

# Planning Commission



**Minutes of the Thursday, December 20, 2018, Regular Meeting**

*Members of the Planning Commission*

Woods Burnett  
*Chairman*

Leonard Carter, Jr.  
Timothy V. Key  
Larry Watts

Bob Clark  
JoAnn McKie  
Briton Williams

1. **Call to Order** - The regular meeting of December 20, 2018, having been duly publicized, was called to order at 7:00 p.m.
2. **Roll Call** - Members present were Chairman Burnett and Commissioners Leonard Carter, JoAnn McKie, and Briton Williams. Also in attendance were Libby Hodges, Director of Planning and Development, the press, and the public. Commissioners Timothy Key, Larry Watts, and Bob Clark were absent.
3. **Approval of Minutes** - The revised minutes from the Regular Meeting of October 18, 2018 were approved. The minutes from the Regular Meeting of November 15, 2018 were also approved.
4. **Confirmation of Agenda** - There were no changes to the agenda.
5. **Application MW18-003 – Bank of America ADA ATM Renovation Waiver**– A request by NationsBank for a waiver to Table 4-1 of the North Augusta Development Code to allow for an accessory structure in a front yard along W. Martintown Road zoned GC, General Commercial.

Project Name	Bank of America ADA ATM Renovation Waiver
Applicant	Nationsbank
Address/Location	441 W Martintown Rd
Parcel Number	006 18 05 014
Total Development Size	± .14 acres
Existing Zoning	GC, General Commercial
Overlay	HC, Highway Corridor
Waiver Requested	NADC 4.2 and Table 4-1, Accessory structures in front yard

Mrs. Hodges introduced the application as a request to move the existing ATM closer to the building to be in compliance with ADA requirements. The ATM is considered an accessory structure as defined by the NADC.

Chairman Burnett invited comments from the applicant.

Mark Van Sickle, an employee representing Little Diversified Architectural Consulting of 615 S. College, Charlotte, NC presented himself to answer any questions.

Chairman Burnett, in reading the narrative from Mr. Powlen, asked if the new location was about 130 feet from the right of way of West Martintown Road.

Mr. Van Sickle calculated and estimated it would be over 130 feet from the right of way.

Chairman Burnett mentioned the new location would be further away from the right of way of both Hidden Hills Drive and West Martintown Road.

Chairman Burnett asked Mr. Van Sickle to address why the east side and the north side were not considered.

Mr. Van Sickle mentioned it would be a safer location for pedestrian access than being around the side or back of the building.

Chairman Burnett asked for an interpretation of NADC §3.5.8.1 regarding corner side yards and the maximum setback for GC (General Commercial).

Mrs. Hodges said her interpretation is that the side setback of a corner lot should be at least 50% of what is required for the lot behind the corner lot.

After further discussion, all questions and comments were addressed.

Chairman Burnett requested to record the following findings of fact:

- 1) Subject site is a Corner Lot
- 2) Existing ATM located in front yard is approximately 40 feet from the right of way of West Martintown Rd.
- 3) Proposed ATM location is in the front yard, but further back from the West Martintown Rd. right of way
- 4) Proposed location will bring the ATM into compliance with ADA Standards
- 5) Proposed location poses no conflict with the goals and policies of the City of North Augusta's 2017 Comprehensive Plan
- 6) Proposed plan utilizes existing parking and sidewalks
- 7) Proposed plan provides improved visibility and security

- 8) To locate the ATM to comply with NADC would require extensive site work and placement would not meet the current industry standards for visibility and safety

Mrs. Hodges commented on the findings of the NADC should also be reviewed while reviewing the other findings which are on page 5 of the staff report.

Chairman Burnett stated the following findings of fact as it relates to NADC:

- 1) The proposed waiver does not appear to conflict with the goals and policies of the Comprehensive Plan or the purposes underlying the standard.
- 2) The applicant demonstrates, through documentation and/or studies, based on generally accepted engineering principles that adhere to the standard provided by this Chapter would pose a threat to health and safety or would undermine a policy set forth in the Comprehensive Plan or the purposes underlying the standard.
- 3) The economic burden imposed on the applicant to comply with the generally applicable standard outweighs the public purpose of such standard.
- 4) Compliance with the generally applicable standard is impracticable due to unique topographical or other sites conditions.

Commissioner Carter made a motion for the recommendation to approve the waiver request for the Bank of America ADA ATM renovation. Commissioner McKie offered a second and the motion was approved unanimously.

6. **Staff Report** - Mrs. Hodges included the November performance report in the information packet for the commission.

Mrs. Hodges reminded the commission to sign their training certification. She mentioned some upcoming plans under review for approval. Mrs. Hodges announced that Code Enforcement has moved under the Planning & Development department. Taylor Ferguson is the new Code Enforcement Officer.

Enforcement of signs will be a priority. Commissioner McKie mentioned the concerns over boats being parked in front yards. Mrs. Hodges mentioned the intention is to divide the city into quadrants to cover.

Chairman Burnett suggested commissioners send code enforcement concerns via email for record. Mrs. Hodges provided an email address where code enforcement concerns can be sent for staff investigation.

7. **Adjourn**-- With no objection, Chairman Burnett adjourned the meeting.

Respectfully Submitted,

Libby Hodges, AICP, Director  
Department of Planning and Development  
Secretary to the Planning Commission