

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.