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Planning Commission Agenda
Monday, May 13, 2024, 6:00pm

Perry City Hall 808 Carroll Street, Perry

1. Call to Order
2. Roll Call
3. Invocation
4. Approval of Minutes from April 8, 2024 regular meeting and April 29, 2024 work session
5. Announcements
 - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
 - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
 - Please place phones in silent mode.
6. Citizens with Input
7. Old Business
8. Public Hearing (Planning Commission decision)
 - A. **VAR-0045-2024.** Variance to increase fence height on property located at 1009 & 1013 Northside Drive. The applicant is Dylan Wingate, WCH Homes.
 - B. **VAR-0052-2024.** Variance to increase the maximum floor area for accessory structure on property located at 646 Pine Ridge Street. The applicant is Kevin Flanagan.
9. New Business

Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on June 4, 2024)

 - A. **SUSE-0044-2024.** Special exception for short-term rental for property located at 920 Keith Drive. The applicant is Terry & Janet Edge.
 - B. **SUSE-0048-2024.** Special exception for short term-rental for property located at 308 Haven Way. The applicant is Whitney Chance.
 - C. **SUSE-0053-2024.** Special exception for beauty salon as a residential business for property located at 319 Rippling Water Way. The applicant is Erika Crum.
 - D. **RZNE-0054-2024.** Rezoning of property located at 1024 & 1026 King Blvd. from R-3 to RM-1. The applicant is Equity Trust Company, FBO.
 - E. **TEXT-0030-2024.** Amendment of LMO regarding PUD standards and procedures. The applicant is the City of Perry.
 - F. **TEXT-0031-2024.** Amendment of LMO to allow certain oversized vehicles in residential districts. The applicant is the City of Perry.
10. Other Business
11. Commission questions or comments
12. Adjournment

All meetings of the Planning Commission are open to the public.

(478) 988-2720

<https://perry-ga.gov/business-services/community-development/planning-and-zoning>

Planning Commission
Minutes - April 8, 2024

1. Call to Order: Chairman Edwards called the meeting to order at 6:01pm.
2. Roll Call: Chairman Edwards; Commissioners Butler, Guidry, Hayes, Jefferson, Mehserle, and Ross were present.

Staff: Bryan Wood – Community Development Director, Emily Carson – Community Planner, and Christine Sewell – Recording Clerk.

Guests: Chad Bryant – Bryant Engineering, Jeremy Crosby – Jones Petroleum, Pat Muse, Jacob Tuttle, Kecia Isgett, Julie Foy, Bill Delrow, Bill Goggin, Council Member Joy Peterson, Dan Peterson, Amy Fouse, Scott Free, and John Michael Cosey.

3. Invocation: was given by Commissioner Jefferson
4. Approval of Minutes from March 11, 2024, regular meeting and March 25, 2024, work session – Commissioner Guidry motioned to approve as submitted; Commissioner Jefferson seconded; all in favor and was unanimously approved.
5. Announcements – Chairman Edwards referred to the announcements as listed.
 - Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
 - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
 - Please place phones in silent mode.
6. Citizens with Input -None
7. Old Business – None
8. Public Hearing (Planning Commission decision)
 - A. **VAR-0020-2024**. Variance from design standards for property located at 530 Perry Parkway. The applicant is Mike Horne, Jones Petroleum.

Mr. Wood read the applicants' request which was a variance to eliminate the use of brick or stone on building facades, along with staff responses. Mr. Wood advised Sec. 6-6.1(A)(2) states - Buildings shall utilize natural building materials, such as wood, stone, and brick on building exteriors, except that roofing materials may be manmade. Steel or other metals shall not be used on building exteriors, except as may be necessary for roofing, window trim, gutters, and down spouts. Unpainted, smooth-faced concrete block shall not be used on building exteriors. Synthetic stucco shall not be used on building exteriors. All sides of a building may impact on its surroundings and shall be considered for treatment with an architectural finish of primary materials (i.e., brick and stone), unless other materials demonstrating equal or greater quality are used. As a general rule, except in industrial zoning districts, front facades shall be at least eighty (80) percent brick and stone. Side facades shall be at least fifty (50) percent brick and stone. Rear facades do not have a minimum suggested standard for primary materials unless they are visible from a public right-of-way. The applicant is constructing a fueling center with a convenience store and fast-food restaurant and proposing to clad the exterior of the building with cement-fiber panels and the request does not meet the criteria for granting a variance.

Chairman Edwards opened the public hearing at 6:08pm and called for anyone in favor of the request. Mr. Jeremy Crosby with Jones Petroleum advised recently completed a similar fuel center in Jackson,

GA and brick skirts all four sides and is proposing the use of Nichiah cement board panels which is thicker than hardie plank and a higher quality, and not an inexpensive product, but less in labor costs for installation. The product is made in Macon and comes in multiple custom colors and by allowing the use adheres to the company's brand.

*Commissioner Mehserle arrived at 6:11pm.

Chairman Edwards called for anyone opposed.

Mr. Pat Muse advised he had no opinion one way or the other on the variance but was concerned with the property being so close to the Guardian Center and the activities they hold with explosions and low flying aircraft that cause noise and vibration issues for the surrounding area and does not want to see the business, it's employees and patrons suffer from these consequences.

There being no further public comment, the public hearing was closed at 6:16pm.

Chairman Edwards inquired of Mr. Crosby of other locations in Georgia; he advised Lagrange is in construction and a future site in Liberty County. Chairman Edwards asked if the plan was for these was to be the same; Mr. Crosby advised they were and are in the process in Liberty County with the same issue. Commissioner Hayes asked of Mr. Wood why this type of material was excluded; Mr. Wood advised the intent was to ensure quality materials and currently working on proposed guideline changes that may or may not allow for lesser brick, but currently it is prohibited. Mr. Wood advised it is an acceptable material and would accept hardie plank. Commissioner Mehserle advised the intent when adopted for the area to develop was to not mandate specific colors but provide a pallet of materials for homogeneity and context and the regulations are not unique or unreasonable. Chairman Edwards asked if stone veneer was allowed; Mr. Wood advised man-made stone was and it was more the appearance of materials and not how they are made. Mr. Wood further advised the applicant was suggested to paint the brick; Mr. Crosby stated Nichiah was a better product and had a good warranty and with brick would have to paint it twice.

Commissioner Guidry motioned to approve the request; Commissioner Hayes seconded; Commissioners Edwards, Ross, and Mehserle were opposed; resulting vote was 4 to 3 for approval.

B. **VAR-0036-2024.** Variance from parking standards for property located at 317 Grand Reserve Way. The applicant is Jacob Tuttle.

Ms. Carson read the applicants' request which was to park a recreational vehicle in the front driveway of the residence, along with staff responses. Ms. Carson advised there is currently a violation of Sec. 6-1.10. *C Recreational vehicles in residential districts.* In any residential district, recreational vehicles, travel trailers, campers, motorized homes, boat trailers, ATVs or ATV trailers may be parked or stored in a completely enclosed building. Such vehicles or trailers not parked or stored in a completely enclosed building shall be limited to one per dwelling and shall be parked or stored in the side yard or rear yard of the lot. The applicant is requesting a variance to allow the parking of his recreational boat and boat trailer in his front yard due to the exceptional narrowness and municipal and telecommunications infrastructure between his and his neighbors' houses.

Chairman Edwards opened the public hearing at 6:30pm and called for anyone in favor of the request.

Mr. Jacob Tuttle, the applicant, advised he was in the current situation as he had received a notice of the violation, which he was unaware was a violation and he was not willingly violating the ordinance. Mr. Tuttle reviewed the standards for granting a variance as he felt they were misleading/false. In regard to standard #1 the public infrastructure of cable boxes, streetlights, utility, is preventing him putting the boat in the side yard. Standard #2, feels meets this criteria and the suggestion to relocate offsite is a financial burden. Standard #3, If approved would be setting a precedent as a similar case

was brought forth in 2017 and was denied in the Wooden Eagle subdivision; he drove through the area and it's not the same. Standard #4, two vehicles and one boat have no impact on public parking as this is private property. Mr. Tuttle advised he contacted the HOA board, and this does not violate their covenants and it not a detriment to the neighbors and again was only found due to a visit in the area by code compliance. Mr. Tuttle felt there was no legitimate reason presented to deny the request.

Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:38pm.

Commissioner Butler advised he reached out with no response to the HOA president and furthermore he resides in the adjoining subdivision and believes they adopted the same covenants which do not allow boat parking and provided Mr. Tuttle with a copy of the covenants. Chairman Edwards asked if it could not be placed in the garage; Mr. Tuttle advised it could be if he didn't use currently for one vehicle parking. Commissioner Ross asked Mr. Tuttle if he intended to permanently store the boat in the driveway; he advised he was.

Commissioner Butler motioned to deny the variance request; Commissioner Jefferson seconded; all in favor and was unanimously approved for denial.

C. **PLAT-0032-2024.** Preliminary plat for The Orchard on Main, northeast corner of Keith Drive and Main Street. The applicant is Chad Bryant, Bryant Engineering.

Mr. Wood advised the applicant is requesting approval of the entire 138-lot subdivision with the understanding that a portion of the proposal must be annexed into the City. The subdivision is designed so that 97 lots can be constructed on the parcels already in the City without redesign, should the adjacent parcel not be annexed. The entire subdivision meets the R-1 minimum standards. While not indicated on the plat, Houston County 911 has approved ten street names for the subdivision. The approval is valid until 3/14/2027. Following City Council's direction, planning staff recommends sidewalks be installed on one side of portions of the primary streets to provide pedestrian access to the planned sidewalk along Keith Drive. Staff recommends approval of the proposed preliminary plat with the following conditions: 1). Approval of Lots 98-138 is subject to parcel 000570 008000 being annexed into the City of Perry and zoned R-1 and 2). 5'-wide sidewalks shall be installed along one side of portions of Road A, Road B, and Road D as indicated on the proposed sidewalk map prepared by the City Planning Staff.

Chairman Edwards opened the public hearing at 6:48pm and called for anyone in favor of the request. Mr. Chad Bryant, the applicant reiterated the request and advised the reason laid out over the entire development is because the parcels are owned by the same person, and they are doing a master plan for the area and also because it is assumed the county parcel will be requested for annexation into the city. The layout also depicts sewer and if not annexed the current parcel in the city can still move forward with the approval and the owner desires to be transparent with the development.

Chairman Edwards called for anyone opposed. Ms. Kecia Isgett- 1904 Main Street- concerned it does not address previous concerns with traffic and stormwater issues for the area. Is concerned with drainage and that it will compound the current problems in the area; and the culverts are in desperate need of replacement and the city should update the infrastructure and conduct proper studies to ensure this is not another Sadie Heights problem.

Mr. Bill Delrow – 408 Stonegate Trail – the Commission needs to see the study by ISE for the current issue in Sadie Heights. When land is disturbed, it loses its natural ability, and the water has to go somewhere. The project may have a retention pond, but that hasn't worked in other areas, how will it work in this case. There is also not enough capacity for the water/sewer required. There will be more traffic on Keith Drive and Main Street. Project should not be allowed until proper infrastructure is in place.

Julie Foy – 2001 Main Street – concerned with stormwater runoff and the amount that currently flows onto their property; infrastructure is aged and needs replacing, and a hydrology report should be done to show where the water will flow and ISE has been contracted by the city to look at this same issue in other areas of the city and the same should be done in this area before allowing it to proceed. Traffic will also be a concern.

Chairman Edwards called for any further comments; there being none the public hearing was closed at 7:12pm.

Chairman Edwards asked staff for clarification on the parcel not in the city and the conditions recommended. Mr. Wood confirmed the conditions with one being the owner must request annexation into the city and follow the proper filing process. Mr. Bryant had further comment in regards to stormwater and advised half of the property flows to Rozar Park on Keith Drive and the other to Main Street; there will be a detention pond and advised per regulations they cannot increase what is currently there and during studies all conveyances are examined and have to be ten percent of and review to make sure the level of service does not change. Mr. Bryant advised they could do a detailed analysis and see what flow impacts are and can do modifications to show impacts in surrounding neighborhoods. Mr. Bryant advised there is a deceleration lane noted. Commissioner Hayes asked if this additional information could be provided to the Commission; Mr. Bryant advised that at this time no, as what is before the Commission is the preliminary plat approval to confirm that the zoning requirements are met, which does not pertain to the design of the development. Commissioner Guidry asked Mr. Bryant if he has ever done a project similar to this elsewhere; Mr. Bryant advised he has done numerous projects but no two are alike. Mr. Bryant advised the Commission again, what's before them is approval for the preliminary plat, not the site review, once and if an approval is received, they will begin their process for civil plans and submittal to the city, which will review all requirements. Chairman Edwards is sympathetic to the concerns, but the aging infrastructure is the city's responsibility. Commissioner Mehserle noted the current administration has been proactive with addressing aging infrastructure and is making strides, but this parcel is privately owned and the owner has the right to develop at its highest and best use, and the preliminary plat meets the requirements and asking for a hydrology report to evaluate what can be done to relieve future problems for an area that is not their responsibility does not fall to that owner.

Commissioner Mehserle motioned to approve the preliminary plat as submitted with the following conditions: 1). Approval of Lots 98-138 is subject to parcel 000570 008000 being annexed into the City of Perry and zoned R-1 and 2). 5'-wide sidewalks shall be installed along one side of portions of Road A, Road B, and Road D as indicated on the proposed sidewalk map prepared by the City Planning Staff; Commissioner Ross seconded; Commissioners Butler, Guidry, and Jefferson were opposed; resulting vote 4 to 3 for approval with Chairman Edwards voting for approval.

9. New Business

Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on May 7, 2024)

A. **SUSE-0035-2024.** Special exception to reduce minimum house size for property located at 738 Elaine Street. The applicant is Houston County Habitat for Humanity.

Mr. Wood advised while there is a building permit in review for 738 Elaine Street, the applicant is requesting a blanket approval for reduced house square footage for any house they construct. They indicate the square footage of their smallest houses are: 786 square feet for a two-bedroom house; 980 square feet for a three-bedroom house; and 1100 square feet for a four-bedroom house. They further state they typically work in neighborhoods with house sizes generally ranging from about 750 square feet to more than 1700 square feet. Habitat properties are normally located in the Creekwood, Five

Points, Hilltop, Oldfield, New Hope, and Sandhill neighborhoods. All single-family residential districts require houses with a minimum heated square footage of 1500. Mr. Wood read the staff report, along with responses. Staff recommends approval of the special exception to reduce the size of the proposed house at 738 Elaine Street to 786 square feet. Staff further recommends that a blanket special exception to reduce minimum house size be granted to Houston County Habitat for Humanity, subject to the following conditions: 1). The minimum house heated square footage shall be 786 for 2-bedroom houses, 980 for 3-bedroom houses, and 1100 for 4-bedroom houses and 2). The blanket special exception shall only apply to any property located in the Creekwood, Five Points, Hilltop, Oldfield, New Hope, and Sandhill neighborhoods.

Chairman Edwards opened the public hearing at 7:53pm and called for anyone in favor of the request. Mr. Bill Goggin, Executive Director Habitat for Humanity advised they are increasing their presence in Perry and utilize infill lots to develop affordable housing and have this lot and three others to be done, thus the request for the blanket special exception. The 768 sq. ft for this particular lot is not one of their smaller homes, but if approved is consistent with the surrounding neighborhood.

Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 8:00pm.

Commissioner Butler motioned to recommend approval as submitted with the following conditions: 1). The minimum house heated square footage shall be 786 for 2-bedroom houses, 980 for 3-bedroom houses, and 1100 for 4-bedroom houses and 2). The blanket special exception shall only apply to any property located in the Creekwood, Five Points, Hilltop, Oldfield, New Hope, and Sandhill neighborhoods; Commissioner Ross seconded; all in favor and was unanimously recommended for approval.

10. Other Business – None
11. Commission questions or comments- None
12. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 8:03pm.

Planning Commission Work Session
Minutes - April 22, 2024

1. Call to Order: Vice Chairman Ross called the meeting to order at 5:30pm.
2. Roll Call: Commissioners Jefferson, Mehserle, Hayes, and Ross were present. Chairman Edwards and Commissioners Guidry and Butler were absent.

Staff: Bryan Wood – Community Development Director, Chad McMurrian – Engineering Services Manager – and Emily Carson – Community Planner

3. Citizens with Input – None
4. Capital Improvement Projects Update – Mr. McMurrian provided an update on current projects.
5. New Business

- Sidewalks, discussion based on Council direction

Mr. Wood advised the city manager had concerns with the Commission's recommendation and provided recommendations in the April 16, 2024, memorandum included in the packet. Mr. Wood suggested review on a case-by-case basis and evaluation based on subdivision plats and traffic flows. Parameters will be provided for developers and the Commission will decide when brought forward for approval. The Commission concurred with this approach. The Commission also agreed that commercial projects should have sidewalks on both sides of the street and should be constructed at the time the street is built. Mr. Wood advised the amendment should be brought forth in June.

- Street trees

Mr. Wood advised he has been researching tree species and if located in the right-of-way it will be the city's responsibility and Council is expected to discuss at their May 6th work session. He indicated staff recommendation of the location of street trees at the edge of the right-of-way to reduce conflict with underground utilities. Commissioner Jefferson inquired what can be done for the trees on Sam Nunn Blvd. as they are unattractive; Mr. Wood indicated that landscape plans have been prepared but are currently on hold.

6. Other Business

Mr. Wood advised the current sign ordinance allowed for up to four 2 x 2 signs for political candidates and other signs. During this election cycle, the City modified interpretation by allowing one sign up to 16 square feet. A text amendment will be forthcoming. Mr. Wood also noted the cases on the May agenda.

7. Adjournment- there being no further business to come before the Commission the meeting was adjourned at 6:32pm.



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STAFF REPORT

From the Department of Community Development
May 7, 2024

CASE NUMBER: VAR-0045-2024
APPLICANT: Dylan Wingate
REQUEST: Variance to increase the height of a fence
LOCATION: 1009 & 1013 Northside Drive; Parcel No. 0P0020 018000 & 0P0020 019000

SECTION OF ORDINANCE BEING VARIED: 4-4.3. (H)(2)(c) [Fences and walls] C-3, central business district. In the C-3 district, a fence or wall in a side yard or rear yard shall not be opaque above a height of eight feet, or the height of the lowest portion of the eave of the principal building, whichever is less; and a fence or wall in a front yard shall not be opaque above a height of 30 inches. (Height is measured from the finished grade at the base of the fence or wall.) All chain link fencing is prohibited in all locations in the C-3 zoning district.

BACKGROUND: The applicant is developing a two-story mixed-use project adjacent to an existing apartment development. The applicant wishes to screen the view between the two properties by installing a 10-foot-tall opaque fence along the rear property lines, rather than the allowed 8-foot-tall fence.

STANDARDS NECESSARY FOR A VARIANCE:

1. *Because of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to the subject property, does the strict application of the regulations result in unusual or impractical difficulties or exceptional or undue hardship upon the property owner?*

The subject parcels comprising this development are of different depths creating a projection into the property to the rear. With the clearing of existing vegetation for the new development, views between the adjacent developments were exposed.

2. *Is the variance the minimum relief reasonably necessary to overcome the aforesaid exceptional conditions?*

The applicant states that the variance is the minimum relief necessary to meet aesthetic purposes.

3. *Can the variance be granted without substantial impairment to the intent, purpose, and integrity of the ordinance or comprehensive plan?*

The additional height of the requested fence does not appear to substantially impair the purpose and intent of the LMO, which includes:

- Provide for adequate light, air, and open space.
- Facilitate the creation of a convenient, attractive, and harmonious community.

4. *Will granting the variance be detrimental to the use and enjoyment of adjoining or neighboring properties?*

Since the buildings on the subject properties and on the adjacent property are two stories and include residential uses, the added height of the fence will provide additional privacy to residents in each development.

STAFF CONCLUSIONS: Based on the analysis above, staff recommend approval of this application.

NOTE: As an addition to the previously approved Certificate of Appropriateness granted for the development of the subject properties, the fence will need approval from the Main Street Advisory Board.

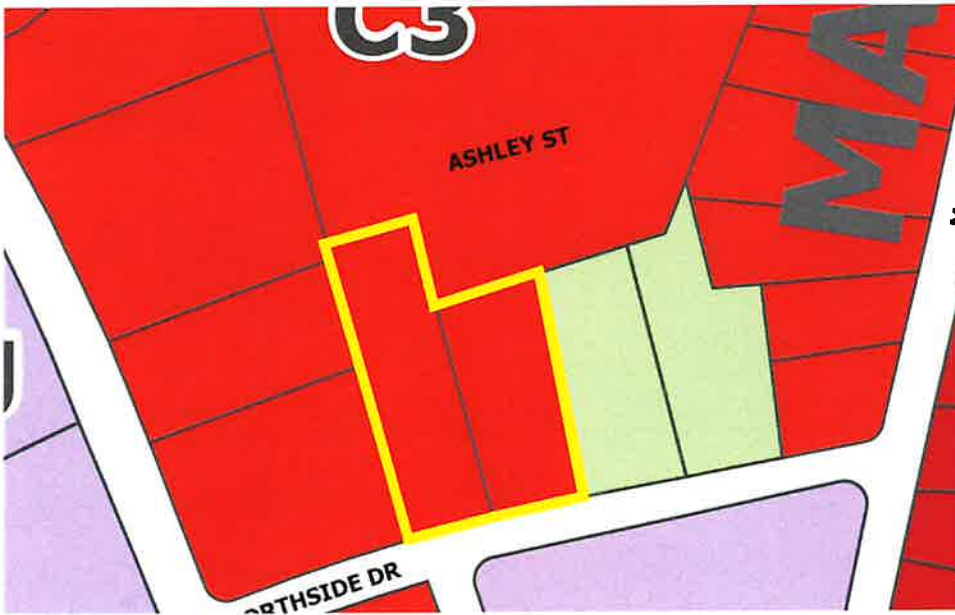


VAR-0045-2024

1009 & 1013 Northside Drive

Increase Fence Height

Aerial



Zoning



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Application # VAR 0045-
2024

Application for Variance

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Dylan Wingate	Perry Loft DVP LLC
*Title	Vice President	
*Address	817 GA Hwy 247 S, Unit 10, Kathleen, 31047	same
*Phone	[REDACTED]	"
*Email	[REDACTED]	"

Property Information

*Street Address	1009 to 1013 Northside Dr.
*Tax Map #(s)	DP0020-018000, DP0020-019000
*Zoning Designation	C3

Request

*Please describe the proposed variance: (i.e. Reduce the rear setback from 25 feet to 22 feet)

Extend fence height from 8' to 10'

Instructions

- The application must be received by the Community Development Office no later than the date reflected on the attached schedule.
- Fee:**
 - Owner-occupied single family residential - \$153.00
 - All others - \$306.00
 - All others (post construction) - \$612.00
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.7 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- *Submit plans, drawings, photographs or other documentation which helps fully describe your request.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Variance applications require a public hearing before the planning commission. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing date.
- *The applicant must be present at the hearing to present the application and answer questions that may arise.
- The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

*Applicant	Dylan Wingate - 	*Date	3/22/24
*Property Owner/Authorized Agent	Perry Loft DVP, LLC - 	*Date	

Standards for Granting a Variance

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the proposed variance?

- (1) By reason of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to a specific parcel of property, the strict application of these regulations would result in peculiar or unusual, practical, difficulties to or exceptional or undue hardship upon the owner of such property;
- (2) Such variance is the minimum reasonably necessary to overcome the aforesaid exceptional conditions;
- (3) Such variance can be granted without substantial impairment to the intent, purpose, and integrity of this chapter and/or the comprehensive plan or other master plan adopted for the property;
- (4) Such variance will not be detrimental to the use and enjoyment of adjoining or neighboring properties.

Notes:

A variance cannot be granted:

- To reduce a setback of a commercial/industrial property abutting a residentially-zoned property, unless the abutting residentially-zoned property is proposed for commercial or industrial use in the Comprehensive Plan;
- To allow a use not permitted or prohibited in a zoning district;
- To allow a density of development beyond the maximum allowed in a zoning district.

If the hardship invoking the standards for granting a variance was the result of the applicant's intentional disregard or willful failure to comply with the terms of the Land Management Ordinance, the Planning Commission may refuse to grant a variance.

Revised 12/21/22



Standards for Granting Variance

- (1) The obstructions behind the Perry Lofts development are undesirable & not suitable for long term development.
- (2) The aesthetic purpose of the development is with the fence being of wood component.
- (3) To block the view from the obstruction behind the Perry Lofts development.
- (4) It will not be detrimental but will enhance the property by maintaining the look of the Northside Lofts & also the property to the rear of the development.



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STAFF REPORT

From the Department of Community Development

May 9, 2024

CASE NUMBER: VAR-0052-2024
APPLICANT: Kevin Flanagan
REQUEST: Variance to increase the maximum floor area for an accessory structure
LOCATION: 646 Pine Ridge Street; Parcel No. 0P0250 049000

SECTION OF ORDINANCE BEING VARIED: Sec. 4-4.2. (F) (1) Accessory to residential uses. The maximum floor area of all structures accessory to residential uses may be five hundred (500) square feet or fifty (50) percent of the total floor area of the principal structure, whichever is greater.

BACKGROUND: The applicant requests a variance to allow a seven-bay pole barn to remain in his backyard as a car port. The applicant states he was not aware of the above-referenced size standards or the need for permits when he was building the structure. Community Development was made aware of the structure when it was close to completion and contacted the applicant to advise him of the requirements and place a stop work order on the project. The project was completed, prompting the need for a variance request to avoid having to demolish half of the structure to meet the size standards.

STANDARDS NECESSARY FOR A VARIANCE:

1. *Because of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to the subject property, does the strict application of the regulations result in unusual or impractical difficulties or exceptional or undue hardship upon the property owner?*

The subject property is just over 13,000 square feet with a circular front driveway and 1,332 square foot primary residential structure. The structure in question is an addition to the property that exceeds the allowable square footage for such features. There are no conditions relative to the property that create a hardship for the property owner. To comply, he must either remove the structure completely or deconstruct it to meet the 666 square foot maximum outlined in the Land Management Ordinance.

2. *Is the variance the minimum relief reasonably necessary to overcome the aforesaid exceptional conditions?*

There are no exceptional conditions related to the property. However, the applicant states that the variance is the minimum relief necessary to accommodate the accessory structure on the property. While the staff realizes that deconstructing a finished project is not ideal, we must uniformly enforce the ordinances. In addition, following the ordinance and permitting requirements would have allowed the applicant to avoid this process entirely.

3. *Can the variance be granted without substantial impairment to the intent, purpose, and integrity of the ordinance or comprehensive plan?*

The intent and purpose of the Land Management Ordinance is to “provide for adequate light, air, and open space” and to “regulate the density and distribution of populations and uses of buildings, structures, and land...”

Granting this variance would severely compromise the integrity of the Land Management Ordinance because the accessory structure creates an overcrowded parcel, limiting access to open space within this neighborhood.

4. *Will granting the variance be detrimental to the use and enjoyment of adjoining or neighboring properties?*

Granting the variance for the subject property would be detrimental to the use and enjoyment of nearby properties because it would lead to an increase in stormwater runoff to the adjacent properties.

STAFF CONCLUSIONS: Based on the analysis above and the site plan presented by the applicant, staff recommends denial of the application.

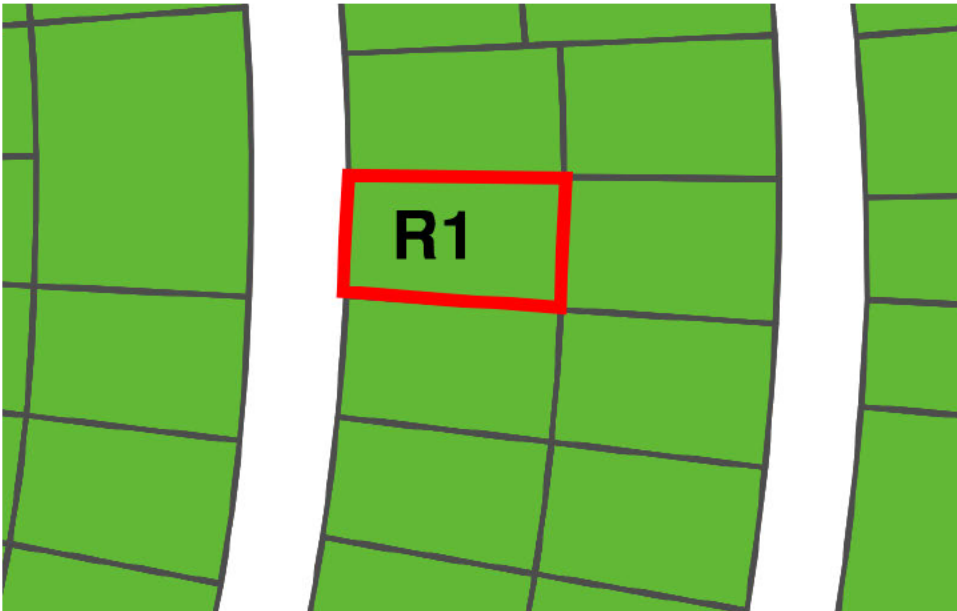


VAR-0052-2024

646 Pine Ridge St

Increase max floor area for
an accessory structure

Aerial



Zoning



Character Area



Where Georgia comes together.

Application # VAR-0052-
2024

Application for Variance

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Kevin Flanagan	Same
*Title	Mr (owner)	
*Address	646 Pine Ridge St.	
*Phone	[REDACTED]	
*Email	[REDACTED]	

Property Information

*Street Address	646 Pine Ridge St.	
*Tax Map #(s)	P25-49	*Zoning Designation

Request

*Please describe the proposed variance: (i.e. Reduce the rear setback from 25 feet to 22 feet)
 I built a seven bay pole barn on the back of my property and didn't know I either needed a permit or there was a size restriction. I was informed the day it was completed it was too large. I'm asking to allow for a variance for it to remain.

Instructions

- The application and must be received by the Community Development Office no later than the date reflected on the attached schedule.
- Fee:**
 - Owner-occupied single family residential – \$153.00
 - All others - \$306.00
 - All others (post construction) - \$612.00
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.7 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- *Submit plans, drawings, photographs or other documentation which helps fully describe your request.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Variance applications require a public hearing before the planning commission. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing date.
- *The applicant must be present at the hearing to present the application and answer questions that may arise.
- The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

*Applicant	Kevin Flanagan <i>[Signature]</i>	*Date	7/15/2024
*Property Owner/Authorized Agent	Kevin Flanagan <i>[Signature]</i>	*Date	7/15/2024

Standards for Granting a Variance

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the proposed variance?

- (1) By reason of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to a specific parcel of property, the strict application of these regulations would result in peculiar or unusual, practical, difficulties to or exceptional or undue hardship upon the owner of such property;
- (2) Such variance is the minimum reasonably necessary to overcome the aforesaid exceptional conditions;
- (3) Such variance can be granted without substantial impairment to the intent, purpose, and integrity of this chapter and/or the comprehensive plan or other master plan adopted for the property;
- (4) Such variance will not be detrimental to the use and enjoyment of adjoining or neighboring properties.

Notes:

A variance cannot be granted:

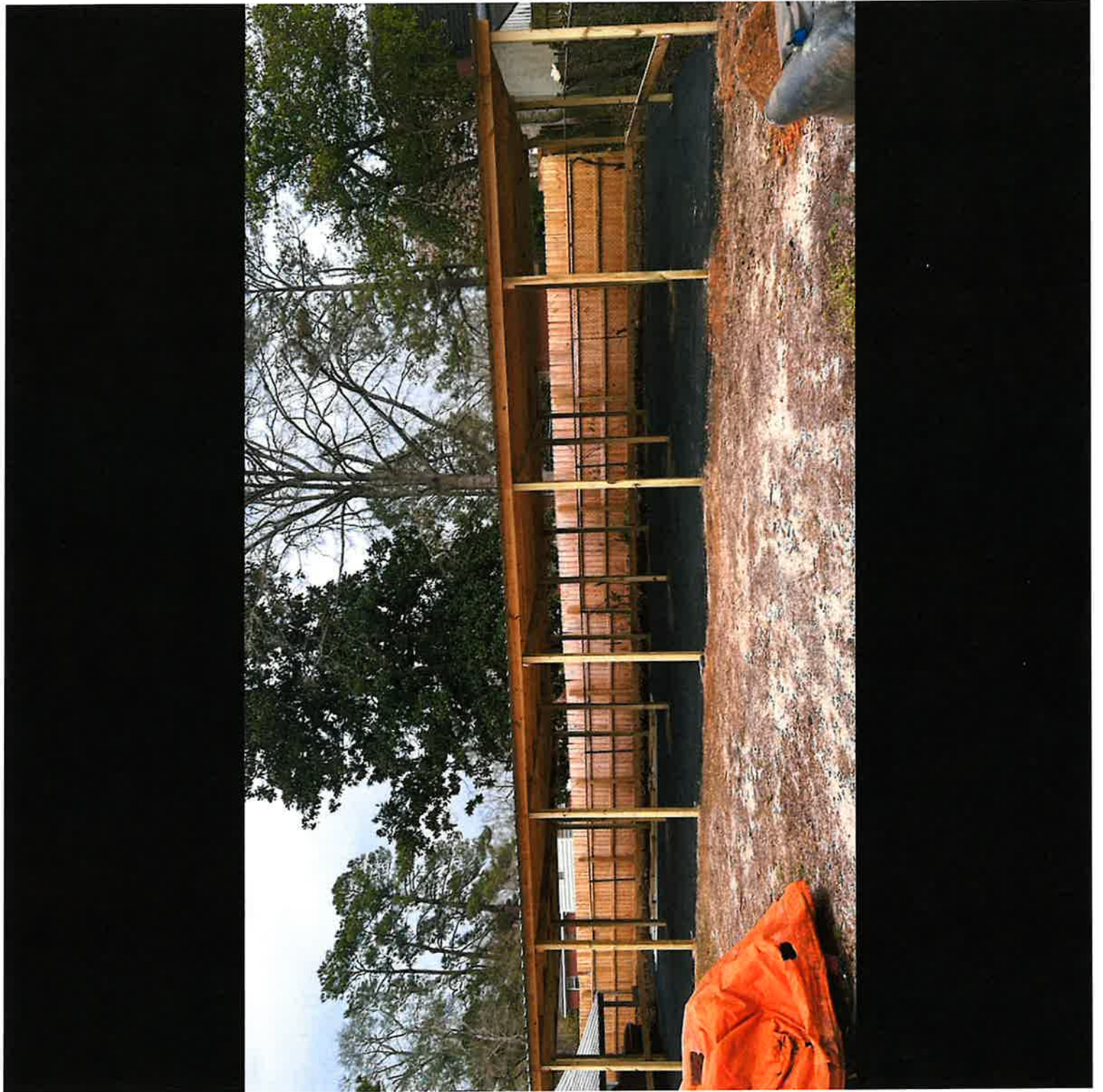
- To reduce a setback of a commercial/industrial property abutting a residentially-zoned property, unless the abutting residentially-zoned property is proposed for commercial or industrial use in the Comprehensive Plan;
- To allow a use not permitted or prohibited in a zoning district;
- To allow a density of development beyond the maximum allowed in a zoning district.

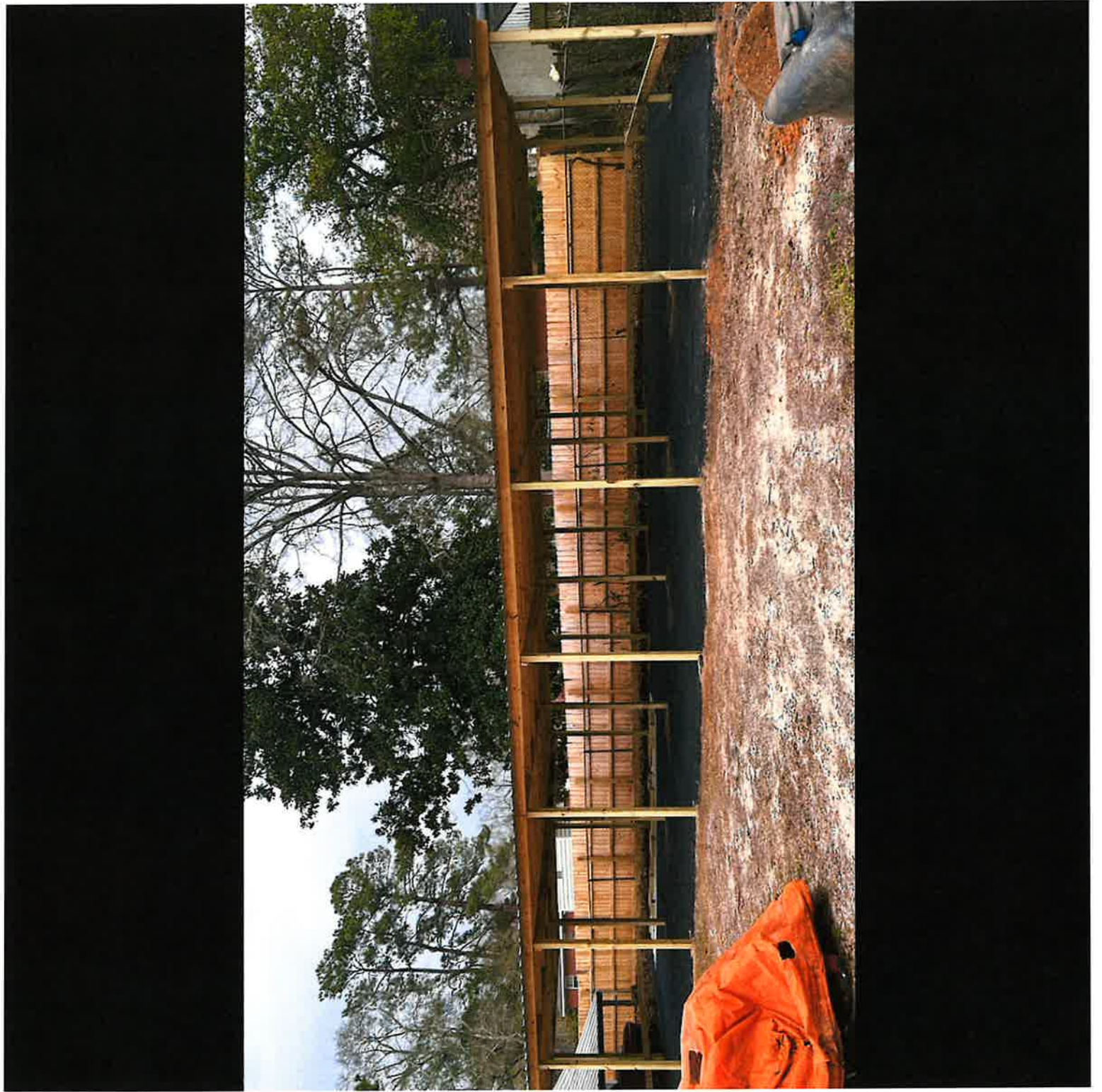
If the hardship invoking the standards for granting a variance was the result of the applicant's intentional disregard or willful failure to comply with the terms of the Land Management Ordinance, the Planning Commission may refuse to grant a variance.

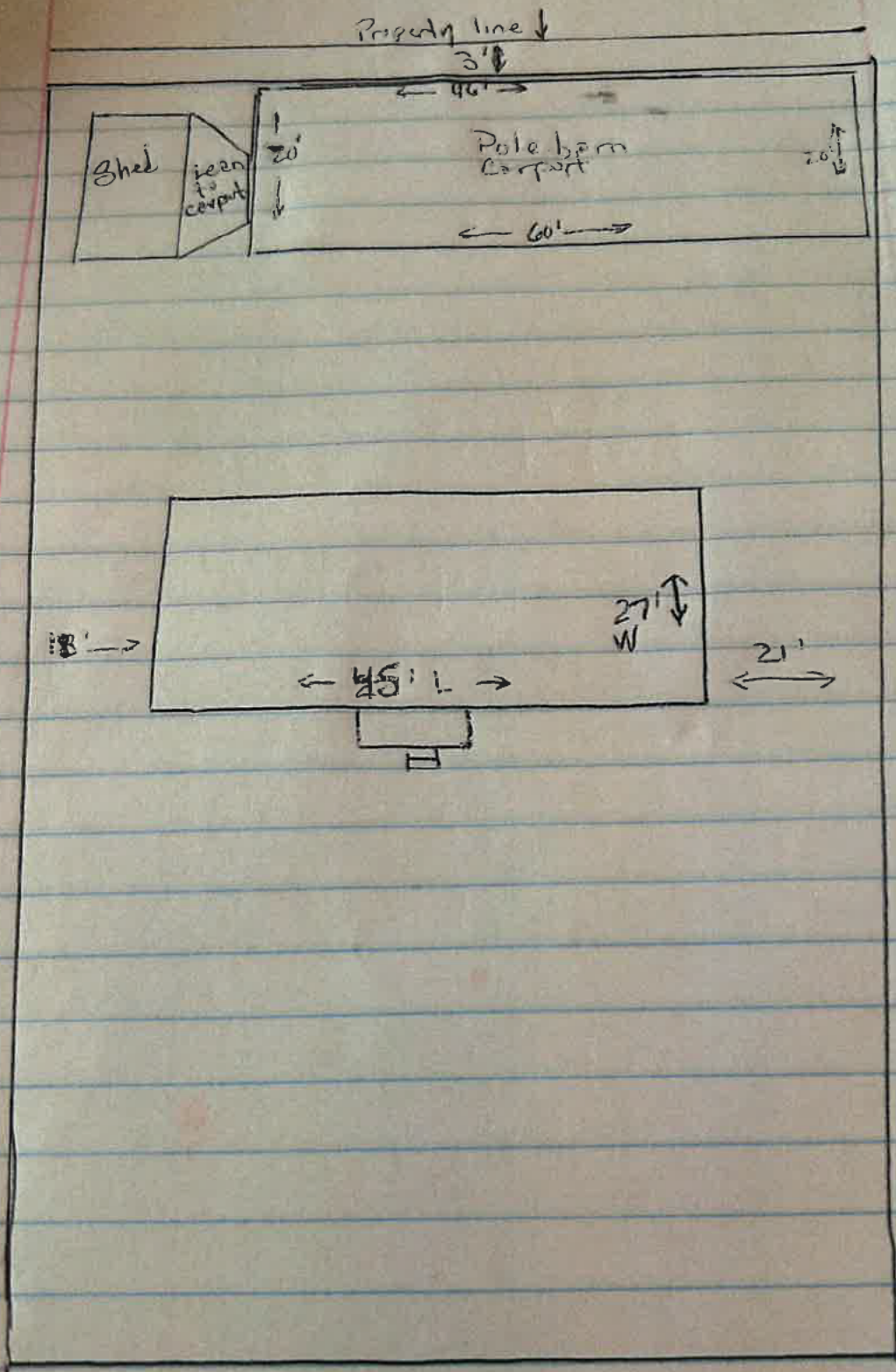
1046 Pine Ridge Street

- #1 After completion of my multicar carport.
I was informed, that I was supposed to have gotten a building permit. I've lived here 30 years this July and have erected carports previously. I was under the impression, because the structure hadn't any plumbing, electricity, or sewage I didn't need a building permit.
- #2 I spoke to Emily Parsons, she informed me that if I had attached it to the house, my total square footage could have been 3250 square feet.
- #3 My house is 1336 sq ft and the carport is 1200 square feet. My understanding, after the fact, is if I'd attached it to the existing house, I could have actually built it larger. So the square footage remaining, I could attach a breezeway to the house and to the carport making it all in one structure!
- #4 I've been informed that the biggest issue is the storm or ~~water~~ rain water run off. I believe I can remedy this issue easily, by attaching gutters to the lower-rear back of the carport and trench underground pipe to the storm water run off ditch in front of my home, which is "now" being properly maintained, after many years of not by the city!

Sincerely
Kym Harney







← 81' →

646 PINE RIDGE STREET



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development

April 29, 2024

CASE NUMBER: SUSE-0044-2024

APPLICANT: Terry and Janet Edge

REQUEST: A Special Exception to allow a short-term residential rental

LOCATION: 920 Keith Dr; Tax Map No. 0P0440 02C000

REQUEST ANALYSIS: The subject property owner proposes to offer the entire **3-bedroom/2-bath** house for short-term rental for a maximum of **8** occupants. The subject premises were inspected for compliance with minimum health and safety requirements for use and occupancy (per Section 2-3.6) and **passed**.

Standards for Short-term Rental Properties (Section 4-3.5 of the LMO)	
1,000-foot buffer from another STR and only one STR per premises	Complies
Designation of local contact person	Complies
Host Rules addressing: <ul style="list-style-type: none"> • Maximum occupancy of 8 persons • Parking restrictions; on-premises parking of up to 8 vehicles • Noise restrictions • On-premises curfew • Prohibition of on-premises events 	Complies
Trash pick-up plan	Complies
Required written rental agreement	Complies
Proof of required active insurance policy	Complies
Application for City of Perry Occupational Tax Certificate	Complies
Other standards will be addressed with the issuance of an STR permit	

STANDARDS FOR SPECIAL EXCEPTIONS:

1. *Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?* Staff is not aware of covenants or restrictions on the subject property which would preclude the proposed use.
2. *Does the Special Exception follow the existing land use pattern?*

	Zoning Classification	Land Uses
Subject	R-1, Single-family residential	Single-family residential
North	R-1, Single-family residential	Single-family residential
South	R-1, Single-family residential	Single-family residential
East	R-1, Single-family Residential	Undeveloped
West	R-1, Single-family Residential	Single-family residential

3. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The subject property is included in a “Suburban Residential” character area in the 2022 Joint Comprehensive Plan. This character area is typically developed with a mix of residential uses.
4. *Will adequate fire and police protection be available?* Fire and police protection are already provided to the property. The proposed use should not impact these services.
5. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* Renting the existing house on a short-term basis should not be detrimental to surrounding properties. Other than the tenants changing on a more frequent basis, short-term rental should not be any different than the normal occupancy of a single-family residence.
6. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* Short-term rental of the residence should not cause inappropriate interference with the normal pedestrian and vehicular traffic in the neighborhood.
7. *Will the use result in an increase in population density overtaxing public facilities?* Short-term rental of the residence should not increase the population density above that expected for the size of the house.
8. *Will the use create a health hazard or public nuisance?* Short-term rental of the residence should not create a health hazard. Compliance with standards for short-term rentals will prevent a public nuisance.
9. *Will property values in adjacent areas be adversely affected?* Short-term rental of the residence should not adversely affect the value of properties in the area.
10. *Are there substantial reasons a permitted use cannot be used at this property?* The property is developed with a permitted use. The special exception is to allow the single-family residence to be rented on a less than 30-day basis.

STAFF RECOMMENDATION: Staff recommends approval of the special exception and issuance of a Short-Term Rental Permit.

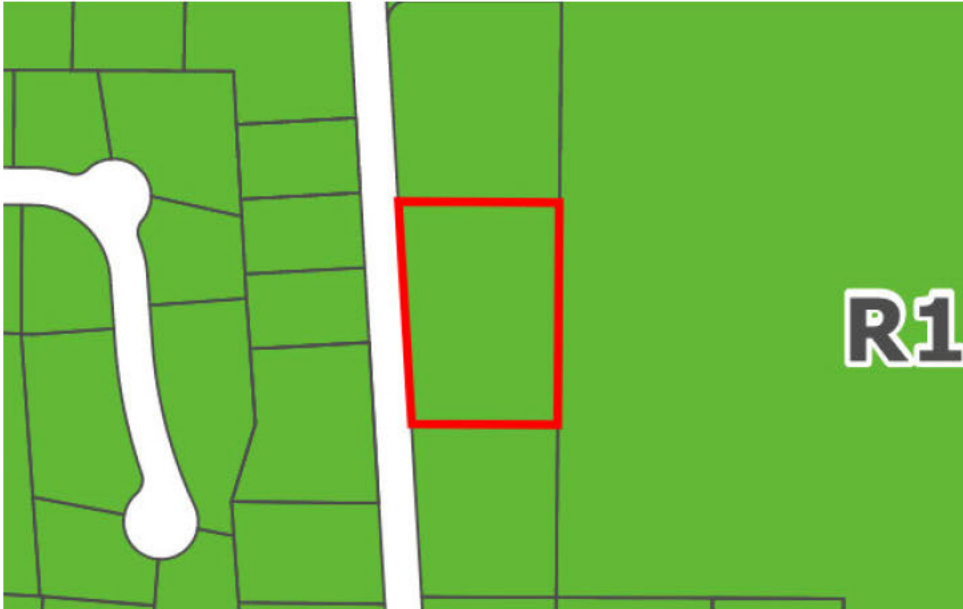


SUSE-0044-2024

920 Keith Dr.

Allow a short-term residential rental

Aerial



Zoning



Character Area



Where Georgia comes together.

Application # SUSE 0044-2024

Application for Special Exception

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Terry & Janet Edge	
*Title	OWNERS	
*Address	920 Keith Dr. Perry GA 31069	Same as Applicant
*Phone	[REDACTED]	
*Email	[REDACTED]	

Property Information

*Street Address	920 Keith Drive Perry GA. 31069
*Tax Map Number(s)	0P0440 0ZC000
*Zoning Designation	R1

Request

*Please describe the proposed use:

Permit for Short Term Rental - Only maximum of one (1) week per month.

Instructions

- The application and ***\$306.00 fee** (made payable to the City of Perry) must be received by the Community Development Office or filed on the online portal no later than the date reflected on the attached schedule.
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards).** See Sections 2-2 and 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
- *For applications in which a new building, building addition and/or site modifications are proposed, you must submit a site plan identifying such modifications.**
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Special Exception applications require an informational hearing before the planning commission and a public hearing before City Council. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- *The applicant must be present at the hearings to present the application and answer questions that may arise.**
- The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
- *Signatures:**

*Applicant	Terry Edge	*Date	3-6-24
*Property Owner/Authorized Agent	Terry Edge	*Date	3-6-24

Standards for Granting a Special Exception

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? **No**

- (1) The existing land use pattern. **NO - There will be no changes to the existing Land.**
- (2) Whether the proposed use is consistent with the Comprehensive Plan. **The proposed will continue to be consistent.**
- (3) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection. **The home is readily accessible for fire and police. There are no equipment or materials on site.**
- (4) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern or the Comprehensive Plan. **No changes to cement home or location.**
- (5) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:
 - (a) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and **NO - there will be only one vehicle with guest.**
 - (b) The location and height of buildings, and other structures, and the nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern. **NO building or structures will be added.**
- (6) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities. **NO - only out of town guest will be staying.**
- (7) Whether the proposed use will cause a health hazard, a public safety problem, or create a nuisance or cause excessively increasing traffic and associated congestion; create a drainage problem; generate unnecessary disturbance due to noise, the emission of smoke or other contaminants, odor, electrical interference, or cause pollution to land, air and/or water. **NO to All.**
- (8) Whether the proposed change will adversely affect property values in adjacent areas. **No change to property.**
- (9) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located. **No**

This proposal is just to be approved to rent an house out while we are away. No more than 1 week per month. Maximum of 6 people. The guest are for visitors of the Agriculture Center events. This will be done thru AirBnB.



Where Georgia comes together.

Application # STR-INT 0043-2024

Supplement to Application for Special Exception For Initial Short-term Rental (STR) Permit

A Special Exception of Short-term Rental Permit is not complete until this supplemental form and accompanying documents are complete

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Property Owner	*Designated Local Contact Person complying with Sec. 4-3.5(C) of Land Management Ordinance
*Name	Terry & Janet Edge	Terry Edge or Janet Edge
*Mailing Address	920 Keith Dr. Perry GA 31069	SAME
*Phone	[REDACTED]	[REDACTED]
*Email	[REDACTED]	[REDACTED]

*Street Address of Short-term Rental Unit: 920 Keith Dr Perry GA 31069
 *Tax Map Number: DP0440 DZC000

*The following items are required to be submitted to complete this supplement (Refer to Sec. 4-3.5 of the Land Management Ordinance (LMO) for standards):

- 1. Proof of insurance - TRAVELERS INSURANCE
- 2. Copy of application for City of Perry Occupational Tax Certificate
- 3. Copy of proposed Host Rules
- 4. Plan for trash collection City of Perry and in Attachment B page 4
- 5. The maximum number of occupants proposed at any given time 8 (Short Term Rental Agreement) Page 2
- 6. Plot plan of the premises identifying location and number of parking spaces for the STR
- 7. Dimensioned floor plan of the STR identifying bedrooms other living spaces and emergency evacuation routes
- 8. Copy of proposed written rental agreement to be executed between the owner and responsible Person
9. Name and contact information for the homeowner's association, if any, of which the premises is subject to by restrictive covenants N/A
10. Other certifications and information deemed necessary and proper to ensure compliance with the LMO

Upon submittal the City will contact the property owner to schedule an inspection of the property to ensure the proposed short-term rental unit complies with minimum health and safety requirements for use and occupancy. If a premises fails to pass an inspection, a re-inspection fee will be charged for each subsequent inspection. Application for Special Exception will not be scheduled for Planning Commission consideration until the proposed STR unit complies with minimum health and safety requirements.

***Notarized Property Owner Signature:**

I affirm that the information provided in this supplement is accurate and complete. I understand an STR permit may be revoked by the administrator if the permit holder has: 1) received more than 2 citations for violations of the Code of the City of Perry within the proceeding 12-month time period; or 2) failed or refused to comply with an express condition of the permit and remains in non-compliance ten days after being notified in writing of such non-compliance; or 3) knowingly made a false statement in an application or supplement; or 4) otherwise become disqualified for the issuance of a permit under the terms of the Land Management Ordinance. I further understand that I must wait one year from the date of a revoked permit before an STR renewal permit can be issued.

William T. Edge
Signature

3-20-2024
Date

***Notary Public signature and seal:**

Signature: Chrysta Hays
Date: 3/20/24

Seal: Chrysta Hays
NOTARY PUBLIC
Houston County, GEORGIA
My Commission Expires 08/01/2027



Where Georgia comes together.

RECEIVED

MAR 20 REC'D

City of Perry

CITY OF PERRY, GEORGIA
APPLICATION FOR OCCUPATIONAL TAX CERTIFICATE
Post Office Box 2030 - 1211 Washington Street – Perry, Georgia 31069
Office 478-988-2740 Fax 478-988-2748
liz.nelson@perry-ga.gov

- New
- Renewal
- Change

Business Name Short Term Rental Phone Number [REDACTED]

Type of Business: Short Term Rental

Business physical location 920 Keith Drive

Business mailing address 920 Keith Drive Perry GA 31069
Street or P O Box City State Zip

Number of employees (including manager) N/A NAICS Code _____

Full legal name of applicant William Teebill Edge
(Applicant must provide current legal driver's license)

Applicant date of birth 02-18-1966 Social Security Number [REDACTED]

Applicant Contact Information: [REDACTED]

Residence Address 920 Keith Drive Perry GA 31069
Street City State Zip

Cell Phone Number [REDACTED] Home Phone Number N/A

Work Phone Number N/A Email [REDACTED]

Full legal name of Owner/Manager/Agent William Teebill Edge

Full legal name of entity operating business William Teebill Edge

Full legal name of persons/entities having 20% or more interest in operating entity.
N/A

Business federal employer identification number _____

Please list any other associated trade names for the business N/A

I, the applicant hereinabove set forth, after being duly sworn, under oath states the foregoing information is true and correct to my best knowledge and belief. So help me God.

This 20th day of March, 20 24.

William Teebill Edge
Applicant Signature

3-20-2024
Date



Where Georgia comes together.

Application for Home Occupation

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	Applicant	Property Owner/Manager
*Name	William Terrill Edge	William Terrill Edge
*Title	Home Owner	Home Owner
*Address	920 Keith Dr Perry GA	920 Keith Dr Perry GA
*Phone	[REDACTED]	[REDACTED]
*Email	[REDACTED]	[REDACTED]
	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Tenant

Property Information

*Business Name	Short Term Rental
*Street Address	920 Keith Dr Perry GA 31069

Instructions

- The completed application must be submitted to the Community Development office for approval prior to applying for a business license.
- The applicant/owner must describe the business operations below (you may attach a separate sheet of paper).
- Please read carefully: The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts. The applicant has read and understands Sections 4-4.2 and 4-4.3(C) of the Land Management Ordinance (LMO) and believes the proposed business complies with these standards.
- Signatures:

*Applicant	William Terrill Edge	*Date	3-20-2024
*Property Owner/Authorized Agent	William Terrill Edge	*Date	3-20-2024

Business Description

- Please describe the business in detail. Describe any activities involved, materials and equipment used, and products produced.
AB+B Small Term Rental - Less than 1 week per month
- How many persons will be employed in the conduct of the proposed home office:
 Residents of the dwelling: ___ Others (no more than 1 permitted): ___ Total # ___
- Will customers or clients come to the residence? No ___ Yes If yes, this is classified as a "Residential Business" under Section 4-4.3(D) of the LMO and requires a Special Exception and cannot be approved as a home occupation.
- Describe any alterations or changes to the home that will be made to facilitate the home office.
None

5. Describe how, where, and in what amounts the material, supplies, and/or equipment related to the home office will be displayed or stored.

None

6. Describe the size and type of any vehicle used in connection with the home office.

None

7. Will the home office involve the use of commercial vehicles for the delivery of materials to or from the home (i.e. UPS, FedEx)? Yes _____ No If yes, explain, including frequency of deliveries/pick-ups:

8. Do you intend to display any signs relating to the home office? Yes _____ No
If yes, describe type, size and location:

Revised 1/26/22

Sec. 4-4.3 (C) *Home occupation.* A home occupation permit may be issued subject to the following standards:

- (1) *Where allowed.* The home occupation shall be operated entirely within the dwelling unit or a related accessory building.
- (2) *Who may operate.* Only by the persons maintaining residence on the lot may operate a home occupation. If the persons maintaining residence are not the owners, the property owner's permission must be provided.
- (3) *Area.* The combined floor area of a home occupation shall not exceed 25 percent of the floor area of the principal structure.
- (4) *Employees.* A home occupation may employ no more than one person who is not a resident in the applicant's home.
- (5) *Operational requirements.*
 - (a) The home occupation shall not involve the retail sale of merchandise except for products related directly to services performed.
 - (b) No merchandise shall be displayed in such a manner as to be visible from off the premises.
 - (c) No outdoor storage shall be allowed in connection with any home occupation.
 - (d) No alteration of the residential character of the premises may be made and the hours and the manner in which the home occupation is conducted shall not be allowed to create a nuisance or disturbance.
- (6) *Business owner.* The business must be owned by the owner of the property on which the home occupation is located, or the business owner must have written approval of the owner of the property if the applicant is a tenant.
- (7) *Parking.* Off-street parking shall be provided in accordance with the requirements of section 6-1, off-street parking and loading.
- (8) *Prohibited home occupations.* The following uses are prohibited as home occupations:
 - (a) Landscaping business, other than office use;
 - (b) Commercial greenhouse;
 - (c) Contractor's business, other than office use;
 - (d) Beauty salon or barber shop;
 - (e) Automotive repair;
 - (f) Furniture repair or cabinet shop;
 - (g) Physician's or chiropractor's clinic;
 - (h) Fortune telling.

E-VERIFY AFFIDAVIT

Completion of this affidavit is required for new business license applicants and for renewing business with more than 10 employees.

- Instructions:
1. Print your business name and address
 2. Indicate the number of employees
 3. Have your affidavit notarized

By executing this affidavit under oath, as an applicant for an occupational tax certificate (business license, occupation tax certificate, or other document required to operate a business) as referenced in O.C.G.A. 36-60-6(d), from the City of Perry, the undersigned applicant representing the private employer known as

1

Short Term Rental at 920 Keith Drive Perry GA.
Name of business/private employer Address

verifies one of the following with respect to my application for the above mentioned document:

2

Check One:

- On Jan. 1 of the below signed year the individual, firm, or corporation employed 10 or less employees.
- On Jan. 1 of the below signed year the individual, firm, or corporation employed more than 10 employees.

Complete this section if the individual, firm, or corporation employed more than 10 employees as of January 1:

The employer has registered with and utilized the federal work authorization program in accordance with the applicable provisions and deadlines established in O.C.G.A 36-60-6(a). The undersigned private employer also attests that its federal work authorization number and date of authorization are as listed below.

_____ Federal Work Authorization Number

_____ Date of authorization

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A 16-10-20, and face criminal penalties allowed by such statute.

Executed on the 20th date of March, 2024 in Perry (City) GA (State)

3

William Terrill Edge
Signature of Authorized Officer or Agent

William Terrill Edge
Printed Name of and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE 20th DAY OF March, 2024

Chrysta Hays
NOTARY PUBLIC

Chrysta Hays
NOTARY PUBLIC
MY COMMISSION EXPIRES
Houston County, GEORGIA
My Commission Expires 08/01/2027

SAVE Affidavit

Verifying Status for Public Benefit Application O.C.G.A. § 50-36-1(e)(2) Affidavit

By executing this affidavit under oath, as an applicant for a (n) Business License [type of public benefit], as referenced in O.C.G.A. § 50-36-1, from City Of Perry, [name of government entity], the undersigned applicant verifies one of the following with respect to my application for a public benefit:

- 1) yes I am a United States citizen.
- 2) yes I am a legal permanent resident of the United States.
- 3) NO I am a qualified alien or non-immigrant under the Federal Immigration and Nationality Act with an alien number issued by the Department of Homeland Security or other federal immigration agency.

My alien number issued by the Department of Homeland Security or other federal immigration agency is: N/A.

The undersigned applicant also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1(e)(1), with this affidavit.

The secure and verifiable document provided with this affidavit can best be classified as: Drivers License.

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in Perry (city), GA (state).

William Terrill Edge
Signature of Applicant

William Terrill Edge
Printed Name of Applicant

SUBSCRIBED AND SWORN
BEFORE ME ON THIS THE
20th DAY OF March, 2024

Chrysta Hays
NOTARY PUBLIC

Chrysta Hays
NOTARY PUBLIC

My Commission Expires: _____
Houston County, GEORGIA
My Commission Expires 08/01/2027

SAVE Affidavit



PERSONAL UMBRELLA

DATE MM/DD/YYYY

05/02/2024

AGENCY TRAVELERS PO BOX 2907 HARTFORD, CT 06104-9900				CARRIER THE TRAVELERS INDEMNITY COMPANY OF AMERICA NAIC CODE 25666	
CONTACT NAME PHONE (A.C. No. Excl): (800) 842-5075 FAX (A.C. No.): E-MAIL ADDRESS: CODE: 056268 SUBCODE: GFR				APPLICANT'S NAME AND MAILING ADDRESS (Include county & ZIP + 4) JAMET & TERRY EDGE 920 KEITH DRIVE PERRY, GA 31069-4993	
AGENCY CUSTOMER ID: PLAN: Legacy FACILITY CODE: EFFECTIVE DATE: 05/03/2024 EXPIRATION DATE: 05/03/2025				DATE AT CURRENT RESIDENCE: PRIMARY PHONE # <input checked="" type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL SECONDARY PHONE # <input type="checkbox"/> HOME <input type="checkbox"/> BUS <input type="checkbox"/> CELL (478) 319-7664	
POLICY NUMBER: 615747248 311 7				PRIMARY E-MAIL ADDRESS EDGE.DALTON@GMAIL.COM SECONDARY E-MAIL ADDRESS	

UMBRELLA INFORMATION

COVERAGES		PREMIUMS		CALCULATIONS
POLICY AMOUNT	RETENTION	BASIC		
\$1,000,000	\$		\$366.00	
OPTIONAL COVERAGES TO APPLY		RESIDENCES	\$25.00	
		AUTOMOBILES	\$40.00	
COVERAGE		RECREATIONAL VEHICLES	\$	
UNINSURED MOTORIST*	\$	UNINSURED MOTORIST	\$	
UNDERINSURED MOTORIST*	\$	UNDERINSURED MOTORIST	\$	
CODE	COVERAGE	WATERCRAFT	\$	
			\$	
			\$	
		DEPOSIT	\$	
* IF APPLICABLE IN YOUR STATE		ESTIMATED TOTAL PREMIUM	\$291.00	

PRIMARY POLICY INFORMATION

TYPE OF POLICY	COMPANY NAME / POLICY NUMBER	POLICY PERIOD	LIMITS OF LIABILITY		
			LIABILITY	PROPERTY DAMAGE	UNINSURED MOTORISTS
AUTO	COMPANY: TRAV	EFF:	\$250,000	EA PER \$500,000	EA ACC or CSL
	POLICY NUMBER:	EXP:	\$100,000	EA ACC	EA ACC or CSL
HOME	COMPANY: TRAV	EFF:	\$	EA PER \$	EA ACC or CSL
	POLICY NUMBER:	EXP:	\$	EA ACC	EA ACC or CSL
DWELLING FIRE INCL RENTALS	COMPANY:	EFF:	\$	EA PER \$	EA ACC or CSL
	POLICY NUMBER:	EXP:	\$	EA ACC	EA ACC or CSL
WATERCRAFT	COMPANY:	EFF:	\$	EA PER \$	EA ACC or CSL
	POLICY NUMBER:	EXP:	\$	EA ACC	EA ACC or CSL
RECREATIONAL VEHICLES	COMPANY:	EFF:	\$	EA PER \$	EA ACC or CSL
	POLICY NUMBER:	EXP:	\$	EA ACC	EA ACC or CSL
EMPLOYERS LIABILITY	COMPANY:	EFF:	\$	EA PER \$	EA ACC or CSL
	POLICY NUMBER:	EXP:	\$	EA ACC	EA ACC or CSL
	COMPANY:	EFF:	\$	EA PER \$	EA ACC or CSL
	POLICY NUMBER:	EXP:	\$	EA ACC	EA ACC or CSL

PAYMENT PLAN (Attach ACORD 610, Premium Payment Supplement, if additional information is required)

BILLING ACCOUNT #: 607899679		DEPOSIT AMOUNT: \$		EST TOTAL PREMIUM: \$291.00		
BILLING <input type="checkbox"/> DIRECT BILL - POLICY <input type="checkbox"/> DIRECT BILL - ACCT <input type="checkbox"/> AGENCY BILL	PAYMENT PLAN <input checked="" type="checkbox"/> FULL PAY <input type="checkbox"/> BI-MONTHLY <input type="checkbox"/> ANNUAL <input type="checkbox"/> MONTHLY <input type="checkbox"/> SEMI-ANNUAL <input type="checkbox"/> QUARTERLY		PAYMENT METHOD <input type="checkbox"/> CASH <input checked="" type="checkbox"/> EFT <input type="checkbox"/> CHECK <input type="checkbox"/> PAYROLL DEDUCTION <input type="checkbox"/> CREDIT CARD <input type="checkbox"/> PRE-AUTHORIZED DRAFT/CHECK (PAC)			MAIL POLICY TO: <input type="checkbox"/> AGENT <input type="checkbox"/> INSURED
	PAYOR <input checked="" type="checkbox"/> INSURED <input type="checkbox"/> MORTGAGEE		PREMIUM FINANCED ? FINANCE COMPANY <input type="checkbox"/> Y/N			

ACORD 83 (2016/04)

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615747248 311

welcome

PAPA & JEN JEN'S PERRY HOUSE

wifi

NETWORK: TP_Link_6E19_5G
PASSWORD: 41992197

contact us

Janet & Terry Edge
Cell Phone: (478) 319-7664
Cell Phone: (478) 319-8292

tv

DirecTV app on Amazon Fire TV Stick

safety info

PLEASE CALL 911 FOR EMERGENCIES.
HOSPITAL: 1120 Morningside Dr, Perry,
GA 31069, (478) 987-3600

POLICE STATION: 1207 Washington St,
Perry, GA 31069 (478) 988-2800

house rules

1. NO SMOKING INSIDE OR OUTSIDE
2. NO PETS ALLOWED
3. NO PARTIES OR EVENTS
4. DO NOT USE PITBOSS SMOKER
5. QUIET HOURS ARE 10 P.M. TO 7 A.M.
6. NO ILLEGAL ACTIVITY

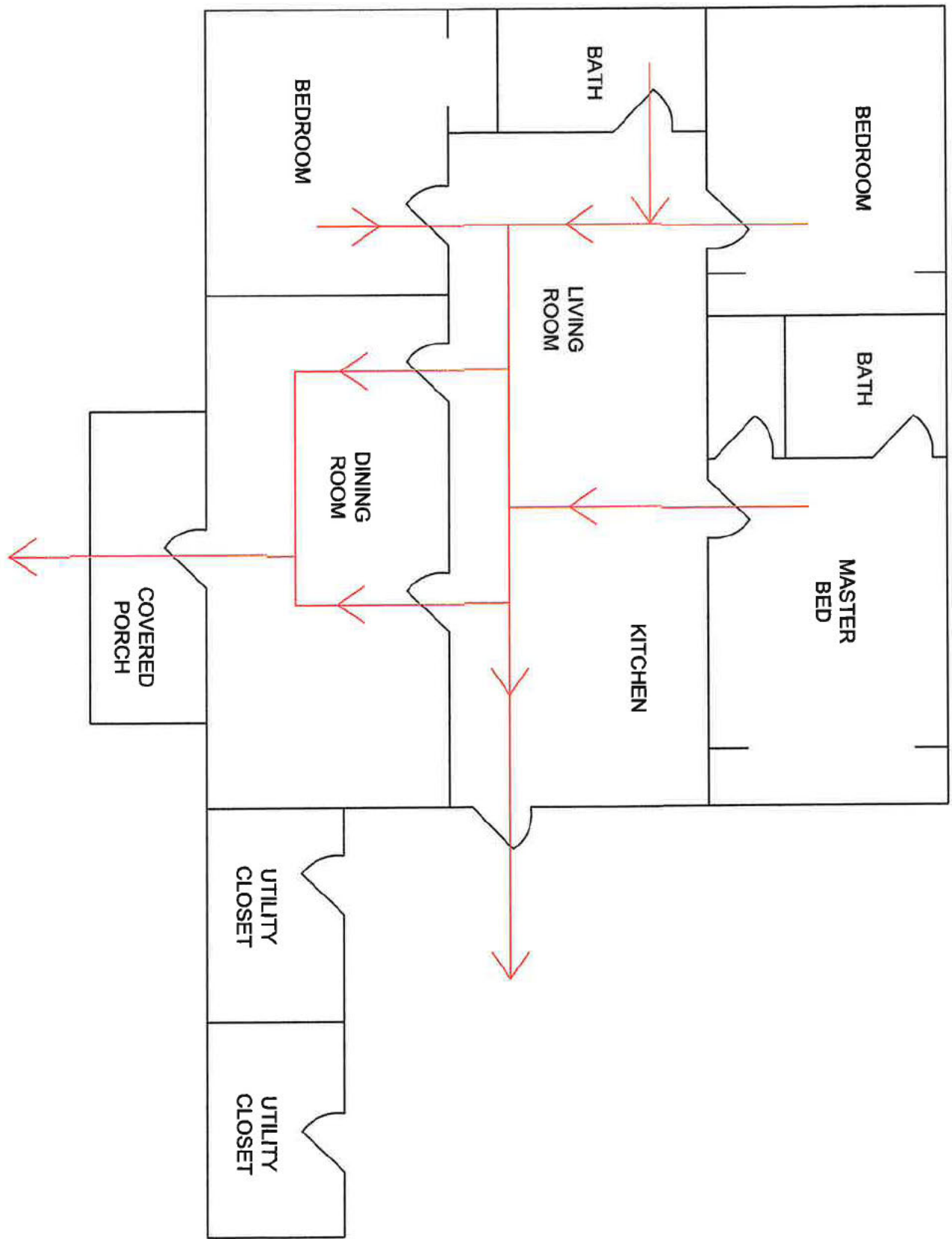
check-out info

- CHECK-OUT TIME IS 10 A.M.
- TURN OFF ALL LIGHTS
- WASH ALL YOUR DISHES & EMPTY THE DISHWASHER
- RETURN ALL FURNITURE TO ITS ORIGINAL POSITION
- STRIP ALL BED LINENS AND PLACE AT FOOT OF BED ON FLOOR
- PUT ALL USED TOWELS IN BATHTUBS
- PLACE TRASH IN TRASHCAN OUTSIDE
- NOTIFY HOST OF DEPARTURE

reviews ★★★★★
 We strive to provide you a 5-star stay.
 Please consider leaving us a 5-star
 review to help our business thrive!

enjoy your stay!





EVACUATION ROUTE

MAX. OCC.:8

SHORT-TERM RENTAL AGREEMENT

I. The Parties

This Short-Term Rental Agreement ("Agreement") made on January 1 2025 is between the following:

One (1) individual(s) known as _____ with a mailing address the same as the Property Address. ("Tenant(s)")

AND

Two (2) individual(s) known as William Edge and Janet Edge with a mailing address of 475 Harbour Shores Drive, Jackson, Georgia, 31069 ("Landlord").

Landlord and Tenant(s) ("Parties") agree to the following terms and conditions:

II. The Property

The Tenant(s) agrees to rent the residential dwelling described as a(n) single-family home with a mailing address of 920 Keith Drive, Perry, Georgia, 31069 ("Property"). The Property consists of 3 bedroom(s) and has 2 bathroom(s).

III. Furnishings

The Property shall be furnished by the Landlord. Landlord shall provide the following furnishings as part of this Agreement:

Bedroom Set(s) - Including but not limited to beds, pillows, sheets, nightstands, and lighting fixtures.

Dining Room Set(s) - Including but not limited to tables, chairs, and other items that complete a dining room set.

Kitchenware - Including but not limited to pots, pans, utensils, cleaning supplies, and other everyday items that complete a kitchen set.

Living Room Set(s) - Including but not limited to couches, chairs, sofas, televisions, desks, and other common living room items.

IV. Parking

The Landlord shall provide parking as part of this Agreement in the form of 10 parking space(s). There shall be no fee for the parking space(s).

V. Period and Guests

The total amount of individuals allowed to stay at the Property for any period will be limited to 8 people. In addition, the Tenant(s) are allowed to have a total number 0 Guests on the Property.

VI. Start and End Dates

The term of this Agreement shall begin January 1 2025 and end on January 8 2025 ("Rental Period").

The Tenant(s) shall be allowed to check-in at 03:00 PM and check-out at 10:00 AM.

VII. Rent

The rent due by the Tenant(s) to the Landlord shall be in the amount of \$xxxx per night during the Rental Period.

VIII. Security Deposit

The Tenant(s) shall not be obligated to pay a Security Deposit as part of this Agreement.



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development

April 29, 2024

CASE NUMBER: SUSE-0048-2024
APPLICANT: Whitney Chance
REQUEST: A Special Exception to allow a short-term residential rental
LOCATION: 308 Haven Way; Tax Map No. 0P0660 039000

REQUEST ANALYSIS: The subject property owner proposes to offer the entire **3-bedroom/2-bath** house for short-term rental for a maximum of **6** occupants. The subject premises were inspected for compliance with minimum health and safety requirements for use and occupancy (per Section 2-3.6) and **passed**.

Standards for Short-term Rental Properties (Section 4-3.5 of the LMO)	
1,000-foot buffer from another STR and only one STR per premises	Complies
Designation of local contact person	Complies
Host Rules addressing: <ul style="list-style-type: none"> • Maximum occupancy of 6 persons • Parking restrictions; on-premises parking of up to 2 vehicles • Noise restrictions • On-premises curfew • Prohibition of on-premises events 	Complies
Trash pick-up plan	Complies
Required written rental agreement	Complies
Proof of required active insurance policy	Complies
Application for City of Perry Occupational Tax Certificate	Complies
Other standards will be addressed with the issuance of an STR permit	

STANDARDS FOR SPECIAL EXCEPTIONS:

1. *Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?* Staff is not aware of covenants or restrictions on the subject property which would preclude the proposed use.
2. *Does the Special Exception follow the existing land use pattern?*

	Zoning Classification	Land Uses
Subject	R-2, Single-family residential	Single-family residential
North	R-2, Single-family residential	Single-family residential, Undeveloped
South	R-1, Single-family residential	Single-family residential
East	R-2, Single-family Residential	Single-family residential
West	R-2, Single-family Residential	Single-family residential, Undeveloped

3. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The subject property is included in a “Suburban Residential” character area in the 2022 Joint Comprehensive Plan. This character area is typically developed with a mix of residential uses.
4. *Will adequate fire and police protection be available?* Fire and police protection are already provided to the property. The proposed use should not impact these services.
5. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* Renting the existing house on a short-term basis should not be detrimental to surrounding properties. Other than the tenants changing on a more frequent basis, short-term rental should not be any different than the normal occupancy of a single-family residence.
6. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* Short-term rental of the residence should not cause inappropriate interference with the normal pedestrian and vehicular traffic in the neighborhood.
7. *Will the use result in an increase in population density overtaxing public facilities?* Short-term rental of the residence should not increase the population density above that expected for the size of the house.
8. *Will the use create a health hazard or public nuisance?* Short-term rental of the residence should not create a health hazard. Compliance with standards for short-term rentals will prevent a public nuisance.
9. *Will property values in adjacent areas be adversely affected?* Short-term rental of the residence should not adversely affect the value of properties in the area.
10. *Are there substantial reasons a permitted use cannot be used at this property?* The property is developed with a permitted use. The special exception is to allow the single-family residence to be rented on a less than 30-day basis.

STAFF RECOMMENDATION: Staff recommends approval of the special exception and issuance of a Short-Term Rental Permit.

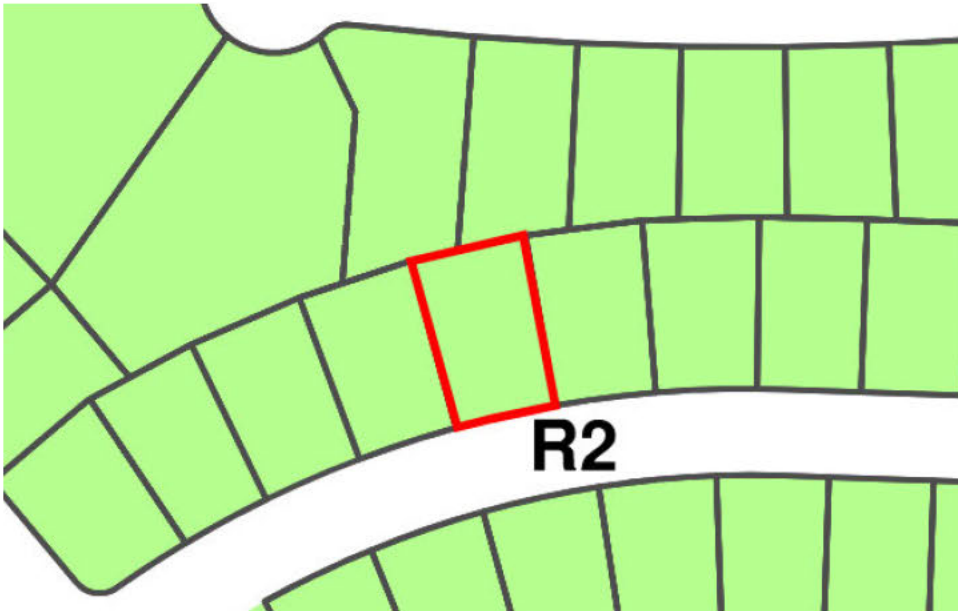


SUSE-0048-2024

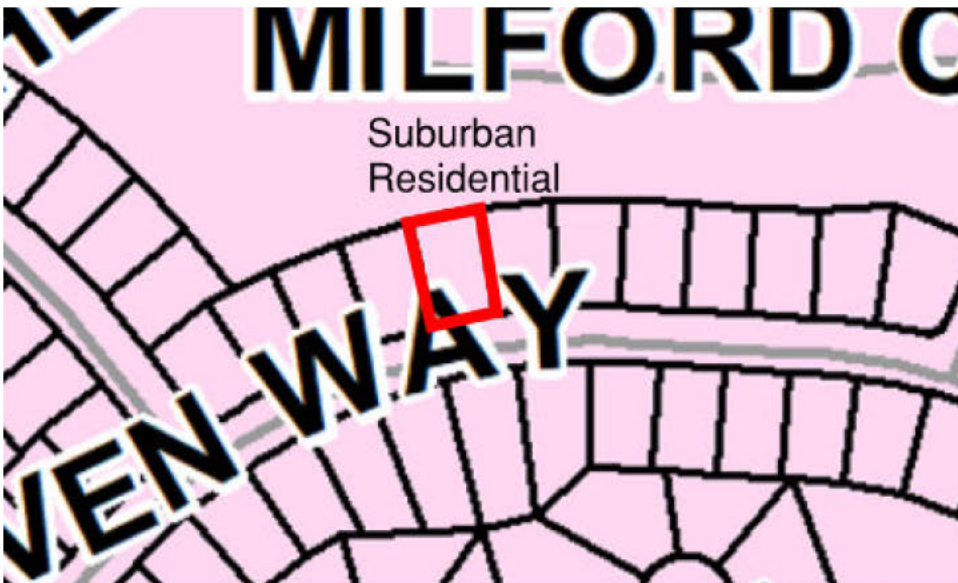
308 Haven Way

Allow a short-term residential rental

Aerial



Zoning



Character Area



Where Georgia comes together.

Application #SUSE 0048-2024

Application for Special Exception

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Allynbeard LLC	Whitney Chance
*Title		Melissa Bearden
*Address	1191 Jackson Spring Rd Macon GA	
*Phone	[REDACTED]	
*Email	[REDACTED]	

Property Information

*Street Address	308 Haven Way Perry GA 31069
*Tax Map Number(s)	0P0660 039006
*Zoning Designation	R2

Request

*Please describe the proposed use: Short Term Rental

Instructions

- The application and ***\$306.00 fee** (made payable to the City of Perry) must be received by the Community Development Office or filed on the online portal no later than the date reflected on the attached schedule.
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards).** See Sections 2-2 and 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
- *For applications in which a new building, building addition and/or site modifications are proposed, you must submit a site plan identifying such modifications.**
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Special Exception applications require an informational hearing before the planning commission and a public hearing before City Council. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- *The applicant must be present at the hearings to present the application and answer questions that may arise.**
- The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

8. *Signatures: <i>Whitney Chance</i>	3/26/24
*Applicant: <i>Melissa Bearden</i>	*Date: 3/26/24
*Property Owner/Authorized Agent: <i>Whitney Chance</i>	*Date: 3/26/24

Standards for Granting a Special Exception

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

(1) The existing land use pattern. **No. The Short-term rental (STR) business will be run out of an already existing house built within the neighborhood. No change to the use of the land. There is also no Homeowner’s association or other type of covenant in the neighborhood that would oppose a STR.**

(2) Whether the proposed use is consistent with the Comprehensive Plan. **Yes. Our house rules and requirements will ensure that our STR will not infringe on the quality of life within the neighborhood or community. This includes a maximum of only six guests, quiet hours and a plan for trash collection. Instead, the STR will contribute to the economic development of Perry. We will be hosting guests who will be participating in events at the National Fairgrounds, working professionals coming to work in Perry as well as family members of those stationed at the nearby Airforce base in Warner Robins. They will be visiting local restaurants and businesses and spending money within the city limits.**

(3) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection. **Yes, the existing house where the STR business will take place is accessible to both fire and police services.**

(4) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern or the Comprehensive Plan.

The proposed use of this house for a STR will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties. Our property will have a well-maintained yard and exterior that will encourage other neighbors to keep their exteriors maintained as well. Having guests participating in events at the National Fairgrounds, Perry and the surrounding area will be in harmony with the current activities of the neighborhood. The rental will be hosting families for ball tournaments and working professionals visiting Perry. We also have house rules that will require guests to comply with a quiet hours, no parties, no commercial photography, maximum of 6 guests. They have instructions on how to properly take out trash as well.

(5) Whether, in the case of any use located in, or directly adjacent to, a residential district or area: (a) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and (b) The location and height of buildings, and other structures, and the nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or

discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern.

There is a 6-person occupancy limit. No parties or commercial use are allowed. This will have same impact to the neighborhood as a typical person or family living in the residence.

(6) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities.

There is a 6-person occupancy limit. No parties or commercial use are allowed. This will have same impact to the neighborhood and surrounding infrastructure as a typical person or family living in the residence.

(7) Whether the proposed use will cause a health hazard, a public safety problem, or create a nuisance or cause excessively increasing traffic and associated congestion; create a drainage problem; generate unnecessary disturbance due to noise, the emission of smoke or other contaminants, odor, electrical interference, or cause pollution to land, air and/or water.

There is a 6-person occupancy limit. No parties or commercial use are allowed. See attached house rules. Tenants are to abide by quiet hours and park in designated parking spots on the property. This will have same impact to the neighborhood and surrounding infrastructure as a typical person or family living in the residence.

(8) Whether the proposed change will adversely affect property values in adjacent areas. The STR will have no adverse effect to neighboring property values. Rather, our requirement to maintain the interior and exterior of the home will encourage other neighbors to keep their property looking nice as well.

(9) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located.

We see no substantial reason why the property could not be used for an STR.



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Application # _____

Supplement to Application for Special Exception For Initial Short-term Rental (STR) Permit

A Special Exception of Short-term Rental Permit is not complete until this supplemental form and accompanying documents are complete

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Property Owner	*Designated Local Contact Person complying with Sec. 4-3.5(C) of Land Management Ordinance
*Name	Allyn Boyd LLC Whitney Chance & Melissa Bearden	
*Mailing Address	1191 Jackson Springs Rd Macon, GA 31211	
*Phone	[REDACTED]	*24-hour contact: Whitney Chance
*Email	[REDACTED]	

*Street Address of Short-term Rental Unit:	308 Haven Way Perry GA 31069
*Tax Map Number:	OPG 666 039000

*The following items are required to be submitted to complete this supplement (Refer to Sec. 4-3.5 of the Land Management Ordinance (LMO) for standards):

1. Proof of insurance
2. Copy of application for City of Perry Occupational Tax Certificate
3. Copy of proposed Host Rules
4. Plan for trash collection
5. The maximum number of occupants proposed at any given time
6. Plot plan of the premises identifying location and number of parking spaces for the STR
7. Dimensioned floor plan of the STR identifying bedrooms other living spaces and emergency evacuation routes
8. Copy of proposed written rental agreement to be executed between the owner and responsible Person
9. Name and contact information for the homeowner's association, if any, of which the premises is subject to by restrictive covenants
10. Other certifications and information deemed necessary and proper to ensure compliance with the LMO

Upon submittal the City will contact the property owner to schedule an inspection of the property to ensure the proposed short-term rental unit complies with minimum health and safety requirements for use and occupancy. If a premises fails to pass an inspection, a re-inspection fee will be charged for each subsequent inspection. Application for Special Exception will not be scheduled for Planning Commission consideration until the proposed STR unit complies with minimum health and safety requirements.

***Notarized Property Owner Signature:**

I affirm that the information provided in this supplement is accurate and complete. I understand an STR permit may be revoked by the administrator if the permit holder has: 1) received more than 2 citations for violations of the Code of the City of Perry within the preceding 12-month time period, or 2) failed or refused to comply with an express condition of the permit and remains in non-compliance ten days after being notified in writing of such non-compliance, or 3) knowingly made a false statement in an application or supplement, or 4) otherwise become disqualified for the issuance of a permit under the terms of the Land Management Ordinance. I further understand that I must wait one year from the date of a revoked permit before an STR renewal permit can be issued.

Signature _____ Date _____

***Notary Public signature and seal:**

Signature: Melissa B.

Seal:

Date: Whitney Chance



Where Georgia comes together.

CITY OF PERRY, GEORGIA
APPLICATION FOR OCCUPATIONAL TAX CERTIFICATE
Post Office Box 2030 - 1211 Washington Street - Perry, Georgia 31069
Office 478-988-2740 Fax 478-988-2748
liz.nelson@perry-ga.gov

- New
- Renewal
- Change

Business Name Allynbeard LLC Phone Number [REDACTED]
 Type of Business: Short Term Rental
 Business physical location 308 Haven Way Perry GA 31069
 Business mailing address 1191 Jackson Springs Rd Macon GA 31211
Street or P O Box City State Zip
 Number of employees (including manager) N/A (only 2 owners) NAICS Code 721199
 Full legal name of applicant Whitney Chance, Melissa Bearden
(Applicant must provide current legal driver's license)

Residence Address 1191 Jackson Springs Rd Macon, GA 31211
Street City State Zip

Cell Phone Number [REDACTED] Home Phone Number _____
 Work Phone Number _____ Email [REDACTED]

Full legal name of Owner/Manager/Agent Whitney Chance, Melissa Bearden
 Full legal name of entity operating business Allynbeard LLC

Full legal name of persons/entities having 20% or more interest in operating entity.
Whitney Chance
Melissa Bearden

Business federal employer identification number 1290293

Please list any other associated trade names for the business N/A

I, the applicant hereinabove set forth, after being duly sworn, under oath states the foregoing information is true and correct to my best knowledge and belief. So help me God

This 26th day of March, 2024.

[Signature]
Applicant Signature

3/26/2024
Date

Whitney Chance



9800 Fredericksburg Road
San Antonio, Texas 78288

MELISSA BEARDEN
308 HAVEN WAY
PERRY, GA 31069

March 8, 2024

Reference: Existing USAA Rental Property Insurance Policy Summary

We're writing to provide the following summary of the USAA rental property policy:

Effective date of policy: March 24, 2023 12:01 a.m. local time
Policy expiration date: March 24, 2024 12:01 a.m. local time
Policy location: 308 HAVEN WAY,
PERRY, GA 31069
Policy number: CIC 026075180 81A
Named Insured: MELISSA BEARDEN
Additional Insured: WHITNEY CHANCE
Additional Insured Type: Co-owner

Description of coverage(s)

Dwelling coverage: \$230,000
Home Protector: Included
Personal belongings: \$2,500
Personal liability: \$1,000,000
Medical payments: \$5,000

Deductible(s)
All other perils: \$2,000
Wind and hail: 1.00% (\$2,300)

Revised Annual Premium: \$830.29

Mortgage clause: FIRST FEDERAL BANK
C/O LOANCARE ISAOA/ATIMA
PO BOX 202049
FLORENCE, SC 29502-2049
Loan number: 2020047388

Your Home Protector coverage, if included, provides you an additional 25% of dwelling coverage. Policy terms, conditions and exclusions apply.

Notification to Additional Interest Upon Cancellation

If this policy is canceled or not renewed, the mortgagee/lender will be properly notified at least 10 days before the date cancellation or nonrenewal takes effect.

House Rules & Check Instructions

House rules

[Learn more](#)

Maximum number of pets allowed

− 2 +

Events allowed

✕ ✓

Smoking, vaping, e-cigarettes allowed

✕ ✓

Quiet hours

✕ ✓

Commercial photography and filming allowed

✕ ✓

Number of guests

− 6 +

Check-in and checkout times

Arrive between 4:00 PM - Flexible
Leave before 10:00 AM

>

Additional rules

ABSOLUTELY NO SMOKING OF ANYKIND INSIDE No parking on the grass Pets not allowed on the beds. Evidence of any of the above will result in additional cleaning fees

>

308 Haven Way Check-In Instructions:

Hi there! The house is ready. Please use the keypad lock for initial entrance. Punch in the code below. Then hit the lock button in the middle. You can use this keypad entry throughout your stay. Please make sure not to lock the door knob lock underneath the key pad lock when exiting the house. Otherwise, you will lock yourself out.

Check-in instructions:

Door Code: XXXX

WIFI Network: KINETIC_baee61

Password: XXXXXX

***This information is also on the back of the router located in the middle bedroom. If you are having connection issues, then please unplug the router for a few minutes and then plug it back in. That will reset the router and, often times, resolve connection issues.

Streaming Services: All TVs are smart TVs equipped with Roku. Please use your credentials to log into the apps of your choice.

Parking: You can park one car in the garage. You can access the garage by using the garage door button on the inside of the house. You can park two cars in the driveway.

Please keep in mind, we have been experiencing record high temperatures this summer across the US and particularly here in the Southeast. Be cognizant not to leave doors or windows open for an extended period of time. That can put a strain on the air conditioning unit and cause it to freeze up.

Garbage Day: If you are staying on a Tuesday night, please take the trash can out to the road.

House Rules:

Check in: 4pm

Check out: 10am

Quiet Hours from 9pm to 8am

No Events allowed including but not limited to parties.

No more than 6 guests allowed.

No smoking, vaping or E cigs allowed inside the house

No more than 2 pets allowed

No photography or filming allowed inside or on the property

Pick up after your pets

No parking on grass

Checkout Instructions:

- Checkout is at 10am unless otherwise discussed with the host. \$100 late check out fee will be imposed if not followed.
- Throw out any food that is in the refrigerator
- Place all trash in the outdoor trash can
- Clean up after your dog in the yard
- Load and Run the dishwasher
- Don't worry about stripping the beds. Start a load of towels in the washing machine. Leave the rest of the towels on the laundry room floor
- Set the thermostat to 75 degrees
- Turn off all lights

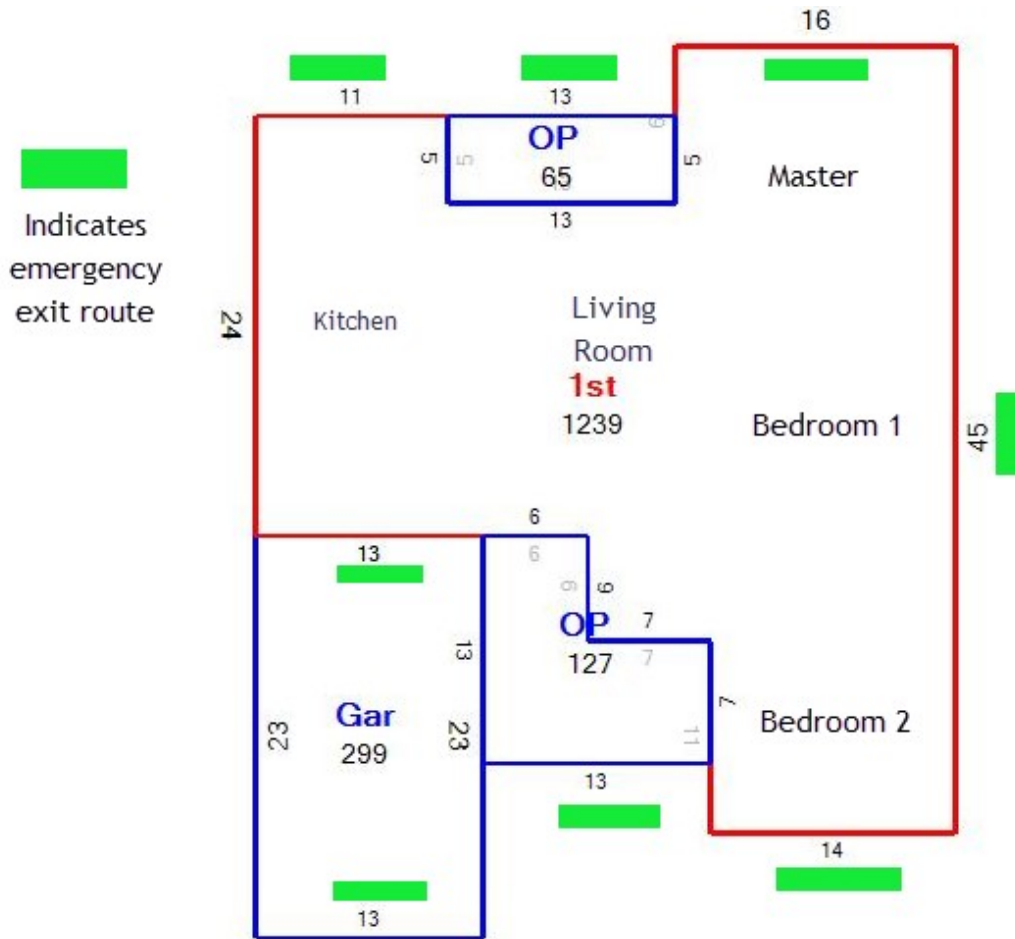
We hope that you enjoyed your stay!!

Please call or text Melissa (478) 262-7577 or Whitney (706) 573-3352 with any urgent concerns.

Parking Spots 1&2. See image below



308 Haven Way – Dimensional Floorplan with emergency evacuation routes



SAMPLE AIRBNB RENTAL AGREEMENT

This lease, entered into this _____ day of _____ 20____, by and between YOUR NAME, Owner ("Owner") and _____, "Renter" for the property located PROPERTY ADDRESS ("Property").

1. **TERM:** The term of the lease shall begin on the arrival date of: _____ and end on the departure date of _____ for ___ number of nights. The property will be ready for occupancy no earlier than CHECK IN TIME on the arrival date and must be vacated no later than CHECK OUT TIME on the departure date.

1. **RENT:** The rent is \$_____ plus a housekeeping fee and a security deposit payable as follows:

1. **PAYMENTS:** The following payments are due at time of reservation:
 - 100% of rental fee _____ to secure reservation.
 - Security Deposit ADD FEE AMOUNT.
 - Housekeeping fee ADD CLEANING FEE This is to prepare house for next renter; linens and towels provided; no daily housekeeping service.

1. **LIMITED OCCUPANCY:** Occupancy is limited to a maximum of INCLUDE MAXIMUM NUMBER. If Owner concludes that this policy has been breached, the Owner reserves the right to expel the entire party with no refund.

1. **NON-DISTURBANCE CLAUSE:** Renter and their guests shall not disturb, annoy, endanger (fireworks) or inconvenience neighbours nor use the premises for any unlawful purposes.

1. **CARE OF PREMISES/DAMAGES: NO PETS ALLOWED. NO SMOKING PERMITTED IN HOUSE.** Automatic eviction plus forfeit of deposit and rent if violated. Renter agrees to pay Owner for any damages to furnishings, household items or pool that occur as a result of Renter's

occupancy. This will include payment of any additional cleaning charges over \$100.00 incurred due to Renter's occupancy.

1. **OWNERS RIGHTS:** Renter agrees that if the conditions and limitations set forth herein are not met, Owner shall have the right to cancel this agreement and may enter the Property, either by statutory proceedings or by force, to inspect the Property and ensure that Renter has vacated the Property. All monies paid by Renter shall be forfeited as liquidated damages.

1. **INDEMNITY CLAUSE:** Renter hereby agrees to Indemnify and hold Owner harmless from any and all claims including those of third parties, arising out of or in any way related to Renter's use of Property or the items of personal property provided therein. Renter assumes all risk of injury or other losses relating to any recreational activities including use of the private swimming pool on the Property and will hold Owner harmless with respect thereto.

1. **NO SUBLETTING:** Renter may not sublet or assign this lease for all or any part of the premises without prior written consent of the Owner.

1. **REPAIRS AND MAINTENANCE:** The Property is rented with the Owner's furniture and household furnishings. Owner shall not be responsible for providing additional furnishings or equipment not presently available in Property. Renter will report any maintenance issues immediately to the Owner. Owner will make every effort to repair and/or replace any equipment that is not working properly, but cannot guarantee that all equipment is in good operating order at all times and no rate adjustments or refund will be made for equipment or appliance failures.

1. **CANCELLATIONS** Guests get a full refund if they cancel within 48 hours of booking and at least 14 days before check-in.

1. **PARKING:** Park in either of the two spaces in the driveway. You may also park inside the garage. No parking on grass.

Renter and Owner, by signing this Rental Agreement, acknowledge that they will comply with the terms of this agreement and each assumes the responsibility for the obligations set forth herein.

Renter acknowledges receipt of the House Rules.

Renter acknowledges that they have read, accept, and agree to the terms set forth.

Owner Signature

Renter Signature(s)

Date_____ Date_____

Renter Name(s) _____

Billing Address (for credit card)_____

Mailing Address(if different)_____

Email Address _____

Telephone: cell/home _____work:_____

Emergency Contact _____

HOUSE RULES

ADD HOUSE RULES HERE:

Check in: 4pm

Check out: 10am

Quiet Hours from 9pm to 8am

No Events allowed including but not limited to parties.

No more than 6 guests allowed.

No smoking, vaping or E cigs allowed inside the house

No more than 2 pets allowed

No photography or filming allowed inside or on the property

Pick up after your pets

No parking on grass

CHECK OUT PROCEDURES:

- a. **CHECK-OUT NO LATER THAN CHECK OUT TIME**
- b. All furniture should be returned to its original location.

- c. Empty all trash in garbage dumpster located at the far end of the parking garage in the designated area (towards the beach).
- d. Remove and dispose of all food items from refrigerator and pantry/cabinets.
- e. Place dishes, utensils, etc. in dishwasher and turn it on when you depart.

Thank you for agreeing to the terms of this rental agreement, and I hope you have a great stay.

Thanks, YOUR NAME

Renter

Date



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development

May 9, 2024

CASE NUMBER: SUSE-0053-2024

APPLICANT: Erika Crum

REQUEST: A Special Exception to allow a residential business

LOCATION: 319 Rippling Water Way; Tax Map No. 0P0720 056000

REQUEST ANALYSIS: The subject property owner wants to operate a single-station home hair salon in the garage of the house as a residential business.

Residential businesses are small offices or small-scale retail or service businesses in which customers or clients come to the house and are clearly incidental and secondary to the use of the dwelling for residential dwelling purposes.

STANDARDS FOR SPECIAL EXCEPTIONS:

1. *Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?* Staff is not aware of covenants or restrictions on the subject property which would preclude the proposed use.
2. *Does the Special Exception follow the existing land use pattern?*

	Zoning Classification	Land Uses
Subject	PUD, Planned Unit Development	Single-family residential
North	PUD, Planned Unit Development	Single-family residential
South	PUD, Planned Unit Development	Single-family residential
East	PUD, Planned Unit Development	Single-family Residential
West	PUD, Planned Unit Development	Undeveloped

3. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The subject property is included in a “Suburban Residential” character area in the 2022 Joint Comprehensive Plan. This character area is typically developed with a mix of residential uses.
4. *Will adequate fire and police protection be available?* Fire and police protection are already provided to the property. The proposed use should not impact these services.
5. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* Allowing customers to have access to the garage area on an appointment-only basis should not impact the surrounding properties. The exterior of the house will not be altered to advertise the business, and customer visits will be limited to Monday through Saturday 8 AM to 6 PM.

6. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* The use of the residence as a residential business should not cause inappropriate interference with the normal pedestrian and vehicular traffic in the neighborhood.
7. *Will the use result in an increase in population density overtaking public facilities?* The secondary use as a residential business should not increase the population density above that expected for the size of the house.
8. *Will the use create a health hazard or public nuisance?* Residential businesses should not create a health hazard, and normally should not create a public nuisance. The applicant is installing a ventilation/exhaust fan and extending her HVAC into the garage to eliminate potential health hazards from chemicals and sprays being used during stylist services. Lastly, the driveway of residence is about 30ft long and 30 ft wide, allowing more than enough space for vehicles to pull in without blocking the sidewalk or the street.
9. *Will property values in adjacent areas be adversely affected?* Secondary use as a residential business should not adversely affect the value of properties in the area.
10. *Are there substantial reasons a permitted use cannot be used at this property?* The property is developed as a permitted use, a single-family residence. The special exception is to allow secondary use as a residential business, as allowed, according to the LMO.

STAFF RECOMMENDATION: Staff recommends approval of the special exception, with the following conditions:

1. Limited to one stylist station and business details specified in the application documents.
2. Limited to the applicant, Erika Crum, and is not transferable.

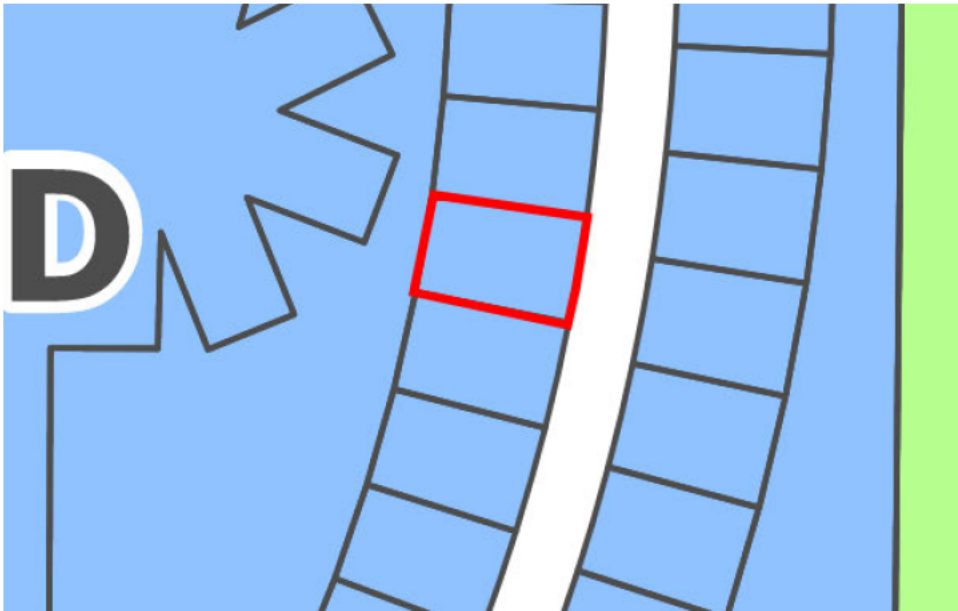


SUSE-0053-2024

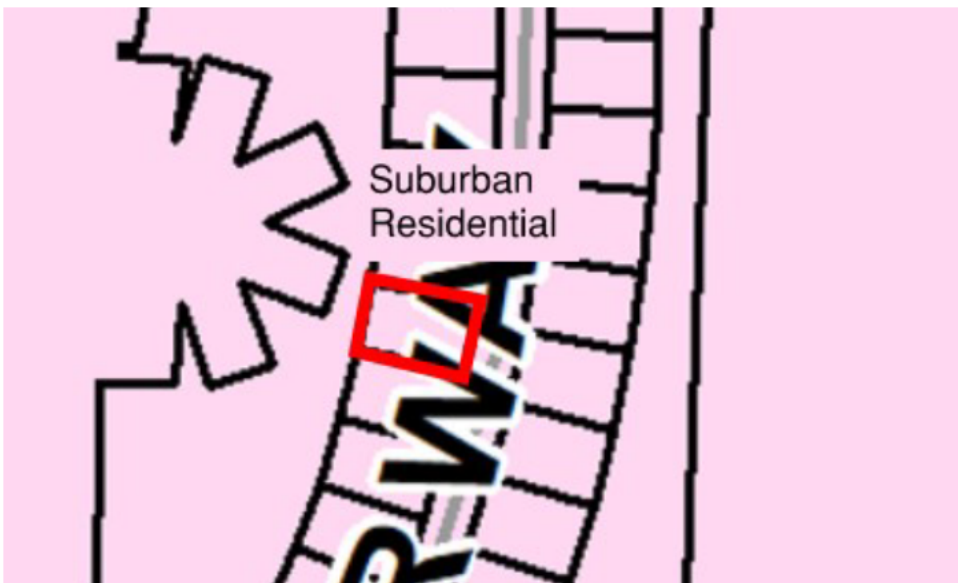
319 Rippling Water Way

Allow a hair salon as a residential business

Aerial



Zoning



Character Area



Where Georgia comes together.

Application # SLWX 0053-
2024

Application for Special Exception

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Erika Crum	Erika Crum & Ryan Crum
*Title		
*Address	319 Rippling Water Way, Perry, GA, 31069	
*Phone	[REDACTED]	
*Email	[REDACTED]	

Property Information

*Street Address	319 Rippling Water Way, Perry, GA, 31069	
*Tax Map Number(s)	P 7286	*Zoning Designation residential PUD

Request

*Please describe the proposed use:
Hair Salon

Instructions

1. The application and *\$306.00 fee (made payable to the City of Perry) must be received by the Community Development Office or filed on the online portal no later than the date reflected on the attached schedule.
2. *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
3. *For applications in which a new building, building addition and/or site modifications are proposed, you must submit a site plan identifying such modifications.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Special Exception applications require an informational hearing before the planning commission and a public hearing before City Council. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
6. *The applicant must be present at the hearings to present the application and answer questions that may arise.
7. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
8. *Signatures:

*Applicant	Erika Crum	*Date	4-7-24
*Property Owner/Authorized Agent	Erika Crum	*Date	4-7-24

Standards for Granting a Special Exception

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

- (1) The existing land use pattern. *See attached*
- (2) Whether the proposed use is consistent with the Comprehensive Plan.
- (3) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection.
- (4) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern or the Comprehensive Plan.
- (5) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:
- (a) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and
 - (b) The location and height of buildings, and other structures, and the nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern.
- (6) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities.
- (7) Whether the proposed use will cause a health hazard, a public safety problem, or create a nuisance or cause excessively increasing traffic and associated congestion; create a drainage problem; generate unnecessary disturbance due to noise, the emission of smoke or other contaminants, odor, electrical interference, or cause pollution to land, air and/or water.
- (8) Whether the proposed change will adversely affect property values in adjacent areas.
- (9) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located.

There are no covenants, restrictions, and/or HOA pertaining to this property.

1) The land use pattern is currently residential. We use this property as our home/residence.

2) My comprehensive plan is to utilize my garage as an inhome salon.

It will be in operation Monday through Friday from 9am to 5pm and I will only see one client at a time. All clients will only park in my driveway and will not be allowed to park on the side of the road.

I am determined to be consistent with this plan.

3) All areas to be used (structure, equipment, and material) will be readily accessible for fire and police protection.

4) -See comprehensive plan above at #2-
Salon will not interfere with any other properties or developments. It will not interfere with current land use as well.

5) a) The nature and intensity of my operations will not interfere with our residential community. My clients are of high moral integrity and I will hold them to such standards.

b) My business will not interfere with →

any other buildings or structures.

6) My business will not interfere with population density and will definitely not overtax the load on facilities such as mentioned. Most will not even realize a business resides within my home.

7) As already mentioned before, my business is very small and will be ran very efficiently. I use no harsh chemicals or pollutants and I will strive to keep things as clean and professional as much as humanly possible.

8) No changes I have proposed will adversely affect any one else's properties around where I will have my business.

9) There are no substantial reasons or really any reasons why the property could not be used for permitted use in the district where my property is located.

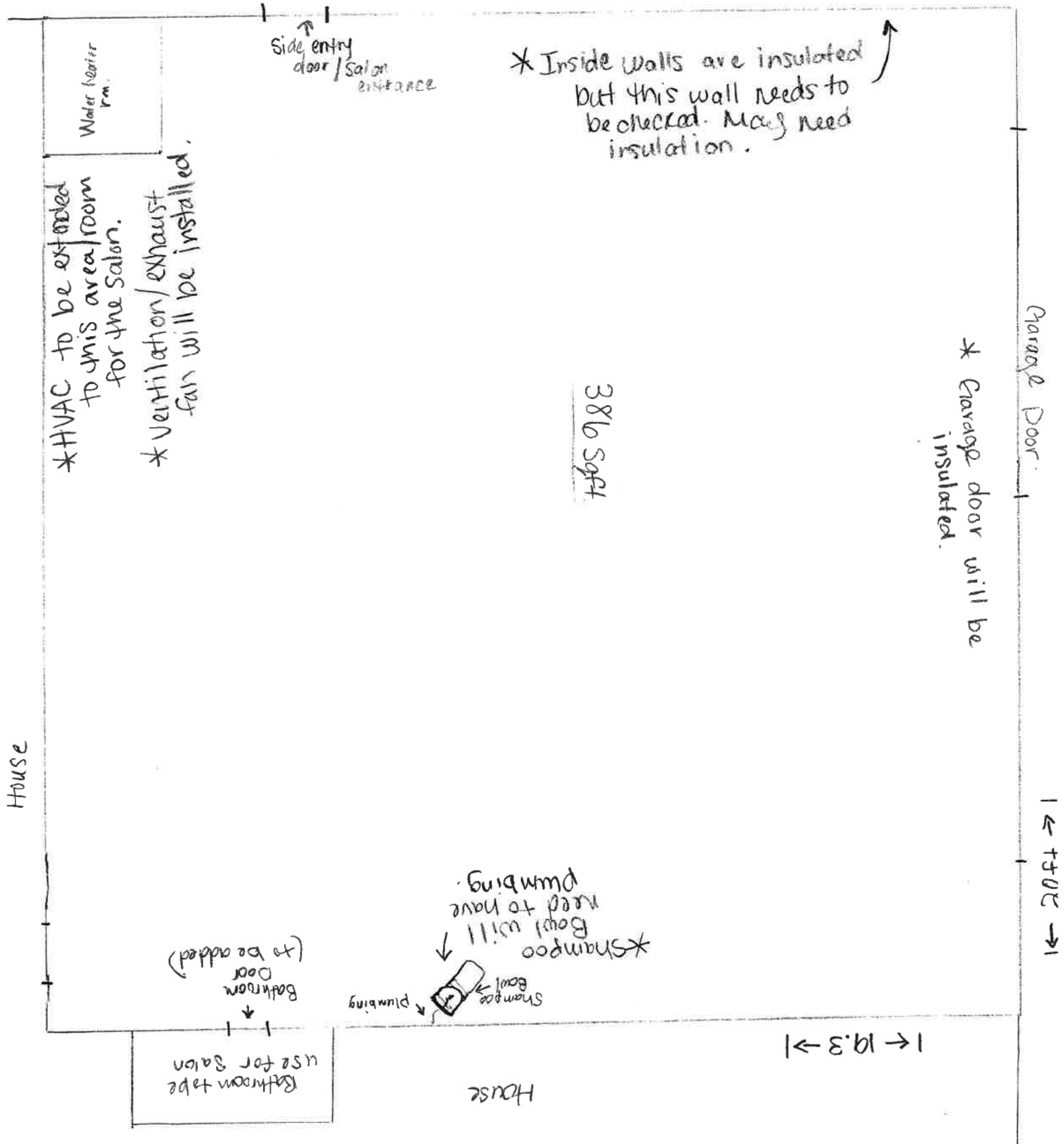
April 14th
2024

Erika Crum's Floor Plan Model

for exemption paper work.

email: erikacrum@gmail.com Phone #: 418-952-1460

319 Rippling Water way





Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
May 9, 2024

CASE NUMBER: RZNE-0054-2024
APPLICANT: Equity Trust Company, FBO
REQUEST: Rezone from R-3, Single-Family Residential to RM-1, Multi-Family Residential
LOCATION: 1024 & 1026 King Blvd; Tax Map No: 0P0360 109000 & 0P0360 115000

BACKGROUND INFORMATION: Prior to modifications to the Land Management Ordinance in 2022, the R-3 district allowed single- and multi-family residential development. The property at 1024 King Blvd. was developed with six dwelling units in three buildings in 1973. The property at 1026 King Blvd. is a 1.37-acre undeveloped tract.

The RM-1 zoning district allows multi-family development of up to six dwelling units per parcel. This requested zoning will make the existing development at 1024 King Blvd. conforming use, and will allow six additional dwelling units to be constructed on property 1026 King Blvd.

STANDARDS GOVERNING ZONE CHANGES:

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? Applicant is not aware of any covenants or restrictions which prevent the property from being used as a C-3, Central Business development.

1. The existing land uses and zoning classification of nearby property.

	Zoning	Land Use
North	GU, Government Use	Big Indian Creek Waterway/ Whitetail Trail
South	R-3, Single Family Residential	Single-family residential
East	R-3, Single Family Residential	Single-family residential
West	R-3, Single Family Residential	Single-family residential

- The suitability of the subject property for the zoned purposes.** One of the subject properties was made nonconforming due to a change in the R-3 district requirements. The undeveloped parcel is suitable for use as a single-family residence, but it is much larger than typical surrounding residential lots.
- The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** Because one of the subject properties is developed with six dwelling units, the property value is diminished by the current zoning. The undeveloped parcel is substantially larger than surrounding residential lots and has limited street frontage which limits its ability to be subdivided.
- The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.** One of the parcels has been developed with multi-family units since 1973. The requested zoning should not have a negative impact on the public health, safety, general welfare, or morals.
- The relative gain to the public as compared to the hardship imposed upon the individual property owner.** Not maintaining naturally occurring affordable housing nor allowing for a similar development appears to be a hardship imposed on the property owner and to the public.

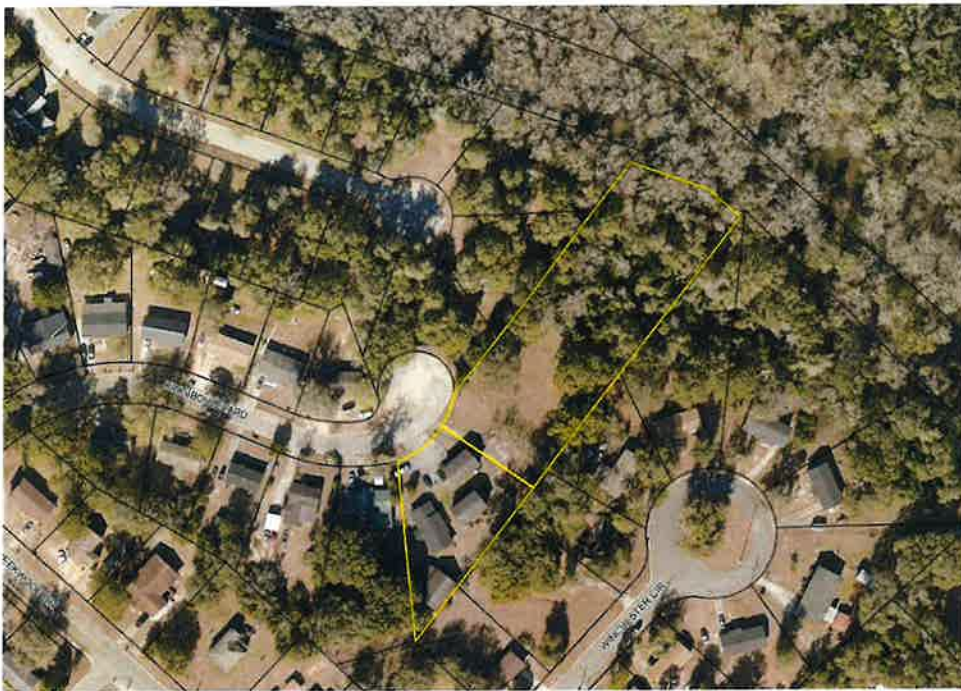
6. **Whether the subject property has a reasonable economic use as currently zoned.** One of the properties is already developed as multi-family. The undeveloped property is larger than surrounding single-family lots. These properties do not appear to have a reasonable economic use under the R-3 zoning classification.
7. **The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** 1024 King Blvd. was developed in 1973. 1026 King Blvd. is undeveloped. Most of the surrounding residential properties were developed in the early 1970s, with the exception of lots fronting Hill Lane to the west, which have seen recent residential construction.
8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** The proposed RM-1 zoning will allow the existing apartments to continue. Because of its limited street frontage, it is unlikely that more than six dwelling units can be developed on the property at 1026 King Blvd.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** The limited development options for the properties should not adversely affect surrounding properties.
10. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The properties are in the “Traditional Neighborhood” character area, which calls for well-designed residential development that blends into existing neighborhoods.
11. **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 proposed zoning should not have substantial impact on existing public facilities.
12. **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.** The current owner recently purchased the properties from the estate of a long-time owner.

STAFF RECOMMENDATION: Staff recommends approval of this application as submitted.

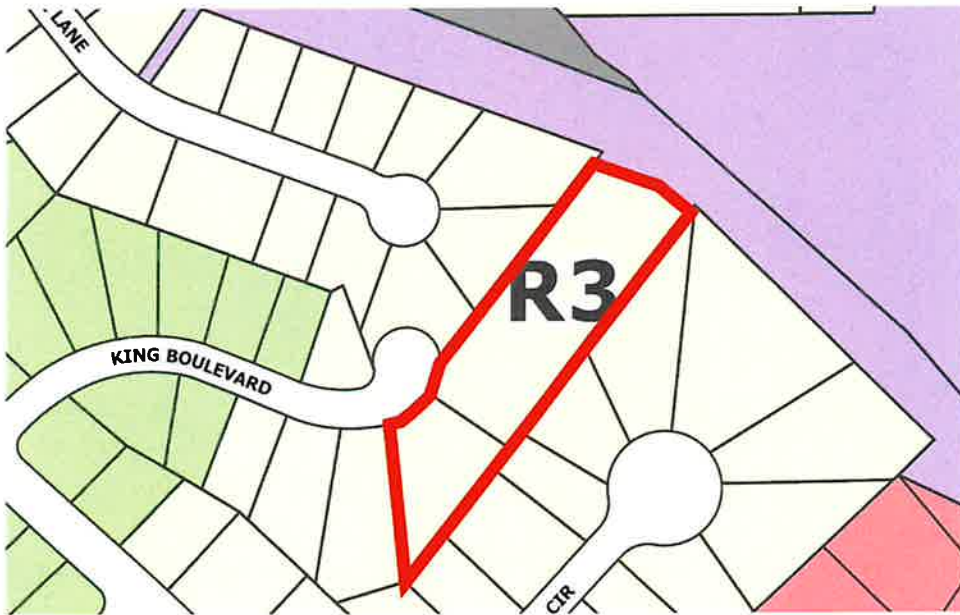
RZNE-0054-2024

1024 & 1026 King Blvd.

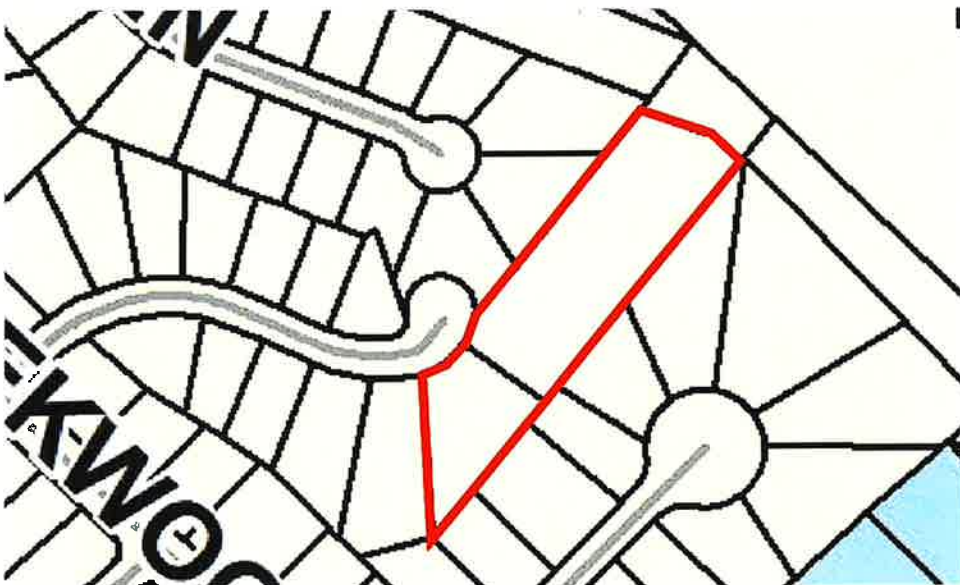
R-3 to RM-1



Aerial



Zoning



Character Area



Where Georgia comes together.

Application # R2NE-0054-
2024

Application for Rezoning

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Equity Trust Company, FBO	Tiberio DeJulio, IRA
*Title		
*Address	678 Royer Ct, Sandy Springs, GA 30342-1459	
*Phone	[REDACTED]	
*Email	[REDACTED]	

Property Information

*Street Address or Location	1024 King Blvd = 1026 King Blvd
*Tax Map Number(s)	P36-115 3 P36-109
*Legal Description	
<input checked="" type="checkbox"/> Provide a copy of the deed as recorded in the County Courthouse, or a mete and bounds description of the land if a deed is not available; <input type="checkbox"/> Provide a survey plat of the property; <u>Deed attached</u>	

Request


*Current Zoning District	R3	*Proposed Zoning District	RM1
*Please describe the existing and proposed use of the property <u>Note: A Site Plan or other information which fully describes your proposal may benefit your application.</u> <u>Please see attached</u>			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential Zoning (R-Ag, R-1, R-2, R-3) - \$306.00 plus \$26.00/acre
 - Non-residential Zoning (other than R-Ag, R-1, R-2, R-3) - \$510.00 plus \$41.00/acre
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with these standards). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property at least 15 days prior to the scheduled hearing dates.
- *The applicant must be present at the hearings to present the application and answer questions that may arise.
- *Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes ___ No X
 If yes, please complete and submit a Disclosure Form available from the Community Development office.

8. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

9. Signatures:

*Applicant 	*Date 4-5-24
*Property Owner/Authorized Agent Tiberio P. DeJulio, IRA	*Date

Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

- (1) The existing land uses and zoning classification of nearby property;
- (2) The suitability of the subject property for the zoned purposes;
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- (6) Whether the subject property has a reasonable economic use as currently zoned;
- (7) 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;
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and
- (12) 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.

Equity Trust Co FBO, Tiberio DeJulio IRA

Request

I own the two properties, 1024 King Blvd and 1026 King Blvd.

1024 King Blvd is currently zoned R-3 non-conforming, it should be zoned RM1, to put it into conformity with its use.

1026 is currently zoned R3.

I'm requesting that both properties be re-zoned to RM1.

To bring 1024 into conformity with its current use, and to allow me to build 3 duplexes on 1026.

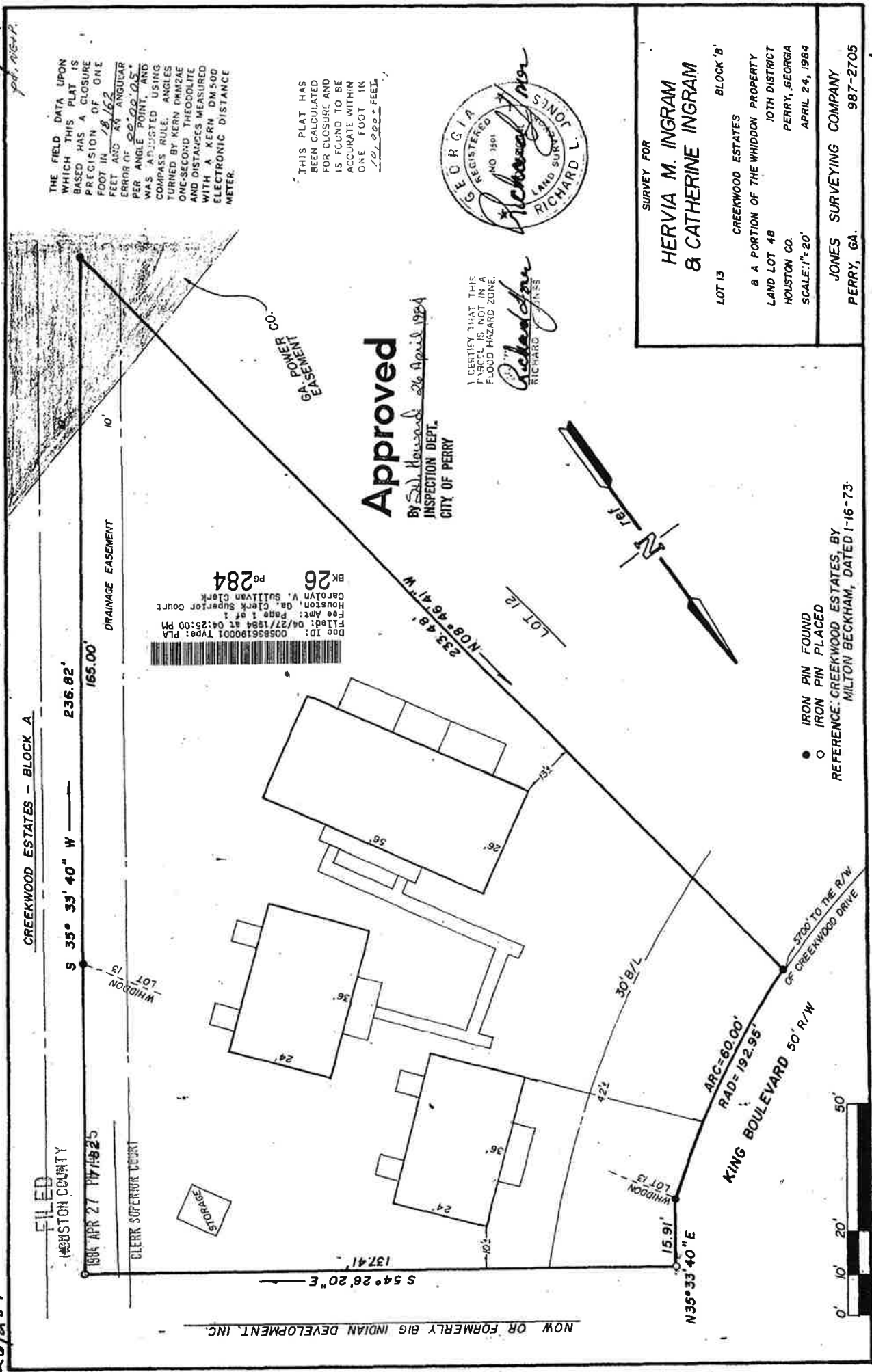
Since the adjacent property, 1024, which I own already has 3 duplexes on it, it seems like this is the highest and best use of 1026 King Blvd.

Standards for Granting a Rezoning

1. The adjacent property contains 3 duplexes.
2. The subject property is a 1.4 ac. vacant lot.
3. It is not economically feasible to build as R3.
4. n/a
5. By changing the zoning, it will allow for additional affordable housing
6. No economic value as currently zoned
7. As far as I know it's never been used
8. By rezoning it will conform to adjacent property
9. Rezoning will have no effect on adjacent property
10. Rezoning will provide for responsible long range growth and housing
11. There should be no adverse effects on the existing infrastructure or schools
12. The adjacent property is already comprised of three duplexes and to add three more duplexes to the area will only add to the availability of affordable housing,

26/284

ge 1 of 26/284



THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 18,162 FEET AND AN ANGULAR ERROR OF 00.0025 PER ANGLE POINT. AND WAS ADJUSTED USING COMPASS RULE. ANGLES TURNED BY KERN DMZAE ONE-SECOND THEODOLITE AND DISTANCES MEASURED WITH A KERN DM 500 ELECTRONIC DISTANCE METER.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 20,000 FEET.



Approved

By *S. Howard* 26 April 1984
INSPECTION DEPT.
CITY OF PERRY

I CERTIFY THAT THIS PLAT IS NOT IN A FLOOD HAZARD ZONE.

Richard L. Jones
RICHARD L. JONES

SURVEY FOR

HERVIA M. INGRAM
& CATHERINE INGRAM

LOT 13 BLOCK 'B'
CREEKWOOD ESTATES
& A PORTION OF THE WHIDDON PROPERTY
LAND LOT 48 10TH DISTRICT
HOUSTON CO. PERRY, GEORGIA
SCALE: 1"=20'
APRIL 24, 1984

JONES SURVEYING COMPANY
PERRY, GA. 987-2705

MICROFILMED

26/284

CREEKWOOD ESTATES - BLOCK A

FILED

HOUSTON COUNTY

1984 APR 27 11:18:25

CLERK SUPERIOR COURT

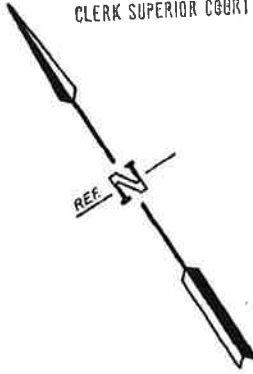
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Filed: 04/27/1984 at 04:23:00 PM
Fee amt: Page 1 of 1
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk
BK 26 Pg 284

● IRON PIN FOUND
○ IRON PIN PLACED
REFERENCE: CREEKWOOD ESTATES, BY
MILTON BECKHAM, DATED 1-16-73



FILED
HOUSTON COUNTY
1984 APR 27 PM 4: 25

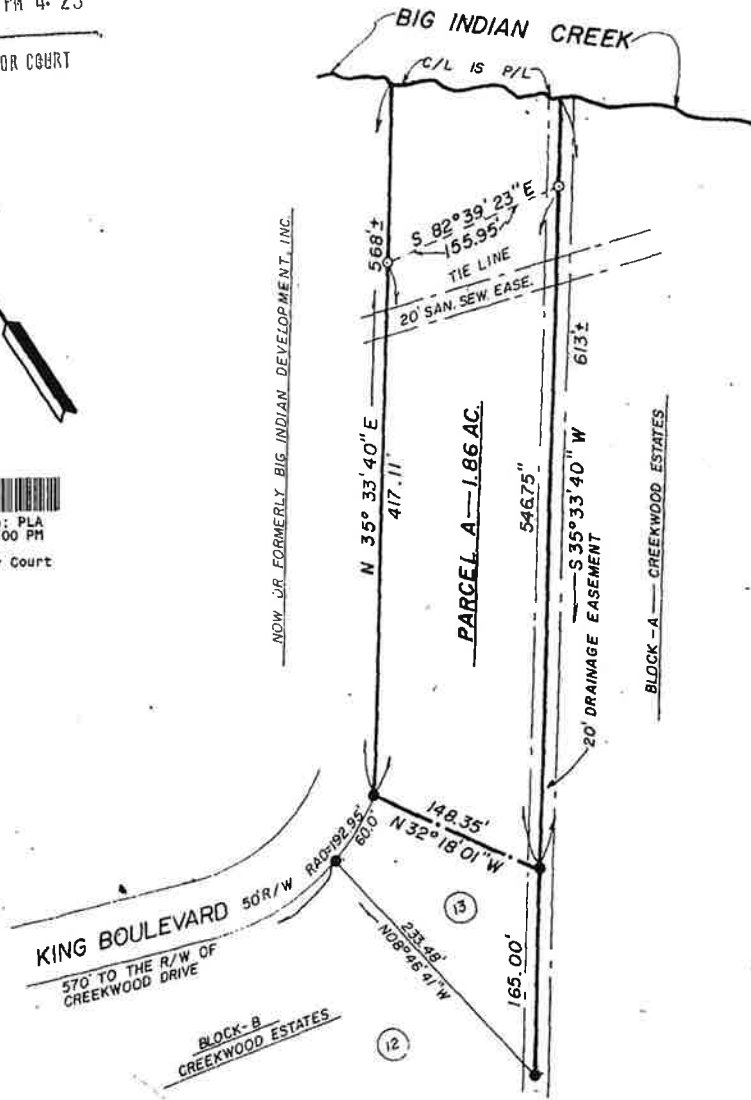
CLERK SUPERIOR COURT



Doc ID: 006836280001 Type: PLA
Filed: 04/27/1984 at 04:25:00 PM
Fee Amt: Page 1 of 1
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk

BK 26 PG 286

NOW OR FORMERLY BIG INDIAN DEVELOPMENT, INC.



NOTE:

PARCEL 'A' IS AN ADDITION TO LOT 13, BLOCK 'B', CREEKWOOD ESTATES, AND IS NOT INTENDED AS AN INDIVIDUAL BUILDING LOT.

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 23,162 FEET AND AN ANGULAR ERROR OF 00°00'03" PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE. ANGLES TURNED BY KERN DKM2AE ONE-SECOND THEODOLITE AND DISTANCES MEASURED WITH A KERN DM500 ELECTRONIC DISTANCE METER.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 297,670 FEET.

REFERENCE: PLAT OF CREEKWOOD SUBDIVISION, BY MILTON BECKHAM, DATED 1-16-73

- IRON PIN FOUND
- IRON PIN PLACED



Approved

By *S. J. Howard* 26 April 1984
INSPECTION DEPT.
CITY OF PERRY

SURVEY FOR

DEWEY N. WHIDDON

LAND LOT 48 10TH DISTRICT
HOUSTON CO. PERRY, GEORGIA
SCALE: 1"=100' APRIL 24, 1984

JONES SURVEYING COMPANY
PERRY, GA. 987-2705

26/286

MICROFILMED

26/286

Doc ID: 006354830002 Type: GLA
Filed: 08/10/2004 at 11:02:54 AM
Fee Amt: \$12.00 Page 1 of 2
Transfer Tax: \$0.00
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk
BK **3110** PG **304-305**

(Above space for recording officer use.)

Due & Return: DAVID G. WALKER
WALKER, HULBERT, GRAY, BYRD & CHRISTY, LLP
909 BALL ST. * P.O. BOX 1770
PERRY, GEORGIA 31069

FILE NO: P'04-#357

STATE OF GEORGIA
COUNTY OF HOUSTON

CORRECTIVE
WARRANTY DEED

THIS INDENTURE, Made the 9th day of August in the year two thousand four,
between

HERVIA M. INGRAM and CATHERINE H. INGRAM

of the County of Houston and State of Georgia, as party or parties of the first part, hereinafter
called Grantor,

and CITY OF PERRY, GEORGIA

of the County of Houston and State of Georgia, as party or parties of the second part,
hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective
heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Other Good and
Valuable Considerations and TEN (\$10.00) and NO/100-----DOLLARS
in hand paid at and before the sealing and delivery of these presents, the receipt whereof is
hereby acknowledged, has granted, bargained, sold, alienated, conveyed and confirmed and
by these presents does grant, bargain, sell, alien, convey or confirm unto the said Grantee, all
of the following property, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 48 of the
10th Land District of Houston County, Georgia and in the City of Perry and
being known and designated as Parcel "D" containing 0.30 acres as shown on
a plat of survey prepared by Robert L. Story, Registered Land Surveyor No.
1853, dated April 28, 2004, revised June 21, 2004 and recorded in Map Book 63,
Page 36, Clerk's Office, Houston Superior Court. Said plat and the recorded
copy thereof are hereby made a part of this description by reference thereto.

This property is acquired in a whole or a portion thereof as part of the Georgia
Greenspace Program Grant Award Program. The State of Georgia is hereby
included as a third party beneficiary and if at some time in the future the
property is used for anything other than as greenspace property, the State of
Georgia has a right to require specific performance of the Greenspace
Agreement and require that the property be returned to the use provided
herein. This property must be used in perpetuity as greenspace property as
provided in Official Code of Georgia Annotated § 36-22-1, et seq. And the
restriction will be enforced by the State of Georgia.

The purpose of this deed is to correct the Warranty Deed recorded in Deed
Book 3098, Pages 20-21, Clerk's Office, Houston Superior Court by adding the
above Georgia Greenspace Program Grant Award Program language.

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 Grantee forever in FEE SIMPLE.

AND THE SAID Grantor warrants and will forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in the presence of:

David H. Walker

Witness

Lynn McKinley

Notary Public
J:\PROPERTY\INGRAM3.WD



Hervia M. Ingram

HERVIA M. INGRAM

(SEAL)

Catherine H. Ingram

CATHERINE H. INGRAM

(SEAL)

Return to:

Varner & Peacock, LLC
1719 Russell Parkway, Building 200
Warner Robins, Georgia 31088
478-922-3010
478-328-9911
File No. 23-16523 / DeJulio

-----Above this line for Official Use Only-----

STATE OF GEORGIA
COUNTY OF HOUSTON

EXECUTOR'S DEED UNDER POWER

THIS DEED, made this the 29th day of September, 2023, between **Hervia M. Ingram, Jr.**, as Executor under the Last Will and Testament of **Catherine H. Ingram**, deceased, of the State of Georgia, Houston County, as party or parties of the First Part, (hereinafter called "Grantor") and **Equity Trust Company Custodian FBO Tiberio DeJulio IRA**, of the State of Georgia, Fulton County, as party or parties of the Second Part, (hereinafter called "Grantees"); the words "grantor" and "grantee" to include their respective heirs, successors and assigns where the context requires or permits:

WITNESSETH: That

A. **Hervia M. Ingram, Jr.** is the duly appointed Executor of the Estate of **Catherine H. Ingram**, deceased, who died a resident of Houston County, Georgia, on December 28, 2022. The appointment of the Executor was made by order of the Probate Court of Houston County, Georgia, on February 21, 2023. The Petition to Probate said Decedent's will in solemn form, together with the proceedings, order and letters testamentary issued therein, and a copy of said Decedent's Last Will and Testament, are of record in The Court of Probate of Houston County, Georgia.

B. The Executor executes this instrument to convey all right, title and interest of said Decedent in and to the property hereinafter described pursuant to the power and authority granted under Item V of said Decedent's will, and the Executor has not heretofore assented to the devise of said property under the terms and provisions of said Decedent's will.

C. All debts and obligations of said decedent and her estate including, but without limitation thereto, all federal and state income, estate and other taxes that could or might if unpaid constitute a lien against said Decedent's estate and the property hereinafter described, have been fully paid and discharged.

NOW THEREFORE, that the said Grantor, for and in consideration of the sum of **Three Hundred Ten Thousand Dollars & no cents (\$310,000.00)**, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, and pursuant to the power and authority granted to Grantor under said Decedent's will and applicable law, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said grantee, the following described property:

All that tract or parcel of land situate, lying and being in Land Lot 48 of the Tenth (10th) Land District of Houston County, Georgia, being known and designated as Lot 13, Block "B", Creekwood Estates Subdivision & a portion of the Whiddon Property, according to a "Survey for Hervia M. Ingram & Catherine Ingram", dated April 24, 1984, prepared by Richard L. Jones, G.R.L.S. No. 1591, a copy of which is of record in Plat Book 26, Page 284, Clerk's Office, Houston Superior Court. Said plat and the record thereof are incorporated herein by reference for all purposes.

ALSO CONVEYED HEREWITH:

All that tract or parcel of land situate, lying and being in Land Lot 48 of the Tenth (10th) Land District of Houston County, Georgia, being known and designated as Parcel "A", comprising 1.86 acres, more or less, according to a "Survey for Dewey N. Whiddon", dated April 24, 1984, prepared by Richard L. Jones, G.R.L.S. No. 1591, a copy of which is of record in Plat Book 26, Page 286, Clerk's Office, Houston Superior Court. Said plat and the record thereof are incorporated herein by reference for all purposes.

LESS AND EXCEPT:

All that tract or parcel of land situate, lying and being in Land Lot 48 of the Tenth (10th) Land District of Houston County, Georgia, being known and designated as Parcel "D", comprising 0.30 acre, more or less, according to a plat of survey being of record in Plat Book 63, Page 36, Clerk's Office, Houston Superior Court. Said plat and the record thereof are incorporated herein by reference for all purposes.

Said Less and Except property being the same property conveyed by Hervia M. Ingram and Catherine H. Ingram to City of Perry, Georgia by Warranty Deed dated July 28, 2004 and recorded in Deed Book 3098, Pages 20-21, aforesaid records, and that certain Corrective Warranty Deed between the parties, dated August 9, 2004 and recorded in Deed Book 3110, Pages 304-305, aforesaid records.

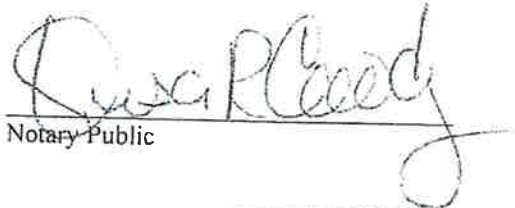
This conveyance and the warranties hereinafter contained are made subject to any and all restrictions, easements, covenants and rights-of-way affecting said described property.


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 Grantee, his heirs and assigns, forever, in Fee Simple: in as full and ample a manner as the same was held, possessed and enjoyed, or might have been held, possessed and enjoyed, by the said deceased.

IN WITNESS WHEREOF, the said Grantor in his representative capacity has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered in the presence of:


Witness


Notary Public

 (SEAL)
Hervia M. Ingram, Jr., as Executor under the Last
Will and Testament of Catherine H. Ingram

LISA R GOODY
NOTARY PUBLIC
Houston County
State of Georgia
My Comm. Expires December 16, 2023





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STAFF REPORT

From the Department of Community Development

May 9, 2024

CASE NUMBER: TEXT-0030-2024

APPLICANT: The City of Perry

REQUEST: Update and modify PUD standards and procedures in Sections 1-13, Definitions, 2-3.3, Planned Unit Development, 3-2.2, Special base zoning districts, and 4-1.3, Uses permitted in PUD.

STAFF ANALYSIS: The standards and procedures for creating PUD districts were last updated in 2003. With the City's continued growth, it was appropriate to review the ordinance for consistency with current City policies and plans.

The major changes to the ordinance are:

- Updating and strengthening the purpose and intent of the PUD district.
- Prohibiting the PUD district from being used as an alternative to obtaining variances and complying with standards of base zoning districts.
- Requiring preliminary input by the Planning Commission prior to finalizing plans.
- Requiring at least two different land uses in a PUD.
- Requiring more information about the character of the proposed PUD.
- Requiring a traffic impact study for projects exceeding 10 acres.
- Requiring a phasing plan for the development.

STANDARDS FOR GRANTING A TEXT AMENDMENT:

(1) Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan.

This amendment is consistent with the Comprehensive Plan and the Strategic Plan.

(2) Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations.

The proposed amendment is consistent with the format of the Land Management Ordinance.

(3) Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.

The current provisions for PUDs were last updated in 2003. Since then, the popularity of Perry for residential and commercial development has grown resulting in the need to provide more oversight on the use of PUDs to address compatibility with surrounding properties and public facilities.

(4) Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.

As currently written, PUD regulations do not adequately address the community's expectations relating to compatibility and quality of development.

(5) Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

Among the purposes and intent of the Land Management Ordinance are:

- Provide adequate light, air, and open space.
- Prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in streets.
- Promote quality housing, preserve neighborhoods, and encourage a diversity of housing options.
- Encourage appropriate urban development and redevelopment.
- Encourage quality development to blend with existing development.
- Facilitate the creation of a convenient, attractive, and harmonious community.
- Protect and preserve scenic, historic, or ecologically sensitive areas.
- Protect and provide open space.
- Promote an inter-connected, walkable community.
- Regulate the density and distribution of population and the use of buildings and structures and land for trade, industry, residence, recreation, ..., and other purposes.

(6) Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern.

The amendment provides for earlier involvement of the planning commission in shaping the PUD regulating plan.

(7) Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.

The amendment in and of itself has no impact on the natural environment.

(8) Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).

The amendment in and of itself has no impact on public facilities and services.

STAFF RECOMMENDATION: Staff recommends approval of the proposed text amendment.

Replace the following definition in Sec. 1-13

~~Planned unit development (PUD) means a parcel of land which is developed as an integrated unit under single ownership or control, which includes two (2) or more main buildings and where the specific requirements of a given district may be modified and where the minimum area is fixed.~~

~~Planned unit development (PUD) district means a zoning district where a variety of residential and nonresidential uses are permitted on the basis of a master plan and other specific development controls.~~

Replace Sec. 2-3.3 in its entirety

~~2-3.3. Planned unit development (PUD). Permitted uses for planned unit development districts are established in subsection 4-1.3 of this chapter. Use, area, bulk, and height requirements shall be determined by the procedures set forth in this section.~~

- ~~(A) Specific requirements. In order to qualify for a planned unit development district zoning classification a proposed development area shall be in one ownership or management, or if in several ownerships, the application for amendment to this section shall be filed jointly by all of the owners of the properties included in the plan. Applications for planned unit development shall be submitted to the administrator pursuant to established application submittal schedules included in the administrative manual.~~
- ~~(B) Procedure for approval of a planned unit development (PUD) district. The filing of a plan for a planned unit development shall follow the procedures for amendment to the official zoning map in Section 2-2.2 and shall meet the requirements specified in this section. In addition, the following regulations shall apply:~~
- ~~(1) Two (2) copies of a preliminary site plan shall be submitted to the commission.~~
 - ~~(2) The commission shall review the proposals prior to submitting a recommendation to the council. The commission may make reasonable additional requirements including but not limited to utilities, drainage, landscaping, and maintenance thereof, lighting, signs and advertising devices, screening, access ways, curb cuts, traffic control, height and setback of buildings, to protect adjoining uses, or to protect the PUD from adjacent uses.~~
 - ~~(3) Approval by the council subsequent to a public hearing constitutes creation of the planned unit development (PUD) district.~~
- ~~(C) Preliminary site plan required. The preliminary site plan which accompanies an application for approval of PUD shall show the following:~~
- ~~(1) The proposed title of the project and the name of the engineer, architect, designer, or landscape architect, and the development.~~
 - ~~(2) The north point, scale, and date; the scale of the site plan shall be as follows:
 - ~~(a) For projects containing fifty (50) acres or more, not more than one hundred (100) feet to one inch.~~
 - ~~(b) For projects containing less than fifty (50) acres, not more than fifty (50) feet to one inch.~~~~
 - ~~(3) Existing zoning and zoning district boundaries and proposed changes in zoning.~~
 - ~~(4) The boundaries of the property involved, the location of all existing easements, section lines, and property lines, existing streets, buildings and other existing physical features in or adjoining the project.~~
 - ~~(5) The location and size of existing and proposed streets, alleys, driveways, curb cuts, entrances and exits, loading areas (including number of parking and loading spaces), and outdoor lighting systems.~~

- (6) ~~The location of proposed lots, setback lines, and easements, and proposed reservations for parks, parkways, playgrounds, school sites, and open spaces.~~
 - (7) ~~The location and height of all proposed main and accessory buildings for all structures except single- and two-family dwellings.~~
 - (8) ~~Location, height and material of all fences, walls, screens, plants and landscaping.~~
 - (9) ~~Proposed location, intended use, and character of all buildings. For residential structures, show type and number of dwellings, and minimum square footage of single-family detached dwellings.~~
 - (10) ~~Location, character, size and height and orientation or proposed signs.~~
 - (11) ~~A location map showing the position of the proposed development in relationship to the surrounding area.~~
 - (12) ~~A tabulation of the total number of acres in the project, gross and net, and the percentage thereof proposed to be devoted to different dwelling types, commercial uses, other nonresidential uses, off-street parking, streets, parks, schools, and other public and private reservations.~~
 - (13) ~~A tabulation of the total number of dwelling units of various types in the project and the overall project density in dwelling units per acre, gross and net, as required by district regulations.~~
 - (14) ~~A detailed legal description of the location of the site.~~
 - (15) ~~A discussion of the proposed standards for development including restrictions on the use of the property, density standards and yard requirements restrictive covenants. The commission may establish additional requirements for the preliminary site plan and in special cases, may waive a particular requirement if, in its opinion, the inclusion of that requirement is not essential to a proper decision on the project.~~
- (D) ~~*Final plat required.* A final plat shall be recorded prior to submission of an application for a building permit. The plat shall comply with all laws, regulations, and resolutions governing the approval of subdivisions and, in addition, shall show all the features required on the preliminary site plan. A plat of development shall be recorded regardless of whether a subdivision is proposed. At least one of the final site plan maps shall include topographical contour lines at intervals no less than five (5) feet.~~
- (E) ~~*Review standards.* The commission shall review plans for proposed planned unit developments for conformity with the comprehensive plan. Specifically, the proposed plan shall meet the following conditions:~~
- (1) ~~The plan shall conform to the purpose and intent of this chapter as stated in section 1-3.~~
 - (2) ~~Access to all developed property shall be sufficient to provide for an acceptable level of fire protection.~~
- (F) ~~*Miscellaneous provisions:*~~
- (1) ~~*Amendments and additions.* Amendments or additions to an approved plan or to the boundaries of the PUD shall be accomplished subject to the same regulations and procedures applicable to a new application.~~
 - (2) ~~*Deed restrictions.* The commission may require filing of deed restrictions to help carry out the intent of this chapter.~~
- (G) ~~*Site design requirements:*~~
- (1) ~~*Location of district.* A PUD district may be established anywhere within the City of Perry, Georgia.~~
 - (2) ~~*Site design, general.* The proposed development must be designed so as to produce an environment of stable and desirable character not out of harmony with its surrounding neighborhoods. The review by the commission shall consider the following design elements:~~

- ~~(a) *Privacy.* Personal and individual privacy shall be maintained and balanced with the provision of public and common areas.~~
- ~~(b) *Variety.* Interest and variety shall be sought by means of street design and changes in mixtures of building types, heights, facades, uses, setbacks, plants, or size of open space. The design should be harmonious as a whole and not simply from street to street.~~
- ~~(c) *Traffic and parking.* No through or commercial traffic should be permitted; streets should not be straight for long distances but should curve so as to discourage fast movement of traffic; group parking areas should be screened as defined in section 6-3 so that the vehicles are substantially hidden from the street.~~
- ~~(d) *Lot area and lot width, general.* The commission will establish lot area and lot width. However, the minimum lot or width may not be reduced if the Houston County/Peach County Health Department determines that an increased area or width is necessary for health reasons.~~
- ~~(e) *Setbacks.* The commission will establish setback requirements for all structures.~~
- ~~(f) *Open space.* Open space should be incorporated into the PUD plan. It can be common areas, parks, recreational facilities, greenspace, landscape buffers, pedestrian trails, etc. The open space can be suitably improved or unimproved if containing natural features worthy of preservation.~~
- ~~(g) *Street standards.* All streets in the PUD plan should be standard streets.~~
- ~~(h) *Other building requirements.* The commission shall determine other development standards.~~

2-3.3. Planned unit development (PUD).

- (A) *Intent.* The PUD planned unit development district is intended to allow for unique and integrated mixed-use developments which are suitable in location and character, and which cannot be achieved in other base zoning districts established in this ordinance, including districts in the form-based code. The PUD district is not intended to be used as an alternative to obtaining variance(s) for developments unable to comply with other development standards required by this ordinance. The PUD district is further intended to accomplish the following specific objectives:
 - (1) To provide for development concepts not otherwise allowed within non-PUD zoning districts;
 - (2) To provide flexibility, unity and diversity in land planning and development, resulting in convenient and harmonious groupings and mixings of uses, structures and common facilities;
 - (3) To accommodate varied type design and layout of housing and other buildings;
 - (4) To allow appropriate relationships of open spaces to intended uses and structures;
 - (5) To encourage innovations in residential and commercial development and redevelopment so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings and by the conservation and more efficient use of open space ancillary to those buildings;
 - (6) To encourage a more efficient use of land and of public services, and to reflect changes in the technology of land development so that resulting economies may benefit those who need homes;
 - (7) To lessen the burden of traffic on streets and highways; and
 - (8) To provide a procedure that can relate the type, design, and layout of residential and commercial development to the particular site, thereby encouraging preservation of the site's natural characteristics, and compatibility with its surroundings.
- (B) *Location of district.* A planned unit development district may be permitted only in areas where public water and sewer are available. Some concepts will be more appropriate than others and the approval of a PUD in one location does not necessarily indicate a PUD will be suitable in other locations.
- (C) *Procedure.*

- (1) *Preliminary concept plan.* Before finalizing a PUD regulating plan, the applicant shall present a preliminary concept plan at a regularly scheduled planning commission meeting for input. The preliminary concept plan shall be submitted according to the adopted planning commission schedule. The preliminary concept plan shall consist of:
 - a. Proposed access and internal traffic circulation;
 - b. Location and density of proposed uses;
 - c. Proposed location and amount of open space, buffers, and amenities;
 - d. Proposed character of buildings.

- (2) *Application for PUD district.* An application to designate property as a PUD district shall follow the procedures in Section 2-2.2 for Amendments to the Official Zoning Map. Such application shall include:
 - a. Completed application form and paid fee;
 - b. A plat of the property identifying property boundaries, existing zoning and land uses of surrounding properties, and existing easements, roads, buildings, and other physical features on or adjacent to the project site.
 - c. A PUD Regulating Plan which establishes regulations for the use, development, improvement, and maintenance of the project.
 - d. Traffic Impact Study for projects exceeding 10 acres.

- (D) *Requirements for a PUD Regulating Plan.* The PUD regulating plan establishes the permitted, special exception, and accessory uses; site plan, including the site area; street layout, including typical street sections; pedestrian facilities; open space areas; number of residential units by type; square footage of residential and non-residential units; preliminary landscaping plan, development regulations; architectural standards; phasing plan; and other information necessary for the substantive and environmental review of the proposed project; and any other information deemed necessary by the administrator. A PUD regulating plan shall contain the following:
 - (1) *Permitted uses.* A list of permitted uses within a planned unit development district shall be adopted as part of the regulating plan applying to that district only.
 - (2) *District regulations.* The following site development characteristics shall be determined and set in the approved regulating plan:
 - a. Layout of lots, streets, and any other infrastructure, including bicycle and pedestrian facilities.
 - b. Minimum lot area(s).
 - c. Minimum lot width(s).
 - d. Sizes and locations of yards and setbacks.
 - e. Maximum impervious surface ratio for individual lots and the project as a whole with stormwater infrastructure designed accordingly.
 - f. Minimum and/or maximum building density, including total number of residential units and non-residential square footage permitted, broken down by type, and nonresidential square footage.
 - g. Minimum heated square footage of residential units by type.
 - h. Maximum structure height(s).
 - i. Off-street and on-street parking and loading needs and dimensions.
 - j. Location of and specifications for site access and internal traffic circulation.
 - k. Internal traffic calming strategies.
 - l. Open space shall be provided with all PUDs, and minimum open space shall be set by the regulating plan. For PUDs incorporating multi-family residential dwellings and townhouses, a portion of the open space, complementary to the proposed design and lifestyle features of the

proposed project, shall be reserved as common open space that shall be designated for the recreational or leisurely use by residents.

- m. Preliminary landscape plan to include location and size of buffers, screening, tree save areas, spacing and species of street trees to be installed, and any wall, fences, or other devices to be installed.
- n. Development-specific architectural design criteria.
- o. Location, size, and design of permanent signs, and
- p. Any other site-specific prescription(s) deemed necessary for the development of the project, as proposed.

(3) *Design Standards.* Projects shall meet the following design requirements:

- a. The minimum side building setback shall be eight feet for all single-family detached units, and ten feet on the detached side of all single-family attached units. This minimum notwithstanding, the character of a proposed PUD may justify smaller side setbacks. Certain development types, including, but not limited to traditional neighborhood development (TND), pocket neighborhoods, and some residential infill solutions may benefit from the use of smaller setbacks to achieve the project concept.
- b. The minimum rear building setback shall be ten feet.
- c. Residential driveways shall be a minimum of 25 feet long between the garage and sidewalk or back of curb, where sidewalks are not present.
- d. Streets shall be designed as a hierarchy of street types in an interconnected pattern.
 - 1. Interconnecting sidewalks with a minimum width of five feet shall be installed on one side of all streets with an anticipated average daily trip count of 300 or more. A walking trail with a minimum width of eight feet may be installed in lieu of sidewalks along one side of major neighborhood streets where the installation of sidewalks is unnecessary or impractical, as determined by the administrator.
 - 2. Sidewalk or walking trail locations shall be shown on street types.
 - 3. Major neighborhood streets shall converge on neighborhood centers, parks, landmarks, schools, or other civic spaces.
 - 4. Streets and alleys shall terminate at other streets within the development and shall be stubbed out at the edge of the project site to provide linkages with future development. Connections shall be made to stub outs on adjacent parcels. The use of dead-end streets and cul-de-sacs should be minimized and should only be used in cases where site topography necessitates their use.
- e. Street trees shall be planted on both sides of all streets (except alleys).
 - 1. Street trees shall be planted within a tree lawn with a minimum width of six feet, either between the back of the curb and the sidewalk, or between the sidewalk and the building.
 - 2. Required street trees shall be installed prior to the issuance of a certificate of occupancy for the building to which the street trees closest relate.
 - 3. Existing tree canopy may substitute for the installation of street trees, as approved by the administrator.
- f. Roadway design and stormwater standards shall adhere to environmentally sensitive and aesthetically pleasing best management practices and development standards.
- g. A minimum of ten percent of the project site shall be permanently allocated to open space.

1. A portion of the required open space shall be centrally located within the development. Location and approximate size of the open space area shall be designated and approved regulation plan.
2. For PUDs under ten acres, the open space requirement may be satisfied by an existing or proposed public park or trail network that is within 1,200 feet of the project boundary.
3. Stormwater infrastructure shall not be counted toward the required open space, unless designed as part of a low-impact system that utilizes bio-swales and natural recharge areas.
4. Utility easements shall not be counted toward the required open space, unless utilized as part of a common trail network or other amenity.
5. Specific architectural design criteria shall be adopted as part of the regulating plan for the project.
6. Vegetated buffer yards with a minimum width of 15 feet shall be maintained along the project's exterior boundaries. Buffer yards shall be maintained as a common facility. Buffer yards shall not be counted as part of the open space requirement.

(E) *Phasing plan.* The regulating plan shall specify a phasing plan for the overall project and for all amenities to be provided within the project. The amenity phasing plan shall correspond with the overall project phasing schedule and shall provide for the reasonable completion of amenities to maximize enjoyment by residents.

(F) *Maintenance of common facilities.* A property owners' association or similar entity shall be established for the perpetual maintenance of all common facilities including, but not limited to, open space, buffers, amenities, and common area landscaping. A copy of the recorded documentation establishing such entity and its responsibilities shall be provided prior to the issuance of a certificate of development conformance.

(G) *Application of Land Management Ordinance.* The site development characteristics prescribed by the approved PUD regulating plan associated with a planned development district shall supplant any conflicting standards for site development established in the Land Management Ordinance. Any site development characteristics not prescribed in the approved PUD regulating plan for a planned development district shall be subject to the minimum standards, as applicable, established in the Land Management Ordinance.

(H) *Revisions to the PUD regulating plan.*

- (1) *Minor change.* Changes proposed in writing by the applicant that do not alter district boundaries and that involve revision of minor characteristics of a PUD, such as relocation of driveways, façade details, drainage structures, number of required parking spaces, and other features that do not materially affect the approved regulating plan or violate any other applicable regulations, may be approved by the planning commission.
- (2) *Major change.* Changes which alter the boundary of the PUD, increase the number of residential units by type, increase the total amount of non-residential square footage, or materially alter the characteristics and functionality of the PUD shall follow the procedures established for its original approval.

Replace Sec. 3-2.2(C)(2) in its entirety:

3-2.2. *Establishment of zoning districts and specific purposes.*

(C) *Special base zoning districts.*

~~(2) *PUD, Planned unit development district.* The purpose of a Planned Unit Development District is to offer developers the benefits of efficiency, economy, and flexibility by encouraging unified development of sites, while deriving for the city the advantages of improved appearance, compatibility of uses, optimum service by community facilities, better handling of vehicular access~~

and circulation, and full definition of the proposed development. A PUD shall be consistent with the objectives of the Comprehensive Plan.

- (2) *PUD, planned unit development district.* The PUD planned unit development district is intended to allow for unique and integrated mixed-use developments which are suitable in location and character, and which cannot be achieved in other base zoning districts established in this ordinance. The PUD district is not intended to be used as an alternative to obtaining variance(s) for developments unable to comply with other development standards required by this ordinance.

Delete Sec. 4-1.3 in its entirety.

~~4-1.3. *Uses Permitted in PUD.* Within the PUD Planned Unit Development District, any use is permitted with council approval.~~

- ~~(A) Any use permitted in the R-1 Residential District except that any public uses shall serve only the residents of the PUD District.~~
- ~~(B) Two-family dwellings (duplex).~~
- ~~(C) Townhouses, provided that such uses comply with the requirements for townhouses as set forth in section 4-3.1(A).~~
- ~~(D) Multifamily dwellings.~~
- ~~(E) Retail and service uses limited to the following: grocery, confectionery, bakery, newspaper, drug or hardware stores, barber, beauty, radio-TV repair, laundry pickup or laundromat, watch repair or shoe repair establishment, or dentist, or similar professional office, provided that:
 - ~~(1) Only business signs are to be used. No neon or directly illuminated sign shall be used either on the exterior or in windows. All signs shall be attached flat to the face of the building;~~
 - ~~(2) Off-street parking and loading requirements as indicated in section 6-1 are met;~~
 - ~~(3) Retail and service uses are designed for the service and convenience of the population living within the PUD. No more than five (5) percent of the total floor space of the project shall be used for retail or service establishments.~~~~



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Application # TEXT-0030-2024

Application for Text Amendment

Contact Community Development (478) 988-2720

Applicant Information

*Indicates Required Field

Applicant	
*Name	Bryan Wood for the City of Perry
*Title	Director of Community Development
*Address	1211 Washington Street, Perry, GA 31069
*Phone	478-988-2714
*Email	bryan.wood@perry-ga.gov


Request

*Please provide a summary of the proposed text amendment:

Update PUD provisions and standards. Sec. 1-13, Definitions; Sec. 2-3.3, Planned Unit Development (PUD) [procedures]; Sec. 3-2.2 Special base zoning districts [intent]; and 4-1.3, Uses permitted in PUD.

Instructions

1. The application, fee (made payable to the City of Perry), and proposed text of the amendment must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. Fees: Actual cost of required public notice.
3. The applicant must state the reason for the proposed text amendment. See Sections 2-2 and 2-3.2 of the Land Management Ordinance for more information.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Text amendment applications require an informational hearing before the planning commission and a public hearing before City Council.
6. The applicant must be present at the hearings to present the application and answer questions that may arise.
7. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes ___ No X
If yes, please complete and submit the attached Disclosure Form.
8. The applicant affirms that all information submitted with this application, including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
9. Signatures:

*Applicant	 Bryan Wood, Director of Community Development, for the City of Perry	*Date	4/3/2024
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Standards for Amendments to the Text of the Land Management Ordinance

In reviewing an application for an amendment to the text of the ordinance and acting on said application, the planning commission and city council may consider the following standards:

(1) Whether, and the extent to which the proposed amendment is consistent with the Comprehensive Plan.

This amendment is consistent with the Comprehensive Plan and the Strategic Plan.

(2) Whether, and the extent to which the proposed amendment is consistent with the provisions of this chapter and related city regulations.

The proposed amendment is consistent with the format of the Land Management Ordinance.

(3) Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.

The current provisions for PUDs were last updated in 2003. Since then, the popularity of Perry for residential development has grown resulting in the need to provide more oversight on the use of PUDs to address compatibility with surrounding properties and public facilities.

(4) Whether, and the extent to which the proposed amendment addresses a demonstrated community need.

As currently written, PUD regulations do not adequately address the community's expectations relating to compatibility and quality of development.

(5) Whether, and the extent to which the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

Among the purposes and intent of the Land Management Ordinance are:

- Provide adequate light, air, and open space.
- Prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets.
- Promote quality housing, preserve neighborhoods, and encourage a diversity of housing options.
- Encourage appropriate urban development and redevelopment.
- Encourage quality development to blend with existing development.
- Facilitate the creation of a convenient, attractive, and harmonious community.
- Protect and preserve scenic, historic, and ecologically sensitive areas.
- Protect and provide open space.
- Promote an inter-connected and walkable community.
- Regulate the density and distribution of population and the use of buildings and structures and land...

(6) Whether, and the extent to which the proposed amendment will result in logical and orderly development pattern.

The amendment provides earlier involvement of the planning commission in shaping the PUD regulating plan.

(7) Whether, and the extent to which the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.

The amendment in and of itself has no impact on the natural environment.

- (8) Whether, and the extent to which the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).**

The amendment in and of itself has no impact on public facilities and services.

Revised 6/14//21



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STAFF REPORT

From the Department of Community Development

May 9, 2024

CASE NUMBER: TEXT-0031-2024

APPLICANT: The City of Perry

REQUEST: Allow electric utility on-call employees to park company vehicle in residential districts by modifying Sections 1-13, Definitions, 6-1.10(B), Oversized vehicles in residential districts.

STAFF ANALYSIS: Employees of electric utilities serving the City of Perry are sometimes on call after regular business hours to handle emergencies. To reduce emergency response time, they bring their company vehicle home. These vehicles are classified as oversized vehicles in the Land Management Ordinance and are not allowed to be parked in residential zoning districts. This amendment will exempt certain electric utility vehicles from the prohibition during times that the employee is on call.

STANDARDS FOR GRANTING A TEXT AMENDMENT:

(1) Whether, and the extent to which, the proposed amendment is consistent with the Comprehensive Plan.

This amendment is not inconsistent with the Comprehensive Plan and the Strategic Plan.

(2) Whether, and the extent to which, the proposed amendment is consistent with the provisions of this chapter and related city regulations.

The proposed amendment is consistent with the format of the Land Management Ordinance.

(3) Whether, and the extent to which, there are changed conditions from the conditions prevailing at the time that the original text was adopted.

The current ordinance did not recognize the need for certain oversized vehicles associated with on-call service providers to be parked in residential districts.

(4) Whether, and the extent to which, the proposed amendment addresses a demonstrated community need.

For the quickest response to electrical emergencies, on-call electric utility employees bring home their assigned company vehicle.

(5) Whether, and the extent to which, the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

Among the purposes and intent of the Land Management Ordinance are:

- Secure safety from fire, flood and other dangers.
- Facilitate adequate provision of public facilities and services.

(6) Whether, and the extent to which, the proposed amendment will result in logical and orderly development pattern.

The amendment recognizes the unique situation associated with electric utility on-call employees.

(7) Whether, and the extent to which, the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.

The amendment in and of itself has no impact on the natural environment.

(8) Whether, and the extent to which, the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).

The amendment in and of itself has no impact on public facilities and services.

STAFF RECOMMENDATION: Staff recommends approval of the proposed text amendment.

Sec. 1-13. Definitions.

Electric utility bucket truck means a truck with attached bucket lift operated by an electric utility serving the City of Perry and which does not exceed 154-inch wheelbase and gross vehicle weight rating of 35,000 pounds.

Oversized vehicle means any vehicle that exceeds 23 feet in length, 80 inches in width, or 85 inches in height, excluding recreational vehicles and electric utility bucket trucks.

6-1.10. Use of off-street parking areas.

- (A) *General.* Off-street parking areas shall be used solely for the parking of licensed motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, or building materials, except as expressly allowed in this section.
- (B) *Oversized vehicles in residential districts.* Oversized vehicles shall not be parked or stored in a residential district, except for ordinary delivery, loading or unloading of household goods, or during an active construction project. An electric utility bucket truck may be parked in a residential district when the electric utility employee assigned such truck is on call for after-hours emergency response.



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Application # TEXT-00031-2024

Application for Text Amendment

Contact Community Development (478) 988-2720

Applicant Information

*Indicates Required Field

Applicant	
*Name	Bryan Wood for the City of Perry
*Title	Director of Community Development
*Address	1211 Washington Street, Perry, GA 31069
*Phone	478-988-2714
*Email	bryan.wood@perry-ga.gov


Request

*Please provide a summary of the proposed text amendment:

To allow electric utility on-call employees to park company vehicle in residential districts. Sec. 1-13, Definitions; Sec. 6-1.10(B), Oversized vehicles in residential districts.

Instructions

1. The application, fee (made payable to the City of Perry), and proposed text of the amendment must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. Fees: Actual cost of required public notice.
3. The applicant must state the reason for the proposed text amendment. See Sections 2-2 and 2-3.2 of the Land Management Ordinance for more information.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Text amendment applications require an informational hearing before the planning commission and a public hearing before City Council.
6. The applicant must be present at the hearings to present the application and answer questions that may arise.
7. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes ___ No X
If yes, please complete and submit the attached Disclosure Form.
8. The applicant affirms that all information submitted with this application, including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.
9. Signatures:

*Applicant	 Bryan Wood, Director of Community Development, for the City of Perry	*Date	4/3/2024
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Standards for Amendments to the Text of the Land Management Ordinance

In reviewing an application for an amendment to the text of the ordinance and acting on said application, the planning commission and city council may consider the following standards:

(1) Whether, and the extent to which the proposed amendment is consistent with the Comprehensive Plan.

This amendment is not inconsistent with these plans.

(2) Whether, and the extent to which the proposed amendment is consistent with the provisions of this chapter and related city regulations.

The proposed amendment is consistent with the format of the Land Management Ordinance.

(3) Whether, and the extent to which there are changed conditions from the conditions prevailing at the time that the original text was adopted.

The current ordinance did not recognize the need for oversized vehicles associated with on-call service providers to be parked in residential districts.

(4) Whether, and the extent to which the proposed amendment addresses a demonstrated community need.

For the quickest response to electrical emergencies, on-call electric utility employees bring home their assigned company vehicle.

(5) Whether, and the extent to which the proposed amendment is consistent with the purpose and intent of the zoning districts in this chapter, will promote compatibility among uses, and will promote efficient and responsible development within the city.

Among the purposes and intent of the Land Management Ordinance are:

- Secure safety from fire, flood and other dangers.
- Facilitate adequate provision of public facilities and services.

(6) Whether, and the extent to which the proposed amendment will result in logical and orderly development pattern.

The amendment recognizes the unique situation associated with electric utility on-call employees.

(7) Whether, and the extent to which the proposed amendment will result in beneficial impacts on the natural environment and its ecology, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, and wetlands.

The amendment in and of itself has no impact on the natural environment.

(8) Whether, and the extent to which the proposed amendment will result in development that is adequately served by public facilities and services (roads, potable water, sewerage, schools, parks, police, fire, and emergency medical facilities).

The amendment in and of itself has no impact on public facilities and services.