



Meeting Minutes - Final

License and Variance Board

Wednesday, September 11, 2019

10:00 AM

Council Chambers

1. Roll Call

Present: 3 - Roy Acree, Tammi Saddler Jones and Frank Martin

Also Present: 0

2. Call to Order

The September 11, 2019 License and Variance Board Meeting was called to order by Chairperson Tammi Saddler Jones at 10:00 am.

3. Business

A. V19-038

Public Hearing - Variance Request - V19-038 - Reduce minimum floor area from 2,000 sq ft to 400 sq ft - Land Lot 777 - 3.58 acres - 2359 Barbara Lane - Jeff Carter

Applicant Jeff Carter who lives at 3220 King Springs Road purchased 4 acres of land at 3259 Barbara Lane, Smyrna, GA to build a tree house with a loft, living room, full kitchen, bath, and deck on the back.

Caitlin Crowe from the Smyrna Community Development Department commented that Mr. Carter purchased 3.5 acres of a vacant wooded lot to build a tree house as a primary structure. The tree house will sit roughly 6 to 10 feet off the ground with a staircase accessing the property. Section 801 of the zoning ordinance restricts R-15 lots to the minimum square footage of 2000 square feet, and since it is a tree house the ordinance doesn't contemplate unconventional structures to make this tree house possible. Ms. Crowe stated that it has been properly posted and they have received two comments from concerned parties, that the property will be rented out and used as a goat farm. After reviewing the application, staff does support the variance request and recommends approval to reduce the minimum floor area from 2000 square footage to 400 square footage.

Fire Chief Roy Acree commented on staff's approval and if there were any conditions associated with the recommendations. Ms. Crowe replied "not at this time". Mr. Acree commented on the site plan, and that a considerable portion of the property appears to be in a flood plain, but the proposed location of the tree house looks like a typical contemplation for us and he doesn't remember any license variance contemplating this particular type of request. Mr. Acree said the structure as proposed is outside of stream buffers and outside of the flood plain. Ms. Crowe replied "that is correct". Mr. Acree said it looks like the structure is within our regulations strictly just from the public safety access and the fire protection access.

Mr. Acree asked Mr. Carter if the tree house would be built in trees or supported by

post. Mr. Carter said the tree house will be supported by both trees and post to ground timbers like you see on beach houses.

Mr. Acree commented on nearby parties and their concerns about the property becoming a goat farm. Mr. Carter said, this is a 4 acre property and his wife is opposed to using any type of herbicide being used. Mr. Carter would like to have two goats to clear english ivy and other weed growth on the property.

Mr. Acree asked about containing the two goats, Mr. Carter said he'll install a fence around the property to keep kids from coming over. Mr. Carter said he's building a tree house out of fun and for a get away in the middle of Smyrna.

The Public Hearing was announced and no one came forward to speak.

Boardmember Frank Martin made a motion to approve Variance Request V19-038 - Reduce minimum floor area from 2000 square feet to 400 square feet - Land Lot 777 - 3.58 acres - 2359 Barbara Lane - Jeff Carter. Boardmember Roy Acree seconded the motion.

The motion to approve carried the following vote:

Aye: 3 - Roy Acree, Tammi Saddler Jones and Frank Martin

4. Approval of Minutes:

A. [2019-308](#)

Approval of the August 28, 2019 License and Variance Board Meeting minutes.

Boardmember Roy Acree made a motion to approve the August 28, 2019-308 License and Variance Board Meeting Minutes. Boardmember Frank Martin seconded the motion to approve.

The motion to approve was carried by the following vote:

Aye: 3 - Roy Acree, Tammi Saddler Jones and Frank Martin

5. Adjournment

10:09am

Boardmember Tammi Saddler Jones adjourned the September 11, 2019 meeting of the License and Variance Board at 10:09 am.