

**CITY OF BERKELEY LAKE
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
PLANNING & ZONING COMMISSION MEETING
FINAL MINUTES
August 9, 2022
7:15 PM**

Those in attendance at the meeting were as follows:

Commission Members: Dan Huntington, Chair
 Rand Kirkus
 Robin Sansone

City Administrator: Leigh Threadgill

Citizens Present: 2

I. CALL TO ORDER

Huntington called the meeting to order at 7:19 PM. A quorum was present. City Administrator Leigh Threadgill was also present.

II. APPROVAL OF OR CHANGES TO THE AGENDA

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

Sansone moved to approve the agenda as submitted. Kirkus seconded and all voted to approve the agenda.

III. MINUTES

1. Minutes of July 12, 2022

Sansone moved to approve the minutes of the July 12th meeting. Kirkus seconded and all voted to approve the minutes.

IV. OLD BUSINESS

1. PZV-22-02, 156 Bayway Circle, Applicant Kathy Sanders requests relief from Sections 78-141 of the zoning ordinance to alter and expand the roof of a non-conforming boathouse.

Huntington introduced the application as a continuance from the last meeting due to a desire to further review the impact from the adjacent property owner's premises. Prior to that, the

only perspective had been from the lake. Huntington noted that he had pictures from his site visit to the adjacent property and reviewed those with the commission.

Huntington indicated that in the month since the last meeting, he has further reflected on this. He stated that normally when someone has a variance request for a side setback encroachment it is a big deal. The more you encroach into the side setback, normally the commission will condition approval to limit the height.

In this case, the boathouse is on the property line, and it is completely enclosed. To approve this variance is counter to anything he has ever seen approved in his years on the commission. If approve, how could future requests be denied.

Huntington asked if the applicant had anything to offer as a compromise.

Kathy Sanders, 156 Bayway Circle, asked if it would be a compromise for the part of the boathouse roof that gets extended to be left open, which is about 18 inches. There was further discussion.

Sansone stated that the boathouse is visible from the Kitchens' patio based on the pictures Huntington brought to the meeting.

There was further discussion.

Huntington stated that if the commission denies the variance, the applicant could appeal the decision to the city council.

Sansone stated that the proposal would add value to the property, but it is already non-conforming, and she mentioned that the commission has to find a hardship in order to grant a variance. Huntington concurred and noted that the city council typically takes the hardship requirement very seriously. There was further discussion.

Huntington asked Ginny Nevins, 116 Lakeshore Drive, about what would happen from a real estate standpoint if the boathouse was opened.

Nevins indicated that the boat wouldn't be protected. She went on to say that she always thought that if the neighbor was in favor, then it would be approved. She noted other situations around the lake where boathouse setbacks aren't met.

Nevins stated that an enclosed boathouse is better from a real estate value standpoint.

There was further discussion.

Sanders noted that the advantage too is the pollen in the spring with regard to having an enclosed boathouse and noted that she would have to do some housekeeping on the existing structure.

There was further discussion about property maintenance.

There was discussion regarding the voting rules.

Sansone moved to deny the application. Huntington seconded the motion. Huntington and Sansone voted in favor of denying. Kirkus voted in opposition of denying the application. The application failed for lack of three votes to approve.

V. NEW BUSINESS

There was no new business.

VI. CITIZEN COMMENTS

There were no citizen comments.

VII. DISCUSSION

There was no further discussion.

VIII. ADJOURNMENT

There being no further business, Kirkus moved to adjourn. Sansone seconded the motion. All voted in favor and Huntington adjourned the meeting at 7:40 PM.

Respectfully submitted,



Leigh Threadgill
City Administrator