

December 9, 2013

The regular scheduled meeting of the City of Smyrna Planning and Zoning Board (PZB) was held at Smyrna City Hall. Matt Wirth acted as Chairman and called the meeting to order at 6:00 p.m. The following board members were present: **Matthew Wirth, Denny Campo, Michael Seagraves, Dale Holmes, Ed Whittington, and Earl Rice and Larry Jones**. Joel Powell was absent. The following City staff members were also present: Rusty Martin, Senior Planner, and Joey Staubes, Planner I.

(A) **Approval of November 11, 2013 Minutes**

Chairman Wirth asked for a motion to approve the November 11, 2013 minutes if there were no comments.

MOTION: Board Member Jones made a motion to approve the minutes. Board Member Rice seconded the motion. Motion was approved 6-0.

(B) **Z13-019:** The petition of The McLinden Group, LLC to rezone 0.365 acres in LL 451 of the 17th District from R-15 to RAD-Conditional – 1041 McLinden Avenue. THERE WILL BE A LAND USE CHANGE FROM MODERATE DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL.

Rusty Martin, Senior Planner, gave the Community Development presentation. Currently the site is 0.365 acres with one single family home on property. The owner/applicant plans to rezone and subdivide the lot so another home can be built. Currently the property is zoned R-15 and RAD is proposed. The existing land use is Moderate Density, and the applicant has requested Medium Density Residential. Most of the surrounding area is developed with single family homes zoned R-15. Applicant plans to add a 500 sq ft addition to the existing home. Applicant is proposing to provide easements to sewer and stormwater on the property that currently do not exist. Community Development recommends denial due to the increase in density, and believes approval of the request would be spot zoning. In addition to the rezoning request, several variances are requested for each lot. Due to the incompatibly land use density combined with the variances needed to develop the property Community Development recommends denial of the request.

Chairman Wirth asked the applicant to present his request. Sean Murphy is the applicant and lives on the street and owns property adjacent to subject property. Smyrna Heights neighborhood includes commercial and residential, and is a neighborhood of diversity. There are apartments, single family homes and townhomes all within the neighborhood. Smyrna Heights North is a neighborhood in transition. The applicant stated that due to his analysis there are only 8 lots in the area that conform to the R-15 zoning in place. Mr. Murphy stated that the variances he is requesting are only needed because he has proposed to grant the City stormwater and sewer easements.

Board Member Seagraves asked the applicant about the land disturbance that has already started at the back of lot. Mr. Murphy stated that he has cleared the lot and took out stumps. Mr. Murphy clarified that he lives about 12 houses away from the subject property.

Board Member Holmes asked the applicant about what percentage of homes in neighborhood are rentals. Mr. Murphy responded that about 50% of homes are rentals, some of which are owned by Frank Murphy, and others are individual owners.

Chairman Wirth asked the applicant if he plans to rent the homes or sell. Mr. Murphy responded that he plans to sell the houses.

Board Member Seagraves commented that the request may not be in keeping with neighborhood but it may spur growth and redevelopment in the area.

Applicant has three builders asking for development opportunities in the neighborhood.

Chairman Wirth opened the floor for public comment.

Public Hearing

Tyler Lindlay – 1051 McLinden – moved to Smyrna due to business. He lives in the neighborhood and supports the proposal. Redevelopment and the proposed new house will be good for neighborhood.

Chuck Whiteside – 929 Mclinden – lives in the neighborhood and has redeveloped his property. Mr. Whiteside supports the request and hopes it will bring redevelopment to the neighborhood.

Chairman Wirth asked Mr. Whiteside if he had any concerns about the approval of larger houses on smaller lots. Mr. Whiteside thinks it is only positive.

Mr. Murphy spoke again and stated that the current zoning does not allow diversity in development.

There were no other comments or questions so Chairman Wirth opened the floor for a motion.

MOTION: Board Member Seagraves made a motion to approve the request. Board Member Campo seconded the motion. Motion was approved 6-0.

The meeting was adjourned at 6:55pm.

Joel Powell, Chairman
Smyrna Planning and Zoning Board

Terri Graham, City Clerk