



Where Georgia comes together.

www.perry-ga.gov

March 1, 2022

COUNCIL AGENDA
PERRY EVENTS CENTER
1121 MACON ROAD, PERRY, GA 31069

6:00 PM

To join the meeting by Facebook: Use this URL - 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. Community Partner(s) Update(s):
5. Citizens with Input.
6. Public Hearing: Mayor Randall Walker

The purpose of this Public Hearing is to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. 36-66-4.

- 6a. RZNE-0007-2022. Applicant, Lynward Barrett, request the rezoning of property from R-1, Single-family Residential, to C-2, General Commercial. The property is located at 1803 Houston Lake Road; Tax Map No. 0P41A0 024000 – Ms. H. Wharton.
- 6b. RZNE-008-2022. Applicant, Lynward Barrett, request the rezoning of property from R-1, Single-family Residential, to C-2, General Commercial. The property is located at Houston Lake Road and Gray Road; Tax Map No. 0P0440 07C000 – Ms. H. Wharton.
- 6c. ANNX-0009-2022. Applicant, Chad Bryant, request the annexation and rezoning of property from RAG (County) to R-2A, Single-family Residential (City). The property is located at Kings Chapel Road and Gurr Road; Tax Map No. 000830 062000 – Ms. H. Wharton.
- 6d. RZNE-0014-2022. Applicant, Chad Bryant, request the rezoning of property from R-2, Two-family Residential, to PUD, Planned Unit Development. The property is located on Gurr Road; Tax Map No. 0P0480 039000 – Ms. H. Wharton.
- 6e. RZNE-0015-2022. Applicant, Chad Bryant, request the rezoning of property

from C-2, General Commercial, to PUD, Planned Unit Development (Residential). The property is located at US Hwy 41 South at Holly Hills subdivision; Tax Map No. oP0320 075000 – Ms. H. Wharton.

- 6f. RZNE-0019-2022. Applicant, John Anthony Thomson, request the rezoning of property from R-2, Two-family Residential, to C-2, General Commercial. The property is located at 613 and 615 Martin Luther King, Jr. Drive; Tax Map No. oP0270 109000 and oP0270 108000 – Ms. H. Wharton.
- 6g. RZNE-0020-2022. Applicant, Anjebhai Patel, request the rezoning of property from C-1, Highway Commercial to PUD, Planned Unit Development. The property is located at 1004, 1004A and 1006 St. Patrick's Drive; Tax Map No. oP0400 021000, oP0400 022000, and oP0400 048000 – Ms. H. Wharton.
- 6h. RZNE-0021-2022. Applicant, Angela J. Cuti, request the rezoning of property from OC, Office-Commercial District, to C-3, Central Business District. The property is located at 900 Ball Street; Tax Map No. oP0040 035000 – Ms. H. Wharton.

7. Review of Minutes: Mayor Randall Walker

- 7a. Council's Consideration – Minutes of the February 14, 2022 work session minutes, February 15, 2022 pre council meeting and February 15, 2022 council meeting.

8. Old Business: Mayor Randall Walker

- 8a. Mayor Randall Walker
- 8b. Council Members
- 8c. City Attorney Brooke Newby
- 8d. City Manager Lee Gilmour
- 8e. Assistant City Manager Robert Smith

9. New Business: Mayor Randall Walker

- 9a. Matters referred from February 28, 2022 work session and March 1, 2022 pre council meeting.

9b. Ordinance(s) for First Reading(s) and Introduction:

- 1. **First Reading** of an ordinance for the rezoning of property from R-1, Single-family Residential, to C-2, General Commercial. The property is located at 1803 Houston Lake Road; Tax Map No. oP41A0 024000 – Mr. B. Wood. *(No action required by Council)*
- 2. **First Reading** of an ordinance for the rezoning of property from R-1, Single-family Residential, to C-2, General Commercial. The property is located at Houston Lake Road and Gray Road; Tax Map No. oP0440 07C000 – Mr. B. Wood. *(No action required by Council)*

3. **First Reading** of an ordinance for the annexation of property to the City of Perry. The property is located at Kings Chapel Road and Gurr Road; Tax Map No. 000830 062000 – Mr. B. Wood. *(No action required by Council)*
4. **First Reading** of an ordinance for the rezoning of property from RAG (County) to R-2A, Single-family Residential (City). The property is located at Kings Chapel Road and Gurr Road; Tax Map No. 000830 062000 – Mr. B. Wood. *(No action required by Council)*
5. **First Reading** of an ordinance for the rezoning of property from R-2, Two-family Residential, to PUD, Planned Unit Development (Residential). The property is located on Gurr Road; Tax Map No. 0P0480 039000 – Mr. B. Wood. *(No action required by Council)*
6. **First Reading** of an ordinance for the rezoning of property from C-2, General Commercial, to PUD, Planned Unit Development (Residential). The property is located on US Hwy 41 South at Holly Hills subdivision; Tax Map No. 0P0320 075000– Mr. B. Wood. *(No action required by Council)*
7. **First Reading** of an ordinance for the rezoning of property from R-2, Two-family Residential, to C-2, General Commercial. The property is located at 613 and 615 Martin Luther King, Jr. Drive; Tax Map No. 0P0270 109000 and 0P0270 108000– Mr. B. Wood. *(No action required by Council)*
8. **First Reading** of an ordinance for the rezoning of property from C-1, Highway Commercial, to PUD, Planned Unit Development. The property is located at 1004, 1004A and 1006 St. Patrick's Drive; Tax Map No. 0P0400 021000, 0P0400 022000, and 0P0400 048000 – Mr. B. Wood. *(No action required by Council)*
9. **First Reading** of an ordinance for the rezoning of property from OC, Office-Commercial District, to C-3, Central Business District; Tax Map No. 0P0040 035000 – Mr. B. Wood. *(No action required by Council)*
10. **First Reading** of an ordinance to amend City Code re Meter Specifications – Ms. B. Newby. *(No action required by Council)*

9c. **Award of Bid(s):**

1. Bid No. 2022-23 Scoreboards – Mr. M. Worthington

9d. **Resolution(s) for Consideration and Adoption:**

1. Resolution to Condemn Certain Lands relative to 1506 Houston Lake Road – Ms. B. Newby.

10. Council Members Items:
11. Department Heads/Staff Items:
12. General Public Items:
13. Mayor Items:
14. 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.



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
January 27, 2022

CASE NUMBER: RZNE-007-2022
APPLICANT: Lynward Barrett
REQUEST: Rezone from R-1, Single-family Residential, to C-2, General Commercial
LOCATION: 1803 Houston Lake Road; Tax Map No. 0P41A0 024000

BACKGROUND INFORMATION: The subject property consists of 3.51 acres and is currently zoned R-1, Single-family residential. The subject property currently has a single-family home which is vacant. The property owner wishes to transition this property to a commercial use which is consistent with similar development nearby.

The applicant is requesting rezoning to the C-2, General Commercial, district for the purpose of pursuing commercial and/or multi-family development.

The applicant indicates there are no covenants or restrictions which prevent the proposed development.

STANDARDS GOVERNING ZONE CHANGES:

1. The existing land uses and zoning classification of nearby properties.

	Zoning Classification	Land Uses
North	C-2, General Commercial	Commercial development
South	R-1, Single-family residential	Church
East	R-1, Single-family residential	Vacant
West	PUD, Planned Unit Development	North Hamptons subdivision

2. **The suitability of the subject property for the zoned purposes.** The subject property is suitable for commercial development due to its location near other similarly zoned properties.
3. **The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** As currently zoned, the subject property is limited to a subdivision of approximately 8 single-family homes. However, this area is desirable for commercial development due to its proximity to other commercial properties and Perry Parkway development. The applicant states that C-2 zoning will increase the value of the subject property.
4. **The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.** The current and proposed zoning classification does not pose any threat to the health, safety, morals, or general welfare of the public and surrounding area.

5. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** Commercial development at the subject property presents a relative gain to the public through its potential development that could provide increased access to services, shopping, dining, and housing for the surrounding community.
6. **Whether the subject property has a reasonable economic use as currently zoned.** The current zoning of the subject property would only allow a single-family residence. However, due to the property's location and surrounding development, commercial zoning would bring the property to its highest and best economic use.
7. **The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** The subject property has most recently been developed as a single-family home, but it has now been vacant for approximately six months. Most of the properties in the vicinity are developed as commercial properties or are in the process of transitioning to commercial uses.
8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** Properties nearby and adjacent to the subject property are zoned and developed as commercial uses. The proposed zoning district and allowable uses will be suitable in view of nearby properties.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** The proposed use of the property should not adversely affect existing uses or usability of nearby properties.
10. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The subject property is identified as a "Suburban Residential" and "Gateway Corridor" character areas in the 2017 Joint Comprehensive Plan Update. The Suburban Residential character area indicates the need for "greater variety of housing types" and "housing diversity, particularly in terms of higher density and greater affordability." The suggested development pattern includes "location of higher-density housing near commercial centers, or along arterial roads." The Gateway Corridor character area's suggested development pattern of "homes, shops, small businesses, and institutions grouped in attractive mixed-use centers" is appropriate for the subject property.
11. **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.** While the subject property is currently vacant, any new commercial or multi-family development will increase the use of existing streets, utilities, and school facilities.
 - Infrastructure – Water and sewer service is available at the subject property. Water, sewer, and stormwater facilities will be provided by the City of Perry.
 - Roads – The primary roads impacted as a result of commercial development at the subject property are Houston Lake Road and Perry Parkway. Both of these have been identified as an arterial street in the City's street classification plan and has adequate capacity to serve future commercial development.
 - Education – Staff is not aware of any capacity-related issues for the Houston County School System resulting from future commercial or multi-family development.
12. **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.** Properties along Houston Lake Road, particularly near the intersection of Perry Parkway, are continuing to

transition from residential to commercial uses. These properties have the potential for higher economic value to the community.

STAFF RECOMMENDATION: Staff recommends approval of the zoning change with the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Houston Lake Road in support of the City of Perry's green corridor initiative.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the zoning change with the following conditions:

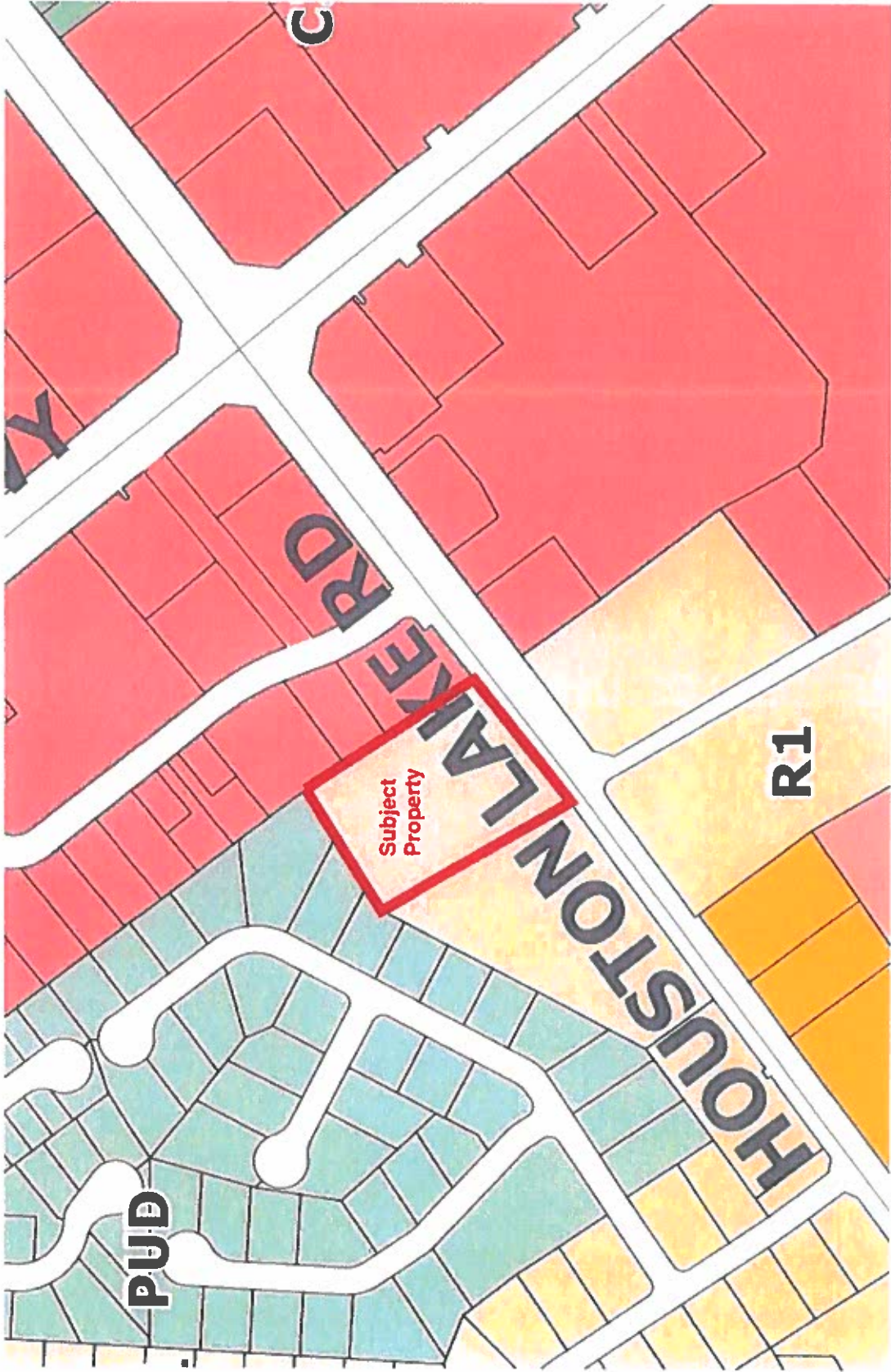
1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Houston Lake Road in support of the City of Perry's green corridor initiative.



Eric Z. Edwards, Chairman of the Planning Commission

2/17/22
Date







Idle F



Where Georgia comes together.

Application # RZNE -

007-2022

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Lynward Barrett	Betty C Gray
*Title	Agent for Seller	
*Address	902 Northside Dr. Perry, GA.	
*Phone	478-714-7880	
*Email	lynwardbarrett@aol.com	

Property Information

*Street Address or Location ¹⁸⁰³ Houston Lake Rd. and the west corner of Houston Lk Rd. and Gray Rd.

*Tax Map Number(s) OP41A0 024000 and ~~OP41A0 024000~~ 2B

*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;

Request

*Current Zoning District R1 *Proposed Zoning District C2

*Please describe the existing and proposed use of the property Note: A Site Plan or other information which fully describes your proposal may benefit your application.
VACANT NOW - Proposed use is possibly Commercial and/or Apartments

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential - \$140.00 plus \$16.25/acre (maximum \$1,700.00)
 - Planned Development - \$160.00 plus \$16.25/acre (maximum \$3,000.00)
 - Commercial/Industrial - \$245.00 plus \$22.65/acre (maximum \$3,170.00)
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with 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.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property 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 has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes ___ No
 If yes, please complete and submit a Disclosure Form available from the Community Development office.

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>Lynward Barrett</i>	*Date <i>1-7-2021</i>
*Property Owner/Authorized Agent <i>Lynward Barrett</i>	*Date <i>1-7-2021</i>

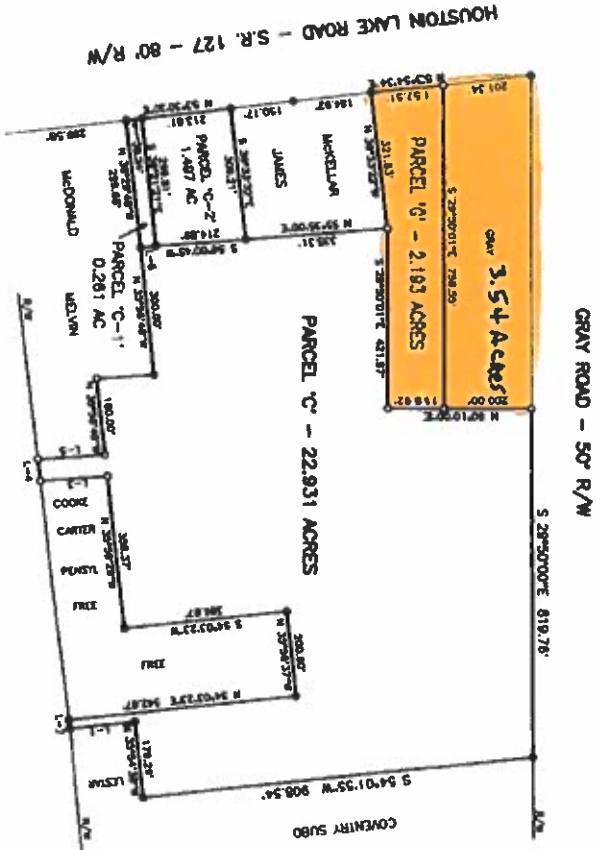
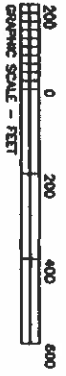
Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

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

- (1) The existing land uses and zoning classification of nearby property; *There are several C2 properties surrounding these parcels including an Apartment Complex and several fast food places nearby.*
- (2) The suitability of the subject property for the zoned purposes; *These parcels are very near other C2 properties and have sewer and water at or near the property.*
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions; *This zoning approval will no doubt increase all of the property values of not only these parcels but nearby parcels also.*
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public; *The current R1 zoning will not let the owner of the property obtain the highest and best use of these parcels.*
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner; *The approval of this request would possibly help get some much needed rental properties in party. Every thing from commercial to live in units would add a much needed base to ferry.*
- (6) Whether the subject property has a reasonable economic use as currently zoned; *It's obvious that the current zoning does not really add an economic benefit to the area.*
- (7) 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; *One parcel with an house on it has been vacant for about 6 months and the other parcel has been just vacant land for many years.*
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property; *As mentioned before, there are several C2 zoning businesses within 300-400 yards. With the current zoning which is R1, only single family units would be allowed.*
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property; *We do not feel that the requested C2 zoning would affect any of the nearby properties.*
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan; *we feel that it is.*
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and *we do not feel that this would be the case.*
- (12) 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.

No, there are no other existing or changing conditions affecting the use and development of this property. As stated above, most of the surrounding property is already zoned C1 or C2.



LINEAR DATA TABLE

COURSE	BEARING	DISTANCE
L-1	S 34°02'10"W	166.30'
L-2	N 59°09'12"E	146.05'
L-3	S 89°04'58"W	50.19'
L-4	N 59°09'12"E	156.09'
L-6	S 53°42'16"W	37.50'

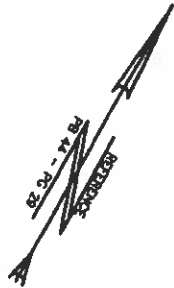
REFERENCE:

1. PLAY BOOK 25 - PAGE 147
2. PLAY BOOK 25 - PAGE 154
3. PLAY BOOK 25 - PAGE 273
4. PLAY BOOK 26 - PAGE 18
5. PLAY BOOK 26 - PAGE 7
6. PLAY BOOK 33 - PAGE 58
7. PLAY BOOK 44 - PAGE 78
8. PLAY BOOK 80 - PAGE 33

CERTIFICATION

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS BEEN CHECKED AND FOUND TO BE CORRECT. THE PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE SURVEYING ACTS AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING. THE PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 100,000 FEET.

THE LEGAL AND AREA CALCULATIONS SHOWN ON THIS PLAT ARE BASED UPON THE DATA SHOWN ON THE FIELD NOTES AND THE DATA SHOWN ON THE PLAT.



APPROVED FOR RECORDATION
 W. J. Perry
 City of Perry, Georgia
 66
 210

NOTE:
 1. PARCEL 'C' IS AN ADDITION TO OTHER LANDS OF GRAY
 2. PARCEL 'C-1' IS AN ADDITION TO OTHER LAND OF McDONALD

- IRON PIN FOUND
- IRON PIN PLACED
- L-1 LINE IDENTIFIER

REVISED 4-21-06 TO SHOW PARCEL 'C-2'
 REVISED 10-28-04 TO SHOW PARCELS 'C' & 'C-1'

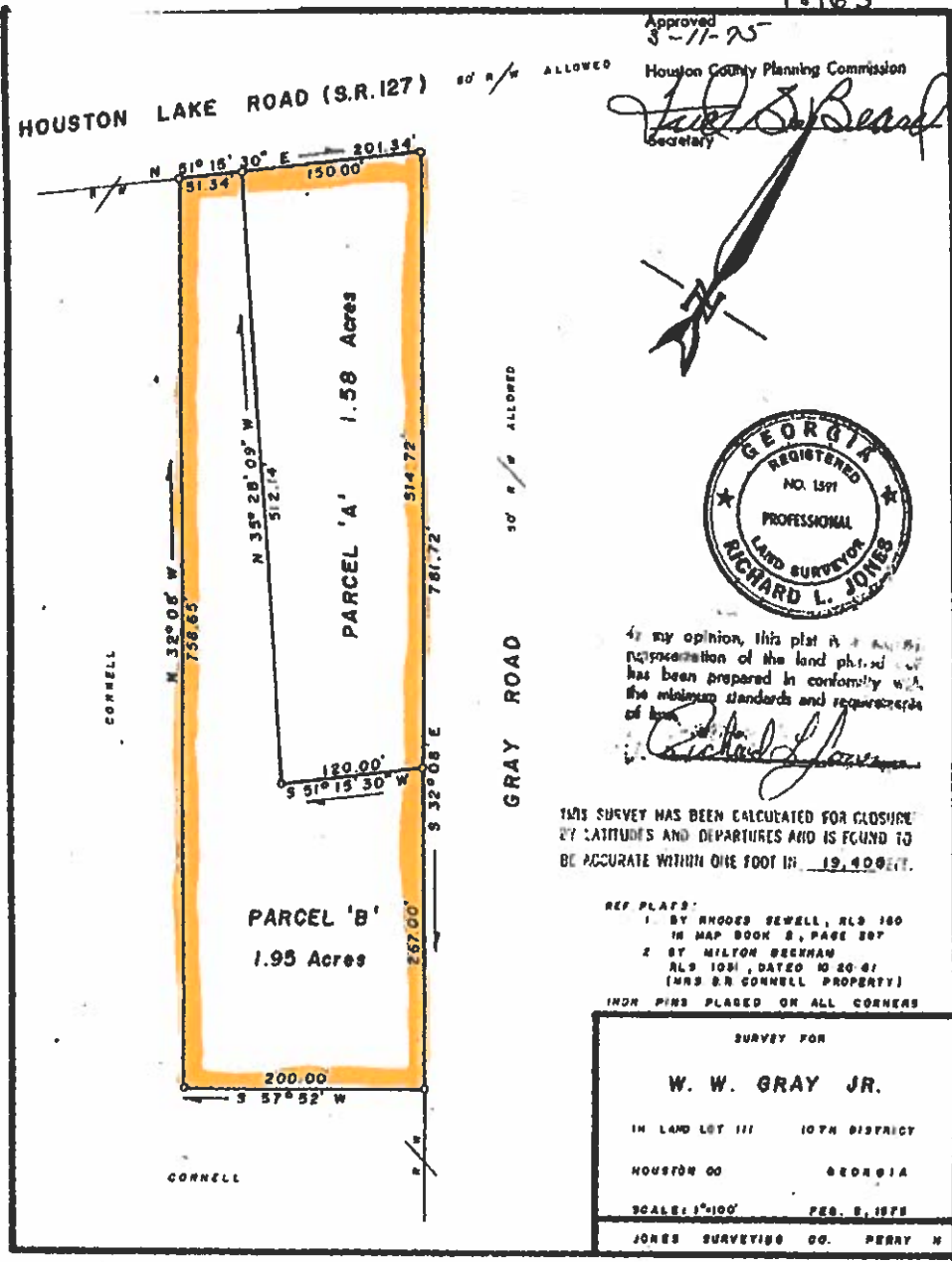
ALICE M. CONNELL ESTATE

LAND LOT 111,
 HOUSTON COUNTY, GEORGIA
 SCALE 1"=200'
 SEPTEMBER 19, 2004
JONES SURVEYING & ENGINEERING INC.
 PERRY, GEORGIA (478) 967-2705

Handwritten notes:
 Jones
 R. Goodson
 6/6/20

Doc ID: 00835890001 Type: PLA
Filed: 03/20/1978 at 11:18:38 AM
Page 1 of 1
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk
ak 18 po 63

Recorded March 20, 1978



Approved 3-11-78
Houston County Planning Commission
Jack D. Beard
Secretary



In my opinion, this plat is a true and correct representation of the land plat and has been prepared in conformity with the minimum standards and requirements of the Georgia Surveying Board.
Richard L. Jones

THIS SURVEY HAS BEEN CALCULATED FOR CLOSURE BY LATITUDES AND DEPARTURES AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 19,400 FT.

REF PLATS:
1 BY RHODES SEWELL, RLS 180
IN MAP BOOK 2, PAGE 287
2 BY MILTON BECKHAM
RLS 1081, DATED 10-20-67
(MRS. B.R. CONNELL PROPERTY)
1/4" INCH PINS PLACED ON ALL CORNERS

SURVEY FOR
W. W. GRAY JR.
IN LAND LOT 111 10TH DISTRICT
HOUSTON CO GEORGIA
SCALE: 1"=100' FEB. 8, 1978
JONES SURVEYING CO. PERRY N.C.



Doc ID: 016633860003 Type: GLR
Recorded: 08/26/2021 at 12:30:29 PM
Fee Amt: \$25.00 Page 1 of 3
Transfer Tax: \$0.00
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Superior Court C.
BK 9318 PG 294-296

(Above space for)

Paid & Return: MICHAEL G. GRAY

✓ WALKER, HULBERT, GRAY & MOORE, LLP
909 BALL ST. * P.O. BOX 1770
PERRY, GEORGIA 31069

FILE NO: G00-155

STATE OF GEORGIA
COUNTY OF HOUSTON

TRUSTEE'S DEED

THIS INDENTURE, Made the 24th day of August, in the year two thousand twenty-one (2021), between

STEPHEN W. GRAY, as Trustee of the Testamentary Trust
established in Item IV and Item V of the Last Will and Testament of
W. Walter Gray, Jr. dated September 15, 2000

said Trustee hereinafter being called Grantor, and

BETTY C. GRAY

hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns).

WITNESSETH THAT:

Grantor has granted and conveyed, and by these presents does grant and convey unto the said Grantee the following described property, to-wit:

ALL OF A ONE HALF (1/2) UNDIVIDED INTEREST IN AND TO THE FOLLOWING DESCRIBED REAL PROPERTY:

PARCEL 1: That certain lot or parcel of land situate, lying and being in the 10th Land District of Houston County, Georgia, being a part of Land Lot 111 in said District, and comprising 2.45 acres of land, and having such shape, metes, bounds, courses and distances as are shown on plat of survey made by Rhodes Sewell, State Surveyor No. 160, dated October 13, 1954, a copy of said plat being of record in Map Book 3, Page 175, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto. Said lot or tract of land is bounded on the northwest, northeast and southwest by land now or formerly of W. W. Gray and on the southeast by the right of way of the Perry-Houston Lake Paved highway.

PARCEL 2: All that tract or parcel of land situate, lying and being in the Tenth Land District of Houston County, Georgia, and being a part of Land Lot 111 in said District, comprising 0.56 acre according to a plat of survey made by Rhodes Sewell, Surveyor, dated January 30, 1964, a copy of said plat being of record in Map Book 9, Page 11, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto.

The land above described and which is hereby conveyed together with that land which was conveyed from W.W. Gray, Sr. to Walter Gray, Jr. by deed recorded in Book 87, Page 194, Clerk's Office, Houston Superior Court, comprises the 3.01 acres which is all of the land shown by said plat of survey recorded in Map Book 9, Page 11, said Clerk's Office.

PARCEL 3: All that tract or parcel of land situate, lying and being in Land Lot 111 of the Tenth District of Houston County, Georgia and containing 0.50 acre as shown on plat of survey prepared by Richard L. Jones, Registered Surveyor No. 1591, dated February 8, 1975 and recorded in Plat Book 18, Page 63, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

Parcels 1 - 3 are known as Houston County Tax Assessor Tax Map Parcel No.: OP41A0 024000

Street Address: 1803 Houston Lake Road, Perry, Georgia 31069

PARCEL 4: All that tract or parcel of land situate, lying and being in Land Lot 111 of the Tenth District of Houston County, Georgia, and being shown and designated as Parcel "B" containing 1.95 acres according to a plat of survey prepared by Richard L. Jones, Registered Surveyor No. 1591, said plat of survey dated February 8, 1975, and recorded in Plat Book 18, Page 63, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

PARCEL 5: All that tract or parcel of land situate, lying and being in Land Lot 111 of the Tenth District of Houston County, Georgia, and being shown and designated as Parcel "A" containing 1.58 acres according to a plat of survey prepared by Richard L. Jones, Registered Surveyor No. 1591, said plat of survey dated February 8, 1975, and recorded in Plat Book 18, Page 63, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

PARCEL 6: All that tract or parcel of land situate, lying and being in Land Lot 111, of the Tenth (10th) Land District, Houston County, Georgia and being known and designated as Parcel "G", comprising 2.193 acres as is more particularly shown on a plat of survey prepared by Lee R. Jones, Georgia Registered Land Survey #2680 dated September 15, 2004, and recorded in Plat Book 63, Page 179, 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.

Parcels 4 - 6 are known as Houston County Tax Assessor Tax Map Parcel No.: OP0440 07C000

Deed Reference: Deed Book 7356, Pages 230-232, said Clerk's Office

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances, to the same being, belonging or in anywise appertaining to the only property, use, benefit and behoof of the said Grantee, her successors and assigns, forever in as full, ample and complete manner as the same was held, possessed and enjoyed by the said Grantor as Trustee.

THIS CONVEYANCE is executed by Grantor solely as Trustee and not personally. All covenants and conditions to be performed hereunder by Grantor are undertaken by the Grantor solely as Trustee as aforesaid and not individually. No personal liability shall be asserted or be enforceable against Grantor by reason of any covenants, statements, representations, or warranties contained in this indenture. This deed is executed by the Trustee pursuant to the power and authority granted to him in the Last Will and Testament of W. Walter Gray, Jr., deceased, which was duly probated in solemn form on September 19, 2016 in the Probate Court of Houston County, Georgia, as Estate No.: 2016-ES-341.

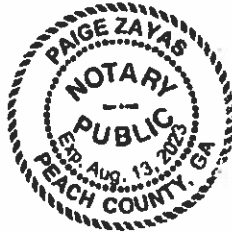
IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, the day and year first above written.

Stephen W Gray (Seal)
STEPHEN W. GRAY, as Trustee of the Testamentary Trust established in Item IV and Item V of the Last Will and Testament of W. Walter Gray, Jr. dated September 15, 2000

Signed, sealed and delivered in the presence of:

[Signature]
Witness

[Signature]
Notary Public





Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
January 27, 2022

CASE NUMBER: RZNE-008-2022
APPLICANT: Lynward Barrett
REQUEST: Rezone from R-1, Single-family Residential, to C-2, General Commercial
LOCATION: Houston Lake Road and Gray Road; Tax Map No. 0P0440 07C000

BACKGROUND INFORMATION: The subject property consists of 5.73 acres and is currently zoned R-1, Single-family residential. The subject property is currently vacant and has never been developed. The property owner wishes to transition this property to a commercial use which is consistent with similar development nearby.

The applicant is requesting rezoning to the C-2, General Commercial, district for the purpose of pursuing commercial and/or multi-family development.

The applicant indicates there are no covenants or restrictions which prevent the proposed development.

STANDARDS GOVERNING ZONE CHANGES:

1. The existing land uses and zoning classification of nearby properties.

	Zoning Classification	Land Uses
North	R-1, Single-family residential	Church and vacant home
South	R-3, Multi-family residential	Oliver Place Apartments
East	R-1, Single-family residential, and C-2, General commercial	Vacant and commercial business
West	R-2, Two-family residential	Single-family home

- 2. The suitability of the subject property for the zoned purposes.** The subject property is suitable for commercial development due to its location near other similarly zoned properties.
- 3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** As currently zoned, the subject property is limited to a subdivision of approximately 13 single-family homes. However, this area is desirable for commercial development due to its proximity to other commercial properties and Perry Parkway development. The applicant states that C-2 zoning will increase the value of the subject property.
- 4. The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.** The current and proposed zoning classification does not pose any threat to the health, safety, morals, or general welfare of the public and surrounding area.

5. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** Commercial development at the subject property presents a relative gain to the public through its potential development that could provide increased access to services, shopping, dining, and housing for the surrounding community.
6. **Whether the subject property has a reasonable economic use as currently zoned.** The current zoning of the subject property would only allow a single-family residence. However, due to the property's location and surrounding development, commercial zoning would bring the property to its highest and best economic use.
7. **The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** The subject property is currently vacant and has never been developed. Most of the properties in the vicinity are developed as commercial properties or are in the process of transitioning to commercial uses.
8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** Properties nearby and adjacent to the subject property are zoned and developed as commercial uses. The proposed zoning district and allowable uses will be suitable in view of nearby properties.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** The proposed use of the property should not adversely affect existing uses or usability of nearby properties.
10. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The subject property is identified as a "Suburban Residential" character area in the 2017 Joint Comprehensive Plan Update. The Suburban Residential character area indicates the need for "greater variety of housing types" and "housing diversity, particularly in terms of higher density and greater affordability." The suggested development pattern includes "location of higher-density housing near commercial centers, or along arterial roads."
11. **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.** While the subject property is currently vacant, any new commercial or multi-family development will increase the use of existing streets, utilities, and school facilities.
 - Infrastructure – Water and sewer service is available at the subject property. Water, sewer, and stormwater facilities will be provided by the City of Perry.
 - Roads – The primary roads impacted as a result of commercial development at the subject property are Houston Lake Road, Gray Road, and Perry Parkway. Houston Lake Road and Perry Parkway have been identified as an arterial street in the City's street classification plan. Gray Road is identified as a local city street. All affected streets have adequate capacity to serve future commercial development.
 - Education – Staff is not aware of any capacity-related issues for the Houston County School System resulting from future commercial or multi-family development.
12. **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.** Properties along Houston Lake Road, particularly near the intersection of Perry Parkway, are continuing to transition from residential to commercial uses. These properties have the potential for higher economic value to the community.

STAFF RECOMMENDATION: Staff recommends approval of the zoning change with the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Houston Lake Road in support of the City of Perry's green corridor initiative.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the zoning change with the following conditions:

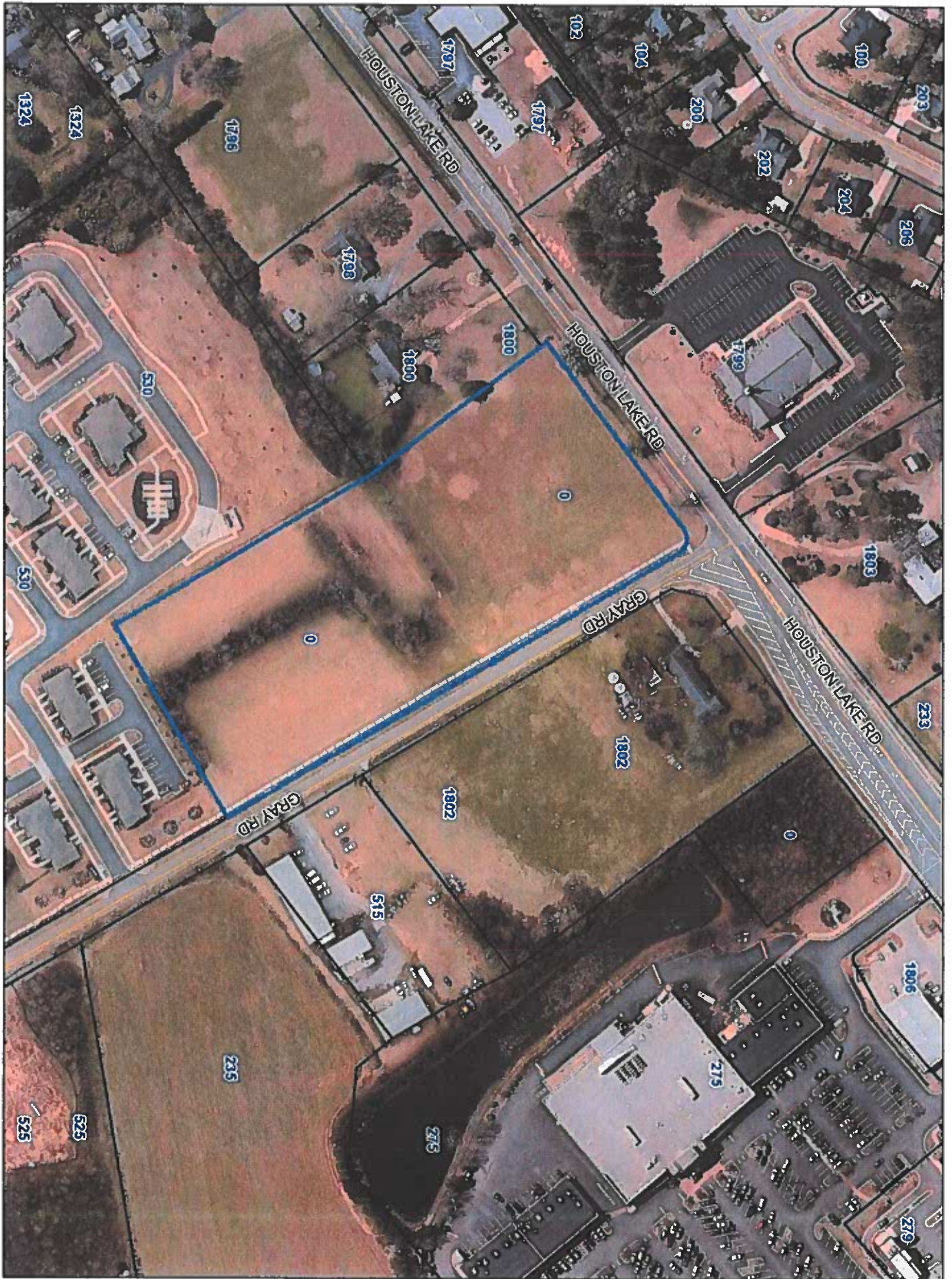
1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Houston Lake Road in support of the City of Perry's green corridor initiative.

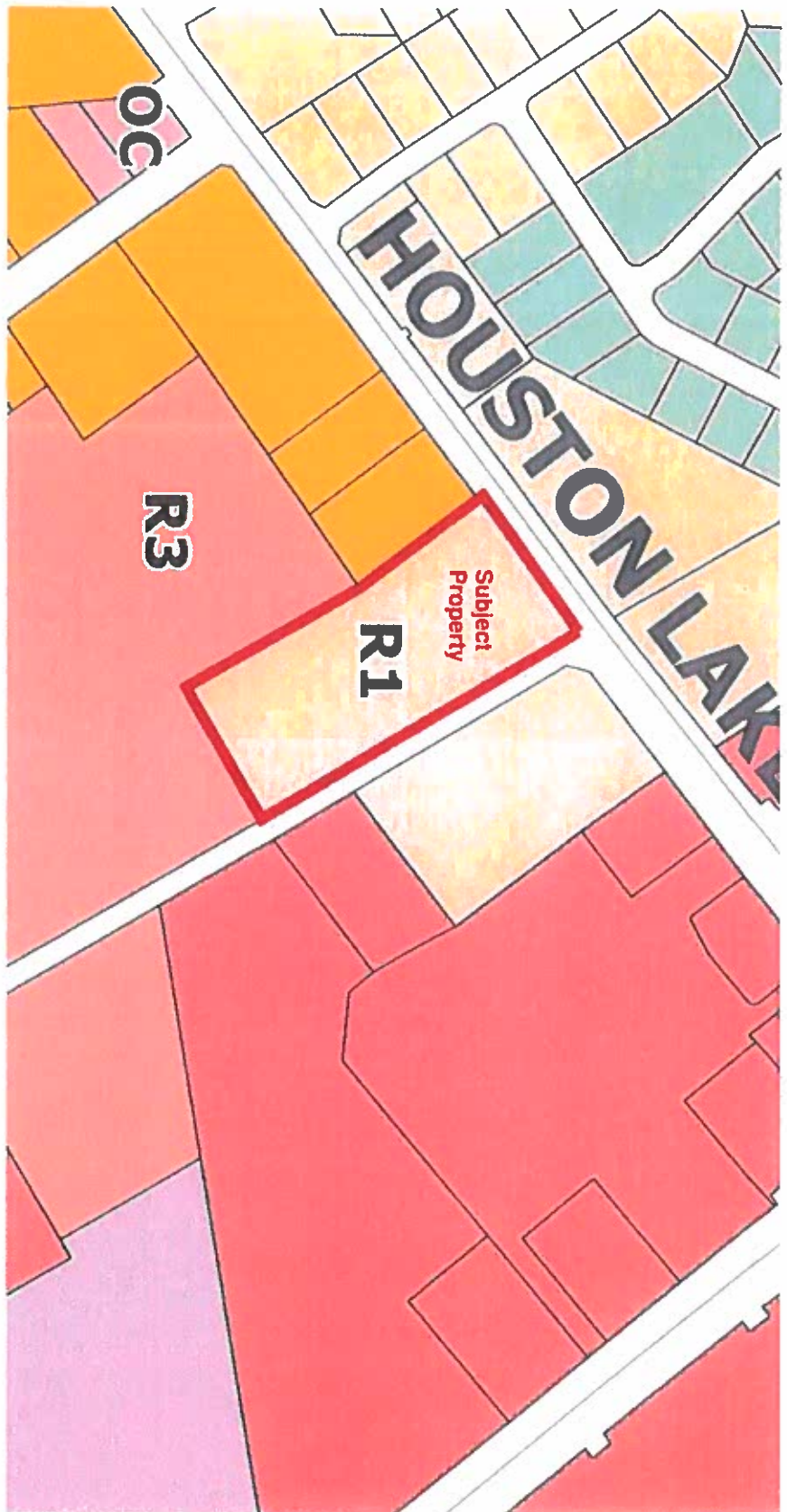


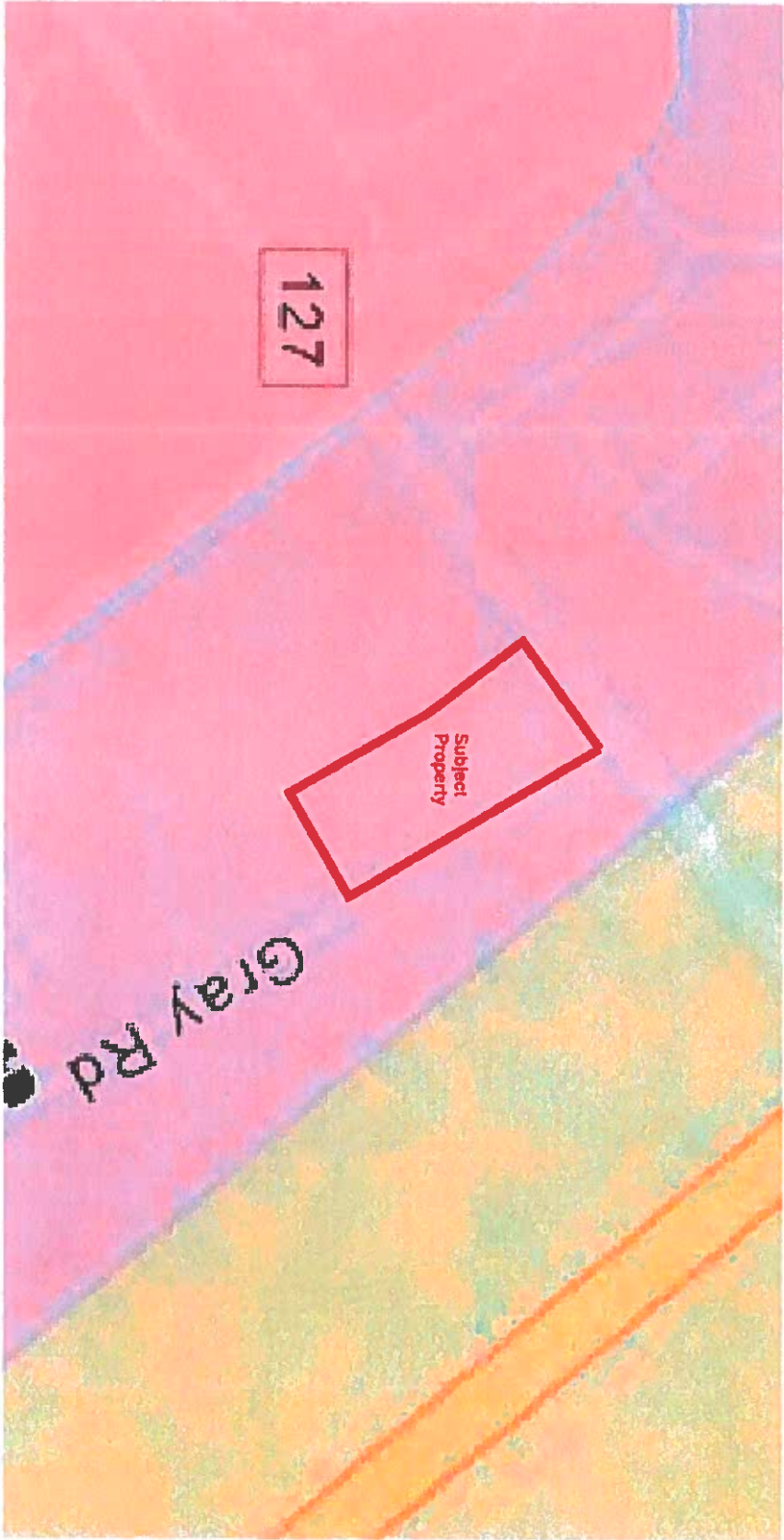
Eric Z. Edwards, Chairman of the Planning Commission



Date









Where Georgia comes together.

Application # RZNE-008
2022

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Lynward Barrett	Betty C Gray
*Title	Agent for Seller	
*Address	902 Northside Dr. Perry, GA.	
*Phone	478-714-7880	
*Email	lynwardbarrett@aol.com	

Property Information

*Street Address or Location	¹⁸⁰³ Houston Lake Rd. and the west corner of Houston Lk Rd. and Gray Rd.
*Tax Map Number(s)	OP 440 07C000 ²⁵ OP 440 07C000
*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;	

Request

*Current Zoning District	R1	*Proposed Zoning District	C2
*Please describe the existing and proposed use of the property <u>Note: A Site Plan or other information which fully describes your proposal may benefit your application.</u>			
VACANT NOW - Proposed use is possibly Commercial and/or Apartments			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential - \$140.00 plus \$16.25/acre (maximum \$1,700.00)
 - Planned Development - \$160.00 plus \$16.25/acre (maximum \$3,000.00)
 - Commercial/Industrial - \$245.00 plus \$22.65/acre (maximum \$3,170.00)
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with 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.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property 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 has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? *Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes No
If yes, please complete and submit a Disclosure Form available from the Community Development office.

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 Lynward Barrett	*Date 1-7-2021
*Property Owner/Authorized Agent Lynward Barrett	*Date 1-7-2021

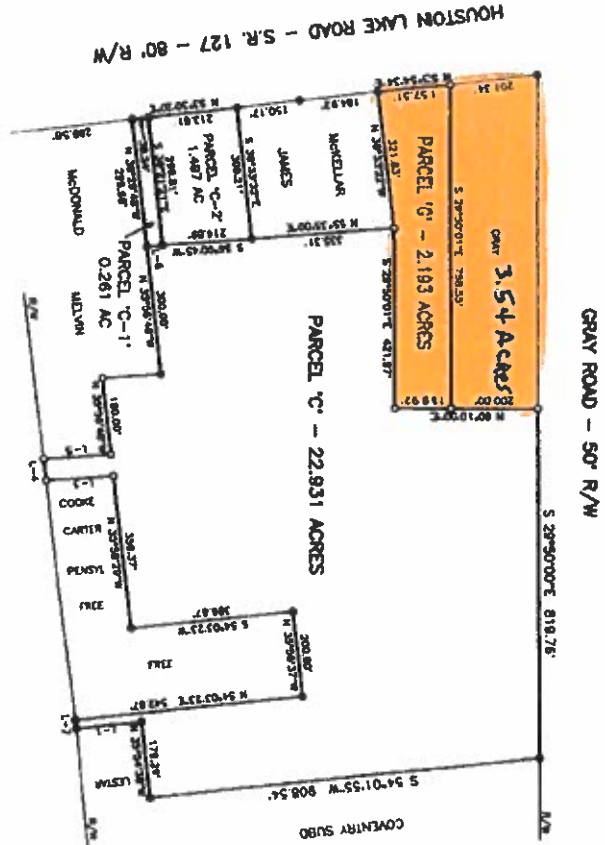
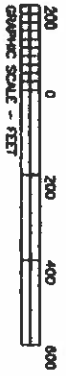
Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

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

- (1) The existing land uses and zoning classification of nearby property; *There are several C2 properties surrounding these parcels including an apartment complex and several fast food places nearby.*
- (2) The suitability of the subject property for the zoned purposes; *These parcels are very near other C2 properties and have sewer and water at or near the property.*
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions; *This zoning approval will no doubt increase all of the property values of not only these parcels but nearby parcels also.*
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public; *The current R1 zoning will not let the owner of the property obtain the highest and best use of these parcels.*
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner; *The approval of this request would possibly help get some much needed rental properties in the area. Every time you commercial to live in units would add a much needed boost to the area.*
- (6) Whether the subject property has a reasonable economic use as currently zoned; *It's obvious that the current zoning does not really add an economic benefit to the area.*
- (7) 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; *One parcel with an house on it has been vacant for about 6 months and the other parcel has been just vacant land for many years.*
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property; *As mentioned before, there are several C2 zoning businesses within 300-400 yards. With the current zoning which is R1, only single family units would be allowed.*
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property; *We do not feel that the requested C2 zoning would affect any of the nearby properties.*
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan; *we feel that it is.*
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and *we do not feel that this would be the case.*
- (12) 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.

No, there are no other existing or changing conditions affecting the use and development of this property. As stated above, most of the surrounding property is already zoned C1 or C2.



LINEAR DATA TABLE

COURSE	BEARING	DISTANCE
L-1	S 34°02'10"W	158.30'
L-2	N 33°00'31"W	204.65'
L-3	S 33°00'48"W	58.30'
L-4	N 33°00'12"E	158.80'
L-5	S 33°42'10"W	37.30'

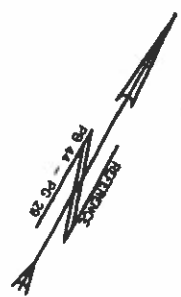
REFERENCE:

1. PLAT BOOK 25 - PAGE 147
2. PLAT BOOK 25 - PAGE 184
3. PLAT BOOK 25 - PAGE 273
4. PLAT BOOK 28 - PAGE 7
5. PLAT BOOK 33 - PAGE 7
6. PLAT BOOK 35 - PAGE 58
7. PLAT BOOK 44 - PAGE 29
8. PLAT BOOK 80 - PAGE 33

CERTIFICATION:

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS BEEN CHECKED AND FOUND TO BE CORRECT. THE PLAT IS BASED UPON THE RECORDS OF THE SURVEYOR'S OFFICE AND THE RECORDS OF THE COURSES. THE PLAT HAS BEEN CALCULATED FOR CORRECTION AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT OR 0.3048 METERS.

THE LEGAL AND ACCURATE REPRESENTATION HEREON ON 07-11-04 ELECTRONIC TOTAL STATION ON 8-14-04



APPROVED FOR RECORDING
 ALICE M. CONNELL
 Surveyor General
 State of Georgia
 License No. 210

NOTE:
 1. PARCEL 'C' IS AN ADDITION TO OTHER LANDS OF GRAY
 2. PARCEL 'C-1' IS AN ADDITION TO OTHER LAND OF McDONALD

- IRON PEN FOUND
- IRON PEN PLACED
- L-1 LINE IDENTIFIER

REVISED 4-21-08 TO SHOW PARCEL 'C-2'
 REVISED 10-28-08 TO SHOW PARCELS 'C' & 'C-1'
 SURVEY FOR

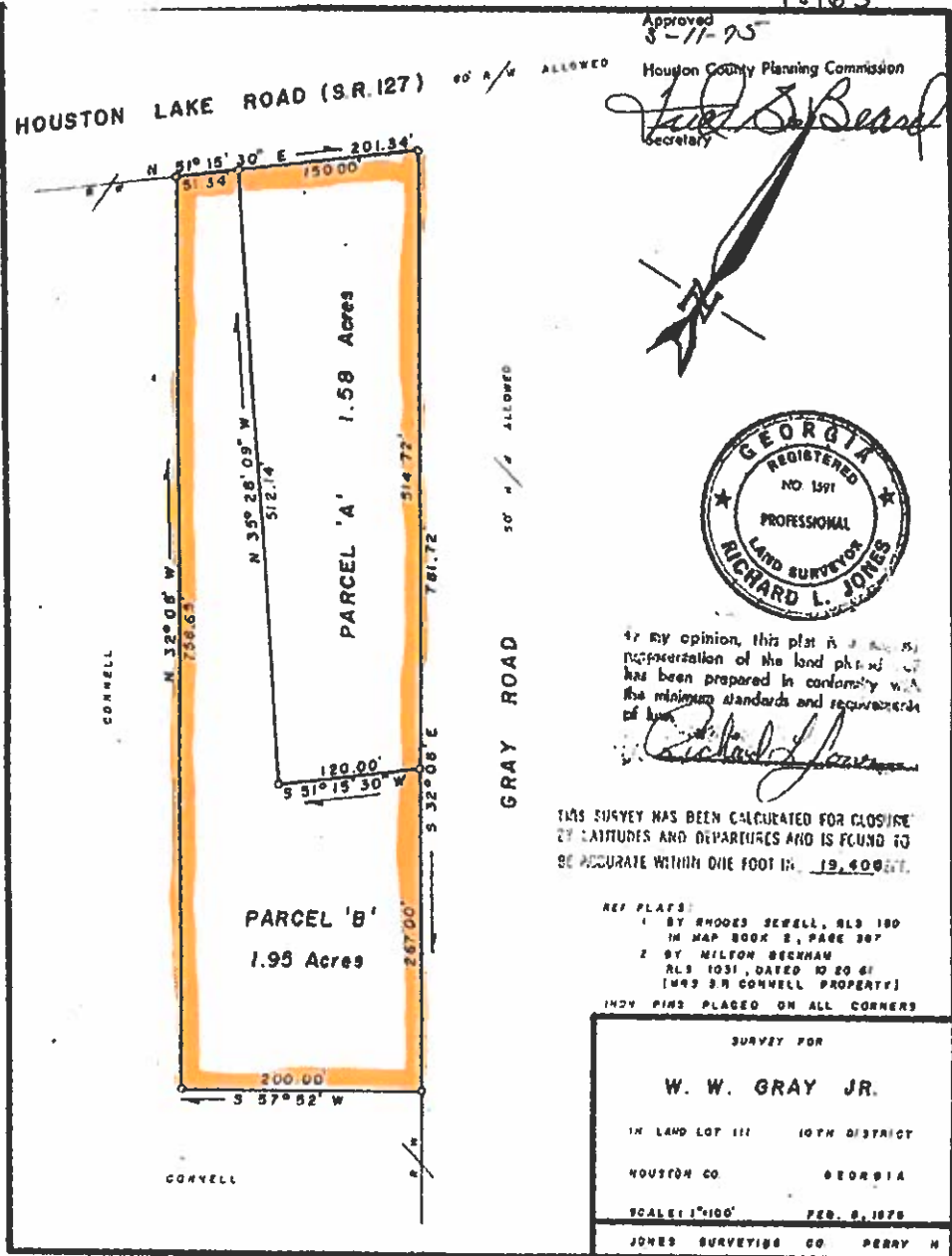
ALICE M. CONNELL, ESTATE

LAND LOT 111
 HOUSTON COUNTY, GEORGIA
 SEPTEMBER 15, 2004
JONES SURVEYING & ENGINEERING INC.
 PERRY, GEORGIA (478) 987-2709

Handwritten: R. Goodson 6/6/2010

Doc ID: C0891889001 Type: PLA
 Filed: 03/20/1975 at 11:18:30 AM
 Fee Amt: Page 3 of 3
 Houston, Ga. Clerk Superior Court
 Carolyn V. Sullivan Clerk
 BK 18 PG 63

Recorded March 20, 1975





Doc ID: 016883860003 Type: GLR
 Recorded: 08/26/2021 at 12:30:28 PM
 Fee Amt: \$25.00 Page 1 of 3
 Transfer Tax: \$0.00
 Houston, Ga. Clerk Superior Court
 Carolyn V. Sullivan Superior Court C.
 BK **9318** PG **294-296**

(Above space for...)

✓ Paid & Return: MICHAEL G. GRAY
WALKER, HULBERT, GRAY & MOORE, LLP
 909 BALL ST. * P.O. BOX 1770
 PERRY, GEORGIA 31069

FILE NO: G00-155

STATE OF GEORGIA
 COUNTY OF HOUSTON

TRUSTEE'S DEED

THIS INDENTURE, Made the 24th day of August, in the year two thousand twenty-one (2021), between

STEPHEN W. GRAY, as Trustee of the Testamentary Trust established in Item IV and Item V of the Last Will and Testament of W. Walter Gray, Jr. dated September 15, 2000

said Trustee hereinafter being called Grantor, and

BETTY C. GRAY

hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns).

WITNESSETH THAT:

Grantor has granted and conveyed, and by these presents does grant and convey unto the said Grantee the following described property, to-wit:

ALL OF A ONE HALF (1/2) UNDIVIDED INTEREST IN AND TO THE FOLLOWING DESCRIBED REAL PROPERTY:

PARCEL 1: That certain lot or parcel of land situate, lying and being in the 10th Land District of Houston County, Georgia, being a part of Land Lot 111 in said District, and comprising 2.45 acres of land, and having such shape, metes, bounds, courses and distances as are shown on plat of survey made by Rhodes Sewell, State Surveyor No. 160, dated October 13, 1954, a copy of said plat being of record in Map Book 3, Page 175, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto. Said lot or tract of land is bounded on the northwest, northeast and southwest by land now or formerly of W. W. Gray and on the southeast by the right of way of the Perry-Houston Lake Paved highway.

PARCEL 2: All that tract or parcel of land situate, lying and being in the Tenth Land District of Houston County, Georgia, and being a part of Land Lot 111 in said District, comprising 0.56 acre according to a plat of survey made by Rhodes Sewell, Surveyor, dated January 30, 1964, a copy of said plat being of record in Map Book 9, Page 11, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto.

The land above described and which is hereby conveyed together with that land which was conveyed from W.W. Gray, Sr. to Walter Gray, Jr. by deed recorded in Book 87, Page 194, Clerk's Office, Houston Superior Court, comprises the 3.01 acres which is all of the land shown by said plat of survey recorded in Map Book 9, Page 11, said Clerk's Office.

PARCEL 3: All that tract or parcel of land situate, lying and being in Land Lot 111 of the Tenth District of Houston County, Georgia and containing 0.50 acre as shown on plat of survey prepared by Richard L. Jones, Registered Surveyor No. 1591, dated February 8, 1975 and recorded in Plat Book 18, Page 63, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

Parcels 1 - 3 are known as Houston County Tax Assessor Tax Map Parcel No.: 0P41A0 024000

Street Address: 1803 Houston Lake Road, Perry, Georgia 31069

PARCEL 4: All that tract or parcel of land situate, lying and being in Land Lot 111 of the Tenth District of Houston County, Georgia, and being shown and designated as Parcel "B" containing 1.95 acres according to a plat of survey prepared by Richard L. Jones, Registered Surveyor No. 1591, said plat of survey dated February 8, 1975, and recorded in Plat Book 18, Page 63, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

PARCEL 5: All that tract or parcel of land situate, lying and being in Land Lot 111 of the Tenth District of Houston County, Georgia, and being shown and designated as Parcel "A" containing 1.58 acres according to a plat of survey prepared by Richard L. Jones, Registered Surveyor No. 1591, said plat of survey dated February 8, 1975, and recorded in Plat Book 18, Page 63, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

PARCEL 6: All that tract or parcel of land situate, lying and being in Land Lot 111, of the Tenth (10th) Land District, Houston County, Georgia and being known and designated as Parcel "G", comprising 2.193 acres as is more particularly shown on a plat of survey prepared by Lee R. Jones, Georgia Registered Land Survey #2680 dated September 15, 2004, and recorded in Plat Book 63, Page 179, 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.

Parcels 4 - 6 are known as Houston County Tax Assessor Tax Map Parcel No.: 0P0440 07C000

Deed Reference: Deed Book 7356, Pages 230-232, said Clerk's Office

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances, to the same being, belonging or in anywise appertaining to the only property, use, benefit and behoof of the said Grantee, her successors and assigns, forever in as full, ample and complete manner as the same was held, possessed and enjoyed by the said Grantor as Trustee.

THIS CONVEYANCE is executed by Grantor solely as Trustee and not personally. All covenants and conditions to be performed hereunder by Grantor are undertaken by the Grantor solely as Trustee as aforesaid and not individually. No personal liability shall be asserted or be enforceable against Grantor by reason of any covenants, statements, representations, or warranties contained in this indenture. This deed is executed by the Trustee pursuant to the power and authority granted to him in the Last Will and Testament of W. Walter Gray, Jr., deceased, which was duly probated in solemn form on September 19, 2016 in the Probate Court of Houston County, Georgia, as Estate No.: 2016-ES-341.

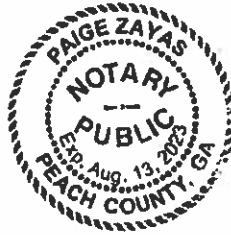
IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal, the day and year first above written.

Stephen W Gray (Seal)
STEPHEN W. GRAY, as Trustee of the
Testamentary Trust established in Item IV
and Item V of the Last Will and Testament
of W. Walter Gray, Jr. dated September 15,
2000

Signed, sealed and delivered
in the presence of:

[Signature]
Witness

Paige Zayas
Notary Public





Where Georgia comes together.

STAFF REPORT

From the Department of Community Development

February 3, 2022

CASE NUMBER: ANNX-0009-2022
APPLICANT: Chad Bryant
REQUEST: Annexation and Rezone from RAG (County) to R-2A, Single-Family Residential (City)
LOCATION: Kings Chapel Road and Gurr Road; Tax Map No. 000830 062000

BACKGROUND INFORMATION: The subject property is a 27.25-acre lot located on the Southwest corner of Kings Chapel Road and Gurr Road. The subject property is currently zoned RAG in Houston County and is currently used for agriculture. The applicant has requested to be annexed into the City of Perry with the zoning classification of R-2A, Single-family residential, for future development of a single-family home neighborhood and access to City of Perry utilities.

There are no known covenants or restrictions on the subject property which would preclude the uses permitted in the proposed zoning district.

STANDARDS FOR ESTABLISHING A ZONING CLASSIFICATION:

1. The existing land uses and zoning classifications of nearby property.

	Zoning Classification	Land Uses
North	R-2	Single-family homes; Avington Glenn Subdivision
South	R-1	Single-family homes; Brookwater Subdivision
East	R-2 and RAG (County)	Undeveloped and Single-family homes
West	RAG (County)	Undeveloped

- 2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.** The proposed zoning district is compatible with the surrounding uses. The primary land uses of the surrounding properties include single-family neighborhoods, undeveloped land, and properties that are zoned for similar residential uses.
- 3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.** The proposed zoning district and single-family residential development are appropriate for the area. The proposed zoning district is not expected to adversely impact the use of surrounding properties.
- 4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.** The subject property is in the "Suburban Residential" character area as outlined in the 2017 Joint Comprehensive Plan.

The Suburban Residential character area indicates the need for "greater variety of housing types" and "housing diversity, particularly in terms of higher density and greater affordability." The suggested development pattern includes "location of higher-density housing near commercial centers, or along arterial roads."

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

- Infrastructure – Water and sanitary sewer service will need to be established at the subject property for future residential development to occur. All applicable local, state, and federal regulations shall be met.
- Roads – The primary roads impacted because of future residential development are Kings Chapel Road and Gurr Road. These roads are expected to have adequate capacity to serve the proposed development.
- Schools – The Houston County Board of Education has been notified of this request. Staff is not aware of any issues related to the capacity of educational facilities resulting from future development.

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 subject property with proposed single-family residential development is located near similar residential neighborhoods and complements the suburban residential character of the Eastern portion of Perry.

STAFF RECOMMENDATION: City of Perry Staff recommends approval of the annexation request and the proposed zoning classification of R-2A, Single-family residential, with the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Kings Chapel Road and Gurr Road in support of the City of Perry's green corridor initiative.
3. Sidewalks within the neighborhood shall be installed in addition to sidewalks along Kings Chapel Road and Gurr Road as reflected in the City of Perry Pathways Plan.

PLANNING COMMISSION RECOMMENDATION

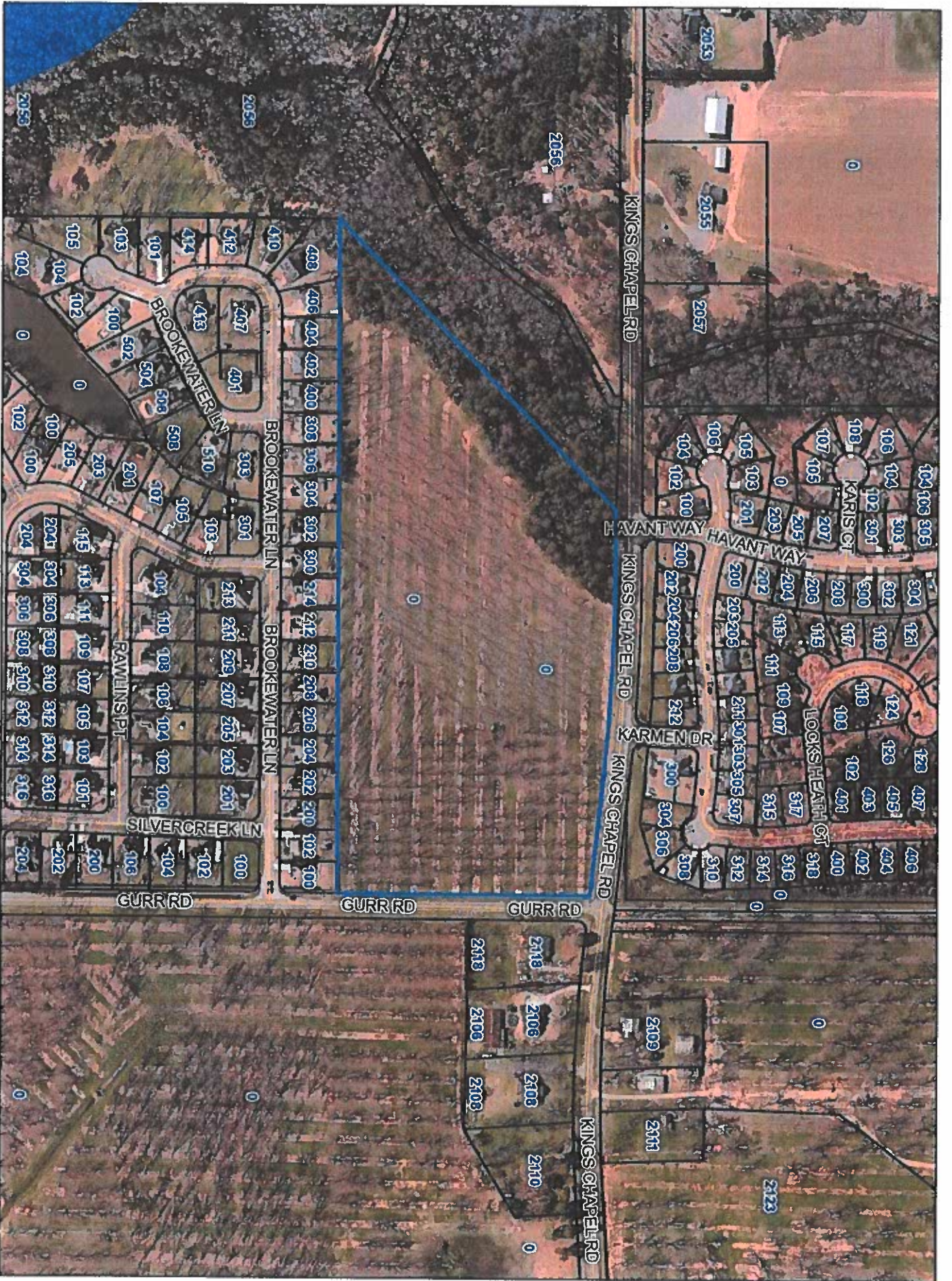
Approval of the annexation request and the proposed zoning classification of R-2A, single-family residential with the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Kings Chapel Road and Gurr Road in support of the City of Perry's green corridor initiative.

3. Sidewalks within the neighborhood shall be installed in addition to sidewalks along Kings Chapel Road and Gurr Road as reflected in the City of Perry Pathways Plan.


Eric Z. Edwards, Chairman of the Planning Commission

2/17/22
Date



PUD

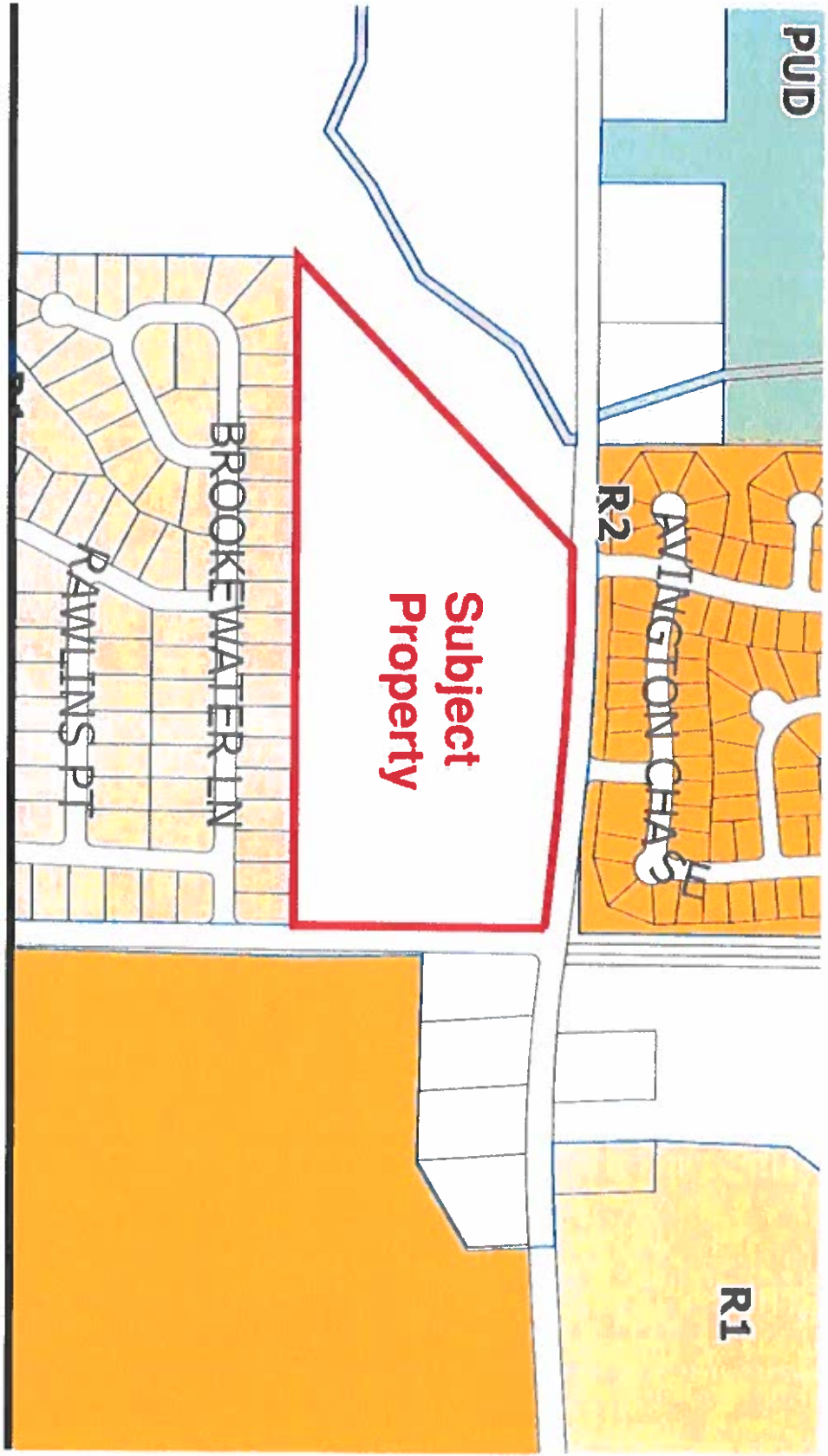
AVINGTON CHAS
R2

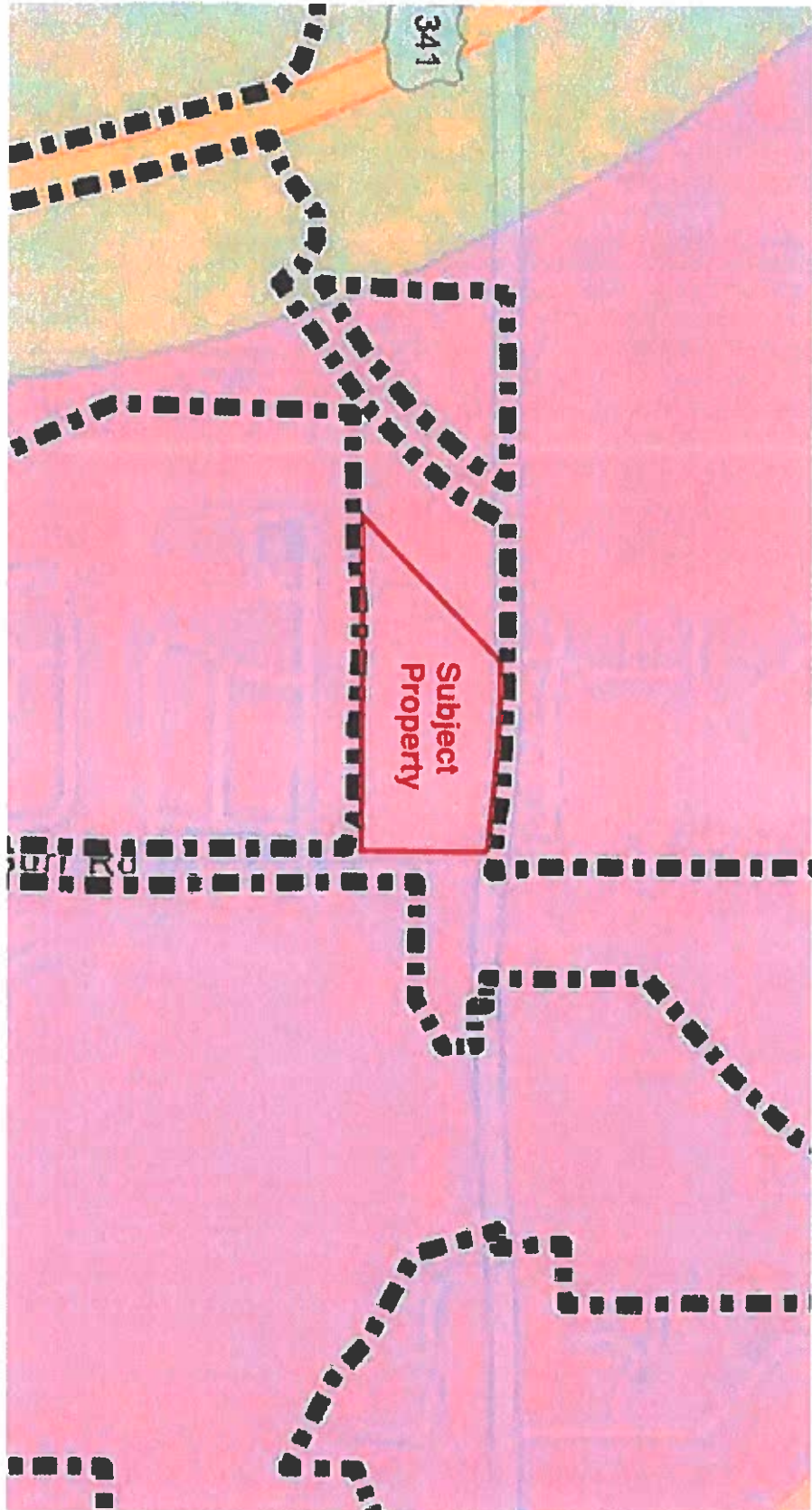
R1

**Subject
Property**

BROOKEWATER LN

PAWLINS PT







Where Georgia comes together.

Application # ANNX -
0009 - 2022

Application for Annexation

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Chad Bryant	Taffy Properties
*Title	engineer	owner
*Address	906 Ball St Perry, GA 31069	110 Latham Dr Warner Robins, GA 31088
*Phone	478-714-1594	478-256-8672
*Email	chad@bryantengllc.com	jeff@customhomesbyjeff.com

Property Information

*Street Address or Location	Gurr Rd/Kings Chapel Rd
*Tax Map #(s)	000830 062000
*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, tied to the Georgia Planes Coordinate System.

Request

*Current County Zoning District	RAG	*Proposed City Zoning District	R2A
*Please describe the existing and proposed use of the property <u>Note: A Site Plan and/or other information which fully describes your proposal may benefit your application.</u>			
existing use: agricultural farm land, proposed use: single family, residential neighborhood			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential - \$140.00 plus \$16.25/acre (maximum \$1,700.00)
 - Planned Development - \$160.00 plus \$16.25/acre (maximum \$3,000.00)
 - Commercial/Industrial - \$245.00 plus \$22.65/acre (maximum \$3,170.00)
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with 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. Public notice sign(s) will be posted on the property 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 has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes ___ No
If yes, please complete and submit a Disclosure Form available from the Community Development office.

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		*Date	1-12-22
*Property Owner/Authorized Agent		*Date	1/12/22

Standards for Granting a Zoning Classification

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

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

1. Identify the existing land uses and zoning classification of nearby properties.
2. Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property.
3. Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property.
4. Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan.
5. Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools.
6. 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.

Revised 8/18/21

1. Property to the north is the existing subdivision, Avington Glen (zoned R2). Property to the south is the existing subdivision, Brookewater (zoned R1). Property to the east has recently been rezoned to R2. The property to the west is zoned RAG.
2. The proposed zoning is for residential use and is suitable to the surrounding zoning, which is a combination of farmland and higher density residential.
3. The proposed zoning is like kind with it's surrounding zonings and meets similar lot sizes with surrounding subdivisions and should not have an adverse impact on adjacent properties.
4. This area is planned for residential development in the Comprehensive Plan.
5. The proposed development should not have an adverse impact on city structures. Traffic counts are low so there will not be an overburden on transportation infrastructure.
6. The proposed development will serve as an appropriate addition to existing subdivisions.

LEGEND

- 0-12 FEEDS PER FOOT
- CONCRETE PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE SIDEWALK
- CONCRETE CURB
- CONCRETE DRAINAGE
- CONCRETE UTILITY
- CONCRETE FENCE
- CONCRETE WALL
- CONCRETE BLOCK
- CONCRETE POLE
- CONCRETE POST
- CONCRETE RISER
- CONCRETE TOWER
- CONCRETE VESTIBULE
- CONCRETE WALKWAY
- CONCRETE YARD
- CONCRETE ZONE
- CONCRETE AREA
- CONCRETE CURVE
- CONCRETE CATCH BASIN
- CONCRETE INLET
- CONCRETE MANHOLE
- CONCRETE CHECK DAM
- CONCRETE STRUCTURE
- CONCRETE ACCESS
- CONCRETE DRIVE
- CONCRETE PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE SIDEWALK
- CONCRETE CURB
- CONCRETE DRAINAGE
- CONCRETE UTILITY
- CONCRETE FENCE
- CONCRETE WALL
- CONCRETE BLOCK
- CONCRETE POLE
- CONCRETE POST
- CONCRETE RISER
- CONCRETE TOWER
- CONCRETE VESTIBULE
- CONCRETE WALKWAY
- CONCRETE YARD
- CONCRETE ZONE
- CONCRETE AREA
- CONCRETE CURVE
- CONCRETE CATCH BASIN
- CONCRETE INLET
- CONCRETE MANHOLE
- CONCRETE CHECK DAM
- CONCRETE STRUCTURE
- CONCRETE ACCESS
- CONCRETE DRIVE
- CONCRETE PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE SIDEWALK
- CONCRETE CURB
- CONCRETE DRAINAGE
- CONCRETE UTILITY
- CONCRETE FENCE
- CONCRETE WALL
- CONCRETE BLOCK
- CONCRETE POLE
- CONCRETE POST
- CONCRETE RISER
- CONCRETE TOWER
- CONCRETE VESTIBULE
- CONCRETE WALKWAY
- CONCRETE YARD
- CONCRETE ZONE
- CONCRETE AREA
- CONCRETE CURVE
- CONCRETE CATCH BASIN
- CONCRETE INLET
- CONCRETE MANHOLE
- CONCRETE CHECK DAM
- CONCRETE STRUCTURE
- CONCRETE ACCESS
- CONCRETE DRIVE
- CONCRETE PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE SIDEWALK
- CONCRETE CURB
- CONCRETE DRAINAGE
- CONCRETE UTILITY
- CONCRETE FENCE
- CONCRETE WALL
- CONCRETE BLOCK
- CONCRETE POLE
- CONCRETE POST
- CONCRETE RISER
- CONCRETE TOWER
- CONCRETE VESTIBULE
- CONCRETE WALKWAY
- CONCRETE YARD
- CONCRETE ZONE
- CONCRETE AREA
- CONCRETE CURVE
- CONCRETE CATCH BASIN
- CONCRETE INLET
- CONCRETE MANHOLE
- CONCRETE CHECK DAM
- CONCRETE STRUCTURE
- CONCRETE ACCESS
- CONCRETE DRIVE
- CONCRETE PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE SIDEWALK
- CONCRETE CURB
- CONCRETE DRAINAGE
- CONCRETE UTILITY
- CONCRETE FENCE
- CONCRETE WALL
- CONCRETE BLOCK
- CONCRETE POLE
- CONCRETE POST
- CONCRETE RISER
- CONCRETE TOWER
- CONCRETE VESTIBULE
- CONCRETE WALKWAY
- CONCRETE YARD
- CONCRETE ZONE
- CONCRETE AREA
- CONCRETE CURVE
- CONCRETE CATCH BASIN
- CONCRETE INLET
- CONCRETE MANHOLE
- CONCRETE CHECK DAM
- CONCRETE STRUCTURE
- CONCRETE ACCESS
- CONCRETE DRIVE
- CONCRETE PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE SIDEWALK
- CONCRETE CURB
- CONCRETE DRAINAGE
- CONCRETE UTILITY
- CONCRETE FENCE
- CONCRETE WALL
- CONCRETE BLOCK
- CONCRETE POLE
- CONCRETE POST
- CONCRETE RISER
- CONCRETE TOWER
- CONCRETE VESTIBULE
- CONCRETE WALKWAY
- CONCRETE YARD
- CONCRETE ZONE
- CONCRETE AREA
- CONCRETE CURVE
- CONCRETE CATCH BASIN
- CONCRETE INLET
- CONCRETE MANHOLE
- CONCRETE CHECK DAM
- CONCRETE STRUCTURE
- CONCRETE ACCESS
- CONCRETE DRIVE
- CONCRETE PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE SIDEWALK
- CONCRETE CURB
- CONCRETE DRAINAGE
- CONCRETE UTILITY
- CONCRETE FENCE
- CONCRETE WALL
- CONCRETE BLOCK
- CONCRETE POLE
- CONCRETE POST
- CONCRETE RISER
- CONCRETE TOWER
- CONCRETE VESTIBULE
- CONCRETE WALKWAY
- CONCRETE YARD
- CONCRETE ZONE
- CONCRETE AREA
- CONCRETE CURVE
- CONCRETE CATCH BASIN
- CONCRETE INLET
- CONCRETE MANHOLE
- CONCRETE CHECK DAM
- CONCRETE STRUCTURE
- CONCRETE ACCESS
- CONCRETE DRIVE
- CONCRETE PAVEMENT
- CONCRETE DRIVEWAY
- CONCRETE SIDEWALK
- CONCRETE CURB
- CONCRETE DRAINAGE
- CONCRETE UTILITY
=

SUBJECT'S NOTICE

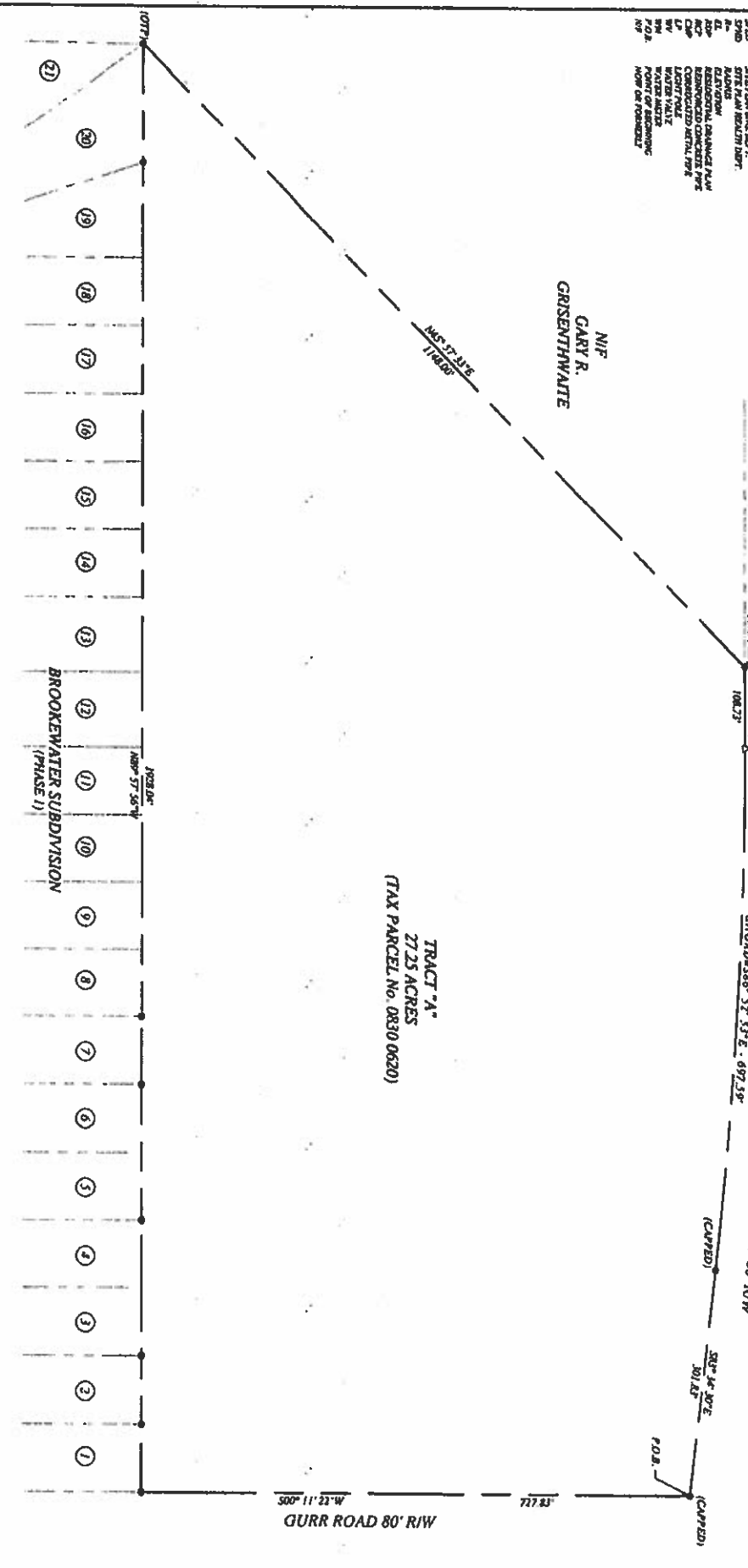
THESE PLATS HAVE BEEN PREPARED FROM AN ACTUAL SURVEY AND FIELD MEASUREMENTS. THE SURVEYOR HAS BEEN TO THE PROPERTY AND HAS OBSERVED THE PLATS AND HAS BEEN SATISFIED THAT THE SURVEY AND FIELD MEASUREMENTS ARE CORRECT. THE SURVEYOR HAS BEEN TO THE PROPERTY AND HAS OBSERVED THE PLATS AND HAS BEEN SATISFIED THAT THE SURVEY AND FIELD MEASUREMENTS ARE CORRECT.

STATEMENT OF WORK

THE SURVEYOR HAS BEEN TO THE PROPERTY AND HAS OBSERVED THE PLATS AND HAS BEEN SATISFIED THAT THE SURVEY AND FIELD MEASUREMENTS ARE CORRECT. THE SURVEYOR HAS BEEN TO THE PROPERTY AND HAS OBSERVED THE PLATS AND HAS BEEN SATISFIED THAT THE SURVEY AND FIELD MEASUREMENTS ARE CORRECT.

PROPERTY OWNER

NIP
GARY R.
GRISENHWAITE



TRACT "A"
27.25 ACRES
(TAX PARCEL NO. 0830 0620)



TOTAL AREA: 27.25 ACRES

DATE: 12/21/2021

McLead SURVEYING

McLead SURVEYING

505 Paul Street
Perry, Georgia 31006
Phone: (478) 224-7070
Fax: (478) 224-7072
WWW.MCLEADSURVEYING.COM

THE CLERK OF SUPERIOR COURT HAS FILED THE ORIGINAL PLAT FOR THIS SUBDIVISION. THE ORIGINAL PLAT IS FILED UNDER THE PUBLIC RECORDS. THE ORIGINAL PLAT IS FILED UNDER THE PUBLIC RECORDS. THE ORIGINAL PLAT IS FILED UNDER THE PUBLIC RECORDS.

BK 83 PG 87



NO.	DATE	DESCRIPTION

COUNTY: HOUSTON
DISTRICT: 10TH
LAND LOT: 144
DATE: 12/21/2021
SCALE: 1" = 100'

McLead SURVEYING

505 Paul Street
Perry, Georgia 31006
Phone: (478) 224-7070
Fax: (478) 224-7072
WWW.MCLEADSURVEYING.COM

P-21106 - DEVELOPMENTS - LEFT SIDE - SUNDAY AND TOP OF 2 TRACTS 144 AC @ CURB & KINGS CHAPEL ROAD SURVEY AND SURVEYING

Type: GEORGIA LAND RECORDS
Recorded: 12/29/2021 4:44:00 PM
Fee Amt: \$2,444.60 Page 1 of 2
Transfer Tax: \$2,419.60
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Superior Court Clerk

Participant ID: 7491002503

BK 9514 PG 303 - 304

Return:
Robert T. Tuggle, III
Daniel, Lawson, Tuggle & Jerles, LLP
Post Office Box 89
Perry, Georgia 31069

93-13647-R

LIMITED WARRANTY DEED

**STATE OF GEORGIA
COUNTY OF HOUSTON**

THIS INDENTURE, Made the 23rd day of December, in the year two thousand twenty-one, between

CHEROKEE PECAN COMPANY, INC.

of the State of Georgia, as party of the first part, hereinafter called Grantor, and

TAFFY PROPERTIES, LLC

of the State of Georgia, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH THAT : Grantor, for and in consideration of the sum of **TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS**, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, alienated, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, all the following described property, to wit:

TRACT I

All that tract or parcel of land lying and being in Land Lot 145 of the Tenth (10th) Land District, Houston County, Georgia, containing 107.02 acres, more or less, and being known and designated as Tract "A", according to a Plat of Survey thereof made by Marty A. McLeod, Georgia Registered Land Surveyor No. 2991, dated December 21, 2021 and of record in Plat Book 83, Page 88, Clerk's Office, Houston Superior Court. Said plat and the record thereof are incorporated herein for all purposes.

TRACT II


All that tract or parcel of land lying and being in Land Lot 144 of the Tenth (10th) Land District, Houston County, Georgia, containing 27.25 acres, more or less, and being known and designated as Tract "A", according to a Plat of Survey thereof made by Marty A. McLeod, Georgia Registered Land Surveyor No. 2991, dated December 21, 2021 and of record in Plat Book 83, Page 87, Clerk's Office, Houston Superior Court. Said plat and the record thereof are incorporated herein for all purposes.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in **FEE SIMPLE**.

AND THE SAID GRANTOR warrants and will forever defend the right and title to the above described property unto the said Grantee against the claims of all persons claiming by, through or under the Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

CHEROKEE PECAN COMPANY, INC.

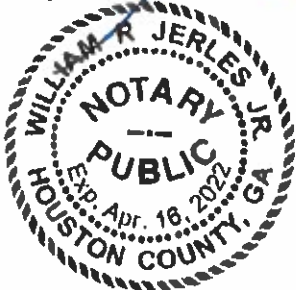
By:  (SEAL)
JAMES PARKS, II, PRESIDENT

Attest:  (SEAL)
CRISTI PARKS, SECRETARY

Signed, sealed and delivered
in the presence of:


Witness


Notary Public



Daniel, Lawson, Tuggle & Jerles, LLP
Attorneys At Law
P. O. Box 89
912 Main Street
Perry, GA 31069



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
February 9, 2022

CASE NUMBER: RZNE-0014-2022
APPLICANT: Chad Bryant
REQUEST: Rezone from R-2, Two-family Residential, to PUD, Planned Unit Development (Residential)
LOCATION: Gurr Road; Tax Map No. 0P0480 039000

BACKGROUND INFORMATION: The subject property consists of 49.12 acres and is currently zoned R-2, Two-family Residential District. The subject property is currently undeveloped. The applicant proposes to change the zoning to PUD, Planned Unit Development District, for a single-family residential subdivision.

A PUD is required to set its own development standards, like would be established for a typical zoning district. The applicant has proposed a set of development standards for this PUD. Planning Staff has recommended a set of development standard for the PUD, incorporating, and clarifying some of the applicant's proposals. Some additional standards are recommended.

The proposed conceptual site plan calls for 121 residential lots with a minimum size of 9,000 square feet and a minimum lot width of 75 feet. The layout extends streets in Remington Chase Phase 1 and provides an additional access to the subdivision on Gurr Road.

The installation of sidewalks along Gurr Road is identified in the Perry Connectivity Plan recently adopted by City Council.

Staff is not aware of any covenants or restrictions which prevent the proposed development.

STANDARDS GOVERNING ZONE CHANGES:

1. The existing land uses and zoning classification of nearby properties.

	Zoning Classification	Land Uses
North	R-2, Two-family residential	Single-family homes in Remington Chase Phase 1
South	County RAG, Residential-Ag	Single-family homes and undeveloped
East	R-2	Single-family homes in New Haven
West	County RAG	Undeveloped

- 2. The suitability of the subject property for the zoned purposes.** The subject property is suitable for residential development.
- 3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** At least three different residential plans designed using the R-2 standards have been

submitted to the City since the property was annexed in 2004. None of these plans have been implemented.

4. **The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.** The proposed use of the property will remain single-family residential. The proposed number of lots is 26 lots more than the densest plan previously provided to the City under the current zoning.
5. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** The property will remain zoned for single-family detached residences.
6. **Whether the subject property has a reasonable economic use as currently zoned.** Owners of the property have not been able to develop previous plans developed using the R-2 standards.
7. **The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** The property was annexed into the City of Perry in 2004. Since then, several properties in the area have been developed for single-family subdivisions.
8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** Single-family residential development is consistent with the development pattern of properties along Gurr Road.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** Single-family residential development is consistent with adjacent uses and should not adversely impact surrounding properties.
10. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The subject property is within the "Suburban Residential" character area in the 2017 Joint Comprehensive Plan Update. The Suburban Residential character area indicates the need for "greater variety of housing types" and "housing diversity, particularly in terms of higher density and greater affordability." The suggested development pattern includes "location of higher-density housing near commercial centers, or along arterial roads."
11. **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.** The subject property is currently vacant so any new development will increase the use of existing streets, utilities, and school facilities.
 - Infrastructure – Water and sewer service is available at the subject property.
 - Roads – The proposed development will access Gurr Road, a designated major collector. Gurr Road funnels traffic to Kings Chapel Road and to US Hwy 341, both designated as arterials. All of these roads have adequate capacity to accommodate the additional traffic generated by the proposed development.
 - Education – Staff is not aware of any capacity-related issues for the Houston County School System resulting from the proposed development.
12. **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.** There continues to be interest in additional residential development in the immediate area of the subject property.

STAFF RECOMMENDATION: Staff recommends approval of the zoning change with the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the zoning change with the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property.



Eric Z. Edwards, Chairman of the Planning Commission



Date

Remington Chase Phase 2
Planned Unit Development Standards

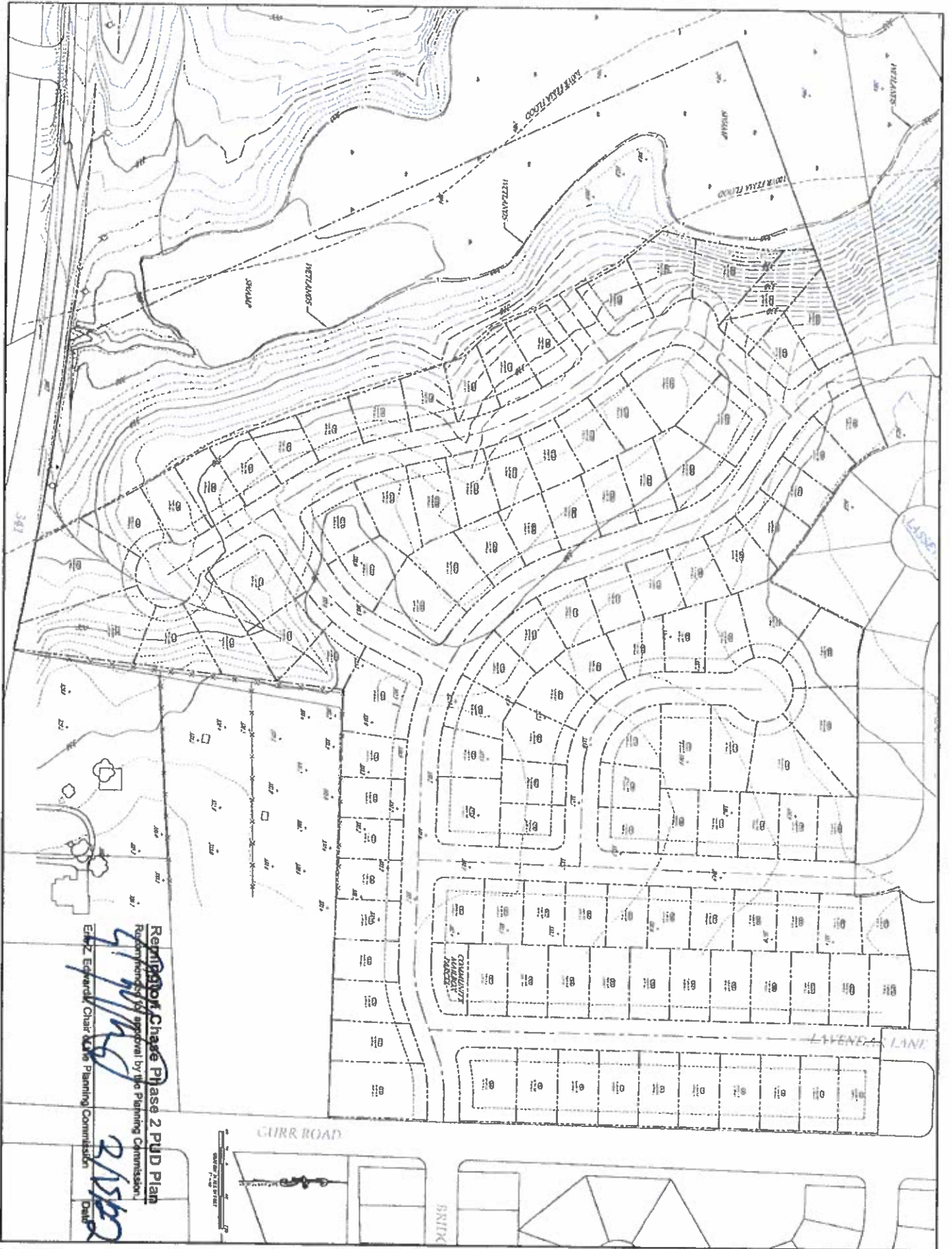
Recommended for approval by the Planning Commission:



Eric Z. Edwards, Chairman of the Planning Commission


Date

1. **Permitted Uses:** Single-family detached residential, and accessory uses clearly incidental to, and customarily associated with single-family detached residential uses.
2. **Minimum Lot Area:** 9,000 square feet
3. **Minimum Lot Width:** 75 feet
4. **Maximum Allowed Density:** 121 residential lots
5. **Minimum Principal Building Setbacks:**
 - Front: 25 feet
 - Rear: 25 feet
 - Interior Side: 8 feet
6. **Minimum House Size:** 1,200 square feet of heated space.
7. **Access:** The PUD shall have no access to or from US Hwy 341. Lots 1-11 shall have not access to or from Gurr Road. Access to the PUD shall be as shown on the approved PUD Plan.
8. **Streets and Rights-of-way:** To comply with City of Perry minimum standards.
9. **Connectivity:** ADA-compliant sidewalks shall be installed on at least one side of all internal streets in the PUD. An ADA-compliant sidewalk shall be installed within the Gurr Road right-of-way along the full frontage of the PUD.
10. **Landscape:**
 - a. 10' wide easements along the PUD's US Hwy. 341 and Gurr Road frontages shall be granted to the City of Perry for landscaping and maintenance.
 - b. One 3-inch caliper shade tree shall be installed within the right-of-way along both sides of all internal streets, spaced approximately 75 feet on-center (generally one tree per single-frontage lot, two trees per double-frontage lots). Such trees shall count toward the required number of trees per lot required by subsection 6-4.2(A)(2) of the Land Management Ordinance.
11. **Pocket Park:** An area of at least 19,425 square feet shall be dedicated to the City of Perry for the City's installation and maintenance of a pocket park. The park area shall be suitable for use as a park and acceptable to the City of Perry.
12. **Stormwater Management Facilities:** Land comprising the stormwater management facilities shall be donated to the City of Perry for maintenance upon satisfactory completion of such facilities.
13. **Unspecified Standards:** Any development or other standards not specified above shall be governed by the applicable standards of the Land Management Ordinance for single-family detached residential lots and subdivisions located in an R-3 zoning district.

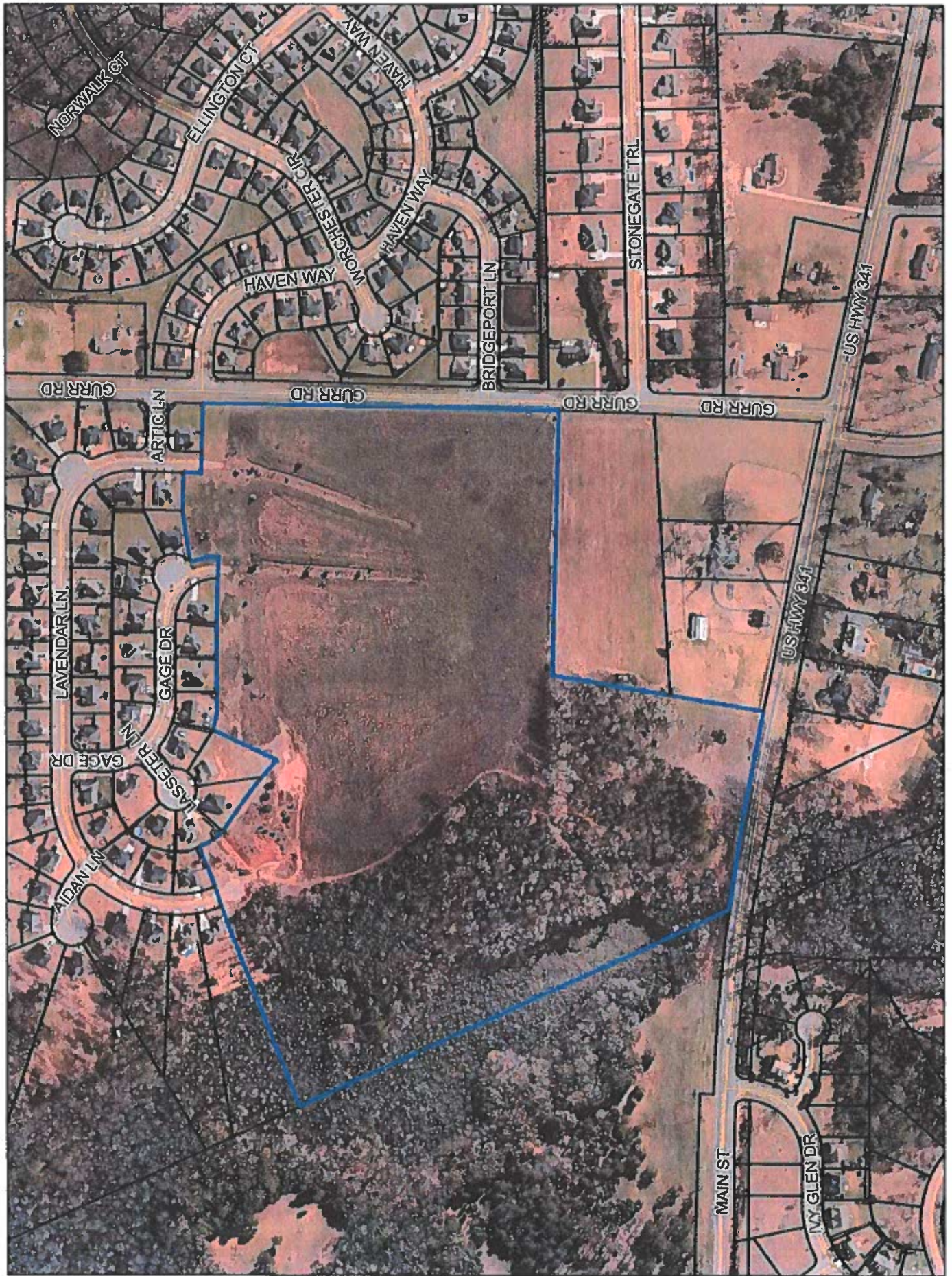


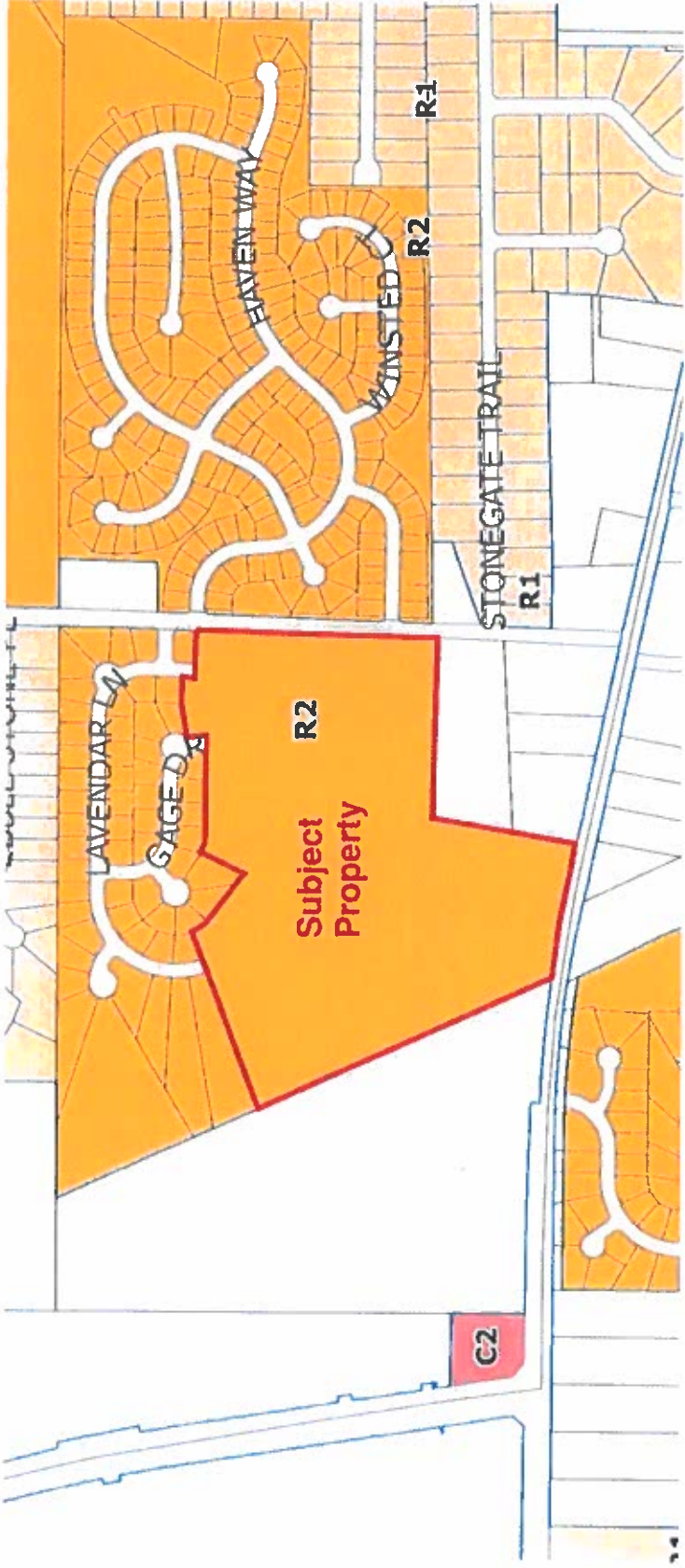
Remington Chase Phase 2 PUD Plan
 Resubmitted for approval by the Planning Commission.
 Elizabeth Edwards, Chair, Davis Planning Commission
 Date: 2/15/20

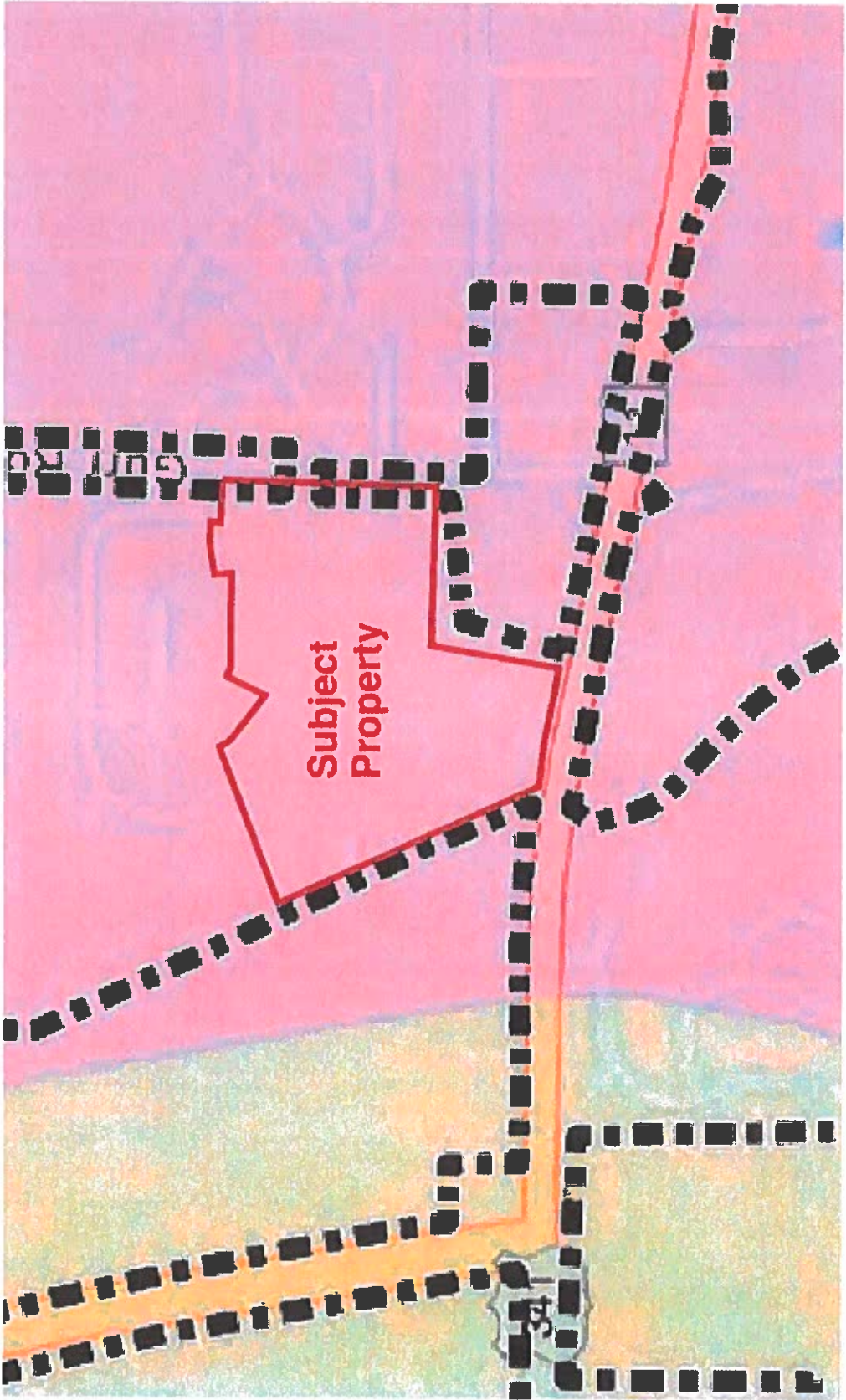
Project No. C-21	SHEET NO. 1	PROJECT NAME REMINGTON CHASE SECTION 2	PREPARED BY BRYANT ENGINEERING	DATE 2/15/20	
	SCALE AS SHOWN	DRAWN BY [Name]	CHECKED BY [Name]	PROJECT NO. [Number]	

Remington Chase Phase 2
Planned Unit Development Standards

1. **Permitted Uses:** Single-family detached residential, and accessory uses clearly incidental to, and customarily associated with single-family detached residential uses.
2. **Minimum Lot Area:** 9,000 square feet
3. **Minimum Lot Width:** 75 feet
4. **Maximum Allowed Density:** 121 residential lots
5. **Minimum Principal Building Setbacks:**
 - Front: 25 feet
 - Rear: 25 feet
 - Interior Side: 8 feet
6. **Minimum House Size:** 1,200 square feet of heated space.
7. **Access:** The PUD shall have no access to or from US Hwy 341. Lots 1-11 shall have not access to or from Gurr Road. Access to the PUD shall be as shown on the approved PUD Plan.
8. **Streets and Rights-of-way:** To comply with City of Perry minimum standards.
9. **Connectivity:** ADA-compliant sidewalks shall be installed on at least one side of all internal streets in the PUD. An ADA-compliant sidewalk shall be installed within the Gurr Road right-of-way along the full frontage of the PUD.
10. **Landscape:**
 - a. 10' wide easements along the PUD's US Hwy. 341 and Gurr Road frontages shall be granted to the City of Perry for landscaping and maintenance.
 - b. One 3-inch caliper shade tree shall be installed within the right-of-way along both sides of all internal streets, spaced approximately 75 feet on-center (generally one tree per single-frontage lot, two trees per double-frontage lots). Such trees shall count toward the required number of trees per lot required by subsection 6-4.2(A)(2) of the Land Management Ordinance.
11. **Pocket Park:** An area of at least 19,425 square feet shall be dedicated to the City of Perry for the City's installation and maintenance of a pocket park. The park area shall be suitable for use as a park and acceptable to the City of Perry.
12. **Stormwater Management Facilities:** Land comprising the stormwater management facilities shall be donated to the City of Perry for maintenance upon satisfactory completion of such facilities.
13. **Unspecified Standards:** Any development or other standards not specified above shall be governed by the applicable standards of the Land Management Ordinance for single-family detached residential lots and subdivisions located in an R-3 zoning district.









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

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

Casey Graham, P.E.
Perry Branch Manager

January 13, 2022

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

**Subject: Planned Unit Development Requirements
49.12 Acres- Remington Chase**

Dear Mr. Wood,

Parcel Size
49.12 Acres

Current Zoning
R-2

Use
Single Family Residential

Lot Dimensions
Minimum Lot Size = 9,000 s.f.
Minimum Lot Width = 75'
Maximum Density Allowed = 3.0 units/acre

Setbacks
Front = 25'
Interior Side = 8'
Rear = 25'

Access
No access shall be allowed from Hwy 341
*Street Design Standards shall meet all City of Perry Requirements.
*All other requirements shall be met

Sincerely,

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

Chad Bryant, P.E.
President
Bryant Engineering

906 Ball Street, Suite A, Perry, GA 31069
48 N. Jackson Street, Forsyth, GA 31029



Website: bryantengllc.com
Office: 478-224-7070



Where Georgia comes together.

Application # R2NE
0014-2022

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Chad Bryant	CCCCT Investments, LLC
*Title	Engineer	owner
*Address	906 Ball Street, Perry, GA 31069	906 Ball Street, Perry, GA 31069
*Phone	478-224-7070	478-224-7070
*Email	chad@bryantengllc.com	chad@bryantengllc.com

Property Information

*Street Address or Location	Gurr Rd
*Tax Map Number(s)	0P0480 039000
*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;

Request

*Current Zoning District	R2	*Proposed Zoning District	PUD
*Please describe the existing and proposed use of the property <u>Note: A Site Plan or other information which fully describes your proposal may benefit your application.</u>			
existing use: vacant cleared land; proposed use: single family, residential neighborhood			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential - \$140.00 plus \$16.25/acre (maximum \$1,700.00)
 - Planned Development - \$160.00 plus \$16.25/acre (maximum \$3,000.00)
 - Commercial/Industrial - \$245.00 plus \$22.65/acre (maximum \$3,170.00)
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with 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.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property 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 has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes ___ No X
If yes, please complete and submit a Disclosure Form available from the Community Development office.



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

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

Casey Graham, P.E.
Perry Branch Manager

January 18, 2022

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

**Subject: Application for Rezoning
Remington Chase Phase 2**

Dear Mr. Wood,

Please see attached application and plat for rezoning for approximately 49.12-acre tract located on Gurr Rd and US Hwy 341. Below is the Standards for Granting a Rezoning (Page 2 of application).

1. Property to the north is the existing subdivision, Remington Chase, zoned PUD. Property to the east is the existing subdivision, New Haven, zoned R2. Property to the south are the existing subdivisions, Hermitage, zoned RAG, and Ivy Glen, zoned R2. Property to the west is mostly agricultural farmland, zoned RAG.
2. The property has historically been unused. Due to the proximity to the other subdivisions and surrounding developments, this property has become prime area for residential development.
3. The property is currently under-utilized and not serving the public in its highest and best use.
4. The property is being unused and thus has no bearing on health, safety, morals, and general welfare of the public.
5. This improvement will provide like kind development directly south of neighboring properties along Hwy 41. The proposed zoning and concept allows for a better use of property.
6. The property is currently unused and under-utilized.





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

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

Casey Graham, P.E.
Perry Branch Manager

7. The property has never been developed as currently zoned and has remained wooded, as opposed to other developments in the vicinity, which have been rezoned to residential and developed as single-family residential lots.

8. The proposed zoning is like kind with surrounding zonings and meets similar lot sizes in neighboring subdivisions.

9. The proposed zoning is for residential use and the property is within a transitional area from farmland to higher density residential.

10. This area is planned for residential development in the Comprehensive Plan

11. This site has multiple vehicular access points and is in close proximity to Hwy Gurr Rd and Hwy 341. Engineer is not aware of any burdens of existing city infrastructures.

12. Current conditions support rezoning this property to PUD as surrounding developments are also zoned PUD.

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





Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
February 9, 2022

CASE NUMBER: RZNE-0015-2022
APPLICANT: Chad Bryant
REQUEST: Rezone from C-2, General Commercial, to PUD, Planned Unit Development (Residential)
LOCATION: US Hwy 41 South at Holly Hills subdivision; Tax Map No. 0P0320 075000

BACKGROUND INFORMATION: The subject property consists of 27.1 acres and is currently zoned C-2, General Commercial District. The subject property is currently undeveloped. The proposes to change the zoning to PUD, Planned Unit Development District, for a single-family residential subdivision.

A PUD is required to set its own development standards, like would be established for a typical zoning district. The applicant has proposed a set of development standards for this PUD. Planning Staff has recommended a set of development standard for the PUD, incorporating, and clarifying some of the applicant's proposals. Some additional standards are recommended.

The proposed conceptual site plan calls for 71 residential lots with a minimum size of 9,000 square feet and a minimum lot width of 75 feet. A 20' undisturbed buffer is proposed adjacent to lots in the Holly Hills subdivision. The layout includes a street connecting to Greenwood Drive and Briarcliff Road.

Staff is not aware of any covenants or restrictions which prevent the proposed development.

STANDARDS GOVERNING ZONE CHANGES:

1. The existing land uses and zoning classification of nearby properties.

	Zoning Classification	Land Uses
North	R-1, Single-family residential	Single-family homes and vacant residential lots
South	C-2, General commercial	Hamby Automotive
East	US Hwy 41 and Interstate 75	Transportation corridors
West	R-1	Single-family homes and vacant residential lots

- 2. The suitability of the subject property for the zoned purposes.** The subject property is suitable for commercial development due to its location near Interstate 75.
- 3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** The applicant is requesting a more restrictive zoning classification. It does not appear the value of the subject property will be diminished.

4. **The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.** The more restrictive zoning request will better promote general welfare of the public.
5. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** The applicant is proposing the more restrictive zoning and, therefore, does not impose a hardship on the property owner.
6. **Whether the subject property has a reasonable economic use as currently zoned.** The subject property has a reasonable economic use as currently zoned.
7. **The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** The subject property has never been developed. The subject property was rezoned from R-1 to C-2 in 2014.
8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** Given the property's adjacency to Holly Hills subdivision, the proposed residential development is more suitable to nearby properties.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** In addition to more restrictive zoning designation for single-family residential use, the applicant proposes a 20-foot undisturbed buffer adjacent to properties in the Holly Hill subdivision.
10. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The subject property is within the "Suburban Residential" and "In-Town Corridor" character areas in the 2017 Joint Comprehensive Plan Update. The Suburban Residential character area indicates the need for "greater variety of housing types" and "housing diversity, particularly in terms of higher density and greater affordability." The suggested development pattern includes "location of higher-density housing near commercial centers, or along arterial roads." Suggested development patterns for the In-Town Corridor include "Homes, shops, small businesses, and institutions grouped in attractive mixed-use centers."
11. **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.** The subject property is currently vacant so any new development will increase the use of existing streets, utilities, and school facilities.
 - Infrastructure – Water and sewer service is available at the subject property. Sewer capacity is currently limited in this area.
 - Roads – The proposed development will use existing roads in Holly Hills subdivision to access US Hwy 41 and Marshallville Highway. Trips generated from 71 additional residential lots should have a minimal impact on the existing residential streets in Holly Hills. The adjacent state routes are designed at arterial roads had have adequate capacity to serve the additional trips.
 - Education – Staff is not aware of any capacity-related issues for the Houston County School System resulting from the proposed development.
12. **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.** There is increased interest in developing residential subdivisions in the areas along US Hwy 41 South and South Perry Parkway.

STAFF RECOMMENDATION: Staff recommends approval of the zoning change with the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the zoning change with the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property.



Eric Z. Edwards, Chairman of the Planning Commission

2/15/20
Date

Agricultural Village Phase 3 (Holly Hills)

Planned Unit Development Standards

Recommended for approval by the Planning Commission:

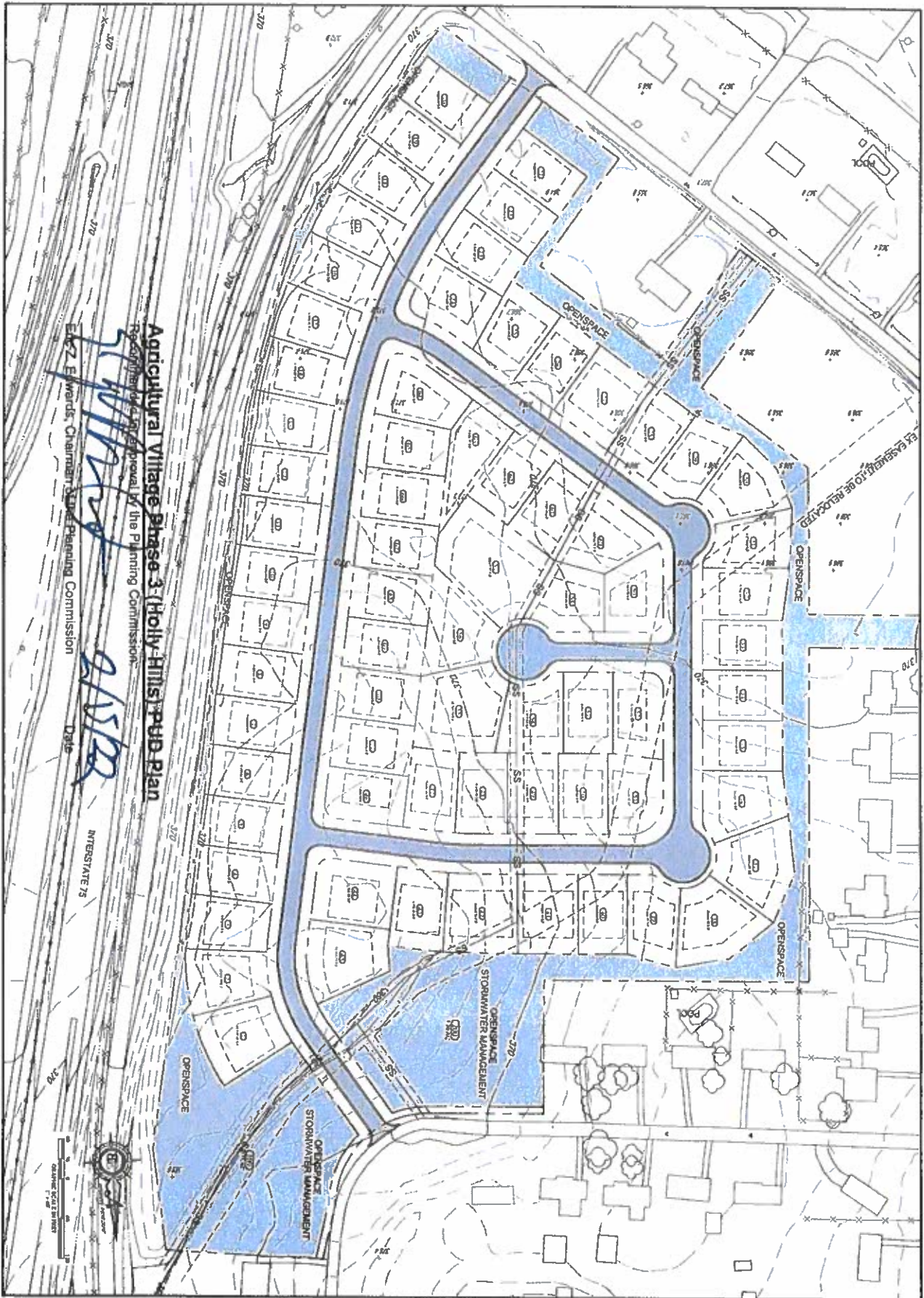


Eric Z. Edwards, Chairman of the Planning Commission



Date

1. **Permitted Uses:** Single-family detached residential, and accessory uses clearly incidental to, and customarily associated with single-family detached residential uses.
2. **Minimum Lot Area:** 9,000 square feet
3. **Minimum Lot Width:** 75 feet
4. **Maximum Allowed Density:** 71 residential lots
5. **Minimum Principal Building Setbacks:**
 - Front: 25 feet
 - Rear: 25 feet
 - Interior Side: 8 feet
6. **Minimum House Size:** 1,200 square feet of heated space.
7. **Greenspace:**
 - Buffers:** A minimum 20'-wide undisturbed buffer shall be maintained adjacent to properties in the original Holly Hills subdivision. A minimum 10' buffer shall be maintained adjacent to the right-of-way of US Hwy. 41.
 - Exceptions:** Stormwater management facilities may be established within designated greenspace provided such facilities do not encroach on above-stated buffers. Streets and any utilities required to encroach within the above-stated buffers shall do so at an angle as perpendicular to the buffer as practical.
8. **Access:** There shall be no access to the PUD from US Hwy. 41. Two access points, as shown on the approved PUD Plan are required.
9. **Streets and Rights-of-way:** To comply with City of Perry minimum standards.
10. **Connectivity:** ADA-compliant sidewalks shall be installed on at least one side of all internal streets in the PUD.
11. **Landscape:**
 - a. A 10' wide easement along the PUD's US Hwy. 41 frontage shall be granted to the City of Perry for landscaping and maintenance.
 - b. One 3-inch caliper shade tree shall be installed within the right-of-way along both sides of all internal streets, spaced approximately 75 feet on-center (generally one tree per single-frontage lot, two trees per double-frontage lots). Such trees shall count toward the required number of trees per lot required by subsection 6-4.2(A)(2) of the Land Management Ordinance.
12. **Pocket Park:** An area of at least 12,425 square feet shall be dedicated to the City of Perry for the City's installation and maintenance of a pocket park. The park area shall be suitable for use as a park and acceptable to the City of Perry.



Agricultural Village Phase 3 (Holly Hills) PUD Plan
 Prepared for the approval of the Planning Commission
 Eric J. Edwards, Chairman, June Planning Commission
 Date: 01/15/2012

REVISIONS	DATE	BY	DESCRIPTION

SITE PLAN FOR:
HOLLY HILLS SUBDIVISION
 PERRY GEORGIA

PROJECT: AGRICULTURE
LOCATION: 30 YALLOE DRIVE
DATE: 01/15/2012
SCALE: 1" = 40'
APP. NO.: 000-004

BRYANT ENGINEERING
 1000 N. W. 10th Street, Suite 100
 Fort Lauderdale, FL 33304
 Phone: (954) 571-1111
 Fax: (954) 571-1112
 www.bryanteng.com



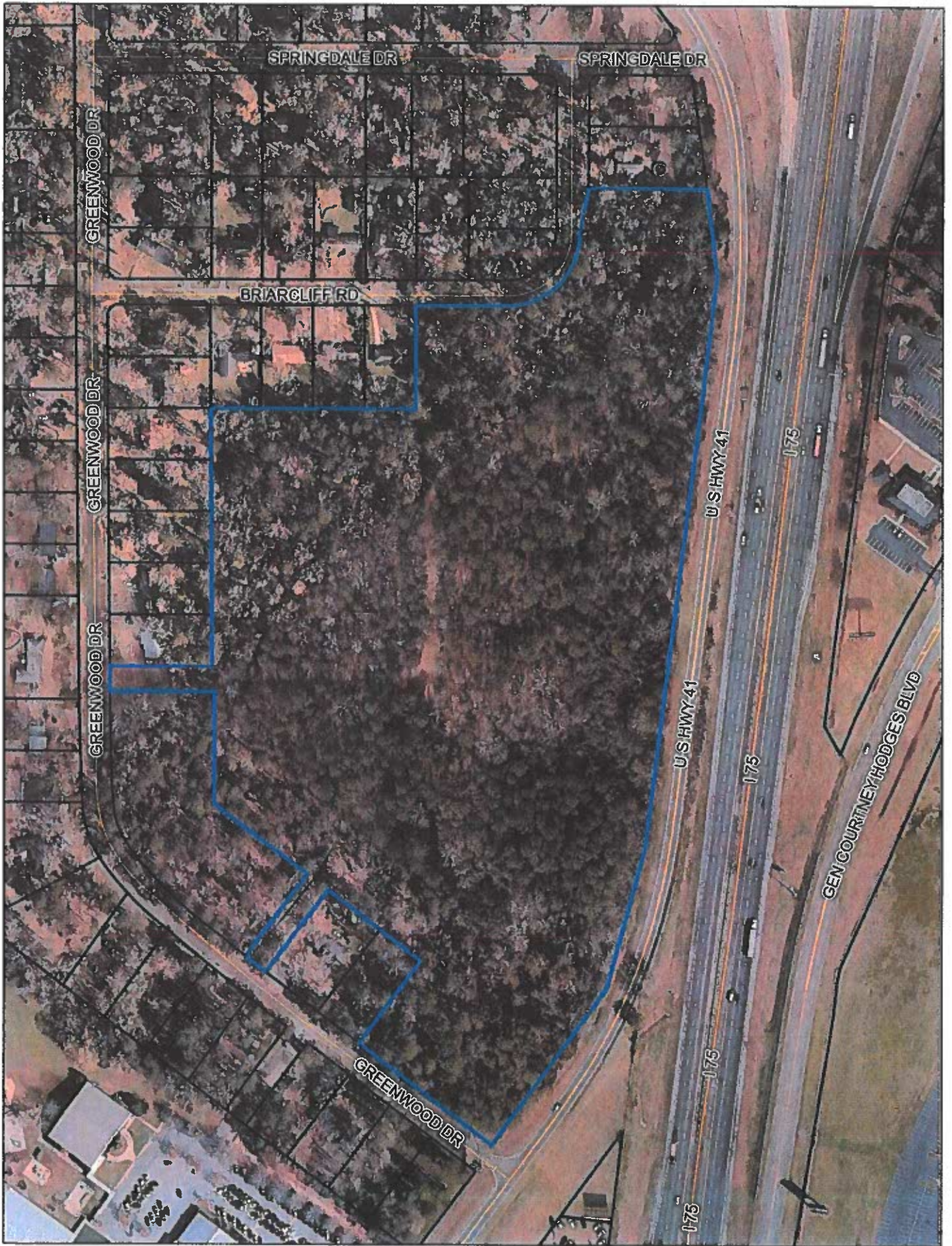
C-2.1

Agricultural Village Phase 3 (Holly Hills)

Planned Unit Development Standards

1. **Permitted Uses:** Single-family detached residential, and accessory uses clearly incidental to, and customarily associated with single-family detached residential uses.
2. **Minimum Lot Area:** 9,000 square feet
3. **Minimum Lot Width:** 75 feet
4. **Maximum Allowed Density:** 71 residential lots
5. **Minimum Principal Building Setbacks:**
 - Front: 25 feet
 - Rear: 25 feet
 - Interior Side: 8 feet
6. **Minimum House Size:** 1,200 square feet of heated space.
7. **Greenspace:**
 - Buffers:** A minimum 20'-wide undisturbed buffer shall be maintained adjacent to properties in the original Holly Hills subdivision. A minimum 10' buffer shall be maintained adjacent to the right-of-way of US Hwy. 41.
 - Exceptions:** Stormwater management facilities may be established within designated greenspace provided such facilities do not encroach on above-stated buffers. Streets and any utilities required to encroach within the above-stated buffers shall do so at an angle as perpendicular to the buffer as practical.
8. **Access:** There shall be no access to the PUD from US Hwy. 41. Two access points, as shown on the approved PUD Plan are required.
9. **Streets and Rights-of-way:** To comply with City of Perry minimum standards.
10. **Connectivity:** ADA-compliant sidewalks shall be installed on at least one side of all internal streets in the PUD.
11. **Landscape:**
 - a. A 10' wide easement along the PUD's US Hwy. 41 frontage shall be granted to the City of Perry for landscaping and maintenance.
 - b. One 3-inch caliper shade tree shall be installed within the right-of-way along both sides of all internal streets, spaced approximately 75 feet on-center (generally one tree per single-frontage lot, two trees per double-frontage lots). Such trees shall count toward the required number of trees per lot required by subsection 6-4.2(A)(2) of the Land Management Ordinance.
12. **Pocket Park:** An area of at least 12,425 square feet shall be dedicated to the City of Perry for the City's installation and maintenance of a pocket park. The park area shall be suitable for use as a park and acceptable to the City of Perry.

13. **Stormwater Management Facilities:** Land comprising the stormwater management facilities shall be donated to the City of Perry for maintenance upon satisfactory completion of such facilities.
14. **Unspecified Standards:** Any development or other standards not specified above shall be governed by the applicable standards of the Land Management Ordinance for single-family detached residential lots and subdivisions located in an R-3 zoning district.



SPRINGDALE DR

SPRINGDALE DR

GREENWOOD DR

BRIARCLIFF RD

GREENWOOD DR

GREENWOOD DR

GREENWOOD DR

U.S. HWY 41

U.S. HWY 41

175

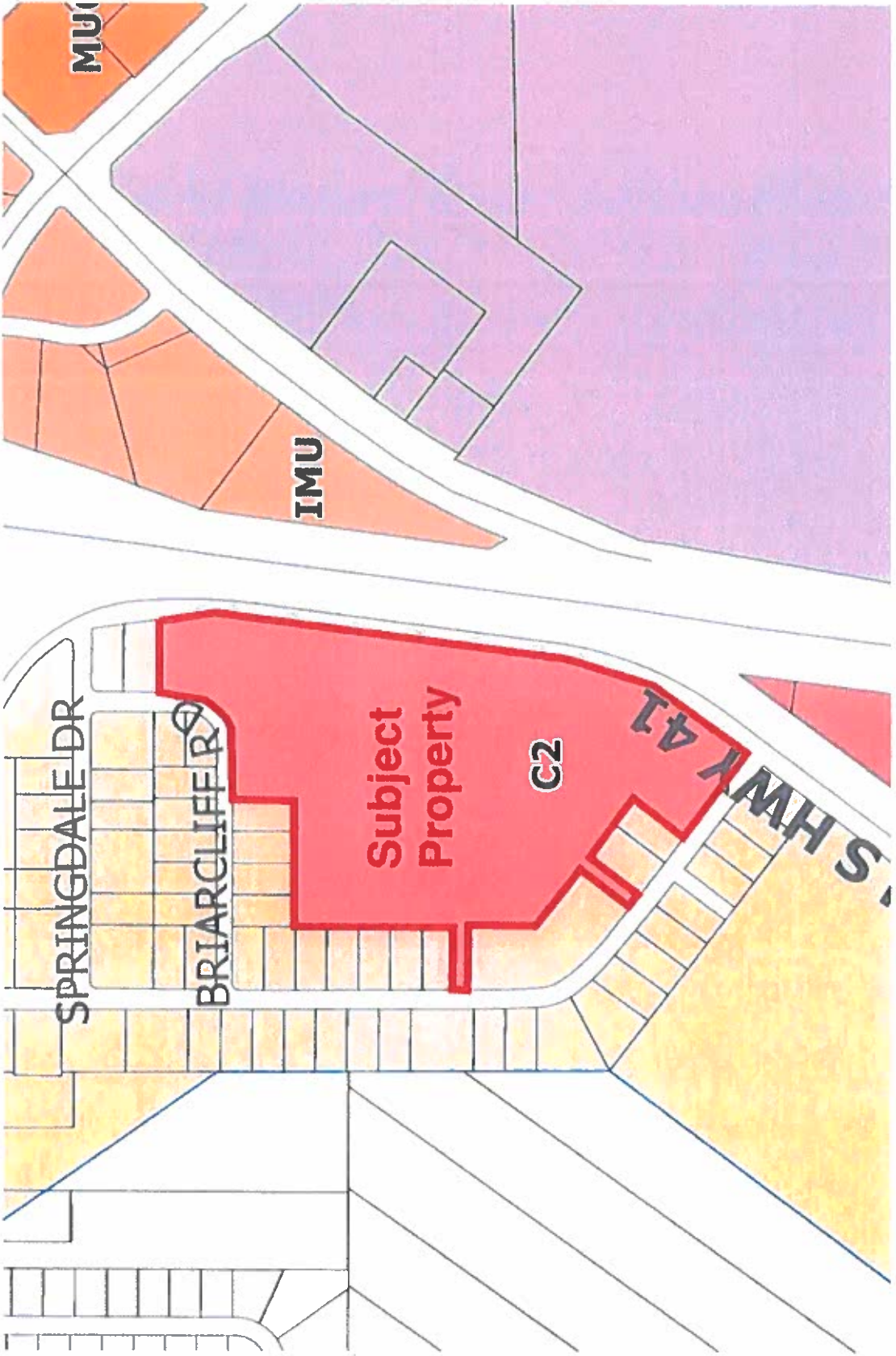
175

175

175

175

GEN COURTNEY HODGES BLVD



MU

IMU

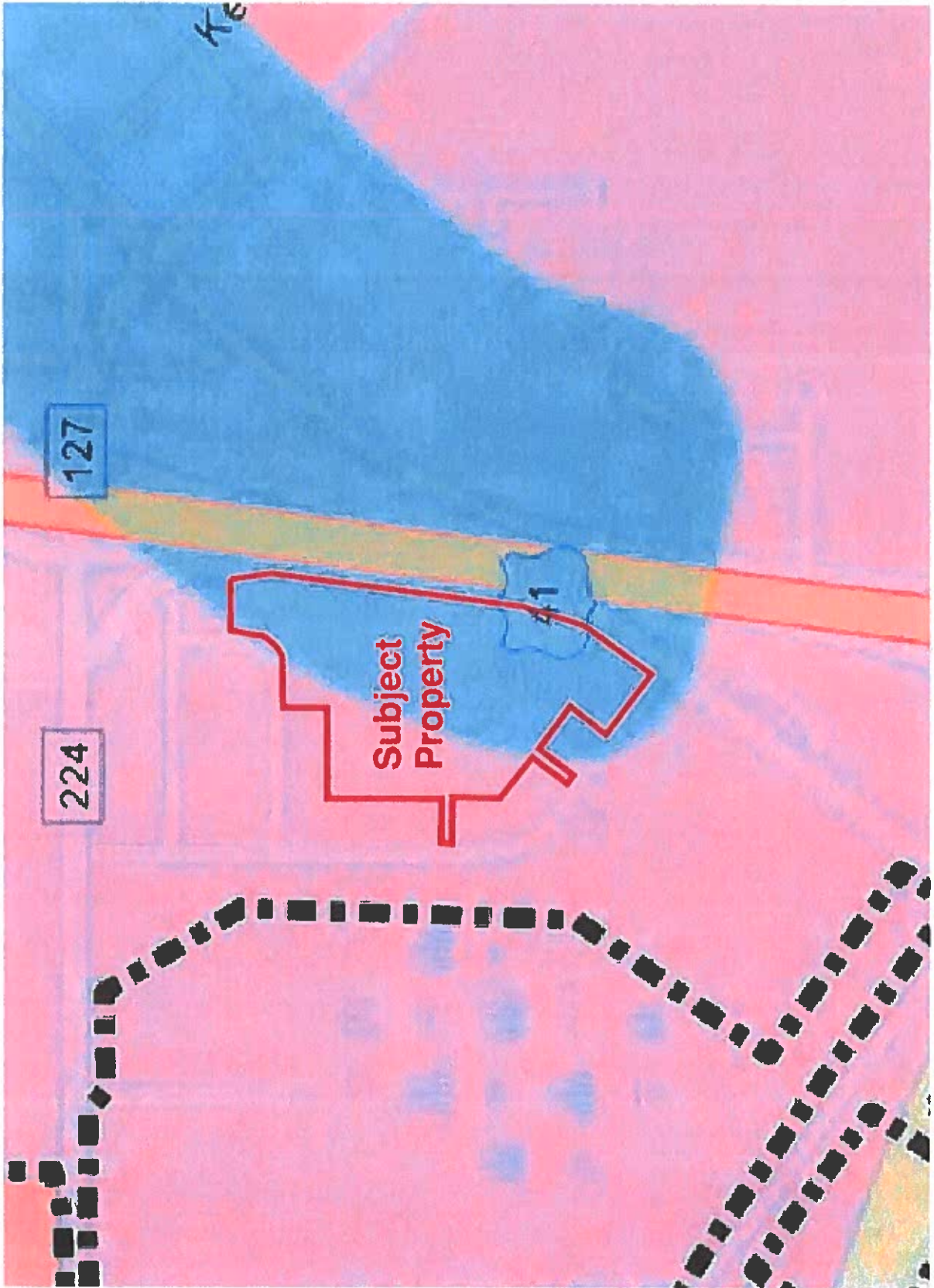
SPRINGDALE DR

BRIARCLIFF RD

Subject Property

C2

S HWY 41





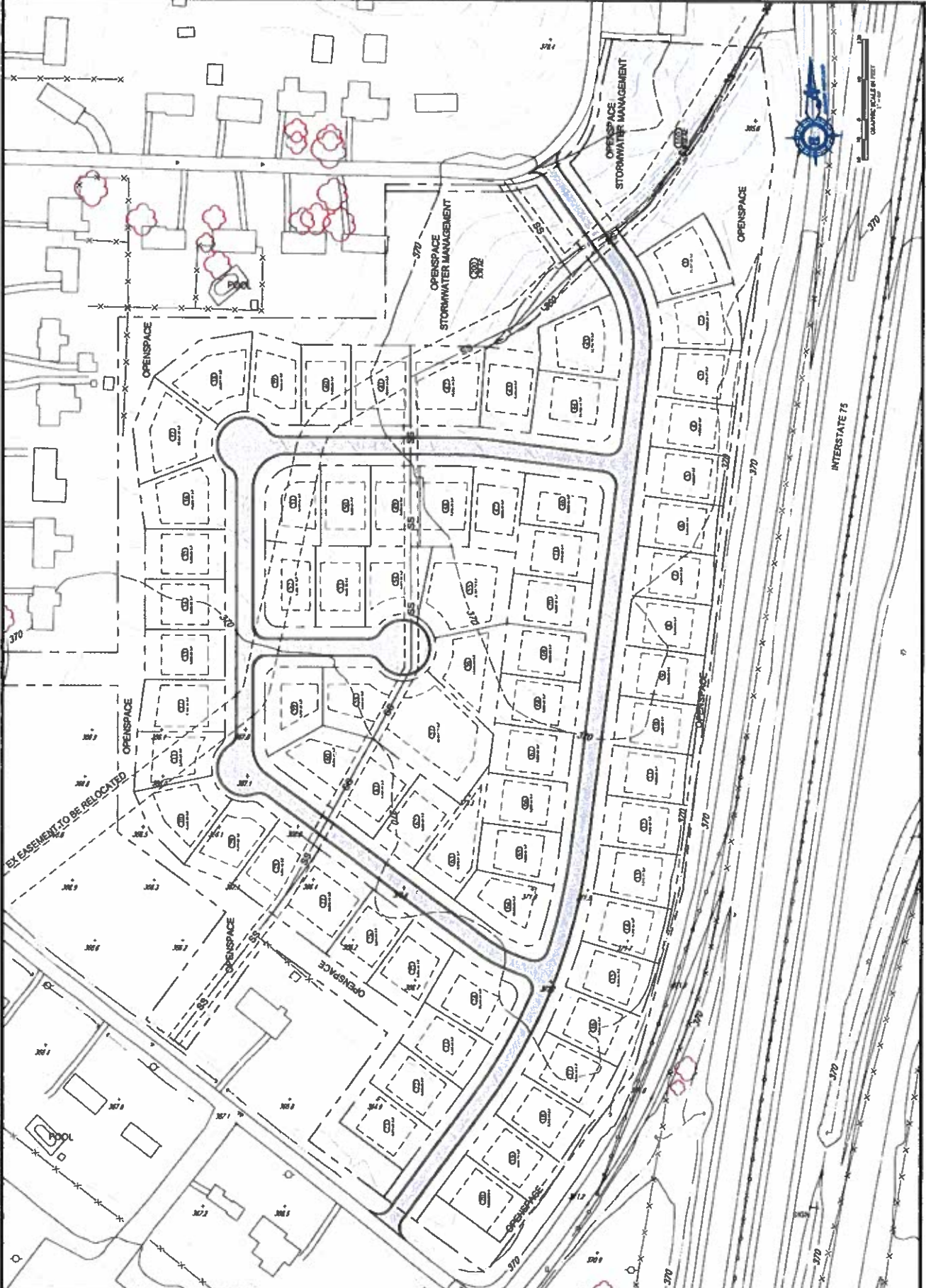
BRYANT ENGINEERING
 1000 Peachtree Street, N.E.
 Atlanta, Georgia 30309
 (404) 525-1100
 www.bryanteng.com

PERY
 LICENSE NO. 10000
 EXPIRES 12/31/2010
 STATE OF GEORGIA

HOLLY HILLS SUBDIVISION
 SITE PLAN FOR

DATE	10/12/09
PROJECT	HOLLY HILLS SUBDIVISION
CLIENT	TRISTAR DEVELOPMENT
SCALE	AS SHOWN
DRAWN BY	J. PERRY
CHECKED BY	J. PERRY
IN CHARGE	J. PERRY
APPROVED BY	J. PERRY
DATE	10/12/09

C-2.1





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

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

Casey Graham, P.E.
Perry Branch Manager

January 13, 2022

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

**Subject: Planned Unit Development Requirements
 27.103 Acres- Agricultural Village Phase 3 (Holly Hills)**

Dear Mr. Wood,

Please see PUD requirements for rezoning for approximately 27.103-acre tract located on US Hwy 41, south of Holly Hills.

Parcel Size
27.10 Acres

Use
Single Family Residential

Lot Dimensions
Minimum Lot Size = 9,000 s.f.
Minimum Lot Width = 75'
Maximum Density Allowed = 3.0 units/acre

Greenspace
20' Minimum Undisturbed Greenspace around perimeter of site
(Exclusions include access and extension of utilities and transportation routes or any other City of Perry Code Requirements)

Setbacks
Front = 25'
Interior Side = 8'
Rear = 25'

Access
No access shall be allowed from Hwy 41
Two Access Point shall be required as shown on the Conceptual Layout





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

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

Casey Graham, P.E.
Perry Branch Manager

- *Street Design Standards shall meet all City of Perry Requirements.
- *All other requirements shall be met

Sincerely,

A handwritten signature in black ink that reads 'Chad R. Bryant, P.E.'.

Chad Bryant, P.E.
President
Bryant Engineering





Where Georgia comes together.

Application # RZNE-
0015-2022

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Chad Bryant	Perry Capital, LLC
*Title	Engineer	owner
*Address	906 Ball Street, Perry, GA 31069	309 E Paces Ferry Rd NE STE 1200, Atlanta, GA 30305
*Phone	478-224-7070	404-233-8164
*Email	chad@bryantengllc.com	sromstad@loudermilkco.com

Property Information

*Street Address or Location	S Hwy 41
*Tax Map Number(s)	0P0320 075000
*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;

Request

*Current Zoning District	C2	*Proposed Zoning District	PUD
*Please describe the existing and proposed use of the property Note: A Site Plan or other information which fully describes your proposal may benefit your application.			
existing use: wooded parcel; proposed use: 101 lot single family residential			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential - \$140.00 plus \$16.25/acre (maximum \$1,700.00)
 - Planned Development - \$160.00 plus \$16.25/acre (maximum \$3,000.00)
 - Commercial/Industrial - \$245.00 plus \$22.65/acre (maximum \$3,170.00)
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with 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.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property 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 has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes _____ No X
If yes, please complete and submit a Disclosure Form available from the Community Development office.

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>Chad R. Bryant</i>	*Date	1-18-22
*Property Owner/Authorized Agent	<i>Chad R. Bryant</i>	*Date	1-18-22

Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

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

- (1) The existing land uses and zoning classification of nearby property;
- (2) The suitability of the subject property for the zoned purposes;
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- (6) Whether the subject property has a reasonable economic use as currently zoned;
- (7) 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;
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and
- (12) 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.

January 18, 2022

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

**Subject: Application for Rezoning
27.103 Acres- Agricultural Village Phase 3 (Holly Hills)**

Dear Mr. Wood,

Please see attached application and plat for rezoning for approximately 27.103-acre tract located on US Hwy 41, south of Holly Hills. Below is the Standards for Granting a Rezoning (Page 2 of application).

1. Property to the north and west is the existing neighborhood, Holly Hills, zoned R1. Property to the south is The Westfield School, zoned R1. Property to the east, on the opposite side of Hwy 41, is zoned commercial, C1.
2. The property has historically been unutilized. Due to the proximity to the Westfield School and surrounding developments, this property has become prime area for residential development.
3. The property will be reduced from its current zoning classification of commercial to residential.
4. This improvement will provide like kind development directly south of neighboring properties along Hwy 41.
5. The proposed zoning and concept allows for a better use of property.
6. The economic use will remain relatively the same.



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

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

7. The property has never been developed as currently zoned and has remained wooded.
8. The proposed zoning is like kind with its current zoning and meets similar lot sizes in neighboring subdivisions.
9. The proposed zoning is for residential use and the property is within a transitional area from farmland to higher density residential.
10. This area is planned for residential development in the Comprehensive Plan
11. This site has multiple vehicular access points and is in close proximity to Hwy 41 and I-75. It is a down zoning from current commercial planned use. Engineer is not aware of any burdens of existing city infrastructures.
12. 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





Doc ID: 013307000002 Type: GLR
 Recorded: 04/14/2014 at 10:23:34 AM
 Fee Amt: \$712.00 Page 1 of 2
 Transfer Tax: \$700.00
 Houston, Ga. Clerk Superior Court
 Carolyn V. Sullivan Clerk
BK 6533 PO 170-171

(Above space for recording officer use.)

After recording return to:

58074

File No.: P14-#142

WHGM

WALKER HULBERT GRAY & MOORE, LLP

P. O. Box 1770 / 909 Ball Street

Perry, Georgia 31069

LARRY WALKER

STATE OF GEORGIA
 COUNTY OF HOUSTON

LIMITED WARRANTY DEED

THIS INDENTURE, Made the 10th day of April, in the year two thousand fourteen (2014),
 between

EMB II, LLLP

a Georgia Limited Liability Limited Partnership
 and **BECKHAM INVESTMENTS, LLC**
 a Georgia Limited Liability Company

organized and existing under the laws of the State of Georgia, as party or parties of the first part,
 hereinafter called Grantor, and

PERRY CAPITAL, LLC

a Georgia Limited Liability Company

organized and existing under the laws of the State of Georgia as party or parties of the second part,
 hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs,
 successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Other Good and Valuable
 Considerations and Ten (\$10.00) and NO/100-----DOLLARS
 in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby
 acknowledged, has granted, bargained, sold, alienated, conveyed and confirmed and by these
 presents does grant, bargain, sell, alien, convey or confirm unto the said Grantee, all of the following
 property, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 314 of the
 13th Land District of Houston County, Georgia, containing 27.103 acres and
 having such shapes, metes, bounds, courses and distances as are shown on a plat
 of survey prepared by Lee R. Jones, dated April 7, 2014 and recorded in Plat
 Book 76, Page 35, Clerk's Office, Houston Superior Court. Said plat of survey
 and the recorded copy thereof are hereby made a part of this description by
 reference thereto for all purposes.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights,
 members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the
 only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

W. E. M. J.

AND THE SAID Grantor, for itself, its successors and assigns, warrants and will, forever defend the right and title to said tract or parcel of land unto Grantee and its successors an assigns against the claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered
in presence of:

[Signature]
Witness

[Signature]
Notary Public

EMB II, LLLP
a Georgia limited liability limited partnership

By: Beckham Management Services, Inc.
A Georgia corporation, its General Partner

By: Edward M. Beckham II
Edward M. Beckham, II, President



Signed, sealed and delivered
in the presence of:

[Signature]
Witness

[Signature]
Notary Public

BECKHAM INVESTMENTS, LLC
a Georgia Limited Liability Company

By: William E. Beckham, Jr.
William E. Beckham, Jr., Manager



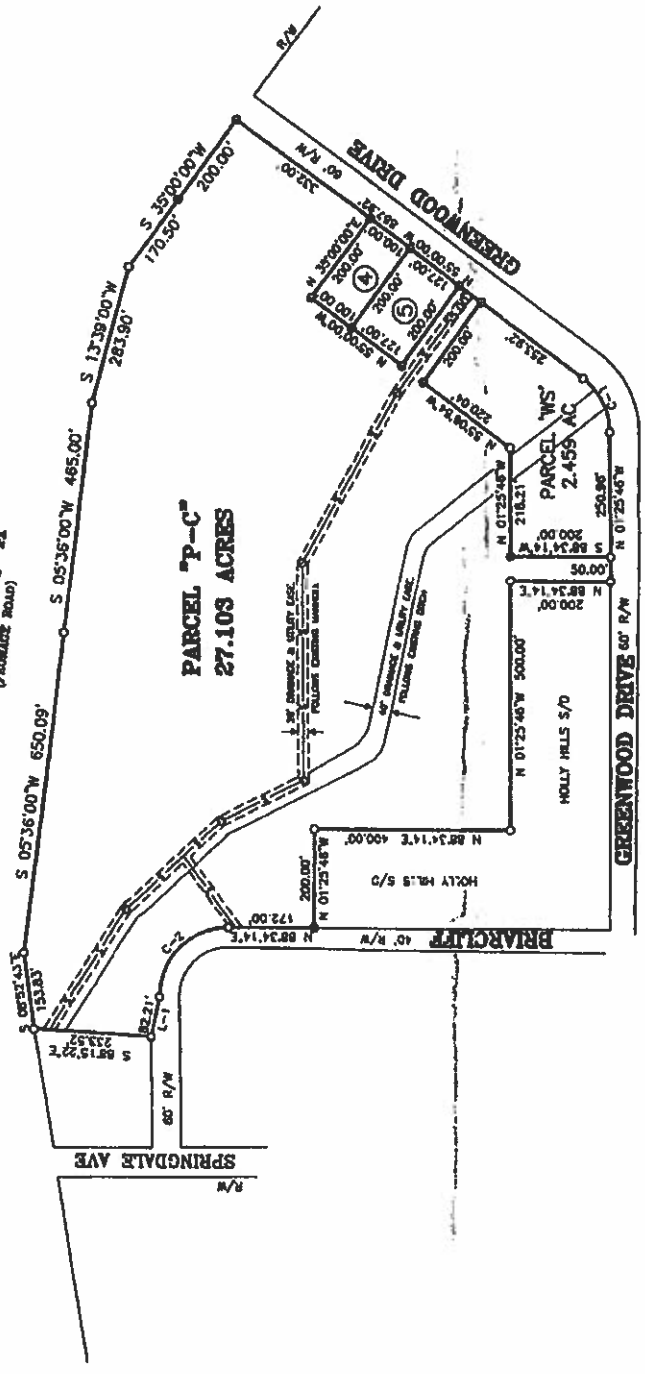
JONES SURVEYING & ENGINEERING
DO NOT GUARANTEE THAT ALL
EASEMENTS WHICH MAY AFFECT
THIS PROPERTY ARE SHOWN

File No. P14-142
DATA & RETURN: WITCOMB
PLOT BOOK 76 / Page 35



PROFESSIONAL SURVEYOR
No. 10: 04/24/2014 at 10:31:14 AM
Fee Amt: \$8.00 Page 1 of 1
Commission: Sullivan Clark
Date: 76 35

U.S. HIGHWAY 41
(PROMULGATE ROAD)



PARCEL "P-C"
27.103 ACRES

PARCEL "WS"
2.455 AC

HOLLY HILLS S/D

- PROPERTY CORNER
- ⊕ 2" HOLLOW PIPE FOUND
- SEWER LINE
- SEWER MANHOLE

COURSE	BEARING	DISTANCE
L-1	N 11°11'58"E	82.21'

CURVE	RADIUS	LENGTH	CHORD	CH-BEARING
C-1	134.00'	125.29'	120.77'	N 28°12'53"W
C-2	140.00'	219.91'	197.99'	N 43°34'14"E



Owner's Confirmation:
State of Georgia, County of Houston.

The undersigned certifies that he is the owner of the land shown on this plat and acknowledges the plat and statements to be true and correct and that he has no objection to the publication of this plat in any newspaper, city or county, Georgia.

[Signature]
Date: 4/8/14

Owner's Confirmation:
State of Georgia, County of Houston.

The undersigned certifies that he is the owner of the land shown on this plat and acknowledges the plat and statements to be true and correct and that he has no objection to the publication of this plat in any newspaper, city or county, Georgia.

[Signature]
Date: 4/8/14

CERTIFICATION
THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 40,000 FEET AND AN ANGULAR ERROR OF ONE" PER ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 6571.5 FEET.
THE LINEAR AND ANGULAR MEASUREMENT SHOWN ON THIS PLAT WERE OBTAINED BY USING A TOPCON GTS-312 ELECTRONIC TOTAL STATION ON 4-7-14



APPROVED FOR RECORDING

[Signature]
County Clerk
City of Perry, Georgia
Date: 4/8/14

SURVEY FOR

PERRY CAPITAL LLC

LAND LOT 314
HOUSTON COUNTY, GEORGIA
SCALE 1"=200'
13TH DISTRICT
PERRY, GEORGIA
APRIL 7, 2014
JONES SURVEYING COMPANY
PERRY, GEORGIA (478) 987-2705



Where Georgia comes together.

STAFF REPORT

February 3, 2022

CASE NUMBER: RZNE-0019-2022

APPLICANT: John Anthony Thomson

REQUEST: Rezone from R-2, Two-family residential, to C-2, General Commercial

LOCATION: 613 and 615 Martin Luther King, Jr. Drive; Tax Map No. 0P0270 109000 and 0P0270 108000

BACKGROUND INFORMATION: The subject property includes two parcels totaling 0.79 acres at the northwest intersection of Martin Luther King, Jr. Drive and Oak Ridge Drive. Both parcels are currently undeveloped. The applicant is requesting C-2, General Commercial, zoning with the intent to sell the property at a higher value for future commercial development. The applicant suggests that commercial zoning is more appropriate at this property and is more aligned with surrounding uses.

STANDARDS GOVERNING ZONE CHANGES:

1. The existing land uses and zoning classification of nearby properties.

	Zoning Classification	Land Uses
North	R-2, Two-family residential	Daycare
South	GU	Undeveloped
East	M-2, Industrial	Undeveloped and commercial uses
West	R-2, Two-family residential	Undeveloped and single-family homes

2. **The suitability of the subject property for the zoned purposes.** Due to the proximity of other commercial uses, the subject property is more suitable for commercial development than residential.
3. **The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** The subject property's residential zoning classification could negatively affect the property value due to the potential for higher investment through commercial development at this intersection.
4. **The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.** The current and proposed zoning classification does not pose any threat to the health, safety, morals, or general welfare of the public and surrounding area.
5. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** C-2, General Commercial, zoning is expected to create a relative gain to the public and neighborhood as it can provide greater access to commercial uses to the surrounding Sandhill community.

6. **Whether the subject property has a reasonable economic use as currently zoned.** The use of the property as residential is a reasonable economic use as it is currently zoned. However, C-2, General Commercial, zoning is likely to increase the economic use of the property and economically benefit the community.
7. **The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** The subject property is currently vacant and has never been developed.
8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** Properties nearby and adjacent to the subject property are developed as commercial uses. The proposed zoning district and allowable uses will be suitable in view of nearby properties because the property is near other commercial uses. The properties to the east are zoned industrial. If these develop as an industrial use, commercial zoning at the subject provided will provide a transition between industrial property and residential uses.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** The proposed use of the property should not adversely affect existing uses or usability of nearby properties.
10. **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 within the Traditional Neighborhood character area. Although this proposal does not conform to the current comprehensive plan, this area has been evaluated throughout the 2022 Comprehensive Plan update process and is within an identified neighborhood node. This area is expected to attract commercial developments which would serve the surrounding neighborhood. The 2022 Comprehensive Plan update had not been adopted at the time this application was filed.
11. **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 expected impact on public facilities as the subject property already has access to City of Perry water and sewer. Any commercial development at this property would not overburden existing public facilities, streets, or schools.
12. **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.** C-2, General Commercial, zoning is more appropriate for the subject property due to its proximity to similar commercial uses. Further, C-2 zoning may create an increase in long-term economic value to the property owner and Sandhill community.

STAFF RECOMMENDATION: Staff recommends approval of the zoning change with the requested C-2, General Commercial District, zoning.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the zoning change with the requested C-2, General Commercial District, zoning.



 Eric Z. Edwards, Chairman of the Planning Commission



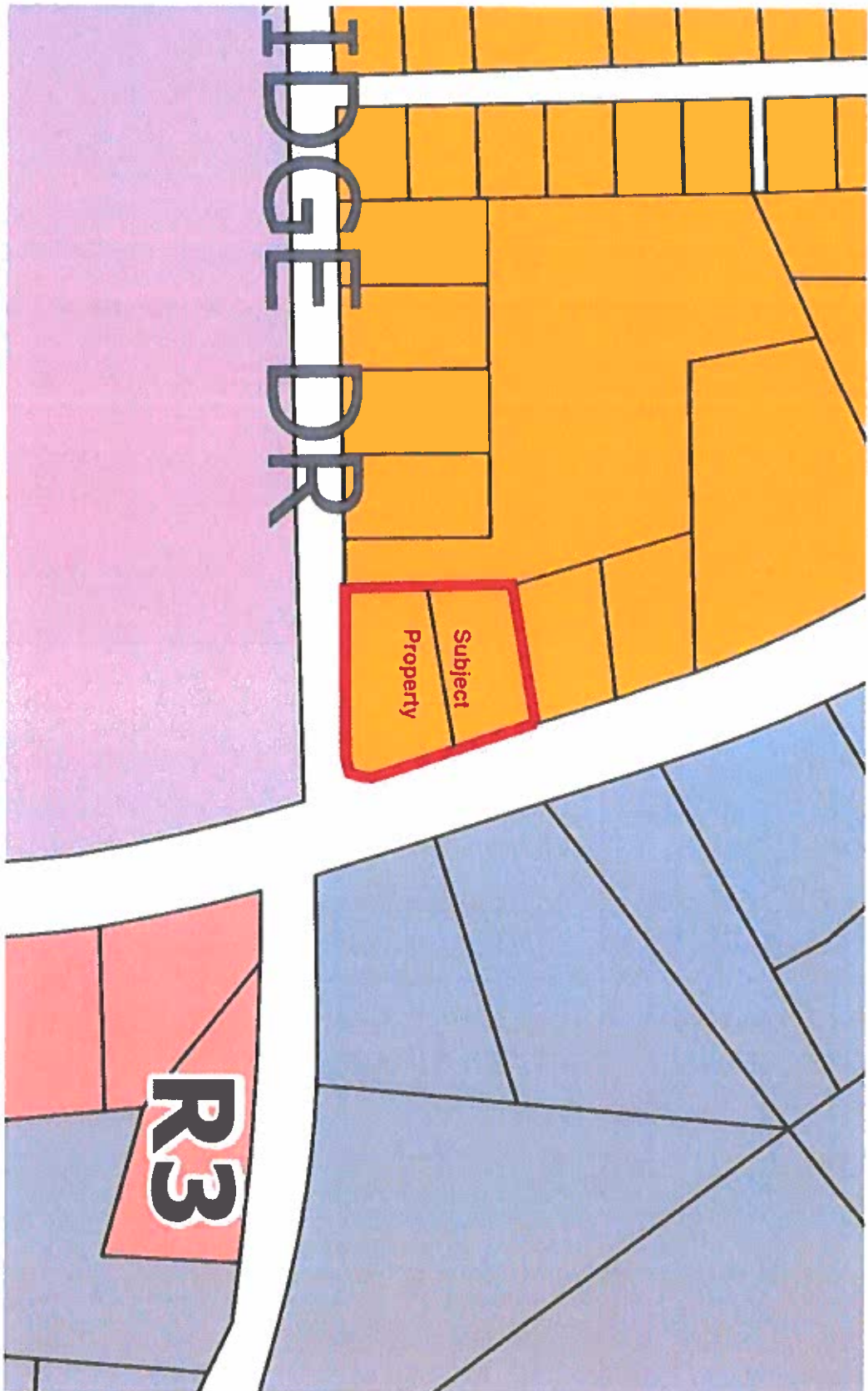
 Date



EDGE DR

Subject
Property

R3



10

Subject
Property



Where Georgia comes together.

Application # RZNE-0019-
2022

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	John Anthony Thomson	Milton Taylor
*Title		
*Address	507 Fragin Mill Rd. Warner Robins 31088	100 Jana Ct. Warner Robins, 31088
*Phone	478 319 7569	478 - 960-5545
*Email	johnthomson@cbfreerealty.com	milton.taylor@windstream.net

Property Information

*Street Address or Location	613 / 615 MARTIN LUTHER KING DR.
*Tax Map Number(s)	OPO 270 10 9000 / OPO 270 10 8000
*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;

Request

*Current Zoning District	R2	*Proposed Zoning District	CA
*Please describe the existing and proposed use of the property Note: A Site Plan or other information which fully describes your proposal may benefit your application. Attached.			



Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential - \$140.00 plus \$16.25/acre (maximum \$1,700.00)
 - Planned Development - \$160.00 plus \$16.25/acre (maximum \$3,000.00)
 - Commercial/Industrial - \$245.00 plus \$22.65/acre (maximum \$3,170.00)
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with 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.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property 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 has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes ___ No

If yes, please complete and submit a Disclosure Form available from the Community Development office.

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 	*Date 1-5-2022
*Property Owner/Authorized Agent 	*Date 1-5-2022

Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? - *See attached*

- (1) The existing land uses and zoning classification of nearby property;
- (2) The suitability of the subject property for the zoned purposes;
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- (6) Whether the subject property has a reasonable economic use as currently zoned;
- (7) 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;
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and
- (12) 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.

John Anthony Thomson
(478) 319-7569

January 17th, 2022
Perry Community Development

My name is John Thomson, I am a licensed real estate agent with Coldwell Banker Free Realty and a rezoning applicant, representing my client Mr. Milton Taylor. We are requesting consideration regarding the properties located at 613 & 615 Martin Luther King Dr. in Perry, GA. Mr. Taylor is a long time resident of Houston County, he has worked at Cemex, Inc., in South Houston County for over 36 years. This year he will be retiring.

The properties in question were purchased in 1984 and have been well maintained. There are no current plans to develop the property or to make improvements. They are fixed at the corner of Martin Luther King Dr. and Oak Ridge Dr., with approximately equal road frontage. We are requesting that the property be considered to go from an R2 classification to a C2.

Our reasoning for the request is continuity amongst the parcels in this particular section of Martin Luther King Dr. We have provided map layouts of the Houston County QPublic, which we note does not have authority, only use as a reference, and the City of Perry Zoning maps. The references we are speaking of are in the actual location and operation of businesses both North and East to the Property. Both the County and City maps consider the land directly across the street to the East as M2 industrial. Parcels with addresses of 611 Martin Luther King Dr. and 612 Martin Luther King Dr. have existing businesses in place. State owned government use property is directly South and the natural buffer created by the 50' of road frontage on parcel #0P027079A000 that sits adjacent to the West. This isolation of businesses, industrial, and government land use can hinder us with the intent to sell the property, we feel like an official reclassification would help us immensely.

With its distance to Larry Walker and the Ag center, rezoning could possibly attract potential customers that can add value to the surrounding area, from both an economic and revenue generating aspect for the City. Thank you for taking the time to review this application and we look forward to a great discussion and all inquiries.

Sincerely,

John Anthony Thomson

670 583



STATE OF GEORGIA

WARRANTY DEED

HOUSTON COUNTY

THIS INDENTURE, Made the 21st day of November, in the year one thousand nine hundred and eighty-four

Between MILTON V. BECKHAM and ALMA G. BECKHAM of the County of Houston and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and MILTON TAYLOR

of the County of Houston and State of Georgia as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that Grantor, for and in consideration of the sum of Other good and valuable considerations and TEN AND NO/100----- DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, all the following described property:

All those tracts or parcels of land situate, lying and being in Land Lot 272 of the 13th Land District, Houston County, Georgia, and in the City of Perry, known and designated as Parcel "A" and Parcel "B" as is more fully shown on a subdivision plat for Milton V. Beckham by Richard L. Jones, Surveyor, dated October 28, 1983, and a copy of plat being recorded in Map Book 27, page 167, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are incorporated herein by reference for all purposes.

Georgia, Houston County
Real Estate Transfer Tax
Paid \$ 3.50
Date November 27, 1984

Carolyn V. Sullivan
Clerk Superior Court

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever, IN FEE SIMPLE.

AND THE SAID Grantor warrants and will forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in presence of:

Witnesses: David M. Pierce, Notary Public, My Commission Expires 3-16-86

Milton V. Beckham (Seal)
MILTON V. BECKHAM
Alma G. Beckham (Seal)
ALMA G. BECKHAM (Seal)

Return to:
Nelson Dupree #1719
P. O. Box 8419
Warner Robins, GA 31095
Georgia, Houston Superior Court

QUITCLAIM DEED

STATE OF GEORGIA)
COUNTY OF HOUSTON)

FEB 20 1998
BOOK 1335 PAGE 754
Recorded in
Candy V. Holliman, Clerk

THIS INDENTURE, made this 10th day of February, 1998, between
LINDA F. TAYLOR
of the State of Georgia and County of Houston, of the first part,
and MILTON TAYLOR
of the State of Georgia and County of Houston, of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of ONE and 00/100 (\$1.00)---DOLLAR, in hand paid, the receipt whereof is acknowledged, has bargained, sold, and by these presents does remise, convey and forever QUIT-CLAIM to the said party of the second part, his heirs and assigns, the following described property, to-wit:

TRACT I

All my interests in all that tract or parcel of land situate, lying and being in Land Lot 301 of the 13th Land District, Houston County, Georgia, known as lot 33B on a plat of survey designated "subdivision of Lot 33, Survey for Hudson & Marshall, Inc." prepared by Richard L. Jones, Surveyor, on June 23, 1986, a copy of said plat being of record in Map Book 32, page 43, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

TRACT II

All my interests in all those tracts or parcels of land situate, lying and being in Land Lot 272 of the 13th Land District, Houston County, Georgia, and in the City of Perry, known and designated as Parcel "A" and Parcel "B" as is more fully shown on a subdivision plat for Milton V. Beckham by Richard L. Jones, Surveyor, dated October 28, 1983, and a copy of plat being recorded in Map Book 27, page 167, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are incorporated herein by reference for all purposes.

TO HAVE AND TO HOLD the said described premises to the said party of the second part, so that neither the said party of the first part nor her heirs, nor any other person or persons claiming under her shall at any time, by any means or ways, have, claim or demand any right or title to the aforesaid described premises or appurtenances, or any rights thereof.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal, the day and year above written.

Linda F. Taylor [SEAL]
LINDA F. TAYLOR

Signed, sealed and delivered
in the presence of

Chuck Sylvester
Witness

Nelson Dupree
Notary Public
My Commission Expires: 11/22/00

Georgia, Houston County
Real Estate Transfer Tax

FEB 20 1998

Paid \$ -0-
Candy V. Holliman
Clerk Superior Court

RECORDED
Candy V. Holliman, Clerk
FEB 20 1998

FILED
HOUSTON COUNTY
1998 FEB 20 PM 2:15
CLERK SUPERIOR COURT

Revised April 28, 1984

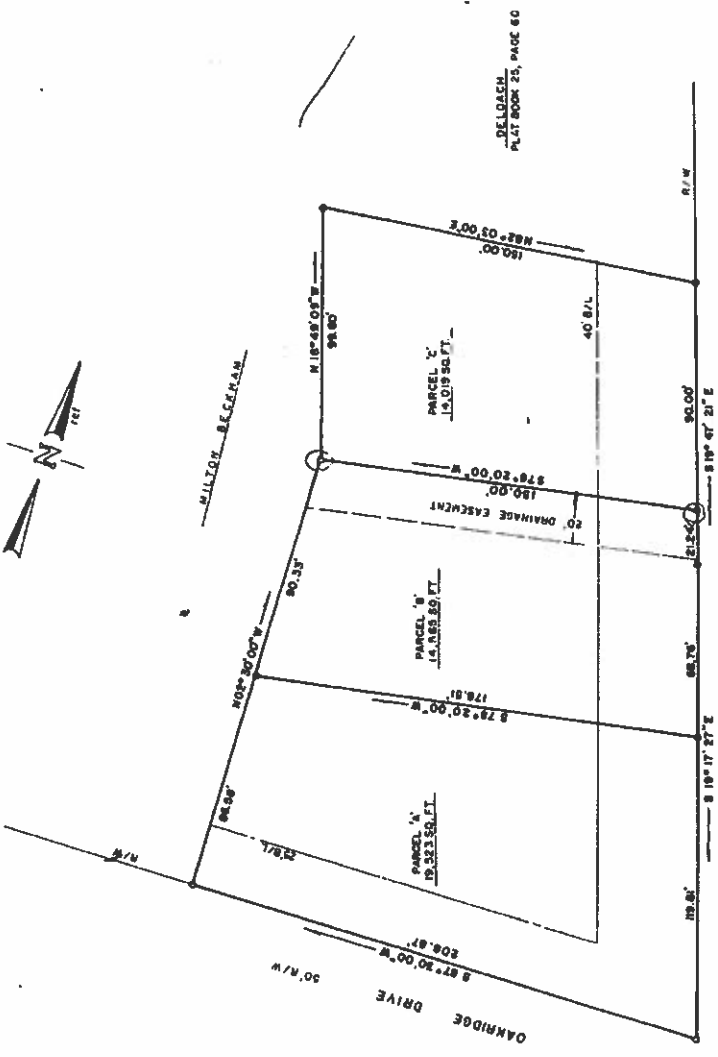
271167

27/167 14 667

271167

DATE RECORDED
BOOK 27 JAN 11 16
CLERK GEORGE BERRY

271167
JONES SURVEYING COMPANY
PERRY, GA



THE FIELD DATA WERE
CHECKED BY THE SURVEYOR
AND FOUND TO BE CORRECT
AND ACCURATE IN ACCORDANCE
WITH THE REQUIREMENTS OF
THE SURVEYING BOARD OF
GEORGIA.

DATE: 10/28/83
BY: JAMES H. HILL
JAMES H. HILL
SURVEYOR
10/28/83



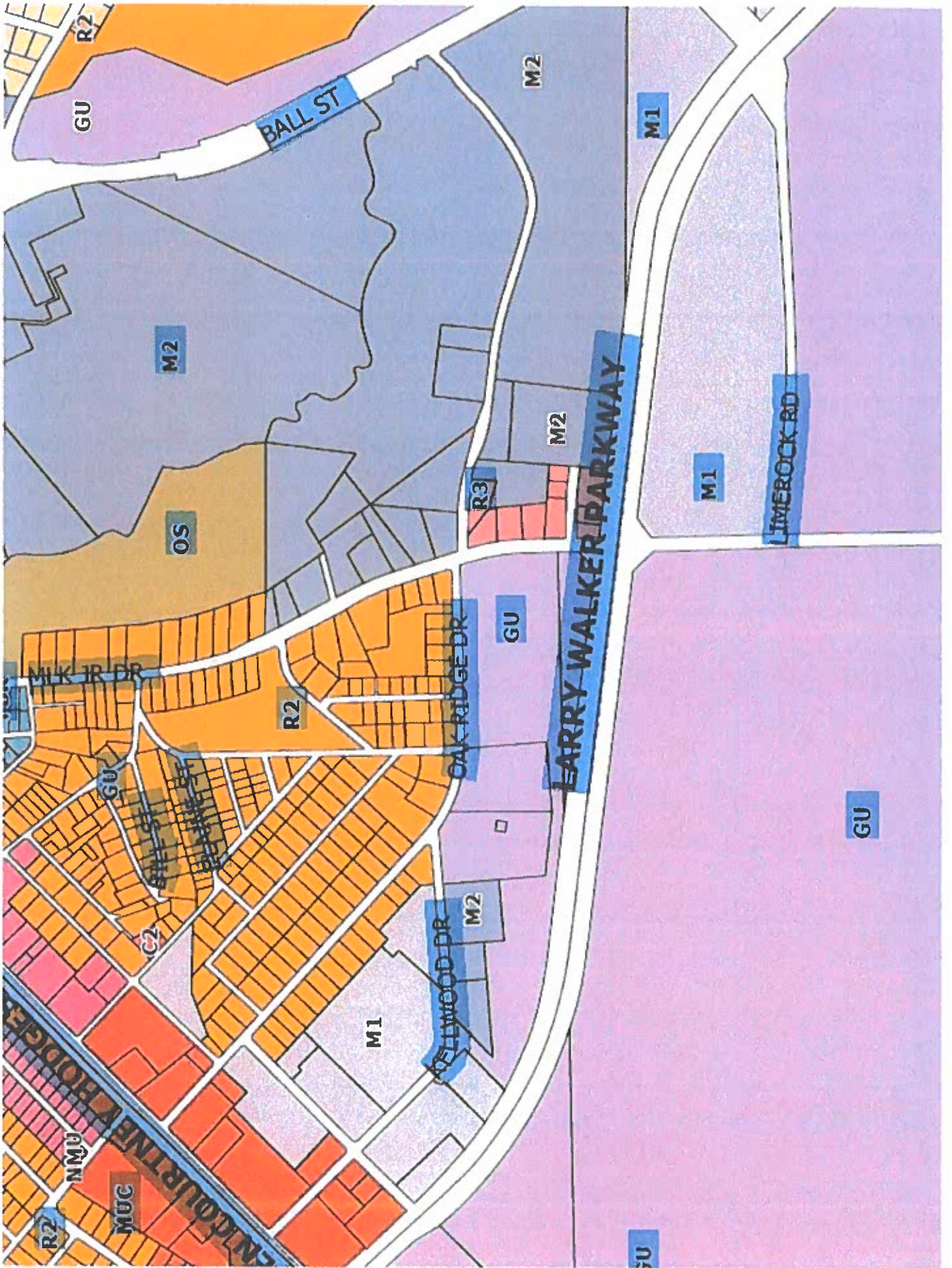
Approved
Submitted November 1983
JAMES H. HILL
SURVEYOR
CITY OF PERRY

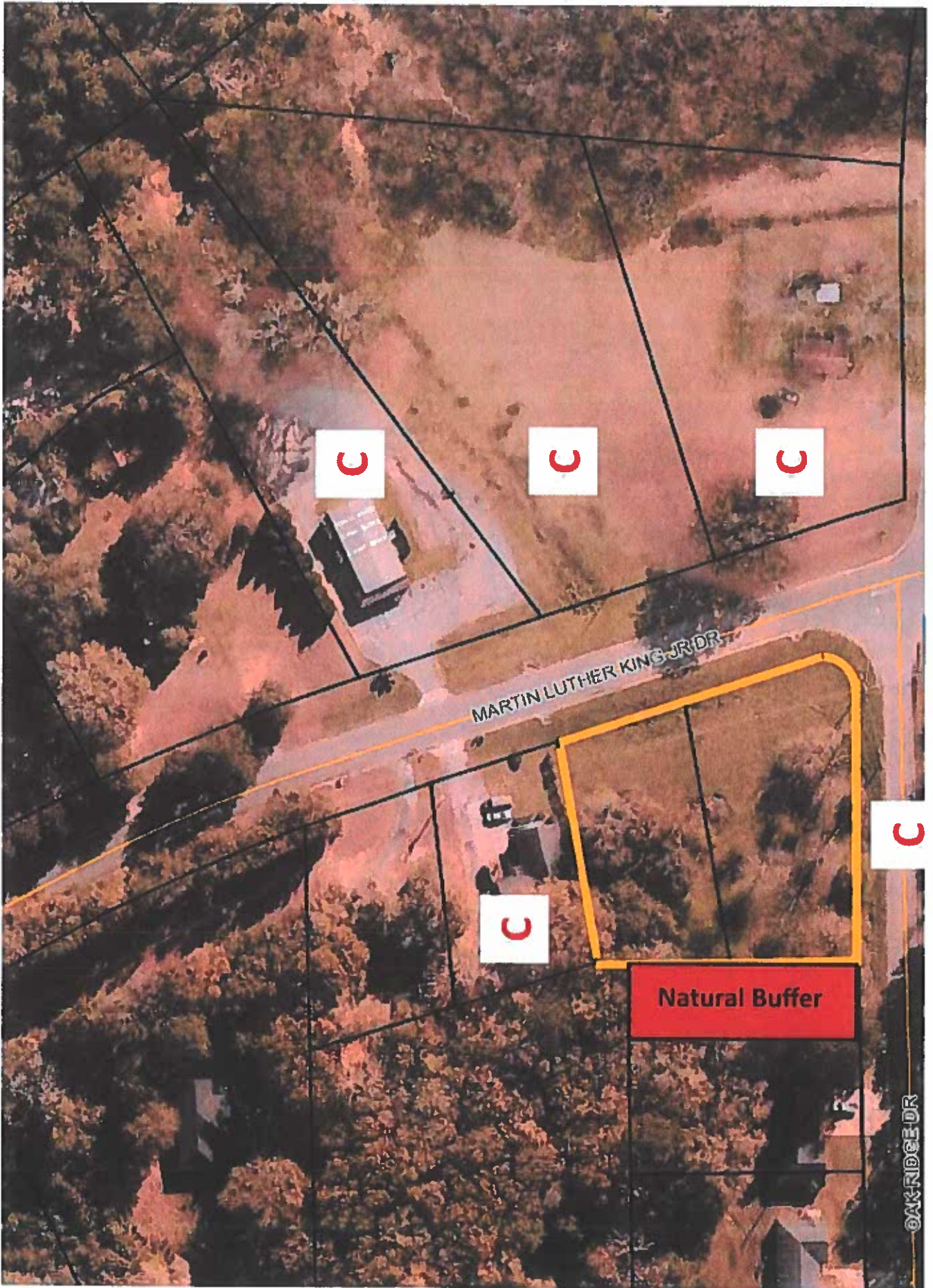
SUBDIVISION FOR	
MILTON V. BECKHAM	
LAND LOT 277	15TH DISTRICT
HOUSTON CO	PERRY, GEORGIA
SCALE 1" = 30'	OCTOBER 28, 1983
JONES SURVEYING COMPANY PERRY, GA 317-2702	



271167

271167





C

C

C

MARTIN LUTHER KING JR DR

C

C

Natural Buffer

OXBRIDGE DR



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
February 9, 2022

CASE NUMBER: RZNE-0020-2022
APPLICANT: Anjebhai Patel
REQUEST: Rezone from C-1, Highway Commercial, to PUD, Planned Unit Development
LOCATION: 1004, 1004A and 1006 St. Patrick's Drive; Tax Map No. 0P0400 021000, 0P0400 022000, 0P0400 048000

BACKGROUND INFORMATION: The subject properties consist of 4.28 acres and are currently zoned C-1, Highway Commercial District. Two of the subject properties were developed as a two-story motel in the 1970's. The other parcel included in the application was originally built as a bank but has since been used for a variety of retail uses. The applicant proposes to change the zoning to PUD, Planned Unit Development District, to convert the existing buildings into multi-family residential apartments with associated amenities. The original bank building may continue to be used for retail purposes, or as space for an amenity associated with the apartments.

A PUD is required to set its own development standards, like would be established for a typical zoning district. The applicant has proposed a set of development standards for this PUD. Planning Staff has recommended a set of development standard for the PUD, incorporating, and clarifying some of the applicant's proposals. Some additional standards are recommended.

The proposal calls for a total of 126 residential unit – 122 studio apartments and 4 multi-bay or one-bedroom apartments. Other spaces within the buildings will be used for a leasing office, tenant recreation area, tenant laundry, and tenant gym.

As a change of use/change in occupancy type, the buildings will be required to comply with current building and fire code standards. The applicant indicates there is a total of 180 parking spaces on the site. 189 parking spaces are required by code to serve 126 multi-family units (1.5 spaces per unit). Since most of the proposed apartments will be studios, it is unlikely that most tenants of these units will have more than one vehicle. Additionally, the site must be brought into compliance with landscaping requirements, meaning some parking spaces will be eliminated for landscape islands. It appears there is opportunity to add parking spaces within existing paved areas of the site using a more-efficient layout if necessary.

Staff is not aware of any covenants or restrictions which prevent the proposed development.

STANDARDS GOVERNING ZONE CHANGES:

1. The existing land uses and zoning classification of nearby properties.

	Zoning Classification	Land Uses
North	C-2, General Commercial	Undeveloped and retail
South	C-1, Highway Commercial	Retail and fast-food restaurant
East	C-2	Retail and restaurants
West	Interstate 75	Transportation corridor

2. **The suitability of the subject property for the zoned purposes.** The subject properties are suitable for commercial re-development. The current buildings on the properties hinder a full re-development of the property.
3. **The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** The property value of the subject properties appear to be hindered by the limited usability of the existing buildings on the properties.
4. **The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.** Under-utilized and deteriorating motel buildings do not promote the health, safety, morals or general welfare of the public.
5. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** The public would be better served by allowing the current buildings to be upgraded for a more sustainable use.
6. **Whether the subject property has a reasonable economic use as currently zoned.** The existing buildings on the properties appear to limit a reasonable economic use of the properties as currently zoned.
7. **The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** The properties are not currently vacant, but have a very low occupancy rate, while other properties in the vicinity continue to attract new tenants and upgrades.
8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** Conversion of the properties to apartments is appropriate for area, which is a mix of retail, restaurant, and service establishments.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** Conversion of the properties to apartments will eliminate a blight in the area and will provide an opportunity for work-force housing supporting surrounding businesses.
10. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan.** The subject properties are within the "In-Town Corridor" character area in the 2017 Joint Comprehensive Plan Update. This character area calls for redevelopment of existing strip commercial centers. Suggested development patterns include "Homes, shops, small businesses, and institutions grouped in attractive mixed-use centers" and "clustering high density developments at nodes along major corridors..."
11. **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.** The subject property is currently developed contributing to current usage of infrastructure and road.
 - Infrastructure – Water and sewer service is available at the subject property.

- Roads – St. Patrick’s Drive is a commercial street providing access to Sam Nunn Blvd, an arterial street. Both streets have adequate capacity to serve the proposed adaptive reuse.
- Education – Staff is not aware of any capacity-related issues for the Houston County School System resulting from the proposed development.

12. **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.** Newer hotels continue to be developed in the area, making older motels more and more obsolete.

STAFF RECOMMENDATION: Staff recommends approval of the zoning change with the following condition:

1. The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the zoning change with the following conditions:

1. The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property.



Eric Z. Edwards, Chairman of the Planning Commission



Date

St. Patrick's Drive Adaptive Re-Use
(Parcels 0P0400 021000, 0P0400 022000, and 0P0400 048000)

Planned Unit Development Standards

Recommended for approval by the Planning Commission:



Eric Z. Edwards, Chairman of the Planning Commission

2/15/22
Date

1. **Permitted Uses:**
 - A. **Residential uses.** Multi-family dwellings, and accessory uses clearly incidental to, and customarily associated with multi-family residential developments (i.e., management/leasing office, resident laundry facilities, resident recreation and fitness facilities, resident multi-purpose/gathering space).
 - B. **Non-residential uses.** In addition to customary accessory uses, the ~1250 square foot building located on parcel 0P0400 021000 may be used for non-residential uses permitted in the C-2 zoning district in the following "use categories" identified in the Table of Uses, subsection 4-1.2 of the Land Management Ordinance: Day Care, Offices, and Retail Sales and Services.
2. **Maximum Density:** 126 total studio and one-bedroom apartments
3. **Maximum Building Height:** Two stories.
4. **Parking:** At least 160 parking spaces shall be maintained on the properties.
5. **Allowed Signs:**
 - A. **Freestanding Signs:**
 - o One existing pylon sign on the southwest corner of parcel 0P0400 048000 may remain but shall not be increased in height or in area.
 - o All other existing freestanding signs shall be removed.
 - o Two monument signs meeting the requirements for such sign type in the C-2 zoning district may be installed along the St. Patrick's Drive frontage of the properties.
 - B. **Roof Signs:** Existing roof signs on the properties shall be removed. Roofs signs shall not be permitted.
 - C. **Other signs:** Wall, door, and window signs required to identify buildings and unit numbers for emergency service providers, and as necessary to identify resident amenities.
6. **Trash Collection:** Existing dumpsters and dumpster enclosures shall be removed from all public rights-of-way. All dumpsters shall meet enclosure and screening requirements of the Land Management Ordinance and stormwater best management practices.
7. **Exterior Building Materials and Colors:** All exterior colors and any new exterior building materials shall be consistent with the provisions of subsection 6-6.1(A) of the Land Management Ordinance.
8. **Landscaping:** The site shall comply with all applicable landscape requirements of Section 6-3 of the Land Management Ordinance.
9. **Addresses:** If the property will remain as three separate parcels, addresses assigned to each parcel will be modified to eliminate duplicate addresses.
10. **Unspecified Standards:** Any development or other standards not specified above shall be governed by the applicable regulations of the Land Management Ordinance for properties located in a C-2 zoning district.

St. Patrick's Drive Adaptive Re-Use PUD Plan

Recommended for approval by the Planning Commission:



Eric Z. Edwards, Chairman of the Planning Commission

3/15/22

Date

Total Lot Area: 185,969 square feet.

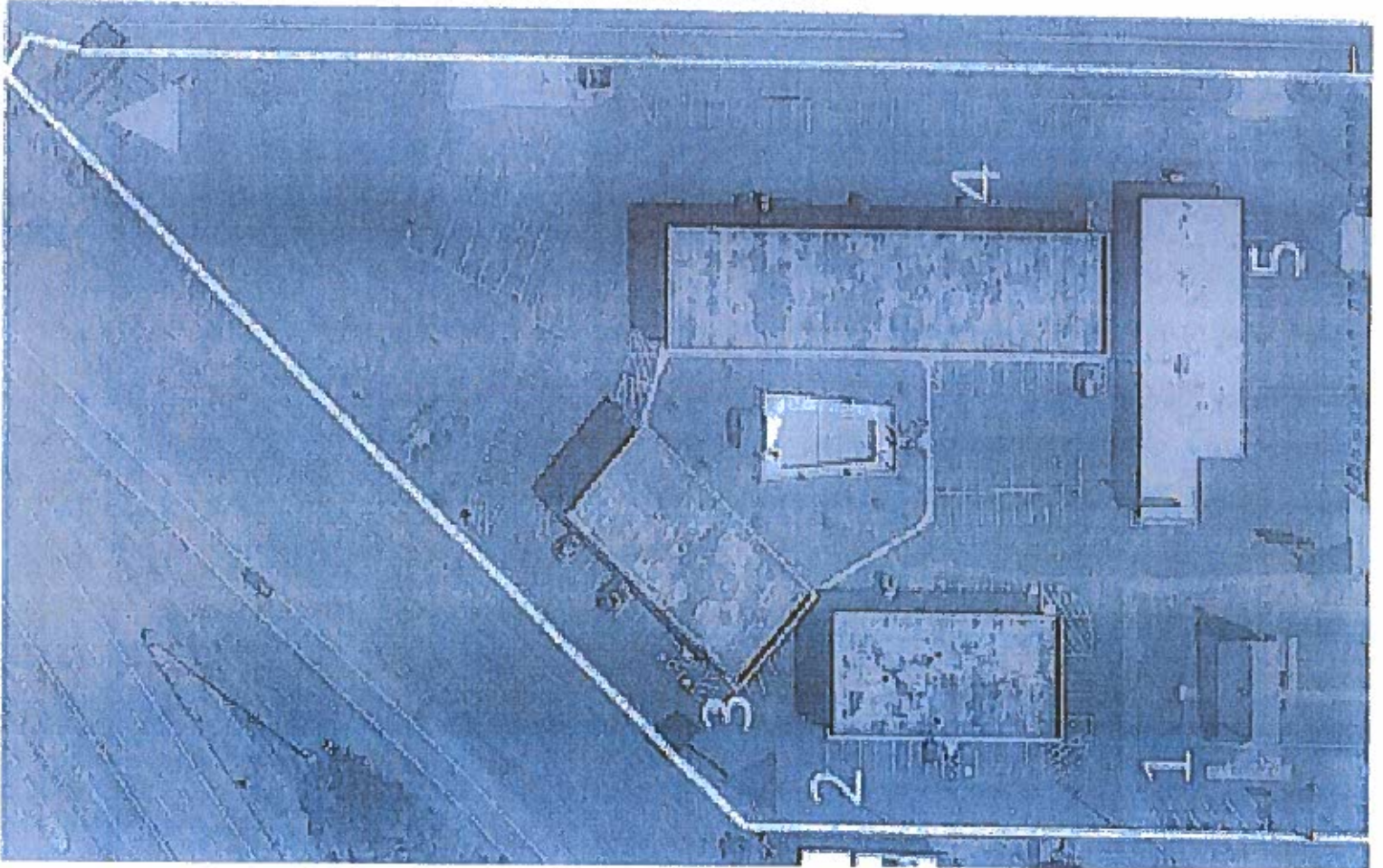
- * Total Building Area (red): 39,480 square feet (21.22%).
- * Total Asphalt/Concrete Area: 97,126 square feet (52.22%).
- * Total Landscaped Area (green): 49,579 square feet (26.64%).

Total Dwellings (Multi-family):

- * 126 total dwellings.
- * Mix of studio apartments and multi-bay apartments.
- * 1,476 square feet of lot area per dwelling.

Building Uses:

- * Building 1: Leasing office with lobby, coffee, lockers, recreational area (vending machines, pool table, etc.) or retail.
- * Buildings 2, 3, & 4: Combined 122 dwellings.
- * Building 5: Resident laundry, gym and four dwellings.

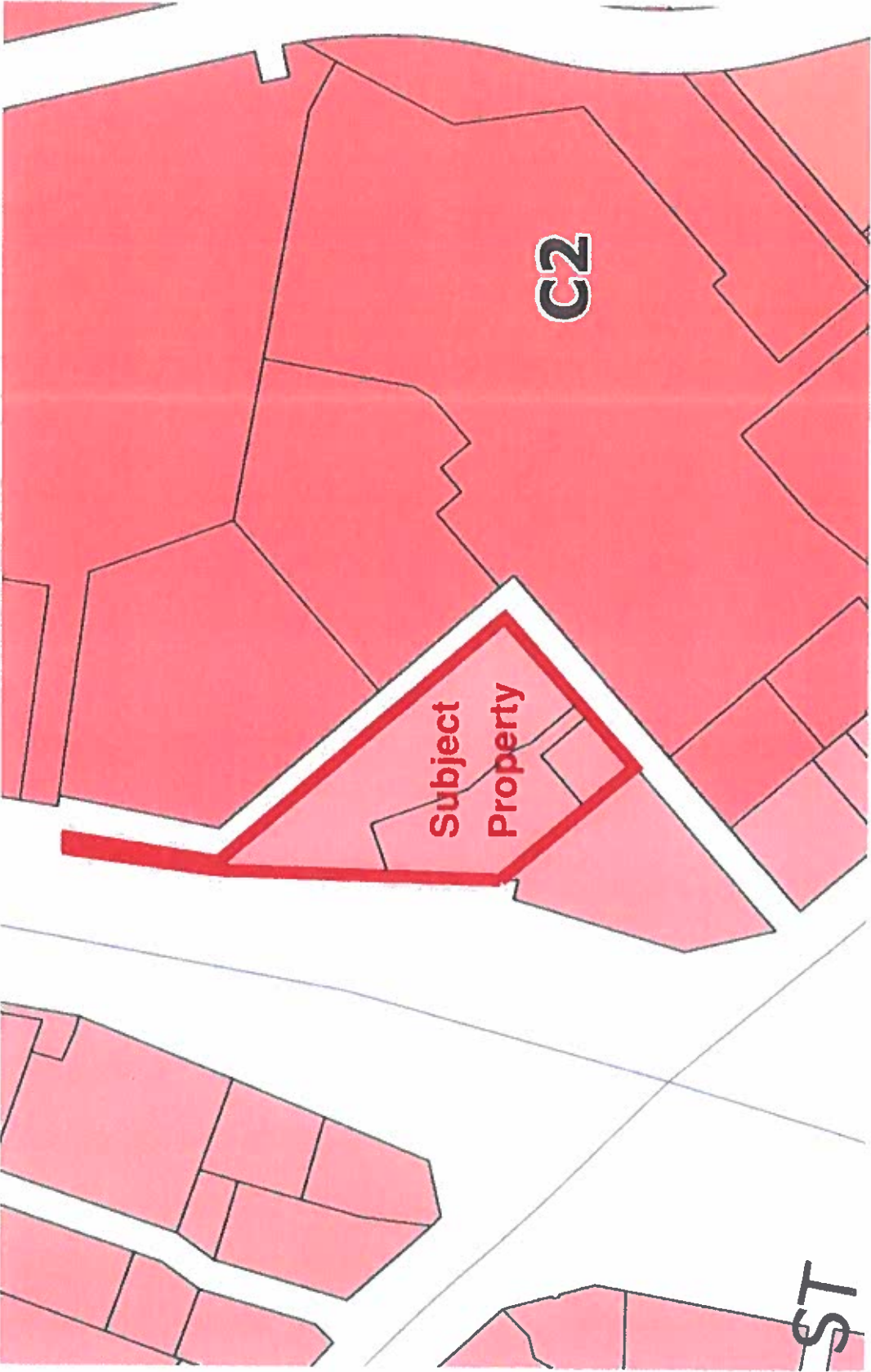


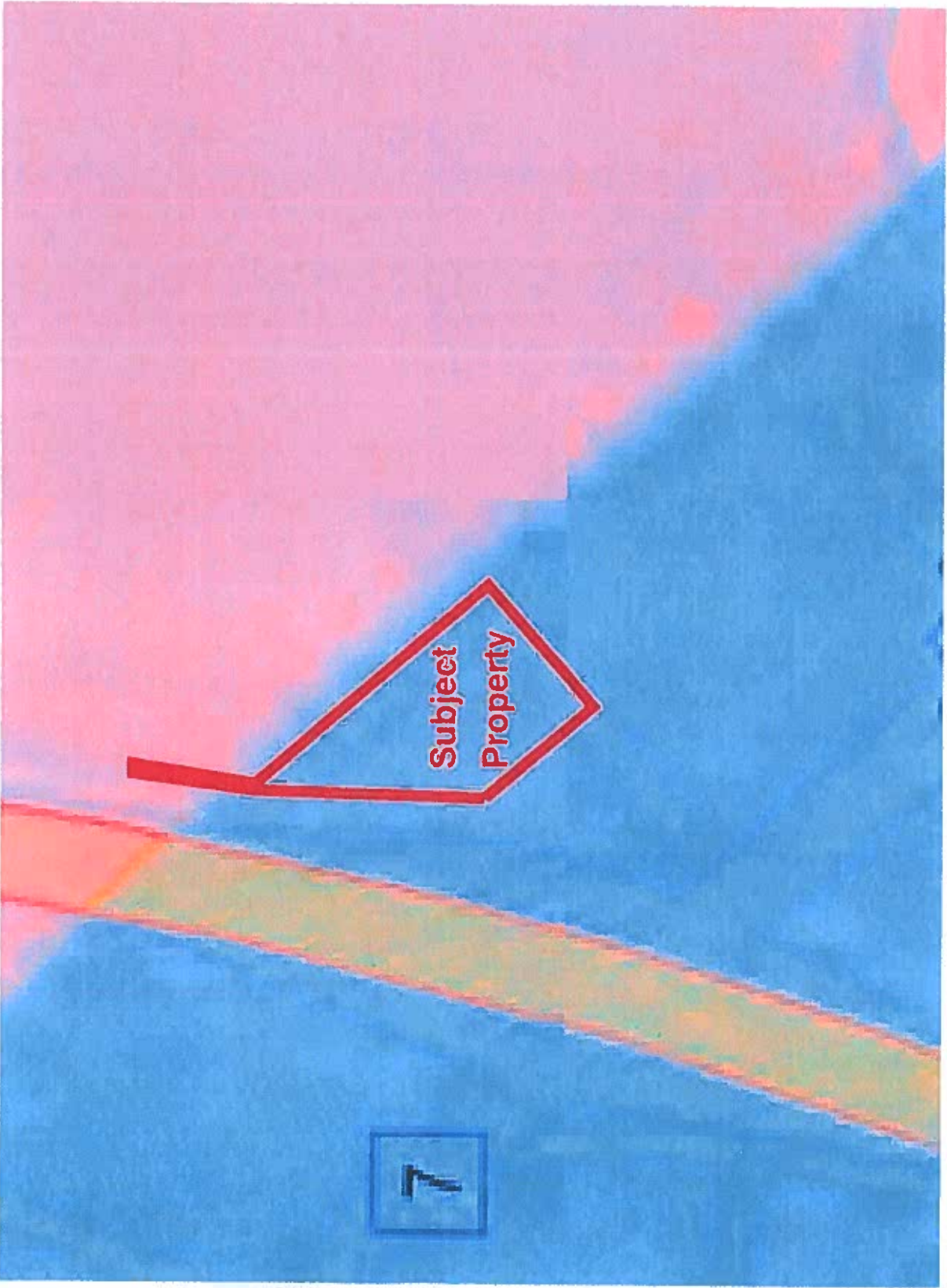
St. Patrick's Drive Adaptive Re-Use
(Parcels 0P0400 021000, 0P0400 022000, and 0P0400 048000)

Planned Unit Development Standards

1. **Permitted Uses:**
 - A. **Residential uses.** Multi-family dwellings, and accessory uses clearly incidental to, and customarily associated with multi-family residential developments (i.e., management/leasing office, resident laundry facilities, resident recreation and fitness facilities, resident multi-purpose/gathering space).
 - B. **Non-residential uses.** In addition to customary accessory uses, the ~1250 square foot building located on parcel 0P0400 021000 may be used for non-residential uses permitted in the C-2 zoning district in the following "use categories" identified in the Table of Uses, subsection 4-1.2 of the Land Management Ordinance: Day Care, Offices, and Retail Sales and Services.
2. **Maximum Density:** 126 total studio and one-bedroom apartments
3. **Maximum Building Height:** Two stories.
4. **Parking:** At least 160 parking spaces shall be maintained on the properties.
5. **Allowed Signs:**
 - A. **Freestanding Signs:**
 - o One existing pylon sign on the southwest corner of parcel 0P0400 048000 may remain but shall not be increased in height or in area.
 - o All other existing freestanding signs shall be removed.
 - o Two monument signs meeting the requirements for such sign type in the C-2 zoning district may be installed along the St. Patrick's Drive frontage of the properties.
 - B. **Roof Signs:** Existing roof signs on the properties shall be removed. Roofs signs shall not be permitted.
 - C. **Other signs:** Wall, door, and window signs required to identify buildings and unit numbers for emergency service providers, and as necessary to identify resident amenities.
6. **Trash Collection:** Existing dumpsters and dumpster enclosures shall be removed from all public rights-of-way. All dumpsters shall meet enclosure and screening requirements of the Land Management Ordinance and stormwater best management practices.
7. **Exterior Building Materials and Colors:** All exterior colors and any new exterior building materials shall be consistent with the provisions of subsection 6-6.1(A) of the Land Management Ordinance.
8. **Landscaping:** The site shall comply with all applicable landscape requirements of Section 6-3 of the Land Management Ordinance.
9. **Addresses:** If the property will remain as three separate parcels, addresses assigned to each parcel will be modified to eliminate duplicate addresses.
10. **Unspecified Standards:** Any development or other standards not specified above shall be governed by the applicable regulations of the Land Management Ordinance for properties located in a C-2 zoning district.







**Subject
Property**

7



Total Lot Area: 185,969 Sq.Ft.

*Total Built area (RED): 39,480 SqFt (21.22%)

*Total Asphalt/Concrete area: 97,126 SqFt (52.22%)

*Total Landscaped area (Green): 49,579 SqFt (26.64%)

Total Dwellings (MultiFamily):

*126 total Dwellings.

--> Mix of Studio Apartments & MultiBay apartments

--> 1,476 sq.ft. of lot area per dwelling

Building Uses:

*Building#1 Leasing office with Lobby, Coffee, lockers,

Recreational area (vending machine, pool table etc.)

*Buildings 2, 3 & 4 - Combined 122 Dwellings

*Building #5 - Guest Laundry, Gym & 4 dwellings.

Total Parking Spots: 180 Parking spots (8 ADA, 172 regular)

Total Signs:

* ONE Bill board sign (YELLOW) - To be removed

* ONE Monument (Purple) by entrance curb for one lot

* One Pylon Sign (BLUE) for 2nd lot & 3rd Lot Each

Both Existing Pylon signs: (i) Bottom of sign a least 16ft height clearance from public driveway. (ii) All signs under 35ft total height - same requirement as for buildings in PUD. (iii) total display area under 32 Sq.Ft.

Monument sign: Upscale Stone background & litup sign in front. Total sign area under 32 sq.ft. Plants surrounding.



Where Georgia comes together.

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

Application # RZNE
0020-
2022

Applicant/Owner Information

*Indicates Required Field

*Applicant		*Property Owner
*Name	Anjebha Patel	Dilip Kumar Patel
*Title	Project Owner	Owner / Member
*Address	400 Galleria Pkwy, Ste 1140, Atlanta, GA 30339	1006 St Patricks Dr Perry GA
*Phone	770.560.0482	478 987-5600
*Email	JDHJohn@Hotmail.com	dilipahm2@gmail.com

amish@jahdevelopers.com

Property Information

*Street Address or Location	(i) 1004 St Patricks Dr, (ii) 1004A St Patricks Dr (iii) 1006 St Patricks Dr. Perry, GA
*Tax Map Number(s)	(i) 0P0400 021000 (ii) 0P0400 048000 (iii) 0P0400 022000
*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;

Request



*Current Zoning District	(i) C1 (ii) C1 (iii) C1	*Proposed Zoning District	PUD for all three.
*Please describe the existing and proposed use of the property <u>Note: A Site Plan or other information which fully describes your proposal may benefit your application.</u>			
*Currently 4 buildings are hotel/ motel and 1 building is a retail space. We are proposing all 5 buildings (3 lots) to be zoned as PUD, 4 buildings will be used as multi-family apartments and amenities, 1 building will be kept as retail space or office use for apartments."			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential - \$140.00 plus \$16.25/acre (maximum \$1,700.00)
 - Planned Development - \$160.00 plus \$16.25/acre (maximum \$3,000.00)
 - Commercial/Industrial - \$245.00 plus \$22.65/acre (maximum \$3,170.00)
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with 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.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property 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 has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? *Applicant* is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes ___ No X
 If yes, please complete and submit a Disclosure Form available from the Community Development office.

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		*Date
*Property Owner/Authorized Agent		*Date 1-10-22

Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

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

- (1) The existing land uses and zoning classification of nearby property;
- (2) The suitability of the subject property for the zoned purposes;
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- (6) Whether the subject property has a reasonable economic use as currently zoned;
- (7) 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;
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and
- (12) 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.

Total: 4.28 acres.
All 3 parcels currently
zoned C1, propsoed
zoning PUD.

OP0400 022000



JSIYARAM HOTEL LLC
1006 ST PATRICKS DR
2.56 Acres Value \$356,900

[View: Report](#) | [Field Definitions](#) | [Pictometry Imagery](#)


OP0400 021000



JSIYARAM HOTEL LLC
1004 ST PATRICKS DR
0.35 Acres Value \$76,400

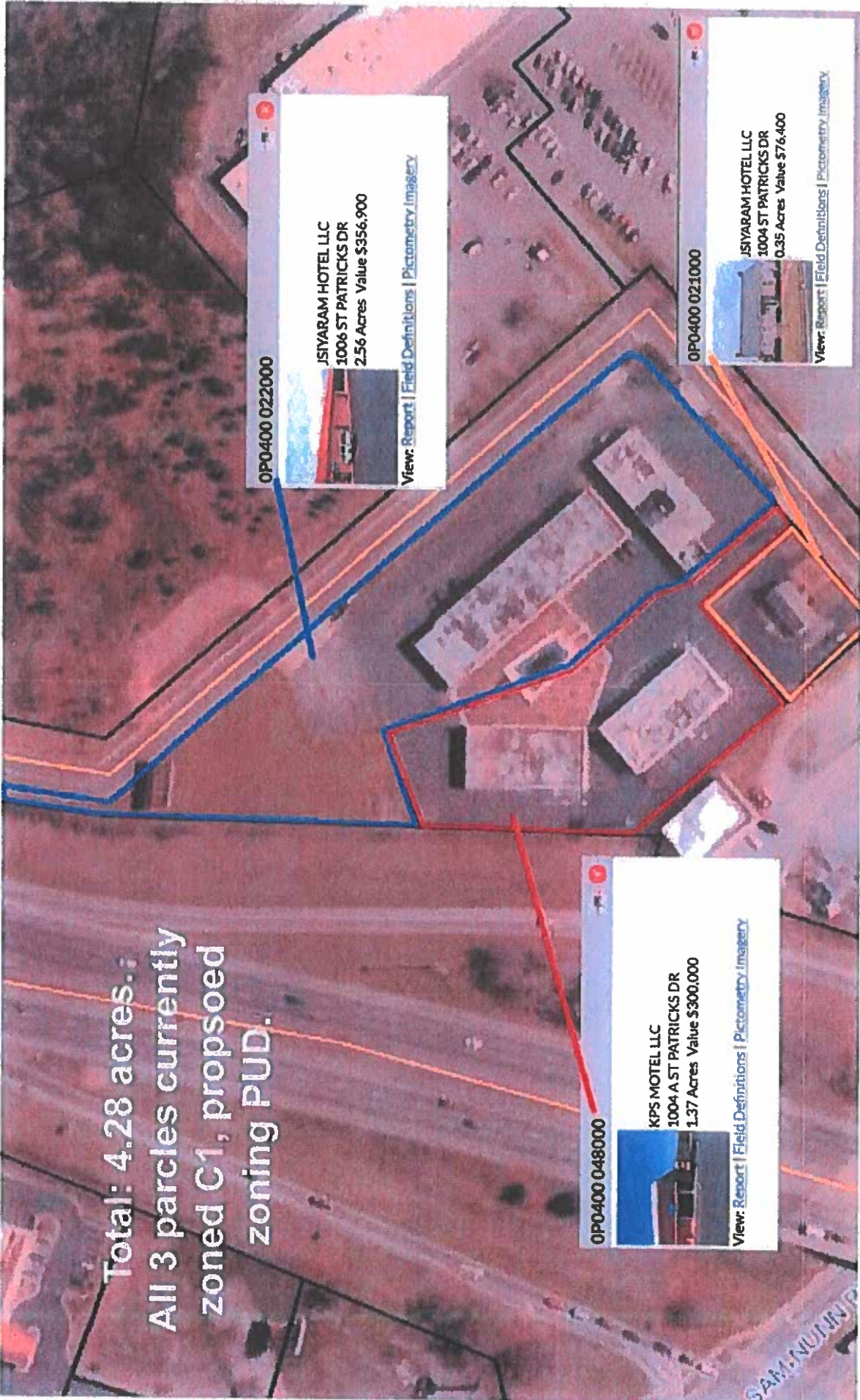
[View: Report](#) | [Field Definitions](#) | [Pictometry Imagery](#)

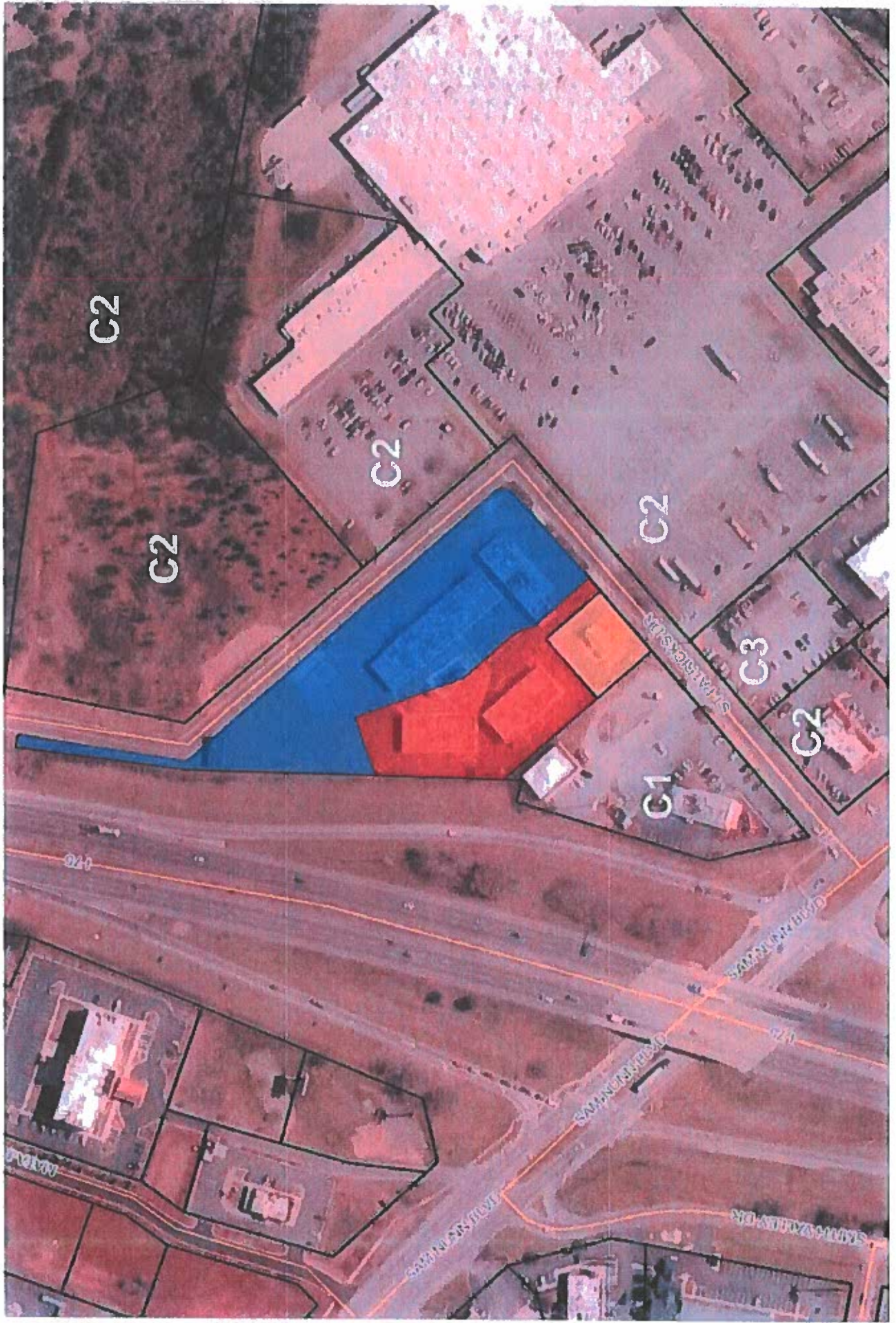
OP0400 048000



KPS MOTEL LLC
1004 A ST PATRICKS DR
1.37 Acres Value \$300,000

[View: Report](#) | [Field Definitions](#) | [Pictometry Imagery](#)





1. The existing land uses and zoning classification of nearby property:

- a. As shown on page#13, all adjacent properties are classified as C1, C2 or C3. These are all commercial districts (general, concentrated or neighborhood kind). While permitted uses are retail businesses, retails services, clubs, church, parking, play school , theatre etc. All of the adjacent properties are retail store or restaurant or bank (retail service).
- b. Subject property is hotel/ motel. Hotel/ motel market is extremely saturated. There are more than 22 hotels/ motels in Perry. This is not a good use for land. Subject property runs extremely low occupancy so it does not get city tax revenue or more significantly it doesn't bring in enough transient guests who would in turn spend money in city and generate sales tax revenue.
- c. Property does not command enough revenue to do any major renovation and even if it did there are existing upscale hotels in Perry already. What Perry is missing is upscale loft style modern, fully furnished apartments that attracts working class young individuals.

2. What is the suitability of subject property for proposed zoning:

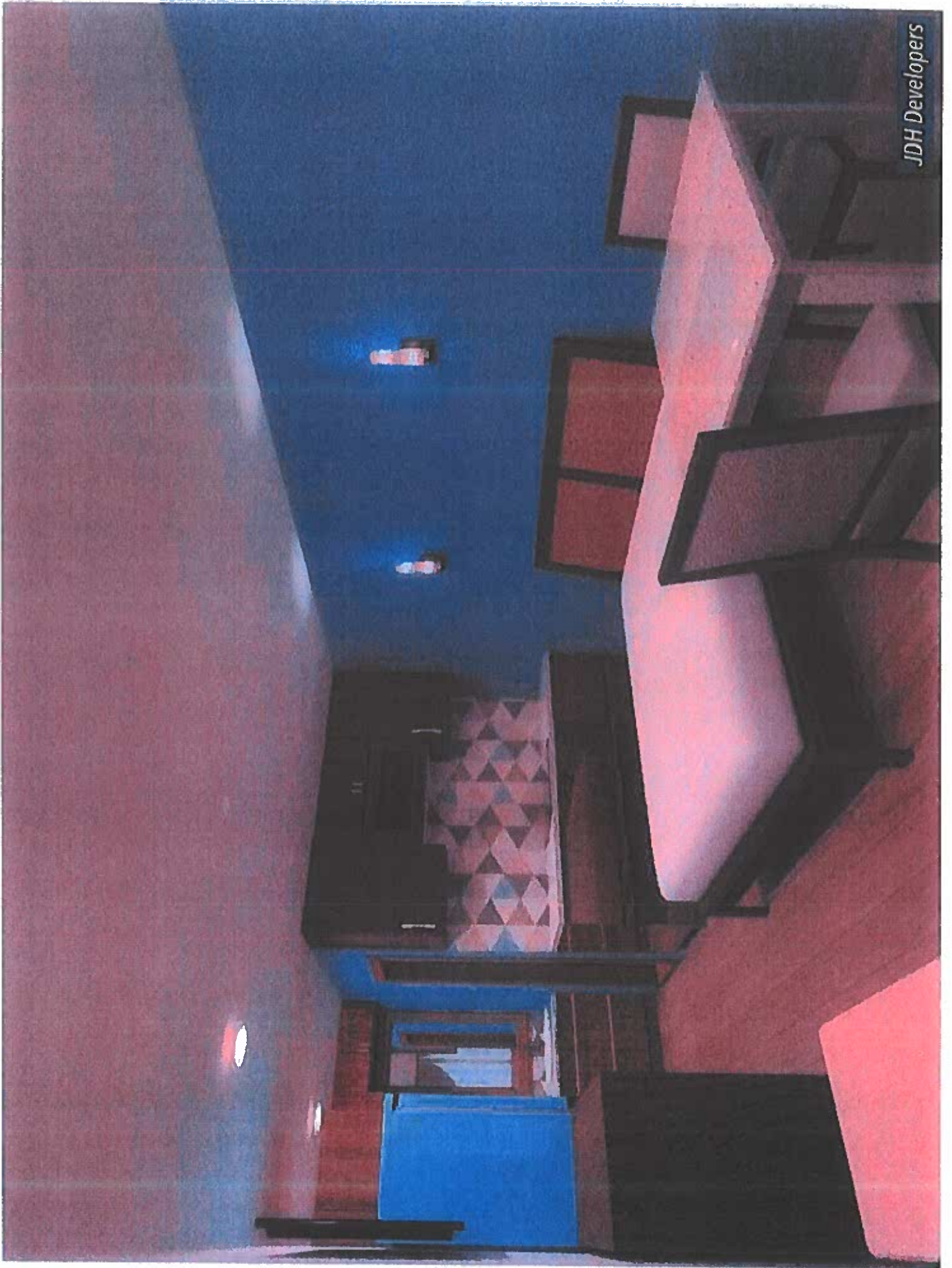
- a. There is extreme suitability for proposed zoning. Primarily there are no loft like modern fully furnished apartments in Perry. Secondly the subject property is in middle of all retails business which our past experience data suggests that having housing choices/ apartments near all retail businesses helps both: it helps businesses by having labor force availability so close where employees don't need transportation and it helps apartment tenants by having retail business nearby so decreases traffic burden for city.
- b. Over all everything mentioned above generates more revenue and more sales tax for city And boosts public morale.

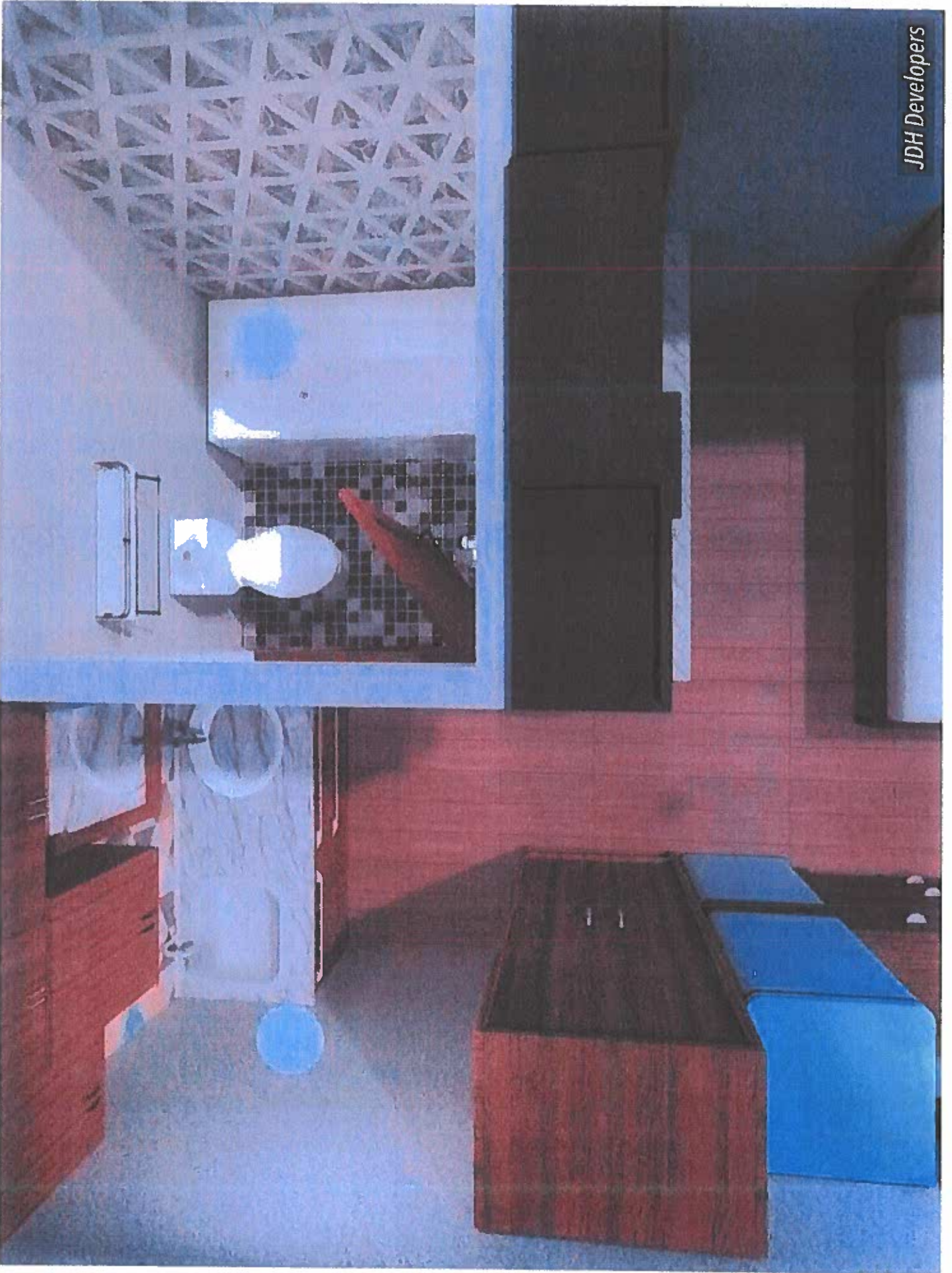
3. What is the extent to which the property values of subject property and diminished by particular zoning restriction?

- a. Current zoning, while does allow many things, subject property is a hotel/ motel – which does not generate enough revenue right now hence it cannot afford to do significant renovation and become upscale hotel. IT is not very cost effective to demolish subject property to make room for any of the retails items that current zoning permits. Additionally, there is no high demand of retail businesses for 4.28 acres of land in already retail saturated neighborhood. All these acts as obstruction of development.
- b. Thus, subject property is only the only business that generates negligible sales tax revenue and citizens benefit in otherwise well developed, happening, revenue generating neighborhood.
- c. All this decreases value of subject property. This in turn lowers property tax and is a hindrance to continual development of town.





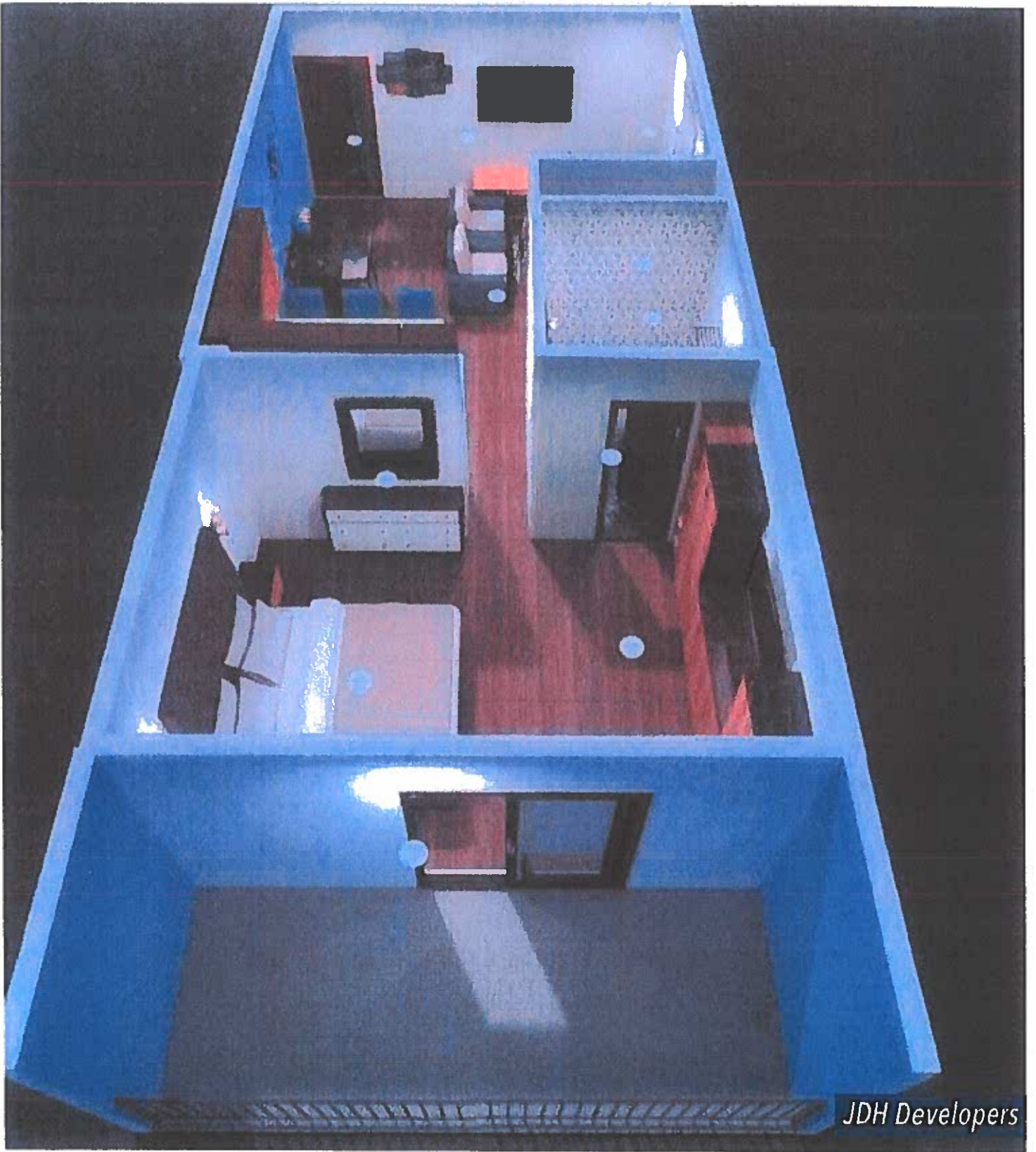








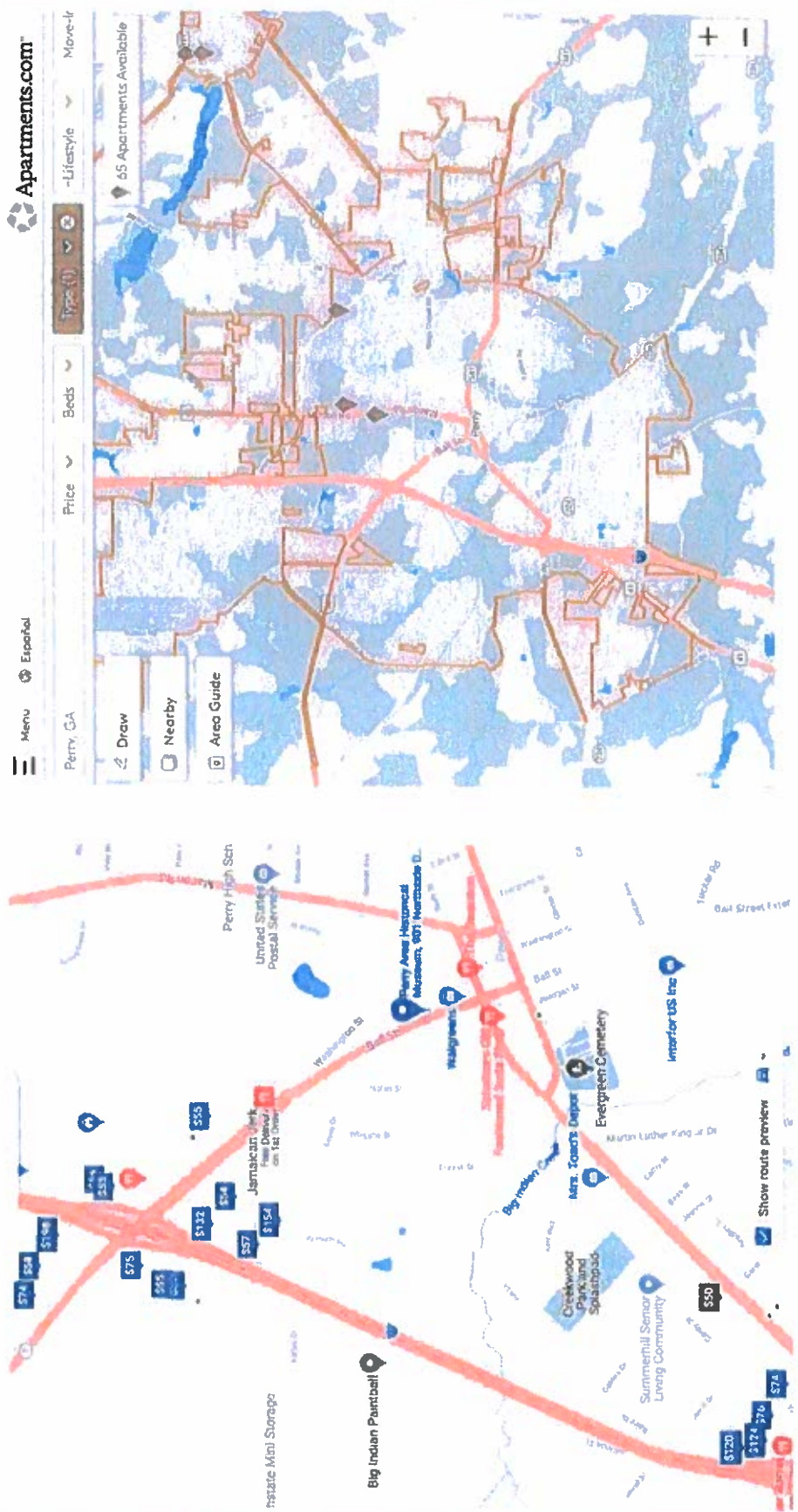
JDH Developers



JDH Developers

4. Extent to which the destruction of property values of the subject property promotes the health, safety, morals of general welfare of public:

- a. Perry, GA does NOT have lack of hotel/ motels. There are 22 total hotel/ motel in 3 mile driving distance of subject property. There is none to negligible destruction of property value here due to rezoning.
- b. On the other hand, Perry does lack availability of apartments. In fact there are non loft style, modern, fully furnished apartments available. Newly renovated apartments will boost moral of general public as it shows investment in town and provides more choice of available housing options.
- c. More people living in city leads to more people spending money in city, which in turn promotes better tax revenue for city and better revenue for all other businesses.



5. Relative gain to the public as compared to the hardship imposed upon the individual property owner:

- a. Providing more choice of loft style fully furnished housing is a clear gain to public.
- b. Data suggests that younger, earning citizens prefer better facilities & modern style over more square feet in housing, they prefer to be out in town. They do not prefer long driving/ commute to & from work.
- c. The location of the subject property is close enough to nearby businesses to attract young earning individuals, which in turn complements the surrounding businesses by providing them with labor force that lives close enough and may not need transportation to come to work.

6. Does the subject property has reasonable economic use as currently zoned:

- a. Currently zoned C-1/ C-3 may ideally have retail businesses in place of subject property. However the subject property is hotel/ motel – which would require significant investment for any developer to demolish the property and actually turn into retail space – this acts as obstruction to that path. So that may not happen for significant amount of time. Additionally current retail development is significant enough to state that there is not high enough demand for 4.28 acre worth of retail space development.
- b. At the same time, current usage - hotel/ motel does NOT provide good economic use as there are 22+ hotel/ motels in perry. Hotel/ Motel market is saturated and supply of lodging far exceeds demand of lodging. This leads to inefficiency in rental rates and lower tax revenue.

7. How long has the property been vacant as currently zoned -- considered in the context of land development in area in the vicinity of property:

- a. The property was built in 1974, there has been significant development in the vicinity of subject property majority of which is newer than the property.
- b. Even though property has not been fully vacant – it runs less than 30% occupancy. It does not serve its purpose as transient hotel/ motel space. Compared to all surrounding retail businesses and traffic property completely feels vacant.
- c. There is significant lack of revenue/ transactions (leading to sales tax revenue for city) here at subject property. New apartment leading tenants to live here, will increase spending in Perry, GA. More spending inside city leads to more sales tax revenue.

8. Will the proposed zoning allow uses that are suitable in view of the uses and development of adjacent nearby property?

a. Yes it will be. Our successful experience suggests that fully furnished, renovated, modern style apartments attract young earning individuals (usually age 24-44) and all the surrounding retails business get benefit of having housing nearby which leads to complementing labor force benefit to said nearby retail businesses.

9. Will the proposed zoning adversely affect the existing use or usability of adjacent or nearby property?

a. No it will not. Proposed zoning will not adversely effect existing use as there are significant investment obstruction to have retail business here (all 5 buildings will have to be fully demolished and then designed, planned & built for retail. There is no data suggesting there is high demand for 4.28 acres worth of retail space.) Plus, having too many retail business space options may adversely affect rental rates for those businesses &/or parking, transportation roads etc.

b. Proposed zoning in fact helps the usability of adjacent properties. It leads to more choice/ housing for labor force so close that transportation is not required. Having this labor force benefit is huge in times like now when all country in general sees the supply of labor short of the demand.

10. Is proposed zoning in conformity with the policies and intent of the Comprehensive plans?

a. The 2017 Houston county joint comprehensive plan states as first goal for 'Housing' to be -- "Improve community planning to provide a variety of housing opportunities in appropriate areas".

b. There are no Loft style, modern, fully furnished apartments available, so you can see clearly that rezoning the subject property will enable usage which lines up with the comprehensive plan. The subject property is also in best appropriate location to not cause any excessive burden on utility, road usage and will benefit the highly transient retail area with renovation rather then old hotel with low occupancy.

c. The same 2017 comprehensive plan states suggested development in 'gateway corridor' & 'in town corridor' as Homes, shops etc. Basically development of housing is a suggested development here which again lines up rezoning with comprehensive plan.

11. Will zoning proposal result in a use which will cause excessive burden upon existing streets, transportation facilities, utilities, or school?

- a. New zoning & proposed usage will be using same facilities, utilities & streets. It will not cause any excessive burden. The current usage was meant for 122 transient rooms & restaurant, currently it has 176 parking spots and after rezoning and renovation it will have 180 parking spots so there will be no transportation streets usage burden. The new usage will have minimal increase in electric water usage, not enough to cause any excessive burden on utilities.

12. Are there any 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.

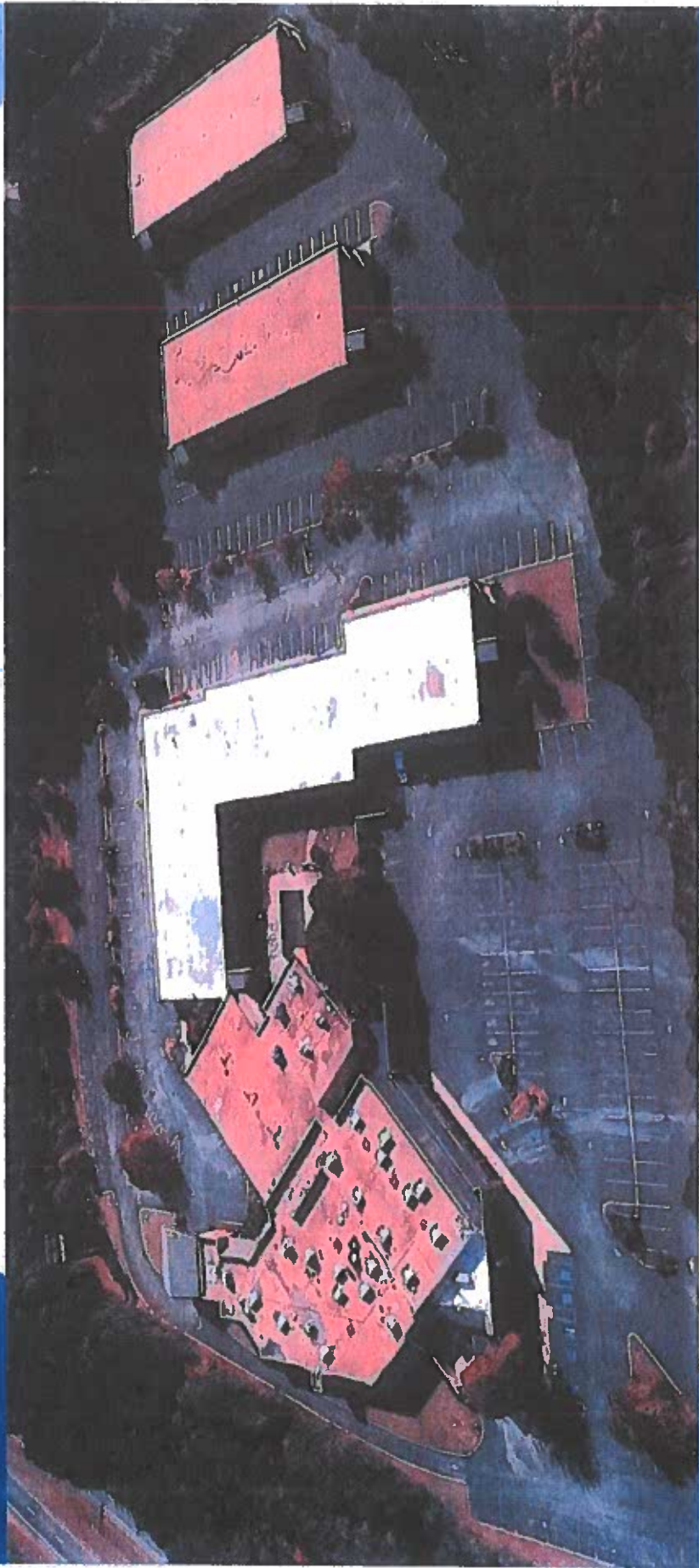
- a. All the retail development surrounding the subject property points to fact that now there is no high demand of 4.28acre worth of retail development. Additionally current hotel/ motel usage is sort of waste of space in otherwise relatively good & 'happening' area. There are enough hotel/ motels in Perry.
- b. Our past experience and general developed town data suggests that having housing close enough to large retail shops is good since it will encourage young individuals to stay and work without having to spend money in transportation.

Experienced Developer Team – i.e. promised renovation will be delivered:

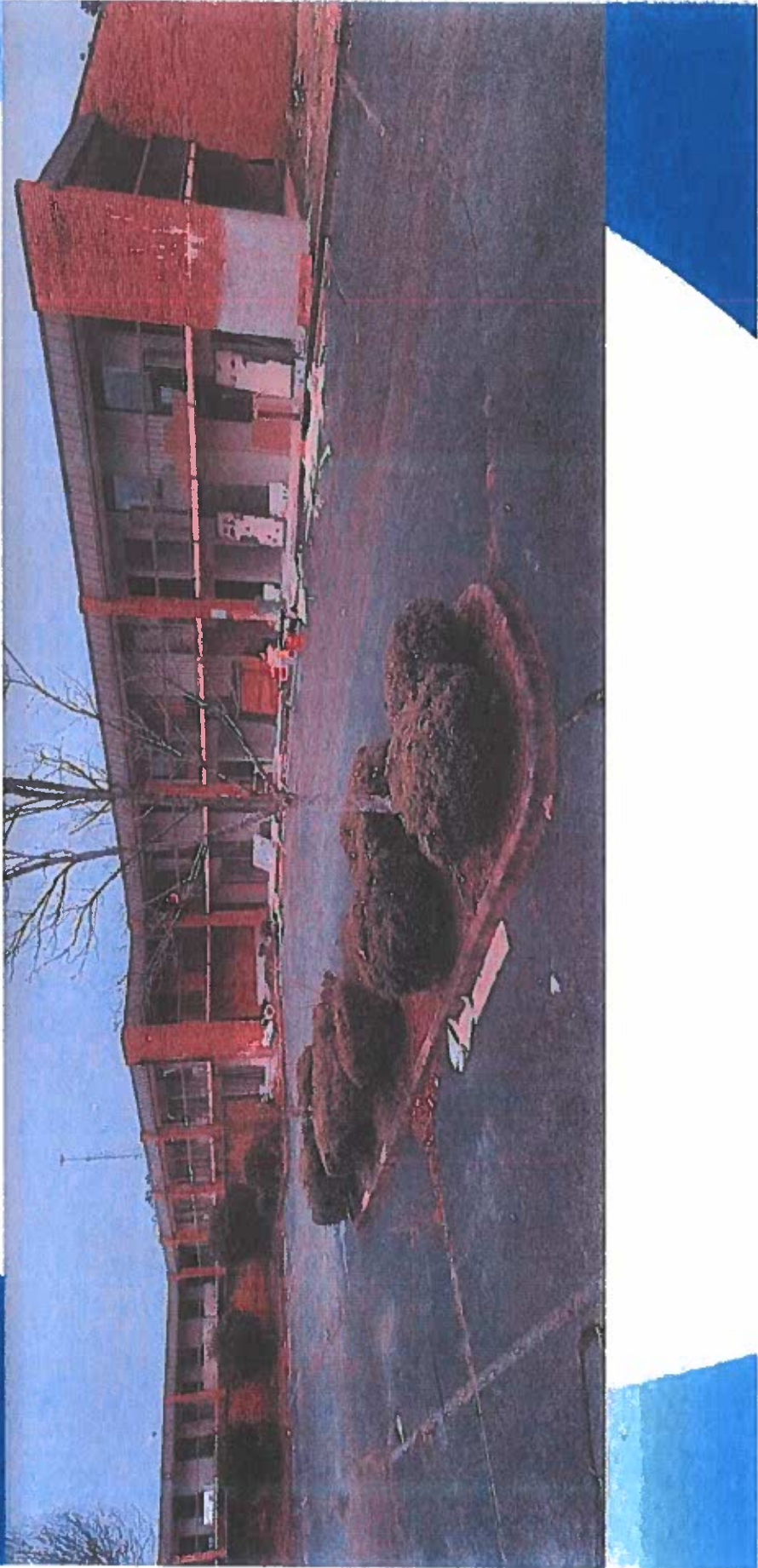
- Project carried out smoothly and professionally
- Been there, done that – having done few other projects we know how to make product best and right for the market.
- Over 53 years of construction experience between core team.
- We hire right engineers, architect, consultants who make our project execution smooth.

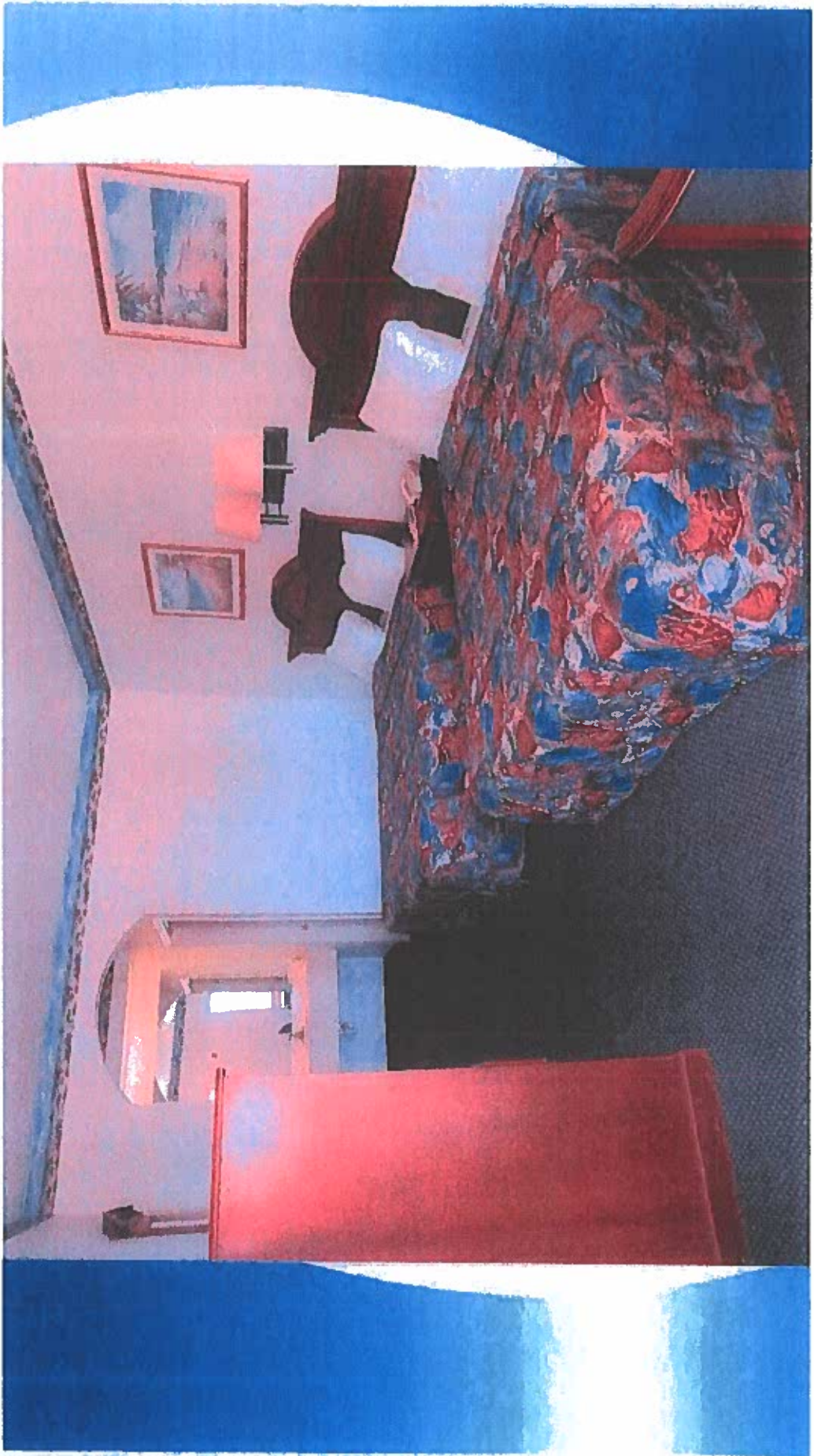
Look at examples of what we have done in last 2 years!

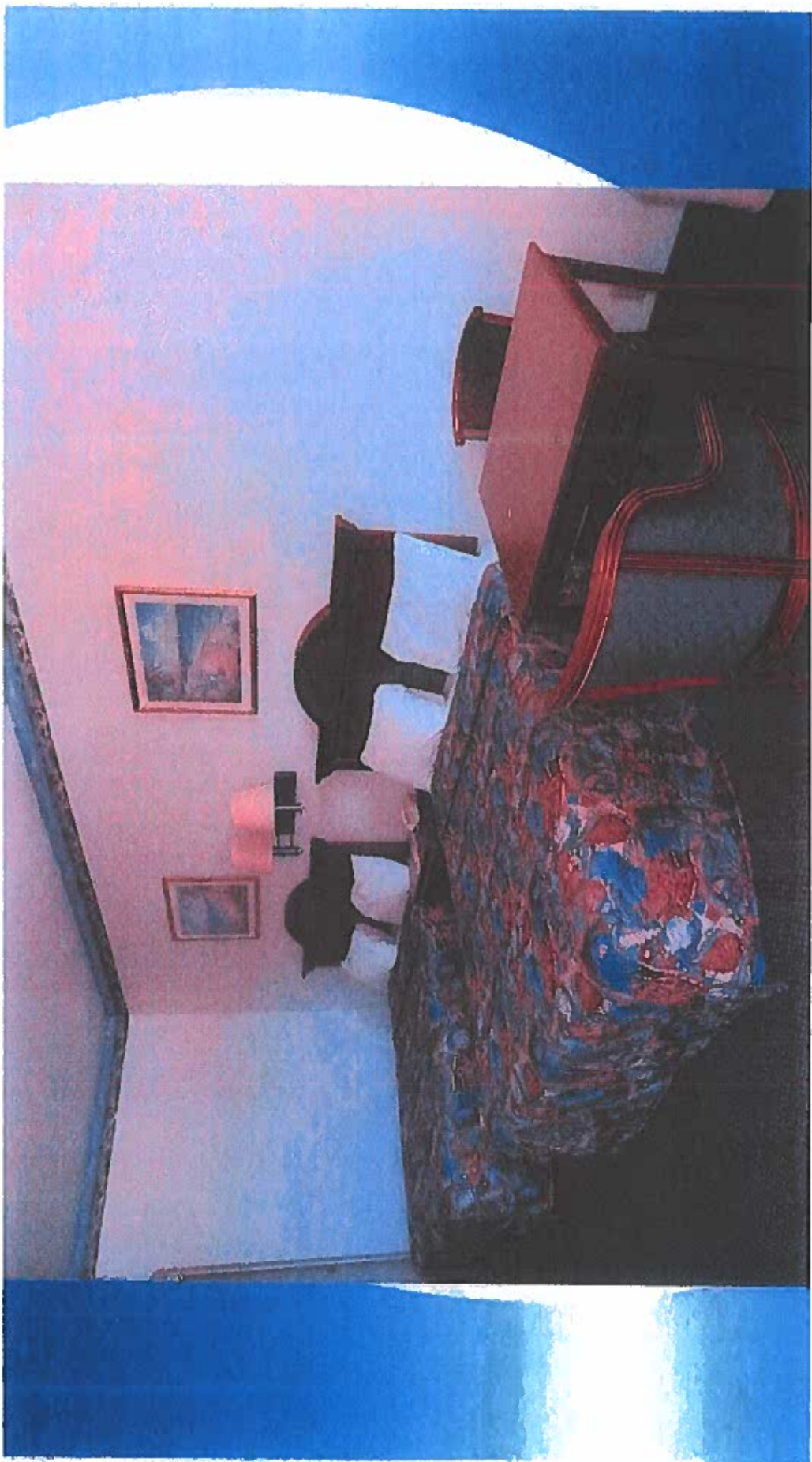
SKYTOP LODGE, ROME, GA



SKYTOP LODGE, ROME, GA





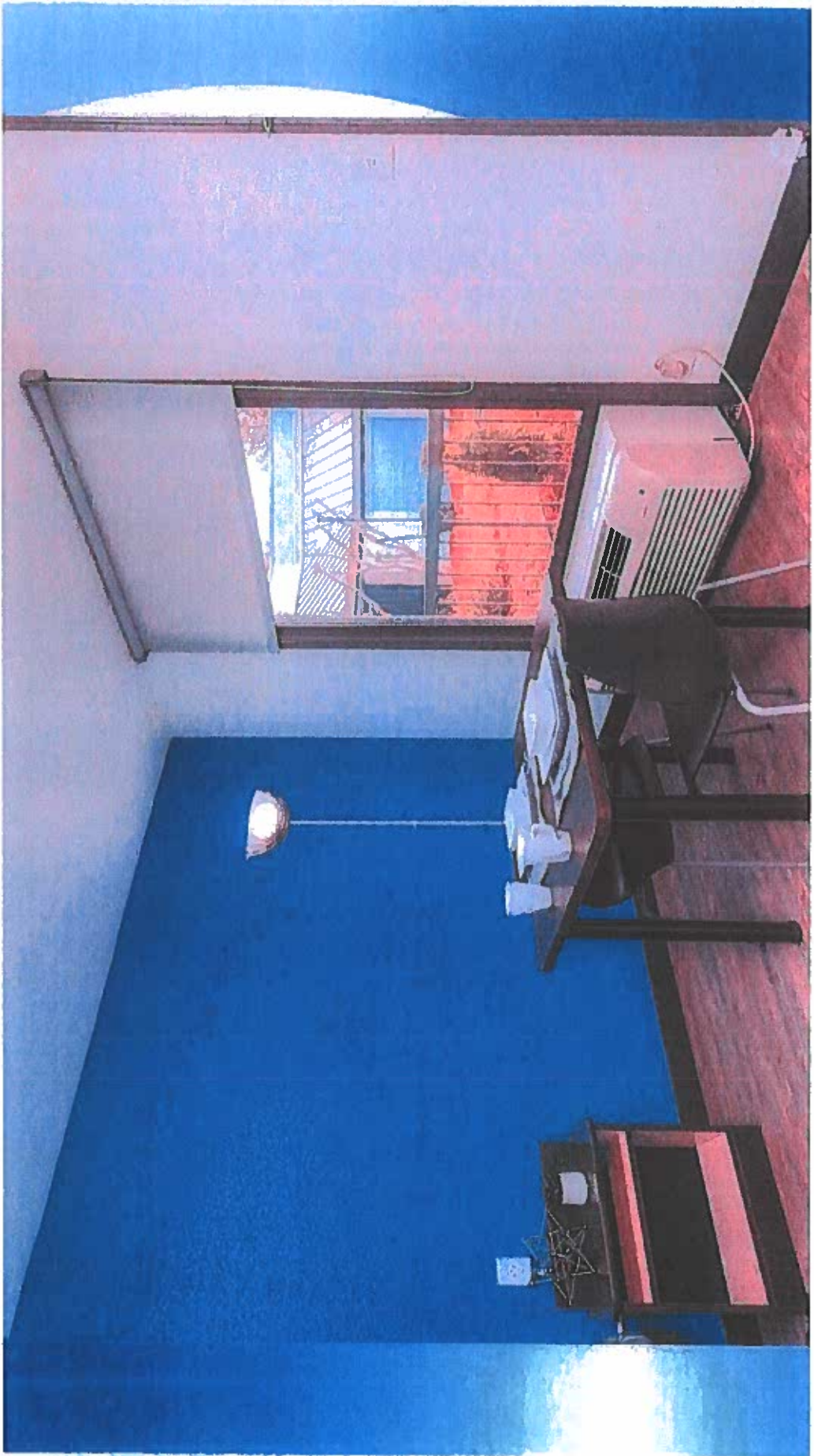


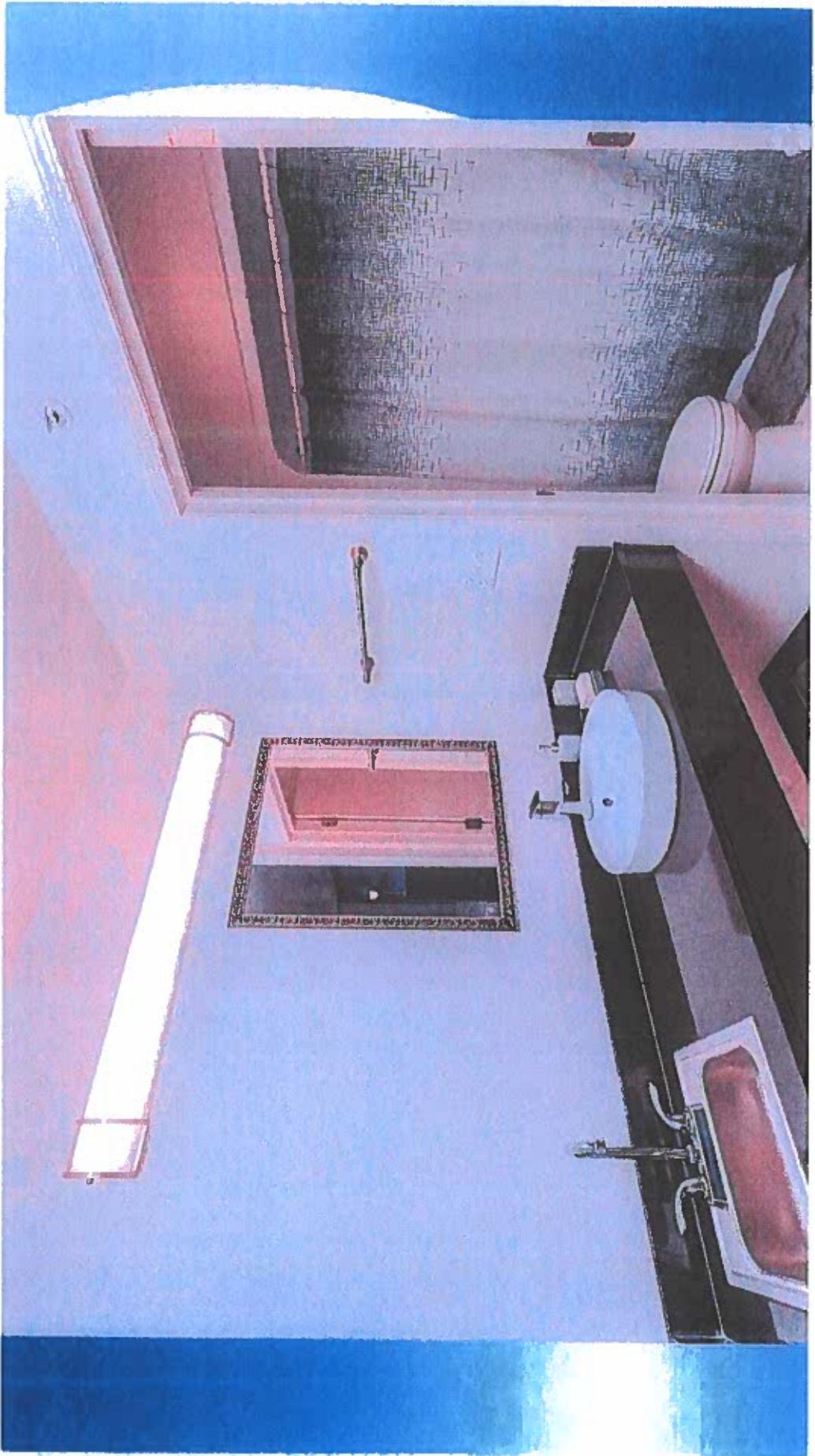










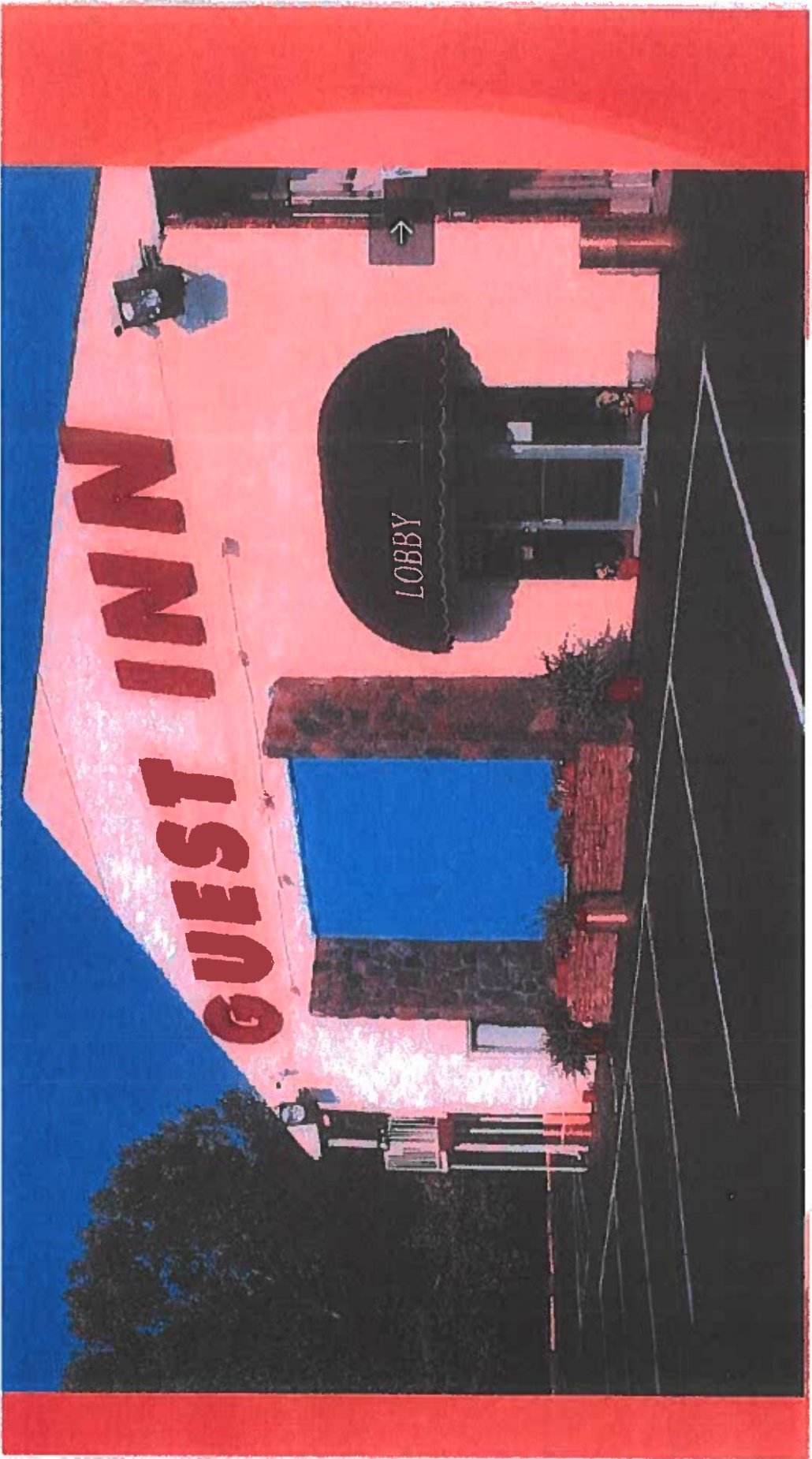


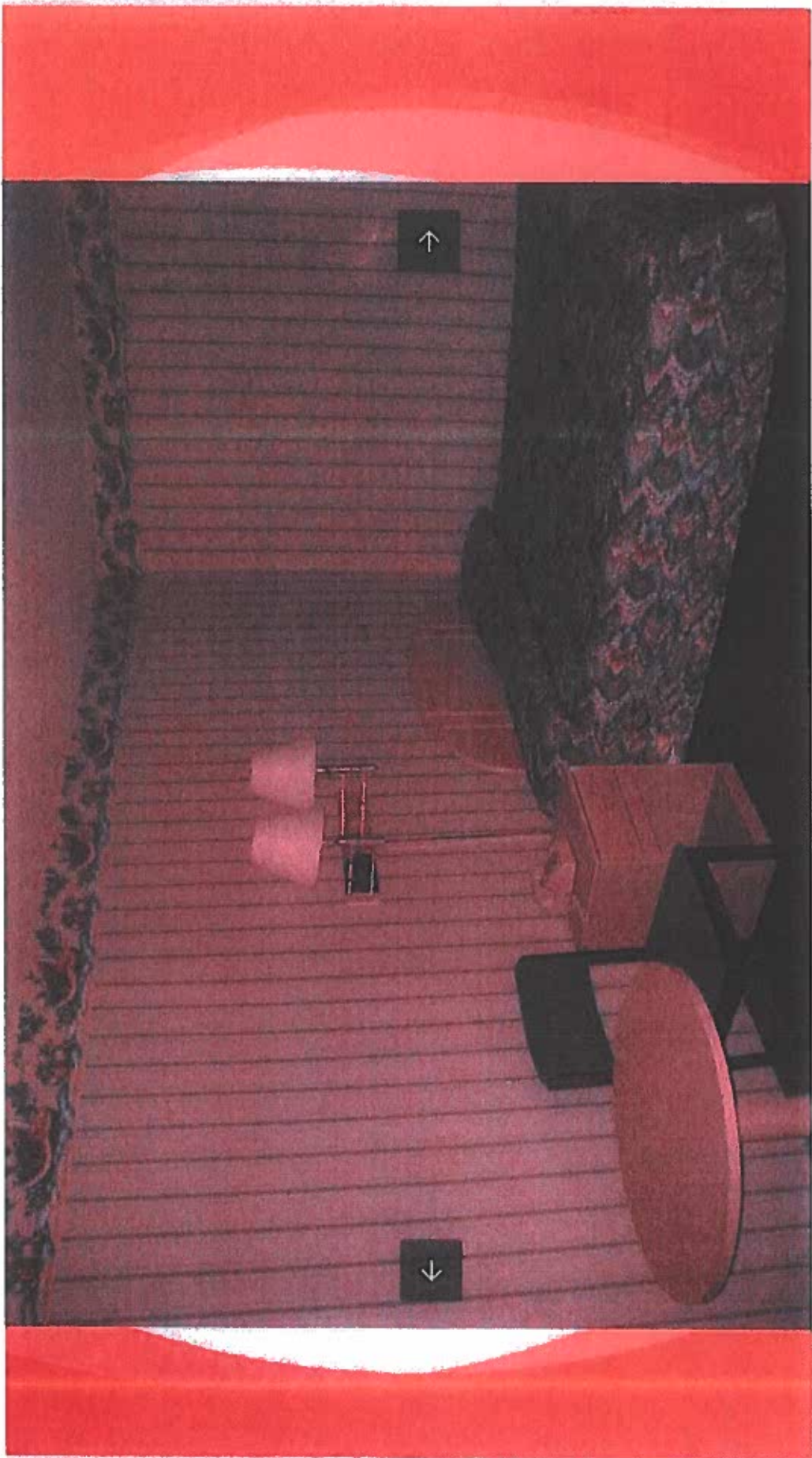


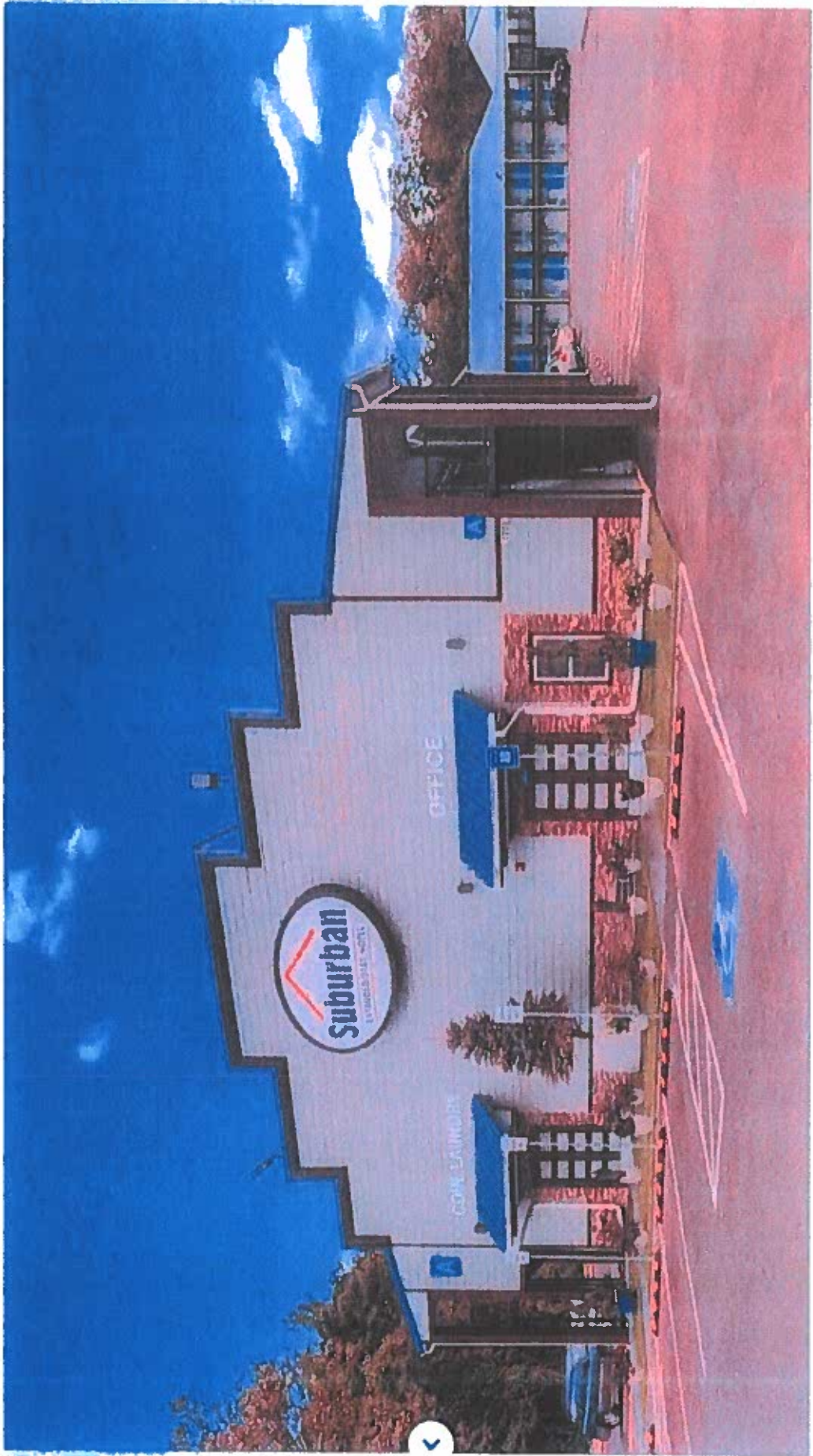


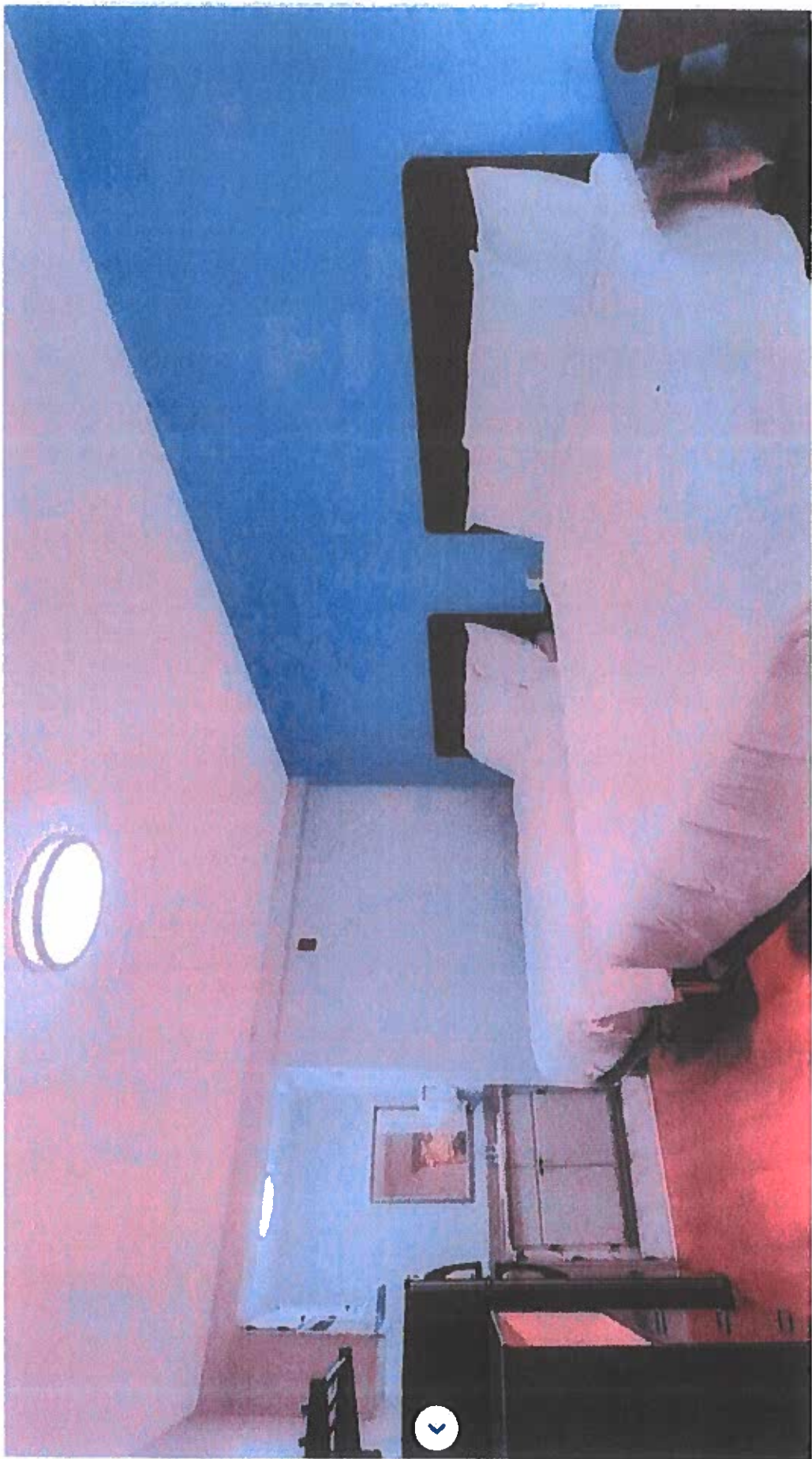
Suburban Lodge Dalton, GA

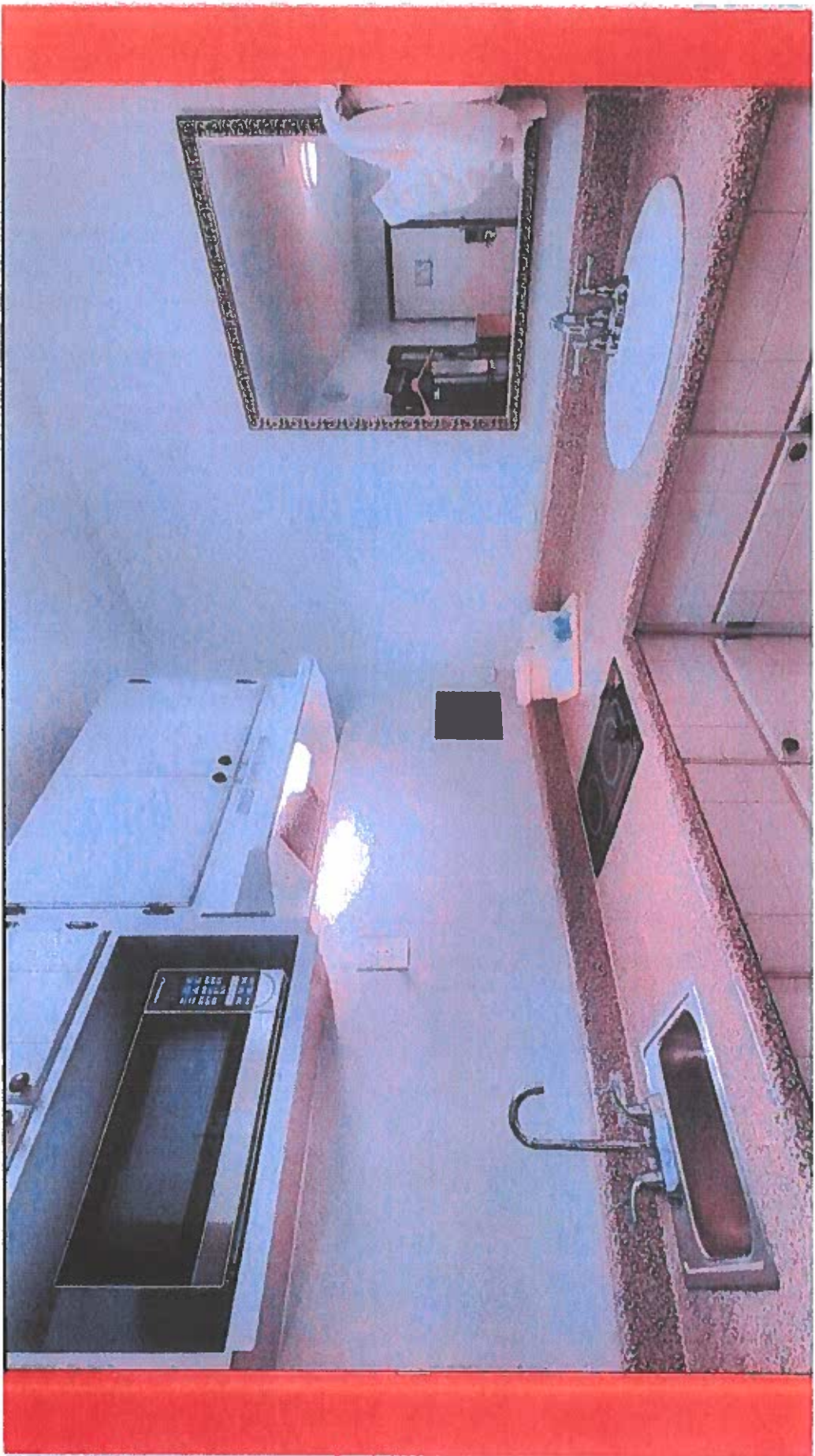


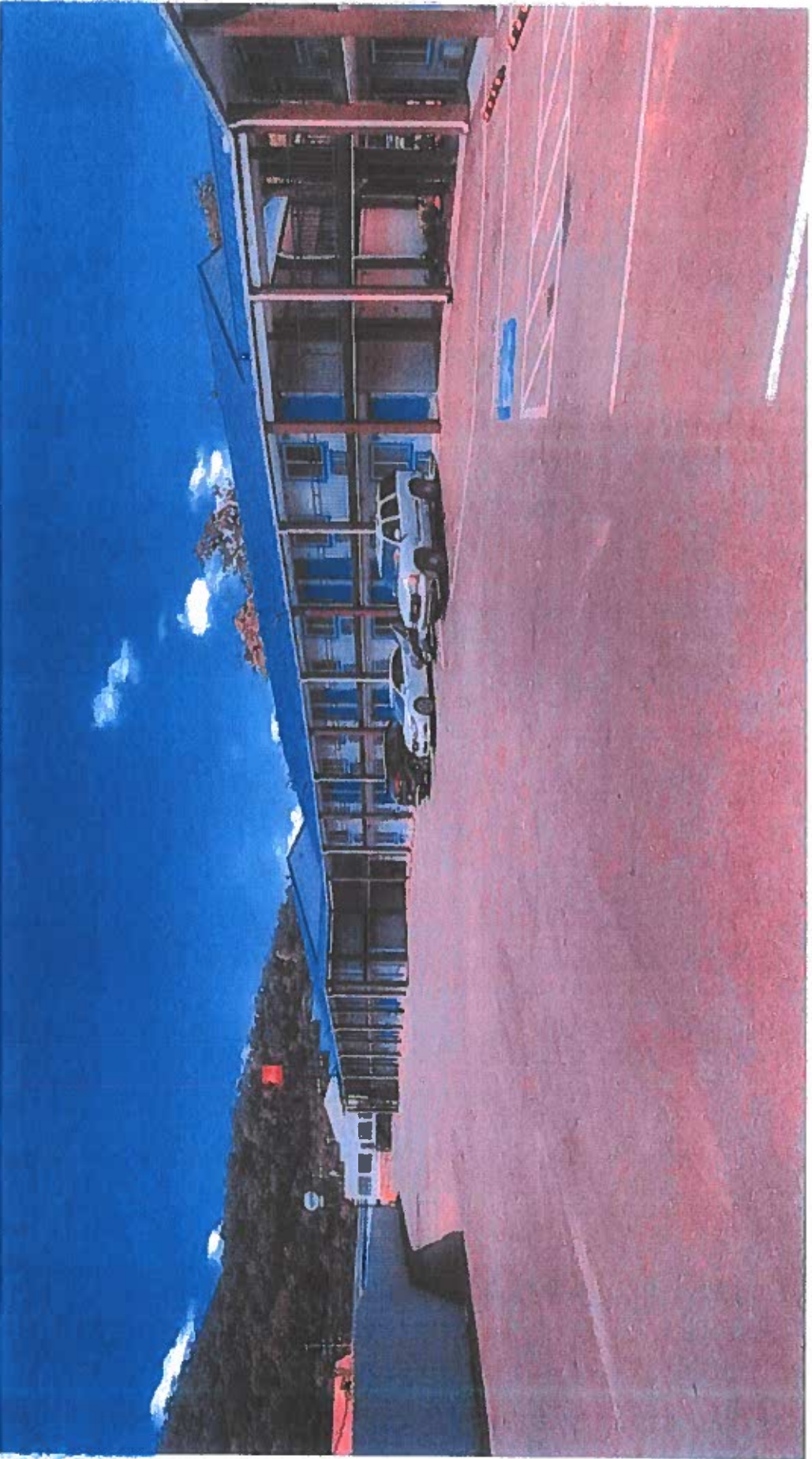












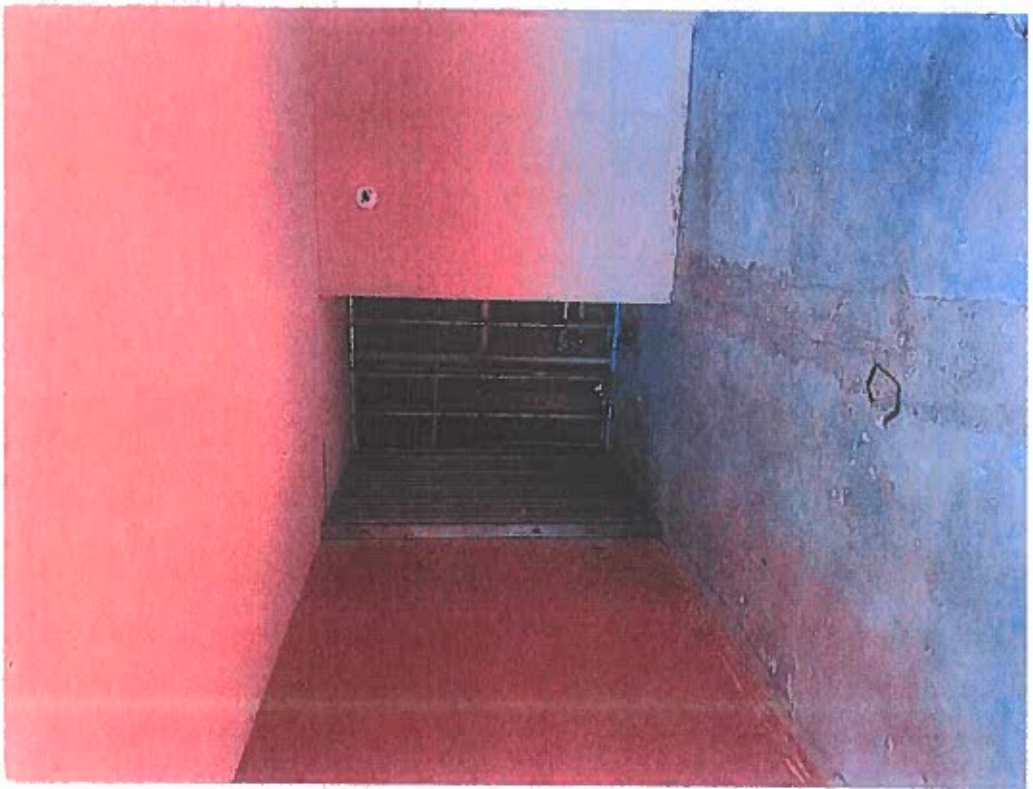
Birmingham, AL – 145 unit project brief summary:



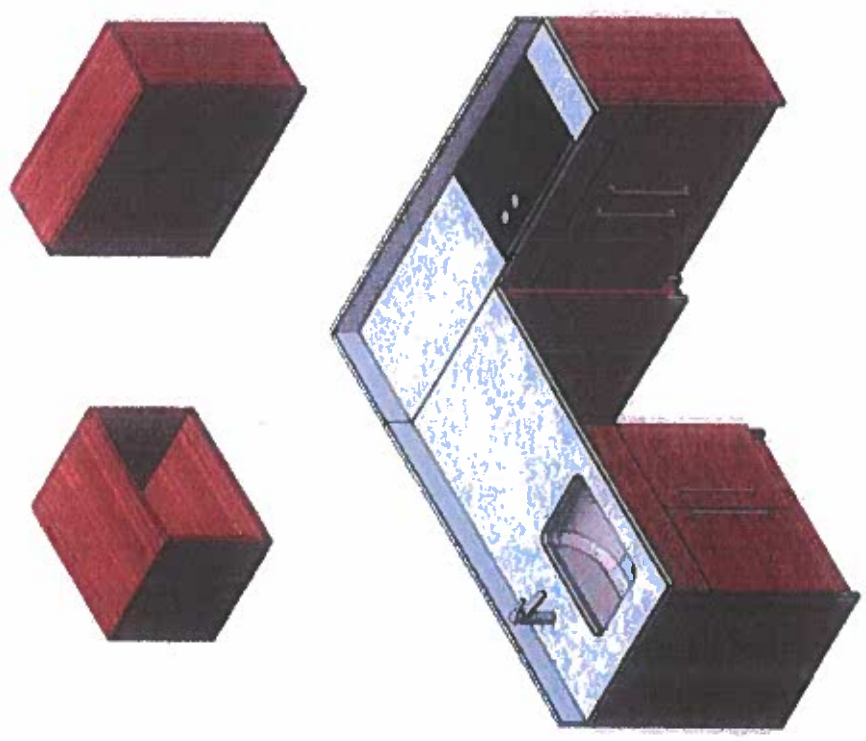
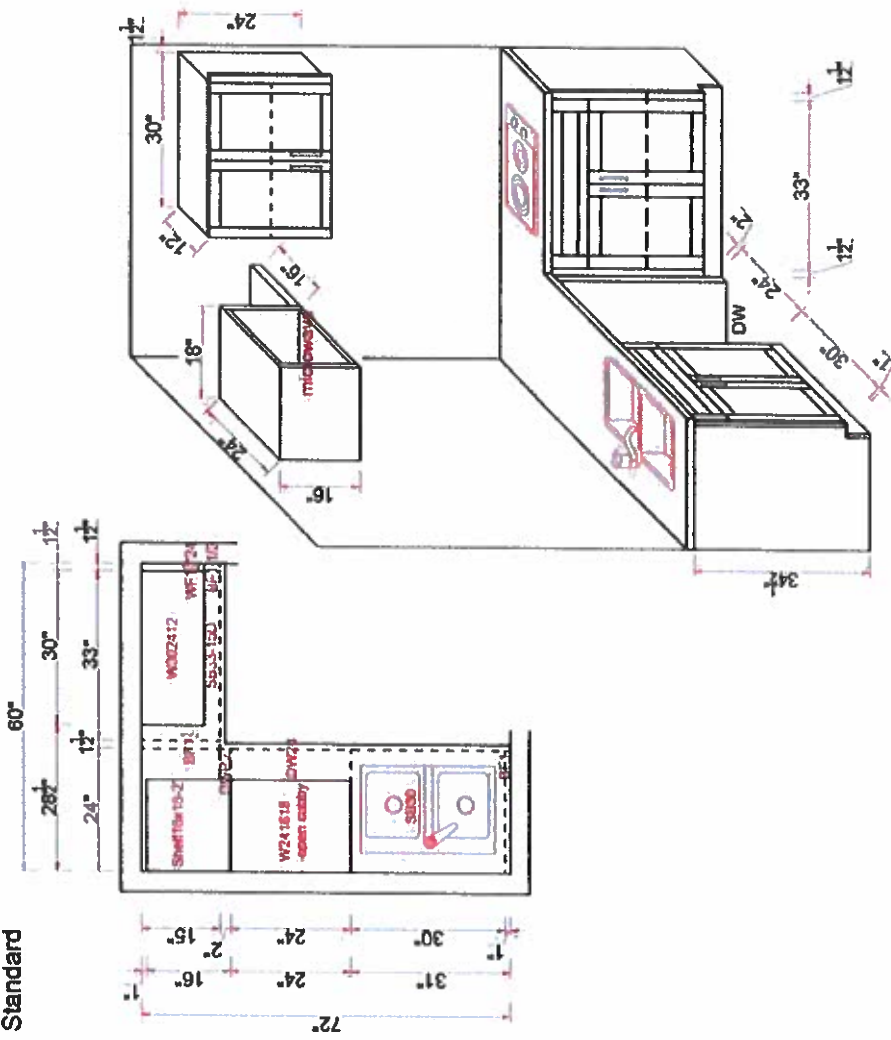
MESSER, AL – 145 unit project brief summary:

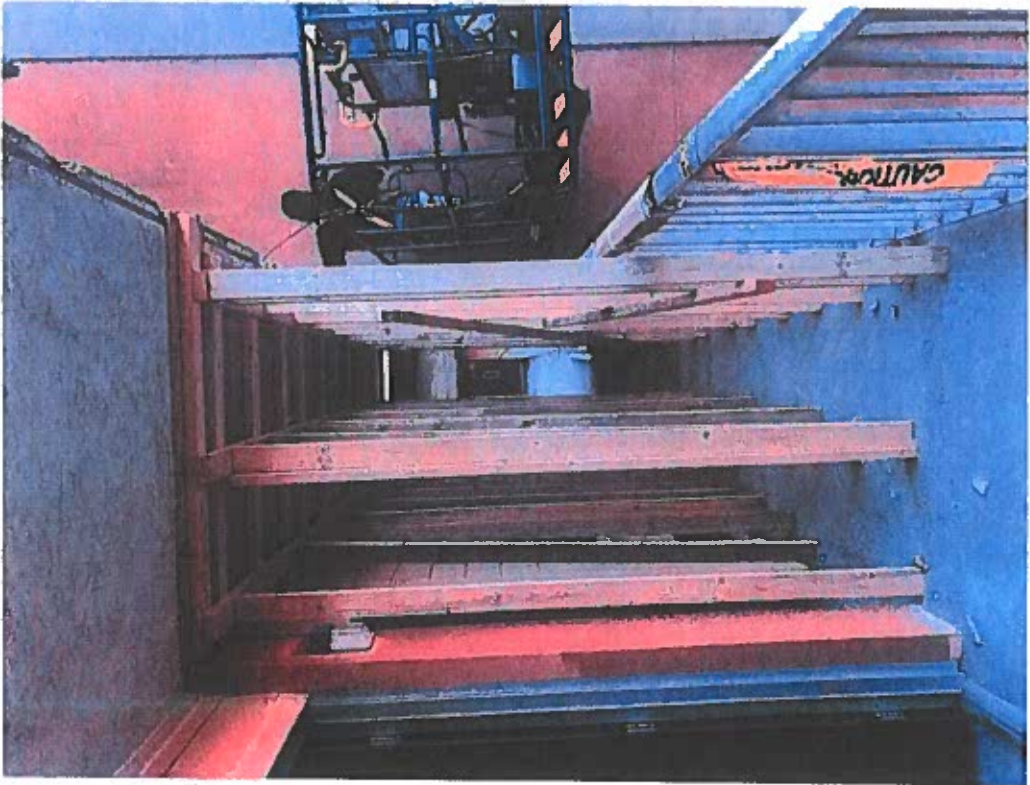






Standard

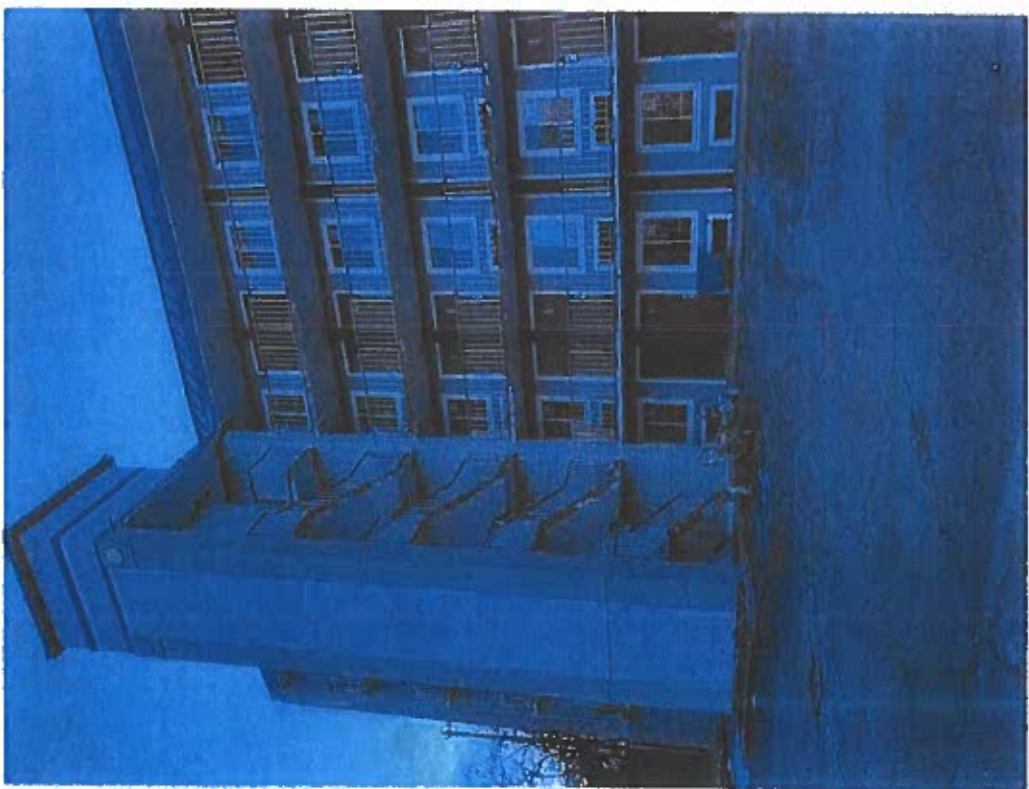
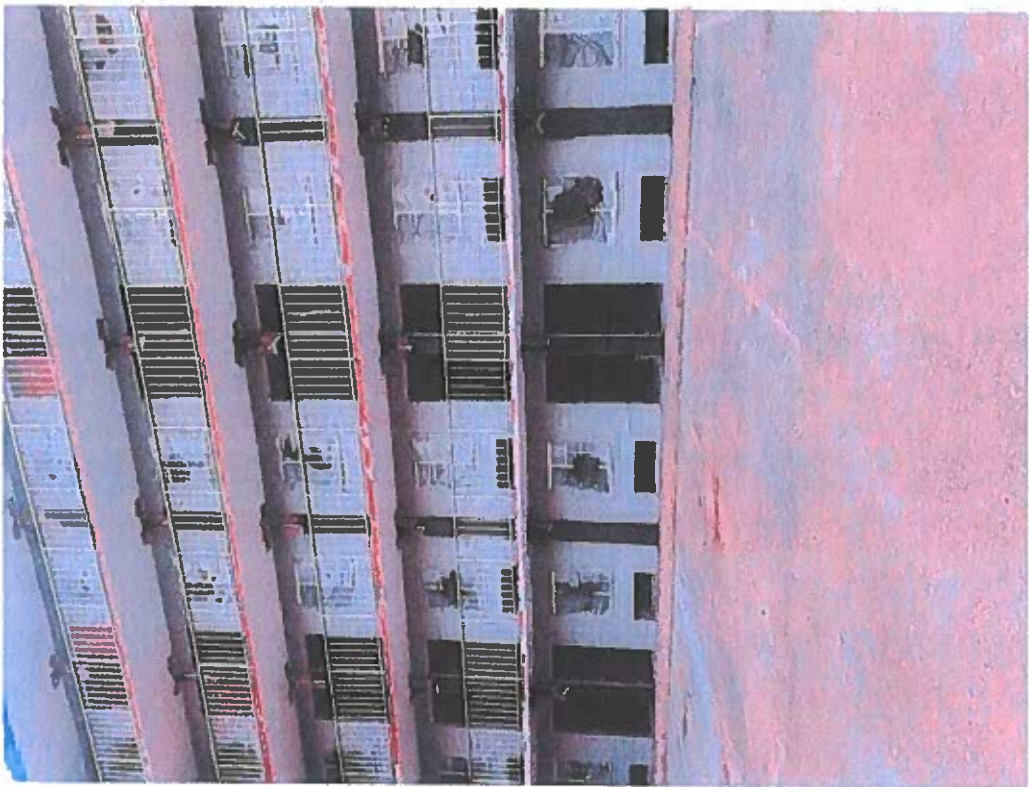


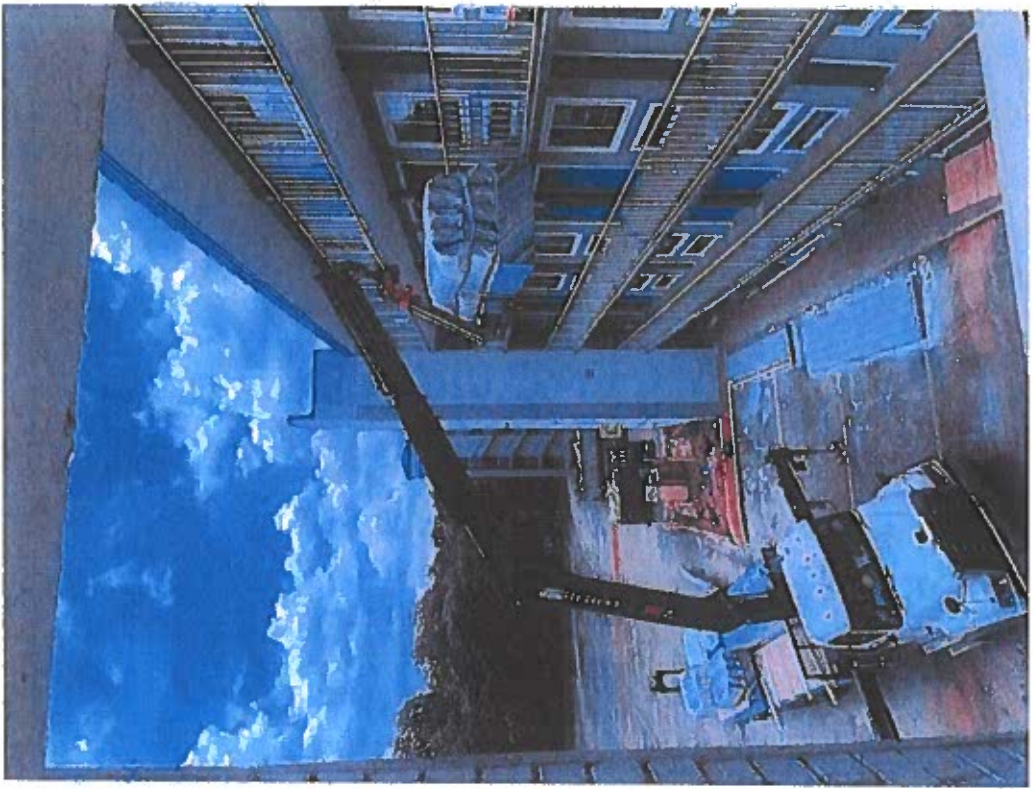


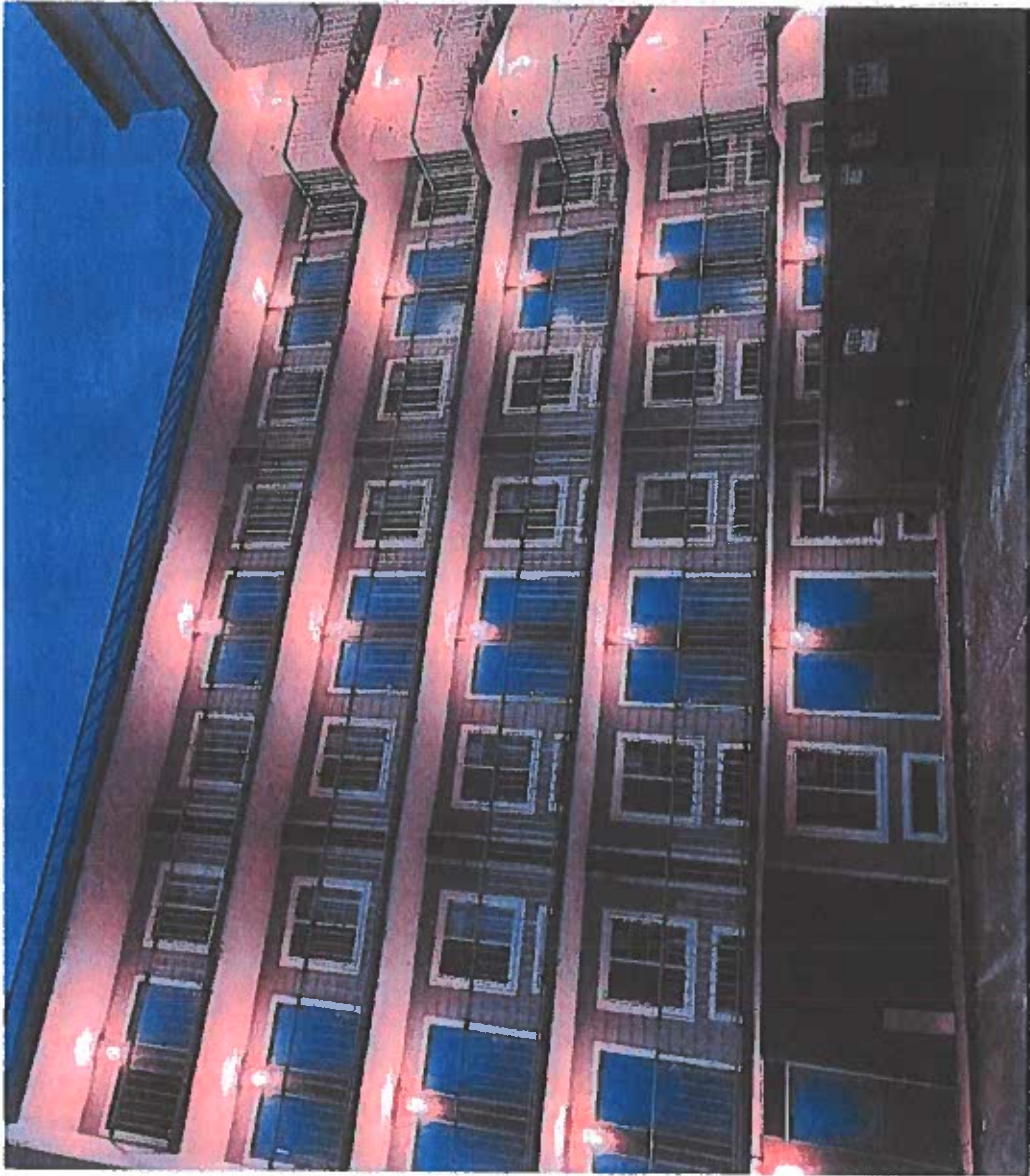


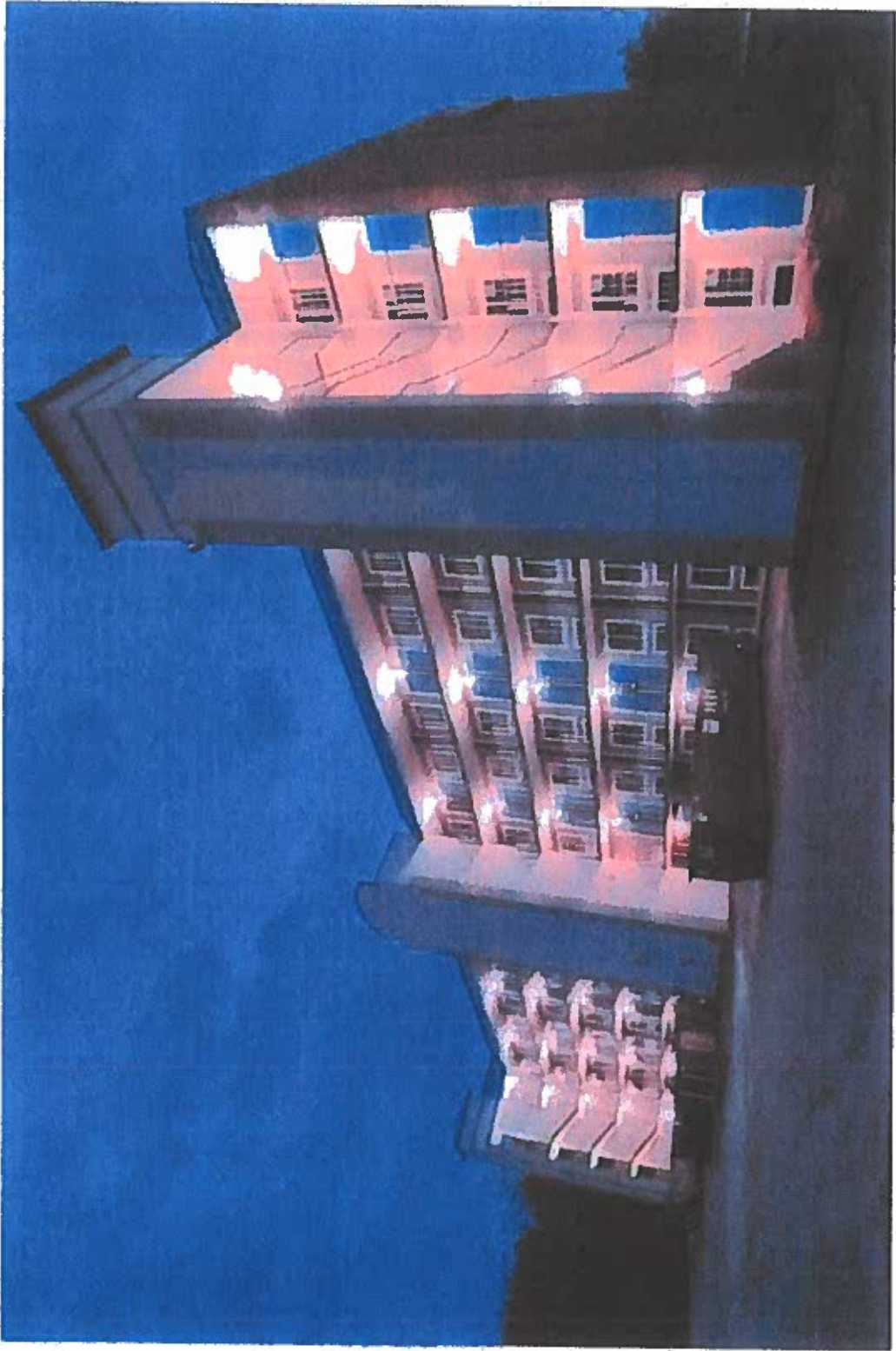













Return: #6138
Robert T. Tuggle, III
Daniel, Lawson, Tuggle & Jerles, LLP
Post Office Box 89
Perry, Georgia 31089


Doc ID: 014018560002 Type: GLR
Recorded: 09/26/2015 at 03:43:00 PM
Fee Amt: \$857.00 Page 1 of 2
Transfer Tax: \$845.00
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk
BK 6967 PG 343-344

15-25458-R

WARRANTY DEED

**STATE OF GEORGIA
COUNTY OF HOUSTON**

THIS INDENTURE, Made the 23rd day of September in the year two thousand fifteen, between

ISHWAR, LLC

of the State of Georgia, as party of the first part, hereinafter called Grantor, and

KPS MOTEL, LLC

of the State of Georgia, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH THAT: Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, alienated, conveyed and confirmed and by these presents do grant, bargain, sell, alien, convey and confirm unto the said Grantee, all the following described property, to wit:

All that tract or parcel of land situate, lying and being in Land Lot 47 of the Tenth (10th) Land District of Houston County, Georgia, being known and designated as Parcel "C", containing 1.368 acres, according to a plat of survey of record in Plat Book 75, Page 146, Clerk's Office, Houston Superior Court. Said plat and the record thereof are incorporated herein by reference for all purposes.

The above described property is conveyed subject to all easements and restrictions of record in the Clerk's Office, Houston Superior Court.

BOOK 6967 PAGE 344

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID GRANTOR warrants and will forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

ISHWAR LLC

BY: [Signature] (SEAL)
Bharatkumar A. Patel, Managing Member

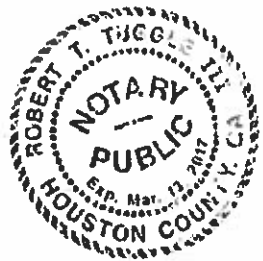
BY: [Signature] (SEAL)
Madhuben B. Patel, Managing Member

By: ^{POA} [Signature] (SEAL)
Kiritkumar P. Patel, Managing Member
Kiritkumar P Patel

Signed, sealed and delivered in the presence of:

[Signature]
Witness

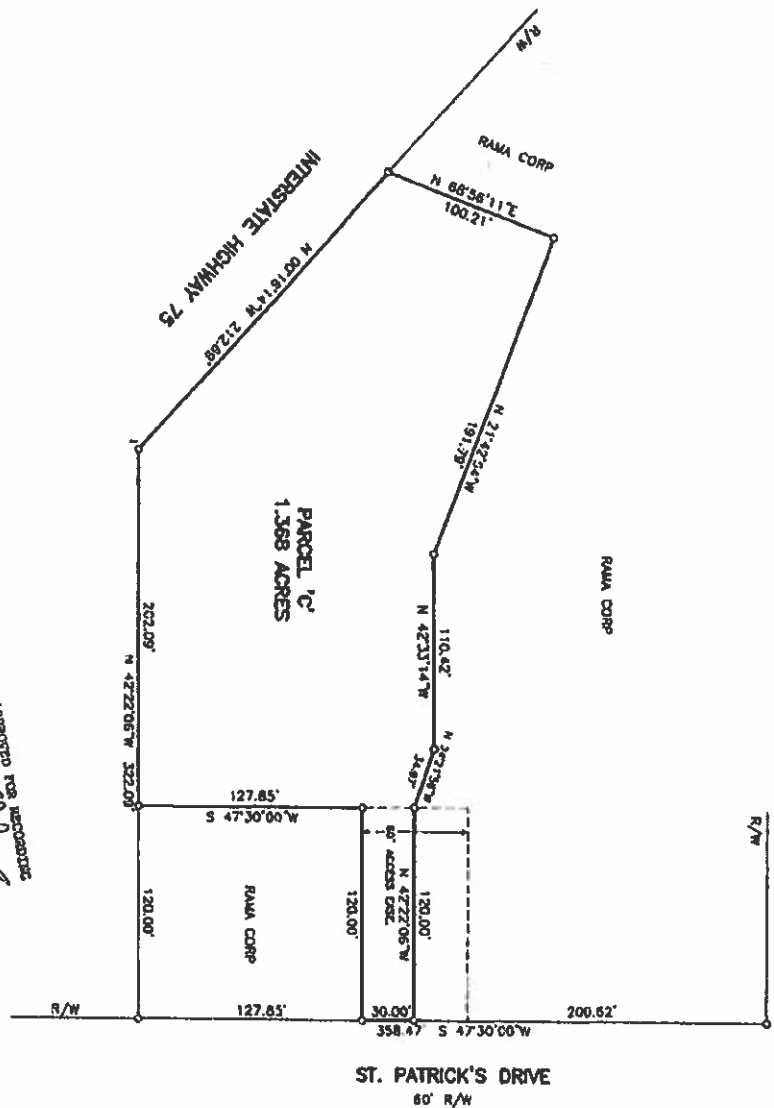
[Signature]
Notary Public



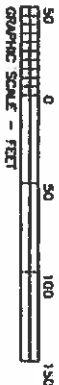
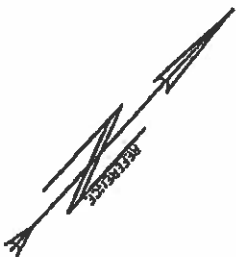
DeWitt County, Georgia
1501 N. Chatham Street
PO Box 318
Waynesboro, GA 31798

75/146

THIS IS A PRELIMINARY SURVEY
AND SHOULD NOT BE USED FOR
LEGAL PURPOSES WITHOUT THE
APPROVAL OF THE SURVEYOR
DATE: 03/12/12
BY: JAMES SURVEYING COMPANY
SCALE: 1" = 40'
75
146



REFERENCE:
1. SURVEY FOR RAMA CORP, DATED MARCH 2, 1988
BY THOMAS FURVAL, RLS #1202



CERTIFICATION
THE FIDUCIARY DUTY OF THIS SURVEYOR IS TO THE CLIENT AND NOT TO THE PUBLIC. THIS SURVEYOR HAS REVIEWED THE PLAT AND HAS FOUND IT TO BE ACCURATE WITHIN ONE FOOT OR 25.9771 FEET.
THE LINE AND ANGLE MEASUREMENT SHOWN ON THIS PLAN WERE OBTAINED BY USING A TOTAL STATION MODEL: SHT-12-12



APPROVED FOR RECORDATION
JAMES SURVEYING COMPANY
1501 N. CHATHAM STREET
WAYNESBORO, GEORGIA 31798
DATE: 3/12/12

IMPROVEMENTS NOT SHOWN THIS SURVEY

ISHMAR LLC

LAND LOT 47
10TH DISTRICT
HOUSTON COUNTY, GEORGIA
SCALE 1" = 40'
NOVEMBER 3, 2012
JAMES SURVEYING COMPANY
PERRY, GEORGIA (478) 987-2705

24482

#6132

Return:
Robert T. Tuggle, III
Daniel, Lawson, Tuggle & Jerles, LLP
Post Office Box 88
Perry, Georgia 31069

Doc ID: 014016810002 Type: BLR
Recorded: 09/25/2016 at 03:54:04 PM
Fee Amt: \$657.00 Page 1 of 2
Transfer Tax: \$855.00
Houston, Ga. Clerk Superior Court
Carolyn V. Sullivan Clerk
BK 6968 PG 1-2

15-25459-R

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF HOUSTON

THIS INDENTURE, Made the 24th day of September in the year two thousand fifteen, between

RAMA CORPORATION

of the State of Georgia, as party of the first part, hereinafter called Grantor, and

JSIYARAM HOTEL, LLC

of the State of Georgia, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH THAT: Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, alienated, conveyed and confirmed and by these presents do grant, bargain, sell, alien, convey and confirm unto the said Grantee, all the following described property, to wit:

TRACT I: All that certain tract or parcel of land situate, lying and being in Lots 46 and 47 of the 10th Land District of Houston County, Georgia, in the City of Perry, therein, same containing in the aggregate 4.27 acres of land, having such shape, metes, bounds, courses and distances as shown on a plat of survey of same prepared by Milton Beckham, Surveyor, a copy of said plat being of record in Plat Book 14, Page 206, Clerk's Office, Houston County Superior Court. Said plat and the recorded copy thereof are hereby referred to and made a part of this description.

EXCEPTION THEREFROM THE FOLLOWING PROPERTY:

All that tract or parcel of land situate, lying and being in the City of Perry, Houston County, Georgia, having such shape, metes, bounds, courses and distances as are shown on a plat of survey of same prepared by Milton Beckham, Surveyor, on August 3, 1972, a copy of said plat being of record in Plat Book 15, Page 219, Clerk's Office, Houston Superior Court.

FURTHER EXCEPTING:

All that tract or parcel of land situate, lying and being in Land Lot 47 of the Tenth Land District of Houston County, Georgia, and in the City of Perry, same being shown and designated as Parcel "A" on a plat of survey prepared by Milton Beckham, surveyor, on August 3, 1972, revised May 7, 1993, to show a Parcel "A" a copy of said plat being of record in Map Book 16, Page 127, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

LESS AND EXCEPT:

All that tract or parcel of land situate, lying and being in Land Lot 47 of the Tenth (10th) Land District of Houston County, Georgia, being known and designated as Parcel "C", containing 1.368 acres, according to a plat of survey of record in Plat Book 76, Page 146, Clerk's Office, Houston Superior Court. Said plat and the record thereof are incorporated herein by reference for all purposes.

BOOK 6968 PAGE 02

This is the same property as set out in a Warranty Deed from The National Bank of Georgia to E.L.K. Motels, Inc. dated August 18, 1975 and recorded in Deed Book 461, Page 344, in the Office of the Clerk of the Superior Court of Houston County, Georgia, which deed is incorporated herein by reference for all purposes.

TRACT II: That certain tract or parcel of land situate, lying and being in the City of Perry, Houston County, Georgia, having such shape, metes, bounds, courses and distances as are shown on a plat of survey of same prepared by Milton Beckham, Surveyor, on August 3, 1972, a copy of said plat being of record in Plat Book 15, Page 219, Clerk's Office, Houston Superior Court.

TRACT III: All that tract or parcel of land situate, lying and being in Land Lot 47 of the Tenth Land District of Houston County, Georgia, and in the City of Perry, same being shown and designated as Parcel "A" on a plat of survey prepared by Milton Beckham Surveyor, on August 3, 1972, revised May 7, 1973, to show Parcel "A", a copy of said plat being of record in Map Book 16, Page 127, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

This is the same property as set out in a Limited Warranty Deed from The Bank of Perry to E.L. Klinner, Jr. dated December 17, 1990 and recorded in Deed Book 901, Page 712, in the Office of the Clerk of the Superior Court of Houston County, Georgia, and which deed is incorporated herein by reference for all purposes.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID GRANTOR warrants and will forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

RAMA CORPORATION

BY: [Signature] (SEAL)

BHARATKUMAR A. PATEL, PRESIDENT

[Signature]

ATTEST: _____ (SEAL)

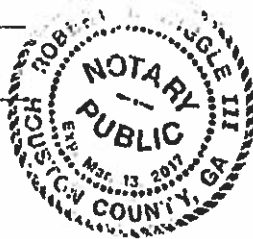
TITLE: _____

Signed, sealed and delivered in the presence of:

[Signature]

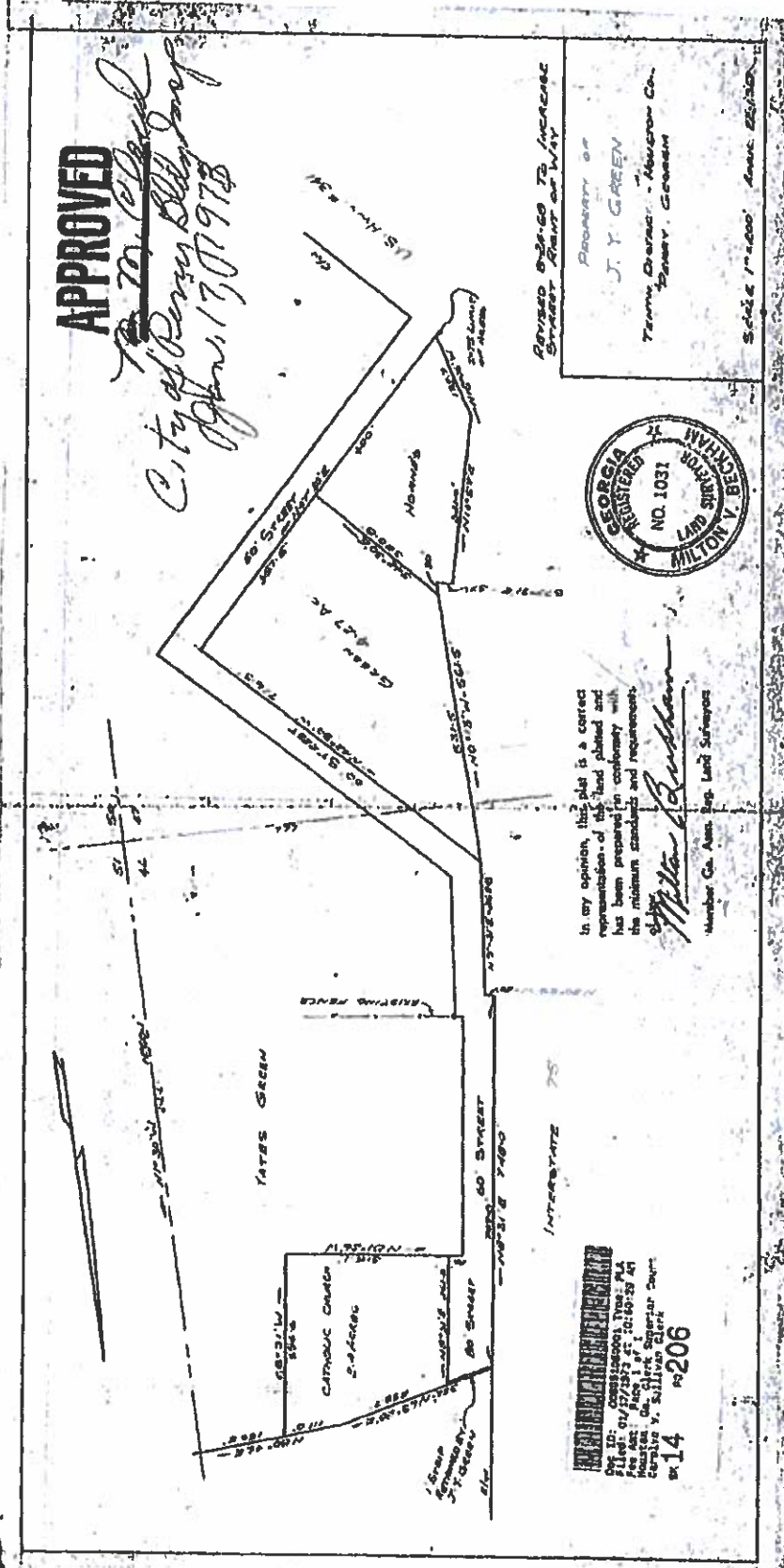
Witness

[Signature]
Notary Public



APPROVED

*To Mr. Caldwell
City of Perry, Georgia
April 13, 1973*



REVISED 8-21-69 TO INCREASE
STREET FRONT ON WAY

PROPERTY OF
J. Y. GREEN
Trustee, Deed of Conveyance Co.
Trustee, Green

Scale 1"=100' Ann. 25/50'



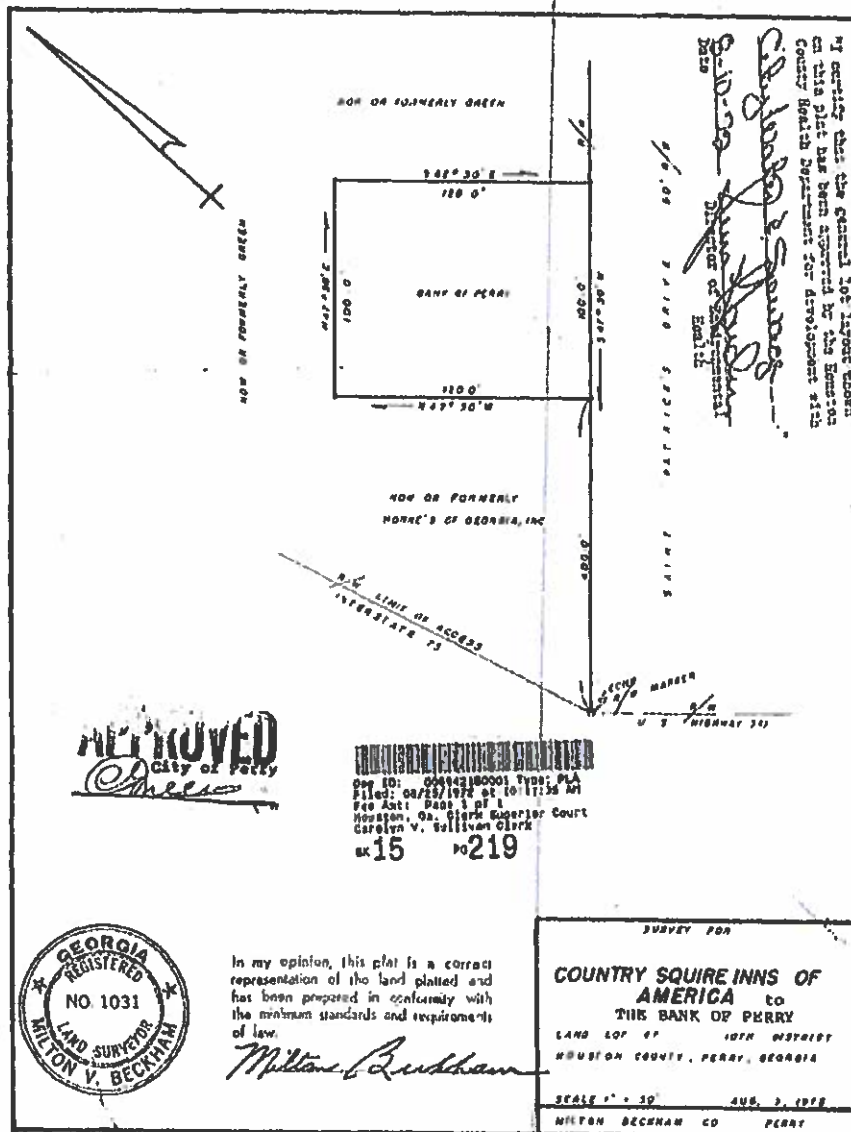
In my opinion, this plat is a correct representation of the land plotted and has been prepared in conformity with the minimum standards and requirements.

Milton V. Wynder, Jr.
Member Co. Am. Eng. Land Surveyors

FILED: 01/17/2006, Title #14
 Fee Amt: \$12.00, Page 1 of 1
 Clerk: Clerk, Superior Court
 County: Wilkes County
 #14 19206

Recorded January 17, 1973

Recorded August 25, 1972



I certify that the general 100' layout shown on this plat has been approved by the Bureau of County Health Department for development of this area.

C. S. Beckham
 Director of Health
 Houston County, Georgia

FILED IN PLAT BOOK 15 PAGE 219
 SEP 10 1972
 HOUSTON, GA. CLERK SUPERIOR COURT
 CAROLYN V. TOLLIVER CLERK

APPROVED
 City of Perry
[Signature]



In my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.

Milton Beckham

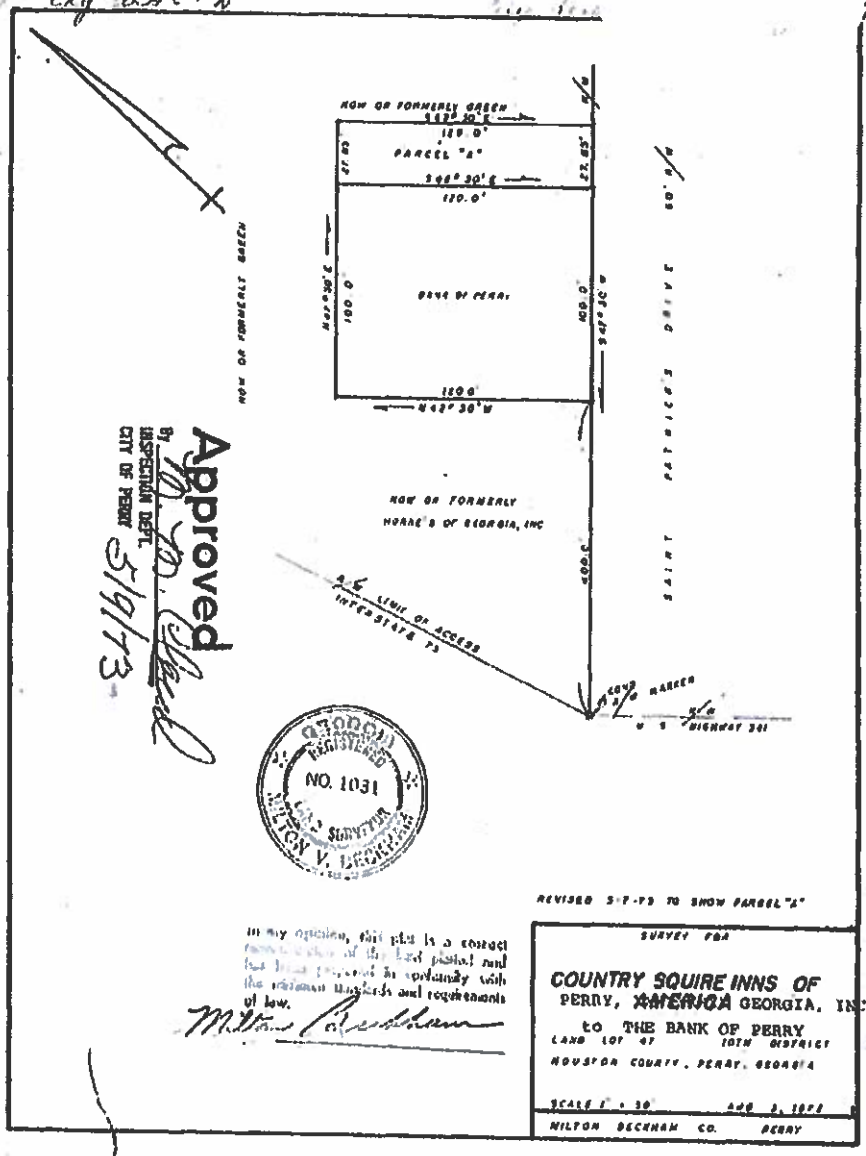
COUNTRY SQUIRE INNS OF AMERICA to
THE BANK OF PERRY
 LAND LOT 67 10TH DISTRICT
 HOUSTON COUNTY, PERRY, GEORGIA

SCALE 1" = 30' AUG. 2, 1972
 MILTON BECKHAM CO PERRY

Recorded May 10, 1973

Doc ID: 008932000001 Type: PLA
Filed: 05/10/1973 at 10:30:06 AM
Page No: Page 1 of 1
Houston, Tx, Clerk Superior Court
Carolyn V. Sullivan Clerk
BK 16 pg 127

City of Perry



Approved
 By *[Signature]*
 INSPECTOR DIST.
 CITY OF PERRY
 5/19/73



In my opinion, this plat is a correct
 representation of the land plotted and
 has been prepared in conformity with
 the various standards and requirements
 of law.
Milton Dechnam

REVISED 5-7-73 TO SHOW PARCEL "A"
 SURVEY FOR
**COUNTRY SQUIRE INNS OF
 PERRY, AMERICA GEORGIA, INC.**
 TO THE BANK OF PERRY
 LAND LOT 47 10TH DISTRICT
 HOUSTON COUNTY, PERRY, GEORGIA
 SCALE 1" = 30' APR 3, 1973
 MILTON DECHNAM CO. PERRY



Where Georgia comes together.

STAFF REPORT

February 3, 2022

CASE NUMBER: RZNE-0021-2022
APPLICANT: Angela J. Cuti
REQUEST: Rezone from OC, Office-Commercial District, to C-3, Central Business District
LOCATION: 900 Ball Street; Tax Map No. 0P0040 035000

BACKGROUND INFORMATION: The subject property is currently used as an office for the operations of the Halo Group. The applicant is requesting C-3, Central Business, zoning to complement the surrounding uses in the downtown area. The applicant suggests that C-3, Central Business, zoning is more appropriate for the property and its proximity to Downtown Perry.

STANDARDS GOVERNING ZONE CHANGES:

1. The existing land uses and zoning classification of nearby properties.

	Zoning Classification	Land Uses
North	C-3, Central Business	office use
South	R-3, Multi-family residential	vacant
East	R-1, Single-family residential	Single-family homes
West	R-3 and C-3	Single-family homes, offices, outdoor storage

- 2. The suitability of the subject property for the zoned purposes.** The property is currently used as an office and is suitable for the uses permitted in the C-3, Central Business district.
- 3. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** There is no expected effect on property values by the OC, Office Commercial, zoning district. However, C-3, Central Business, zoning may create an increase in value of the subject property due to the high demand for properties within Downtown Perry.
- 4. The extent to which the destruction of property values of the subject property promotes the health, safety, morals, or general welfare of the public.** The current and proposed zoning classification does not pose any threat to the health, safety, morals, or general welfare of the public and surrounding area.
- 5. The relative gain to the public as compared to the hardship imposed upon the individual property owner.** C-3, Central Business, is expected to create a relative gain to the public and neighborhood as it will expand the Downtown Perry footprint and its associated benefits.
- 6. Whether the subject property has a reasonable economic use as currently zoned.** The use of the property as an office is a reasonable economic use as it is currently zoned. However, C-3, Central Business, zoning is likely to increase the economic use of the property.

7. **The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the property.** The subject property is not vacant and has been used as an office for approximately 2.5 years.
8. **Whether the proposed rezoning will be a use that is suitable in view of the uses and development of adjacent and nearby property.** Properties nearby and adjacent to the subject property are zoned and developed as downtown commercial uses. The proposed zoning district and allowable uses will be suitable in view of nearby properties because the property is contiguous to others zoned C-3, Central Business District, and the downtown core.
9. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** The proposed use of the property should not adversely affect existing uses or usability of nearby properties.
10. **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 within 'Traditional Neighborhood' and 'Town Center' character areas. The proposed zoning is most relevant for the Town Center character area, and the property's use is aligned with the suggested development patterns and land use designations of this area such as "traditional downtown areas developed and maintained as a focal point of the community".
11. **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 expected impact on public facilities as the subject property and its current use is already served by City of Perry utilities and roads.
12. **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.** C-3, Central Business, zoning is more appropriate for the subject property due to its proximity to Downtown Perry. Further, C-3 zoning may create an increase in long-term economic value to the property owner and City of Perry.

STAFF RECOMMENDATION: Staff recommends approval of the zoning change with the requested C-3, Central Business District, zoning.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the zoning change with the requested C-3, Central Business District, zoning.

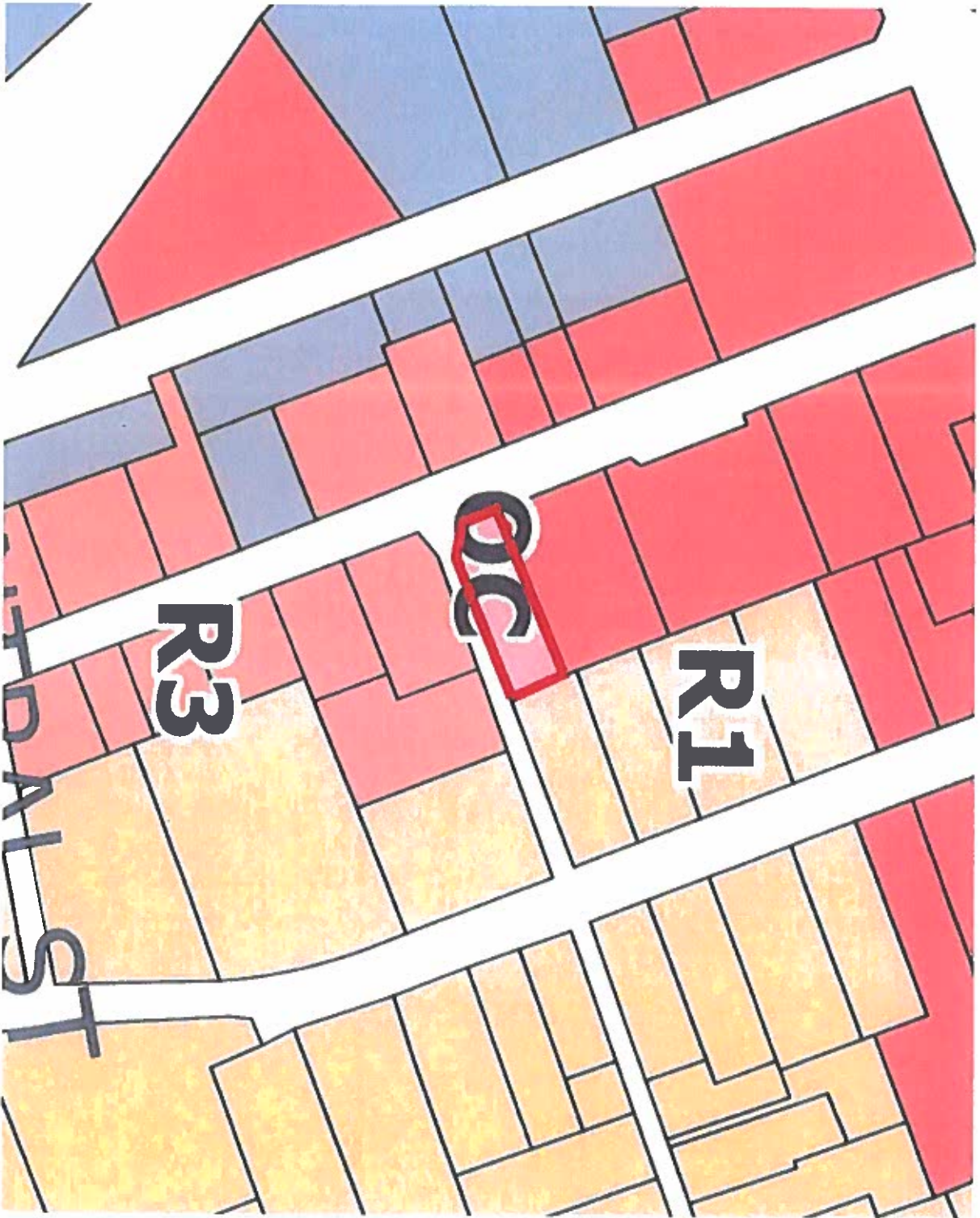


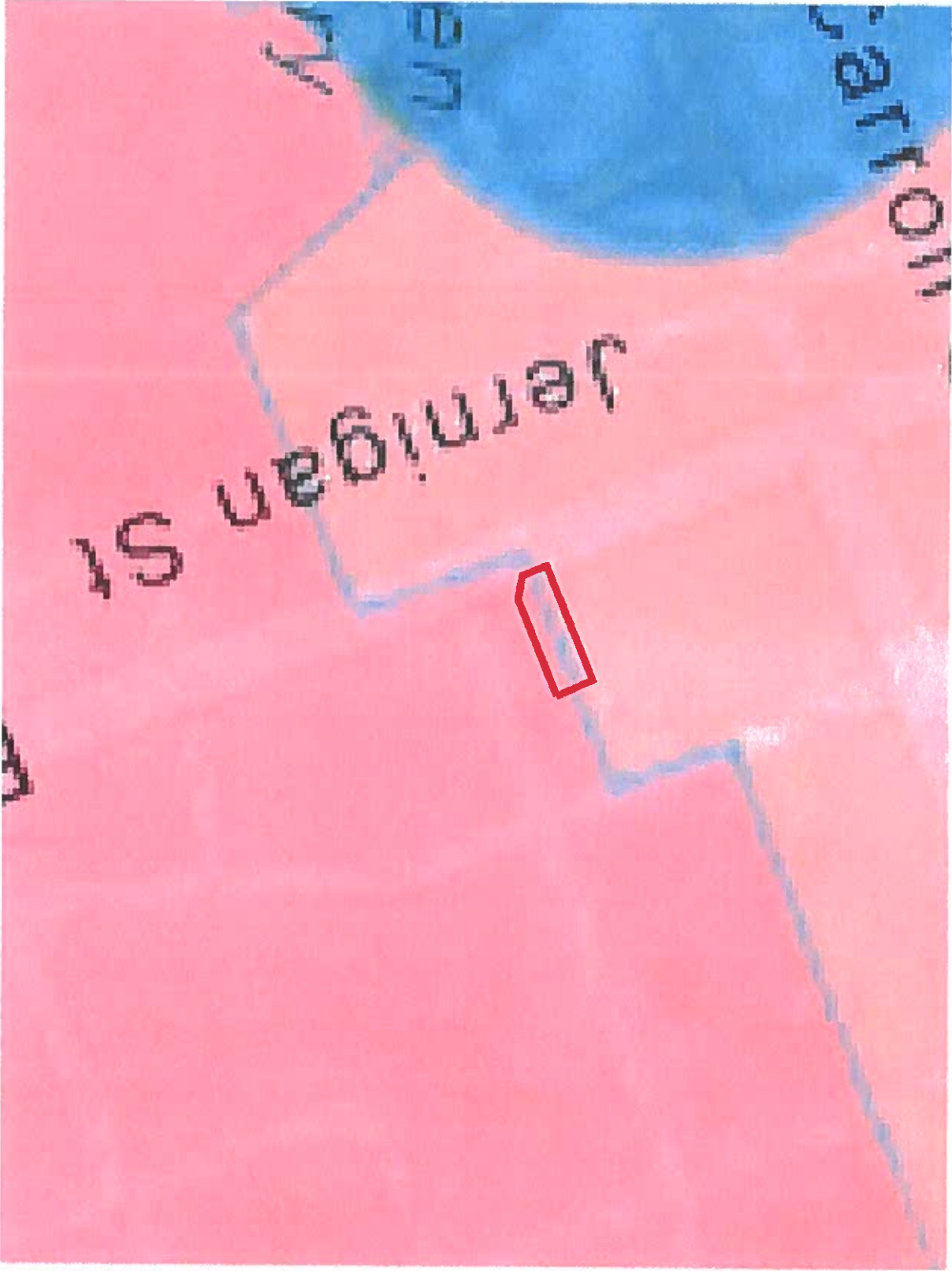
 Eric Z. Edwards, Chairman of the Planning Commission



 Date









Where Georgia comes together.

Application # RZNE
0001-
2022

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Angela Cuti	Robert Russell
*Title	Purchaser	owner
*Address	322 GA. Hwy 224 Perry, Ga. 31069	913 Evergreen St. Perry, Ga. 31069
*Phone	478-955-8119	478-808-5811
*Email	angelacuti@gmail.com	

Property Information

*Street Address or Location	900 Ball St. Perry, Ga. 31069
*Tax Map Number(s)	0P0040035000
*Legal Description	LOT 10 NUNN BROS + NORWOOD S/A
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;	

Request

*Current Zoning District	Downtown Perry	*Proposed Zoning District	C3
*Please describe the existing and proposed use of the property Note: A Site Plan or other information which fully describes your proposal may benefit your application.			

Instructions

- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential - \$140.00 plus \$16.25/acre (maximum \$1,700.00)
 - Planned Development - \$160.00 plus \$16.25/acre (maximum \$3,000.00)
 - C Commercial/Industrial - \$245.00 plus \$22.65/acre (maximum \$3,170.00)
- *The applicant/owner must respond to the 'standards' on page 2 of this application (The applicant bears the burden of proof to demonstrate that the application complies with 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.
- Rezoning applications require an informational hearing before the planning commission and a public hearing before City Council. Public hearing sign(s) will be posted on the property 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 has the applicant made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? "Applicant" is defined as any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of a person who applies for a rezoning action. Yes No
If yes, please complete and submit a Disclosure Form available from the Community Development office.

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>Angela Citi</i>	*Date	1/18/22
*Property Owner/Authorized Agent	<i>Russ Schurz</i>	*Date	

Standards for Granting a Rezoning

The applicant bears the burden of proof to demonstrate that an application complies with these standards.

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? *- See attached*

- (1) The existing land uses and zoning classification of nearby property;
- (2) The suitability of the subject property for the zoned purposes;
- (3) The extent to which the property values of the subject property are diminished by the particular zoning restrictions;
- (4) The extent to which the destruction of property values of the subject property promotes the health, safety, morals or general welfare of the public;
- (5) The relative gain to the public as compared to the hardship imposed upon the individual property owner;
- (6) Whether the subject property has a reasonable economic use as currently zoned;
- (7) 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;
- (8) Whether the proposed zoning will allow uses that are suitable in view of the uses and development of adjacent and nearby property;
- (9) Whether the proposed zoning will adversely affect the existing use or usability of adjacent or nearby property;
- (10) Whether the zoning proposal is in conformity with the policies and intent of the Comprehensive Plan;
- (11) Whether the zoning proposal will result in a use which will cause an excessive burden upon existing streets, transportation facilities, utilities, or schools; and
- (12) 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.

900 Ball St. Rezoning

Standards of Rezoning List

Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? No

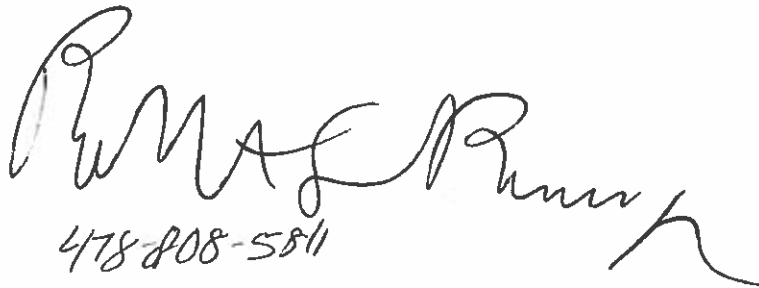
1. Surrounding properties are primarily commercially zoned (901,904, 905, 906,907,909 Ball St)
2. The property at 900 Ball St. is residentially zoned office/commercial O3 and currently has a business leasing it.
3. There would not be any concern of the property value diminishing due to it being zoned commercially. It would be more in line with current zonings of neighboring properties.
4. Commercial zoning would not pose any threats related to health, safety, morals, or general welfare of the public.
5. N/A the property is in downtown Perry's commercial area.
6. The property is currently being used as a office.
7. N/A
8. The rezoning would be suitable to currently zoned properties as listed by example of neighboring properties in question #1.
9. The rezoning would not adversely affect the existing use or usability of any adjacent or nearby properties.
10. The zoning proposal should be in conformity with any policies/intent in the comprehensive plan with it being in downtown Perry.
11. The rezoning would not pose any excessive burden upon existing streets, utilities, schools, etc.
12. The property is currently zoned as office/commercial, and it would continue to be used as such. The property will undergo a one room expansion in Spring of 2022 to add more operating space however it is not anticipated to have any effect on usage.

To Whom It May Concern,

January 4, 2022

I, Robert Russell, current owner of the property located at 900 Ball St., have a lease to purchase agreement with Angela Cuti. I give my consent for Ms. Cuti to complete an Application for Rezoning requesting the property to be rezoned from OC3 to Commercial.

Respectfully,



478-808-5811



Doc ID: 015408060002 Type: GLR
 Recorded: 12/18/2018 at 09:14:30 AM
 Fee Amt: \$67.00 Page 1 of 2
 Transfer Tax: \$55.00
 Houston, Ga. Clerk Superior Court
 Carolyn V. Sullivan Clerk

BK **8045** PG **117-118**

9520

Return to: Shirley R. Watson
 Attorney at Law
 1520 Watson Blvd.
 Warner Robins, GA 31093
 18-171

WARRANTY DEED

**STATE OF GEORGIA
 COUNTY OF HOUSTON**

This indenture, made this 10th. day of December, 2018, between **William Theron Brown, IV, Deborah Ann McDowell and Donna Marie Brown**, hereinafter called "Grantor", and **Robert Lee Russell, Jr.**, hereinafter called "Grantee" (the words "Grantor" and "Grantee" include the singular and the plural, the neuter, masculine and feminine genders, and their respective heirs, executors, administrators, legal representatives, successors, and assigns where the context requires or permits).

Witnesseth that: Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and Other Good and Valuable Consideration, in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold, and conveyed and by these presents does grant, bargain, sell, and convey unto the said Grantee all of the following described property:

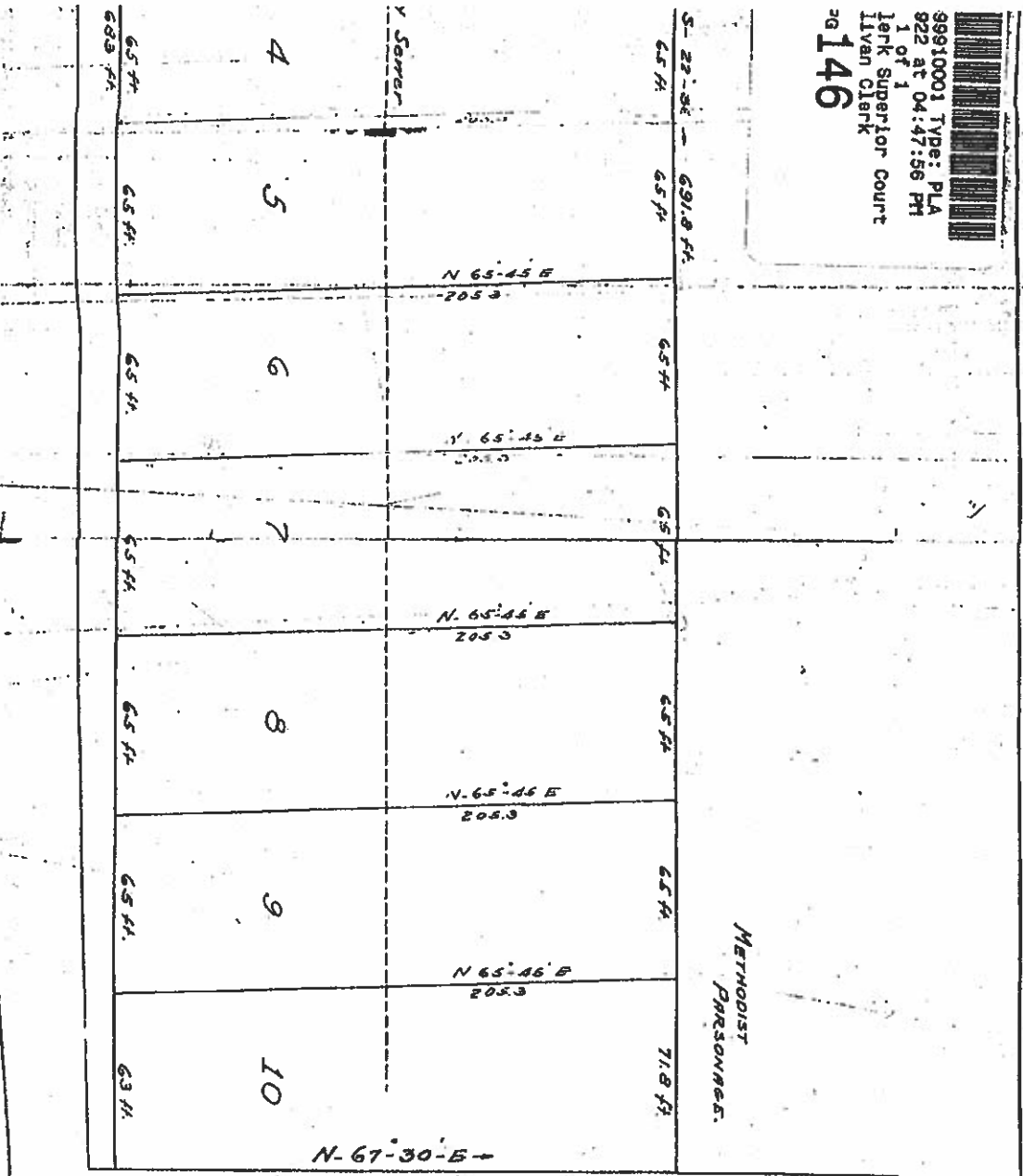
All that tract or parcel of land situate, lying and being in the City of Perry, and in Houston County, Georgia, being known and designated as Lot No. 10 in the subdivision of Nunn Brothers and Norwood Property, according to a plat of survey of said property which is of record in Plat Book 1, Page 146, Clerk's Office, Houston Superior Court. Being the same property as that conveyed to Elsie Peavy Brown, via Warranty Deed dated March 18, 1985, which appears of record in Deed Book 679, Page 147, Clerk's Office, Houston Superior Court.

This conveyance and the warranties hereinafter contained are made subject to any and all restrictions, easements, and rights-of-way affecting said property, if any.

To have and to hold the said property above described, together with all and singular the rights, members and appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said Grantee forever in Fee Simple.

Except for any matters shown on any plat referred to herein and except for any other matters set out above, if any; the said Grantor will Warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever and all legal entities whatsoever.

99910001 TYPE: PLA
 922 at 04:47:56 PM
 Clerk Superior Court
 Ilyan Clerk
 PG 146



NEW GILMER STREET.



PLAT
 OF PROPERTY
 NUNN BROTHERS
 & No-wood
 IN THE CITY OF
 PERRY, GA.
 SURVEYED AUG. 1922, BY
 O.H. SHEFFIELD, C.E.
 SCALE
 ONE INCH = FOUR
 NOTE: IRON STAKES.

Planning Commission Minutes
February 14, 2022

1. Call to Order: Chairman Edwards called the meeting to order at 6:00pm.
2. Roll Call: Chairman Edwards; Commissioners Coody, Butler, Jefferson, Mehserle and Moody were present.

Staff: Bryan Wood – Community Development Director, Holly Wharton – Community Planner, and Christine Sewell – Recording Clerk

Guests: Chad Bryant, Lynward Barrett, Angela Cuti, Richard Henderson, John Thomson, Milton Taylor, Joe Goodroe, Dianne Woodworth, Mark Anjebhai, and Dr. Smith.

Chairman Edwards recognized the passing of Commissioner Clarrington and his service to the Commission and community. A moment of silence was taken.

3. Invocation: was given by Commissioner Jefferson
4. Approval of Minutes from meeting on January 10, 2022, and January 24, 2022, work session. – Commissioner Mehserle motioned to approve the minutes of January 10, 2022; Commissioner Jefferson seconded; all in favor and was unanimously approved. Commissioner Moody motioned to approve the minutes of January 24, 2022; Commissioner Mehserle seconded; all in favor and were unanimously approved; with Commissioner Butler abstaining.
5. Announcements – Chairman Edwards referred to the notices as listed.
 - o Per O.C.G.A. 36-67A-3 if any opponent of a rezoning or annexation application has made campaign contributions and/or provided gifts totaling \$250 or more within the past two years to a local government official who will consider the application, the opponent must file a disclosure statement.
 - o Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
 - o Please place cell phones on silent mode.
6. Old Business – None
7. New Business
 - A. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on March 1, 2022)

SUSE-0004-2022. Special Exception for short-term rental located at 1107 Sunset Alley. The applicant is Lannette Tomlin.

Ms. Wharton read the applicants' request which was for a special exception to allow for a short term residential, along with staff responses. Chairman Edwards opened the public hearing at 6:09pm and called for anyone in favor of the request; there was none; opposition was called and there was none. Chairman Edwards closed the public hearing at 6:10pm. The applicant was

not present. Commissioner Jefferson motioned to table the application until the applicant was present; Commissioner Coody seconded; all in favor and was unanimously approved to table to the March meeting.

RZNE-0007-2022. Application to rezone property at 1803 Houston Lake Road from R-1, Single Family Residential, to C-2, General Commercial. Parcel No. 0P41A0 024000. The applicant is Lynward Barrett.

Ms. Wharton read the applicants' request which was for, rezoning from R-1, Single-family Residential, to C-2, General Commercial, along with staff responses. Ms. Wharton advised the property is 3.51 acres and currently zoned R-1, Single-family residential. The property currently has a single-family home which is vacant. The property owner wishes to transition property to a commercial use which is consistent with similar development nearby. The applicant is requesting rezoning to the C-2, General Commercial, district for the purpose of pursuing commercial and/or multi-family development.

Chairman Edwards opened the public hearing at 6:17pm and called for anyone in favor of the request. Mr. Lynward Barrett reiterated the request and noted there were no current plans for development, but the zoning change is for marketing and selling purposes. Chairman Edwards then called for anyone opposed; there being none the public hearing was closed at 6:18pm.

Commissioner Butler motioned to recommend approval of the application as submitted to Mayor & Council, with the following conditions: 1). Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan; 2). Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Houston Lake Road in support of the City of Perry's green corridor initiative; Commissioner Coody seconded; all in favor and was unanimously recommended for approval.

RZNE-0008-2022. Application to rezone property on Gray Road from R-1, Single Family Residential to C-2, General Commercial. Parcel No. 0P0440 07C000. The applicant is Lynward Barrett.

Ms. Wharton read the applicants' request which was for rezoning from R-1, Single-family Residential, to C-2, General Commercial, along with staff responses. Ms. Wharton advised the property consists of 5.73 acres and is currently zoned R-1, Single-family residential. The property is currently vacant and has never been developed and the property owner wishes to transition this property to a commercial use which is consistent with similar development nearby. The applicant is requesting rezoning to the C-2, General Commercial, district for the purpose of pursuing commercial and/or multi-family development

Chairman Edwards opened the public hearing at 6:22pm and called for anyone in favor of the request. Mr. Barrett reiterated the request. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:23pm.

Commissioner Butler motioned to recommend approval of the application as submitted to Mayor & Council with the following conditions: 1). Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan; 2. Upon development of the subject property, the property owner shall grant an easement in favor of

the City of Perry for landscape installation and/or maintenance along Houston Lake Road in support of the City of Perry's green corridor initiative; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval

ANNX-0009-2022. Application to Annex and rezone property at Kings Chapel Road and Gurr Road from Houston County RAG to R-2A, Single Family Residential. Parcel No. 000830 062000. The applicant is Chad Bryant.

Ms. Wharton read the applicants' request which was for annexation and rezoning from RAG (County) to R-2A, Single-Family Residential (City), along with staff responses. Ms. Wharton advised the property is a 27.25-acre lot located on the Southwest corner of Kings Chapel Road and Gurr Road and currently zoned RAG in Houston County and currently used for agriculture. The applicant has requested to be annexed into the City of Perry with the zoning classification of R-2A, Single-family residential, for future development of a single-family home neighborhood and access to City of Perry utilities.

Chairman Edwards opened the public hearing at 6:27pm and called for anyone in favor of the request. Mr. Chad Bryant reiterated the request and advised this is an extension of a project to the east. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:29pm.

Commissioner Mehserle motioned to recommend approval of the application as submitted to Mayor & Council with the following conditions: 1). Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan; 2). Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Kings Chapel Road and Gurr Road in support of the City of Perry's green corridor initiative; and 3). Sidewalks within the neighborhood shall be installed in addition to sidewalks along Kings Chapel Road and Gurr Road as reflected in the City of Perry Pathways Plan; Commissioner Butler seconded; all in favor and was unanimously recommended for approval.

RZNE-0014-2022. Application to Rezone property at Gurr Road from R-2, Two-family Residential, to PUD, Planned Unit Development. Parcel No. 0P0480 039000. The applicant is Chad Bryant.

Mr. Wood read the applicants' request, which was for rezoning the property at Gurr Road from R-2, Two-family Residential, to PUD, Planned Unit Development. The property consists of 49.12 acres and is currently zoned R-2, Two-family Residential District and currently undeveloped. The applicant proposes to change the zoning to PUD, Planned Unit Development District, for a single-family residential subdivision. A PUD is required to set its own development standards, like would be established for a typical zoning district. The applicant has proposed a set of development standards for this PUD. Planning Staff has recommended a set of development standards for the PUD, incorporating, and clarifying some of the applicant's proposals. Some additional standards are recommended and provided with the staff report. The proposed conceptual site plan calls for 121 residential lots with a minimum size of 9,000 square feet and a minimum lot width of 75 feet. The layout extends streets in Remington Chase Phase 1 and provides an additional access to the subdivision on Gurr Road. The installation of sidewalks along Gurr Road is identified in the Perry Connectivity Plan recently adopted by City Council.

Chairman Edwards opened the public hearing at 6:42pm and called for anyone in favor of the request. Mr. Chad Bryant, the applicant, advised there have been constraints to get the property to a developable standpoint and the current zoning density allows for more lots which could be duplexes or townhomes, but they will only do single family.

Mr. Richard Henderson 123 Stonegate Trail asked specifically where sidewalks would be and explanation of the Perry Pathway Plan. Mr. Wood advised as one of the staff recommended conditions the developer be required to place sidewalks on their property and the City will connect between the subdivisions. Ms. Diane Woodworth, 200 Silvercreek Lane Brookwater, was concerned about lot size/density and traffic on Gurr Road. Dr. Smith, Stonebridge HOA President, was concerned about density, traffic coming through Stonebridge, impact on schools, and impact on Stonebridge/New Haven water service. Mr. Wood noted there has been three plans submitted since 2004 and it has not been developed and the proposed change to a PUD allows for more lots in the flat area of the property in lieu of the steeper area by the creek. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:55pm.

Mr. Bryant advised under the current zoning classification it doesn't dictate density and allows for more housing units and if it were to remain as an alternate plan, they would have to look at townhomes, with single family in the front. Chairman Edwards asked Mr. Bryant if the current zoning remains how many units would there be; Mr. Bryant advised a standard is 10 to 12 units per acre but doesn't feel the market can bear that and ten acres of the property is in the flood zone and there needs to be enough to develop per acre for the project to be feasible and noted the density is less in the adjacent property.

Commissioner Butler motioned to recommend approval of the application as submitted to Mayor & Council with the following conditions: 1). Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan and 2). The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property; Commissioner Coody seconded and was unanimously recommended for approval.

RZNE-0015-2022. Application to Rezone property at South Hwy 41 from C-2, General Commercial, to PUD, Planned Unit Development. Parcel No. 0P0320 075000. The applicant is Chad Bryant.

Mr. Wood read the applicants' request which was for the rezoning of the property at South Hwy 41 from C-2, General Commercial, to PUD, Planned Unit Development, along with staff responses. Mr. Wood further noted, the property consists of 27.1 acres and is currently undeveloped with a change for a single-family residential subdivision. A PUD is required to set its own development standards, like would be established for a typical zoning district. The applicant has proposed a set of development standards for this PUD. Staff has recommended a set of development standards for the PUD, incorporating, and clarifying some of the applicant's proposals with additional standards recommended. The proposed conceptual site plan calls for 71 residential lots with a minimum size of 9,000 square feet and a minimum lot width of 75 feet. A 20' undisturbed buffer is proposed adjacent to lots in the Holly Hills subdivision. The layout includes a street connecting to Greenwood Drive and Briarcliff Road.

Chairman Edwards opened the public hearing at 7:20pm and called for anyone in favor of the request. Mr. Bryant advised a more specific layout had been provided to staff and wanted to lift the condition of the buffer under the commercial zoning and have a more specific landscaping screening

on Hwy 41 and on the left side fronting the roadway will be landscape. Mr. Joe Goodroe, 1113 Springdale Dr, Holly Hills, asked about the buffer to houses on the north side of the development, expressed concern about traffic on US Hwy 41. Mr. Bryant stated the plan calls for a 20' buffer around the development. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 7:29pm.

Commissioner Butler motioned to recommend approval of the application as submitted to Mayor & Council with the following conditions: 1). Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan; 2). The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property; Commissioner Moody seconded; all in favor and was unanimously recommended for approval.

RZNE-0016-2022. Application to Rezone property at Moss Oak Road from R-3, Multi-family Residential, to PUD, Planned Unit Development. Parcel No. 0P0340 06800. *The applicant has withdrawn this application.*

RZNE-0019-2022. Application to Rezone property at 613 and 615 Martin Luther King, Jr. Drive from R-2, Two-family Residential, to C-2, General Commercial District. The applicant is John Anthony Thomson.

Ms. Wharton read the applicants' request which rezoning from R-2, Two-family Residential, to C-2, General Commercial District, along with staff responses. Ms. Wharton advised the property includes two parcels totaling 0.79 acres at the northwest intersection of Martin Luther King, Jr. Drive and Oak Ridge Drive and both parcels are currently undeveloped. The applicant is requesting the zoning change with the intent to sell the property at a higher value for future commercial development. The applicant suggests that commercial zoning is more appropriate at this property and is more aligned with surrounding uses.

Chairman Edwards opened the public hearing at 7:38pm and called for anyone in favor of the request. Mr. John Thomson, on behalf of the applicant reiterated the request. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 7:39pm.

Chairman Edwards inquired if the parcels comply to the 2022 Comp Plan; Ms. Wharton advised they do, and the area has been identified as a commercial node. Mr. Thomson advised the owner at this time has not intent to sell, but when he does the zoning change will make them more marketable.

Commissioner Mehserle motioned to recommend approval of the application as submitted to Mayor & Council; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval.

RZNE-0020-2022. Application to Rezone property at 1004, 1004A, 1006 St. Patrick's Drive from C-1, Highway Commercial to PUD, Planned Unit Development. Parcel No. 0P0400 021000/048000/022000. The applicant is Anjebhai Patel.

Mr. Wood read the applicants' request, along with staff response. The properties consist of 4.28 acres and are currently zoned C-1, Highway Commercial District. Two of the subject properties were developed as a two-story motel in the 1970's. The other parcel included in the application was originally built as a bank but has since been used for a variety of retail uses. The applicant proposes to change

the zoning to PUD, Planned Unit Development District, to convert the existing buildings into multi-family residential apartments with associated amenities. The original bank building may continue to be used for retail purposes, or as space for an amenity associated with the apartments. A PUD is required to set its own development standards, like would be established for a typical zoning district. The applicant has proposed a set of development standards for this PUD. Staff has recommended a set of development standards for the PUD, incorporating, and clarifying some of the applicant's proposals. Some additional standards are recommended. The proposal calls for a total of 126 residential unit – 122 studio apartments and 4 multi-bay or one-bedroom apartments. Other spaces within the buildings will be used for a leasing office, tenant recreation area, tenant laundry, and tenant gym. As a change of use/change in occupancy type, the buildings will be required to comply with current building and fire code standards. The applicant indicates there is a total of 180 parking spaces on the site. 189 parking spaces are required by code to serve 126 multi-family units (1.5 spaces per unit). Since most of the proposed apartments will be studios, it is unlikely that most tenants of these units will have more than one vehicle. Additionally, the site must be brought into compliance with landscaping requirements, meaning some parking spaces will be eliminated for landscape islands. It appears there is opportunity to add parking spaces within existing paved areas of the site using a more-efficient layout if necessary.

Chairman Edwards opened the public hearing at 7:48pm and called for anyone in favor of the request. Mr. Anjebhai Patel advised his company has completed this type of redevelopment with success and concurs with staff's recommendations. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 7:50pm.

Chairman Edwards asked if there was a plan for onsite security; the applicant advised there was not at this time; and these would not be short term rentals, but market rate rentals and additional lighting for the parking lots could be added.

Commissioner Coody motioned to recommend approval of the application as submitted to Mayor & Council with the following condition: 1. The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property; Commissioner Jefferson seconded; all in favor and was unanimously recommended for approval.

RZNE-0021-2022. Application to Rezone property at 900 Ball Street from OC, Office Commercial, to C-3, Central Business District.

Ms. Wharton read the applicants' request, along with staff responses. The property is currently used as an office for the operations of the Halo Group and the applicant is requesting C-3, Central Business, zoning to compliment the surrounding uses in the downtown area. The applicant suggests that C-3, Central Business, zoning is more appropriate for the property and its proximity to Downtown Perry.

Chairman Edwards opened the public hearing at 8:09pm and called for anyone in favor of the request. Ms. Angela Cuti reiterated the request. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 8:10pm.

Commissioner Butler motioned to recommend approval of the application as submitted to Mayor & Council; Commissioner Moody seconded; all in favor and was unanimously recommended for approval.

1. Public Hearing (Planning Commission decision)

PLAT-0012-2021 – Preliminary plat for Townhouses at Perry Preserve. The applicant is Chad Bryant.

Mr. Wood advised the property is zoned C-2, General Commercial District. Townhouse development is a permitted use in the district, subject to additional standards specified in subsection 4-3.1(A) of the Land Management Ordinance. Specifications listed meet the minimum requirements for this district. The required 40' building setback along South Perry Parkway is not identified. Street right-of-way width is not identified. Street names are not identified. Percentage of building coverage of the lots is not identified. The applicant indicates a new median cut on South Perry Parkway to allow left turns into the development. The applicant verbally stated the townhouses will be two-story, 3-bedroom units with a single-car garage. Staff and the applicant have discussed Staff's concern parking may not be adequate in this development. Garages are increasingly being used to store items other than vehicles, on-street parking will be limited because lot widths are 20 feet, and residents do not have access to side and rear yards for parking. Staff suggested some units should be removed to provide additional off-street parking for residents and guests. The applicant has revised the plat to increase the front setback from the minimum 25 feet to 35 feet. This will allow a driveway long enough for two vehicles to stack without hanging over the public sidewalk. The applicant has also included 66 on-street parking spaces, located mostly on the front street parallel to Perry Parkway and the perpendicular street on the eastern side of the development. While these additional improvements go a long way to address parking concerns expressed by Staff, they are not evenly distributed throughout the development. By removing 16 units (lots 145-152, and lots 231-238) 17 additional on-street parking spaces can be provided on the western side of the development. This would also allow for two mid-block off-street parking lots each accommodating approximately 38 parking spaces. Based on the Perry Connectivity Plan recently adopted by City Council, ADA-compliant sidewalks must be installed along at least one side of the internal subdivision streets, and within the right-of-way along the South Perry Parkway frontage of the development. Street trees are required to be installed in subdivisions per subsections 6-3.1(B) and 6-3.3 of the Land Management Ordinance. Because of the size of the lots, requiring trees on each lot is not practical. Based on Council policy, a pocket park of at least 48,300 square feet in area is appropriate for a subdivision of this size. A portion of the open space proposed on the western side of the property may be appropriate for this park, but access is not provided. A 10' wide strip of land should be provided between lots 16 and 17 to allow access to the open space. City Council may pursue obtaining land to develop and maintain a pocket park in the subdivision.

Chairman Edwards opened the public hearing at 8:17pm and called for anyone in favor or opposed. Mr. Bryant advised he has been working with Mr. Wood to accommodate two cars in the driveway as his client does not want to lose sixteen lots. Mr. Wood noted the parking requirements are not required by code, but the parking for this type of development will be problematic with parking on the streets and access for emergency vehicles. Mr. Bryant agrees there may need to be more parking but would not like to lose so many lots. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 8:26pm.

Commissioner Jefferson commented the development looks congested and what was the number of units. Mr. Bryant advised eight units in one building. Chairman Edwards asked Mr. Bryant if his client would accept the conditions presented by staff; he advised all but the removal of the sixteen lots most likely.

Commissioner Mehserle motioned to approve the preliminary plat subject to the applicant and Staff agreeing on an acceptable parking plan, and with the following conditions: 1). The final plat(s) shall include the required 40-foot building setback line along South Perry Parkway and US Hwy 41 S.; 2). Internal street rights-of-way shall comply with City of Perry minimum standards; 3). Street names, approved by Houston County E911 shall be submitted for Planning Commission approval, 4). Applicant to work with staff for an acceptable parking plan. If no resolution, to return to Commission in March; 5). The developer shall install ADA-compliant sidewalks within the right-of-way along the South Perry Parkway frontage of the parcel and on at least one side of all internal streets, 6). All work conducted within the South Perry Parkway right-of-way shall comply with Georgia Department of Transportation standards, 7). 3-inch caliper street trees shall be installed within the rights-of-way of the internal streets at every other lot front and 40' on-center at all lot sides adjacent to streets. Trees shall not be required on individual lots; Commissioner Coody seconded; all in favor and was unanimously approved with Commissioner Jefferson opposed.

PLAT-0013-2021- Preliminary plat for Agricultural Estates. The applicant is Chad Bryant.

Mr. Wood advised the properties are zoned R-2A, Single-family Residential District. Specifications listed meet the minimum requirements for this district. The required 40' building setback along South Perry Parkway is not identified. Street right-of-way width is not identified. Street names are not identified. The applicant verbally indicated that remnant Lot 300 is intended to be used for a decorative entrance feature for the subdivision and will be maintained by the homeowners' association. If this is not the final intention of the developer, Lot 300 must be combined with adjacent buildable lots. The 4-acre lot meets the minimum requirements and road frontage as a separate developable lot. The applicant verbally stated his intention to use the right-of-way of South Perry Parkway to convey stormwater from the development to an off-site stormwater management facility. This is not acceptable to the City of Perry, owner of the right-of-way. Based on the Perry Connectivity Plan recently adopted by City Council, ADA-compliant sidewalks must be installed along at least one side of the internal subdivision streets, and along the South Perry Parkway frontage of the development. Street trees are required to be installed in subdivisions per subsections 6-3.1(B) and 6-3.3 of the Land Management Ordinance. The conditions placed on the ordinance zoning the subject properties (Ordinance 2021-23) must be met.

Chairman Edwards opened the public hearing at 8:50pm and called for anyone in favor or opposed to the request. Mr. Bryant reiterated the request and agreed to staff conditions. Chairman Edwards called for any further comment; there being none; the public hearing was closed at 8:51pm.

Commissioner Butler motioned to approve as submitted; with the following conditions: 1). The final plat(s) shall include the required 40-foot building setback line along South Perry Parkway, 2). Internal street rights-of-way shall comply with City of Perry minimum standards, 3). Street names, approved by Houston County E911 shall be submitted for Planning Commission approval, 4). If Lot 300 is not intended to be used by or maintained by the homeowners' association, it shall be incorporated into adjacent buildable lots, 5). Stormwater associated with the subdivision shall not be conveyed within the right-of-way of South Perry Parkway, 6). The developer shall install ADA-compliant sidewalks along the South Perry Parkway frontage of the project and on at least one side of all internal streets, 7). All work conducted within the South Perry Parkway right-of-way shall comply with Georgia Department of Transportation standards, Street trees shall be installed within the rights-of-way of the internal streets,

- 8). All conditions of Ordinance 2021-23 must be met and
- a. The required landscape maintenance easement shall be included on the final plat(s).
 - b. A note prohibiting access to and from South Perry Parkway for abutting residential lots shall be included on the final plat(s).

Commissioner Moody seconded; all in favor and was unanimously approved.

Other Business

Election of Vice Chairperson – Commissioner Mehserle motioned to recommend Commissioner Jefferson as Vice Chairperson; Commissioner Butler seconded; all in favor.

Commission questions or comments – None

Adjournment: there being no further business to come before the Commission the meeting was adjourned at 8:58pm.

DRAFT

MINUTES
WORK SESSION
OF THE PERRY CITY COUNCIL
February 14, 2022
5:00 pm.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the work session meeting held on February 14, 2022, at 5:00 pm.

2. Roll:

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

Elected Officials Absent: None.

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

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Brenda King – Director of Administration, Mitchell Worthington - Finance Director, Tabitha Clark – Communications Administrator, Ansley Fitzner – Public Works Superintendent, Annie Warren – City Clerk, Chad McMurrian – Engineering Services Manager, Ashely Hardin – Economic Development Administrator, Anya Turpin – Special Events Manager, and Matt White – Personnel Technician.

Press: William Oliver – Houston Home Journal.

Guest (s): Burke Murph – GWES, LLC., and Doug Stoner and Lee Comer – Foresite Group.

3. Items of Review/Discussion: Mayor Randall Walker.

3a. Department of Community Development.

1. Presentation of proposed Sewer Master Plan. Mr. McMurrian stated that Mr. Burke Murph with GWES will review with Mayor and Council the Sewer Master Plan. Mr. Burke Murph reviewed with Mayor and Council the sewer master plan for the south and east service areas. Based on the growth in the City, these two service areas have been identified for significant development, and the current systems will reach capacity. The sewer master plan would phase sewer infrastructure expansion in the south and east services areas, including a new wastewater treatment facility over the next 30 years as needed. Mayor and Council thanked Mr. Murph for all his work on this project. Mr. Gilmour stated that if Council

concurs to move forward with the sewer master plan, this item will be added to Council's agenda as a resolution for adoption. Council concurred to proceed.

3b. Office of the City Manager.

1. Foresight Group: Presentation on Leveraging Federal Dollars for Broadband Infrastructure. Ms. Hardin presented to Mayor and Council Mr. Doug Stoner and Mr. Lee Comer from the Foresite Group. Mr. Comer presented to the Mayor and Council the Broadband Infrastructure Investment and Job Act (IIJA) that has \$45 billion to be distributed to states for the development of broadband and a minimum of \$100 million going to each State for broadband initiatives. This infrastructure act will allow local governments to apply for federal funding for broadband infrastructure. The first step is to develop a Broadband Master Plan.
2. Outline of city's black history banner program. Ms. Turpin reviewed with Mayor and Council the black history banner program application available on the City's website. Applications open in the spring, and the deadline to apply is September 1st. The deadline allows the committee time to review the applications, design banners, print banners, and hang banners before February 1st. Banners are displayed the entire month of February. Mayor and Council thanked Ms. Turpin for all her hard work on this program.
3. Downtown Development Authority development financing. Mr. Smith reviewed with Mayor and Council the DDA financing. Mr. Smith presented how other downtown development authorities in other cities get funding for projects. Mr. Smith stated that if Council concurs based on Council's feedback, a policy will be drafted to establish guidelines/policies for the DDA projects. Council concurred to proceed.
4. Consider the proposal to amend annual leave. Mr. Gilmour reviewed the proposal to amend the annual leave policy. Mr. Gilmour stated in the proposal that the annual leave would be replaced with paid time off; all annual leave balances would shift to paid time off; sick leave would cease accumulating, and any balance of sick leave would remain until exhausted; the accrual of paid time off would shift based on the employee's length of employment/type of work and the payout of paid time off would be capped based on the type of work and length of service. Mr. Gilmour stated that if Council concurs, the next step is to notify all employees and to set up hearings for input. Council concurred to proceed.
5. Military Leave Policy. Mr. White presented to Mayor and Council the updated Military Leave policy. Mr. White stated that the current policy on file is out of date. The proposed military leave policy would ensure the City's compliance with all federal and state laws regarding military leave.

Mayor Walker recommended this item if Council concurs to be on Council February 15th agenda for a vote. Council concurred to proceed.

6. Parking Study Proposal. Mr. Smith reviewed with Mayor and Council the parking study proposal from Middle Georgia Regional Commission. The parking study would begin in the fall, with the information from the study coming back to the Council to review by the end of the year. Council concurred to proceed with the parking study.

4. Council Member Items:

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

Council Member Jones asked for an update relative to the piping at New Haven/Stonebridge subdivisions. Mr. McMurrian stated that Pyles Plumbing had installed isolation valves to minimize the number of houses affected during a water main break, and the subdivisions have been looped.

5. Department Head/Staff Items:

Mr. Smith and Ms. Newby had no reports.

Mr. Gilmour asked for clarification relative to the COVID-19 policy benchmarks for cases and hospitalizations. Mr. Gilmour requests the Council to affirm cases/hospitalization as benchmarks, not absolute numbers. Council affirmed.

Ms. King, Mr. Worthington, Chief Lynn, Chief Parker, Ms. Fitzner, Ms. Warren, Ms. Clark, Ms. Hardin, Mr. McMurrian, and Mr. White had no reports.

6. Adjourn. There being no further business to come before Council in the work session held on February 14, 2022, Council Member Jones motioned to adjourn the meeting at 7:09 pm, and Council Member Peterson seconded the motion, and it carried unanimously.

MINUTES
PRE COUNCIL MEETING
OF THE PERRY CITY COUNCIL
February 15, 2022
5:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the pre council meeting held February 15, 2022 at 5:00 p.m.

2. Roll:

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

Elected Official Absent: none

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

Departmental Staffing: Brenda King – Director of Administration, Mitchell Worthington – Finance Director, Bryan Wood – Director of Community Development, Chief Lee Parker - Fire and Emergency Services Department, Chief Steve Lynn- Perry Police Department, Ansley Fitzner – Public Works Superintendent, Sedrick Swan – Director of Leisure Services, Holly Wharton – Community Planner, Ashly Hardin – Economic Development Administrator, and Tabitha Clark – Communications Administrator.

Media: William Oliver – Houston Home Journal

3. Items of Review/Discussion: Mayor Randall Walker

3a. Discussion of February 15, 2022 council meeting agenda.

4a. 33rd Annual Dogwood Festival. Administration recommended Council handle the request for Public Works to collect trash in the same manner the city did for Peaches to Beaches. The city provides a dumpster, and the organizers are responsible for getting the trash collected and placed in the dumpsters. The remaining requests for city services are standard and acceptable.

5a. Worrall Foundation – Pine Needle Park Presentation. Mayor Walker stated the Worrall Foundation will be presenting a donation to the city this evening for Pine Needle Park to help the city built out some equipment the city would like to put in the park and the Foundation would like to invest in ADA compliance equipment for all child to use.

8a (1). Second Reading of a Charter Amendment for Reapportionment of Representatives Districts. Ms. Newby stated this is the second reading of the ordinance that will amend the Charter to provide for the redistricting of the city. After the second reading there will be a change to the districts, and this is provided under home rule. The ordinance will be effective upon Council's adoption.

8a (2). Second Reading of an ordinance for the annexation of property to the City of Perry. The property is located at 2019 Hwy 41; Tax Map No. 000310 022000. Mr. Wood stated this is a 1.08-acre parcel located at 2019 Hwy 41. This ordinance is to annex the parcel into the city. The Perry Planning Commission recommends approval with no conditions.

8a (3). Second Reading of an ordinance for the rezoning of property from R-1 (County) to C-2, General Commercial (City). The property is located at 2019 Hwy 41; Tax Map No. 000310 022000. Mr. Wood stated this is a request to rezone the property listed as item 8a (2) from R-1 (County) to C-2, General Commercial (City) and it is consistent with the Comprehensive Plan and the Perry Planning Commission recommends approval.

10a (1). Resolution to approve the revised Military Leave Policy. Ms. Newby stated this an update to the City Military Leave Policy so that the city is following current law and federal/state policy. Ms. Newby noted one change was made to the resolution after last evening's meeting to clarify 18 days required under state law would be interpreted as 18 shifts for our firefighters and police officers.

10a (2). Resolution to adopt the Perry Sewer Master Plan for the south and east Perry service areas. Administration recommended Council adopt the resolution to establish the plan of how the city will address sewer service in the south and east portions of our service areas.

10b (1). Bid No. 2022-20 Perry Branch Sewer Upgrades. Mr. Worthington stated this is a project to replace the main sewer line of Hwy 127 South to Big Indian Creek. Mr. Worthington's office received three responsive bids. Staff recommends awarding the bid to low bidder Pyles Plumbing & Utility Contractors, Inc. in the amount of \$2,977,940.00. The funding source is Perry Public Facilities Authority and American Rescue Plan.

10c (1). Resolution to approve the City of Perry Meeting Growth Demands Through Annexation. Mayor Walker stated there is a strong movement in the state legislature to restrict much of the work we do through annexation, and not only restrict what we do through annexation, but requiring approval of county and school boards. Mayor Walker stated this resolution makes a statement that the city is in favor of growth through city annexation.

10c (2). Resolution to amend the Service Delivery Strategy for the City of Perry. Ms. Wharton stated this resolution amendment reduces Perry's southern sewerage collection and sewerage treatment service area boundaries from Fire

Tower Road, Gilbert Road, and Grovania Road to Flat Creek, Golden Isles Parkway, and Boutwell Road. Assuming the City of Perry goes forward with adopting this amendment, the other governments in Houston County will also go through the same resolution process agreeing to this amendment. Ms. Wharton reported the Service Delivery Strategy is reviewed every ten years.

10d. Approval of Mission Square Retirement Governmental Profit-Sharing Adoption Plan Agreement and Hardship Withdrawal Amendment. Ms. Newby stated to ensure the city's retirement plan is kept up to date, legislative and regulatory amendments, the IRS requires the city to execute a new adoption agreement every six years, approving governmental profit-sharing adoption plan and also reflecting Council's approval of providing up to 4% match to employee contribution.

4. Council Member Items:

Council Member Albritton inquired about the golf cart path at Houston Springs to Heritage Park. Administration stated the path is under design now.

Council Member Peterson asked for an update on the Langston Road stormwater situation. Ms. Fitzner stated the project was complete last week.

Mayor Walker stated in the Communication meeting there was a great deal of discussion relative to broadband. The takeaway from the discussion was broadband is a bigger issue than just the city. Ms. Hardin provided input relative to broadband and suggested a community assessment on broadband.

Council Albritton asked what's the city's stance on the gentleman playing the accordion in the parking lots of Kroger/Publix? Administration stated if the property owner has no issues than the city will not get involved.

Ms. Wharton shared information relative to the Vacant Property Leadership Institute trip.

5. Adjourn: There being no further business to come before Council in the pre council meeting held February 15, 2022, Council Member Jones motioned to adjourn the meeting at 5:47 p.m. Mayor Pro Tempore King seconded the motion and it carried unanimously.

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
February 15, 2022
6:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the regular meeting of the Perry City Council held February 15, 2022 at 6:00 p.m.

2. Roll.

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

Elected Official Absent: none

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

Departmental Staffing: Brenda King – Director of Administration, Mitchell Worthington – Finance Director, Bryan Wood – Director of Community Development, Chief Lee Parker - Fire and Emergency Services Department, Chief Steve Lynn- Perry Police Department, Ansley Fitzner – Public Works Superintendent, Sedrick Swan – Director of Leisure Services, Holly Wharton – Community Planner, Ashly Hardin – Economic Development Administrator, and Tabitha Clark – Communications Administrator.

Media: William Oliver – Houston Home Journal

Guest(s)/Speaker(s): Ms. Maggy Schuyler – Perry Chamber, and Joe Posey – Jim Worrall Foundation

3. Invocation and Pledge of Allegiance to the Flag: Council Member Jones rendered the invocation and Council Member Albritton led the pledge of allegiance to the flag.

4. Recognition(s) / Presentation(s): Mayor Randall Walker

4a. Special Events Application:

1. 33rd Annual Dogwood Festival. Ms. Schuyler presented to Mayor and Council the Perry Area Chamber of Commerce application for its 33rd Annual Dogwood Festival. Administration recommended the water disposal and trash/cleanup be handled as it was for Peaches to Beaches in which the city provides a dumpster, and the event sponsor makes arrangements on its own to do the collection through the events. Mayor Walker entertained a motion to approve the application for the 33rd

Annual Dogwood Festival of the Chamber of Commerce with the exception the city will not be providing continuous trash pickup as outlined by Administration. Council motioned to approve the application as outlined; Council Member Jones seconded the motion and it carried unanimously.

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

5a. Worrall Foundation – Pine Needle Park Presentation – Mr. R. Smith.

Mr. Joe Posey and members of the Worrall Foundation presented the City of Perry a check in the amount of \$35,000 for playground equipment and additions to Pine Needle Park. The playground equipment will be all-inclusive. Mayor and Council thanked the members of the Worrall Foundation for their generous donation.

6. Citizens with Input. none

7. Review of Minutes: Mayor Randall Walker

7a. Council's Consideration – Minutes of the February 1, 2022 pre council meeting and February 1, 2022 council meeting. *(Council Member Hunt was absent from the February 1, 2022 pre council meeting and Council Member Jones was absent from the February 1, 2022 pre council and council meetings.)*

Council Member Bynum-Grace motioned to approve the minutes as submitted. Council Member Albritton seconded the motioned and it carried with Council Member Hunt abstaining from the February 1, 2022 pre council meeting and Council Member Jones abstaining from the February 1, 2022 pre council and council meetings.

8. Old Business: Mayor Randall Walker

8a. Ordinance(s) for Second Reading(s) and Adoption:

1. **Second Reading** of a Charter Amendment for Reapportionment of Representatives Districts – Ms. B. Newby.

Adopted Ordinance No. 2022-07 to amend the Charter for the Reapportionment of Representatives Districts. Council Member Jones motioned to adopt the ordinance as submitted. Mayor Pro Tempore King seconded the motion and it carried unanimously. *(Ordinance No. 2022-07 has been entered into the City's official book of record).*

2. **Second Reading** of an ordinance for the annexation of property to the City of Perry. The property is located at 2019 Hwy 41; Tax Map No. 000310 022000 – Mr. B. Wood.

Adopted Ordinance No. 2022-08 for the annexation of property to the City of Perry. The property is located at 2019 Hwy 41; Tax Map No. 000310 022000. Mayor Pro Tempore King motioned to adopt the ordinance as submitted. Council Member Hunt seconded the motion and it carried unanimously. (*Ordinance No. 2022-08 has been entered into the City's official book of record*).

3. **Second Reading** of an ordinance for the rezoning of property from R-1 (County) to C-2, General Commercial (City). The property is located at 2019 Hwy 41; Tax Map No. 000310 022000 – Mr. B. Wood.

Adopted Ordinance No. 2022-09 for the rezoning of property from R-1 (County) to C-2, General Commercial (City). The property is located at 2019 Hwy 41; Tax Map No. 000310 022000. Mayor Pro Tempore King motioned to adopt the ordinance as submitted. Council Member Jones seconded the motion and it carried unanimously. (*Ordinance No. 2022-09 has been entered into the City's official book of record*).

9. Any Other Old Business:

- 9a. Mayor Randall Walker - none
- 9b. Council Members - none
- 9c. City Attorney Brooke Newby - none
- 9d. City Manager Lee Gilmour - none
- 9e. Assistant City Manager Robert Smith - none

10. New Business: Mayor Randall Walker

10a. Matters referred from February 14, 2022 work session and February 15, 2022 pre council meeting.

1. Resolution to approve the revised Military Leave Policy – Ms. B. Newby.

Adopted Resolution No. 2022-08 approving the revised Military Leave Policy. Council Member Hunt motioned to adopt the resolution as presented; Council Member Peterson seconded the motion and it carried unanimously. (*Resolution No. 2022-08 has been entered into the City's official book of record*).

2. Resolution to adopt the Perry Sewer Master Plan for the South and East Perry Service Areas – Mr. L. Gilmour.

Adopted Resolution No. 2022-09 for the Perry Sewer Master Plan for the South and East Perry Service Areas. Council Member Jones motioned to adopt the resolution as presented; Council Member Peterson seconded the motion and it carried unanimously. (*Resolution No. 2022-09 has been entered into the City's official book of record*).

10b. Award of Bid:

1. Bid No. 2022-20 Perry Branch Sewer Upgrades – Mr. M. Worthington

Mr. Worthington stated his office received three responsive bids. Staff recommends awarding the bid to low bidder Pyles Plumbing & Utility Contractors, Inc. in the amount of \$2,977,940.00. Council Member Jones moved to award the bid to low bidder Pyles Plumbing & Utility Contractors, Inc. in the amount of \$2,977,940.00; Council Member Peterson seconded the motion and it carried unanimously. The funding source is Perry Public Facilities Authority and the American Rescue Plan.

10c. Resolution(s) for Consideration and Adoption:

1. Resolution to approve the City of Perry Meeting Growth Demands Through Annexation – Mayor Walker.

Adopted Resolution No. 2022-10 approving the City of Perry Meeting Growth Demands Through Annexation. Mayor Pro Tempore King motioned to adopt the resolution as presented; Council Member Bynum-Grace seconded the motion and it carried unanimously. *(Resolution No. 2022-10 has been entered into the City's official book of record).*

2. Resolution to amend the Service Delivery Strategy for the City of Perry – Ms. H. Wharton.

Adopted Resolution No. 2022-11 to amend the Service Delivery Strategy for the City of Perry. Mayor Pro Tempore King motioned to adopt the resolution as presented; Council Member Jones seconded the motion and it carried unanimously. *(Resolution No. 2022-11 has been entered into the City's official book of record).*

- 10d. Approval of MissionSquare Retirement Governmental Profit-Sharing Adoption Plan Agreement and Hardship Withdrawal Amendment – Ms. B. Newby.

Council member Albritton motioned to approve the MissionSquare Retirement Governmental Profit-Sharing Adoption Plan Agreement and Hardship Withdrawal Amendment as presented; Council Member Jones seconded the motion and it carried unanimously.

11. Council Members Items:

Council had no reports

Mr. Gilmour, Ms. Newby, and Mr. Smith had no reports.

12. Department Heads/Staff Items:

Mr. Swan reported on the start of the new soccer season.

13. General Public Items:

none

14. Mayor Items:

- February 28, Work session
- March 1, Pre council and council

Mayor Walker entertained a motion to go into executive session for real estate acquisition.

15. Executive Session entered at 6:29 p.m.: Council Member Jones moved to adjourn the regular meeting and enter into executive session for the purpose of real estate acquisition. Mayor Pro Tempore King seconded the motion, and it carried unanimously.
16. Executive Session adjourned at 6:47 p.m.; Council regular meeting reconvened. Council adjourned the executive session held February 15, 2022 and reconvened into the regular meeting.
17. Adopted Resolution No. 2022-12 stated that the purpose of the executive session held on February 15, 2022, was to discuss real estate acquisition. Council Member Albritton moved to adopt a resolution stating the purpose of the executive session held on February 15, 2022, was to discuss real estate acquisition; Council Member Bynum-Grace seconded the motion, and it carried unanimously. (*Resolution No. 2022-12 has been entered in the City's official book of record*).

In the open meeting –

Council Member Jones motioned to approve the purchase of 1502 and 1504 Houston Lake Road from Herman Kaigler for \$15,000 and \$12,000, respectively. Council Member Peterson second the motion and the vote was unanimously.

18. Adjournment: There being no further business to come before Council in the regular meeting held on February 15, 2022, Council Member Jones motioned to adjourn the meeting at 6:50 p.m. Council Member Hunt seconded the motion, and it carried unanimously.

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-2, General Commercial District, and the city's zoning map is amended accordingly relative to property of **BETTY C. GRAY**, described as follows:

PARCEL 1: That certain lot or parcel of land situate, lying and being in the 10th Land District of Houston County, Georgia, being a part of Land Lot 111 in said District, and comprising 2.45 acres of land, and having such shape, metes, bounds, courses and distances as are shown on plat of survey made by Rhodes Sewell, State Surveyor No. 160, dated October 13, 1954, a copy of said plat being of record in Map Book 3, Page 175, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto. Said lot or tract of land is bounded on the northwest, northeast and southwest by land now or formerly of W. W. Gray and on the southeast by the right of way of the Perry-Houston Lake Paved highway.

PARCEL 2: All that tract or parcel of land situate, lying and being in the Tenth Land District of Houston County, Georgia, and being a part of Land Lot 111 in said District, comprising 0.56 acre according to a plat of survey made by Rhodes Sewell, Surveyor, dated January 30, 1964, a copy of said plat being of record in Map Book 9, Page 11, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto. The land above described and which is hereby conveyed together with that land which was conveyed from W. W. Gray, Sr. to Walter Gray, Jr. by deed recorded in Book 87, Page 194, Clerk's Office, Houston Superior Court, comprises the 3.01 acres which is all of the land shown by said plat of survey recorded in Map Book 9, Page 11, said Clerk's Office.

PARCEL 3: All that tract or parcel of land situate, lying and being in Land Lot 111 of the Tenth District of Houston County, Georgia and containing 0.50 acre as shown on plat of survey prepared by Richard L. Jones, Registered Surveyor No. 1591, dated February 8, 1975 and recorded in Plat Book 18, Page 63, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

**Parcels 1-3 are known as Houston County Tax Assessor Tax Map
Parcel No.: 0P41A0 024000
Deed Reference: Book 9318, Pages 294-296**

Said property is rezoned subject to the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Houston Lake Road in support of the City of Perry's green corridor initiative.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

SO ENACTED this 15th day of March, 2022.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: March 1, 2022
2nd Reading: March 15, 2022

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-2, General Commercial District, and the city's zoning map is amended accordingly relative to property of **BETTY C. GRAY**, described as follows:

PARCEL 1: All that tract or parcel of land situate, lying and being in Land Lot 111 of the Tenth District of Houston County, Georgia, and being shown and designated as Parcel "B" containing 1.95 acres according to a plat of survey prepared by Richard L. Jones, Registered Surveyor No. 1591, said plat of survey dated February 8, 1975, and recorded in Plat Book 18, Page 63, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

PARCEL 2: All that tract or parcel of land situate, lying and being in Land Lot 111 of the Tenth District of Houston County, Georgia, and being shown and designated as Parcel "A" containing 1.58 acres according to a plat of survey prepared by Richard L. Jones, Registered Surveyor No. 1591, said plat of survey dated February 8, 1975, and recorded in Plat Book 18, Page 63, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

PARCEL 3: All that tract or parcel of land situate, lying and being in Land lot 111, of the Tenth (10th) Land District, Houston County, Georgia and being known and designated as Parcel "G", comprising 2.193 acres as is more particularly shown on a plat of survey prepared by Lee R. Jones, Georgia Registered Land Survey #2680 dated September 15, 2004, and recorded in Plat Book 63, Page 179, 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.

Parcels 1-3 are known as Houston County Tax Assessor Tax Map Parcel No.: 0P0440 07C000 and are the same parcels identified as Parcels 4-6 in Deed Book 9318, Pages 294-296

Deed Reference: Book 9318, Pages 294-296

Said property is rezoned subject to the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Houston Lake Road in support of the City of Perry's green corridor initiative.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

SO ENACTED this 15th day of March, 2022.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: March 1, 2022
2nd Reading: March 15, 2022

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 Chad Bryant, of Bryant Engineering, on behalf of Taffy Properties, LLC, the owner of the land hereinafter described as follows:

All that tract or parcel of land lying and being in Land Lot 144 of the Tenth (10th) Land District, Houston County, Georgia, containing 27.25 acres, more or less, and being known and designated as Tract “A”, according to a Plat of Survey thereof made by Marty A. McLeod, Georgia Registered Land Surveyor No. 2991, dated December 21, 2021 and of record in Plat Book 83, Page 87, Clerk’s Office, Houston Superior Court. Said plat and the record thereof are incorporated herein for all purposes.

**Deed Reference: Book 9514, Pages 303-304
Tax Map Parcel: 000830 062000**

Said property is annexed subject to the following conditions:

- 1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.**
- 2. Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Kings Chapel Road and Gurr Road in support of the City of Perry’s green corridor initiative.**
- 3. Sidewalks within the neighborhood shall be installed in addition to sidewalks along Kings Chapel Road and Gurr Road as reflected in the City of Perry Pathways Plan.**

NOW THEREFORE, pursuant to the act of the General Assembly of the State of Georgia 1962, Page 119; 1969, Page 504; 1992, Page 2592; 2000, Page 164 the above-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, 2022, and for all other purposes shall become effective on April 1, 2022.

SO ENACTED this 15th day of March, 2022.

CITY OF PERRY, GEORGIA

(SEAL) BY: _____
RANDALL WALKER, MAYOR

ATTEST: _____
ANNIE WARREN, CITY CLERK

1st Reading: March 1, 2022
2nd Reading: March 15, 2022

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from Houston County R-AG, Agricultural Residential District to City of Perry R-2A, Single-Family Residential District, and the city's zoning map is amended accordingly relative to property of **TAFFY PROPERTIES, LLC**, described as follows:

All that tract or parcel of land lying and being in Land Lot 144 of the Tenth (10th) Land District, Houston County, Georgia, containing 27.25 acres, more or less, and being known and designated as Tract "A", according to a Plat of Survey thereof made by Marty A. McLeod, Georgia Registered Land Surveyor No. 2991, dated December 21, 2021 and of record in Plat Book 83, Page 87, Clerk's Office, Houston Superior Court. Said plat and the record thereof are incorporated herein for all purposes.

**Deed Reference: Book 9514, Pages 303-304
Tax Map Parcel: 000830 062000**

This rezoning shall become effective on April 1, 2022, in accordance with O.C.G.A. § 36-66-4(d)(4).

SO ENACTED this 15th day of March, 2022.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: March 1, 2022
2nd Reading: March 15, 2022

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from City of Perry R-2, Two-Family Residential District to City of Perry PUD, Planned Unit Development District, and the city's zoning map is amended accordingly relative to property of CCCCT INVESTMENTS, LLC, described as follows:

All that tract or parcel of land lying and being in land Lot 144 and 148 of the 10th and 13th Land District of Houston County, Georgia comprising 83.24 acres, more or less, as shown in Plat Book 62, Page 42, Clerk's office, Houston Superior Court. Said plat and the recorded copy thereof are hereby incorporated for all purposes. LESS AND EXCEPT: 34.12 acres in Section 1 of REMINGTON CHASE Subdivision according to a plat of survey of record in Plat Book 67, Pages 174-175, Clerk's office, Houston Superior Court.

**Deed Reference: Book 9545, Page 213
Tax Map Parcel: 0P0480 039000**

Said property is rezoned subject to the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property, copies of which are attached hereto as Exhibit "A".

SO ENACTED this 15th day of March, 2022.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

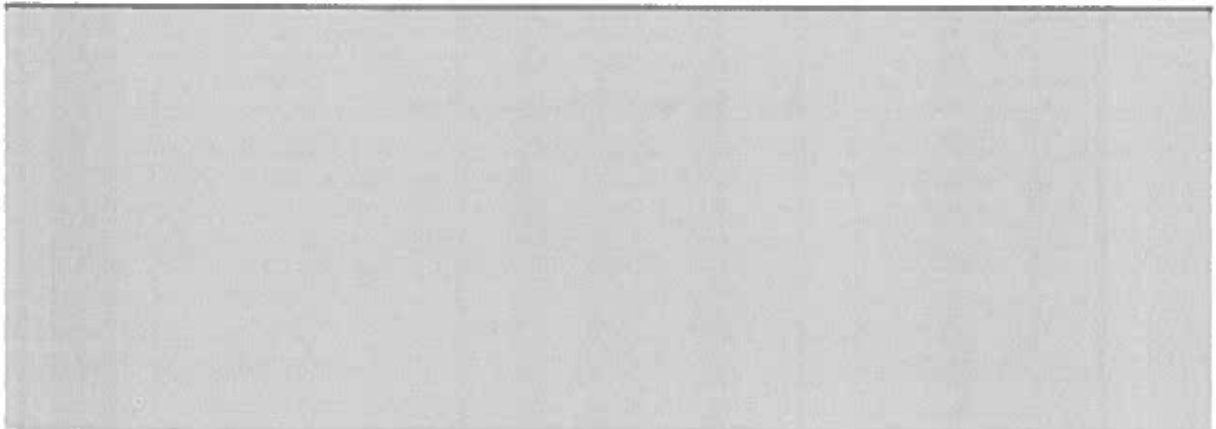
ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: March 1, 2022
2nd Reading: March 15, 2022



Remington Chase Phase 2 PUD Plan

EX. A1



Remington Chase Phase 2
Planned Unit Development Standards

1. **Permitted Uses:** Single-family detached residential, and accessory uses clearly incidental to, and customarily associated with single-family detached residential uses.
2. **Minimum Lot Area:** 9,000 square feet
3. **Minimum Lot Width:** 75 feet
4. **Maximum Allowed Density:** 121 residential lots
5. **Minimum Principal Building Setbacks:**
 - Front: 25 feet
 - Rear: 25 feet
 - Interior Side: 8 feet
6. **Minimum House Size:** 1,200 square feet of heated space.
7. **Access:** The PUD shall have no access to or from US Hwy 341. Lots 1-11 shall have not access to or from Gurr Road. Access to the PUD shall be as shown on the approved PUD Plan.
8. **Streets and Rights-of-way:** To comply with City of Perry minimum standards.
9. **Connectivity:** ADA-compliant sidewalks shall be installed on at least one side of all internal streets in the PUD. An ADA-compliant sidewalk shall be installed within the Gurr Road right-of-way along the full frontage of the PUD.
10. **Landscape:**
 - a. 10' wide easements along the PUD's US Hwy. 341 and Gurr Road frontages shall be granted to the City of Perry for landscaping and maintenance.
 - b. One 3-inch caliper shade tree shall be installed within the right-of-way along both sides of all internal streets, spaced approximately 75 feet on-center (generally one tree per single-frontage lot, two trees per double-frontage lots). Such trees shall count toward the required number of trees per lot required by subsection 6-4.2(A)(2) of the Land Management Ordinance.
11. **Pocket Park:** An area of at least 19,425 square feet shall be dedicated to the City of Perry for the City's installation and maintenance of a pocket park. The park area shall be suitable for use as a park and acceptable to the City of Perry.
12. **Stormwater Management Facilities:** Land comprising the stormwater management facilities shall be donated to the City of Perry for maintenance upon satisfactory completion of such facilities.
13. **Unspecified Standards:** Any development or other standards not specified above shall be governed by the applicable standards of the Land Management Ordinance for single-family detached residential lots and subdivisions located in an R-3 zoning district.

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from City of Perry C-2, General Commercial District to City of Perry PUD, Planned Unit Development District, and the city's zoning map is amended accordingly relative to property of **PERRY CAPITAL, LLC**, described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 314 of the 13th Land District of Houston County, Georgia, containing 27.103 acres and having such shapes, metes, bounds, courses, and distances as are shown on a plat of survey prepared by Lee R. Jones, dated April 7, 2014 and recorded in Plat Book 76, Page 35, Clerk's Office, Houston Superior Court. Said plat of survey and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

Deed Reference: Book 6533, Pages 170-171
Tax Map Parcel: 0P0320 075000

Said property is rezoned subject to the following conditions:

1. Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan.
2. The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property, copies of which are attached hereto as Exhibit "A".

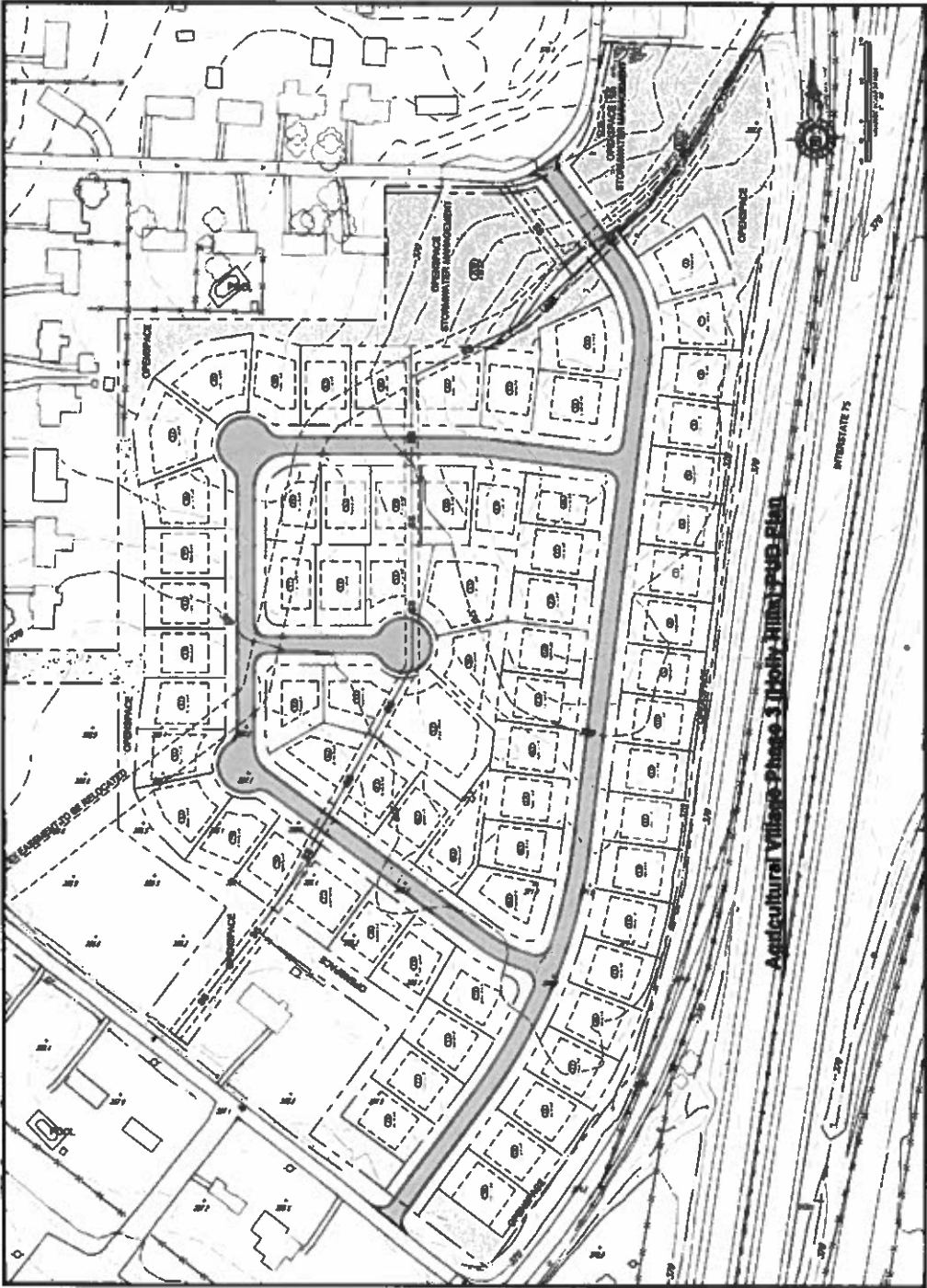
SO ENACTED this 15th day of March, 2022.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: March 1, 2022
2nd Reading: March 15, 2022

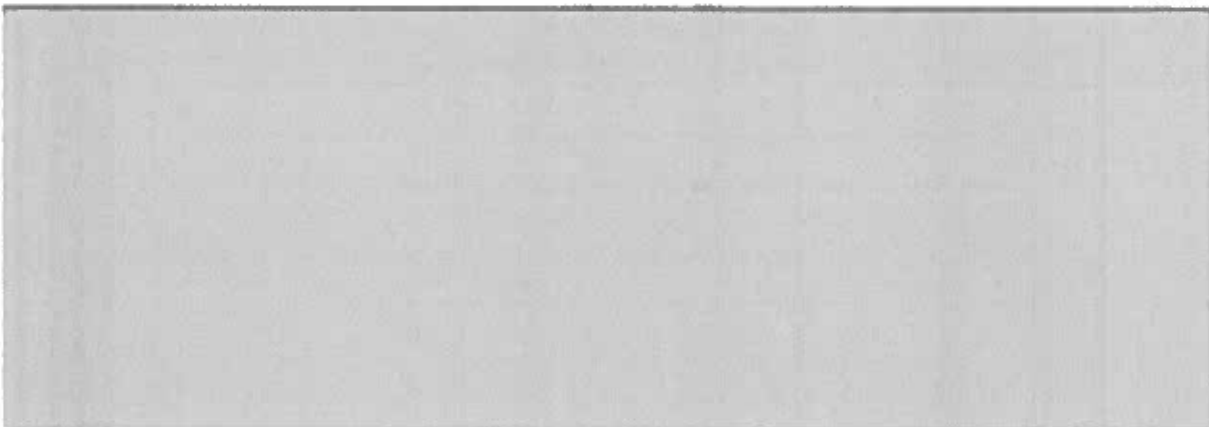


THIS PLAN IS THE PROPERTY OF BRYANT ENGINEERING AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF BRYANT ENGINEERING.

Agricultural Village Phase 3 (Holly Hills)

Planned Unit Development Standards

1. **Permitted Uses:** Single-family detached residential, and accessory uses clearly incidental to, and customarily associated with single-family detached residential uses.
2. **Minimum Lot Area:** 9,000 square feet
3. **Minimum Lot Width:** 75 feet
4. **Maximum Allowed Density:** 71 residential lots
5. **Minimum Principal Building Setbacks:**
 - Front: 25 feet
 - Rear: 25 feet
 - Interior Side: 8 feet
6. **Minimum House Size:** 1,200 square feet of heated space.
7. **Greenspace:**
 - Buffers:** A minimum 20'-wide undisturbed buffer shall be maintained adjacent to properties in the original Holly Hills subdivision. A minimum 10' buffer shall be maintained adjacent to the right-of-way of US Hwy. 41.
 - Exceptions:** Stormwater management facilities may be established within designated greenspace provided such facilities do not encroach on above-stated buffers. Streets and any utilities required to encroach within the above-stated buffers shall do so at an angle as perpendicular to the buffer as practical.
8. **Access:** There shall be no access to the PUD from US Hwy. 41. Two access points, as shown on the approved PUD Plan are required.
9. **Streets and Rights-of-way:** To comply with City of Perry minimum standards.
10. **Connectivity:** ADA-compliant sidewalks shall be installed on at least one side of all internal streets in the PUD.
11. **Landscape:**
 - a. A 10' wide easement along the PUD's US Hwy. 41 frontage shall be granted to the City of Perry for landscaping and maintenance.
 - b. One 3-inch caliper shade tree shall be installed within the right-of-way along both sides of all internal streets, spaced approximately 75 feet on-center (generally one tree per single-frontage lot, two trees per double-frontage lots). Such trees shall count toward the required number of trees per lot required by subsection 6-4.2(A)(2) of the Land Management Ordinance.
12. **Pocket Park:** An area of at least 12,425 square feet shall be dedicated to the City of Perry for the City's installation and maintenance of a pocket park. The park area shall be suitable for use as a park and acceptable to the City of Perry.



13. **Stormwater Management Facilities:** Land comprising the stormwater management facilities shall be donated to the City of Perry for maintenance upon satisfactory completion of such facilities.
14. **Unspecified Standards:** Any development or other standards not specified above shall be governed by the applicable standards of the Land Management Ordinance for single-family detached residential lots and subdivisions located in an R-3 zoning district.

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from City of Perry R-2, Two-family Residential District to City of Perry C-2, General Commercial District, and the city's zoning map is amended accordingly relative to property of **MILTON TAYLOR**, described as follows:

All those tracts or parcel of land situate, lying and being in Land Lot 272 of the 13th Land District, Houston County, Georgia, and in the City of Perry, known and designated as Parcel "A" and Parcel "B" as is more fully shown on a subdivision plat for Milton V. Beckham by Richard L. Jones, Surveyor, dated October 28, 1983, and a copy of plat being recorded in Map Book 27, page 167, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are incorporated herein by reference for all purposes.

Said property is known under the present numbering system as 613 and 615 Martin Luther King Drive, Perry, Houston County, GA.

**Deed References: Book 670, Page 583; Book 1335, Page 754
Tax Map Parcel: 0P0270 109000; 0P0270 108000**

SO ENACTED this 15th day of March, 2022.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: March 1, 2022
2nd Reading: March 15, 2022

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from City of Perry C-1, Highway Commercial District to City of Perry PUD, Planned Unit Development District, and the city's zoning map is amended accordingly relative to property of JSIYARAM Hotel, LLC and KPS Motel LLC, described as follows:

Tract I: All that certain tract or parcel of land situate, lying and being in Lots 46 and 47 of the 10th Land District of Houston County, Georgia, in the City of Perry, therein, same containing in the aggregate 4.27 acres of land, having such shape, metes bounds, courses and distances as shown on a plat of survey of same prepared by Milton Beckham, Surveyor, a copy of said plat being of record in Plat Book 14, Page 206, Clerk's Office, Houston County Superior Court. Said plat and the recorded copy thereof are hereby referred to and made a part of this description.

EXCEPTION THEREFROM THE FOLLOWING PROPERTY:

All that tract or parcel of land situate, lying and being in the City of Perry, Houston County, Georgia, having such shape, metes, bounds, courses and distances as are shown on a plat of survey of same prepared by Milton Beckham, Surveyor, on August 3, 1972, a copy of said plat being of record in Plat Book 15, Page 219, Clerk's Office, Houston Superior Court.

FURTHER EXCEPTING:

All that tract or parcel of land situate lying and being in Land Lot 47 of the Tenth Land District of Houston County, Georgia, and in the City of Perry, same being shown and designated as Parcel "A" on a plat of survey prepared by Milton Beckham, surveyor, on August 3, 1972, revised May 7, 1993, to show a Parcel "A" a copy of said plat being of record in Map Book 16, Page 127, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

LESS AND EXCEPT:

All that tract or parcel of land situate, lying and being in Land Lot 47 of the Tenth (10th) Land District of Houston County, Georgia, being known and designated at Parcel "C", containing 1.368 acres, according to a plat of survey of record in Plat Book 75, Page 146, Clerk's Office, Houston Superior Court. Said plat and the record thereto are incorporated herein by reference for all purposes.

This is the same property set out in a Warranty Deed from The National Bank of Georgia to E.L.K. Motels, Inc. dated August 8, 1975 and recorded in Deed Book 461, Page 344, in the Office of the Clerk of the Superior Court of Houston County, Georgia, which deed is incorporated herein by reference for all purposes.

Tract II: That certain tract or parcel of land situate, lying and being in the City of Perry, Houston County, Georgia, having such shape, metes, bounds, courses and distances as are shown on a plat of survey of same prepared by Milton Beckham, Surveyor, on August 3, 1972, a copy of said plat being of record in Plat Book 15, Page 219, Clerk's Office, Houston Superior Court.

Tract III: All that tract or parcel of land situate, lying and being in Land Lot 47 of the Tenth Land District of Houston County, Georgia, and in the City of Perry, same being shown and designated as Parcel "A" on a plat of survey prepared by Milton Beckham Surveyor, on August 3, 1972, revised May 7, 1973, to show Parcel "A", a copy of said plat being of record in Map Book 16, Page 127, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

This is the same property as set out in a Limited Warranty Deed from The Bank of Perry to E.L. Klinner, Jr. dated December 17, 1990 and recorded in Deed Book 901, Page 712, in the Office of the Clerk of the Superior Court of Houston County, Georgia, and which deed is incorporated herein by reference for all purposes.

**Tax Map Parcels: 0P0400 021000 and 0P0400 022000
Deed Reference: Book 6968, Pages 1-2
Present Street Addresses: 1004 and 1006 St. Patrick's Drive, Perry, GA**

AND

All that tract or parcel of land situate, lying and being in Land Lot 47 of the Tenth (10th) Land District of Houston County, Georgia, being known and designated as Parcel "C", containing 1.368 acres, according to a plat of survey of record in Plat Book 75, Page 146, Clerk's Office, Houston Superior Court. Said plat and the record thereof are incorporated herein by reference for all purposes.

**Tax Map Parcel: 0P0400 048000
Deed Reference: Book 6967, Pages 343-344
Present Street Address: 1004 A St. Patrick's Drive, Perry, GA**

Said property is rezoned subject to the following condition:

- 1. The applicant's conceptual site plan and staff-recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property, copies of which are attached hereto as Exhibit "A".**

SO ENACTED this 15th day of March, 2022.

CITY OF PERRY, GEORGIA

**BY: _____
RANDALL WALKER, Mayor**

**ATTEST: _____
ANNIE WARREN, City Clerk**

**1st Reading: March 1, 2022
2nd Reading: March 15, 2022**

St. Patrick's Drive Adaptive Re-Use PUD Plan



Total Lot Area: 185,969 square feet.

- Total Building Area (red): 39,480 square feet (21.22%).
- Total Asphalt/Concrete Area: 97,126 square feet (52.22%).
- Total Landscaped Area (green): 49,579 square feet (26.54%).

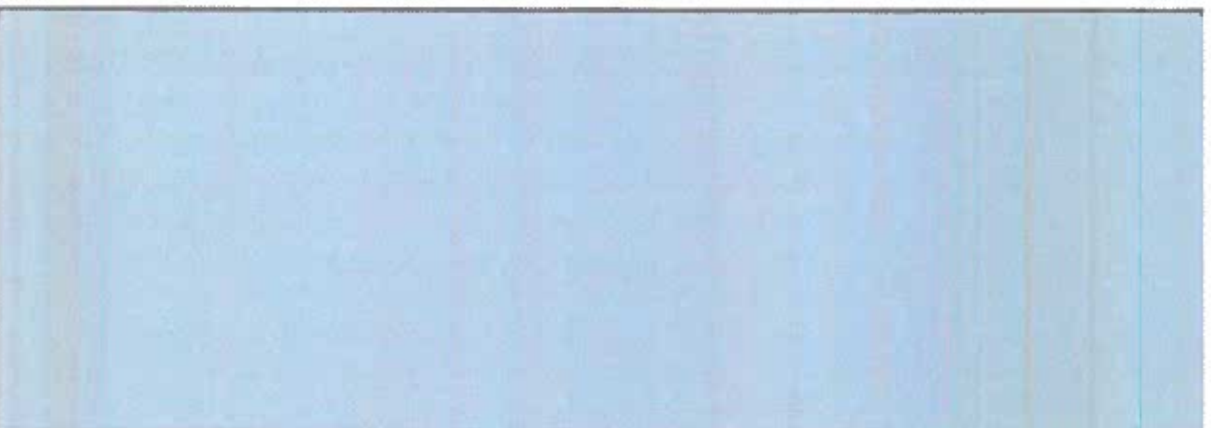
Total Dwellings (Multi-family):

- 126 total dwellings.
- Mix of studio apartments and multi-bay apartments.
- 1,476 square feet of lot area per dwelling.

Building Uses:

- Building 1: Leasing office with lobby, coffee, lockers, recreational area (vending machines, pool table, etc.) or retail.
- Buildings 2, 3, & 4: Combined 122 dwellings.
- Building 5: Resident laundry, gym and four dwellings.

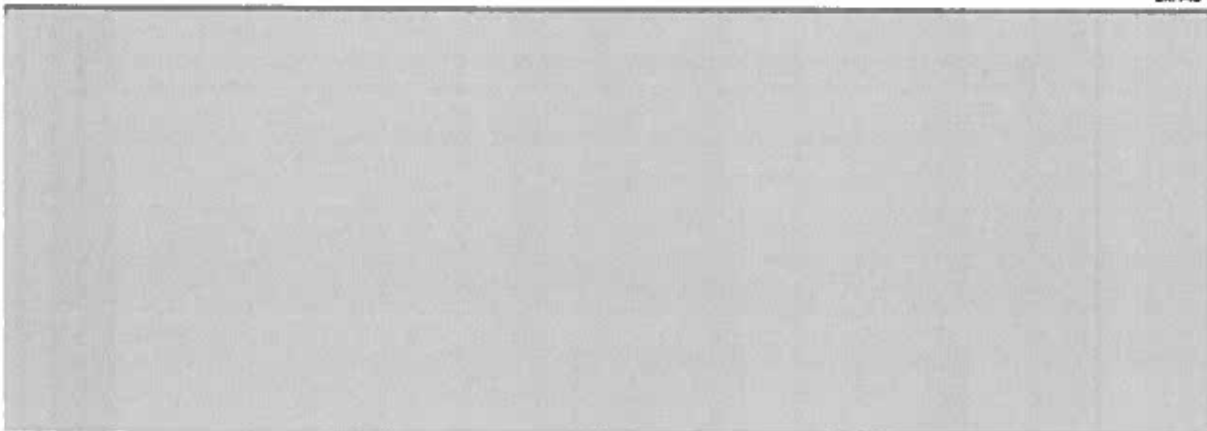
EX. A1



St. Patrick's Drive Adaptive Re-Use
(Parcels 0P0400 021000, 0P0400 022000, and 0P0400 048000)

Planned Unit Development Standards

1. **Permitted Uses:**
 - A. **Residential uses.** Multi-family dwellings, and accessory uses clearly incidental to, and customarily associated with multi-family residential developments (i.e., management/leasing office, resident laundry facilities, resident recreation and fitness facilities, resident multi-purpose/gathering space).
 - B. **Non-residential uses.** In addition to customary accessory uses, the ~1250 square foot building located on parcel 0P0400 021000 may be used for non-residential uses permitted in the C-2 zoning district in the following "use categories" identified in the Table of Uses, subsection 4-1.2 of the Land Management Ordinance: Day Care, Offices, and Retail Sales and Services.
2. **Maximum Density:** 126 total studio and one-bedroom apartments
3. **Maximum Building Height:** Two stories.
4. **Parking:** At least 160 parking spaces shall be maintained on the properties.
5. **Allowed Signs:**
 - A. **Freestanding Signs:**
 - o One existing pylon sign on the southwest corner of parcel 0P0400 048000 may remain but shall not be increased in height or in area.
 - o All other existing freestanding signs shall be removed.
 - o Two monument signs meeting the requirements for such sign type in the C-2 zoning district may be installed along the St. Patrick's Drive frontage of the properties.
 - B. **Roof Signs:** Existing roof signs on the properties shall be removed. Roofs signs shall not be permitted.
 - C. **Other signs:** Wall, door, and window signs required to identify buildings and unit numbers for emergency service providers, and as necessary to identify resident amenities.
6. **Trash Collection:** Existing dumpsters and dumpster enclosures shall be removed from all public rights-of-way. All dumpsters shall meet enclosure and screening requirements of the Land Management Ordinance and stormwater best management practices.
7. **Exterior Building Materials and Colors:** All exterior colors and any new exterior building materials shall be consistent with the provisions of subsection 6-6.1(A) of the Land Management Ordinance.
8. **Landscaping:** The site shall comply with all applicable landscape requirements of Section 6-3 of the Land Management Ordinance.
9. **Addresses:** If the property will remain as three separate parcels, addresses assigned to each parcel will be modified to eliminate duplicate addresses.
10. **Unspecified Standards:** Any development or other standards not specified above shall be governed by the applicable regulations of the Land Management Ordinance for properties located in a C-2 zoning district.



ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from City of Perry OC, Office Commercial District to City of Perry C-3, Central Business District, and the city's zoning map is amended accordingly relative to property of **ROBERT LEE RUSSELL, JR.**, described as follows:

All that tract or parcel of land situate, lying and being in the City of Perry, and in Houston County, Georgia, being known and designated as Lot No. 10 in the subdivision of Nunn Brothers and Norwood Property, according to a plat of survey of said property which is of record in Plat Book 1, Page 146, Clerk's Office, Houston Superior Court. Being the same property as that conveyed to Elsie Peavy Brown, via Warranty Deed dated March 18, 1985, which appears of record in Deed Book 679, Page 147, Clerk's Office, Houston Superior Court.

**Deed Reference: Book 8045, Page 117-118
Tax Map Parcel: 0P0040 035000**

SO ENACTED this 15th day of March, 2022.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: March 1, 2022
2nd Reading: March 15, 2022

AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, FOR THE PURPOSE OF AMENDING CHAPTER 25, WATER, SEWERS, SEWAGE DISPOSAL, TURAL GAS AND PRIVATE WATER WELLS; ARTICLE II, MUNICIPAL WATER SYSTEM, SECTION 25-31, SEPARATE WATER METERS, TO AMEND MULTI-UNIT METER SPECIFICATIONS AND DEFINE RESIDENTIAL.

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

By deleting Section 25-31. – **Separate Water Meters** in its entirety and replacing it with the following:

Sec. 25-31. Separate water meters.

- (a) Each residential dwelling unit shall be served by a separate water meter. For purposes of this section, “residential dwelling unit” shall mean any single family detached dwelling, townhome, duplex, triplex, fourplex or multi-family dwelling unit up to and including six (6) units.
- (b) Multi-family developments consisting of seven (7) or more units may be served with a master water meter. In the event of approval of a master water meter, sub-unit water meters shall be furnished, installed, owned, and managed by the property owner.
- (c) All commercial developments (non-residential dwelling units) serving multiple tenants shall have a separate water meter for each unit that can be rented, leased or sold separately.

SO ENACTED this 15th day of March, 2022.

CITY OF PERRY, GEORGIA

By: _____
Randall Walker, Mayor

Attest: _____
Annie Warren, City Clerk

1st Reading: March 1, 2022

2nd Reading: March 15, 2022

Bid Submittal Summary Sheet


Bid Title/Number:	2022-23 Scoreboards
M&CC Meeting Date:	3/1/2022
Funding Source:	Donation - \$30,000.00 SPLOST 2018 Fund - Remainder
Budgeted Expense?	Yes

Responsive Bidders:		Bid Amount
	Electro-Mech Scoreboard Company	\$ 54,970.80

Alternative Bid Received*:		
	Electro-Mech Scoreboard Company	\$ 53,916.00

Posting Sources:	City of Perry's Website:	www.perry-ga.gov
-------------------------	--------------------------	------------------

Department Recommendation:		
Vendor:		Electro-Mech Scoreboard Company
Amount:	\$	53,916.00
Department:		Leisure Services
Department Representative:		Sedrick Swan, Dir. Of Leisure Services

Purchasing Agent Recommendation:		
Vendor:		Electro-Mech Scoreboard Company
Amount:	\$	53,916.00
Purchasing Agent:		Mitchell Worthington, Finance Director
Signature:		

*The Alternative Bid received substantially meets the bid specifications at a lower cost.

RESOLUTION AFTER LEGAL NOTICE STATING THE NEED AND NECESSITY TO CONDEMN CERTAIN LANDS (PRIVATELY HELD REAL PROPERTY) DESCRIBED AND IDENTIFIED HEREIN BELOW AND NECESSARY FOR PUBLIC USE, AS DEFINED BY GENERAL LAW; AND FOR OTHER PURPOSES.

WHEREAS, the Property sought herein to be acquired for the purposes of this Resolution is for the public purpose of expanding A.D. Redmond park; and,

WHEREAS, the Property sought to be acquired through this Resolution is located at 1506 Houston Lake Road, Perry, Georgia, and more particularly described as follows:

All that tract or parcel of land situated, lying and being in Land Lot 80 and 81 of the 10th Land District, Houston County, Georgia, being known and designated as Lot 4, Block “A”, Beckham Subdivision, as more particularly shown on a plat of survey prepared by G. L. Veal, dated December 1925, recorded in Plat Book 1, Page 211, Clerk’s Office, Houston Superior Court. Said plat and the recorded copy thereof are incorporated herein by reference for all purposes.

Houston County Tax Map Parcel No.: 0P0210 014000

WHEREAS, the project is for a “public use” in that it is a possession, occupation, or use of the land by the general public or by state or local government and it meets the “public use” criteria under Georgia Law in that it services the public health, safety and welfare and there is a need and necessity for said project; and,

WHEREAS, the City seeks fee simple interest in the Property; it was appraised before initiation of formal pre-condemnation negotiations; the City established an amount which it believes to be just compensation and made a prompt offer to acquire the property for the full amount so established, which is not less than said independent appraisal; and, the City provided the owner(s) of the real property to be acquired with a written statement of, and summary of the basis for, the amount established as just compensation; however, the City was unable to engage in meaningful negotiations to acquire the property by purchase as there are or may be unknown persons who have or may have some claim or interest in the property; and,

WHEREAS, not less than 15 days before the meeting at which this resolution approving the exercise of eminent domain was considered, the City posted a sign, in the right-of-way adjacent to the property that is subject to the proposed use of the eminent domain power, stating the time, date and place of this meeting; and,

WHEREAS, notice of this meeting was published in the county legal organ in the main section of the paper, not in the legal notices section of such newspaper, as required by law; and,

WHEREAS, notice of this meeting required to be personally served or mailed to condemnees(s) was accompanied by a written statement of rights including, but not limited to the

right to notice, damages, hearing, and appeal of any award entered by the special master as described in Title 22, and to bring a motion per Code Section 22-1-11 (asking the court to determine if the proposed project is for a public use and whether the petitioner has the legal authority to condemn property) as well as a sample motion; and,

WHEREAS, no action for condemnation shall be filed until at least 30 days from the date of this resolution.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council as follows:

1. That property located at 1506 Houston Lake Road, Perry, Georgia and more particularly described above must be and is hereby condemned by the City of Perry for the public convenience, good and necessity and for the public purpose of expansion of A.D. Redmond Park.
2. That the City Attorney, or her designee, shall be and hereby is authorized and the City Attorney, or her designee, shall be and hereby is directed, with respect to the Property described herein above, to acquire and obtain fee simple title to the Property by condemnation as provided by the Constitution of the State of Georgia, Title 22, Chapter 2 of the Official Code of Georgia Annotated, and other applicable Georgia law.
3. That the Mayor together with the City Clerk be and hereby authorized and directed to make all necessary and proper payments required to acquire the Property by condemnation as provided by the Constitution of the State of Georgia, Title 22, Chapter 2 of the Official Code of Georgia Annotated, and other applicable Georgia law, as well as, court costs, special master fees, guardian ad litem fees, attorney fees, title searches, appraisals, surveys, specialty reports, title insurance, taxes and closings costs, and all other costs and fees pursuant to this Resolution.
4. That the City Attorney be and hereby is authorized to engage the services of any attorney, title examiner, appraiser or expert as necessary to assist with the condemnation of said Property.
5. That the Mayor, City Council members, the City Attorney, and the City's legal counsel for this matter are authorized to sign any of the documents on behalf of the governing authority of the City to complete the acquisition of the Property required for the project.
6. All resolutions and parts thereof in conflict with this resolution are hereby repealed.
7. This resolution is deemed severable, and if any part shall for any reason be determined invalid, such determination shall not invalidate the remainder.
8. This resolution shall be effective as of March 1, 2022.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

Approved, this 1st day of March, 2022, meeting commenced after 6:00 p.m. on this date.

CITY OF PERRY, GEORGIA

By: _____
Randall Walker, Mayor

Willie King, Mayor Pro-Temp

Phyllis Bynum-Grace, Council Member

Robert Jones, Council Member

Darryl Albritton, Council Member

Joy Peterson, Council Member

Riley Hunt, Council Member

Attest: _____
Annie Warren, City Clerk

[SEAL]