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Planning Commission Agenda  
Monday, March 10, 2025, 6:00pm  
Perry City Hall, 808 Carroll Street, Perry

1. Call to Order
2. Roll Call
3. Invocation
4. Approval of Minutes from February 10, 2025, regular meeting and February 24, 2025, work session
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 phones in silent mode.
6. Citizens with Input
7. New Business
  - A. Public Hearing (Planning Commission decision)
    1. **VAR-0009-2025**. Variance for reduction in setback requirements for property located at 705 Washington Street. The applicant is JMA Architecture, Inc.
8. Other Business
9. Commission questions or comments
10. 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 Agenda  
Minutes - February 10, 2025

1. Call to Order: Chairman Mehserle called the meeting to order at 6:00pm.
2. Roll Call: Chairman Mehserle; Commissioners Guidry, Jefferson, Hayes, Ross, Willaims, and Wharton were present. Chairman Mehserle also welcomed newly appointed Commissioner Wharton.

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

Guests: Brian Braun, Kimberly Williams, Lindsay Young, and Robbie Russell

3. Invocation- was given by Commissioner Hayes
4. Approval of Minutes from January 13, 2025 regular meeting  
Commissioner Hayes motioned to approve as submitted; Commissioner Ross seconded; all in favor and was unanimously approved.
5. Announcements: Chairman Mehserle 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 phones in silent mode.
6. Citizens with Input – None
7. New Business

A. Public Hearing (Planning Commission decision)

1. **PLAT-0003-2025.** Preliminary plat for The Hills at Brendale located on Tucker Road. The applicant is Dylan Wingate, Patriot Development Group.

Ms. Carson advised the applicant is requesting approval of the entire 221-lot subdivision. The subdivision is designed with the understanding that a portion of the proposal will be donated to the city for a future extension of the Big Indian Creek Trail. The entire subdivision meets the R-2 minimum standards. Furthermore, following City Council's direction, planning staff recommends sidewalks be installed on one side of portions of the primary streets to provide pedestrian access to the school and other walkable destinations along Tucker Road. Staff recommends approval of the proposed preliminary plat with the following conditions: 1). 5'-wide sidewalks shall be installed along one side of the roads throughout the development, as indicated on the proposed sidewalk map prepared by the City Planning Staff and 2). Applicant receives approval for street names from Houston County 911 prior to staff signing the preliminary plat.

Chairman Mehserle opened the public hearing at 6:09pm and called for anyone in favor of the request. Mr. Brian Braun with AES Services on behalf of the applicant advised the parcel is currently undeveloped and the portion not to be utilized for the subdivision as it is in the floodplain will be donated to the City for walking trails. Mr. Braun noted the parcel has utilities available and will be extending into the proposed from the existing for streets and blocks and will include five access points. GWES has evaluated the state water and wetland delineation, and the FEMA study has been conducted and will not encroach on that. The developer is fine with the addition of sidewalks.

Chairman Mehserle called for anyone opposed. Mr. Robbie Russell – 913 Evergreen Street asked why only 100-year flood plain and not 500 year; Mr. Wood advised the land management ordinance only regulates the 100 year.

There being no further comment Chairman Mehserle closed the public hearing at 6:16pm.

Commissioner Ross inquired about a home price point; Mr. Braun advised that was unknown at this point. Chairman Mehserle in terms of connectivity wherever a road or sidewalk they should be extended.

Commissioner Hayes motioned to approve as submitted with the following conditions: 1). 5'-wide sidewalks shall be installed along one side of the roads throughout the development, as indicated on the proposed sidewalk map prepared by the City Planning Staff and 2). Applicant receives approval for street names from Houston County 911 prior to staff signing the preliminary plat' Commissioner Ross seconded; all in favor and was unanimously approved.

B. Informational Hearing (Planning Commission recommendation – Scheduled for public hearing before City Council on March 4, 2025)

1. **RZNE-0172-2024.** Rezone property located at 1325 Washington Street from C-2 to C-3. The applicant is Chad Bryant, Bryant Engineering.

Ms. Carson read the applicants' request, along with staff responses, which was to rezone a .89-acre portion of the 2.77-acre parcel to C-3, Central Business in an effort to align with Council's desire to extend the "feel" of Downtown onto Sam Nunn Blvd. The applicant proposes this change will increase opportunities for commercial development along the corridor. Ms. Carson also noted GDOT will most likely require a traffic study.

Commissioner Hayes asked if this was currently one parcel; Ms. Carson advised it was and will be subdivided. Commissioner Wharton asked the reason for subdividing and not rezoning the entire parcel; Ms. Carson advised the parcel with the structure does not need to be. Chairman Mehserle inquired on the parking layout and site lines and if any development plans provided.

Chairman Mehserle opened the public hearing at 6:24pm and called for anyone in favor of the request. Ms. Lindsay Young, of The Loudermilk Companies advised a conceptual plan is being done and the division of the parcel allows for a better setback and there will be parking in the rear of any future structure. Mr. Wood added there are no building setback requirements in that requested zoning classification and it is beneficial due to the narrowness of the parcel and parking is not required, however, they will have to show where parking will be, thus the benefit of the C-3 request.

Chairman Mehserle called for anyone opposed; there being no further comment the public hearing was closed at 6:28pm.

Commissioner Ross was intrigued about the type of development due to such a narrow lot and concern with the heavy traffic. Commissioner Jefferson voiced concern over traffic safety and congestion. Commissioner Hayes felt the reworking of the interchange has helped with traffic and the current parking can share for any future development. Commissioner Wharton asked if a variance could be requested for setbacks; Mr. Wood advised at the time there was a moratorium for variances; however, if granted would allow for the building closer to the street, but not alleviate the need for parking. Commissioner Williams inquired what was anticipated to be there; Ms. Young advised they are anticipating a 5,000 square foot building; no tenant has been secured. Mr. Wood noted the plat for the subdivision was submitted this date.

Commissioner Ross motioned to recommend approval of the application as submitted to Mayor and Council; Commissioner Hayes seconded; all in favor with Commissioners Morrison and Jefferson opposed.

**2. RZNE-0173-2024.** Rezone property located 1017 Northside Drive from R-2 to C-3. The applicant is Dylan Wingate, WCH Development.

Ms. Carson read the applicants' request, along with staff responses, which is to rezone the .55-acre parcel to C-3, Central Business to increase walkable offerings within the downtown footprint. The applicant proposes this change will increase opportunities for commercial development along Northside Drive.

Chairman Mehserle opened the public hearing at 6:42pm and called for anyone in favor of the request. Mr. Brian Braun on behalf of the applicant advised the site will be a future mixed-use development which will consist of the current lot and the adjacent will have a free-standing restaurant and 36 residential lofts; the proposal supports Council's vision for future growth.

Chairman Mehserle called for anyone opposed; there being none the public hearing was closed at 6:48pm.

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

**3. SUSE-0001-2025.** Special exception for residential daycare for property located at 137 W. River Can Run. The applicant is Kimberly Williams.

Ms. Carson read the applicants' request, along with staff responses, which is to allow for operation of a daycare for up to six children in a portion of the house as a residential business.

Chairman Mehserle opened the public hearing at 6:50pm and called for anyone in favor of the request. The applicant Ms. Williams had nothing further to add. Chairman Mehserle called for anyone opposed; there being none the public hearing was closed at 6:51pm.

Commissioner Jefferson inquired about the number of children; Ms. Williams advised six and advised she had previously owned a daycare in Warner Robins but closed due to staff issues and is currently a teacher in Bibb County but will do this full time if approved.

Commissioner Williams motioned to recommend approval of the application as submitted with the following conditions: 1). Limited to the use and business details specified in the application documents; 2). Limited to the applicant, Kimberly Williams, and is not transferable and 3). All drop-off/pick-up of children shall occur in the driveway of the residence only; Commissioner Wharton seconded; all in favor and was unanimously recommended for approval.

8. Other Business – None

9. Commission questions or comments – Chairman Mehserle reminder of the work session on February 24<sup>th</sup>.

10. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 6:58pm.

Planning Commission Work Session  
Minutes - February 24, 2025

1. Call to Order: Chairman Mehserle called the meeting to order at 5:30pm.
2. Roll Call: Chairman Mehserle; Commissioner Guidry, Hayes, Jefferson, Ross, Williams, and Wharton were present.  
  
Staff: Bryan Wood – Community Development Director, Emily Carson – Community Planner, and Chad McMurrin – Engineering Services Manager
3. Citizens with Input- None
4. Capital Improvement Projects Update – Mr. McMurrin provided update on LMIG projects for annual paving. Update also provided Bear Branch pump station; and noted requests have been received for west of I-75.
5. Old Business – Finalize comments on design standards and related amendments – The Commission concurred to move forward with the related amendments that have been discussed the past few months.
6. New Business – Discuss text amendment regulating emerging utilities – Ms. Carson advised the current ordinance is outdated as it is based on watts where as current standards are based on lumens and provided a proposed amendment for discussion.
7. Other Business -
  - Review upcoming items for March 10, 2025, informational/public hearings – Ms. Carson advised there was only case which was a variance for setbacks at 705 Washington Street.
  - Update on latest City Council zoning decisions – Ms. Carson advised Council's decision on the previous months' zoning applications.
8. Adjournment: there being no further business to come before the Commission the meeting was adjourned at 6:45pm.



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## **STAFF REPORT**

From the Department of Community Development  
March 5, 2025

**CASE NUMBER:** VAR-0009-2025  
**APPLICANT:** JMA Architecture Inc., Jim Mehserle  
**REQUEST:** Variance to reduce the rear yard setbacks  
**LOCATION:** 705 Washington Street; Parcel No. 0P3004 058000

**SECTIONS OF ORDINANCE BEING VARIED:** Sec. 5-2.1. Minimum building setbacks. Minimum rear yard setbacks in this residential district shall be 35 feet. Table 5-1-1. Maximum lot coverage. Maximum lot coverage in this residential district shall be 25%.

**BACKGROUND:** The applicant requests a variance to reduce the rear yard setback from 35 feet to 6.54 feet and to increase the lot coverage from 23% to 32%, exceeding the maximum allowance. The request is due to the inability to fit the proposed home on the parcel while abiding by the required setback and lot coverage requirements. The Historic Preservation Commission has already approved the layout presented in this application.

### **STANDARDS NECESSARY FOR A VARIANCE:**

1. *Do extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due to its size, shape, topography, or easements that are not found on other properties in the same zoning district?*

While the subject parcel is not exceptionally narrow, it does have an irregular shape and includes a 35-foot-wide setback requirement at the back of the lot. It is the only parcel on this street bordered on its west and south by the neighboring property, creating the unique shape and limiting the buildable area on the lot. The applicant states that reducing the rear setback line to 6.5-feet will allow the builder to construct a home of a desirable size and reasonable use for the property owners.

2. *Would a literal interpretation of the provisions of the land management ordinance deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district?*

Without the renovations to the home, the owners' quality of life is hindered because of the limitations present in the existing historic structure. The rear variance creates allowances for a more modern, livable square footage, and in doing so, moves the city towards its Comprehensive Plan goal to "identify, preserve, and develop historic resources" in the city of Perry.

3. *Would granting the variance requested confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district?*

Granting the variance would not confer special privileges on the applicant because it would allow a structure that is comparable to what is already in the neighborhood.

4. *Are the extraordinary circumstances the result of actions of the applicant?*

The circumstances are not the result of the applicant.

5. *Is the variance is the minimum relief that will allow the legal use of the land, building or structure?*

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

**STAFF CONCLUSIONS:** Based on the analysis above and the site plan presented by the applicant, Staff recommends approval of the variance request due to the constraints created by the shape of the parcel with the following condition:

1. Approval is based on the site plan submitted with this application.



VAR-0009-2025

705 Washington Street

Variance request to reduce  
set back requirements

Aerial



Zoning



Character Area





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Application # VAR20009-  
2025

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

\*Indicates Required Field

	*Applicant	*Property Owner
*Name	JMA Architecture Inc., Jim Mehserle	Curtis and Theresa George
*Title	Architect	Property Owner
*Address	1002 Main Street, Perry, GA 31069	705 Washington Street, Perry, GA 31069
*Phone	[REDACTED]	[REDACTED]
*Email	[REDACTED]	[REDACTED]

**Property Information**

*Street Address	705 Washington Street, Perry, GA 31069	
*Tax Map #(s)	0P0040058000	*Zoning Designation R-1, Historic District Overlay

**Request**

*Please describe the proposed variance: (i.e. Reduce the rear setback from 35 feet to 30 feet)
Reduce Rear Setback from 35 feet to 6.54 feet

**Instructions**

1. The application must be received by the Community Development Office no later than the date reflected on the adopted schedule.
2. Fee:
  - a. Owner-occupied single family residential – \$160.00
  - b. All others - \$320.00
  - c. All others (post construction) - \$630.00
3. \*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.
4. \*Submit plans, drawings, photographs or other documentation which helps fully describe your request.
5. 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.
6. Variance applications require a public hearing before the planning commission. A public notice sign(s) will be posted on the property at least 30 days prior to the scheduled hearing date.
7. \*The applicant must be present at the hearing to present the application and answer questions that may arise.
8. The applicant and property owner affirm that all information submitted with this application, including any/all supplemental information, is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

*Applicant Curtis and Theresa George	*Date Jan 13, 2025
*Property Owner/Authorized Agent Jim Mehserle	*Date Jan 13, 2025

**Types of variances**

Variations shall be limited to the following design and dimensional standards:

- (a) Minimum front, side, or rear setbacks;
- (b) Maximum lot coverage by buildings;
- (c) Maximum building height;
- (d) Dimensional standards for parking or loading spaces; or
- (e) Number of queuing spaces.

**Standards for Granting a Variance**

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

Are there covenants and restrictions pertaining to the property which would preclude the proposed variance?

1. Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due to its size, shape, topography, or easements that are not found on other properties in the same zoning district;
2. A literal interpretation of the provisions of the land management ordinance would deprive the applicant of rights commonly enjoyed by owners of other properties located in the same zoning district;
3. Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district;
4. The extraordinary circumstances are not the result of actions of the applicant; and
5. The variance is the minimum relief that will allow the legal use of the land, building or structure.

## Standards for Granting a Variance

1.

Q: Extraordinary and exceptional circumstances pertaining to the particular piece of property in question exist due to its size, shape, topography, or easements that are not found on other properties in the same zoning district.

A: Yes, the property can't support the expansion or extension of the proposed building within the current minimum rear setback requirements.

2.

Q: A literal interpretation of the provisions of the land management ordinance would deprive the applicant of rights commonly enjoyed by owners of the properties located in the same zoning district.

A: The setbacks placed on the property were developed long after this area of the city was platted. The lot sizes in this area do not comply with R-1 requirements, and even the existing home does not meet either front or rear yard setbacks. Additionally, with the historic district overlay, all additions must be to the back of the existing building, exactly where this property is severely constrained by the rear set back.

3.

Q: Granting the variance requested will not confer upon the property owner any special privileges that are denied to other owners of property in the same zoning district.

A: This request is based on the specific configuration of the property. Perhaps other owners of property in this part of the city will have the same concerns, but we are not aware of any.

4.

Q: The extraordinary circumstances are not the result of actions of applicants.

A: The extraordinary circumstances are a result of the historic plat, required setbacks and the requirements to build in the historic district.

5.

Q: The variance is the minimum relief that will allow the legal use of the land, building, or structure.

A: The requested change allows the owner full and free use of the property to place on it the desired configuration of spaces for the residence. The configuration of spaces is based on the configuration of the original home on the site and the requirements of building in the historic district overlay area.



CLIENT NAME



**GEORGE RESIDENCE**  
705 WASHINGTON STREET  
CURTIS GEORGE  
705 WASHINGTON STREET

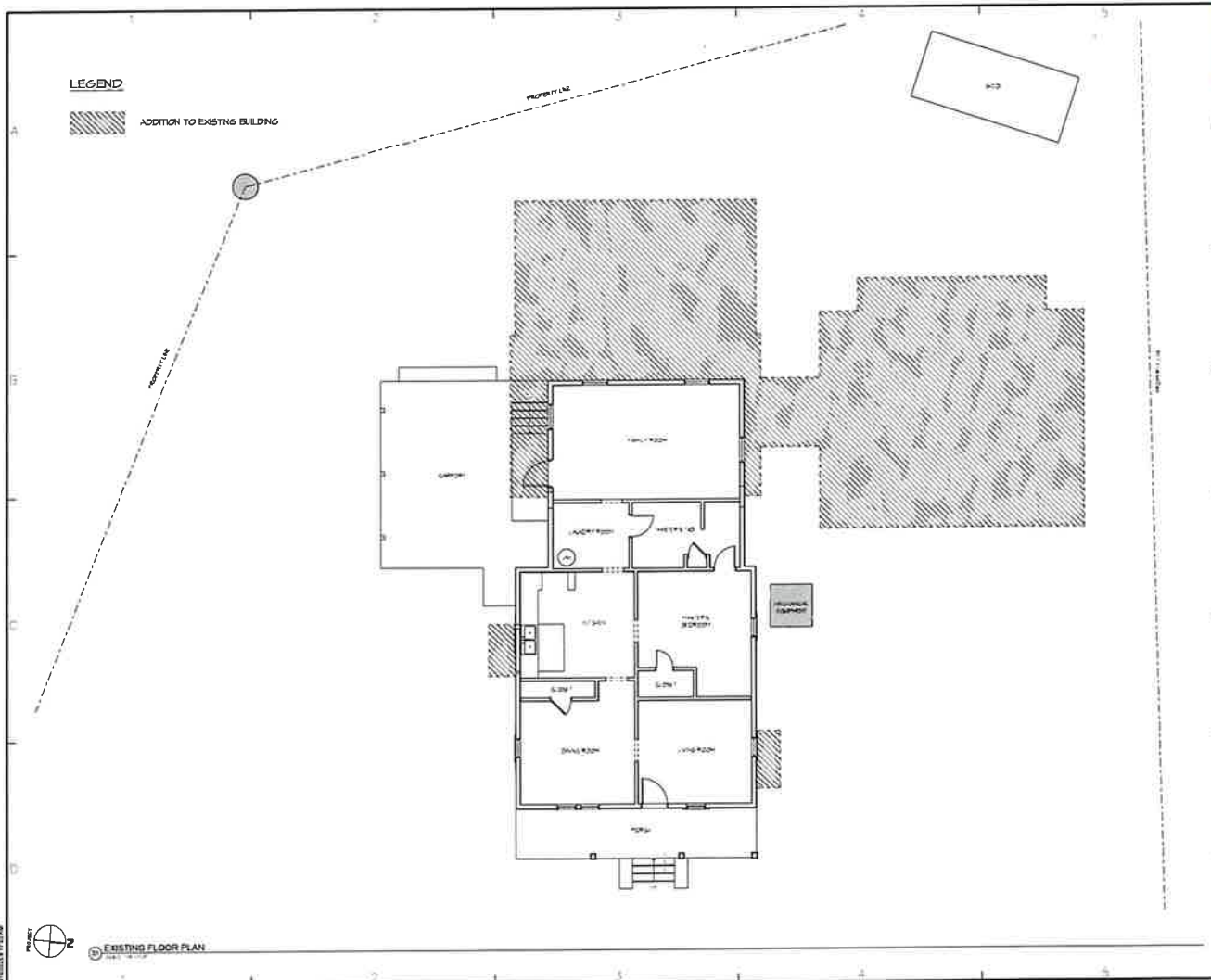
NO.	DESCRIPTION	DATE

NO.	REVISIONS	DATE

PROJECT NO. 2014-001  
DRAWN BY: JG  
DATE: 08/14/14

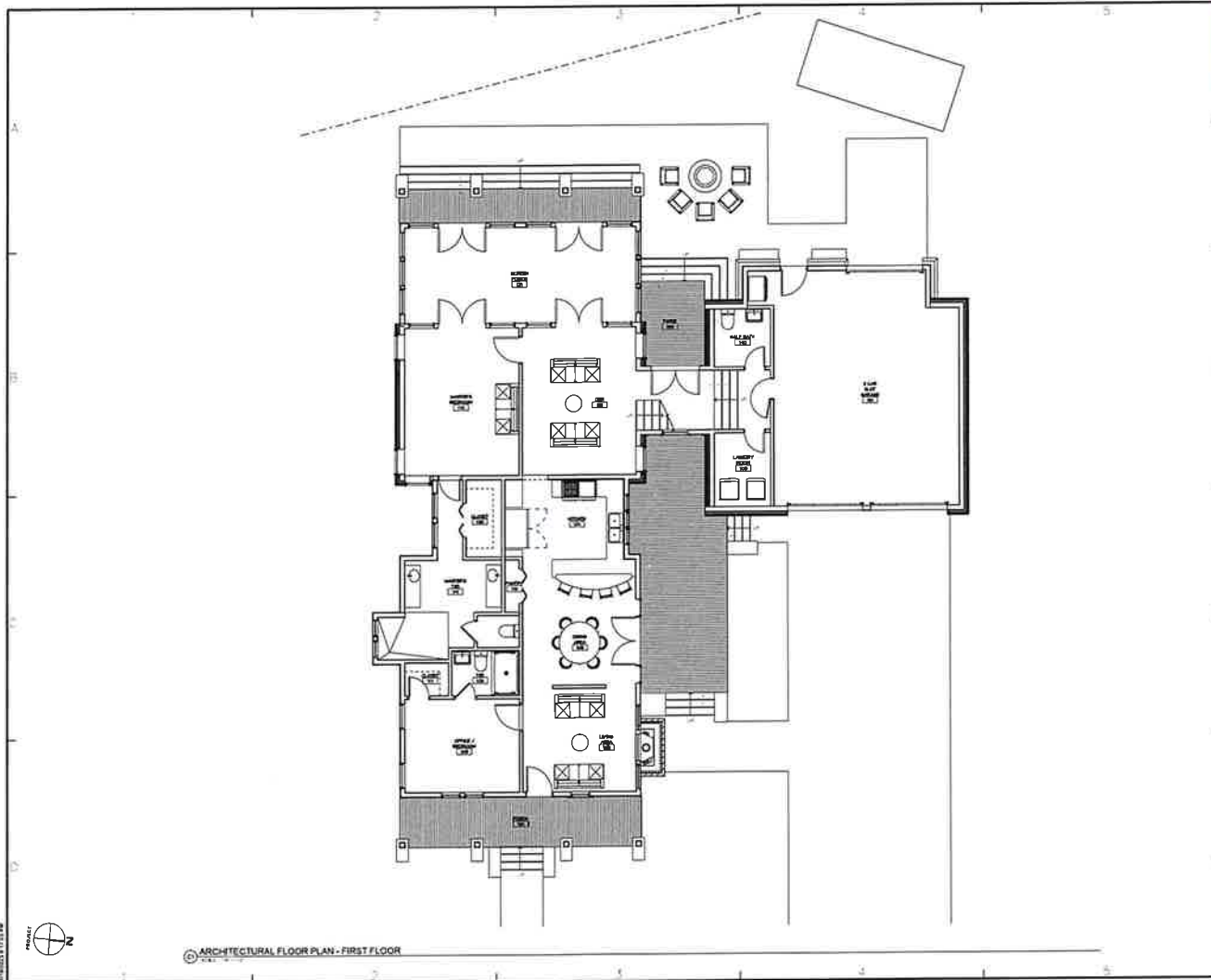
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**EXISTING FLOOR PLAN**  
A101.0









ARCHITECTURAL FLOOR PLAN - FIRST FLOOR



CONSULTANTS

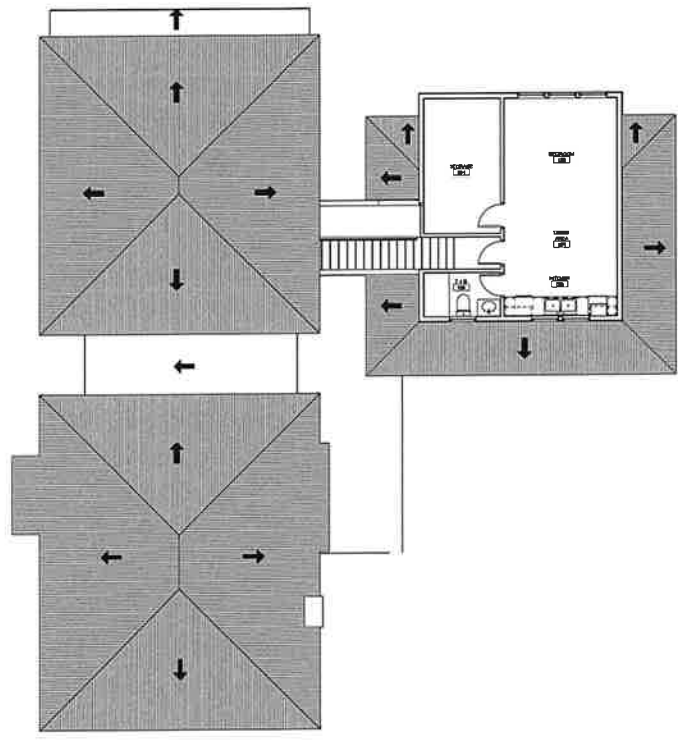


**GEORGE RESIDENCE**  
 705 WASHINGTON STREET  
 CURTIS GEORGE  
 705 WASHINGTON STREET

NO.	DESCRIPTION	DATE

PROJECT NO. 123  
 DESIGN BY  
 DATE  
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ARCHITECTURAL FLOOR PLAN - FLOOR 1  
 A101.1



© ARCHITECTURAL FLOOR PLAN - FLOOR 2



DATE: 10/11/14



**GEORGE RESIDENCE**  
 705 WASHINGTON STREET  
 CURTIS GEORGE  
 100 WASHINGTON STREET

NO.	DESCRIPTION	DATE
1	CONCEPT	10/11/14
2	SCHEMATIC	10/11/14
3	PRELIMINARY	10/11/14
4	FINAL	10/11/14

PROJECT NO: 1014  
 DRAWN BY: JG  
 DATE: 10/11/14

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ARCHITECTURAL FLOOR PLAN - FLOOR 2  
 A101.2