

CITY COUNCIL
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City of Hogansville



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Jeff Todd, City Attorney

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COUNCIL ACTION FORM

MEETING DATE: December 16, 2019 **SUBMITTED BY:** Lynne Miller

AGENDA TITLE: Zoning Ordinance Edits – Variances and Street Names

CLASSIFICATION (City Attorney must approve all ordinances, resolutions and contracts as to form)

- | | | | |
|--|-------------------------------------|--|--|
| <input type="checkbox"/> Ordinance (No. ____) | <input type="checkbox"/> Contract | <input type="checkbox"/> Information Only | <input checked="" type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Resolution (No. ____) | <input type="checkbox"/> Ceremonial | <input type="checkbox"/> Discussion/Action | <input type="checkbox"/> Other |

BACKGROUND (Includes description, background, and justification)

On November 21, 2019, the Hogansville Planning and Zoning Commission voted to recommend to the City Council that Section 86-261 of the Hogansville Zoning Ordinance be replaced with language that gives City Council decision authority on zoning variance applications, after recommendations are made by the Planning & Zoning Commission. On November 21, 2019, the Hogansville Planning and Zoning Commission also voted to recommend to the City Council that Section 86-131 of the Hogansville Zoning Ordinance be replaced with language that gives the City Council the approval authority for naming City streets.

BUDGETING & FINANCIAL IMPACT (Includes project costs and funding sources)

None.

STAFF RECOMMENDATION (Include possible options for consideration)

Change Sections 86-261 and 86-132 of the City of Hogansville Zoning Ordinance to give decision authority to City Council for granting or rejecting zoning variance requests, and for naming City streets. Planning & Zoning Commission will review variance applications and make recommendations to the City Council for City Council action.

AN ORDINANCE

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HOGANSVILLE TO AMEND THE CODE OF THE CITY; TO AMEND THE CODE AND THE ZONING ORDINANCE OF THE CITY TO PROVIDE THAT FINAL AUTHORITY FOR VARIANCES SHALL REST WITH THE MAYOR AND COUNCIL; TO PROVIDE THAT STREET NAMES SHALL REQUIRE APPROVAL OF THE MAYOR AND COUNCIL; TO REPEAL CONFLICTING ORDINANCES; TO FIX AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

THE COUNCIL OF THE CITY OF HOGANSVILLE HEREBY ORDAINS:

SECTION 1:

That the Code of Ordinances of the City of Hogansville be amended by deleting therefrom Section 86-261, in its entirety, inserting in lieu thereof a new code Section 86-261, to read as follows:

“Sec. 86-261. – Variances and waivers.

(a) Where the planning commission finds that extraordinary and unnecessary hardships may result from strict compliance with this chapter, it may recommend a variance to the regulations so that substantial justice may be done and the public interest secured; provided that such variations will not have the effect of nullifying the intent and purpose of the master plan, or the zoning ordinance (chapter 102), if any or all of such exists.

(b) Where the planning commission finds that, due to the special circumstances of a particular plat, the provision of certain required improvements is not requisite in the interest of the public health, safety and general welfare or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may recommend waiver of such requirements subject to appropriate conditions.

(c) In granting variances and modifications, the Mayor and Council shall consider the recommendations of the planning commission, and shall require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.”

SECTION 2:

That the Code of Ordinances of the City of Hogansville be amended by deleting therefrom Section 86-132, in its entirety, inserting in lieu thereof a new code Section 86-132, to read as follows:

“Sec. 86-132. – Street names.

Street names shall require the approval of the Mayor and Council. Streets that are obviously in alignment with streets already existing and named shall be given the name of the existing street. Names of new streets shall not duplicate nor closely approximate those of

existing streets. At all street intersections, the subdivider shall erect at his expense street markers similar in construction and consistent with others posted in the city.”

SECTION 3:

All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and the same are hereby repealed.

SECTION 4:

This ordinance, after adoption by the Council and upon approval by the Mayor, shall become effective immediately.

INTRODUCED AND FIRST READING _____

SECOND READING AND ADOPTED/REJECTED _____

SUBMITTED TO MAYOR AND APPROVED/DISAPPROVED _____

BY: _____
Mayor

ATTEST: _____
Clerk