

AGENDA
CITY OF BERKELEY LAKE
PLANNING & ZONING COMMISSION
April 11, 2023 at 7:15 PM
4040 South Berkeley Lake Road
Berkeley Lake, GA 30096

I. CALL TO ORDER

II. APPROVAL OR CHANGES TO THE AGENDA

III. APPROVAL OF MINUTES

1. March 21, 2023

IV. OLD BUSINESS

1. PZV 23-02 – 498 Lakeshore Drive Variance to expand a non-conforming structure (Sec. 78-141) and increase the building coverage by 7.2% (Sec. 78-197(11))
2. PZTA 23-03 – Amendment to Sec. 78-196, R-100 District, to adopt regulations pertaining to raising poultry

V. NEW BUSINESS

1. PZV 23-04 – 3960 Peachtree Industrial Blvd Variance to reduce the front setback from 75 feet to 55 feet along North Berkeley Lake Rd and 75 feet to 65 feet along Peachtree Industrial Blvd (Sec. 78-272(5)) and reduce the side setback from 25 feet to 10 feet (Sec. 78-272(7))

VI. CITIZEN COMMENTS

VII. DISCUSSION SESSION

VIII. ADJOURNMENT

**CITY OF BERKELEY LAKE
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
PLANNING & ZONING COMMISSION
SPECIAL CALLED MEETING
PRE-DRAFT MINUTES
MARCH 21, 2023
7:15 PM**

Those in attendance at the meeting were as follows:

Commission Members: Dan Huntington, Chair
 Pekka Ignatius, Vice-Chair
 George Kaffeazakis
 Rand Kirkus
 Robin Sansone

City Administrator: Leigh Threadgill

Citizens Present: 4

I. CALL TO ORDER

Huntington called the meeting to order at 7:17 PM. A quorum of the commission along with City Administrator, Leigh Threadgill, were present at the meeting.

II. APPROVAL OF OR CHANGES TO THE AGENDA

Huntington asked if there were any suggested changes to the agenda.

Ignatius moved to approve the agenda as submitted. Sansone seconded and all voted to approve the agenda.

III. MINUTES

1. Minutes of February 14, 2023

Kirkus moved to approve the minutes of the February 14th meeting. Kaffeazakis seconded and all voted to approve the minutes.

IV. OLD BUSINESS

1. PZV-23-01 – 586 Lakeshore Drive variance to expand a non-conforming structure and encroach 20 feet into the 65-foot front setback and 2.5 feet into the 12.5-foot north side setback.

Kirkus acknowledged this was discussed last month and tabled. Huntington recognized the applicant to review the application.

Carl Lietz, 586 Lakeshore Drive, reviewed the variance request and noted that the neighbors, George and Camille Kennedy, were in attendance. Lietz also recognized the architect, Clark Tate, who can answer any questions. Lietz explained that there is an existing non-conforming garage that is built within the front setback. The garage is proposed for modification in its current location to remove the pitched roof and replace it with a roof more consistent with the slope of the house. He stated that an addition is proposed some of which will encroach into the front setback, though much of it will be tucked behind the existing non-conforming garage. Lietz explained that 304 square feet of the addition is within the front setback. Of the 304 square feet, 240 square feet is behind the garage. He further stated that there is an encroachment of the eaves of the proposed addition into the side setback. At the last meeting, to his recollection, the discussion centered around the encroachment of the eaves. Lietz stated that the eaves are important from a design standpoint and harmonious with the architecture of the remainder of the house and would like the commission to consider the request as submitted to allow the addition with both front and side setback encroachments.

Kaffezakis stated that there has been a gradual erosion of the viewshed over the years. It is still a beautiful place to live. The non-conforming garage will be improved by this plan which will have a positive impact on the viewshed. The concern is creating a new non-conformity with regard to the side setbacks.

Ignatius commended the quality of the application and plans and stated that he was willing to approve the request as originally submitted. At the last meeting, there was substantial discussion about how to modify the plans to avoid the eave encroachment. The thought that has already been put into this improvement is substantial and has achieved a good solution without modifying plans to avoid the eave encroachment.

Sansone asked about the impact to the neighbor's view of the lake resulting from the proposed improvements. There was further discussion.

George Kennedy, 590 Hilltop Lane, stated that it will impact the view, but the tradeoff to improve the garage is worth it. He continued to discuss other issues regarding runoff that will need landscaping. Kennedy stated that he has no objection and believes the proposal will be an improvement aesthetically.

Camille Cottrell, 590 Hilltop Lane, stated that the original house at 586 Lakeshore Drive was a small fishing shack for a weekend retreat. The proposal is a modern sensibility from Frank Lloyd Wright, and you have to have the eaves. To make the house livable for a family would require expansion, and the architectural design compliments her house which she appreciates.

There was discussion about the roof heights at different points.

There was further discussion about the eaves and side setback encroachment.

Ignatius moved to approve the variance request as submitted. Kirkus seconded the motion. Huntington, Ignatius, Kirkus and Sansone were in favor, Kaffezakis was opposed. The motion passed 4-1.

V. NEW BUSINESS

2. PZTA-23-03 - Amendment to Sec. 78-196, R-100 Permitted Uses, to provide rules regarding the keeping of poultry.

Threadgill reviewed the background and the proposed zoning ordinance amendment to adopt rules pertaining to the raising of poultry in the R-100 district and noted that this item was for discussion only and would need to be considered at a public hearing prior to the commission passing on a recommendation to the city council.

There was discussion about the impact of chicken waste on water quality.

There was consensus among the commission that the prohibition regarding chickens should be re-instated with no need to amend the zoning ordinance.

3. Administrative Items – Election of Chair, Vice Chair and Appointment of Secretary

Kaffezakis moved to nominate Huntington as chair. Sansone seconded the motion. All were in favor and the motion passed.

Kaffezakis moved to nominate Ignatius as vice-chair. Huntington seconded the motion. All were in favor and the motion passed.

Kaffezakis moved to appoint Threadgill as secretary. Sansone seconded the motion. All were in favor and the motion pass.

VI. CITIZEN COMMENTS

There were none.

VII. DISCUSSION

There was no further discussion.

VIII. ADJOURNMENT

There being no further business, Huntington adjourned the meeting at 8:19 PM.

Respectfully submitted,

Leigh Threadgill
City Administrator

**City of Berkeley Lake
Staff Analysis**

CASE NUMBER:	PZV-23-02, 498 LAKESHORE DR.
RELIEF REQUESTED:	EXPAND NON-CONFORMING STRUCTURE INCREASING BUILDING COVERAGE TO 22.2%
EXISTING ZONING:	R-100, RESIDENTIAL
PROPOSED USE:	SINGLE FAMILY RESIDENCE
APPLICANT:	MARTIN BRINTON 498 LAKESHORE DR BERKELEY LAKE, GA 30096
OWNERS:	MARTIN AND JANINE BRINTON SAME AS ABOVE
MEETING DATE:	APRIL 11, 2023 P&Z COMMISSION

PROPOSED PROJECT:

The applicant proposes to expand the existing non-conforming house located at 498 Lakeshore Drive by 672 square feet to add a three-car garage. This expansion will result in an increase in the already non-conforming building coverage. Currently the building coverage is 17.12%, but the addition to the front of the house will result in a 22.2% building coverage.

FINDINGS OF FACT:

- 1.) The existing house is located at 498 Lakeshore Drive on a 0.31-acre lot and was built in 1987 according to Gwinnett County property records.
- 2.) At 13,503 square feet, this lot does not meet the minimum lot size requirement of 28,050 square feet, and the existing house does not meet the rear setback standard nor the building coverage standard. Finally, the impervious areas on the lot do not comply with the lot coverage standard.
- 3.) Sec. 78-141 requires a variance to be issued for an extension or enlargement of a non-conforming structure.
- 4.) The applicant has proposed to add approximately 672 square feet to accommodate a three-car garage on the front of the house.
- 5.) With the increase in building area, the building coverage, which is already non-conforming, will be increased and require a variance to Section 78-197(11).
 - a. Allowable Building Coverage = 15%
 - b. Existing Building Coverage = 17.12%
 - c. Proposed Building Coverage = 22.2%
- 6.) In order to offset the increase in building coverage, the applicant proposes replacing some of the impervious materials on the property with pervious materials for a reduction in lot coverage from 40.2% to 34.3%.

- 7.) Properties to the north and south are zoned R-100 and the location of single-family residences. Lake Berkeley is adjacent to the west and the right-of-way of Lakeshore Drive is adjacent to the east.

STANDARDS FOR APPROVAL:

In considering whether to grant or deny this variance request, the commission must evaluate the application based on the criteria specified in Section 78-366 (a)(1) of the zoning ordinance:

a) *Applications for variances.*

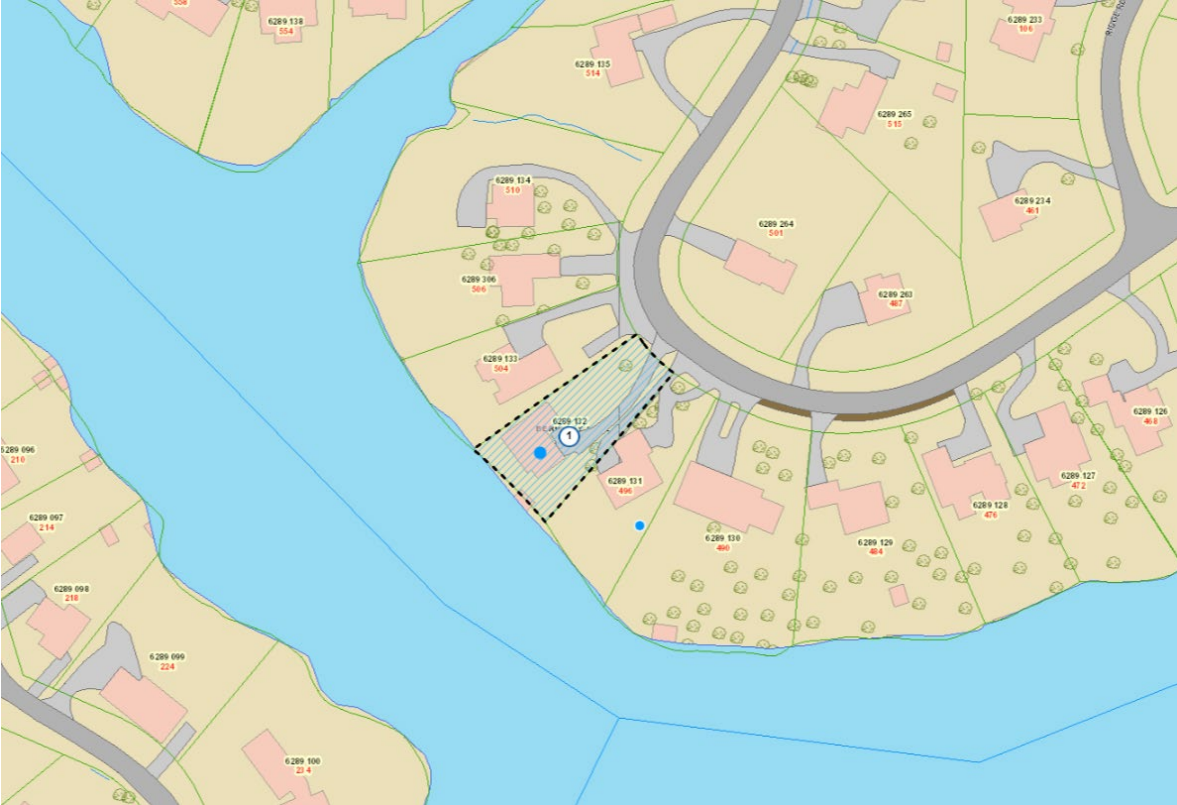
(1) *All applications for variances shall be submitted initially, in writing, to the planning and zoning commission of the city, which shall consider these requests at its next called meeting. The planning and zoning commission may authorize such variance from the terms of this zoning chapter as will not be contrary to the public interest. The spirit of this chapter shall be observed, the public safety, health and welfare secured and substantial justice done. At the hearing, any party may appear in person or have authorized representation. Such variances may be granted in individual cases if the planning and zoning commission finds that:*

- a. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and*
- b. The application of this chapter to this particular piece of property would create an unnecessary hardship; and*
- c. Such conditions are peculiar to the particular piece of property involved; and*
- d. Such conditions are not the result of any actions of the property owner; and*
- e. Relief, if granted, would not cause substantial detriment to the public nor impair the purposes or intent of this chapter; and*
- f. The variance is granted for a use of land or building or structure that is not prohibited by this chapter.*

SITE PHOTOS



LOCATION MAP



AERIAL PHOTOS





Application for Variance

For Office Use Only	
Application #:	V/AV 23-02
Check #:	1104 Cash:
Date Paid:	01/10/2023
P&Z hearing date:	4/10/23 4/11/23
Action:	
Appeal filed:	
Council hearing date:	
Account 100.34.1390.2	
Variance App	\$ 450.00

Part 1: Applicant Information

APPLICANT IS: Owner Agent Attorney

NAME MARTY + JANINE BRINTON DATE 3-14-23

MAILING ADDRESS 498 LAKESHORE DRIVE

CITY BERKELEY LAKE STATE GA ZIP 30096

TELEPHONE 678 591 6741 MOBILE SAME FAX -

E-MAIL MARTYBRINTON@YAHOO.COM

Part 2: Property Owner Information

NAME(S) SAME AS PART 1

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

TELEPHONE _____ MOBILE _____ FAX _____

E-MAIL _____

Part 3: Property and Use Information

PROPERTY ADDRESS 498 LAKESHORE DRIVE PARCEL ID _____

PARCEL SIZE 13504 SF ZONING _____

EXISTING USE R-100 RESIDENTIAL

I am requesting relief from code section 178-141 for the purpose of:

Adding a 3rd CAR GARAGE to EXISTING STRUCTURE

NOTICE: The granting of a Variance does not affect any requirement for a Building Permit for proposed construction.

The following supplemental documentation must be submitted with this application:

- Letter of Intent describing the proposed construction, development or improvements.
- Site Plan showing all existing and proposed improvements on the property.
- Survey of the property

Variance Application: Part 3: Property and Use Information (continued)

Applicant: Please provide written responses to the following items in order to support the request. Attach a separate sheet if necessary:

1) Explain the extraordinary and exceptional conditions pertaining to the size, shape or topography of the subject property; OR if this request is for the expansion of a non-conforming structure, explain whether granting the variance would result in an increase in the non-conforming aspects of the structure.

BUILDING COVERAGE will INCREASE from 17.12% to 22.2%
REQUEST is for relief from section 178.197 subsection 11.
CURRENT NON CONFORMANCE is 2.12%
REQUEST is for AN INCREASE to 7.2%

2) Explain how the application of the ordinance to the subject property would create an unnecessary hardship.

THE LOT SIZE IS 13,504 SF. ABOUT 1/2 THE STANDARD LOT SIZE OF 28,000 SF. THE SMALL LOT SIZE MAKES THE BUILDING COVERAGE ORDINANCE DIFFICULT TO ADHERE TO THE 15% RULE.

3) Explain how the conditions are peculiar or unique to the subject property.

THE LOT IS SUBSTANDARD IN SIZE AT 13,504 SF. THE BUILDING COVERAGE REQUEST IS REASONABLE CONSIDERING THIS LOT IS LESS THAN 1/2 THE SIZE REQUIRED @ 28,000 SF. MINIMUM

4) Are the conditions requiring a variance the result of any actions of the property owner? If YES, explain.

NO YES TO THE EXTENT I AM REQUESTING THE EXPANSION OF THE BUILDING STRUCTURE. HOWEVER THE VARIANCE IS REQUIRED AS A RESULT OF THE SUBSTANDARD LOT SIZE THAT IS LESS THAN 1/2 OF THE MINIMUM LOT SIZE REQUIREMENT.

5) What, if any, detriment to the public or impairment to the purposes of the ordinance would result if the variance were granted.

NONE THAT I AM AWARE OF.

6) Is the proposed use of land, building or structure permitted by the zoning ordinance?

Yes

I hereby make application to the City of Berkeley Lake, Georgia for the above referenced property. I do hereby affirm that the information provided here, above and contained in all material I submit for the purposes of supporting my request for a Variance, to the best of my knowledge is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken as a result of this application. I understand that it is my/our responsibility to conform to all City of Berkeley Lake ordinances in full and obtain any additional permits as may be required and that failure to do so will result in enforcement action taken by the City.

Applicant's Signature _____

Date _____

Owner's Signature

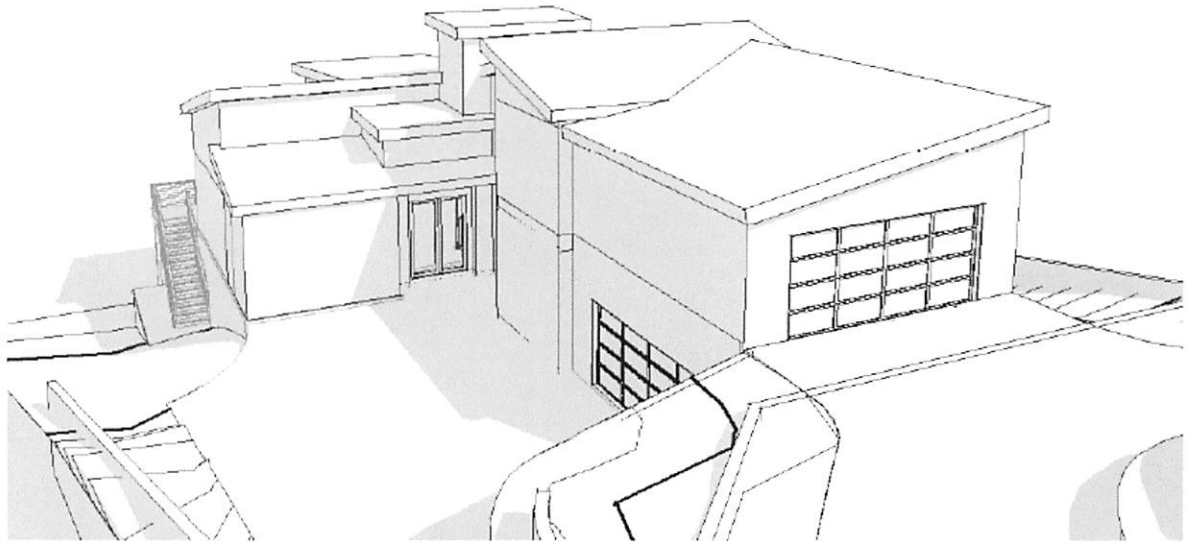
Marty Bums

Date

3/14/23

Janine and Mary Brinton
498 Lakeshore Drive
Berkeley lake, GA

Submitted for review: March 12, 2023
Berkeley Lake Planning and Zoning Meeting -April 11, 2023



Proposed Lot Coverage Rendering
(roofline not determined)

498 Lakeshore Drive
Berkeley Lake, GA

Existing Site Plan Condition

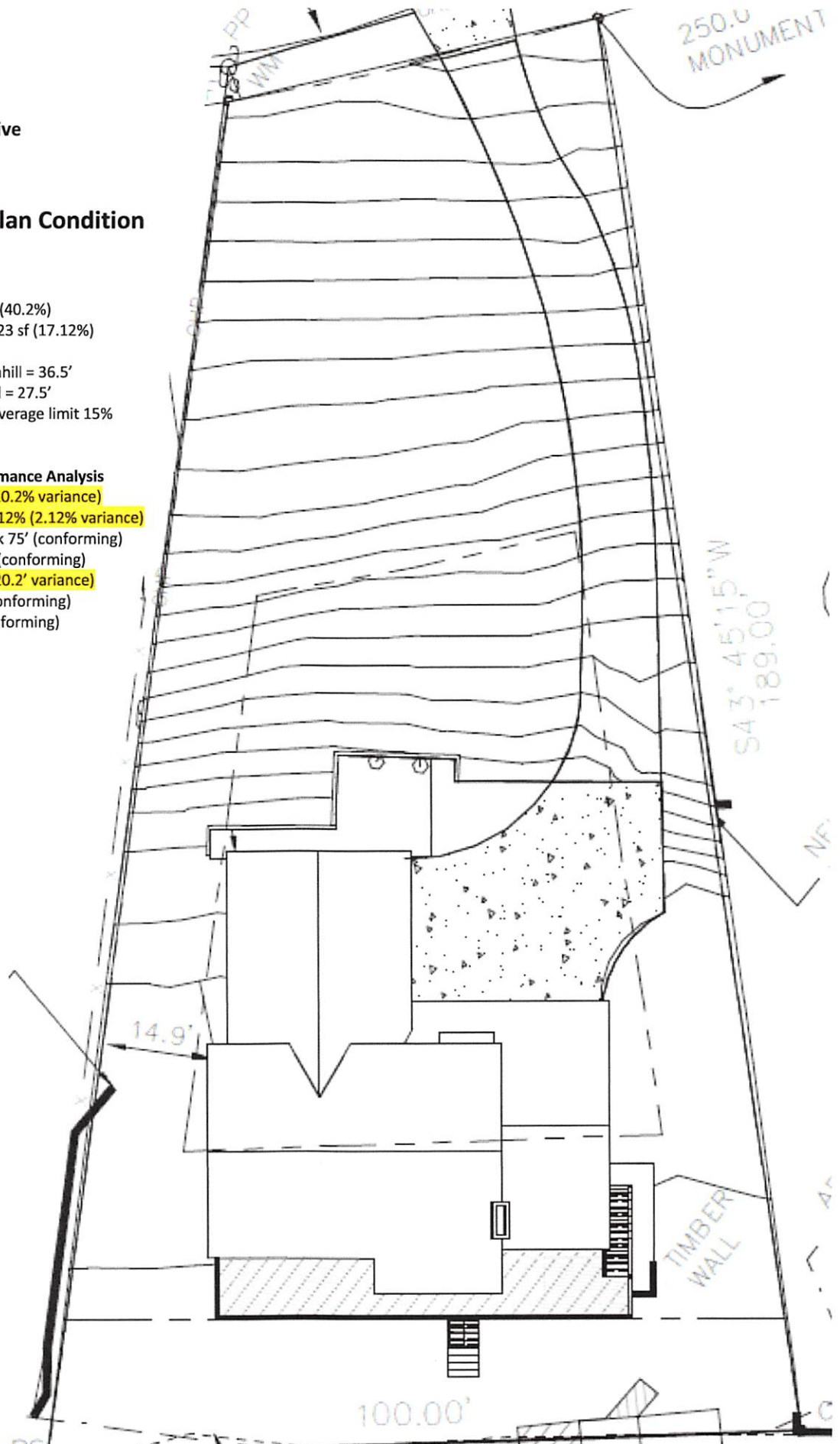
Scale 1"=20'

Lot Area: 13,504 sf
Lot Coverage 5,428 sf (40.2%)
Building Coverage 2,323 sf (17.12%)

Structure height downhill = 36.5'
Structure height uphill = 27.5'
Applicable building coverage limit 15%

Building Code Conformance Analysis

Lot Coverage 40.2% (10.2% variance)
Building Coverage 17.12% (2.12% variance)
Septic Sys rear setback 75' (conforming)
Septic PL setback 5 ft (conforming)
Rear setback 19.8 ft (20.2' variance)
Side setbacks 12.5' (conforming)
Front setback 65' (conforming)



498 Lakeshore Drive
Berkeley Lake, GA

Proposed Site Plan

Scale 1"=20'

Lot Area: 13,504 sf
Lot Coverage 4,627 sf (34.3%)
Building Coverage 2,995 sf (22.2%)

Structure height downhill = not to exceed 45'
Structure height uphill = not to exceed 35'
Applicable building coverage limit 15%

Drive path detail

Car tire path - poured concrete strips 400 sf
Center drive - Pavers / pervious polymer sand 300 sf

Lower garage access surface

Impervious poured perimeter 156 sf
Pavers / pervious polymer sand 1,257 sf

Upper garage access surface

Impervious poured retaining wall perimeter
Plantings/ beds perimeter surfaces
Grass filled block pervious paver drive

Other impervious elements

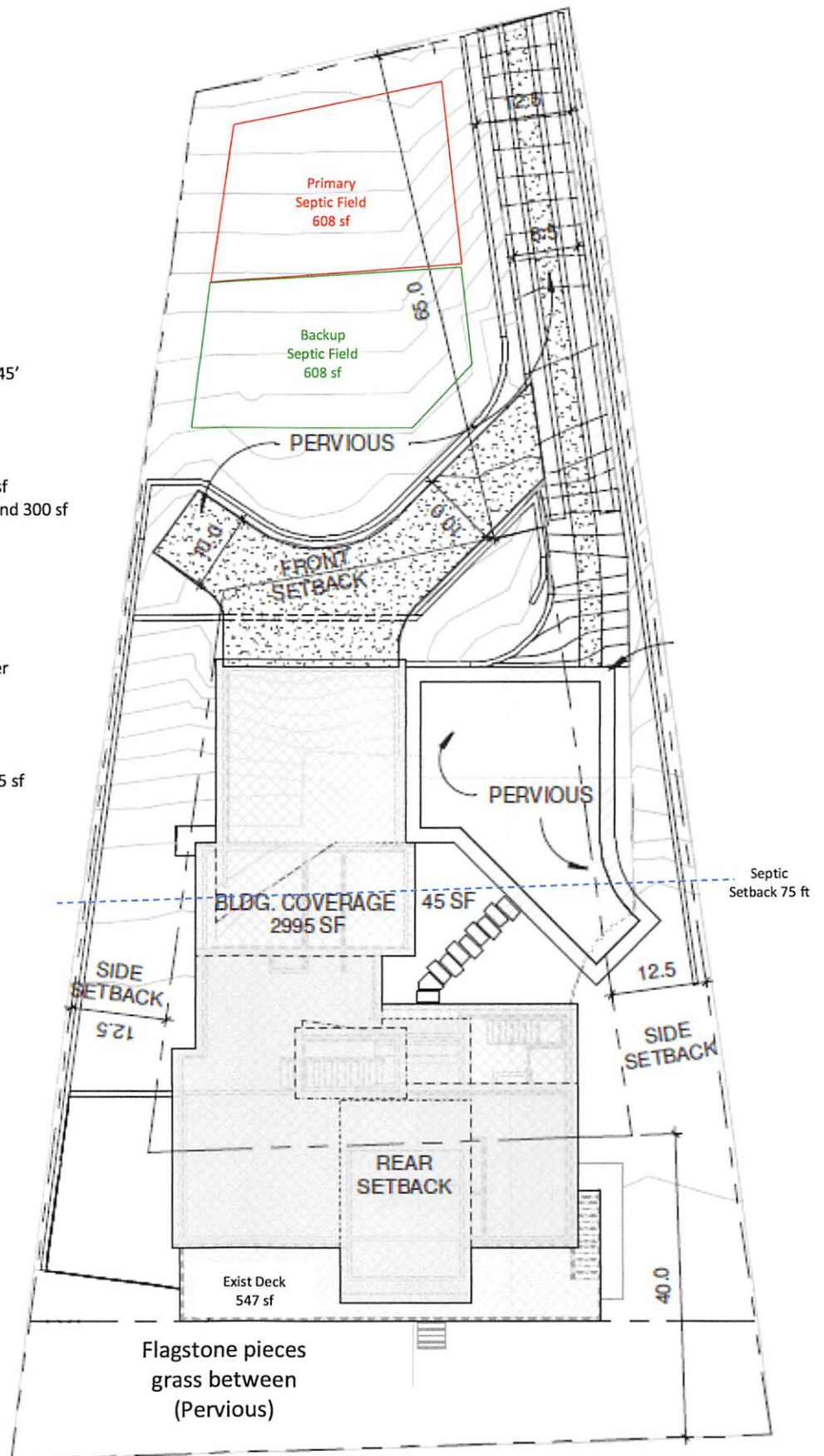
Front door walkway - Flagstone / mortar 45 sf
Main level rear wood patio/stairs 547 sf
8" wide concrete retaining wall = 510 lf
Roof overhangs 530 sf

Other pervious elements

Grade level rear patio -Flagstone /grass

Building Code Conformance Analysis

Lot Coverage 34.3% (4.3% variance)
Building Coverage 22.2% (7.2% variance)
Septic Sys rear setback 75' (conforming)
Septic PL setback 5 ft (conforming)
Rear setback 19.8 ft (20.2' variance)
Side setbacks 12.5' (conforming)
Front setback 65' (conforming)



City of Berkeley Lake Staff Analysis

CASE NUMBER:	PZTA-23-03, O-23-247
CODE SECTIONS:	78-196
PURPOSE:	AMENDMENT TO SEC. 78-196, PERMITTED USES, IN THE R-100 DISTRICT TO ALLOW THE RAISING OF POULTRY UNDER CERTAIN CONDITIONS
MEETING DATE:	MARCH 21, 2023 P&Z COMMISSION

BACKGROUND:

The City of Berkeley Lake adopted O-188-15, an amendment to Chapter 10, *Animals*, on September 17, 2015. This amendment repealed many city code sections and adopted by reference the Gwinnett County Animal Control Ordinance, which does not provide specific regulations governing the keeping of poultry. Gwinnett County animal control regulations pertaining to livestock (which expressly includes fowl) are attached.

Gwinnett County regulates livestock further in the Unified Development Code by zoning district. Specifically, livestock (which includes fowl) for personal use is allowed in the four single-family residential zoning districts according to the following supplemental use standards. *In non-agricultural zoning districts: the raising and keeping of livestock for personal pleasure or utility on a parcel which contains the dwelling of the owner of the livestock is permitted, provided that the parcel is at least 3 acres in area and all animal quarters are located no closer than 100 feet to any property line.* While the city's Animal Ordinance references the Gwinnett County Animal Ordinance, it does not extend to the supplemental use standards found in the Gwinnett County Unified Development Ordinance. Therefore, the requirements above do not pertain to Berkeley Lake.

Interest in raising chickens has come up from time to time among citizens of Berkeley Lake. Prior to 2015, there was a prohibition on keeping chickens that was instituted in 2006 following a code enforcement issue with roosters causing a public nuisance in River Mansions. The code change in 2015 inadvertently and unintentionally removed the prior 2006 prohibition. With the increase in citizen interest, staff recommends adopting specific standards that will govern raising poultry.

PROPOSAL:

Staff surveyed codes from around the county and metro Atlanta area to ascertain how other local governments regulate the raising/keeping of poultry. The following cities/counties were reviewed: Alpharetta, Auburn, Brookhaven, Dacula, Duluth, Gwinnett County, Johns Creek, Norcross and Peachtree Corners. Regulations varied across the cities/counties that were examined, but there are common themes which deal with minimum lot size, setbacks, enclosures, number of animals, prohibition of roosters, prohibition of slaughter and sanitation/drainage considerations. The proposed regulations, Sec.78-196(8), are intended to provide for situations where poultry may be allowed while mitigating the impact on surrounding areas.

Sec. 78-196. Permitted uses.

In residence district R-100, the following uses are permitted:

- (1) Single-family detached dwellings, except mobile homes and modular homes.
- (2) Customary accessory buildings and uses. See section 78-89.
- (3) Boathouses, docks and boat landings on lots adjoining Lake Berkeley proper, subject to the provisions of section 78-89(g).
- (4) Public outdoor recreation.
- (5) Religious institution.
 - a. Located on a major or connecting street or a state highway on a site of not less than three acres.
 - b. The buildings are located not less than 100 feet from any street or any side property lines.
 - c. A buffer strip at least 25 feet wide is provided along the side and rear property lines but not extending into the required front yard, planted to meet the requirements of Chapter 42 - Natural Resources, Article VII - Buffers, Landscape and Trees, Division 2 - Buffer Regulations.
- (6) Public buildings and land uses.
 - a. Such use shall be located on a major collector street or state highway on a site of not less than one acre.
 - b. Buildings shall be located at least 50 feet from all property lines.
 - c. Where abutting property that is zoned residential, a buffer at least 25 feet wide shall be provided. Buffers shall be planted to meet the requirements of Chapter 42 - Natural Resources, Article VII - Buffers, Landscape and Trees, Division 2 - Buffer Regulations.
 - d. Such uses shall require city council approval.
- (7) Open air market, subject to city council approval.
 - a. Such use must be located in conjunction with an existing religious institution.
 - b. Such use shall be located on and have access from a major collector street or state highway on a site of not less than one acre.
 - c. At least two off-street parking spaces per vendor booth shall be provided on site.
 - d. Vendor booths shall be set back at least 50 feet from all property lines.
 - e. A site plan, drawn to scale, shall be submitted indicating the location of vendor booths and off-street parking.
 - f. The market shall not operate more than 120 hours a year.
 - g. Operating hours, including set-up, break-down and clean-up, shall be limited to not more than five hours a day once a week and shall occur between the hours of 7:00 a.m. and 9:00 p.m.
 - h. Such use shall follow Georgia Department of Agriculture guidelines, rules and regulations.
 - i. Vendor booths shall be set up and taken down on the day that the market operates.
 - j. The market manager/organizer shall obtain a city business license/occupation tax certificate prior to beginning market operation.

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- k. Such use shall require a permit to be granted by city council. Requests for permits shall be made on applications available in the office of the city clerk. Permits shall expire on December 31 of the year in which they were issued.

(Ord. No. O-118-10, § 1, 10-21-2010; Ord. No. O-143-12, 4-26-2012)

- (8) Poultry. The raising and keeping of poultry for egg-laying or as a pet subject to the following:
- a. The lot contains at least 0.75 acres (32,670 square feet).
 - b. The lot contains the dwelling of the owner of the poultry.
 - c. The poultry is located in the rear yard in a fenced enclosure or coop no closer than 25 feet to any side or rear property line and 40 feet from the shoreline of Lake Berkeley.
 - d. All places wherein poultry are kept shall maintain drainage or detention sufficient to prevent standing water in yards or pens and to prevent waste products from entering storm drains, lakes, rivers or streams, sewer lines or neighboring property.
 - e. The number of poultry or other fowl shall not exceed five per lot.
 - f. Roosters are prohibited.
 - g. Slaughtering is prohibited.

Editor's note(s)—Ord. No. O-118-10, § 1, adopted Oct. 21, 2010, repealed § 78-196 in its entirety and enacted new provisions to read as herein set out. Prior to amendment § 78-196 pertained to similar subject matter. See Code Comparative Table for derivation.

Sec. 10-10. Livestock.

- (a) All livestock shall be properly housed with adequate food and adequate water and confined within a fenced enclosure. The fenced enclosure shall be maintained in such a manner as to keep any average livestock animal from escaping the enclosed compound and causing damage, accidents or injury to any person or property. Owners of such livestock shall be liable for any damage, accidents or injuries. Such maintenance shall include, but not be limited to, repair or replacement of anchor post assemblies whenever they show signs of weakness, refastening loose wires to posts, splicing broken wires when necessary, and keeping the fence wires properly stretched. Those who provide boarding/pasturing space and/or services for hire shall have the responsibility for enclosure maintenance as described in this subsection.
- (b) No person shall tie, stake or fasten any livestock within any street, highway, road, alley, sidewalk, right-of-way, or other public place within the county or in such manner that the animal has access to any portion of any street, highway, road, alley, sidewalk, right-of-way, or other public place.
- (c) Owners or possessors of livestock impounded for violation of this chapter or any state and/or federal laws, will be charged in accordance with actual costs of impoundment plus impounding and boarding fees.
- (d) Impounded livestock shall be held for a period of ten days. If such impounded animals are not claimed by the owner during that period of time, the animals may be given to persons willing to accept them, in the discretion of the department of community services. Section 10-46(a) pertaining to profit shall not apply to any person(s) accepting livestock from the county. Person(s) accepting livestock from the county are allowed to sell the animal or harvest the animal for consumption. Any livestock that was captured by the use of tranquilizers or darting drugs are not allowed to be harvested for consumption.

(Ord. No. AW-2020(GCID: 2020-1254) , Exh. B, 12-15-2020)

**City of Berkeley Lake
Staff Analysis**

CASE NUMBER:	PZV-23-04, 3960 PEACHTREE INDUSTRIAL BLVD.
RELIEF REQUESTED:	REDUCTION IN FRONT SETBACK FROM 75' TO 55' ALONG N. BERKELEY LAKE RD. AND FROM 75' TO 65' ALONG PEACHTREE INDUSTRIAL BLVD. AS WELL AS REDUCTION IN SIDE SETBACK FROM 25' TO 10'
EXISTING ZONING:	C-1, NEIGHBORHOOD COMMERCIAL CONDITIONAL USE DISTRICT
PROPOSED USE:	EVENT HALL
APPLICANT:	MICHAEL GOUBAITIS 255 NORCROSS ST, SUITE A ROSWELL, GA 30075
OWNERS:	SEYED LAVASSANI 3970 PEACHTREE INDUSTRIAL BLVD., SUITE 200 BERKELEY LAKE, GA 30096
MEETING DATE:	APRIL 11, 2023 P&Z COMMISSION

PROPOSED PROJECT:

The applicant proposes to build a 17,000-square-foot event hall at 3960 Peachtree Industrial Boulevard, an undeveloped parcel at the intersection of North Berkeley Lake Road and Peachtree Industrial Boulevard in Berkeley Village. The building envelope that was shown on the original development plans, which is currently a grassed area at the site, was based on conditions that have changed. Both North Berkeley Lake Road and Peachtree Industrial Boulevard have been widened to accommodate infrastructure improvements, shrinking the distance from the right-of-way to the original front building line to 55' and 61.5' feet respectively. The applicant is proposing to keep the 55-foot setback along North Berkeley Lake Road and observe a 65-foot front setback along Peachtree Industrial Boulevard, a 20 and 10-foot variance respectively.

In addition, when originally proposed in the March 6, 2005, Preliminary Plat of the Berkeley Village Development plan, the building envelope did not include setbacks from interior lot lines, only setbacks along the exterior border of the project boundary likely pursuant to a variance granted at the time of zoning approval stating "Notwithstanding any other provisions of the Ordinance and the fact that this property may be used by, conveyed to or owned by separate owners in the future, a variance is granted and it is the interpretation that for all purposes under the Ordinance, this property shall be deemed to be one lot." The final plat that was recorded in July 2007 shows the creation of four tracts, but still shows no setbacks along interior property lines. More recently, the subject tract, Tract A, was recombined with Tract C to expand the area of Tract A to enable the proposed development. This recombination plat, recorded December 14, 2022, shows the required setbacks off interior lot lines. The side setback variance is to allow a reduction from 25 feet to 10 feet off the interior lot lines.

FINDINGS OF FACT:

- 1.) The subject property, 3960 Peachtree Industrial Boulevard, is part of the Berkeley Village commercial development and is subject to a conditional zoning ordinance dated December 9, 1999.
- 2.) It is approximately 1.36 acres in size and is zoned C-1, neighborhood commercial.
- 3.) At the time the zoning was instituted, a specific permitted use list was adopted to apply to the development. This use list includes assembly hall.
- 4.) One of the zoning conditions in the December 1999 ordinance is that “the owner or user of the property shall strive to create an upscale project, consistent with the quality of other top-notch commercial and office projects in Gwinnett County.”
- 5.) The applicant proposes to build a 17,000-square-foot event center for hosting weddings, conferences and other gatherings. Based on the renderings submitted with the application, the building appears to be two stories.
- 6.) The maximum height allowed in the C-1 district is two stories or 40 feet, whichever is less.
- 7.) At the time of initial development approval, the North Berkeley Lake Road and Peachtree Industrial Boulevard rights-of-way were narrower than they are today.
- 8.) At some point after development approval, both roads were widened to provide adequate space for the construction of pedestrian and drainage infrastructure. As a result, the building envelope that was originally approved no longer met the 75-foot front setback requirement of the C-1 district, Sec.78-272.
- 9.) The applicant is requesting a variance to the front setback requirement to allow the proposed building to sit 65 feet from the Peachtree Industrial Blvd. right-of-way and 55 feet from the North Berkeley Lake Rd. right-of-way.
- 10.) Additionally, the applicant is requesting a variance to the side setback requirement of the C-1 district subject to language in the December 1999 ordinance that states the entire development should be treated as one lot.
- 11.) Specifically, the applicant is requesting a 10-foot interior (side) setback requirement.
- 12.) The intersection of N Berkeley Lake Rd. and Peachtree Industrial Blvd. lies to the north, along with commercial properties in the City of Duluth. The right-of-way of Peachtree Industrial Boulevard is adjacent to the west, along with the city’s greenspace. The right-of-way of N Berkeley Lake Rd. lies to the east, along with commercial properties in the City of Duluth. Property to the south is part of the original Berkeley Village development and the location of offices and neighborhood commercial uses.
- 13.) Since the approval of the subject development in the late 90’s, the city has annexed additional commercial properties that are subject to the Peachtree Corners Overlay District requirements. Specifically, this overlay provides for architectural standards that may achieve the zoning condition from 1999 to create an upscale project.
- 14.) However, no such objective architectural standards apply to this important gateway location, other than the zoning condition mentioned in #4 above.
- 15.) Based on the proposed site plan and aerial, there are 41 parking spaces on this property.
- 16.) Required off-street parking for places of assembly without fixed seating is 1 space per 200 square feet devoted to patron use, which results in a maximum of 85 off-street parking spaces required.
- 17.) Use of parking on adjacent properties within 400 feet of the proposed building entrance can be used provided there is a duly executed shared parking agreement submitted prior to building permit issuance.

STANDARDS FOR APPROVAL:

In considering whether to grant or deny this variance request, the commission must evaluate the application based on the criteria specified in Section 78-366 (a)(1) of the zoning ordinance:

a) *Applications for variances.*

(1) *All applications for variances shall be submitted initially, in writing, to the planning and zoning commission of the city, which shall consider these requests at its next called meeting. The planning and zoning commission may authorize such variance from the terms of this zoning chapter as will not be contrary to the public interest. The spirit of this chapter shall be observed, the public safety, health and welfare secured and substantial justice done. At the hearing, any party may appear in person or have authorized representation. Such variances may be granted in individual cases if the planning and zoning commission finds that:*

- a. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and*
- b. The application of this chapter to this particular piece of property would create an unnecessary hardship; and*
- c. Such conditions are peculiar to the particular piece of property involved; and*
- d. Such conditions are not the result of any actions of the property owner; and*
- e. Relief, if granted, would not cause substantial detriment to the public nor impair the purposes or intent of this chapter; and*
- f. The variance is granted for a use of land or building or structure that is not prohibited by this chapter.*

SITE PHOTOS



From the Corner on the North Berkeley Lake Road Side



From North Berkeley Lake Road

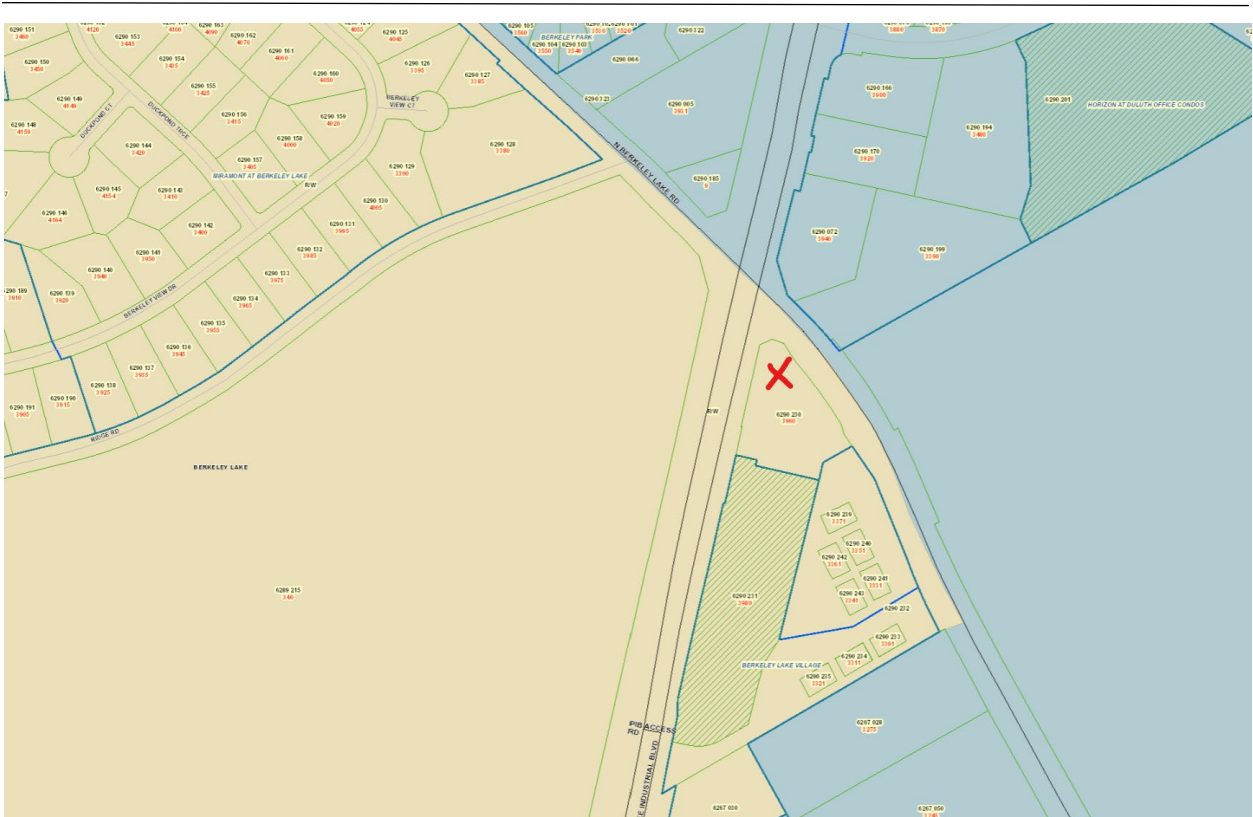


From the Corner on the Peachtree Industrial Boulevard Side

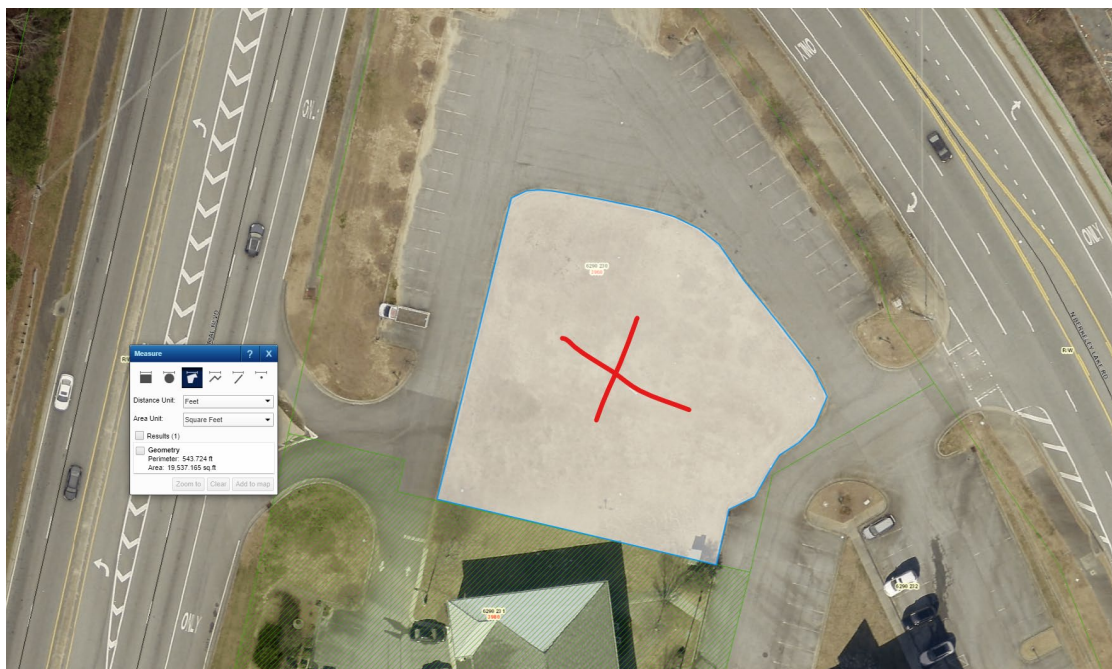


From Peachtree Industrial Boulevard

LOCATION MAP



AERIAL PHOTOS



General location of proposed building pad.



Application for Variance

For Office Use Only	
Application #:	V/AV 23-04
Check #:	223 Cash: _____
Date Paid:	3/14/2023
P&Z hearing date:	4/10/23 4/11/2023
Action:	_____
Appeal filed:	_____
Council hearing date:	_____
Account 100.34.1390.2	
Variance App	\$ 450.00

Part 1: Applicant Information

APPLICANT IS: Owner Agent Attorney

NAME VINCENT MICHAEL GUOBAITIS DATE 02-10-2023

MAILING ADDRESS 255 NORCROSS ST, SUITE A

CITY ROSWELL STATE GEORGIA ZIP 30075

TELEPHONE 770-998-5521 MOBILE 470-926-0905 FAX _____

E-MAIL MICHAEL.GUOBAITIS@GMAIL.COM

Part 2: Property Owner Information

NAME(S) SEYED LAVASSANI

MAILING ADDRESS 3970 PEACHTREE INDUSTRIAL BLVD, STE 200

CITY BERKELEY LAKE STATE GEORGIA ZIP 30096

TELEPHONE _____ MOBILE 404-387-2797 FAX _____

E-MAIL POLYGON@MED4YOU PHARMACY.NET

Part 3: Property and Use Information

PROPERTY ADDRESS 3960 PEACHTREE INDUSTRIAL BLVD PARCEL ID 6290 230

PARCEL SIZE 1.36 ACRES ZONING C-1

EXISTING USE RETAIL

I am requesting relief from code section 78-272 (5) & 78-272 (7) for the purpose of:

REDUCING THE SETBACK TO 55' ALONG NORTH BERKELEY LAKE RD, 65' ALONG PEACHTREE INDUSTRIAL BLVD, AND 10' ALONG THE SIDE PROPERTY LINES FOR GREATER UTILIZATION OF THE EXISTING BUILDING PAD FOR THE PROPOSED STRUCTURE.

NOTICE: The granting of a Variance does not affect any requirement for a Building Permit for proposed construction.

The following supplemental documentation must be submitted with this application:

- Letter of Intent describing the proposed construction, development or improvements.
- Site Plan showing all existing and proposed improvements on the property.
- Survey of the property

Variance Application: Part 3: Property and Use Information (continued)

Applicant: Please provide written responses to the following items in order to support the request. Attach a separate sheet if necessary:

1) Explain the extraordinary and exceptional conditions pertaining to the size, shape or topography of the subject property; OR if this request is for the expansion of a non-conforming structure, explain whether granting the variance would result in an increase in the non-conforming aspects of the structure.

The developer seeks to construct a building to be utilized as a venue space within the footprint of the existing grass building pad and expand where allowed for the driveway and fire access. Due to the location and shape of the property line, the 75' front setback will be located deeper within the existing grass building pad which would decrease the available space for the structure. A similar issue arises for the 25' setback along the sides as well.

2) Explain how the application of the ordinance to the subject property would create an unnecessary hardship.

The 75' front setback reduces the available building space within the existing grass building pad. In addition, the 25' side setback reduces the available building space within the existing grass building pad.

3) Explain how the conditions are peculiar or unique to the subject property.

Before the property owner purchased a portion of Tract A and resubmitted the plat, the original final plat for the development located the setbacks approximately 62' from the lot line. When you go back to the original development's site plan, it be seen that the intent was to take the 75' setback from the original ROW line. The original development also called for a bank which would have been located at the setback line shown on that site plan. After the development was completed, the additional ROW was dedicated for the sidewalk along North Berkeley Lake and is reflected in the original final plat. With the variance, we seek to establish the setback lines near the location of the setback lines shown in the original final plat which would allow for greater utilization of the existing building pad for the proposed building.

4) Are the conditions requiring a variance the result of any actions of the property owner? If YES, explain.

No.

5) What, if any, detriment to the public or impairment to the purposes of the ordinance would result if the variance were granted.

There will be no apparent detriments or impairments to the public.

6) Is the proposed use of land, building or structure permitted by the zoning ordinance?

Yes, the property is zoned C-1 for commercial use. A venue space would fall in line with the description of use found in Sec 78-269 (1). In addition, the venue space, which would be better described as an assembly hall, would be consistent with the development's zoning conditions (3(d)).

I hereby make application to the City of Berkeley Lake, Georgia for the above referenced property. I do hereby affirm that the information provided here, above and contained in all material I submit for the purposes of supporting my request for a Variance, to the best of my knowledge is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken as a result of this application. I understand that it is my/our responsibility to conform to all City of Berkeley Lake ordinances in full and obtain any additional permits as may be required and that failure to do so will result in enforcement action taken by the City.

Applicant's Signature

[Handwritten Signature]

Date

02/10/2023

Owner's Signature

[Handwritten Signature]

Date

2/10/2023

On 02/10/23 Sered Lavrentev personally appeared before me and produced a Drivers License as identification. My commission expires 10/05/2026

[Handwritten Signature]
Notary





DMD ENGINEERING AND TESTING, INC

255 Norcross St, Suite A

Roswell, Georgia 30075

Phone: 470-448-4146

michael.guobaitis@gmail.com

March 13, 2023

To whom it may concern,

For your consideration, the property owner for 3960 Peachtree Industrial Blvd is requesting a variance to reduce the setback along Peachtree Industrial Blvd from 75' to 65', a variance to reduce the setback along North Berkeley Lake Rd from 75' to 55', and a variance to reduce the inner parcel side setback from 25' to 10'. The property owner wishes to construct a 17,000 SF venue space to be used for weddings, conferences, etc., within the space of the existing building pad, known as Tract A, at the Berkeley Lake Village development. The property owner of Tract A recently submitted a new plat which combined a portion of Tract C to Tract A for the purpose of expanding the buildable footprint. Per section 78-272 (5) and (7) of the City of Berkeley Lake Zoning Ordinance, the setback requirement for the front is 75' and for the side is 25' from the property line. Before the property owner submitted the latest plat, the original final plat for the development located the setbacks approximately 62' from the lot line with no inner parcel side setbacks. When you go back to the original development's site plan, it can be seen that the intent was to take the front 75' setback from the original ROW line. Since the development was completed, additional ROW was dedicated for the inclusion of a sidewalk which also modified the shape of the lot line. When applying the front 75' setback and a side 25' setback from the current lot lines, it can be seen that a significant portion of the existing building pad is not buildable. It is believed that the intent of the existing building pad was to allow for future building expansion based on the original development plans. For this reason, the property owner is seeking a variance to shift the setbacks back to the original location shown on the final plat for better utilization the existing space provided.

Additional information regarding the hardship and community impacts of the variance have been provided within the Variance Application. If you have any questions, do not hesitate to contact me.

Sincerely,

Vincent M Guobaitis, PE

Vincent Guobaitis



Variance Application Authorization of Property Owner

*This form is to be used when the applicant is someone other than the property owner.
This form may be completed in Adobe Acrobat Reader and printed for signature
or it may be printed and completed in handwriting.*

Part 1: Applicant Information

Name VINCENT MICHAEL GUOBAITIS (DMD ENGINEERING AND TESTING)

Mailing Address 255 NORCROSS ST, SUITE A

City ROSWELL State GEORGIA ZIP 30075

Telephone 770-998-5521 Mobile 470-926-0905

Part 2: Property Owner Information

Name (s) SEYED LAVASSANI

Mailing Address 3970 PEACHTREE INSUTRIAL BLVD, STE 200

City BERKELEY LAKE State GEORGIA ZIP 30096

Telephone 404-387-2797 Mobile 404-387-2797

Part 3: Authorization

Property address of variance request 3960 PEACHTREE INDUSTRIAL BLVD

I hereby certify that I am the owner of the property identified in Part 3 of this document, in the City of Berkeley Lake, Gwinnett County, Georgia, and I authorize the applicant named above to act as the applicant in the pursuit of a variance for that property.

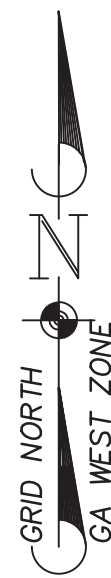
Signature of Owner

Print Name of Owner SEYED LAVASSANI

Personally appeared before me this 10 day of Feb, 2023

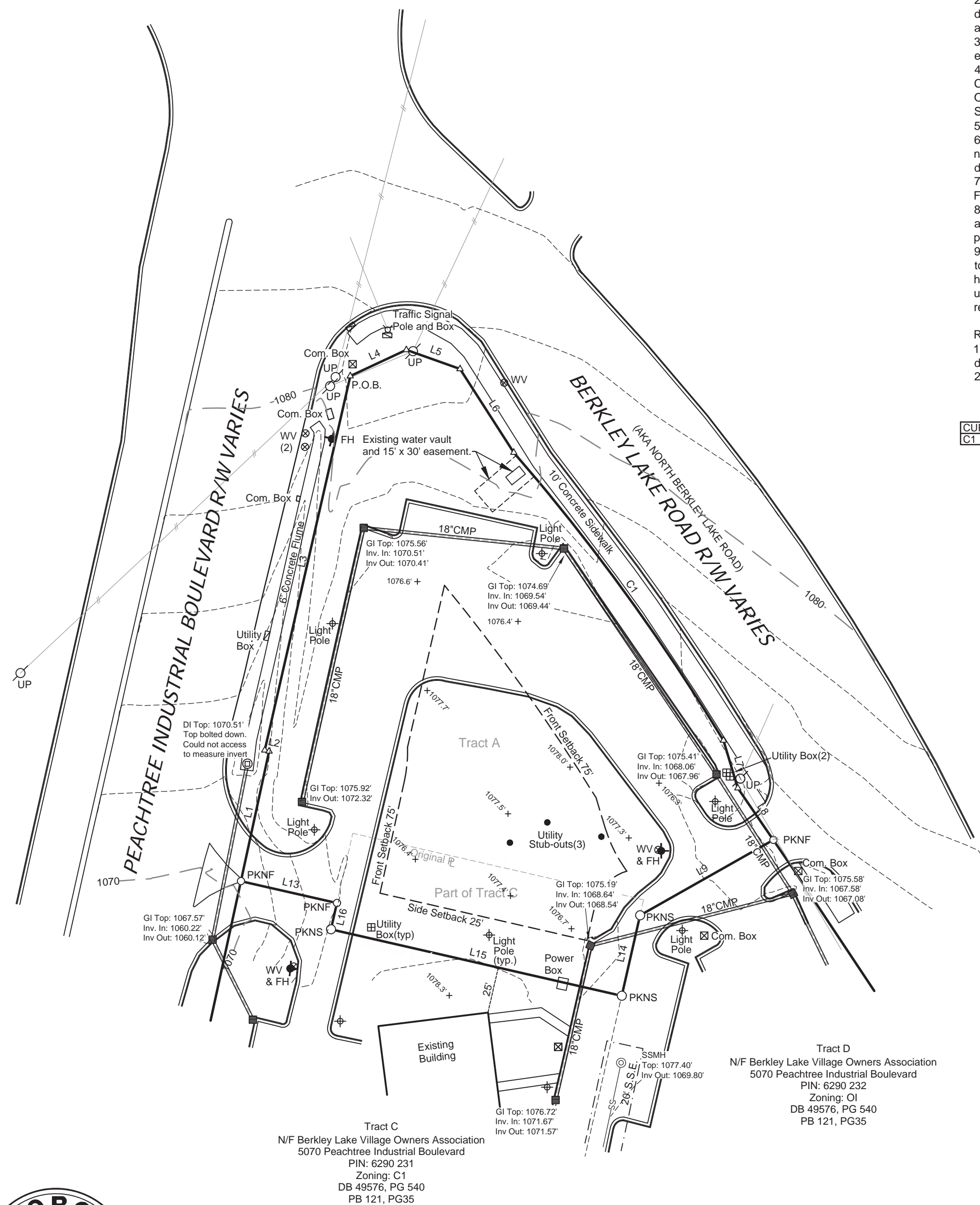
Notary Public





CLERK OF THE COURT FILING INFORMATION

LEGEND	
OTPF	Open Top Pin Found
CTPF	Crimp Top Pin Found
CTPS	Crimp Top Pin Set
RBF	Rebar Found
RBS	Rebar Set
PKNF	PK Nail Found
PKNS	PK Nail Set
B/L	Building Line
DB	Deed Book
PB	Plat Book
UP	Utility Pole
R/W	Right-of-Way
N or F	Now or Formerly
P	Property Line
C	Center Line
L.L.L.	Land Lot Line
P.O.C.	Point of Commencement
P.O.B.	Point of Beginning
P.O.L.	Point On Line
USACE	U.S. Army Corps of Eng.
DI	DROP INLET
GI	GRATE INLET
---	Land Lot Line
-x-x-	Fence
-//-	Overhead Wire
- - -	Not to Scale
△	Calculated Point



- NOTES:
- Field Data: This survey was conducted using GPS, static and real time kinematic methods. A relative positional precision, for horizontal measurements, of less than 0.07' + 50ppm at the 95% confidence interval was achieved.
 - Field Measurements were taken with a Leica TS12, and Carlson BRx7, dual frequency receiver base station and rover on 05-11-2022 and were adjusted using the Least Squares Method.
 - Bearings are based on Grid North, Ga West Zone, NAD 83 and established using a Carlson BRx7 dual frequency base station and rover.
 - Elevations are based on NAVD88 and were established using a Carlson BRx7, dual frequency receiver base station on 01-11-2023. Observations were solved using the NOAA Online Positioning User Service.
 - Plat Precision: 1/156,057'
 - The public records referenced hereon reflect only those records necessary to establish the boundaries hereon, and reference to the same does not and is not intended to constitute a title search or title opinion.
 - This property is not located in a Flood Hazard Area as indicated on F.I.R.M. No. 13135C0068G, dated 03-04-2013.
 - Building setbacks and buffers may or may not be shown hereon. They are governed by the local jurisdiction and should be confirmed prior to land planning or construction activities.
 - No underground utilities were located during the course of this topographic survey. Only above ground evidence of utilities is shown hereon. It is recommended that the horizontal location, and depth of all underground utilities be confirmed prior to planning and construction related activities.

- REFERENCES:
- Final Plat for Berkeley Lake Village by Development Consultants Group dated 5-15-07, revised 7-12-07 and recorded in Plat Book 121, Page 35.
 - Deed Book 58853, Page 747.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	1149.13	193.12	192.89	S 36°03'10\"/>

LINE	BEARING	DISTANCE
L1	N 12°15'11\"/>	
L2	N 77°07'45\"/>	
L3	N 12°52'15\"/>	
L4	N 64°54'59\"/>	
L5	S 70°24'50\"/>	
L6	S 32°45'31\"/>	
L7	S 16°50'13\"/>	
L8	S 34°24'57\"/>	
L9	S 60°31'06\"/>	
L10	N 12°51'28\"/>	
L11	N 77°07'45\"/>	
L12	S 12°52'59\"/>	
L13	N 77°06'48\"/>	
L14	S 12°51'28\"/>	
L15	N 77°07'45\"/>	
L16	N 12°52'59\"/>	

Tract A Location and Zoning Information

Address: 3960 Peachtree Industrial Boulevard
Berkeley Lake, GA 30096

PIN: 6290 230

Zoning: C1

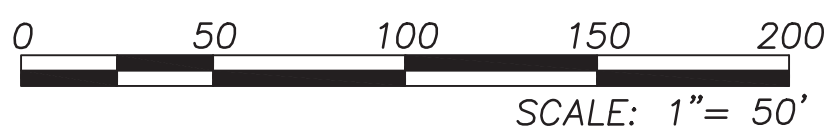
AREA SUMMARY
Tract A = 1.16 Acres
Part of Tract C = 0.20 Acres

Total Area = 1.36 Acres

Area Remaining in Tract C
(Parent Parcel) = 3.238 Acres
(Area per Ref. #1)

SURVEYOR'S CERTIFICATE:
This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

Neil A. McWhorter 01-13-2023
Neil A. McWhorter, GA RLS # 2644 Date
K.E.Q., Inc. Certificate of Authorization Number LSF000275



Topographic Survey of Tract A & part of Tract C Berkeley Lake Village:

SEYED H. LAVASSANI

Land Lot 290, 6th District
City of Berkeley Lake, Gwinnett County, Georgia
01-13-2023

McWhorter & Anderson

LAND SURVEYING & CIVIL ENGINEERING

416 Pirkle Ferry Road
Building H, Unit 300
Cumming, GA 30040
(770) 889-9430
www.mga-se.com
© K.E.Q., Inc. 2023
FILE: 12591.TOPO



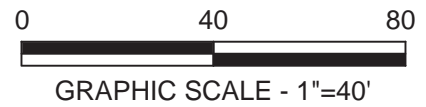
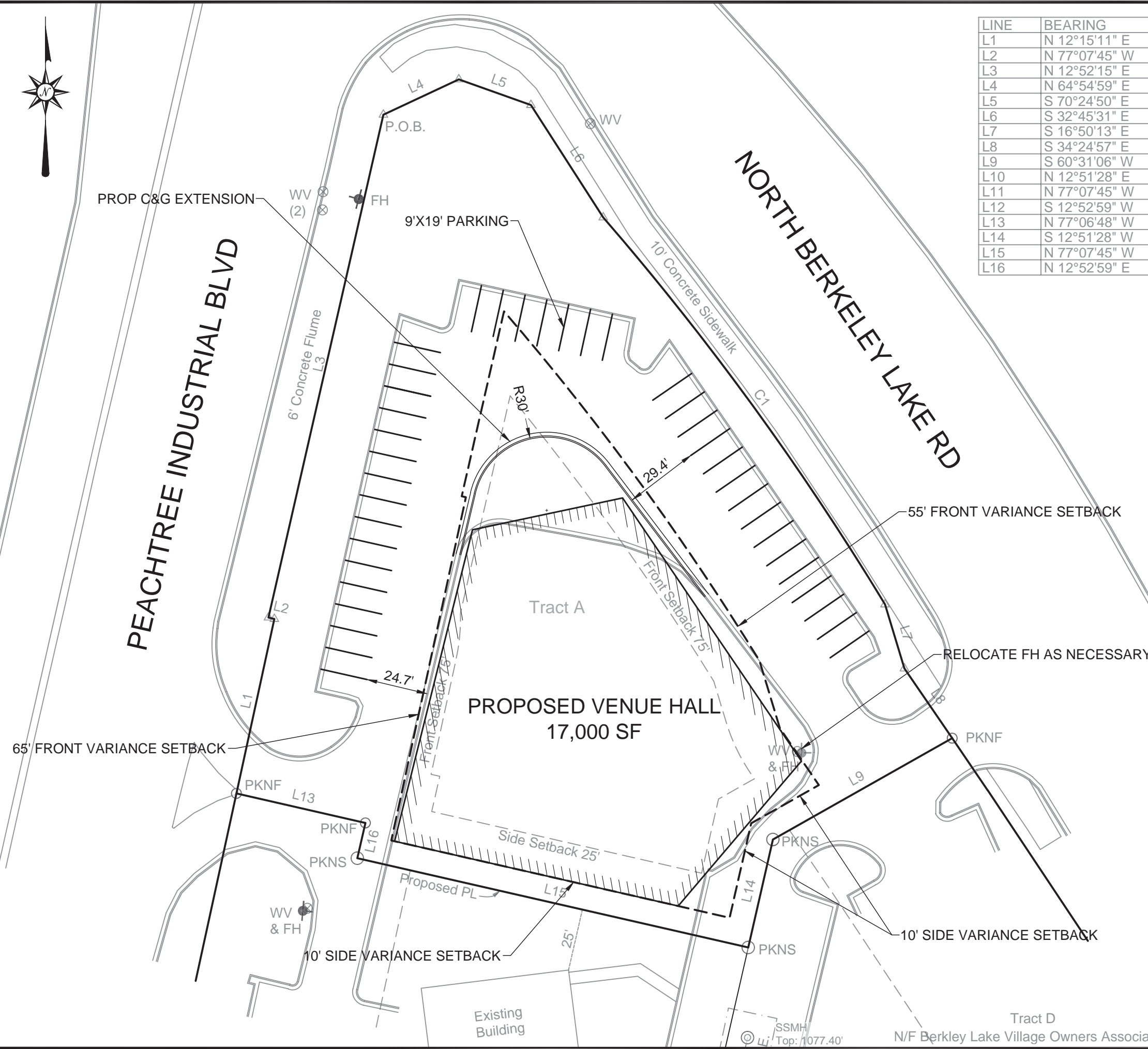
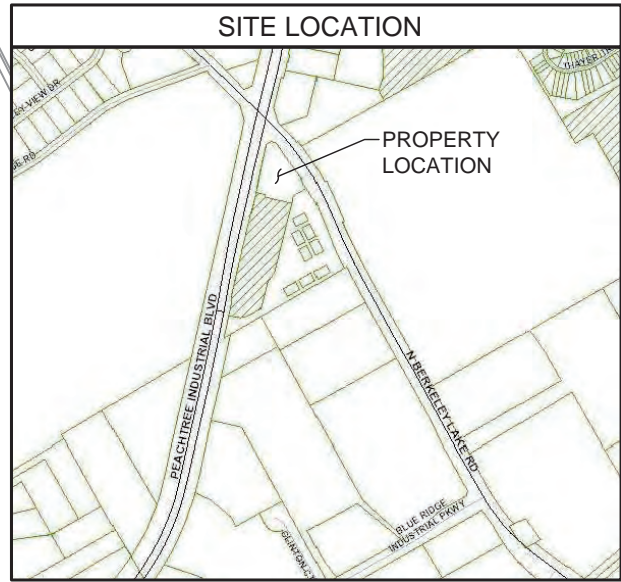
LINE	BEARING	DISTANCE
L1	N 12°15'11" E	71.96'
L2	N 77°07'45" W	2.42'
L3	N 12°52'15" E	207.88'
L4	N 64°54'59" E	33.56'
L5	S 70°24'50" E	30.82'
L6	S 32°45'31" E	53.85'
L7	S 16°50'13" E	26.96'
L8	S 34°24'57" E	34.07'
L9	S 60°31'06" W	82.97'
L10	N 12°51'28" E	8.70'
L11	N 77°07'45" W	161.53'
L12	S 12°52'59" W	38.76'
L13	N 77°06'48" W	53.31'
L14	S 12°51'28" W	44.63'
L15	N 77°07'45" W	161.56'
L16	N 12°52'59" E	14.57'

PROPERTY NOTES

PARCEL ID: 6290 230
 ADDRESS: 5070 PEACHTREE INDUSTRIAL BLVD
 ZONING: NEIGHBORHOOD BUSINESS (C-1)
 PROPERTY AREA= 1.36 ACRES (TRACT A)
 PROPOSED BUILDING= 17,000 SF (APPROX)

PROJECT NOTES

- SUBJECT PROPERTY KNOWN AS BERKELEY LAKE VILLAGE.
- BERKELEY LAKE VILLAGE AREA BREAKDOWN:
TRACT A = 1.36 ACRES
 TRACT B = 4.00 ACRES
 TRACT C = 3.24 ACRES
 TRACT D = 1.28 ACRES
 TOTAL= 9.88 ACRES



3960 PEACHTREE INDUSTRIAL BLVD,
 BERKELEY LAKE, GA 30096

LAYOUT PLAN

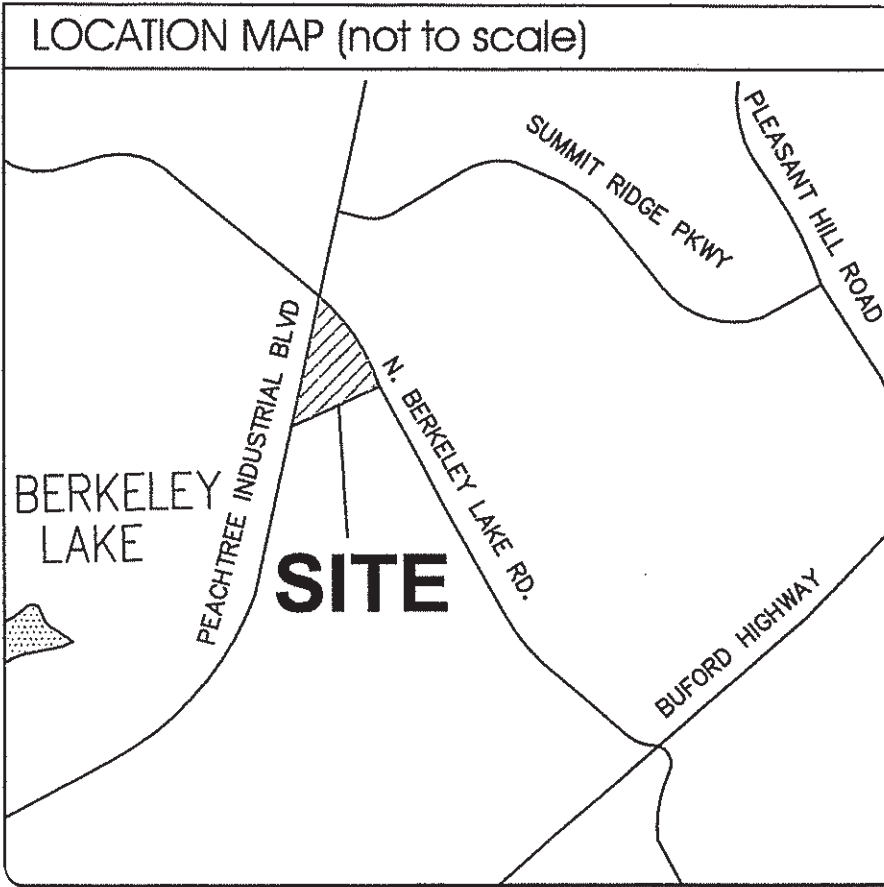
REVISIONS

NO.	DESCRIPTION

Designed By: MY
 Drawn By: MY
 Checked By: MG
 Date: 02-13-2023
 Project No. 23004

DRAWING NO.

VAR



CERTIFICATE OF DEVELOPMENT PLANS APPROVAL:

All requirements of the City of Berkeley Lake Development Regulations relative to the preparation and submission of a development permit application having been fulfilled, and said application and all supporting plans and data having been reviewed and approved by all affected City Departments as required under their respective and applicable regulations, approval is hereby granted of this Site Plan and all other development plans associated with this project to all further provisions of said Development and other City Regulations.

Chairman, Planning and Zoning Board _____ Date _____

THIS CERTIFICATE EXPIRES TWELVE MONTHS FROM THE DATE OF APPROVAL UNLESS A DEVELOPMENT PERMIT IS ISSUED

24 HOUR CONTACT:
MR. ERIC JOHANSEN (404) 446-3681

- CONDITIONS FOR PRELIMINARY PLAT:**
- To reduce the 50' buffer to 25' adjacent to the industrial zoned properties along the southern most property line. The 25' buffer will be re-graded and replanted with 9' to 10' tall evergreen trees at the time of planting in (2) staggered rows on the subject property and (2) rows of trees on the adjacent properties for a total of (4) rows of evergreen trees. The trees shall be spaced 15' on center within each row. Spacing between each row to be determined by the Landscape Architect of record. Proposed evergreen buffer plant material would include Cryptomeria japonica, Leyland Cypress, Southern Magnolia, Southern Wax Myrtle, and Tree Fern Hollies. A note to be placed on the Final Plat to read, "Buffer trees on the subject property can not be removed at a later date."
 - Any wall over 10' in height must be constructed in a two-tiered manner along Peachtree Industrial Boulevard and treated with a graffiti resistant. No single wall can exceed 20' in height. Walls to be planted with plant material intended to cascade over the walls.
 - No lighting shall spill onto Peachtree Industrial Boulevard or North Berkeley Lake Road. There shall be a review of the lighting plan and photometric study by the City Engineer at the time of Land Disturbance permitting.
 - The developer shall own and maintain the adjacent detention pond currently owned by the Blue Ridge North Property Association. The detention pond shall be put into a Gwinnett County Maintenance Agreement and made part of the newly established commercial property owners association's restrictive deed and covenants. The restrictive deed and covenants would be reviewed by the Berkeley Lake City Attorney prior to issuance of a Land Disturbance Permit. The developer shall agree to the annexation of the detention pond land after acquisition. If the acquisition of the adjacent detention pond tract is not possible, the concept plan approval would come back through P & Z for review and approval.
 - Approval of the parking space depth to be reduced from 21' to 19'. The overall required parking space shall be a minimum of 9' x 19' for standard parking spaces. The developer agrees to conduct a site study of Cohen's Pond and Berkeley Lake, both pre and post construction. The limits of the site study will be determined by the developer's Geotechnical Engineer, Civil Engineer and the City Engineer. The BLHA must grant the developer access to the lake to conduct the site studies.
 - A Performance Bond in the amount of \$75,000 shall be established to cover erosion control related items and other contaminants that could arise in stabilizing the site and to clean out the lake in the event of a breach.
 - The normal hours of business operation shall be limited from 6am to Midnight. Delivery hours and waste removal shall be limited from 7am to 7pm.

REFERENCES:

- COMPLIANCE WITH THE ORDINANCE OF THE CITY OF BERKELEY LAKE DATED DEC. 9th, 1999.
- EASEMENT AREA, FIRE STATION #19, DATED DECEMBER 18th, 2001; DEED BOOK 25820, PG 3
- DEED OF CONVERSION EASEMENT, DATED DECEMBER 29th, 2003; DEED BOOK 3654, PG 257.
- ALTA/ACSM LAND TITLE SURVEY, BY DEVELOPMENT CONSULTANTS GROUP, DATED MARCH 31st, 2006.

NOTIFY THE CITY OF BERKELEY LAKE FOR INSPECTION 24 HOURS BEFORE THE BEGINNING OF EVERY PHASE OF CONSTRUCTION (770) 368-9484

NOTIFY GWINNETT COUNTY INSPECTION 24 HOURS BEFORE THE BEGINNING OF EVERY PHASE OF CONSTRUCTION (678) 518-6070

- GENERAL NOTES:**
- THERE IS NO WATER COURSE WITH A DRAINAGE AREA EXCEEDING 100 ACRES OR FLOODPLAIN PER FIRM PANEL #130450 0001A DATED DECEMBER 18, 1984, ON THIS PROPERTY.
 - THERE ARE NO WETLANDS ON THIS SITE.
 - A STORM WATER MANAGEMENT STUDY SHALL BE REQUIRED FOR THIS PROJECT.
 - THERE ARE NO STATE WATERS BUFFERS ON SITE.
 - THERE ARE NO KNOWN CEMETERIES OR HISTORICAL MONUMENTS ON SITE.
 - ALL HANDICAP SPACES ARE VAN ACCESSIBLE.
 - WATER PROVIDED BY GWINNETT COUNTY PUBLIC UTILITIES.
 - TRASH DISPOSAL PROVIDED BY ONSITE TRASH COMPACTOR
 - SEWER DISPOSAL SERVED BY GWINNETT COUNTY SEWER. PROPOSED 8" DIP SEWER TAP LOCATED ON ADJACENT FIRE STATION PROPERTY AS SHOWN.

SITE DATA CHART:

EXISTING ZONING	TRACT 'A' = O-1
AREA OF SITE	TRACT 'B' = COMMERCIAL
	TOTAL = 9.14 ACRES
	TRACT 'A' = 4.28 ACRES
	TRACT 'B' = 4.83 ACRES
TOTAL NET ACREAGE	TOTAL ROW DEDICATION = 0.53 ACRES
OFFSITE POND ACREAGE	8.61 ACRES
PROPOSED USE	RETAIL & OFFICE DEVELOPMENT
PROPOSED SQUARE FOOTAGE	
TRACT 'A' = TOTAL 48,000 SQ FT	
8 - 6,000 SF OFFICE BUILDINGS	
TRACT 'B' = TOTAL 30,400 SQ FT	
1 - 9,600 SF RETAIL BUILDING	
2 - 8,400 SF RETAIL BUILDING	
1 - 4,000 SF BANK	
PERM. DRAINAGE EASEMENT ACREAGE	0.159 ACRES
PERM. DRAINAGE EASEMENT ACREAGE	0.103 ACRES
WATER USE EASEMENT ACREAGE	0.315 ACRES
TOTAL GROSS SF = 78,400 SF	
TOTAL NET ACREAGE = 8.03 AC	
NET DENSITY (78,400 SF/8.03 AC) = 9,763 SF/AC	
PARKING CALCULATIONS	
PARKING REQUIRED	
RETAIL SHOPS (1 SPACE PER 200 SQ FT)	180 SPACES
OFFICES (1 SPACE PER 300 SQ FT LOWER)	160 SPACES
PARKING REQUIRED TOTAL	340 SPACES
HANDICAP PARKING REQUIRED	8 SPACES
PARKING PROVIDED - REGULAR SPACES	342 SPACES
PARKING PROVIDED - HANDICAP SPACES	16 SPACES
PARKING PROVIDED TOTAL	377 SPACES
RETAIL SHOPS	188 SPACES
OFFICES	189 SPACES

- CITY OF BERKELEY LAKE SITE PLAN NOTES:**
- EACH BUILDING AND ITS LOCATION RELATIVE TO PROPERTY LINES AND OTHER STRUCTURES SHALL COMPLY WITH THE 2000 STANDARD BUILDING CODE WITH GA STATE AMENDMENTS (SBC) WITH REGARDS TO THE HEIGHT AND AREA REQUIREMENTS OF SBC TABLE 503 AND THE FIRE RESISTANCE AND HORIZONTAL SEPARATION REQUIREMENTS OF SBC TABLES 601 AND 602 BASED ON OCCUPANCY GROUP CLASSIFICATION AND TYPE OF CONSTRUCTION.
 - THIS SITE PLAN INDICATES POTABLE WATER SERVICE LINES AND SANITARY SEWER LATERALS. GEORGIA STATE LAW REQUIRES THIS WORK TO BE INSTALLED BY A GEORGIA LICENSED MASTER PLUMBER. THIS WORK REQUIRES A SEPARATE SITE PLUMBING PERMIT WHICH SHALL BE OBTAINED FROM THE CITY OF BERKELEY LAKE. ALL WORK SHALL BE INSPECTED BY THE CITY. INSPECTIONS SHALL BE REQUESTED BY PHONING 770-368-9484.
 - PRIOR TO FINAL INSPECTION OF SITE LIGHTING, THE SITE LIGHTING DESIGN PROFESSIONAL OF RECORD FOR THE PROJECT SHALL SUBMIT TO THE CHIEF ELECTRICAL INSPECTOR A SIGNED LETTER WHICH STATES THAT "... I HAVE OBSERVED THE SITE LIGHTING FOR THIS PROJECT IN OPERATION AT NIGHT IN THE ABSENCE OF DAYLIGHT TO VERIFY THAT THE INSTALLED LIGHTING IS CONSISTENT WITH THE APPROVED SITE LIGHTING PLANS".
 - ALL UTILITY LINES SHALL BE LOCATED UNDERGROUND.
 - NATURAL VEGETATION SHALL REMAIN ON THE PROPERTY UNTIL ISSUANCE OF A DEVELOPMENT PERMIT. NO INTERIM LAND DISTURBANCE PERMITS SHALL BE ISSUED.
 - STRUCTURAL CONSTRUCTION DETAILS AND SPECIFICATIONS FOR EACH RETAINING WALL AND FOR EACH DETENTION POND WALL SHALL BE SUBMITTED TO THE CITY OF BERKELEY LAKE FOR REVIEW AND APPROVAL FOR ISSUANCE OF A SEPARATE BUILDING PERMIT.
 - DEVELOPER SHALL BE RESPONSIBLE FOR, AND CONTRACT DIRECTLY, THE DESIGN & CONSTRUCTION OF THE TRAFFIC SIGNAL. SIGNAL PLANS MUST BE APPROVED BY GWINNETT DOT. SIGNAL CONSTRUCTION SHALL NOT PROCEED WITHOUT INSPECTION BY GWINNETT DOT.
 - A SEPARATE BUILDING PERMIT SHALL BE OBTAINED FOR ALL RETAINING WALLS GREATER THAN 4 FEET IN HEIGHT AND ALL RETAINING WALLS USED AS A DAM PRIOR TO CONSTRUCTION OF THE WALLS.
 - BUILDING PERMIT WILL APPROVED FOR EACH RETAINING WALL OVER 4 FEET IN HEIGHT THROUGH THE CITY OF BERKELEY LAKE.
 - SIDEWALKS ARE NOT ALLOWED WITHIN THIRTEEN FEET FROM THE EDGE OF PIB AND NBL WITHOUT CURB AND LIGHTING AND ANY NECESSARY DRAINAGE STRUCTURES.
 - LIGHTING PLAN TO BE PROVIDED BY GA POWER LIGHT COMPANY. WILL BE INSERTED AS SHEET L1 UPON COMPLETION.
 - BUILDING HEIGHT FOR RETAIL SHOPS AND BANK IS 20 FT VERTICAL PLUS PARAPET. OFFICE BUILDINGS ARE 35 FEET VERTICAL HEIGHT MAXIMUM.

- GWINNETT COUNTY FIRE DEPARTMENT NOTES:**
- A GEORGIA CERTIFICATE OF COMPETENCY HOLDER FOR AUTOMATIC FIRE SPRINKLER SYSTEMS WILL BE RESPONSIBLE FOR THE DESIGN AND INSTALLATION OF THE UNDERGROUND SUPPLY PIPING.
 - INSTALLATION OR REPAIR OF UNDERGROUND FIRE SPRINKLER WATER SUPPLIES SHALL BE PERFORMED BY A UTILITY OR FIRE SPRINKLER CONTRACTOR OR PLUMBING CONTRACTOR LICENSED UNDER CHAPTER 111 TITLE 26 SECTION 25-11-7.
 - HYDRANTS ARE TO BE INSTALLED SO THAT THE LARGE FIRE DEPARTMENT CONNECTION FACES THE STREET. THAT THE SAME CONNECTION IS NO LESS THAN 18" AND A MAXIMUM OF 36" ABOVE FINISHED GRADE. HYDRANTS LOCATED IN PARKING AREAS SHALL BE PROTECTED BY BARRIERS THAT WILL PREVENT PHYSICAL DAMAGE BY VEHICLES. (NFPA 1141 3-6.5, 3-6.6 AND GCFO-37.)
 - HYDRANTS AND MAINS SHALL BE INSTALLED AND UNDER PRESSURE BEFORE ANY COMBUSTIBLE CONSTRUCTION IS STARTED. GWINNETT COUNTY ORDINANCE FOR FIRE PROTECTION AND LIFE SAFETY, SECTION 46-38 (A).

PROJECT CONTACTS:

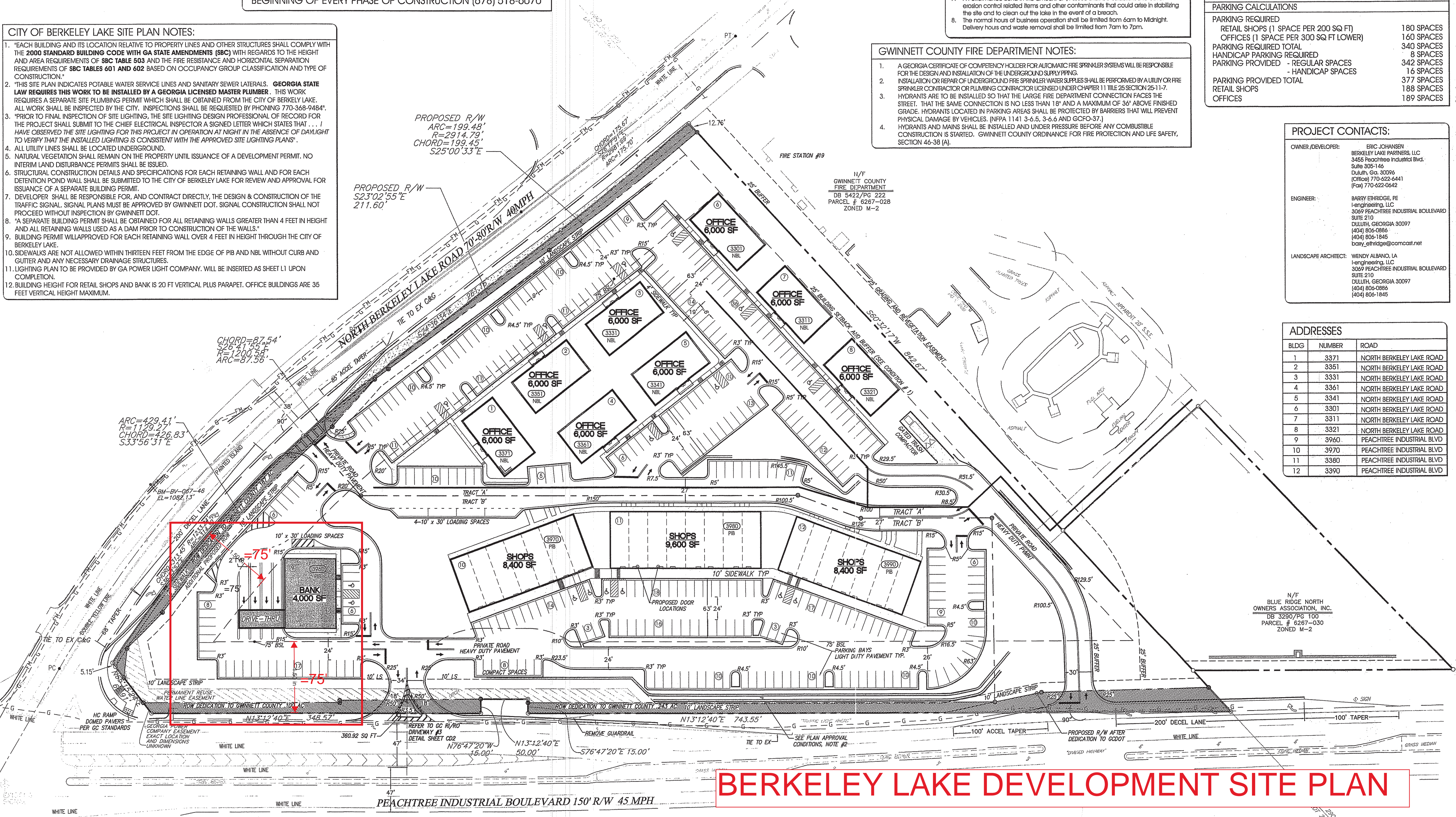
OWNER/DEVELOPER: ERIC JOHANSEN
 BERKELEY LAKE PARTNERS, LLC
 3455 Peachtree Industrial Blvd.
 Suite 305-146
 Duluth, Ga. 30096
 (Office) 770-622-6441
 (Fax) 770-622-0642

ENGINEER: BARRY EHRIDGE, PE
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 3069 PEACHTREE INDUSTRIAL BOULEVARD
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 bony_ehridge@comcast.net

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 3069 PEACHTREE INDUSTRIAL BOULEVARD
 SUITE 210
 DULUTH, GEORGIA 30097
 (404) 806-0886
 (404) 806-1845

ADDRESSES

BLDG	NUMBER	ROAD
1	3371	NORTH BERKELEY LAKE ROAD
2	3351	NORTH BERKELEY LAKE ROAD
3	3331	NORTH BERKELEY LAKE ROAD
4	3341	NORTH BERKELEY LAKE ROAD
5	3341	NORTH BERKELEY LAKE ROAD
6	3301	NORTH BERKELEY LAKE ROAD
7	3311	NORTH BERKELEY LAKE ROAD
8	3321	NORTH BERKELEY LAKE ROAD
9	3940	PEACHTREE INDUSTRIAL BLVD
10	3970	PEACHTREE INDUSTRIAL BLVD
11	3380	PEACHTREE INDUSTRIAL BLVD
12	3390	PEACHTREE INDUSTRIAL BLVD



BERKELEY LAKE DEVELOPMENT SITE PLAN

Client

CRESCENT DEVELOPMENT, INC.

3455 Peachtree Industrial Blvd.
 Suite 305-146
 Duluth, Ga. 30096
 (Office) 770-622-6441
 (FAX) 770-622-0642

Revisions

No.	Description	Date
-1	Submitted Comments	12/8/06
-2	NRC5 Comments	12/19/06

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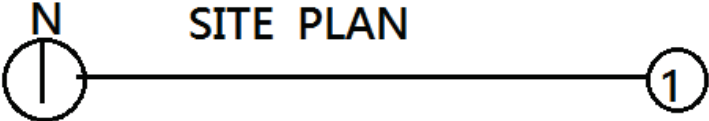
Project Title
BERKELEY LAKE VILLAGE

Project Location
 PEACHTREE INDUSTRIAL BLVD
 CITY OF BERKELEY LAKE
 6th DISTRICT - LAND LOT 290
 PARCEL 197
 GWINNETT COUNTY, GEORGIA

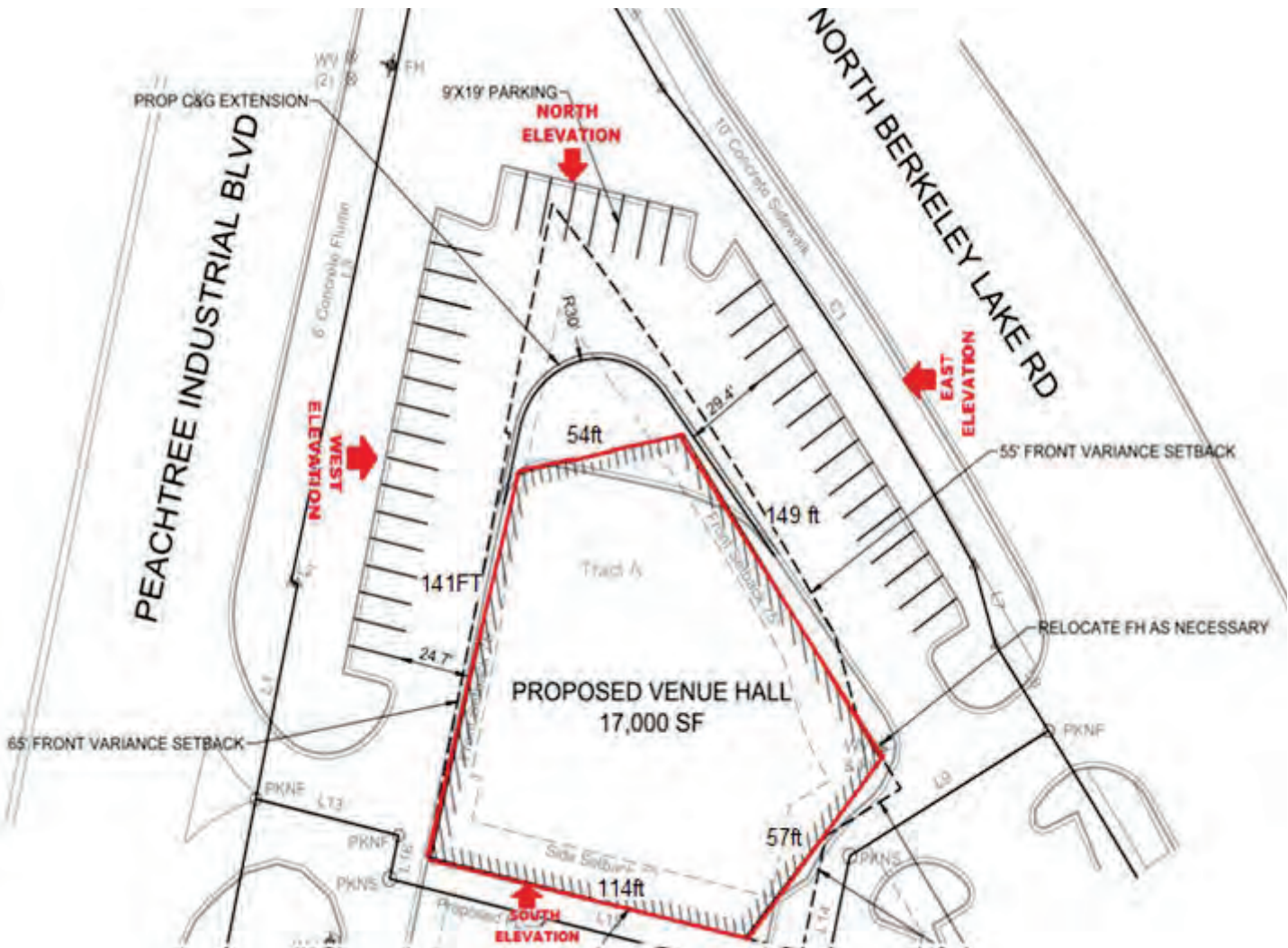
Project No. 05-010
 Drawn By: JVIA
 Checked By: CBE
 Date: May 6th, 2005

Scale: Horizontal: 1" = 50'
 Vertical: N/A

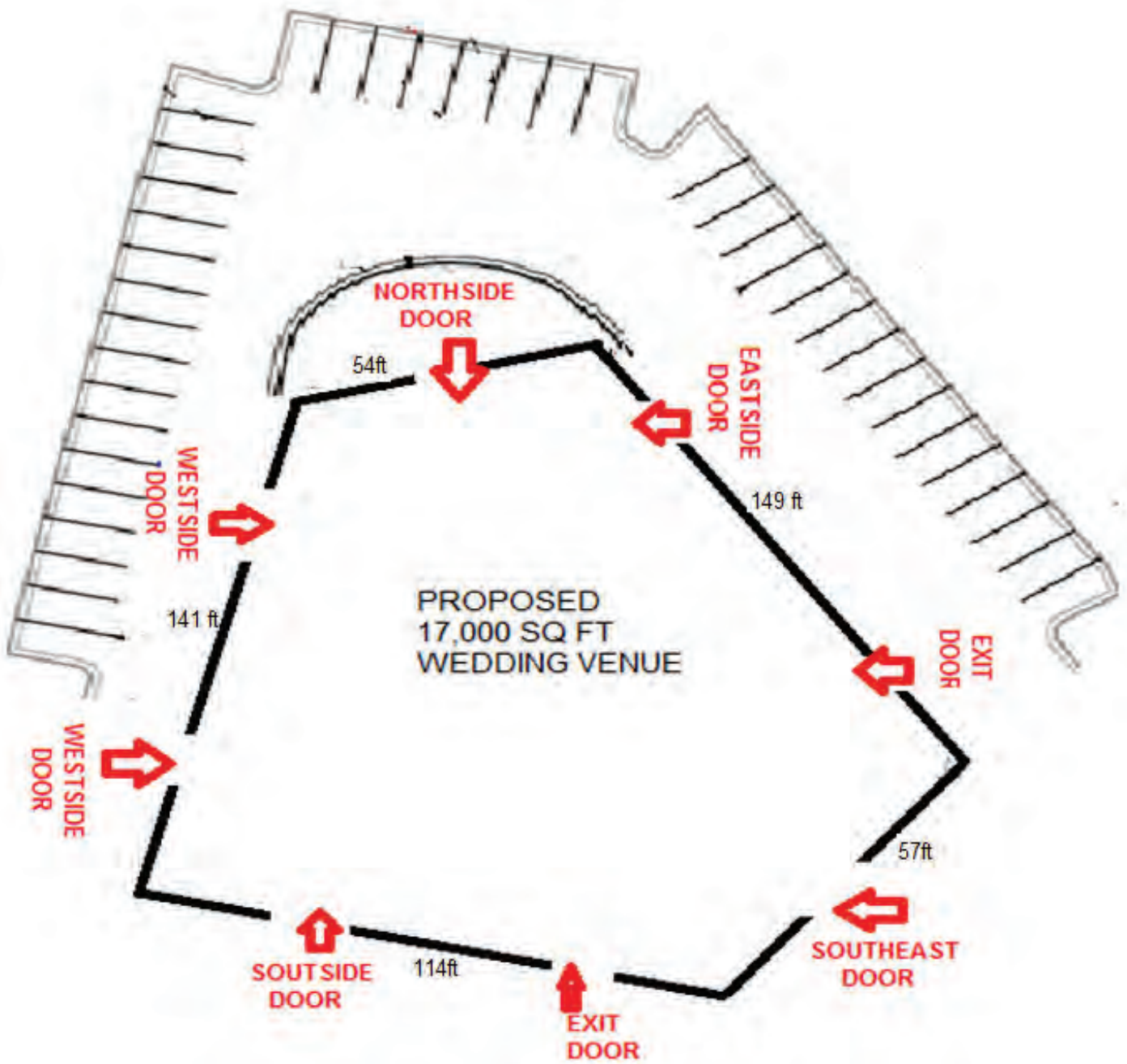
CONCEPTUAL RENDERING, BUILDING ELEVATION, & BUILDING ENVELOPE,
FOR PROPOSE WEDDING VENUE / BANQUET HALL LOCATED AT
5070 PEACHTREE INDUSTRIAL BLVD. BERKELEY LAKE, GEORGIA 30096.,



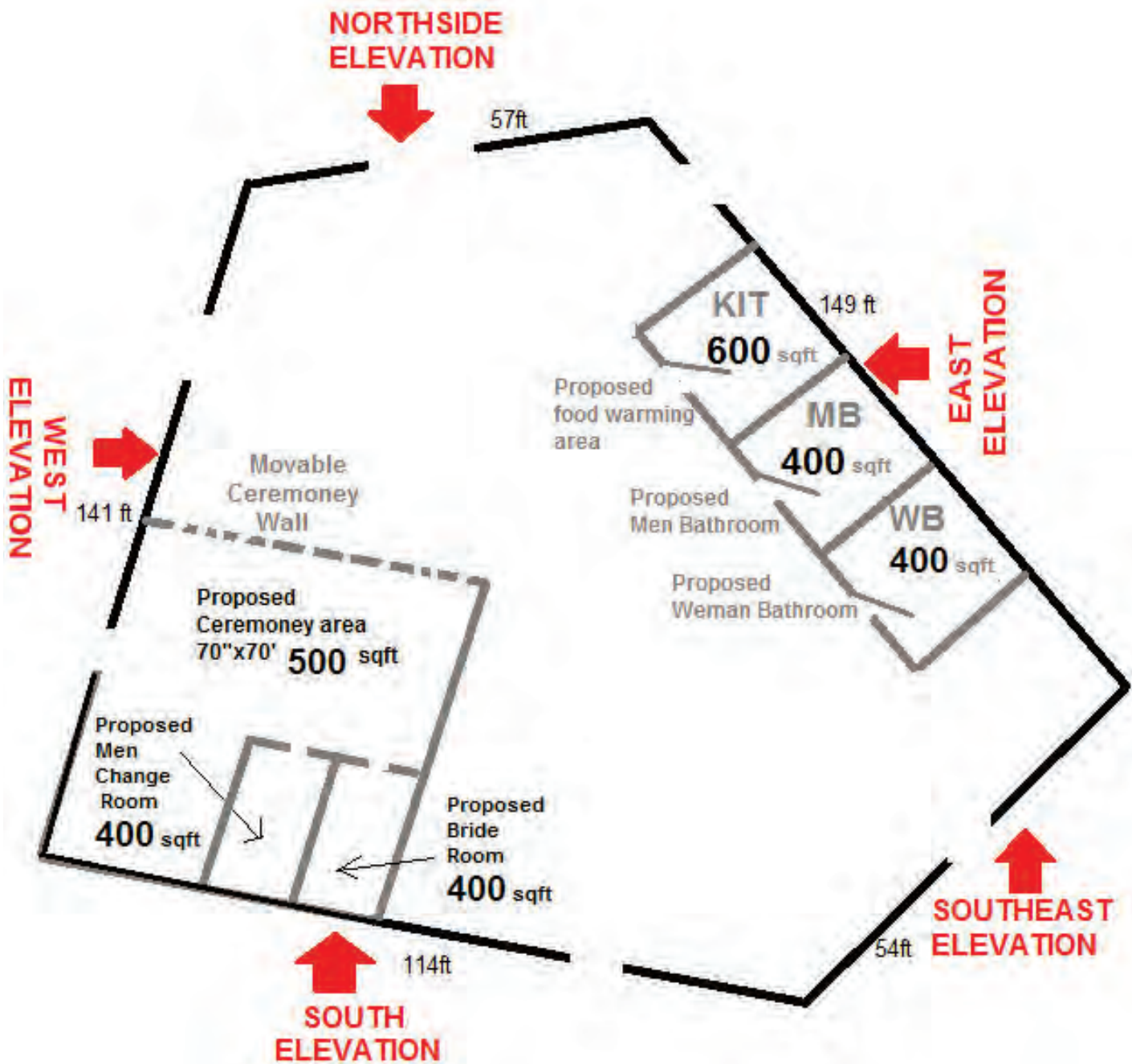
SITE PLAN AND BUILDING ELEVATION



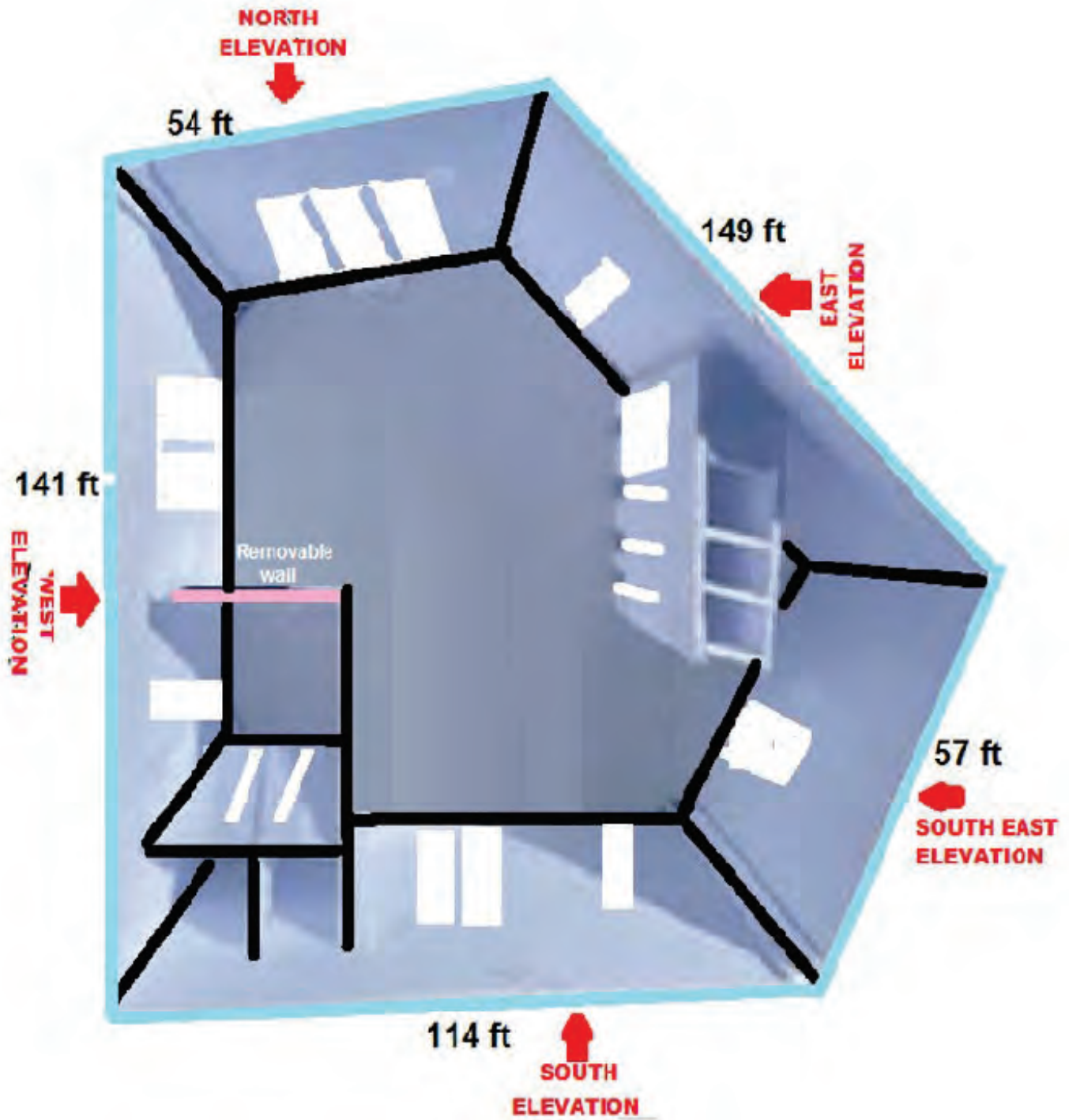
DOORS & EXISTS



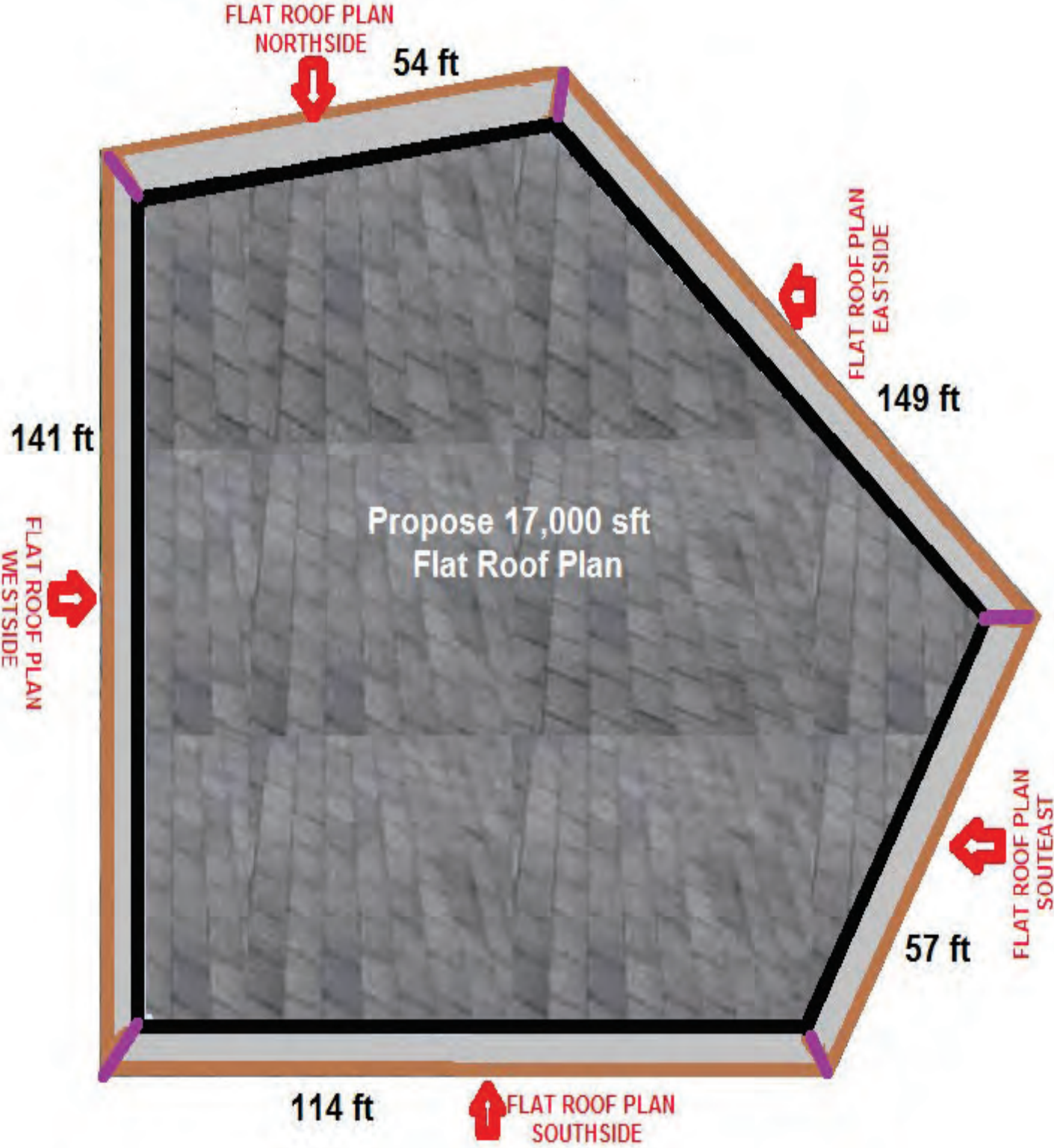
MAIN FLOOR



TOP VIEW & BUILDING ENVELOPE



PROPOSE SITE PLAN FOR 17,000 SFT. FLAT ROOF



NORTH SIDE FRONT VIEW

4 TALL LUXURY CURVY GLASS DOORS



57 FT

ANOTHER

NORTH SIDE FRONT VIEW

**NORTHSIDE
VIEW**



57 FT

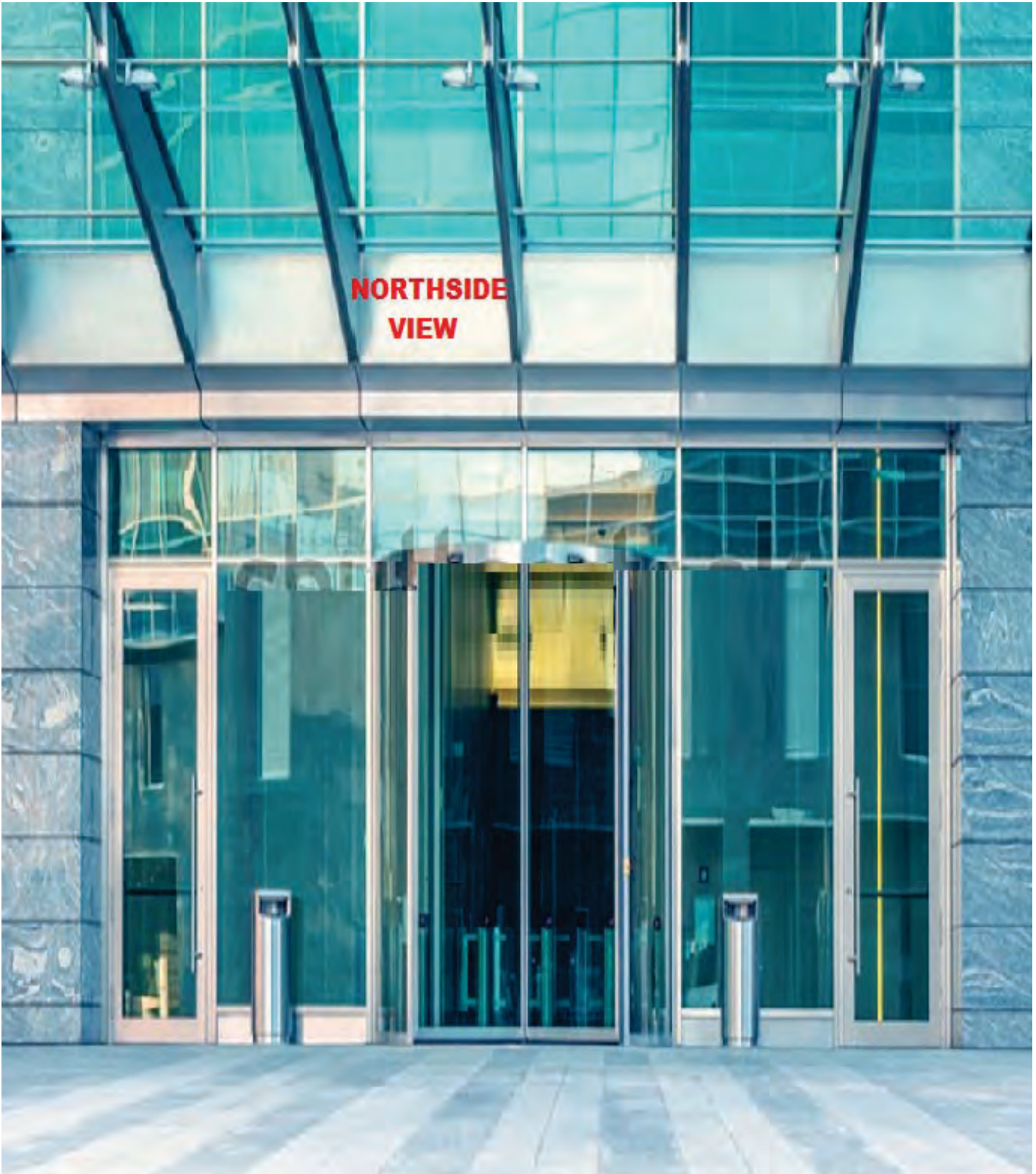
THIRD NORTH SIDE FRONT VIEW

**NORTHSIDE
VIEW**



57 FT

ANOTHER NORTH SIDE FRONT VIEW



57 FT

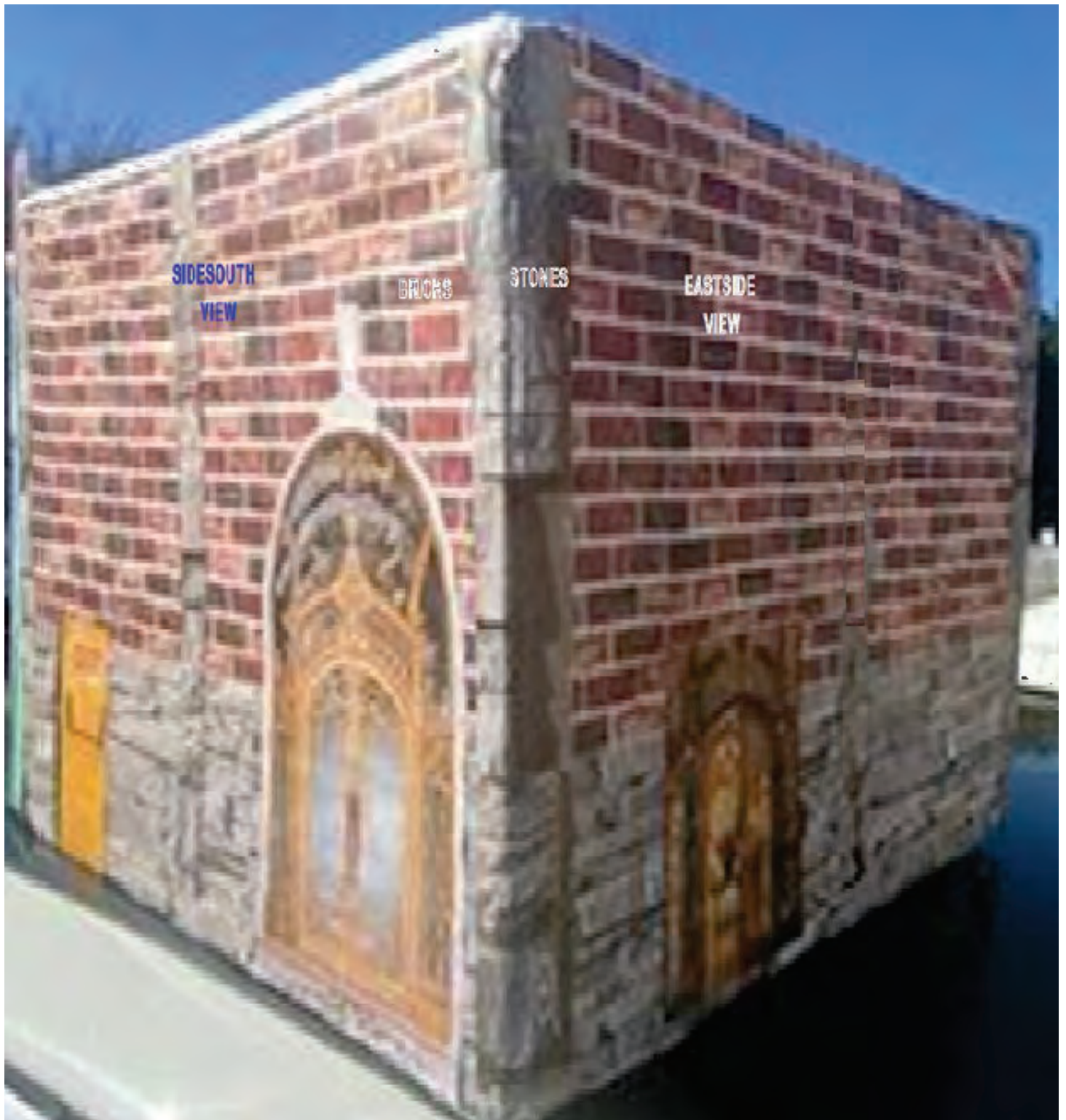
EASTSIDE VIEW STONES & BRICKS



**SOUTHSIDE
VIEW**

**STONES &
BRICKS**

**EASTSIDE
VIEW**



PROPESE FLAT ROOF TOP WITH EASTSIDE VIEW

