

**AGENDA**  
**HOSCHTON PLANNING AND ZONING COMMISSION**

**August 27, 2025, at 6:00 p.m.**  
**Hoschton Community Center**  
**65 City Square, Hoschton, GA, 30548**

Call to Order/Roll Call

Recognitions

Pledge of Allegiance

Moment of Silence

Approval of Minutes (July 23, 2025)

Public Comment *(5-minute time limit)*

**NEW BUSINESS (PUBLIC HEARING ITEMS)**

1. **CU-25-01** Conditional Use Permit: Applicant, Matthew Travis Martin seeks a Conditional Use Permit for an accessory apartment. Parcel H02 051B, .62 acres
2. **V-25-03** Variance: Applicant, Matthew Travis Martin, seeks variance to Hoschton Zoning Ordinance Section 6.05 “Accessory Apartment” . Parcel H02 051B, .62 acres. Variance requested for number limit, setbacks, and area minimums requirements.

**TRAINING 101 WITH NORTH GEORGIA REGIONAL COMMISSION**

Adjourn

**MINUTES**  
**HOSCHTON PLANNING AND ZONING COMMISSION**  
**July 23, 2025, at 6:00 p.m.**  
**Hoschton Community Center**  
**65 City Square, Hoschton, GA, 30548**

Call to Order/Roll Call *at 6:00pm by Mr. Acevedo*

Mr. Acevedo made a motion to amend the agenda to add a vote for Chair and co-chair, seconded by Mr. Viveló 2<sup>nd</sup> and all in favor.

Administered Oath for Ms. Maegan Reid, *conducted by City Manager/Clerk, Ms. Jennifer Harrison*

Recognitions, *Mr. Acevedo recognized Mayor Martin, Councilmember Tina Brown and Councilmember Dave Brown. Later arrived, Councilmember Scott Courter.*

Pledge of Allegiance, Led by Mr. Acevedo

Moment of Silence, Led by Mr. Acevedo

Approval of Minutes (June 25, 2025)

*Mr. Jonaitis made a motion to approve the amendments of correction of misspelled Mr. Chuck Jonaitis first name, seconded by Mr. Viveló, and all in favor.*

Public Comment (5-minute time limit) *No Comments*

**NEW BUSINESS (PUBLIC HEARING ITEMS)**

**1. Vote for Chair and Co-Chair**

Mr. Acevedo asked for nominations for Chair and Co-chair

- a. Mr. Jonaitis nominated Mr. Edwin Acevedo for Chair, Mr. Viveló seconded the motion and all in were in favor.
- b. Mr. Jonaitis nominated Mr. Geoff Horney for Co-Chair, Mr. Viveló seconded the motion and all in favor.

**2. Z-25-03 Rezoning:** Applicant, The Providence Group of Georgia seeks to modify the conditions of Z-23-02. Parcels 113-003A, 119-018, 119-019K, & 119-019M, 109.73 acres. Applicants request modification to conditions regarding the timeline for road improvements.

- *Mr. Blackstock, City Planner, gave a description of the requested amendment*

- *Mr. Clint Walters, Johns Creek, represented The Providence Group added detail on the request*
  - *Mr. Acevedo asked Mr. Walters questions concerning the effect on school traffic, ownership of the land, if the homes would be used for showings, and if there was any financial benefit from the request*
    - *Mr. Walters answered that to the best of his knowledge the roundabout would be open prior to school starting, but did not guarantee it, The Providence Group owned the land, most of the homes would not be used for showings, and there is not a financial benefit beyond starting the homes sooner, so less interest accrued*
  - *Mr. Acevedo asked City Planner if this was common practice*
    - *Mr. Blackstock answered that models or prairie-built homes are common, that this number may be larger than normal for a development this size but is less than other PUD conditions allow in the city. Additionally, the Commission should consider formalizing the number of model home permitted in the Zoning Ordinance*
  - *Mr. Jonaitis made a motion to recommend approval of the application, seconded by Mr. Vivello and all in favor.*
- 3. V-25-02 Variance:** Applicant, McDonald's USA, LLC, seeks variance of RZ-18-05 "Signage". Parcel 121-001A1, 1.13 Acres. Zoning Conditions for the subject property allow for one wall sign, applicant requests two additional wall signs.
- a. *Mr. Acevedo gave a description of the requested*
  - b. *Mr. Adam Brown, Jefferson, with Integrity Engineering, representing McDonald's discussed the request*
  - c. *Mr. Acevedo asked questions concerning a timer for the lights, if the store was 24 hours, and if the store had a flagpole*
    - i. *Mr. Brown answered that the lights for the sign would have a dimmer, the store was likely not 24 hours, and he did not think there was room for a flagpole on site*
  - d. *Mr. Horney asked if there would be a "golden arches" post sign*
    - i. *Mr. Brown answered that there would be a monument sign*
  - e. *Mr. Jonaitis made a motion to recommend approval*
    - i. *Mr. Hardin 2<sup>nd</sup>*
    - ii. *All in favor*
- 4.** *Mr. Acevedo asked if there was a motion to adjourn*
- a. *Mr. Hardin motioned to adjourn*

Adjourn at 6:30pm

# APPLICATION FOR CONDITIONAL USE

CITY OF HOSCHTON, GA  
PLANNING AND DEVELOPMENT  
61 City Square  
Hoschton, GA 30548  
706-654-3034

## Applicant Information:

**Name:**

Matthew Travis Martin

**Address:**

165 New Street

**City, State, Zip:**

Hoschton, GA 30548

**Phone:**

470-238-9023

**E-mail:**

info@charashrenovations.com

## Property Owner Information: *(if different from applicant)*

**Name:**

**Address:**

**City, State, Zip:**

**Phone:**

**E-mail:**

The property owner, must sign the following form; if the applicant is not the property owner, you must submit evidence of property owner approval to file this application by submitting the property owner authorization form.

**Property Information:**

**Tax Map and Parcel Number:**

H02 051B

---

**Address (if one has been assigned):**

165 New Stree, Hoschton, GA 30548

---

**Acreage of Property:**

.61 Acres

---

Note: You must attach a metes and bounds legal description of the property. A boundary survey may be required; submit a copy if available.

**Existing Zoning District:**

HOSCHTON (District 06)

---

**Proposed Use:**

Accessory Apartment (For my father to age in place)

---

**Property Owner Authorization**

I swear that I am the owner of the property which is the subject matter of this application, as shown in the records of Jackson County, Georgia.

**Name of Owner(s):**

Matthew Travis Martin

**Address:**

165 New Stree, Hoschton, GA 30548

**Phone Number:**

470-238-9023

**Signature of Property Owner:**



**I authorize the person named below to act as applicant in the pursuit of this application.**

**Name of Applicant(s):**

Matthew Travis Martin

**Address:**

165 New St Hoschton GA 30548

**Phone Number:**

470 238 9023

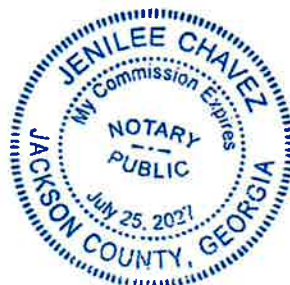
Matthew Travis Martin  
Property owner personally appeared before me

Jenilee Chavez

who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.

  
Notary Public

6-30-2025  
Date



**CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM  
(REQUIRED TO BE COMPLETED BY APPLICANT)**

O.C.G.A. § 36-67A-3[c] Disclosure of campaign contributions:

When any applicant for zoning action has made, within two years immediately preceding the filing of the applicant's application for the zoning action, campaign contributions aggregating \$250.00 or more to a local government official who will consider the application, it shall be the duty of the applicant to file a disclosure report with the governing authority of the respective local government showing:

- (1) The name and official position of the local government official to whom the campaign contribution was made; and
- (2) The dollar amount and description of each campaign contribution made by the applicant to the local government official during the two years immediately preceding the filing of the application for the rezoning action and the date of each such contribution.

I hereby certify that I have read the above and that ( nothing applies to me ):

I have**		I have not	<input checked="checked" type="checkbox"/>
----------	--	------------	--

Within the two years immediately preceding this date, made any contribution(s) aggregating \$250.00 or more to any local government official involved in the review or consideration of this application.

\*\*If you have made such contributions, you must provide the data required by this form.

  
\_\_\_\_\_

**Applicant's Signature**

6-30-25  
\_\_\_\_\_

**Date**

[application form continues on next page]

### CONDITIONAL USE DECISION CRITERIA

Per Section 8.04 of the Hoschton Zoning Ordinance, the following criteria are applicable to decisions on conditional uses. The applicant is urged but not required to substantiate the request by responding to these criteria which provide reasons for approving the application:

- (a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

Response:

It is suitable as a single-occupancy residence of my 80-year-old father. The structure's appearance will not be significantly altered, and will maintain a similar design as the primary residence.

- (b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property.**

Response:

The accessory apartment will in no way adversely affect use or usability of adjacent or nearby properties.

- (c) Whether the property to be affected by the proposal has a reasonable economic use as currently zoned.**

Response:

The property does have a reasonable economic use.

- (d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

Response:

The proposal will add a single vehicle and a single occupant with no children.



- (e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and/or future land use plan map.**

Response:

Since the proposal only seeks to improve an existing structure for a single occupant, then it conforms with the policy & intent of the comprehensive plan.

- (f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.**

Response:

The primary residence does not have space for an additional occupant and adding on to the existing primary residence would negatively affect it's historical character, as it is one of the few remaining original homes of Hoschton.

- (g) Whether the proposal would create an isolated zoning district unrelated to adjacent and nearby districts.**

Response:

The proposal would not create an isolated zoning district.

- (h) Whether the proposal would have an impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality.**

Response:

The proposal would not impact the environment as the structure is already existing. The new occupant of the apartment would not affect these concerns either.

[application form continues on next page]

Return Recorded Document to:  
McCalla Raymer Pierce, LLC  
3175 Satellite Blvd., Bldg. 600, Ste. 150  
Duluth, GA 30096  
File#: P160349

Deed Doc: WD  
Recorded 01/04/2017 11:52AM  
Georgia Transfer Tax Paid: \$225.00  
Came W. Thomas  
Clerk Superior Court, JACKSON Co., GA  
Bk0075S Pg 0651-0652

### LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE, made the 13th day of December, 2016, between JOSEPH H. LOGGINS of the State of Georgia and County of Jackson party of the first part, and MATTHEW TRAVIS MARTIN and HEIDI LYNN MARTIN as joint tenants with right of survivorship and not as tenants in common of the State of Georgia and County of Jackson parties of the second part,

WITNESSETH That: the said party of the first part, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) and other goods and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all that tract or parcel of land

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns, forever, in FEE SIMPLE.


AND THE SAID party of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said parties of the second part, their heirs and assigns, against claims of all persons owning, holding or claiming by, through or under the said party of the first part.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

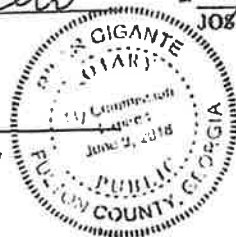
Signed this 13th day of December, 2016  
in the presence of:

  
Lauren Powell  
Unofficial Witness

 (SEAL)  
JOSEPH H. LOGGINS

  
Notary Public  
My Commission expires: 6/9/19

(Notary Seal)



FILED  
SUPERIOR COURT  
JACKSON COUNTY GA  
2017 JAN -4 AM 10:44  
JAMIE W THOMAS, CLERK

**EXHIBIT "A"**

**ALL THAT TRACT OR PARCEL OF LAND, TOGETHER WITH IMPROVEMENTS THEREON SITUATE, LYING AND BEING IN THE TOWN OF HOSCHTON, JACKSON COUNTY, GEORGIA AND BEING MORE FULLY SHOWN AS DESCRIBED ACCORDING TO A PLAT PREPARED FOR FRANK AND JULIE KERTESZ BY HENRY GRADY JARRAD, REGISTERED LAND SURVEYOR, DATED FEBRUARY 9, 1988, WHICH TRACT IS MORE FULLY DESCRIBED ACCORDING TO SAID PLAT AS FOLLOWS:**

**IN ORDER TO LOCATE THE TRUE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF BROAD STREET WITH THE EASTERLY RIGHT OF WAY OF NEW STREET; THENCE NORTH 16 DEGREES 10 MINUTES 53 SECONDS WEST 10.35 FEET TO AN IRON PIN ALONG THE EASTERLY RIGHT OF WAY OF NEW STREET, WHICH IRON PIN MARKS THE TRUE POINT OF BEGINNING; THENCE NORTH 16 DEGREES 10 MINUTES 53 SECONDS WEST 196.73 FEET ALONG THE EASTERLY RIGHT OF WAY OF NEW STREET TO AN IRON PIN; THENCE SOUTH 16 DEGREES 09 MINUTES 39 SECONDS EAST 213.69 FEET TO AN IRON PIN; THENCE SOUTH 90 DEGREES 46 MINUTES 19 SECONDS WEST 140.09 FEET TO THE TRUE POINT OF BEGINNING.**

To be filed in **JACKSON COUNTY** PT-61 078-2017-000016

SECTION A - SELLER'S INFORMATION (Do not use agent's information)				SECTION C - TAX COMPUTATION	
SELLER'S LAST NAME <b>LOGGINS</b>		FIRST NAME <b>JOSEPH</b>	MIDDLE <b>B.</b>	Exempt Code If no exempt code enter NONE	<b>NONE</b>
MAILING ADDRESS (STREET & NUMBER) <b>260 JACKSON AVE</b>				1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	<b>\$225,000.00</b>
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY <b>BRANFELTON, GA 30517 USA</b>			DATE OF SALE <b>12/13/2016</b>	1A. Estimated fair market value of Real and Personal property	<b>\$0.00</b>
SECTION B - BUYER'S INFORMATION (Do not use agent's information)				2. Fair market value of Personal Property only	<b>\$0.00</b>
BUYER'S LAST NAME <b>MARTIN</b>		FIRST NAME <b>MATTHEW</b>	MIDDLE <b>TRAVIS</b>	3. Amount of liens and encumbrances not removed by transfer	<b>\$0.00</b>
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) <b>163 NEW STREET</b>				4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	<b>\$225,000.00</b>
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY <b>ROSCITON, GA 30548 USA</b>			Check Buyer's Intended Use (X) Residential ( ) Commercial ( ) Agricultural ( ) Industrial	5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	<b>\$225.00</b>
SECTION D - PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))					
HOUSE NUMBER & EXTENSION (or 203A) <b>163</b>		PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION <b>NEW Street</b>			SUITE NUMBER
COUNTY <b>JACKSON</b>		CITY (IF APPLICABLE)		MAP & PARCEL NUMBER <b>B02051B / 006</b>	ACCOUNT NUMBER
TAX DISTRICT <b>QMD</b>	LAND DISTRICT	ACRES	LAND LOT	SUB LOT & BLOCK	
SECTION E - RECORDING INFORMATION (Official Use Only)					
DATE	DEED BOOK <b>758</b>	DEED PAGE <b>651</b>	PLAT BOOK	PLAT PAGE	

**ADDITIONAL BUYERS**  
**MARTIN, HEIDI LYNN**



To complete your application, attach/submit the following in addition to this completed form:

- \_\_\_\_\_ **Application fee** as established by resolution of the City Council (see fee schedule).  
Make check payable to the City of Hoschton.
- \_\_\_\_\_ **Metes and bounds legal description** of the property.
- \_\_\_\_\_ **Boundary survey plat** of the property; provided, however, that where no survey is available the Zoning Administrator may but is not obligated to, accept a map of the subject property from the Jackson County Tax Assessors or other reliable source.
- \_\_\_\_\_ **Letter of intent** describing the proposed use of the property or other action requested, which may include any special conditions voluntarily made by the applicant as a part of the request.
- \_\_\_\_\_ **Site plan** (15 copies plus digital copy in pdf format) of the property and proposed development at an appropriate engineering scale showing the proposed use and relevant information regarding proposed improvements. Site plans must show existing roads and streams, flood plains and wetlands where applicable, existing and proposed buildings and structures, parking and loading areas as may be applicable, areas of existing vegetation or parts of the site to be landscaped, conceptual information about drainage and stormwater management, and other information as reasonably required by the Zoning Administrator.

Please be advised of the following rezoning procedures:

The zoning administrator will determine whether the application is complete (incomplete applications will not be processed). Public notice of meetings (including sign on property and newspaper notice) of completed applications will be accomplished by the city. A staff report and recommendation will be prepared by the zoning administrator and submitted to the Hoschton Planning and Zoning Commission (which meets once a month) and Hoschton Mayor and City Council (regularly meets once monthly). The Planning and Zoning Commission will make a recommendation on the application, but the final decision is by the Hoschton City Council. Applicants are required to attend the Planning and Zoning Commission meeting and public hearing before the Mayor and City Council. Contact the zoning administrator for specific dates of meetings during which your application will be considered.

**FOR OFFICE USE ONLY:**

\_\_\_\_\_ : **APPROVED**                      \_\_\_\_\_ : **DENIED**

**AMOUNT PAID:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**FORM OF PAYMENT:**    **CHECK #** \_\_\_\_\_    **CREDIT CARD**    **CASH**

Travis Martin  
165 New Street  
Hoschton, GA 30548  
770-365-5407  
[rj2captain@gmail.com](mailto:rj2captain@gmail.com)

RE: Conditional Use application Letter of Intent

To whom it may concern:

This is a letter of intent for a conditional use application for a large outbuilding located at the above address to be converted to an accessory apartment (Section 6.05). The apartment is to provide permanent housing for my father to age-in-place, maintain his independence and be in close proximity to his family. The future accessory apartment, in its entirety, is an existing structure. The footprint of the structure is not being altered. The exterior will be substantially similar to both its current appearance and the appearance of the primary residence on the property. The entrance and parking will be moved to the side and windows will be added, but apart from that, the exterior appearance will only be improved with new material.

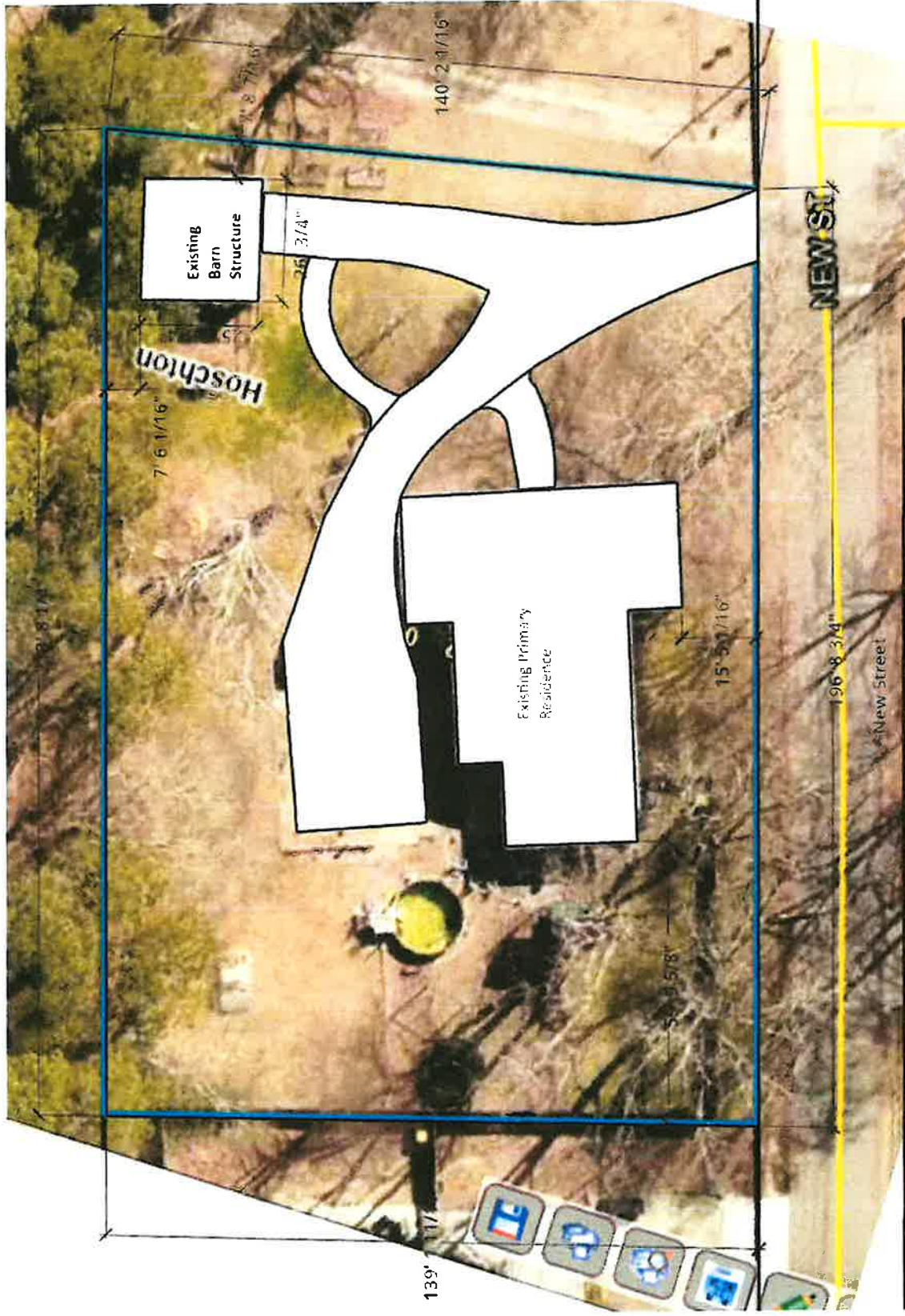
The sole purpose of this conditional use is for occupancy of this building. We have no room in the primary residence for an additional occupant, nor would such an arrangement be ideal for him. The building will provide a safe and comfortable home for my father. Approval of this project will not only benefit him, but will improve the appearance of the building, surrounding landscape and by extension, adjacent properties and the neighborhood, as the current structure is a focal point for those driving down East Broad Street toward New Street. We strongly desire the committee's and the council's consideration and approval of this conditional use and we thank you in advance.

Gratefully,



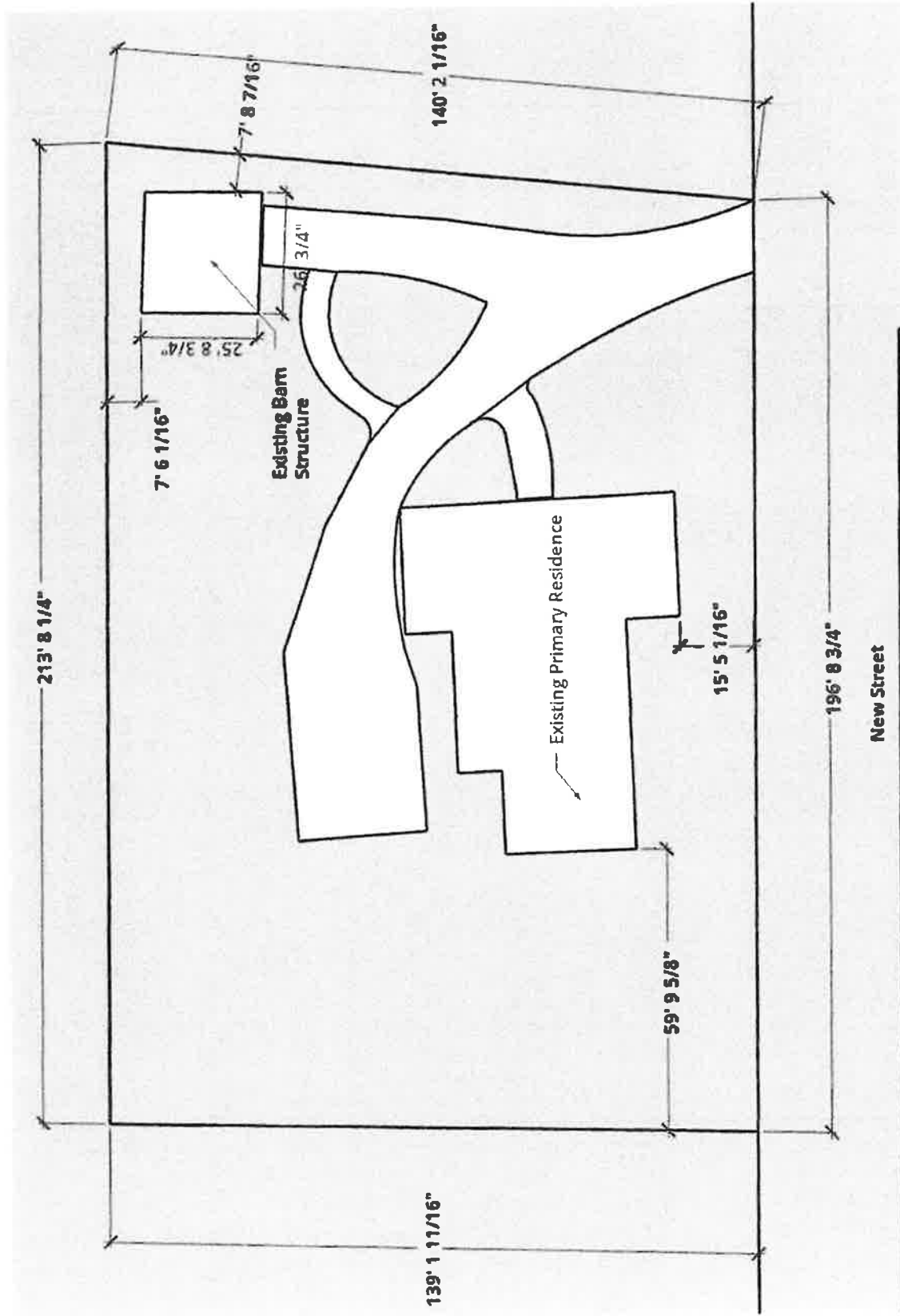
Travis Martin



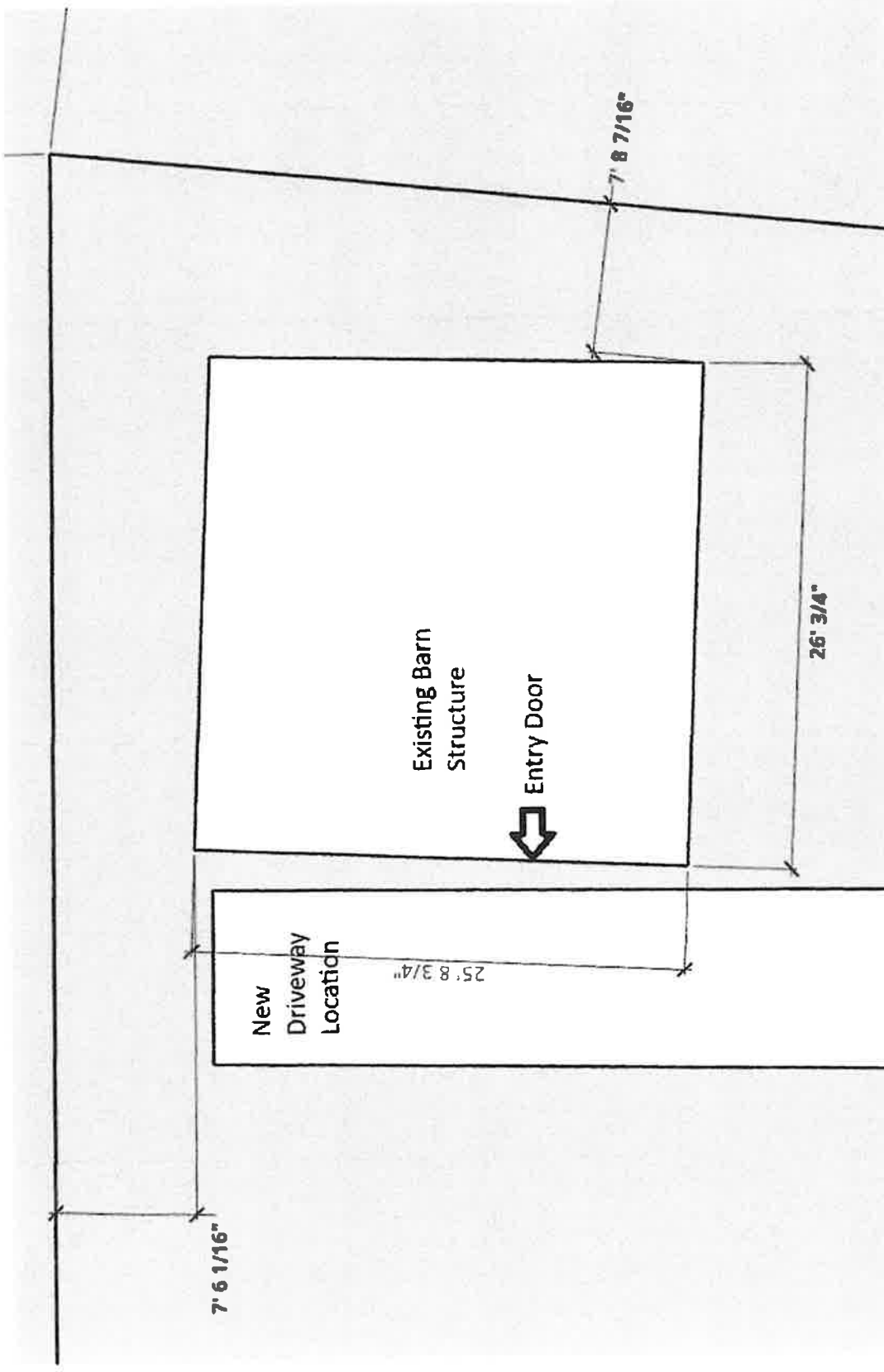


GIS Overlay with existing structures and current driveway layout





Legal Description measurements with current driveway layout



Existing Barn setbacks with new parking location on NW side. Entry Door is also on the NW side.

To Whom it may concern,

6-29-25

My neighbors, Travis and Heidi Martin, are seeking to convert their barn into an apartment for Travis's 80 year old father. At this time, the barn is used for storage for Travis's tile business. Customers do not visit - it's just storage for materials and tools. Travis will be moving his equipment to a storage unit once they are given permission to turn the building into an apartment.

I do understand there are some variances needed to make this happen. It is my hope that you will grant these variances and approve Mr. Martin's application so that he can live close to his family.

I live across the street from the Martins, and I believe they will make this apartment an attractive addition to our neighborhood. I see Travis's dad cutting their grass and doing other maintenance chores to keep their property looking nice. Also, this apartment will have no impact on our schools and very few additional car trips on our roads.

June 28, 2025

To Whom It May Concern:

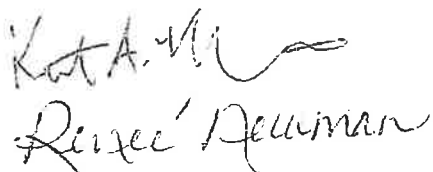
We are writing this letter in support of the requests submitted by Travis and Heidi Martin to convert their barn into an apartment for Travis' dad. We believe the improvements of this structure will benefit our neighborhood.

We have lived next door to the Martin's for more than 4 years. We are aware of Travis' occupation, but we have never once seen customers visit their property, nor is his occupation apparent by equipment or materials on the property. We have no concerns about the improved structure being maintained, as we have witnessed for years Travis' dad doing an exceptional job maintaining nearly all of the landscaping on the property for them.

In closing, the Martin's live in one of the oldest homes in our community. They have put a lot of heart and "sweat equity" in maintaining this historical home. We should all applaud and support them as they continue to invest in their property and make improvements and renovations into preserving it so that it will be a part of our community for years to come!

If you have any questions for us, please do not hesitate to contact us.

Sincerely,

The block contains two handwritten signatures in black ink. The first signature is "Keith A. Newman" and the second is "Renee Newman". Both are written in a cursive, flowing style.

Keith and Renee Newman  
135 New Street, Hoschton, GA  
(770) 206-0559

June 27, 2025

To The City of Hoschton

This letter is in regards to Travis and Heidi Martin's request for variance and permits for their property at 165 New Street. We give our approval for The Martin's to convert their barn into a living space/apartment for Travis' father. We believe the changes he will make to the barn will improve the appearance of the property. The barn already gives character to the property and the Martin's house. Travis Martin does have his own business but to our knowledge we have never witnessed any clients or suppliers for his business at the property. We have witnessed Travis Martin's father (the proposed tenant) maintaining the landscaping for the family. They have a beautiful home and property and if allowed for Mr. Martin's father's move into the converted barn should not have any impact on traffic in this area. We fully support the Martin family in their decision.

Sincerely



Blake and Kim Wacaster

141 E. Broad St

Hoschton, GA 30548

**CITY OF HOSCHTON, GEORGIA  
ZONING ADMINISTRATOR'S  
REPORT**



**TO:** Planning & Zoning Commission, City of Hoschton  
Honorable Mayor and City Council, City of Hoschton

**FROM:** Hu Blackstock, City Planner

**DATE OF REPORT:** August 18, 2025

**SUBJECT REQUEST:** **V-25-03 Variance:** Applicant, Matthew Travis Martin, seeks variance of Hoschton Zoning Ordinance Sect 6.05 . Parcel H02 051B .61 Acres. Variance requested to portions of the Specific Use Provisions for an Accessory Apartment

**CU-25-01 Condition Use Permit:** Applicant, Matthew Travis Martin, seeks a Conditional Use Permit for an Accessory Apartment. Parcel H02 051B .61 Acres.

**PLAN COMM. HEARING:** August 27th @ 6:00 p.m.

**CITY COUNCIL HEARING:** September 11th, 2025 @ 6:00 p.m.

**VOTING SESSION:** September 18th, 2025 @ 6:00 p.m.

**APPLICANT:** Matthew Travis Martin

**OWNER(S):** Matthew T & Heidi L Martin

**LOCATION:** 165 New Street

**PARCEL(S) #:** H02 051B

**ACREAGE:** .61 Acres

**SECTION(S) TO  
BE VARIED:** Hoschton Zoning Ordinance Section 6.05 "Accessory Apartment"

**RECOMMENDATION:** Approval with conditions



**Location of Property**



Tax Map 1 of 1

## **SUMMARY OF REQUEST**

The applicant requests a Conditional Use Permit for an Accessory Apartment in an R-2 Zoning District as required per Hoschton Zoning Ordinance Table 4.1 "Permitted and Condition Uses for Residential and Agricultural Zoning Districts". Additionally, the applicant requests a variance of Hoschton Zoning Ordinance Section 6.05 "Accessory Apartment" requirements 2, 3, and 5.

- Requirement 2 prohibits accessory apartments on the same lot as a home occupation permit
- Requirement 3 requires detached accessory apartments to be 20 feet from any property line.
- Requirement 5 requires accessory apartments be at least 680 square feet of heated floor area, with 340 square feet of heated floor area per adult occupant.

## **CONDITIONAL USE CRITERIA:**

Per Section 8.04 of the Hoschton Zoning Ordinance, One or more of the following criteria may be considered applicable or potentially applicable to decisions on conditional use permit applications. The applicant is urged to substantiate the request by responding to these criteria which provide reasons for approving the application:

### **a) Whether the proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**

Finding: An accessory apartment on the property is compatible with the existing neighborhood. The appearance of the neighborhood will not be altered because the structure the applicant plans to use is existing. *(Supports request)*

### **b) Whether the proposal will adversely affect the existing use or usability of adjacent or nearby property**

Finding: No, an accessory apartment will not adversely affect the property or surrounding properties. The proposed apartment will not change the look of the area since an existing structure will be used. Additionally, multiple neighbors wrote letters of support for the applicant. *(Supports request)*

### **c) Whether the property to be affected by the proposal has a reasonable economic use as currently zoned**

Finding: The property does have a reasonable economic use without the conditional use permit. *(Does not support request)*

### **d) Whether the proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.**

Finding: The addition of a single occupancy accessory apartment will have no more impact on infrastructure than moving an older relative into a spare bedroom which does not and should not require permission. *(Supports request)*

### **e) Whether the proposal is in conformity with the policy and intent of the comprehensive plan including the character area map and/or future land use plan map**



Finding: The future land use map labels the property as moderate density residential; an accessory apartment conforms to this description. Additionally, the Comprehensive Plan states "The city need to ensure that an adequate supply of housing will be available in order to attract and retain young professionals and retired individuals for whom ownership is either not feasible or not desirable" including "accessory units". ***(Support request)***

**f) Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the proposal.**

Finding: The significant support of the applicant's neighbors constitutes grounds for approval. Additionally, the applicant expressed concerns with adding on to the existing structure due to the home's historic character. ***(Supports request)***

**g) Whether the proposal would have an impact on the environment, including but not limited to, drainage, soil erosion and sedimentation, flooding, air quality and water quality**

Finding: The proposal would not have impacts on the environment. ***(Support Request)***

**VARIANCE CRITERIA :**

Per Section 8.05 of the Hoschton Zoning Ordinance, One or more of the following criteria may be considered applicable or potentially applicable to decisions on variances. The applicant is urged to substantiate the request by responding to these criteria which provide reasons for approving the application:

**a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district**

Finding: The physical conditions of the property do not prohibit the construction of an accessory apartment in other locations on the property. ***(Does not support request)***. Since a structure that can be used is existing, allowing the variance would allow the use without changing the visual character of the neighborhood. ***(Supports request)***

**b) A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.**

Finding: A literal interpretation of the required heated floor area and setback requirements does not deprive the applicant of rights commonly enjoyed. ***(Does not support request)***. The prohibition of accessory apartments and home occupations on the same property may. The ordinance treats all home occupancies the same. The applicant's business, based on letters from neighbors does not generate any additional traffic to the property. ***(Supports request)***

**(c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.**

Finding: Variances are not a special privilege; anyone may apply for one. It simply allows the council to determine if a proposed use fits the intent of the ordinance without specific meeting requirements. ***(Supports request)***

**(d) The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.**

Finding: The ordinance is written with the construction of ordinances in mind. Since the structure is existing, flexibility with specific requirements is reasonable. The proposed apartment would not meet the minimum size requirements, but does meet the minimum heated square footage per adult applicant. Therefore, the apartment should be limited to single occupancy. ***(Supports request)***

**(e) The special circumstances are not the result of the actions of the applicant.**

Finding: The fact the existing structure does not meet size or setback requirements is not a result of the applicant's actions. ***(Supports request)***

**(f) The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the zoning district in which the development is located.**

Finding: This is the minimum variance possible that does not require the applicant to move their business, expand the structure, or move the structure. ***(Supports request)***

**CONCLUSION:** The planner recommends approval of the conditional use permit. The planner recommends approval of the variance with one condition.

- 1) The accessory apartment shall be limited to single occupancy

A small accessory apartment on the applicant's property provides his father with a place to live privately while staying close to his family. The use of the existing barn maintains the character of neighborhood. The applicant has significant support from his neighbors including the one most affected by the setback variance. The proposal does not conflict with the comprehensive plan or strain existing infrastructure.

# APPLICATION FOR VARIANCE

CITY OF HOSCHTON, GA  
PLANNING AND DEVELOPMENT  
61 City Square  
Hoschton, GA 30548  
706-654-3034

## Applicant Information:

**Name:**

Matthew Travis Martin

**Address:**

165 New Street

**City, State, Zip:**

Hoschton, GA 30548

**Phone:**

470-238-9023

**E-mail:**

info@charashrenovations.com

## Property Owner Information: *(if different from applicant)*

**Name:**

Same as applicant

**Address:**

**City, State, Zip:**

**Phone:**

**E-mail:**

The property owner, must sign the following form; if the applicant is not the property owner, you must submit evidence of property owner approval to file this application by submitting the property owner authorization form.

**Property Information:**

Tax Map and Parcel Number:  
H02 051B

---

Address (if one has been assigned):  
165 New Stree, Hoschton, GA 30548

---

Acreage of Property:  
.61 Acres

---

Note: You must attach a metes and bounds legal description of the property. A boundary survey may be required; submit a copy if available.

**Existing Zoning District:**

HOSCHTON (District 06)

---

**Section(s) of Zoning Ordinance to be Varied:**

Section 6.05 (2b), (3) & (5)

---

### VARIANCE CRITERIA

Per Section 8.05 of the Hoschton Zoning Ordinance, One or more of the following criteria may be considered applicable or potentially applicable to decisions on variances. The applicant is urged to substantiate the request by responding to these criteria which provide reasons for approving the application:

- (a) There are extraordinary and exceptional conditions or practical difficulties pertaining to the particular piece of property in question because of its size, shape or topography that are not applicable to other lands or structures in the same district.**

Response:

The original barn structure was built in 1991 so it's near proximity to the existing property line cannot be altered. The variance request is not to extend the structure closer to the property line. The footprint will remain as is.

- (b) A literal interpretation of the provisions of this ordinance would effectively deprive the applicant of rights commonly enjoyed by other properties of the district in which the property is located.**

Response:

The required setback cannot be met as the structure is already built. The variance is needed simply for remodeling & occupancy.

- (c) Granting the variance requested will not confer upon the property of the applicant any special privileges that are denied to other properties of the district in which the applicant's property is located.**

Response:

Granting the variance will NOT confer special privileges.

**Property Owner Authorization**

I swear that I am the owner of the property which is the subject matter of this application, as shown in the records of Jackson County, Georgia.

**Name of Owner(s):**

Matthew Travis Martin

**Address:**

165 New Stree, Hoschton, GA 30548

**Phone Number:**

470-238-9023

**Signature of Property Owner:**



I authorize the person named below to act as applicant in the pursuit of this application.

**Name of Applicant(s):**

Matthew Travis Martin

**Address:**

165 New St Hoschton, GA 30548

**Phone Number:**

470 238 9023

Property owner personally appeared before me,

Matthew Travis Martin

who swears that the information contained in this authorization is true and correct to the best of his or her knowledge and belief.

  
Notary Public

6-30-2025

Date



- (d) The requested variance will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or to the general welfare.**

Response:

The primary points within the stated Purpose of this ordinance that could be affected by this variance are the preservation property values, controlling the amounts of traffic and the promotion of responsible growth ensuring quality of life for residents. The remodel of this barn would greatly improve the appearance of the property. As a focal point of those traveling SW on E. Broad St toward New Street, it will greatly improve the aesthetics of the area by maintaining the time period decor of the primary residence. Only one car will be added to the property, though the future resident, my father, is here much of the time already. In addition to improving appearance of our property, and by extension the value of adjacent properties, my father will be a beloved addition to the citizenry of Hoschton and to the neighborhood. (See neighbor's letters.)

- (e) The special circumstances are not the result of the actions of the applicant.**

Response:

The barn structure, as built, pre-existed our occupancy of the primary residence and therefore the home occupation as well.

- (f) The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure in the zoning district in which the development is located.**

Response:

The structure is not being extended in any direction, so the variance is simply requesting approval of what is already existing.

[application form continues on next page]

**To complete your application, attach/submit the following in addition to this completed form:**

- \_\_\_\_\_ **Application fee** as established by resolution of the City Council. Make check payable to the City of Hoschton.
- \_\_\_\_\_ **Metes and bounds legal description** of the property.
- \_\_\_\_\_ **Boundary survey plat** of the property; in the case where a building or structure was already constructed and requires a setback variance, the boundary survey shall include "as built" placement of the building or structure for which the setback is requested to be varied.
- \_\_\_\_\_ **Letter of intent** describing the regulations to be varied (specific sections and the amount of numerical variation sought).
- \_\_\_\_\_ **Site plan** (15 copies plus digital copy in pdf format) of the property and proposed development shall be submitted at an appropriate engineering scale showing the proposed use and relevant information regarding the variance request. Site plans must show information as reasonably required by the Zoning Administrator.

Please be advised of the following procedures:

The zoning administrator will determine whether the application is complete (incomplete applications will not be processed). Public notice of meetings (including sign on property and newspaper notice) of completed applications will be accomplished by the city. A staff report and recommendation will be prepared by the zoning administrator and submitted to the Hoschton Planning and Zoning Commission (which meets once a month) and Hoschton Mayor and City Council (regularly meets once monthly). The Planning and Zoning Commission will make a recommendation on the application, but the final decision is by the Hoschton City Council. Applicants are required to attend the Planning and Zoning Commission meeting and public hearing before the Mayor and City Council. Contact the zoning administrator for specific dates at which your application will be considered.

**FOR OFFICE USE ONLY:**

\_\_\_\_\_ : **APPROVED**                      \_\_\_\_\_ : **DENIED**

**AMOUNT PAID:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**FORM OF PAYMENT:**    **CHECK #** \_\_\_\_\_    **CREDIT CARD**    **CASH**



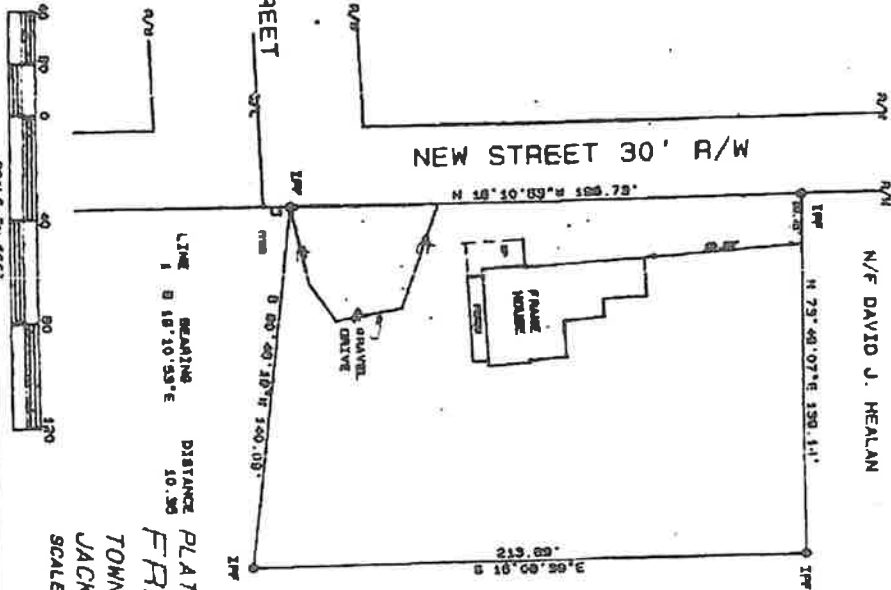
TO WHOM IT MAY CONCERN  
THIS IS TO CERTIFY THAT THIS PROPERTY  
IS NOT IN A FLOOD HAZARD AREA.  
EQUIPMENT USED WILD 11000 & DISTOMAT 80M.

STATE OF GEORGIA  
Jackson, Superior Court  
Filed February 24, 1988  
P.A.M.

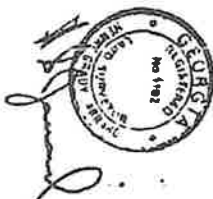
Recorded 29 1988  
Book 28 Page 188  
Shirley M. Davis

NEW STREET 30' R/W

BROAD STREET  
80' R/W



APPROVED FOR RECORDING



PLAY FOR  
FRANK & JULIE KERTESEZ  
TOWN OF HOSCHTON  
JACKSON COUNTY GEORGIA  
SCALE: 1" = 40'  
FEB/2/1988

JOB: 81987

FILED TIME: To be filed in **JACKSON COUNTY** **PT-61 078-2017-000016**

SECTION A - SELLER'S INFORMATION (Do not use agent's information)			SECTION C - TAX COMPUTATION	
SELLER'S LAST NAME <b>LOGGINS</b>	FIRST NAME <b>JOSEPH</b>	MIDDLE <b>R.</b>	Exempt Code If no exempt code enter NONE	<b>NONE</b>
MAILING ADDRESS (STREET & NUMBER) <b>260 JACKSON AVE</b>			1. Actual Value of consideration received by seller Complete Line 1A if actual value unknown	<b>\$225,000.00</b>
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY <b>BRANFLOX, GA 30317 USA</b>			1A. Estimated fair market value of Real and Personal property	<b>\$0.00</b>
DATE OF SALE <b>12/13/2016</b>			2. Fair market value of Personal Property only	<b>\$0.00</b>
SECTION B - BUYER'S INFORMATION (Do not use agent's information)			3. Amount of liens and encumbrances not removed by transfer	<b>\$0.00</b>
BUYER'S LAST NAME <b>MARTIN</b>	FIRST NAME <b>MATTHEW</b>	MIDDLE <b>TRAVIS</b>	4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)	<b>\$225,000.00</b>
MAILING ADDRESS (Must use buyer's address for tax billing & notice purposes) <b>165 NEW STREET</b>			5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)	<b>\$225.00</b>
CITY, STATE / PROVINCE / REGION, ZIP CODE, COUNTRY <b>BOSSTON, GA 30548 USA</b>			Check Buyers Intended Use (X) Residential ( ) Commercial ( ) Agricultural ( ) Industrial	
SECTION D - PROPERTY INFORMATION (Location of Property (Street, Route, Hwy, etc))				
HOUSE NUMBER & EXTENSION (ex 265A) <b>165</b>	PRE-DIRECTION, STREET NAME AND TYPE, POST DIRECTION <b>NEW Street</b>			SUITE NUMBER
COUNTY <b>JACKSON</b>	CITY (IF APPLICABLE)		MAP & PARCEL NUMBER <b>B02051B / 006</b>	ACCOUNT NUMBER
TAX DISTRICT	GMD	LAND DISTRICT	ACRES	LAND LOT
SUB LOT & BLOCK				
SECTION E - RECORDING INFORMATION (Official Use Only)				
DATE	DEED BOOK <b>755</b>	DEED PAGE <b>651</b>	PLAT BOOK	PLAT PAGE

**ADDITIONAL BUYERS**  
**MARTIN, HEIDI LYNN**

Return Recorded Document to:  
McCalla Raymer Pierce, LLC  
3175 Satellite Blvd., Bldg. 600, Ste. 150  
Duluth, GA 30096  
File#: P160549

Deed Doc: WD  
Recorded 01/04/2017 11:52AM  
Georgia Transfer Tax Paid: \$225.00  
Camie W. Thomas  
Clerk Superior Court, JACKSON Co., GA  
Bk00755 Pg 0651-0652

### LIMITED WARRANTY DEED

STATE OF GEORGIA

COUNTY OF GWINNETT

THIS INDENTURE, made the 13th day of December, 2016, between JOSEPH H. LOGGINS of the State of Georgia and County of Jackson party of the first part, and MATTHEW TRAVIS MARTIN and HEIDI LYNN MARTIN *as joint tenants with right of survivorship and not as tenants in common* of the State of Georgia and County of Jackson parties of the second part,

WITNESSETH That: the said party of the first part, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) and other goods and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all that tract or parcel of land

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns, forever, in FEE SIMPLE.

AND THE SAID party of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said parties of the second part, their heirs and assigns, against claims of all persons owning, holding or claiming by, through or under the said party of the first part.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal, the day and year above written.

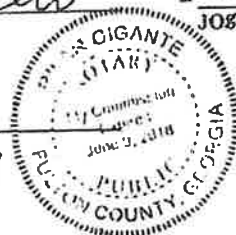
Signed this 13th day of December, 2016  
in the presence of:

  
Lauren Powell  
Unofficial Witness

 (SEAL)  
JOSEPH H. LOGGINS

  
Notary Public  
My Commission expires: 6/9/19

(Notary Seal)



FILED  
SUPERIOR COURT  
JACKSON COUNTY GA  
2017 JAN -4 AM 10:44  
CAMIE W THOMAS, CLERK

**EXHIBIT "A"**

**ALL THAT TRACT OR PARCEL OF LAND, TOGETHER WITH IMPROVEMENTS THEREON SITUATE, LYING AND BEING IN THE TOWN OF HOSCHTON, JACKSON COUNTY, GEORGIA AND BEING MORE FULLY SHOWN AS DESCRIBED ACCORDING TO A PLAT PREPARED FOR FRANK AND JULIE KERTESZ BY HENRY GRADY JARRAD, REGISTERED LAND SURVEYOR, DATED FEBRUARY 9, 1988, WHICH TRACT IS MORE FULLY DESCRIBED ACCORDING TO SAID PLAT AS FOLLOWS:**

**IN ORDER TO LOCATE THE TRUE POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF BROAD STREET WITH THE EASTERLY RIGHT OF WAY OF NEW STREET; THENCE NORTH 16 DEGREES 10 MINUTES 53 SECONDS WEST 10.35 FEET TO AN IRON PIN ALONG THE EASTERLY RIGHT OF WAY OF NEW STREET, WHICH IRON PIN MARKS THE TRUE POINT OF BEGINNING; THENCE NORTH 16 DEGREES 10 MINUTES 53 SECONDS WEST 196.73 FEET ALONG THE EASTERLY RIGHT OF WAY OF NEW STREET TO AN IRON PIN; THENCE SOUTH 16 DEGREES 09 MINUTES 39 SECONDS EAST 213.69 FEET TO AN IRON PIN; THENCE SOUTH 90 DEGREES 46 MINUTES 19 SECONDS WEST 140.09 FEET TO THE TRUE POINT OF BEGINNING.**

Travis Martin  
165 New Street  
Hoschton, GA 30548  
770-365-5407  
[rj2captain@gmail.com](mailto:rj2captain@gmail.com)

RE: Variance application Letter of Intent

To whom it may concern:

This is a letter of intent for a variance application for an accessory apartment located at the above address. The apartment is to provide permanent housing for my father to age-in-place, maintain his independence and be in close proximity to his family. The future accessory apartment, in its entirety, is an existing structure. The footprint of the structure is not being altered. The exterior will be substantially similar to both its current appearance and the appearance of the primary residence on the property. The entrance and parking will be moved to the side and windows will be added, but apart from that, the exterior appearance will only be improved with new material. The following are the variances from the ordinance that are needed to proceed. The variances are needed because the conditions pre-existed our ownership of the property. We strongly desire the committee's and the council's approval.

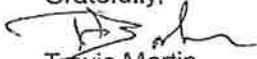
6.05(2b) - "An accessory apartment shall not be permitted on the same lot as a home occupation." I have a home occupation, Charash Renovations. No customer or supplier visits the property. As you can read in the attached letters from our neighbors, the function of this home occupation is completely transparent to the neighborhood. I currently store tools and materials in the barn, but that will be moved to an off-site storage unit, thereby ensuring that the approval of an accessory apartment will not increase traffic or congestion or harm the residential feel of the neighborhood.

6.05(3) - "If detached from the principal dwelling, the accessory apartment shall be setback a minimum of 20 feet from any property line." The structure is existing. If we were building new, this variance would not be necessary, but we are only remodeling an existing structure. The allowed setback for the accessory apartment would need to be reduced to seven feet six inches on the south and east sides (see Site Plan), as this is simply where the structure currently sits.

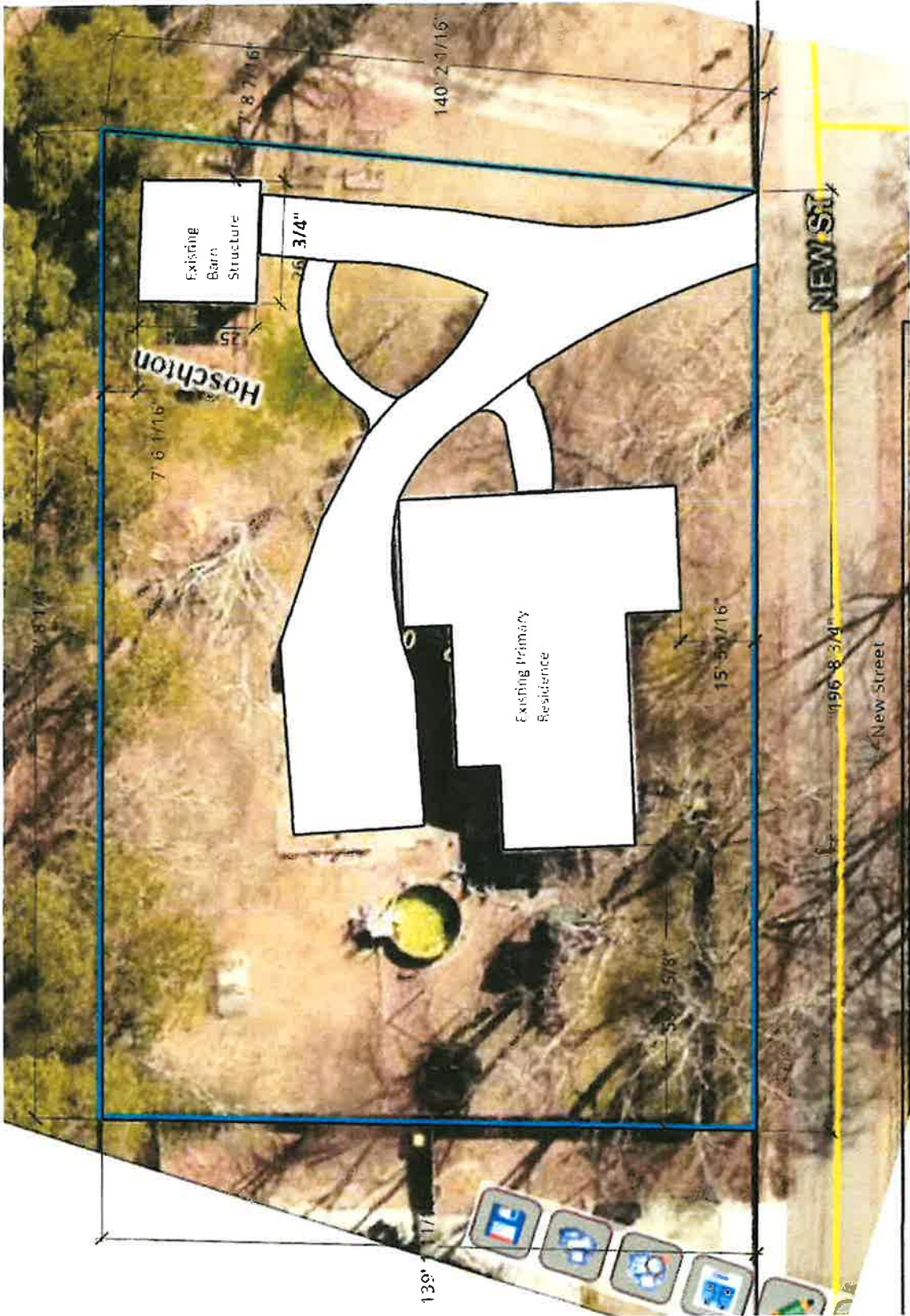
6.05(5) - "The heated floor area for an accessory dwelling unit shall be at least 680 square feet". Since the structure is existing and will not be enlarged in any dimension, the variance requested for minimum square footage is down to 545 square feet, a 135 square foot reduction.

For my father's continued well-being, we sincerely request that the committee and council approve this variance. We thank you in advance for your consideration.

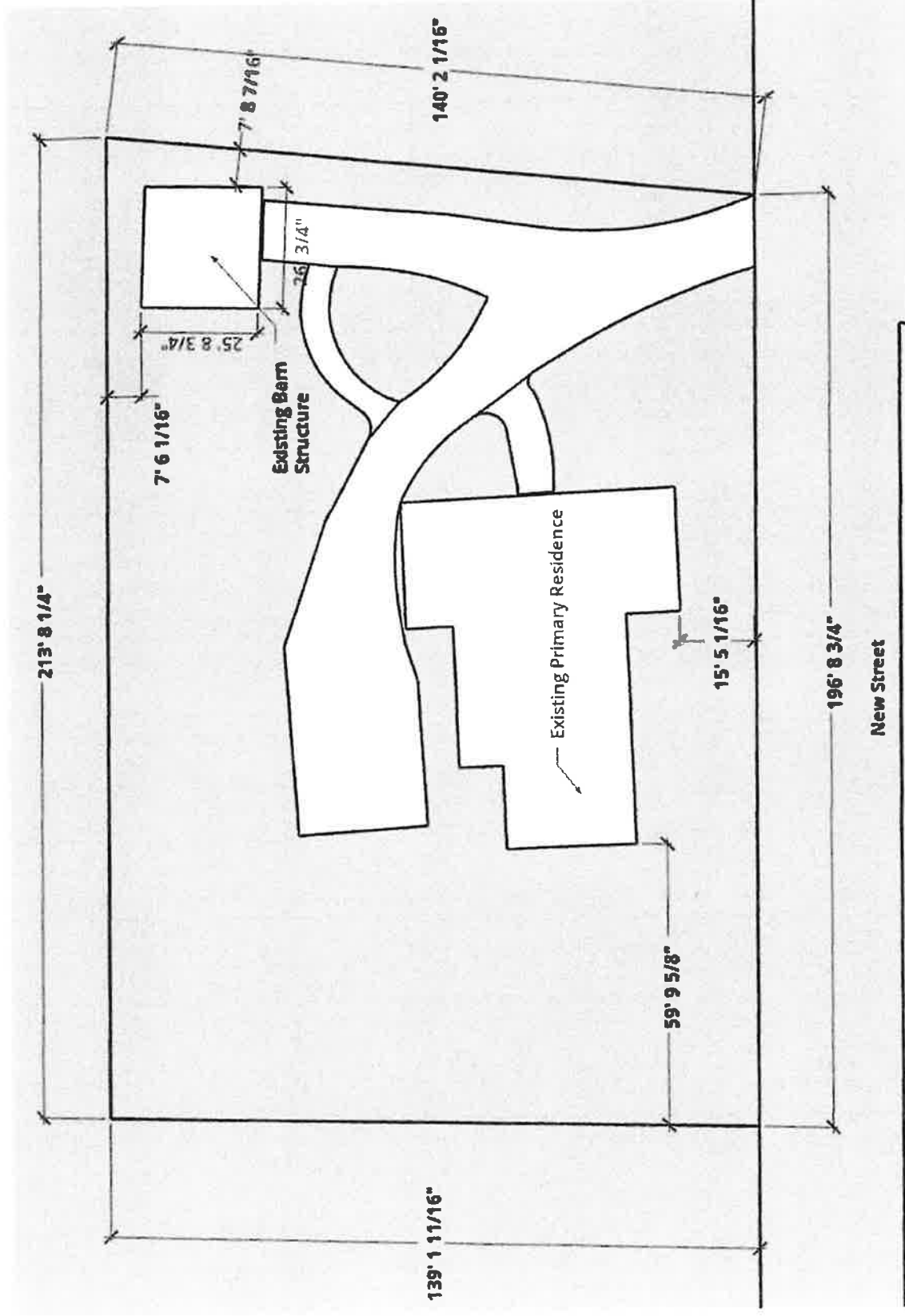
Gratefully,



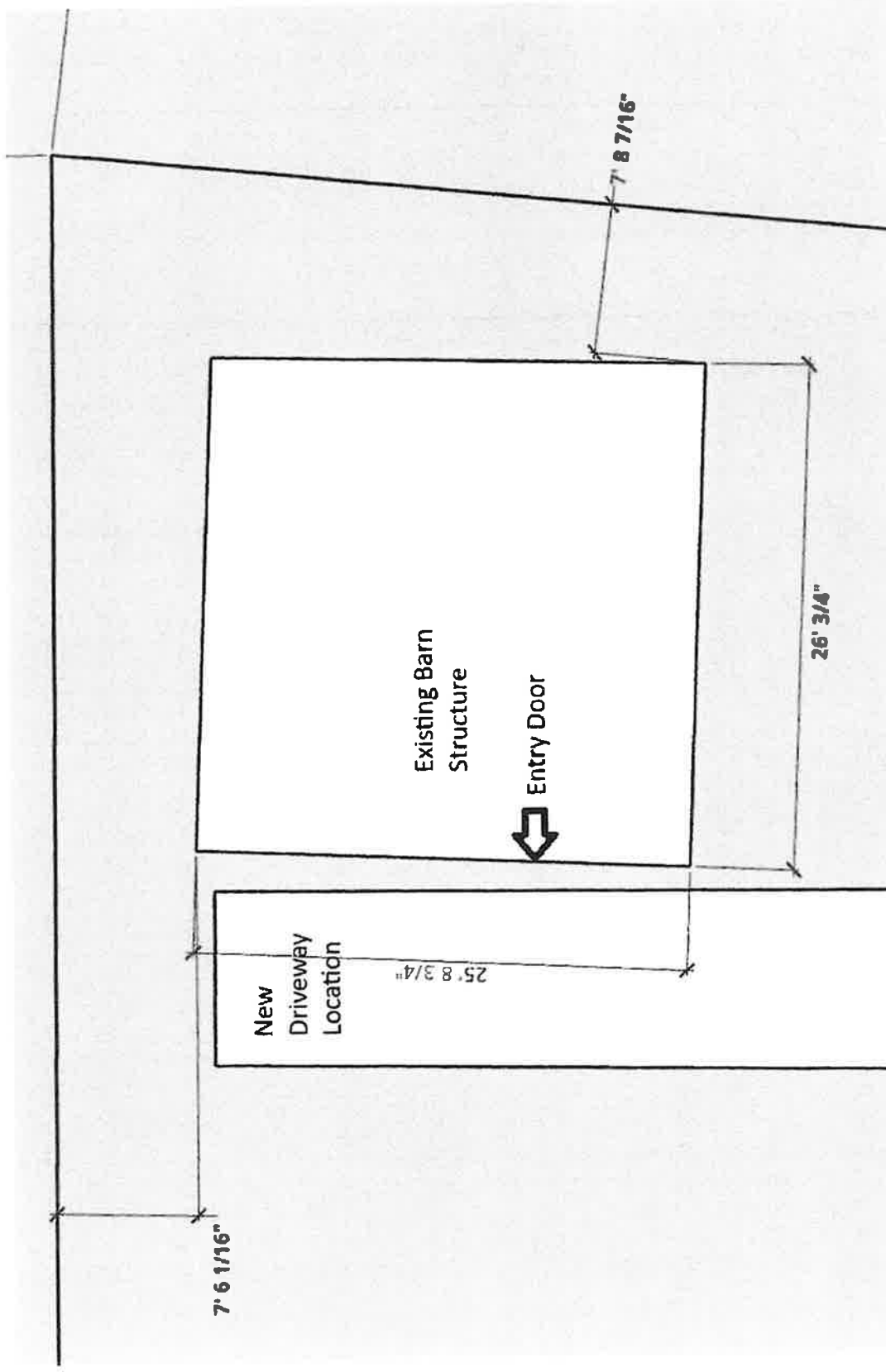
Travis Martin



GIS Overlay with existing structures and current driveway layout



Legal Description measurements with current driveway layout



Existing Barn setbacks with new parking location on NW side. Entry Door is also on the NW side.



6-29-25

To Whom it may concern,

My neighbors, Travis and Heidi Martin, are seeking to convert their barn into an apartment for Travis's 80 year old father. At this time, the barn is used for storage for Travis's tile business. Customers do not visit - it's just storage for materials and tools. Travis will be moving his equipment to a storage unit once they are given permission to turn the building into an apartment.

I do understand there are some variances needed to make this happen. It is my hope that you will grant these variances and approve Mr Martin's application so that he can live close to his family.

I live across the street from the Martins, and I believe they will make this apartment an attractive addition to our neighborhood. I see Travis's dad cutting their grass and doing other maintenance chores to keep their property looking nice. Also, this apartment will have no impact on our schools and very few additional car trips on our roads.

June 28, 2025

To Whom It May Concern:

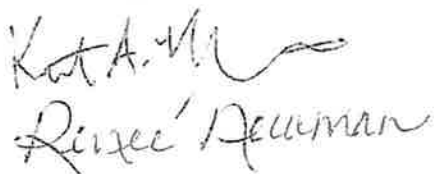
We are writing this letter in support of the requests submitted by Travis and Heidi Martin to convert their barn into an apartment for Travis' dad. We believe the improvements of this structure will benefit our neighborhood.

We have lived next door to the Martin's for more than 4 years. We are aware of Travis' occupation, but we have never once seen customers visit their property, nor is his occupation apparent by equipment or materials on the property. We have no concerns about the improved structure being maintained, as we have witnessed for years Travis' dad doing an exceptional job maintaining nearly all of the landscaping on the property for them.

In closing, the Martin's live in one of the oldest homes in our community. They have put a lot of heart and "sweat equity" in maintaining this historical home. We should all applaud and support them as they continue to invest in their property and make improvements and renovations into preserving it so that it will be a part of our community for years to come!

If you have any questions for us, please do not hesitate to contact us.

Sincerely,

Handwritten signatures of Keith and Renee Newman. The first signature is "Keith A. Newman" and the second is "Renee Newman".

Keith and Renee Newman  
135 New Street, Hoschton, GA  
(770) 206-0559

June 27, 2025

To The City of Hoschton

This letter is in regards to Travis and Heidi Martin's request for variance and permits for their property at 165 New Street. We give our approval for The Martin's to convert their barn into a living space/apartment for Travis' father. We believe the changes he will make to the barn will improve the appearance of the property. The barn already gives character to the property and the Martin's house. Travis Martin does have his own business but to our knowledge we have never witnessed any clients or suppliers for his business at the property. We have witnessed Travis Martin's father (the proposed tenant) maintaining the landscaping for the family. They have a beautiful home and property and if allowed for Mr. Martin's father's move into the converted barn should not have any impact on traffic in this area. We fully support the Martin family in their decision.

Sincerely



Blake and Kim Wacaster

141 E. Broad St

Hoschton, GA 30548