



**CITY OF LITHONIA  
MINUTES—ZONING PUBLIC HEARING  
Thursday, February 10, 2022 @ 3:00 PM**

- II.** Variance that would allow an approximately six-foot fence in the front yard, within the residential property and for security purposes at 7155 Swift Street.
  - III.** Special Land Use Permit that would allow the establishment of an urban farm at 2569 Bond Street.
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**I. Call to Order and Roll Call**

The Zoning Public Hearing was called to order at 3:03 pm by Mayor Shameka S. Reynolds. A roll call was taken, and the following City Council Members were present: Diane Howard, Amelia Inman, and Yolanda Sheppard. Zoning Administrator Bill Johnston was present on the call. Darold Honore later joined. Vanneriah Wynn was absent.

**II. This application concerns a Variance that would allow an approximately six-foot fence in the front yard, applicant needs to keep her children and pets within the residential property and for security purposes at 7155 Swift Street.**

**a. Report from Bill Johnston, Zoning Administrator**

Does not find any hardship to justify the variance. Front yard in a residential area has a 4 ft limit

*Response from Council:*

Council had no questions from the report.

**b. Presentation by Applicant (10-minutes allotted, including rebuttal)**

Applicant did not understand the interpretation of hardship. Bill Johnston then provided an interpretation of the meaning relating to the height of the fence. Applicant stated that she did not know what to say, that she would like to keep her gate up for protection from stray walkers and traffic.

Councilwoman Sheppard asked for clarification on the height of the fence, if it were wooden or can you see through it, also for the safety of your family.

Councilwoman Inman clarify the height of the fence, height limit in the rear of the yard is 8 ft starting at the front corner on both sides. Would it be an issue to move the fence down to the 4 ft standard. Does not cost anything to cut it down, just makes the house look better.

Councilwoman Howard asked if she obtained a permit prior to placing the fence at the home, she thought that her building permit was all inclusive. Reiterating that she could go 8 ft on sides and back, acknowledged the safety of the family, will 4 ft keep children and dog safe. Does not understand why she would have to cut it down 2 ft. howard it's the law citywide that fences are only allowed to be 4 ft unless it is a commercial property 6-8 ft allowable in the front.

Asked about how to make her property commercial, response rezoning would be

required to turn the.

**c. Presentation by Persons Opposed to the Application (10 minutes allotted)**

Aileen harper had the same issue in her area, a home for which was blocking her view, the front was lowered and the back was higher, it can be done.

**d. Presentation by Persons In-Favor of the Application (10 minutes allotted)**

How would she go about, speaking on her behalf, there have been a few incidents where random people are outside of her home, gate is the perfect size, you can see through it, how would we be able to rezone her property. Elizabeth Hernandez.

Bill responded the application to rezone could be made available through the city clerk.

**e. Closing of Public Hearing**

Councilwoman howard motioned to close the public hearing at 3:23 pm, the motion was seconded by councilwoman sheppard, and approved by a vote of 4-0.

**f. Deliberation by Council on Zoning Administrator's Recommendations and Presentations**

Councilwoman Howard in looking at the description that expensive property should be enclosed, if running a business you could request to rezone, the property is beautiful, once we allow 6 ft for one, we'd have to allow for all, can understand the theft issue.

Councilman Honore commercial would be an alternative and solution to the problem. Inman noticed googled other business on the street, commercial would be an option, hindsight always submit a permit application, likes the look of the home, to avoid any future conflict.

Councilwoman sheppard once we start allowing other people will ask for the same thing, if the gate is brought down 2 feet.

**g. Decision**

Councilman Honore motioned to deny the variance, the motion was seconded by Councilwoman Sheppard, and approved by a vote of 4-0.

III. This application concerns a **Special Land Use Permit** that would allow the establishment of an urban farm at **2569 Bond Street**.

**a. Report from Bill Johnston, Zoning Administrator**

The property at 2569 is located in the edge district, schedule of uses, agriculture is listed as a use in section 7 subject to use form based code, agriculture definition provided. Urban farms have been around for 20 years, proposing the farm to be front and rear yard, character use is in town mixed use, types \_\_\_\_\_. Agriculture is not listed. The street is traditional landscaping, crop land in the front yard would be odd on bond street, all other properties are traditional landscaping. Recommendation to approve the special exception use and limit the farm to the rear of the property. In terms of the impact if relegated to the rear yard, houses surrounding block the view of the rear.

*Response from Council:*

Councilman Honore asked if there would be farm animals, and if that were allowed. Bill was not informed by the applicant that she would have farm animals. Councilwoman Inman curious provided a description of urban farm from google, is it necessary that the person needs a special land use. Bill Johnston quoted from \_\_\_\_\_, have not had this type of application subject to scrutiny to ensure there are no adverse problems with the community. Bill urban farms that he is aware of are on a production basis and a

community activity. Inman would like to get more of a definition from the applicant, and a clearly defined definition of an urban farm from bill **True definition of urban farm needed, bill Johnston** responded that's all that we have in the zoning ordinance.. Sheppard would like to hear from the applicant on definition.

**b. Presentation by Applicant (10-minutes allotted, including rebuttal)**

Samantha Taylor, owner of Cotten Taylor Farm, definition any business growing to sell produce in an urban area, subacre urban farm with a market garden style, at some point would like to have people pick up their produce. Will be delivery. Understands the concern about the front of the property. One of her values is to have it look like a beautiful space with flowers, around the front fence line roses or small for year round interest. The space is not big enough for any animals but looking to have. Community supported model. Chose an urban farm, working toward her retirement in 5 years. Looked for a small town to be actively involved. An organic farm.

Councilwoman Howard asked if her farm has any animals, response no, the goal is produce. In addition to produce will you be selling anything else, response some value added products from other farmers, maybe eventually to have a couple of personal use animals for her 1/2 acre, member classes, activities, sell produce. Asked what she's zoned for, response edge for commercial and residential. Will there be commercial trucks? There would be 2 pick up days or on a Saturday, or a Wednesday with clients staggered for pick up, it is a membership model (CSA), definition of a personal use animal for example would be 2 chickens.

Councilman Honore confirming that she needs the designation of an urban farm for a business model? Response just following protocol of the zoning process.

Councilwoman Inman feels that the current definition of agriculture is vague. Bill Johnston this is the first time that he's hearing about farm animals and deliveries, would add 2 conditions; no farm animals and no deliveries using a truck above a class 2 with a 10<sup>th</sup> gross vehicle rating, the word chicken is not found in the zoning ordinance. **Table this pending additional information-bill.** Bill Johnston is not aware of anything for the city of Lithonia's ordinance that recognizes a definition, recommending tabling this until additional information is gathered and would add two conditions \_\_\_\_\_. Likes the idea of the urban farm but does not like it in the front yard, back yard would be best aesthetically. Asked how big her back yard is, response less than 1/2 acre for the entire property, will re-work her plan to just place vegetable crop in the backyard, this is a dream for her and to be integrated into the community. Integration of flowers in the front yard. Last question have you previously sold at the farmers market, no 2023 soft launch to sell.

Councilwoman Sheppard reconfirm that personally she likes her business plan and bringing this aspect into the city to have a constant flow of fresh produce, however agrees with councilwoman Inman on re-doing the business model for the back yard recompose the business model, opposed to tractor trailers for deliveries.

**c. Presentation by Persons Opposed to the Application (10 minutes allotted)**

Olitha Reid, not opposed to the idea of farming, limited to the back yard. Would like to know how many chickens she plans to get, there were previous issues some years ago. Will buy from you. Not opposed as to what you will place in your back yard.

Doreen Carter lives on Bond Street, extremely supportive of fresh fruits and vegetables, loves the concept of an urban farm however does not want it on her street, there are only

4 homes on her street and she has lived in the area for 22 years. Adamantly opposed to someone trying to do an urban farm but has no issues with any, does not want to change the character of her street that becomes the opening for a business that we don't have the resources available to manage. Does not wish to see any livestock. Does not want this type of business on the street that she lives on, hopes that council does not allow this.

**d. Presentation by Persons In-Favor of the Application (10 minutes allotted)**

There were no persons present in-favor of the application.

**e. Closing of Public Hearing**

Councilwoman Howard motioned to close the public hearing, the motion was seconded by Councilwoman Inman and approved by a vote of 4-0.

**f. Deliberation by Council on Zoning Administrator's Recommendations and Presentations**

Council did not deliberate.

**g. Decision**

Councilwoman Inman motioned to table and move to another date once the owner can get more research and come up with another idea taking into consideration what other residents are saying, the motion was seconded by Councilwoman Sheppard and approved by a vote of 4-0.

Councilman Honore stated additionally that the city would come up with a better definition of urban farm.

**IV. Adjournment of Zoning Hearing**

Councilman Honore motioned to adjourn the meeting at 4:15 pm, the motion was seconded by Councilwoman Howard, and approved by a vote of 4-0.