

**PLANNING & ZONING COMMISSION
MEETING & PUBLIC HEARING
CITY OF SKY VALLEY, GEORGIA
MAY 12, 2015
TUESDAY, 10:00 AM**

Lakeside Room, 568 Sky Valley Way

MINUTES

Chairman Gurley called the meeting to order.

Those present: Will Gurley, Dan McAfee, Liz Morley, Steve Shepard, Tommy Tebeau.

PUBLIC HEARING

Variance Request – 195 West Sugarbush

Request for a variance to Section 803 Table 3 “Dimensional Requirements by Land Use District” of the City of Sky Valley Zoning Ordinance (05-15) owned by Claudia Lazow to encroach into the 15 foot side yard setback requirement by 15 feet for a carport.

Order

1) Applicant presentation

Applicant and property owner, Claudia Lazow introduced her builder, Andy Timan, and said that he can help answer questions. Mr. Timan explained that he is a contractor who typically works in Highlands, and apologized for doing this work without a permit stating that he was unaware that Sky Valley required building permits. He said he began constructing the carport in October and received a Stop Work order from the Building Inspector in November. They then had to submit permit applications and were told they needed to submit a survey to the city. Based on the survey, the carport encroaches 15 feet into the 15 foot side yard setback and also goes eight inches onto the adjoining property – owned by William Emerson. Ms. Lazow said that she spoke to one of the Emerson’s who said they liked the carport.

2) Staff report & commission questions

McAfee said that the Planning & Zoning Commission can recommend approval of encroaching into the side yard setback and that the encroachment into the adjoining property needs to be worked out with the property owner. He added that it creates title issues for both property owners as it is right now.

City Manager Lapeyrouse said that if the Commission wanted to recommend approval to Council, that the approval should be contingent on the Lazows obtaining an easement for the encroachment on the adjoining property or a quitclaim deed.

Discussion followed regarding the corner post of the carport, and the roof overhang and how

far it does encroach on the Emerson property. Mr. Timan said he would speak to the adjoining property owners to see if they can obtain an easement for the corner of the carport.

3) Adjoining property owners in support
None present.

4) Letters from adjoining property owners in support
None received.

5) Other persons in support
None present.

6) Adjoining property owners in opposition
None present.

7) Letters from adjoining property owners in opposition
None received.

8) Others in opposition
None.

9) Public questions
None.

10) Additional comments from applicant
None

11) P & Z vote for recommendation to council to approve or deny request
Shepard made a motion to defer this item until the Lazows reach some type of an easement agreement with the adjoining property owner, 2nd Morley, unanimously approved.

Ms. Lazow and the builder, Mr. Timan were instructed to work with the adjoining property owners to see if they can have an easement, and to have the easement drawn up and presented back to the Planning & Zoning Commission.

There being no further business of the Commission, the meeting was adjourned.

Respectfully submitted:

Mandi Cantrell, City Clerk