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**Perry Planning Commission - Agenda
Monday, November 14, 2016**

CALL TO ORDER

ROLL

INVOCATION

APPROVAL OF MINUTES FROM October 24, 2016 MEETING

ANNOUNCEMENTS

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

Please turn cell phones off

PUBLIC HEARING (Planning Commission Decision)

1. V-16-13 302 Stonegate Trail

INFORMATIONAL HEARING (Planning Commission Recommendation)

1. #R-16-04 – Stonegate Trail – de-annexation request
2. General Courtney Hodges Blvd. Corridor parcel rezoning for Form Based Code

OTHER MATTERS

ADJOURN

Meeting to be held in 2nd Floor Conference Room

All meetings of the Perry Planning Commission are open to the public and are held at Perry City Hall located at 1211 Washington Street, Perry in Council Chambers at 6pm unless otherwise posted.

Perry Planning Commission –Minutes
October 24, 2016

CALL TO ORDER: Chairman Poole called the meeting to order at 6:00pm.

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

STAFF: Steve Howard – Chief Building Official, Dan Bass – Building Inspector, and Christine Sewell – Recording Clerk.

GUESTS: Ronnie Kent, Chip Pottinger, Pam Jenkins, Darlene McLendon, and Mike Bowden.

INVOCATION: was given by Commissioner Clarington

APPROVAL OF MINUTES FROM September 26, 2016 MEETING: Commissioner Williams motioned to approve the minutes as submitted; Commissioner Clarington seconded; all in favor and was unanimously approved.

ANNOUNCEMENTS: Chairman Poole referred to the Campaign Notice, per O.C.G.A. 36-67A-3 and to please turn cell phones off.

PUBLIC HEARING (Planning Commission Decision)

1. V-16-11 106 Ag Village Blvd.

Ms. Sewell read the applicants' request which was for a variance to allow for a reduction of the required 25' front yard setback to 5', along with staff responses.

Chairman Poole opened the public hearing at 6:03pm and called for anyone in favor. Mr. Chip Pottinger the applicant reiterated the request and advised the space was for aesthetic purposes only. There being no opposition the hearing was closed at 6:07pm.

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

*Commissioner Jefferson arrived at 6:10pm.

2. V-16-12 326 Spyglass Hill Drive

Ms. Sewell read the applicants' request which was for a variance to the rear yard setback to allow an open deck with a portion to be a screened porch, along with staff responses.

Chairman Poole opened the public hearing at 6:12pm and called for anyone in favor of the request. Ms. Pam Jenkins the applicant reiterated the request. There being no one opposed the hearing was closed at 6:14pm.

Chairman Poole inquired if the existing deck would be used; Ms. Jenkins advised it would not as a new deck would be installed the whole length of the house and one end would be a covered screened porch. Commissioner Yasin asked if the new materials used would match the existing;

Ms. Jenkins advised they would. Staff advised the Houston Springs Homeowners Association reviewed and approved the request.

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

INFORMATIONAL HEARING (Planning Commission Recommendation)

1. #R-16-04 South Perry Parkway (Perry Preserve)

Ms. Sewell read the applicants' request which was for a change in the land use in the PUD#7 for Perry Preserve to allow for the commercial area to become recreational use and for the recreational use to become housing on the development layout, along with staff responses.

Chairman Poole opened the public hearing at 6:16pm and called for anyone in favor or opposed; there being none the hearing was closed at 6:18pm.

Mr. Howard advised the area was an approved subdivision that had gone dormant when the market downturned, all infrastructure is in place and being tested for commencement and the only change would be that of what is being requested, nothing else of the original layout as it was originally approved would change. Mr. Howard noted the recreation area if approved would be at the front of the development and encompass a clubhouse, pool and parking and the former recreation area would be buildable lots.

Commissioner Yasin motioned to recommend approval of the application as submitted for the commercial area to become recreational use and the recreational use to become housing; Commissioner Clarrington seconded and was unanimously approved.

ADJOURN: there being no further business to come before the board the meeting was adjourned at 6:28pm.

STAFF REPORT

CASE NUMBER: V-16-13

APPLICANT: Jerry Hillhouse

REQUEST: Variance to distance between buildings.

LOCATION: 302 Stonegate Trail. P56-17

ADJACENT ZONING/LAND USES:

Parcel: R-1	-Single Family Dwelling
North: R-1	-Vacant Land/future development
South: R-1	-Single Family Dwelling
East: R-1	-Single Family Dwelling
West: R-1	-Single Family Dwelling

SECTION OF ORDINANCE BEING VARIED: Section 77.1 Minimum Distance between Building, further section 77.2 minimum distance between a main building and an accessory building located on the same lot.

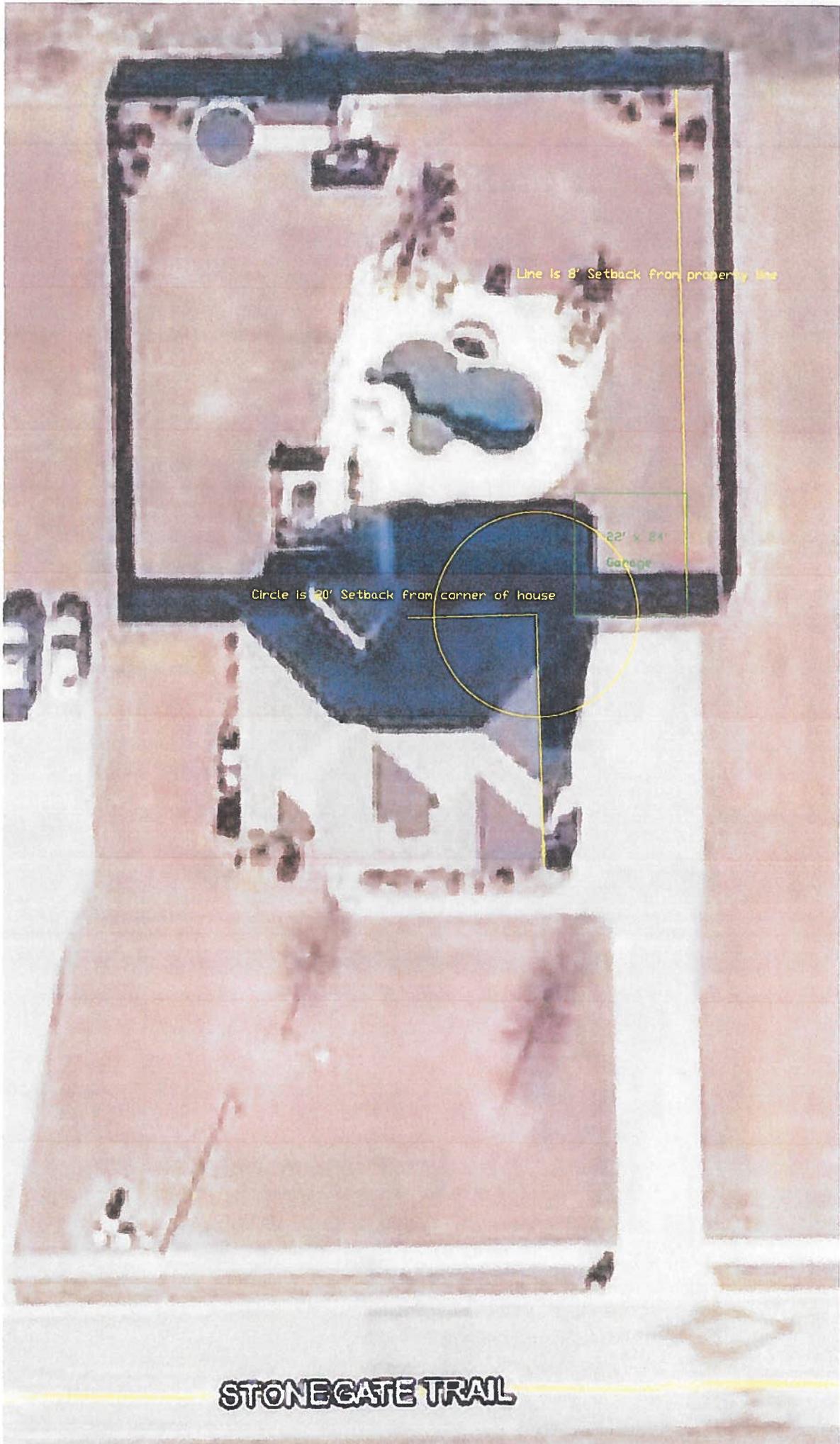
CONDITIONS NECESSARY FOR A VARIANCE:

- 1. Are there any special conditions resulting in a hardship?* There are no special conditions.
- 2. Is the hardship the result of the applicant's own actions?* The owner desires to erect a free standing garage at the end of the existing paved area.
- 3. Can the violation be remedied by other means?* There is currently no violation.
- 4. Is request the minimum needed to remedy the violation?* The request is the minimum needed to allow the structure to be built where the owner desires it to be.
- 5. Was the violation deliberate, intentional, or the result of negligence?* There is currently no violation.
- 6. Will the request be detrimental to the use and enjoyment of neighboring properties?* The request should not be detrimental to the use and enjoyment of surrounding properties

7. *Has a variance been previously granted?* There are no records of a Variance being granted for this lot.

REQUEST ANALYSIS: The applicant is requesting a 12' reduction to the distance between a building and an accessory building to allow a free standing detached garage 8 to 10 feet from the existing dwelling.

STAFF CONCLUSIONS: The applicant would like to build a garage at the end of the existing concrete. The PLDO section 77.2 requires a minimum distance of 20 feet between a main building and an accessory building located on the same lot. The applicant would like to build a 22'x24' detached garage with all brick exterior and an 8/12 pitch roof. The request is the minimum needed to erect the structure in the location desired. The structure should complement the existing dwelling. Staff has no objections to the request.

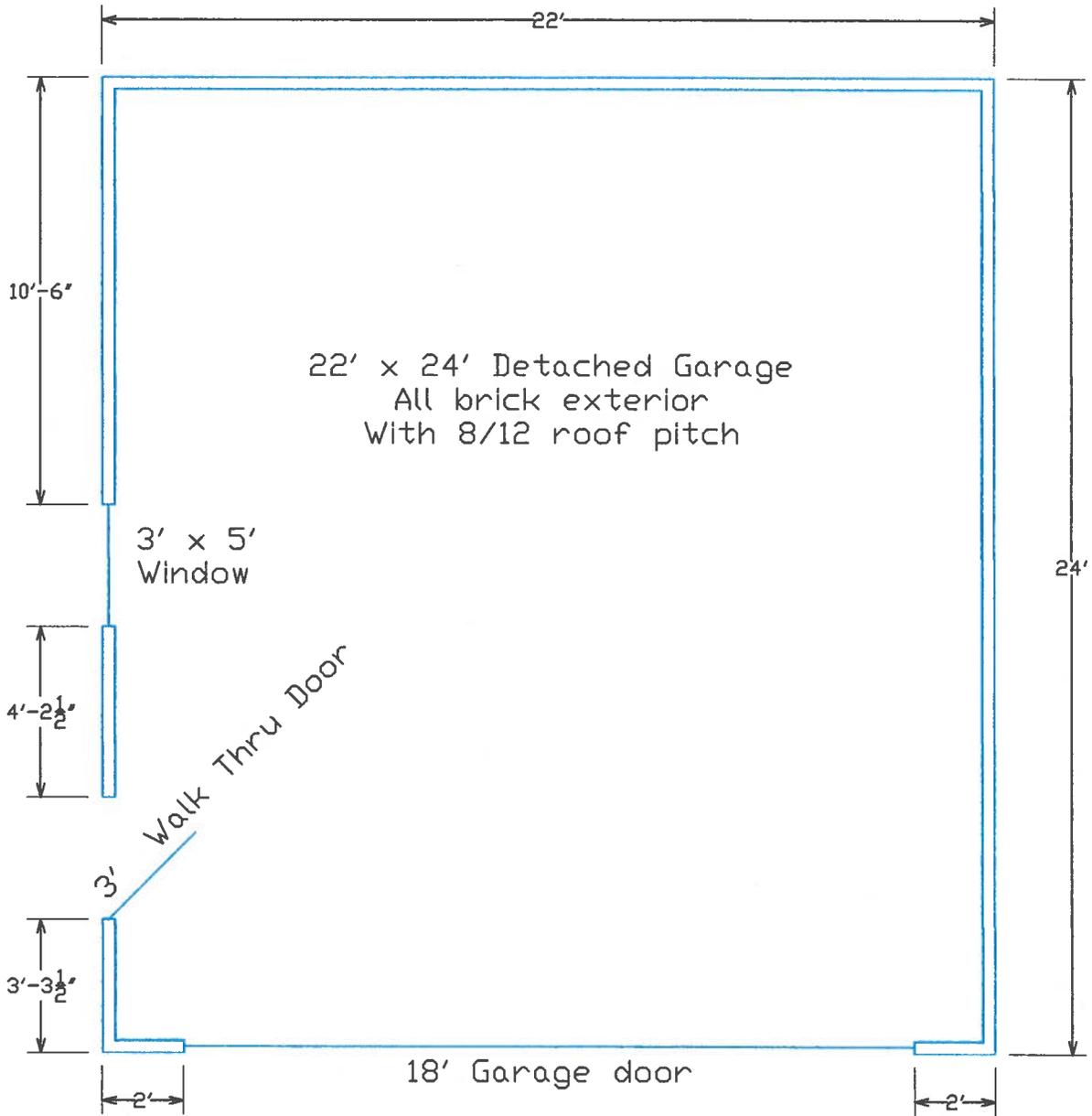


Line is 8' Setback from property line

Circle is 20' Setback from corner of house

22' x 24'
Garage

STONEGATE TRAIL

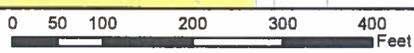


528 sq ft



Legend

■ C3	■ M2	■ R2
■ LC	■ GU	■ R2A
■ C1	■ IN	■ PUD
■ C2	■ M1	■ R1
		■ RAG
		■ RMH



1 inch = 200 feet



City of Perry Zoning Review

Case: V-16-13



STAFF REPORT

CASE NUMBER: R-16-05

APPLICANT: Leighton Kersey

REQUEST: The applicant is requesting de annexation from the City of Perry

LOCATION: The property is located in the vicinity of 312 Stonebridge Trail

ADJACENT ZONING/LANDUSES:

Parcel: R-1	-Vacant Land
North: R-2 (New Haven S/D)	-Vacant land, Single Family Dwellings
South: R-1	-Single Family Homes
East: Houston County RAG	-Vacant Land
West: R-1	-Single Family Homes

STANDARDS GOVERNING ZONE CHANGES:

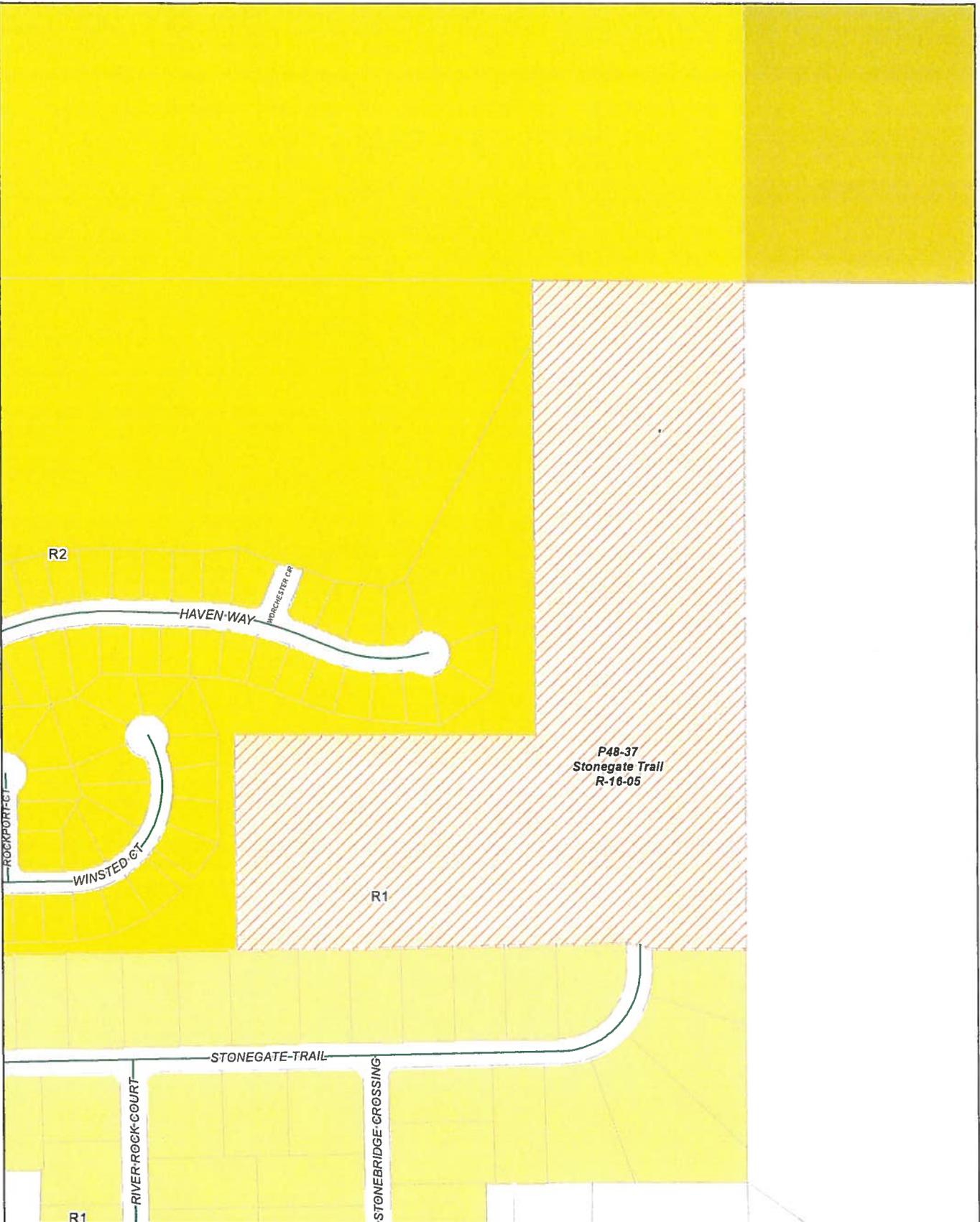
1. *The suitability of the subject property for the zoned purposes.* The property is suitable for the current R-1 zoning. The property was annexed and rezoned to R-1 in 2003 for the purpose of developing a single family home S/D with City utilities.
2. *The extent to which the property values of the subject property are diminished by the particular zoning restrictions.* Staff believes the current R-1 zoning does not diminish the property values.
3. *The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public.* Staff believes there is no destruction of property values.
4. *The relative gain to the public as compared to the hardship imposed upon the individual property owner.* The applicant is requesting de-annexation to avoid dealing with the City's development regulations.
5. *Whether the subject property has a reasonable economic use as currently zoned.* Staff feels the property has economic use as currently zoned.
6. *The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.* The Stonebridge S/D preliminary plat was approved in September of 2004 and included the section being requested for de-annexation. The final plat for Phase I was approved in January of 2005. There were (23) dwellings built from 2005 until early 2015. Since early 2015 fifteen dwellings have been permitted in Phase I and one in Phase II.

7. *Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property. Staff has concerns if the property were de-annexed the land would be developed with septic tanks and wells instead of being connected into municipal water and waste water systems.* The lot size required according to County regulations would be 1.5 acres per dwelling for septic tank and wells. In order to have City utilities the property served must be in the City limits. The property zoning if de-annexed would revert to the original County zoning which was RAG. The uses in Houston County RAG are less stringent than the City's R-1
8. *Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.* The proposed rezoning and de-annexation will not affect the use or usability of the existing lots in this or surrounding S/D. However, the Houston County RAG may allow uses that will inhibit the development of lots in the surrounding subdivisions and be detrimental to existing dwellings.
9. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.* The Character Area Map lists this area as being in the Suburban Neighborhoods. The RAG zoning for the City of Perry is allowed in this zone. Perry's RAG and the Houston County RAG differ in the usage allowed.
10. *Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.* The proposal will not result in a use which will or could cause an excessive or burdensome use of existing infrastructure.
11. *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 zoning proposal.* There are existing conditions and changing conditions that could affect the development of the second phase. There are currently (15) lots than can be developed in Phase II with an engineering modification to an issue with the proposed infrastructure. The remaining (17) lots are going to require a major redesign from the original street design to contend with an existing stream.

STAFF CONCLUSIONS: The applicant is requesting de-annexation of 23.98 acres referred to as Phase II of Stonebridge subdivision. There are (32) lots in the current design of Phase II as originally proposed. Fifteen of those lots have been given approval to build provided a stream issue and a redesign of a conflict between proposed storm water pipe and water main is corrected. This has not been done. The remainder of the (17) lots could be built on, but the City is requiring a redesign of the stream crossing for the street.

If de-annexed the property will revert to the existing County zoning at the time it was annexed into the City. The property was originally zoned Houston County RAG. The uses in that classification could be detrimental to the existing approved (25) building lots which border the parcel on two sides.

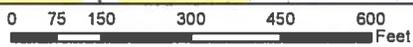
Staff objects to the de-annexation due in part that a portion of the Phase II is available to be developed and the change in zoning classification to Houston County RAG could allow uses detrimental to the surrounding lots. The parcel is in the Perry Service Area and the City has met its obligations to the developer. Major environmental issues and transportation improvements are required by the City. The developer is attempting to avoid the issues by de-annexing.



P48-37
Stonegate Trail
R-16-05

Legend

Perry Zoning	C3	M2	R2
LC	GU	OC	RZA
C1	IN	PUD	R3
C2	M1	R1	RAG
			RMH



1 inch = 300 feet



City of Perry Zoning Review

Case: R-16-05





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TO: Planning Commission Members
FROM: Christine Sewell – Administrative Assistant 
DATE: November 1, 2016
RE: General Courtney Hodges Blvd. parcel rezoning

On the November 14th agenda is the informational hearing for the parcels affected under the recently adopted form based code for the General Courtney Hodges Blvd. Corridor.

The property owners were notified and attached you will find the letter and informational sheet they were provided.

The properties identified would be rezoned to the zoning districts as established in the form based code:

- 1). Interstate Mixed Use (IMU)
- 2). Mixed-Use Center (MUC)
- 3). Neighborhood Mixed Use (NMU)
- 4). Form Based Residential

Should you have any questions, please let me know. Thank you.



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OFFICE OF THE CITY MANAGER

October 21, 2016

The City of Perry is considering a change in the zoning of your parcel(s) referenced above as part of an overall improvement to the General Courtney Hodges Blvd. Corridor. The proposed zoning is centered on form based uses which focus on walkability and a variety of uses that do not conflict and concentrate on structure compatibility. The enclosed informational sheet details some of the uses of form based code.

You are guaranteed that nothing will change on the current use of your parcel if the zoning change is approved.

There will be a series of public hearings on this matter, which you are encouraged to attend. The first will be held on Monday, November 14, 2016 and the second on December 6, 2016. Both meetings will be held in Council Chambers at Perry City Hall at 6:00pm.

If you have any questions, please contact Ms. Christine Sewell at (478) 988-2720.

Sincerely,

Lee Gilmour
City Manager

Enclosure



The Advantages of Form-Based Code

- FBC allows for a wider range of land uses including mixed-uses, which are emphasized. Provides flexibility for developers and land owners.
- Codifies the Perry vision
 - Promotes an attractive community
 - Unique and welcoming sense of place
 - Healthy, sustainable growth
 - Complimentary development
 - Walkability / livability
- Makes development decisions predictable, consistent, and fair. FBC are prescriptive, not proscriptive.
- Makes zoning more simple, clear, and intuitive.
 - Easier to understand and implement for land owners, developers, and city staff.
- More efficient use of public and private funds. Concise and organized, the FBC greatly simplifies current PLDO regulations.
- Design-based, focused on form, not use-based zoning. Density is less of an issue. Allows for traditional, more livable development patterns.
- Code was developed with a focus on public input.

