



Where Georgia comes together.

Planning Commission Agenda
Monday, September 11, 2023 – 6:00pm
Perry City Hall -808 Carroll Street, Downtown Perry

1. Call to Order
2. Roll Call
3. Invocation
4. Approval of Minutes from August 14, 2023 and work session August 28, 2023
5. Announcements
 - 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.
 - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
 - Please place cell phones in silent mode.
6. Citizens with Input
7. Old Business
8. New Business
 - A. Public Hearing (Planning Commission decision)
 - **VAR#0100-2023.** Variance for property located at 1117 Cottage Lane. The applicant is WCH Homes.
 - **PLAT-0110-2023.** Preliminary Plat for Avington Glen. The applicant is Masterpiece Construction.
 - B. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on October 3, 2023)
 - **ANNX#0106-2023.** De-annexation for property located at 120 Sparrow Street. The applicant is Colby Carkoski.
 - **SUSE#0060-2023.** Special exception for short-term rental for property at 414 Frank Satterfield Road. The applicant is Andres Acosta – Mastr Homestays, LLC
 - **SUSE#0111-2023.** Special exception for short-term rental for property at 204 Amherst Street. The applicant is Lei Zhang.
9. Other Business
10. Commission questions or comments
11. Adjournment

All meetings of the Planning Commission are open to the public.

(478) 988-2720

<https://perry-ga.gov/business-services/community-development/planning-and-zoning>

Planning Commission
Minutes - August 14, 2023

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

Staff: Bryan Wood – Community Development Director, Emily Carson – Community Planner, and Christine Sewell – Recording Clerk.

Guests: Chad Bryant, Wes Williams, John Michael Cosey, Dr. Lewis Shelton, Rita Arzillo, Dr. Dave Wolf, Kecia Isgett, Kollyn Lawson, Foster Rhodes, Amy Fouse

3. Invocation: was given by Commissioner Moody
4. Approval of Minutes from July 10, 2023
Commissioner Butler motioned to approve as submitted; Commissioner Jefferson seconded; all in favor and was unanimously approved.
5. Announcements – Chairman Edwards referred to the notices as listed
 - 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.
 - Policies and Procedures for Conducting Zoning Hearings are available at the entrance.
 - Please place cell phones in silent mode.
6. Citizens with Input- None
7. Old Business – None
8. New Business
 - A. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on September 5, 2023)
 - **ANNX #0095-2023**. Annex & Rezone Property on Main Street, Parcel 000570 008000 from Houston County R-AG to City of Perry R-3, Single Family Residential. The applicant is Bryant Engineering.

Ms. Carson read the applicants' request, along with staff responses. Request is to annex and rezone the parcel into the City of Perry. It will be combined with the properties to the immediate left of the parcel to create a subdivision. The lot is proposed to be zoned R-3, Single-family Residential.

Chairman Edwards opened the public hearing at 6:09pm and called for anyone in favor of the request. The applicant, Mr. Chad Bryant advised the parcel is adjacent to currently zoned residential and commercial parcels in the City of Perry. There will be no access from Main

Street. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:11pm.

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

- **RZNE #0096-2023.** Rezone Property on Keith Drive & Main Street, Parcels oPo4403D000, oPo4400 10000, and oPo440 06000 from R-1 & R-2 to R-3, Single Family Residential. The applicant is Bryant Engineering.

Ms. Carson read the applicants' request, along with staff responses to rezone three parcels from R-1, Single-Family Residential to R-3, Single-Family Residential and #oPo440 03D000 (6.16 Acres) Keith Drive, #oPo440 010000 (46.70 Acres) Main Street; #oPo440 006000 (1.42 Acres) 1911 Main Street. Ms. Carson noted the properties are currently used for conservation purposes, housing a pecan grove and a vacant single-family residence. The parcels are expected to be converted into a housing development and the applicant is seeking the R-3 designation to allow for more density in the new development.

Chairman Edwards opened the public hearing at 6:15pm and called for anyone in favor of the request.

Mr. Chad Bryant, the applicant, advised access to the overall tract would be from Keith Drive, it is the intention to combine these parcels, with the annexation request. There would be no access from Main Street and the development would consist of single-family residences. Drainage would be to the current pond on the property which will be expanded and maintained, and stormwater will be under pre-developed conditions. He noted water and sewer are available and the builder would be Mr. Wes Williams.

There being no further comment; Chairman Edwards called for anyone opposed.

Ms. RitaMarie Arzillo – 1616 Main Street concerned with traffic on Main Street and Keith Drive the proposed development cannot handle additional traffic. As well, there are currently drainage issues at that same intersection.

Dr. Lewis Shelton – 1607 Main Street – concerned with traffic at the intersection as it is dangerous and he has personally witnessed fatalities.

Dr. Dave Wolf – 1020 Keith Drive – concerned with traffic, Keith Drive is not a residential street. How many trees will be conserved and the setbacks of the homes to the businesses, and there needs to be a traffic light at the intersection. Also noted the four way stop at the intersection of Keith Drive and Kings Chapel Road is also not capable of handling the increase in traffic.

Kecia Isgett – 194 Main Street – concerned with stormwater, her yard floods after heavy storms. Does not understand the R-3 classification and why the property cannot be developed at the current zoning. Also felt the parcels fronting Main Street will be for future commercial development.

Kollyn Lawson – 1812 Ross Street – the intersection is bad with constant traffic and the addition of high-density houses will add to the problem and will not match the surrounding area and the trees will be destroyed. Felt the burdens outweighed the benefits of the community.

Foster Rhodes – 1900 Main Street – concerned with water drainage and inquired on how many lots were proposed. City Police patrol the area, but traffic is an issue, and the area cannot handle more.

Amy Faus – 1410 Elizabeth Avenue – feels a stormwater study should be done before development. Need to focus our building on families that will stay in the community, not starter homes. Advised she had met with the Mayor last week about the city's growth and he advised there were regulations in place to control.

There being no further comments, the public hearing was closed at 6:34pm.

Chairman Edwards had some questions for the applicant; first how many lots; Mr. Williams advised a preliminary plan calculated 206, however, that will be reduced as a retention pond will have to be developed. Chairman Edwards asked if any thought had been given to developing as currently zoned. Mr. Williams advised since COVID, construction costs have risen 40%, the cheapest homes he currently builds in Legacy Park, which this development will be similar to are \$285,000, and he anticipates these to be the same or \$300,000 and the request is to build on smaller lots under R-3. Mr. Williams advised he has been in Perry for 26 years and intends to build a nice product for the area. In response to the lot size, they are approximately 70 wide by 130 deep and those abutting Keith Drive will have the rear of the homes face the street.

Commissioner Mehserle inquired of Mr. Bryant was access from Main Street being purposely avoided; he advised yes to limit the "dumping" of traffic so it would be a 50/50 split; another access could possibly be created on Main Street with further separation. Mr. Bryant advised stormwater development is pre and post development and ten percent of the study completed and advised it will be investigated as a way to mitigate. Mr. Bryant stressed that what is done on site with stormwater cannot make more of a problem of what exists.

Commissioner Moody inquired of staff how the use of the road and the process for analysis is done. Mr. Wood advised when streets are reviewed, they are categorized as arterial, collector, minor arterial, and state routes and in this case the streets in question can accommodate more than what is allowed. Mr. Wood advised his staff is not aware of the safety concerns mentioned, information for that would come from the police department. Major congestion on a consistent basis and other mitigating factors would have to be reviewed for changes.

Chairman Edwards voiced concern, not as it relates to stormwater, which he is confident will not be made worse, but the intersection of Main Street and Keith Drive and asked Mr. Wood if the City has or will consider a traffic light; Mr. Wood advised Police and Public Works would have to present to Council for consideration. Commissioner Butler inquired if any of the stormwater issues had been brought to the city's attention; Ms. Arzillo advised she has. Commissioner Moody expressed concern with the stormwater and traffic. Commissioner Jefferson felt the property should remain as zoned for development. Commissioner Mehserle voiced concerns

with the traffic increase and the dangers of the Main Street and Keith Drive intersection and felt a traffic study with some assurances moving forward could make the intersection safer.

Mr. Wood advised the Commission did not have to make a decision this evening but could postpone for any additional information it may request. Mr. Bryant advised if the current zoning was utilized nothing would be solved, as 150 homes could be built and would not like to see the case postponed. Commissioner Mehserle felt a traffic study should be commissioned and allow the developer to acquire before a decision is made and tabling allows them to do so. Commissioner Jefferson asked if the neighbors had been contacted to inquire on what they would like to have in the area. Commissioner Ross concurred with Commissioner Mehserle.

Commissioner Moody motioned to recommend denial of the application as submitted to Mayor and Council; Commissioner Butler seconded; resulting vote was 5-2 for denial with Commissioners Mehserle and Ross opposed so the applicant had time to evaluate their options.

9. Other Business – None
10. Commission questions or comments- None
11. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 7:18pm.

DRAFT

Planning Commission Work Session
Minutes - August 28, 2023

1. Call to Order: Chairman Edwards called the meeting to order at 5:30pm.
2. Roll Call: Chairman Edwards; Commissioners Butler, Ross, Moody, and Jefferson were present. Commissioner Mehserle was absent.

Staff: Bryan Wood – Community Development Director, Emily Carson – Community Planner, Chad McMurrian – Engineering Services Manager, and Christine Sewell – Recording Clerk

3. Citizens with Input – None
4. Capital Improvement Projects Update

Mr. McMurrian provided updates on Perry Branch, Jack Links storage tank, new sewer extension on Perry Parkway, status of new wastewater plant.

5. New Business

- Development sureties – Section 2-3.16, Maintenance Warranty, and Section 2-3.17, Performance Guarantee

Mr. Wood advised last September the City adopted an amendment updating development sureties (maintenance and performance) to address issues related to developers' failure to dedicate certain infrastructure in a timely manner. We had push-back on these requirements upon implementation. Council suspended enforcement until staff could evaluate and provide recommendations. The current maintenance surety amounts to 33% of the construction costs of the infrastructure improvements to be dedicated to the City. The maintenance period is 24 months. The maintenance period extends an additional 24 months for a phase of the development which is used to access additional phases. Maintenance surety must be in the form of a letter of credit.

Research findings:

- Maintenance surety amount: Outside the Atlanta metro area, most local governments in Georgia require the maintenance surety to be 10% of the construction costs. Some communities require 25% if the plans include bridges, box culverts, or pipes larger than 48" in diameter.
- Maintenance time period: Maintenance periods range from one year to three years. Some communities extend surety for roads used to access additional phases.
- Performance guarantee: Performance guarantees are typically 110% of the anticipated cost of construction. Some communities require 125% if the plans include bridges, box culverts, or pipes larger than 48" in diameter.
- Performance guarantee for stormwater ponds: One community requires a 110% performance guarantee for construction of the stormwater ponds in a development.
- Form of surety: Maintenance and performance sureties may be in the form of a bond or letter of

credit.

Staff recommendations:

- Maintenance surety amount: 10% of construction costs; 25% with bridges, box culverts, or pipes exceeding 48" diameter. Develop a spread sheet of construction elements and unit costs to be completed by the design engineer; city consultant to review.
- Maintenance period: 18 months. Extend maintenance surety for roads only when used to access additional phases of a development.
- Performance guarantee: 110%.
- Require 110% performance guarantee for stormwater ponds to be collected prior to issuing land disturbance permit.
- Accept bonds and letters of credit for maintenance surety (already allowed for performance guarantee).

The Commission discussed and concurred with staff recommendations.

- Sidewalks, street trees, and parks in subdivisions

Mr. Wood advised Administration has been discussing the requirements of sidewalks, the way the ordinance states now and is interpreted by him is that they are required on both sides of the street. Mr. Wood stated in residential areas it's 4ft and commercial 5ft on both sides. Also, should a developer place a sidewalk on the front of a city street; some areas in the city the topography does not make feasible. Concurrence was for both sides of the street.

Mr. Wood advised the current city policy is for them to purchase lot and put in a park, however, this has proved costly, and should the city require developers to allot park space, but who should provide the equipment and when completed the city would maintain. Mr. Wood asked the Commission to think over and provide what they might like to be done at a future meeting.

6. Other Business – None

7. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 6:33pm.



Where Georgia comes together.

STAFF REPORT

September 7, 2023

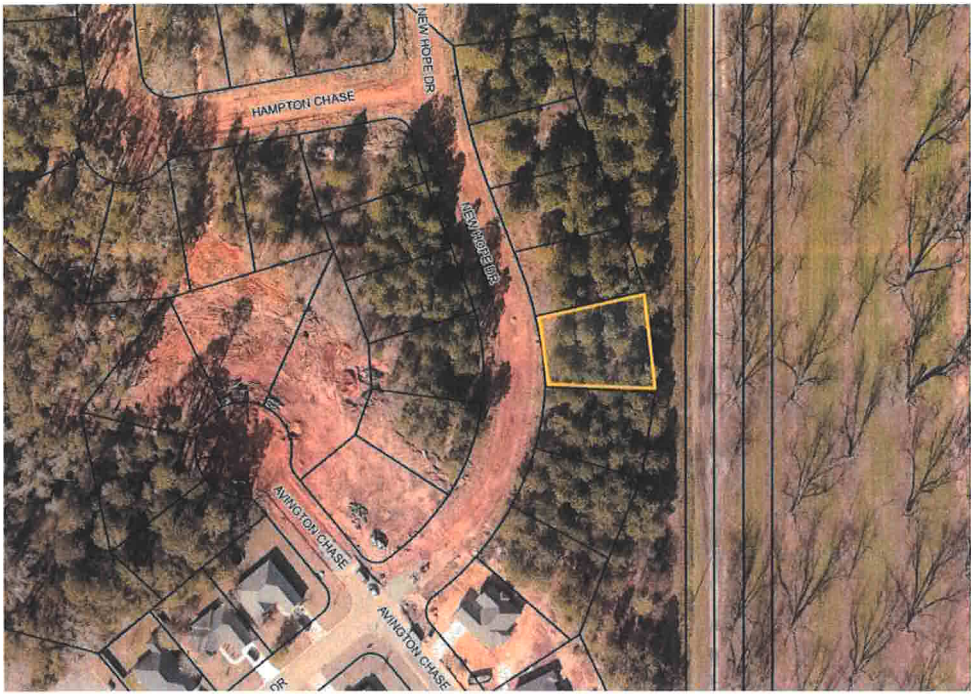
CASE NUMBER: PLAT-0110-2023
APPLICANT: Masterpiece Construction
REQUEST: Preliminary Plat – Avington Glenn
LOCATION: 408 New Hope Drive; Tax Map No.: portion of 0P0490 036000
ADJACENT ZONING/LANDUSES:

	Zoning Classification	Land Uses
North	R-2, Single-family Residential	Single-family residential
South	R-2	Single-family residential
East	R-2	Open space
West	R-2	Single-family residential

STAFF COMMENTS: The Avington Glenn subdivision received preliminary plat approval as a cluster subdivision in 2006. (Cluster subdivision provisions were later replaced with Conservation subdivisions, which have since been removed from the LMO.) The preliminary plat included space for a “future access” in case Gurr Road was ever extended. The current subdivision has the required two means of access on Kings Chapel Road.

The applicant proposes to use the “future access” space to create one additional lot in the subdivision. The proposed lot, shown as Lot D-1A on the proposed plat, will increase the total number of lots in Avington Glenn to 250. According to the minutes of the Planning Commission meeting at which the original preliminary plat was approved, the cluster subdivision required 10 acres of open space, but 24 acres of open space was provided.

STAFF RECOMMENDATION: Since the “future access” is not required and the open space for a cluster subdivision will not be reduced below what was originally required, staff recommends approval of the proposed preliminary plat.



PLAT-0110-2023

408 New Hope Drive

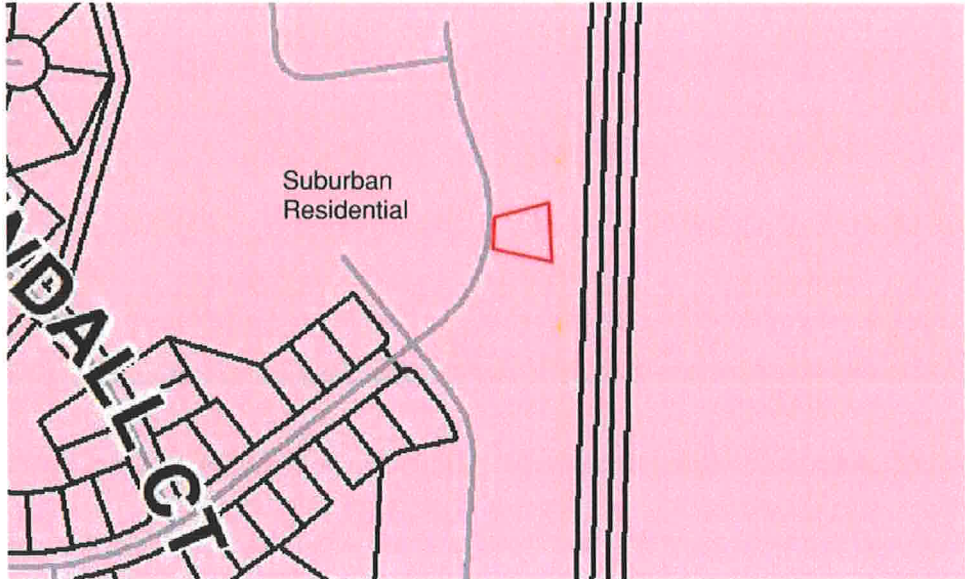
Preliminary Plat for One Lot

Aerial



RAG
(County)

Zoning



Character Area

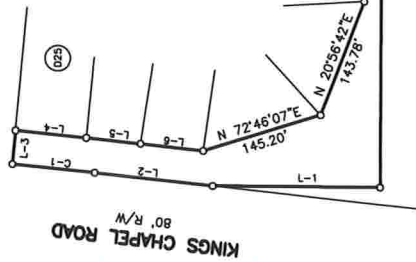
JONES SURVEYING & ENGINEERING
DO NOT GUARANTEE THAT ALL
NECESSARY PERMITS AND APPROVALS
FOR THIS PROPERTY ARE SHOWN



REFERENCE
1. PLAT BOOK 81 - PAGE 176
2. PLAT BOOK 83 - PAGE 320

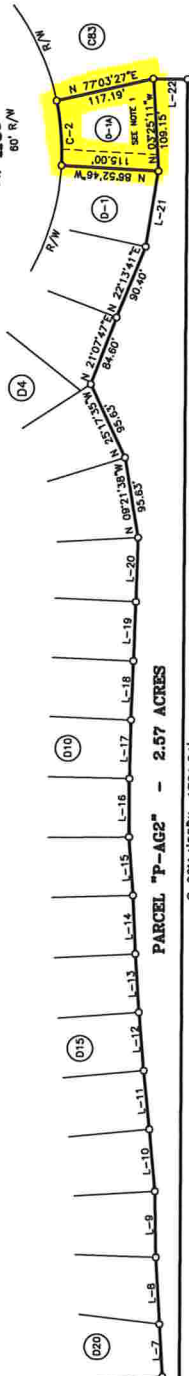
CLERK'S USE ONLY

KARLEN DRIVE
60' R/W



KINGS CHAPEL ROAD
80' R/W

AVINGTON GLENN S/D



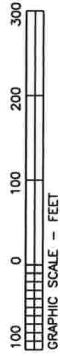
PARCEL "P-AG2" - 2.57 ACRES

S 00°14'28"W 1751.54'

F U G G E R

CURVE	RADIUS	LENGTH	CHL BEARING
C-1	5777.50'	97.40'	N84°18'14"W
C-2	286.46'	76.89'	N04°24'32"W

COURSE	BEARING	DISTANCE
L-1	N 88°45'59"W	188.08'
L-2	N 83°49'14"W	140.29'
L-3	S 84°22'37"E	83.80'
L-4	S 83°54'26"E	64.70'
L-5	N 03°10'05"W	62.10'
L-6	N 03°11'28"W	79.04'
L-7	N 05°09'41"W	77.88'
L-8	N 05°40'48"W	68.73'
L-9	N 04°53'03"W	68.89'
L-10	N 02°20'30"W	68.12'
L-11	N 02°20'30"W	68.12'
L-12	N 01°28'31"E	68.12'
L-13	N 01°28'31"E	68.12'
L-14	N 02°16'37"E	68.12'
L-15	N 02°17'21"E	70.00'
L-16	N 02°17'21"E	70.00'
L-17	N 09°29'23"E	80.40'
L-18	N 09°29'23"E	80.40'
L-19	S 88°45'59"W	40.58'



REVISED 7/6/23 TO SHOW 10549SF LOT "D-1A"
WITH A 20' ACCESS & DRAIN/UTILITY EASE.

PLAT FOR



THE CITY OF PERRY

LAND LOT 143
HOUSTON COUNTY, GEORGIA
SCALE 1"=100'
PERRY, APRIL 24, 2023

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

PLAT NUMBER = L-2587

CERTIFICATION
AS REQUIRED BY SUBSECTION (G) OF O.C.G.A. SECTION 15-16-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDATION. THE SURVEYOR HAS REVIEWED ALL NECESSARY PERMITS AND APPROVALS, SIGNATURES, STAMPS, OR STATEMENTS HEREON SUCH AS APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE SURVEYOR HAS REVIEWED ALL NECESSARY PERMITS AND APPROVALS WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-2-67.



VICINITY MAP
1" = 1 MILE

PROPERTY OWNER / DEVELOPER
 RV DEVELOPMENTS LLC
 2106 HIGHWAY 247 CONNECTOR
 ATHENS, GA 30606-4578
 CONTACT: MR. DANNY ROSALES

LAND LOT DISTRICT
 LAND LOT 141
 10TH DISTRICT
 HOUSTON COUNTY, GA

FLOOD ZONE INFORMATION
 PER FEMA FLOOD MAP, PANEL L15 OF 275
 THIS PROJECT DOES NOT LIE WITHIN A FLOODPLAIN
 PANEL NUMBER: 110247 0115
 EFFECTIVE DATE: JUNE 4, 1990

* IN THAT ALL THE REQUIREMENTS OF PRELIMINARY APPROVAL HAVING BEEN FULFILLED, THIS SUBDIVISION PLAT WAS GIVEN FULL FORCE AND EFFECT ON THE DATE OF RECORDATION. SUCH APPROVAL DOES NOT CONSTITUTE APPROVAL OF THE FINAL PLAT. THIS CERTIFICATE OF PRELIMINARY APPROVAL SHALL EXPIRE AND BE NULL AND VOID ON March 27, 2007.

DATE	3/29/06	M-HAB-C	PLANNING DIRECTOR COMMUNITY DEVELOPMENT
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NO	TOP	DATA	INV
1	323.1		312.7
2	320.7		312.4
3	320.0		311.7
4	319.0		310.6
5	318.5		310.2
6	316.7		309.1

NO	TOP	DATA	INV
1	323.1		312.7
2	320.7		312.4
3	320.0		311.7
4	319.0		310.6
5	318.5		310.2
6	316.7		309.1

SITE DATA
 CURRENT ZONING R-2
 REQUEST CLUSTER DEVELOPMENT OPTION
 TOTAL AREA = 96.01 AC
 CONSERVATION AREA / OPEN SPACE = 24.09 AC
 249 LOTS
 DENSITY = 2.59
 STREET = 10.234 FT
 PARCEL 83-22 & 83-22A

SITE REQUIREMENTS
 8,000 S.F. MIN. LOT SIZE
 MINIMUM WIDTH AT BUILDING LINE = 70 FT.
 MINIMUM FRONT YARD SETBACK = 15'
 MINIMUM SIDE YARD SETBACK = 0'
 MINIMUM R/W WIDTH = 50/60 FT.
 CUL-DE-SAC RADIUS TO R/W = 50'
 CUL-DE-SAC RADIUS TO BACK OF CURB = 40'
 ROADWAY WIDTH BC TO BC = 27'



"NOT FOR FINAL RECORDING"

Ocmulgee
 CITY PLANNING • COUNTERS • CONSULTANTS • PLANNERS
 213 West Park Drive
 Perry, Georgia 31069
 office (478) 224-7070
 fax (478) 224-7072

PRELIMINARY PLAT FOR:
AVINGTON GLENN

NO.	DATE	REVISION	COUNTY:	HOUSTON
			DISTRICT:	10TH
			LAND LOT:	143
			DATE:	03/23/06
			SCALE:	1" = 200'
			JOB NO.	05023

3/27/2006 PC Minutes

There were no other comments in opposition. Comments from the floor were then closed. Commissioner King motioned to deny the request for R3 zoning and give a favorable recommendation to Mayor and City Council for approval of R2 zoning with the condition of developing this development with single-family dwellings only. The motion failed for lack of a second. Commissioner Barker motioned to deny the request for R3 zoning and give a favorable recommendation to Mayor and City Council for approval of R1 zoning. Commissioner Cosey seconded the motion. The motion carried with a vote of three in favor and one opposed. Commissioners' Barker, Cosey, and Sanders voted in favor. Commissioner King voted in opposition.

8. New Business: Listed on the Agenda as Item Number 9

- 1) Approved Preliminary Plat – Avington Glenn Subdivision, Kings Chapel Road - RV Developments, LLC, Mr. Danny Rosales: Mr. Beecham presented the preliminary plat for Avington Glenn Subdivision located off Kings Chapel Road. This subdivision is a cluster development which consists of 96.01 acres with 249 lots. Ocmulgee Engineers added the second entrance off of Kings Chapel Road and left a future access road on the east side if Gurr Road is ever extended.
- Chairman Beeland asked if the recreation wet detention pond, is it a natural pond.
- Mr. Chad Bryant with Ocmulgee Engineers stated it's a natural ravine which will be damned, with a pump added for the purpose of having the pond remain a wet pond.
- Chairman Beeland how large is the subdivision and what is the required amount of greenspace?
- Mr. Bryant stated the requirement is 10 acres but, we have provided 24 acres of greenspace to this subdivision.
- Mr. Beecham The engineers removed the tennis court because we have asked them to put in a neighborhood park. The pond will be slightly smaller and with the changes in the roads, consequently added a few more lots. The two entrances off Kings Chapel are 400 feet apart. The lots abutting Kings Chapel Road will have a 40 foot greenspace buffer instead of the required 20', anticipating the probability of the future widening of Kings Chapel Road.
- Commissioner King motioned to approve the Preliminary Plat for Avington Glenn Subdivision. Commissioner Cosey seconded the motion. The motion carried unanimously.

9. Old Business: Listed on the Agenda as Item Number 8

- 1) Recommendation of Approval - Amendment to the PLDO – Section 83.6 – Neighborhood Commercial Corridor District and Section 83.3 – Parkway Corridor District: Chairman Beeland presented the review for an amendment to the PLDO, Section 83.6 – Neighborhood Commercial Corridor District & Section 83.3 – Parkway Corridor District. Michael Beecham informed the Commission that the changes that were discussed at the last meeting for Section 83.6 – Neighborhood Commercial Corridor District & Section 83.3 – Parkway Corridor District have been made. I have underlined the new language, and the old language has a strikethrough. After a brief discussion, Commissioner Cosey motioned to give a favorable recommendation to Mayor and City Council for approval. Commissioner Sanders seconded the motion. The motion carried unanimously.

Addendum to the Agenda

Michael Beecham discussed the pros and cons of cul-de-sac roads with the Commission. The city's current cul-de-sac regulations were also discussed.

Commissioner Barker stated I have voiced at a previous time my concerns about this when two cul-de-sacs abut each other. In my opinion when this happens to two streets should be adjoining.

Mr. Beecham new language could address that particular issue.

Commissioner Sanders are cul-de-sacs generated for the necessity of privacy, traffic issues, or are



STAFF REPORT

From the Department of Community Development
September 6, 2023

CASE NUMBER: VAR-0100-2023
APPLICANT: Wingate Custom Homes, Dylan Wingate
REQUEST: Variance to reduce the front yard setback from 25' to 20'
LOCATION: 1117 Cottage Lane; Parcel No. 0P0790 016000

SECTION OF ORDINANCE BEING VARIED: Section 2-3.3. G.2 (e) The commission will establish setback requirements for all structures.

BACKGROUND: The applicant requests a variance to reduce the front yard setback from 25 feet to 20 feet. The request is due to the desire to fit the proposed, larger home on the parcel more comfortably.

STANDARDS NECESSARY FOR A VARIANCE:

1. *Because of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to the subject property, does the strict application of the regulations result in unusual or impractical difficulties or exceptional or undue hardship upon the property owner?*

The parcel has a narrower entry point along Cottage Lane and widens as it backs up to Houston Lake Road, creating an irregular shape. However, it is still enough room to fit a reasonably-sized dwelling unit, and the shape of the parcel is similar to that of others in the cul de sac. The applicant has not shown enough proof of an undue hardship for this variance request.

2. *Is the variance the minimum relief reasonably necessary to overcome the aforesaid exceptional conditions?*

The applicant states that the variance is the minimum relief necessary to accommodate a home on the property.

3. *Can the variance be granted without substantial impairment to the intent, purpose, and integrity of the ordinance or comprehensive plan?*

The intent and purpose of the Land Management Ordinance is to "Provide for adequate light, air, and open space" and to "Prevent the overcrowding of land..." Granting the variance would compromise the integrity of the Land Management Ordinance. The current setback requirements allow for plenty of room for a house and on-site parking for residents. The variance creates space for a larger home potentially contributing to overcrowding within the neighborhood.

4. *Will granting the variance be detrimental to the use and enjoyment of adjoining or neighboring properties?*

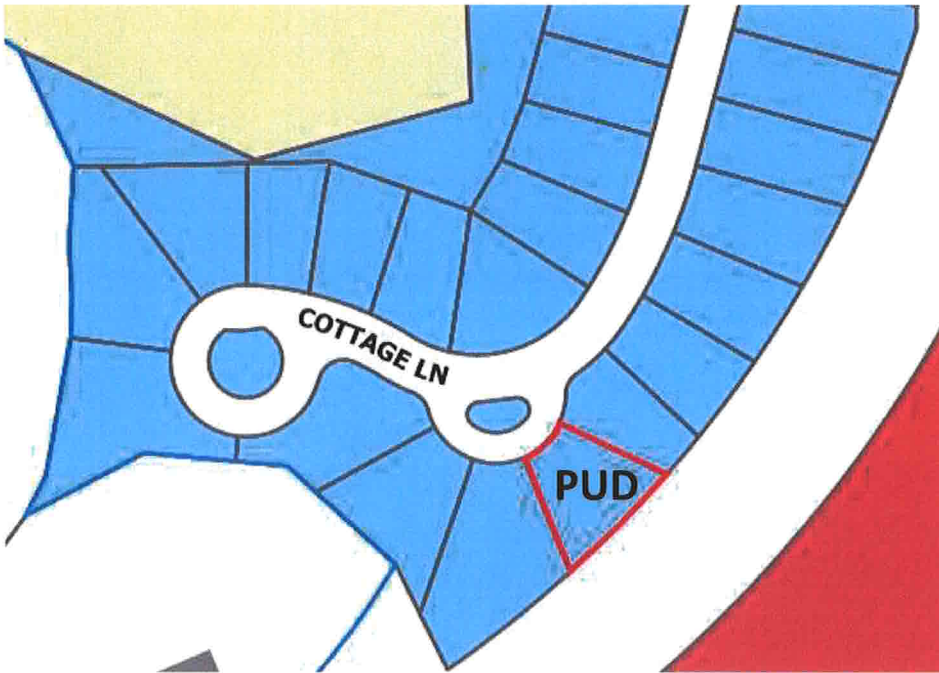
Granting the variance for the subject property would not be detrimental to the use and enjoyment of nearby properties since the front setback change is minimal.

STAFF CONCLUSIONS: Based on the analysis above and the site plan presented by the applicant, Staff recommends denial of the variance request as the applicant has not demonstrated that the setback standards create unusual or impractical difficulties or exceptional or undue hardship.

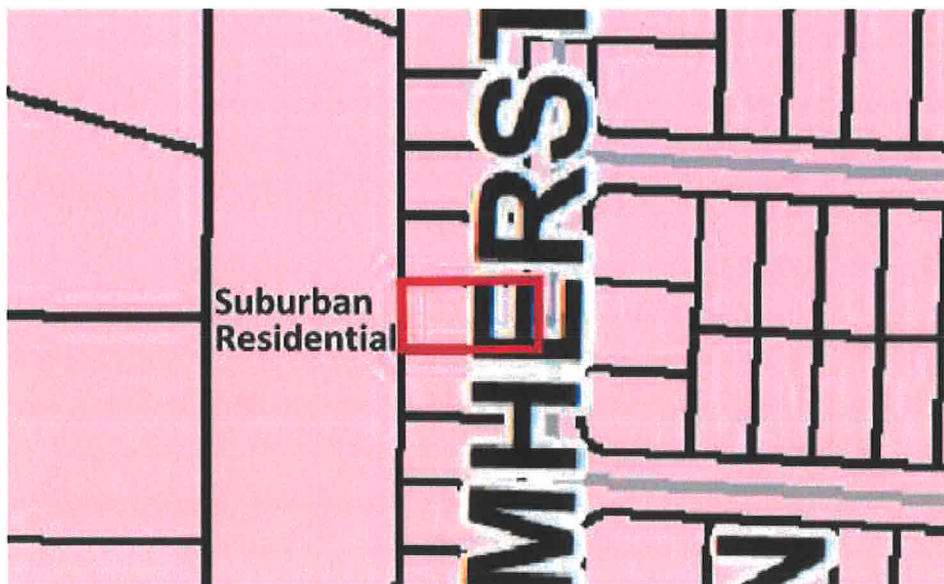


VAR-0100-2023
1117 Cottage Lane
Variance to Reduce Front
Setback

Aerial



Zoning



Character Area



Where Georgia comes together.

Application # VAR # 0100-2023

Application for Variance

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Dylan Wingate	Dylan Wingate
*Title	Vice President	same
*Address	817 GA Hwy 247 S, Unit 10, Kathleen, GA, 31047	↓
*Phone	478 322-1025	
*Email	Dylan.w@wchhome.com	

Property Information

*Street Address	1117 Cottage Lane, Perry, GA 31069	Lot 16
*Tax Map #(s)	DP0790 006600	*Zoning Designation R3

Request

*Please describe the proposed variance: (i.e. Reduce the rear setback from 25 feet to 20 feet)
 WCH Homes is proposing to reduce the front setback from 25 to 20 feet.

Instructions

- The application must be received by the Community Development Office no later than the date reflected on the attached schedule.
- Fee:**
 - Owner-occupied single family residential – \$153.00
 - All others - \$306.00
 - All others (post construction) - \$612.00
- *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 2-3.7 of the Land Management Ordinance for more information. You may include additional pages when addressing the standards.
- *Submit plans, drawings, photographs or other documentation which helps fully describe your request.
- 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.
- Variance applications require a public hearing before the planning commission. Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled hearing date.
- *The applicant must be present at the hearing to present the application and answer questions that may arise.
- 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.

*Applicant	Dylan Wingate	*Date	
*Property Owner/Authorized Agent		*Date	7/24/23

Standards for Granting a Variance

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 proposed variance?

- (1) By reason of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to a specific parcel of property, the strict application of these regulations would result in peculiar or unusual, practical, difficulties to or exceptional or undue hardship upon the owner of such property;
- (2) Such variance is the minimum reasonably necessary to overcome the aforesaid exceptional conditions;
- (3) Such variance can be granted without substantial impairment to the intent, purpose, and integrity of this chapter and/or the comprehensive plan or other master plan adopted for the property;
- (4) Such variance will not be detrimental to the use and enjoyment of adjoining or neighboring properties.

Notes:

A variance cannot be granted:

- To reduce a setback of a commercial/industrial property abutting a residentially-zoned property, unless the abutting residentially-zoned property is proposed for commercial or industrial use in the Comprehensive Plan;
- To allow a use not permitted or prohibited in a zoning district;
- To allow a density of development beyond the maximum allowed in a zoning district.

If the hardship invoking the standards for granting a variance was the result of the applicant's intentional disregard or willful failure to comply with the terms of the Land Management Ordinance, the Planning Commission may refuse to grant a variance.

Revised 12/21/22



817 GA-247, Unit 10 • Kathleen, GA 31047 • 478-322-0028 • www.wchhome.com

1. For the subject property, we would like to request the front of the lot to be pushed up from 25ft to 20ft so the home can fit comfortably on the lot without issues.
2. The variance we are requesting is only 5 feet and we believe it is reasonably necessary to overcome an exception
3. The variance can be granted without substantial impairment to the intent of this home. The purpose is for this home to be a single-family dwelling to the resident that will purchase the home and will not hurt the integrity, the comprehensive plan, nor the master plan for this property
4. The variance will not be detrimental to the use of enjoyment and joining in neighboring properties it will only be used to move the home 5 feet to create an adequate site for the single-family dwelling.

Thanks,

WCH Homes, Inc.

LOT 16 HOUSTON COTTAGES
1117 COTTAGE LANE
PERRY, GA



BUILDER INFO:
Wingate Custom Homes
817, GA-247 Unit 10
Kathleen, GA 31047, PHO...
WWW.WINGATECUSTOMH...

DRAWINGS PROVIDED BY
REDLAND HOME DESIGN
WWW.REDLANDHOMEDSIGN.COM

SHEET

COVER



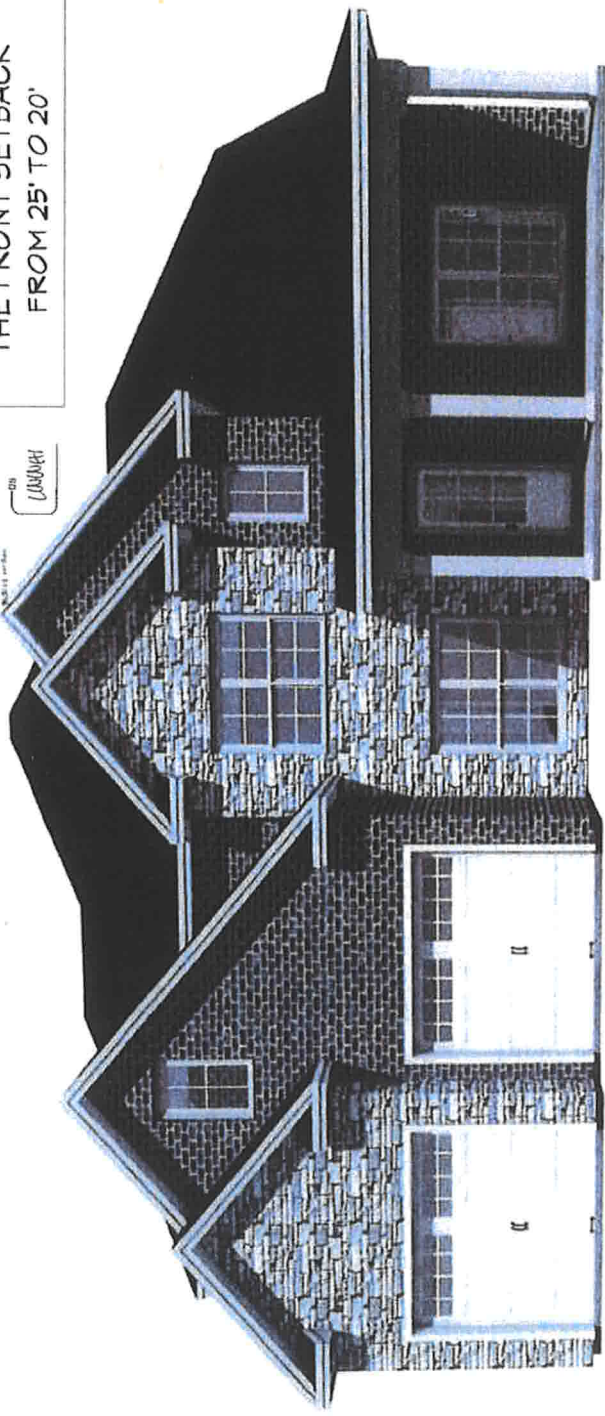
THE
LAND

THIS HOUSE WILL REQUIRE
A VARIANCE CHANGING
THE FRONT SETBACK
FROM 25' TO 20'



EXHIBIT "K"

OR
LAUNDRY



LOT 16 HOUSTON LAKE COTTAGES 1117 COTTAGE LANE PERRY, GA

LOT 16 HOUSTON COTTAGES
1117 COTTAGE LANE
PERRAY, GA



BUILDER INFO:
Wingate Custom Homes
817, GA-247 Unit 10
Kathleen, GA 31047, PHO
WWW.WINGATECUSTOMH

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SHEET:

BEAM CALCULATIONS

GARAGE OPENINGS (2) 2-2X12X10'

8X10 = 80SF X30, LOAD = 2400 DIVIDED BY 10 = 240 ACTUAL LOAD
8' SPAN IS HALF, AVAILABLE LOAD IS 380

GARAGE CENTER

5.5" X 16" X 23' LAM BEAM
1.3 X 23 = 299SF X30, LOAD = 8970 DIVIDED BY 23 = 390 ACTUAL LOAD
13' SPAN IS HALF, AVAILABLE LOAD IS 483

LIVING ROOM / KITCHEN

3.5" X 14" X 10' LAM BEAM
1.0 X 23 = 220SF X30, LOAD = 6600 DIVIDED BY 22 = 300 ACTUAL LOAD
10' SPAN IS HALF, AVAILABLE LOAD IS 536

LIVING ROOM CENTER

3.5" X 16" X 24' LAM BEAM
2.4 X 8 = 192SF X30, LOAD = 5760 DIVIDED BY 24 = 240 ACTUAL LOAD
8' SPAN IS HALF, AVAILABLE LOAD IS 412

ROOF / CEILING LOADS

125% Load Duration

#2 Southern Pine Lumber

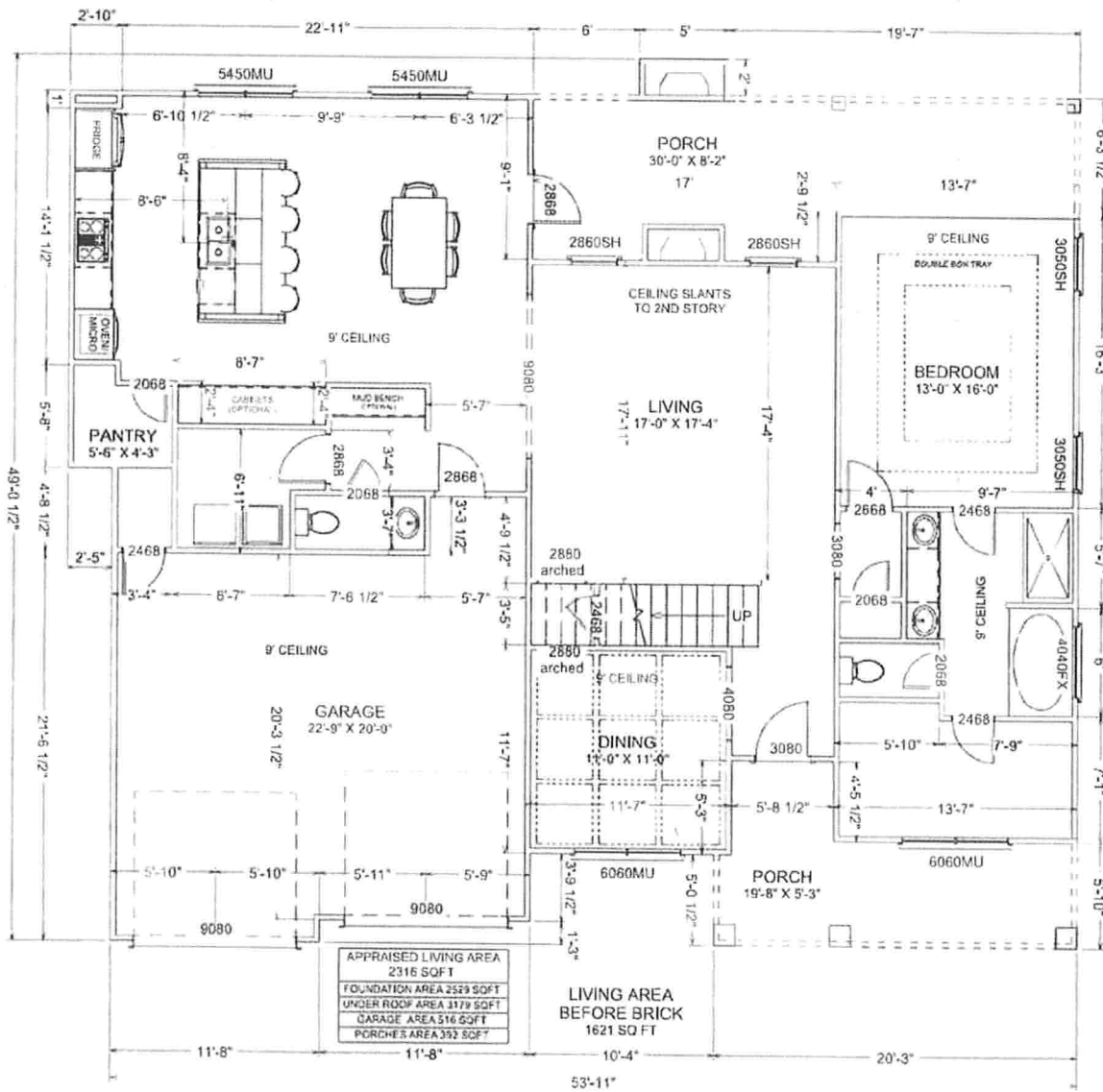
SPAN	1 PLY		2 PLY		3 PLY		4 PLY	
	2 X 6	2 X 8	2 X 10	2 X 12	2 X 6	2 X 8	2 X 10	2 X 12
4'	377	592	812	1087	754	1183	1623	2174
6'	170	271	378	516	340	542	755	1032
8'	96	153	215	298	191	306	429	591
10'	61	98	137	190	121	195	275	380
12'	42	67	95	131	83	135	190	263
14'	29	49	69	98	59	98	138	192
16'	19	37	52	73	38	74	104	145
18'	13	29	41	57	26	57	81	113

ROOF/CEILING GLULAM BEAM

SPAN	3 1/2" Width (DEPTH (IN))				5 1/2" Width (DEPTH (IN))			
	9 1/2	11 1/4	11 7/8	14	16	18	19 1/4	11 7/8
6'	2187	2774	3484	3774	4681	5129	5773	6221
8'	1454	1865	2303	2510	3151	3628	4005	4427
10'	858	1098	1400	1501	1852	2178	2542	2783
12'	643	895	1111	1186	1486	1736	2028	2213
14'	407	541	680	725	900	1039	1181	1281
16'	272	365	458	493	598	698	798	868
18'	189	255	324	343	412	479	545	591
20'	136	181	230	243	293	338	384	412
22'	100	135	175	185	225	261	297	319
24'	75	100	130	138	165	190	220	237
26'	55	75	100	105	128	148	170	182
28'	40	55	75	80	98	114	132	142
30'	30	40	55	60	72	84	98	108
32'	23	30	40	45	54	63	75	81
34'	18	23	30	33	40	48	57	63
36'	14	18	23	25	30	36	43	47
38'	11	14	18	19	23	28	33	36

WCH

125



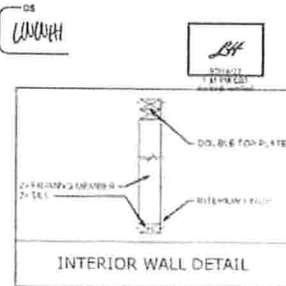
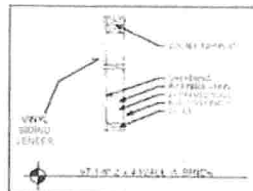
APPROXIMATED LIVING AREA	2316 SQ FT
FOUNDATION AREA	2529 SQ FT
UNDER ROOF AREA	3179 SQ FT
GARAGE AREA	516 SQ FT
PORCHES AREA	352 SQ FT

LIVING AREA BEFORE BRICK
1621 SQ FT

MAIN FLOOR

no scale

IT IS THE SOLE RESPONSIBILITY OF THE PURCHASER AND/OR THE PURCHASER'S CONTRACTOR TO COMPLY WITH ANY BUILDING CODES, ORDINANCES, AND REGULATIONS SET FORTH BY COUNTY, CITY, STATE, OR FEDERAL CODE ENFORCEMENT AGENCY. THE PURCHASER AND/OR THE PURCHASER'S CONTRACTOR OF THIS PLAN EXEMPTS THE OWNER AND THE EMPLOYEES OF REDLAND HOME DESIGN FROM ANY CLAIMS OR LAWSUITS THAT MAY OCCUR DURING THE CONSTRUCTION OF THIS STRUCTURE.

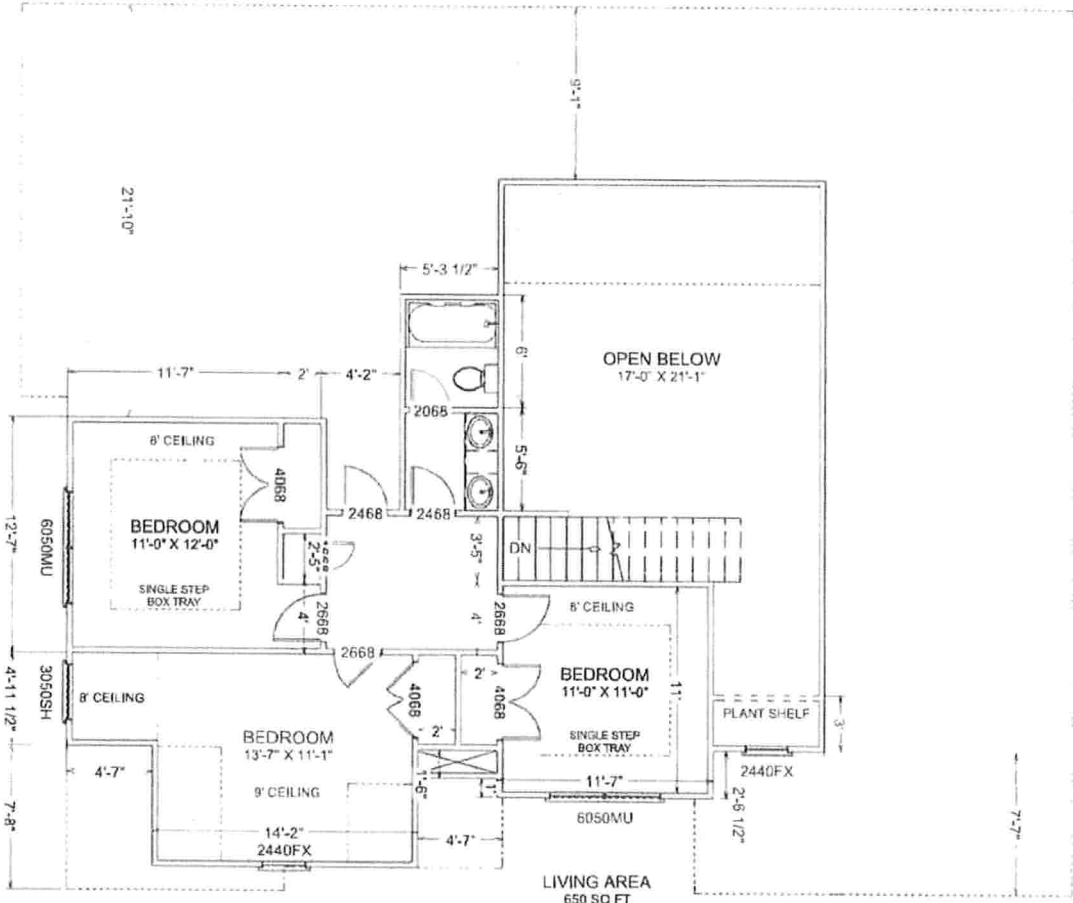


DRAWINGS PROVIDED BY:
REDLAND HOME DESIGN
WWW.REDLANDHOMEDSIGN.COM

BUILDER INFO:
Wingate Custom Homes
817, GA-247 Unit L0
Kathleen, GA 31047, PHONE: 478-322-0028
WWW.WINGATECUSTOMHOMES.COM



LOT 16 HOUSTON COTTAGES
1117 COTTAGE LANE
PERRY, GA



2ND FLOOR

no scale

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SHEET	DRAWINGS PROVIDED BY:	BUILDER INFO: Wingate Custom Homes 817, GA-247 Unit 10 Kathleen, GA 31047, PHONE: 478-322-0028 WWW.WINGATECUSTOMHOMES.COM		LOT 16 HOUSTON COTTAGES 1117 COTTAGE LANE PERRY, GA
	REDLAND HOME DESIGN WWW.REDLANDHOMEDSIGN.COM			

LOT 16 HOUSTON COTTAGES
1117 COTTAGE LANE
PERRY, GA



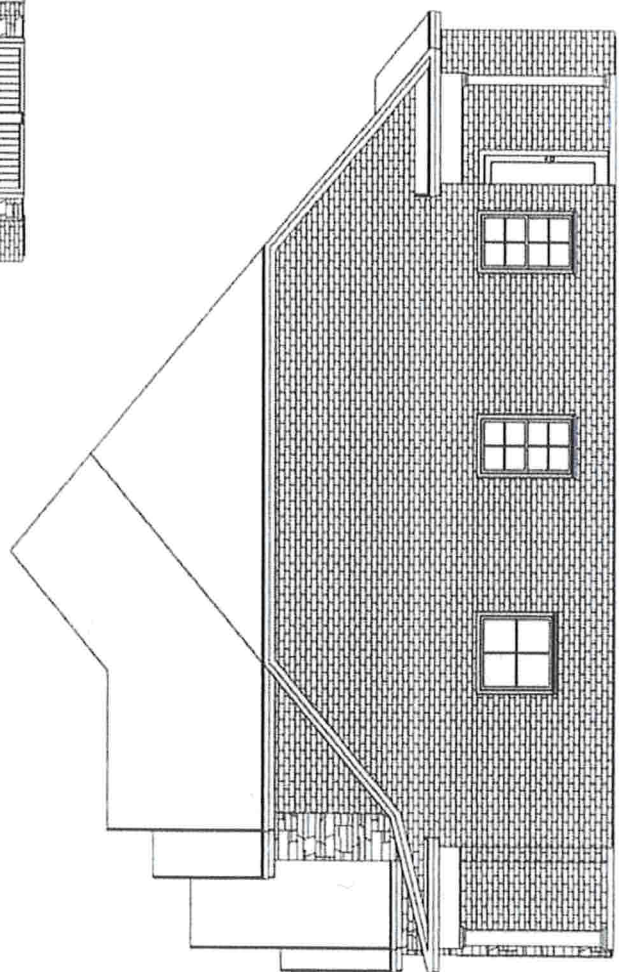
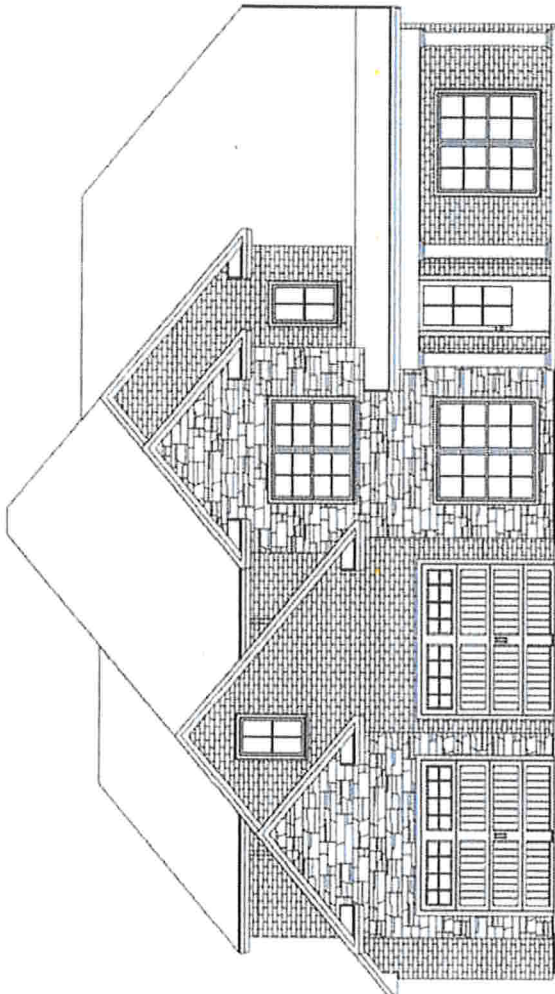
BUILDER INFO:
Wingate Custom Homes
817, GA-247 Unit 10
Kathleen, GA 31047, PHO...
WWW.WINGATECUSTOMH...

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SHEET

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PURCHASER'S CONTRACTOR TO COMPLY WITH ANY BUILDING CODES
OR ZONING AND REGULATIONS SET FORTH BY COUNTY, CITY, STATE
OR FEDERAL CODE ENFORCEMENT AGENCY.
THE PURCHASER AND/OR THE PURCHASER'S CONTRACTOR OF THIS PLAN
EXEMPTS THE OWNER AND THE EMPLOYEES OF REDLAND HOME DESIGN
FROM ANY CLAIMS OR LAWSUITS THAT MAY OCCUR DURING THE
CONSTRUCTION OF THIS STRUCTURE.



EXTERIORS
NO SCALE

LOT 15 HOUSTON COTTAGES
117 COTTAGE LANE
PERRY, GA



BUILDER INFO:
Wingate Custom Homes
817, GA-247 Unit 10
Kathleen, GA 31047, PHO...
WWW.WINGATECUSTOMH...

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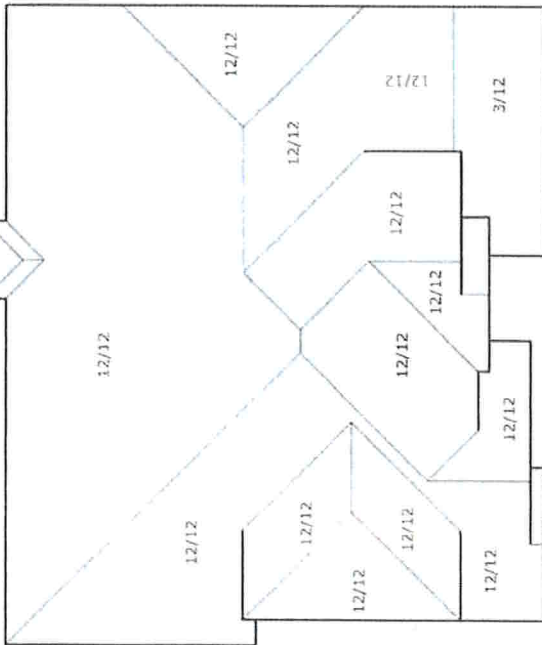
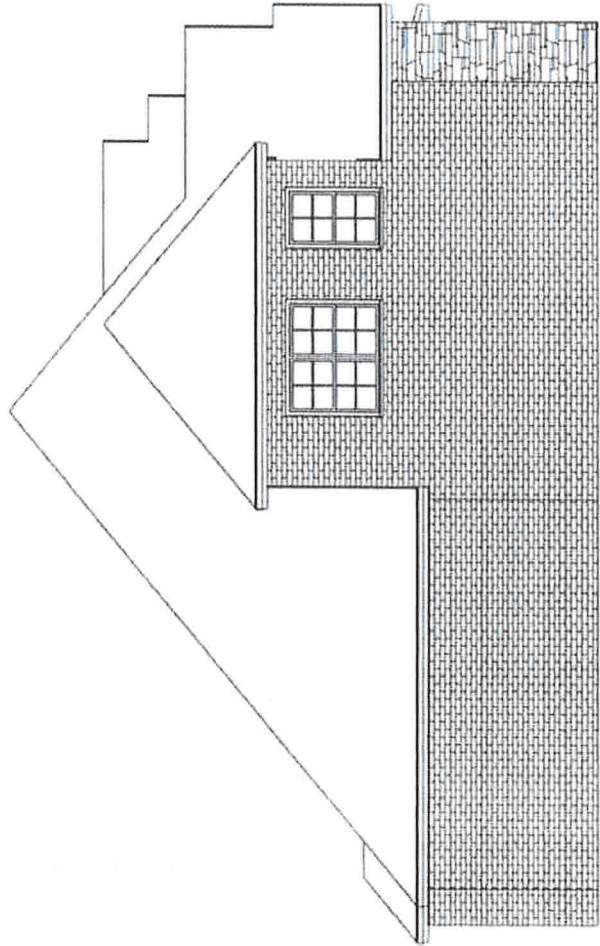
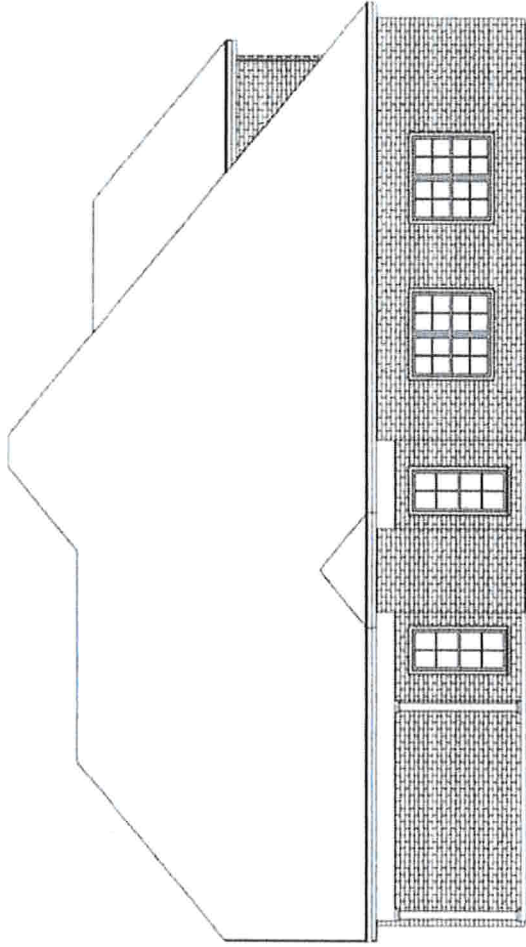
1:12=1'

IT IS THE SOLE RESPONSIBILITY OF THE PURCHASER AND/OR THE
PURCHASER'S CONTRACTOR TO COMPLY WITH ANY BUILDING CODES
OR FEDERAL CODE ENFORCEMENT AGENCY.
THE PURCHASER AND/OR THE PURCHASER'S CONTRACTOR OF THIS PLAN
EXEMPTS THE OWNER AND THE ENGINEER OF REDLAND HOME DESIGN
FROM ANY CLAIMS OR LAWSUITS THAT MAY OCCUR DURING THE
CONSTRUCTION OF THIS STRUCTURE.



EXTERIORS

NO SCALE



DocuSign Envelope ID: F6611095-9A3E-4DFC-67D4-5F8B821D5872

LOT 16 HOUSTON COTTAGES
1117 COTTAGE LANE
PERRY, GA



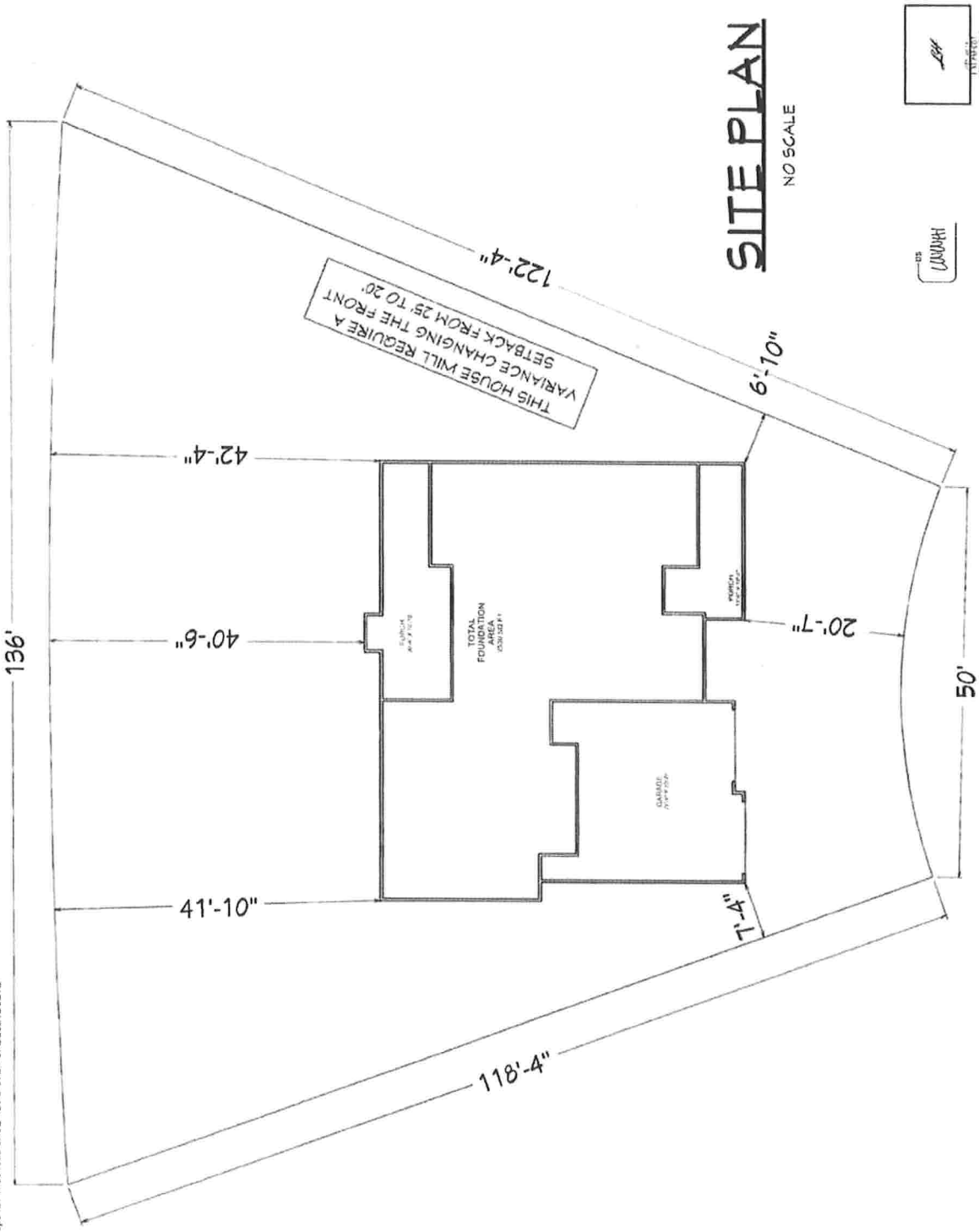
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Wingate Custom Homes
817, GA-247 Unit 10
Kathleen, GA 31047, PHO: 770-333-8833
WWW.WINGATECUSTOMH

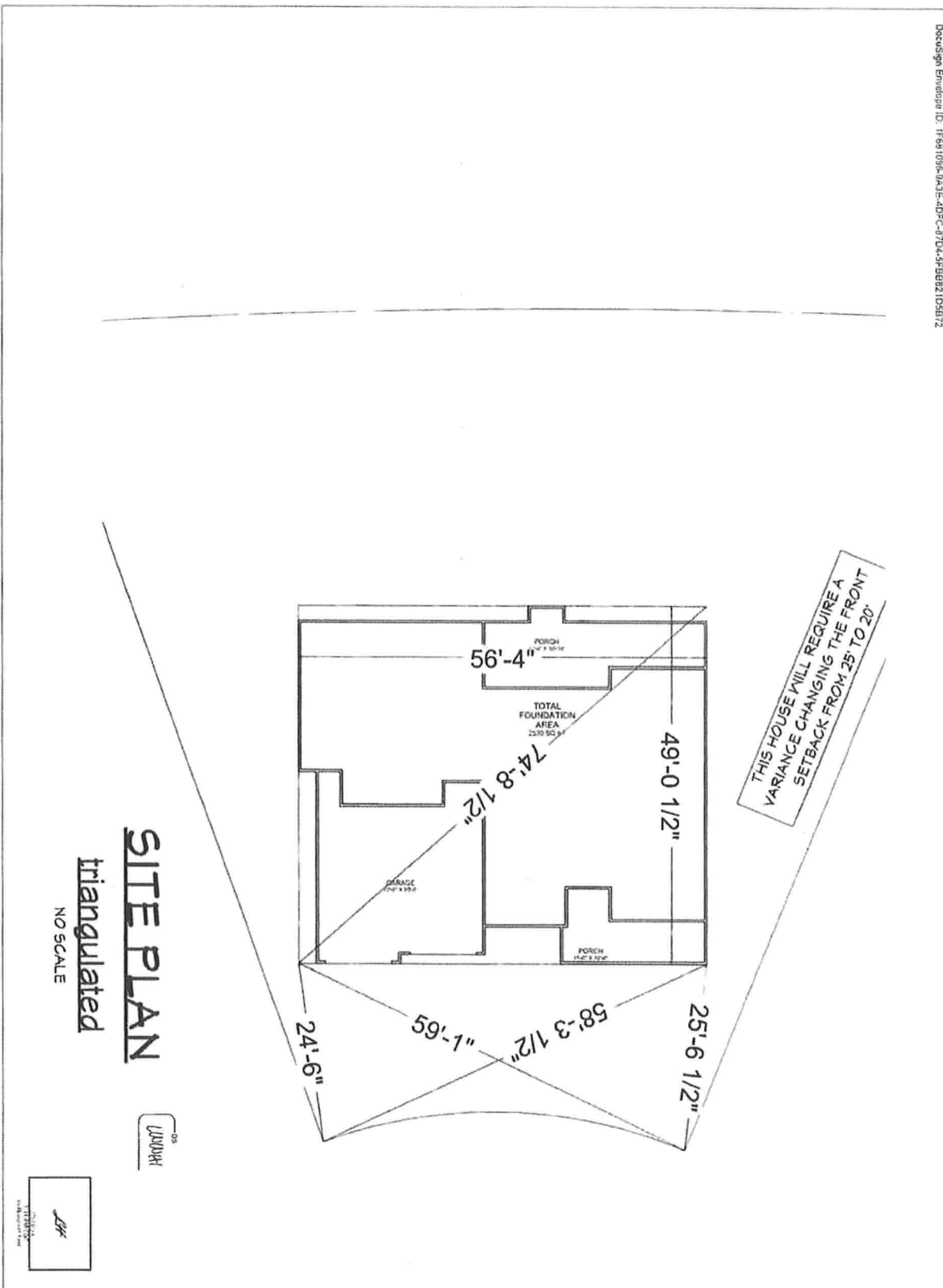
REDLAND HOME DESIGN
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DRAWINGS PROVIDED BY:

SHEET

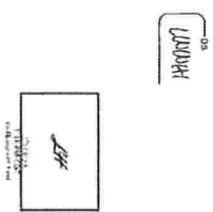
IT IS THE SOLE RESPONSIBILITY OF THE PURCHASER AND/OR THE PURCHASER'S CONTRACTOR TO COMPLY WITH ANY BUILDING CODES, ORDINANCES AND REGULATIONS SET FORTH BY COUNTY, CITY, STATE OR FEDERAL CODE ENFORCEMENT AGENCY. THE PURCHASER AND/OR THE PURCHASER'S CONTRACTOR OF THIS PLAN EXEMPTS THE OWNER AND THE EMPLOYERS OF REDLAND HOME DESIGN FROM ANY CLAIMS OR LAWSUITS THAT MAY OCCUR DURING THE CONSTRUCTION OF THIS STRUCTURE.

ALL SITE PLAN INFORMATION WAS OBTAINED VIA ELECTRONIC SOURCES AND LOCATIONS SHOULD BE VERIFIED ON-SITE BY A LICENSED BUILDER. A COPY OF THIS PLAN IS PROVIDED TO THE PURCHASER FOR INFORMATION.






SITE PLAN
triangulated
NO SCALE



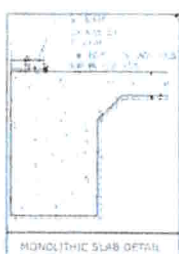
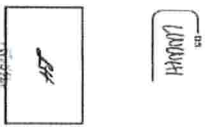
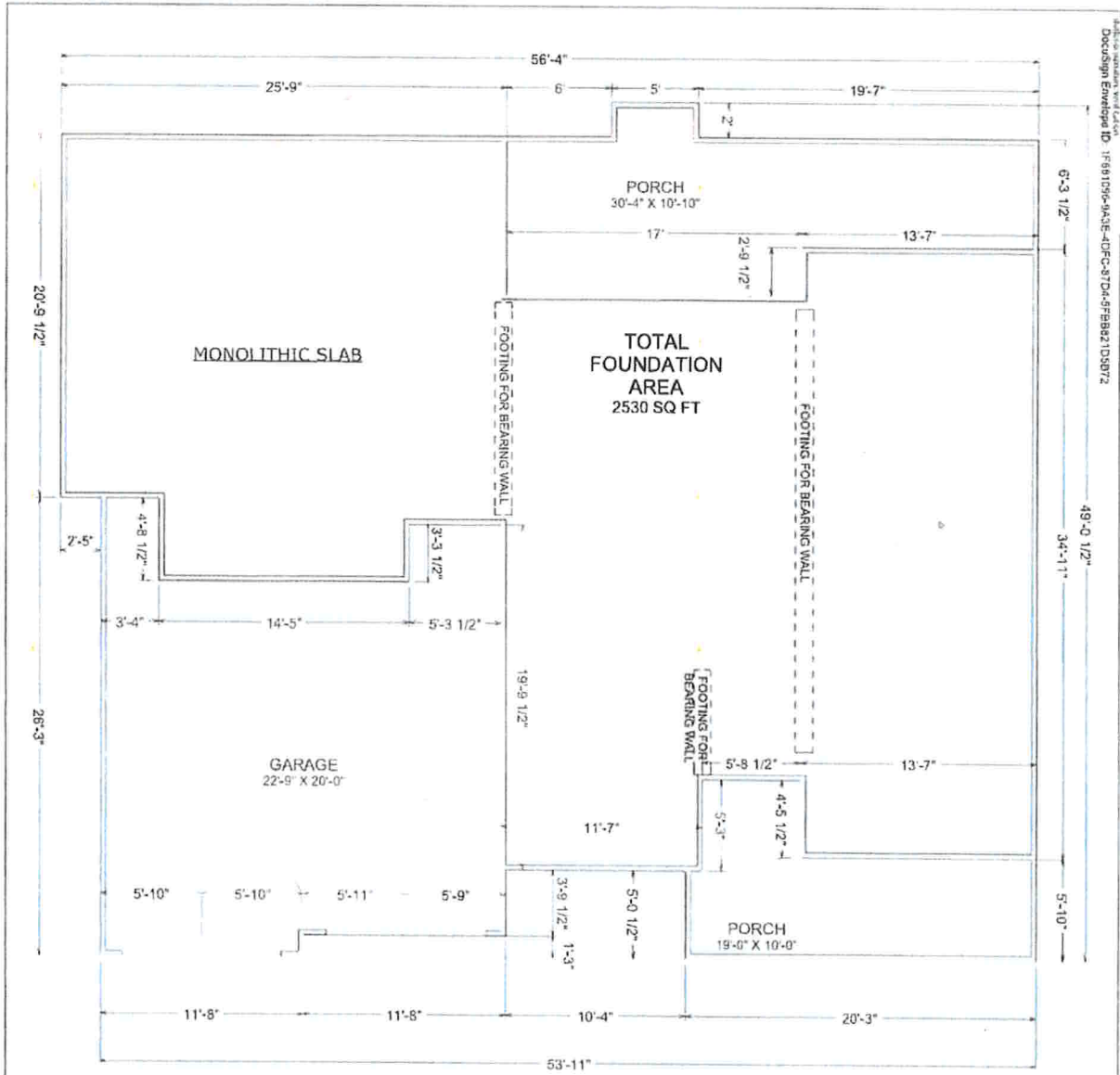
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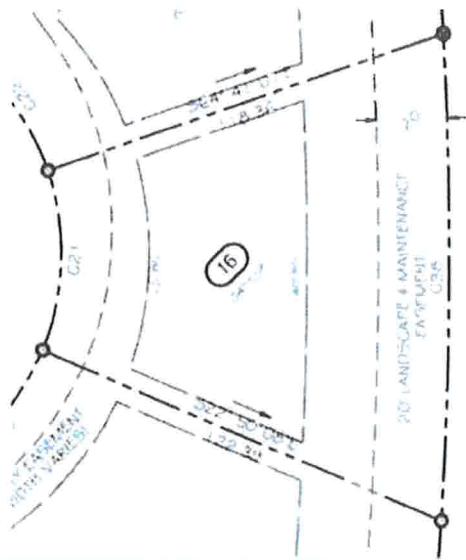
BUILDER INFO:
Wingate Custom Homes
817, GA-247 Unit 10
Kathleen, GA 31047, PHO 478-359-9224
WWW.WINGATECUSTOMHOMES.COM



LOT 16 HOUSTON COTTAGES
1117 COTTAGE LANE
PERRY, GA



FOUNDATION PLAN
 no scale



IT IS THE SOLE RESPONSIBILITY OF THE PURCHASER AND/OR THE PURCHASER'S CONTRACTOR TO COMPLY WITH ANY BUILDING CODES, ORDINANCES, AND REGULATIONS SET FORTH BY COUNTY, CITY, STATE OR FEDERAL CODE ENFORCEMENT AGENCY.
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BUILDER INFO:
 Wingate Custom Homes
 817, GA-247 Unit 10
 Kathleen, GA 311047, PHO...
 WWW.WINGATECUSTOMH...



LOT 16 HOUSTON COTTAGES
 1117 COTTAGE LANE
 PERRY, GA



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
September 7, 2023

CASE NUMBER: ANNX-0106-2023
APPLICANT: Colby Carkoski
REQUEST: De-annex property from the City Boundary
LOCATION: 120 Sparrow St; Tax Map No. 0P41A0 243000

REQUEST ANALYSIS: The applicant requests the subject property be de-annexed from the City of Perry. He indicates in the application that the City of Perry cannot provide sanitary sewer or water for the property.

City Council's policy is not to de-annex property unless the City cannot provide services. Water and sanitary sewer services are not available to the property. Staff recommended the property owner consider de-annexation.

Since the request is for de-annexation and no zoning classification is being requested, there are no standards established by ordinance to consider.

STAFF RECOMMENDATION: Staff recommends de-annexation of the property due to the unavailability of city services.

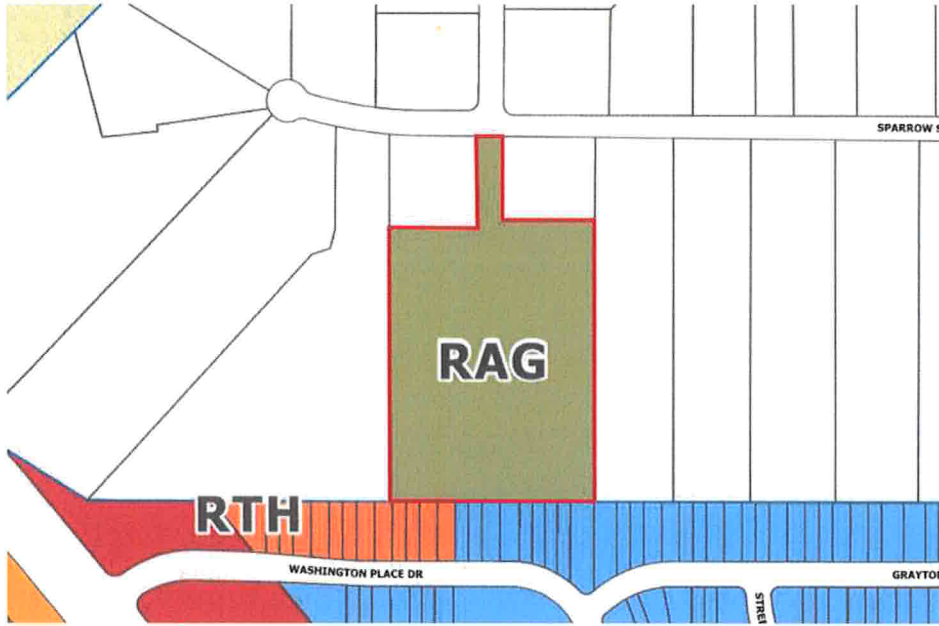
ANNX-0106-2023

120 Sparrow Street

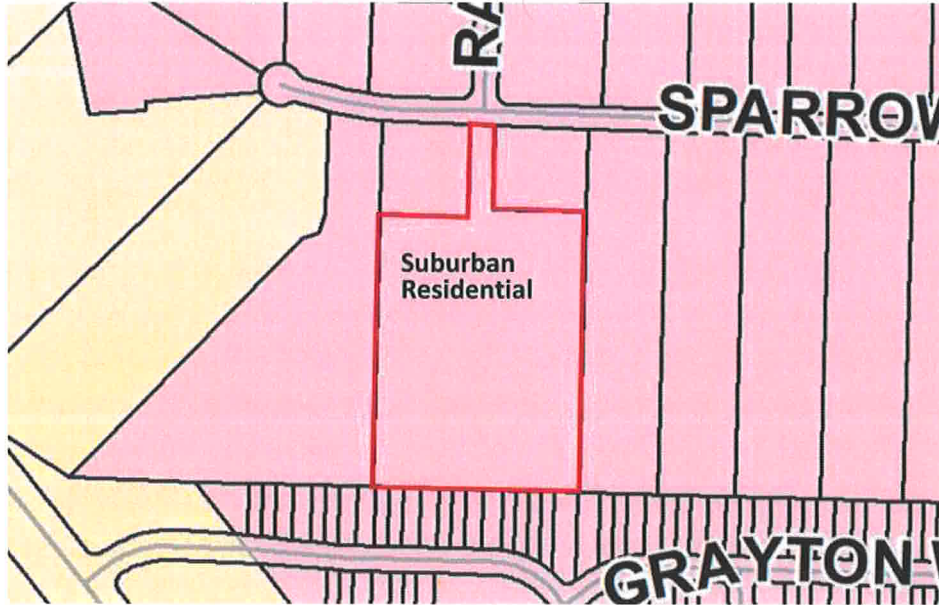
De-annex into County



Aerial



Zoning



Character Area



Where Georgia comes together.

Application # DEANNY
0106-2023

Application for De-Annexation

Community Development (478) 988-2720

Contact Information

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Colby Carkoski	Colby Carkoski
*Title	Mr.	Mr.
*Address	120 Sparrow St, Perry, GA 31069	120 Sparrow St, Perry, GA 31069
*Phone	478-308-0380	478-308-0380
*Email	colbyandnora31088@gmail.com	colbyandnora31088@gmail.com

Property Information

*Street Address or Location	120 Sparrow St, Perry, GA 31069	*Tax Map #(s)	0P41A0 243000
*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

*Reason for your request (include additional sheets if needed): Per Bryan Wood and Chad McMurrian, the City of Perry cannot service the property with the necessary utilities, water and sewage.

Instructions

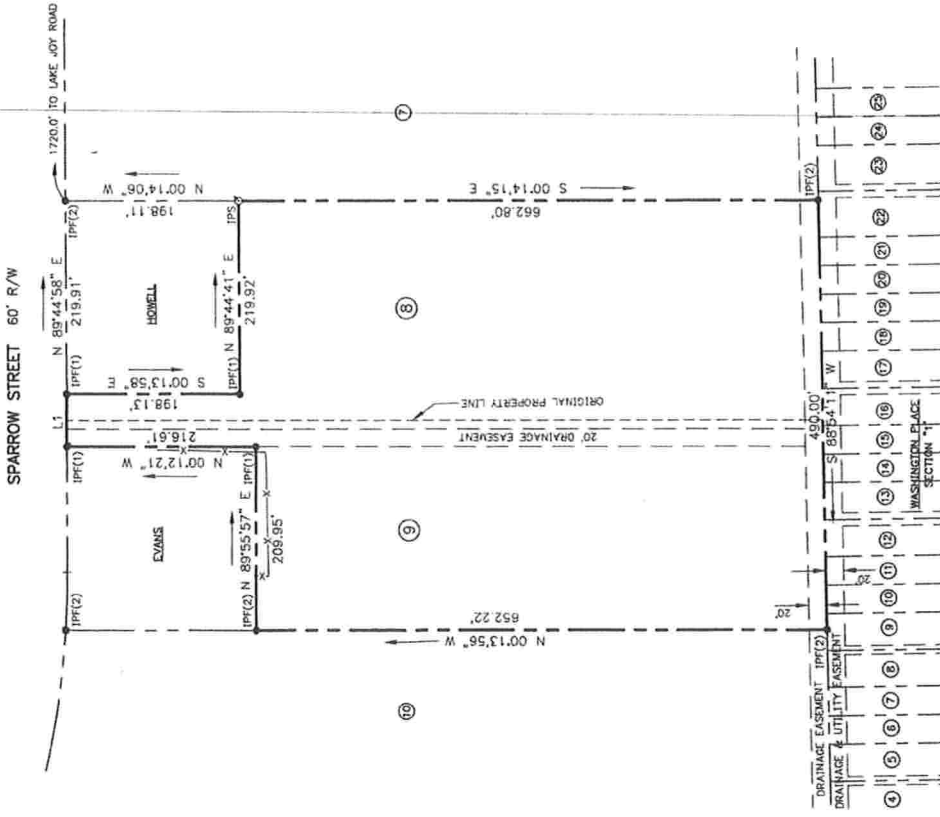
- The application and fee (made payable to the City of Perry) must be received by the Community Development Office no later than the date reflected on the attached schedule.
- *Fees:
 - Residential Zoning (R-Ag, R-1, R-2, R-3) - \$306.00 plus \$26.00/acre
 - Non-residential Zoning (other than R-Ag, R-1, R-2, R-3) - \$510.00 plus \$41.00/acre
- See Section 2-2.2 of the Land Management Ordinance for procedures.
- The staff will 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.
- Public notice sign(s) will be posted on the property at least 15 days prior to the scheduled planning commission and city council 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.
- *Signatures: By signing below 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.

*Applicant	<i>Colby Carkoski</i>	*Date	8/1/2023
*Property Owner/Authorized Agent	<i>Colby Carkoski</i>	*Date	8/1/2023

Type: GEORGIA STANDARD PLATS
 Recorded: 10/24/2017 4:41:00 PM
 Fee Amt: \$8.00 Page 1 of 1
 Houston, Ga. Clerk Superior Court
 Carolyn V. Sullivan Clerk

Participant ID:

BK 79 PG 256



THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED WAS OBTAINED BY MEASUREMENTS OF ONE FOOT IN 56,175 FEET AND AN ANGULAR ERROR OF 6 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.

BEARINGS SHOWN ARE CALCULATED FROM ANGLES TURNED AND ALL LINEAR DISTANCES ARE HORIZONTALLY CALCULATED FROM FIELD DATA USING A TOPCON GTS 802A.

THIS MAP HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 751,085 FEET.

LINEAR LOT DATA		
No.	DISTANCE	BEARING
L1	593.1	N. 82°45'20" E.

NOTES

1. STREET ADDRESS: 120 SPARROW STREET
2. ZONED RAG
3. LOT AREA: 7,690 AC
4. PARCEL IDENTIFICATION: 014000
5. THIS PROPERTY IS NOT LOCATED IN A DESIGNATED FLOOD HAZARD AREA IN ACCORDANCE WITH THE FLOOD INSURANCE RATE MAPS FOR HOUSTON COUNTY, GEORGIA, COMMUNITY NO. 130247 (HOUSTON COUNTY), MAP NO. 1315X00152E, PANEL 152 OF 300, EFFECTIVE DATE SEPTEMBER 28, 2007. (ZONE "X")

App: 10/24/17
 Houston County Planning Commission

FIELD WORK COMPLETED JUNE 7, 2016



PROPERTY PLAT

FOR
FERRELL KITCHENS
 LOTS 8 & 9
BIRDSONG ACRES
 BLOCK "B"

IN LAND LOT 109
 HOUSTON COUNTY
 GEORGIA
 JUNE 16, 2016
 TENTH DISTRICT
 SCALE: 1" = 100'

WADDLE & COMPANY
 104 MEADOWBROOK DR.
 WARNER ROBINS, GA 31093
 BUS (478) 923-2783
 COA # LSF001005
 EMAIL: WADDLECO@GMAIL.COM



THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 50 OF THE OFFICIAL CODE OF GEORGIA AND THE REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

REG. LAND SURVEYOR

- L.C.G.E.N.D.
- IPF(1) ● IRON PIN FOUND (1/2" REBAR)
 - IPF(2) ● IRON PIN FOUND (1/2" PIPE)
 - IPF ● IRON PIN SET (1/2" REBAR)
 - X—X—X FENCE

After Recording Return To:
Fricks Bohan, LLC
466 S. Houston Lake Road, Suite A
Warner Robins, GA 31088

Order No.: 2020030707

DEED
Recorded 1/13/2023 5:03 PM
Carolyn V Sullivan
Clerk of Superior Court
Houston County, GA
Book 9968 Page 6
Transfer Tax: \$0.00
Participant IDs: 8055252261

QUIT CLAIM DEED

STATE OF GEORGIA

COUNTY OF HOUSTON

THIS INDENTURE, made the 20th day of December, 2022, between Colby Carkoski f/k/a Colby Carr and Eleanor Carkoski f/k/a Eleanor Rekoske, of the County of HOUSTON, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and Colby Carkoski and Eleanor Carkoski of the County of HOUSTON, and the State of Georgia, as party or parties of the second part, hereinafter called Grantee, as joint tenants with survivorship and not as tenants in common.

The words "Grantor" and "Grantee" whenever used herein shall include all individuals, corporations and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

WITNESSETH that: Grantor, for and in consideration of the sum of No Dollars And No/100 Dollars (\$0.00) and other valuable consideration, cash in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, by these presents does hereby remise, convey and forever QUIT CLAIM unto said Grantee.

All that tract or parcel of land situate, lying and being in Land Lot 109 of the Tenth Land District, Houston County, Georgia, being known and designated as Lots 8 and 9, Block "B", Birdsong Acres Subdivision, according to a plat of survey of record in Plat Book 79, Page 256, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are incorporated by reference for all purposes.

Subject to all easements, ordinances, covenants, conditions, restrictions and rights-of-way of record, if any.

Address under current system of numbering: 120 Sparrow Street, Perry, Georgia.

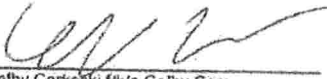
SUBJECT to restrictive covenants and general utility easements of record.

TO HAVE AND TO HOLD the said described premises to Grantee, so that neither Grantor nor any person or persons claiming under Grantor shall at any time, by any means or ways, have, claim or demand any right to title to said premises or appurtenances, or any rights thereof.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Annotated § 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

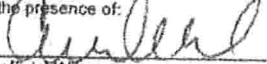
IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year first above written.

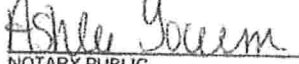
Book 9968 Page 7


Colby Carkoski f/k/a Colby Carr


Eleanor Carkoski f/k/a Eleanor Rekoske

Executed, signed, sealed and delivered
in the presence of:


Unofficial Witness


NOTARY PUBLIC
My Commission Expires:

ASHLEE YOCUM
NOTARY PUBLIC
Houston County
State of Georgia
My Comm. Expires July 18, 2025



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STAFF REPORT

September 7, 2023

CASE NUMBER: SUSE-0060-2023
APPLICANT: Malorie and Andy Acosta (Mastr Homestays LLC)
OWNER: Stephen Dupuis for Hammock Creek Investment Group LLC
REQUEST: A Special Exception to allow short-term residential rental
LOCATION: 414 Frank Satterfield Road; Tax Map No. 0P45D0 010000

REQUEST ANALYSIS: The subject property owner proposes to offer the entire **3-bedroom/2-bath** house for short-term rental for a maximum of 8 occupants. The subject premises were inspected for compliance with minimum health and safety requirements for use and occupancy (per Section 2-3.6) and **passed**.

Standards for Short-term Rental Properties (Section 4-3.5 of the LMO)	
1,000-foot buffer from another STR and only one STR per premises	Complies
Designation of local contact person	Complies
Host Rules addressing: <ul style="list-style-type: none"> • Maximum occupancy of 8 persons • Parking restrictions; on-premises parking of up to 3 vehicles • Noise restrictions • On-premises curfew • Prohibition of on-premises events 	Complies
Trash pick-up plan	Complies
Required written rental agreement	Complies
Proof of required active insurance policy	Complies
Application for City of Perry Occupational Tax Certificate	Complies
Other standards will be addressed with the issuance of an STR permit	

STANDARDS FOR SPECIAL EXCEPTIONS:

1. *Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?* The applicant indicates there is no Homeowner's Association nor covenants or restrictions on the subject property which would preclude the proposed use.
2. *Does the Special Exception follow the existing land use pattern?*

	Zoning Classification	Land Uses
Subject	R-1, Single family residential	Single-family residential
North	R-1	Single-family residential
South	R-1	Single-family residential
East	R-1	Undeveloped
West	R-1	Single-family residential

3. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The subject property is included in a “Traditional Neighborhood” character area in the 2022 Joint Comprehensive Plan. This character area is typically developed with residential uses.
4. *Will adequate fire and police protection be available?* Fire and police protection are already provided to the property. The proposed use should not impact on these services.
5. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* Renting the existing house on a short-term basis should not be detrimental to surrounding properties. Other than the tenants changing on a more frequent basis, short-term rental should not be any different than the normal occupancy of a single-family residence.
6. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* Short-term rental of the residence should not cause inappropriate interference with the normal pedestrian and vehicular traffic in the neighborhood.
7. *Will the use result in an increase in population density overtaxing public facilities?* Short-term rental of the residence should not increase the population density above that expected for the size of the house.
8. *Will the use create a health hazard or public nuisance?* Short-term rental of the residence should not create a health hazard. Compliance with standards for short-term rentals will prevent a public nuisance.
9. *Will property values in adjacent areas be adversely affected?* Short-term rental of the residence should not adversely affect the value of properties in the area.
10. *Are there substantial reasons a permitted use cannot be used at this property?* The property is developed with a permitted use. The special exception is to allow the single-family residence to be rented on a less than 30-day basis.

STAFF RECOMMENDATION: Staff recommends approval of the special exception and issuance of a Short-Term Rental Permit.

SUSE-0060-2023

414 Frank Satterfield Road

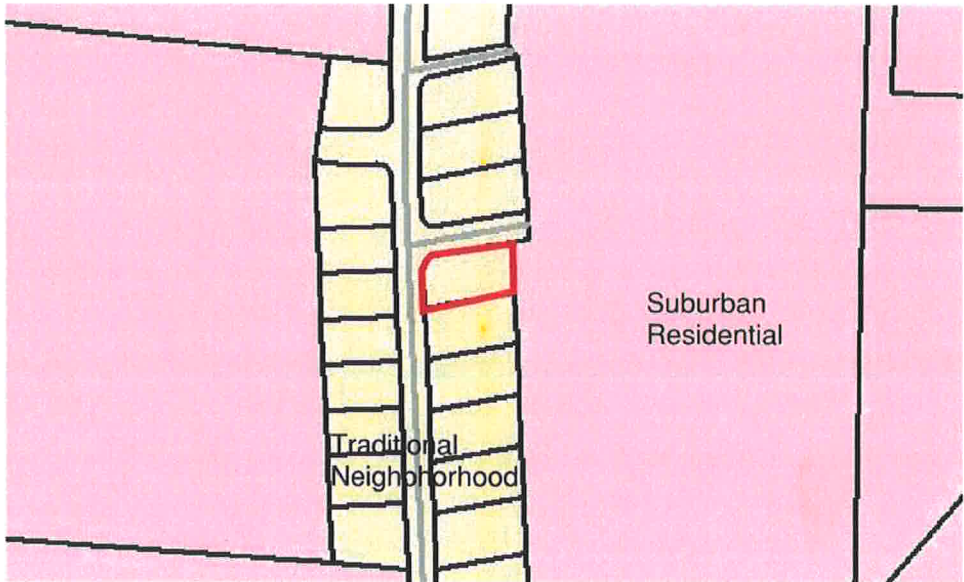
Short-term rental unit



Aerial



Zoning



Character Area



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Application # _____

Supplement to Application for Special Exception For Initial Short-term Rental (STR) Permit

A Special Exception of Short-term Rental Permit is not complete until this supplemental form and accompanying documents are complete

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Property Owner	*Designated Local Contact Person complying with Sec. 4-3.5(c) of Land Management Ordinance
*Name	Stephen Dupuis	Andy Acosta
*Mailing Address	633 Thompson Mill Rd Bonaire GA 31005	91 Bass Rd, Unit 226, Warner Robins, GA 31088
*Phone	770 633 2286	478-202-8820
*Email	smdupuis85@gmail.com	andres.acosta@mastrinvestments.com

*Street Address of Short-term Rental Unit:	414 Frank Satterfield Perry GA 31069
*Tax Map Number:	0P45D0 010000

*The following items are required to be submitted to complete this supplement (Refer to Sec. 4-3.5 of the Land Management Ordinance (LMO) for standards):

1. Proof of insurance
2. Copy of application for City of Perry Occupational Tax Certificate
3. Copy of proposed Host Rules
4. Plan for trash collection
5. The maximum number of occupants proposed at any given time
6. Plot plan of the premises identifying location and number of parking spaces for the STR
7. Dimensioned floor plan of the STR identifying bedrooms other living spaces and emergency evacuation routes
8. Copy of proposed written rental agreement to be executed between the owner and responsible Person
9. Name and contact information for the homeowner's association, if any, of which the premises is subject to by restrictive covenants
10. Other certifications and information deemed necessary and proper to ensure compliance with the LMO

Upon submittal the City will contact the property owner to schedule an inspection of the property to ensure the proposed short-term rental unit complies with minimum health and safety requirements for use and occupancy. If a premises fails to pass an inspection, a re-inspection fee will be charged for each subsequent inspection. Application for Special Exception will not be scheduled for Planning Commission consideration until the proposed STR unit complies with minimum health and safety requirements.

***Notarized Property Owner Signature:**

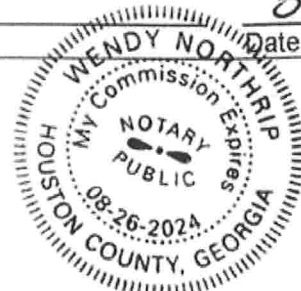
I affirm that the information provided in this supplement is accurate and complete. I understand an STR permit may be revoked by the administrator if the permit holder has: 1) received more than 2 citations for violations of the Code of the City of Perry within the proceeding 12-month time period; or 2) failed or refused to comply with an express condition of the permit and remains in non-compliance ten days after being notified in writing of such non-compliance; or 3) knowingly made a false statement in an application or supplement, or 4) otherwise become disqualified for the issuance of a permit under the terms of the Land Management Ordinance. I further understand that I must wait one year from the date of a revoked permit before an STR renewal permit can be issued.

Signature: Date: 3 Aug 23

*Notary Public signature and seal:

Signature:
 Date: 8/2/23

Seal:





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Application for Special Exception
Contact Community Development (478) 988-2720

Application # SUSE #0060-
2023

Indicates Required Field

	*Applicant	*Property Owner
*Name	Malorie/Andy Acosta	Stephen Dupuis
*Title	MASTR HomeStays, LLC (Bus. Owner)	Hammock Creek Investment Group LLC
*Address	91 Bass Rd, Apt 226, Wk 3108B	633 Thompson Mill Rd, Bonaire
*Phone	478-334-9685	770-633-2286
*Email	malorie.acosta@mastrinvestments.com	sdupuis85@gmail.com

Property Information

*Street Address	414 Frank Satterfield Rd, Perry, GA
*Tax Map Number(s)	0P450 010000
*Zoning Designation	P1

Request

Please describe the proposed use: To be used as a short-term rental housing guests needing accommodations less than 30 days

Instructions

1. The application and *\$306.00 fee (made payable to the City of Perry) must be received by the Community Development Office or filed on the online portal no later than the date reflected on the attached schedule.
2. *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 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
3. *For applications in which a new building, building addition and/or site modifications are proposed, you must submit a site plan identifying such modifications.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Special Exception 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.
6. *The applicant must be present at the hearings to present the application and answer questions that may arise.
7. 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
8. *Signatures.

*Applicant	Malorie Acosta	*Date	7/19/23
*Property Owner/Authorized Agent	<i>[Signature]</i>	*Date	7/17/23

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

- No.

(1) The existing land use pattern.

- <https://qpublic.schneidercorp.com/Application.aspx?AppID=671&LayerID=11356&PageTypeID=4&PageID=4733&Q=132241188&KeyValue=0P45D0+++010000>
- The land is in a residential area, with single family homes.

(2) Whether the proposed use is consistent with the Comprehensive Plan.

- The proposed use of this home as a short-term rental is consistent with the Comprehensive Plan in the following ways:
 - o In the Comprehensive Plan, one of the goals for economic development is to “develop ways to expand economic development opportunities throughout the county”. In being used as a short-term rental, this home provides economic opportunity for: 2 handyman companies, 2 cleaning companies, 1 hired position, 1 lawncare company, 1 laundry service provider.
 - o This home houses guests coming into the community. We provide a guidebook and other resources that encourage our guests to visit and shop locally within the Perry community.
 - o This home would provide large sum of lodging tax, paid to the city of Perry
 - o This home would provide place a housing option for our own citizens within the community who:
 - Are waiting for their house to be built/renovated
 - Are moving into the area for any reason
 - Military / business
 - Have been displaced from their home because of fire, water, or some other sort of damage
 - o According to the Comprehensive Plan, *“Houston County aspires to be a welcoming, diverse community, filled with opportunities for economic prosperity, where everyone can attain a high quality of life. We will protect our natural resources, enhance relationships with Robins Air Force Base, and build a robust, creative, and social community.”*
 - Providing a short-term rental housing option is in complete alignment with this statement. We would provide a welcoming, safe accommodation for families and business travelers. We accommodate a wide variety of clientele, coming from all over the US, with diverse backgrounds. We provide access to resources and events within our community and seek to promote other small businesses.

(3) Whether all proposed structures, equipment or material will be readily accessible for fire and police protection.

- Yes, the home and everything within will be readily accessible for fire and police protection.

(4) Whether the proposed use will be of such location, size, and character that, in general, it will be in harmony with the appropriate and orderly development of the area in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties or a deterrent to the improvement of adjacent properties in accordance with the zoning classification of such properties, the existing land use pattern or the Comprehensive Plan.

- The proposed use of this home as a short-term rental will be in complete harmony with the appropriate and orderly development of the area in which it is proposed. In being used as a short-term rental, the home has not, and will not undergo any structural changes. The home remains as a single-family residence and will cause no disruption to the adjacent properties. If anything, the property will be an incentive for adjacent properties to maintain and upkeep their yards and homes as well.

(5) Whether, in the case of any use located in, or directly adjacent to, a residential district or area:

- (a) The nature and intensity of operations will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to, or incongruous with, said residential district or area, or conflict with the normal traffic of the neighborhood; and**
- (b) The location and height of buildings, and other structures, and the nature and extent of screening, buffering or landscaping on the site will be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings in conformance with existing zoning districts and development pattern.**

- A) The proposed use of this home as a short-term rental should in no way increase the pedestrian or vehicular traffic within this area. This home will have a cap for the number of cars that are allowed to be present (3), and the number of guests allowed at the property (9). Being that this home has a carport with a large driveway, guests will be directed to park only in garage or on driveway – no on street parking will be permitted. Front of home will be continually monitored by a Ring alarm camera to ensure that guests are abiding by these directions.
- B) The home will remain as a single family residence, and will not have any additional structures added. No screening, buffering or landscaping will take place that will in any way affect the surrounding adjacent properties. The property landscape will remain as such that one would expect from a single-family home and will be maintained on an ongoing basis of care every 2 weeks (at a minimum).

(6) Whether the proposed use will increase the population density resulting in the increase or overtaxing of the load on public facilities such as schools, utilities, streets, etc.; or approval of the use would encourage adjacent areas to develop at higher densities than provided in the comprehensive plan resulting in the overtaxing of such public facilities.

- The proposed use of this home as a short-term rental should in no way cause any increase in population density and will not be a disruption to the comprehensive plan of the community.

(7) Whether the proposed use will cause a health hazard, a public safety problem, or create a nuisance or cause excessively increasing traffic and associated congestion; create a drainage problem; generate unnecessary disturbance due to noise, the emission of smoke or other contaminants, odor, electrical interference, or cause pollution to land, air and/or water.

- The proposed use of this home as a short-term rental will not cause any of the above mentioned issues. Below is listed the measures that are taken to ensure that these issues will not arise at this property:
 1. **Noise:** All guest noise will be continuously monitored within the home by a smart device. This device is connected to Wi-Fi (notifies us immediately if disconnected from Wi-Fi) and sends real time text notifications to us when the noise within the home goes above the predetermined threshold. When this notification is received, the response is immediate – the guest is texted and informed that the noise is above the appropriate level. If, for any reason the guest chooses not to respond to texts and calls and does not comply with the request to decrease their noise, they are removed from the home immediately. Guests are notified about the noise being monitored in the house rules that they read and accept prior to their booking. This device is based purely on sound level and is not a recording device.
****Note:** we have an assistant who lives in the Philippines, which is 12 hours ahead of us. She receives all noise notifications when we are asleep and responds immediately. She contacts us via phone if there is any issue.
 2. **Safety (locks):** A smart lock is located on the front door of the property. A personalized code is sent to the guest after they have accepted and agreed on the house terms when booking. This code is usable only during their stay. Once their stay is completed, they no longer can access the property with that code.
 3. **Safety (cameras):** A Ring camera is located on the front door exterior of the home. The ring camera is always accessible by all managing persons. The camera is also monitored at night by our virtual assistant. She monitors consistently throughout the night and notifies us immediately through phone call if any unusual activity is taking place. She also monitors the number of guests entering the property and notifies both the guests and us if it is above the agreed upon max amount.
 4. **Safety (background checks):** Guests can book with us in one of two ways: through AirBnB or our direct booking platform. If they book through AirBnB, our settings are such that we require additional background information and identification of our guests. AirBnB handles all this directly through their platform. If a guest books with us on our direct booking site, then they go through a background check through a third party – SuperHog. Regardless of how guests book with us, they cannot stay in

the property without undergoing a background check prior to their booking. In addition, we can accept or deny any person who requests to book with us.

5. Safety (cleaning/inspections): After a guest checks out, our cleaners are the first people to go in. Upon their arrival, they immediately take photos of each room in the property and document any damage done to the property, if any. This is uploaded into our operational platform. After the clean is completed, our production manager goes to the property to do a soft inspection – meaning looking for any issues that the cleaners may have missed and making sure the property is safe and acceptable for the next guests.
6. Insurance: The property has a \$1million insurance policy through Proper Insurance. Proper is specific to short term rentals and is backed by Lloyd’s of London. Prior to coverage, Proper has their own set of safety measures that they expect to see proof of in the property (ex – pool must have depth markers, home must contain fire extinguisher, etc.)

(8) Whether the proposed change will adversely affect property values in adjacent areas.

- The proposed use of this home as a short-term rental will not adversely affect the property values in the adjacent areas. If anything, the ongoing upkeep and excellent maintenance of this property should incentivize neighbors to maintain their properties well also. The home has undergone renovations to improve the appearance, is cleaned on a regular basis, is inspected on a regular basis, receives maintenance orders that our handymen complete on a regular basis to ensure no issues, and has consistent lawncare – every 1-2 weeks.

(9) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located.

- Owner of the home, Stephen Dupuis, is wanting to use as an investment property. He prefers the short-term rental model rather than long-term rental model because of the higher ROI and better upkeep of the property.



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STAFF REPORT

September 7, 2023

CASE NUMBER: SUSE-0111-2023
APPLICANT: Lei Zhang
OWNER: Lei Zhang
REQUEST: A Special Exception to allow short-term residential rental
LOCATION: 204 Amherst Street; Tax Map No. 0P0570 239000

REQUEST ANALYSIS: The subject property owner proposes to offer the entire **3-bedroom/2-bath** house for short-term rental for a maximum of **5** occupants. The subject premises were inspected for compliance with minimum health and safety requirements for use and occupancy (per Section 2-3.6) and **passed**.

Standards for Short-term Rental Properties (Section 4-3.5 of the LMO)	
1,000-foot buffer from another STR and only one STR per premises	Complies
Designation of local contact person	Complies
Host Rules addressing: <ul style="list-style-type: none"> • Maximum occupancy of 5 persons • Parking restrictions; on-premises parking of up to 4 vehicles • Noise restrictions • On-premises curfew • Prohibition of on-premises events 	Complies
Trash pick-up plan	Complies
Required written rental agreement	Complies
Proof of required active insurance policy	Complies
Application for City of Perry Occupational Tax Certificate	Complies
Other standards will be addressed with the issuance of an STR permit	

STANDARDS FOR SPECIAL EXCEPTIONS:

1. *Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?* The applicant indicates there is no Homeowner’s Association nor covenants or restrictions on the subject property which would preclude the proposed use.
2. *Does the Special Exception follow the existing land use pattern?*

	Zoning Classification	Land Uses
Subject	PUD, Planned Unit Development	Single-family residential
North	PUD and R-1	Single-family residential
South	PUD	Single-family residential
East	PUD	Single-family residential
West	R-1	Undeveloped

3. *Will the Special Exception have an adverse effect on the Comprehensive Plan?* The subject property is included in a “Suburban Residential” character area in the 2022 Joint Comprehensive Plan. This character area is typically developed with residential uses.
4. *Will adequate fire and police protection be available?* Fire and police protection are already provided to the property. The proposed use should not impact on these services.
5. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* Renting the existing house on a short-term basis should not be detrimental to surrounding properties. Other than the tenants changing on a more frequent basis, short-term rental should not be any different than the normal occupancy of a single-family residence.
6. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* Short-term rental of the residence should not cause inappropriate interference with the normal pedestrian and vehicular traffic in the neighborhood.
7. *Will the use result in an increase in population density overtaking public facilities?* Short-term rental of the residence should not increase the population density above that expected for the size of the house.
8. *Will the use create a health hazard or public nuisance?* Short-term rental of the residence should not create a health hazard. Compliance with standards for short-term rentals will prevent a public nuisance.
9. *Will property values in adjacent areas be adversely affected?* Short-term rental of the residence should not adversely affect the value of properties in the area.
10. *Are there substantial reasons a permitted use cannot be used at this property?* The property is developed with a permitted use. The special exception is to allow the single-family residence to be rented on a less than 30-day basis.

STAFF RECOMMENDATION: Staff recommends approval of the special exception and issuance of a Short-Term Rental Permit.



Where Georgia comes together.

Application for Special Exception

Contact Community Development (478) 988-2720

Application # SURE
#0111-2023

*Indicates Required Field

	*Applicant	*Property Owner
*Name	Lei zhang	Lei zhang
*Title		
*Address	204 Amherst St. Kathleen GA 31047	204 Amherst St. Kathleen GA 31047
*Phone	478-213-0531	478-213-0531
*Email	LL-ZHL@hotmail.com	LL-ZHL@hotmail.com

Property Information

*Street Address	204 Amherst Street, Kathleen, GA 31047	
*Tax Map Number(s)		*Zoning Designation

Request

*Please describe the proposed use	short-term Rental
-----------------------------------	-------------------

Instructions

- The application and ***\$306.00 fee** (made payable to the City of Perry) must be received by the Community Development Office or filed on the online portal no later than the date reflected on the attached schedule.
- *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 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
- *For applications in which a new building, building addition and/or site modifications are proposed, you must submit a site plan identifying such modifications.**
- 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.
- Special Exception 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.**
- 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.
- *Signatures:**

*Applicant	Lei zhang	*Date	8/16/2023
*Property Owner/Authorized Agent	Lei zhang	*Date	8/16/2023



Where Georgia comes together.

Application # _____

Supplement to Application for Special Exception For Initial Short-term Rental (STR) Permit

A Special Exception of Short-term Rental Permit is not complete until this supplemental form and accompanying documents are complete

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Property Owner	*Designated Local Contact Person complying with Sec. 4-3.5(C) of Land Management Ordinance
*Name	Lei Zhang	Lei Zhang
*Mailing Address	204 Amherst St. Kathleen, GA 31047	
*Phone	478-213-0531	*24-hour contact: 478-213-0531
*Email	ll-zh1@hotmail.com	

*Street Address of Short-term Rental Unit:	204 Amherst St Kathleen, GA 31047
*Tax Map Number:	OP0570 239000

*The following items are required to be submitted to complete this supplement (Refer to Sec. 4-3.5 of the Land Management Ordinance (LMO) for standards):

1. Proof of insurance
2. Copy of application for City of Perry Occupational Tax Certificate
3. Copy of proposed Host Rules
4. Plan for trash collection
5. The maximum number of occupants proposed at any given time
6. Plot plan of the premises identifying location and number of parking spaces for the STR
7. Dimensioned floor plan of the STR identifying bedrooms other living spaces and emergency evacuation routes
8. Copy of proposed written rental agreement to be executed between the owner and responsible Person
9. Name and contact information for the homeowner's association, if any, of which the premises is subject to by restrictive covenants
10. Other certifications and information deemed necessary and proper to ensure compliance with the LMO

Upon submittal the City will contact the property owner to schedule an inspection of the property to ensure the proposed short-term rental unit complies with minimum health and safety requirements for use and occupancy. If a premises fails to pass an inspection, a re-inspection fee will be charged for each subsequent inspection. Application for Special Exception will not be scheduled for Planning Commission consideration until the proposed STR unit complies with minimum health and safety requirements.

***Notarized Property Owner Signature:**

I affirm that the information provided in this supplement is accurate and complete. I understand an STR permit may be revoked by the administrator if the permit holder has: 1) received more than 2 citations for violations of the Code of the City of Perry within the proceeding 12-month time period; or 2) failed or refused to comply with an express condition of the permit and remains in non-compliance ten days after being notified in writing of such non-compliance; or 3) knowingly made a false statement in an application or supplement; or 4) otherwise become disqualified for the issuance of a permit under the terms of the Land Management Ordinance. I further understand that I must wait one year from the date of a revoked permit before an STR renewal permit can be issued.

Signature: Lei Zhang Date: 08/07/2023

***Notary Public signature and seal:**

Signature: Kristine Walsh
Date: 08/07/2023

Seal:



GUEST SHORT-TERM RENTAL AGREEMENT

- **PETS**
 - No pets are allowed in this house
- **LATE CHECK-OUT PENALTY**
 - Check-out time is 11:00 AM. \$100 penalty will be applied to your booking when you check out after 11:00 AM.
- **PARKING**
 - Parking on the driveway only
 - Don't park on the side of the road
- **SMOKING**
 - No smoking inside the house
- **QUIET TIME**
 - Please avoid making any loud noise from 10 pm till 9 am to allow neighbors a peaceful night
 - If any neighboring residents report excessive noise or unruly behavior, we may have to evict you from our property. This could result in the loss of all your payment.
- **ADDITIONAL RULES**
 - Parties and gatherings of any kind are strictly prohibited in this house
 - Max number of guests is 5
 - No unregistered guests
 - No illegal substances
 - No food and drinks in bedrooms
 - No mail delivery to this property, and food delivery is acceptable.
 - Please lock the door when you leave the house

**ACKNOWLEDGEMENT OF HOUSE RULES & CITY
ORDINANCES**

- Guest has acknowledged that they have read and will abide by all host rules that have been outlined in the property listing & Property guidebook.
 - Guest has acknowledged that his/her rights in agreement may not be transferred or assigned to anyone else.
 - Guest has acknowledged that it is unlawful to make any noise or sound that exceeds the limits set forth in the cities noise ordinance.
 - Guest acknowledges and agrees that violation of agreement of this section may result in immediate termination of agreement and eviction for the short term rental unit by owner or local contact person as well as the potential liability for payments of fines levied by the city.

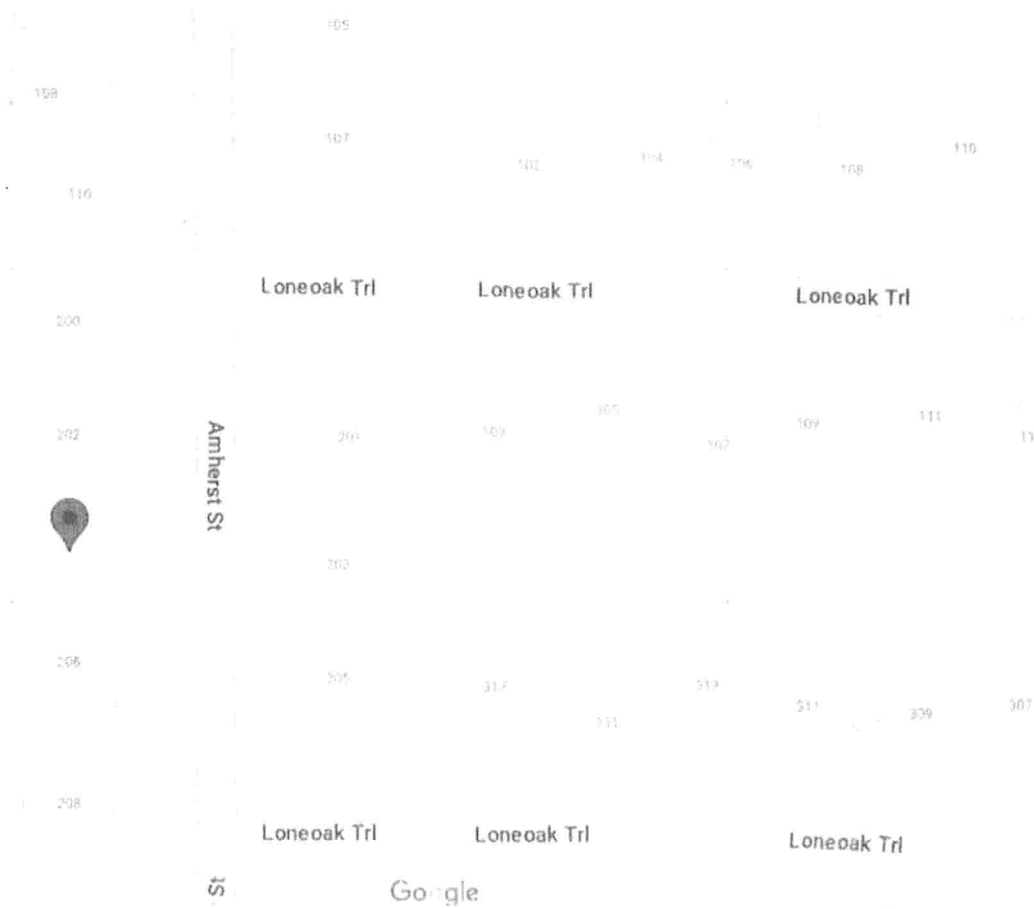
- The parties have executed the Rental Agreement on the dates indicated below.

- House Owner:
 - Print Name: _____
 - Signature: _____
 - Date: _____

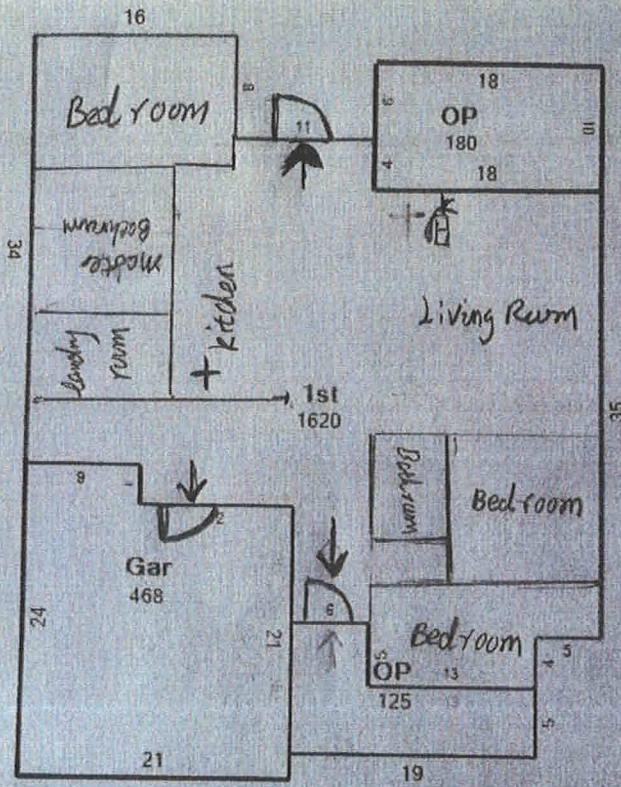
- Booking Guest
 - Print Name: _____
 - Signature: _____
 - Date: _____




4 cars max on the driveway



All cars only can park on the driveway



 door

 Fire extinguisher

 Exit

 First Aid

Please acknowledge the following, as requested per the City of Perry:

4-3.5. **Short-term rental.** The standards in this subsection are required for all short-term rental properties

- A. **Definitions.** As used in this subsection, the following definitions apply:
Responsible person means the signatory of an agreement for the rental, use and occupancy of a short-term rental unit, who shall be an occupant of that short-term rental unit, who is at least twenty-one years of age, and who is legally responsible for ensuring that all occupants of the short-term rental unit and/or their guests or visitors comply with all applicable laws, rules and regulations pertaining to the use and occupancy of the subject short-term rental unit.
- B. **Restrictions on the number of occupants.** The owner or local contact person shall not rent, allow, provide, or advertise for more than two (2) persons per bedroom, plus two (2) additional persons, when using the premises as a short-term rental unit. Regardless of the number of bedrooms on the premises, it shall be unlawful for more than ten persons, including children, to occupy a short-term rental unit at any one time, or to exceed the maximum occupancy shown on the short-term rental permit. A visual inspection by a city employee of more than ten persons at the premises is prima facie evidence of and shall be probable cause to issue a citation for a violation of this section.
- C. **Parking restrictions.** The maximum number of motor vehicles allowed at a short-term rental unit shall be limited to the number of available off-street parking spaces. It shall be unlawful for an owner to permit, allow or advise occupants to park more vehicles on the premises than the available off-street parking spaces, or to suffer or permit parking of vehicles on an unapproved surface. It shall be unlawful for an occupant of a short-term rental unit to park a motor vehicle on a residential street near a short-term rental. It shall be unlawful for an occupant of a short-term rental unit, or an owner thereof to allow an occupant, to park or occupy a motor home, recreational vehicle, boat, utility trailer, or commercial vehicle on the premises of a short-term rental unit.
- D. **Minimum stay required.** An owner or person shall not rent or lease a short-term rental unit for a period of less than 24 hours.
- E. **Noise restrictions.** It shall be unlawful to allow or make noise or sound that exceeds the limits set forth in the City's noise ordinance, §17-55. *SEE BELOW*

Sec. 17-55. Noise—Prohibited; enumerated; exceptions to prohibitions.

- (a) It shall be unlawful for any person, after such person has been given one (1) warning by law enforcement personnel, to willfully make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.
- (b) The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:
- (1) The volume of the noise;
 - (2) The intensity of the noise;
 - (3) Whether the nature of the noise is usual or unusual;
 - (4) Whether the origin of the noise is natural or unnatural;
 - (5) The volume and intensity of the background noise, if any;
 - (6) The proximity of the noise to residential sleeping facilities;

- (7) The nature and zoning of the area within which the noise emanates;
 - (8) The density of the inhabitation of the area within which the noise emanates;
 - (9) The time of the day or night the noise occurs;
 - (10) The duration of the noise;
 - (11) Whether the noise is recurrent, intermittent, or constant; and
 - (12) Whether the noise is produced by a commercial or noncommercial activity.
- (c) The following acts, among others, are declared to be loud, disturbing, unusual and unnecessary noises and noises in violation of this section but this enumeration shall not be deemed to be exclusive:
- (1) **Horns.** The continued sounding of any horn or signal devise on any automobile, motorcycle, bus, street car or other vehicle while not in motion except as a danger signal if another vehicle is approaching apparently out of control, or if in motion, only as a danger signal; the creation by means of any signal device for any unnecessary or unreasonable period of time;
 - (2) **Televisions, radios, phonographs and musical instruments.** The playing of any television, radio, phonograph, musical instrument or other such instruments in such a manner or with such volume, particularly during the hours between 12:00 midnight and 7:00 a.m., as to annoy or disturb the quiet, comfort, or repose of persons in any office, hospital, dwelling, hotel or other type of residence, or any persons in the vicinity, except this shall not apply to schools of music between the hours of 7:00 a.m. and 10:00 p.m.;
 - (3) **Voices.** Yelling, shouting, whistling or singing on the public streets, particularly between the hours of 12:00 midnight and 7:00 a.m., or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any hospital, dwelling, hotel or other type of residence, or any persons in the vicinity;
 - (4) **Noisy vehicles.** The use of any vehicle in any manner as to create loud and unnecessary noise;
 - (5) **Exhaust.** The discharge into the open air of the exhaust of any engine, except through a muffler or other device that will effectively prevent loud or explosive noises therefrom;
 - (6) **Construction work.** The erection, including excavating, demolition, alteration or repair of any building in any residential district or section, the excavation of streets and highways in any residential district or section, other than between the hours of 7:00 a.m. and 9:00 p.m. except in cases of urgent necessity, and then only with a permit from the chief of police or his designee, which permit may be granted for a period not to exceed sixty (60) days while the emergency continues. If the chief of police or his designee should determine that the public health and safety will not be impaired by the erection, demolition, alteration and repair of any building, or the excavation of streets and highways between the hours of 9:00 p.m. and 7:00 a.m. and if he should further determine that loss or inconvenience will result to any party in interest, he may grant permission for this work to be done during these hours upon application being made at the time the permit for work is awarded and during the progress of the work;
 - (7) **Institutions requiring quiet.** The creation of an excessive noise on any street adjacent to any school, institution of learning, church or court while in session, or adjacent to any hospital, nursing home or personal care home, which unreasonably interferes with the workings or sessions thereof;

- (8) **Loud speakers on vehicles.** The use of mechanical or electrical loud speakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes; or
- (9) **Loud speakers on public property.** It shall be unlawful to use, maintain or operate loud speakers, sound trucks, amplifiers or other mechanical or electrical devices for increasing the volume of sound, upon the streets, sidewalks, parks or other public places of the city; provided that nothing herein shall apply to the United States of America, the state, the county, the city or any public or private school system, nor to public agencies of any of them.
- (10) **Consumer fireworks.** Consumer fireworks shall not be ignited between the hours of 9:00 p.m. and 10:00 a.m. except for the days and times set out in O.C.G.A. §§ 25-10-2(b)(3)(B)(ii) and (iii).

(d) None of the prohibitions of this section shall apply to or be enforced against the following:

- (1) Any vehicle of the city while engaged upon necessary public business;
- (2) Excavations or repairs of bridges, streets or highways, by or on behalf of the city, county or state, during the night season, when the public welfare and convenience renders it impossible to perform this work during the day; nor shall they apply to work performed by public utility companies under like conditions and circumstances, or when there is urgent necessity therefor;
- (3) The reasonable use of amplifiers or loud speakers in the course of public addresses which are noncommercial in character; or
- (4) Any parade, celebration or performance for which a permit has been obtained prior thereto from the city.

F. **On-premises curfew requirements.** The owner shall not allow the congregation of occupants outside on the premises between the hours of 10:00 p.m. and 9:00 a.m.

G. **Trash pickup requirements.** The owner or occupant shall not allow trash and refuse to accumulate in an unsanitary manner. If the owner does not remove trash and refuse from the premises after each individual occupancy, the owner or occupant shall place all residential solid waste curbside for collection and disposal by the city, or its authorized representative, no later than 6:00 a.m. on the day of collection and no earlier than 3:00 p.m. on the day before the scheduled collection day. The mobile toter shall be removed from curbside no later than 8:00 a.m. on the day after collection.

H. **Advertising, promoting, or allowing of special events prohibited.** An owner or occupant shall not advertise or promote a special event or allow the advertising and promotion of a special event (e.g., banquet, wedding, reception, reunion, bachelor or bachelorette party, concert, or any similar activity that would assemble large numbers of invitees) to be held on the premises (i.e., utilize the premises as an 'event venue' or 'convention center' as defined in this chapter).

I. **Notice to occupants of short-term rentals.** An owner or person operating a short-term rental shall provide a notice of instructions (also known as "host rules") to occupants staying at the premises in a form developed by the administrator. The notice shall instruct the occupants as to all applicable city regulations pertaining to short-term rentals. These include, but are not limited to, occupancy restrictions, limits on parking, trash pickup, prohibitions on special events, limits on noise, and curfew times.

J. **Written rental agreement required.** The owner shall require a written rental agreement with a responsible person for the short-term rental unit which shall

contain the following provisions: a. the responsible person's agreement to abide by all of the requirements of this chapter, any other applicable city ordinances, state and federal law and acknowledge that his or her rights under the agreement may not be transferred or assigned to anyone else; b. the responsible person's acknowledgement that it shall be unlawful to make any noise or sound that exceeds the limits set forth in the city's noise ordinance; and c. the responsible person's acknowledgement and agreement that violation of the agreement or this chapter may result in immediate termination of the agreement and eviction from the short-term rental unit by the owner or local contact person, as well as the potential liability for payments of fines levied by the city