



Where Georgia comes together.

[www.perry-ga.gov](http://www.perry-ga.gov)

---

September 15, 2020

COUNCIL AGENDA

6:00 PM

PERRY ARTS CENTER

1121 MACON ROAD, PERRY, GA 31069

---

**To join the meeting by Facebook:** Use this URL - [facebook.com/cityofperryga](https://facebook.com/cityofperryga)  
This will allow you to view and hear the meeting.

1. Call to Order: Mayor Randall Walker, Presiding Officer.
2. Roll:
3. Invocation and Pledge of Allegiance to the Flag: Mayor Randall Walker
4. Mayor's Appointment:
  - 4a. Appointment of Ms. Amy Kemp to the Planning Commission – Mayor Walker.
5. Community Partner(s) Update(s):
6. Citizens with Input.
7. Review of Minutes: Mayor Randall Walker
  - 7a. Council's Consideration – Minutes of the August 31, 2020 work session, September 1, 2020 pre council meeting, and September 1, 2020 council meeting. ***(Council Member Hunt was absent from September 1, 2020 meetings.)***
8. Old Business: Mayor Randall Walker
  - 8a. Ordinance(s) for Second Reading(s) and Adoption:
    1. **Second Reading** of an ordinance for the rezoning of property from RAG (County) to C-1 (City). The property is located at 220 Airport Road; Tax Map No. 000310 006000 – Mr. B. Wood.
    2. **Second Reading** of an ordinance for the annexation of property from RAG (County) to C-1 (City). The property is located at 220 Airport Road; Tax Map No. 000310 006000 – Mr. B. Wood.
    3. **Second Reading** of an ordinance for the rezoning of property from

R-1, Single-family Residential District, to C-1, Highway Commercial District. The property is located at 1999 Sam Nunn Boulevard; Tax Map No. oP0380 036000 – Mr. B. Wood.

4. **Second Reading** of an ordinance for the rezoning of property from PUD, Planned Unit Development District, to R-3, Multi-family Residential District. The property is located at 100 Ashley Drive (Perimeter Road); Tax Map No. oP0390 004000 and oP0390 017000 – Mr. B. Wood.
5. **Second Reading** of an ordinance for the rezoning of property from M-1, Wholesale and Light Industrial District, to C-1, Highway Commercial District. The property's location is Perry Parkway at Interstate 75; Tax Map No. oP38A0 011000 – Mr. B. Wood.
6. **Second Reading** of an ordinance for the rezoning of property from RAG (County) to C-1 (City). The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E000 – Mr. B. Wood.
7. **Second Reading** of an ordinance for the annexation of property from RAG (County) to C-1 (City). The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E000 – Mr. B. Wood.
8. **Second Reading** of an ordinance to amend Section 25-102(d) – Ms. B. Newby.
9. **Second Reading** of an ordinance to repeal Article II-Recreation Commission and Article III-Rozar Park Fishing Ponds of Chapter 20 – Ms. B. Newby.

9. Any Other Old Business:

- 9a. Mayor Randall Walker
- 9b. Council Members
- 9c. City Attorney Brooke Newby
- 9d. City Manager Lee Gilmour
- 9e. Assistant City Manager Robert Smith

10. New Business: Mayor Randall Walker

10a. Matters referred from September 14, 2020 work session and September 15, 2020 pre council meeting.

10b. Ordinance(s) for First Reading(s) and Introduction:

1. **First Reading** of an ordinance repealing the Tree Board, as found in Division 3 of Article V, Chapter 2 – Ms. B. Newby. *(No action required by Council.)*

10c. Award of Bid(s):

1. Bid No. 2021-06 Perry Arts Center A/V Equipment – Mr. M. Worthington.

10d. Resolution(s) for Introduction and Adoption:

1. Resolution establishing guidelines for permitting septic tank installation in the corporate limits of the city – Mr. L. Gilmour.
2. Resolution to amend Perry Fee Schedule – Mr. L. Gilmour.
3. Resolution to accept Donation of Stormwater Management Area Property from New Haven Maintenance and Improvement Association, Inc. – Ms. B. Newby.
4. Resolution to amend the Perry Pay Classification Plan – Mr. L. Gilmour.

10e. Consider adjusting operation hours of destination parks – Mr. L. Gilmour.

10f. Special Events Application(s):

1. The Perry Area Chamber of Commerce is hosting Business Battlefield on Thursday, October 29, 2020, from 6pm until 9pm – Ms. E. Palmer.

11. Council Members Items:

12. Department Heads/Staff Items.

13. General Public Items:

14. Mayor Items:

15. Adjourn.

In accordance with the Americans with Disabilities Act, accommodations are available for those who are hearing impaired and/or in need of a wheelchair. The Perry City Council Agenda and supporting material for each item is available on-line through the City's website at [www.perry-ga.gov](http://www.perry-ga.gov).

**MINUTES**  
**WORK SESSION**  
**OF THE PERRY CITY COUNCIL**  
**August 31, 2020**  
**5:00 P.M.**

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the work session meeting held August 31, 2020 at 5:00 p.m.

2. Roll:

Elected Officials Present: Mayor Randall Walker, Mayor Pro Tempore Willie King and Council Members Robert Jones, Riley Hunt, Phyllis Bynum-Grace, Joy Peterson, and Darryl Albritton.

Elected Officials Absent: none

Staff: City Manager Lee Gilmour, City Attorney Brooke Newby, Assistant City Manager Robert Smith, and Recording Clerk Maria Herrera.

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Mitchell Worthington – Finance Director, Bryan Wood – Director of Community Development, Brenda King – Director of Administration, Sedrick Swan – Director of Leisure Services, Anya Turpin – Special Events Coordinator, Ansley Fitzner – Public Works Superintendent, Ashley Hardin – Economic Development Manager, Annie Warren – City Clerk, Kyle Newman – Firefighter, Haley Bryant – Main Street Coordinator and Tabitha Clark – Communications Manager.

Guests/Speakers: None

Press: Lauren Harris – Houston Home Journal

3. PUBLIC HEARING CALLED TO ORDER AT 5:01 P.M. Mayor Randall Walker called to order a public hearing at 5:01 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 48-5-32.

- 3a. Proposed retaining of the operation at 14.050 mills- Ms. B. King.

Staff Report: Ms. King reported a property tax increase and advised unless your property has been increased due to reassessment, there will be no increase in your City tax bill.

Public Input: Mayor Walker called for any public input for or opposed to the proposed retaining of the operation at 14.050 mills.

For: None

Opposed: None

PUBLIC HEARING CLOSED AT 5:04 P.M. Mayor Walker closed the public hearing at 5:04 P.M.

4. Items of Review/Discussion: Mayor Randall Walker

4a. Office of the City Manager

1. Septic tank criteria – Mr. L. Gilmour. Administration recommended Council adopt the following criteria if septic tanks are to be permitted in the corporate limits of the City of Perry: 1) Parcel (s) must be zone R-1, 2) Each lot must be no less than minimum lot size permitted by the current Houston County regulations for septic tanks served with a well, 3) Each lot must be served by a City of Perry water meter, 4) An overall plan for servicing the lots with sewer service must be prepared and approved by the City prior to plat approval, and 5) A statement must run with the title indicating the owner will be required to connect to the City's sewer system when it is available.

Council had questions regarding the criteria of how septic tanks will be incorporated into the City if approved by Council.

Mayor Walker asked Mr. Gilmour if he needed a vote from Council or if it was concurred. Mr. Gilmour responded that if Council concurs, a resolution will be prepared for the next meeting.

Council concurred with Administration's recommendation.

2. Special Events presentation – Ms. A. Turpin.

- Update relative to Grub Crawl

Ms. Turpin provided Council with a proposed food vendor location map. The locations are: City Hall, Perry Public Library, Rozar Park, Davis Farms Fire Station, Barbara Calhoun Park, Perry Arts Center, Welcome Center, Creekwood Park, Rotary Park, Legacy Park and A. D. Redmond Park.

- My Colorful Community

Ms. Turpin presented a video inviting everyone to participate in a chalk event at Weeletka Trail at Rotary Park where citizens can choose a square to draw anything they like. This event will be scheduled for the weekend of September 11 - 13.

Mayor Walker and Council Member Bynum-Grace expressed it was a good idea and sounded like fun.

3. Review of organizations – Mr. L. Gilmour

- Planning Commission

Mr. Gilmour stated that it is very important for the Mayor and Council to select candidates for the Planning Commission. Per State law and City code, a member can only be removed for cause. Appointments expire at the end of the appointed official's term. The Director of Community Development will prepare an outline, commissioners' duties, and provide a suggested list of candidates. Mr. Gilmour suggested mandatory training, conduct semiannual meetings with Council, Commission, and appropriate staff.

Council had questions regarding mandatory training and attendance.

Mr. Wood responded that some training had been provided by the Carl Vinson Institute, but it costs money and takes time for the individuals to complete. Mr. Wood recommended in-house training. Mr. Wood will put together some ideas to improve the Planning Commission.

- Perry Tree Board

Mr. Gilmour recommended to eliminate this board and to delete it from code of ordinance.

Council concurred with Administration's recommendation to remove the Board.

5. Council Member Items:

Council Member Hunt stated that the sidewalk on Tucker Road is overgrown with grass and looks bad. Mr. Gilmour responded it would be taken care of.

Mayor Pro Tempore King, Council Members Albritton, Bynum-Grace, Jones, and Peterson had no reports.

Mr. Gilmour reminded Council the annual City service bill will be sent to customers this week or early next week. Mayor Walker asked how many customers the City has that fall into this category? Mr. Gilmour responded that approximately 45 to 60 customers.

Ms. Newby and Mr. Smith had no comments.

6. Department Head/Staff Items:

Chief Steve Lynn, Chief Lee Parker, Mitchell Worthington, Bryan Wood, Brenda King, Sedrick Swan, Anya Turpin, Ansley Fitzner, Ashley Hardin, Annie Warren, Haley Bryant, and Tabitha Clark had no reports.

Mayor Walker asked Ms. Bryant to address Council with the request from the wine merchant asking for an additional week extension for the special event permit. The special event permit expires on August 31, 2020.

Council had no objections providing an additional week extension.

Mayor

- Pre-Council meeting September 1 at 5:00pm

- Council Meeting September 1 at 6:00pm

7. Adjourn: There being no further business to come before Council in the work session held August 31, 2020, Council Member Jones motioned to adjourn the meeting at 5:51 p.m. Mayor Pro Tempore King seconded the motion and it carried unanimously.

MINUTES  
PRE COUNCIL MEETING  
OF THE PERRY CITY COUNCIL  
September 1, 2020  
5:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the pre council meeting held September 1, 2020 at 5:00 p.m.

2. Roll:

Elected Officials Present: Mayor Randall Walker, Mayor Pro-Tempore Willie King, Council Members Phyllis Bynum-Grace, Joy Peterson, Robert Jones, and Darryl Albritton.

Absent: Council Member Riley Hunt.

City Staff: City Manager Lee Gilmour, City Attorney Brooke Newby, Assistant City Manager Robert Smith, City Clerk Annie Warren and Recording Clerk Janet Duffin.

Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker - Fire and Emergency Services Department, Bryan Wood – Director of Community Development, Brenda King – Director of Administration, Sedrick Swan – Director of Leisure Services, Mitchell Worthington – Director of Finance, Ansley Fitzner – Public Works Superintendent, Ashley Hardin -Economic Development Manager, Chad McMurrian – Engineering Services Manager, Haley Bryant – Main Street Coordinator, and Tabitha Clark – Communications Manager.

Media: Lauren Harris – Houston Home Journal

3. Items of Review/Discussion: Mayor Randall Walker

- 3a. Discussion of September 1, 2020 council meeting agenda.

7b. ANNX-79-2020. Applicant, Widner & Associates, Inc. request the rezoning and annexation of property from RAG (County) to C-1 (City). The property is located at 220 Airport Road; Tax Map No. 000310 006000. Mr. Wood advised this is a request to rezone and annex property from RAG to C-1 to expand the existing Bob White Storage facility located at 103 Woodlawn Drive. Staff and the Planning Commission recommends approval of the application as submitted.

7c. RZNE-80-2020. Applicant, Widner & Associates, Inc. request the rezoning of property from R-1, Single-family Residential District, to C-1, Highway Commercial District. The property is located at 1999 Sam Nunn Boulevard; Tax Map No. 0P0380 036000. Mr. Wood advised this is a request to expand the existing Bob White Storage facility located at 103 Woodlawn Drive by extending



the property to the west. Staff and Planning Commission recommends approval of the application as submitted.

7d. RZNE-82-2020. Applicant, Chad Bryant, Bryant Engineering, LLC, requests the rezoning of property from PUD, Planned Unit Development District, to R-3, Multi-family Residential District. The property is located at 100 Ashley Drive (Perimeter Road); Tax Map No. 0P0390 004000 and 0P0390 017000. Mr. Wood advises this is a request to rezone the 41.44-acre tract back to R-3. Approximately 15 acres of the tracts are located in a floodplain. The applicant also filed a special exception application for a 250-unit multifamily development on the site. Staff and Planning Commission recommends approval of the application as submitted.

7e. RZNE-93-2020. Applicant, Robert T. Tuggle, III for McPhail Associates LLLP and Celeste S. Johnston, request the rezoning of property from M-1, Wholesale and Light Industrial District, to C-1, Highway Commercial District. The property's location is Perry Parkway at Interstate 75; Tax Map No. 0P38A0 011000. Mr. Wood advises this is a request to rezone the property from M-1 to C-1. The applicant has a pending contract to sell a 4-acre portion of the property for development of an RV park. There are no current plans for the remainder of the property. Staff and Planning Commission recommends approval of the application as submitted.

7f. ANNX-94-2020. Applicant, Robert T. Tuggle, III for McPhail Associates LLLP and Celeste S. Johnston, requests the rezoning and annexation of property from RAG (County) to C-1 (City). The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E000. Mr. Wood advised this is a request to rezone and annex property from RAG to C-1 to allow both properties in the City with the same zoning for marketing purposes. Staff and the Planning Commission recommends approval of the application as submitted.

7g. Public Hearing relative to an alcohol license application for 200 Valley Drive. Mr. Gilmour advises this is an application for an alcohol license for the Derby Inn, 200 Valley Drive.

11b. Award of Bid(s):

1. CDBG Creekwood Storm Drainage Improvements. Mr. McMurrian advises staff recommends that this project be re-bid and delay the Construction Notice to Proceed until January 2, 2021.
2. Bid No. 2021-05 Fire Marshal SUV. Mr. Worthington advises two bids were received for the purchase of the Fire Marshal SUV. Staff recommends awarding to low bidder, Phil Brannen Ford of Perry in the amount of \$43,000.00.

11e. (3) Resolution appointing a voting delegate and an alternate to the 2020 Municipal Gas Authority of Georgia Annual Election Committee. Mr. Gilmour

advised that historically the City has appointed the Mayor as the voting delegate on the Municipal Gas Authority of Georgia's Election Committee and the Mayor Pro Tempore as the alternate voting delegate.

4. Council Member Items:

Council Member Peterson asked if a decision had been reached on the traffic calming devices. Mr. Wood stated he has researched costs and provided this information to the City Manager. Mr. Wood advised that Mr. Henderson stated he would have something to Council by the end of the week.

Council Members Bynum-Grace, Jones, Albritton and Mayor Pro-Tempore King had no reports.

Ms. Newby advised that Governor Kemp issued two executive orders last night extending the Public Health State of Emergency to October 10, 2020. The new executive order continues to require social distancing, bans gatherings of more than fifty people unless there is six feet between each person, among other provisions, and runs through September 15, 2020.

5. Department Head Items:

Department Heads/Staff had no reports.

6. Adjournment: There being no further business to come before Council in the pre council meeting held August 1, 2020, Mayor Pro-Tempore King motioned to adjourn the meeting at 5:37 p.m. Council Member Albritton seconded the motion and it carried unanimously.

**MINUTES  
COUNCIL MEETING  
OF THE PERRY CITY COUNCIL  
September 1, 2020  
6:00 P.M.**

1. **Call to Order:** Mayor Randall Walker, Presiding Officer, called to order the council meeting held September 1, 2020 at 6:00 p.m.

2. **Roll:**

**Elected Officials Present:** Mayor Randall Walker, Mayor Pro-Tempore Willie King, Council Members Phyllis Bynum-Grace, Joy Peterson, Robert Jones, and Darryl Albritton.

**Absent:** Council Member Riley Hunt.

**City Staff:** City Manager Lee Gilmour, City Attorney Brooke Newby, Assistant City Manager Robert Smith, City Clerk Annie Warren and Recording Clerk Janet Duffin.

**Departmental Staffing:** Chief Steve Lynn – Perry Police Department, Chief Lee Parker - Fire and Emergency Services Department, Bryan Wood – Director of Community Development, Brenda King – Director of Administration, Sedrick Swan – Director of Leisure Services, Mitchell Worthington – Director of Finance, Ansley Fitzner – Public Works Superintendent, Ashley Hardin -Economic Development Manager, Chad McMurrian – Engineering Services Manager, Haley Bryant – Main Street Coordinator, and Tabitha Clark – Communications Manager.

**Media:** Lauren Harris – Houston Home Journal

3. **Invocation and Pledge of Allegiance:**

Council Member Jones rendered the invocation and Mayor Pro Tempore King led the pledge of allegiance to the flag.

4. **Mayor/Council Appointment(s):**

- 4a. Appointment of Ms. Kelly Gordon to Main Street Advisory Board – Ms. A. Hardin.

Ms. Hardin advised that at the July 27, 2020 DDA meeting, the directors recommended the appointment of Director Kelly Gordon to the Main Street Advisory Board. Council Member Jones motioned to accept the appointment of Director Kelly Gordon; Mayor Pro Tempore King seconded the motion and it carried unanimously.

5. **Community Partner(s) Update(s):**

None

6. Citizens with Input:

None

7. PUBLIC HEARING CALLED TO ORDER AT 6:15 P.M. Mayor Walker called to order a public hearing at 6:15 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 48-5-32 and O.C.G.A. Sec. 36-66-4.

7a. Proposed retaining of the operation at 14.050 mills – Ms. B. King.

Staff Report: Ms. King advised council members this tentative increase will result in a millage rate of 14.050 mills, an increase of 0.037 mils.

Public Input: Mayor Walker called for any public input for or opposed to the proposal.

For: None

Against: None

7b. ANNX-79-2020. Applicant, Widner & Associates, Inc. request the rezoning and annexation of property from RAG (County) to C-1 (City). The property is located at 220 Airport Road; Tax Map No. 000310 006000 – Mr. B. Wood.

Staff Report: Mr. Wood advised council members this is a request to rezone and annex property from RAG to C-1 to expand the existing Bob White Storage facility located at 103 Woodlawn Drive.

Public Input: Mayor Walker called for any public input for or opposed to the application.

For: None

Against: None

7c. RZNE-80-2020. Applicant, Widner & Associates, Inc. request the rezoning of property from R-1, Single-family Residential District, to C-1, Highway Commercial District. The property is located at 1999 Sam Nunn Boulevard; Tax Map No. 0P0380 036000.

Staff Report: Mr. Wood advised this is a request to expand the existing Bob White Storage facility located at 103 Woodlawn Drive by extending the property to the west.

Public Input: Mayor Walker called for any public input for or opposed to the application.

For: None

Opposed: None

- 7d. RZNE-82-2020. Applicant, Chad Bryant, Bryant Engineering, LLC. requests the rezoning of property from PUD, Planned Unit Development District, to R-3, Multi-family Residential District. The property is located at 100 Ashley Drive (Perimeter Road); Tax Map No. 0P0390 004000 and 0P0390 017000.

Staff Report: Mr. Wood advises this is a request to rezone the 41.44-acre tract back to R-3. Approximately 15 acres of the tracts are located in a floodplain. The applicant also filed a special exception application for a 250-unit multifamily development on the site.

Public Input: Mayor Walker called for any public input for or opposed to the application:

For: None

Against: None

- 7e. RZNE-93-2020. Applicant, Robert T. Tuggle, III for McPhail Associates LLLP and Celeste S. Johnston, request the rezoning of property from M-1, Wholesale and Light Industrial District, to C-1, Highway Commercial District. The property's location is Perry Parkway at Interstate 75; Tax Map No. 0P38A0 011000.

Staff Report: Mr. Wood advises this is a request to rezone the property from M-1 to C-1. The applicant has a pending contract to sell a 4-acre portion of the property for development of an RV park. There are no current plans for the remainder of the property.

Council Member Jones asked how senior citizens are defined for the RV park. Council Member Peterson stated she too would like to ask questions but understands the potential buyer is not present at this meeting. Some concerns are that this location is a gateway entrance into Perry and this needs to be taken into consideration. Mr. Wood advised he would get with the potential purchaser to see if he might be available to attend the next meeting to provide additional information pertaining to the issues raised.

Public Input: Mayor Walker called for any public input for or opposed to the application:

For: None

Against: None

- 7f. ANNX-94-2020. Applicant, Robert T. Tuggle, III for McPhail Associates LLLP and Celeste S. Johnston, requests the rezoning and annexation of property from RAG (County) to C-1 (City). The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E000.

Staff Report: Mr. Wood advised this is a request to rezone and annex property from RAG to C-1 to allow both properties in the City with the same zoning for marketing purposes.

Public Input: Mayor Walker called for any public input for or opposed to the application.

For: Mr. Rob Tuggle, 912 Main Street, Perry, Georgia, advised the developer acquired these three acres at a later date in an attempt to create one large parcel that would all be in the city.

Against: None

- 7g. Public Hearing relative to an alcohol license application for 200 Valley Drive.

Mr. Gilmour advises this is an application for an alcohol license for the Derby Inn, 200 Valley Drive.

Public Input: Mayor Walker called for any public input for or opposed to the application.

For: None

Against: None

PUBLIC HEARING CLOSED AT 6:27 P.M. Mayor Walker closed the public hearing at 6:27 p.m.

8. Review of Minutes: Mayor Randall Walker

- 8a. Council's consideration – Minutes of August 17, 2020 work session, August 18, 2020 pre council meeting and August 18, 2020 council meeting.

Council Member Bynum-Grace motioned to accept the minutes as submitted; Mayor Pro Tempore King seconded the motion and it carried unanimously.

9. Old Business: Mayor Randall Walker

- 9a. Ordinance(s) for Second Reading(s) and Adoption:

1. Second Reading of the State Minimum Fire Safety Standards Ordinance - Amending Chapter 5A and Sections 6-10 & 6-11 of the LMO – Ms. B. Newby.

Adopted Ordinance No. 2020-13 of the State Minimum Fire Safety Standards Ordinance, amending Chapter 5A and Sections 6-10 & 6-11 of the LMO. Mayor Pro-Tempore King motioned to adopt the motion as submitted; Council Member Albritton seconded the motion and it carried unanimously. (Ordinance 2020-13 has been entered into the City's official book of record.)

10. Any Other Old Business:

10a. Mayor Randall Walker – none

10b. Council Member Phyllis Bynum- Grace – Asked Mr. Swan why the city does not yet have a gaming system in their programs for kids. Mr. Swan advised the city attorney is reviewing the documents from the contractor. Ms. Newby advised there was a link on the contractor's website that opens up to approximately 30 pages and conditions that need to be looked at and worked through. Council Member Bynum-Grace also asked Mr. Swan when the traffic park would be open at Creekwood Park for the community to use. Mr. Swan advised the goal was to roll out a marketing plan with Ms. Clark and it was being decided if they should do a formal ribbon cutting. Their plan is to have it open in the next week.

Mayor Pro Tempore King and Council Members Jones, Peterson and Albritton had no reports.

10c. City Attorney Brooke Newby – none

10d. City Manager Lee Gilmour – none

10e. Assistant Manager Robert Smith – none

11. New Business: Mayor Randall Walker

11a. Matters referred from August 31, 2020 work session and September 1, 2020 pre council meeting. None

11b. Award of Bid(s):

1. CDBG Creekwood Storm Drainage Improvements – Mr. C. McMurrian.

Mr. McMurrian recommends that the City reject the bid and re-bid the project and delay the Construction Notice to Proceed until January 2, 2021.

Council Member Albritton motioned to reject the bid and re-bid the project; Mayor Pro Tempore King seconded the motion and it carried unanimously.

2. Bid No. 2021-05 Fire Marshal SUV – Mr. M. Worthington.

Mr. Worthington recommends awarding the purchase of the Fire Marshal SUV to low bidder Phil Brannen Ford of Perry in the amount of \$43,000.00.

Mayor Pro Tempore King motioned to award the bid to low bidder Phil Brannen Ford of Perry in the amount of \$43,000.00; Council Member Jones seconded the motion and it carried unanimously.

- 11c. Application for Alcohol License (Beer/Wine on premises) for Derby Inn located at 200 Valley Drive - Mr. L. Gilmour.

Mr. Gilmour recommends authorization of the Alcohol License for this location.

Council Member Bynum-Grace motioned to approve the application as submitted; Mayor Pro Tempore King seconded the motion and it carried unanimously.

- 11d. Ordinance(s) for First Reading(s) and Introduction:

1. **First Reading** of an ordinance for the rezoning of property from RAG (County) to C-1 (City). The property is located at 220 Airport Road; Tax Map No. 000310 006000 – Mr. B. Wood. *(No action required by Council)*
2. **First Reading** of an ordinance for the annexation of property from RAG (County) to C-1 (City). The property is located at 220 Airport Road; Tax Map No. 000310 006000 – Mr. B. Wood. *(No action required by Council)*
3. **First Reading** of an ordinance for the rezoning of property from R-1, Single-family Residential District, to C-1, Highway Commercial District. The property is located at 1999 Sam Nunn Boulevard; Tax Map No. 0P038A0 011000 – Mr. B. Wood. *(No action required by Council)*
4. **First Reading** of an ordinance for the rezoning of property from PUD, Planned Unit Development District, to R-3, Multi-family Residential District. The property is located at 100 Ashley Drive (Perimeter Road); Tax Map No. 0P0390 004000 and 0P0390 017000 – Mr. B. Wood. *(No action required by Council)*
5. **First Reading** of an ordinance for the rezoning of property from M-1, Wholesale and Light Industrial District, to C-1, Highway Commercial District. The property's location is Perry Parkway at Interstate 75; Tax Map No. 0P38A0 011000 – Mr. B. Wood. *(No action required by Council)*



6. **First Reading** of an ordinance for the rezoning of property from RAG (County) to C-1 (City). The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E00 – Mr. B. Wood. *(No action required by Council)*
7. **First Reading** of an ordinance for the annexation of property from RAG (County) to C-1 (City). The property's location is Perry Parkway at Interstate 75; Tax Map No. 000300 20E00 – Mr. B. Wood. *(No action required by Council)*
8. **First Reading** of an ordinance to amend Section 25-102(d) – Ms. B. Newby. *(No action required by Council)*
9. **First Reading** of an ordinance to repeal Article II-Recreation Commission and Article III-Rozar Park Fishing Ponds of Chapter 20 – Ms. B. Newby. *(No action required by Council)*

11e. **Resolution(s) for Introduction and Adoption:**

1. **Adopted Resolution 2020-53 establishing the 2020 Ad Valorem Millage Rate for the City of Perry.**

Ms. King advised Mayor and Council the ad valorem millage rate for the City's maintenance and operations for Fiscal Year 2021/tax year 2020 is established at the rate at 14.05. Public hearings have been held with no input from the public and advertisements have been placed in the newspaper and on the website. Mayor Pro Tempore King motioned to adopt the resolution as presented; Council Member Albritton seconded the motion and it carried unanimously. *(Resolution 2020-53 has been entered in the City's official book of record).*

2. **Adopted Resolution 2020-54 declaring Certain Vehicles and Equipment Surplus.**

Ms. King advised seven police vehicles that are in poor condition will be declared as surplus vehicles for proper disposal or donation. Mayor Pro Tempore King motioned to adopt the resolution; Council Member Albritton seconded the motion and it carried unanimously. *(Resolution 2020-54 has been entered in the City's official book of record).*

3. **Adopted Resolution 2020-55 appointing a voting delegate and an alternate to the 2020 Municipal Gas Authority of Georgia Annual Election Committee.**

Administration recommends following the usual practice of appointing the Mayor and Mayor Pro Tempore as voting delegate and alternate to the 2020 Municipal Gas Authority of Georgia Annual Election Committee. Council Member Jones motioned to adopt the resolution as presented; Council Member Albritton seconded the motion and it carried

unanimously. (*Resolution 2020-55 has been entered in the City's official book of record*).

12. Council Member Items:

Council Members – none

13. Department/Staff Items:

Mr. Wood stated the census was nearing close and there was still time to go to census2020.gov to complete the survey. Additionally, the City of Perry is in tenth place in the GMA City's Census Challenge, with a 4% increase. There is one week left in the challenge.

14. General Public Items:

None

15. Mayor Items:

September 14, Work Session  
September 15, Pre Council and Council

16. Executive Session entered at 6:46 p.m.: On a motion by Mayor Pro Tempore King, seconded by Council Member Albritton and carried unanimously, Council went into Executive Session for the purpose of real estate.

17. Executive Session adjourned at 7:40 p.m.: Council adjourned the executive session held September 1, 2020 and reconvened into the Council's regular meeting.

18. Adopted Resolution No. 2020-56 stating the purpose of the executive session held on September 1, 2020 was real estate. On a motion by Council Member Albritton, seconded by Council Member Jones and carried unanimously adopted a resolution stating the purpose of the executive session held on September 1, 2020 was to discuss real estate. No action was taken. (*Resolution No. 2020-56 has been entered in the City's official book of record.*)

19. Adjournment: There being no further business to come before Council in the regular council meeting held September 1, 2020, Council Member Bynum Grace motioned to adjourn the meeting at 7:40 p.m. Council Member Peterson seconded the motion and it carried unanimously.

**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS** that the zoning is changed from Houston County RAG, Residential-Agricultural District, to City of Perry C-1, Highway Commercial District, and the city's zoning map is amended accordingly relative to property of Charitable Remainder Unitrust, described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 19 of the Tenth Land District Houston County, Georgia, and being more particularly shown and designated as Parcel "Z" containing 0.79 acres as is more particularly described on a Plat of Survey for Bob White Self Storage dated June 9, 2020, prepared by Story Clarke & Associates, and of record in Plat Book \_\_\_\_, Page \_\_\_\_, Clerk's Office, Houston Superior Court.

**SO ENACTED this 15th day of September, 2020.**

**CITY OF PERRY, GEORGIA**

BY: \_\_\_\_\_  
RANDALL WALKER, Mayor

ATTEST: \_\_\_\_\_  
ANNIE WARREN, City Clerk

1st Reading: September 1, 2020  
2nd Reading: September 15, 2020

**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS as follows:**

**WHEREAS**, proper application to annex property to the City of Perry, Georgia has been made by Widner & Associates, Inc., on behalf of Charitable Remainder Unitrust, the owner of the land hereinafter described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 19 of the Tenth Land District Houston County, Georgia, and being more particularly shown and designated as Parcel "Z" containing 0.79 acres as is more particularly described on a Plat of Survey for Bob White Self Storage dated June 9, 2020, prepared by Story Clarke & Associates, and of record in Plat Book \_\_\_\_, Page \_\_\_\_, Clerk's Office, Houston Superior Court.

**NOW THEREFORE**, pursuant to the act of the General Assembly of the State of Georgia 1962, Page 119; 1969, Page 504 the following described property is annexed to the City of Perry and the precinct boundary is changed accordingly.

This annexation shall become effective for ad valorem tax purposes on December 31, 2020, and for all other purposes shall become effective on October 1<sup>st</sup>, 2020.

**SO ENACTED this 15<sup>th</sup> day of September, 2020.**

**CITY OF PERRY, GEORGIA**

(SEAL) BY: \_\_\_\_\_  
RANDALL WALKER, MAYOR

ATTEST: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK

1<sup>st</sup> Reading: September 1, 2020  
2nd Reading: September 15, 2020



Where Georgia comes together.

## **STAFF REPORT**

August 6, 2020

**CASE NUMBER:** ANNX-79-2020  
**APPLICANT:** Widner & Associates, Inc.  
**REQUEST:** Annex and Rezone from RAG (county) to C-1 (City)  
**LOCATION:** 220 Airport Road, Tax Map No. 000310 006000 (0.79 acre portion)

### **ADJACENT ZONING/LANDUSES:**

**Subject Parcel:** RAG, Residential-Agricultural District (county); undeveloped  
**North:** GU, Government Use District; Heritage Oaks Park  
**South:** R-1, Single-family Residential District; single-family residences  
**East:** R-1; Undeveloped  
**West:** RAG (County); undeveloped \*

**BACKGROUND INFORMATION:** The applicant proposes to expand the existing Bob White Storage facility located at 103 Woodlawn Drive, by extending the property to the west. The proposed area of expansion extends into the subject property. See attached plat.

### **STANDARDS FOR ESTABLISHING A ZONING CLASSIFICATION:**

- 1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?** The applicant indicates there are no covenants or restrictions pertaining to the property which would preclude uses allowed in the C-1 zoning district.
- 2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.** Properties on Woodlawn Drive include the existing self-storage facility, offices and a City water plant. Other immediately-surrounding properties are currently undeveloped.
- 3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.** Properties surrounding the proposed expansion are currently undeveloped.
- 4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.** The subject property and surrounding area is identified as "In-Town Corridor" in the 2017 Joint Comprehensive Plan. The property does not front Sam Nunn Boulevard, the identified corridor.
- 5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.** Based on the fact that the property proposed for this C-1 zoning classification will only have access through the existing self-storage facility, development of additional storage facilities is the only logical use of the property. This use will have little or no impact on schools, water and sewer infrastructure, and roads.

6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district. Additional storage space and other commercial uses will be needed to service the continuing residential growth in Perry.

**STAFF RECOMMENDATION:** Staff recommends approval of the application to annex and rezone to C-1, Highway Commercial District.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the application, based on Staff's report.



Eric Z. Edwards, Chairman, Planning Commission

8/11/20

Date



1610

110

110

103

110

1610

SAMMUNN BLVD

WOODLAWN DR

WOODLAWN DR

2004

107

107

103

103

1999

101

101

Area to be Rezoned

1999

220

Area to be Annexed

220

**STORY CLARKE & Associates**  
 SURVEYORS • PLANNERS  
 14315 N. WINDY HILL LANE  
 HOUSTON, TEXAS 77040  
 P.O. BOX 1000  
 HOUSTON, TEXAS 77001-1000  
 TEL: 281.468.0200  
 FAX: 281.468.0201

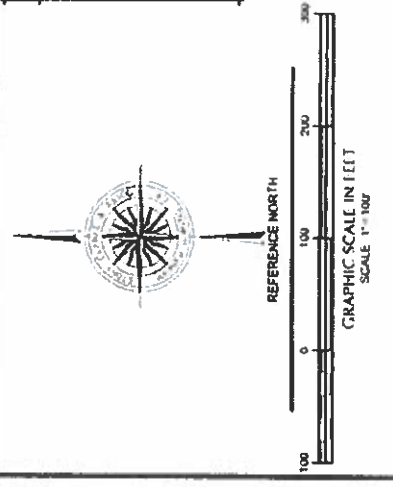
**BOB WHITE SELF STORAGE**  
 Rezoning Plat For  
 LEADLOT 18  
 HOUSTON COUNTY  
 107-777  
 DRAWN BY: HJU  
 FIELD DATA BY: HJU  
 2016.08  
 REVIEW BY: MLC  
 DATE: 2016.09  
 SCALE: 1" = 100'

**LEGEND**

- Proposed Rezoning Boundary
- Boundary Corner Point
- Concrete Monument
- Concrete Monument with Survey Control Point
- Corner of Section

**SURVEY DATA**

PROPERTY: 101 WOODLAWN DR  
 HOUSTON, TEXAS 77001  
 SURVEYOR: STORY CLARKE & ASSOCIATES, INC.  
 DATE: 08/18/16  
 INSTRUMENT: LEICA TS15  
 METHOD: PERMANENT POINTS  
 MONUMENTS: CONCRETE



**U.S. HWY 341**  
 150 Feet

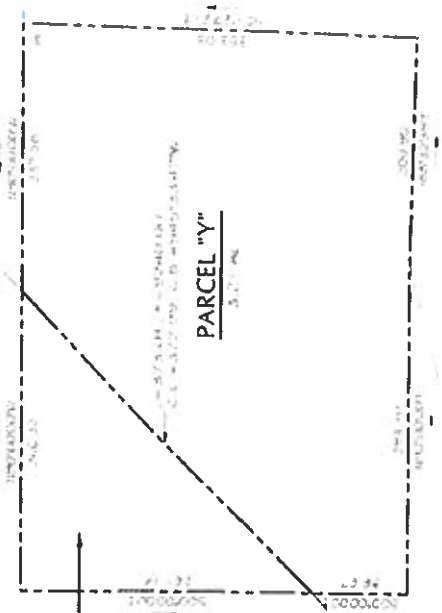
1. OF CHARITABLE REMAINDER UNITRUST  
 101 WOODLAWN DR  
 HOUSTON, TEXAS 77001  
 DISTRICT: 08  
 ZONE: C-2

**PARCEL "Y"**  
 0.772 AC

1. OF MACON VETERANS FUND LLC  
 101 WOODLAWN DR  
 HOUSTON, TEXAS 77001  
 DISTRICT: 08  
 ZONE: C-2

1. OF CHARITABLE REMAINDER UNITRUST  
 101 WOODLAWN DR  
 HOUSTON, TEXAS 77001  
 DISTRICT: 08  
 ZONE: C-2

N.O.F. WOODLAND DEVELOPMENT  
 PROPERTIES LLC  
 101 WOODLAWN DR  
 HOUSTON, TEXAS 77001  
 DISTRICT: 08  
 ZONE: C-2







Where Georgia comes together.

**Application for Annexation**  
 Contact Community Development (478) 988-2720

Application # 79-2020  
Revised

Applicant/Owner Information

Indicates Required Field

	Applicant	Property Owner
Name	Widner & Associates Inc	Charitable Remainder Unitrust
Title	Owner/Developer Rep	JOSEPH SWANSON, AS TRUSTEE
Address	793 Poplar St. Macon, GA 31201	1188 PARK AVE MURFREESBORO, TN 37129
Phone	478-748-2010	
Email	Matt@Widner-Assoc.com	

Property Information

Street Address or Location	1999 Sam Nunn Blvd
Tax Map #(s)	0P0380.036000
Legal Description	<p>A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available.</p> <p>B. Provide a survey plat of the property and/or a proposed site plan.</p> <p>C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.</p>

Request

Current County Zoning District	R1	Proposed City Zoning District	C1
Please describe the existing and proposed use of the property			
Existing - Undeveloped acreage			
Proposed - Addition to existing self-storage facility 103 Woodlawn Dr			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
- Fees:
  - Residential - \$135.00 plus \$15.00/acre (maximum \$1,600.00)
  - Planned Development - \$155.00 plus \$15.00/acre (maximum \$2,800.00)
  - Commercial/Industrial - \$235.00 plus \$22.00/acre (maximum \$3,000.00)
- The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the requested zoning classification meets these standards). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Annexation applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
- The applicant must be present at the hearings to present the application and answer questions that may arise.
- Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No \_\_\_  
 If yes, please complete and submit the attached Disclosure Form.

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

9. Signatures:

Applicant	Matt Widner / Widner & Associates, Inc.	Date	06-15-2020
Property Owner/Authorized Agent	* [Handwritten Signature]	Date	6/15/20

**Standards for Granting a Zoning Classification**

1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?
2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties
3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.
4. Describe how the proposed zoning district is consistent with the Comprehensive Plan
5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services
6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district

7/2019

For Office Use (receipt code 204 1)

Date received	Fee paid	Date deemed complete	Public Notice Sign	Legal Ad	County Notification
Notice to Applicant	Routed to PC	Date of PC	Date of Public	Date of Council	Notice of action

June 15, 2020



City of Perry  
1211 Washington Street  
P.O. Box 2030  
Perry, GA 31069

Subject: Bob White Storage Addition  
103 Woodlawn Drive

Dear Council and Commission,

We are requesting the annexation of the area shown on the attached plat. The items below are part of the application. We have included these items on a separate page for clarity.

**Standards for Granting Annexation**

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

**No known covenant or restrictions exist**

2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.

**The proposed rezoning allows the existing business to grow. Surrounding properties would not necessarily be affected dramatically due to the large scale of undeveloped tracts in the immediate area surrounding the proposed rezoning**

3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.

**The surrounding property is owned by the same individual**

4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.

**The rezoning proposed is a continuation of the previously approved plan**

5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.

**Similar business practices will remain intact. The operations have had no adverse impact**

6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district. **The rezoning would support the community need for the storage service**

Respectfully,

*Matthew T. Widner, RLA*



793 Poplar Street  
P.O. Box 102  
Macon, GA 31202  
(478) 746-2010  
Fax (478) 746-0149  
widner@widner-assoc.com  
www.widner-assoc.com

**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS** that the zoning is changed from City of Perry R-1, Single-Family Residential District, to City of Perry C-1, Highway Commercial District, and the city's zoning map is amended accordingly relative to property of Charitable Remainder Unitrust, described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 19 of the Tenth Land District Houston County, Georgia, and being more particularly shown and designated as Parcel "Y" containing 3.21 acres as is more particularly described on a Plat of Survey for Bob White Self Storage dated June 9, 2020, prepared by Story Clarke & Associates, and of record in Plat Book \_\_\_\_, Page \_\_\_\_, Clerk's Office, Houston Superior Court.

**SO ENACTED this 15th day of September, 2020.**

**CITY OF PERRY, GEORGIA**

BY: \_\_\_\_\_  
RANDALL WALKER, Mayor

ATTEST: \_\_\_\_\_  
ANNIE WARREN, City Clerk

1st Reading: September 1, 2020  
2nd Reading: September 15, 2020



Where Georgia comes together.

## **STAFF REPORT**

August 6, 2020

**CASE NUMBER:** RZNE-80-2020  
**APPLICANT:** Widner & Associates, Inc.  
**REQUEST:** Rezone from R-1, Single-family Residential District, to C-1, Highway Commercial District  
**LOCATION:** 1999 Sam Nunn Boulevard; Tax Map No. 0P0380 036000 (3.21 acre portion)

### **ADJACENT ZONING/LANDUSES:**

**Subject Parcel:** R-1, Single-family Residential District; undeveloped  
**North:** R-1; single-family residential  
**South:** R-2, Two-family Residential District; undeveloped  
**East:** C-2, General Commercial District; Bob White Self-Storage and offices  
**West:** RAG, Residential Agricultural District (County); undeveloped

**BACKGROUND INFORMATION:** The applicant proposes to expand the existing Bob White Storage facility located at 103 Woodlawn Drive, by extending the property to the west. The proposed area of expansion extends into the subject property. See attached plat.

### **STANDARDS GOVERNING ZONE CHANGES:**

- 1. The suitability of the subject property for the zoned purposes.** The subject property is suitable for residential development allowed per the current PUD zoning classification
- 2. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** Property values are not diminished by the current zoning.
- 3. The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public.** There is no destruction of property value.
- 4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.** There is no hardship imposed on the property owner by the current zoning.
- 5. Whether the subject property has a reasonable economic use as currently zoned.** The property can be developed with single-family residences as currently zoned.
- 6. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.** The property has never been developed. The existing self-storage facility located adjacent to the subject property was developed in 2008.
- 7. Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** The C-1 zoning district is the most restrictive district that also allows self-storage facilities. With the exception of the property directly to the east of the subject, all surrounding

properties are undeveloped. Since these properties will remain zoned for residential uses, development of the subject property will require a perimeter buffer.

8. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** Surrounding properties are zoned for residential uses. Therefore, the subject property will be required to provide a perimeter buffer.
9. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The 2017 Joint Comprehensive Plan Update identifies the subject property as 'In-Town Corridor'. However, the subject property does not front Sam Nunn Boulevard, the identified corridor.
10. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.** Based on the fact that the property proposed for this C-1 zoning classification will only have access through the existing self-storage facility, development of additional storage facilities is the only logical use of the property. This use will have little or no impact on schools, water and sewer infrastructure, and roads.
11. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.** Additional storage space and other commercial uses will be needed to service the continuing residential growth in Perry.

**STAFF RECOMMENDATION:** Staff recommends approval of the application to rezone to C-1, Highway Commercial District.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the application, based on Staff's report.

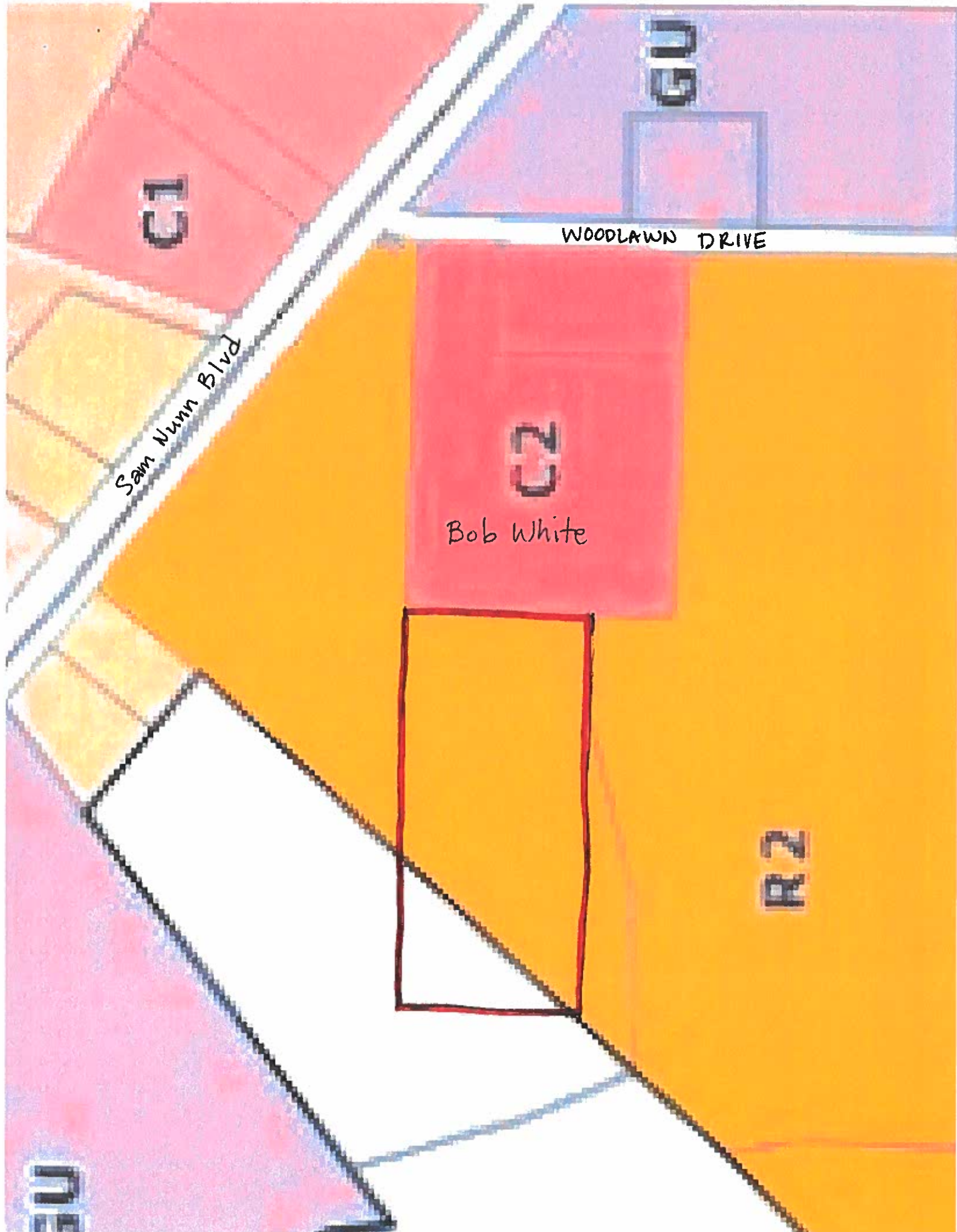


Eric Z. Edwards, Chairman, Planning Commission

8/11/20

Date





C1

GU

WOODLAWN DRIVE

Sam Nunn Blvd

C2

Bob White

R2

W





**STORY CLARKE & ASSOCIATES**  
 ARCHITECTS PLANNERS  
 LANDSCAPE ARCHITECTS  
 255 CARL VINSON PARKWAY  
 MARIETTA, GEORGIA 30066  
 (770) 426-7271  
 STORYCLARKE.COM

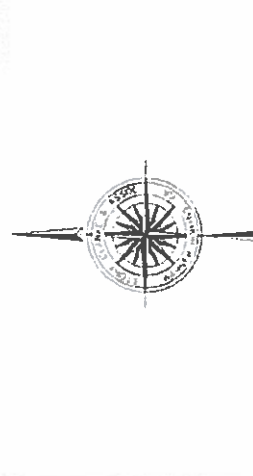
**BOB WHITE SELF STORAGE**  
 Rezoning Plat For  
 LAND LOT 19  
 HOUSTON COUNTY  
 10th DISTRICT  
 104-HD10  
 20-779  
 DRAWN BY: BPU  
 FIELD DATA BY: JMR  
 FIELD DATE: 30.06.08  
 REVIEW BY: MCL  
 DATE: 20.06.09  
 SCALE: 1"=100'

**LEGEND**

- PROPERTY CORNER SET (REAR)
- PROPERTY CORNER FOUND
- CONCRETE MONUMENT FOUND
- CONCRETE MONUMENT SET
- SURVEY CONTROL POINT
- POINT OF BEGINNING

**SURVEY DATA**

SURVEY DATE: 06/30/08  
 FIELD NUMBER: 20-779  
 FIELD DATA: 101  
 ADJUSTMENT: 2 POINTS (WALL FOUND)  
 CONTROLLING POINT: 200  
 CONTROL POINTS: 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



U.S. HWY. 341  
130' PAV

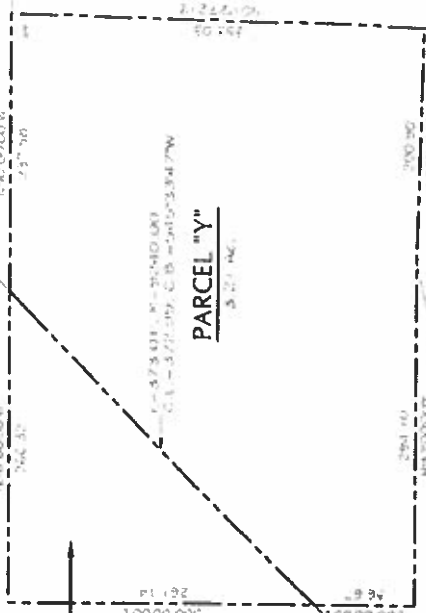
WOODLAWN RD.  
60' RW

N OF CHARITABLE REMAINDER UNITRUST  
 1959 WOODLAWN BLVD.  
 P.L.N. OPD380 080000  
 DB 8276 PC 1  
 ZONE: R-1

N OF MACON VETERANS FUND LLC  
 103 WOODLAWN DR  
 P.L.N. OPD380 030000  
 PB 18 PC 1B4  
 ZONE: C-2

N OF WOODLAND DEVELOPMENT  
 PROPERTIES LLC  
 107 WOODLAWN DR  
 P.L.N. OPD380 087000  
 DB 64 PC 104  
 ZONE: C-2

N OF CHARITABLE REMAINDER UNITRUST  
 101 WOODLAWN DR  
 P.L.N. OPD380 001000  
 DB 8276 PC 1  
 ZONE: C-2





Where Georgia comes together.

**Application for Rezoning**  
 Contact Community Development (478) 988-2720

Application # 80-2020  
Revised.

**Applicant/Owner Information**

**Indicates Required Field**

	Applicant	Property Owner
*Name	Widner & Associates, Inc.	Charitable Remainder Unitrust
*Title	Owner/Developer Rep.	JOSPEH SWANSON, AS TRUSTEE
*Address	793 Poplar St., Macon, GA 31201	1188 PARK AVE MURFREESBORO, TN 37129
*Phone	478-746-2010	
*Email	Matt@Widner-Assoc.com	

**Property Information**

*Street Address or Location	1999 Sam Nunn Blvd. and 101 Woodlawn Drive
*Tax Map #(s)	0P0380 036000 and 0P0380 001000
*Legal Description	A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available; B. Provide a survey plat of the property and/or a proposed site plan; C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.

**Request**

*Current Zoning District	R1/R2	*Proposed Zoning District	C1
*Please describe the existing and proposed use of the property			
Existing - Undeveloped acreage			
Proposed - Addition to existing self-storage facility 103 Woodlawn Dr.			

**Instructions**

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
- Fees:
  - Residential - \$135.00 plus \$15.00/acre (maximum \$1,600.00)
  - Planned Development - \$155.00 plus \$15.00/acre (maximum \$2,800.00)
  - Commercial/Industrial - \$235.00 plus \$22.00/acre (maximum \$3,000.00)
- The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the application meets the tests for granting the rezoning). See Sections 2-2 and 2-3 1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
- An application for rezoning affecting the same parcel shall not be submitted more often than once every six months.
- The applicant must be present at the hearings to present the application and answer questions that may arise.
- Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_\_\_ No \_\_\_\_\_  
 If yes, please complete and submit the attached Disclosure Form.

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

10. Signatures:

*Applicant <i>Matt Widner / Widner &amp; Associates, Inc.</i>	*Date 06-15-2020
*Property Owner/Authorized Agent <i>* Charitable Remainder Trust / Joseph W. Swanson, Trustee</i>	*Date 6-15-20

**Standards for Granting a Rezoning**

1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?
2. Describe the existing land uses and zoning classifications of surrounding properties.
3. Describe the suitability of the subject property for use as currently zoned.
4. Describe the extent to which the value of the subject property is diminished by the current zoning designation.
5. Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public.
6. Describe the relative gain to the public compared to any hardship imposed on the property owner.
7. Describe how the subject property has no reasonable economic use as currently zoned.
8. How long has the subject property been vacant as currently zoned, considering development in the vicinity?
9. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.
10. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.
11. Describe how the proposed zoning district is consistent with the Comprehensive Plan.
12. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.
13. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.

Revised 7/18/19

For Office Use (receipt code 204 1)

Date received	Fee paid	Date deemed complete	Public Notice Sign	Legal Ad	County Notification
Notice to Applicant	Routed to PC	Date of PC	Date of Public	Date of Council	Notice of action

June 15, 2020



City of Perry  
1211 Washington Street  
P.O. Box 2030  
Perry, GA 31069

Subject: Bob White Storage Addition  
103 Woodlawn Drive

Dear Council and Commission,

Widner & Associates respectfully requests rezoning to allow an addition to the existing Bob White Self Storage Facility at 103 Woodlawn Drive. The parcels for the addition are currently zoned R-1 and R-2 and the new parcel is +/- 4 acres. This property is located west of the existing storage area. The existing facility is reaching capacity and continues to see increases in the request for services. Therefore, Bob White Storage sees a need for their customers to be offered additional units. The new parcel for this addition is currently part of lands of 101 Woodlawn Drive and 1999 Sam Nunn Blvd. Upon rezoning the property will be combined with the existing 103 Woodlawn Drive parcel and will be platted to reflect this combination. The access to the new addition will be developed from the entrance to Woodlawn Drive. The existing entrance will remain the same as the current layout. (Please see the following page for standards for rezoning.)

Respectfully submitted,

*Matthew T. Widner, RLA*



703 Poplar Street  
P.O. Box 102  
Macon, GA 31202  
(478) 746-2010  
Fax (478) 746-0149  
widner@widner-assoc.com  
www.widner-assoc.com

### Standards for Granting Rezoning

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

No known covenant or restrictions exist.

2. Describe the existing land uses and zoning classifications of surrounding properties.

The existing land use is commercial to the east and large tracts of undeveloped land on the other sides. While the large undeveloped tracts remain R-1 and R-2. Commercial property to the east is zoned C-1. This development is a continuation of existing zoning and development on the east and west sides of Woodlawn Drive.

3. Describe the suitability of the subject property for use as currently zoned.

The existing zoning would prevent the continued development of this business.

4. Describe the extent to which the value of the subject property is diminished by the current zoning designation.

The highest and best value for this property is to provide the existing business to grow. The rezoning would be necessary for this growth, as the current zoning would not allow.

5. Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public.

Diminished property value does not promote health, safety, morals, and general welfare of the public. Diminished value reduces the tax base and the services that the community it can provide to citizens. Alternatively, the growth of businesses would strengthen the community.

6. Describe the relative gain to the public compared to any hardship imposed on the property owner.

The community, through use of the existing services, have expressed a need. The property owner and the public would be limited by the current zoning and would not have the ability to receive the services at this location.

7. Describe how the subject property has no reasonable economic use as currently zoned.

The timber has been harvested from the property and there is no proposed alternative for other development.

8. How long has the subject property been vacant as currently zoned, considering development in the vicinity?

This property has been vacant since the zoning was put in place.

9. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.

The proposed rezoning allows the existing business to grow. Surrounding properties would not necessarily be affected dramatically due to the large scale of undeveloped tracts in the immediate area surrounding the proposed rezoning.

10. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.

The surrounding property is owned by the same individual.

11. Describe how the proposed zoning district is consistent with the Comprehensive Plan.

The rezoning proposed is a continuation of the previously approved plan.

12. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.

Similar business practices will remain intact. The operations have had no adverse impact.

13. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district. The rezoning would support the community need for the storage service.

**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS** that the zoning is changed from City of Perry PUD, Planned Unit Development, to City of Perry R-3, Multi-family Residential District, and the city’s zoning map is amended accordingly relative to property of S & B Properties, LLC, described as follows:

All that tract or parcel of land lying and being in Land Lot 50 of the 10<sup>th</sup> Land District of Perry, Houston County, Georgia and being more particularly described as follows:

Beginning at the intersection of the North right of way of Perimeter Road (66 foot right of way) and the west right of way of Macon Road (100 foot right of way) thence in a westerly direction along the north right of way of Perimeter Road a distance of 1273.29 feet to the POINT OF BEGINNING; thence continuing along the north right of way of Perimeter Road North 88 degrees 29 minutes 45 seconds West a distance of 89.28 feet to an iron pin; thence continuing along the north right of way of Perimeter Road along a curve to the right having chord bearing of North 87 degrees 47 minutes 34 seconds West a chord distance of 10.72 feet, an arc distance of 10.72 feet with a radius of 436.68 feet to an iron pin; thence North 01 degrees 30 minutes 15 seconds East a distance of 175.20 feet to an iron pin; thence North 88 degrees 40 minutes 09 seconds East a distance of 100.00 feet to an iron pin; thence South 01 degrees 30 minutes 15 seconds West a distance of 175.64 feet to an iron pin at the POINT OF BEGINNING. This parcel contains **0.403** acres or 17,548 square feet more or less as per survey for Jacoby Management, Inc. made by Tribble & Richardson, Inc., Ralph A. True, Georgia Registered Land Surveyor No. 2202, dated August 23, 1990 and recorded in Plat Book 52, Page 105, Clerk’s Office, Houston Superior Court.

All of the above described tract being known as Houston County Tax map Parcel No.: P39-17.

Deed Reference: Deed Book 8387, Pages 101-105, said Clerk’s Office

**SO ENACTED this 15th day of September, 2020.**

**CITY OF PERRY, GEORGIA**

BY: \_\_\_\_\_  
RANDALL WALKER, Mayor

ATTEST: \_\_\_\_\_  
ANNIE WARREN, City Clerk

1st Reading: September 1, 2020

2nd Reading: September 15, 2020

**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS** that the zoning is changed from City of Perry PUD, Planned Unit Development, to City of Perry R-3, Multi-family Residential District, and the city's zoning map is amended accordingly relative to property of S & B Properties, LLC, described as follows:

All that tract or parcel of land lying and being in Land Lots 50 and 79 of the 10<sup>th</sup> Land District, Perry, Houston County, Georgia, and described according to a plat of Tribble & Richardson Inc., dated June 15, 1989, a copy of which is recorded in Plat Book 37, Page 44, Clerk's Office, Houston Superior Court, as follows:

BEGINNING at the intersection of the Western right of way of Macon Road (U.S. Highway 41) (100 foot right of way) and the North right of way of Perimeter Road (66 foot right of way) thence in a northerly direction along the West right of way of Macon Road a distance of 893.3 feet to an iron pin at the POINT OF BEGINNING; thence south 81 degrees 08 minutes 51 seconds West a distance of 70.21 feet to an iron pin; thence south 86 degrees 19 minutes 04 seconds a distance of 41.41 feet to an iron pin; thence south 68 degrees 49 minutes 40 seconds West a distance of 64.05 feet to an iron pin; thence South 68 degrees 34 minutes 32 seconds West a distance of 51.14 feet to an iron pin; thence South 66 degrees 02 minutes 24 seconds West a distance of 58.59 feet to an iron pin; thence South 78 degrees 25 minutes 51 seconds West a distance of 48.06 feet to an iron pin; thence South 73 degrees 24 minutes 55 seconds West a distance of 55.85 feet to an iron pin; thence North 82 degrees 04 minutes 37 seconds West a distance of 48.53 feet to an iron pin; thence North 75 degrees 43 minutes 41 seconds West a distance of 70.80 feet to an iron pin; thence South 01 degrees 25 minutes 51 seconds West a distance of 199.40 feet to an iron pin on the line between Land Lots 50 and 79; thence South 01 degrees 59 minutes 46 seconds West a distance of 416.66 feet along the said Land Lot line to an iron pin; thence North 88 degrees 40 minutes 09 seconds West a distance of 1323.91 feet to an iron pin on the Northerly right of way of Perimeter Road; thence North 01 degrees 05 minutes 37 seconds West a distance of 1269.93 feet to a concrete monument; thence North 00 degrees 55 minutes 47 seconds West distance of 338.80 feet to an iron pin; thence North 86 degrees 04 minutes 27 seconds East a distance of 587.77 feet to an iron pin in the centerline of Fannie Gresham Branch; thence along the centerline of Fannie Gresham Branch along a tie line having a bearing of South 33 degrees 16 minutes 10 seconds East a distance of 163.09 feet to an iron pin; thence 89 degrees 25 minutes 51 seconds East a distance of 1094.6 feet from the centerline of Fannie Gresham Branch to concrete marker of the West right of way of Macon Road; thence South 09 degrees 30 minutes 51 seconds East a distance of 385.32 feet along the West right of way of Macon Road to an iron pin; thence along the curve of the West right of way of Macon Road a chord bearing South 03 degrees 55 minutes 53 seconds a chord distance of 457.06 feet; an arc distance of 457.78 feet with a radius of 2349.135 feet to the POINT OF BEGINNING.

This tract containing **58.449** acres or 2,546,060 square feet.

**LESS AND EXCEPT:**

All that tract or parcel of land lying and being in Land Lots 50 and 79 of the 10<sup>th</sup> Land District, Perry, Houston County, Georgia, and being more particularly described as follows:

BEGINNING at a point formed by the intersection of the western right of way line of U.S. Highway 41 (100 foot right of way) and the northern right of way line of Perimeter Road; thence run northerly along the coincident with the western right of way line of U.S. Highway 41 a distance of 893.3 feet to a point, said point being the TRUE POINT OF BEGINNING; FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave the western right of way line of U.S.

Highway 41 and run south 81 degrees 08 minutes 51 seconds west a distance of 70.21 feet to a point; thence run south 86 degrees 19 minutes 04 seconds west a distance of 41.41 feet to a point; thence run south 68 degrees 49 minutes 40 seconds west a distance of 64.05 feet to a point; thence run south 68 degrees 34 minutes 32 seconds west a distance of 51.14 feet to a point; thence run south 66 degrees 02 minutes 24 seconds west a distance of 58.59 feet to a point; thence run south 78 degrees 25 minutes 51 seconds west a distance of 48.06 feet to a point; thence run south 73 degrees 24 minutes 55 seconds west a distance of 55.85 feet to a point; thence run north 82 degrees 04 minutes 37 seconds west a distance of 48.53 feet to a point; thence run north 75 degrees 43 minutes 41 seconds west a distance of 70.80 feet to a point located on the land lot line common to Land Lots 50 and 79; thence run north 81 degrees 04 minutes 36 seconds west a distance of 225.00 feet to a point; thence run north 02 degrees 09 minutes 45 seconds west a distance of 510.00 feet to a point; thence run north 10 degrees 41 minutes 35 seconds west a distance of 75.73 feet to a point; thence run north 35 degrees 16 minutes 22 seconds west a distance of 375.00 feet to a point; thence run south 89 degrees 25 minutes 51 seconds east a distance of 866.00 feet to a point located on the western right of way line of U.S. Highway 41; thence run southerly along said coincident with the western right of way line U.S. Highway 41 south 09 degrees 30 minutes 51 seconds east a distance of 385.32 feet to a point, thence continue to run along and coincident with the western right of way line of U.S. Highway 41 southerly along the arc of a curve an arc distance of 457.78 feet (said curve having a radius of 2349.14 feet, being subtended by a chord lying to the west of said arc bearing south 03 degrees 55 minutes 54 seconds east, a chord distance of 457.05 feet) to a point, said point being the TRUE POINT OF BEGINNING.

Said tract containing 15.17 acres and being more particularly show on that certain Property Survey for Jacoby Properties, prepared by Crawford & Associates, and bearing the seal and certification of Douglas C. Crawford, Georgia Registered Land Surveyor No. 1833, dated January 5, 1994, last revised January 11, 1994 and recorded in Plat Book 45, Page 141, Clerk's Office, Houston Superior Court.

**FURTHER LESS AND EXCEPT THE FOLLOWING PARCELS B AND C:**

**Parcel B**

All that tract or parcel of land lying and being in Land Lot 50 of the 10<sup>th</sup> Land District of Perry, Houston County, Georgia and being more particularly described as follows: Beginning at the intersection of the west right of way of Macon Road (100 foot right of way) and the north right of way of Perimeter Road (66 foot right of way) thence in a westerly direction along the north right of Perimeter Road a distance of 1771.86 feet to an angle iron at the POINT OF BEGINNING; thence North 01 degrees 05 minutes 37 seconds West a distance of 100.09 feet to an iron pin; thence South 88 degrees 40 minutes 09 seconds East a distance of 350.00 feet to an iron pin; thence South 01 degrees 30 minutes 15 seconds West a distance of 100.00 feet to an iron pin; thence North 88 degrees 40 minutes 09 seconds West a distance of 345.46 feet to the POINT OF BEGINNING. This parcel contains 0.798 acres or 34,773 square feet more or less as per survey for Jacoby Management, Inc., made by Tribble & Richardson, Inc., Ralph A. True, Georgia Registered Land Surveyor No. 2202, dated August 23, 1990 and recorded in Plat Book 52, Page 105, Clerk's Office, Houston Superior Court.

**PLUS:**

**Parcel C**

All that tract or parcel of land lying and being in Land Lot 50 of the 10<sup>th</sup> Land District of Perry, Houston County, Georgia and being more particularly described as follows:

Beginning at the intersection of the west right of way of Macon Road (100 foot right of way) and the north right of way of Perimeter Road (66 foot right of way) thence west along the north right of way of Perimeter Road a distance of 656.40 feet to a point; thence North 04 degrees 36 minutes 28 seconds East a distance of 656.40 feet to a point; thence North 04 degrees 36 minutes 28 seconds East a



distance of 177.9 feet to a concrete monument at the POINT OF BEGINNING; thence North 88 degrees 40 minutes 09 seconds West a distance of 626.52 feet to an iron pin; thence North 01 degrees 30 minutes 15 seconds East a distance of 100.00 feet to an iron pin; thence South 88 degrees 40 minutes 09 seconds East a distance of 625.31 feet to an iron pin; thence South 00 degrees 48 minutes 40 seconds West a distance of 100.00 feet to the POINT OF BEGINNING. This parcel contains 1.437 acres or 62,591 square feet more or less as per survey for Jacoby Management, Inc., made by Tribble & Richardson, Inc., Ralph A. True, Georgia Registered Land Surveyor No. 2202, dated August 23, 1990 and recorded in plat Book 52, Page 105, Clerk's Office, Houston Superior Court.

All of the above described tract being known as Houston County Tax Map Parcel No.: P39-4

Deed Reference: Deed Book 8387, Pages 101-105, said Clerk's Office  
Street Address: 100 Ashley Drive, Perry, GA 31069

**SO ENACTED this 15th day of September, 2020.**

**CITY OF PERRY, GEORGIA**

BY: \_\_\_\_\_  
RANDALL WALKER, Mayor

ATTEST: \_\_\_\_\_  
ANNIE WARREN, City Clerk

1st Reading: September 1, 2020  
2nd Reading: September 15, 2020



Where Georgia comes together.

## **STAFF REPORT**

August 7, 2020

**CASE NUMBER:** RZNE-82-2020  
**APPLICANT:** Chad Bryant, Bryant Engineering, LLC  
**REQUEST:** Rezone from PUD, Planned Unit Development District, to R-3, Multi-family Residential District  
**LOCATION:** 100 Ashley Drive (Perimeter Road); Tax Map No. 0P0390 004000 and 0P0390 017000

### **ADJACENT ZONING/LANDUSES:**

**Subject Parcel:** PUD, Planned Unit Development; undeveloped  
**North:** R-3, Multi-family Residential District; single-family residential (Spring Creek subdivision) and undeveloped  
**South:** C-2; undeveloped  
**East:** R-3; multi-family residential, and C-1, Highway Commercial District; (Ashton Landing Apartments and Commodore Manor Apartments), and office (My Eye Doctor)  
**West:** R-3; multi-family residential (Perry Housing Authority)

**BACKGROUND INFORMATION:** The subject property was rezoned from R-3, Multi-family Residential District, to PUD, Planned Unit Development District, in 2004. The approved PUD plan allows up to 116 single-family residential lots. The property was never developed.

The applicant proposes to rezone these 41.44-acre tracts back to R-3. Approximately 15 acres of the tracts are located in a floodplain/floodway. The applicant also filed a special exception application for a 250-unit multi-family development on the site.

### **STANDARDS GOVERNING ZONE CHANGES:**

- 1. The suitability of the subject property for the zoned purposes.** The subject property is suitable for residential development allowed per the current PUD zoning classification
- 2. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** Property values are not diminished by the current zoning.
- 3. The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public.** There is no destruction of property value.
- 4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.** There is no hardship imposed on the property owner by the current zoning.
- 5. Whether the subject property has a reasonable economic use as currently zoned.** The property can be developed with single-family residences as currently zoned.

6. **The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.** The property has never been developed. Properties in the vicinity are primarily single-family and multi-family residential uses. Some commercial and educational uses are located at Macon Road and Perimeter Road.
7. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** The proposed R-3 zoning is consistent with the zoning and uses of surrounding properties.
8. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** Multi-family residential development is consistent with the use of surrounding properties and should not adversely impact nearby properties.
9. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The 2017 Joint Comprehensive Plan Update identifies the subject property as 'Suburban Residential'. Suggested land use designations are residential, public/institutional, and parks/recreation. The "suburban residential" character area suggests that higher density housing should be located near commercial centers along arterial streets. The subject property is approximately ½ mile from Sam Nunn Boulevard where major retailers and services are located. Perimeter Road is classified as a major collector street.
10. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.** There is no evidence that existing public facilities could not support the types of development allowed in the C-2 district. The Houston County Board of Education has been notified of the special exception application. We are awaiting their comments.
11. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.** The planned "St. Patrick's Drive Extension" will connect to Perimeter Road just west of the subject property will open up undeveloped lands, which because of their proximity to Interstate 75, will likely be developed as commercial, light industrial, and/or multi-family residential uses.

**STAFF RECOMMENDATION:** Staff recommends approval of this application to rezone the property to R-3, Multi-family Residential District.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the application, based on Staff's report.

  
 Eric Z. Edwards, Chairman, Planning Commission

  
 Date



Where Georgia comes together.

Bryan Wood <bryan.wood@perry-ga.gov>

## Chad Bryant has shared a file with you using Dropbox

1 message

Chad Bryant, P.E. <chad@bryantengllc.com>

Fri, Aug 7, 2020 at 8:03 AM

To: Bryan Wood <bryan.wood@perry-ga.gov>

Cc: Derek Foster <dfoster@thesummitgroupmacon.com>, King Kemper <kkemper@thesummitgroupmacon.com>

Bryan,

Attached is the conceptual site plan for the multi-family site on Perimeter Road. As stated before, we would like to amend the zoning request to R-3 with a conditional use for multi-family apartments. Planned density would not exceed 250 units. Please let me know if you have any additional questions. Hope you have a great weekend

Thanks!

Hi,

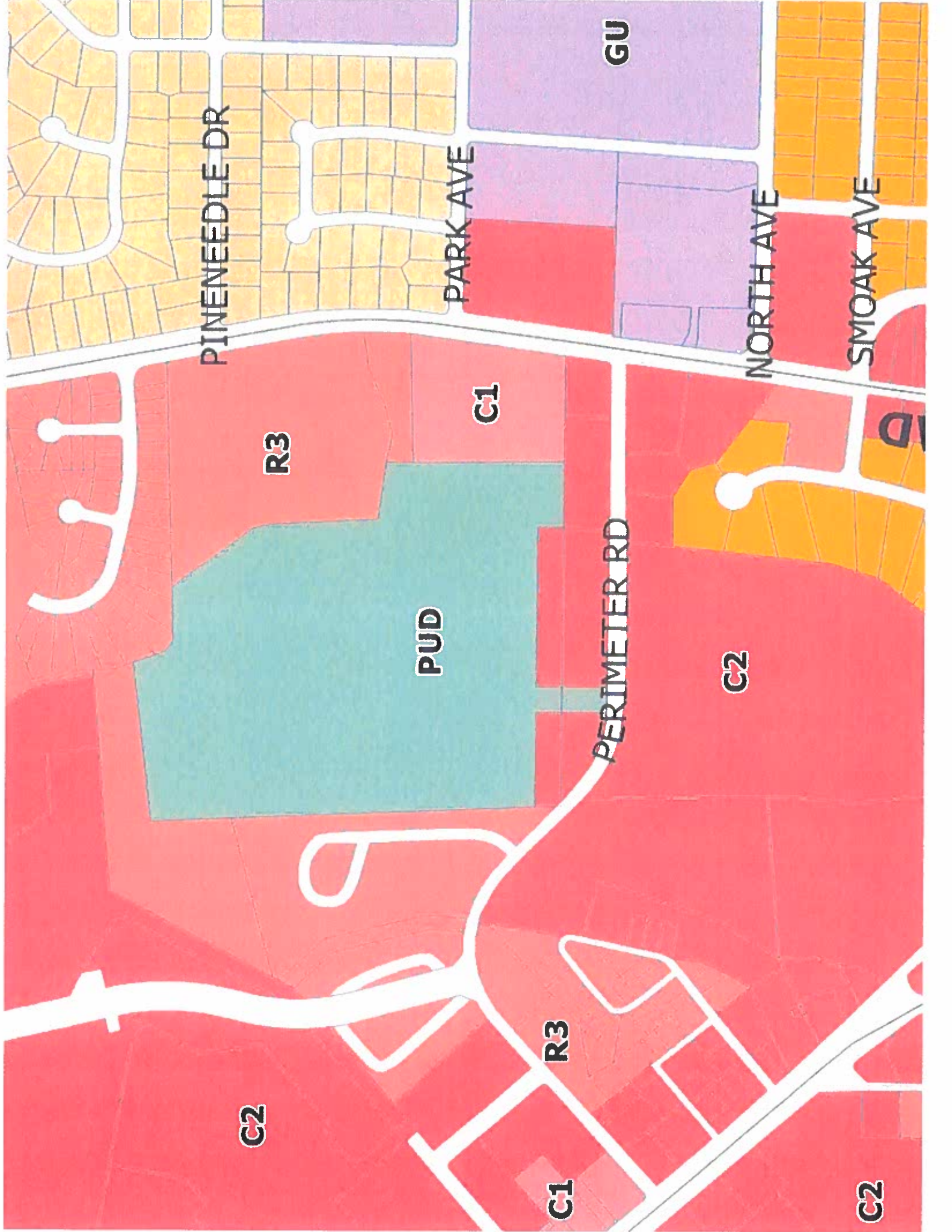
Here's a link to "Multifamily Sites-Layout1.pdf" in my Dropbox:

<https://www.dropbox.com/s/bzzh9xwx35dk3c1/Multifamily%20Sites-Layout1.pdf?dl=0>

Chad R. Bryant, P.E.  
906 Ball Street  
Perry, GA 31069  
478-224-7070

 Multifamily Sites-Layout1.pdf  
568K





PINENEEDLE DR

PARK AVE

NORTH AVE

SMOAK AVE

GU

R3

C1

PUD

C2

PERIMETER RD

C2

R3

C1

C2



Where Georgia comes together.

Application # RZNE 82-2020

**Application for Rezoning**

Contact Community Development (478) 988-2720

Applicant/Owner Information

\*Indicates Required Field

	Applicant	Property Owner
*Name	Chad Bryant, Bryant Engineering	Sean Rollins, S+B Properties, LLC
*Title	President	Owner
*Address	906 Ball St. Perry, GA 31069	810 Corder Road Wk 31088
*Phone	478-224-7070	478-256-3419
*Email	Chad@bryantengllc.com	sean@rcicollision.com

Property Information

*Street Address or Location	100 Ashley Drive
*Tax Map #(s)	DP0390004000 and OP0390 017000
*Legal Description	A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available; B. Provide a survey plat of the property and/or a proposed site plan, C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.

Request

*Current Zoning District	POD	*Proposed Zoning District	LT R-3
*Please describe the existing and proposed use of the property			
Current:	undeveloped	proposed:	multi family use

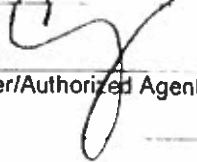
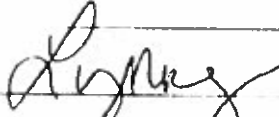
per 8/7/20 email

Instructions

- 1 The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule
- 2 Fees
  - a Residential - \$135.00 plus \$15.00/acre (maximum \$1,600.00)
  - b Planned Development - \$155.00 plus \$15.00/acre (maximum \$2,800.00)
  - c Commercial/Industrial - \$235.00 plus \$22.00/acre (maximum \$3,000.00)
- 3 The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the application meets the tests for granting the rezoning) See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards
- 4 The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda
- 5 Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
- 6 An application for rezoning affecting the same parcel shall not be submitted more often than once every six months
- 7 The applicant must be present at the hearings to present the application and answer questions that may arise
- 8 Campaign Notice required by O.C.G.A. Section 36-67A-3. Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No \_\_\_  
If yes, please complete and submit the attached Disclosure Form

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

10 Signatures

*Applicant		*Date	6/15/20
*Property Owner/Authorized Agent		*Date	6/15/20

**Standards for Granting a Rezoning**

1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?
2. Describe the existing land uses and zoning classifications of surrounding properties
3. Describe the suitability of the subject property for use as currently zoned.
4. Describe the extent to which the value of the subject property is diminished by the current zoning designation
5. Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public
6. Describe the relative gain to the public compared to any hardship imposed on the property owner.
7. Describe how the subject property has no reasonable economic use as currently zoned
8. How long has the subject property been vacant as currently zoned, considering development in the vicinity?
9. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties
10. Describe why the proposed zoning district will not adversely impact the use of surrounding properties
11. Describe how the proposed zoning district is consistent with the Comprehensive Plan.
12. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services
13. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.

Revised 7/18/19

For Office Use (receipt code 204 1)

*Return 8/15 for 8/12*

Date received 6/15/20	Fee paid 6/16/20	Date deemed complete 6/16/20	Public Notice Sign 6/16/20	Legal Ad place to north	County Notification n/c
Notice to Applicant	Routed to PC	Date of PC 7/15/20	Date of Public Hearing 8/11/20	Date of Council action 8/11/20	Notice of action

8/10/20

9/1/20

9/15/20





Chad R. Bryant, P.E.  
President-Perry

Jennie S. Barfield, P.E.  
Forsyth Branch Manager

Casey Graham, P.E.  
Perry Branch Manager

June 15, 2020

Mr. Bryan Wood  
Community Development Director  
City of Perry  
741 Main Street  
Perry, GA 31069  
478-988-2720  
[bryan.wood@perry-ga.gov](mailto:bryan.wood@perry-ga.gov)

**Subject: Application for Rezoning  
Perimeter Road/Ashley Drive  
0665-007**

Dear Mr. Wood,

Please see attached application and plat for rezoning for 41.04 acres located at 100 Ashley Drive. Below is the Standards for Granting a Rezoning (Page 2 of application).

1. No Covenants are currently in place.
2. Property is currently undeveloped. Property surrounding is multi-family housing.
3. The property has historically remained undeveloped. However, due to the proximity to dense commercial district and surrounding developments, this property has become prime area for a commercial and multi-family development. The property has been previously rezoned to City of Perry PUD with approximately 120 units planned.
4. The property is impacted by a large wetland system to the east. This greatly reduces the density allowed on this tract. A higher density development on uplands is needed. The overall density calculation would be spread across the entire tract.
5. The rezoning will provide like kind development directly across the street and adjoining properties. The property is surrounded by Commercial properties to the South and Multi-family to the east, north, and west.
6. The property is impacted by a large wetland system and floodplain to the east. This greatly reduces the density allowed on this tract. A higher density development on uplands is needed. The overall density calculation would be spread across the entire tract. By developing this property with a higher density on upland areas, it provides the ability to preserve the wetlands and floodplain that may otherwise require impact to these areas as allowed by law. Mitigation would be required, however, these impacts are allowed if permitted.





Chad R. Bryant, P.E.  
President-Perry

Jennie S. Barfield, P.E.  
Forsyth Branch Manager

Casey Graham, P.E.  
Perry Branch Manager

7. The value of the property has increase from its original PUD zoning in nearly 15 years ago. The property has remained undeveloped since it was approved. The current proposed zoning and land use does not work economically for development.
8. The property has remained undeveloped even though the property was rezoned to PUD and an approved set of construction plans have been completed.
9. The proposed zoning is consistent with adjoining properties along Perimeter Road. It is bordered to the south by Commercial, to the west, north and east by multi-family properties.
10. The proposed zoning is consistent with adjoining properties along Perimeter Road. Due to the wetland systems, approximately half the property is not developable. This creates a need to put a higher density development on the upland areas. The actual density will be greatly reduced when you consider the entire tract as a whole. The property is bordered by a large wetland system that will buffer the project from neighboring tracts to the east and north.
11. Adjoining properties along Perimeter Road are zoned for commercial and multi-family.
12. The subject property has access to City Sewer. The property is accessible off of Perimeter Road. Traffic counts are low so there will not be an overburden on transportation infrastructure.
13. The proposed development we believe will provide a better transition than the current zoning and will have a softer impact to neighboring properties.

We would like to be placed on the next available agenda for the Perry Planning Commission. Please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad R. Bryant'.

Chad Bryant, P.E.  
President  
Bryant Engineering



**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS** that the zoning is changed from City of Perry M-1, Wholesale and Light Industrial District, to City of Perry C-1, Highway Commercial District, and the city's zoning map is amended accordingly relative to property of McPhail Associates, LLLP and Celeste S. Johnston, described as follows:

All that tract or parcel of land situate, lying and being in Land Lots 44 and 53 of the Tenth Land District Houston County, Georgia, and being more particularly shown and designated as Tract 1 containing 6.39 acres and Tract 3 containing 4.40 acres as is more particularly described on a Plat of Survey for McPhail Associates, LLLP & Celeste S. Johnston dated December 13, 2017, last revised December 19, 2017, prepared by Shawn Bean, GRLS No. 3331, and of record in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Clerk's Office, Houston Superior Court.

**SO ENACTED this 15th day of September, 2020.**

**CITY OF PERRY, GEORGIA**

BY: \_\_\_\_\_  
RANDALL WALKER, Mayor

ATTEST: \_\_\_\_\_  
ANNIE WARREN, City Clerk

1st Reading: September 1, 2020  
2nd Reading: September 15, 2020



Where Georgia comes together.

## **STAFF REPORT**

August 6, 2020

**CASE NUMBER:** RZNE-93-2020  
**APPLICANT:** Robert T. Tuggle, III for McPhail Associates LLLP and Celeste S. Johnson  
**REQUEST:** Rezone from M-1, Wholesale and Light Industrial District, to C-1, Highway Commercial District  
**LOCATION:** Perry Parkway at Interstate 75; Tax Map No. 0P38A0 011000

### **ADJACENT ZONING/LANDUSES:**

**Subject Parcel:** M-1, Wholesale and Light Industrial District; undeveloped  
**North:** RAG, Residential Agricultural District (County); undeveloped  
**South:** M-1; Gas Station and Truck Stop  
**East:** M-1, undeveloped  
**West:** M-2, General Industrial District; Guardian Centers

**BACKGROUND INFORMATION:** The applicant requests the subject property be rezoned from M-1 to C-1. The applicant has a pending contract to sale a ~4-acre portion of the property for development of an RV park (the "leg" that extends to the southeast of the main body of the property). There are no current plans for the remainder of the property.

### **STANDARDS GOVERNING ZONE CHANGES:**

- 1. The suitability of the subject property for the zoned purposes.** The subject property is suitable for wholesale and light industrial development allowed per the current M-1 zoning classification
- 2. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** Property values are not diminished by the current zoning.
- 3. The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public.** There is no destruction of property value.
- 4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.** There is no hardship imposed on the property owner by the current zoning.
- 5. Whether the subject property has a reasonable economic use as currently zoned.** The property can be developed with wholesale and light industrial uses as currently zoned.
- 6. The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.** The properties have never been developed except for a private road providing access from Perry Parkway to a construction company located behind the property.

7. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** The property is located adjacent to an interchange on Interstate 75. Other than a gas station/truck stop located across Perry Parkway and a construction company located behind the property, the surroundings are undeveloped.
8. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** Uses allowed in the C-1 zoning district are intended to cater to the travelling public. Such uses should not have an adverse impact on existing uses or the usability of nearby properties.
9. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The 2017 Joint Comprehensive Plan Update identifies the subject property as 'Gateway Corridor' which recommends mixed-use and commercial developments be developed in "nodes" around major intersections. Within a C-1 Highway Commercial District, uses are restricted to those which are designed to serve the automobile, its passengers and highway users rather than individuals who use an automobile as a convenience to perform necessary daily and weekly personal needs. The district is intended to be restricted to State and Federal Highways which may also have other business districts located on them.
10. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.** Streets and transportation facilities in the vicinity are adequate to accommodate the development of commercial uses in the area. Utilities will need to be extended to the property. Commercial development should not have an impact on schools.
11. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.** The property is adjacent to an interstate interchange and located on a US route (US 341).

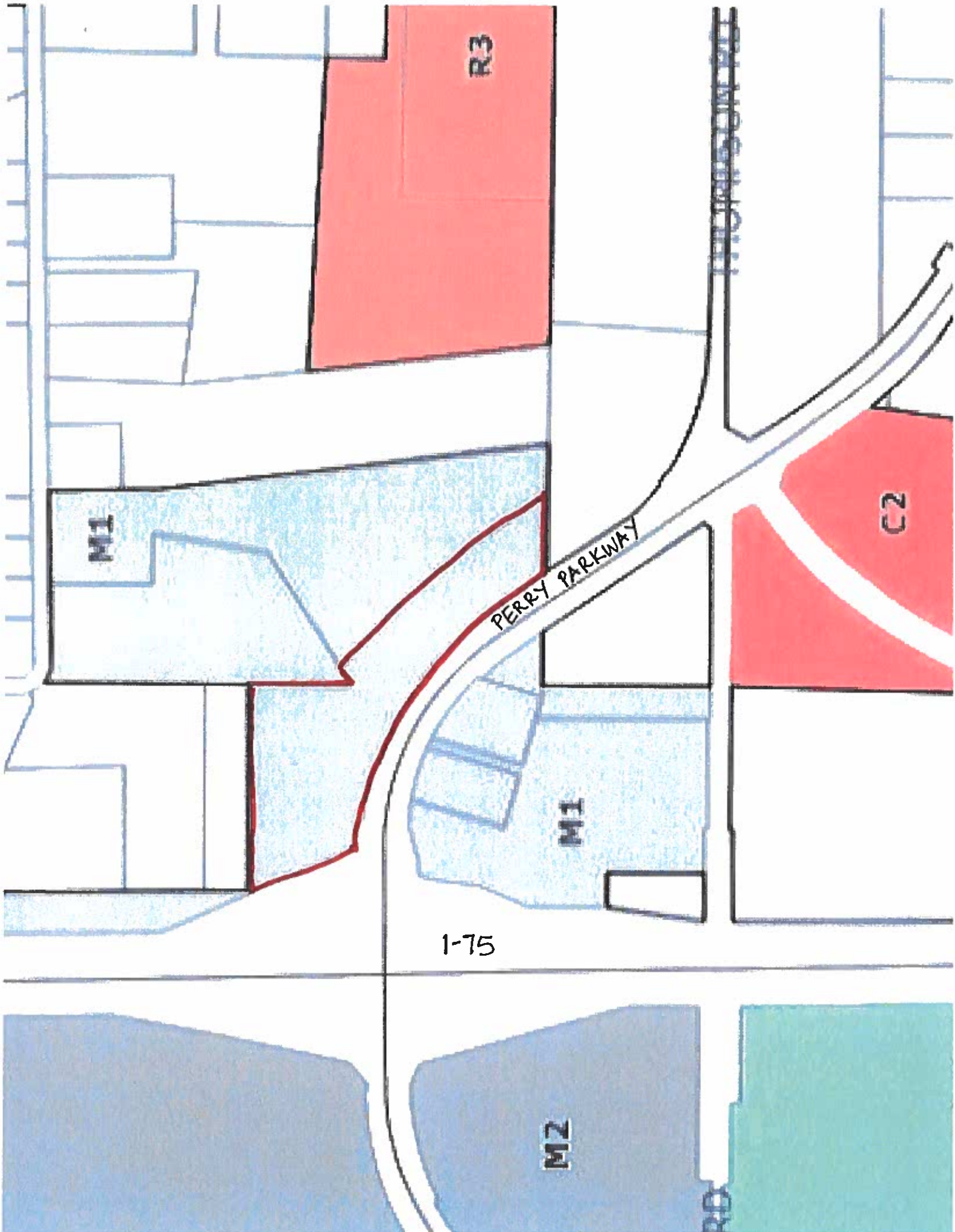
**STAFF RECOMMENDATION:** Staff believes the C-1 zoning classification is an appropriate designation of this property. Therefore, Staff recommends approval of the application to rezone to C-1, Highway Commercial District.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the application, based on Staff's report.

  
Eric Z. Edwards, Chairman, Planning Commission

8/11/20  
Date





R3

M1

PERRY PARKWAY

C2

I-75

M1

M2

MORRISVILLE RD

RD



Where Georgia comes together.

Application # RZNE 93-  
2020

**Application for Rezoning**  
Contact Community Development (478) 988-2720

**Applicant/Owner Information**

\*Indicates Required Field

	Applicant	Property Owner
*Name	Robert T. Tuggle, III	McPhail Associates, LLLP and
*Title	Attorney at Law	Celeste S. Johnson
*Address	PO Box 89, Perry, GA 31069	
*Phone	478-987-2622	
*Email	rtuggle@dltj.com	

**Property Information**

*Street Address or Location	Perry Parkway
*Tax Map #(s)	0P38A D 011000
*Legal Description	A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available; B. Provide a survey plat of the property and/or a proposed site plan; C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.

**Request**

*Current Zoning District	M-1	*Proposed Zoning District	C-1
*Please describe the existing and proposed use of the property The property is currently vacant. A portion of the property will be used as an RV Park for seniors only.			

**Instructions**

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
- Fees:
  - Residential - \$130.00 plus \$15.00/acre (maximum \$1,550.00)
  - Planned Development - \$150.00 plus \$15.00/acre (maximum \$2,700.00)
  - Commercial/Industrial - \$230.00 plus \$22.00/acre (maximum \$2,900.00)
- The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the application meets the tests for granting the rezoning). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
- An application for rezoning affecting the same parcel shall not be submitted more often than once every six months.
- The applicant must be present at the hearings to present the application and answer questions that may arise.
- Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_\_\_ No    
If yes, please complete and submit the attached Disclosure Form.



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

10. Signatures:

*Applicant <i>[Signature]</i>	*Date 6/29/20
*Property Owner/Authorized Agent <i>[Signature]</i>	*Date 6-26-20

**Standards for Granting a Rezoning**

- Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? **No.**
- Describe the existing land uses and zoning classifications of surrounding properties.  
**The surrounding property is vacant.**
- Describe the suitability of the subject property for use as currently zoned.  
**The current zoning does not allow a travel trailer park.**
- Describe the extent to which the value of the subject property is diminished by the current zoning designation.
- Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public.
- Describe the relative gain to the public compared to any hardship imposed on the property owner.
- Describe how the subject property has no reasonable economic use as currently zoned.  
**The C-1 zoning is better suited for the development of Perry Pkwy**
- How long has the subject property been vacant as currently zoned, considering development in the vicinity? **33 years**
- Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.  
**See Attachment "A"**
- Describe why the proposed zoning district will not adversely impact the use of surrounding properties.  
**The surrounding property is vacant.**
- Describe how the proposed zoning district is consistent with the Comprehensive Plan.  
**C-1 is the only zoning in the City that allows a travel trailer park**
- Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.  
**See attachment "A"**
- Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.

Revised 1/10/2018

For Office Use (receipt code 204.1)

Date received 7/2/20	Fee paid 7/2/20	Date deemed complete 7/2/20	Public Notice Sign by 7/24/20	Local Ad placed <i>[initials]</i>	County Notification n/a
Notice to Applicant	Routed to PC	Date of PC 8/10/20	Date of Public Hearing 8/11/20	Date of Council action 9/15/20	Notice of action

8/15 run 8/12

ATTACHMENT "A" TO  
APPLICATION FOR REZONING

**Standards for Granting a Rezoning**

9. Describe how uses permitted in the proposed zoning district are compatible with the uses and develop or surrounding properties.

The area is designated as a gateway corridor area under the Comprehensive plan. The uses allowed under C-1 zoning are consistent with the Gateway Corridor and are oriented toward highway travelers.

12. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.

The current roads in this area are adequate to handle traffic anticipated by the uses allowed under C-1 zoning. The C-1 zoning will not create any impact on any area schools.

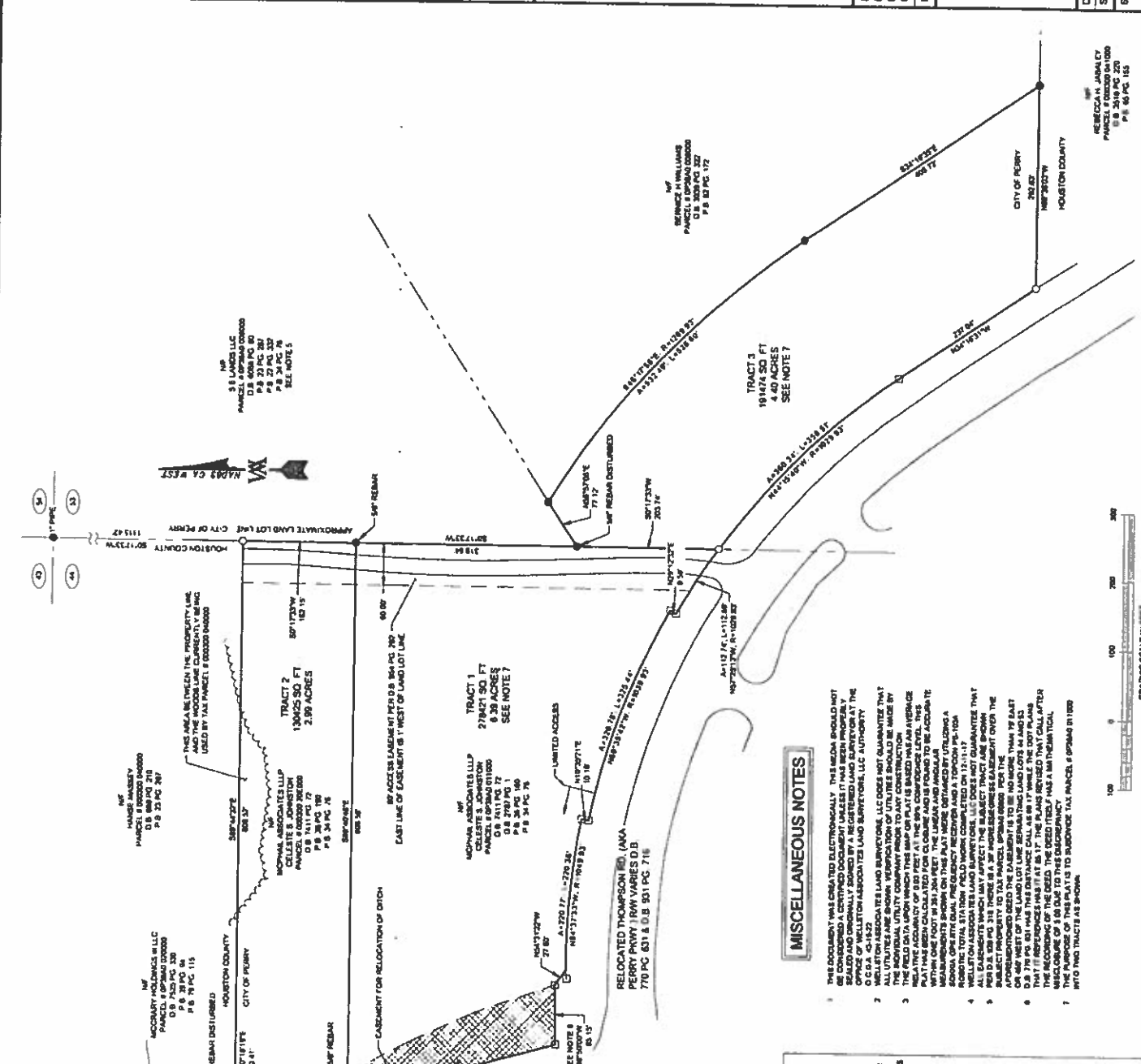
DATE: 12/13/17  
 SCALE: 1"=100'  
 SHEET NO: 1

PROJECT NO: 1031-477  
 DRAWING NO: B05  
 DRAWN BY: W.S.B.  
 CHECKED BY: S.H.J.  
 P.L.S. NO: 3331

BOUNDARY SURVEY  
 FOR  
 MCPHAIL ASSOCIATES LLP &  
 CELESTE S. JOHNSTON  
 10TH LAND DISTRICT  
 HOUSTON COUNTY, GEORGIA

WELSTON ASSOCIATES  
 LAND SURVEYORS, LLC  
 306 DEKLEIN BOULEVARD, SUITE 2  
 OFFICE (478) 911-3182  
 WWW.WELSTONASSOCIATES.COM

NO.	DATE	DESCRIPTION
1	12-13-17	ADDED HATCH TO TITLE BLOCK



**MISCELLANEOUS NOTES**

1. THIS DOCUMENT WAS CREATED ELECTRONICALLY. THIS MEAN SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT HAS BEEN SIGNED, SEALED AND ORIGINALLY SIGNED BY A REGISTERED LAND SURVEYOR AT THE OFFICE OF THE SURVEYOR GENERAL OF THE STATE OF GEORGIA.
2. MCELTON ASSOCIATES LAND SURVEYORS, LLC DOES NOT GUARANTEE THAT ALL UTILITIES SHOWN REPRESENTATION OF UTILITIES SHOULD BE MADE BY THE FIELD DATA WHICH THIS MAP IS BASED UPON. THE USER OF THIS MAP SHOULD BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
3. THE FIELD DATA WHICH THIS MAP IS BASED UPON WAS OBTAINED BY MEASUREMENTS SHOWN ON THIS PLAN WERE OBTAINED BY UTILIZING A TOTAL STATION, PRECISION RECEIVER AND A TOPCON PS-102A TOTAL STATION. THE PRECISION RECEIVER WAS CALIBRATED ON 12/11/17.
4. MCELTON ASSOCIATES LAND SURVEYORS, LLC DOES NOT GUARANTEE THAT ALL EASEMENTS WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN ON THIS PLAN. THERE IS A 30' WIDE EASEMENT OVER THE SUBJECT TRACT WHICH DEED THE EASEMENT IS TO BE NO MORE THAN 75' EAST OR 50' WEST OF THE LOT LINE SEPARATING LAND LOTS 4 AND 13.
5. THE USER OF THIS MAP SHOULD BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
6. THE USER OF THIS MAP SHOULD BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
7. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE TAX PARCEL 8 03848 01100 INTO TWO TRACTS AS SHOWN.

**CERTIFICATION**

AS REQUIRED BY SUBSECTION (b) OF O.G.A. SECTION 15-6-87 THIS PLAN HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY THE SIGNATURE AND SEAL OF THE SURVEYOR. THE SURVEYOR HAS HEREOF, SUCH APPROVALS ON APPLICABLE LOCAL JURISDICTIONS WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAN AS TO INTERFERED USE OF ANY PARCEL.

THE SURVEYOR HAS HEREOF, SUCH APPROVALS ON APPLICABLE LOCAL JURISDICTIONS WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAN AS TO INTERFERED USE OF ANY PARCEL.

REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR LAND SURVEYORS AND LAND SURVEYORS AND AS SET FORTH IN O.G.A. SECTION 15-6-87.

W.S.B.  
 W.S.B. GORENSTEIN  
 LAND SURVEYOR

THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAN OR PLAN FOR PLANS (OR THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THAT APPROVAL IS NOT REQUIRED)



- LEGEND OF SYMBOLS**
- IRON PIN FOUND/UT REBAR UNLESS NOTED
  - IRON PIN SET/UT REBAR (WCA/P)
  - CONCRETE MONUMENT FOUND
  - PROPERTY LINE
  - WOODS LINE
  - LAND LOT NUMBER

THIS BLOCK RESERVED FOR THE CURVE OF THE SUBSEQUENT

**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS** that the zoning is changed from Houston County RAG, Residential-Agricultural District, to City of Perry C-1, Highway Commercial District, and the city's zoning map is amended accordingly relative to property of McPhail Associates, LLLP and Celeste S. Johnston, described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 44 of the Tenth Land District Houston County, Georgia, and being more particularly shown and designated as Tract 2 containing 2.99 acres as is more particularly described on a Plat of Survey for McPhail Associates, LLLP & Celeste S. Johnston dated December 13, 2017, last revised December 19, 2017, prepared by Shawn Bean, GRLS No. 3331, and of record in Plat Book \_\_\_\_, Page \_\_\_\_, Clerk's Office, Houston Superior Court.

**SO ENACTED** this 15th day of September, 2020.

**CITY OF PERRY, GEORGIA**

BY: \_\_\_\_\_  
RANDALL WALKER, Mayor

ATTEST: \_\_\_\_\_  
ANNIE WARREN, City Clerk

1st Reading: September 1, 2020  
2nd Reading: September 15, 2020

**ORDINANCE**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS as follows:**

**WHEREAS**, proper application to annex property to the City of Perry, Georgia has been made by Robert T. Tuggle, III, on behalf of McPhail Associates, LLLP and Celeste S. Johnston, the owners of the land hereinafter described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 44 of the Tenth Land District Houston County, Georgia, and being more particularly shown and designated as Tract 2 containing 2.99 acres as is more particularly described on a Plat of Survey for McPhail Associates, LLLP & Celeste S. Johnston dated December 13, 2017, last revised December 19, 2017, prepared by Shawn Bean, GRLS No. 3331, and of record in Plat Book \_\_\_\_, Page \_\_\_\_, Clerk’s Office, Houston Superior Court.

**NOW THEREFORE**, pursuant to the act of the General Assembly of the State of Georgia 1962, Page 119; 1969, Page 504 the following described property is annexed to the City of Perry and the precinct boundary is changed accordingly.

This annexation shall become effective for ad valorem tax purposes on December 31, 2020, and for all other purposes shall become effective on October 1<sup>st</sup>, 2020.

**SO ENACTED this 15<sup>th</sup> day of September, 2020.**

**CITY OF PERRY, GEORGIA**

(SEAL) BY: \_\_\_\_\_  
RANDALL WALKER, MAYOR

ATTEST: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK

1<sup>st</sup> Reading: September 1, 2020  
2nd Reading: September 15, 2020



Where Georgia comes together.

## **STAFF REPORT**

August 6, 2020

**CASE NUMBER:** ANNX-94-2020  
**APPLICANT:** Robert T. Tuggle, III for McPhail Associates LLLP and Celeste S. Johnson  
**REQUEST:** Annexation and Rezone from RAG (County) to C-1 (City)  
**LOCATION:** Perry Parkway at Interstate 75; Tax Map No. 000300 20E000

### **ADJACENT ZONING/LANDUSES:**

**Subject Parcel:** RAG, Residential Agricultural District (County); undeveloped  
**North:** C-1, Neighborhood Service Commercial District (County); construction company  
**South:** M-1; undeveloped (subject of rezone application RZNE-93-2020)  
**East:** M-1, undeveloped  
**West:** M-2, General Industrial District; Guardian Centers

**BACKGROUND INFORMATION:** The subject 3-acre parcel is owned by the entities which own the adjacent property to the south. The owner's intent is to have both properties in the City with the same zoning classification for marketing purposes.

### **STANDARDS FOR ESTABLISHING A ZONING CLASSIFICATION:**

- 1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?** The applicant indicates there are no covenants or restrictions pertaining to the property which would preclude uses allowed in the C-1 zoning district.
- 2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.** Uses allowed in the C-1 zoning district are intended to serve the travelling public. The subject property is adjacent to an interchange on Interstate 75.
- 3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.** The property is located adjacent to an interchange on Interstate 75. Other than a gas station/truck stop located across Perry Parkway and a construction company located behind the property, the surroundings are undeveloped.
- 4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.** The 2017 Joint Comprehensive Plan Update identifies the subject property as 'Gateway Corridor' which recommends mixed-use and commercial developments be developed in "nodes" around major intersections.
- 5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.** Streets and transportation facilities in the vicinity are adequate to accommodate the development of commercial uses in the area. Utilities will need to be extended to the property. Commercial development should not have an impact on schools.

6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district. The property is adjacent to Interstate 75 and located near US 341.

**STAFF RECOMMENDATION:** Staff recommends approval of the application to annex and rezone to C-1, Highway Commercial District.

**PLANNING COMMISSION RECOMMENDATION:** The Planning Commission recommends approval of the application, based on Staff's report.

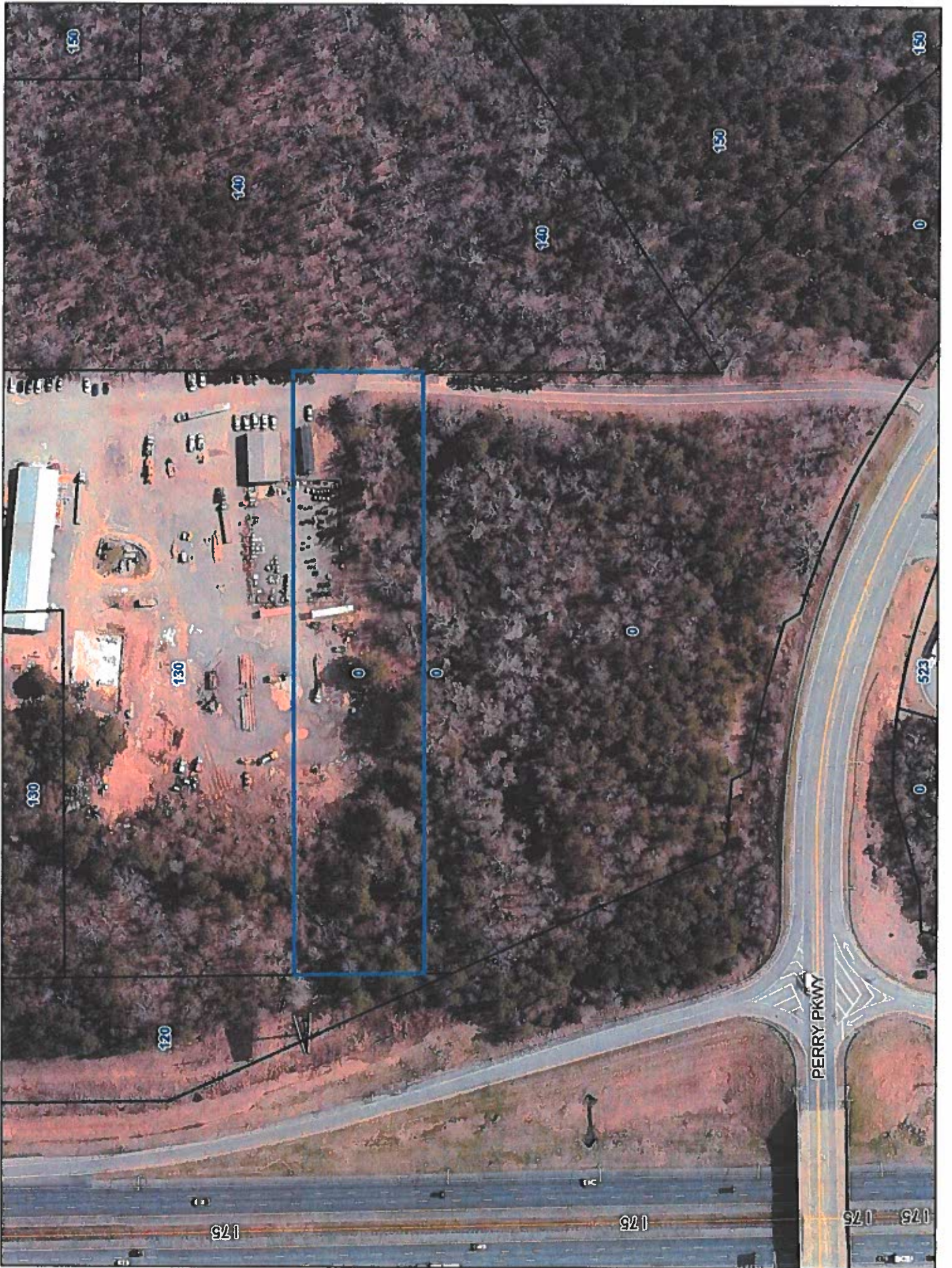


8/11/20

---

Eric Z. Edwards, Chairman, Planning Commission

Date







Where Georgia comes together.

**Application for Annexation**  
 Contact Community Development (478) 988-2720

Application # Annex#94-  
2026

**Applicant/Owner Information**

\*Indicates Required Field

	Applicant	Property Owner
*Name	Robert T. Tuggle, III	McPhail Associates, LLLP and
*Title	Attorney at Law	Celeste S. Johnston
*Address	PQ Box 89 Perry, GA 31069	
*Phone	478-987-2622	
*Email	rtuggle@dltj.com	

**Property Information**

*Street Address or Location	Perry Parkway
*Tax Map #(s)	000300 20E000
*Legal Description	
A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available;	
B. Provide a survey plat of the property and/or a proposed site plan;	
C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.	

**Request**

*Current County Zoning District	RAG	*Proposed City Zoning District	C-1
*Please describe the existing and proposed use of the property			
The property is a vacant parcel and will continue to be vacant after annexation.			

**Instructions**

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
- Fees:
  - Residential - \$135.00 plus \$15.00/acre (maximum \$1,600.00)
  - Planned Development - \$155.00 plus \$15.00/acre (maximum \$2,800.00)
  - Commercial/Industrial - \$235.00 plus \$22.00/acre (maximum \$3,000.00)
- The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the requested zoning classification meets these standards). See Sections 2-2 and 2-3.1 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
- Annexation applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
- The applicant must be present at the hearings to present the application and answer questions that may arise.
- Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No x  
 If yes, please complete and submit the attached Disclosure Form.

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

9. Signatures:

*Applicant <i>[Signature]</i>	*Date <i>6/29/20</i>
*Property Owner/Authorized Agent <i>[Signature]</i>	*Date <i>6-26-20</i>

**Standards for Granting a Zoning Classification**

- Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?  
No
- Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties. The C-1 zoning would be compatible with the other uses along the Perry Bypass.
- Describe why the proposed zoning district will not adversely impact the use of surrounding properties. It will have no negative impact on surrounding property because the
- Describe how the proposed zoning district is consistent with the Comprehensive Plan. other property is vacant.
- Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.  
See Attachment "A"
- Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.  
See Attachment "A"

7/2019

For Office Use (receipt code 204.1)

Date received <i>7/2/20</i>	Fee paid <i>7/2/20</i>	Date deemed complete <i>7/2/20</i>	Public Notice Sign <i>1047/24/20</i>	Legal Ad <i>8/5 runs/12</i>	County Notification <i>Sent 7/2/20</i>
Notice to Applicant	Routed to PC	Date of PC <i>8/10/20</i>	Date of Public Hearing <i>9/1/20</i>	Date of Council action <i>9/15/20</i>	Notice of action

**ATTACHMENT "A" TO  
APPLICATION FOR ANNEXATION**

**Standards for Granting a Zoning Classification**

4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.

The area is designated as a gateway corridor area under the Comprehensive plan. The uses allowed under C-1 zoning are consistent with the Gateway Corridor and are oriented toward highway travelers.

5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.

The current roads in this area are adequate to handle traffic anticipated by the uses allowed under C-1 zoning. The C-1 zoning will not create any impact on any area schools.

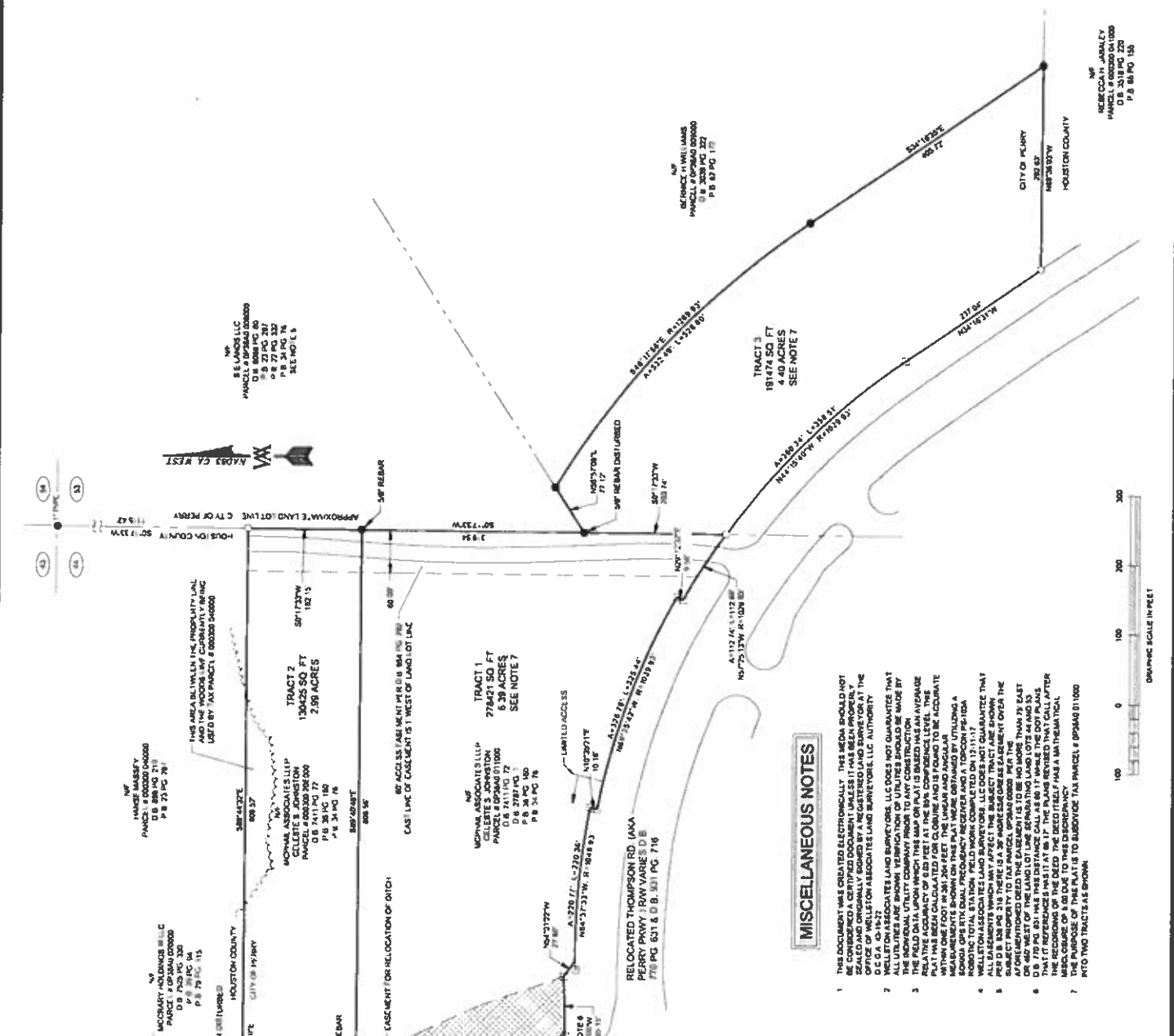
No.	Date	Description
1	12-18-17	ADDED MAKE TO TITLE BLOCK

WELLSTON ASSOCIATES, LLC  
 LAND SURVEYORS, L.L.C.  
 56 OSKAN ROSS LEXMID, SUITE 2  
 WARRNER ROBINS, GEORGIA 30260  
 OFFICE (478) 971-2182  
 WWW.WELLSTONASSOC.COM

BOUNDARY SURVEY  
 FOR  
 MCPHAL ASSOCIATES LLP &  
 CELESTE S. JOHNSTON  
 10TH LAND DISTRICT  
 PERRY  
 HOUSTON COUNTY  
 LAND LOTS 44 & 53  
 GEORGIA

Project No 1031-477  
 Drawing No 605  
 Drawn By WSB  
 Checked By S.H.J.  
 R.L.S. No 3301

Date 12-13-17  
 Scale 1" = 100'  
 Sheet No 1 of 1



THIS AREA WITHIN THE PROPERTY LINES IS NOT BEING SURVEYED AND IS NOT TO BE USED BY TAX PARCEL # 0200203 040000

THIS BLOCK RESERVED FOR THE CLEPUS-CITE SUPERFUND SITE

TRACT 1  
 771.50 FT  
 6.29 ACRES  
 SEE NOTE 7

TRACT 2  
 130425 SQ FT  
 2.99 ACRES

TRACT 3  
 191474 SQ FT  
 4.40 ACRES  
 SEE NOTE 7

MISCELLANEOUS NOTES

- THIS DOCUMENT WAS CREATED ELECTRONICALLY. THIS MEAN SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS IT HAS BEEN PROPERLY SEALED AND ORIGINALLY SIGNED BY A REGISTERED LAND SURVEYOR AT THE TIME OF RECORDATION.
- THIS SURVEY WAS CONDUCTED FOR HOUSTON COUNTY SURVEYORS, L.L.C. AUTHORITY O.C.G.A. § 40-10-27.
- THE SURVEY DATA SHOWN VERIFICATION OF UTILITIES SHOULD BE MADE BY THE SURVEYOR UPON WHICH THIS MAP IS PLACED AS AN AVERAGE. THE FIELD DATA UPON WHICH THIS MAP IS PLACED WAS OBTAINED BY MEASUREMENTS MADE WITHIN ONE FOOT IN 300 FEET. THE LINEAR AND ANGULAR MEASUREMENTS SHOWN ON THIS PLAT WERE OBTAINED BY UTILIZING A MODERN TOTAL STATION PROCESSION RECEIVER AND A TOPCON PRISMATA 2000.
- WELLSTON ASSOCIATES LAND SURVEYORS, L.L.C. DOES NOT GUARANTEE THAT ALL DEFECTS WHICH MAY AFFECT THE SUBJECT TRACT ARE SHOWN.
- THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SUBJECT PROPERTY TO THE PLAT PARCEL, SPONSOR RECORD FOR THE SURVEY.
- ON UNMOUNTED DEED THE EASEMENT IS TO BE NO MORE THAN 79' EAST OF THE EAST LINE OF THE PLAT PARCEL AND NO MORE THAN 10' SOUTH OF THE EAST LINE OF THE PLAT PARCEL.
- THE RECORDING OF THIS DEED IS TO BE WITHIN THE PLAT PARCEL. THE RECORDING OF THIS DEED IS TO BE WITHIN THE PLAT PARCEL.
- THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE TAX PARCEL # 020040 01000 INTO TWO TRACTS AS SHOWN.

**CERTIFICATION**

AS REQUIRED BY SUBSECTION (D) OF O.C.G.A. SECTION 15-6-87, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVED SIGNATURES AND AFFIRMATIONS. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONSIDERED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS INTENDED USE OF ANY PARCEL.

PLAT COMPLETES 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 LAND SURVEYORS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-87.

CELESTE S. JOHNSTON  
 LAND SURVEYOR  
 No. 3331  
 STATE OF GEORGIA

THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THIS MAP, PLAT, OR PLAT FOR PLANS (OR THE FOLLOWING GOVERNMENTAL BODIES HAVE APPROVED THAT APPROVALS IS NOT REQUIRED)

GRAPHIC SCALE IN FEET

0 100 200 300

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, CHAPTER 25, WATER, SEWERS, SEWAGE DISPOSAL, NATURAL GAS AND PRIVATE WATER WELLS; AMENDING SECTION 25-102, USE REQUIRED; REVISING SUBSECTION (D) TO CLARIFY CONNECTION REQUIRED TO A LINE OR SYSTEM OF PUBLIC SANITARY SEWER; TO PROVIDE FOR SEVERABILITY; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HERewith; AND FOR OTHER PURPOSES**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Perry Code is amended as follows:**

1.

By amending Section 25-102 (d) to read as follows:

(d) The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes within the corporate limits of the city where such property is located within two hundred (200) feet of a public sanitary sewer system now in existence or hereafter constructed to which such house, building or property may be connected so that sewage will flow therefrom and into such sewer system by gravity, is hereby required at his own expense to install suitable toilet facilities therein and to connect such facilities directly with said system of public sanitary sewer in accordance with the provisions of this article within sixty (60) days after date of official notice so to do. However, if in the sole and absolute discretion of the mayor and council, the city does not require connection by an owner and does not so notify an owner requiring a connection, nevertheless, such owner shall pay to the city the minimum sewer charge as determined by the city.

**BE IT FURTHER ORDAINED** that all ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed; and that should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the municipal governing authority.

**SO ENACTED this 15<sup>th</sup> day of September, 2020.**

**CITY OF PERRY, GEORGIA**

By: \_\_\_\_\_  
Randall Walker, Mayor

Attest: \_\_\_\_\_  
Annie Warren, City Clerk

1<sup>st</sup> Reading: September 1, 2020

2<sup>nd</sup> Reading: September 15, 2020

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, CHAPTER 20, PARKS AND RECREATION; REPEALING ARTICLE II, RECREATION COMMISSION; REPEALING ARTICLE III, ROZAR PARK FISHING PONDS; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Perry Code is amended as follows:**

1.

The Code of Ordinances is hereby amended by repealing, in its entirety, Article II – Recreation Commission of Chapter 20. Sections 20-21 through 20-26 are hereby reserved.

2.

The Code of Ordinances is hereby further amended by repealing, in its entirety, Article III- Rozar Park Fishing Ponds of Chapter 20. Sections 20-31 through 20-44 are hereby reserved.

**BE IT FURTHER ORDAINED** that all ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed.

**SO ENACTED this 15<sup>th</sup> day of September, 2020.**

**CITY OF PERRY, GEORGIA**

By: \_\_\_\_\_  
Randall Walker, Mayor

Attest: \_\_\_\_\_  
Annie Warren, City Clerk

1<sup>st</sup> Reading: September 1, 2020

2<sup>nd</sup> Reading: September 15, 2020

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, CHAPTER 2, ADMINISTRATION; REPEALING DIVISION 3 OF ARTICLE V, TREE BOARD; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES**

**THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Perry Code is amended as follows:**

1.

The Code of Ordinances is hereby amended by repealing, in its entirety, Division 3 – Tree Board of Article V, Chapter 2. Sections 2-231 through 2-240 are hereby reserved.

**BE IT FURTHER ORDAINED** that all ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed.

**SO ENACTED this 6<sup>th</sup> day of October, 2020.**

**CITY OF PERRY, GEORGIA**

By: \_\_\_\_\_  
Randall Walker, Mayor

Attest: \_\_\_\_\_  
Annie Warren, City Clerk

1<sup>st</sup> Reading: September 15, 2020

2<sup>nd</sup> Reading: October 6, 2020

**A RESOLUTION ESTABLISHING GUIDELINES  
FOR PERMITTING SEPTIC TANK  
INSTALLATION IN THE CORPORATE  
LIMITS OF THE CITY**

**WHEREAS**, due to topography, land configuration or market demand a developer may desire to install septic tanks on individual lots; and

**WHEREAS**, City ordinances require connection to the City sewerage system;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PERRY** that its guidelines for permitting installation of septic tanks are as follow:

1. The lot (s) must be zoned R-1.
2. Each lot must be no less than the minimum square footage permitted by the current Houston County Board of Health regulations for a lot served by a permitted community water system.
3. Each lot must be served with a City of Perry water meter.
4. The lot (s) plat must indicate a City approved sewerage system access plan (i.e. easements, tank location, etc.).
5. A statement must run with the title advising the owner (s) it must connect to the City's sewerage system when it becomes available.

SO RESOLVED THIS \_\_\_\_\_ DAY OF SEPTEMBER 2020.

CITY OF PERRY

By: \_\_\_\_\_  
RANDALL WALKER, MAYOR

City Seal

Attest: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK



**A RESOLUTION TO AMEND  
THE CITY OF PERRY  
FEE SCHEDULE  
TO AMEND FOR RENTAL RATES**

**WHEREAS**, based on customer requests it would be advantageous to amend certain City facilities rental rates;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY HEREBY RESOLVES** that the City of Perry Fee Schedule is amended as follows:

Section 1 C. Miscellaneous Revenue, 1. Rental Income, a. James E. Worrall Community Center, 1. Community Room / Kitchen is amended as follow:

	From		To
Day			
1-4 hours	\$ 127.00/event/day	1-4 hours	\$ 127.00/event/day
5-8 hours	\$ 214.00/event/day	5-8 hours	\$ 214.00/event/day
9-12 hours	-	9-12 hours	\$ 300.00/event/day
13-16 hours	-	13-16 hours	\$ 400.00/event/day

Section 2 C. Miscellaneous Revenue, 1. Rental Income, d. Perry Arts Center, 3. Main Hall

1-4 hours	\$ 255.00/event/day	1-4 hours	\$ 255.00/event/day
5-8 hours	\$ 418.00/event/day	5-8 hours	\$ 418.00/event/day
9-12 hours	-	9-12 hours	\$ 570.00/event/day
13-16 hours	\$ 836.00/event/day	13-16 hours	\$ 836.00/very/day

SO RESOLVED THIS \_\_\_\_\_ DAY OF SEPTEMBER 2020.

CITY OF PERRY

By: \_\_\_\_\_  
RANDALL WALKER, MAYOR

City Seal

Attest: \_\_\_\_\_  
ANNIE WARREN, CITY CLERK

**RESOLUTION TO ACCEPT DONATION OF STORMWATER  
MANAGEMENT AREA PROPERTY FROM NEW HAVEN  
MAINTENANCE AND IMPROVEMENT ASSOCIATION, INC.**

**WHEREAS**, New Haven Maintenance and Improvement Association, Inc. has offered to donate parcels of land as listed below to the City of Perry, Georgia; and

**WHEREAS**, the stormwater management area properties accepted through this Resolution are as follows:

Owner of Property: New Haven Maintenance and Improvement Association, Inc.

Parcel Number: Portions of OP0660162000

Property: PARCEL D-1 – 0.696 acres; PARCEL D-2 – 0.376 acres; PARCEL D-3 – 0.841 acres; and PARCEL D-4 – 1.491 acres; and

**WHEREAS**, the legal descriptions for the Properties to be donated are as follows:

**PARCEL D-1**

All that tract or parcel of land situate, lying and being in Land Lot 144 of the Tenth Land District of the City of Perry, Houston County, Georgia, being known and designated as Parcel "D-1", comprising 0.696 acres, according to a plat of survey for the City of Perry prepared by Jones Surveying Company, certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated August 28, 2020, a copy of which is of record in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes; and

**PARCEL D-2**

All that tract or parcel of land situate, lying and being in Land Lots 144 & 145 of the Tenth Land District of the City of Perry, Houston County, Georgia, being known and designated as Parcel "D-2", comprising 0.376 acres, according to a plat of survey for the City of Perry prepared by Jones Surveying Company, certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated August 28, 2020, a copy of which is of record in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes; and

**PARCEL D-3**

All that tract or parcel of land situate, lying and being in Land Lot 145 of the Tenth Land District of the City of Perry, Houston County, Georgia, being known and designated as Parcel "D-3", comprising 0.841 acres, according to a plat of survey for the City of Perry prepared by Jones Surveying Company, certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated August 28, 2020, a copy of which is of record in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes; and

**PARCEL D-4**

All that tract or parcel of land situate, lying and being in Land Lot 145 of the Tenth Land District of the City of Perry, Houston County, Georgia, being known and designated as Parcel "D-4", comprising 1.491 acres, according to a plat of survey for the City of Perry prepared by Jones Surveying Company, certified by Lee R. Jones, Georgia Registered Land Surveyor No. 2680, dated August 28, 2020, a copy of which is of record in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

**WHEREAS**, the Mayor and Council of the City of Perry, Georgia desire that the donation of said Properties be accepted by the City;

**NOW THEREFORE, BE IT RESOLVED**, by Mayor and Council to accept the Properties listed above, subject to the following:

1. New Haven Maintenance and Improvement Association, Inc. being able to provide clear title to the Properties as shown by an examination of the title.
2. The City Attorney or her designee is directed, with respect to the Properties as described above, to issue receipt to the donor acknowledging the City's receipt of the donor's donation.

SO RESOLVED this \_\_\_\_\_ day of September, 2020.

**CITY OF PERRY, GEORGIA**

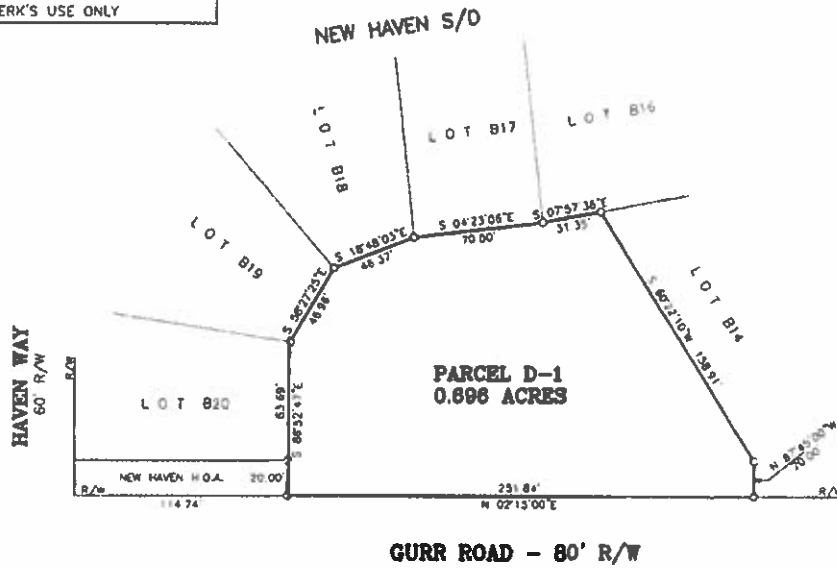
By: \_\_\_\_\_  
Randall Walker, Mayor

Attest: \_\_\_\_\_  
Annie Warren, City Clerk

JONES SURVEYING & ENGINEERING  
DO NOT GUARANTEE THAT ALL  
EASEMENTS WHICH MAY AFFECT  
THIS PROPERTY ARE SHOWN

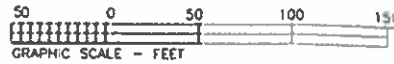


CLERK'S USE ONLY



APPROVED FOR RECORDING

*Perry*  
Community Development Department  
City of Perry, Georgia  
Date: 9/9/2020



**CERTIFICATION**

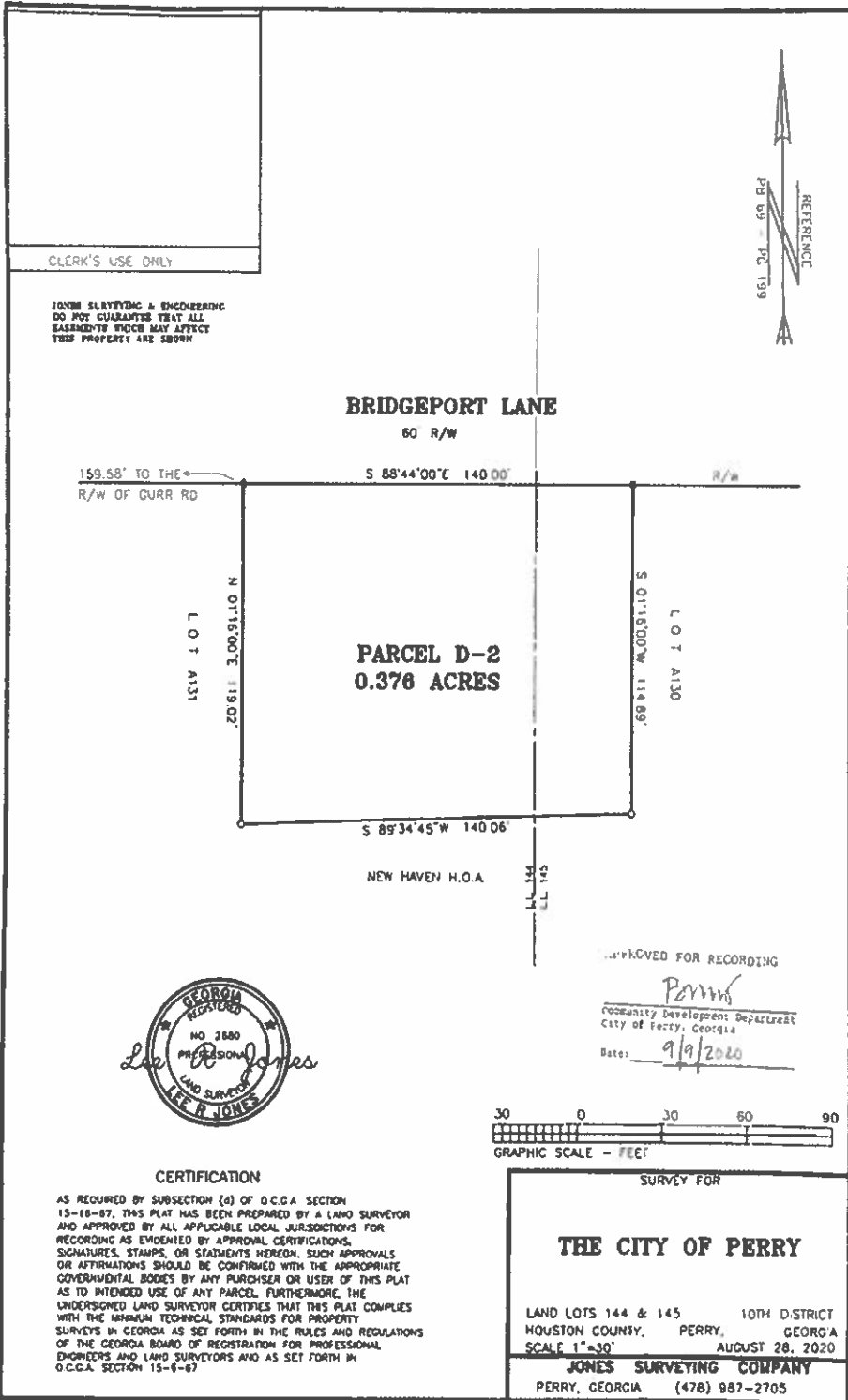
AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-16-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL, CERTIFICATIONS, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. 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.

SURVEY FOR

**THE CITY OF PERRY**

LAND LOT 144 10TH DISTRICT  
HOUSTON COUNTY, PERRY GEORGIA  
SCALE 1"=50' AUGUST 28, 2020  
**JONES SURVEYING COMPANY**  
PERRY, GEORGIA (478) 987-2705

PLAT NUMBER = L-2416-A



CLERK'S USE ONLY

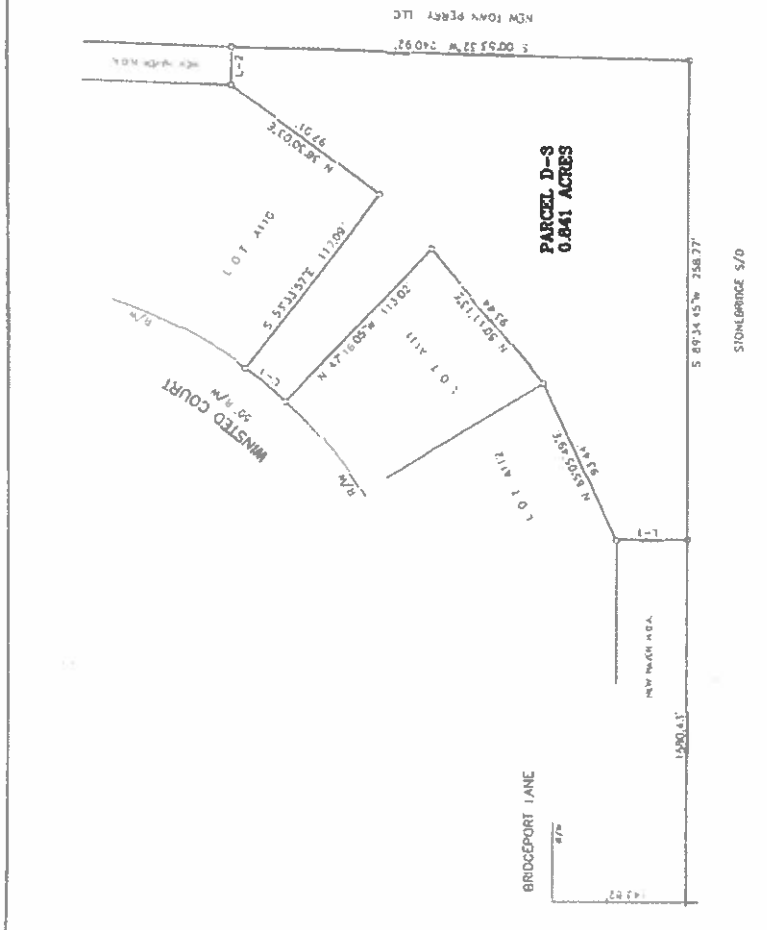
10TH SURVEYING & ENGINEERING  
DO NOT GUARANTEE THAT ALL  
EASEMENTS WHICH MAY AFFECT  
THIS PROPERTY ARE SHOWN



PLAT NUMBER - L2416-8

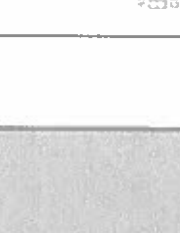
CLARENCE S. JONES, CHIEF

CLARENCE S. JONES & ASSOCIATES  
 SURVEYORS & ENGINEERS  
 1000 W. BROAD ST., SUITE 100  
 ATLANTA, GEORGIA 30309



COURSE	BEARING	DISTANCE
L-1	N 07° 25' 15" W	37.76'
L-2	S 89° 24' 45" E	302.77'

CURVE	RADIUS	LENGTH	CHORD	CHORD ANGLE
C-1	47.05'	27.79'	27.24'	83° 51' 33" E



CERTIFICATION

AS REQUIRED BY PARAGRAPH (f) OF O.C.G.A. SECTION 15-15-47, THIS PLAN HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDATION. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF GEORGIA. I HEREBY CERTIFY THAT THIS PLAN COMPLETES THE SURVEY AND THAT I AM NOT PROVIDING ANY OTHER INFORMATION TO ANY OTHER PARTY.



THE CITY OF PERRY

1400 LOT 145  
 HUNTSVILLE COUNTY, GEORGIA  
 SCALE 1"=40'

10TH DISTRICT  
 PERRY, GEORGIA  
 AUGUST 26, 2020

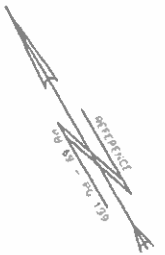
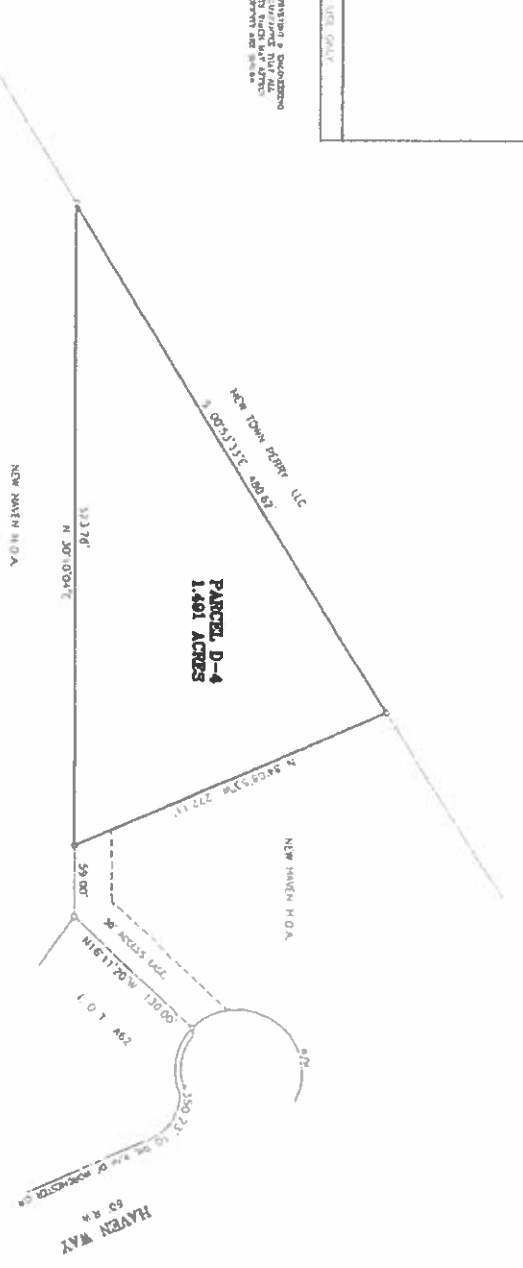
JONES SURVEYING COMPANY  
 PERRY, GEORGIA (478) 987-7705

...ED FOR RECORDING

CLARENCE S. JONES  
 1000 W. BROAD ST., SUITE 100  
 ATLANTA, GEORGIA 30309

CLEAR & VISE GALT

LAND SURVEYING & ENGINEERING  
LICENSED PROFESSIONAL SURVEYOR  
NO. 25791 AND 25824



**CERTIFICATION**

AS SURVEYOR OF SUBJECT LOT OF D.E.C.A. SCHEM, I have personally and carefully examined the original survey and returned to me a true and correct copy of the same and I certify that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey and that the same is a true and correct copy of the original survey.



APPROVED FOR RECORDING

*[Signature]*

Surveyor of Perry District  
State of Georgia

DATE: 9/16/2020

SUBJECT: T08

**THE CITY OF PERRY**

LAND LOT 145  
MOUNTAIN COUNTY  
SCALE 1:240

PERM. AUGUST 28, 2020  
JOHN DISTRICT  
GEORGIA

**JONES SURVEYING COMPANY**  
PERRY, GEORGIA (478) 987-2705

PLAN NUMBER: A-C-7418-0



Where Georgia comes together.

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: Mayor / Council  
FROM: Lee Gilmour, City Manager *LG*  
DATE: September 11, 2020  
REFERENCE: Adjust wages request

The City's Position Classification Plan is recommended to be amended to address an issue in the Department of Public Works. The City requires the primary operator of its Division of Solid Waste collection vehicles to have a commercial driver's license. This is a highly competitive market and is facing difficulty in hiring. The disparity is outline below:

Position	Current	Recommended
Solid Waste Operator I	\$ 25,800	\$ 31,800
Equipment Operator I	\$ 27,400	\$ 27,400
* Equipment Operator II	\$ 31,800	\$ 31,800
* Equipment Operator III	\$ 33,800	* \$ 33,800
Solid Waste Operator II	\$ 34,800	* \$ 35,800
* Solid Waste Operator III	\$ 40,800	* \$ 40,800
Senior Equipment Operator	\$ 46,500	* \$ 46,500
Senior Solid Waste Operator	\$ 46,600	* \$ 48,500

\* Requires a CDL driver's license.





**Where Georgia comes together.**

**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

**TO:** Mayor / Council  
**FROM:** Lee Gilmour, City Manager  
**DATE:** September 10, 2020  
**REFERENCE:** Adjustment of operating hours

The Administration notes that the City's destination parks (Creekwood Park and Rozar Park) are becoming gathering locations after dark. This has the potential of violating the Governor's executive order relative to crowd size, potentially lead to damage and disturb neighbors.

The Administration recommends Council approve closing the destination parks at sunset unless there is a Department of Leisure Services sanctioned event. This would not affect Worrall Center rentals. Mr. Swan fully agrees with this recommendation.



**Where Georgia comes together.**

## **Perry Area Chamber of Commerce Business Battlefield**

**Organization hosting event:** Perry Area Chamber of Commerce

**Event Coordinator:** Bonnie Giles

**Name of Event:** Business Battlefield

**Date(s) of event:** Thursday, October 29th

**Event Start & End:** 5 PM through 9 PM

**Event Description:**

The Chamber of Commerce is requesting to host their 4th Annual Business Battlefield team building event at either Heritage Oaks Park (depending on construction and City recommendation)

**Council Action Requested:**

- Approval of event to be hosted on public property at either Heritage Oaks Park (depending on construction and City recommendation).

**City Services Requested:**

**Special Event Alcohol License Request:**

- The Chamber Committee will be working Bodega Brew to serve alcohol

**Personnel/Support Requested:**

- Public Works requested to provide City Trash Receptacles for event
- Police presence is requested at the Chief's discretion
- Fire & Safety presence is requested at the Chief's discretion