## PIKE COUNTY PLANNING AND ZONING BOARD

## P.O. Box 377 . 77 Jackson Street Zebulon, GA 30295

Jason Leatherman Brandy Loggins Bryan Pate Edward "Ed" Penland James "Jim" McNair (At Large)

## Planning and Zoning Board AGENDA Thursday, March 14, 2024 - 6:30 PM Courthouse, Main Courtroom, 16001 Barnesville Street, Zebulon, Georgia

I. Call to Order

#### II. Invocation

a. Jeremy Gilbert, Director will lead the invocation.

#### III. Pledge of Allegiance

- a. Jason Leatherman, Chairman will lead the pledge.
- IV. Approval of the Agenda - (O.C.G A. § 50-14-1 (e) (1))
- V. Approval of the Minutes - (O.C.G A. § 50-14-1 (e) (2))
  - a. Approve Minutes from the November 9, 2023 Regular Monthly PZB Meeting
- VI. Unfinished Business -None

#### VII. New Business

#### **Public Hearing**

- a. Elect Chairman and Vice Chairman for 2024
- b. VAR-24-01 Prysum, LLC owner and applicant request a variance to development regulations for property located at 270 GA Hwy 362, Williamson, GA 30292 in Land Lot 139 of the 1st District, further identified as Parcel ID 062 008. The property consists of 11.14 +/- acres and the request is to reduce the buffer requirements on a portion of the east and west property lines due to encroachments of existing structures. Commission District 4, Commissioner James Jenkins. The public is invited to attend to speak in favor or in opposition of the request. The PZB will make the final decision.
- VIII. Discussion None
- IX. Adjournment

#### Invocation

#### **SUBJECT:**

Jeremy Gilbert, Director will lead the invocation.

# **ACTION:**

# **ADDITIONAL DETAILS:**

#### **REVIEWERS:**

Department County Clerk Reviewer Gilbert, Jeremy Action Approved

# Pledge of Allegiance

#### **SUBJECT:**

Jason Leatherman, Chairman will lead the pledge.

# **ACTION:**

## **ADDITIONAL DETAILS:**

#### **REVIEWERS:**

Department County Clerk Reviewer Gilbert, Jeremy Action Approved

Minutes November 9, 2023

# **SUBJECT:**

Approve Minutes from the November 9, 2023 Regular Monthly PZB Meeting

# **ACTION:**

# **ADDITIONAL DETAILS:**

#### **ATTACHMENTS:**

Туре

**D** Exhibit

**REVIEWERS:** 

Department County Clerk Reviewer Gilbert, Jeremy Action Approved

Description

Minutes

# PIKE COUNTY Planning and Zoning Board November 9, 2023 6:30 P.M.

# MINUTES

Jason Leatherman • Brandy Loggins • Bryan Pate • Edward "Ed" Penland • James "Jim" McNair ABSENT

I. Call to Order

Chairman Leatherman called the meeting to order by sound of the gavel at 6:30 pm.

II. Invocation

Planning and Development Director Jeremy Gilbert lead us in the Invocation.

III. Pledge of Allegiance

Chairman Leatherman acknowledged and thanked any Veterans in the audience for their Military Services.

Chairman Leatherman lead us in the Pledge of Allegiance.

IV. Approval of the Agenda

Vice-Chairman Loggins moved to approve the Agenda. Board Member Pate second the motion. The agenda was approved by a vote of 4-0-0.

V. Approval of the June 8, 2023, Minutes

Board Member Pate moved to approve the Minutes. Vice-Chairman Loggins second the motion. The minutes were approved by a vote of 4-0-0.

- VI. <u>Old Business:</u> NONE
- VII. <u>New Business:</u>

# Public Hearing:

1. An Ordinance adopting the Pike County Unified Development Code (UDC) and the Pike County Official Zoning Map in accordance with O.C.G.A Title 36, Chapter 66, Zoning Procedures Law and to repeal certain chapters of the current Pike County Code of Ordinances. THE PUBLIC IS INVITED TO ATTEND TO SPEAK IN FAVOR OR IN OPPOSITION OF THE REQUEST. THE PLANNING AND ZONING BOARD WILL FORWARD A RECOMMENDATION TO THE BOARD OF COMMISSIONERS FOR A FINAL DECISION.

Chairman Leatherman asked the Planning and Development Director Jeremy Gilbert to introduce the only item on the Agenda for tonight.

The Planning and Development Director Jeremy Gilbert introduced the Ordinance to adopt the Pike County Unified Development Code(UDC) and the Pike County Official Zoning Map, stating that this is the 1<sup>st</sup> Final Draft. Why is this just being done? Because over the years since the 70s and 80s, the Ordinance has just been piecemeal until now. This is a complete change for the entire Codes.

Chairman Leatherman thanked everyone who had been involved in making the proposed changes to the new Codes. They are as following: Pike Co. Planning and Development Director, Pike Co. Manager, Pike Co. Planning and Zoning Board, Pike Co. B.O.C. and Pike Co. Attorney.

The Planning and Zoning Board had some discussion.

Chairman Leatherman opened the floor up for public comments for 3 minutes to speak.

### Names of people

- 1. Mark Camp
- 2. Brandi Bailey
- 3. Cynthia Kline
- 4. Mary Lou Perry
- 5. Ray Brumbeloe
- 6. Alesia Hines
- 7. Blake Blount
- 8. Cherry Thomas
- 9. Vonda K. Blount
- 10. Billy A. Blount

### Names of people

- 11. Patricia Beckham
- 12. Kathy Moore
- 13. Terry Leonard
- 14. Bo Huddleston
- 15. Kristen Cudnohufsky
- 16. Annie Maude Hines
- 17. Cheryl Cannon
- 18. Olivia P. Holmes
- 19. Sandra Kelly
- 20. Rusty Gager

#### Chairman Leatherman closed the floor.

Chairman Leatherman asked the Planning and Development Director Jeremy Gilbert to answer the questions or to comment on the Public comments and on the Planning and Zoning Board recommended Amendments.

# A-R changes

· No limit on chickens in A-R lots over 5 acres. Section 503 C 16

· Limit of 25 chickens on lots less than 5 acres Section 503 C 16

• Remove the paved road and paved parking requirement for rural event centers. Section 503 B 23 B&F

 $\cdot$  Add a special use permit to allow livestock on lots less than 5 acres. Section 503 D

### **RR** changes

· Add back Section regarding Barn Dominium to 603 A.

· Remove fence requirement for chickens. Section 603 C 7 B

- · Limit of 25 chickens on all lots in RR district. Section 603 C 7
- · Change section 603 C 7 from one acre to three acres

• Add a special use permit to allow livestock in the RR zoning district. Section 603 D

• Allow products grown on site to be sold on site. Section 603 C 5.

### **R-1 changes**

 $\cdot$  Add back requirement for fence and maintenance to section 703 13. Letter B and D

### **R-2 changes**

• Require public sewer. Section 804 H remove septic tank permitted.

# PI, C-1, C-2, C-3, M-1 and M-2 changes

• Change the statement in all non-residential districts from "All uses not permitted within the \_\_\_\_\_ district by this section shall be specifically prohibited" to "Any use similar or compatible not listed within permitted uses section will at the discretion of the Zoning Administrator be presented as a special use permit and follow the procedures for a special use permit."

# Article 2 changes

Change section 203 V 2 requiring the maximum allowable size of a guest quarters be 1,500 square feet across the board.

### Article 4 changes

• Remove the requirement of a building permit on fences 4 feet or taller. Section 405 A 5.

#### Article 16 changes

 $\cdot$  Add a statement to section 1615 E that the final approval of the either-or requirements outlined in this section shall be approved by the Planning and Zoning Board during the overlay review.

Board Member Penland moved to approve the Pike County Unified Development Code (UDC) with amendments. Vice-Chairman Loggins second the motion. The motion was approved by a vote of 4-0-0.

VIII. Discussion: None.

XV. Adjournment:

Board Member Penland moved to adjourn the meeting. Board Member Pate second the request. The motion was passed by a vote of 4-0-0.

The meeting was closed by the sound of the gavel at 9:35 pm.

Elect Chairman and Vice Chairman for 2024

**SUBJECT:** 

Elect Chairman and Vice Chairman for 2024

# **ACTION:**

## **ADDITIONAL DETAILS:**

#### **REVIEWERS:**

Department County Clerk Reviewer Gilbert, Jeremy Action Approved

#### VAR-24-01

# SUBJECT:

**VAR-24-01** Prysum, LLC owner and applicant request a variance to development regulations for property located at 270 GA Hwy 362, Williamson, GA 30292 in Land Lot 139 of the 1<sup>st</sup> District, further identified as Parcel ID 062 008. The property consists of 11.14 +/- acres and the request is to reduce the buffer requirements on a portion of the east and west property lines due to encroachments of existing structures. Commission District 4, Commissioner James Jenkins. The public is invited to attend to speak in favor or in opposition of the request. The PZB will make the final decision.

# **ACTION:**

## **ADDITIONAL DETAILS:**

#### **ATTACHMENTS:**

Туре

Exhibit

### **REVIEWERS:**

Department County Clerk Reviewer Gilbert, Jeremy Action Approved

Description

Staff Report



PLANNING AND DEVELOPMENT OFFICE

Planning – Zoning – Environmental – Permits & Inspections Code Enforcement

P. O. Box 377 77 Jackson Street Zebulon, GA 30295 "Serving Citizens Responsibly"

Phone: 770-567-2007 Fax: 770-567-2024 sparks@pikecoga.com

Case Number: VAR-24-01

Planning and Zoning Board Meeting: March 14, 2024

Mailed Notice: February 13, 2024

**Owner:** Prysum, LLC

Property Location: 270 GA Hwy 362 Williamson, GA 30292 Landlot: 129 District: 1<sup>st</sup> Parcel ID: 062 008

Acreage: 11.14+/- acres

Commission District: District 4, James Jenkins

FEMA Data: Does not lie within a flood zone.

**Request:** The applicant is requesting a variance to reduce the required buffer of 40 feet along certain portions of both side property lines, due to existing structures currently encroaching the buffer and build a six (6) foot privacy fence for screening for 380 total feet along the side property lines affected.

**Code Reference:** Article 26: Landscaping and Buffer Requirements, Section 2605.3: Buffer Requirements, Table 2605.3: Buffer Area Standards of the UDC.

Proposed Land Use	Adjacent Zoning District	Minimum Buffer Area
Professional	A-R, RR, R-1, R-2	40 feet
Office		
Institutional		
Commercial		
Industrial		

Table 2605.3 Buffer Area Standards



### Sec. 408. Variances.

A. A variance is a permit, issued by the planning and zoning board, which allows use of a parcel of land in a way that varies from the requirements for the district in which the property is located. A variance may be granted only in an individual, specific case under such circumstances as will not be contrary to the public interest where, due to special conditions, a literal enforcement of the provisions of this ordinance will result in practical difficulty (as distinguished from mere inconvenience) or unnecessary hardship so that the spirit of this ordinance shall be observed, public safety and welfare secured, and substantial justice done.

A variance may not be granted for the use of a parcel, building or structure that is prohibited by this ordinance.

A variance may not be granted based on circumstances created by the applicant, such as:

- 1. A claim of hardship based on prospective sales; or
- 2. An expressed economic need, when such need can be met in other ways which would not require a variance.

The planning and zoning board shall, in granting a variance, determine that:

- 1. There are extraordinary and exceptional conditions pertaining to the particular parcel because of its size, shape, location and topography;
- 2. Application of this ordinance to the particular parcel would create a practical difficulty or unnecessary hardship on the property owner;
- 3. Such conditions are peculiar and unique to the particular parcel;
- 4. The variance, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this ordinance;
- 5. A literal interpretation of this ordinance would deprive the applicant of any rights that others owning property within the same zoning classification are allowed;
- 6. The variance, if granted, shall not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties within the same zoning classification;



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- 7. The variance may be granted with such conditions imposed as may be necessary to protect the health, safety, welfare and general value of the property in the general neighborhood; and
- 8. Granting the variance shall not be based on consideration of any existing nonconforming uses on nearby parcels and no permitted use of any parcel in any other zoning classification.

**Staff Analysis:** The Subject property is zoned C-3, Heavy Commercial. The applicant is requesting to reduce the buffer along the western property from 40 feet to 0 feet with a 6-foot privacy fence where the existing structures and driveway currently encroach in the required buffer area. They are also requesting to reduce the buffer on the eastern property line from 40' to 0 feet with a 6-foot privacy fence where the parking area is located. The buffer could be reduced to 14.8 feet on the western side of the property and 15 feet on the eastern property line along with the 6-foot privacy fence instead of completely removing the buffer. Based on the aforementioned criteria to grant a variance staff feels the request could meet the requirements as outlined in the UDC for variances if the buffer is reduced to only what is necessary to make the lot usable as it relates to existing structures and infrastructure.

Granting a variance to reduce the buffers should not have a negative effect on the general neighborhood or the adjacent properties. When the property was rezoned on April 27, 2023, a zoning condition was added to the approval that required a variance to be issued to be able to use the existing structures as an office as it encroaches the required buffer.

# **Recommendation:**

Staff recommends <u>APPROVAL</u> of the variance to reduce the buffer from 40 feet to 14.8 feet with a 6-foot privacy fence on the western property line and from 40 feet to 15 feet with a privacy fence on the eastern property line only where the existing structures and infrastructure encroach into the required buffer, all other portions of the buffer along the side property lines shall meet the requirements of the UDC as outlined in Article 26.



# PLANNING AND DEVELOPMENT OFFICE

Planning – Zoning – Environmental – Permits & Inspections Code Enforcement

P. O. Box 377 77 Jackson Street Zebulon, GA 30295 Phone: 770-567-2007 Fax: 770-567-2024 sparks@pikecoga.com

"Serving Citizens Responsibly"

# Attachments:

- Application
- Tax Map
- Plat
- Site Plan
- Legal Ad

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# PIKE COUNTY BOARD OF APPEALS

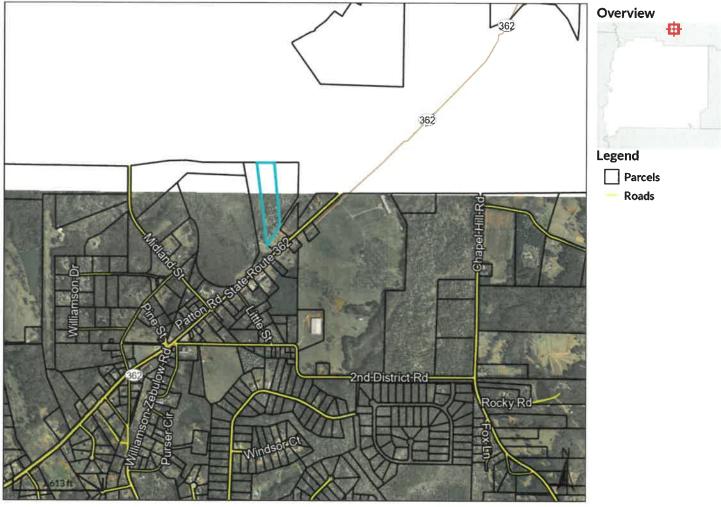
			6. C . C
Application # VAR-24-	- 0 Board of A	Appeals Public Hearing Date	march 14, 24
	Board of C	Commissioners Public Heari	ng Date:
[ ] Special Exception	[ ] Special Use Permit	[X] Variance	[] Appeal
Property Information: Di	strict(s): <u>1st</u> La	nd Lot(s):	Acres: 11.14
Tax Map Parcel #: 062 008			
Description of Request: existing buildings / improveme	esting a reduction in the min. nts are currently located and	40' buffer along the west pr to install a 6' high wooden	roperty line in the area where
along this property line for 380	)'.		
Code Reference(s):2605.3	Buffer area standards	Pres	ent Zoning:
<b>Documentation Required:</b>	[X] Copy of Recorde	d Plat	X] Copy of Recorded Deed
[X] Letter of Explanation			ch or site plan (preferable)
[ ] Agent Authorization (if nee	lided) []Other		
Property Owner:Prysum, I	LC	Applicant: Same	
Address:104 Caro	ine Dr.	Address:	
City: Griffin			
Phone/email: 770-689-6735	Tim@enlighteningelectric.co	<sup>m</sup> Phone/email:	
Property Owner Authorization	on: I declare to the bes	t of my knowledge the i	information given on this

<u>Property Owner Authorization</u>: I declare to the best of my knowledge the information given on this application to be true, correct and accurate. I hereby authorize the staff of the Department of Planning and Development, members of the Board of Appeals and Board of Commissioners to inspect the property which is the subject of this application.

ANNIN MILLING **Owner's Signature:** Date: Tim Pryor, Prysum, LL 5 **Owner's Printed Name:** NOTAR Sworn to and subscribed before me this \_ SM OTAR (HUILING TRE f:\Applications\Board of Appeals.docx Last Revised: 05,02/09 Notary Public (signature & seal): OUNTY. 

\$300.00

# Public.net Pike County, GA



Parcel ID	062 008
Class Code	Residential
<b>Taxing District</b>	UNINCORPORATED
Acres	11.14

Owner

Assessed Value

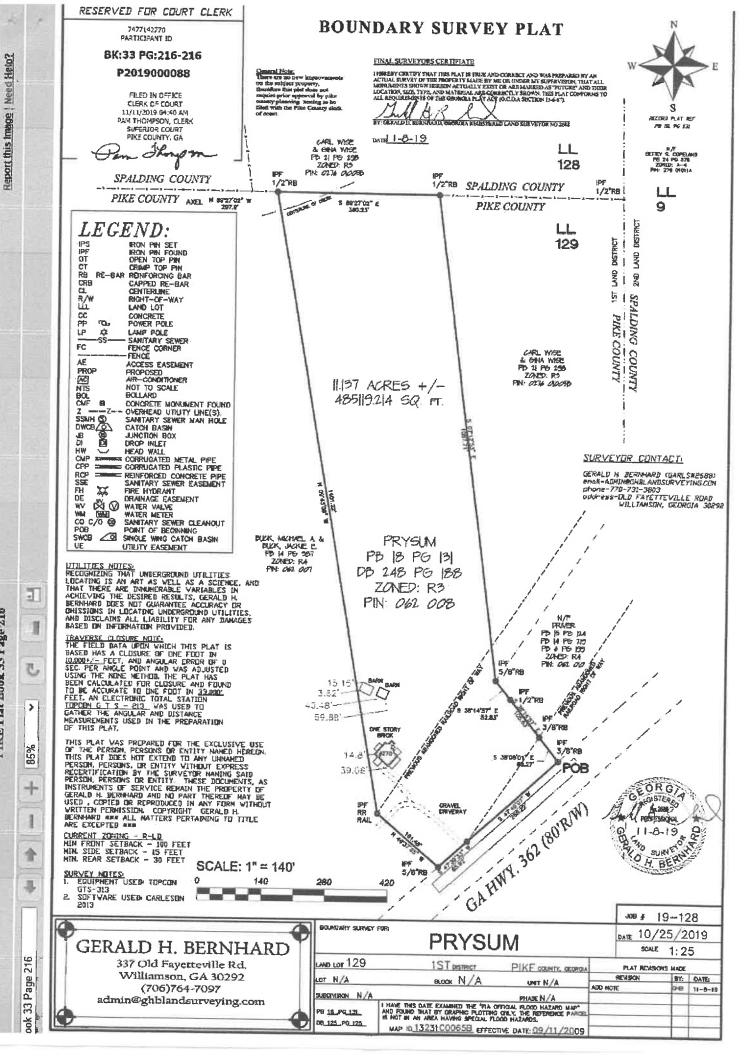
PRYSUM LLC 104 CAROLINE DR GRIFFIN, GA 30223 Physical Address 270 GA HWY 362 Value \$187242

Last 2 Sales Date Price Reason Qual 10/11/2019 \$155000 FM Q 7/20/1990 0 LA U

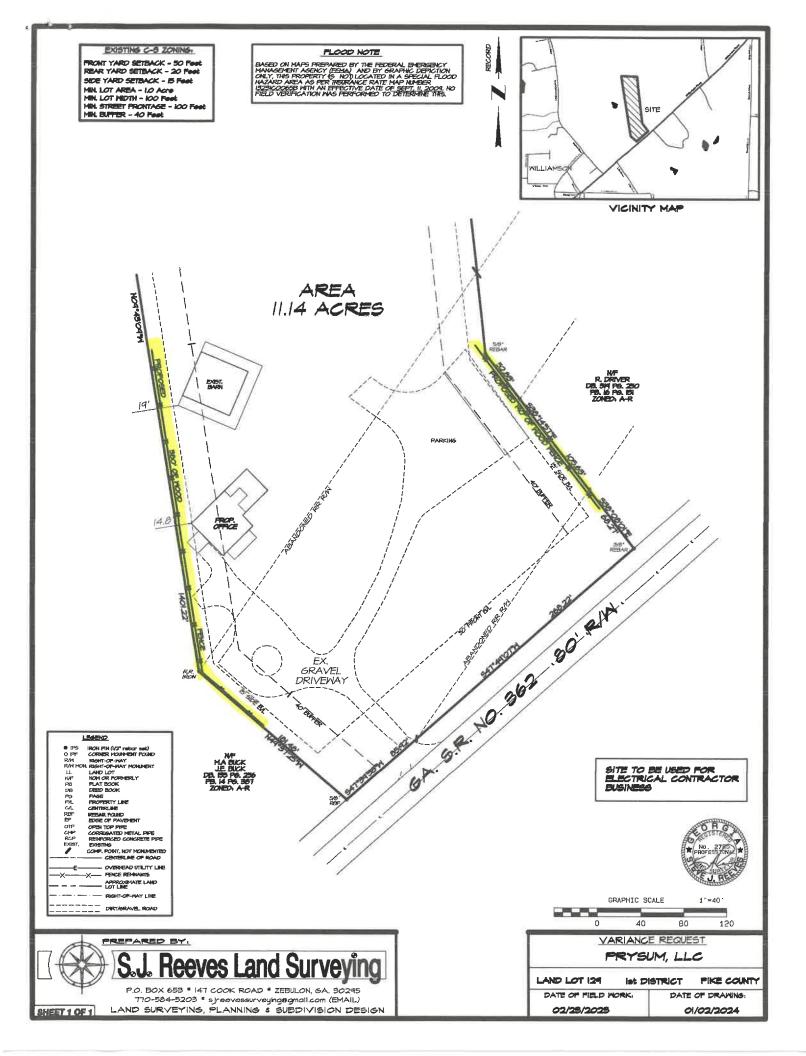
(Note: Not to be used on legal documents)

Date created: 3/7/2024 Last Data Uploaded: 3/7/2024 6:20:32 AM

Developed by Schneider



PIKE Plat Book 33 Page 216



# PIKE COUNTY PLANNING AND ZONING BOARD March 14, 2024 6:30 p.m.

The Pike County Planning and Zoning Board will conduct its scheduled monthly meeting on March 14, 2024, at 6:30 p.m. on the second floor of the Pike County Courthouse located at 16001 Barnesville Street, Zebulon, Georgia. The Board will conduct **PUBLIC HEARINGS** on the following item:

(1) VAR-24-01 Prysum, LLC owner and applicant request a variance to development regulations for property located at 270 GA Hwy 362, Williamson, GA 30292 in Land Lot 139 of the 1st District, further identified as Parcel ID 062 008. The property consists of 11.14 +/- acres and the request is to reduce the buffer requirements on a portion of the east and west property lines due to encroachments of existing structures. Commission District 4, Commissioner James Jenkins. The public is invited to attend to speak in favor or in opposition of the request. The PZB will make the final decision.