

**CITY OF BERKELEY LAKE
4040 SOUTH BERKELEY LAKE ROAD
BERKELEY LAKE, GEORGIA 30096
PLANNING & ZONING COMMISSION
FULL MINUTES
APRIL 11, 2023
7:15 PM**

Those in attendance at the meeting were as follows:

Commission Members: Dan Huntington, Chair
 Pekka Ignatius, Vice-Chair
 George Kaffeazakis
 Rand Kirkus

City Administrator: Leigh Threadgill

Citizens Present: 4

I. CALL TO ORDER

Huntington called the meeting to order at 7:18 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.

Ignatius moved to approve the agenda as submitted. Kaffeazakis seconded and all voted to approve the agenda.

III. MINUTES

1. Minutes of March 21, 2023

Ignatius moved to approve the minutes of the March 21st meeting. Kirkus seconded and all voted to approve the minutes.

IV. OLD BUSINESS

1. PZV-23-02 – 498 Lakeshore Drive variance to expand a non-conforming structure (Sec. 78-141) and increase the building coverage by 7.2% (Sec. 78-197(11)).

Huntington noted that the applicant is not ready to proceed tonight.

Kaffezakis moved to continue the application to next month. Ignatius seconded the motion. All were in favor and the motion passed.

2. PZTA-23-03 - Amendment to Sec. 78-196, R-100 Permitted Uses, to adopt regulations regarding the raising of poultry.

Huntington noted that this was advertised and asked for any public comment, and there were no comments. The commission noted that at the last meeting when this was discussed there was consensus to reinstate the prior ordinance to prohibit poultry in the city.

V. NEW BUSINESS

1. PZV 23-04 – 3960 Peachtree Industrial Boulevard variance to reduce the front setback from 75 feet to 55 feet along North Berkeley Lake Road and from 75 feet to 65 feet along Peachtree Industrial Boulevard (Sec. 78-272(5)) and reduce the side setback from 25 feet to 10 feet (Sec. 78-272(7)).

Huntington recognized the applicant who introduced the project.

Michael Guobaitis, 255 Norcross St., stated that he was representing Mr. Lavassani who owns one of the retail spaces adjacent to the subject property. Guobaitis explained that Mr. Lavassani bought this vacant lot, Tract A, and expanded it by purchasing a portion of the other tract to develop an event space/wedding hall and wants to utilize as much of that empty space on tract A as possible. When you apply all the setbacks, it results in a lot of unbuildable space. Guobaitis reviewed the original site plan and noted that all the shops have been constructed and he believes all but two of the office buildings have been constructed. Originally a bank was proposed for the subject lot. When you look at the original site plan you can see the setback lines. At the time, the North Berkeley Lake right-of-way had not been widened. At appears that the setbacks were applied to property lines prior to adjacent roads being widened. Looking at the final plat, you can see that the road was widened and new property lines are shown and you can see how everything shifted, but the setback line didn't change on the final plat. The new setbacks cause the constraints. The goal with this application is to bring the building envelope in line with the original setback, which is why the curb/gutter and grass area are built where they are, based on the original setback line.

Kaffezakis asked about the orange construction flags at the site currently. The applicant responded that they were just trying to get an idea of the layout. Guobaitis noted that it is an odd-shaped space making it a little bit more difficult.

Kaffezakis further asked if the roads had not been widened, would the proposal be within the original setbacks. The applicant responded yes; they would adhere to the setbacks as measured from the property lines prior to the road widening.

There was discussion about the internal side setback standard. Threadgill noted that the original intent appeared to be to treat the entire development as one lot even if it was subdivided and sold off in the future. However, in consultation with the attorney it was determined that the best way to handle this was through the variance process. Guobaitis noted

that the applicant intends to add a sidewalk around the building and would not need a 0-foot setback.

There was discussion about potential impacts to the neighboring buildings. Guobaitis stated that the new building would line up with those already built in the development.

There was discussion regarding parking for the proposed use.

It was noted that the request seems to be necessitated by the widening of the roads after the original site plan was developed.

Kirkus moved to approve the requested variance PZV 23-04. Kaffezakis seconded the motion. All were in favor and the motion passed.

VI. CITIZEN COMMENTS

There were none.

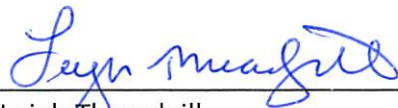
VII. DISCUSSION

There was no further discussion.

VIII. ADJOURNMENT

There being no further business, Ignatius moved to adjourn. Kirkus seconded the motion. All voted in favor and Huntington adjourned the meeting at 7:43 PM.

Respectfully submitted,



Leigh Threadgill
City Administrator

