and parking.

The ordinance does not allow without the variances.

Mr. Medford said we already have existing parking.

Tony Sells said my first question is carpentry.

Mr. Medford said it is on the approved uses for variances.

Tara Cooner said the current use is grandfathered in.

Mr. Medford said there is no doubt that this is a carpenter shop. Brian Tate a citizen of Rutledge said that he listened to the presentation and he supports business in Rutledge.

We support it.

Bob Hughes with the Chamber spoke up and set you are supposed to set aside time for people to speak in favor or against.

The Mayor called for anyone else who wanted to speak in favor. Because they had already spoken no one did.

The Mayor called for anyone who wanted to speak against. There was none.

Council member Tony Sells stated that this was a lot to take in and could not vote one way or the other tonight. I just can't make a vote tonight. Kim Bennett spoke up and said as the owner of the building everyone is willing to compromise.

Mr. Medford said the ordinances are to protect the City and we can make amendments to them.

Kim Bennett said if you are interested come to the business and see the carpentry it involves.

Tony Sells made motion to postpone items 6 & 7 for a conditional use and variance until September 24, 2019 at 7:00 pm. Tim Smith seconded, all voted in favor and motion carried.

Brenda Thompson made motion to adjourn at 7:50 pm. Tony Sells seconded, all voted in favor and motion carried.

ADJOURN

Bruce Alznauer Mayor Debbie Kilgore City Clerk