

being next door, we could expect to see office space and/or retail, Mr. Dillard answered correct. T.C. Norris, 3926 Robinhood Road, Pastor of Grace Community Chapel located at 4513 Bemiss Road, spoke against this request. Mr. Norris stated he did not receive a letter regarding this rezoning request in a timely manner in order to respond at the Planning Commission meeting. Mr. Norris asked (1) what is the specific type of development, (2) Grace Community Chapel requests an opaque privacy fence running east to west with a berm located on the southern side of the fence, and (3) are there any restrictions in place preventing certain types of construction near a church. Commissioner Marshall asked regarding the notice which was sent related to this rezoning, since Mr. Norris stated he did not receive it in a timely manner, Chairman Slaughter asked Mr. Dillard to respond, Mr. Dillard stated the notices were sent via certified mail as required with signs being posted on the property as well. Chairman Slaughter responded he would try to answer Mr. Norris' questions. Chairman Slaughter stated residential townhomes will be constructed and commercial development on Bemiss Road. Chairman Slaughter stated what would be allowed in the commercial development would be retail and office space. Chairman Slaughter stated there are ordinances currently in place which require a certain amount of distance from a church to a liquor store. Further, Chairman Slaughter stated the property lines are governed by the construction and development standards. Mr. Norris addressed the commission again, stating a privacy fence request is a reasonable request and hopefully considered. Mr. Ralph Inman, 1100 Old Meadow Road, spoke against this request. Mr. Inman stated the notification letter Mr. Norris mentioned was sent to Roswell, Georgia - to the foundation that owns the property; in turn, a notice was sent to Pastor Norris and was received after the Planning Commission met. Mr. Inman stated the property owner has a right to make a profit and the County has a right to collect tax revenue from this land. The church has a strong desire for privacy, sanctity and other church interests. The current home owners may suffer lower property values. Mr. Inman stated with the multi-family residential there will be an infringement on light, air, an increase in noise, and more people in this smaller area. Mr. Inman asked is there a better way to achieve this plan. A noise berm has been requested, fencing and Spruce or Cypress trees to also help with the noise. Further, Mr. Inman stated regarding the commercial future development, same as above, no church wants a liquor store, bar or nightclub as part of commercial development. Regarding the multi-level residential, the church would prefer not to have government subsidized housing, a halfway house and no animals. Lastly, Mr. Inman stated from the plans it appears and is unclear regarding how the traffic will enter or exit onto Bemiss Road. Commissioner Marshall asked to verify if the request from the citizens speaking is for a privacy fence and berm, Chairman Slaughter stated yes, they are asking for a privacy fence to be installed and a berm, if approved. Zachary Cowart, 109 West Adair Street, and Matt Inman, 4560 Val North Drive, Suite E, spoke in favor of the request on behalf of the applicant. Mr. Cowart stated there would be a six-foot wooden fence on the northside that will separate the subdivision, if zoning is approved. There will be an additional light on Bemiss Road and a turn lane, two exits in the rear and one exit in the front. Mr. Cowart stated there is proposed 97 townhomes with commercial on the front with P-D zoning. Commissioner Wisenbaker asked if there would be an issue installing a privacy fence along the border of church and development, Mr. Dillard stated the residential portion does show a fence and there is not a requirement to buffer between commercial zoned properties. Commissioner Wisenbaker asked even though it is not a requirement, would the developer be willing to install a privacy fence as requested by the church, Mr. Cowart commented there wasn't an issue with the fencing. Vice Chairman Orenstein stated he was not in favor of fencing between C-G and C-G zoning when it is a speculative property, until we know what will be developed there. Mr. Cowart responded the developer could proceed with the fencing voluntarily and not be required to install. Vice Chairman Orenstein questioned if the developer did not reach out to the church, Mr. Matt Inman responded he did not know. Commissioner Marshall asked regarding conditions being listed, Mr. Dillard responded there are no conditions recommended by Planning Commission or staff.