

**CITY OF BERKELEY LAKE
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
PLANNING & ZONING COMMISSION
FULL MINUTES
JANUARY 14, 2025
7:15 PM**

Those in attendance at the meeting were as follows:

Commission Members: Barbara Geier
 Dan Huntington
 Rand Kirkus

City Officials: Leigh Threadgill - City Administrator

Citizens Present: 12

I. CALL TO ORDER

Huntington called the meeting to order at 7:21 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. There was a consensus to accept the agenda as submitted.

III. MINUTES

1. Minutes of December 10, 2024

Geier moved to approve the minutes of the December 10th meeting. Kirkus seconded and all voted to approve the minutes.

IV. OLD BUSINESS

There was no old business to discuss.

V. NEW BUSINESS

a) PZV-24-10, 4245 South Berkeley Lake Road – Variance to Sec. 78-197(11) increase the building coverage from 15% to 19.98%

Huntington recognized the applicant and asked if they would like to provide any additional information about the application.

Millard Bowen, 10665 Big Canoe for property at 4245 S. Berkeley Lake Rd., explained he is trying to build a house to be close to their children that will accommodate family gatherings. They sold the last house that was suitable for that, and they can't duplicate that house. They have 22 in their family, and to enjoy Christmas and all the holidays and birthdays, they want to build here.

Huntington asked if there were any questions from the commission.

Kirkus asked about the inability to build a basement. Bowen responded that the lot isn't conducive to a basement. With basements, there are steps.

Geier asked if Bowen was a builder and developer. Bowen responded he was. Geier asked when the lot was purchased. Bowen answered that his wife bought the lot, and it was at least three years ago and there have been renters there. Geier asked why they bought a lot that was not supportive of the house that they wanted to build. Bowen responded he wasn't aware of the ordinance and the lot narrows in the back. It's wide at the front but narrows towards the back. He stated he has built houses for 50 years, but never in a city with this kind of ordinance (building coverage). He admitted he hadn't done enough research. Unfortunately, the house they want doesn't meet the city's requirements. He stated that he will build a nice home of which the community would be proud.

Huntington asked more about the basement and why they can't make that work. Bowen responded that you can always build a basement but at this point he doesn't want a home with a basement. Blake Bowen responded that her brother, who is the engineer on the project, said a slab worked out better with the lot. A full daylight basement isn't possible.

Huntington discussed the concept of a hardship. Everyone wants what they want. Not to get it isn't the hardship. There was more discussion about the possibility of a basement.

Threadgill explained that the difference in height between a single story with a basement as opposed to a two-story home does impact the building coverage requirement. If under 25 feet in height, the building coverage allowance is 20%. If the structure exceeds 25 feet, then the building coverage allowance is 15%. Threadgill explained the history of the building coverage standards and the intent as she understood it, which was to make sure that structures fit with the scale of the property for the preservation of viewshed. A lower profile home was given additional horizontal space because there is less vertical obstruction.

Huntington opened the public hearing for citizen comments.

Bill Lacy, 147 Lakeshore Drive, adjoins the subject property for 111 feet at the rear. He acknowledged it is a beautiful home that would be a good addition to the community, but his concern is the runoff and how that is going to be controlled. A lot of the trees have been

removed, and the reduction in mature trees causes concern. This may be controlled by planting trees and shrubs to help control the water. There are a number of lots that could be impacted by the runoff. He indicated he is happy with the house and size. It's just the runoff concern.

Louis Young, 4265 S. Berkeley Lake Rd., is also concerned about runoff. He already has runoff problems and a gully behind his house. The trees on his lot are affected by how soft the soil is. His trees will be affected by additional runoff. He already has gutters around his lot to help control runoff. It would be nice for the developer to talk about how he plans to prevent additional runoff which didn't seem to be included in the plans. That would be helpful in knowing whether this should be approved.

Bill Lyons, 127 Lakeshore Dr., is down the hill from Bill Lacy. There are already runoff issues. He noted that he spent significant money when he bought his house to put in systems to control runoff. He is concerned that there haven't been engineering studies on the impact of this. He believes this will contribute to the runoff issue. He would like to see the engineering analysis about the runoff impact.

Mark Miller, the applicant's contractor, indicated that they will be installing underground retention. Every downspout will be hard piped to that underground tank which will eliminate the roof water.

Kirkus asked where the water will go from there. Miller responded the tank can be perforated to allow the water to leach out into the yard, or it can be a storage tank and the water can be repurposed for irrigation or other purposes. Miller has done it both ways. The engineer will draw the plan for the city's review.

Kirkus asked if the tank has been located on the plan. Miller said it has not. The engineer will have to do the calculations to determine pipe sizes.

Huntington asked about the tank size. Miller said that it would depend on the engineering. There was further discussion about the tank design and location.

Kirkus referenced the public comments and asked Bowen what responsibility he has to protect his neighbors and whether he was willing to do more than what Miller suggested. Bowen responded that his son is the project engineer and will design the system. He also noted that he can't keep spending money but will have a set of drawings prepared. Blake Bowen added that they were aware that stormwater management is required but that they didn't want to engineer it yet in case the plans change which would result in the change in design for the stormwater management system.

There was further discussion about the stormwater requirements.

Geier asked how much the roof print would need to shrink to meet the 15% building coverage requirement. Blake Bowen stated that it's about 1000 square feet that would need to be lost from the roof area. There was further discussion.

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Kirkus asked what modifications have been discussed with the architect to meet the code. Blake Bowen stated they haven't talked about changing the plans yet.

Huntington asked about the origin of the building coverage standard. Threadgill stated that she had tried to research this and determined that it was in part due to address McMansions. There was further discussion about the standard and whether a hardship had been met to warrant a variance.

Huntington noted that he did not think that a hardship had been demonstrated, that wanting a 4200-square-foot main floor and 3-car garage is difficult to call a hardship. There was further discussion and consensus that the threshold for a hardship had not been met.

Geier moved to deny PZV 24-10. Kirkus seconded the motion. All were in favor and the motion passed.

Bowen expressed his appreciation for the commission's consideration.

b. Election of Chair

There was discussion to wait on this to determine if there was any specific interest in the chair and vice chair positions.

Huntington made a motion to continue the election of chair and vice chair until the next meeting. Kirkus seconded. All were in favor and the motion passed.

c. Election of Vice Chair

See above.

d. Appointment of Secretary

Geier moved to appoint Leigh Threadgill as secretary. Kirkus seconded the motion. All were in favor and the motion passed

VI. CITIZEN COMMENTS

There were no comments.

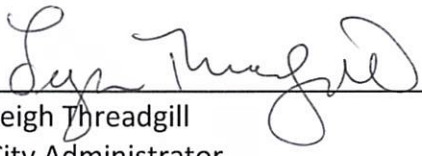
VII. DISCUSSION

There was no discussion.

VIII. ADJOURNMENT

There being no further business, Kirkus moved to adjourn. Geier seconded the motion. All were in favor. Huntington adjourned the meeting at 7:58 PM.

Respectfully submitted,



Leigh Threadgill
City Administrator

