

**MINUTES**  
**PERRY PLANNING COMMISSION**

**September 24, 2007**

1. Call to Order: Chairman Beeland called the meeting to order at 6:00 PM.
2. Roll:  
  
Commissioners Present: Chairman Beeland; Paul Cosey; Willie King; Todd Barker; Terre Walker; Jim Mehserle  
  
Commissioners Not Present: Patricia Jefferson  
  
Guests: See attached guest list.  
  
Press: Charlotte Perkins, Writer; Houston Daily Journal,  
  
Staff Present: Mike Beecham, Director of Community Development; Barbara Crisler, Planning Technician; Harold Deal, Asst. City Engineer.
3. Invocation: Commissioner Walker gave the invocation.
4. Approved September 10, 2007 Minutes: Chairman Beeland recommended the minutes be amended as follows: 1) indicate that "12.5" is "12.5" " in item # 6 – Public Hearing, first paragraph; 2) change the word "to" to "the" in item # 7 (2) – Informational Hearing, tenth paragraph; and 3) change to wording in the vote in item # 7 (1) – Informational Hearing, last paragraph from "The motion carried with two votes in favor and two votes in opposition, creating a tie" to "The vote on the motion resulted in a tie with two votes in favor and two votes in opposition." Commissioner Cosey motioned to approve the minutes as amended. Commissioner King seconded the motion and the motion carried unanimously. **Commissioner Mehserle abstained.**
5. Reading of the Campaign Notice, per O.C.G.A. 36-67A-4: Chairman Beeland did not read the notice. There were no informational hearings, therefore it is not required.
6. Public Hearing:
  - 1) Denied Variance Application – #V-007-011: Chairman Beeland presented this variance request from Charles Alday requesting a 24' variance of the 40' side setback requirement. Mike Beecham reviewed and explained the conditions of the application. Chairman Beeland opened the floor for comments for those in favor of this variance request. There were no comments in favor. The applicant was not present. There were no other comments in favor. Chairman Beeland opened the floor for comments in opposition. There were no comments in opposition from the floor. There were comments from the floor from concerned citizens. John Peterson questioned if the variance was from Gurr Road or from the fence line. Does this variance include any restrictions that our subdivision has? Mr. Beecham stated from the property line which is approximately where the fence is. The city does not regulate or enforce covenants for any subdivision.

John Mullis stated we are concerned that it's going to put a little crowding in there and we don't want to see anything that would bring down the value of our house.

Fred Whitaker added I am not really opposed to it but my concern is that this variance will set a precedent for future requests.

The comments from the floor were then closed. Comments were requested from the Commission and staff.

Chairman Beeland stated that new subdivisions should not be granted variances. At the time this subdivision is being developed the developer should have considered the setback for this particular lot and made it larger than the minimum square footage and lot width.

Commissioner Mehserle asked if the person wanting to develop this lot the same person who developed this subdivision.

Mr. Beecham stated Mr. Alday is a building contractor, the developer was someone else.

Commissioner Cosey stated a more than 50% setback variance is too much of a variance to ask for. The contractor should choose a different type of house to build on this lot. You can't use that lot at all without changing the design of the house.

At this time, Commissioner Mehserle motioned to deny the 24' variance of the 40' side setback requirement. Commissioner Walker seconded the motion. The motion carried unanimously.

- 2) Approved Variance Application – #V-007-012: Chairman Beeland presented this variance request from Kenneth W. Simpson requesting a 6' variance of the 35' rear setback requirement. Mike Beecham reviewed and explained the conditions of the application. Chairman Beeland opened the floor for comments for those in favor of this variance request.

Ken Simpson stated this addition is to enlarge the kitchen and include a restroom.

There were no other comments in favor. Chairman Beeland opened the floor for comments in opposition. There were no comments in opposition from the floor. The comments from the floor were then closed. Comments were requested from the Commission and staff.

Chairman Beeland asked if the storage shed 20' or more from the proposed addition.

Mr. Simpson stated I am not sure on the distance but the addition will be on the other side of the house.

Mr. Beecham showed the Commission the location of the addition and the shed on a drawing depicted on the Power Point presentation.

At this time, Commissioner Cosey motioned to approve the 6' variance of the 35' rear setback requirement. Commissioner Mehserle seconded the motion. The motion carried unanimously.

## 8. New Business:

- 1) Denial of Final Plat – The Village at Camelot Subdivision – (formerly Kingston Village) located off Kingston Road – Jones Surveying & Engineering: Mike Beecham presented the final plat for The Village at Camelot – JBC Development, Ken Mustin; Jones Surveyor & Engineering. This subdivision is being developed following the R2 development standards. The engineering reports have been completed and approved. Harold Deal stated there is a letter from the developer requesting the roads and stormwater to remain private they would be maintained by the Homeowners Association. The developer would like the city to accept the sewer and water lines

after the agreement period has expired. Mr. Deal reviewed several items that need to be corrected and make these corrections a condition of approval.

Chairman Beeland stated the developer should not be allowed to give the maintenance of the roads and stormwater to a Homeowners Association to take care of. It is already substandard. In my opinion this final plat should not be coming to us for review and approval with all of the corrections that need to be made.

Commissioner Mehserle asked when the design documents were presented relative to the work that was performed, was the design reviewed and found acceptable to the city. Had it been installed in accordance with the approved plans? Essentially the subdivision has been built in a manor that does not conform to the plans that were submitted and approved by City of Perry. I agree with the Chairman that this passes the responsibility to a group of people who will have little recourse but to get items resolved at a certain point and time.

Commissioner Cosey motioned to deny the Final Plat for The Village at Camelot. Commissioner King seconded the motion. The motion carried unanimously.

- 2) Approval of Final Plat with a condition – Georgian Mill, Phase 1, Section 1 – (formerly The Woodlands at Houston, Pod “C”) located off Highway 127 – USA Land Development, Inc – Charlie McGlamry: Mike Beecham presented the final plat for Georgian Mill, Section 1, Phase 1 – USA Land Development, Inc. This subdivision is being developed following the PUD #4 development standards. The engineering reports have been completed and approved. Harold Deal stated that the above referenced subdivision has been inspected by the City of Perry Public Works department and the final approval may be issued with the following condition: a timeframe be established for the vacuum testing of the manholes on this trunk line of Georgian Mill (Pod C) due to the fact that the sewer main serving Pod C passes though Pod A, presently under construction. This testing should take place in approximately 30 days.

Ryan Smith addressed the Commission at this time, I am willing for the Commission to put a stipulation on the plat that no one can occupy a home until the sewer trunk line is tested, inspected and approved.

Commissioner King motioned to approve the Final Plat for Georgia Mill with the following condition that a stipulation be placed on this plat that no one can occupy a house until the sewer trunk line is tested, inspected and approved. Commissioner Walker seconded the motion. The motion carried unanimously.

- 3) Discussion of South Perry Parkway Access. Mike Beecham informed the Commission that recently we created an access plan for the Perry Parkway from Highway 341 South to the area near the Industrial Park. The plan states that no driveways be allowed except where the medians crossovers are. At that time we didn't include the southern portion of Perry Parkway from Larry Walker Parkway to Marshallville Highway. This southern portion of the Parkway is no longer part of the state route system. DOT released the responsibility to the City. I need your opinion on whether the City should take the same action and apply the same standards to this southern portion of the Parkway. After some discussion, Commissioner Cosey motioned to apply the approved standards to the southern portion of the Parkway creating a continuous set of standards throughout the entire Parkway. Commissioner Mehserle needed clarification on the approved access plan. Mr. Beecham explained all questions and/or concerns. Commissioner Walker seconded the motion. The motion carried unanimously.

- 4) Discussion of Final Plat Approvals. Mike Beecham informed the Commission of the meeting that was held on September 14, 2007 with several developers and engineers. One issue that was discussed referred to the process of final plat approvals. They wanted city staff to review the final plat for approval without coming to the Planning Commission for approval. It was promised to discuss this issue with the Commission. Mr. Beecham stated that staff was satisfied with the current procedure and recommends no changes. Commissioner Walker concurred with staff's opinion for the final plat approval process to remain as indicated in the Perry Land Development Ordinance. Commissioner King seconded the motion. The motion carried unanimously.
  
9. Adjournment: There being no further business to come before the Perry Planning Commission, Chairman Beeland adjourned the meeting at 6:53 P.M.