



Where Georgia comes together.

Planning Commission Agenda
Monday, October 16, 2023 – 6:00pm
Perry Events Center 1121 Macon Road, Perry

1. Call to Order
2. Roll Call
3. Invocation
4. Approval of Minutes from September 11, 2023 and work session September 25, 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
 - **PLAT-0110-2023.** Preliminary Plat for Avington Glen. The applicant is Masterpiece Construction. (*Postponed from September 11, 2023*)
8. New Business
 - A. Public Hearing (Planning Commission decision)
 - **VAR#0127-2023.** Variance for property located at 205 Spring Creek Drive. The applicant is Paul Cribbs.
 - **VAR#0128-2023.** Variance for property located at 209 Spring Creek Drive. The applicant is Paul Cribbs.
 - B. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on November 7, 2023)
 - **SUSE#0126-2023.** Special exception for home bakery for property at 400 Rippling Water Way. The applicant is Tamiqua Bussell.
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 - September 11, 2023

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

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

Guests: Dylan Wingate, Colby Carkoski, Malorie & Andy Acosta, Lei Zhang, and Rhonda Neely

3. Invocation: was given by Commissioner Jefferson
4. Approval of Minutes from August 14, 2023, and work session August 28, 2023
Commissioner Guidry motioned to approve with correction on attendance; Commissioner Mehserle 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. Public Hearing (Planning Commission decision)

PLAT-0110-2023. Preliminary Plat for Avington Glen. The applicant is Masterpiece Construction

Mr. Wood advised the applicant requested postponement until the October 16, 2023, meeting as they could not be present for the hearing. The Commission concurred to postpone the request until October 16, 2023.

- **VAR#0100-2023.** Variance for property located at 1117 Cottage Lane. The applicant is WCH Homes.

Ms. Carson read the applicants' request which was for a variance to reduce the front yard setback from 25 feet to 20 feet, to fit the proposed, larger home on the parcel more comfortably, along with staff responses and based on the analysis 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.

Chairman Edwards opened the public hearing at 6:08pm and called for anyone in favor of the request. Mr. Dylan Wingate, the applicant provided pictures and the site plan which shows the layout of what is being requested and advised with the arc of the cul-de-sac and the forty-foot rear landscape easement trying to elevate the five feet, so they do not have to go into the buffer. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:10pm.

Mr. Wood advised the plat has a 40' rear setback, 20' feet is the landscape easement. Chairman Edwards inquired on the square footage; Mr. Wingate advised the house is under contract and is approximately 2100 square feet, which is the same as others in the area and is the last lot to be built on. Chairman Edwards asked who installed the landscape; Mr. Wingate advised the developer had. Commissioner Mehserle asked if the lot was pre-sold why it didn't fit on the lot. Mr. Wingate advised there was another lot in the subdivision with the same scenario and it had received a variance; is trying to not have the home sit in the buffer and wants this lot to be the same as the others. Commissioner Mehserle requested confirmation of the setbacks; Mr. Wood advised the rear setback is 40ft, with 20ft in the landscape easement and noted it does not have to go into the easement, but it will go into the buffer. Chairman Edwards asked if the driveway space would be affected; Mr. Wingate advised it would not. Commissioner Guidry referencing Mark Byrd's email, support that surrounding residents are in agreement and asked for clarification; Mr. Wingate advised this is correct as they do not want them to go into the buffer.

Commissioner Butler motioned to approve the variance request as submitted; Commissioner Moody seconded; all in favor with Commissioner Jefferson opposed; resulting vote was 6-1 for approval.

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.

Ms. Carson read the applicants' request, which was for the property to be de-annexed from the City of Perry, as the City cannot provide sanitary sewer or water. 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 and staff recommends de-annexation.

Chairman Edwards opened the public hearing at 6:25pm and called for anyone in support of the application; the applicant Mr. Carkoski had nothing further to add. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:26pm.

Commissioner Mehserle motioned to recommend approval to Mayor and Council of the application as submitted; Commissioner Butler seconded; all in favor for approval.

- **SUSE#0060-2023.** Special exception for short-term rental for property at 414 Frank Satterfield Road. The applicant is Andres Acosta – Mastr Homestays, LLC

Mr. Wood advised the property owner proposes to offer the entire 3-bedroom/2-bath house for short-term rental for a maximum of 8 occupants. The premises were inspected for compliance with minimum health and safety requirements for use and occupancy (per Section 2-3.6) and passed and meets the criteria for the standards of the short-term rental ordinance.

Chairman Edwards opened the public hearing at 6:30pm and called for anyone in favor of the request. The applicant, Mr. Acosta, had nothing further to add. Chairman Edwards called for anyone opposed; there being none the public hearing was closed at 6:32pm.

Commissioner Butler motioned to recommend approval of the application as submitted to Mayor and Council; Commissioner Ross seconded; all in favor and was unanimously approved.

- **SUSE#0111-2023.** Special exception for short-term rental for property at 204 Amherst Street. The applicant is Lei Zhang.

Ms. Carson advised the 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 and meets the criteria for the standards of the short-term rental ordinance.

Chairman Edwards opened the public hearing at 6:35pm and called for anyone in favor of the request. The applicant, Ms. Zhang, had nothing further to add. Chairman Edwards called for anyone opposed. Ms. Rhonda Neely of 203 Amherst Street advised there had been five families staying there before, parking cars in the street and made residents feel unsafe. There being no further comments, the public hearing was closed at 6:37pm.

Chairman Edwards confirmed the occupancy limit and asked staff of the penalty if violated; Mr. Wood advised it could be revocation of the permit. Commissioner Ross inquired of Ms. Neely if anyone had called E-911 for noise complaints; Ms. Neely advised she was not aware, but she had not called.

Mrs. Zhang asked to speak and advised before being aware of the short term rental policy she has rented on a long term basis, but will now use this as her home and for short term rental, she has no experience with this and she did have a family rent that had mislead her, and future rentals if the rules are not adhered to they will be asked to leave.

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

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 6:48pm.

Planning Commission Work Session
Minute - September 25, 2023

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

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

3. Citizens with Input- None
4. Capital Improvement Projects Update – Mr. McMurrian provided updates for various city projects.
5. New Business
 - Sidewalks, street trees, and parks in subdivisions

Discussion continued from previous meeting which was the potential requirements of sidewalks on both sides of the street; management had concern with long term maintenance. Mr. Wood provided examples of communities that currently have in place and contacted some with regard to their policy on maintenance, which is minimal and in some areas is done when a complaint is received. Discussion on street trees should they be required, how to limit growth damage to utilities, what can be required, where to place in right of way. Mr. Wood advised Mr. McMurrian is working with GWES on a schematic to show what can fit in a right of way.

Discussion began on the requirements for parks; Mr. Wood advised approximately a year and half ago the city elected to buy a parcel in a subdivision from the developer, put in a park and maintain it, however, that has been done just once and was a costly endeavor. Mr. Wood advised the minimum size for a park should be no less than 1/4 acre-175square feet for 62 lots and more than one park for each 62 lots. Mr. Wood noted in the past parks had been required, and an example of this is the Wooden Eagle subdivision. On conclusion of discussion, it was the consensus of the Commission for developers to require parks at their expense.

6. Other Business – None
7. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 6:30pm.



Where Georgia comes together.

STAFF REPORT

September 7, 2023

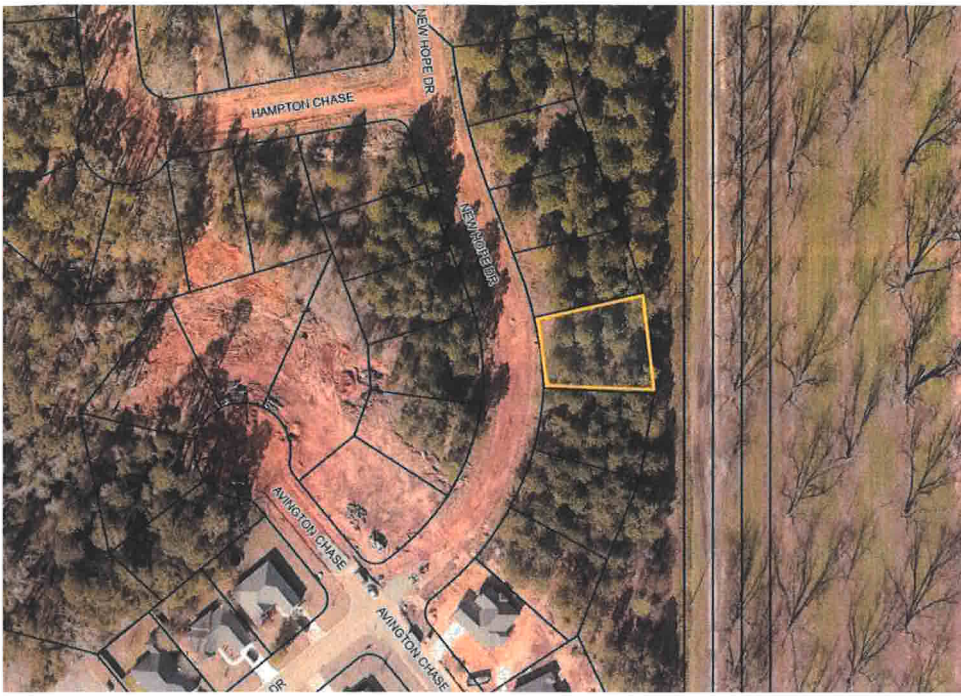
CASE NUMBER: PLAT-0110-2023
APPLICANT: Masterpiece Construction
REQUEST: Preliminary Plat – Avington Glenn
LOCATION: 408 New Hope Drive; Tax Map No.: portion of 0P0490 036000
ADJACENT ZONING/LANDUSES:

	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.

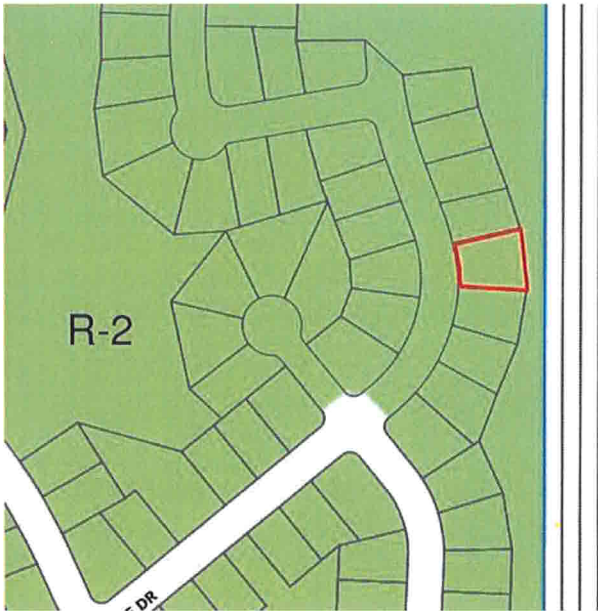


PLAT-0110-2023

408 New Hope Drive

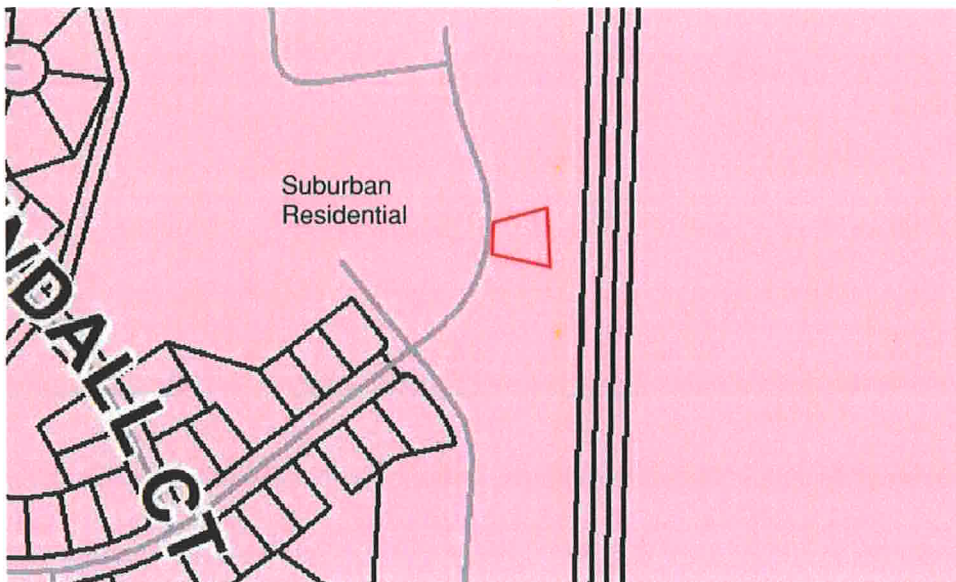
Preliminary Plat for One Lot

Aerial



RAG
(County)

Zoning



Character Area

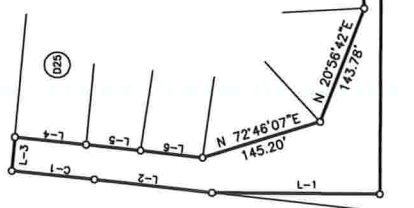
JONES SURVEYING & ENGINEERING
DO NOT GUARANTEE THAT ALL
NECESSARY PERMITS AND
EASEMENTS HAVE BEEN OBTAINED.
THIS PROPERTY ARE SHOWN.



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

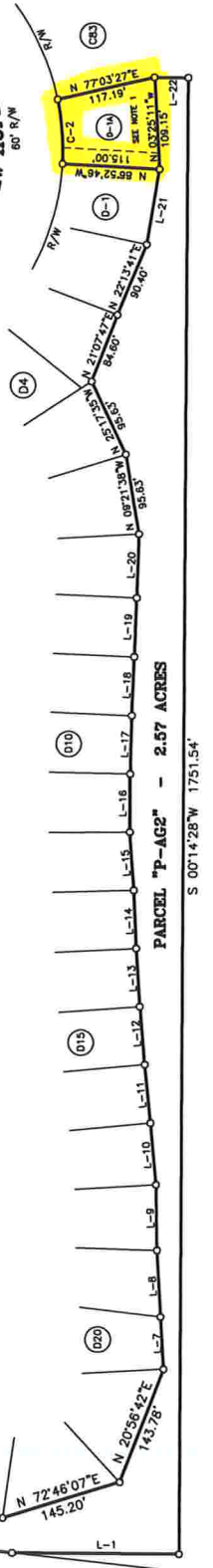
CLERK'S USE ONLY

KARMA DRIVE
60' R/W



KINGS CHAPEL ROAD
60' R/W

AVINGTON GLENN S/D

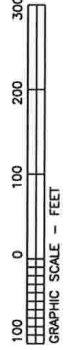


PARCEL "P-AG2" - 2.57 ACRES

S 00°14'28"W 1751.54'

F U G G E R

CURVE	RADIUS	LENGTH	CH-BEARING	CHORD	DISTANCE
L-1	5777.50'	97.40'	N84°18'14"W	97.40'	198.08'
L-2	292.48'	76.58'	N04°24'32"W	76.57'	153.29'
C-1					38.82'
C-2					81.90'
L-3					54.70'
L-4					62.10'
L-5					75.04'
L-6					73.45'
L-7					68.73'
L-8					68.12'
L-9					68.12'
L-10					68.12'
L-11					68.12'
L-12					68.12'
L-13					68.12'
L-14					68.12'
L-15					68.12'
L-16					68.12'
L-17					68.12'
L-18					68.12'
L-19					68.12'
L-20					68.12'
L-21					68.12'
L-22					68.12'



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

CERTIFICATION

AS REQUIRED BY SUBSECTION (G) OF O.C.G.A. SECTION 15-10-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR IN ACCORDANCE WITH THE RULES AND REGULATIONS FOR THE REGISTRATION OF PROFESSIONAL SURVEYORS FOR RECORDING AS EVIDENCED BY APPROVED CERTIFICATIONS, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE UNDERGROUND LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLES 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 SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



THE CITY OF PERRY

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

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

PLAT NUMBER = L-2567



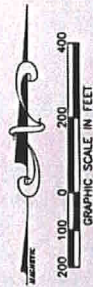
PROPERTY OWNER / DEVELOPER
 RV DEVELOPMENTS, LLC
 2106 HIGHWAY 247 CONNECTOR
 BIRMINGHAM, AL 35208
 PHONE: (205) 224-4578
 CONTACT: MR. DANNY ROSALLES

LAND LOT DISTRICT
 LAND LOT 143
 10TH DISTRICT
 HOUSTON COUNTY, GA

FLOOD ZONE INFORMATION
 PER FEMA FLOOD MAP, PANEL 135 OF 275
 THIS PROJECT DOES NOT LIE WITHIN A FLOODPLAIN
 PANEL NUMBER: 130327 0135 A
 EFFECTIVE DATE: JUNE 4, 1990

*IN THAT ALL THE REQUIREMENTS OF PRELIMINARY APPROVAL HAVING BEEN FULFILLED, THIS SUBDIVISION PLAT WAS GIVEN PENDING APPROVAL. THIS PRELIMINARY 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.

3/28/06 *M-LAB*
 DATE PLANNER/DIRECTOR COMMUNITY DEVELOPMENT



NO.	TOP	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	309.3

NO.	TOP	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	309.3

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 = 2.50
 STREET = 10233 FT.
 PARCEL 8-72 & 8-22A

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 = 50.00 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"



NO.	DATE	REVISION

COUNTY:	HOUSTON
DISTRICT:	10TH
LAND LOT:	143
DATE:	03/23/06
SCALE:	1" = 200'
JOB NO.	05025

PRELIMINARY PLAT FOR:
AVINGTON GLENN

Ocmulgee
 SURVEYING ENGINEERS & PLANNERS
 213 Was Park Drive
 Perry, Georgia 31069
 office (478) 224-7070
 fax (478) 224-1072

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



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
October 4, 2023

CASE NUMBER: VAR-0127-2023
APPLICANT: Paul Cribbs, P2 Construction
REQUEST: Variance to reduce the heated minimum square footage from 1500 to 1334
LOCATION: 205 Spring Creek Drive, Parcel No.: 0P40A0 010000

SECTION OF ORDINANCE BEING VARIED: Section 5-1 Table 5-1-1: Minimum House Size for R-3, Single-Family Residential shall be 1500 heated square feet

BACKGROUND: The applicant requests a variance to reduce the required heated square footage of the house from 1500 sq ft to 1334 sq ft. The dwelling was almost complete when the need for a variance was discovered.

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 request comes in response to an oversight by Community Development staff that allowed the structure to be permitted and constructed at 1334 sq ft rather than the required 1500 sq ft. The application is necessary to bring the structure into compliance.

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 bring the structure into compliance with the ordinance.

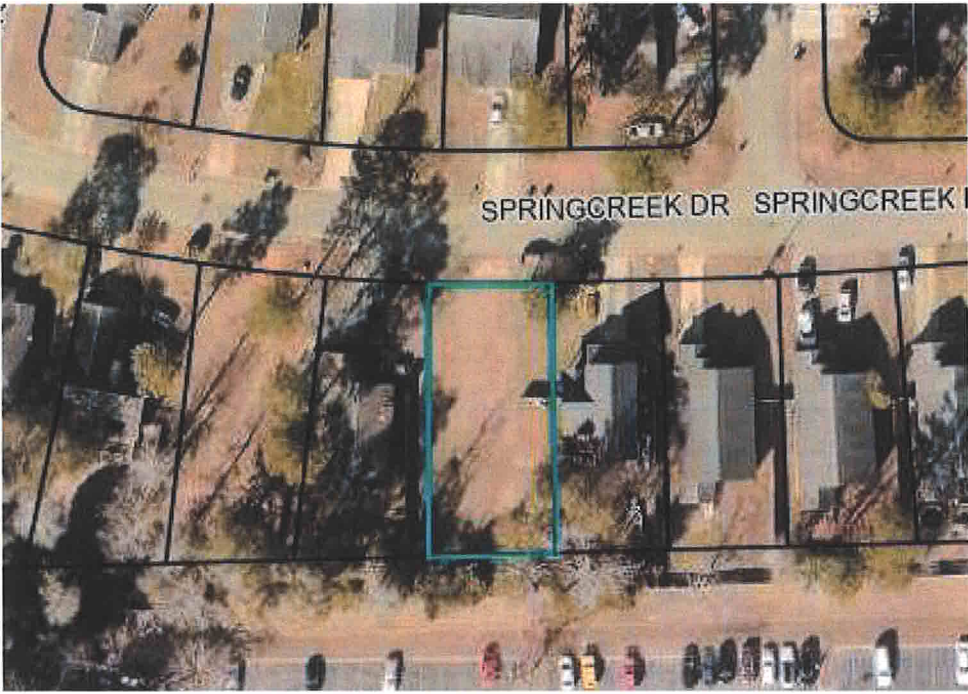
3. *Can the variance be granted without substantial impairment to the intent, purpose, and integrity of the ordinance or comprehensive plan?*

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 not compromise the integrity of the Land Management Ordinance since the structure is less than the required square footage, as stated in the LMO.

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 change in the building footprint is minimal.

STAFF CONCLUSIONS: Based on the analysis above and the site plan presented by the applicant, Staff recommends approval of the variance request as the applicant since this was due to a staff oversight and the structure is already complete.

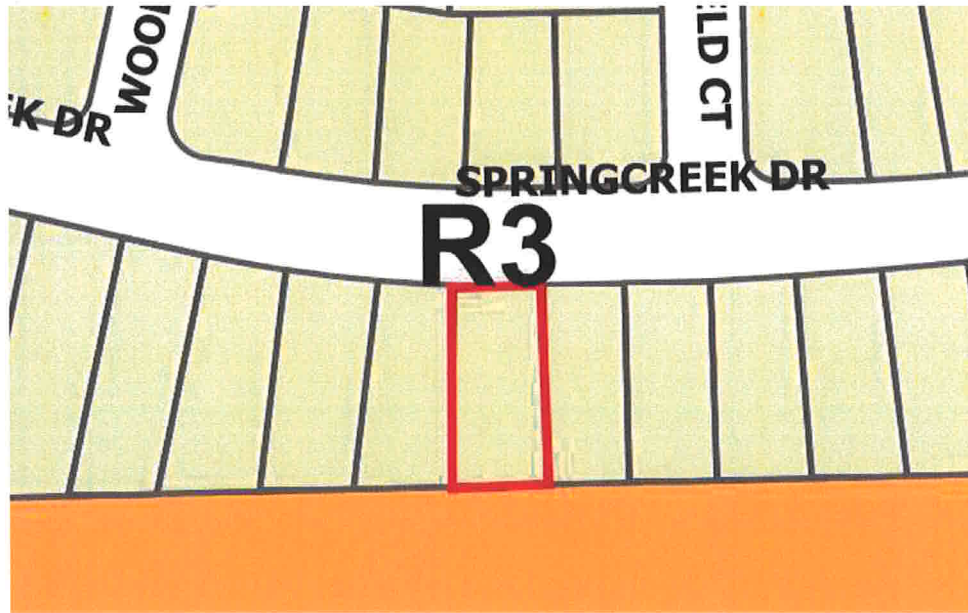


VAR-0127-2023

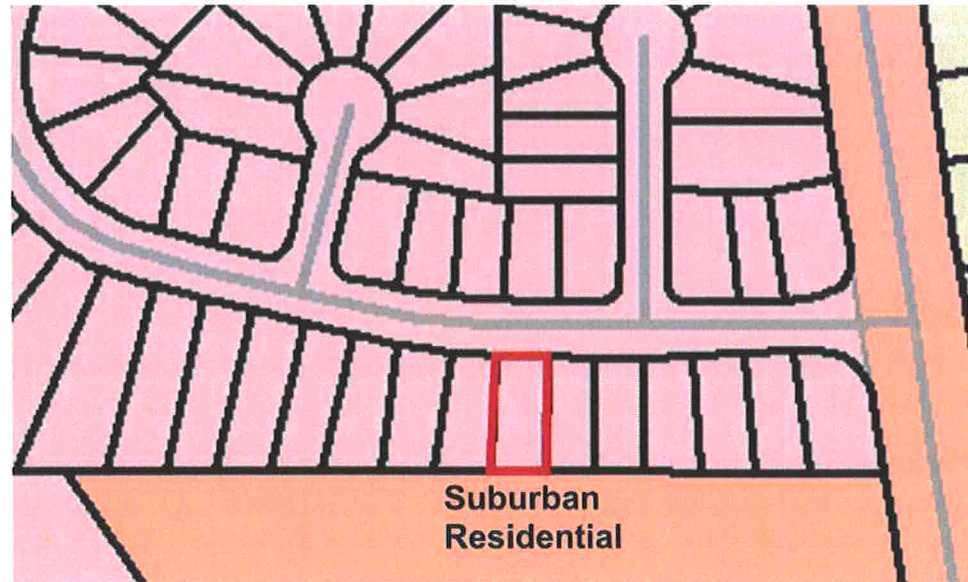
205 Spring Creek Dr

Reduce Minimum Heated Square Feet to 1334

Aerial



Zoning



Character Area



Where Georgia comes together.

Application # VAR #0127-
2023

Application for Variance

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	PAUL CRIBBS	P2 CONSTRUCTION
*Title	P2 CONSTRUCTION OWNER	
*Address	PO BOX 6128, WARNER ROBINS GA 31095	
*Phone	912-856-2101	
*Email	P2CONSTRUCTIONLLC@GMAIL.COM	

Property Information

*Street Address	205 SPRING CREEK DRIVE		
*Tax Map #(s)	PARCEL P40A-10	*Zoning Designation	R3


Request

*Please describe the proposed variance: (i.e. Reduce the rear setback from 25 feet to 22 feet)

REDUCE HEATED SF MINIMUM FROM 1500 TO 1334

Instructions

- The application and 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	PAUL CRIBBS	*Date	09/11/23
*Property Owner/Authorized Agent		*Date	09/11/23

** PLEASE NOTE, these plans were submitted and approved through the portal. This was an oversight on both our side and that of the city when approving. It is an older subdivision, smaller lots, and we referred to the covenants to fit the house on the lot

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

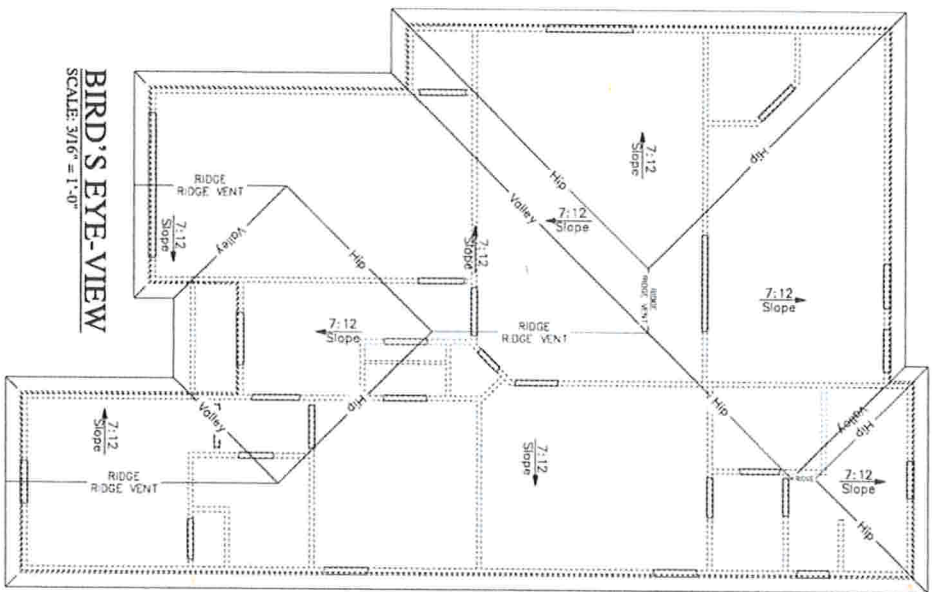
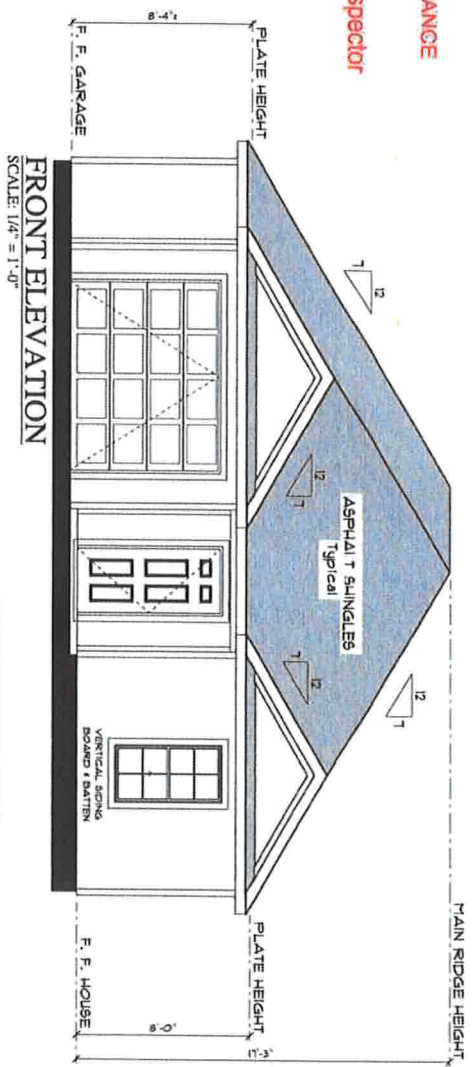


CONSTRUCTION

Are there covenants and restrictions pertaining to the property which would preclude the proposed variance? **NO**

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; **NO**
2. Such variance is the minimum reasonably necessary to overcome the aforesaid exceptional conditions; **YES**
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; **YES**
4. Such variance will not be detrimental to the use and enjoyment of adjoining or neighboring properties. **YES**

**APPROVED PENDING COMPLIANCE
WITH COMMENTS**
Dan Bass, Senior Building Inspector



BIRD'S EYE-VIEW
SCALE: 3/16" = 1'-0"

AREA SCHEDULE	
AREA:	SQ. Ft.
1st Floor Heated	1334 sq ft.
TOTAL HEATED AREA:	1334 sq ft.
Garage	240 sq ft.
Garage Storage	17 sq ft.
TOTAL AREA UNDER ROOF:	1591 sq ft.

Front Elevation

DATE: Monday, May 1, 2023

THESE DRAWINGS ARE QUANTITATIVE. VERIFY ALL INFORMATION ON JOB SITE PRIOR TO CONSTRUCTION.

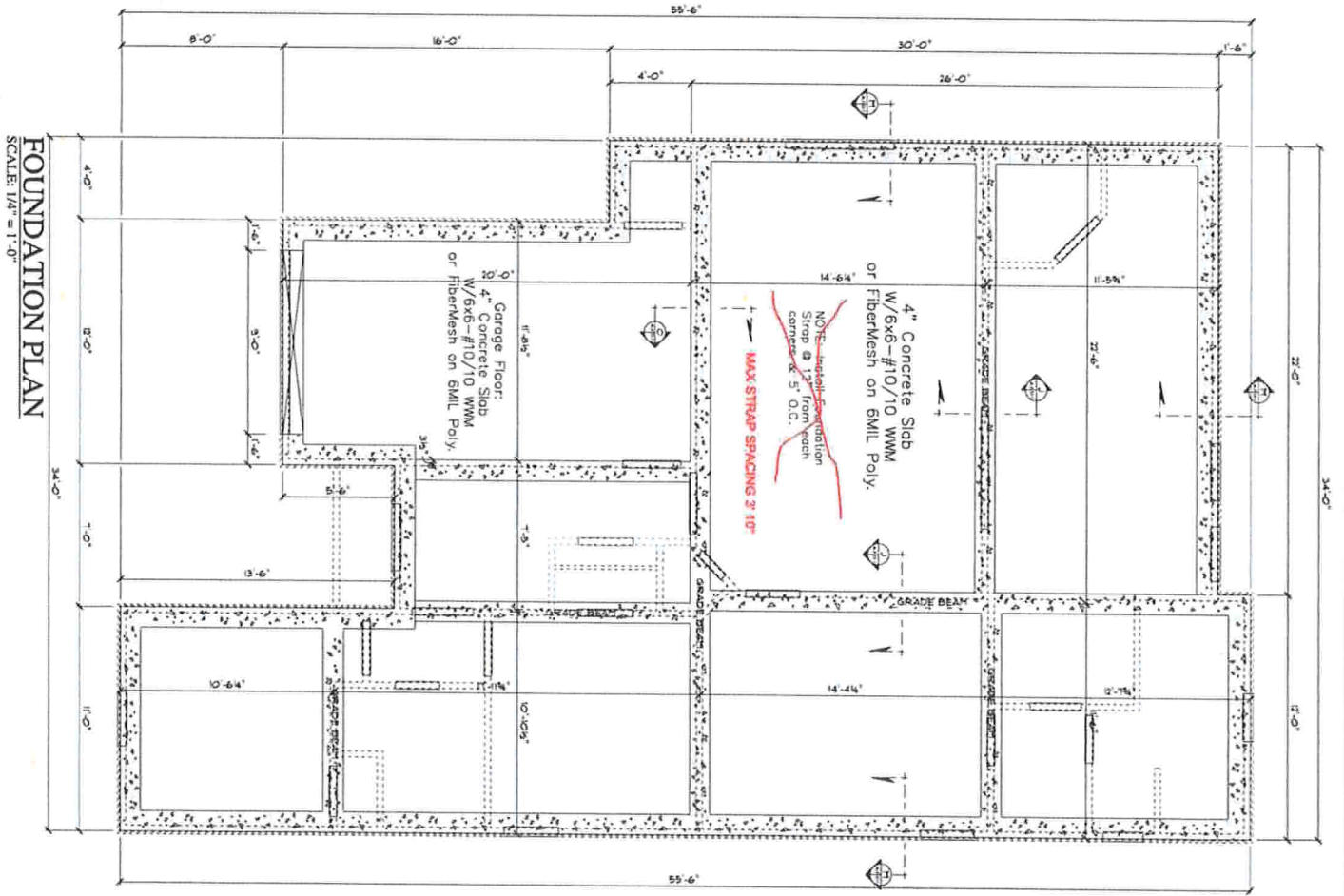
A.1

Plan Q

Richard A. Rubinski
109 Summit Court
Warner Robins, GA 31088
Cell: 478-808-8949
Email: rar3206@cox.net

**TOP OF FINISHED FLOOR MUST BE 12" PLUS
2% OF DISTANCE TO STREET ABOVE TOP OF
CURB**

**UFER
REQUIRED**



**Footings must be a minimum of 12" below
undisturbed grade and bear on natural soils or
engineered fill. Concrete foundations shall
extend 6" above final grade.**

FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

A.2	TITLE: Foundation Plan	
	FILE:	THESE DRAWINGS ARE DIAGRAMATIC. VERIFY ALL INFORMATION ON JOB SITE BEFORE TO CONSTRUCTION
	DATE: Monday, May 1, 2011	

Plan Q

Richard A. Rubinski
 109 Summit Court
 Warner Robins, GA 31088
 Cell: 478-808-8949
 Email: rar3206@cox.net

GENERAL NOTES

1. THE DRAWING IS THE PROPERTY OF THE ARCHITECT & IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.
2. CONTRACTOR SHALL VERIFY ALL THE LOCATIONS & COORDINATE WITH OWNER, WHICH TRIES WILL BE REMOVED PRIOR TO CLEANUP OF LOT.
3. AFTER LOT CLEANING & PRIOR TO CONSTRUCTION, CONTRACTOR SHALL OBTAIN NECESSARY PERMITS FROM ANY AGENCIES THAT MAY BE REQUIRED FOR THE PROJECT.
4. CONTRACTOR SHALL COORDINATE ALL WATER, SEWER, GAS, & CABLE WORK WITH LOCAL SERVICE PROVIDERS & SUB CONTRACTORS. SEE SITE PLAN DESIGN AS NOTED BY LOCAL HEALTH DEPARTMENT.

MINI WATER HEATER 62 FHR

ATTIC ACCESS REQUIRED

LOCAL EXHAUST REQUIRED PER 1505.4.4

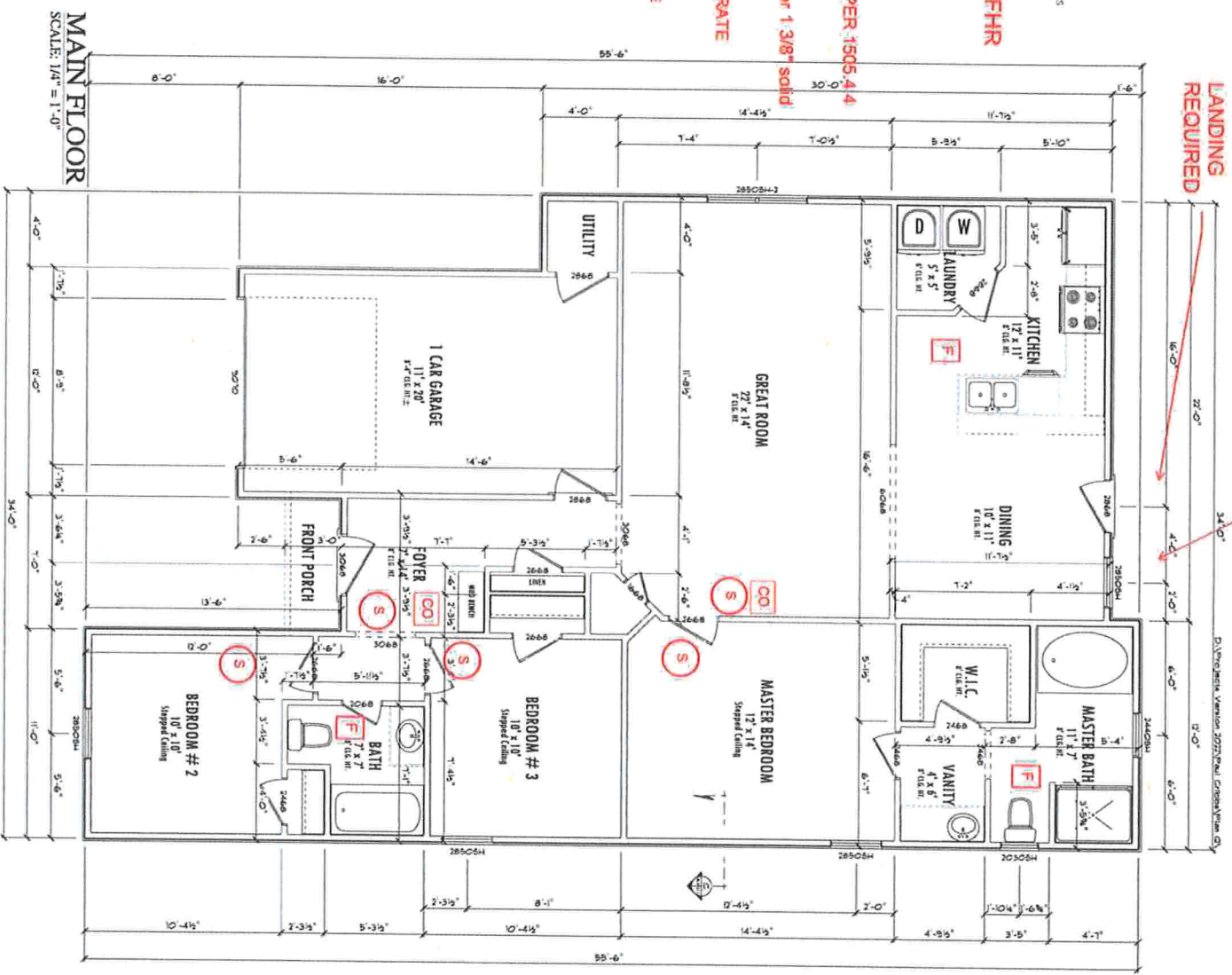
Garage door shall be 20 min. FR or 1.3/8" solid core

1/2 GYPSUM REQUIRED TO SEPARATE GARAGE FROM DWELLING

SLEEPING ROOMS REQUIRE 5.7 SQUARE FOOT WINDOW OPENING FOR EGRESS

LANDING REQUIRED

TEMPERED



MAIN FLOOR
SCALE: 1/4" = 1'-0"

NOTE: ALL AREA CALCULATIONS ARE TO THE OUTER EDGE OF EXTERIOR WALL.

CONSTRUCTION NOTES:

- HATCHING: ALL WINDOWS, DOOR, DIMENSIONS ARE TO THE CENTER OF THE UNIT, UNLESS SHOWN OTHERWISE.
- ALL DOOR FINISHING SHALL BE 9" YELLOW PINE OR EQUAL, EXCEPT AT LOCATIONS WHERE WOOD WILL BE EXPOSED TO THE ELEMENTS OF WEATHER OR COME IN CONTACT WITH THE ELEMENTS OF WEATHER. IN SUCH CASES ALL WOOD SHALL BE 1 1/2" x 4" PINE, IN ACCORDANCE WITH THE 2003 IRC.
- ALL WALLS SHALL BE 2X WOOD STUDS @ 16" O.C. DOUBLE WOOD TOP PLATED @ SINGLE SOLE PLATE. REINFORCED BATT INSULATION IN ALL CEILING. EXTERIOR WALLS @ FINISHING WALLS WITH 2X6 WALLS. ROOF CEILING.
- ALL INTERIOR WALLS @ CEILING TO RECEIVE 1/2" DRYWALL. PAINT AS APPROVED BY OWNER/CONTRACTOR.
- ALL FLOOR FINISHES AS APPROVED BY THE OWNER/CONTRACTOR.
- ALL KITCHEN APPLIANCES, BATHROOM FIXTURES & ELECTRICAL FIXTURES & DEVICES SHALL BE APPROVED BY OWNER/CONTRACTOR PRIOR TO INSTALLATION.
- EXTERIOR FINISHES, VENTED ROOF & ALUMINUM FACIA TYPE & CHARACTERISTICS TO BE APPROVED BY OWNER/CONTRACTOR PRIOR TO INSTALLATION.
- CONTRACTOR SHALL PROVIDE ALLOWANCE FOR ALL ACCESSORIES, SUCH AS DOOR STOPS, TOILET BARS, KNOB HORIZONTAL SOAP DISPENSER, ETC.
- ALL MATERIALS/EQUIPMENT BELOW S.F.E. GRADE FLOOD ELEVATION SHALL BE FLOOD RESISTANT.
- ALL BATHROOM & RANGE WOOD VENTS DUCT THRU ROOF.
- PROVIDE CONTINUED LOAD PATH FOR UP-LIFT BETWEEN ROOMS, FOUNDATION WALLS, FLOOR EXTERIOR WALL & ROOFED PORCHES/DECK.
- FILL FOR SLAB NOT EXCEED 12" FOR CLEAN FILL. ALL SLAB SHALL BE REINFORCED WITH #4 BARS. ADEQUATE COMPACTION REQUIRED TO FIELD AND HOBBLED PROCTOR.
- ALL UTILITY AREAS REQUIRED TO HAVE A MIN. 1/4" HIGH BY 20" WIDE OPENING TO PERMIT INSPECTION. ENGINEER CODE REQUIREMENTS. MIN. AREA IS 5.7 sq. ft. WITH A MAX. SILL HEIGHT OF 44" A.S.F. EXCEPTION GRADE FLOOR OPENING MAY BE 5.0 sq. ft.
- FINISHING FIXTURES, ELECTRICAL DEVICES, REFRIGERATED EQUIPMENT & DOOR WORK SHALL NOT BE INSTALLED BELOW FINISH FLOOR. ALL MATERIALS BELOW FINISH FLOOR SHALL BE FLOOD RESISTANT.

AREA SCHEDULE	
AREA:	SQ. FT.
1st Floor Heated	1334 sq ft.
TOTAL HEATED AREA:	1334 sq ft.
Garage	240 sq ft.
Garage Storage	17 sq ft.
TOTAL AREA UNDER ROOF:	1591 sq ft.

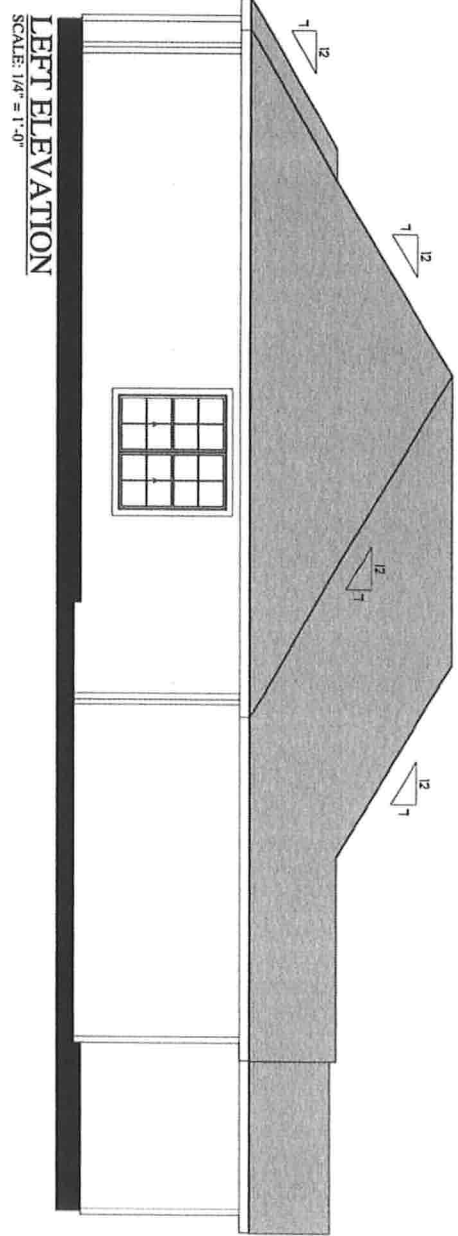
Main Floor Plan

DATE: Monday, May 1, 2023

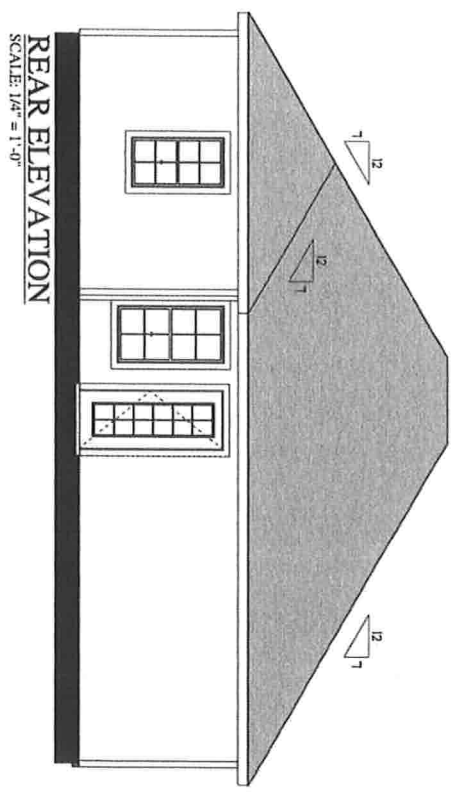
DRIVING NUMBER: **A.3**

Plan Q

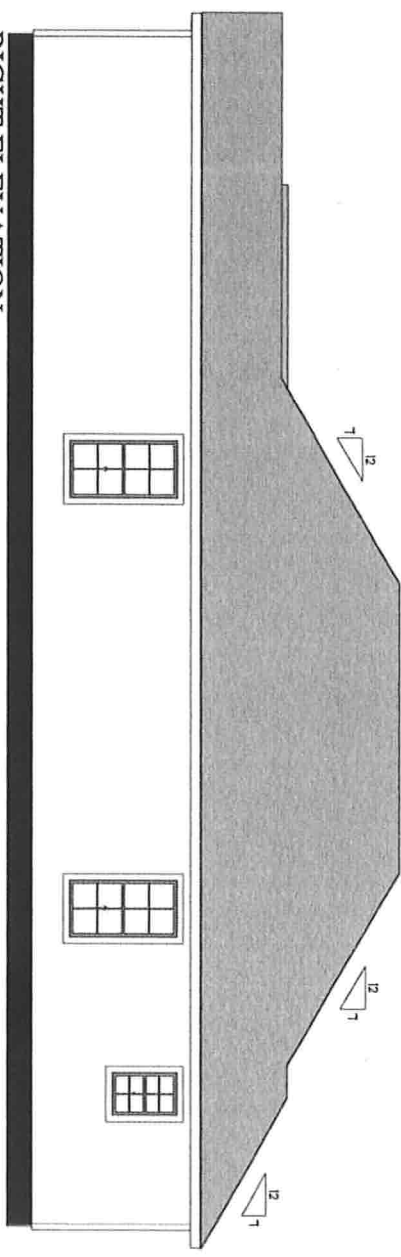
Richard A. Rubinski
109 Summit Court
Warner Robins, GA 31088
Cell: 478-808-8949
Email: rar3206@cox.net



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

Plan Q

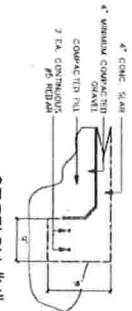
Richard A. Rubinski
109 Summit Court
Warner Robins, GA 31088
Cell: 478-808-8949
Email: rar3206@cox.net

Elevation's

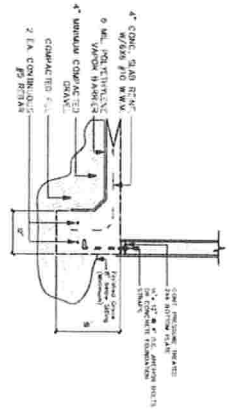
DATE:	Monday, May 1, 2023
FILE:	
TITLE:	

THESE DRAWINGS ARE
DIAGNOSTIC. VERIFY ALL
INFORMATION ON JOB SITE
PRIOR TO CONSTRUCTION

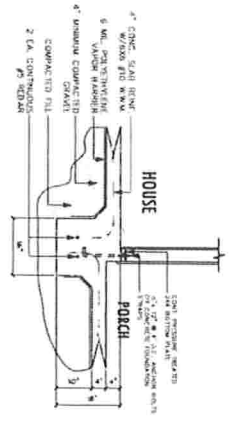
A.4



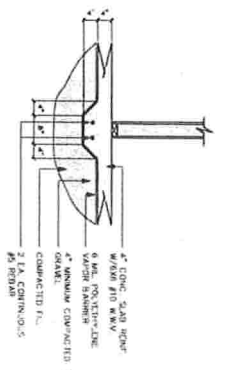
**SECTION "N"4''
COVERED
PORCH SLAB**



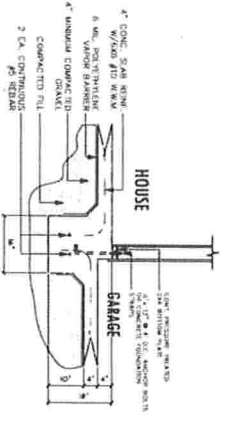
**SECTION "N"4''
EXTERIOR WALL
MONOLITHIC SLAB**



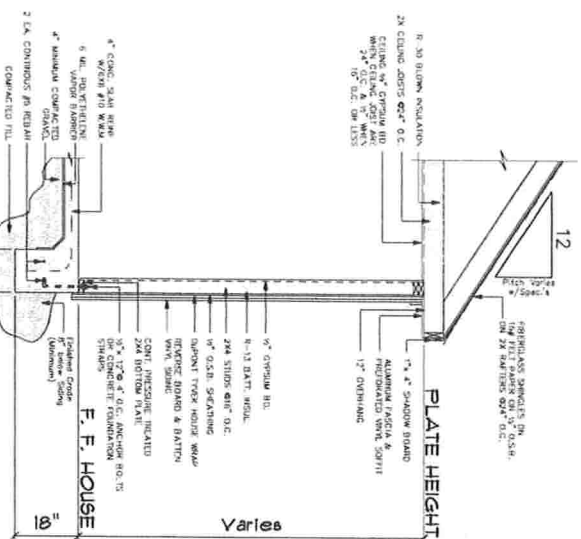
**SECTION "N"4''
HOUSE
PORCH TO HOUSE WALL
MONOLITHIC SLAB**



**SECTION "N"5''
GRADE BEAM
INTERIOR LOAD
BEARING WALL**



**SECTION "N"5''
HOUSE
GARAGE TO HOUSE WALL
MONOLITHIC SLAB**



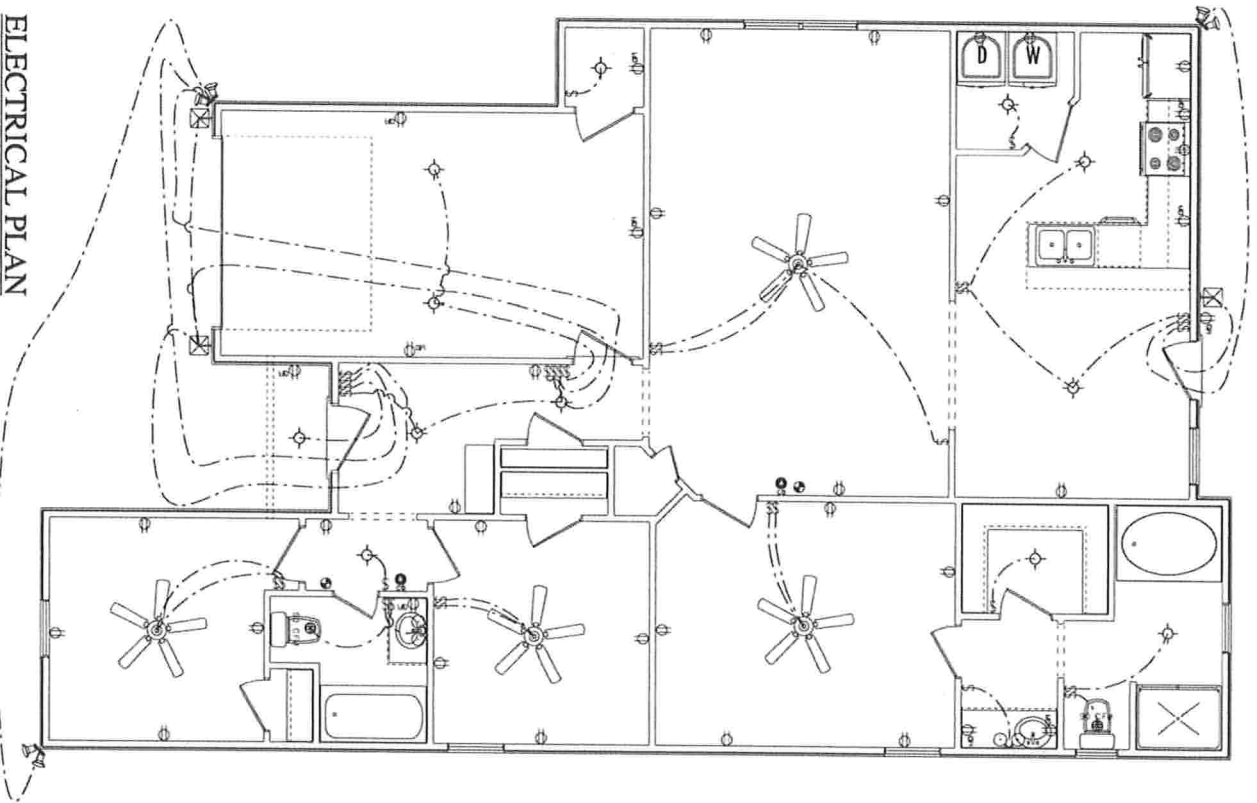
**SECTION "N"6''
EXTERIOR WALL
MONOLITHIC SLAB
BOARD & BATTEN**

D.1	DATE: _____	Moddy, May 1, 2023
	FILE: _____	
Detail's(Foundation)		
<small>THESE DRAWINGS ARE DIAGRAMMATIC. CHECK ALL INFORMATION ON JOB SITE PRIOR TO CONSTRUCTION</small>		

Plan Q

Richard A. Rubinski
 109 Summit Court
 Warner Robins, GA 31088
 Cell: 478-808-8949
 Email: rar3206@cox.net

ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"



ELECTRICAL	ELECTRICAL LEGEND	COUNT	SYMBOL
ceiling fan 5 blade cd		4	
air and vent return light		3	
co detector		2	
fan 60 CFM		2	
light		12	
outlet		24	
outlet 220v		2	
outlet gfi		11	
smoke detector		2	
spotlight double with motion detector		3	
switch		8	
switch double		7	
switch quad		2	
switch triple		1	
wall mounted 0'2' light		2	

Electrical Plan

Plan Q

Richard A. Rubinski
109 Summit Court
Warner Robins, GA 31088
Cell: 478-808-8949
Email: rar3206@cox.net

E.1

DATE: Monday, May 1, 2003

THESE DRAWINGS ARE DIAGRAMMATIC. VERIFY ALL INFORMATION ON JOB SITE PRIOR TO CONSTRUCTION



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development

October 4, 2023

CASE NUMBER: VAR-0128-2023
APPLICANT: Paul Cribbs, P2 Construction
REQUEST: Variance to reduce the heated minimum square footage from 1500 to 1334
LOCATION: 209 Spring Creek Drive, Parcel No.: 0P40A0 012000

SECTION OF ORDINANCE BEING VARIED: Section 5-1 Table 5-1-1: Minimum House Size for R-3, Single-Family Residential shall be 1500 heated square feet

BACKGROUND: The applicant requests a variance to reduce the required heated square footage of the house from 1500 sq ft to 1356 sq ft. The dwelling was almost complete when the need for a variance was discovered.

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 request comes in response to an oversight by Community Development staff that allowed the structure to be permitted and constructed at 1356 sq ft rather than the required 1500 sq ft. The application is necessary to bring the structure into compliance.

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 bring the structure into compliance with the ordinance.

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 not compromise the integrity of the Land Management Ordinance since the structure is less than the required square footage, as stated in the LMO.

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 change in the building footprint is minimal.

STAFF CONCLUSIONS: Based on the analysis above and the site plan presented by the applicant, Staff recommends approval of the variance request as the applicant since this was due to a staff oversight and the structure is already complete.

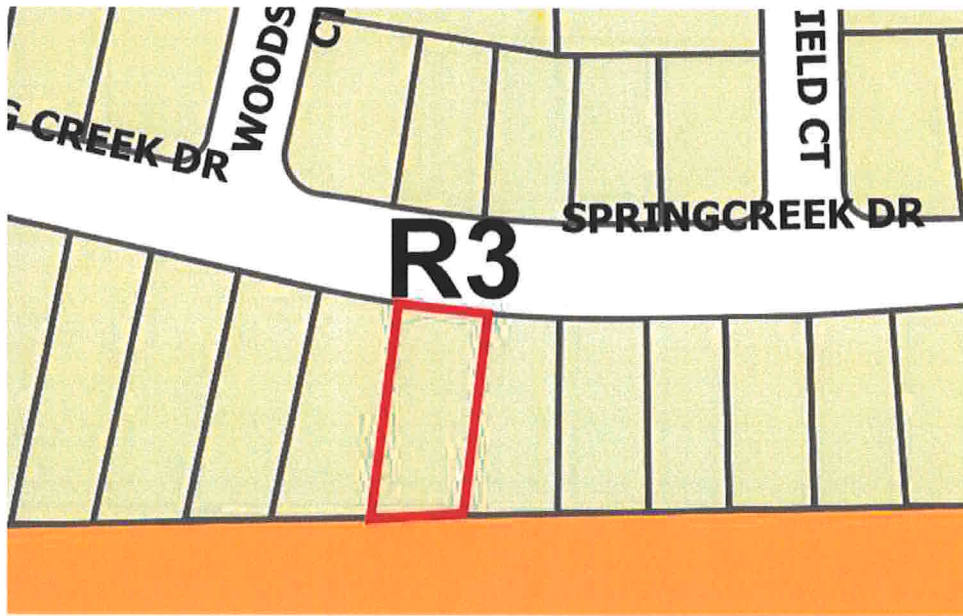


VAR-0128-2023

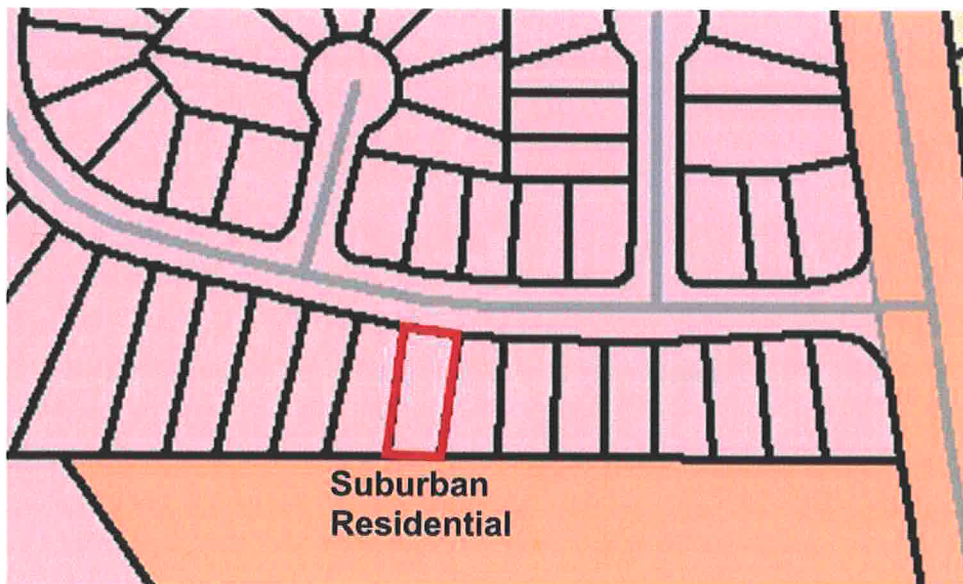
209 Spring Creek Dr

Reduce Minimum Heated
Square Feet to 1356

Aerial



Zoning



Character Area



Where Georgia comes together.

Application # VAR#028-
2023

Application for Variance

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	PAUL CRIBBS	P2 CONSTRUCTION, LLC
*Title	OWNER, P2 CONSTRUCTION	
*Address	PO BOX 6128 WARNER ROBINS GA 31095	
*Phone	912-856-2101	
*Email	P2CONSTRUCTIONLLC@GMAIL.COM	

Property Information

*Street Address	209 SPRING CREEK DRIVE	
*Tax Map #(s)	DP40AD D12000	*Zoning Designation R3


Request

*Please describe the proposed variance: (i.e. Reduce the rear setback from 25 feet to 22 feet)

REDUCE HEATED SQUARE FOOT MINIMUM FROM 1500 TO 1356

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	PAUL CRIBBS	*Date
*Property Owner/Authorized Agent		*Date 09/11/23

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



CONSTRUCTION

Are there covenants and restrictions pertaining to the property which would preclude the proposed variance? NO

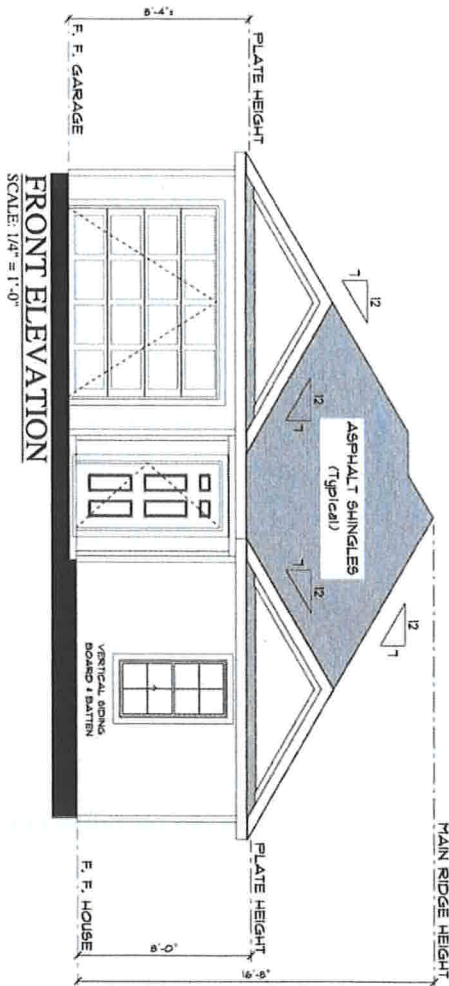
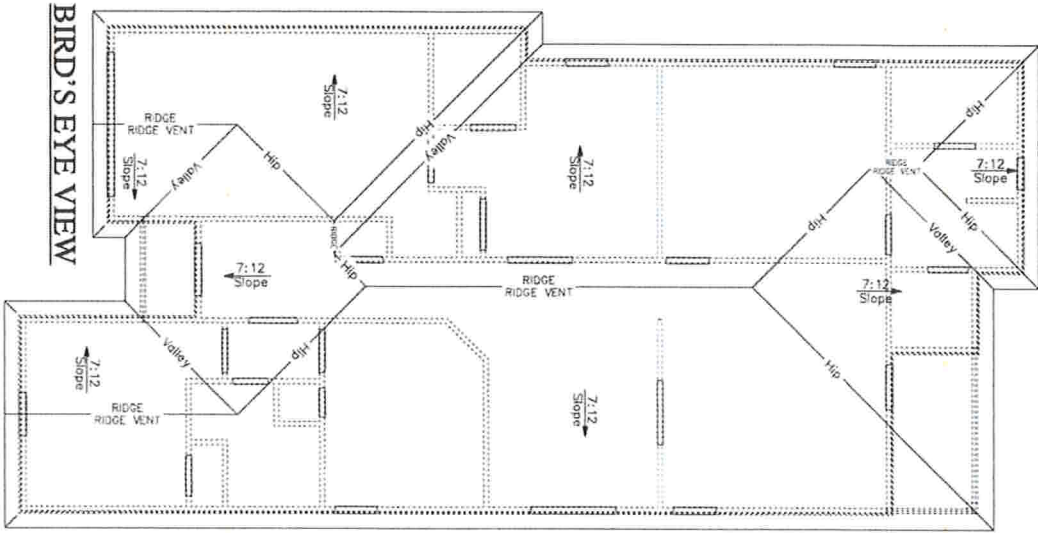
1. By reason of exceptional narrowness, shallowness, shape, topographical conditions, or other extraordinary situations or conditions peculiar to a specific parcel of property, the strict application of these regulations would result in peculiar or unusual, practical, difficulties to or exceptional or undue hardship upon the owner of such property; **NO**
2. Such variance is the minimum reasonably necessary to overcome the aforesaid exceptional conditions; **YES**
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; **YES**
4. Such variance will not be detrimental to the use and enjoyment of adjoining or neighboring properties. **YES**

**APPROVED PENDING COMPLIANCE
WITH COMMENTS**

Dan Bass, Senior Building Inspector



Where Georgia comes together.



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

AREA SCHEDULE	
AREA:	SQ. FT.
1st Floor Heated	1356 sq ft.
TOTAL HEATED AREA:	1356 sq ft.
Garage	239 sq ft.
Garage Storage	15 sq ft.
Covered Porch	51 sq ft.
TOTAL AREA UNDER ROOF:	1861 sq ft.

Front Elevation

DATE: Monday, May 1, 2023

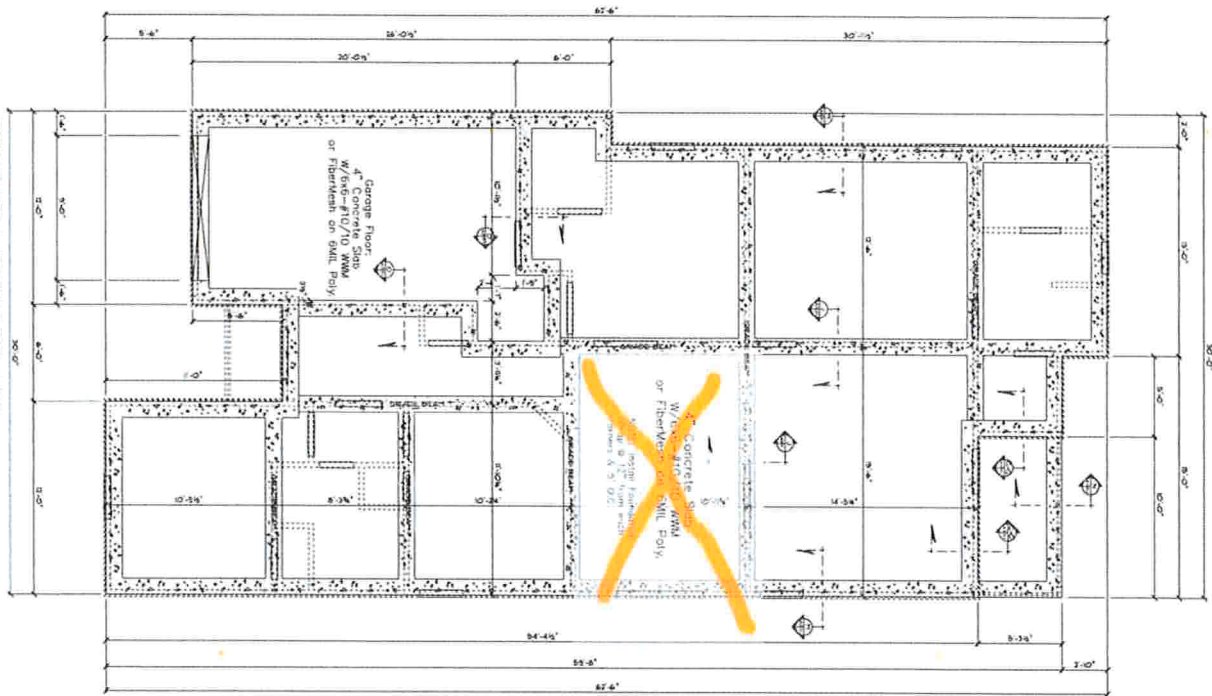
THESE DRAWINGS ARE DIAGNOSTIC. VERIFY ALL INFORMATION ON JOB SET PRIOR TO CONSTRUCTION

A.1

Plan K

Richard A. Rubinski
109 Summit Court
Warner Robins, GA 31088
Cell: 478-808-8949
Email: rar3206@cox.net

FOUNDATION PLAN
SCALE: 3/16" = 1'-0"



**TOP OF FINISHED FLOOR MUST BE 12" PLUS
2% OF DISTANCE TO STREET ABOVE TOP OF
CURB
ANCHOR STRAP MAX SEPARATION 3' 10"**

**UPPER
REQUIRED**

**Footings must be a minimum of 12" below
undisturbed grade and bear on natural soils or
engineered fill. Concrete foundations shall
extend 6" above final grade.**

A.2

FILE:	Foundation Plan
DATE:	Monday, May 1, 2023
THESE DRAWINGS ARE DIAGNOSTIC. VERIFY ALL INFORMATION ON JOB SITE PRIOR TO CONSTRUCTION	

Plan K

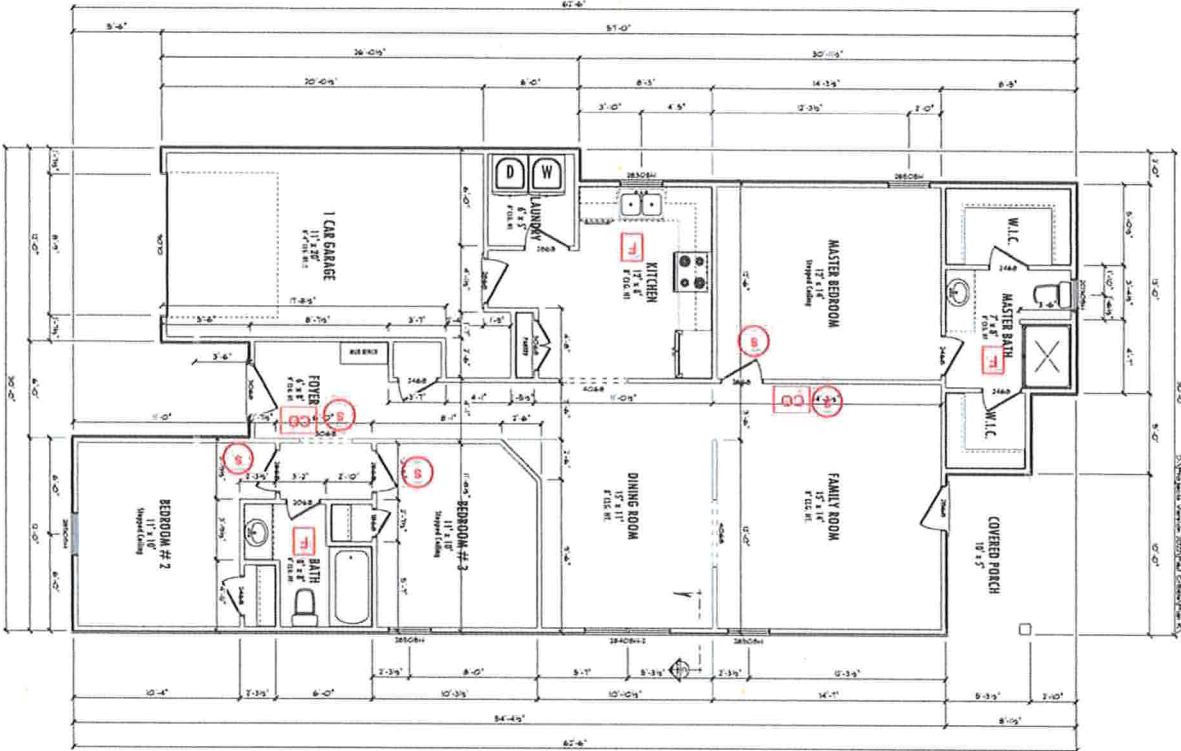
Richard A. Rubinski
109 Summit Court
Warner Robins, GA 31088
Cell: 478-808-8949
Email: rar3206@cox.net

Scale: 3/16" = 1'-0"
R. Rubinski, Sr.

GENERAL NOTES

1. THE DRAWINGS CONTAINED HEREIN ARE DIAGRAMMATIC & DO NOT NECESSARILY CONTAIN EXACT INFORMATION. THE CONTRACTOR SHALL VERIFY ALL APPLICABLE LOCAL, STATE, AND FEDERAL REQUIREMENTS AND OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE TO AS CONTRACTOR WITH THESE DOCUMENTS.
2. CONTRACTOR SHALL VERIFY ALL TREE LOCATIONS & COORDINATE WITH OWNER, WHICH TREES WILL BE REMOVED, PRIOR TO CLEARING OR LOGS.
3. AFTER LOT CLEARING & PRIOR TO CONSTRUCTION, CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS, ANY CONFLICTS SHALL BE RESOLVED PRIOR TO CONSTRUCTION.
4. CONTRACTOR SHALL COORDINATE ALL WATER, POWER, TELEPHONE & CABLE HEAD-UPS, W/LOCAL SERVICE PROVIDERS & OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
5. FOR CONSTRUCTION OF SEWER SYSTEM DESIGN AS REQ. BY LOCAL HEALTH DEPARTMENT.

SLEEPING ROOMS REQUIRE 5:7 SQUARE FOOT WINDOW OPENING FOR EGRESS



MAIN FLOOR
SCALE: 3/16" = 1'-0"

NOTE: ALL AREA CALCULATIONS ARE TO THE OUTER EDGE OF EXTERIOR WALL.

- MIN WATER HEATER 62 FHR
- ATTIC ACCESS REQUIRED
- 1/2 GYPSUM REQUIRED TO SEPARATE GARAGE FROM DWELLING
- LOCAL EXHAUST REQUIRED PER 1505.4.4
- Garage door shall be 20 min. FR or 1 3/8" solid core

CONSTRUCTION NOTES:

MASONRY, ALL WINDOWS & DOORS, DIMENSIONS ARE TO THE CENTER OF THE JAMB, UNLESS SHOWN OTHERWISE.

ALL WOOD FRAMING SHALL BE #2 YELLOW PINE OR EQUIV. EXCEPT AT LOCATIONS WHERE WOOD WILL BE EXPOSED TO THE ELEMENTS (PATIO OR GARDEN WHICH CASE ALL WOOD WILL BE P. #2 PINE).

ALL WALLS SHALL BE 2X4 WOOD STUDS @ 16" O.C. DOUBLE WOOD TOP PLATES & SINGLE SOLE PLATE.

PERMISSIBLE RATTI INSULATION IN ALL CEILING, R-20 CEILING(S).

ALL INTERIOR WALLS & CEILING TO RECEIVE 5/8" FINISH GYPSUM BOARD APPROVED BY OWNER/CONTRACTOR.

ALL FLOOR FINISHES AS APPROVED BY THE OWNER/CONTRACTOR.

ALL INTERIEN APPLIANCES, BATHROOM FIXTURES & APPROVED BY OWNER/CONTRACTOR PRIOR TO INSTALLATION.

EXTERIOR FINISHES, VENTED SOFFIT & ALUMINUM FASCIA TYPE & CHARACTERISTICS TO BE APPROVED BY OWNER/CONTRACTOR PRIOR TO INSTALLATION.

CONTRACTOR SHALL PROVIDE ALLOWANCE FOR ALL ACCESSORIES, SUCH AS, DOOR STOPS, TOWEL BARS, HOD HOLDERS, SOAP DISHES, ECT.

ALL MATERIALS/EQUIPMENT BELOW B.F.E. (BASE FLOOD ELEVATION) SHALL BE FLOOD RESISTANT.

ALL BATHROOM & RANGE HOOD VENTS, DUCT THRU ROOF.

PROVIDE CONTINUOUS 1.00 RATTI FOR UP-LIFT BETWEEN FOOTINGS, FOUNDATION WALLS, FLOOR JOISTS, STUDS, COLUMNS, ROOF FRAMING, ALL EXTERIOR WALL & ROOFED PORCHES/DECKS.

FILL FOR SLAB MUST NOT EXCEED 24" FOR CLEAN GRADED SAND OR GRAVEL, OR 8 INCHES FOR EARTH, UNLESS OTHERWISE NOTED.

ALL SLEEPING AREAS REQUIRED TO HAVE A MIN. 24" CLEARANCE FROM CEILING TO TOP OF HEAD (5'7" SQ FT.) WITH A MAX. SL. HEIGHT OF 44" A.F.F. EXCEPTION GRADE FLOOR OPENING MAY BE 5.0 SQ. FT.

PLUMBING FIXTURES, ELECTRICAL DEVICES, MECHANICAL EQUIPMENT & DUCT WORK SHALL NOT MATERIALS BELOW B.F.E. SHALL BE FLOOD RESISTANCE.

AREA SCHEDULE	
AREA:	SQ. FT.
1st Floor Heated	1356 sq ft.
TOTAL HEATED AREA:	1356 sq ft.
Garage	239 sq ft.
Garage Storage	15 sq ft.
Covered Porch	51 sq ft.
TOTAL AREA UNDER ROOF:	1661 sq ft.

Main Floor Plan

DATE: Monday, May 1, 2012

THESE DRAWINGS ARE DIAGRAMMATIC. VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.

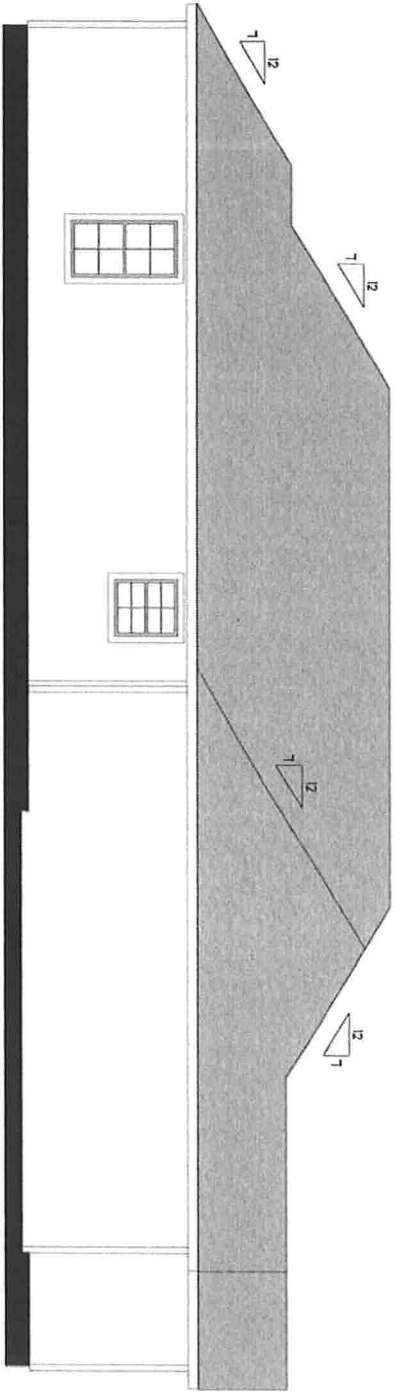
A.3

Plan K

Richard A. Rubinski
109 Summit Court
Warner Robins, GA 31088
Cell: 478-808-8949
Email: rar3206@cox.net

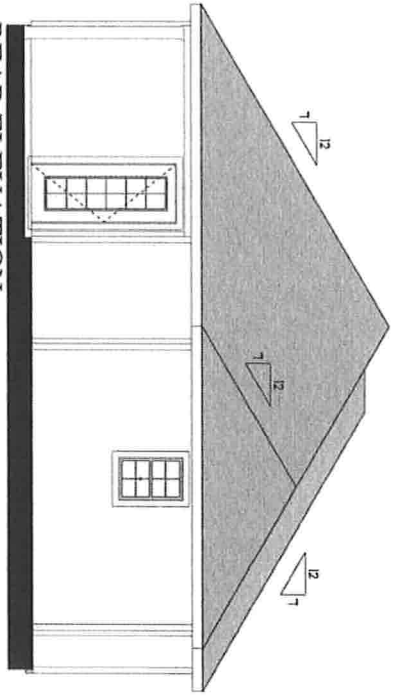
LEFT ELEVATION

SCALE: 1/4" = 1'-0"



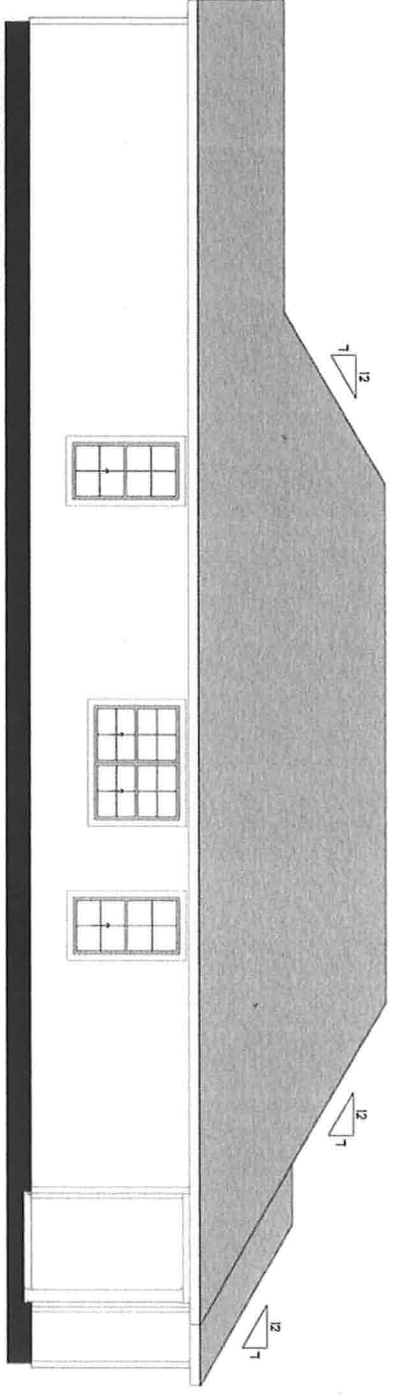
REAR ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



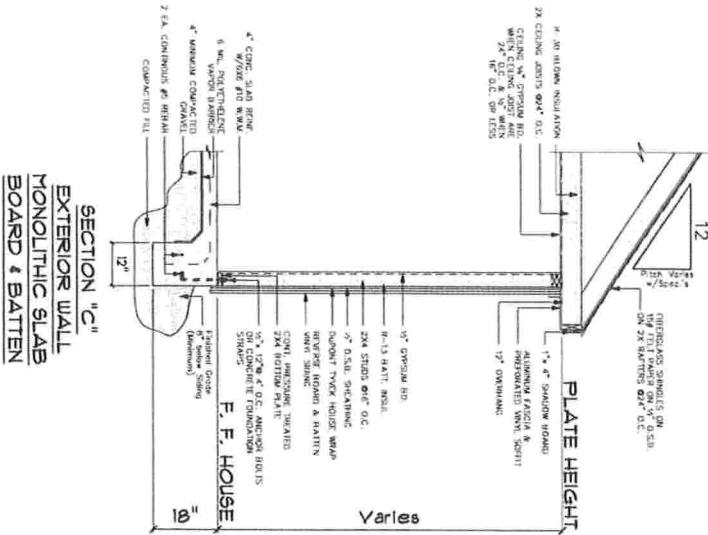
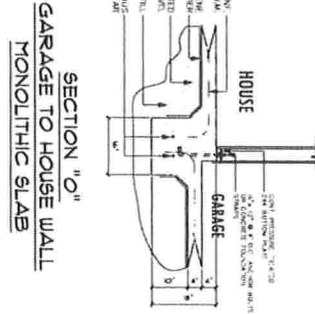
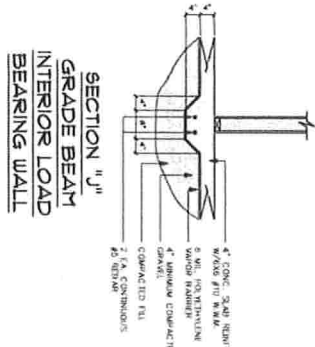
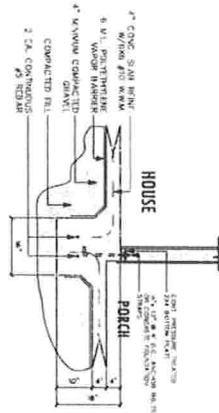
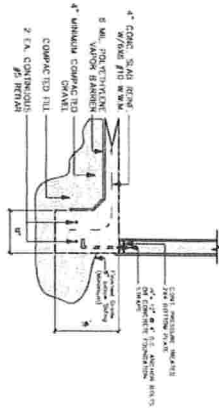
Drawn by: R. Rubinski
Scale: 1/4" = 1'-0"

Richard A. Rubinski
109 Summit Court
Warner Robins, GA 31088
Cell: 478-808-8949
Email: rar3206@cox.net

Plan K

<p>Elevation's</p>	
<p>TITLE:</p>	<p>DATE: Monday, May 1, 2003</p>
<p>FILE:</p>	<p>THESE DRAWINGS ARE DIAGNOSTIC. VERIFY ALL INFORMATION ON JOB SITE PRIOR TO CONSTRUCTION</p>
<p>DATE:</p>	

A.4

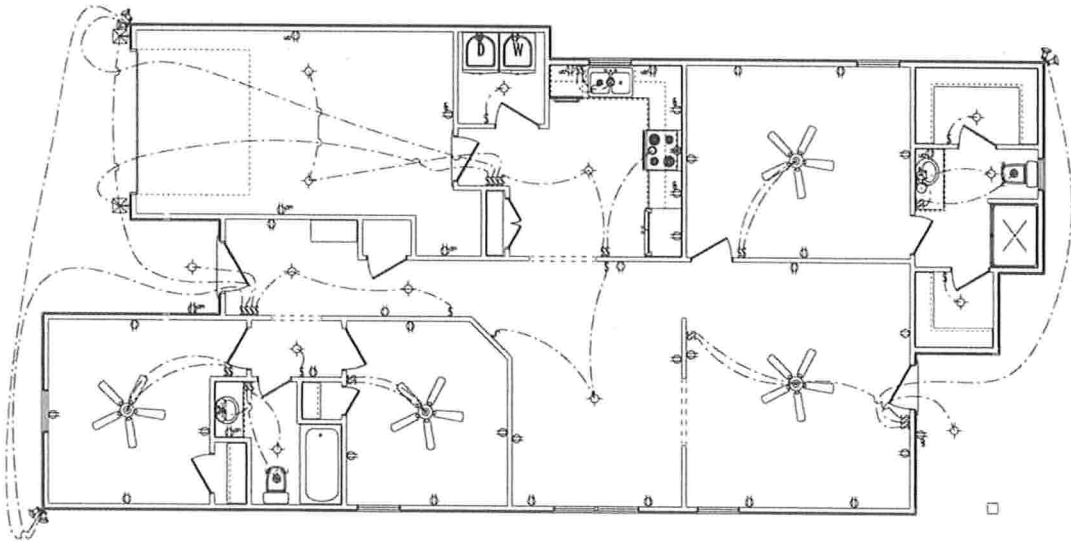


TITLE: Detail's(Foundation)
 DRAWING NUMBER: D.1
 DATE: Monday, May 1, 2023
 THESE DRAWINGS ARE
 QUANTITIES ONLY. VERIFY
 ALL INFORMATION ON THE
 SITE PRIOR TO CONSTRUCTION.

Plan K

Richard A. Rubinski
 109 Summit Court
 Warner Robins, GA 31088
 Cell: 478-808-8949
 Email: rar3206@cox.net

ELECTRICAL PLAN
SCALE: 3/16" = 1'-0"



ELECTRICAL	ELECTRICAL LEGEND	COUNT	SYMBOL
ceiling fan 2 speed 02		4	
Garbage Disposal II		1	
arc and earth exterior light		2	
can light flush		2	
fan 160 CFM		2	90 CFM
light		14	
outlet		29	
outlet 220v		2	
outlet gfi		14	
spotlight double with motion detector		3	
switch		7	
switch double		10	
switch quad		2	
switch triple		1	
wall mounted 01 2 lights		2	

E.1	DRAWING NUMBER	
	TITLE: Electrical Plan	
	FILE:	DATE: Monday, May 1, 2003

Plan K

Richard A. Rubinski 109 Summit Court Warner Robins, GA 31088 Cell: 478-808-8949 Email: rar3206@cox.net	DRAWN BY: R. Rubinski, SR. CHECKED BY: A.J. Beard
--	--



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development

October 4, 2023

CASE NUMBER: SUSE-0126-2023

APPLICANT: Tamiqua Bussell, Caking My Day Bakery

REQUEST: A Special Exception to allow a residential business

LOCATION: 400 Rippling Water Way; Tax Map No. 0P0720 082000

REQUEST ANALYSIS: The subject property owner wants to operate a home bakery in a portion of the house as a residential business.

Residential businesses are small offices or small-scale retail or service businesses in which customers or clients come to the house and are clearly incidental and secondary to the use of the dwelling for residential dwelling purposes.

STANDARDS FOR SPECIAL EXCEPTIONS:

1. *Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?* Staff is not aware of covenants or restrictions on the subject property which would preclude the proposed use.
2. *Does the Special Exception follow the existing land use pattern?*

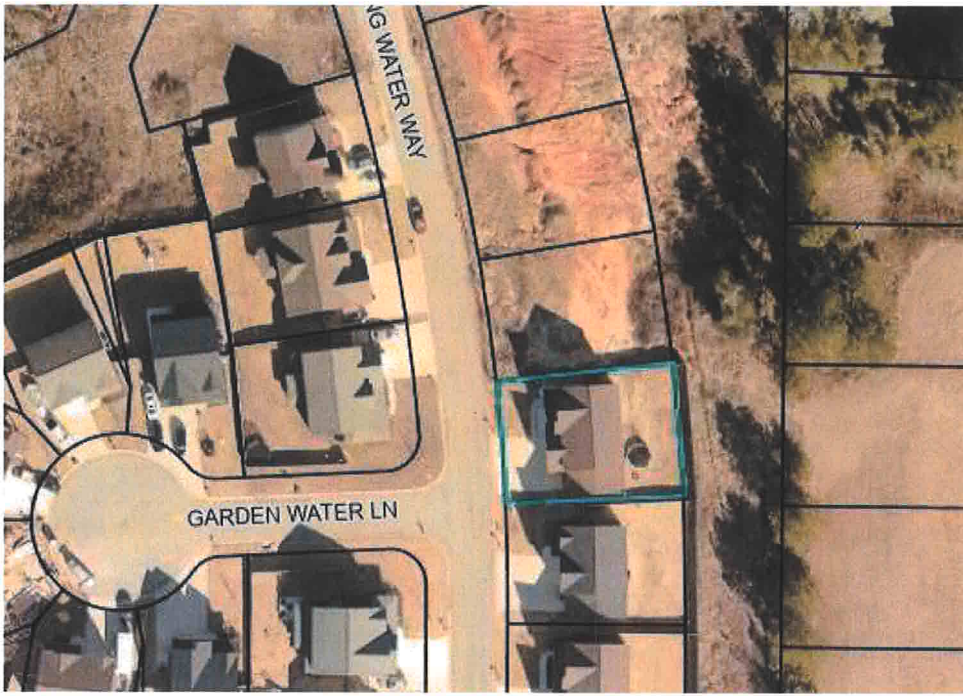
	Zoning Classification	Land Uses
Subject	R-3, Single family residential	Single-family residential
North	County, RAG, Residential Agriculture; R-1, SFR	Single-family residential
South	County, RAG, Residential Agriculture	Single-family residential
East	County, RAG, Residential Agriculture	Undeveloped
West	R2A, Single-Family Residential	Undeveloped, Single-family residential

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 a mix of 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 these services.
5. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?* Allowing customers to have access to the garage area on an appointment-only basis should not impact the surrounding properties. The exterior of the house will not be altered to advertise the business, and customer visits will be limited to Monday through Saturday 8 AM to 6 PM.

6. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?* The use of the residence as a residential business 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?* The secondary use as a residential business 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?* Residential businesses should not create a health hazard, and normally should not create a public nuisance. The applicant is certified by the state to sale home-baked goods and has food-safe certifications, limiting the potential for health hazards. The driveway of residence is three cars wide, allowing more than enough space for vehicles to pull in without blocking the sidewalk or the street.
9. *Will property values in adjacent areas be adversely affected?* Secondary use as a residential business 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 as a permitted use, a single-family residence. The special exception is to allow secondary use as a residential business, as allowed, according to the LMO.

STAFF RECOMMENDATION: Staff recommends approval of the special exception, with the following conditions:

1. Limited to the use and business details specified in the application documents.
2. Limited to the applicant, Tamiqua Bussell and is not transferable.

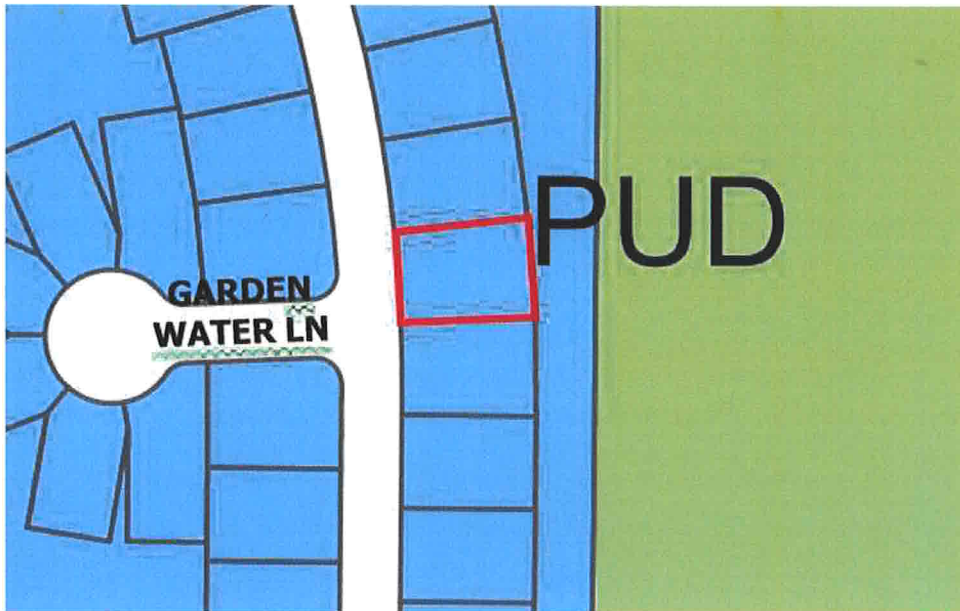


SUSE-0126-2023

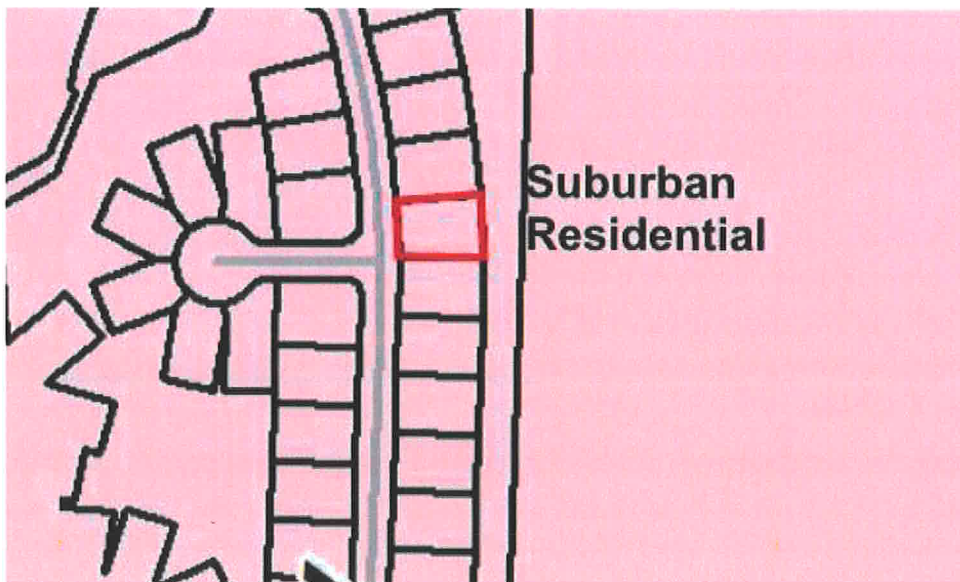
400 Rippling Water Way

Special Exception to allow a Residential Business

Aerial



Zoning



Character Area



Where Georgia comes together.

Application # SUSE # 0126-
2023

Application for Special Exception

Contact Community Development (478) 988-2720

*Indicates Required Field

	*Applicant	*Property Owner
*Name	TAMIQUA BUSSELL	TAMIQUA BUSSELL
*Title		
*Address	400 RIPPLING WATER WAY	
*Phone		
*Email		

Property Information



*Street Address	400 RIPPLING WATER WAY	
*Tax Map Number(s)	0P0720082000	*Zoning Designation

Request

*Please describe the proposed use:
I OWN MY OWN HOME BAKERY AND WOULD LIKE CUSTOMERS TO COME TO MY HOME TO PICK UP THEIR ORDERS WHEN POSSIBLE

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		*Date	09/08/2023
*Property Owner/Authorized Agent		*Date	09/08/2023

Standards for Granting a Special Exception

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

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

- (1) The existing land use pattern.
- (2) Whether the proposed use is consistent with the Comprehensive Plan.
- (3) Whether all proposed structures, equipment or material 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.
- (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.
- (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.
- (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.
- (8) Whether the proposed change will adversely affect property values in adjacent areas.
- (9) Whether there are substantial reasons why the property cannot be used for a permitted use in the district where the property is located.

(1) The existing land use pattern.

There will be no change to the existing land use pattern, seeing as how the location of the bakery will still be within the home.

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

Yes, the proposal of having customers come to the property to pick up orders is consistent with the Comprehensive Plan.

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

The location of the home bakery will change from the kitchen, that's in the main house, to a converted space in the attached garage. Access to the garage will not change, therefore ensuring that the area remains readily accessible to the police and the fire department.

(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.

Seeing as though I will not be allowed to have any structures or signage indicating that a residential business is at my location, nor will the outside structure of the garage change in any way (any changes made to the inside of the garage will be completely concealed from the outside), my proposal of a residential business will not be detrimental to the orderly development of the neighborhood nor will it be a deterrent to the improvement of other homes in the neighborhood and will be in accordance with the zoning classification, etc.

(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

By allowing customers access to the property by appointment only and limiting access to the property by allowing no more than 3 cars in the driveway (it can actually fit four), will prevent hazardous or inconvenient issues to the neighborhood and the normal flow of traffic, in and out, will not change.

(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.

All changes made to the home will consist within the home and that includes the attached garage. Any and all changes will not be noticeable from outside of the property, therefore there will be nothing hindering appropriate development and use of land and buildings within the existing zoning district.

(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.

Allowing customers to come to the property to pick up orders, will not increase the population density nor will it interfere with any public facilities. Access to the property will be limited, temporary, and brief, resulting in NO overtaxing of public facilities.

(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.

By allowing customers to come to the property to pick up orders, that will, naturally, cause a very slight increase in traffic, however; seeing as though I specialize in custom cakes and other treats and I mostly bake to order, the amount of traffic in the area would be no different than if I had visitors who'd come and visit every few days or so. Also, as stated previously, pick-up will be by appointment only, further limiting the amount of traffic that would be in the area. Doing this ensures that normal flow will not be interrupted. Furthermore; the way that I currently operate the business does not create a drainage problem or any of the above issues stated and seeing as though the way that the business operates will not be changing, none of the above issues will be a problem.

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

Considering the fact that the garage conversion will result in no type of structural changes and the use of the garage would immediately be able to go back to functioning as a garage, any changes made will not adversely affect property values in the neighborhood.

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

There should be no substantial reasons why the property can't be used for a permitted use in the district area since I am already legally allowed (I have proof of all qualifications allowing me to do so) to operate a bakery within the home. Nothing is changing except the fact that I'm requesting that customers be allowed to pick up their orders from my home directly instead of having to deliver to them.

CAKING MY DAY BAKERY
400 RIPPLING WATER WAY
PERRY, GA 31069

The enclosed Georgia Food Establishment License is valid for a period of January 1 through December 31, 2023.

This license should be displayed along with your local business license and/or state tax number certification. Your inspector will need to verify that your license contains the necessary information from time to time during their routine inspection. **Please Note:** Additional equipment and/or structural changes may become necessary should you decide to handle different food products than those for which you were originally licensed.

We have updated our website. Visit www.kellysolutions.com/GA to take a look at the new layout. There are a number of useful tools to help you manage your license, including being able to update your information online anytime. You can make secure payments by credit card to renew your license, and you can refer people to this website to validate your credentials. If you have questions, check out the FAQs section. We hope you enjoy these new user-friendly features. If you have questions or concerns regarding your License, please contact: Georgia Department of Agriculture, Licensing Division at (404) 586-1411 or email gdalicensing@agr.georgia.gov

(Fold or cut on line to display)

Georgia Department of Agriculture
Food Safety Division
19 Martin Luther King Jr. Dr. SW
Atlanta, GA 30334
Tele: (404) 656-3627 Fax: (404) 463-6428
agr.georgia.gov

COTTAGE FOOD LICENSE

This license allows for the retail sale of home produced food. Food sold under this license shall be to the end consumer. Food produced in this facility is not subject to routine inspection, nor should this license be construed as a substitute for the Department's Food Sales Establishment License. This license shall be valid until suspended or revoked.

Expiration Date	Products Approved for Sale:	License Number
12/31/2023	Bread, Rolls and Biscuits; Cakes and Cupcakes; Candies and Confections; Cereals, Trail Mixes, and Granola; Coated and Uncoated Nuts; Dried Fruits; Dry Herbs, Seasonings and Mixtures; Fruit Pies; Jams, Jellies and Preserves; Pastries and Cookies; Popcorn, Popcorn Balls and Cotton Candy; Vinegars and Flavored Vinegars;	4877151
CAKING MY DAY BAKERY 400 RIPPLING WATER WAY PERRY, GA 31069		Firm Type Code 803

This License Is Not Transferable and Must Be Posted At All Times In A Prominent Business Location

CERTIFICATE

of

COMPLETION

Tamiqua Bussell

for successfully completing the standards set forth for the

Food Protection Manager

which is accredited by the American National Standards Institute (ANSI) - Conference for Food Protection (CFP)



#1203



The Always Food Safe Company
899 Montreal Circle, St. Paul, 55102
www.alwaysfoodsafecom

Date Completed:	3/19/2022	Valid through:	3/19/2027
Learner reference:	110671	Course Reference:	438
Certificate #:	1269252	Exam Form #:	51
Proctor Name:	ProctorU User	Exam Form Name:	Food Protection Manager 6A
Exam Location:	PERRY, GA	Status:	Passed

A handwritten signature in black ink.

Nick Eastwood
President
The Always Food Safe Company



City of Perry, GA
1211 Washington Street
P.O. Box 2030
Perry, Georgia 31069
(478) 988-2740

OCCUPATIONAL TAX CERTIFICATE

Business Name: CAKING MY DAY BAKERY

Business Type(s): 445291 Baked goods stores, retailing only
(except immediate consumption)

Business Location: 400 RIPPLING WATER WAY
PERRY, GA 31069

License Type: Occupational Tax Certificate

Owner: TAMIQUA BUSSELL

Classification: General Business

Manager:

License Number: OTC-006040

Issued Date: 12/31/2022

Expiration Date: 12/31/2023

Mailing Address: 400 RIPPLING WATER WAY
PERRY, GA 31069

Elizabeth Nelson

Issued By

TO BE POSTED IN A CONSPICUOUS PLACE