

**Perry Planning Commission
Agenda
Monday, April 25, 2016
6:00pm
Perry City Hall – Council Chambers**

CALL TO ORDER

ROLL

INVOCATION

NEW BUSINESS

- 1). Sutton Place Subdivision – Conservation Use Amendment

APPROVAL OF MINUTES FROM April 11, 2016 MEETING

ANNOUNCEMENTS

The Campaign Notice, per O.C.G.A. 36-67A-3

Please turn cell phones off

OLD BUSINESS

- 1). #V-16-03 1001 North Davis Drive

PUBLIC HEARING (Planning Commission Decision)

INFORMATIONAL HEARING (Planning Commission recommendations to City Council)

OTHER MATTERS

- 1). Update on City Strategic Plan and Capital Improvement Projects – City Manager
- 2). Review definition in current Sign Ordinance

ADJOURN

Perry Planning Commission
Minutes - April 11, 2016

CALL TO ORDER: Chairman Martin Beeland called the meeting to order at 6:01pm.

ROLL: Chairman Beeland; Commissioners Jefferson, Mehserle, Poole, Williams and Yasin were present. Commissioner Clarington was absent.

STAFF: Lee Gilmour – City Manager and Christine Sewell – Recording Clerk

GUESTS: Mrs. Mary Hart and Mr. & Mrs. Timothy VanCura.

INVOCATION was given by Commissioner Williams

NEW BUSINESS : Chairman Beeland advised the board he would be stepping down as Chairman, but would remain as a member of the Commission. The board thanked Mr. Beeland for his service and leadership and looked forward to continue working with him as a member of the board.

Commissioner Williams motioned to nominate Commissioner Poole as board Chairman; Commissioner Jefferson seconded; all in favor and was unanimously approved.

APPROVAL OF MINUTES FROM MARCH 28, 2016 MEETING: Commissioner Beeland motioned to approve the minutes as submitted; Commissioner Mehserle seconded; all in favor and was unanimously approved.

ANNOUNCEMENTS

The Campaign Notice, per O.C.G.A. 36-67A-3

Please turn cell phones off

OLD BUSINESS

1). #V-16-03 – 1001 North Davis Drive

Ms. Sewell advised the case was tabled per the request of the applicant at the March 14th meeting as he wanted to speak with surrounding neighbors on their concerns with the proposed sign. Chairman Poole asked if anyone present had that been done; Mrs. Hart a resident in the area advised she had not been contacted and voiced her concern that the sign would be detrimental to the area as there is already a problem with traffic.

Commissioner Mehserle motioned to table the matter to the April 25th meeting; Commissioner Williams seconded; all in favor and was unanimously approved.

PUBLIC HEARING (Planning Commission Decision)

1). #V-16-06 106 Broomsedge Lane

Ms. Sewell read the applicants' request which was for a variance to PLDO section 104 Home Occupations; no more than one home occupation, along with staff responses.

Chairman Poole opened the public hearing at 6:20pm and called for anyone in favor of the request. The applicant Mr. VanCura addressed the board and advised he would be selling music equipment on line and his request was made as his wife also has a home occupation for photography that she does off site.

Chairman Poole then called for anyone opposed; there being none the hearing was closed at 6:26pm.

Commissioner Mehserle inquired if the intent was primarily internet based and there would be no customers at the residence; Mr. VanCura advised it was and noted he handmade guitars and that is what would be sold online.

Commissioner Yasin motioned to approve the request as submitted; Commissioner Williams seconded; all in favor and was unanimously approved.

INFORMATIONAL HEARING (Planning Commission recommendations to City Council)

*Tabled from March 28, 2016 meeting – Chairman Poole opened the public hearings at 6:28pm.

1). PLDO Amendment – Removal of General Courtney Hodges Blvd. corridor from Downtown Development District

Mr. Gilmour in follow up to previous discussions and comments the board received from the Downtown Development Authority (DDA) and Main Street Advisory Board (MSAB) on the removal of the corridor from the downtown district Administration was recommending it be removed. Additional information was provided regarding current uses allowed in the district and if it were to remain and a current business for example such as automobile sales wanted to expand it would not be allowed to do so under the downtown district standards. It was reminded those current uses were currently grandfathered. Furthermore, there are a number of existing businesses that are in conflict with the downtown district and Mayor & Council allowed those to be continued until the master plan was completed, along with the form based code. Mr. Gilmour also noted the programs the DDA and MSAB offer could be contracted through City Council for them to take advantage of.

There were no comments for or opposed.

Commissioner Williams motioned to recommend removal of the General Courtney Hodges Blvd. Corridor from the Downtown District to Mayor & Council; Commissioner Beeland seconded; all in favor and was unanimously approved.

2). PLDO Amendment – Downtown Development District Architectural and Signage Control Standards for Certificate of Appropriateness Permits

Ms. Sewell advised the amendment was necessary due to the recent adoption of the new sign regulations in Section 106 which combined the separated regulations for the downtown area and city wide. The amendment would remove all of the sections in Appendix B regarding signage regulations.

There were no comments for or opposed. Chairman Poole closed public hearing at 6:37pm.

Commissioner Williams motioned to recommend approval of the amendment as presented to Mayor & Council; Commissioner Beeland seconded; all in favor and was unanimously approved.

OTHER MATTERS - None

ADJOURN : there being no further business to come before the board the meeting was adjourned at 6:48pm.

City of Perry
Community Development Department
1211 Washington Street
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Perry, Georgia 31069



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478-988-2725
Facsimile

Memorandum

TO: Perry Planning Commission

FROM: Steve Howard

A handwritten signature in black ink, appearing to be "Steve Howard", written over a circular stamp or mark.

DATE: April 15, 2016

RE: Request to modify the density requirement on Sutton Place S/D a conservation use development

Sutton Place subdivision was developed under section 119 of the PLDO Conservation Subdivision Option. The development was designed for a density of 2.9 dwellings per acre with a 50% Conservation Space. The site has 36.440 acres which allows 105 dwellings under the 2.9 dwellings per acre at the 50% density level. The subdivision is actually designed for 93 dwellings. The actual density at this time is 2.55 dwellings per acre.

The subdivision went into foreclosure and has been purchased by Windy Hills Development who has resurrected the development and is currently building dwellings. The product they are trying to build is between 1400 and 1600 square feet. In order to provide a better product on the lots fronting on Sutton Drive they would like to reduce the required Conservation Space to 49.366 %.

Their proposal is to add a depth of 20 feet to each platted lot fronting Sutton Drive. This involves 23 lots and a total of 27,600 square feet of Conservation Space. This would allow lots 23 through 34 and lots 61 through 71 to be increased in size to 7200 square feet instead of their current size of 6000 square feet.

If you allow this request the density per acre in Sutton Place will continue to be 2.55 dwellings per acre and the Conservation Space becomes 49.366 %. The original approval allowed a density of 2.9 % and 50 % Conservation Space.

The reduction in the Conservation Space allows two positive changes, better product from the builder and an increase to the City's tax digest. The request is a situation with little to no impact on the amount of Conservation Space in the development and allows the potential home owner a better use of their property. An example of this is the recent variance the Commission approved for 113 Sutton Drive involving rear yard setback for an accessory building. This proposed change would eliminate that need for the variance.

If the Commission approves this, the owners will need to submit a new plat for approval and copies of the legal documents that transfers the additional land to each lot. There are currently five lots that have dwellings on them owned by other individuals, the other eighteen lots are owned by Windy Hills Development.

City of Perry

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MEMORANDUM

TO: Planning Commission Members
FROM: Lee Gilmour, City Manager *LG*
DATE: April 15, 2016
REFERENCE: Variance V-16-03

This case was originally presented for your consideration in March 2016. It was tabled at your April 11, 2016 meeting at the request of the Administration to allow further research.

As a result of this research, the following is presented:

1. The sign approval given by Council in 1967 still holds. This overrides the prohibition of outside advertising in the R-1 zoning district.
2. The request from the petitioner is not to change the use of the property but to replace an existing authorized feature.
3. There is an overlay zone for this parcel which is NC-Neighborhood Commercial Corridor District. This district has a set of sign standards which is listed in Exhibit A.
4. If the petitioner's sign request meets the conditions of 1 or 3, there is no action required by the Planning Commission.
5. If the petitioner desires something outside the standards, he can appeal to the Planning commission for a variance.

The petitioner would need to obtain a current sign permit.

Exhibit A

- c. The maximum height for Monument or Ground Signs in this district shall not exceed twenty (20) feet.
- d. No illuminated Monument or Ground Sign shall be located within seventy-five (75) feet of a residential district.

B. NC, Neighborhood Commercial Corridor District

1. Pole Signs in the NC District shall meet the following criteria:
 - a. Pole Signs shall not exceed a sign area of thirty-two (32) square feet.
 - b. Pole Signs shall be limited to one such signs per parcel per street frontage. A maximum of two (2) Pole Signs are permitted.
 - c. The maximum height for Pole Signs in these districts shall not exceed fifteen (15) feet.
 - d. A single pole (monopole) Pole Sign is prohibited in this overlay district.
 - e. No illuminated Pole Signs shall be located within seventy-five (75) feet of a residential district.
2. Wall, Awning, Projecting and Hanging Signs in the NC District shall meet the following criteria:
 - a. Wall Signs shall not project more than five (5) feet above the wall.
 - b. Wall Signs shall not project beyond the building face by more than 12 inches. Awning signs shall not project beyond the building face by more than six (6) feet.
 - c. The maximum aggregate area of Wall and Awning Signs shall not exceed thirty-two (32) or ten percent of the aggregate area of the wall faces of the premises to which the sign relates, whichever is less.
 - d. Projecting signs shall be securely fastened to the building and meet all applicable building codes. Said signs shall maintain a clear height of six (6) feet six (6) inches above ground level and a maximum projection from the face of the building of three (3) feet. No sign shall project into a vehicular use area.
 - e. Hanging Signs shall not be larger than six (6) square feet and must be no less than six (6) feet six (6) inches above the finish grade at the lowest extremity of the sign and attached to the supporting structure at no less than two (2) points. Sign area shall count towards permissible wall sign area.
 - f. The maximum Wall Sign height shall be six (6) feet.
 - g. Each building tenant shall be limited to one Wall or Awning Sign on each wall.
3. Monument and Ground Signs in the NC District shall meet the following criteria:
 - a. Monument or Ground Signs shall not exceed a sign area of thirty-two (32) square feet.
 - b. A Monument or Ground Sign erected under this section shall be in place of, not in addition to, a Pole Sign permitted in Section 106.15.5(B)(1).
 - c. Monument or Ground Signs shall be limited to one such signs per parcel per street frontage. A maximum of two (2) Monument or Ground Signs are permitted.
 - d. The maximum height for Monument or Ground Signs in this district shall not exceed fifteen (15) feet.
 - e. No illuminated Monument or Ground Signs shall be located within seventy-five (75) feet of a residential district.

C. DD, Downtown Development District PMS, Main Street District

1. Post and Arm Signs in the DD PMS District shall meet the following criteria:
 - a. Each business shall be permitted to have one (1) Post and Arm Sign per street frontage provided that there is no paved area, excluding sidewalks, between the building and the street. A maximum of two (2) Post and Arm Signs are permitted per parcel.

STAFF REPORT

CASE NUMBER: V-16-03

APPLICANT: Cherokee Pines Golf Course

REQUEST: A variance to allow construction of free standing sign with electronic reader board.

LOCATION: 1001 North Davis Drive - P42-6

ADJACENT ZONING/LAND USES:

Parcel: R-1	-Vacant Land
North: R-1	-Single Family Dwelling
South: R-1	-Vacant Land
East: R-2	-Vacant lot/Single Family Dwelling
West: R-1	-Vacant Lot/Single Family Dwelling

SECTION OF ORDINANCE BEING VARIED:

Request variance to section 106.11, Signs in Residential Zoning Districts

CONDITIONS NECESSARY FOR A VARIANCE:

1. *Are there any special conditions resulting in a hardship?* The existing sign is a nonconforming sign.
2. *Is the hardship the result of the applicant's own actions?* The hardship is the result of previous owners receiving permission in 1967 to erect a directional sign for Perry Country Club. (Copy Attached)
3. *Can the violation be remedied by other means?* The sign could be permanently removed or left as is.
4. *Is request the minimum needed to remedy the violation?* The request would expand the violation.
5. *Was the violation deliberate, intentional, or the result of negligence?* The violation was the result of previous owners.
6. *Will the request be detrimental to the use and enjoyment of neighboring properties?* The current sign is directional in use only and as such has been there for a long time. The neighborhood is accustomed to the current sign.

7. *Has a variance been previously granted for this property?* There have been no variances granted for this property

REQUEST ANALYSIS: The request is asking for a nonconforming directional sign to be upgraded to an outdoor advertising sign in a Residential zone with a electronic reader board.

STAFF CONCLUSIONS: The application to change the existing directional sign for the one submitted with the variance application is a tremendous change to the approval given by Council in 1967. The sign proposed would be classified as an outdoor advertising sign in accordance with the definition on page eleven of the PLDO. Outdoor advertising signs are not a permitted use in R-1 classifications. A variance to change the use of a property is not legal and should be handled with a rezoning request. Further, if the sign is to be allowed it should be licensed by the State of Georgia as a billboard sign. The Planning Commission does not have the authority to approve a variance regarding the use of property.

#2

PH2-6

SIGN PERMIT APPLICATION

PERRY, GEORGIA

Date January 5, 1967

1. Perry Country Club 1001 N. Davis Drive
NAME OF OWNER ADDRESS

2. Pre directing Country Club Personal.
NAME OF PERSON OR FIRM ERECTING SIGN

3. 40" x 60"
SIZE OF SIGN

4. Kind of Sign:
- Temporary
 - Real Estate
 - Profession Name Plate
 - Bulletin Board
 - Business Identification
 - Memorial
 - Traffic or Municipal
 - Advertising

Applicant B.B. Hall President
Address 614 Woodland Drive

OK
By Council

[Signature]

January 11, 1967
Mr. Davis ^{gave} his OK
to re-erect this
sign on his
property.
Corner North Davis
Drive and Houston
Lake Road.



• Golf • Gym •
**CHEROKEE
PINES**
• Resturant • Pool •

**ROTARY CLUB
MEETS TODAY**

- LED
Sign

