

**AGENDA**  
**CITY OF BERKELEY LAKE**  
**PLANNING & ZONING COMMISSION**  
**JULY 8, 2025 at 7:15 PM**  
4040 South Berkeley Lake Road  
Berkeley Lake, GA 30096

**I. CALL TO ORDER**

**II. APPROVAL OR CHANGES TO THE AGENDA**

**III. APPROVAL OF MINUTES**

a) June 10, 2025

**IV. OLD BUSINESS**

**V. NEW BUSINESS**

a) PZV-25-06 – 334 Lakeshore Drive – Variance to Sec. 78-89(g)(2) and Sec. 78-141 to allow expansion and modification of a non-conforming boathouse

b) PZV-25-07 – 266 Lakeshore Drive – Variance to Sec. 78-197(6) and Sec. 78-141 add a pergola on top of a non-conforming deck with a 5-foot rear setback

**VI. CITIZEN COMMENTS**

**VII. DISCUSSION SESSION**

**VIII. ADJOURNMENT**

**CITY OF BERKELEY LAKE  
4040 SOUTH BERKELEY LAKE ROAD  
BERKELEY LAKE, GEORGIA 30096  
PLANNING & ZONING COMMISSION  
DRAFT MINUTES  
JUNE 10, 2025  
7:15 PM**

Those in attendance at the meeting were as follows:

Commission Members:            Dan Huntington  
    George Kaffezakis  
    Rand Kirkus  
    David Meilander

City Officials:                     Leigh Threadgill - City Administrator

Citizens Present:                 3

**I. CALL TO ORDER**

Huntington called the meeting to order at 7:15 PM. A quorum of the commission along with City Administrator, Leigh Threadgill, were present at the meeting.

**II. APPROVAL OF OR CHANGES TO THE AGENDA**

Huntington asked if there were any suggested changes to the agenda.

**Kirkus moved to approve the agenda. Kaffezakis seconded the motion. All were in favor and the motion passed.**

**III. MINUTES**

1. Minutes of April 8, 2025

**Kaffezakis moved to approve the minutes of the April 8<sup>th</sup> meeting. Kirkus seconded the motion, and all voted to approve the minutes.**

**IV. OLD BUSINESS**

- a) Election of Chair

Huntington noted that he was willing to continue in the role of chair.

**Kirkus made a motion to elect Huntington chair. Kaffezakis seconded the motion. All were in favor and the motion passed.**

b) Election of Vice Chair

Kaffezakis noted he was willing to continue serving as vice-chair.

**Kirkus made a motion to elect George Kaffezakis as vice-chair. Meilander seconded the motion. All were in favor and the motion passed.**

## **V. NEW BUSINESS**

a) PZTA-25-04 – Amendment to Section 78-111, Walls and Fences

Huntington acknowledged Bill Lacy.

Bill Lacy, 147 Lakeshore Drive, noted that he is concerned about the deer, and fencing can help control the deer intrusion in yards. He said that he was under the impression the city would be willing to increase the height limits for fences. He described a temporary fence that he bought to enclose a circular area with a circumference of 100 feet to keep deer out that seems to have worked.

There was further discussion.

**Kaffezakis made a motion to recommend approval of the proposed amendment to the fence regulations. Meilander seconded the motion. All were in favor and the motion passed.**

c) Report on Administrative Variance – 562 Lakeshore Drive

Threadgill noted that this administrative variance was granted to allow for a conforming deck expansion to a structure that was non-conforming with respect to side setback and building coverage.

## **VI. CITIZEN COMMENTS**

There were no comments.

## **VII. DISCUSSION**

There was discussion about ways to avoid having construction projects drag on for an unreasonable amount of time.

## **VIII. ADJOURNMENT**

**Kirkus made a motion to adjourn. Kaffezakis seconded the motion. All were in favor and Huntington adjourned the meeting at 7:41 PM.**

Respectfully submitted,

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Leigh Threadgill  
City Administrator

DRAFT

**City of Berkeley Lake  
Staff Analysis**

CASE NUMBER:	PZV-25-06, 334 LAKESHORE DR.
RELIEF REQUESTED:	NON-CONFORMING BOATHOUSE MODIFICATION AND ROOF EXTENSION
EXISTING ZONING:	R-100, RESIDENTIAL
EXISTING USE:	SINGLE FAMILY RESIDENCE
APPLICANT:	ANDY AND BONNIE ANDERSON 334 LAKESHORE DR BERKELEY LAKE, GA 30096
OWNERS:	ANDY AND BONNIE ANDERSON SAME AS ABOVE
MEETING DATE:	JULY 8, 2025 P&Z COMMISSION

**PROPOSED PROJECT:**

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The subject non-conforming boathouse is in need of repair. It slants down on one side and needs additional support to prevent it from being lopsided. The boathouse contractor has indicated that in order to provide the necessary support an additional two-foot strip of decking should be built on the inside of the existing frame on the side of the frame that is non-conforming with regard to side setback. Because the new decking will be built within the required 12.5-foot side setback from the side property line as projected into the lake, a variance is needed. In order to repair the structure, the existing boathouse roof will need to be removed. The applicant has requested to replace the roof with a larger roof in order to cover his boat completely. This will also require a variance as the new roof will not meet the side setback requirement.

**FINDINGS OF FACT:**

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- 1.) The existing house is located at 334 Lakeshore Drive on a roughly 0.19-acre lot and was built in 1965 according to Gwinnett County property records.
- 2.) The non-conforming boathouse was built in 2003, according to Gwinnett County tax records. There is no permit record for the original boathouse construction.
- 3.) In 2013, a permit was issued to allow the replacement of the boathouse/dock piers.
- 4.) Based on the information provided in the application, the boathouse leans to one side because of inadequate support.
- 5.) It leans on the side that is non-conforming with regard to side setback where it adjoins 326 Lakeshore Drive.
- 6.) A contractor has recommended reconfiguring the boathouse to provide the necessary support to the boathouse roof.
- 7.) This will involve removal of the roof to allow the necessary structural configuration to support a new roof.

- 8.) The new configuration adds a two-foot strip of decking on the inside of the edge of the boathouse closest to 326 Lakeshore Drive. This decking will not come any closer to the side property line as extended into the lake as the existing footprint of the boathouse.
- 9.) However, because it will be built within the required side setback, a variance is needed to Sec. 78-89(g)(2) as well as Sec. 78-141 to allow the alteration of the non-conforming structure.
- 10.) Because the roof has to be replaced, the applicant has requested a variance to allow the new roof to extend further (25 feet) into the lake than the existing. The new roof will comply with all requirements except the setback to the side property line as extended into the lake and thus needs a variance to Sec. 78-89(g)(2) and 78-141 like the proposed decking discussed above.
- 11.) The setback encroachment for the roof extension is less than the existing boathouse because the boathouse pulls away from the side property line as it extends into the lake. The closest point of the boathouse to the side property line is at the shore, and it separates from that point because of the angle of the boathouse in relationship to the projected side property line.
- 12.) At 550 square feet, the new roof complies with the roofed area limit of 675 square feet and will be no taller than 14 feet from the mean water level at full pool.
- 13.) The cumulative area of all docks/boathouses is 772 square feet, within the total area allowance of 875 square feet.
- 14.) Properties to the east and west are zoned R-100 and the location of single-family residences. Lake Berkeley is adjacent to the north and the right-of-way of Lakeshore Drive is adjacent to the south.

#### STANDARDS FOR APPROVAL:

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In considering whether to grant or deny this variance request, the commission must evaluate the application based on the criteria specified in Section 78-366 (a)(1) of the zoning ordinance:

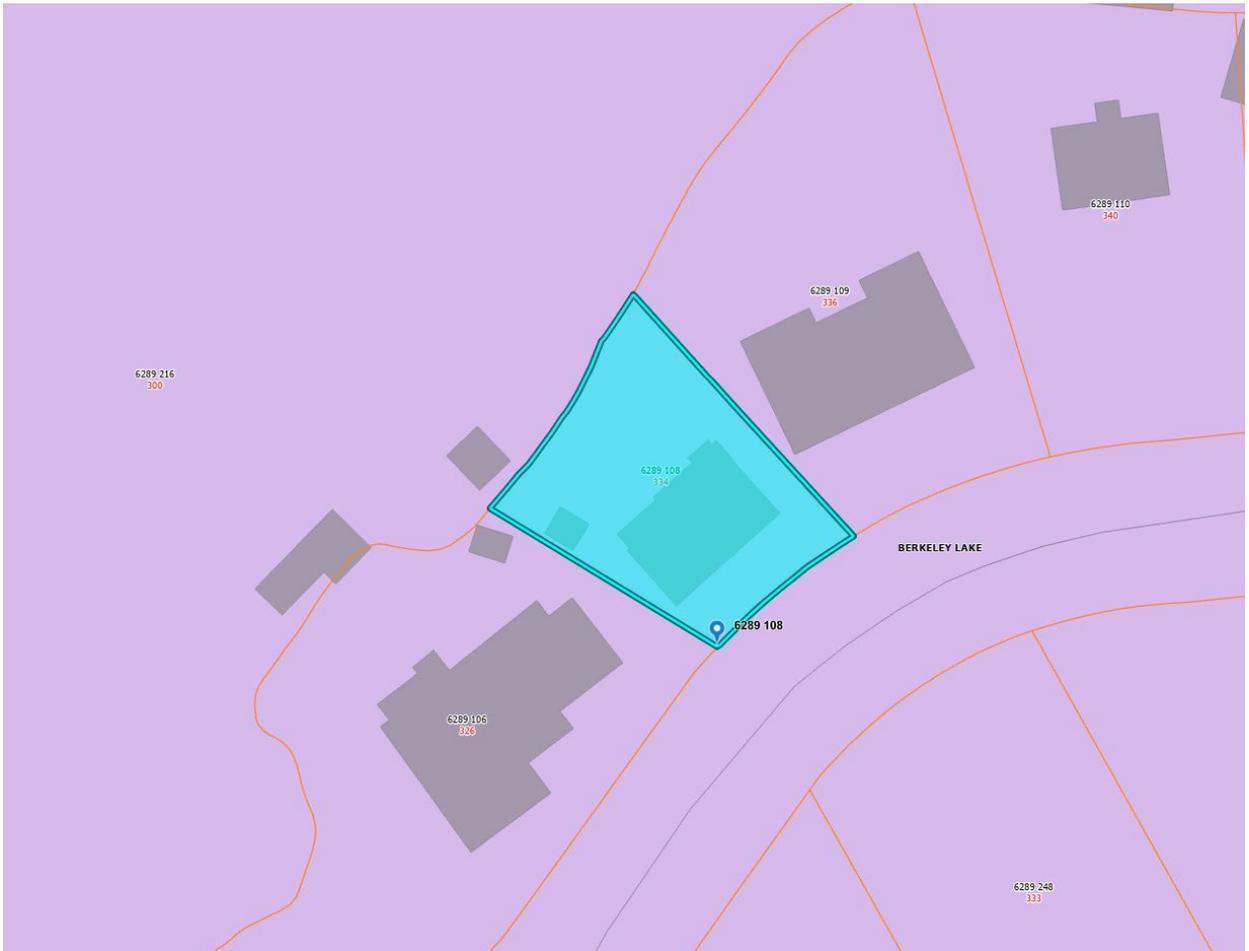
a) *Applications for variances.*

- (1) *All applications for variances shall be submitted initially, in writing, to the planning and zoning commission of the city, which shall consider these requests at its next called meeting. The planning and zoning commission may authorize such variance from the terms of this zoning chapter as will not be contrary to the public interest. The spirit of this chapter shall be observed, the public safety, health and welfare secured and substantial justice done. At the hearing, any party may appear in person or have authorized representation. Such variances may be granted in individual cases if the planning and zoning commission finds that:*
  - a. *There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and*
  - b. *The application of this chapter to this particular piece of property would create an unnecessary hardship; and*
  - c. *Such conditions are peculiar to the particular piece of property involved; and*
  - d. *Such conditions are not the result of any actions of the property owner; and*
  - e. *Relief, if granted, would not cause substantial detriment to the public nor impair the purposes or intent of this chapter; and*
  - f. *The variance is granted for a use of land or building or structure that is not prohibited by this chapter.*

SITE PHOTO



LOCATION MAP



AERIAL PHOTO





# Application for Variance

For Office Use Only	
Application #:	V/AV 25-06
Check #:	110 Cash: _____
Date Paid:	_____
P&Z hearing date:	7/8/25
Action:	_____
Appeal filed:	_____
Council hearing date:	_____
Account 100.34.1390.2	
Variance App	\$ 450.00

## Part 1: Applicant Information

APPLICANT IS:  Owner  Agent  Attorney

NAME ANDY ANDERSON DATE 5/15/25  
 MAILING ADDRESS 334 LAKESHORE DRIVE  
 CITY Berkeley Lake STATE GA ZIP 30096  
 TELEPHONE 818-402-6754 ← MOBILE FAX N/A  
 E-MAIL AANDERSON357@GMAIL.COM

## Part 2: Property Owner Information

NAME(S) BONNIE ANDERSON  
 MAILING ADDRESS SAME AS ABOVE  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
 TELEPHONE 818-402-6752 ← MOBILE FAX \_\_\_\_\_  
 E-MAIL BONNIE.ANDERSON@GMAIL.COM

## Part 3: Property and Use Information

PROPERTY ADDRESS 334 LAKESHORE DRIVE PARCEL ID 6289108  
 PARCEL SIZE 0.19 ACRES ZONING R-100 SINGLE FAMILY  
 EXISTING USE SINGLE FAMILY RESIDENCE

I am requesting relief from code section 78-141 Nonconforming for the purpose of:

BOAT HOUSE REPAIR

NOTICE: The granting of a Variance does not affect any requirement for a Building Permit for proposed construction.

The following supplemental documentation must be submitted with this application:

- Letter of Intent describing the proposed construction, development or improvements.
- Site Plan showing all existing and proposed improvements on the property.
- Survey of the property

**Variance Application: Part 3: Property and Use Information (continued)**

**Applicant:** Please provide written responses to the following items in order to support the request. Attach a separate sheet if necessary:

1) Explain the extraordinary and exceptional conditions pertaining to the size, shape or topography of the subject property; OR if this request is for the expansion of a non-conforming structure, explain whether granting the variance would result in an increase in the non-conforming aspects of the structure.

BOAT HOUSE IS CLOSE TO PROPERTY LINE.

2) Explain how the application of the ordinance to the subject property would create an unnecessary hardship.

Would REQUIRE MOVING STRUCTURE 12 1/2 FEET FROM CURRENT LOCATION.

3) Explain how the conditions are peculiar or unique to the subject property.

EXISTING BOAT HOUSE NEEDS REPAIR. TO REPAIR PROPERLY NEED NEW POSTS + 2' SUPPORT WALK WAY.

4) Are the conditions requiring a variance the result of any actions of the property owner? If YES, explain.

NO

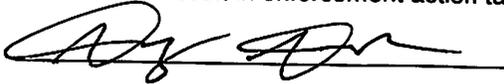
5) What, if any, detriment to the public or impairment to the purposes of the ordinance would result if the variance were granted.

NONE

6) Is the proposed use of land, building or structure permitted by the zoning ordinance?

YES

I hereby make application to the City of Berkeley Lake, Georgia for the above referenced property. I do hereby affirm that the information provided here, above and contained in all material I submit for the purposes of supporting my request for a Variance, to the best of my knowledge is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken as a result of this application. I understand that it is my/our responsibility to conform to all City of Berkeley Lake ordinances in full and obtain any additional permits as may be required and that failure to do so will result in enforcement action taken by the City.

Applicant's Signature  Date 5/15/2025

Owner's Signature Bonnie Anderson Date 5/16/25

**Variance Request for 334 Lakeshore Drive**

**Andy and Bonnie Anderson**

We have an existing boat house that appears to be leaning and is not built as it should have been. To repair it requires new posts and a 2' walkway that serves as support to the structure. The edge of the new walkway would be the same location as the current edge of the boathouse on the 326 Lakeshore side.

To be able to remove the existing posts and drive new posts the roof needs to be removed. The front corner of the boathouse is at the property line, and we are asking to repair the dock keeping the same relationship to the property line. While we are done this we would also like to extend the roof to 22'x25'.

Please see the attached documents and advise.

Thank you,

**Andy Anderson**

**334 Lakeshore Drive**

**Berkeley Lake, GA 30096**

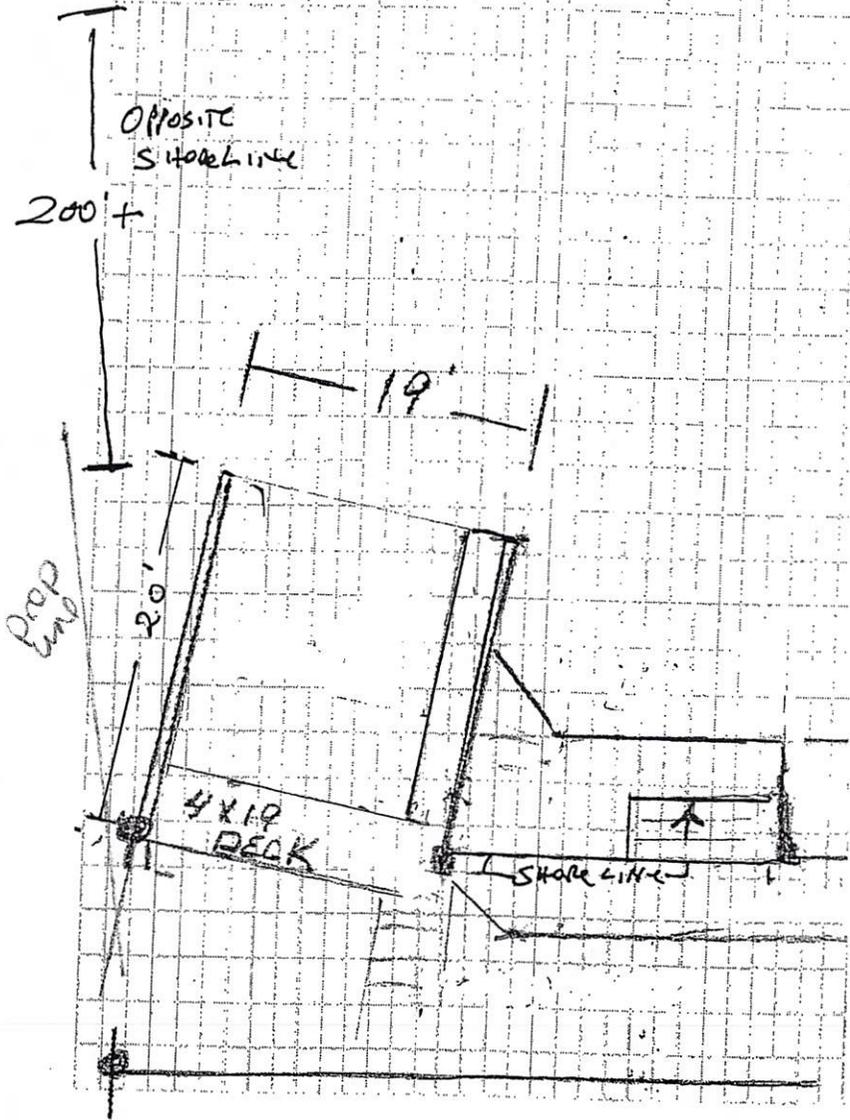
**818-402-6754**

**aanderson357@gmail.com**

ROOF  $19 \times 20 = 380$  SQ FT

DECK 165 SQ FT

EXISTING



PROPOSED

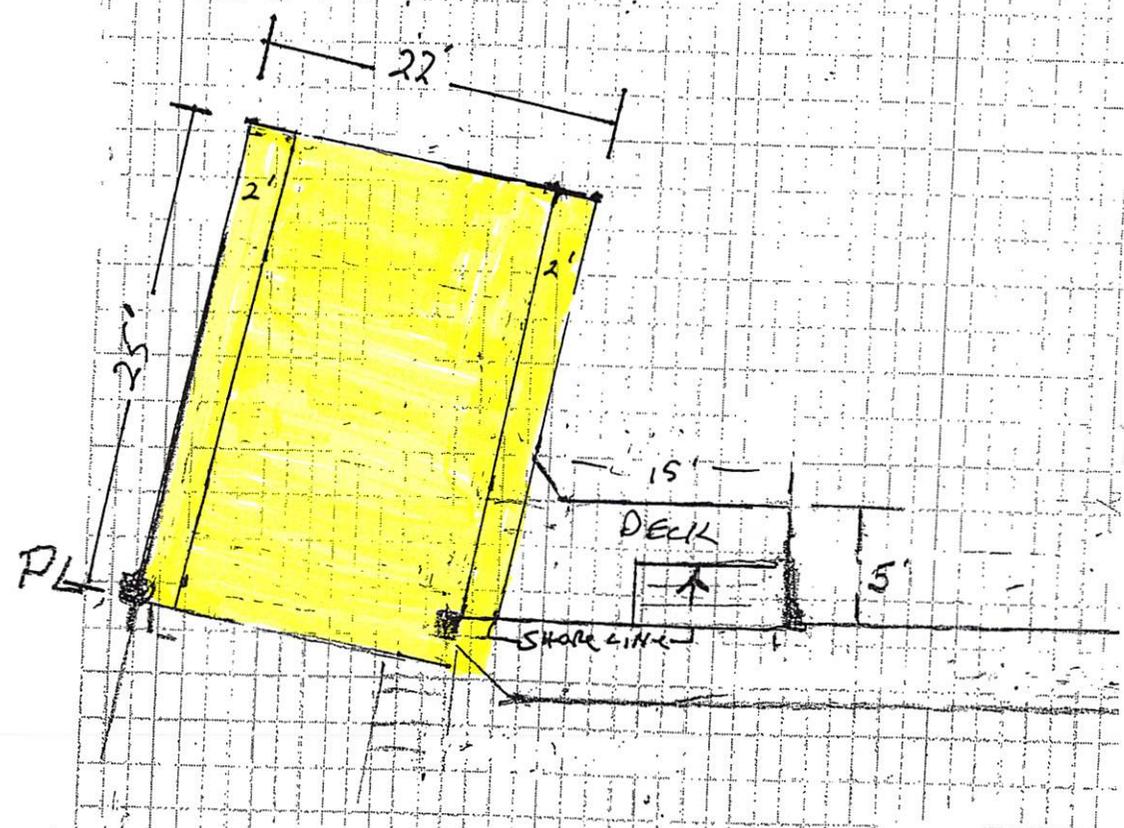
SHIFT ROOF/DECK 2" TO ADD WALKWAY  
MAKE ROOF LARGER

BOAT HOUSE  $22 \times 25 = 550$

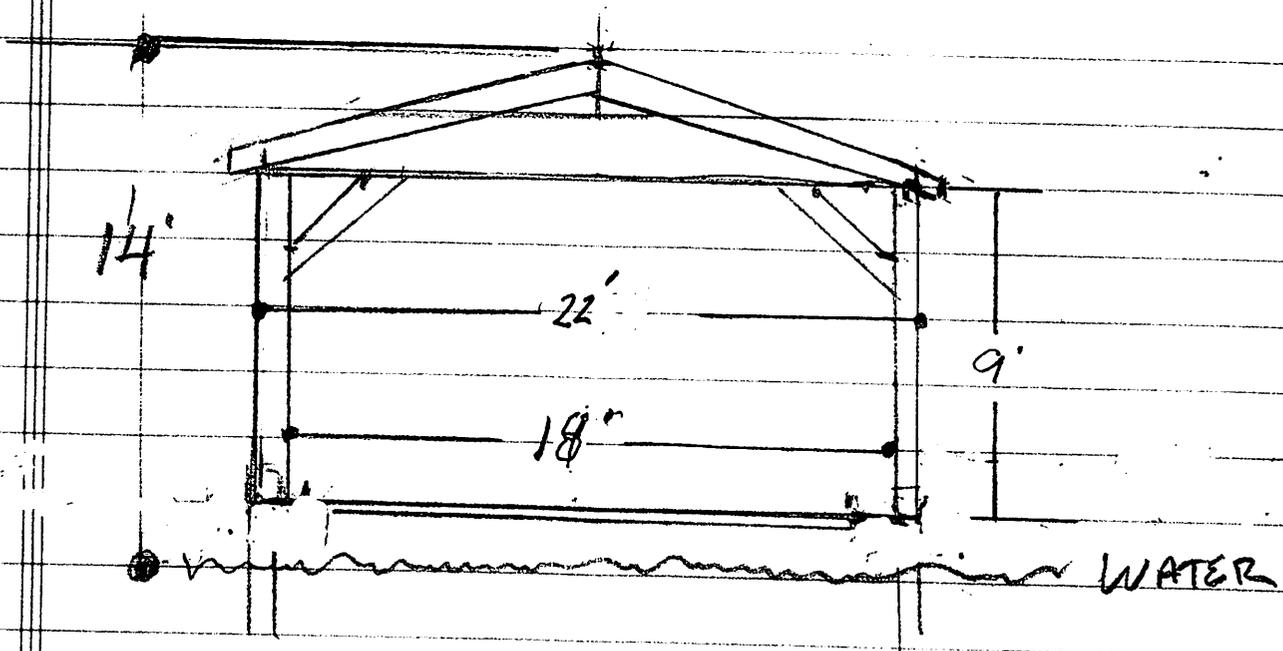
DECK  $5 \times 15 = 75$

GUEST DOCK  $7 \times 21 = 147$

772 TOTAL

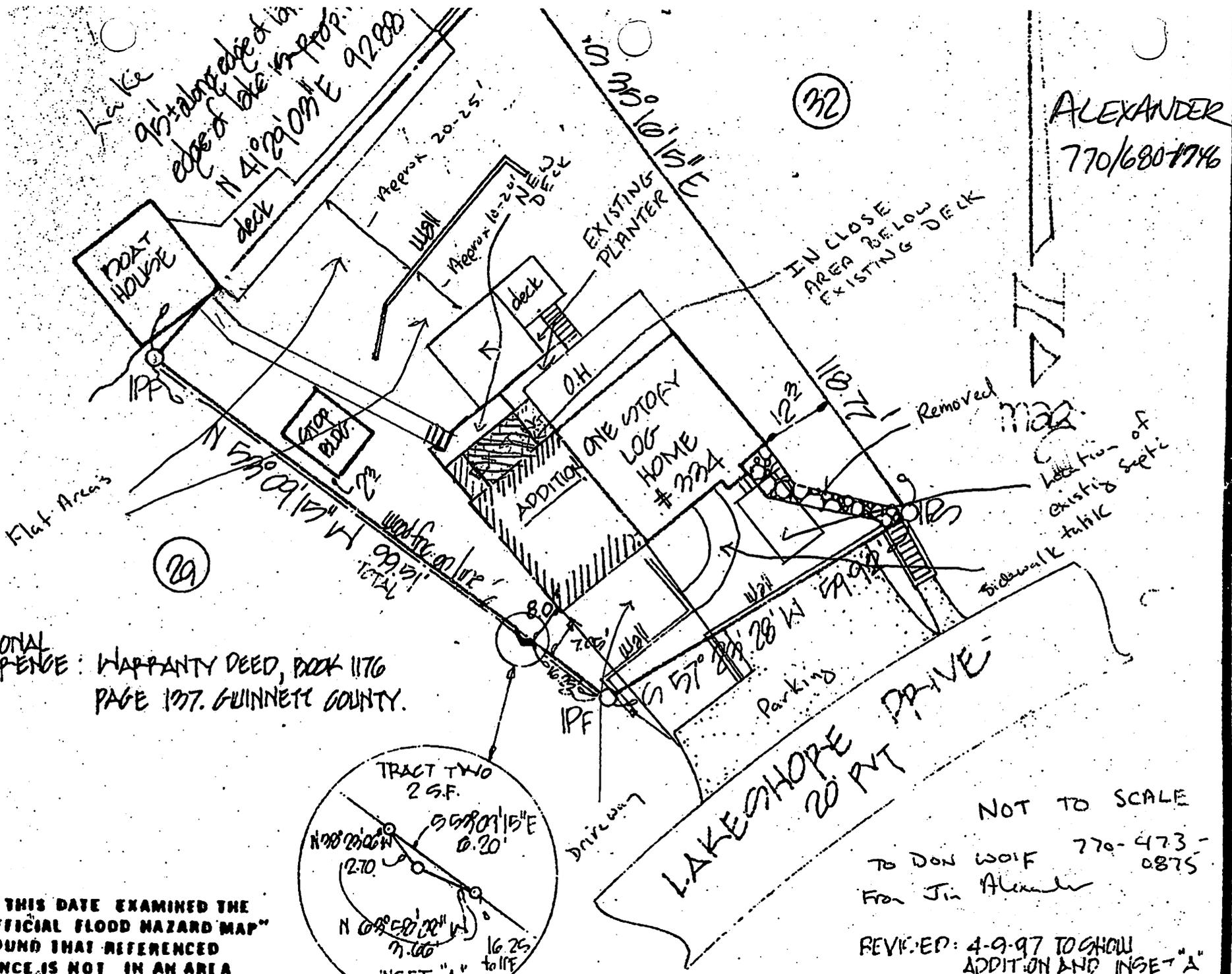


(ANDERSON)



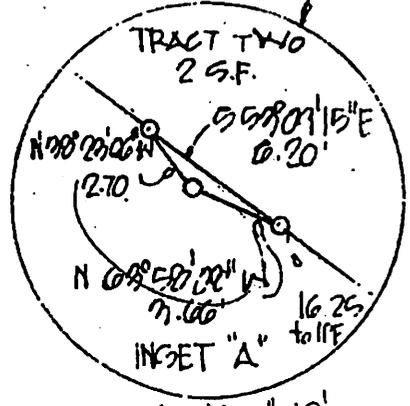
VIEW FROM LAKE

3/16 SCALE



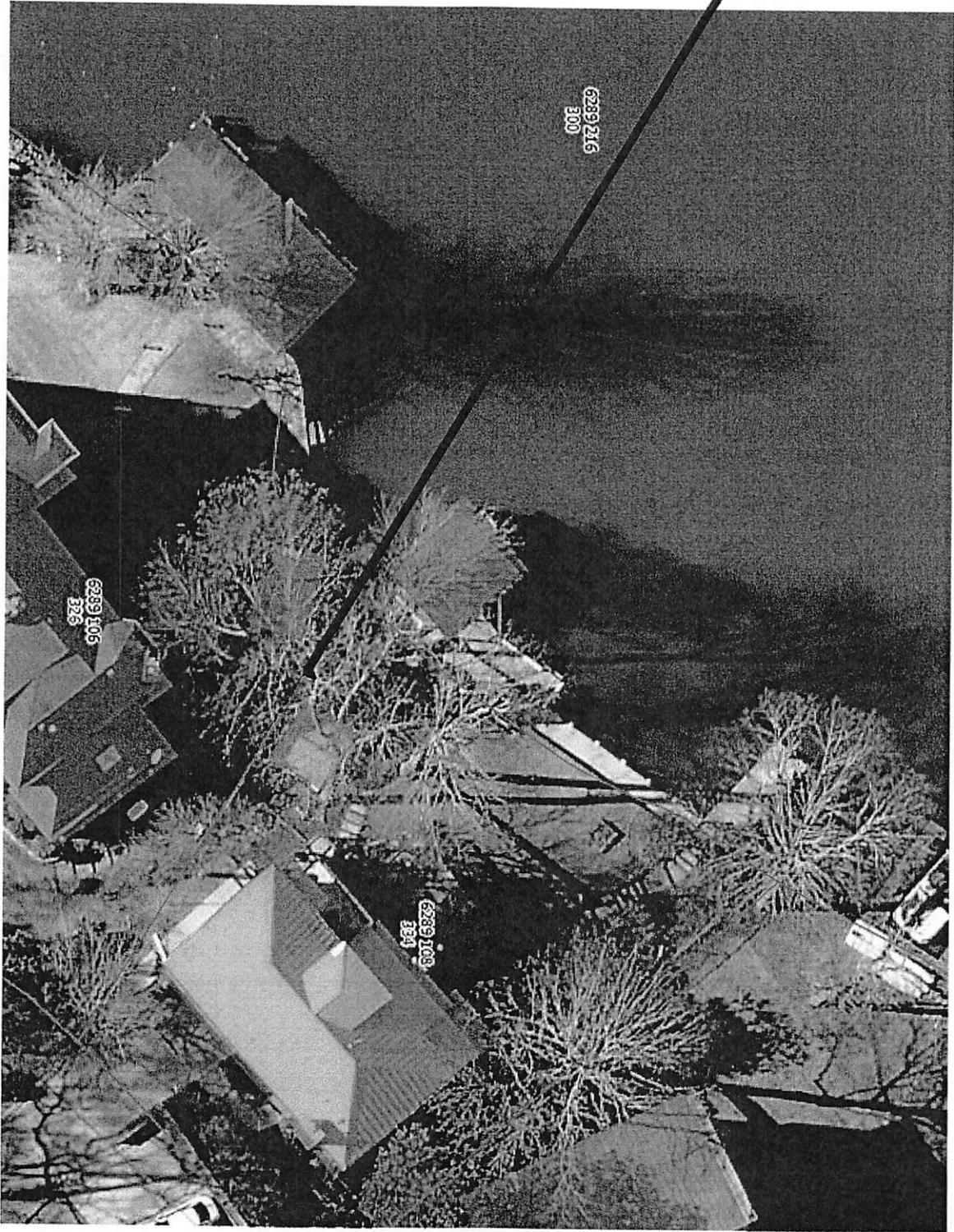
ALEXANDER  
770/680-1746

NOTAL  
FENCE: WARRANTY DEED, BOOK 1176  
PAGE 137. GUINNETT COUNTY.



THIS DATE EXAMINED THE  
OFFICIAL FLOOD HAZARD MAP  
FOUND THAT REFERENCED  
FENCE IS NOT IN AN AREA  
OF SPECIAL FLOOD HAZARDS

NOT TO SCALE  
TO DON WOLF 770-473-0875  
FROM Jim Alexander  
REVISED: 4-9-97 TO SHOW  
ADDITION AND INSET "A"







**City of Berkeley Lake  
Staff Analysis**

CASE NUMBER:	PZV-25-07, 266 LAKESHORE DR.
RELIEF REQUESTED:	CONSTRUCTION OF A PERGOLA IN VIOLATION OF THE 40-FOOT REAR SETBACK ATOP AN EXISTING NON-CONFORMING DECK.
EXISTING ZONING:	R-100, RESIDENTIAL
EXISTING USE:	SINGLE FAMILY RESIDENCE
APPLICANT:	JEFF AND ERIN GLYNN 266 LAKESHORE DR BERKELEY LAKE, GA 30096
OWNERS:	JEFF AND ERIN GLYNN SAME AS ABOVE
MEETING DATE:	JULY 8, 2025 P&Z COMMISSION

**PROPOSED PROJECT:**

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The applicant wants to build a 396-square-foot-pergola on top of an existing non-conforming deck. The pergola will not come any closer to any property lines but will be built in violation of the required 40-foot rear setback. According to the application, the pergola is intended to provide privacy for the master bedroom. The pergola will be 10'6" tall. Construction of the pergola requires a variance to Sec. 78-197(6) to encroach into the 40-foot rear setback and a variance to Sec. 78-141 to extend a non-conforming structure.

**FINDINGS OF FACT:**

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- 1.) The existing house is located at 266 Lakeshore Drive on a 1.07-acre lot and was built in 1977 according to Gwinnett County property records.
- 2.) It is non-conforming relative to the R-100 front and rear setback standards.
- 3.) A variance was granted in 2003 to allow the location of an accessory structure in the side yard.
- 4.) A variance was granted in 2018 to allow the construction of a dock closer than 75 feet from the opposite shore.
- 5.) A variance was granted in 2019 to expand the non-conforming house to the rear within the 40-foot rear setback.
- 6.) The proposed pergola does not meet the rear setback and is a vertical extension of an existing non-conforming deck.
- 7.) Sec. 78-197(6) establishes a minimum rear setback of 40 feet from the Lake Berkeley shoreline at full pool.
- 8.) The existing deck and proposed pergola are located 4'3" from the shoreline.

- 9.) With a depth of approximately 100 feet where the house is located, the lot is irregular in terms of shape. It is wider and shallower than many lots. Meeting both front and side setbacks would leave very little buildable area.
- 10.) There is a stream that roughly follows the south side property line. A 75-foot impervious surface setback is required adjacent to the stream, which further impacts the buildable area of the lot.
- 11.) Properties to the north and south are zoned R-100 and the location of single-family residences. Lake Berkeley is adjacent to the east and the right-of-way of Lakeshore Drive is adjacent to the west.

#### STANDARDS FOR APPROVAL:

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In considering whether to grant or deny this variance request, the commission must evaluate the application based on the criteria specified in Section 78-366 (a)(1) of the zoning ordinance:

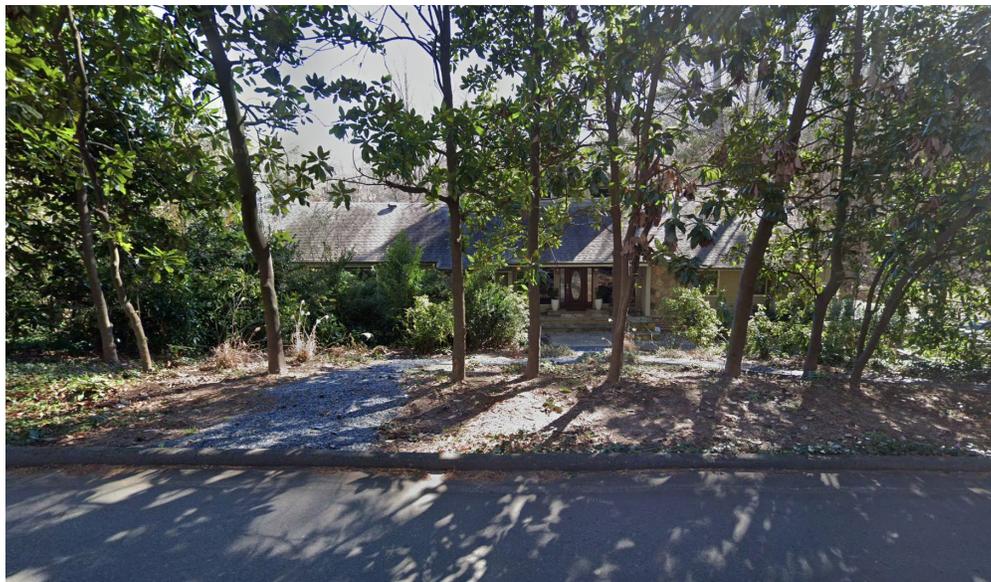
a) *Applications for variances.*

(1) *All applications for variances shall be submitted initially, in writing, to the planning and zoning commission of the city, which shall consider these requests at its next called meeting. The planning and zoning commission may authorize such variance from the terms of this zoning chapter as will not be contrary to the public interest. The spirit of this chapter shall be observed, the public safety, health and welfare secured and substantial justice done. At the hearing, any party may appear in person or have authorized representation. Such variances may be granted in individual cases if the planning and zoning commission finds that:*

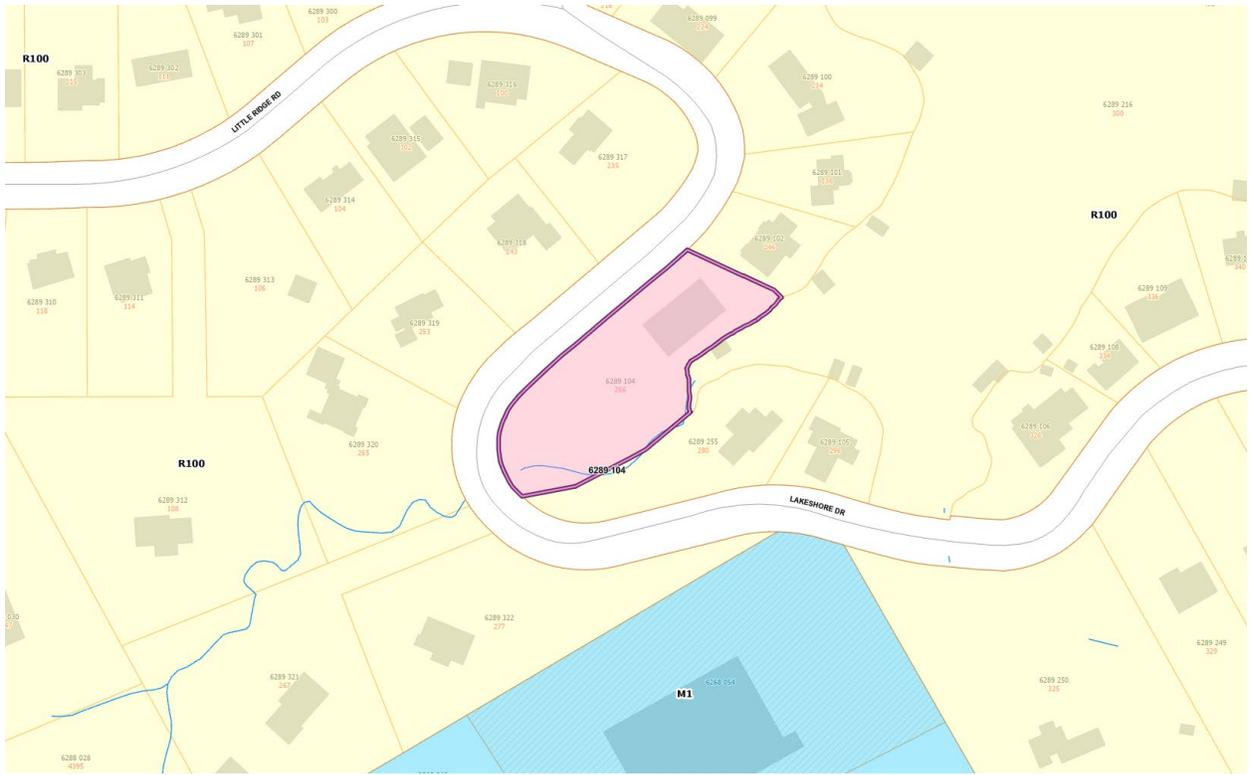
- a. *There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography; and*
- b. *The application of this chapter to this particular piece of property would create an unnecessary hardship; and*
- c. *Such conditions are peculiar to the particular piece of property involved; and*
- d. *Such conditions are not the result of any actions of the property owner; and*
- e. *Relief, if granted, would not cause substantial detriment to the public nor impair the purposes or intent of this chapter; and*
- f. *The variance is granted for a use of land or building or structure that is not prohibited by this chapter.*

#### SITE PHOTO

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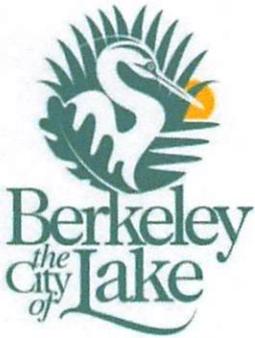


# LOCATION MAP



# AERIAL PHOTO





# Application for Variance

For Office Use Only	
Application #:	V/AV 25-07
Check #:	1003 Cash: _____
Date Paid:	5/20/25
P&Z hearing date:	7/8/25
Action:	_____
Appeal filed:	_____
Council hearing date:	_____
Account 100.34.1390.2	
Variance App	\$ 450.00

## Part 1: Applicant Information

APPLICANT IS:  Owner  Agent  Attorney

NAME Jeff Glynn ERIN Glynn DATE 5/20/25

MAILING ADDRESS 266 LAKE SHORE DR

CITY BL STATE GA ZIP 30096

TELEPHONE mobile → MOBILE 770 789 9476 FAX \_\_\_\_\_

E-MAIL jeff.glynn@outlook.com

## Part 2: Property Owner Information

NAME(S) SAME AS ABOVE

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

TELEPHONE \_\_\_\_\_ MOBILE \_\_\_\_\_ FAX \_\_\_\_\_

E-MAIL \_\_\_\_\_

## Part 3: Property and Use Information

PROPERTY ADDRESS SAME AS ABOVE PARCEL ID R6289 104

PARCEL SIZE 1.07 ACRES ZONING Residential

EXISTING USE Residential

I am requesting relief from code section \_\_\_\_\_ for the purpose of:

Building a Pergola on top an already existing and grandfathered in deck.

NOTICE: The granting of a Variance does not affect any requirement for a Building Permit for proposed construction.

The following supplemental documentation must be submitted with this application:

- Letter of Intent describing the proposed construction, development or improvements.
- Site Plan showing all existing and proposed improvements on the property.
- Survey of the property

**Variance Application: Part 3: Property and Use Information (continued)**

**Applicant: Please provide written responses to the following items in order to support the request. Attach a separate sheet if necessary:**

1) Explain the extraordinary and exceptional conditions pertaining to the size, shape or topography of the subject property; OR if this request is for the expansion of a non-conforming structure, explain whether granting the variance would result in an increase in the non-conforming aspects of the structure.

Entire House was already built within what later became lake setbacks, requiring a variance any time we want to add to the aesthetics and functionality of our home. THERE WOULD BE NO FURTHER ENCROACHMENT ON THE LAKE SETBACKS. ZERO EXPANSION OF FOOTPRINT, WE ARE SIMPLY REPLACING THE RAILING W/ A PERGOLA BUILT IN.

2) Explain how the application of the ordinance to the subject property would create an unnecessary hardship.

Pergole will allow us to create a privacy screen (natural) to shield anyone on lakeshore from seeing directly into our bedroom. Also will provide shade so our neighbor can also see directly into our bedroom.

3) Explain how the conditions are peculiar or unique to the subject property.

Property was built entirely within what are now setback rules, requiring a variance any time we want to update, upgrade an increase the property value of our house and neighborhood. It's a simple Pergola on an existing deck.

4) Are the conditions requiring a variance the result of any actions of the property owner? If YES, explain.

No.

5) What, if any, detriment to the public or impairment to the purposes of the ordinance would result if the variance were granted.

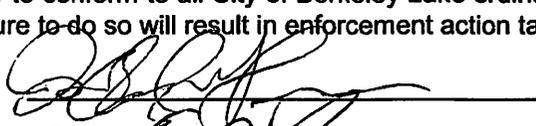
Zero impairment. Deck is tucked away in a corner of a cove, blocks no one's view.

6) Is the proposed use of land, building or structure permitted by the zoning ordinance?

Yes,

I hereby make application to the City of Berkeley Lake, Georgia for the above referenced property. I do hereby affirm that the information provided here, above and contained in all material I submit for the purposes of supporting my request for a Variance, to the best of my knowledge is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken as a result of this application. I understand that it is my/our responsibility to conform to all City of Berkeley Lake ordinances in full and obtain any additional permits as may be required and that failure to do so will result in enforcement action taken by the City.

Applicant's Signature



Date

5/20/2025

Owner's Signature



Date

5/20/2025

# 266 Lakeshore – Pergola Intent

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5/20/2025 (for July 8th P&Z meeting)

To whom it may concern:

My wife and I along with our three girls are applying for a variance noted in the application to build a Pergola on top of an already existing bedroom deck. This pergola will not add to the existing footprint of the deck, which was in place prior to any setback ordinances. It also will not exceed the existing roof height. It would simply replace the existing railing with the new pergola posts built in. This would alleviate a hardship we've had with our neighbor's view and anyone walking on Lakeshore's view directly into our bedroom by allowing us to tie in privacy screening into the pergola.

Our property surrounds a quiet cove on the lake, which is hidden from most boat traffic. The pergola would be at the very back of that cove (almost the stream) and would be constructed of rough cedar.

We do not believe a variance is required here, as we are not adding to the existing footprint of the deck that is already grandfathered into the setback ordinance. We are not adding a 2nd story to the deck; it's just a simple pergola, which I understand may be exempt from setback rules in the upcoming ordinance revisions anyway. If the P&Z deems a variance is necessary, we are requesting a variance to Article IV, Sec 78-89 (d), requirement (1), highlighted on the next page.

Thank you for your consideration in this application.

Sincerely,

Jeff & Erin Glynn and the girls: Avery (15), Aspen (14), Nola (12)

Enclosures: code section pertaining to request, setback and height specs, Site Plans, Survey, Cad drawings of walkway & railing, Application for Variance

CODE OF THE CITY OF BERKELEY LAKE, GEORGIA, as it pertains to this request (requesting variance approval for subsection 1:

## ARTICLE IV. - STANDARD PROVISIONS

Sec. 78-89. - Accessory uses or structures.

(d)

Except as otherwise provided in this chapter, accessory structures shall meet the following requirements:

(1)

*Setbacks.* Accessory structures shall meet setbacks as provided in the table below. In addition to having to meet the setbacks noted herein, accessory structures shall be located so as not to encroach into a required buffer zone.

	<b>Lots adjoining Lake Berkeley</b>
Side setback	12.5 feet from interior side lot lines and in the case of a corner lot no closer to the abutting road than the principal structure
Rear setback	40 feet from the Lake Berkeley shoreline measured at mean water level



WADJ 5112 - 3004233AD 1995







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**Additional Spec Details:**

**Side Setback (Southwest ): >300 feet**

**Side Setback (Northwest): 71.5 feet**

**House Rear Setback from lake: 25 feet**

**Pergola height above house deck: 10 feet**

**Pergola impervious addition: Zero**

**Pergola materials: Rough cedar; galvanized ½" bolts, washers & nuts**