

CITY OF BERKELEY LAKE
4040 Berkeley Lake Road
Berkeley Lake, GA 30096-3016

PLANNING AND ZONING COMMISSION
Meeting January 18, 2006
Full Minutes

Call to Order: Chairman Bob Herb called the meeting to order at 7:35pm on January 18, 2006 at 4040 S. Berkeley Lake Road.

Present: Chairman Bob Herb. Commissioners Skip Johnson, Rodney Hammond, Gary Moore and Craig Belt. Jackie Wall (P and Z Clerk, and City Clerk)

Guests Present: Eric Johansen (Crescent Development), and Rich Edinger(CPA- City Engineer)

Old Business:

Minutes: Commissioner Hammond motioned to approve the minutes as amended for the November 1, 2005 meeting. Commissioner Johnson seconded the motion. All were in favor of the motion. The motion passed.

There was discussion regarding 39-807 Driving and Parking Area and water run off control. Chairman Herb said that Council had asked P and Z to look at the wording once more as previous suggestions were turned down. He explained the issues that had arisen from the last version and asked the commissioners to consider different wording for the next meeting.

New Business

Chairman Herb described three administrative variances he had already approved.

- *3769 North Berkeley Lake Road (BL,DC): variance to expand a non-conforming structure (39-602.1);variance to expand an existing right rear deck for a hot tub. This addition to the deck will be in full conformance and will not increase existing non-conformance impact which is that the house at the front left side is 11' from the side lot line versus the required 12 1/2' setback. It should be noted that this administrative variance is contingent upon approval by the Atlanta Regional Commission.*
- *40 Lakeshore Drive (Lot 53A - 53E): variance to expand a non-conforming structure (39-602.1) ;variance to rebuild ,expand and partially enclose a rear deck with a screened in porch. This addition to the deck will be in full conformance and will not increase the existing non-conformance impact which is that the house is set back from the roads edge at 35' 10" versus the required 65'.*

- *122 Little Ridge Road (Lot 11, Block A): variance to expand a non-conforming structure (39-602-1); enclosing the front porch, which will be in full conformance and not increase the non-conformance of the house which sitting 58 ft back from the road edge versus the required 65ft..*

Chairman Herb then introduced the next part of the agenda:

- *Commissioners will also hear an alternate proposal from Crescent Development for the project known as Berkeley Village on how to handle storm water run off other than that originally proposed and approved by the Commission.*

Chairman Herb explained that Crescent had been to Council to have agreement to consider to proceed with the original plan to gain ownership of the detention pond which would benefit the city as well as them. The group had been dissolved, needed to get the group to reconvene to get ownership. In the mean time, Crescent had been granted a 180 day time period to continue with the project. Crescent Development have asked P and Z to look at an alternative concept in case they are unable to acquire the detention pond

Johansen described the history of the organization that currently owns the detention pond, and the last council meeting he had attended. He said he wanted to have another option available, but he still felt that plan A would be the one that would be used.

There was some concern that the existence of a plan C would be an incentive not to go ahead with Plan A. Johansen reiterated that it was in everyone's best interest that Plan A should go ahead, and they too would prefer it that way. The City engineer pointed out that Crescent Development had already spent a lot of money planning for Plan A.

Hammond motioned to approve the detention pond as drawn on plan C. The wall would be done in a colored and stamped manner to tie in with the building color scheme or the stacked blocked color scheme. There will be tree plantings in the front of the detention wall, that will be equal to or greater than the detention wall height.

Commissioner Johnson seconded the motion.

There was discussion as to how the City could help Crescent Development in pursuing Plan A.

All were in favor of the motion. The motion passed.

- *Commissioners will consider removing Article XII Administration, Enforcement and remedies (Ch39.1201-1204) from the zoning regulations so they can be added to another ordinance to allow for consistency. Citizens are encouraged to attend and comments are invited.*

Chairman Herb invited the City clerk to describe her request.

The Clerk asked that Article XII Administration, Enforcement and remedies (Ch39.1201-1204) from the zoning regulations so they can be added to another ordinance to allow for consistency. She said that normally zoning ordinances do not contain administration of permits, enforcement and remedies, as none of these are zoning issues. She said that the City would like to add them to another ordinance to compliment other changes that were being made as a result of the appointment of the new Building Inspector.

The Commission agreed it was a sensible idea,

Commissioner Moore motioned to remove Article XII Administration, Enforcement and remedies (Ch39.1201-1204) from the zoning regulations so they can be added to another ordinance to allow for consistency, Commissioner Johnson seconded the motion and all were in favor.

There was a motion to adjourn at 9:05pm by Commissioner Johnson. Commissioner Hammond seconded the motion and all were in favor. The motion passed

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PLANNING AND ZONING COMMISSION
Meeting July 6th, 2006
Full Minutes

Call to Order: Chairman Bob Herb called the meeting to order at 7:35pm on July 6, 2006 at 4040 S. Berkeley Lake Road.

Present: Chairman Bob Herb. Commissioners Dan Huntington, Rodney Hammond, and Gary Moore. Jackie Wall (P and Z Clerk, and City Clerk)

Guests Present: None

Old Business:

Minutes: Commissioner Moore motioned to approve the minutes as amended for the January 18, 2006 meeting. Commissioner Hammond seconded the motion. Herb, Moore and Hammond were in favor of the motion. Huntington abstained as he was not on P and Z at that time. The motion passed.

New Business

Chairman Herb welcomed Commissioner Huntington to the Planning and Zoning Commission.

Chairman Herb described the administrative variance he had already approved.

- *4245 South Berkeley Lake Road : variance to expand a non-conforming structure (39-602-1). Expansion is to add a bedroom to the side and a sunroom to the rear of the current structure. This addition will be in full conformance and will not increase the existing non- conformance which is that the house at the front set back is at 25' versus the required 65'.*

Chairman Herb then introduced the next part of the agenda:

- *Consider the adoption of a new ordinance to prevent the establishment of Adult Commercial Establishments in all zoning classifications.*

There was some discussion about some word changes.

Commissioner Moore motioned to add the Adult Commercial Establishments ordinance as amended to Chapter 39. Commissioner Huntington seconded the motion and all were in favor. The motion passed.

- *Consider wording changes to ordinance 39-807 Driveway and Parking Area Water Run-off Control.*

Chairman Herb described why this section of the ordinance was being reviewed again.

Commissioner Hammond motioned to discuss word changes to the ordinance as presented. Commissioner Moore seconded the motion. All were in favor. The motion passed.

There was some discussion about additional word changes.

Commissioner Huntington motioned to reword to Ch 39-807 to Driveway Water Run off control to now read:

39-807 Driveway Water Run off Control

All driveways on residential lots shall be paved with asphalt or concrete. All adjoining areas not paved shall be suitably grassed or landscaped, including all banks and slopes to a degree sufficient to effectively prevent erosion, or siltation and sedimentation in run off waters. All banks and slopes are to be grassed or stabilized immediately upon completion of grading.

Driveways sloping towards any of these roads: South Berkeley Lake Rd, North Berkeley Lake Road, Lakeshore Drive, Ridge Road, Little Ridge Road, Hilltop Lane, Lakeview Lane and Valley View Lane shall control the discharge of storm water runoff into rights-of-way by either curving the driveway in such a manner that most of the runoff is directed onto grassed or landscaped areas, by providing structures such as humps in the driveway to divert the storm water runoff onto grassed or landscaped areas, or by equipping the driveway with a covered catch basin with a grate having an opening of no less than 6". The grate should be traffic load rated and be removable for maintenance purposes. This will typically mean that it will be made from cast iron or steel.

Commissioner Hammond seconded the motion and all were in favor. The motion passed.

There was a motion to adjourn at 8:45 pm by Commissioner Moore. Commissioner Huntington seconded the motion and all were in favor. The motion passed.

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PLANNING AND ZONING COMMISSION
Meeting August 3rd, 2006
Full Minutes

Call to Order: Chairman Bob Herb called the meeting to order at 7:35pm on August 3rd, 2006 at 4040 S. Berkeley Lake Road.

Present: Chairman Bob Herb. Commissioners Dan Huntington, and Rodney Hammond. Sandy Rosenberger (P and Z Deputy Clerk, and Deputy City Clerk)

Guests Present: Joe Voyles, Mr. & Mrs. Dassinger

Old Business:

Minutes: Commissioner Hammond motioned to approve the minutes for the July 06, 2006 meeting. Commissioner Huntington seconded the motion. All were in favor of the motion. The motion passed.

New Business

Chairman Herb then introduced the next part of the agenda:

- *476 Lakeshore Drive (Lot 52 & PT Lot 53 – BL,DC): variance to expand a non-conforming structure (39-602-1) by adding rooms to rear of structure that will be in total conformance and variance to build structure at front entry of the house that would have a roof height that would be greater than the current roof structure of the house and the front setback of the house is at 50' vs. required 65' (39-804-4).*

Joe Voyles, showed his plans for the expansion of the non-conforming structure explaining in detail the changes that he was proposing to do: putting a dormer roof above the garage and a new entranceway on the main part of the house. They were also extending the master bedroom on the rear but not beyond the location of the current deck

Commissioner Hammond motioned to approve the variance request as submitted Huntington seconded the motion.

Chairman Herb, Commissioners Hammond and Huntington entered into discussions regarding the variance request and all agreed that there would not be much of an impact

from the road. After further discussion on what the new measurements were going to be, all were in favor of the variance request.

The motion to approve this variance request was passed unanimously.

Chairman Herb brought up for discussion amending a prior recommendation to City Council to remove all of Chapter 39 Article XII to be moved to a new Building and Building Regulations Chapter of Regulation Code.

Chairman Herb recommended that P & Z amend the original recommendation to instead change the title of Article XII in Chapter 39 from being Administration, Enforcement, and Remedies to instead be titled "Use Permits Required" and that all of Section 39-1202 pertaining to Use Permit Required remain, and become the revised Article XII of Chapter 39 and titled "Use Permit Requirements"

Chairman Herb further recommended that Section 39-1201 Zoning Enforcement Officer and Section 39-1202.1 Permit Fees of current Article XII be removed from Chapter 39.

Commissioner Huntington motioned to remove Article XII of Chapter 39 to be "Use Permits Required" and that it consist of all the wording currently in Section 39-1202 Use Permits Required. In addition, Sections 39-1201 Zoning Enforcement Officer and Section 39-1202.1 Permit Fees be removed from Article XII of Chapter 39. Commissioner Hammond seconds this motion and all were in favor. Motion Passed.

There was a motion to adjourn at 8:45 pm by Commissioner Herb. Commissioner Huntington seconded the motion and all were in favor. The meeting was adjourned.

CITY OF BERKELEY LAKE
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PLANNING AND ZONING COMMISSION
Meeting November 28th, 2006
Full Minutes

Call to Order: Chairman Bob Herb called the meeting to order at 6:35pm on November 28th, 2006 at 4040 S. Berkeley Lake Road.

Present: Chairman Bob Herb. Commissioners Dan Huntington, Craig Belt, and Rodney Hammond. Jackie Wall (P and Z Clerk, and City Clerk), Sandy Rosenberger (Deputy City Clerk) and Leigh Threadgill (Future City Administrator)

Guests Present: Dag Sandbakken, Robin Rawson and Claude Murphy

Old Business:

Minutes: Commissioner Hammond motioned to approve the minutes for the September 27th, 2006 meeting. Commissioner Belt seconded the motion. All were in favor of the motion. The motion passed.

New Business

- *550 Lakeshore Drive (Lot 63, Section 6 – BL,DC): Variance to alter a non-conforming structure (39-602.1); non-conforming on one side set back being at 10 ft versus required 12.5 ft (39-804.6) and building height at rear being 50 ft versus a maximum height of 45 (39-804.8). Variance is to add roof over existing roof/deck structure. Addition will be in full conformance and not increase any of the existing non-conformances.*

Robin Rawson and Claude Murphy described the variance request. It was noted that this would not increase the non-conformity of the lot.

Huntington motioned to approve the request, Hammond seconded the motion. Hammond and Huntington were in favor of the motion, Belt abstained. The motion passed.

- *550 Lakeshore Drive (Lot 63, Section 6 – BL,DC): Variance to build a boat dock and slip at 62 ft from opposite shore line versus required 75 ft distance from opposite shore line.(39-401.2)*

Rawson also described her second variance request.

Huntington motioned to approve the request, Hammond seconded the motion.

Herb said it would be important to consider the room left if a homeowner on the opposite shore wanted to do the same thing. It was appreciated that the Rawson's had attempted to make the boat slip as small as they could.

Huntington motioned to approve the request, Hammond seconded the motion. Hammond and Huntington were in favor of the motion, Belt abstained. The motion passed.

- *3695 North Berkeley Lake Road (Lot 3A, Sec.3 –BL,DC): Variance to alter an existing non-conforming structure. (39-602.1) Variance to add bonus room over garage which is sitting 63 ft back from the edge of the road versus the required 65 ft front set back (39-804.4)*

Dag Sandbakken described his various request. It was noted that there would be very little impact resulting from this request.

Belt motioned to approve the request after some discussion. Huntington seconded the motion. All were in favor and the motion passed.

- *4174 South Berkeley Lake Road (Lot 9, B1, BL,DC): Variance to add on to a non-conforming accessory structure. (39-602.1) Accessory structure is at one front corner sitting 8 ft from property line versus required 12.5 ft set back (39-804.6). Addition will be at the rear of the structure and will not make the structure any more non-conforming.*

Herb described the variance request on behalf of Mr. Chappell who was unable to make the meeting. He noted that the addition would not increase the non conformity of the building.

Huntington motioned to approve the request after some discussion. Belt seconded the motion. All were in favor and the motion passed.

There was a motion by Commissioner Belt to adjourn at 7.10 pm Huntington seconded the motion and all were in favor. The meeting was adjourned.