CITY OF HOSCHTON
CITY COUNCIL
THURSDAY, SEPTEMBER 11, 2025, AT 6:00PM
HOSCHTON COMMUNITY CENTER
65 CITY SQUARE, HOSCHTON



PUBLIC HEARING AGENDA

WELCOME AND CALL TO ORDER
INVOCATION/ MOMENT OF SILENC
PLEDGE OF ALLEGIANCE
AGENDA APPROVAL

NEW BUSINESS

- 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. **RESOLUTION 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.

ADJOURN

ORDINANCE NO. CU-25-01

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT PURSUANT TO THE HOSCHTON ZONING ORDINANCE AND FOR OTHER PURPOSES

WHEREAS, Mathew Travis Martin, applicant and owner, Christian Stewart, has filed a complete application for a conditional use permit for an accessory apartment in an R-2 (Single-Family Suburban Residential) zoning district for .61 +/- acres fronting on the west side of New Street (Map/Parcel H02/ 051B); and

WHEREAS, the Property for which a conditional use permit is sought consists of all that tract or parcel of land lying and being in Jackson County Georgia, as described in more detail in Exhibit A which by reference is incorporated herein; and

WHEREAS, the City Council of the City of Hoschton has authority pursuant to the Hoschton Zoning Ordinance to approve conditional use permits; and

WHEREAS, the city's zoning administrator has prepared a report evaluating the criteria for conditional use permitting decisions as they pertain to the requested zoning; and

WHEREAS, the Hoschton Planning and Zoning Commission and Hoschton City Council held advertised public hearings on the application, and the city has complied with all applicable laws and ordinances with respect to the processing of such application; and

WHEREAS, it has been determined by the City Council that it is desirable, necessary and within the public's interest to approve the conditional use permit request;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF HOSCHTON AS FOLLOWS:

Section 1. A conditional use permit for an accessory apartment in an R-2 (Single-Family Suburban Residential) zoning district is approved for property legally described in Exhibit A attached to this ordinance, with conditions, subject to conditions described in Exhibit B attached to this ordinance.

Section 2. The City Clerk is hereby directed to amend the Official Zoning Map to reflect the zoning classification of the subject property to show the conditional use permit designation.

Ordinance CU-25-01

So ORDAINED this the 18th day of September 1	ber, 2025.
Debbie Martin, Mayor	
This is to certify that I am City Clerk of the including its minutes. In that capacity, my si as stated and will be recorded in the official	City of Hoschton. As such, I keep its official records, ignature below certifies this ordinance was adopted minutes.
ATTEST:	
	Jennifer Kidd-Harrison, City Clerk
Approved as to Form:	
Abbott S. Hayes, Jr., City Attorney	

EXHIBIT A LEGAL DESCRIPTION OF PROPERTY

All that tract or parcel of land together with improvements thereon situate living 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 easterly right of way of New Street, which iron pin marks the true 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 eat 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.

A copy of said recorded minor final plat is attached to this Exhibit A.

Also known as part of Map/Parcel H02/051B, in the records of the Jackson County Tax Assessor.

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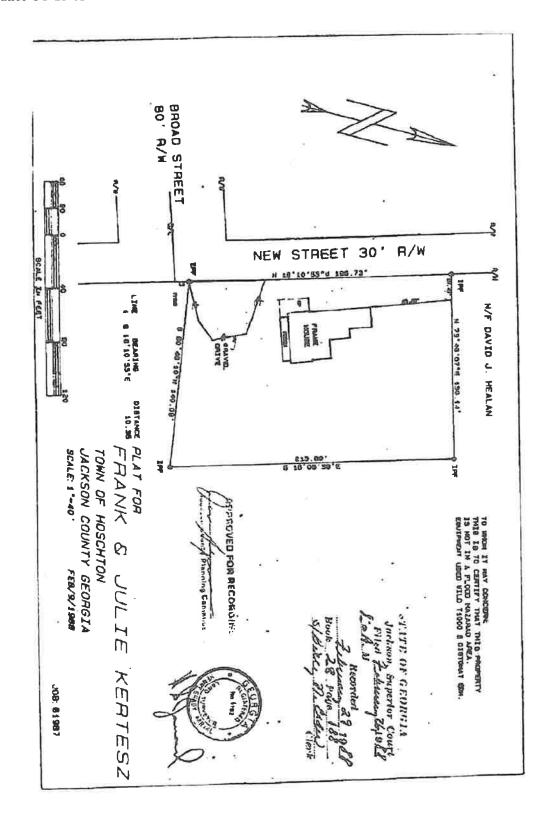


EXHIBIT B CONDITION OF CONDITIONAL USE PERMIT APPROVAL

1. Occupancy. The accessory apartment shall be limited to a single occupant.

Ordinance CU-25-01

CITY OF HOSCHTON STATE OF GEORGIA

RESOLUTION NO. V-25-03

A RESOLUTION APPROVING A VARIANCE TO THE HOSCHTON ZONING ORDINANCE FOR CERTAIN PROPERTY AND FOR OTHER PURPOSES

WHEREAS, Matthew Travis Martin, owner and applicant, has initiated, for variances from the requirements of the Hoschton zoning ordinance, Article VI, "Specific Use Provisions," Section 6.05, "Accessory Apartment", specifically requirement number two (2), "Number limit", number three (3), "Setbacks", and number five (5), "Area minimums", for property (Map/Parcel H02/051B) (.61+/- acres); and

WHEREAS, the property consists of all that tract or parcel of land lying and being in Jackson County Georgia, as described in more detail in Exhibit A which by reference is incorporated herein; and

WHEREAS, the City Council of the City of Hoschton has authority pursuant to the Hoschton Zoning Ordinance to act upon application and grant variances; and

WHEREAS, the city planner has prepared a report evaluating the criteria for variance decisions as they pertain to the requested variances; and

WHEREAS, the Hoschton City Council held an advertised public hearing on the application and have complied with all applicable laws and ordinances with respect to the processing of such application; and

WHEREAS, the City Council finds that the application meets one or more criteria for the granting of a variance;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE HOSCHTON CITY COUNCIL AS FOLLOWS:

Pursuant to the Hoschton Zoning Ordinance, Article VI, "Specific Use Provisions," Section 6.05, "Accessory Apartment," the following variances are hereby approved:

- 1. Waiver of Number Limit Requirement Relief is granted from Requirement No. 2, which stipulates that only one accessory apartment shall be permitted on a lot and that an accessory apartment shall not be permitted on the same lot as a home occupation. This variance allows for deviation from the stated limitation.
- 2. Reduction of Setback Requirements
 Relief is granted from Requirement No. 3, which mandates that a detached accessory

Resolution V-25-03

- apartment must be set back a minimum of 20 feet from any property line. A variance is approved to allow reduced setbacks of 7 feet 6 inches on the south and east sides of the property.
- 3. Modification of Area Minimums
 Relief is granted from Requirement No. 5, which requires a minimum of 680 square feet
 of heated floor area for an accessory dwelling unit. A variance is approved to permit a
 reduced heated floor area of 545 square feet, notwithstanding the standard calculation of
 340 square feet per adult occupant.

So RESOLVED, this the 18th Day of September	· 2025.
Debbie Martin, Mayor	
This is to certify that I am City Clerk of the City of Hoschton. As such, I keep its official	
records, including its minutes. In that capacity, my signature below certifies this resolution was adopted as stated and will be recorded in the official minutes.	Attest: Jennifer Harrison, City Clerk
Approved as to Form:	
Abbott S. Hayes, Jr., City Attorney	

EXHIBIT A

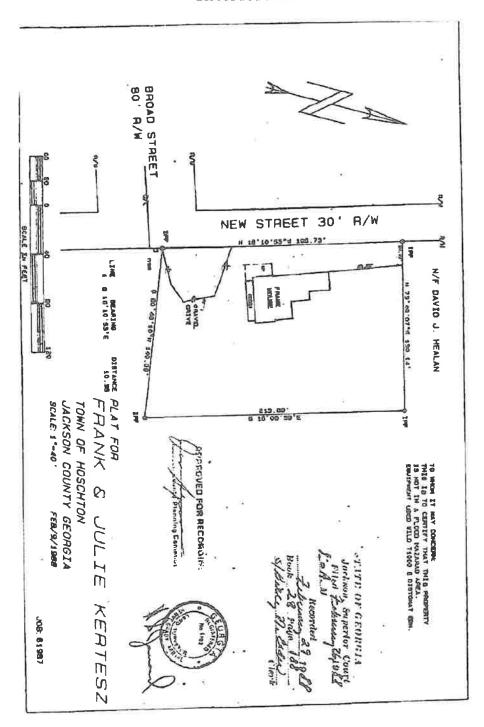
LEGAL DESCRIPTION OF PROPERTY

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Recorded Plat



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

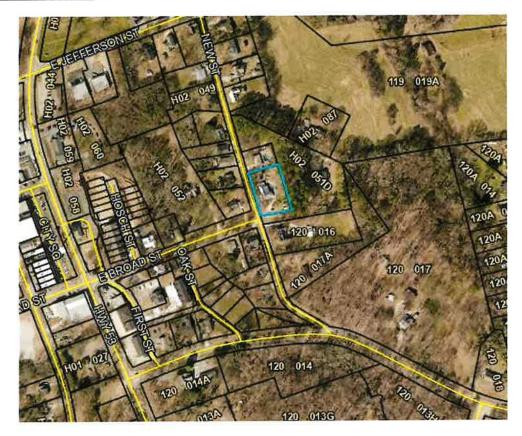
SECTION(S) TO

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 will 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 specifical meeting the 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 it 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 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:) 6
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	of this application.
Name of Applicant(s): Matthew Travis Mortin	
Address:	
165 New St Hoschton GA 30548	
Phone Number: 470 238 902]	
Property owner personally appeared before me	
Inilee Charce	
who swears that the information contained in this authorization is true and eorrect to the best of his or her knowledge and belief. Notary Public O 30-905 Date	CHANA

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
- 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 ():					
I have**	I have not				

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

Date

6-30-25

[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.

[application form continues on next page]

(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.

Return Recorded Document to: McCalla Raymer Pierce, Li C. 3175 Satellite Blvd., Bldg. 600, Ste. 150 Duluth, G4, 30096 Files: P160549

Doc WD Deed Recorded 01/64/2017 11:52AM Georgia Transfer Tax Paid : \$225.00 Came W. Thomas Clerk Superior Court, JACKSON Co., GA Pg 0651-0652 Bk0075S

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.

CIGANTE

STAR

Signed this Bik day of December

in the presence of:

icial Witness

My Commission expires:

(Notary Seal)

GAN NO JOSEPH H. LOGGINS

JAMIE W THOMAS, CLERK

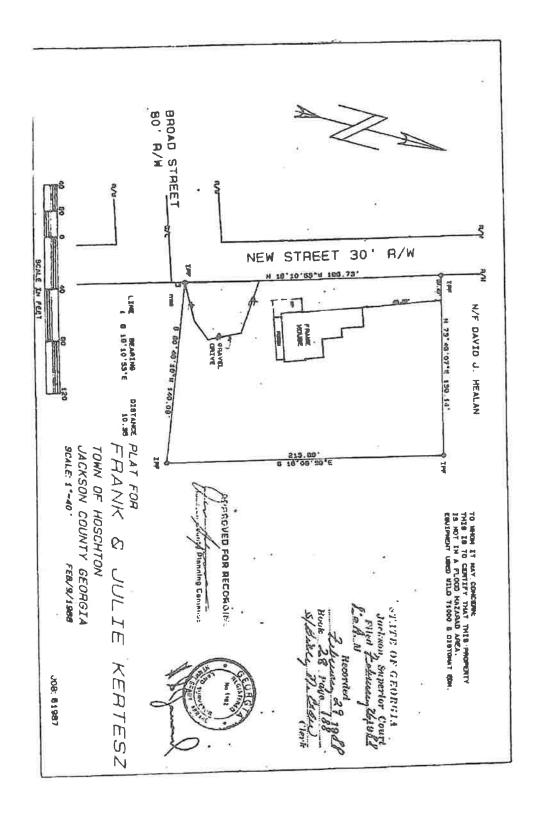
EXHIBIT "A"

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 WEST 213.69 PEET TO AN IRON PIN; THENCE SOUTH 90 DEGREES 46 MINUTES 19 SECONDS WEST 140.09 FEET TO THE TRUE POINT OF BEGINNING.

EL 64 (Res. 1750)	To be fil	ed in	JACKSON	COUNT	Y	PT-61 0	78-2017-000016
SECTION A -	SELLER'S INFORMA	ton off MOIT	use agent's inform	intion)		BECTION C - TAX COMP	UTATION
BELLER'S LAST NAME LOGGTHS	İ	FIRST HAME JOSEPH	n.	DLIF	Exampl Code If no exampl code enter NONE		NONE
MAL ING ADDRESS (STREET & M.(MARR) 260 JACKROW AVE				of consideration received by salis ne SA II actual value unknown	\$225,000.00		
CITY STATE / PROVINCE / REGION, PP CODE, COUNTRY OATE OF SALE BRAKELTON, GA 30317 CEA 12/13/2016			18. Estimated fair market value of Real and Personal property		\$0.00		
SEC FROM B - BUYER'S INFORMATION (Do not use agent's information)			2. Fair market	ratus of Personal Property only	\$0.00		
BUYER & LAST HAME HEATTH		FIRST HAME "	TRA	DLE VIS	Amount of liens and encumbrances not removed by transfer		\$0.00
MAA DOG ADORES (Mint use buyer's address for tax bifling & notice purposes) 163 MRW STREET			4. Net Taxable Value (Line 1 or 1A less Lines 2 and 3)		\$225,000.00		
CITY BY ATE PROVINCE / REGION, 2D CODE, COUNTRY Check Buyers Intended Uss BOSCHTON, GA 30548 DBA (1) Residential (1) Commercial (1) Agricultural (1) Industry (1			5. TAX DUE at .10 per \$100 or fraction thereof (Minimum \$1.00)		\$225.00		
	\$E	CTION D - PR	OPERTY INFORMA	ATION (Localio	n of Property (St	reet, Route, Hwy, etc))	
HOUSE NUMBER & ER	TENBION (on 265A)	110000000000000000000000000000000000000	TION, STREET HAL Lreat	E AND TYPE, P	OST DIRECTION		SUITE HUMBER
JACKSON		CITY (IF A	CITY (IF APPLICABLE)		MAP & PARCEL NUMBER B02051B / 006		ACCOUNT NUMBER
TAN DISTRICY	GMD		LAND DISTRICT	ACRE	š	LAND LOT	SUB LOT & BLOCK
		SE	CTION E - RECOR	DING INFORMA	TION (Official U	se Only)	
DATE				PLAY BOOK	PLAT PAGE		

ADDITIONAL BUYERS MARTIN, HEIDI LYNN



FORM OF PAYMENT:

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 a	dvised of the following rezoning procedures:					
application newspaper recommend Planning an Council (re recommend Applicants hearing bet	g administrator will determine whether the application is complete (incomplete is will not be processed). Public notice of meetings (including sign on property and notice) of completed applications will be accomplished by the city. A staff report and dation will be prepared by the zoning administrator and submitted to the Hoschton and Zoning Commission (which meets once a month) and Hoschton Mayor and City egularly meets once monthly). The Planning and Zoning Commission will make a dation on the application, but the final decision is by the Hoschton City Council. are required to attend the Planning and Zoning Commission meeting and public fore the Mayor and City Council. Contact the zoning administrator for specific dates is during which your application will be considered.					
FOR OFF	ICE USE ONLY:					
	: APPROVED: DENIED					
AM	OUNT PAID: DATE:					

CHECK#

CASH

CREDIT CARD

Travis Martin
165 New Street
Hoschton, GA 30548
770-365-5407
ri2captain@gmail.com

RE: Conditional Use application Letter of Intent

To whom it may concern:

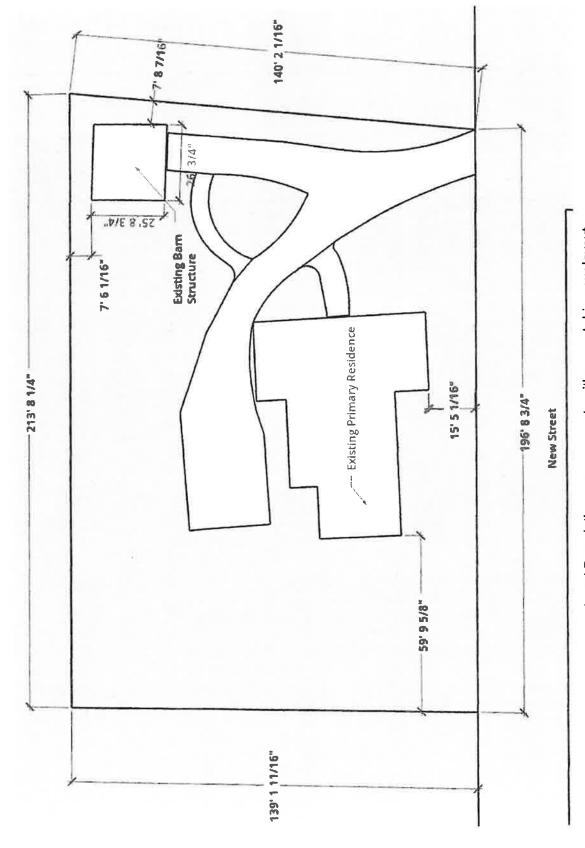
This is a letter of intent for a conditional use application for a large outbuilding located at the above address to be converted to an accessory apartment (Section 6.05). The apartment is to provide permanent housing for my father to age-in-place, maintain his independence and be in close proximity 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.

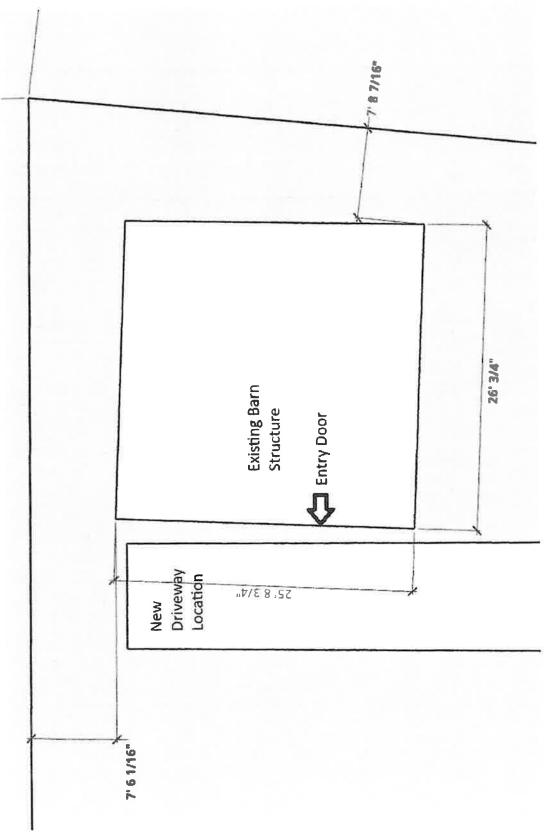
Gratefully,



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.

My neighbors, Travis and Heidi Martin, are seeking to convert their term into an apartment for Travis's 60 year old Eather. At this time, the barn is used for storage for Travis's tike business. Customers do not visch - US xist Storage for materials and tools. Travis will be moving this equipment to a storage unit once they are given parmission to term the building into an apartment.

I do understand there are some variances needed to make this happen. It is my hope that you will great 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 neighborhoose. 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 an our schools and very few additional car trips on our roads

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,

Keith and Renee Newman

Kot A. M. Co Reizee Demman

135 New Street, Hoschton, GA

(770) 206-0559

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

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:
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	
1102 00 10	
Address (if one has been assigned): 165 New Stree, Hoschton, GA 30548	
Too Now Octob, Meestines, 4	
Acreage of Property: .61 Acres	
Note: You must attach a metes and bounds legal description of the property. A survey may be required; submit a copy if available.	boundary
Existing Zoning District:	
HOSCHTON (District 06)	
Section(s) of Zoning Ordinance to be Varied:	
Section 6.05 (2h) (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 of 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 Tows Maron
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 No
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.

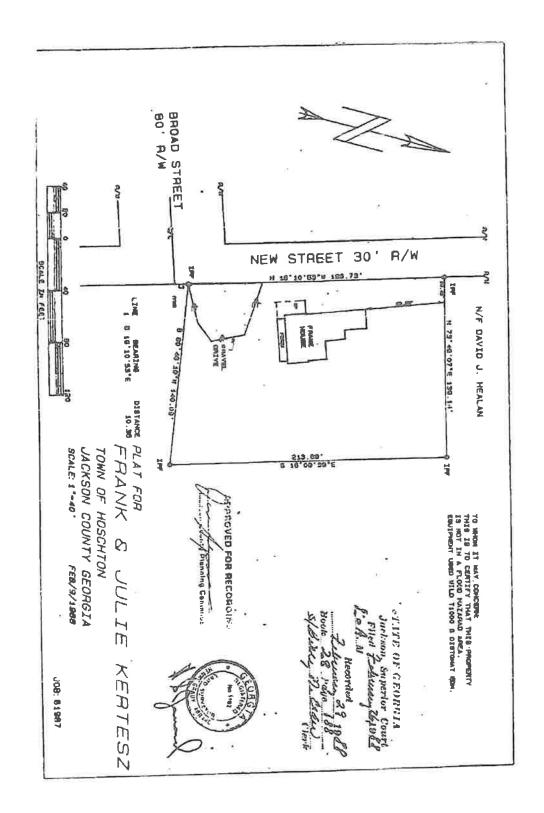
Response: The barn sturcture, as built, pre-ex therefore the home occupation as	isted our occupancy of the primary residence and well.

(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							
	<u>form</u> :						
	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 regulation amount of numerical variation sought).	ns to be varied (specific sections and th	ie				
	Site plan (15 copies plus digital copy in development shall be submitted at an approposed use and relevant information remust show information as reasonably recommendation.	propriate engineering scale showing the garding the variance request. Site plans	3				
Please be ad	vised 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					
AMO	UNT PAID:	DATE:					
FORM O	F PAYMENT: CHECK #	CREDIT CARD CAS	SH				



rind describble	To be fill				Y	manage is not with a first section of the section o	8-2017-000016
SECTION A	SELLER'S INFORMA	CONTRACTOR TO	មេខ នាដូចនៅខែ កែពីនយោធ	rtion)		SECTION C - TAX COMPU	TATION
Bellers last hame Loggins	i	PRET HAME JOSEPH	R.	rit.	Exempt Code if no exempt cod		эгион
MAK MG ADDRESS (ATREST & M/MRES) 260 JACKROW AVE				Actual Value of comideration received by astler Complete Line 1A if actual value unknown		\$225,000.00	
CIT STATE / PROVINCE - NEGRAL 25 COOK, COOK			DATE OF SALE 12/13/2016		18. Estimated fair market value of Real and Personal property		\$0.00
SECTION B - SUYER'S INFORMATION (Do not use spent's information)				2. Fair market value of Personal Property only		\$0.00	
BUVER'S CART HAME MARTIN		FIRST HAVE HATTERN	TRAN		Amount of liens and ancumbrances not removed by transfer		\$0.00
MAR, MIG ADDRESS (Mass use buyer's address for tax billing & notice purposes) 165 MEM STREET				4. Net Texable Value (Line 1 or 1A less Lines 2 and 3)		\$225,000.00	
CHT STATE (PROVNICE / REGION, ZIP CODE, COUNTRY Check Buyers Infonded Use BOSCETOR, QA 30548 USA [] Agricultural (] [] Commercial Agricultural (] Industrial) Commercial	5. TAX DUE at .18 per \$100 or fraction thereof (Minimum \$1.00)		\$225.00
	36	CTION D - PRO	PERTY INFORMA	TION [Location	of Property (Stre	et, Route, Hwy, etc))	
MOUSE MUMBER & EXTENSION (on 265A) PRE-CIRECTION, STREET NAME AND TYPE, PI				E AND TYPE, PO	ST DIRECTION	S	SUITE HUMBER
COUNTY CITY (IF APPLICABLE) CACKSON			PUCABLE)		MAP & PARCEL NUMBER 8020518 / 006		ACCOUNT HUMBER
TAX DISTRICY	GuO	<u> </u>	LAND DISTRICT	ACRES		LAND LOT	SUB LOT & BLOCK
		SEC	TION E - RECORD	ING INFORMA	TION (Official Use	Only)	
0ATE 05E0 BOO 75S			DEED PAGE 651		PLAT BOOK	PLAT PAGE	

ADDITIONAL BUYERS MARTIN, HEIDI LYNN Return Recorded Document to: McCalla Raymer Pierce, U.C. 3175 Safelifte Bivd., Bldg. 600, Ste. 150 Duluth, GA 30096 FII:4: P160549

Doc WD Deed Recorded 01/04/2017 11:52 AM Georgia Transfer Tax Paid: \$225.00 Camie W. Thomas Clerk Superior Court, JACKSON Co., GA Bk00758 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.

GIARI

Signed this 18th day of Dacon

in the presence of:

My Commission expires:

(Notary Seal)

GAM JOSEPH H. LOGGINS

CIGANTE

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 FERRUARY 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 ri2captain@gmail.com

RE: Variance application Letter of Intent

To whom it may concem:

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.

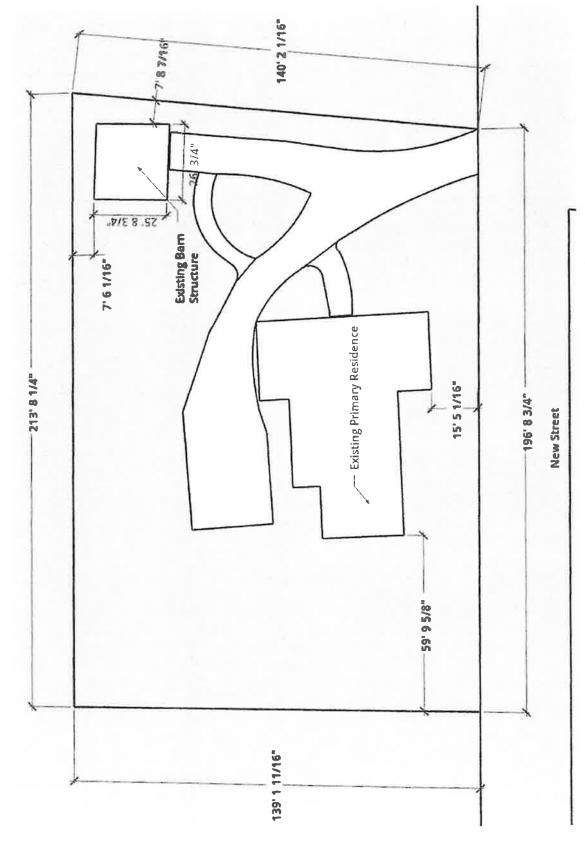
For my father's continued well-being, we sincerely request that the committee and council approve this variance. We thank you in advance for your consideration.

Gratefully,

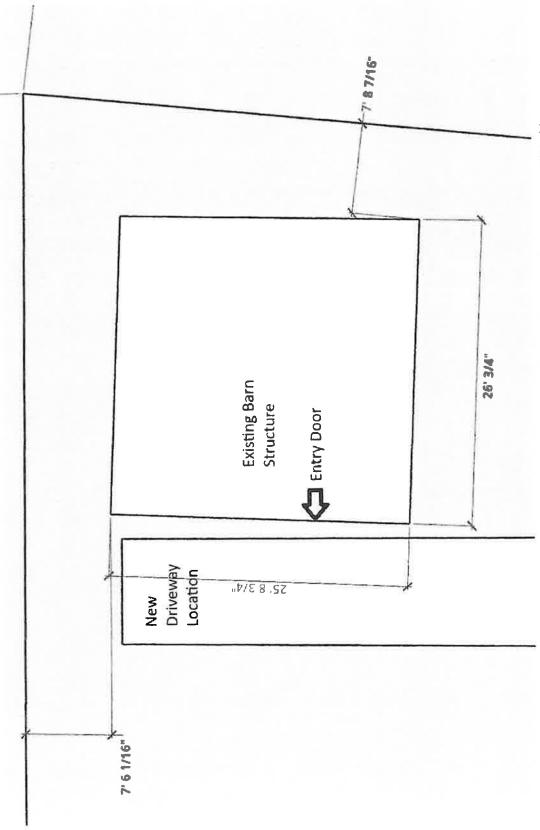
Travis Martin



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.

To whom it may concern,

My neighbors, Travis and Heidi Wartin, are seeking to convert their tarn into an apartment for Travis's 60 year old father. At this time, the barn is used for storage for Travis's tike business. Customas do not visit - US yest Storage for materials and tools. Travis will be moving tils equipment to a storage unit once they are given parmission to turn the building into an apartment

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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,

Keith and Renee Newman

Kot A. M. C. Rennan

135 New Street, Hoschton, GA

(770) 206-0559

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