

**CITY OF BERKELEY LAKE
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GA 30096
PLANNING & ZONING COMMISSION MEETING
FINAL MINUTES
NOVEMBER 12, 2013
7:00 PM**

Those in attendance at the meeting were as follows:

Commission Members: Rodney Hammond, Chair
 Jeff Cooper
 Dan Huntington
 George Kaffezakis
 Amy Waldheim

Deputy City Administrator: Pat Chapman

Citizens Present: 3

I. CALL TO ORDER:

Hammond called the meeting to order at 7:00 PM. at 4040 South Berkeley Lake Road. All members of the P&Z Commission were present as well as Pat Chapman, Deputy City Administrator and 3 members of the public.

II. APPROVAL OF OR CHANGES TO THE AGENDA

Hammond asked if there were any changes to the agenda as printed. There being none, Hammond proceeded with the next item of business.

Cooper moved to accept the agenda as printed. Kaffezakis seconded the motion. All voted in favor and the agenda was accepted.

III. MINUTES

- a) Minutes of October 8 , 2013

Hammond asked for corrections or changes to the October 8, 2013 minutes.

Huntington moved to approve the October 8, 2013 minutes. Kaffezakis seconded the motion. All voted in favor. The motion passed.

IV. OLD BUSINESS

There was no old business.

V. NEW BUSINESS

- a.) PZV 13-03: 12 Lakeshore Drive, Application of Signature Homes of Berkeley Lake by Joe Voyles for Rick Rice, property owner. Request for variance to allow change to non-conforming structure: add roof deck to non-conforming boat house. (P&Z Chair declined to approve as Administrative Variance.)

Hammond explained that this request was originally submitted as an Administrative Variance that he eventually declined to approve based on his conclusion that it created a more imposing structure that did not meet the intent of the Administrative Variance criteria.

Joe Voyles, the builder and applicant was present to represent the owner. He explained the pre-existing conditions related to the old boathouse and the improvements to create a new boat slip with an upper deck spanning the old boathouse and space between it and the other deck. It is very much like the neighbor's, who had no objection to the request. In response to a question from Waldheim, he further stated that the work proceeded on the basis of the initial approval of the Administrative Variance and was completed before learning of the retraction.

Hammond explained his understanding of the intent of the ordinance standards and the reason for his change in position.

In response to questions by Huntington, Chapman explained that because of some ambiguity in the plans, the understanding of the project was different than what was actually intended. The difference came to light only when elevations to verify the structure height were provided after the Administrative Variance had been initially approved. She also explained that Administrative Variance approval is effective immediately and that the period of advertising and notification occur afterward so the applicant could proceed knowing there is a risk of objection.

There followed discussion of the perception of the degree of visual imposition of this structure as compared to others, and of possible mitigating adjustments. Voyles also addressed other questions from the commission.

Cooper presented the question, and discussion followed, of whether or not the improvements negatively impacted the neighbor's property values.

Skip Johnson, 420 Lakeshore Drive, spoke about the original intent of the current restrictions for boathouses and docks from his perspective. He requested that the Commission require the existing non-conforming structure be torn down and that the ordinance be amended to prohibit upper decks in the future.

Discussion followed regarding alternate methods to achieve the necessary balance between aesthetics and property rights. Hammond called the question.

Kaffeidakis moved to recommend approval of PZV 13-03 with the stipulation that the total area of the structure remain within the 875 square foot limitation. Cooper seconded. All voted in favor and the motion passed.

Hammond expressed his appreciation of the evening's discussion and hoped it will continue in the near future with the goal in mind to revised the criteria.

VI. CITIZEN COMMENTS

Neil Schaap of 577 Lakeshore Drive introduced himself and spoke of his interest in getting involved with the city in the planning and zoning area.

VII. ADJOURNMENT

Hammond expressed appreciation to the commission, stating that this was likely his final meeting as a member. Huntington thanked Hammond for his years of service and looked forward to seeing him on Council.

Kaffeidakis moved to adjourn the meeting. Huntington seconded the motion. All were in favor, and the motion passed.

Hammond adjourned the meeting at 7:56 P.M.

Respectfully submitted,

Pat Chapman
Deputy City Administrator